



**AMENDED AGENDA
PLANNING AND LAND USE COMMITTEE
MEETING OF MARCH 19, 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 March 5, 2015.

COMBINED DEVELOPMENT APPLICATION REPORTS

2. Rezoning Application No. 00465 for 1609 Fort Street 5 - 129
--A. Meyer, Assistant Director - Development Services Division, Sustainable
Planning and Community Development Department

A proposal to rezone the property to authorize a 241m² Liquor Retail Store in the South Jubilee 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.

Late Item: Report with page 4 included

[Addenda]

3. Development Permit Application with Variances Application No. 000406 131 - 134
for 1609 Fort Street
--A. Meyer, Assistant Director - Development Services Division, Sustainable
Planning and Community Development Department

A development permit application to authorize the design, siting and landscaping for a 241m² Liquor Retail Store within an existing building. A requested variance to reduce on-street parking requirements is requested.

Staff Recommendation: Following the Public Hearing for the rezoning, that Council consider authorizing the development permit.

DEVELOPMENT APPLICATION REPORTS

4. Development Permit with Variances Application No. 000410 for 549 Toronto Street 135 - 153
--A. Meyer, Assistant Director - Sustainable Planning Division, Sustainable Planning and Community Development Department
- A development application to authorize a three-storey building that includes five residential units in the James Bay neighbourhood. The variances relate to site coverage, site area, landscaping, and front and side yard setbacks. A hearing is required prior to Council making a final decision on the application.*
- Staff Recommendation:* *To consider authorizing the permit.*
5. Development Permit with Variances Application No. 000399 for 120 Gorge Road East 155 - 188
--A. Meyer, Assistant Director - Development Services, Sustainable Planning and Community Development Department
- A development application to authorize the design, siting and landscaping for a three-storey building consisting of 15 apartment units and a separate one-storey building in the Burnside-Gorge Neighbourhood. Variances are requested for increased site coverage, increased number of buildings and reduced parking. A hearing is required prior to Council making a final decision on the property.*
- Staff Recommendation:* *To consider authorizing the permit.*
6. Heritage Alteration Permit Application No. 00197 for 151 Oswego Street 189 - 229
--A. Hudson, Assistant Director - Community Services, Sustainable Planning and Community Development Department
- A heritage alteration permit to authorize renovations to a heritage-designated house.*
- Staff Recommendation:* *To authorize the permit and amend the Heritage Revitalization Agreement.*

REPORTS FOR INFORMATION

7. Ogden Point Master Plan - Proposed Time Extension 231 - 242
--A. Meyer, Assistant Director - Development Services Division, Sustainable

Planning and Community Planning Department

A report regarding a request from the Greater Victoria Harbour Authority (GVHA) to extend the completion date of the Ogden Point Master Plan from December 31, 2014, to December 31, 2016.

Staff Recommendation: *To approve the extension.*

NEW BUSINESS

8. The Wave - Development Permit 243 - 250
--Mayor Helps and Councillor Alto

A motion to allow the Strata Corporation of The Wave (845 Yates Street) to resubmit a similar development permit.

Late Item: Correspondence

[Addenda]

ADJOURNMENT



Planning and Land Use Committee Report For the Meeting of March 19, 2015

To: Planning and Land Use Committee **Date:** February 19, 2015
From: Lucina Baryluk, Senior Process Planner
Subject: Rezoning Application No. 00465 for 1609 Fort 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. 00465 to allow a Liquor Retail Store as a permitted use with a maximum floor area of 241m² at 1609 Fort Street, and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing 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 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 property located at 1609 Fort Street. The proposal is to allow a 241m² Liquor Retail Store as a permitted use within an established commercial building.

The following points were considered in assessing this Application:

- The *Official Community Plan 2012*, places the subject property within a Large Urban Village, Stadacona Village. This designation envisions free-standing commercial uses as a key land use (along with multi-family residential and mixed-use buildings) and is considered an employment generator. The *Official Community Plan* also identifies a liquor store as commercial element within a Large Urban Village.
- The broader context of land uses around this property defines this area as a commercial centre, and a liquor retail store would add to the complement of retail uses.

- As this Application represents a retail use occupying three lease areas that are currently used as retail spaces, the land use impacts and traffic impacts on the neighbouring residential areas are not expected to change significantly.
- The proposal is generally in keeping with the City's *Licensee Retail Stores Rezoning Policy*, (as directed by Council, this policy is currently under review) with the exception of store size. The policy recommends a maximum store size of 200m² and the proposed store is 241m². As this Application is a modest increase over the recommended total floor area and the floor plate is pre-determined by the existing units, coupled with the location in an existing commercial building within a Large Urban Village, this size is supportable.
- Other proposed deviations from the *Zoning Regulation Bylaw* (parking variance) are reviewed in conjunction with the Development Permit Application for this property.

BACKGROUND

Description of Proposal

This Rezoning Application is to permit a Liquor Retail Store within an existing commercial development, located at 1609 Fort Street, commonly referred to as Crossroads Plaza. The proposal is to combine three existing ground-floor commercial units to permit a Liquor Retail Store with a total floor area of 241m².

There is a vehicle parking variance associated with this application. This variance is described in the report related to the Development Permit Application for this property.

Sustainability Features

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

Land Use Context

The Fort Street and Oak Bay Avenue area (commonly referred to as Oak Bay Junction) is a mix of commercial developments (office and retail) with some mixed-use projects (commercial on the main floor with residential on the upper storeys) and a long term care home located at 1650 Fort Street. There has been little new development in the last several years. The building on the subject property was built in 1985.

Existing Site Development and Development Potential

Under the current C1-J Zone, Limited Commercial Junction District, the property is developed close to its maximum density (see Data Table), therefore there is minimal development potential on this site, without a further rezoning. The permitted uses in the zone are: retail stores, business offices, professional businesses, restaurants, and residential on the upper storeys, high tech and call centres.

Data Table

The following data table compares the existing building with the C1-J Zone. It is noted that this is a site-specific zone created for this property, and, as such, the existing building closely conforms to the zone. The data table is provided to illustrate how much development potential is remaining on this site. As there is no new construction required for the Liquor Retail Store,

the density will remain the same. To allow a Liquor Retail Store, the use will be added to the permitted uses with a limitation on the maximum size.

A vehicle parking variance is required. This parking variance and the bicycle parking standards are reviewed in the report associated with the concurrent Development Permit Application for this property.

Zoning Criteria	Existing building	C1-J Zone Standard
Site area (m ²) – minimum	1613	N/A
Total floor area (m ²) – maximum	795	887
Density (Floor Space Ratio) – maximum	0.49:1	0.55:1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the South Jubilee Neighbourhood Association at a Community Meeting held on October 15, 2014. A letter dated October 21, 2014, is attached to this report.

ANALYSIS

Official Community Plan 2012

The *Official Community Plan 2012 (OCP)* designates the subject site within the Large Urban Village of Stadacona Village. The Urban Place Guidelines for a Large Urban Village envision multi-unit residential buildings, freestanding commercial buildings and mixed-use buildings. There are a number of Large Urban Villages identified in the OCP: Selkirk, Quadra Village, Victoria West Village, Jubilee Village, Stadacona Village, Cook Street Village and James Bay Village. The only large Urban Villages that currently do not have a liquor retail store are Selkirk and Stadacona. In addition, the Guidelines for Complete Town Centres and Urban Villages (Figure 9) identify a liquor store as commercial element within a Large Urban Village.

With respect to Stadacona Village, the OCP states that it is a mixed-use area, located at a point at which different street patterns come together creating unusual lot configurations that offer opportunities for the provision of open space and distinctive urban design.

Jubilee Neighbourhood Plan, 1996

The *Jubilee Neighbourhood Plan* provides only general guidance for assessing this application, as the main commercial goal of the plan is to “reinforce existing neighbourhood commercial areas as vibrant, pedestrian-oriented places for local shopping, services and social interaction”.

Licensee Retail Stores Rezoning Policy

On March 27, 2003, City Council determined that any new Liquor Retail Store would require a rezoning. This was a response to changing liquor policies by the Liquor Control and Licensing Branch, and Council was anticipating a number of stores to locate or relocate in Victoria. Since the establishment of the Council's policy in 2003, Council has decided on twelve liquor retail rezoning applications. The policy outlines parameters regarding location, size and distance from other liquor retail stores and schools, along with procedural requirements. At Council's direction, this policy is currently under review. The following details the proposal's compliance with the General Characteristics of the Policy:

Preliminary Approval

The applicant has provided a letter from the Liquor Control and Licensing Branch indicating a pre-clearance has been achieved for this location. The license from the Ingraham Hotel Licensee Retail Store will be relocated to this location.

Established Retail Location

When the OCP policies are looked at in conjunction with the *Licensee Retail Stores Rezoning Policy*, locating liquor retail stores in established neighbourhood centres is favoured. Part of the rationale is to minimize nuisance to nearby neighbours. The nuisance factors generally associated with a commercial centre are traffic and noise from operations and users. The area is an established commercial core.

Store Entrance Location

The ground-floor store entrance is clearly visible from the street.

Parking Requirements

A parking variance is required, which is explained in the Development Permit Application Report.

Distance from Schools

All nearby schools are in excess of 500m from the proposal, thus meeting the 200m distance requirement.

Distance from Other Liquor Outlets

The closest liquor store is approximately one kilometre away (Fort and Foul Bay BC Liquor Store).

CPTED Requirements

The applicant has noted that the exterior lighting will be upgraded along with security cameras.

Size of Store

The store exceeds the recommended total floor area of 200m² by 41m² for a total store size of 241m². The applicant is noting that 190.5m² will be devoted to retail and the remainder to storage. Generally the internal organization of a store is left to the store operator, although, it can be a consideration for zoning; however, regulating or monitoring the on-going operations of a store can present administrative challenges.

As this Application is a modest increase over the recommended total floor area and the floor plate is pre-determined by the existing units, coupled with the location in an existing commercial building within a Large Urban Village, this size is recommended for Council's consideration.

Revitalization

Minor changes to the shop frontage are proposed. (See Development Permit Application Report)

Approval Process

- The applicant has submitted a number of petitions that form part of their submission package.
- The School District and Police Department have been consulted and have provided no comments on the proposal at the time of writing this report.
- The applicant has followed the CALUC process for rezoning applications, and South Jubilee Neighbourhood Association hosted a meeting on October 15, 2014 (letter attached).

Statutory Rights of Way

Fort Street is classified as an arterial street. To accommodate future improvements for people who walk and ride bikes on Fort Street, a Statutory Right of Way of 2.74m would be needed on the Fort Street frontage of this property. Fort Street was identified as part of the Bicycle Master Plan cycling network, and as a corridor where separated cycling facilities should be provided. In addition to improved cycling facilities, the right-of-way would also enable future construction of a separated sidewalk and public boulevard space.

Oak Bay Avenue is classified as a secondary arterial street. To accommodate future improvements for people who walk and ride bikes on Oak Bay Avenue, a Statutory Right of Way of 2.15m would be needed on the Oak Bay Avenue frontage of this property. Oak Bay Avenue was identified as part of the Bicycle Master Plan cycling network, and people who walk along Oak Bay Avenue would benefit from a separated sidewalk and public boulevard space.

The owner of the retail center does not wish to provide the Statutory Rights of Way (see letter from Midalta Investments Limited) at this time. In the future, if redevelopment plans are advanced for the site, the Statutory Rights of Way request will be pursued again.

CONCLUSIONS

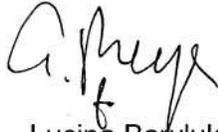
The Application to locate a Liquor Retail Store at 1609 Fort Street merits consideration under the *Official Community Plan*. The *Official Community Plan* places the subject property within a Large Urban Village. This designation envisions commercial uses as a key land use, along with supporting liquor stores as an appropriate use in a Large Urban Village. The proposed location is an existing commercial building within an established commercial core.

The proposal meets the intent of the *Licensee Retail Stores Rezoning Policy* by maintaining the 200m distance between liquor retail outlets. However, the proposed store will exceed the 200m² store size recommendation. Given the context and the modest increase over the recommended total floor area, staff recommend for Council's consideration that this size is supportable in this location.

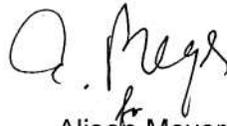
ALTERNATE MOTION

That Council decline Rezoning Application No. 00465 for the property located at 1609 Fort Street.

Respectfully submitted,

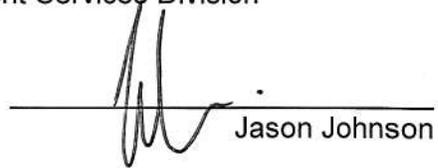


Lucina Baryluk
Senior Process Planner
Development Services Division



Alison Meyer
Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:


Jason Johnson

Date: Feb. 27/15

LB:aw:af

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00465\PLUC REPORT REZ 1609 FORT.DOC

List of Attachments

- Air photo
- Subject property map
- Letter from applicant dated January 21, 2015
- Submission package
- Letter from the South Jubilee Neighbourhood Association dated October 21, 2014.



1609 Fort Street
 Rezoning #00465
 Bylaw #





1609 Fort Street
 Rezoning #00465
 Bylaw #



Ross Borland
663 Radcliffe Lane,
Victoria, BC V8S 5B8



January 21, 2015

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

Dear Mayor and Council,

RE: REZONING APPLICATION FOR 1609 FORT STREET TO ALLOW USE OF LICENSEE RETAIL STORE

On behalf of Mldalta Investments Ltd. I am pleased to submit the following rezoning application to permit the use of a Licensee Retail Store at 1609 Fort Street.

The store ("**Spirit Shop**") will be located on the southeast side of Crossroads Plaza in the now vacant O'Beans Coffee Shop, Sunspa Tanning Studios and currently occupied Hair Is You hair salon where the owner will soon be vacating. The proposed store requires an application to rezone the property per the City of Victoria's Licensee Retail Stores Rezoning Policy adopted March 27, 2003.

The vacant spaces for the Spirit Shop have been unoccupied for varying lengths of time and have created an unwelcoming presence in the neighborhood. Our intended exterior enhancements which include a new store front, upgraded exterior lighting and seasonal hanging baskets will greatly improve the presence of the building and bring a new vibrancy to the shopping plaza.

FEEDBACK SUMMARY

Public consultation has been conducted and City Staff feedback received as part of the rezoning process. Public response to date has been overwhelmingly positive with 38 supportive and 1 opposed:

- October 3-10, 2014 – Neighbourhood Petition
- October 15, 2014 – South Jubilee Neighbourhood Association Land Use Committee meeting
- November 26, 2014 – Application Review Summary by City Staff

RESPONSE TO FEEDBACK

The matters requiring clarification and addressing are primarily as follows:

Security: We will provide an appropriate and safe environment through increased external lighting and security cameras. The daily number of empties as required by legislation is not onerous and returns will be accepted accordingly. Excessive returns with its attendant problems are not anticipated.

Parking – Request for a one stall variance (22 required, 21 provided)

During the public consultation process tenants of the building indicated that parking and lot flow works well but requested that the number of parking stalls be maintained. City Staff have proposed that one stall adjacent to Oak Bay Avenue be replaced with landscaping. This would reduce the number of parking stalls to 20. The average width of the subject stall meets Schedule C guidelines however at the entrance the width is slightly less than required. Taking the tenants views in to consideration the Owner is very reluctant to agree to a reduction of the total number of spaces available. To assure parking spaces turn over arrangements have been made with the landlord for four parking stalls to be marked as twenty minute parking stalls. Two staff parking stalls (4 & 8 as shown on site plan) will be assigned to the LRS. The current parking situation, including access and egress, functions very well but based on Schedule "C" calculations the site is required to have 22 stalls but it currently has 21. Accordingly we are requesting that the stalls be maintained at 21 with a variance of 1 stall.

Bicycle Parking – provided including staff within premises

There is currently a four stall bike rack adjacent to parking stall #12. This location is not appropriate as it puts bikes and cyclists in unsafe proximity to vehicles. A new bike rack, which will accommodate four bikes, will be installed on the landing outside the restaurant facing Fort Street. This location has ample room for cyclists to load and unload their bikes in a safe manner. Our employees will be provided with secure bike storage within our premises as required.

Deliveries – appropriate vehicle size with deliveries made during off hours

Delivery doors will be appropriately located on the south side of the building facing Oak Bay Avenue. Delivery vehicles will enter the site from Oak Bay Avenue, unload in to the receiving area, and then exit on to Fort Street. Small delivery vehicles, with times scheduled during off hours, will be used and dedicated staff will be available to expedite the process.

Garbage and Recycling – existing area at rear of building to be enclosed and pick up during off hours

The existing garbage/recycling location for the building, which has been in use for many years and functions very well, will be attractively fenced and gated. Garbage/recycling are collected during off hours so as to not inconvenience tenants and facilitate timely removal. To accommodate the anticipated increase in recycling (empties and cardboard) an attractive enclosure where recyclables will be stored pending scheduled pick up will be constructed at the rear of the building, in immediate proximity to the rear door of the premises.

Request for Statutory Right-Of-Way

We have consulted with the landlord and he feels this is not an appropriate request at this time. A letter in this regard is attached.

BENEFITS TO COMMUNITY

Property Revitalization: The exterior revitalization plan includes improved lighting, new entranceway, attractively enclosed and gated garbage/recycling area and improved building exterior along Oak Bay Avenue.

Employment: A new Liquor Retail Store will create 8 new full time equivalent jobs in the South Jubilee area. This will allow some employees to live and work in their own neighbourhood.

Support: The community will also benefit from planned outreach programs that will provide significant support to local groups, causes and events. WE SUPPORT LOCAL is an important cornerstone of our business philosophy.

I look forward to continuing to work with the City of Victoria to realize the potential of locating the Spirit Shop at Crossroads Plaza.

Sincerely,

A handwritten signature in blue ink, consisting of a large loop followed by several vertical strokes and a long horizontal line extending to the right.

Ross Borland

Midalta Investments Ltd.

10934 Fernie Wynd Road
North Saanich BC V8L 5H8
Phone 250-656-0308

January 26 2015

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

Dear Mayor and Council,

RE: REZONING APPLICATION FOR 1609 FORT ST.- REQUEST FOR
STATUTORY RIGHT-OF-WAY.

As the owner of 1609 Fort Street, and pursuant to the rezoning application for a change of use to allow a Liquor Retail Store, City Staff are requesting Statutory Right-of-Ways ("SRW'S") as shown on the SRW Site Plan. It is obvious from the plan that use of these would clearly affect the current functioning and viability of the site.

As noted above, the rezoning is simply a change of use, and as such we feel that this is an inappropriate request at this time. It would be more appropriately addressed at such time as the site is redeveloped. There are generous road widths now existing on both Fort St. and Oak Bay Ave. and for all practical intents and purposes, use of the proposed SRW's would not be in the foreseeable future.

Sincerely,

Midalta Investments Ltd.

Per:



Kevin Lumley
Secretary



Important

This map is for general information purposes only. The Capital Regional District (CRD) makes no representations or warranties regarding the accuracy or completeness of this map or the suitability of the map for any purpose. This map is not for navigation. The CRD will not be liable for any damage, loss or injury resulting from the use of the map or information on the map and the map may be changed by the CRD at any time.

Printed Tue, Sep 2, 2014

1609 Fort St. Aerial View

Regional Community Atlas

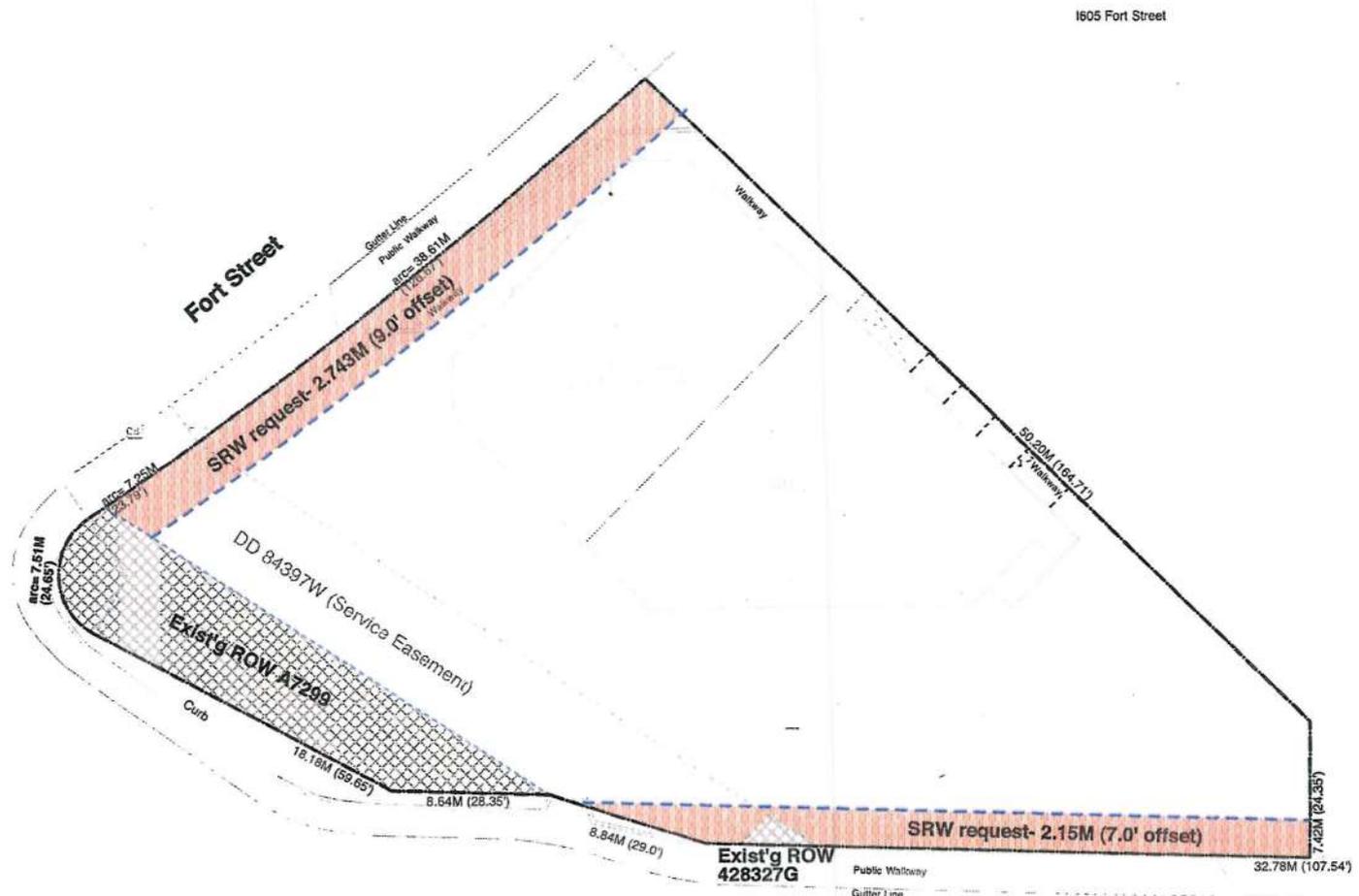
Capital Regional District
gis@crd.bc.ca
<http://www.crd.bc.ca>





Artist Rendering

The subject property is affected by the following registered documents:
 A7299, A7300, 428327G
Wey Meyerburg Land Surveying Inc.
 www.weysurveys.com
 #4-2227 James White Boulevard
 Sidney BC V8L 1Z5
 Tel: (250) 656-6155
 Fax: 14029845046



Legend	
	Existing ROW registered on property
	SRW requested

1b

Site Plan - Exist'g/ New SRW's
Sc: 1: 250



Revision	
Project title	TL Improvement 1609 Fort Street New Tenancy
sheet title	SRW/ ROW Site Plan
Date	Sept, 11
Scale	as shown
Drawn	RML
Job no.	01209
Sheet no.	P- 1b

Spirit Shop

Rationale for Licensee Liquor Store Rezoning

1609 Fort Street, Victoria



Project Contact

Ross Borland
663 Radcliffe Lane,
Victoria, BC V8S 5B8

Email: ross@radcliffelane.com
Telephone: 250.514.5165

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Appendices

- A. Area Plan
 - Site Plan
 - Floor Plan
- B. OCP-Map 44: DPA 5: Large Urban Villages – Stadacona Village
 - OCP-Figure 9: Guidelines for Complete Town Centres and Urban Villages
 - Zoning Map
 - C1-J Zoning
- C. Neighbourhood Petitions
 - Letter from South Jubilee Land Use Committee
 - Highlighted Map of Adjacent Properties

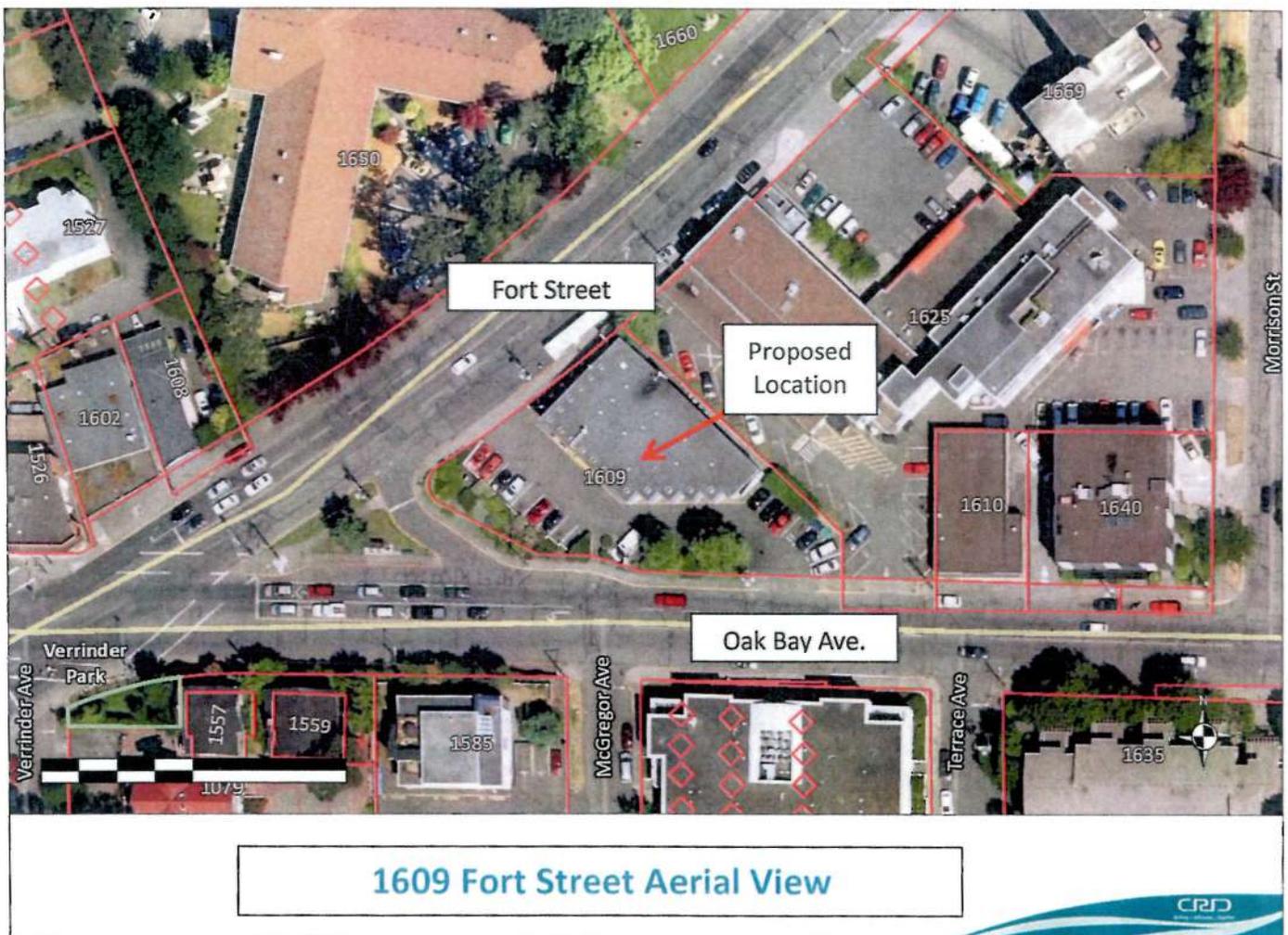
1.0 Introduction

The applicant proposes to open a Liquor Retail Store (the “**Spirit Shop**”) in Crossroads Plaza located at the Oak Bay Junction, 1609 Fort Street. The Spirit Shop will resolve a difficult vacancy situation and have a very positive impact on the community. It would also provide shopping convenience and access to local products not currently available.

The site requires a rezoning to allow liquor sales at this location as per the City of Victoria’s Licensee Retail Rezoning Policy.

The proposed business meets or exceeds both the city’s and community’s requirements:

- Provides accessibility to local neighbourhood which is currently not conveniently serviced
- Increased security in the area with improved lighting and cameras
- Enhanced building presence through exterior renovations and building enhancements
- Business location far exceeds minimum distance from schools and other liquor stores
- The site is located in the Stadacona Village which in the Official Community Plan is designated as a Large Urban Village, with “liquor store” as a suggested use.





Spirit Shop Exterior

2.0 Property Information

2.1 Site Data

- Address: 1609 Fort Street
- PID: 001-102-982
- Folio: 06370001
- Legal Information: Lot 1, Section 75, Victoria District, Plan 24881

Existing Tenants and Areas:

Ground Floor

Money Mart - 86.2m²
 Dragon Gate Restaurant - 139.5m²
 Vacant- 67.2m²
 Vacant - 98.5m²
 Hair Is You - 75.2m²

Second Floor

Hutton Property Management - 148.5m²
 Rewers & Tiemer Accounting - 126m²
 Dental Esthetics - 53.5m²

Total Area: 794.6m²

2.2 Parking Requirements

Retail Floor Space	327.1m ²	8.75 spaces
Restaurant	40 seats	8 spaces
Second Floor Offices	328m ²	<u>5 spaces</u>
Total Required		21.75 spaces

Spaces Provided **21**

2.3 Site Context

The proposed site is located at the Fort Street/Oak Bay Avenue "Junction" on a property bounded by Fort Street to the north, Oak Bay Avenue to the south and a commercial property housing Canada Post to the east.

The proposed Licensee Retail Store would be located in three retail units on the ground floor of Crossroads Plaza. The units formerly housed O'Beans Coffee Shop, Sunspa Tanning Studios and an operating hair salon that is intending to vacate.

3.0 Regulatory Context

The applicant is requesting a rezoning to permit the use of Licensee Retail Store at 1609 Fort Street. The following is a summary of the guiding policy.

3.1 Official Community Plan

The site is located in the South Jubilee Neighbourhood in Stadacona Village. Within the Official Community Plan this area is designated as a Large Urban Village, with liquor store as a suggested use.

3.2 Zoning

The site is zoned C1-J, Limited Commercial Junction District with retail stores a permitted use. The location of a liquor store triggers the City's Licensee Retail Store Rezoning Policy process.

3.3 Licensee Retail Stores Rezoning Policy (RP)

The following outlines the City's General Characteristics within the Policy and provides corresponding information regarding the proposal.

RP - An application for a Licensee Retail Store must be accompanied by a letter of preliminary approval from the Province of BC.

- See letter attached.

RP – The store should be located in an established or planned retail location.

- The site is located in Stadacona Village and zoned C1-J with a permitted use of retail stores.

RP – Entrance to the store should be from an existing street or from within an existing shopping centre.

- The entrance to the store will be within the current shopping plaza.

RP – Required parking may range from one space per 37.5m² of gross floor area in suburban malls to nil in highly walkable locations e.g. Downtown or a corner store.

- The site meets the city requirements.

RP – The store should be at least 200m from an elementary school or secondary school as well as other existing liquor stores.

- This site complies with the minimum distance from schools and other liquor stores. The closest schools to the proposed site are Central Middle School (780m), Glenlyon Norfolk School (840m) and Vic High (860m). The closest liquor stores are the Government Liquor Store #218 at Fort St & Foul Bay Rd. (1047m), Logan's LRS-Cook Street (1312m) and Penny Farthing LRS-Oak Bay Village (1437m).

RP – How “City’s Crime Prevention Through Environmental Design (CPTED)” will be observed.

- There is presently good visibility which will be further enhanced with improved exterior lighting. The entire area will be monitored by surveillance cameras.

RP – Facility size is limited to a total floor area of 200m².

- The proposed premises are 241 m² of which +/-190.5m² will be dedicated retail area with the remaining +/-50.5m² as storage space.

RP – Revitalization of a heritage building and/or improved shop frontage on a street is encouraged.

- The entranceway will be revitalized with new storefront and sidewalk while the exterior of the building will be beautified with seasonal hanging baskets and tasteful signage.

4.0 PUBLIC CONSULTATION

4.1 Summary

Consultation has been conducted as part of the rezoning process:

- October 3-10, 2014 – Neighborhood Petition
- October 15, 2014 – Presentation to South Jubilee Neighborhood Association Land Use Committee

4.2 Neighborhood Petition

On October 3, 6, 8, 9, 10, 2014 a neighborhood petition was conducted of the surrounding property owners and tenants. Tenants and building owners were contacted and verbally notified of the rezoning application. A copy of the petition was hand delivered to each address with a request to scan, return by mail or notify us to pick up the completed petitions.

On October 10, 2014 adjacent property owners were sent a registered letter outlining the rezoning application along with a copy of the Licensee Retail Store Rezoning Petition with a request to scan, return by mail or fax completed petitions to our office.

There were 4 supportive responses received from the registered mail out and no opposed responses.

There were 35 completed of the hand delivered petitions with 34 supportive responses and 1 opposed.

See Appendix A for petition responses.

4.3 Presentation to Land Use Committee

On October 15, 2014 a presentation was made to the South Jubilee Neighbourhood Association. The presentation was followed by an informal question/comment period. During this time the following issues were raised:

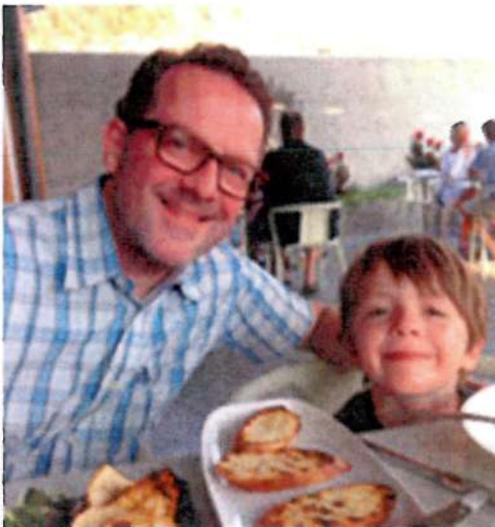
- **Security and Loitering:** We will provide an appropriate and safe environment through increased external lighting and monitored security cameras. We will only accept the minimum number of empties required by legislation and encourage those with more to utilize local bottle return depots.
- **Parking:** The property currently meets the City requirements for parking.
- **Underage/Intoxicated persons:** The operator has been involved in the Liquor Industry for over 25 years and an important element of the operators business plan is staff training as it relates to the business generally public safety issues in particular.
- **Noise:** The noise from our liquor store business would be no different than if the premises were used for a different purpose such as a convenience store, which would not require a rezoning.

5.0 OPERATIONAL CONCEPT & OWNERSHIP

5.1 Operational Concept

Although a full-service liquor, our focus will be on wine, craft beer and craft spirits actively promoting local producers with a commitment to furthering British Columbia's beverage industry. With the listings we choose and promote in-store we will highlight and support sustainable farming/production methods. We will treat every employee and customer as valued, respected and welcome and engage our customers and staff through continuing education.

5.1 Owners



Ross Borland

Businessman—Hospitality & Liquor Industry

After a 25 year career in the hotel and hospitality industry Ross has extensive experience in operating small to medium sized full-service hotel operations including Pubs and Liquor Stores. Ross is an active member of the local business community and has sat on the Boards of numerous industry associations.



Treve Ring

Sommelier, Wine Judge & Journalist

Treve is a wine journalist, editor, international judge, consultant, educator and certified sommelier based in Victoria. She is also an in-demand speaker with more than a dozen years in the wine and food publishing industry most recently co-authoring Island Wineries of British Columbia.

Appendix A

Site Plan Of:
Lot 1, Section 75,
Victoria District, Plan 24881.

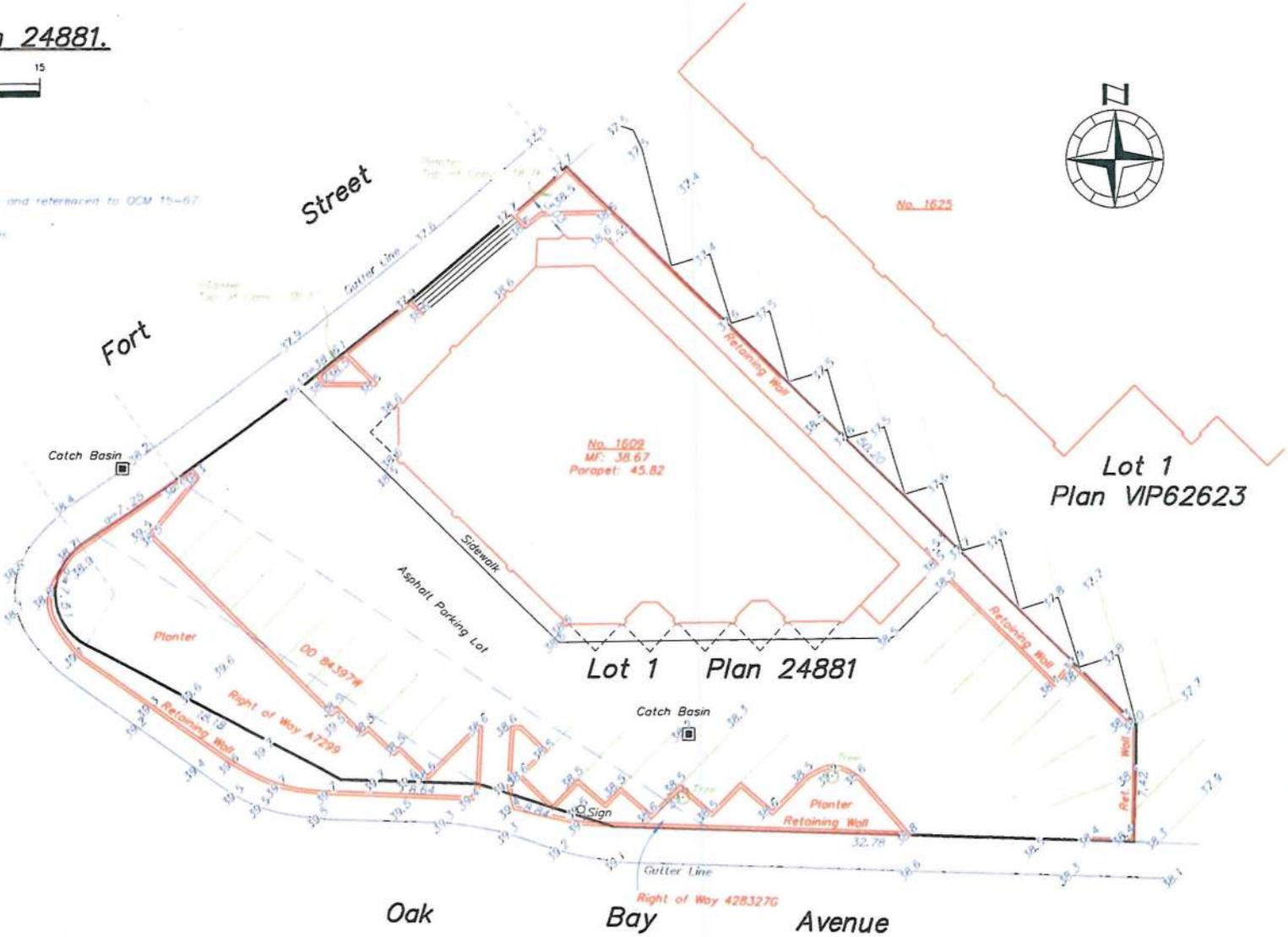


Scale = 1:250

Dated this 2nd day of October, 2014.

