

AGENDA PLANNING AND LAND USE COMMITTEE MEETING OF OCTOBER 1, 2015, AT 9:00 A.M. COUNCIL CHAMBERS CITY HALL, 1 CENTENNIAL SQUARE

Page

CALL TO ORDER

APPROVAL OF AGENDA

CONSENT AGENDA

ADOPTION OF MINUTES

1. Minutes from the meeting held September 10, 2015.

3 - 7

DEVELOPMENT APPLICATION REPORTS

2. Development Permit with Variances Application No. 000404 for 701 Tyee Road (Railyards)

9 - 128

--J. Tinney, Director - Sustainable Planning and Community Development

An application to authorize the design, siting, and landscaping for 144 unit apartment to be constructed in three phases at the Railyards development. A hearing is required prior to Council making a final decision on the application.

<u>Staff Recommendation</u>: That Council advance the application to a hearing and then consider authorizing the permit.

3. Development Permit with Variances Application Nos. 000431, 000432 and 000433 for 1032, 1038 and 1044 Harling Lane

129 - 177

--J. Tinney, Director - Sustainable Planning and Community Development

An application to authorize the design and landscaping for three small-lot houses. A hearing is required prior to Council making a final decision on the application.

<u>Staff Recommendation</u>: That Council advance the application to a hearing and then consider authorizing the permit.

4. Heritage Alteration Permit with Variances Application Nos. 00205 and 00206 for 226 Dallas Road and 222 Dallas Road

--J. Tinney, Director - Sustainable Planning and Community Development

179 - 247

An application to relocate and rehabilitate two houses currently located at 524 and 526 Michigan Street to 226 and 222 Dallas Road. A Public Hearing is required prior to Council making a final decision on the application.

<u>Staff Recommendation</u>: That Council advance the application to a Public Hearing and then consider authorizing the permit.

ADJOURNMENT

MINUTES OF THE PLANNING & LAND USE COMMITTEE MEETING HELD THURSDAY, SEPTEMBER 10, 2015, 9:00 A.M.

1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.

Committee Members Present: Mayor Helps (Chair); Councillors Alto, Isitt,

Loveday, Lucas, Madoff, and Young.

Absent: Councillors Coleman and Thornton-Joe

Staff Present: J. Johnson – City Manager; J. Jenkyns – Deputy

City Manager; J. Tinney – Director, Sustainable Planning & Community Development; A. Hudson – Assistant Director, Community Planning; R. Battalas – Senior Planner; A. Brett – Planner; M. Miller – Heritage Planner; R. Woodland – Director, Legislative & Regulatory Services; J.

Appleby - Recording Secretary.

2. APPROVAL OF AGENDA

Action: It was moved by Councillor Loveday, seconded by Councillor Alto, that the

Agenda of the September 10, 2015, Planning and Land Use Committee

meeting be approved.

CARRIED UNANIMOUSLY 15/PLUC199

3. MINUTES

3.1 Minutes from the Meeting held on August 27, 2015.

Action: It was moved by Councillor Alto, seconded by Councillor Isitt, that the

Minutes from the Planning and Land Use Committee meeting held August

27, 2015, be adopted.

CARRIED UNANIMOUSLY 15/PLUC200

4. DEVELOPMENT APPLICATION REPORTS

4.1 Heritage Designation Application No. 000153 for 727-729 Johnson Street

Committee received a report regarding an application for 727-729 Johnson Street. The proposal is an owner request to designate the exterior of the property as a Municipal Heritage Site.

Committee discussed:

 The lack of a heritage conservation plan to identify what is underneath the current façade. • If the owner is willing to remove improvements to restore the original elements.

Action:

- It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee recommends that Council support Heritage Designation Application No. 000153 for the property located at 727-729 Johnson Street subject to the applicant undertaking the following steps:
- 1. Working with staff to develop a conservation plan that details the restoration/rehabilitation work to be carried out in accordance with the Standards and Guidelines, to the satisfaction of the Director, Sustainable Planning and Community Development.
- 2. Making/obtaining application for the appropriate permits to undertake the restoration/rehabilitation of the Johnson Street façade.
- 3. Undertaking the restoration/rehabilitation of the Johnson Street façade in accordance with the Standards and Guidelines, to the satisfaction of the Director, Sustainable Planning and Community Development.
- 4. Revising Heritage Designation Application No. 00053 to reflect the restoration/rehabilitation work undertaken that would reinstate its architectural integrity for Council's consideration of the revised application for designation.

CARRIED UNANIMOUSLY 15/PLUC201

Councillor Young excused himself from the meeting at 9:07 a.m. due to a non-pecuniary conflict of interest as his landlord owns a property that could be affected by the proposed seismic upgrading bylaw.

5. POLICY REPORTS

5.1 Mandatory Seismic Upgrading Bylaw

Committee received a report proposing amendments to the *Provincial Building Act* that would allow the City of Victoria to require seismic upgrading to vulnerable buildings.

Committee discussed:

- The risk of driving investment to other municipalities and isolating the City.
- The potential to create a major disincentive for ownership of heritage/unreinforced buildings.
- The need to ensure heritage and unreinforced structures are up to code to perform better in the case of an earthquake.

Action:

- It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee recommends that Council engage with the Union of British Columbia Municipalities (UBCM) to advocate to the Provincial Government to examine the following:
- 1. Provincial policy changes that would support seismic upgrading of existing buildings within earthquake-prone regions.

Planning and Land Use Committee Minutes September 10, 2015 2. Examination of policy tools to ensure regulations do not create an excessive financial disincentive for property-owners to upgrade heritage and unreinforced structures.

Committee discussed:

- Concern that owners would be required to empty their buildings in order to complete a seismic upgrade.
- Financial strategies that could be employed to help with the costs of those affected
- Policy changes that could be explored at the Provincial level to support seismic upgrading.
- Insurance costs and if there is a way to lobby for reduced rates based on seismic upgrading of vulnerable buildings.

Amendment: Councillor Isitt moved that the motion be amended as follows:

That Committee recommends that Council engage with the Union of British Columbia Municipalities (UBCM) to advocate to the Provincial Government to examine the following:

- 1. Provincial policy changes that would support seismic upgrading of existing buildings within earthquake-prone regions.
- 2. Examination of policy tools to ensure regulations do not create an excessive financial disincentive for property-owners to upgrade heritage and unreinforced structures.
- 3. Report back on options for specific actions the City could take to encourage or require the seismic upgrading of buildings in the City.

Motion failed due to no seconder.

<u>Amendment</u>: It was moved by Councillor Isitt, seconded by Councillor Lucas, that the motion be amended as follows:

Committee recommends that Council engage with the Union of British Columbia Municipalities (UBCM) to advocate to the Provincial Government to examine the following:

- 1. Provincial policy changes that would support seismic upgrading of existing buildings within earthquake-prone regions.
- 2. Examination of policy tools to ensure regulations do not create an excessive financial disincentive for property-owners to upgrade heritage and unreinforced structures.
- 3. Report back on options for specific actions the City could take to encourage the seismic upgrading of buildings in the City.

On the amendment: CARRIED UNANIMOUSLY 15/PLUC202

Committee discussed the main motion as amended:

- The importance of being mindful of the financial impacts and the need to work with the landowners to make upgrading viable.
- The Old Town and heritage buildings are one of the City's greatest assets for liveability and tourism.
- The need to focus on collaboration with both the UBCM and the Province. Victoria as the Capital has a unique relationship with the Province and the City

Planning and Land Use Committee Minutes September 10, 2015 needs to work with the Province to try to put a process in place that will take care of those important structures.

On the main motion as amended: CARRIED UNANIMOUSLY 15/PLUC203

Action:

It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee recommends that Council refer the Mandatory Seismic Upgrading Bylaw report to the Heritage Advisory Panel for review and comment.

CARRIED UNANIMOUSLY 15/PLUC204

Action:

It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee recommends that Council request that the Victoria Civic Heritage Trust make a presentation to Council regarding current programs related to seismic upgrading.

CARRIED UNANIMOUSLY 15/PLUC205

Councillor Young returned to the meeting at 9:30 a.m.

5.2 Delegated Authority and Exemptions for Development Permits

Committee received a report dated August 27, 2015 regarding proposed amendments to the *Official Community Plan (OCP) Bylaw* and the *Land Use Procedures Bylaw* that would allow staff to review and approve certain types of applications.

Committee discussed:

- The report arose from the Development Summit as a request to streamline application processes and increase turnaround time for minor applications.
- The type of applications that would be delegated and how that information would be made available to Council.
- The importance of stakeholder engagement and comment before moving forward.

Action:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council refer the Delegated Authority and Exemptions for Development Permits report to the Heritage Advisory Panel, Advisory Design Panel, Community Association Land Use Committees (CALUCs), and the Urban Development Institute, inviting comment on the report and recommendations by October 30th and that staff report back to the Planning and Land Use Committee in November on input received and any proposed adjustments to the recommendations.

CARRIED UNANIMOUSLY 15/PLUC206

6. ADJOURNMENT

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Action:	It was moved by Councillor Alto, seconded by Councillor Madoff, that the Planning and Land Use Committee meeting of September 10, 2015, be adjourned at 10:00 a.m.
	CARRIED UNANIMOUSLY 15/PLUC207
May	or Helps, Chair

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Planning and Land Use Committee Report For the Meeting of October 1, 2015

To:

Planning and Land Use Committee

Date:

September 17, 2015

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Permit with Variances Application No. 000404 for 701 Tyee

Road (Railyards)

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000404 for 701 Tyee Road, in accordance with:

- 1. Plans date stamped August 24, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the north setback (Gaudin Road) from 3.5m to nil;
 - ii. reduce the south setback from 4m to nil for Phases 1 and 2;
 - iii. reduce the south setback from 4m to 3.5m;
 - iv. increase the height in DA-H from 24m to 25.49m for Phase 2;
 - v. increase the height in DA-J from 31m to 33m for Phase 3;
 - vi. reduce parking from 50 stalls to 49 stalls for Phase 1;
 - vii. reduce parking from 185 stalls to 178 stalls;
 - viii. reduce the bicycle storage (Class 1) from 40 stalls to 28 stalls for Phase 1.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Revised plans to the satisfaction of staff that:
 - i. either enclose or screen the proposed garbage enclosure adjacent to Gaudin Road:
 - ii. provide further details of the proposed grass pave finish;
 - iii. provide comprehensive details relating to landscaping for Phases 1 and 2;
 - iv. provide reduced annual landscaping maintenance costs within Bridges Park and along Tyee Road.
- 5. Referral to the Advisory Design Panel for a comprehensive review and with particular attention to the following issues:
 - i. the design of building entrances facing Tyee Road;
 - ii. the design and appearance of the "Sky Home" end units;
 - iii. the treatment of parkade walls that project above grade.

- 6. An amendment to the Railyards Master Development Agreement, to the satisfaction of staff, to:
 - address proposed revisions to the public parking required in conjunction with Bridges Park and the path from Tyee Road to Central Spur Road;
 - ii. secure cost estimates for all required on-site services, off-site services and public amenities prior to any building in proposed Phase 1 being occupied.
- 7. A Public Access Easement registered on title, to the satisfaction of staff, to secure public access through the site from Tyee Road to Central Spur Road.
- 8. A Statutory Right-of-Way registered on title, to the satisfaction of staff, to secure public access to the Victoria West Entry Park and public pathways located on private land adjacent to Tyee Road.
- That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff.

LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*, 2012. 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 920(8) 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, siting, form, exterior design and finish of buildings and other structures.

Pursuant to Section 920(8) of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of commercial, industrial and multifamily residential development, a Development Permit may include requirements respecting the character of the development including landscaping, 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 with Variances Application for the property located at 701 Tyee Road. The proposal is to construct 144 residential units in three phases on Lots H and J (the undeveloped portions) of the Railyards development.

The Application proposes the following variances from the Zoning Regulation Bylaw:

- reducing the north setback (Gaudin Road) from 3.5m to nil
- reducing the south setback from 4m to nil for Phases 1 and 2; this setback variance will be 3.5m on completion of the development
- increasing the maximum allowable building height in DA-H from 24m to 25.49m for Phase 2
- increasing the maximum allowable building height in DA-J from 31m to 33.01m for Phase 3
- reducing the bicycle storage (class 1) from 40 stalls to 28 stalls for Phase 1; the number of bicycle stalls will exceed the number required by the *Zoning Regulation* Bylaw for the entire project following the completion of Phase 2

Development Permit with Variances Application No. 000404 for...

- reducing parking from 50 stalls to 49 stalls for Phase 1
- reducing parking for the completed project from 185 stalls to 178 stalls.

The following points were considered in assessing this Application:

- The applicant wishes to develop the site in three phases and, as each phase must be reviewed against the Zoning Regulation Bylaw, this results in some variances that will not exist, or will not exist to the extent proposed, at the completion of the project.
- The proposal is generally consistent with the Railyards Development Guidelines, however, staff recommend that some minor revisions are made to the plans to address issues relating to garbage areas and landscaping.
- An amendment to the Railyards Master Development Agreement (MDA) is required to address proposed revisions to the required public amenities, namely the public parking associated with Bridges Park and the path from Tyee Road to Central Spur Road. The MDA should also be amended to ensure that any necessary cost estimates and security is provided before the proposed Phase 1 building is occupied.
- The Application proposes 195 parking stalls, however, 17 of the stalls are either small
 car stalls or tandem stalls and do not meet the requirements of Schedule C of the Zoning
 Regulation Bylaw. The parking requirement for this project is 185 stalls, therefore, the
 proposal would result in a seven stall parking variance.

BACKGROUND

Description of Proposal

The proposal is for 144 residential units on the undeveloped portions of the Railyards development. Specific details include:

- The development would be constructed in three phases. Phase 1 would be located at the corner of Gaudin Road and Central Spur Road and would consist of 40 residential units. Phase 2 would be located immediately to the south of Phase 1 and would consist of 38 residential units. The final Phase would be located immediately to the north of the Point Ellice Bridge and would consist of 66 units.
- The tallest buildings would be located on Tyee Road with the building heights ranging from three to seven storeys. Building elements fronting Central Spur Road would range from two to three storeys in height.
- The proposed 144 units would be in the form of apartments units ranging from studios with a floor area of 36.7m² to two bedroom plus den units with a floor area of 130.4m².
- The development would have the appearance of several individual buildings above a shared underground parkade.
- Access to the underground parkade would be provided in two locations directly off Central Spur Road.
- The proposed finishing materials include corrugated metal cladding and fiber cement panels
- As required by the Railyards MDA, the plans indicate that the land located immediately to the north of the Point Ellice Bridge will be dedicated to the City for future bridge improvements/expansion
- The proposal includes the construction of a Park and Tot Lot between Central Spur Road and the Galloping Goose Trail. A "parkette" and neighbourhood signage will be provided at the corner of Bay Street and Tyee Road.

The proposed variances are as follows:

- reducing the north setback (Gaudin Road) from 3.5m to nil as a result of the underground parkade projecting above grade
- reducing the south setback from 4m to nil for Phases 1 and 2; this setback variance will be 3.5m on completion of the development
- increasing the maximum allowable building height in Development Area H from 24m to 25.49m
- increasing the maximum allowable building height in Development Area J from 31m to 33.01m
- reducing the bicycle storage (class 1) from 40 stalls to 28 stalls for Phase 1; the number of bicycle stalls will exceed the number required by the *Zoning Regulation Bylaw* for the entire project by 15 stalls following the completion of Phase 2
- reducing parking from 50 stalls to 49 stalls for Phase 1
- reducing parking for the completed project from 185 stalls to 178 stalls (7 stall variance).

Sustainability Features

As indicated in the applicant's letter dated August 20, 2015, the following sustainability features are associated with this Application:

- energy efficiency through orientation of windows
- reduced water use through xeriscaping in the plant selection and low-flush/dual-flush toilets with low-flow features
- · installation of energy-star appliances
- · provisions for future electrical charging station
- motion sensor lighting within parkade and corridor locations
- energy saving lighting in public space locations.

Active Transportation Impacts

The Application proposes the following features which support active transportation:

- 159 Class 1 (secure storage) bicycle stalls
- 18 Class 2 bicycle racks
- new public footpath from Tyee Road to Central Spur Road
- new public footpath (which can accommodate bicycles) from Central Spur Road to the Galloping Goose Trail.

Public Realm Improvements

The following public realm improvements are proposed and are required by the Railyards MDA:

- the construction of a Park and Tot Lot between Central Spur Road and the Galloping Goose Trail
- the construction of a "parkette," public footpaths and neighbourhood signage at the corner of Bay Street and Tyee Road.

In addition to the above, the applicant will also be constructing a new bus stop on Tyee Road.

Existing Site Development and Development Potential

The Application site is located within Development Areas H and J of the CD-5 Zone, Railyards Residential Commercial District, which permits apartments, live/work and park uses with a maximum floor space ratio (FSR) of 2.25:1 in Development Area H and 2.35:1 in Development Area J.

Data Table

The data table is attached as Appendix 1 and compares each phase of the proposal with the regulations for Development Areas H and J in the existing C-5 Zone, Railyards Residential Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on August 25, 2015, the Application was referred for a 30-day comment period to the Victoria West CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area and Design Guidelines

The Official Community Plan (OCP) identifies this property with in Development Permit Area 13: Core Songhees. The applicable Design Guidelines are the Railyards Development Guidelines. The proposal is consistent with these Guidelines as follows:

- the proposed design reflects the industrial nature of the site and is complimentary to the completed phases of the Railyards development
- the proposal contributes to the public park system in the Victoria West Neighbourhood by providing a park, children's play area and several public footpaths through and adjacent to the site
- the buildings with the highest residential density are located adjacent to the Point Ellice Bridge
- the development includes a variety of expressive roof forms
- architectural features such as balconies and recesses have been used to articulate the proposed buildings
- strong colours are proposed to add visual interest to the buildings
- the use of corrugated metal and fiber cement panels is consistent with the recommended wall cladding materials listed in the Design Guidelines
- a mix and range of unit types are proposed with the floor area of individual units ranging from 36.7m² to 130.4m².

Notwithstanding the above, staff recommend that Council consider referring the Application to the Advisory Design Panel for a comprehensive review with particular attention being made to the following issues:

- the design of building entrances facing Tyee Road
- · the design and appearance of the "Sky Home" end units
- · the treatment of parkade walls that project above grade.

Proposed Variances

Parking

The Application proposes a total of 195 parking stalls within an underground parkade. However, 17 of these stalls are either identified as small car stalls or tandem stalls and do not meet the requirements outlined in Schedule C of the *Zoning Regulation Bylaw*. As the proposal requires 185 parking stalls and only 178 stalls meet the Schedule C requirements, the Application technically results in a seven stall parking variance. The total breakdown of parking stalls is outlined in the table below and an asterisk marks where a variance occurs:

						PROPOS	SED PA	ARKING						
Phase 1				Phase 1 & 2					Phase 1, 2 & 3					
Regular Stalls	Zone Standard	Small Stalls	Tandem Stalls	Total	Regular Stalls	Zone Standard	Small Stalls	Tandem Stalls	Total	Regular Stalls	Zone Standard	Small Stalls	Tandem Stalls	Tota
49*	50	5	3	57	100	99	8	5	113	178*	185	12	5	195

Notwithstanding the above, the proposal would result in parking ratio of approximately 1.2 parking spaces per dwelling unit which is considered appropriate to address parking demand for an apartment development in this location. In addition, the small car and tandem stalls will still be available for use by residents.

Height

The Application seeks a height variance in Development Area H from 24m to 25.49m and in Development Area J from 31m to 33.01m. The building elements exceeding the maximum allowable building heights are solely parapet roof elements on the tallest feature buildings situated adjacent to Tyee Road. These parapet features have been included to address the Railyards Development Guidelines that recommends that buildings are designed with expressive roof forms.

Bike Parking

The applicant proposes to provide the majority of the bicycle storage in Phase 2 of the development. Therefore, at the completion of Phase 1 a 12 stall Class 1 bicycle parking variance is proposed. When the entire project is complete, the bike storage provided will exceed the *Zoning Regulation Bylaw* requirements by providing storage for 159 bicycles.

North Setback

The main north-facing building elevation is setback 3.5m from Gaudin Road. However, the underground parkade wall projects over 2m above grade and is located immediately adjacent to the property line. The plans indicate that the exposed wall would have a "green wall" treatment. Staff recommend that Council consider referring the application to the ADP to review, amongst other elements of proposal, the treatment of the exposed parkade walls that are clearly visible from public vantage points.

South Setback

Both Phases 1 and 2 would be constructed up to the proposed phasing line but the subsequent phase of development would occur immediately to the south of the preceding phase. The CD-5 Zone requires a 4.5m south setback, however, the completed project would be setback 3.5m from the property line. This is a result of the land immediately to the south of the development being dedicated to the City for the purpose of future improvement to the Point Ellice Bridge.

Recommended Plan Revisions

Garbage Area

Initial plans submitted by the applicant indicated a garbage pickup location on Central Spur Road. However, to accommodate garbage truck manoeuvres, a turning head would likely have been required that would have had a significant impact on the proposed Bridges Park. As such, the plans now indicate that a garbage pick-up area will be provided immediately adjacent to Gaudin Road. The Railyards Development Guidelines state that recycling and garbage areas should be fully enclosed within buildings, rather than in an open air location. Therefore, it is recommended that Council consider requesting revised plans that enclose the garbage area or satisfactorily screen it from public views.

Surface Treatment and Landscaping

The Application proposes extensive areas of grass pave surface treatment to accommodate emergency fire truck access adjacent to Tyee Road. Staff recommend that Council consider requesting that the applicant provide further details of the grass pave treatment to ensure it is both visually acceptable and has long term durability.

In addition, the revised plans should include all landscaping elements associated with each phase of the project regardless of whether that landscaping is temporary in nature. The plans submitted do not comprehensively illustrate this level of landscaping detail.

With particular regard to Bridges Park and and along Tyee Road, in an effort to reduce annual maintenance costs, staff recommend that Council consider requesting that the applicant provide revised plans that will reduce the annual maintenance costs. This can be achieved by reducing the shrub bed areas and revising the plant palette.

Railyards Master Development Agreement

The Railyards MDA requires that the following public amenities be constructed in conjunction with Lots H & J:

Bridges Park and Tot Lot

- Public Parking (Bridges Park 6 stalls)
- Bridge Dedication Landscaping
- Victoria West Entry Park (Tyee & Bay)
- · Path from Tyee Road to Central Spur Road.

The Application responds to the above as follows:

Bridges Park and Tot Lot

The Bridges Park and Tot Lot would be constructed at the southern end of the site, adjacent to the Galloping Goose Trail, consistent with the MDA requirements and the Railyards Development Guidelines.

Public Parking (Bridges Park)

The applicant is no longer proposing parking spaces specifically for Bridges Park. Instead the Application proposes to use this space for additional park area which allows for a public footpath link to the Galloping Goose Trail with a gradient of less than 5% making it accessible to cyclists. Staff recommend that Council consider supporting this solution as it encourages modes of active transportation and, given the location of the park, visitors are likely to cycle or walk to it.

Bridge Dedication Landscaping

The applicant proposes to dedicate a landscaped area immediately to the north of the Point Ellice Bridge to the City, consistent with the MDA.

Victoria West Entry Park

The Victoria West Entry Park is proposed on the corner of Tyee Road and Bay Street and would consist of a small "parkette" with seating, pedestrian pathways, an improved transit stop and a new neighbourhood sign. The design and layout of these features are considered to be generally consistent with the Railyards Development Guidelines, however, the "parkette" and some of the pathways are located on private land and public access to these must be secured by a Statutory Right-of-Way.

Path from Tyee Road to Central Spur Road

A public pathway is proposed between Tyee Road and Central Spur Road consistent with the MDA. The MDA requires that the pathway be dedicated as Park, however, due to liability and maintenance concerns resulting from the underground parkade being located directly under the pathway, staff recommend that Council consider securing public access along this corridor by means of a Public Access Easement.

MDA Amendments

In light of the above, staff recommend that Council consider that the proposed design solution for the required public amenities are acceptable and that the MDA be amended to address the changes relating to the public parking for Bridges Park and the path from Tyee Road to Central Spur Road.

In addition, the MDA envisaged that the cost estimates and securities for required on-site services, off-site services and public amenities be linked to subdivision approval. As the Application now proposes a different approach to site subdivision, staff recommend that the MDA be amended to secure the necessary cost estimates and securities before the proposed Phase 1 building is occupied.

Encroachment Agreement

With any project of this scale that has significant excavation adjacent the road Right-of-Way, 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) present no concerns to the public interest, however, an Encroachment Agreement between the City and the developer is required. The staff recommendation that is provided for Council's consideration includes direction to allow staff to enter into an agreement, if the Development Permit Application is approved by Council and if underpinning is deemed necessary to facilitate the construction.

Community Garden

When considering an earlier phase (Lot E) of the Railyards development, Council made the following motion:

That staff be directed to explore with the applicant and the Victoria West Community Association the possibility of including a community garden with the phasing of Lots H and J.

In discussions with the applicant, it is apparent that the provision of a community garden is not feasible for the following reasons:

- The developer is required to complete Bridges Park and Tot Lot, Victoria West Entry Park, the final sections of Central Spur Road and dedicate land to the City adjacent to the Point Ellice Bridge in conjunction with Lots H and J.
- There is a substantial grade change from the east to west property boundary.
- The most logical location for a community garden, on the land least affected by the change in grade, would be where the Bridges Park and Tot Lot is proposed. Converting part of this area to a community garden would likely compromise the ability to provide a satisfactory footpath link from Central Spur Road to the Galloping Goose Trail or would result in the loss of the Tot Lot.

It should be noted that neither the MDA, the applicable CD-5 Zone nor the Railyards Design Guidelines identify the need for, or require that the Developer provide, a community garden at this location.

Resource Impacts

There are resource impacts anticipated with this proposal. As per the MDA, several public amenities will be provided as part of the of the Railyards development. Once completed, the maintenance of Bridges Park, the Tot Lot as well as the Tyee Road improvements will rest with the Parks Division. It is estimated that the annual maintenance of the landscaping and play structures will add approximately \$60,000.00 in annual maintenance costs. This estimate is based on 2015 rates and the operational impact is expected in 2018. The breakdown is as follows:

- shrub beds: \$37,000.00 (weed, mulch, fertilize and prune)
- new trees: \$5,000.00 (fertilize and prune)
- turf areas: \$4,000.00 (mow, trim and fertilize)
- irrigation infrastructure: \$2,000.00 (water meter fees, spring/winter maintenance)
- playground maintenance: \$7,000.00 (repairs and fiber surface grading)
- garbage pickup: \$5,000.00.

Additional capital implications are that the playground will require replacement in 15 years at an estimated cost of \$150,000.00 (plus inflation) and a full time employee (FTE) of 0.75 will be required to maintain this additional inventory.

The landscape areas in Bridges Park and along Tyee Rd are extensive. In an effort to reduce annual maintenance costs, staff recommend that Council consider requesting that the applicant provide revised plans that will reduce the annual maintenance costs.

CONCLUSIONS

The proposal to construct 144 residential units on the undeveloped portions of the Railyards development is considered generally consistent with the Railyards Development Guidelines. However, it is recommended that Council consider referring the Application to the ADP for a comprehensive design review.

The applicant wishes to develop the site in three phases and, as each phase must be reviewed against the *Zoning Regulation Bylaw*, this results in some variances that will not exist, or will not exist to the extent proposed, at the completion of the project.

An amendment to the MDA is required to address proposed revisions to the required public amenities, namely the public parking associated with Bridges Park and the path from Tyee Road to Central Spur Road. The MDA should also be amended to ensure that any necessary cost estimates and security is provided before the proposed Phase 1 building is occupied.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000404 for the property located at 701 Tyee Road.

Respectfully submitted,

Jim Handy, Senior Planner - Development

Agreements, Development Services

Division

onathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date:

Sept. 25/15

List of Attachments

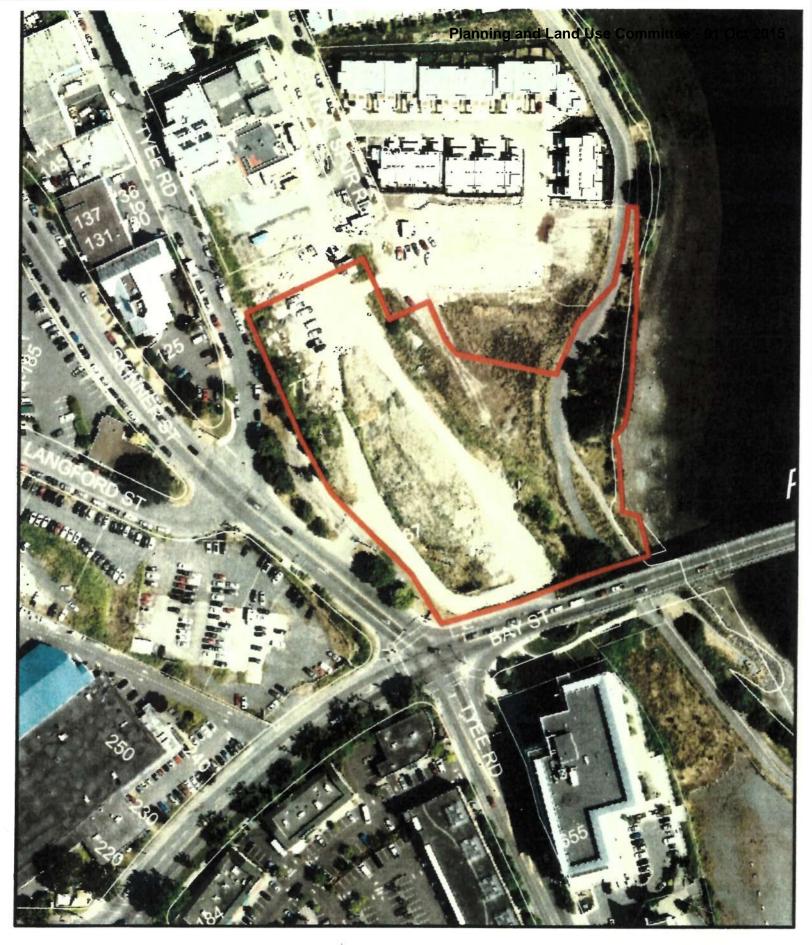
- Appendix A Data Table
- Aerial plan
- Zoning plan
- Letter from Architect dated August 16, 2015
- · Letter from applicant dated August 20, 2015
- Plans dated August 24, 2015.

Appendix 1: Data Table

Zoning Criteria	Phase 1 (DA-H)	Phases 1 & 2 (DA-H)	Zone Standard (DA-H)	Phase 3 (DA-J)	Zone Standard (DA-J)	Total Project (Phases 1, 2 and 3)
Site Area (m²)	2366.83	4372.59	n/a	2395.14	n/a	6767.73
Total Floor Area (m²) – max.	2771.15	5683.02	9855.85	5067.42	n/a	10750.44
Density (Floor Space Ratio) – max.	1.17	1.3	2.25	2.12	2.35	1.59
Geodetic Height (m) – max.	22.55	25.29*	24	33.01*	31	n/a
Storeys	3	4	n/a	7	n/a	n/a
Site coverage (%)	47	45	n/a	43	n/a	43
Open site space (%)	53	55	n/a	57	n/a	57
Setbacks (m) – min. Front (Tyee Road) Rear (Central Spur Road) Side (Gaudin Road) Side (Bay Street)	7.25 3.5 Nil* Nil*	11 3.5 Nil* Nil*	2 3.5 3.5 4	7.25 3.5 Nil* 3.5*	2 3.5 4 4	n/a
Parking provided	49*	100		78*		178 (does not include the proposed 17 small car and tandem stalls)
Parking required – min.	50	99	99	86	86	185

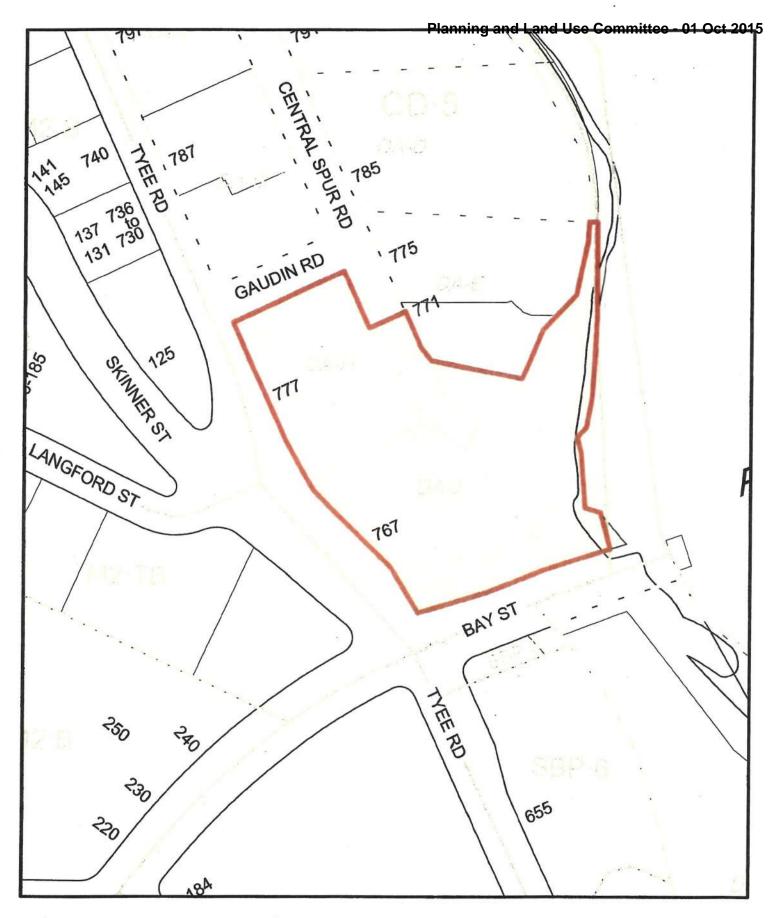
Appendix 1: Data Table

Visitor parking provided	6	17		2		19	
Visitor parking required – min.	6	10	10	9	9	19	
Bicycle Storage (Class 1) provided	28*	159		0		159	
Bicycle Storage (Class 1) required – min.	40	89	89	53	53	144	
Bicycle Rack (Class 2) provided	6	18		0		18	
Bicycle Rack (Class 2) required – min.	6	12	12	6	6	18	











701 Tyee Road
Development Permit #000404



Planning and Land Use Committee - 01 Oct 2015

406 - 611 Alexander Street Vancouver, SC, VSA 1E1 TEL 604.255.1169

300 - 134 11th Avenue SE Calgary, Alberta, T2G OX5 TEL 403.245.5501

100 - 10237 104th Street TEL 780,429,1580

1000 - 2 Bloor Street East Edmonton, Alberta T5J 181 Toronto, Ontario, M4W 1A8 TEL 416,956,0220

16 August 2015

City of Victoria Sustainable Planning and Community Development Department 1 Centennial Square Victoria BC V8W 1P6

Attention: Jim Handy, MCIP RPP Senior Planner

Dear Jim,

Re: 701 Tyee Road Development Permit No. 000404

In response to our revised DP submission dated Aug 14, 2015, this letter contains our response for the design rationale of variances that we are requesting:

Variance on maximum building height of Building 3,

See the Architectural drawing, A3.11. The Building 3 rooftop finishes at geodetic height, 31.00m, the maximum allowable height. The only elements built above are the elevator mechanical room and parapet walls for roofscape articulation. All the habitable space will be under the maximum allowable height. To create a meaningful gateway feature at the base of the bridge head, we strongly believe that these roof articulations are necessary from the urban design perspective and worth supporting.

