



AMENDED AGENDA
PLANNING AND LAND USE COMMITTEE
MEETING OF JANUARY 29, 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

- | | | |
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| 1. | Minutes from the meeting held January 8, 2015. | 5 - 8 |
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COMBINED DEVELOPMENT APPLICATIONS

- | | | |
|----|---|--------|
| 2. | Rezoning Application # 00436 for 301 and 303 St. Lawrence Street
--A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department | 9 - 55 |
|----|---|--------|

A proposal to rezone the property to authorize four townhouse units in the James Bay neighbourhood across from Fisherman's Wharf Park. A Public Hearing is required prior to Council making a final decision on the application.

- | | | |
|----|--|---------|
| 3. | Development Permit Application # 000389 for 301 and 303 St. Lawrence Street
--A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department | 57 - 72 |
|----|--|---------|

A development permit application to authorize the design and landscaping for four townhouse units in the James Bay neighbourhood across from Fisherman's Wharf Park. There are no variances requested, therefore a Hearing is not required prior to Council making a final decision on the application.

4. Rezoning Application # 00456 for 1330 Ivy Place 73 - 116
 --A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department
- A proposal to rezone the property to authorize a small lot house and accessory building and retain the existing house in the Oaklands neighbourhood. A Public Hearing is required prior to Council making a final decision on the application.*
5. Development Permit with Variances Application # 00456 for 1330 Ivy Place 117 - 133
 --A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department
- A development permit application to authorize the design, siting and landscaping for a new small lot house, an accessory building and the existing house. Variances are requested for the front, rear and side yard setbacks. A Hearing is required prior to Council making a final decision on the application.*
6. Rezoning Application # 00459 for 2560 Quadra Street 135 - 151
 --A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department
- A proposal to rezone the property to authorize a four-storey, 18-unit residential building with ground floor commercial within Quadra Village. A Public Hearing is required prior to Council making a final decision on the application.*
- LATE CORRESPONDENCE:**
- [Addenda]
7. Development Permit with Variances Application # 000244 for 2560 Quadra Street 153 - 196
 --A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department
- A development permit application to authorize the design and landscaping for a four-storey, 18-unit residential building with ground floor commercial within Quadra Village. A variance is requested to reduce the amount of off-street parking from 25 stalls to 10 stalls. A Hearing is required prior to Council making a final decision on the application.*
8. Rezoning Application # 00457 and concurrent Official Community Plan Application for 521-557 Superior Street and 524-584 Michigan Street 197 - 363
 --A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department
- The purpose of this report is to update Council on the applicant's progress on the preconditions for public hearing for the proposed Capital Park development*

in the James Bay neighbourhood. A Public Hearing is required prior to Council making a final decision on the application.

OFFICIAL COMMUNITY PLAN APPLICATION REPORTS

9. Official Community Plan Amendment (OCP) and Rezoning Application # 00453 for 1521-1531 Elford Street - (Update on Statutory Requirements for Consultation During OCP Amendment) 365 - 426
--A. Meyer, Assistant Director - Development Services Division, 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, four-storey 32-unit apartment building in the Fernwood neighbourhood.

REZONING APPLICATIONS

10. Rezoning Application # 00425 for 836-838 Broughton Street 427 - 519
--A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department

A proposal to make minor amendments to the approved zoning to permit the projection of balconies into the front, rear and side yard setbacks.

11. **REVISED REPORT:** Rezoning Application # 00470 for 520 Niagara Street 521 - 537
--A. Hudson, Assistant Director - Community Planning Division, Sustainable Planning and Community Development Department

A proposal to rezone the property to increase the permitted density on the lands provided the property owner designates the Cathedral School as a protected municipal heritage site. A Public Hearing is required prior to Council making a final decision on the application.

