

AMENDED AGENDA PLANNING AND LAND USE COMMITTEE MEETING OF APRIL 30, 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 on April 16, 2015.

5 - 17

DELEGATION

2. Dockside Green Annual Report

19 - 102

103 - 144

- --N. Shearing, President, Dockside Green Ltd.
- --A. Dewji, Development Manager, Dockside Green Ltd.
- --D. Lee, Landscape Architect, PWL
- --K. Marler, Architect, HCMA

A presentation of Dockside Green's Annual Report for 2014 that provides a summary of accomplishments in the past year as is required in the Master Development Agreement.

Staff Recommendation: To receive the report.

Late Item: Schedule J

COMBINED DEVELOPMENT APPLICATION REPORTS

3. Rezoning Application No. 00471 for 324 Chester Avenue
--A. Meyer, Assistant Director - Development Services Division, Sustainable
Planning and Community Development

A proposal to rezone the property to authorize a garden suite above an existing garage in the Fairfield-Gonzales neighbourhood. A Public Hearing is required prior to Council making a final decision on the application.

Staff Recommendation: To advance the application to Public Hearing.

4. Development Permit with Variances Application No. 00471 for 324 145 - 170 Chester Avenue --A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development A development application to authorize a garden suite in the rear yard of the property, with variances requested to increase the height and number of storevs of the garden suite. Staff Recommendation: Following the Public Hearing for the rezoning, that Council consider authorizing the development permit. 5. 171 - 280 Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill Road --A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department A proposal to rezone the property to authorize three small lots and the construction of one new small lot house in the Oaklands Neighbourhood. A Public Hearing is required prior to Council making a final decision on the application. Staff Recommendation: To advance the application to Public Hearing. 6. 281 - 362 Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road --A. Meyer, Assistant Director - Development Services, Sustainable Planning and Community Development Department A development application to authorize the construction of a new small lot house and renovate the exterior of an existing house, with variances requested for building setbacks the grade of the parking stall area. A hearing is required prior to Council making a final decision on the application. Staff Recommendation: Following the Public Hearing for the rezoning, that Council consider authorizing the development permit. 7. 363 - 494 Rezoning Application No. 00461 for 816 Government Street --A. Meyer, Assistant Director - Development Services, Sustainable Planning Division, Sustainable Planning and Community Development Department A proposal to rezone the property to increase the density in exchange for heritage conservation measures to be applied to the heritage registered

heritage conservation measures to be applied to the heritage registered building on the western portion of the lands. The application also proposes new uses including brewery, distillery and liquor retail store. A Public Hearing is required prior to Council making a final decision on the application.

Staff Recommendation: To advance the application to Public Hearing.

Late Item: Revised Page 2

8.	Heritage Designation Application No. 000150 for 816 Government Street / 811-813 Wharf Street (Customs House)A. Hudson, Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department An owner request to designate the property a Municipal Heritage Site. Staff Recommendation: That Council consider referring the application to the Heritage Advisory Panel.	495 - 502
9.	Heritage Alteration Permit Application with Variance No. 00192 for 816 Government Street (Customs House)A. Hudson, Assistant Director - Community Planning Division, Sustainable Planning and Community Development Department A development application to authorize demolition of the 1957 addition, renovate the 1914 Heritage-Registered Customs House and construct a seven-storey mixed use building on the site.	503 - 574
DEVE	Staff Recommendation: That Council consider referring the application to the Heritage Advisory Panel. LOPMENT APPLICATION REPORTS	
10.	Development Permit Application No. 000418 for 254 Belleville StreetA. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Division	575 - 600
	A development application to authorize an additional to the existing Victoria Clipper Ferry Terminal to accommodate a new customer waiting area, washroom facilities and a food truck on the site.	
	Staff recommendation: To consider authorizing the permit.	
11.	Development Permit with Variances Application No. 000390 for 1555 Jubilee Avenue A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department	601 - 649
	A development application to authorize five residential units by filling-in existing under-building parking in the South Jubilee neighbourhood, with variances for dwelling unit size, siting, parcel coverage and open site space. A hearing is required prior to Council making a final decision on the application.	
	<u>Staff Recommendation</u> : To consider authorizing the permit.	
12.	Heritage Alteration Permit Application No. 00197 for 151 Oswego Street (Verbal update will be provided)A. Hudson, Assistant Director - Community Services Division, Sustainable	651 - 702

Planning and Community Development Department

A heritage alteration permit to authorize renovations to a heritage-designated house.

<u>Staff Recommendation</u>: To consider authorizing the permit and amend the Heritage Revitalization Agreement.

Late Item: Minutes from April 16, 2015 PLUC Meeting

PROPERTY MAINTENANCE BYLAW HEARING 10:30 A.M.

13. Illegal Use and Work Without Permit - 865 View Street --R. Woodland, Director of Legislative & Regulatory Services

703 - 727

A hearing to recommend the filing of a notice on title in respect to work that has been done without permit to reconfigure the layout of the 12th floor at 865 View Street to dwelling units.

Staff Recommendation: To file a notice on title.

ADJOURNMENT

MINUTES OF THE PLANNING & LAND USE COMMITTEE MEETING HELD THURSDAY, APRIL 16, 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, Coleman,

Isitt, Loveday, Lucas, Madoff, Thornton-Joe and

Young

Staff Present: J. Johnson - City Manager; J. Jenkyns – General

Manager, Victoria Conference Center, S. Thompson – Director of Finance; A. Hudson – Assistant Director, Community Planning Division; A. Meyer – Assistant Director, Development Services; L. Baryluk – Senior Planner; H. Cain – Senior Planner; J. Handy – Senior Planner; S. Hutchison – Transportation Planner; L. Taylor – Planner; R. Woodland – Director, Legislative & Regulatory Services; J. Appleby - Recording

Secretary.

2. APPROVAL OF THE AGENDA

The Chair canvassed Committee, who approved bringing forward the following items for approval:

Item # 1 Minutes from the meeting held March 19, 2015.

Item # 8 Development Variance Permit Application No. 00147 for 1435 Brooke Street

Action:

It was moved by Councillor Alto, seconded by Councillor Isitt, that the Agenda of the April 16, 2015, Planning & Land Use Committee meeting be approved as amended.

CARRIED UNANIMOUSLY 15/PLUC086

3. CONSENT AGENDA

3.1 Minutes from the meeting held March 19, 2015

Action:

It was moved by Councillor Alto, seconded by Councillor Isitt, that the Minutes from the Planning & Land Use Committee meeting held March 19, 2015, be adopted.

CARRIED UNANIMOUSLY 15/PLUC087

3.2 Development Variance Permit Application No. 001477 for 1435 Brooke Street

Committee received a report regarding a development variance permit application for 1435 Brooke Street. The proposal is for a parking variance to allow a parking space in the front yard of the dwelling in order to facilitate the conversion of a garage into a recreation room.

Action:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee recommends that Council, after giving notice and allowing an opportunity for public comment, consider the following motion:

"That Council authorize the issuance of Development Variance Permit No. 00147 for 1435 Brooke Street, in accordance with:

- 1. Plans date stamped March 3, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule "C" Section 3 Relaxation to permit one parking space to be located in the front yard.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department."

CARRIED UNANIMOUSLY 15/PLUC088

Councillor Thornton-Joe joined the meeting at 9:02 a.m.

4. DEVELOPMENT APPLICATIONS

4.1 Rezoning Application No. 00474 for 1733 Bank Street

Committee received a report regarding a rezoning application for 1733 Bank Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a site-specific zone to permit a 16 space child care facility in addition to an existing residential unit, within an existing single family dwelling.

Action:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Committee recommends that Council:

- 1. Instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00474 for 1733 Bank Street,
- 2. That first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

Committee discussed:

- That Council approval would not be required should the facility choose to change the hours or days of operation.
- The proximity to Sundance School and the hope that the increased use of the area will be a bonus to the community and not have a negative impact.

CARRIED UNANIMOUSLY 15/PLUC089

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4.2 Development Permit Application No. 000413 for 343 Bay Street

Committee received a report regarding a development permit application for 343 Bay Street. The proposal is to construct a 31m² addition to an existing office building.

Committee discussed the proximity of the property to the harbour and questioned if a right-of-way could be established for the Harbour Pathway.

Action:

It was moved by Councillor Alto, seconded by Councillor Madoff, that Committee recommends that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000413 for 343 Bay Street, in accordance with:

- 1. Plans date stamped March 9, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department."

CARRIED UNANIMOUSLY 15/PLUC090

4.3 Development Permit Application No. 000412 for 1908 Store Street

Committee received a report regarding a development permit application for 1908 Store Street. The proposal is to construct a new warehouse building and reconfigure the property line.

Committee discussed:

- The importance of continued protection of the heritage buildings adjacent to the main Capital Iron building.
- Concern that view corridors be retained along Store Street.

Action:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Committee recommends that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000412 for 1908 Store Street, subject to receiving written confirmation from the Ministry of Environment that issues related to site contamination have been adequately addressed, to the satisfaction of the Assistant Director, Development Services, in accordance with:

- 1. Plans date stamped March 23, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department."

CARRIED UNANIMOUSLY 15/PLUC091

Councillor Isitt excused himself from the meeting at 9:20 a.m. due to a pecuniary conflict of interest as he is the City's appointee to the Greater Victoria Harbour Authority Board of Directors.

4.4 Development Permit Application No. 000417 for 89 Dallas Road

Committee received a report regarding a development permit application for 89 Dallas Road. The application proposes a temporary building for the sale of ice cream and coffee.

Action:

It was moved by Councillor Loveday, seconded by Councillor Alto, that Committee recommends that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000417 for 89 Dallas Road, in accordance with:

- 1. Plans date stamped March 16, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. A Section 219 Agreement being registered on title requiring that the temporary building be removed from the property after a period of not more than five years to the satisfaction of the City Solicitor and the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department."

Committee discussed the appropriateness of the design of the building.

CARRIED UNANIMOUSLY 15/PLUC092

Councillor Isitt returned to the meeting at 9:23 a.m.

4.5 Development Permit with Variances Application No. 000401 for 1046 North Park Street

Committee received a report regarding a development permit with variances application for 1046 North Park Street. The proposal is to permit six multiple dwelling units. The application proposes variances to the parking requirements.

Action:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Committee recommends that Council, after giving notice and allowing an opportunity for public comment, consider the following motion:

- "That Council authorize the issuance of Development Permit with Variances Application No. 000401 for 1046 North Park Street, in accordance with:
- 1. Plans date stamped March 17, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 4.6.2 (8): Relaxation to permit one parking space to be located in the front of the building;

- ii. Schedule C Off-street Parking (7.2)(b): Relaxation to permit one parking space to be located at 0m from a street;
- iii. Schedule C Off-street Parking (A)(11)(c): Reduction from 1.3 parking spaces per rental attached dwelling (8 parking spaces) to 0 parking spaces per rental attached dwelling (0 parking spaces).
- 3. Registration of a legal agreement on title dedicating the parking space to Victoria Car Share to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department, and the City Solicitor.
- 4. An Agreement between the present owner and Victoria Car Share to secure six car share memberships and the collection of membership fees to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department, and the City Solicitor.
- 5. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development."

Committee discussed:

- The development will be phased due to site conditions. The rear building will be built first and then the other building fronting the street.
- Concerns about the lack of parking and the burden on the limited supply of on-street parking.
- The North Park Neighbourhood Association has written a letter of support but the lack of parking provided continues to be an issue. The Association would like to hold a workshop with City staff to discuss the limited available parking due to the mix of use, between residential and commercial.

CARRIED UNANIMOUSLY 15/PLUC093

Action:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to report back on the adequacy of on-street parking supply in the North Park area south of Caledonia, and any on-street parking capacity issues if they exist.

Action:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee amend the motion as follows:

That Council direct staff to report back on the adequacy of on-street parking supply in the North Park area south of Caledonia, and report back on onstreet parking capacity issues if they exist as it pertains to this application.

On the amendment: CARRIED UNANIMOUSLY 15/PLUC094

On the main motion as amended: CARRIED UNANIMOUSLY 15/PLUC095

Councillor Thornton-Joe made a Notice of Motion that she will be requesting that moving forward the Planning and Land Use reports include a section that identifies affordability issues.

4.6 Development Permit with Variances No. 000408 for 1015 Rockland Avenue

Committee received a report regarding a development permit with variances for 1015 Rockland Avenue. The proposal is to permit minor changes to a previously approved site plan and design of a 14-unit, four-storey apartment building in the Fairfield-Gonzales neighbourhood.

Committee discussed:

- Car share memberships and if there is a study or any information showing how impactful car share memberships are and how well they offset parking variances.
 - The City has looked at the City of Vancouver policies where one car share replaces five parking spaces on-site. There is an adjustment period and it takes time for residents to change behaviour.
- There have been complaints regarding the location of the sales centre in the public right-of-way.
 - There are constraints on uses of the site and the owner has had to locate the sales centre / construction administration trailer in the street right-of-way. There is a permitting process in place to deal with the location of these types of trailers in the public right-of-way.

Action:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends 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. 000408 for 1015 Rockland Avenue, subject to:
- 1. Amendments to the Car Share Agreement between the applicant and Victoria Car Share Co-op to increase the total memberships from 5 to 14.
- 2. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor, and in accordance with:
 - i. Plans date stamped March 12, 2015.
 - i. Development meeting all Zoning Regulation Bylaw requirements in the R-73 Zone (Rockland Avenue Multiple Dwelling District), except for the following variances:
 - Part 3.96.5 (b) Allow the projection of balconies into the rear yard setback, by 1.65m.
 - Part 3.96.6 (a) Increase in the maximum allowable site coverage from 58.0% to 59.6%
 - Part 3.96.6 (b) Reduction in the minimum open space required from 14.7% to 13.1%
 - Part 3.96.7 (b) Reduction in onsite vehicle parking from 0.87 spaces per unit to 0.78 spaces per unit for a multiple dwelling

subject to strata title ownership." CARRIED UNANIMOUSLY 15/PLUC096

Committee discussed:

- Concerns that the sales centre building is too large and has an impact on the adjacent neighbours and if there should be a more rigorous permitting process to regulate these types of buildings.
- If the sales centre could be relocated.
- If the City should have tighter regulations regarding these types of temporary buildings.

Action:

It was moved by Mayor Helps, seconded by Councillor Isitt, that Council direct staff to provide a report on the City's policy for permitting of construction and sales trailers in the cities right-of-way.

<u>Amendment</u>: It was moved by Councillor Isitt, seconded by Councillor Madoff, that Committee amend the motion as follows:

That Council direct staff to provide a report on the City's policy for permitting of construction and sales trailers in the cities right-of-way **before** any new trailer permits are approved.

<u>Amendment to the amendment</u>: It was moved by Councillor Isitt, seconded by Mayor Helps, that Committee amend the amendment as follows:

That Council direct staff to provide a report on the City's policy for permitting of construction and sales trailers in the City's right-of-way before any any future trailer permits are approved new permits for sales office trailers are approved.

On amendment to the amendment: CARRIED UNANIMOUSLY 15/PLUC097

On the amended amendment: CARRIED 15/PLUC098

<u>For:</u> Councillors Coleman, Isitt, Loveday, Lucas, Madoff, and Thornton-Joe <u>Against:</u> Mayor Helps, Councillors Alto and Young

On the main motion as amended: CARRIED UNANIMOUSLY 15/PLUC099

Councillor Lucas withdrew from the meeting at 10:15 a.m.

4.7 Development Variance Permit Application No. 000385 for 759 Yates Street

Committee received a report regarding a development variance permit for 759 Yates Street. The proposal is for a parking variance in order to facilitate the conversion of the existing hotel to market rental housing.

Councillor Lucas returned to the meeting at 10:18 a.m.

Action:

It was moved by Councillor Alto, seconded by Councillor Loveday, that Committee recommends that Council, after giving notice and allowing an opportunity for public comment, consider the following motion:

- "That Council authorize the issuance of Development Variance Permit Application No. 000385 for 759 Yates Street in accordance with:
- 1. Plans date stamped March 23, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 6.8, Section 6(ii): Reduce parking requirement from 0.7 parking spaces per residential unit (18 parking spaces) to 0 parking spaces per residential unit (0 parking spaces);
- 3. Registration of a legal agreement on title securing 72 Class 1 bicycle parking spaces in the building to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department, and the City Solicitor."

Committee discussed:

 Concerns if the bicycle parking storage will be adequate and if the units and hallways are large enough to accommodate their movement and storage.

<u>For</u>: Councillors Alto, Coleman, Loveday, Lucas, Thornton-Joe and Young <u>Against</u>: Councillors Isitt and Madoff

CARRIED 15/PLUC100

4.8 Heritage Alteration Permit Application No. 00191 for 1205 Wharf Street / 10 Bastion Square

Committee received a report regarding a heritage alteration permit application for 1205 Wharf Street and 10 Bastion Square. The application relates to additions made to the existing patio to install a trellis structure with natural gas heaters.

Action:

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

- 1. That Council authorize the issuance of Heritage Alteration Permit No. 00191 for 1205 Wharf Street/10 Bastion Square subject to:
 - i. Plans date stamped June 20, 2014.
 - ii. Development meeting all Zoning Regulation Bylaw requirements.
 - iii. Authorization provided by the property owner of 1205 Wharf Street/10 Bastion Square.
 - iv. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Community Planning.
- 2. That Council provide express permission for a temporary patio structure in Bastion Square in accordance with Section 16(1) of Parks Regulation Bylaw No. 07-059 subject to:

- i. Final plans to be generally in accordance with the plans authorized by Heritage Alteration Permit No. 00191 for 1205 Wharf Street/10 Bastion Square to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.
- ii. Term of approval is for one year, commencing immediately until such time as reasonable notice revoking the authorization is provided by Council.
- iii. That the Director of Parks has authority to renew the permit on an annual basis, provided the patio and structure do not conflict with any applicable laws and bylaws which are in force at the time of renewal.
- iv. The applicant providing confirmation of approval by the BC Safety Authority for the installation of the proposed gas heaters.

Committee discussed:

 The public use of private space and concerns from the applicant regarding the permit process.

Action:

It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe, to adjourn the Planning and Land Use Committee meeting at 11:08 a.m.

CARRIED UNANIMOUSLY 15/PLUC101

Committee convened the Special Governance and Priorities Committee meeting at 11:08 a.m.

Committee adjourned the Special Governance and Priorities Committee meeting at 11:09 a.m.

Committee reconvened the Planning and Land Use meeting at 11:09 a.m.

<u>Amendment</u>: It was moved by Councillor Isitt, seconded by Councillor Madoff, that Committee amend the motion as follows:

- 1. That Council authorize the issuance of Heritage Alteration Permit No. 00191 for 1205 Wharf Street/10 Bastion Square subject to:
 - i. Plans date stamped June 20, 2014.
 - ii. Development meeting all Zoning Regulation Bylaw requirements.
 - iii. Authorization provided by the property owner of 1205 Wharf Street/10 Bastion Square.
 - iv. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Community Planning.
- 2. That Council provide express permission for a temporary patio structure in Bastion Square in accordance with Section 16(1) of Parks Regulation Bylaw No. 07-059 subject to:
 - i. Final plans to be generally in accordance with the plans authorized by Heritage Alteration Permit No. 00191 for 1205 Wharf Street/10 Bastion Square to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.
 - ii. Term of approval is for one year, commencing immediately until such time as reasonable notice revoking the authorization is provided by Council.

- iii. That the Director of Parks has authority to renew the permit on an annual basis, provided the patio and structure do not conflict with any applicable laws and bylaws which are in force at the time of renewal.
- iv. The applicant providing confirmation of approval by the BC Safety Authority for the installation of the proposed gas heaters.
- 3. That Council direct staff to consider options for the permitting of sidewalk cafés prior to this application being renewed.

<u>Amendment to the amendment</u>: It was moved by Councillor Madoff, seconded by Isitt, that Committee amend the amendment as follows:

- 1. That Council authorize the issuance of Heritage Alteration Permit No. 00191 for 1205 Wharf Street/10 Bastion Square subject to:
 - i. Plans date stamped June 20, 2014.
 - ii. Development meeting all Zoning Regulation Bylaw requirements.
 - iii. Authorization provided by the property owner of 1205 Wharf Street/10 Bastion Square.
 - iv. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Community Planning.
- 2. That Council provide express permission for a temporary patio structure in Bastion Square in accordance with Section 16(1) of Parks Regulation Bylaw No. 07-059 subject to:
 - i. Final plans to be generally in accordance with the plans authorized by Heritage Alteration Permit No. 00191 for 1205 Wharf Street/10 Bastion Square to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.
 - ii. Term of approval is for one year, commencing immediately until such time as reasonable notice revoking the authorization is provided by Council.
 - iii. That the Director of Parks has authority to renew the permit on an annual basis, provided the patio and structure do not conflict with any applicable laws and bylaws which are in force at the time of renewal.
 - iv. The applicant providing confirmation of approval by the BC Safety Authority for the installation of the proposed gas heaters.
- 3. That Council expects receipt of a report reviewing sidewalk café prior to this application being renewed regulations in the next three months.

On the amendment to the amendment: CARRIED UNANIMOUSLY 15/PLUC101

On the amended amendment: CARRIED UNANIMOUSLY 15/PLUC102

On the main motion as amended: CARRIED 15/PLUC103

<u>For</u>: Councillors Alto, Coleman, Loveday, Lucas, Thornton-Joe and Young

Against: Councillor Isitt and Madoff

4.9 Afghanistan War Memorial Placement

Councillor Coleman recommended that a proposal to install a granite memorial in the southwest corner of Pioneer Square be considered for the Rockland Avenue Greenway.

Action:

It was moved by Councillor Coleman, seconded by Councillor Madoff, that Committee recommends Council approves that the granite memorial to commemorate those soldiers and civilians who have lost their lives in the Afghanistan War be installed in the Rockland Greenway.

Committee discussed:

 Locating the memorial in the greenway instead of Pioneer Square will accommodate its size, footprint and accessibility.

<u>Amendment</u>: It was moved by Councillor Isitt, seconded by Mayor Helps, that Committee amend the motion as follows:

That Council approves that the granite memorial to commemorate those soldiers and civilians who have lost their lives in the Afghanistan War be installed in the Rockland Greenway, with the final design of the plaza and placement of the memorial being subject to Council's approval.

On the amendment: CARRIED UNANIMOUSLY 15/PLUC104

On the main motion as amended: CARRIED UNANIMOUSLY 15/PLUC105

Councillor Isitt excused himself from the meeting at 11:37 a.m. due to a pecuniary conflict of interest as his father lives a block away from the subject property.

4.10 Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

Committee received a report regarding a heritage alteration permit application for 151 Oswego Street. The application is specific to the recent removal of the east addition and the reconstruction of the addition using new materials. The addition was originally envisioned to be retained and the commitment was secured in a Heritage Revitalization Agreement (HRA) that was adopted on July 24, 2014. The work will require an amendment to the HRA which requires Council approval.

Action:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends that Council consider the following motions:

- "That Council authorize the issuance of Heritage Alteration Permit Application No. 00197 for 151 Oswego Street in accordance with:
- 1. Plans date stamped February 11, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements."

- "That Council instruct staff to amend the Heritage Revitalization Agreement for 151 Oswego Street subject to the owner providing a letter of consent and in accordance with:
- 1. Plans date stamped February 11, 2015.
- 2. Letters of engagement from the Registered Professionals, dated November 30, 2014, and January 5, 2015, respectively."

Committee discussed:

- The City Solicitor has met with the developer; the meeting was productive but there are still concerns.
- Concern that the recommendation regarding the unauthorized demolition seems to be approving work that is contradictory to the issues raised in the report.
 - By supporting the recommendation the applicant would be required to replace the windows that have been installed with those that are depicted in the current HAP drawings.
 - What is under construction is different from the current HAP drawings and the intent of the HRA. The applicant would need to replace the windows with ones approved in the HRA or to be consistent with the current HAP drawings.
- There is a requirement that the applicant comply with the Heritage Revitalization Agreement which is specific and clear. It is also tied to the rezoning of the single family home and failure to comply will result in the occupancy permit for that home being withheld.
- Concerns that if the City allows the non-compliance in this instance, others will follow.

4. CLOSED MEETING AT 11:57 A.M.

Action:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the Planning and Land Use Committee convene a Closed meeting that excludes the public under Section 12(6) of the *Council Bylaw* to receive legal advice as authorized by the Council Bylaw.

• Section 12(3)(1) The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY 15/PLUC106

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

Coleman, Loveday, Lucas, Madoff, Thornton-

Joe and Young.

Absent: Councillor Isitt

Staff Present: J. Johnson - City Manager; A. Hudson -

Assistant Director – Community Planning Division, Sustainable Planning and Community Development Department; M. MacLeod-Shaw – Assistant City Solicitor; M. Miller – Senior Heritage Planner; R.

Woodland – Director of Legislative & Regulatory Services; T. Zworski – City Solicitor; J. Appleby - Recording Secretary.

4.1 Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

Committee received legal advice regarding the Heritage Alteration Permit (HAP) for 151 Oswego Street.

The discussion was recorded and kept confidential.

CARRIED UNANIMOUSLY 15/PLUC107

5. ADJOURNMENT

Action:

It was moved by Councillor Loveday, seconded by Councillor Young, that Committee adjourn the Planning & Land Use Committee meeting of April 16, 2015, at 12:11 p.m.

CARRIED UNANIMOUSLY 15/PLUC108

Mayor Helps, Chair	



Planning and Land Use Committee Report For the Meeting on April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Jim Handy, Senior Planner - Development Agreements

Subject:

2014 Dockside Green Developer's Annual Report

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council receive the 2014 Dockside Green Developer's Annual Report for information."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with Dockside Green's Annual Report for 2014. Pursuant to Schedule J (Developer's Annual Report Content) of the Master Development Agreement (MDA) for Dockside Green, the Developer, Dockside Green Ltd., is required to provide an annual report on the status of the development.

The Developer is presenting the attached 2014 Dockside Green Annual Report as their summary of what has been accomplished in the past year as it pertains to the requirements of the MDA. Schedule J of the MDA requires the report to consist of two parts. The first is a summary chart highlighting key objectives, including site remediation, land use and housing affordability, Leadership in Energy and Environmental Design (LEED) considerations, circulation/mobility and high quality public realm. The second is a LEED credit checklist generated by buildings or development areas. As no new construction took place in 2014, a LEED checklist has not been provided.

CURRENT APPLICATIONS

On January 16, 2015, the City received a Rezoning Application and Official Community Plan Amendment Application for the Dockside Green lands. The Applications propose additional uses on the lands, an increase in permitted floor area in specific locations, amendments to the Design Guidelines for the Dockside Area (2005) and amendments to the Dockside MDA. These Applications are currently under review and, as they involve some complex issues, it is anticipated that they will be presented to Planning and Land Use Committee (PLUC) later in 2015.

In addition to the above, on February 23, 2015, the City received a Rezoning Application and

Planning and Land Use Committee Report 2014 Dockside Green Developer's Annual Report April 16, 2015

Page 1 of 2

Development Permit Application proposing the construction of 49 affordable rental residential units at 370 and 384 Harbour Road. Since these affordable residential units would be operated by a non-profit organization, the application qualifies, as per Council's policy, as a "Priority Processing" Application.

CONCLUSION

No new construction took place at Dockside Green in 2014; however, as indicated above, the City is now in receipt of a number of applications relating to the rezoning of the undeveloped portions of the site and the development of affordable rental residential units.

Staff recommend that Council consider receiving the 2014 Dockside Green Developer's Annual Report for information

Alison Meyer, Assistant Director
Development Services
Development Services
Development Department

Report accepted and recommended by the City Manager:

Date:

Dat

JH:lw

W:\Dockside\Annual Reports\2014\Dockside Annual Report 2014 - PLUC Staff Report.doc

Attachments

- Letter from Dockside Green Ltd. dated March 24, 2015
- 2014 Dockside Green Annual Report
- 2014 Schedule J Tracking Spreadsheet/Summary Chart.

DOCKSIDEGREEN

Visit - British Columnia Common VPASSI and Ambi Cognic Common



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

Dear Mayor Helps and City of Victoria Council,

RE: Dockside Green 2014 Annual Report

Received
City of Victoria

MAR 2 4 2015

Planning & Development Department
Development Services Division

March 24, 2015

On behalf of the team at Dockside Green, we are pleased to provide you with the 2014 Annual Report on Dockside Green as required by Schedule J of the Master Development Agreement.

As an early adopter of sustainable development, Dockside Green has learned a great deal about the risks associated with being at the leading edge of the "green building movement" and as a consequence, have experienced significant challenges. Much has changed since 2005 when the project was first launched, and we have spent this past year working in and with community to revisit some of the early thinking to test whether what was originally envisioned remains relevant today and reflects the needs and aspirations of the evolving local community in 2015 and beyond.

Nearly five hundred residents and a dozen businesses today call Dockside Green home. The new Johnson Street bridge, along with new transportation connections, is shaping and informing a new gateway to Vic West. Across the city, new conversations on sustainability are reflecting perspectives with increased emphasis on social, cultural and economic sustainability drivers. It is in this context of community transformation that Dockside Green undertook a public engagement process in 2014 - bringing together a team of architects, planners, and designers with residents, community members, First Nations groups and citizens of Victoria to revisit the project plan with the ultimate goal of delivering a more relevant neighbourhood plan. While the project's physical structures began to reconfigure, Dockside Green remained committed to the vision of building a well-loved, culturally vital neighbourhood where the mix of people and environment fuels health and a vibrant local economy. Four guiding values also emerged that began to drive the project: Sustainability, Respect for Local, Inclusivity, Cultural, and Creative Vitality.

This report documents the broad enthusiasm for our extensive community process and support for the updated Neighbourhood Plan. The community process has been vital to our understanding of community's perspectives. The questions, comments and suggestions we have received combined with the skill of our consulting team have led to a number of important project refinements. The updated Dockside Green Neighbourhood Plan reflect innovative community-inspired thinking - changes that strengthen the original plan - and represent solutions to barriers that address the original plan's relevance and economic viability. With over 1 million square feet of buildable floor area yet to be developed and over 75% of the public amenities already delivered, our new plan strives to find a delicate balance between economic viability and the delivery of this significant project for the City of Victoria.

Progress made in 2014 represents important and exciting milestones for all involved, and we look forward to sharing our new plan with you and working with Council and City staff in 2015.

Sincerely,

Norm Shearing, BA, BArch, MAIBC, MRAIC, LEED AP

President, Dockside Green Limited



Dockside Green 2014 Annual Report

Introduction

Dockside Green is pleased to provide the City of Victoria our 2014 installment of our Annual Report on the Dockside Green Neighbourhood. In the past our report to the City of Victoria outlined our progress in achieving a number of stated goals. As 2014 was a very different year for Dockside Green, we have decided to take a different approach to our report.

Much has changed in the ten years since the project was first launched in 2005 - Vic West has changed and grown, a new Johnson Street bridge with new transportation connections is being constructed, a new Official Community Plan has been adopted, the Point Hope Shipyard is planning a major reinvestment and the City of Victoria perspectives on sustainability have evolved, with increased emphasis on social, cultural and economic sustainability drivers.

Given this context, in 2014 Dockside Green set out to revisit some of our early thinking about our Neighbourhood Plan to ensure that what was originally envisioned in 2005 is relevant today and reflects, the needs and wants of the evolving local community today and beyond. We created a process to help bring clarity around the core beliefs on which Dockside Green was founded, and to understand how those beliefs could foster a community that is not only healthy in built form, but vibrant, well-loved and enduring – a driver of community connection.

This process brought together the development and design teams with the public, providing focus to the project through a series of community meetings and a collaborative design workshop. This annual reports summarizes our work through the year including the challenges and consequent outcomes of this work.

We are thankful to the hundreds of stakeholders who helped shape the new Neighbourhood Plan which is described in this report. The public consultation process was a true articulation of Dockside Green's connection with the community of people who live at Dockside Green, the Vic West community and the City of Victoria.

2014 was a year of revitalization for Dockside Green and we look forward to 2015 and beyond as we move forward in the realization of this truly sustainable neighbourhood.

Timeline



Market downturn

What Needed to Change:

As an early adopter of sustainable development, Dockside Green has been recognized as one of the greenest communities in North America. We have, however, also experienced many challenges. Innovation means taking risks and learning from being at the leading edge of the "green building movement". Dockside Green faced a number of challenges that required us to reconsider aspects of the original 2005 plan. These included:

Dockside Green as a Neighbourhood Builder: To move forward in the new economy, Dockside Green has changed its previous business model to become a neighbourhood builder who will partner with 3rd party developers to develop individual land parcels. While we will not build residential or commercial buildings, we will create and manage a neighbourhood. This includes taking responsibility for the construction of all public amenities such as roads, parks, public space, art, etc.

Buildings Too Large for the Post - 2008 Victoria Real Estate Market. To be developable, the Dockside Green Neighbourhood Plan requires updates to redistribute the current density which includes buildings of over 200,000 square feet into land parcels with a development density of between 85,000 and 140,000 square feet. These newly created parcels are marketable and financeable for local developers, allow the project to progress forward in a phased manner, and have a built form that is efficient while allowing the potential for a variety of residential unit types.

Poor Connections to its Edges: The 2005 Dockside Green Neighbourhood Plan was originally developed at a time when this part of Victoria looked much different than it does today. The plan focused around an internal main plaza and responded poorly along its edges to the surrounding community – physically or socially. The surrounding community has changed in the past decade, and with a new bridge under construction, a new park to be built, new businesses arriving and new residents moved in there is a need to revisit the plan to stay relevant.

Timelines for Delivery of Amenities. To date Dockside Green has completed over 75% of all its amenity obligations, with only 22% of the project completed. This has created a substantial financial burden for the project. The current MDA structure provides an unworkable scenario whereby remaining amenities such as public plazas and parks are to be delivered with no connection to the buildings that neighbour it. This notion, along with the relevancy of specific amenities in 2015 required to complete Dockside Green, has resulted in a difficult position from which to move forward.

LEED. In 2005, Dockside Green set a goal of achieving the highest levels of certification under the LEED New (Building) Construction (NC) program and the LEED Neighbourhood Development (ND). While the MDA focused solely on LEED Canada-NC v 1.0 Platinum certification as Dockside Green's standard, Dockside Green sought to achieve Platinum level certification for both LEED NC and LEED ND standards. With our role shifting from developer to neighbourhood builder, we have re-affirmed our focus to LEED® ND, which emphasizes sustainability at the neighbourhood level. The MDA permits this modified approach with City of Victoria approval.

The Evolution of Sustainability. The concept of sustainability has evolved in the past decade from when Dockside Green was first conceived – the social and economic pillars of sustainability have grown in approach. Therefore while Dockside Green has recognized the environmental pillar of the triple bottom line approach, we need to better integrate the other two pillars to truly be sustainable.

Making Use of Vacant Land. The extended build-out for a project of the scale of Dockside Green means many years with land sitting idle and unused. There is an opportunity for Dockside Green and the community to animate this space with active uses - bridging Downtown Victoria and Vic West until the final development occurs. Dockside Green is inspired by how other communities have developed pop-up retail, arts and culture, food and urban agriculture, and recreation opportunities on unused vacant urban land.

First Principles

Before we began our public conversations, the Dockside Green team spent some time thinking about our core values and vision for the neighbourhood. We saw this as a starting point for a conversation. We set out to answer some of the following questions: What do we believe? What makes this project unique? And what are the commitments we will make to our communities?

ପ୍ର We came up with a set of draft values: sustainability, inclusivity, a respect for local, creative and cultural p vitality. We also came up with a working vision statement: A well-loved, culturally vital neighbourhood g where the mix of people and environment fuels health and a vibrant local economy.

We then asked the community to comment, both in person and online, on these values. Did they resonate? Did they match the values of residents and community members? We also used these draft values as a helpful anchor in our planning. Over the months, through conversation and workshops, we have shaped them into a neighbourhood charter that will guide our activities and relationships.

Neighbourhood Charter

Based on the community comment at our first meetings we confirmed a Neighbourhood Charter for Dockside Green which will help guide the future development of the site.

Vision:

A well-loved, culturally vital neighbourhood where the mix of people and environment fuels health and a vibrant local economy. Our Statement of Values and Commitments: As we consider the future of the Dockside Green Neighbourhood, we want to be clear about the principles and commitments that will guide our work in community and with our partners, and how we will honour the existing neighbourhoods and help plan for the future.

We will have a continued focus on:

- Connecting community, nature, and design;
- The creation of an energetic neighbourhood that places social wellbeing as one of our highest achievements; and
- Leaving an improved human and environmental legacy for generations to come.

Values:

These values and commitments offer a way for us to shape our decision-making and to measure our progress over the many years, sometimes decades, it takes to develop and build a dense urban neighbourhood. We also see the Neighbourhood Charter as a "living document" — the values remain the same, but we will review our commitments to ensure that we are meeting these core principles.

Values and Commitments

1. Sustainability

We are committed to the triple-bottom line of social, environmental and economic helath of our project.

Social: We value the ability to provide opportunities for inclusion and connectedness among neighbours.

Environment: We value the ecological health and sustainability of our community.

Economic: We are committed to a plan that is feasible and enduring given existing resources and measuring our success against long-term goals.

2. Respect for Local

We are committed to retaining the industrial and historical character of the Dockside Green site and finding ways to create people-centred spaces.

We value the expertise, passion, knowledge and talent in the larger community and neighbourhoods and are committed to fostering a vibrant local economy that provides opportunities to work, create and learn close to home.

3. Inclusivity

We value inclusivity – a community that welcomes and supports a range of socio-economic backgrounds, ages and cultures through a diversity of housing, activities and amenities.

We value community involvement and input. We are committed to ongoing dialogue in the further development of Dockside Green Neighbourhood.

4. Cultural and Creative Vitality

We value creativity and the power of progressive public, cultural and commercial spaces to effect positive social and environmental change.

We are committed to urban design – public and commercial spaces – that foster a sense of inclusion and kinship with neighbours; important places to gather, interact, shop, create and share ideas.

We value a community that promotes arts, culture and education.

Public Process Summary

Our series of public conversations was intended to create an exchange of ideas and information between engaged citizens and the Dockside Green team. Our process was grounded in transparency, given focus by emerging project values and a sincere desire to inform, involve and collaborate with stakeholders. After every session, we posted a summary of findings online to ensure we were accurately and clearly reflecting back what we heard. We also tried to identify how that feedback was incorporated into the next stage of planning. The meetings were promoted via mail drop and posters; in the Victoria West Community Association's newsletter; through strata councils at Dockside Green; through our website, via social media and some mainstream media outreach. We attempted to get the word out as broadly and with as much notice as possible.

DOCKSIDE COMMUNITY BRIEFING & WORKSHOP

> Reconfirming Values & Moving Ahead INFORM/ CONSULT

JUN 1

DOCKSIDE GREEN NEIGHBOURHOOD DESIGN WORKSHOP

INVOLVE/ COLLABORATE

JUN 12

Presenting the Emerging Ideas

INFORM/ CONSULT/ COLLABORATE

JUN 17

REPORTING BACK Presenting the Emerging Ideas

INFORM/ CONSULT/ COLLABORATE

JUL 17

PRESENTATION OF THE DRAFT PLAN

INFORM/ CONSULT/ EMPOWER

SEPT 2014









May 7, 2014:

Briefing and Public Workshop

This first meeting held at the Da Vinci Cultural Centre in Victoria West combined a thorough briefing and information sharing with an interactive workshop intended to identify values and priorities for Dockside Green.

During the meeting, the team offered:

- a printed resource outlining the history of the project, its challenges and constraints moving forward as well as Dockside Green's emerging project values;
- a detailed verbal briefing and question and answer period creating space for an open conversation about challenges and proposed changes to the master plan;
- a road map for the proposed engagement process; and
- an interactive exercise facilitated by non- aligned professional facilitators to surface values, challenges and priorities for the neighbourhood.

We heard both frustration and relief from participants who had many questions regarding both the project as well as the process. The findings were captured by our facilitation team and produced as a meeting summary to inform the next stage of planning.



May 31 and June 1, 2014:

Design Workshop

This two-day meeting represented an enormous undertaking by the Dockside Green team. Using a variation on the citizen charrette model, we invited the community to join us for a two-day, continuous creative "jam session" under a tent onsite. The workshop featured interactive design conversations among citizens, planners, architects and designers. Part creative process and part barn raising, the session harnessed the knowledge, creativity, and passion of all assembled to begin re- imagine the neighbourhood for 2014 and beyond. The agenda was developed using the findings from the previous workshop and the emerging values as guides.

What happened over those two days?

We provided briefings about the plan from staff and leaders from the planning community, we then asked citizens to sit with architects, landscape designers, planners and facilitators to share their ideas on themes ranging from architectural form and interim projects to community development and parks. Each table produced sketches and planning ideas over the course of a day. Our designers then separated into teams and went to work trying to produce directional, big picture plans from all the stimulating ideas they had heard and captured during the course of the day.

On day two, we met to present these emerging plans and ask participants to weigh in, giving detailed feedback and comments on what had been produced. We then asked our designers to take one more opportunity to incorporate the feedback and produce a final rough plan. This was a tough exercise for everyone involved, and yet ultimately a rewarding one. It showed a nimble, real time method for generating and combining great ideas from the public with the technical know how of designers. We are proud of this workshop and the team felt it offered a crucible for the strongest and most viable project ideas. We posted the summary of the findings and the plans on PlaceSpeak.com and asked for comments, feedback and ideas from the public on the ideas that emerged from the sessions.



June 12, 2014:

Reporting Back: What We've Heard Public Workshop

On June 12, we took the base ideas that started to take shape during the design workshop and pushed them further, testing some of the bigger moves and how they might work in a renewed master plan. We then presented the big ideas to the public and sat down for another interactive workshop, both explaining the ideas and gathering feedback. In this case, our two lead designers led two groups through the plan, sketched and listened to comments and ideas. We then asked everyone who attended to fill out a questionnaire, and collated the comments. Once again, we listened, produced some new ideas and thinking informed by what we had heard, presented it and gathered more feedback. This process, and the passion, goodwill and focus of the participants provided inspiration and energy to the team, who wanted to get it right. They wanted to keep shaping the plan in a way that was meaningful, relevant and ultimately of greatest benefit to those who would live, work and play there.



June 17, 2014:

Presentation to Land Use Committee, Victoria West Community Association

On June 17th the team presented the rough plan to the Victoria West Community Association in a meeting chaired by Bernie Gaudet. It was an opportunity for the Association to learn and ask questions about the emerging plan, the process and the opportunities and gaps they saw. We took careful notes and once again, the questions provided helpful food for thought in the ongoing revision of the plan.



Getting Clearer: Presentation of the Emerging Plan

On July 17th, after a month of highly focused activity by our team, we were ready to present a much clearer picture of the plan. This meeting offered the public a thorough explanation and briefing by the design team; a question and answer period in plenary; a pin-up of the plans followed by an open dialogue with team. Again, we gathered questionnaires, detailed feedback and have used the comments as another opportunity to sharpen our work.

It is in the context of these meetings, which have asked participants to share their ideas and then offer ongoing feedback and guidance, that we present this renewed plan. We have not seen ourselves as mere recorders of public ideas, but as active co-creators and collaborators with the community.



September 16, 2014

CALUC Meeting

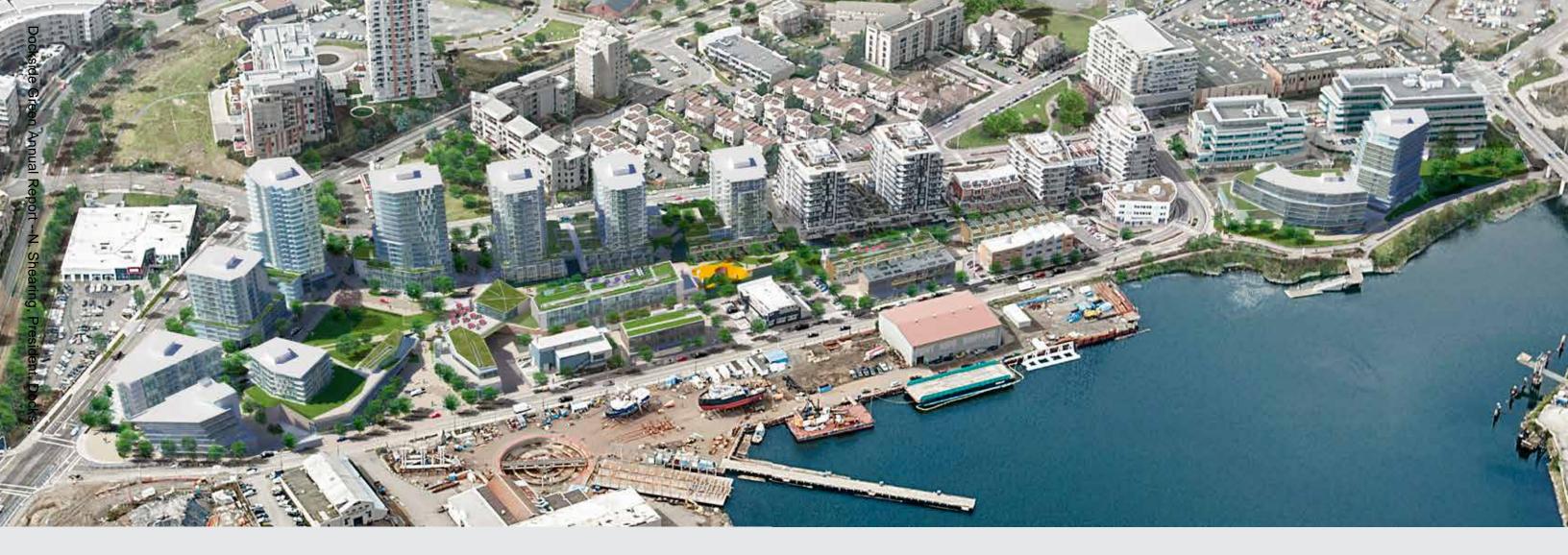
On Tuesday September 16th, the Dockside Green team presented the revised, 2014 Neighbourhood Plan to the Victoria West Community Association, Land Use Committee. The presented plan was the collaborative result of many months of hard work by the Dockside Team, feedback received in our community engagement and collaborative design workshop process, as well as innovative ideas from our design team.

Thrilled by the level of dedication and involvement that the community brought to this process, we were excited to share the results with those involved, and with the broader public before we moved into formal dialogue with the City of Victoria. Following the presentation of the plan, residents, board members and citizens of Vic West provided positive feedback to this new plan, and there was excited energy in the room to see the project come to fruition.



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Updated Dockside Green Neighbourhood Plan

The updated Dockside Green Neighbourhood Plan envisions an on-going sustainable, complete neighbourhood reflecting and respecting the influences and principles of the original vision and design intent, while appropriately updating the urban design, architecture and landscape design to respond to current conditions.

It will incorporate progressive new urbanism initiatives based around human-scaled Precincts, Places, Permeability and Linkages which contribute to a truly sustainable lifestyle and define it as a unique community destination, where people can live, work, shop and play in one location.

The new Neighbourhood Plan will feature a high quality urban character with an appropriately scaled concentration of retail/commercial experiences paired with a mix of other complementary uses, comprising a range of residential unit types, including affordable housing, commercial, retail, office and service uses.

The diverse mixture of uses will be planned around an exceptional public realm, featuring a continuation and enhancement of the existing Greenway corridor, and offering a variety of interesting open spaces and gathering places, culminating at the Neighbourhood Park, "Dockside Commons", and the new urban plaza and commercial-retail heart of the community, "Dockside Landing".

The new Neighbourhood Plan will be a fitting update and refresh of the Dockside Green site, realizing its original vision, and with its completion helping to invigorate this significant area of the local neighbourhood and the City of Victoria as a whole.

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PRECINCTS

Precincts are the large building blocks which together form Dockside Green. Each precinct has its own specific character and response to the particular site and land use requirements within each area. Factors such as views, adjacent uses, soil suitability, grade changes, vehicular servicing and proximity to open spaces were considered in developing the specific character of each precinct.

1 DOCKSIDE LANDING PRECINCT

The Dockside Landing Precinct is defined by the main urban plaza for the neighbourhood, which opens onto Harbour Road and the ever-changing backdrop of the working waterfront at the Point Hope Shipyard. The precinct is intended to become the main commercial core of the neighbourhood, with local businesses completing the edges of the plaza. Incorporating comprehensive, mixed-use development, with a highly integrated neighbourhood park, the Vic West Gateway, and the 202 Harbour Road site, this precinct aims to encapsulate the core retail components in a tiered landscape that follows the natural on-site change in grade.

2 DOCKSIDE COMMONS PRECINCT

The Dockside Commons Precinct is comprised of several key open spaces: Dockside Commons, Dockside Crescent, and both the Tyee and Vic West Gateways. Due to its location at the south end of the site, the buildings within this precinct are highly visible. Building heights are will increase as they approach the corner of Tyee and Esquimalt Roads – ultimately providing a backdrop to the Dockside Commons green space, and an iconic contribution to the skyline of Victoria West. The building lobbies are intended to open onto Dockside Commons, allowing residents the opportunity to interact in a relaxed setting.



TYEE-GREENWAY PRECINCT

The Tyee-Greenway Precinct is located along Tyee Road, between the existing residential phase, Balance, and the proposed access road, Dockside Crescent, to the south. Given its mid-block location, the Tyee-Greenway precinct's function is to link the elements of the existing Dockside Green neighbourhood with the larger, updated towers - creating harmony in urban design and character. Three residential towers form the basis of the precinct, continuing the character of Tyee Road, and connecting it to the Greenway in orientation and experience. A key aspect of the precinct is Tyee Plaza, which offers a gateway into the Dockside Green Neighbourhood, inviting Victoria West residents and visitors into the project.



4 GREENWAY MEWS PRECINCT

The Greenway-Mews Precinct is located between Dockside Mews and the Greenway. The precinct draws its character from the waterway's natural features, which influence the perceived scale of the buildings within it. With the Greenway serving as a corridor through the site, this precinct also includes lowrise buildings which will function to connect the Greenway to Harbour Road, and provide a vital connection for the transition from non-residential uses on Harbour Road to the residential towers along Tyee Road.



HARBOUR ROAD PRECINCT

As the eastern boundary of Dockside Green, the Harbour Road Precinct is comprised of an existing collection of small-scale industrial structures, and proposed commercial buildings that are intended to form a lively and inviting front with building

character playing off the industrial history and context of the site. A combination of elegant, robust, well-finished, lightindustrial details and materials will define this precinct, while simultaneously providing vehicle access into Dockside Green and bicycle traffic via the Galloping Goose Regional Trail.



6 EXISTING RESIDENTIAL

Comprised of both the Synergy and Balance buildings, the existing residential precinct is home to 266 units at Dockside Green. Oriented to Tyee Road, with commercial uses located at the base of Synergy, the existing residential precinct includes a mix of structure heights that provide the precinct with a pedestrian-oriented experience. The precinct is home to public art and a private driveway, which includes a Car Share Co-op Vehicle. The character of the precinct is urban, and includes a design vocabulary and open space that is cohesive and reflective of the vibrancy of the residents that live and work within the



7 DOCKSIDE WATERFRONT PRECINCT

As the sole precinct at Dockside Green with direct access to the harbour, the Dockside Waterfront Precinct is characterized by the native shorefront and the adjacent Upper Harbour. This precinct will include mixed-use development which follows the curve of the Galloping Goose Regional Trail. Due to its location at the northern end of the site, with immediate connectivity to Point Ellice Park and the Galloping Goose Trail, the precinct provides recreational opportunities right at the doorstep for those located at Dockside Waterfront.



PLACES

Open spaces form a network of Places that help to define the civic realm within Dockside Green. With a view of fostering a more diverse and vibrant neighbourhood, which is strongly connected to the wider Victoria West community, the Neighbourhood Plan aims to provide a range of types and scales of open spaces, each with a specific character related to its anticipated use.

VICTORIA WEST GATEWAY

The Victoria West Gateway will be the first thing one sees when crossing over the new Johnson Street Bridge from Downtown Victoria. It will serve as a threshold that establishes the visual and physical connection between Dockside Green and Victoria West.

2 TYEE GATEWAY

Tyee Gateway will be situated on the southwestern corner of Dockside Green, functioning as an entrance into the neighbourhood from surrounding Victoria West via Esquimalt and Tyee Roads, leading to the Dockside Commons green space.

TYEE PLAZA

Tyee Plaza is intended to serve primarily as a welcoming zone where visitors and residents will enter the site from public transit or by foot and quickly orient themselves to the neighbourhood.

DOCKSIDE LANDING

Dockside Landing will serve as the primary urban plaza for the site - the commercial and retail core of Dockside Green. Set against the ever-changing backdrop of Point Hope Maritime, the plaza is intended to connect to the energy of Harbour Road and periodically function as a place of assembly for markets, concerts, and bazaars.

DOCKSIDE COMMONS

This park space, accessible to all, will serve as open space for visitors and residents of Dockside Green. The park is intended to unfold to the green rooftop of Dockside Landing's commercial building. This multipurpose space acts as an amphitheatre for active play or passive enjoyment, and a connecting place for residents of Victoria West and Dockside Green.

DOCKSIDE NEIGHBOURHOOD HOUSE

As an addition in the updated Neighbourhood Plan, the Neighbourhood House creates an indoor gathering space for Dockside Green residents at the heart of the development. The design of the space will be flexible, accommodating a variety of uses including strata meetings, fitness activities, and resident assembly.

THE SOURCE

Situated at one of the most important crossroads of the site, the Source is where the story of water at Dockside Green begins. Designed to emulate natural wetlands, this public space is where stormwater from the site is collected, before being distributed into the water table.

8/9 THE PLAYROOM/LOOKOUT

Centrally located along the Greenway, this kids play area with an integrated public sundeck provides opportunities to stop, play, rest or gather, and enjoy the views over the harbour.

10 CAFÉ PLAZA

The Café Plaza is a favourite stop on the Galloping Goose trail - a meeting point, and the northern commercial hub of Dockside Green. The vibrant local businesses at the Café Plaza attract visitors, and represent the core values of the development.

11 DOCKSIDE WATERFRONT

Dockside Waterfront is the northern gateway of Dockside Green. Situated alongside the Upper Harbour, Dockside Waterfront is framed by the existing Point Ellice Park and Dock, the Galloping Goose Regional Trail, and is slated to be a part of the regional Green Shores Program.

12 THE MUTT STRUT

The Mutt Strut will be a cozy dog park nestled into the north end of the Dockside Green site. Adjacent to the Galloping Goose Regional Trail, it will create opportunities for residents and neighbours from the surrounding area to come together and socialize with their loyal companions.

13 THE GREENWAY

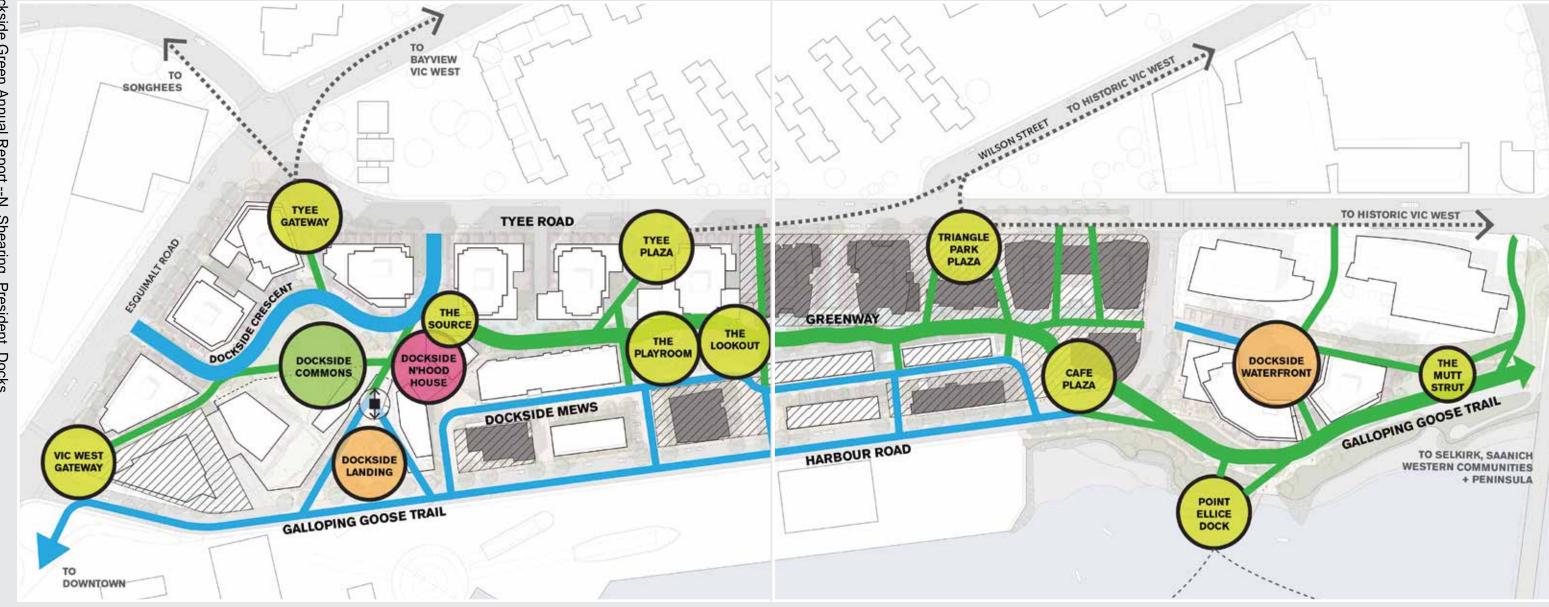
The Greenway is a defining characteristic of the Dockside Green Neighbourhood as a main pedestrian artery, with a pathway located adjacent to a meandering, scenic waterway. It creates character and sense of place for the residents, visitors and wildlife that use it, while simultaneously connecting to the Source, and, most importantly, serves as the final step in Dockside Green's innovative wastewater treatment process, and as a key stormwater collection and filtration system.

14 DOCKSIDE CRESCENT

Dockside Crescent is designed to be a low-speed, multi-modal street which will connect Esquimalt Road and Tyee Road. Located entirely within the development, this street will provide cycling, pedestrian and vehicle access into the interior of the south end of the site, the residential towers, and Dockside Commons.

HARBOUR ROAD

Running south to north, Harbour Road is the eastern boundary of the Dockside Green Neighbourhood. The street's minimal vehicle traffic, level grade, and generous bike lane makes it ideal for cycling. The experience of walking along Harbour Road is enhanced by the visual interest of the shipbuilding that occurs street side, visible from the proposed Dockside Landing.



Linkages & Connectivity

Each individual "place" within the Neighbourhood Plan exists within a wider context, both internal to the Dockside Green site and externally, to the larger Victoria West community. With steep slopes and limited opportunities for cross-streets through the site, there exists a design challenge to introduce a system of human-scale connective linkages that weave through the site. Grade changes across the site are accommodated through terraces, steps, and a publicly accessible elevator.

Neighbourhood Connections

On a larger scale, gateways and pathways emphasize connections to the wider community, both in Victoria West, Downtown and across the Capital Region, including the new Johnson Street Bridge, the Esquimalt + Nanaimo Railway Corridor and the Galloping Goose Trail.

North-South Connections

The Greenway, together with Dockside Commons and Dockside Landing, forms the primary pedestrian spine, running north-south through the site and connecting with the Galloping Goose Trail at the north and south ends of Harbour Road. The Galloping Goose Regional Trail runs between the Dockside Waterfront sites and the Harbour shoreline, connecting Dockside Green to a region-wide system of trails and green spaces.

East-West Connections

East-west connections, ranging from smaller secondary paths to the shared pedestrian/vehicle zone of Dockside Commons, provide both physical and visual linkages between the Greenway and the surrounding streets - and towards the wider Victoria West community and Downtown Victoria. These connections connect Tyee Road to the Greenway and Harbour Road beyond. At the northern end of the site, a stair connection is encouraged from Upper Harbour Place to the Galloping Goose Trail.





What will remain the same from 2005

- Same overall density.
- No increase in maximum building height.
- A mixed-use neighbourhood with retail, office, commercial and light-industrial components.
- A central north-south Greenway.
- Residential uses focused along Tyee & Esquimalt with office and commercial focused along Harbour Road.
- The tallest buildings located at the extreme north and south ends of the neighbourhood, with building heights that step down toward the middle and eastern edge of the site.
- Urban design strategy that is reflective of its neighbourhood context and connections and complementary to its industrial, residential, office and retail edges.

- A broad set of public amenities, public spaces, new infrastructure and street improvements.
- A transportation system focused on multi-modal options.
- Recognition and integration with the shipbuilding at the Point Hope Shipyards.
- Full remediation of the contaminated lands.
- A commitment to LEED Platinum certification.
- A 3.5-million dollar commitment to affordable housing.
- Noise mitigation building strategies to reduce conflicts with adjacent industrial land uses.
- Adaptable housing.
- On-site waste water treatment system, storm water management and grey water re-use.

What has been updated in 2014

- Redistribution of Buildings The updated plan includes 12 new buildings, one more than in the prior plan.
- Updated Main Plaza now located along Harbour Road – Dockside Landing will serve as the primary urban plaza for the site, with the intention of connecting better to the energy of Harbour Road and the shipyards.
- A New Central Park Dockside Commons will serve as the new, multipurpose park space at Dockside Green, providing additional open space for visitors and residents of Dockside Green.
- An Updated Kids Play Area The Play Room is a kids play area that will be integrated into a central location of the neighbourhood part way along the Greenway.
- A New Dog Park Another new amenity, The Mutt Strut will be located at the north end of the site.
- A New Dockside Green Resident Centre The Neighbourhood House has been included with the updated plan to create an indoor neighbourhood gathering space for Dockside Green residents.

- New Gateways Four pedestrian oriented Gateways have been created at the three corners of Dockside Green, and mid-block along Tyee Road to better connect to the surrounding community.
- Updated Vehicle Access Dockside Crescent is a low-speed, multi-modal street intended to connect Esquimalt Road and Tyee Road. The street provides access into the interior of the south-end of the site, the residential towers and Dockside Commons.
- New Mobility Hubs A series of 8 designated multi- modal transportation hubs that concentrate travel options within Dockside Green to increase awareness of travel options, strengthen connections between modes to facilitate multi-modal trips, and provide desirable alternatives to single-occupant vehicle travel.
- Use of Vacant Land in the Interim Given the long term build out of the Dockside Green Neighbourhood we see possibility of new and bold ideas having the opportunity to take shape in the interim at Dockside Green.

BETA at Dockside Green

Through our conversation with community in 2014, the notion of interim uses at Dockside Green began to be discussed. Building on this energy, the concept of BETA at Dockside Green was developed.

BETA has a vision to become a staging ground for localism, food security, and culture building while embracing the industrial character of the working harbour. BETA will reclaim a portion of the undeveloped land in the Dockside Green neighbourhood, and use shipping containers as building blocks to cultivate a culturally vital environment where Victoria artisans, community leaders, makers, growers and entrepreneurs can collaborate, exchange ideas, and showcase their work.

BETA at Dockside Green will be located on Harbour Road between the Dockside Green Biomass District Energy Plant and the Farmer Construction office building. The location provides the opportunity to build on the human energy of Harbour Road and the adjacent Point Hope Shipyards. The adjacent buildings will help to provide urban edges and foster a sense of enclosure. The other advantage of this location is that much of the Dockside Green project can develop without disturbing BETA, and without BETA interfering with the development of future phases.

BETA at Dockside Green strongly supports the creativity of thinkers and doers in Victoria. It will be a place to build on what is already happening in Victoria, providing a location for some of this creative energy to coalesce and grow. BETA will be a curated tenant mix with food, brewery, boutique retail, office and art/culture components. The focus will be on businesses and organizations that demonstrate and showcase creative, sustainable, local goods and services. We see the mix of tenants as vital to create a community of likeminded values. The office mix may include social enterprises which are both run by and support the work of non-profit organizations. In addition to permanent tenants, there may be opportunities for short period tenancies in rotating kiosks.

Uses

Envisioned uses include: brewery, distillery, café or roaster, social impact businesses, urban agriculture, art gallery/studio space, boutique retail, small workshops, food trucks, bike maintenance, and education.

Amenities

Amenities are available to the public and to tenants in the form of shared washroom facilities, drinking fountains, garbage, recycling and compost services. In plazas and other common areas, lighting, shading, and seating are provided. Utility connections are available to tenants depending on individual needs, with both waste water and storm water connections tied to the Dockside Green on-site systems.





Next Steps

Moving forward in 2015 Dockside Green will be pursuing the following:

Development Application:

We have submitted a Rezoning / OCP Amendment application to seek approval for our Neighbourhood Plan changes. We look forward to presenting that application to Council in the near future and our targeted approval of our application by the end of 2015.

Affordable Housing:

Our development partner, Catalyst Community Developments Society, has submitted a development application for a 49 unit, affordable, workforce rental housing project near Fol Epi / Caffe Fantastico. This application will be presented to Council in the near future with construction anticipated to begin at the end of 2015.

Speaker Series:

Dockside Green has the aim of exploring the urban design, creative and cultural foundations that shape the City of Victoria via an event series titled Dockside Green Dialogues. The series will include 5 events throughout 2015, providing the opportunity for new conversations, questions and dialogue to emerge within our city.

Vic West Street Fest:

Dockside Green intends to hold a one day street festival on Harbour Road in the early Spring/Summer of 2015. Co-hosted by Point Hope Shipyards as well as the Building Resilient Neighbourhoods Group working in Victoria West, the festival will be focused around activities on Harbour Road and will aim to close off the street for the days' events. Shipyard tours, Food Trucks, First Nations elements, and VicWest organizations and companies will establish a presence in the street festival to celebrate Harbour Road and Victoria West as a whole.

BETA at Dockside Green:

Later this year we will be submitting a Development Application for the site layout and installation of the first container buildings at BETA. We expect BETA at Dockside Green to launch in the Spring/Summer of 2016.

Development Partners:

We are actively seeking development partners with shared values so that the next residential phase (likely along Tyee Road) can proceed shortly after our proposed Neighbourhood Plan changes are approved.



Victoria Office:

353 Tyee Road

Victoria, BC V9A 3S3

Ph: (250) 519-4246



@docksidegreen



docksidegreen.com

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GENERAL OBJECTIVE: SITE REMEDIATION

(Based on the Approval in Principle obtained from the Ministry of Environment, the Developer will be responsible for site remediation, in accordance with the terms of the sale contract)

Item	Objective	Reporting Content	Source	Status	Details
1	Remove all hazardous materials	Extent of hazardous material removed per site	Consultant report/ Certificate of Compliance	COMPLETED	
2	Complete risk management as per terms set out in Certificate of Compliance	Reporting to Ministry of Environment	Consultant Report/Certificat e of Compliance	COMPLETED	

Planning and Land Use Committee - 30 Apr 2015



GENERAL OBJECTIVE: LAND USE / HOUSING AFFORDABILITY

Create wide mix of uses that provide a unique living, working and visiting environment within close proximity that includes commercial, retail and light industrial, and livework/work-live, allowing for a vertical as well as horizontal mix of uses

The mix of land uses supports:

- a broadly representative residential community that includes a range of income brackets stages of life, and ownership/rental structures
- · a working land use that allows residents to live close to where they work and generate new jobs

Item	Objective	Reporting Content	Source	Status	Details
3	Create a broad mix of uses consistent with the development	Buildable area of following uses: Residential, office, retail, commercial, industrial, public/institutional	Development Permit Application	Phase 1 / Phase 2 COMPLETED	Residential – 280,647 sq.ft. Commercial – 15,130 sq.ft. Industrial/Office – 46,365 sq.ft.
	concept			Phase 3 Pending Approval	Residential – 974,522 sq.ft. Commercial – 150,851 sq.ft. Industrial/Office – 50,573 sq.ft.
4	Create a mix of residential units that satisfies a broad range of ages and stages of life	Residential units divided into: dedicated seniors housing, live/work, work/live, family (2 bedroom or more)	Development Permit Application	Phase 1 / Phase 2 COMPLETED Phase 3 Market Driven	
5	Create a mix of residential units that satisfies a broad range of income brackets and unit tenure	Number of purpose built rental residential units; number of purpose built ownership residential units; amount of the Developer's affordable housing allocation used to provide non-market units/how many units; identification of non-profit organization operating non-market units; amount of the developer's affordable housing allocation used to provide market affordable units/how many units; identify what efforts have been made to secure additional funding (initial 6 years after closing only)		Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	26 Market affordable ownership suites. 49 Affordable Workforce Housing Units submitted for Development Permit.

Planning and Land Use Committee - 30 Apr 2015



6	Mix of land use optimizes post construction employment	Calculated based on following assumption: Office - 1 person year/250 sf Retail/Commercial - 1 person year/500 sf Industrial - 1 person year/500 sf	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	
6a(i)	Support local employment/edu cation	Supporting local businesses	Ongoing	 Clean Conscience (green cleaning products) Fol Epi (on-site organic bakery) Caffé Fantastico (on-site coffee shop) Victoria Car Share Co-op Victoria Harbour/Ferry Waste Water Treatment Plant Neighbourhood Energy Plant 12 local professional consulting firms Food Truck Operators
6a(ii)	Support local employment/edu cation	Values-based businesses encouragement	Ongoing	 Attendance/participation at green community seminars/discussions Sponsorship of events promoting Sustainable Development Launched initiative to establish Dockside BETA – a shipping container-building food, retail, office, arts and culture node on vacant Dockside land, which focus on supporting emerging local businesses and initiatives.
6b	Construction work through First Nations community work program		Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	

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7	Concerns about noise and air pollution are addressed through design	Compliance with noise and nuisance mitigation measures	Building Permit Application	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	Will meet noise mitigation measures.
8	Overall development density doesn't vary from approved density	Buildable area and site area	Development Permit Application	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	The updated neighbourhood plan developed in 2014 maintains the same overall density as previously approved in 2005.
9	Development density by site doesn't vary more than the percentages allowed through zoning/design guidelines	Buildable area and site area	Development Permit Application	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	The updated neighbourhood plan developed in 2014 maintains the overall development density. Amendments to the zone related specific site elements have been included in our overall rezoning application.
10a	The development limits impact to municipal infrastructure and utilities (sewer, water, storm sewer, power)	Status of on-site sewage treatment system	Development and Building Permit Applications Guarantee Release	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	The plant is operating as intended meeting the compliance requirements of the Ministry of Environment. The treated water is used to maintain levels in the naturalized creek system, and in all buildings for toilets, on-site irrigation and green roof garden maintenance. The regional water system is only used for bathing, drinking and washing.



10b	The development limits impact to	Status of waste wood energy system	COMPLETED	Wood waste biomass gasification system was completed in 2009.
	municipal infrastructure and utilities (sewer, water, storm sewer, power)			An additional connection to the Delta Hotel was commissioned in 2009 but is not as yet operational pending being able to run continuously on waste wood.
				There is not enough density on the site for the plant to run efficiently on bio-fuel. The plant presently runs on Natural Gas and will do so for the forseeable future.
10c	The development limits impact to municipal	Status of storm water management system	Phase 1 / Phase 2 COMPLETED	The stormwater management system uses the on- site naturalized creek and pond system to treat and control flows. The system is designed well beyond
	infrastructure and		Phase 3	LEED® standards and can accommodate a 1-in-100-
	utilities (sewer,		Pending Approval	year rain event for the majority of the system and 1-
	water, storm			in-25-year event for the balance of the system. The
	sewer, power)			design promotes integrated stormwater and urban
				ecology features including green roofs.



GENERAL OBJECTIVE: ENVIRONMENTAL/LEED CONSIDERATIONS

Item	Objective	Reporting Content	Source	Status	Details
11	The buildings in risk assessed areas are designed to include a soil vapour barrier or other approved engineered vapour controls	Building construction details and specifications	Certificate of Compliance Building Permit Application SNC Lavalin/ Environment al Report	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	All risk-assessed areas built to date include the installations of proper barriers and controls as required under our Certificates of Compliance. Buildings will comply to Certificates of Compliance.
12	The buildings obtain the highest LEED certification feasible	Confirm how many buildings (where LEED standard is applicable) meet LEED Platinum standard	LEED checklists and certification per building	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	5 buildings have been built to LEED Platinum. LEED ND is being sought for Phase 2.
12a	Pursue other sustainable development strategies (proposal related)	Extent of selection of sustainable building materials and services that create employment locally		Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	

DOCKSIDEGREEN

GENERAL OBJECTIVE: CIRCULATION/MOBILITY

Item	Objective	Reporting Content	Source	Status
13	The development encourages a sense of connectedness and a sense of community	Status of pedestrian, cyclist and vehicle connections, intersections and crossings	Phase 1 / Phase 2 COMPLETED	
			Phase 3 Pending Approval	The master plan continues to be refined, with connections being expanded both internally and to the neighbouring community.
14a	Modes of transportation of sustainable to maintain and service,	Status of provision of information packages to	Phase 1 / Phase 2 COMPLETED	
	now and in the long term	prospective purchasers	Phase 3 Pending Approval	
14b	Modes of transportation of sustainable to maintain and service, now and in the long term	Status of the Dockside website highlighting pedestrian, bicycle, and	Phase 1 / Phase 2 COMPLETED	
		public transit routes, information on car share and car pooling programs, and online bicycle user information	Phase 3 Pending Approval	
15a	The development encourages alternate modes of transportation	Status of the provision of 10 car share vehicles (combination of	Phase 1 / Phase 2 COMPLETED	The program has been in place since March 2008.
×		neighbourhood electric and high fuel efficient vehicles) for the Development or purchase of car share co-op memberships to the value of \$240,000 for Dockside residents	Phase 3 Pending Approval	Over the past few years Victoria Car Co-op has removed one of the vehicles due to lack of demand. However recently VCSC has merged with Modo and is currently in the process of updating their fleet. It is anticipated that two vehicles will be allocated to Dockside Green in 2015.



15b	The development encourages alternate modes of transportation	Status of the provision of dedicated parking for the car share vehicles	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	A new electric vehicle charging station has been installed.
15c	The development encourages alternate modes of transportation	Status of exploring alternative strategies with BC transit (such as subsidized bus passes)	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	Discussions have taken place with BC Transit in 2014 to add bus routes to Dockside Green. Currently, the #15 bus on Esquimalt Road makes over 300 stops per day and the #14 bus on Bay Street makes over 150 stops per day. It is expected that the #14 bus will soon be routed down Tyee past Dockside Green.
15d	The development encourages alternate modes of transportation	Status of provision of bicycle racks for a minimum of 15% of residential occupants and bicycle racks and shower facilities for a minimum of 5% of commercial/office/industrial users	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	A total of 33 bicycle racks have been provided.



GENERAL OBJECTIVE: HIGH QUALITY PUCLIC REALM

Item	Objective	Reporting Content	Source	Status	Details
16	The streetscape is pedestrian friendly and of an appropriate scale relative to the proportions of the human body	Indication of how design complies with design guidelines with respect to scale and format of streetscape and pedestrian	Development Permit and Building Permit Applications	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	
		areas	323	355 908	
17	The Development meets CPTED requirements	Indication of how building and site design complies with CPTED requirements	Development Permit and Building Permit	Phase 1 / Phase 2 COMPLETED Phase 3	
		ω.	Applications	Pending Approval	a a
18	The operating costs of the public realm elements are paid for by the Developer /Development			Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	
19	The natural shoreline is enhanced and protected			COMPLETE	The shoreline park dedicated to the City in 2009.
20a	The development will provide or accommodate a waterfront walkway and small non-motorized boat launch/pier	Schedule D of the MDA		COMPLETE	
20b	The development will provide for or accommodate improvements to the Galloping Goose Trail	Schedule D of the MDA		COMPLETE	Improvements were completed in 2009.

Planning and Land Use Committee - 30 Apr 2015

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20c	The development will provide for or accommodate open/green space	Schedule D of the MDA	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	The public dialogue and planning process undertaken by Dockside Green in 2014 have led to master / neighbourhood plan changes that will increase the amount of open/green space and lead to the development of a number of new open/green spaces – Dockside Commons, Lookout, Mutt Strut & Tyee Plaza – and will still include the Greenway, Dockside Landing (Main Plaza), Play Area and
				Gateways.
20d	The development will provide for or accommodate a Sustainability Centre	Schedule D of the MDA	Phase 3 Pending Approval	The public dialogue and planning process undertaken by Dockside Green in 2014 highlighted the structural challenges with the original sustainability centre concept.
20e	The development will provide for or accommodate Market		Phase 1 / Phase 2 COMPLETED	26 Affordable Home ownership units.
	Assisted Housing		Phase 3 Pending Approval	Catalyst Community Developments Society, in partnership with Dockside Green, has been consulting with the public, neighbours and business owners regarding the development of a 49 unit workforce rental housing. A Development Permit has been applied for.
20f	The development will provide for or accommodate a Fire Hall	If the City confirms the required, an agreement to build and lease back a fire hall to the City within the first 2 years of development	Not Applicable	The City has determined a Fire Hall is not required on-site.
20g	The development will provide for or accommodate Public Art	Schedule D of the MDA	Phase 1 / Phase 2 COMPLETED	
			Phase 3 Pending Approval	More public art will be commissioned in future phases.

Planning and Land Use Committee - 30 Apr 2015



21	The operating costs of the public realm elements are paid for by the Developer/Development	Maintenance of on-site provisions assured by the Developer/Development in a legally binding manner	Phase 1 / Phase 2 COMPLETED Phase 3 Pending Approval	
22	The public realm elements have environmental benefits		Phase 1 / Phase 2 COMPLETED	 Waste Water Treatment Plant - Dockside Green does not use the city sewage system. Water - Use of water-efficient appliances and the reuse of treated water from the sewage treatment process. Stormwater - Dockside Green does not use the municipal stormwater system. Landfill - Reduce waste to regional landfills. Roads - The development has less impact on traffic than a standard development.
			Phase 3	
			Pending Approval	4.49



Cockside Green Annual Report for 2014 for 2014

April 30th, 2015

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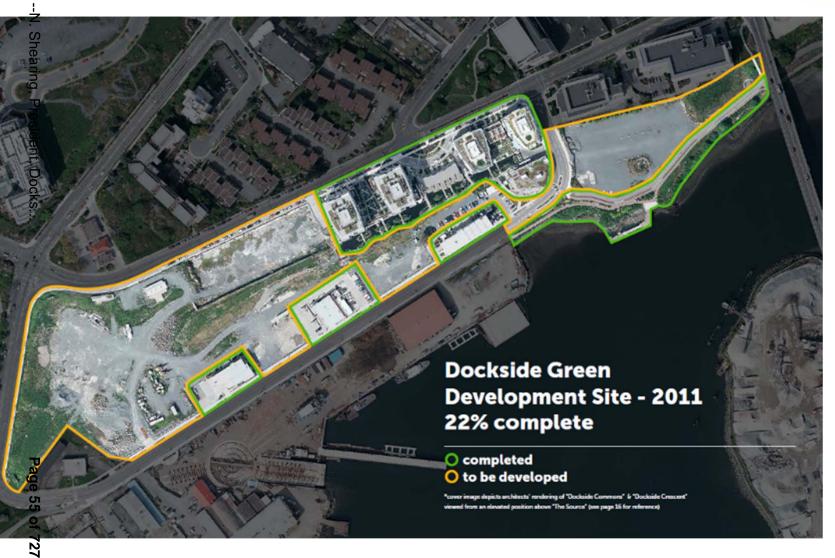


- Overview + Context
- Updated Neighbourhood Design
- 3. Affordable Housing at Dockside Green
- 4. Interim Uses at Dockside Green
- 5. Moving Forward in 2015

Overview + Context

Dockside Green Annual Report --







Challe Gree Challe Gree 1 Density of Amenities The overa Challenges of the 2005 Dockside **Green Neighbourhood Plan:**

Density of the buildings along Esquimalt Road is too large

Amenities are tied to dates rather than building phases

- The overall plan was internally focused and didn't respond well enough along it's edges to the surrounding community - physically or socially
- A strong focus on individual building technology (LEED NC) and not enough on the overall neighbourhood sustainability elements (LEED ND)
- 5. Improving the social and economic pillars of sustainability within the plan

No opportunity to use the vacant land on an interim basis prior to development of the final buildings

Mo We have:



Moving Forward in 2014

A new team, and a renewed commitment to the project in an evolving neighbourhood all guided by principles of sustainability - social, environmental and economic.



Moving Forward in 2014

al Report --N. Shearing, President,

MAY 31

JUN 1

THURS JUN 12

CKSIDE COMMUNITY IEFING & WORKSHOP

onfirming Values & Moving Ahead

NFORM/ CONSULT



INVOLVE/ COLLABORATE



INFORM/ CONSULT/ COLLABORATE

JUN 17

JUL 17

SEPT 2014

west Community Association
ON SULT/ COLLABORATE
OF 727



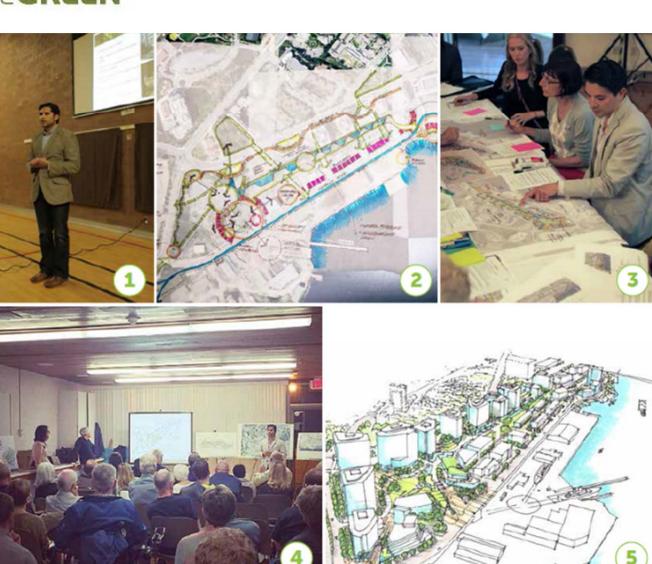
PRESENTATION OF THE DRAFT PLAN

INFORM/ CONSULT/ EMPOWER

PUBLIC CONSULTATION ON PLAN VIA VICTORIA WEST **COMMUNITY ASSOCIATION**

DEGREEN





Updated Neighbourhood Design

DEGREEN

Planning and Land Use Committee - 30 Apr 2015

Our Vision:

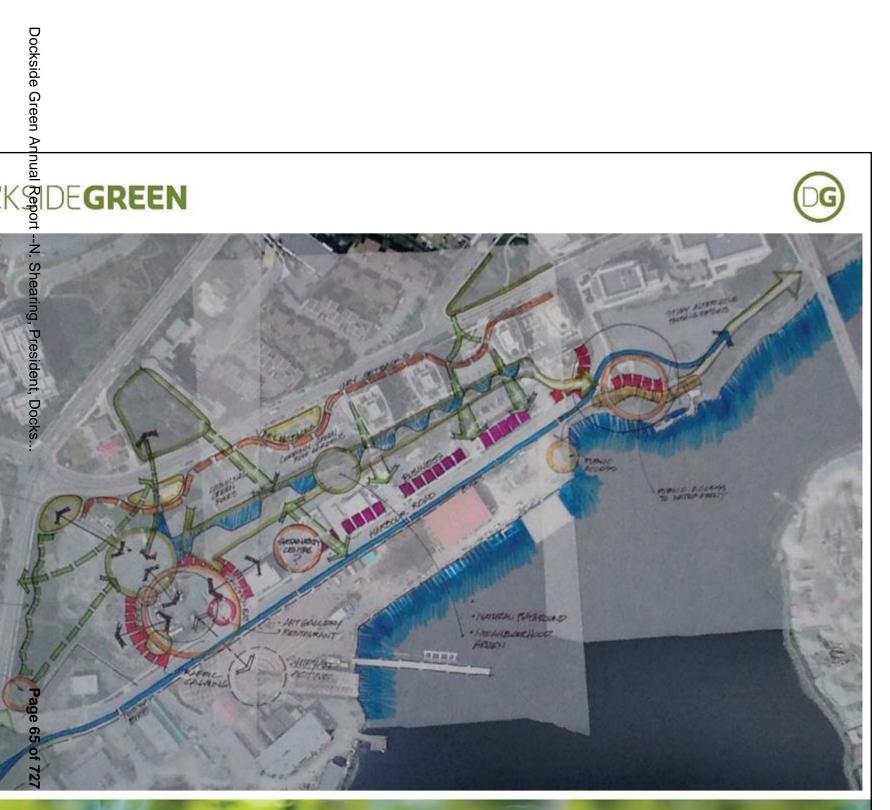
A well-loved, culturally vital neighbourhood where the mix of people and environment fuels health and a vibrant local economy.

DEGREEN













Precincts, Places + Parcels

CAFE PLAZA

DOCKSIDE

POINT ELLICE DOCK

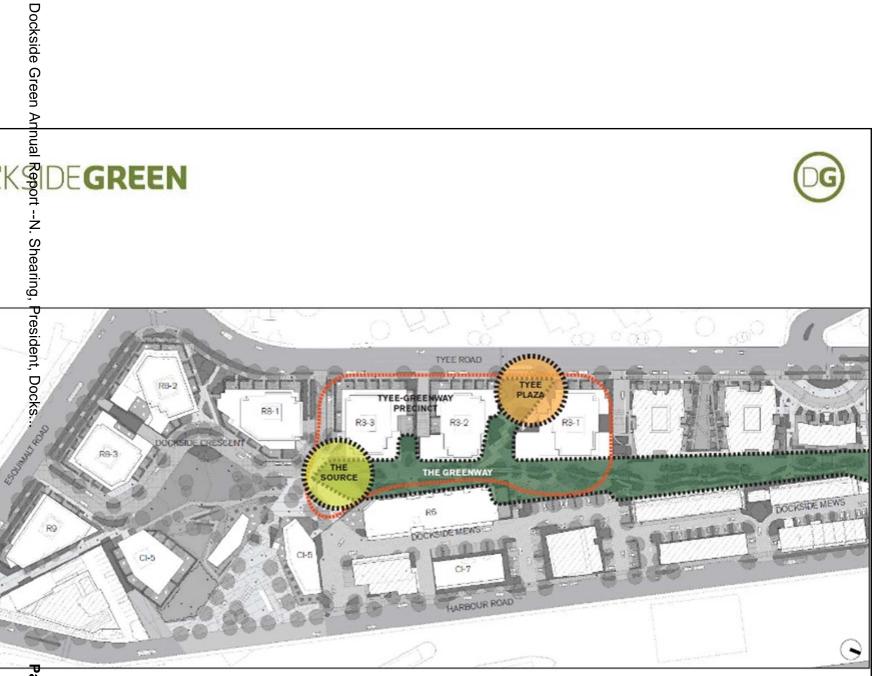
> Precincts Greenway Places

Gateways Streetscapes

Completed/By Others









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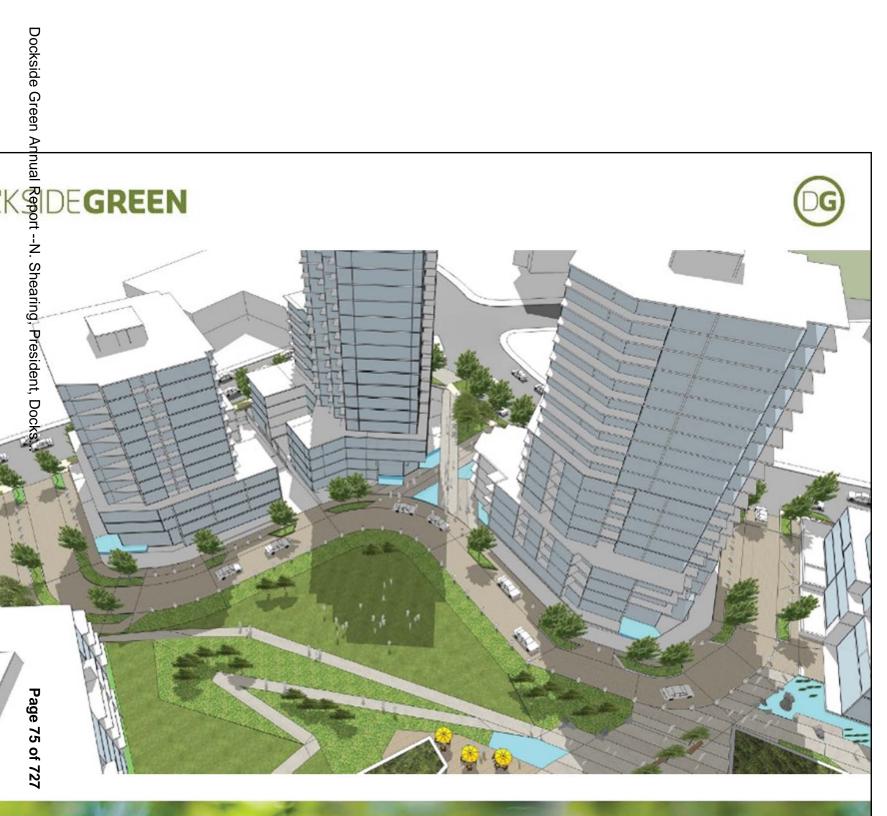








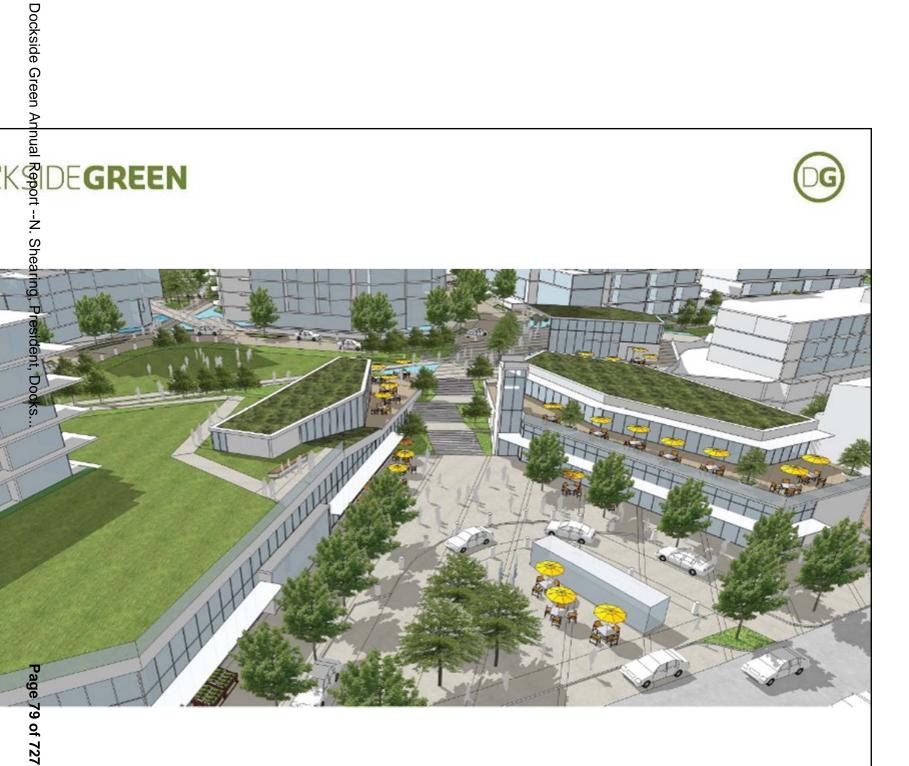




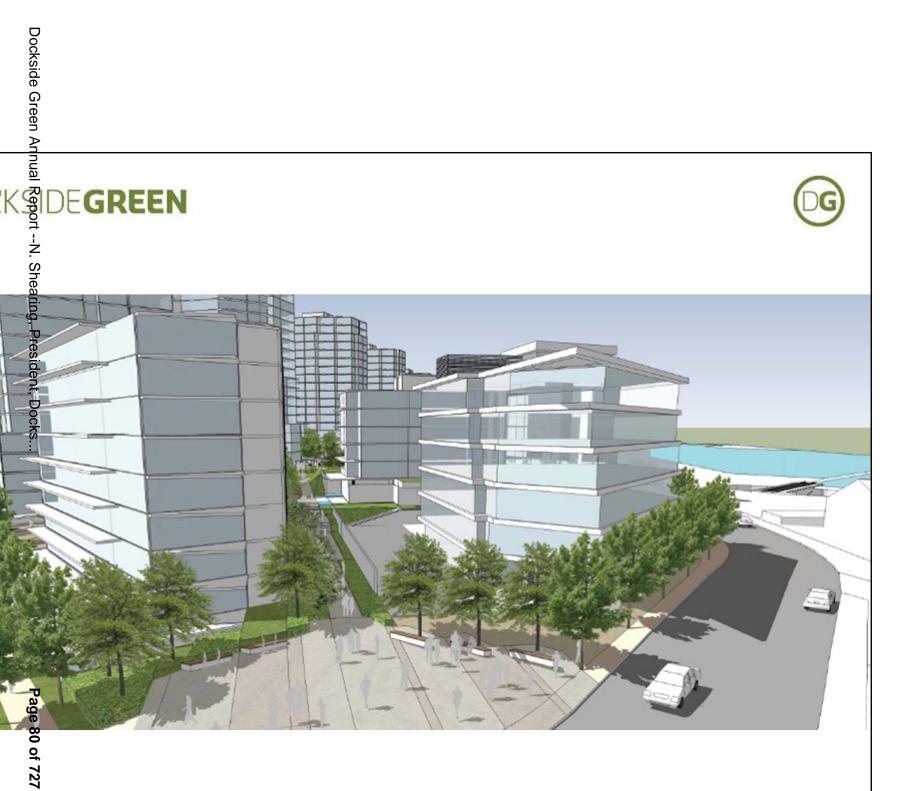


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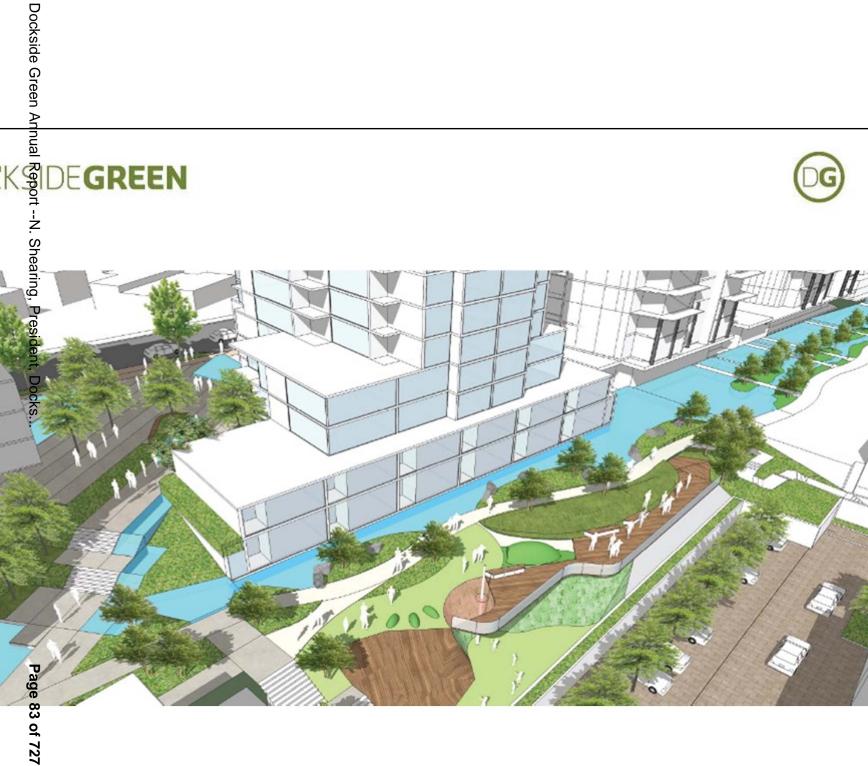




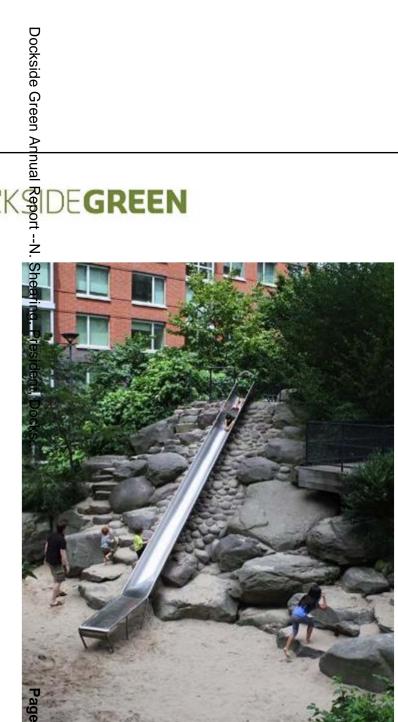












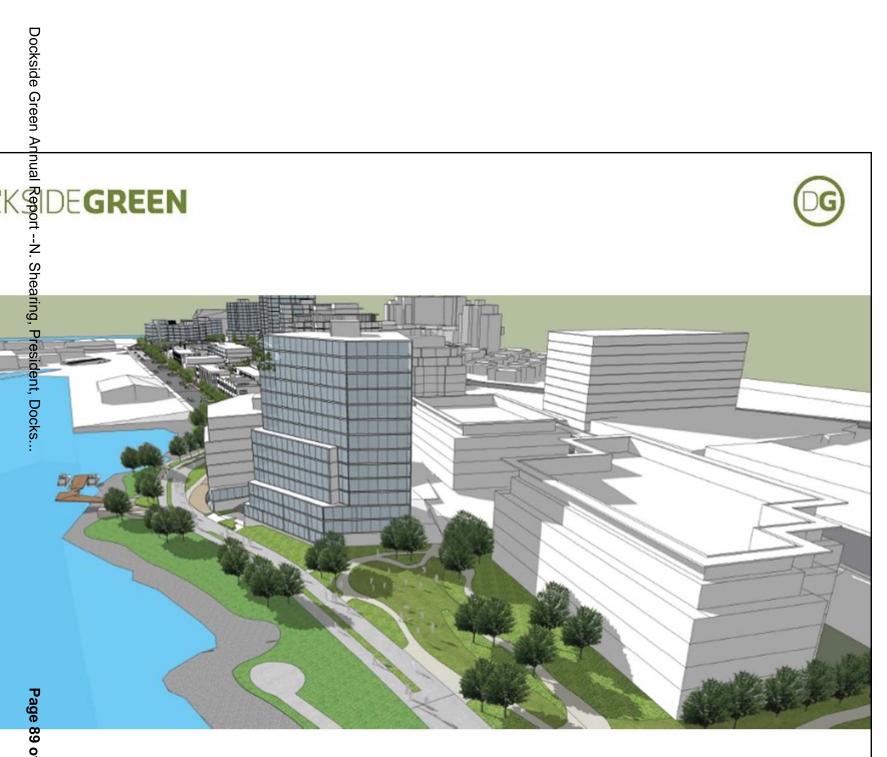




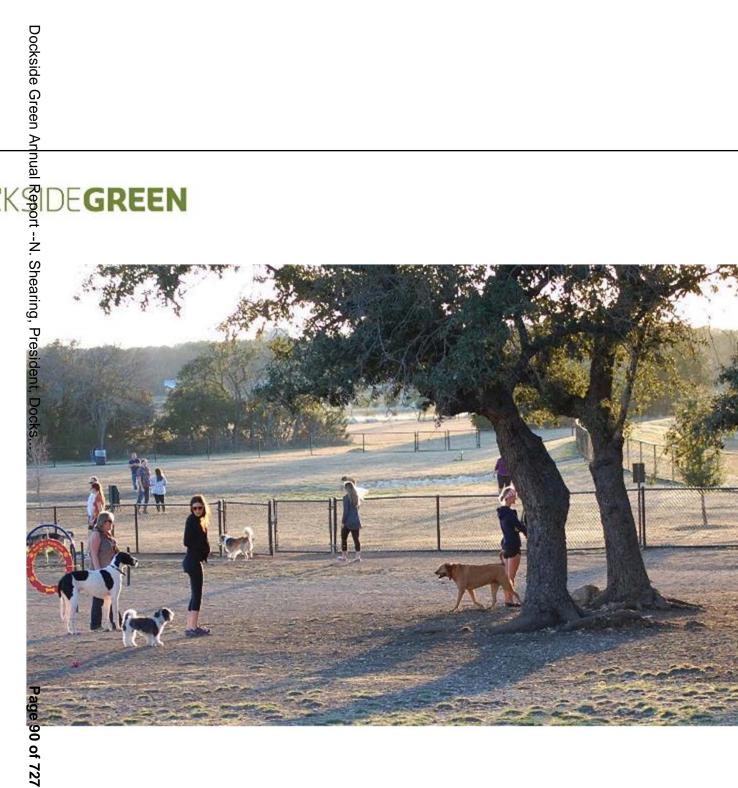












Affordable Housing at Dockside Green

K S DE GREEN



Dockside Affordable Housing

Dog kside remains committed to building an inclusive

community

Two components

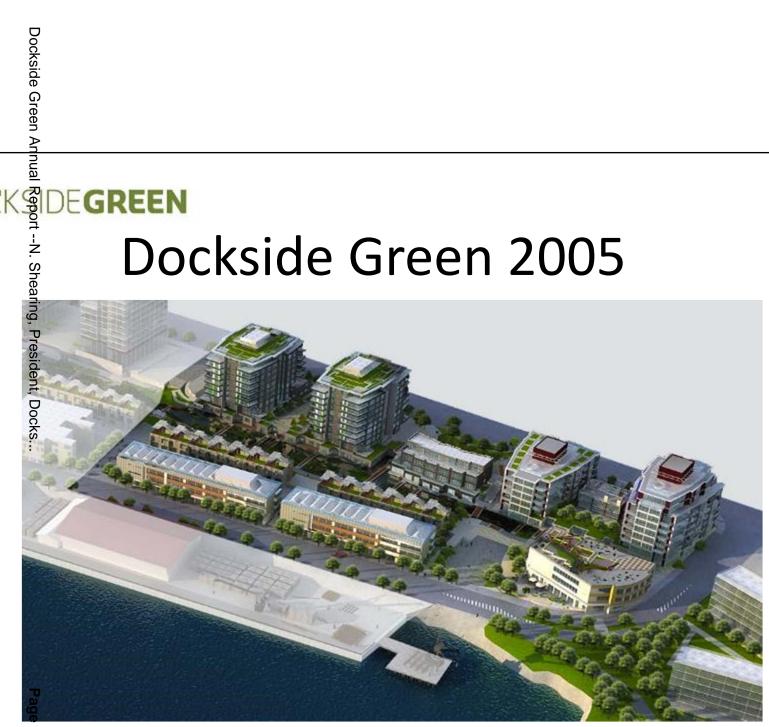
- 1. Affordable Home ownership homes dispersed throughout condominium buildings (completed)
- 2. Affordable Rental homes consolidated in one or two buildings

mportant to deliver on our long standing commitment in a way that seamlessly integrates the project into the larger neighbourhood

Planning and Land Use Committee - 30 Apr 2015



Dockside Green 2005



North end of Dockside Green showing buildings in a townhouse form in the द्वंentre of the site (R4 and R5 lots)

Planning and Land Use Committee - 30 Apr 2015



View of Proposed Building for R5 from Harbour Road







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Dockside Affordable Housing

Restal rates will be a based on a maximum of 30% of targeted household income ranges of between \$30,000 and \$60,000

Showcases the new collaborations that emerging within the not for profit sector for delivery of affordable housing.