. Variance on bike storage in Phase 1,

See the Architectural drawings, Phasing Plans, A0.05B, A0.06B, A 0.06C. The project will be built in phases for healthy market absorption. The 28 stalls bike storage room is temporary for Phase 1 residents. Upon the completion of Phase 2, the permanent bike storage room will be provided with surplus amount of bike storage capacity, better connection to bike lane on Tyee Road, and better access from building main entries.

. Variance on interior setback,

See the Architectural drawings, A0.02, A0.04. The project will be developed in phases and when completed will be seen as a fully integrated development across the original legal boundaries of Lot H and J. For creative public pedestrian access thru the site utilizing an intimate scale of pathways and building forms, the design provides an unique urban scale within the site. In light of this urban enhancement, the original interior side setback requirement should not restrict the innovation process and should not apply to this unique project.

PRINCIPALS

DM ANDERSON, AIRC, 435", DAA, LEED' AF Haresh aboea, r eng. Joont Barker, abec, also: Dag, sas ALAN DONIFACE, AIDC: AAA: AIA GERALD CARSON, P. ENG. DOUG CHHAMON AIBC, ERA-

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Mr. Jim Handy City of Victoria August 16, 2015 Page 2 of 2

We trust that this response, including all attachments, will satisfy the prior-to conditions and requested clarifications for this project. We look forward to the timely issuance of the approved application.

Yours truly,

DIALOG BC Architecture Engineering Interior Design Planning Inc.

Joost Bakker, Architect AIBC, AAA, SAA, OAA, FRAIC, RCA Principal, DIALOG

c.c. Chris Le Fevre,

Michael Cheung, Matthew Thomson, The Railyards Development Ltd.

DIALOG DIALOG



PROPERTY AGENTS LTD.

Aug 20th, 2015

Mayor Lisa Helps Members of Council

RE: RAILYARDS FINAL DEVELOPMENT PERMIT APPLICATION AREAS H & J

The development of these areas will see to the perfection of the Railyards.

The application honours the principals of the original M.D.A without variance and similarly respects all original design guidelines endowed for the project.

The matrix of units that will be realized in this DP application before you will be as follows:

Phase I

- 3 storey wood frame apartment building
- 40 suites
- 57 parking

Phase I + II

- · 4 storey wood frame apartment building
- 78 suites
- 113 parking

Phase I + II + III

- 4 storey wood frame and 7 storey concrete frame apartment buildings
- 144 suites
- 190 parking

The Railyards project is a major contribution to Victoria's overall community sustainability.

The redevelopment of this industrial site into a compact and vibrant community is trend setting. These last phases of development on parcels H&J will contribute an array of green building features including the following:

Transit friendly development

- convenient access and proximity to transit
- car sharing parking opportunity
- major bike storage zones

Energy efficiency

530 HERALD STREET, VICTORIA, B.C. CANADA V8W 1S6
TELEPHONE: (250) 380-4900 FAX: (250) 386-8608
EMAIL: LEFEVRE@LEFEVREGROUP.COM

- with the utilization of focussed window locations, the project will provide a high performance building envelope

Reduced Water Use

- xeriscaping in the plant selection to reduce water utilization
- low-flush / dual-flush toilets low flow fixtures

Electrical efficiency

- -CFL lighting at public space locations
- -motion sensor lighting within parkade and corridor locations
- -Energy-star appliances
- -provisions for future electrical charging station

Respectfully submitted.

Yours,

Chris Le Fevre

President & CEO

Le Fevre & Company Property Agents Ltd.



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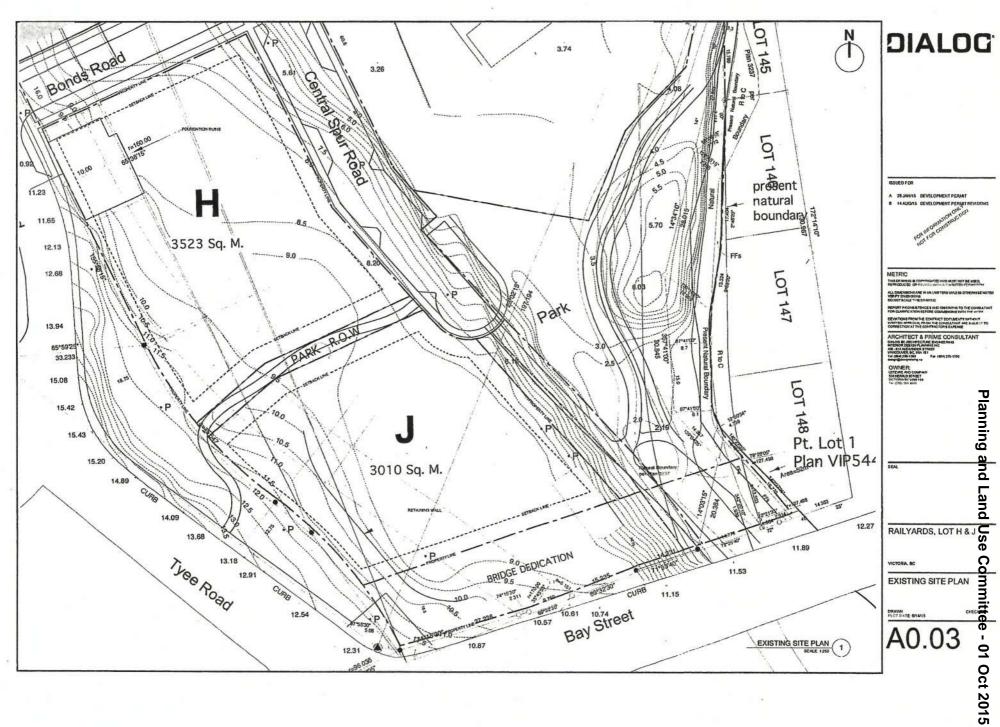
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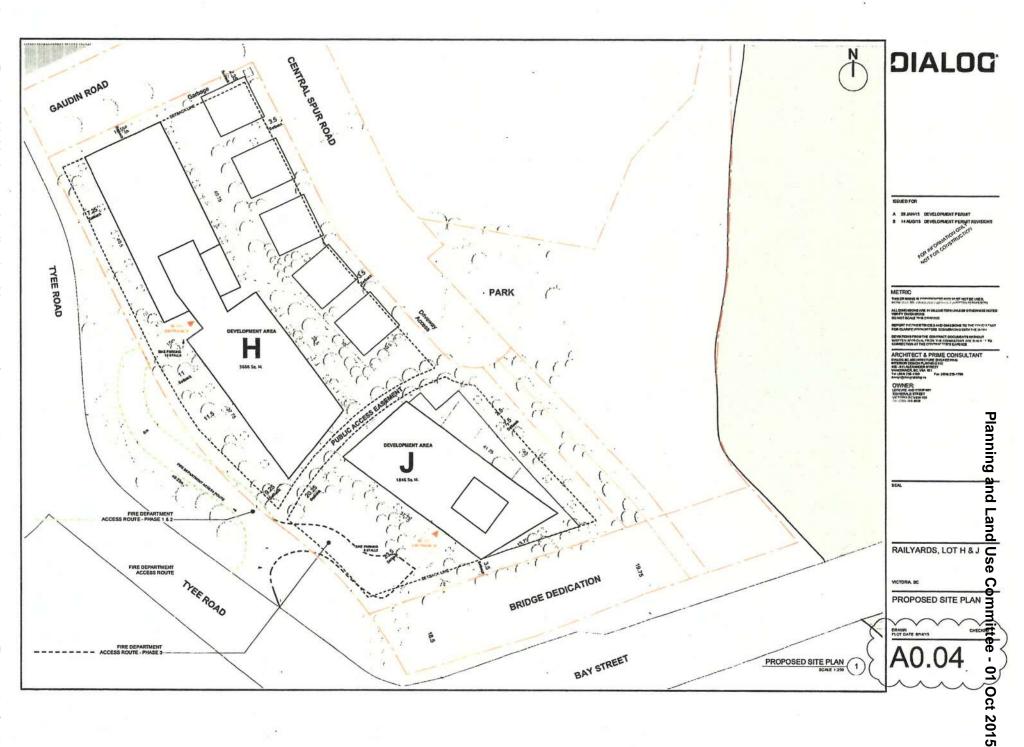
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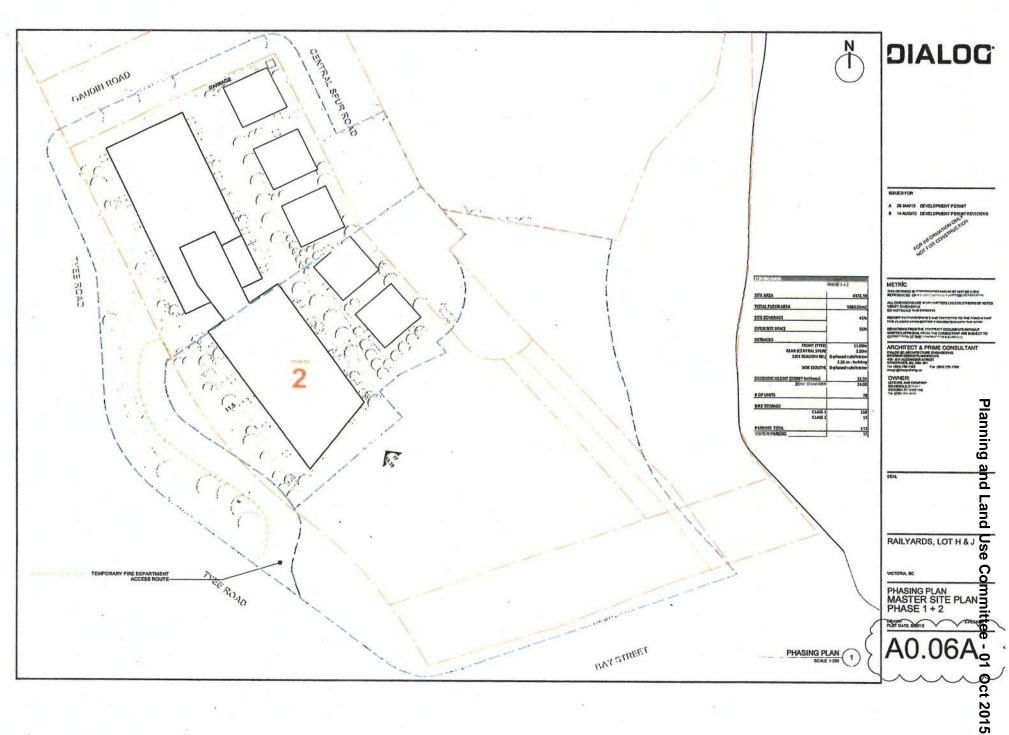
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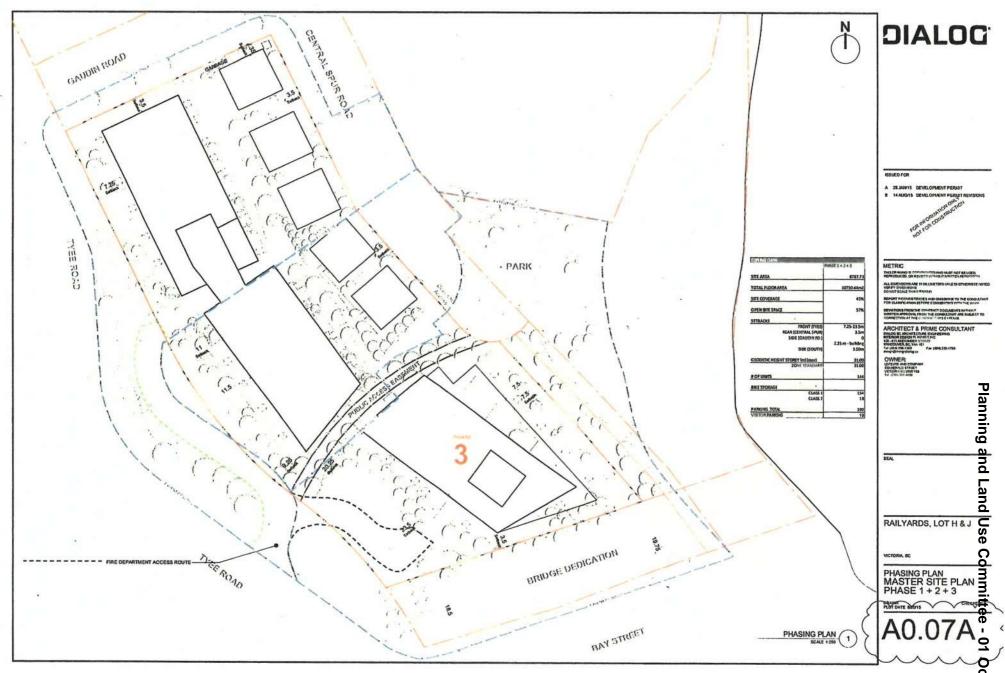




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DIALOG

Planning and Land Use Committee - 01 Oct 2015

RAILYARDS, LOT H & J

RENDERING



RENDERING OF PROJECT 1

Planning and Land Use Committee - 01 Oct 2015 RAILYARDS, LOT H & J

RENDERING

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VANCOUNTER 6: VAN 151
For (60-6) 201-1170
doug-@newsy.com/green/

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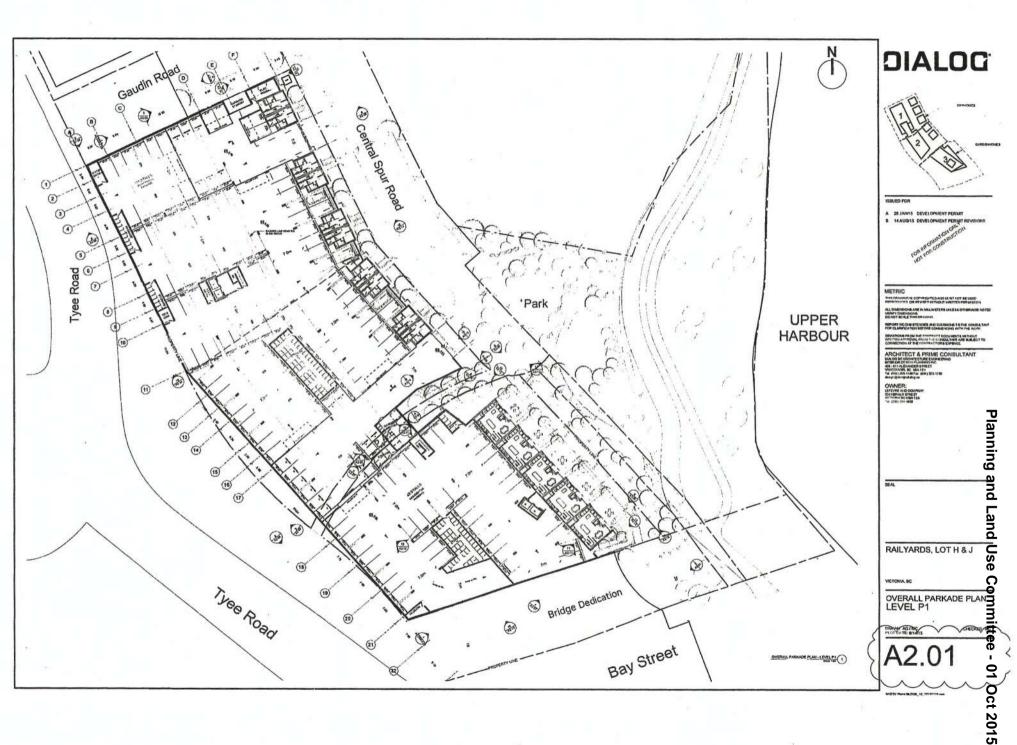
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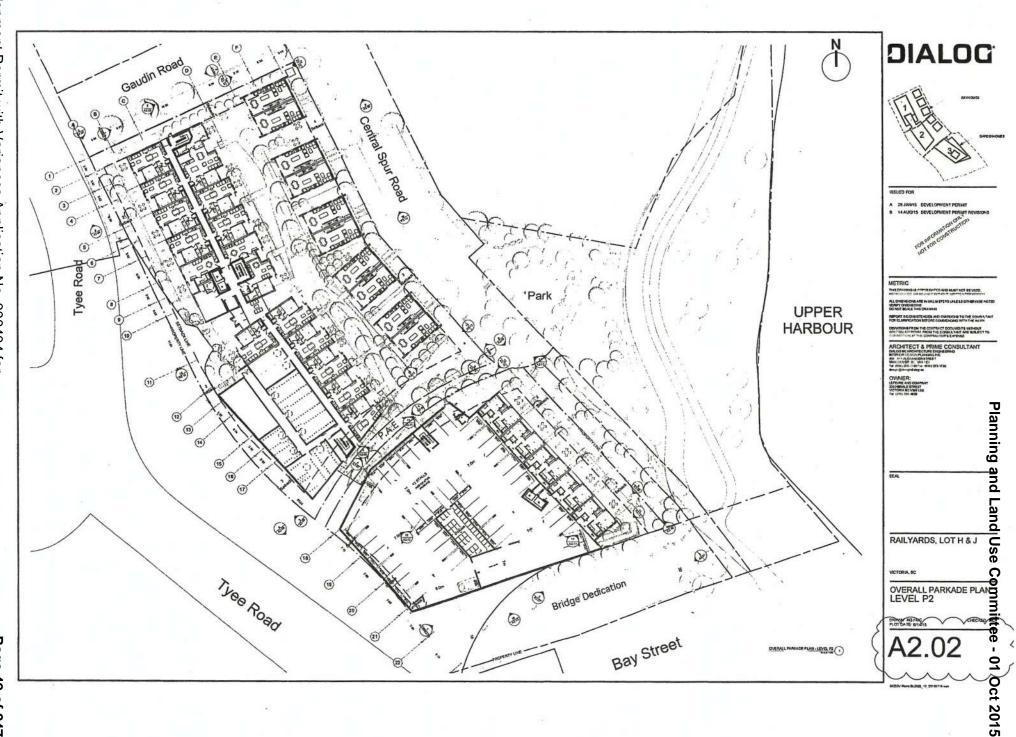
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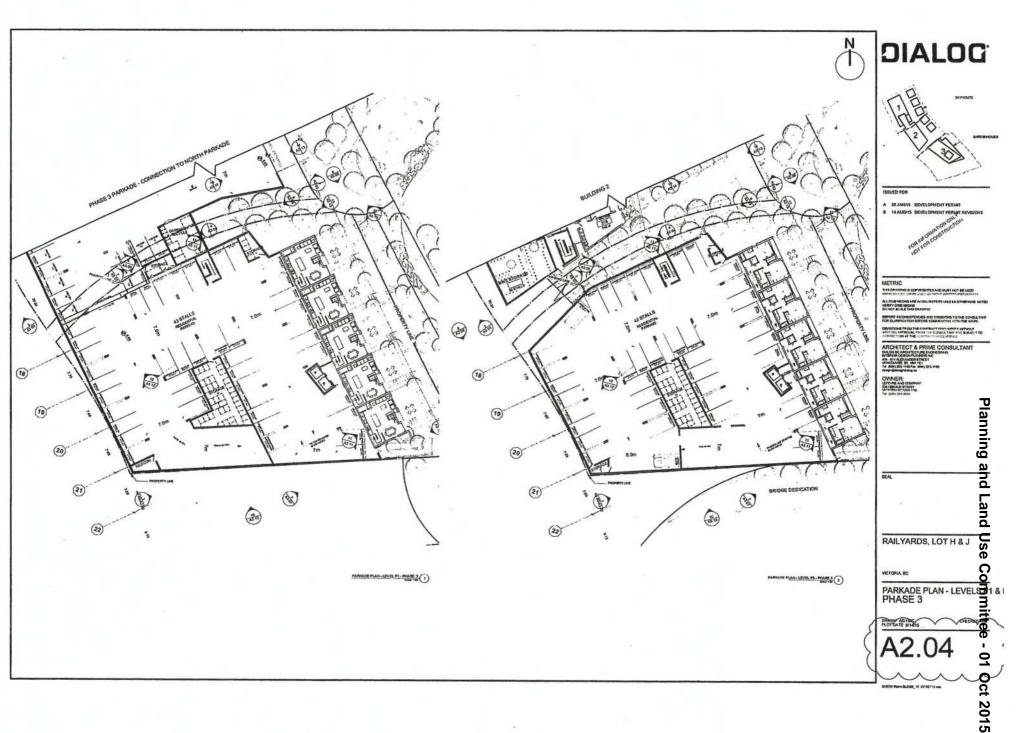
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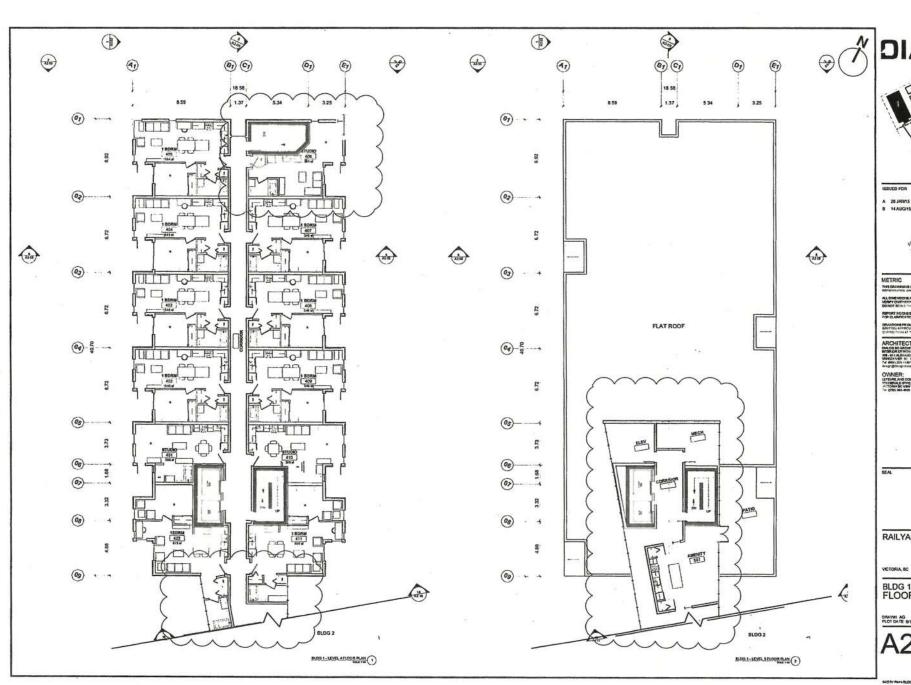
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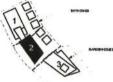
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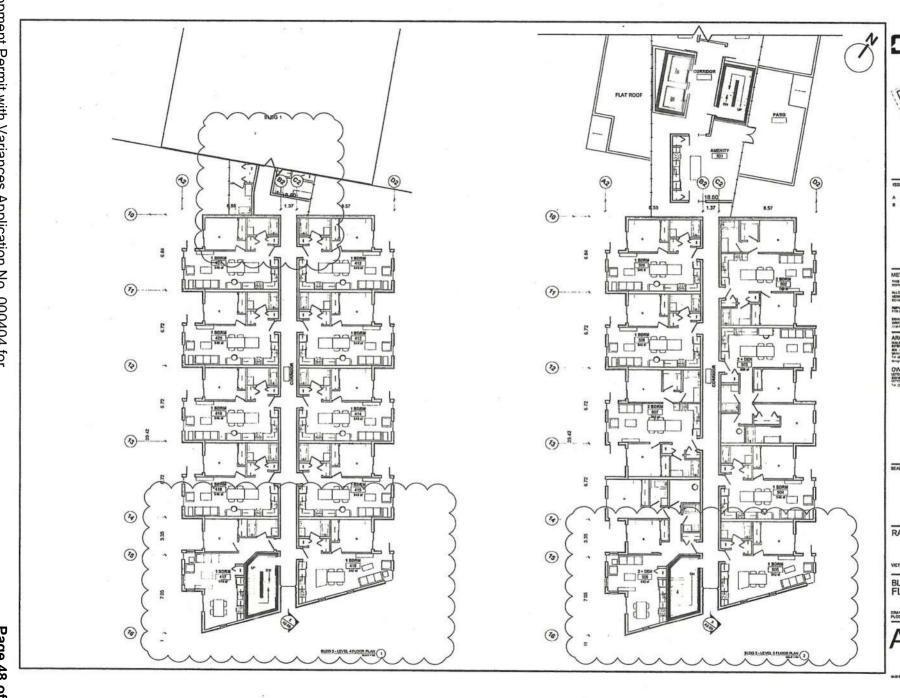
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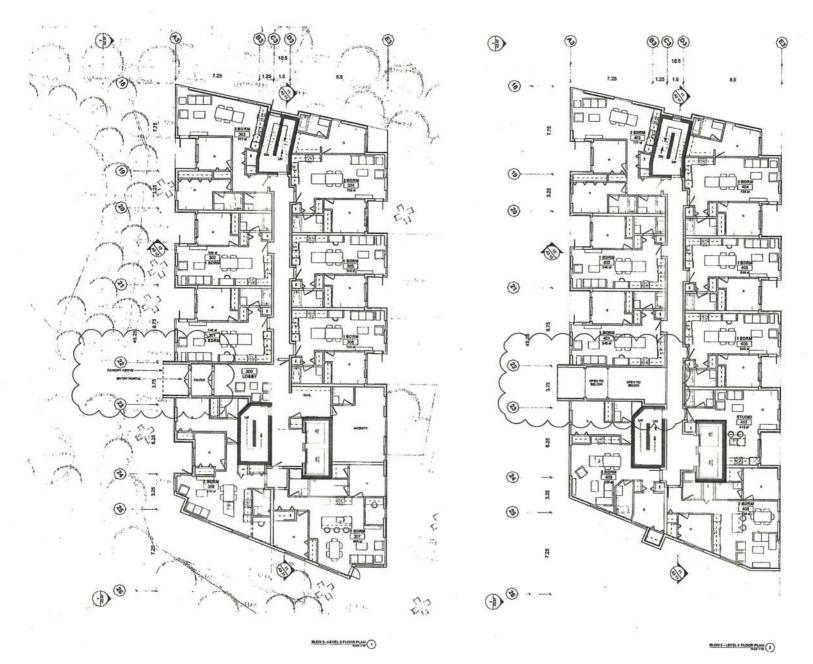