[Addenda]

DEVELOPMENT VARIANCE PERMIT APPLICATION

12. Development Variance Permit # 00145 for 1726 Albert Avenue 539 - 550
--A. Meyer, Assistant Director - Development Services Division, Sustainable Planning and Community Development Department

A proposal to authorize a secondary suite within a single family dwelling in the North Jubilee neighbourhood. A variance is required to reduce the minimum

required floor area for the secondary suite. A Hearing is required prior to Council making a final decision on the application.

POLICY REPORT

13. Burnside-Gorge / Douglas Area Plan Project Charter 551 - 588
--A. Hudson, Assistant Director - Community Planning, Sustainable Planning
and Community Development Department
- A report proposing a Project Charter and Engagement Strategy for the
Burnside-Gorge / Douglas Area Plan.*

ADJOURNMENT

**MINUTES OF THE
PLANNING & LAND USE COMMITTEE MEETING
HELD THURSDAY, JANUARY 8, 2015, 9:00 A.M.**

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

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

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

Action: It was moved by Councillor Alto, seconded by Councillor Madoff, that the Agenda of the January 8, 2015, Planning & Land Use Committee meeting be approved.

CARRIED UNANIMOUSLY 15/PLUC001

3. ADOPTION OF MINUTES

Councillor Thornton-Joe inquired if a correction to the minutes would be required regarding the Heritage Designation for 612 Fisgard Street. The Corporate Administrator advised that the question about the address was subsequently answered at the Council meeting held on December 13, 2014.

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that the Minutes from the Planning & Land Use Committee meeting held December 11, 2014, be approved.

CARRIED UNANIMOUSLY 15/PLUC002

4. DEVELOPMENT APPLICATION REPORTS

Councillor Isitt withdrew from Council Chambers at 9:05 a.m. as he has a personal relationship with one of the applicants which may constitute a non-pecuniary conflict of interest.

4.1 Rezoning Application # 00462 for 2208 Lydia Street

Committee received a report regarding a Rezoning Application for the property located at 2208 Lydia Street. The application is to rezone the property to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite District, to permit the construction of a garden suite in the rear yard of the subject property.

Committee noted that if the garden suite is allowed under the R1-B Zone, Single Family Dwelling District, it would preclude a secondary suite being built in the main dwelling. Council may wish to consider a policy that would allow both options to be available in the future.

- Action:** It was moved by Councillor Alto, 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 # 00462 for 2208 Lydia 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/PLUC003

4.2 Development Permit with Variance Application # 00462 for 2208 Lydia Street

Committee received a report regarding a Development Permit Variance Application for the property located at 2208 Lydia Street. The proposal is to permit a garden suite to be built in the rear of the property. The variance is related to reducing the separation space between the garden suite and the main dwelling unit from 2.4m to 2m.

- Action:** It was moved by Councillor Alto, seconded by Councillor Loveday, that Committee recommends that following the Public Hearing for the Rezoning; that Council:
1. Convene a Hearing for the proposed variances associated with Development Permit with Variance Application # 00462 for 2208 Lydia Street.
 2. Following the Hearing, that Council Consider the following motion:
 "That Council authorize the issuance of Development Permit Application # 00462 for 2208 Lydia Street in accordance with:
 - a. Plans date stamped November 13, 2014.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Part 1.113, Section 1.113.5(d): Reduce the separation space between the garden suite and the single family dwelling from 2.4m to 2m.
 - c. 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/PLUC004

Councillor Isitt returned to the meeting at 9:09 a.m.

4.3 Development Permit Application # 000392 for 515 Pembroke Street

Committee received a report regarding a Rezoning Application for the property located at 515 Pembroke Street. The proposal is to install seven additional fermentation tanks in a brewery.

Committee discussed:

- If public art could be considered on the silos and what constraints would be placed on this under our current sign bylaw?
- There are several breweries in the same area which creates interest for tourists that may help regenerate the neighbourhood.

Action: It was moved by Councillor Isitt, seconded by Councillor Coleman, that Committee recommends that Council authorize the issuance of Development Permit Application # 000392 for 515 Pembroke Street, in accordance with:

1. Plans date stamped October 3, 2014, and November 15, 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/PLUC005

4.4 Gorge Waterway Initiative

Committee received a report regarding a request from the Gorge Waterway Initiative requesting that land use and development applications fronting onto the waterway be referred to the organization for comment.