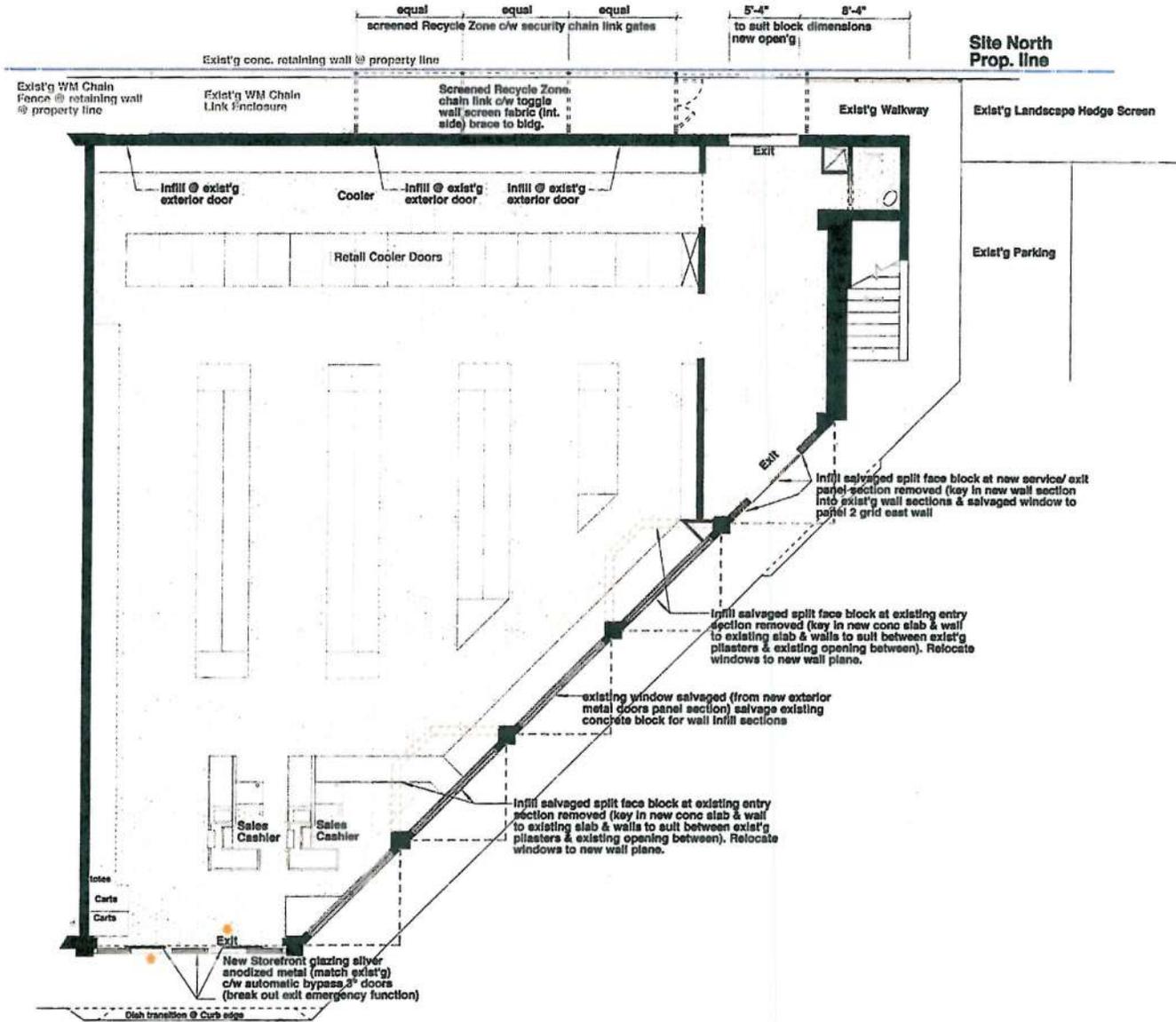
Elevations are based upon geodetic datum and referenced to OCM 15-67

Elevations & distances shown are in metres.



The subject property is affected by the following registered documents:
A7299, A7300, 428327G.

Wey Mayenburg Land Surveying Inc.
www.weysurveys.com
#4-2227 James White Boulevard
Sidney, BC V8L 1Z5
Telephone (250) 656-5155
File: 140298a\SH\LE

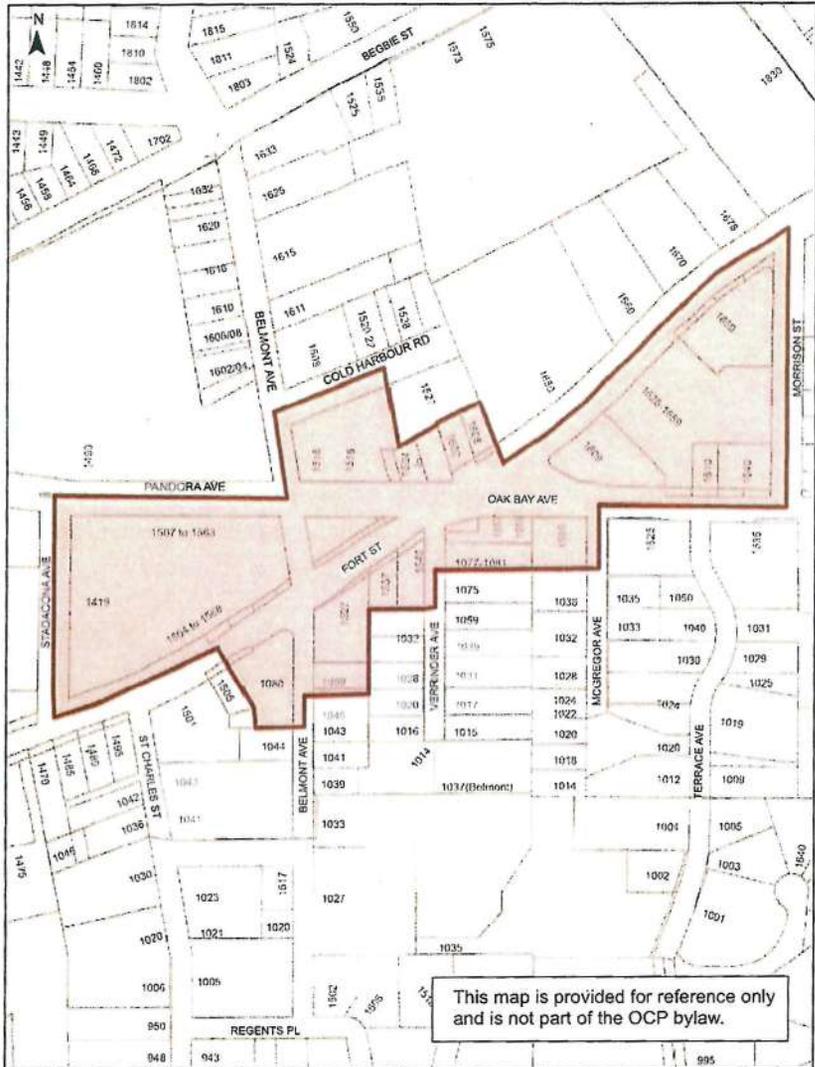


B **Proposed Tenant Improvement Unit Plan**
Sc: 1/8" - 1'-0"

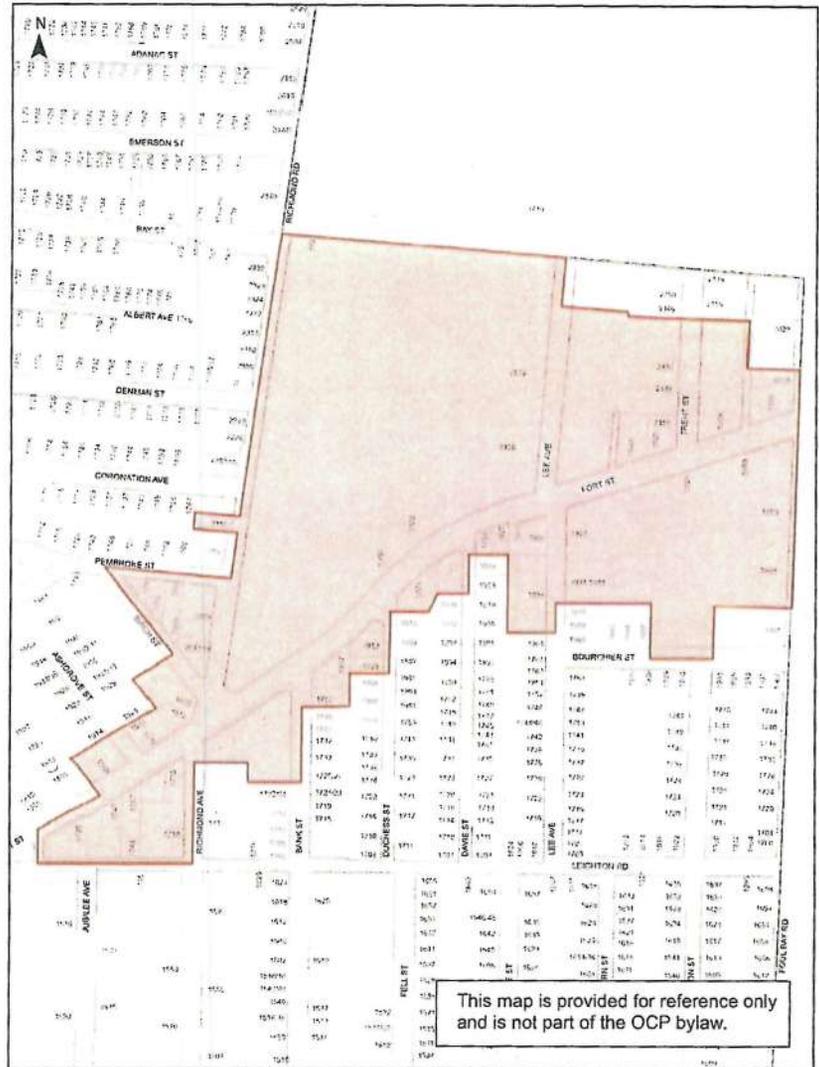
Appendix B

APPENDIX A: DEVELOPMENT PERMIT AREAS AND HERITAGE CONSERVATION AREAS

Map 44: DPA 5: Large Urban Villages – Stadacona Village



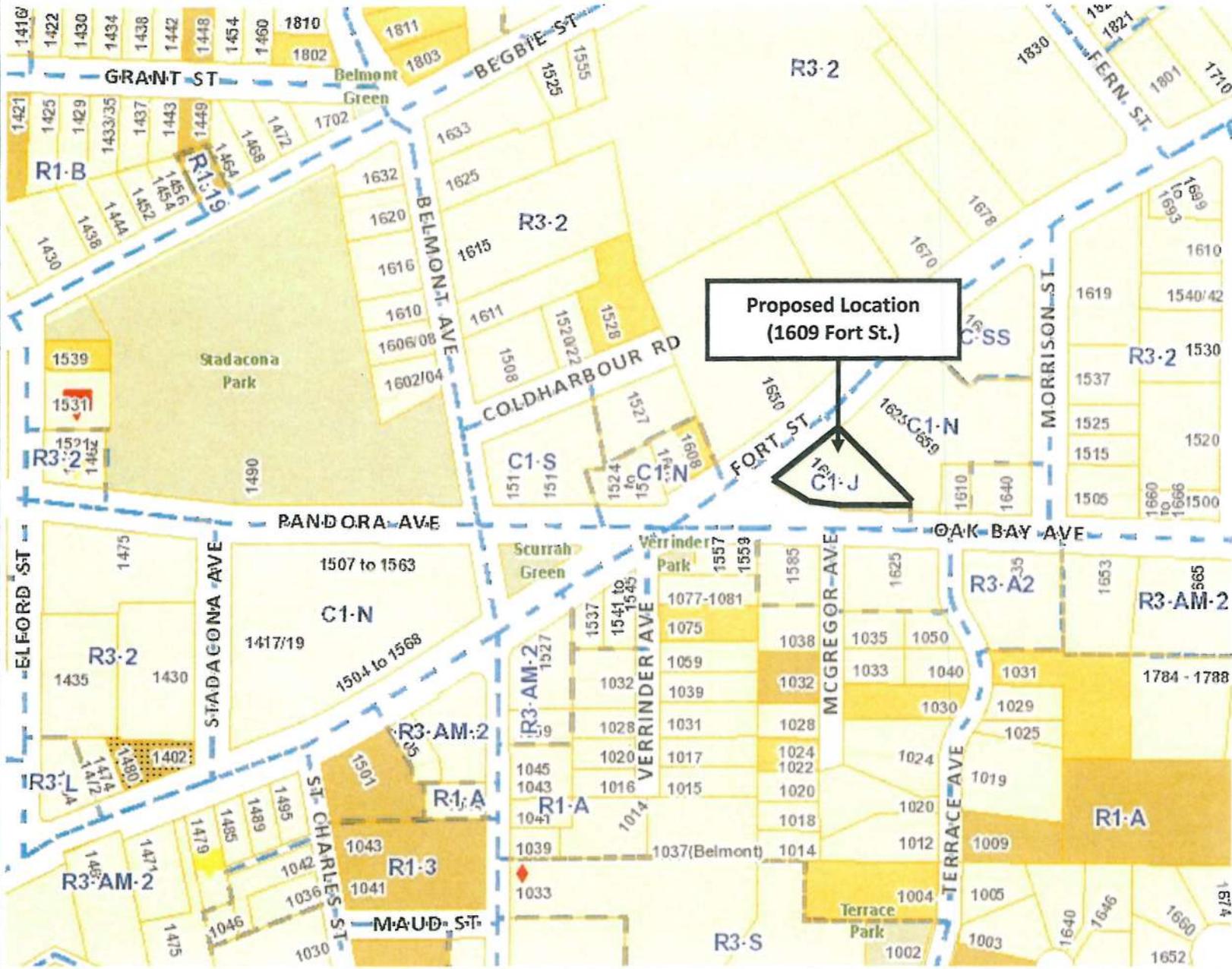
Map 45: DPA 5: Large Urban Villages – Jubilee Village



SECTION 6: LAND MANAGEMENT AND DEVELOPMENT

Figure 9: Guidelines for Complete Town Centres and Urban Villages

Element	Small Urban Village	Large Urban Village	Town Centre
Commercial and Community Services	<p>Café, convenience food and retail.</p> <p>Full service restaurant.</p> <p>Personal services (e.g. hairdresser).</p> <p>Professional services (e.g. lawyer's office).</p> <p>Small scale health care services.</p> <p>Social services.</p> <p>Daycare.</p> <p>Public meeting and gathering space.</p> <p>Community composting and recycling.</p> <p>Public elementary school within 400 metres.</p>	<p>Plus:</p> <p>Small grocery store or equivalent food retail.</p> <p>Liquor store.</p> <p>Financial institution</p> <p>Health care services. (e.g. medical clinic)</p> <p>Full service pub.</p> <p>Farmer's market.</p> <p>Community recreation, education and cultural facilities.</p>	<p>Plus:</p> <p>City-wide destination retail.</p> <p>Large grocery store or equivalent food retail.</p> <p>City-wide recreation, education or cultural facilities.</p>
Parks and Open Space	Public park and playground within 400 metres.	<p>Plus:</p> <p>Public square or green.</p>	<p>Plus:</p> <p>Large formal, central public square with green and paved elements and public art.</p>
Pedestrian and Bicycle Network	Located on a dedicated pedestrian and cycle network route.	Located on a dedicated pedestrian and cycle network route.	Located on a dedicated pedestrian and cycle network route.
Public Transportation	Local transit stop or within 200 metres of a frequent transit stop	Frequent transit stop.	Rapid or frequent transit station.
Conceptual Illustrations	SEE FIGURE 9A	SEE FIGURE 9A	SEE FIGURE 9A

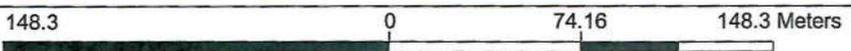


Legend

- Victoria Parcels
- Zoning Boundary
- Land Use Contract
- Heritage**
 - Designated
 - Registered
- Special Restrictions
- Development Applications**
 - Development Permit
 - Development Variance Permit
 - Heritage Alteration Permit
 - Heritage Designation
 - Rezoning
- Parks

1: 2,920

Notes



NAD_1983_CSRS_UTM_Zone_10N
Public domain: can be freely printed, copied and distributed without permission.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

PART 4.24 – C1-J ZONE, LIMITED COMMERCIAL JUNCTION DISTRICT

Permitted Uses	1	<p>The following uses are permitted:</p> <ul style="list-style-type: none"> (a) retail stores, and without limiting the generality thereof, includes the retail sale of bakery products; (b) business offices; (c) professional businesses; (d) <u>restaurant</u>; (e) mixed residential uses, provided that the ground floor of each <u>building</u> so used shall be used exclusively for commercial purposes and provided that all <u>storeys</u> above the ground floor shall be used exclusively for those residential uses permitted in the R3-1 and R3-2 Zones, Multiple Dwelling Districts (Part 3.3); (f) <u>high tech</u>; (g) <u>call centre</u>.
Floor space ratio	2	No <u>building</u> shall have a <u>floor space ratio</u> in excess of 0.55 to 1.
Height	3	The <u>height</u> of any <u>building</u> shall not exceed 8m.
Setbacks	4	<p>No <u>building</u>, or any part of a <u>building</u>, shall be so situated on a <u>lot</u> that any main wall is closer to the adjoining <u>streets</u> than:</p> <ul style="list-style-type: none"> (a) to Oak Bay Avenue: 10.6m; (b) to Fort Street: 3m; (c) to the intersection of Oak Bay Avenue and Fort Street: 10.6m.
Restriction	5	Except within a <u>building</u> lawfully in use, no commodity, merchandise, stock in trade, or other material or thing related to any commercial use shall be stored or displayed within any required setback.
Landscaping	6	Not less than 26% of the <u>site area</u> shall be graded and landscaped.
Site coverage	7	The <u>site coverage</u> of a <u>lot</u> shall not exceed 30%.
Parking	8	Parking shall be provided in accordance with Schedule "C" of this bylaw.

Appendix C

Neighborhood Petition Details*

Registered Letters to property owners mailed October 10, 2014

1557 Oak Bay Ave – 692171 BC LTD.
 1559 Oak Bay Ave – 692171 BC LTD.
 1585 Oak Bay Ave – D Charles/E Bastedo
 1625 Oak Bay Ave – K Chung/M Park
 101-1625 Oak Bay Ave – 590636 BC LTD.
 102-1625 Oak Bay Ave – Victoria Orthopaedic Footwear Services
 103-1625 Oak Bay Ave – 613198 BC LTD.
 104-1625 Oak Bay Ave – 613198 BC LTD.
 301 & 305-1625 Oak Bay Ave – C Taylor, MD – **1 completed, in support**
 302-1625 Oak Bay Ave – 811712 BC LTD. – **1 completed, in support**
 303-1625 Oak Bay Ave – Dr. C S Vinnels Inc.
 306-1625 Oak Bay Ave – Myo-Kine Systems Corp. – **1 completed, in support**
 307-1625 Oak Bay Ave – ILH Capital Corp.
 1660 Fort St – M A Waldmann – **1 completed, in support**
 1650 Fort St – 1231720 Ontario Ltd. c/o Revera
 1608 Fort St – Chatam Development Corp.
 1524 & 1526 Pandora Ave – I M Kirsch
 1625 & 1659 Fort St – 701686 BC LTD.

Notified In-person

1609 Fort St – Hutton Property Mgmt – 3 copies left with business owner- **3 completed, all in support**
 Money Mart – **1 completed, in support**
 Rewers/Tiemer – 5 left with reception – **4 completed, all in support**
 Dragons Gate – **2 completed both in support**
 1650 Fort St – Revera – left messages for Debra Kean, Executive Director – no response
 1608 Fort St – 8 left with reception – emailed Manager, Lois Hayes – no response
 1602 Fort St – Individual Cleaners – **1 completed by owner, in support**
 1524 Pandora St – 1 left with Owner – **1 completed, in support**
 1532 Pandora St – Sound Hounds – 2 left with Carey Lee
 1509 Cold Harbour Rd – 8 left with Manager – **2 completed, both in support**
 1610 Oak Bay Ave – Sleep Shop – 1 left with Manager, Shellie
 1640 Oak Bay Ave – Company Capital – 6 left with office manager – **6 completed, all in support**
 Smiles By Design – 6 left with reception
 Headway – 3 left with reception
 Absolute Therapy – 3 left with reception
 Sinson Investments – 1 left in mail slot
 Oak Bay Medical Clinic – 3 left with reception
 1678 Fort St – Apt Bldg – 8 left with Manager, Carl
 1670 Fort St – Apt Bldg - 8 left with Manager, Peter – **1 completed, in support**
 1660 Fort St – Apt Bldg – 8 left in lobby of building
 1625 Fort St – Post Office – 2 left with Manager, Travis

- Islands Trust – 2 left with reception
- Williams & Co. – 2 left with Office Manager
- Whole In One Health – no answer
- War Amps – no answer
- Pharmasave – 2 left with Manager, Bryce
- 1520 Richmond Ave - #405 – **1 completed, in support**
- 1715 Richmond Ave - #410 – **1 completed, in support**
- 1625 Oak Bay Ave – Valentus – 4 left with Owner, Steve
 - Active Health & Wellness – 2 left with reception
 - Leaf – 2 left with reception
 - Dr. Taylor – 1 left with reception
 - Dr. Baker – 1 left with reception
 - Today's Dental Ctr – 1 left with reception
 - Island Ferry Services – 1 left with contractor
 - Dr. Wyllie – not open
 - Sterling & Gascoigne – 2 left with reception
 - Dr. Onoszko – 2 left with reception
- 1842 Oak Bay Ave – AW Jones Ins – **1 completed, in support**
- 1920 Oak Bay Ave – Phil Ballam Heating & Plumbing – **1 completed, in support**
- Stadacona Centre – Fair Realty – 1 left with Manager, Faith
 - Stadacona Food Mkt – 2 left with owner
 - ShIPLEY Group – 2 left with reception
 - Centre Court – 1 left with Owner, Don
 - Pinnacle Health – 1 left with Partner, Sam
 - Gordie's Music – 1 left with Gordie
 - Origin's Bakery – 1 left with clerk – **1 completed, in support**
 - Tartan Toque – 1 left with bartender
 - Urban Lotus Acupuncture – 1 left at reception – **1 completed, in support**
 - Subway – 1 left with Manager
 - Maison George – 1 left with George
 - Shine Café – 1 left with server
- 1311 Stanley & 1764 Oak Bay Ave – R Kerr, building owner – **1 completed, in support**
- 1541 Fort St – Leches – 2 left with Owner, Annie
- 1543 Fort St – Junction Furniture – **1 completed, in support** (owner also resident at 1031 Verrinder)
- 1537 Fort St – 153 with J Convenience Store – **1 completed, in support**
- 1520 Cold Harbour Rd – no answer, 1 left in mailbox
- 1522 Cold Harbour Rd – no answer, 1 left in mailbox
- 1037 Belmont Ave – **1 completed, in support**
- 944 St. Charles St – **1 completed, in support**
- 1516 Pandora St – Stadacona Dental Ctr – 1 left with reception
- 1526 Pandora St – no buzzer, 6 left under door
- 1635 Oak Bay Ave - #1 – 1 left with owner
 - #2-20 – 1 left in each mail slot
- 1559 Oak Bay Ave – Back – 1 left at door
 - Side 1 – 1 left at door
 - Side 2 – 1 left at door
- 1557 Oak Bay Ave – A – 1 left at door
 - B – 1 left at door

1585 Oak Bay Ave – 1, 7, 8, 10 – 1 left with each occupant – **1 completed, in opposition**
2, 3, 4, 5, 6, 9, 11, 12, 13, 14 – 1 left at each door
1038 McGregor St – 1 left in mailbox
1033 McGregor St – 1 left with Nanny
1035 McGregor St – 1 left with Owner
2142 Marne St – **1 received, in support**
2132 Marne St – **1 received, in support** (employee at RJH)

*unless otherwise noted petition has not been returned to date

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Cwis Taylor
ADDRESS: Suites 301 & 305 1625 Oak Bay Avenue.

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:

Hope all goes well
[Signature]

oct 25/2014
Date

[Signature]
Signature

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LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print)

Steve Baker

ADDRESS:

302 1625 Oak Bay 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:

Multiple horizontal lines for handwritten comments.

15/10/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

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Please review the plans and indicate the following:

NAME: (please print) DR. STEVEN WYLLIE / Myo-Kine Systems
ADDRESS: 306-1625 OAK BAY 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:

Multiple horizontal lines for handwritten comments.

Oct 16 / 14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) MARY ANN WALDMAN

ADDRESS: 4-4001 Old Clayburn Rd. Abbotsford BC V3G 1C5

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 it will be a nice looking upscale building

Oct 16 /14
Date

Mary Ann Waldman
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning
print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) JEFF TAYLOR

ADDRESS: A-1609 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.

Comments: I AM NOT OPPOSED TO
ANY DEVELOPMENT THAT
WILL BETTER THE APPEARANCE
OF THE PROPERTY

OCT. 7/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Jan Andrews

ADDRESS: 1609A 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.

Comments:

As long as no more than 3 parking spots are allocated as limited parking

02/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning
print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) RYAN ERROL ARMSTRONG
ADDRESS: A-1609 FORT STREET

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: FULL SUPPORT ON THIS CONCEPT A GREAT FIT.
EMPLOYEE AT HUTTON CONSUMPTION SERVICES.

OCT 3 2014
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) BLAZE WARD

ADDRESS: 1609 FORT STREET

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:

Multiple horizontal lines for handwritten comments.

10/03/14
Date

[Handwritten Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) JESSICA RUMERS

ADDRESS: 1609 FORT ST SUITE B VICTORIA BC V8R1M8

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: LIMITED 15 MIN PARKING SO OUR CLIENTS DON'T HAVE TO WORRY

10/7/14 Date

[Signature] Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning
print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) John Rzewers

ADDRESS: 1609 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.

Comments: PARKING ?

Oct 3/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Rena Tremer

ADDRESS: 1609 Fort St suite B

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:
only concern is parking for our clients

Oct 3/14
Date

[Signature]
Signature

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Sandy Mac

ADDRESS: 1609 Fort Street

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

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland
print name, have applied to the City of Victoria for rezoning
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Mark + Joan Paul
ADDRESS: 404-1508 Coldharbour Rd.

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:

Oct 6, 2014 [Signature]
Date Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) TANIA FACCA

ADDRESS: 301-1640 OAK BAY 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:

Oct 22, 2014
Date


Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

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Please review the plans and indicate the following:

NAME: (please print) WYMAN LEE

ADDRESS: 301-1640 OAK BAY 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:

Multiple horizontal lines for handwritten comments.

Oct 22 2014
Date

Wyman Lee
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) DONNA FERRIN

ADDRESS: 301 - 1640 OAK BAY 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:

Multiple horizontal lines for handwritten comments.

OCT 27 2014
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Jerry Johnson

ADDRESS: 405 - 1520 Richmond Ave Victoria V8R 4P6

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: Sound Good.

Oct 7 - 2014
Date

[Signature]
Signature

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning
print name
of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) W. DARCY COOK
ADDRESS: 410-1715 RICHMOND ST
VICTORIA

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:

EXCELLENT FOR
THIS NEIGHBOURHOOD

OCT 8/2014 [Signature]
Date Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning
print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) PHIL WADE

ADDRESS: 1920 OAK BAY 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: Phil Ballam Pg Htt

6/10/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Tara Black

ADDRESS: 1525 Pandora Ave, Victoria BC V8R6P9

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:

We own + operate Origin Bakery. We rent our premises. This will be a great addition to the community.

Oct 8/14
Date

Tara Black
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning
print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Maria Lastop - Owner of Urban Lotus Acupuncture & Herbs

ADDRESS: 1516 Fort Street, Victoria, BC, V8S 5J2

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:

I love this idea. + think it will be a
great addition to our community!

Oct. 8/14
Date

M. Lastop
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) ROGER KERR

ADDRESS: 1311 STANLEY AVE + 1764 DARBY 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:

Oct 5, 2014
Date

Roger Kerr
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Ruth Van Egmond *
ADDRESS: 1031 Verrinder 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:

Oct 6 / 14 Date Ruth Van Egmond Signature

* also Junction Furniture 1543 Fort St.

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Lesley Atherstone

ADDRESS: 1037 Belmont Avenue

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:

Multiple horizontal lines for handwritten comments.

Oct 6/14
Date

[Handwritten Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Robert Chewery

ADDRESS: 944 St Charles street

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:

[Lined area for handwritten comments]

Oct 9, 2014
Date

[Handwritten Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) XINGYIANG LI

ADDRESS: 1537 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.

Comments:

Multiple horizontal lines for writing comments.

Date: Oct 6, 2014

Signature: [Handwritten Signature]

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) CLARE MELLON

ADDRESS: #7-1525 OAK BAY AVENUE

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:

My two biggest concerns are the implication of another liquor store in this area and noise. Although the "filter" appears to be quite good, I worry it will allow negative impacts into the area. I have heard the FOUR BAY/FORT liquor store and there were many homeless people, alcoholics/addicts, and break-ins in the neighborhood. I was followed home two times and constantly bothered by people begging. As a woman, I value being able to walk home from work/school at night without being afraid. I moved to this apartment last Dec, and have always felt safe, so I would hate for that to change. (I frequently cut through the lot of 1609 Fort later at night coming home off the bus). Secondly, noise would be a big concern. I am a student and my apartment faces the proposed area. During 2013 I lived by the Abstract building development on OAK BAY AVE and it was awful being woken up at 6AM every day. Although I appreciate the values that stand for, this development would disrupt the area.

October 10th 2014
Date

Clare Mellon
Signature

CITY OF VICTORIA

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor store.

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Please review the plans and indicate the following:

NAME: (please print) Dr John McCracken

ADDRESS: 2142 Marne 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.

Comments:

There are too few of these
outlets & a new one at
the Oak Bay junction would
be most welcome.

Oct 6/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Jeff McCracken

ADDRESS: 2132 Marine 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.

Comments: I have reviewed the application and 100% approve and encourage this to move forward. I work at RGH hospital and live in Oak Bay. To have the option of shopping at a ~~retail~~ store with options selected by such high level wine people is exceptional. Please make it happen!!

10/9/14
Date

[Signature]
Signature



LICENSEE RETAIL STORE REZONING PETITION

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The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Neil G Sinagra (Sinsoor Investments) LTD

ADDRESS: 200 - 1640 OAT RAY AVE

Are you the registered owner? Yes No (TENANT)

I have reviewed the plans of the applicant and have the following comments:

- I support the application.
 I am opposed to the application.

Comments:
[Multiple blank lines for handwritten comments]

Date: Oct 6 / 14

Signature: [Handwritten signature]



1741 Davie St.
Victoria, BC
V8R4W5
250-592-7068

October 21st, 2014

Mayor and Council
City of Victoria
#1 Centennial Square
Victoria, British Columbia
V8W 1P6

Dear Mayor and Council,

Re: 1609 Fort St. rezoning request by Midalta Investments

I have met twice with Ross Borland of Midalta Investments regarding this proposal. I have also discussed the proposed private liquor store with local residents via email, telephone and at a planning meeting held on October 15th. One local apartment manager surveyed her tenants about the proposal.

The proponent assured residents at the meeting:

- That the open and closing hours would be limited to approved Provincial hours
- That the proposed store would not sell single serving products attractive to street people
- That the proposed store would be promoting local craft brewery and BC Wine products
- That the proposed store would not become a redemption site for empty cans and bottles by limiting redemptions to 12 cans/bottles per person per day.

The proponent was not able to assure the meeting:

- That there would not be significant noise from increased car traffic (starting/stopping, car doors slamming)
- That the proposed store would not attract street people or teenage residents of Youth in Peril housing in the neighbourhood.

Based on our discussions to date, the South Jubilee Neighbourhood Association has no objections to the proposed rezoning, viewing the proposed liquor store as a physical improvement to the existing vacant storefronts. We also view increased commercial activity as preferable to the existing vacant storefronts.

Regards,

Tom Sellgren
South Jubilee Neighbourhood Development Committee

CC: Ross Borland, Rockland Neighbourhood Association, North Jubilee Neighbourhood Association

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Cwis Taylor
ADDRESS: Suites 301 & 305 1625 Oak Bay Avenue.

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:

Hope all goes well
[Signature]

Oct 25/2014
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Steve Baker
ADDRESS: 302 1625 Oak Bay 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:

Multiple horizontal lines for handwritten comments.

15/10/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

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Please review the plans and indicate the following:

NAME: (please print) DR. STEVEN WYLLIE / Myo-Kine Systems
ADDRESS: 306-1625 OAK BAY 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:

Oct 16 / 14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

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Please review the plans and indicate the following:

NAME: (please print) MARY ANN WALDMAN

ADDRESS: 4-4001 Old Clayburn Rd. Abbotsford BC V3G 1C5

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 it will be a nice looking upscale building

Oct 16 / 14
Date

Mary Ann Waldman
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

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Please review the plans and indicate the following:

NAME: (please print) JEFF TAYLOR

ADDRESS: A-1609 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.

Comments: I AM NOT OPPOSED TO
ANY DEVELOPMENT THAT
WILL BETTER THE APPEARANCE
OF THE PROPERTY

OCT. 7/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Jan Andrews

ADDRESS: 1609A 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.

Comments:

As long as no more than
3 parking spots are allocated
as limited parking

02/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
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store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) RYAN ERROL ARMSTRONG

ADDRESS: A-1609 FORT STREET

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: FULL SUPPORT ON THIS CONCEPT A GREAT FIT.
EMPLOYEE AT HUTTON CONSUMPTION SERVICES.

OCT 3 2014
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) BLAZE WARD

ADDRESS: 1609 FORT STREET

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:

Multiple horizontal lines for handwritten comments.

10/03/14
Date

[Handwritten Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) JESSICA RENEWS

ADDRESS: 1609 FORT ST SUITE B VICTORIA BC V8R1M8

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: LIMITED 15 MIN PARKING SO OUR CLIENTS DON'T HAVE TO WORRY

10/7/14 Date

[Signature] Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
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store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Jessica Bawlf

ADDRESS: 1609 Fort St Suite B

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:

Parking will be an issue

Oct 7/14
Date

J Bawlf
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) John Rzewers

ADDRESS: 1609 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.

Comments: PARKING ?

Oct 3/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Rena Tremer

ADDRESS: 1609 Fort St suite B

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:
only concern is parking for our clients

Oct 3/14
Date

[Signature]
Signature

LICENSEE RETAIL STORE REZONING PETITION

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print name
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Please review the plans and indicate the following:

NAME: (please print) Sandy Mac

ADDRESS: 1609 Fort Street

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

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) KEN GRANT

ADDRESS: 1602 FORT ST.

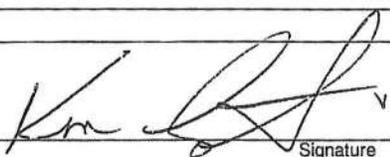
Are you the registered owner? Yes No

I have reviewed the plans of the applicant and have the following comments:

- I support the application.
- I am opposed to the application.

Comments:

OCT 3/14
Date


Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) WYMAN LEE

ADDRESS: 301-1640 OAK BAY 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:

Multiple horizontal lines for handwritten comments.

Oct 22 2014
Date

Wyman Lee
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) DONNA FERRIN

ADDRESS: 301 - 1640 OAK BAY 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:

Multiple horizontal lines for handwritten comments.

OCT 27 2014
Date

[Handwritten Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Jerry Johnson

ADDRESS: 405 - 1520 Richmond Ave Victoria V8R 4P6

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: Sound Good.

Oct 7 - 2014
Date

[Signature]
Signature

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor store.

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Please review the plans and indicate the following:

NAME: (please print) W. DARCY COOK
ADDRESS: 410-1715 RICHMOND ST
VICTORIA

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:

EXCELLENT FOR
THIS NEIGHBOURHOOD

OCT 8/2014 [Signature]
Date Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) PHIL WADE

ADDRESS: 1920 OAK BAY 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: Phil Ballam Pg Htt

6/10/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

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to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Tara Black

ADDRESS: 1525 Pandora Ave, Victoria BC V8R6P9

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:
We own + operate Origin Bakery. We rent
our premises. This will be a great addition to
the community.

Oct 8/14
Date

Tara Black
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Maria Lastop - Owner of Urban Lotus Acupuncture & Herbs

ADDRESS: 1516 Fort Street, Victoria, BC, V8S 5J2

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:

I love this idea. + think it will be a
great addition to our community!

Oct. 8/14
Date

M. Lastop
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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print name
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store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) ROGER KERR

ADDRESS: 1311 STANLEY AVE + 1764 DARBY 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:

Oct 5, 2014
Date

Roger Kerr
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Ruth Van Egmond *
ADDRESS: 1031 Verrinder 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:

Oct 6 / 14 Date R. Van Egmond Signature

* also Junction Furniture 1543 Fort St.

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

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Please review the plans and indicate the following:

NAME: (please print) Lesley Atherstone

ADDRESS: 1037 Belmont Avenue

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:

Multiple horizontal lines for handwritten comments.

Oct 6/14
Date

[Handwritten Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, print name, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

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Please review the plans and indicate the following:

NAME: (please print) Robert Chewery

ADDRESS: 944 St Charles street

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:

Oct 9, 2014
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

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The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) XINGYIANG LI

ADDRESS: 1537 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.

Comments:

Multiple horizontal lines for writing comments.