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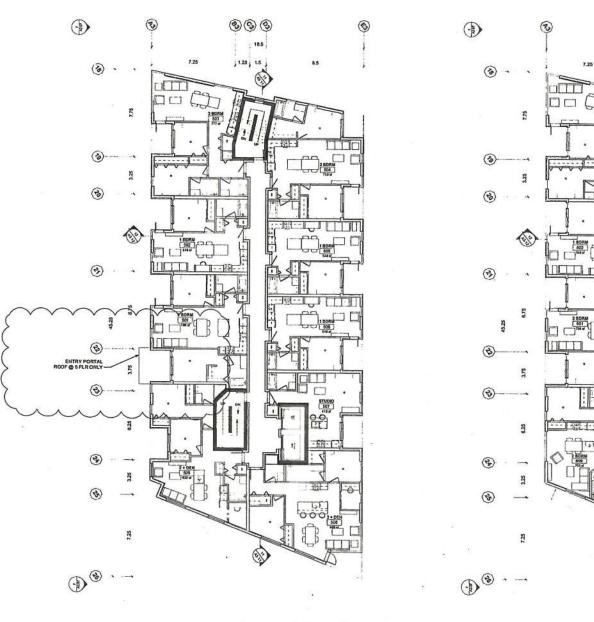
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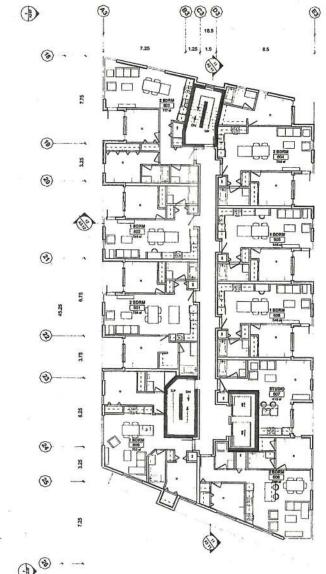
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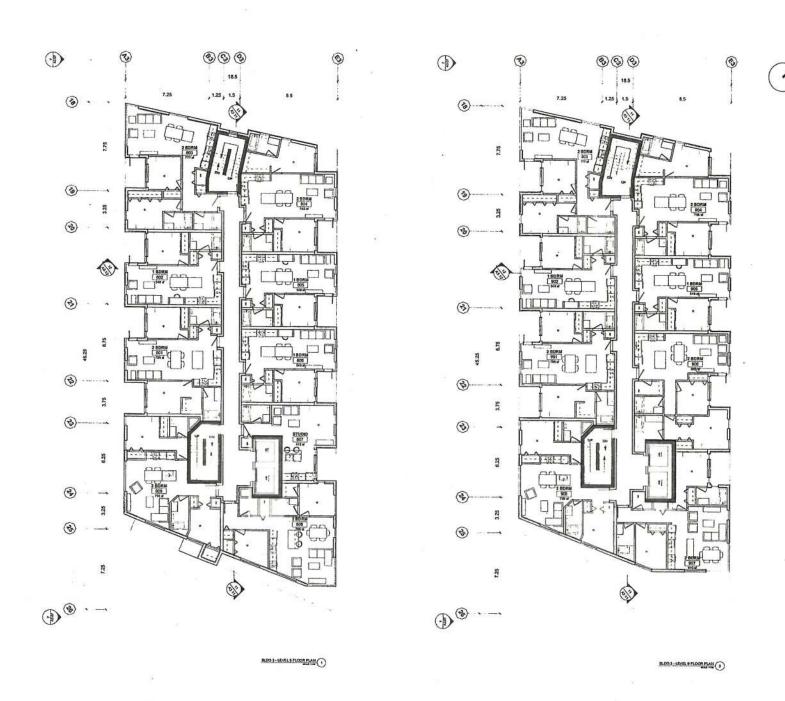
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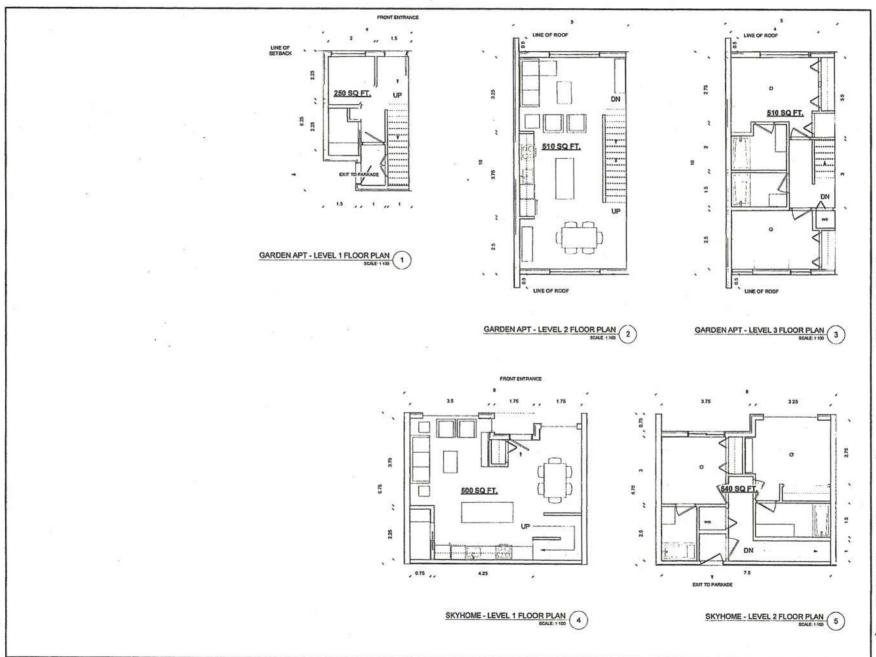
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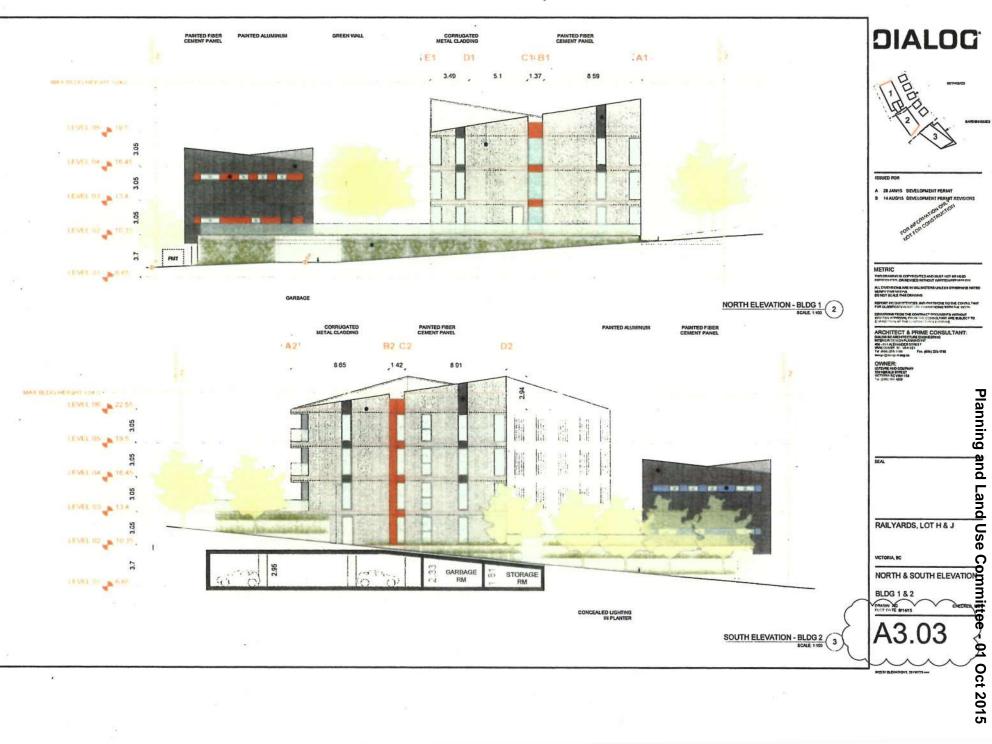
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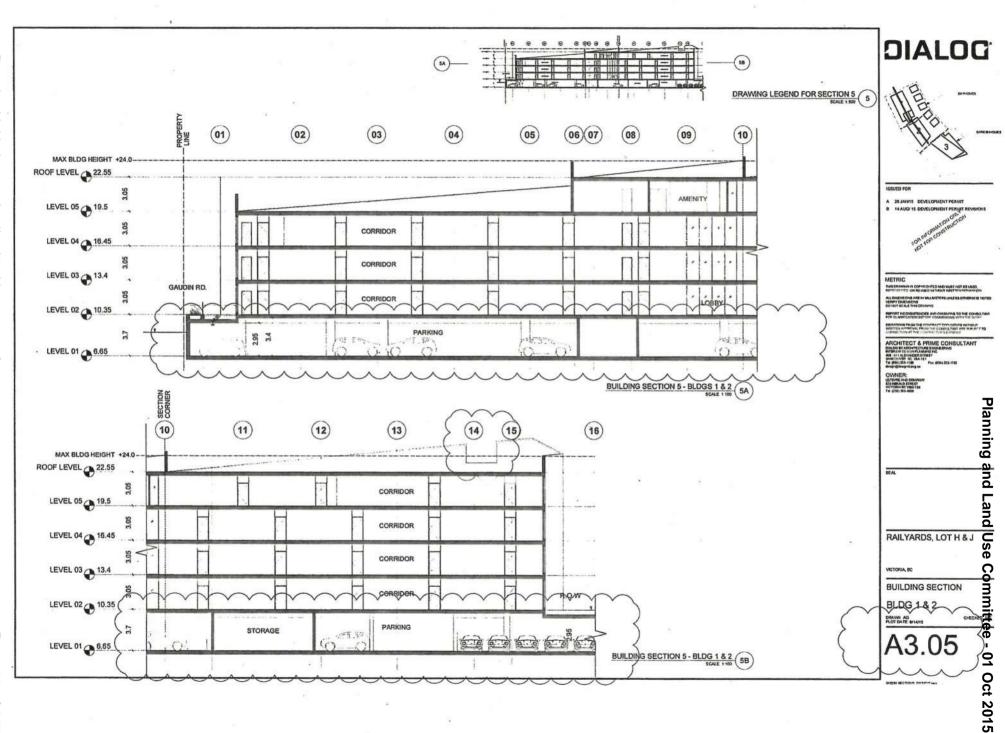
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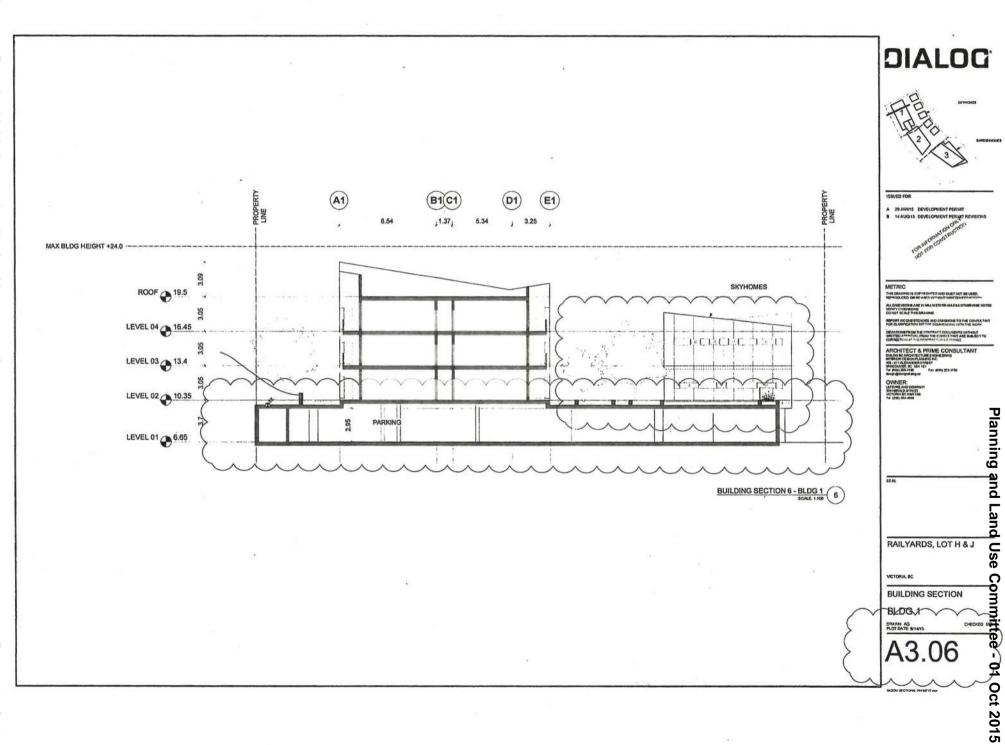
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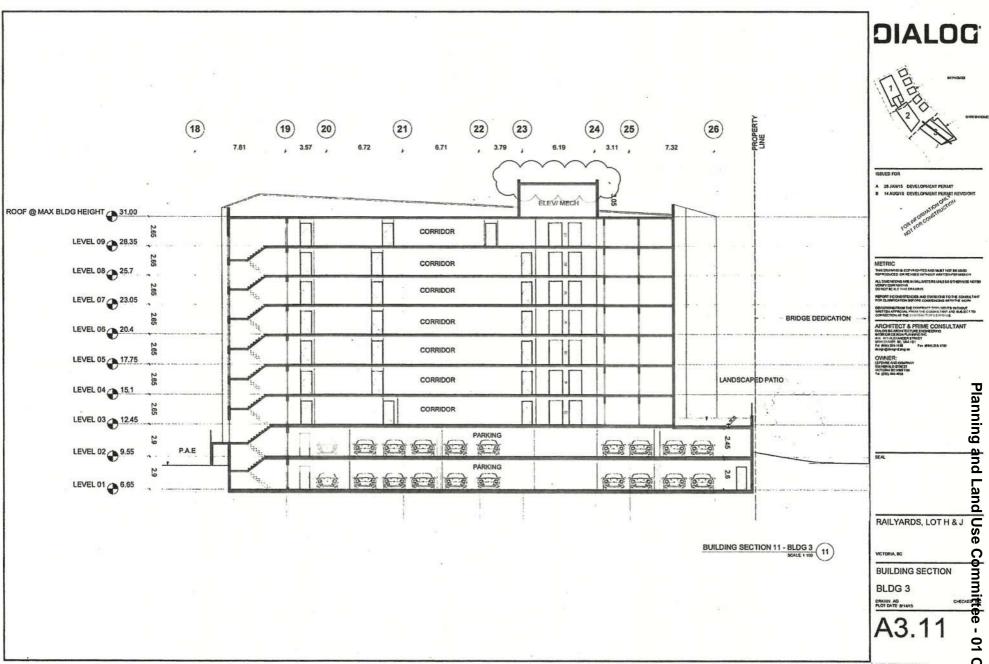
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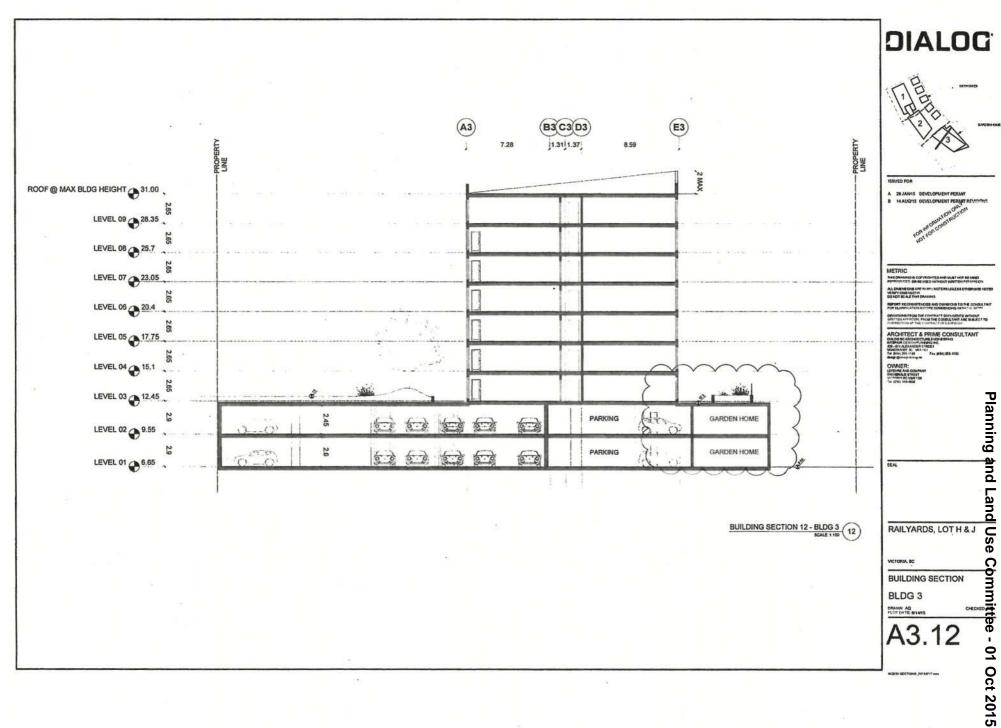
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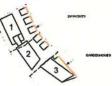
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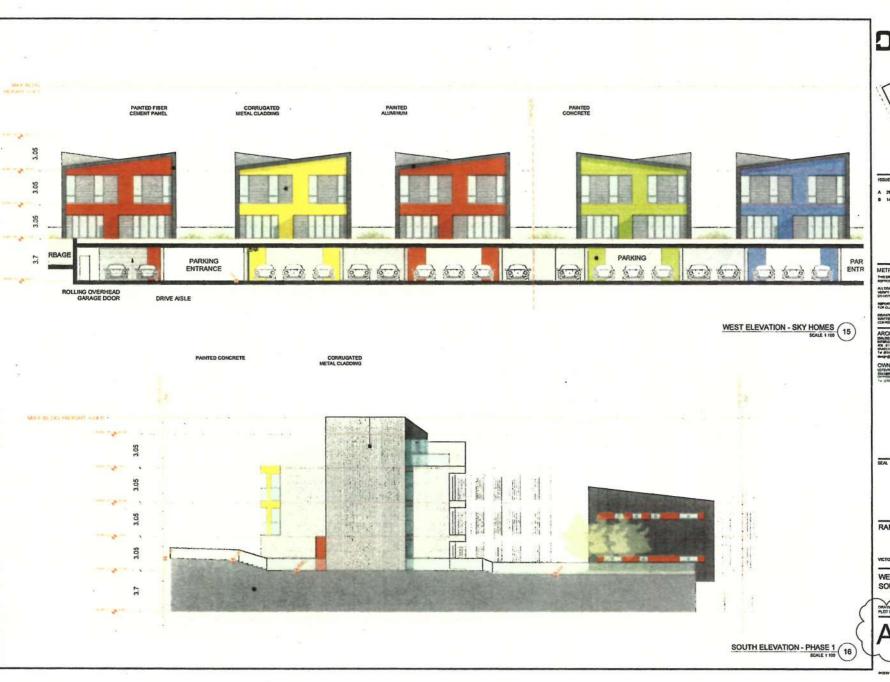
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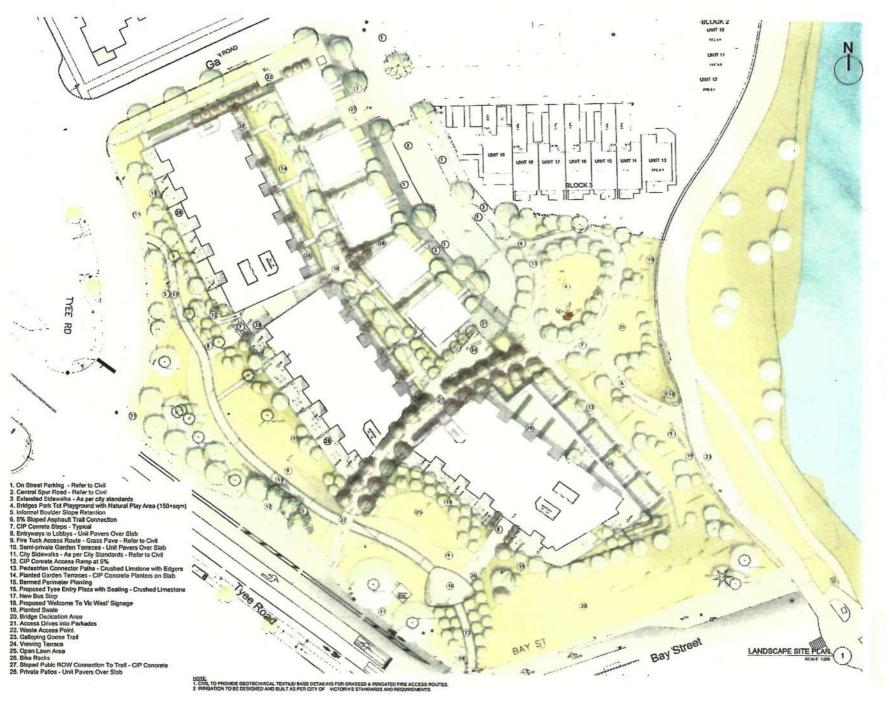
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Planning and Land Use Committee - 01 Oct 2015 WEST ELEV. - SKY HOMES SOUTH ELEV. - PHASE 1





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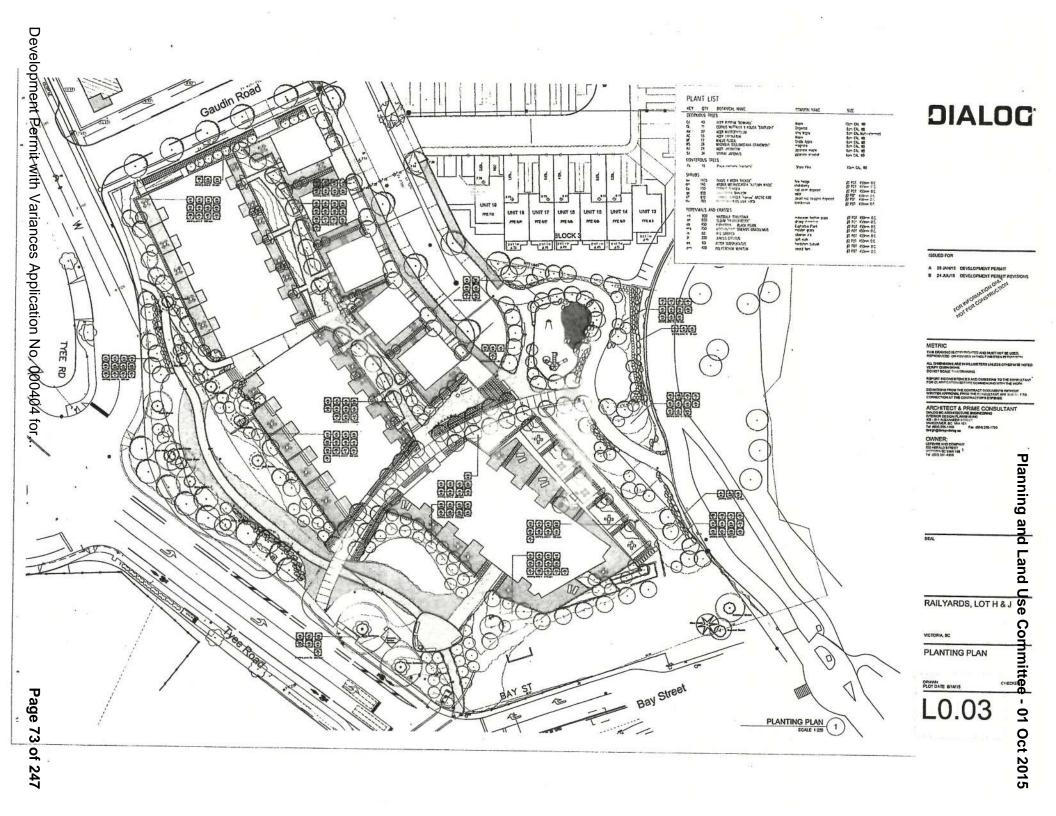
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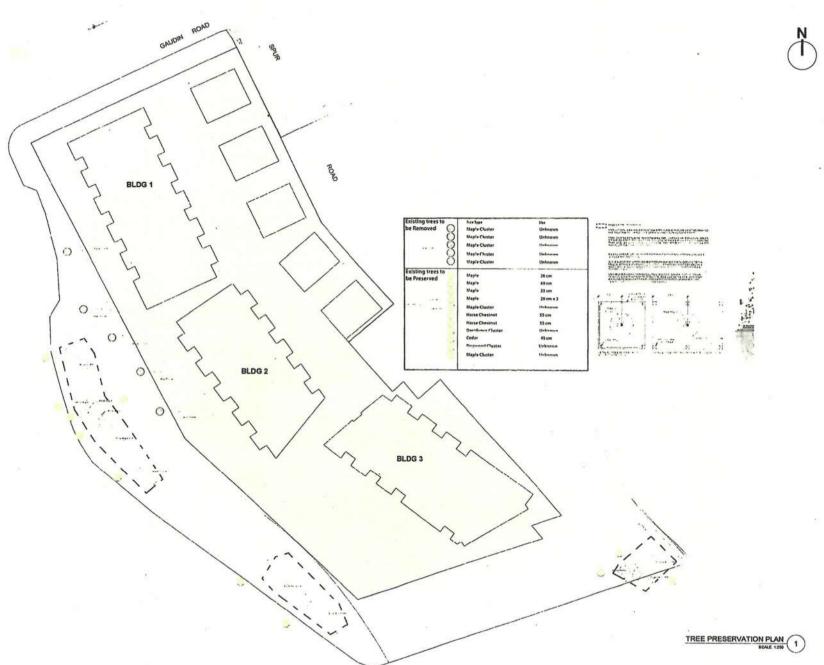
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RAILYARDS, LOT H & J

LANDSCAPE PLAN







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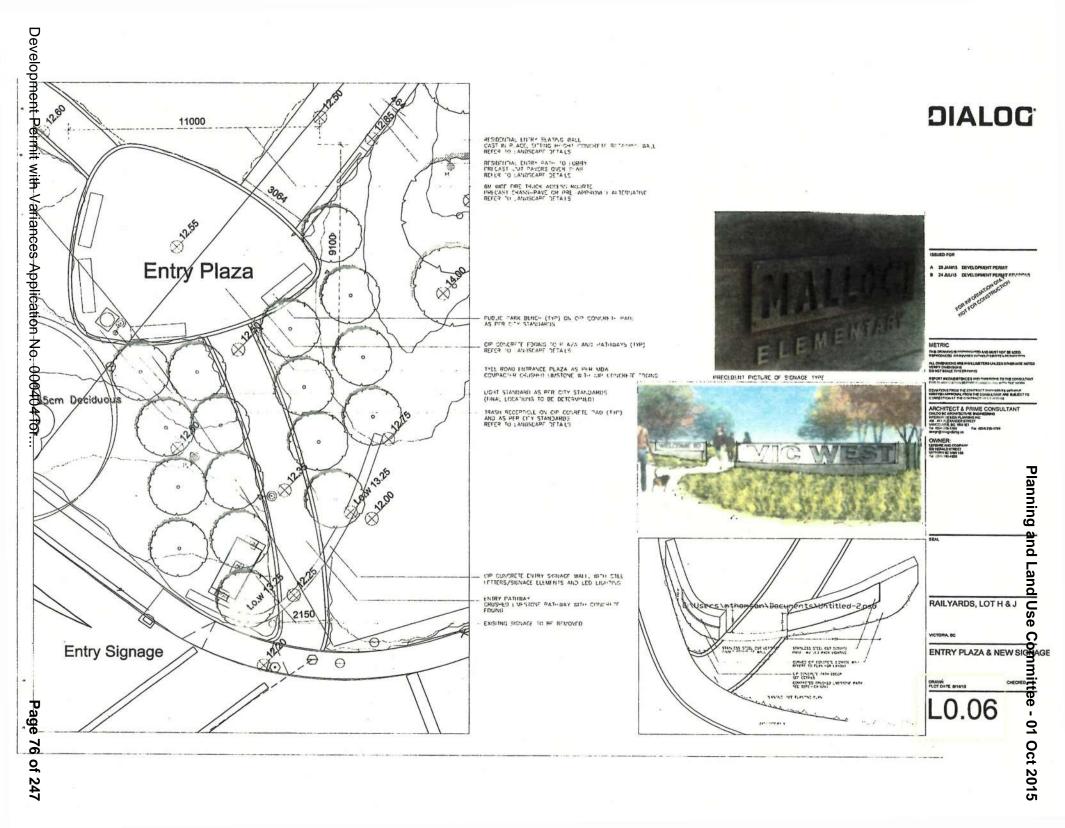


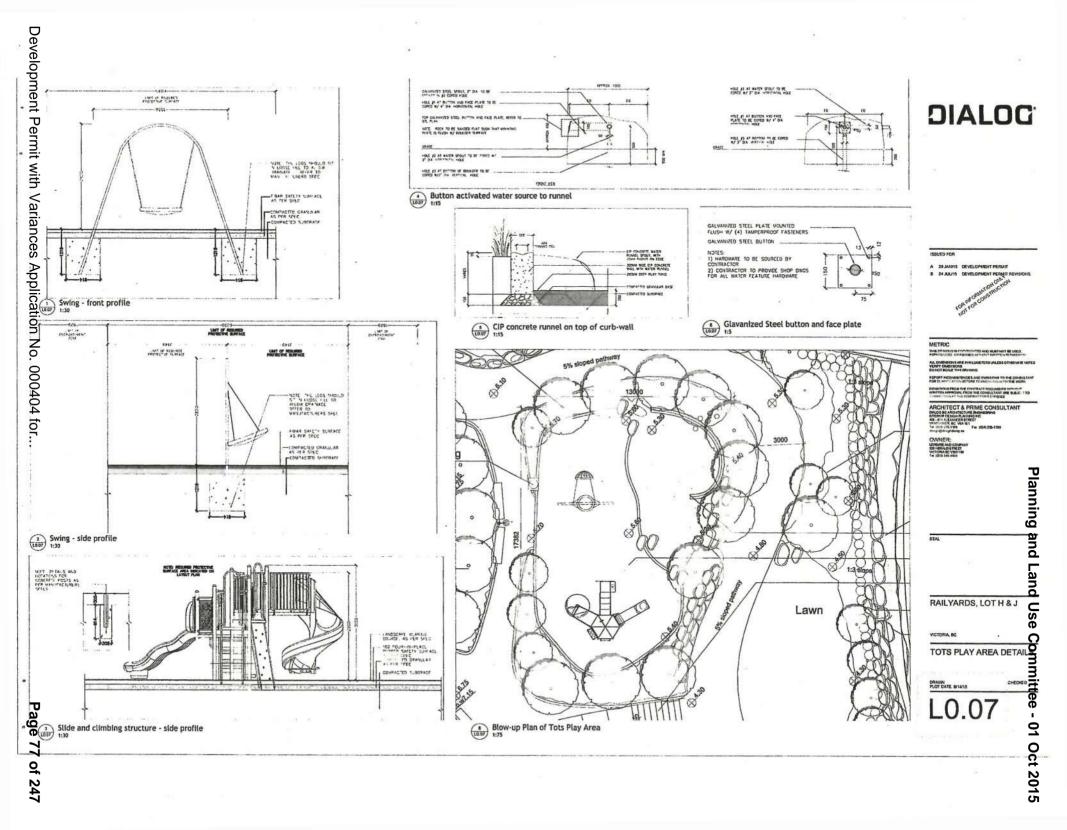
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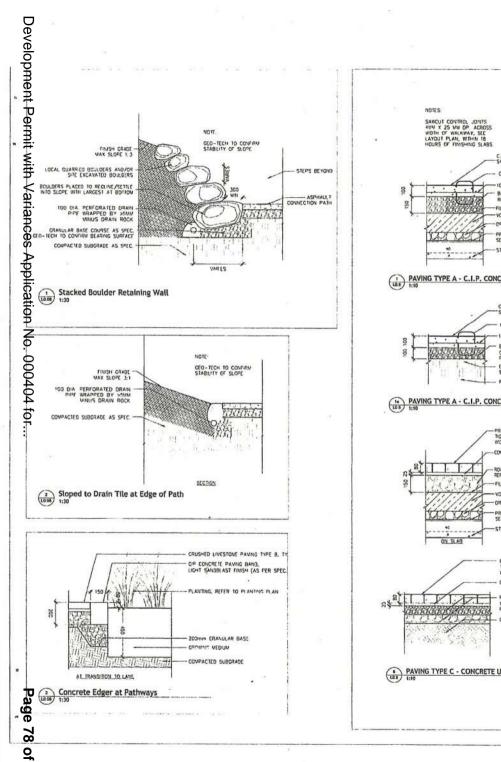
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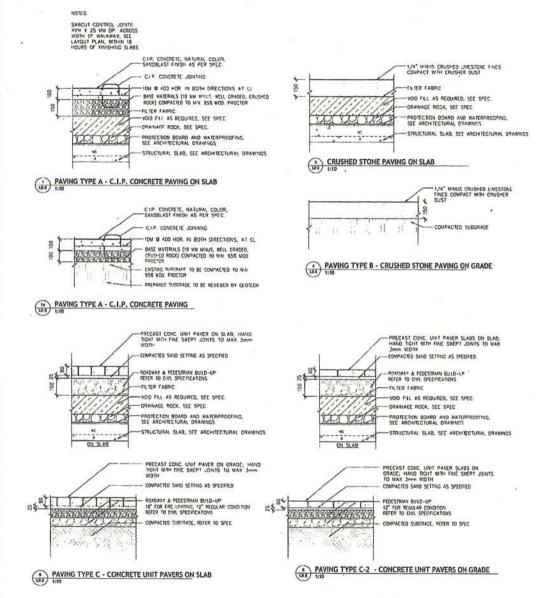
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Planning and Land Use









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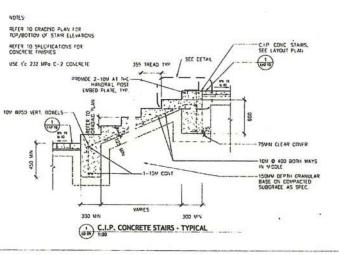
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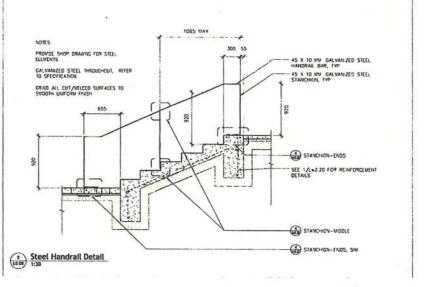
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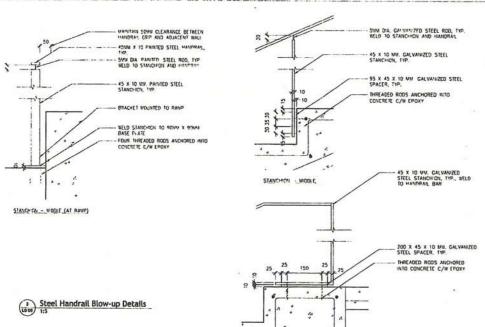
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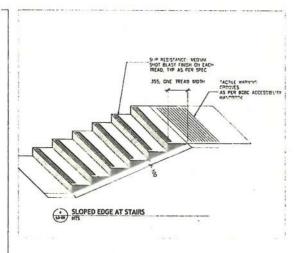
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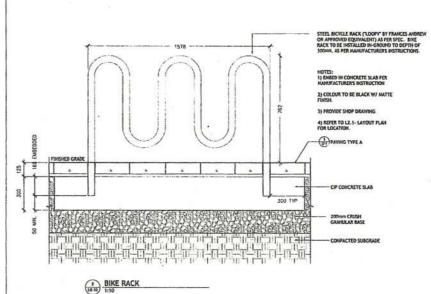
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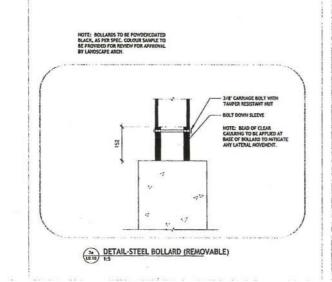
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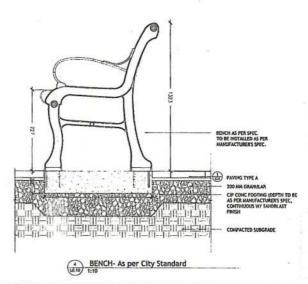
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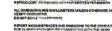












ARCHITECT & PRIME CONSULTANT





01 Oct 2015



Received
City of Victoria

SEP 1 8 2015

Planning & Development Department Development Services Division

September 17, 2015

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

Attention: Mayor and Council

701

RE: 801 Tyee Road, Lots H & I (Railyards)

The presentation was to review variances to a Development Permit for the initial construction of a 3-storey and 4-storey joined building. The final 7-storey building to be built once the first 2 buildings are built out (all strata title condominiums).

The project was presented by Joost Bakker Architect, of the Architectural Firm DIALOG, representing LeFevre & Company.

The architect provided a full set of electrical drawings to allow the Land Use Committee to view the entire project, which had not been viewed by the committee at any previous time.

The Land Use Committee did not have any objections to the proposed Development Permit variances but upon viewing the overall plans, expressed the following concerns:

- There is a lack of community gardens;
- There is a limited variety of housing, with a lack of larger units to support family housing;
- The roofs do not provide amenity areas, such as an active roof top garden;
- The park needs to be developed during the first phase, not left until the end;
- The project has no mixed use component (retail, commercial or community activity spaces;
- There does not appear to be accessible living units, units to facilitate "aging in place" or low income housing.

Please do not hesitate to contact me if there are any clarifications required for the above concerns

Yours truly,

Doran Musgrove, Architect

Chair,

Victoria West Land Use Committee



RAILYARDS

LOTH&J

















4. tyee road, looking south







Development Permit with Variances Application: Key matters for consideration:

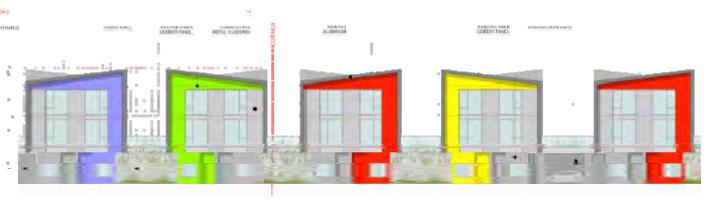
- The character of the development including landscaping, siting, form, exterior design and finish of buildings
- Variances
- Amendments Railyards Master the Development to Agreement