Action: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Committee recommends that Council direct staff be refer land use and development applications on properties in Victoria West and Burnside-Gorge with frontage on the Gorge Waterway, Selkirk Waterfront and Upper Harbour to the Gorge Waterway Initiative for comment, with referrals limited to those applications already subject to a community meeting, and that the community meeting continue to be conducted as previously by the designated Community Association Land Use Committee (CALUC).

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Committee amend the motion to read:
That Council direct staff **to** refer land use and development applications on properties in Victoria West and Burnside-Gorge with frontage on the Gorge Waterway, Selkirk Waterfront and Upper Harbour to the Gorge Waterway Initiative for comment, with referrals limited to those applications already subject to a community meeting, and that the community meeting continue

to be conducted as previously by the designated Community Association Land Use Committee (CALUC).

On the amendment:
CARRIED UNANIMOUSLY 15/PLUC005

Committee discussed:

- The Community Association Land Use Committee (CALUC) referral is the current mechanism by which the city receives comments regarding planning proposals. By adding another voice to the referral process concerns were raised if this would open the door to other stakeholders who wish to have a say in development applications.
- The intent is not to create another land use body or community association but to provide communication only and is not meant to take away from the current CALUC process. Staff could determine when an application would go to the Gorge Waterway Initiative.
- Concerns if the Community Associations have been consulted regarding the Initiative's proposal.
- The need to have consistent input from all CALUCS regarding land matters.

Amendment: It was moved by Councillor Isitt, seconded by Councillor Loveday, that Committee amend the motion to read:

1. That Council direct staff to refer land use and development applications on properties in Victoria West and Burnside-Gorge with frontage on the Gorge Waterway, Selkirk Waterfront and Upper Harbour to the Gorge Waterway Initiative for comment, with referrals limited to those applications already subject to a community meeting, and that the community meeting continue to be conducted as previously by the designated Community Association Land Use Committee (CALUC).
2. That a letter be sent to the Victoria West and Burnside Gorge neighbourhood associations advising them of the proposed changes.

On the amendment:
CARRIED UNANIMOUSLY 15/PLUC006

On the main motion as amended:
CARRIED UNANIMOUSLY 15/PLUC007

Action: It was moved by Councillor Coleman, seconded by Councillor Alto, that Committee adjourn the Planning & Land Use Committee meeting of January 8, 2015, at 9:30 a.m.

CARRIED UNANIMOUSLY 15/PLUC008

Mayor Helps, Chair



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Leanne Taylor, Development Services Division
Subject: Rezoning Application #00436 for 301 and 303 St. Lawrence Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application #00436 for 301 and 303 St. Lawrence Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with section 903(c) of the Local Government Act, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of land, buildings and other structures, the siting, size and dimensions of (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.

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 301 and 303 St. Lawrence Street. The proposal is to rezone the property to allow four townhouse units.

The following points were considered in assessing this Application:

- The proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan 2012* (OCP) and the design guidelines contained in Development Permit Area 16: General Form and Character.
- The site is currently in the R-2 Zone, Two Family Dwelling District, and presently a duplex.
- The proposed land use and density are considered acceptable in the neighbourhood context.

Staff recommend that the Planning and Land Use Committee advance this Rezoning Application to a Public Hearing as the proposal is consistent with the OCP.

BACKGROUND

Description of Proposal

The proposal is to rezone the property from the R-2 Zone (Two Family Dwelling District) to a new zone to allow four townhouse units.

Sustainability Features

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

Land Use Context

The immediate neighbourhood is characterized by a mix of townhouse developments, single family dwellings, a church and park space. The subject property is directly across from Fisherman's Wharf Park.

Existing Site Development and Development Potential

The site is presently a duplex. Under the current R-2 Zone, the property could be developed as a two-family dwelling. The new zone would allow townhouse units.