Critically the proposal does not rely on current Victoria and CRD howsing grants set aside for Dockside Green – consequently returning \$920,000 back to those funds to further the creation of mogree affordable housing in the City

Dockside Green Interm Uses







Dockside Green Annual Report





Moving Forward



Moving Forward in 2015

Continue to work with City toward a 2015 Public Hearing

- Design Guidelines
- -MDA
- Zone

Affordable Housing Application in 2015 BETA DP application in 2015

ฟฐาking with Development Partners for fature Phases of Dockside Green



Dockside Green Annual Report -N. Shearing, Presidence Green Dialogue Speaker Series Vıc⊌est Street Fest

Food Trucks at BETA launching in May of 2015

Progressing onsite Urban Agriculture with local organizations to add to our local food system







Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Leanne Taylor, Planner, Development Services Division

Subject: Rezoning Application No. 00471 for 324 Chester Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00471 for 324 Chester Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) of the Local Government Act, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 324 Chester Avenue. The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District, to R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, in order to permit a garden suite above an existing garage.

The following points were considered in assessing this Application:

- The proposal is consistent with the Urban Place Designation in the Official Community Plan (OCP) 2012.
- The proposal is for a livable form of rental housing, similar in size and scale to a typical garden suite.

- The design of the building incorporates design specifications of the Garden Suite Policy (2011).
- The subject property is a corner lot and adjacent to a four-storey multi-unit residential building and is a suitable location for this form of housing.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the property to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, to permit the construction of a garden suite above an existing garage.

Sustainability Features

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

Active Transportation Impacts

The applicant proposes to install a bike rack which supports active transportation.

Land Use Context

The area is characterized by a mix of single family houses, attached housing, multi-unit residential and commercial uses.

Existing Site Development and Development Potential

The site is presently a single family house. Under the current R1-B Zone, the property could be developed as a single-family house with a secondary suite. Should the rezoning proceed, a single family dwelling and garden suite above an existing garage will be permitted, thus precluding the use of the main dwelling for the inclusion of a secondary suite.

Data Table

The following data table compares the proposal with the R1-B-GS2 Zone. The parcel would qualify as a "plus site" since it is a corner lot and the floor area of a garden suite may be increased to 56m². An asterisk is used to identify where the proposal is less stringent than the R1-B-GS2 Zone. Two asterisks are used to identify the existing non-conformities.

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"
Site area (m²)	551 (proposal complies as a "Plus Site" as it is a corner lot)	557
Lot width (m) - minimum	13.71	7.5
Combined floor area (m²) - maximum	256.6	300
Height (m) - maximum	7.27	7.6

Planning and Land Use Committee Report Rezoning Application No. 00471for 324 Chester Avenue

April 16, 2015 Page 2 of 5

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"
Storeys - maximum	2.5**	2
Site coverage (%) - maximum	31.4	40
Setbacks (m) - minimum Front (Chester Street) Rear (east) Side (north) Side (Mackenzie Street) Combined side yards	7.2** 5.52 for porch 17.59 1.75 1.6** 3.35**	7.5 (5 for porch) 9.1 1.51 3 4.5
Parking - minimum	3.33	1
Garden Suite		
Combined floor area (m²) – maximum	36.6	56
Height (m) – maximum	5.6*	5.5
Storeys - maximum	2*	1.5
Rear yard setback (m) (west) – minimum	0.6	0.6
Side yard setback (m) (north) – minimum	0.6	0.6
Side yard setback (m) (south) - minimum	5.71	0.6
Separation space between buildings (within the site) (m) – minimum	12	2.4
Rear yard site coverage (%) - maximum	16.4	25

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Fairfield-Gonzales CALUC at a Community Meeting held on December 15, 2014. The minutes from this meeting were received on January 13, 2015, and are attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Urban Residential. In accordance with the OCP, garden suites are subject to DPA 15E: Intensive Residential – Garden Suites. The proposal is consistent with the objectives of DPA 15E to utilize existing accessory buildings for residential uses and achieve new infill that respects the established character in residential areas.

Garden Suite Policy

The proposed development is consistent with the relevant land use policies of the *Garden Suite Policy*. The proposed garden suite is still considered a small ground-oriented unit located in the rear yard of a corner lot. Other than the variance to increase the height of the garden suite, all the siting criteria are met.

Regulatory Considerations

The total combined floor area of the garage and garden suite is 68.19m². The garage portion of the building is 31.4m², and 18.6m² of this floor area is designated as the parking space for the principal dwelling unit, and therefore exempt from the floor area calculation for the garden suite. The current floor area of the proposed garden suite is 36.6m². The remaining 12.8m² of floor area is currently associated with the garage area, however if this area is converted to space for the garden suite, the total floor area of the suite would still be less than the maximum floor area permitted in the R1-B-GS2 Zone.

CONCLUSIONS

This proposal to construct a garden suite above an existing garage is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The garden suite creates an opportunity for an alternative form of rental housing and it will provide a liveable environment for its occupants. Constructing a suite above the garage would retain the existing private open space and gardens, and preclude the addition of another accessory building on the property. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

Respectfully submitted,

That Council decline Application No. 00471 for the property located at 324 Chester Avenue.

Leanne Taylor
Planner
Development Services Division

Report accepted and recommended by the City Manager:

Date:

Date:

Alison Meyer, Assistant Director
Development Services Division
Sustainable Planning and
Community Development

Date:

Jason Johnson
Date:

LT:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ\00471\REZ\PLUC REPORT1.DOC

List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated January 12, 2015
- Minutes of Community Meeting Fairfield-Gonzales Community Association dated December 15, 2014
- Signed petition
- Green Building Features.
- Submission drawings dated March 27, 2015.

Planning and Land Use Committee - 30 Apr 2015



324 Chester Avenue Rezoning #00471 Bylaw #

Rezoning Application No. 00471 for 324 Chester Avenue -- A. M...



12 January 2015

Dear Mayor and Council,



RE: REZONING APPLICATION - 324 CHESTER AVE., FAIRFIELD

My wife and I wish to build a 400-sq. ft. "garden suite" above the existing garage on this property.

We reside in the existing 1927 bungalow which is quite modest in size. The basement is low height (5.5 feet) which precludes the addition of a secondary suite within the house without substantial structural change, cost and disruption. Also, we use the basement for much-needed storage and a laundry area.

We have reviewed the City's existing policies for garden suite use and the sample zoning for "small lot" single-level and "plus lot" two-level approved garden suites. Our property qualifies as a "plus lot".

What makes our proposed structure unique is that instead of two floors of living space, we wish instead to create a single floor of living space over an existing garage.

The previous owner built the garage with permit in 1978 as far to the west of the property as possible, facing McKenzie Street. As you can see on the enclosed plan, the siting of the garage matches exactly the minimum side yards for the west and north boundaries for accessory buildings including garden suites.

If we are permitted to build over the existing garage:

- 1. Our proposal retains the single family lot character of this property.
- 2. Our large open southwest garden is preserved.
- 3. We are able to keep our required parking and enclosed garage.

We feel that "going up" minimizes not only the impact on our property, but also on the immediate adjoining properties:

1. To the west is a large scale 4-storey apartment building, approx 45 feet away from our existing garage, with the buffer of a very high pine and large widely spreading willow tree between it and the garage.

 To the north, approx 60 feet away, fronting on Chester Ave., is a single family residence on a double lot. By not constructing a separate aditional structure in our back yard, this neighbour retains the benefit of the existing,generous south-facing sun corridor across our back yard.

Prior to this rezoning application, the City Planning Department sent out approximately 108 notices to residents within 100 meters of our property. Because at least two neighbouring properties are large-scale rental apartments, we chose to speak personally just with our immediate neighbours before the Fairfield Gonzales Community Association meeting held on December 15, 2014. We enclose signed acknowledgments we received from 7 of these 9 property owners/residents confirming that they had no objection to the proposed use/zoning.

Only 5 people came to see/speak to our proposal at the FGCA meeting, two couples and an individual homeowner. One couple did not speak at the meeting but came to me afterwards and told me they had no objection. Three people who spoke own properties to the north of ours on Chester Ave., and their concern seemed to be related more to the visibility of the proposed structure than the land use.

We hope that you agree, given the "isolated" location of the existing garage and the unusually large distances between neighbouring dwellings in all directions, that our proposal is supportable. Thank you.

Yours truly,

Paul Osborne

JAN 1375

Francis & Full Acpt and Big Section Development Sinkings & Fig. 1

Minutes of Community Meeting Planning and Zoning Committee Fairfield-Gonzales Community Association (FGCA) December 15, 2014

Facilitator: Paul Brown

Subject Property:

324 Chester Ave. (411 notices sent)

Proponents Ineke and Paul Osborne wishes to add a second storey to an existing garage that would be developed as a secondary suite.

5 interested parties attended

Attendee Questions & Comments:

- Neighbours to the north concerned about height, increased density, loss of sun and privacy
- One neighbor concerned they will be looking into windows
- One commented that the proposal had merit however privacy is at issue

George Zador

Planning and Zoning Chair
Fairfield Gonzales Community Association
1330 Fairfield Rd. Victoria, BC V8S 5J1
planandzone@fairfieldcommunity.ca
www.fairfieldcommunity.ca
Facebook

REZONING APPLICATION

JAN 13 2015

Planning & Several Francisco Statement

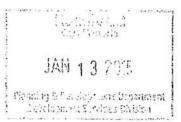
Davelopment States Statement

To Whom It May Concern:

I have had an opportunity to vie be built over the existing garage		d secondary housing unit to
☐ I have no objection to the	City rezoning this property to	o accommodate this use.
☐ I object to the City rezoning	ng this property to accommo	date this use.
Additional comments (optional)		
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1129 Mchenzic St Address	Daryn Martinich Name	Signature
1/29 Mc HenrieSt	Adde Martinich Name	Signature
06 - Dec 2014		,

REZONING APPLICATION

To Whom It May Concern:

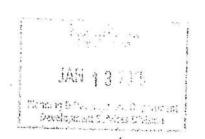


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Additional comments (optional))	*
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1131 Mckenzie St. Address	Andrea Chorney Name	a. Choney Signature
1131 McKenzie St. Address	Brian Moreau Name	BMU Signature

Date

REZONING APPLICATION

To Whom It May Concern:



	I have had an opportunity to vibe built over the existing garage		d secondary housing unit to
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	Address	Name	Signature
	Dec 12, 2014		

Date

REZONING APPLICATION

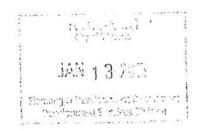


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☐ I object to the City rezon	ing this property to	accommodat	e this use.	
Additional comments (optional)			
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REZONING APPLICATION

To Whom It May Concern:



I have had an opportunity to view the plans for the proposed secondary housing unit to be built over the existing garage on this property.
I have no objection to the City rezoning this property to accommodate this use.
☐ I object to the City rezoning this property to accommodate this use.
Additional comments (optional)
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Address Name Signature
18 Nov 14 Date

REZONING APPLICATION

To Whom It May Concern:

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I have had an opportunity to view the plans for the proposed secondary housing unit to be built over the existing garage on this property. I have no objection to the City rezoning this property to accommodate this use. I object to the City rezoning this property to accommodate this use. Additional comments (optional)

REZONING APPLICATION





I have had an opportunity to vi be built over the existing garag		d secondary housing unit to
I have no objection to the	e City rezoning this property	to accommodate this use.
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Address Victoria, BC	Name	Signature
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Date

324 CHESTER AVENUE - REZONING APPLICATION

GREEN BUILDING FEATURES

Our proposal to build a 400-sq. ft. "garden suite" above the existing garage on this property:

- Retains the single family lot character of this property with its large garden space and existing greenery, permeable ground and green space;
- Preserves the existing streetscape while offering an opportunity to renters who want to live in detached housing.
- Its location close Cook Street Village, the City and its amenities including frequent transit reduces the need for car-based transportation.
- Its design, with opening south-facing door and windows and lack of windows to the north, enables passive solar heating/cooling.
- Its small size means considerable savings in terms of initial construction and continuing maintenance.
- The use of high quality, natural and reliable materials will reduce overall energy consumption.

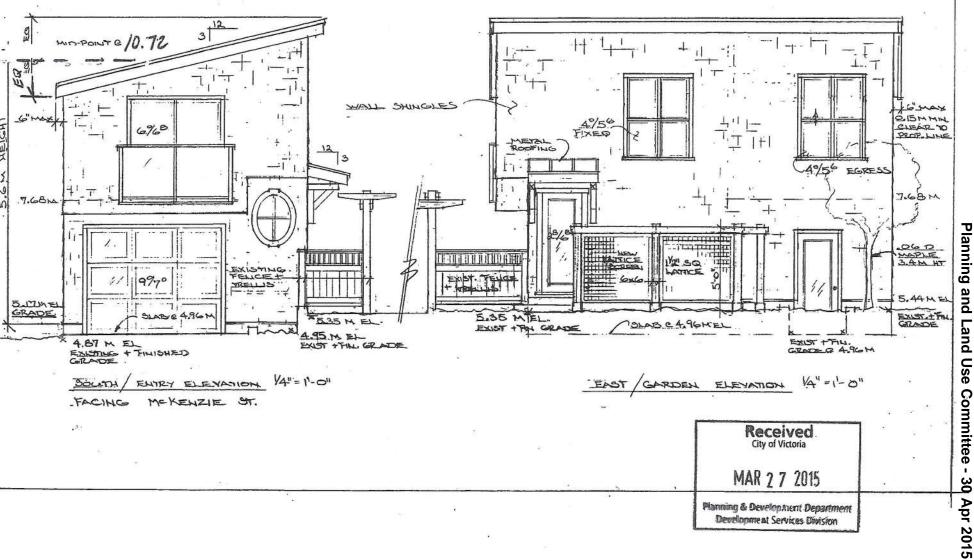
Page 121 of 727



MAR 2 7 2015

Planning & Development Department Development Services Division

GARDEN SUITE PROPOSAL FOR 324 CHESTER AVENUE THEKE HOLDINGS SHEET 40F 5 rus DRAWN BY LAWREL HODGINS DEC_ 12 2014 MARCH 23 /15



Development Services Division

324 Chester Avenue Garage/garden suite Landscape Plantings

Planting Area #1
Ornamental grasses
(Karl Foerster)

Planting Area #2
Ornamental grasses
(Karl Foerster)

NOTE: above plant choice the same as established plantings on street side of exterior fencing.

Planting Area #3

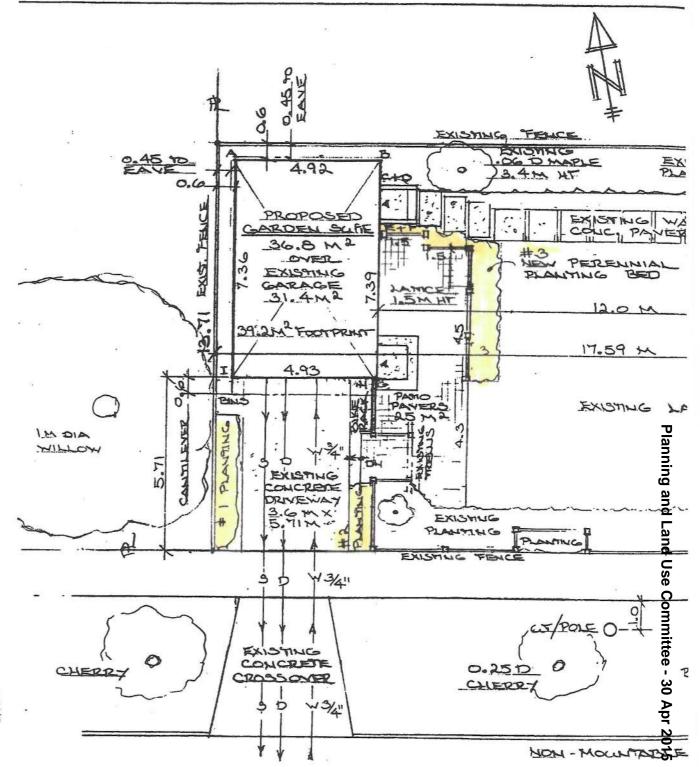
Hedge of blueberry bushes in wider east bed.

Japanese spurge in narrow north bed.

Received
City of Victoria

MAR 2 7 2015

Planning & Development Department
Development Services Division



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LOT A FAIRFIELD FARM ESTATE, VICTORIA CITY, PLAN VIP 85250	GARDEN SLITE PROPOSAL FOR 324 CHEST	ER AVENUE
551 M2 LOT AREA - CORNER LOT "PLUS SITE"	DEKE HOLDINGS LTD.	SHEET 1 OF 5 DEC 12, 2014
CARRELL SOLLE POLICY PERCEPTS	BEY JAN 6/15 MARCH 23/15	

	REQUIRED	EXISTING	PROPOSED
Existing Land use.	SINGLE FAMILY DWELLING	SINGLE FOUNTY DUELLING	- SINGLE FAMILY DWELLING
EXISTING ZOHING	RI-B SINGLE FAMILY	RI-B- SINGLE FAMILY DWELLING	SITE SPECIFIC- TO THE DETERMINED
LOCATION	REAR YARD		GARDEN SWITE IN REAR YART
HEIGHT (MAXIMUM)	3.5 M OR	-2.75.X	5.6 M
SETBACKS (MINIMUM)	O.GM FROM ALL LOT LINES 3.4M FROM EXISTING DWELLING	0.6 M 12.0 M	0.6K 12.0 M
CORNER LOT SETBACK ON FLANKING STREET	7.5 M SETBACK OF PRIMARY STRUCTURE ON ADSACENT PROPERTY.	5.71 M SETBACK OF ACCESSORY BUILDING.	-5.71 M
REAR YARD SITE	25 % max	15. %	16.4 %
TOTAL SITE COVERAGE	40 & max	30.8%	31.4 %
MAXIMUM POTAL FLOOR AREA -CARDEN SCHTE	37 M2		36.8 M2
BULDING CODE	ALL BC BUILDING, PREMISING + ELECTRICAL CODE RECLIATIONS FOR RESIDENTIAL USES	-	ALL BC BUILDING CODE. REGULATIONS WILL BE ME
Access	I'M WIDE MIN. PATHFROM PLODUC STREET TO GARDEN SCHIE ENTRANCE		1.2 M WIDE PORCH, STEPS + PATH WH.
BOOKTOP PATIOS	PROHIBITED		NO ROOFTOY PASIO
Parking	1 PARKING STALL FOIL PRIMARY OWELLING	1 PARKING STALL	! PARKING STALL
4.			
SERVICING	SERVICES TO REAR YARD	_	SERVICES WILL BE

PROJECT INFORMA	nou table
EXISTING ZONE	RIB
PROPOSED ZONE	SPECIFIC
SITE AREA	551 M2
TOTAL FLOOR AR	EA
RESTORNCE	256.6 M
GARDEN SUITE	36.8M
GARAGE AREA	31.4 M2
COMMERCIAL AREA	. H/A
FLOOR SPACE RATI	O N/A
SITE COVERAGE	31.4.2
OPEN SITE SPACE	64%
HEIGHT RESIDENCE	7.27 M.
ACCESSORY BUILDING	
BUMBER OF STOREYS RESIDENCE 2/2 BECESSORY TOULD	
PARKING STALLS	1
BICYCLE PARKING	- I RACK/2
CARDEN SUITE S	ETBACKS
PROUT / EAST	35.0 M
REAR / WEST	0.6 M
DIDE / NORTH	0.6M
SIDE/ SOUTH	5.71 M
RESIDENTAL CA NUMBER OF CUITA LEXISTING SING RESIDENCE I PROPOSED CAN I BESTAN, GROWN	S LE FAMILY LOEU SUITE
	REA H/A

Planning and Land Use Committee - 30 Apr 2015

Received City of Victoria

MAR 2 7 2015

Planning & Development Department Development Services Division

GRADE POINTS FROM SITE PLAN

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GARDEN SUITE PROPOSAL 324 CHESTER AVE MEKE HOLDINGS 2 OF 5 ADDENDUM 90 SHEET MATRCH 2015 EXISTING RESIDENCE AVERAGE GRADE

CALCULATION &

A+B (6.1+6.04) +2 x 3.89 = 23.61 B+C (6.04+6.0)+2 x 1.83 = 11,02 C+D (6.0 +6.0) + 2 x 1.07 = 6.42 D+E (6.0+5.94)+2 x 1.5 = 896 E+F (5,94+5,94) +2 x 1,83 = 10.87 F+G (5,94+5,94)+2x 1.5 = 8.91 G+H (5,94+5,86)+2x 1,07 6.31 H+I (5.86+5,86)+2x 1.83 = 10.72 I+5 (5,86+5,81)+2 x 2,01 = 11.73 J+K (5,81 + 5,43) +2 x 12,31 = 69,18 (5,43+5,52) +2 x 5,7 K+L 31.21 L+M (5,52+5,5) +2 x 3,09 = 17.03 (5,5+5,5)+2x 1.3 = 7.15 M+M (5,5+5,52) +2 x 3,09 = 17,03 (5,52+5,26) +2 x 1.57 8.46 (5,26+5,26)+2 x 1.8 9.47 (5.TT + 5.TT)+2 X 1.73 S+A (5.77 + 6.1)+2 x 10.76 = 63.86 323.67

Received City of Victoria

MAR 2 7 2015

Planning and Land Use Committee - 30 Apr 2015

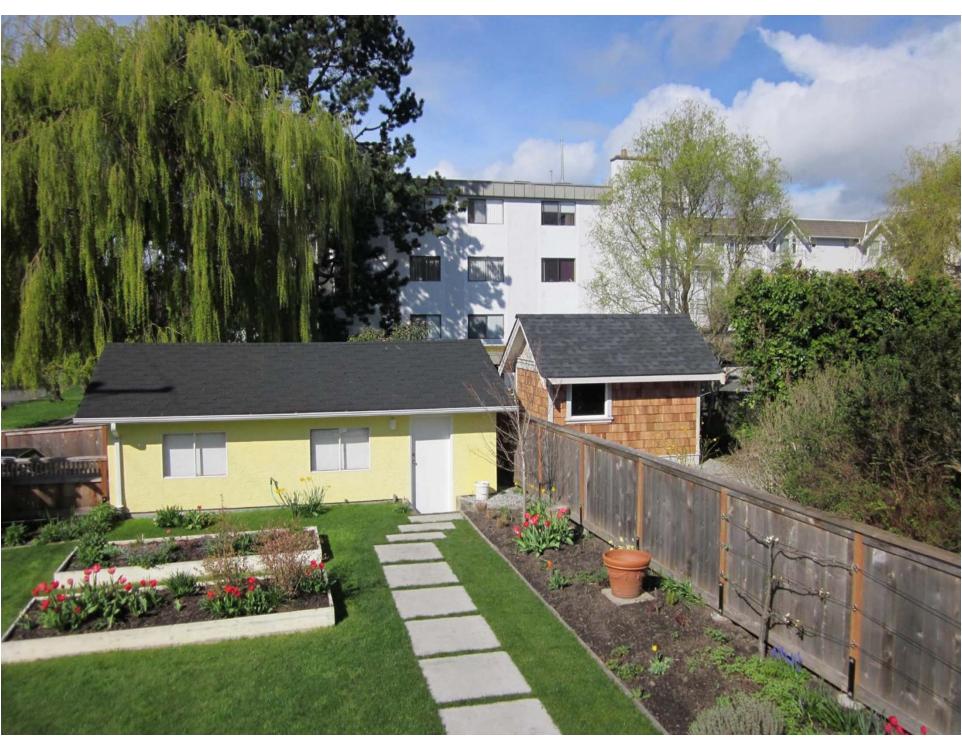
Planning & Development Department **Development Services Division**

Rezoning Application No. 00471 – 324 Chester Avenue









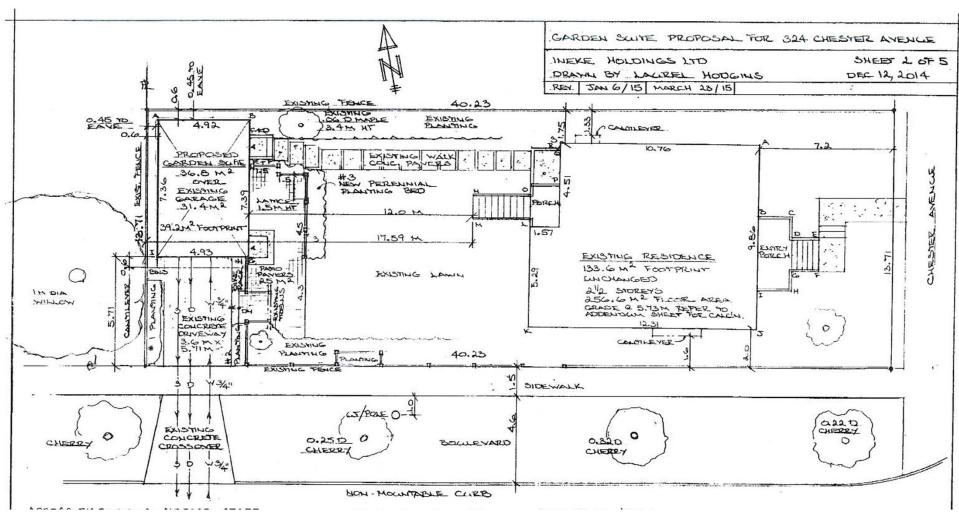
Rezoning Application No. 00471 for 324 Chester Avenue -- A. M...

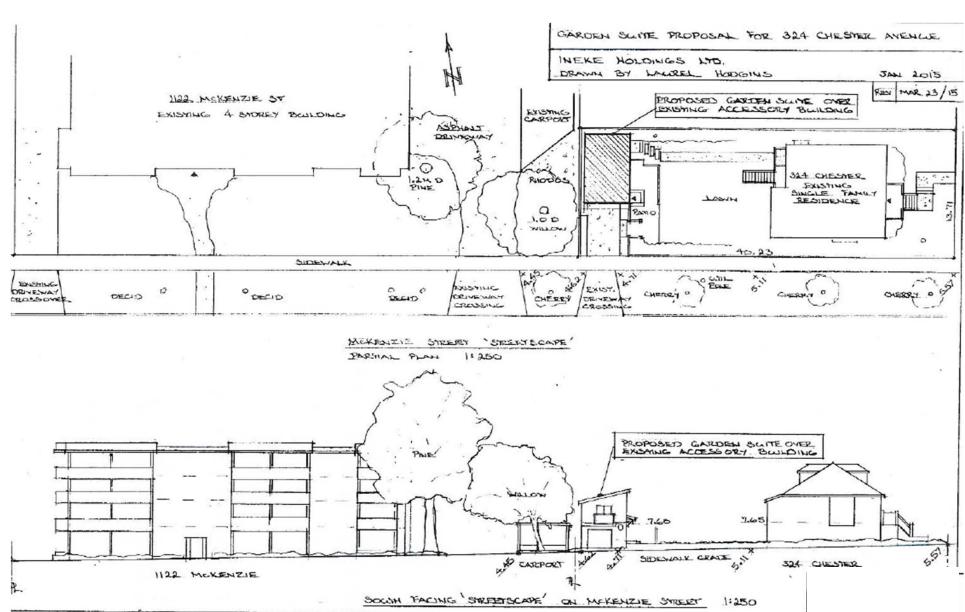






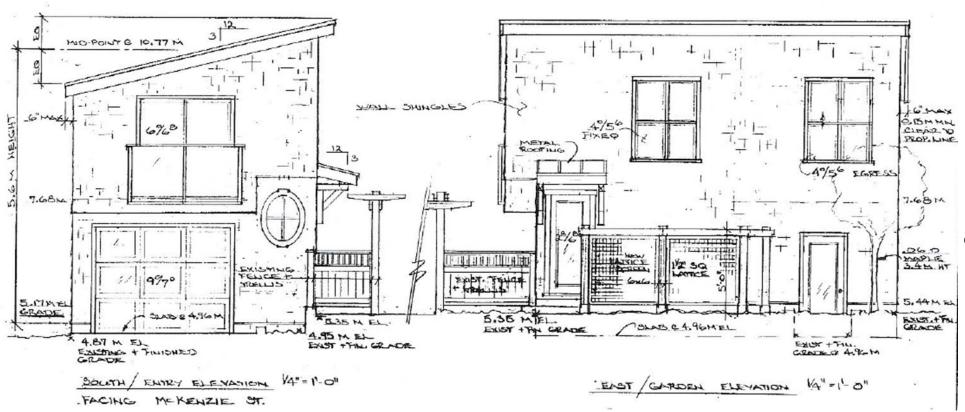
Property to the West – Four-Storey Apartment Building

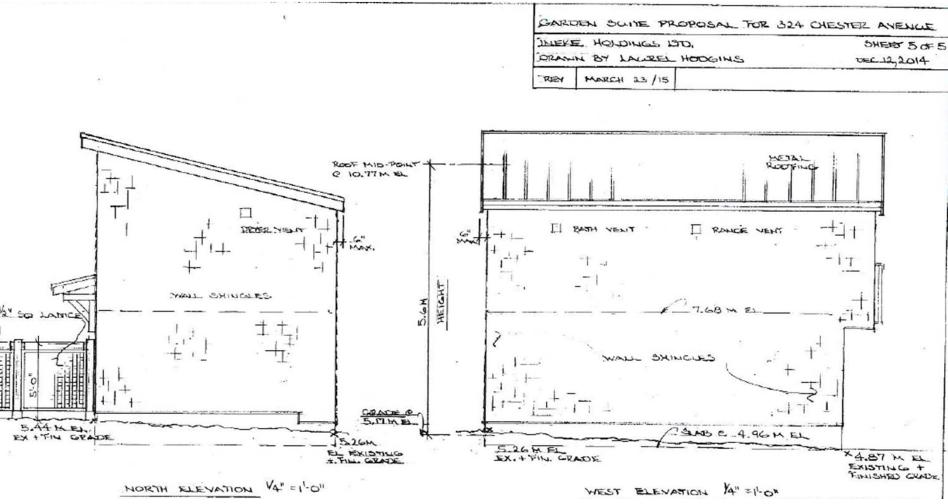


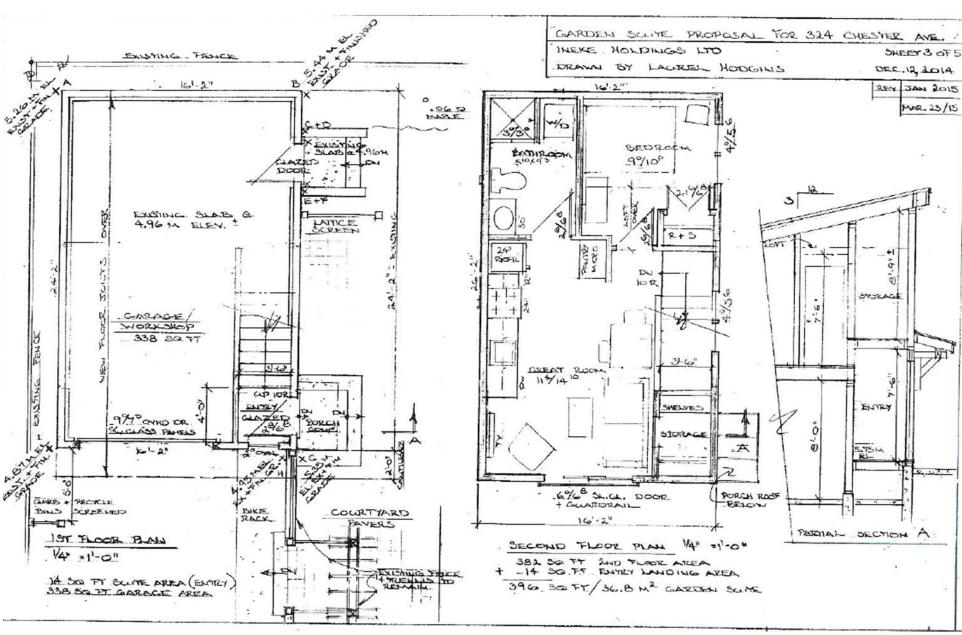


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Development Permit Application with Variances – 324 Chester Avenue







Planting Area #1
Ornamental grasses
(Karl Foerster)

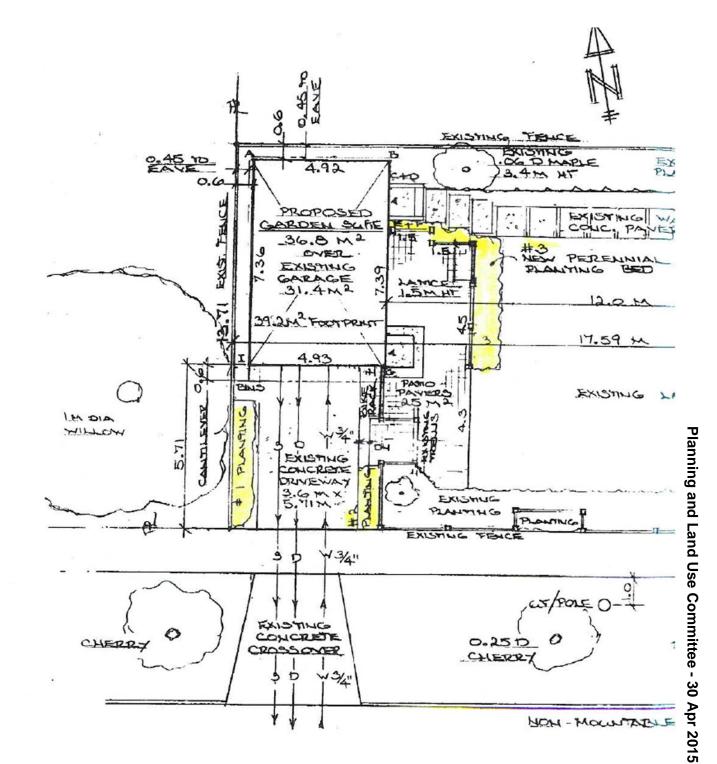
Planting Area #2
Ornamental grasses
(Karl Foerster)

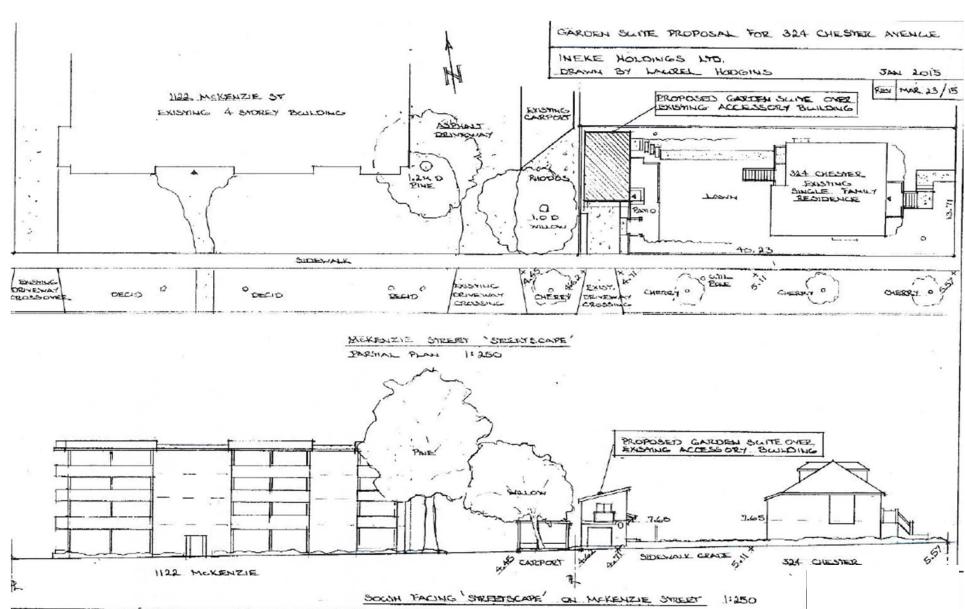
NOTE: above plant choice the same as established plantings on street side of exterior fencing.

Planting Area #3

Hedge of blueberry bushes in wider east bed.

Japanese spurge in narrow north bed.





Page 144 of 727



Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Leanne Taylor, Planner, Development Services Division

Subject:

Development Permit with Variances Application No. 00471 for 324 Chester

Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00471, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00471 for 324 Chester Avenue, in accordance with:

- Plans date stamped March 27, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - Part 1.113.4(a): Increase the height of a garden suite from 5.5m to 5.6m;
 - ii. Part 1.113.4(b): Increase the number of storeys of a garden suite from 1.5 storeys to 2 storeys.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development."

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), 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.

In accordance with Section 922 of the *Local Government Act*, council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 324 Chester Avenue. The proposal is to construct a garden suite above an existing garage.

The following points were considered in assessing this Application:

- The proposal is consistent with the objectives for sensitive infill in Development Permit Area 15E: Intensive Residential - Garden Suites of the Official Community Plan 2012 (OCP).
- The proposal is generally consistent with the policies and design specifications of the *Garden Suite Policy* (2011).
- The variances to increase the height of the garden suite are required to facilitate the construction of a garden suite above the existing garage and for liveability purposes.

BACKGROUND

Description of Proposal

The proposal is for a garden suite above an existing garage in the rear yard of the subject property. Specific details include:

- the two-storey garden suite incorporates contemporary architectural elements and demonstrates a unique individual identity
- the exterior materials include cedar shingles and metal roof
- the existing single-car garage would remain and the garage door would be replaced to fit in with the overall design of the building
- the unit entry would be oriented towards the interior portion of the site
- new hard and soft landscaping would be introduced.

The proposed variances are related to increasing the height of the garden suite.

Sustainability Features

As indicated in the applicant's green building features summary dated January 13, 2015, the following sustainability features are associated with this Application:

- water conservation
- energy efficiency
- natural and reliable materials.

Active Transportation Impacts

The applicant proposes to install a bike rack to support active transportation.

Existing Site Development and Development Potential

The site is presently a single family home and accessory building.

Data Table

The following data table compares the proposal with the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District. An asterisk is used to identify where the proposal is less stringent than the R1-B-GS2 Zone and variance is required.

	Proposal	Zone Standard R1-B-GS2 "Plus Site"			
Garden Suite					
Height (m) – maximum	5.6*	5.5			
Storeys - maximum	2*	1.5			

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Fairfield-Gonzales CALUC at a Community Meeting held on December 15, 2014. The minutes from this meeting were received on January 13, 2015, and attached to this report.

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 OCP identifies this property within Development Permit Area 15E: Intensive Residential - Garden Suites.

To date, the garden suites approved by Council have been solely residential units with no accessory uses, such as a garage. This proposed development to construct a garden suite above an existing garage is a slightly different design concept than the typical garden suite application that Council has considered in the past. However, the concept does fit with the overall character and architectural diversity of the neighbourhood. The subject property is a corner lot and the garden suite would be adjacent to a four-storey apartment building and have individual street frontage. The building footprint would not be increased.

The Garden Suite Design Guidelines encourage garden suites to relate to the principal building in terms of materials, roof form and general architectural expression. The proposed garden suite would have a flat, sloping roof and finished with natural materials. The principal dwelling

unit has a pitched roofline, stucco exterior and a porch-like entryway. The garden suite and main dwelling units are not architecturally similar, however, the building incorporates some design elements with respect to roofline, exterior materials and windows that complement neighbouring buildings.

Since the applicant would like to retain the existing garage, the garden suite entry would be located on the interior side of the building for privacy, convenience and aesthetic reasons. The design guidelines encourage unit entries to be oriented to the street. However, when this is not practical, a secondary preference is to locate the entry to the interior portion of the site. A roof element above the door defines the entryway and the front entrance would be visible from Mackenzie Street. The windows are maximized along the façade oriented to the interior of the site, however, the windows are located on the second storey. This may cause some overlook onto the adjacent property to the north. There is an existing maple tree planted along the north property line that would eventually grow taller and partially screen the garden suite.

Regulatory Considerations

Height Variances

The applicant is requesting the following variances:

- increase the maximum height of a garden suite from 5.5m to 5.6m
- increase the number of storeys from one and a half storeys to two storeys.

The variances to increase the height and number of storeys are in part due to accommodating a second storey garden suite above an existing garage. From a design perspective, the highest point of the sloped roof is located at the interior of the site and the roof slopes down towards the nearest lot line. The height of the principal dwelling unit is 7.27m and two and a half storeys. For comparison, the abutting property to the west is a four-storey apartment building and the property to the north is a single family dwelling unit of similar size and scale as the principal dwelling unit on the subject property. Increasing the height of the garden suite by 0.1m should have minimal impact on the existing streetscape and it would not appear out of scale in the immediate neighbourhood.

CONCLUSIONS

This proposal to construct a new garden suite is consistent with Development Permit Area 15E: Intensive Residential - Garden Suites. The garden suite creates an opportunity for another form of rental housing and it will provide a liveable environment for its occupants with minimal infringement on the neighbouring dwellings. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Application No. 00471 for the property located at 324 Chester Avenue.

Respectfully submitted,

Leanne Taylor

Planner

Development Services Division

Alison Meyer, Assistant Director Development Services Division Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

Jason Johnson

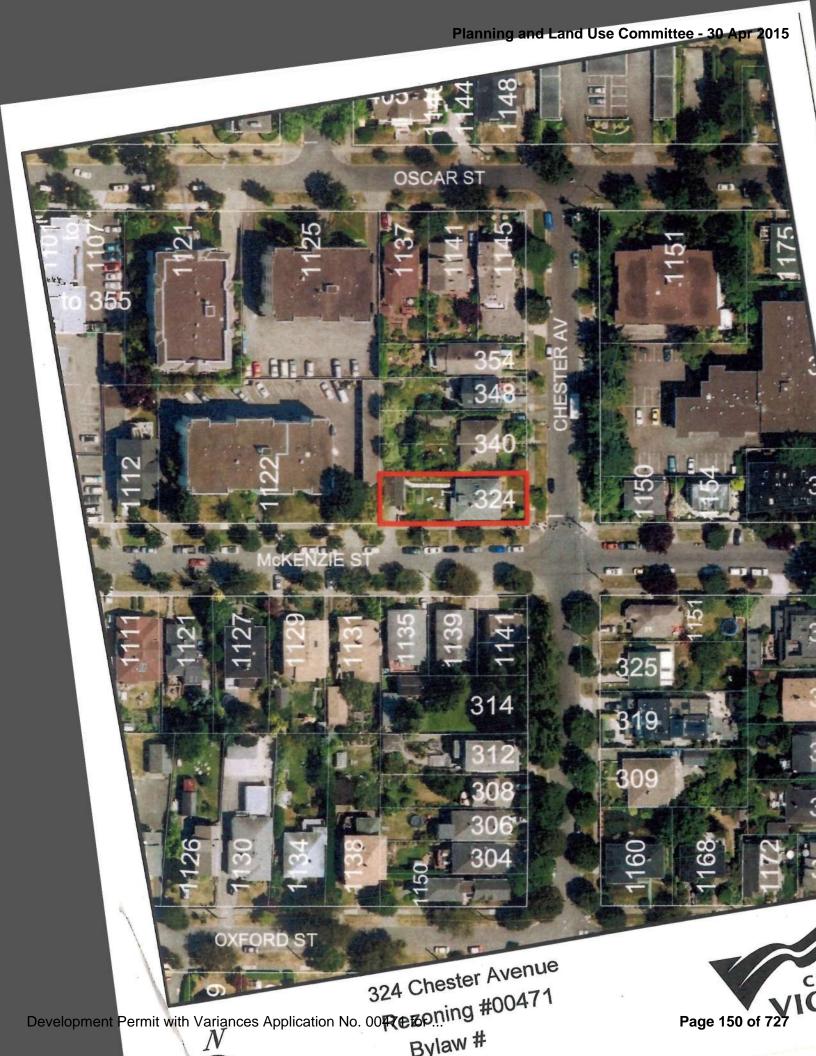
Date: Apr. | 21, 2015

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List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated January 12, 2015
- Minutes of Community Meeting Fairfield-Gonzales Community Association dated December 15, 2014
- Signed petition
- Green Building Features
- Submission drawings dated March 27, 2015.



12 January 2015

Dear Mayor and Council,



RE: REZONING APPLICATION - 324 CHESTER AVE., FAIRFIELD

My wife and I wish to build a 400-sq. ft. "garden suite" above the existing garage on this property.

We reside in the existing 1927 bungalow which is quite modest in size. The basement is low height (5.5 feet) which precludes the addition of a secondary suite within the house without substantial structural change, cost and disruption. Also, we use the basement for much-needed storage and a laundry area.

We have reviewed the City's existing policies for garden suite use and the sample zoning for "small lot" single-level and "plus lot" two-level approved garden suites. Our property qualifies as a "plus lot".

What makes our proposed structure unique is that instead of two floors of living space, we wish instead to create a single floor of living space over an existing garage.

The previous owner built the garage with permit in 1978 as far to the west of the property as possible, facing McKenzie Street. As you can see on the enclosed plan, the siting of the garage matches exactly the minimum side yards for the west and north boundaries for accessory buildings including garden suites.

If we are permitted to build over the existing garage:

- 1. Our proposal retains the single family lot character of this property.
- 2. Our large open southwest garden is preserved.
- 3. We are able to keep our required parking and enclosed garage.

We feel that "going up" minimizes not only the impact on our property, but also on the immediate adjoining properties:

1. To the west is a large scale 4-storey apartment building, approx 45 feet away from our existing garage, with the buffer of a very high pine and large widely spreading willow tree between it and the garage.

 To the north, approx 60 feet away, fronting on Chester Ave., is a single family residence on a double lot. By not constructing a separate aditional structure in our back yard, this neighbour retains the benefit of the existing,generous south-facing sun corridor across our back yard.

Prior to this rezoning application, the City Planning Department sent out approximately 108 notices to residents within 100 meters of our property. Because at least two neighbouring properties are large-scale rental apartments, we chose to speak personally just with our immediate neighbours before the Fairfield Gonzales Community Association meeting held on December 15, 2014. We enclose signed acknowledgments we received from 7 of these 9 property owners/residents confirming that they had no objection to the proposed use/zoning.

Only 5 people came to see/speak to our proposal at the FGCA meeting, two couples and an individual homeowner. One couple did not speak at the meeting but came to me afterwards and told me they had no objection. Three people who spoke own properties to the north of ours on Chester Ave., and their concern seemed to be related more to the visibility of the proposed structure than the land use.

We hope that you agree, given the "isolated" location of the existing garage and the unusually large distances between neighbouring dwellings in all directions, that our proposal is supportable. Thank you.

Yours truly,

Paul Osborne

JAN 13 71/15 Program & Pulatopa etc. Digitalises Development Soviets d'Oles

Minutes of Community Meeting Planning and Zoning Committee Fairfield-Gonzales Community Association (FGCA) December 15, 2014

Facilitator: Paul Brown

Subject Property:

324 Chester Ave. (411 notices sent)

Proponents Ineke and Paul Osborne wishes to add a second storey to an existing garage that would be developed as a secondary suite.

5 interested parties attended

Attendee Questions & Comments:

- Neighbours to the north concerned about height, increased density, loss of sun and privacy
- One neighbor concerned they will be looking into windows
- One commented that the proposal had merit however privacy is at issue

George Zador

Planning and Zoning Chair
Fairfield Gonzales Community Association
1330 Fairfield Rd. Victoria, BC V8S 5J1
planandzone@fairfieldcommunity.ca
www.fairfieldcommunity.ca
Facebook

REZONING APPLICATION

JAN 13 2015
Planning & Develop : Lint Department Development Size of Development

be built over the existing garage	1577	d secondary housing unit to
I have no objection to the	City rezoning this property t	o accommodate this use.
I object to the City rezonice	ng this property to accommo	date this use.
Additional comments (optional)		
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	**	
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1/29 Mc Wenzie St Address	- Adde Martinich	aman
8	×	Signature
06 - Dec 2016 Date		

REZONING APPLICATION

To Whom It May Concern:

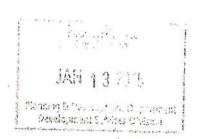


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1131 McKenzie St. Address	Brian	Moreau	BMC Signature	res

Date

REZONING APPLICATION





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REZONING APPLICATION



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Date	ee 14 2014.				

REZONING APPLICATION



I have had an opportunity to view the plans for the proposed secondary housing unit to be built over the existing garage on this property.
I have no objection to the City rezoning this property to accommodate this use.
☐ I object to the City rezoning this property to accommodate this use.
Additional comments (optional)
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Address Name Signature
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REZONING APPLICATION



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REZONING APPLICATION





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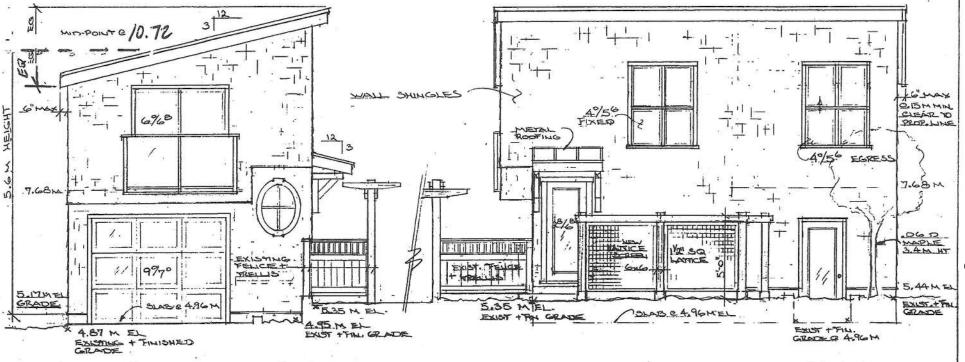
324 CHESTER AVENUE - REZONING APPLICATION

GREEN BUILDING FEATURES

Our proposal to build a 400-sq. ft. "garden suite" above the existing garage on this property:

- Retains the single family lot character of this property with its large garden space and existing greenery, permeable ground and green space;
- Preserves the existing streetscape while offering an opportunity to renters who want to live in detached housing.
- Its location close Cook Street Village, the City and its amenities including frequent transit reduces the need for car-based transportation.
- Its design, with opening south-facing door and windows and lack of windows to the north, enables passive solar heating/cooling.
- Its small size means considerable savings in terms of initial construction and continuing maintenance.
- The use of high quality, natural and reliable materials will reduce overall energy consumption.

Page 163 of 727



SOUTH / ENTRY ELEVATION 14"=1"-0"

EAST GARDEN ELEVATION 14"=1-0"

Received City of Victoria

MAR 2 7 2015

Planning & Development Department Development Services Division 324 Chester Avenue Garage/garden suite Landscape Plantings

Planting Area #1
Ornamental grasses
(Karl Foerster)

Planting Area #2
Ornamental grasses
(Karl Foerster)

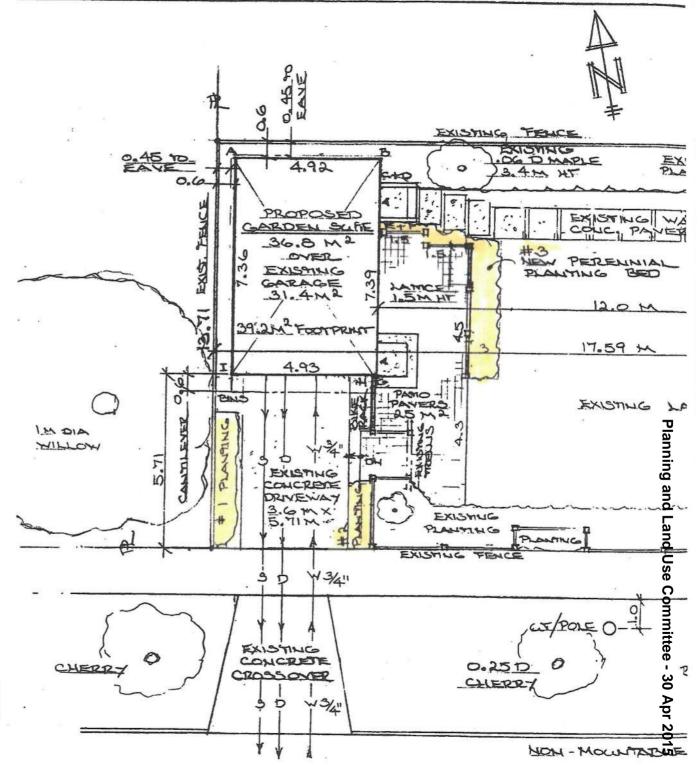
NOTE: above plant choice the same as established plantings on street side of exterior fencing.

Planting Area #3
Hedge of blueberry bushes in wider east bed.
Japanese spurge in narrow north bed.

Received
City of Victoria

MAR 2 7 2015

Planning & Develop Stent Department
(Development Services Division)



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Planning & Development Department Development Services Division

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			Received City of Victoria
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MEKE HOLDINGS

GARDEN SUITE PROPOSAL 324 CHESTER AVE



Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Leanne Taylor, Planner, Development Services Division

Subject:

Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill Road

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.

LEGISLATIVE AUTHORITY

In accordance with section 903(c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of land, buildings and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the properties located at 2822 and 2826 Cedar Hill Road. The proposal is to rezone the properties from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, in order to permit three small lots and the construction of one new small lot house.

The following points were considered in assessing this Application:

- The proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill in the Official Community Plan, 2012 (OCP).
- The proposal is consistent with the objectives for infill development in the Oaklands Neighbourhood Plan (1993).
- The proposal is generally consistent with the policies and design guidelines specified in the Small Lot House Rezoning Policy, 2002.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject properties from the R1-B, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District. The proposal is to create three small lots and construct one new small lot house. Variances would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit with Variances Application.

Sustainability Features

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

Active Transportation Impacts

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

Land Use Context

The neighbourhood is characterized by a mix of single family houses, multi-unit residential and mixed-use buildings.

Existing Site Development and Development Potential

Each property is presently a single family house. Under the current R1-B Zone, each property could be developed as a single family house with a secondary suite. Should both properties be rezoned to the R1-S2 Zone and subdivided then three small lots and one new small lot house would be permitted in accordance with the *Small Lot House Rezoning Policy*. Secondary suites are not permitted on small lots.

Data Table

The following data table compares the proposal with the existing R1-B Zone and R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify the existing non-conformities.

Zoning Criteria	Proposal – Lot A (Existing House)	Proposal – Lot B (New Small Lot House)	Proposal – Lot C (Existing House)	Zone Standard R1-S2
Site area (m²) - minimum	300.5	280.3	337.9	260
Lot width (m) - minimum	11.5	10.6	14.5	10
Total floor area (m²) - maximum	172.2	160	149.8	190
Density (Floor Space Ratio) - maximum	0.57:1	0.57:1	0.44:1	0.6:1
Height (m) - maximum	5.9	6	5.1	7.5
Storeys - maximum	2	2	2	2
Site coverage % - maximum	36.1	35.2	29.3	40

Planning and Land Use Committee Report

Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill Road

April 16, 2015

2 of 5

Zoning Criteria	Proposal – Lot A (Existing House)	Proposal – Lot B (New Small Lot House)	Proposal – Lot C (Existing House)	Zone Standard R1-S2
Setbacks (m) - minimum		9000 Alex 2000	100000000000000000000000000000000000000	
Front	7.2	3.36*	4.62*	6
Rear	3.53**	6.12	7.15	6
Side (NW)	0.22**(non- habitable)/ 0.33*(habitable)	1.5*(habitable)	1.5*(habitable)	2.4
Side (SE)	1.77*(habitable)	1.79*(habitable)	1.66*(habitable)	2.4
Parking - minimum	1	1	1	1
Parking location in accordance with Schedule C, Section 3	Front yard**	Internal	Internal	n/a
Driveway/parking slope (%) in accordance with Schedule C, Section 12 (ii) - maximum	13.5*	14.6*	existing	8

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Oaklands CALUC at a Community Meeting held on October 27, 2014. At the time of writing this report, a letter from the CALUC had not been received.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours. There are a total of 50 immediate neighbours (renters and owners). The applicant received 32 petitions in favour of the proposal, and 18 neighbours did not respond to the petition and are considered "neutral" according to the Policy. Based on the petition results, 100% support the Application. However, the immediate neighbour to the north (2830 Cedar Hill Road) did not sign the petition and raised some concerns about the proposal at the CALUC meeting. The applicant summarizes, in the letter to Mayor and Council, the neighbour's concerns and how the concerns have been addressed in the Application (attached). Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject properties is Traditional Residential. The subject properties are in a transition area given the neighbouring properties are designated Urban Residential in the OCP. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential – Small Lot. The proposal is consistent with the objectives of DPA 15A to achieve new infill development that respects the established character in residential areas.

Oaklands Neighbourhood Plan (1993)

The Oaklands Neighbourhood Plan recommends that applications for single family homes on small lots should be considered on their own merits and in accordance with the small lot housing criteria established by the City (Small Lot House Design Guidelines). The Plan also recommends that single family homes will remain the dominant housing type and family-oriented housing is preserved. The proposal meets the objectives set out in the Plan with respect to small lot infill development. However, setback variances, which are reviewed with the concurrent Development Permit Application report, would be required.

Small Lot House Rezoning Policy (2002)

The Small Lot House Rezoning Policy encourages sensitive infill development with an emphasis on ground-oriented housing that fits in with the existing character of a neighbourhood. The Policy refers to a "Small Lot House" with a minimum lot size of 260m² and a minimum lot width of 10m. Each proposed small lot exceeds the minimum lot size and lot width. The two existing houses would remain and become subject to the Policy if the rezoning is approved.

Regulatory Considerations

Road Dedication Requirements

To improve pedestrian mobility (walking and cycling) and infrastructure on Cedar Hill Road, north of Hillside Road, road dedication would be required at the time of subdivision. The existing Right-of-Way (RoW) is approximately 15.45m wide. A RoW width of approximately 18m would be sufficient along this portion of the roadway to meet active transportation-related needs. The property lines are not parallel or straight on this portion of the roadway; therefore the road dedication to the City would range from 1.99m to 2.58m, or an area of approximately 76m². The proposed lot areas are calculated based on the road dedication requirements and meet the minimum requirement in the R1-S2 Zone after the road dedication is factored into the proposal.

Tree Preservation Requirements

One Douglas Fir Tree and one Fir Tree along the south east property line of proposed Lot B would have to be removed. They are not considered protected trees under the City's *Tree Preservation Bylaw*. Both trees were assessed and identified to be in poor condition in a report prepared by a Certified Arborist (attached). Two Garry Oak trees in the road frontage would be dedicated to the City as a result of the road dedication requirements and three Garry Oak trees in the rear yard on proposed Lot B would also be protected.

CONCLUSIONS

This proposal to rezone to the R1-S2 Zone and construct one new small lot house is consistent with the objectives in the OCP, *Oaklands Neighbourhood Plan (1993)* and the *Small Lot House Rezoning Policy* for sensitive infill development. Staff recommend that Council consider supporting this Application.

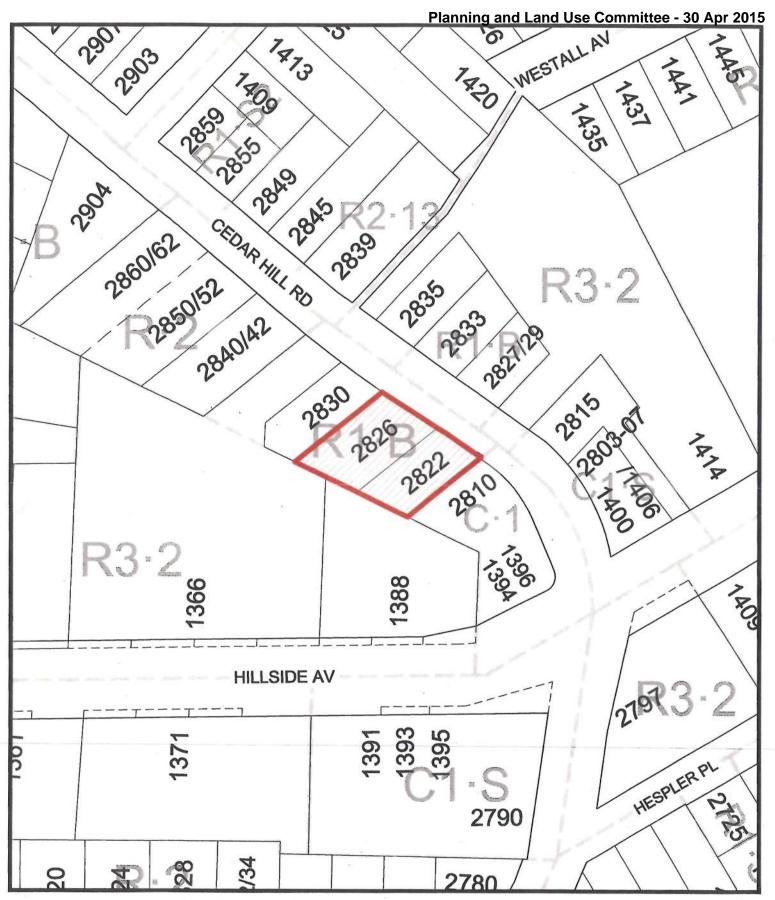
Respectfully submitted,	
Leanne Taylor, Planner Development Services Division Alison Meyer, Assistant/Director Development Services Division	
Report accepted and recommended by the City Manager: Jason Jo	hnson
Date: Apr. 1 21, 2015	
Planning and Land Use Committee Report April 1 Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill Road	6, 2015

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List of Attachments

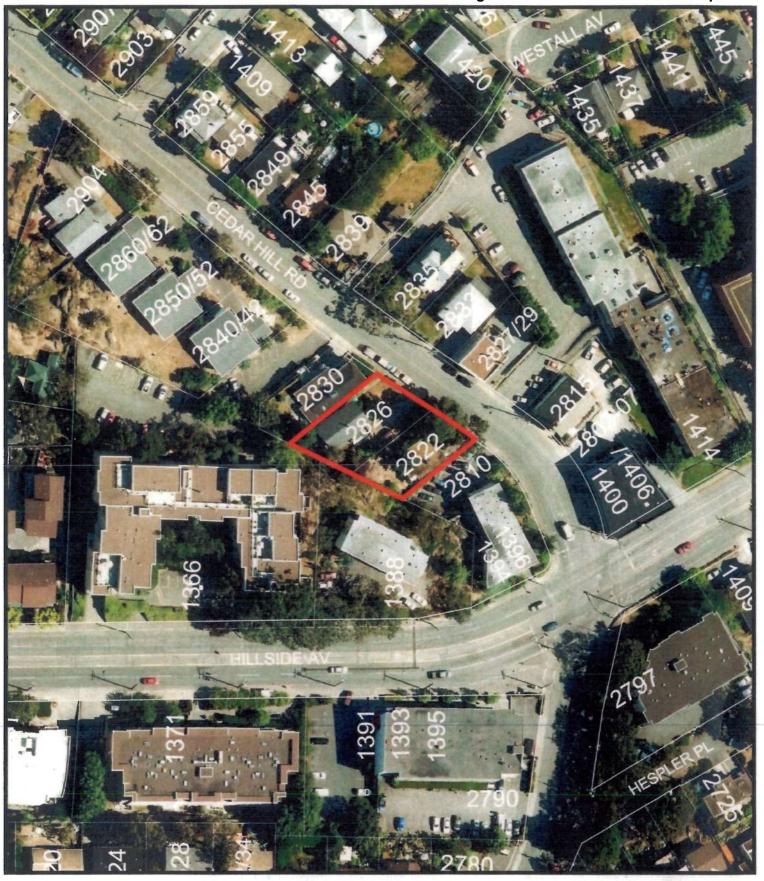
- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated March 31, 2015
- Arborist report dated February 4, 2015
- Small Lot Housing Rezoning Petition
- Plans dated March 18, 2015.





2822-2826 Cedar Hill Road Rezoning #00467 Bylaw #





2822-2826 Cedar Hill Road
Rezoning #00467
Bylaw #
Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill ...



City of Victoria

MAR 3 1 2015

Manning & Development Department Development Services Division

Letter to Mayor and Council

The following sets out the proponent's response to the Small Lot Subdivision Guidelines, and is provided to assist Mayor and Council in their consideration of the rezoning application to create three small lots (R1-S2, Restricted Small Lot (Two Storey) District) on a site where currently two single family houses zoned (R1-B, Single Family Dwelling District) exist.

Government Policies:

Located on a collector roadway designated street, the existing houses at 2822 and 2826 Cedar Hill Road are in a neighborhood where the adjacent dwellings include one single family home, some duplexes, a triplex, a 4 unit apartment, a 12 unit rental apartment, two mixed-use commercial/residential buildings, and a 50 unit condominium. The proposal to rezone 2822 and 2826 Cedar Hill Rd. from two R1-B lots into three R1-S2 (small lot) dwellings is representative of the goals outlined in the official community plan. This proposal meets all of the City's requirements from Engineering and the Greenway/ Parks perspective. After receiving feedback from the various City of Victoria Departments involved in the small lot rezoning application process, setback and driveway/parking slope variances would be required to facilitate a small lot subdivision and construct a new small lot house. The front yard setback variances are in part due to the road dedication requirement. Small lot subdivisions have been successfully integrated into the neighborhood on several neighboring blocks.

Relevant Experience:

I am a local house builder, living in the Fernwood area with my family. I have recently completed a similar small lot subdivision on the corner of Doncaster Dr. and Burton Ave. where the feedback from the community regarding the finished product was very positive.

Neighborhood Feedback:

The petition in which the adjacent neighbors were polled for their support or lack of support for the proposal has been completed, and the response has been almost entirely positive. Provided in the proposed set of plans is an aerial view outlining the support for the proposal. The support for the project is unanimous with the exception of the owner of 2830 Cedar Hill Rd. who has not signed the petition. He expressed concerns before the community meeting and disagreement at the meeting, but thus far has not responded to further attempts to contact him. On one occasion prior to the community meeting I spoke with the owner at his home about his concerns regarding the project, and said I was very willing to find a mutually agreeable solution to his concerns by redesigning the landscaping and driveway layout.

The concerns the owner of 2830 Cedar Hill Road raised at the (CALUC) meeting on October 27th, 2014, included: the possibility of headlights shining into his home, dust created from lawn mowing

between the two homes entering his windows, having no control over the type of vehicle any possible new owner might have meaning that the proposed new driveway for 2826 Cedar Hill Road could allow for sufficient pollutants from vehicles to seriously harm occupants in his home.

I made several changes to the plans in an attempt to address his concerns prior to the community meeting. At the community meeting, he stated that I wasn't listening to him and that the primary concern was the possibility of vehicle pollutants harming his family. Since the community meeting I have taken additional measures to mitigate his concerns: the driveway was moved as far away from 2830 Cedar Hill Road as City's Bylawwill allow; trees were added to the landscaping plan as a light and sound barrier; and the area between the houses will be covered with paving stones in an effort to mitigate dust. These changes are shown on the revised plans. It is worth noting the existing house located at 2826 Cedar Hill Road is not being significantly altered or moved and has been in close proximity to 2830 Cedar Hill Road for many decades. Of further note is the fact that the proposed lot is over thirty five feet away from the shared property line of 2826 and 2830 Cedar Hill Road as it is located between 2822 Cedar Hill Road and 2826 Cedar Hill Road.

Project Benefits:

This small lot rezoning will provide many economic benefits to the City of Victoria. The city will receive substantial road dedication from the two properties involved as a condition of approval to improve active transportation (walking and cycling) infrastructure along this portion of the roadway. Currently City of Victoria infrastructure does not provide storm drains servicing the properties at 2822 and 2826 Cedar Hill Road. Engineering has requested that storm drains be provided as a condition of the development as well, meaning the City's storm system would be extended along Cedar Hill Road to reach the proposed lots, allowing for street-side storm drains.

From an economic perspective, the project will create numerous construction jobs from all relevant areas related to the development. The additional lot will provide new property tax revenue. The proposed new home will greatly increase the aesthetic appeal of the neighborhood by providing a new Arts and Crafts style home, while the existing home on 2826 Cedar Hill Road will receive a much needed exterior update and significant interior improvements. Additionally, improved landscaping will increase the visual appeal of the surrounding area.

Need and Demand:

The creation of three small lots from the existing two lots will allow for three single family dwellings where formerly there were only two as the proposed home fits right in between the two existing ones.

Services:

The proposed lots are located within walking distance of the Cedar Hill Recreation Center, Cedar Hill Golf Course, several parks, and Hillside Mall. The mall offers grocery shopping, dental service,

numerous boutiques, insurance services, restaurants, and several major department stores. As a result potential occupants can have virtually any daily need accommodated simply by walking a few blocks to the mall. The effect of this is virtually no commuting for day to day requirements. In addition, the lots are within a block of Hillside Avenue with its extensive transit services.

Neighbourhood:

The existing houses at 2822 and 2826 Cedar Hill Road are situated in a manner that allows a small lot subdivision which will have minimal impact on the neighboring properties. The proposed lot is located in between two existing properties owned by the proponents. Over 90% of the adjacent neighbors are supportive of the proposed design and layout of the development. The consensus at the community meeting was supportive of the proposal's design and layout.

Impacts:

This small lot subdivision will make considerable improvements to the neighborhood. The creation of the new home will improve the streetscape and the implementation of effective landscaping will dramatically improve the site from its current state. Upon consulting the Parks Division of the City of Victoria, we learned there are no protected trees on the property. After discussion with Brook Daital from the City of Victoria Parks Dept. and consultation with ISA certified arborist Mark Logtenberg, it has been determined two trees on the property require removal. The first tree a Douglas fir (#2 on the ISA arborist report), has existing root damage due to an uneven grade between the old driveway and the lawn, due to the proximity of the existing house and the new construction removal of this tree is recommended. The second tree a Fir tree (#3 on the ISA arborist report) is in POOR condition, the top is dead and the arborist recommends removal.

Other possible impacts on neighboring properties are construction noise during the building process. The proposal will attempt to use a similar sized mountable curb, attempting to preserve existing street parking.

Design:

The design of houses in the Oaklands catchment area is eclectic and varied. We have chosen a design with elements that can be found in nearby homes and taken particular care to select finishes that are complementary to and reflective of homes on our street. The Arts and Crafts design fits well within the context of the two adjacent properties. The vast majority of adjacent neighbors are very pleased with both the proposed design and the materials.

M. L. 31/245



Davey Tree Expert Co. of Canada, Limited. 888 Viewfield Road Victoria, British Columbia V9A 4V1

Phone: (250) 477-8733 Fax: (250) 475-2218

Arborist Report

Pre-Construction Report

Prepared For: Cam Brown

Site Address: 2822 Cedar Hill Road Victoria, BC V8N 4L5

February 4, 2015

Prepared By:
Mark Logtenberg
ISA Certified Arborist ON-1051AM
Mark.logtenberg@davey.com
(250) 477-8733

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Summary

A new home is planned for this property. Currently this is an empty lot with various protected trees.

This report deals exclusively with trees that may be affected by any proposed construction.

Introduction

Below is a summary and checklist of the suggested tree preservation process for this project. These should be followed in order:

	Action	Complete
1.	Perform site walk with Arborist, inventory trees, discuss tree preservation goals, estimate hoarding and root pruning distances.	Х
2.	Prepare pre-construction report, (site map with trees MTPZ and CRZ, root pruning and hoarding locations) based on the current proposed construction and any modifications discussed as a result of the site walk.	X
3.	After approval of a Tree Preservation Plan (TPP), City and/or Contractor construction staff will field mark exact locations.	
4.	Hoarding to be installed by the contractor prior to the start of any construction.	
5.	Project Arborist and/or City of Victoria's Arborist inspector to verify hoarding.	est
6.	Throughout the construction phase of the project, a Certified Arborist retained by the contractor is to perform root pruning where needed and will be verified by the inspector. The project arborist will be available to be on site during any work within the MTPZ. The City's inspector and any contractor must notify the Project Arborist (Mark Logtenberg (250) 883-0905when need for advice, recommendations and monitoring.	†ı
7.	Prepare a post-construction report after all construction is completed to determine if all Tree Preservation By-Laws were adhered to and to assess the health of the Tree and survivability.	

Limitations of the Assignment

It is imperative for all Project and Construction Leads to thoroughly read this report. Tree preservation is a pro-active measure that starts at the planning stage. Understanding the importance of tree roots in overall tree health and survivability is of the highest importance in implementing effective tree preservation measures.

The roots provide nutrients and water to the leaves and branches while supporting the tree in wind storms and preventing failure. Trees are remarkable, in that the upper canopy can be completely green and full while the majority of the roots below have been removed; leaving the tree highly prone to failure and imminent death within a few years. Once a tree is injured, that injury is never "healed" but instead the tree allocates a great deal of energy to try and repair itself, often times at the expense of its vitality and sometimes leading it into a mortality spiral that may not be noticed for 3-10 years.

Root pruning is a practice to minimize injuries to trees. Roots in comparison to upper canopy limbs store a great deal of energy and reserves for trees to survive and must be removed with the utmost care and consideration. Similar to pruning the upper canopy of the tree, limbs are best removed via target pruning practices and not by ripping limbs off. Roots must be assessed by a qualified and experienced arborist and then pruned properly with a sharp tool.

The project scope and details for tree preservation were discussed. All proposed construction methods are limited to what was provided in the site plans and in discussions with the project leader.

Estimates, measurements and comments regarding tree preservation were based on the proposed construction plans.

Observations

This is a proposed construction. Various other trees are outside of the building envelope and are protected under the tree preservation by-law no. 05-106.

The Garry Oaks along the road are to be assumed by the municipality and a health and structure assessment is included in this report.

The Douglas Fir by the existing house will also be addressed.

Discussion

Work within the MTPZ of any tree would be considered serious root injury and would leave the tree with a high potential of structural failure or serious decline.

Trees will be the least impacted from construction if the hoarding is completed prior to construction at the site.

Increasing tree protection zone distances should be done at the design stage. Field marking exact location of the new structure by the planning personnel has been well proven to be the most effective way to ensure accurate distances from trees. Generally speaking, it is better to add some fill than to excavate roots. Fill can be modified (such as using High Performance Base (HPB)) to allow gas exchange and water permeability, while the tree adapts to the change slowly over time.

Further discussions may be needed to ensure methods are useful, cost effective and will provide for the tree being protected.

TREE PROTECTION ZONE

This is the area to be protected defined by the arborist. Where some fill or excavate must be temporarily located near a TPZ, a plywood barrier must be used to ensure no material enters the TPZ. Rigid Hoarding is needed when construction machines are very close (within 1-2 metres) of the trunk to prevent accidental bumps from machines. These seemingly harmless bumps stay with the tree forever and can cause significant chronic stress to the tree.

There must no be any storage of any materials within the TPZ

Where changes to the location of the TPZ or where temporary access to the TPZ are proposed by anyone other than the arborist, prior approval by the Project Arborist at Davey Tree must be obtained before proceeding.

Tree Protection Signs

It is recommended that a sign be attached to the hoarding defining the area as a Tree Protection Zone.

Root Pruning Protocol

Root pruning is not a common skill set and should be performed by a qualified arborist familiar with root exaction and root pruning. Tree roots are underground and are otherwise not detectible without physical exploration; using a Supersonic Air Tool (SSAT) such as an AirSpade® or Daylighting Vehicle (Hydro-Vac). Root pruning trenches must be at least the depth of the deepest root (usually 20-40cm) and about 15cm wide. Roots are assessed by the arborist with regard to the effects construction may have on the tree, and then either pruned, possible recommend for removal or a design change may be needed on-site to accommodate.

- Root Pruning with the Minimum Tree Protection Zone (distance measured from the base of the tree calculated by multiplying the dbh by 6) of any tree requires root exploration via Supersonic Air Tool or Daylighting Vehicle to first remove the soil and expose the roots.
 - Roots under 2cm in diameter can be pruned using a sharpened tool such as hand pruned or a sharpened spade under the supervision of the City Arborist.
 - b. Roots between 2 and 8cm in diameter can be pruned by the arborist using a sharp tool, such as a handsaw, hand pruner or loppers and under the supervision of the City Arborist and the advisement of the Project Arborist.
 - c. All roots over 8cm in diameter must be assessed by the Project Arborist prior to pruning unless the arborist on-site can confidently assess the effect of the removal of the root as not detrimental to the tree.
- 2. Root Pruning within the Critical Root Zone (the distance measure from the base of the tree calculated by multiplying the dbh by 18) and outside of the MTPZ, typically requires the use of a sharpened garden spade, cutting a line to the depth of about 30cm by the on-site arborist and the advisement of the Project Arborist if needed. However, the same pruning protocol for the size of roots encountered (in the MTPZ) applies to the roots found within this area.

The trenches are typically backfilled with the same excavated soil or new topsoil or compost and hoarding should be installed along this trench to protect the remaining roots.

Hoarding

Hoarding (Tree Protection Fencing (TPF)) is used on construction sites to ensure that damage to the tree and its root zone is prevented. This distance is typically located by the MTPZ. However it must be understood that sometimes this distance is not achievable due to infrastructure being too close. It must be further understood the hoarding distance sometimes must accommodate a larger tree protection zone (than the typical MTPZ distance) due to a limited root growing area/volume (this area is tropically defined by the Project Arborist.)

Hoarding locations should be field marked by the Project Arborist, and hoarding installation will be installed by the contractor. This hoarding must be anchored to the ground and must be installed to the lines defined by the Project Arborist.

Problems will arise for tree preservation efforts when anyone removes the hoarding, even temporarily. It takes one instance of soil compaction from a heavy machine for roots to suffer form air and water deprivation and for the tree to become stressed. It is imperative to install and maintain in good condition the hoarding to prevent this from happening before and throughout the entire construction.

Conclusion

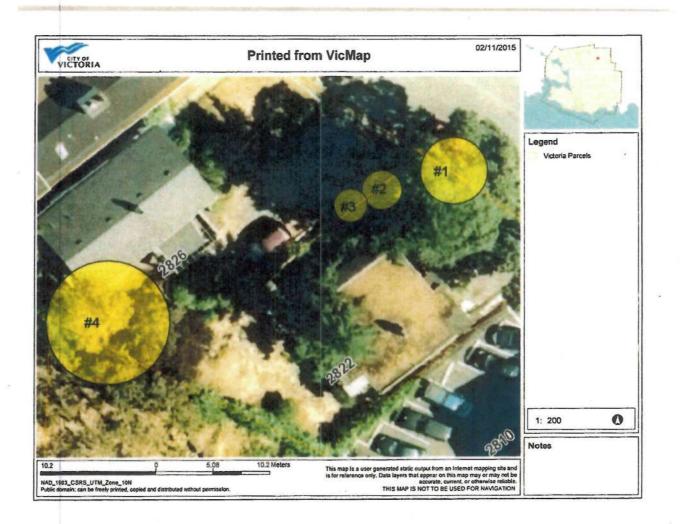
Once all tree/site protection measures have been installed, you must notify Davey Tree to arrange for an inspection of the site and approval of the site protection requirements.

The trees with proposed construction will have hoarding installed to define a specific TPZ. They will be the least impacted from construction if the hoarding is completed.

If preservation methods outlined in this report are adhered to, the trees will incur minimal injuries. If the trees are respected where machines are not used and foot traffic is kept to a minimum, the trees roots will incur no additional stress from the proposed construction.

Tree Inventory and Specific Guidelines

Tree #	Species	DBH	Comments
1	Garry Oak	50	To be assumed by the municipality. This tree is in good condition with a healthy canopy and no structural defects. There is less than 10% deadwood in the canopy. Tree Protection Zone during construction.
1A	Garry Oak	60	To be assumed by the municipality. This tree is in good condition with a healthy canopy and no structural defects. There is less than 10% deadwood in the canopy. Tree Protection Zone during construction.
2	Douglas Fir	50	This tree has had root damage due to an uneven grade between the old driveway and the lawn. I recommend removal of this tree due to the root issues and the proximity to the old house and new construction.
3	Fir	25	This tree is in poor condition. The top is dead. I recommend removal.
4	Garry Oaks (X3)	20, 25, 30	These trees are in good condition and will need to be protected during construction. Protective hoarding at a distance no less than 5.4 metres from the edge of the trunk shall be installed.



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Glossary of Common Arboricultural Terms

Arborist	A professional who possesses the technical competence
ALDOLIST	gained through experience and related training to proved for
	or supervise the management of trees and other woody plants
	in residential, commercial and public landscapes.
Compartmentalization	Natural defense process in trees by which chemical and
	physical boundaries are created that act to limit the
	spread of disease and decay organisms.
Critical Root Zone-	Area of soil around a tree where the minimum amounts
(CRZ)	of roots considered critical to the structural stability or
	health of the tree are located. CRZ determination is
	sometimes based on the drip line or a multiple of dbh
	(12:1, 12cmof ground distance from the trunk for every
	cm of dbh) but because root growth is often asymmetric
	due to site conditions, on-site investigation is preferred.
Daylighting	Also know as Hydro-Vac, this is the process by which soil
Daylighting	is vacuumed up. In the context of tree care this allows
	workers to access the soil below the roots without mortal
DDU	damage to significant roots.
DBH	Acronym for tree diameter at breast height. Measured
D : 1:	at 1.4m above ground.
Dripline	Imaginary line defined by the branch spread of a single
	parent or group of plants.
MTPZ	Acronym for Minimum Tree Protection Zone, also know
	as the Structural Root Zone (SRZ) which is the distance
	form the tree equal to 6 times the dbh, within which the
	likelihood of encountering roots that are direct structural
	supports for the tree.
Mortality Spiral	A sequence of stressful events or conditions causing the
	decline and eventual death of a tree.
CRZ	Acronym for Critical Root Zone, within which there is a
	high likelihood of encountering roots that are necessary
	for the survival for the tree.
Qualified Arborist	An arborist who has documented related training (i.e.
	ISA or equivalent) and on-the-job experience (minimum
	of 5 years)
Supersonic Air	A methodology using a device that directs a jet of highly
Excavation	compressed are to excavate soil. Used within the root
Techniques (SSAT)	zone of trees to avoid of minimize damage to the roots.
Tree Protection Zone	Defined area within which certain activities are prohibited
-TPZ	or restricted to prevent or minimize potential injury to
_	designated trees, especially during construction.
	acoignated accor copedially during construction.

References

- 1. ISA, 2001-2011. <u>Best Management Practices, Books 1-9, Companion publications to ANSI A300 Standards for Tree Care</u>
- 2. Dujesiefken, Dr. Dirk, 2012. Director of the Institute for Tree Care in Germany, The CODIT Principle, research presented on cambial regrowth on trees after injury at the Annual ISA Conference in Kingston Ontario
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- 4. ISA, 2010. Glossary of Arboricultural Terms
- 5. Neely and Watson, ISA, 1994 The Landscape Below Ground 1 and 2
- Matheny and Clark, ISA 1994. <u>A Photographic Guide to the Evaluation of</u> Hazard Trees in Urban Areas, 2nd Edition
- 7. Matheny and Clark, ISA 1998. <u>Trees and Development, A technical Guide</u> to Preservation of Trees During Land Development
- 8. PNW-ISA, 2011. <u>Tree Risk Assessment in Rural Areas and Urban/Rural</u> Interface, Version 1-5

Conditions of Assessment Agreement

This Conditions of Assessment Agreement is made pursuant to and as a provision of the Davey Tree Expert Co. of Canada, Limited ("Davey"), providing tree assessment services as agreed to between the parties, the terms and substance of which are incorporated in and made a part of this agreement (collectively the "Services").

Trees are living organisms that are subject to stress and conditions and which inherently impose some degree or level of risk. Unless a tree is removed, the risk cannot be eliminated entirely. Tree conditions may also change over time even if there is no external evidence or manifestation. In that Davey provides the Services at a point in time utilizing applicable stand industry practices, any conclusions and recommendations provided are relevant only to the facts and conditions at the time the Services are performed. Given that Davey cannot predict or otherwise determine subsequent developments, Davey will not be liable for any such developments, act, or condition that occur including, but no limited to, decay, deterioration, or damage from any cause, insect infestation, acts of god or nature or otherwise.

Unless otherwise stated in writing, assessments are performed visually from the ground on the above-ground portions of the tree. However, the outward appearance of trees may conceal defects. Therefore, to the extent permitted by law, Davey does no make and expressly disclaims any warranties or representations of any kind, express or implied, with respect to completeness or accuracy of the information contained in the reports or findings resulting from the Services beyond that expressly contracted for by Davey in writing, including, but not limited to, performing diagnosis or identifying hazards or conditions not within the scope of the Services or not readily discoverable using the methods applied pursuant to applicable standard industry practices. Further, Davey's liability for any claim, damage or loss cause by or related to the Services shall be limited to the work expressly contracted for.

In preforming the Services, Davey may have reviewed publicly available or other third-party records or conducted interviews, and has assumed the genuineness of such documents and statements. Davey Disclaims any liability for errors, omissions, or inaccuracies resulting from or contained in any information obtained from any third-party or publicly available source.

Except as agreed to between the parties prior to the Services being performed, the reports and recommendations resulting from the Services may not be used by any other party or for any other purpose. The undersigned also agrees, to the extent permitted by law, to protect, indemnify, defend and hold Davey harmless from and against any and all claims, demands, actions, rights and causes of action of any kind and nature, including actions for contribution or indemnity, that my hereafter at any time be asserted against Davey or another party, including, but not limited to, bodily injury or death or property damage arising in any manner from or in any way related to any disclaimers or limitation in this Agreement.

By accepting or using the Services, the customer will be deemed tot have agreed to the terms of this Agreement, even if it is not signed.