NOTHING FREE CAMERON























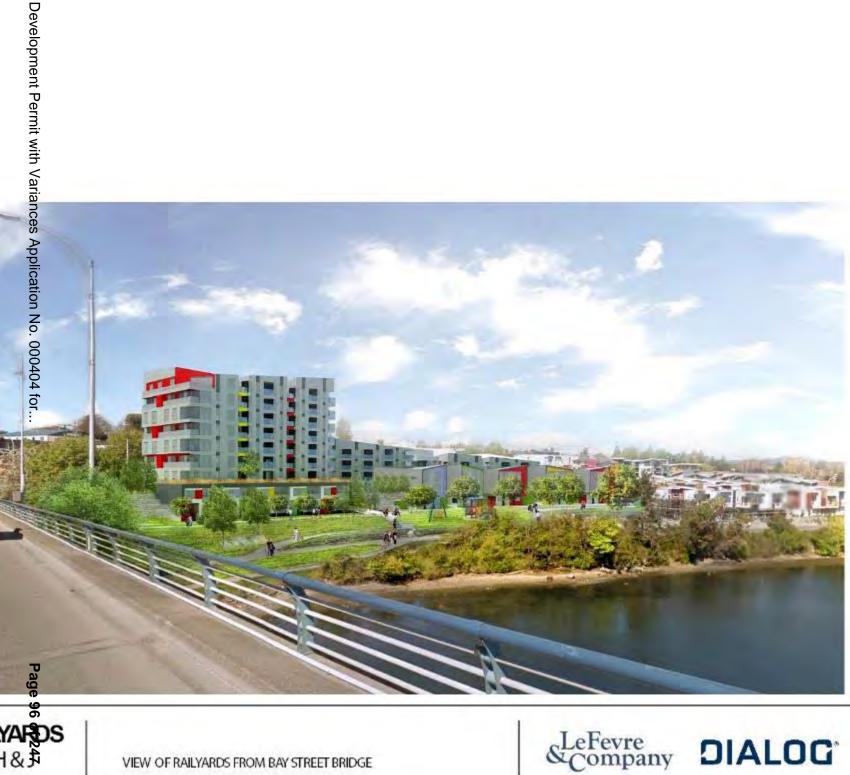






































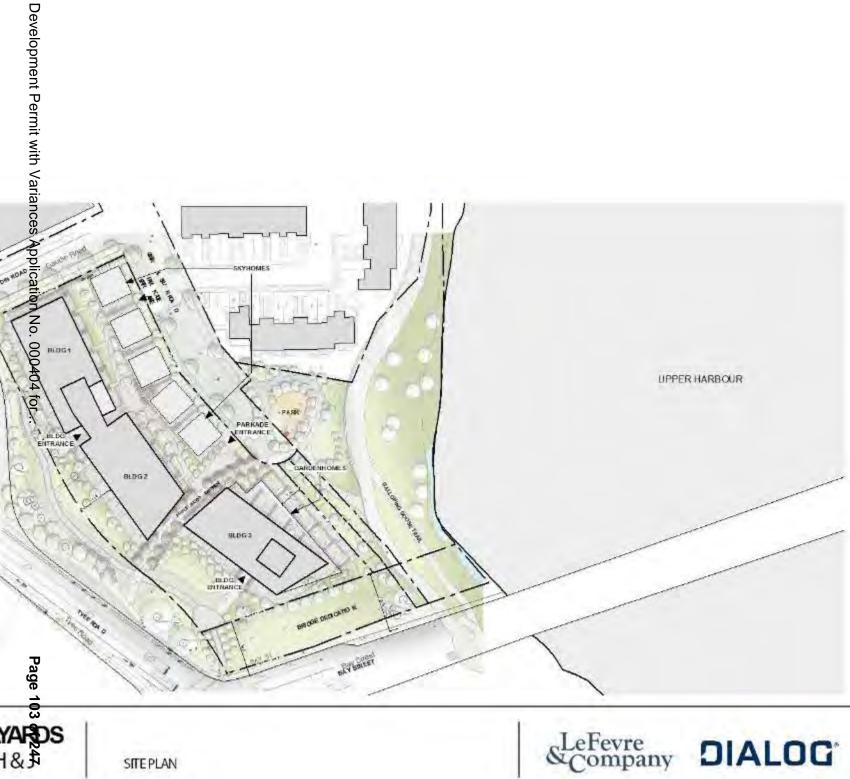


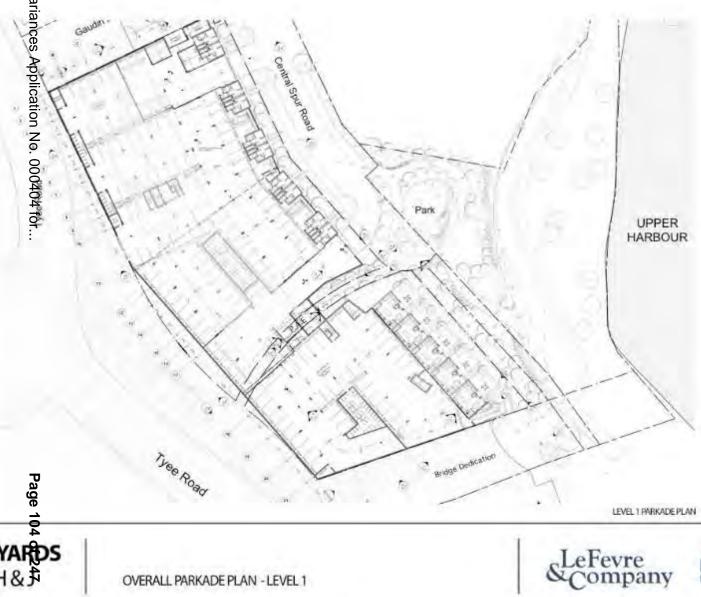












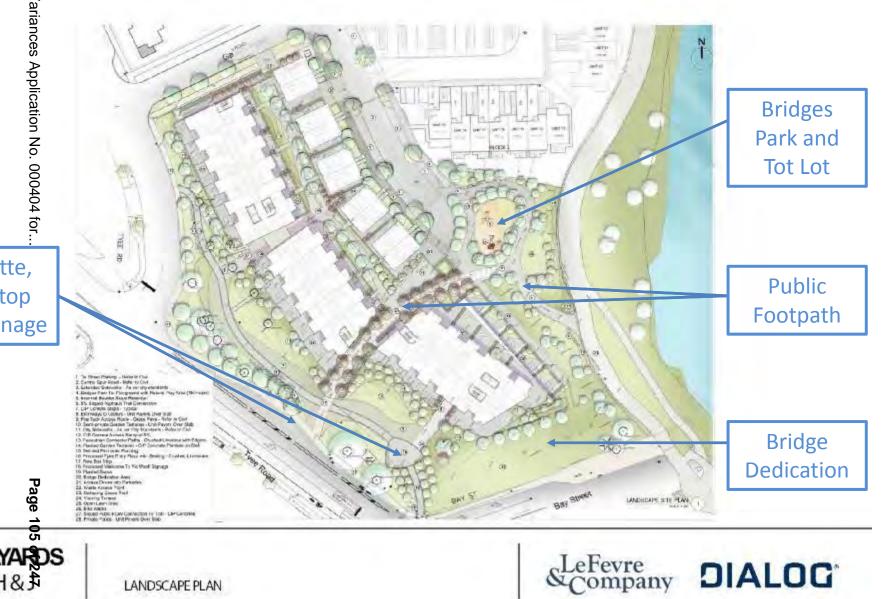






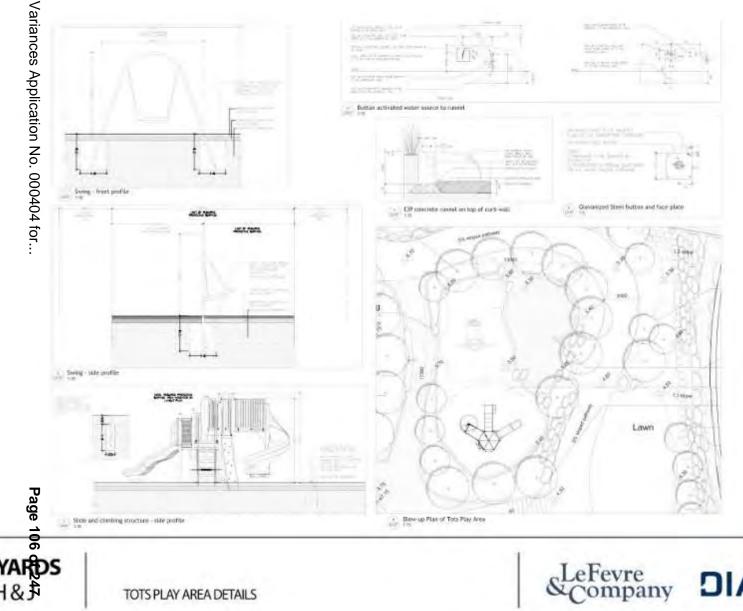
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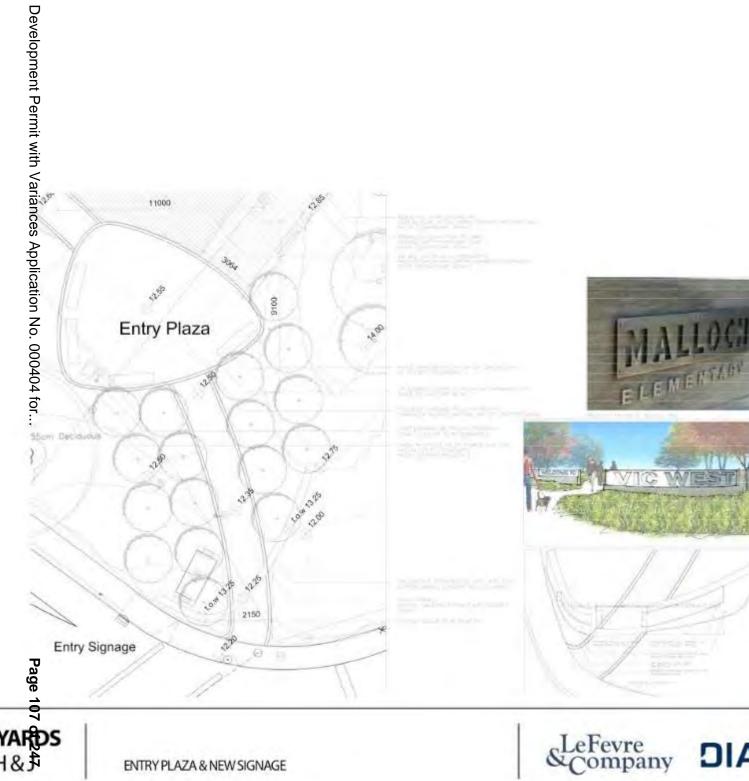








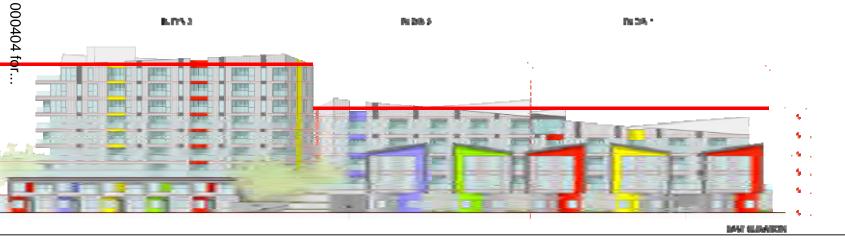




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Proposed Variances:

- Parking
- Bicycle Storage
- Height
- North Setback
- South Setback

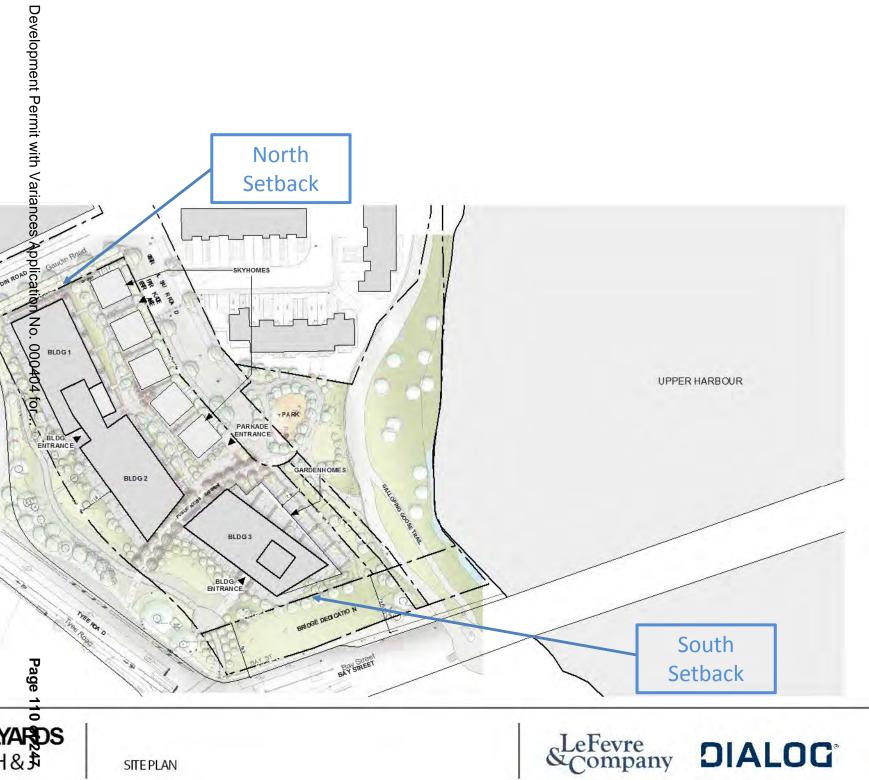


YARDS 1&J

WEST & EAST SLEWFICHS







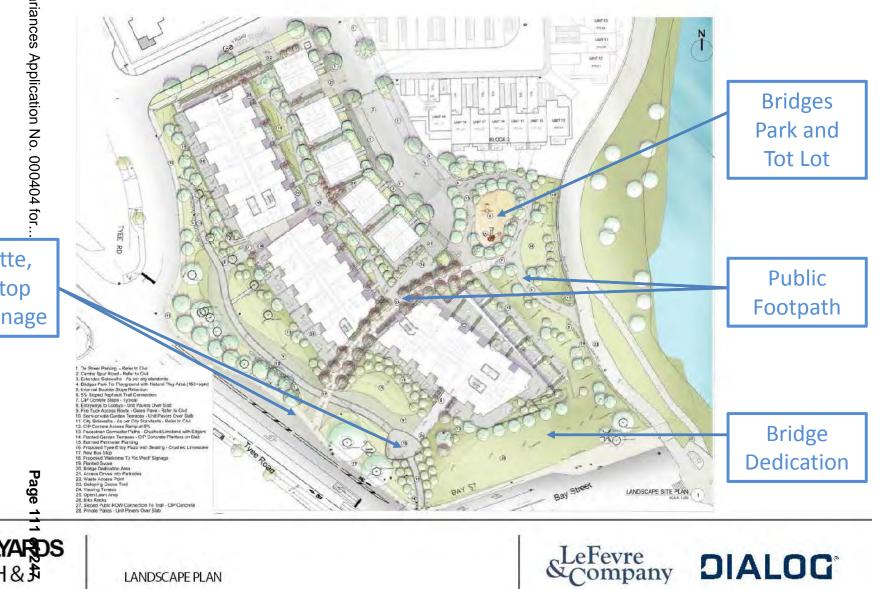




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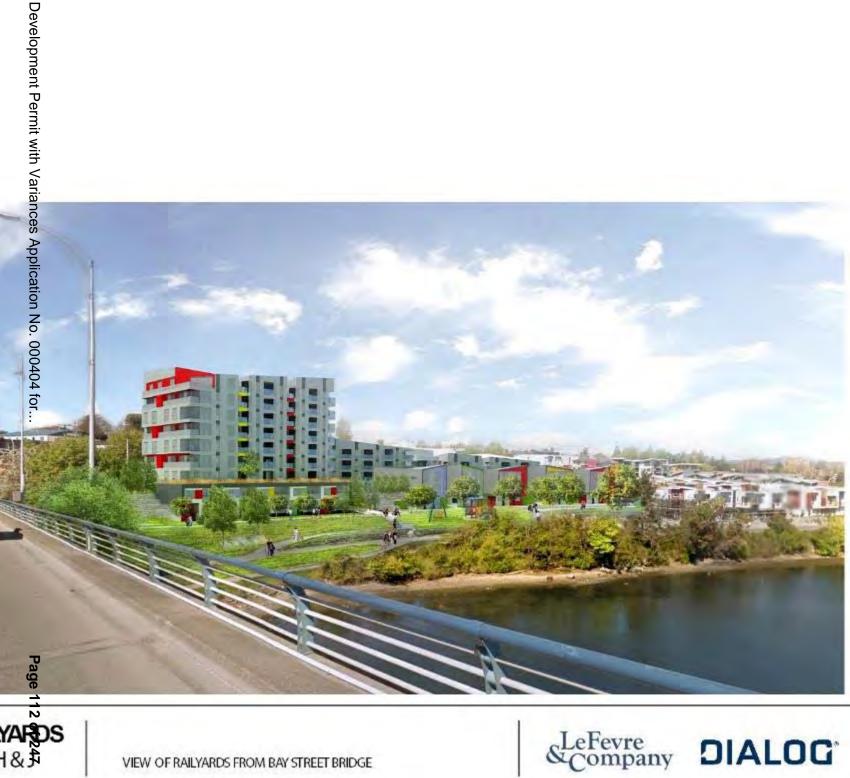
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RAILYARDS LOTH&J

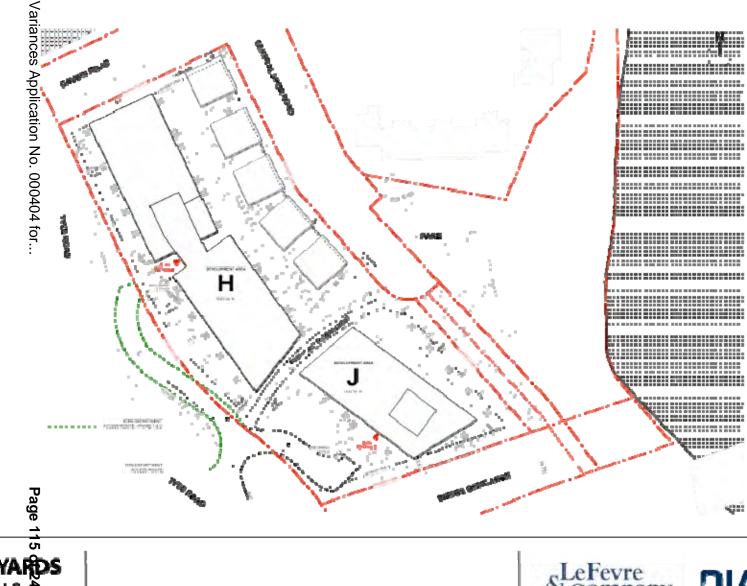
















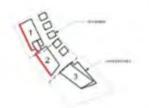


















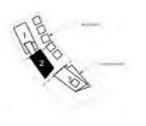






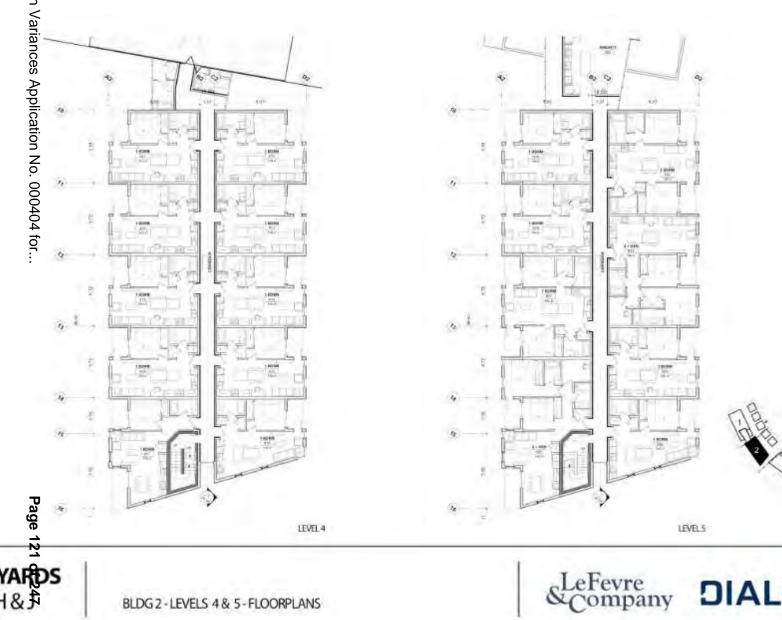
















Page 122 **YARDS**











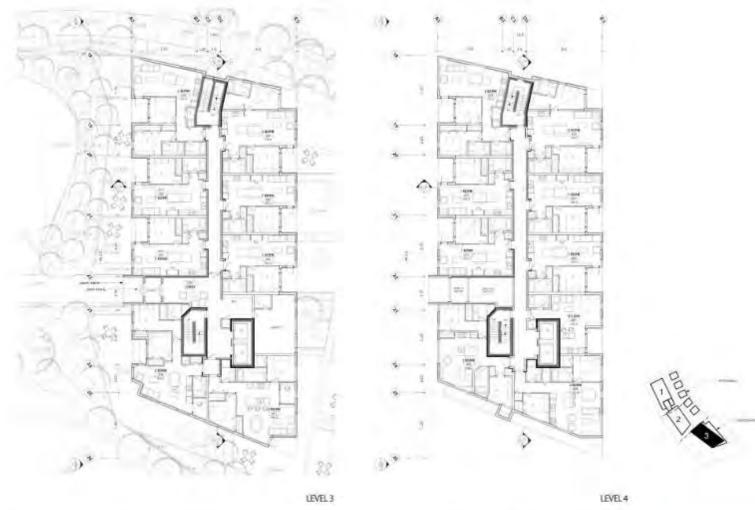


















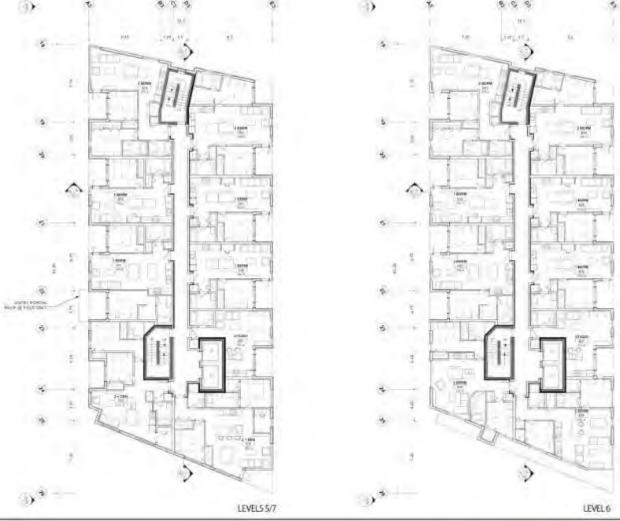
Victoria West







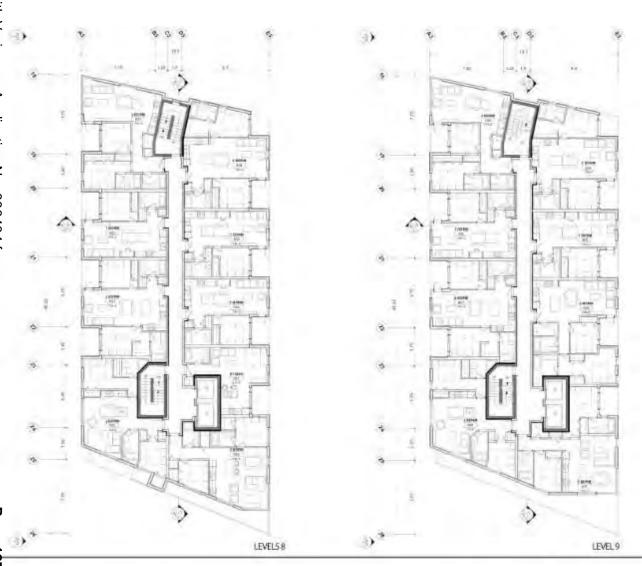
Selkirk Waters













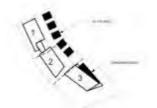


















Planning and Land Use Committee Report For the Meeting of October 1, 2015

To: Planning and Land Use Committee

Date:

September 17, 2015

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Permit with Variance Application Nos. 000431, 000432 and

000433 for 1032, 1038 and 1044 Harling Lane

RECOMMENDATION

Staff recommend that Committee forward this report to Council and, after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application Nos. 000431, 000432 and 000433 for 1032, 1038 and 1044 Harling Lane in accordance with:

- Plans date stamped June 17, 2015, with revisions to the fence to the satisfaction of staff.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 920(2) 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 920 (8) 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, 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 three Development Permit with Variance Applications for the properties located at 1032, 1038 and 1044 Harling Lane. The proposal is to construct three small lot houses. The variances are related to an increase in the height of the front yard fences from 1.22m to 1.83m.

The following points were considered in assessing these Applications:

- The proposal for three small lot houses are generally consistent with the Small Lot Design Guidelines.
- The proposed landscaping is not consistent with the Guidelines for Fences Gates and Shutters.
- The variances are related to the Fence Bylaw to increase in the height of the front yard fence from 1.22m to 1.83m. These variances are not considered appropriate as they do not comply with the relevant guidelines and create a detrimental impact on the character of Harling Lane.

BACKGROUND

Description of Proposal

The proposal is to construct three small lot houses. Specific details for each building include:

- a basement including a recreation, exercise room and bathroom, with access being gained from an external staircase
- living and family rooms located on the main floor, with three bedrooms located on the upper floor
- off-street parking provided within a garage
- landscaping consisting of permeable pavers and a mixture of planting including two large trees for each property, and various shrubs and flower bed plantings as indicated on the landscape plan
- private amenity space provided in the form of a lawn in the front yard and patio space at the rear, with wooden privacy fencing.

The proposed variances are related to requests to increase the front yard fence height from 1.22m to 1.83m.

Sustainability Features

As indicated in the applicant's letter dated June 16, 2015, the applicant is considering the use of micro-turbine technology to produce all heat and electricity through natural gas. No further details have been provided in the Application packages. In the event that this is considered to be unfeasible, the buildings will have a combination of on-demand hot water and in-floor radiant heating.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with these Applications.

Public Realm Improvements

No public realm improvements are proposed in association with these Development Permit Applications.

Existing Site Development and Development Potential

The properties are currently vacant and are located in the R-K Zone, Medium Density Attached Dwelling District. This Zone permits all of the uses in the R1-S2 Zone, Restricted Small Lot (Two Storey) District, subject to the regulations in that Zone. A five-lot subdivision developed pursuant to this *Zoning Regulation Bylaw* provision was approved in 2012.

Data Table

The following data table compares the proposal with the R-K Zone, Medium Density Attached Dwelling District. No component of the proposal is less stringent than the Zone standards. An asterisk is used to identify where the proposal is less stringent than the *Fence Bylaw*.

Zoning Criteria	1032 Harling Lane	1038 Harling Lane	1044 Harling Lane	Zone Standard R1-S2
Site area (m²) - minimum	265.9	265.9	265.8	260
Density (Floor Space Ratio) - maximum	0.53:1	0.53:1	0.53:1	0.6:1
Total floor area (m²) - maximum	142.14	142.14	142.14	190
Lot width (m) - minimum	12.31	12.31	12.31	10
Height (m) - maximum	7.17	6.97	7.2	7.5
Storeys - maximum	2 + basement	2 + basement	2 + basement	2 + basement
Site coverage % - maximum	33.6	33.6	33.6	40
Setbacks (m) - minimum Front (Harling Lane) Rear Side (east) Side (west)	6 6.03 1.51 1.50	6 6.02 1.51 1.50	6 6.01 1.50 1.51	6 6 1.50 1.50

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on September 1, 2015, these Applications were referred for a 30-day comment period to the Fairfield Gonzales CALUC. At the time of writing this report, a letter from the CALUC had not been received.

These Applications, if they proceed as submitted, propose variances to the Fence Bylaw, therefore, in accordance with the City's *Land Use Procedures Bylaw*, they require notice, sign posting and a meeting of Council to consider the variances. If Council wishes to advance the

Applications without the variances (as per the staff recommendation) these additional notification measures are not required.

ANALYSIS

Official Community Plan

The proposed development is consistent with the relevant land use policies of the *Official Community Plan 2012 (OCP)*. The subject properties are designated as Urban Residential which envisions a full range of housing types.

As the lots are proposed to be developed as small lots pursuant to the R1-S2 Zone, a Development Permit is required to satisfy the requirements of the OCP. The proposal is subject to review under DPA 15A Intensive Residential - Small Lot. The most relevant design consideration of the proposal is with respect to streetscape (*Small Lot House Design Guidelines*, 2002) which is evaluated below.

In the immediate context, the houses create their own symmetry with a similar architectural expression and material treatment as the single-family properties directly to the rear along Pakington Street. In relation to the adjacent buildings on the east and west along Harling Lane, the flanking apartment buildings (built in the 1960s) are defined by the balconies, providing strong horizontal lines that are reflected in the design of the proposed homes. Similarly, the building to the south of the properties, across Harling Lane, includes similar architectural features and prominent balconies. This cluster of buildings is also characterized by flat rooflines.

In the broader context, the houses add to the variety of housing types and forms on the street, while not creating additional visual discord. In addition, the front setbacks of the proposed homes create a suitable transition between the flanking apartment buildings.

An important element of the design is not consistent with the guidelines it relates to entryways and landscaping. The tall front yard wooden fences do not create a welcoming entrance to the residences and do not enhance the overall streetscape along the lane. In addition, there is the potential to create Crime Prevention Through Environmental Design (CPTED) concerns since the tall fences obstruct the views from the buildings and prevent natural surveillance along the lane. As Harling Lane functions primarily as a rear access to immediately adjacent buildings, the need for natural surveillance on the lane is of particular importance. Staff recommend for Council's consideration that these Applications would benefit from a reduction in the height of the front yard fences 1.22m or less (in accordance with the *Fence Bylaw*) in order to improve this street relationship.

Fence Bylaw

A variance to the *Fence Bylaw* is being proposed to increase the height of the front yard fence for each property from 1.22m to 1.83m. For the reasons outlined above, staff recommend for Council's consideration that these variances are not appropriate. The applicant was advised of staff's concerns regarding the lack of consistency with the Fence Bylaw and the resulting impact on the streetscape as well as potential CPTED issues and chose to proceed with the requested variance.

CONCLUSIONS

The proposal for the three small lot houses at 1032, 1038 and 1044 Harling Lane is generally consistent with the Small Lot House Design Guidelines, 2002. The contemporary design is supportable and complementary to both the other existing single family homes and the multiple dwelling buildings on Harling Lane. However, the inconsistency with the streetscape and landscaping guidelines should be addressed, therefore, staff recommend for Council's consideration, approval of these Applications without the proposed variance to the Fence Bylaw.

ALTERNATIVE MOTION NO. 1

Staff recommend that Committee forward this report to Council and, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application with Variance Nos. 000431, 000432 and 000433 for 1032, 1038 and 1044 Harling Lane, in accordance with:

- 1. Plans date stamped June 17, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances to the Fence Bylaw:
 - Section 4.1.a(i) increase the height of a front yard fence from 1.22m to 1.83m.
- 3. The Development Permit lapsing two years from the date of this resolution."

ALTERNATIVE MOTION NO. 2

That Council decline Development Permit Application with Variance Nos. 000431, 000432 and 000433 for 1032, 1038 and 1044 Harling Lane.

Respectfully submitted,

C. R. Wari

Charlotte Wain

Senior Planner - Urban Design

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development

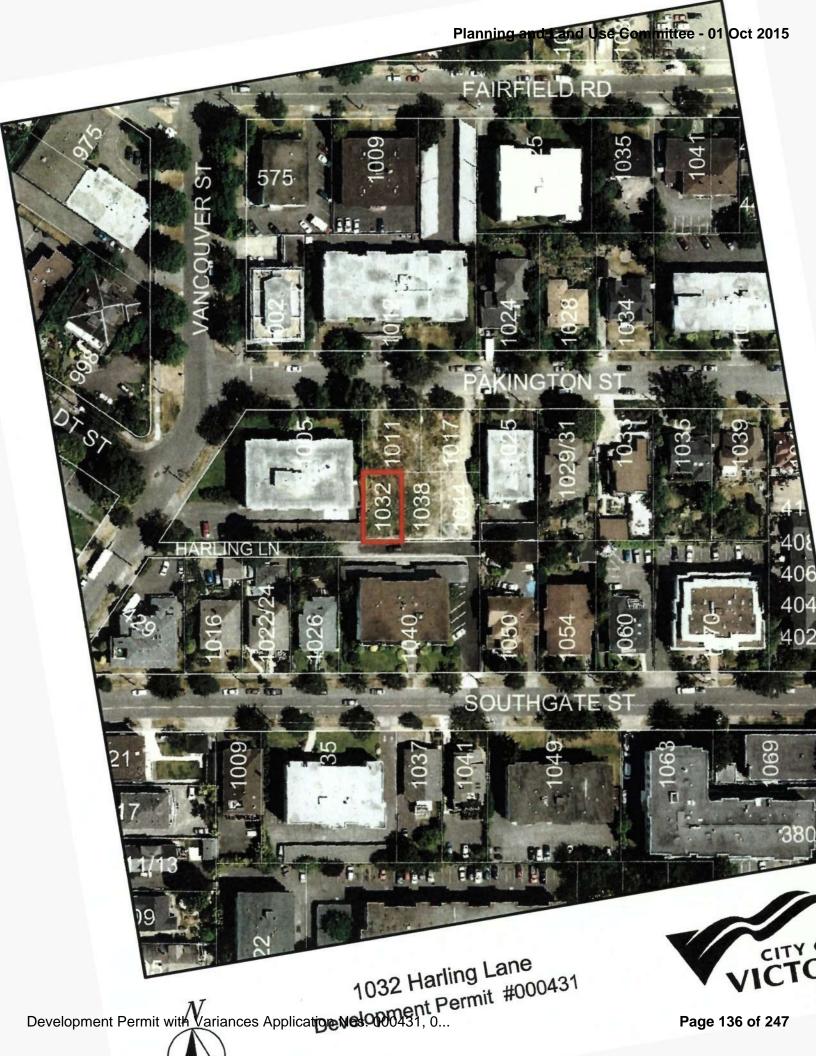
Report accepted and recommended by the City Manager:

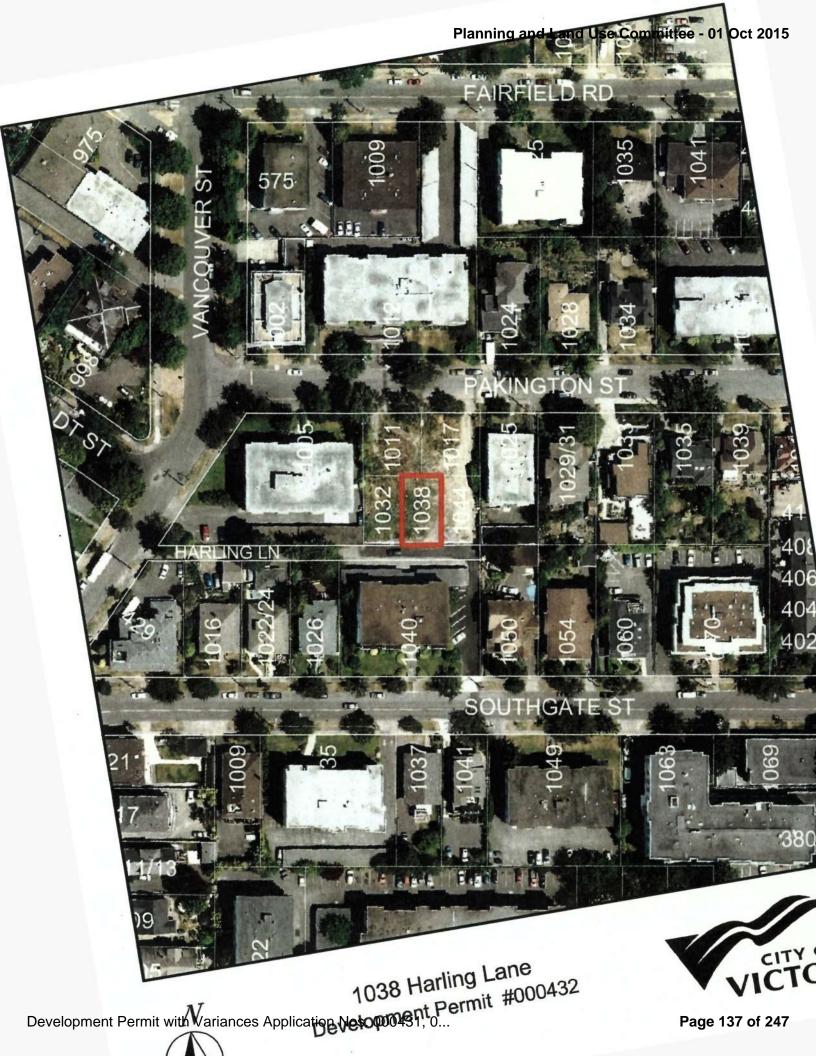
List of Attachments

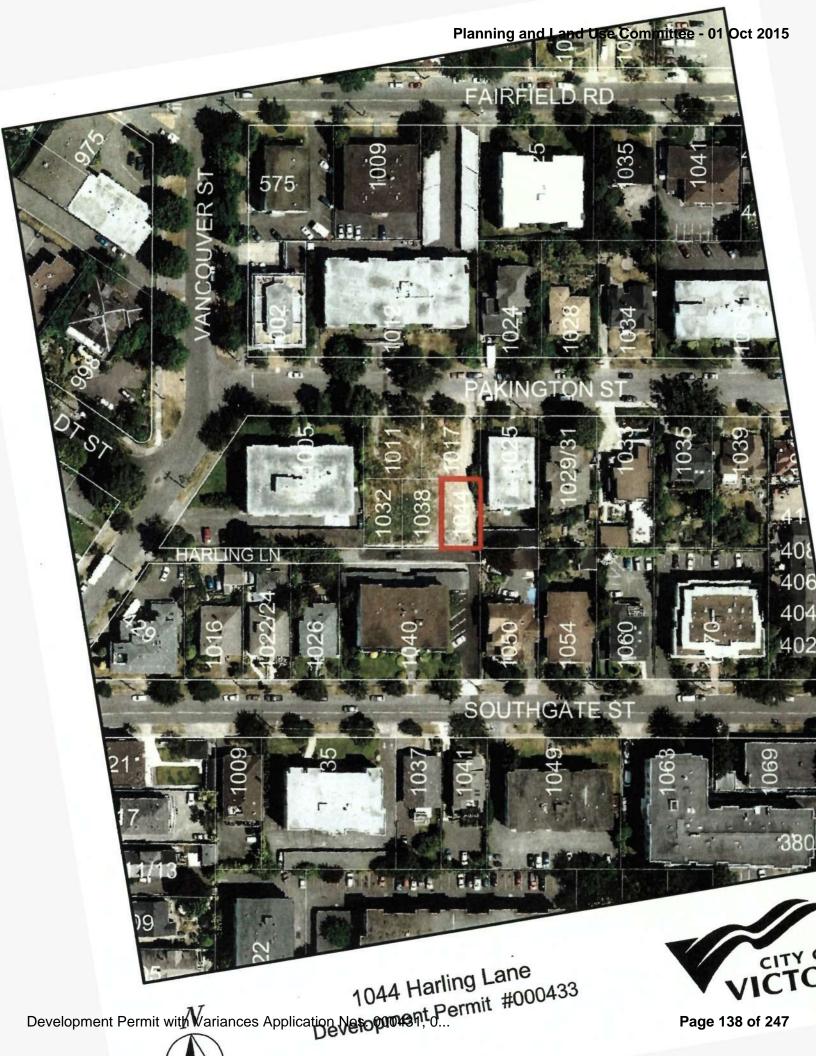
- Zoning maps
- Aerial maps
- Letter from applicant dated June 16, 2015
- Plans dated June 17, 2015.