Data Table

The following data table summarizes the proposal. An asterisk is used to identify where the proposal is less stringent than the R-K Zone, Medium Density Attached Dwelling District. Although the proposal is for medium-density attached housing, a new zone would need to be created since the density exceeds the maximum floor space ratio (FSR) in the R-K Zone.

Zoning Criteria	Proposal	R-K Zone Standard
Site Area (m ²) - minimum	792.1	740
Total Floor Area (m ²) - maximum	587.3	n/a
Floor Space Ratio - maximum	0.75:1*	0.6:1
Lot Width (m)	21.3	18
Height (m) - maximum	8.6 to uppermost ceiling	8.5 to uppermost ceiling
Site Coverage (%) - maximum	39.2*	33
Site coverage - front yard paved surface (%) - maximum	49.2*	30
Open Site Space (%) - minimum (Landscaping)	33.19*	45
Storeys	3*	2.5
Third Storey (%) - maximum floor area	100*	60

Zoning Criteria	Proposal	R-K Zone Standard
Setbacks (m) - minimum		
Setbacks (m) – minimum		
Front (Michigan Street)	6.74	6
Rear yard (NE)	2.62	2.5
Side yard (SE)	Balcony/Wall: 6.39 Dining Main Window – 7.0* Bedroom Window – 7.0	Balcony/Wall: 2.5 Dining Main Window – 7.5 Bedroom Window – 4
Side yard on flanking street (NW on St. Lawrence Street)	Bedroom Main Window – 2.89* Living Room Main Window - 2.89*	Bedroom Main Window – 4 Living Room Main Window – 7.5
Parking		
Number of Parking Spaces	8	6
Visitor Parking – minimum	0*	1
Bicycle Storage (Class 1)	4	4
Bicycle Rack (Class 2)	1 six space rack	1 six space rack

Relevant History

At the Council meeting held on November 27, 2014, Council approved a motion that referred the Application back to staff and the applicant for further discussion regarding height and privacy concerns raised by the immediate neighbours:

"It was moved by Councillor Alto, seconded by Councillor Coleman, that the application be referred back to staff and the applicant pending further discussion and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application # 00436 for 301 and 303 St. Lawrence Street and report back to the Planning and Land Use Committee."

Attached to this report are the revised plans provided by the applicant following consultation with staff and the immediate neighbours.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the James Bay Neighbourhood Association (JBNA) at a Community Meeting held on January 8, 2014. A letter dated January 13, 2014, is attached to this report supporting the original design submitted to the City when the applicant made the Application. The revised proposal is identical to the original design with a few minor changes. The applicant met with the immediate neighbours living in the townhouse development located at 118 Michigan Street to discuss the revised proposal. The neighbour petition

is attached to the report. The revised plans were also sent to the JBNA, however, at the time of writing this report, a new letter from the CALUC had not been received.

ANALYSIS

Official Community Plan

The OCP supports attached residential buildings on secondary arterial roads, such as St. Lawrence Street, at a density (floor space ratio) of 1:1. The applicants are proposing a density of 0.75:1. The OCP includes the subject properties in DPA 16 where the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* are applicable.

James Bay Neighbourhood Plan, 1993

The *James Bay Neighbourhood Plan* encourages low-density infill or medium-density townhouses to be considered in the context of the neighbourhood and the character of the adjacent properties. The Plan further acknowledges that there should be visual harmony of form and scale between new buildings and adjacent residential units, that new developments demonstrate a high standard of design and respect the existing streetscape character. The proposal is consistent with the housing objectives outlined in the Plan.

CONCLUSIONS

The proposed four-unit townhouse development is consistent with the policies for land use and density outlined in the OCP and DPA 16. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Application #00436 for the property located at 301 and 303 St. Lawrence Street.