Date: Oct 6, 2014

Signature: [Handwritten Signature]

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

Ross Borland, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) CLARE MELLON

ADDRESS: #7-1525 OAK BAY AVENUE

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:

My two biggest concerns are the implication of another liquor store in this area and noise. Although the "filter" appears to be quite good, I worry it will allow negative impacts into the area. I have heard the FOUR BAY/FORT liquor store and there were many homeless people, alcoholics/addicts, and break-ins in the neighborhood. I was followed home two times and constantly bothered by people begging. As a woman, I value being able to walk home from work/school at night without being afraid. I moved to this apartment last Dec, and have always felt safe, so I would hate for that to change. (I frequently cut through the lot of 1609 Fort later at night coming home off the bus). Secondly, noise would be a big concern. I am a student and my apartment faces the proposed area. During 2013 I lived by the Abstract building development on OAK BAY AVE and it was awful being woken up at 6AM every day. Although I appreciate the values that stand for, this development would disrupt the area.

October 10th 2014
Date

Clare Mellon
Signature

CITY OF VICTORIA

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning
print name
of property, located at 1609 Fort Street to permit a retail liquor
store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled
to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Dr John McCracken

ADDRESS: 2142 Marne 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.

Comments:

There are too few of these
outlets & a new one at
the Oak Bay junction would
be most welcome.

Oct 6/14
Date

[Signature]
Signature

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Jeff McCracken

ADDRESS: 2132 Marine 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.

Comments: I have reviewed the application and 100% approve and encourage this to move forward. I work at RGH hospital and live in Oak Bay. To have the option of shopping at a ~~retail~~ store with options selected by such high level wine people is exceptional. Please make it happen!!

10/9/14
Date

[Signature]
Signature



LICENSEE RETAIL STORE REZONING PETITION

I, Ross Borland, have applied to the City of Victoria for rezoning of property, located at 1609 Fort Street to permit a retail liquor store.

The City of Victoria requires that all residents and owners of neighbouring lots be polled to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print) Neil G Sinagra (Sinsoor Investments) LTD

ADDRESS: 200 - 1640 OAT RAY AVE
Are you the registered owner? Yes No (TENANT)

I have reviewed the plans of the applicant and have the following comments:

- I support the application.
 I am opposed to the application.

Comments:

Multiple horizontal lines for handwritten comments.

Date: Oct 6 / 14

Signature: [Handwritten Signature]



1741 Davie St.
Victoria, BC
V8R4W5
250-592-7068

October 21st, 2014

Mayor and Council
City of Victoria
#1 Centennial Square
Victoria, British Columbia
V8W 1P6

Dear Mayor and Council,

Re: 1609 Fort St. rezoning request by Midalta Investments

I have met twice with Ross Borland of Midalta Investments regarding this proposal. I have also discussed the proposed private liquor store with local residents via email, telephone and at a planning meeting held on October 15th. One local apartment manager surveyed her tenants about the proposal.

The proponent assured residents at the meeting:

- That the open and closing hours would be limited to approved Provincial hours
- That the proposed store would not sell single serving products attractive to street people
- That the proposed store would be promoting local craft brewery and BC Wine products
- That the proposed store would not become a redemption site for empty cans and bottles by limiting redemptions to 12 cans/bottles per person per day.

The proponent was not able to assure the meeting:

- That there would not be significant noise from increased car traffic (starting/stopping, car doors slamming)
- That the proposed store would not attract street people or teenage residents of Youth in Peril housing in the neighbourhood.

Based on our discussions to date, the South Jubilee Neighbourhood Association has no objections to the proposed rezoning, viewing the proposed liquor store as a physical improvement to the existing vacant storefronts. We also view increased commercial activity as preferable to the existing vacant storefronts.

Regards,

Tom Sellgren
South Jubilee Neighbourhood Development Committee

CC: Ross Borland, Rockland Neighbourhood Association, North Jubilee Neighbourhood Association



Planning and Land Use Committee Report
 For the Meeting of March 5, 2015

To: Planning and Land Use Committee **Date:** February 19, 2015
From: Lucina Baryluk, Senior Process Planner
Subject: Development Permit Application No. 000406 with variances for 1609 Fort Street

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. 00465, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000406 for 1609 Fort Street, in accordance with:

1. Plans dated January 28, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for Schedule C, total number of parking stalls reduced from 22 to 20.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Development Services."

LEGISLATIVE AUTHORITY

In accordance with section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the bylaw.

Pursuant to sections 920(8) of the *Local Government Act*, where the purpose of a 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, the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1609 Fort Street. The proposal is to locate a Liquor Retail Store within an existing building (currently three vacant ground-floor retail spaces). The variance is related to the reduction of the off-street vehicle parking requirements.

The following points were considered in assessing this Application:

- The subject property is within Development Permit Area 5, Large Urban Village, Stadacona Village. The applicable design guidelines are the *Oak Bay Avenue Land Use and Design Guidelines (2001)*. Since there is no new construction, the existing building design is not a matter for review. However, minor landscape improvements will result.
- A parking variance is required to reduce the number of off-street parking stalls from 22 to 20. While this is not an optimal situation, the applicant has indicated an on-site parking management strategy to alleviate this shortfall. In addition, bicycle parking will be relocated to a more functional location and secure bike parking within the premises will be provided for employees.

BACKGROUND

Description of Proposal

The proposal is to use existing retail space to for a Liquor Retail Store. Specific details include:

- minor changes to the building façade for a more prominent store entrance
- new signage for the Liquor Store
- upgraded exterior lighting
- an enclosed area behind the store for recycling (east elevation)
- adding screening around existing recycling and garbage bins in the parking lot
- existing landscaping to remain in place.

Sustainability Features

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

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the South Jubilee Neighbourhood Association at a Community Meeting held on October 15, 2014. A letter dated October 21, 2014, is attached to the Rezoning Application Report.

ANALYSIS

Official Community Plan (OCP)

The *Official Community Plan (OCP)* identifies this property within DPA 5, Large Urban Village, Stadacona Village. The specific guidelines that apply to this area are the *Oak Bay Avenue Land Use and Design Guidelines (2001)*.

With respect to Stadacona Village area, the OCP specifies that:

- Revitalization is needed to permit the intensification of development balanced with the open space character, to achieve a unique sense of place and urban design.
- An objective for all Large Urban Villages is to design them in a manner that encourages pedestrian and cycling use and enhances the experience of pedestrians and cyclists.

As no new buildings will be constructed as part of this application, the opportunities for affecting the revitalization targets of the OCP are limited. However, the policy guidelines with respect to the streetscape redevelopment are applicable to this site.

Garbage and recycling bins are currently located behind a number of parking stalls along the east property line. At the current time, these bins are not screened. The applicant has indicated that this area will be screened with a chain link fence with screening material as shown on the landscape plan. This will provide definition to this area and will be an improvement over the existing situation, creating a visual screen for pedestrians.

Regulatory Considerations – Parking Variance

The C1-J Zone, Limited Commercial Junction District requires a total of 22 parking stalls for the existing building; however, at some time in the past the parking lay out was changed and the parking lay out no longer complies with the Schedule C Parking Requirements of the *Zoning Regulation Bylaw*. The proposal is to provide a total of 20 parking stalls on-site, resulting in a request to reduce the requirements by two stalls. It should be noted that the parking plan shows 21 stalls; however, the stall closest to Oak Bay Avenue (stall seven) does not comply with the standards set out in Schedule C so can not be counted.

The parking variance is considered to be supportable as it is minor, reflects the current conditions and the property is well served by public transit.

Bicycle Parking

The applicant has indicated that the existing bike rack will be relocated to a more functional and safe location outside the restaurant (Fort Street frontage). In addition, secure bike storage will be provided for staff within the facility.

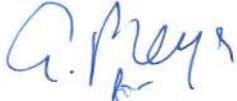
CONCLUSIONS

With no new construction, the existing building design is not a matter for review. However, minor landscape improvements will result at this time. The parking variance is minor and is supportable given the proposed on-site parking management strategy. In addition, bicycle parking will be relocated to a more functional location and secure bike parking within the premises will be provided for employees.

ALTERNATE MOTION

That Council decline Development Permit Application No. 000406 for the property located at 1609 Fort Street. (Note: If the Rezoning Application is declined, the Development Permit Application does not proceed.)

Respectfully submitted,

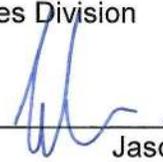


Lucina Baryluk
Senior Process Planner
Development Services Division



Alison Meyer
Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

Feb. 27/15

LB:aw:af

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List of Attachments

- All attachments with the Rezoning Application Report.

but may not include requirements regarding the particulars of the landscaping or of the exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 549 Toronto Street. The proposal is for a three-storey attached dwelling that includes five residential units. The Application proposes variances to site coverage, site area, landscaping, front and side yard setbacks.

The following points were considered in assessing this Application:

- the proposal is consistent with the objectives for multi-unit residential developments in Development Permit Area 16: General Form and Character of the OCP
- the proposal is consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012)*, *Advisory Design Guidelines for Buildings, Signs and Awnings* and *Guidelines for Fences, Gates and Shutters*
- the Application is identical to a proposal approved by Council in 2012. This Application is necessary because the previous Development Permit lapsed.

BACKGROUND

Description of Proposal

The proposal is for a three-storey attached dwelling that includes five residential units and includes the following details:

- a mix of exterior materials including corrugated galvanized metal siding, acrylic stucco, architectural brick veneer and fir panel siding
- an enclosed parking stall for each residential unit
- two visitor parking stalls
- six bike racks located adjacent to the building entrance
- secure bike parking provided within each individual residential unit
- individual balconies for each residential unit.

There are a number of variances associated with this proposal and these are discussed in more detail later in this report.

Sustainability Features

The applicant has not identified any specific sustainability features associated with this proposal, however, is noted that permeable pavers are proposed.

Existing Site Development and Development Potential

The Application site was previously occupied by a single-family dwelling which was demolished in 2014, however, the site is currently in the R3-2 Zone, Multiple Dwelling District.

Data Table

The following data table compares the proposal with the R3-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	R3-2 Zone Standard
Site area (m ²) - minimum	850*	920
Total floor area (m ²) - minimum	763	765
Density (Floor Space Ratio) - maximum	0.9	0.9
Height (m) - maximum	9.2	18.5
Site coverage (%) - maximum	44*	30
Open site space (%) - minimum	30	30
Storeys - maximum	3	n/a
Setbacks (m) – minimum		
North	6.2*	9
South	5.5	4.6
East	3.5*	4.6
West	2.2*	4.6
Landscape strip – side yard	Nil*	0.6
Parking - minimum	7 stalls	7 stalls
Visitor Parking - minimum	2 stalls	2 stalls
Bicycle storage - minimum	6 stalls	6 stalls
Bicycle rack – minimum	6	6

Relevant History

Council granted a Development Variance Permit for the variances identified in the current proposal on July 26, 2012. Soon after this approval, the OCP was adopted by Council and, as a result, the property became subject to Development Permit Area 16: General Form and Character. On October 25, 2012, Council subsequently approved a Development Permit for a three-storey attached dwelling that included five residential units. The Development Variance Permit and Development Permit both expired on July 26, 2014.

The current Application seeks a Development Permit with Variances for exactly the same proposal that was approved by Council in 2012.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on February 24, 2015, the Application was referred for a 30-day comment period to the James Bay CALUC. At the time of writing this report a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within DPA16, General Form and Character and, therefore, the applicable Design Guidelines are as follows:

- *Design Guidelines for Multi-Unit Residential, Commercial and Industrial*
- *Advisory Design Guidelines for Buildings, Signs and Awnings*
- *Guidelines for Fences, Gates and Shutters.*

The Application is consistent with the aforementioned Design Guidelines in the following ways:

- the proposal provides a transition in form and scale from established multiple unit residential buildings to the single family and duplex dwellings to the west through the proposed building form, height and massing
- the architectural approach is modern which further contributes to the rich and varied place character of the neighbourhood
- the proposal includes a primary unit entrance facing Toronto Street which is pronounced and identified with an overhead entry canopy, a landscaped pathway and accompanying terrace
- the south façade includes varied, high quality building materials including fir panel siding and brick veneer that contributes to an effective and visually interesting street edge for pedestrians
- parking is provided on site with five individually enclosed parking stalls and two surface, visitor parking stalls
- the proposed landscape plan indicates new garden beds and trees adjacent to the street and nearly all hard surfaced areas are finished with high quality permeable paving.

Proposed Variances

The Application proposes six variances from the *Zoning Regulation Bylaw* which are discussed below:

Minimum Site Area

The Application seeks a variance to reduce the minimum site area from 920m² to 850m². As a result of the size and orientation of the parcel, the applicant has proposed a townhouse form of development. It is considered that the form of development proposed is appropriate for a site of this size.

Maximum Site Coverage

The applicant proposes an increase in site coverage from 30% to 44%. Due to the narrow lot configuration and the requirement for adequate drive-aisle width, the applicant proposes to cantilever the second and third levels into the drive aisle area to provide more functional floor plans for each of the units which has the effect of increasing the overall site coverage.

Landscaped Side Yard

Again, due to the narrow lot configuration and the required drive-aisle width, the applicant is requesting the elimination of the requirement for a landscaped side yard (west). The intent of this requirement within the zone is to provide for a landscaped area between the drive aisle and the lot line. In lieu of the required landscaped side yard, the applicant proposes to construct a 1.8m tall cedar fence over a concrete retaining wall in order to provide a visual barrier between the properties.

Side Yard Setbacks

The applicant is requesting a reduction in the required side yard setbacks on both the east and west sides of the proposed building. To the west, the applicant is requesting a 1.1m setback reduction from the required 4.6m resulting in a side yard of 3.5m. This setback would result in a separation distance of 13.4m between the proposed development and the habitable room windows of the seniors' residence to the west. It is considered that this proposed setback will not have an undue impact on the livability of the proposed or neighbouring dwellings.

To the east, the applicant is requesting a 2.4m setback reduction from the required 4.6m resulting in a side yard which is 2.2m. To the east is a surface parking lot that provides the required parking for the residents of 562 Simcoe Street, so this reduced setback will not have a negative impact on the neighbouring residential units.

Front Yard Setback

The proposed front setback reduction from 9m to 6.2m is consistent with other dwellings on Toronto Street. Furthermore, the proposal includes a primary unit entrance facing Toronto Street and the front building elevation includes a mix of high-quality building materials that contributes to an effective and visually interesting street edge for pedestrians.

CONCLUSIONS

The current Application seeks a Development Permit with Variances for exactly the same building design and variances from the *Zoning Regulation Bylaw* approved by Council in 2012. Applicable City Policy and Design Guidelines have not changed since the approval of the previous Development Permit. The proposal is considered to be consistent with the applicable Design Guidelines and, consistent with the previous staff recommendation, staff recommend that Council consider approving this Application.

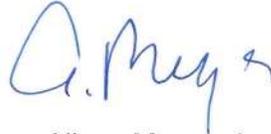
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000410 for the property located at 549 Toronto Street.

Respectfully submitted,



Jim Handy
Senior Planner – Development Agreements
Development Services Division



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

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

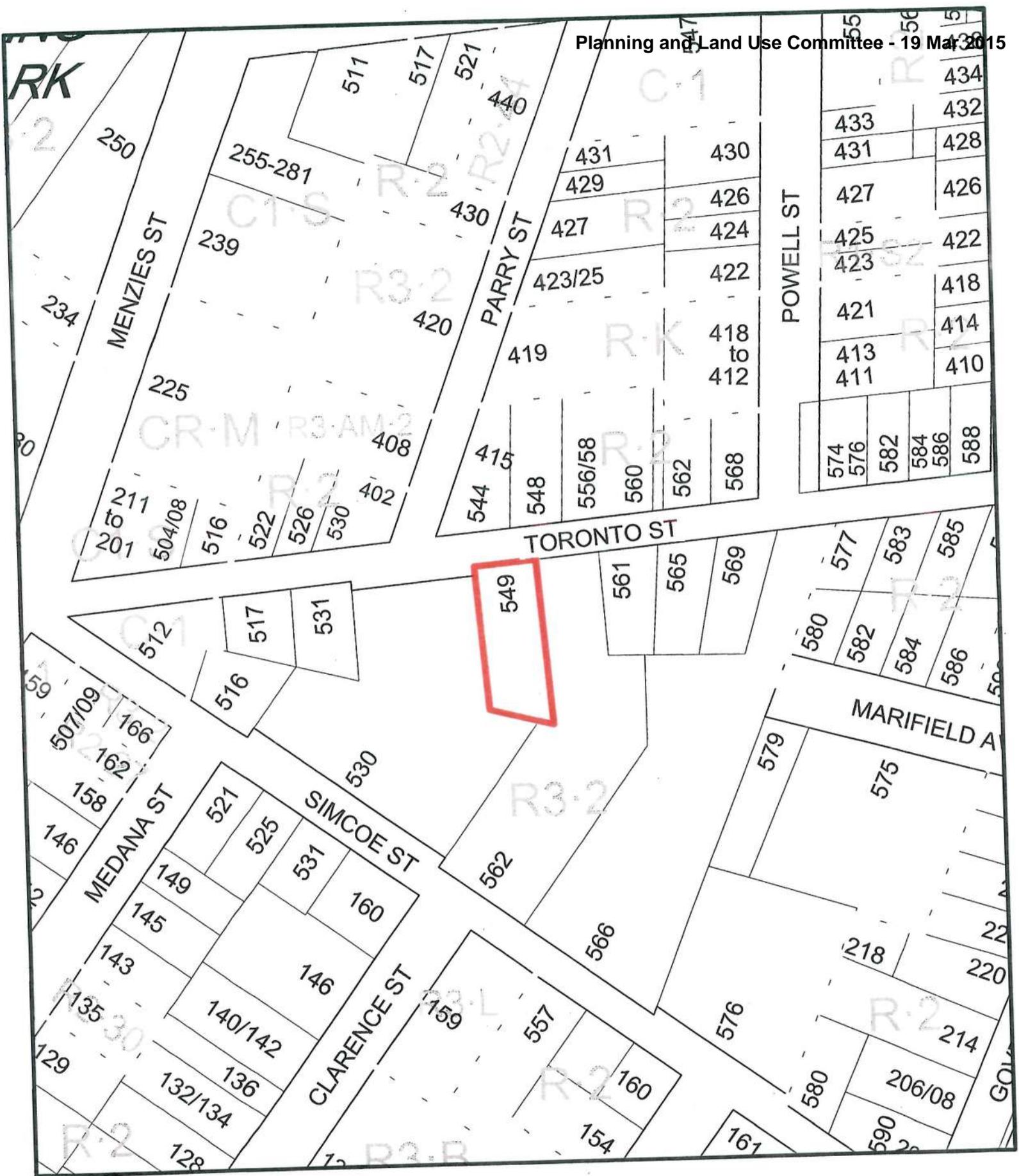
Date: March 4, 2015

JH:aw

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List of Attachments

- Zoning map
- Aerial photo
- Applicant's letter to Council dated February 23, 2015
- Plans dated February 23, 2015.

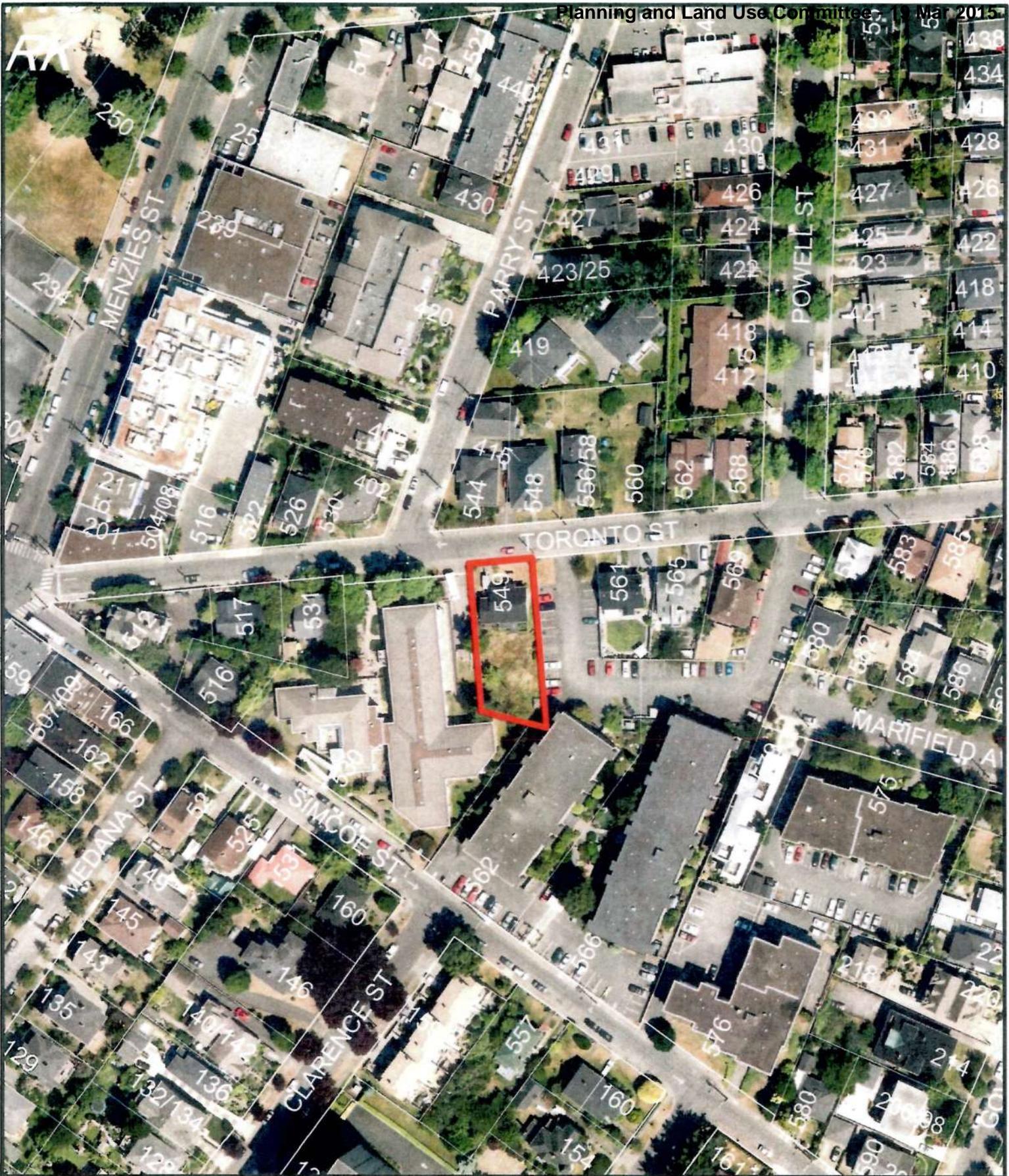


549 Toronto Street
 Development Permit #000410



Development Permit with Variances Application No. 000410 for...





549 Toronto Street
 Development Permit #000410
 Development Permit with Variances Application No. 000410 for...





Mayor and Council
 City of Victoria
 #1 Centennial Square
 Victoria, BC V8W 1P6

Thursday February 19, 2015

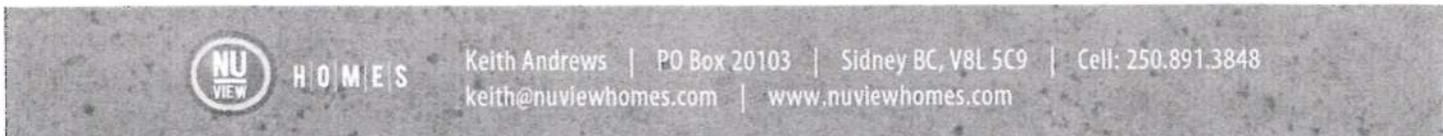
Re: Development Permit Application
 549 Toronto Street
 (Previously DP#000285, DVP#000106)

Your Worship and Members of Council;

On behalf of the owners of 0943861 BC Ltd., we are submitting this application for a Development Permit, with Variances for the property located at 549 Toronto Street, in James Bay.

We are reapplying for a Development Permit, with Variances as the previously approved DP & DVP for this property lapsed. DVP#000106 was approved in July of 2012 and following that process, the OCP was adopted by the Council and this property was brought under the new DP Area 16 designation, thereby necessitating the application for a Development Permit. DP#000285 was approved in October 2012, however the expiry date was back-dated to the DVP's expiry date of July 26, 2014. Operating under the pretense that the application date would coincide with the DP expiry date (October), the owners carried forward with the design process preparing to submit for BP. It was brought to light in May that the DP's deadline wasn't October, but in fact July 26th, 2014. Understanding the necessity of meeting the DP's expiry date, the owner's met with the City of Victoria's Permit and Inspections Department to discuss the impending expiry and what efforts could be carried out to sustain the DP and "substantially commence construction" as the drawings were not ready for BP submission. Direction was given by the Permit and Inspections Department to demolish and excavate the pre-existing single-family dwelling and it was cross-referenced with the City's Solicitor that these efforts would constitute "start of work." Later, the efforts expended by the owners to sustain the project's DP and DVP with the City of Victoria's Permit and Inspections Department and the City of Victoria's Solicitor while initially approved, were deemed futile. Thus, Your Worship and Members of Council are now receiving this reapplication.

The property is zoned R3-1 R3-2 Multiple Dwelling District. To the east, there is a parking lot serving a four-story residential building on the lot located to the south east, and to the west there is the two-story extended care wing of the Beckley Farm Lodge. The property is situated one block from the intersection of Toronto and Menzies Streets, within easy walking distance of the core area





of James Bay. The single-family home that previously stood at 549 Toronto Street was demolished and excavated in July 2014 (BP051305) as directed by the City of Victoria.

The project that is being submitted today is of the exact vernacular, layout, fit and finish as what was presented to and approved by Your Worship and Council in 2012. The project is five three-story townhomes with attached garages, bicycle storage and two on-site visitor stalls and visitor bike lock-up area, with a total FSR of 0.9 to 1. Throughout the process of the previous DVP & DP approval, many changes to the exterior finishes, design features, massing, etc. were made in response to comments received at the various stages of review.

There were five variances previously approved in regards to this project:

- Section 3.3.4(1) – Site coverage relaxed from 30% max to 44%.
- Section 3.3.9 – Site area relaxed from 920 m² minimum to 850 m².
- Section 3.3.10 – Front yard setback relaxed from 9.0 m to 6.2 m.
- Section 3.3.12 – Side yard setbacks relaxed from 4.75 m to 2.2 m (east) and 3.5 m (west) side yards.
- Schedule C Section 7.2(h) – Landscape strip for surface parking and aisle relaxed from 0.6 m to nil (west) side yard.

** Please reference attachment “Development Variance Permit Application – 549 Toronto Street Revisions and Rationale Information” for an elaboration on the above previously approved variances.

The design and materials incorporated with this submission and that were previously approved are in keeping with Design Guidelines for Multi-Unit Residential, Commercial and Industrial buildings, referenced in the OCP. The following key points were addressed in this proposal:

- New development should be compatible with and improve the character of established areas through design that is unifying, sensitive and innovative.
- Provide a transition in its form and massing to lower-density building forms.
- Be designed to address privacy.
- New development is encouraged to add interest to the streetscape through variations in building height, rooflines, and massing.
- Buildings should be located to provide an effective street edge while respecting the established, desired streetscape rhythm.
- Visual and physical connections between the public street and buildings should be developed (e.g. patios and spill-out activity, views to and from interior spaces, awnings and canopies).
- Individual entrances with direct connections to the public sidewalk are encouraged.



HOMES

Keith Andrews | PO Box 20103 | Sidney BC, V8L 5C9 | Cell: 250.891.3848
 keith@nuviewhomes.com | www.nuviewhomes.com



- Building bases should be well designed and articulated, especially along facades that are adjacent to a street.
- Perceived building mass should be mitigated through the use of architectural elements, visually interesting rooflines, stepping-back of upper floors, detailing that creates rhythm and visual interest, or other design solutions.
- Porches, steps, alcoves, or other design features are encouraged to make transitions from the public realm of the street and sidewalk to the private realm of residences.
- The use of building elements such as raised terraces, forecourts, or landscaping should be considered to enhance residential entrances.
- Exterior building materials should be high quality, durable, and capable of weather gracefully.
- Open space should be useable, attractive, and well integrated with the design of the building.
- Consideration should be given to the inclusion of private open space in residential developments in the form of courtyards, recessed balconies, terraced balconies or rooftop gardens.
- Use of high quality, permeable and durable paving materials in parking and pedestrian areas is encouraged. Paved surfaces with visual interest should be provided.
- The use of alternative modes of transportation should be promoted in site design.
- Visible and secure parking or storage should be provided for bicycles.
- Safe and easily identified access for pedestrians, bicycles and vehicles should be provided.

Green building initiatives will be implemented as per the BC Building Code.

Sincerely,

Martine Kiliwnik
Nu-View Homes

Enc. (Development Variance Permit Application – 549 Toronto Street Revisions and Rationale Information, 3 pages)



HOMES

Keith Andrews | PO Box 20103 | Sidney BC, V8L 5C9 | Cell: 250.891.3848
keith@nuviewhomes.com | www.nuviewhomes.com

PROJECT DESCRIPTION

CIVIC ADDRESS:
549 Toronto Street, Victoria, BC
LEGAL DESCRIPTION:
District Lot 5, Beckley Farm,
Victoria City, Plan 34

VICTORIA ZONING BYLAW SUMMARY

ZONING USES:	83-2 MULTIPLE DWELLING	
	PERMITTED	PROPOSED
SITE AREA:	920 m ²	850 m ²
SITE COVERAGE:	30% (255 m ²)	44% (374 m ²) (DVP approved)
TOTAL FLOOR AREA:	755 m ²	763 m ²
FLOOR SPACE RATIO:	0.9 to 1	0.9 to 1
SETBACKS:	REQUIRED	REQUIRED
FRONT:	0.0 m	6.30 m (2.8 m DVP approved)
REAR:	14.75 m (1/2 height)	5.50 m
SIDE (EAST):	4.75 m	2.20 m (2.55 m DVP approved)
SIDE (WEST):	4.75 m	3.50 m (1.25 m DVP approved)
OPEN SITE SPACE %:	130% (255 m ²)	30% (255 m ²)
PARKING:	7 stalls	7 stalls (incl. 2 visitor)
BICYCLE PARKING:	6-Class 1 (1 stall per unit)	6-Class 1 in porches
HEIGHT OF BUILDING:	6 Space Rack-Class 2 (at bldg. entrance)	6 Space Rack - Class 2 (at entrance/utility)
NUMBER OF STOREYS:	16.3 m Max	9.2 m
	up to 6 storeys	3 storeys

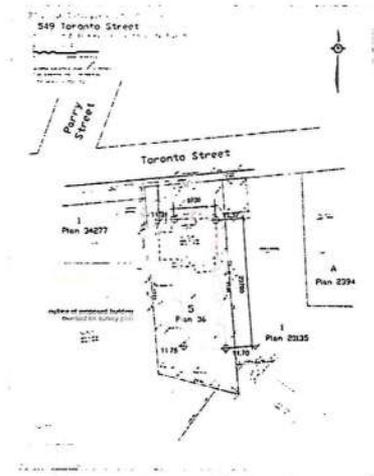
Note: Refer to drawing sheet A202 for Unit Summary



1 CONTEXT PLAN - AERIAL PHOTO
1:500

AVERAGE GRADE:

11.31 + 11.37 / 2 = 11.34 x 9.7m =	110.0
11.37 + 11.70 / 2 = 11.53 x 20.7m =	242.5
11.70 + 11.75 / 2 = 11.72 x 9.7m =	113.7
11.75 + 11.51 / 2 = 11.53 x 29.7m =	342.5
	808.7 / 78.8 = 11.53 m profile



2 SITE SURVEY PLAN - EXISTING
1:500

BUILDING CODE SUMMARY

REFERENCED DOCUMENT: BRITISH COLUMBIA BUILDING CODE 2006 - PART 3
OCCUPANCY CLASSIFICATIONS: RESIDENTIAL GROUP C
BUILDING AREA (Building Footprint): 306 m²
BUILDING HEIGHT: 3 STOREYS
NUMBER OF STREETS FACING: 1
CONSTRUCTION REQUIREMENTS: GROUP C, Up to 4 Storeys, Sprinklered Section 3.2.2.4.5
Combustible or non-combustible construction permitted.

PROJECT DIRECTORY:

DEVELOPMENT TEAM
ARCHITECT
de Hoog & Kierulff architects
877 Ford Street
Victoria BC V8V 3K3
tel: 250 858 2367
fax: 250 858 3397
LANDSCAPE ARCHITECT
LADR
28-495 Douglas Rd.
Victoria, BC V8E 1B8
tel: 250 958 0105
fax: 250 412 0696

LIST OF DRAWINGS:

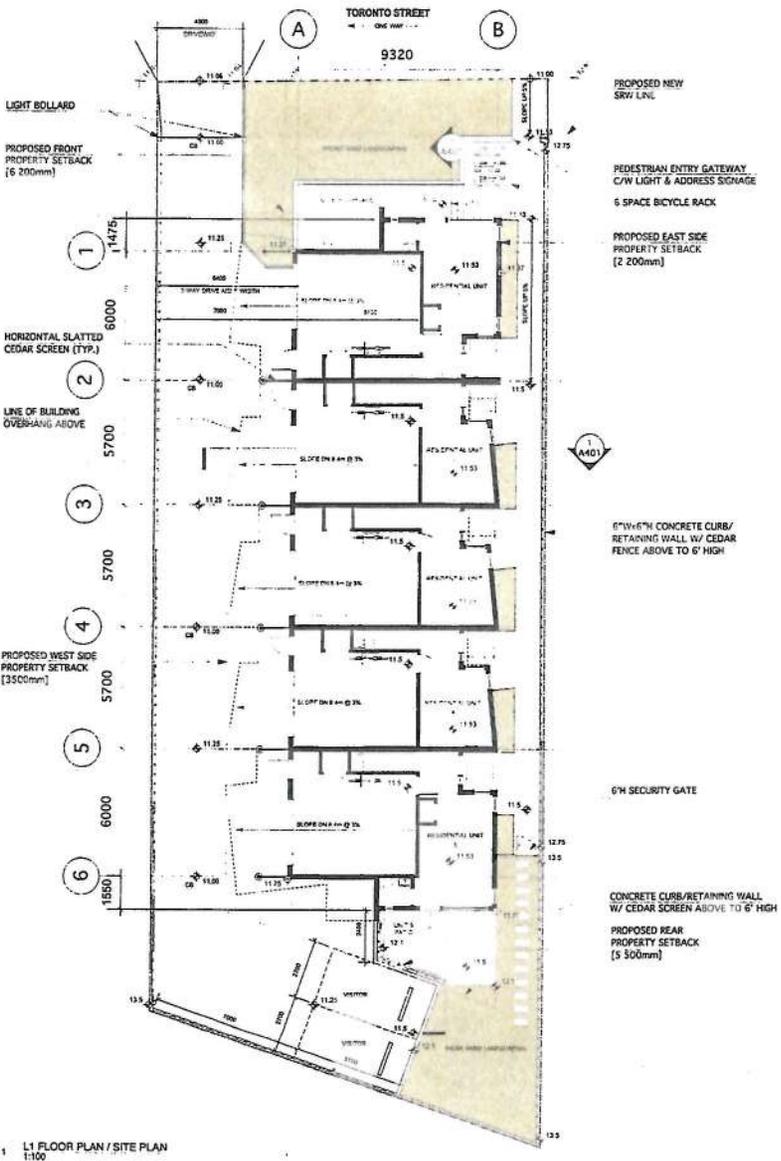
ARCHITECTURAL:
A100 PROJECT DATA
A201 FLOOR PLANS
A202 UNIT PLANS
A203 ELEVATIONS & MATERIALS
A401 BUILDING SECTIONS
A500 PERSPECTIVE VIEW
A501 PERSPECTIVE VIEW
A502 PERSPECTIVE VIEW
A503 PERSPECTIVE VIEW
LANDSCAPE:
L1 LANDSCAPE CONCEPT PLAN

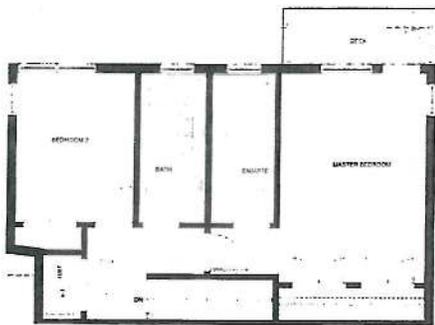
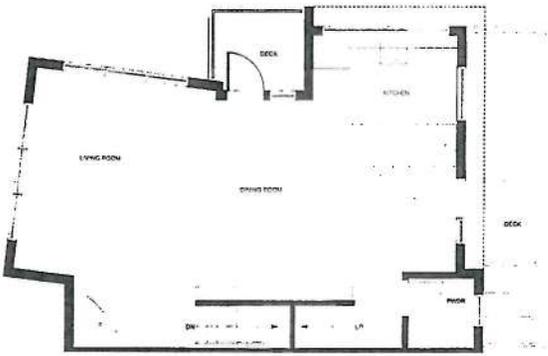
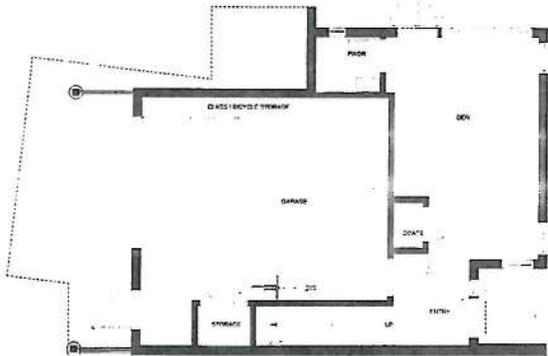
549 TORONTO STREET
ISSUED FOR DEVELOPMENT PERMIT

19 FEBRUARY 2015

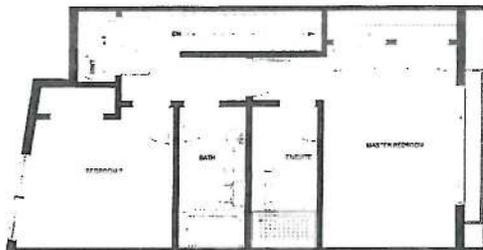
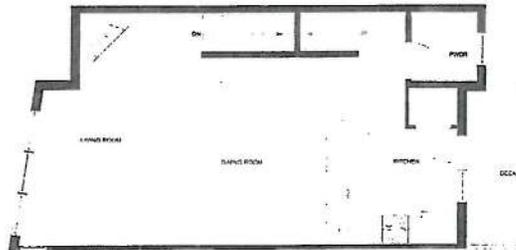
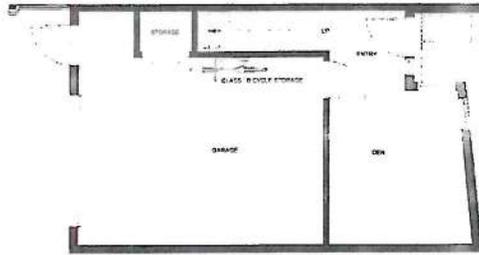
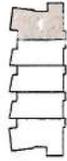
NO.	DATE	DESCRIPTION

de Hoog & Kierulff architects
9/22/15
Toronto Street Rowhouses
877 Ford Street
Victoria BC
Project Data
A100





UNIT TYPE A
 L1 58.3 sq.m (incl. garage)
 L2 59.2 sq.m
 L3 54.1 sq.m
TOTAL 171.6 sq.m. (1847 s.f.)



