



**AMENDED AGENDA**

**PLANNING AND LAND USE COMMITTEE  
MEETING OF FEBRUARY 5, 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 January 29, 2015. 3 - 18

**COMBINED DEVELOPMENT APPLICATION REPORTS**

2. Rezoning Application # 00451 for 1049 Richmond Avenue 19 - 78  
--A. Meyer, Assistant Director - Development Services Division, Sustainable  
Planning and Community Development

*A proposal to rezone the property to authorize a new small lot house and retain the existing house in the Fairfield-Gonzales neighbourhood. A Public Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: To advance the application to a Public Hearing

3. Development Permit with Variances Application # 00451 for 1049 79 - 93  
Richmond Avenue  
--A. Meyer, Assistant Director - Development Services Division, Sustainable  
Planning and Community Development

*A development permit application to authorize the design, siting and landscaping for a new small lot house and the existing house. Variances are requested for the front, rear and side yard setbacks and building height. A variance is also requested to permit one parking stall in the front yard of the existing house. A Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: To advance the application to a Hearing

4. Official Community Plan Amendment Application and Rezoning Application # 00435 for 1310 Gladstone Avenue 95 - 140  
--A. Meyer, Assistant Director - Development Services, Sustainable Planning and Community Development Department

*The purpose of this report is to recommend an additional public consultation opportunity for the proposed Official Community Plan amendment necessary to enable this application for a new three-storey building with commercial uses at street level in the Fernwood neighbourhood.*

*Staff Recommendation: To advance the application for further public consultation, including a Public Hearing*

## **POLICY REPORTS**

5. Official Community Plan Annual Review 2014 141 - 184  
--A. Hudson, Assistant Director - Community Planning Division, Sustainable Planning and Community Development Department

*A report to provide Council with the second annual snapshot of progress towards achieving the Official Community Plan (OCP) objectives.*

## **NEW BUSINESS**

6. Amendment to Highway Access Bylaw 185 - 197  
--Mayor Helps, Councillors Isitt and Loveday

*A Council member motion to propose a minor amendment to the Highway Access Bylaw that would enable the Director of Engineering to approve siting a driveway crossing for a corner lot on a higher classification highway to avoid unsafe or impractical situations or interference with protected trees or City infrastructure.*

## **LATE CORRESPONDENCE**

[Addenda]

## **ADJOURNMENT**

**MINUTES OF THE  
PLANNING & LAND USE COMMITTEE MEETING  
HELD THURSDAY, JANUARY 29, 2015, 9:00 A.M.**

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

**Committee Members Present:** Mayor Helps; Councillors Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young

**Absent:** Councillor Alto

**Staff Present:** J. Johnson - City Manager; A. Hudson – Assistant Director, Community Planning; A. Meyer – Assistant Director, Development Services; B. Sikstrom – Senior Planner; L. Taylor – Planner; R. Woodland – Director, Legislative & Regulatory Services; J. Appleby - Recording Secretary.

**2. APPROVAL OF THE AGENDA**

*Councillor Coleman advised Committee that he will be leaving the meeting at 10:30 a.m. due to an indirect pecuniary conflict of interest as his wife works for the Anglican Diocese who are the owners of the property involved in Item # 11 – 520 Niagara Street.*

**Action:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that the Agenda of the January 29, 2015, Planning & Land Use Committee meeting be approved.

CARRIED UNANIMOUSLY 15/PLUC009

**3. CONSENT AGENDA**

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

Item # 10 - Rezoning Application # 00425 for 836-838 Broughton Street

Item # 12 - Development Variance Permit Application # 00145 for 1726 Albert Avenue

**3.1 Rezoning Application # 00425 for 836-838 Broughton**

Committee received a report regarding Rezoning Application # 00425 for 836-838 Broughton Street. The City-initiated proposal seeks to provide minor amendments to the RMD-1 Zone to clarify the wording related to amenity contributions to avoid ambiguity and to permit the projection of balconies into the front, rear and side yard setbacks.

**Action:** It was moved by Mayor Helps, seconded by Councillor Coleman, that Committee recommends:

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment to the RMD-1 Zone (Residential Mixed Use Broughton Street District) to correct minor administrative drafting errors.
2. That first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
3. That Council waive the requirement for a Public Hearing.

CARRIED UNANIMOUSLY 15/PLUC0010

### **3.2 Development Variance Permit # 00145 for 1726 Albert Avenue**

Committee received a report regarding Development Variance Permit Application # 00145 for 1726 Albert Street. The proposal is to allow the conversion of a single family dwelling to include a secondary suite. A variance is required to reduce the minimum required floor area to permit a secondary suite.

**Action:** It was moved by Mayor Helps, seconded by Councillor Coleman, that Committee recommends that Council:

Convene a Hearing for Development Variance Permit Application # 00145 for 1726 Albert Avenue, and following the Hearing, that Council consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application #00145 for 1726 Albert Avenue, in accordance with:

1. Plans date stamped November 13, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Schedule J, Secondary Suite Regulations, 1.a Minimum Required Floor Area reduced from 150m<sup>2</sup> to 140m<sup>2</sup>.
3. Final plans to be generally in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of the Assistant Director, Development Services, Sustainable Planning and Community Development.”

CARRIED UNANIMOUSLY 15/PLUC0011

## **4. ADOPTION OF MINUTES**

Minutes from the meeting held January 8, 2015.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Madoff, that the Minutes from the Planning & Land Use Committee meeting held January 8, 2015, be approved.

CARRIED UNANIMOUSLY 15/PLUC0012

**5. COMBINED DEVELOPMENT APPLICATIONS**

**5.1 Rezoning Application # 00436 for 301 and 303 St. Lawrence Street**

Committee received a report regarding Rezoning Application# 00436 for 301 and 303 St. Lawrence Street. The proposal is to zone the property to allow four townhouse units.

At the Council meeting held on November 27, 2014, the application was sent back to staff and the applicant for further refinement of the height and to address privacy concerns raised by neighbours. The new proposal is a good example of what can be achieved by working together to provide a better outcome for all who are concerned.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends:

1. That Council direct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application # 00436 for 301 and 303 St. Lawrence Street.
2. That Council consider giving first and second reading to this bylaw amendment after the bylaw has been drafted.
3. That Council schedule a Public Hearing after the bylaw has received second reading.

CARRIED UNANIMOUSLY 15/PLUC0013

**5.2 Development Permit Application # 000389 for 301 and 303 St. Lawrence Street**

Committee received a report regarding Development Permit Application # 000389 for 301 and 303 St. Lawrence Street. The proposal is to construct four townhouse units.

**Action:** It was moved by Councillor Loveday, seconded by Councillor Madoff, that Committee recommends that following the Public Hearing for the Rezoning; that Council:

Authorize the issuance of Development Permit Application # 000389 for 301 and 303 St. Lawrence Street in accordance with:

1. Plans date stamped December 18, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department.

CARRIED UNANIMOUSLY 15/PLUC0014

**5.3 Rezoning Application # 00456 for 1330 Ivy Place**

Committee received a report regarding Rezoning Application # 00456 for 1330 Ivy Place. The proposal is to rezone a portion of the property to authorize a small lot house and accessory building on the proposed small lot and retain the existing house on the remaining R1-B lot.

Committee discussed:

- That the required right-of-way easement is to ensure there is sufficient area to accommodate a boulevard or sidewalk.
- Concerns regarding the Garry Oak tree that is to be removed and if there is a mechanism in place to ensure two trees are to be re-planted on-site.

**Action:** It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Committee recommends:

1. That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application # 00456 for 1330 Ivy Place.
2. That Council consider giving first and second reading to this bylaw amendment after the bylaw has been drafted.
3. That Council schedule a Public Hearing after the bylaw has received second reading.

Committee discussed:

- The tree removal and what the *Tree Preservation Bylaw* states regarding replacement of trees.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Loveday that Committee table the motion until information regarding the replacement of the protected tree is made available.

CARRIED UNANIMOUSLY 15/PLUC0015

#### **5.4 Rezoning Application # 00459 for 2560 Quadra Street**

Committee received a report regarding Rezoning Application # 00459 for 2560 Quadra Street. The proposal is to permit the construction of a four-storey, 18-unit residential building with ground floor commercial within Quadra Village.

Committee discussed:

- Concerns regarding the north side staircase and if it is included in the calculated FSR.
- This is a site specific zone for the area defined as Quadra Village. If the development proposal is approved the property to the north would not have a reduced setback on its south boundary.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Madoff that Rezoning Application # 00459 for 2560 Quadra Street be referred back to staff to allow for additional discussion with the applicant and adjacent property owners with particular attention to the setbacks and siting in relation to the adjacent property.

CARRIED UNANIMOUSLY 15/PLUC0016

**Amendment:** It was moved by Councillor Madoff, seconded by Councillor Isitt that Rezoning Application # 00459 for 2560 Quadra Street be referred back to staff to allow for additional discussion with the applicant and ~~adjacent property owners~~ **community** with particular attention to the setbacks and siting in relation to the adjacent properties.

Committee discussed the Amendment:

- The previous application was very supportable but with the revised application neighbours have raised concerns that there is a sense that the density for the site is too high. The community is in favour of development but feel the density is too great for this property.

For: Councillors Coleman, Madoff, Thornton-Joe and Young  
Against: Mayor Helps, Councillors Lucas, Loveday and Isitt

CARRIED 15/PLUC0017

#### **5.5 Development Permit with Variances Application # 000244 for 2560 Quadra Street**

**Action:** It was moved by Councillor Isitt, seconded by Councillor Coleman, that Committee refer Development Permit with Variances Application # 000244 for 2560 Quadra Street back to staff for further review with the applicant.

CARRIED UNANIMOUSLY 15/PLUC0018

#### **5.6 Rezoning Application # 00456 for 1330 Ivy Place**

The following motion was lifted from the table:

**Action:** It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Committee recommends:

1. That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application # 00456 for 1330 Ivy Place.
2. That Council consider giving first and second reading to this bylaw amendment after the bylaw has been drafted.
3. That Council schedule a Public Hearing after the bylaw has received second reading.

Committee discussed:

- The Garry Oak tree that is to be removed is not considered a protected tree as it is within the proposed building envelope. The *Tree Preservation Bylaw* which would require that two trees be planted to replace the Garry Oak, is not triggered when a tree is within the building envelope.

**Amendment:** It was moved by Councillor Isitt, that Committee amend the motion as follows:

1. That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application # 00456 for 1330 Ivy Place.
2. That Council consider giving first and second reading to this bylaw amendment after the bylaw has been drafted.
3. That Council schedule a Public Hearing after the bylaw has received second reading.
4. **That two trees be planted on the site to replace the Garry Oak tree that is to be removed.**

Motion failed due to no seconder

Discussion of Main Motion:

Committee can request the applicant to provide two trees but they cannot require them to do so.

**Amendment:** It was moved by Councillor Madoff, seconded by Councillor Isitt:

1. That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application # 00456 for 1330 Ivy Place.
2. That Council consider giving first and second reading to this bylaw amendment after the bylaw has been drafted.
3. That Council schedule a Public Hearing after the bylaw has received second reading.
4. **That the applicant be requested to consider replacement of the Garry Oak tree that is to be removed, with two other trees.**

On the amendment:  
CARRIED UNANIMOUSLY 15/PLUC0019

On the main motion as amended:  
CARRIED UNANIMOUSLY 15/PLUC0020

#### **5.7 Development Permit with Variance Application # 00456 for 1330 Ivy Place**

Committee received a report regarding Development Permit with Variance Application # 00456 for 1330 Ivy Place. The proposal is to create one new small lot in order to permit construction of a new small lot house and accessory building.

**Action:** It was moved by Councillor Madoff , seconded by Councillor Coleman, that Committee recommends that following the Public Hearing for the Rezoning, that Council:

Authorize the issuance of Development Permit Application # 00456 for 1330 Ivy Place, in accordance with:

1. Plans date stamped November 4, 2014.

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

Existing House:

- a. Part 1.2, Section 1.2.5(a): Reduce the front yard setback from 7.5m to 4.16m.
- b. Part 1.2, Section 1.2.5(b): Reduce the rear yard setback from 7.5m to 6.71m.
- c. Part 1.2, Section 1.2.5(c): Reduce the side yard (north east) setback from 3m to 1.51m.
- d. Part 1.2, Section 1.2.5(d): Reduce the combined side yard setback from 4.5m to 2.98m.

Small Lot House:

- a. Part 1.23, Section 8(a): Reduce the front yard setback from 6m to 4.6m.
- b. Part 1.23, Section 8(b): Reduce the rear yard setback from 6m to 3.89m.
- c. Part 1.23, Section 13(a): Reduce the front yard setback for an accessory building from 18m to 13.71m.

3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department.

CARRIED UNANIMOUSLY 15/PLUC0021

*Councillor Young excused himself from the meeting at 10:02 a.m. due to a non-pecuniary conflict of interest as a member of his family owns a property within the notification area used when an amendment to the Official Community Plan is sought.*

**5.8 Rezoning Application # 00457 and concurrent Official Community Plan Application for 521-557 Superior Street and 524-584 Michigan Street**

Committee received a report regarding a Rezoning Application # 00457 and concurrent Official Community Plan Application for 521-527 Superior Street and 524-584 Michigan Street. The report provided an update on the applicant's progress on the preconditions for public hearing for the proposed Capital Park development.

Committee discussed:

- If Menzies Street has been identified as a cycling area and if not could it be in the future?
- Concerns about the affordable housing element and what is considered affordable for this type of rental.
  - Affordable housing is defined in the Master Development Agreement (MDA) as no more than 30% of household income. The application provides a range of affordable housing but this definition

has been added to aid Council in their decision. The intent was to provide housing in the first phase and not leave it to the last phase.

*Councillor Coleman left the meeting at 10:24 a.m.*

**Action:**

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

1. That Council consider giving first reading to the *Official Community Plan Amendment Bylaw, 2012, Amendment Bylaw (No. 11)*.
2. That Council consider Official Community Plan Amendment Bylaw, 2012, Amendment Bylaw (No. 11) in conjunction with the *City of Victoria 2014 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
  - a. That Council determine pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers immediately adjacent to the subject properties and determine that the appropriate consultation measures would include mailed notice of the proposed OCP Amendment to the affected persons and posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
  - b. That Council determine pursuant to Section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
  - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board, and the provincial and federal governments and their agencies due to the nature of the proposed amendments.
  - d. That Council consider giving second reading to the *Official Community Plan Amendment Bylaw, 2012, Amendment Bylaw (No. 11)*.
  - e. That Council consider referring the *Official Community Plan Amendment Bylaw, 2012, Amendment Bylaw (No. 11)* for consideration at a Public Hearing.
  - f. That Council consider giving first and second reading to the *Zoning Regulation Bylaw, Amendment Bylaw (No.11)*.
  - g. That Council consider referring *Zoning Regulation Bylaw, Amendment Bylaw (No. 1026)* for consideration at a Public Hearing.

Committee discussed:

- The proposal provides a good transition between James Bay, the Legislative Precinct and downtown.

- If the Menzies Street frontage could be reviewed by staff for cycling opportunities.

CARRIED UNANIMOUSLY 15/PLUC0022

**Action:** It was moved by Councillor Isitt, seconded by Councillor Loveday that staff report on options for the application of Complete Streets principles to the Menzies Street frontage of the Capital Park Development (521-557 Superior Street and 524-584 Michigan Street).

CARRIED UNANIMOUSLY 15/PLUC0023

**Action:** It was moved by Councillor Isitt, seconded by Councillor Thornton-Joe that the Committee recommendation for Rezoning Application # 00457 and concurrent Official Community Plan Application for 521-557 Superior Street and 524-584 Michigan Street be Moved to the January 29<sup>th</sup>, 2015, Council Meeting.

CARRIED UNANIMOUSLY 15/PLUC024

*Councillor Young returned to Committee at 10:40 a.m.*

## 6. OFFICIAL COMMUNITY PLAN APPLICATION REPORTS

### 6.1 Official Community Plan Amendment (OCP) and Rezoning Application # 00453 for 1521-1531 Elford Street

Committee received an updated report regarding Official Community Plan Amendment and Rezoning Application # 00453 for 1521-1531 Elford Street. The proposal is for a new four-storey, 32-unit apartment building with a floor space ratio (FSR) of 1.45 to 1.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Committee recommends:

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
  - a. Referral to the Advisory Design Panel directing their attention to the transition of the adjacent house and park to the overall street appearance.
  - b. Completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development.
  - c. Registration of the following:
    - i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the

- satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development,
- ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
  - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
  - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
    - a. That Council determine, pursuant to section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers immediately adjacent to the subject properties; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
    - b. That Council determine, pursuant to section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
    - c. That Council consider consultation under section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments.
    - d. That Council give first reading to the Official Community Plan Amendment Bylaw.
    - e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
    - f. That Council give second reading to the Official Community Plan Amendment Bylaw.
    - g. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
  3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:

- a. Plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014.
- b. Development meeting all *Zoning Regulation Bylaw* requirements;
- c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Sustainable Planning and Community Development;
- d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

Committee discussed:

- The notification area does not seem adequate when there is such a wide area of interest and has such a significant impact on people other than the direct neighbours.

**Amendment:** It was moved by Councillor Madoff, seconded by Councillor Isitt:

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
  - a. Referral to the Advisory Design Panel directing their attention to the transition of the adjacent house and park to the overall street appearance.
  - b. Completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development.
  - c. Registration of the following:
    - i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development,
    - ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
    - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
    - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
  - a. That Council determine, pursuant to section 879(1) of the *Local*

*Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers **within 400m (immediately adjacent) to the subject properties**; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.

- b. That Council determine, pursuant to section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
  - c. That Council consider consultation under section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments.
  - d. That Council give first reading to the Official Community Plan Amendment Bylaw.
  - e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
  - f. That Council give second reading to the Official Community Plan Amendment Bylaw.
  - g. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:
    - a. Plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014.
    - b. Development meeting all *Zoning Regulation Bylaw* requirements;
    - c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Sustainable Planning and Community Development;
    - d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

DEFEATED UNANIMOUSLY 15/PLUC0025

Committee discussed:

- That a 200m notification area is sufficient and would include neighbours that reside on Belmont Avenue.

**Amendment:** It was moved by Councillor Young, seconded by Councillor Thornton-Joe:

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
  - a. Referral to the Advisory Design Panel directing their attention to the transition of the adjacent house and park to the overall street appearance.
  - b. Completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development.
  - c. Registration of the following:
    - i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development,
    - ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
    - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
    - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
  
2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
  - a. That Council determine, pursuant to section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers **within 200m (immediately adjacent) to the subject properties**; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
  - b. That Council determine, pursuant to section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.

- c. That Council consider consultation under section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments.
  - d. That Council give first reading to the Official Community Plan Amendment Bylaw.
  - e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
  - f. That Council give second reading to the Official Community Plan Amendment Bylaw.
  - g. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:
- a. Plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014.
  - b. Development meeting all *Zoning Regulation Bylaw* requirements;
  - c. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Sustainable Planning and Community Development;
  - d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

On the amendment:

CARRIED UNANIMOUSLY 15/PLUC0026

On the main motion as amended:

CARRIED UNANIMOUSLY 15/PLUC0027

**Action:** It was moved by Mayor Helps, seconded by Councillor Loveday that Committee forward Official Community Plan Amendment (OCP) and Rezoning Application # 00453 for 1521-1531 Elford Street to the Council meeting of January 29, 2015.

CARRIED UNANIMOUSLY 15/PLUC0028

## 7. REZONING APPLICATIONS

### 7.1 Rezoning Application # 00470 for 520 Niagara Street

Committee received a report regarding Rezoning Application # 00470 for 520 Niagara Street. The City has initiated the rezoning with direction from Council, given a previous application to demolish an existing Heritage-Registered building

on the property (Cathedral School). The proposal is to provide a zoning incentive for the designation of the Heritage-Registered Cathedral School, currently listed on the *City of Victoria Register of Heritage Properties*.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Committee recommends:

1. That Council instruct staff to prepare an amendment to the *Zoning Regulation Bylaw* to develop a new zone based on the existing R-2 Zone and include a bonus density provision consistent with the *Official Community Plan (OCP)* that would permit opportunities for bonus density up to 1:1 (maximum) Floor Space Ratio (FSR) conditional on Heritage Designation of the Cathedral School at 520 Niagara Street.
2. That Council consider first and second reading of the amendment to the *Zoning Regulation Bylaw* at the March 12, 2015 Public Hearing.

Committee discussed:

- Many neighbours have concerns about what will ultimately be built on the property.
  - The rezoning is to create the conditions for what the development will be that comes forward.

CARRIED UNANIMOUSLY 15/PLUC0029

## 8. POLICY REPORT

### 8.1 Burnside-Gorge / Douglas Area Plan Project Charter

Committee received a report regarding the Burnside-Gorge / Douglas Area Plan Project Charter. The proposed project charter will guide the plan's completion and initial implementation activities following the plans approval.

**Action:** It was moved by Councillor Isitt, seconded by Councillor Loveday, that Committee recommends that:

1. Committee forward this report as amended to the January 29<sup>th</sup>, 2015, Council meeting for Council's consideration and approval, and that Council instruct staff to proceed with the *Burnside-Gorge/Douglas Local Area Plan* outlined in the Project Charter as amended.
2. Council direct staff to commence the recruitment process for the Engagement Advisory Group and report back in-camera to the March 12, 2015, Governance and Priorities Committee meeting for Council's consideration.

*Councillor Isitt left the meeting at 11:36 a.m.*

Committee discussed:

- Concerns regarding a lack of single family dwellings in the area and how and where housing is funded. It was noted that 80% of affordable housing has been placed in the Burnside-Gorge Area. Although there is a desire to provide affordable housing Council would like to see a more diverse mix of

housing and amenities such as a grocery store that is within walking distance.

- First Nations should have a voice and will be a significant player moving forward and the Engagement Committee should include representatives from the Songhees and Esquimalt nations.

**Amendment:** It was moved by Councillor Young, seconded by Councillor Loveday, that Committee recommends:

1. **That Council amend the Project Charter (Terms of Reference for the Burnside-Gorge/Douglas Area Plan Engagement Advisory Group) by increasing the size of the Engagement Advisory Group from nine members to eleven members, and that two of those positions be First Nations representatives.**
2. Committee forward this report as amended to the January 29<sup>th</sup>, 2015, Council meeting for Council's consideration and approval, and that Council instruct staff to proceed with the *Burnside-Gorge/Douglas Local Area Plan* outlined in the Project Charter as amended.
3. Council direct staff to commence the recruitment process for the Engagement Advisory Group and report back in-camera to the March 12, 2015, Governance and Priorities Committee meeting for Council's consideration.

On the Amendment:

CARRIED UNANIMOUSLY 15/PLUC0030

On the main motion as Amended:

CARRIED UNANIMOUSLY 15/PLUC0031

## 9. ADJOURNMENT

**Action:** It was moved by Councillor Loveday, seconded by Councillor Madoff, that Committee adjourn the Planning & Land Use Committee meeting of January 29, 2015, at 11:49 a.m.

CARRIED UNANIMOUSLY 15/PLUC0032

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Mayor Helps, Chair



## Planning and Land Use Committee Report

For the Meeting of February 5, 2015

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**To:** Planning and Land Use Committee **Date:** January 23, 2015  
**From:** Brian Sikstrom, Senior Planner, Development Services Division  
**Subject:** Rezoning Application #00451 for 1049 Richmond Avenue

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### 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 #00451 for 1049 Richmond Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following condition is met:

- The provision of a Statutory Right of Way of 0.856m on Richmond Avenue to the satisfaction of the Director of Engineering and Public Works.

### 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 1049 Richmond Avenue. The proposal is to rezone the property from the R-1-G Zone, Gonzales Single Family Dwelling District, to the R1-G2 Zone, Gonzales Small Lot District, in order to permit the subdivision and construction of a new small lot single family dwelling in the side yard of an existing single family dwelling.

The following points were considered in assessing this application:

- This proposal is in keeping with the *Official Community Plan, 2012* and *Gonzales Neighbourhood Community Plan, 2002* objectives for sensitive infill development.
- The area and lot width of both proposed lots are greater than the minimum regulations in the Gonzales Small Lot District Zone.
- The floor area and floor space ratio for both the existing and proposed houses are less than the maximum regulations in the Gonzales Small Lot District Zone.

### 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, siting, size and dimensions of (i) buildings and other structures, and (ii) the uses that are permitted on the land, the location of uses on the land and within buildings and other structures.

## BACKGROUND

### Description of Proposal

This Rezoning Application would facilitate the subdivision and construction of a new small lot single family dwelling in the side yard of a property with an existing single family dwelling. The proposed new small lot single family dwelling would have three bedrooms and would be two storeys with a basement. The proposed combined first and second floor area, as well as the floor space ratio, is less than the maximum permitted in the R1-G2 Zone, Gonzales Small Lot District. The existing house is also proposed to be included in the R1-G2 Zone and it also has two storeys with a basement and a floor area and floor space ratio that are less than the maximum permitted in the R1-G2 Zone. The proposed lot area and lot width for both houses are greater than the minimum regulations in the Zone.

The following differences from the R1-G2 Zone, Gonzales Small Lot District, are being proposed and will be discussed in relation to the concurrent Development Permit Application:

- both houses would have two storeys and a basement, while the Zone permits one and half storeys with a basement
- the existing house would have front yard parking
- the south side yard of the proposed house and both side yards of the existing house would be less than the minimum zone standard
- the height of the existing house is above the maximum zone standard
- the site coverage of the proposed house would be above the maximum zone standard.

### Sustainability Features

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

### Land Use Context

The area is characterized by a mix of single family detached dwellings, conversions and duplexes.

Immediately adjacent land uses include:

- North – 4-suite conversion
- South – single family dwelling
- East – single family dwellings and four-suite conversion
- West (across Richmond Ave.) – single family dwellings.

### Existing Site Development and Development Potential

The site is presently occupied by a single family dwelling built in 1909.

Under the current R1-G Zone, Gonzales Single Family Dwelling District, the property could be developed with a new single family dwelling of up to 300m<sup>2</sup>, which could include a secondary suite. The lot size meets the criteria for consideration of a rezoning to a duplex.

### Data Table

The following data table compares the proposal with the R1-G2 Gonzales Small Lot District Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposed House	Existing House	R1-G2 Zone Standard
Site area (m <sup>2</sup> ) – minimum	350	389	300
Total floor area (m <sup>2</sup> )	209	232	
1 <sup>st</sup> and 2 <sup>nd</sup> floors (m <sup>2</sup> ) – maximum	159	149	160
Basement (m <sup>2</sup> )	50 <sup>1</sup>	83 <sup>1</sup>	
Density (Floor Space Ratio) – maximum	0.45:1	0.38:1	0.55:1
Lot width – minimum	10.84	11.83	10
Height (m) – maximum	7.31	8.55 <sup>2</sup>	7.5
Storeys – maximum	2* (with basement)	2 (with basement) <sup>2</sup>	1.5 (with basement)
Site coverage (%) – maximum	33.04*	28.6	30
Open site space (%) – minimum			
Front Yard	60.3	63.5	50
Setbacks (m) – minimum			
Front	6	7.1 (front steps)	6
Rear	11.4	9.9	9.1
Side (north)	1.57	1.58* (bldg. face)/1.30* (cantilever)	1.5/2.40 (habitable room)
Side (south)	1.56*	1.61* (bldg. face)/ 1.20* (cantilever)	1.5/2.40 (habitable room)
Parking – minimum	1	1 (front yard)*	1 (side or rear yard)

Notes:

1. Basement floor area exempt.
2. The existing house is currently non-conforming with respect to height and storeys under the existing R-1-G Zone, Gonzales Single Family Dwelling District.

**Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield Gonzales CALUC at a Community Meeting held on April 22, 2014. A letter dated April 22, 2014, is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 85% support the Application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

**ANALYSIS**

**Official Community Plan**

The proposed development is consistent with the relevant land use policies of the *Official Community Plan, 2012 (OCP)*. The property is designated as Traditional Residential in the OCP,

where ground-oriented housing, such as small lot single family dwellings, is envisioned. In accordance with the OCP, the new small lot dwellings are subject to DPA 15A, Intensive Residential Small Lot.

**Local Area Plan**

The *Gonzales Neighbourhood Community Plan, 2002* recommends consideration of small lot infill developments in compliance with the *Small Lot House Design Guidelines*, as well as the standards set out in the R1-G2 Zone, Gonzales Small Lot District. This small lot zoning differs from the R1-S2 Zone, Restricted Small Lot (Two Storey) District, by requiring larger lots (300 m<sup>2</sup> minimum), smaller houses (160 m<sup>2</sup> maximum), reduced site coverage (30% maximum) and an increased rear yard setback (9 m).

The proposal meets the Gonzales Small Lot District Zone standards with respect to lot size and density. A number of variances from the Zone standards are requested and will be discussed in relation to the concurrent Development Permit Application.

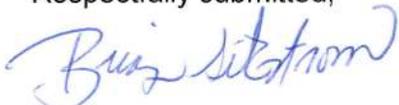
**CONCLUSIONS**

The proposal is in keeping with the *Official Community Plan, 2012* and *Gonzales Neighbourhood Community Plan, 2002* objectives for sensitive infill development. Therefore, staff recommend for Committee's consideration that the Application advance to a Public Hearing.

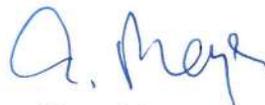
**ALTERNATE MOTION**

That Council decline Application #00451 for the property located at 1049 Richmond Avenue.

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: January 28, 2015

BMS:aw

S:\TEMPEST\_ATTACHMENTS\PROSPERO\PL\REZ\REZ00451\1049 RICHMOND PLUC REPORT FOR REZONING NEW FORMAT JANUARY 1015.DOC

**List of Attachments**

- Zoning map
- Aerial photo
- Letter from Applicant dated January 12, 2015 (with notes on sustainable building features attached)
- Fairfield Gonzales CALUC meeting notes dated April 22, 2014
- Further consultation letters from the Applicant dated November 27, 2014, and November 10, 2014, and November 10, 2013
- Small Lot House Rezoning Petitions
- Objection document (undated) from adjacent property owner
- Plans for Rezoning Application #00451.







January 12, 2015

Dear Mayor Helps and Councillors,

**RE: Rezoning Application for a Small Lot Subdivision at 1049 Richmond Avenue**

We are pleased to submit our revised rezoning application to the City of Victoria that seeks your approval to subdivide our existing large lot at 1049 Richmond Avenue and build a new home for ourselves that is more suitable for us as retirees.

We have lived at 1049 Richmond Avenue since 1992 and have raised our two sons in this home while working in town. We have enjoyed the convenient location, the large yard, and traditional living space - the informal basement being a necessity for raising boys and entertaining their friends! With the boys increasingly independent and with us now planning for retirement, we have been thinking about our future housing needs. A house with fewer, larger rooms, a more modern layout and less yard to keep up will work better for us down the road.

We recognize our current personal situation and motivations for pursuing this rezoning may not be central to Council's decision, but we were pleased to discover that our proposal aligns well with the City of Victoria's land use policy. The Gonzales Community Neighbourhood Plan and City of Victoria Official Community Plan both support a small lot subdivision for properties like ours and a number of these have occurred in our neighbourhood. Our neighbourhood contains predominantly single family homes or duplexes, both owner-occupied and rental, but also includes in the immediate vicinity another small lot home (3 doors away), a panhandle lot (across the road) and two-small apartment buildings - one rental (next door on the North side) and the other stratified (immediately to the south-east on Bank Street).

Richmond Avenue is a larger, busier street than others nearby and potentially a good location for infill development. Most importantly, perhaps, the size of our lot and position of our early 1900s house allow us to retain the existing house while creating a small lot for a new two-storey house. If approved, the new house would help maintain the balance of single family homes in our block and in the evolving neighbourhood.

We have considered the City's Small Lot Rezoning Policy and Design Guidelines. We started our process with informal consultations with our neighbours, shared our early design ideas with them and then subsequently attended a community meeting with the Fairfield Gonzales Community Association. We also completed the required rezoning petition process and have support from 85% of our immediate neighbours.

The neighbourhood consultation provided us with valuable input and influenced our decision to pursue a traditional styled home. While our original application involved a proposal for an R1-S2 small lot, which allows for a larger home and greater lot coverage, advice from City staff and feedback from our neighbour on the south side of the proposed new lot have led us to change our application. Our revised proposal would rezone our current R1-G lot into two good sized lots with R1-G2 zoning.

The proposed new home features the following:

- “Traditional” styling with roof pitch, window proportions, trims, and finishes that complement the neighbourhood.
- A raised front porch and strongly visible entry, which are character defining elements of the neighbourhood. The front setback is greater than required and matches that of neighbour to the south.
- Retained rock wall in the front of the home and most of the significant mature front and back yard landscaping which we have cared for over many years.
- Adding a front yard parking stall to the lot of the existing house consistent with the front yard parking requirements in the R1-G Gonzales Single Family Dwelling District.
- Side window placements that consider privacy issues related to our existing home and our neighbours to the south.

While the project is consistent in all important respects with the scale and intent of the proposed zoning, it does require some minor variances. A number are needed for our current house due to its placement on the proposed smaller lot, its height and number of floors and the new parking stall (permitted by bylaw in R1-G Gonzales zones). With respect to the proposed new home on Lot B, the proposed side yard setbacks of 1.5 metres are permitted in the R1-G2 Zone if there are no windows that face neighbours’ habitable rooms. We believe, however, that fully blank walls on either side of the new home are inappropriate given that our proposed design allows for a front door entry in the middle of the building that fits well with others in the neighbourhood, rather than an entrance on the side. This design approach also allows for three upstairs bedrooms that will allow a broader range of possible occupants, such as families with children, when we no longer own the home. As documented by our proposal we have minimized the potential privacy and overlook issues with the careful choice of size, placement and type of glass in all of the windows facing neighbours.

Throughout the neighbourhood consultation process we have received positive support for our proposal. The only real concern has been raised by our neighbours to the south at 1035 Richmond Avenue, who are worried about a potential loss of ambient light that could result from having a new home in what is now open yard. The current occupants of the house (it has been a rental property for 30 years or more) are used to indirect light in their North-facing windows where previously that side had been shaded by the leaves and branches of a very large English Oak. The tree unfortunately had to be taken down recently for safety reasons on the recommendation of the City arbourist when severe rot was discovered in its trunk. Even with the proposed placement of the new house, there will still be about 4 metres of space between it and the neighbours at 1035 since their driveway lies between their house and the existing property line.

In response to their concerns we have focused on a traditional styled home with a sloped roof to increase light from the East and West, lowered the height of the building by approximately one foot from our original design to help with northern light, ensured the setback at the front matches their house and are specifying a light colour for the siding, to better reflect light on to their house. To address any worries regarding privacy, we are proposing to have only two windows on the south side of the new house (one required for egress from a bedroom) and their size and glazing will minimize any oversight of the neighbour’s kitchen and dining room.

City Planning staff have indicated that the R1-G2 reference zone for small lot infill developments in our neighbourhood has a lot coverage ratio of 30% (compared to 40% in other City neighbourhoods). We have revised our submitted plans to this standard by downsizing the proposed house in both lot coverage and floor area. The City Engineering Department has indicated, however, that should this proposal be approved by Council, we will be required to transfer 0.86 meters of land across the front of both lots to the City to provide for right of way in case Richmond Avenue needs to be widened in future. In the case of the proposed new lot, this dedication will reduce its size to the point that, even with the proposed new house designed below the maximum in the R1-G2 zone, the lot coverage ratio *after* the requested dedication would be marginally over the maximum. City staff have indicated that this will necessitate a technical variance.

We believe our proposal is a sensitive small lot subdivision proposal that ensures the retention of our existing home for the foreseeable future and adds a complementary new home into the neighbourhood. We have canvassed all of the neighbours in our block of Richmond and adjoining properties on Banks Street to show them our final proposed design and have received good support for the new house. We look forward to the opportunity to present this application to Mayor and Council.

Yours sincerely,



Julian Paine and Ann Marr

1049 RICHMOND AVENUE

SUSTAINABLE BUILDING FEATURES

- HIGH EFFICIENCY GAS FURNACE, 'ON-DEMAND' WATER HEATER
- HEAT RECOVERY VENTILATION
- ENERGY STAR APPLIANCES
- ADDITIONAL INSULATION/DRAFT PROTECTION
- LOW FLUSH TOILETS
- LOW FLOW SHOWERS
- ENERGY STAR WINDOWS
- PERVIOUS PAVING AS SHOWN
- RAIN BARRELS/RAIN WATER COLLECTION

Received  
City of Victoria  
JAN 22 2015  
Planning & Development Department  
Development Services Division

Minutes of Meeting  
Planning and Zoning Committee  
Fairfield Gonzales Community Association  
April 22, 2014



**Members of FGCA Planning and Zoning Committee:**

George Zador (chair), Jim Masterton, Chris Schmidt, Bill Rimmer and Paul Brown  
Minutes recorded by Paul Brown

**Subject Property:**

1049 Richmond Avenue small lot subdivide  
Presenter: Julian Payne

9 interested parties including 3 representing the proponent

**Proponent Presentation, Attendee Questions & Comments from Attendees:**

- Proponent proposes to build a style of home on new lot that meets with approval of neighbours. Proponent presented two options: modern and more traditional design. Most seemed to prefer the traditional.
- Proponent did not believe any variances were required.
- An adjacent neighbour (1035 Richmond) questioned the closeness of the proposed new building to their home, that it would block the view and natural light from a main window on their main floor and that it would require a setback variance. Proponent indicate a willingness to mitigate such and was not certain whether a variance was required
- Another resident in close proximity questions providing variance and rezoning because it might set a precedent in the neighbourhood for similar small lot subdivides and impact on the character of the neighbourhood

**Subject Property:**

59 Cook Street (Corner Lot) small lot subdivide 5 interested parties including 2 representing the proponent  
Presenter: Peter Hardcastle

**Proponent Presentation, Attendee Questions & Comments from Attendees:**

- Proposal is to build a small home with a basement on the new lot, facing on Woodstock
- Existing building has six suites which would be reduced to five resulting in no change overall to the number of residences on the combined lots
- Both properties would use the same drive leading to the back of the properties. Permeable paving would be employed. The siting of the new building along with

-1-



November 27, 2014

Dear Reevan and Michelle,

As you know, it was just about a year ago that we wrote to you about our idea of building a new house next to our current one at 1049 Richmond Avenue. By creating a new small lot in the side-yard between our two houses we would be able to have a home still close to downtown and our usual stores but with a better setup for two people now that our two sons are on their way.

Since last November, we made the presentation to the Gonzales Neighbourhood Association that you attended and put in an application with staff at city hall. As I am sure you remember, I walked through our original proposal with you in detail along with our house designer, Nigel Banks. Since then we have been working to address the questions and concerns that have been raised by you and city staff. We wanted to let you know where we are with our thinking on a new house and the changes we have made in revising our proposal.

From our previous discussions and your comments on the neighbourhood canvas forms and those of Mr. McKay, the owner, you have indicated three main areas of concern. The first relates to the overall size and massing of a new house; the second is to do with the potential for a reduction in ambient light into the northern windows of your dining room and kitchen; and the third is the potential effect on current property values.

Since we last spoke we have thought hard about how we can accommodate your concerns and better meet the quite restrictive rules around creating small lot houses in our neighbourhood (the R1-G2 zone) while still having a home that meets our needs. We are hoping that our new proposal will be seen as a good addition to our street and neighbourhood. First, the floor area of the house has been cut by 33 sq. ft. so that the total area is less than allowed in the Gonzales zone. Also, the height has been decreased by over a foot. These changes, along with the overall design, both reduce the overall mass and increase potential ambient sunlight on the north side.

250-595-5671  
PHONE

1049 RICHMOND AVE, VICTORIA, BC  
ADDRESS

jcpainel@gmail.com  
E-MAIL

-2-

With the lot size quite a bit larger than required for the proposed zoning, the new house would still leave good sized yards for both proposed lots. As you can see from the attached street view diagram, the new house would be much lower than our existing house and should not have any appreciable effect on northern light. The "traditional" peaked roof design will also allow more light front and back than the modern one we also considered.

As you can see from the site plan and elevations, we would ensure that the front setback matches that of your house so that there will be no impact on westerly light and any sense of feeling "boxed in" by a new house will be greatly reduced. Also, we intend to use light coloured siding to maximize reflectivity onto your north side. At present, most of the ambient light from southerly directions is reflected from the south wall of our current house into your two rooms on the north. To ensure minimal impacts on your privacy, the new design has only two windows facing your house - the ground floor den and one upstairs bedroom. The size and placement of the windows and the glass to be used are meant to break up the look of the south wall while minimizing any overlook onto your house.

In terms of the view from your house onto our property, we plan to keep the rock wall that we built back in 1993 and as many of the existing mature plants and shrubs as possible so that the look of the property from the street and privacy from behind is maintained. To minimize any impacts on on-street parking, we would create a parking stall where the path to the front door now sits and widen the current driveway opening to allow access to the garage in the proposed new house. At present, we actually have to park on the street because the stonemasons built the driveway gates a bit too close together for comfortable entrance and exit in anything but a small car.

As far as the matter of property values goes, while we are no experts, any of the realtors we have talked to have indicated that property values virtually always go up not down when new investment is made in housing stock in a city block. Since our proposal is for a single family house, specifically designed to match the surrounding homes, I can only think that this will be the case on Richmond Avenue as well.

-3-

In terms of next steps, the city review process involves a presentation to the Planning and Land-Use Committee by staff and, if recommended by the Committee, a public hearing before city council. The timing for this is a bit uncertain but would probably be in the next few months.

If the proposal is approved, the city issues a development permit which ensures that all of the important design features that were subject to review are actually included in the finished house and lot and provides you with assurance that the things we have promised in the design proposal to address your stated concerns will actually be implemented.

I hope that you will recognize that, with our new proposal, we have tried to do our best to minimize impacts on your property and address your concerns as fully as possible. I am afraid no size, shape, siting or colour of new house could completely eliminate the potential effects you have identified. If you have any other ideas that would help accommodate you - short of no change at all - please let us know. For instance, if you think it would make a difference to the light entering your dining room, we would be prepared to help with the cost of installing a skylight while we are building the new house.

We would like to stay good neighbours and would be happy to have a chat about our proposal and your thoughts on it anytime. Please feel free to drop by and knock on our door or give us a ring. Our email address is also at the bottom of the first page.