Acknowledged by:	
Name of Customer	
Authorized Signature	Date





DIDN'T SIGN PETITION - ASSUMED NON-SUPPORTING

REZONING APPLICANTS SUPPORTS PROJECT

Received

MAR 2 6 2015

Planning & Development Department



SUMMARY SMALL LOT HOUSE REZONING PET TICKNetopment Services Division

have petitioned the adjacent neighbours* in compliance with the Small Lot House Rezoning Policies for a small lot house to be located at and the petitions submitted are those collected by

Address	In Favour	Opposed	Neutral (30-day time expired)
		1	J
2815 Cedar Hill Rd	V .		·
2827 Ceda Hill RD	/		,
# 1			1
# 2			~
# 3			~
74 4			/
2830 Ceda Hill Ro			1
28 33 "	/ .		
28 35 11 OWNER	/ / .		
Coder Holl Ap Unit * 1	1.		¥
. 11 # 2	_		/
11 #3			
1366 Hillside AVE UNI \$214			•
11 Unit \$ 406	/		

SUMMARY	Number	%	
IN FAVOUR	8	100	
OPPOSED			
TOTAL RESPONSES	8	100%	

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



I,, have petitioned the adjacent neighbours	Commence of the commence of th
the Small Lot House Rezoning Policies for a small lot house to be located a	2827/2826 (location of proposed house)
and the petitions submitted are those collected by	/注意

2810 Cedar Hill Rd (1396 Hillande)	In Favour	Opposed	Neutral (30-day time expired)
Building owner 1394 Hillside Ave	/		
1396 Hillside AVE	<u>/</u>		
2810 Codar Hill Rd # 101			
* 103	V.		
* 104			V
#105 #201			7
\$202	V		
\$203			V.
#204 #205			

SUMMARY	Number	%
IN FAVOUR	7	100
OPPOSED	Ø	
TOTAL RESPONSES	7	100%

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

CITY OF VICTORIA

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



I, Cam Boww , have petitioned the adjacent neighbours*	
the Small Lot House Rezoning Policies for a small lot house to be located at	2827/282 ((location of proposed house)
Cedar HII Mand the petitions submitted are those collected by	date)

Address	In Favour	Opposed	Neutral (30-day time expired)
1388 Hilside AVE	1	1	1
OWNER (Daviel GriffIN)	/		
Unit # 1	V		
# 2			/
# 3	/ /		
# 4	/		
# 5			-
# 6			V
# 7	/		
T 8	/		
H 9	1		
H 10	/		
# 11	1,		
# 1L	/		

SUMMARY	Number	%	
IN FAVOUR	11	100	
OPPOSED		700	
TOTAL RESPONSES	11	100%	

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

CITY OF VICTORIA

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



Address	In Favour	Opposed	Neutral (30-day time
1400/1406 Hillside, Ceder Hill	1	1	expired) √
OWNER (BUTON WEBB)	-		
1406 Hillside	/		
2803 UNIT # 1			V
. # 2			/
# 3	V .	-	
H 5			
# 6	VACA	NT	
2011 1 11 1 1 .			
2840/42 Cedar Hill Ro			
2860/67	- V		
2000/02	1		

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

CITY OF VICTORIA

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

SUMMARY OF

	, have petitioned the adjacent neighbours*	in compliance with	1
	House Rezoning Policies for a small lot house to be located at	2822/282	(d
ledar HILL Ro	and the petitions submitted are those collected by	ate)	

Address	In Favour	Opposed	Neutral (30-day time expired)
Sunnary of 4			
pages of petitions			
collected			
PAGE I	8		
PAGE 3	11		
PAGE 4	6		

SUMMARY	Number	%
IN FAVOUR	32	100
OPPOSED		
TOTAL RESPONSES	32	100%

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN , am conducting the petition requirements for the
property located at 2922 / 2820 Gelar Hill Rp
to the following Small Lot Zone: 61-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or smail address.
Please review the plans and indicate the following: NAME: (please print) RANDY BUHT (see note above) ADDRESS: Z-835 Cedar Hill Ro.
Are you the registered owner? Yes No No
have reviewed the plans of the applicant and have the following comments:
I support the application.
I am opposed to the application.
Comments:
March 25/2014 Signature

in preparation for my rezoning application to the City of Victoria, I,
CAM BRUN, am conducting the petition requirements for the
property located at <u>2822/2826</u> CEPAR HILL Ro to the following Small Lot Zone: <u>R1-52</u>
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Tess lee (see note above)
ADDRESS: 2835 Coda Hill Rp.
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
Mar 25/15 Quesa Me. Signature

<u>Description of Approach to Petitioning 2810 Cedar Hill Rd. and 1394/1396 Hillside Ave.</u> (same building)

2810 Cedar Hill Rd. is a mixed use commercial/residential building with 10 residential units and 2 commercial units (with Hillside addresses). The owner of 2810 Cedar Hill Rd. signed the petition indicating support for the application. The two commercial tenants have signed the petition in favor of the application. Of the 10 residential tenants, four have responded in favor and, two suggested they were too busy to discuss the petition and or not wanting to be bothered. The remaining two have been unreachable.

In preparation for my rezoning application to the City of Victoria, I,
(pnnt name), am conducting the petition requirements for the
property located at 2822/2826 CEDAKHILL RO.
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Trans 6644 (see note above)
ADDRESS: 1095 ZB10 CEDAK HILL TO .
Are you the registered owner? Yes No 🗆
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Aug 28/2014 Addy Signature

~-----

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN, am conducting the petition requirements for the
property located at 2822/2820 Cedar Hill Ro
to the following Small Lot Zone: R 1-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Nathan Webster (see note above) ADDRESS: 1394 Hillside Avenue (Building Address 2810 Cedar Hill Rd
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
support the application.
I am opposed to the application.
Comments:
March 24, 2015 Mathan Tirelotos

In preparation for my rezoning application to the City of Victoria, I,
LAM BROWN , am conducting the petition requirements for the
property located at 2822 / 2820 Godar Hill Ro
to the following Small Lot Zone: R1 -52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Tom Harrow (see note above) ADDRESS: 1396 Harrow (2210 Cook Harrow)
Are you the registered owner? Yes ☐ No ☑
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
May 24/15 Ittelant

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822 (2826 Cedar Hill Ro
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) <u>Keran Gaffith</u> (see note above) ADDRESS: <u>2810</u> (eds. Hill Act 202
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Davido God
Mar 23/15 Russon Signature Signature

In preparation for my rezoning application to the City of Victoria, I,
am conducting the petition requirements for the
property located at 2822/2826 CEDAR HILL RP
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print)
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
MARCH 23/2, 2016 Date Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 CEPAR HILL RD
to the following Small Lot Zone: R1 ~52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Suranne HCE1881N (see note above)
ADDRESS: 102 - 2810 Cedar Hill Read
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
support the application.
am opposed to the application.
Comments: Sounds great!
March 23/2015 Shorture

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 Capar Him Ro
to the following Small Lot Zone: R1-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Mouhenale (see note above)
ADDRESS: 103-1810 (edax hill good Victoria BC
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
support the application.
1 am opposed to the application.
Comments:
March 2315 March 2315 Signature

<u>Description of Approach to Petitioning 2803 Cedar Hill Rd. and 1400/1403 Hillside Ave.</u> (same building)

When I contacted the owner of the mixed use (residential and commercial) building located on the corner of 2803 Cedar Hill Rd. and 1400,1403 Hillside Ave, regarding the proposed small lot subdivision I received his support. Each tenant was provided a small lot petition form and a package showing the proposed streetscape and site plan. The owner of the building allowed me access to the residential units. The package was hand delivered and slipped under the doors of each unit. One unit was vacant. To date I have only received one response from the residents, the response was in favor of the development.

In preparation for my rezoning application to the City of Victoria, I,	
CAM Brown, am conducting the petition requirements for the	he
property located at 2822/2826 CEPAR HILL RO	
to the following Small Lot Zone: R1 52	
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll verage residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in meeting agenda when this matter is before Council. The City considers your addressant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include name, please indicate your address and indicate (yes or no) if you are the register owner. Please do not include your phone number or email address.	ne n a dress
Please review the plans and indicate the following:	
NAME: (please print) Sylven I Webb (see note above)	
ADDRESS: 1400 Hilside 2903 Code Hil	rich
Are you the registered owner? Yes 🗹 No 🗌	
I have reviewed the plans of the applicant and have the following comments:	
I support the application.	
☐ I am opposed to the application.	
Comments: Looks Great o	
	
Bate Zi/14 Signature	\rightarrow
Pezening Application No. 00467 for 2022 and 2026 Coder Lill	Page 210 of 727
Rezoning Application No. 00467 for 2822 and 2826 Cedar Hill	Faye 210 01 /2/

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2827/2826 Cedar Hill Kp
to the following Small Lot Zone:R \
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) (see note above)
ADDRESS: 1406 HUSIPE
Are you the registered owner? Yes \(\square\) No \(\square\) I have reviewed the plans of the applicant and have the following comments:
I support the application.
i am opposed to the application.
Comments:
Marc 23/15 Date Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2827/2826 CEDAK HILL RO to the following Small Lot Zone: RI ST
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or smail address.
Please review the plans and indicate the following:
NAME: (please print) COUNTY SHARPE (see note above)
ADDRESS: #3 2803 CEDIR HILL RD
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
Mach 23 at Children Signature

Description of Approach to Petitioning 1388 Hillside Ave.

1388 Hillside Ave. is a 12 unit apartment. The owner signed the petition in support of the subdivision. Of the 12 units, 10 signed in support of the proposal. I was unable to reach unit #6 despite five attempts at different times of day. Unit #2 declined to sign the petition stating he currently had no opinion on the proposal.

In preparation for my rezoning application to the City of Victoria, I, CAM BROWN, am conducting the petition requirements for the (print name) (2826 Cedar H.II)
property located at
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following: NAME: (please print)
Are you the registered owner? Yes No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments: Looks like agost add for to the veighborhal!
Aug 21, 2014 Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 CEDAR Hill KD
to the following Small Lot Zone: R 1 57
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) MICHELE PUNGENTE (see note above) ADDRESS: 1-1389 HILSIDE AVE
ADDRESS: 1- 1309 VIIISIAL AV
Are you the registered owner? Yes \(\bigcap \) No \(\bigcap \)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
I am opposed to the application.
Comments:
March 23, 2015 W. Museutt Date Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 CEDAR HILL RO
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Alexander Gulston (see note above) ADDRESS: 3-1388 Hills. de Ave UST 286
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Good looking House, nice work!
Out let
I have reviewed the plans of the applicant and have the following comments: I support the application. I am opposed to the application. Comments: Acoust volving House, nice work!

in preparation for my rezoning application to the City of Victoria, I,
CAN BROWN, am conducting the petition requirements for the
property located at 2822/2826 Cedar IFII Ro.
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring iots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Elis M Look (see note above) ADDRESS: 1388 compression Hillside Ave #4
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
support the application.
am opposed to the application.
Comments:
March 23/15 Gramman

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN , am conducting the petition requirements for the
property located at 2822 CEOAR HILL RO /2826 (cdor/fill R
to the following Small Lot Zone: R S2
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following: NAME: (please print) + ABELL (see note above) ADDRESS: 488 #5 Hillside Are
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Aug 23, 2014 BS

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 Ceder 14/1 Ko
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Lega Senge (see note above)
ADDRESS: 1388 Hillside Ave Suite 7
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
Morch 23 15 Date Signature

In preparation for my rezoning application to the City of Victoria, I,
CAN Brow, am conducting the petition requirements for the
property located at
to the following Small Lot Zone: R 1- 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) COSTAL COSTAL (see note above)
ADDRESS: #8-1388 HILLSIDE AVE
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☑ I support the application.
☐ I am opposed to the application.
Super cute house!
March 23/15 Cystal Carl

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN , am conducting the petition requirements for the
property located at 2822 CEDAR HILL Ro. /2826 Codar Hill to the following Small Lot Zone: RIS2
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) MARK KENNY (see note above)
ADDRESS: 9-1388 HILLSIDE ALE VICTURIA
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Oracluse Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 Cedar (4/1 RD
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Kart C Jepsen (see note above) ADDRESS: 1389 hill de ave
Are you the registered owner? Yes ☐ No ☒
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Much 23, 2015 25 25 Signature

in preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 280/2826 Gda Hill M.
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Dancelle Adres (see note above)
ADDRESS: 11-1388 Hillside Ave.
Are you the registered owner? Yes No W
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
March 23 2015 Bully Signifure

In preparation for my rezoning application to the City of Victoria, I,
property located at 2822 CEOAR HILL RO. / 2826
to the following Small Lot Zone: RI 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print)(see note above) ADDRESS:
Are you the registered owner? Yes ☐ No ☑
I have reviewed the plans of the applicant and have the following comments:
✓ I support the application.
I am opposed to the application.
Comments:
Date Date Jorgo 14 Signature

In preparation for my rezoning application to the City of Victoria, I,
CAM Brown, am conducting the petition requirements for the
property located at 2822/2826
to the following Small Lot Zone: 21-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print)(see note above)
ADDRESS: 2827 CENTER HILL Road
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at 2827/2826 CEPAR II/IC RO to the following Small Lot Zone:RI 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) //02011 //1/24K (see note above) ADDRESS: /- 2827 (e dan /////
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
*

Description of Approach to Petitioning 2840/42, 2850/52, 2860/62 Cedar Hill Rd..

The owner of the 3 duplexes located at 2840/42, 2850/52, 2860/62 Cedar Hill Rd. supports the small lot subdivision application and has signed the petition indicating his support. The tenants were not petitioned as although they are very near the development they are not adjacent properties.

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822 Ann 2826 CEDAR HILL ROAD
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) PAUL B. GODMAN (see note above)
ADDRESS: 175 7 FORT ST
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
The more housing the hower of taxes for the next of us. I awn fracertis at 12840-42-12850-52-2860+62 Cedar Hill Rd. clare to house regoning petition.
Et 28/14 foul B Goodman

Description of Approach to Petitioning 1366 Hillside Ave.

1366 Hillside Ave. is a 50 unit condominium building. Prior to the CALUC meeting in October, 2014, I taped a rendering of the proposed small lot subdivision to the front entrance foyer area. Contact information for Cam Brown and the Oaklands Community center was on the document. One occupant, whose unit faces the proposed development and could be impacted by activities involved in the subdivision, contacted the community liaison (Ben Clarke). The contact information was passed on to me and I met in person with the occupant/ owner of unit #406. We discussed what potential impacts there may be (noise levels, hours of work, design and height of proposed home etc.). The occupant showed great support for the development and signed the petition indicating their support. Prior to the CALUC meeting the City of Victoria mailed out information regarding time and location of the CALUC meeting in October, 2014. The owner of unit #406 was one of only three people who attended the CALUC meeting. At the meeting continued support was shown by the occupant/ owner of unit #406. The owner of unit #214 also signed the petition supporting the development. No other units in the 1366 Hillside Ave. condominium complex have made contact

In preparation for my rezoning application to the City of Victoria, I,
CAMBROWN, am conducting the petition requirements for the
property located at 2822 / 2826 CEDAR HILL RD to the following Small Lot Zone: R1 52
to the following Small Lot Zone: 1/1 5 D
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Philip Ross (see note above)
ADDRESS: 2833 Cedan Hill Rd
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
l am opposed to the application.
Comments:
- O () //
1/1 V/S
15/2014

Description of Approach to Petitioning 2827 Cedar Hill Rd..

2827 Cedar Hill Rd. is a 4 unit apartment building. The owner supports the small lot subdivision application and has signed the petition. After repeated attempts to reach each of the four units, two tenants signed in support. I have been unable to reach the other two tenants.

Received Guy of Victoria

MAR 1 8 2015

Planning & Development Department

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN, am conducting the petition requirements for the
property located at 2822 / 2826 CEDARHICL RD
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) JAMES A GTONG (see note above) ADDRESS: 4 1817 COMM YILL M.
Are you the registered owner? Yes 🔲 No 🗌
I have reviewed the plans of the applicant and have the following comments:
support the application.
☐ I am opposed to the application.
Comments:
THE PROPOSED MOUSE WOULD BE A
WELLOME IMPROVEMENT TO THE ALGA.
Man. 9/2015 Jastos Josephalure

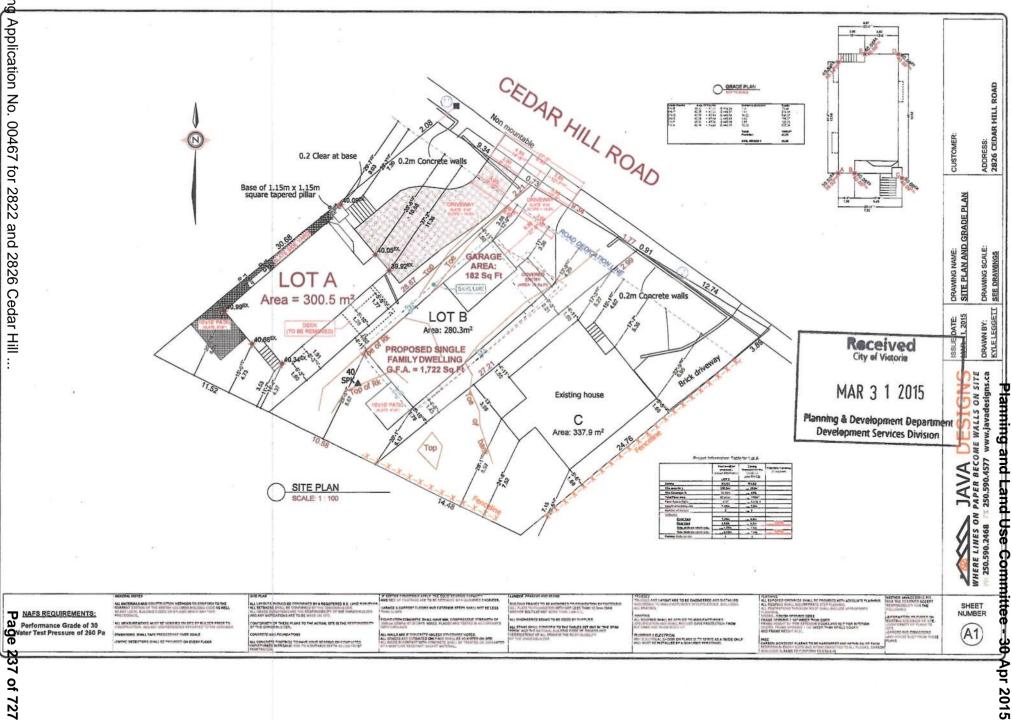
Description of Approach to Petitioning 2815 Cedar Hill Rd.

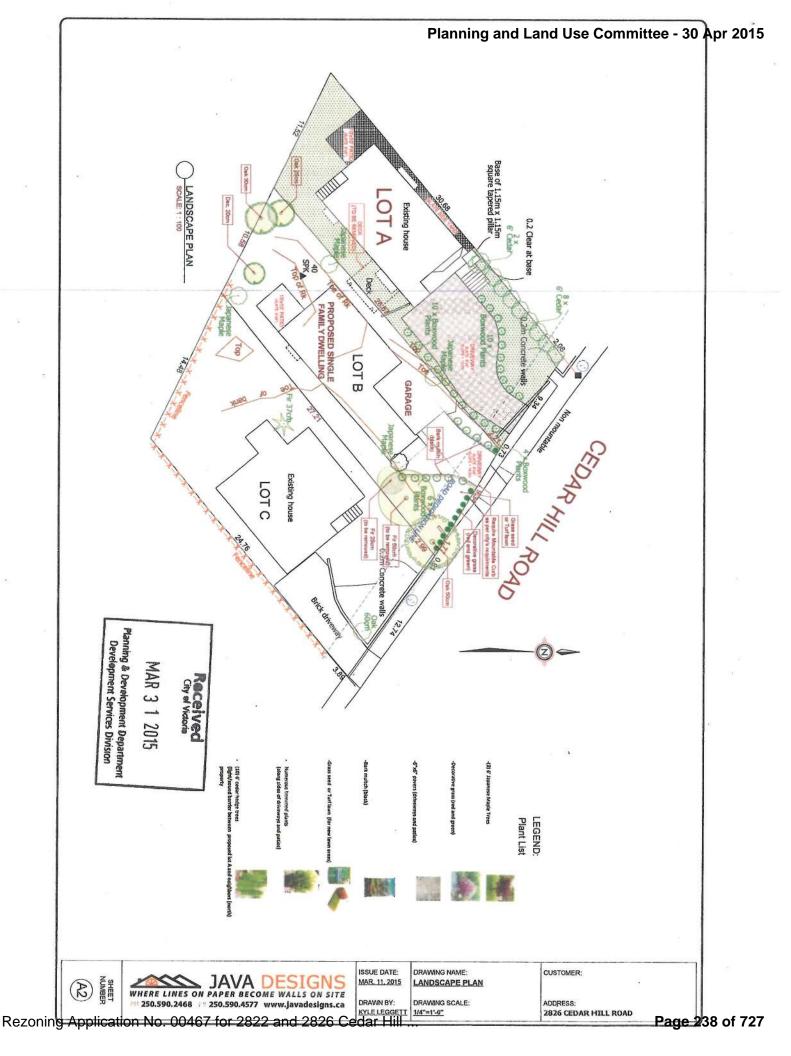
2815 Cedar Hill Rd. is Church. After contacting approximately 5 different church officials who were unsure about the church's status as it may be up for sale and as a result unclear about their ability to sign such a petition; I randomly stopped in on a whim and a high ranking church administrator /official was in the building. He signed in support of the application.

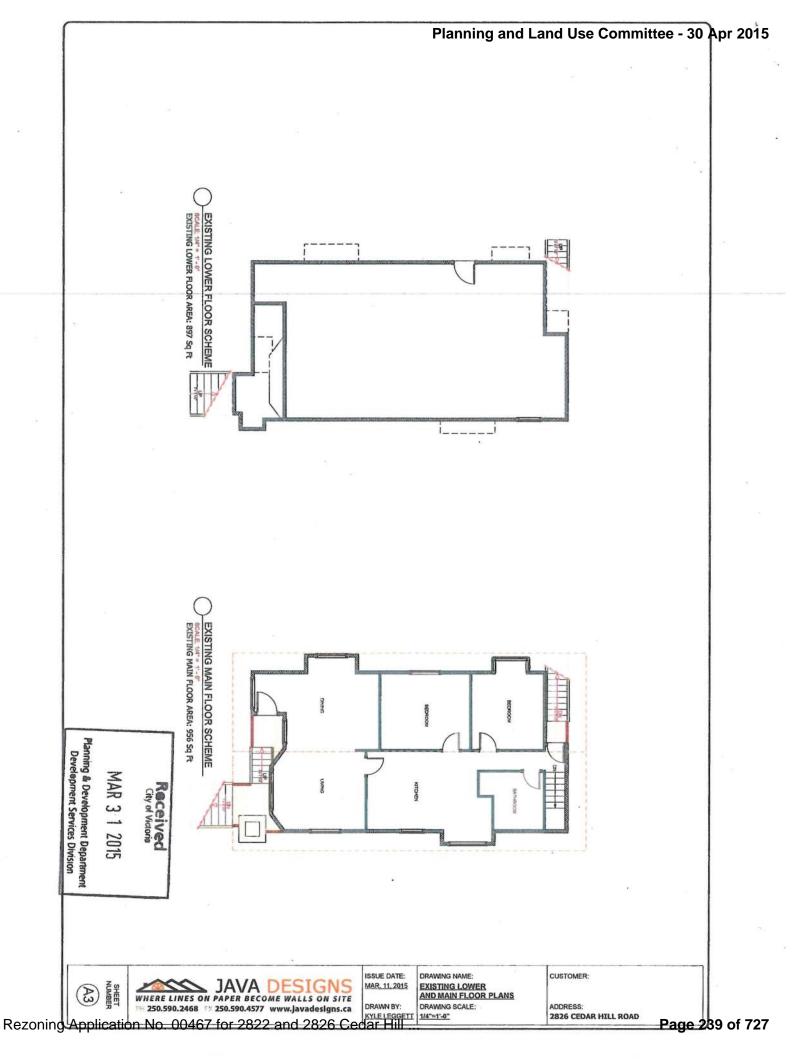
In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 Cedar Hill Ro
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following: NAME: (please print)
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
Nov 18 /2014 Gruthy Sand

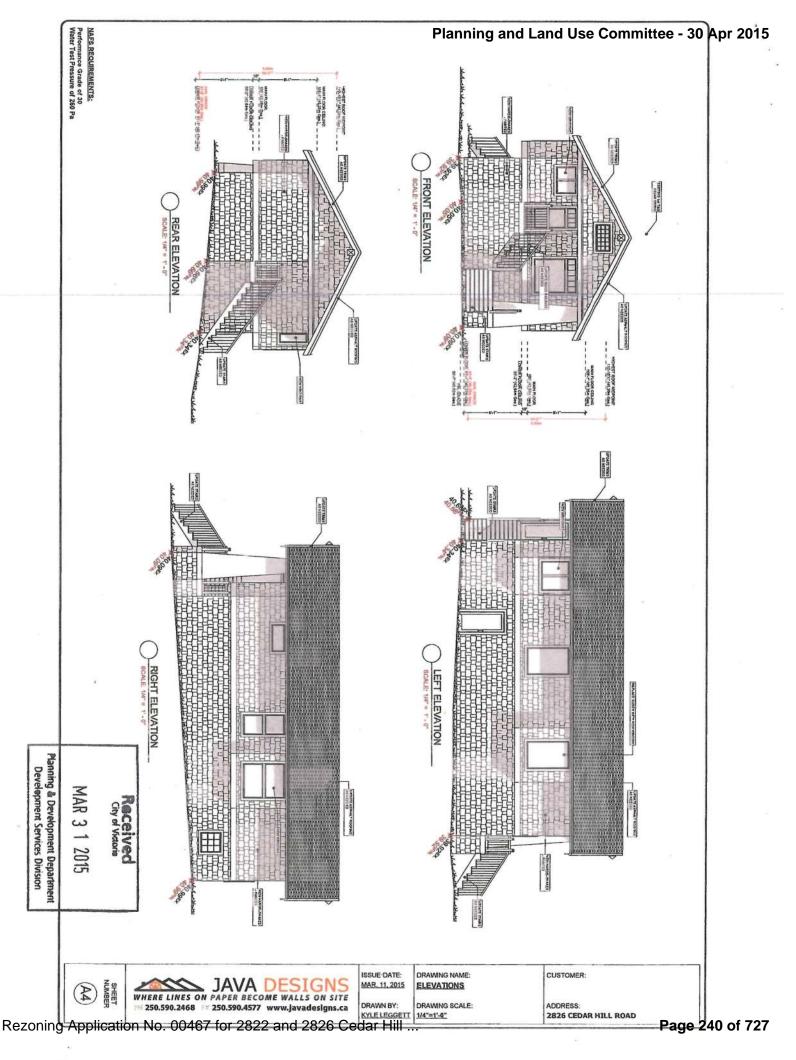
In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at <u>2822/2826</u>
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Janet Clark (see note above) ADDRESS: 406-1366 Hillside
Are you the registered owner? Yes 🖾 No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Detail Signature

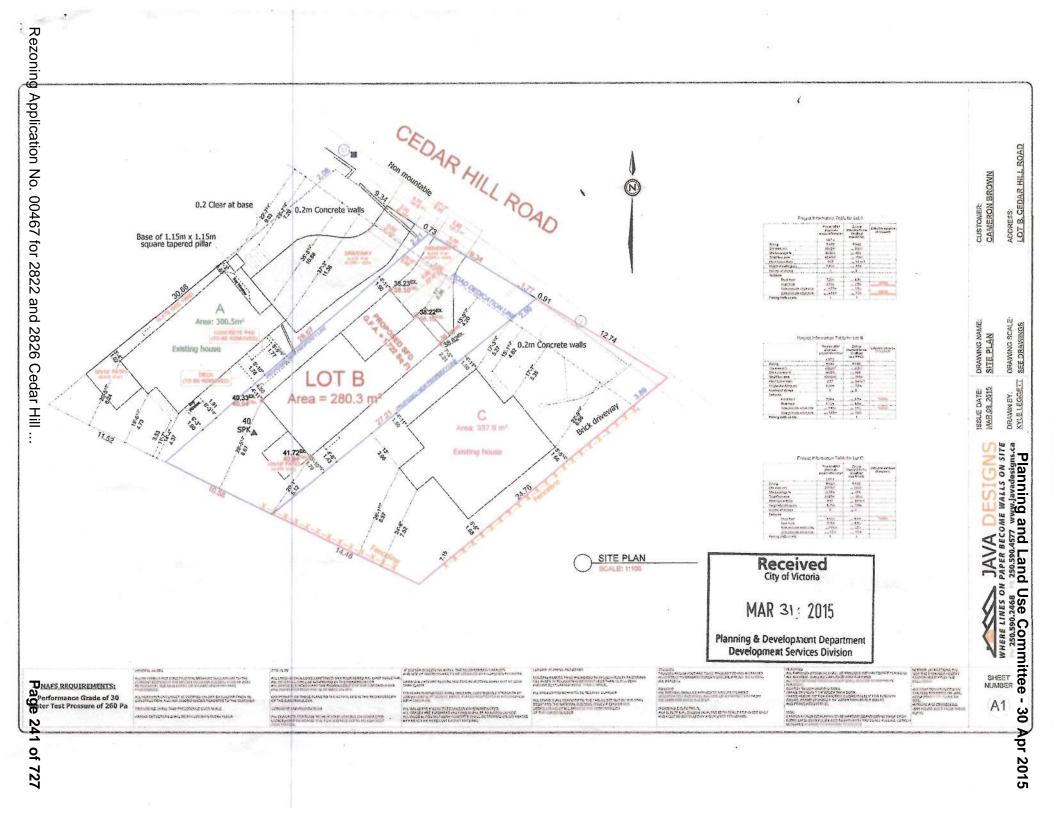
In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822 / 2826 to the following Small Lot Zone:R_IS_2
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) (see note above)
ADDRESS: 214-1366 HILLSIDE AVE
Are you the registered owner? Yes 🗵 No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
l am opposed to the application.
Comments:
I think the plans look good and the popused development
will be a nice addition to the area

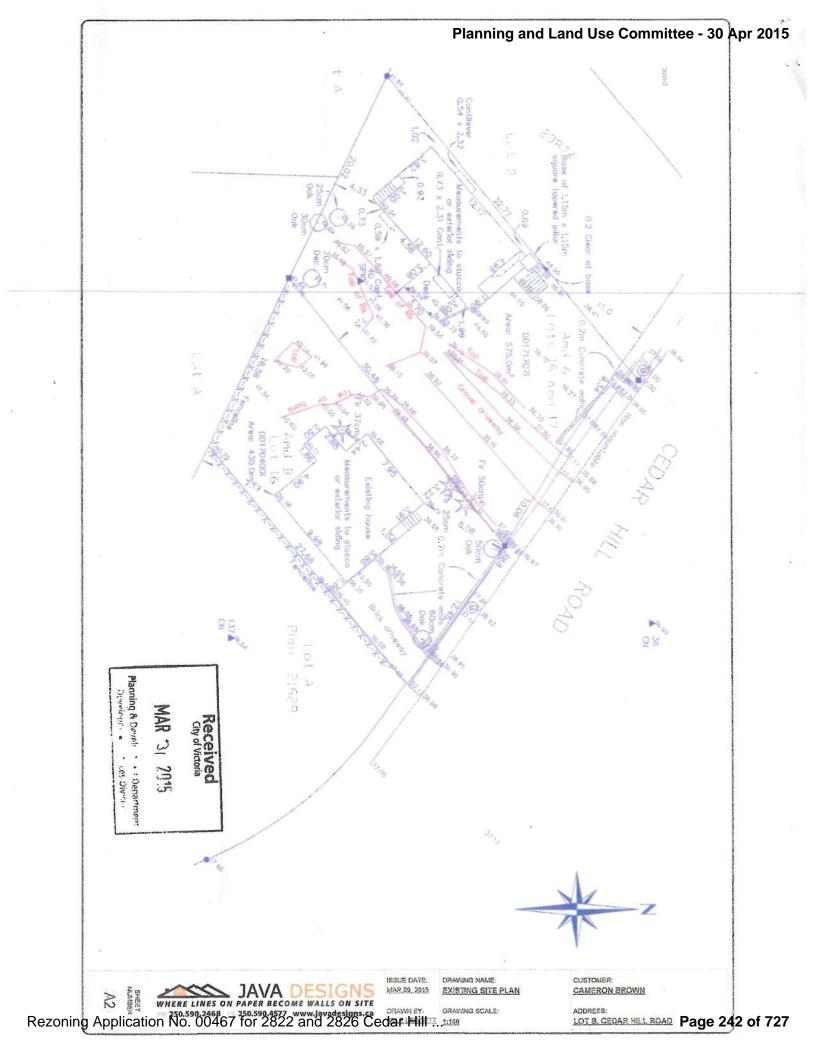


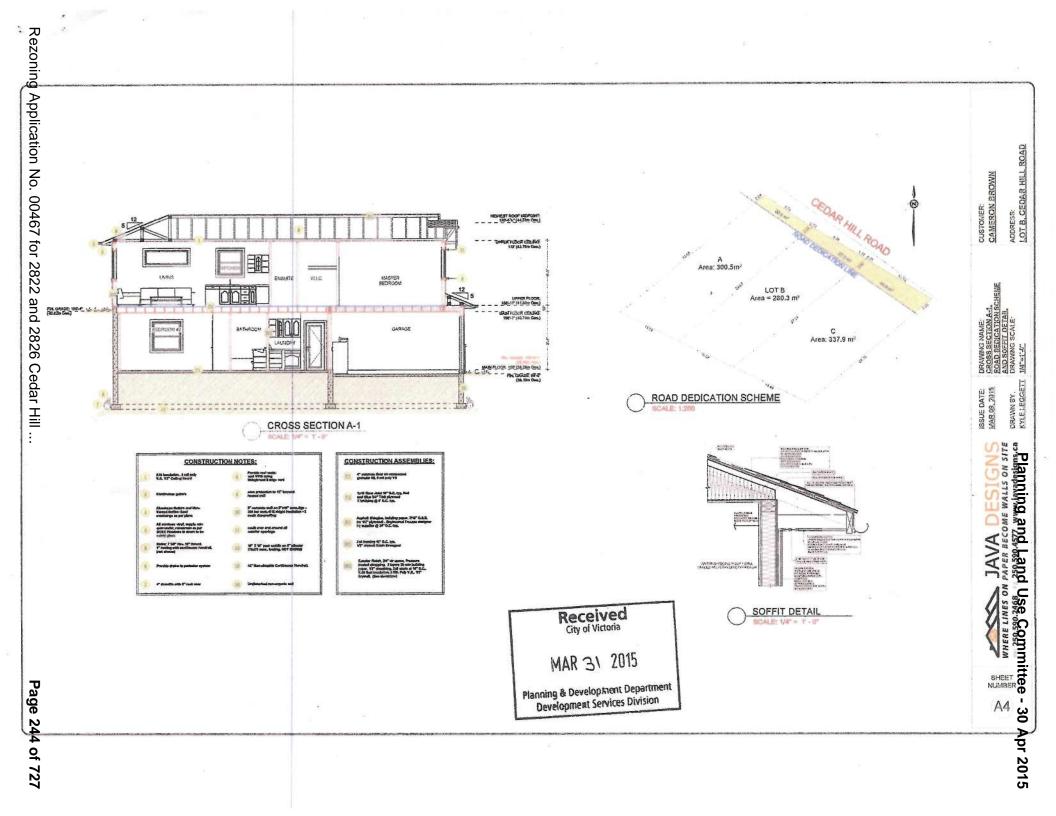


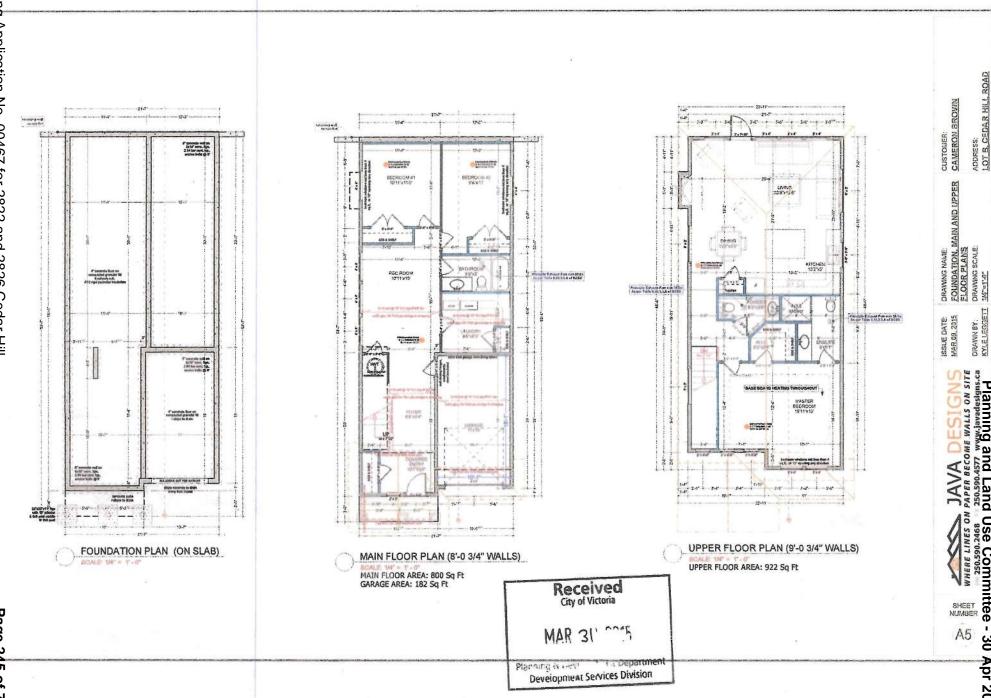












ADDRESS: LOT B, CEDAR HILL ROAD

Planning and Land Use Committee

30 Apr 2015

PES REQUIREMENTS:
Conformance Grade of 30
Water Test Pressure of 260 Pa
246
Of
727

MAR 31 2015

Planning & Development Department
Development Services Division

EXPOSING BUILDING FAGE 79.8m²
LMATING DISTANCE: 1.5m
AREA OF GLAZED OPENINGS: 2.8m²
% GLAZED OPENINGS: 3.5%
% PERMITTED GLAZING (se per Table 9.10,15.4): 6%

Planning and Land Use Committee

"BELLINES ON PAPER BECOME WALLS ON SITE
"ES590.2468" 250.390.4577 www.lavadesigns.ca

A6

30 Apr 2015

ADDRESS: LOT 8, CEDAR HILL ROAD

CUSTOMER: CAMERON BROWN

DRAWING NAME:

ISSUE DATE: MAR.09 2015

DRAWN BY: KYLE LEGGETT

15/12 PITCH



ADDRESS:

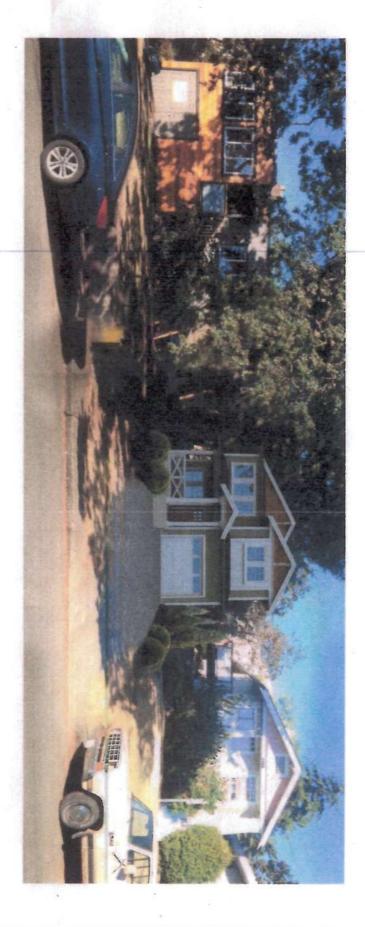
CAMERON BROWN

DRAWING NAME: CONTEXT SCHEME

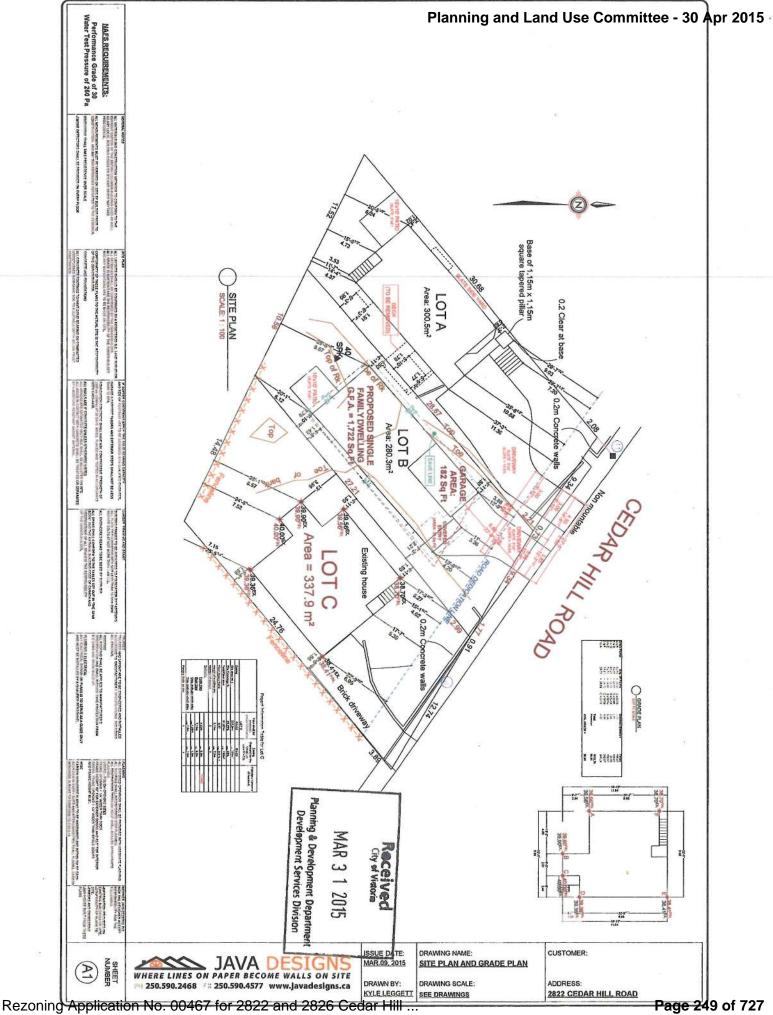
ISSUE DATE: WAR 09, 2015

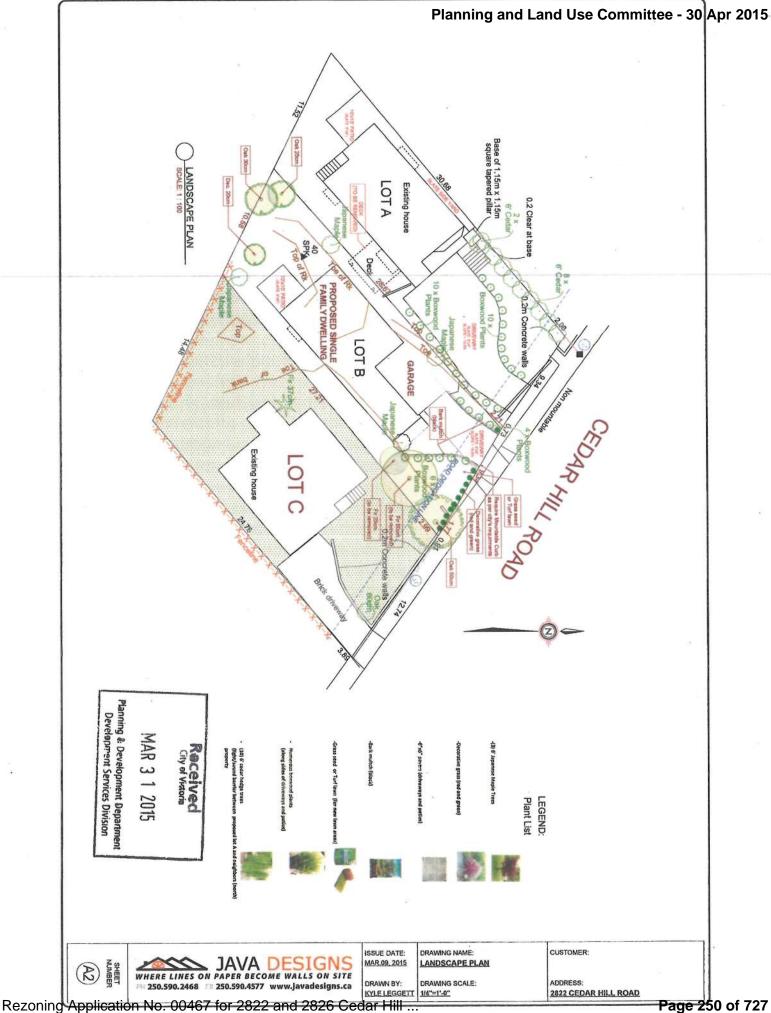
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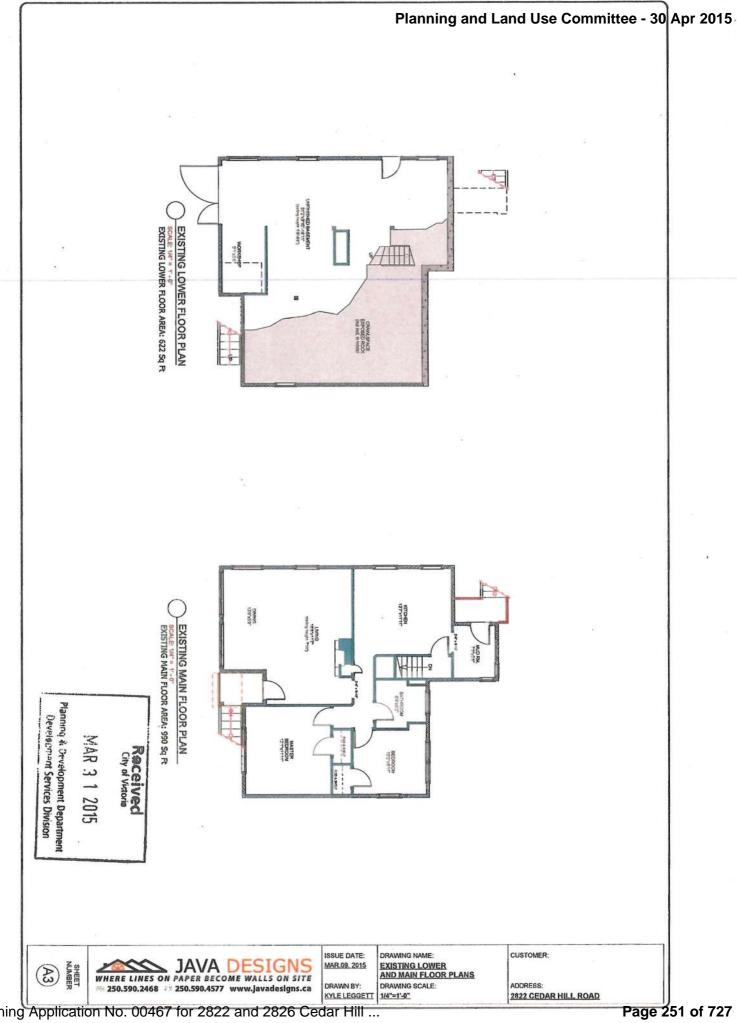
30 Apr 2015



Planning & Development Department Development Services Division

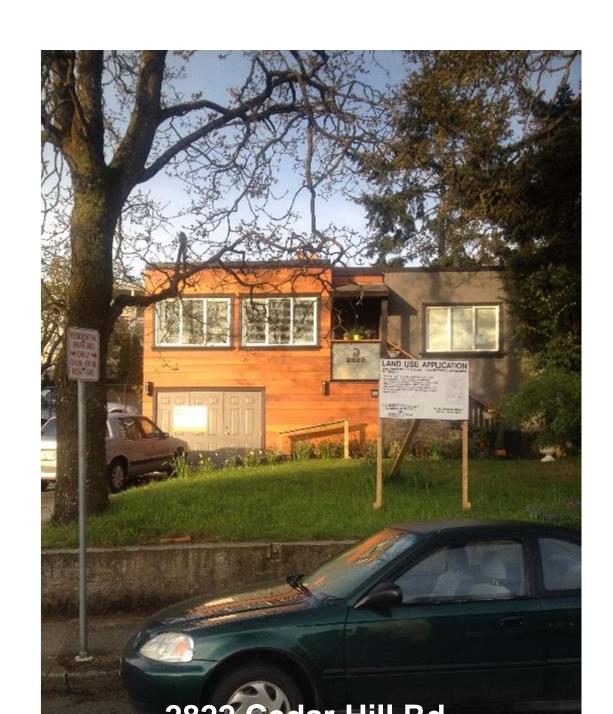


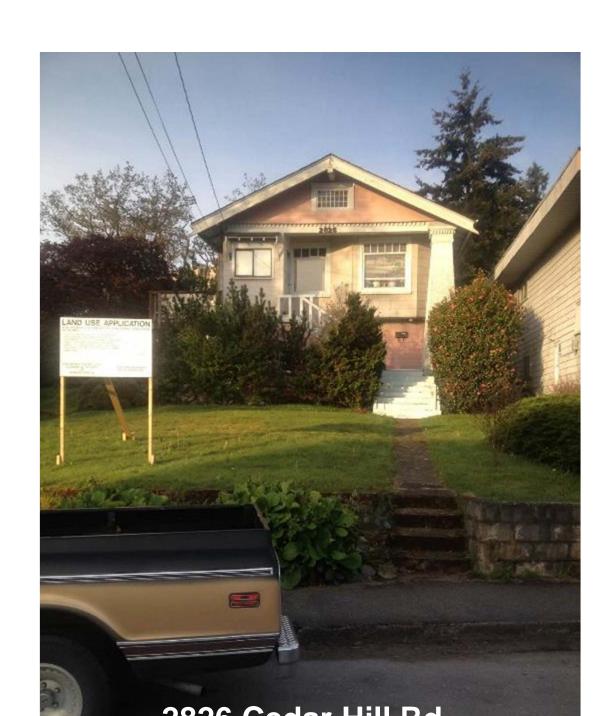


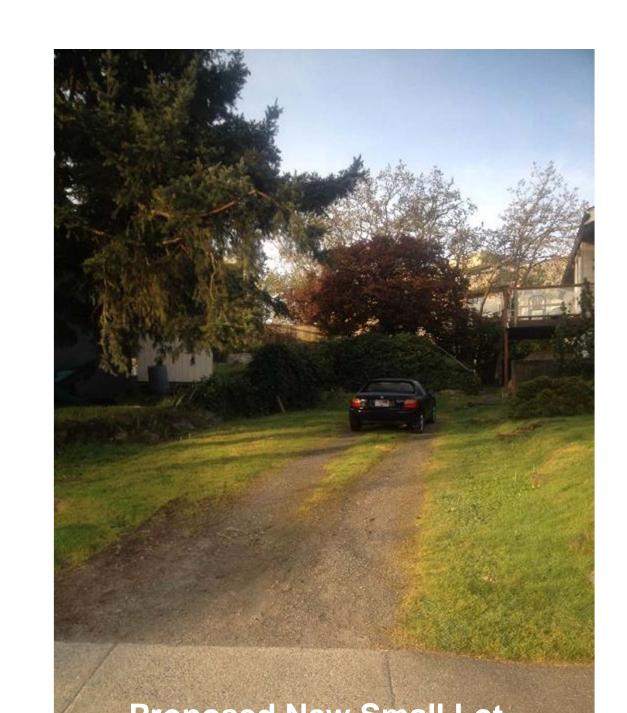


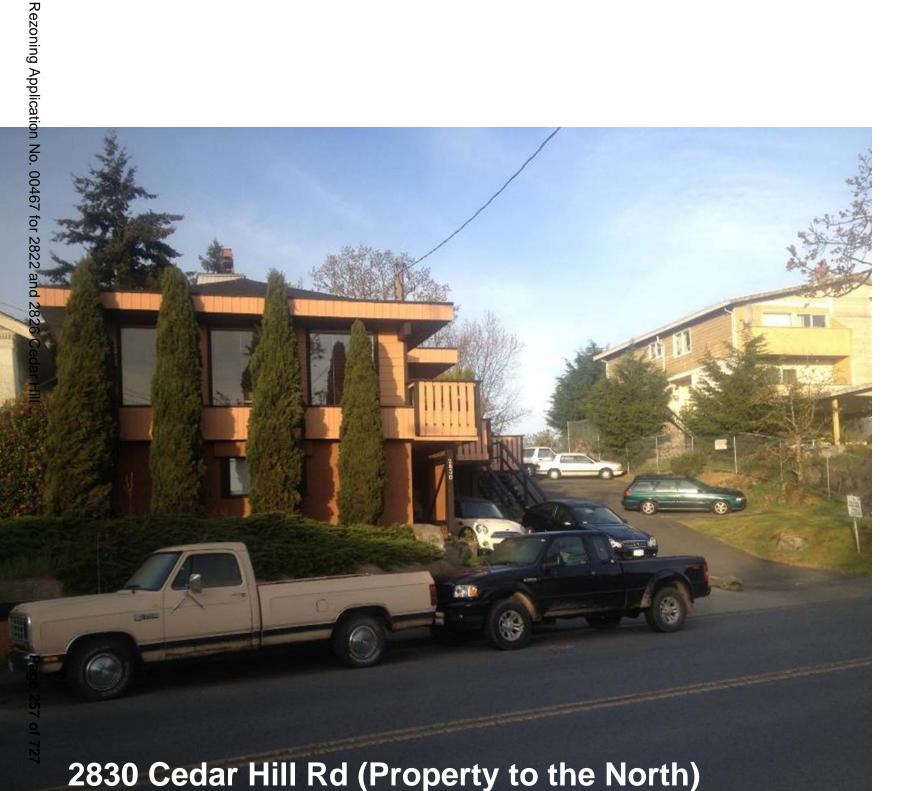
Rezoning Application No. 00467 2822 and 2826 Cedar Hill Road

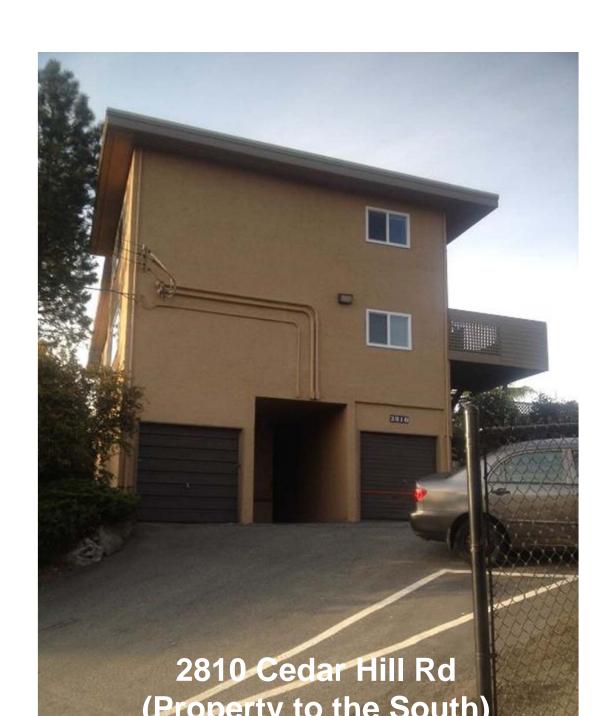


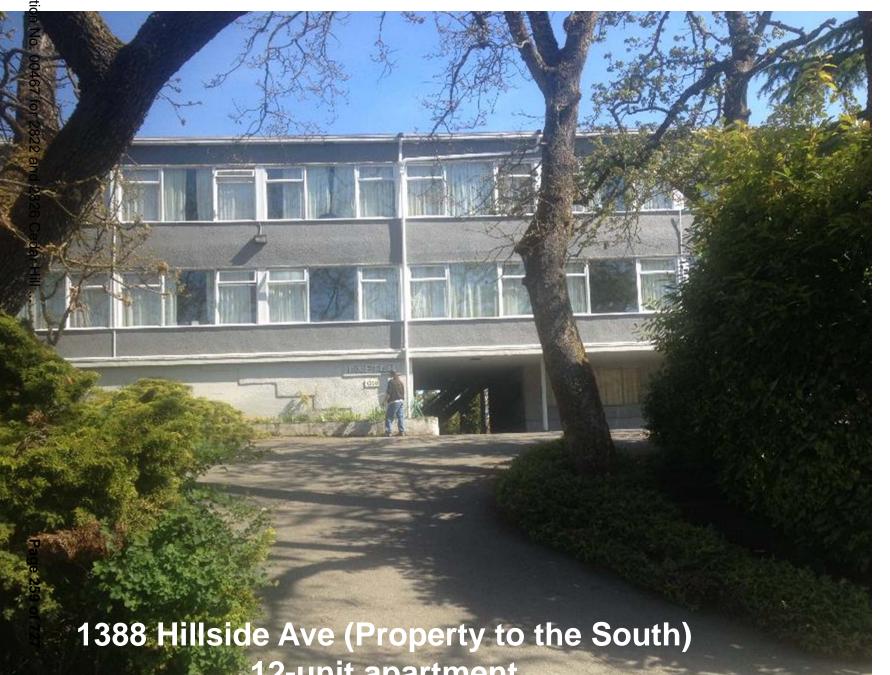


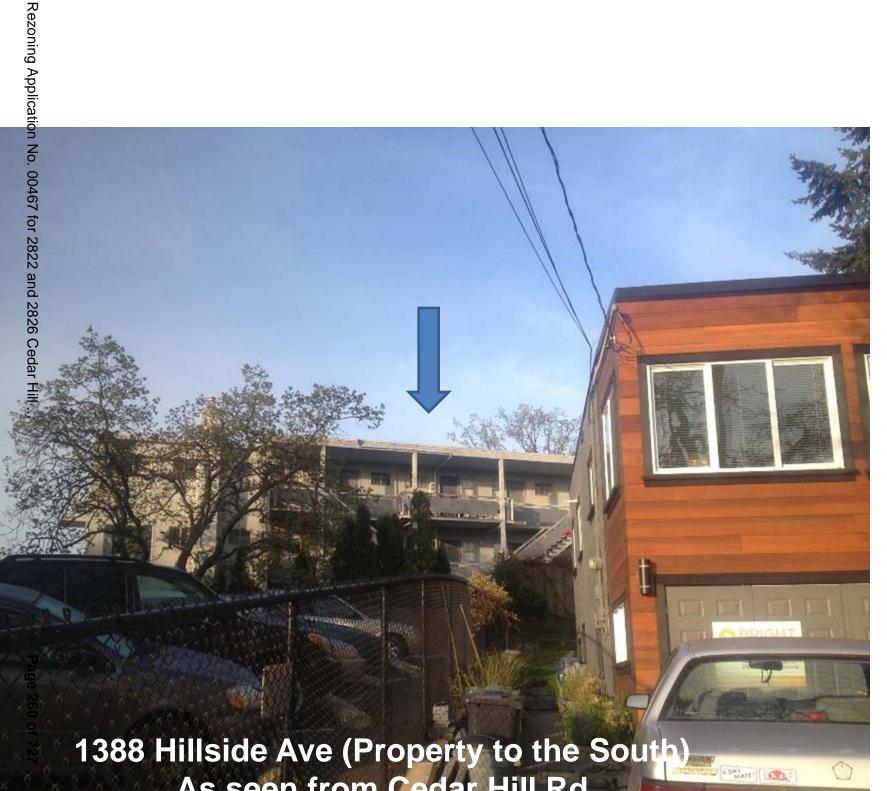


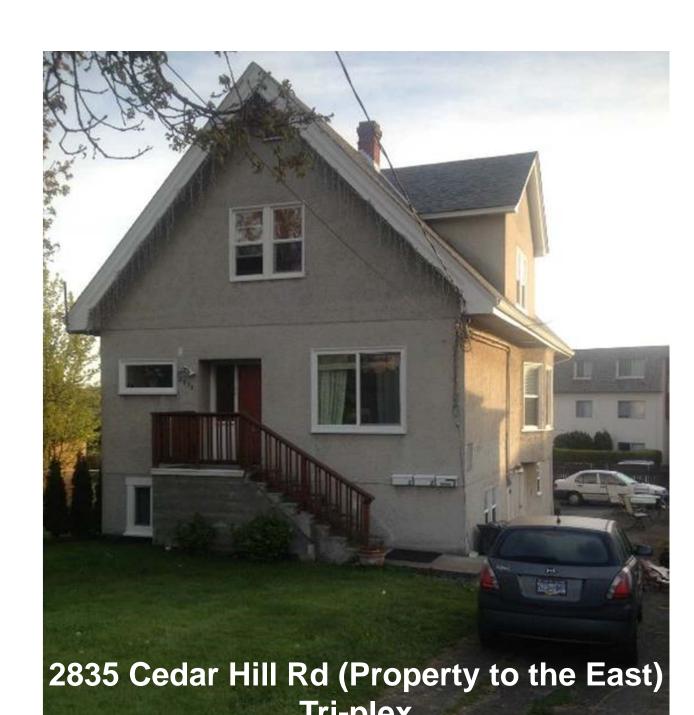






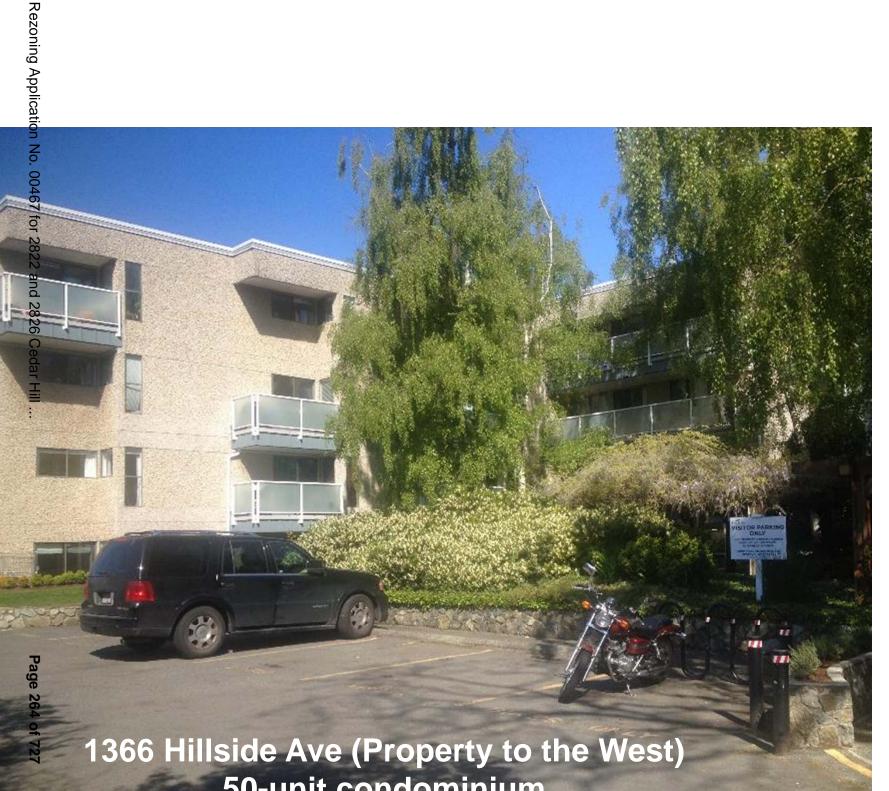


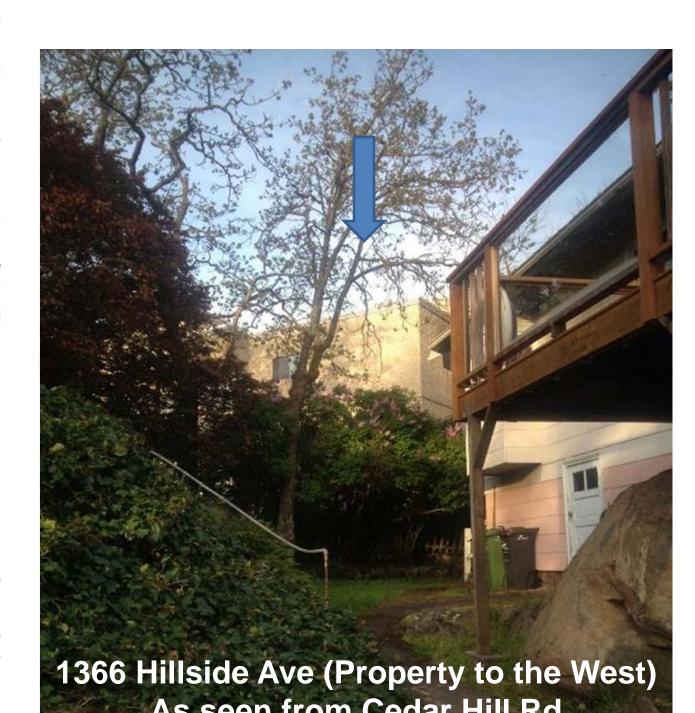


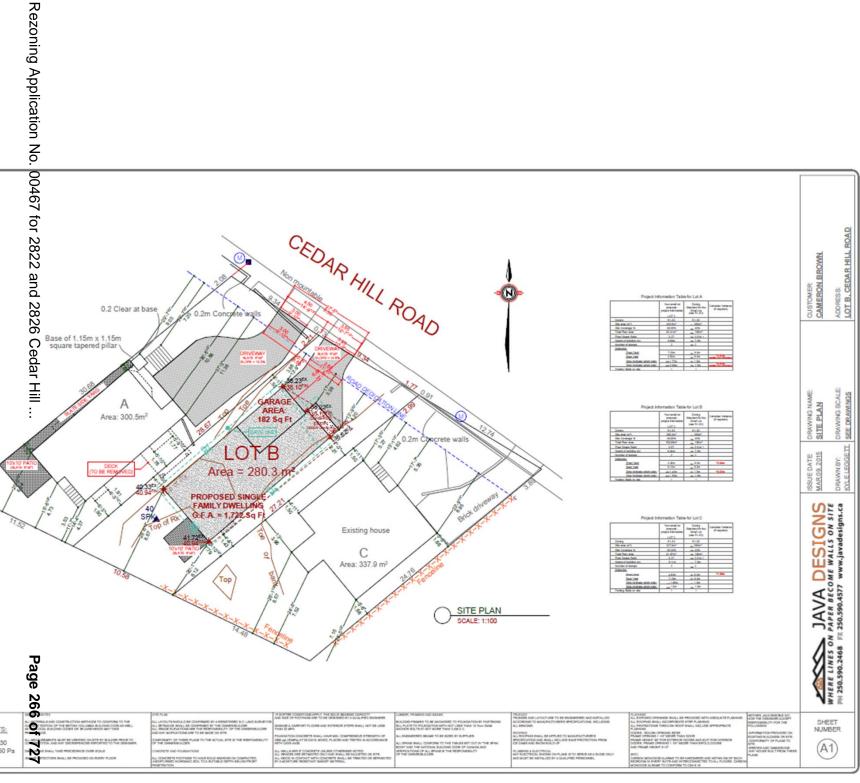


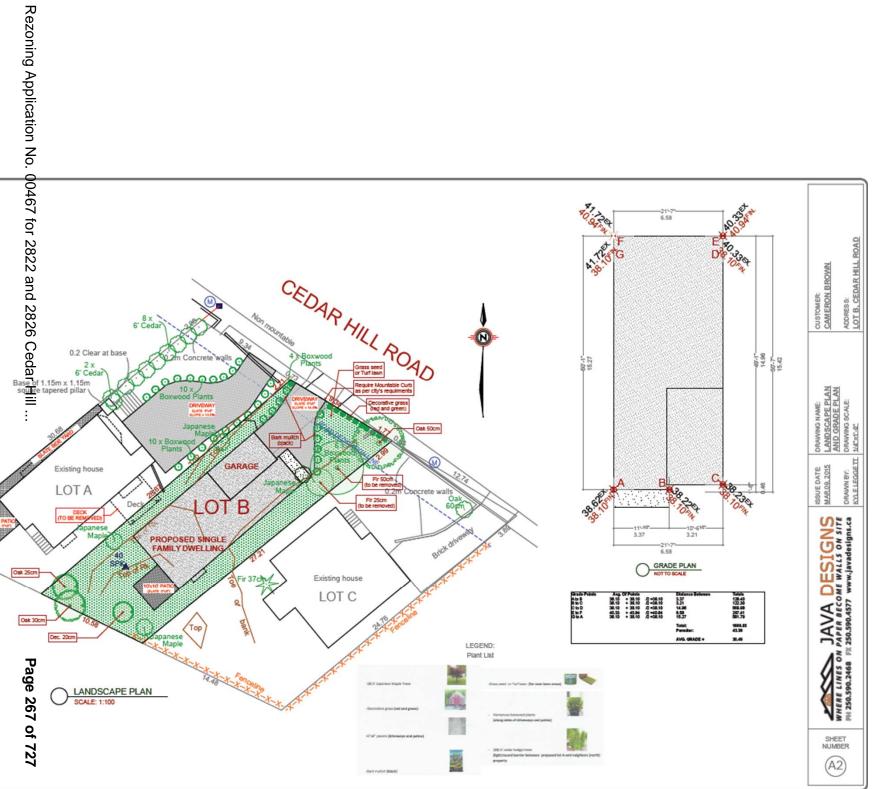




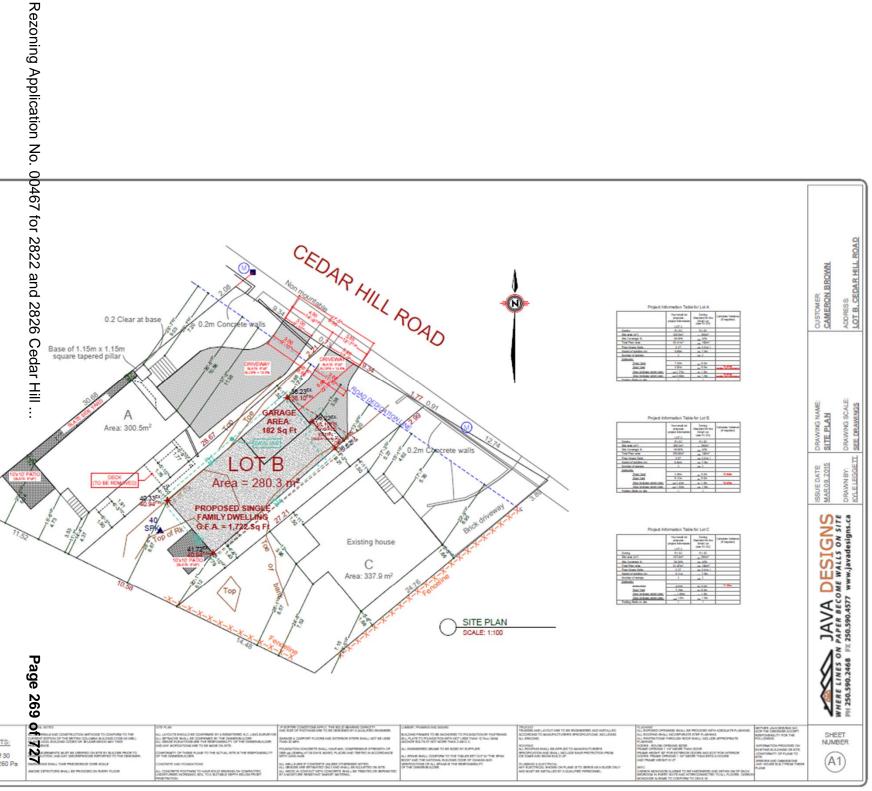








Development Permit Application with Variances for 2822 and 2826 Cedar Hill Road



ADDRESS: LOT B, CEDAR HILL ROAD

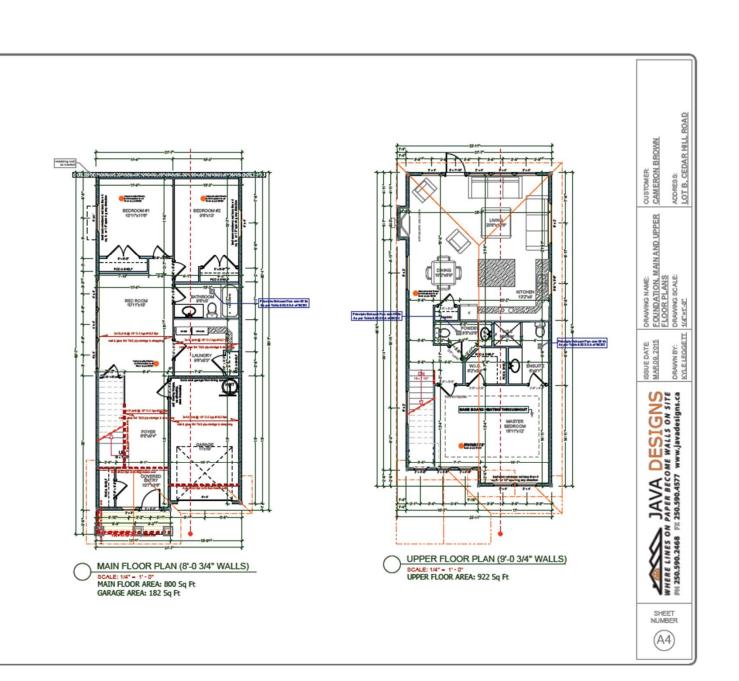
CUSTOMER:

DRAWING NAME: ELEVATIONS

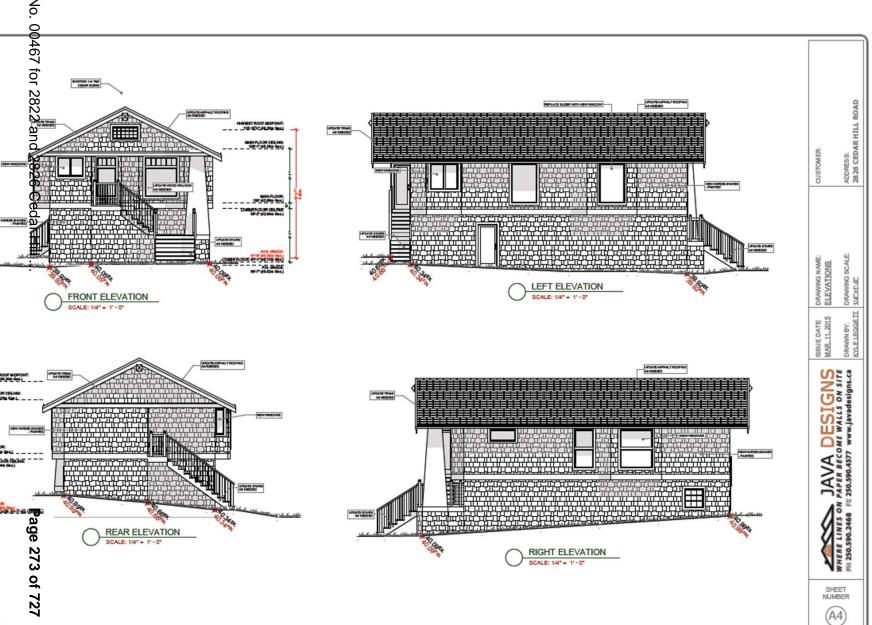
JAVA DESIGNS
PAPER BECOME WALLS ON SITE
250.590.4577 www.javadesigns.ca

SHEET NUMBER

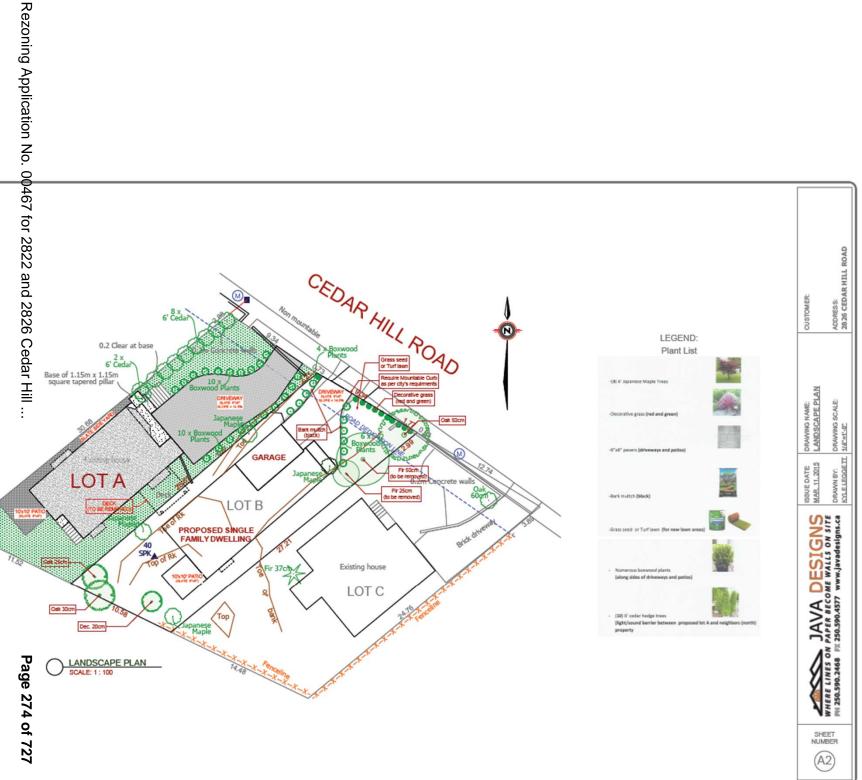
Mr.

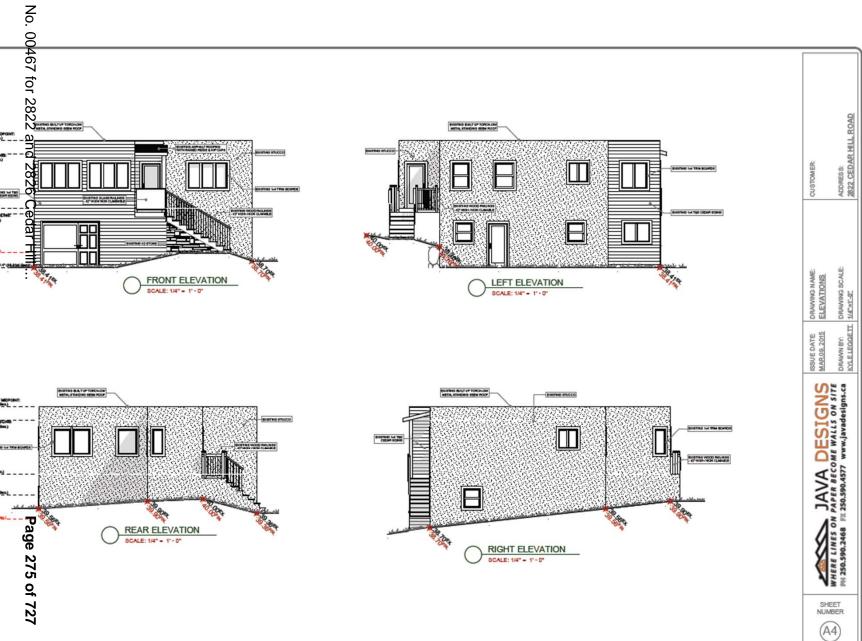


Planning and Land Use Committee - 30 Apr 2015



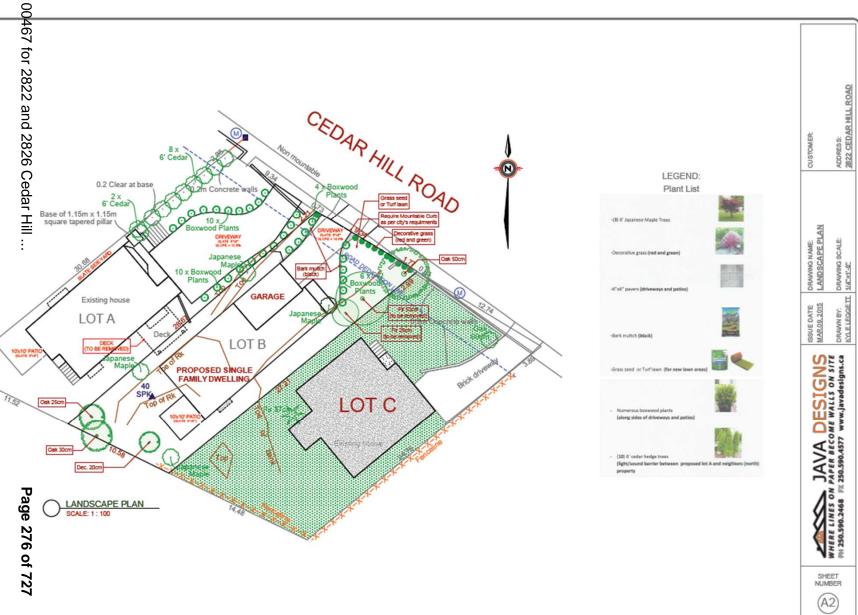




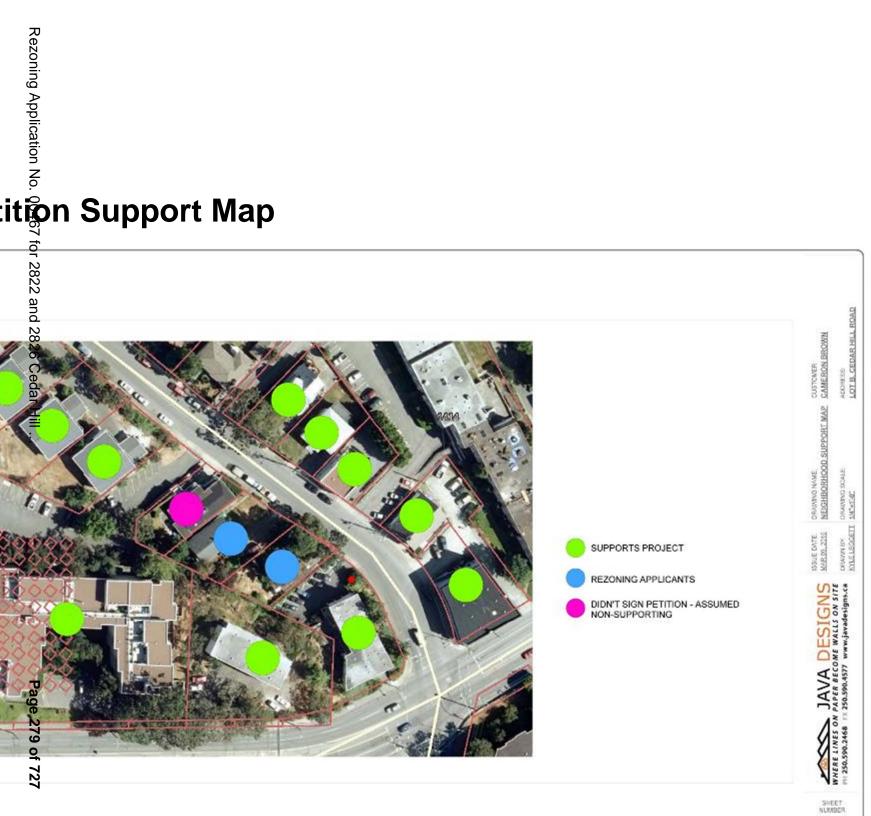


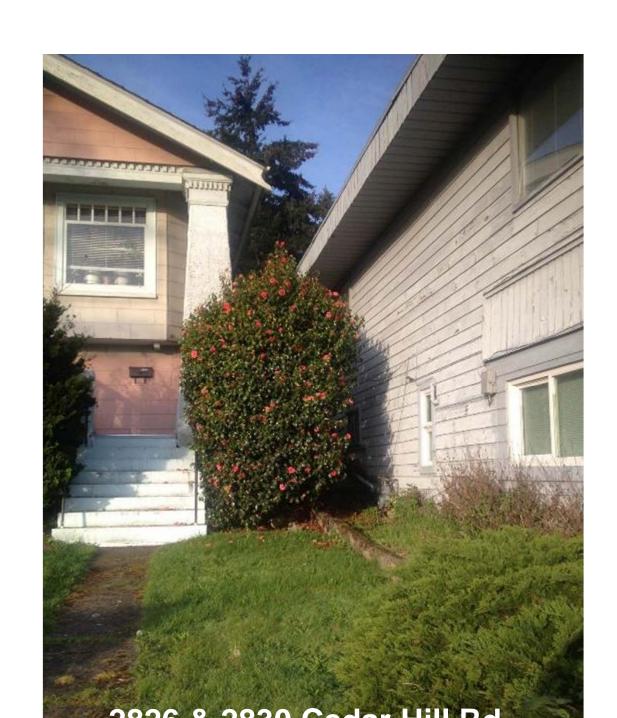
Planning and Land Use Committee - 30 Apr 2015

Planning and Land Use Committee - 30 Apr 2015











Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Leanne Taylor, Development Services Division

Subject:

Development Permit with Variances Application No. 00467 for 2822 and 2826

Cedar Hill Road.

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00467, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road, in accordance with:

- 1. Plans date stamped March 31, 2015,
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot A from 2.4m to 0.33m;
 - ii. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot A from 2.4m to 1.77m;
 - iii. Part 1.23(8)(a): Reduce the front yard setback of proposed Lot B from 6m to 3.36m;
 - iv. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot B from 2.4m to 1.5m;
 - v. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot B from 2.4m to 1.79m;
 - vi. Part 1.23(8)(a): Reduce the front yard setback of proposed Lot C from 6m to 4.62m;
 - vii. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot C from 2.4m to 1.5m;
 - viii. Part 1.23(8)(c): Reduce the side yard setback of proposed Lot C from 2.4m to 1.66m;
 - ix. Schedule "C" Section 12(ii): Increase the maximum grade of a parking stall area on proposed Lot A from 8% to 13.5%;
 - x. Schedule "C" Section 12(ii): Increase the maximum grade of a parking stall area on proposed Lot B from 8% to 14.6%.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development."

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.

Planning and Land Use Committee Report

April 16 2015

Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road

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 properties located at 2822 and 2826 Cedar Hill Road. The proposal is to construct one new small lot house and change the exterior of an existing house.

The following points were considered in assessing this Application:

- The proposal is consistent with the objectives for sensitive infill Development Permit Area 15A: Intensive Residential – Small Lot of the Official Community Plan, 2012 (OCP).
- The proposed design of the new small lot house is consistent with the Design Guidelines for Small Lot House (2002).
- The two existing single family dwellings will be retained. The exterior of the house located at 2822 Cedar Hill Road was recently renovated. The applicant is proposing to replace the siding on the existing house located at 2826 Cedar Hill Road.
- The requested variances for front, rear and side yard setbacks are in part due to the road dedication requirements, and the location and size of the existing buildings on the subject properties.
- The requested variances for the parking stall areas are a result of existing site constraints.

BACKGROUND

Description of Proposal

The proposal is for a small lot house and changing the exterior of an existing house. Specific details include:

- a new two-storey building featuring "arts and crafts" design elements such as a pitched roofline, gabled front entryway with a porch at grade and traditional-style windows
- the exterior materials on the new small lot house include hardi-board and batton, cedar shakes, stone and asphalt shingles
- the new exterior materials on the existing house include hardi-shakes and asphalt shingles
- soft landscaping would be introduced to enhance privacy between the neighbouring properties.

The proposed variances are related to:

- reducing the side yard setbacks of proposed Lot A
- reducing the front and side yard setbacks of proposed Lot B
- · reducing the front yard setback of proposed Lot C
- increasing the maximum grade of a parking stall area of proposed Lot A and B.

Sustainability Features

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

Active Transportation Impacts

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

Existing Site Development and Development Potential

Each of the two properties are currently zoned R1-B, Single Family Dwelling District, and are occupied by single family houses.

Planning and Land Use Committee Report

April 16 2015

Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Oaklands CALUC regarding the rezoning proposals in general at a Community Meeting held on October 27, 2014. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes a variance; 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 OCP identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot. The design of the new small lot house incorporates "arts and craft" architectural elements, such as a pitched roofline, gabled front entryway with a porch at grade, and traditional-style windows. Windows are maximized on the front and rear elevations. The windows on the side elevations are smaller and carefully located to respect the privacy of adjacent neighbours. The new small lot house design utilizes materials and finishes that are visually compatible with the existing homes. A single car garage is visible from the street and slightly recessed from the front entrance. The second storey of the house would only be visible from the rear yard due to the slope and topography of the lot and the applicant's desire not to blast the site.

The applicant would also be upgrading the exterior façade of the existing house on proposed lot A by replacing windows, the roof, and existing siding with hardi-shakes.

Regulatory Considerations

Setback Variances

The applicant is requesting several setback variances in order to facilitate a small lot subdivision. The proposed variances are detailed in the following data table below.

Lot/Zoning Criteria	Required	Proposed (Variances Required)
Lot A - Setbacks		
Side Yard (NW)	2.4m	0.33m
Side Yard (SW)	2.4m	1.77m
Lot B - Setbacks		
Front Yard	6m	3.36m
Side Yard (NW)	2.4m	1.5m
Side Yard (SE)	2.4m	1.79m
Lot C - Setbacks		
Front Yard	6m	4.62m
Side Yard (NW)	2.4m	1.5m
Side Yard (SE)	2.4m	1.66m

The proposed front yard setback variances for Lot B and C are in part due to the road dedication requirement. The proposed north west side yard setback for the existing house on Lot A and the south west side yard setback for the existing house on Lot C would have been considered legally non-conforming under the existing R1-B Zone. However, rezoning the existing lots to the small lot zone

Planning and Land Use Committee Report Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road April 16 2015

triggers variances as the existing legal non-conformities would no longer be applicable according to the Local Government Act.

Each lot has side yard setbacks of at least 1.5m or greater (except for the existing NW side yard setback on Lot A), which is the minimum side yard setback permitted in the R1-S2 zone. However, in the zone, the minimum side yard setback is increased to 2.4m for any portion of a dwelling used as habitable space (e.g. bedroom, living room), which also has a window. Even with a reduction in the side yard setbacks and the addition of a new small lot, each lot would still have adequate yard space and landscaping.

Parking Variance

The applicant is requesting to increase the maximum grade of a parking stall area for Lot A from 8% to 13.5% and Lot B from 8% to 14.6%. These proposed grades, although not ideal, are still considered acceptable given the limitations of the lot.

CONCLUSIONS

The proposal to construct a new small lot house and renovate the exterior of the existing house on proposed Lot A are consistent with Development Permit Area 15A: Intensive Residential – Small Lot. The small lot house is a form of sensitive infill development and fits in with the existing neighbourhood. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

Respectfully submitted.

That Council decline Application No. 00467 for the properties located at 2822 and 2826 Cedar Hill Road.

Leanne Taylor, Planner
Development Services Division

Report accepted and recommended by the City Manager:

Date:

Date:

Alison Meyer, Assistant Director
Development Services Division

Development Services Division

Date:

Jason Johnson

LT:af

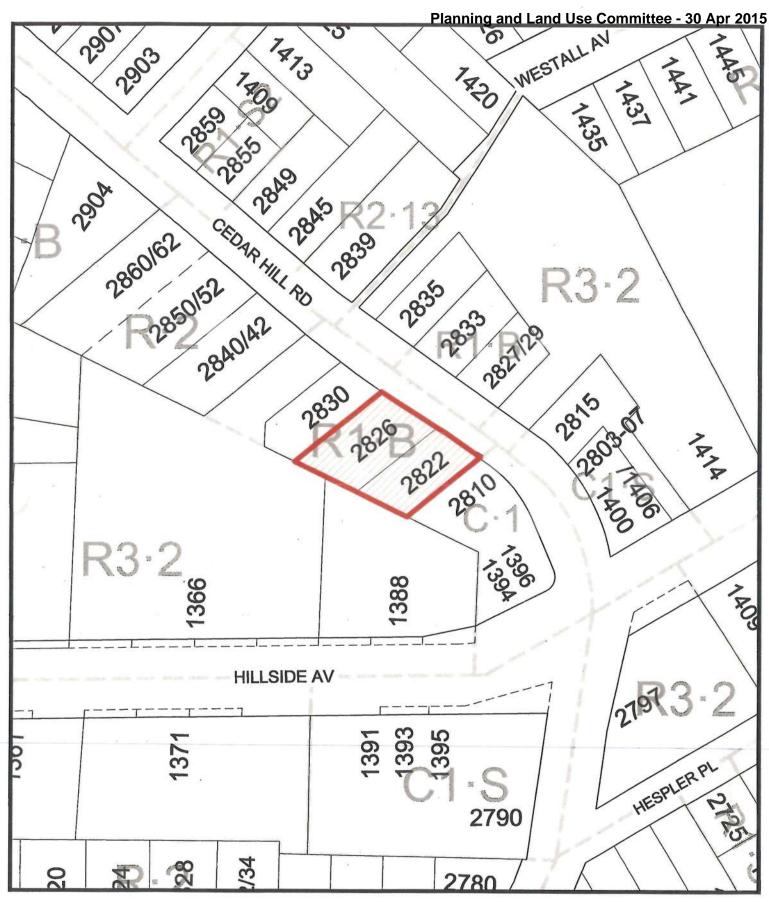
C:\Users\aliciaf\Desktop\DP PLUC REPORT.doc

Planning and Land Use Committee Report
Development Permit with Variances Application No. 00467 for 2822 and 2826 Cedar Hill Road

April 16 2015

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated March 31, 2015
- Arborist report dated February 4, 2015
- Small Lot Housing Rezoning Petition
- Plans dated March 18, 2015.

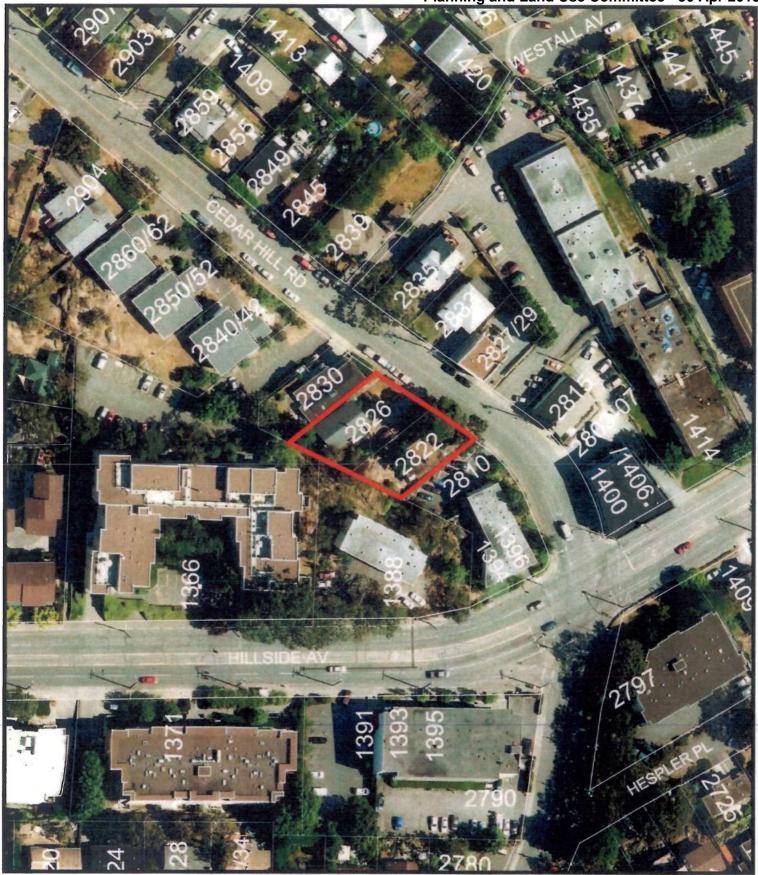




2822-2826 Cedar Hill Road Rezoning #00467 Bylaw #



Planning and Land Use Committee - 30 Apr 2015



N Rezoning #00467
Bylaw #

Development Permit with Variances Application No. 00467 for ...



Letter to Mayor and Council

MAR 3 1 2015

Planning & Development Department Development Services Division

The following sets out the proponent's response to the Small Lot Subdivision Guidelines, and is provided to assist Mayor and Council in their consideration of the rezoning application to create three small lots (R1-S2, Restricted Small Lot (Two Storey) District) on a site where currently two single family houses zoned (R1-B, Single Family Dwelling District) exist.

Government Policies:

Located on a collector roadway designated street, the existing houses at 2822 and 2826 Cedar Hill Road are in a neighborhood where the adjacent dwellings include one single family home, some duplexes, a triplex, a 4 unit apartment, a 12 unit rental apartment, two mixed-use commercial/ residential buildings, and a 50 unit condominium. The proposal to rezone 2822 and 2826 Cedar Hill Rd. from two R1-B lots into three R1-S2 (small lot) dwellings is representative of the goals outlined in the official community plan. This proposal meets all of the City's requirements from Engineering and the Greenway/ Parks perspective. After receiving feedback from the various City of Victoria Departments involved in the small lot rezoning application process, setback and driveway/parking slope variances would be required to facilitate a small lot subdivision and construct a new small lot house. The front yard setback variances are in part due to the road dedication requirement. Small lot subdivisions have been successfully integrated into the neighborhood on several neighboring blocks.

Relevant Experience:

I am a local house builder, living in the Fernwood area with my family. I have recently completed a similar small lot subdivision on the corner of Doncaster Dr. and Burton Ave. where the feedback from the community regarding the finished product was very positive.

Neighborhood Feedback:

The petition in which the adjacent neighbors were polled for their support or lack of support for the proposal has been completed, and the response has been almost entirely positive. Provided in the proposed set of plans is an aerial view outlining the support for the proposal. The support for the project is unanimous with the exception of the owner of 2830 Cedar Hill Rd. who has not signed the petition. He expressed concerns before the community meeting and disagreement at the meeting, but thus far has not responded to further attempts to contact him. On one occasion prior to the community meeting I spoke with the owner at his home about his concerns regarding the project, and said I was very willing to find a mutually agreeable solution to his concerns by redesigning the landscaping and driveway layout.