UNIT TYPE B
 L1 47.5 sq.m (incl. garage)
 L2 53.5 sq.m
 L3 53.0 sq.m
TOTAL 154.0 sq.m. (1656 s.f.)

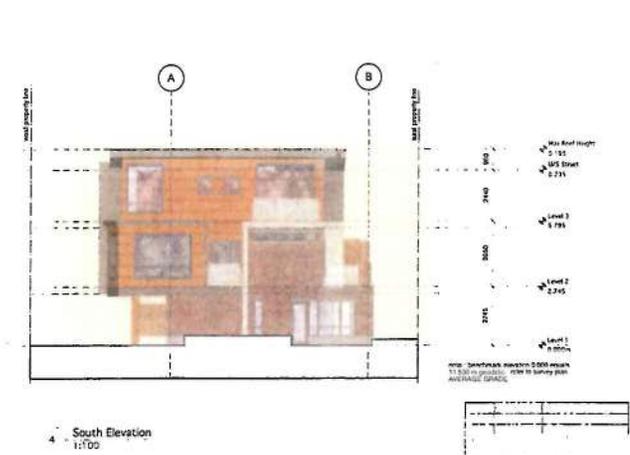
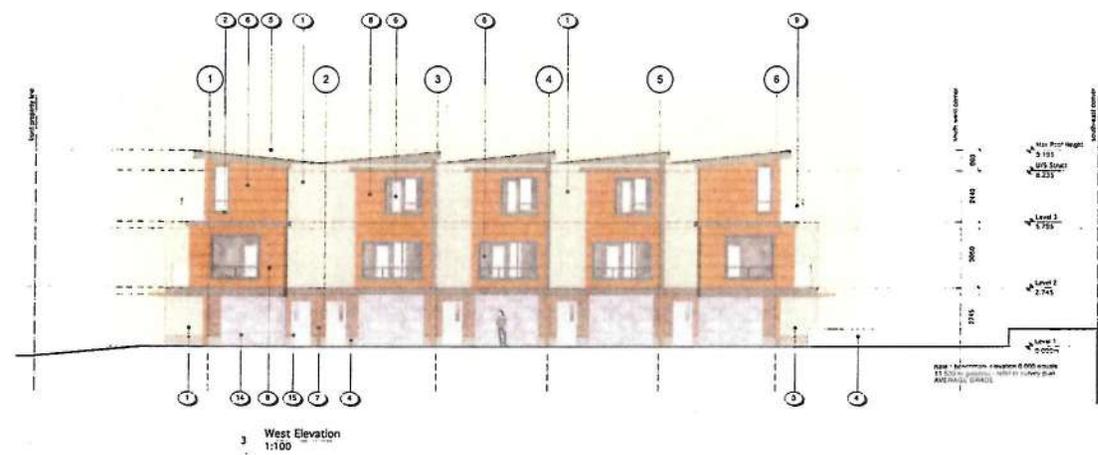
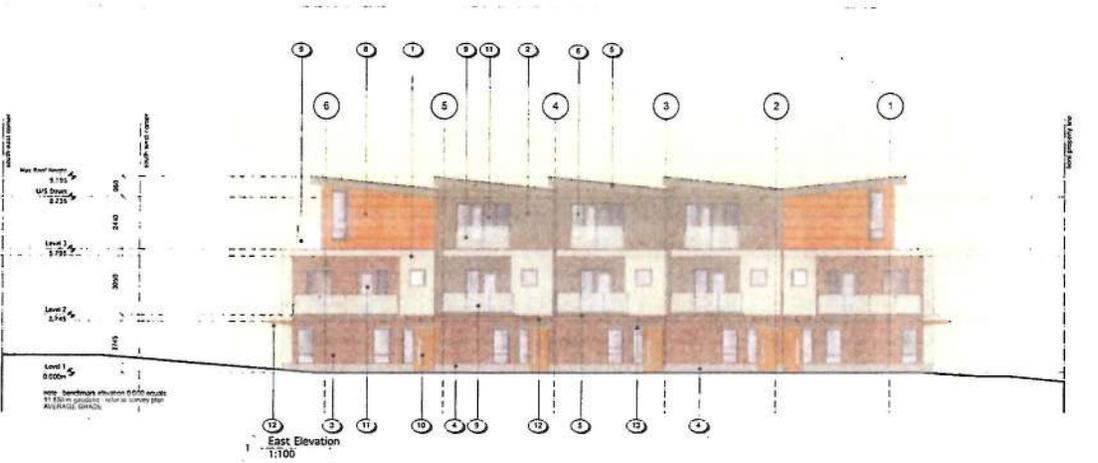


Project Name	
Client	
Architect	
Date	1/10/2015
Scale	1:50
Sheet No.	

da Moog & Kierulff architects
 247-251 Bloor St. W.
 Toronto, Ontario M5S 1A5
 416-928-2200
 www.damoog.com

Toronto Street Townhouses 1
 247 Toronto Street
 Toronto, ON
 M5S 1A5

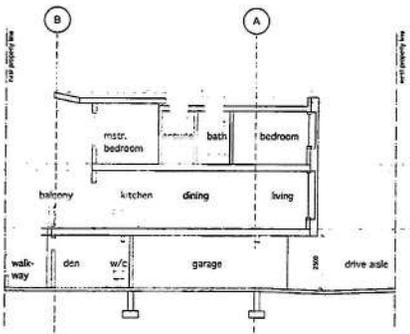
Unit Plans
 A202



MATERIALS SCHEDULE

1 COMBINATION GALVANIZED METAL SIDING	7 WOOD SHIPMENT COLLAR / LATTICE SCREEN STAIR FLOOR	13 GLASS AND ALUMINUM OVERHEAD CANOPY
2 EXTERIOR ATARI, STUCCO, CHARCOAL GREY	8 SELECT OIL FINISH PINE, STUCCO, TRANSPARENT STAIN/WASH	14 GLASS AND ALUMINUM OVERHEAD CANOPY
3 ARCHITECTURAL BRICK VENEER	9 TYPED GLASS QUARTZITE, NEON ALUM STAIN/COAT	15 WOOD AND EXTERIOR METAL DOOR, PTD CHARCOAL GREY
4 FINISHED CONCRETE WALL	10 FINISHED BRICK/SLIP TRAP OVER ARCHITECTURAL DOOR	
5 FIN FINISHED METAL FASCIA & FLASHING CHARCOAL GREY	11 EXTERIOR GLAZED DOOR TO MATCH EXTERIOR WINDOW SYSTEM	
6 METAL, UNFINISHED, DARK ANODIZED ALUM OR VINYL FINISH		

Professional Engineer/Architect stamp and project information. The stamp includes the name 'de Hoog & Klunff architects' and the project name 'Toronto Street Townhouses'. It also contains a table for 'Elevations and Materials' with the entry 'A301'.



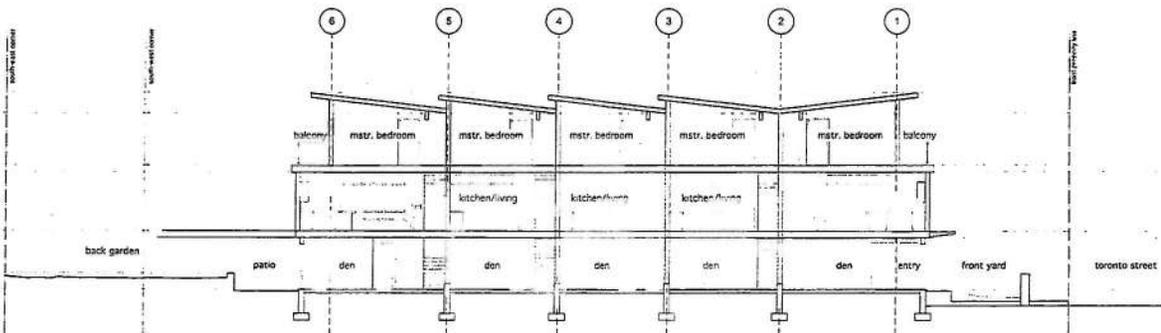
1 Building Section
1:100

Max Roof Height 9.15'
US SLOPE 6.21%

Level 2 3.75'

Level 1 0.000'

note - benchmark elevation 0.000 equals 11.000 in elevation, refer to survey plat AND/AND/OR GRADING



2 Building Section
1:100

Max Roof Height 9.15'
US SLOPE 6.21%

Level 3 3.75'

Level 2 2.75'

Level 1 0.000'

note - benchmark elevation 0.000 equals 11.000 in elevation, refer to survey plat AND/AND/OR GRADING

<p>de Hoog & Klarulf architects</p> <p>377 Dundas St. W. Toronto, ON M5G 1K5</p> <p>416-922-1111</p>	
<p>Toronto Street Townhouses</p> <p>349 Dundas St. W. Toronto, ON M5G 1K5</p>	
<p>Sections</p> <p>A401</p>	

Recommended Nursery Stock

Trees

Total: 7

Botanical Name	Common Name	Size
Acer palmatum 'Sango Kaku'	Coral Bark Japanese Maple	2.5m ht.
Acer rubrum 'Bowhall'	Bowhall Red Maple	6cm cal.
Stewartia pseudocamellia	Japanese Stewartia	5 cm cal

Large Shrubs

Total: 26

Botanical Name	Common Name	Size
Hamamelis x intermedia 'Jelena'	Jelena Witch Hazel	1.5m ht #10 pot
Physocarpus opulifolius 'Center Glow'	Pacific Ninebark 'Center Glow'	#3 pot
Pieris 'Forest Flame'	Forest Flame Pieris	#5 pot
Taxus baccata 'Fastigiata'	Irish Yew	#5 pot, 1.5 m ht.

Medium Shrubs

Total: 22

Botanical Name	Common Name	Size
Pieris japonica 'Prelude'	Prelude Pieris	#5 pot
Rhododendron 'Dora Amatis'	Dora Amatis Rhododendron	#5 pot
Viburnum linus 'Spring Bouquet'	Spring Bouquet Viburnum	#5 pot

Small Shrubs

Total: 56

Botanical Name	Common Name	Size
Cornus stolonifera 'Kelsey'	Kelsey Dogwood	#2 pot
Rosa rugosa 'Snow Pavement'	Snow Pavement Series Rose	#1 pot

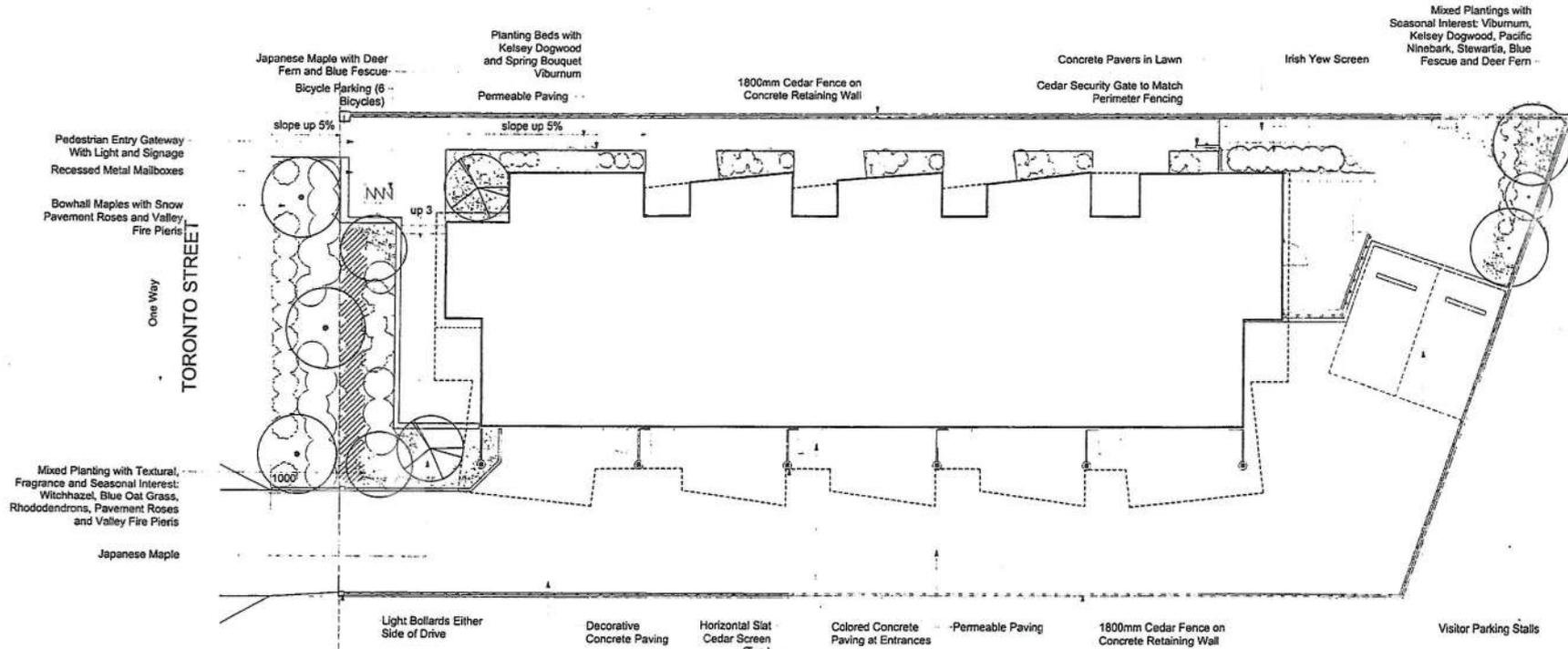
Perennials, Annuals and Ferns

Total: 74

Botanical Name	Common Name	Size
Blechnum spicant	Deer Fern	#1 pot
Festuca glauca	Common Blue Fescue	#1 pot
Helictotrichon sempervirens	Blue Oat Grass	#1 pot

Notes:

- All work to be completed to current BCSLA Landscape Standards
- All soft landscape to be irrigated with an automatic irrigation system



549 Toronto St. Landscape Concept Plan



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 120 Gorge Road East. The proposal is to construct the second phase of a supported housing development with the addition of a building consisting of 15 units as well as a separate community building.

The proposal requires variances related to increased site coverage, increased number of buildings on a lot and reduced parking.

The following points were considered in assessing this Application:

- the proposal is consistent with the objectives to enhance the place character of established areas in Development Permit Area 16: General Form and Character
- the proposal is consistent with the *Official Community Plan, 2012* and the *Burnside Neighbourhood Plan, Revised 2012*
- the requested variances related to site coverage and number of buildings on a lot are supportable based on the landscaping and building locations as shown on the site plan
- the requested variance to permit a reduction in vehicle parking from 53 to twelve stalls is acceptable based on the lower vehicle ownership rates for similar developments within the region, the provision of secure bicycle storage for each unit and the provision of Transportation Demand Management (TDM) measures such as bus passes for tenants.

BACKGROUND

Description of Proposal

The proposal is to construct the second phase of a supported housing development with the addition of a three-storey building consisting of 15 apartment units (four 3-bedroom units, ten 2-bedroom units and one 1-bedroom unit) on the west (Balfour Avenue) side of the property. This new building would replace an existing former motel building. The proposal also includes a separate one-storey community building fronting on Gorge Road between the new building and the recently refurbished (first phase) 26-unit building on the east (Albany Street) side of the property. The interior courtyard created by these buildings is landscaped and includes a rain garden, future water play area and a basketball court.

Materials include: concrete slab on grade, heavy timber, cedar boards, Hardie Panels and asphalt shingles.

The proposed variances are related to:

- increased site coverage due to the addition of a community building, bicycle storage sheds and a colonnade
- more than one building on the lot, with the number of buildings being increased to a total of two residential buildings and a communal gathering building, for a total of three buildings on the lot
- reduced parking from a standard of 1.3 spaces per dwelling unit (53 stalls) to 0.3 spaces per dwelling unit (12 stalls).

Sustainability Features

As indicated in the applicant’s letter dated December 22, 2014, the project is registered in the ‘LEED for Homes’ third party rating system and is seeking a Gold rating.

Existing Site Development and Development Potential

The 3743.8m² site is presently occupied by the 26 supported housing units the refurbished two-storey residential building on the east side of the property and the vacant building on the west side.

Under the current R-40 Zone, Gorge Road Apartment District, the property could be developed as a three-storey apartment building with a density of 1:1 Floor Space Ratio (FSR).

Data Table

The following data table compares the proposal with the existing R-40 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R-40
Density (Floor Space Ratio) - maximum	0.64:1	1:1
Site area (m ²) - minimum	3743.8	920
Total floor area (m ²) - maximum	2396	3743.8
Height (m) - maximum	9.4	10.7
Storeys - maximum	3	3
Site coverage % - maximum	37.95*	33.3
Open site space % - minimum	51.9	30
Number of buildings on a lot	3*	1
Setbacks (m) - minimum		
Front (Gorge Road)	10	10
Rear	10.25	9 for bldg. below 7 m
	10.5	10.5 for bldg. above 7 m
Side (east)	10.6	4.7
Side (west)	4.75	4.7
Parking - minimum	12*	53
Visitor parking (minimum) (Included in the overall parking requirement)	1	5
Bicycle parking stalls (minimum)		
Class 1	42	15
Class 2	6	6

Relevant History

The property was previously a 68-unit Travellers Inn motel. An application to convert the motel to 38 rental apartments was approved in 1994 but the motel was not converted to residential use. The property, in receivership, was purchased by the City in 2010 and is in the process of being sold to the Victoria Native Friendship Centre.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on December 31, 2014, the Application was referred for a 30-day comment period to the Burnside-Gorge CALUC. A letter dated January 30, 2015 from the Burnside-Gorge Community Association providing comments on the proposal is 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 *Official Community Plan (OCP)* identifies this property within Development Permit Area #16, General Form and Character

The Development Permit Area enables Council to review and approve the character of commercial, industrial and multi-family residential developments. The objectives of the designation include the enhancement of place character of established areas through high-quality architecture, landscape and urban design. The proposed building design and landscaping are consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial, April 2012*.

Local Area Plans

The proposal is within the Urban Residential Place Designation of the *Official Community Plan, 2012* and is consistent with built form, place character features, uses and density in this designation.

The *Burnside Neighbourhood Plan, 1992 (revised 2012)* envisages strengthening the residential community through redevelopment of existing motels to apartments.

Other Policy

Gorge Road is designated a Shared Greenway in the *Greenway Plan, 2003*. A Statutory Right-of-Way (SRW) of 4.92m has been registered for future right-of-way improvements to meet the *Official Community Plan* right-of-way standards.

Requested Variances

The requested variance for a small increase in site coverage is largely due to the addition of a proposed community building. The requested variance for number of buildings on a lot is created by the separation of the proposed residential building and community buildings from the existing building. Both of these variances are supportable based on the site and landscape plans as shown.

The requested reduction in vehicle parking from 53 to twelve stalls can be considered based on the lower vehicle ownership rates for similar developments within the region. The applicant has provided data that indicate vehicle ownership rates for comparable developments in the region with an aggregate vehicle ownership rate of 0.47 vehicles per unit. Applying this rate to the proposed development indicates a potential shortfall of eight residential parking spaces and two visitor parking spaces. The applicant has offered to mitigate the potential parking shortfall with Transportation Demand Management (TDM) measures including: the provision of bus passes, food vouchers for the local grocery store, a lease agreement which specifies on-site parking is not available and one

additional bicycle parking space over bylaw requirements. These TDM measures are supported by staff but they cannot be legally tied to the property to ensure it is in place for the life of the development. It is also worth noting that information provided by the applicant indicated that the existing 12 parking spaces are used only by visitors, staff and for drop off and pick up, suggesting that the current 12 parking spaces will be adequate.

Based on the information provided by the applicant, staff support the requested parking variance.

CONCLUSIONS

The proposal is consistent with the objective of enhancing the place character of established areas through high-quality architecture, landscape and urban design. The requested variances for site coverage and number of buildings on a lot would have no negative impact on the surrounding area. The requested parking variance is acceptable based on vehicle ownership rates in similar developments within the region and the proposed provision by the applicant of Transportation Demand Management measures.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00399 for the property located at 120 Gorge Road East.

Respectfully submitted,



Brian Sikstrom Senior Planner
Development Services Division



Alison Meyer, Assistant Director
Sustainable Planning and
Community Development Department



Report accepted and recommended by the City Manager:

Jason Johnson

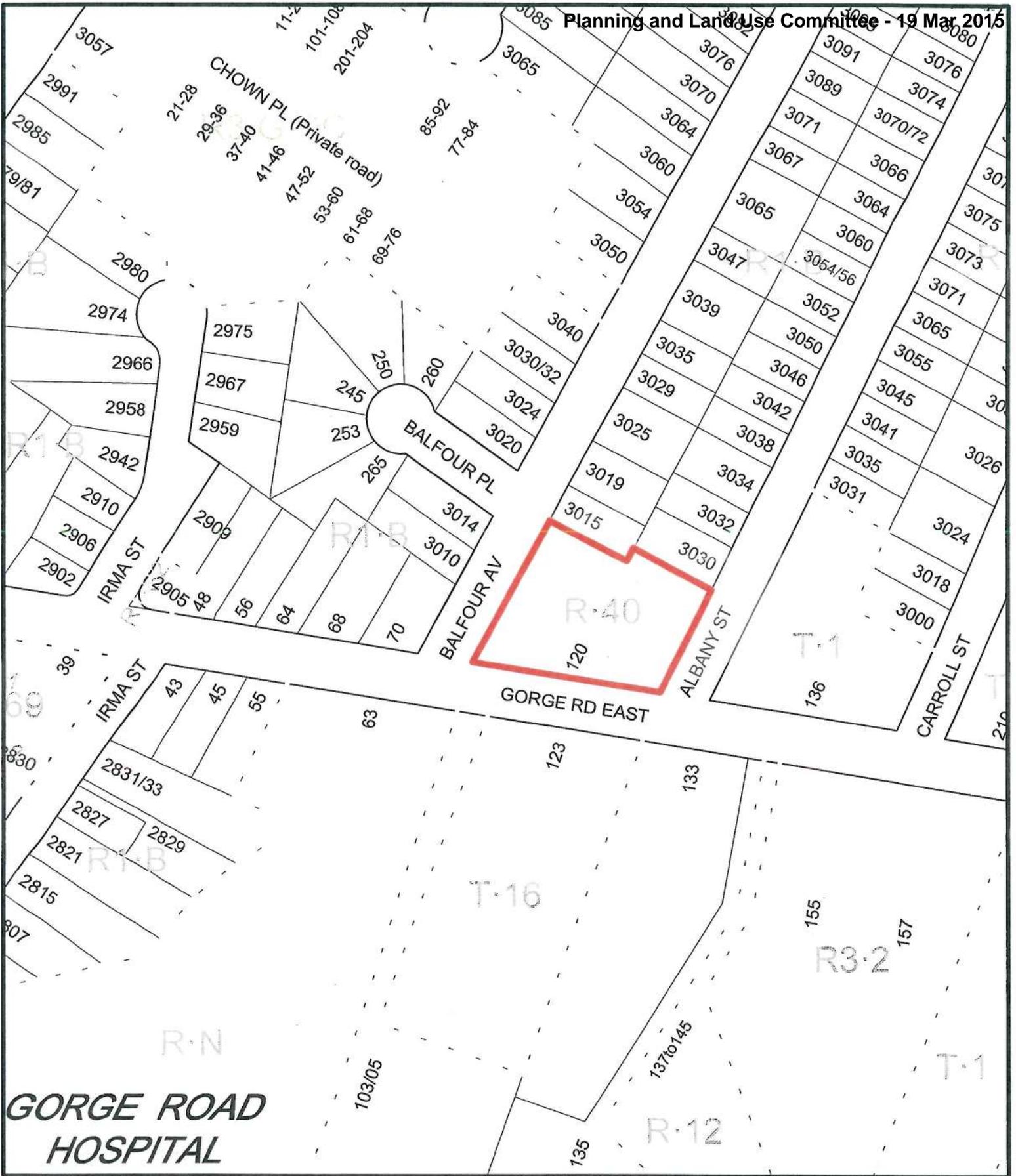
Date: _____
March 11, 2015

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List of Attachments

- Zoning map
- Aerial map
- Letters from applicant dated December 22, 2014 and February 27, 2015
- Letter from the Burnside Gorge Community Association dated January 30, 2015
- Plans dated February 27, 2015.



120 Gorge Road East
 Development Permit #000399

Development Permit with Variances Application No. 000399 for...





120 Gorge Road East
 Development Permit #000399

Development Permit with Variances Application No. 000399 for...





BOROWSKI SAKUMOTO FLIGG MCINTYRE LT

GREGORY BOROWSKI
B.A., B.Arch (HONS),
ARCHITECT AIBC,
MRAIC, LEED AP

Dec 22, 2014

VIA: *Hardcopy*

MITCHELL SAKUMOTO
DIPLOMA, B.Arch.,
ARCHITECT AIBC, MRAIC

Brian Sikstrom
Senior Planner – Burnside and Gonzales
Victoria City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Tel: 250.361.0382

GRAHAM D. FLIGG
B.E.S., M.Arch.,
ARCHITECT AIBC, MRAIC

SHAUN MCINTYRE
B.Ed., M.Arch.,
ARCHITECT AIBC,
MRAIC, LEED AP

Email: bsikstrom@victoria.ca

Dear Mayor & Council:

**RE: SIEM LELUM PHASE 2, 120 GORGE ROAD EAST
DEVELOPMENT PERMIT APPLICATION
Project No: 1317**

Merrick Architecture, on behalf of our client Linda E. Ross Property Management (The authorized representative of the Victoria Native Friendship Centre VNFC)), is pleased to submit for your consideration the attached Development Permit Application for a proposed Multi Unit Supported Housing Building and associated Community Building to compliment an existing supported housing use on the 120 Gorge Road East site.

PROJECT DESCRIPTION

This Development Permit submission represents the final phase of a 2 phased project intended to transform a previously run down and misused motel property on the Gorge Road Corridor, into an urban village serving the local native community and the surrounding neighbourhood. Phase 1 saw the easternmost building renovated and upgraded to provide 26 low income supported living units, mostly bachelor suites, complete with an office for the onsite Tenant Support Worker (TSW). Phase 2 completes the village, by adding two new buildings: a 3 storey multi-unit residence intended for young families and Elders and a one storey Community Building.

The form of the new buildings and their spatial relationship with the existing building, creates a protected, bright, safe and highly functional courtyard useable by all the residents and invited neighbours. The Community Building, the heart of the village, is intended to function as a space where the residents learn/teach subjects, ranging from cooking to language and culture, where the healing begins and is maintained through generations. The design of the Community Building encourages engagement with the site, as the north façade opens up to the courtyard both visually and spatially through sliding glass doors and a gracious top-lit colonnade. The Community Building will provide daytime office space for the TSW and the Property manager, which will make available a bachelor suite in the existing building.

The current use and users of the site is a marked improvement from the previous, sometimes dangerous and misused site. Several immediate neighbours have indicated that they are pleased with the current program and ongoing improvements. The demolition and proposed build-out will improve the site further, as the existing westernmost building still attracts unwanted attention.

The proposed scheme also contributes positively to the Gorge East streetscape: by adding a new building to replace the tired building stock, by making visible the renewed village's commitment to storm water management, and by exposing the large and sensitively designed cascading rain gardens which treats all the rain water collected onsite. The VNFC plan to install a Coast Salish Welcoming Figure adjacent to the main site

VANCOUVER
839 Cambie Street, Suite 300
Vancouver BC V6B 2P4
T: 604.683.4131
F: 604.683.9313

VICTORIA
18 Bastion Square
Victoria BC V8W 1H9
T: 250.480.7811
F: 250.480.5215

www.merrickarch.com

entry – welcoming residents and the community to the site and people to the City of Victoria (as this property is very close to the municipal border and is on a major arterial road). The project is uniquely sited, as it marks the transition point from small single family residential properties to large multi-unit residential/commercial building types, on the north side of the street. The proposed design considers this transition in the form, massing and relative placement of the multiple buildings presented to the street. The proposed design seeks to create a protected courtyard for the residents, while at the same time shielding neighbours to the north from unwanted street noise.

PROJECT DETAILS

The proposed construction type is a predominantly wood frame building atop a concrete slab on grade. Elements of heavy timber and cedar boards are present in both a structural and expressive capacity. The building is of combustible construction, is sprinklered and employs both 1 hr FRR floors, supported by rated load bearing walls, and 1 hr FRR separations for exits. Cedar and its detailing play an important role in unifying all three buildings together in a material sense in addition to offering an acknowledgement of the traditional building techniques of the First Peoples. The existing east building underwent a façade upgrade in 2014 whereby the stucco was replaced by what recalls the form of Coast Salish Cedar Planking – a horizontal application of rough cut cedar planks in a randomized pattern harkening back to the time when the Salish peoples removed the cedar cladding every time camp was broken, as the planks were the most valuable component of their portable buildings.

The intention to heal and provide learning opportunities is a common thread which runs through the project, from its earliest conceptual ideals to the procurement of construction materials. For example, the Community Building has been designed as a modular building so that native apprentice carpenters have the opportunity to learn their chosen trade by constructing a building for their community in a safe academic setting. The project has a Memorandum of Understanding with Camosun College to use the project as 'course material' for their carpentry program, fostering a sense of pride in their new-found skills and how those skills contributed to building their community. The same intention generated the idea of having the cedar milled by the native inmates at William Head Prison. It is thought that by contributing to their community from within the confines of the prison, that the healing process as well as the future acceptance of their community is greatly improved.

The project is registered in the 'LEED® for Homes' third party rating system, and is seeking a Gold rating. Using LEED® metrics, the project configuration and siting account for a significant number of LEED® points. As an urban, affordable housing project, with small units and the probable use of a Heat Recovery Unit, energy and water efficient appliances, and a landscape design which deals with storm water on site and significant areas of native and adaptive plants, the project will be exemplary.

The project team has scrutinized the design over the last year to ensure the project meets all of BC Housing's (BCH) Design Guidelines, and is deliverable given the finite grant monies available to the project. The current proposal represents the most efficient design that achieves the most of the VNFC programme objectives, while minimizing the number of variances sought by the scheme.

The current proposal is dependent upon and seeks the following variances to the R-40 Zone (referring to R3-A2 Zone):

- 3- Site Coverage
- 7- Number of Dwellings – Number of Buildings allowed on site
- 13- Off Street Parking

VARIANCE REQUESTS

1. Site Coverage – This zone allows no more than 33.3% Site Coverage. The proposed scheme's site coverage is 36.6% - a 3.3% overage.

The project's mandate was to provide 15 multi bedroom units, in order to satisfy the BCH design guidelines, while at the same time being sensitive to the rest of the VNFC's programme requirements. The current design represents a very efficient and affordable project, whose massing allows for a lovely interior courtyard, which contributes to the overall health of the community. The project team tried to eliminate this variance (as it was successful in eliminating another variance), but all considerations reduced the quality of the design to an unacceptable level. We were also encumbered by the existing east building, whose very form represents one of the most inefficient configurations (with respect to the City of Victoria's definition of Site Coverage) – an exterior perimeter circulation system. If the existing building had been designed as a double loaded interior corridor type building, by a conservative calculation, the project would only be 1.2% over. The remaining 1.2% can be accounted for by the inclusion of the exterior colonnade area, attached to the Community Building, which we feel is an essential design element that should not be eliminated from the project.

2. Number of Buildings on the Site – This zone allows only 1 building on site. The proposed scheme has 3 buildings in total. This number accounts for the existing building, and the two new buildings –the multi-unit Residential Building and Community Building.

The intent of the design is to create an urban village, with a welcoming and healthful interior green space accomplished in part by forming and orienting the two new buildings, as shown in the attached documents. Typically villages are made of numerous buildings, of various sizes and functions, and often evolve over time. One rarely sees a village made up of a single building – that configuration is more commonly referred to as an institution. By providing more than one building, we are able to create useful spaces between the structures; the main entry to the site is located between the two new buildings and the area between the Community Building and the existing building is ideal for preparing large community dinners. Attaching the existing exterior loaded non sprinklered building to the new individual structures would have posed significant technical and code issues, whose implications would have rendered this project not feasible.

3. Off Street Parking – This zone requires there to be 1.3 parking stalls per unit. By the zone standard we would need to provide 54 parking stalls (1.3 x 41), 6 of which would be designated as visitor parking. The proposed scheme and its unique use seek a significant variance. The current proposal provides 12 parking stalls for the entire site, or 0.3 stalls per unit.

While this number is small with respect to the zoning requirements, the client, the property managers and the VNFC, feel that this number of stalls will adequately serve the tenants who live on the property. The client group is aware of low income housing projects in the past that have received substantial parking variances in line with the variance this project is seeking. There is also a socio-economic justification; the typical residents simply cannot afford to own and operate a car. In fact there is every reason not to own a car while living on this property, as it is well connected to the rest of the City via public transit (according to LEED® metrics, this site is considered "outstanding" from the vantage point of public transit interconnectedness – the residents can access over 600 transit rides daily within the 800m radius centred on the site, where LEED® considers 125 transit rides outstanding). The property management group maintains a tenancy agreement which does not allow tenants to own cars – see attached. Even the 12 stalls provided are in excess of the needs of this demographic and program.

Development Permit Application
1317: Siem Lelum Phase 2, 120 Gorge Road East
23 December 2014

We look forward to further discussing our Variance Requests and rationale at the pleasure of Mayor and Council, to fully realize this exciting and important redevelopment opportunity.

Yours truly,

MERRICK ARCHITECTURE – BOROWSKI SAKUMOTO FLIGG MCINTYRE LTD.



SHAUN MCINTYRE

Architect AIBC, MRAIC, M.Arch, B.Ed, LEED® AP
Principal

Encl. Development Permit Variance Application Drawings
c.c. Bruce Parisian, Linda E. Ross, William Ross

TJ/sm

MERRICK
ARCHITECTURE

BOROWSKI SAKUMOTO FLIGG MCINTYRE LTD.

GREGORY BOROWSKI
B.A., B.Arch (HONS),
ARCHITECT AIBC,
MRAIC, LEED AP

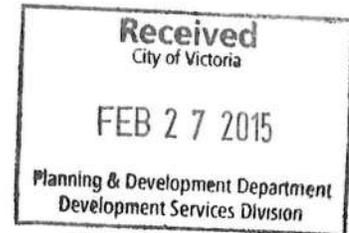
Feb 27, 2014

VIA: *Hardcopy*

MITCHELL SAKUMOTO
DIPLOMA, B.Arch,
ARCHITECT AIBC, MRAIC

Brian Sikstrom
Senior Planner – Burnside and Gonzales
Victoria City Hall
1 Centennial Square
Victoria, BC V8W 1P6
Tel: 250.361.0382
Email: bsikstrom@victoria.ca

GRAHAM D. FLIGG
B.E.S., M.Arch,
ARCHITECT AIBC, MRAIC



SHAUN MCINTYRE
B.E.D., M.Arch,
ARCHITECT AIBC,
MRAIC, LEED AP

Dear Application Reviewers:

**RE: SIEM LELUM PHASE 2, 120 GORGE ROAD EAST
DEVELOPMENT PERMIT APPLICATION REVIEW SUMMARY ISSUES ADDRESSED
Project No: 1317**

Merrick Architecture, on behalf of our client, the Victoria Native Friendship Centre (VNFC) and their authorized agent Linda E. Ross Property Management, is pleased to submit for your consideration the revised drawings from the Development Permit Application set (submitted on December 23, 2014). The following numerically itemized list describes the changes that have been made to the drawings as a result of the Application Review Summary (dated January 14, 2015 and appended for your convenience), and correspond to the numbers shown on the revised plans.

ITEMS REQUIRING DRAWING REVISION

- 1) The West Façade (and as a result the North and East Facades) has been revised to address the City's concerns about enhancing the building's relationship with the Public Realm. A material change (from Hardie panel to Coast Salish Cedar siding) was determined to be the best course of action, as it softens the appearance and adds colour to the rear of the building.
Please see Drawing DA 3.01 R1 for revision.
Please note: The Cedar Hedge and a more opaque hatch over Boulevard Trees show the street condition more accurately than the previous DP Submission drawings.
- 2) Existing on site services are now indicated on the Existing Site Plan.
Please see Drawing DA 1.00 R1 for revision.
Existing off site services are now indicated on the Proposed Site Plan
Please see Drawing DA 1.02 R1 for revision.
- 3) The Statutory Right of Way is now indicated on the Existing Site Plan and the Proposed Site Plan. All permanent landscape elements, structures etc...previously within this area have been removed. To provide access to the front doors of both new buildings, the cedar fence location and extent and the trellis location has been revised.
Please see Drawing DA 1.02 R1 for revision.
Please see Drawings DA 2.01 R1 through DA 2.04 R1 for revision.
Please see Drawings 1/DA 4.01 R1 and 2/DA 5.01 R1 for revision.
Please see Drawings L1.1, L1.2, L2.1
- 4) 42 Class 2 bicycle parking stalls are now provided in two covered and enclosed secured structures located at the rear of the site.
Please note: the addition of these two structures have changed the site coverage values and therefore the value of the variance the project is seeking.
Please see Drawing DA 1.02 R1 for revision.
Please see Drawing DA 2.01 R1 through DA 2.02 R1 for revision.
Please see Drawings L1.1, L1.2, L2.1

VANCOUVER
839 Cambie Street, Suite 300
Vancouver BC V6B 2P4
T: 604.683.4131
F: 604.683.9313

VICTORIA
18 Bastion Square
Victoria BC V8W 1H9
T: 250.480.7811
F: 250.480.5215

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ADDITIONAL ITEMS REQUIRING CLARIFICATION

A) Re: Discrepancy regarding numbers of bicycle parking stalls provided in the project. This item is now addressed (see point #4 above). The project is required to provide 41 Class 2 bicycle parking stalls (1 stall per unit). We are now providing 42 Class 2 stalls, and have coordinated this information across both sets of drawings; Landscape and Architectural

As a result of the aforementioned changes, some of the variance requests sought by the project have changed.

VARIANCE REQUEST CHANGES

1. Site Coverage – This zone allows no more than 33.3% Site Coverage. The Development Permit Application proposed an overage of 3.3% for a total of 36.6%. In order to accommodate the bicycle parking requirements, the requested site coverage variance has increased by 1.35% for a total of 37.95% representing a 4.65% overage.

2. Number of Buildings on the Site – This zone allows only 1 building on site. The proposed scheme has 3 buildings in total. This number accounts for the existing building, and the two new buildings, the multi-unit Residential Building and Community Building. No change as a result of the Application Review Summary.