Respectfully submitted,

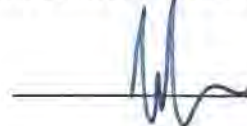


Leanne Taylor, Planner
Development Services Division



Alison Meyer, Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

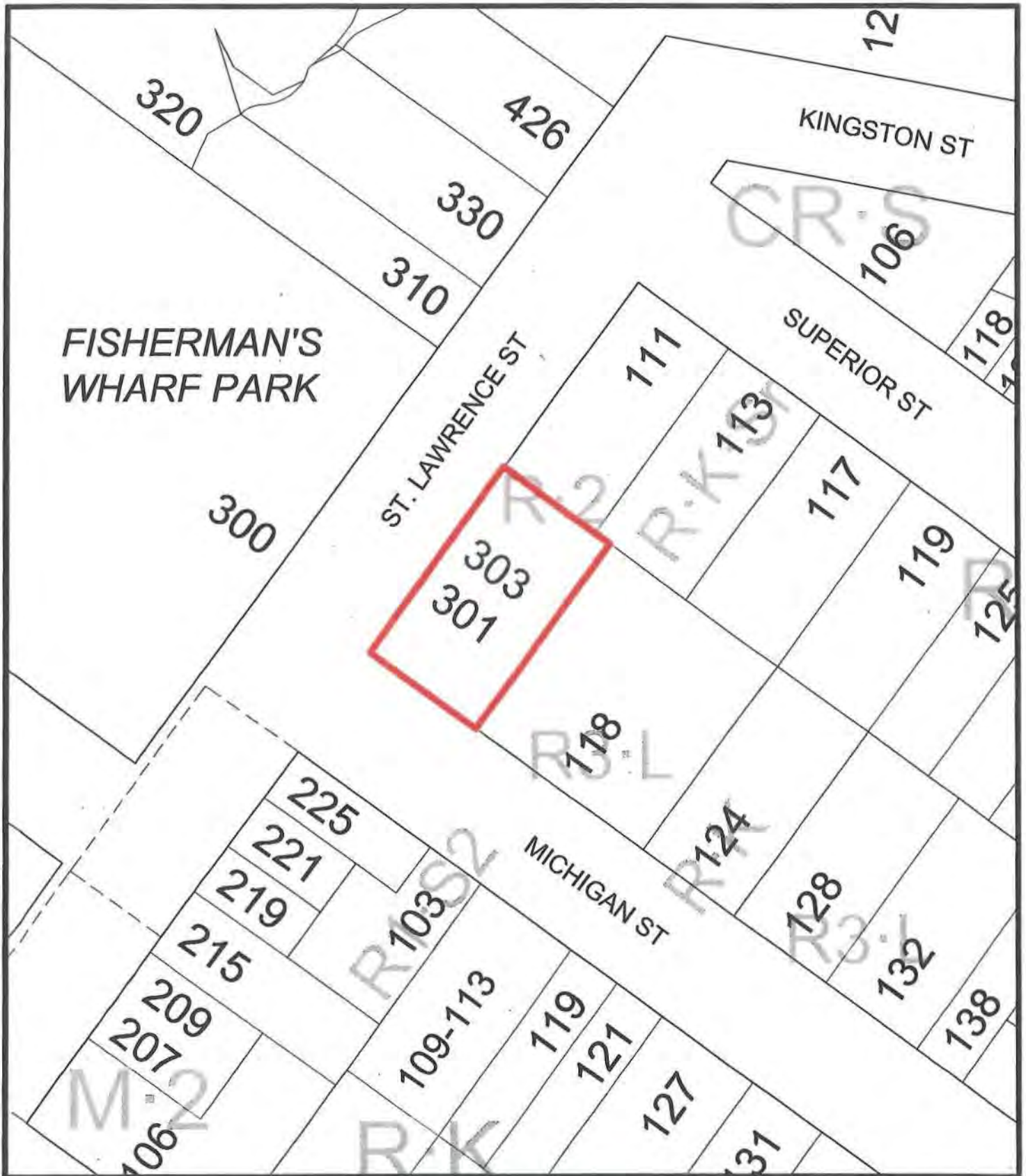
January 10, 2015

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List of Attachments

- Zoning map
- Aerial map
- Letter from applicant January 8, 2014
- Neighbourhood Petition dated January 9, 2014
- Plans dated December 18, 2014 and January 8, 2015
- Letter from CALUC dated January 13, 2014
- Original PLUC report dated October 23, 2014.