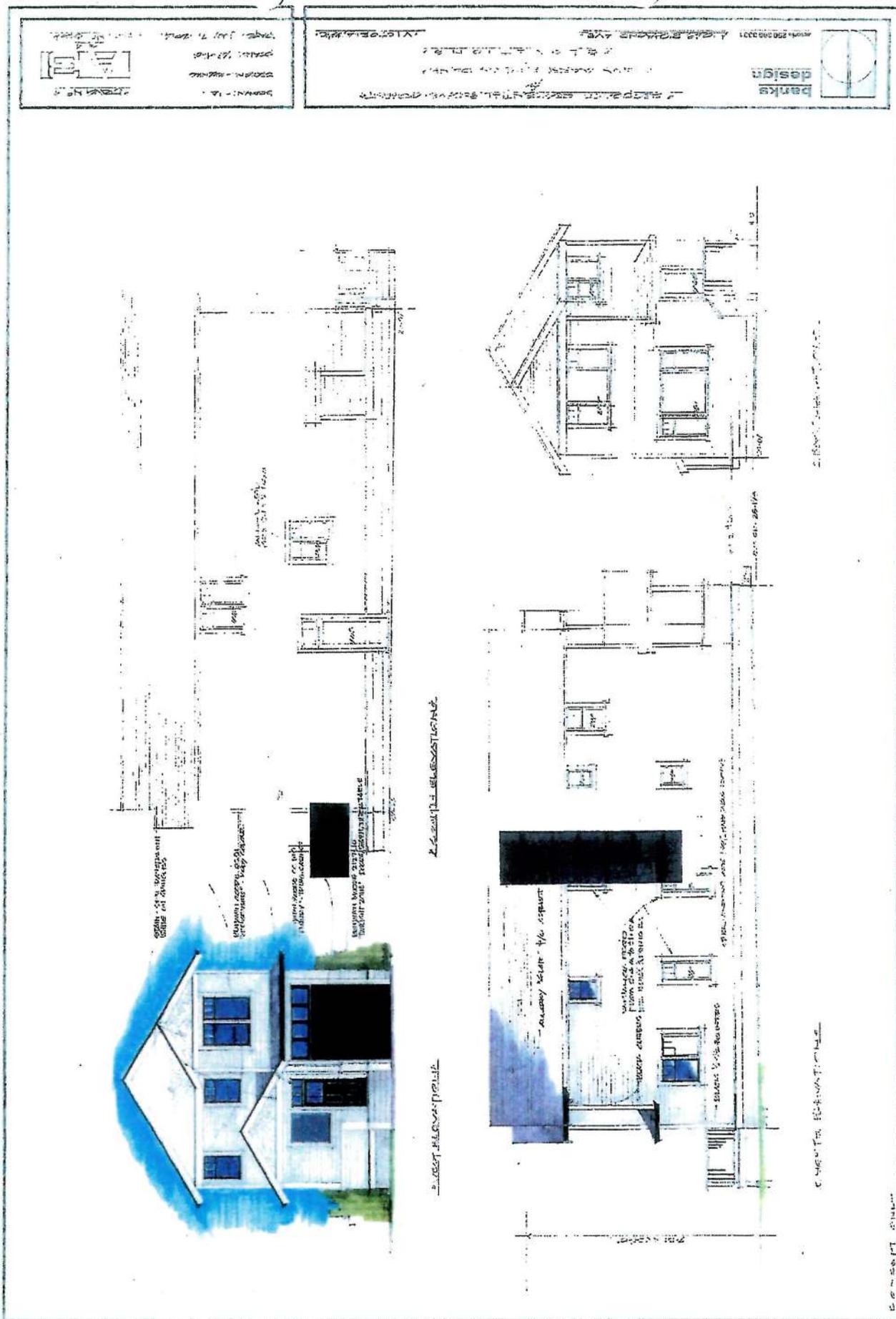
Thanks for taking the time to review the new proposal.

Yours sincerely,

ORIGINAL SIGNED BY:

Julian Paine & Ann Marr





*PROPOSED HOUSE WITH TRADITIONAL ROOF LINE, BRICK FACED, FINISHED TO AN APPROPRIATE LEVEL.*

*SECTION*

*FLOOR PLAN*

*PLAN*

*PLAN*

*PLAN*

*PROPOSED RESIDENTIAL REDEVELOPMENT*

*1049 RICHMOND AVE*

**banks design**  
 victoria 250-995-0331

*PROPOSED HOUSE WITH TRADITIONAL ROOF LINE, BRICK FACED, FINISHED TO AN APPROPRIATE LEVEL.*

*SECTION*

*FLOOR PLAN*

*PLAN*

*PLAN*

*PROPOSED RESIDENTIAL REDEVELOPMENT*

*1049 RICHMOND AVE*

**banks design**  
 victoria 250-995-0331



November 10, 2013

Dear Neighbour,

For those of you who don't know us, we are Julian Paine and Ann Marr, and we have lived at 1049 Richmond Avenue since 1992. We have been in our home for over 21 years now, raising our two sons while working in town. We have enjoyed the convenient location, the large garden, and three stories of living space (the basement being a necessity for raising boys and entertaining their friends!).

With the boys increasingly independent and us planning for retirement, we have been thinking about our future housing needs. We hope to travel more in future and a smaller house with fewer stairs, larger rooms (anyone who has seen our galley kitchen would understand why!) and less garden to keep up will work better for us down the road. This narrowed our search to newer houses on smaller lots which are quite difficult to find in or around this neighbourhood in our price range.

Last year, after a major windstorm, the large oak tree at the side of our house was assessed by the City of Victoria arbourist and he advised, due to significant rot at the base of the trunk, that it should be removed for safety. We were very sad to see the tree go, and it has been quite an adjustment looking at the empty space left behind. However, it has opened up the possibility of building a new home next to our present house that better meets our needs including a smaller garden.

As a first step in exploring this option, we would like to get your input. A number of years ago, the Gonzales Neighbourhood Association included small lots as part of the Community Plan. There are now a few of these homes in place and they seem to fit nicely into their streets. We have included a photo below as an example, although we have not done any design work or planning ourselves. We are very much at the exploratory stage and would appreciate your perspective.

- 2 -

We would like to connect with you either in person or by phone. This would mean knocking at your door sometime over a weekend, or please feel free to drop by. If you would prefer chatting on the phone, our numbers are: 250 595 5671 or 250 514 4766.

Look forward to hearing from you.

Sincerely,

ORIGINAL SIGNED BY -

Julian and Ann





-1-

November 10, 2014

Dear Neighbour,

Just about a year ago we wrote to a number of you about our idea of building a new house next to our current one at 1049 Richmond Avenue. This would be on a small lot created in the south side-yard by sub-dividing our current 78 foot wide property. After 22 years and with our boys leaving home, our 1908 house seems a bit big and the yard work feels onerous when we hope to do more travelling in retirement. A new house would let us stay close to downtown and our usual stores but have a better setup for two people.

Since last November, we have made a presentation to the Gonzales Neighbourhood Association and put in an application with staff at city hall. We wanted to let you know where we are with our thinking on a new house and seek your views in finalizing our proposal.

The rules around creating small lot houses in our neighbourhood (the R1-G2 zone) are quite restrictive in terms of size of both the lot (minimum required) and house (maximum allowed) plus parking, landscaping etc. For the past six months, we have been working with a designer and the city planning staff to arrive at a proposal that meets zoning requirements and we hope will be seen as a good addition to our street and neighbourhood. First, based on feedback we received from our canvas of our closest neighbours, we have decided on a “traditional”, two story design with a peaked roof and a front porch. Second, we plan to keep the rock wall that we built back in 1993 and as many of the existing mature plants and shrubs as possible so that the look of the property from the street and privacy for houses behind is maintained. To minimize any impacts on on-street parking, we would create a short driveway where the path to the front door now sits and widen the current driveway opening to allow access to the garage in the proposed new house. At present, we actually have to park on the street because the stonemasons built the driveway gates a bit too close together for comfortable entrance and exit in anything but a small car.

250-595-5671  
PHONE

1049 RICHMOND AVE, VICTORIA, BC  
ADDRESS

jcpainel@gmail.com  
E-MAIL

-2-

We have attached some design drawings for you to get a sense of what a new house might look like. As you can see from the street view, the design looks quite a bit like the adjoining houses and we think creates a good fit for the block. The house will have siding and shingles in a light colour to maximize reflected light to neighbouring properties. The proposed design is much lower than our current house and is set well back from the street to maintain access to sunlight for nearby properties especially from the north, east and west. As you can see from the coloured lot plan, each house would still have a pretty good sized yard with lots of greenery.

The city review process involves a presentation to the Planning and Land-Use Committee by staff and, if recommended by the Committee, a public hearing before city council. The timing for this is a bit uncertain but would probably be in the next few months. If the proposal is approved, the city issues a development permit which ensures that all of the important design features that were in the drawings and subject to review are actually included in the finished house and lot.

We would be very interested in hearing what you think of our proposal - especially if you have any concerns or ideas on how to improve it. Please feel free to drop by and knock on our door or give us a ring. Our email address is also at the bottom of the first page.

Thanks for taking the time to review the proposal.

Yours sincerely,

ORIGINAL SIGNED BY:

Julian Paine & Ann Marr

1

**SUMMARY  
SMALL LOT HOUSE REZONING PETITION**

I, LUCIAN PAINE, have petitioned the adjacent neighbours\* in compliance with  
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 1049 RICHMOND AVE  
(location of proposed house)

and the petitions submitted are those collected by MAY 9 / 2014 \*\*  
(date)

Address	In Favour √	Opposed √	Neutral (30-day time expired) √
1030 RICHMOND AVE	✓		
1036 " "	✓		
1040 " "	✓		
#1 - 1053 RICHMOND AVE	✓		
#2 - " "	✓		
#3 - " "	✓		
#4 - " "	✓		
OWNER 1053 RICHMOND AVE			✓
#1 1022 BANK ST. - TENANT	✓		
#1 " " - OWNER			✓
#2 " " - TENANT	✓		
#2 " " - OWNER			✓
#3 " " - OWNER	✓		

SUMMARY	Number	%
IN FAVOUR	12	85.7
OPPOSED	2	14.3
TOTAL RESPONSES	14	100%

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

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

2

**SUMMARY  
SMALL LOT HOUSE REZONING PETITION**

I, JULIAN PAINE, have petitioned the adjacent neighbours\* in compliance with  
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 1049 RICHMOND AVE  
(location of proposed house)

and the petitions submitted are those collected by MAY 9 / 2014 .\*\*  
(date)

Address	In Favour ↓	Opposed ↓	Neutral (30-day time expired) ↓
1030 BANK ST.	✓		
1040 BANK ST.	✓		
1035 RICHMOND AVE - TENANT		✓	
1035 " " - OWNER		✓	

SUMMARY	Number	%
IN FAVOUR		
OPPOSED		
TOTAL RESPONSES		100%

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

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

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) LYNNE Moorhouse (see note above)

ADDRESS: 1030 RICHMOND 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:

Would like to continue to be  
part of the on-going process.

April 7, 2014  
Date

L Moorhouse  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) PAUL MARYNAK SR. (see note above)

ADDRESS: 1036 RICHMOND 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:

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5/4/14  
Date

V. Marynak  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) PAUL MARYNAK (see note above)

ADDRESS: 1040 RICHMOND 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:

TRADITIONAL STYLE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2014, 09, 05  
Date

P. Marynak  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) DEAN OWEN (see note above)

ADDRESS: #1 - 1053 RICHMOND 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

April 09/2014  
Date

[Signature]  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) KAREN KNOWLTON (see note above)

ADDRESS: # 2 - 1053 RICHMOND AVE BANKS 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: Both look great! Would be happy with either design!

Apr. 5/14  
Date

Karen Knowlton  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Dee Perkins (see note above)

ADDRESS: # 3 - 1053 RICHMOND 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:

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Apr. 6/14  
Date

[Signature]  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Jenica Griffin (see note above)

ADDRESS: #4 - 1053 RICHMOND 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:

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4/5/14  
Date

[Signature]  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Shannon Goodrich (see note above)

ADDRESS: #1 - 1072 BANKS 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:

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6/5/14  
Date

Shannon Goodrich  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) CHERYL GAUTHIER (see note above)

ADDRESS: #2 1022 BANK 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

07/24/14  
Date

Cheryl Gauthier  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JUCIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Rebecca Wong (see note above)

ADDRESS: #3 - 1022 BANK 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

April 29, 2014  
Date

Rebecca Wong  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) KATE FITCHETT (see note above)

ADDRESS: 1030 BANKS 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 prefer the traditional plan.

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April 5/14  
Date

K Fitchett  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Trevor Kissinger (see note above)

ADDRESS: 1040 BANKS 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

April 5, 14  
Date

[Signature]  
Signature

FILE



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PRINT

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**SMALL LOT HOUSE REZONING PETITION**

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) DEREK MCKAY (see note above)

ADDRESS: 1035 RICHMOND 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:

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APRIL 16, 2004  
Date

Derek McKay  
Signature

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Michelle Frey (see note above)

ADDRESS: 1035 RICHMOND 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:

The rezoning and variances applied for will be invasive to the privacy, access to light and resale value of the 1035 property. The proposed construction will be taller and wider than currently allowed greatly diminishing green space, streetscape and character of the neighbourhood.

6 April 2014  
Date

[Signature]  
Signature

**SMALL LOT HOUSE REZONING PETITION**

In preparation for my rezoning application to the City of Victoria, I,

JULIAN PAINE (print name), am conducting the petition requirements for the

property located at 1049 RICHMOND AVE.

to the following Small Lot Zone: R1-G2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) REEVAN MCKAY (see note above)

ADDRESS: 1035 RICHMOND 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:

I AM OPPOSED TO THE SCALE OF THE PROPOSED CONSTRUCTION.  
IT WILL BLOCK ALL NATURAL LIGHT & SKY VIEW FROM  
OUR MAIN HABITABLE SPACE. THE MULTIPLE SIDE SETBACK  
VARIANCES INDICATE THE BUILDING IS TOO LARGE FOR THE  
SITE AND IT ENCRACHES TOO CLOSELY TO NEIGHBOURING  
PROPERTIES, HARMING THE CHARACTER OF THE DISTRICT & LOWERING  
RESALE VALUES.

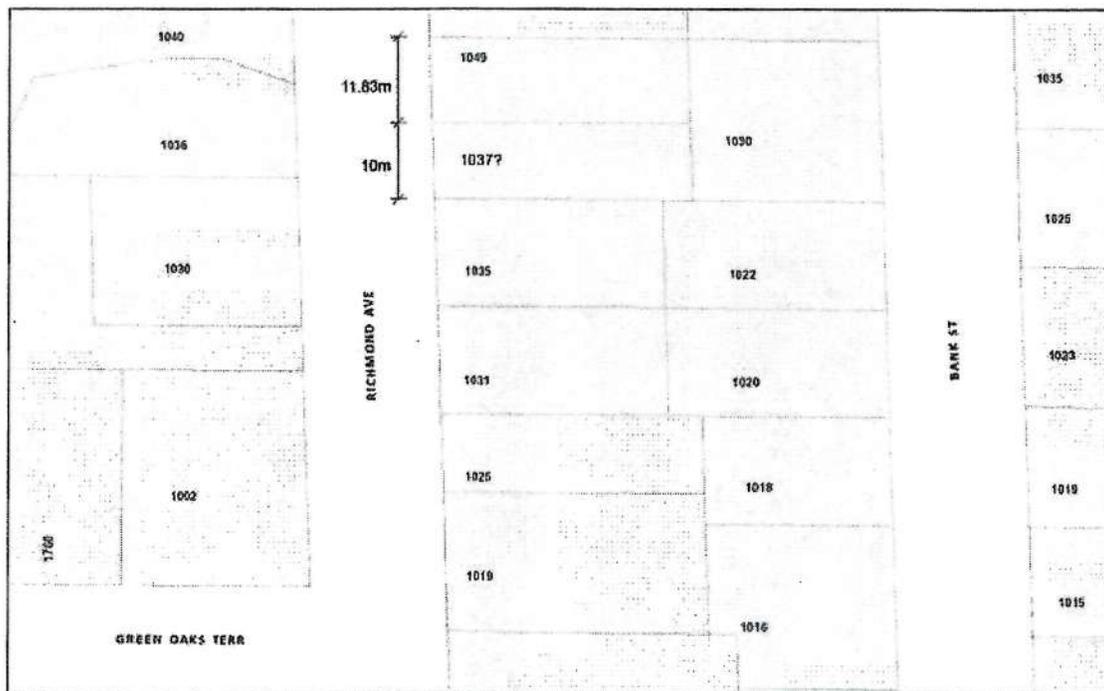
APRIL 6, 2004  
 Date

[Signature]  
 Signature

# Objection to Proposed Rezoning and By-Law Amendment of 1049 Richmond Ave (REZ-00451)

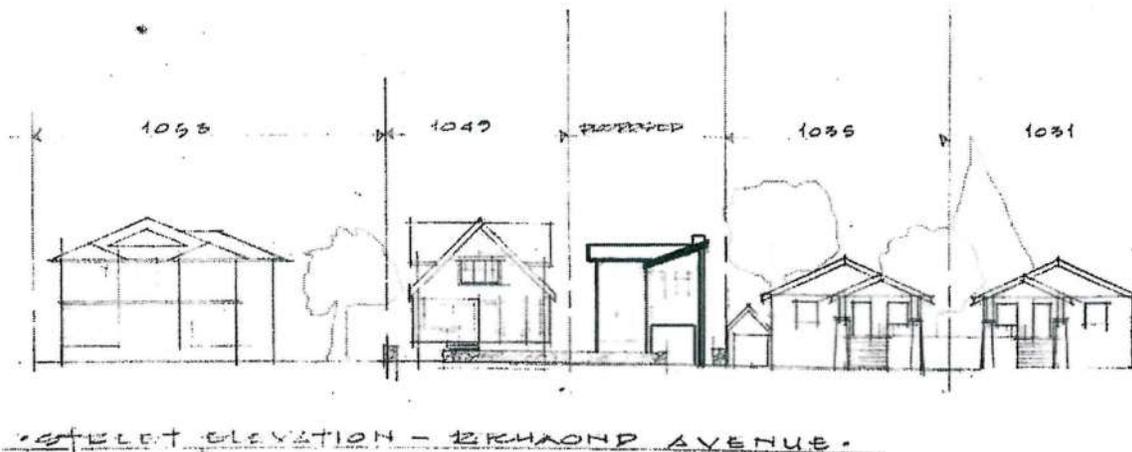
## Opposition to the Proposal

The residents -Reevan McKay and Michelle Frey - and owner - Derek McKay - of 1035 Richmond Ave. are opposed to the proposed rezoning and by-law amendment of 1049 Richmond Ave. which would see lot 1049 rezoned from R1-G<sup>1</sup> into two R1-S2(or R1-G2)<sup>2</sup> Small Lots. This proposal requires several variances to the R1-S2/G2 code just to make it possible. We submit that the lot at 1049 is too narrow to support this subdivision into two Small Lots and the proposed construction is out of proportion and character for the neighbourhood. It is taller, wider and closer to neighbouring properties than other construction in the area. This proposal is invasive to the privacy, access to light, peace & quiet and resale value of the 1035 property and other homes in the area.



<sup>1</sup> The Victoria Development services site lists the property as R1-G zoning. The Development Proposal Notice of Community Meeting lists the site as R1-B zoning.

<sup>2</sup> Some confusion appears to exist over the exact zoning designation of the new lot – it is listed as R1-S2 and R1-G2 on different documents.



### Multiple Variances Required

The lot on 1049 is currently zoned as R1-G (single family dwelling-Gonzales district) according to the Victoria Planning & Development Services department. To create the new R1-S2 lots, the proposal relies on a total of almost four meters of setback variances across two lots (See Figure 1)

- The existing side setback on 1049 north is already too small. It is apparently 1.3 meters instead of the ~3.15 meters required for a ~21 meter-wide lot according to code R1-G, and less than the 2.4m required for an R1-S2/G2 lot for habitable space with windows.
- The south setback on the newly rezoned 1049 is proposed to be between 1.3 and 1.5 meters instead of the required 2.4 meters for habitable space with windows.
- The north setback on the newly created 1037(?) lot is proposed to be 1.5 meters instead of the required 2.4 meters for habitable space with windows. If granted and combined with the small setback on the south of 1049, this will have an impact on the view, light and privacy received by the purchasers of 1049 which currently has most of its fenestration on the south elevation. The windows of the two houses will now be 2.8 meters away from *each other*, which has obvious implications for privacy, light and fire safety.
- The south setback on the newly created 1037(?) lot is proposed to be 1.5 meters instead of the required 2.4 meters for habitable space with windows. Since the main living space fenestration of 1035 is on the north elevation, the owner and residents of 1035 are opposed to this variance for reasons of privacy, light, view and safety.

Normally, the rezoning of 1049 and 1037(?) should not occur without the granting of the south setback variance on the existing 1049 building scheduled to become R1-S2, or else the newly created 1037(?) lot would be too narrow (~9 meters) to qualify for the minimum lot width for an R1-S2 zoning (10 meters). See Figure 2.

### **Confusion Regarding Existing and Proposed Zoning Impact on Floor Area**

The Victoria city map database lists the existing site as R1-G zoning. While owners and designers assert that it is R1-B zoned. With regards to the new zone, it is listed as R1-G2 on the Community Petition handed out by the proponents, but it is listed as R1-S2 on the Community Development Proposal meeting. If it is to become R1-G2, then the allowable floor area is reduced to 160 m<sup>2</sup> instead of 190 m<sup>2</sup>, making the existing proposal (at approximately 190 m<sup>2</sup>) too large for the site.

### **Difference between this proposal and other Small Lot subdivisions in the Neighbourhood**

The existing 1049 lot is only ~21.8 meters wide. A previously subdivided lot in the neighbourhood (1019/1025) was approximately 28 meters wide before subdivision. When it was subdivided, 1019 remained an R1-G lot (approx. 18 meters wide) while 1025 became R1-S2 (10 meters wide). The proposed division of lot 1049 will produce two R1-S2/G2 lots (both less than 15m wide), one of which will already be in violation of the Small Lot zoning by-laws based on the existing construction (setbacks and height).

### **View, Light and Privacy Impact on Neighbouring Lots**

- The existing construction at 1049 is more than 10m tall at the peak according to drawings produced by Banks Design. While the drawing don't show the official building height (midpoint of peak to eaves), it is likely about 8.5m since the eaves are at the height of the 1035 property which measures 7.1m at the peak. This is already taller than what is allowed on an R1-G, R1-B or R1-S2 lot. The proportions of this existing building on a Small Lot will have an impact on light and view for the newly created 1037(?) lot.
- The proposed construction of 1037(?) is more than 7m tall according to the illustrations provided by Banks Design. Which this is allowable for an R1-S2/G2 lot, the requested south side setback variance causes unreasonable view and light obstruction for 1035, which currently receives all of its sky views and natural light from the north side. See **Figure 3** and **Figure 4** (*These images are rendered using the Banks Design measurements and plans provided to us with the Community Petition on April 6, 2014*).
- The requested side setback variances mean that the upper bedroom and den of 1037(?) will end up looking into the living room of 1035 from a short distance, having an impact on privacy.
- The single sloped roof angled away from the 1035 property presents the residents of 1035 with an unreasonably tall elevation. While the official height of the building (midpoint of peak to eaves) is within the limits, the sheer wall facing 1035 is the height of the peak, effectively expanding the height of the building for shading and obstruction purposes.

### Loss of Green Space for Front Parking

The updated designs proposed at the April 22<sup>nd</sup> community meeting indicated what appeared to be a large concrete parking pad in the front of the houses, shared between the two properties (not shown in Figure 1). If this is indeed the case, it would appear to go against the R1-G design guidelines (1.6.7a). It's unclear whether the design guidelines on front parking are similar for R1-G2 zoned lots? It also appears to contradict the guidelines in Schedule C.3 regarding front parking.

### Conclusion

The owners and residents of 1035 are opposed to this rezoning proposal due to the scale of construction, the large number of variances required to make it feasible, and the short and long term impacts on neighbouring properties' privacy, light and safety.

Our concern is that this proposal appears to represent an attempt to maximize sale revenue by permanently sacrificing the character of a beautiful and unique piece of land and green space.

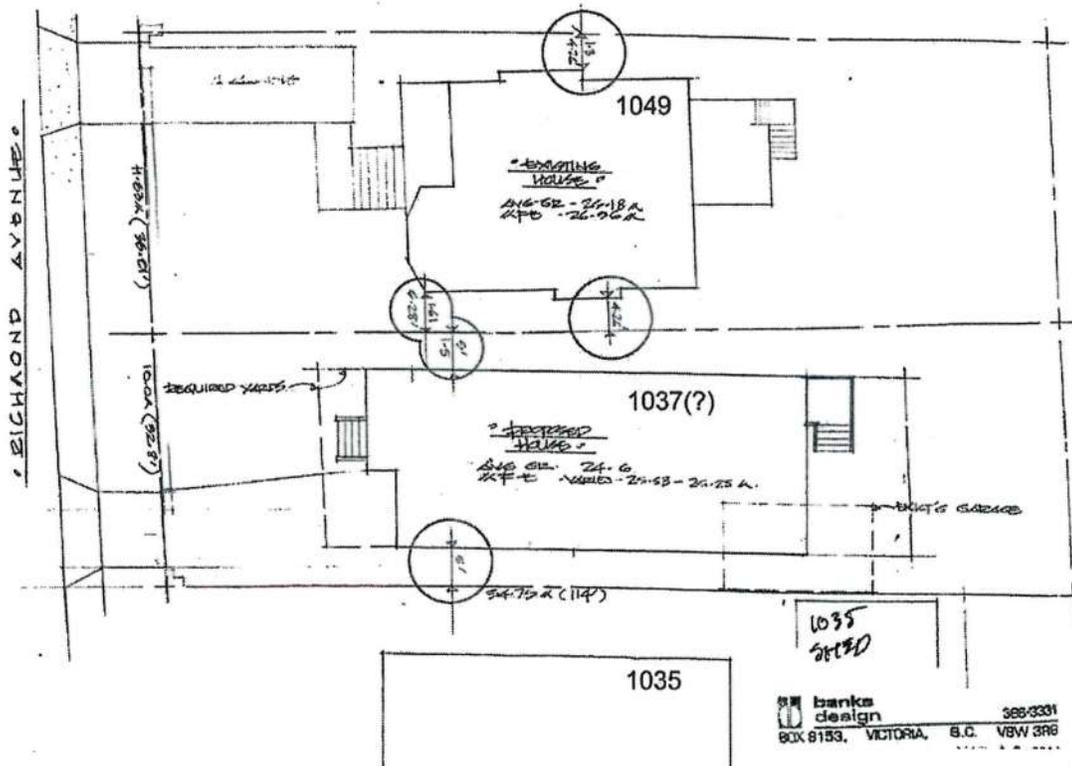


Figure 1-Proposed lot with existing and proposed variances marked in red<sup>3</sup>

<sup>3</sup> Drawings from April 6. Note that these drawings do not reflect modifications made by the proponents since then, including revised parking layouts.

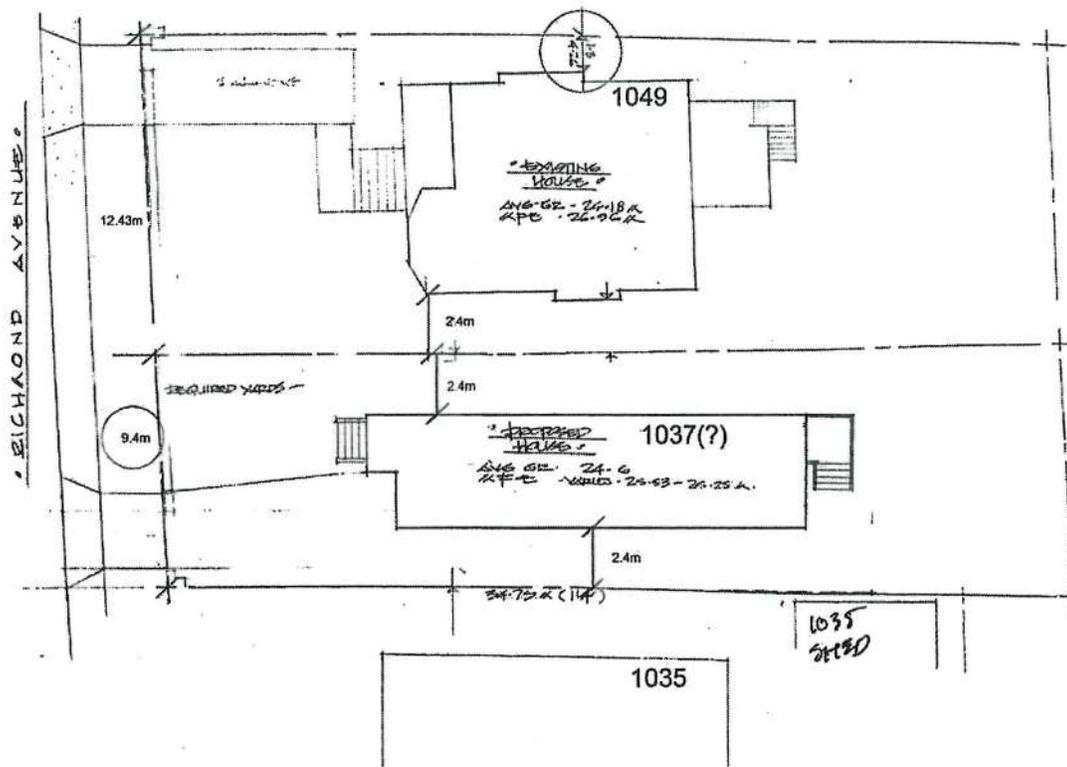


Figure 2-Site map with correct side setbacks; 1037(?) site is now too narrow to comply with R1-S2 minimum width. The existing side setback variance at 1049 north remains circled in red. Maximum width of construction at 1037(?) is now 4.6m instead of 7m.

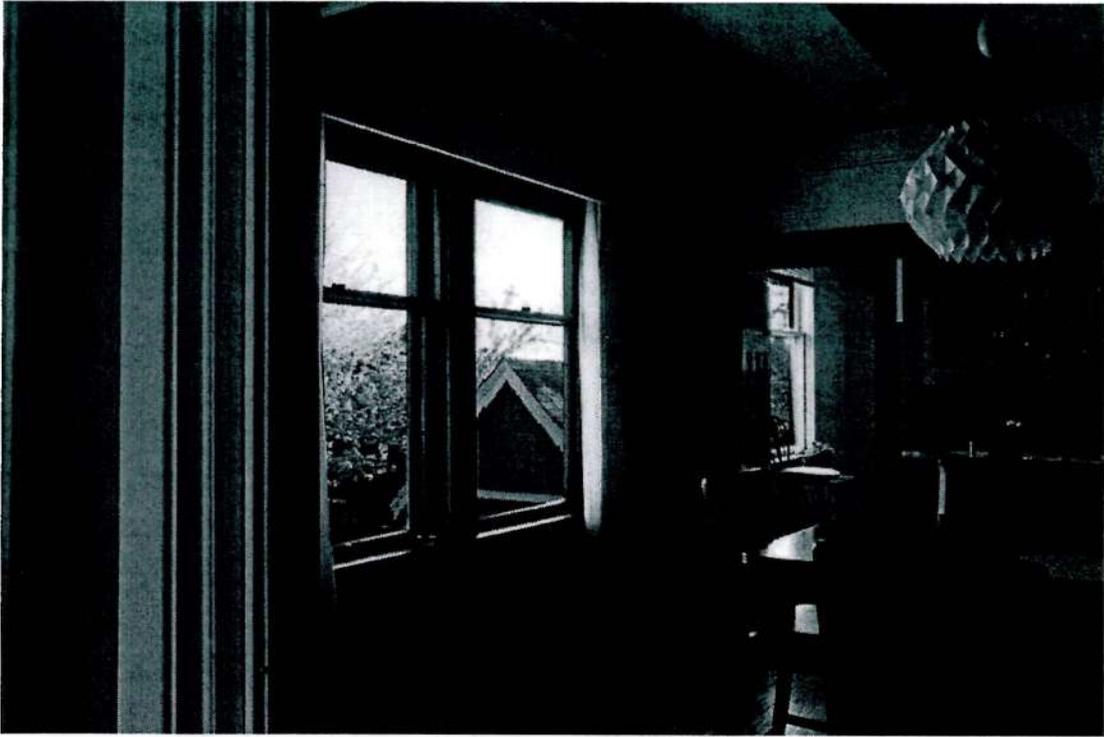
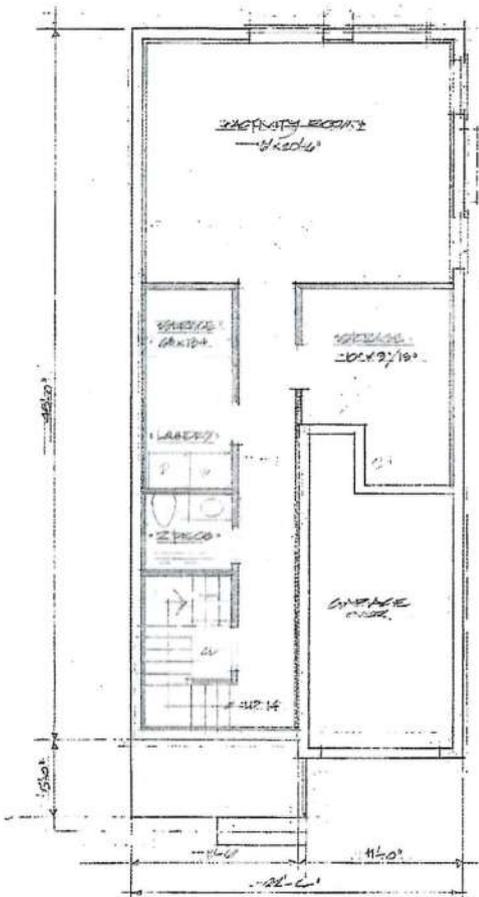


Figure 3-View North-East from 1035 (current)

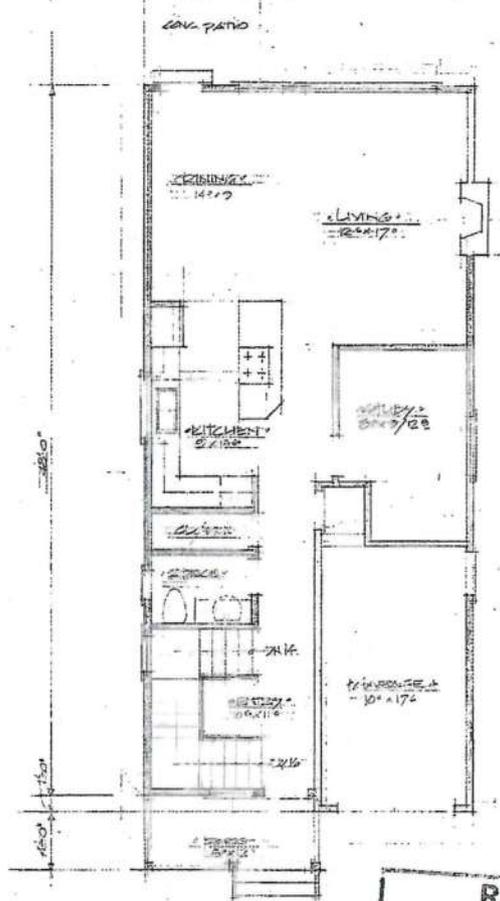


Figure 4-View North-East from 1035 (after proposal)

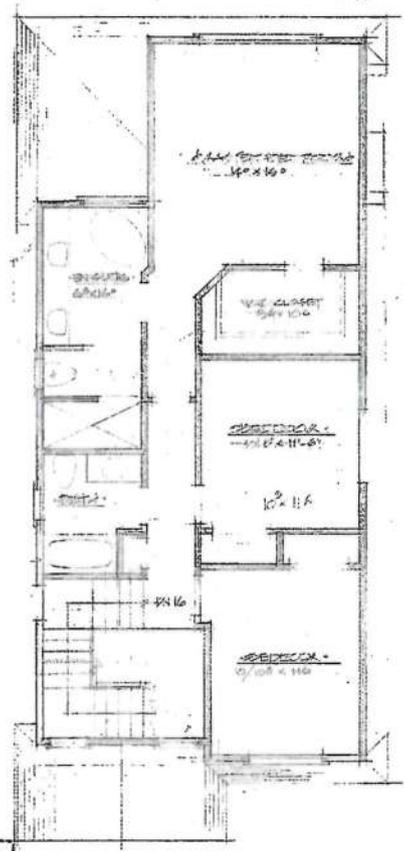




FINISHED PLAN & ELEVATIONS  
70.39 x 39 (2767.4 SF)



MAIN FLOOR PLAN  
72.66 x 39 (2822.5 SF)



UPPER FLOOR PLAN  
80.52 x 39 (3121.6 SF)

Received  
City of Victoria  
NOV 26 2014  
Planning & Development Department  
Development Services Division

REVISED: NOV 27 2014 REDUCED TO E162

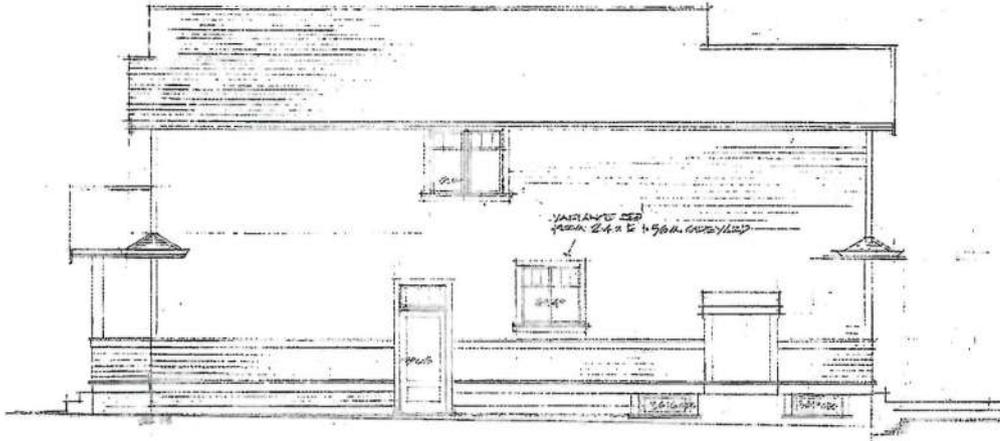
  
 banks design  
 1000 W. 10th St. Suite 100  
 Vancouver, BC V6J 1A8  
 TEL: 604.681.1111  
 WWW.BANKSDSIGN.COM

REFLECTORISED RESIDENTIAL REFINEMENT  
 by  
 SHAWN & JESSICA PINE &  
 JESSICA PINE ARCHITECTURE  
 1000 W. 10th St. Suite 100  
 Vancouver, BC V6J 1A8  
 TEL: 604.681.1111  
 WWW.JESSICAPINE.COM

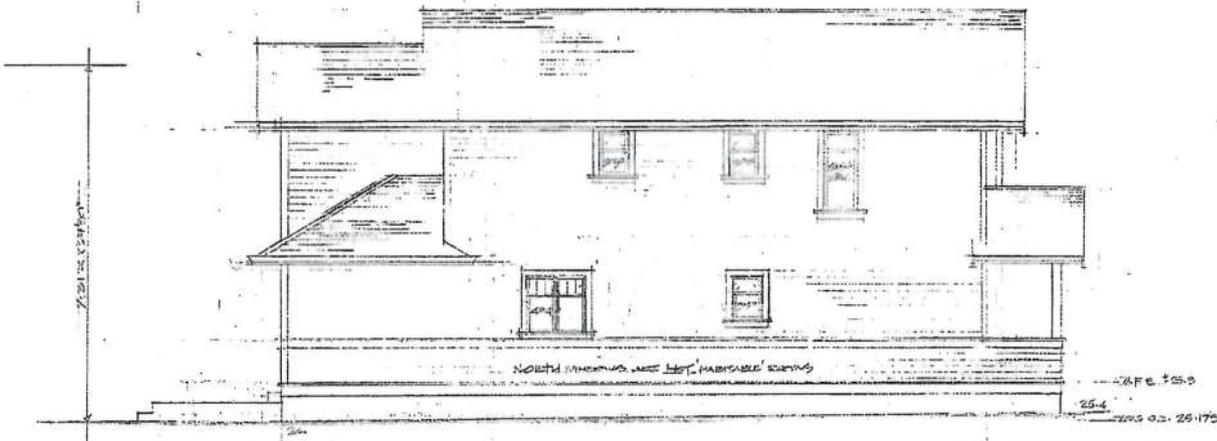
Planning and Land Use Committee - 05 Feb 2015  




FRONT ELEVATION



NORTH ELEVATION



NORTH ELEVATION

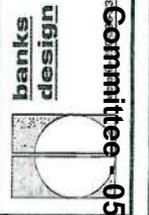


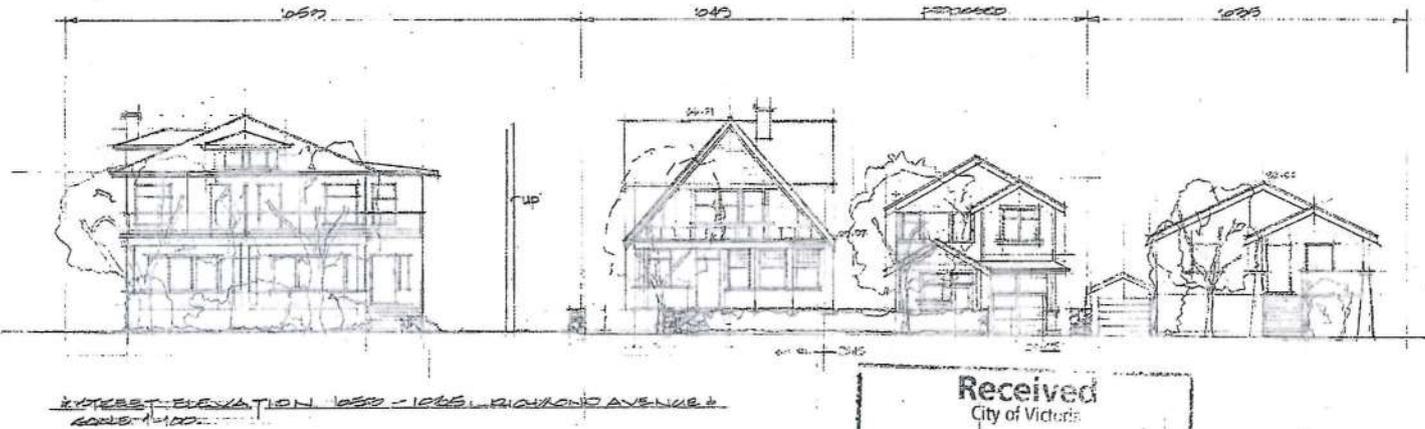
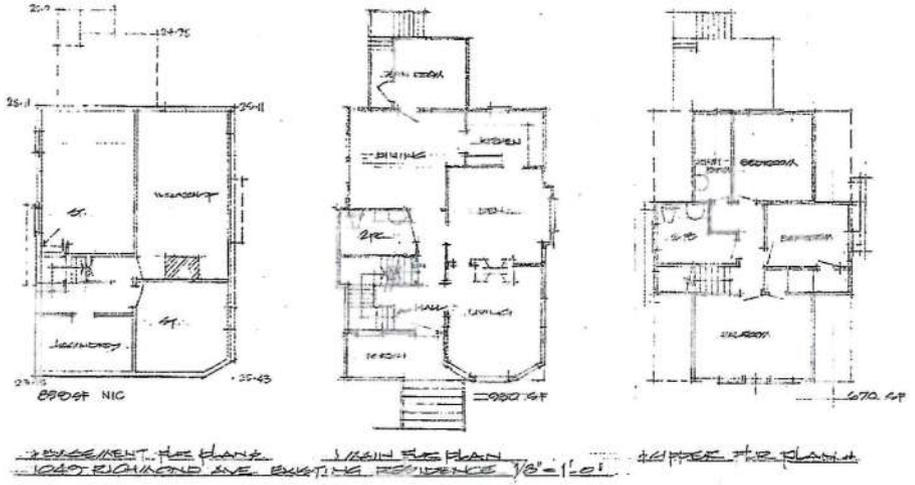
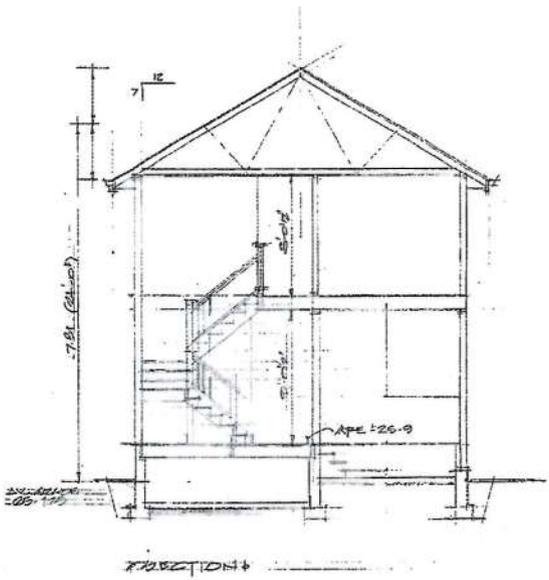
EAST ELEVATION