3. Off Street Parking – This zone requires there to be 1.3 parking stalls per unit. By the existing zone standard 54 parking stalls are required (1.3 x 41), 6 of which would be designated as visitor parking. The proposed scheme and its unique use, seek a significant variance. The current proposal provides 12 parking stalls for the entire site, or a 0.3 stalls/unit utilization rate.

We are proposing no change to this currently requested Variance; however we will expand upon the rationale for our request. The 12 existing parking spaces at Siem Lelum currently only provide parking for visitor, staff, and drop off and pick up. All community members sign a Residential Tenant Agreement which specifies that there is no available parking for their use on site. This has not historically been an issue for the VNFC, as their tenants vehicle ownership rates are significantly lower than average. The few tenants who do actually have listed ownership of a vehicle often store them elsewhere, and in many cases they are either operated by extended family offsite, or unused due to financial burdens. The resident's priorities are not centered on ownership of a vehicle, and the costs to do so continue to exceed the VNFC's tenant income levels. Affordable and immediately available alternate forms of transportation include adjacent access to public transport on both sides of the street, the nearby galloping goose trail, and shuttle transportation provided by the VNFC. The VNFC will also be providing for bus passes to all tenants who require them, in addition to funding for bicycles and helmets. Food Vouchers for the nearby Fairway Market will also be made available.

The VNFC has reached out to other housing societies with similar populations and missions. Pacifica Housing's nearby Medewiwin Studio Apartments at 360 Gorge Road East operates 26 independent supported housing units and has only 5 stalls, but with no tenant parking. Pacifica Housing has provided, for reference, a 2014 parking study detailing averages and demand (utilization rates) for other affordable housing projects geared towards families and single occupants, where parking is provided by permit allocation at a rate of 0.3 stalls per unit.

The Greater Victoria Housing Society's non-subsidized Pembroke Mews at 2014 Government Street maintains 25 apartments with no tenant parking.

The M'akola Hosing Society's family affordable housing rental housing projects in Victoria have unit sizes similar to Siem Lelum's tenant population, and while they currently have an average utilization rate of 0.52 for their Victoria sites, they indicate that they continue to see low absorption rates for a population similar to Siem Lelum's. They also predict that demand is more likely to decrease rather than increase as families continue to

Development Permit Application
1317: Siem Lelum Phase 2, 120 Gorge Road East
27 February 2015

Page 3 of 3

seek more cost effective and available alternate modes of transportation. For example, M'akola's Langford site provides for only 15 parking stalls for 60 units, and they have yet to be fully utilized after 5 years of operation.

Much of the projects success is dependent upon creating a communal living environment which is emphasized by the creation of a collective central outdoor space, where the former motel parking lot was once located. The requested parking relaxation is a direct investment in the realization of Siem Lelum's housing mission. Creating additional parking onsite for residents who not require them will only serve to restrict the community building opportunities that the current proposal's reconfiguration offers.

Thank you for your consideration of our responses, we look forward to moving ahead with the continued development of this important community.

Yours truly,
MERRICK ARCHITECTURE – BOROWSKI SAKUMOTO FLIGG MCINTYRE LTD.



SHAUN MCINTYRE
Architect AIBC, MRAIC, M.Arch, B.Ed, LEED® AP
Principal

Encl. Revised Development Permit Variance Application Drawings
c.c. Bruce Parisian, Linda E. Ross, William Ross

TJ/sm

DP# 000399

January 30, 2015

Dear Mayor and Council,

Re: **Development Permit #000399 for 120 Gorge Road East**

In response to the letter dated December 31, 2014 outlining three variances from the *Zoning Regulation Bylaw*, the Burnside-Gorge Land Use Committee (BGLUC) submits the following comments:

- **Re: Section 3.9.3 – Site coverage relaxed from 33.3% maximum to 36.62%**
 The BGLUC does not have any issues with this relaxation.
- **Re: Section 3.9.7 – Number of buildings relaxed from 1 maximum to 3**
 The BGLUC does not have an issue with relaxation of the zoning to allow for two additional buildings. We find the three proposed buildings are of an appropriate scale and situation on the site in such a way to complement the adjacent residential neighbourhood, and make possible an inner courtyard which will greatly enhance the quality of life for the residents of Siem Lelum. In addition, we find the central communal building acceptable due to its small size and role in forming the aforementioned courtyard and the privacy that affords residents.

However, the BGLUC has concerns over the wooden palisade the project presents to Gorge Road. Although we respect and understand the need for privacy for the residents of Siem Lelum, we find the apparent harshness of the facade antithetical to the BGLUC's stated stance on retaining a pedestrian scale and welcoming streetscape to buildings along Gorge Road. Barring an architectural solution addressing this concern, we suggested landscaping measures that could moderate or soften the aspect of the buildings along Gorge Road, and support the application of carved murals as outlined by the design team.

- **Re: Section 3.9.13(2) – Parking requirement relaxed from 1.3 parking spaces per unit (53 spaces) to 0.3 parking spaces per unit (12 spaces)**
 The BGLUC has always advocated for and encouraged active transportation when commenting on land-use applications and variance requests, as a means to promote a friendlier environment for non-vehicular traffic. The ease of access to public transport and the Galloping Goose trail in the Burnside-Gorge neighbourhood makes the support of parking requirement relaxation in variance permit requests a natural choice for the BGLUC. We feel the de-emphasizing of car ownership is a positive goal for an affordable housing project where residents' priorities should be placed elsewhere.

In the specific case of Siem Lelum house, we understand that:

- The residents are very unlikely to own cars and will be asked to sign a tenancy agreement that prohibits parking on site.
- The 12 parking spaces on site are for staff use only.
- Residents who eventually own a car would move to M'akola housing elsewhere that has parking available.
- For the foreseeable future, the site will be used as affordable housing.
- For the success of the project's intent to foster community-building through cooperative living, communal outdoor space (instead of a parking lot) is critical.

We appreciate the opportunity to comment.

Respectfully,

Carolyn Gisborne
Chair, Burnside-Gorge Land Use Committee

cc: Sustainable Planning and Community Development Department

SIEM LELUM PHASE 2

MERRICK ARCHITECTURE
BOROWSKI SAKUMOTO FLIGG LIMITED

VANCOUVER
Suite 300
970 Homer Street
Vancouver BC
V6B 2W7
1 604.683.4131
1 604.683.9313

VICTORIA
18 Bastion Square
Victoria BC
V8W 1H9
1 250.480.7811
1 250.480.5215
www.merrickarch.com
info@merrickarch.com

Revisions
No. Description Date

Issue
Development Permit Application Date: 23 Mar 14
DP Application Revisions Feb 27 2014

Prominent



Project
Siem Lelum Phase 2
120 George Road East
Victoria, BC
For
Victoria Native Friendship Centre

Sheet Title
COVER SHEET

Drawn By
TJDC

Checked By
S

Project Number
1317

AS NOTE

Revisions
Sheet Number

DA0.01

Planning and Land Use Committee 19 Mar 2015

CLIENT AND STAKEHOLDER LIST

CLIENT: VICTORIA NATIVE FRIENDSHIP CENTRE 231 REGINA AVENUE VICTORIA, BC, V8Z 1J6 PHONE: 250 384 3211 FAX: 250 384 1586 CONTACT: BRUCE PARISIAN brucep@vnfc.ca	PROJECT MANAGER: LINDA E ROSS PROPERTY MANAGEMENT 387 CONSTANCE AVENUE VICTORIA, BC, V9A 6N2 PHONE: 250 381 9336 FAX: 250 361 9339 CONTACT: WILLIAM ROSS william@hundogroup.ca	CURRENT OWNER: CITY OF VICTORIA 387 CONSTANCE AVENUE 1 CENTENNIAL SQUARE VICTORIA, BC, V8W 1P6 PHONE: 250 385 5711	PARTNER: BC HOUSING SUITE 201 - 3440 DOUGLAS STREET VICTORIA, BC, V8Z 3L5 PHONE: 250 475 7550 FAX: 250 475 7551 CONTACT: SCOTT KINGHAM skingham@bchousing.org
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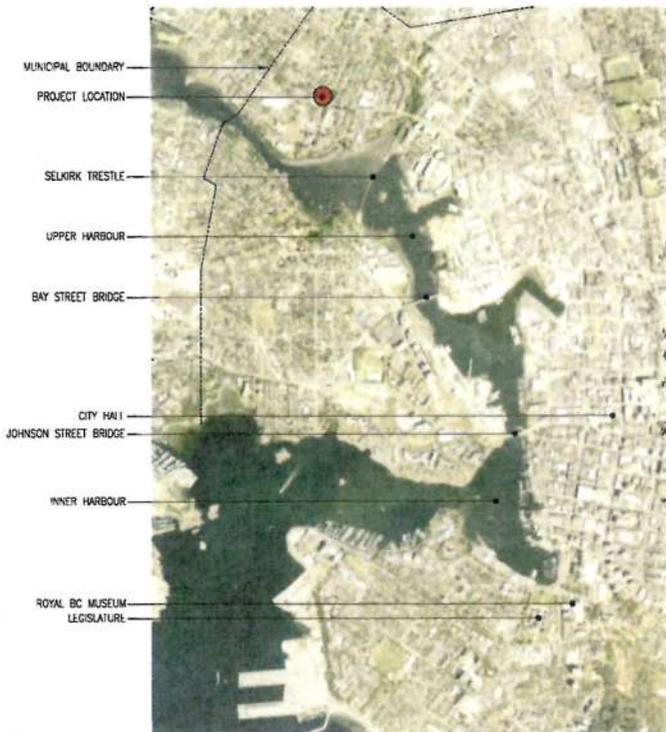
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DA1.00 SITE PLAN - EXISTING	L2.1 PLANTING PLAN	
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DA1.02 SITE PLAN - PROPOSED		
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DA4.01		
DA5.01		

CONSULTANT LIST

ARCHITECT: MERRICK ARCHITECTURE -BOROWSKI SAKUMOTO FLIGG LTD. 18 BASTION SQUARE VICTORIA, BC, V8W 1H9 PHONE: 250 480 7811 FAX: 250 480 5215 CONTACTS: SHAUN MCINTYRE m McIntyre@merrickarch.com TIM JUDGE tjudge@merrickarch.com	LANDSCAPE CONSULTANT: MURDOCH DE GREEFF INC. SUITE 200 - 524 CULDUTHEL ROAD VICTORIA, BC, V8Z 1G1 PHONE: 250 412 2891 CONTACT: SCOTT MURDOCH scott@mdcdesign.ca	CIVIL CONSULTANT: MCELHANNY CONSULTING SERVICES LTD. 500-3960 QUADRA STREET VICTORIA, BC, V8X 4A3 PHONE: 250 370 9221 CONTACT: PETER FERGUSON pferguson@mcelhannay.com	CONSTRUCTION MANAGER: KINETIC CONSTRUCTION LTD. 201-862 CLOVERDALE AVENUE VICTORIA, BC, V8X 2S8 PHONE: 250 381 6331 FAX: 250 386 2286 CONTACT: ERIC LINDOKKEN elindokken@kineticconstruction.com	STRUCTURAL CONSULTANT: READ JONES CHRISTOFFERSEN LTD. 220-645 TYEE ROAD VICTORIA, BC, V9A 6X5 PHONE: 250 386 7794 FAX: 250 381 7900 CONTACT: LEON FLETT lflett@rjc.ca	MECHANICAL CONSULTANT: THE AME CONSULTING GROUP LTD. 721 JOHNSON STREET VICTORIA, BC, V8W 1M8 PHONE: 250 382 5999 FAX: 250 382 5998 CONTACT: TOM WILSON tomwilson@amegroup.ca	ELECTRICAL CONSULTANT: APPLIED ENGINEERING SOLUTIONS LTD. 3RD FLOOR, 1815 BLANSHARD STREET VICTORIA, BC, V8T 5A4 2009 WEST 4TH AVE VANCOUVER, BC, V6J 1N3 PHONE: 250 381 6121 FAX: 250 381 6811 CONTACT: MICHAEL PHILIPS mphilips@appliedengineering.ca	CODE CONSULTANT: GHL CONSULTANTS LTD. 701-744 WEST HASTINGS STREET VANCOUVER, BC, V6C 1A5 PHONE: 604 689 4449 FAX: 605 689 4419 CONTACT: FRANKIE CIVICOR fcvigor@ghl.ca
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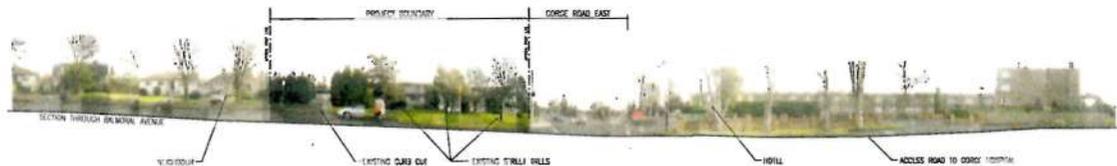
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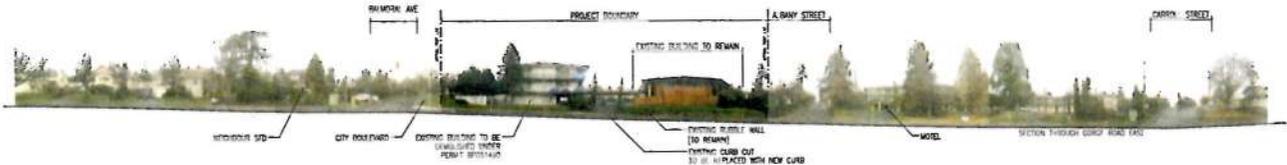
2 CONTEXT PLAN
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SCALE = 1:12500



1 NEIGHBOURHOOD PLAN - EXISTING
DA0.02
SCALE = 1:1250



3 STREET ELEVATION GORGE ROAD - EXISTING
DA0.02
SCALE = Approx. 1:500



4 STREET ELEVATION BALFOUR ROAD - EXISTING
DA0.02
SCALE = Approx. 1:500

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SAKUMOTO
FLIGG
LIMITED

VANCOUVER
Suite 300
370 Homer Street
Vancouver BC
V6B 2W7
1 604.683.4131
1 604.683.9313

VICTORIA
18 Station Square
Victoria BC
V8W 1R9
1 250.460.7811
1 250.460.5215
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info@merrickarch.com

Revision No.	Description	Date

Issue	Issue Date
Development Permit Application	Dec. 23 2014
DP Application Revisions	Feb. 27 2015

Consultant

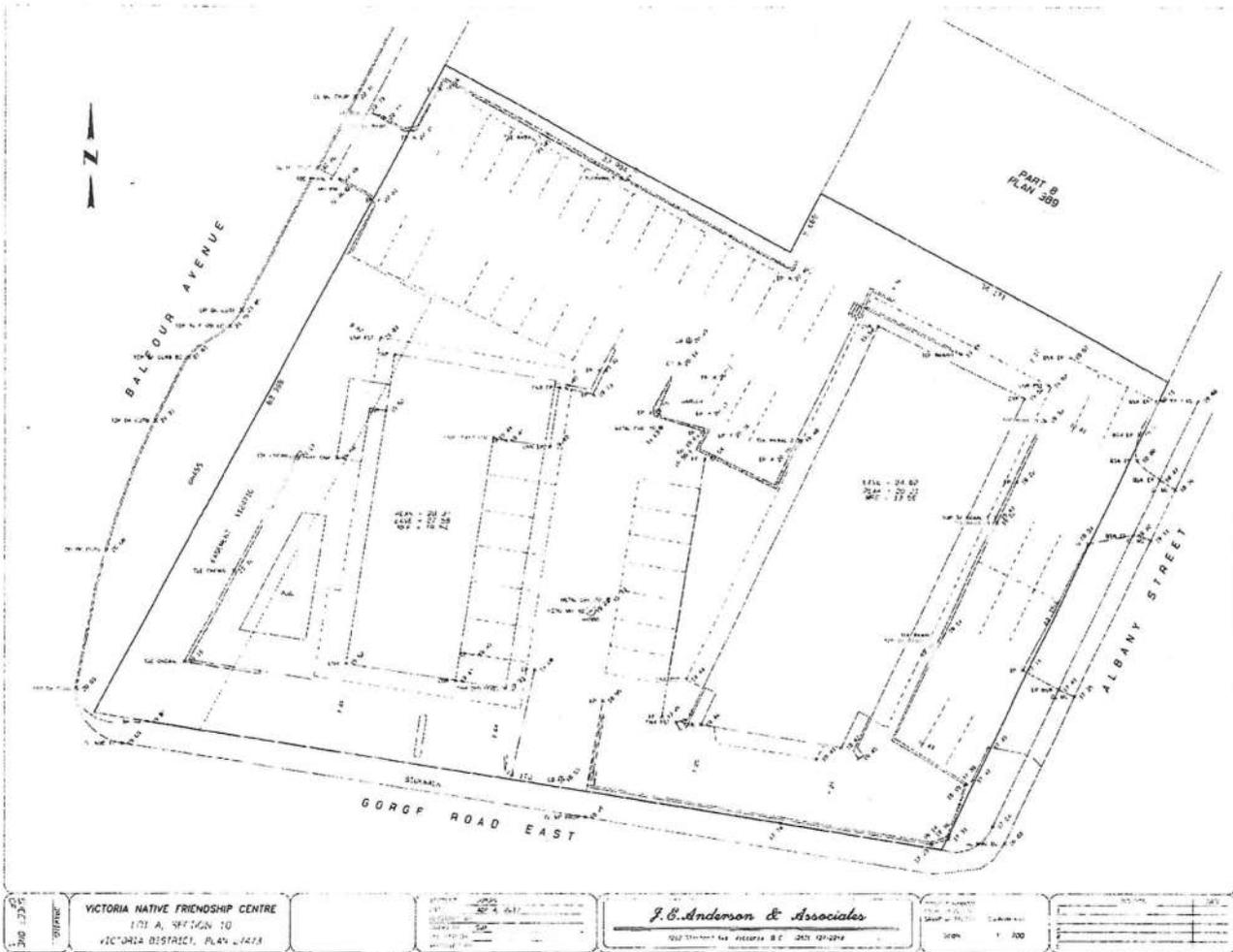
BC Housing

Project
Siem Lelum Phase 2
120 Gorge Road East
Victoria, BC
For
Victoria Native Friendship Centre

Sheet Title
EXISTING SITE

Drawn By TJ/DC	Checked By ST
Project Number 1317	Scale AS NOTED
Revision	Sheet Number

DA0.02



DA1.01 SITE PLAN - SURVEY
SCALE = 1:200

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VANCOUVER
Suite 300
970 Homer Street
Vancouver BC
V6B 2W7
604.683.4131
604.681.9113

VICTORIA
18 Station Square
Victoria BC
V8W 1H9
250.480.2811
250.480.5215
www.merrickarch.com
info@merrickarch.com

Revision No.	Description	Date

Issue	Issue Date
Development Permit Application	Dec 23 2014
DP Application Revisions	Feb 27 2015



Project:
Siem Lelum Phase 2
120 Gorge Road East
Victoria, BC
For
Victoria Native Friendship Centre

Sheet Title:
SITE PLAN - SURVEY

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Planning and Land Use Committee - 19 Mar 2015

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PROJECT ADDRESS - 120 GORGE ROAD EAST
 LEGAL DESCRIPTION - LOT A, SECTION 10 VICTORIA PLAN 27473

LOT AREA -	3743.8 sqm		
BUILDING AREA	EXISTING	PROF. RES.	PROF. COMM.
BUILDING AREA (LOT COV.)	423.95 sqm	557.24 + 41.6 sqm	177.83 sqm
FSR (ZONING DEFINED)	131.200 sqm	108.63 sqm	2378.97 sqm
GROSS FLOOR AREA	989.04 sqm	1418.20 sqm	117.81 sqm
# of DWELLING UNITS (EXISTING TO REMAIN)	- 26		
# of DWELLING UNITS (PROPOSED)	- 15		
CALCULATED AVE. GRADE -	20.298 m GEODETIC		
UNITS PER ACRE (UPA) -	15 / 2391.27 sqm = 25.5 UPA WITHIN PHASE A PROPERTY BOUNDARY		
TOTAL UNITS PER ACRE (UPA) -	41 / 3743.80 sqm = 44.3 UPA TOTAL ON PROPERTY		

UNIT BREAKDOWN	ZONING - R-40 WITH REFERENCE TO R3-A2	PROPOSED	VARIANCE
A (CO) 1 3 93.0	DENSITY (FSR) - 1:1	0.64:1	YES - 4.65%
B (CO) 1 2 71.4	SITE COVERAGE - 33.3%	37.95%	
C (CO) 1 2 75.2	OPEN SPACE - 30%	31.9%	
E (CO) 1 1 54.3 (MAX)	MIN. SITE SPACE - 9.25 m	3243.8 sqm	
F (CO) 1 2 74.7	# OF DWELLINGS - 1 MULTIPLE UNIT BLD.	2 AMENITY + 1 AMENITY	YES
G 1 2 75.4	HEIGHT - LESSER OF 10.7 m	9.40 m	
H 1 3 73.2	OR 3 STOREYS MAX.	3 STOREYS	
I 2 2 72.2	FRONT SET BACK - 10 m	10.05 m	
J 2 2 75.5	REAR SET BACK - 9 m (HEIGHT > 7m)	10.25 m	
K 1 2 74.7	SIDE SET BACK - 10.5 m (HEIGHT > 7m)	10.50 m	
L 1 2 74.7	REAR SET BACK - 0.5 m (HEIGHT > 4.70 m)	4.75 m	
TOTAL 15	STREET WALL - LENGTH = 30 m	29.76 m	
	OFF STREET PARKING - 1.30 UNIT	12 (0.5 MINIMUM)	YES
	BIKE PARKING - 1 UNIT AND 6 m FREEWAY	21 (6 m FREEWAY)	

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BOROWSKI
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 LIMITED

VANCOUVER
 Suite 300
 970 Homer Street
 Vancouver BC
 V6B 2W7
 1 604.683.4131
 1 604.683.5313
 www.merrickarch.com
 info@merrickarch.com

VICTORIA
 18 Basil on Square
 Victoria BC
 V8W 1H9
 1 250.482.7811
 1 250.480.5215
 www.merrickarch.com
 info@merrickarch.com

Revisions	No.	Description	Date
1	DP Application Review		Feb 27, 2015

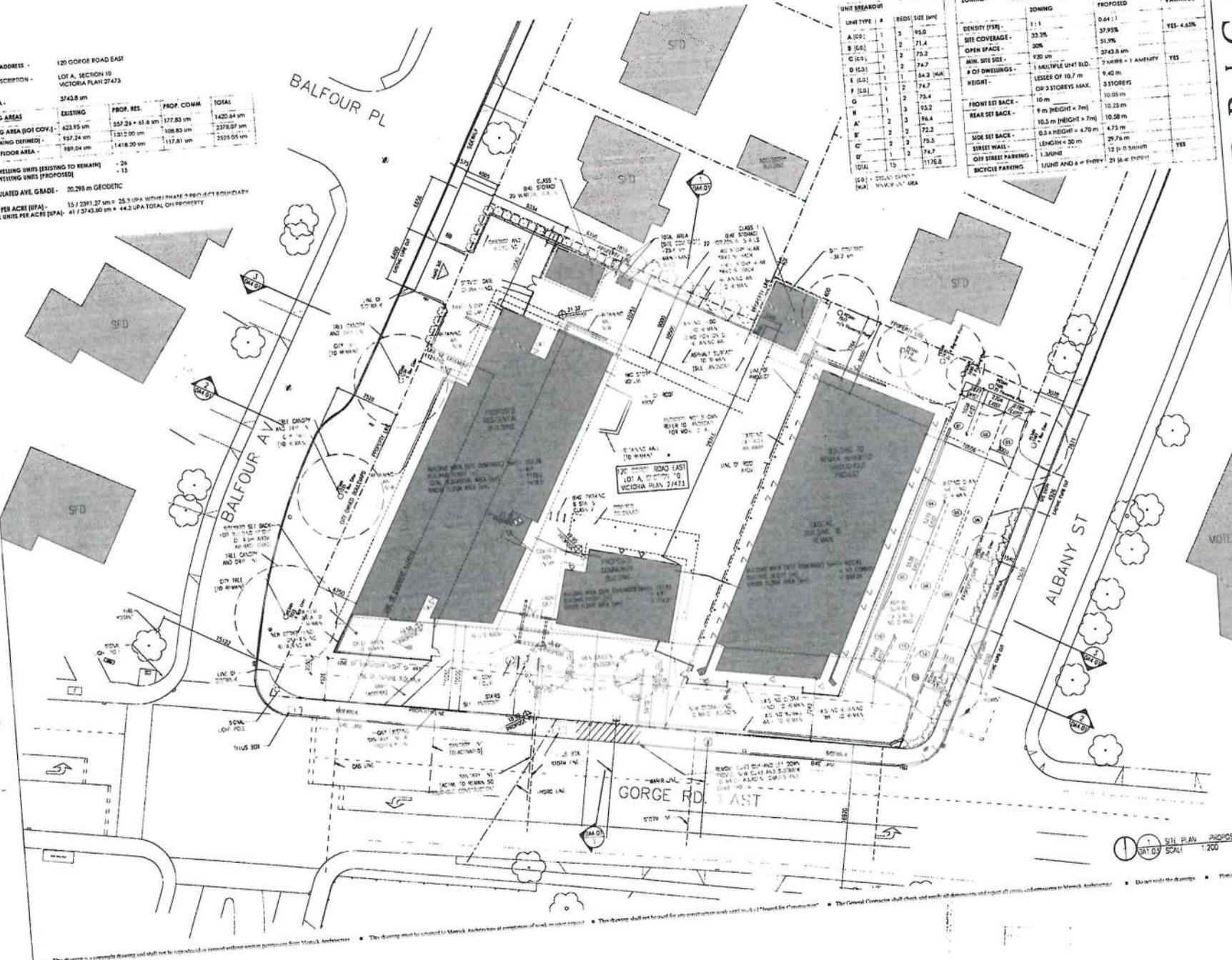
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DP Application Review		Date	Feb 27 2015

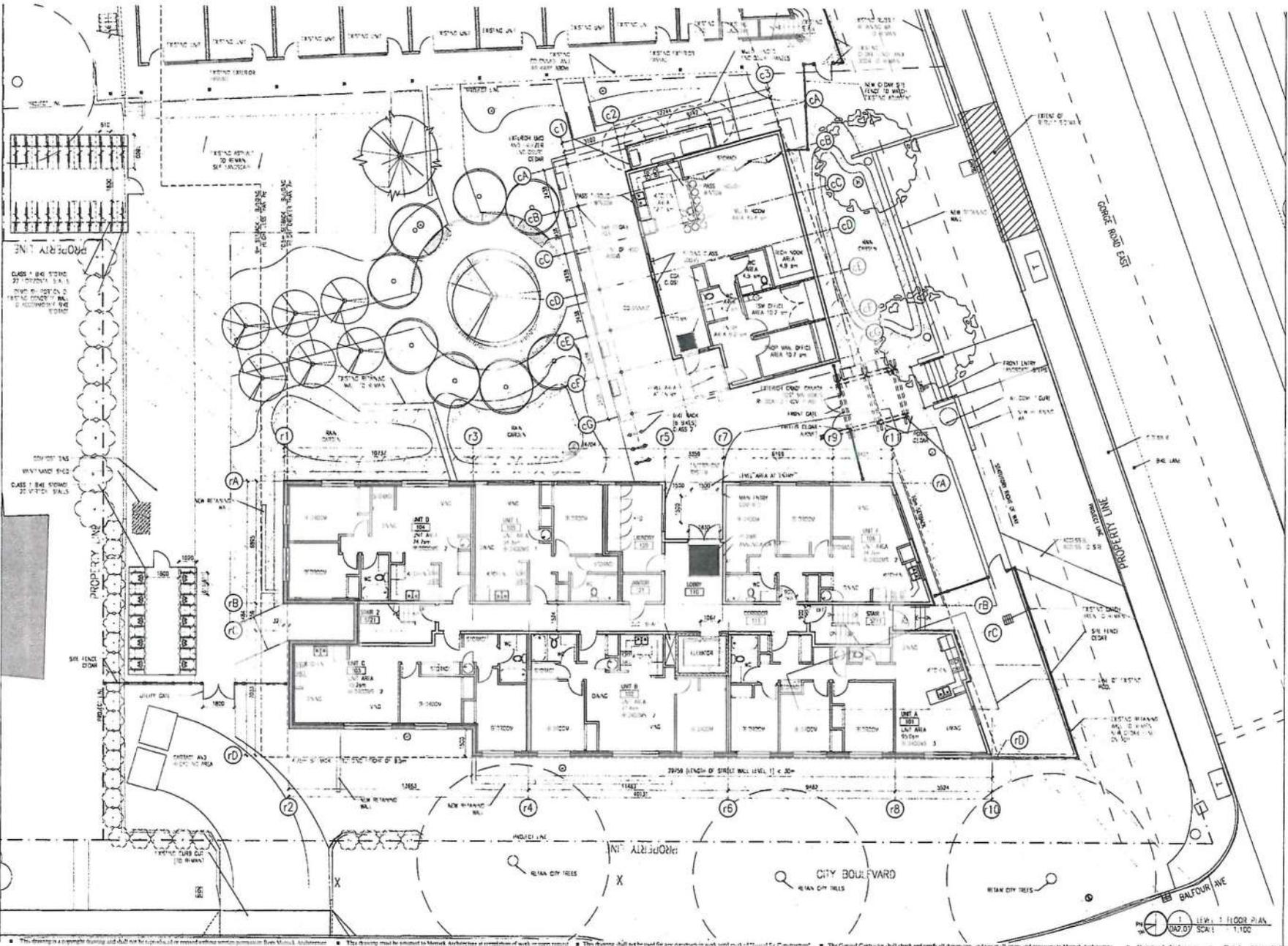


Project: **Siem Lelum Phase 2**
 120 Gorge Road East
 Victoria, BC
 For
 Victoria Native Friendship Centre

Sheet Title: **SITE PLAN - PROPOSED**

Drawn by	TJDC	Checked	SM
Project Number	1317	Scale	AS NOTED
Revision		Sheet Number	DA1.02





MERRICK ARCHITECTURE
BOROWSKI
SAKUMOTO
FLIGG
LIMITED

VANCOUVER
Suite 300
870 Homer Street
Vancouver BC
V6B 2W7
604.683.4131
604.683.9313

VICTORIA
18 Barclay Square
Victoria BC
V8W 1R9
1 250.480.7811
1 250.480.5215
www.merrickarch.com
info@merrickarch.com

Revision No.	Description	Date
1	DP Application Revisions	Feb 27, 2015

Issue	Development Permit Application	Issue Date
1	DP Application Revisions	Feb 27, 2015



Project
Siem Lelum Phase 2
120 Geog Road East
Victoria, BC
For
Victoria Native Friendship Centre

Sheet Title
FLOOR PLAN - LEVEL 1

Drawn by THDC	Checked by SM
Project Number 1317	Scale AS NOTED
Revision	Sheet Number

DA2.01

Planning and Land Use Committee 19 Mar 2015

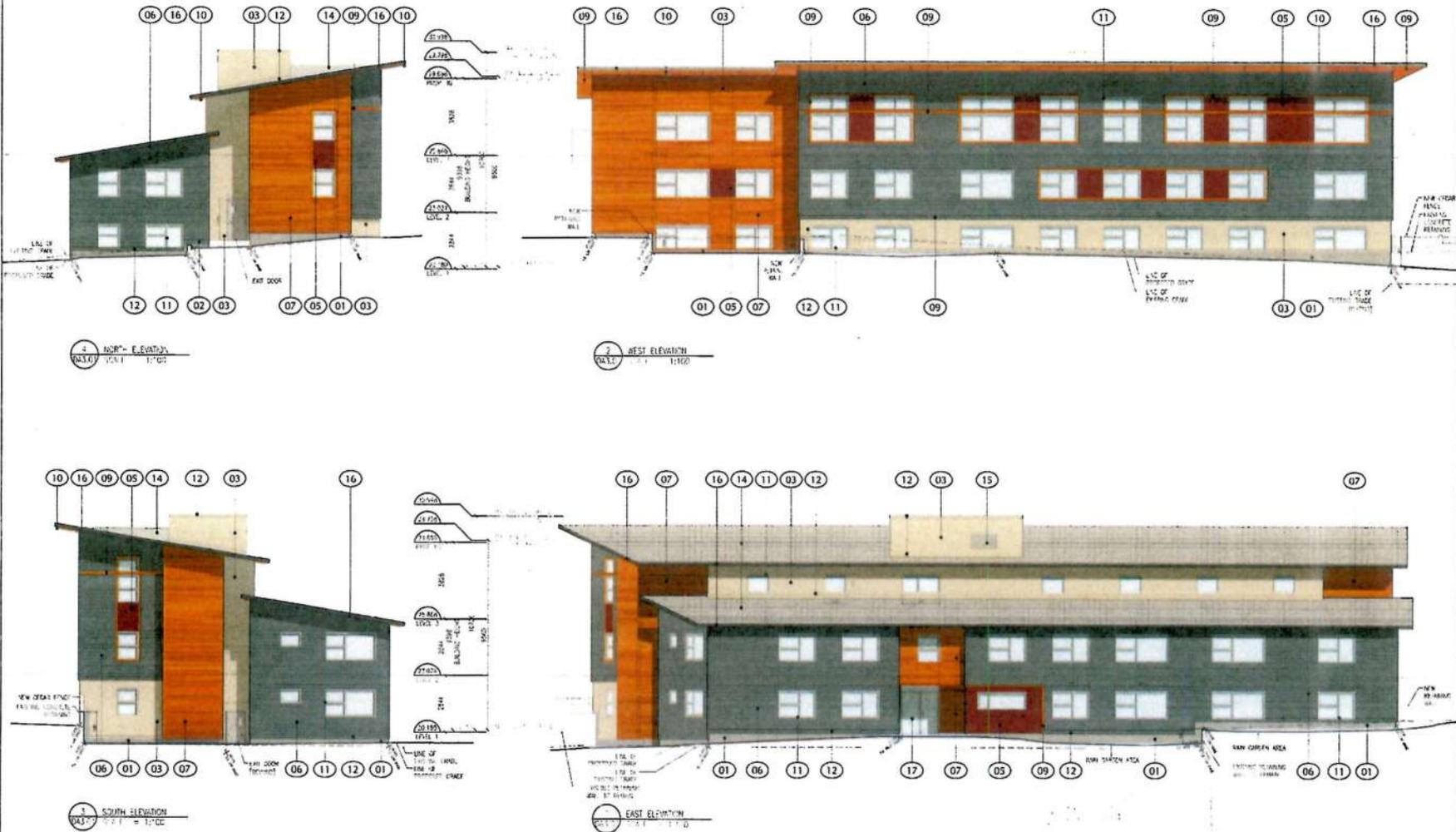
11-327 705

ELEVATION MATERIALS LEGEND

00 MATERIALS REFERENCE TAG AS SHOWN IN DRAWINGS

- 01. EXPOSED FOUNDATION WALL
- 02. INSULATED CONCRETE FOUNDATION WALL
- 03. HARDFI PANEL BRANNING METAL CLADDING - SILVER
- 04. HARDFI PANEL BRANNING METAL CLADDING - BUCKINGHAM BLUE
- 05. HARDFI PANEL BRANNING METAL CLADDING - RED
- 06. HARDFI PANEL BRANNING METAL CLADDING - BUCKINGHAM BLUE
- 07. LEAST SALISH CEDAR RAINSCREEN CLADDING
- 08. CEDAR SHAKH CEDAR FENCE TO MATCH EXISTING ADJACENT
- 09. CEDAR SHAKH - TRIM, BATTENS, SOFFIT, FASCIA

- 10. CEDAR SHAKH
- 11. PRE-FINISHED METAL FLASHING TO MATCH ADJACENT COLOUR
- 12. PRE-FINISHED STANDING SEAM METAL ROOF
- 13. LIGHT COLOURED FIBRE REINFORCED ASPHALT SHINGLES
- 14. PRE-FINISHED METAL ASH HANGAR FLASHING
- 15. PRE-FINISHED METAL FASCIA AND/OR GUTTER
- 16. GLAZED STOREFRONT ENTRY
- 17. CLEAR FINISH APPROPRIATE ROOF SUPPORTED BY CEDAR PILING



MERRICK ARCHITECTURE
BOROWSKI SAKUMOTO FLIGG

VANCOUVER
Suite 300
570 Mosier Street
Vancouver BC
V6B 2W7
(604) 683-4731
(604) 683-5213

VICTORIA
18 Bastion Square
Victoria BC
V8W 1H9
(250) 480-7811
(250) 480-5215
www.merrickarch.com
info@merrickarch.com

Revision	No.	Description	Date
1	DP Application	Revisions	Feb 27, 2015

Issue	Development Permit Application	Issue Date	Date
1	DP Application Revisions	Feb 27 2015	



Project
Siem Lelum Phase 2
120 George Road East
Victoria, BC
For
Victoria Native Friendship Centre

Shown Title
BUILDING ELEVATIONS - RESIDENTIAL BUILDING

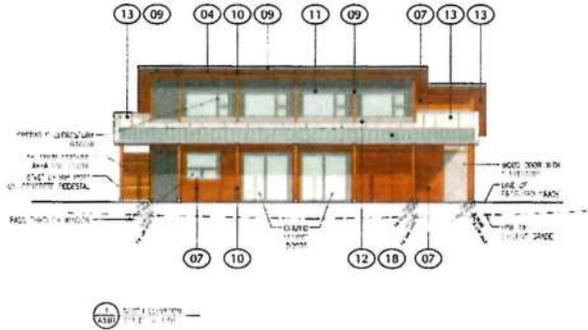
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Project Number 1317	Scale AS NOTED
Revision	Sheet Number

DA3.01

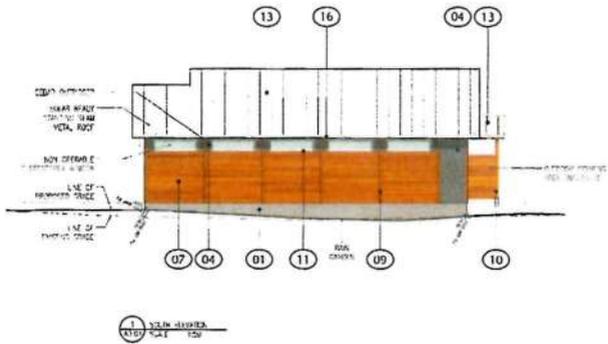
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ELEVATION MATERIALS LEGEND