301-303 St Lawrence Street

Rezoning #00436

Bylaw #





301-303 St Lawrence Street

Rezoning #00436

Bylaw #



Rezoning Application # 00436 for 301 and 303 St. Lawrence St...



**RE: RE-ZONING AND DEVELOPMENT PERMIT REQUEST FOR
301/303 ST. LAWRENCE ST**

Honourable Mayor and Council:

On November 6th, 2014 we appeared before The Planning and Land Use (PLUC) Committee with our request for a rezoning and development permit for a fourplex project at the corner of St Lawrence St and Michigan St in James Bay. At the meeting all of the participants were pleased with the concept of a fourplex on this property however there were concerns raised with the style of the traditional structure that was proposed.

We would like to report to Mayor and Council that we have revised our townhouse design based on feedback from neighbours, and the PLUC meeting on November 6, 2014. In particular these are the concerns expressed that we have addressed:


1. Removed rear decks
2. Patio for middle units are fronting St. Lawrence Street
3. Reduced building height
4. Removed some windows on the rear elevation.

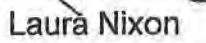
Attached are the new drawings showing a contemporary fourplex building with large windows, a building that shows definition allowing for some bump in and outs to provide variety and eliminate a cookie cutter feel to the new building. We have included the Green Building Feature Summary for your information. We will make use of natural cedar siding sprinkled with Hardy Board in spots to allow for variety. Our window trim will be black to contrast with the natural wood and we will make use of beautiful Pacific Ashlar slate for all retaining walls to allow for our building to blend nicely with the Fisherman's Wharf Park across the street. As mentioned on the attached Green Features sheet we have will use water permeable patio and landscaping materials. We will use black grating at the 2 front window wells with patio to allow natural light into the basement room.

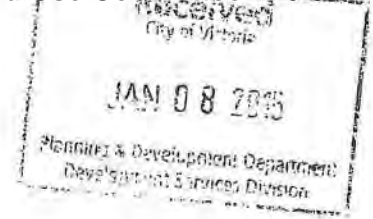
This structure is almost identical to the structure reviewed at The James Bay Neighbourhood Association meeting in January of 2014. Attached is the petition that we circulated to our immediate neighbours living in the strata development at 118 Michigan Street and around our block.

We look forward to discussing the rezoning and development proposal for this property in the coming month.

Sincerely;
0772613 BC. Ltd.


Michael Reid
250 516-3399


Laura Nixon
250 415-5008



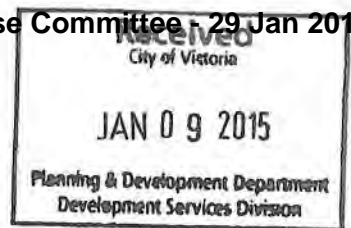
Green Building Features

301/303 St Lawrence St

Applicants: Michael Reid, Laura Nixon, Mark Imhoff

Category	Feature
Site Selection and Design	<ul style="list-style-type: none"> • Our design moves the building closer to the northwest corner of the property so as to create the least amount of shadowing for those residents affected. • We have minimized the building height of the building to reduce shadowing for our neighbours • This large corner lot allows green space for each unit. • In addition our building location is designed to minimize noise for the neighbours • The design has only 1 driveway on to Michigan St. which eliminates the driveway on St. Lawrence allowing more greenery. We believe this is safer for residents and public vehicles using St. Lawrence.
Transportation	<ul style="list-style-type: none"> • Our design includes onsite bike parking. • Our 4 townhomes will have a total of 8 parking stalls on the site. • The removal of one driveway crossing on St Lawrence removes the hazard of backing onto a busy road and may allow additional on street residential parking spots with this proposal • The driveway we intend to create is water permeable
Energy Efficiency	<ul style="list-style-type: none"> • Install high efficiency appliances • Install many large windows that open to allow natural ventilation in the homes. The windows will be low E thermo windows with openers • : Individually controlled room heat • Open concept living allowing excellent natural light. • Motion detectors on all exterior lighting • Building includes large overhangs at the north and south porch as well as roof overhang at the interior units to shield the building from direct sunlight and thereby moderate interior temperatures • We have minimized the building height of the building to reduce shadowing for our neighbours