Received  
City of Victoria  
NOV 26 2014  
Planning & Development Department  
Development Services Division

PROJECT NO. 1049  
1049 RICHMOND AVENUE  
VICTORIA BC V8M 1A1  
ARCHITECT  
BANKS DESIGN

REVISIONS  
DATE  
DESCRIPTION  
1  
2014.11.26  
REVISED - DRAWING TO 2192 STANDARD - NOV 26 14





Received  
City of Victoria  
NOV 26 2014  
Planning & Development Department  
Development Services Division

TRINITY, L.P. &  
BANKS DESIGN  
PROJECT: BANKS  
ADDRESS: 1049 RICHMOND AVE  
DATE: 11/17/14

PROPOSED ESSENTIAL DEVELOPMENT  
FOR  
PARKS ASSESSMENT OF ENVIRONMENTAL DATA  
FOR BEST PRACTICES IN PLANNING & DESIGN

banks  
design



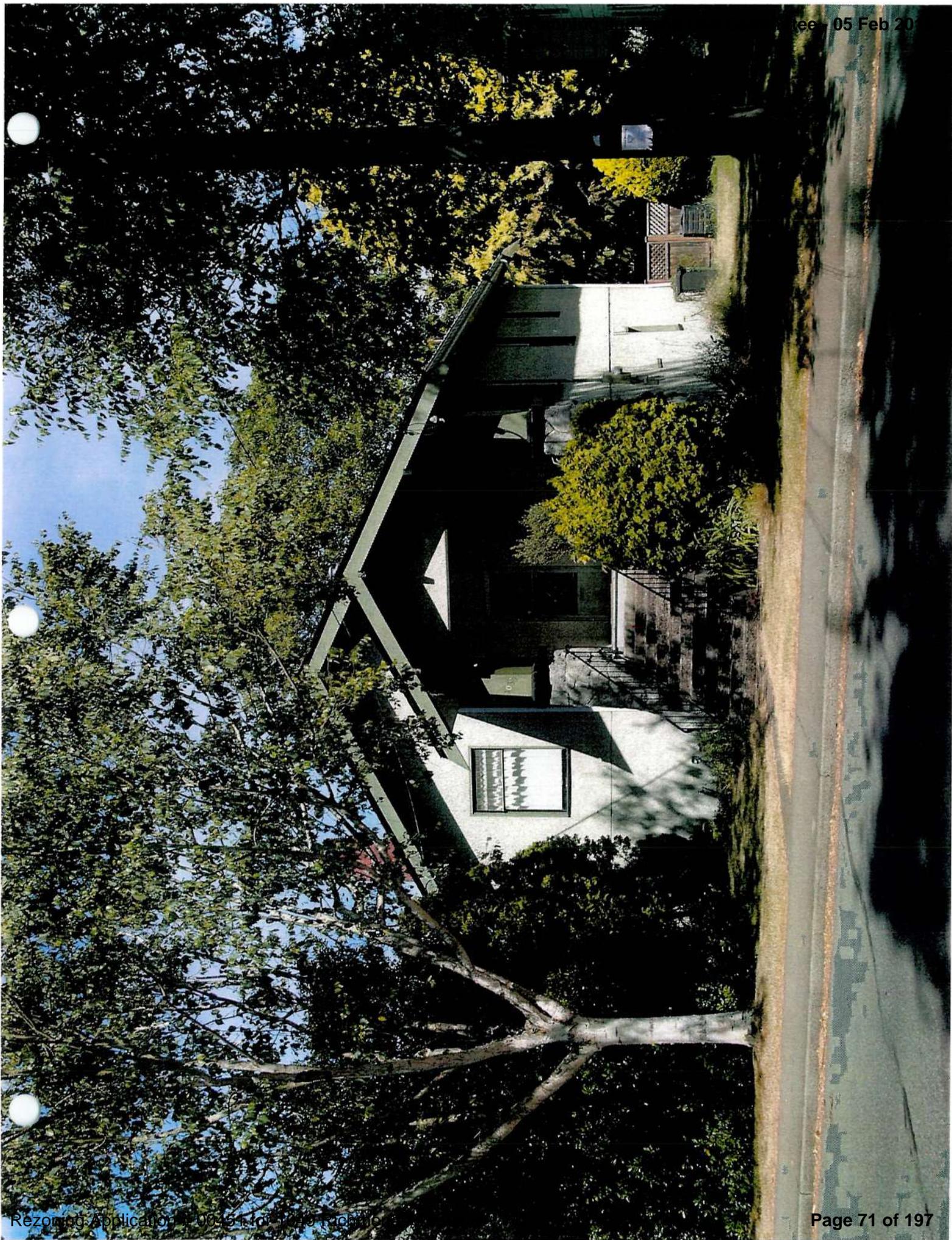
# 1049 Richmond Avenue

proposed small lot development





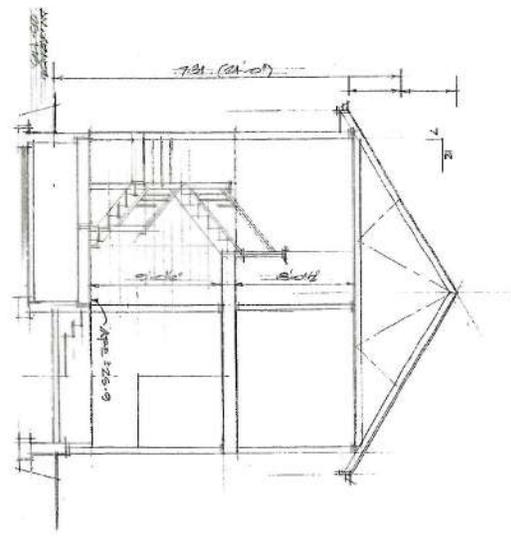




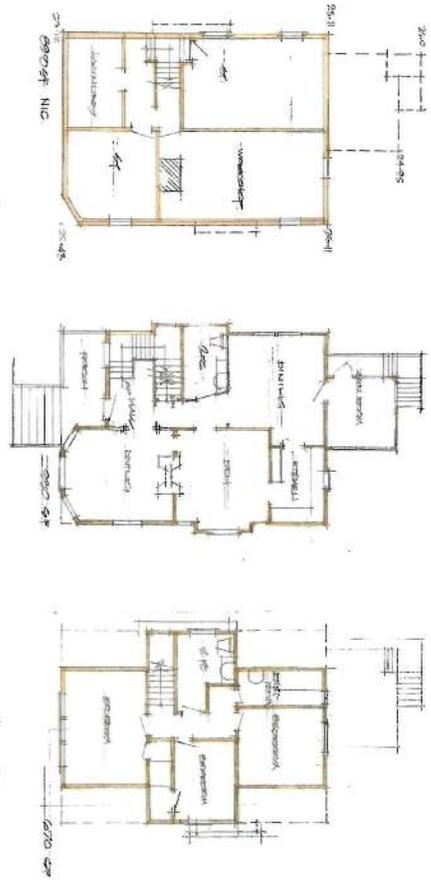
STREET ELEVATION WEST - 1049 RICHMOND AVENUE



SECTION



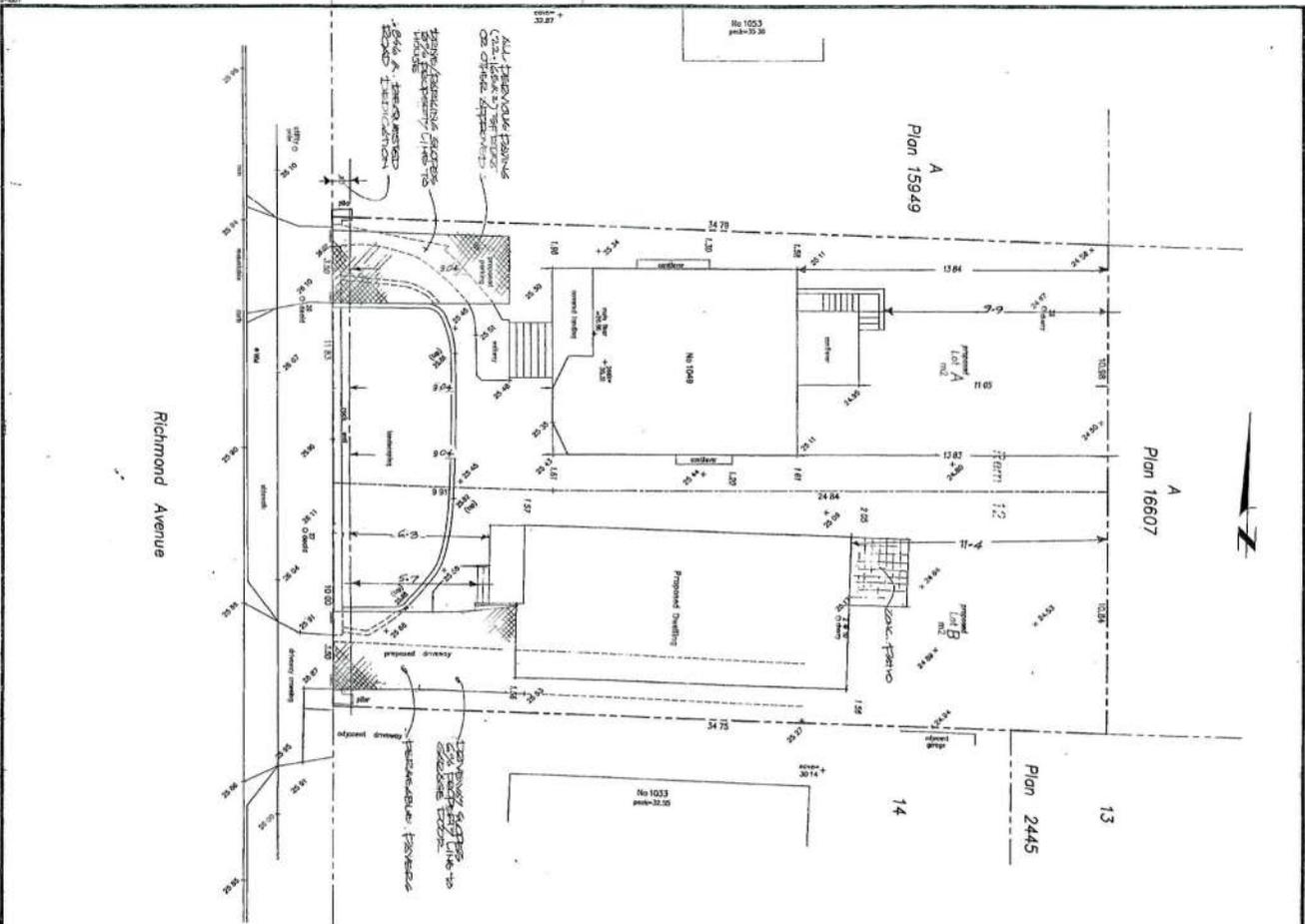
REAR ELEVATION EAST - 1049 RICHMOND AVENUE



PROPOSED RESIDENTIAL REDEVELOPMENT  
 for  
 1049 RICHMOND AVENUE  
 STREET ELEVATIONS & SECTIONS  
 VICTORIA, BC

DRAWN BY:  
 DESIGNER:  
 DATE: JULY 2, 2014





**BC LAND SURVEYORS SITE PLAN OF:**  
 Civic: 1049 Richmond Avenue  
 Legal: Lot 12, Section 74, Victoria District  
 Plan 2445, Except Part in Plan 16607  
 Parcel Number: 006-573-027



Prepared for: [Name]  
 Date: [Date]  
 Project: [Project Name]

**PROPOSED DATA (ZONE R162) 2**

ITEM	REQUIREMENT	PROPOSED DATA	COMMENTS
LOT AREA	900 sq m	869.87 sq m	
LOT COVERAGE	80%	22.67%	
MINIMUM FRONT SETBACK	1.8 m	1.8 m	
MINIMUM SIDE SETBACK	1.8 m	1.8 m	
MINIMUM REAR SETBACK	1.8 m	1.8 m	
MINIMUM FRONT YARD GREENS	50%	67%	
MINIMUM SIDE YARD GREENS	50%	6%	
MINIMUM REAR YARD GREENS	50%	6%	

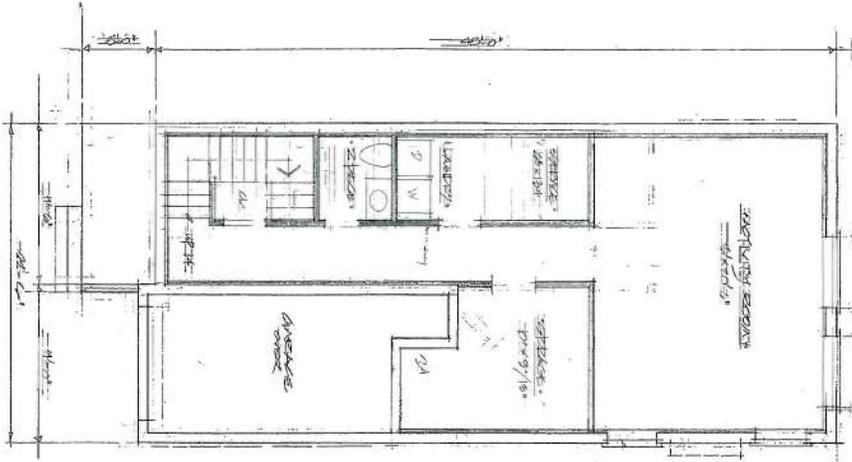
REVIEWED - RETURN TO DESIGNER FOR REVISIONS  
 DATE: [Date]

**banks design**  
 1049 RICHMOND AVE. VICTORIA, B.C.  
 PREPARED FOR: ANN MARR & JULIAN PAINE  
 SURVEYOR'S SITE PLAN & PROJECT DATA

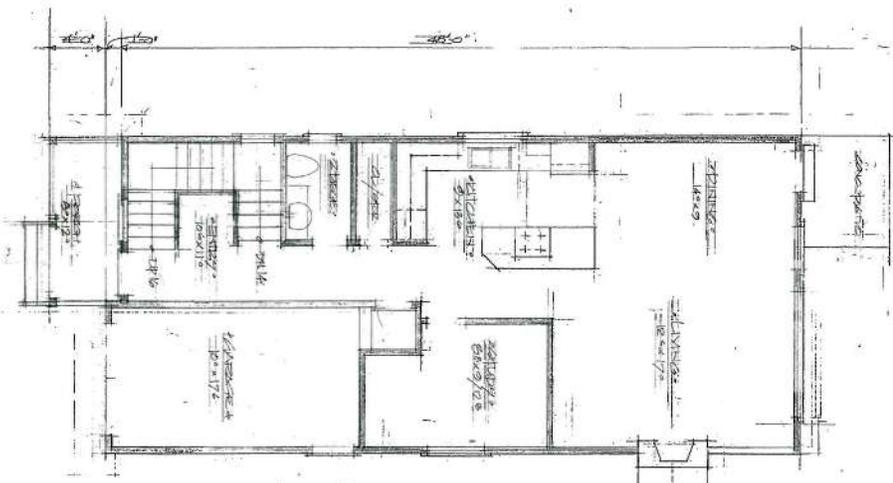
DESIGNED BY: [Name]  
 DRAWN BY: [Name]  
 DATE: JULY 7, 2014



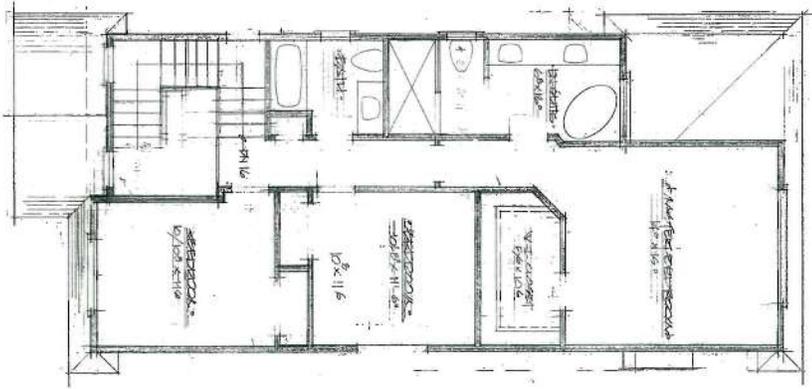
1st FLOOR PLAN & EXTERIOR BUILD  
702' x 21' (702' x 21')



2nd FLOOR PLAN  
702' x 21' (702' x 21')



3rd FLOOR PLAN  
702' x 21' (702' x 21')



DATE: NOV 24, 2014

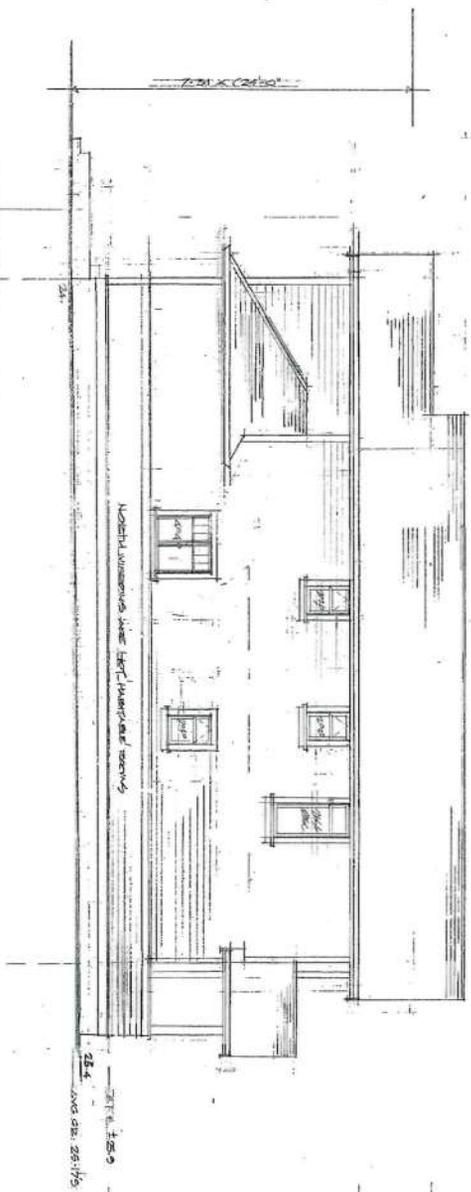


PROPOSED RESIDENTIAL DEVELOPMENT  
FOR  
ANN MARR & JULIAN PAINE  
3 FLOOR PLANS &  
1042 RICHMOND AVE  
VICTORIA BC V8M 1K4

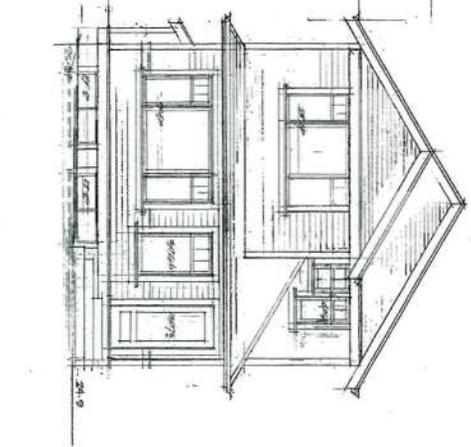
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CHECKED BY: [Signature]  
DATE: NOV 24, 2014  
DRAWN BY: [Signature]

CONCEPT ONLY  
SCALE

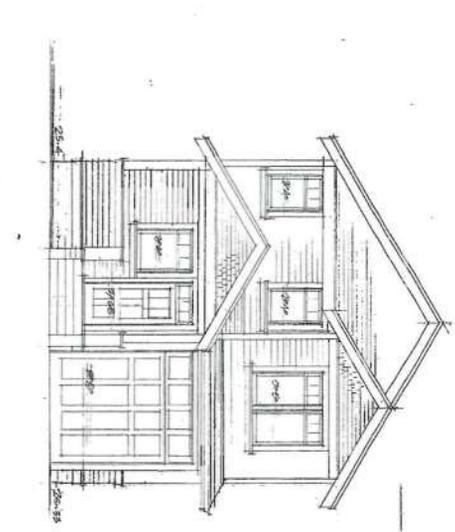
WEST ELEVATION



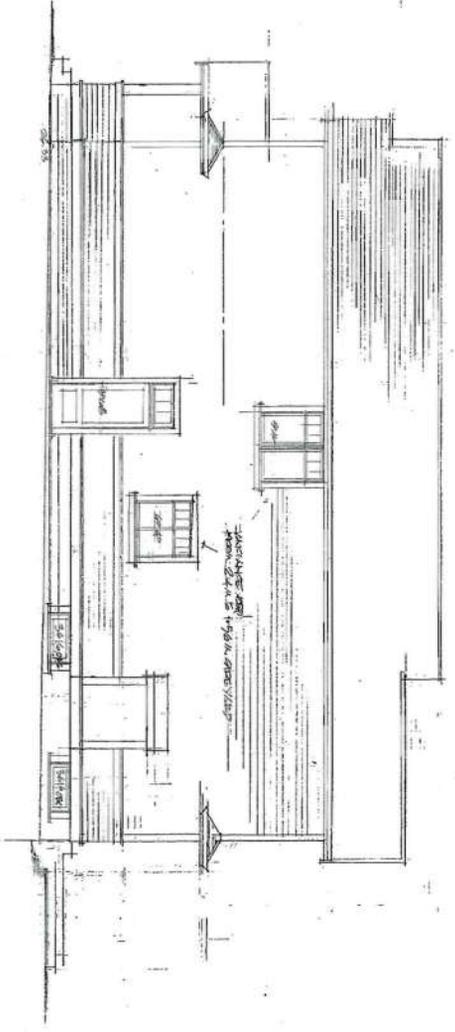
EAST ELEVATION



REAR ELEVATION



FRONT ELEVATION



PROPOSED RESIDENTIAL REDEVELOPMENT  
for  
ANN MARE & JULIAN PAINE  
ELEVATIONS  
1049 RICHMOND AVE.  
VIC 3101, VIC.

DESIGN: T. W. / M. B.  
DESIGN: BANKS  
SCALE: 1/4" = 1'-0"  
DATE: JULY 7, 2014  
PROJECT NO. 1049







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

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**To:** Planning and Land Use Committee **Date:** January 23, 2015  
**From:** Brian Sikstrom, Senior Planner, Development Services Division  
**Subject:** **Development Permit with Variances - Concurrent Application #00451 for 1049 Richmond Avenue**

---

**RECOMMENDATION**

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application 00451, if it is approved, Council consider the following motion:

“That Council authorize the issuance of Development Permit Application # 00451 for 1049 Richmond Avenue, in accordance with:

1. Plans date stamped August 27 and November 26, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Part 4 (2) (a): height increased from 7.50m to 8.55m for the existing single family dwelling;
  - ii. Part 4 (2) (b): height increased from 1.5 storeys with basement to 2 storeys with basement for both the existing and proposed single family dwelling;
  - iii. Part 7 (1): site coverage increased from 30% to 33.04% for the proposed single family dwelling;
  - iv. Part 9 (1) (c): south side yard reduced from 2.40m to 1.56m for the proposed single family dwelling;
  - v. Part 9 (1) (c): north side yard reduced from 2.40m to 1.30m (cantilever portion only) and south side yard reduced from 2.40m to 1.20m (cantilever portion only) for the existing single family dwelling;
  - vi. Schedule C 3: parking behind the front wall of the building relaxed to permit one parking stall in the front yard of the existing single family dwelling.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services, Sustainable Planning and Community Development Department.”

**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 1049 Richmond Avenue.

There are variances requested for both the existing and proposed single family dwellings and these relate to building height, number of storeys, proposed side yards and front yard parking.

The following points were considered in assessing this Application:

- This proposal is in keeping with the *Official Community Plan, 2012* and *Gonzales Neighbourhood Community Plan, 2002* objectives for sensitive infill development.
- The proposed design complies with the *Design Guidelines for Small Lot Houses, 2002*. The traditional design and massing of the new house fits in with the existing older houses in the area.
- The requested variances are supportable within the context of the site and neighbouring houses.

## 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), where the purpose of designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development, including landscaping, siting, form, exterior design and finish of buildings and other structures.

## BACKGROUND

### Description of Proposal

The proposal is for the construction of a new small lot single family dwelling. The proposed new house would be two storeys with a basement and would have three bedrooms and a single vehicle garage. The design is traditional with a pitched roof and raised front porch.

Materials include:

- composite cement siding
- cedar shingles
- painted wood
- concrete
- fibreglass asphalt shingle roofing.

The existing house is two storeys with a basement and has three bedrooms. A single vehicle parking space is proposed in the front yard.

The proposed site plan includes:

- retention of most of the existing front yard landscaping and fencing including a rock wall
- the provision of pervious panels in the driveways
- retention of existing landscaping and screening along the rear property lines.

The variances requested are:

- both houses would have two storeys and a basement, while the Zone permits one and half storeys with a basement
- the existing house would have parking located in the front yard instead of behind the front of the house
- the south side yard of the proposed new house and both side yards of the existing house would be less than the minimum Zone standard
- the height of the existing house is above the maximum Zone standard
- the site coverage of the proposed house would above the maximum Zone standard.

**Sustainability Features**

As indicated in the applicant’s list of sustainability features (attached), the following sustainability features are associated with this application:

- high efficiency gas furnace , “on-demand” water heater
- heat recovery ventilation
- energy star appliances
- additional insulation/draft protection
- low flow toilets and showers
- energy star windows
- pervious driveway paving
- rain barrels/rain water collection.

**Existing Site Development and Development Potential**

The site is presently occupied by a single family dwelling built in 1909.

Under the current R1-G Zone, Gonzales Single Family Dwelling District, the property could be developed with a new single family dwelling of up to 300m<sup>2</sup>, which may include a secondary suite. The lot size meets the criteria for consideration of a rezoning to duplex.

**Data Table**

The following data table compares the proposal with the R1-G2 Zone, Gonzales Small Lot District. An asterisk is used to identify where the proposal is less stringent than the existing Zone.

Zoning Criteria	Proposed House	Existing House	R1-G2 Zone Standard
Site area (m <sup>2</sup> ) – minimum	350	389	300
Total floor area (m <sup>2</sup> )	209	232	
1 <sup>st</sup> and 2 <sup>nd</sup> floors (m <sup>2</sup> ) – maximum	159	149	160
Basement (m <sup>2</sup> )	50 <sup>1</sup>	83 <sup>1</sup>	
Density (Floor Space Ratio) – maximum	0.45:1	0.38:1	0.55:1
Lot width – minimum	10.84	11.83	10
Height (m) – maximum	7.31	8.55 <sup>2</sup>	7.5

Zoning Criteria	Proposed House	Existing House	R1-G2 Zone Standard
Storeys – maximum	2* (with basement)	2 (with basement) <sup>2</sup>	1.5 (with basement)
Site coverage (%) – maximum	33.04*	28.6	30
Open site space (%) – minimum Front Yard	60.3	63.5	50
Setbacks (m) – minimum			
Front	6	7.1 (front steps)	6
Rear	11.4	9.9	9.1
Side (north)	1.57	1.58* (bldg. face)/1.30* (cantilever)	1.5/2.40 (habitable room)
Side (south)	1.56*	1.61*(bldg. face)/ 1.20* (cantilever)	1.5/2.40 (habitable room)
Parking – minimum	1	1 (front yard)*	1 (side or rear yard)

Notes:

1. Basement floor area exempt
2. The existing house is currently non-conforming with respect to height and storeys under the existing R-1-G Zone, Gonzales Single Family Dwelling District.

**Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield-Gonzales CALUC at a Community Meeting held on April 22, 2014. A letter dated April 22, 2014, is attached to this report. This is a requirement associated with Rezoning Applications.

In addition, in accordance with the City’s *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 85% support the Application. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to the Rezoning report.

**ANALYSIS**

**Development Permit Area and Design Guidelines**

The proposal is subject to review under DPA 15A, Intensive Residential Small Lot Development. The applicable design guidelines are the *Design Guidelines for Small Lot Houses, 2002*. Staff have reviewed this small lot house proposal for compliance with the applicable Guidelines and are generally satisfied with the design of the proposed new house and its height which are in keeping with the other houses in the area.

The requested variances for the existing house are due in part to its existing height, storeys and location. The request for the reduced south side yard setback is acceptable as there would still be sufficient separation space in relation to the proposed new house which has windows to non-habitable rooms on its north side. The requested variance to allow front yard parking for the existing

house, can be accommodated as the parking stall would be adequately screened from the public realm and neighbours with landscaping and through the retention of the existing stone wall.

The requested reduction in side yard setbacks for the proposed new house relate to two windows to habitable rooms on the south side of the building, however, there is sufficient separation space to mitigate potential privacy concerns. The requested site coverage increase is due to the Right-of-Way dedication required by the City. Without the dedication, the proposed new house would comply with the site coverage requirements.

**CONCLUSIONS**

Overall, the proposal is consistent with the relevant design guidelines and results in a building design which fits in with the surrounding houses. The proposed variances are in several instances a result of existing conditions. Other variances are supportable within the context of the site and neighbouring houses.

**ALTERNATE MOTION**

That Council decline Development Permit with Variances Application #00451 for the property located at 1049 Richmond Avenue.

Respectfully submitted,

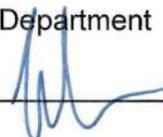


Brian Sikstrom  
Senior Planner  
Development Services Division

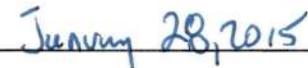


Alison Meyer, Assistant Director  
Development Services Division  
Sustainable Planning and  
Community Development Department

Report accepted and recommended by the City Manager:

  
\_\_\_\_\_  
Jason Johnson

Date:

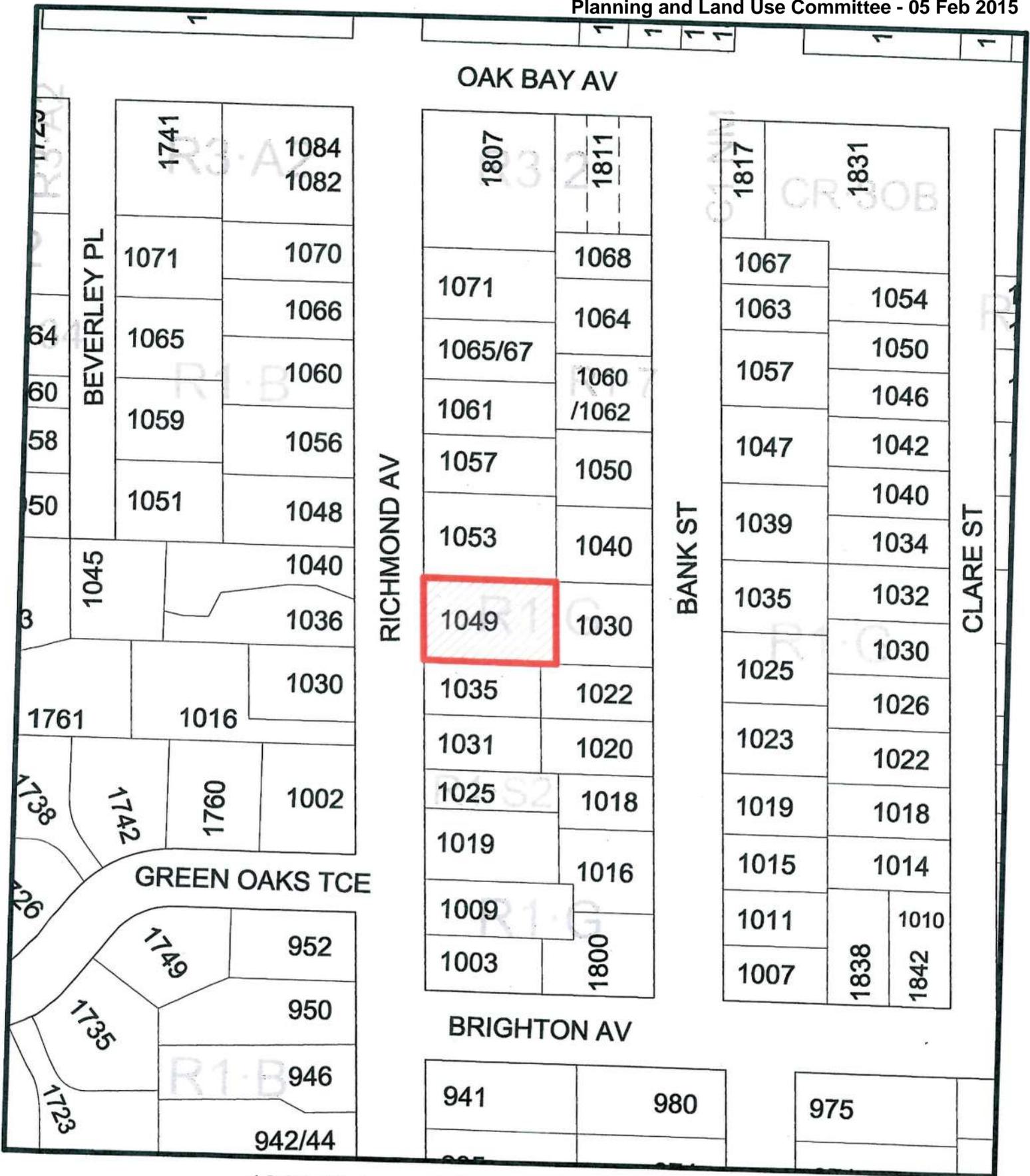
  
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BMS:aw

S:\TEMPEST\_ATTACHMENTS\PROSPERO\PL\REZ\REZ00451\1049 RICHMOND DP REPORT CONCURRENT WITH REZONING JAN 2015 DOC WITH ALISON'S CHANGES.DOC

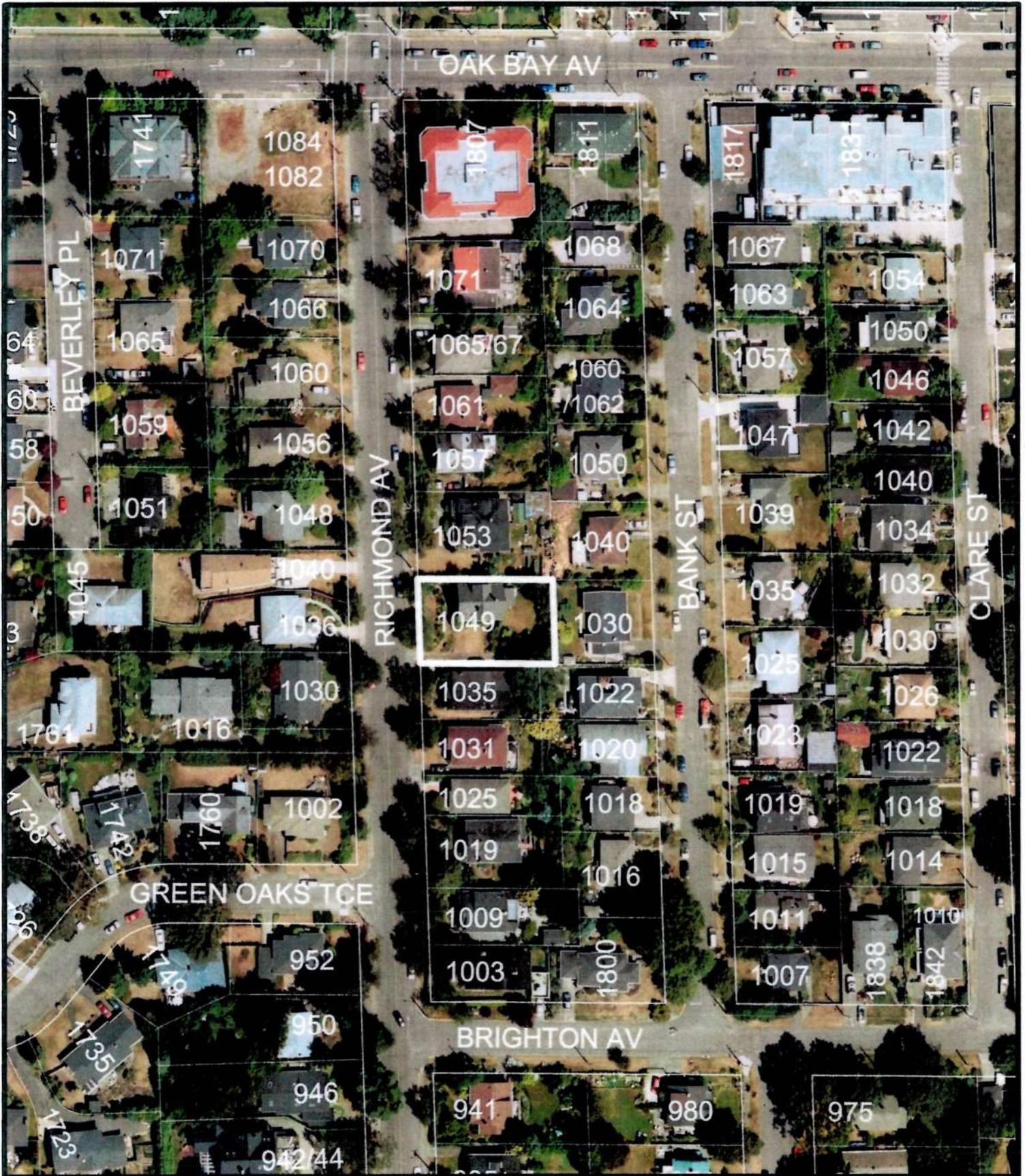
**List of Attachments**

- Zoning map
- Aerial photo
- Letter from Applicant dated January 12, 2015 (with notes on sustainable building features attached)
- Plans for Rezoning Application #00451.



1049 Richmond Avenue  
 Rezoning #00451  
 Bylaw #





1049 Richmond Avenue  
 Rezoning #00451  
 Bylaw #



Development Permit with Variances Application # 00451 for 10...





January 12, 2015

Dear Mayor Helps and Councillors,

**RE: Rezoning Application for a Small Lot Subdivision at 1049 Richmond Avenue**

We are pleased to submit our revised rezoning application to the City of Victoria that seeks your approval to subdivide our existing large lot at 1049 Richmond Avenue and build a new home for ourselves that is more suitable for us as retirees.

We have lived at 1049 Richmond Avenue since 1992 and have raised our two sons in this home while working in town. We have enjoyed the convenient location, the large yard, and traditional living space - the informal basement being a necessity for raising boys and entertaining their friends! With the boys increasingly independent and with us now planning for retirement, we have been thinking about our future housing needs. A house with fewer, larger rooms, a more modern layout and less yard to keep up will work better for us down the road.

We recognize our current personal situation and motivations for pursuing this rezoning may not be central to Council's decision, but we were pleased to discover that our proposal aligns well with the City of Victoria's land use policy. The Gonzales Community Neighbourhood Plan and City of Victoria Official Community Plan both support a small lot subdivision for properties like ours and a number of these have occurred in our neighbourhood. Our neighbourhood contains predominantly single family homes or duplexes, both owner-occupied and rental, but also includes in the immediate vicinity another small lot home (3 doors away), a panhandle lot (across the road) and two-small apartment buildings - one rental (next door on the North side) and the other stratified (immediately to the south-east on Bank Street).

Richmond Avenue is a larger, busier street than others nearby and potentially a good location for infill development. Most importantly, perhaps, the size of our lot and position of our early 1900s house allow us to retain the existing house while creating a small lot for a new two-storey house. If approved, the new house would help maintain the balance of single family homes in our block and in the evolving neighbourhood.

We have considered the City's Small Lot Rezoning Policy and Design Guidelines. We started our process with informal consultations with our neighbours, shared our early design ideas with them and then subsequently attended a community meeting with the Fairfield Gonzales Community Association. We also completed the required rezoning petition process and have support from 85% of our immediate neighbours.

The neighbourhood consultation provided us with valuable input and influenced our decision to pursue a traditional styled home. While our original application involved a proposal for an R1-S2 small lot, which allows for a larger home and greater lot coverage, advice from City staff and feedback from our neighbour on the south side of the proposed new lot have led us to change our application. Our revised proposal would rezone our current R1-G lot into two good sized lots with R1-G2 zoning.

The proposed new home features the following:

- “Traditional” styling with roof pitch, window proportions, trims, and finishes that complement the neighbourhood.
- A raised front porch and strongly visible entry, which are character defining elements of the neighbourhood. The front setback is greater than required and matches that of neighbour to the south.
- Retained rock wall in the front of the home and most of the significant mature front and back yard landscaping which we have cared for over many years.
- Adding a front yard parking stall to the lot of the existing house consistent with the front yard parking requirements in the R1-G Gonzales Single Family Dwelling District.
- Side window placements that consider privacy issues related to our existing home and our neighbours to the south.

While the project is consistent in all important respects with the scale and intent of the proposed zoning, it does require some minor variances. A number are needed for our current house due to its placement on the proposed smaller lot, its height and number of floors and the new parking stall (permitted by bylaw in R1-G Gonzales zones). With respect to the proposed new home on Lot B, the proposed side yard setbacks of 1.5 metres are permitted in the R1-G2 Zone if there are no windows that face neighbours' habitable rooms. We believe, however, that fully blank walls on either side of the new home are inappropriate given that our proposed design allows for a front door entry in the middle of the building that fits well with others in the neighbourhood, rather than an entrance on the side. This design approach also allows for three upstairs bedrooms that will allow a broader range of possible occupants, such as families with children, when we no longer own the home. As documented by our proposal we have minimized the potential privacy and overlook issues with the careful choice of size, placement and type of glass in all of the windows facing neighbours.