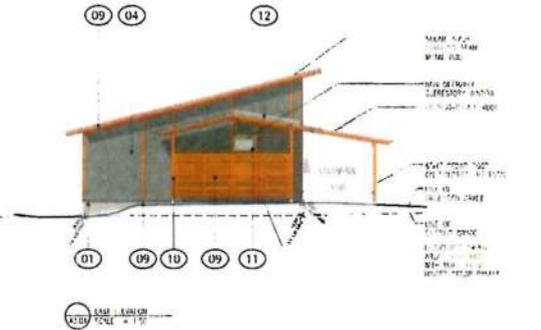
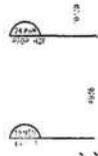
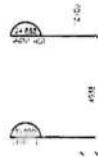
- 00 MATERIALS REFERENCE TAG AS SHOWN IN DRAWINGS
- 01 CONCRETE FOUNDATION WALL
- 02 INSULATED CONCRETE FOUNDATION WALL
- 03 HORIZONTAL HANGING BASKET CLADDING - TAUPE
- 04 HORIZONTAL HANGING BASKET CLADDING - BROWN BAY BLUE
- 05 HORIZONTAL HANGING BASKET CLADDING - RED
- 06 HORIZONTAL HANGING BASKET CLADDING - SOUTH BAY BLUE
- 07 COAST SAUSAGE CEDAR HANGING BASKET CLADDING
- 08 COAST SAUSAGE CEDAR HANGING BASKET CLADDING TO MATCH EXISTING ADJACENT
- 09 CEDAR BATTEN - TRIM, BATTENS, SKIRTS, FASCIA
- 10 CEDAR SHAKER
- 11 PVC SHOWER FRAME - GREY
- 12 PREFINISHED METAL FLASHING TO MATCH ADJACENT COLOUR
- 13 PREFINISHED STAINLESS STEEL METAL EDGE
- 14 LIGHT COLOURED TUBE DOWN BLED AIRWALL MOUNTING
- 15 PREFINISHED METAL MECHANICAL COLOUR
- 16 PREFINISHED METAL FASCIA AND/OR CLADDING
- 17 GLAZED SHOWER BUILT END
- 18 CLEAR POLYURETHANE ROOF SUPPORTED BY CEDAR PILLARS



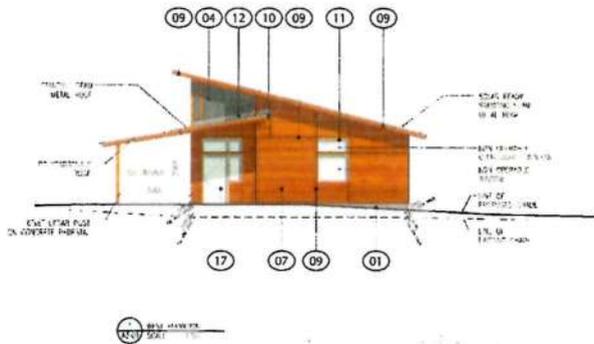
1:10 SCALE ELEVATION



1:10 SCALE ELEVATION



1:10 SCALE ELEVATION



1:10 SCALE ELEVATION

MERRICK MERRICK ARCHITECTURE
BOROWSKI SAKUMOTO FLIIGG LIMITED

VANCOUVER
Suite 100
9701 Eastern Street
Vancouver BC
V6R 2W7
t 604.681.4131
f 604.683.9313

VICTORIA
18 Blanton Square
Victoria BC
V8W 1H9
t 250.480.7811
f 250.480.5215
www.merrickarch.com
info@merrickarch.com

Revision No.	Description	Date

BC Housing

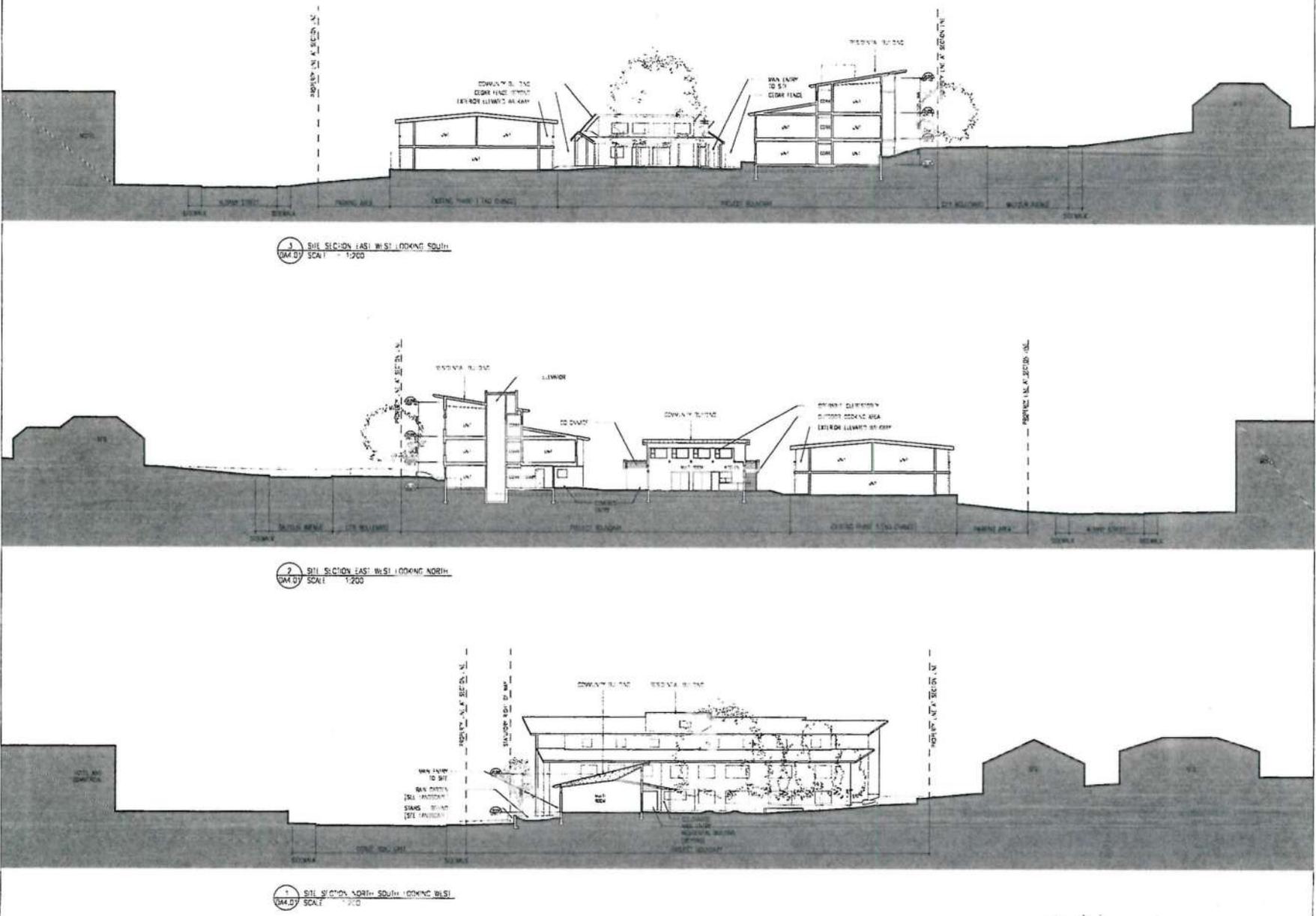
Project
Siem Lelum Phase 2
120 George Road East
Victoria, BC
For
Victoria Native Friendship Centre

Sheet Title
BUILDING ELEVATIONS - COMMUNITY BUILDING

Drawn By TJ/DC	Checked SM
Project Number 1317	Scale AS NOTED
Revision	Sheet Number

DA3.02

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MERRICK ARCHITECTURE
BOROWSKI
SAKUMOTO
FLIGG
LIMITED

VANCOUVER
Suite 300
970 Homer Street
Vancouver BC
V6B 2W7
604.683.4131
604.683.9313

VICTORIA
18 Bascion Square
Victoria BC
V8W 1H9
250.480.7811
250.480.5215
www.merrickarch.com
info@merrickarch.com

Revision	No.	Description	Date
1	DP Application Review	Feb 27, 2015	

Issue	Issue Date
Final Application Review	Feb 27, 2015
Development Permit Application	Dec 21, 2014

BC Housing

Project
Siem Lelum Phase
120 George Road East
Victoria, BC
For
Victoria Native Friendship Centre

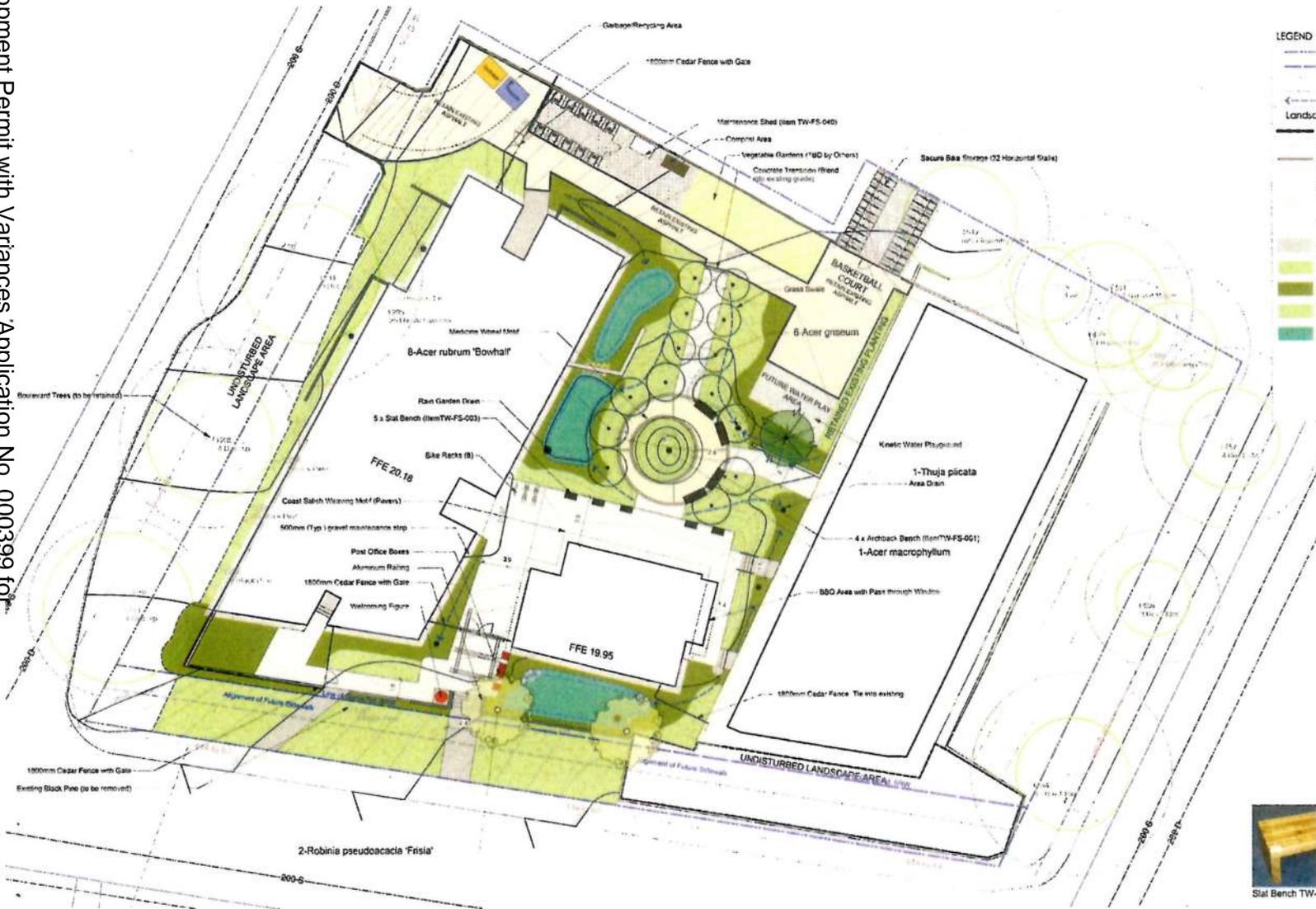
Sheet Title
BUILDING SECTIONS

Drawn By TJMC	Checked By S
Project Number 1317	AS NOTED
Revision	Sheet Number

DA4.01

Planning and Land Use Committee 19 Mar 2015

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- LEGEND**
- Property line
 - Utility R.O.W.
 - Basin garden - TOP OF FOOT
 - Basin garden - BOTTOM OF FOOT
 - Grass swale (with structure of existing lawn)
- Landscape Materials**
- Cedar Fence, 1800mm height
 - Existing Retaining Wall to be aligned
 - Complete Retaining Wall (Grading Plan L1.2) for wall height H unless otherwise noted. ALL WALLS > 1.2M HEIGHT TO BE DESIGNED BY STRUCTURAL ENGINEER
 - 1/4" radius Polystyrene bead
 - Northbound Concrete Grid Pavers
 - Existing Coat in place concrete paving
 - Maintained Grass Area
 - Thymus/Origanum Planting Area
 - Perennial Landscape Area
 - Rain Garden Area

Site Furniture



- DRAWING NOTES**
- DO NOT SCALE DRAWING. Verify all property lines and existing building footprints to existing in place by commencing work.
 - All sizes dimensions in metres and all detail dimensions in millimetres.
 - Final landscape plan shall take precedence over other bid specialties.
 - Contractor to confirm location and condition of all existing retaining walls and submit single log split of confirmation.
 - Provide for soil at all work for approved landscape architect prior to proceeding with work.
 - Contractor to remove vegetation system for all plants to be removed (ASD Donor and Contract Specimens).
 - Landscape contractor to carry out 1 year warranty from date of acceptance.
 - Plant material, installation and maintenance to conform to the current edition of the BCSA/BSCVA Landscape Standards.
 - Contractor to ensure that all plants are the responsibility for all costs related to production and installation to ensure that all landscape materials followed in including irrigation.
 - Tree protection fencing for existing trees to be installed prior to commence work on all site work.

PRELIMINARY
NOT FOR CONSTRUCTION

1	DP Revised	15/02/07
2	DP	14/12/16
3	BCR Revised	14/01/24
4	Final Concept Approval	14/08/11
Rev No	Description	Date

Murdoch de Greeff
Landscape Planning & Design

Victoria Native Friendship Centre
VICTORIA, BC

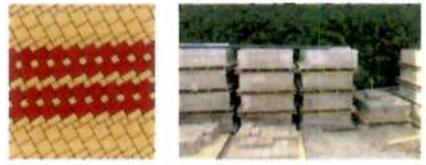
Project:
SIEM LELUM
VICTORIA, BC

Sheet No:
19 Mar 2015

Project:
19 Mar 2015



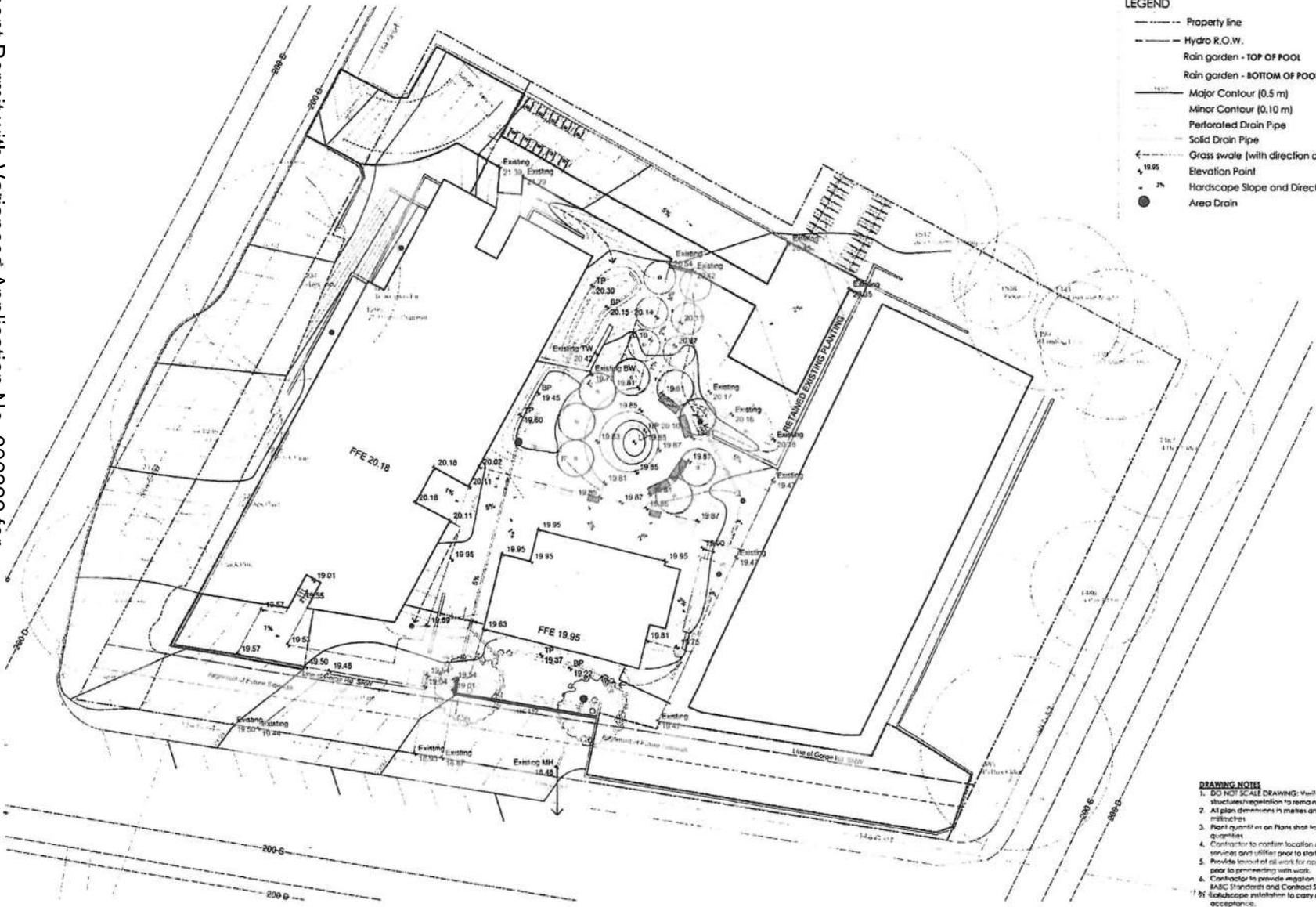
Rain Gardens, Edible Native Shrub Plantings, and Medicinal Herb Beds



Paving Custom Basket Weave paving motif from recycled paving stones



Art Entry pole Carving



- LEGEND**
- Property line
 - Hydro R.O.W.
 - Rain garden - TOP OF POOL
 - Rain garden - BOTTOM OF POOL
 - Major Contour (0.5 m)
 - Minor Contour (0.10 m)
 - Perforated Drain Pipe
 - Solid Drain Pipe
 - ← Grass swale (with direction of overland flow)
 - Elevation Point
 - Hardscape Slope and Direction
 - Area Drain

- DRAWING NOTES**
1. DO NOT SCALE DRAWINGS: verify all property lines and existing structures/vegetation to remain, prior to commencing work.
 2. All plan dimensions in metres and all detail dimensions in millimetres.
 3. Plant quantity on on Plans shall take precedence over plant list quantities.
 4. Contractor to confirm location and elevation of all existing services and utilities prior to start of construction.
 5. Provide layout of all work for approval by Landscape Architect prior to proceeding with work.
 6. Contractor to provide irrigation system for all planters to current IASBC Standards and Contract Specifications.
 7. Landscape installation to carry a 1 year warranty from date of acceptance.
 8. Plant material, installation and maintenance to conform to the current edition of the BC/LA/BCNA Landscape Standards.
 9. General Contractor and/or subcontractors are responsible for all costs related to production and submission to consultant of all landscape or built information including inspection.
 10. Tree protection fencing for existing trees to be installed prior to commencement of all site work.

FEB 27 2015

PRELIMINARY
NOT FOR CONSTRUCTION

2 DP Permit 15.02.27
1 DP 14.12.14
rev no estimator date

Murdoch de Greeff
Landscape Planning & Design

Planning and Land Use Committee - 19 Mar 2015

Victoria Native Friendship
VICTORIA, BC

project
SEM LELUM
VICTORIA, BC

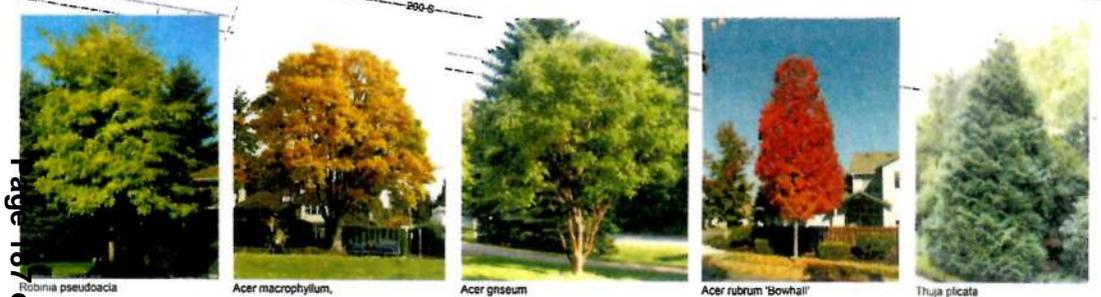
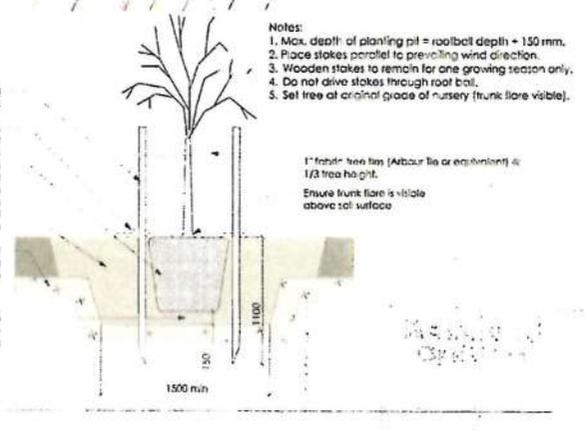
sheet title
**Grading
Plan**

project no. 15.02.27
scale 1:50
drawn by 10
checked by 10
revision 2



Plant	Qty	Botanical Name	Common Name	Sched. Size / Frost Spacing
TREES				
1	1	Acer glabrum	Red-twigged Dogwood	4.0m cal. @ 2.0m
2	1	Acer rubrum 'Bowhall'	Red-twigged Dogwood	4.0m cal. @ 2.0m
3	1	Rubus spectabilis 'Walden'	Red-twigged Dogwood	5.0m cal. @ 2.0m
4	1	Thuja plicata	Western Red Cedar	3.0m cal. @ 2.0m
SHRUBS				
5	4	Amelanchier alnifolia	Red-twigged Dogwood	#3 per
6	15	Amelanchier canadensis 'Coville'	Red-twigged Dogwood	#3 per
7	15	Berberis thunbergii	Japanese Holly	#1 per
8	12	Camellia sasanqua	Japanese Camellia	#3 per
9	4	Hamamelis virginica	Witch-hazel	#3 per
10	14	Juniperus 'Compressa'	Compressa Juniper	#3
11	3	Malus baccata	Crabapple	#3 per
12	40	Malus spectabilis 'Adirondack'	Adirondack Crabapple	#1 per
13	7	Parthenocaryon 'Aurora'	Golden Rain Tree	#3 per
14	4	Photinia fraxinifolia	Spotted Red Dogwood	#3 per
15	7	Photinia fraxinifolia	Spotted Red Dogwood	#3 per
16	7	Photinia fraxinifolia	Spotted Red Dogwood	#3 per
17	20	Rosa rugosa	Hardy Rose	#1 per
18	15	Spiraea japonica 'Queen of Hells'	Queen of Hells Spirea	#1 per
19	20	Spiraea japonica	Hardy Spirea	#1 per
20	55	Wandermulden 'Pink Spire'	Spirea	#3 per

- DRAWING NOTES**
1. ALL TREE SCALE DIMENSIONS: Verify all property lines and existing structures are in place before commencing work.
 2. All work commencing in market area of established structures is to be completed prior to commencing work.
 3. Final quantities on Plans must take consideration of plant list quantities.
 4. Contractor to coordinate and installation of all existing structures and utilities prior to start of construction.
 5. Please refer to all notes for approval by Landscape Architect prior to proceeding with work.
 6. Contractor to provide irrigation system for all plants to ensure SACC Standards and Council Specifications.
 7. Landscape Installation to carry a 1 year warranty from date of completion.
 8. Final material installation and maintenance to conform to the current edition of the B.C. A.P.E. (N.A.) Landscape Standards.
 9. General Contractor and/or sub-contractors are responsible for all costs related to production and installation to consistent of all landscape elements (including irrigation).
 10. Item quantities are for reference only, to be installed prior to commencement of all site work.



PRELIMINARY NOT FOR CONSTRUCTION

3 01/01/2015 12:02:27
2 02/02/2015 14:12:16
1 03/03/2015 14:08:11

revised by: [signature] date: [signature]

Murdoch de Greeff
Landscape Planning & Design

Planning and Land Use Committee - 19 Mar 2015

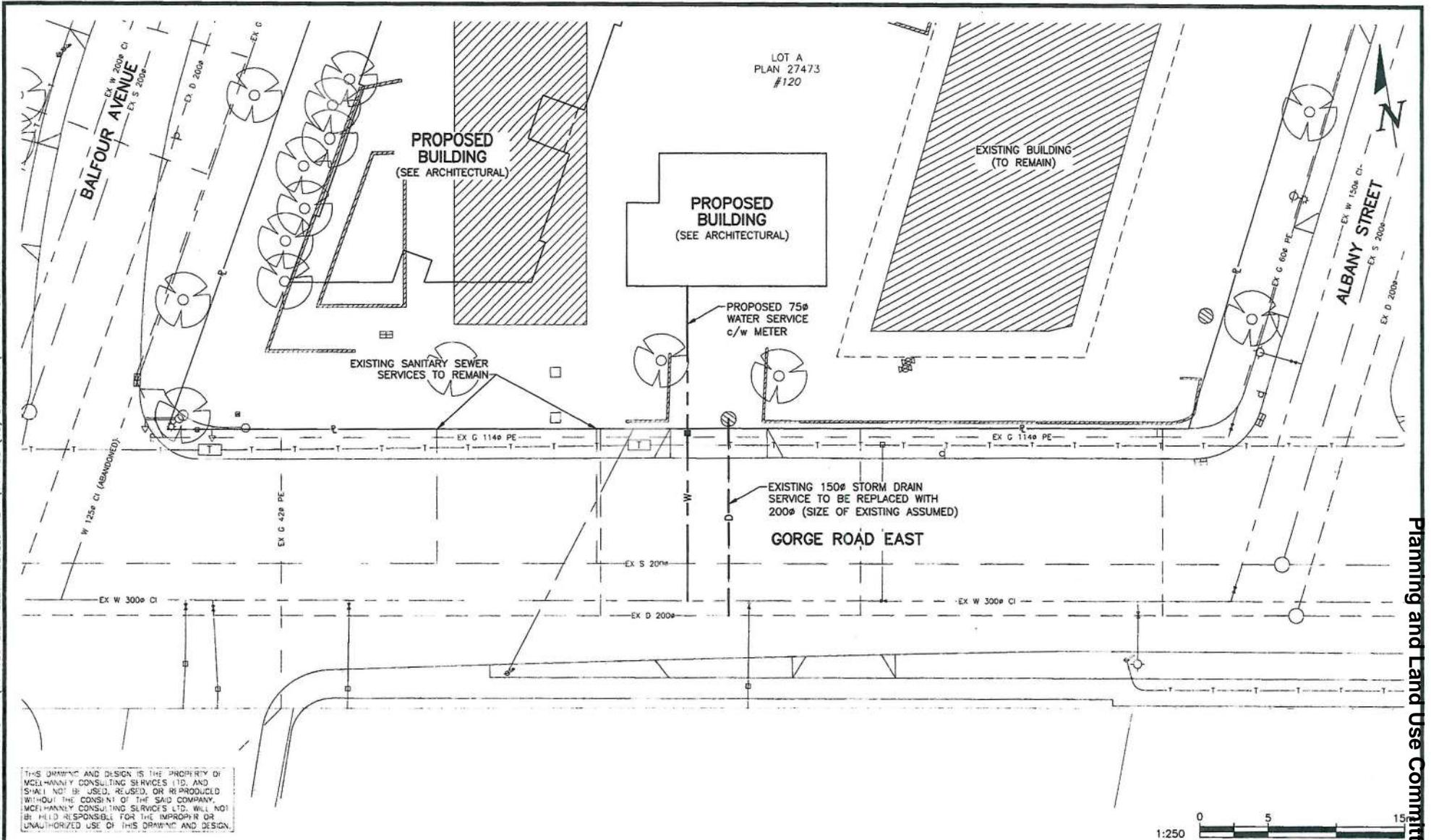
Victoria Native Friendship
VICTORIA, BC

SEM LELUM
VICTORIA, BC

Project No: [blank]
Project Name: [blank]
Project Address: [blank]
Project Date: [blank]

3

P:\11-159 SIEM LELUM DEVELOPMENT\11-159-DESIGN.DWG (0) DRAWINGS



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 McElhanney Consulting Services Ltd.
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 PH (250) 376-2277
 FAX (250) 376-6222

SIEM LELUM DEVELOPMENT
120 GORGE ROAD EAST
CONCEPTUAL SITE SERVICING PLAN

SCALE:	1:250
DRAWN BY:	MTK
DATE:	MAY 20, 2012
DRAWING No:	11-159-CSP.01

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.

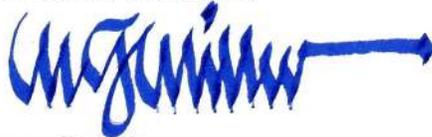
CONCLUSIONS

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.

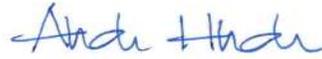
ALTERNATE MOTION

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



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

Date: _____ March 11, 2015

MM:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\HAPI\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.

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA

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

(the "**City**")

OF THE FIRST PART

AND:

**DANIEL JOHN MILLER and
CARLA ANN PUSATERI**

151 Oswego Street, 2nd Floor
Victoria, B.C. V8T 2Z9

(collectively the "**Owner**")

OF THE SECOND PART

AND:

ROYAL BANK OF CANADA

180 Wellington Street
Toronto, O.N. M5J 1J1

[or other registered chargeholder from time to time]

(as to priority)

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:

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.

THE CORPORATION OF THE CITY OF VICTORIA

by its authorized signatories:

Mayor Dean Fortin

Corporate Administrator, Robert G. Woodland

- 8 -

SIGNED, SEALED AND DELIVERED

in the presence of:

Witness

Address

JOHN D. MULLIN
BARRISTER & SOLICITOR
1626 GARNET ROAD
VICTORIA, BC V8P 3C8

Occupation

SIGNED, SEALED AND DELIVERED

in the presence of:

Witness

Address

DAWSON J. MULLIN, B.A., LL.B.
Barrister & Solicitor
102 - 1497 Admirals Road
Victoria, BC V9A 2P8
Tel:(250) 590-1154 Fax:(866) 434-2053

Occupation

ROYAL BANK OF CANADA by its authorized signatories:

Print Name:

Print Name:

DANIEL JOHN MILLER

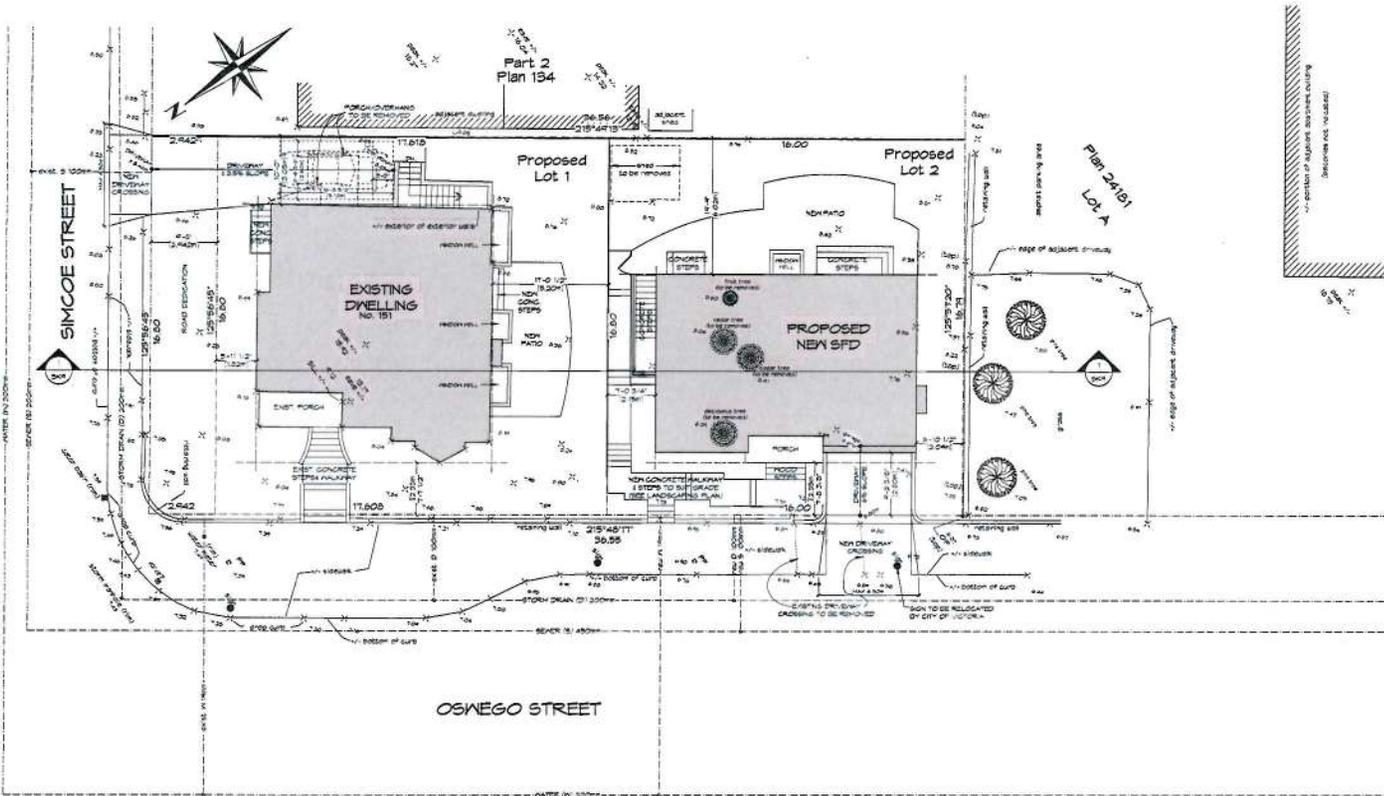
CARLA ANN PUSATERI

Schedule "A"

Window Assessment - 151 Oswego - Preliminary requirements			
		2014 Feb 24	Prepared by Vintage Woodworks
Window #	Window type	Current condition	Recommendation
W1	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 particularly where you see the loose putty.	Remove bush in front of window as it will promote rot. Unit should be re-hung, 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
W2 & W3	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 position therefore large air leakage. Jamb in good condition. Glass in 2nd upper unit broken requires new glazing, standard horns on upper sash. Lower sash in W3 rotted requires new lower only. All hardware locks missing	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 hardware locks missing	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.