Renewable Energy	<ul style="list-style-type: none"> • Exterior maintains the existing trees and adds a new large tree to help with heat on the building • This home will be electrically heated which is Canada's largest renewable energy source, • The main floor is open concept to make use of natural sunlight to light and warm the entire floor. • We will also use an energy efficient natural gas fireplace to provide heating needs for each home • Our design makes use of electric baseboard heater in upper and lower floor rooms so that owners can monitor and reduce energy in rooms not used all the time • Interior floors will be hardwood eliminating the need for synthetic carpet. Hardwood is a more sustainable solution • Our interior countertops will be granite to provide a more sustainable interior finish
Water	<ul style="list-style-type: none"> • Install Faucets and shower heads with flow rate of 8L/min. or less • Install dual flush toilets with ultra-low flow (4.5L/flush) • Install water permeable patios and driveways • Direct eaves trough drainage downspout pipes to grassed areas so as to use stormwater to water lawn
Landscaping and Site Permeability	<ul style="list-style-type: none"> • Our design maintains the existing trees on the property and adds one additional large tree • Our exterior landscaping will make use of stormwater to reduce city water system and storm system needs where possible • We will introduce hedging instead of fencing around the property in keeping with and inviting, sustainable, natural beauty at the sidewalk • Our design incorporates a water permeable driveway to work within the new stormwater guidelines • We included the use of various greenery along the concrete retaining wall adjacent to the driveway so as to give it a more natural look. • Our plan includes retaining the grass along the Michigan Street side and incorporating a new large tree. • Our patios and window wells will all use water permeable stone



November 14, 2014

**RE: RE-ZONING AND DEVELOPMENT PERMIT REQUEST FOR
301/303 ST. LAWRENCE ST**

Honourable Mayor and Council:

We are the neighbours of The 301/303 St Lawrence St Re-zoning and Development Project. In August of this year, in a letter from the James Bay Neighbourhood Association and a subsequent letter from The 118 Michigan St Strata Board we expressed our view that we would support changing the zoning of the above mentioned property to site specific to allow for a 4plex development. However, we were not happy with the look and design of the 4plex submitted to council on November 6th, 2014.

Mark Imhoff and Laura Nixon have revised the 4plex design (as shown on the attached) to a modern structure with a lower roof line which is very similar to the structure presented at the James Bay Neighbourhood Association meeting in January of 2014. They also heard our wishes that there are no balconies at the back of the 4plex which we support.

We would like The Honourable Mayor and Council to know that we are pleased with the design and support the new structure for the development at 301/303 St Lawrence. Please see below our signatures

Address	Name	Signature
225 St. Lawrence	CALLUM CAMPBELL	
215 St. Lawrence		
219 St Lawrence		
113A Superior	Angela Preston	
113B Superior		
113C Superior	Brendan James	
118 Michigan Units 1,	Elaine Brinton	
118 Michigan Units 3,		
118 Michigan Units 5,	Sandra Bradley	
118 Michigan Units 7		
103 Michigan	TONY PAINE	
119 Michigan		
118 MICHIGAN	James Barber	
118 MICHIGAN	Kelia Stiller	