The concerns the owner of 2830 Cedar Hill Road raised at the (CALUC) meeting on October 27th, 2014, included: the possibility of headlights shining into his home, dust created from lawn mowing

between the two homes entering his windows, having no control over the type of vehicle any possible new owner might have meaning that the proposed new driveway for 2826 Cedar Hill Road could allow for sufficient pollutants from vehicles to seriously harm occupants in his home.

I made several changes to the plans in an attempt to address his concerns prior to the community meeting. At the community meeting, he stated that I wasn't listening to him and that the primary concern was the possibility of vehicle pollutants harming his family. Since the community meeting I have taken additional measures to mitigate his concerns: the driveway was moved as far away from 2830 Cedar Hill Road as City's Bylawwill allow; trees were added to the landscaping plan as a light and sound barrier; and the area between the houses will be covered with paving stones in an effort to mitigate dust. These changes are shown on the revised plans. It is worth noting the existing house located at 2826 Cedar Hill Road is not being significantly altered or moved and has been in close proximity to 2830 Cedar Hill Road for many decades. Of further note is the fact that the proposed lot is over thirty five feet away from the shared property line of 2826 and 2830 Cedar Hill Road as it is located between 2822 Cedar Hill Road and 2826 Cedar Hill Road.

Project Benefits:

This small lot rezoning will provide many economic benefits to the City of Victoria. The city will receive substantial road dedication from the two properties involved as a condition of approval to improve active transportation (walking and cycling) infrastructure along this portion of the roadway. Currently City of Victoria infrastructure does not provide storm drains servicing the properties at 2822 and 2826 Cedar Hill Road. Engineering has requested that storm drains be provided as a condition of the development as well, meaning the City's storm system would be extended along Cedar Hill Road to reach the proposed lots, allowing for street-side storm drains.

From an economic perspective, the project will create numerous construction jobs from all relevant areas related to the development. The additional lot will provide new property tax revenue. The proposed new home will greatly increase the aesthetic appeal of the neighborhood by providing a new Arts and Crafts style home, while the existing home on 2826 Cedar Hill Road will receive a much needed exterior update and significant interior improvements. Additionally, improved landscaping will increase the visual appeal of the surrounding area.

Need and Demand:

The creation of three small lots from the existing two lots will allow for three single family dwellings where formerly there were only two as the proposed home fits right in between the two existing ones.

Services:

The proposed lots are located within walking distance of the Cedar Hill Recreation Center, Cedar Hill Golf Course, several parks, and Hillside Mall. The mall offers grocery shopping, dental service,

numerous boutiques, insurance services, restaurants, and several major department stores. As a result potential occupants can have virtually any daily need accommodated simply by walking a few blocks to the mall. The effect of this is virtually no commuting for day to day requirements. In addition, the lots are within a block of Hillside Avenue with its extensive transit services.

Neighbourhood:

The existing houses at 2822 and 2826 Cedar Hill Road are situated in a manner that allows a small lot subdivision which will have minimal impact on the neighboring properties. The proposed lot is located in between two existing properties owned by the proponents. Over 90% of the adjacent neighbors are supportive of the proposed design and layout of the development. The consensus at the community meeting was supportive of the proposal's design and layout.

Impacts:

This small lot subdivision will make considerable improvements to the neighborhood. The creation of the new home will improve the streetscape and the implementation of effective landscaping will dramatically improve the site from its current state. Upon consulting the Parks Division of the City of Victoria, we learned there are no protected trees on the property. After discussion with Brook Daital from the City of Victoria Parks Dept. and consultation with ISA certified arborist Mark Logtenberg, it has been determined two trees on the property require removal. The first tree a Douglas fir (#2 on the ISA arborist report), has existing root damage due to an uneven grade between the old driveway and the lawn, due to the proximity of the existing house and the new construction removal of this tree is recommended. The second tree a Fir tree (#3 on the ISA arborist report) is in POOR condition, the top is dead and the arborist recommends removal.

Other possible impacts on neighboring properties are construction noise during the building process. The proposal will attempt to use a similar sized mountable curb, attempting to preserve existing street parking.

Design:

The design of houses in the Oaklands catchment area is eclectic and varied. We have chosen a design with elements that can be found in nearby homes and taken particular care to select finishes that are complementary to and reflective of homes on our street. The Arts and Crafts design fits well within the context of the two adjacent properties. The vast majority of adjacent neighbors are very pleased with both the proposed design and the materials.

CAN GALW -



Davey Tree Expert Co. of Canada, Limited. 888 Viewfield Road Victoria, British Columbia V9A 4V1

Phone: (250) 477-8733 Fax: (250) 475-2218

Arborist Report

Pre-Construction Report

Prepared For: Cam Brown

Site Address: 2822 Cedar Hill Road Victoria, BC V8N 4L5

February 4, 2015

Prepared By:
Mark Logtenberg
ISA Certified Arborist ON-1051AM
Mark.logtenberg@davey.com
(250) 477-8733

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Summary

A new home is planned for this property. Currently this is an empty lot with various protected trees.

This report deals exclusively with trees that may be affected by any proposed construction.

Introduction

Below is a summary and checklist of the suggested tree preservation process for this project. These should be followed in order:

	Action	Complete
1.	Perform site walk with Arborist, inventory trees, discuss tree preservation goals, estimate hoarding and root pruning distances.	Х
2.	Prepare pre-construction report, (site map with trees MTPZ and CRZ, root pruning and hoarding locations) based on the current proposed construction and any modifications discussed as a result of the site walk.	X
3.	After approval of a Tree Preservation Plan (TPP), City and/or Contractor construction staff will field mark exact locations.	
4.	Hoarding to be installed by the contractor prior to the start of any construction.	+
5.	Project Arborist and/or City of Victoria's Arborist inspector to verify hoarding.	163
6.	Throughout the construction phase of the project, a Certified Arborist retained by the contractor is to perform root pruning where needed and will be verified by the inspector. The project arborist will be available to be on site during any work within the MTPZ. The City's inspector and any contractor must notify the Project Arborist (Mark Logtenberg (250) 883-0905when need for advice, recommendations and monitoring.	l a
7.	Prepare a post-construction report after all construction is completed to determine if all Tree Preservation By-Laws were adhered to and to assess the health of the Tree and survivability.	#T

Limitations of the Assignment

It is imperative for all Project and Construction Leads to thoroughly read this report. Tree preservation is a pro-active measure that starts at the planning stage. Understanding the importance of tree roots in overall tree health and survivability is of the highest importance in implementing effective tree preservation measures.

The roots provide nutrients and water to the leaves and branches while supporting the tree in wind storms and preventing failure. Trees are remarkable, in that the upper canopy can be completely green and full while the majority of the roots below have been removed; leaving the tree highly prone to failure and imminent death within a few years. Once a tree is injured, that injury is never "healed" but instead the tree allocates a great deal of energy to try and repair itself, often times at the expense of its vitality and sometimes leading it into a mortality spiral that may not be noticed for 3-10 years.

Root pruning is a practice to minimize injuries to trees. Roots in comparison to upper canopy limbs store a great deal of energy and reserves for trees to survive and must be removed with the utmost care and consideration. Similar to pruning the upper canopy of the tree, limbs are best removed via target pruning practices and not by ripping limbs off. Roots must be assessed by a qualified and experienced arborist and then pruned properly with a sharp tool.

The project scope and details for tree preservation were discussed. All proposed construction methods are limited to what was provided in the site plans and in discussions with the project leader.

Estimates, measurements and comments regarding tree preservation were based on the proposed construction plans.

Observations

This is a proposed construction. Various other trees are outside of the building envelope and are protected under the tree preservation by-law no. 05-106.

The Garry Oaks along the road are to be assumed by the municipality and a health and structure assessment is included in this report.

The Douglas Fir by the existing house will also be addressed.

Discussion

Work within the MTPZ of any tree would be considered serious root injury and would leave the tree with a high potential of structural failure or serious decline.

Trees will be the least impacted from construction if the hoarding is completed prior to construction at the site.

Increasing tree protection zone distances should be done at the design stage. Field marking exact location of the new structure by the planning personnel has been well proven to be the most effective way to ensure accurate distances from trees. Generally speaking, it is better to add some fill than to excavate roots. Fill can be modified (such as using High Performance Base (HPB)) to allow gas exchange and water permeability, while the tree adapts to the change slowly over time.

Further discussions may be needed to ensure methods are useful, cost effective and will provide for the tree being protected.

TREE PROTECTION ZONE

This is the area to be protected defined by the arborist. Where some fill or excavate must be temporarily located near a TPZ, a plywood barrier must be used to ensure no material enters the TPZ. Rigid Hoarding is needed when construction machines are very close (within 1-2 metres) of the trunk to prevent accidental bumps from machines. These seemingly harmless bumps stay with the tree forever and can cause significant chronic stress to the tree.

There must no be any storage of any materials within the TPZ

Where changes to the location of the TPZ or where temporary access to the TPZ are proposed by anyone other than the arborist, prior approval by the Project Arborist at Davey Tree must be obtained before proceeding.

Tree Protection Signs

It is recommended that a sign be attached to the hoarding defining the area as a Tree Protection Zone.

Root Pruning Protocol

Root pruning is not a common skill set and should be performed by a qualified arborist familiar with root exaction and root pruning. Tree roots are underground and are otherwise not detectible without physical exploration; using a Supersonic Air Tool (SSAT) such as an AirSpade® or Daylighting Vehicle (Hydro-Vac). Root pruning trenches must be at least the depth of the deepest root (usually 20-40cm) and about 15cm wide. Roots are assessed by the arborist with regard to the effects construction may have on the tree, and then either pruned, possible recommend for removal or a design change may be needed on-site to accommodate.

- Root Pruning with the Minimum Tree Protection Zone (distance measured from the base of the tree calculated by multiplying the dbh by 6) of any tree requires root exploration via Supersonic Air Tool or Daylighting Vehicle to first remove the soil and expose the roots.
 - a. Roots under 2cm in diameter can be pruned using a sharpened tool such as hand pruned or a sharpened spade under the supervision of the City Arborist.
 - b. Roots between 2 and 8cm in diameter can be pruned by the arborist using a sharp tool, such as a handsaw, hand pruner or loppers and under the supervision of the City Arborist and the advisement of the Project Arborist.
 - c. All roots over 8cm in diameter must be assessed by the Project Arborist prior to pruning unless the arborist on-site can confidently assess the effect of the removal of the root as not detrimental to the tree.
- Root Pruning within the Critical Root Zone (the distance measure from the base of the tree calculated by multiplying the dbh by 18) and outside of the MTPZ, typically requires the use of a sharpened garden spade, cutting a line to the depth of about 30cm by the on-site arborist and the advisement of the Project Arborist if needed. However, the same pruning protocol for the size of roots encountered (in the MTPZ) applies to the roots found within this area.

The trenches are typically backfilled with the same excavated soil or new topsoil or compost and hoarding should be installed along this trench to protect the remaining roots.

Hoarding

Hoarding (Tree Protection Fencing (TPF)) is used on construction sites to ensure that damage to the tree and its root zone is prevented. This distance is typically located by the MTPZ. However it must be understood that sometimes this distance is not achievable due to infrastructure being too close. It must be further understood the hoarding distance sometimes must accommodate a larger tree protection zone (than the typical MTPZ distance) due to a limited root growing area/volume (this area is tropically defined by the Project Arborist.)

Hoarding locations should be field marked by the Project Arborist, and hoarding installation will be installed by the contractor. This hoarding must be anchored to the ground and must be installed to the lines defined by the Project Arborist.

Problems will arise for tree preservation efforts when anyone removes the hoarding, even temporarily. It takes one instance of soil compaction from a heavy machine for roots to suffer form air and water deprivation and for the tree to become stressed. It is imperative to install and maintain in good condition the hoarding to prevent this from happening before and throughout the entire construction.

Conclusion

Once all tree/site protection measures have been installed, you must notify Davey Tree to arrange for an inspection of the site and approval of the site protection requirements.

The trees with proposed construction will have hoarding installed to define a specific TPZ. They will be the least impacted from construction if the hoarding is completed.

If preservation methods outlined in this report are adhered to, the trees will incur minimal injuries. If the trees are respected where machines are not used and foot traffic is kept to a minimum, the trees roots will incur no additional stress from the proposed construction.

Tree Inventory and Specific Guidelines

Tree #	Species	DBH	Comments
1	Garry Oak	50	To be assumed by the municipality. This tree is in good condition with a healthy canopy and no structural defects. There is less than 10% deadwood in the canopy. Tree Protection Zone during construction.
1A -	Garry Oak	60	To be assumed by the municipality. This tree is in good condition with a healthy canopy and no structural defects. There is less than 10% deadwood in the canopy. Tree Protection Zone during construction.
2	Douglas Fir	50	This tree has had root damage due to an uneven grade between the old driveway and the lawn. I recommend removal of this tree due to the root issues and the proximity to the old house and new construction.
3	Fir	25	This tree is in poor condition. The top is dead. I recommend removal.
4	Garry Oaks (X3)	20, 25, 30	These trees are in good condition and will need to be protected during construction. Protective hoarding at a distance no less than 5.4 metres from the edge of the trunk shall be installed.

Glossary of Common Arboricultural Terms

Arborist	A professional who possesses the technical competence gained through experience and related training to proved for or supervise the management of trees and other woody plants in residential, commercial and public landscapes.
Compartmentalization	Natural defense process in trees by which chemical and physical boundaries are created that act to limit the spread of disease and decay organisms.
Critical Root Zone- (CRZ)	Area of soil around a tree where the minimum amounts of roots considered critical to the structural stability or health of the tree are located. CRZ determination is sometimes based on the drip line or a multiple of dbh (12:1, 12cmof ground distance from the trunk for every cm of dbh) but because root growth is often asymmetric due to site conditions, on-site investigation is preferred.
Daylighting	Also know as Hydro-Vac, this is the process by which soil is vacuumed up. In the context of tree care this allows workers to access the soil below the roots without mortal damage to significant roots.
DBH	Acronym for tree diameter at breast height. Measured at 1.4m above ground.
Dripline	Imaginary line defined by the branch spread of a single parent or group of plants.
MTPZ	Acronym for Minimum Tree Protection Zone, also know as the Structural Root Zone (SRZ) which is the distance form the tree equal to 6 times the dbh, within which the likelihood of encountering roots that are direct structural supports for the tree.
Mortality Spiral	A sequence of stressful events or conditions causing the decline and eventual death of a tree.
CRZ	Acronym for Critical Root Zone, within which there is a high likelihood of encountering roots that are necessary for the survival for the tree.
Qualified Arborist	An arborist who has documented related training (i.e. ISA or equivalent) and on-the-job experience (minimum of 5 years)
Supersonic Air Excavation Techniques (SSAT) Tree Protection Zone	A methodology using a device that directs a jet of highly compressed are to excavate soil. Used within the root zone of trees to avoid of minimize damage to the roots. Defined area within which certain activities are prohibited
-TPZ	or restricted to prevent or minimize potential injury to designated trees, especially during construction.

References

- 1. ISA, 2001-2011. <u>Best Management Practices, Books 1-9, Companion publications to ANSI A300 Standards for Tree Care</u>
- 2. Dujesiefken, Dr. Dirk, 2012. Director of the Institute for Tree Care in Germany, <u>The CODIT Principle</u>, research presented on cambial regrowth on trees after injury at the Annual ISA Conference in Kingston Ontario
- 3. Sinclair and Lyon, 2005. Diseases of Trees and Shrubs, Second Edition
- 4. ISA, 2010. Glossary of Arboricultural Terms
- 5. Neely and Watson, ISA, 1994 The Landscape Below Ground 1 and 2
- 6. Matheny and Clark, ISA 1994. A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas, 2nd Edition
- 7. Matheny and Clark, ISA 1998. <u>Trees and Development, A technical Guide to Preservation of Trees During Land Development</u>
- 8. PNW-ISA, 2011. <u>Tree Risk Assessment in Rural Areas and Urban/Rural</u> Interface, Version 1-5

Conditions of Assessment Agreement

This Conditions of Assessment Agreement is made pursuant to and as a provision of the Davey Tree Expert Co. of Canada, Limited ("Davey"), providing tree assessment services as agreed to between the parties, the terms and substance of which are incorporated in and made a part of this agreement (collectively the "Services").

Trees are living organisms that are subject to stress and conditions and which inherently impose some degree or level of risk. Unless a tree is removed, the risk cannot be eliminated entirely. Tree conditions may also change over time even if there is no external evidence or manifestation. In that Davey provides the Services at a point in time utilizing applicable stand industry practices, any conclusions and recommendations provided are relevant only to the facts and conditions at the time the Services are performed. Given that Davey cannot predict or otherwise determine subsequent developments, Davey will not be liable for any such developments, act, or condition that occur including, but no limited to, decay, deterioration, or damage from any cause, insect infestation, acts of god or nature or otherwise.

Unless otherwise stated in writing, assessments are performed visually from the ground on the above-ground portions of the tree. However, the outward appearance of trees may conceal defects. Therefore, to the extent permitted by law, Davey does no make and expressly disclaims any warranties or representations of any kind, express or implied, with respect to completeness or accuracy of the information contained in the reports or findings resulting from the Services beyond that expressly contracted for by Davey in writing, including, but not limited to, performing diagnosis or identifying hazards or conditions not within the scope of the Services or not readily discoverable using the methods applied pursuant to applicable standard industry practices. Further, Davey's liability for any claim, damage or loss cause by or related to the Services shall be limited to the work expressly contracted for.

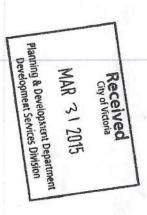
In preforming the Services, Davey may have reviewed publicly available or other third-party records or conducted interviews, and has assumed the genuineness of such documents and statements. Davey Disclaims any liability for errors, omissions, or inaccuracies resulting from or contained in any information obtained from any third-party or publicly available source.

Except as agreed to between the parties prior to the Services being performed, the reports and recommendations resulting from the Services may not be used by any other party or for any other purpose. The undersigned also agrees, to the extent permitted by law, to protect, indemnify, defend and hold Davey harmless from and against any and all claims, demands, actions, rights and causes of action of any kind and nature, including actions for contribution or indemnity, that my hereafter at any time be asserted against Davey or another party, including, but not limited to, bodily injury or death or property damage arising in any manner from or in any way related to any disclaimers or limitation in this Agreement.

By accepting or using the Services, the customer will be deemed tot have agreed to the terms of this Agreement, even if it is not signed.

Acknowledged by:	
Name of Customer	
Authorized Signature	Date
	12 I D a a a





REZONING APPLICANTS SUPPORTS PROJECT DIDN'T SIGN PETITION - ASSUMED NON-SUPPORTING

ISSUE DATE: MAR.09, 2015

NEIGHBORHOOD SUPPORT MAP CAMERON BROWN

CUSTOMER:

Received City of Victoria

MAR 2 6 2015



SUMMARY SMALL LOT HOUSE REZONING PETITION PROPERTY Services Division

I, Can Brown, have petitioned the adjacent neighbours*	in compliance with
the Small Lot House Rezoning Policies for a small lot house to be located at	2827/2826 (location of proposed house)
ledar Hill Rd and the petitions submitted are those collected by	date) ***

Address	In Favour	Opposed	Neutral (30-day time expired)
		1	J
2815 Cedar Hill Rd	V		
2827 Ceda Hill RD	/		
# 1			1
# 2			~
# 3			V .
# 4			/
2830 Ceda Hill Ro			/
28 33 "			(*)
28 35 11 OWNER			
Coder Holl Ap unit *11	1		
11 #2			/
(1 #3			*
1366 Hillside AVE UNI #214	/		
11 Unit \$ 406	/		

SUMMARY	Number	%	
IN FAVOUR	8	100	
OPPOSED			
TOTAL RESPONSES	8	100%	

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



I, CAN BAUW, have petitioned the adjacent neighbours*	in the second se
the Small Lot House Rezoning Policies for a small lot house to be located at	2827/2826 (location of proposed house)
(edar Hill Kol and the petitions submitted are those collected by	.**

2810 Cedar Hill Rd (1394 Hill side)	In Favour	Opposed	Neutral (30-day time expired)
Building owner	/-		
1394 Hillside Ave	1		
1396 Hillside AVE	V.		
2810 Codar Hill Rd. # 101			
≠102	/		
* 103	V.		
* 104			V
\$105			/
\$ 201	14		/
\$202	V		
#203			/
\$204	/		
#205			/

SUMMARY	Number	%
IN FAVOUR	7	100
OPPOSED	Ø	
TOTAL RESPONSES	7	100%

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

CITY OF VICTORIA

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



I, <u>Can Bow</u> , have petitioned the adjacent neighbours*	and the same of th
the Small Lot House Rezoning Policies for a small lot house to be located at	2827/282 6
and the petitions submitted are those collected by	/ate) **

Address 1388 Hilside AJE	In Favour	Opposed	Neutral (30-day time expired)
1388 Hilside AVE	1		4
OWNER (Daviel GripIN)	/		
UNIT # 1	V		
# 2			/
# 3	/		
# 4	/		
# 5	/		
d 6			V
# 7	/		
T 8	/		
H 9	7		
H 10	. /		
# 11	1		
I IL	/		

SUMMARY	Number	%
IN FAVOUR	11	100
OPPOSED		
TOTAL RESPONSES	11	100%

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

CITY OF VICTORIA

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



	ose collected b	(date)	
1400/1406 Hillside, Ceder Hill	In Favour	Opposed	Neutral (30-day time expired)
100711007117107 0000 1111	4	4	
OWNER (By ON WESS)	1		
1406 Hillside			
2803 UNIT # 7			-
# 3	1		
4 4			/
A 5			V
# 6	VACA	UT	
2840/42 Cedar Hill Ro			
2850/52	/		
2860/67	/		

CITY OF VICTORIA

100%

TOTAL RESPONSES

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

I, CAM Brown, have petitioned the adjacent neighbours*	in compliance with
the Small Lot House Rezoning Policies for a small lot house to be located at	2827/2820 (location of proposed house)
and the petitions submitted are those collected by	date) ***

Address	In Favour	Opposed	Neutral (30-day time expired)
Summary of 4			
7			
pages of petitions			
collected			
PAGE I	8		
PAGE 2	7		
PAGE 3	11		
PAGE 4	6		
7,198			

SUMMARY	Number	%
IN FAVOUR	32	100
OPPOSED		
TOTAL RESPONSES	32	100%

^{*}Do not include petitions from the applicant or persons occupying the property subject to rezoning.

^{**}Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN , am conducting the petition requirements for the
property located at 2822 / 2824 Geler Hill Rp
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or smail address.
Please review the plans and indicate the following: NAME: (please print) RANDY BUHT (see note above) ADDRESS: Z-835 Cedar Hill Ro.
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
I am opposed to the application.
Comments:
March 25/2014 Signature

In preparation for my rezoning application to the City of Victoria, I,
CAM BRUN, am conducting the petition requirements for the
property located at 2822/2826 CEDAR HILL RO
to the following Small Lot Zone: R1 - 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Tess et (see note above) ADDRESS: 2835 Godar Hill Rp.
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
Mar 25/15 Quesa Sel.

<u>Description of Approach to Petitioning</u> 2810 Cedar Hill Rd. and 1394/1396 Hillside Ave. (same building)

2810 Cedar Hill Rd. is a mixed use commercial/residential building with 10 residential units and 2 commercial units (with Hillside addresses). The owner of 2810 Cedar Hill Rd. signed the petition indicating support for the application. The two commercial tenants have signed the petition in favor of the application. Of the 10 residential tenants, four have responded in favor and, two suggested they were too busy to discuss the petition and or not wanting to be bothered. The remaining two have been unreachable.

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at 2822/2826 CEDAKHILL RO.
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) THETRIC GENTY (see note above)
ADDRESS: 1095 Z810 CEDAK HILL FO
Are you the registered owner? Yes No 🗆
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Aug 28/2014 Addy Signature

In preparation for my rezoning application to the City of Victoria, I,
(print name), am conducting the petition requirements for the
property located at 2822/2820 Cedar Hill Ko
to the following Small Lot Zone: R1-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) <u>Nathan Webster</u> (see note above) ADDRESS: 1394 Hillside Avenue (Building Address 2810 Cedar Hill Rd.)
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
March 24, 2015 Mathan trelister

In preparation for my rezoning application to the City of Victoria, I,
LAM BROWN , am conducting the petition requirements for the
property located at 2822/2820 Codor Hill Ro
to the following Small Lot Zone: R1 -52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Tom Hoursoft (see note above)
ADDRESS: 1396 HILLSIDE (2810 CEDAR HILL)
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
☑ I support the application.
☐ I am opposed to the application.
Comments:
May 24/15 Ithertuit

In preparation for my rezoning application to the City of Victoria, I,
Can Brown, am conducting the petition requirements for the
property located at 2822 (2826 Cedar Hill Ro
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) (see note above)
ADDRESS: 2810 Ceder Hill Apt 202
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
☑ I support the application.
I am opposed to the application.
Comments: 5 and good
Mar 23/15 June Signature

In preparation for my rezoning application to the City of Victoria, I,
am conducting the petition requirements for the
property located at 2822/2826 CEDAR HILL RP
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print)
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
am opposed to the application.
Comments:
MAR (M 23/2, 2016) Date Signature Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 CEPAR HILL RD
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or smail address.
Please review the plans and indicate the following:
NAME: (please print) Surant HICKIBBIN (see note above)
ADDRESS: 102 - 2810 Cedar Hill Read
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
support the application.
am opposed to the application.
Comments: Sounds great!
March 23/2015 Syck, 66,2 Signature

in preparation for my rezoning application to the City of victoria, i,
, am conducting the petition requirements for the
property located at 2822/2826 Cepar HILL Ro to the following Small Lot Zone: R1-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Mochenite Carre (see note above)
ADDRESS: 103-1810 (eday Will road Victoria BC
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
support the application.
1 am opposed to the application.
Comments:
march 73/15 Missignature Signature

<u>Description of Approach to Petitioning 2803 Cedar Hill Rd. and 1400/1403 Hillside Ave.</u> (same building)

When I contacted the owner of the mixed use (residential and commercial) building located on the corner of 2803 Cedar Hill Rd. and 1400,1403 Hillside Ave, regarding the proposed small lot subdivision I received his support. Each tenant was provided a small lot petition form and a package showing the proposed streetscape and site plan. The owner of the building allowed me access to the residential units. The package was hand delivered and slipped under the doors of each unit. One unit was vacant. To date I have only received one response from the residents, the response was in favor of the development.

In preparation for my rezoning application to the City of Victoria, I,
CAM Brown, am conducting the petition requirements for the
property located at 2822/2826 CEPAR HILL RO
property located at
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Sylven E Webb (see note above)
ADDRESS: 1400 Hilside / 2903 Color Hill rol
Are you the registered owner? Yes 🗹 No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments: Looks Great o
7 21/14 Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 7827/7826 Cedar(4) 1/ Sp to the following Small Lot Zone: R 1 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print)(see note above)
ADDRESS: 1406 HUSIPE
Are you the registered owner? Yes \[\] No \[
I have reviewed the plans of the applicant and have the following comments:
☑ I support the application.
☐ 1 am opposed to the application.
Comments:
·
Marc 23/15 Date Signature

in preparation for my rezoning application to the City of victoria, i,
, am conducting the petition requirements for the
property located at 2827/2826 CEDAK HILL RO
to the following Small Lot Zone: R1 S7
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) COUNT SHARPE (see note above)
ADDRESS: #3 2803 CEDAR HILL RD
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
March 23 at Cally Page Signature

Description of Approach to Petitioning 1388 Hillside Ave.

1388 Hillside Ave. is a 12 unit apartment. The owner signed the petition in support of the subdivision. Of the 12 units, 10 signed in support of the proposal. I was unable to reach unit #6 despite five attempts at different times of day. Unit #2 declined to sign the petition stating he currently had no opinion on the proposal.

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN, am conducting the petition requirements for the
property located at 2822 CEDAR HILL RO / 2826 Cedar H.III R
to the following Small Lot Zone: R 1 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following: NAME: (please print)
Are you the registered owner? Yes No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments: Looks like a good add from to the very hour half
Aug 21, 2014 Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 CEDAR Hick RD
to the following Small Lot Zone: R 1 57
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) MICHELE PUNGENTE (see note above)
ADDRESS: 1-1389 Hilside Ave.
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
I am opposed to the application.
Comments:
March 23, 2015 Yn Mugaetti Date Signature

In preparation for my rezoning application to the City of Victoria, I,
CAN BROWN, am conducting the petition requirements for the
property located at 2822/282C Cedar IFAI Ro.
to the following Small Lot Zone: R / - 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Elise M Look (see note above) ADDRESS: 1388 complex Rook Hillside Ave #4
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
support the application.
☐ I am opposed to the application.
Comments:
March 23/15 Chamcau Signature

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN, am conducting the petition requirements for the
property located at 2822 CEOAR HILL RO /2824 (cdo-lf;1) Ref
to the following Small Lot Zone: R1 S2
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following: NAME: (please print)
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Aug 23, 2014 Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 Code 4/11 Ko
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Levya Senger (see note above)
NAME: (please print) Leyna Senger (see note above) ADDRESS: 138X H. IIsde Ave Sute 7
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
March 23 715 Date Signature

In preparation for my rezoning application to the City of Victoria, I,
CAN Brow, am conducting the petition requirements for the
property located at 1822/2826 Cedar /fill Lo
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) COSTAL COSTAL (see note above)
ADDRESS: #8-1388 HILLSIDE AVE
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Super aute house!
March 23/15 Crystal Cool

In preparation for my rezoning application to the City of Victoria, I,
CAM BROWN, am conducting the petition requirements for the
property located at 2822 CEDAR HILL Ro. /2826 Codor Hill
to the following Small Lot Zone:R\ S 2
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) MARK KEMY (see note above) ADDRESS: 9-1388 HILLS IDE ALE VICTORIA
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Ouro Date Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826 Gedar (4)/ Kg
to the following Small Lot Zone:Rl57
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print)(see note above)
NAME: (please print)
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
support the application.
i am opposed to the application.
Comments:
looks great
·
March 23 2015 1/2 Alana
March 23, 2015 25 25 Signature

In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2802/2826 Eda Hill M.
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or small address.
Please review the plans and indicate the following:
NAME: (please print) Danielle Africa (see note above) ADDRESS: 11-1388 Hillside Ave.
Are you the registered owner? Yes \(\square\) No \(\square\)
I have reviewed the plans of the applicant and have the following comments:
☑ I support the application.
☐ I am opposed to the application.
Comments:
March 23 2015 Bully - Signature

In preparation for my rezoning application to the City of Victoria, I,
property located at 2822 CEOAR HILL Ro. 2826
property located at 2822 CEOAR HILL KO, / 2826
to the following Small Lot Zone: R1 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print)(see note above) ADDRESS: 12 - 1388 HILLSIBE AVENUE - V87285
Are you the registered owner? Yes No V
I have reviewed the plans of the applicant and have the following comments:
I support the application.
l am opposed to the application.
Comments:
2-
angune 20 2014 Stud hier
Date Signature

In preparation for my rezoning application to the City of Victoria, I,
CAM Brown, am conducting the petition requirements for the
property located at
to the following Small Lot Zone: 21-52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print)(see note above)
ADDRESS: 2827 Cladar Hill Road
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
1
Date Signature

In preparation for my rezoning application to the City of Victoria, I,
CAM Brown, am conducting the petition requirements for the
property located at 2827/2826 CEPAR II/IC RO to the following Small Lot Zone: R1 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following: NAME: (please print) //02011 //1/24K (see note above) ADDRESS: /- 2827 (e dan ///////////////////////////////////
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
☐ I support the application.
☐ I am opposed to the application.
Comments:
Date Signature

Description of Approach to Petitioning 2840/42, 2850/52, 2860/62 Cedar Hill Rd..

The owner of the 3 duplexes located at 2840/42, 2850/52, 2860/62 Cedar Hill Rd. supports the small lot subdivision application and has signed the petition indicating his support. The tenants were not petitioned as although they are very near the development they are not adjacent properties.

In preparation for my rezonling application to the City of Victoria, i,
can Brown, am conducting the petition requirements for the
property located at 2822 Ann 2826 CEDAR HILL ROAD
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) PAUL B. GOODMAN (see note above)
ADDRESS: 175 7 FORT ST
Are you the registered owner? Yes No 🗆
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
The more housing the hower of layer for the next of us. I awn property at 12840-42-12850-52-2860+62 Cedar Hill Rd. clave to house regoning Retition.
Oct 28/14 Jaul B. Gordman Signature

Description of Approach to Petitioning 1366 Hillside Ave.

1366 Hillside Ave. is a 50 unit condominium building. Prior to the CALUC meeting in October, 2014, I taped a rendering of the proposed small lot subdivision to the front entrance foyer area. Contact information for Cam Brown and the Oaklands Community center was on the document. One occupant, whose unit faces the proposed development and could be impacted by activities involved in the subdivision, contacted the community liaison (Ben Clarke). The contact information was passed on to me and I met in person with the occupant/ owner of unit #406. We discussed what potential impacts there may be (noise levels, hours of work, design and height of proposed home etc.). The occupant showed great support for the development and signed the petition indicating their support. Prior to the CALUC meeting the City of Victoria mailed out information regarding time and location of the CALUC meeting in October, 2014. The owner of unit #406 was one of only three people who attended the CALUC meeting. At the meeting continued support was shown by the occupant/ owner of unit #406. The owner of unit #214 also signed the petition supporting the development. No other units in the 1366 Hillside Ave. condominium complex have made contact

In preparation for my rezoning application to the City of Victoria, I,
CAMBROWN, am conducting the petition requirements for the
property located at 2822 / 2826 CEDAR HILL RD
to the following Small Lot Zone: R1 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Philip Ross (see note above) ADDRESS: 2833 Codan Hill Rd
Are you the registered owner? Yes \(\sqrt{No} \)
Are you the registered owner? Yes No No No have reviewed the plans of the applicant and have the following comments:
I have reviewed the plans of the applicant and have the following comments:
I have reviewed the plans of the applicant and have the following comments: I support the application.
I have reviewed the plans of the applicant and have the following comments: I support the application. I am opposed to the application.
I have reviewed the plans of the applicant and have the following comments: I support the application. I am opposed to the application.
I have reviewed the plans of the applicant and have the following comments: I support the application. I am opposed to the application.
I have reviewed the plans of the applicant and have the following comments: I support the application. I am opposed to the application.
I have reviewed the plans of the applicant and have the following comments: I support the application. I am opposed to the application.

Description of Approach to Petitioning 2827 Cedar Hill Rd..

2827 Cedar Hill Rd. is a 4 unit apartment building. The owner supports the small lot subdivision application and has signed the petition. After repeated attempts to reach each of the four units, two tenants signed in support. I have been unable to reach the other two tenants.

Received
City of Victoria

MAR 1 8 2015

In preparation for my rezoning application to the City of Victoria, I, Development Services Division
CAM BROWN, am conducting the petition requirements for the
property located at 2822 / 2826 CEOAKHICC RD to the following Small Lot Zone: RJ - 52
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) <u>JAMES A 57006</u> (see note above)
ADDRESS: # 1827 CESSE YILL M.
Are you the registered owner? Yes 🔲 No 🗌
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
THE PROPOSED MOUSE WOULD BE A
WELLOME IMPROVEMENT TO THE ALGA
Man. 9/2015 Date Date Signature

Description of Approach to Petitioning 2815 Cedar Hill Rd.

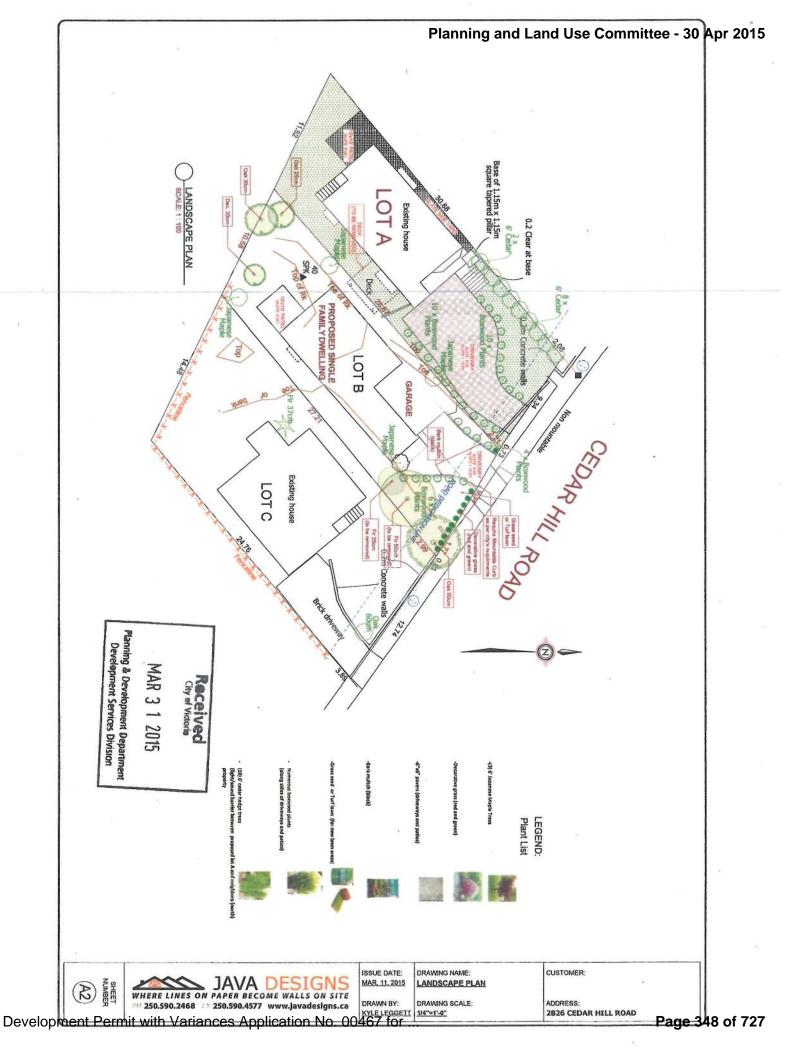
2815 Cedar Hill Rd. is Church. After contacting approximately 5 different church officials who were unsure about the church's status as it may be up for sale and as a result unclear about their ability to sign such a petition; I randomly stopped in on a whim and a high ranking church administrator /official was in the building. He signed in support of the application.

In preparation for my rezoning application to the City of Victoria, I,
. am conducting the petition requirements for the
property located at 2822/2826 Cedar Hill Ro
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following: NAME: (please print)(see note above)
NAME: (please print)(see note above)
ADDRESS: 2315 CEDAR HILL RO
Are you the registered owner? Yes No No
I have reviewed the plans of the applicant and have the following comments:
☑ I support the application.
☐ I am opposed to the application.
Comments:
Nov 18 /2014 Grutly Sand

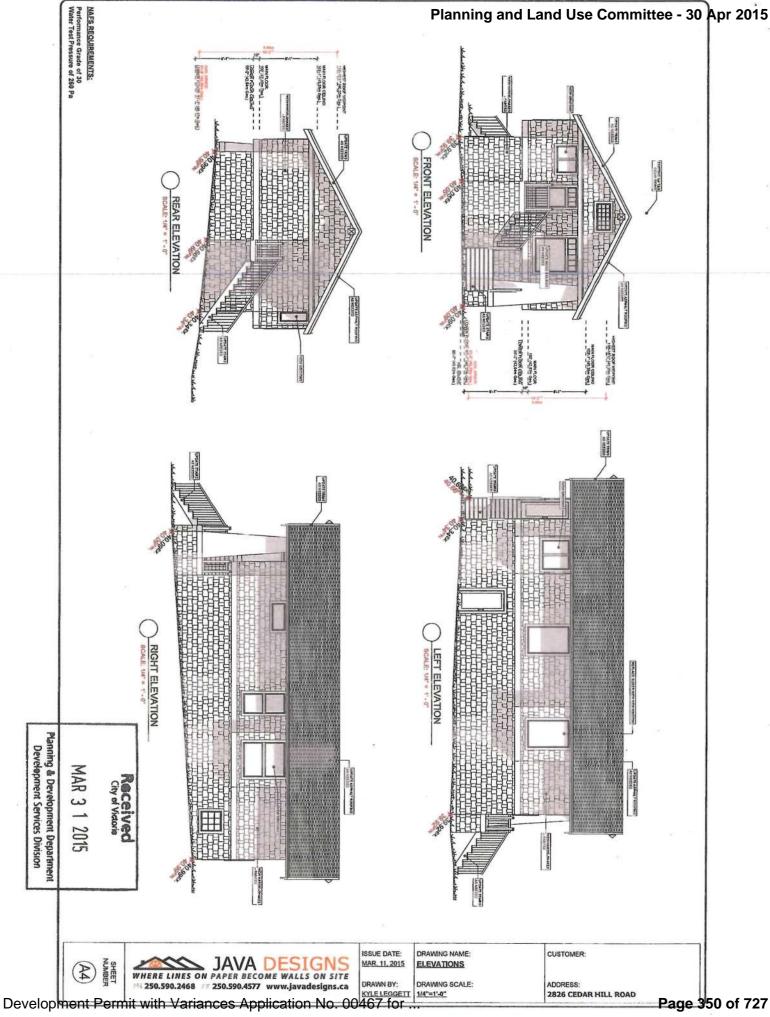
In preparation for my rezoning application to the City of Victoria, I,
, am conducting the petition requirements for the
property located at 2822/2826
to the following Small Lot Zone:
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print) Janet Clark (see note above)
ADDRESS: 406-1366 Hilside
Are you the registered owner? Yes No
I have reviewed the plans of the applicant and have the following comments:
I support the application.
☐ I am opposed to the application.
Comments:
Date Signature

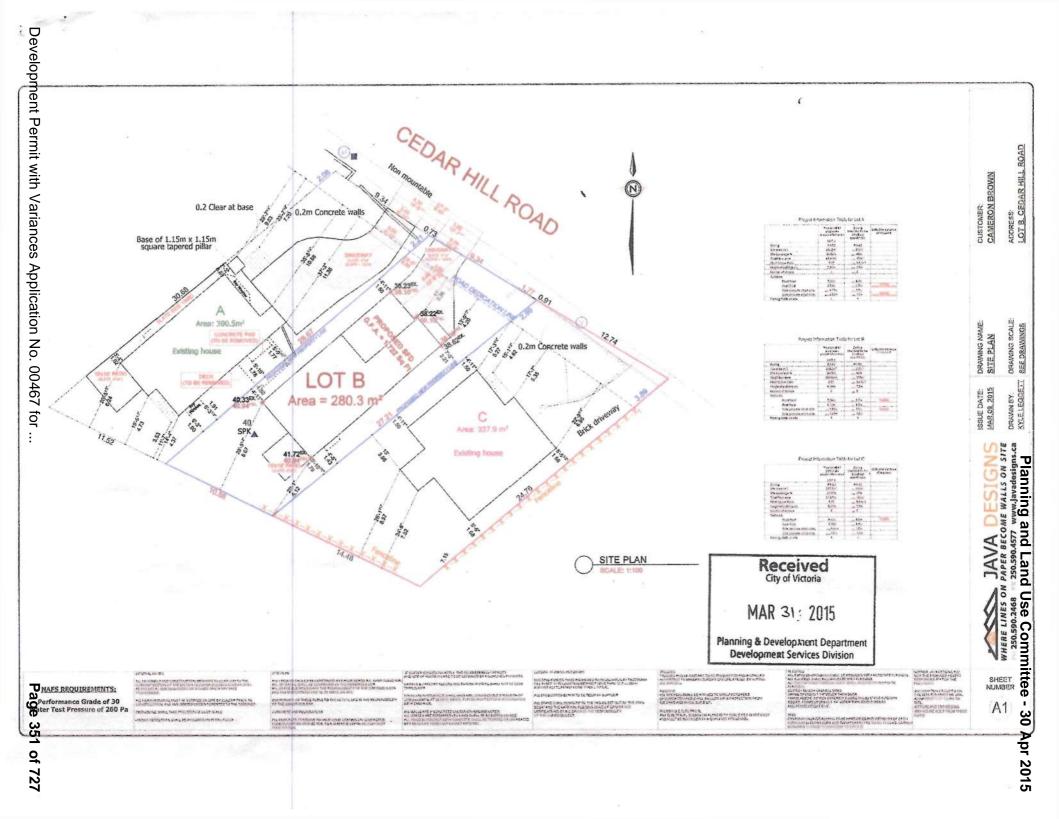
, am conducting the petition requirements for the
property located at
The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.
Please review the plans and indicate the following:
NAME: (please print)(see note above)
ADDRESS: 214-1366 HILLSIDE AVE
Are you the registered owner? Yes 🔀 No 🗌
I have reviewed the plans of the applicant and have the following comments:
☑ I support the application.
 I support the application. I am opposed to the application.
l am opposed to the application.
☐ I am opposed to the application. Comments: I think the plans look good and the papesed development
☐ I am opposed to the application. Comments: I think the plans look good and the papesed development

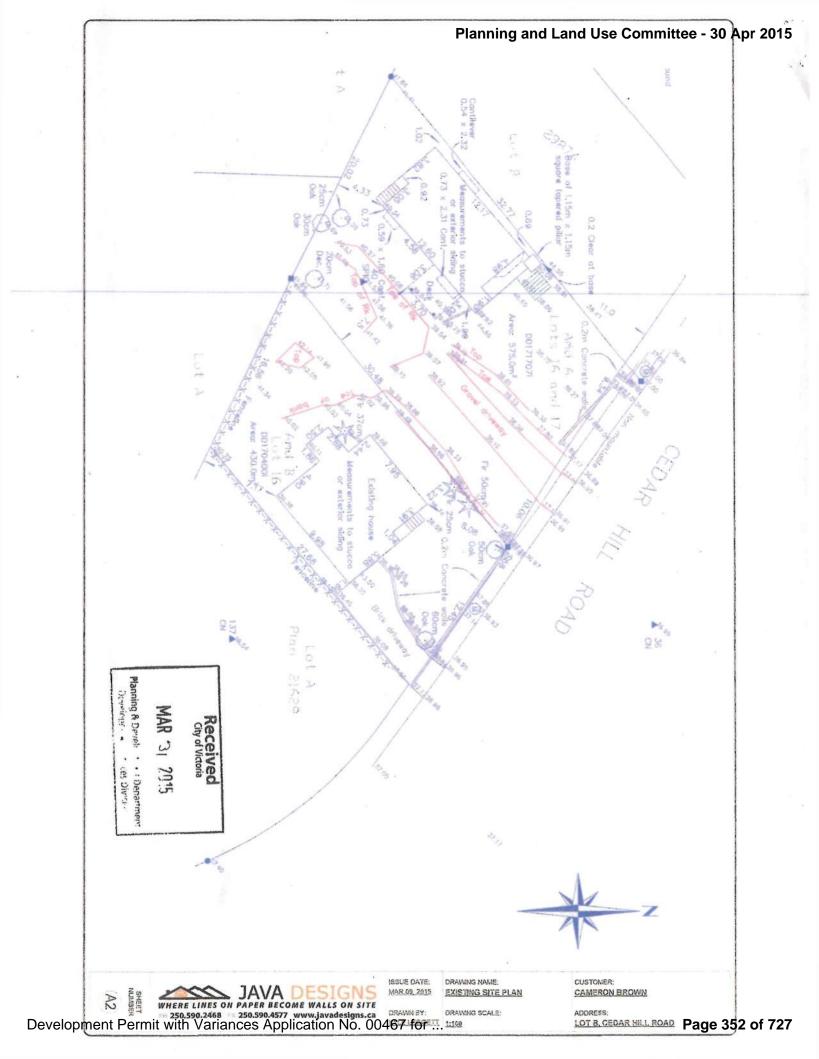
347 of 727

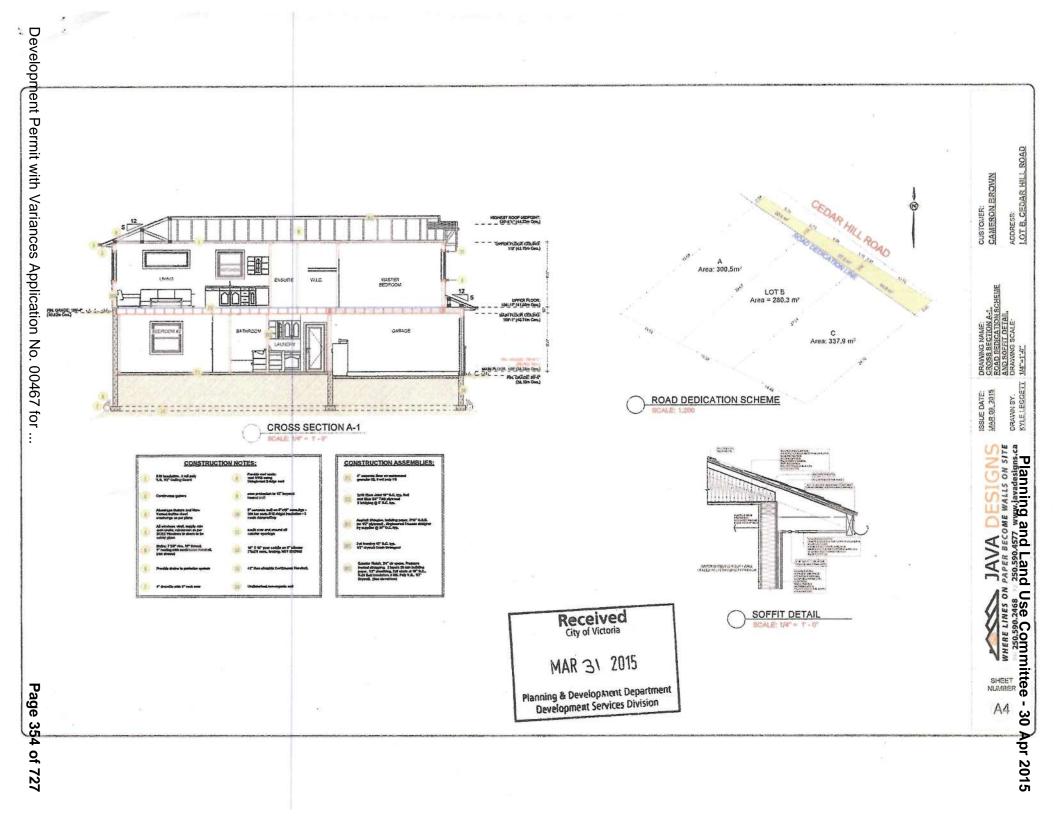


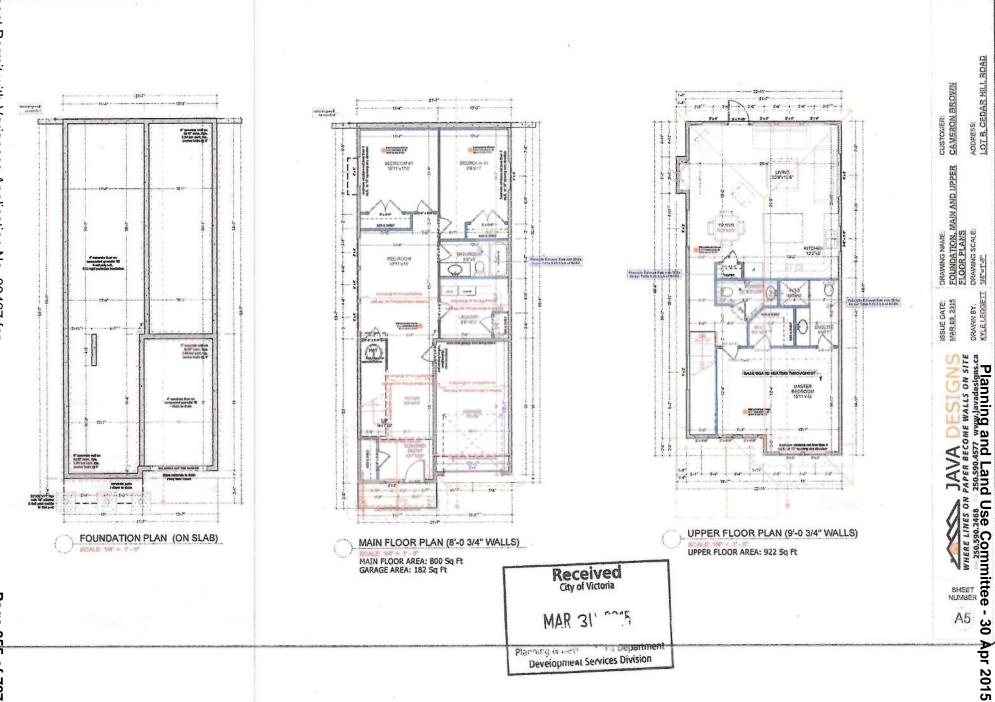


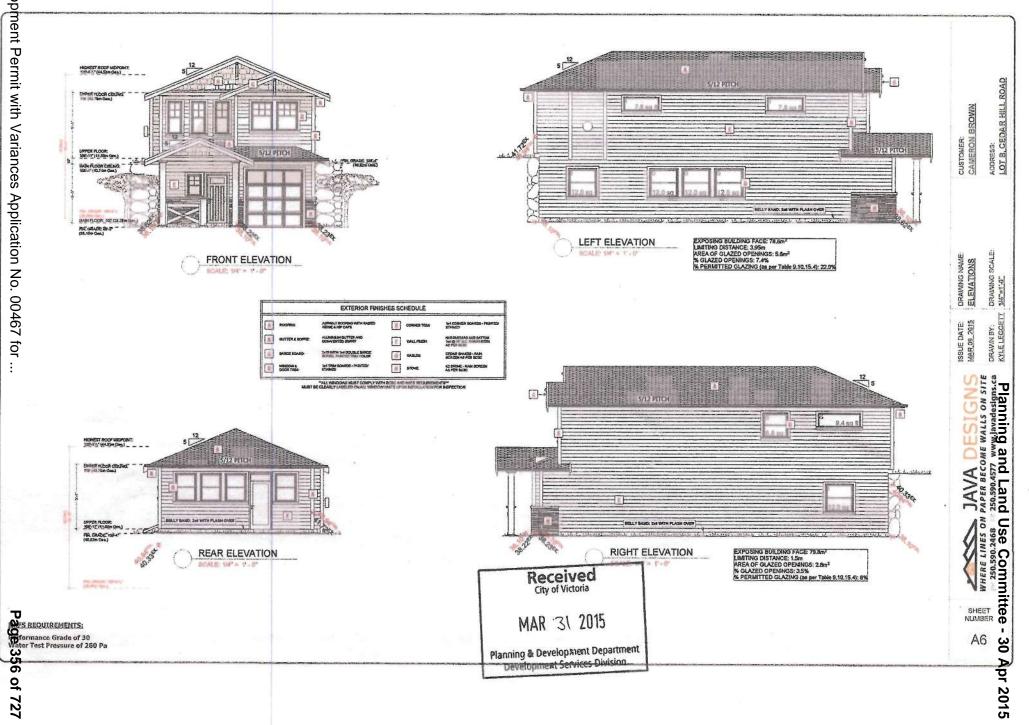














ADDRESS: LOT B, CEDAR HILL ROAD CUSTOMER: CAMERON BROWN

DRAWING NAME: CONTEXT SCHEME

ISSUE DATE: WAR 09, 2015

AVAL WHERE LINES ON PAPER BECOME WALLS ON SITE 250,530,2468 250,530,4577 www.plavadestgms.ca

A7

30 Apr 2015

LOT B, CEDAR HILL ROAD CUSTOMER: CAMERON BROWN

DRAWING NAME: STREET SCAPE

DRAWN BY: KYLE LEGGETT ISSUE DATE: MAR,09, 2015

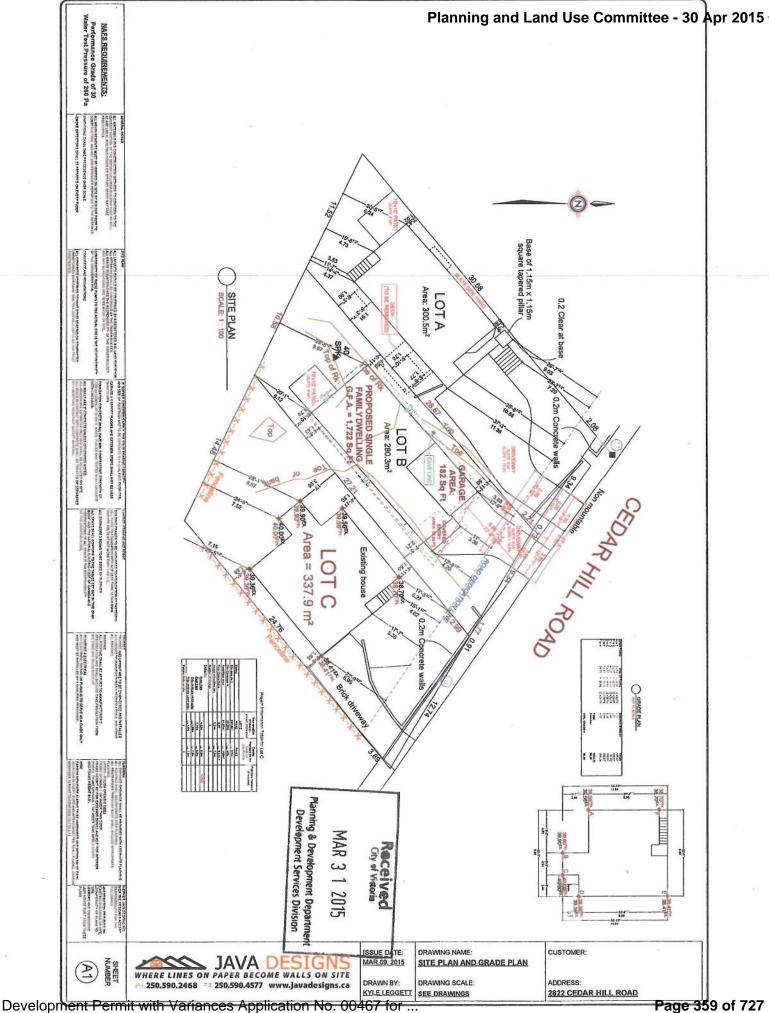
Planning and Land Use Committee - 30 Apr 2015

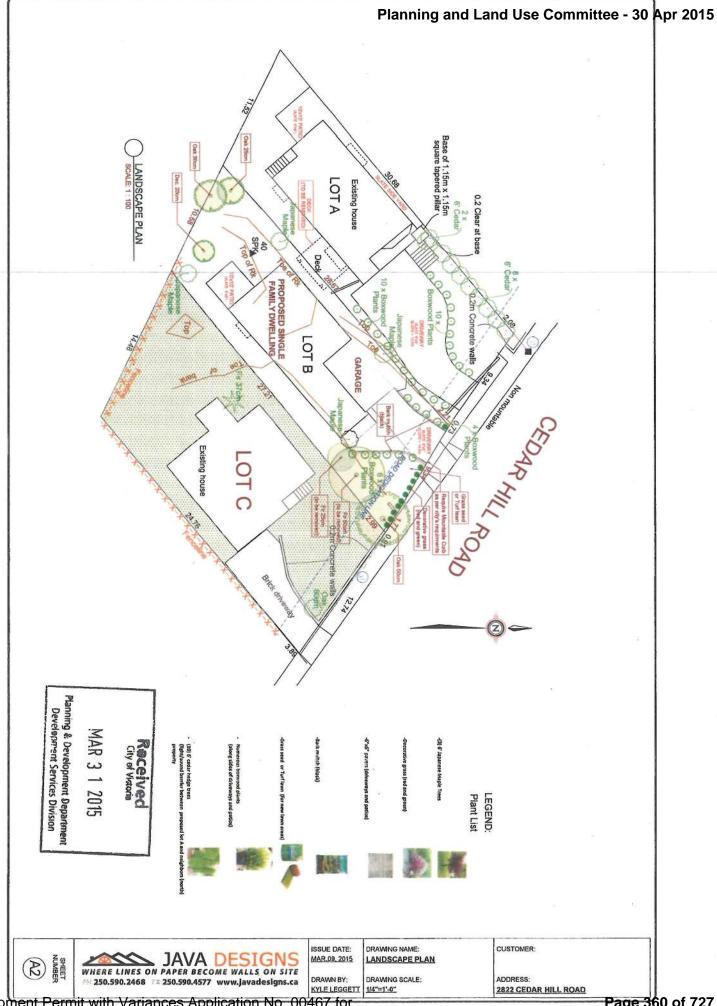


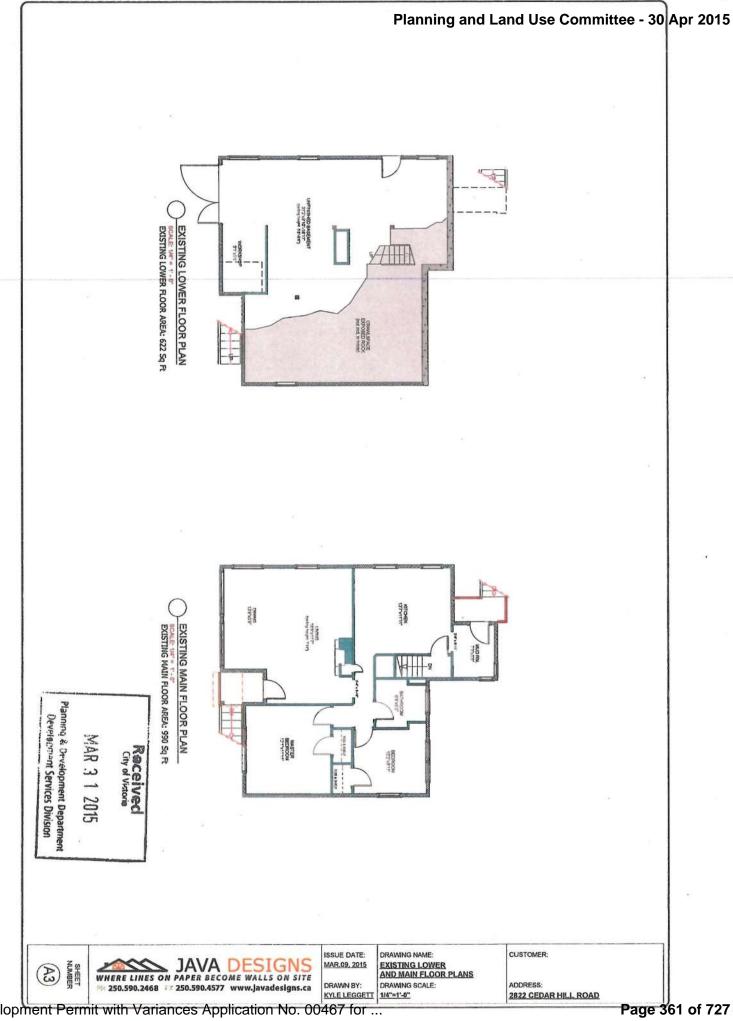
Received City of Victoria

MAR 31 2015

Planning & Development Department Development Services Division









Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Mike Wilson, Senior Planner - Urban Design

Subject:

Rezoning Application No. 00461 for 816 Government Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00461 for 816 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Preparation of a Heritage Revitalization Agreement to secure the proposed rehabilitation of the heritage registered building.
- 2. Preparation of a Housing Agreement to ensure that a future strata council may not enact bylaws that restrict the rental of units to non-owners.
- 3. Registration of a Statutory Right-of-Way on title to secure public access over the sidewalk at the corner of Courtney and Wharf Streets to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

LEGISLATIVE AUTHORITY

In accordance with section 903 (c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with section 904(1) of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with section 905 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

In accordance with section 966 of the *Local Government Act*, Council may enter into a Heritage Revitalization Agreement which may include terms and conditions agreed to by the owner, including terms regarding the phasing and timing of the commencement of actions required by the agreement, and which may vary or supplement the applicable zoning regulations or a development permit or heritage alteration permit.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 816 Government Street. The proposal is to rezone the land to a site specific zone that contemplates bonus density in exchange for the heritage conservation measures to be applied to the heritage registered building on the westerly portion of the lands. The Application also proposes new permitted uses including brewery, distillery and liquor retail store as an accessory use to a brewery or distillery.

The following points were considered in assessing this Application:

- Placemaking policy (8.52) in the Official Community Plan (OCP) which directs continued enabling and support for heritage conservation through incentives and allowances including property tax reductions, bonus density provisions and zoning variances.
- The Downtown Core Area Plan (DCAP) states that any rezoning applications seeking an increase in density should result in the provision of public amenities or monetary contributions that support the policies of the DCAP. In this case the applicant is offering to retain and rehabilitate the historic façades of the former Post Office building on the westerly portion of the site. The applicant also proposes heritage designation of these façades. A detailed analysis of the Heritage Designation Application will be provided in a separate report.
- A third party economic analysis of the project was completed in order to justify that the
 proposed increase in density was required in order to off-set the costs of retaining and
 rehabilitating the Heritage Registered building façades. The analysis determined that
 the cost of retaining and rehabilitating the Heritage Registered façades was in excess of
 the projected value of the land lift associated with the project.
- A Heritage Revitalization Agreement is recommended to secure the rehabilitation and seismic upgrading of the Heritage Registered building.
- A Housing Agreement is recommended in order to ensure that all of the residential units in the proposed development will be available for rent by non-owners.

Staff recommend that Council support this Application.

BACKGROUND

Description of Proposal

This Rezoning Application is to amend the *Zoning Regulation Bylaw* to create a new site specific zone that permits increased density and additional land uses.

The following amendments from the current CA-3C Zone, Old Town District are proposed and would be accommodated in the new zone:

- increase in floor space ratio from the base of 3:1 to a maximum of 3.99:1
- additional uses including: brewery, distillery, liquor retail sales as an accessory use to a brewery or distillery
- additional building height from 15m to 17.7 m.

Sustainability Features

A detailed description of the proposed sustainability features is provided in Heritage Alteration Permit Application No. 00192.

Active Transportation Impacts

The proposal includes 55 enclosed bicycle parking stalls.

Land Use Context

The area is characterized by retail, office and residential land uses within low to mid rise buildings, many with heritage significance or heritage character.

Existing Site Development and Development Potential

The site is presently occupied by a vacant four-storey office and retail building. A portion of the building is on the City's Heritage Register. Under the current CA-3C Zone, the easterly portion of the property could be redeveloped with a new four-storey building with a floor space ratio of 3:1. The westerly portion is currently non-conforming with respect to building height and could be rehabilitated for office or residential land uses.

Data Table

The following data table compares the proposal with the existing CA-3C Zone, Old Town District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard CA-3C
Site area (m²) - minimum	2,555.86	n/a
Density (Floor Space Ratio) - maximum	3.99*	3:1
Total floor area (m²) - maximum	10,657.00	n/a
Height (m) - maximum	17.7	15
Storeys - maximum	4	n/a
Setbacks (m) - minimum		
Front (Government Street)	0.30	0
Rear	0.30	0
Side (north)	0.30	0
Side (south)	0.30	0
Parking - minimum	93	n/a
Visitor parking (minimum) Included in the overall units	n/a	n/a
Bicycle parking stalls (minimum)	55	55

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Downtown Residents Association CALUC at a Community Meeting held on May 8, 2014. A letter from the DRA is attached to this report.

ANALYSIS

Official Community Plan

The OCP identifies the subject property in the "Core Historic" designation which envisions buildings up to approximately five storeys and density ranging up to approximately 3:1 floor space ratio (FSR). The OCP notes that, within each designation, decisions about density and building scale for individual sites will be based on site-specific evaluations in relation to the site, block and local area context and will include consideration of consistency with all relevant policies within the OCP and local area plans (in this case, the *Downtown Core Area Plan*).

While the applicant is proposing density and height above what is envisioned for the Core Historic designation, there is a Placemaking Policy (8.52) in the OCP which directs continued support for heritage conservation through incentives and allowances including property tax reductions, bonus density provisions and zoning variances.

The proposal is consistent with the place-character features envisioned for the Core Historic designation through the provision of continuous commercial uses at-grade, buildings set close to the sidewalk and new construction that is compatible with historic building forms. It is also consistent with other Placemaking policies that encourage human scale in the design of buildings and public space that enhances local area distinctiveness with features that contribute to a sense of place.

Downtown Core Area Plan, 2011

The subject properties are within the "Historic Commercial District" of the DCAP. The densities and building heights envisioned for this district reflect what is identified in the OCP (3:1 FSR and 15m maximum building height). The DCAP provides more specific direction regarding built form and design of the public realm. It also states that any rezoning applications seeking an increase in density should result in the provision of public amenities or monetary contributions that support the policies of DCAP. In this case the applicant is offering to retain and rehabilitate the historic façades of the former Post Office building on the westerly portion of the site.

Building Height

The applicant proposes the new zone to include a maximum building height of 28m. Given the prominence of this site on the Inner Harbour staff are recommending that Council consider a lower height limit of 17.7 m to be included in the new zone. This would bring the existing building into compliance with the *Zoning Regulation Bylaw* and allow Council to consider issuing a Heritage Alteration Permit with Variances for the new structure, as proposed in Heritage Alteration Permit Application No. 00192. This ensures that the additional height could only be achieved through a variance process and not become an entitlement for any future proposal.

In accordance with City Policy, zoning variances (including building height) may be considered where heritage conservation is proposed. Staff have provided more detailed comment on the proposed height variance in the Heritage Alteration Permit report.

Third Party Economic Analysis

Paul Rollo and Associates was engaged to undertake an economic analysis of the project in order to justify that the proposed increase in density was required in order to off-set the costs of retaining and rehabilitating the Heritage Registered building façades. The analysis determined that based on the increase in density from a floor space ratio of 3:1 to 4.17:1 the resulting land lift was approximately \$1.7 million. Based on the DCAP policy, the City should seek to recover 75% of the land lift (\$1.3 million) to be contributed to the City's Public Realm Improvement Fund and Heritage Building's Seismic Upgrade Fund. However, the applicant proposes the rehabilitation of the Heritage Registered building including seismic upgrading. Based on a construction cost estimate provided by a professional quantity surveyor, the costs associated with this work are estimated at \$5.1 million.

In accordance with City Policy, bonus density incentives may be considered where heritage conservation is proposed. As a result, if Council is supportive of the Application moving forward for consideration at a Public Hearing, staff recommend that Council consider requiring a Heritage Revitalization Agreement to secure the retention and rehabilitation of the Heritage Registered building in lieu of monetary contributions to the City's Public Realm Improvement Fund and Heritage Building's Seismic Upgrade Fund.

Additional Permitted Uses

The applicant has requested three additional uses be included in the new zone to those already permitted within the CA-3C Zone, Old Town District. These proposed new uses include breweries, distilleries and a liquor retail store as an accessory use to a brewery or distillery. Breweries and distilleries are generally limited to industrial areas; however, it is the applicant's intent that these permitted uses cater to small scale businesses and as such staff are recommending that Council consider limiting the floor area associated with these uses in the proposed new zone in accordance with the table below:

Proposed Use	Floor Area (maximum)
Brewery	175m ²
Distillery	175m ²
Liquor Retail Store as Accessory to Brewery or Distillery	50m²

Statutory Right-of-Way

A small portion of the existing curb and sidewalk at the corner of Wharf Street and Courtney Street is located on private property. Staff recommend that Council require the registration of a statutory right-of-way on title prior to a Public Hearing in order to permit public access over this area.

CONCLUSIONS

The Application furthers the goals and objectives noted in both the OCP and the DCAP regarding heritage conservation and place making. It is recommended that the Application move forward for consideration by Council at a Public Hearing subject to the conditions provided in the staff recommendation.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00461 for the property located at 816 Government Street.

Respectfully submitted,

Mike Wilson, MCIP, RPP

Senior Planner - Urban Design

Alison Meyer, Assistant Director Development Services Division

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

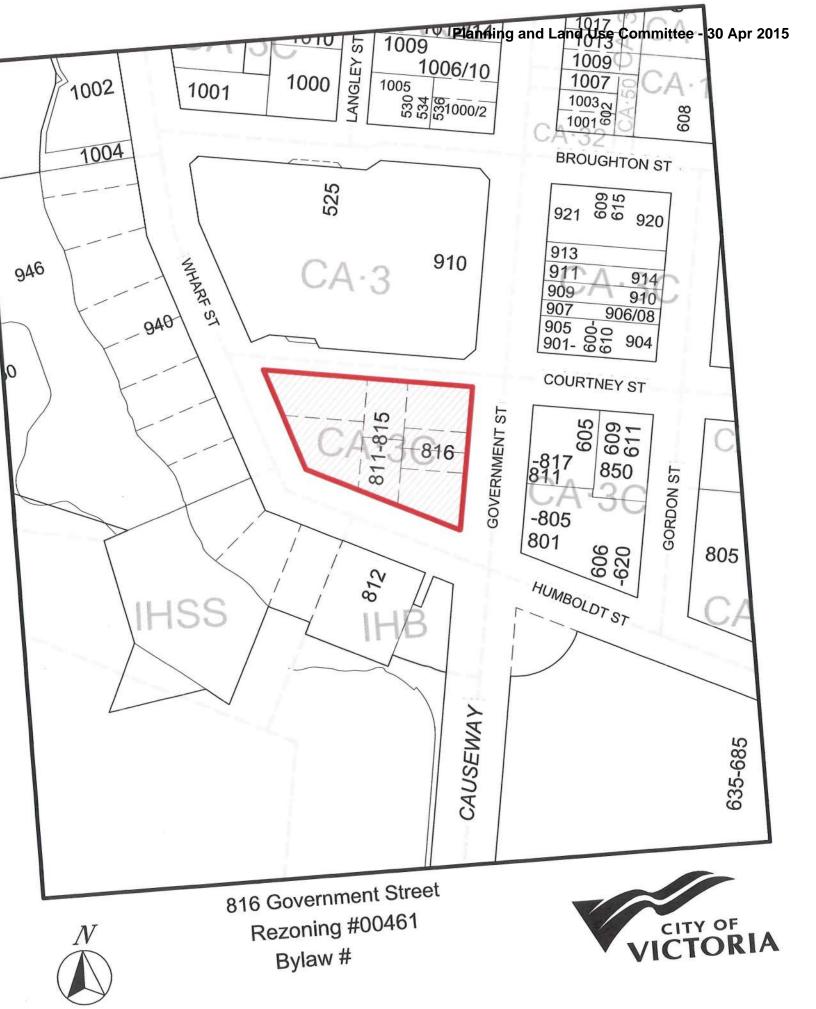
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List of Attachments

- Aerial Map
- Zoning Map
- Letter from Paul Merrick Consulting dated March 13, 2015
- Letter from Cielio Properties dated August 14, 2014
- Report from Rollo and Associates dated March 11, 2015.
- Letter from the Downtown Residents Association dated April 10, 2015
- Building and landscape plans dated March 13, 2015



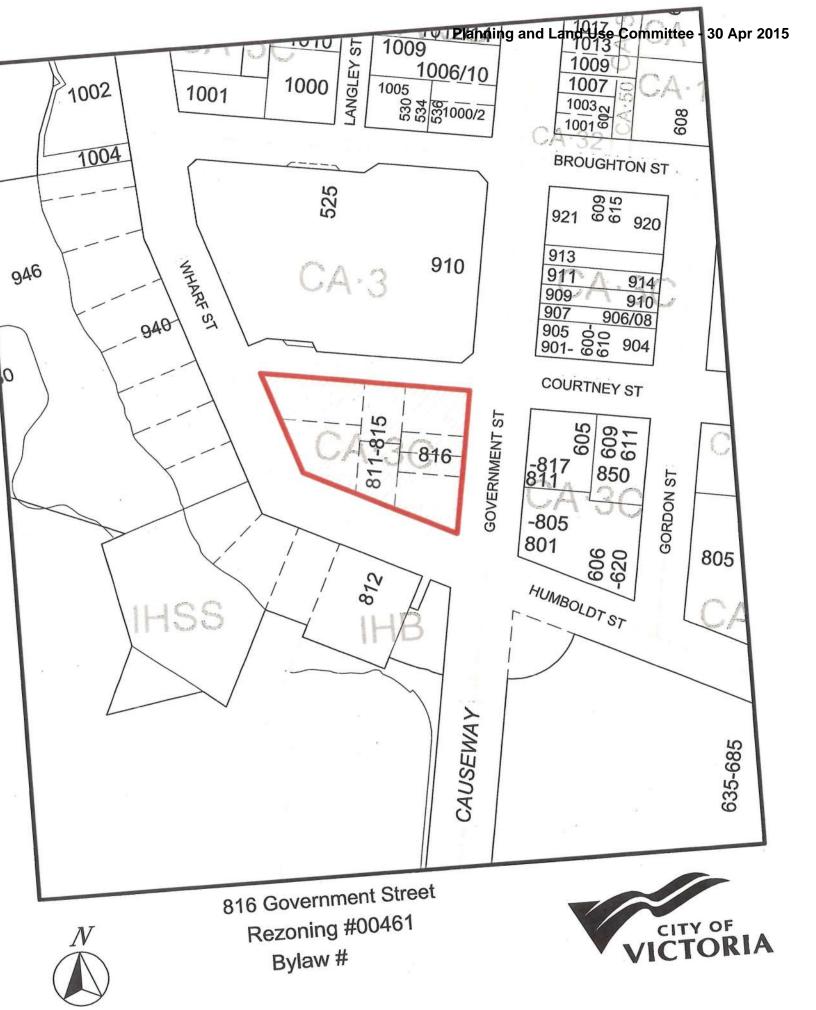
Planning and Land Use Committee - 30 Apr 2015





816 Government Street Rezoning #00461 Bylaw #





PAUL MERRICK CONSULTING LTD

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Planning & Development Department City of Victoria 1 Centennial Square Victoria, BC V8W 1P6 March 13, 2015

Attention:

Mayor & Council

Re:

816 Government Street FEDERAL BUILDING SITE

OLD POST OFFICE and CUSTOMS HOUSE

This is a proposal to address the above named property, at the junction of Government Street and Wharf Street, on Victoria's Inner Harbour.

PROLOGUE

The following is the prologue in its entirety, to the City of Victoria's "Old Town Design Guidelines". It describes to a word the underlying philosophy from which this proposal is brought forward.

For many years, design guides for new buildings in historic cities emphasized subservience to the past. Their key message was that design in a historic context must be imitative or meek – the commonly used words were "compatible with" and "subordinate to". Buildings that followed such guidance often said little about the time in which they were designed – they ignored contemporary values. We are custodians, not curators, of the historic environment. Our city is evolving, it is not a museum object, and we have a duty in the design of new buildings, additions to non-heritage buildings, and new urban spaces to respond to changing ways of working, living and playing. Equally, in our search for contemporary urbanism in Old Town, the latent structures that will answer this call shall respond to the existing urban context and find form that reflects the values of the time in which they are conceived.

THE SITE

The site is bounded by Government Street, Wharf Street and Courtney Street. It lies at the foot of Government Street downtown retail where it meets Wharf Street on the edge of the Inner Harbour.

It has been occupied since Victoria's early settlement by evolving facilities for federal government customs and post office facilities followed more recently by other federal government services such as passport office. These facilities have been relocated in Victoria in recent years, leaving the buildings dormant and unoccupied.

The earlier portions of the buildings extant are handsome and substantial, well suited to their original high security function. Unfortunately, the considerable substance of their architectural expression, particularly in their granite base, does not lend itself to the high level of visual and functional permeability that modern retailing desires, so necessitates exploring interventions.

The later 1950's component on the other hand, is a rather dysfunctional arrangement and has no regard for the vitality of the city surrounding it. A good deal of time was spent exploring means of re-inhabiting it, and adapting it to contemporary purpose.

The owners, with a range of technical advice, and we believe staff, concluded that it would be better removed and replaced with a purpose designed contemporary solution.

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In September 2014, the site and buildings were sold to Victoria Customs House Ltd., Mr. Stan Sipos president. The site comprises an area of 2,555.86 m² (27,511 sq ft). It is currently zoned CA 3C Old Town District, permitting a floor space ratio of 3.0, and a building height of 15m.

The current buildings generate an FSR of 2.43 and a height of 18.06m above average grade. They are below the permitted density, but exceed the height established in the present zoning.

SITE CONTEXT

The site lies at the conflux of Victoria's Inner Harbour and the south east corner of the core historic district.

The Inner Harbour of course needs little description, being defined essentially by the Provincial Legislative buildings, the Royal Museum, the Empress Hotel, the Union Club, the Belmont Building, and this site. The core historic district encompasses the area generally established by the development of the original city core of Victoria. It is defined by Wharf street & Store street on the west, Wharf street & Humboldt street on the south, Douglas street on the east and Chatham street at the north. It is concurrent with the Inner Harbour on the Union Club block, the Belmont building block, and this site.

It is this concurrence of the core historic area and the Inner Harbour precinct that generates the duality of this site, and precipitates, in fact, this proposal to modify the zoning.

This site fronts on and has the potential to complete the world class "urban room" known as the Inner Harbour.

This Inner Harbour is a place that both symbolizes and is the essence of Victoria – commerce, tourism, and the government of the province.

It is a large – very large – urban room, defined on two sides by very powerful architectural statements – the Empress Hotel and the Provincial Legislature, and on the third side by that third component – commence – made up of an accumulation of many relatively small constituent parts. This precinct known as Victoria's Old Town has the characteristics of the whole being greater than the sum of the parts. This site and its development are but one of those parts – except that it is on the edge of this precinct, and this edge in particular has contributes to the definitions on the Inner Harbour urban room – indeed the completion of that definition. This is because the whole of the site lies between the north edge already competently defined by the Belmont Building, and the southwest corner of Old Town – and therefore the city – at Ships Point, because at this point the cities edge turns abruptly and runs north. In essence, this site is one half of the whole of the northern edge of the Inner Harbour.

From the perspective of the Inner Harbour any proposal will be made up of the adaptive reuse of the historic elements on the west end of the site – the 1914 portion, and a reinterpretation of the already twice altered portion to the east.

In the simplest terms, there needs to be enough of a physical element in this place to complete the definition of the north side of the Inner Harbour and to provide for the vitality needed in this place.

Project area beyond the 3.0 permitted in CA-C3 is intended to assist in accounting for the premium costs of adaptive reuses of the heritage building. (NB. See economic cost/benefit analysis; Rollo & Associates – December 2014.)

THE OPPORTUNITY

This site is perhaps as strategically key as any in the City of Victoria. It is at the junction of the Inner Harbour – the "image" of Victoria – and Lower Government Street – the backbone of Victoria's "recreational" shopping street. For the whole of the life of the city this site has been occupied by activities of fundamental importance to a young and growing colonial settlement – Federal Government Services, Post Office and customs, services essential to the early

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city, but that have not contributed any meaningful urban vitality to the city that grew up around them. The opportunity to address this introspective circumstance now exists. The buildings that evolved over time to provide for these facilities are now fallow and unoccupied.

This existing building fabric is the result of an ongoing process of alterations and additions to federal government facilities. The western half was substantially completed in 1914, the eastern portion created in the 1050's, and subsequently reclad in the 1970's. The particulars of this evolution are extensively addressed in the report by Don Luxton and Associates dated May 2014. Through a process of evaluation of this building fabric, both physically and in terms of use, we have come to conclude, with our heritage consultant (and we understand staff) that the western portion of the site built prior to 1914 is well worthy of recognition as a heritage building fabric – suited to adaptive re-use, while the later, eastern portion is best replaced with a new structure addressing contemporary needs and opportunities.

This opportunity is considerable. The significance of the Inner Harbour in Victoria needs no discussion. Its physical definition is essentially complete, except for this site. As an "urban room", it is surrounded by life, vitality, and activity, except for this site. At the risk of being presumptuous, it is legitimately described as world class.

This is the opportunity. The "Old City" or downtown of Victoria is noticeably struggling at this point in its history. As a center of retailing and commerce it is being supplanted by malls and "big box" retailing in outlying areas. The good fortune with this is that the rich, fine grained indigenous fabric of the Old City is no longer provoked with the threat of mega-development. The downside is that in case after case real commercial activity is going elsewhere. This location provides the opportunity to introduce a catalyst significant enough to be one the "engines" of a new kind of downtown Victoria life and vitality. It must support life – good quality life – urban life that adds to, doesn't just compete with retailing already established. It must add by enhancing urban experience, a better quality of passive city activity. A place to enjoy a drink or a meal in a higher quality environment. A place that is highly permeable in visual term, open enough to begin the invitation to the Inner Harbour from a block or two before the traveler gets there. A place for art, music, or fine craft. Places that will support a range of unique and special talents that this city has to offer. It needs to be extensive enough that it cannot go unnoticed, and it must be extensive enough to support as many people living and working there as is comfortable. It must be as much as it can be without being inconsistent with its context. And it must complete the definition of this place we call the Inner Harbour. That means it must be of enough consequence to compliment the "portal" to downtown from the Inner Harbour already handsomely addressed by its neighbor to the east, - The Belmont Building.

HISTORY OF THE DEVELOPMENT OF THE PROPOSAL

September - December 2013

Exploratory meetings with staff and representatives of council

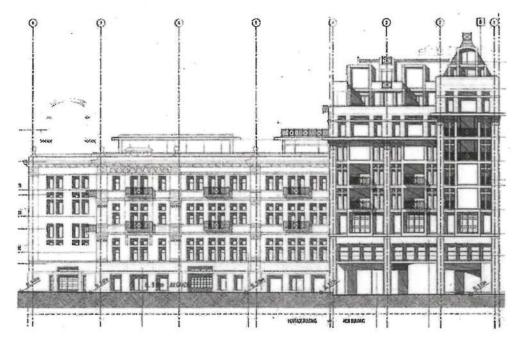
First Proposal

February 28, 2014 March 3, 2014 March 18, 2014 May 7, 2014 May 8, 2014

May 14, 2014

Concept 1

Initial concepts reviewed with staff
Heritage intervention concepts reviewed with staff
Staff response reviewed
First subdivision Concept 1
First DRA review (favorable)
Unofficial Council comments (not favorable)

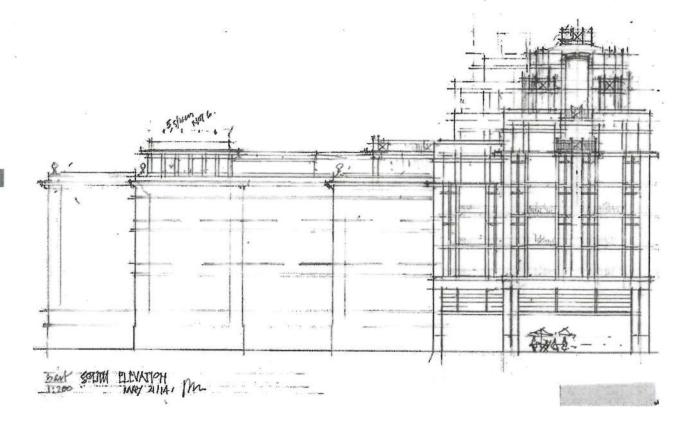


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Second Concept

May 15 – 28, 2014

Sussex Place derivative. Not pursued

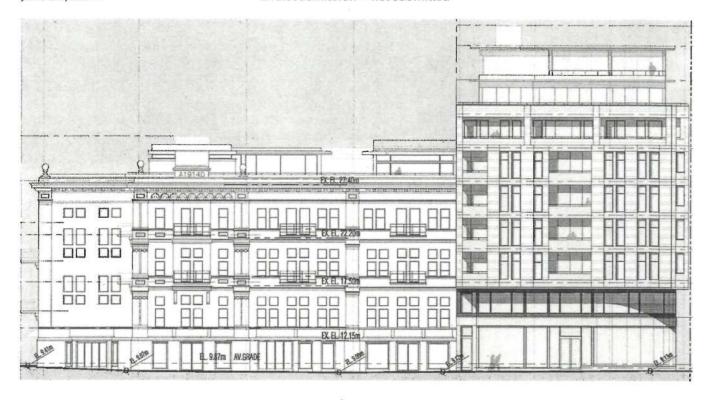


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Third Concept

Streetwall scheme, recessed balconies

May 28, 2014 June 30, 2014 1st draft of concept 3 reviewed Draft submission – not submitted



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Fourth Concept

July 4, 2014

Fuller / Ewart inspired
Ordered recessed window wall
Corner balconies

August 14, 2014 September 8, 2014 September 24, 2014 October 21, 2014 October 27, 2014 Concept 4 resubmitted
Draft staff comments
Formal staff comments
Review staff comments (office up

October 27, 2014 November 10, 2014

December 22, 2014

Review staff comments (office use introduced) Review Heritage interventions

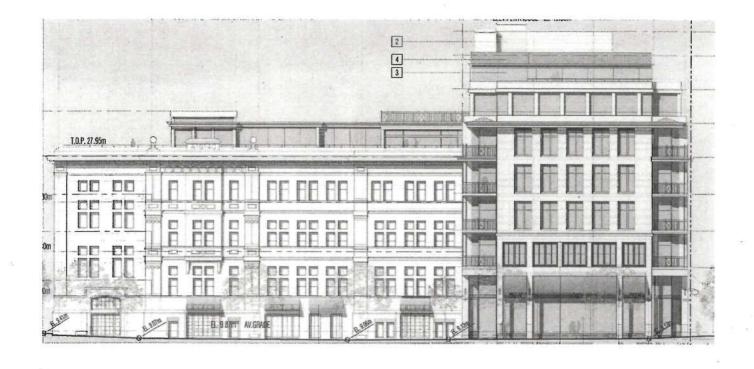
ovember 10, 2014 De

Detail review Heritage intervention submitted

November 25, 2014 Detail

Detailed heritage interventions reviewed

Staff review resubmission



THE PROPOSAL

This proposal seeks to readdress this site to provide for the vitality of retail commercial at grade, a meaningful provision for parking below grade, and high quality residential and office space above.

The request is to change the existing CA 3C zoning to a site specific comprehensive development zone permitting the mix of uses and density proposed. This can be summarized as follows:

816 Government Street			
Legal Description: Lots 1-8, Block 71,	Section 18, Victoria.	 Plan 219	
Civil Address: 816 Government Street			
Development Permit Area DPA 1 (HC)			
Zoning	CA-C3	Proposed Comprehensive Development	
	Old Town District	Existing Heritage Building m2	Proposed New Building m2
Site Area	2555.86m²		
Total Floor Area			10,204.9
Commercial Floor Area		640 E	1605.47 (Retail)
Residential Floor Area			2706.63
Office Floor Area			5892.8
Uses (as attached)			
Density	3.00		3.99
Setbacks			
Front Setback	- 0	0	0
Side Yard Setback	0	0	0
Read Yard Setback	0	0	0
Building Height Existing Buildings	. 15m	18.06m	18.06m
Building Height Proposed Buildings		21.83m	27.83m
Parking	0		94
Bicycle Parking	72		72
Building Areas of Proposal			
Ground Floor		707.41	898.06
Mezzanine			-242.74
Second Floor		902.21	924.34
Third Floor		902.21	903.03
Fourth Floor	7- 70	902.21	903.03
Fifth Floor		615.65	903.03
Sixth Floor		. 0	839.16
Seventh Floor		0	561.84
Site Coverage			84.27
Total		3024.00	6175.23
Total for Both Buildings			10,204.90
Total # Residential Units		*1	39
Minimum Unit Floor Area (m²)		33	

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CA-3C

Proposed

Office Financial Residential Transient

Office Financial Residential Transient Retail Theatre Restaurants

Theatre Restaurants Clubs

Retail

Clubs

High Tec Other Miscellaneous High Tec Other Miscellaneous

Use as defined

Use as defined in CA-C3

In CA-C3

Brew Pub/Distillery Liquor Retail/Sales

PROJECT PROGRAMME

The proposed new development generally would be composed as follows:

PARKING:

There is at present a nominal provision for about 12 autos with access from the south off Wharf Street. The proposal is to introduce a new entrance to parking on the north side off Courtney Street, about mid-block, descending directly on entry to the east to a new full level under both the new building on the eastern portion of the site and under the entire first level below grade of the heritage western portion. It would continue through a second level under the new portion and a part level under the heritage portion, then further to a third level under the new portion only.

This will accommodate a total of 94 vehicles. Loading would be provided for city size delivery vehicles on P1 (up to 20'). Larger deliveries would be made at grade off Courtney

Street.

BICYLCES:

Bicycles will be accommodated off a distinguish access off Courtney Street on or above P1. Expanded cyclists facilities are addressed under Transportation section on page 17.

RETAIL:

The entire ground floor of the Heritage portion will be reconstructed to lie at or within one

step of surrounding street grade.

The ground floor of the new portion will be similarly established, opening directly to the south on Wharf Street, and stepped up along the slope of Government Street to be within

one step of street grade at any point of entry.

RESIDENTIAL:

The whole of the existing floor space of the heritage building above grade will accommodate either rental residential, let on a monthly to annual basis, or operated as a boutique hotel, or boutique office space. It will be accessed via a new entrance to the west off Courtney Street.

OFFICE:

The whole of the new building on the eastern portion of the site above grade, including the penthouse level on the roof of the western portion will accommodate high quality (AAA)

office space.

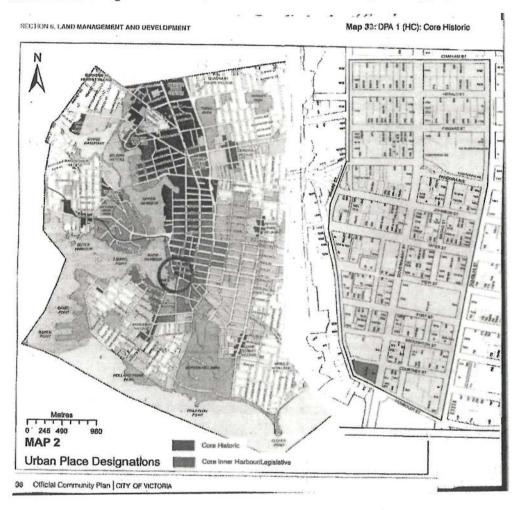
This will be accessed off a designated lobby off Government Street, flanked by retail

services.

GOVERNING POLICIES

City of Victoria official community plan (July 2012)

In the official community plan, this property falls within the core historic district, and lies on the edge of the core Inner Harbour / Legislative district, as indicated in the following two mappings.



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Relevant excerpts from the O.C.P. are as follows:

Applicatants observations:

DPA 1 (HC): CORE HISTORIC (From O.C.P)

- 1. Pursuant to Section 919.1 (1) (d) and (f) and 970.1 (1) of the Local Government Act, the area that is shaded and circumscribed by solid lines on Map 33 is designated as Development Permit and Heritage Conservation Area DPA 1 (HC), Core Historic, for the purpose of:
 - a) Revitalization of an area in which a commercial use is permitted.
 - b) Establishment of objectives for the form and character of commercial, industrial and multi-family residential development.
 - c) Heritage conservation.
 - 6.1.10 Urban Core consists of the highest density and greatest mix of uses in the city, including civic and institutional facilities of regional and provincial importance, primary retail, entertainment, office and other commercial uses, high-rise multi-unit residential apartment and office buildings, visitor accomodation and services, and intensive marine-oriented employment, industrial transportation uses. The Urban Core is served by rapid and frequent transit, local circulating transit, and inter-regional rail, air, marine and bus transport, characterized by a well-defined public realm with wide sidewalks, public squares and open spaces, regularly spaced tree planting, and buildings set close to the street frontage, where walking, cycling, and public transit are preferred travel modes. The Urban Core, as further defined in Figure 8 and as identified on Map 2, consists of six mixed-use subdesignations:
 - **Core Business**
 - Core Historic
 - Core Inner Harbour/Legislative
 - Core Residential
 - Core Songhees
 - Core Employment

ZONING BYLAW

- 19.4That review and update of the Zoning Bylaw is This rezoning is brought foreward as specific to its site, strategically undertaken in the following ways:
- 19.4.1 On a site-by-site basis, primarly in response to rezoning applications

Although it lies literally at the focus of Victoria's vibrant Downtown retail / Inner Harbour, the site is virtually dormant by virtue of its history. It needs:

- Revitalization.
- Commerce
- Residential
- Its Heritage conserved

for the above stated reasons.