V6 & W7	double hung double unit	Old glass, upper glass both units broken, hardware missing, jamb beginning to deteriorate. Ropes cut	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 turpentine mixture then primed properly.
V8	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
Door in kitchen		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
W9	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 x 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 typically do not promote heat retention to bathrooms.
W11 toilet area	casement	single casement unit glazed opaque yellow broken 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

V12 laundry	bottom hung	Unit is bottom hung friction unit painted shut in good condition as is jamb. Hardware is missing	Re-hang unit with friction hardware add storm window and laminate glass to storm. 30 x 71
V13 upper landing	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
V14	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
V15	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



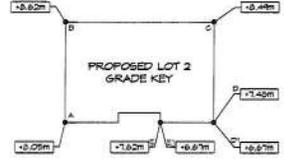
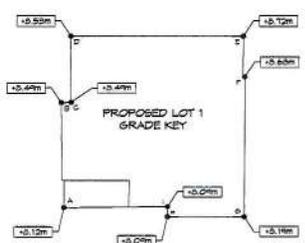
SITE DATA - Lot 1 Oswego St.		
LEGAL DESCRIPTION - PROPOSED LOT 1, PLAN 134, BECKLEY FARM, VICTORIA DISTRICT		
ZONING - R1-S2		
	EXISTING	PROPOSED
LOT AREA	614.04 M ² (6610.04 FT ²)	285.85 M ² (2184.87 FT ²)
LOT FRONTAGE	16.00 M (52.12')	16.00 M (52.12')
LOT WIDTH	16.00 M (52.12')	16.00 M (52.12')
LOT DEPTH	36.55 M (119.91')	11.61 M (38.10')
SETBACKS		
FRONT	4.76 M (15.62')	1.82 M (5.97')
REAR	21.20 M (69.55')	3.20 M (10.60')
SIDE (INTERIOR)	0.80 M (2.62')	3.05 M (10.01')
SIDE (EXTERIOR)	2.33 M (7.64')	2.33 M (7.64')
AVG. GRADE	0.40 M (1.31')	0.40 M (1.31')
STOREYS	2 STOREYS	2 STOREYS
BUILDING HEIGHT	6.19 M (20.11')	6.13 M (20.11')
FLOOR AREA		
UPPER FLOOR	56.56 M ² (612.01 FT ²)	56.56 M ² (612.01 FT ²)
MAIN FLOOR	62.94 M ² (1000.40 FT ²)	62.94 M ² (1000.40 FT ²)
BASEMENT	N/A	35.64 M ² (122.35 FT ²)
TOTAL FLOOR AREA	149.50 M ² (1612.46 FT ²)	149.50 M ² (1612.46 FT ²)
FLOOR AREA RATIO	0.24	0.43
SITE COVERAGE	11.94 %	35.54 %
OPEN SITE SPACE		42.46 %
PARKING	1 SPACE	1 SPACE

SITE DATA - Lot 2 Oswego St.	
LEGAL DESCRIPTION - PROPOSED LOT 2, PLAN 134, BECKLEY FARM, VICTORIA DISTRICT	
ZONING - R1-S2	
	PROPOSED
LOT AREA	285.77 M ² (2913.02 FT ²)
LOT FRONTAGE	16.00 M (52.49')
LOT WIDTH	16.00 M (52.49')
LOT DEPTH	16.00 M (52.10')
SETBACKS	
FRONT	2.35 M (7.71')
REAR	6.02 M (19.75')
SIDE (NORTH)	2.15 M (7.05')
SIDE (SOUTH)	2.04 M (6.69')
AVG. GRADE	3.06 M (10.04')
STOREYS	2 STOREYS
BUILDING HEIGHT	7.44 M (24.57')
FLOOR AREA	
UPPER FLOOR	11.15 M ² (220.41 FT ²)
MAIN FLOOR	34.59 M ² (408.55 FT ²)
BASEMENT	50.47 M ² (624.55 FT ²)
GARAGE	21.43 M ² (230.60 FT ²)
TOTAL FLOOR AREA	161.07 M ² (1733.15 FT ²)
FLOOR AREA RATIO	0.60
SITE COVERAGE	36.12 %
OPEN SITE SPACE	34.75 %
PARKING	1 SPACE

1 Site Plan - Proposed Lot 1 & 2
Scale: 1:100

SECTION	Dist	Pct	Average	Quantity	Factor	Total Factor	Normal	Average grade
AB	8.72	4.8	8.11	3.49	15.11	52.12	2.86	1.000
BC	8.44	4.8	8.41	3.41	28.47			
CD	8.44	4.8	8.51	3.41	27.47			
DE	8.53	4.77	8.81	3.41	30.12			
EF	8.72	4.8	8.79	3.41	30.12			
FG	8.72	4.8	8.46	3.41	28.12			
GH	8.72	4.8	8.39	3.41	28.12			
HI	8.72	4.8	8.39	3.41	28.12			
IJ	8.72	4.8	8.39	3.41	28.12			
JK	8.72	4.8	8.39	3.41	28.12			
KL	8.72	4.8	8.39	3.41	28.12			
LM	8.72	4.8	8.39	3.41	28.12			
LN	8.72	4.8	8.39	3.41	28.12			
MO	8.72	4.8	8.39	3.41	28.12			
NP	8.72	4.8	8.39	3.41	28.12			
OP	8.72	4.8	8.39	3.41	28.12			
QP	8.72	4.8	8.39	3.41	28.12			
RP	8.72	4.8	8.39	3.41	28.12			
RS	8.72	4.8	8.39	3.41	28.12			
ST	8.72	4.8	8.39	3.41	28.12			
TU	8.72	4.8	8.39	3.41	28.12			
TV	8.72	4.8	8.39	3.41	28.12			
UV	8.72	4.8	8.39	3.41	28.12			
VW	8.72	4.8	8.39	3.41	28.12			
WX	8.72	4.8	8.39	3.41	28.12			
XY	8.72	4.8	8.39	3.41	28.12			
YZ	8.72	4.8	8.39	3.41	28.12			
ZA	8.72	4.8	8.39	3.41	28.12			
AB	8.72	4.8	8.39	3.41	28.12			
BC	8.72	4.8	8.39	3.41	28.12			
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GH	8.72	4.8	8.39	3.41	28.12			
HI	8.72	4.8	8.39	3.41	28.12			
IJ	8.72	4.8	8.39	3.41	28.12			
JK	8.72	4.8	8.39	3.41	28.12			
KL	8.72	4.8	8.39	3.41	28.12			
LM	8.72	4.8	8.39	3.41	28.12			
LN	8.72	4.8	8.39	3.41	28.12			
MO	8.72	4.8	8.39	3.41	28.12			
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UV	8.72	4.8	8.39	3.41	28.12			
VW	8.72	4.8	8.39	3.41	28.12			
WX	8.72	4.8	8.39	3.41	28.12			
XY	8.72	4.8	8.39	3.41	28.12			
YZ	8.72	4.8	8.39	3.41	28.12			
ZA	8.72	4.8	8.39	3.41	28.12			

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FG	8.72	4.8	8.46	3.41	28.12			
GH	8.72	4.8	8.39	3.41	28.12			
HI	8.72	4.8	8.39	3.41	28.12			
IJ	8.72	4.8	8.39	3.41	28.12			
JK	8.72	4.8	8.39	3.41	28.12			
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TV	8.72	4.8	8.39	3.41	28.12			
UV	8.72	4.8	8.39	3.41	28.12			
VW	8.72	4.8	8.39	3.41	28.12			
WX	8.72	4.8	8.39	3.41	28.12			
XY	8.72	4.8	8.39	3.41	28.12			
YZ	8.72	4.8	8.39	3.41	28.12			
ZA	8.72	4.8	8.39	3.41	28.12			



REV. NO.	DESCRIPTION	DATE
A	ADD ROAD DEDICATION TO LOT 1 & REVISE SITE DATA TO SUIT LOT AREA, LOT DEPTH, FRONT YARD SETBACK, SITE COVERAGE, OPEN SITE SPACE, REVISE LOT 2 DRIVEWAY, REVISE LOT 2 AVG. GRADE & SETBACK HEIGHT	MAY 15/12
B	REVISED 'RIGHT-OF-WAY' LABEL TO 'ROAD DEDICATION'	DEC 18/12
C	REVISED LOT 2 PLAN DATA	MAR 20/13

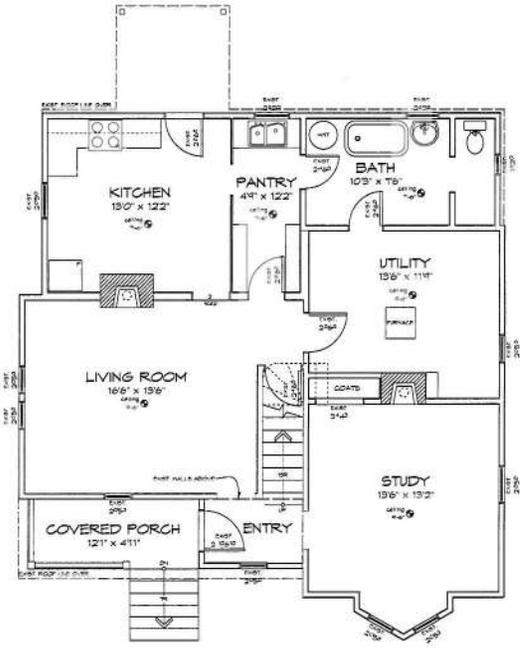
- DRAWING LIST:**
- SK1 PROPOSED SITE PLAN & SITE DATA
 - SK2 LOT 1 EXISTING FLOOR PLANS
 - SK3 LOT 1 RENO FLOOR PLANS
 - SK4 LOT 1 EXISTING ELEVATIONS
 - SK5 LOT 1 RENO ELEVATIONS
 - SK6 LOT 2 FLOOR PLANS
 - SK7 LOT 2 ELEVATIONS
 - SK8 LOT 2 ELEVATIONS
 - SK9 SITE SECTION & STREETSCAPES

Planning and Land Use Committee - 19 Mar 2015

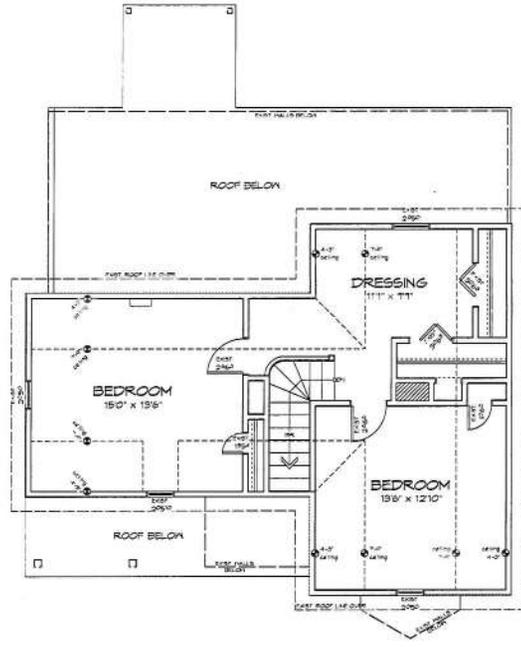
ZEBRADESIGN

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

Drawn By: K. BELFRY
Date: DEC 18, 201



1 Existing Main Floor Plan
 SK2 Scale: 1/4" = 1'-0"



2 Existing Upper Floor Plan
 SK2 Scale: 1/4" = 1'-0"

ZEBRADESIGN

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

Drawn By: K. BELFRY
 Date: DEC 13, 2012
 Scale: AS NOTED

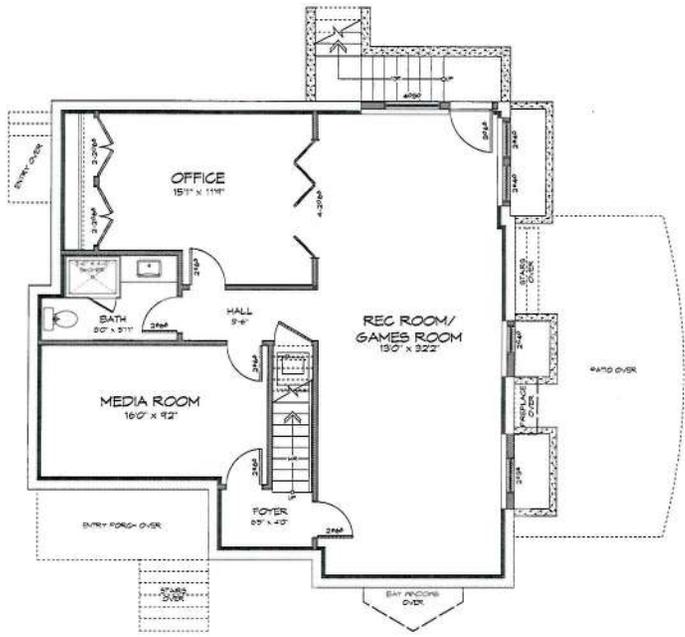
Project:
 151 OSWEGO ST.
 PROPOSED
 SUBDIVISION

Title:
 PROPOSED LOT
 FLOOR PLANS
 EXISTING & RENO

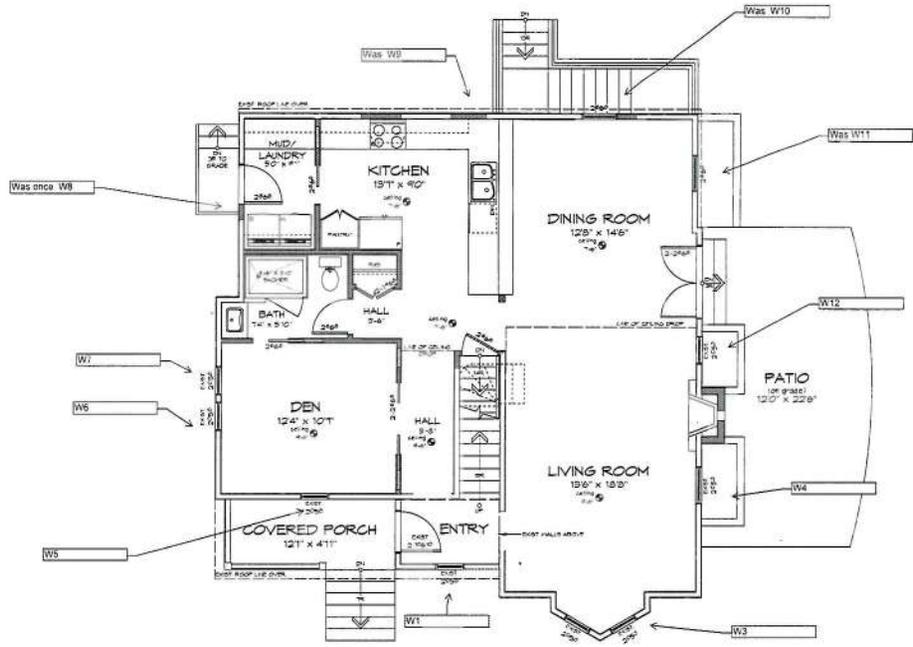
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SK2

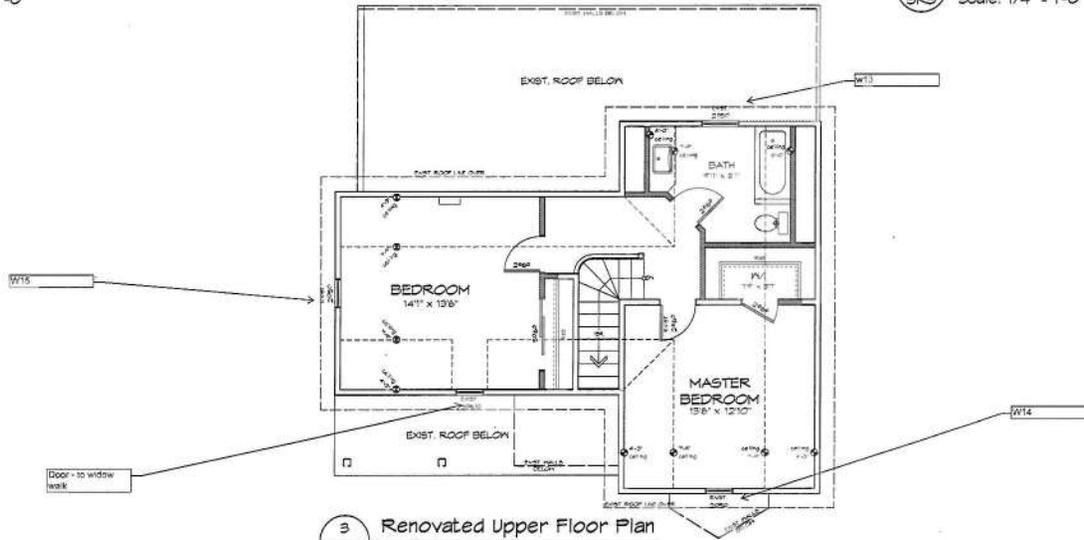
Proj No 215



1 Renovated Basement Floor Plan
 SK3 Scale: 1/4" = 1'-0"



2 Renovated Main Floor Plan
 SK3 Scale: 1/4" = 1'-0"



3 Renovated Upper Floor Plan
 SK3 Scale: 1/4" = 1'-0"

ZEBRADESIGN

1161 NEWPORT AVE
 Victoria, B.C. V8S 5E6
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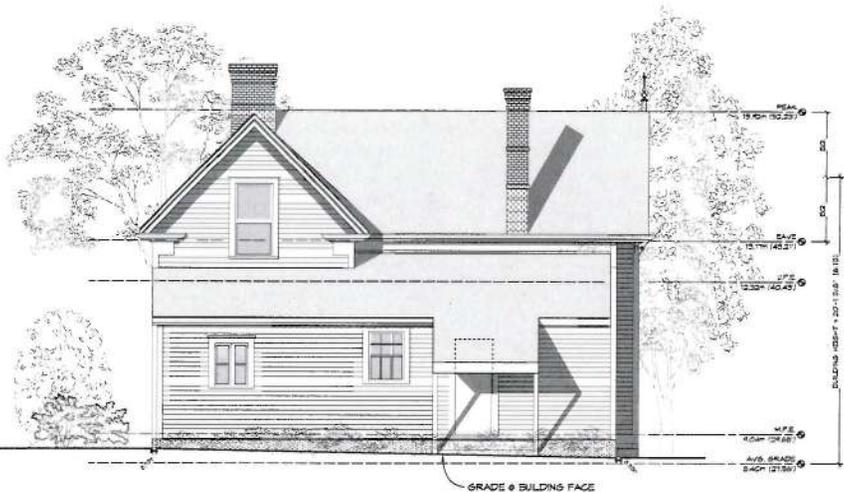
Drawn By: K. BELFRY
 Date: DEC 13, 2012
 Scale: AS NOTED

Project:
 151 OSWEGO ST.
 PROPOSED
 SUBDIVISION

Title:
 PROPOSED LOT 1
 FLOOR PLANS
 EXISTING & RENO

Revision:	Sheet:
Amend this page	SK3
Remove this page	
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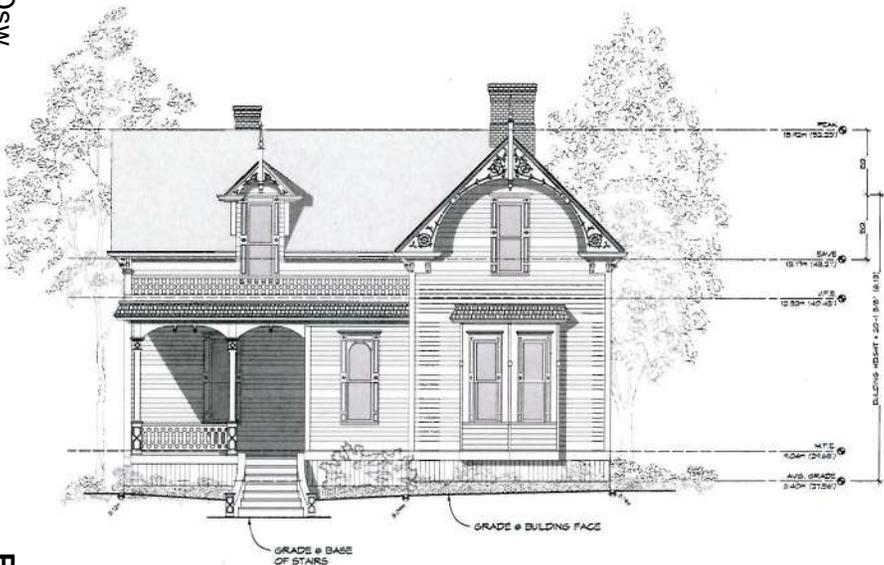
Proj. No. 2152



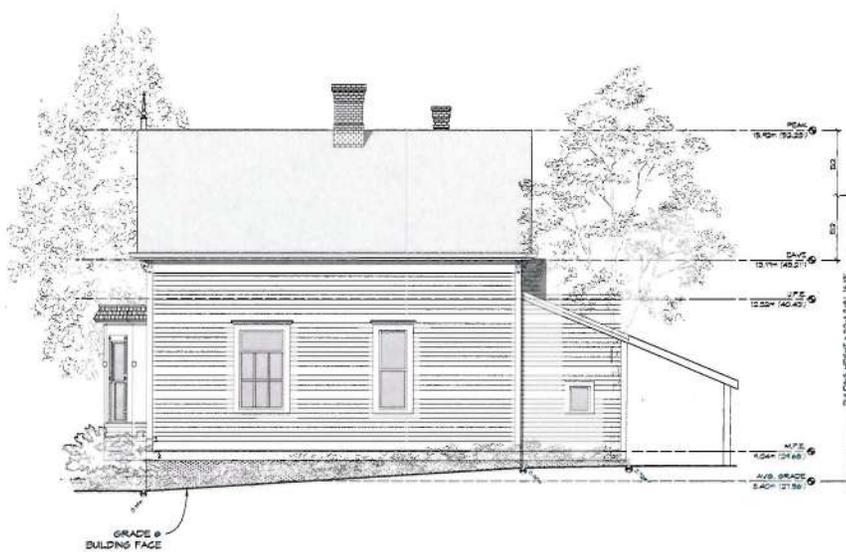
1 Existing Side (Interior) Elevation
SK4 Scale: 1/4" = 1'-0"



2 Existing Front (Simcoe St.) Elevation
SK4 Scale: 1/4" = 1'-0"



3 Existing Side (Oswego St.) Elevation
SK4 Scale: 1/4" = 1'-0"



4 Existing Rear Elevation
SK4 Scale: 1/4" = 1'-0"

REV. NO.	DESCRIPTION	DATE	REVISION:	SHEET:
1	NOTE RE GRADES	007 15/12	Amend this page 11-007 15/12 Grade this page Change this page	SK4 Proj. No. 2152

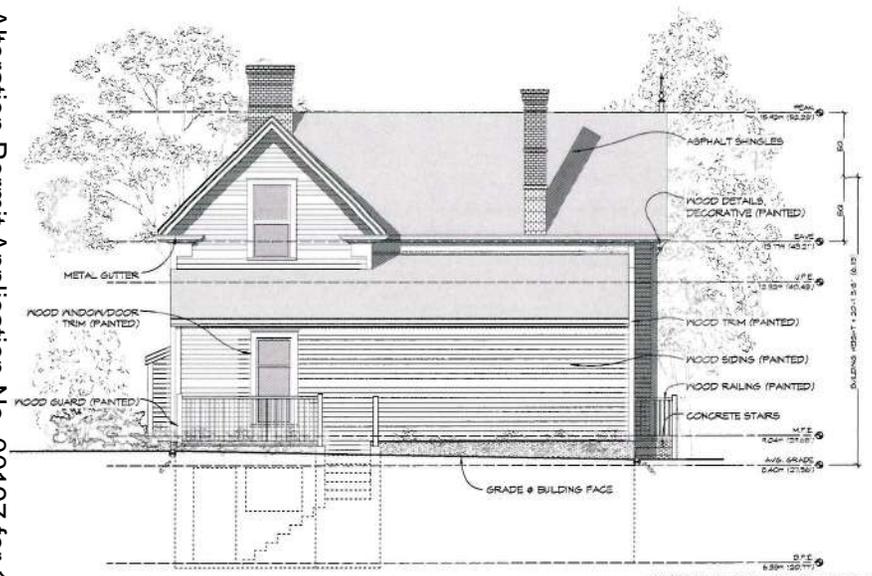


1161 NEWPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: K. BELFRY
Date: DEC 19, 2012
Scale: AS NOTED

Project:
151 OSWEGO ST.
PROPOSED
SUBDIVISION

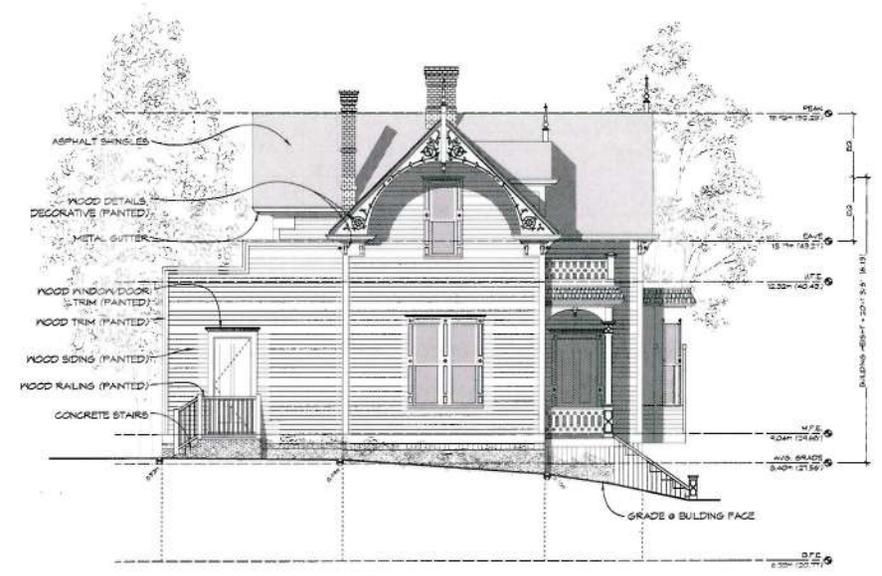
Title:
PROPOSED LOT
EXISTING
ELEVATIONS



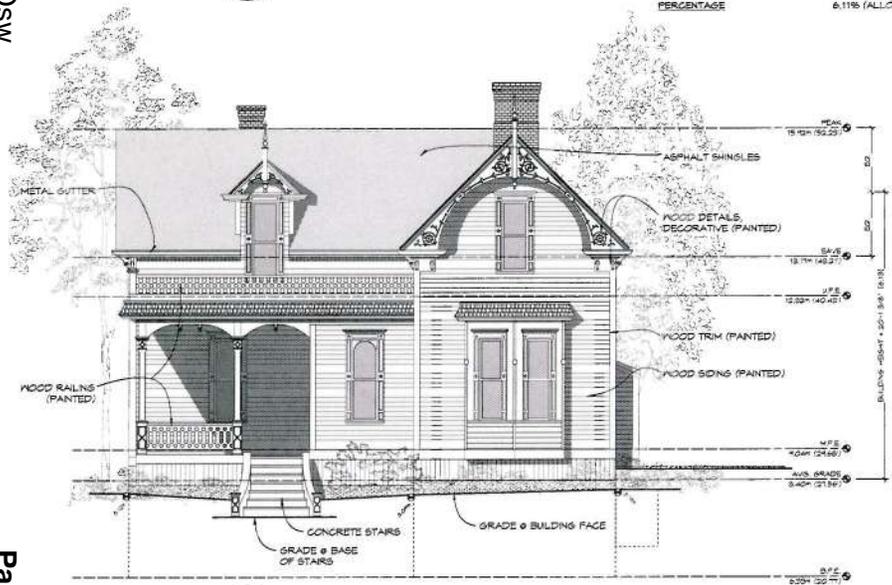
1 Renovated Side (Interior) Elevation
SK5 Scale: 1/4" = 1'-0"

GLAZING CALCULATION - SIDE (INTERIOR) ELEVATION

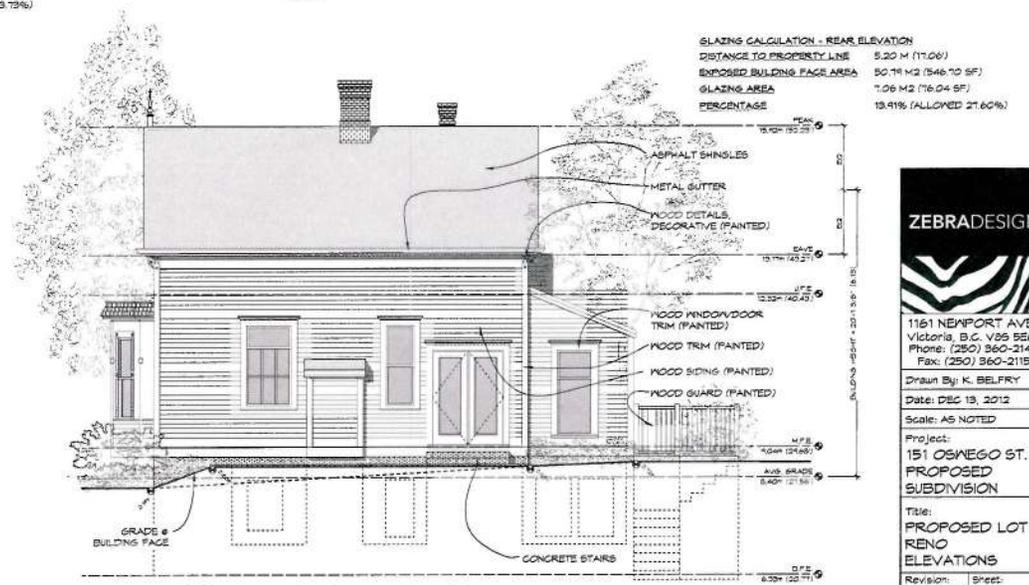
DISTANCE TO PROPERTY LINE	3.05 M (10.01')
EXPOSED BUILDING FACE AREA	53.34 M ² (574.14 SF)
GLAZING AREA	3.26 M ² (35.06 SF)
PERCENTAGE	6.11% (ALLOWED 13.73%)



2 Renovated Front (Simcoe St.) Elevation
SK5 Scale: 1/4" = 1'-0"



3 Renovated Side (Oswego St.) Elevation
SK5 Scale: 1/4" = 1'-0"



4 Renovated Rear Elevation
SK5 Scale: 1/4" = 1'-0"

GLAZING CALCULATION - REAR ELEVATION

DISTANCE TO PROPERTY LINE	8.20 M (27.06')
EXPOSED BUILDING FACE AREA	50.74 M ² (546.12 SF)
GLAZING AREA	7.06 M ² (76.04 SF)
PERCENTAGE	13.91% (ALLOWED 27.65%)

REV. NO.	DESCRIPTION	DATE
B	NOTE RE GRADES	OCT 18/12

Revision: None this page	Sheet: SK5
Date: OCT 18/12	Project: 151 OSWEGO ST. PROPOSED LOT RENO ELEVATIONS
Drawn this page	Title: PROPOSED LOT RENO ELEVATIONS
Checked this page	Project No: 215

Planning and Land Use Committee - 19 Mar 2015

ZEBRADESIGN

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

Drawn By: K. BELFRY
Date: DEC 13, 2012
Scale: AS NOTED







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

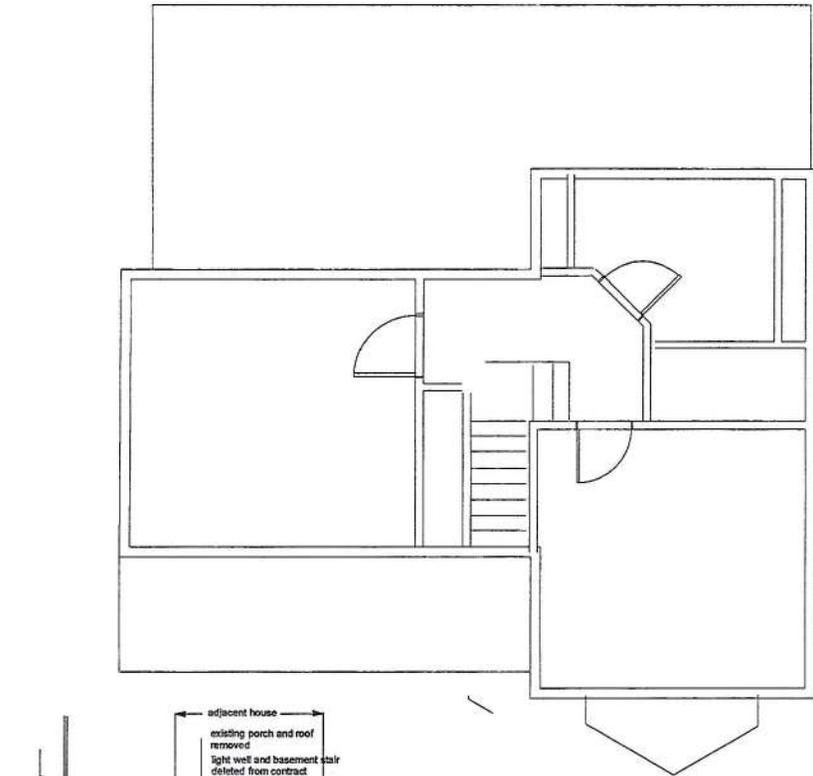
1. Conserve the *heritage value* of an *historic place*. Do not remove, replace or substantially alter its intact or repairable *character-defining elements*. Do not move a part of an historic place if its current location is a character-defining element.
2. Conserve changes to an *historic place* that, over time, have become *character-defining elements* in their own right.
3. 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.
5. 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*.
9. 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

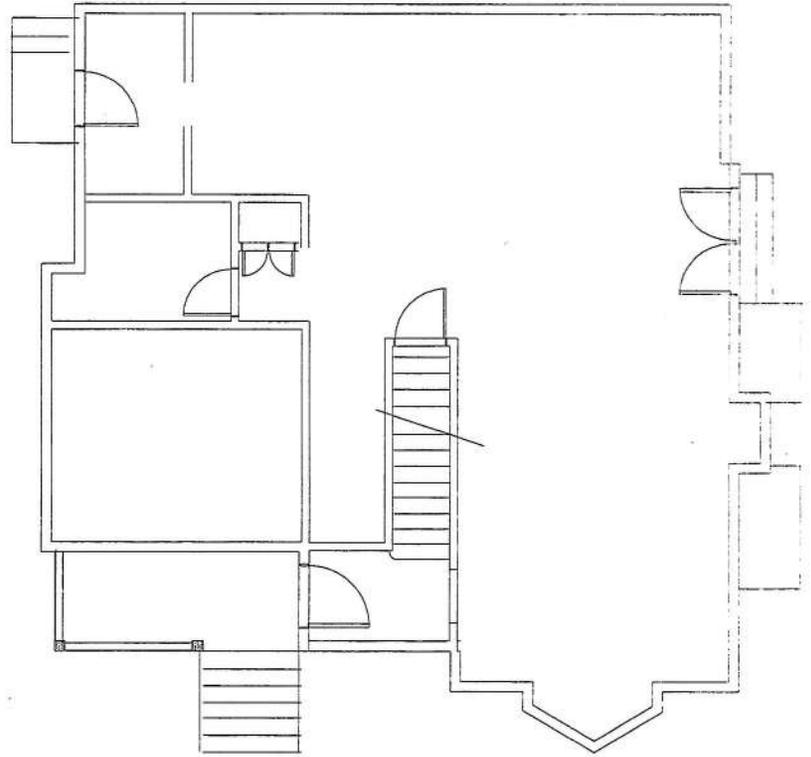
10. Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. 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.

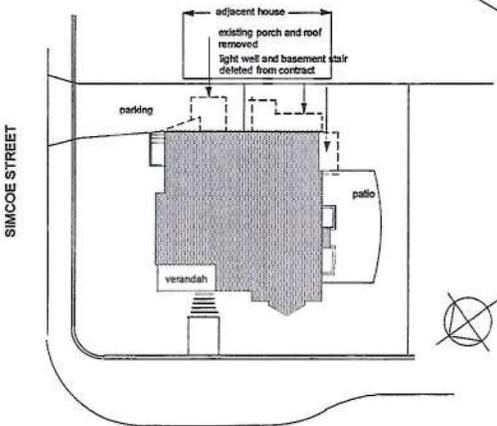


UPPER FLOOR PLAN



MAIN FLOOR PLAN

NOTE: BASEMENT FLOOR PLAN NOT SHOWN



OSWEGO STREET

LEGAL DESCRIPTION: PROPOSED LOT 1, PLAN 134
BECKLEY FFARM, VICTORIA



ALTERATIONS TO 151 OSWEGO STREET, VICTORIA
FOR
HANS DE GOEDE DEVELOPMENT

KEY CECCO ARCHITECTURE LTD
1124 FORT STREET, VICTORIA, V8V 3K8
250 382 3823
john@kcarchitecture.com

FLOOR PLANS, SITE PLAN
SCALE: 1/4" = 1'0" UNO
DATE: FEBRUARY 03, 2015
PLOT DATE: FEBRUARY 03, 2015

A-01



NORTH ELEVATION

NOTE:

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 BUILDING ENVELOPE DETAILS
4. CONFIRM REPAIR AND/OR REBUILDING OF EXISTING COMPONENTS AND DECORATIVE TRIM PIECES WITH THE ARCHITECT AND HERITAGE CONSULTANT PRIOR TO STARTING WORK

denotes changes from drawings previously submitted to the City

Received
 City of Victoria

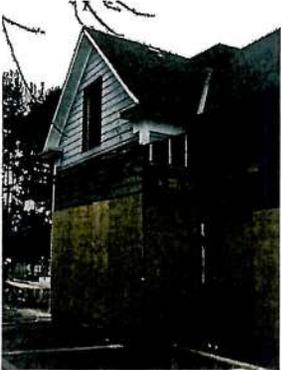
FEB 11 2015
 Planning & Development Department
 Development Services Division

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

A-02



PHOTOGRAPHS DECEMBER 2014



EAST ELEVATION

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 Planning & Development Department
 Development Services Division

NOTE:
 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 BUILDING ENVELOPE DETAILS
 4. CONFIRM REPAIR AND/OR REBUILDING OF EXISTING COMPONENTS AND DECORATIVE TRIM PIECES WITH THE ARCHITECT AND HERITAGE CONSULTANT PRIOR TO STARTING WORK



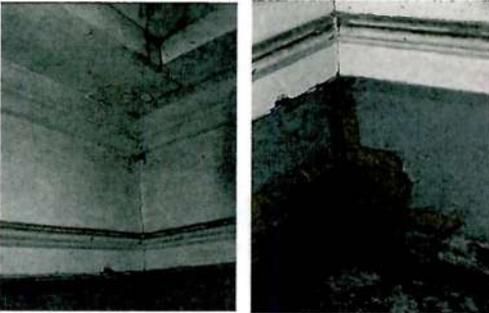
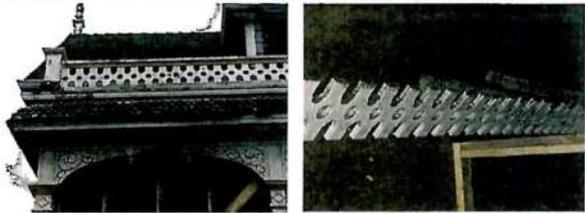
denotes changes from drawings previously submitted to the City

ALTERATIONS TO 151 OSWEGO STREET, VICTORIA
 FOR
 HANS DE GOEDE DEVELOPMENT

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 1124 FORT STREET, VICTORIA, V8V 3K8
 250 382 3823
 john@kcarchitecture.com

EAST ELEVATION
 SCALE: 1/4" = 10" UNO
 DATE: FEBRUARY 03, 2015
 PLOT DATE: FEBRUARY 03, 2015

A-03



- chimney rebuilt to detail, note slipped mortar cap
- re and re finish as required. Reshape if possible, otherwise use existing as template
- network on bargeboard not shown. Remove remaining bargeboard, use as template for missing section
- cedar ogee gutters c/w 2 1/2" round RVL
- re and re railing and post as required. Use existing as patterns. Note re screen to upper deck.
- re and re diamond cut shingles, use existing as pattern
- 2"x2" steel tube, black lag bolted to col and blog
- re and re railing and posts as required. Use existing as patterns for replacement as required
- bay window structure to extend below grade as shown

WEST ELEVATION

NOTE:
 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 BUILDING ENVELOPE DETAILS
 4. CONFIRM REPAIR AND/OR REBUILDING OF EXISTING COMPONENTS AND DECORATIVE TRIM PIECES WITH THE ARCHITECT AND HERITAGE CONSULTANT PRIOR TO STARTING WORK

 denotes changes from drawings previously submitted to the City

ALTERATIONS TO 151 OSWEGO STREET, VICTORIA
 FOR
 HANS DE GOEDE DEVELOPMENT

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 1124 FORT STREET, VICTORIA, V8V 3K8
 250 382 3823
 john@kccarchitecture.com

WEST ELEVATION
 SCALE: 1/4" = 1'0" UNO
 DATE: FEBRUARY 3, 2015
 PLOT DATE: FEBRUARY 3, 2015

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 Planning & Development Department
 Development Services Division

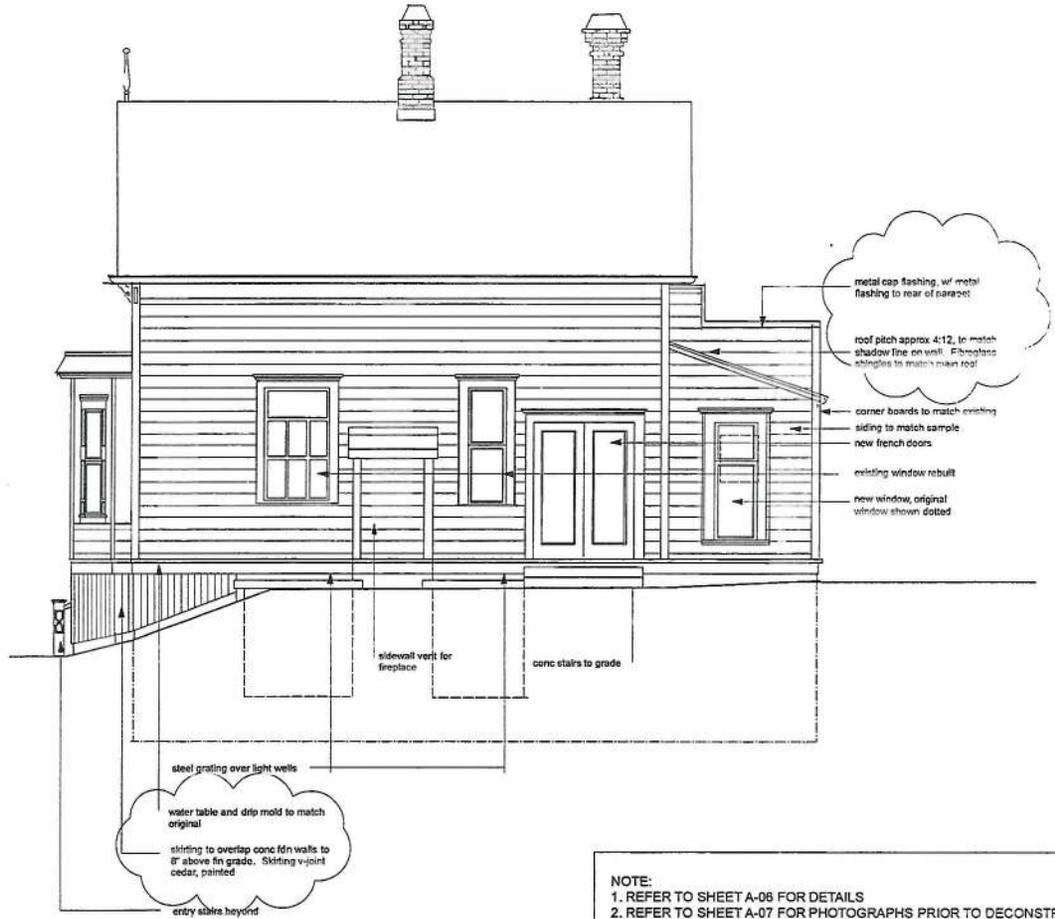
A-04



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 City of Victoria

 FEB 11 2015

 Planning & Development Department
 Development Services Division



NOTE:

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 BUILDING ENVELOPE DETAILS
4. CONFIRM REPAIR AND/OR REBUILDING OF EXISTING COMPONENTS AND DECORATIVE TRIM PIECES WITH THE ARCHITECT AND HERITAGE CONSULTANT PRIOR TO STARTING WORK

denotes changes from drawings previously submitted to the City

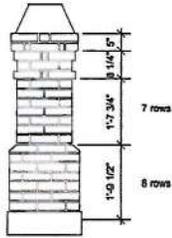
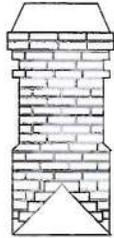
ALTERATIONS TO 151 OSWEGO STREET, VICTORIA
 FOR
 HANS DE GOEDE DEVELOPMENT

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 1124 FORT STREET, VICTORIA, V8V 3K8
 250 382 3823
 john@kcarchitecture.com

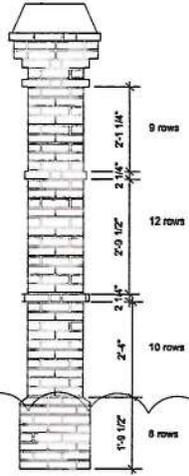
SOUTH ELEVATION

 SCALE: 1/4" = 1'0" UNO
 DATE: FEBRUARY 3, 2015
 PLOT DATE: FEBRUARY 3, 2015

A-05

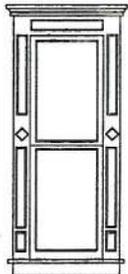


DETAIL OF CHIMNEY A

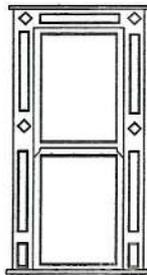


confirm construction of chimney with structural engineer
confirm installation of seismic bracket on tall chimney with engineer

DETAIL OF CHIMNEY B



WINDOW TO NON ACCESSIBLE BALCONY. REFER TO PHOTOGRAPH AND LOWER WINDOWS FOR DETAIL.