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June 16, 2015

Mayor and Council 1 Centennial Square Victoria, BC V8W 1P6



Re: Development Permit Applications: 1032, 1038 and 1044 Harling Lane

Mayor and Council,

The proposal to develop the above referenced vacant lots is zoning compliant without variance.

These lots complete a development that increased density from 2 single-family homes to 5 single-family homes within the same land footprint.

The need for development permits for these lots results from a citywide rezoning added to the OCP immediately prior to its implementation. While no public mention of a citywide DP rezoning was made in the 3 years the OCP was under public discussion and scrutiny, the citywide rezoning suddenly appeared a matter of a few weeks before implementation. DPA 15A, which captured the lots, is a form and character DP.

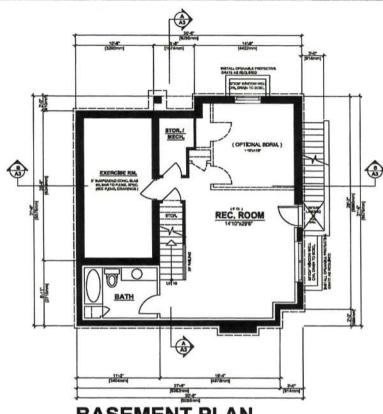
The house designs are complementary to the houses fronting Pakington that were built in 2014/15 under DPA 15A permits. The design is contemporary, shed roof styles with wood and hardi-panel exterior finishes, colors are complementary to the newly built front houses and the landscape and fencing matches the new DPA 15A approved homes on Pakington. The remaining surrounding properties on three sides are all flat roof multifamily apartments. There is no single-family form and character design influence standard to be met other than to the adjacent newly built DPA 15A approved Pakington houses.

The houses are green built and energy efficient with the primary green/efficiency caused by gravity underground services through to Southgate via a registered easement over 1040 Southgate. City provided services in Pakington are shallow depth that would require pumping storm and sanitary water so the more green/efficient alternative was to acquire an easement. The easement and new services in Harling Lane add \$30k in green costs per house. New sanitary and storm services were built without any city funding.

New European micro turbine technology is being considered to produce all heat and electricity with the energy source being natural gas. A decision on that technology will be based on cost, projected savings and CSA compliance/approval. In the alternative, combination on demand hot water and in-floor radiant heat will be incorporated.

This completes the dual DPA requirements of a letter to council and an explanation of green building features.





BASEMENT PLAN

839.0 SQFT.

1032 HARLING LANE GRADE POINTS:

RADE POINTS:

MODEPOINT A BLAY DIBSTO. (1624m) SLEFT.
MODEPOINT A BLAY DIBSTO. (1624m) SLEFT.
MODEPOINT C SAME DIBSTO. (1624m) SLAFT.

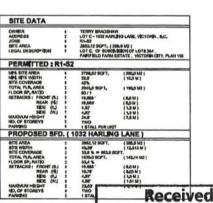
GRADE POINTS CALCULATIONS

FORTS AND (2016 - 1007) 40:21 X 2007 = 100:40 FORTS AND (2016 - 2016 0:2) X 107 = 2016 FORTS AND (2016 0:2) X 107 = 2016 FORTS AND (2016 0:2) X 107 = 2016 FORTS AND (2016 0:2) X 207 = 2017 = 2017 FORTS AND (2016 0:2) X 207 = 2017 = 2017 FORTS AND (2016 0:2) X 207 = 2017 FORTS A

4155,49 / 123,83 (PERBA, OF BLDQ.) = 33,56" (10,2) (SEE ELEVATIONS FOR ALL FINSHED GRADES)

1032 HARLING LANE





HARLING LANE

1032 HARLING LN

PROPOSED SINGLE FAMILY DWELLING

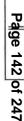
1032 HARLING LANE, VICTORIA BC.

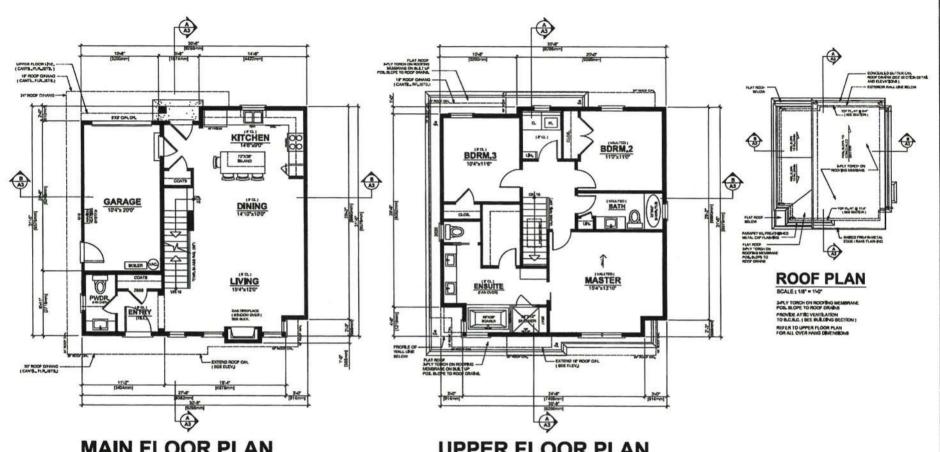
Planning & Development Department Development Services Division

City of Victoria

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MAIN FLOOR PLAN

662.0 SQFT.

(INCLUDES GARAGE AREAS IN EXCESS OF 200,0 SQFT,) (GARAGE = 207.0 SQFT.)

UPPER FLOOR PLAN

868.0 SQFT.

1032 HARLING LANE

Received

JUN 1 7 2015

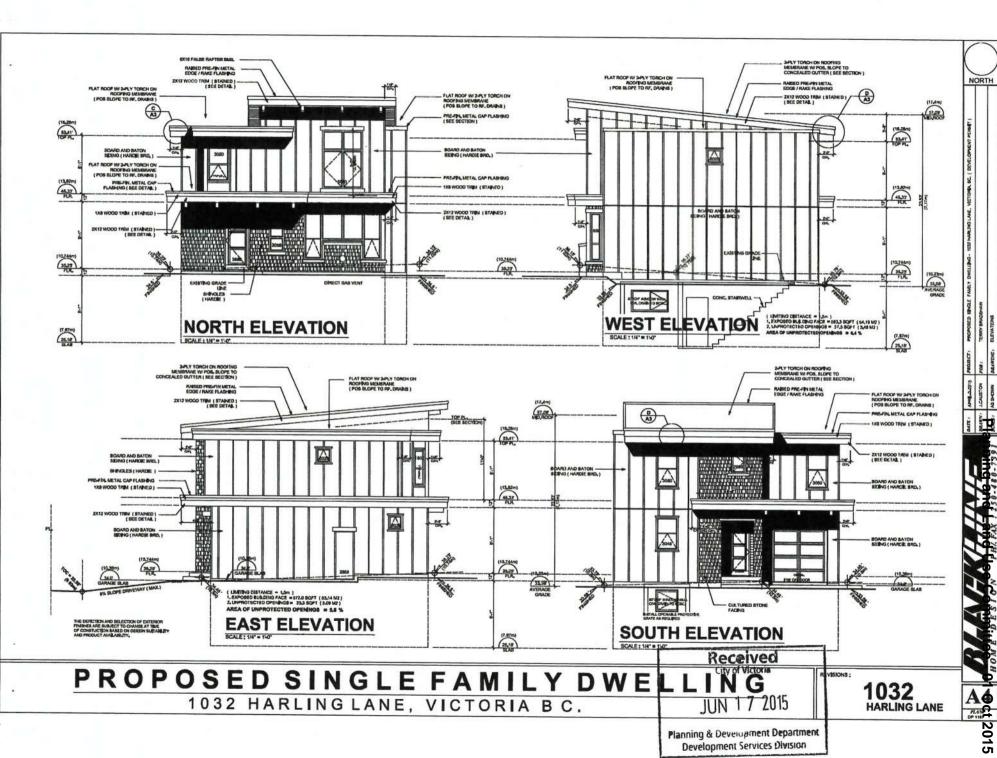
PROPOSED SINGLE FAMILY DWELLING

1032 HARLING LANE, VICTORIA BC.

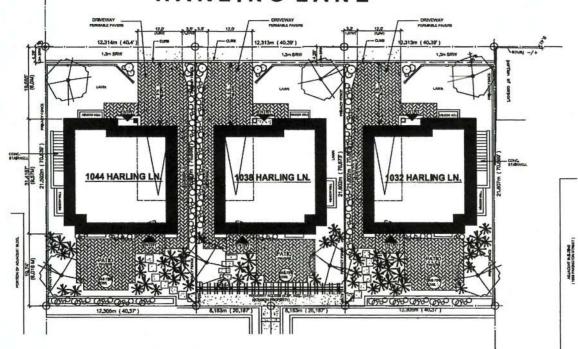
Planning & Development Department **Development Services Division**

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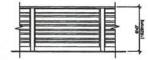
HARLING LANE





LANDSCAPE LEDGEND			
Ø.	MEDIUM TO LARGE SIZE SHRUBS (SPECIES TO BE DETERMINED)		
фъ	MOXED FLOWER BED PLANTING (SPECIES TO BE DETERMINED)		
*	LOW LYING GROUND COVER (8 PECIES TO BE DETERMINED)		
A)	LARGE / MEDIUM SIZE DECIDIOUS TREE (SPECIES TO BE DETERMINED)		

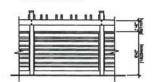
ALL SPECIES, SPACING, SIZES AND QUANTITIES ARE TO BE DETERMINED BY LANDSCAPER / LANDSCAPE DESIGNER AND OWNER AT TIME OF LANDSCAPE



1 SCREENING ELEVATION

SCALE : 1/4"= 110"

6X8 POSTS CAV. SPACED 1X4 AND 1X8 FENCING (STAINED) 2X6 TOP RAIL (STAINED)



2 SCREENING ELEVATION

608 POSTS CAV. SPACED 1X4 AND 1X6 FENCING (STAINED) 2X5 TOP RAIL (STAINED) 2X6 TRELLIS ON LAPPED 2-2X10 (STAINED)

> Received City of Victoria

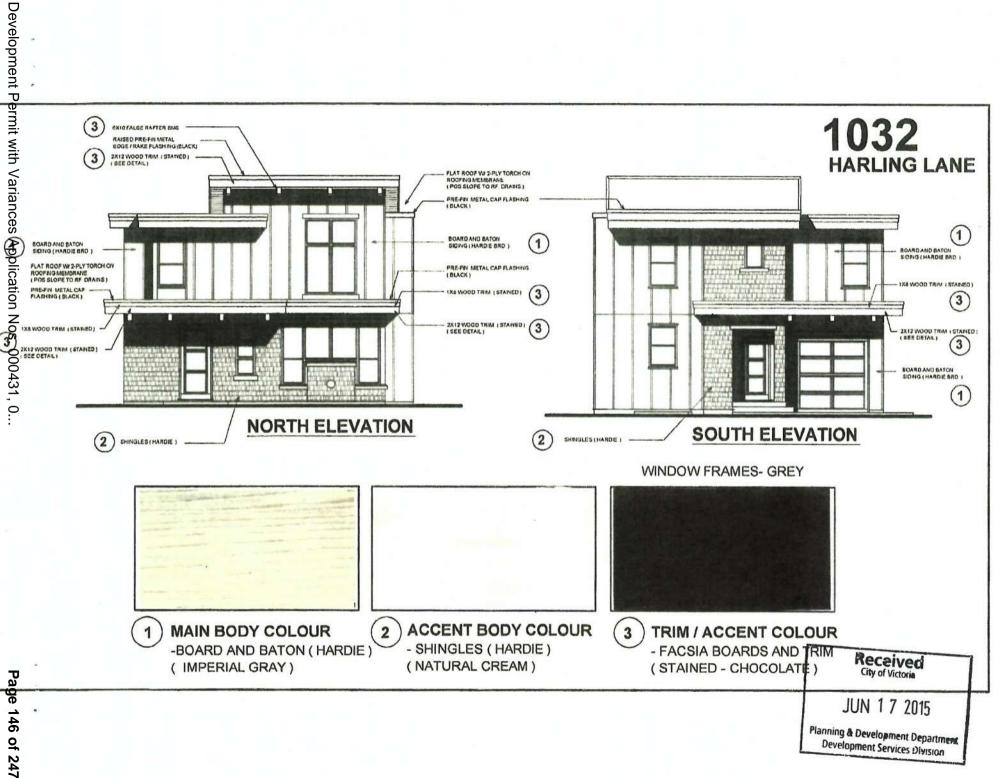
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Planning & Development Department
Development Services Division

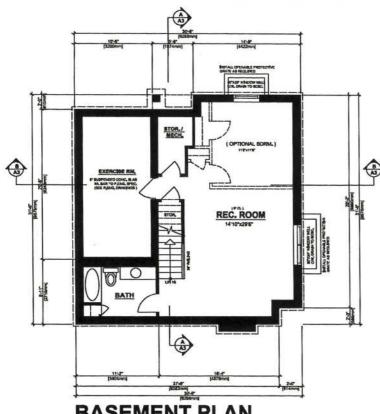
PROPOSED SINGLE FAMILY DWELLING

1032,1038 AND 1044 HARLING LANE, VICTORIA B C.

2015



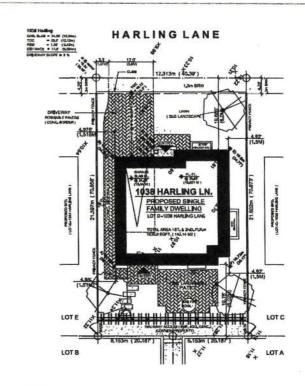
Planning & Development Department Development Services Division



BASEMENT PLAN

839.0 SQFT.

1038 HARLING LANE EXISTG / FIN, GRADE POINTS: **GRADE POINTS CALCULATIONS:** 1038 HARLING LANE





ALL GEODETIC FLOOR ELEVATIONS SHOWN ARE TO TOP OF \$1/2" LIGHT WIEGHT CONC, TOPPING,

AVERAGE EXISTING GRADE = 34.78*(10.6 M)

-REFER TO CIVIL ENG, DRAWINGS FOR ALL ASPECTS OF SITE SERVICING

SITE DATA				
OWNER	I TIRRY BRADDINI			
ADDRESS.		LOT D = 1008 HARLING LAWE VICTORIA , B.C. R1452		
STE AND				
LEGAL DESCRIPTION		LOT D. OF SURCY/ISION OF LOTS 384		
troop property and	•		STATE, VICTORIA CITY, PLANE 150	
PERMITTED : R	1-82	!		
NO LOTE AREA		279A.82 SQFT.	(200,0 M2)	
MINL SITE VACTH		32.8	(10,0 M)	
SETE COVERNOR		40%	W. W	
TOTAL FLR. AREA		2046,0 DOFT.	(190J) M2)	
FLOOR SP. RATIO SETBACKS: FRONT (SL)		00/1		
MAN IN		19,605	(0,0 1)	
		4.07	(1.0 M)	
SIDE (W.)		4.52	(1.5 M)	
MAJERAM HECHT		24.5	(7.8M)	
NO, OF STOREYS		TWO		
PARKINO		I STALL PER UNE		
PROPOSED SFI	D. (1	1038 HARLEN	G LANE)	
SETE AREA		2962,12 SQF1.	(266J N2)	
SITE WIDTH		40.39	(12.313 W)	
TOTAL FLIR ANIA		33.6 % = 963.0 S 1830.0 SOPT.	(162.14 M2)	
FLOOR SP. RATIO		53.4 %	[144,14 80]	
SETBADES: FRONT CALL	:	19,685	(60W)	
REAR OLD		10,79	(6.00 M)	
BIDE (EJ		4.95	(LEIM)	
SIDE (N.)		407	(1484)	
THOSE MUNECULE		22,50	(6,97 W)	
NO. OF STOREYS		TWD		

PROPOSED SINGLE FAMILY DWELLING

1038 HARLING LANE, VICTORIA BC.

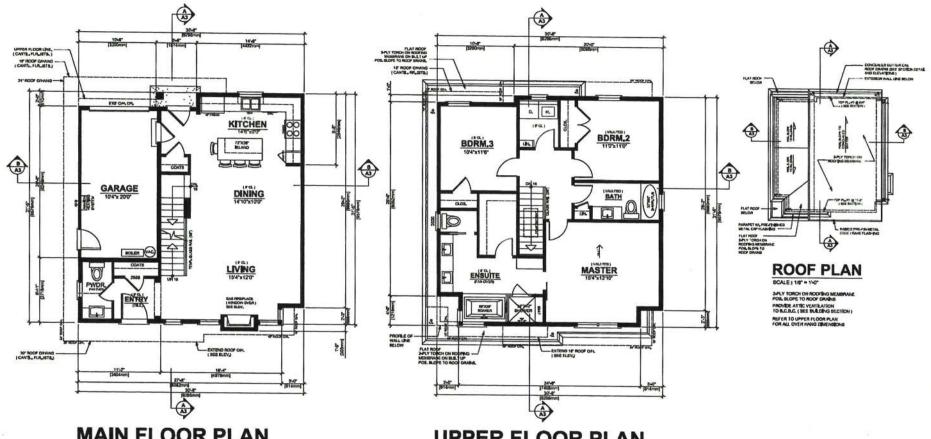
Received

JUN 17 2015

Planning & Development Department **Development Services Division**

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MAIN FLOOR PLAN

662.0 SQFT.

(INCLUDES GARAGE AREAS IN EXCESS OF 200,0 SQFT,) (GARAGE = 207.0 SQFT.)

UPPER FLOOR PLAN

868.0 SQFT.

1038 **HARLING LANE**

PROPOSED SINGLE FAMILY DWELLING

1038 HARLING LANE, VICTORIA BC.

Received
REVISIONS City of Victoria

ILIN 17 2015

Planning & Development Department Development Services Division

Development Services Division

6X10 FALSE RAFTER BAS

CULTURED STONE

PLAT ROOF W/ 3-PLY TORCH OF ROOVING MEMBRANE (POS SLOPE TO RF. DRAINS

PLAT ROOF W 2-PLY TORCH ON ROOFING MEMBRANE (POS SLOPE TO RF. DRANS)

20,07

PRE-FIN. METAL CAP FLATIFING (SEE DETAS.) FLAT ROOF WY 2-PLY TORCH ON ROOFING MEMBRANE (POB SLOPE TO RP. DRUPHS)

PRE-FPL METAL CAP PLADIQUE

1X8 WOOD THEM (STANED)

NORTH

(13,85m) (45,91) PDC

36.83 FUR

ZX12 WOOD TRUM (STAINED

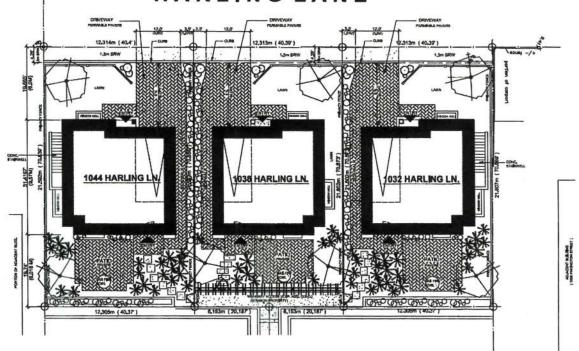
JUN 17 2015

manding & Development Department

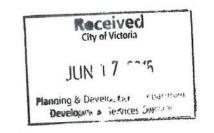
Page 151 of 247

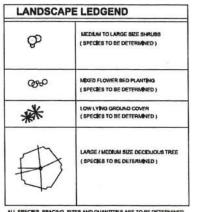
Page 152 of 247

HARLING LANE

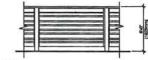




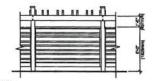




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8X6 POSTS CW. SPACED 1X4 AND 1X6 FENCING (STAINED) 2X6 TOP RAIL (STAINED)



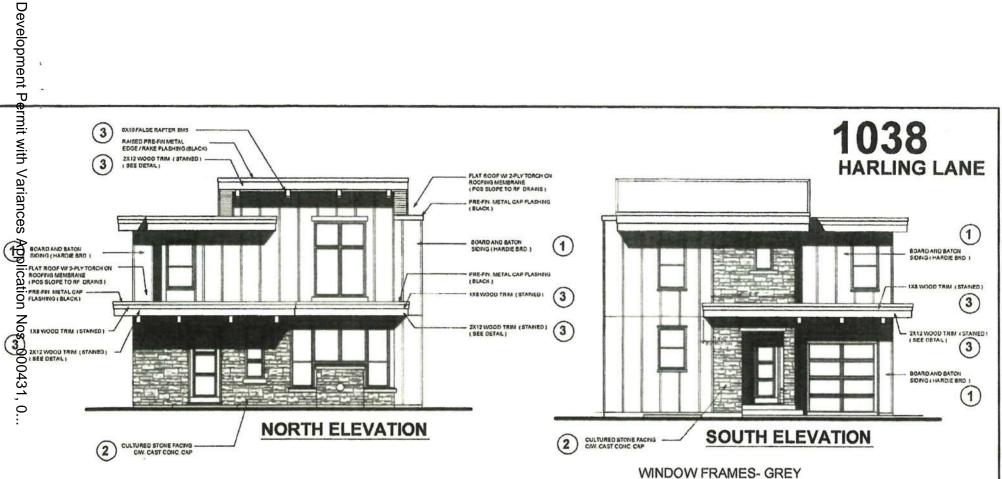
SCREENING ELEVATION

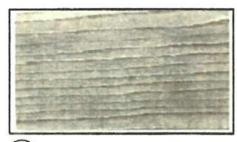
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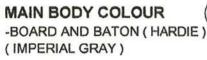
REVISIONS:

PROPOSED SINGLE FAMILY DWELLING

1032,1038 AND 1044 HARLING LANE, VICTORIA BC.



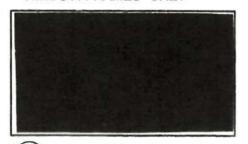






2

STONE ACCENTS - STONE FACING W/ CONC. CAP (LEDGE STONE - DRY STACK)



TRIM / ACCENT COLOUR - FACSIA BOARDS AND TRIM (STAINED - CHOCOLATE)

Received City of Victoria

JUN 17 2015

Planning & Development Department **Development Services Division**



AS VEIWED FROM COMMON ACCESS (NORTH ELEVATION)

STREETSCAPE



AS VEIWED FROM HARLING LANE (SOUTH ELEVATION)

PROPOSED SINGLE FAMILY DWE NG

1044 HARLING LANE, VICTORIA B C

JUN 17 2015

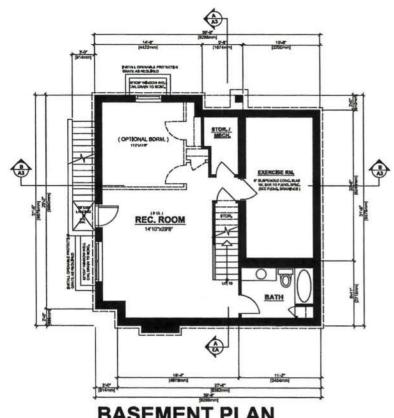
Planning & Development Department Development Services Division 1044 HARLING LANE

DRAWING CONTENTS:

AT STEPLAN AND BASEVENT FLOOR I

PLOOR PLANS AND ROOF PLAN IS BUB CONG SECTIONS IN ELEVATIONS

IND BECTIONS VATIONS DBCAPE PLAN COVER PAGE OF THE PAGE OF THE

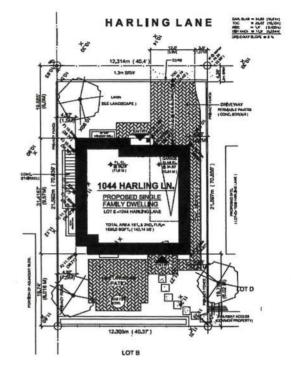


BASEMENT PLAN

839.0 SQFT.

1044 HARLING LANE EXIST'S / FIN. GRADE POINTS:

1044 **HARLING LANE**





ALL GEODETIC PLOOR ELEVATIONS SHOWN ARE TO TOP OF 1-1/2" LIGHT WEGHT CONC, TOPPING. AVERAGE EXISTING GRADE = 34.29 (10.45 M)

SITE DATA				
OW#W	:	TERRY BRADSHA		
ADDRESS		LOT E = 1044 HAVEING LANE, VICTORIA , B.C.		
ZOME		RMD		
SITE AREA		2881_04 SOFT, (265,8 M2)		
LEGAL DESCRIPTION	•	LOTE, OF SUBCINESION OF LOTS 384. FASSELD FASSE ESTATE, VICTORIA CITY, MLANES		
PERMITTED : R	1-82	!		
LIPL SITE ARIA	1	277M_B2 BGFT.	(261.5 M2)	
MINL BITTE WASTE		22,8	(10,0 M)	
SELE CONFINACE	:	40%		
TOTAL FUR, ANGA		2046,0 SQFT.	(190,0 M2)	
FLOOR SP, RATIO		00/1		
ECTRACKS; FRONT (AL)		19.655	(4.0 W)	
REAR PL	:	19.74	(4.010 1/1	
SIDE (E.)		4,00	(1711)	
MANDRALM HECHT	•	4.92	(1.5M)	
NO. OF STOREYS		24,6	(724)	
PARKING	:	1 STALL PER UNIT		
PROPOSED SFI	0. (
SETE ANSA	-	2981,04 SQFT,	(200,8 M2)	
SETTE VALUTING		40.6	(12314 W)	
STE COVERAGE		33.6 % = 963.0 SQFT,		
TOTAL FLR, AREA	:	1550,0 SQFT,	(142,14 60)	
FLOOR BP, RATEO		53.4 %		
BETBADES: FRONT (SJ		16,505	(4,5 4)	
MEAN IND	1	18,74	(0,010 M)	
SDE (E.)		4.52	(1,511)	
aloe nu		4,00°	(1,01 W)	
MAGMUM HEGHT		23.62	(7.2M)	
NO. OF STOREYS		TWO		
PARKS93		1 STALL		

PROPOSED SINGLE FAMILY DWELLING

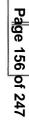
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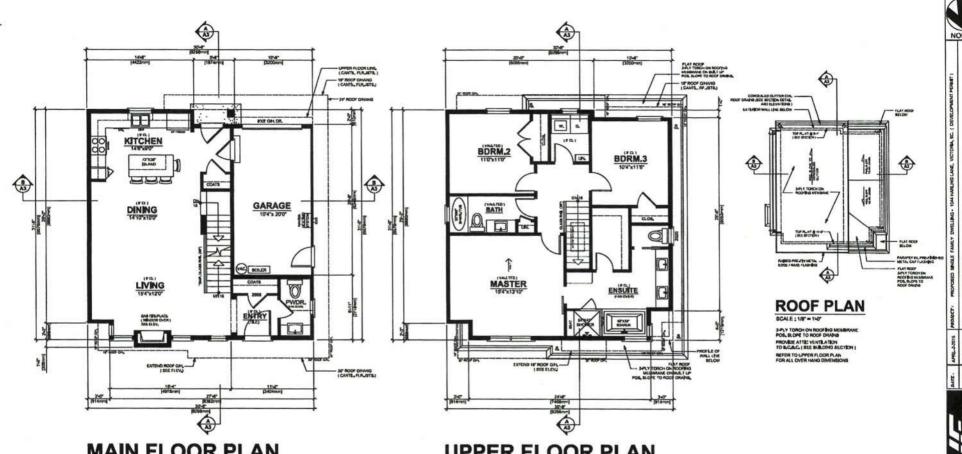
Received

JUN 17 2015

Planning & Development Department Development Services Division

2015





MAIN FLOOR PLAN

662.0 SQFT.

(INCLUDES GARAGE AREAS IN EXCESS OF 200.0 SQFT.) (GARAGE = 207.0 SQFT.)

UPPER FLOOR PLAN

868.0 SQFT.

1044 **HARLING LANE**

PROPOSED SINGLE FAMILY DWELLING

1044 HARLING LANE, VICTORIA B C.

Received
City of Victoria

JUN 17 2015

Planning & Development Department Development Services Division

2015

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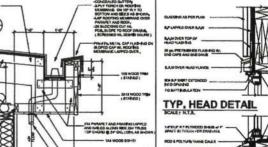
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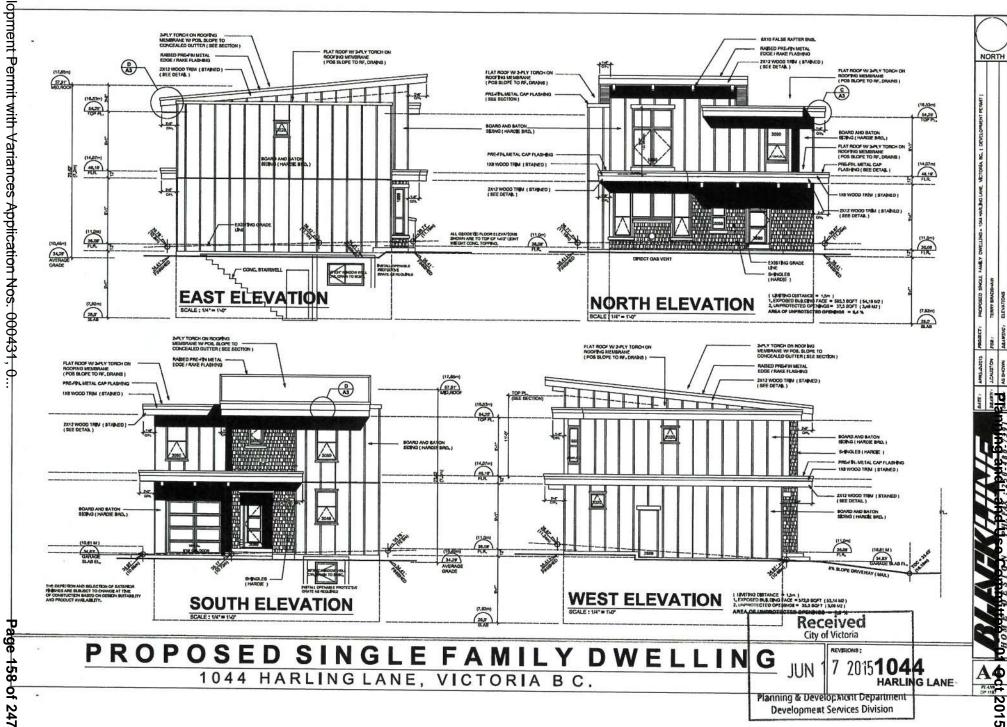
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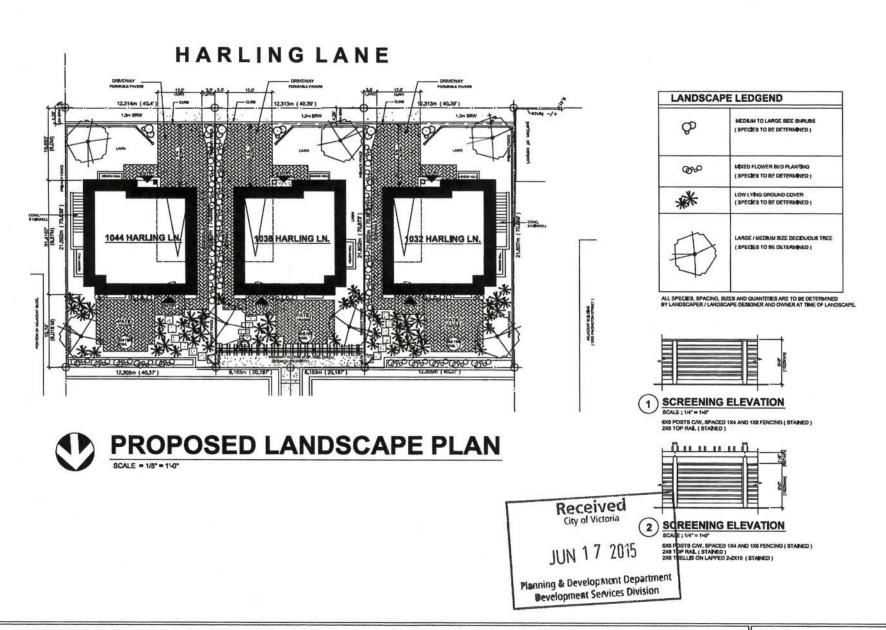
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EAVE DETAIL

044 HARLING LANE JUN 17 2015

Planning & Development Department **Development Services Division**





PROPOSED SINGLE FAMILY DWELLING

1032,1038 AND 1044 HARLING LANE, VICTORIA BC.