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DENSITY BONUS

19.7 <u>Consider and strategically use the statutory authority for density bonus</u> provision <u>in exchange for</u> one or more of the following conditions:

19.7.1 Provision of an amenity

19.7.2 Conservation of an amenity

This proposal is not for a density bonus but for a permitted density sufficient to support the conservation of the amenity at the highest level of quality and to complete on the balance of the site a development that will in turn be recognized for the enduring qualities of those buildings we now call Hertiage.

The following table summarizes how the proposal addresses the <u>Urban Place Guidelines</u>, Table 8, City of Victoria, Official community plan.

DESIGNATION	CORE HISTORIC	CORE INNER HARBOUR /	PROPOSAL
DESIGNATION	(From OCP)	LEGISLATIVE (From OCP)	TROTOS/AL
BUILT FORM	Buildings up to approximately five storeys set close to	Buildings from one to five storeys adjacent to the harbour.	The Historic half of the site is proposed at 5 stories.
	the sidewalk with high site coverage.	Buildings up to approximately five storeys south of Superior Street and along Menzies Street	The new development at the east end is proposed at 7 stories, adjacent to the
*		and Government Street facing the Provincial Parliament Buildings.	Belmont Buildings 8, and the Empress Humboldt wing at 12 stories.
		Buildings up to approximately 15 storeys east of the Empress Hotel to Blanchard Street, and south of Belleville Street.	
USES	Multi-unit residential	Public institutional and assembly.	Commercial retail, office,
	and mixed-use.	Commercial, including office,	multi-unit residential /
	Commercial, including retail,	retail, and visitor accommodation.	visitor accomodation proposed.
	office, and visitor accommodation.	Marine water and air transportation.	
*	Home occupations.	Recreation and tourism-related uses.	
A a		Multi-unit residential and mixed- use.	e e
		Home occupations.	
DENŞITY	Total floor space ratios ranging up to	Total floor space ration generally ranging up to 1:1. Increased	Density of Historic portion 2.01
6	approximately 3:1.	density up to a total of 4:1 may be considered in strategic locations for the advancement of plan objectives.	Density of project overall 3.99.

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DEVELOPMENT PERMIT AREA GUIDELINES

SITE COVERAGE:

Because there are no setback requirements and no site coverage requirements in the core historical district, and because this project reinhabits a historical building fabric, and because a rectilinear / orthographic building footprint lies on an essential irregular rhomboidal site, the site coverage of the proposal is essentially that of the existing development. 84.27%

On this site this has the following benefits:

Triangular areas along Wharf Street are seen as opportunities for substantial amounts of outdoor seating, planting, table umbrellas etc.

Setback of ground floor of new portion off Wharf Street seen as outdoor seating area - in one of the most significant tourist locations in the city.

Setback of existing and new building on Courtney Street widens sidewalk on an otherwise narrow street, accommodating bicycles, seating, lighting and parking entrance.

DENSITY

The density on the present site under the present zoning is 3.0.

The density of the present development is 2.4.

The density of the heritage building portion of the site is 2.01.

The density of the proposal overall is 3.99.

This is put foreward as appropriate for two reasons.

- A redeveloped project incorporating the historic building fabric needs enough income generating space to account for the various premiums attributable to the incorporation of the historic building fabric (see economic analysis, Rollo & Associates, March 2015.
- 2. To support the "energy potential" of such a strategic site, and to adequately contribute to the completion of the "Urban Room" of the Inner Harbour while retaining the historic building fabric, and to adequately compliment the scale and definition established by the context, the location needs a more significant definition than that permitted by the present zoning.

BUILDING HEIGHT

Zoned building height 15.0 m.

Present building height - historic building 18.06m.

Present building height 1950's building 18.06m.

This includes a 3m "parapet" added in the 1970's renovation, presumably because the height of the 1950's building was though inadequate.

The existing Historic Building development on the site exceeds the height currently permitted in the zoning by 3.06m.

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The design of the original development preceded the implementation of the present zoning, and was presumably developed to a scale though appropriate in its time.

Indeed, <u>Thomas Fullers original Post Office on the site was higher that the surviving "west wing" at 28.1m</u>, excluding chimneys, only 1.99m less than the Belmont to the east, at 30.09m.

The height of this proposal is 21.83m on the Heritage building and 27.83m in the portion - .27, lower than the original post office on the site.

DESIGN CONCEPT

This project proposes adaptive reuse of a longstanding Federal facility on particularly significant site in the City of Victoria. The facility to date has been a long sequence of additions, alternating and renovations, all supporting the original Federal purposed in this location – customs importing and bonding services, and the city's main post office. Later additions (1950's) introduced an office facility for Federal Government services.

While strategically located in the early city, the importance of having these services in this location gradually faded as the city matured, resulting eventually in the facilities redundancy for federal purposes and the buildings vacancy.

Notwithstanding this, the same century of growth of this new colonial city saw all of the areas surrounding the site evolve into the very focus of the city. The Legislative presence, the Inner Harbour, and the backbone of downtown retail. This presents the opportunity to repurpose the entire grade level to the vitality of retail and public services, continuing and complementing the established adjacencies, to re inhabit the historic building fabric on the west half of the site to high quality residential use, and to recreate a purpose built high quality office facility on the eastern portion.

NEW PORTION EASTERN HALF

The essential ambition on the ground level is to create at grade as much visual transparency and permeability as possible. On the government Street and east half of Wharf Street frontage this is developed by reducing support for the building above to a columned piloti, granite clad to shoulder height and limestone clad above.

Infill with glass and glazed openings either swinging, sliding, or vertical sliding, will maintain the flexibility and permeability required for retail activity.

A transom floor at the second level, in limestone, is comprised of a simply repetitive rhythm of more finely textured window elements support the building's main wall or "piano nobile" above, a limestone wall deeply incised with regularly arranged vertically proportioned windows, each comprising a pair of "door height" tilt and turn sash, above which are square proportioned transom lites, reflecting the fenestration of the historic building.

This wall is surmounted by a relatively strong cornice identical in dimension and detail, without the dentils, to the cornice of Thomas Fuller/David Ewart's 1914 edifice. In the east and west elevations of the new work this cornice lies at precisely the same height as the cornice of the historic building, on the north and south elevations this cornice appears one level above at level 6, at the same scale, but significantly deeper on the south, both for shading purposes and to establish a transitional relationship to the stronger and higher cornice plane of the Belmont Building to the Fast.

Above this an intermittent floor of limestone surmounts the walls below, and introduces a recapitulation of the four part stone mullioned window of the historic edifice to which this new work is effectively an addition.

The uppermost level (7) has the expression of a roof structure being clad in standing seam zine and largely glazed.

HERITAGE BUILDING "ADAPTIVE REUSE"

Returning to the ground level of the historic building, this has been one the key issues in accomplishing an adaptive reuse of an edifice that was in fact designed to engender substance, security, and impenetrability, qualities diametrically opposed to retails need for lightness, transparency, and permeability.

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Base

Long and thorough discussions with historic consultant and staff have resulted in the well documented and detailed interventions proposed in the documents submitted.

Taking each section of the building's base, a series of proposals has been developed based on the following principals.

- 1. That more substantial intervention in intermittent openings, leaving others with little or no alteration, are preferable to a modest amount of revision to all openings.
- That where modified openings extend vertically through the "belt course" running through the base, the stone in this belt line should be recollected in the same position as a door or window header supporting transom lites above.
- 3. That where existing openings are altered they should consider first lowering of sills, secondly raising of lintels and lastly, if needed, alteration of the jambs.
- 4. That in the case of all interventions, because of the substantial thickness of this granite base, new matching stonework having coursing, layout patterns, and thickness of the indigenous work should be employed with the result that (as there are already some cases) altered work should have the same authenticity as the original work.

On the north side a new opening for access to parking below must be introduced. There is not sufficient vertical clearance between the sidewalk grade and course line above to permit the workable introduction of a stone arch, so a straight lintel beam with edge detail reflecting the drip coursing is proposed. This would be executed in agilia, a trade name for self-consolidating concrete – a material much stronger with much harder surfaces than conventional concrete.

Upperstory Windows

The windows on the second, third and fourth floors above are found to adequately suit the new residential or office purpose proposed, with the exception of the south, west and north sides of the most westerly element of the building. This portion of the building originally provided for a delivery carriageway at grade, a sizable freight elevator and washrooms on the half level.

Though executed in sandstone, this element was less detailed that the whole of the rest of the 1914 building and introduced rather modest window openings at unworkable heights for utility purposes only.

We have proposed therefore new windows be introduced on these three sides using the four part stone mullioned windows that are the character defining motif of the edifice dimensioned as they are elsewhere.

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Rooftop Element

One level of development is proposed at the fifth level, on the roof of the heritage building, contiguous with the fifth floor of the new work to provide one level of larger than typical office floor.

This has the character of a finely scaled "temple" on the roof, executed in round columns, lintels and parapets made of agilia. These 'bones' would be infilled entirely in glass. The most westernly portion of this element is developed as a roof element raised 1m above the adjacent new roof. This element, as is the original n/s Customs warehouse wing that it surmounts, is on the axis of <u>Francis Retembury's Legistlative complex</u>.

DESIGNATION

It is intended, and we hereby request, that the aforementioned heritage registered building, be the subject of a City of Victoria Heritage Designation, and subject therefore to all protections and prerogatives implicit in such.

LANDSCAPE

The landscape design on the street level is responding to the site's important location and strives to integrate the project into the existing urban fabric.

Along Government Street the existing mall character is maintained. Existing Street Trees complete with the hexagon planters will be protected and retained throughout construction. The current sidewalk paving pattern is maintained and site furnishings are consistent with current Government Street Mall theme.

The Paving pattern on the remaining three sides, on Wharf Street and Courtney Street, is reflecting the original pattern along Government Street. Paving bands responding to the building face allow for the organization of the pedestrian realm. By activating the street scape with planting areas and street trees, seating and opportunities for outdoor tables, the design allows the site to live up to the potential of its prominent location.

The three existing trees along Wharf Street are proposed to be retained as they complete the appearance of the heritage building as experienced from the inner harbor.

At three locations a change in paving material is marking the location of Lobby entrances, enhancing way finding throughout the site.

An internal courtyard, equipped with tables and raised planters, allows for a quiet retreat from the busy city live.

SAFETY & SECURITY

The proposal accommodates the provisions of crime prevention through environmental design. Grade relationship of the Historic building is as established. Interstitial spaces between the building face and the curb will be integrated and furnished / landscaped as usable outdoor publicly accessible space. They will be monitored by tenancies fronting on them. Street edge of new development will be essentially transparent retail frontage. Alcoves set back to prevent door swings over the property line will be small enough to be aggravating to "overnight use" and are surrounded by glass.

Residential use of existing upper floors will provide "eyes in the street" not presently occurring.

New and extensive street and building lighting will be incorporated in new development.

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TRANSPORTATION

PARKING – as described, will enter off Courtney street to underground facility accommodating 94 automobiles. Apportioning these spaces between retail customers, office tenants, and residence and visitors will be subject to assessment by leasing agents and prospective owners – as no parking is required in the core historic area, spaces will be provided to service the greatest needs car users have. Carshare programs for residents can be provided. Office and residential uses tend to have divergent needs for parking.

BICYCLES - Bicycle storage is provided as per city requirements. Class I and class II stalls. The site is superbly positioned to be well supported by an evolving network of dedicated bike routing into and around the core area. From the north – from the extensive provision for cyclists on the new Johnson Street Bridge – connecting to Wharf Street southbound, Johnson Street eastbound, and the David Foster water edge route independent of vehicle traffic. From the South – Bay and the legislation precinct access is via the Government Street causeway and from the east via Fairfield – Humboldt Street routes. Contribution to the ongoing upgrading of the routes can be explored.

Because of the potential to meaningfully encourage bike use at the site, a proper "bike servicing" facility is proposed immediately at the bottom of the one-half level ramp for Courtney Street to P1. This would include bike cleaning and washing facilities, a repair compound, and dedicated shower facilities for cyclists, and storage lockers for cyclists gear.

GREEN BUILDING FEATURES

The proposed development is targeted for LEED Gold Standard and will address the city's Green Building Policy for Private Development. This mixed-use development will keep with the city's initiative for urban sustainability.

Sustainable Sites

The site is an excellent choice for adaptive re-use, retention and complementary new development to create a truly mixed-use development within the city core.

- a) Site Selection- The proposed development will conserve the existing heritage building and adapt it for the proposed new uses. The new uses include retail, residential and commercial.
- b) Development Density The proposed increase in density will add to the urban fabric of downtown core. Introduction of residential, office, retail uses provide a basis for "Live, Work and Play" within an urban downtown.
- c) Transportation The site is located adjacent to public transportation system, bike lanes and within walking distance to all amenities. We will have bicycle storage facilities for both the residential and commercial tenants. We will provide electric vehicle charging stations within the parking area.
- d) Heat Island Effect To reduce heat sink the roof will have a high albedo and green roof surface.

Water Efficiency

The project will incorporate water use reduction features.

- a) Water Efficient Landscaping All landscaping will be shade tolerant and low water water ype.
- b) Water Use Reduction Low water consuming plumbing fixtures will be used including dual flush water closets and low flow faucets.

Energy & Atmosphere

The project will incorporate energy efficient equipment for all the main building systems.

- a) Optimize Energy Performance Use energy efficient building systems, for HVAC and domestic hot water supply to reduce energy consumption.
- b) Glazing Systems Use high performance glazing systems such as Low E, argon filled sealed glazing units to minimize heat loss and heat gain.

Materials & Resources

- a) Building Reuse The existing heritage building will be retained and adapted for the proposed new uses.
- b) Construction Waste Management During construction material will be directed for recycling where appropriate.
- c) Recycled Content The use of recycled materials will be incorporated into the project.
- d) Regional Materials Regional building material will be used for the project where appropriate.

Indoor Environmental Quality

- a) Low- Emitting Materials Low Volatile Organic Compounds (VOC) will be specified. These include paints, carpets and adhesives.
- b) Controllability of Systems The buildings' mechanical systems will meet ASHRAE standards for comfort controls. This includes thermostat, occupancy sensors and energy management systems.

Innovation in Design

a) LEED Accredited Professional – The project team include LEED Accredited Professional personnel who will on the project from the initial design phase to end of construction. The adaptive reuse of the existing building and densification of an underutilized property achieves urban sustainability.

Public Art

a) Provision for public art – either in the forecourt or as integral artwork incorporated in architectural components is envisioned, at the City's direction this could be realized through an exploratory process with representative public art interests.

Summary

This project will comply with LEED Gold Standard meets the Green Building Policy for Private Development. To achieve these requirements the project will feature:

- o Conservation of the heritage building
- A mixed-use development with residential, commercial retail and office uses to complement and enhance the community.
- Residential and/or office intensification in the downtown to assist building a complete community.
- Increase population which can access employment and services within walking, cycling and ease of access to transit.
- o This proposal will enhance the area by bringing residential and/or office to the downtown core which benefits businesses and street life. The new uses provide a response to the changing urban fabric of live, work and play within the community.

SITE INFRASTRUCTURE

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The proposed development will be connected to city services for water and sewer. The project fronts onto Government Street, Wharf Street and Courtney Street. The sidewalk on Government Street with the existing paving pattern and material as well as the street trees and planters will remain. The existing building entry on Government has a planter and steps which create a grade change at this location. The proposal is to remove this planter and grade change to create a uniform sidewalk with direct access to the ground floor retail shops. The sidewalk and landscaping on Wharf Street and Courtney Street will be replaced with new pavers and landscaping. Bicycle racks will be located at the residential and office entries.

Sincerely,

Paul M. Merrick B. Arch., Architect AIBC (Retired), AAA, FRAIC, RCA Design Consultant





AUG 2 5 2014

Planning & Development Department Development Services Division

Mayor Dean Fortin and Members of Council City of Victoria 1 Centennial Square Victoria, B.C.,V8W 1P6 August 14, 2014

Re:

816 Government Street

Dear: Mayor Dean Fortin and Members of Council

This is a proposal to address the above named property, at the junction of Government Street and Wharf Street, on Victoria's inner harbor.

The buildings existing on the site were created over time by the federal Government in Victoria, and provided jointly for a custom and excise bonded warehouse facility, and a post office. The existing development is the result of an ongoing process of alterations and additions, the western half substantially completed in 1914, the eastern portion created in the 1950's, and subsequently re clad in the 1970's.

The particulars of this evolution are extensively addressed in the report by Don Luxton and Associates dated March 31, 2014.

The buildings are currently fallow and unoccupied. The proposal herein is to readdress the site to provide for effective retail commercial at ground level, a meaningful provision for parking below grade, and strata owned or leased residential above.

Through extensive assessment by the properties owners, contractors, heritage consultant and City staff, a proposal is put forward here which retains, and adapts to a new use, the 1914 and earlier building fabric, and replaces with new construction the 1950 addition.

All of the pre 1914 heritage building fabric will be retained, and substantiated with new internal structure (as was done for instance at St Anne's Academy and the Sussex Building) and including in this case, below grade parking.

The new building portion on Government Street will incorporate parking below grade, retail at grade, and strata owned residential above.

Because the adaptive reuse of the heritage building is a considerable budgetary aggravation, and because it is judged, that an edifice of more substance is wanted in this location to adequately complete the hugely significant "urban room" of Victoria's inner harbor, this application initiates a request for two modifications to the existing zoning governments.

- 1. A revision to the prevailing density from 3.0 to 4.19 (The Belmont Building adjacent, for in stance, has a density of approximately 7 FSR.
- 2. A revision to the prevailing height limit of 15 m, to accommodate a height overall of 27.84 meters (The Belmont Building again has a height overall of 29.83m, plus appurtenances.

This is a site of disproportionate significance in the city. The proposal is for a well-mannered development, appropriate in its context, built to endure.

We thank you for the opportunity to have it considered and look forward to becoming a positive contributor to the continuing revitalization of our downtown core.

Stan Sipos



March 11, 2015

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

Re: 816 Government Street Amenity Contribution Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete a Land Lift and Amenity Contribution Analysis for the rezoning of 816 Government Street (hereafter referred to as 'the Site') in order to determine an estimate of the potential lift land values created from rezoning the Site, with the expectation that the lift would offset costs for rehabilitation of the exterior envelope of the heritage building on the Site.

Specifically, GPRA has been retained to determine the potential lift in land value from the current Official Community Plan (OCP) planning policy which would support the development of mixed residential and commercial to a density of 3.0 FSR to a new zone that would allow for development up to 4.17 FSR for a mix of residential, office, and commercial retail uses.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the site assuming it already had the new zoning for 4.17 FSR under current market conditions. GPRA has been asked to assess the value of the Site with the following potential uses:

- 1) Residential strata;
- 2) Residential rental;
- 3) Office and commercial retail uses;
- Restaurant and/or a brew pub, including liquor sales of products produced at the site.

GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the new zoning. The 'Lift' is then calculated as the difference in residual land values under both current OCP designation and the proposed new zoning/density.

METHODOLOGY & ASSUMPTIONS

The Site is 2,556 square metres in area and can be developed under the current OCP policy which supports a mix of ground floor commercial with residential above at a density up to 3.0 FSR. The proposed new development at 4.17 FSR would be 10,198 square metres of GBA, comprised of 2,707 square metres of rental apartments and 707 square metres of ground floor

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commercial space in the heritage building, along with 6,791 square metres of new construction, with 94 underground parking stalls.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For these analyses GPRA has determined the residual value based on the developer achieving an Internal Rate of Return (IRR) on the project commensurate with that achieved under the base density of 3.0 FSR. The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

The residual land value determined from this analysis is then compared to the value of the site using the supported base density as noted in the OCP to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning to 4.17 FSR and not from development under current planning would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of wood and concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. Rents for both residential and commercial uses have also been drawn from a scan of projects with current listings in the area. Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.



CONCLUSIONS & RECOMMENDATIONS

GPRA estimates that there is only lift from developing the new building for use as strata apartments. Both office use and rental apartments in the new building generate a land value less than or equal to development at 3.0 FSR. The lift on the Site from rezoning is roughly \$1.7 million. As indicated above it is our understanding that the City would be seeking 75% of the lift in value, which would be approximately \$1.3 million. If there are additional costs identified that would be applicable solely to requirements by the City for developing to 4.17 FAR these should be reflected in the final contribution through additional analysis.

However, as the purpose of this exercise is in part to determine whether the lift is sufficient to offset the cost of the heritage retention, it must be noted that Cielo Properties has estimates for the refurbishment of the heritage façade and seismic upgrades at a cost of roughly \$5.1 million. This would indicate that there is still a substantial shortfall between the increase in land value from the additional density and the cost of the heritage retention. The shortfall is estimated as being roughly \$3.9 million.

I trust that our work will be of use in the City's determination of the Amenity Contribution they will seek as part of rezoning 816 Government Street. I am available to discuss this further at your convenience.

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G.P. Rollo & Associates Ltd., Land Economists
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E gerry@rolloassociates.com | W www.rolloassociates.com



1715 Government Street Victoria, BC V8W 1Z4 250.386.5503

Mayor and Council City of Victoria No.1 Centennial Square Victoria, BC V8W 1P6

April 10, 2015

Re: 816 Government Street – Cielo Properties Inc. – Rezoning, Development Permit and Heritage Alteration Permit Review

Dear Mayor Helps and Council,

The DRA LUC has reviewed the drawings for the proposed building and hosted a CALUC meeting on 8 May 2014 for the above-mentioned application. Twenty people registered their attendance at the door. The presentation was conducted by Mr. Paul Merrick, Architect and Mr. Stan Sipos of Cielo Properties.

Based on the information presented by the applicant the purpose of the Rezoning is to create a new market condominium building (since amended to office building) with ground floor commercial space fronting Government, Wharf and Courtney Streets and also rehabilitate the existing heritage building on the site to create market condominiums and ground floor retail. The building would have an underground parking structure with the entry from Courtney Street. The project has been significantly amended since the original proposal that was introduced at the CALUC public meeting.

Comments and concerns raised at the Land Use Committee meeting and by members are as follows;

- Several comments have been made regarding the height of the buildings and the
 configuration of additional stories on the heritage building as originally proposed. Since
 that time, the height has been reduced and the additional stories have been reconfigured
 on the heritage building, which is commendable.
- Concerns remain regarding the extent of the street wall along Government Street and
 potential for some aesthetic awkwardness for the angled portion at the southeast corner.
 While the proposed building is not as tall as the Belmont Building opposite, it does
 occupy the entire block and is significantly taller and longer than the existing building
 proposed to be demolished. This is not typical of other existing building frontages along
 Government Street and may create a visual incongruity.

- It is commendable that the proposed stone cladding materials are of a high quality; recognizing the prominent location the building is situated adjacent to the Empress Hotel and the Legislative Buildings. It would be highly recommended that the use of these quality materials also extend to the upper storeys as the proposed use of sheet metal cladding does not complement the neighbouring properties.
- While the committee was generally pleased with the articulation of the facade and quality of the cladding, there were concerns from several members that the Government facade lacks detail on the upper central portion and appears somewhat weak and out of context. Conversely, the north and south corners have proposed overhangs and cornices which provide visual and contextual interest.
- There are many alterations proposed for the Heritage façade. It is understood that the building presents several challenges in order to be converted to a residential use. However there are concerns whether all of the many proposed alterations are architecturally/historically appropriate for a heritage building of this calibre and whether the number of these alterations can be reduced. Regardless, we trust that the appropriate procedures will be required and monitored by staff and the appropriate contractors will be retained to execute this special work.
- The location of security gating for the Government Street entry is also a concern. Entry doors at the street may provide better security unless it is proposed that the security gate be closed at all times outside of office hours. It is also recommended that the security gate be of high quality both of material and aesthetic.

The DRA generally supports this proposal but recommends that due to its most prominent location on the Inner Harbour that all efforts be made to "get it right". It will be the attention to detail and quality of the materials and execution that will make this project worthy of this prominent location.

Sincerely.

Ian Sutherland

Chair Land Use Committee

Downtown Residents Association

cc COV Planning



March 11, 2015

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

Re: 816 Government Street Amenity Contribution Analysis

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Specifically, GPRA has been retained to determine the potential lift in land value from the current Official Community Plan (OCP) planning policy which would support the development of mixed residential and commercial to a density of 3.0 FSR to a new zone that would allow for development up to 4.17 FSR for a mix of residential, office, and commercial retail uses.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the site assuming it already had the new zoning for 4.17 FSR under current market conditions. GPRA has been asked to assess the value of the Site with the following potential uses:

- Residential strata;
- Residential rental;
- Office and commercial retail uses;
- 4) Restaurant and/or a brew pub, including liquor sales of products produced at the site.

GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the new zoning. The 'Lift' is then calculated as the difference in residual land values under both current OCP designation and the proposed new zoning/density.

METHODOLOGY & ASSUMPTIONS

The Site is 2,556 square metres in area and can be developed under the current OCP policy which supports a mix of ground floor commercial with residential above at a density up to 3.0 FSR. The proposed new development at 4.17 FSR would be 10,198 square metres of GBA, comprised of 2,707 square metres of rental apartments and 707 square metres of ground floor

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commercial space in the heritage building, along with 6,791 square metres of new construction, with 94 underground parking stalls.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For these analyses GPRA has determined the residual value based on the developer achieving an Internal Rate of Return (IRR) on the project commensurate with that achieved under the base density of 3.0 FSR. The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

The residual land value determined from this analysis is then compared to the value of the site using the supported base density as noted in the OCP to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning to 4.17 FSR and not from development under current planning would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of wood and concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. Rents for both residential and commercial uses have also been drawn from a scan of projects with current listings in the area. Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.



CONCLUSIONS & RECOMMENDATIONS

GPRA estimates that there is only lift from developing the new building for use as strata apartments. Both office use and rental apartments in the new building generate a land value less than or equal to development at 3.0 FSR. The lift on the Site from rezoning is roughly \$1.7 million. As indicated above it is our understanding that the City would be seeking 75% of the lift in value, which would be approximately \$1.3 million. If there are additional costs identified that would be applicable solely to requirements by the City for developing to 4.17 FAR these should be reflected in the final contribution through additional analysis.

However, as the purpose of this exercise is in part to determine whether the lift is sufficient to offset the cost of the heritage retention, it must be noted that Cielo Properties has estimates for the refurbishment of the heritage façade and seismic upgrades at a cost of roughly \$5.1 million. This would indicate that there is still a substantial shortfall between the increase in land value from the additional density and the cost of the heritage retention. The shortfall is estimated as being roughly \$3.9 million.

I trust that our work will be of use in the City's determination of the Amenity Contribution they will seek as part of rezoning 816 Government Street. I am available to discuss this further at your convenience.

18 mulbled

Gerry Mulholland |Vice President
G.P. Rollo & Associates Ltd., Land Economists
T 604 275 4848 | M 778 772 8872 |
E gerry@rolloassociates.com | W www.rolloassociates.com



City of Victoria

Planning Department, I Centennial Square, Victoria BC

April 10th, 2015

This letter is written in support of the proposed development at the 'Customs House', 816 Government Street. Lower Government Street is desperately in need of stimulus and whereas the efforts of the new owners of The Fairmont Empress Hotel are doing a good job, and the Jawl's can be thanked for ongoing upgrades at The Belmont Building, the fact remains that Lower Government Street has been losing businesses of quality for almost two decades since George Straith closed and cruise ships increased.

I compliment the developers for taking a bold initiative and for retaining the truly heritage portion of the site while completely refreshing the addition.

We need significant developments in Old Town particularly this sensitive and important part of what for many people is their introduction to our downtown from the Inner Harbour. As a downtown resident, business owner and promoter of our city, I support this development.

Yours Truly,

JC Scott



816 GOVERNMENT STREET, VICTORIA, B.C.

ISSUED FOR DP REVISION 2

MARCH 09, 2015

ASCHITE CT

STUDIO DE ARCRITECTURE INC. 243 388 West St. Avenue Vancente, B.C. VSY 382

Phone. 604 731 3966

Scoke, B.C. V97 1A6

Flore: 750 642-7708

PERSONAL LAND

1030 470 Granutis Street turning R.C. WC 1V5

Phone 604 638 1216

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Development Services Division

Page 403 of 727

PEDESTRIAN INTENSITY



URBAN ANALYSIS

URBAN ROOM



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AG2	CONTEXT PICTURES	113	LANDSCA
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A54	PHOPOSED SITE PLAN		
AGS	SHADOW ANALYSIS		
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LOCATION PLAN

City of Victoria

MAR 13 2015

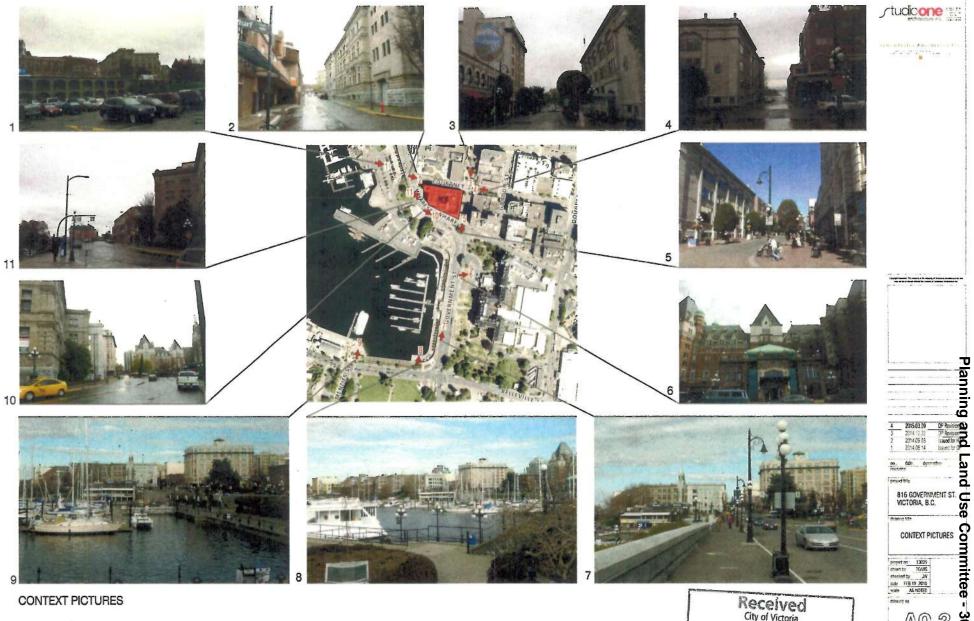
Planning & Development Department Development Services Division

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816 GOVERNMENT ST. USCHOOLS B.C.

LOCATION PLAN DRAWING LIST

- 30 Apr 2015



Committee - 30 Apr 2015

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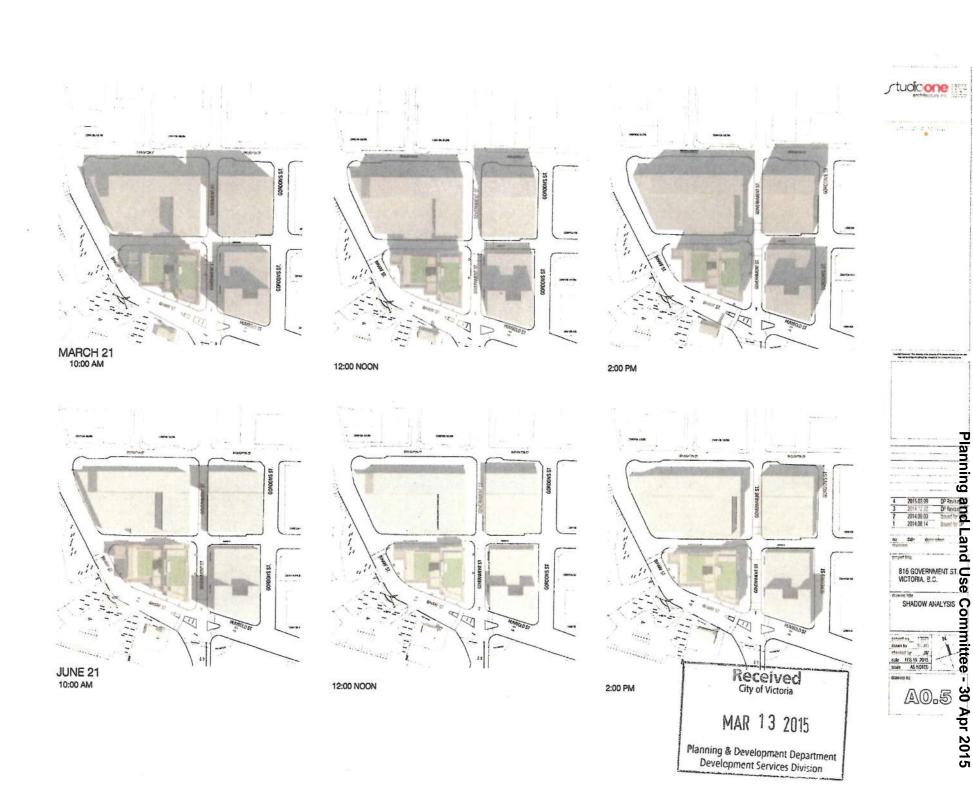
Planning & Development Department Development Services Division

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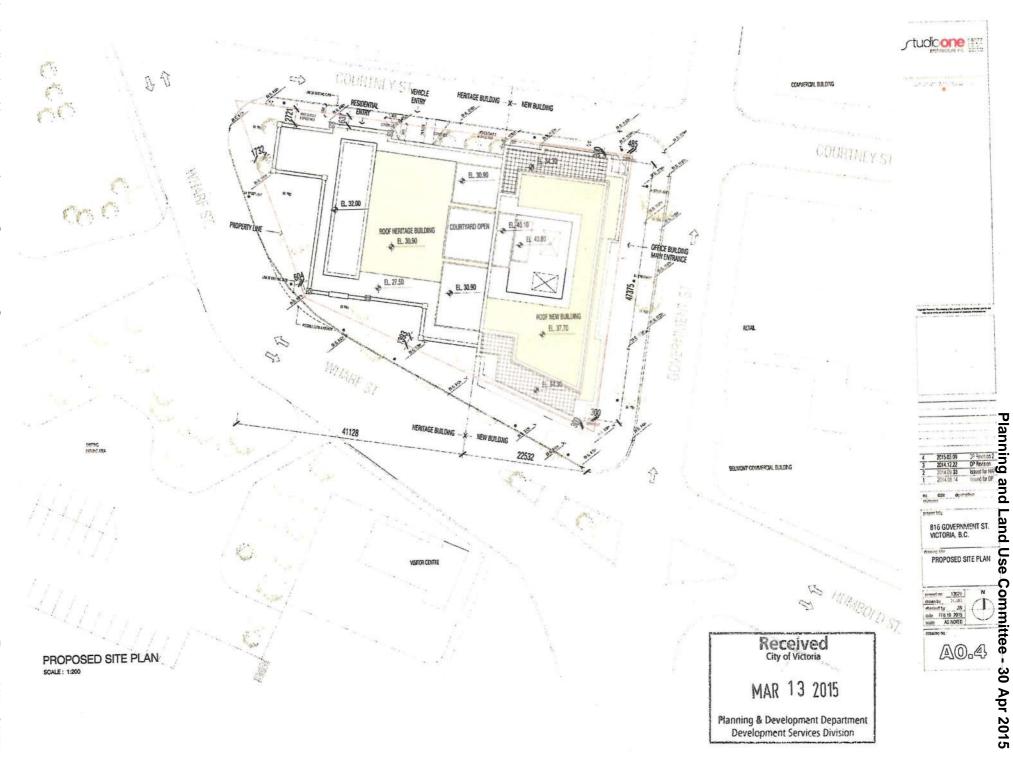
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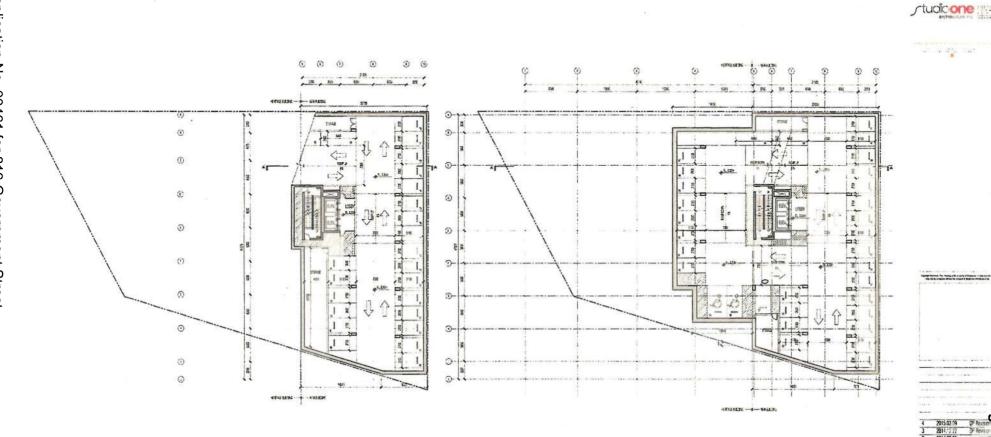
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30 Apr 2015





UNDERGROUND PARKING - P2 SCALE: 1:200 Received City of Victoria nd Use

Committee - 30 Apr 2015

816 GOVERNMENT ST. VICTORIA, B.C.

U/G PARKING P3

& P2

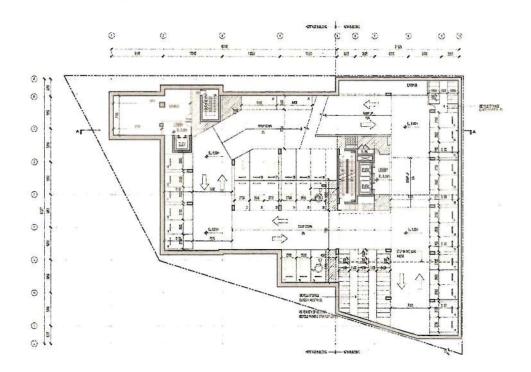
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UNDERGROUND PARKING - P3



U/G PARKING P1 SCALE: 1:200

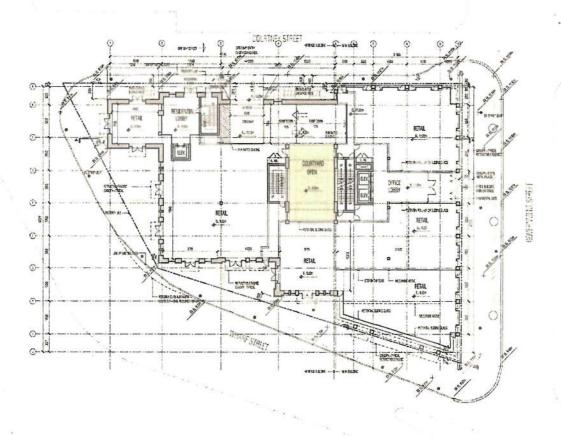
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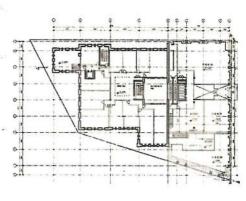
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MEZZANINE LEVEL

GROUND FLOOR PLAN SCALE: 1:200

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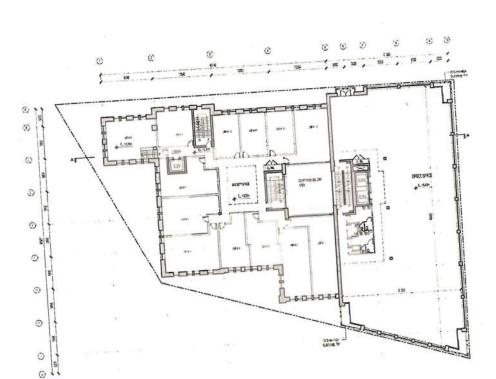
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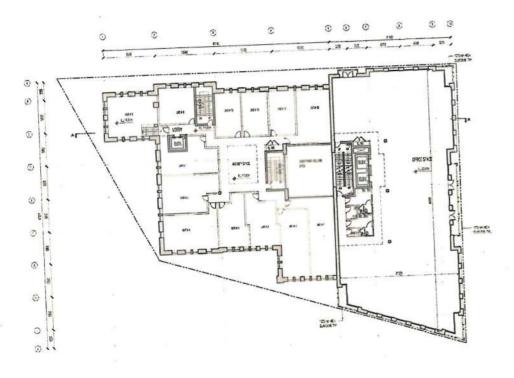
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816 GOVERNMENT ST. VICTORIA, B.C. 2ND FLOOR PLAN

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3RD FLOOR PLAN SCALE: 1:200 Received City of Victoria

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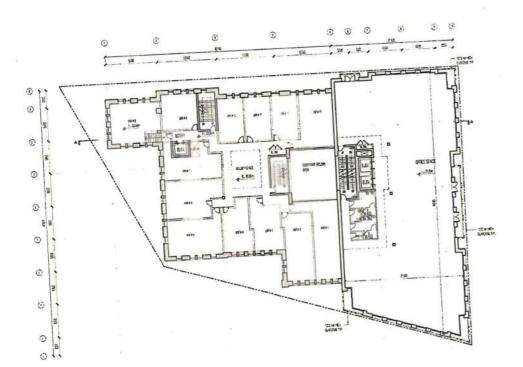
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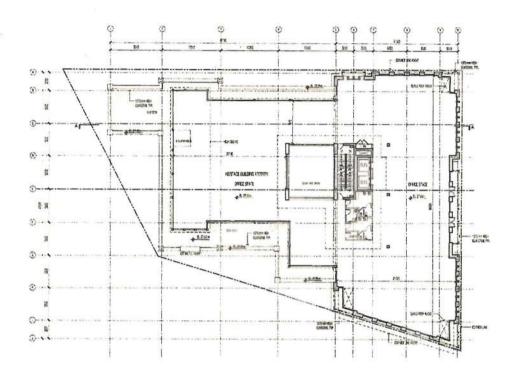
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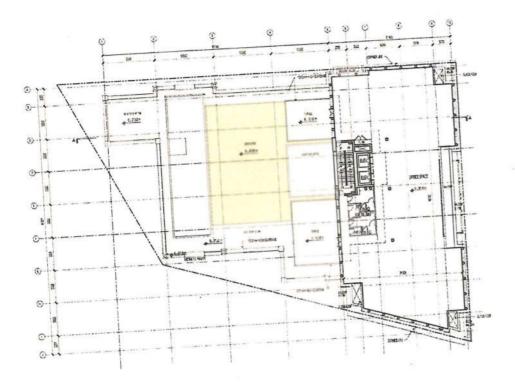
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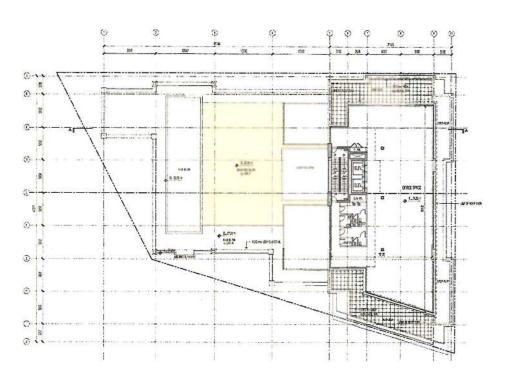


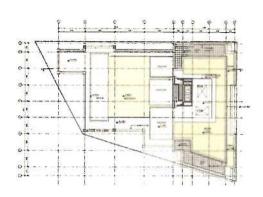
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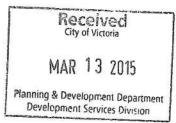


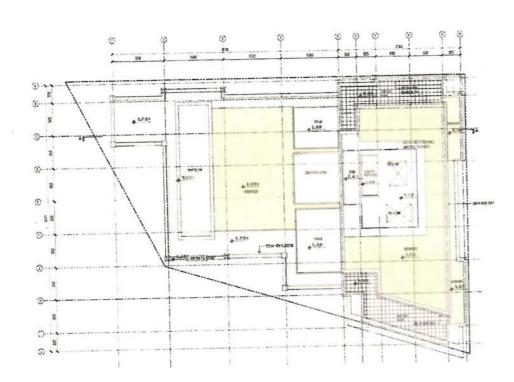




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7TH FLOOR PLAN SCALE: 1:200





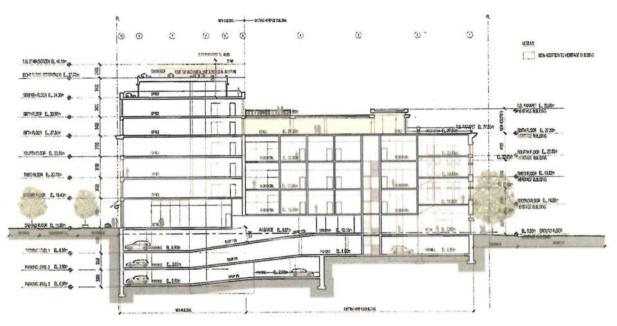
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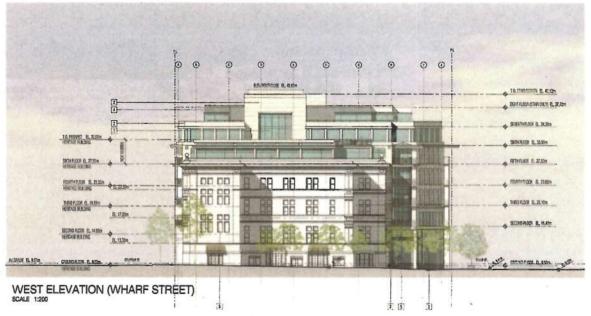
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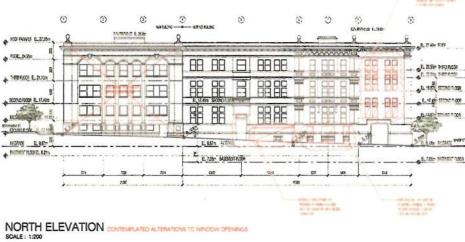
ELEVATIONS NORTH AND WEST EXISTING HERITAGE BUILDING

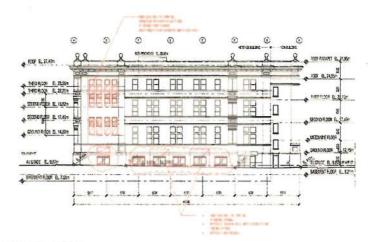
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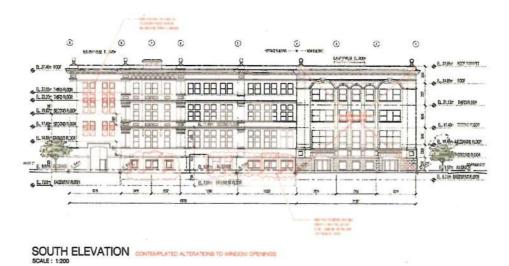
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Planning & Development Department Development Services Division

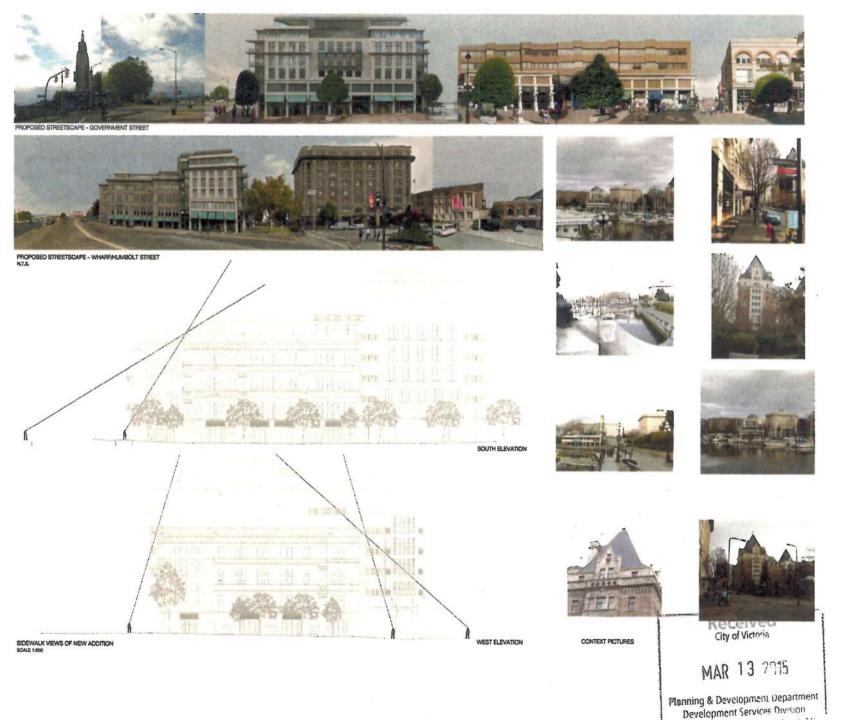


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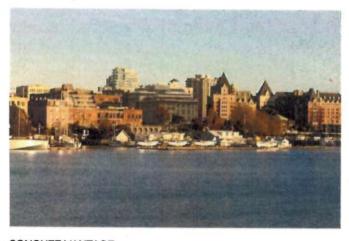
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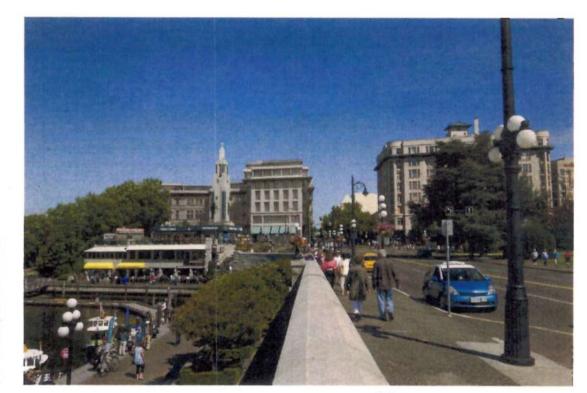


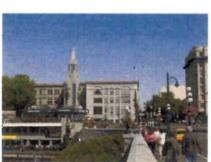
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Land Use Committee - 30 Apr 2015 816 GOVERNMENT ST. VICTORIA, B.C. 3D VIEWS

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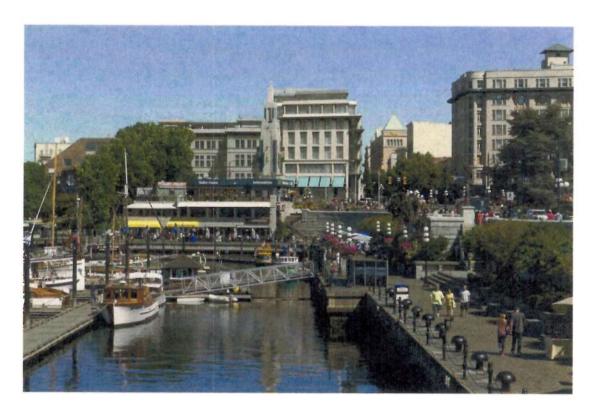
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Land Use Committee - 30 Apr 2015

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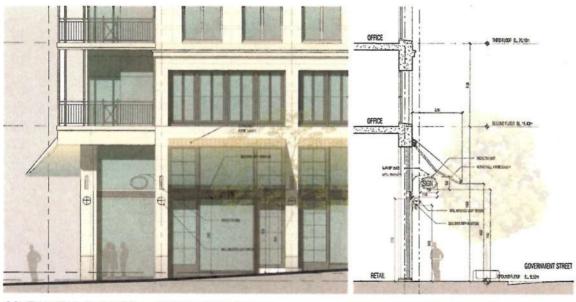
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Land Use Committee - 30 Apr 2015



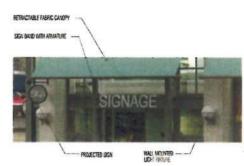
EXAMPLES FOR SIGNAGE AND LIGHTING



SOUTH DETAIL ELEVATION - GOVERNMENT STREET SCALE 1:50

DETAIL SECTION - TYP. BAY

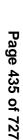


















EXAMPLES FOR GLASS-METAL CANOPIES



SOUTH DETAIL ELEVATION - GOVERNMENT STREET

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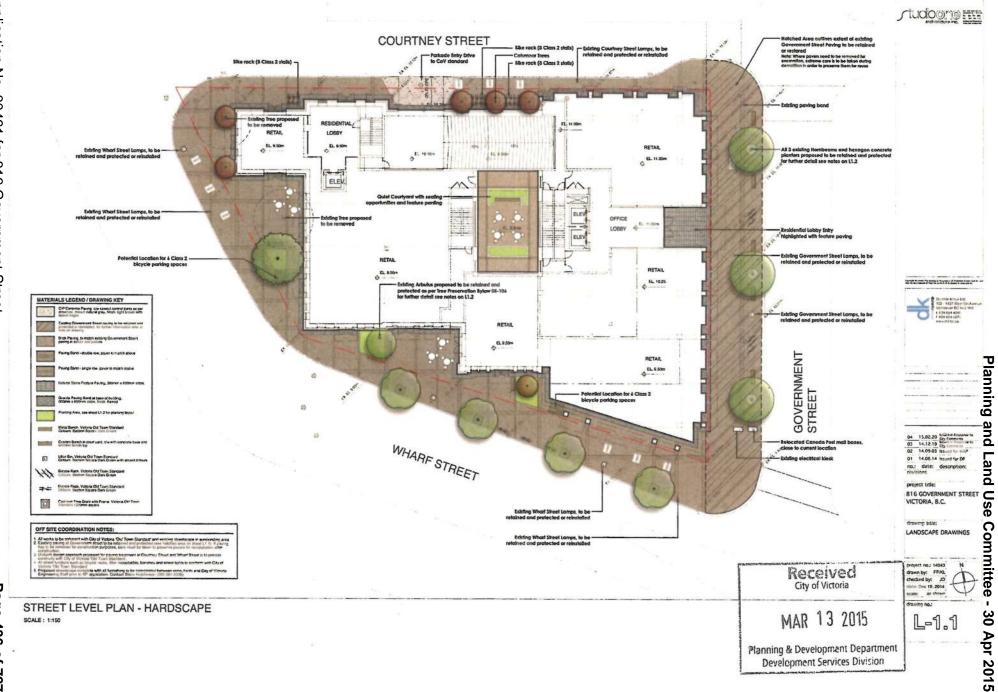
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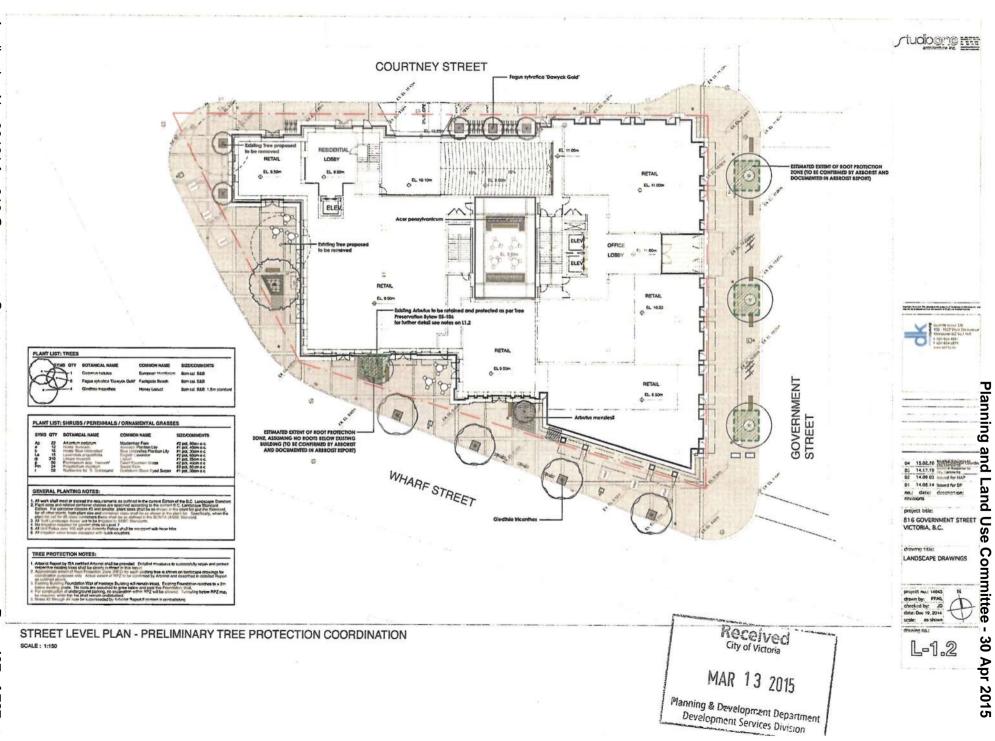
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Planning and **Use Committee -**

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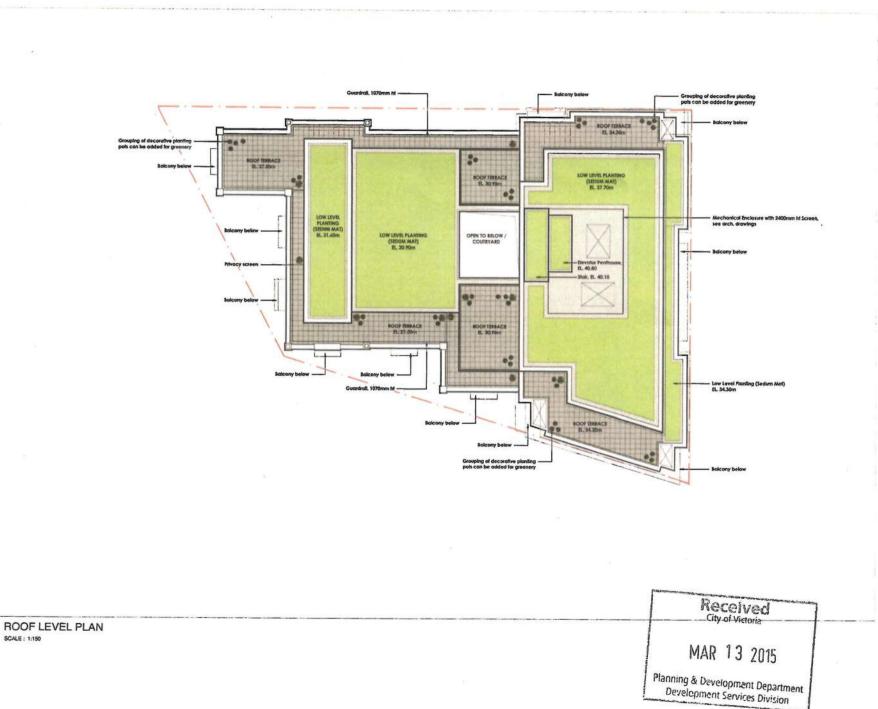




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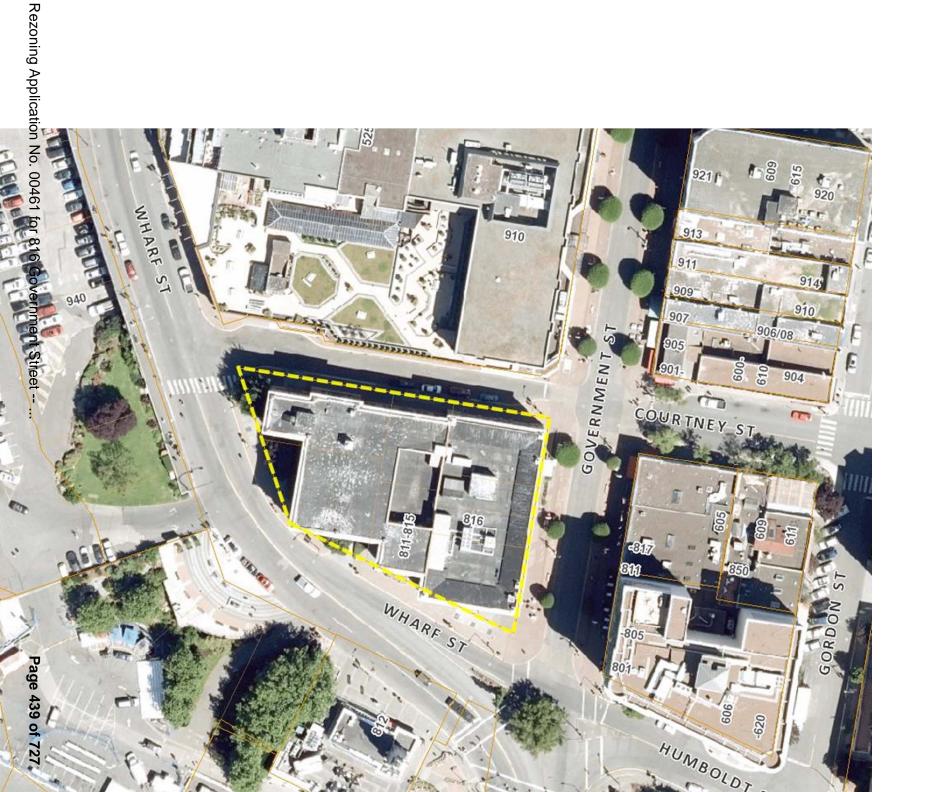
project title: **B16 GOVERNMENT STREET** VICTORIA, B.C.

drawing title: LANDSCAPE DRAWINGS

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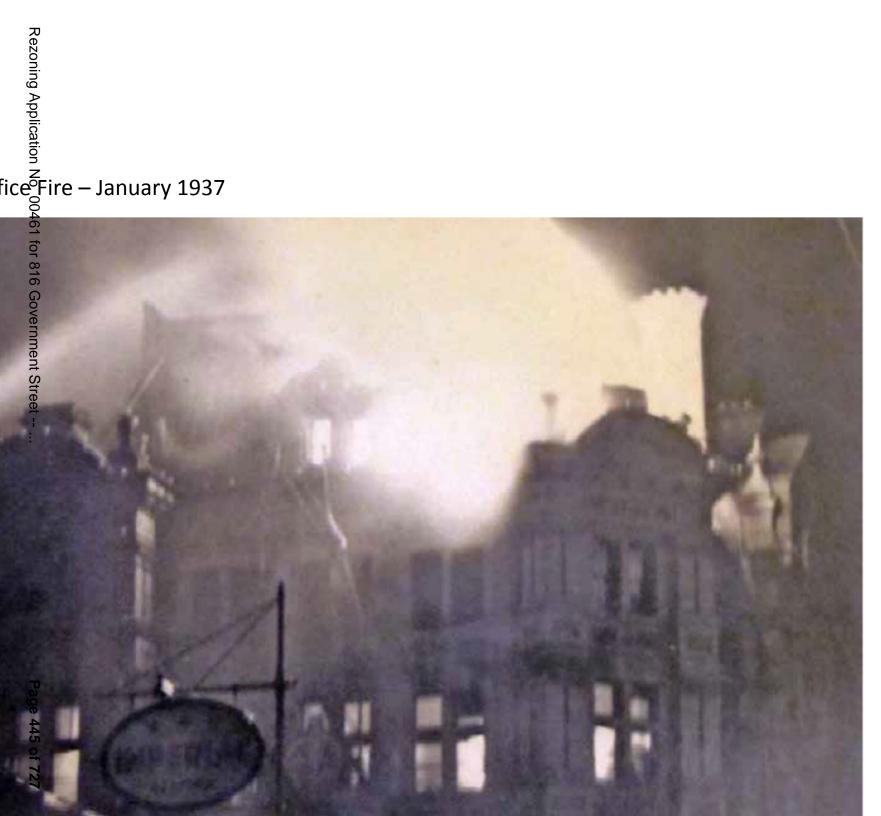
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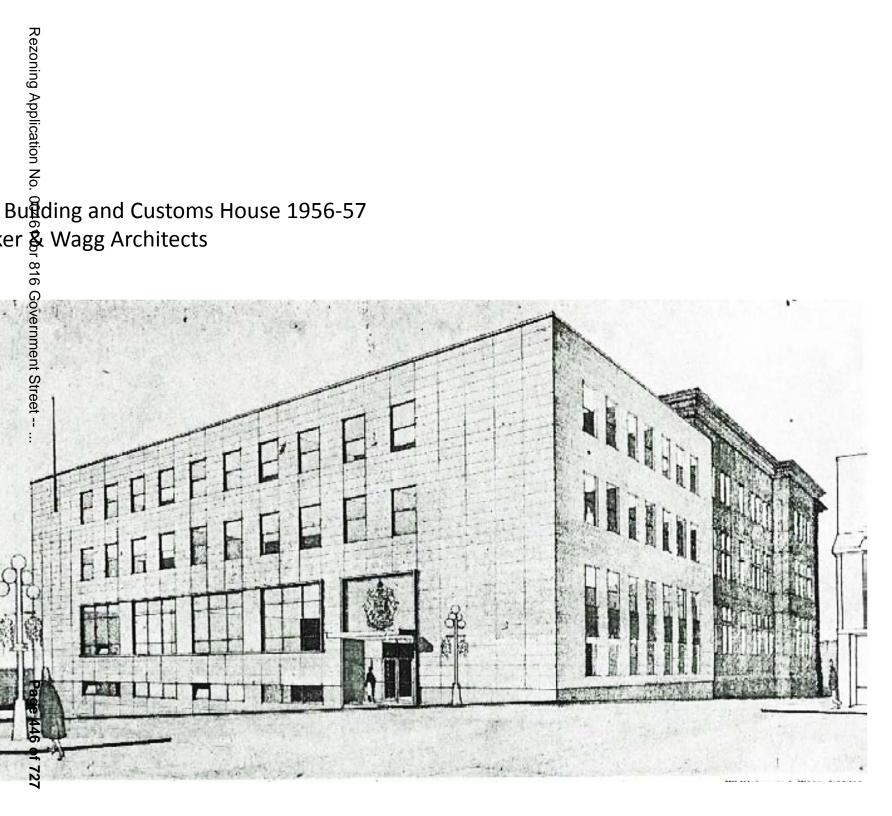
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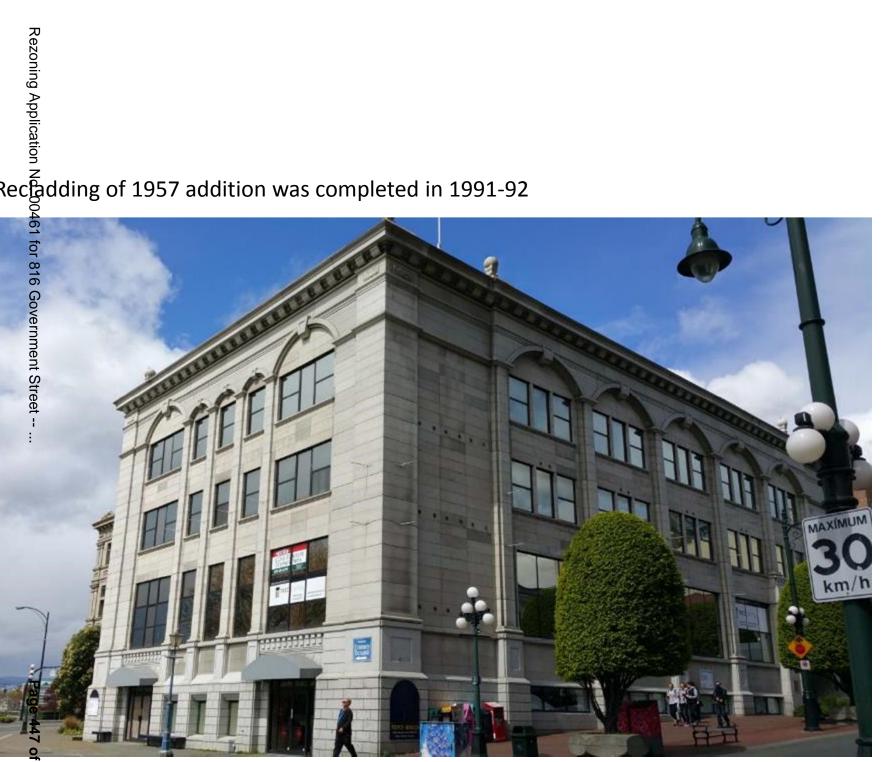
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POST OFFICE, CUSTOMS AND INLAND REVENUE OFFICES, VICTORIA, B.C.
THOS. FOLLER, ANCRITECT, PUBLIC WORRD DEPARTMENT, OTTOWA.

Rezoning Application No. 00461 for 816 Government Street -- ...









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Subject Site





Belmont Building



Empress Hotel



Rezoning Application No. Old Town & Government Street

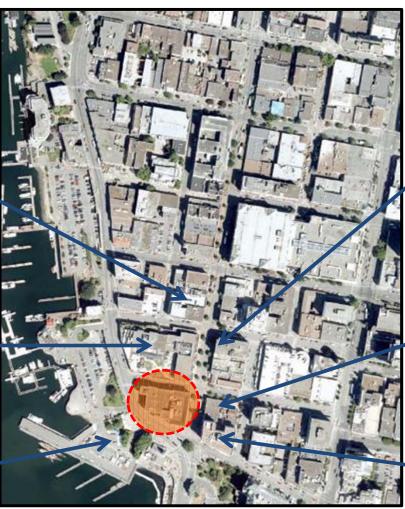


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Subject Site



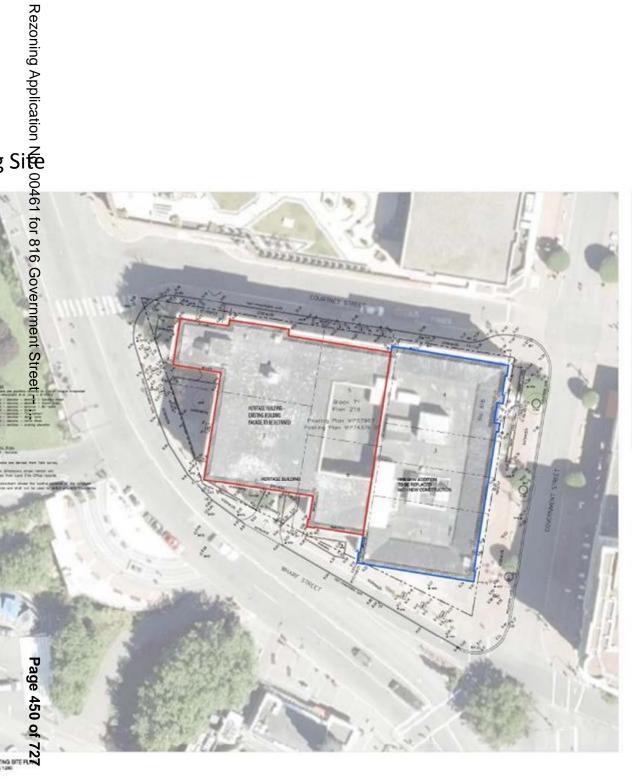
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8-storeys office/retail



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PROJECT STATISTICS EX.SITE PLAN

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:y (၉၀၀r Space Ratio) - maximum	3.99:1*	3:1
looဋ̃ area (m²) - maximum	10,657.00	n/a

Party Economic Analysis

pated contribution to the City's Public Realm Improvement Fund and Heritage ng's Seismic Upgrade Fund: \$1.3 million

f rehabilitation of the building facades including seismic upgrading: \$5.1 million

density incentives may be considered where heritage conservation is proposed. ecommend that Council consider requiring a Heritage Revitalization Agreement to the retention and rehabilitation of the building facades.

Rezoning	
y Application	
Z	Additional Uses

sed Use	Floor Area (maximum)
ery 8	175m²
ery	175m ²
r Resail Store as Accessory to ery er Distillery	50m²

sed Additional Height

Standard	New Zone	Heritage Alteration Permit Variance
	17.7 m	30.3 m

sed Housing Agreement

sure that any residential units constructed on the property be available as market units to non-owners.

osed Statutory Right-of-Way

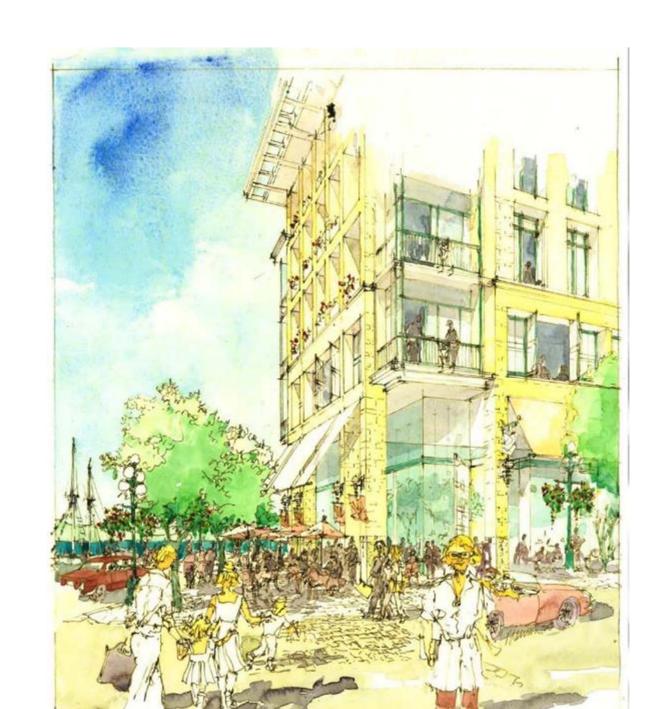
tion of the City sidewalk encroaches onto the subject site. A statutory right of way is ose to allow for continual public access.













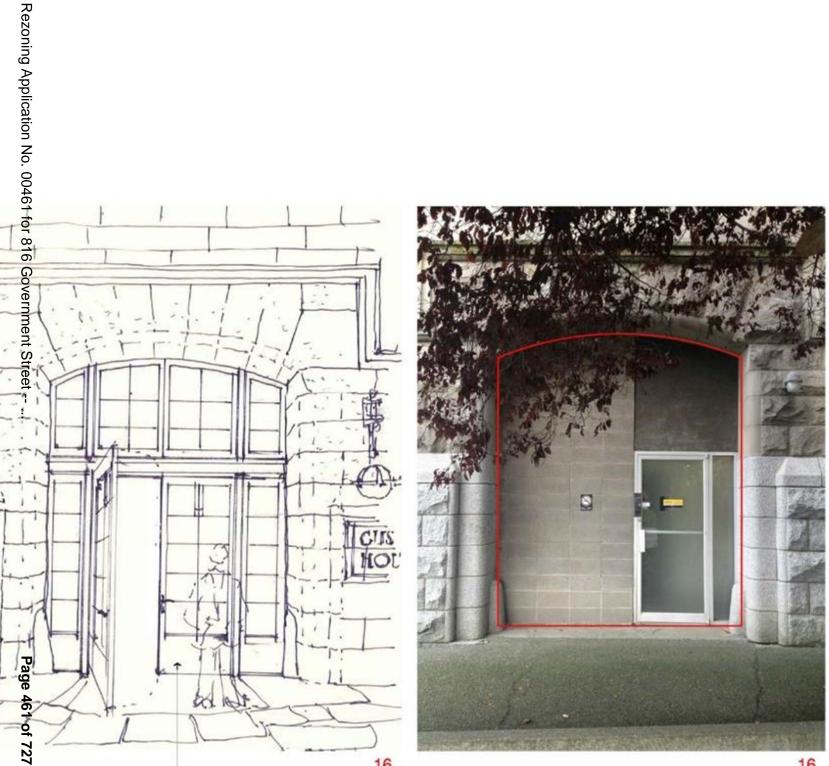






Planning and Land Use Committee - 30 Apr 2015

Planning and Land Use Committee - 30 Apr 2015



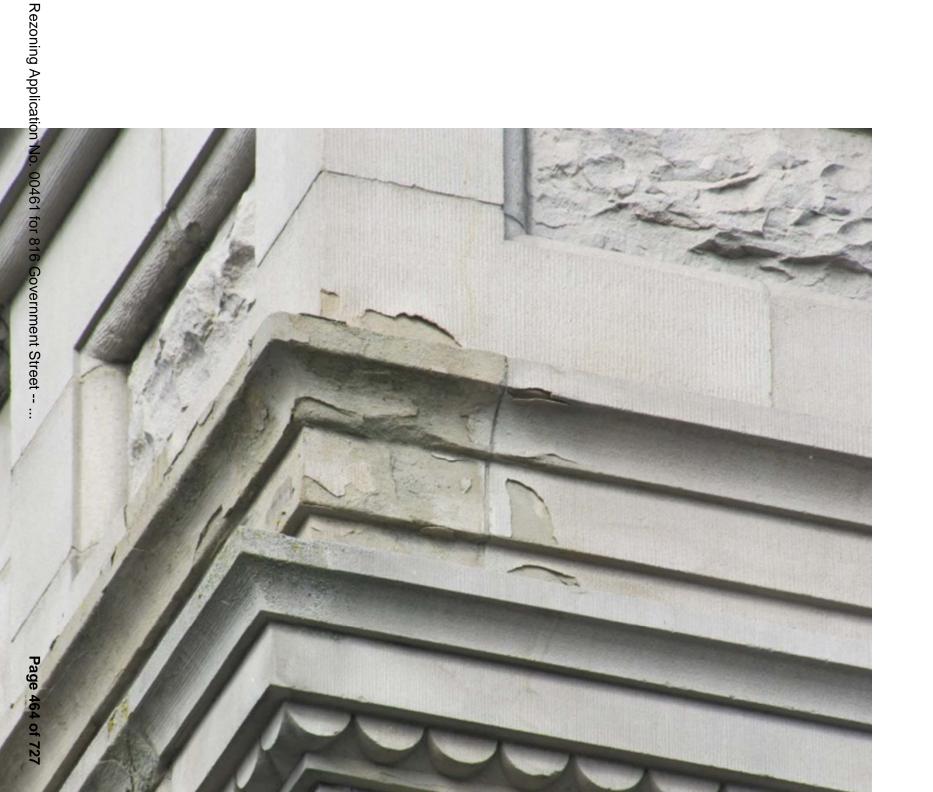




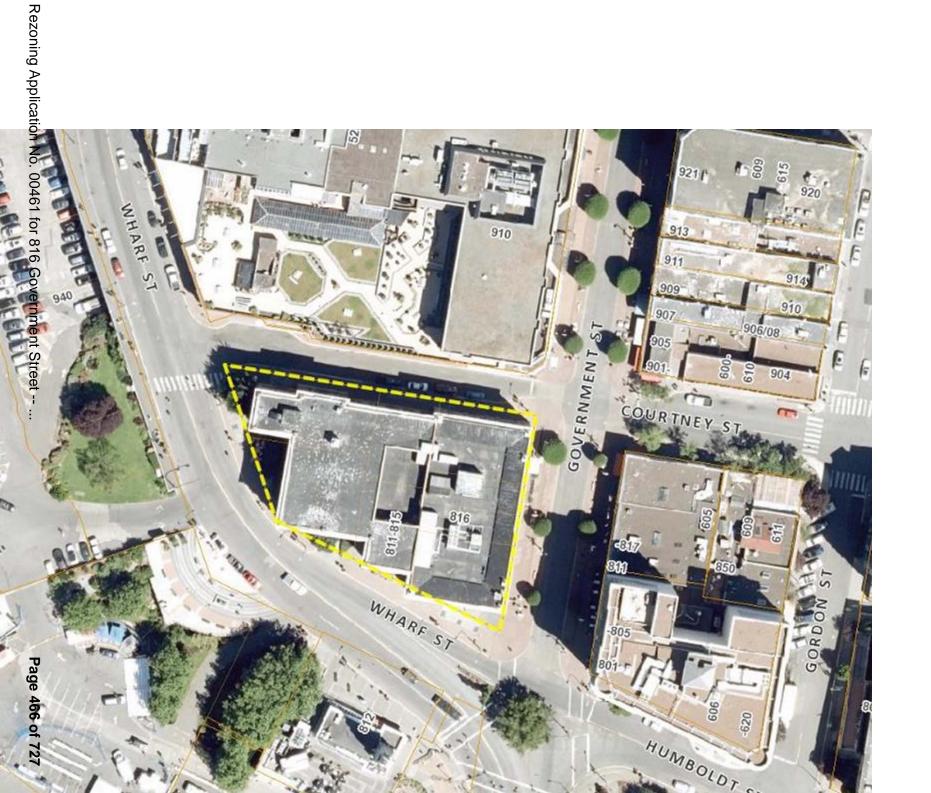
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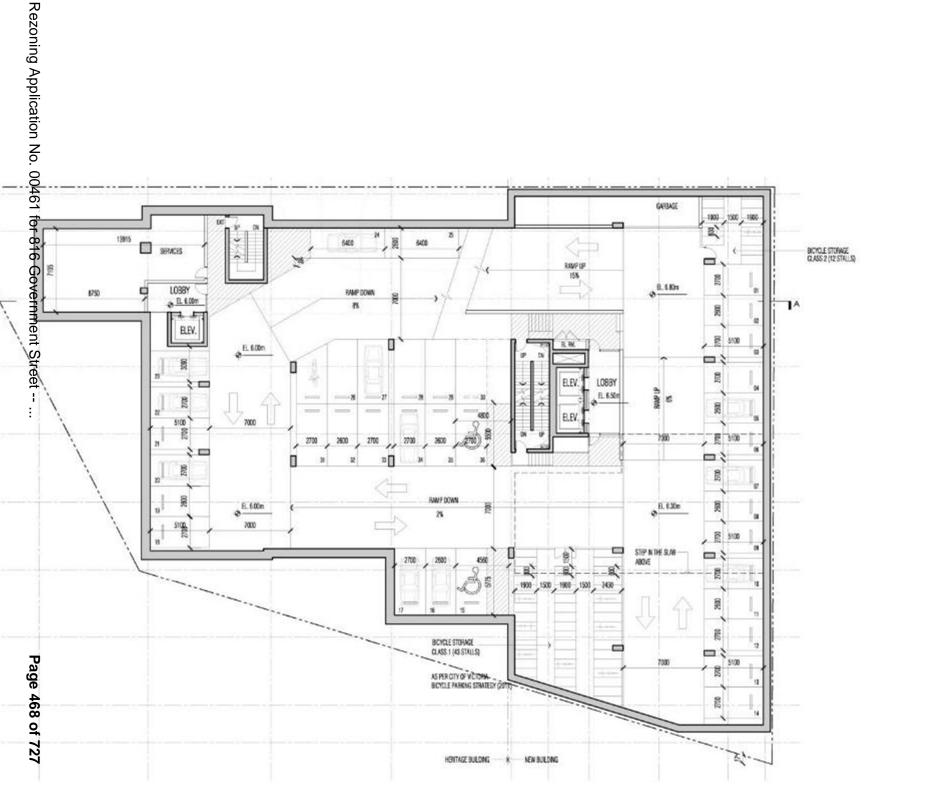
16 GEVERNMENT STREET VICTORIA, B. C.

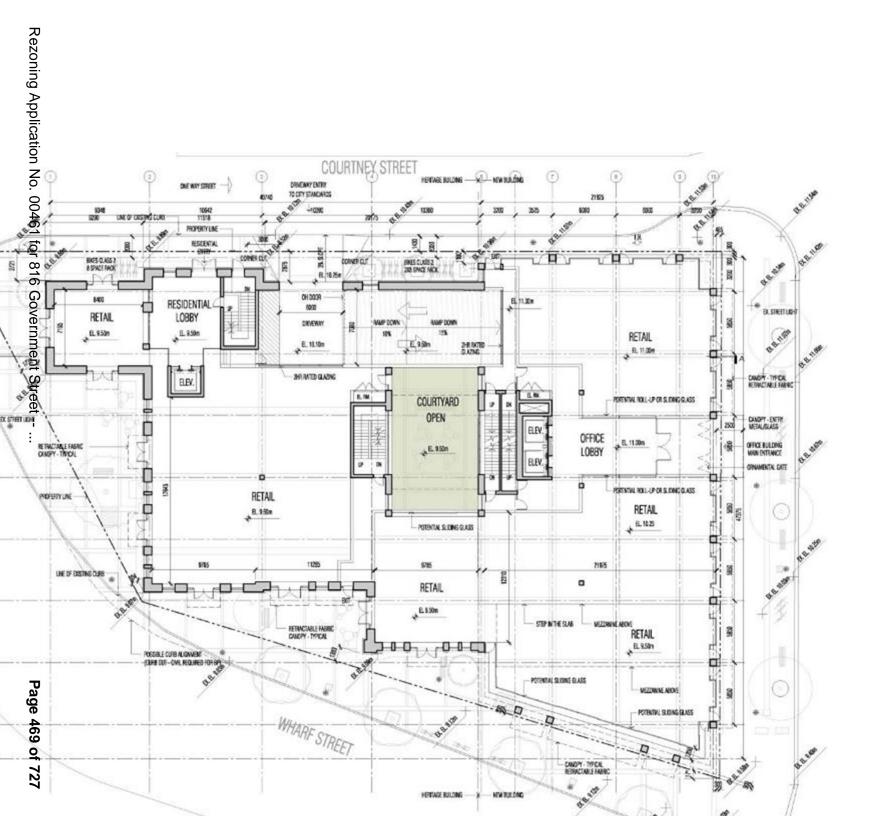
Planning and Land Use Committee - 30 Apr 2015

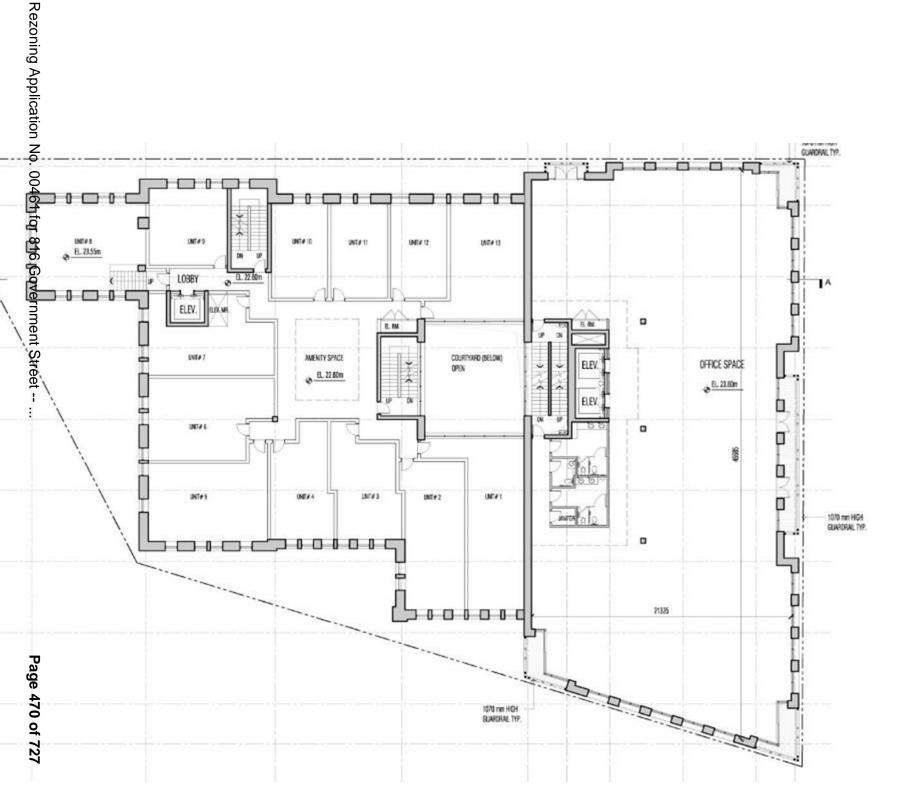








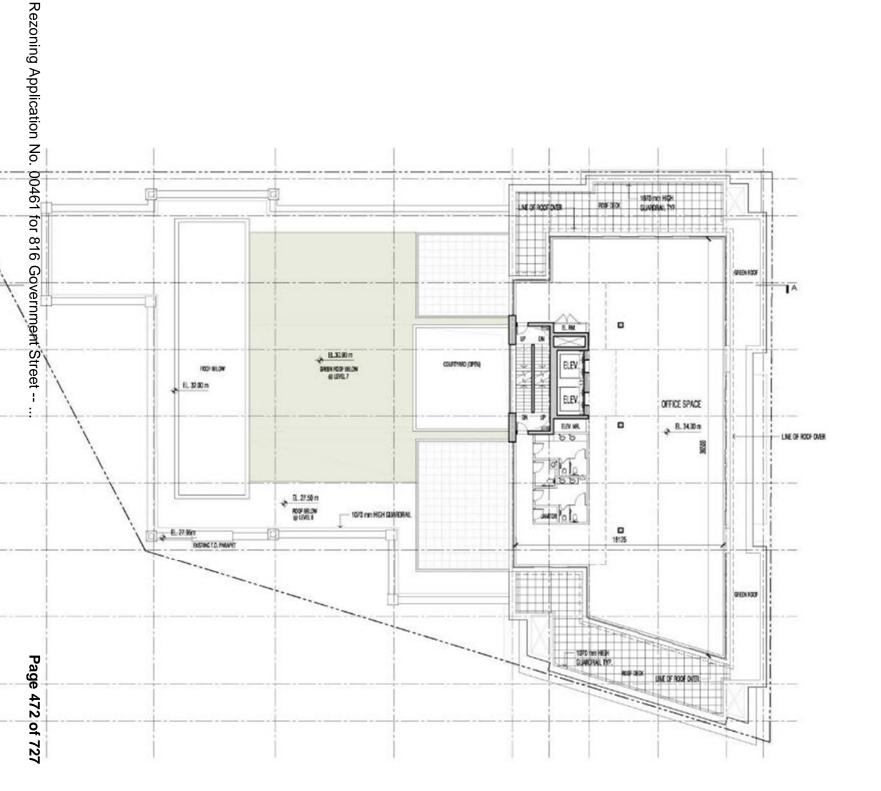




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Planning and Land Use Committee - 30 Apr 2015





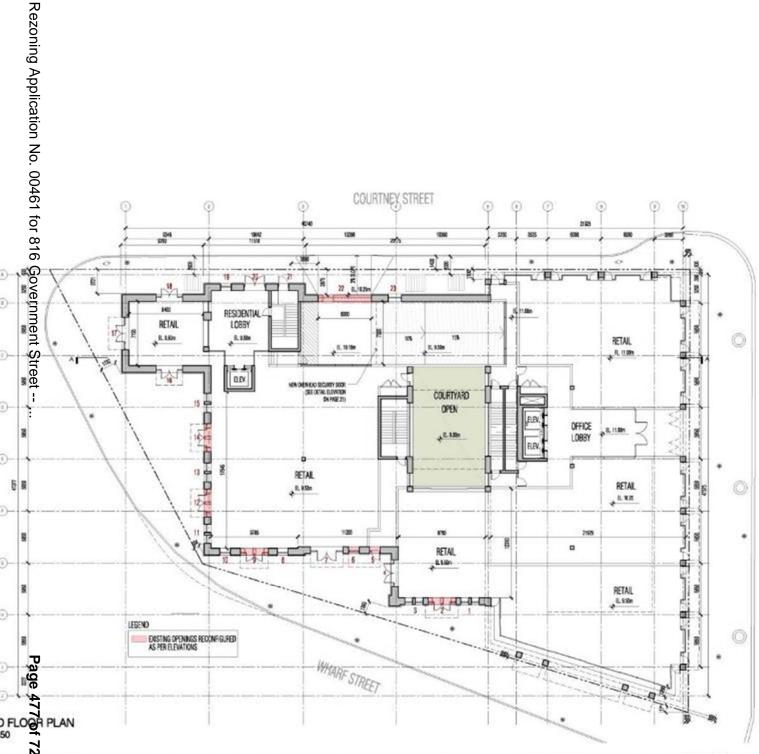
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- 2 IME STEAE
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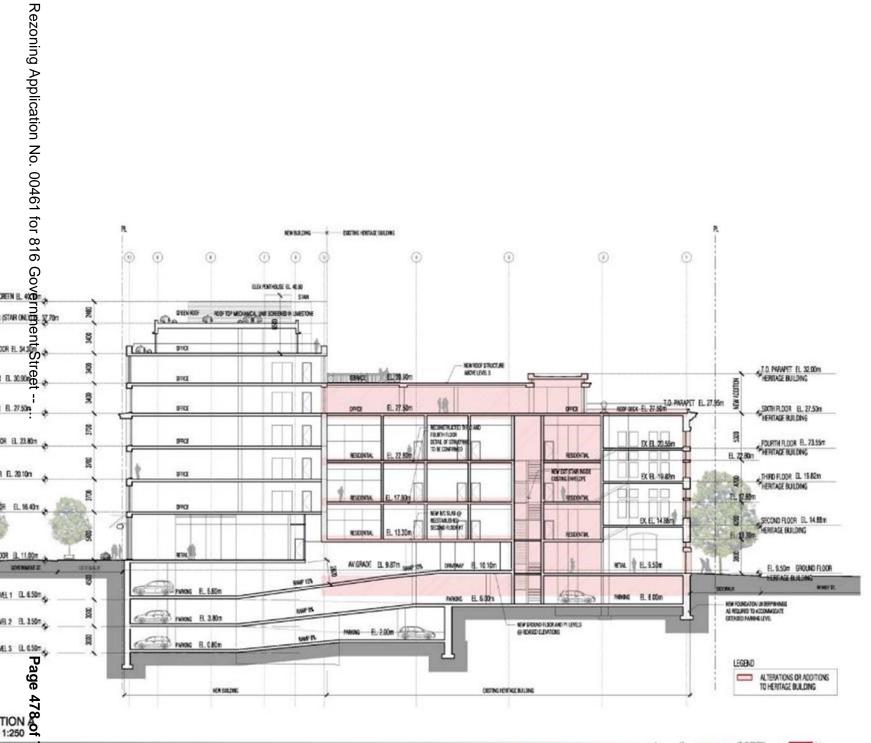


LEGEND MATERIALS:

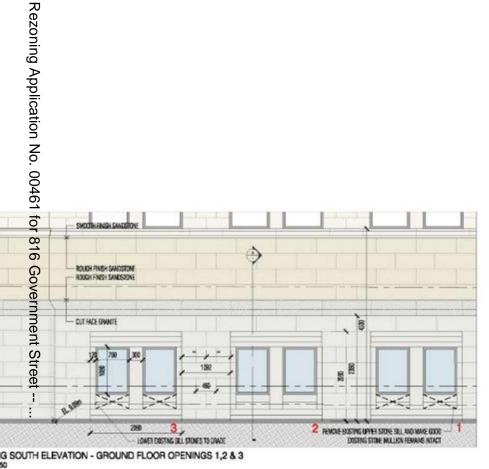
- 1 -GWHTE
- 2 -LME STONE
- 3 ALLIMNUM WINDOW WILL-GLAZING
- 4 METAL CLASONS
- 5 METAL BALING OR METAL GLASS PAUNO
- 6 RETRACTABLE FASHIC CANOPY
- 7 BLADE SIGNS
- 8 LIENT FOTURES



GOVERNMENT STREET

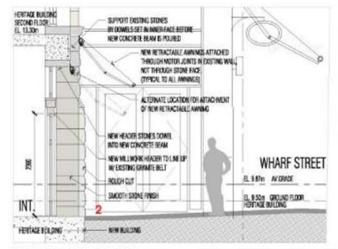


CONTRACTOR STREET, STREET, STR.