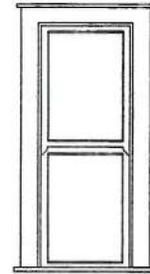


WINDOW IN WEST GABLE. REFER TO PHOTOGRAPH AND LOWER WINDOWS FOR DETAIL OF HORNS AND TRIM

WINDOW IN WEST GABLE. REFER TO PHOTOGRAPH AND LOWER WINDOWS FOR DETAIL OF HORNS AND TRIM



WINDOW IN SOUTH GABLE. REFER TO PHOTOGRAPH FOR DETAIL OF HORNS AND TRIM



ALTERATIONS TO 151 OSWEGO STREET, VICTORIA
FOR
HANS DE GOEDE DEVELOPMENT

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250 382 3823
John@kcarchitecture.com

DETAILS

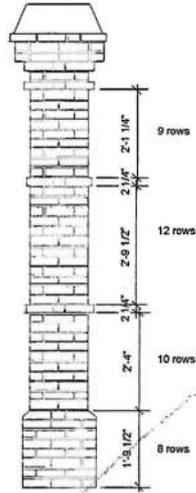
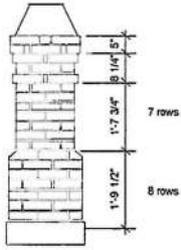
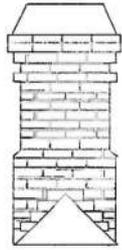
SCALE: 1/4" = 1'0" UNO
DATE: MARCH 3, 2015
PLOT DATE: MARCH 3, 2015

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City of Victoria

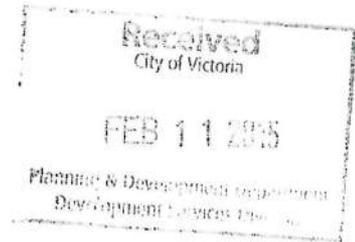
MAR 04 2015

A-06

Planning & Development Department
Development Services Division



confirm construction of chimney with structural engineer
confirm installation of seismic bracket on tall chimney with engineer



ALTERATIONS TO 151 OSWEGO STREET, VICTORIA
FOR
HANS DE GOEDE DEVELOPMENT

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250 382 3823
john@kcarchitecture.com

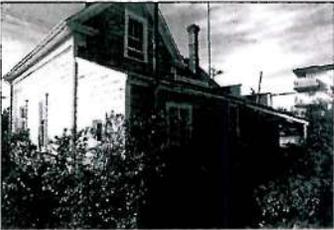
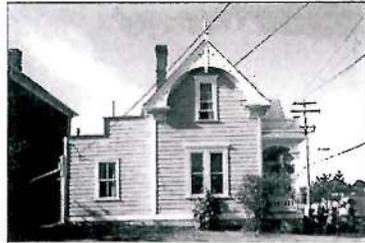
DETAILS

SCALE: 1/4" = 1'0" UNO
DATE: FEBRUARY 3, 2015
PLOT DATE: FEBRUARY 3, 2015

A-06



ARCHIVAL PHOTOGRAPH, ND



PHOTOGRAPHS TAKEN 1994



PHOTOGRAPHED, AUGUST 2010

ALTERATIONS TO 151 OSWEGO STREET, VICTORIA
FOR
HANS DE GOEDE DEVELOPMENT

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1124 FORT STREET, VICTORIA, V8V 3K8
250 382 3823
john@kcarchitecture.com

PHOTOGRAPHS
SCALE: NTS
DATE: JANUARY 21, 2015
PLOT DATE: JANUARY 21, 2015

Received
City of Victoria
FEB 11 2015
A-07

Planning & Development Department
Development Services Division



February 5, 2015

City of Victoria
1 Centennial Square
Victoria, British Columbia
V8W 1P6

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

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 temporarily 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.

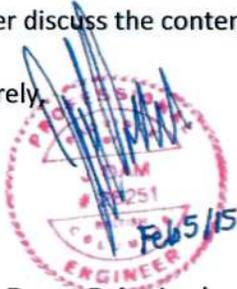
151 Oswego Street
Victoria, British Columbia

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

KEYAY 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 handsgoedede@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:

- i. 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
- iii. 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
- v. 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:

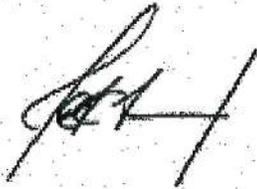
- i. a professional service agreement forms part of this proposal (attached)
- ii. disbursements, including items such as printing, application fees, and GST, would be invoiced at cost plus 5%
- iii. other consultant services, such as structural, mechanical, electrical, and quantity surveyor would be 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

- iv. Key & 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

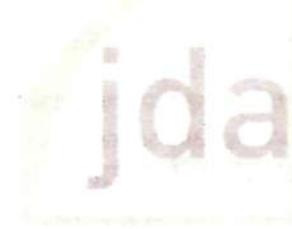


accepted



250-388-5288
john@jdabc.ca
jdabuildingconservation.ca

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 is 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.

Name:

HANS DE GOENIG

Signature:



Date:

FEB 11/15

ANALYSIS

In their letter requesting an extended deadline for completion of a comprehensive Master Plan for the lands at Ogden Point, the GVHA indicated that their process and timelines have been restructured due to the importance of the project to the City, local residents and business community. Information outlining the work that has been undertaken to date and a timetable for the remaining work associated with preparing the Master Plan has been provided by the GVHA and is attached to this report.

CONCLUSIONS

Staff recommend that Council consider approving the request to amend the MoU and staff continue to work with the GVHA and their consultants to achieve a comprehensive Master Plan for the lands at Ogden Point.

Alternate Recommendation

That Council decline the request to amend the Memorandum of Understanding to extend the completion date of the Ogden Point Master Plan and instruct staff to proceed with rezoning the Ogden Point lands to the M-S-1 Zone, Marine Services (Outer Harbour) District.

Respectfully submitted,

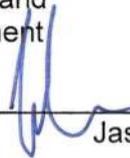


Jim Handy
Senior Planner – Development Agreements
Development Services Division



Alison Meyer, Assistant Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

March 4, 2015

JH:aw

W:\Ogden Point\MoU\MoU Amendment Mar 2015.doc

List of Attachments

- Letter from the GVHA dated January 23, 2015
- Memorandum of Understanding
- MS-1 Zone, Marine Services (Outer Harbour) District



January 28, 2015

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Sent via email: JHandy@victoria.ca

Dear Jim

Re: Request to extend Ogden Point Master Plan deadline

GVHA began the master planning process for Ogden Point in late 2009. At that time, we anticipated completion of the master plan by December 2010 and were given an extension to December 2011 and additional extensions to December 2014. Due to the significance of the project to the City, local residents and business community, we restructured the process and timeline in order to complete a comprehensive plan that fits within the broader context of the City's Official Community Plan and Victoria Harbour Plan.

In consideration of the above, GVHA kindly requests an extension of the MOU deadline for GVHA to submit a comprehensive master plan to December 31, 2016.

At your request, we would be pleased to meet with you and your team to further discuss the details of the process which is currently in development.

Sincerely,

Richard (Rick) Crosby
Interim CEO

**GREATER VICTORIA
HARBOUR AUTHORITY**

600 - 1019 Wharf Street
Victoria, British Columbia
Canada V8W 2Y9

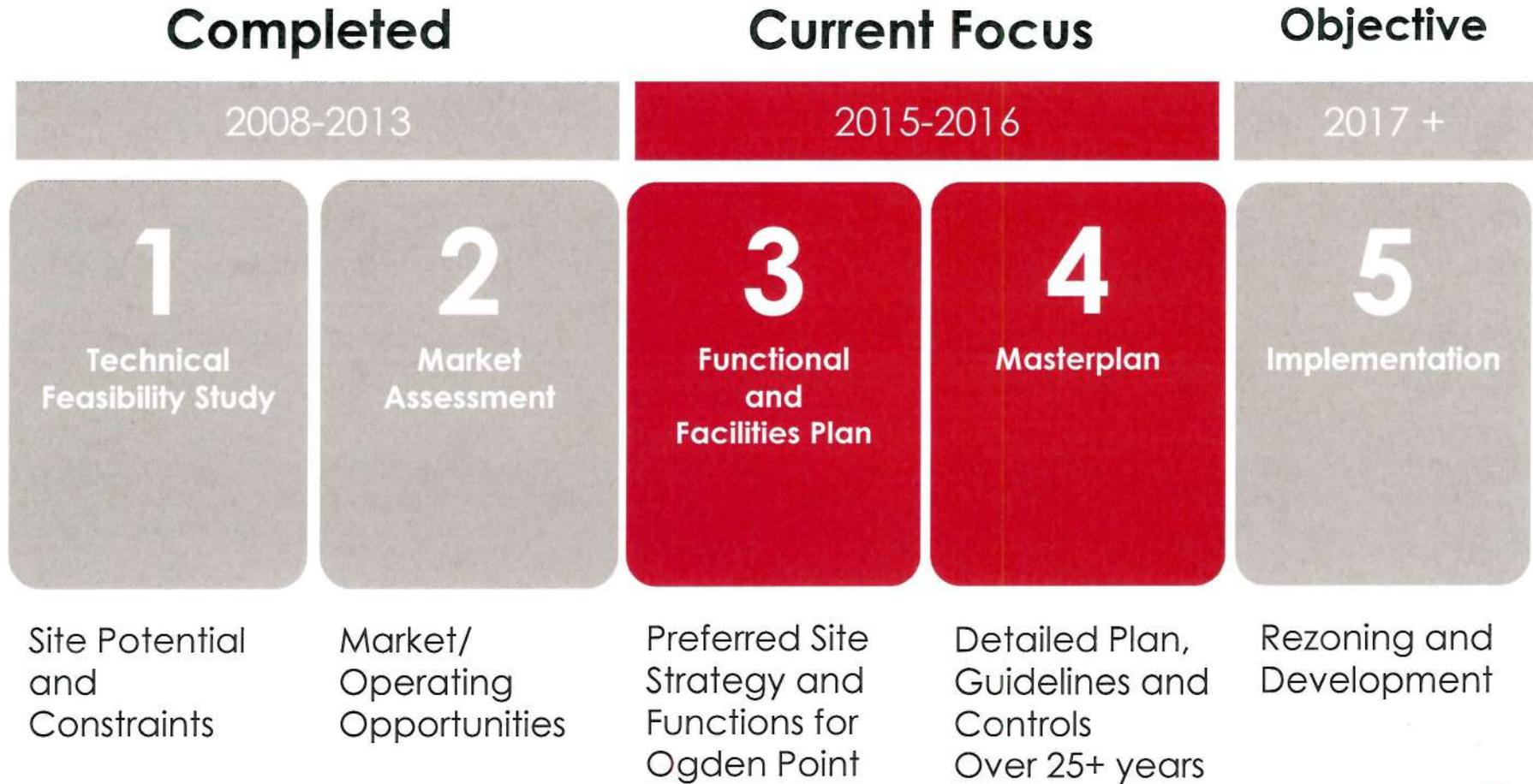
Corporate: 250-383-8300

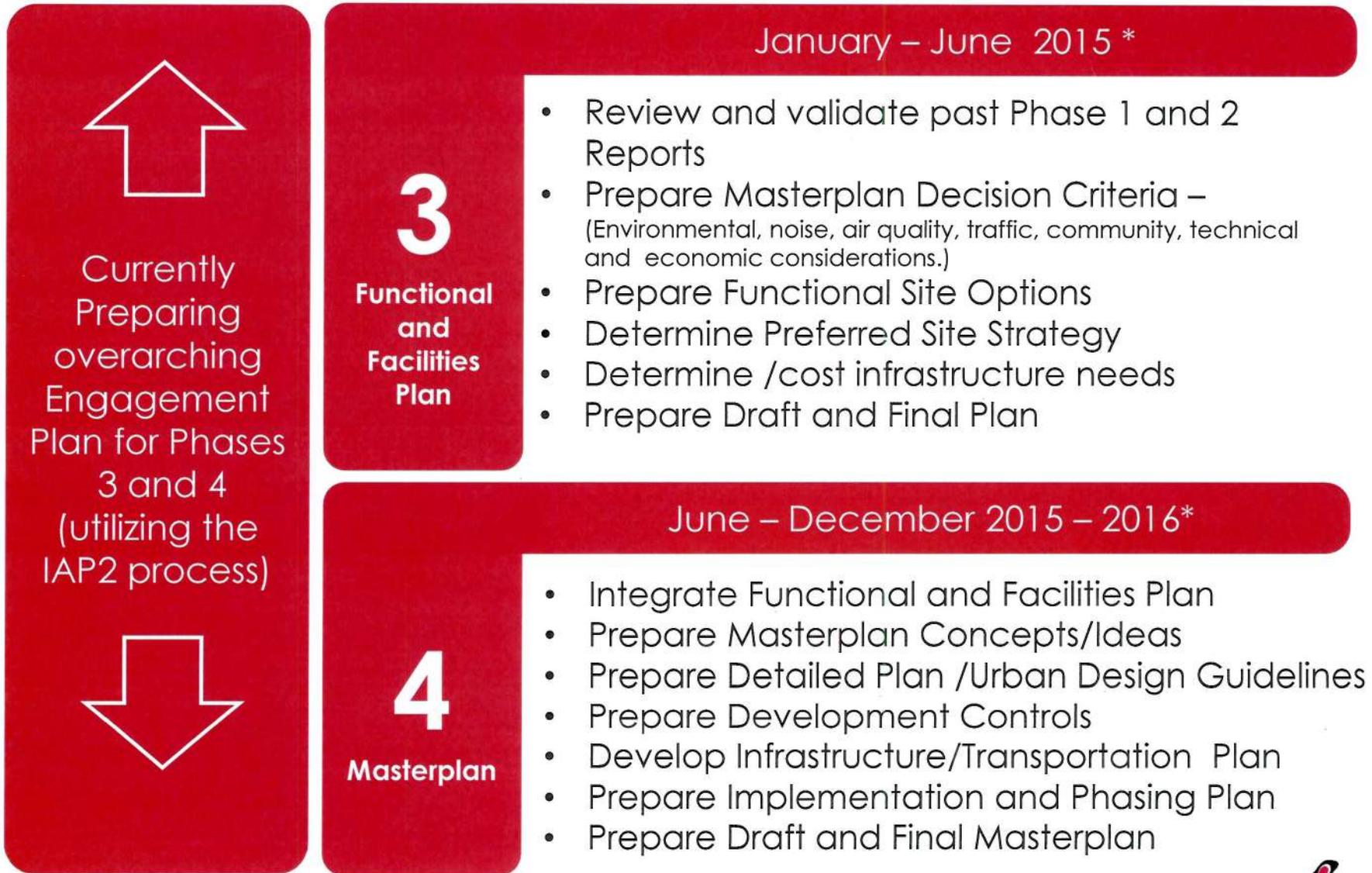
Marina: 250-383-8326

Fax: 250-383-8306

Web: www.gvha.ca

Ogden Point Masterplanning Process





* Phasing timeframes subject to confirmation



Engagement Planning 2015 -2016

Coordinated with GVHA Communication Plan

Identify Stakeholders and topics



Confirm overall project process, timelines and when decisions need to be made.



Establish levels of participation, tools and promise to the public

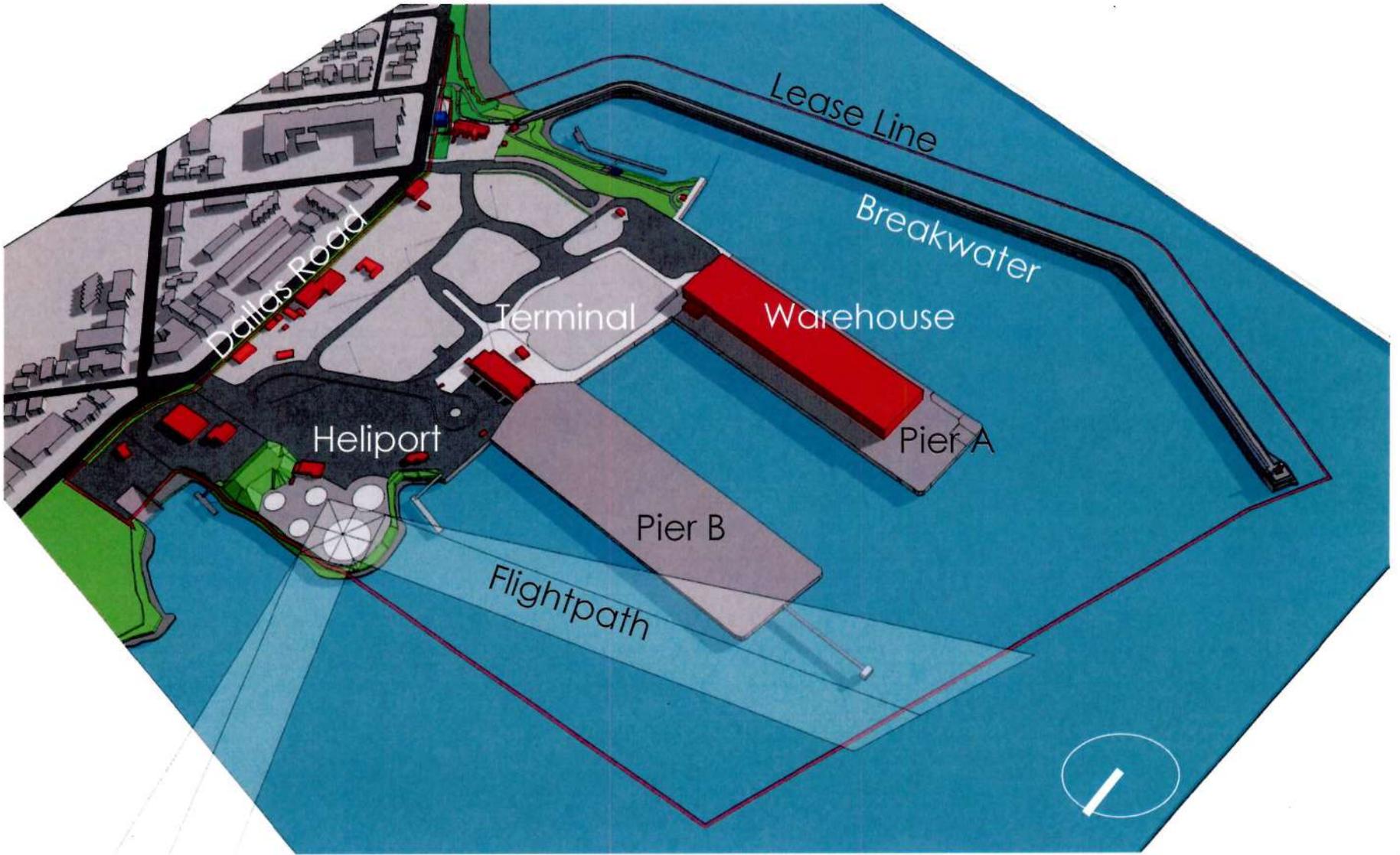


Prepare Engagement Plan

Prepare facilitation plans for each major phase of engagement

Summarize what is heard and show how it has impacted the plan in following sessions





Existing Site and Context Massing Diagram



MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING dated the 19 day of October, 2006.

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA
#1 Centennial Square
Victoria, B.C. V8W 1P6

(the "City")

OF THE FIRST PART

AND:

THE GREATER VICTORIA HARBOUR AUTHORITY
(#0153466)
202 - 468 Belleville Street
Victoria, B.C. V8V 1W9

(the "GVHA")

OF THE SECOND PART

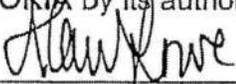
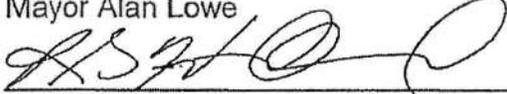
WHEREAS:

- A. GVHA is the owner of the lands and premises described in Schedule "A", which lands are commonly known and described as Ogden Point;
- B. Under the provisions of City of Victoria Zoning Bylaw No. 05-01, Council for the City initiated a process to rezone Ogden Point from the M-2 Zone (Light Industrial District) to the MS-1 Zone (Marine Service (Outer Harbour) District);
- C. Municipal Council for the City has resolved that it will not proceed with Bylaw No. 05-01 at this time, in the event the GVHA enters into this Memorandum of Understanding;
- D. The City and GVHA wish to set out in this Memorandum of Understanding their respective understanding with respect to future development of Ogden Point;
- E. This Memorandum of Understanding is not intended to create any binding, legal obligations on the part of either party, but merely sets out their respective intentions.

NOW THEREFORE the parties state their mutual understanding and intentions as follows:

266 961/9/12/2006/MOU /PJW/G

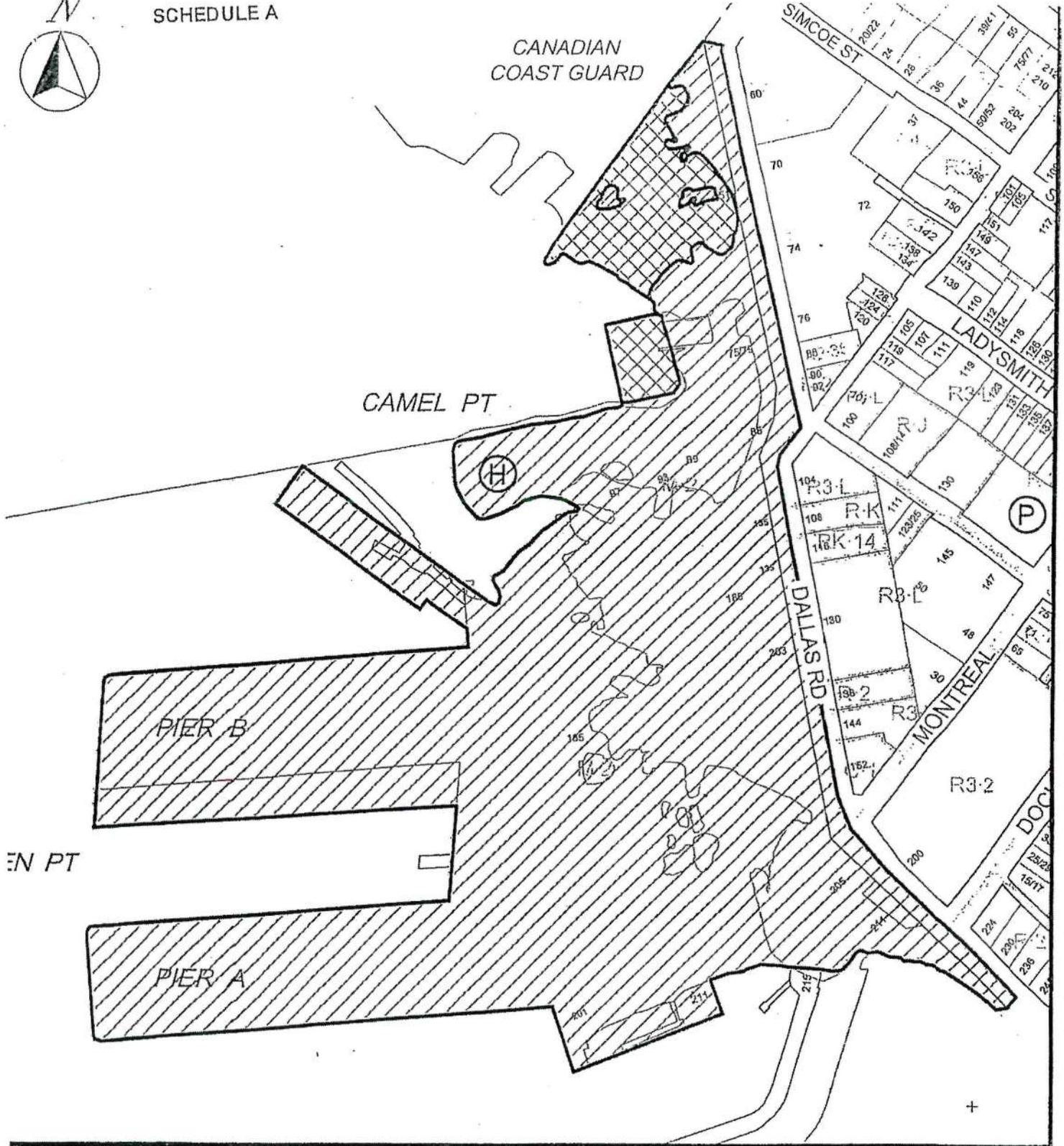
1. The GVHA agrees to undertake, at its sole cost, a comprehensive planning study for Ogden Point. The preparation of that planning study shall include reasonable consultation with the community and the City. The comprehensive planning study must be presented to Victoria City Council for approval no later than December 31, 2010.
2. Until the completion of the comprehensive planning study for Ogden Point, and Victoria City Council's approval of the planning study, the GVHA agrees that it shall not apply for any development approvals or building permits for any development on Ogden Point which:
 - (a) exceeds a density of 1.5:1; and
 - (b) any part of which is within six (6) metres of Dallas Road.
3. The GVHA acknowledges that Victoria City Council has directed staff to prepare a bylaw, the purpose of which is to rezone Ogden Point to the MS-1 Zone (Marine Services (Outer Harbour) District) in the event that the comprehensive planning study is not completed and presented to City Council by December 31, 2010.
4. Nothing in this Memorandum of Understanding shall be interpreted as fettering or hindering the City's exercise of any of its statutory powers, duties or functions, including its powers under Part 26 of the *Local Government Act* (British Columbia).

THE CORPORATION OF THE CITY OF)
 VICTORIA by its authorized signatories)
)
 _____)
 Mayor Alan Lowe)
)
 _____)
 Corporate Administrator Robert Woodland)

THE GREATER VICTORIA HARBOUR)
 AUTHORITY by its authorized signatories)
)
 Name: _____)
 CHAIRMAN)
 -DON PRITTIE)
)
 Name: _____)
 STEWART JOHNSTON)
 Past Chair)



SCHEDULE A



) That part of Section 31, Beckley Farm, Victoria City, Plan 4 shown outlined in red on Plan 1845R and shown hatched on the Plan attached to Bylaw 05-1;

) Part of Lot A, part of the bed of Victoria Harbour, Victoria District, Plan VIP73883 and shown hatched on the Plan attached to Bylaw 05-1;

) That part of Section 31, Beckley Farm, Victoria District, Plan 4 shown coloured in red on Plan 7990S, except parts in lots 1845R, 26729 and VIP73680 and shown hatched on the Plan attached to Bylaw 05-1;

Lot 1, Section 31, Victoria City, Plan 26729 and shown hatched on the Plan attached to Bylaw 05-1; and

Those parts of the bed of Victoria Harbour, lying to the north of Plan VIP73883 and west of Dallas Road shown cross hatched on the Plan attached to Bylaw 05-1



PART 7.9

M-S-1 ZONE, MARINE SERVICE (OUTER HARBOUR) DISTRICT

Permitted Uses

1. The following uses are permitted:
 - (a) docks, wharfs, piers, and similar structures used or intended to be used for or in connection with the use and enjoyment of the Victoria Harbour or for navigational purposes;
 - (b) facilities for the construction, repair and maintenance of marine vessels, including work on hulls, decks, holds and engines;
 - (c) activities associated with commercial fishing, including fish packing and processing plants and ship chandlers;
 - (d) retail businesses associated with the fishing industry;
 - (e) radio and radar sales and service facilities;
 - (f) storage, repair and supply of fishing equipment;
 - (g) electrical shops;
 - (h) restaurants and canteen facilities;
 - (i) parking and loading facilities;
 - (j) bulk storage of oil, gasoline or propane, volume not to exceed 135,000 litres on any lot.

Height

2. No building shall be constructed or extended to exceed a height of 10 m.

Floor Space Ratio

3. The total floor space ratio of buildings on a lot shall not exceed 1.5 to 1.

- 2 -

- | | |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Setbacks | 4. No <u>building</u> shall be erected within a distance of 6 m from any <u>boundary</u> of a <u>lot</u> or the high water mark. |
| Landscaping | 5. Except where access driveways are provided, the street setback area of 6 m shall be landscaped and planted with shrubs or trees having a minimum height of 1 m. |
| Prohibitions | 6. No industrial activity which generates noise levels, dust, odors, or emissions incompatible with adjoining office, commercial or residential uses shall be permitted. |
| Exception | 7. The preceding provision shall not apply to any industrial activity which is a permitted use within this zone and which is a continuation or resumption of that activity carried on prior to the date of adoption. |

Note: Parking - for requirements see Schedule "C"



Council Member Motion

For the Planning and Land Use Committee of March 19, 2015

Date: March 13, 2015

From: Mayor Helps and Councillor Alto

Subject: The Wave – Development Permit

Recommendation

WHEREAS the strata corporation at The Wave submitted a development permit application that was rejected by Council;

AND WHEREAS the solution that was imposed by Council through Development Permit is proving both technically difficult and cost prohibitive for the strata given that a portion of their residents are seniors living on fixed incomes;

THEREFORE BE IT RESOLVED that Council allow the strata corporation for the Wave to resubmit a similar Development Permit to the original in less than the one year required as set out in the Land Use Procedures Bylaw, Section 3.2.2.

Respectfully submitted,

Handwritten signature of Mayor Lisa Helps.

Mayor Lisa Helps

Handwritten signature of Councillor Marianne Alto.

Councillor Marianne Alto

December 29, 2014

Members Of City Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Re: The Wave - Strata VIS611

Dear Council Members:

First, let me extend congratulations on your recent electoral victories. I am writing to seek your assistance in a matter that came before city council earlier this year.

You may recall that on June 12, 2014 city council voted to deny approval of development permit #000347. The application for the permit was part of a settlement agreement between the strata corporation and the parties (including the City of Victoria) named in a lawsuit (court registry S-124601) related to tile and stone falling off the east facade of the building. The permit would have allowed the existing stone and tile mosaic to be removed and replaced with a painted mosaic substantially the same in appearance. The majority of city council was of the opinion that because the original development permit specified stone and tile, any repair or replacement should use similar materials.

I am writing both as an owner and as the strata council president on behalf of the strata council and a number of owners who have asked whether this decision can be reconsidered.

We have now received detailed estimates of project management and construction costs for removing and replacing the tile in a secure manner. The estimated project cost is \$650,000. This will require a special assessment of the owners averaging \$6,500 per unit. This is in addition to \$120,000 already incurred to secure the wall with netting, perform inspections, develop design solutions and estimates, and pursue legal action. We anticipate at least another \$50,000 in additional legal fees to get us to trial, plus an unknown cost for the trial itself. All told, the final cost to the strata corporation for a problem not of its own making, in a building less than 10 years old, will likely be between \$800,000 and \$1,000,000. This could have been avoided had the development permit been approved.

We completely understand, and agree with city council, that the 'Wave' mosaic is a city landmark that contributes to the city's culture and enhances the region's appeal for tourism and recruiting, and as such, we are committed to preserving it. However the strata corporation's position has always been that:

- a) the painted mosaic will be indistinguishable from the tile mosaic at the distances from which it is viewed
- b) paint, rather than stone and tile, is far safer
- c) the effort to maintain stone and tile is similar in scope and cost to that required for paint

We also wonder whether this situation might dissuade developers from incorporating such artistic elements in future developments, or dissuade buyers from purchasing in buildings with this type of public art installation.

I would also note that the Planning and Land Use Committee Report from the city's planning department dated April 3, 2014 recommended approving the permit subject to a reduction in grid size, to which we agreed.

Based on the figures cited above, the average total cost per unit will likely be between \$8,000 and \$10,000. Although we will pursue recovering these costs in court, a number of owners have expressed concern at the hardship this entails as there is no chance of recovering these until after trial - currently set for March 29, 2016. Concern has been expressed that some owners may be forced to sell their units or face foreclosure as they cannot afford the assessments required to complete the repair.

I am respectfully asking that council reconsider the matter and advise as to whether there is a mechanism to appeal the original decision. Our annual general meeting is scheduled for January 22, 2015 and I would very much like to be able to report your thoughts on the matter to our owners.

I look forward to hearing from you.

Thank you.

Sincerely,

Eric Metson
Strata Council President - VIS6115 (The Wave)
Unit 1210 - 845 Yates Street
Victoria, BC V8W 4A3

[REDACTED]
[REDACTED]

March 11, 2015

Wave Building Condo and Business Owners
845 Yates Street,
Victoria, BC V8W 1M1

Dear Mayor and Councillors,

We are writing to enlist your help in finding a common sense solution to a problem that threatens to waste a lot of money for the City and members of the strata of The Wave Building. There is a mural facing the adjacent building to the east. Some tiles on the mural have fallen off. The builders and contractors offered a solution, to remove all the tiles, and paint a new mural at their expense.

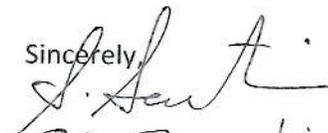
The proposal was not accepted by the previous City Council forcing the strata council to replace the mural at minimum cost of \$650,000.

Having little choice, the strata council members voted to start the work. The small businesses, together with the condo owners will need to carry the financial burden. Legal proceedings against the City and the original contractors have already started to recover the cost.

Can you help us find a more reasonable solution? I suspect in due time the adjacent building will be renovated and block the mural. There is no guarantee the same problem won't occur again. The mural is on the side of the building and has little or no aesthetic value that a painted mural can't provide. Surely the City's resources and ours can be put to better use than quarreling over a mural that few people see and provides little benefit to anyone.

We are hoping that common sense will prevail and a reasonable solution will be taken in the upcoming City Council hearing. We are looking forward to a positive outcome.

Sincerely,


Sia Sanati

(COMMERCIAL 847)


Deposit to the Credit of
MAGIE NAILS & SPA
TR # 10610-016 ACC. #362046-001

World of Vision & Discovery
Optical
843 A Yates street
Victoria BC

Anni Cherfi

Ronald Tax Advisory Inc.

March 11, 2015

Wave Building Condo and Business Owners
845 Yates Street,
Victoria, BC V8W 1M1

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Sincerely,

see below #610

He #403
Alisa #405
Steph #407
R. D. ... and

[Signature] #511
[Signature] 505
[Signature] 502
[Signature] 607

[Signature] 508
[Signature] 608

March 11, 2015

Wave Building Condo and Business Owners
845 Yates Street,
Victoria, BC V8W 1M1

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Sincerely,

9 -



PH8

Ziggy D... #402
Phil Kettered 811

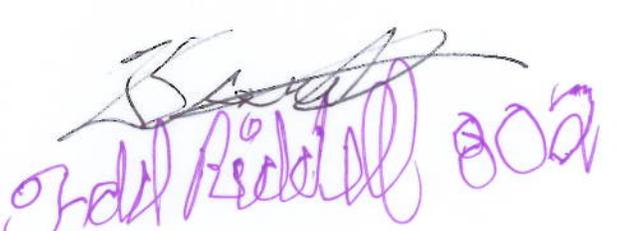


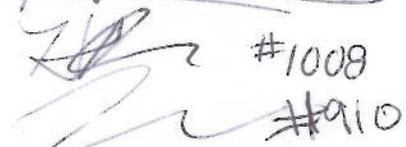
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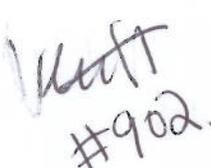
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#1211




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#910


#902.