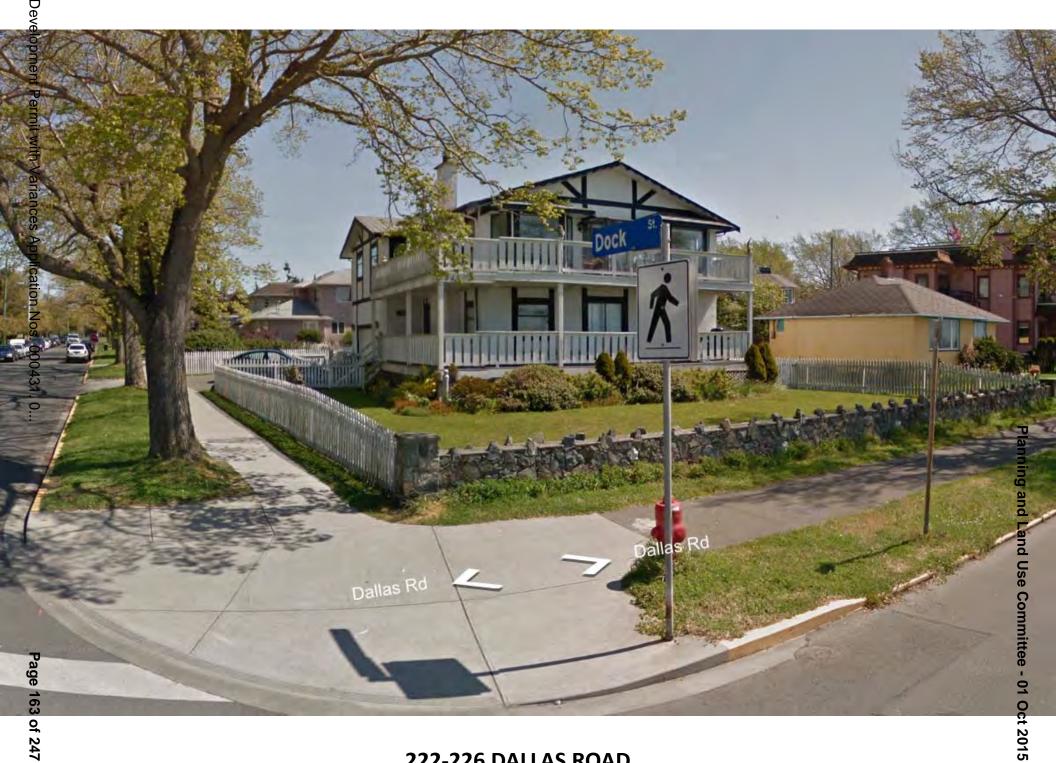
JUN 17 2015

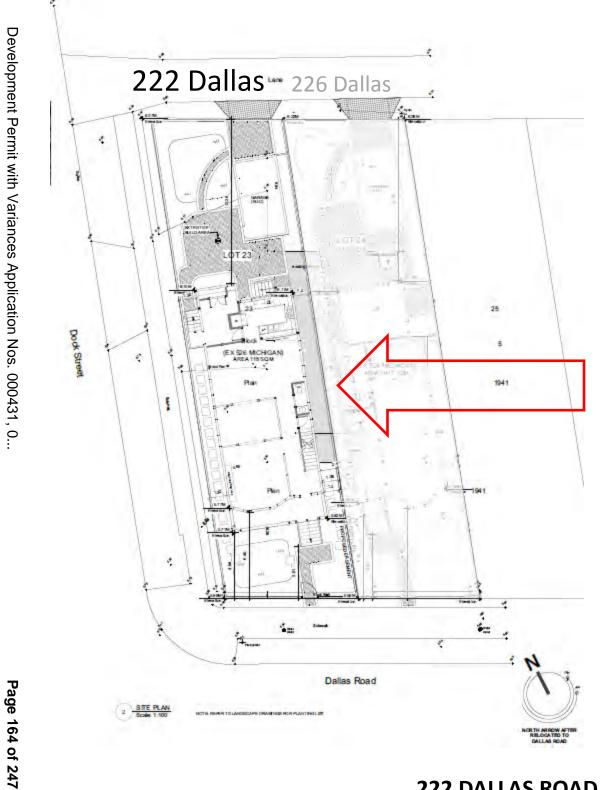
Planning & Development Department **Bevelopment Services Division**

Planning and Land Use Committee - 01 Oct 2015











(presently 526 Michigan Street)











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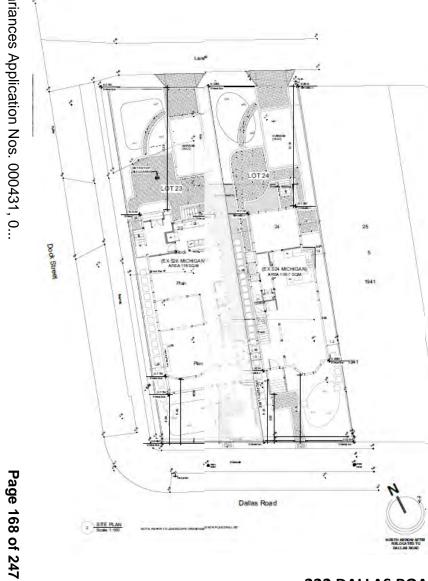
(presently 524 Michigan Street)







226 DALLAS ROAD



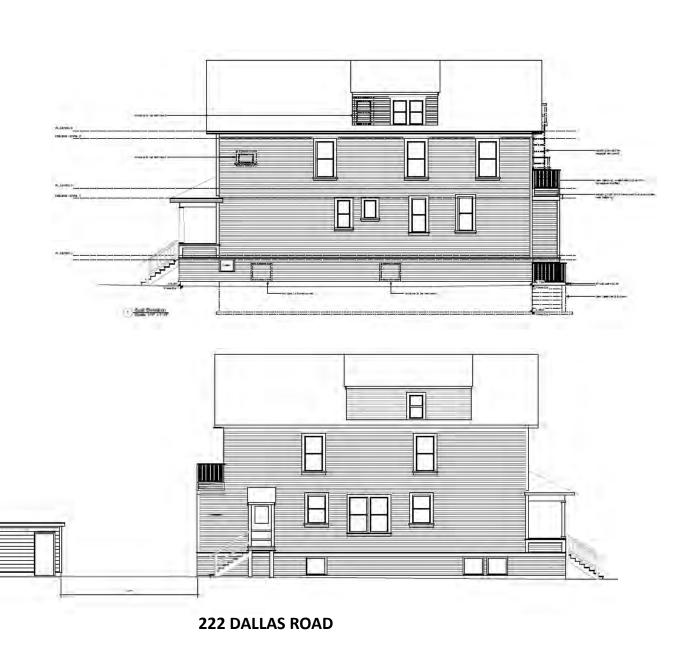
222 DALLAS ROAD

Plans & Elevations

222 DALLAS ROAD

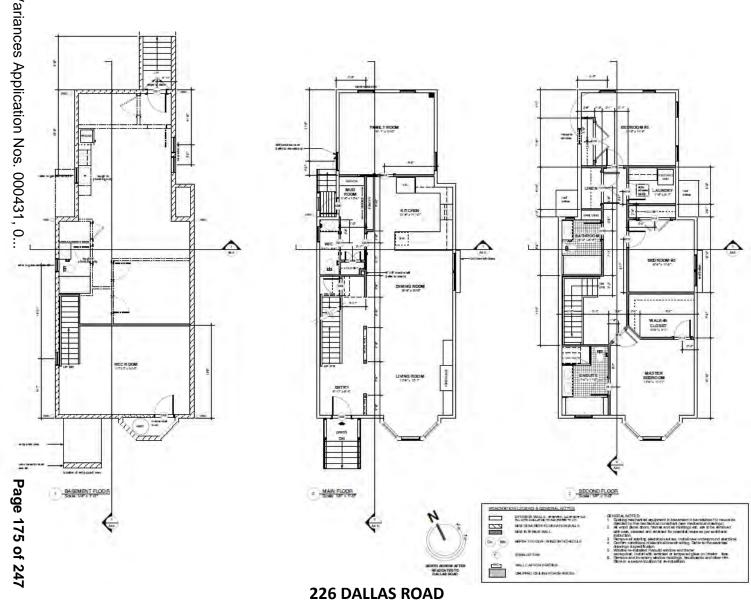


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226 DALLAS ROAD

Plans & Elevations







Planning and Land Use Committee Report For the Meeting of October 1, 2015

To:

Planning and Land Use Committee

Date:

September 17, 2015

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Heritage Alteration Permit Applications with Variances Nos. 00205 and 00206

for 226 Dallas Road and 222 Dallas Road

RECOMMENDATION

That Committee forward this report to Council and that Council consider the following motions:

226 Dallas Road

"That Council advance Heritage Alteration Permit Application No. 00205 with Variances for 226 Dallas Road, for consideration at a Public Hearing."

Following consideration of Heritage Alteration Permit Application No. 00205 for 226 Dallas Road:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00205 for 226 Dallas Road, subject to the completion of the following prior to the issuance of a Building Permit and in accordance with:

- Revised Plans date stamped August 18, 2015.
- 2. The provision of:
 - plan, elevation and section details for the front porch
 - a post-relocation condition assessment of the existing wood siding/shingles, woodwork, roof, exterior doors and windows
 - rehabilitation details confirming the scope of work arising from the condition of the historic fabric
 - an exterior door and window rehabilitation schedule.
- 3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Section 1.2.4.a Height relaxed from 7.6m to 8.8m
 - ii. Section 1.2.5.a Front setback relaxed from 7.5m to 6.15m for main building, from 5.0m to 4.83m for stairs

- iii. Section 1.2.5.c Side yard setback (east) relaxed from 3.0m to 1.20m and side yard setback (west) relaxed from 1.5m to 1.04m
- iv. Section 1.2.5.d Combined side yard setbacks relaxed from 4.5m to 2.24m.
- 4. The Heritage Alteration Permit lapsing two years from the date of this resolution.
- 5. Final plans to be generally in accordance with the plans identified above as amended to the satisfaction of the Director of Sustainable Planning and Community Development."

222 Dallas Road

"That Council advance Heritage Alteration Permit Application No. 00206 with Variances for 222 Dallas Road, for consideration at a Public Hearing."

Following consideration of Heritage Alteration Permit Application No. 00206 for 222 Dallas Road:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00206 for 222 Dallas Road, subject to the completion of the following prior to the issuance of a Building Permit and in accordance with:

- Revised Plans date stamped August 18, 2015.
- The provision of:
 - plan, elevation and section details for the front porch
 - a post-relocation condition assessment of the existing wood siding/shingles, woodwork, roof, exterior doors and windows
 - rehabilitation details confirming the scope of work arising from the condition of the historic fabric
 - an exterior door and window rehabilitation schedule.
- 3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Section 1.2.4.a Height relaxed from 7.6m to 9.9m and number of storeys from 2 to 2.5
 - ii. Section 1.2.5.a Front setback relaxed from 7.5m to 6.45m for main building, from 5.9m to 4.94m for porch, from 5.0m to 3.91m for stairs
 - iii. Section 1.2.5.c Side yard setback (east) relaxed from 1.5m to 1.36m
 - iv. Section 1.2.5.d Combined side yard setbacks relaxed from 4.5m to 2.68m
 - v. Section 1.2.5.e Flanking street (Dock) setback relaxed from 3.5m to 1.32m.
- 4. The Heritage Alteration Permit lapsing two years from the date of this resolution.
- 5. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Director of Sustainable Planning and Community Development."

LEGISLATIVE AUTHORITY

In accordance with Sections 972 and 973 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for two heritage alteration permit applications for the heritage-registered houses (presently located at 524 and 526 Michigan Street) to be relocated to 226 and 222 Dallas Road, respectively. The two houses are being relocated to facilitate the development of Capital Park. The proposal is to rehabilitate the houses after they have been relocated and designated at the receiver sites.

The following points were considered in assessing this application:

- · consistency with OCP
- · consistency with the James Bay Neighbourhood Plan
- consideration of impacts of variances to the Zoning Regulation Bylaw
- consistency with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Staff recommend that Council advance Heritage Alteration Permit Application Nos. 00205 and 00206 with Variances for 226 Dallas Road and 222 Dallas Road, respectively, for consideration at a Public Hearing.

BACKGROUND

The Province and the City were parties to the *Victoria Accord - Legislative Precinct Master Development Agreement*, made June 6, 1994, respecting the subdivision and development of the lands within the Legislative Precinct. In relation to the five heritage-registered homes currently situated on the South Block, the extent of restoration of the heritage houses and a relocation plan were to be described in future development proposals.

On June 11, 2014, Council authorized the issuance of Heritage Alteration Permits Nos. 00188 and 00189 for 524 and 526 Michigan Street, regarding the relocation of the Prout House and the Beaven/Macabe Residence within James Bay, subject to conditions that included providing the City with a relocation plan and a letter irrevocably agreeing to the designation of the houses. The condition regarding heritage designation was satisfied by the applicant in August 2014.

On September 11, 2014, Council instructed staff to prepare the heritage designation bylaw that would designate the Prout House and Beaven/Macabe Residence upon receipt of owner's consent to the designations. Once the houses have been relocated to their new lots, the heritage designation bylaw that Council gave first and second reading will be advanced to a public hearing pursuant to Section 968 of the *Local Government Act*, and Council may then consider adopting the bylaw.

These applications address the second condition regarding the provision of a relocation plan and as a result, deal with the planning issues associated with relocating the two houses to specific lots within James Bay.

Description of Proposal

These applications propose to remove the existing 1950s house that straddles the two existing lots located at 222 and 226 Dallas Road and to relocate the heritage-registered Prout House and Beaven/Macabe Residence presently located at 524 and 526 Michigan Street, part of the South Block.

The proposal to rehabilitate the houses presently located at 524 and 526 Michigan Street will involve the construction of new concrete footings on the receiver site; construction of new storm windows that are compatible with the character of the place; undertaking of alterations to rear and side window/door openings in order to accommodate the new use; rehabilitation of the existing guardrails; construction of a new steel rear balcony to comply with the Building Code; and undertaking of repairs to the exterior wood siding/shingles.

The scope of the proposed work outlined in Heritage Alteration Permit Nos. 00205 and 00206 is more particularly described in the revised plans prepared by Keay Cecco Architecture Ltd., dated August 18, 2015, and in the applicant's letter, dated August 17, 2015.

Public Realm Improvements

No public realm improvements are proposed in association with these heritage alteration permit applications.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applications were sent to the James Bay Neighbourhood Association on August 25, 2015. Should staff receive comments from the James Bay CALUC, these will be forwarded to Council for consideration.

ANALYSIS

The following sections provide a summary of the applications' consistency with the relevant City policies and guidelines.

Official Community Plan

The proposed development outlined in the applications is consistent with the OCP because it contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources. In addition, a key strategic direction of James Bay would be met by the proposed development where it enables the adaptation and renewal of existing building stock.

James Bay Neighbourhood Plan

The proposed development is consistent with the goals and objectives of the *James Bay Neighbourhood Plan* in relation to Housing, where it encourages the retention of significant buildings in the neighbourhood and in relation to Heritage Preservation, where it encourages the conservation and rehabilitation of buildings, lands and structures of heritage significance, which

contribute to the neighbourhood's attractive character and where the moving of heritage buildings is considered as a last resort to prevent their demolition.

Zoning Regulation Bylaw

The relocation of the heritage-registered Prout House and Beaven/Macabe Residence (presently located at 524 and 526 Michigan Street) triggers siting variances (height, front and side yard setbacks) as a result of the dimensions of the existing houses. The placement of the houses is generally compatible with the Dallas Road lot configuration, which are narrow in width and deep in length. The heights of nearby structures range from one to two storeys along Dallas Road and up to three-and-one-half storeys in relation to the apartment block across Dock Street to the north. Staff consider that the variances of heights and setbacks will have a minor impact on the overall character of the area and therefore recommend that Council consider the variances to the *Zoning Regulation Bylaw* to accommodate the proposed development.

Standards and Guidelines for the Conservation of Historic Places in Canada (As applicable to both buildings)

Exterior Walls

The proposal includes the alteration of openings on the north elevation; alterations to existing openings on the east elevation for code compliance; and the rehabilitation of the exterior wood shingles, siding and windows. The proposed interventions will conserve character-defining elements of the building's exterior and are therefore consistent with the Standards and Guidelines where it recommends modifying exterior walls to accommodate an expanded program, a new use, or applicable codes and regulations, in a manner that respects the building's heritage value.

Doors and Windows

The rehabilitation of existing wood windows and the construction of new storm windows that are compatible with the character of the place will significantly improve the thermal performance of the exterior envelope and is consistent with the Standards and Guidelines where it recommends designing and installing new windows, doors or storefronts required by a new use on non-character-defining elevations in a manner that is compatible with the building's style, era and character.

Roof

Undertaking repairs to the roofs as necessary is consistent with the Standards and Guidelines where it recommends repairing a roof assembly, including its functional and decorative elements, by using a minimal intervention approach.

Codes

Alterations to an existing front porch, east side openings, and the construction of a new upper-level balcony at the rear in order to comply with the Building Code is consistent with the Standards and Guidelines where it recommends complying with health, safety and security requirements in a manner that conserves the heritage value of the exterior wall assembly and minimizes impact on its character-defining elements.

Page 183 of 247

CONCLUSIONS

These applications to rehabilitate two heritage-registered houses form part of the sequence of applications associated with the Capital Park Development that will enable the relocation, designation and rehabilitation of the properties. The proposal is consistent with the Standards and Guidelines in relation to exterior walls, doors and windows, roof elements and the Building Code. The applicant has made revisions to reduce the potential effects that may result from the increased height and reduced setbacks (including the removal of existing openings to comply with codes) and has responded to community concerns within the constraints of the existing property and the dimensions of the heritage-registered houses. Staff consider that the potential impact of the variances requested have been mitigated and therefore recommend that Council consider supporting the applications subject to the conditions outlined in this report.

ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application Nos. 00205 and 00206 for the properties located at 226 Dallas Road and 222 Dallas Road.

Respectfully submitted,

Murray G. Miller Senior Heritage Planner Community Planning Jonathan Tinney

Director

Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

Date:

List of Attachments

- Subject map
- Aerial photograph
- Revised plans dated August 18, 2015
- Letters from applicant dated August 20, 2015.



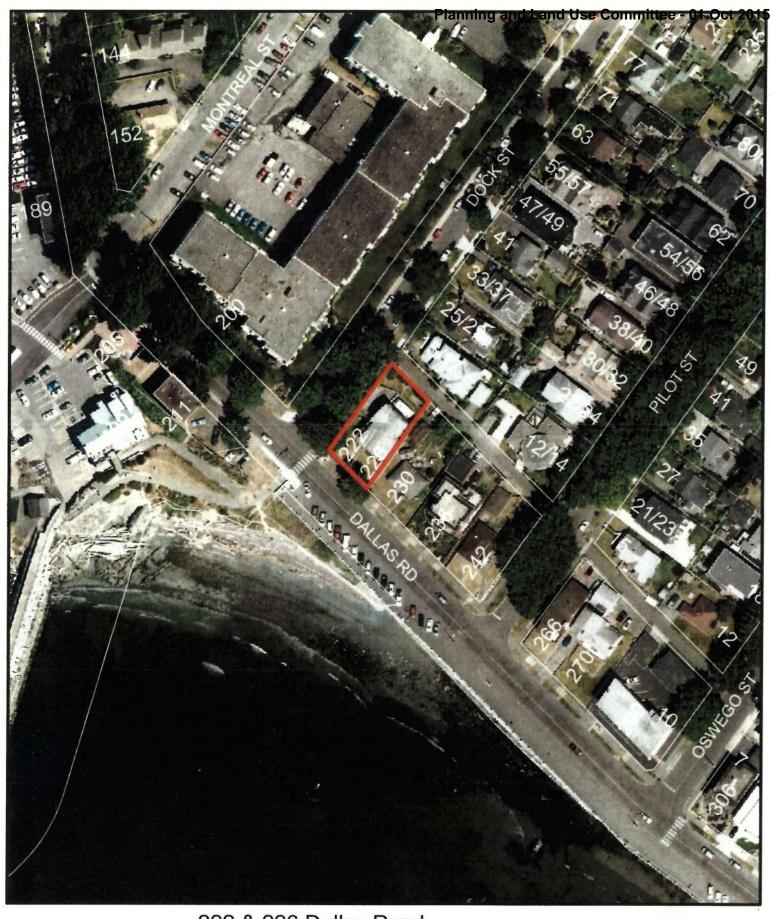
222 & 226 Dallas Road

Heritage Alteration Permit #00205 & #00206

Designated

Alteration Permit with Variances Application Nos. 0....



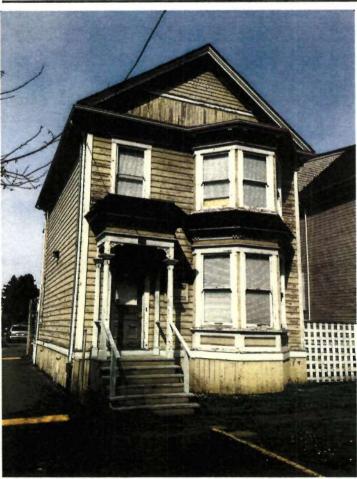




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CAPITAL PARK - HERITAGE BUILDINGS

226 DALLAS ROAD (524 MICHIGAN BUILDING)



ARCHITECTURAL:
KEAY CECCO ARCHITECTURE LTD.
CONTACT: JOHN KEAY
Phone: 250.362.3823

A0.0 TITLE SHEET
A1.0 SITE PLAN
A2.0 PHOTOGRAPHS
A3.0 DEMO PLANS
A4.0 RENO PLANS
A5.0 ELEVATIONS
A5.0 SECTIONS
A5.1 GARAGE
A7.0 DETARS

STRUCTURAL: READ JONES CHRISTOFFERSEN CONTACT: LEON PLETT Phone: 250.388.7794 Email: iplett@rjc.ca

S101, 2, 3, 4, 5
GENERAL NOTES AND
TYPICAL DETAILS
S201 FOUNDATION AND MAIN
FLOOR FRAMING FLAMS
WITH SECOND FLOOR OVER
\$202 SECOND FLOOR WITH ROOF
OVER & GARAGE PLAMS
\$304 SECTIONS AND DETAILS

MECHANICAL:
WSP CANADA INC.
CONTACT: PAUL TIMMINS & MIKE DEAN
Phone: 250.384.5510
Email: peul.timmins@wspgroup.com

M001 LEGEND & DRAWING LIST
M100 PLUMBING FLOOR PLANS
M101 PLUMBING DETAILS & GARAGE
M102 PLUMBING SCEMATICS
M200 HVAC FLOOR PLANS
M201 HVAC DETAILS

ELECTRICAL:
APPLIED ENGINEERING SOLUTIONS LTD.
CONTACT: JAY SINGH
Phone: 250.381.6121
Email: jsingh@appliedengineering.ca

E100 SITE PLAN, DETAILS & LEGEND E200 ELECTRICAL LAYOUT E300 SPECIFICATIONS

COMMENTS				
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2	MEVISIONS TO DETAILS	AR No.		
4	BURNIT FOR BUILDING PERMIT	MIRWIN		
	REVISIONS TO HAP SUBMISSION	A10 10-1		
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-	GENERAL NOTES			

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CIVIL:
WEP CANADA INC.
CONTACT: STEPHEN CHILDS
Phone: 250.384.5510
Email: stephen.childs@wepgroup.co

COT SITE SERVICING PLAN

CODE CONSULTANT: GHL CONSULTANTS LTD. CONTACT: FRANKIE VICTOR Phone: 604.688.4449 Email: fv@ghl.ea

ATTACHED LETTER

LANDSCAPE: CHRISTIAN BARNARD LAND STUDIO CONTACT: CHRISTIAN BARNARD Phone: 250.889.393 Email: Info@christlenbarnard.ca

1 TREE PROTECTION PLAN
2 SITE PLAN
3 SPECIFICATIONS

INTERIOR DESIGNER: KYLA BIDGOOD INTERIOR DESIGN CONTACT: KYLA BIDGOOD Phone: 250,559,0852 Email: kyla@kylabidgood.com

ID-1.00 SCHEDULES & SPECIFICATIONS ID-1.01 SCHEDULES & SPECIFICATIONS ID-1.00 FLOOP PLANS ID-1.00 FLOOP PLANS & ELEVS. ID-5.01 W/C FLOOP PLANS & ELEVS. ID-5.03 STARS & LIVING ROOM ELEVS. ID-5.03 KITCHEN SECTIONS ID-4.04 STARS & LIVING ROOM ELEVS. ID-6.04 STARS & LIVING ROOM ELEVS. ID-6.05 HATCHEN SECTIONS ID-6.04 ID-6.04 STARS & LIVING ROOM ELEVS. ID-6.05 BATHROOM SECTIONS ID-6.04 STARS ALVING SECTIONS ID-6.05 BATHROOM SECTIONS ID-6.05 ID-7.06 DETAILS

- CAPITAL PARK -HERITAGE HOUSES 226 Dallas Road Planning and

Land

Use

Committee

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01 Oct 2015

Victoria, BC

- TITLE SHEET -

AS SHOWN	1124 - 1517
AUGUST 18, 2015	
NP / JK	A0.0

HERITAGE CONSULTANT:
DONALD LUXTON AND ASSOCIATES INC.
CONTACT: DONALD LUXTON
Phone: 604.688.1216
Finall: depailed/finalle/fin

CONSERVATION PLAN - JANUARY 2015

Received
City of Victoria

AUG 1 8 2015

Planning & Development Department
Development Services Division



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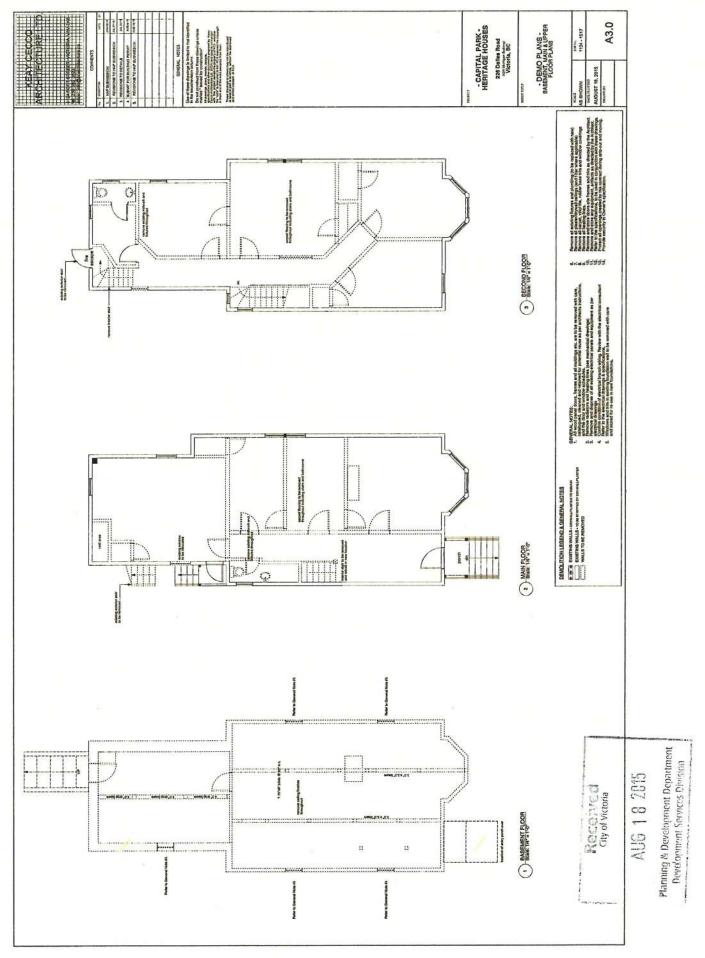
Received City of Victoria - CAPITAL PARK -HERITAGE HOUSES

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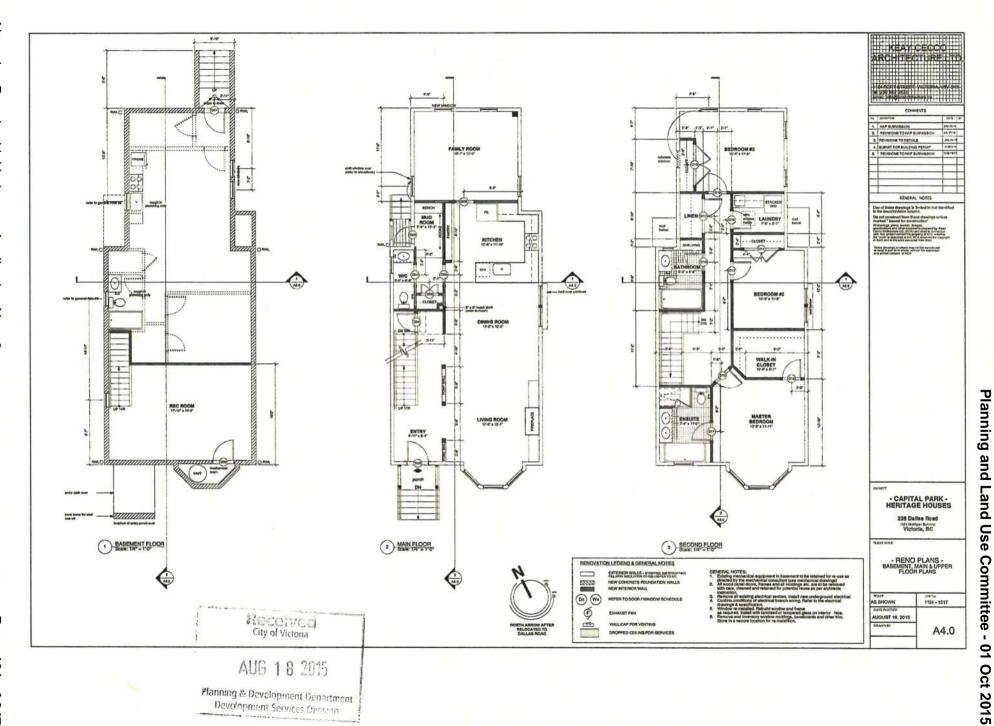
524 MICHIGAN PHOTOGRAPHS

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Planning & Development Department Development Services Division



Planning & Development Department Development Services Division



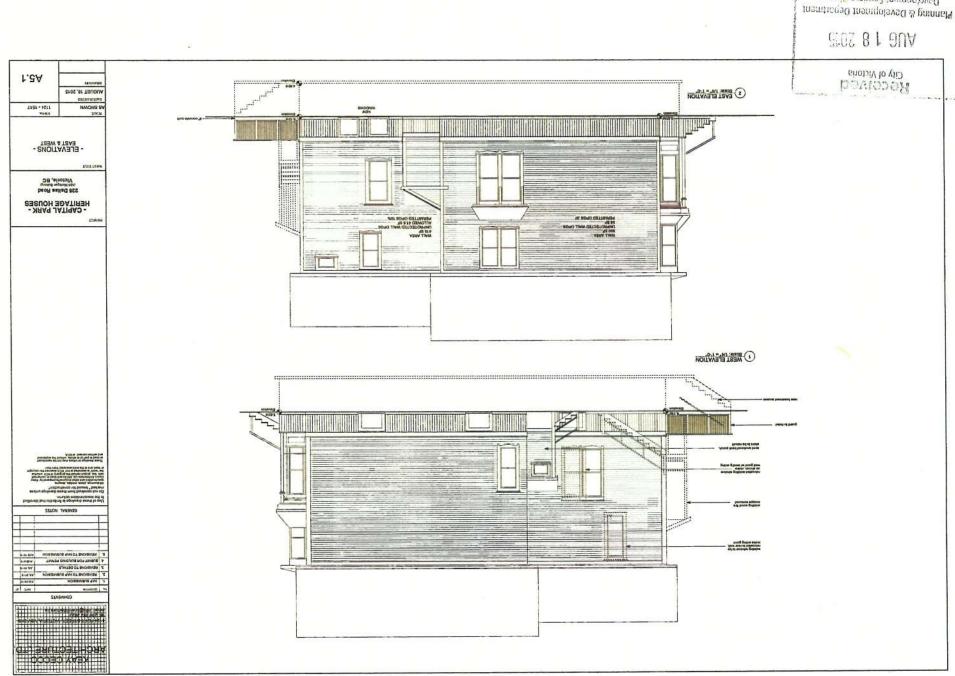
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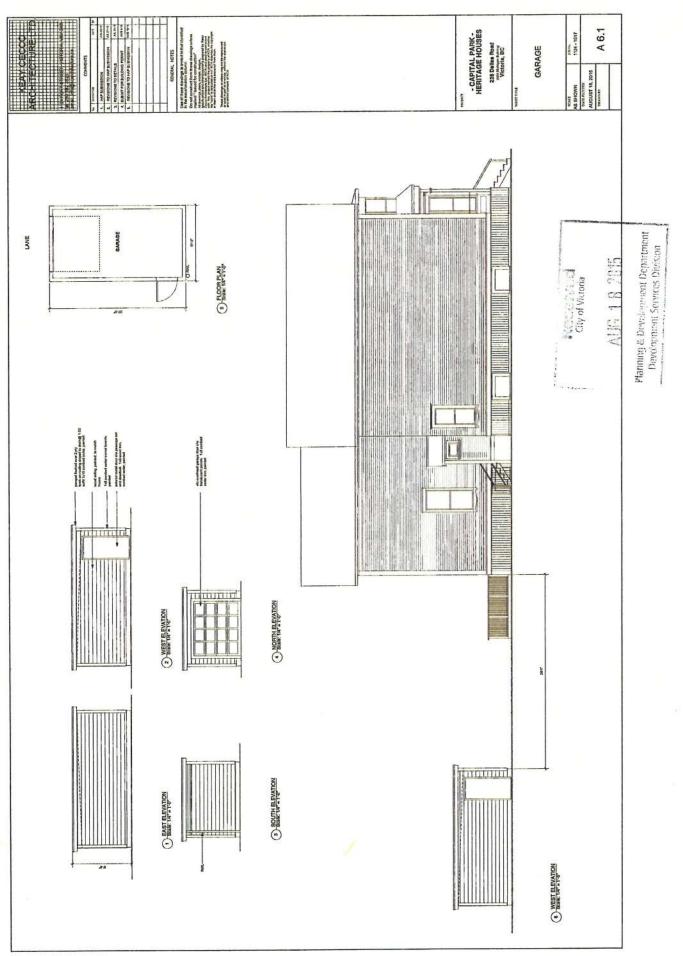
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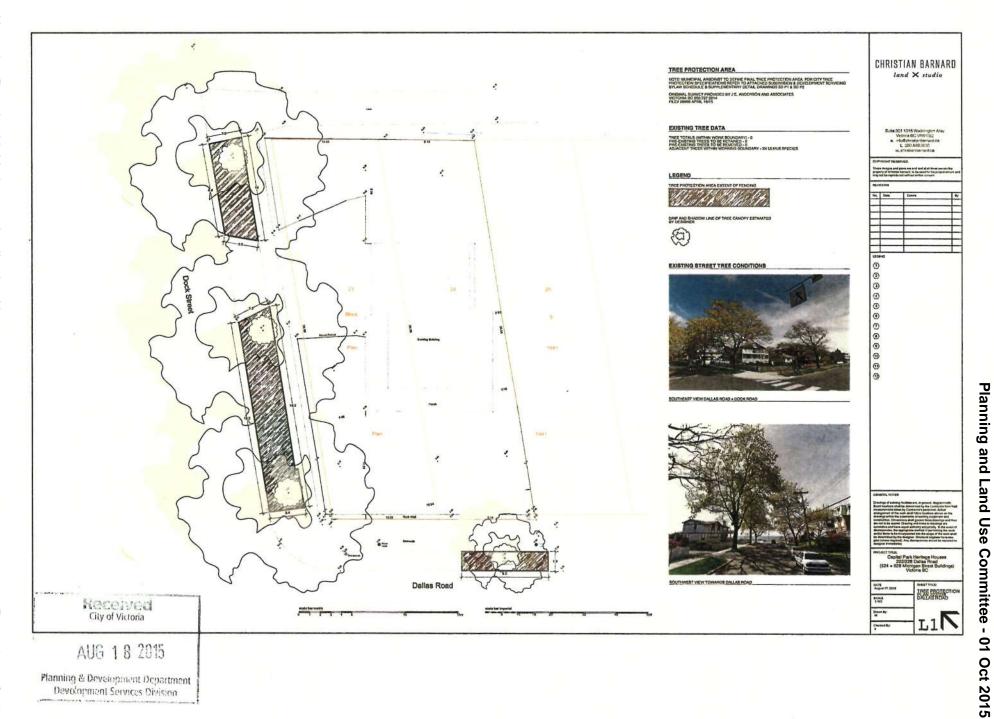
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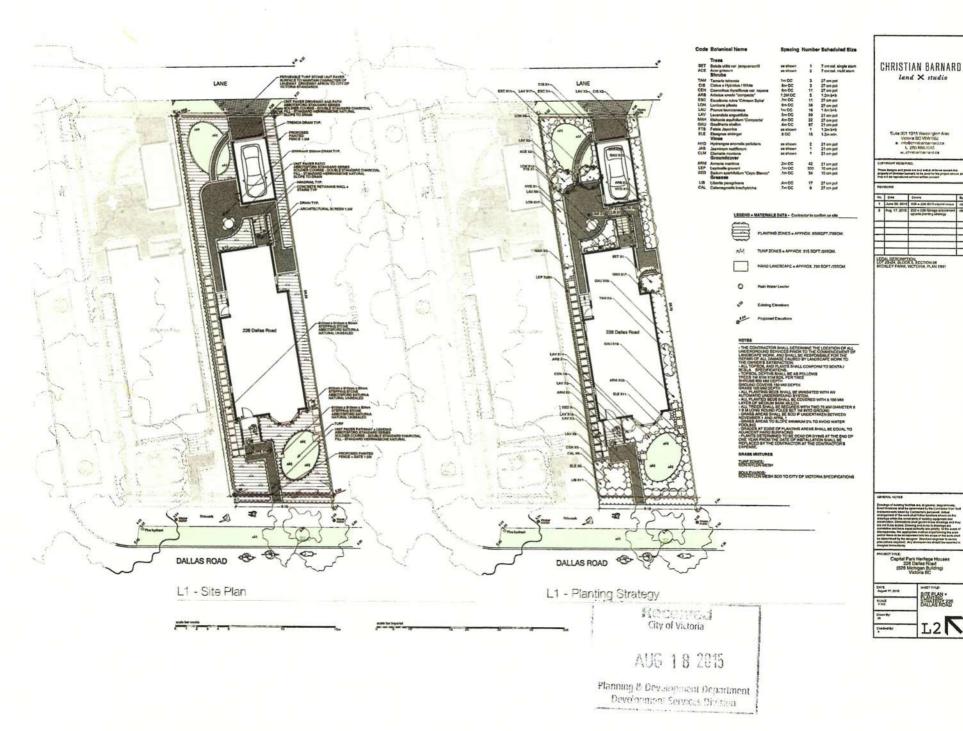
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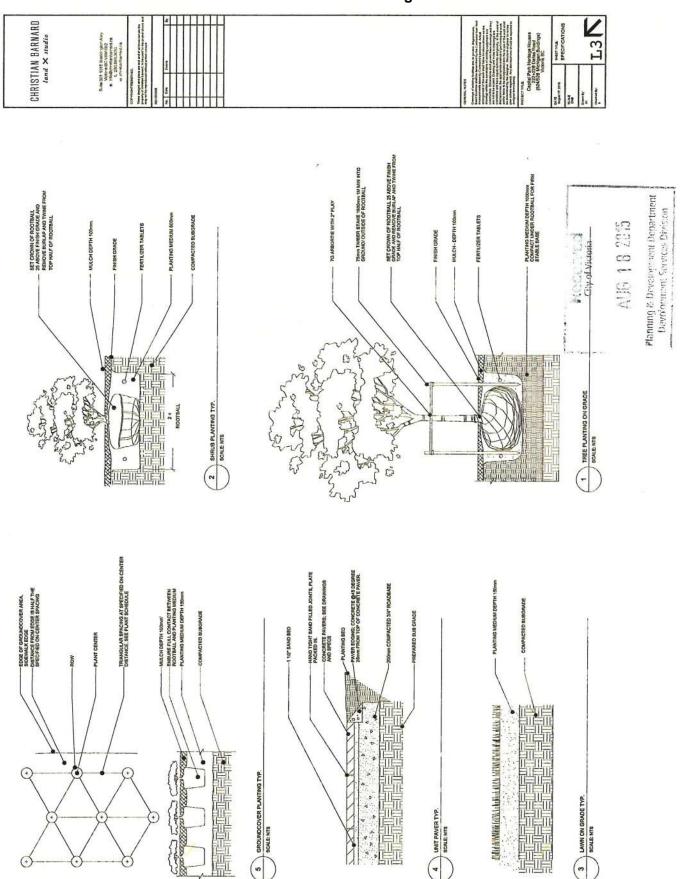