Throughout the neighbourhood consultation process we have received positive support for our proposal. The only real concern has been raised by our neighbours to the south at 1035 Richmond Avenue, who are worried about a potential loss of ambient light that could result from having a new home in what is now open yard. The current occupants of the house (it has been a rental property for 30 years or more) are used to indirect light in their North-facing windows where previously that side had been shaded by the leaves and branches of a very large English Oak. The tree unfortunately had to be taken down recently for safety reasons on the recommendation of the City arbourist when severe rot was discovered in its trunk. Even with the proposed placement of the new house, there will still be about 4 metres of space between it and the neighbours at 1035 since their driveway lies between their house and the existing property line.

In response to their concerns we have focused on a traditional styled home with a sloped roof to increase light from the East and West, lowered the height of the building by approximately one foot from our original design to help with northern light, ensured the setback at the front matches their house and are specifying a light colour for the siding, to better reflect light on to their house. To address any worries regarding privacy, we are proposing to have only two windows on the south side of the new house (one required for egress from a bedroom) and their size and glazing will minimize any oversight of the neighbour's kitchen and dining room.

City Planning staff have indicated that the R1-G2 reference zone for small lot infill developments in our neighbourhood has a lot coverage ratio of 30% (compared to 40% in other City neighbourhoods). We have revised our submitted plans to this standard by downsizing the proposed house in both lot coverage and floor area. The City Engineering Department has indicated, however, that should this proposal be approved by Council, we will be required to transfer 0.86 meters of land across the front of both lots to the City to provide for right of way in case Richmond Avenue needs to be widened in future. In the case of the proposed new lot, this dedication will reduce its size to the point that, even with the proposed new house designed below the maximum in the R1-G2 zone, the lot coverage ratio *after* the requested dedication would be marginally over the maximum. City staff have indicated that this will necessitate a technical variance.

We believe our proposal is a sensitive small lot subdivision proposal that ensures the retention of our existing home for the foreseeable future and adds a complementary new home into the neighbourhood. We have canvassed all of the neighbours in our block of Richmond and adjoining properties on Banks Street to show them our final proposed design and have received good support for the new house. We look forward to the opportunity to present this application to Mayor and Council.

Yours sincerely,



Julian Paine and Ann Marr

o 1049 RICHMOND AVENUE o

SUSTAINABLE BUILDING FEATURES

HIGH EFFICIENCY GAS FURNACE, 'ON-DEMAND'  
WATER HEATER

HEAT RECOVERY VENTILATION

ENERGY STAR APPLIANCES

ADDITIONAL INSULATION/DRAFT PROTECTION

LOW FLUSH TOILETS

LOW FLOW SHOWERS

ENERGY STAR WINDOWS

PERVIOUS PAVING AS SHOWN

RAIN BARRELS/RAIN WATER COLLECTION

Received  
City of Victoria

JAN 22 2015

Planning & Development Department  
Development Services Division

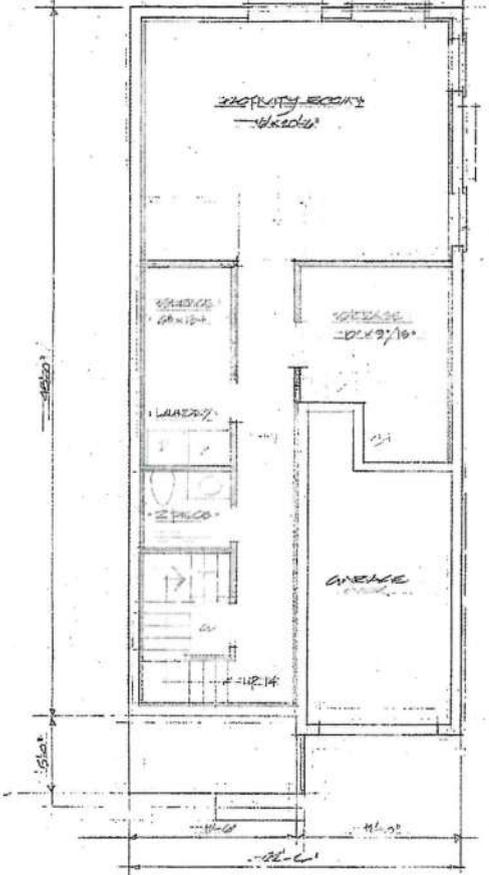
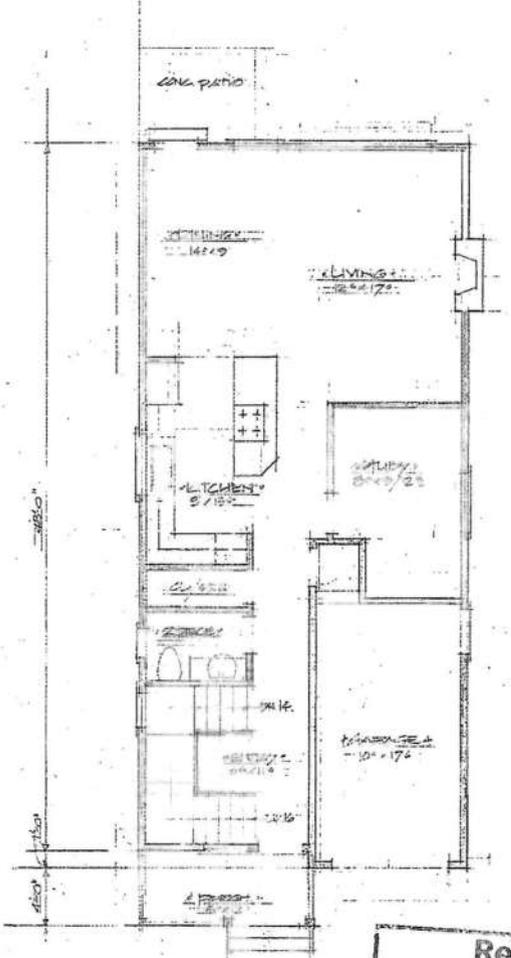
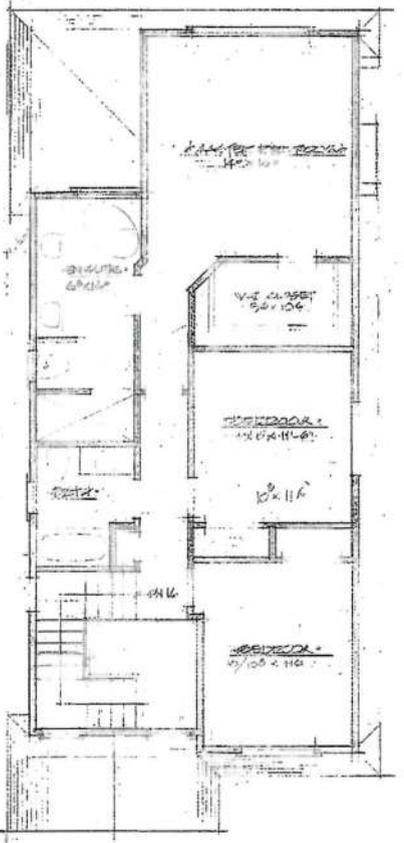
Planning and Land Use Committee - 05 Feb 2015



ARCHITECT: **AFPA**  
 PROJECT: 100451  
 DATE: NOV 24, 2014

PLANNING AND LAND USE COMMITTEE  
 05 FEB 2015

banks design  
 RECEIVED  
 NOV 26 2014  
 Planning & Development Department  
 Development Services Division



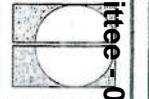
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 Development Services Division



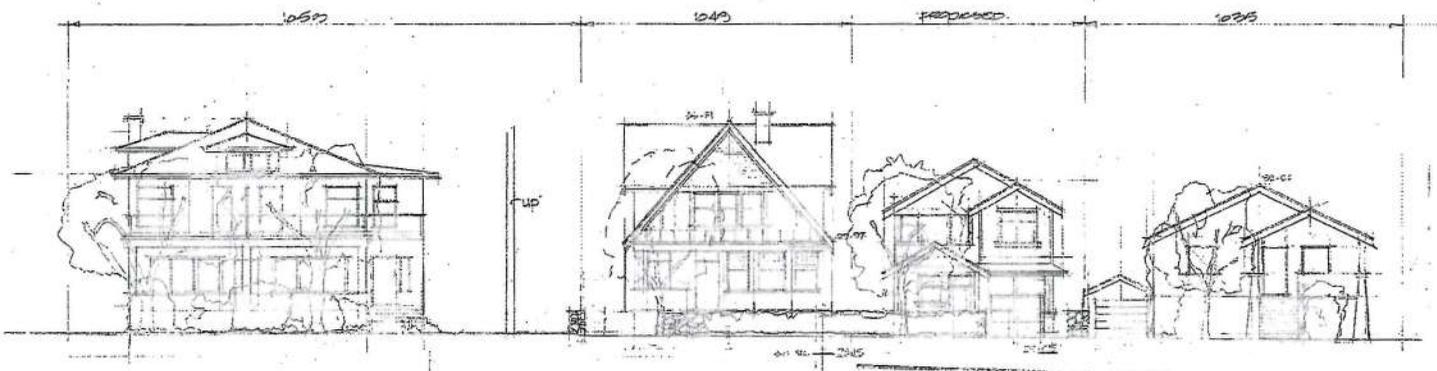
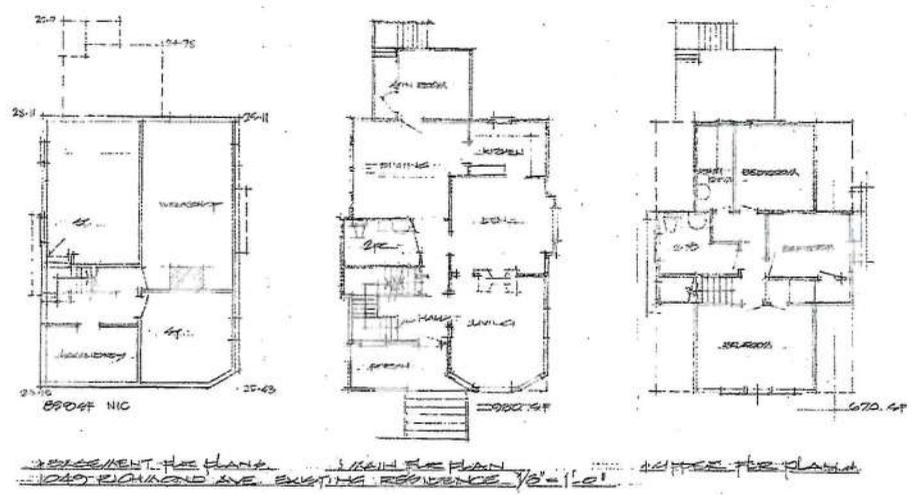
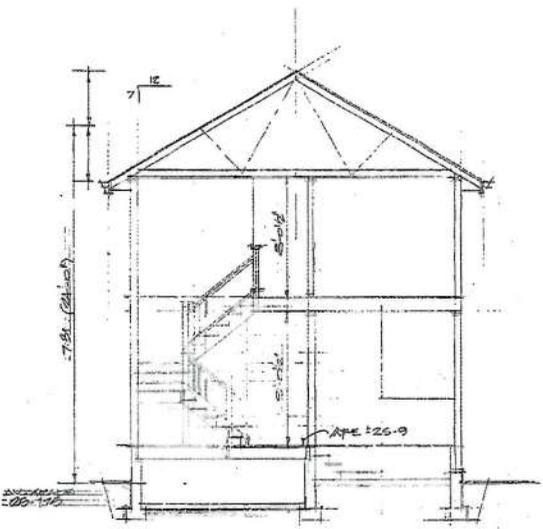
PROJECT NO. 14-001  
 DATE: 10/20/14  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

DEVELOPMENT PERMIT WITH VARIANCES  
 1049 RICHMOND AVE. EXISTING RESIDENCE 1/2" = 1'-0"

banks design  
 architectural & interior design



Planning and Land Use Committee - 05 Feb 2015



Received  
 City of Victoria  
 NOV 26 2014  
 Planning & Development Department  
 Development Services Division





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

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**To:** Planning and Land Use Committee **Date:** January 22, 2015  
**From:** Helen Cain, Senior Planner, Development Services Division  
**Subject:** **Official Community Plan Amendment Application and Rezoning Application #00435 for 1310 Gladstone Avenue** –Update on Statutory Requirements for Consultation During OCP Amendment

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**RECOMMENDATION**

Staff recommend that Committee forward this report to Council and consider the updated motion related to consultation requirements pertaining to the proposed Official Community Plan Amendment (changes shown in bold below):

- "1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advancing to a Public Hearing:
  - a. **That Council determine, pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers immediately adjacent to the subject properties; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.**
  - b. **That Council determine, pursuant to section 879 (2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.**
  - c. That Council consider consultation under Section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
  - d. That Council give first reading to the Official Community Plan Amendment Bylaw;

- e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
  - f. That Council give second reading to the Official Community Plan Amendment Bylaw;
  - g. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
- a. Registration on the relevant property title of the following:
    - i. Section 219 Covenant to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
    - ii. Housing Agreement to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
    - iii. Statutory Right-of-Way of 1.524m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
    - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
    - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Assistant Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
  - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
  - b. Development meeting all *Zoning Regulation Bylaw* requirements;

- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Assistant Director of Sustainable Planning and Community Development.”

## LEGISLATIVE AUTHORITY

In accordance with section 876 of the *Local Government Act*, Council may adopt one or more Official Community Plans. Pursuant to section 137(1)(b) of the *Community Charter*, the power to amend an *Official Community Plan* is subject to the same approval and other requirements as the power to adopt a new *Official Community Plan* Bylaw.

## EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a request for an *Official Community Plan 2012* (OCP) amendment, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

On October 23, 2014, Council (minutes attached) advanced these Applications to a Public Hearing in a motion that included Council consideration of consultation for the OCP amendment as recommended in an earlier staff report (dated October 2, 2014, attached).

This report provides an expanded recommendation that addresses statutory obligations for consultation on the proposal to amend the Urban Place Designation of the subject properties from Traditional Residential to Small Urban Village. Specifically, staff recommend that notice of the proposed OCP Amendment be provided to the adjacent property owners and occupiers and that notice be posted on the City’s website in advance of first and second reading of the OCP Amendment. The notice will invite affected persons, organizations and authorities to ask questions of staff and to provide any written or verbal comments to Council for their consideration.

### Statutory Requirements for OCP Amendment Consultation

The *Local Government Act* (LGA) Section 879(1) requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by an amendment to the OCP. Consistent with Section 879 (2)(a) of the LGA, Council must further consider whether consultation should be early and ongoing. This statutory obligation is in addition to the Public Hearing requirements. In this instance, staff recommend for Council’s consideration that notifying the immediately adjacent owners and occupiers of land along with posting a notice on the City’s website will provide adequate opportunities for consultation with those affected.

The OCP Amendment Application to change the Urban Place Designation of 1310 Gladstone Avenue from Traditional Residential to Small Urban Village will allow for increased density and commercial residential mixed uses across the site. Given the surrounding area is primarily commercial buildings, multiple dwellings, duplexes and single family dwellings and given that through the Community Association Land Use Committee (CALUC) Community Meeting

process all owners and occupiers within a 200m radius of the site were notified and invited to participate in a Community Meeting; the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 879(2)(a) of the LGA, is not recommended as necessary.

Respectfully submitted,

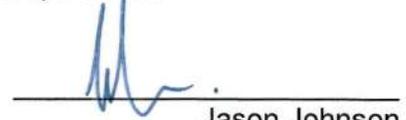


Helen Cain  
Senior Planner  
Development Services Division



Alison Meyer, Assistant Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
\_\_\_\_\_  
Jason Johnson

Date:

\_\_\_\_\_  
January 29, 2015

HC:aw

S:\TEMPEST\_ATTACHMENTS\PROSPERO\PL\REZ\REZ00435\REZ GLADSTONE PLUC REPORT JAN 29 2015.DOCX

#### List of Attachments

- Council Minutes for October 23, 2014 meeting
- Planning and Land Use Committee Minutes for October 16, 2014 meeting
- Planning and Land Use Committee Report dated October 2, 2014.

REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – October 16, 2014

*Councillor Isitt excused himself from the meeting at 10:37 p.m. as he is the on the Board for the Capital Region Housing Corporation which owns and operates an adjacent building to 1310 Gladstone Avenue, which creates a pecuniary conflict of interest with the following item.*

1. Official Community Plan Amendment Application, Rezoning Application No. 00435 and Development Permit Application No. 000354 for the property located at 1310 Gladstone Avenue:

It was moved by Councillor Helps, seconded by Councillor Alto:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
  - a. That Council give first reading to the Official Community Plan Amendment Bylaw;
  - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
  - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
  - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
  - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
1. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
  - a. Registration on the relevant property title of the following:
    - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
    - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
    - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
    - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
    - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
  - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works

Carried Unanimously

Council meeting  
October 23, 2014

**3. DECISION REQUEST**

**3.1 Official Community Plan Amendment Application, Rezoning Application No. 00435 and Development Permit Application No. 000354 for the property located at 1310 Gladstone Avenue**

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

*Councillor Isitt excused himself at 9:11 a.m. due to a pecuniary conflict.*

**Action:** It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recommends:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
  - a. That Council give first reading to the Official Community Plan Amendment Bylaw;
  - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
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  - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
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  - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
- b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
    - a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
    - b. Development meeting all Zoning Regulation Bylaw requirements;
    - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- The OCPs recognition of the possible expansion of this urban village.
- The neighbourhood plan does not favour commercial expansion.
- Fernwood Community Association's preference for residential use in this area and not mixed-use, which is not supported in the OCP.
- Although the lot is zoned single-family dwelling the proposal fits into its context of taller buildings and buildings of commercial use.
- Parking demand impacts on the street and whether the bike parking requirements help reduce parking demand.
- Accessibility of the building as it is three-storeys with no elevator.
- The priorities for the Local Area Plan update which has Fernwood Village as Priority #4.

**For:** Mayor Fortin, Councillors Alto, Coleman, Helps, Thornton-Joe  
**Against:** Councillors Gudgeon, Madoff, Young

CARRIED 14/PLUC0258

PLUC meeting  
October 16, 2014



- b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
  - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
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- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
  - b. Development meeting all Zoning Regulation Bylaw requirements;

- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

*Helen Cain*

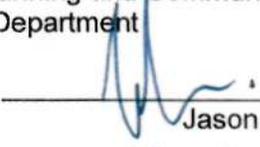
*AM*

Helen Cain  
Senior Planner  
Development Services Division

*D.E. Day*

Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
\_\_\_\_\_  
Jason Johnson

Date:

October 14, 2014

HC:lw/aw

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**1.0 Purpose**

The purpose of this report is to present Council with information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue.

**2.0 Background**

**2.1 Description of Proposal**

The proposal is to rezone from the R1-B Zone (Single Family Dwelling District) to a new zone to permit a three-storey mixed-use building with commercial uses on the first and second storeys, and either office or four housing units on the third storey. These applications also include a request to amend the Official Community Plan (OCP) to include the subject site in Fernwood Village, which would require changing the land designation from Traditional Residential to Small Urban Village.

As stated in the applicant's letter (August 14, attached), the Fernwood Neighbourhood Resource Group (FNRG) is requesting a list of uses to accommodate potential tenants:

- retail
- office
- bakery
- hair salon
- yoga studio
- spa treatment
- bicycle repair shop
- food and drinking establishment.

The applicant's letter has also identified the potential location in the building and floor space for the uses as summarized in the chart below.

Proposed Use	Maximum Floor Space	Schedule C Requirements
<b>First storey (108 m<sup>2</sup> in total)</b>		
Athletic instruction (yoga studio) or	108 m <sup>2</sup>	11
Retail	108 m <sup>2</sup>	3
<b>Second storey (175 m<sup>2</sup> in total)</b>		
Food and drinking establishment or	175 m <sup>2</sup>	10
Retail	175 m <sup>2</sup>	5
<b>Third storey (149 m<sup>2</sup> in total)</b>		
Office or	149 m <sup>2</sup>	3
Multiple dwelling (four units)	4 (149 m <sup>2</sup> )	5

For these proposed commercial and residential uses, Schedule C requirements for vehicle parking would range between 11 and 26 stalls. The proposal includes two parking stalls at the rear of the proposed building with access through an easement along the driveway on the property located at 2009 Fernwood Road, which the FNRG owns. Compared to Schedule C, there would be a shortfall in parking stalls ranging from nine and 24 parking stalls depending on

the actual uses on the site at any given time. To help offset the potential impact on the availability of street parking in the vicinity of the subject site, the applicant has agreed to provide a Car Share membership for each residential and commercial unit, and would meet the Schedule C requirements for bicycle racks and bicycle storage spaces.

The proposed site plan, architecture and landscape design would include:

- building form and massing that is narrow, long, and set back from the street with space for a patio connecting the private to the public realm
- large storefront windows and exterior stairs and balconies on the third storey to connect activity in the building to people on the street
- exterior finishes of brick siding on the west, north and south elevations, horizontal wood siding on the east elevation and a metal roof
- decorative paving stones with landscape strips in the rear parking lot.

## 2.2 Green Building Features

The applicant's letter (March 7, 2014, attached) states that the Building Permit phase would endeavour to follow best practices with respect to energy and water conservation, construction waste management and use of high quality, durable materials with low toxicity.

## 2.3 Existing Site Development and Development Potential

The data table (below) compares the proposal with the neighbouring C-1 Zone (Restricted Commercial District). The proposal is less stringent than the zone standards for criteria identified with an asterisk.

Zoning Criteria	Proposal	Zone Standard C-1 Zone
Site area (m <sup>2</sup> ) – minimum	362.00	n/a
Total floor area (m <sup>2</sup> ) – maximum	540.23	n/a
Residential location	None on ground floor	None on ground floor
Density (Floor Space Ratio) – maximum	1.49:1*	1.4:1
Height (m) – maximum	10.56	12.00
Site coverage (%) – maximum	62	n/a
Open site space (%) – minimum	32	n/a
Storeys – maximum	3	n/a
Setbacks (m) – minimum		
North (rear)	7.50	6.00
South (south)	3.50*	6.00
East	0.00*	2.64
West	1.10*	3.00

Zoning Criteria	Proposal	Zone Standard C-1 Zone
Parking – minimum	2*	11 to 26 (actual uses would dictate parking requirement. 26 stalls indicates the highest parking requirement based on the combination of uses)
Visitor parking – minimum	1*	1 to 2 (actual uses would dictate parking requirement. Two stalls indicates the highest visitor parking requirement based on the combination of uses)
Bicycle storage – minimum	12	12
Bicycle rack – minimum	6*	12

**2.4 Land Use Context**

The immediately adjacent land uses are:

- North: three single-family dwellings
- South: townhouses
- West: one commercial building and a commercial and residential mixed-use building
- East: townhouses.

**2.5 Legal Description**

The west ½ of Lot 7, Section 75, Victoria District, Plan 277.

**2.6 Consistency with City Policy**

**2.6.1 Official Community Plan, 2012**

The proposal is aligned with objectives and policies in the OCP related to complete villages, placemaking, and strategic directions for the Fernwood neighbourhood. OCP Objective 6(f) provides direction to progress towards complete villages over time and Policy 6.1.7 states that Small Urban Villages should have commercial and community services in low-rise, ground-oriented, mixed-use buildings of up to four storeys on arterials and three storeys in other locations. Policy 21.8.4 provides direction to consider the expansion of Fernwood Village.

The proposed mixed-use building would require an OCP amendment because the subject property is designated Traditional Residential, where ground-oriented housing is the norm with apartment and mixed-use buildings on arterial and secondary arterial roads. Given the location of this lot adjacent to Fernwood Village and the overall fit of the proposal with OCP policies, staff recommend that Council change the land designation to Small Urban Village.

On a related matter, new development in Fernwood Village is subject to control and regulation in the Development Permit Area and Heritage Conservation Area 6B Small Urban Village Heritage, DPA 6B (HC). Staff consider this proposal to be aligned with DPA 6B (HC) objectives for revitalization of Fernwood Village through infill that is sensitive to existing place character. Accordingly, an OCP amendment to include the subject site in DPA 6B (HC) and to apply the associated guidelines in review and consideration of the proposed design would be appropriate.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal will have no impact on any of these plans.

### 2.6.2 Fernwood Neighbourhood Plan, 1994

The *Fernwood Neighbourhood Plan, 1994*, emphasizes the revitalization of Fernwood Village as the commercial hub of the neighbourhood. This plan contains a "summary map" that illustrates land uses and related policies, including the boundaries of Fernwood Village and the associated Development Permit Area and Heritage Conservation Area. As the map can be interpreted to show the subject property as located within Fernwood Village, the proposed mixed-use building is compatible with the local area plan.

## 2.8 Community Consultation

In accordance with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning Applications*, the applicant consulted with the Fernwood CALUC on January 8, 2014 and February 4, 2014. A letter from the CALUC is attached to this report.

## 3.0 Issues

The main issues related to these applications are:

- Fernwood Village expansion
- design review and analysis
- loss of front yard Maple tree
- vehicle parking shortfall.

## 4.0 Analysis

### 4.1 Fernwood Village Expansion

This proposal is aligned with key directions in the OCP and *Fernwood Neighbourhood Plan* to expand Fernwood Village as a commercial area. The OCP amendment to designate the subject property as located in a Small Urban Village is a logical extension of this neighbourhood hub. Moreover, the new mixed-use building would contribute to DPA 6B (HC) objectives to revitalize

Fernwood Village and the proposed design is well-suited to the character of this historic district. Should Council advance these applications to a Public Hearing, staff recommend another OCP amendment to expand DPA 6B (HC) to include the subject property within this DPA.

#### 4.2 Design Review and Analysis

The proposed design for the new mixed-use building has been reviewed in relation to DPA 6B (HC), where form, character and finishes and landscaping details are controlled and regulated primarily in relation to the *Buildings, Signs and Awnings Advisory Design Guidelines, 1981*. Staff review and analysis of the design of the proposal are summarized below:

- building form, massing and scale are complementary to the adjacent one-storey commercial building and the three-storey townhouses
- architectural features, such as window openings, and exterior finishes (e.g. brick) that acknowledge the heritage character of Fernwood Village are appropriate
- connections between activity in the building and the street are fostered with shop windows, building entrances and an outdoor balcony on the upper storey.

Overall, staff consider the proposed design to comply with the guidelines for DPA 6B (HC).

#### 4.3 Loss of Front Yard Maple Tree

In an early version of the proposal, the building was set back from the street in the southeast corner of the lot to take advantage of the canopy of the mature Maple tree. In response to staff's request for information, the applicant completed an Arborist Report (attached) which determined that the tree would not survive the construction stage of the development. Accordingly, the Maple tree is removed from the landscape plan, and the site plan was changed to bring the building closer to the street in order to connect the outdoor patio to the public realm.

#### 4.4 Vehicle Parking Shortfall

Based on the current regulations in Schedule C of the *Zoning Regulation Bylaw*, the proposal would require a maximum of 26 vehicle parking stalls. However, some of the proposed uses (fitness facility, eating and drinking establishment) require a high number of stalls. If the list of uses were narrowed to retail on two storeys and housing above, 13 stalls would be required. Should the uses be limited to retail with third-storey offices, the requirement would be 11 stalls. Given the proposed development includes two stalls in the rear yard of the building, the parking shortfall compared to the bylaw requirements would, therefore, range from nine to 24 stalls, based on the current regulations. Residents and visitors of the building would also potentially compete for limited and frequently used two hour on-street parking stalls and would not be permitted to park within the Gladstone Avenue Residential Only Parking Zone, as the subject property is not adjacent to the designated area.

Staff requested a Parking Impact Study from the applicant to help determine the impact of the new mixed-use building on street parking near the Fernwood Avenue and Gladstone Avenue intersection. The applicant has chosen to not provide this report for the following reasons:

- the proponent would prefer to apply the resources required for the Parking Impact Study to the provision of Car Share Membership for all residential and

- commercial units, and the applicant is in the process of undertaking an informal study with observational data on street parking conditions, which would be provided to staff, prior to a Public Hearing, should Council decide to move the application forward.

Staff have explored a variety of additional transportation demand management (TDM) measures with the applicant to address the on-site shortfall in parking stalls. These include five year transit passes for residential and commercial units and an end-of-trip facility (showers), as well as the possibility of narrowing the range of uses to retail and residential, or retail and office, to remove the proposed uses with high parking requirements. The applicant has indicated that neither the cost of transit passes or the accommodation of a shower facility within the small building would be feasible, and that a yoga studio and a food and drinking establishment would be essential for the business model for their project.

It should also be noted that, in 2008, staff entered into a community-led engagement process with the Fernwood CALUC and residents, businesses and community groups to address the issue of parking congestion in the vicinity of the Gladstone Avenue and Fernwood Avenue intersection. These efforts resulted in the reduction of an existing resident-only parking zone and expansion of restricted two-hour parking for visitors to shops and community amenities in Fernwood Village. Should the proposal increase the pressure on street parking, and community members wish to extend the restricted parking and/or residential parking zone, staff would further consult with the area stakeholders on options for parking management.

Staff recommend support for the proposal as presented. While the availability of street parking near the subject site is an important issue, the proposed new mixed-use building would contribute to the revitalization of Fernwood Village. The informal study that the applicant is undertaking, in advance of the Public Hearing, would contribute valuable information to help assess the situation, and staff have on-going consultation with the community in efforts to address issues related to parking congestion. Should Council wish to address the parking shortfall more extensively, Council has the option to require additional TDM measures, such as transit passes and/or an end-of-trip facility.

## 5.0 Resource Impacts

There are no resource impacts anticipated with these applications.

## 6.0 Conclusions

This proposal for a mixed-use building is aligned with policy direction in the OCP and local area plan to revitalize and expand the area identified as Fernwood Village and the proposed design is well-suited to this historic commercial district. Staff recommend that Council amend the OCP to designate the subject property is part of a Small Urban Village area and within DPA 6B (HC) and advance these applications to a Public Hearing.

## 7.0 Recommendations

### 7.1.1 Staff Recommendations

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to

a Public Hearing:

- a. That Council give first reading to the Official Community Plan Amendment Bylaw;
  - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan* Amendment Bylaw;
  - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
  - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
  - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
- a. registration on the relevant property title of the following:
    - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road,
    - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity,
    - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
    - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
    - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works;
  - b. securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and

Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:

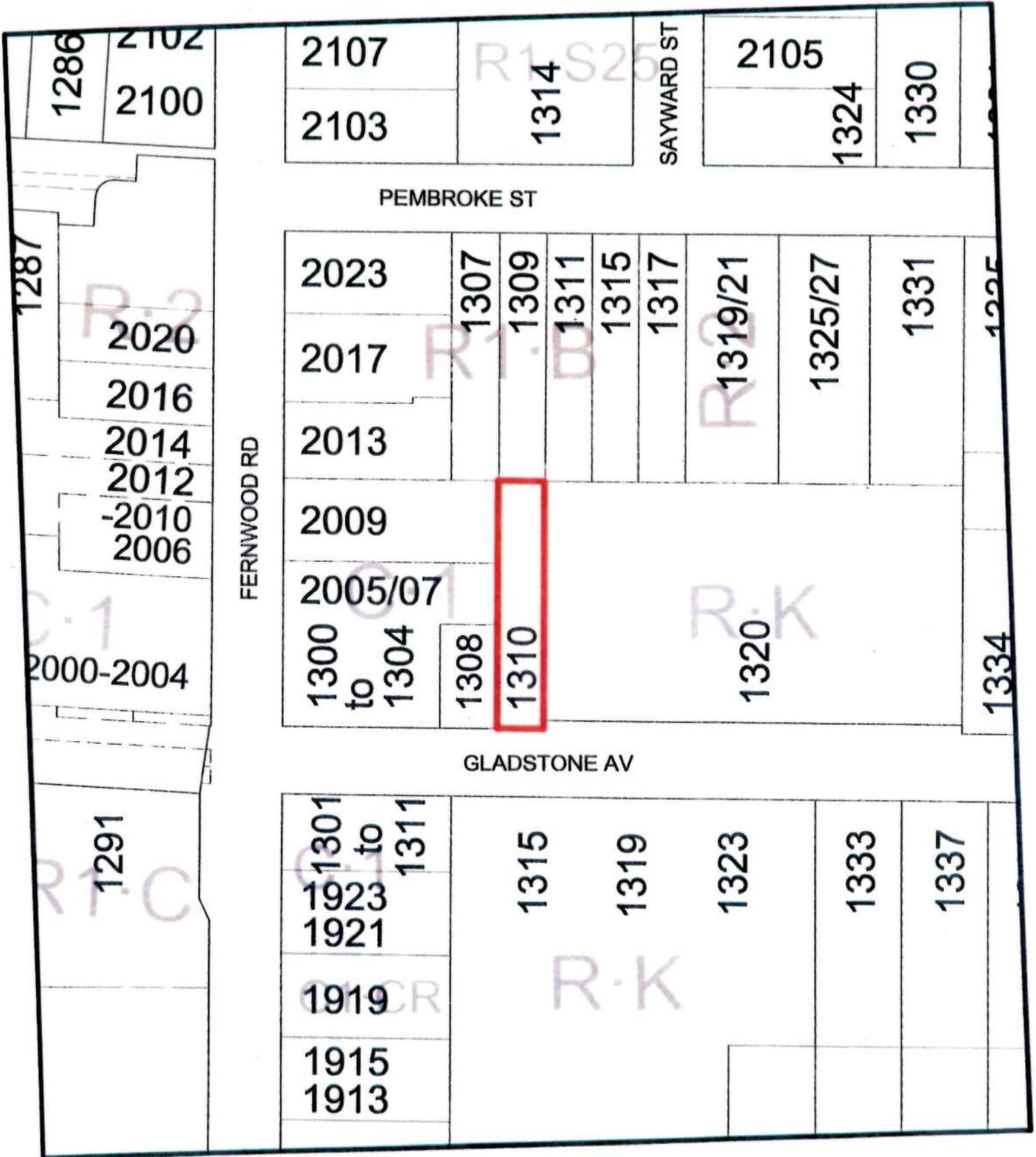
- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
- b. Development meeting all *Zoning Regulation Bylaw* requirements;
- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

## 7.2 Alternate Recommendations (Decline)

That Council decline Rezoning Application #00435 and Development Permit Application #000354 for the property located at 1310 Gladstone Avenue.

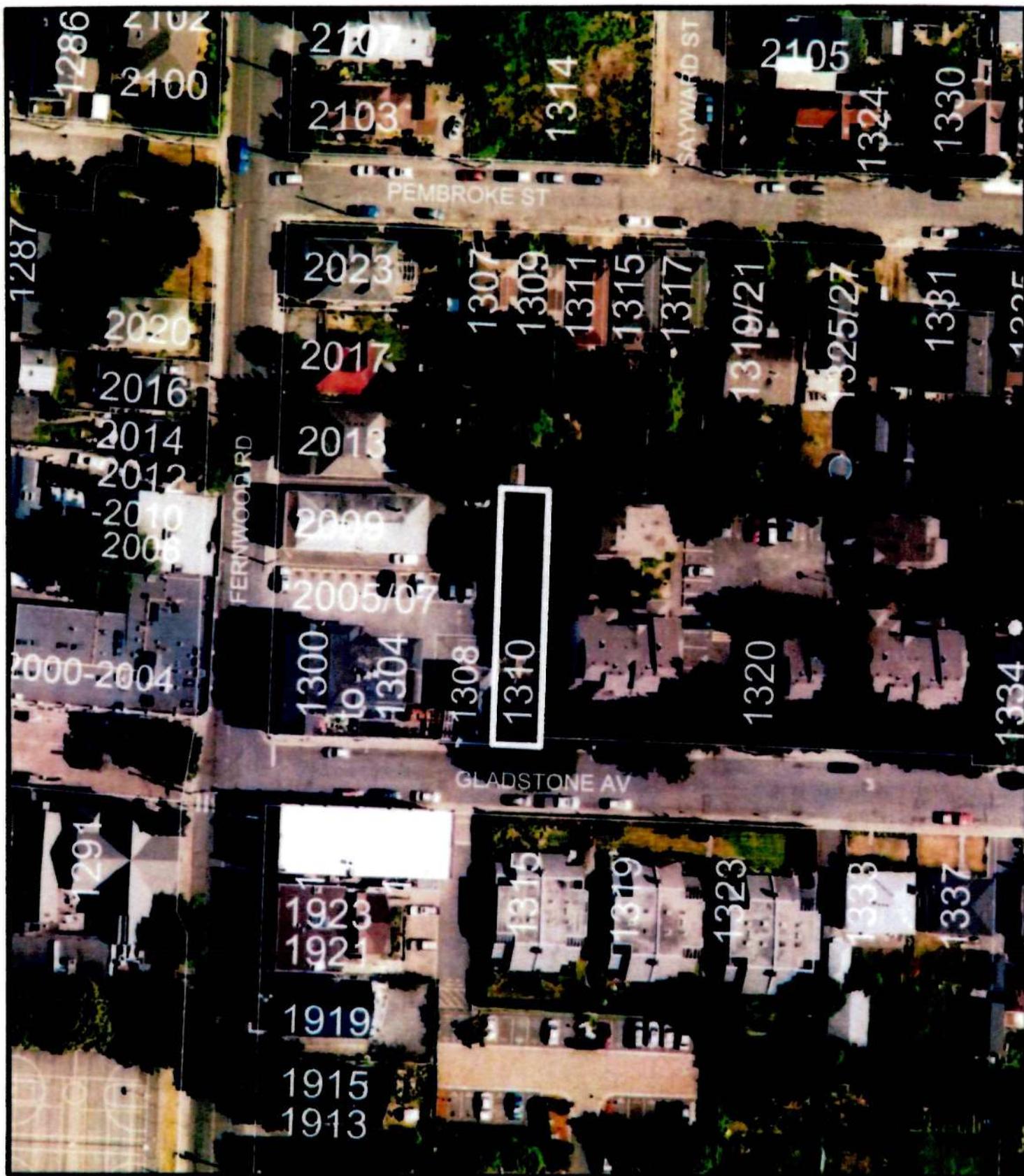
## 8.0 List of Attachments

- Aerial map
- Zoning map
- Letters from Lee Herrin, Fernwood Neighbourhood Resource Group, stamped August 14, 2014, and March 7, 2014
- Plans for Rezoning Application #00435 and Development Permit Application #00354, stamped August 11, 2014
- Arborist Report, Talbot & Mackenzie & Associates, dated June 12, 2014
- Letter from Fernwood Community Association Land Use Committee, stamped March 7, 2014.



1310 Gladstone Avenue  
 Rezoning #00435  
 Bylaw #





1310 Gladstone Avenue  
 Rezoning #00435  
 Bylaw #





August 11, 2014

The City of Victoria  
Attention: Mayor and Council  
1 Centennial Square  
Victoria, BC V8W 1P6



**RE: 1310 Gladstone Avenue revised proposal for Official Community Plan Amendment, Rezoning and Development Permit Application.**

In response to the Application Review Summary dated Wednesday, March 26, 2014, we are pleased to submit our revised proposal for the above noted development. The subject of this letter is to provide an itemized update and clarification of new information on the proposal and should be reviewed in conjunction with the revised, bubbled drawings.

Specifically, the conditions to be met prior to the Planning and Land Use Committee are:

- 1. Consider the registration of an easement on the property at 2009 Fernwood Road to provide off-street parking as well as access and egress to the rear of the subject site.**

Fernwood NRG is prepared to register an easement on the property at 2009 Fernwood Road for the purposes of providing vehicle and pedestrian access to the rear yard of 1310 Gladstone Avenue. An inventory of 7 off-street parking stalls will be accessed, including the inclusion of 2 stalls on the 1310 Gladstone Avenue property.

- 2. Update Landscape Plan to include hard surface materials.**

The Site Plan & Landscape Plan on Sheet A0.00 has been updated with annotations identifying the hard surface materials.

- 3. Please provide at least one colour elevation plan.**

The two primary public elevations on Sheet A3.01 have been resubmitted in colour.

- 4. Letter to Mayor and Council to provide updated/new information on the proposal.**

This document is included to provide updated/new information on the proposal.

- 5. No justification for the proposed parking variance has been provided. Providing no parking for this proposed development is not supportable. An on-site shortfall in parking for residents and their guests, employees and customers will have an impact on-street parking availability for residents and businesses of the neighbourhood.**

As noted in item 1, above, 2 off-street parking stalls have been accommodated in the rear yard of the property. These parking stalls will require an access agreement across the 2009 Fernwood Road site, which has an existing, non-conforming driveway access onto Fernwood Road. This existing access would service the existing 5 off-street parking stalls on 2009 Fernwood Road, plus the 2 proposed off-street parking stalls on 1310 Gladstone Avenue. The inclusion of these stalls emerged in response to a determination by a qualified arborist recommending removal of the existing tree on site which will enable the overall building to shift south on the property and facilitate the creation of the stalls.

In rationalizing the vehicle parking provisions for this proposal, we would like to solidify the case for Fernwood's urban village designation and, pending a successful OCP amendment, the inclusion of the 1310 Gladstone Avenue site within the village, as a vibrant neighbourhood village focused on pedestrian activity. There is precedent within the City of Victoria, such as the Old Town zoning guidelines, which acknowledge a less vehicle-centered form and character. We believe that it is this form and character that is envisioned in the OCP for the urban village. Unfortunately, meeting the Schedule C off-street parking requirements for vehicle parking impedes the realization of this form and character.

We submit that the rezoning of 1310 Gladstone Avenue, as part of an expanded urban village, should establish a comprehensive zoning standard which establishes the parking in perpetuity, one which more accurately reflects the form and character of Fernwood Village. The 2 off-street stalls proposed make provision for vehicle parking, albeit modestly, but without detracting from the village fabric. In fact, the proposal affords scheduling opportunities relative to the use of both properties (2009 Fernwood Road and 1310 Gladstone Avenue) such that an inventory of 7 stalls is available for use for the different tenancies during a typical week. Today, 2009 Fernwood Road is in use as an office which requires daytime parking during the work week, while for 1310 Gladstone Avenue we envision retail, restaurant and/or recreation as the primary parking demand generators, all of which create the highest demand on evenings and weekends.