SECTION A -TYPICAL SECTION THROUGH ENLARGED NEW OPENINGS

OPENINGS 1,2 & 3



NG NUMBER

6 Government Street -

6

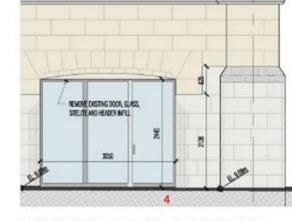
WEST ELEVATION -WHARF STREET

REMOVE EXISTING CANOPY & STOREFRONT DOOR FRAMES

RETAIN OPENING AS IS AND REMOVE GLAZING TO FOLLOW CURVE ARCH

DOOR





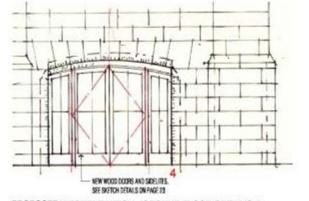
EXISTING WEST ELEVATION - GROUND FLOOR OPENING 4 SCALE 1:50











PROPOSED WEST ELEVATION - GROUND FLOOR OPENING 4

OPENING 4







EMENT FLOOR PLAN

OVERNMENT STREET VICTORIA, B.C.

OPENING NUMBER 5-6-7

SOUTH ELEVATION -WHARF STREET

WINDOW - DOOR

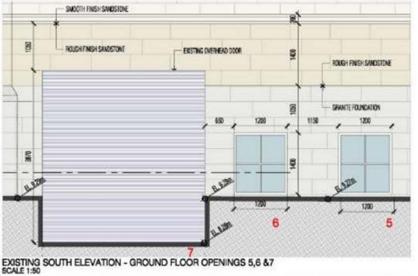
PAISE HEAD TO EXISTING MOULDING AND MAINTAIN EXISTING JAMB LOCATION TO WIDEN WINDOW AND MAKE

DOOR WHERE REQUIRED

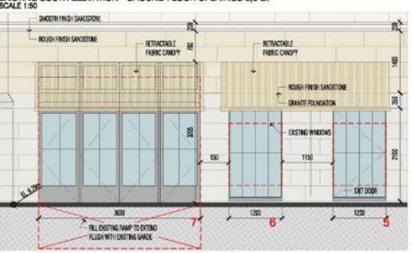
816

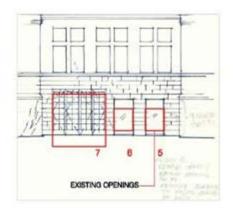
CONDITION TON

erment Street









PROPOSED SOUTH ELEVATION - GROUND FLOOR OPENINGS 5,6 & 7 SCALE 1:50

OPENINGS 5,6 & 7





G BASEMENT FLOOR PLAN

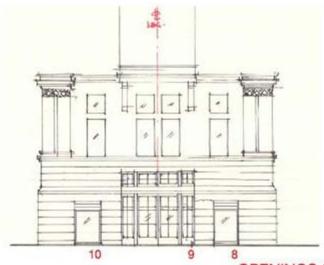


OPENIES NUMBER	8-9-10
81 6	SOUTH ELEVATION - WHARF STREET
CONDIGON CTION V	WINDOW - VENT
ED ALTERNOON Street	NEW OPENING IN CENTRE BAY (NO. 9) AS SHOWN. WOOD DOORS TRANSOM & SIDELITES FOR NO 8 & 10, LOWER SILL TO GRADE & EXTEND JAMBS



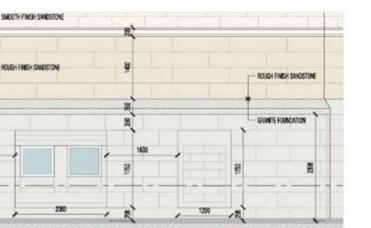






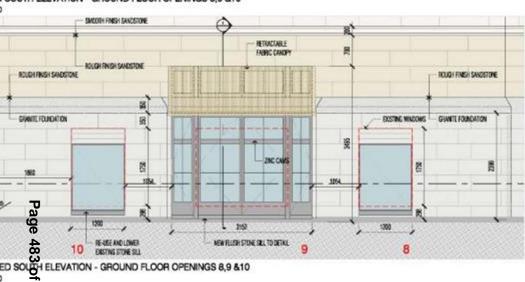
OPENINGS 8,9 & 10



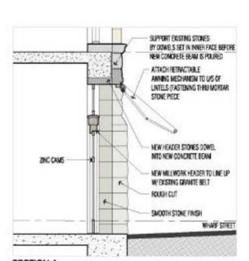


10 SOUTH ELEVATION - GROUND FLOOR OPENINGS 8,9 &10

1230



ROLEH FINISH SALDSTONE



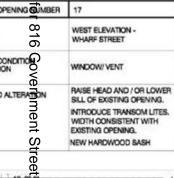
8-9-10

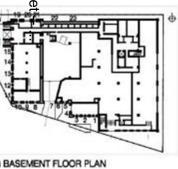
SECTION A THROUGH ENLARGED NEW OPENING NO.9 SCALE 1:50

OPENINGS 8,9 & 10





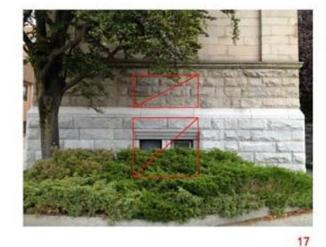














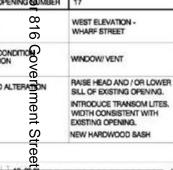


OPENING 17







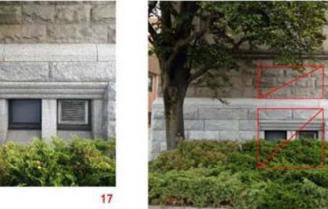
















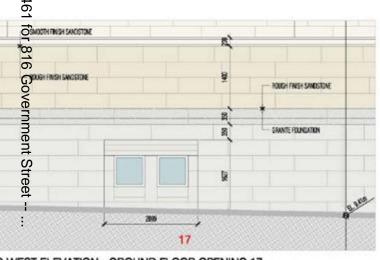
OPENING 17



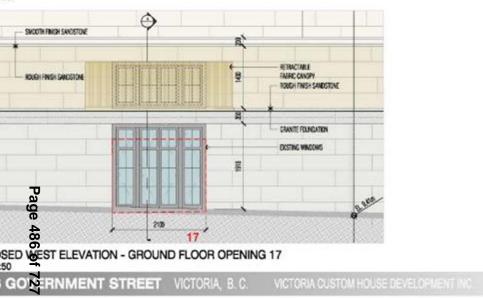
17

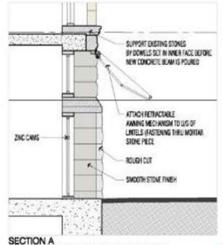


EXISTING OPENING NUMBER 17



IG WEST ELEVATION - GROUND FLOOR OPENING 17





SECTION A THROUGH ENLARGED OPENING NO.17 SCALE 1:50

OPENING 17



BASEMENT FLOOR PLAN



NORTH ELEVATION (COURTNEY STREET)

NGS NUMBER

816

TIONFUNETION

vernment Street

EMENT FLOOR PLAN

19, 20 & 21

NORTH ELEVATION -COURTNEY STREET

RAISE HEAD AND / OR LOWER SILL OF EXISTING OPENINGS TO PROVIDE FOR NEW ENTRANCE TO GROUND FLOOR AND NEW EXIT ROUTE. NEW WOOD GLAZED DOORS AND TRANSOM LOOK AS INDICATED

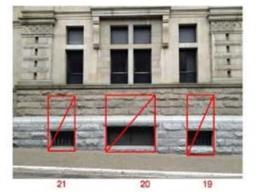
VENT- WINDOW





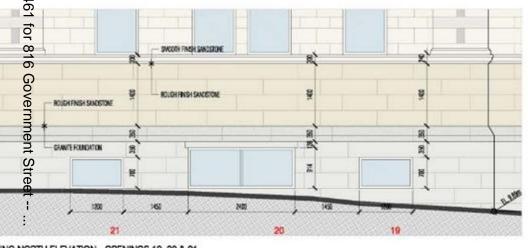








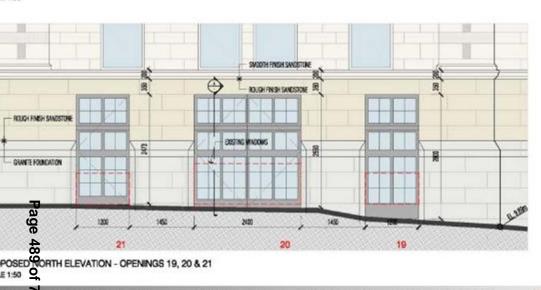


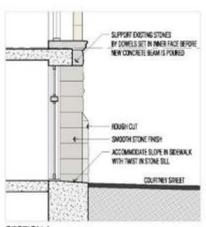


IDENTIFICATION TABLE

EXISTING OPENINGS NUMBER 19, 20 & 21

ITING NORTH ELEVATION - OPENINGS 19, 20 & 21

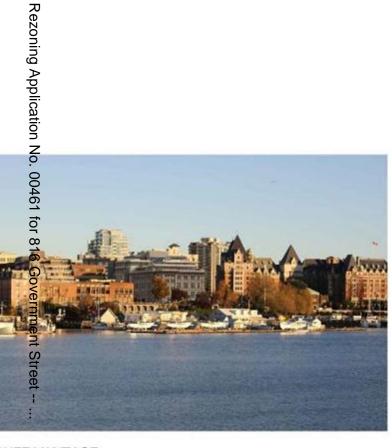




SECTION A THROUGH ENLARGED OPENING NO.20 SCALE 1:50

OPENINGS 19,20 & 21





LAUREL POINT VANTAGE

HEE VANTAGE







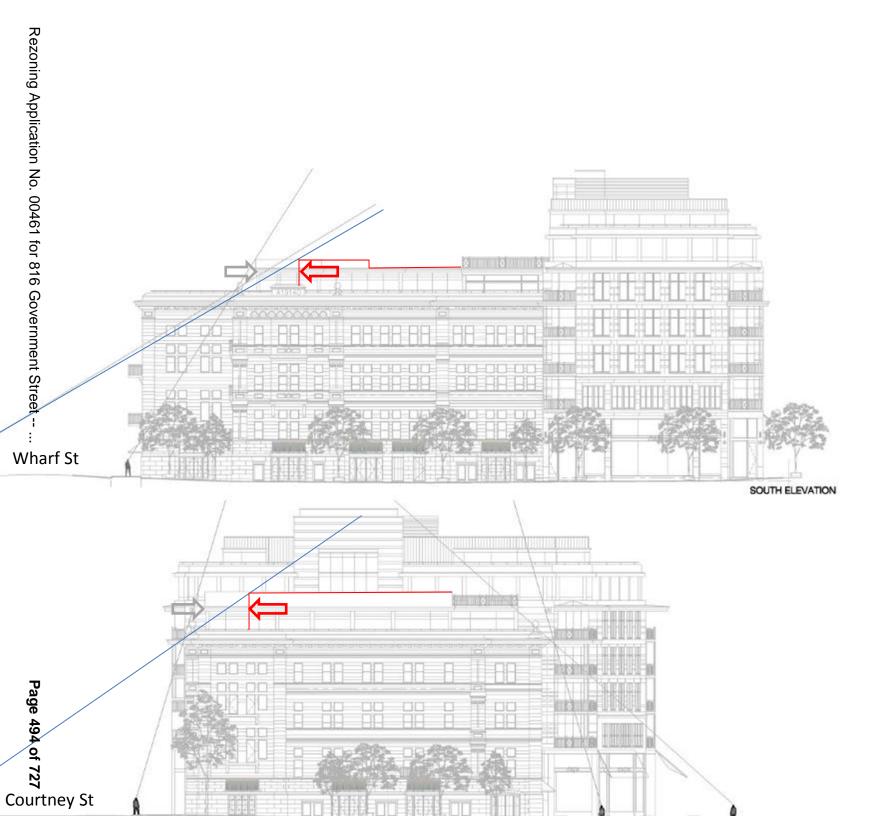














Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Murray G. Miller, Senior Heritage Planner

Subject:

Heritage Designation Application No. 000150 for 816 Government Street/

811-813 Wharf Street (Victoria Customs House)

RECOMMENDATION

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

- 1. "That Council consider referring the Heritage Designation Application No. 000150 for 816 Government Street/811-813 Wharf Street to the Heritage Advisory Panel and requesting specific feedback as to whether the extent of proposed change to the Heritage-Registered 1914 Customs House as depicted in the Revised Heritage Alteration Permit Application drawings, date stamped March 13, 2015, and the Heritage Building Proposed Interventions, date stamped April 7, 2015, would affect the property's eligibility for designation as a Municipal Heritage Site."
- "That Council consider the designation of the Heritage-Registered property located at 816 Government Street/811-813 Wharf Street pursuant to Section 967 of the Local Government Act as a Municipal Heritage Site. This report fulfils the requirements of Section 968(5) of the Act."

LEGISLATIVE AUTHORITY

In accordance with section 967 of the *Local Government Act*, Council may, by bylaw, on terms and conditions it considers appropriate, designate real property in whole or in part as protected if Council considers that the property has heritage value or heritage character or that the designation of the property is necessary or desirable for the conservation of a protected heritage property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the Heritage-Registered former Victoria Customs House (Customs House) located at 816 Government Street/811-813 Wharf Street, within Development Permit Area 1 (HC): Core Historic.

The following points were considered in assessing this application:

- general consistency with the Official Community Plan (OCP)
- Statement of Significance.

BACKGROUND

Description of Proposal

An application to designate the Customs House located at 816 Government Street/811-813 Wharf Street as a Municipal Heritage Site was received from Stan Sipos, President, Victoria Customs House Development Inc. on March 13, 2015.

Zoning/Land Use

The proposed designation is consistent with the existing zoning and surrounding land uses.

Condition/Economic Viability

The exterior masonry requires conservation and the building requires seismic strengthening.

ANALYSIS

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

Official Community Plan

This application is linked to a Heritage Alteration Permit Application, where certain proposed works differ from the recommendations in the *Standards and Guidelines for the Conservation of Historic Places in Canada.* The Standards and Guidelines are applicable in DPA 1 (HC): Core Historic. The extent of proposed change to the Heritage-Registered 1914 Customs House should therefore be considered in this application for heritage designation.

Statement of Significance

A Statement of Significance describing the historic place, outlining its heritage value and identifying its character-defining elements is attached to this report.

Resource Impacts

The applicant has indicated an interest in conserving the exterior masonry and seismically strengthening the retained heritage façades. As a result, there may be a future request for a tax exemption to offset the cost of seismic strengthening, which would require Council's consideration. The applicant may also request a grant from the Building Incentive Program for exterior conservation of the historic fabric. Both the Tax Incentive Program and the Building Incentive Program are administered by the Victoria Civic Heritage Trust.

CONCLUSIONS

The Customs House located at 816 Government Street/811-813 Wharf Street is a significant contributor to Old Town and the Inner Harbour Districts as outlined in the Statement of Significance. The application for the designation of the three character-defining façades in conjunction with the proposed alterations can contribute to the heritage character and vibrancy

of Old Town.

The Customs House is characterized by its historic location, site configuration, scale, massing, masonry construction including massive granite foundations, design and character of its deeply inset windows, and the three facades that front onto Government, Wharf and Courtney Streets. Together, these character-defining elements make an important contribution to the character and appearance of Old Town and remain the physical evidence of the building's significance. The 1914 Customs House represents an important example of the work of David Ewart, Federal Department of Public Works. While considerable alterations to the facades are proposed, the altered Customs House will still merit heritage designation because it will still be a monumental building in the heart of downtown Victoria with a masonry exterior that will serve as a reminder of the presence and influence of the Federal Government.

Staff therefore recommend that the Committee forward this report to Council and that Council consider referring the application to the Heritage Advisory Panel.

ALTERNATE MOTION

That the Committee recommend that Council decline Heritage Designation Application No. 000150 for the property located at 816 Government Street/811-813 Wharf Street.

Respectfully submitted,

Murray G. Miller Senior Heritage Planner Community Planning Division Andrea Hudson

Assistant Director, Community Planning Sustainable Planning and Community

Development Department

Report accepted a	and recommended by	y the City Manager: $\ _$
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Jason Johnson

Date:

April 22,2015

MGM/ljm

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List of Attachments

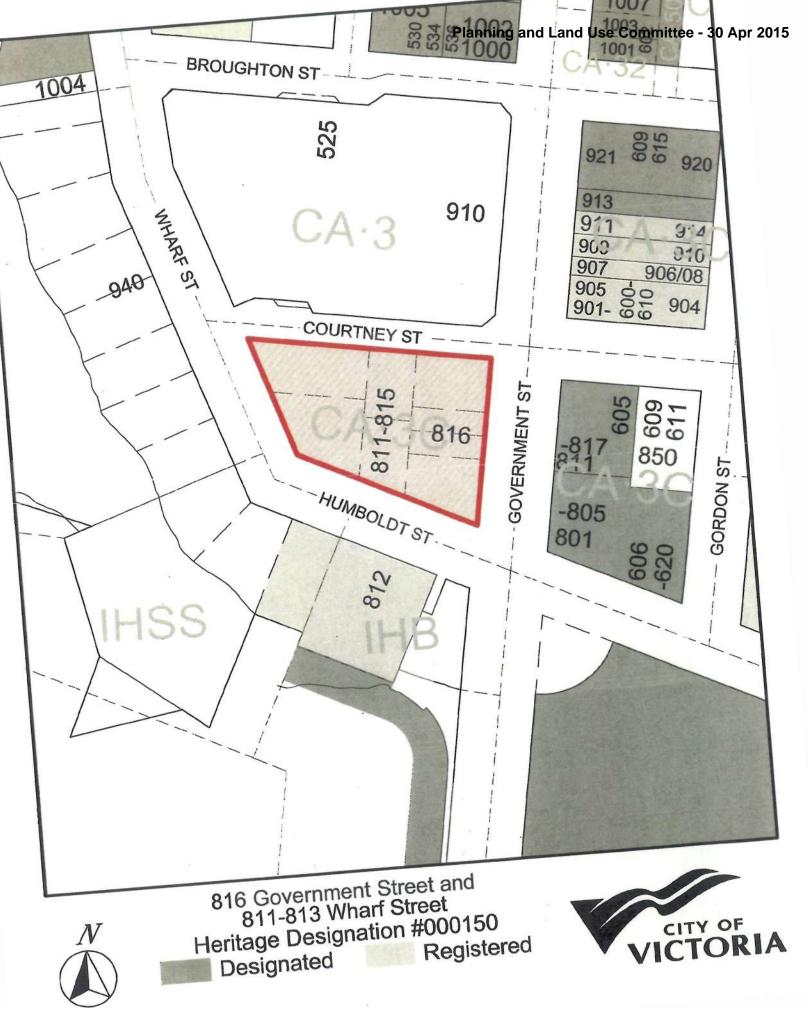
- Aerial Photograph of Subject Property
- Map of Subject Property
- Statement of Significance
- Aerial Photographs Showing Extent of Façades to be Retained.

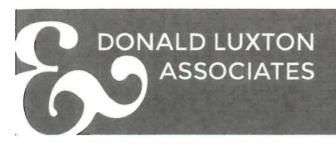




816 Government Street and 811-813 Wharf Street Heritage Designation #000150







3. STATEMENT OF SIGNIFICANCE

POST OFFICE & CUSTOM HOUSE EXTENSIONS, 811 WHARF STREET (816 GOVERNMENT STREET) (NOT REVISED)

Description of Historic Place

The Post Office & Custom House extensions consist of a massive three-storey building located across from the Inner Harbour, in downtown Victoria. The building, which fronts onto Wharf and Courtney Streets, is distinctive for its imposing masonry construction and extensive carved detailing. This portion of the building was constructed as an addition to the earlier Post Office, situated facing Government Street, which was replaced in 1955-1957 with a modern structure. These extensions now appear isolated as they lack a prominent street entry.

Heritage Value of Historic Place

A monumental building in the heart of downtown Victoria, the Post Office & Custom House extensions, built in 1914 on the foundations of the rear extensions of the 1898 Post Office, are valued as symbols of national growth. The expansion of the Post Office & Custom House also demonstrates the incredible growth of Edwardian-era Victoria and its newly found prominence within the federal hierarchy. A prominent new Post Office for Victoria was designed in 1894 by Federal Department of Public Works Chief Architect Thomas Fuller (1823-1898), at a convenient location on the Inner Harbour. Construction started in 1896 but was not completed until 1898; this included one-storey extensions to the rear of the main building for receiving goods and mail. By the turn of the twentieth century, burgeoning prosperity in the West, initiated by an abundance of industry and natural resources, attracted

the attention of the Ottawa establishment. In order to cope with the explosive growth of trade throughout the country, eight large customs examining warehouses were built during the Edwardian era in important trade centres, including this one in Victoria. It was located directly behind Fuller's original post office, and built on the foundations of an annex that included receiving areas and an enclosed carriageway.

Additionally, the Post Office & Custom House extensions are significant for their impressive architecture, which demonstrated the presence and influence of the Federal Government. This is an important example of the work of David Ewart (1841-1921) of the Federal Department of Public Works. Ewart joined the DPW in 1871 at the age of twenty-eight. When Thomas Fuller retired as Chief Architect, his assistant, Ewart, assumed the position. Ewart made significant contributions to the country's architectural maturation. In 1901, Ewart took a summer tour of Europe, and was inspired by London's significant buildings in the new Edwardian Baroque style. Despite his use of this new style for other projects, Ewart's extension of the Victoria Post Office & Custom House utilized some of the material of Fuller's Second Empire-style Post Office, and continued the same detailing.

The Post Office & Customs House Extensions are also valued as symbols of the Post Office's evolution over time and for their historic location, the site of the first post office building in 1874. This impressive Post Office was being built on the north side of the Inner Harbour at the same time that the new Parliament Buildings were rising to the south. Between 1955 and 1957, Fuller's original post office was demolished and replaced with the current modern structure, since re-clad to bring it more in harmony with its historic context. Ewart's extensions survive as a reminder of the earlier building.

STATEMENT OF SIGNIFICANCE

Character-Defining Elements

Key elements that define the heritage character of the Post Office & Custom House Extensions include their:

- prominent downtown corner location, on an irregularshaped site with three street frontages, with minimal setbacks from the property lines
- institutional form, scale and massing as expressed by its three-storey plus basement height, irregular plan and flat roof
- masonry construction including massive granite foundations, and sandstone cladding blocks with tooled finish and red mortar, with the base dating from 1896-98 and upper floors from 1914
- decorative elements that matched the façade articulation of the 1898 Post Office, including: deeply inset windows with stone mullions; paired pilasters; inset rusticated panels; segmental-arched ground floor carriageways with granite carriage guards; modillions; architraves; and bracketted cornice
- original interior features such as a staircase with metal balustrades, terrazzo floors, and wooden window trim

Aerial Photographs Showing Extent of Facades to be Retained 816 Government Street/811-813 Wharf Street









Planning and Land Use Committee Report For the Meeting April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Murray G. Miller, Senior Heritage Planner, Community Planning

Subject:

Heritage Alteration Permit Application with Variance No. 00192 for

816 Government Street (Victoria Customs House)

RECOMMENDATIONS

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

- "That Council consider referring Heritage Alteration Permit Application No. 00192 for 816 Government Street to the Heritage Advisory Panel and Advisory Design Panel for the meetings of May 12, 2015 and May 27, 2015, respectively, for feedback on the following:
 - a. the appropriateness of the proposed height of the new addition in relation to the Heritage-Registered Customs House and Old Town
 - b. the appropriateness of the set back of the proposed rooftop addition
 - c. the historic masonry Condition Assessment
 - d. the proposed exterior alterations and additions to the 1914 Customs House, having special regard to the scope of work anticipated by rehabilitation in the *Standards and Guidelines for the Conservation of Historic Places in Canada*"
 - e. the design of the seven-storey building addition in relation to the existing Heritage-Registered building and to its wider context, including Old Town and the Inner Harbour
 - f. the contribution that the proposed building makes as an appropriately scaled building enclosure around the Inner Harbour
 - g. the appropriateness of the proposed height and massing in relation to Public External View Guidelines: Views 1 and 2 and Urban Amphitheatre Concept as described in the Downtown Core Area Plan
 - h. the appropriateness of the proposed finishing materials
 - i. the size of the mechanical penthouse
 - j. the proposed recessed building entrance to the office uses on Government Street
 - k. the proposed design of the building entrance to the residential uses on Courtney Street."
- 2. "That Council consider instructing staff to work with the property owner to negotiate a Heritage Revitalization Agreement that protects the exterior façades of the 1914 Customs House and that the approved plans and specifications form part of the Heritage Revitalization Agreement to the satisfaction of the City Solicitor and the Assistant Director, Community Planning Division, prior to consideration at a Public Hearing."

- 3. "That Council consider giving first and second reading to the Heritage Revitalization Agreement Bylaw (the "HRA Bylaw")."
- 4. "That Council consider referring the HRA Bylaw for consideration at a Public Hearing."

Following consideration of the Zoning Amendment Bylaw and the HRA Bylaw pertaining to Rezoning Application No. 00461 for 816 Government Street:

"That Council authorize the issuance of the Heritage Alteration Permit Application No. 00192 for 816 Government Street, subject to the completion of the following prior to the Public Hearing and in accordance with:

- Plans titled "Revised Drawings", date stamped March 13, 2015.
- 2. Additional set back of the upper two storeys to the satisfaction of the Assistant Director, Community Planning.
- 3. Heritage Building Proposed Interventions, date stamped April 7, 2015.
- 4. Reinstatement of all existing stone ball finials following a condition assessment.
- 5. Provision of a temporary protection plan to the satisfaction of the Assistant Director, Community Planning.
- 6. The provision of as-found elevation details and sections of all existing openings and surrounding stonework to be altered in accordance with guidance contained in Recording, Documentation, and Information Management for the Conservation of Heritage Places, to the satisfaction of the Assistant Director, Community Planning.
- Development meeting all Zoning Regulation Bylaw requirements, except for a variance to the height permitted in the proposed new zone as recommended Rezoning application No. 00461 for 816 Government Street from 17.70m to 30.30m.
- 8. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Assistant Director, Community Planning."

LEGISLATIVE AUTHORITY

For HAP with Variances

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.

For Heritage Revitalization Agreement

In accordance with section 966 of the *Local Government Act*, Council may, by bylaw, enter into a heritage revitalization agreement with the owner of the heritage property for the purpose of (i) including provisions regarding the phasing and timing of the commencement and completion of actions required by the agreement, (ii) vary or supplement provisions of a bylaw under Division 7, 10, or 11 of Part 26; vary a permit under Division 9 of Part 26; or vary a bylaw or heritage alteration permit under Part 27, and (iii) include other terms and conditions that may be agreed upon by the local government and the owner.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the property located at 816 Government Street (former Post Office and Customs House; hereafter referred to as the "1914 Customs House"). The proposal is to demolish the existing four-storey 1957 addition; alter the existing 1914 Customs House to allow for the construction of a multi-level underground parking structure; and adapt the 1914 Customs House for a mixed-use development that links into the construction of a seven-storey building on the same footprint as the existing 1957 addition.

The following points were considered in assessing this Application:

- consistency with the Official Community Plan (OCP)
- · consistency with the Advisory Design Guidelines for Buildings, Signs and Awnings
- consistency with the Downtown Core Area Plan (DCAP)
- consistency with the Zoning Regulation Bylaw
- consistency with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Staff recommend that this Application be referred to the Heritage Advisory Panel and Advisory Design Panel for feedback on the matters identified in this report and that Council support this Application subject to the recommendations outlined in this report.

BACKGROUND

Description of Proposal

The subject property abuts three separate frontages on Government Street, Wharf Street and Courtney Street. The existing interconnected buildings on the site occupy an area of 84.27% of the site and are currently vacant. The proposal is to demolish the four-storey 1957 addition, which is not on the City's Register of Heritage Properties; alter the 1914 Heritage-Registered Customs House to allow for the construction of a single-level underground parking structure; and adapt the 1914 Customs House for a mixed-use development that links into the construction of a seven-storey building on the same footprint as the existing 1957 addition.

Sustainability Features

The applicant has identified a number of sustainability features in the proposed development for this property:

- the applicant is targeting a LEED Gold standard (certification is not proposed)
- · conservation of an existing building
- water efficient landscaping and interior fixtures
- energy efficient building systems
- · energy efficient glazing
- construction waste management.

Active Transportation Impacts

- the applicant proposes 55 Class 1 bicycle parking stalls and 24 Class 2 bicycle parking spaces
- new curb, gutter and sidewalks will be provided for Government Street, Wharf Street and Courtney Street.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies, regulations and guidelines.

Official Community Plan (OCP)

The proposed seven-storey addition is consistent with OCP policies that encourage buildings to maximize shop windows and entrances at ground level and are responsive to human scale building design objectives where the form, proportion, pattern, detailing, particularly along the Government Street level, is expressed.

Development Permit Area 1 (HC): Core Historic

The proposed development is consistent with the objectives of the Heritage Conservation Area where it aims to revitalize an area of commercial use through infill and building additions. The guidelines to be considered in assessing the proposal are the Downtown Core Area Plan, 2011, the *Advisory Design Guidelines for Buildings, Signs and Awnings* and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (the "Standards and Guidelines"). A summary of the Application's consistency with those guidelines is provided below.

Advisory Design Guidelines for Buildings, Signs and Awnings

The proposed development addresses the Advisory Design Guidelines where it emphasizes consideration of a comprehensive design, street relationship, fenestration, textures and colour. In relation to context and massing, the proposed addition to the 1914 Customs House in this particular location of Old Town is considered prominent. An important consideration in this regard is the effect of the additional height on the setting of Old Town. The Advisory Design Guidelines identify the impression of mass as a key matter to be considered when evaluating development proposals. Staff have identified potential effects and mitigating measures that would reduce the visual impact of the additional height on the predominant character of Old Town.

Downtown Core Area Plan (DCAP)

The subject property is within the "Historic Commercial District" of the DCAP. The DCAP provides more specific direction regarding built form and design of the public realm. At a high level, some key policies that relate to this site are:

- developing an "urban amphitheatre" with lower scale buildings located nearer the waterfront
- protecting key public views
- respecting the historic integrity of the harbour and surrounding buildings
- appropriately scaled building enclosure around the Inner Harbour basin
- rooflines should not detract or diminish the visual prominence of the Parliament Building or Empress Hotel rooflines
- enhancing Government Street and Humboldt Street as key pedestrian streets through the provision of ample sidewalks and active commercial street fronts.

To this end, staff have worked with the applicant on several significant design revisions pertaining to the building addition. The applicant made the following revisions:

- reduced the height of the building addition in order to respect the historic prominence of the Belmont Building and indicate a transition in building height toward the water
- revised the proposed roof form from a pavilion roof form to a flat roof in order to respect
 the historic significance and character of the Empress Hotel and to provide a better
 contextual fit with the existing Heritage-Registered building.

The DCAP describes the "urban amphitheatre concept" which provides direction for building heights to gradually rise away from the Harbour. The applicant proposes a 3½-storey increase in height from the Heritage-Registered building to the proposed new addition. The proposal's top storey (eighth storey) is lower than the Belmont Building to the east; however, the mechanical penthouse is approximately 1.5 m taller than the Belmont Building. Staff recommend that Council seek input from the Advisory Design Panel on the appropriateness of the proposed height and massing of the building addition in relation to Public External View Guidelines: Views 1 and 2 and Urban Amphitheatre Concept as described in the *Downtown Core Area Plan*.

The proposed building addition must also be considered in the context of the Inner Harbour. The DCAP identifies the Inner Harbour as Special Urban Design Area. New buildings within this area should not detract from prominent buildings such as the Parliament Building, Empress Hotel and CPR Steamship Building. Staff recommend that Council seek feedback from the ADP with regard to the proposed new addition's contribution to the ensemble of buildings around the Inner Harbour.

The applicant has provided view analysis of the proposed development as experienced from External Views 1 and 2 as described in the DCAP. As noted the mechanical penthouse is taller than the Belmont Building to the east. As a result, a portion of the Belmont Building will be obscured by the proposed development. Staff recommend that Council direct the applicant to minimize, to the greatest extent practical, the size of the mechanical penthouse.

Zoning Regulation Bylaw

In accordance with Rezoning Application No. 00461, staff recommend that Council consider a site specific zone to accommodate the proposed development. The applicant proposes a building height of 30.23m. Given the prominence of this site on the Inner Harbour, staff are recommending that Council consider a lower height limit of 17.7m to be included in the new zone. This would bring the existing building into compliance with the *Zoning Regulation Bylaw*. Staff recommend that Council consider issuing a variance for building height in accordance with this Application in order to increase the permitted height to 30.23m. In the event that the proposed development is not constructed, this would provide Council with the ability to reevaluate additional building height on this site through a future Heritage Alteration Permit with Variance Application.

Standards and Guidelines for the Conservation of Historic Places in Canada

One of the most important objectives in heritage conservation is that heritage buildings be used. The Customs House has been vacant for over four years; character-defining elements have been previously removed from the building; and technical issues involving the deterioration of the exterior masonry has presented and continues to present significant conservation challenges to the physical integrity of the building. While a compatible use that requires minimal or no change to its character-defining elements is a key Standard, a viable use that includes

important conservation work offers the best prospect of slowing down its deterioration and in assuring that the Customs House will continue to make a significant contribution to Old Town and the Inner Harbour Districts for future generations.

Slowing the deterioration of the exterior, along with seismically strengthening the retained façades and attracting a viable long-term use for the building are matters of high importance. Nevertheless, there are aspects of the proposed development that are approached differently than that which is recommended in the Standards and Guidelines. Given the fortress-like design characteristics of the 1914 Customs House, including its massive granite foundations, the interventions required to achieve a significant degree of transparency at ground level in order to support the new use results in the most challenges for achieving compliance with the Standards and Guidelines.

Removal of 1957 Addition

The 1957 addition does not have heritage value, therefore; its removal is not expected to adversely affect the heritage values of the 1914 Customs House. It is, however, recommended that construction activity, which is located proximate to a heritage building, be planned and executed with particular attention to the historic building that is to be retained and conserved. In relation to construction activity that is proximate to existing heritage buildings, the Standards and Guidelines recommend that character-defining elements be protected from accidental damage. Staff therefore recommend that a temporary protection plan be undertaken.

Seven-storey Addition

The three-story plus basement height of the 1914 Customs House is a character-defining element identified in the Statement of Significance. The proposed seven-storey addition that would replace the existing 1957 structure requires the consideration of those Standards that recommend that new work be physically and visually compatible with, subordinate to and distinguishable from the historic place.

The proposed addition is physically compatible with the 1914 Customs House in terms of the selection of materials and the relationship between the five-storey section of the new addition and the 1914 Customs House. The difference in height between the proposed seven-storey structure and the three-storey plus basement 1914 Customs House (west elevation - Wharf Street) is considerable. In this regard, the proposal differs from the approach outlined in the Standards and Guidelines where it recommends that a new addition be subordinate to the heritage property.

In terms of compatibility, a common guideline for new development is that the height of new buildings should be compatible with the massing and setting of the historic building. Staff acknowledge that there are examples where the variance in height between adjacent buildings within Old Town is multiple storeys. Nevertheless, the predominant character of Old Town is the built form that ranges in height from one to five storeys and in order for the proposed seven-storey building to feel more like a five-storey building, the 6th and 7th storeys would need to be set back in accordance with the same principle that is recommended for the rooftop addition above the 1914 Customs House (described below).

The proposed development is visually compatible with the 1914 Customs House in terms of the rhythm of doors and windows of the five-storey portion of the Courtney Street elevation and the articulation of the base, mid-section and top of the new addition. The proposal is distinguishable from the 1914 Customs House in the treatment of the storefront design,

selection of materials, rooftop addition and the modulation and treatment of the 6th and 7th storeys.

In addition, the Standards and Guidelines recommend designing an addition that is compatible in terms of materials and massing with the exterior form of the historic building and its setting. In relation to this Guideline, staff consider that the proposed materials are compatible with the 1914 Customs House owing largely to its use of granite split face at the base and limestone cladding for the mid-section of the building.

On balance, staff are supportive of the additional height being requested, but recommend that the applicant consider setting back the 6th and 7th storeys to mitigate the perception of the height on Old Town.

Rooftop Addition

It is proposed that a single-storey addition be constructed on top of the existing 1914 Customs House. In terms of the placement of rooftop additions above heritage buildings, the Standards and Guidelines recommend that additions to roofs be inconspicuous from the public right-of-way. The proposed roof top addition should be set back further from the roof edge along the Courtney and Wharf Street elevations.

Windows, Doors and Storefronts

Reinstating Heritage Value - Openings

The proposed development includes alterations that significantly improve existing conditions by removing previous work and reinstating heritage values.

Reinstating Heritage Value - Stone Ball Finials

On July 8, 1999, City Council authorized the issuance of Heritage Alteration Permit #54 to allow the temporary removal of stone ball finials. One of the conditions of approval was the requirement for a letter of commitment from the Government of Canada to indicate their willingness to repair and restore the original stone elements.

On September 23, 1999, Council removed the condition from the Heritage Alteration Permit, but reiterated their desire to see the stone elements preserved. Public Works and Government Services Canada assured the City that the removed elements would be put into proper storage until a final solution was determined.

The reinstatement of the stone ball finials would be consistent with the Standards, which recommends maintaining character-defining elements on an ongoing basis; repairing character-defining elements by reinforcing their materials using recognized conservation methods; and replacing in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving examples.

Alteration of Existing Openings

Staff have worked with the applicant, particularly in relation to the extent of alterations proposed to the exterior of the Customs House. Considerable design revisions have evolved in relation to both the approach to altering an existing opening as well as the number of alterations deemed necessary by the applicant.

In relation to the proposed alterations to the original granite and sandstone foundations, the Standards and Guidelines recommend adopting an approach involving minimal intervention. Staff consider that while the proposed interventions to openings differ from the recommended approach in the Standards and Guidelines, the proposal to maintain the existing opening width, stone jambs, centre mullion, sills and moulded window heads within the original foundation is considered an important and beneficial measure.

HERITAGE REVITALIZATION AGREEMENT (HRA)

Given the complexities associated with this development proposal, staff consider that it will be important for the City to enter into an HRA with the owner for the purpose of ensuring agreement regarding any change to the exterior of the 1914 Customs House; provisions for temporary and long-term protection of the retained façades; and the particulars regarding any height variances that may be considered by Council. The owner has advised that they are agreeable to entering such negotiations.

CONCLUSIONS

The proposed seven-storey addition exceeds the predominant height of buildings within Old Town and while not subordinate to the 1914 Customs House as recommended in the Standards and Guidelines, staff support the additional height provided that the effects (perception and experience) of the additional height is mitigated by setting back the 6th and 7th storeys so that they are inconspicuous when viewed from the public right-of-way across adjacent streets.

Staff consider that if the size of the rooftop addition were reduced in two key areas, it could satisfy the Standard that recommends that rooftop additions be inconspicuous when viewed from the public right-of-way across adjacent streets.

The impact on the exterior façades of the 1914 Customs House that would result from the proposed changes is considerable. Staff consider that while the proposal would not sufficiently satisfy the Standards and Guidelines in relation to the extent of proposed alterations to the exterior façades of the Customs House, that the proposal does meet other OCP objectives and policies.

Staff are supportive of the proposed seismic strengthening of the façades; stone conservation; and the reinstatement of heritage values that would result from the replacement of the existing aluminium windows with wood windows on the upper floors.

Staff therefore recommend that Council consider referring the HAP to the Heritage Advisory and Advisory Design Panels; instruct staff to work with the property owner to negotiate a Heritage Revitalization Agreement; give first and second reading to the HRA Bylaw; refer the HRA Bylaw for consideration at a Public Hearing; and authorize the issuance of HAP Application No. 00192 for 816 Government Street, subject to approval of the Zoning Amendment Bylaw and the recommendations outlined in this report.

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ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00192 for the property located at 816 Government Street

Respectfully submitted,

Murray G. Miller Senior Heritage Planner Community Planning Division Andu Hholi

Andrea Hudson
Assistant Director, Community Planning
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

April 24, 2015

MGM/ljm

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List of Attachments

- Subject map
- Aerial map
- Revised drawings, date stamped March 13, 2015
- Heritage Building Proposed Interventions, date stamped April 7, 2015.

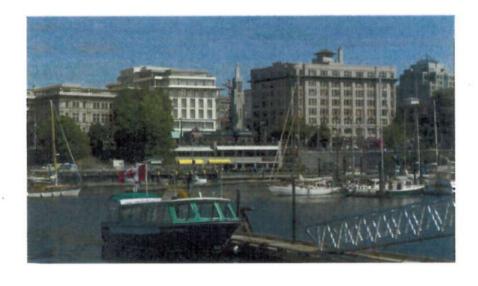
Planning and Land Use Committee - 30 Apr 2015



816 Government Street Heritage Alteration Permit #00192

Heritage Alteration Permit Application with Variance No. 001...





816 GOVERNMENT STREET, VICTORIA, B.C.

ISSUED FOR DP REVISION 2

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URBAN ANALYSIS





URBAN ROOM



PEDESTRIAN INTENSITY









LOCATION PLAN

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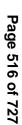
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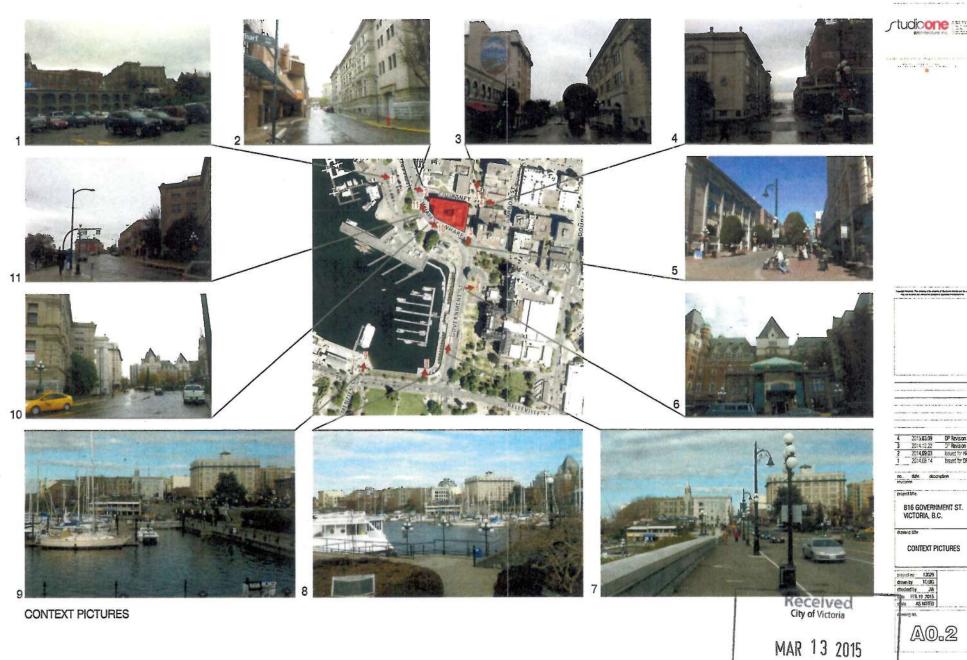
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Planning Land Use 816 GOVERNMENT ST. VICTORIA, B.C. Committee - 30 Apr 2015 CONTEXT PICTURES

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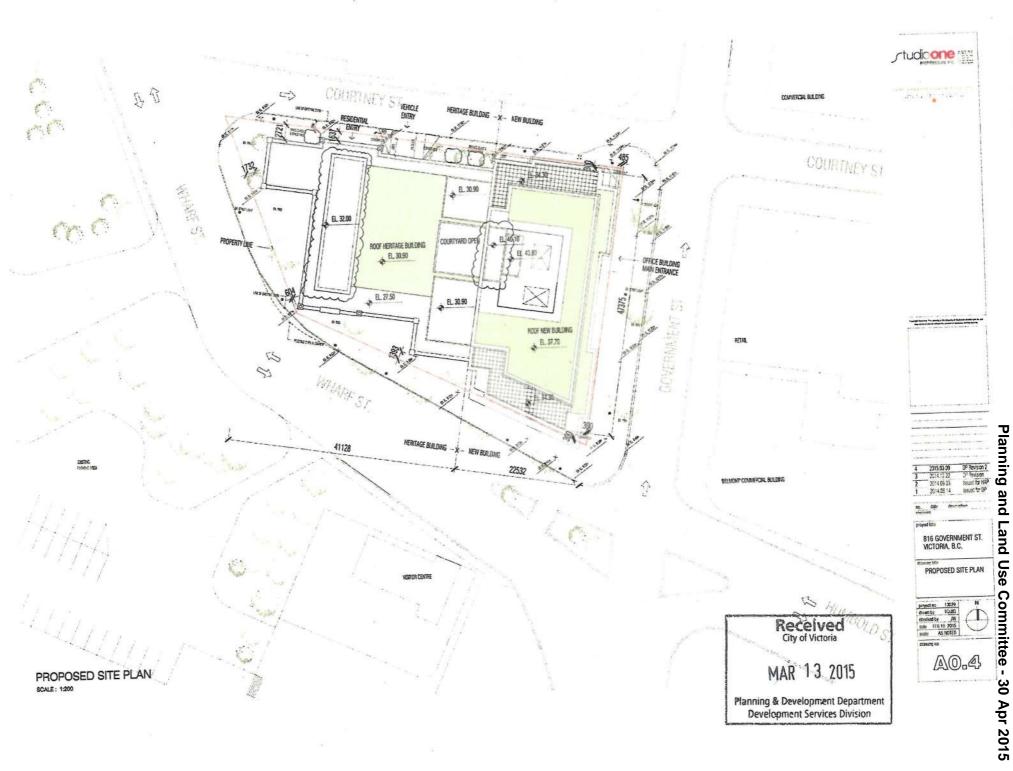
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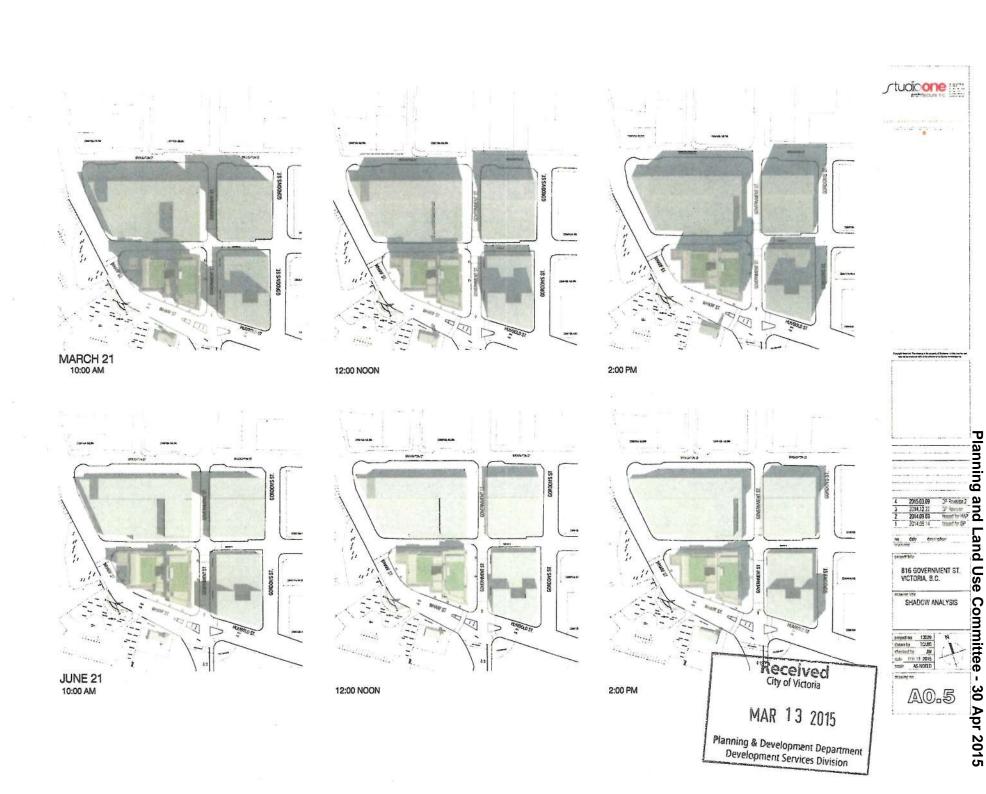
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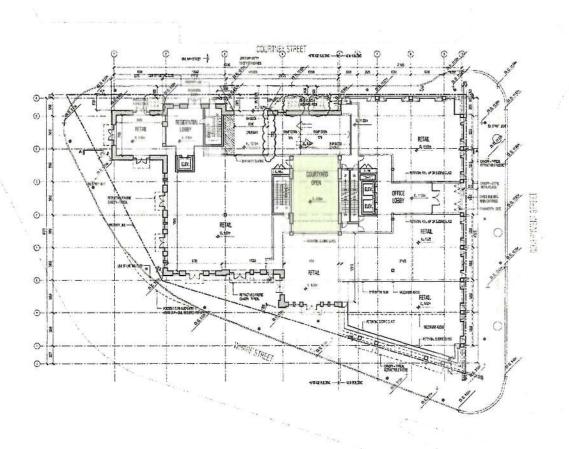
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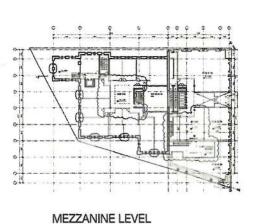
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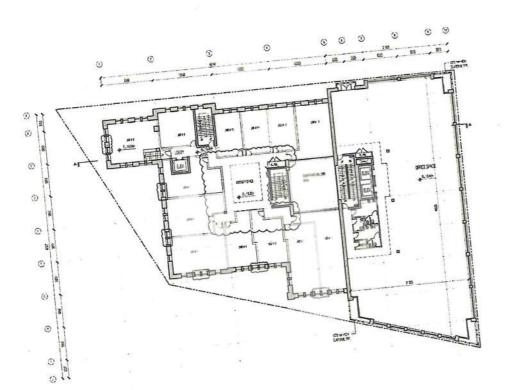
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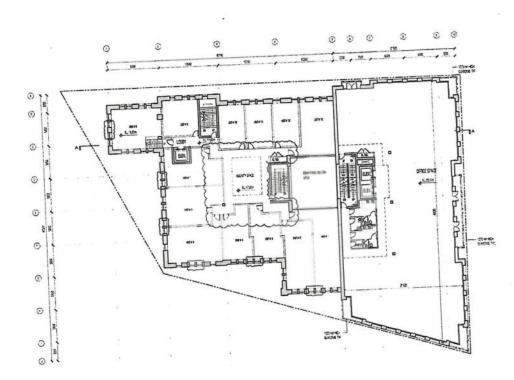
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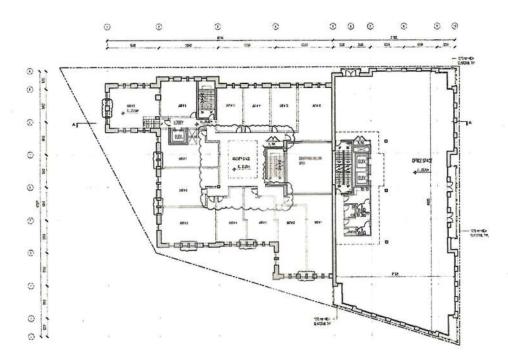
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3RD FLOOR PLAN SCALE: 1:200

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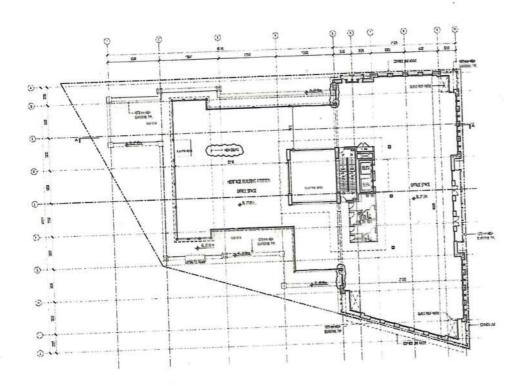
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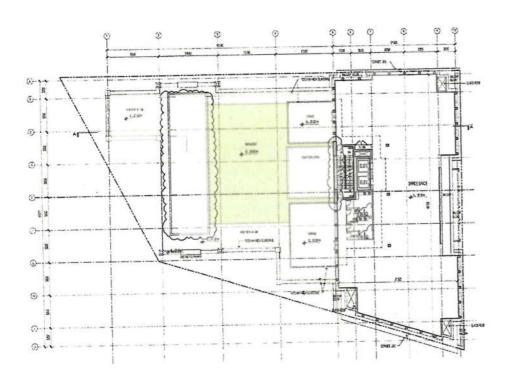


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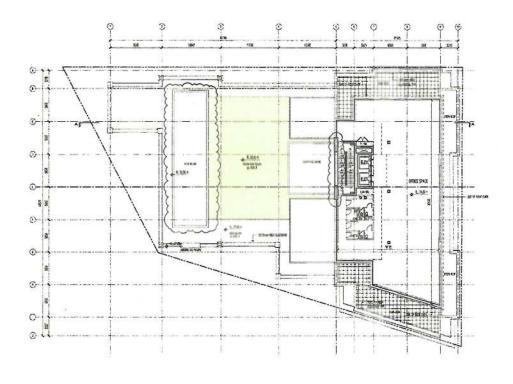
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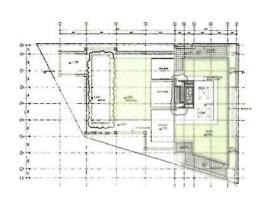
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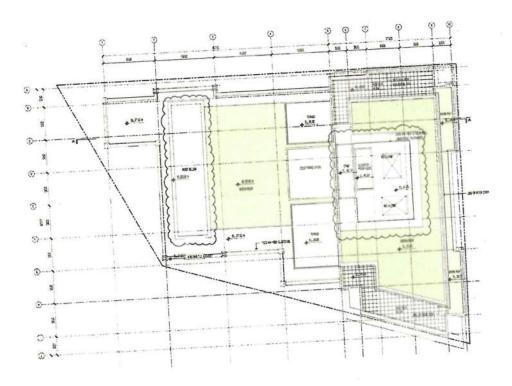
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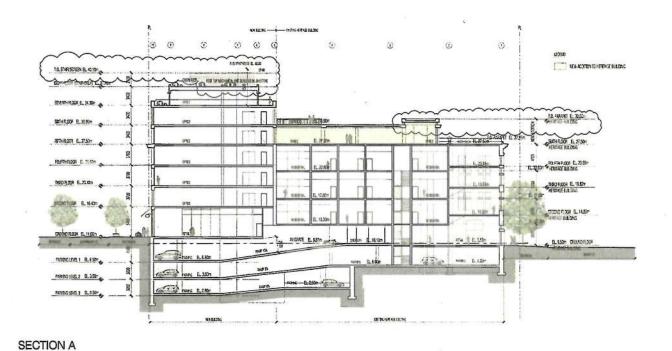
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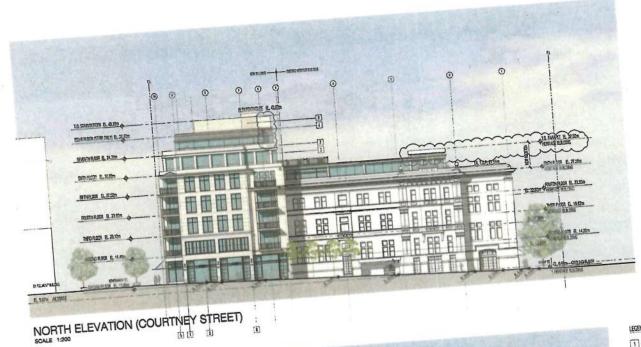


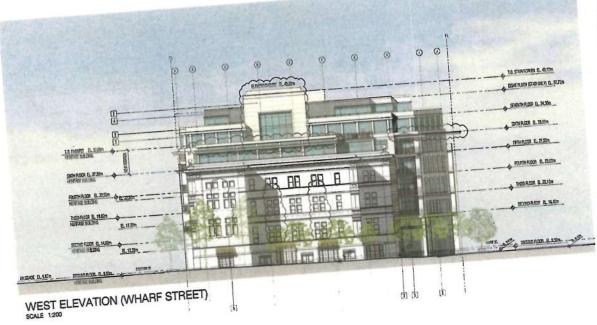
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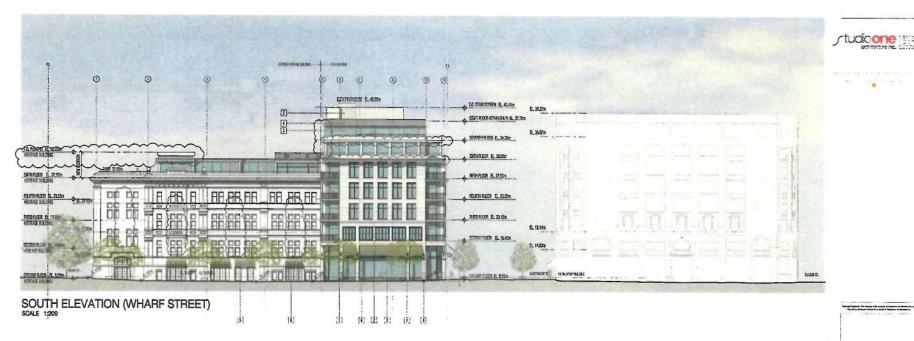
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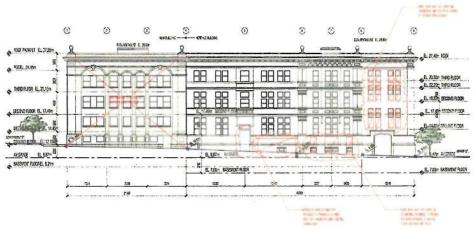
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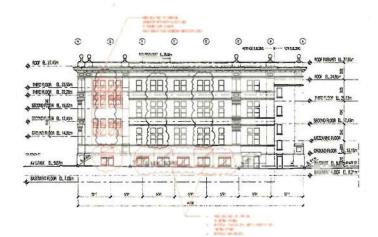
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WEST ELEVATION CONTEMPLATED ALTERATIONS TO WINDOW OPENINGS SCALE: 1:200

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FOR DETAIL DRAWINGS REFER TO HERITAGE BUILDING PROPOSED INTERVENTIONS BOOKLET

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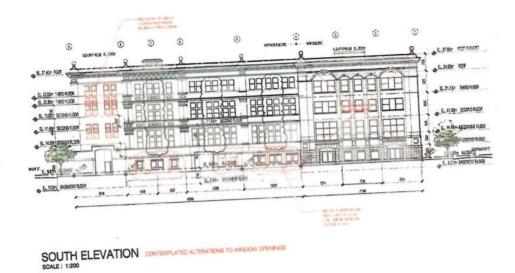
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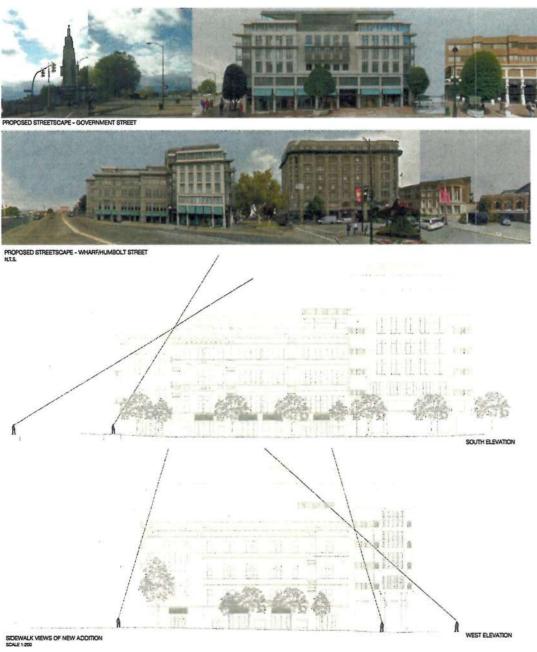




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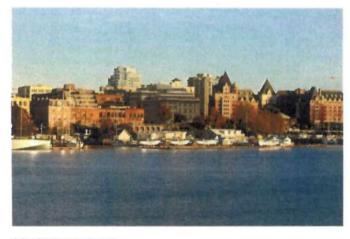
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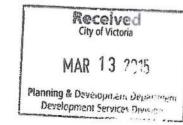
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VIEW FROM WHARF ST.



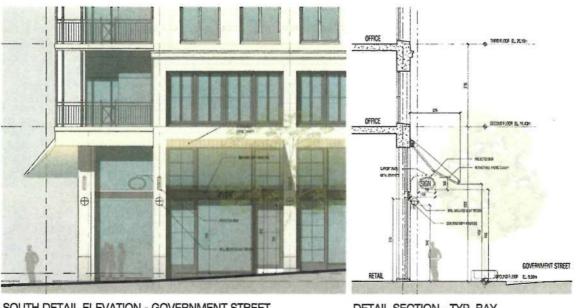




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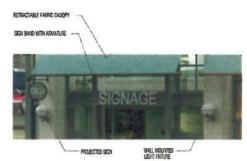
EXAMPLES FOR SIGNAGE AND LIGHTING



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EXAMPLES FOR GLASS-METAL CANOPIES



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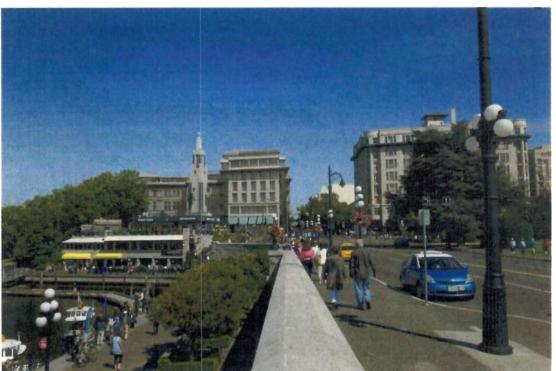
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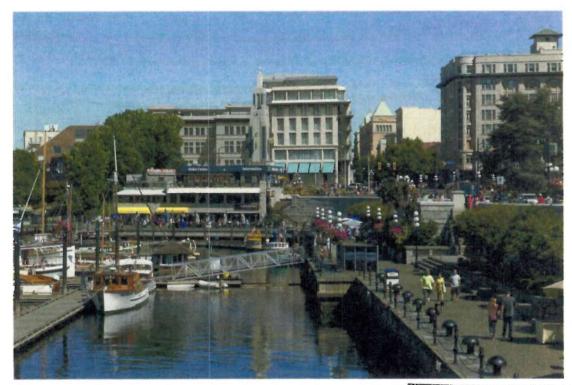
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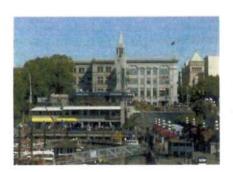
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3D VIEWS

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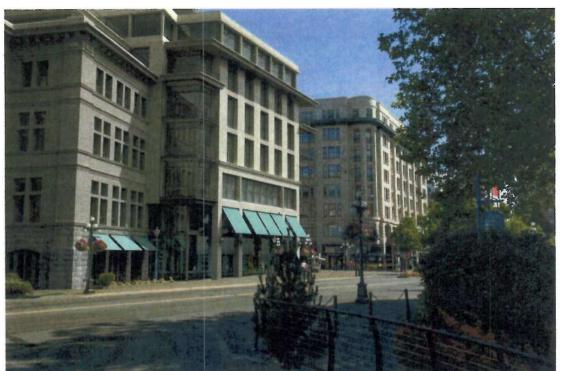
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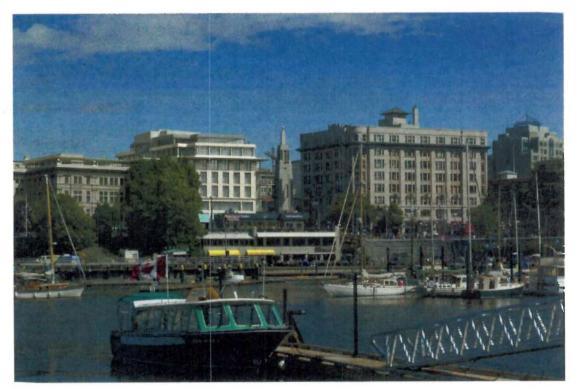
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3D VIEWS

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Planning and Land Use Committee - 30 Apr 2015 816 GOVERNMENT ST. VICTORIA, B.C. 3D VIEWS







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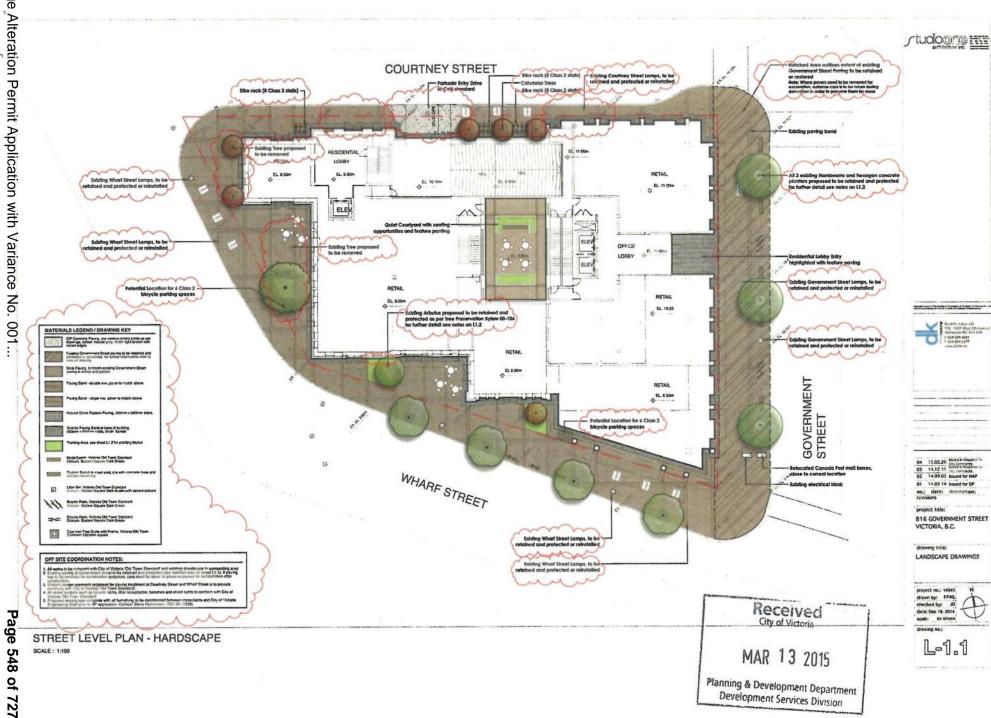
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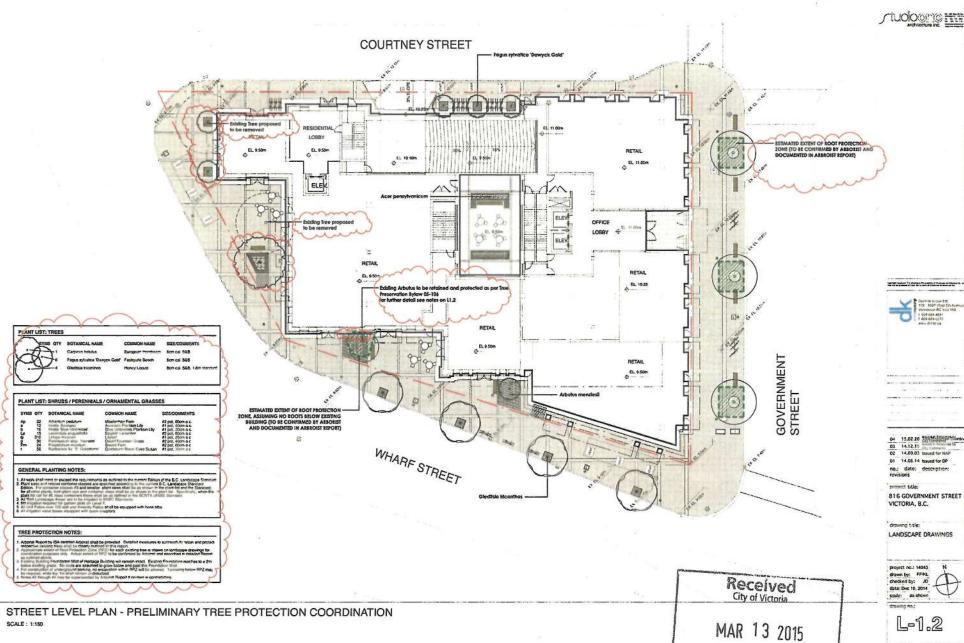
816 GOVERNMENT ST. VICTORIA, B.C.

30 VIEWS

Planning and Land Use Committee - 30 Apr 2015



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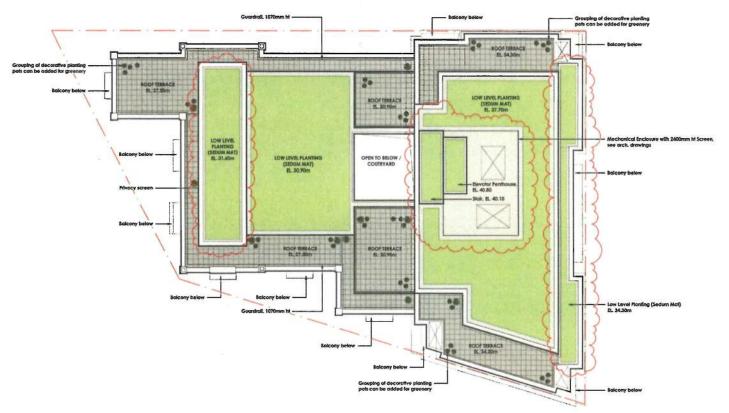


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Planning and Land Use

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ROOF LEVEL PLAN SCALE: 1:150



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HERITAGE BUILDING PROPOSED INTERVENTIONS

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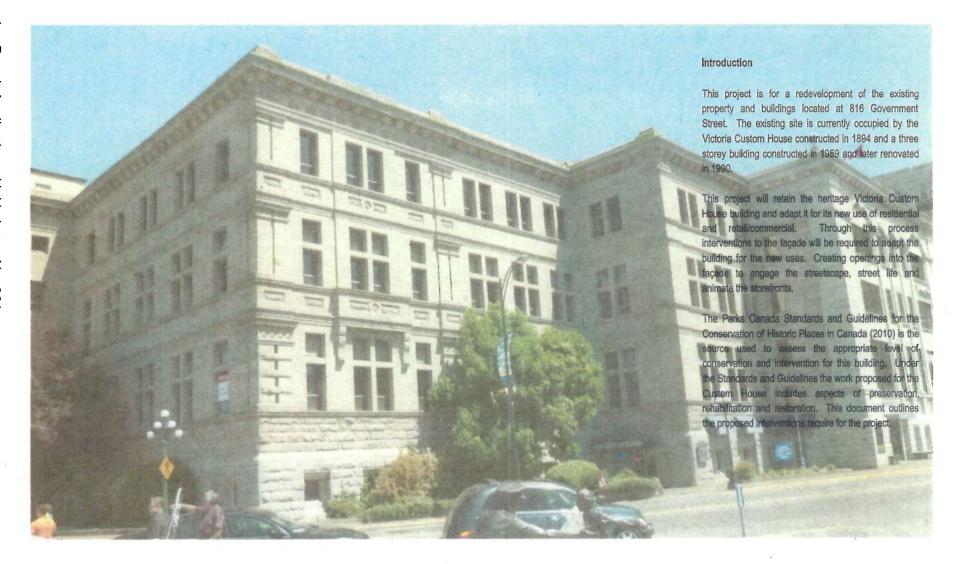


HERITAGE INTERVENTIONS

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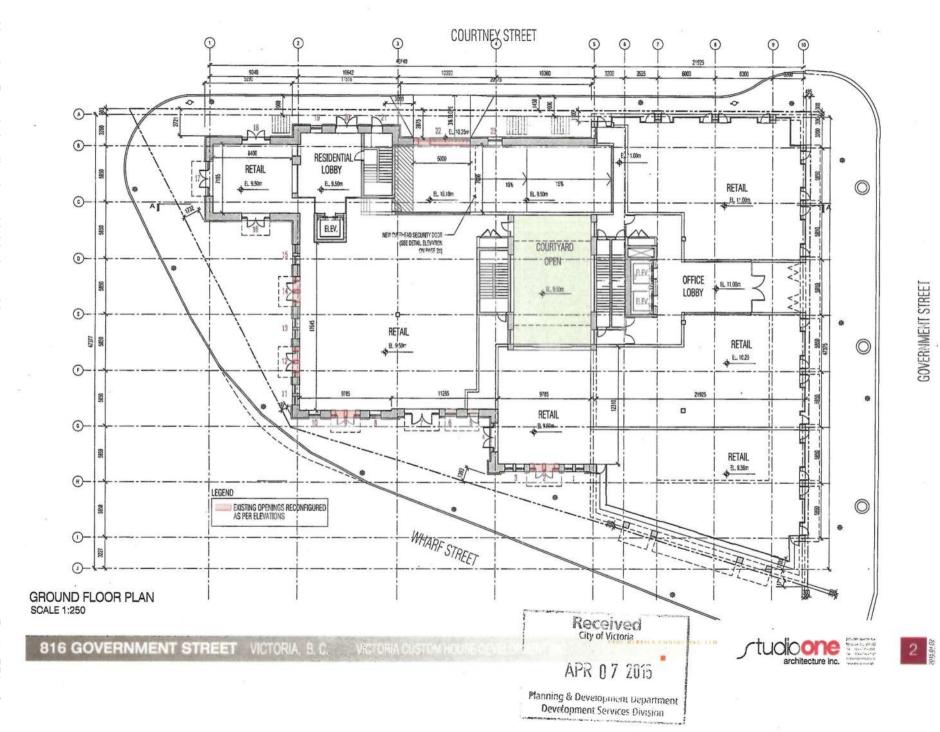
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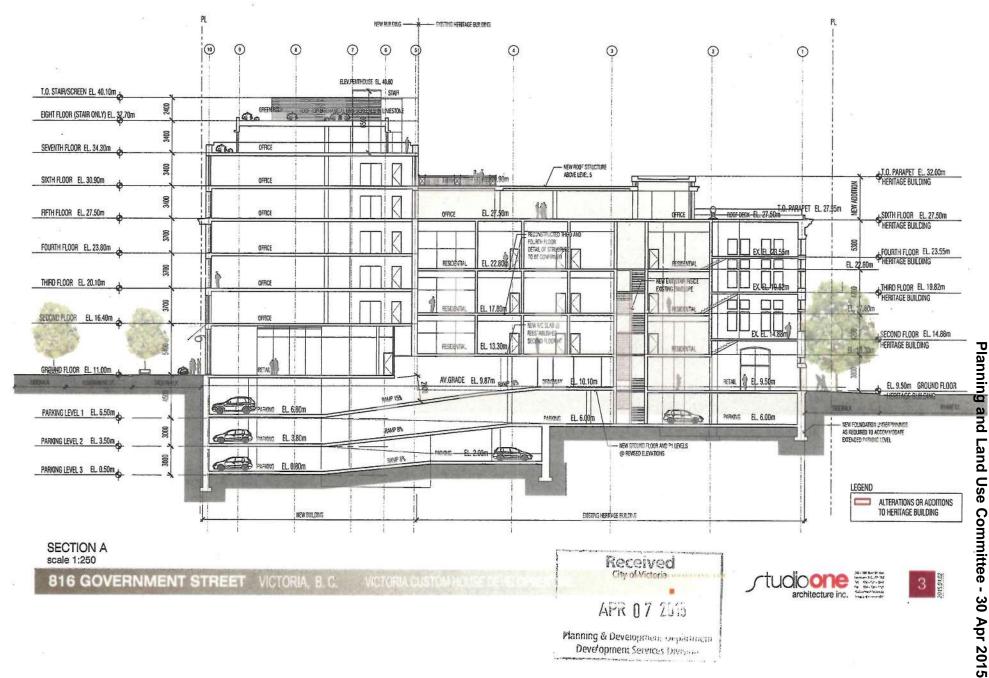




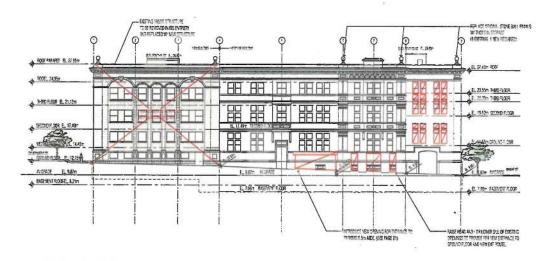


Planning and Land Use Committee - 30 Apr 2015





SOUTH ELEVATION CONTEMPLATED ALTERATIONS TO WINDOW OPENINGS SCALE 1:400



NORTH ELEVATION CONTEMPLATED ALTERATIONS TO WINDOW OPENINGS SCALE 1:400

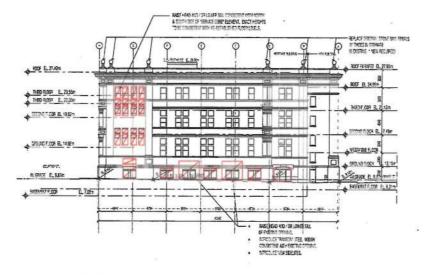
816 GOVERNMENT STREET VICTORIA, B. C.







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WEST ELEVATION CONTEMPLATED ALTERATIONS TO WINDOW OPENINGS SCALE 1:400

816 GOVERNMENT STREET VICTORIA, B.C.

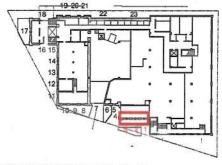


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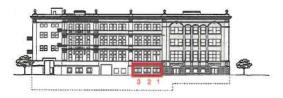




EXISTING OPENINGS N.	1,2&3
LOCATION	SOUTH ELEVATION - WHARF STREET
EXISTING CONDITION OR FUNCTION	WINDOW
PROPOSED ALTERATION	RAISE HEAD TO EXISTING MOULDING AND MAINTAIN EXISTING JAMB LOCATION TO WIDEN WINDOW AND MAKE DOOR WHERE REQUIRED
	* REFER TO DETAIL DRAWINGS PAGE 2



EXISTING BASEMENT FLOOR PLAN N.T.S.

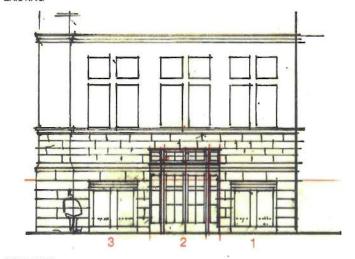


816 GOVERNMENT STREET VICTORIA, B.C.

EXISTING SOUTH ELEVATION (WHARF STREET) N.T.S.



EXISTING



PROPOSED

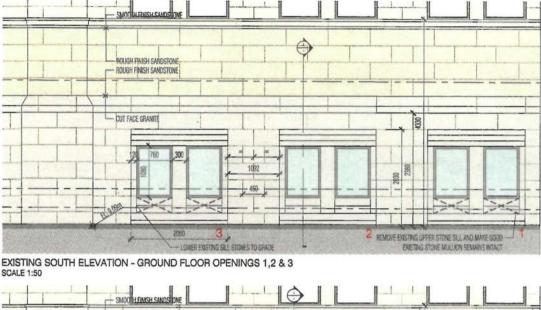
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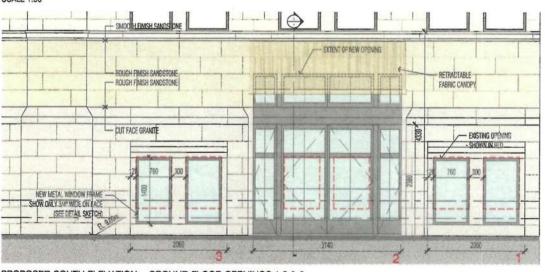
OPENINGS 1,2 & 3

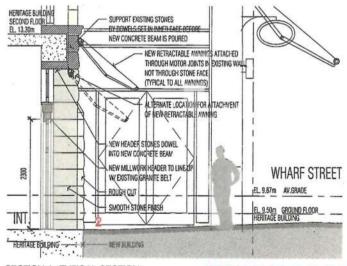










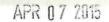


PROPOSED SOUTH ELEVATION - GROUND FLOOR OPENINGS 1,2 $\&\,3$ scale 1:50

816 GOVERNMENT STREET VICTORIA, B. C. VICTORIA CUSTOM

SECTION A -TYPICAL SECTION
RECEIVED THROUGH ENLARGED NEW OPENINGS
City of Victoria

OPENINGS 1,2 & 3



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IDENTIFICATION TABLE

EXISTING OPENING NUMBER	4
LOCATION	WEST ELEVATION - WHARF STREET
EXISTING CONDITION OR FUNCTION	DOOR
PROPOSED ALTERATION	REMOVE EXISTING CANOPY & STOREFRONT DOOR FRAMES RETAIN OPENING AS IS AND REMOVE GLAZING TO FOLLOW CURVE ARCH



EXISTING BASEMENT FLOOR PLAN



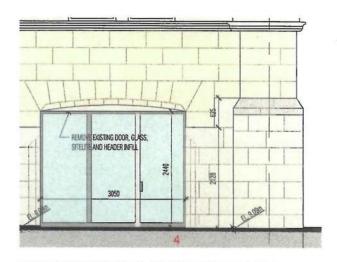
EXISTING WEST ELEVATION



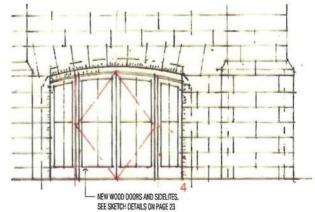








EXISTING WEST ELEVATION - GROUND FLOOR OPENING 4 SCALE 1:50



PROPOSED WEST ELEVATION - GROUND FLOOR OPENING 4

OPENING 4









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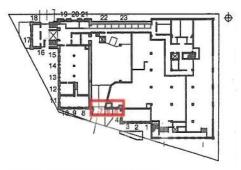
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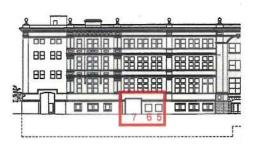
Page 560 of 727

IDENTIFICATION TABLE

EXISTING OPENINGS NUMBER	5-6-7
LOCATION	SOUTH ELEVATION - WHARF STREET
EXISTING CONDITION OR FUNCTION	WINDOW - DOOR
PROPOSED ALTERATION	RAISE HEAD TO EXISTING MOULDING AND MAINTAIN EXISTING JAMB LOCATION TO WIDEN WINDOW AND MAKE DOOR WHERE REQUIRED

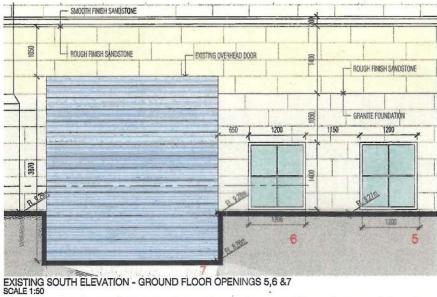


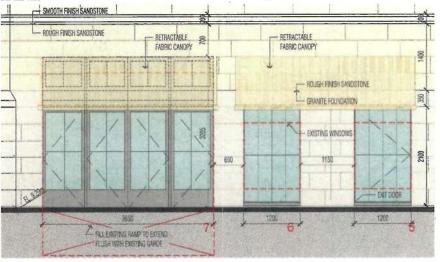
EXISTING BASEMENT FLOOR PLAN



EXISTING SOUTH ELEVATION (WHARF STREET)

816 GOVERNMENT STREET VICTORIA, B.C.





PROPOSED SOUTH ELEVATION - GROUND FLOOR OPENINGS 5,6 & 7 SCALE 1:50



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LINE OF NEW GRADE

PROPOSED OPENINGS

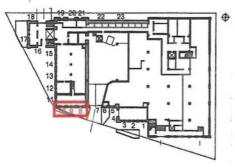
OPENINGS 5,6 & 7



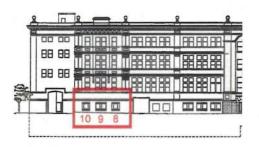




EXISTING OPENINGS NUMBER	8-9-10
LOCATION	SOUTH ELEVATION - WHARF STREET
EXISTING CONDITION OR FUNCTION	WINDOW - VENT
PROPOSED ALTERATION	NEW OPENING IN CENTRE BAY (NO. 9) AS SHOWN. WOOD DOORS TRANSOM & SIDELITES FOR NO 8 & 10, LOWER SILL TO GRADE & EXTEND JAMBS

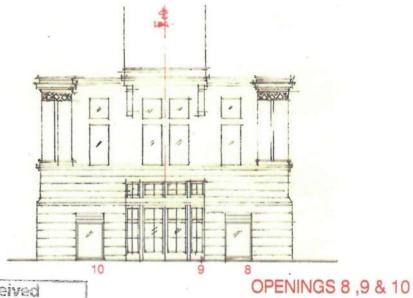


EXISTING BASEMENT FLOOR PLAN



EXISTING SOUTH ELEVATION (WHARF STREET)

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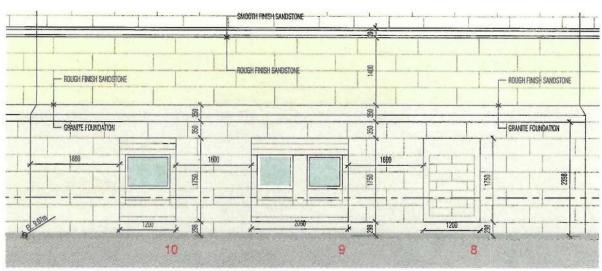
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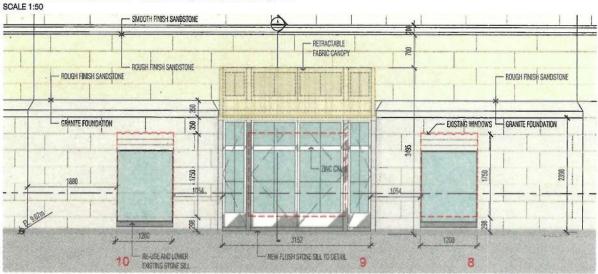


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EXISTING SOUTH ELEVATION - GROUND FLOOR OPENINGS 8,9 &10



PROPOSED SOUTH ELEVATION - GROUND FLOOR OPENINGS 8,9 &10 SCALE 1:50 $\,$

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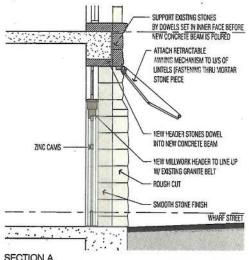
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IDENTIFICATION TABLE

EXISTING OPENINGS NUMBER

8-9-10



SECTION A THROUGH ENLARGED NEW OPENING NO.9 SCALE 1:50

OPENINGS 8,9 & 10





EXISTING OPENINGS NUMBER	11 - 12 - 13 - 14 & 15
LOCATION	WEST ELEVATION - WHARF STREET
EXISTING CONDITION OR FUNCTION	WINDOW
PROPOSED ALTERATION	RAISE HEAD AND / OR LOWER SILL OF EXISTING OPENING.
	INTRODUCE TRANSOM LITES. WIDTH CONSISTENT WITH EXISTING OPENING.
	INTRODUCE NEW SIDELITES.

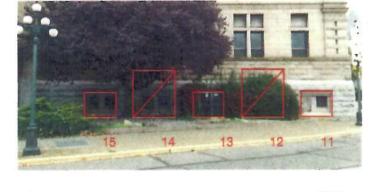


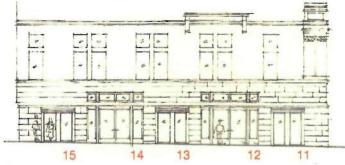
EXISTING BASEMENT FLOOR PLAN



EXISTING WEST ELEVATION (WHARF STREET)

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14

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12

OPENINGS 11,12,13,14 & 15

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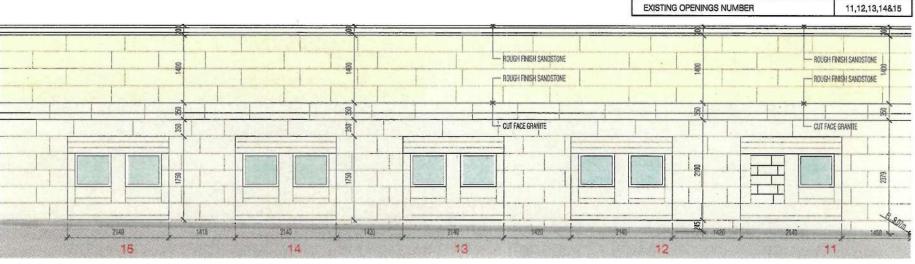
Planning & Development Department Development Services Division



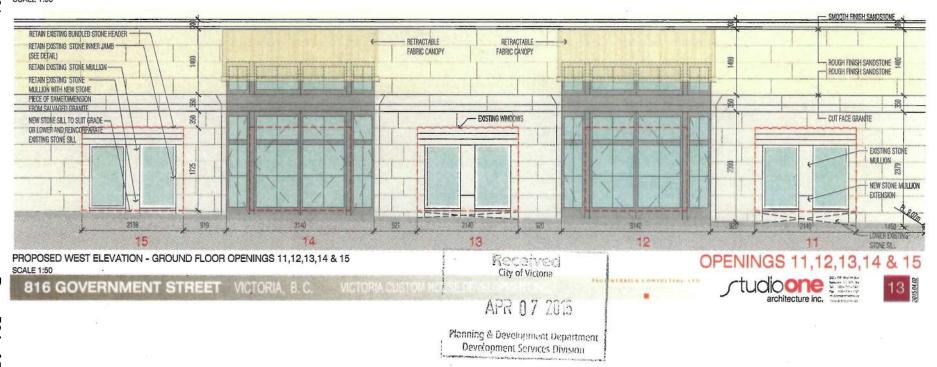








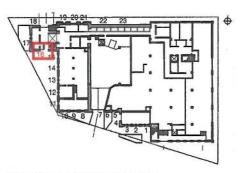
EXISTING WEST ELEVATION - GROUND FLOOR OPENINGS 11,12,13,14 & 15



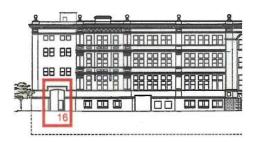
Page 565 of 727

IDENTIFICATION TABLE

EXISTING OPENINGS NUMBER	16
LOCATION	SOUTH ELEVATION - (WHARF STREET)
EXISTING CONDITION OR FUNCTION	DOOR
PROPOSED ALTERATION	INSERT NEW WOOD SASH, TRANSOM LITES, NEW SIDELITES IN EXISTING STONE OPENING



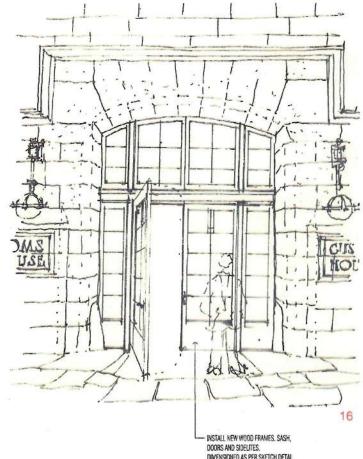
EXISTING BASEMENT FLOOR PLAN

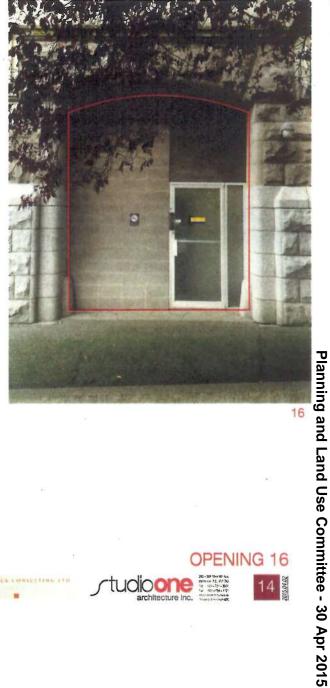


EXISTING SOUTH ELEVATION (WHARF STREET)

816 GOVERNMENT STREET

VICTORIA B.C.