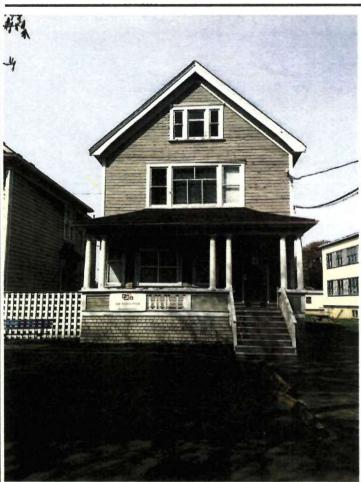
Planning and Land Use Committee - 01 Oct 2015



Page 199 of 247

CAPITAL PARK - HERITAGE BUILDINGS

222 DALLAS ROAD (526 MICHIGAN BUILDING)



ARCHITECTURAL: KEAY GECCO ARCHITECTURE LTD. CONTACT: JOHN KEAY Phone: 250.382.3823

A5.0 TITLE SHEET
A1.0 SITE PLAN
A2.0 PHOTOGRAPHS
A3.0 DEMO PLANS
A4.9 RENO PLANS
A5.9 ELEVATIONS
A5.0 SECTIONS
A5.1 GARAGE
A7.0 DETAILS

STRUCTURAL: READ JONES CHRISTOFFERSEN CONTACT: LEON PLETT Phone: 250.386.7784

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GENERAL NOTES AND
TYPICAL DETAILS
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FLOOR FRAMING PLANS
WITH SECOND FLOOR OVER
FLOOR FRAMING WITH HIRD
FLOOR FRAMING WITH NROP OVER

OVER
S203 GARAGE FOUNDATION & MAIN
FLOOR WITH ROOF FRAMING
OVER
S301 SECTIONS AND DETAILS

MECHANICAL: WSP CANADA INC. CONTACT: PAUL TIMMINS & MIKE DEAN Phone: 250.384.5510

LEGEND & DRAWING LIST PLUMBING FLOOR PLANS PLUMBING DETAILS & GARAGE PLUMBING SCEMATICS M001 M100 M101 M102 HVAC FLOOR PLANS HVAC DETAILS

ELECTRICAL: APPLIED ENGREERING SOLUTIONS LTD. CONTACT: JAY SINGH Phone: 250.381.8121

E100 SITE PLAN, DETAILS & LEGEND E200 ELECTRICAL LAYOUT E300 SPECIFICATIONS

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CIVIL: WSP CANADA INC. CONTACT: STEPHEN CHILDS Phone: 200.384.5510

HERITAGE CONSULTANT: DONALD LUXTON AND ASSOCIATES INC. CONTACT: DONALD LUXTON

CONSERVATION PLAN - JANUARY 2015

o: 604.668.1216

CO2 BITE SERVICING PLAN

CODE CONSULTANT: GHL CONSULTANTS LTD. CONTACT: FRANKIE VICTOR Phone: 804.889.4449

ATTACHED LETTER

LANDSCAPE; CHRISTIAN BARNARD LAND STUDIO CONTACT; CHRISTIAN BARNARD Phone: 250.889.3033

TREE PROTECTION PLAN SITE PLAN SPECIFICATIONS

INTERIOR DESIGNER: KYLA BIDGOOD INTERIOR DESIGN CONTACT; KYLA BIDGOOD Phone: 250,589,0852 Email: kyle@kylebidg

SCHEDULES & SPECIFICATIONS SCHEDULES & SPECIFICATIONS FLOOR PLANS ID-1.00 ID-1.01 ID-2.00 ID-3.00 ID-8.00 ID-8.01 ID-5.03 ID-5.04 ID-6.00 ID-8.01 ID-6.02 FLOOR PLANS
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DETAILS Received

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City of Victoria

Planning & Development Department Development Services Division

- CAPITAL PARK -HERITAGE HOUSES

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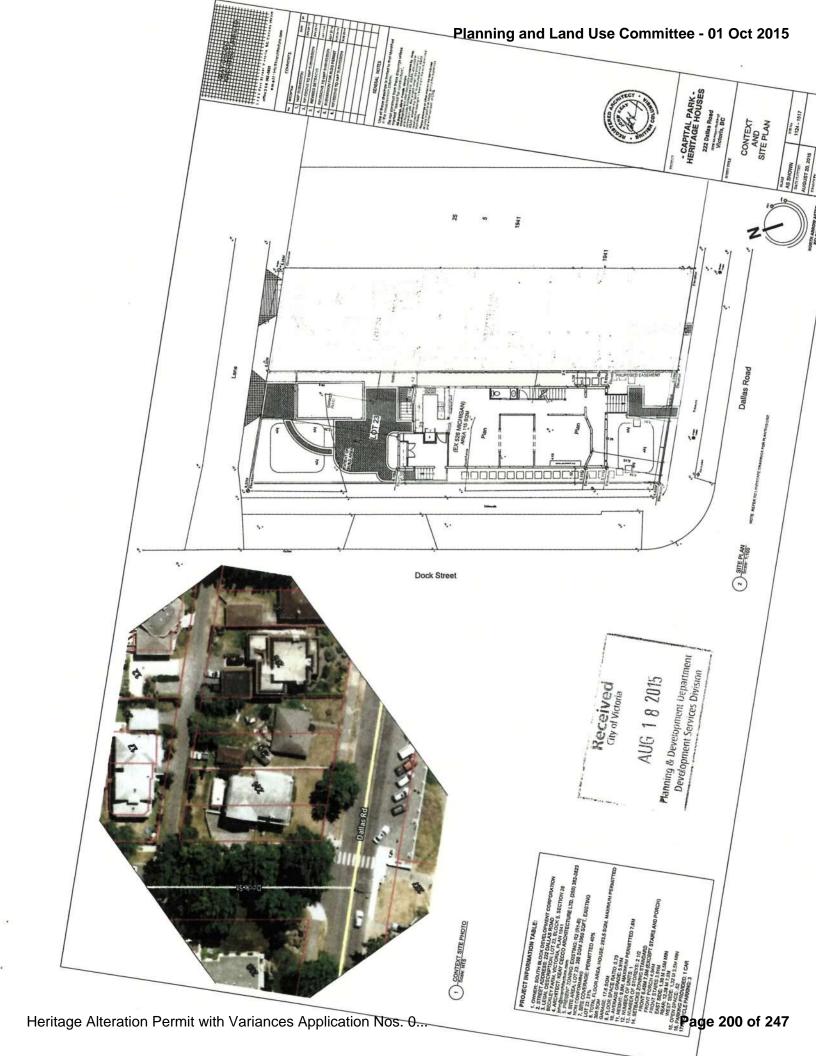
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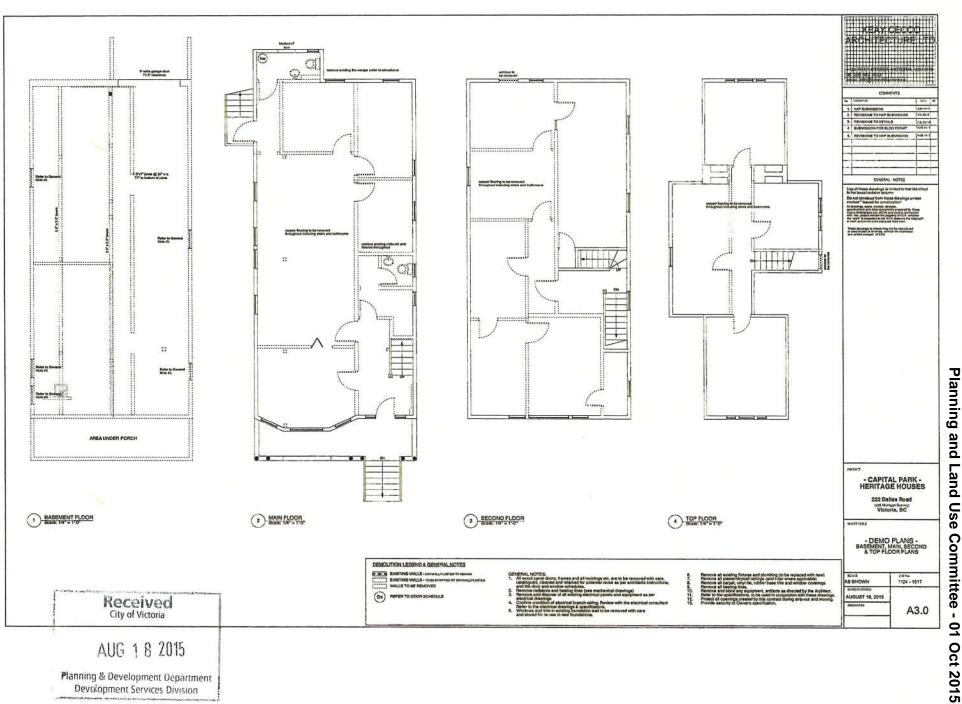
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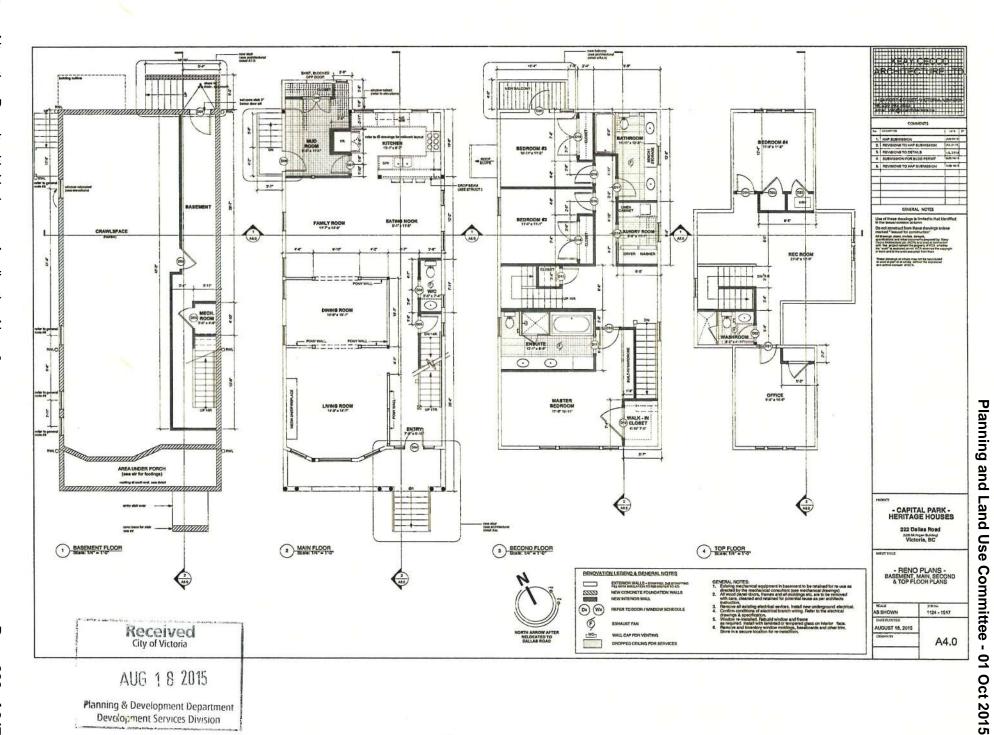
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Development Services Division

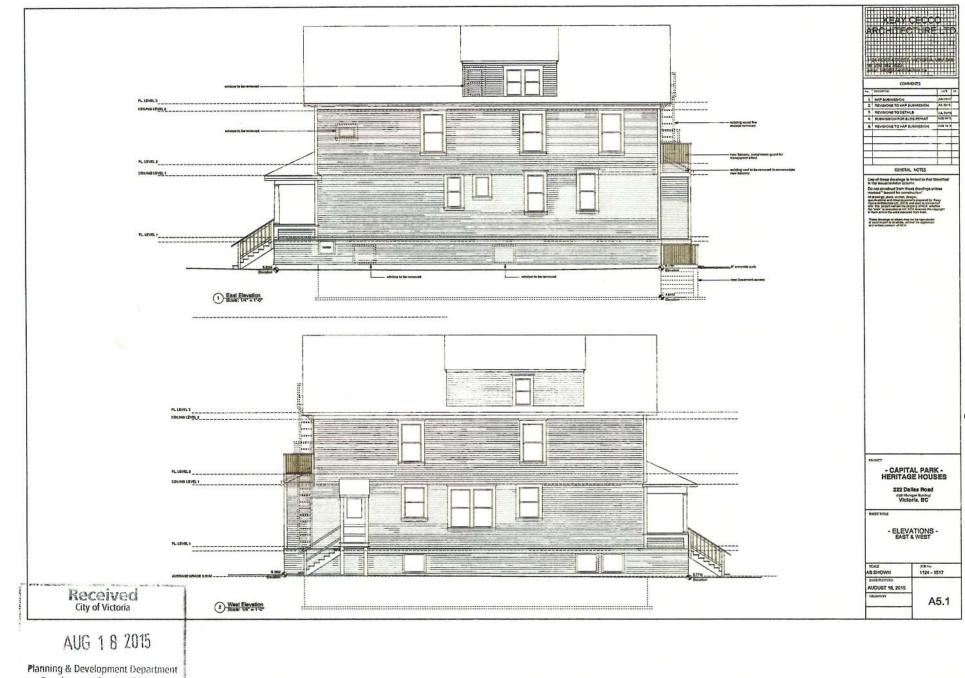


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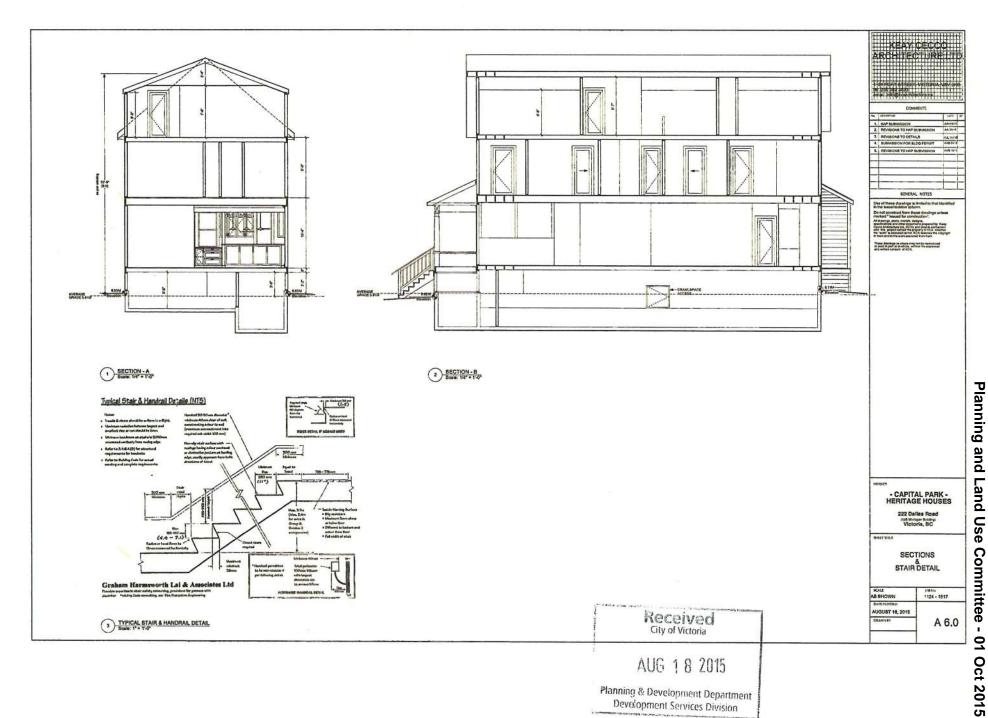


Planning and Land Use Committee - 01 Oct 2015

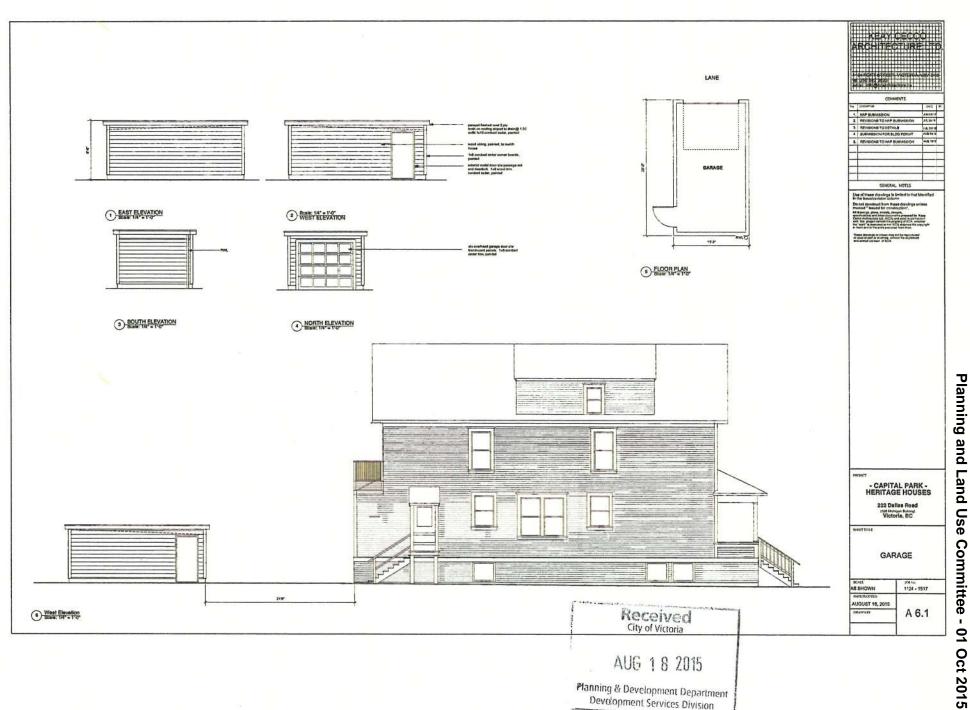
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Planning and Land Use Committee - 01 Oct 2015



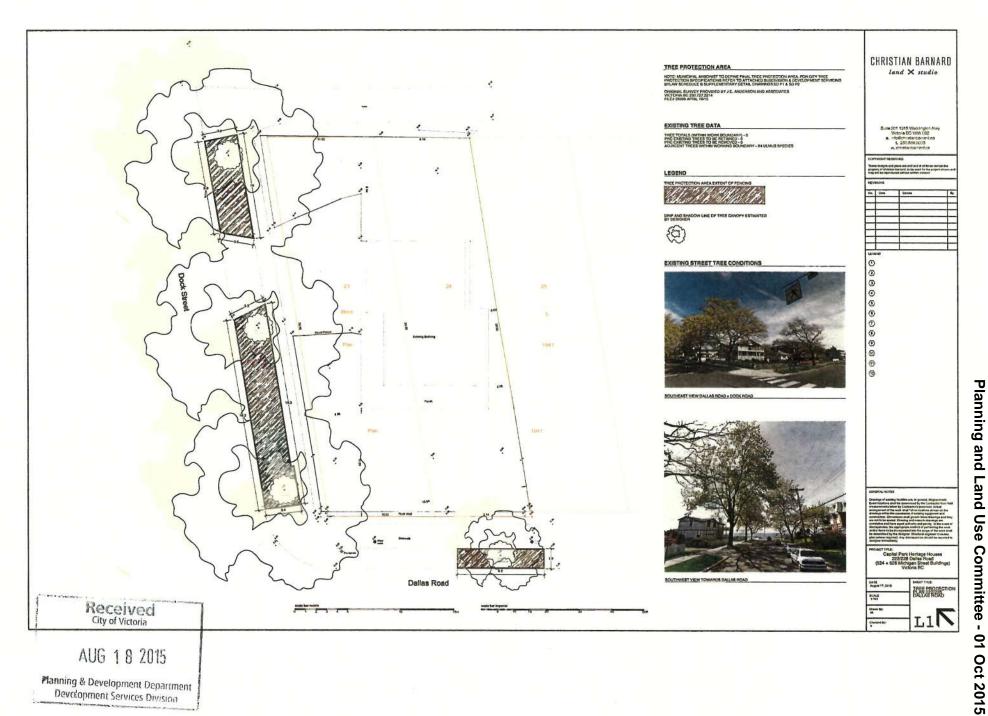
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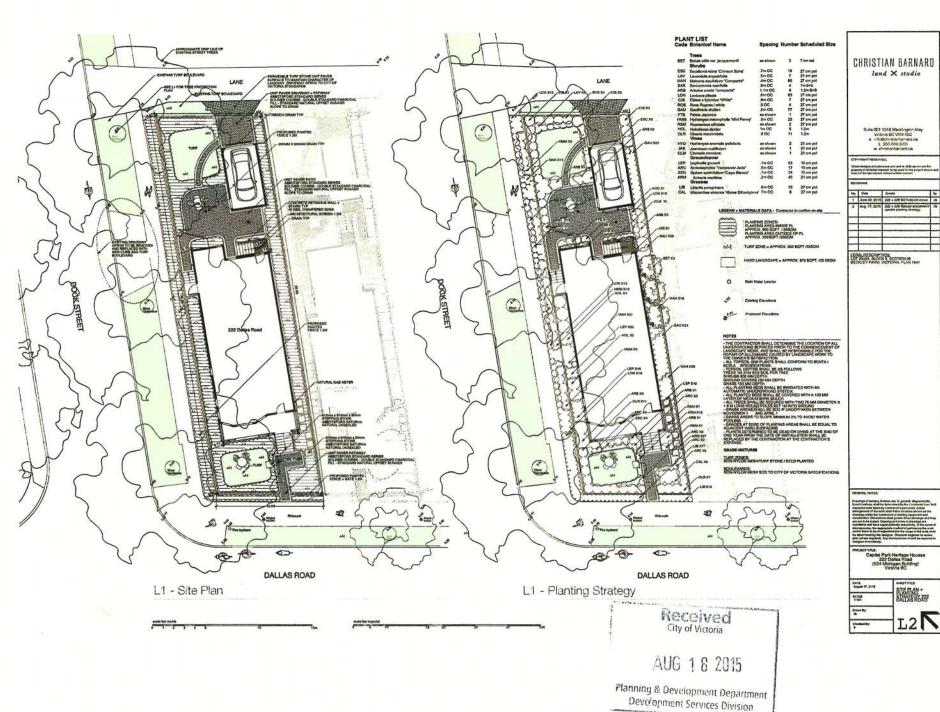


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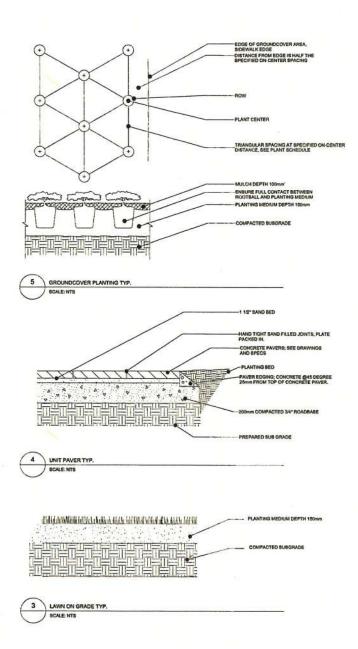
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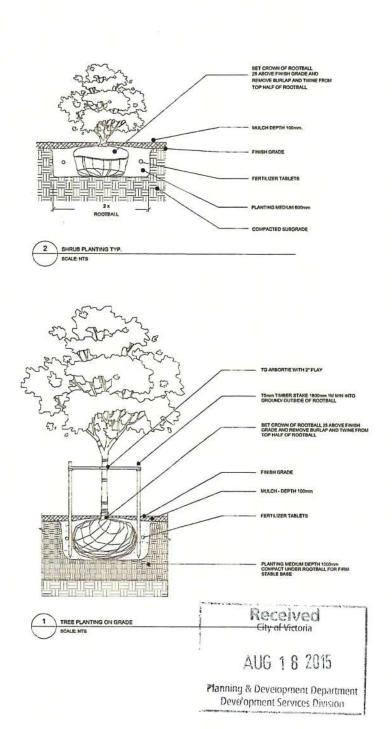




Planning and Land Use Committee - 01 Oct 2015

Page 210 of 247







CHRISTIAN BARNARD

Suite 301 1315 Wasterrigion Arey Victoria BC VBW 082 a. info@crystamberriard.ca t. 250.589.0030 w. christamberrantica

land X studio

South Block Development Corporation

3350 Douglas St. - Suite 100 Victoria, BC V8Z 3L1 Phone: 250 475-0338 Fax: 250 475-0339

August 17, 2015

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

Attention: Mayor and Council

Received City of Victoria

AUG 20 2015

Manning & Development Department Development Services Division

Heritage Alteration Permit for 524 Michigan Street being relocated to 226 Dallas Road

Dear Mayor and Council,

Re:

Please accept this application for a heritage alteration permit for the heritage registered home currently located at 524 Michigan Street within the lands known as South Block in James Bay. This house, along with 526 Michigan Street is being relocated and rehabilitated as committed to as part of the Capital Park redevelopment. This house was the subject of a previous application HAP 00188 which approved in concept the rehabilitation plan and the relocation of this home to a suitable site within James Bay. This application is consistent with the principles outlined in the previous application.

Since acquiring the Capital Park lands in the spring of 2014, South Block Development Corporation has been actively seeking out a receiver site for 524 and 526 Michigan Street in James Bay. After discussions with several land owners in James Bay and consultation with the Senior Heritage Planner, South Block Development Corporation has entered into an agreement to acquire a site at 224 Dallas Road that we feel would be an excellent receiver site for the two homes.

224 Dallas Road consists of two legal lots, one for each heritage home. No changes to either legal parcel are contemplated. A house originally constructed in the 1950's and added on to in the 1980's and during several other renovations spans both lots. The house is not deemed to be architecturally significant or of high quality. The house would be removed to facilitate the redevelopment of the property with the two heritage houses. The existing house will be offered by Nickel Brothers to anyone wishing to pay for its moving costs in an effort to retain it. Failing this the house would be demolished and materials reused, recycled and disposed of as appropriate.

This application contemplates relocating the house currently located at 524 Michigan Street to what would become 226 Dallas Road. 524 Michigan Street is currently vacant and the interior has been significantly altered and most recently used as a post disaster training facility. The exterior, however, remains relatively unchanged with most decorative elements intact. The house is sound, although it has suffered from deferred maintenance. This application contemplates placing the house on a new foundation with a full height basement, fully rehabilitating the exterior in a historically sensitive manner as outlined in the enclosed Heritage Conservation Plan, upgrading thermal, seismic and structural performance, and completely renovating and rebuilding the interior to finish it as a custom single family home.

To facilitate the relocation and adaptive reuse some alterations will need to be made to the exterior heritage components of the house. The proposed alterations are shown in detail in the enclosed drawings. The intent of the proposed alterations is to minimize change to the home and to accurately replicate design elements where feasible and where information is available. Where changes are required, they have been located toward the rear of the building. The scope of the exterior alterations includes:

- New concrete footings will be constructed at the receiver site that maintain the current relationship of the building to grade. Tongue and groove siding will be installed on the foundation as per the existing detail. There will be a new basement access point and two additional windows added on the east façade.
- 2. It is proposed that two windows will be relocated, two windows on the basement level will be removed, three windows will be added and one new window will be placed in an existing opening. Where new windows are added they will be replicas of the originals. The balance of the windows will be rebuilt with the original materials and storm windows added as appropriate.
- 3. The fire escape on the west side of the house will be removed.
- The siding, trim and exterior finishes will be repaired and replaced with like materials as required and the houses will be painted using a historically appropriate colour palette.
- 5. Guard rails will be added to stairs and porches as required by Code.
- Should the roof require replacement it will be done in line with what is suggested in the heritage conservation plan.

For further reference enclosed is the Heritage Conservation Plan prepared by Donald Luxton for this property which includes historical information on the home and the guidelines to be followed for its rehabilitation. This report was the subject of the previous Heritage Alteration Permit.

The constraints imposed by the existing physical massing of the heritage house and the dimensions of the receiver lot necessitate a number of variances as follows:

- 1. A height variance is requested to accommodate the height of the existing heritage structure and preserve the existing relationship to grade as is consistent with heritage conservation principles. The proposed height is 8.8 meters, compared to an allowable height of 7.6 meters. This height variance would be required to accommodate this heritage house in any residential lot in James Bay. Enclosed please find a Shadow Analysis at the solstices and equinoxes comparing the shadow impact of the existing condition on the site, what would be permitted on the site under the existing zoning and the proposed development.
- The east side yard setback is proposed at 1.2 meters compared to the 1.5 meter minimum contemplated in the zone. This is a larger setback than the current non-conforming 0.92 meter setback on the site.
- 3. The west side yard setback is proposed at 1.04 meters compared to the 1.5 meter minimum contemplated in the zone. The combined side yard setback is 2.24 meters compared to the 4.5 meter requirement. While the gap between the two heritage houses is narrow, this represents a new view corridor from 15/17 Dock Street as the house currently located on the site spans the interior lot line. The most significant impact of this variance is on the adjacent heritage house. This was done intentionally to minimize intrusions into the setbacks on the outer edges of the property which would have a greater impact on the existing neighbours. Please note an easement of 0.16 meters on the east side of 222 Dallas Road is proposed to provide 226 Dallas Road with the required 1.2 meter setback for code.
- 4. The front yard setback is proposed at 6.75 meters for the house, compared to 7.5 meters contemplated in the zone, 6.15 meters from the front porch compared to 5.9 meters contemplated in the zone and 4.83 meters for the front stairs compared to 5 meters contemplated in the zone. This will blend the setbacks between 222 Dallas Road and the neighbor at 230 Dallas Road.

Our application package also includes perspective drawings from Dallas Road, Dock Street and the existing laneway comparing the existing condition, a massing model of what would be permitted under the zoning as well as our proposal to illustrate the impact of the variances we are seeking.

In response to feedback received from neighbours and the community the landscape plan contemplates low height landscaping that will not block views from 15/17 Dock Street, the relocation plan contemplates loading the houses onto the site in a manner that permits the retention of existing boulevard trees, access off of the existing lane was designed with consideration given to providing safe access and visibility and dimensioning parking in a

way that discourages parking in a manner that intrudes on the laneway and discussions have also been had with the City about creating additional residential parking on Dock Street adjacent to 222 Dallas Road.

Please note a heritage designation application for this home has been submitted to the City of Victoria and subject to approval would be issued when the 524 Michigan Street is relocated to 226 Dallas Road.

Enclosed you will find a comprehensive package of materials prepared by the team of professionals we have engaged to oversee the rehabilitation of this special heritage resource. We recognize the value this house has to the community and look forward to seeing it revitalized to a condition that we can all be proud of. If you have any questions regarding this application or would like a tour of the house please feel free to contact the undersigned at (250) 414-4172 or karen.jawl@jawlproperties.com or the architect John Keay at (250) 382-2823 or john@kcarchitecture.ca.