To provide context, we have evaluated the maximum parking demand range based on the uses envisioned for the project and have determined, referencing Schedule C, that the upper floor would require between 2 and 3 vehicle parking stalls (office or residential use), the main floor would require between 5 and 10 vehicle parking stalls (retail or restaurant use, assuming 50 seats maximum), and the lower floor would require between 3 and 11 vehicle parking stalls (retail or recreational uses), for a total on-site, Schedule C requirement of between 10 and 24 vehicle stalls. A summary matrix of the various vehicle parking demand generation is as follows:

Schedule C, Potential Off Street Parking Calculations Based on Potential Tenancies

Potential Uses	Calculation	# of Parking Spaces Req'd
<b>Lower Floor (108 sq.m.)</b>		
Yoga Studio	1 space per 9.5 sq.m.	11
Treatment Studio/Spa Rooms	1 space per 37.5 sq.m.	3
Retail	1 space per 37.5 sq.m.	3
Bicycle Repair Shop	1 space per 37.5 sq.m.	3
<b>Main Floor (175 sq.m.)</b>		
Eating & Drinking Establishment (40-50 seat)	1 space per 5 seats	10
Retail	1 space per 37.5 sq.m.	5
Clothing Shop/Furniture Shop	1 space per 37.5 sq.m.	5
Hair Salon	1 space per 37.5 sq.m.	5
Services	1 space per 37.5 sq.m.	5
Bakery	1 space per 37.5 sq.m.	5
<b>Upper Floor (148.9 sq.m.)</b>		
Residential use in CA-3 zone	0.7 space per dwelling unit	3
Local Offices (assuming all 4 spaces occupied)	1 space per 65 sq.m.	2

On a final note, we would anticipate that the neighbourhood village with this proposed addition would continue to serve the local neighbourhood. That is, the principle patronage and proprietors for all of the proposed uses would be the Fernwood neighbourhood. Our proposal seeks to encourage pedestrian and alternative transportation modes, including bicycles, which are accommodated in the front yard, the rear yard, and as secured space within the building on the lower floor. This provision of excess bicycle parking is envisioned as an additional mitigation of the more modest vehicle parking provisions noted above.

- The proposed rezoning and potential increase in density for this property may contribute to an overtaxing of the sanitary sewer system. Attenuation may be required to reduce the additional load on the sanitary sewer. Discharge rates provided by a qualified Engineer are to be submitted to the Engineering Department including the intended means to attenuate sewage.***

Discharge rates and the intended means to attenuate sewage are provided in the attached as prepared by engineer Peter Ferguson of McElhanney.

- 7. An Arborist report, by an ISA Certified Arborist, is required to provide an inventory of the trees impacted by the proposal. The Tree Preservation Bylaw 05-106 protected Big Leaf Maple is indicated as retained. The report is to detail the construction impacts and the required mitigation measures required to successfully retain this tree. A detail of the proposed tree well around the Big Leaf Maple is required as part of the arborist report. A Terms of Reference for the arborist report is available by contacting the Parks Development Officer.***

A report addressing the condition of the on-site Big Leaf Maple was prepared by ISA Certified Arborist, Tom Talbot of Talbot Mackenzie & Associates, Consulting Arborists, recommending removal of this tree. We propose to work closely with the Parks Department to determine the suitability of reinstating a specimen street tree that will meet the City of Victoria guidelines.

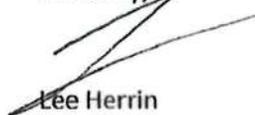
**Additional review comments were included in the Application Review Summary and are noted as follows:**

1. The requested Statutory Right-of-Way of 1.524 meters is acceptable and the proposal reflects consideration of this provision. A formal response to this request by Engineering will be provided prior to submitting a Building Permit application.
2. Additional Engineering information provided is noted and will be addressed prior to Public Hearing and/or a Building Permit application as itemized.
3. All items noted from Permits and Inspections have been acknowledged and addressed through the resubmission of a Code Analysis, with annotations as appropriate included on the resubmitted plans.
4. All items noted from the Fire Department have been acknowledged and addressed through the resubmission of a Code Analysis, the proposed access provisions across 2009 Fernwood Road, or will be provided prior to submitting a Building Permit application.

As per our original submission and letter to Mayor and Council dated March 6, 2014 (attached for reference), we reiterate our request for the establishment of a site specific zone for the proposed 1310 Gladstone Avenue project. We submit that the Zoning Plan Check of the proposal to a C-1 Zone is not aligned with the form and character of the proposed development within the Fernwood urban village. We note that the CA-3 Zoning Bylaw is an existing bylaw that substantially reflects the nature of this heritage conservation area/urban village and as such, we have referenced this Bylaw on our revised cover sheet for comparison.

We trust that the above responses to the Application Review Summary further support the proposal for this sensitive, neighbourhood-scaled building. We welcome the opportunity to appear before the Planning and Land Use Committee and to continue our work with staff to realize this important project.

Sincerely,



Lee Herrin  
Executive Director



Fernwood NRG

March 6, 2014

The City of Victoria  
 Attention: Mayor and Council  
 1 Centennial Square  
 Victoria, BC V8W 1P6



**RE: 1310 Gladstone Avenue proposal for Official Community Plan Amendment, Rezoning and Development Permit Application**

Fernwood NRG is an enterprising non-profit based in Fernwood. Originally incorporated in 1979 to manage the Fernwood Community Centre, our mandate has grown significantly since our acquisition of the Cornerstone Building (1301 Gladstone Avenue) in 2005. At that time, we received significant media attention for our efforts to revitalize the core of our neighbourhood through renovation of the then derelict building. Looking back, we can certainly say that our project was a tremendous success. Now, Fernwood is a vital and thriving neighbourhood that has attracted significant international attention to the City of Victoria, including an article in the *New York Times* in 2012 (<http://nyti.ms/1fbwqf8>), and just last month in the *Oregonian* (<http://bit.ly/1iCvHvu>). Working with our partners and supporters in the neighbourhood, we have transformed Fernwood Village from a serious civic liability and embarrassment into a tremendous asset to the City's image and reputation. It is our great pleasure to put before you the following proposal which we believe will begin the process of moving Fernwood Village into the 21<sup>st</sup> century, laying down the foundation for the continued growth and health of our neighbourhood long into the future.

**Description of Proposal**

The proposal seeks to rezone the existing R1-B designated site at 1310 Gladstone Avenue to a site specific zone to support the development of a three storey mixed use project in the heart of Fernwood Village. The proposal will change the current land use to ones which are consistent with those uses existing in the village core, increase density at a neighbourhood node, create lease space for neighbourhood oriented commercial activities at the street and below, with up to four rental accommodations and/or small scale workplaces above.

**Government Policies**

The site is adjacent to the designated development permit area DPA 6B (HC): Small Urban Villages Heritage. The proposed development complements the special features, characteristics and conditions of the designation including:

- Development of "commercial and community services that support adjacent Traditional and Urban Residential areas";
- "revitalization through infill";
- "residential mixed use development with active commercial at the street level";
- "low rise commercial...and residential mixed-use development...with built form and place character appropriate to a node punctuating a surrounding residential area";

Fernwood Neighbourhood Resource Group Society 1310 Gladstone Ave Victoria, BC V8R 1S1  
 Telephone 778.410.2497 Fax 250.381.1509 [www.fernwoodnrg.ca](http://www.fernwoodnrg.ca)

Your Neighbourhood Resource Group

- And meeting the objective of enhancing “the area through infill...with a high quality of architecture, landscape and urban design that responds to its heritage setting through sensitive and innovative interventions.”

With respect to Neighbourhood Directions for Fernwood, Section 21 of the OCP, the proposal is consistent with the strategic direction which considers “expanding Fernwood Village to provide capacity for a broader range of business and community services for residents within walking distance.”

Further, with respect to the OCP, the placemaking policies in the plan are reflected in the development proposal, specifically:

- “That new buildings and features contribute to the sense of place in development permit areas and heritage conservation areas through sensitive and innovative responses to existing form and character”;
- And “that social vibrancy is fostered and strengthened through human scale design of buildings, streetscapes and public spaces”.

#### **Project Benefits and Amenities**

The proposal would create additional neighbourhood oriented commercial space on two levels, complementing activities and uses supported in the village core. In replacing an ageing single family dwelling, the proposal increases density in an appropriate location in the neighbourhood, with the intent that the uses would support the local market, thereby reducing transportation impacts, and enriching neighbourhood livability. The project frontage will preserve a mature specimen tree at the street and introduce a meaningful, south facing patio along the commercial streetscape. Quality detailing throughout the project is intended to complement the existing Fernwood character, achieving appropriate “fit”.

#### **Need and Demand**

The proposal affords additional commercial use space serving the local neighbourhood and small scale rental housing in the village core. Space demand in the village core is high for small scale commercial uses, both merchants and offices, including space to serve small scale proprietors and not for profit organizations. The intent is that the proposal would serve, over time, a variety of uses and tenures, reflecting the vibrancy of a village and the culture of the neighbourhood.

#### **Neighbourhood**

The proposed uses are consistent with those existing in the village, effectively expanding the village core on an adjacent site. The existing lot and use is marooned between village commercial and multi-family residential uses. The lot is dimensionally and topographically challenged, necessitating a clever, site specific form that continues the commercial streetscape along Gladstone Avenue, resolves through block vistas from adjacent parcels, particularly from Fernwood Road, invites connectivity to the street on three levels, and affords a complementary massing, proportionate in scale, fenestration and materiality to the village core.

### **Impacts**

The proposal both complements the Village core and improves the streetscape, providing animation through the proposed uses and density. The immediate neighbours will benefit from a betterment of the current site conditions – including the erection of a new structure, the inclusion of landscape areas which complement the streetscape and the introduction of mixed uses transitioning the village to multi-family residential.

### **Design and Development Permit Guidelines**

The proposal will conform to the referenced applicable guidelines for DPA 6B (HC) including the advisory design guidelines for buildings, signs and awnings and guidelines for fences, gates and shutters. In addition, the proposal meets the guideline which encourages the building “to have shop windows and building entrances that are oriented to face the street”.

In addition, the project will also reflect the objectives of DPA 16: General Form and Character, specifically:

- “To support commercial...and multi-unit residential developments that provide a sensitive transition to adjacent and nearby areas with built form that is often three storeys, or lower”;
- “To integrate commercial...and multi-unit residential buildings in a manner that is complementary to established place character in a neighbourhood...including its heritage character”;
- “To enhance the place character of established areas and their streetscapes through high quality architecture, landscape and urban design that responds to each distinctive setting through sensitive and innovative interventions”;
- And “to achieve more livable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, [and] safety”.

### **Safety and Security**

The proposal embraces key CPTED principles. The massing and its orientation to the street and adjacent sites promotes natural surveillance. Walkways, fencing, lighting and signage promote movement to and from the building’s entrances, creating strong connections to the street, overlook and visibility. Public and private is clearly delineated through paving treatments, signage and building edge, reinforcing ownership/control thereby discouraging trespassing or nuisance behavior. Finally, the project benefits from local ownership and the presence of the owner in the community ensuring that the project is maintained, not neglected, thereby discouraging negative activity.

### **Transportation**

The project does not meet the vehicle parking standards of Schedule C. The proposal reinforces the promotion of neighbourhood oriented services within an existing village core, prioritizing a pedestrian and bicycle culture over vehicle users. Within the context of the dimensional and topographical constraints of the physical site, the provision of onsite parking is impractical. It is understood that a broader community wide plan is necessary to address street parking for transient visitors to the neighbourhood.

The project meets the bicycle parking standards of Schedule C with provisions for residents and visitors/customers.

The proposal is situated along the Gladstone Avenue Greenway. The proposed project enhances the greenway with the inclusion of a gracious patio, animating the commercial activity of the street while preserving an existing mature specimen tree.

#### **Heritage**

The existing single family house on the property has no heritage status. No heritage buildings will be impacted by the proposed development.

#### **Green Building Features**

The proposed development occurs on an existing developed site within an urban village, therefore the ecological footprint of the larger community is not expanded. Socially, the project reflects demand in the immediate community for local commercial activities and small scale commercial office/residential flexible units.

While no specific metric or green rating system will be pursued on the project, best practices with respect to durability, energy efficiency, water conservation, construction waste management, and the specification of quality, low toxicity materials will be applied. The project, if financially feasible, will endeavor to incorporate solar hot water pre-heat panels to offset domestic water heating uses within the building.

#### **Infrastructure**

Preliminary review of engineering infrastructure confirms adequate capacity for sewer, storm and water for the proposed development. It is anticipated that a detailed design and review will confirm the necessary capacity.

As the proposal is located within an existing village, the project will benefit from direct access to pedestrian and bicycle infrastructure, as well as a significant park space, access to a community centre and local commercial services.

#### **Summary**

We believe that our proposal represents a sensitive, neighbourhood-scaled building that meets many civic goals while also strengthening the fabric of our neighbourhood. Our organization owns the building across the street (the Cornerstone Building), and an adjacent office building at 2009 Fernwood Road. We also have an option to purchase two further nearby properties at 2013 and 2017 Fernwood Road. We will be coming back to Council later this year with a further proposal to redevelop those properties as affordable housing for families. Our organization has been a vital part of Fernwood for 35 years and our interests lie in building sensitive, attractive, functional and efficient buildings that will become Fernwood landmarks for generations to come.

Sincerely,



Lee Herrin  
Executive Director



BC Land Surveyors Site Plan of  
1310 Gladstone Avenue

Legal - The West 1/2 of Lot 7, Section 75, Victoria District, Plan 277

Parcel Identifier: 009-192-026

Scale - 1:200



All distances are shown in metres.

The intended print size is 11" by 17".

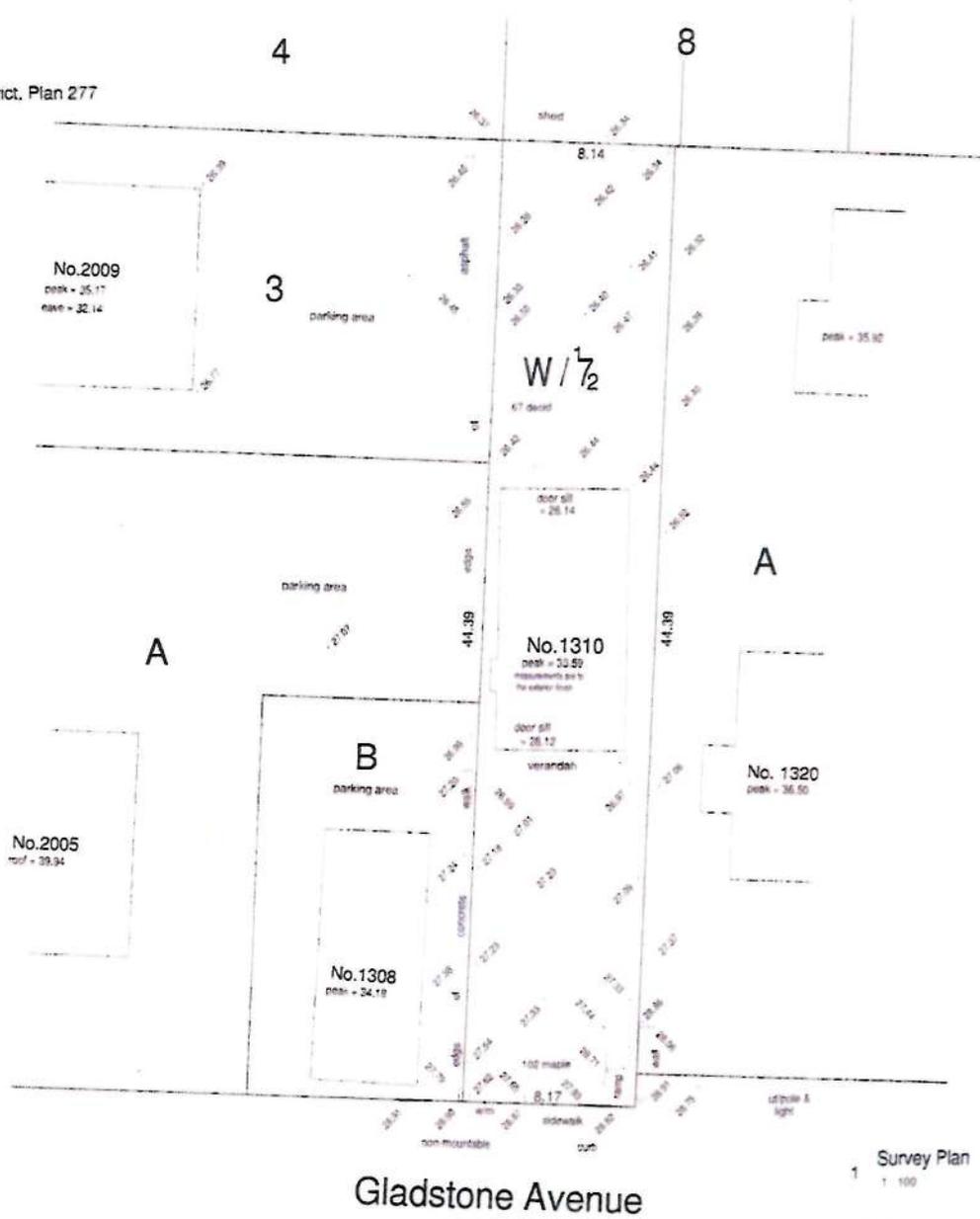
Tree diameters are in centimetres.

Geodetic elevations shown (in METRES)

Site Area = 362 m2

November 5, 2013

File: 11,641 Site (16)  
**POWELL & ASSOCIATES**  
BC Land Surveyors  
250 2950 Douglas Street  
Victoria, BC V8T 4N4  
phone (250) 382-8855



Date	By
Approved	March 9, 2014
Development Order & OCP Amendment	
Revised	
No. Description	Date
Amendment to include vegetation on City Staff Review	April 11, 2014

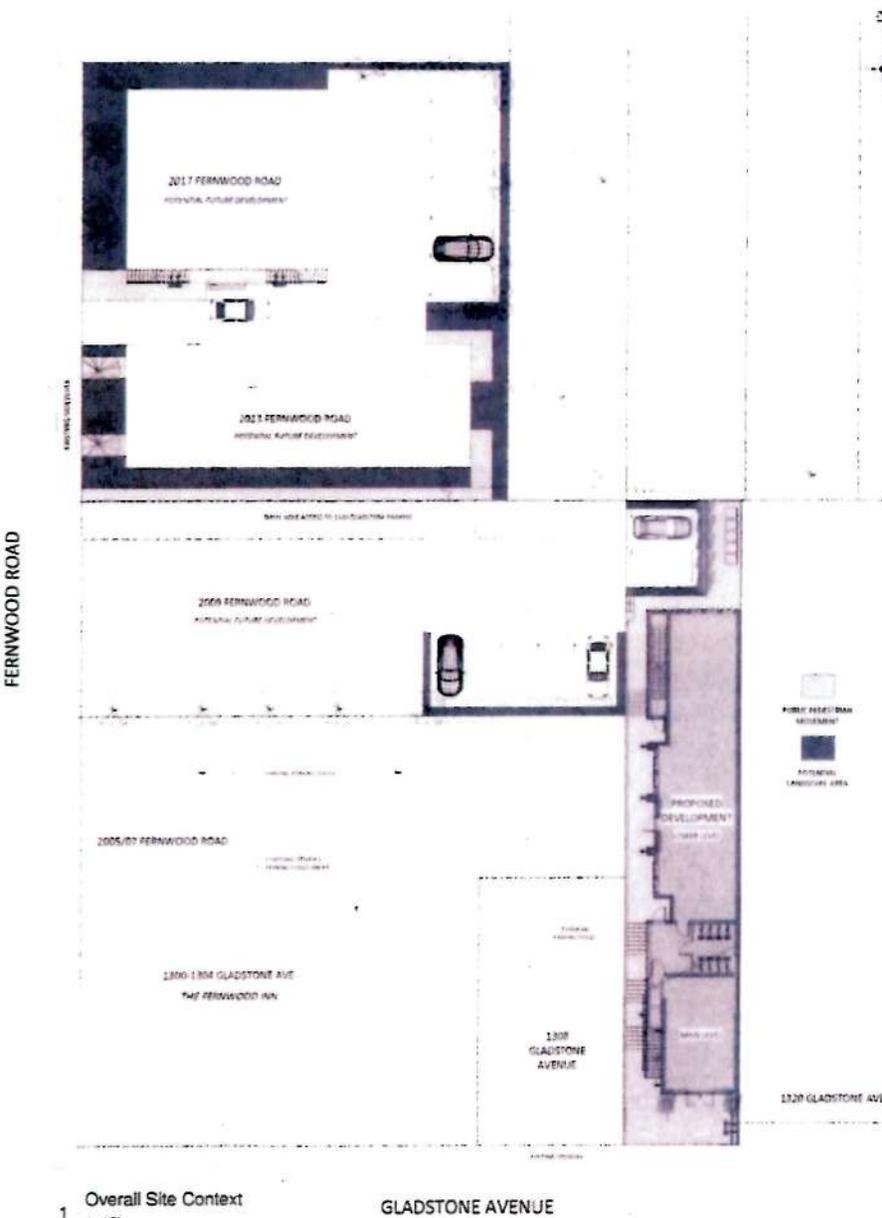
Proposed Development

1310 Gladstone Avenue  
Victoria, BC

Survey Plan

Survey Plan  
1:100

A1.00



1 Overall Site Context  
1 150



EXISTING SITE CONTEXT PLAN



PROPOSED DEVELOPMENT LOCATION  
1310 GLADSTONE AVENUE

PROPOSED SITE CONTEXT PLAN

CHRISTINE LINTOTT ARCHITECT

Project Name: Rezoning Development Permit & DCP Amendment  
 Date: March 6, 2014  
 Revision No.: 02/01  
 Description: Amend 11, 2014  
 Author/Drawn By: Kristine Lintott  
 Checked/Reviewed By: City Staff Review

Proposed Development  
 1310 Gladstone Avenue  
 Victoria, BC  
 Site Context Plans

A1.01



EXISTING GLADSTONE STREET ELEVATION



PROPOSED GLADSTONE STREET ELEVATION



EXISTING FERNWOOD STREET ELEVATION



PROPOSED FERNWOOD STREET ELEVATION

CHRISTINE LINTOTT ARCHITECT

Project: Gladstone Avenue  
Date: March 6, 2014

Revision: 1  
Date: August 13, 2014

Location:

Proposed Development

1310 Gladstone Avenue  
Victoria, BC

Context Street Elevations

A1.02



Year: March 1, 2014  
Revision: Development Permit & ZON Amendment

Project No: 1310 Gladstone  
Description: include re-signage of 1310 Gladstone  
Date: April 11, 2014

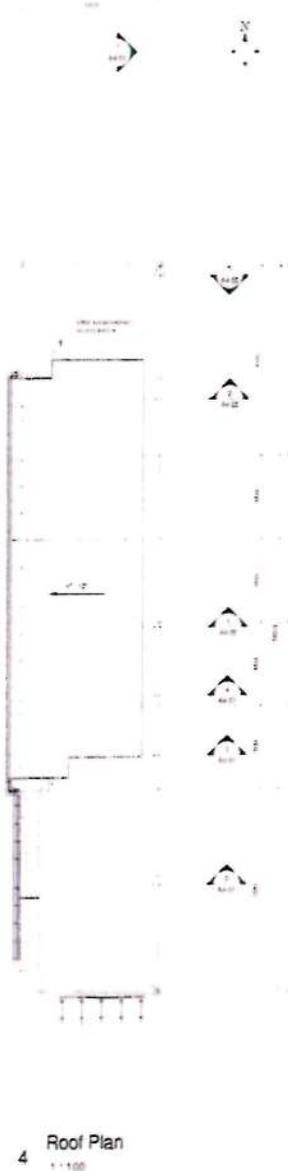
Author:

Proposed Development

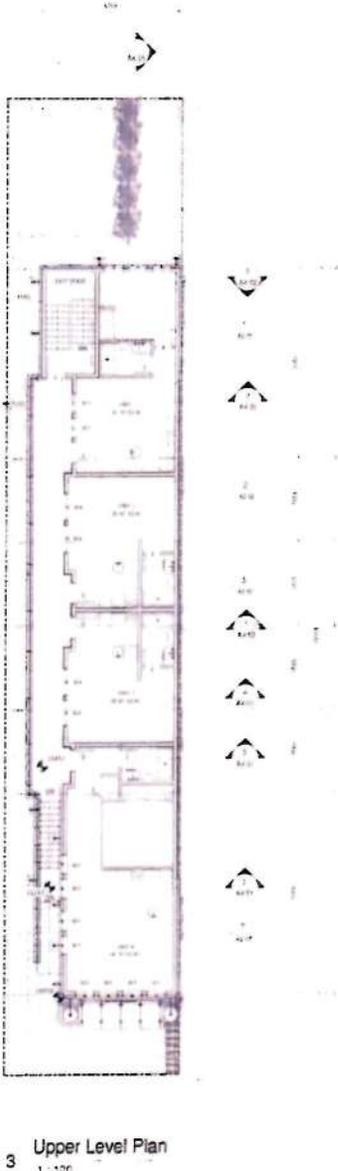
1310 Gladstone Avenue  
Victoria, BC

Floor Plans

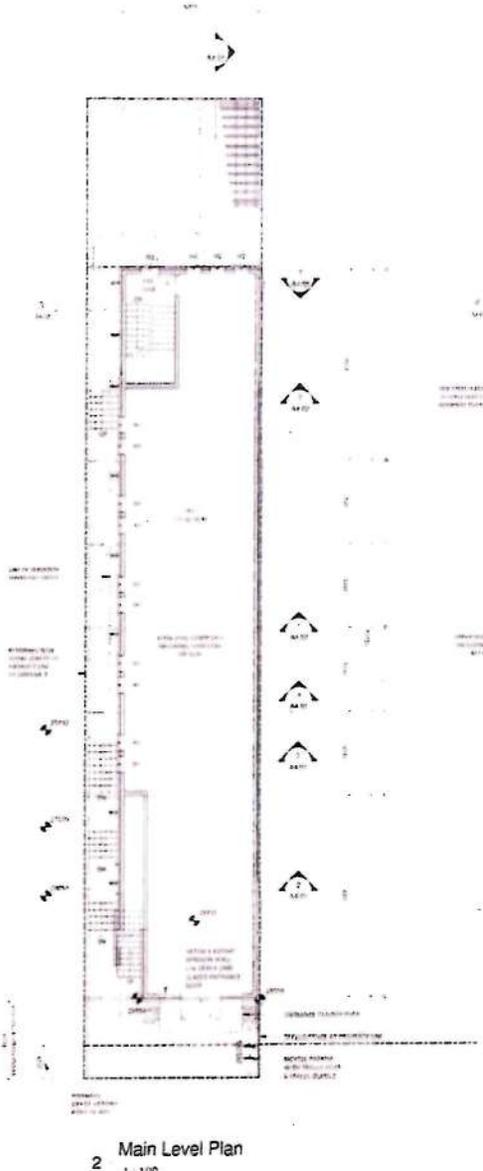
A2.01



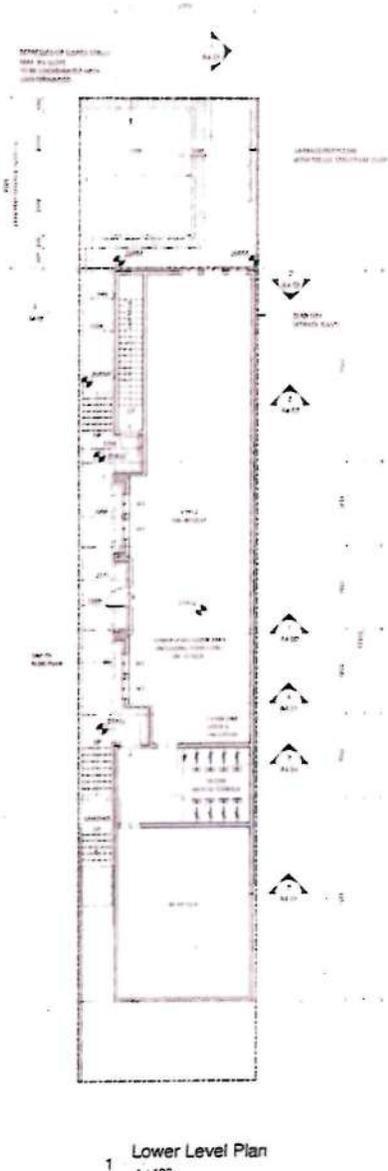
4 Roof Plan  
1:100



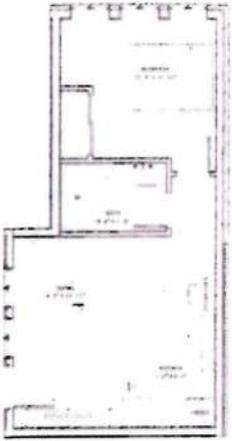
3 Upper Level Plan  
1:100



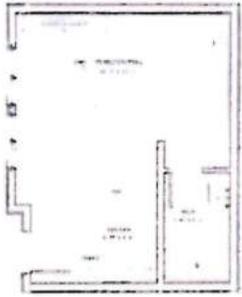
2 Main Level Plan  
1:100



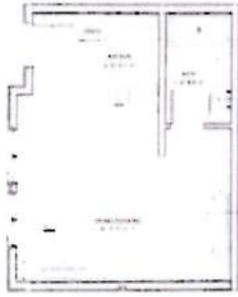
1 Lower Level Plan  
1:100



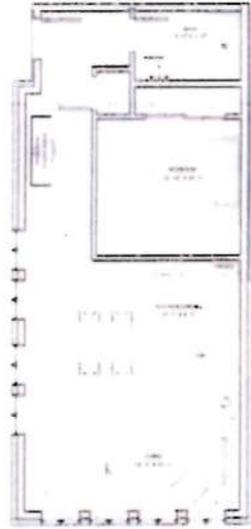
1 Unit 1 Plan  
1:50



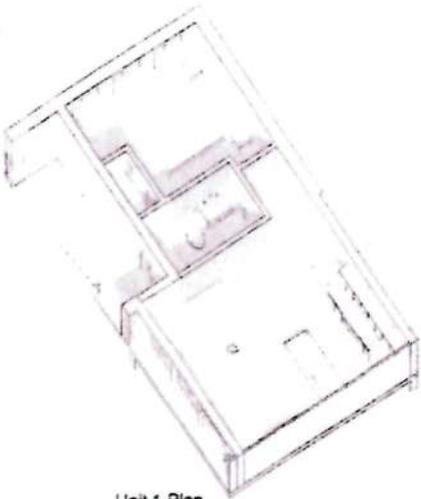
3 Unit 2 Plan  
1:50



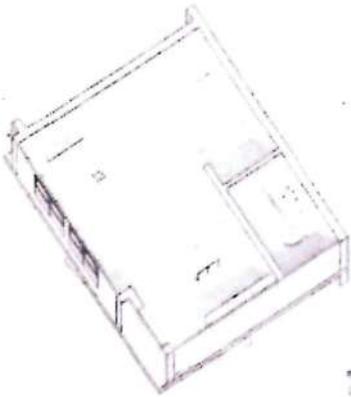
5 Unit 3 Plan  
1:50



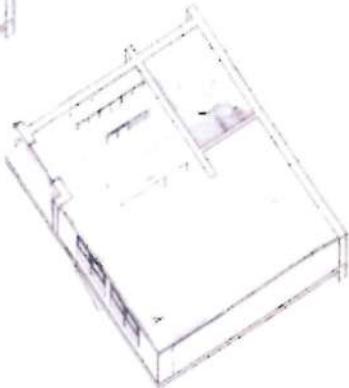
7 Unit 4 Plan  
1:50



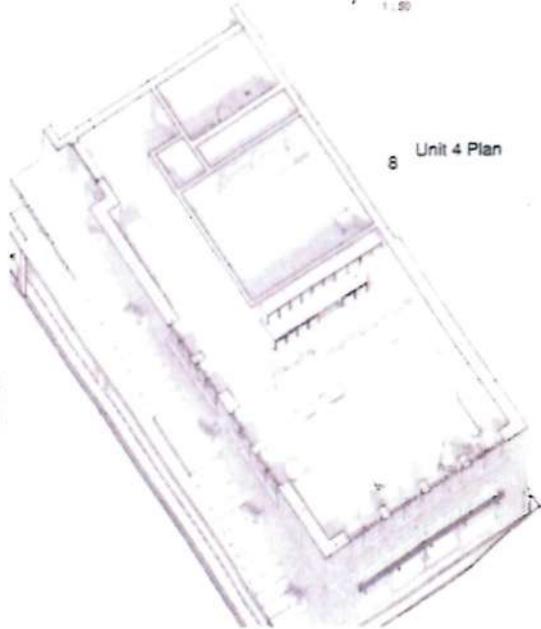
2 Unit 1 Plan



4 Unit 2 Plan



6 Unit 3 Plan



8 Unit 4 Plan

CHRISTINE LINTOTT ARCHITECT

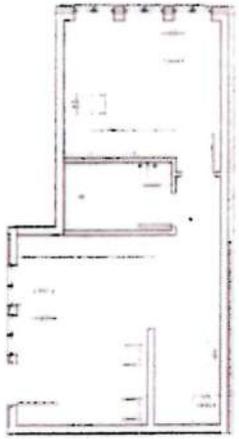
Title: Rezoning  
Development Permit  
& OCP Amendment  
Date: March 6, 2014

Revision: No. Description Date  
Resubmitted to  
Council: August 11, 2014

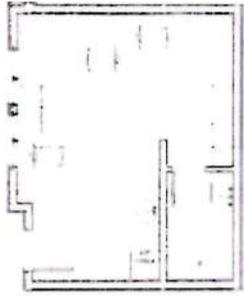
Proposed Development  
1310 Gladstone Avenue  
Victoria, BC

Enlarged Residential Plans

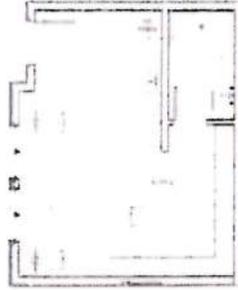
A2.02



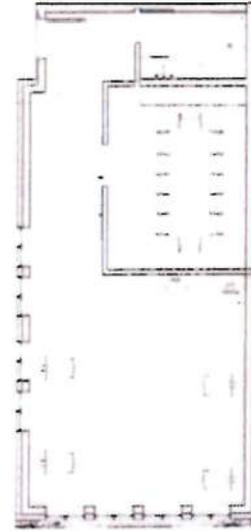
1 Unit 1 Office Plan  
1:50



3 Unit 2 Office Plan  
1:50



5 Unit 3 Office Plan  
1:50



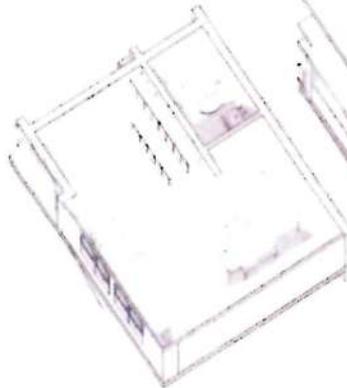
7 Unit 4 Office Plan  
1:50



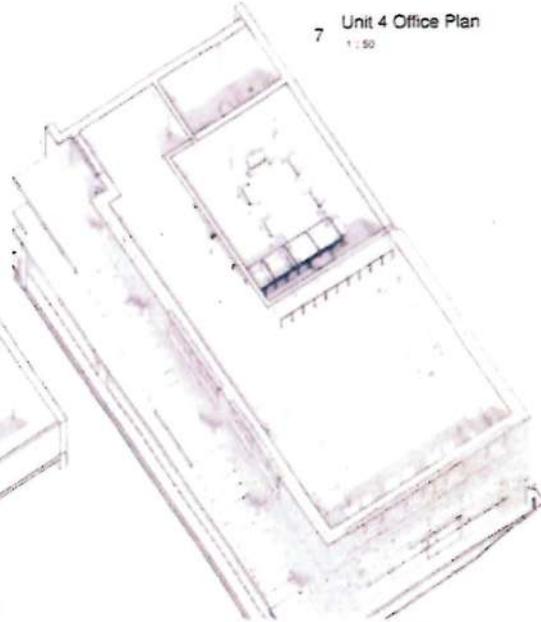
2 Unit 4 Office Plan  
1:50



4 Unit 3 Office Plan  
1:50



6 Unit 2 Office Plan  
1:50



8 Unit 1 Office Plan  
1:50



Title: Planning and Land Use Committee - 05 Feb 2015  
Author: Christine Lintott

Project No.: A2.03  
Revision to: Rezoning Application for 1810 Gladstone Avenue, Victoria, BC

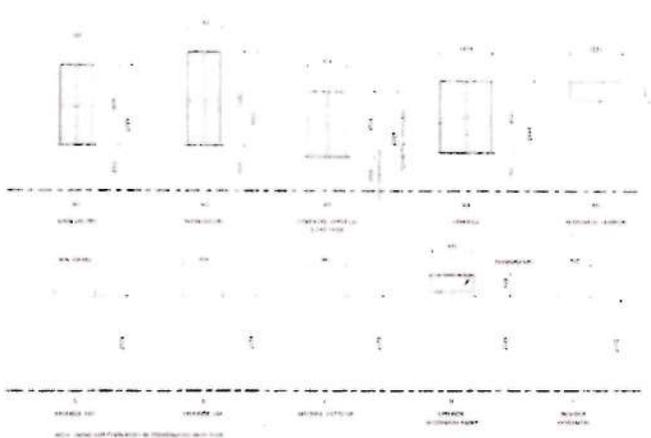
Revision:

Proposed Development

1810 Gladstone Avenue  
Victoria, BC

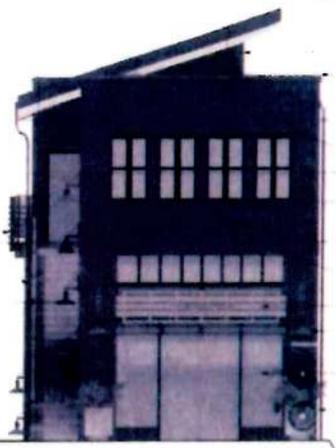
Enlarged Office Plans

Project No.: A2.03  
Author: Christine Lintott



Window & Door Schedule  
1:1.50

3 Guardrail Section  
1:1.10



- HORIZONTAL CLASH
- PRECAST CONCRETE CUR
- T.O. Top Floor
- BRICK VENEER CORNER HEADER
- BRICK
- PRECAST CONCRETE SLAB
- CONCRETE
- BRICK VENEER CORNER BELL BAND
- CONCRETE FINISH & STAIRCASE
- ENTRANCE LIGHTING
- CONCRETE WALL SYSTEM
- FINISH OF INTERIOR WALL

2 South Elevation  
1:1.50

NOTE: FINAL COLORS SELECTIONS AS SHOWN IN ALL ELEVATIONS TO BE CONFIRMED BY ARCHITECT AND VERIFIED BY COUNCIL BOARD SUBMISSION. MATERIALS WILL BE CHANGED AS NECESSARY TO MEET TO DATE.



Client: [Redacted]  
 Rezoning: Neighbourhood Form & Use Amendment  
 March 9, 2014

Revision: No. Description Date  
 Approved for Public Inspection of This Draft Review August 11, 2014



1 West Elevation  
1:1.50

- PRECAST CONCRETE CUR
- T.O. Top Floor
- BRICK VENEER CORNER HEADER
- BRICK
- PRECAST CONCRETE SLAB
- CONCRETE
- BRICK VENEER CORNER BELL BAND
- CONCRETE FINISH & STAIRCASE
- ENTRANCE LIGHTING
- CONCRETE WALL SYSTEM
- FINISH OF INTERIOR WALL

Proposed Development

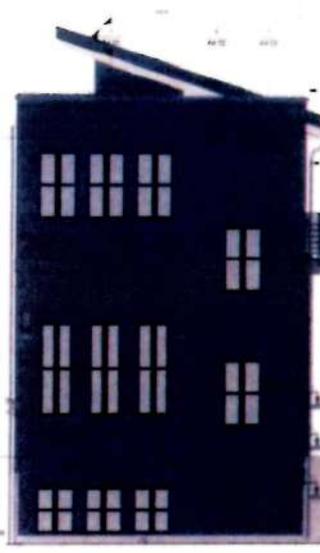
1310 Gladstone Avenue  
 Victoria, BC

Exterior Elevations

A3.01

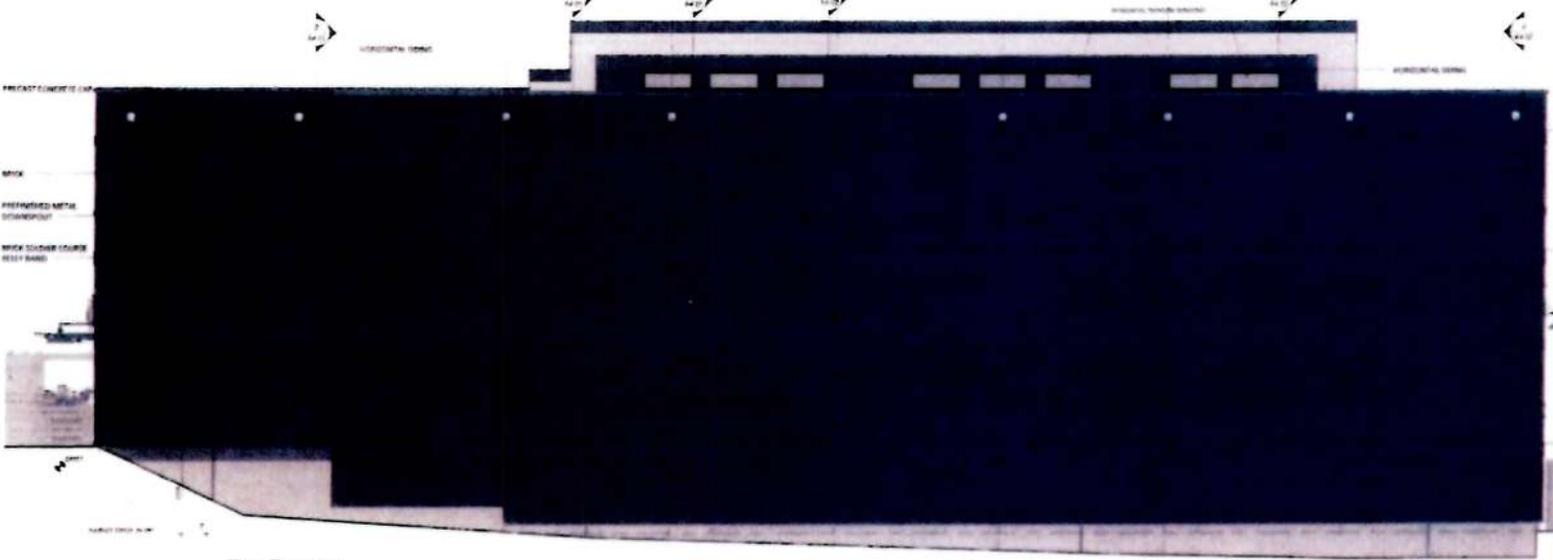
CHRISTINE LINTOTT ARCHITECT

PROJECT: 1310 Gladstone Avenue  
 1310 Top Floor  
 2014  
 PREPARED BY: METAL STANDOUT  
 CONSULTING: METAL STANDOUT  
 1000 1/2  
 2014  
 CONTRACTOR: AT  
 2014  
 DATE: 2014  
 REVISION: No. 1  
 DESCRIPTION: Exterior Elevations  
 APPROVED BY: Christine Lintott  
 DATE: August 13, 2014



2 North Elevation  
1 : 50

NOTE:  
 THIS DRAWING, LIKE OTHER ARCHITECTURAL DRAWINGS TO BE  
 PREPARED BY METAL STANDOUT, IS TO BE USED AS A GUIDE TO  
 CONSTRUCTION AND IS NOT A SUBSTITUTE FOR THE CONTRACT DOCUMENTS.