INSTALL NEW WOOD FRAMES, SASH, DOORS AND SIDELITES. DIMENSIONED AS PER SKETCH DETAIL ON PAGE 23

OPENING 16





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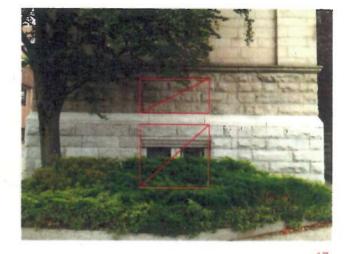
Page 566 of 727

IDENTIFICATION TABLE

EXISTING OPENING NUMBER	17
LOCATION	WEST ELEVATION - WHARF STREET
EXISTING CONDITION OR FUNCTION	WINDOW/ VENT
PROPOSED ALTERATION	RAISE HEAD AND / OR LOWER SILL OF EXISTING OPENING.
	INTRODUCE TRANSOM LITES. WIDTH CONSISTENT WITH EXISTING OPENING.
	NEW HARDWOOD SASH







EXISTING BASEMENT FLOOR PLAN



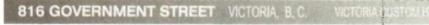
EXISTING WEST ELEVATION (WHARF STREET)



- INSTALL NEW WOOD FRAMES, SASH, DOORS AND SIDELITES. DIMENSIONED AS PER SKETCH DETAIL ON PAGE 23

17

OPENING 17









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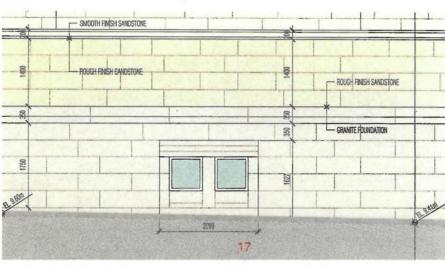




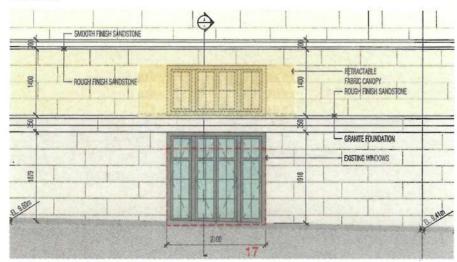




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EXISTING WEST ELEVATION - GROUND FLOOR OPENING 17 SCALE 1:50

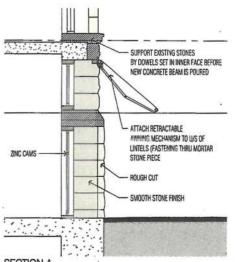


PROPOSED WEST ELEVATION - GROUND FLOOR OPENING 17 SCALE 1:50

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IDENTIFICATION TABLE

EXISTING OPENING NUMBER 17



SECTION A THROUGH ENLARGED OPENING NO.17 SCALE 1:50

OPENING 17







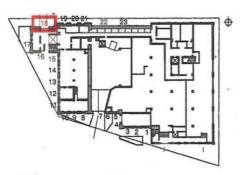
APR 07 2015

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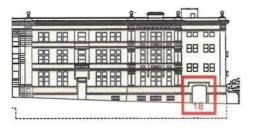
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IDENTIFICATION TABLE

EXISTING OPENINGS NUMBER	18
LOCATION	NORTH ELEVATION - COURTNEY STREET
EXISTING CONDITION OR FUNCTION	DOOR
PROPOSED ALTERATION	INSERT NEW WOOD SASH, TRANSOM LITES, NEW SIDELITES IN EXISTING STONE OPENING

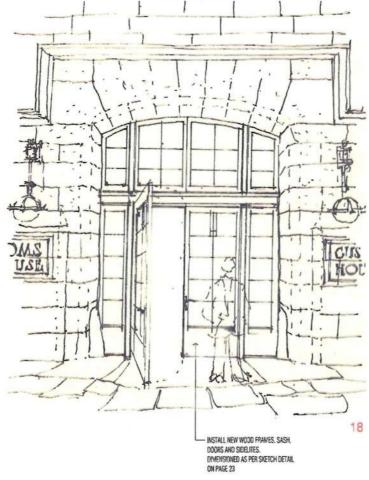


EXISTING BASEMENT FLOOR PLAN



EXISTING NORTH ELEVATION (COURTNEY STREET)

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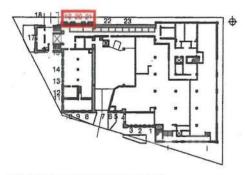




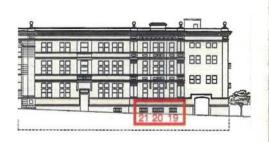
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Planning & Development Department Development Services Division

EXISTING OPENINGS NUMBER	19, 20 & 21
LOCATION	NORTH ELEVATION - COURTNEY STREET
EXISTING CONDITION/FUNCTION	VENT- WINDOW
PROPOSED ALTERATION	RAISE HEAD AND / OR LOWER SILL OF EXISTING OPENINGS TO PROVIDE FOR NEW ENTRANCE TO GROUND FLOOR AND NEW EXIT ROUTE, NEW WOOD GLAZED DOORS AND TRANSOM LOOK AS INDICATED

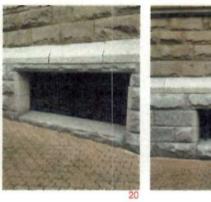


EXISTING BASEMENT FLOOR PLAN



EXISTING NORTH ELEVATION (COURTNEY STREET)

















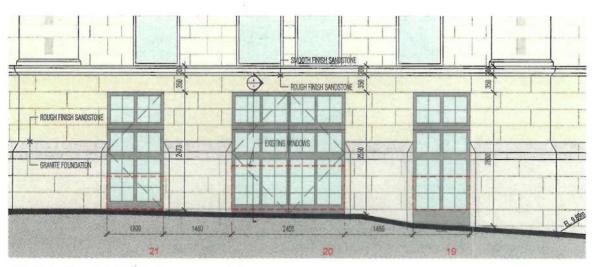
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EXISTING NORTH ELEVATION - OPENINGS 19, 20 & 21 SCALE 1:50

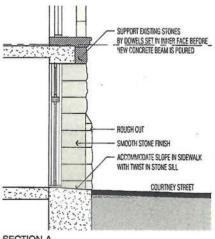


PROPOSED NORTH ELEVATION - OPENINGS 19, 20 & 21 SCALE 1:50



EXISTING OPENINGS NUMBER

19, 20 & 21



SECTION A THROUGH ENLARGED OPENING NO.20 SCALE 1:50

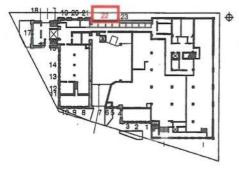
OPENINGS 19,20 & 21



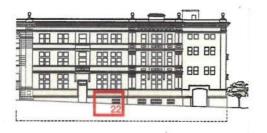


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EXISTING OPENING NUMBER	22
LOCATION	NORTH ELEVATION - COURTNEY STREET
EXISTING CONDITION/FUNCTION	VENT/SOLID STONE WALL
PROPOSED ALTERATION	INTRODUCE NEW OPENING FOR ENTRANCE TO PARKING, MIN. 6,5m WIDE NEW LINTEL AGILLA BEAM (SCC) RETAIN EXISTING SANDSTONE DRIF

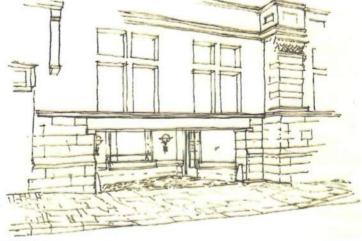


EXISTING BASEMENT FLOOR PLAN



EXISTING NORTH ELEVATION (COURTNEY STREET)

EXISTING



PROPOSED

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OPENING 2







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SMOOTH FINISH SANDSTONE

- ROUGH FINISH SANDSTONE

PROPOSED NORTH ELEVATION - OPENING 22 SCALE 1:50

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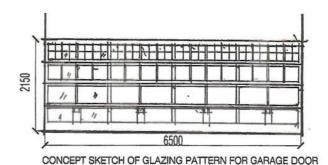
APR 07 2015

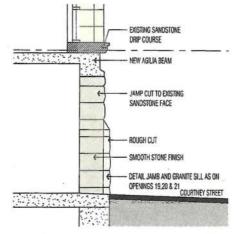
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IDENTIFICATION TABLE

EXISTING OPENING NUMBER





SECTION A THROUGH ENLARGED OPENING NO.22 SCALE 1:50





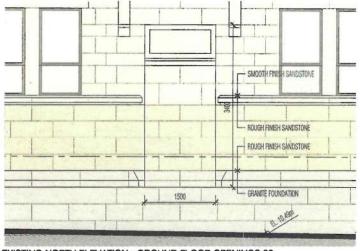


EXISTING OPENINGS NUMBER	23
LOCATION	NORTH ELEVATION - COURTNEY STREET
EXISTING CONDITION/FUNCTION	VENT (CLOSED IN)
PROPOSED ALTERATION	REMOVES THE STONE LOWER EXISTING SILL PIECE, AND INSERT NOW IRON FRAME, ART CLASS WINDOW AS SHOWN. TO REPLACE EXISTING STONE INFILL. RE-OPEN & GLAZE ORIGINAL OPENING AS INDICATED

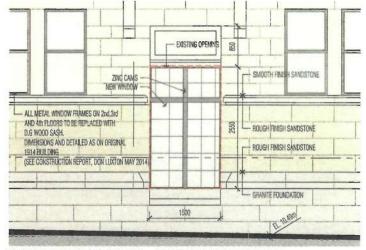


EXISTING NORTH ELEVATION (COURTNEY STREET)

816 GOVERNMENT STREET VICTORIA, B. C.



EXISTING NORTH ELEVATION - GROUND FLOOR OPENINGS 23 SCALE 1:50



PROPOSED NORTH ELEVATION - GROUND FLOOR OPENING 23 SOALE 1:50

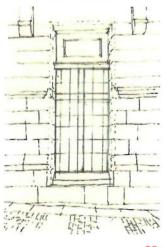
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23



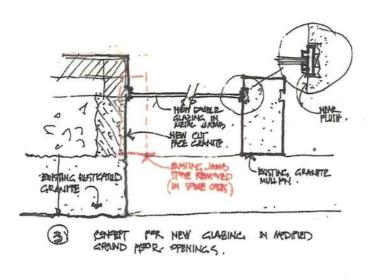
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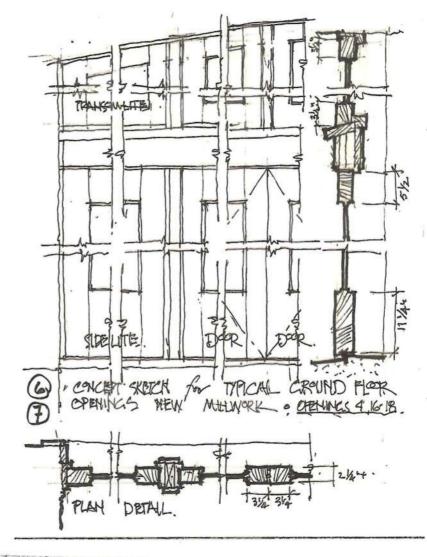
OPENING 23











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Planning & Development Department Development Services Division



Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Jim Handy, Senior Planner - Development Agreements

Subject:

Development Permit Application No. 000418 for 254 Belleville Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000418 for 254 Belleville Street, in accordance with:

- 1. Plans date stamped March 20, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. A Section 219 Covenant, in a form satisfactory to the City Solicitor, being registered on title requiring that the food truck be removed from the property after a period of not more than five years or upon completion and occupancy of a new terminal building, whichever occurs first, to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
- 4. 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*, 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 Application for the property located at 254 Belleville Street. The Application proposes an addition to the existing Victoria Clipper Ferry Terminal and the siting of a food truck.

The following points were considered in assessing this Application:

- The proposal is consistent with the Official Community Plan, 2012 and the applicable Design Guidelines.
- The applicant is willing to register a Covenant on the title to the property to ensure that the building is removed from the site within five years or upon completion of a new ferry terminal building.

BACKGROUND

Description of Proposal

The proposal is to add 134m² to the existing Victoria Clipper Ferry Terminal in order to accommodate a customer waiting area and washroom facilities and to add a food truck to the site. Specific details include:

- The finishing materials associated with the building addition are consistent with the existing terminal and include corrugated metal siding, wood trellis and awnings.
- The food truck would be in the form of a double-decker bus and would primarily provide services for customers of the Victoria Clipper Ferry.
- The applicant indicates that the ferry operators are in the process of investing in capital
 upgrades to their vessels and terminal facilities and are committed to the development of
 a new Belleville International Terminal within the next five to six years. It is anticipated
 that the new terminal will provide a range of facilities for customers and, at that time, the
 temporary food service buildings will be removed from the site.

Sustainability Features

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

Active Transportation Impacts

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

Existing Site Development and Development Potential

The site is presently in the existing IHT3 Zone, Inner Harbour Commercial District, which allows for a range of uses including docks for ferries and aircraft, accessory facilities for marine related transportation (i.e. parking, ticket offices etc.), retail, offices, restaurants and outdoor storage.

Data Table

The following data table compares the proposal with the existing IHT3 Zone, Inner Harbour Commercial District. There are no variances required to accommodate this proposal.

Zoning Criteria	Proposal	Zone Standard
Site area (m²) - minimum	11,880	n/a
Density (Floor Space Ratio) - maximum	0.1:1	0.5:1
Total floor area (m²) - maximum	1,289	5,940
Floor area – rentals and restaurants (m²) - maximum	38 (restaurant)	100 (if no public washrooms are provided) 300 (if public washrooms are provided)
Height (m) – maximum	4 (from grade - the highest point of the building is below the grade of Belleville Street)	0.8 (above Belleville Street)
Site coverage % - maximum	11	n/a
Setbacks (m) - minimum Front (Belleville Street) Rear (Waterfront) Side (west) Side (east)	9.8 34.9 54 5.2	n/a n/a n/a n/a
Parking - minimum	35	24
Bicycle parking stalls (minimum)	Nil	n/a

Community Consultation

The Application does not propose any variances and, therefore, in accordance with the Community Association Land Use Committee (CALUC) Procedures, has not been referred to the James Bay Neighbourhood Association Land Use Committee.

ANALYSIS

Development Permit Area and Design Guidelines

The Official Community Plan, 2012 (OCP) identifies this property within Development Permit Area (DPA) 9 (HC): Inner Harbour. The following Design Guidelines are applicable to the application site:

- Downtown Core Area Plan
- Advisory Design Guidelines for Buildings, Signs and Awnings
- The Belleville International Terminal Design Guidelines
- Victoria Harbour Plan
- Standards and Guidelines for the Conservation of Historic Places in Canada.

The proposal is consistent with the aforementioned Guidelines on the following basis:

- The proposed development supports the use of the site as an international transportation terminal for ferries.
- The design of the proposed building addition is consistent with the existing terminal building.
- The proposed food truck is temporary in nature and will be removed from the site after a period of no more than five years.

CONCLUSIONS

The Application is to construct a relatively small addition to the existing Victoria Clipper Ferry Terminal and to locate a food truck on site for a temporary period. The proposal is consistent with the *Official Community Plan* and the applicable Design Guidelines.

ALTERNATE MOTION

Respectfully submitted,

That Council decline Development Permit Application No. 000418 for the property located at 254 Belleville Street.

Jim Handy
Senior Planner – Development Agreements
Development Services Division

Report accepted and recommended by the City Manager:

Date:

Alison Meyer, Assistant Director
Development Services Division
Sustainable Planning and Community
Development Department

Jason Johnson

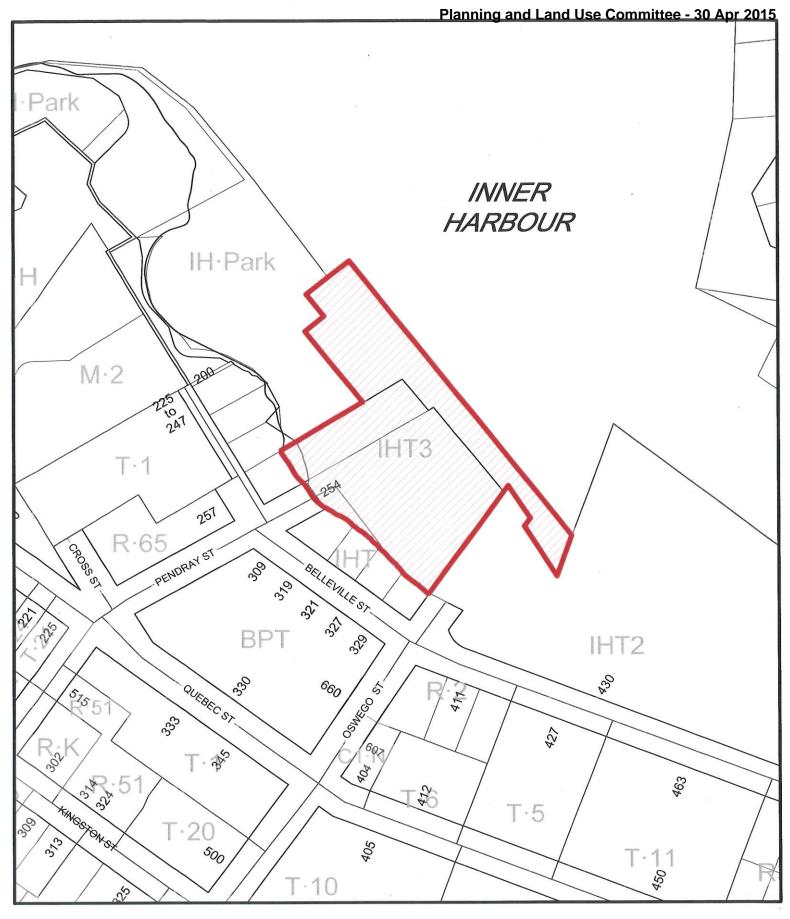
Date:

April 11, 2015

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List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated March 20, 2015
- Plans dated March 20, 2015.













March 17, 2015

Mayor Helps and Council City of Victoria 1 Centennial Sq Victoria, BC V8W 1P6



Re: Development Permit Application for Victoria Clipper - 254 Belleville Street, Victoria

Dear Mayor Helps and Council,

Enclosed please find a completed application form, application fee, and plans showing the proposed short-term improvements to the Victoria Clipper terminal at 254 Belleville Street.

Background

The current terminal consists primarily of attached modular units. It is proposed to add two more modular units, connected to the existing terminal, and provide more space to accommodate passengers waiting in the Pre-Inspection Area prior to passing US customs for passengers departing for Seattle. In addition, the Clipper wishes to install a "food truck" to give waiting customers an opportunity to obtain a light food services.

These initiatives are aimed at improving departing passenger experience and customer satisfaction, as this is the last impression visiting passengers experience before leaving Victoria. Clipper Navigation Inc. has undertaken exit surveys of its customers, asking them to rate their experience while visiting Victoria and the service they received. For the most part, responses were very favourable, however, the terminal facility receives the least satisfactory comments. This negative feedback shows that something must be done in the short term to meet the reasonable customer expectations. It is recognized that the proposed improvements are only an interim measure and that a new common-use international marine transportation terminal is the ultimate objective.

Description Of Additional Waiting Area And Washrooms

Currently, the terminal only has enough inside space to accommodate approximately 100 passengers waiting in the pre-inspection area for customs clearance. There are many times during the season when there are more than 300 (people) waiting to clear US customs. The additional modular units will provide space for at least another 100 passengers and will be a big improvement. It still means there will be times when some passengers may have to wait outside before clearing customs.

CitySpaces Consulting Ltd.

5th Floor 844 Courtney St. Victoria BC V8W 1C4 250.383.0304 Tel 866.383.0304 Toll-free 250.383.7273 Fax www.cityspaces.ca



Victoria

Vancouver

Calgary

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Two modular units will be attached to the existing terminal space and will add approximately1440 ft.² of additional passenger waiting area and 250 ft.² of relocated washrooms.

The new modular units will connect to and match the existing modular units. Windows will be re-used and located in similar places to where they currently found, along the exterior wall assembly. The feature blue awning will be installed around the perimeter. The relocated washrooms will be connected to the west side of the units and provide articulation in the west wall line. The "bump-out" washroom unit will be further softened by adding ornamental cedar lattice work mirroring the lattice elements on the US Customs trailer. The intention is to place decorative signage on one exterior wall. The plans attached show a placeholder for the new sign that will be designed as an architectural feature and indirectly lit from above. The intention is to engage a local First Nations artist to participate in the design and carving of the sign.

Food Services

The other deficiency most commonly identified by customers is the lack of any confectionery service. There are often times when ticketed passengers have some time before clearing US customs but insufficient (time) to go off-site. To address this lack of service, a double decker food "bus" is planned to be installed and located near the entrance of the Clipper terminal. The existing traffic bollards will be moved slightly to provide safe separation between foot passengers and passenger drop-off points.

The food "bus" will allow for light meals to be purchased from a kiosk area on the north side of the "bus". The upper level of the double-decker bus will provide limited space for passengers to sit and eat, or purchased goods can be consumed elsewhere while waiting to clear customs. There is no room to accommodate a canteen of any sort within the current or expanded terminal.

Timing

The buildings are modular trailer units have no foundation and can be installed relatively easily. The intention has been to install them prior to the 2015 summer season. However, given the coordination with US Customs and related mechanical adjustments, timing for doing the work will likely get pushed back to the Fall 2015. It is strongly desired to have the food "bus" up and running for late Spring 2015. The ability to move this through the Development Permit Process to meet the summer season would be greatly appreciated.

Longer Term Vision

Clipper Navigation is entering a new phase in its 28-year history. They are in the process of investing in capital upgrades to their vessels and terminal facilities along with other aspects of the operations, with an emphasis on passenger convenience and satisfaction.

The proposed terminal improvements are an important and necessary short-term measure, which will improve service to its customers; however, it is an interim measure. The Clipper, along with Black Ball Ferry Line, are committed to the development of a new Belleville International Terminal.



While a new terminal has been long discussed, the Clipper has renewed anticipation that with: a commitment from the ferry operators; the positive responses received from the City; the Province placing management of the property under the Ministry of Transport and Infrastructure; and the endorsement and support from other groups ad agencies; that a new common-use terminal can come to fruition within the next five or six years.

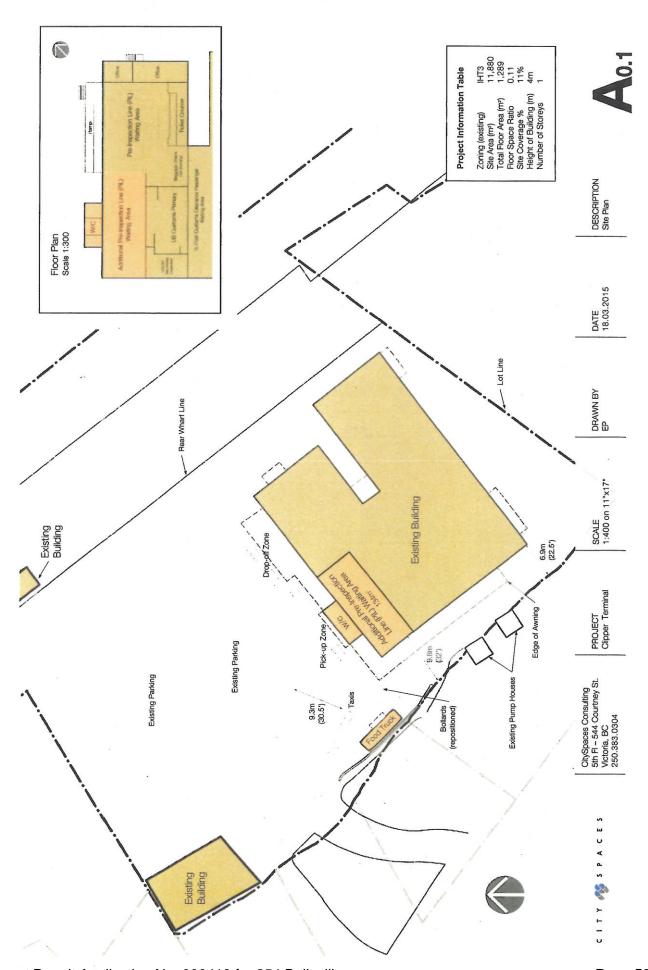
Thank you for your timely consideration of this Development Permit Application. Please feel free to contact the undersigned should you have any questions.

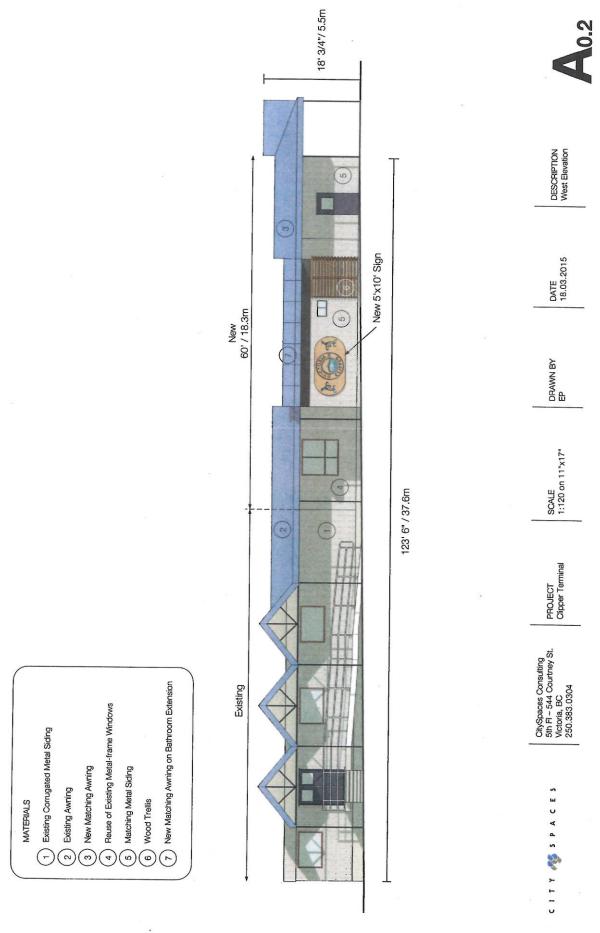
Sincerely,

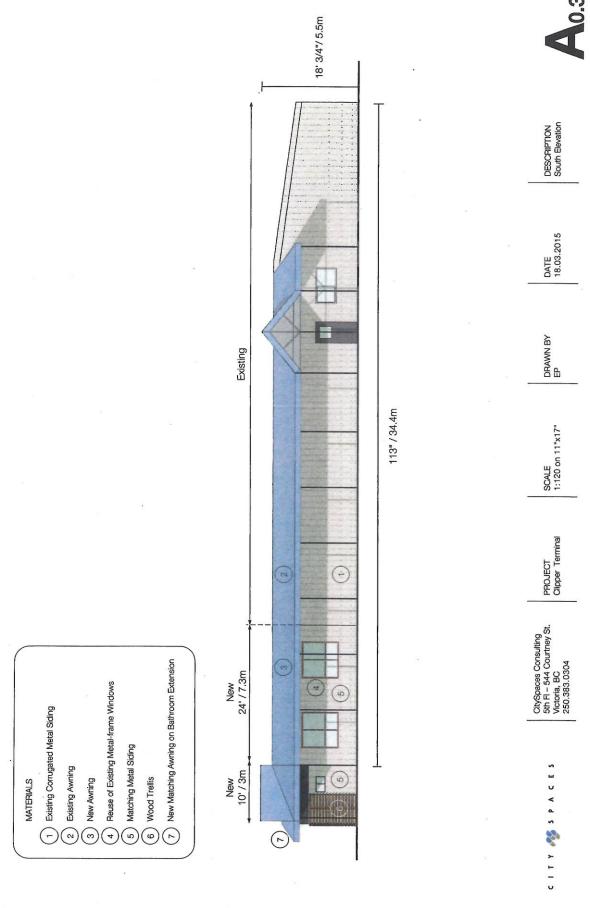
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CitySpaces Consulting Ltd.

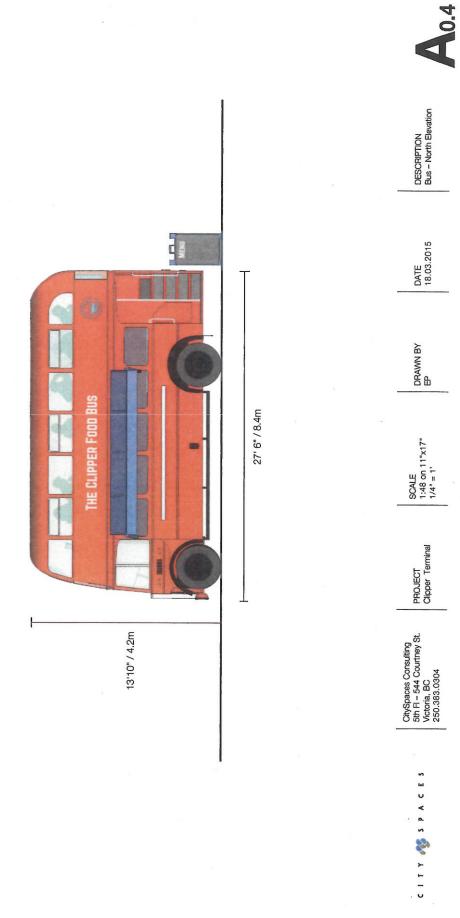
cc. Merideth Tall, Darrel Bryant, David Gudgel – Clipper Navigation Inc. Svein Haugen – Ministry of Transportation and Infrastructure



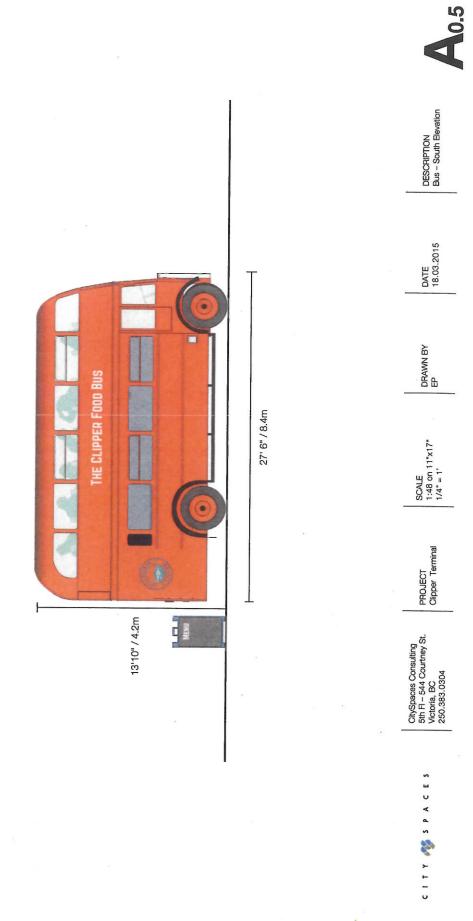








COLOURS
Double Decker Red



Double Decker Red Clipper Awning Blue

COLOURS





DATE 18.03.2015

SCALE

CitySpaces Consulting 5th FI – 544 Courtney St. Victoria, BC 250.383.0304



Example of Converted Bus Interior



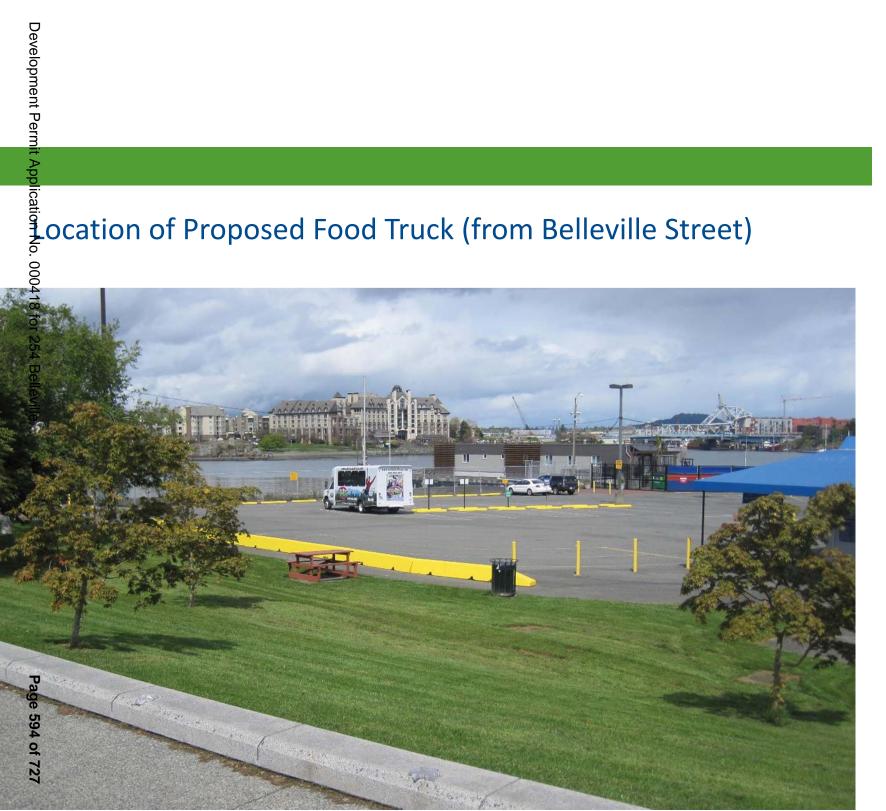
/ictoria Clipper Terminal Development Permit Application

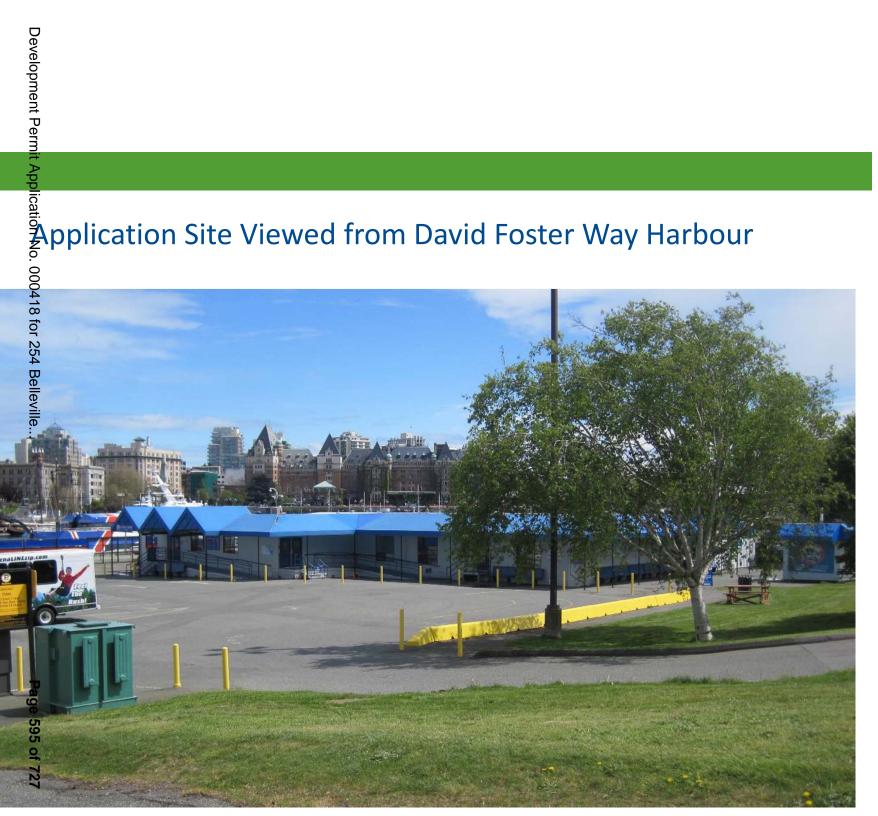


Development Permit Age

Location of Proposed Building Addition (from Belleville Street)





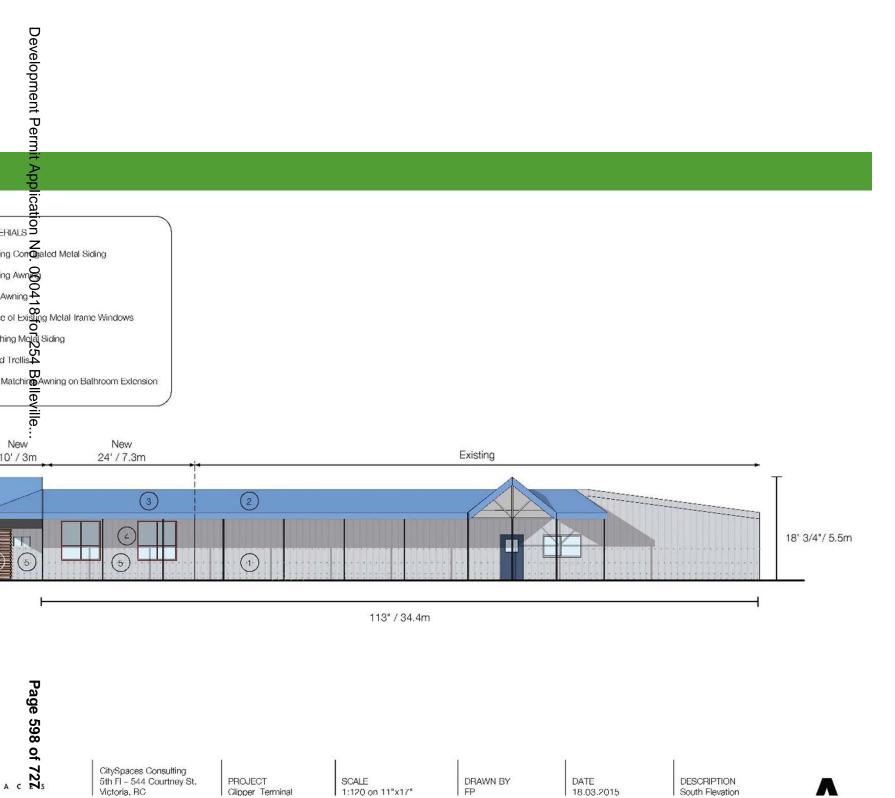




123' 6" / 37.6m



Planning and Land Use Committee - 30 Apr 2015



CitySpaces Consulting 5th FI – 544 Courtney St. Victoria, BC

Clipper Terminal

SCALE 1:120 on 11"x17" DRAWN BY FP

DATE 18.03.2015

DESCRIPTION South Flevation

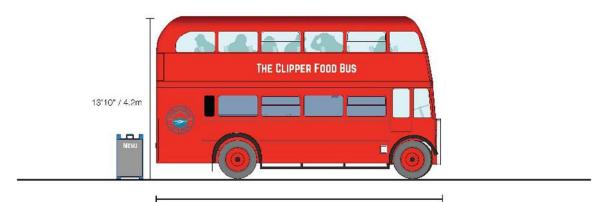


Page 599 of 727





27' 6" / 8.4m





Example of Converted Bus Interior



Example of Converted Bus Exterior



Planning and Land Use Committee Report

For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Lucina Baryluk, Senior Process Planner

Subject:

Development Permit with Variances Application No. 000390 for 1555 Jubilee

Avenue

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. 000390 for 1555 Jubliee Avenue, in accordance with:

- Plans date stamped April 1, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the minimum dwelling size from 33m² to 29.44m² for Unit 1, 20.26m² for Unit 2, 20.37m² for Unit 4 and 20.37m² for Unit 5;
 - ii. increase the maximum site coverage from 30% to 36.2%;
 - iii. decrease the minimum open space from 30% to 27.4%;
 - iv. decrease the off-street parking requirement from 34 to 16 parking stalls;
 - v. decrease the distance required from a parking stall to a living unit from 6m to 0m:
 - vi. allow the accessory building to be located in the side yard;
 - vii. reduce the side yard setback requirement (north) for the accessory building from 0.6m to 0m;
 - viii. reduce the distance required between the accessory building and the main building from 2.4m to 1.2m, subject to the following:
- 3. Prior to the issuance of a building permit for any construction that the applicant provide a landscape plan with sufficient details regarding the stamped concrete path, lighting plan, landscape area in front of the proposed units, planters, plant material, trellises, garbage enclosure and bike rack, and these items be secured by a landscape bond.
- 4. The final interior layout of the bike storage building be to satisfaction of the Director of Engineering and Public Works, and the construction of the bike storage facility be completed prior to the commencement of construction of the new units."

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.

A Development Permit may also impose conditions respecting the sequence and timing of construction.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1555 Jubilee Avenue. The proposal is to create five residential units by filling-in existing under-building parking. The proposal requires eight variances: to reduce the minimum dwelling unit size, to reduce the overall parking requirement and siting of parking stalls, and siting, parcel coverage and open site space variances required for the bike storage building.

The following points were considered in assessing this Application:

- The applicable design guidelines are the Design Guidelines for Multi-Unit Residential, Commercial and Industrial. The main issue with the proposal is the lack of visibility of the unit entrances and connection with the public street. The applicant has mitigated this concern by proposing an internal walkway adjacent to the building (stamped concrete) and by introducing features to identify the entrances.
- The broad housing objectives of the Jubilee Neighbourhood Plan are satisfied.
- The variances triggered by the construction and location of the bike storage building are recommended to Council by staff. This is an appropriate location of the bike storage building, with a clear view to the street, and ease of accessibility.
- The parking variance for 18 stalls is supportable based on the Parking Demand Study findings, subject to the provision of a bicycle rack and a bicycle storage building.
- While the proposed unit size averages 25m², which is below the zone minimum standard of 33m², the units are self-contained and appear functional.

BACKGROUND

Description of Proposal

The proposal is to create five residential units by filling-in the existing under-building parking. Specific details include:

- The existing building has sixteen surface parking stalls and seven stalls under the building (at-grade). With the loss of the seven stalls, the total parking variance is 18 stalls. It is noted that excavation will be required for the units to meet the height requirements of the Building Code.
- A bicycle storage building will be located in the north side yard. This exterior material
 will be stucco, coloured to match the existing building. This storage building requires
 the following variances: an increase in the parcel coverage from 30 to 36.2%, a
 reduction in the open site space from 30% to 27.4%, a relaxation to allow the location of

an accessory building in the side yard and a setback reduction from north property line from 0.6m to nil and to reduce the distance from the accessory building to the main building from 2.4m to 1.2m.

- The five units range in size from 20.26m² to 36.21m². Four of the five units require a variance to reduce the minimum unit size from 33m².
- To identify the units, a stamped concrete path will be created along the frontage of the units, along with planter boxes and a trellis feature over three of the unit entryways.

Sustainability Features

The applicant's plans indicate power saving lighting will be installed in each new unit and water restrictors will be installed in all tubs, showers and toilets.

Active Transportation Impacts

The proposed bike storage locker will accommodate 24 bikes.

Existing Site Development and Development Potential

The site is presently occupied by a 21-unit apartment building, built in 1969. Under the current R3-2 Zone, Multiple Dwelling Unit District, the property is developed close to its maximum density (see Data Table), therefore there is minimum additional development potential on this site, without a rezoning or a further reduction to the parking standards.

Data Table

The following data table compares the proposal with the current R3-2 Zone, Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to identify where the proposal has non-conforming siting.

Zoning Criteria for Principal Building	Proposal	Zone Standard R3-2
Site area (m²) - minimum	1505	920
Density (Floor Space Ratio) - maximum	1.14:1	1.2:1
Total floor area (m²) - maximum	1716.39	1806
Dwelling unit floor area (m²) - minimum	20.26 to 29.44 range* (for 4 of the 5 units)	33
Height (m) - maximum	10.77	18.50
Storeys - maximum	4	n/a
Site coverage % - maximum	36.2*	30.00
Open site space % - minimum	27.4*	30.00
Setbacks (m) - minimum Front Rear Side (north)	9.24** 11.46 5.33**	10.50 5.39 5.39
Side (south)	5.32	5.39

Zoning Criteria for Principal Building	Proposal	Zone Standard R3-2
Parking - minimum	16*	34 (1.3 stalls per unit)
Location of parking stalls – horizontal distance between a dwelling unit and a parking stall	0*	6
Bicycle storage stalls – Class 1 (minimum)	24	Required for new units only
Bicycle parking stalls – Class 2 (minimum)	6	6

Zoning Criteria for Accessory Building	Proposal	Zone Standard R3-2
Location	Side yard*	Rear yard
Side setback	0*	6
Separation space between accessory building and principal building	1.2*	2.4
Height	2.3	3.5

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on December 12, 2014 the Application was referred for a 30-day comment period to the South Jubilee Neighbourhood Association. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area and Design Guidelines

The Official Community Plan (OCP) identifies this property within DPA 16, General Form and Character, referencing the Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012) as the most relevant design guidelines.

These Guidelines encourage residential use at the street level with strong entry features and building designs that encourage interaction with the street or public sidewalk. The creation of the units at the rear of the building accessed via the parking lot falls short of this objective, with potential liveability and safety concerns for the occupants. In response to these concerns, the applicant is proposing to delineate the access to the new units by a stamped concrete path and creating entry features with planters and trellises over three units. These design elements will also serve to identify the entrances to the units.

No further specific details have been provided by the applicant on how Crime Prevention through Environment Design (CPTED) practices have been used to address potential safety issues of accessing the new units or the bike storage facility. Should Council choose to advance this Application, the staff recommendation includes a requirement for the applicant to provide further details related to the design of this area, including the provision of a lighting plan.

Jubilee Neighbourhood Plan

The Housing Goals of the Plan are as follows:

- Maintain and encourage a mix of housing types and tenures for people with different needs including a variety of incomes and family structures.
- Maintain the physical integrity, scale and character of the neighbourhood.

This project meets the intent of these Housing Goals.

Regulatory Considerations

Reduction in Off-Street Parking

The calculation for the parking variance is technically challenging for the site due to the age of the building. The building pre-dates the Schedule "C" requirements so the number of existing stalls (23) is considered the base line for the analysis, which is four less than the Bylaw requirements. From the existing 23 stalls, seven stalls will be eliminated under the building and replaced by new units. These five proposed residential units would require an additional seven parking stalls. Therefore, using the current bylaw standards there is a shortfall of 18 stalls, or a parking ratio of 0.62 stalls per unit, and the bylaw requirement is 1.3 stalls per unit.

The applicant has provided a parking study (attached) which analyzes the parking demand for apartment buildings in the immediate proximity. The average is 0.59 stalls per unit. The proposed ratio meets this average. The inclusion of a bicycle rack and a bicycle storage facility for bicycles will help alleviate the parking shortfall.

Variances Required for the Bike Storage Building

The variances triggered by the construction and location of the bike storage building are supportable. This is an appropriate location of the bike storage building, with a clear view to the street, and ease of accessibility.

Reduction in the Unit Size

The zone standard requires a minimum unit size of 33m². Four of the five proposed units do not meet this minimum unit size. While smaller units have become more common in downtown developments, this size of unit has been less common in other neighbourhoods.

The intent of this minimum unit size is to ensure a certain level of liveability for the occupant(s). The proposed units all have three-piece bathrooms and kitchen facilities, with limited food preparation area in some units. There are no additional storage facilities available in the building.

CONCLUSIONS

While the broader policy objectives of increasing the stock of rental housing is achieved, the addition of small units at the rear of a building facing a parking lot does not meet the intent of the design objectives. The applicant is proposing hard and soft landscaping features to emulate a secondary street frontage. Each unit is fully self-contained and would appear functional for the intended use.

A Parking Demand Study has been provided by the applicant to justify the parking ratio, and the dwelling unit to parking stall ratio is comparable to other developments in the area. The bike storage facility and bike rack are highly encouraged additions to the property. Despite the challenges associated with the requested variances and some challenging aspects of the proposed design, staff recommend this application for Council's consideration.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000390 for the property located at 1555 Jubilee Avenue.

Respectfully submitted,

Lucina Baryluk

Senior Process Planner

Development Services Division

Alison Meyer, Assistant Director **Development Services Division**

Sustainable Planning & Community Development

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

List of Attachments

LB:af

- Aerial Map
- Zoning Map
- Submission drawings dated April 1, 2015
- Letter from the applicant dated October 15, 2014

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Adept Transportation Study.





1555 Jubilee Ave

Development Permit #000390

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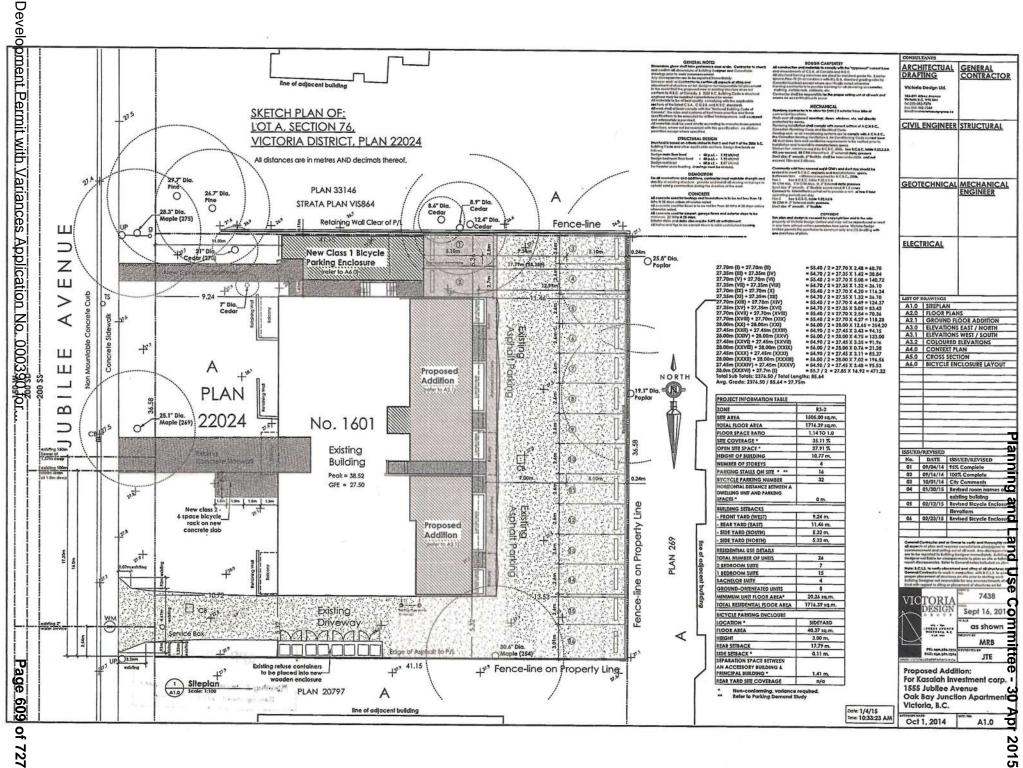


1555 Jubilee Ave

Development Permit #000390

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Exhiling: 4704.00 sq.R. (437.02 sq.m.)

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Victoria, B.C.

Oct 1, 2014

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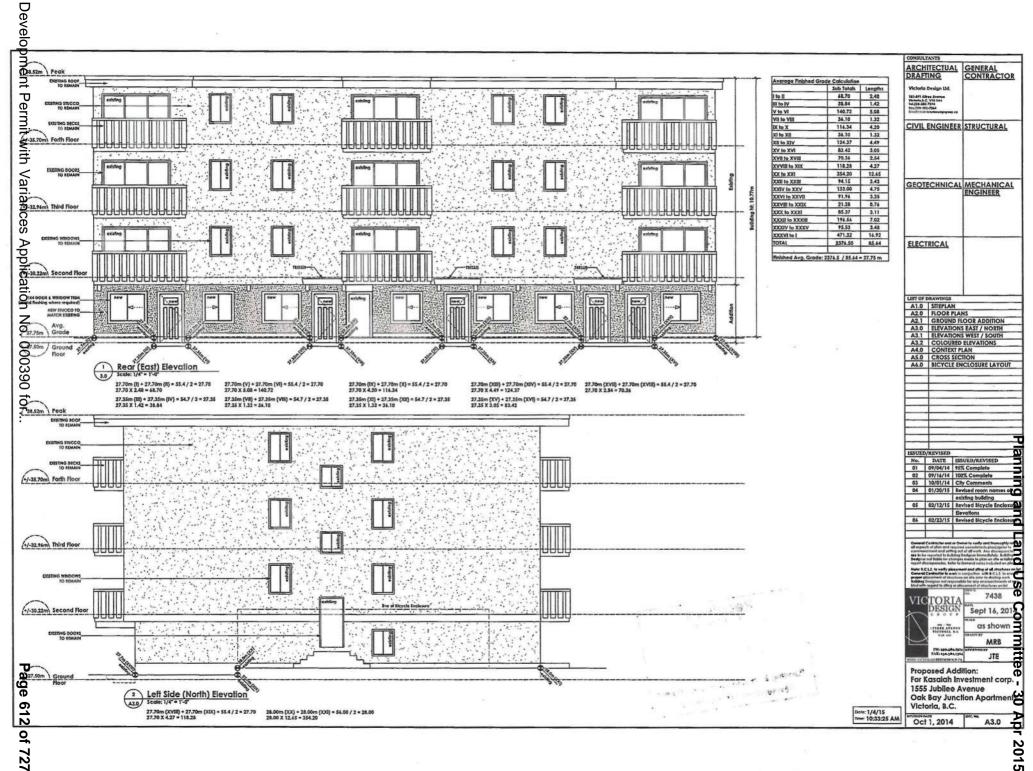
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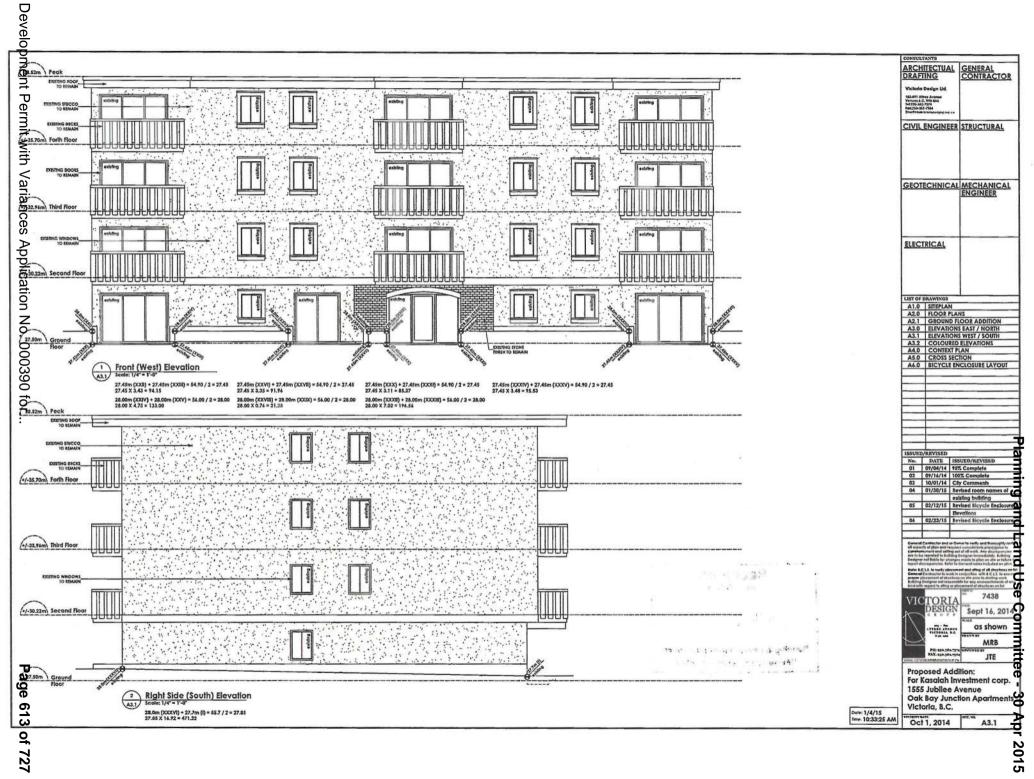
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Oct 1, 2014

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Development Permit with Variances

Application No. 000390 for...

Page 614 of 727



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Right Side (South) Elevation
Scale: 3/16" = 1'-0"

Left Side (North) Elevation
Scale: 3/16" = 1'-0" e 10 d 10 920

Rear (East) Elevation 3.2 Scale: 3/16" = 1'-0"

	AREA	COLOUR	COLOUR/FINISH INFO		
	STUCCO		Existing Finish and paint colour to remain unchanged.		
A STATE OF THE PARTY OF THE PAR		COY LL	New walls to match finish and paint colour of existing stucco.		
410200	FASCIA & ROOF TRIM / DECKS	CETTE IN	Existing paint colour to remain unchanged.		
	WINDOW TRIM		Existing paint colour to remain unchanged.		
STATE OF THE PARTY.			New window trim to match paint colour of existing trim.		

Victoria Design Ud. CIVIL ENGINEER STRUCTURAL GEOTECHNICAL MECHANICAL ENGINEER ELECTRICAL LIST OF PRANTINGS

A1.0 STEPPAN

A2.0 FLOOR PLANS

A2.1 GROUND FLOOR ADDITION

A3.0 ELEVATIONS EAST / NORTH

A3.1 ELEVATIONS WEST / SOUTH

A3.2 COLOURED ELEVATIONS

A4.0 CONTEXT PLAN

A5.0 CROSS SECTION

A6.0 BICYCLE ENCLOSURE LAYOUT ISSUED/REVISED No. DATE ISSUED/REVISED
01 09/04/14 157. Complete
02 09/14/14 100% Complete
03 10/01/14 City Comments 04 01/30/15 Revised room nam existing building
05 02/12/15 Revised Bicycle Enc 04 02/23/15 Revised Bicycle En

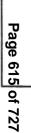
CONSULTANTS ARCHITECTUAL DRAFTING

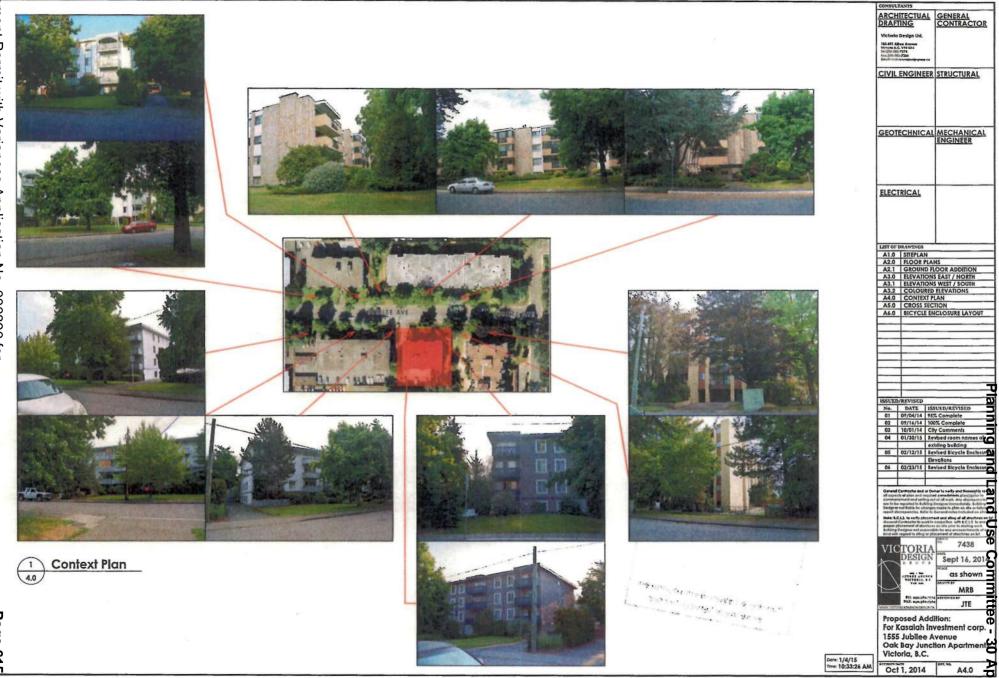
> 7438 Sept 16, 201 as shown MRB JTE

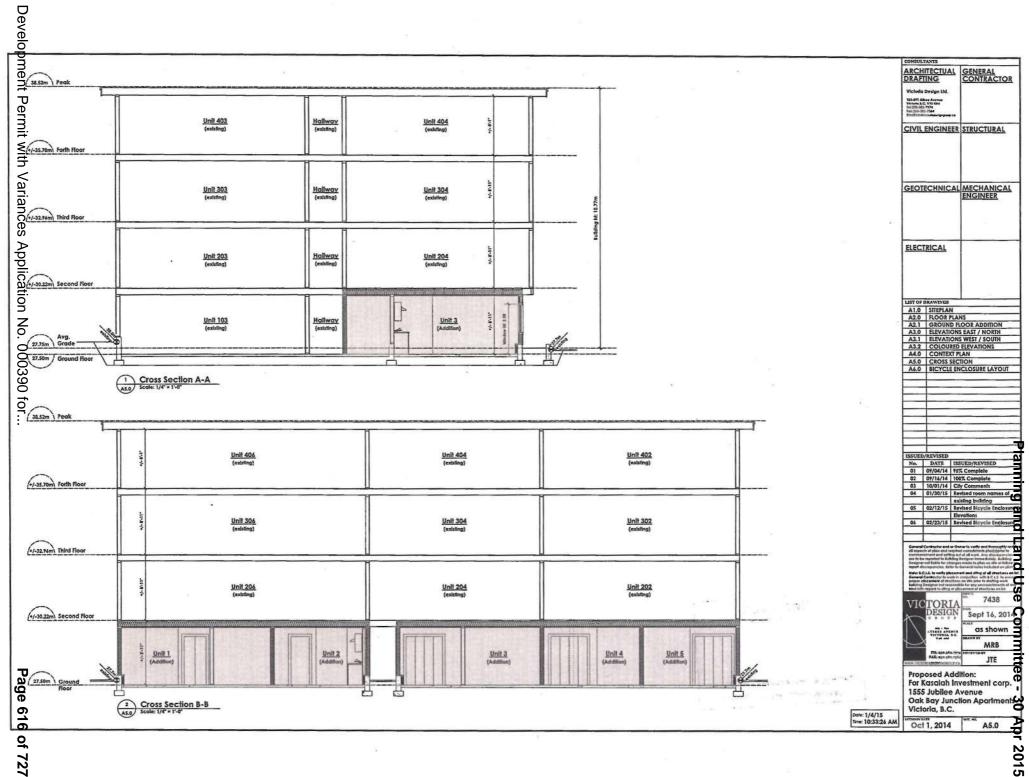
Proposed Addition: For Kasalah Investment corp. 1555 Jubilee Avenue Oak Bay Junction Apartment Victoria, B.C.

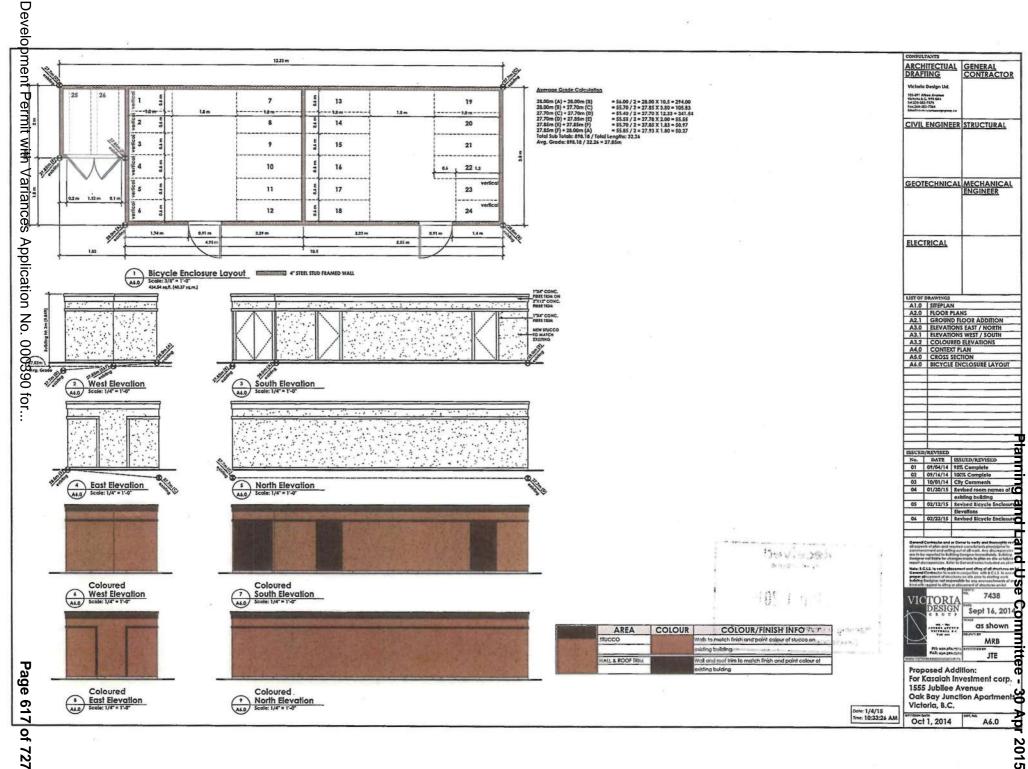
Date: 1/4/15 Time: 10:33:26 AM Oct 1, 2014

A3.2











Kaisaiah Investment Corporation



Mayor & Council CITY OF VICTORIA 1 Centennial Square Victoria, BC

October 15, 2014

SUBJECT: 1555 Jubilee Avenue

DP Application & Request for Variances: Addition of 5 suites

To Whom it May Concern,

Please accept this development permit application and request for bylaw variances on behalf of 0814640 BC Ltd., registered owner of 1555 Jubilee Avenue, Victoria.

Requested Variances:

Zoning Criteria	Proposed	Zone Standard R3-2			
Setbacks					
Dwelling Unit Floor Area	19.4m2	33.0m2/Section 3.3.2			
Site Coverage %	36.2 Max	30/Section 3.3.4(1)			
Open Site Space - Lot %	27.4 Min	30/Section 3.3.6(1)			
Parking Minimum	16	34/Schedule C, Sect 16A 11B			
Bicycle Parking Horizontal Distance Between a					
220112011012201200200	0	6/Section 3.3.15			
Dwelling Unit and Parking Space	U	6/Section 3.3.13			
Accessory Building					
Location	Side Yard	Rear Yard/Schedule F Sect	1		
Side Setback	0	.60/Schedule F Sect 4b	Received 1		
Separation Space Between an			City of Victoria		
Accessory Building & Principle			1		
Building	1.2 min	2.40/Schedule F Sect 4d	OCT 1 7 2014		
			Planning & Development Department		
Rationale			Development Services Division		

This residential apartment building is currently comprised of 21 units. We are proposing to increase that number to 26.



Kaisaiah Investment Corporation



Over the past 30 years we have managed many residential buildings in Victoria. Our experience has taught us that an important rental need is not being met within the university and college demographic of Greater Victoria. Key points:

- An increasing number of post-secondary young adults seek rental accommodations at the beginning of each school year. Due to the contingent risk of tenants vacating within 8 months, landlords are unable to address this population. Students are faced with a difficult housing challenge, making Victoria a less desirable destination for their studies.
- Our sensitivity to the specific needs of these young people inspired the designation of a student-only building as of March 1, 2013.
- Through word-of-mouth and personal referrals, the building became very popular. So much so, we have been operating at maximum capacity with a perpetual waiting list.
- Given the success of 1555 Jubilee, we are considering the same demographic for the 43-unit building next door at 1535 Jubilee.

We seek a Development Permit for the addition of five (5) new suites, to be situated beneath the building's seven (7) covered parking stalls. Our rationale and observations:

- Following the renovation and transition to student-only rental on September 1, 2014, 70% of tenancy did not own a vehicle. Only four (4) of the 23 vehicle parking stalls were occupied.
- The covered parking area at the rear of the building did not offer sufficient bicycle storage/parking for the large percentage of tenants using bicycles as a primary mode of transportation.
- The back entrance became a safety concern for female tenants. Due to the absence of parked vehicles, young women felt alone and frightened when parking their bicycles after dark or before sunrise.
- To mitigate safety concerns and perceived threat among female tenants, we offered the rental of vacant parking stalls to the nearby medical community at a more economical rate than hospital parking. Eighteen (18) of the 23 spaces were filled immediately.
- Long-term visioning, and the crux of this DP application, involves the addition of rental suites and bicycle parking as well as the removal of seven (7) covered parking stalls. The provision of a large, secure bicycle enclosure will address student-specific needs. It is important to note that the existing 4" round metal support columns in the covered parking area are not to current code. In fact, insurers in various parts of the world will not cover parking supported by this type of column. The addition of continuous support beams and new walls along each column will eliminate this potentially dangerous structure.

Over the last decade the City of Victoria has taken assertive action to construct more bike lanes to meet the growing number of cyclists. Fort and Jubilee is a main arterial bicycle corridor and bus route. Our building at 1555 Jubilee is positioned at the centre of this corridor and offers our tenants direct access to public transit along the route to both Camosun College and University of Victoria.





Kaisaiah Investment Corporation



We strive to keep pace with Mayor and Counsel's proactive green transportation initiatives. The construction of 26 permanent tenant bicycle stalls and six (6) visitor stalls serves to illustrate to the community that we, as landlords, are concerned for both the environment and this important tenant demographic. Students have long felt the crunch of overcrowding. With UVIC busting at the seams and using stop-gap measures to accommodate the masses, our student community will benefit greatly from the safe landing pad provided at nearby 1555 Jubilee.

In conclusion, a student-only building with ample secure bicycle storage so close to the university allows us to funnel potential renters through the properties within our portfolio. Students need not be turned away or prejudiced against due to their unique schedules. Our business model has allowed us to attract a large student pool; both those enrolled in regular academic sessions and summer school.

Our Development Permit Application is attached for your consideration. We have also provided an in depth parking study, as completed by Les Archer, Transportation Engineer. We look forward to your feedback and invite you to contact the writer or any of the consultants for any additional information you may require.

Sincerely,

Alexandre Asfar President & Director 0814640 BC Ltd.

Kasaiah Investment Corp.



Adept Transportation Solutions

PLANNING AND ENGINEERING

1555 JUBILEE AVENUE, Victoria, BC

STUDENT- ONLY RENTAL APARTMENT COMPLEX

Parking Demand Study In Support of Parking Variance Application

FINAL REPORT

Prepared for:

Kaisaiah Investment Corporation

Date:

May 12, 2014

Prepared by:

Adept Transportation Solutions

Les M. Archer

Senior Transportation Planner

W. Wayne Gibson, CTech, Principal Senior Transportation Technician

Adept Transportation Solutions 2426 Mili Bay Road, Mili Bay, BC VOR-2P4 (778)-678-1020



BACKGROUND

Kaisaiah Investment Corporation has been operating its' rental apartment complex at 1555 (formerly 1601) Jubilee Avenue, in the City of Victoria, as fully furnished suites for 'students only' since May 2013. The subject 21 unit apartment building currently operates at full occupancy, with a consistently long wait list under this new format. It is comprised of 1 bachelor unit (occupied by the live-in building manager), 6 one-bedroom + den units, 7 two-bedroom units, and 7 three-bedroom units. The building application proposes to add 5 new suites, comprised of 3 bachelor and 2 one-bedroom units, within the existing building footprint. A copy of the proposed Site Plan is attached at the end of this report. A parking variance is required.

The apartment was previously run as a typical rental apartment, without any tenant restrictions as to age, occupation, etc. Under the new rental format, it soon became obvious that the vast majority (approximately 85%) of these student occupied units do not own a vehicle. Furthermore, it became apparent that there is a severe shortage of furnished student rental accommodations within the area(s) of Victoria in proximity to such post-secondary educational institutions as the University of Victoria (UVic), the (Lansdowne) Camosun College, the Canadian College of the Performing Arts, and the CDI College campuses. This is confirmed by the consistently long student waiting list for this apartment building since the early 2013 inception of its' new rental format. This demand for student housing will continue to grow well into the future. The student enrollment for UVic, one of the main institutions creating this demand, is continually increasing, with 75% of it's' students being from out of the Region. The UVic student population has increased from 19,000 in 2009 to over 20,000 in 2012, an increase of more than 5%; enrollment for 2013 was up by another 500–1,000.

The subject 21 unit apartment complex currently provides 23 off-street parking spaces in back of the building, 7 of which are located under a cantilevered section of the second floor, a parking rate of 1.10 spaces per unit. A maximum of 6 of these stalls (1 of which had been used by the live-in manager) have been required for tenant related parking, leaving the building's back parking lot virtually empty; thus creating a perceived unsafe atmosphere. As a result, the 17 unused stalls have been rented out for vehicle storage and to employees working in the area as a means of creating a safer atmosphere in addition to the property generating some extra income. Copies of these Parking Space Lease Agreements are available for review in our files.

In view of the obvious high demand for this type of student housing and its' associated low demand for parking, the owners are proposing to create an additional 5 small rental suites, plus a fully secure locked bicycle storage area, by utilizing the area currently occupied by the 7 undercover stalls. This would result in the complex being comprised of 26 rental suites and 16 off-street parking stalls, a parking ratio of 0.62 spaces per unit. Although the actual 'tenant parking demand' for this particular apartment building is 0.29 spaces per unit, or 6 stalls, resulting in a significant over-supply of 10 parking stalls on the site after the new units are built, these unused stalls would no longer be rented out to non-tenants; on-site parking will continue to be provided to tenants at no extra cost. The new back-facing ground floor units and accompanying enclosed bicycle storage area, along with improved low intensity overhead lighting, will help create a safer atmosphere in the rear parking lot.

Since last May 2013, the subject apartment complex has been renting out its' fully furnished suites to post-secondary students only, many from outside of B.C. and Canada. As an example, following is a listing of the

1555 Jubilee Avenue – Parking Variance Study Adept Project JA -1001 – May 12, 2014

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majority of the current tenant educational institution destinations along with approximate distances from the subject apartment building; their locations are also shown in **Exhibit 1 on** the following page.

- Lansdowne Campus of Camosun College, approximately 2.5 km away at the corners of Lansdowne, Richmond, and Foul Bay Roads; with more than a dozen of the current tenants attending as students;
- > Canadian College of Performing Arts, approximately 1 km away at 1701 Elgin Road;
- University of Victoria, approximately 5 km away with more than a dozen tenants attending as students; and
- > CDI College; approximately 3 km away in the Quadra Village at 950 Kings Road.

Given the aforementioned situation, the Applicant is proposing to expand the number of rental units for this apartment building from 21 to 26 suites, and significantly improve its' bicycle parking situation, by converting the 7 existing under-cover parking spaces into 5 small suites; thus reducing its' off-street parking supply from 23 down to 16 spaces.

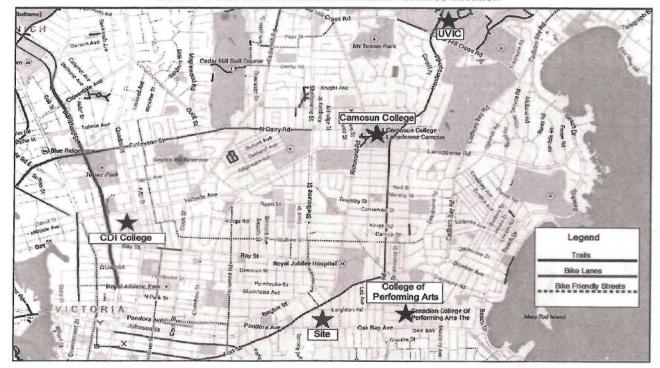


Exhibit 1: 'Site and Pertinent Educational Facilities Location'



TRANSIT

Convenient Transit service with excellent headways is provided along Fort Street and Oak Bay Avenue, ½ block away from the subject site to the north and south.

Route numbers 2 and 8 travel along Oak Bay Avenue with sheltered bus stops in close proximity to the site. Route #2 operates on 15 minute headways the majority of the day and connects the site and Oak Bay to the downtown core. Route #8 operates on approximate 30 minute headways and connects Oak Bay to Camosun College's Interurban Campus via regional shopping and employment facilities including Hillside Mall, Mayfair Mall and Tillicum Mall.

Route numbers 8, 11, 14, 15 and 33 all travel along Fort Street, with sheltered bus stops within a short walking distance from the site. These routes provide frequent service to major destinations including UVic, downtown Victoria, the Tillicum Mall, and Camosun College (Lansdowne).

A transit map is provided in Exhibit 2 for reference regarding the proximity of the site to the transit network.

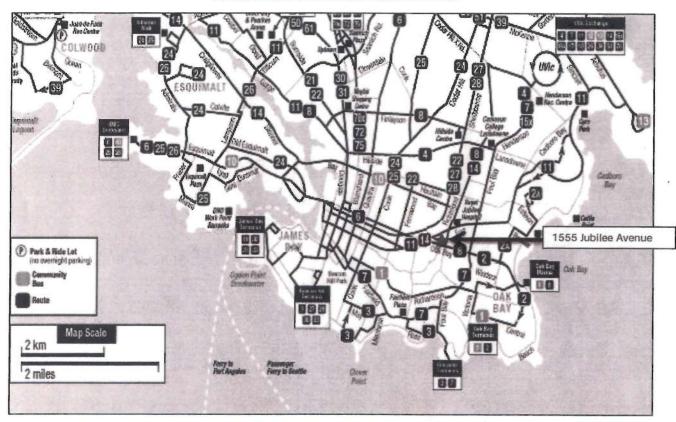


Exhibit 2: 'Site and Transit Route Location'

1555 Jubilee Avenue – Parking Variance Study Adept Project JA -1001 – May 12, 2014

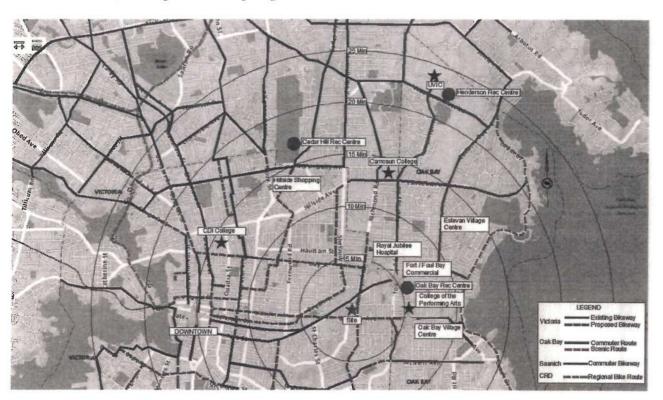
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CYCLING

Victoria, the "Cycling Capital of Canada" has a mild climate most of the year, moderate topography, and most of the population in the region is located within 6 km of the downtown, which is an ideal range for attracting cyclists. Cycling is one of the most sustainable modes of transportation; displacement of auto trips by cycling helps to reduce traffic congestion and reduces noxious emissions. Cycling can be combined with other travel modes, such as transit. The following **Exhibit 3 - Victoria**, **Oak Bay & Saanich Cycling Network** illustrates the City of Victoria, District of Oak Bay and connecting District of Saanich bikeway networks. The subject apartment is located in proximity to existing major bikeway routes.

Exhibit 3: Victoria, Oak Bay & Saanich Cycling Network



Bicycle travel time estimates from the subject apartment site are shown. These are estimates based on a 10 km/h bicycle travel speed and are for illustrative purposes only as there can be a large variation in cyclist travel speed based on ability and topography.

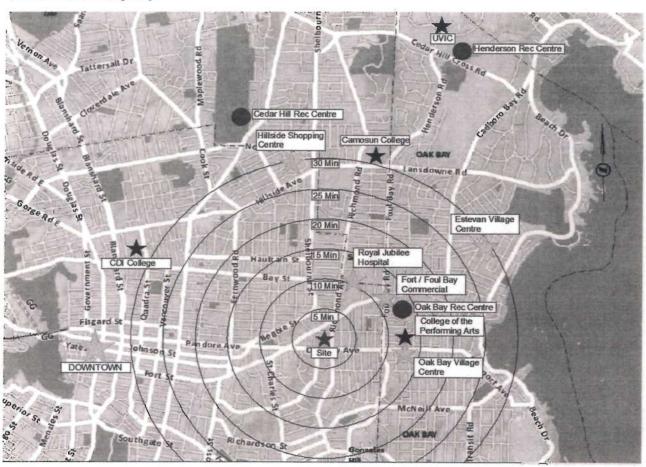


WALKING

As it has been noted above, the location of the subject site is within close proximity, or easy walking distance, to an array of amenities ranging from commercial to recreational to excellent transit services. In this mature neighborhood, infrastructure to accommodate pedestrians is already in place. There are existing concrete sidewalks along both sides of the roads in the vicinity of the site, along with controlled crossings at major intersections.

The following **Exhibit 4 - Walkability Map** shows the approximate walk distance and times for up to a 30 minute one-way walk trip. Major destinations are also identified. For this estimate, an average walk speed was assumed at 1.2 m/s.

Exhibit 4: Walkability Map



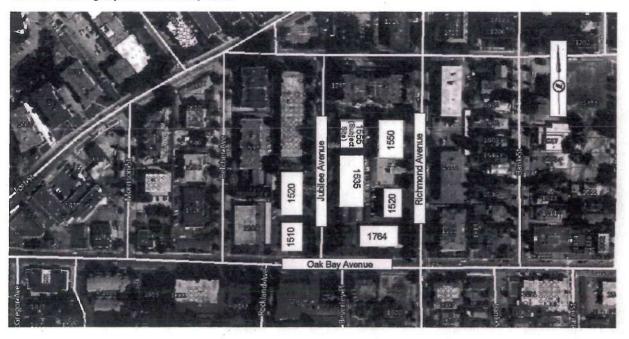


ANALYSIS

Tenant Parking Demand for Pertinent Standard Rental Apartments in the Subject Jubilee Avenue Area

As we have done in numerous other 'parking demand' studies, in order to better understand the existing parking trends of the subject site and similar nearby rental apartment complexes, we had ICBC undertake a vehicle ownership search for rental apartments relative to this study. The results are effective as of February 28, 2014. **Exhibit 5** on the following page shows the locations of the subject apartment and the other 6 unrestricted, or standard, apartment rental complexes analyzed as being pertinent to this study; these are listed on Table 1.

Exhibit 5: Study Apartment Complexes



As shown in the ICBC data, the subject 1555 Jubilee apartment complex has a resident-tenant vehicle ownership rate of 0.29 vehicles per suite, or 6 vehicles. This data is consistent with information provided by the client and live-in manager; the manager has recently sold his vehicle as he has discovered it was unnecessary.

The other 6 surveyed rental apartment complexes in close proximity of the subject Jubilee Avenue project have a mean average resident-vehicle ownership rate of 0.56 vehicles/suite; with a median average of 0.59. Furthermore, it was discovered that virtually all visitors to the Jubilee Avenue Apartments park on the street due to 'convenience' to the front entries and the availability of on-street parking space.

The parking section of the City of Victoria Zoning Regulation Bylaw for the subject site's R3-2 zone stipulates an off-street parking requirement of 1.3 spaces per multiple (rental) dwelling unit of which 10% of the parking supply



must be assigned for visitors. The current parking supply for the existing 1555 Jubilee Avenue rental apartment is slightly less than the bylaw requirement but has always operated with excess parking. Twenty-three (23), or a ratio of 1.10 spaces per unit, off-street parking spaces are currently provided for the existing 21 rental units. The other 6 surveyed rental apartments supply off-street at parking rates ranging from 0.62 to 1.0 space per unit (see Table 1); all of these apartments have a surplus of off-street parking.

The following **Table 1** summarizes the results of our requested ICBC search of actively insured vehicles by postal code, address and city, as of February 28, 2014, as well as the actual parking supply data, relative to this study:

Table 1: Existing Parking Demand for Subject 'Student Rental' Apartment and 'Standard Rental Apartments in Proximity to Subject Site (refer to Exhibit 5 for Apartment locations)

Postal Code	Address	No. of Rental Units/Suites	Registered Tenant Vehicles	Actual Parking Rate	Parking Supply / Rate (spaces per unit)
V8R 4N4	1555 Jubilee Ave.	21 (26 proposed)	6	0.29	23 / 1.10 (current) - 0.62 (proposed)
V8R 4N4	1535 Jubilee Ave.	43	27	0.63	43 stalls / 1.0 stall per unit
V8R 4N4	1510 Jubilee Ave.	24	17	0.71	23 / 0.96
V8R 4N4	1520 Jubilee Ave.	30	18	0.6	29 / 0.97
V8R 4N4	1764 Oak Bay Ave.	52	22	0.42	32 / 0.62
V8R 4N4	1520 Richmond Ave.	24	10	0.42	20 / 0.83
V8R 4N4	1550 Richmond Ave.	38	22	0.58	34 / 0.89

As shown in the above summary table of the ICBC data, the subject 1555 Jubilee Avenue apartment has a resident/tenant vehicle ownership rate of 0.29 vehicles per suite, or 6 vehicles.

The other 6 rental apartment complexes pertinent to his study have a mean average resident vehicle ownership rate of 0.56 vehicles/suite; with a median average of 0.59 vehicles/suite.

Since the inception of this 'fully furnished post-secondary student only rental concept', there has been a consistently long tenant waiting list. Few of these tenants have a vehicle and the majority of the existing 23 off-street parking spaces were left vacant; thus the 17 vacant spaces have been rented out on a monthly basis for vehicle storage or to people who work in the area.

On-Street Parking Supply

There is an abundance of partially 'time restricted' (i.e. 2 Hours, Monday-Friday 8am-6pm) on-street parallel parking along both sides of this block of Jubilee Avenue. There is space for approximately 37 vehicles to park along the 1500 block of Jubilee Avenue (18 along eastern & 19 along western curbs). In addition, this block provides 5 passenger zones (3 minute time restriction) in front of many of the apartments.



Visitor Parking

Although there is ample off-street parking available for 'visitors' for all of the rental apartment complexes in the vicinity of the subject site, the vast majority of visitors to the apartments located along the 1500 block of Jubilee Avenue park on the street. This is due to the combination of the consistent availability of on-street parking and the convenience of direct access to the apartments' front entrances.

Bicycle Parking

As per the City's bylaw requirement, the new construction of the subject apartment building will include secure lock-up storage for 26 bicycles (1 per unit) plus a conveniently located outdoor bicycle rack for 6 bicycles. This is shown on the attached Site Plan.

CONCLUSIONS

City of Victoria Council has granted many parking variances in the past when presented with valid parking studies that support a parking relaxation. The City recognizes reduced parking requirements are warranted based on project specifics such as 'site location' and 'use'. Given the specific use of the subject rental apartment for student housing, in conjunction with the site being well serviced by transit, walking and cycling infrastructure, local amenities, and the relative proximity to the student residents' post-secondary educational institution destinations, the requested parking variance for this complex is warranted. Furthermore, in addition to a surplus of off-street parking for the surveyed apartments, there is ample on-street parking available along both sides of the 1500 block of Jubilee Avenue for visitor parking. These factors have an impact on the parking demand of the studied apartments, resulting in justification for a reduction in the off-street parking bylaw requirement for the subject site.

The current City of Victoria 'off-street parking bylaw' for the subject site's R3-2 Zone does not fully recognize the important effect that location and specific use have in a reduced parking requirement for apartments.

In addition to the proximity of the subject student-only rental apartment being located relatively close to the tenants' educational institution destinations, the site is well serviced by transit, (pedestrian) sidewalks, and cycling facilities, as well as all necessary amenities (i.e. grocery and other shopping, restaurants / cafes, and medical, including a major Hospital, facilities); all contributing to a low vehicle ownership rate.

Our recent 'project specific' research findings have determined that a parking variance as per our recommendation is justified for this project; a reduction in the current 1.3 stalls / per unit rate down to 0.62 stalls / per unit is warranted. This would permit the subject rental apartment to continue operating without any restrictive covenants regarding 'tenant type' being necessary, if that was to be considered an option.

Since the inception of this 'fully furnished post-secondary student only rental concept', there has consistently been a long tenant waiting list. Few of these tenants have a vehicle and the majority of the existing 23 off-street parking spaces were left vacant; thus the 17 vacant spaces have been rented out on a monthly basis to non-tenants in the past.



It should be made clear that the expanded subject apartment is intended to continue to operate as 'fully furnished for student only' rentals; thereby ultimately only requiring in the range of 8 off-street parking spaces, a parking rate of about 0.30 spaces per unit. However, it is not intended to rent out the surplus stalls for non-tenant use once the new suites are constructed.

Justification for approval of our recommended parking variance is as follows:

- the fact that the relevant 'standard' rental apartments in the vicinity of the subject site have an average resident (tenant) vehicle ownership rate of 0.59 vehicles per unit;
- > the fact that the majority of the visitors to the Jubilee Avenue apartments park on the street due to the 'availability' and 'convenience' factors;
- > the specific use of the subject apartment building as full furnished rentals for students-only;
- close proximity to all required amenities and pertinent post-secondary educational facilities, and relative proximity to the downtown and Oak Bay Village core areas;
- > well serviced by public transit and pedestrian / cycling infrastructure;
- > the addition of a secure bicycle lock-up room plus an outdoor bicycle rack for short term use as shown on the attached Site Plan;
- > compatibility with the City of Victoria and the CRD adopted strategies for encouraging travel modes other than the automobile; and
- > the trend towards lower vehicle use, or "Active Transportation", which refers to any form of humanpowered transportation such as walking, cycling, etc.

RECOMMENDATIONS

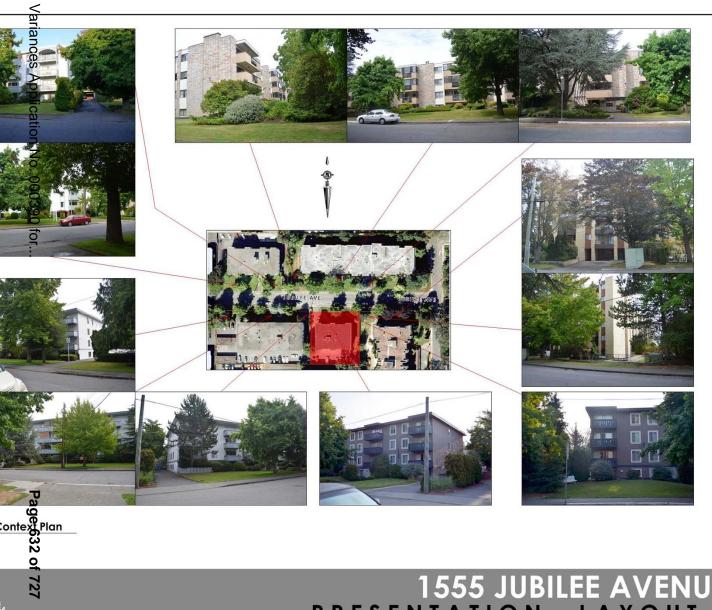
In view of our research, analysis and findings regarding the actual 'parking demand' for this project and our other surveyed apartments, we recommend that Council approve an off-street parking variance for this project from 1.3 spaces per unit down to 0.62 spaces per unit; a variance of 18 off-street parking spaces. That is, instead of the 34 (i.e. 26 units X 1.3) spaces that would be required under the current bylaw, that Council approve 16 (i.e. 26 X 0.62) off-street parking spaces for this permit application.

Furthermore, in view of the fact that the other surveyed apartments have an average resident vehicle ownership rate of 0.59 vehicles per unit with an abundance of on-street parking being available along the 1500 block of Jubilee Avenue for visitor use, in conjunction with the convenient location of the subject area and the proximity to all amenities and non-vehicle travel mode services, we suggest that it is not necessary to attach a 'student-only rental' restrictive covenant to this application.

1555 Jubilee Avenue - Parking Variance Study Adept Project JA -1001 - May 12, 2014

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CONTEXT PLAN

proposed addition:

For Kasaiah Investment Corp. 1555 Jubilee Ave. Oak Bay Junction Apartments Victoria, B.C.

> drawing # 7438

drawn by MRB



1555 JUBILEE AVENUE PRESENTATION LAYOUT

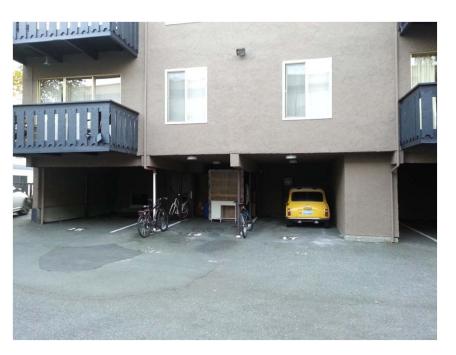
Date: 20/4/15

1555 Jubilee Avenue

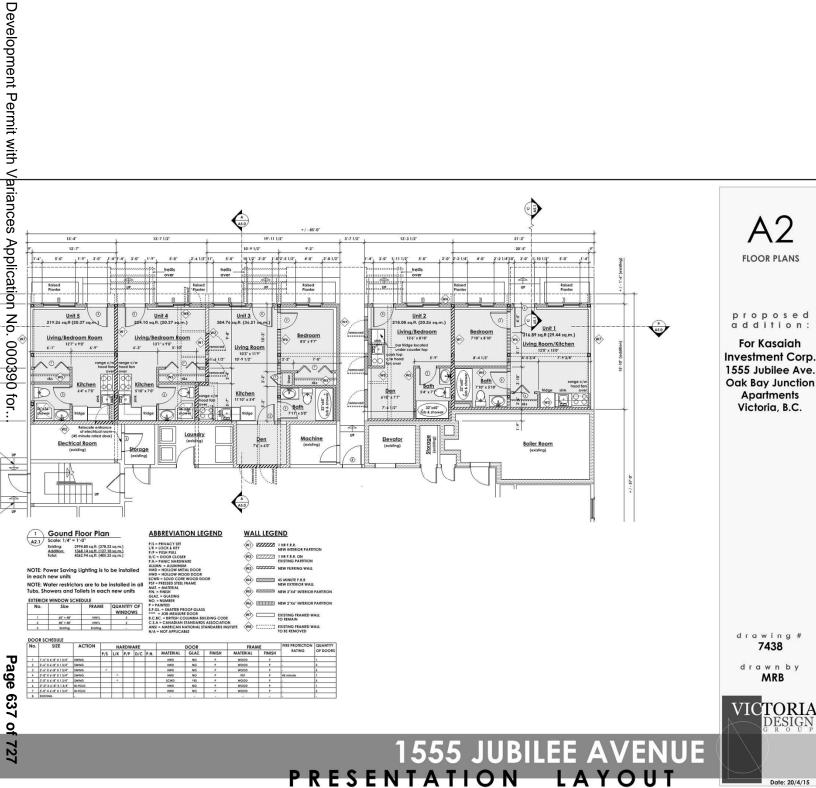


Proposed location of suites





WWW.VICTORIADESIGNGROUP.CA



drawing # 7438 drawn by MRB VIC<mark>TORIA</mark> DESIGN

1555 Jubilee Avenue Surface parking lot





Perelopment Permit with Variage Building location

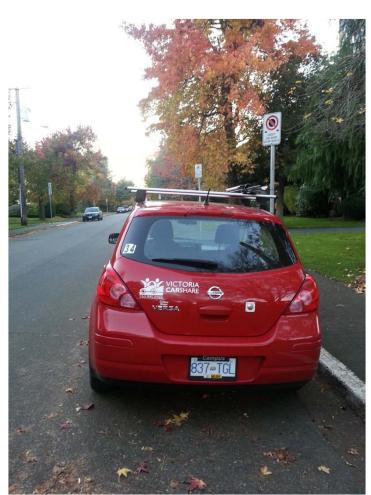


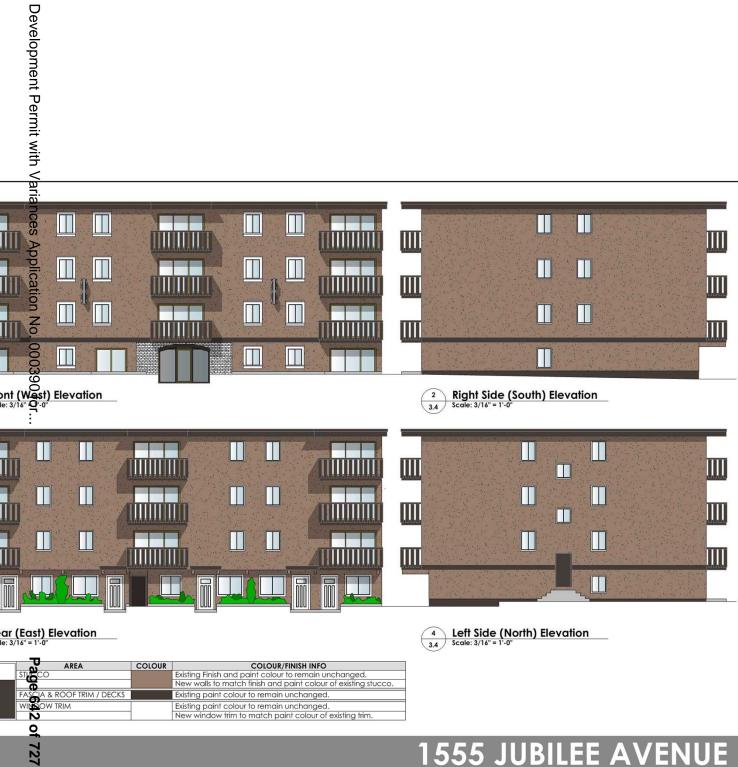


Date: 20/4/15

Jubilee Avenue Parking restrictions







COLOUR ELEVATIONS proposed addition: For Kasaiah Investment Corp. 1555 Jubilee Ave. Oak Bay Junction **Apartments** Victoria, B.C.