Sincerely,

South Block Development Corporation

Per.

Karen Jawl

South Block Development Corporation

August 17, 2015

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

Attention: Mayor and Council

3350 Douglas St. - Suite 100
Victoria, BC V8Z 3L1
Phone: 250 475-0338

Fax: 250 475-0339

City of Victoria

AUG 2 0 2015

Planning & Development Department

Development Services Division

Re: Heritage Alteration Permit for 526 Michigan Street being relocated to 222 Dallas Road

Dear Mayor and Council,

Please accept this application for a heritage alteration permit for the heritage registered home currently located at 526 Michigan Street within the lands known as South Block in James Bay. This house, along with 524 Michigan Street is being relocated and rehabilitated as committed to as part of the Capital Park redevelopment. This house was the subject of a previous application HAP 00189 which approved in concept the rehabilitation plan and the relocation of this home to a suitable site within James Bay. This application is consistent with the principles outlined in the previous application.

Since acquiring the Capital Park lands in the spring of 2014, South Block Development Corporation has been actively seeking out a receiver site for 524 and 526 Michigan Street in James Bay. After discussions with several land owners in James Bay and consultation with the Senior Heritage Planner, South Block Development Corporation has entered into an agreement to acquire a site at 224 Dallas Road that we feel would be an excellent receiver site for the two homes.

224 Dallas Road consists of two legal lots, one for each heritage home. No changes to either legal parcel are contemplated. A house originally constructed in the 1950's and added on to in the 1980's and during several other renovations spans both lots. The house is not deemed to be architecturally significant or of high quality. The house would be removed to facilitate the redevelopment of the property with the two heritage houses. The existing house will be offered by Nickel Brothers to anyone wishing to pay for its moving costs in an effort to retain it. Failing this the house would be demolished and materials reused, recycled and disposed of as appropriate.

This application contemplates relocating the house currently located at 526 Michigan Street to what would become 222 Dallas Road. 526 Michigan Street is currently vacant and the interior has been significantly altered. The exterior, however, remains relatively unchanged with most decorative elements intact. The house is sound, although it has suffered from deferred maintenance. This application contemplates placing the house on a new foundation, fully rehabilitating the exterior in a historically sensitive manner as outlined in the enclosed Heritage Conservation Plan, upgrading thermal, seismic and structural performance, and completely renovating and rebuilding the interior to finish it as a custom single family home.

To facilitate the relocation and adaptive reuse some alterations will need to be made to the exterior heritage components of the house. The proposed alterations are shown in detail in the enclosed drawings. The intent of the proposed alterations is to minimize change to the home and to accurately replicate design elements where feasible and where information is available. Where changes are required, they have been located toward the rear of the building. The scope of the exterior alterations includes:

 New concrete footings will be constructed at the receiver site that maintain the current relationship of the building to grade. Tongue groove siding will be installed on the foundation as per the existing detail. There will be a new basement access point.

- 2. It is proposed one new window at the rear of the house will be added with the sill to match the window adjacent to accommodate kitchen cabinets, one window will be relocated in the basement, two windows in the basement and one on the top floor will be removed and one window will be replaced with a door to provide exiting as required by code. Where new windows are added they will be replicas of the originals. The balance of the windows will be rebuilt with the original materials and storm windows added as appropriate.
- The existing door at the rear of the house will be removed and replaced with siding consistent with the balance of the house.
- 4. The siding, trim and exterior finishes will be repaired and replaced with like materials as required and the houses will be painted using a historically appropriate colour palette.
- 5. Guard rails will be added to stairs and porches as required by Code.
- Should the roof require replacement it will be done in line with what is suggested in the heritage conservation plan.
- 7. A new balcony will be added on the rear of the house as required by Code and will be designed in a historically sensitive manner.

For further reference enclosed is the Heritage Conservation Plan prepared by Donald Luxton for this property which includes historical information on the home and the guidelines to be followed for its rehabilitation. This report was the subject of the previous Heritage Alteration Permit.

The constraints imposed by the existing physical massing of the heritage house and the dimensions of the receiver lot necessitate a number of variances as follows:

- 1. A height variance is requested to accommodate the height of the existing heritage structure and preserve the existing relationship to grade as is consistent with heritage conservation principles. The proposed height is 9.9 meters, compared to an allowable height of 7.6 meters and 2.5 storeys, compared to the 2 storeys permitted. This height variance would be required to accommodate this heritage house in any residential lot in James Bay. Enclosed please find a Shadow Analysis at the solstices and equinoxes comparing the shadow impact of the existing condition on the site, what would be permitted on the site under the existing zoning, and the proposed development.
- 2. The west side yard setback is proposed at 1.32 meters compared to the 3.5 meter minimum contemplated in the zone. A consequence of this is the impact on the south west view corridor of the neighbor to the North at 15 Dock Street. The South/West view cone from 15 Dock Street is 5% smaller than would be permitted under the zoning. The north/south siting of this house was carefully studied to minimize the impact on this view cone.
- 3. The east side yard setback is proposed at 1.36 meters compared to the 1.5 meter minimum contemplated in the zone. The combined side yard setback is 2.68 meters compared to the 4.5 meter requirement. While the gap between the two heritage houses is narrow, this represents a new view corridor from 15/17 Dock Street as the house currently located on the site spans the interior lot line. The most significant impact of this variance is on the adjacent heritage house. This was done intentionally to minimize intrusions into the setbacks on the outer edges of the property which would have a greater impact on the existing neighbours. Please note an easement of 0.16 meters on the east side of 222 Dallas Road is proposed to provide 226 Dallas Road with the required 1.2 meter setback for code.
- 4. The front yard setback is proposed at 6.45 meters for the house, compared to 7.5 meters contemplated in the zone, 4.94 meters for the porch compared to 5.9 meters contemplated in the zone, and 3.91 meters for the front stairs compared to 5 meters contemplated in the zone. Siting the house further forward on the lot helps mitigate the impact on the view cone to the water from 15 Dock Street.

Our application package also includes perspective drawings from Dallas Road, Dock Street and the existing laneway comparing the existing condition, a massing model of what would be permitted under the zoning as well as our proposal to illustrate the impact of the variances we are seeking.

In response to feedback received from neighbours and the community the landscape plan contemplates low height landscaping that will not block views from 15/17 Dock Street, the relocation plan contemplates loading the houses onto the site in a manner that permits the retention of existing boulevard trees, access off of the existing lane was designed with consideration given to providing safe access and visibility and dimensioning parking in a way that discourages parking in a manner that intrudes on the laneway and discussions have also been had with the City about creating additional residential parking on Dock Street adjacent to 222 Dallas Road.

Please note a heritage designation application for this home has been submitted to the City of Victoria and subject to approval would be issued when the 526 Michigan Street is relocated to 222 Dallas Road.

Enclosed you will find a comprehensive package of materials prepared by the team of professionals we have engaged to oversee the rehabilitation of this special heritage resource. We recognize the value this house has to the community and look forward to seeing it revitalized to a condition that we can all be proud of. If you have any questions regarding this application or would like a tour of the house please feel free to contact the undersigned at (250) 414-4172 or karen.jawl@jawlproperties.com or the architect John Keay at (250) 382-2823 or john@kcarchitecture.ca.

Sincerely,

South Block Development Corporation

Per:

Karen Jawl



James Bay Neighbourhood Association

234 Menzies St Victoria, B.C. V8V 2G7 www.jbna.org

June 11, 2015

Mayor & Council City of Victoria

Re: Relocation of 524-526 Michigan Street Heritage Houses to Dallas Road

On Wednesday, June 10th, JBNA held its General Meeting at which the new sidewalk along Montreal Street, the relocation of the Michigan Street Heritage Houses and the proposed development for 701 Belleville (CALUC meeting). This letter is in response to the Heritage House discussion/feedback. A separate letter will be sent for the 701 Belleville CALUC review once Meeting Minutes have been completed.

By way of background when the siting of the heritage houses was being contemplated, considerations included finding a location that would provide a "fit" for the houses, both contextually and size, is difficult within Sites that would house both buildings are difficult to find.

The site being proposed has three directly adjacent neighbours. One to the east in a small single home, and two others to the north (back) in a front/back duplex and there is a lane way separating the Dallas property form the duplex. The owner of western part of the duplex has sent notes but is not a full-time resident and the property is normally rented.

Significant consultation has occurred with the eastern-most owners of the duplex. Tim VanAlstine and I have met with them on more than one occasion and convened a meeting with them and the developers (Karen Jawl and architect). Adjustments have been made, and discussions continue.

Attached for your consideration is a string of e-mails that detail the remaining issues.

There were 86 people in attendance at the JBNA meeting. Regarding the Capital Park development, there were general questions about the staging of various steps of the work with regards to the creation of the foundation of Capital Park and the relocation of the heritage houses to Dallas Road. Separating out the topics, comments regarding the heritage houses include questions or comments from four residents at the meeting and two written submissions were read out at the meeting and responded to by Karen Jawl. During the presentation, the rationale for the siting, and the adjustments made to resident considerations were described including front-back siting and revised side-yard setbacks.

. . . 2

Q/A:

Q: Dock St resident: Likes look of the proposal, knows the people who are neighbours and wants them to be "happy". What is being done regarding site-lines and views.

A: In addition to the placement of the east house further back on the site, the high plantings will be removed and lower planting placed on the site. The issue of a second parking pad is still being looked at.

Q: What is the timing of the moving of the houses.

A: The Houses are likely to be relocated in September with work being done thereafter.

Q: 230 Dallas resident: This lot has been a single house lot. Did you look at 2 different lots for the houses leaving only one of the houses here? Concerned that heights and look will have impact on nearby properties when/if they are developed.

A: The site is historically approved for 2 separate houses. While some variances are needed to accommodate two intact heritage houses, the site density, shadowing, and sightlines will be less impacted by the 2 heritage houses than by a multi-family development that would likely be built if the heritage houses were not placed there.

Question: Marg read, for the public record, two letters from area residents regarding siting of the 2 heritage houses at 224 Dallas. The immediate neighbor behind the site (Westmost duplex) disagrees with the plan as it will reduce his view. A resident of Pilot Street is concerned that the houses are too large for the proposed site and suggested alternate sites (Kingston/Pendray), including the possibility or relocation outside James Bay.

A: As had already been described, careful attention has been paid to minimizing impact on sightlines and view cone. The reduction in view for the westmost owner, from what would be permitted without variance, is 4%.

A: Relocation of the 2 heritage houses within James Bay was a condition of the original project approval. As was described, numerous sites within James Bay were considered - some were too small another very good site was sold – in the end a list was reviewed with the City and, while not perfect, 224 Dallas was determined to be the best site available. The suggested location of Pendray and Kingston would not be suitable as the lot depth of 60ft is less than the depth of one of the houses at 62ft.

Comment: Most heritage houses in James Bay exceed current zoning limits and would require variances if constructed today. Site not perfect, but thanks for your extraordinary effort to achieve a good result.

Q: When do you expect the variance hearing be held for the heritage houses?

A: August

President, JBNA

Cc: Councilor Lucas

Murray Miller, Brian Sikstrom, Jim Handy, Planning

Christine Johnston, Resident

E-mail string of June 11, 2015 re Michigan Heritage House relocation to Dallas:

From: Karen Jawl <karen.jawl@jawlproperties.com>

Date: June 11, 2015 3:56:35 PM PDT

To: Christine Johnston

Cc: "Goff, Allan" XXXXXXX "Marg Gardiner, JBNA" <marg.jbna@shaw.ca>, Timothy VanAlstine

Subject: RE: Updated Site Plans

Thanks for your email Christine.

Yes there have been a number of versions of the site plan as the various iterations progressed to respond to neighborhood feedback, the most recent of which was the May 11th one that was drawn up after the meeting at your home. In this version the eastern house was shifted back 1.24m to respond to the request that front windows of this house be no closer to Dallas Road than the front windows of the other house which I believe is what was illustrated on Marg's sketch from that meeting. The front windows of the Eastern house are 6.95 meters off the street compared to the 6.49 meters back to the front windows of the western house, so I believe we have achieved what was requested.

The City has not indicated the number of additional residential stalls that will be added on Dock Street as this idea just came up this week but it is likely they will be able to add 2. They have been very cooperative and willing to accommodate our request on Dock Street. As I see it there are two priorities, one is protecting the safety and enjoyment of the lane and the other is ensuring there is adequate parking to serve the homes so as not to have people parking illegally on the lane or placing a level of demand on the surrounding parking that is upsetting to other neighbours. As mentioned we will delete the parking pad for the western house given that there will be adjacent street parking, but would like to have the option of retaining the parking pad for the eastern home but I will commit to landscaping this area should the buyer of this home prefer a larger yard to parking. I suspect the likely buyer for these homes will be a families with children who will share the priority of keeping the lane a safe and enjoyable area for everyone.

Karen Jawl

From: Christine Johnston [a1b57169@telus.net]

Sent: June 11, 2015 2:57 PM

To: Karen Jawl

Cc: Goff, Allan; Marg Gardiner, JBNA; Timothy VanAlstine

Hi Karen,

Thank you for getting back to me so quickly. There seem to be various versions of the map. The first one you sent on April 20, then a revised one in May 11, and then the modified one sketched in that Marg Gardner suggested, of having the two front windows parallel with the eastern house but further back. The complication is that the Dallas Rd is NOT at right angles to Dock and the 224 Dallas properties; so the May 11 version makes only the western corner of the windows parallel but the eastern house front window still quite a bit south of what we had drawn in, which is not so good for our view.

The parking does concern me as this lane is actually more a WALKWAY used by most of the tenants of the big appartment block on Dock.

Cyclers also use it avoid busy Dallas. Children use it as a safe place it for playing when a hard surface needed. Most of the houses in the neighbourhood (except the one originally planned as a B and B) have very few cars on this lane. Several houses use it for their MAIN FRONT DOOR. Nearly all use Dock or Pilot for visitors. If anyone parks in the lane way proper we have the right to call police to remove it altho we are often tolerant if we know them well. Our visitors are expected to walk the few feet to Dock St. We occasionally use our grass for a visitor who does not want to walk to the street but that is rare.

The Dallas cross walk is some distance from any proposed Dock street parking if that parking (reserved for two residential spaces all day) starts half way up the edge of the property. There should be no problem at all and many of the crosswalks around town have only about 20 feet empty near them. So that reasoning does not seem logical.

I think the city has not looked carefully at all this so we shall speak to them if you fail to convince them. Let us know.

Sincerely,

Christine and Mel Johnston

---- Original Message -----

From: <u>Karen Jawl</u>
To: <u>Christine Johnston</u>

Sent: Thursday, June 11, 2015 9:20 AM

Hi Christine,

Thanks for coming to the JBNA meeting last night. Further to your question the plans presented last night and submitted to the City reflect the changes we outlined below and in the attached that we sent after meeting with you at your home. The set back from Dallas Road of 226 Dallas is 6.95m which reflects the 1.24m increase from the previous version.

I did talk to the City about adding additional street parking so we could eliminate the parking pads. They will not add any street parking on Dallas due to the proximity to the cross walk but have agreed to add residential parking on Dock Street so we will be able to eliminate the parking pad on the western house. I will talk to our team about the parking pad on the eastern property. We don't want to create a situation where there is insufficient parking and owners end up parking in front of Linda's house or in areas where others are used to parking. If we are able to pre-sell the house and the owners just have one car it would be easy for us to just landscape this area instead. I understand it is concern of yours and we will keep it in mind to see how we can improve it.

Karen Jawl

From: Karen Jawl

Sent: Wednesday, May 13, 2015 9:42 AM

To: Christine Johnston; Allan Goff; Rutherfords K and L; **Cc:** Timothy VanAlstine; Marg Gardener (marg.jbna@shaw.ca)

Hi All,

Thanks for the feedback and comments in the last few weeks. In response to your suggestions the following changes have been made in the attached drawings:

- 1. The most eastern house (next to Linda's property) has been moved west by .14 meters to provide a slightly bigger gap between Linda's and this house.
- 2. The most eastern house (next to Linda's property) has been shifted back 1.24 meters to better preserve Christine and Mel's view from their living area.
- 3. Both garages have shifted to the east and closer back to the lane to prevent someone from parking behind the garage and potentially having the back of their parked car sticking out onto the lane. The shift to the east was determined to not impact views.
- 4. The western house was already optimally located to minimize the SW view impact. The attached View Cone illustrates the following:

- a. The black outline shows the current condition on site with Bruce's house. The black line shows the current view cone.
- b. The yellow outline shows what could be built on the site fully compliant with the zoning. The yellow line shows what the view cone would be under this scenario. This represents an 8% reduction in the view cone from the current condition.
- c. The blue outlines shows what it would be with the heritage houses on the site. The blue line shows what the view cone would be under this scenario. This represents a 12% reduction in the SW view cone from the current condition, or a 4% reduction in the view cone from what is permitted in the zoning.
- 5. We have engaged a landscape architect and I have given him the following direction:
- a. Maintain a fence between Linda's house and the heritage house.
- b. Remove the bigger bushes that are in the sight lines from 15/17 Dock Street.
- c. New landscaping should be kept under the sight lines from 15/17 Dock Street.

Our next step will be further developing the interior plan and site plan, so the plans will continue to evolve but the siting of the houses is now firming up.

We are aiming to submit our package to the City around June 1 and are also scheduled at the JBNA meeting on June 10th. If you would like paper copies of the attached I can mail them to you. I will also keep you updated as our plans progress.

Karen Jawl Jawl Properties Ltd. 3350 Douglas St. - Suite 100 Victoria, BC, V8Z 3L1 Tel: (250) 414-4172 www.jawlproperties.com

Patricia S Wilson

12 Pilot St.

Victoria, BC, V8V 2A4

Received
City of Victoria

JUN 1 1 2015

Planning & Development Department
Community Planning Division

6 June 2015

Michigan houses relocation to 224 Dallas Road

It is come to my attention that 2 of the Michigan Street houses will be relocated to 224 Dallas Road.

I have been the James Bay resident since 2008. It is a delight to live in this neighborhood. I enjoy the eclectic architecture on my many walks through the neighborhood. I appreciate the work that has been done to maintain the community heritage. I applaud their ongoing efforts.

Equally, I am delighted to see new developments as is proposed for *Capital Park*.

I am grateful to live in this community and for the Concert/Jawl development project.

I am happy to see relocation of the remaining 2 Michigan Ave. houses.

I was hoping that they would find a pleasing location in an area of significant Victorian, such as the empty lot on the Kingston/Pendray street corner.

The harbor area is more protected from the elements and would help maintain the wooden structure. The wind/driving rain elements along the Dallas Road/Juan de Fuca sure are not conducive to tall wooden structures, particularly those of the 1800s. They do much better in the protected harbor area.

For the safety of the structures, and more importantly its occupants; it would be best that they not be placed closely together because of the increased fire risk particularly in such tall structures. I know this may compromise its location at 224 Dallas Rd. because of the lot size restriction. However, there may be other historical neighborhoods in Victoria (Humbolt Valley) that could welcome these homes more safely -for personal and architectural security.

I also understand from a business point of view the developers interest in the view Dallas property.

It will be an expensive venture to move the Michigan Street structures. View lots tend to bring a higher real estate selling price.

However, from a real estate point of view - views will be limited with small window size needed for historical integrity. This may limit sale income potential.

The forces that will relocate the Michigan Street houses to Dallas Road may already be in place

if that is the case,

Please keep the Michigan houses in line with the other structures on Dallas Road

It would be sad to have the houses pushed forward (southward closer to the Dallas roadway) especially with the added height.

Please do not add any further structures such as a garage to impede visual integrity particularly in a historical house. Parking pad or protected Dock Street parking would be safest for the laneway.

I look forward to ongoing thoughtful, well integrated changes in the James Bay community to ensure its continued vibrancy.

Yours sincerely, Jum J. Jum

Patricia S Wilson

- 1. JAMES BAY NEIGHBOURHOOD ASSOCIATION 10 JUNE 2015 MEETING / jbna@vcn.bc.ca
- 2. JAWL PROPERTIES LTD #100 3350 Douglas Street, Victoria, BC, V8Z 3L1
- (3.) HERITAGE ADVISORY PANEL, City of Victoria

From:

Lauren Martin

Sent:

Thursday, August 06, 2015 3:45 PM

To: Cc: 'Dave Jarvis' Murray Miller

Subject:

RE: 222/226 Dallas Rd

Hello Dave:

A Public Hearing is not yet set for the applications for 222 and 226 Dallas Road. When a date is set, signage indicating the date will be posted on the property and a notice will also appear in the Times Colonist.

Lauren

Lauren Martin

Secretary, Heritage and Board of Variance Sustainable Planning and Community Development City of Victoria 1 Centennial Square, Victoria BC V8W 1P6

T 250,361.0382 F 250.361.0386

----Original Message----

From: Dave Jarvis

Sent: Thursday, August 06, 2015 3:23 PM

To: Lauren Martin

Subject: 222/226 Dallas Rd

Hi Lauren,

I live at 33 Dock St. and am a bit concerned about the heritage properties blocking the waterfront view.

Do you know when the date is for the Council Chamber hearing at Victoria City Hall?

Thank you, Dave Jarvis

Received
City of Victoria

AUG 0 6 2015

From:

Murray Miller

Sent:

Thursday, July 09, 2015 12:11 PM

To:

Subject:

222-226 Dallas Rd, Victoria (Heritage Alteration Permit with variance)

Dear Ms. Surridge,

Thank you for your voice message and for leaving an email address for reply.

I understand that you own property located at 25 Dock Street and that you have been informed about a development that is proposed for the property located at 222-226 Dallas Rd. In relation to notification, the City is required to notify owners and occupiers of <u>adjacent</u> properties of <u>Public Hearings</u> involving Heritage Alteration Permits that have a variance.

At the time of writing, no Public Hearing has been set for this application.

I trust that the above information is helpful.

Regards,

Murray

Murray G. Miller, MRAIC, CAHP, MCITP, MRTPI, IHBC, MCIP, RPP Senior Heritage Planner Sustainable Planning and Community Development City of Victoria 1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0533

F 250.361.0557









Received City of Victoria

JUL 0 9 2015

From:

Darla Abercrombie

Sent:

Friday, Jul 17, 2015 1:46 PM

To: Cc: Murray Miller Lauren Martin

Subject:

224 & 226 Dallas Road

Attention Mayor and Council:

My family and I live in the second building behind the proposed development. We have a unique roof-top deck that overlooks the property towards the ocean and Olympic mountain range.

The view from our top deck is the defining feature of our home, and is the reason why my husband chose this property. We felt assured that the city height restrictions would protect our panoramic view and the value of our home in the years to come.

By allowing the height variance, our view will be boxed in and significantly blocked from the ocean side.

Our concerns are not noted in the JBNEA meeting minutes, because we were not notified of the proposal or meeting in advance. I only found out, too late, from a neighbour when it sounded like the decision had already been made because they said that after consultation with the City, the developer had already purchased the property.

I contacted the developer and learned they are able to adjust placement but not existing heights. We took time to consider the impact on our view, because we like the developer and we like to support heritage houses.

However, sitting on our top deck, the impact is much bigger than pictures can outline. There is a sense of spaciousness and expanse towards Dallas Road and beyond that is precious to us. With the proposed height variance, we will be looking into the back of two houses.

Please do not move these two over-height houses to this ocean-front lot. They can be better preserved away from the damp, and have less impact where their height does not block our valuable view.

Thank you for your time,

Darla Abercrombie 29 Dock Street Victoria, BC

> Received City of Victoria

JUL 1 7 2015

From:

Murray Miller

Sent:

Monday, August 10, 2015 8:45 AM

To:

Marie Surridge

Cc:

Lauren Martin

Subject:

RE: Proposed changes on Dallas Road

Dear Ms. Surridge,

Thank you for your follow up enquiry.

The application that you have referred to is still undergoing amendments. The type of application that is being prepared requires notification to owners of adjacent properties (in terms of Land Use, this means abutting/adjoining/sharing a property boundary with the subject property) and includes those properties that are immediately across the street from the subject property.

I trust that this clarifies the City's practice in meeting this type of notification requirement.

Regards,

Murray

----Original Message_----

From: Marie Surridge

Sent: Friday, August 07, 2015 11:54 AM

To: Murray Miller

Subject: Proposed changes on Dallas Road

Dear Mr Miller,

I contacted you several weeks ago to ask if you would provide me with information about proposed changes at 224 Dallas Road. My property at 25 Dock Street is adjacent, in the sense of the word as defined by the Oxford English Dictionary, to the subject property of these changes. I consider that I should have been notified of them from the time at which they were proposed. I am now again writing to ask for full information on this subject, and should appreciate your giving that information to as soon as you return to the office.

I wish to assess the effect the changes would have on my property. Obviously, I cannot do that without knowing what is being planned.

Yours sincerely, Marie Surridge

Sent from my iPhone



From:

Murray Miller

Sent:

Wednesday, Jul 22, 2015 8:14 AM

To: Subject: Lauren Martin FW: Dear Mr. Miller

For follow up once the PH date has been confirmed.

From: Catherine .

Sent: Tuesday, Jul 14, 2015 5:47 PM

To: Murray Miller Subject: Dear Mr. Miller

Attention: Mayor and Council

My name is Catherine Clark of 55 Dock Street. I understand two three storey heritage home are going to be placed on Dock and Dallas. I have been told by a neighbour that there will be a varience in height restrictions and set-backs.

Is there a public meeting scheduled for this undertaking? If so, when and where?

I will attend as I will lose some view and therefore property value.

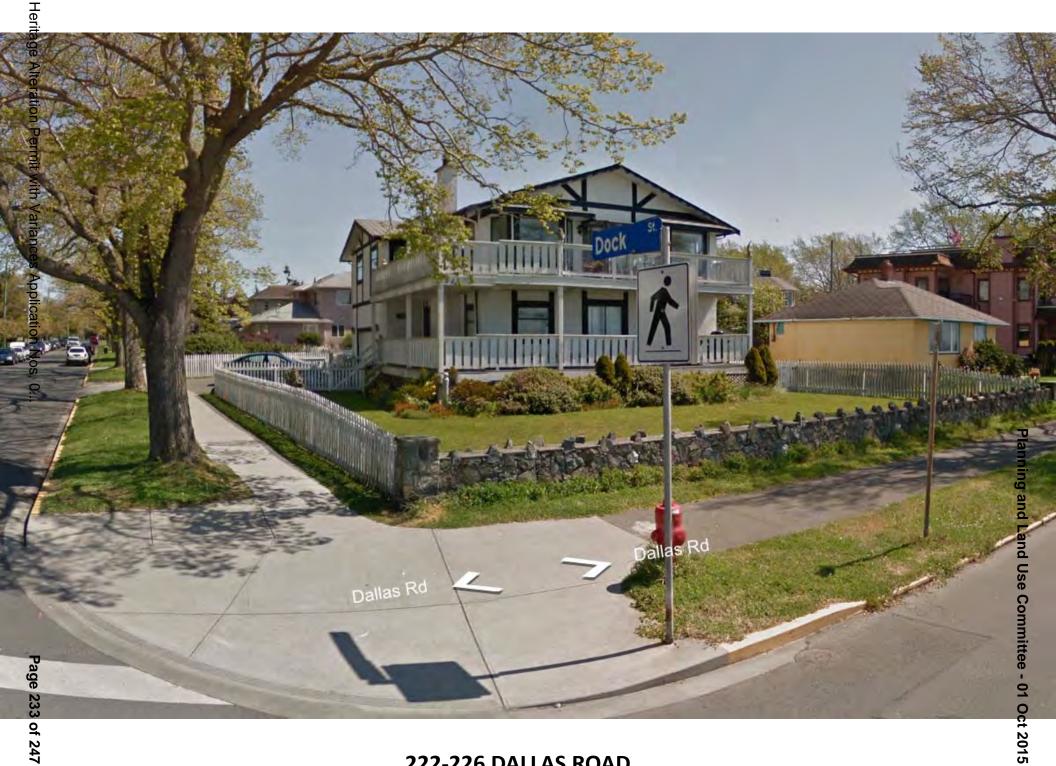
Thank you, Catherine Clark

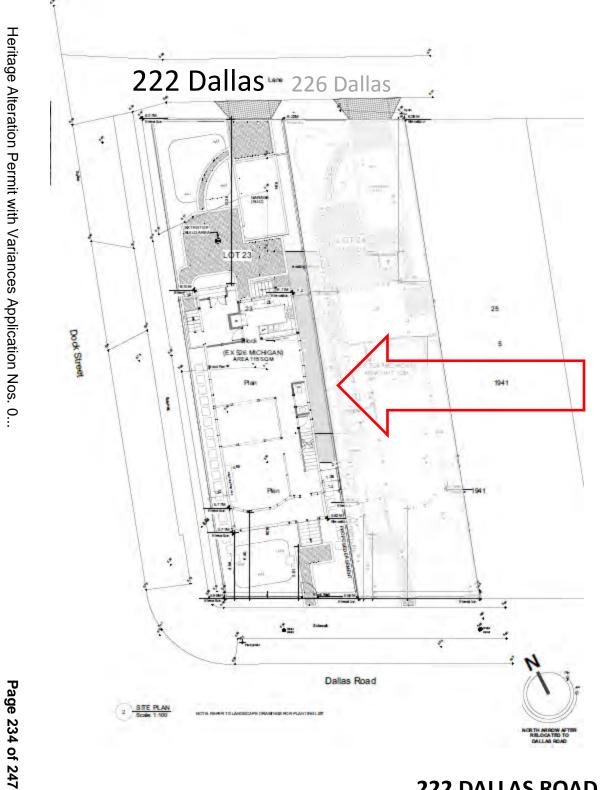
> Received City of Victoria

JUL 2 2 2015











(presently 526 Michigan Street)











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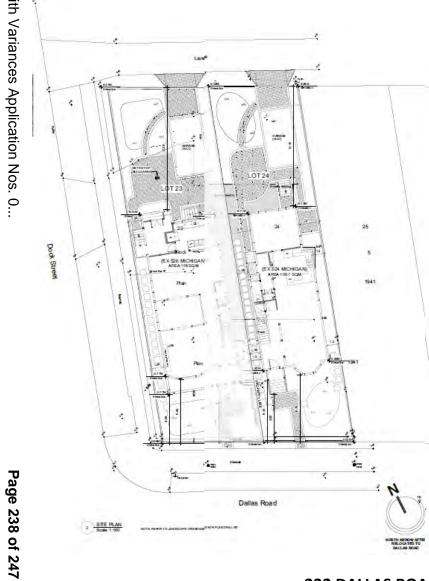
(presently 524 Michigan Street)





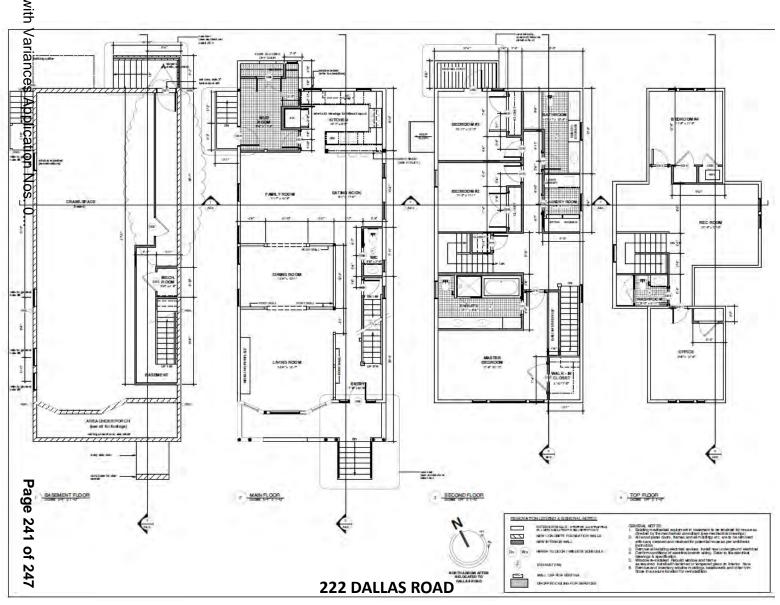


226 DALLAS ROAD



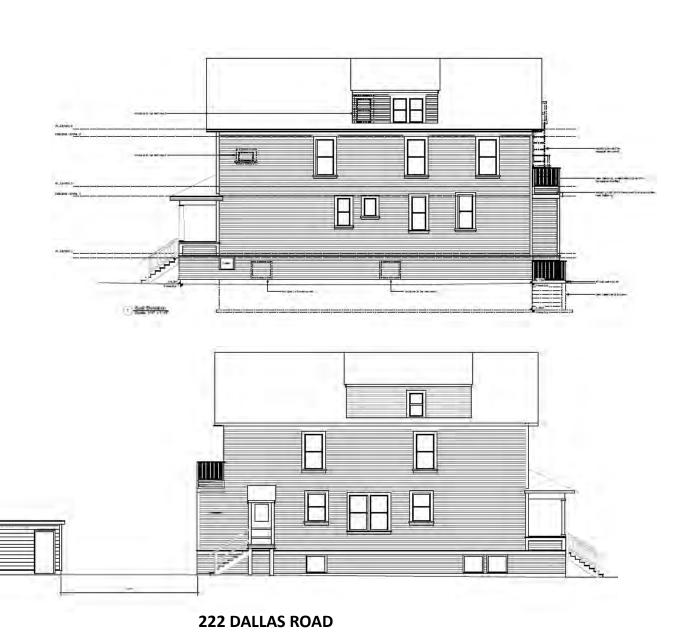
222 DALLAS ROAD

Plans & Elevations



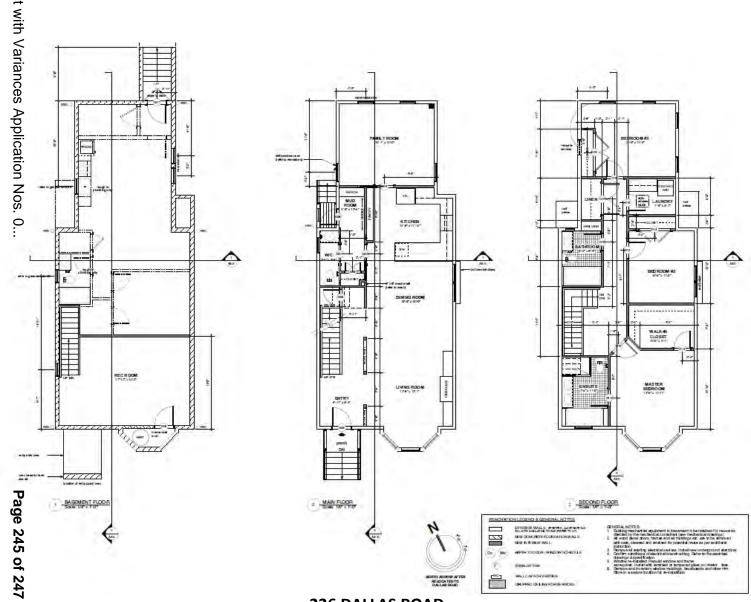


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226 DALLAS ROAD

Plans & Elevations



226 DALLAS ROAD