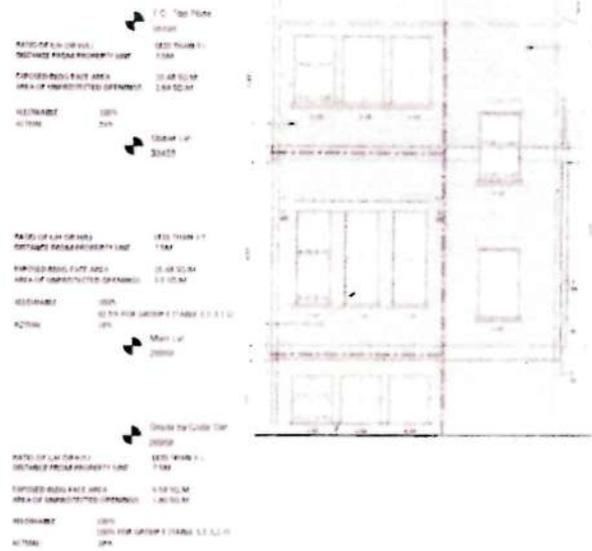
1 East Elevation  
1 : 50

PROJECT: 1310 Gladstone Avenue  
 1310 Top Floor  
 2014  
 PREPARED BY: METAL STANDOUT  
 CONSULTING: METAL STANDOUT  
 1000 1/2  
 2014  
 CONTRACTOR: AT  
 2014  
 DATE: 2014  
 REVISION: No. 1  
 DESCRIPTION: Exterior Elevations  
 APPROVED BY: Christine Lintott  
 DATE: August 13, 2014

Proposed Development  
 1310 Gladstone Avenue  
 Victoria, BC  
 Exterior Elevations

A3.02

1 Spatial Separation South  
1:50

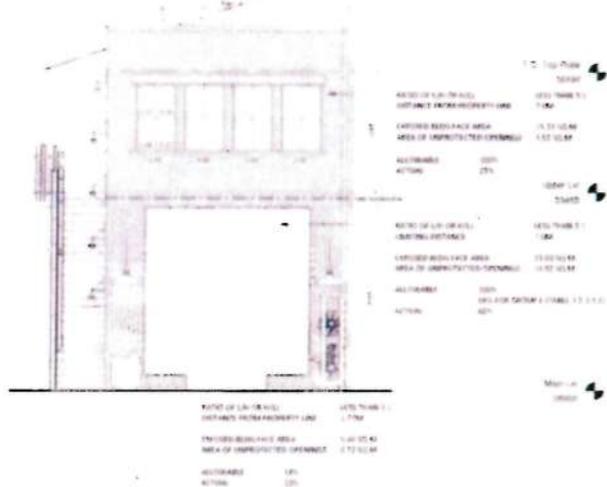


WATER OF LOT AREA: 15.11 SQM  
 DISTANCE FROM PROPERTY LINE: 1.75M  
 PROPOSED BUILDING AREA: 15.48 SQM  
 AREA OF UNRESTRICTED OPENINGS: 1.02 SQM

REQUIREMENT: 100%  
 ACTUAL: 100%

**CALCULATED UNDER COUNTY ZONING BYLAW 22.22.2.2**  
 UNRESTRICTED OPENINGS FOR A BUILDING OR STRUCTURE MUST BE NOT DIMENSIONED IN ACCORDANCE WITH SECTION 4.4.1.1 (PROPOSED)

2 Spatial Separation North  
1:50



3 Spatial Separation East  
1:50



4 Spatial Separation West  
1:50



Client: [Redacted]  
 Meeting: [Redacted]  
 Date: March 6, 2014

Revision: [Redacted]  
 No. Description: [Redacted]  
 Date: August 11, 2014

Proposed Development  
 1310 Gladstone Avenue  
 Victoria, BC

Limiting Distance Calculations

A0.01

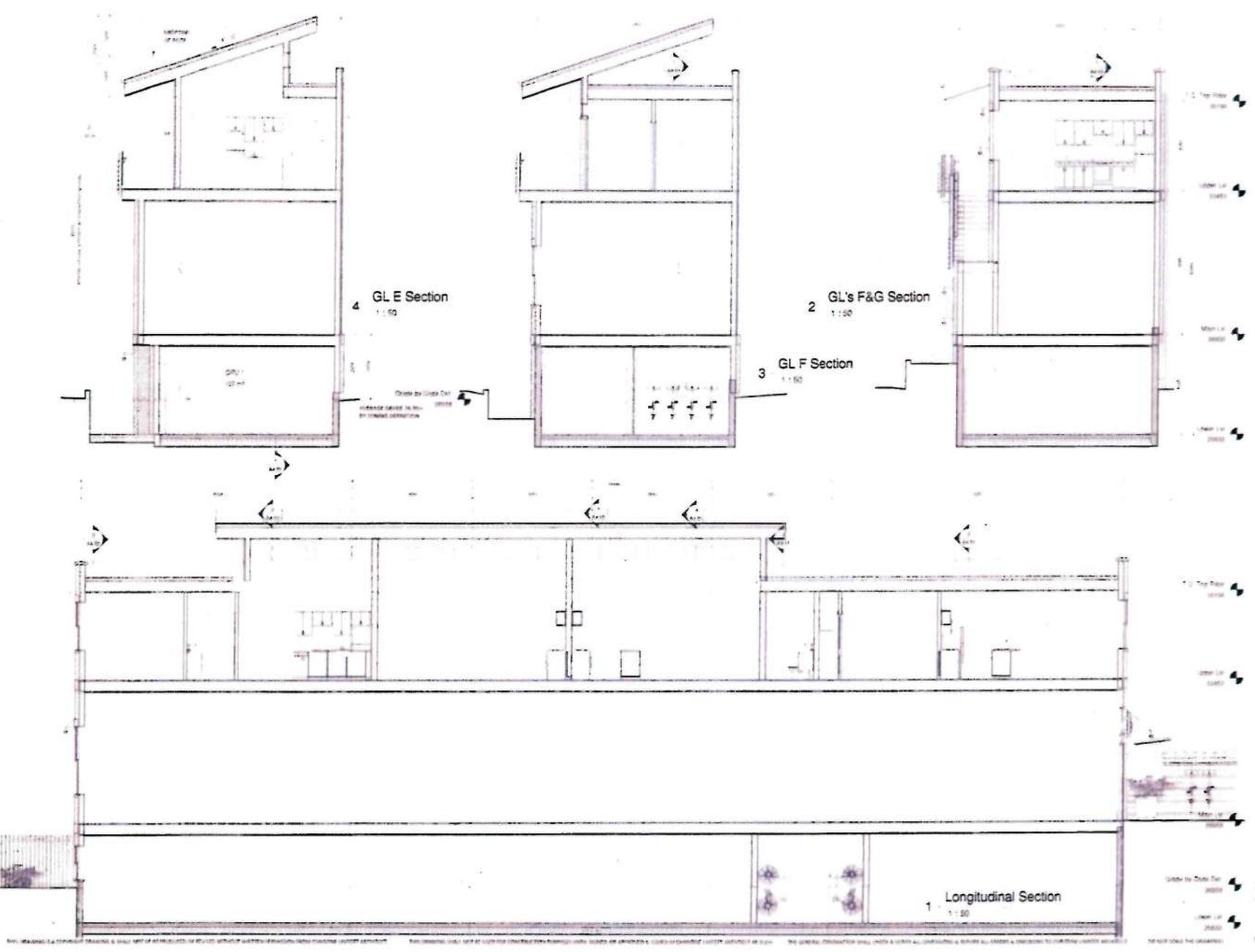


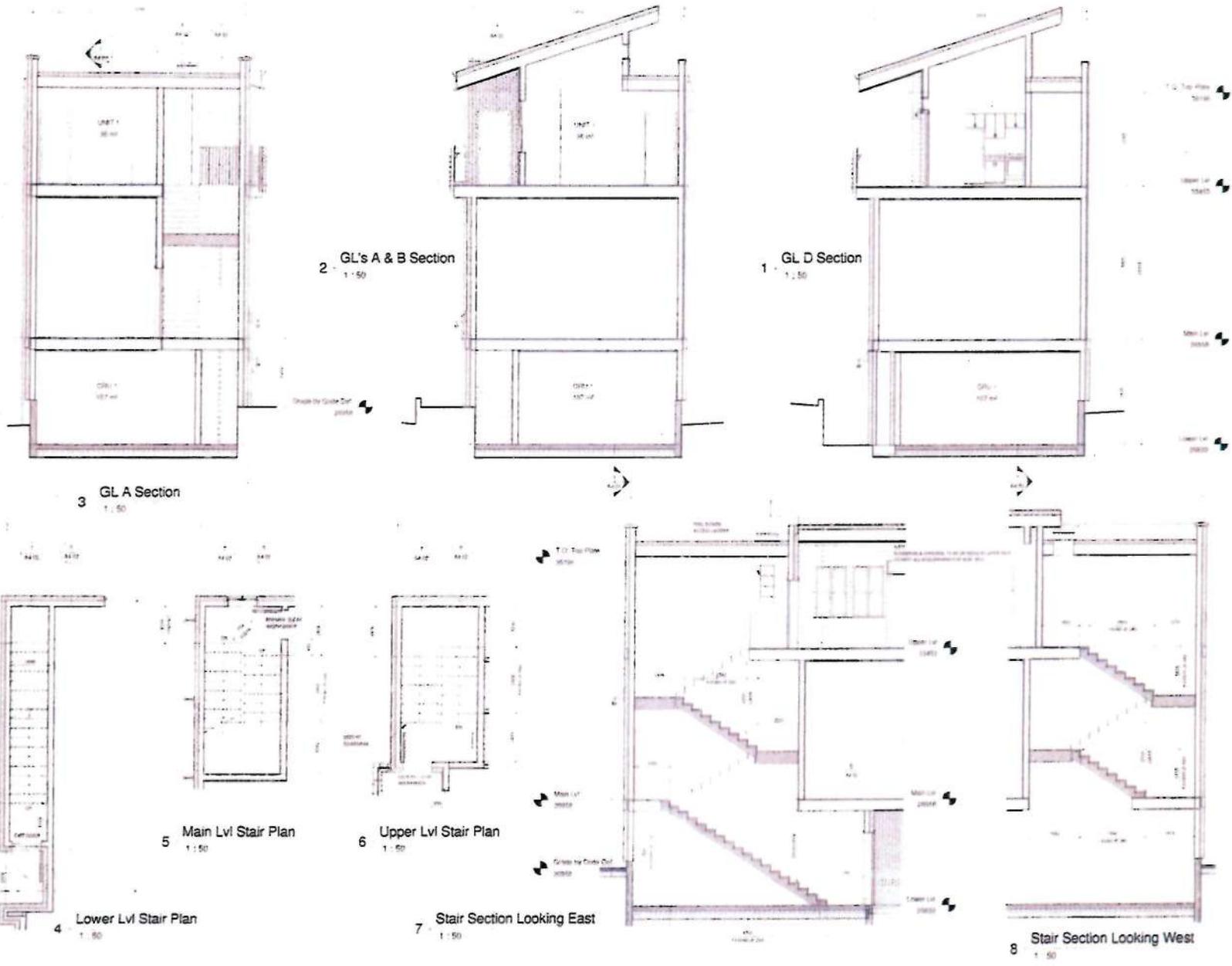
Year: March 4, 2014  
 Project: Investment House & GP Amendment  
 Author: [Name]  
 Title: [Title]  
 Revision: [Number] / [Date]

Proposed Development  
 1310 Gladstone Avenue  
 Victoria, BC

Building Sections

A4.01



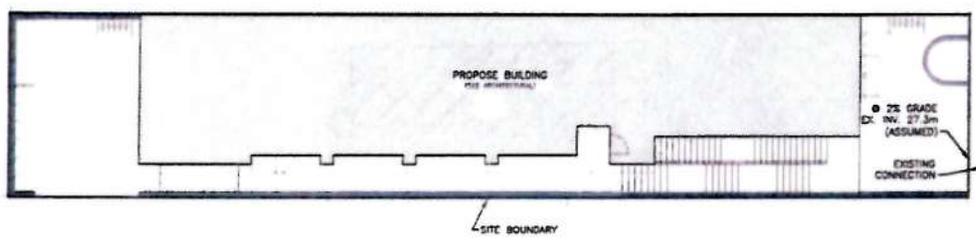


**CHRISTINE LINTOTT ARCHITECT**

Name: [Redacted] Date: [Redacted]  
 Location: [Redacted] Project #: 2014  
 Description: [Redacted]  
 Author: [Redacted] Date: [Redacted]  
 Approved by: [Redacted] August 11, 2014  
 Title: [Redacted]

Proposed Development  
 1810 Gladstone Avenue  
 Victoria, BC  
 Building Sections & Stair Details

A4.02



**PRELIMINARY**  
FOR DISCUSSION  
PURPOSES ONLY

LEGAL PLAN & AND SURVEY  
INFORMATION PROVIDED BY POWELL &  
ASSOCIATES B.C. LAND SURVEYORS

SEE ARCHITECTURAL, LANDSCAPING,  
MECHANICAL & ELECTRICAL DRAWINGS  
FOR ADDITIONAL INFORMATION

<p>THIS PLAN AND SURVEY INFORMATION IS THE PROPERTY OF POWELL &amp; ASSOCIATES B.C. LAND SURVEYORS. IT IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED IN THE TITLE BLOCK. ANY REUSE OR MODIFICATION OF THIS PLAN WITHOUT THE WRITTEN CONSENT OF POWELL &amp; ASSOCIATES B.C. LAND SURVEYORS IS STRICTLY PROHIBITED.</p>	<table border="1"> <tr><td>NO.</td><td>DATE</td><td>BY</td><td>REVISION</td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	BY	REVISION					<table border="1"> <tr><td>NO.</td><td>DATE</td><td>BY</td><td>REVISION</td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>	NO.	DATE	BY	REVISION					<p><b>McElhanney</b> McElhanney Consulting Services Ltd. 1100 - 1480 GARDNER STREET VICTORIA, B.C. V8W 2G4</p>	<p>PROJECT: 1310 GLADSTONE AVENUE</p> <p>DRAWN BY: SITE PLAN</p>	<p>SCALE: 1:500</p> <p>DATE: 14-275-01</p>
NO.	DATE	BY	REVISION																		
NO.	DATE	BY	REVISION																		



**Talbot Mackenzie & Associates**

Consulting Arborists

June 12, 2014

Fernwood Neighbourhood  
Resource Development Group  
1310 Gladstone Avenue  
Victoria, BC

Attention: Lenore Rankin

Re: 1310 Gladstone Avenue

During our June, 06, 2014 site visit, at your request, we were assigned to visually examine the health and structural characteristics of the above-ground portions, trunk, crown and root collar of a 100 cm d.b.h. Big Leaf maple tree located in the front garden of the property at 1310 Gladstone Avenue. For the purpose of detecting internal cavities and decay, we also took resistograph readings from the lower trunk and root collar and inspected cavities and pruning wounds in the canopy, at the location where the tree was previously topped.

The following information and observations were compiled during this site visit:

1. The tree is located in a relatively high use commercial/residential neighbourhood with street parking, and frequent foot traffic that passes beneath its canopy.
2. The root system of this tree is confined to a relatively small planting location bounded by the adjacent buildings and a concrete retaining wall along the street.
3. A hydro primary conductor and communication service lines pass through and conflict with the canopy growth.
4. It appears that the tree may have been topped or radically pruned historically to address these service conflicts, and the tree canopy has since grown above this topping/pruning location. Large occluded and open wounds are also visible at this location. A large open cavity is visible on the lowest scaffold limb that extends to the east over the sidewalk and neighbouring property.
5. The visual indicators in the tree canopy, i.e. foliage size, colour and density and annual growth shoot elongation indicate that the tree is reasonably healthy.
6. Fruiting bodies of the *Kretzschmaria deusta* wood decay pathogen are visible and attached to the lower trunk at the root collar. *Kretzschmaria deusta* is a disease pathogen that breaks down both cellulose and lignin in the wood tissues, causing a white rot that attacks the trunks, root collar and structural roots in many deciduous tree species. The disease is difficult to diagnose visually or through sampling as there is seldom evidence of a decline in tree health, and internal cavities may not form within the trunk tissues as the strength of the wood degrades. Infected trees may fail as a result of the infection and deterioration of the structural roots, without any evidence of decline in the tree canopy.

Box 48153 RPO Uptown  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: trechelp@telus.net

.../2

7. The resistograph readings taken detected an internal cavity within the root collar; however, there may not be a large cavity opening present within the trunk even though the strength of the wood tissues have degraded. Decay within the root collar was found to be extensive and a large cavity present. The readings were generally low on all sides of the trunk, which indicates infected wood tissues that are dead or have lost structural strength. Increment core samples were also taken to confirm the resistograph findings. The samples show a narrow band of live wood tissues surrounding the circumference of the trunk that is bordered by a zone line. The tissues beyond this zone line show evidence of infection by the decay pathogen and a progressive deterioration in tissue quality and structure toward the centre of the trunk.

The two main risk factors identified for this tree are the large cavity in the low scaffold limb, and the decay and cavity associated with the infection by the identified decay pathogen. This risk assessment will span over a three year time frame, and, as such, it is our opinion that within this period there is a moderate to high risk that either the low scaffold limb or the entire tree will fail as a result of the defects that were detected.

The options to mitigate this risk are:

1. To remove the tree entirely which will remove the existing and any residual risk associated with retaining the tree.
2. To prune the canopy to reduce its overall size and spread by approximately 30% of its present size and reduce the length and size of the low scaffold limb. This will lower the existing and residual risk; however, as this decay pathogen is known to cause whole tree failure due to the deterioration of the root system, or trunk shearing as a result of weakened brittle wood tissues, the tree's function in the landscape will be short term and, ultimately, its removal will be required.

In our opinion, from the information compiled during our examination, this is not a tree that you can retain in the landscape in the long term. Theoretically, it could possibly survive as long as ten to twenty years if crown reduction pruning is completed on a cyclical basis to control the height and spread of its canopy and if the decay pathogen does not spread rapidly within the root system. The rate that the decay pathogen spreads within the tissues is likely to increase if the vitality of the tree is impacted by the proposed construction on the property. The risk of failure will also increase in future years as the decay continues to spread and consume wood tissues.

Given the modifications to the proposed building entrance and access from the street that will be required, and the precautions that will have to be adhered to during this construction period, it may be more beneficial to remove the tree prior to the construction and replant it with a healthy structurally sound specimen that can be retained as a permanent part of the landscape.

Should you decide to retain this tree, we recommend that it be examined on a three year cycle.

Box 48153 RPO Uptown  
 Victoria, BC V8Z 7H6  
 Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
 Email: treehelp@telus.net

..../3

Please do not hesitate to call us at 250-479-8733 should you have any further questions.  
Thank You.

Yours truly,  
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie  
ISA Certified & Consulting Arborists

**Disclosure Statement**

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

Box 48153 RPO Uptown  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net



1923 Fernwood Road  
Victoria, BC V8T 2Y6

Phone: (250) 384-7441  
Email: [landuse@fernwoodvic.ca](mailto:landuse@fernwoodvic.ca)

March 7, 2014

Mayor and Council  
City of Victoria

Re: 1310 Gladstone Avenue

The proposal to rezone 1310 Gladstone Avenue from R1-B to a Site-Specific zone - allowing construction of a three-storey multi-use building - was formally presented at the Fernwood Community Association Land Use Committee meeting January 8, 2014. 35 people attended this meeting. (A preliminary community meeting had been held on November 6, 2013.)

Comments and questions were plentiful, especially regarding how this development would relate to future development of three other nearby properties recently purchased by the Neighbourhood Resource Group (2009, 2013 and 2017 Fernwood Rd), and the potential total impact on the surrounding area. The allotted time proved inadequate, so a follow-up meeting was held on February 4, 2014 to allow a more fulsome discussion.

This proposed mixed-use building will be primarily commercial with four residential rental units - two bachelor and two one-bedroom. The proponent may be requesting permission to rent some of the residential units as commercial units. A total variance to the number of parking spaces is being requested.

At the community meetings, supporters endorsed more commercial space and generally didn't think the proposed full parking variance is an issue. Those opposed believe we have enough commercial activity in the area and that parking is a chronic problem that this proposal will only exacerbate. The strongest concerns come from those people living in the same block of Gladstone Avenue

The Fernwood Neighbourhood Plan recommends that R1-B zoned lands on Gladstone be retained. This is consistent with the 2012 Official Community Plan (OCP), which does not include this property in the designated Small Urban Village Development Permit Area (Map 49, page 200). 1310 Gladstone Avenue, along with the remainder of the block, remains 'Traditional Residential'. The description of 'Traditional Residential' (6.1.5 page 35) includes '...mixed-use buildings up to three stories in height located along arterial and secondary arterial roads'. The OCP does not identify Gladstone Avenue as either an arterial or secondary arterial road. (Map 4 Page 54).

The OCP envisions the population in the 'Traditional Residential' areas increasing over time through infill and redevelopment, consistent with density and use ranges set out in the document (6.22, page 49).

Anticipating this eventual population increase, the OCP's strategic direction for Fernwood's Small Urban Village includes the following: "Consider expanding Fernwood Village to provide capacity for a broader range of businesses and services for residents within walking distance." (21.8.4 page 145). The OCP's vision for Fernwood's Small Urban Village in the citywide context has commercial activity primarily serving local people (21.7.2 page 145).

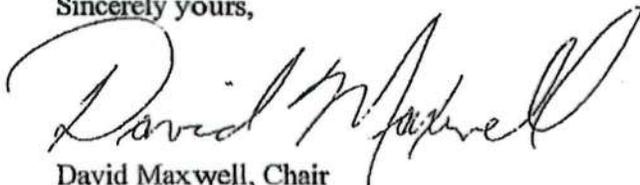
Of the identified Small Urban Villages in the OCP, Fernwood's Small Urban Village currently has the largest number of commercial and arts activities that serve both local residents and the greater Victoria area; the Belfry Theater, Theater Inconnu, Fernwood Inn, Stage Wine Bar, a methadone clinic, dentist, CaVa Restaurant, Pandora Arts, a Yoga Studio, hairdresser and others. To be consistent with the vision expressed in the OCP, it could be argued that Fernwood's Small Urban Village should not be expanded until the population in the area has increased. Current commercial and arts activities in Fernwood's Small Urban Village contribute to parking concerns that are expressed regularly by neighbouring residents.

If this property were to be included in Fernwood's Small Urban Village Development Permit Area the current proposals FSR is greater than the FSR of 1.5:1 shown for Small Urban Villages in the OCP (p 39).

The OCP is a thirty-year vision document, a road map of sorts, allowing for changes to occur incrementally over time. This proposal places the burden of increasing commercial development, somewhat unexpectedly, on the remaining residential section of Gladstone Avenue. This contradicts the stated position and spirit of the OCP concerning developments in 'Traditional Residential' areas. (6.22, page 49).

In light of the above, a proposal to develop a creative duplex or triplex with parking underneath would be more in keeping with both the Fernwood Neighbourhood Plan and the OCP.

Sincerely yours,



David Maxwell, Chair  
Land Use Committee  
Fernwood Community Association

Pc: Development Services Division, Sustainable Planning and Community Development  
Department, City of Victoria



## Planning and Land Use Committee Report

For the Meeting of February 5, 2015

**To:** Planning and Land Use Committee **Date:** January 23, 2015  
**From:** Rob Bateman, Planning Analyst, Community Planning Division  
**Subject:** Official Community Plan Annual Review 2014

### RECOMMENDATION

Staff recommends that committee forward this report to Council and that Council receive the Official Community Plan Annual Review 2014 for information and direct staff to communicate the findings and highlights from the Annual Review to the public.

### EXECUTIVE SUMMARY

The Official Community Plan Annual Review 2014 (Annual Review) provides the second annual snapshot of progress towards achieving the *Official Community Plan* (OCP). It presents 17 indicators related to the OCP and reports key findings from the 2013 calendar year. The preparation of the Annual Report is guided by the OCP adaptive management approach, which establishes a regular cycle of plan implementation, monitoring and adjustment. Over time, once more information has been collected and analyzed, the Annual Review will help identify emerging trends and issues that may have an impact on the OCP and will inform potential changes to the OCP and other plans, policies and practices.

Overall, the OCP indicators from the 2013 calendar year show that targets are largely being met or exceeded. These include:

- exceeded targets for regional share of new housing
- improved bicycle network by increasing cycling lanes
- greater vibrancy through increased activities in public spaces
- healthier environment through increased tree planting
- balanced housing rental market.

A separate report on the status of OCP implementation actions will be prepared to reflect the updated timelines and priorities of the forthcoming 2015 Strategic Plan.

Note: The Annual Review includes building permit information limited to housing growth indicators. A separate report with more detailed construction permit statistics will provide an overview of recent construction activities.

## BACKGROUND

On July 30, 2012, Council adopted a new *Official Community Plan* (OCP). One of the distinguishing features of the OCP is its adaptive management approach, which establishes a regular cycle of plan implementation, monitoring and adjustment that measures the progress towards achieving the OCP's long-term goals and objectives and ensures that the OCP responds to emerging issues and opportunities. The *OCP Implementation Strategy*, approved by Council on September 12, 2013, also identifies the development of an OCP monitoring program and associated indicators as short-term actions to support and realize an adaptive management approach.

The OCP monitoring program includes both annual and five-year reporting. The annual status report (OCP Annual Review) will evaluate the progress towards plan implementation, goals and objectives and reporting on key annual indicators (Policy 22.9). The Five-Year Monitoring Report, featuring a comprehensive set of indicators and a more detailed evaluation of the plan progress towards the OCP implementation, goals, objectives and local area planning (Policy 22.11), will be prepared approximately every five years, as resources allow.

### OCP Annual Indicators

The OCP Annual Review 2014 (Attachment) presents the second annual snapshot of progress towards achieving the OCP. It monitors annual indicators related to the OCP and, in conjunction with the *OCP Annual Review 2013*, provides a reference point against which progress can be measured in future years.

The following annual OCP indicators are reported in the OCP Annual Review. The annual indicators are focused primarily on land management and development and are limited to those where data is available on an annual basis:

- |   |   |
|---|---|
| 1. New housing units                                      | 9. Activities in public spaces              |
| 2. Share of new housing units located within target areas | 10. New trees on City lands                 |
| 3. Regional share of new housing units                    | 11. New housing units by tenure             |
| 4. New commercial and industrial space in target areas    | 12. New housing units by type               |
| 5. Improvements to Greenways network                      | 13. Rental housing vacancy rate             |
| 6. Improvements to sidewalk network                       | 14. Emergency shelter use                   |
| 7. Improvements to cycling network                        | 15. Retail, office and industrial vacancies |
| 8. Improvements to underground infrastructure             | 16. Official Community Plan amendments      |
|   | 17. Contributions from development          |

### Status of OCP Implementation Actions

In 2013, it was anticipated that future OCP Annual Reviews would review progress towards achieving the *OCP Implementation Strategy*, including reporting on the status of each implementation action. However, success of the *OCP Implementation Strategy* is premised on maintaining alignment with the *Strategic Plan* and the financial plans. It is, therefore, more appropriate to review the *OCP Implementation Strategy* in light of the renewed Council strategic planning process which will occur in 2015. For this reason, the 2014 OCP Annual Review does not report on the status of OCP implementation actions. A separate status report will be prepared to reflect the updated timelines and priorities of the new Strategic Plan in 2015.

**ISSUES & ANALYSIS**

Overall, the indicators for the 2013 calendar year show that targets are largely being met or exceeded. The following is a high level summary of several targets. More specific details on each indicator are included in the Annual Review (Attachment):

- **Exceeded targets for regional share of new housing:** The regional share of new housing units approved in the City’s Urban Core and the City as a whole has exceeded targets over the last several years. New housing growth within the Urban Core supports the economic vibrancy of downtown and ensures that it retains its predominant role in the regional economy.
- **Improved bicycle network by increasing provision of dedicated cycling lanes:** There was a large annual increase in on-street cycling lanes between 2012 and 2013, helping increase the proportion of people making more sustainable transportation choices.
- **Greater vibrancy through increased number of activities in public spaces:** The number of permits issued for activities in public spaces has increased from 2012 to 2013. These activities, including markets, festivals and street vending, help make streets and neighbourhoods lively and vibrant. They also generate economic activity and contribute to the city’s arts and cultural life.
- **Healthier environment through increased tree planting:** More trees were planted on City land in 2013 than in 2012. This helps to reduce stormwater runoff, filter air and water pollution, and provide important habitat for wildlife, while providing privacy and beauty for people.
- **Balanced housing rental market:** The rental housing vacancy rate was within the range of what is considered a balanced rental market.

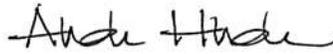
**CONCLUSIONS**

The Annual Report presents the second annual snapshot of progress towards achieving the OCP. This report presents data from the 2013 calendar year, which can be compared to the 2012 baseline to begin to understand if trends are developing. However, most of the OCP indicators do not yet show conclusive trends within this limited time frame.

Respectfully submitted,



Rob Bateman  
 Planning Analyst  
 Community Planning Division



Andrea Hudson  
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 Sustainable Planning and Community Development

Report accepted and recommended by the City Manager: \_\_\_\_\_  
Jason Johnson

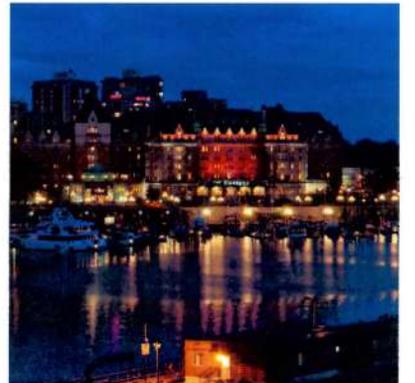
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**List of Attachments**

- Attachment: Official Community Plan Annual Review 2014.



# OFFICIAL COMMUNITY PLAN Annual Review 2014



#### Publishing Information

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# Introduction



The purpose of the Official Community Plan (OCP) Annual Review is to provide an annual snapshot of progress towards achieving the OCP, which Council approved in July 2012. The OCP Annual Review 2014 is the second annual review and presents key indicators related to the OCP for the 2013 calendar year. Data collected in future years will allow progress to be measured as the indicators show trends over time. In the future, the Annual Review will also include the status of the actions listed in the *OCP Implementation Strategy*, which Council approved in September 2013.

The preparation of the Annual Report is guided by the OCP, which establishes a regular cycle of plan implementation, monitoring and adjustment as part of an adaptive management approach. More details regarding the OCP monitoring program were outlined in the Annual Review 2013, approved by Council in December 2013.

The Annual Review will be used to help identify emerging trends and issues that may have an impact on the OCP and to inform potential changes to the OCP and other policies, plans or practices.

The Annual Review indicators are focused primarily on land management and development, and are limited to those where data is available on an annual basis. A more comprehensive monitoring report will be produced approximately every five years, as resources allow, and provide a more complete review of progress towards achieving the OCP. These reports will feature an extensive list of indicators, covering all topics in the OCP.

## KEY MONITORING FINDINGS

Overall, the indicators for the 2013 calendar year show that targets are largely being met or exceeded. These include:

- › Exceeded targets for regional share of new housing
- › Improved bicycle network by increasing provision of dedicated cycling lanes
- › Greater vibrancy through increased number of activities in public spaces
- › Healthier environment through increased tree planting
- › Balanced housing rental market

# Victoria's Official Community Plan

## BACKGROUND

An *Official Community Plan* (OCP) is one of the most important guiding bylaws for a community. Victoria's current OCP was adopted by Council in July 2012 after two and a half years of public consultation with more than 6,000 people.

Guided by the *Local Government Act*, an OCP is a set of high-level objectives and policies that guide land use planning; social, economic and environmental policies; and civic infrastructure investments. Victoria's OCP provides direction for growth and change over the next 30 years, guiding Victoria to become a more sustainable community. Victoria's OCP encourages a strong downtown core and a network of vibrant walkable villages and town centres. It also emphasizes sustainable transportation and a greater range of housing options.

## RELATIONSHIP TO THE OCP IMPLEMENTATION STRATEGY

The *OCP Implementation Strategy*, approved by City Council in September 2013, identifies 174 different actions to achieve the OCP. For each action, the *OCP Implementation Strategy* lists the responsibility, funding status, time frame and how it supports other priorities of the organization. In future years, the OCP Annual Review will present the status of implementation actions and report on any changes that might prompt changes to the *OCP Implementation Strategy*.



# Targets

The following list presents those targets identified in the OCP, along with the frequency with which their progress can be measured:

## LAND MANAGEMENT AND DEVELOPMENT

› Victoria accommodates a minimum of 20,000 additional residents from 2011 to 2041	Measured every 5 years
› The Urban Core accommodates a minimum of 10,000 additional residents from 2011 to 2041	Measured every 5 years
› Victoria accommodates a minimum of 20% of the region's cumulative new housing units to 2041	Measured annually
› The Urban Core accommodates a minimum of 10% of the region's cumulative new housing units to 2041	Measured annually
› A minimum 90% of all housing units are within 400 metres of either the Urban Core, a Town Centre or an Urban Village by 2041	Measured every 5 years

## TRANSPORTATION

› At least 70% of journey to work trips by Victoria residents take place by walking, cycling and public transit by 2041	Measured every 5 years
› A minimum of 60% of all trips by Victoria residents take place by walking, cycling and public transit by 2041	Measured every 5 years
› A minimum of 99% of Victoria residents live within 400 metres of a transit stop by 2041	Measured every 5 years

## CLIMATE CHANGE AND ENERGY

› Victoria's greenhouse gas emissions are reduced by a minimum of 33% below the 2007 levels by 2020	Measured every 5 years
---	------------------------

## ECONOMY

› Victoria accommodates a minimum of 20% of the region's new employment by 2041	Measured every 5 years
› Victoria's employment has increased by a minimum of 10,000 jobs by 2041	Measured every 5 years

## FOOD SYSTEMS

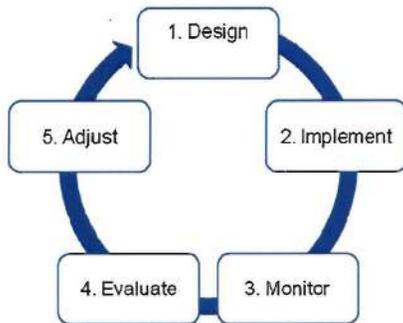
› A minimum of 90% of residents are within 400 metres of a full service grocery store by 2041	Measured every 5 years
› All organic food waste generated within Victoria is diverted from the regional landfill by 2041	Measured every 5 years

# Monitoring the *Official Community Plan*

## OVERVIEW

A community's ability to prepare and respond to change is an indication of its resiliency and sustainability. The OCP is based on an adaptive management approach, where an institution learns from implementation successes and failures in order to improve subsequent policies and actions over time. A regular system of review, monitoring and adjustment will measure progress towards achieving the OCP's long-term goals and objectives and ensure that the OCP responds to emerging trends, issues, and opportunities.

## OCP ADAPTIVE MANAGEMENT FRAMEWORK



Source: Policy 22.1, City of Victoria *Official Community Plan*, 2012

## MONITORING REPORTS

The OCP Monitoring Program will produce two different reports\*:

1. An Annual Review, presenting a snapshot of implementation progress and reporting on key annual indicators
2. A Five-Year Monitoring Report containing a comprehensive set of indicators and evaluation of implementation progress

\*OCP policies 22.3, 22.7, 22.9, 23.1 – 23.8 provide more detailed guidance for the OCP Monitoring Program and reporting.

## INDICATOR CRITERIA

The OCP monitoring program collects data for nearly 100 indicators. Seventeen of these indicators are measured on an annual basis with the remaining indicators measured approximately every five years. The list of indicators will be reviewed regularly. New indicators may be added and others may be adjusted or removed.

The indicators were selected with close attention to existing City monitoring initiatives. The final indicators were chosen based on the following criteria:

Criteria	Description
Meaningful	Does the indicator provide useful and relevant information about reaching OCP goals and objectives?
Readily available	Is the data needed to measure the indicator readily available? If not, can a new system to measure the indicator be easily set up? Is the indicator reported on a regular basis?
Outcome-oriented	Does the indicator measure results and not just the resources invested?
Reliable	Are the methods used to measure the indicator standardized and reliable? Is the data of a good quality?
Accepted	Is the indicator seen by other municipalities as a valid, reliable and verifiable measure?
Spatial	If possible, is the indicator spatially-oriented and able to be mapped?

## ANNUAL INDICATORS

The following indicators are measured on an annual basis and reported in the OCP Annual Review:

OCP Section	Annual OCP Indicators
Land Management and Development	<ol style="list-style-type: none"> <li>1. New housing units</li> <li>2. Share of new housing units in growth target areas</li> <li>3. Regional share of new housing units</li> <li>4. New commercial and industrial space in target areas</li> </ol>
Transportation and Mobility	<ol style="list-style-type: none"> <li>5. Improvements to Greenways network</li> <li>6. Improvements to sidewalk network</li> <li>7. Improvements to cycling network</li> </ol>
Placemaking	<ol style="list-style-type: none"> <li>8. Activities in public spaces</li> </ol>
Parks and Recreation	<ol style="list-style-type: none"> <li>9. New trees on City lands</li> </ol>
Infrastructure	<ol style="list-style-type: none"> <li>10. Improvements to underground infrastructure</li> </ol>
Housing and Homelessness	<ol style="list-style-type: none"> <li>11. New housing units by tenure</li> <li>12. New housing units by type</li> <li>13. Rental housing vacancy rate</li> <li>14. Emergency shelter use</li> </ol>
Economy	<ol style="list-style-type: none"> <li>15. Retail, office and industrial vacancies</li> </ol>
Plan Administration	<ol style="list-style-type: none"> <li>16. <i>Official Community Plan</i> amendments</li> <li>17. Contributions from development</li> </ol>

## FIVE-YEAR INDICATORS

The OCP Five-Year Monitoring Report will include indicators that cover all topic areas in the OCP. The final selection of five-year indicators will be based on resource availability and the quality of the data. For a list of proposed five-year indicators, see Appendix A.

## Trends and Issues

One of the objectives of the Annual Review is to identify observable trends from the findings of the monitoring program. The Annual Review also aims to recognize other emerging issues, new knowledge and information that may be relevant to the implementation of the OCP. This information will be used to review and update relevant policies and practices in a coordinated and timely manner.

### KEY MONITORING FINDINGS

This report presents data from the 2013 calendar year, which can be compared to the 2012 baseline to begin to understand if trends are developing. However, most of the OCP indicators do not yet show conclusive trends within this limited time frame. Additional data added in future years will allow more thorough analysis of trends as they develop.

Overall, the indicators for the 2013 calendar year show that targets are largely being met or exceeded. These include:

- › **Exceeded targets for regional share of new housing:** The regional share of new housing units applied for in the City's Urban Core and the City as a whole has exceeded targets over the last several years. New housing growth within the Urban Core supports the economic vibrancy of downtown and ensures that it retains its predominant role in the regional economy.
- › **Improved bicycle network by increasing provision of dedicated cycling lanes:** There was a large annual increase in on-street cycling lanes between 2012 and 2013, helping increase the proportion of people making more sustainable transportation choices.
- › **Greater vibrancy through increased number of activities in public spaces:** The number of permits issued for activities in public spaces has increased from 2012 to 2013. These activities, including markets, festivals and street vending, help make streets and neighbourhoods lively and vibrant. They also generate economic activity and contribute to the city's arts and cultural life.
- › **Healthier environment through increased tree planting:** More trees were planted on City land in 2013 than in 2012. This helps to reduce stormwater runoff, filter air and water pollution, and provide important habitat for wildlife, while providing privacy, and beauty for people.



- › **Balanced housing rental market:** The rental housing vacancy rate was within the range of what is considered a balanced rental market.

### EMERGING TRENDS AND ISSUES

As more data is collected over the next few years, this section will provide a summary of any emerging trends, issues or new information that may have an impact on the implementation and success of the OCP.



# OCP Indicators

The indicators presented in this report are based on data for the 2013 calendar year, except where noted. Results from earlier years were included for some indicators where the data was available. In many cases, this data was not available and it will be several years before conclusive trends can be determined.

Many of the OCP indicators in this report were first measured for the 2012 baseline year. This has meant finding reliable data sources and developing standard methods to collect and analyze the data. The monitoring methods for some indicators are still under development and these results will be reported in future OCP Annual Reviews. Those annual indicators are shown in the table at right.

**Note:** Unless otherwise noted, all data provided by the City of Victoria.

Annual Indicators Under Development	
Indicator	Details
1. New housing units	Will be expanded to include new housing units completed, through Development Database Project (in progress)
2. Share new housing units located within target areas	Will be expanded to include new housing units completed, through Development Database Project (in progress)
3. Regional share of new housing units	Will be expanded to include new housing units completed, through Development Database Project (in progress)
5. New commercial and industrial space in target areas	Under development, as part of Development Database Project (in progress)
6. Greenways network	Will be expanded in the future to measure the percentage of the Greenways network that is complete
9. New trees on City lands	Will be expanded in 2014 to include a map based on the new City of Victoria Tree Inventory
10. New housing units by tenure	Will be expanded to include new housing units completed, through Development Database Project (in progress)
11. New housing units by structure type	Will be expanded to include new housing units completed, through Development Database Project (in progress)
16. Contributions from development	Under development, as part of Development Database Project (in progress)



# New Housing Units

## WHAT IS BEING MEASURED?

This indicator measures the number and geographic distribution of net new housing units in the City of Victoria. Net new housing units are calculated by subtracting the number of housing units that were applied for demolition from the number of new housing units at time of application of building permit.

## WHY IS THIS INDICATOR IMPORTANT?

Victoria is anticipated to grow by a minimum of 20,000 people over the next 30 years. This indicator measures how well the new housing supply is meeting the projected demand.