> drawing # 7438 drawn by

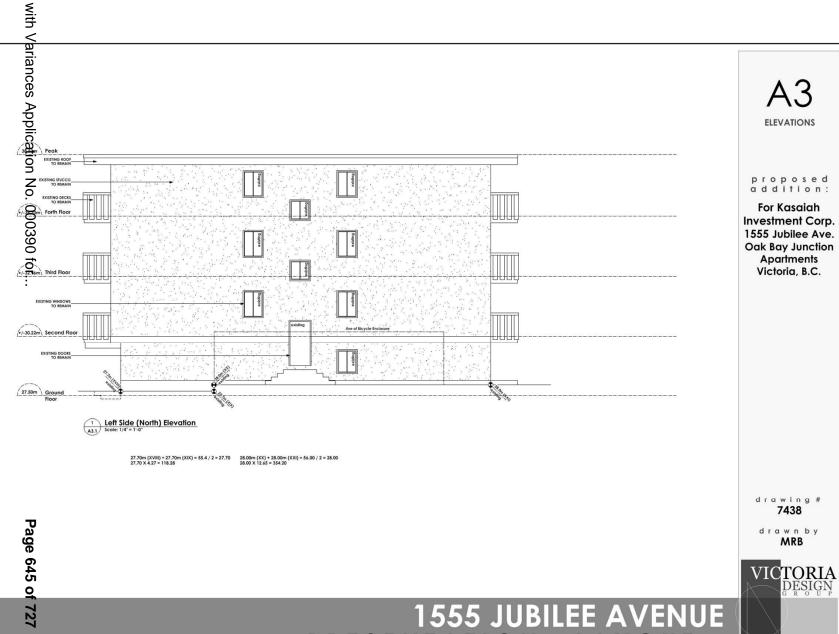
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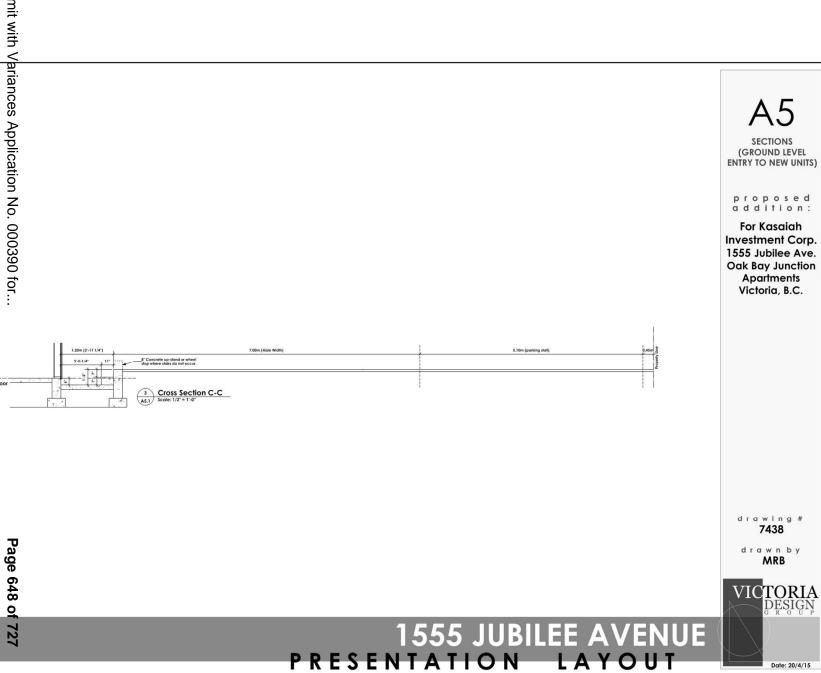
Date: 20/4/15

1555 JUBILEE AVENUE PRESENTATION

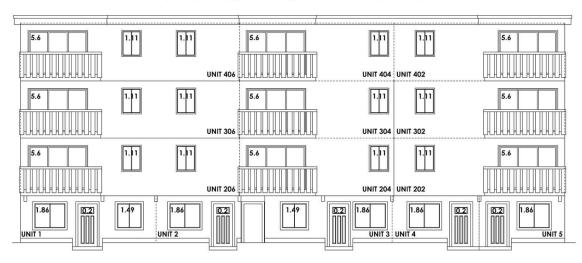
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PRESENTATION



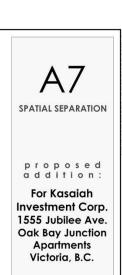
East Side Spatial Separation Data Sheet



UNIT 406 (Existing	ng)		
Limiting Distance	12.99	m.	
Exposed Building Face	28.55 100%	sq.m. % sq.m.	
Allowable Openings			
Allowable Opening Area	28.55		
Proposed Openings	7.82	sq.m.	
UNIT 306 (Existin	ng)		
Limiting Distance	12.99	m.	
Exposed Building Face	28.55	sq.m	
Allowable Openings	100%	76	
Allowable Opening Area	28.55	sq.m	
Proposed Openings	7.82	sq.m	
Exposed Building Face Allowable Openings Allowable Opening Area Proposed Openings	28.55 100% 28.55 7.82	sq.m sq.m sq.m	
UNIT 1 (Addition	n)		
Limiting Distance	13.53	m.	
Exposed Building Face	14.82	sq.m	
Allowable Openings	100%	75	
Allowable Opening Area	14.82	sq.m	
Proposed Openings	3.55	sq.m	
UNIT 2 (Addition	n)		
Limiting Distance	13.53	m.	
Exposed Building Face	9.46	sq.m	
Allowable Openings	100%	7%	
Allowable Opening Area	9.46	sq.m	
Proposed Openings	2.06	sq.m	

Limiting Distance	12.99	m.	
Exposed Building Face	20.14	sq.m.	
Allowable Openings	100%	% sq.m.	
Allowable Opening Area			
Proposed Openings	6.71	sq.m	
UNIT 304 (Existin	ng)		
Limiting Distance	12.99	m.	
Exposed Building Face	20.14	sq.m	
Allowable Openings	100%	% sq.m.	
Allowable Opening Area			
Proposed Openings	6.71		
Exposed Building Face Allowable Openings Allowable Opening Area	20.14 100% 20.14	sq.m. % sq.m.	
Proposed Openings	6.71	sq.m	
UNIT 3 (Addition	n)		
Limiting Distance	12.99	m.	
Exposed Building Face	20.14	sq.m.	
Allowable Openings	100%	%	
Allowable Opening Area	20.14	sq.m.	
Proposed Openings	3.42	sq.m.	

UNIT 402 (Existing Distance	12.99	m.
Exposed Building Face	20.14	sq.m
Allowable Openings	100%	%
Allowable Opening Area	22.25	sq.m
Proposed Openings	6.71	sq.m
Proposed Openings	9.71	sq.n
UNIT 302 (Existing	ng)	
Limiting Distance	12.99	m.
Exposed Building Face	20.14	sq.m
Allowable Openings	100%	7%
Allowable Opening Area	22.25	sq.m
Proposed Openings	6.71	sq.m
	MANAGEN	
UNIT 202 (Existing	ng)	
Limiting Distance	12.99	m.
Exposed Building Face	20.14	sq.m
Allowable Openings	100%	7%
Allowable Opening Area	22.25	sq.m
Proposed Openings	6.71	sq.m
UNIT 4 (Addition	1)	
Limiting Distance	12.99	m.
Exposed Building Face	9.75	sq.m
Allowable Openings	100%	76
Allowable Opening Area	9.75	sq.m
Proposed Openings	2.06	sq.m
UNIT 5 (Addition	n)	
Limiting Distance	12.99	m.
Exposed Building Face	9.57	sq.m
Allowable Openings	100%	7%
Allowable Opening Area	9.57	sq.m
Proposed Openings	2.06	sq.m



drawing #
7438
drawn by



1555 JUBILEE AVENUE

3.1 Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

Committee received a report regarding a heritage alteration permit application for 151 Oswego Street. The application is specific to the recent removal of the east addition and the reconstruction of the addition using new materials. The addition was originally envisioned to be retained and the commitment was secured in a Heritage Revitalization Agreement (HRA) that was adopted on July 24, 2014. The work will require an amendment to the HRA which requires Council approval.

Action:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends that Council consider the following motions:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00197 for 151 Oswego Street in accordance with:

- 1. Plans date stamped February 11, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements."

"That Council instruct staff to amend the Heritage Revitalization Agreement for 151 Oswego Street subject to the owner providing a letter of consent and in accordance with:

- 1. Plans date stamped February 11, 2015.
- 2. Letters of engagement from the Registered Professionals, dated November 30, 2014, and January 5, 2015, respectively."

Committee discussed:

- The City Solicitor has met with the developer; the meeting was productive but there are still concerns.
- Concern that the recommendation regarding the unauthorized demolition seems to be approving work that is contradictory to the issues raised in the report.
 - By supporting the recommendation the applicant would be required to replace the windows that have been installed with those that are depicted in the current HAP drawings.
 - What is under construction is different from the current HAP drawings and the intent of the HRA. The applicant would need to replace the windows with ones approved in the HRA or to be consistent with the current HAP drawings.
- There is a requirement that the applicant comply with the Heritage Revitalization Agreement which is specific and clear. It is also tied to the rezoning of the single family home and failure to comply will result in the occupancy permit for that home being withheld.
- Concerns that if the City allows the non-compliance in this instance, others will follow.

4.4 Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

Committee received a report regarding a Heritage Alteration Permit (HAP) Application for the property located at 151 Oswego Street. The application is specific to the recent removal of the east addition and the reconstruction of the addition using new materials. This addition was originally envisioned to be retained and this commitment was secured in a Heritage Revitalization Agreement (HRA) that was adopted on July 24, 2014. This work will require an amendment to the HRA which requires Council approval.

Committee discussed:

- Concern that approval of the HAP could be seen as condoning the contravention of the HRA.
 - Staff have discussed with the property owner his intent and have recommended that an amendment to the HRA would be required to continue work on the project.

Action:

It was moved by Councillor Madoff, seconded by Councillor Coleman that Committee table consideration of Heritage Alteration Permit Application No. 00197 for 151 Oswego Street to receive legal advice in a closed meeting.

CARRIED UNANIMOUSLY 15/PLUC079

6.1 Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

Committee received legal advice regarding the Heritage Alteration Permit (HAP) for 151 Oswego Street.

The discussion and motion were recorded and kept confidential.

CARRIED UNANIMOUSLY 15/PLUC0082

6.2 Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

Action:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee postpone consideration of Heritage Alteration Permit Application No. 00197 for 151 Oswego Street for two weeks, pending the receipt of further legal advice.

CARRIED UNANIMOUSLY 15/PLUC084



Planning and Land Use Report

For the Meeting of March 19, 2015

To:

Planning and Land Use Committee

Date:

March 5, 2015

From:

Murray G. Miller, Senior Heritage Planner

Subject:

Heritage Alteration Permit Application No. 00197 for 151 Oswego Street

RECOMMENDATION

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

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00197 for 151 Oswego Street in accordance with:

- Plans date stamped February 11, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements."

"That Council instruct staff to amend the Heritage Revitalization Agreement for 151 Oswego Street subject to the owner providing a letter of consent and in accordance with:

- 1. Plans date stamped February 11, 2015.
- 2. Letters of engagement from the Registered Professionals, dated November 30, 2014, and January 5, 2015, respectively."

LEGISLATIVE AUTHORITY

Heritage Alteration Permit

In accordance with Sections 972 and 973 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to the 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, siting, form, exterior design and finish of buildings and structures;
- (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.

Heritage Revitalization Agreement

In accordance with Section 966 of the *Local Government Act*, Council may, by bylaw, enter into or amend a Heritage Revitalization Agreement with the consent of the owner.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the property located at 151 Oswego Street. This Application is specific to the recent removal of the east addition and the reconstruction of the addition using new materials. This addition was originally envisioned to be retained and this commitment was secured in a Heritage Revitalization Agreement (HRA) that was adopted on July 24, 2014. This work will require an amendment to the HRA which requires Council approval.

The compliance of the proposed development with the HRA was considered in assessing this Application.

Staff recommend that Council consider authorizing the issuance of Heritage Alteration Permit No. 00197 and consider instructing staff to amend the HRA accordingly.

BACKGROUND

A Rezoning Application to permit the subdivision of the property into two parcels, for the purpose of developing a small lot single family dwelling, was approved conditional on an HRA that provided details for the conservation of the Heritage-Designated house. The HRA (151 Oswego Street) Bylaw No. 14-002 (Attachment 1) was adopted by Council on July 24, 2014, and outlined the requirements for the preservation of the heritage building.

In October 2014, staff received information that indicated that some of the work being executed on the site involved the demolition of a portion of the Heritage-Designated building that was to be retained and rehabilitated. Staff carried out site visits to record the conditions (Attachment 2).

Description of Proposal

The proposal is a retroactive application to address the recent removal of the east addition, which was to be retained and rehabilitated in accordance with the HRA. This proposal is for the reconstruction of the addition using new materials. In addition, door, window and exterior finishing details that were not included in the drawings prepared by Zebra Design have been provided in the current drawings prepared by Keay Cecco Architecture.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies, regulations and agreements.

Heritage Revitalization Agreement

The HRA stipulates that all work required for the preservation, rehabilitation, restoration and maintenance of the heritage building shall be performed in accordance with good heritage conservation practices. The *Standards and Guidelines for the Conservation of Historic Places in Canada* (the "Standards and Guidelines") outline sound, practical advice aimed at achieving good conservation practice. The HRA states that prior to commencement of the work required for the preservation of the house, the owner will obtain all necessary permits from the City and engage a Registered Architect & Professional Heritage Consultant to oversee the work.

The project commenced in the absence of a Registered Architect and Professional Heritage Consultant. Staff have communicated this requirement of the HRA. The applicant confirms (Attachment 5) that the following professionals have since been retained:

- John Keay, Keay Cecco Architecture (Registered Architect)
- John Dam, John Dam & Associates, MCAHP (Professional Heritage Consultant).

Unauthorized Work

In relation to the removal of the east addition, the applicant indicates that the removal of the addition was necessary in order to facilitate the placement of the house on its new foundation (Attachment 4). The addition was not documented or photographed before its removal making it difficult for staff to assess on-site conditions at the time in order to determine whether the addition could have been retained and rehabilitated in-place or whether it could have been removed, set aside and subsequently reinstated. The Standards portion of the Standards and Guidelines recommend an approach that calls for minimum intervention, evaluation of condition and repair rather than replacement.

Staff have been working with the property owner to rectify these conditions and have signed off on minor works and provided advice to the owner on how best to proceed. The removal of the addition was not considered by staff to be minor works and given that the preservation of the addition was secured in a bylaw, Council's approval for this deviation to the HRA is required.

CONCLUSIONS

The HRA sets out key obligations of the owner in preserving the Heritage-Designated property located at 151 Oswego Street. The HRA was entered into between the City of Victoria and Daniel John Miller and Carla Ann Pusateri in July 2014; however, upon approval of the rezoning small lot subdivision, the property was sold to the present owner. The present owner was unfamiliar with the conditions of the HRA, which led to frustrations with the previously agreed-upon obligations and how the conditions of the HRA were being interpreted in respect to the requirement to preserve the house, obtaining necessary permits and retaining specified professionals. Staff have worked with the owner to resolve deviations from these obligations including signing off on minor works and clarifying the approach to preservation. Staff considers that the removal of the addition without approval is a substantive departure from the scope of work anticipated in the HRA and, therefore, Council's approval is required. This Heritage Alteration Permit Application brings the key owner obligations into alignment with the HRA. Staff, therefore, recommend that Council consider authorizing the issuance of Heritage Alteration Permit No. 00197 and instructing staff to amend the Heritage Revitalization Agreement accordingly.

ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00197 for the property located at 151 Oswego Street.

Respectfully submitted,

Murray G. Miller Senior Heritage Planner Community Planning Division Andrea Hudson, Assistant Director Community Planning Division Sustainable Planning and Community Development Department

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Report accepted and recommended by the City Manager: ___

Jason Johnson

Date:

March 11, 2015

MM:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\HAP\HAP00197\PLUC REPORT 6MARCH2015.DOC

List of Attachments

- Attachment 1 Heritage Revitalization Agreement (adopted July 24, 2014)
- Attachment 2 Photographs
- Attachment 3 Revised plans, date stamped February 21, 2015, and March 4, 2015
- Attachment 4 Applicant letter, date stamped February 11, 2015
- Attachment 5 Letters of engagement from the Registered Professionals, dated November 30, 2014, and January 5, 2015, respectively.

HERITAGE REVITALIZATION AGREEMENT (Pursuant to section 966 of the Local Government Act)

This Agreement made as of the day of	, 2014.
EN:	
THE CORPORATION OF THE CITY OF VICTOR #1 Centennial Square Victoria, B.C. V8W 1P6	RIA
(the "City")	OF THE FIRST PART
DANIEL JOHN MILLER and CARLA ANN PUSATERI 151 Oswego Street, 2 nd Floor Victoria, B.C. V8T 2Z9	
(collectively the "Owner")	
OF	THE SECOND PART
ROYAL BANK OF CANADA 180 Wellington Street Toronto, O.N. M5J 1J1 For other registered chargeholder from time to time.	1
	THE CORPORATION OF THE CITY OF VICTOR #1 Centennial Square Victoria, B.C. V8W 1P6 (the "City") DANIEL JOHN MILLER and CARLA ANN PUSATERI 151 Oswego Street, 2 nd Floor Victoria, B.C. V8T 2Z9 (collectively the "Owner") OF ROYAL BANK OF CANADA 180 Wellington Street

OF THE THIRD PART

WHEREAS:

A. The Owner is the registered owner of the lands and premises located in the City of Victoria, British Columbia, civically known as 151 Oswego Street, which lands are legally described as:

(as to priority)

Parcel Identifier: 004-453-395 Lot 1, Beckley Farm, Victoria City, Plan 134

(the "Lands").

- B. Presently situated on the Lands is a residential building that is protected heritage property under the terms of the City of Victoria Heritage Designation Bylaw No. 7082, and which building the City and the Owner agree has significant heritage value (the "Heritage Building").
- C. The Owner wishes to redevelop the Lands (the "Development") by preserving, rehabilitating and restoring the Heritage Building, and subdividing the Lands into two (2) parcels for the purpose of developing a second single family dwelling.
- D. The Owner has applied to rezone the Lands to permit the Development, under the terms of the City of Victoria Zoning Regulation Bylaw, Amendment Bylaw (No. 953).
- E. The Owner and the City wish to preserve the Heritage Building, and to provide for its preservation, rehabilitation, restoration and maintenance in accordance with the terms of this Agreement.
- F. Section 966 of the Local Government Act authorizes the City, by bylaw, to enter into a Heritage Revitalization Agreement (the "Agreement") with the owner of heritage property.
- G. The Owner and the City have agreed to enter into this Agreement setting out the terms and conditions under which the Heritage Building will be preserved, rehabilitated, restored and maintained.

NOW THEREFORE this Agreement witnesses that in consideration of the mutual promises exchanged in this Agreement and for other good and valuable consideration (the receipt and sufficiency of which both parties acknowledge), the Owner and the City each covenant with the other pursuant to section 966 of the *Local Government Act*, as follows:

1.0 **DEFINITIONS**

- 1.1 In this Agreement the words "preservation", "rehabilitation", "restoration" and "maintenance" have the meanings defined in the Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (2010).
- 1.2 In this Agreement the word "Owner" includes a person who acquires an interest in the Lands and is thereby bound by this Agreement, as referred to in sections 10.1 and 13.1.

2.0 REDEVELOPMENT OF THE LANDS

2.1 The Owner covenants and agrees with the City that it shall develop the Lands strictly in accordance with the terms of this Agreement, and as required under the

terms of any permits or approvals issued by the City respecting the development of or construction upon the Lands.

3.0 OBLIGATION OF OWNER TO PRESERVE THE HERITAGE BUILDING

- 3.1 The Owner covenants and agrees that it shall preserve, rehabilitate, restore and maintain the Heritage Building (the "Work") substantially in accordance with the Plans and recommendations contained in the Window Assessment, both of which are attached to this Agreement as Schedule "A" (collectively, the "Heritage Conservation Plan").
- 3.2 Prior to commencement of the Work required for the preservation, rehabilitation, restoration or maintenance of the Heritage Building, the Owner shall obtain all necessary permits and licences from the City to permit commencement and completion of the said Work, including where necessary, and without limitation, a heritage alteration permit.
- 3.3 All work required for the preservation, rehabilitation, restoration and maintenance of the Heritage Building shall be performed at the Owner's sole expense in accordance with the Heritage Conservation Plan, and in accordance with good engineering and heritage conservation practices.
- 3.4 The Owner covenants, agrees and confirms that:
 - (i) prior to commencement of the Work, the Owner will engage a Registered Architect & Professional Heritage Consultant or a Registered Architect who is a current member of the Canadian Association of Heritage Professionals (the "Registered Professional") to oversee the work of contractors and tradespersons to ensure that all Work is carried out in accordance with the Heritage Conservation Plan and shall provide the name and contact information of the Registered Professional to the City;
 - (ii) the Owner will notify the City as soon as possible if the Registered Professional's engagement with the Owner is terminated for any reason; and
 - (iii) upon substantial completion of the Work and prior to applying for an occupancy permit for the Heritage Building, to provide written confirmation from the Registered Professional confirming that the architectural, engineering and technical details and components of the Work comply in all material respects with the requirements of the Heritage Conservation Plan and the requirements of this Agreement.

4.0 PRIORITY AGREEMENT

4.1 ROYAL BANK OF CANADA, the registered holder of a charge by way of a Mortgage of Land against the within described property which said charge is registered in the Land Title Office at Victoria, British Columbia, under number CA946474 for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is

hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Land is subject to this Agreement, pursuant to section 966 and 976 of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charge in the same manner and to the same effect as if Notice had been filed prior to the said charge.

5.0 TIMING AND PHASING OF CONSTRUCTION AND OCCUPANCY

5.1 The owner shall not receive an Occupancy Permit for the second single-family residential dwelling on the Lands and will not permit the second single-family residential dwelling on the Lands to be occupied until the heritage conservation work described in the Heritage Conservation Plan is completed to the City's satisfaction and the Owner has provided to the City the written confirmation of the Registered Professional that is required under Section 3.4(iii).

6.0 NO LIABILITY TO CITY

- 6.1 In no case shall the City be liable or responsible in any way for:
 - (a) any personal injury, death or consequential damage of any nature whatsoever, howsoever caused, that may be suffered or sustained by the Owner or by any other person who may be on the Lands; or
 - (b) any loss or damage of any nature whatsoever, howsoever caused to the Lands, or any improvements or personal property thereon belonging to the Owner or to any other person;

arising directly or indirectly from compliance with the restrictions and requirements herein, wrongful or negligent failure or omission to comply with restrictions and requirements herein, or refusal, omission or failure of the City to enforce or require compliance by the Owner with the restrictions or requirements herein or with any other term, condition or provision of this Agreement.

7.0 INDEMNITY

7.1 The Owner shall at all times release, indemnify and save harmless the City of and from all loss and damage and all actions, claims, losses, including loss or reduction in the value of the Lands, costs, demands, expenses, fines, liabilities and suits of any nature whatsoever by whomsoever brought for which the City shall or may become liable, or may incur or suffer by reason of existence and effect, whether direct or indirect, of the restrictions or requirements under this Agreement or the breach or non-performance by the Owner of any covenant, term or provision hereof, or by reason of any work or action of the Owner in performance of its obligations hereunder, or by reason of any wrongful act or omission, default or negligence of the Owner.

8.0 NO DEROGATION FROM STATUTORY AUTHORITY

8.1 Nothing in this Agreement shall limit, impair, fetter or derogate from the statutory

powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement.

9.0 COMPLIANCE WITH LAWS

9.1 Despite any provision of this Agreement, the Owner shall comply with all laws, including bylaws of the City (including without limitation the City of Victoria Heritage Property Maintenance Standard Bylaw, as amended or replaced from time to time) and all regulations and orders of any authority having jurisdiction, and to the extent only that such laws, regulations and orders are mandatory and necessarily require the breach of any restriction or positive obligation herein to be observed or performed by the Owner, or less than strict compliance with the terms hereof, then the Owner, upon sixty (60) days' written notice to the City shall be excused from complying with such restrictions or performing such obligation and such restriction or obligation shall be suspended but only to the extent and for the time that such mandatory law, regulation or order is inconsistent with compliance with the said restrictions or obligations.

10.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

10.1 Notice of this Agreement will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 967 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of this Notice.

11.0 NOTICE

- 11.1 It is hereby mutually agreed that any notice required to be given under this Agreement will be deemed to be sufficiently given:
 - (a) to be delivered at the time of delivery; and
 - (b) if mailed from any government post office in the Province of British Columbia by prepaid registered mail addressed as follows:

if to the City:

The City of Victoria #1 Centennial Square

Victoria, B.C. V8W 1P6

if to the Owner:

Daniel John Miller and Carla Ann Pusateri 151 Oswego Street Victoria, B.C. V8T 2Z9

Unless otherwise specified herein, any notice required to be given under this Agreement by any party will be deemed to have been given if mailed by prepaid

registered mail, or sent by facsimile transmission, or delivered to the address of the other party set forth on the first page of this Agreement or at such other address as the other party may from time to time direct in writing, and any such notice will be deemed to have been received if mailed or faxed, seventy-two (72) hours after the time of mailing or faxing and, if delivered, upon the date of delivery. If normal mail service or facsimile service is interrupted by strike, slow down, force majeure or other cause, then a notice sent by the impaired means of communication will not be deemed to be received until actually received, and the party sending the notice must utilize any other such services which have not been so interrupted or must deliver such notice in order to ensure prompt receipt thereof.

12.0 TIME

12.1 Time is to be the essence of this Agreement.

13.0 BINDING EFFECT

13.1 This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. Without limiting the foregoing, and pursuant to section 966(10) of the *Local Government Act* RSBC 1996, c. 323, upon the filing of a notice of this Agreement in the Land Title Office under section 976 of the *Local Government Act*, this Agreement is binding on all persons who acquire an interest in the Lands.

14.0 WAIVER

14.1 The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

15.0 HEADINGS

15.1 The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.

16.0 LANGUAGE

16.1 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.

17.0 CUMULATIVE REMEDIES

17.1 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.

18.0 ENTIRE AGREEMENT

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

19.0 FURTHER ASSURANCES

19.1 Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

20.0 LAW APPLICABLE

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

21.0 AMENDMENT

21.1 This Agreement may be amended from time to time upon terms and conditions mutually acceptable to the City and the Owner only if the amendments are in writing and executed by the parties hereto, and only if the amendments are authorized by bylaw of the City.

22.0 COUNTERPART

22.1 This Agreement may be executed in counterparts and delivered by facsimile or emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

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

by its authorized signatories:		
Mayor Dean Fortin	_	
Corporate Administrator, Robert G. Woodland		

THE CORPORATION OF THE CITY OF VICTORIA

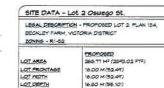
SIGNED, SEALED AND DELIVERED in the presence of: Witness Address JOHN D. MULLIN BARRISTER & SOLICITOR 1626 GARNET ROAD VICTORIA, BC V8P 3C8	DANIEL JOHN MILLER
Occupation	
SIGNED, SEALED AND DELIVERED in the presence of: Witness Address Barrister & Solicitor 102 - 1497 Admirels Road Victoria, BC V9A 2P8 Tel:(250) 590-1154 Fax:(866) 434-2053	CARLA ANN PUSATERI
Occupation)
ROYAL BANK OF CANADA by its authorized signatories:	
Print Name:	
Print Name:)

Planning and
and Land Use
e Committee
e - 30 Apr 2015

† e		2014 Feb 24	Prepared by Vintage Woodworks
<u>ง</u> ±.			
Alteration Perm	Window type	Current condition	Recommendation
Permit Application No. 00197 to 33	bottom hung	Curve glass top of rectangle unit. Lower hung is non-operable, painted shut. Jamb in good condition. Both sash in good condition. Putty is loose and missing in some parts. Hardware doublehung locks missing. The bush will trap moisture and prevent drying - typically rot will incur as a result particularily where you see the loose putty.	Remove bush in front of window as it will promote rot. Unit should be rehung, paint should be scraped to remove paint from sash to jamb preventing opening. Re-glaze upper and lower use existing glass and sash, install new hardware lock. Recommend storm window approx. 26 x 71 with curved inset
₩2 & W3 151 Osw	double hung double unit	True double hung unit. Ropes and pulleys are painted and windows painted shut to be non-operational. They have been painted in an open	Replace ropes and remove paint from pulleys, make units operational, scrape paint from window between sash and jamb. Reputty missing areas. Replace missing hardware with new. Recommend storm windows to reduce heat loss Supply storm windows 2 storms 26 x 71
W4	Leaded glass over picture unit	Not original to house - likely 1920's to 1930's. Stained glass upper fixed over 6 light lower fixed unit. Lower muntins in very poor condition appear chopped at - beyond repair. Jamb in good condition	Range in restoration of lower sash at minimal leave them in their worn condition (not recommended) or install new lower 6 lite sash. Use laminate glass on lower due to position of window in lot. Recommend storm window 40 x 71
W5	double hung	Old glass, sash and jamb in good condition, ropes are broken and window has been painted shut, all	Remove sash and re-hang with new ropes and make pulleys operable, no reglazing required, new hardware required. Remove paint between sash and jamb that is preventing opening.

Heritaç			10
7 W W W W W W W W W W W W W W W W W W W	double hung double unit		Replace ropes and remove paint from pulleys, make units operational, scrape paint from window between sash and jamb. Reputty missing areas. Replace missing hardware with new. Recommend storm windows to reduce heat loss. Supply storm windows 2 storms 28 x 71. Sill should be scraped of moss/fungus and heat stripped then treated with linseed oil and turpenine mixture then primed properly.
Application No. 001	Bottom hung	Not original to house - bottom hung 2 over 2 lites, friction hardware, rather than ropes and pulleys have been used. Unit has been painted in open position. Complete unit is tearing away from house. No longer complete interior stool.	Recommend new window unit with new jamb and interior stool. Suggest laminate glass with storms laminate as well. Carpentry and wall repair will be required unit 36 x 62
99 oor in 1976 itchen 151 Osw		Door requires rehabilitation.	Remove hinges and door handle back plate and boil in TSP & water outside for 10 - 20 minutes to restore to new appearance. Remove glass in door and replace with glue chip laminate
	home made	Lower originally was operable but has been painted shut in open position. Homemade windows with thin muntins. Friction stay locks were used to keep this window open in past.	Re-hang unit with friction hardware add storm window and glue chip laminate glass to storm. 31×40 Unique and would not remove this unit as it carries an interesting patina
W10 bathroom	casement	Casement unit opens inward, painted shut. Sash are rotting, exterior jamb is in good condition	recommend new sash with lam glass glue chip and new casement lock. No storm on bathroom as we typicaly do not promote heat retention to bathrooms.
W11 toilet Page 670 of 72		single casement unit glazed opaque yellow boken glass not original to house, air leakage non-fitting window. Exterior jamb rotting, sash rotting and sill slope almost non existent allowing water to sit on sill and rot the wood	Replace unit with new jamb and casement window - make window open outward vs inward and provide 7 degree minimal sill slope

Heritaç			11
Heritage 12 Heritage 13 Heritage 13 Heritage 13 Heritage 13	bottom hung	Unit is bottom hung friction unit painted shut in good conditoin as is jamb. Hardware is missing	Re-hang unit with friction hardware add storm window and laminate glass to storm. 30×71
Spper Standing ation	was a double hung	This unit is currently a fixed upper thermal unit and an awning lower thermal unit 3/8" airspace. Thermal units have failed. Sash only have been placed into the original jambs	Recommend new double hung sash upper and lower only as jamb is still in place. Rehang with ropes and pulleys and require new sash locks. Recommend single glazing with storms as they will not fail and will be consistent look to house
No. 00197 for 15¥Osw	double hung	cracked sill no longer attached to house. Window is non-operable due to painted shut. Original unit was just a lower hung using friction hardware. Interior stool is completely missing	Recommend new window unit with new jamb and interior stool. Suggest laminate glass with storms as well. Carpentry and wall repair will be required unit 29 x 62
₩15 Osw	was a double hung	This unit is currently a fixed upper thermal unit and an awning lower thermal unit 3/8" airspace. Thermal units have failed. Sash only have been placed into the original jambs	Recommend new double hung sash upper and lower only as jamb is still in place. Rehang with ropes and pulleys and require new sash locks. Recommend single glazing with storms as they will not fail and will be consistent look to house.
Bedrm door		same as kitchen	same as kitchen door



SETBACKS 235 M (7.71') 345H VARIANCE FRONT REAR 6.02 M(19.75) SIDE (NORTH) 2.15 M (1.05') SIDE (SOUTH) 201 M(6.86) AVG. GRADE 3.06 M(26.44°) STOREYS 2 STOREYS 7.49 M (24.57) BULDING HEIGHT ELOOR AREA UPPER PLOOR 17.15 M2 (890.41 FTF) MAIN FLOOR 84.99 MF (908.99 FTF)

BASEMENT 58.47 MP (629.55 FT?) GARAGE 21,49 M² (230,66 PT²) TOTAL FLOOR AREA 161.07 MF (1733.78 FT?) (0.60)

ELCOR AREA RATIO 6 36.12 % SITE COVERAGE OPEN SITE SPACE 34.73 % 1 SPACE PARKING

DRAWING LIST: SK1 PROPOSED SITE PLAN

5K2 LOT 1 EXISTING FLOOR PLANS LOT 1 RENO FLOOR PLANS

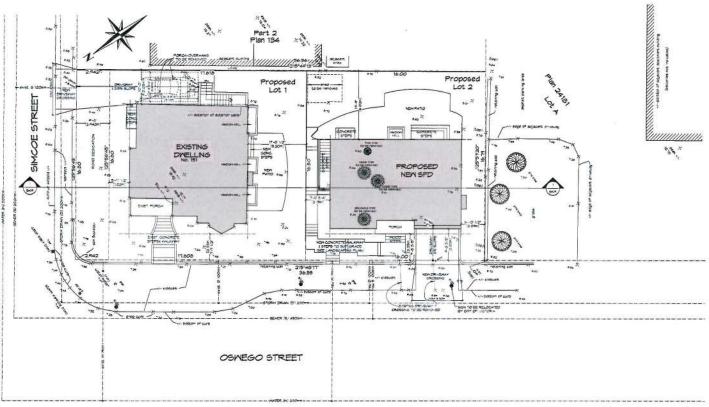
LOT 1 EXISTING ELEVATIONS SK5 LOT 1 RENO ELEVATIONS

SK6 LOT 2 FLOOR PLANS SKT LOT 2 ELEVATIONS

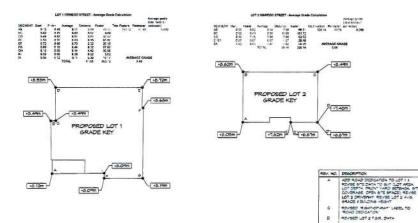
SK8 LOT 2 ELEVATIONS

WAR 20/15

Project: 151 OSNEGO ST. & SITE DATA SK9 SITE SECTION & STREETSCAPES



Site Plan - Proposed Lot 1 & 2 Scale: 1:100





Plan

PROPOSED SUBDIVISION PROPOSED SITE PLAN (LOT 1 4 2) & SITE DATA Revision S-rore this page S-rore this page S-DSG 19/12 D-MAR DO/15 မှ SK1 Proj.No. 2152

2015

Page 672 of 727

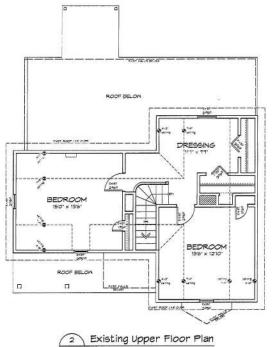
ZEBRADESIGN

Drawn By: K. BELFRY Date: DEC 15, 2012 Scale: AS NOTED Project: 151 OSMEGO ST. PROPOSED SUBDIVISION

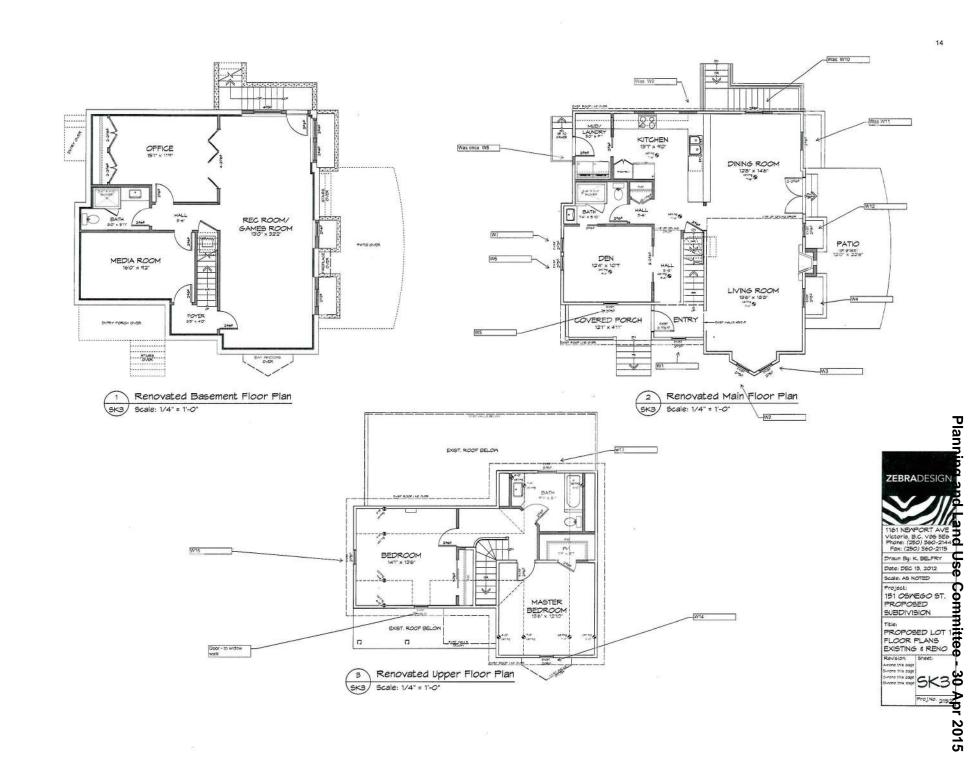
Title:
PROPOSED LOT 1
FLOOR PLANS
EXISTING & RENO C

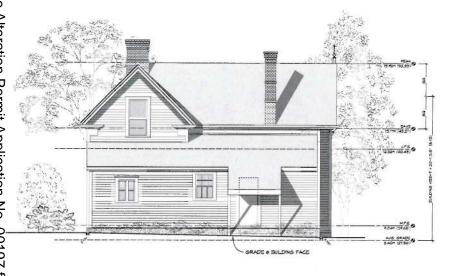
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SK2



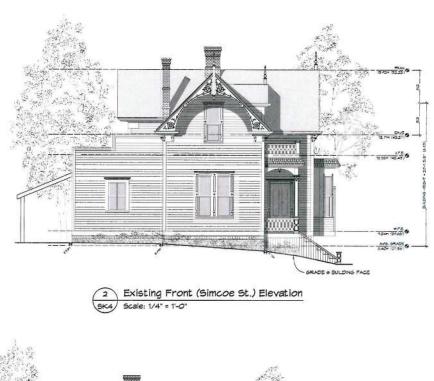
2 Existing Upper Floor Plan SK2 Scale: 1/4" = 1'-0"



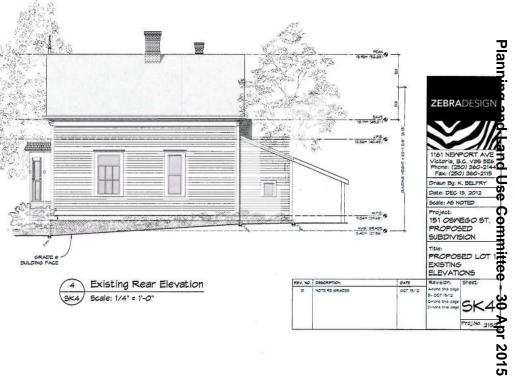


Existing Side (Interior) Elevation SK4 Scale: 1/4" = 1'-0"

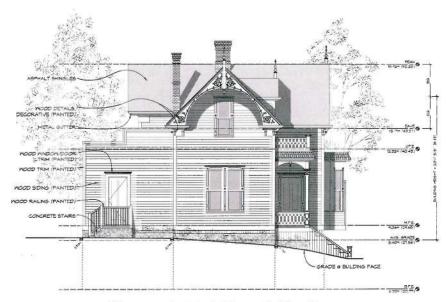




15

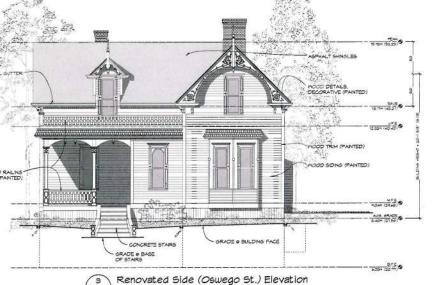




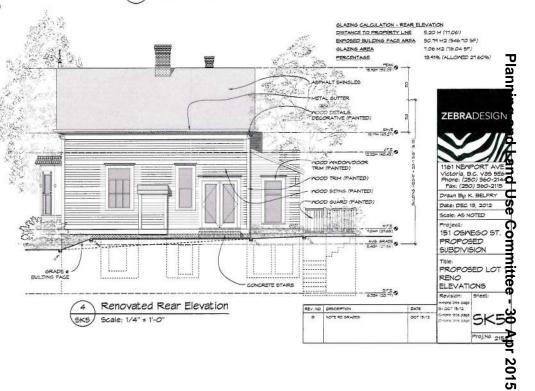


Renovated Front (Simcoe St.) Elevation

5) Scale: 1/4" = 1'-0"



Scale: 1/4" = 1'-0"



Page 676 of 727







THE **STANDARDS** The Standards are not presented in a hierarchical order. All standards for any given type of treatment must be considered, and applied where appropriate, to any conservation project.

General Standards for Preservation, Rehabilitation and Restoration

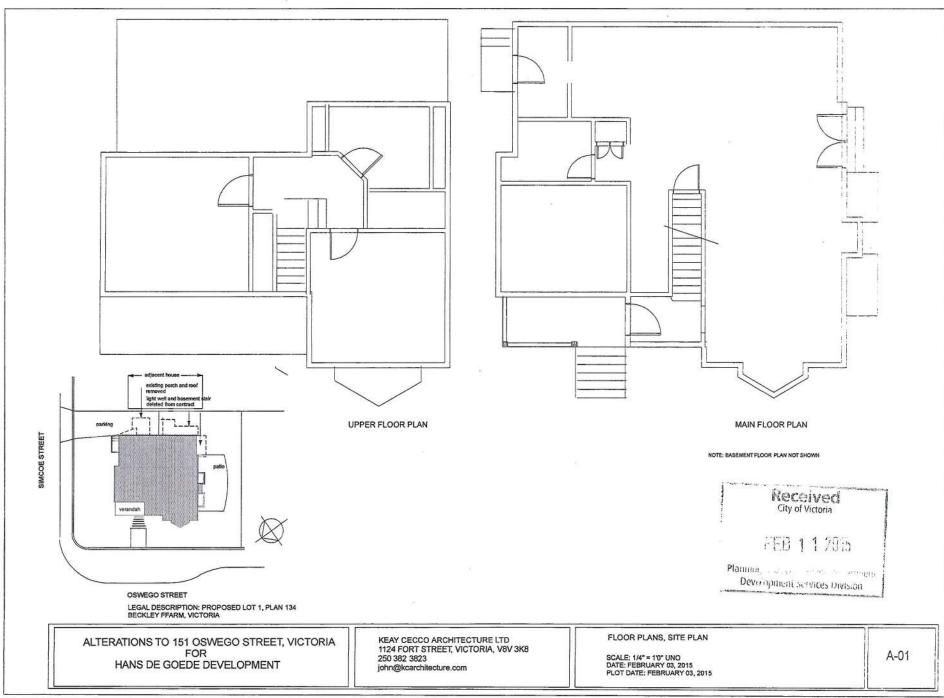
- Conserve the heritage value of an historic place. Do not remove, replace or substantially alter its intact or repairable characterdefining elements. Do not move a part of an historic place if its current location is a character-defining element.
- 2. Conserve changes to an *historic place* that, over time, have become *character-defining elements* in their own right.
- Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted.
- Find a use for an historic place that requires minimal or no change to its character-defining elements.
- 6. Protect and, if necessary, stabilize an historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbing archaeological resources, take mitigation measures to limit damage and loss of information.
- 7. Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- 8. Maintain character-defining elements on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.
- Make any intervention needed to preserve character-defining elements
 physically and visually compatible with the historic place and
 identifiable on close inspection. Document any intervention for
 future reference.

Additional Standards Relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the *heritage value* and *character-defining elements* when creating any new additions to an *historic place* or any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of an historic place will not be impaired if the new work is removed in the future.

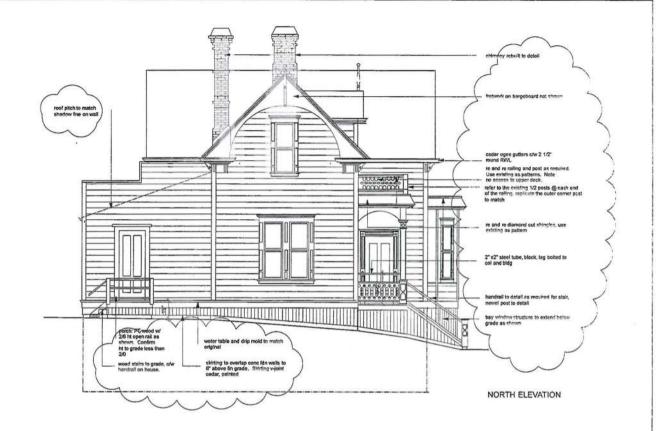
Additional Standards Relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14. Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.









City of Victoria

FEB 1 1 2015

Planning & Development Department Development Services Division

Received

ALTERATIONS TO 151 OSWEGO STREET, VICTORIA FOR HANS DE GOEDE DEVELOPMENT

KEAY CECCO ARCHITECTURE LTD 1124 FORT STREET, VICTORIA, V8V 3K8 250 382 3823 john@kcarchitecture.com

NORTH ELEVATION

SCALE: 1/4" = 1'0" UNO DATE: FEBRUARY 03, 2015 PLOT DATE: FEBRUARY 03, 2015

1. REFER TO SHEET A-06 FOR DETAILS
2. REFER TO SHEET A-07 FOR PHOTOGRAPHS PRIOR TO DECONSTRUCTION
3. REFER TO THE DRAWINGS PREPARED BY ZEBRA DESIGN FOR

4. CONFIRM REPAIR AND/OR REBUILDING OF EXISTING COMPONENTS AND DECORATIVE TRIM PIECES WITH THE ARCHITECT AND HERITAGE

BUILDING ENVELOPE DETAILS

CONSULTANT PRIOR TO STARTING WORK

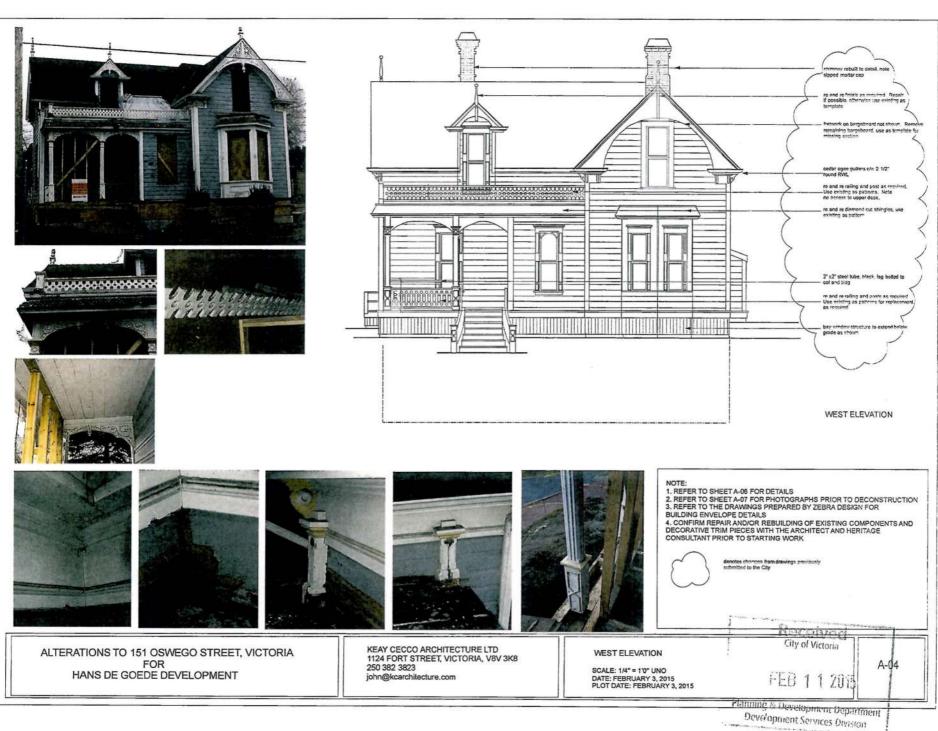
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A-02





Page 685 of 727



A-05



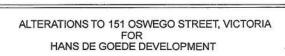




Received
City of Victoria

FEB 1 1 2015

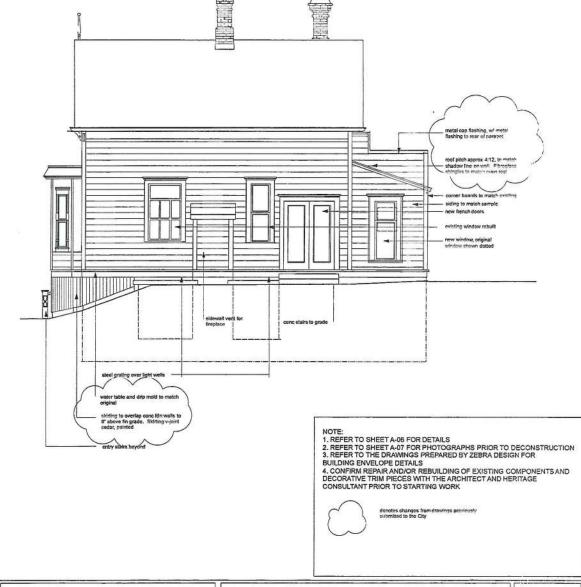
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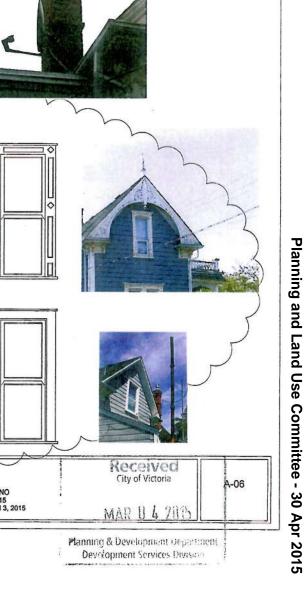


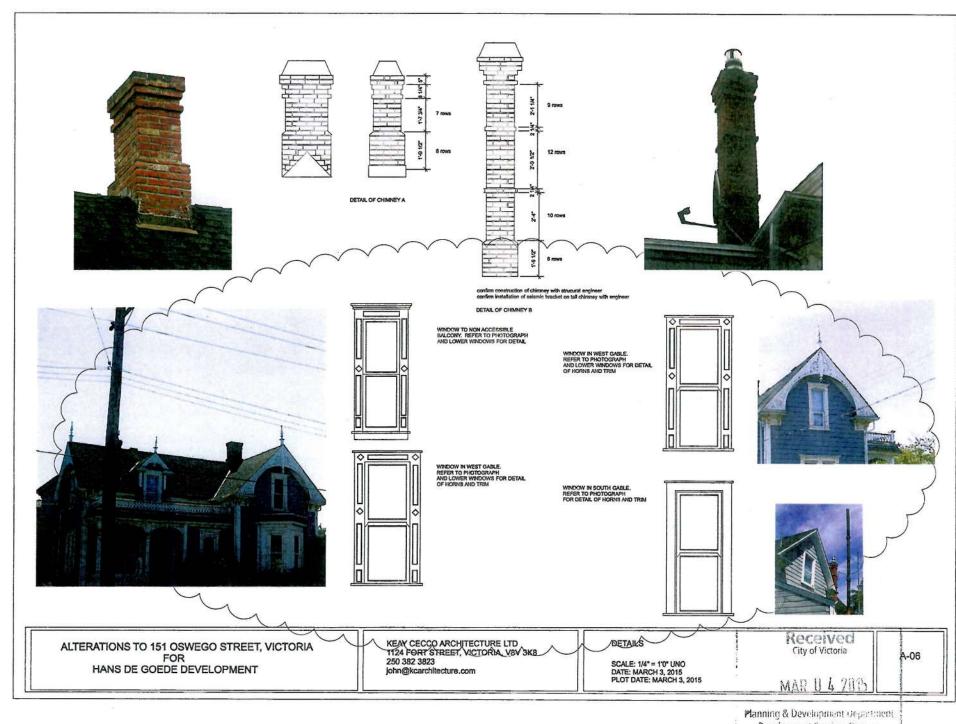


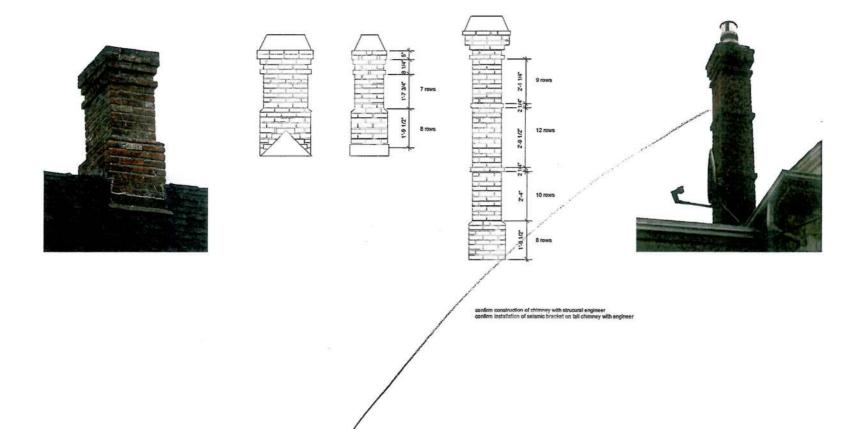
SOUTH ELEVATION

SCALE: 1/4" = 1'0" UNO DATE: FEBRUARY 3, 2015 PLOT DATE: FEBRUARY 3, 2015









FEB 1 1 2015
Planning is Development to present the present to sures the control of the control

ALTERATIONS TO 151 OSWEGO STREET, VICTORIA FOR HANS DE GOEDE DEVELOPMENT KEAY CECCO ARCHITECTURE LTD 1124 FORT STREET, VICTORIA, V8V 3K8 250 382 3823 john@kcarchitecture.com

DETAILS

SCALE: 1/4" = 1'0" UNO DATE: FEBRUARY 3, 2015 PLOT DATE: FEBRUARY 3, 2015 A-06

Planning and Land Use Committee - 30 Apr 2015











PHOTOGRAPHS TAKEN 1984



KEAY CECCO ARCHITECTURE LTD 1124 FORT STREET, VICTORIA, V8V 3K8 250 382 3823 john@kcarchitecture.com



SCALE: NTS DATE: JANUARY 21, 2015 PLOT DATE: JANUARY 21, 2015







PHOTOGRAPHED, AUGUST 2010

MECEIVEL City of Victoria A-07

Flanning & Development Department Devidopment Secures trensign



250-388-5288 john@jdabc.ca jdabuildingconservation.ca

February 5, 2015

City of Victoria 1 Centennial Square Victoria, British Columbia V8W 1P6

Received City of Victoria 1 1 2015 Planning & Development Department Development Services Division

Attn.: Mayor Helps & Council Members

Re: Heritage Alteration Permit

151 Oswego Street

Victoria, British Columbia

Dear Mayor and Council,

This letter is in response to the work being completed on the property located at 151 Oswego Street where the heritage designated historic home has been placed on a new concrete foundation in preparation for exterior conservation allowing for the redevelopment of the south side of the property. This letter will focus on the conservation of the heritage home taking into consideration the scope of work that has already been approved under the Minor Heritage Alteration Permit (MHAP #00108), addressing design deviations from this previous approval and ensuring the work is completed as per the final approved drawing and detail package.

The heritage house at 151 Oswego Street is a fine example of an Italianate cottage with the extensive application of decorative trim and quality millwork. Located at the corner of Oswego and Simcoe Sts., both the north and west elevations are on full display. Granted heritage designation in 1977 and relocated onto a new foundation in 2014, it is now in a state of disrepair requiring major rehabilitation. The proposed work will leave the main character defining elevations facing Simcoe and Oswego Streets substantially intact with only minor changes. The new additions and alterations will be confined for the most part to the south and back elevations. The conservation approach, as per the Standards & Guidelines for the Conservation of Historic Places in Canada, will be rehabilitation - 'involving the sensitive adaptation of a historic place... for a continuing or compatible contemporary use, while protecting its heritage value.' This will be achieved through repairs, alterations and/or additions and will include the replacement of missing historical features either through accurate replication or through a new design compatible with the design and character of the historic place.

Currently approved conservation work included the restoration and adaptation of the windows for improved thermal efficiency as per the previously approved Heritage Alteration Permit (HAP) and in accordance with the directions provided in the window condition assessment that forms a part of the Heritage Revitalization Agreement (HRA). The guardrails and trim were to be repaired and reinstated where the original material still existed and replicated where necessary with an allowance for new guards around the front porch as required. The front porch was to be renewed to provide protection 151 Oswego Street Victoria, British Columbia Heritage Alteration Permit Letter February 5, 2015

over habitable living space while the steps, though not contemporary with the original building, were to be recreated to replicate those that were designated. Asphalt shingles were to be the roof finish over the porch and bay windows while new pre-finished sheet metal gutters were to be installed. The chimneys were to be renewed under the direction of a structural engineer to replicate the original clay brick chimneys. A new side entrance was to be constructed to provide access on the north elevation. The door was to be compatible in appearance with the original windows and doors while the concrete steps and landing with a wood frame guardrail were to be of a more contemporary style incorporating simple vertical pickets. A new fireplace extension and a set of new French doors, sympathetic to the character of the house, were to be installed on the south elevation. The concrete foundation was to be exposed around the entire perimeter.

Proposed changes to the approved scope of work include refurbishing and reinstating the original front porch guardrail while adding a contemporary steel top rail to meet code requirements. The bay window on west elevation will extend down to grade and be finished at the base with vertical v-joint cedar skirting that will clad the concrete foundation around the entire perimeter of the house. The porch and bay window roofs are to have the cedar diamond shingles reinstated, utilizing replicated material where necessary while the new gutters are to replicate the cedar material and ogee profile of the original gutters. The chimneys, in addition to being replicated, are to also have a sloped mortar cap finish. A modified stair and landing utilizing wood frame construction will provide access to the entrance on the north elevation. The design for the guardrail will contemporarily reflect the guard around the front porch. The extension on the east elevation, removed to facilitate the placement of the house on the new foundation will be replicated as per the previously approved conservation drawings which had this extension retained and restored. The window on the south elevation of this addition, previously identified for reconditioning, will actually be a replacement window replicating the larger typical windows of the house.

All original trim and finish materials are to be retained, repaired and reinstated where possible and replicated with similar material utilizing identical geometry where necessary. Flashing is to be added where necessary to provide improved protection from future deterioration to the original trim and finishes. The addition this flashing is to be sympathetic to the appearance of the finishes of the house.

All of the previous approved work and proposed changes will be completed under the guidance of the Standards and Guidelines for the Conservation of Historic Places in Canada as follows:

- Repairing an exterior wall assembly, including its functional and decorative elements, by using a minimal intervention approach.
- Modifying, designing or replacing a new entrance, porch or balcony required by a new use or applicable codes and regulations, in a manner that is compatible with the buildings style, era and character.
- Replacing missing historic features by designing and constructing a new portion of the exterior wall assembly, based on physical and documentary evidence, or one that is compatible in size, scale, material, style and colour.

151 Oswego Street Victoria, British Columbia Heritage Alteration Permit Letter February 5, 2015

 Designing and installing a new window, door or storefront when it is completely missing, with a new design that is compatible with the style, era and character of the historic place, or a replica based on documentary evidence.

It is trusted that this letter meets with your requirements for the Heritage Alteration Permit at 151 Oswego Street. Please do not hesitate to contact me if you have any questions or comments or wish to further discuss the contents of this letter.

Sincerely

John Dam, Principal

Building Conservation Engineer

B.A.Sc., M.Sc., P.Eng., MCAHP, LEED AP BD+C

KEAY CECCO ARCHITECTURE LTD

JOHN KEAY, ARCHITECT, AIBC LARRY CECCO, IA, AIBC, MRAIC 1124 FORT STREET, VICTORIA, V8V 3K8

November 30, 2014

Hans de Geode 1840 Kings Road Victoria, BC V8R 2P3

via email handsgoededev@gmail.com

Dear Hans,

re: alterations to 151 Oswego Street

Further to our conversation, I met with Murray Miller, regarding work to be done on the house. Murray has explained to me that the work is directed by a Heritage Revitalization Agreement, and that this agreement required the work to be done under the direction of a registered Architect and also an individual who is a member of CAHP.

Our Architectural services would be:

- Drawings prepared for a Heritage Alteration Permit application. The scope of work would be generally as shown in the drawings as prepared by Zebra design drawings dated March, 2014
- ii. Identify work which has been carried out in contravention of the City agreements
- Research and preparation of drawings for building elements which have been removed, including the chimneys, summer kitchen, and other elements
- iv. Confirm that work will be done in accordance with the window assessment
- Obtaining agreement from all parties involved in the proposed blasting that no damage to the house will result
- vi. Co-ordination with a structural engineer
- vii. Co-ordination with a member of CAHP as required
- viii. The obtaining of strip out and Building permits is the responsibility of the Owner

Work would be done at our normal hourly rates.

Please note the following:

- a professional service agreement forms part of this proposal (attached)
- disbursements, including items such as printing, application fees, and GST, would be invoiced at cost plus 5%
- iii. other consultant services, such as structural, mechanical, electrical, and quantity surveyor would be in addition to our fees. I will confirm with the City as to whether a separate heritage planner (a member of CAHP) is required

Tel: 250 382 3823 Fax: 250 382 0413

Email: john@kcarchitecture.com

- Keay & Associate carries professional liability insurance with a value of \$2,000,000 aggregate and \$2,000,000 per claim
- v. The drawing would be based on your sketch.
- vi. changes to the scope of work which result in additional fees would be negotiated prior to undertaking the revised work
- vii. liability is limited to the extent of our fees.

Thanks for considering us for this work, we are looking forward to assisting you with this project. If you have any questions do not hesitate to call, please sign and return one copy by fax, or confirm acceptance by return email.

Yours truly,

John Keay

accepted



Z50-388-5288 john@jdabc.ca jdabuildingconservation.ca

jda

January 5, 2015

Hans DeGoede Development Ltd. 1840 Kings Road Victoria, British Columbia V8R 2P3

Attn.: Hans DeGoede

Re: Heritage Consulting Services 151 Oswego Street Victoria, British Columbia Project #: 1004.P01

Dear Hans:

In response to meeting with you (the Client) on site on December 23, 2014 and meeting with John Keay of Keay & Associate Architecture Ltd. (the registered professional) a few days previously, John Dam & Associates (JDA) is pleased to submit this proposal to provide heritage consulting services relating to the conservation of the historic building envelope and associated assemblies at 151 Oswego Street, Victoria.

Scope of Work

The heritage house at 151 Oswego Street is a fine example of an Italianate cottage with the extensive application of decorative trim and quality millwork. Located at the corner of Oswego and Simcoe Sts., both the north and west elevations are on full display. Designated in 1977, it has been contemplated for redevelopment on a number of occasions, most recently considered by the Heritage Advisory Committee in February of 2013, and now currently in the process of ameliorating the work completed to date to bring it back in accordance with the Heritage Revitalization Agreement (HRA) and the Heritage Alteration Permit (HAP). The scope of work approved and completed to date includes the relocation of the house onto a new concrete foundation within the original lot. Work undertaken that has not met with the approval of the City includes a number of exterior alterations and the partial demolition of a portion of the building. It is understood that the City of Victoria requires a registered architect and a professional heritage consultant to review the redevelopment work that is being completed on the house to ensure that it is in conformance with the HRA and the HAP and sympathetic to the recommendations provided by the Standards and Guidelines for the Conservation of Historic Places in Canada (S&G's).



151 Oswego Street Victoria, British Columbia Heritage Consulting Services Proposal January 5, 2015

Scope of Proposed Services and Fees

The heritage consulting work on this project will require the review of the HRA and the HAP (including drawings and specifications) to fully understand the scope of conservation work and the associated objectives of the City and to ensure that the proposed work in in accordance with the S&G's. The recommended, specified and detailed preservation work will have to be coordinated with the registered professional and a number of site reviews will be required to determine that the approved work, as identified by the HAP, is being completed in conformance with it. These site reviews will be coordinated with the registered professional to ensure that they are not unnecessarily duplicated. Dialogue with the city staff will also have to be maintained as well as the provision of any necessary documentation that will be requested to ensure that their requirements are addressed.

Invoices are rendered monthly with payment due within 30 days. GST is in addition to all fees and disbursements.

Terms and Conditions

All consulting work completed by JDA takes into consideration the highest achievable levels of durability and sustainability both in design and construction. In addition, work on historic buildings is aligned with guidelines that govern such work including the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

JDA does not have the expertise in the identification of organic growth associated with the deterioration of building materials nor its' impact on human health. JDA therefore cannot provide an opinion towards its extent of growth or its' potential health risk to those that come in contact with any such substance and cannot be held liable towards its' impact on the project and health of the people related to the project beyond reporting observations that are made of the presence of any material that may present itself as such a substance.

JDA does not provide services normally performed by other consultants including the identification of mould, fungus, mildew, asbestos, or other pollutants and contaminants. Our insurance policy has the industry standard exclusions relating to these substances. The Client agrees that JDA shall have no liability for any cause of action relating to them.

JDA has professional liability insurance coverage through Marsh Canada Ltd., including coverage for water ingress, which is not less than \$1,000,000 per claim or aggregate limit for the policy period. Any and all claim(s) brought against JDA shall be limited to the completed scope of services and the extent of coverage provided by the professional liability insurance in force.



151 Oswego Street Victoria, British Columbia Heritage Consulting Services Proposal January 5, 2015

Should this proposal be found favourable and subsequently accepted, we request the return of a signed copy to confirm the engagement of services.

Thank you for the invitation to provide you with this proposal. We trust that it meets with your requirements. Please do not hesitate to contact us if you have any questions or comments or wish to further discuss the contents of this proposal.

Sincerely

John Dam, Principal

Building Conservation Engineer

B.A.Sc., M.Sc., P.Eng., MCAHP, LEED AP BD+C

Please confirm your acceptance of this proposal by returning a signed copy.

ANS DE COSTA

Name:

Signature:

Date:

Mode 1/15



March 30, 2015

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

Honorable Mayor Lisa Helps and Council,

Re: 151 Oswego St., Victoria – Our Job #VID-14-036

This letter is in regards to the raise of a structure at 151 Oswego St., Victoria that Nickel Bros carried forth in late 2014.

I visited this job site 3 times and discussed the unsafeness of lifting the house with the back portion intact. The floor joists in the house did not run from front to back and the joists under the front of the house were 2'x8', whereas, the joists under the back were only 2'x4'. Under the back of the house, the joists were so close to the ground we were unable get steel beneath this area, also, due to their proximity to the ground, they had suffered from powder post beetle.

If you have any further questions please contact the office.

Sincerely,

Allan Nickel

Vice President / General Manager Vancouver Island Division

Safety. Precision. Integrity.

Vancouver: 1528 Broadway Street Port Coquitlam, BC V3C 2M8 Toll-Free: 1.866.813.9430 Fax: 604.944.6082 E-mail: Vancouver@nickelbros.com Vancouver Island: 1990 Balsam Road Nanaimo, BC V9X 1T5 Toll-Free: 1.866.320.2268 Fax: 250.753.8215 E-Mail: vanisland@nickelbros.com Seattle: 625 Riverside Road Everett, WA 98201 Toll-Free: 1.866.920.2767 Fax: 425.257.2069 E-mail: Washington@nickelbros.com

Residential: www.nickeibros.com

Industrial: www.nickelbrosindustrial.com

Hans De Goede Dev. Ltd. PH: 519-4761 Fax: 519-4762

April 16, 2015

Mayor and Council, City of Victoria

Regarding the HAP for 151 Oswego St.

Dear Mayor and Council,

I apologize for the amount of your time issues with the above have taken, I also apologize for my letter to you from a couple of weeks ago, in hindsight it was rash.

Firstly, I'm a builder, not the developer.

I bought this project from the Miller brothers with the understanding that I had a Heritage house to restore and a new house to build next door. A pretty exciting prospect for me, I have completed about ten Heritage projects. I had Nickel Bros. [house movers] contracted before I had possession. Of course there was much to be done before we could lift, but Alan Nickel and I both inspected and from what we could see this was not an unusual lift. We went through the Hazmat process [\$20,000] and started the interior strip out. It was then that we discovered that the lean to at the back was a later addition, not original to the house. We found from flashing tracks on the back wall of the main house that the original building had a one storey gabled room coming off the back that John Keay, our Heritage architect thought was probably a summer kitchen. At some point many years ago, that summer kitchen was removed and the lean to was added. Because the lean to was a later addition, the floor joists did not run through, critical to the lift, and to further complicate the issue, the joists under the addition were only 2x4. I had Nickel out two more times to see how we could resolve the issue. Having removed floor boards it was easier to see what we were dealing with, the 2x4 joists were almost on soil at their east end and due to dampness had begun to rot. Mr. Nickel described it as powder post beetle. I had another hard look and made the decision to demolish the addition only. There were no exterior openings on the addition to be saved. None of the interesting trim work that you see on the original building was copied on the addition. The "fabric" that has been referred to a number of times was just lap siding nailed directly to studs, no sub sheathing, no tarpaper. Where the interior of the main house was all lath and plaster, the addition just had wallboard and drywall. To top it off there was a makeshift structure added to the back of the lean to that compromised much of the siding on the East wall. My mistake here was not consulting with the Heritage Dept. first. I was using Nigel Banks as my Heritage consultant and discussed it with him. He concurred that to demolish was a reasonable option.

I did not demolish to save costs, it would have been much more cost effective for me to lift the whole structure and reinforce the existing framing members as we normally do in these circumstances. I would have been much further ahead. Perhaps if we had taken more time in demolishing the addition we could have saved more of the material. As it was we were able to save some of the original siding.

The original building was 1722 sq. ft. the addition on the back was only 346 sq. ft. That is what is on the table here, the removal of 346 sq. ft. The main building, 80% of the total structure was completely saved. The work is almost complete; the issues over five of the windows and the back door will be addressed and dealt with. Although citizens walking by often stop to compliment us on the job, I too have dealt with complaints. The backdoor neighbour would visit the site almost daily in tears and we would treat her respectfully and assure her that the finished product would look just fine and

compliment her home. It got so bad I took her out for a coffee and listened for an hour. Finally she demanded that we give her one of our Heritage interior doors.

When we excavated we ran into some rock at the east end of the building, close to that neighbour's house. We decided only to blast one small corner and turned the rest into crawlspace because I did not want to have to deal with the neighbour again. As it turned out, we had to reassure her every day and go for another coffee. Removing this square footage from the home will reduce its value.

Please remember too, the advantages the City gets from this endeavor. These numbers are not exact but give a pretty good idea of my commitment.

Road widening and moving of sidewalks plus crossings \$40,000

Engineering for the above \$10,000

Development charges for each lot \$5000 ea.

Hook up charges for each lot \$12000 ea.

Finally, it has been about 6 months since Mr. Miller and Mr. Handy first told me I would have to apply for a Heritage Alteration Permit. Neither explained the time it would take, or the possible consequences. Mr. Young mentioned consequences earlier, my wife and I have had a very difficult time with this and I still wonder why I was not allowed to address council earlier, because from what I understand, little of what I have said in this letter was known to you. I am looking at a considerable loss here.

Thank You for your time, Respectfully,

Hans de Goede



CITY OF VICTORIA PROPERTY MAINTENANCE BYLAW HEARING HEARING PROCEDURES

- 1. The Chair convenes the hearing and advises that City staff, the property owner, and affected members of the public may address this hearing.
- 2. The Chair explains what recommendation is before the Committee.
- 3. The Chair asks if the property owner received a letter and report from the City in regards to this matter.
- 4. The Chair asks if both parties are prepared to proceed with the hearing.
- 5. The Chair asks the City representative to give an opening statement and to present evidence, which may include calling witnesses.
- 6. The Chair allows the property owner to ask questions of City staff or of the City's witnesses.
- 7. The Chair asks the Committee if they want to question City staff or the City's witnesses.
- 8. The Chair asks the property owner to present his/her evidence, which may include the calling of witnesses.
- 9. The Chair asks City staff if they have any questions for the property owner or of their witnesses.
- 10. The Chair asks the Committee if they have any questions for the property owner or of their witnesses.
- 11. The Chair invites affected members of the public to address the hearing. Following each address, the Chair asks both City staff and the property owner if they have any questions for that member of the public.
- 12. The Chair asks the property owner if he/she has a closing statement.
- 13. The Chair asks City staff if they have a closing statement.
- 14. The Chair invites the property owner to provide any further comments.
- 15. The Chair closes the hearing and advises both City staff and the property owner that the Committee will now deliberate the matter and render a decision.
- NOTE If the staff report recommends a Remedial Action Requirement, and the Committee supports this recommendation, then the Committee must make a motion to Council recommending such action.



Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

March 25, 2015

From:

Robert Woodland, Director

Legislative & Regulatory Services

Subject:

Work without permit and illegal use – 12th Floor 865 View St. / Bylaw File #27577

Executive Summary

The purpose of this report is to recommend the filing of a notice on title in respect to work that has been done without permit to reconfigure the layout of the 12th floor at 865 View Street and change the use of the space. An inspection conducted by the City's Building, Plumbing, and Electrical Inspector's in November 2012 revealed building, plumbing, and electrical code violations. The property owner completed an electrical safety survey as ordered by the Electrical Inspector, but has failed to obtain the other permits necessary to bring the 12th floor into compliance.

Recommendation:

The Building Inspector recommends:

 That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 865 View Street, legally described as Lot A Plan 31096 Victoria of Lots 294/295/296/297 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Respectfully submitted

Andrew Dolan Senior Bylaw Officer

Bylaw & Licensing Services

Mark Hayden Manager,

Bylaw & Licensing Services

Robert Woodland

Director,

Legislative & Regulatory

Services

Report accepted and recommended by the City Manager:

Date:

List of Attachments

- Schedule A Directional letter from Bylaw Officer Mia Frankl to owner dated December 6, 2012.
- Schedule B Letter advising owner that PLUC Hearing was scheduled for August 21, 2014.
- Schedule C Letter from Officer Frankl to owner dated August 18, 2014, explaining what action the owner was required to take to postpone placing a notice on title.
- Schedule D Minutes from August 21, 2014 PLUC Hearing where Officer Frankl recommended that the matter be postponed for 30 days due to owners willingness to comply.
- Schedule E Letter from Senior Bylaw Officer Andrew Dolan to owner dated January 13, 2015 summarizing the City's efforts to obtain voluntary compliance.
- Schedule F Aerial photograph of the subject property.
- Schedule G Photographs depicting the work without permit.

Purpose

The purpose of this report is to advise the Committee about the work that has been completed without permit on the 12th floor of 865 View Street and the enforcement action that has been taken in order to secure voluntary compliance with Section 2.2(1) of the *Building Bylaw* and the *Zoning Regulation Bylaw*. This report sets forth a recommendation to the Committee that under Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, that a notice be filed in the Land Title Office in respect to this property to warn prospective purchasers and lenders of bylaw violations in respect to the work that has been done without permit and the resulting illegal use.

Background

Section 57 of the *Community Charter* allows the City to file notice on title of any property where the Building Inspector:

- a) observes a contravention of a municipal bylaw, provincial building regulation, or another enactment that relates to the construction or safety of buildings or other structures; or
- b) discovers that something was done without a permit or inspection.

Before notice may be filed on title under Section 57 of the *Community Charter*, Council must give the Building Inspector and the property owner an opportunity to be heard.

For the purpose of filing notices under Section 57(1)(b) of the *Community Charter*, the Manager of Bylaw & Licensing Services is a Building Inspector under the *Building Bylaw*.

Under the provisions of the *Property Maintenance Delegation Bylaw*, Council has delegated the authority to hold hearings and make decisions under Section 57 of the *Community Charter* to the Planning & Land Use Standing Committee.

Section 2.2(1) of the Building Bylaw states that a person must not:

- a) construct; or
- b) change the occupancy of a building unless the building's owner has obtained a building permit from the Building Inspector.

The *Building Bylaw* defines "occupancy" as the use or intended use of a building or part of a building for the shelter or support of persons, animals or property, according to the occupancy classifications for buildings set out in the *Building Code*.

Issues & Analysis

The property at 865 View Street is located in the Harris Green neighbourhood and is zoned R3-C-C, Central Area Multiple Dwelling District. The approved use of the 12th floor as per the approved building plans is recreation rooms. The inspection(s) conducted in November 2012 revealed that the actual use of the 12th floor had changed significantly. The recreation rooms had been converted without permits or permission to a 4 bedroom residential dwelling unit complete with kitchen and bathroom, and two separate offices. What follows is a chronology of the enforcement action taken by bylaw staff in order to gain the owners voluntary compliance:

Planning and Land Use Committee Report 865 View St. / Bylaw File #27577

March 25, 2015 Page 3 of 5

- Directional letter, dated December 6, 2012 (Schedule A) sent to the property owner detailing the results of the inspection and directing the owner to apply for permits and/or a rezoning in order to bring the property into compliance by March 5, 2013.
- Numerous email exchanges between staff and the owner/representative from January 30, 2013 to March 30, 2013. Owner wanted to just vacate the suites and leave the 12th floor empty pending a rezoning at a later date. Staff advised that there were critical building, plumbing, and electrical issues that had to be addressed, including; capping open sewer pipes, and completing an electrical safety survey.
- Additional email exchanges from April 1, 2013 to September 1, 2013 regarding the building, plumbing and electrical permit process. Owner/representative needed clarification of what work needed to be addressed. Plumbing and Electrical contractors were hired and Electrician subsequently obtained the permit necessary to complete the electrical safety survey ordered by the Electrical Inspector.
- Once the electrical safety survey was completed in 2013, staff were advised that the
 owner was undecided as to which direction he was going to take. The owner took no
 further action. Upon review of the enforcement file by a Senior Bylaw Officer in May 2014
 it was recommended that staff proceed with a report to the Committee recommending a
 notice on title. This report was completed and the matter was scheduled to be heard at the
 August 21, 2014 hearing.
- Upon receipt of the letter, dated August 11, 2014 (Schedule B) sent to the owner advising that staff were recommending placing a notice on land title, the property owner contacted staff requesting to know what steps needed to be taken to address the outstanding issues prior to the August 21, 2014 hearing, and whether or not staff would consider withdrawing the item from the agenda.
- A letter, dated August 18, 2014 (Schedule C) outlining what immediate action was required was faxed to the owner. The letter stated that if efforts were made to obtain the necessary permits then the recommendation may be reconsidered. The owner made arrangements to meet with the Building Inspector to discuss the options for bringing the property into compliance with the intent of moving forward with the permit application(s)
- This matter was heard before the Planning and Land Use Committee. Staff requested that the Committee postpone consideration of the matter for 30 days in order to allow the owner additional time to remedy the unauthorized construction. This request was granted and is noted in the minutes of the meeting (Schedule D). Apart from a few email exchanges with staff in the following 2 weeks, the owner took no further action.
- When the original case officer left the City of Victoria, the file was re-assigned to a Senior Bylaw Officer who, due to workload, was unable to review the file until December 2014. A letter, dated January 13, 2015 (Schedule E) was sent to the property owner summarizing the enforcement history dating back to November 6, 2012. The owner was advised that despite being granted additional time by the Committee, and on-going communication between staff and the owner this matter had gone unresolved for more than 2 years. The owner was granted a final 30 days within which to bring the property into compliance before the matter would again be taken before the Committee with a recommendation to place a notice on title. There was no response to this letter by the owner and/or his representative.

Planning and Land Use Committee Report 865 View St. / Bylaw File #27577

Options & Impacts

The filing of a notice on land title is part of a graduated enforcement strategy intended to bring a property into compliance with the applicable bylaws and regulations. A notice on title provides incentive to the property owner to resolve the outstanding issues as it serves to warn lenders or prospective purchasers that work has been done without a permit. Filing a notice on title under Sec. 57 of the *Community Charter* is therefore intended to ensure that a potential purchaser is aware of bylaw violations in respect to the work that has been done without permit to convert the 12th floor of this building from its approved use as recreation rooms to a self-contained 4 bedroom suites, and two separate offices. The notice can be easily removed once the property has been brought into compliance.

Conclusion

Despite ongoing communication between staff and the property owner and being granted more than adequate time within which to resolve this matter, the property owner has failed to take the action required to bring the property into compliance. As a result, this Officer has determined that the appropriate course of action at this time is to proceed with filing a notice on title. Doing so will hopefully provide the owner incentive to bring the property into compliance with City Bylaws.

Recommendation

The Building Inspector recommends:

1. That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 865 View Street, legally described as Lot A Plan 31096 Victoria of Lots 294/295/296/297 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.



December 6, 2012

Legislative and Regulatory Services Department Gill-Am Investments Ltd. 3437 Mayfair Drive Victoria, B.C. V8P 1R2

Re: 865 View Street, Victoria / Bylaw File #27577

Bylaw and Licensing Services Division

Dear Sir.

1 Centennial Square Victoria BC V8W 1P6 This letter is a follow-up to the health and safety inspection conducted on the 12th floor of 865 View Street on November 6 and 22, 2012. The inspections were conducted by City officials including bylaw officers, electrical, plumbing and building inspectors. In summary, there are a number of zoning violations which need to be addressed in order to bring this property into compliance with the City of Victoria's Zoning Regulation Bylaw.

This property is currently zoned as R3-C-C, Central Area Residential. City records indicate that the legal use of the property as per the approved building plans is "multi family, minimal commercial." The building plans for this address show the 12th floor as approved for recreation use only; open space. The inspection revealed that the actual use of the 12th floor is dwelling units and office space.

Findings from inspection of Suite 1200 found the following violations:

Plumbing:

- North set of washrooms. Both altered from original layout.
- Fixtures have been relocated, added and removed. Basin relocated, shower added, sink and dishwasher added, toilet and basin removed.
- Fixtures removed without proper cap offs.
- Many plumbing code violation and open sewer piping.
- Require all plumbing work to be permitted, exposed, corrected and inspected

Building:

- No permit for change of occupancy from recreational to residential
- Original configuration altered by addition of partitions and relocation of doors

To Contact

Telephone: 250.361.0215

E-Mail: <u>bylawenforcement@victoria.ca</u>

Fax: 250.361.0205 Web: www.victoria.ca Findings from inspection of Suite 1202 and 1201 found the following violations:

Building:

 Not as per the original occupancy or layout indicated on the city plans – added walls

Summary of Electrical findings for 12th floor:

 Electrical work has been completed without permit since the building was constructed and will require an electrical safety survey

This work will require a permit to change the occupancy or return this space back to its original occupancy. Whether the 12th floor can be approved for change of use and occupancy remains unknown at this time. Should you choose to pursue this option, it is recommended that you hire a qualified home design professional to assist you. Another option would be to apply for the necessary permits to decommission the 12th floor from use for dwelling and office space. In the interim, you are required to make application for the building, plumbing, and or electrical permit(s) through the City's Permits and Inspections Department (250-361-0344) to address the unpermitted improvements on the 12th floor.

You are granted until March 5, 2013 to make application for the required permit(s) and/or rezoning to bring this property into compliance. Not doing so will result in the issuance of fines, the placing of a notice on land title, and/or further legal action. Thank you in advance for your cooperation in this matter. If you have any specific questions or concerns, please don't hesitate to contact me directly by telephone at 250-361-0540 or by email at mfrankl@victoria.ca.

Regards

Mia Frankl

Bylaw Officer

Cc:

Andrew Dolan, Senior Bylaw Officer – Bylaw & Licensing Services Mike Staples, Electrical Inspector - Permits & Inspections Division Ray Berkeley, Building Inspector – Permits & Inspections Division Andy Wilson, Plumbing Inspector - Permits & Inspections Division Brown Brothers – Brian Siddall





Legislative and Regulatory Services Department

Legislative Services

#1 Centennial Square

Victoria

British Columbia

V8W 1P6

Tel (250) 361-0571 Fax (250) 361-0348 www.victoria.ca August 11, 2014

GILL-AM Investments Ltd. 3437 Mayfair Drive Victoria BC V8P 1R2

Dear Sir / Madam:

Re: Work without Permit – 865 View Street – 12th Floor

Please be advised that City of Victoria staff is recommending to the Planning and Land Use Committee that the Corporate Administrator file a Notice in the Land Title Office regarding work without permit for 865 View Street. A copy of the report is attached for your records.

A hearing will be held before the Planning and Land Use Committee to grant the applicant an opportunity to address this matter. Therefore, the registered owner is hereby requested to attend the Planning and Land Use Committee meeting on Thursday, August 21, 2014, at 1:00 p.m., in the Council Chambers, at Victoria City Hall, #1 Centennial Square (corner of Douglas and Pandora) to be heard by the Committee.

Further information respecting this matter may be obtained from the offices of the City of Victoria, Legislative & Regulatory Services, #1 Centennial Square, Victoria, BC between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday.

The agenda for this meeting will be produced on the Monday prior to the meeting and available from this office. Please advise Janice Appleby, Committee Secretary, at (250) 361-0571 local 2306, if you have any written materials you wish added to the agenda.

Yours truly,

Robert G. Woodland

Corporate Administrator

:ja

Enclosure (1)

M. Frankl, Bylaw Officer

M. Hayden, Manager, Bylaw & Licensing Services

August 18, 2014

Gill-Am Investments Ltd, 3437 Mayfair Drive Victoria, B.C. V8P 1R2

Mr. Gill,

Re: City of Victoria - Steps to remediate Notice on Title action

Please find the letter listing the necessary to bring the 12th floor of 865 View into compliance with City regulations. The letter is dated December 6, 2012 – Blaine and Tony were working towards completing all the steps but progress seemed to have ended in mid-2013 – emails were sent to prompt continued efforts but unfortunately this did not achieve the desired results of voluntary compliance.

In summary:

- Electrical permit (EP056231) was obtained in April 2013 to remove the cooking equipment from the suite.
- A plumbing permit is still required for safety inspection and removal or upgrades of the plumbing (in the suite and the two washrooms near the offices).
- A building permit is required for the installation of walls and doors throughout the 12th floor.

Your inspectors for this address are:

Mike Staples – Electrical Inspector - 250-361-2320 Andy Wilson – Plumbing Inspector - 250-361-2250 Ray Berkeley – Building Inspector - 250-361-2341

Please contact me (250-361-0540 / 250-880-0061) if you require further assistance. If the plumbing and building permits are obtained this week I would consider revoking the action to place a Notice on Title.

Regards,

Mia Frankl Bylaw Officer

6. PROPERTY MAINTENANCE BYLAW HEARING 1:00 P.M.

6.1 Work Without Permit – 865 View Street, 12th Floor

Committee received a report dated July 16, 2014, in respect to work that has been done without a permit at 865 View Street, 12th Floor. An inspection completed by City electrical, plumbing and building inspectors confirmed code violations. The building managers did complete an electrical survey but have failed to obtain the other necessary permits to legalize the remaining work without permit.

The Chair asked staff to provide an update.

M. Frankl (Bylaw Officer): The Property Owner of 865 View Street, contacted her earlier this week, after receiving the Notice of Hearing and is very interested in taking the proper steps to correct the contravention. Therefore she is recommending that the matter be postponed for 30 days to allow the owner to remedy the unauthorized construction.

Action:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Committee postpone consideration of this matter for 30 days.

CARRIED UNANIMOUSLY 14/PLUC0199



January 13, 2015

Legislative and Regulatory Services Department Gill-Am Investments Ltd. 3437 Mayfair Drive Victoria, BC V8P 1R2

Bylaw and Licensing Services Division Re: 865 View St. / Bylaw File #27577

Dear Sir,

1 Centennial Square Victoria BC V8W 1P6

This letter is to advise you that the bylaw enforcement file for your property at 865 View Street has been re-assigned to me as Bylaw Officer Frankl is no longer employed by the City of Victoria.

The file indicates that upon receipt of a formal complaint in October 2012 an inspection of the 12th floor of your property at 865 View Street was conducted. The inspection and the subsequent search of city records confirmed that the property was in violation of a number of city bylaws, including but not limited to; the *Zoning Regulation Bylaw*, and the *Building Bylaw*.

The violations relate to improvements that have been made to the 12th floor to convert the space from its approved "recreation" use to that of self-contained residential units and office space. This work appears to have been completed without the required permits or approvals. These findings were detailed in a letter to you dated December 6, 2012.

The December 6th letter advised you that would have to make application for the permit(s) and complete the work required to return the 12th floor to its approved use and/or another use permitted under the R3-C-C zoning. The deadline for compliance was set as March 5, 2013. It was recommended that you retain a qualified home designer or Architect to assist you in this process.

Between December 6, 2012 and September 5, 2013 there were numerous email exchanges between Bylaw Officer Frankl and Anthony DeCesare from Brown Bros. who was acting as your agent. Despite regular email correspondence and additional information being provided there is no record that any steps were taken to address the unpermitted improvements to the 12th floor.

On July 26, 2014, after approximately 18 months having elapsed since the initial inspection, Bylaw Officer Frankl submitted a report to the City of Victoria's Planning and Land Use Committee recommending that a notice be filed in the Land Title Office in regard to the unpermitted improvements. The filing of a notice on title is intended to provide incentive to solve the outstanding issues and warn prospective purchasers and/or lenders that work has been done without permit.

To Contact

Telephone: 250.361.0215

Fax: 250.361.0205

E-Mail: _bylawenforcement@victoria.ca and Esculinal Nations in whose traditional territories we live and work

"Hay swx qa"

You were sent a letter, dated August 11, 2014, advising you that staff had recommended placing a notice on title and requesting that you attend the Planning and Land Use Committee meeting on August 21, 2014. On August 18, 2014 Bylaw Officer Frankl received a telephone call from the owner and/or agent enquiring as to what steps needed to be taken to correct the outstanding issues, and whether consideration would be given to withdrawing the matter from the Committee's agenda in order to allow time for compliance.

You were advised that it was too late to withdraw the item from the meeting agenda, however, told that having discussed the matter with management she would attend the meeting and recommend granting you a 30 day extension within which you could obtain the permits necessary to legalize the work. In addition, you were sent a letter via email dated August 18, 2014 which summarized the permits and work that was required.

There some email exchanges between Anthony DeCesare from Brown Bros. and the Building Inspector in late August 2014; however, none of the permits necessary to bring the property into compliance were obtained. This matter has now gone unresolved for over 2 years, and while the preferred course of action is to have you voluntarily comply and bring your property into compliance in the next 30 days from the date of this letter, failure to do so will result in the recommendation to place a Notice on Title.

If you have any questions or require additional information please don't hesitate to contact me directly at 250.361.0578 or by email at adolan@victoria.ca.

Regards,

Andrew Dolan Senior Bylaw Officer

Bylaw & Licensing Services

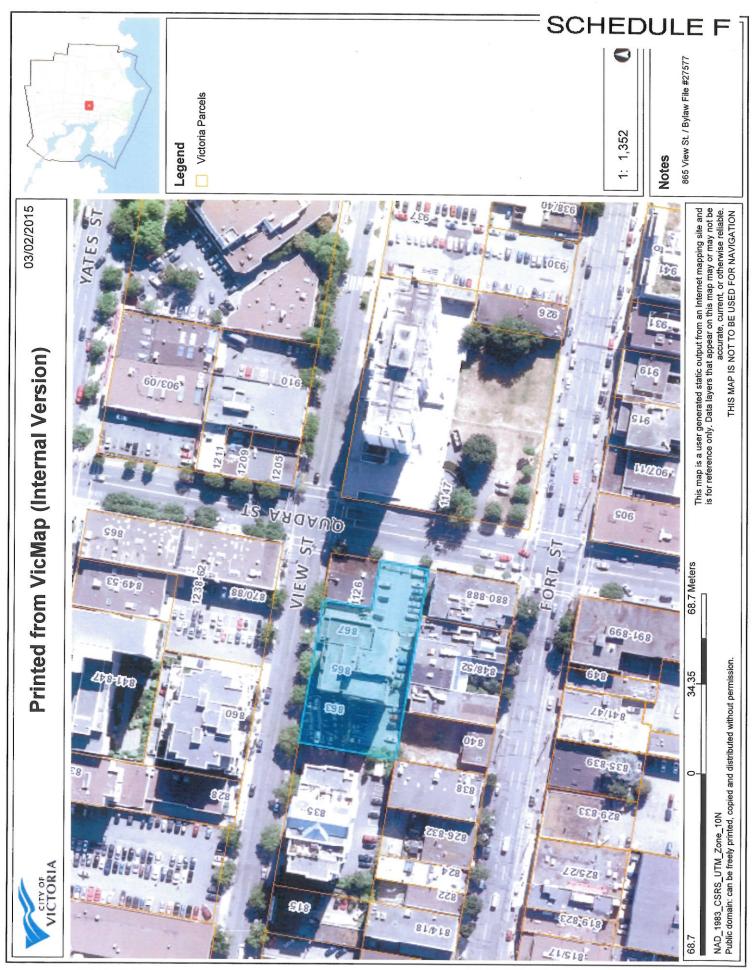
City of Victoria

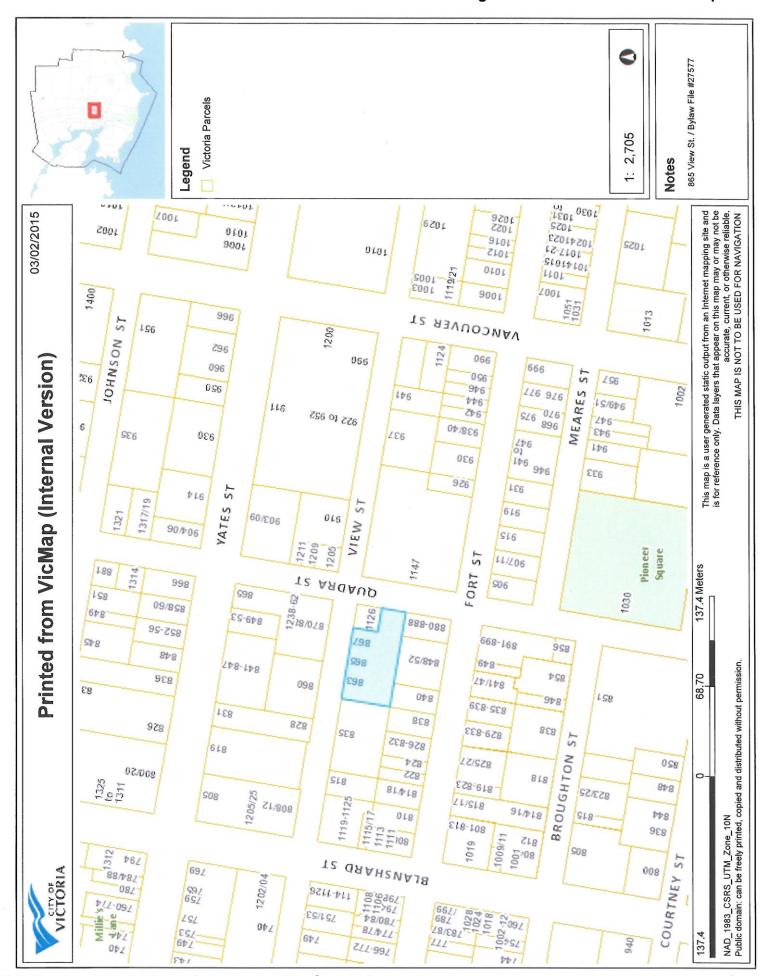
Cc:

Ray Berkeley - Building Inspector Mike Staples - Electrical Inspector

Andy Wilson - Plumbing Inspector

Karen Brown - Permits/Office Administration





Unit 1200 Front entrance facing



Unit 1200 photo of bdrm 1



Unit 1200 photo of kitchen, to right of entrance

Unit 1200 Photo of bathroom off



Unit 1200 bdrm 2 - off kitchen



Unit 1200 hallway to left of entrance, leads to 2 bedrooms and one shared living space





Unit 1200 bedroom 3 – to left of hallway



Unit 1200 bedroom 4 - to right of hallway



Unit 1200 half of living room leading to deck



Unit 1202 photo 1