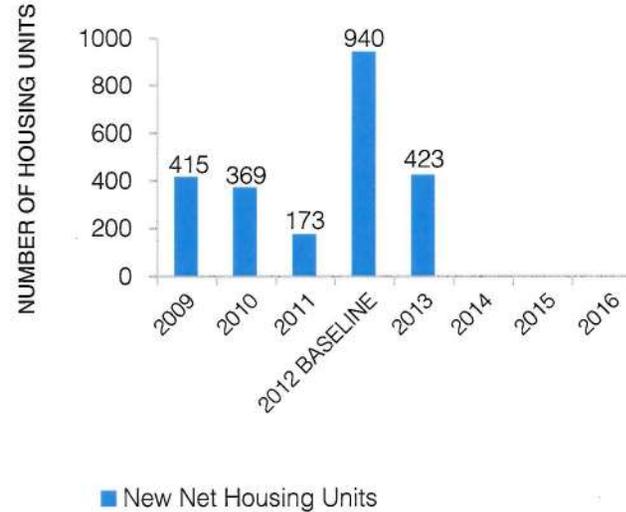
**TARGET/DESIRED TREND:** ↑ increase sought

## HOW ARE WE DOING?

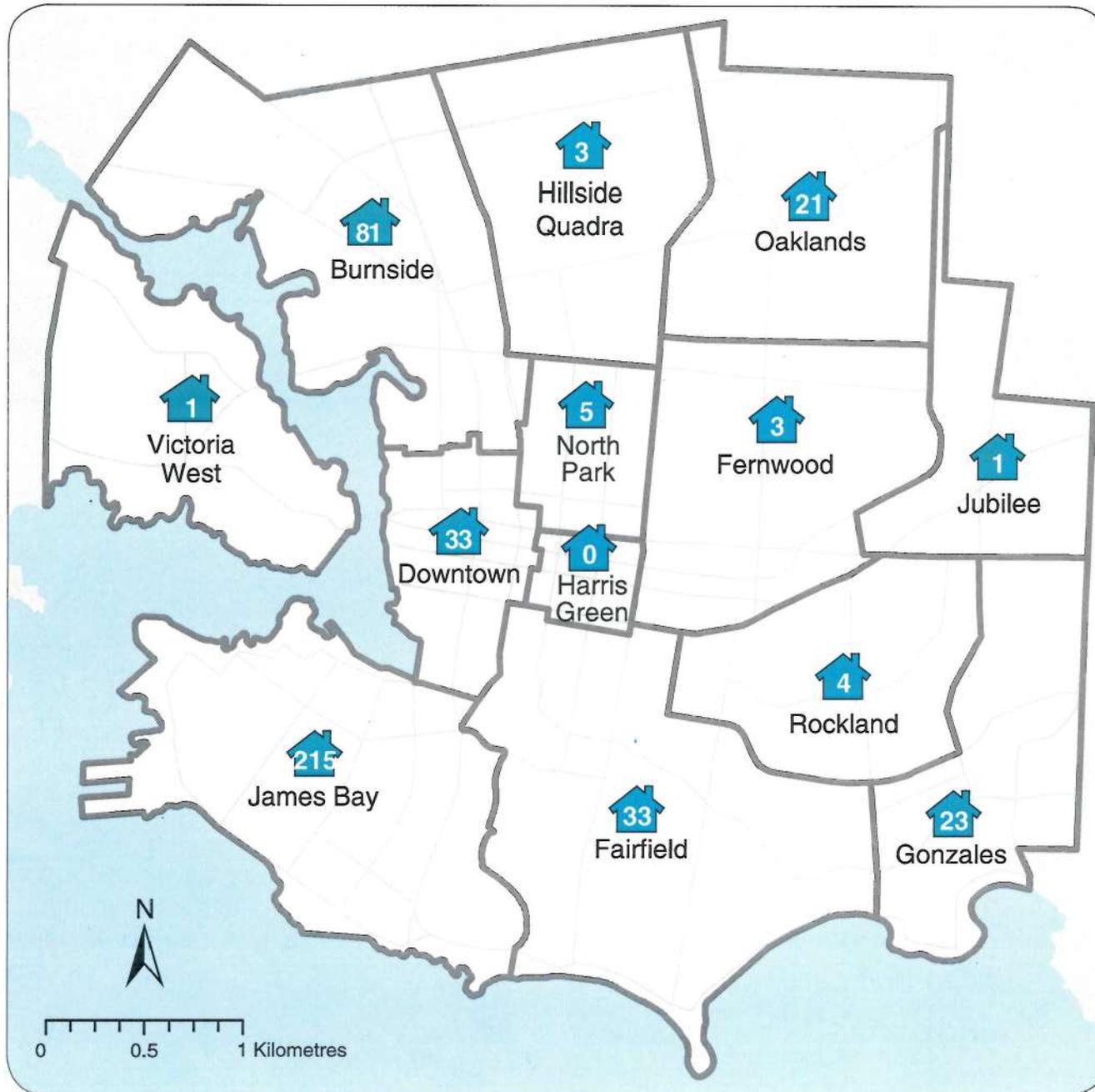
A total of 423 net new housing units were applied for construction in 2013. The neighbourhood with the largest number of housing units applied for was James Bay, followed by Burnside (MAP 1).

Although the 2013 figure decreased from the 2012 baseline, it represents an increase over the preceding several years. The 2012 baseline was higher than usual due to a spike in strata apartment units applied for through some larger projects downtown (e.g. three developments with over 100 units each).

### Net New Housing Units Approved in the City of Victoria



SOURCE: CITY OF VICTORIA



MAP 1:

### Net New Housing Units by Neighbourhood

2013 Total Net New Housing Units in Victoria = 423

**Note:** Net new housing units are calculated by subtracting the number of housing units that were applied for demolition, from the number of new housing units at time of application for building permit.

SOURCE: CITY OF VICTORIA



# Share of New Housing Units in Growth Target Areas

## WHAT IS BEING MEASURED?

This indicator measures the annual share of new housing units located in the OCP's growth target areas. Housing growth is measured in three different target areas:

- 1) the Urban Core
- 2) located in or within walking distance (400 m) of a Town Centre or Large Urban Village
- 3) Small Urban Villages and the remainder of residential areas

Housing units are calculated from building permits at time of application, and categorized by OCP Urban Place Designation.

## WHY IS THIS INDICATOR IMPORTANT?

The OCP designates certain areas of the city for accommodating new population and associated housing growth. The Urban Core should accommodate 50% of the population growth, and areas in and near Town Centres and Large Urban Villages should accommodate 40% of the growth. Remaining growth is targeted for Small Urban Villages and other residential areas (10%). Concentrating housing and population growth in certain areas can provide the critical population mass to support better transit, local businesses, more efficient use of infrastructure, and better use of cycling and pedestrian facilities. It also reduces pressure on other residential parts of Victoria, where change is less desirable. A large share of Victoria's housing growth will be concentrated downtown to support the development of a strong urban core that retains its predominant role in the regional economy.

## TARGET/DESIRED TREND:

- › To accommodate at least 20,000 new residents and associated housing growth over the next 30 years in the following approximate proportions: 50% in the Urban Core; 40% in or within close walking distance of Town Centres and Large Urban Villages; and 10% in Small Urban Villages and the remainder of residential areas

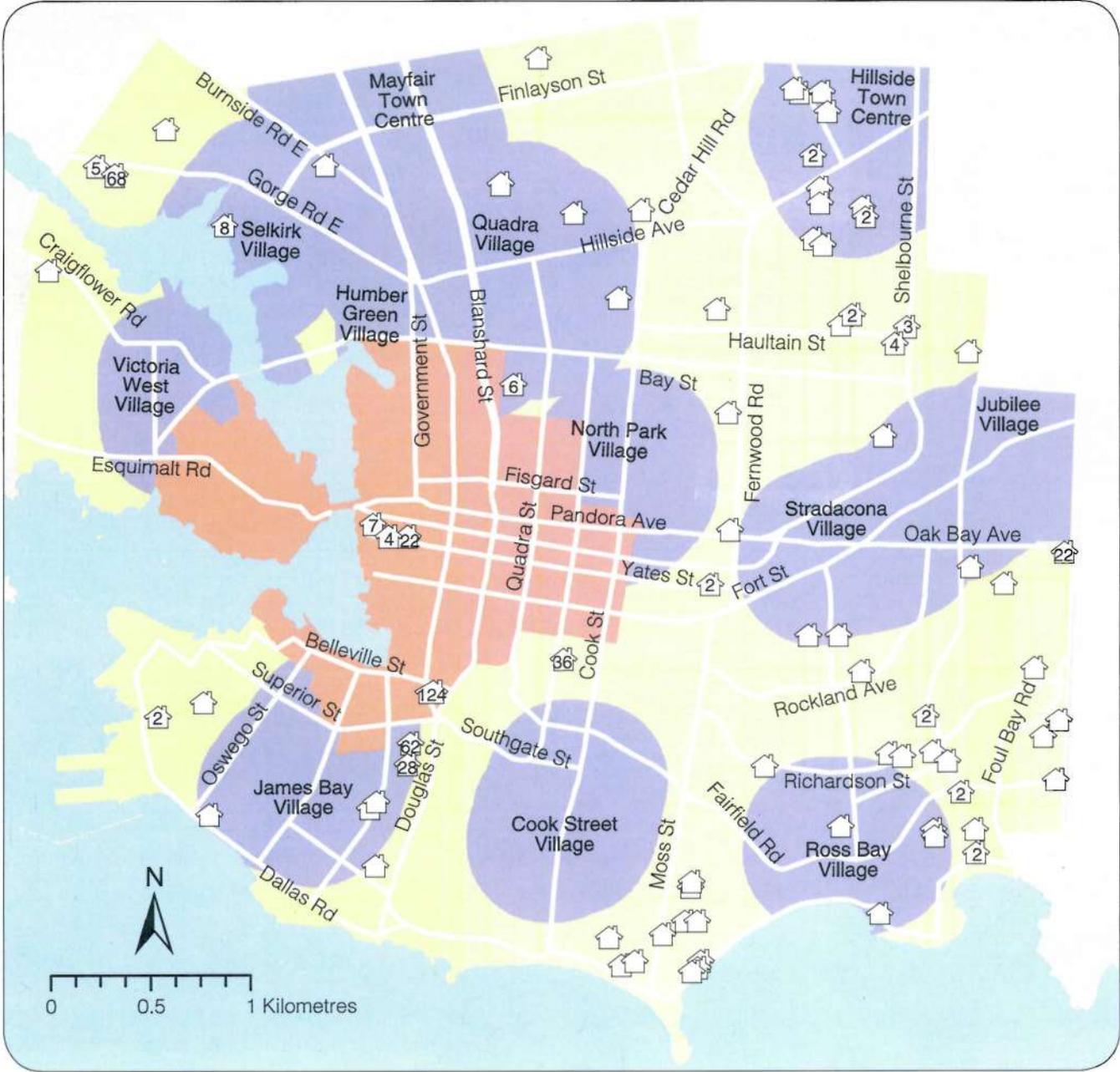
## HOW ARE WE DOING?

Of the new units applied for in 2012 and 2013, 60% were located in the Urban Core; 20% were located in or within walking distance of a Town Centre or Large Urban Village; and 20% were located in a Small Urban Village or the remainder of the residential areas. In 2013 alone, the percentages were 33%, 28%, and 39% respectively (MAP 2).

Progress towards the target cannot be conclusively measured until more information has been compiled in future years.

Share of New Housing Units in Growth Target Areas				
Growth Area	2012	2013	2012-2013 Cumulative	Target for 2041
Urban Core	73%	33%	60%	50%
In or within walking distance of a Town Centre or Large Urban Village	17%	28%	20%	40%
Small Urban Village or the remainder of the residential areas	10%	39%	20%	10%

SOURCE: CITY OF VICTORIA



**MAP 2:**  
**New Housing Units in Target Growth Areas**

- New Housing Unit (single unit)
- New Housing Unit (# of units)
- Urban Core – 157 units (33%)
- 400m walking distance from Town Centres/Large Urban Villages – 132 units (28%)
- Small Urban Villages and remainder of residential areas – 184 units (39%)

SOURCE: CITY OF VICTORIA

# 3 Regional Share of New Housing Units

## WHAT IS BEING MEASURED?

This indicator measures the annual share of new housing units throughout the Capital Regional District that are located in the City of Victoria. It shows the share of the regional total that was in: 1) the City of Victoria as a whole, and 2) Victoria's Urban Core. New units are calculated from building permits at time of application.

## WHY IS THIS INDICATOR IMPORTANT?

An increased share of new housing units within Victoria's Urban Core has potential impacts for the whole region: more efficient use of infrastructure and facilities, better access to transit services, decreased air pollution, less reliance on car travel, and less development pressure on agricultural and other rural lands. Within Victoria, encouraging new housing growth within the Urban Core will support the economic vibrancy of downtown and ensure that it retains its predominant role in the regional economy.

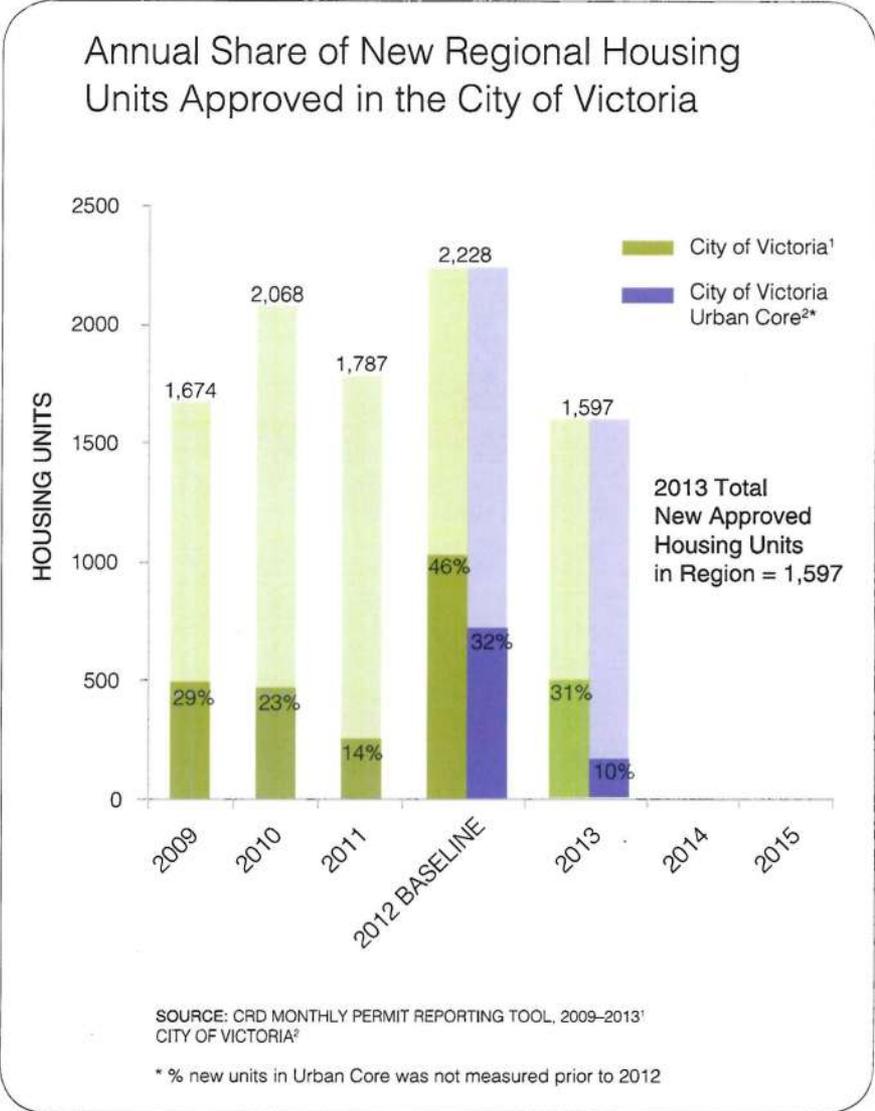
## TARGET/DESIRED TREND:

- > Victoria accommodates a minimum of 20% of the region's cumulative new housing units to 2041
- > The Urban Core accommodates a minimum of 10% of the region's cumulative new housing units to 2041

## HOW ARE WE DOING?

In 2013, Victoria accommodated 30% of the region's new housing units, while the Urban Core accommodated 10%.

The cumulative figures for 2012 and 2013 meet or exceed the targets for 2041. In 2012 and 2013, 38% of new units in the Capital Regional District were within the City of Victoria; 23% of the new units in the Capital Regional District were within Victoria's Urban Core.



## 4 New Commercial and Industrial Space

### WHAT IS BEING MEASURED?

This indicator will measure the amount of new commercial and industrial floor area that is approved on an annual basis.

### WHY IS THIS INDICATOR IMPORTANT?

A strong economic base is an essential component of a complete community. A diverse economy, including industrial, commercial and office sectors, not only provides increased stability, but also offers citizens the opportunity to access goods and services locally. The OCP focuses new employment growth in the Urban Core, Town Centres, in employment districts and along corridors served by frequent and rapid transit. New office development will be concentrated downtown to support the development of a strong downtown core that retains its predominant role in the regional economy. Outside of downtown, the concentration of employment growth in certain areas will maximize the use of municipal infrastructure, develop densities that allow for district energy, reduce commercial traffic, as well as increase the use of public transit by employees. Concentrating new employment growth in certain areas will also preserve the traditional residential character of other parts of the city.

**TARGET/DESIRED TREND:**  increase sought

### HOW ARE WE DOING?

Data collection methods for this indicator are under development.

# 5 Greenways Network

## WHAT IS BEING MEASURED?

This indicator measures the length of the Greenways network that is added or receives major upgrades on an annual basis. It also measures the total length of Greenways that have been added or upgraded since the inception of the *Greenways Plan* in 2004. This indicator will be expanded in the future to measure the percentage of the identified Greenways network that has been completed.

## WHY IS THIS INDICATOR IMPORTANT?

Victoria's Greenways network encourages active transportation, recreation, and the restoration of native and aquatic habitat and places of cultural importance. The OCP encourages completing the Greenways network to the standards in the *Greenways Plan*, including features such as street trees and wayfinding. The OCP also supports using the Greenways network to link the Urban Core, Town Centres and Urban Villages with common destinations such as major parks, places of employment, schools, and recreational and cultural attractions.

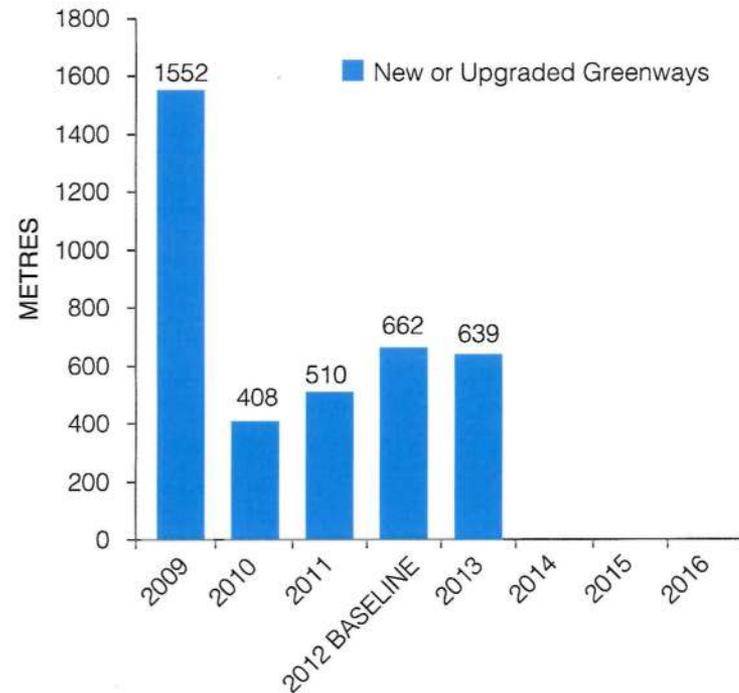
**TARGET/DESIRED TREND:** ↑ increase sought

## HOW ARE WE DOING?

The total length of the identified Greenways network measures 99.6 kilometres (MAP 3). A total of 639 metres of the Greenways network was added or upgraded in 2013. Since 2004, a total of 8.9 kilometres have been added or upgraded.

The total length of Greenways network added or improved in 2013 was within the same range as the previous three years and has increased overall since 2010.

Annual Greenways Network Improvements



SOURCE: CITY OF VICTORIA



**MAP 3:**  
**Improvements to**  
**Greenways Network**  
**(2004 – 2013)**

- Greenway Improvements (2013)
- Greenway Improvements (2004 - 2012)
- Designated Greenway

Length of new or major upgrades to Greenways network (since 2004) – 8.3 km  
 Total length of designated Greenways network (2013) – 99.6 km

SOURCE: CITY OF VICTORIA

# 6 Sidewalk Network

## WHAT IS BEING MEASURED?

This indicator measures the length of the sidewalk network that is added or receives major upgrades on an annual basis. It also measures the total length of sidewalks that have been added or upgraded since the inception of the *Pedestrian Master Plan* in 2009. New sidewalks are added where no sidewalk existed previously; a major upgrade includes work such as widening the sidewalk or making other improvements for pedestrians. The indicator was expanded this year to measure the percentage of City blocks that have a sidewalk.

## WHY IS THIS INDICATOR IMPORTANT?

Creating walkable, pedestrian-friendly neighbourhoods is a central focus of Victoria's OCP. Pedestrians are the top priority in future transportation planning. Walkability has many benefits for air quality, the reduction of greenhouse gases, public health and the life and vitality of neighbourhoods. A continuous, high quality sidewalk network is important in making a street comfortable, safe and inviting for pedestrians.

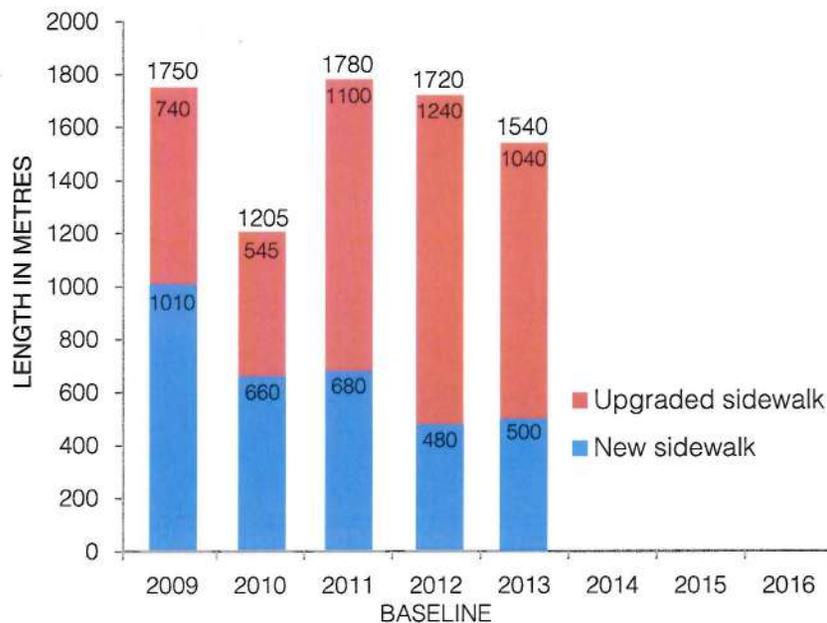
**TARGET/DESIRED TREND:**  increase sought

## HOW ARE WE DOING?

The total length of the designated sidewalk network is approximately 525 linear kilometres. In 2013, 0.50 kilometres of new sidewalks and 1.04 kilometres of upgraded sidewalks were added to Victoria's sidewalk network, for a total of 1.54 linear kilometres.

The percentage of City blocks that have a sidewalk is 88% (this figure was measured for the first time this year).

Annual Sidewalk Network Improvements



SOURCE: CITY OF VICTORIA

Total length of designated sidewalk network (2013): approx. 525 km  
 Total length of completed sidewalk network (2013): 464 km  
 Length of new or major upgrades to sidewalk network (2009–2013): 8.00 km  
 Percentage of City blocks with a sidewalk: 88%

# 7 Cycling Network

## WHAT IS BEING MEASURED?

This indicator measures the length of the cycling infrastructure that is added or receives major upgrades on an annual basis. It also measures the total length of cycling infrastructure that has been added or upgraded since the inception of the *Bicycle Master Plan* in 1995. Cycling infrastructure includes off-street multi-user trails, on-street painted cycling lanes, on-street separated cycling lanes and on-street signed cycling routes.

## WHY IS THIS INDICATOR IMPORTANT?

Victoria's compact size and mild climate make it well-suited for cycling, an efficient, low-impact mode of transportation. The OCP encourages the expansion of the cycling network and infrastructure such as bike lanes and bike parking in order to further increase the proportion of people making more sustainable transportation choices. Cycling lanes in particular can increase convenience and the perception of safety of cyclists, both of which contribute to increased ridership. Cycling routes that connect to shops, services and workplaces is an important feature in encouraging people to cycle on a regular basis.

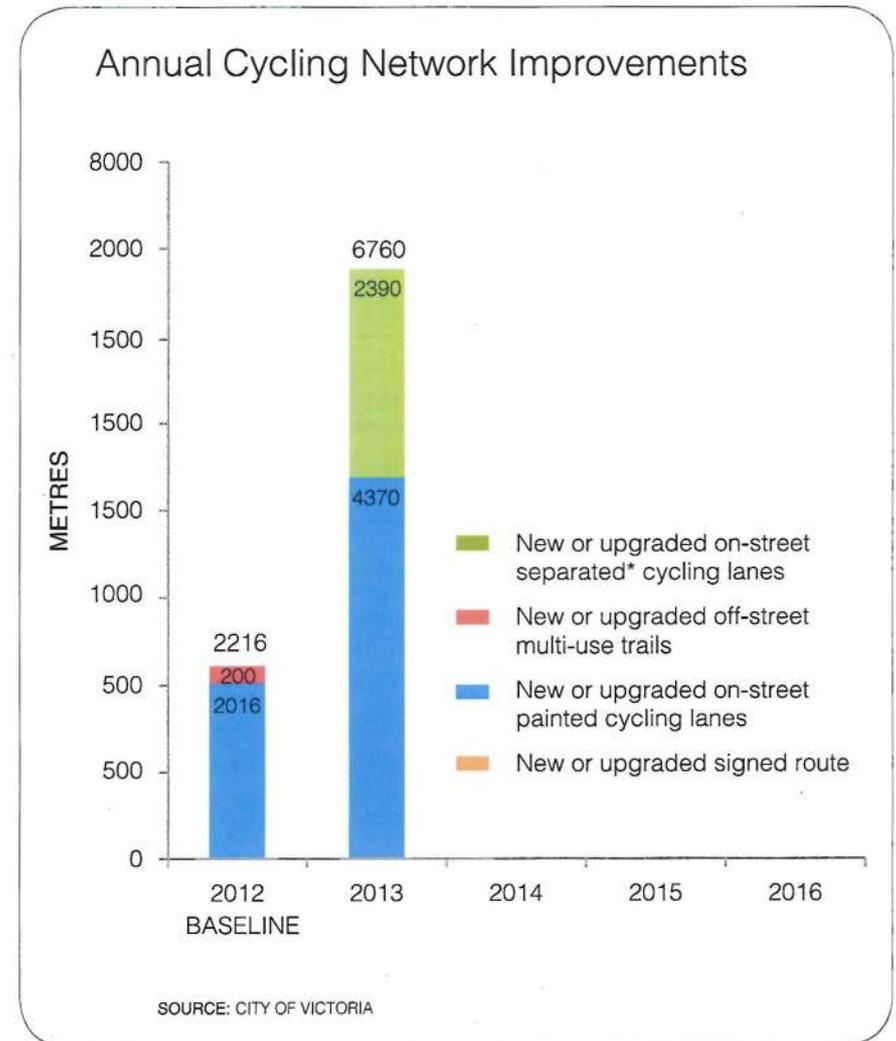
**TARGET/DESIRED TREND:**  increase sought

## HOW ARE WE DOING?

The total lane length of the designated cycling network is 134 kilometres (MAP 4). In 2013, a total of 4.37 kilometres of on-street painted bicycle lanes and 2.39 kilometres of separated\* cycling lanes were added or upgraded. No off-street multi-user trails or signed routes were added or upgraded in 2013.

In 2013, 6.8 kilometres of on-street cycling lane improvements were made compared to 2.2 kilometres in 2012.

\*On-street separated cycling lanes are separated from roads and sidewalks by parked cars, bollards, physical barriers, or painted buffer areas.





MAP 4:

Improvements to Cycling Network (1995 – 2013)

- On-street cycling lane<sup>1</sup> (2013)
- On-street cycling lane (1995 - 2012)
- Off-street multi-use trail (1995 - 2012)
- Signed cycle route (1995 - 2012)
- Designated network<sup>2</sup> (2013)

Total lane length of off-street multi-use trail (2013): 4.4 km

Total lane length of improvements to on-street cycling lanes (2013): 42.8 km

Total length of signed cycling routes (2013): 41 km

Total lane length of designated cycling network<sup>2</sup> (2013): 134 km

<sup>1</sup> No off-street multi-use trails or signed cycle routes were added or upgraded in 2013.

<sup>2</sup> The cycling network was revised in 2014 as part of the *Bicycle Master Plan* update. These will be included in the Annual Report 2015.

# 8 Underground Infrastructure

## WHAT IS BEING MEASURED?

This indicator measures the length of water, stormwater and sanitary sewer mains that are replaced or rehabilitated on an annual basis. It also measures the total length of each network. Rehabilitation includes physical improvements such as the relining of pipes in order to extend the life of the infrastructure.

## WHY IS THIS INDICATOR IMPORTANT?

Underground infrastructure for drinking water, stormwater and sanitary sewers are vital to the economic, environmental and public health of a community. The location, condition and capacity used in these systems can influence development patterns. Like many municipalities across the country, Victoria is challenged with repairing and replacing aging infrastructure, while meeting new population and employment growth over the next 30 years. The OCP encourages improvements to water, stormwater and sanitary sewer systems and services to meet current and future demand. At the same time, it identifies the need to continue to make physical improvements to existing infrastructure. The OCP focuses population and employment growth in the Urban Core, Town Centres and Urban Villages in order to make use of existing infrastructure, and minimize the need for new infrastructure.

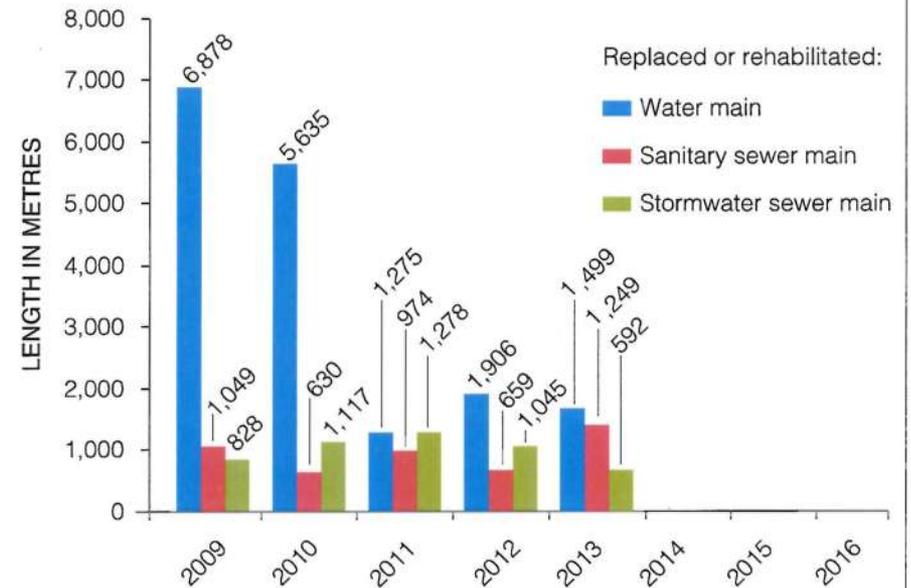
**TARGET/DESIRED TREND:**  increase sought\*

## HOW ARE WE DOING?

The total length of the water main network is 330 kilometres. In 2013, 1,499 metres were replaced or rehabilitated. This represents a decrease from 2009 and 2010 when a significant amount of the steel water main was rehabilitated with the support of external funding. The sanitary sewer network measures 241 kilometres in length and the stormwater sewer network measures 259 kilometres in length. The annual improvements for both have been fairly consistent over the last few years.

\*An increase is sought in the length of mains that are added or upgraded on an annual basis but, in keeping with OCP direction, not to the total length of the overall network.

### Annual Improvements to Water, Stormwater and Sanitary Sewer Mains



Total length of water main network (2013): 330 km  
 Total length of sanitary sewer network (2013): 241 km  
 Total length of stormwater sewer network (2013): 259 km

SOURCE: CITY OF VICTORIA

# 9 Activities in Public Space

## WHAT IS BEING MEASURED?

This indicator measures the number of permits issued for a variety of activities that happen in outdoor and public spaces: markets, block parties, mobile food carts, sidewalk cafes, special events and street entertainers. Special events include festivals, sporting events, rallies and a variety of other public gatherings.

## WHY IS THIS INDICATOR IMPORTANT?

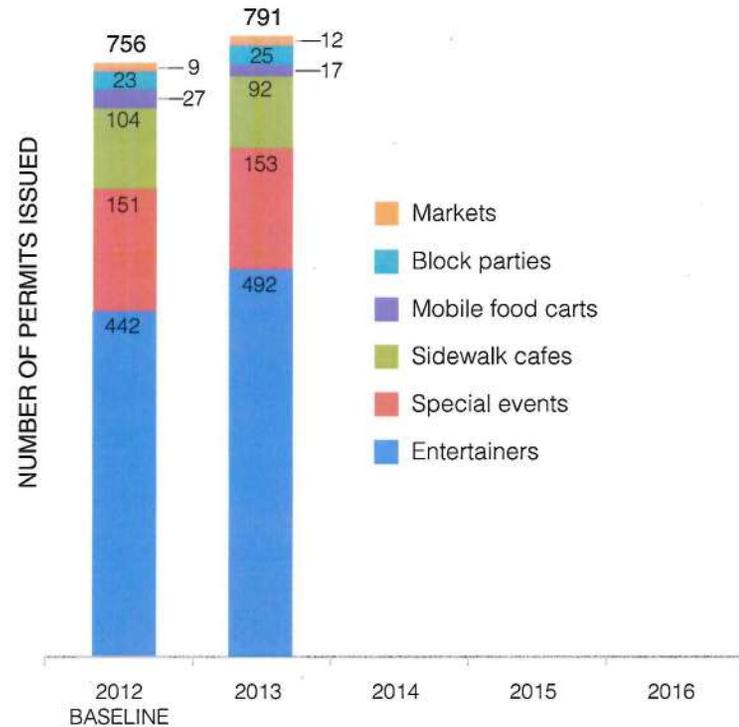
Activities such as markets, festivals and street vending help make streets and neighbourhoods lively and vibrant. They also generate economic activity, contribute to the city's arts and cultural life, reflect Victoria's unique identity, and help local residents feel more connected to each other. The OCP encourages more outdoor festivals, celebrations, concerts and special events to continue to animate the city's public spaces, streets and parks.

**TARGET/DESIRED TREND:** ↑ increase sought

## HOW ARE WE DOING?

A total of 791 permits were issued for different activities in public space in 2013. This number increased slightly from the 2012 baseline of 756. This is largely due to an increase in 50 permits issued for street entertainers. Of the total, 62% of the permits were issued for street entertainers (492) and 19% of the permits were issued for special events.

Permits for Activities in Public Space



SOURCE: CITY OF VICTORIA

# 10 New Trees on City Land

## WHAT IS BEING MEASURED?

This indicator measures the number of net new trees planted on City lands on an annual basis (trees planted minus trees removed). City lands include parks, boulevards and other City-owned public spaces.

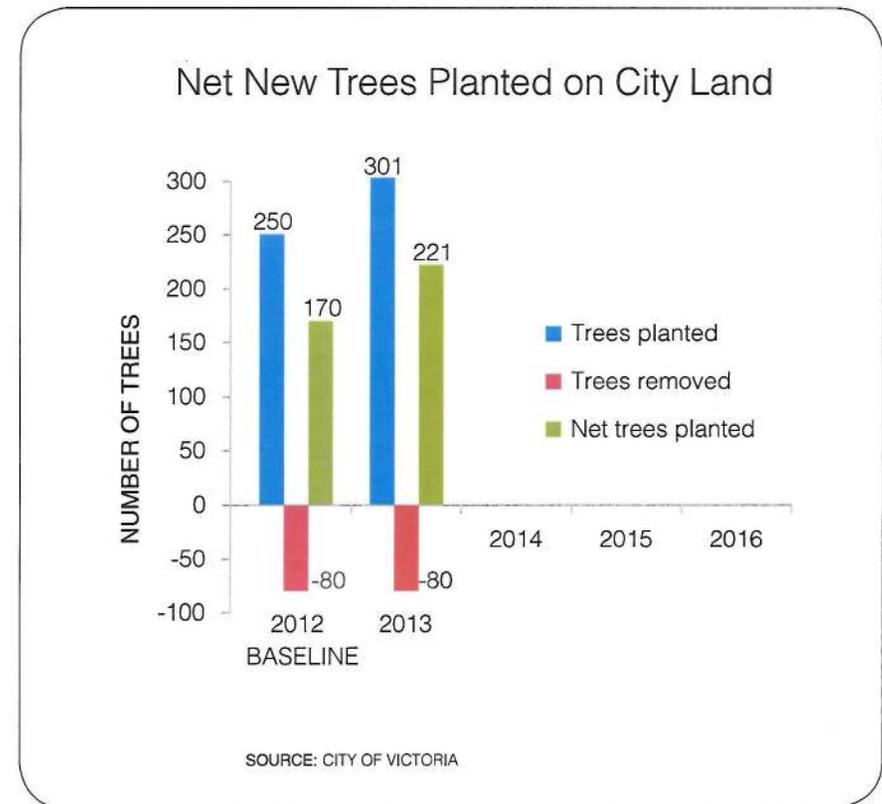
## WHY IS THIS INDICATOR IMPORTANT?

The urban forest provides many ecological and community benefits. Trees reduce stormwater runoff, filter air and water pollution, and provide important habitat for birds, insects and other wildlife. In addition to their beauty, trees protect people from weather, provide privacy and buffer sound. Trees add beauty to public spaces and along roads and sidewalks, making walking and cycling more enjoyable. The OCP aims to enhance the urban forest to continue to support the many benefits that an urban forest provides.

**TARGET/DESIRED TREND:**  increase sought

## HOW ARE WE DOING?

In 2013, 301 trees were planted and 80 trees were removed, for a net total of 221 trees planted. There are a total of 33,564 trees on City lands. This represents an increase in trees planted over the 2012 baseline.





# New Housing Units by Tenure

## WHAT IS BEING MEASURED?

This indicator measures the total number of new rental<sup>1</sup>, strata<sup>2</sup> and fee simple<sup>3</sup> housing units at time of application of building permit on an annual basis. It also measures the new housing units gained by tenure for each neighbourhood. New units are calculated from building permits at time of application.

## WHY IS THIS INDICATOR IMPORTANT?

Providing a mix of rental and ownership (strata and fee simple) housing is important for building a diverse community. Providing options for rental and ownership housing within the same neighbourhood can accommodate people at a variety of life stages and income levels. The OCP encourages a wide range of housing types, tenures and prices in each neighbourhood. It also aims to maintain and expand Victoria's supply of aging rental housing through upgrades and regeneration.

## TARGET/DESIRED TREND:

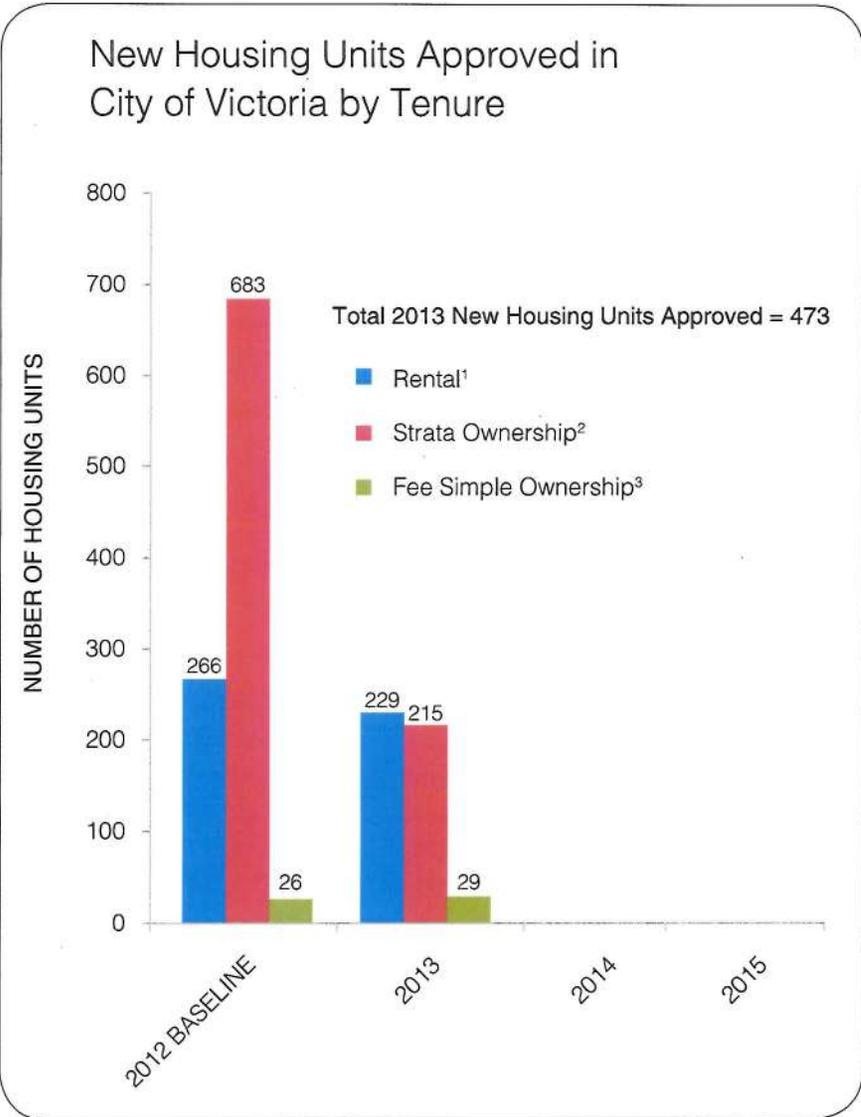
No target

## HOW ARE WE DOING?

Of the 473 new units that were applied for in Victoria in 2013, 48% were identified as rental units, 45% as strata ownership, and 6% as fee simple ownership. The rental and fee simple ownership figures are fairly similar to the 2012 baseline. However, the new strata ownership units were only at 215 in 2013 as compared to the unusually high number of 683 in 2012. This was due to a spike in strata apartment units through some larger projects downtown (e.g. three developments with over 100 units each).

Map 5 shows the distribution of new housing units by tenure across the City. Most new rental housing units were in James Bay followed by Burnside. New strata units were concentrated in James Bay, Fairfield, Downtown, and Gonzales. As in 2012, fee simple ownership units make up a small proportion of the total new units.

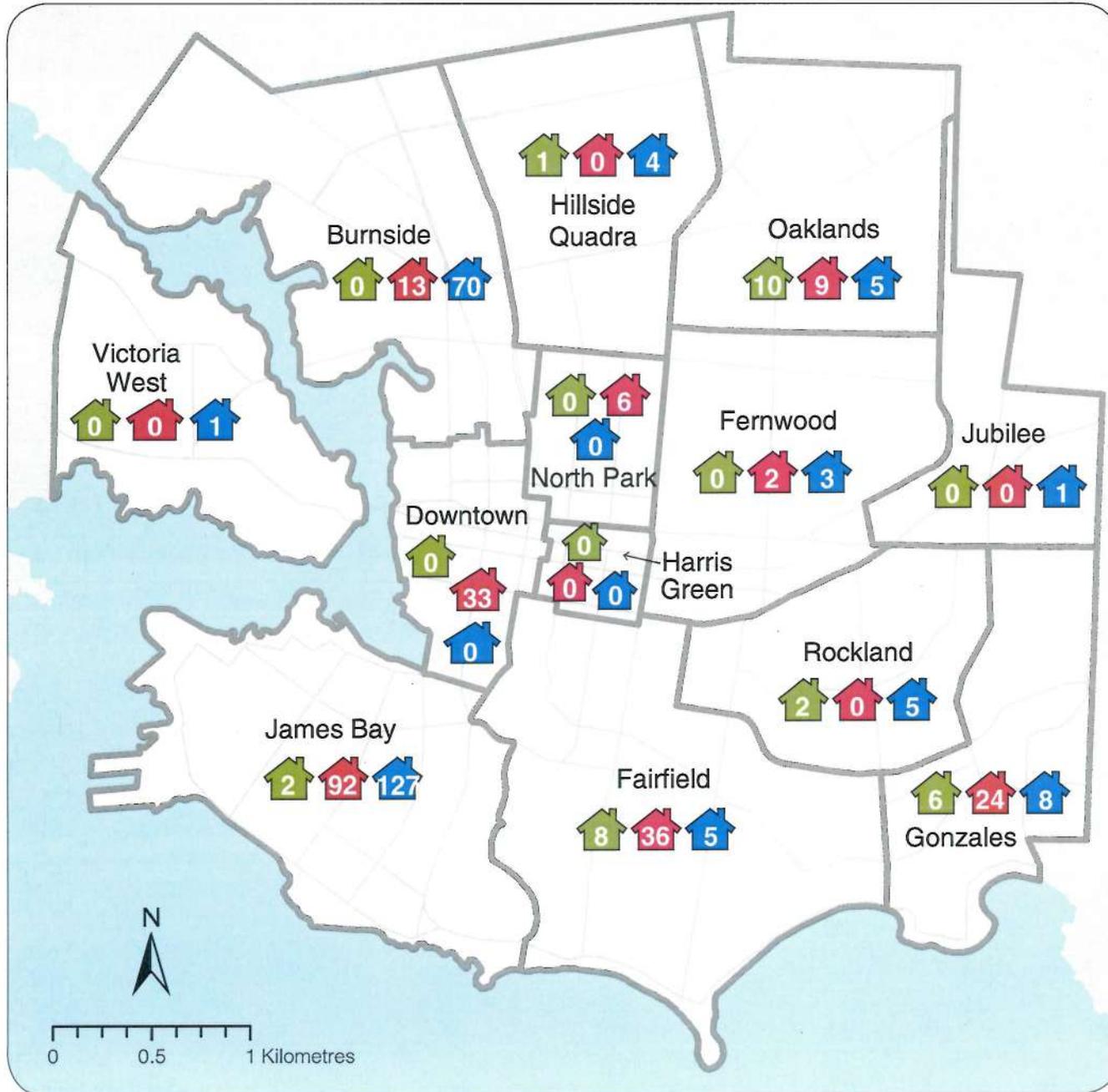
SOURCE: CITY OF VICTORIA



<sup>1</sup>Rental: includes purpose-built rental apartments, secondary suites, garden suites

<sup>2</sup>Strata: includes strata duplexes, triplexes and fourplexes; strata townhouses; strata units in apartment, mixed-used and other multi-unit buildings

<sup>3</sup>Fee Simple: includes single family dwellings and non-strata attached houses



MAP 5:

New Housing Units by Tenure

- Fee Simple – 29 units
- Strata – 215 units
- Rental – 229 units

Total 2013 New Housing Units = 473

# 12 New Housing Units by Type

## WHAT IS BEING MEASURED?

This indicator measures the total number of new housing units by type of housing (townhouse, duplex, secondary suites, etc.) on an annual basis. It also measures the net number of new housing units by type of housing in each neighbourhood. New housing units are calculated from building permits at time of application.

## WHY IS THIS INDICATOR IMPORTANT?

The OCP encourages a wide range of housing types to support a diverse, inclusive and multigenerational community. Neighbourhoods with a wide range of housing types – such as townhouses, duplexes, single family dwellings, apartment buildings, special needs housing and secondary suites – can support a diverse population that includes students, families, seniors, group housing, singles or couples. This mix reinforces neighbourhood stability by allowing people to stay in the same neighbourhood throughout different stages of their life. It can also encourage social and economic diversity and different levels of affordability.

## TARGET/DESIRED TREND:

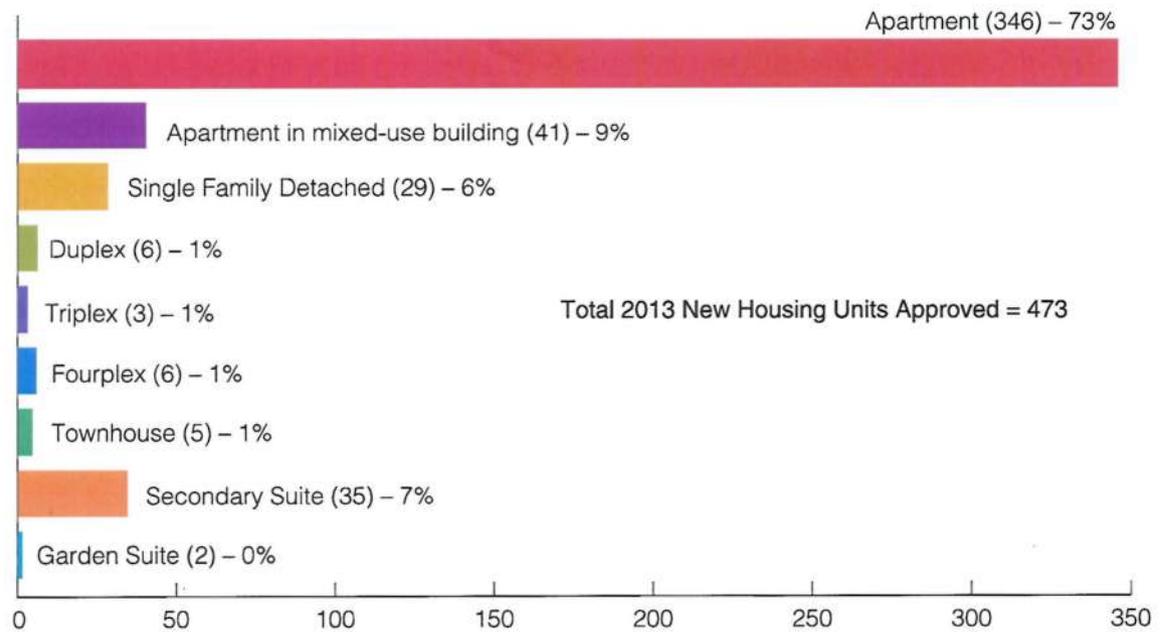
No target

## HOW ARE WE DOING?

In 2013, “attached” types of housing comprised a significant proportion of Victoria’s new housing units. Of the 473 new units in Victoria, 82% of the total new units were apartments, either in all-residential or mixed-use buildings. Only 6% of new units were single family detached and 7% were secondary suites. Other types of attached housing, including duplexes, triplexes, fourplexes, townhouses, collectively accounted for an additional 4% of the new units.

The table on the following page shows that James Bay had the largest number of

2013 New Housing Units Approved City-Wide by Type



SOURCE: CITY OF VICTORIA

apartment units (214). The largest number of single family detached units were in Oaklands (10), followed by Fairfield (8) and Gonzales (6). Most neighbourhoods had secondary suites, with Gonzales having the highest number (8). Only two garden suites were applied for in 2013. These were in Jubilee and Rockland.

2013 Housing Units by Type of Housing										
Type	Apartment	Mixed-use*	Single Family Dwelling	Duplex	Triplex	Fourplex	Townhouse	Secondary Suite**	Garden Suite	New Units
Burnside	68	8					5	2		83
Downtown		33								33
Fairfield	36		8					5		49
Fernwood						2		3		5
Gonzales	22		6	2				8		38
Harris Green										0
Hillside Quadra			1					4		5
James Bay	214		2	2				3		221
Jubilee									1	1
North Park	6									6
Oaklands			10	2	3	4		5		24
Rockland			2					4	1	7
Victoria West								1		1
<b>Total</b>	<b>346</b>	<b>41</b>	<b>29</b>	<b>6</b>	<b>3</b>	<b>6</b>	<b>5</b>	<b>35</b>	<b>2</b>	<b>473</b>

SOURCE: CITY OF VICTORIA

\* Mixed-use: Building that includes both residential and commercial units

\*\*Secondary Suite: A legal suite, located within a single family detached house



# Rental Housing Vacancy Rate

## WHAT IS BEING MEASURED?

This indicator measures the average annual vacancy rate for purpose-built rental housing buildings with three or more units. It does not include the secondary rental market (secondary suites, private condominiums, or other private housing that is rented) which forms an important part of Victoria's rental housing market.

## WHY IS THIS INDICATOR IMPORTANT?

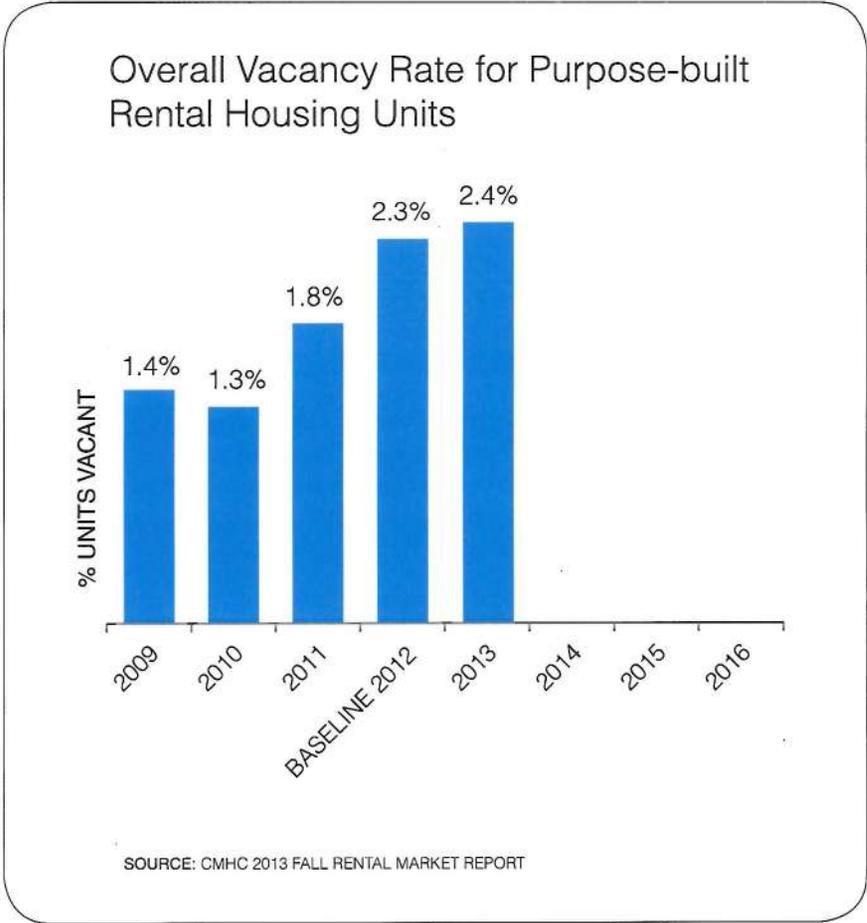
The demand for rental housing is affected by the combination of employment growth, income levels and migration levels (people moving in and out of the city). In Victoria, the demand for rental housing is also influenced by the high cost of home ownership in the region. The OCP policies encourage an increase in the city's supply of rental housing through upgrades and re-investment, and that a wide variety of housing types, tenures and prices gives residents choice. A balanced rental market would have affordable prices for a diversity of household incomes and a vacancy rate between 2 to 3%.

## TARGET/DESIRED TREND:

No target

## HOW ARE WE DOING?

Victoria's rental vacancy rate is currently within the range of what is considered a balanced rental market (2 – 3 %). The 2013 rental vacancy rate is almost identical to that in 2012.



# 14 Emergency Shelter Use

## WHAT IS BEING MEASURED?

This indicator measures the number of people who have used one or more emergency shelters in Greater Victoria at least one time over the preceding year. In 2012/2013, all of the emergency shelters surveyed (5) were located within the City of Victoria. The indicator does not show how many times people stayed in the shelters over the year, nor how long they stayed. The numbers are measured from April to March of the next year.

## WHY IS THIS INDICATOR IMPORTANT?

One of the core principles of the OCP is that housing is a basic human need: all people deserve access to housing that is safe, stable and affordable, and supports personal health. Homelessness results from a complex set of circumstances such as the high cost of housing, unstable or inadequate income, and other factors such as illness or violence. Emergency shelter use presents only one dimension of homelessness, which includes a combination of people who are living on the street, living in a shelter, and those who live in insecure or inadequate housing. The OCP recommends that the City work with other community partners to enable stable housing for all people and to increase the supply of affordable crisis, transitional, supported and non-market rental housing so that people who are homeless have more options for stable housing.

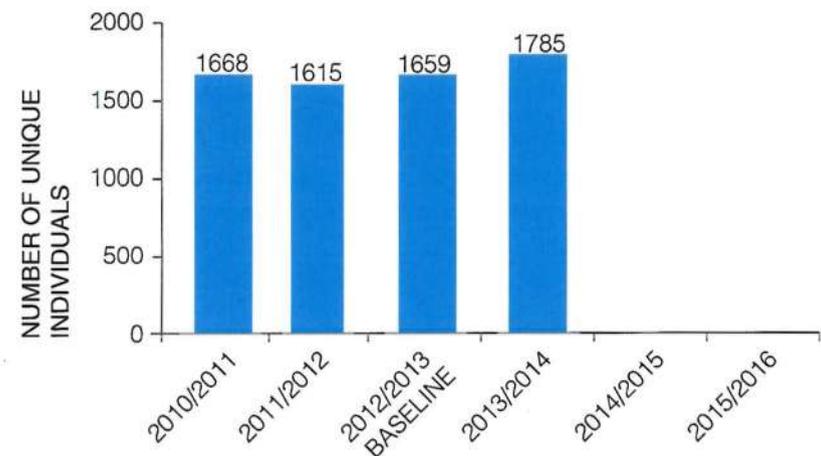
## TARGET/DESIRED TREND:

No target

## HOW ARE WE DOING?

The number of unique individuals using an emergency shelter increased slightly between 2012/2013 and 2013/2014. The figures, however, have remained relatively stable since 2010 and fluctuations are likely due to the availability of shelter beds, among other factors.

Number of Unique Individuals Using Greater Victoria Emergency Shelters



SOURCE: VICTORIA COOL AID SOCIETY, 2014 AND BC HOUSING, 2014, IN GREATER VICTORIA COALITION TO END HOMELESSNESS; PATTERNS OF HOMELESSNESS IN GREATER VICTORIA, 2014. TIME PERIOD MARCH TO APRIL.



# Retail, Office and Industrial Vacancies

## WHAT IS BEING MEASURED?

This indicator measures the vacancy rate for industrial, retail shopping centres<sup>1</sup>, and downtown office properties. It also measures the vacancy rate for downtown streetfront retail properties.

## WHY IS THIS INDICATOR IMPORTANT?

The availability of office, retail and industrial space is important for fostering a dynamic and competitive economy. The office, retail and industrial vacancy rate is a measure of Victoria's market strength and economic performance, showing the current balance between demand and supply. The OCP encourages Victoria to attract a reasonable share of regional growth in employment and new commercial and industrial development, to enhance the city's retail sector, and to increase the supply of downtown office space.

## TARGET/DESIRED TREND:

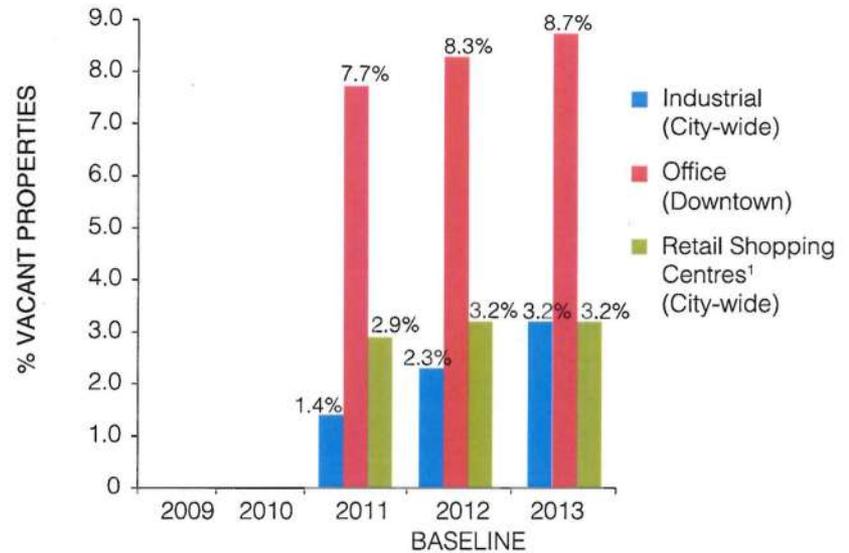
No target

## HOW ARE WE DOING?

The downtown retail market improved over the past year with a decrease in vacancy from 7.1% to 6.2%. Vacancy rates increased in 2013 in industrial and office categories of properties, while retail shopping centres stayed the same.

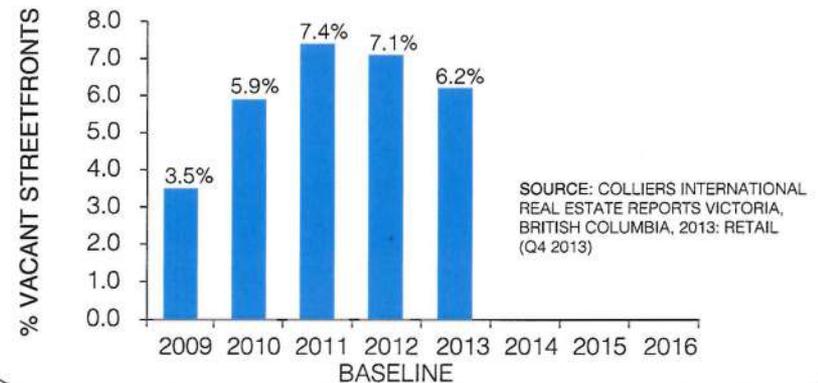
<sup>1</sup>Retail Shopping Centres: a group of retail and commercial establishments that is planned, developed, owned and managed as a single property. (International Council of Shopping Centres, 2010)

Retail, Commercial and Industrial Vacancy Rates



SOURCE: COLLIERS INTERNATIONAL REAL ESTATE REPORTS VICTORIA, BRITISH COLUMBIA, 2013: INDUSTRIAL (Q3 2013); OFFICE (Q4 2013); RETAIL (Q4 2013)

Downtown Streetfront Vacancy Rate



SOURCE: COLLIERS INTERNATIONAL REAL ESTATE REPORTS VICTORIA, BRITISH COLUMBIA, 2013: RETAIL (Q4 2013)

# 16 OCP Amendments

## WHAT IS BEING MEASURED?

This indicator measures the number of amendments to the OCP approved by Council. The amendments are categorized by the type of amendment.

## WHY IS THIS INDICATOR IMPORTANT?

The OCP provides direction on how Victoria should grow and change over the next 30 years. While all City policy, projects, and spending should be broadly consistent with the OCP, the OCP is intended to be flexible and adaptable. The number of OCP amendments measures when Council has approved a change to the OCP policy or land use framework.

## TARGET/DESIRED TREND:

No target

## HOW ARE WE DOING?

One land use amendment to the OCP was approved by Council in 2013, for a property in the Burnside neighbourhood.

Official Community Plan Amendments – Administrative		
Bylaw Number and Location	Date	Purpose of Amendment
n/a	n/a	n/a

Official Community Plan Amendments – Land Use		
Bylaw Number and Location	Date	Purpose of Amendment
#13-025 626 Gorge Road East	11-Jul-13	Change land use from General Employment to Urban Residential



## Contributions from Development

### WHAT IS BEING MEASURED?

This indicator will report the total value of community benefits contributed through new development.

### WHY IS THIS INDICATOR IMPORTANT?

Physical features such as greenways, pedestrian improvements, and public spaces contribute to the livability of a community. New development can play an important role in funding these and other features to serve new residents and employees, and in off-setting some of the impacts of growth.

### TARGET/DESIRED TREND:

No target

### HOW ARE WE DOING?

The scope of this indicator is under development and will be monitored in the future.



## Appendix A: Proposed Five-Year OCP Indicators

The OCP monitoring program includes both annual and five-year indicators. The table below lists the proposed five-year indicators. These were identified in close collaboration with other City departments and consider ongoing City monitoring initiatives and other municipal, planning and sustainability monitoring systems. It is proposed that the indicators be monitored approximately every five years, as resources permit. The list of indicators will be reviewed regularly to consider changes in data availability, data quality, and the availability of City resources.

OCP Section <sup>1</sup>	Proposed Five-Year Indicators (80)
Land Management and Development (10)	<ol style="list-style-type: none"> <li>1. Population growth</li> <li>2. Share of population growth in target areas</li> <li>3. New housing units</li> <li>4. Share of new housing units located in target areas</li> <li>5. Net new housing units by tenure</li> <li>6. Net new housing units by structural type</li> <li>7. Remaining residential capacity</li> <li>8. Regional share of new housing units</li> <li>9. New commercial and industrial space in target areas</li> <li>10. Share of housing units within walking distance of Town Centres and Urban Villages</li> </ol>
Transportation and Mobility (11)	<ol style="list-style-type: none"> <li>11. Percentage of all trips by mode</li> <li>12. Percentage of journey to work trips by mode</li> <li>13. Length of greenways network</li> <li>14. Length of sidewalk network</li> <li>15. Length of cycling network</li> <li>16. Kilometres driven per capita</li> <li>17. Share of housing within walking distance of a frequent or rapid transit stop</li> <li>18. Transit service hours</li> <li>19. Response time for emergency services</li> <li>20. New car share parking spaces</li> <li>21. New bicycle parking spaces in private development</li> </ol>

<sup>1</sup>Indicators in this table are organized by the most relevant section in the OCP. However, it is recognized that each indicator may also be relevant to a number of other sections in the OCP. For example, "Library use" (#73) is classified as an indicator related to Arts and Culture, but is also relevant with respect to the Community Well-Being, Parks and Recreation, and Economy sections.



# Appendix A: Proposed Five-Year OCP Indicators

OCP Section <sup>1</sup>	Proposed Five-Year Indicators (80)
Placemaking (6)	22. Number of new and improved street furnishings 23. Number of street trees 24. Activities in public spaces 25. Level of pedestrian activity 26. Number of heritage properties 27. Number of artworks in public spaces
Parks and Recreation (6)	28. Percentage of land that is park and public open space 29. Share of housing within walking distance of park or open space 30. New and upgraded parks 31. Percentage tree canopy cover 32. Indoor recreation space per capita 33. Participation in recreational programs
Environment (4)	34. Percentage of park land base that is natural area or ecological habitat 35. Abundance and diversity of bird species 36. Water quality 37. Air quality
Infrastructure (4)	38. Length of upgraded storm, water and sewer mains 39. Consumption of potable water 40. Solid waste collected 41. Percentage impervious surface cover
Climate Change and Energy (2)	42. Greenhouse gas emissions 43. Energy consumption

<sup>1</sup>Indicators in this table are organized by the most relevant section in the OCP. However, it is recognized that each indicator may also be relevant to a number of other sections in the OCP. For example, "Library use" (#73) is classified as an indicator related to Arts and Culture, but is also relevant with respect to the Community Well-Being, Parks and Recreation, and Economy sections.



## Appendix A: Proposed Five-Year OCP Indicators

OCP Section <sup>1</sup>	Proposed Five-Year Indicators (80)
Housing and Homelessness (9)	44. Average purchase price for residential unit 45. New rental housing units 46. Rental vacancy rate 47. Households spending more than 30% of income on housing 48. Required income to purchase a first home 49. New strata units with no restrictions on rental 50. New affordable and accessible units secured by housing agreement 51. Size of new housing units 52. Emergency shelter use
Economy (8)	53. Net jobs 54. Employment growth in target areas 55. Share of total regional jobs by sector 56. Remaining capacity for employment lands 57. Value of business assessment growth 58. Percentage of population living in poverty 59. Annual unemployment rate 60. Percentage of businesses who believe Victoria is good for business

<sup>1</sup>Indicators in this table are organized by the most relevant section in the OCP. However, it is recognized that each indicator may also be relevant to a number of other sections in the OCP. For example, "Library use" (#73) is classified as an indicator related to Arts and Culture, but is also relevant with respect to the Community Well-Being, Parks and Recreation, and Economy sections.



# Appendix A: Proposed Five-Year OCP Indicators

OCP Section <sup>1</sup>	Proposed Five-Year Indicators (80)
Community Well-Being (10)	61. Age of population 62. Household income 63. Household size 64. Enrolment numbers at Victoria public schools 65. Participation in neighbourhood events 66. Number of block party permits 67. Attendance at civic meetings 68. Municipal voter participation rate 69. Crime rate 70. Feeling of safety
Arts and Culture (4)	71. Number of arts and cultural venues 72. Local visits to an arts or cultural facility 73. Library use 74. Events at Centennial Square
Food Systems (3)	75. Allotment garden plots per capita 76. Commercial urban agriculture business licences 77. Share of housing within walking distance of a food store
Emergency Management (3)	78. Percentage of civic buildings that meet seismic standards 79. Number of heritage buildings with seismic upgrades 80. Percentage of population prepared for an emergency

<sup>1</sup>Indicators in this table are organized by the most relevant section in the OCP. However, it is recognized that each indicator may also be relevant to a number of other sections in the OCP. For example, "Library use" (#73) is classified as an indicator related to Arts and Culture, but is also relevant with respect to the Community Well-Being, Parks and Recreation, and Economy sections.



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**Council Member Motion**  
**for the Planning and Land Use meeting of February 5, 2015**

**Date:** January 27, 2015      **From:** Councillors Isitt and Loveday and Mayor Helps  
**Subject:** Amendment to Highway Access Bylaw

**BACKGROUND**

Council amended the Highway Access Bylaw in 2013 to provide discretion to the Director of Engineering to approve siting a driveway crossing for a corner lot on a higher classification highway in order to avoid unsafe or impractical situations or interference with protected trees or City infrastructure.

An additional minor amendment to the bylaw would extend this discretion to the Director of Engineering to ensure that new developments do not contribute to traffic volumes on highways that are inconsistent with the City's established priorities for transportation corridors, such as people-priority greenways for walking and cycling.

Several anticipated development applications in the City may contribute to traffic volumes that are inconsistent with identified priorities for lower-classification highways, and it is therefore prudent to proceed with a bylaw amendment at this time, to ensure land-use patterns are consistent with established transportation plans.

**MOTION**

BE IT RESOLVED THAT Council direct staff to prepare on a priority basis an amendment to the Highway Access Bylaw to add a new paragraph 12 (2) (d): "interfere with established priorities for lower classification highways including those identified in the Greenways Plan, Cycling Master Plan, Pedestrian Master Plan and Official Community Plan."

Respectfully submitted,

Councillor Ben Isitt

Councillor Jeremy Loveday

Mayor Lisa Helps

Attachments.

Highway Access Bylaw Amendment Bylaw No. 13-081  
 Highway Access Bylaw No. 91-038  
 Staff report on Highway Access Bylaw Amendments, June 28, 2013

No. 13-081

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Highway Access Bylaw No. 91-38 in order to give the Director of Engineering discretion to approve alternative siting of a driveway crossing on a corner lot in instances where compliance with Section 12 of the Bylaw would be impractical or unsafe.

Under its statutory powers, including sections 35-46 and 65 of the *Community Charter*, the Council of the Corporation of the City of Victoria, in public meeting, enacts as follows:

**Title**

1 This Bylaw may be cited as "Highway Access Bylaw, Amendment Bylaw (No. 2)".

**Highway Access Bylaw**

2 Section 12 of Bylaw No. 91-38, the Highway Access Bylaw, is amended by:

- (a) renumbering it as section 12(1); and
- (b) adding a new paragraph (2) as follows:

"(2) Notwithstanding section 12(1)(b), the City Engineer may, at his or her discretion, approve siting a driveway crossing for a corner lot on a higher classified highway if compliance with Section 12(1)(b) would, in his or her opinion:

- (a) be impractical due to a lot configuration precluding compliance with 12(1)(a);
- (b) result in an unsafe crossing; or
- (c) interfere with protected or significant trees as defined by the Tree Preservation Bylaw No. 05-106, or existing infrastructure which cannot be reasonably removed or relocated."

**Effective Date**

3 This Bylaw comes into force on adoption.

READ A FIRST TIME the **24<sup>th</sup>** day of **October,** 2013.

This bylaw may or may not contain the latest amendment(s). It is provided for convenience only and should not be used in place of the actual bylaw. The latest version can be obtained from Legislative Services, City Hall, 250.361.0571.

READ A SECOND TIME the 24<sup>th</sup> day of October, 2013.

READ A THIRD TIME the 24<sup>th</sup> day of October, 2013.

ADOPTED on the 14<sup>th</sup> day of November, 2013.

**"ROBERT G. WOODLAND"**  
CORPORATE ADMINISTRATOR

**"CHRIS COLEMAN"**  
ACTING MAYOR

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NO. 91-38

A BYLAW OF THE CITY OF VICTORIA

to regulate access to highways.

Pursuant to Sections 579(1)(c), (d), and (e), 579(3) and 964 of the Municipal Act, the Municipal Council of the Corporation of the City of Victoria enacts as follows:

1. This bylaw may be cited as the "HIGHWAY ACCESS BYLAW."

2. In this bylaw,

"arterial street" means a highway which forms a principal transit corridor or a principal truck route and which maximizes traffic movement between neighbourhoods and within the region;

"City Engineer" means the City Engineer of The Corporation of the City of Victoria or any person designated by him;

"collector street" means a highway which forms a primary route from local streets to arterials, which collects and disperses traffic to the local street system and which forms a minor transit route or limited truck route;

"commercial crossing" means a driveway crossing which provides vehicular access to the parking and loading areas of any lot zoned and used for commercial purposes;

"corner lot" means any lot which abuts at least two highways which intersect each other;

"driveway" means that portion of a lot that provides access to parking or loading spaces within the lot and is considered to be the extension of the lot's driveway crossing;

"driveway crossing" means the improved section of a curb, sidewalk or boulevard constructed to provide vehicular access to one or more lots from any highway;

"high density development" means any residential, hotel, or office development which consists of four or more storeys;

"highway" includes any street, road, lane, bridge, viaduct and any other way open to public use, but does not include a private right of way on private property;

"industrial crossing" means a driveway crossing which provides vehicular access to the parking and loading area of any lot which is zoned and used for industrial purposes;

"local street" means a minor highway including a lane which provides for local traffic only, is not a truck route and the capacity of which is low;

"secondary arterial street" means any highway which forms a transit corridor or a truck route and which maximizes traffic routing between neighbourhoods;

"secondary collector street" means a highway which collects and disperses traffic within a local street system, is a secondary route from local streets to collectors and secondary arterials and is not a truck route;

"street boundary" means that boundary of a lot abutting on a highway;

"street line" means the outside edge of that area designed or intended for use by the general public for the passage of vehicles;

"total highway frontage" means the sum of all those boundaries of a lot abutting on a highway.

3. If a conflict exists between the classification of streets as set out in Bylaw 87-130, the STREETS AND TRAFFIC BYLAW and the definitions in this bylaw, the classification in the STREETS AND TRAFFIC BYLAW shall prevail.
4. With the exception of agents, servants or employees of the City acting in the course of their employment, no person shall construct, remove, widen or repair a driveway crossing without first having applied to and received the approval of the City Engineer.
5. All applications, with the exception of those applications referred to in Section 11, shall be in the form prescribed in Schedule "A" to this bylaw.
6. All applicants shall ensure that the driveway crossing is constructed in accordance with the dimensions prescribed in Schedule "B" to this bylaw.
7. All applicants shall comply with the provisions of this bylaw.
8. If approval for a driveway crossing has been granted and the applicant has not completed construction of the driveway crossing within one year from the date approval was given, the City Engineer may revoke, in writing, the driveway crossing approval.
9. Any person who applies for and obtains a building permit and who requires a driveway crossing shall comply with the provisions of this bylaw.
10. The City Engineer may approve a driveway crossing width which exceeds the maximum widths prescribed in Schedule "B" if the vehicles requiring access to the lot require a greater maximum width.
11. The City Engineer may approve a driveway crossing width which is less than the minimum widths prescribed in Schedule "B" if the width would cover 25% or more of the

street boundary of the lot or if the location of the existing buildings on the lot makes compliance impossible.

12. The driveway crossings for all corner lots shall be
  - (a) located at least 8.0 m from the point of intersection of those street boundaries of the lot which are adjacent to the intersection; and
  - (b) sited on the highway having the more minor street classification.

13. No person shall construct a driveway crossing within a bus zone, as designated under the STREETS AND TRAFFIC BYLAW, without the prior written consent of both the British Columbia Transit Authority and the City Engineer.

14. The minimum distance between any commercial crossings and/or any industrial crossings shall be 12.0 m where these crossings provide access to an arterial street, a secondary arterial street or a collector street.

15. Notwithstanding section 21(1), where there is more than one driveway crossing providing access to a lot or to a single development situated on more than one lot, the minimum distance between the driveway crossings shall be 12.0 m unless the driveway crossings accommodate one way traffic, in which case the minimum distance shall be 10.0 m.

16. (1) The surface of a driveway crossing shall have a minimum clearance of 1.2 m measured horizontally from any above ground public, private or municipal utility equipment, any above ground public, private or municipal utility box, and any lamp standard or tree and 1.0 m measured vertically from any below-ground public, private or municipal utility equipment.

(2) All applicants shall be permitted to

construct a driveway crossing over public, private or municipal underground utility boxes provided the casting of the utility box is of sufficient thickness to support the traffic which will be using the driveway crossing and provided the applicable public or private utility company has given written approval to do so.

(3) The applicant shall be fully responsible for any relocation or removal of the items listed in subsection (1), including costs, if any.

(4) The City Engineer may relax the minimum clearance required in subsection (1) if the applicable authority has consented in writing to do so.

17. Where vehicular access to a lot will be through an adjoining property, approval to construct a driveway crossing shall not be given until an easement through the adjoining property has been registered in the Land Title Office.

18. An easement required pursuant to the preceding section shall be in a form approved by the City Solicitor and shall contain a covenant in favour of The Corporation of the City of Victoria restricting the use of the easement area to ingress and egress.

19. Where vehicular access to a lot will be through an adjoining property and by way of a driveway crossing which is already in existence, the owner of the lot requiring an easement shall ensure that the driveway crossing conforms to the requirements of this bylaw and that the easement is in a form approved by the City Solicitor and contains a covenant in favour of the Corporation of the City of Victoria restricting the use of the easement area to ingress and egress.

20. Lots which are zoned single family dwelling or two family dwelling shall

have no more than one driveway crossing.

21. (1) With the exception of single family dwelling lots or two family dwelling lots, any lot or any single development which is situated on more than one lot which has fewer than 100 parking spaces may have one driveway crossing for each 20.0 m of total highway frontage or portion thereof, to a maximum of two driveway crossings.

(2) The City Engineer may permit an additional driveway crossing which provides a drive through drop-off and pick-up area to a high density development on a lot that fronts on more than one highway.

22. A lot or a single development which is situated on more than one lot which has 100 or more parking spaces may have one driveway crossing for each 30.0 m of total highway frontage or portion thereof, to a maximum of three driveway crossings.

23. The City Engineer may permit an additional driveway crossing to a lot or to a single development located on more than one lot in order to provide emergency access or to provide access to a separate off-street loading area.

24. The City Engineer shall not issue permission for the construction of a driveway crossing until the owner of the lot has provided a paved driveway from the street line into the lot for a minimum distance of 6.0 m.

25. The grade of all driveway crossings from the street line to the street boundary shall not exceed 10%.

26. The grade of that portion of a driveway measured from the street boundary for a distance of 6.0 m into the lot shall not exceed

(a) 3% for any lot which is zoned or used for commercial or industrial purposes;

(b) 6% for any lot which is zoned or used for residential purposes on any street other than a local street;

(c) 8% for any lot which is zoned or used for residential purposes on any local street.

27. (1) The City Engineer may relax the grades in sections 25 and 26, up to a maximum of 15%, if the applicant is unable to comply due to limitations which are specific to the lot.

(2) This relaxation shall not apply to claims of hardship on the part of the applicant.

28. No person shall erect, construct, plant or maintain, within the area shown in heavy outline in Schedule "C", any structure, landscaping, fencing or any other thing which exceeds 1.0 m in height, as measured from that point at the centre of the driveway where the driveway intersects the street boundary, such that it creates a safety hazard on the adjacent highway.

29. Any person who contravenes any provision of this bylaw is liable upon conviction to a penalty of not less than \$25.00.

30. Section 72 of Bylaw 87-130, the STREETS AND TRAFFIC BYLAW, is repealed.

31. Section 12(i) of Schedule "C" of Bylaw 80-159, the ZONING REGULATION BYLAW, is repealed.

Passed and received third reading by the Municipal Council the            day of 1991.

Reconsidered and adopted by the Municipal Council the            day of            1991.

CITY CLERK

MAYOR



**Governance and Priorities Committee Report**

**Date:** June 28, 2013      **From:** Brad Dellebuur, Manager, Transportation  
**Subject:** Highway Access Bylaw Amendment – Discretionary Authority of Director of Engineering

Engineering staff are recommending Council direct the City Solicitor to amend the Highway Access Bylaw (91-038), to provide for discretion by the Director of Engineering on locating driveway crossings on corner lots.

Currently, Section 21.1 of the Highway Access Bylaw requires that driveway crossings for all corner lots be sited on the highway having the more minor street classification. The rationale for this requirement is that locating property access on the street frontage with the lowest volumes and speeds results in the fewest potential conflicts between vehicles entering or exiting a development site, and other road users (vehicles, pedestrians, and cyclists). It is staff's professional opinion that the overwhelming majority of properties in the City can be safely and efficiently accessed by complying with this regulation, and that regulating property access in this manner best serves the public interest.

In a limited number of circumstances, however, providing vehicle access on the more minor classified street may not be the most appropriate location. Examples include:

1. Site configuration prevents compliance with s.12 (e.g., insufficient frontage);
2. Compliance with s. 12 would result in an unsafe condition (e.g., sight lines, traffic volumes, proximity to intersections, etc.); and
3. Compliance with s. 12 would interfere with protected trees or existing infrastructure that cannot be removed/relocated

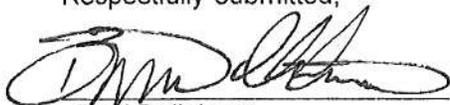
Staff recommends the Director of Engineering be given the authority to consider approving a driveway crossing on another street frontage for the development in these instances.

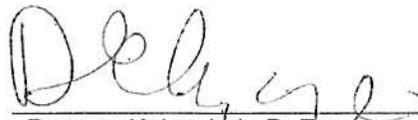
**Recommendation:**

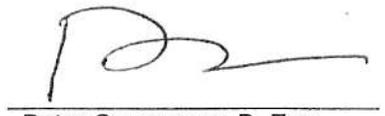
That Council direct the City Solicitor to prepare amendments to the Highway Access Bylaw, giving discretion to the Director of Engineering to approve siting a driveway crossing on a corner lot on a higher classified highway where:

1. Site configuration prevents compliance with s.12 (e.g., insufficient frontage);
2. Compliance with s. 12 would result in an unsafe condition (e.g., sight lines, traffic volumes, proximity to intersections, etc.); and
3. Compliance with s. 12 would interfere with protected trees or existing infrastructure that cannot be removed/relocated

Respectfully submitted,

  
 Brad Dellebuur  
 Manager, Transportation

  
 Dwayne Kalynchuk, P. Eng.  
 Director of Engineering and  
 Public Works

  
 Peter Sparanese, P. Eng.  
 General Manager of  
 Operations

Report accepted and recommended by the City Manager:

  
 Gail Stephens

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From:  
Sent: Tuesday, February 03, 2015 9:00 PM  
To: Councillors  
Subject: Feb. 5 PLUC Meeting Hillside Quadra NAG correspondence

Dear Mayor and Council,

Re: Highway Access Bylaw Amendment

The Hillside Quadra Neighbourhood Action Group is supportive of the amendment to the Highway Access Bylaw being put forward by Councillors Ben Isitt and Jeremy Loveday, to give the Director of Engineering more discretion in determining appropriate vehicle access to a site, rather than requiring access from the most minor road.

The City has put in place a Greenways Plan, Cycling Master Plan, Pedestrian Master Plan and Official Community Plan. On some projects the requirement that vehicle access be from a minor street conflicts with some or all of the above active transportation planning priorities.

The requirement for access from a minor street can result in conflict between community desires for safe streets and developers requirements to advance their projects with minimal delay. Most recently this was seen in the Bosa proposal utilizing Mason Street for access in the North Park neighbourhood.

In the Hillside Quadra neighbourhood we are concerned that the current Highway Access Bylaw will require that access to the 320 bed, 5 story "Summit" Seniors health facility planned for 955 Hillside, to be from a narrow unnamed side alley which deposits traffic onto a congested part of Kings Rd. Kings Rd is a designated Greenway and also a proposed "All Ages and Abilities Route" on the new Bicycle Master Plan. It is currently an area active with cyclists, pedestrians and skate boarders.

This alleyway is also adjacent to the Wark Street Playground, recently upgraded by the City of Victoria, and a popular neighbourhood café with outdoor seating. In short, this area is a vital part of our neighbourhood where we gather to chat, have coffee and watch our kids in the playground, experiencing the type of community promoted in City of Victoria planning objectives.

According to the City of Victoria's website "a greenway is a corridor of protected open space that is managed for conservation and/or recreation." Also from the website regarding the Cycling Master Plan "potential All Ages and Abilities routes will be designed to feel comfortable for a range of riders and offer a low-stress, high quality cycling experience." This is further described as possibly including traffic calmed local streets and off-street pathways.

A small road absorbing the vehicle traffic for a large development is not consistent with many of the competing values the City of Victoria has established, but the current bylaw gives City staff no ability to take such factors into account. Therefore, we ask you to adopt the proposed amendment to the Highway Access Bylaw.

Thank you,

Rowena Locklin  
On behalf of the Hillside Quadra Neighbourhood Action Group