SUBJECT PROPERTY FROM ST. LAWRENCE STREET



SUBJECT PROPERTY FROM MICHIGAN STREET



ADJACENT TOWNHOUSES ON MICHIGAN STREET



THE REEF AND SHOAL POINT ACCROSS PARK

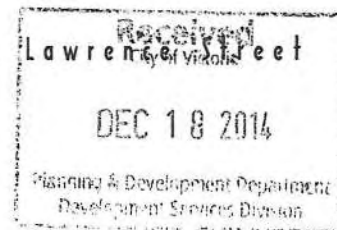


ADJACENT CHURCH ON ST. LAWRENCE STREET



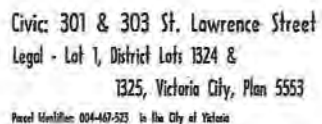
HOUSES ON ST. LAWRENCE STREET

Proposed 4 Unit Townhouse - 301-303 St.
For: 0772613 BC Ltd.



Date - December 4, 2014
Sheet 1 of 6

Gerry Troesch
Residential Design
3716 Ridge Road Drive, Victoria BC V8C 4M8
Phone - 250-955-8422 Email - gtroesch@shaw.ca Website



SITE PLAN
SCALE - 1/100

Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772613 BC Ltd.

[illegible]

Received
City of Victoria
JAN 08 2015
Planning & Development Department
Development Services Division

Date - January 6, 2015
Sheet 2 of 6

Gerry Troesch
Residential Design
3710 Ridge Pond Drive, Victoria BC V8C 4M6
Phone - 250-325-9422 Email - gtroesch@shaw.ca Website

	COUNTRY NAME	LATIN NAME	NOT
SPRING TREES			
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NOTE: ALL LANDSCAPE WORK TO CONFORM WITH D.C.M.A. AND D.C.N.Y. STANDARD SPECIFICATIONS



Gerry Troesch
Residential Design
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Planning & Development Department
Development Services Division



Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772613 BC Ltd.

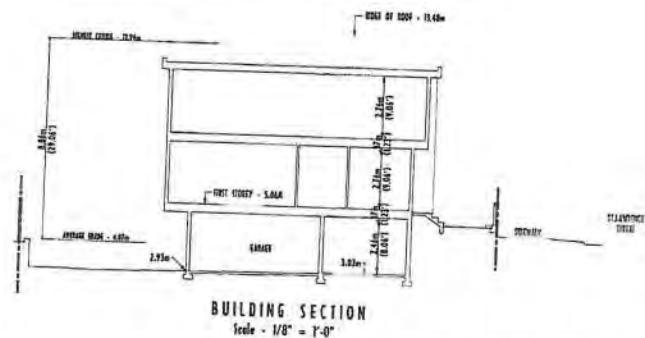
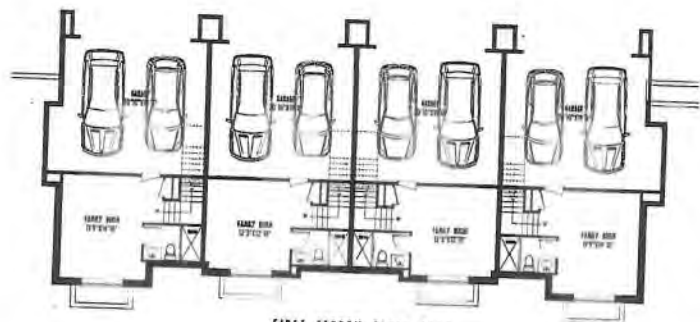
Date - December 4, 2014
Sheet 4 of 6

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Received
City of Victoria

DEC 18 2015

Planning & Development Department
Development Services Division



Received
City of Victoria

DEC 18 2015

Planning & Development Department
Development Services Division

Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772613 BC Ltd.

Date - December 4, 2014
Sheet 5 of 6

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Received
City of Victoria

DEC 18 2015

Planning & Development Department
Development Services Division

Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772613 BC Ltd.

Date - December 4, 2014
Sheet 6 of 6

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**Committee & Council Reports
Report Preparation & Review Transmittal Sheet**

Report title: Rezoning Application and Development Application for 301-303 St. Lawrence

Initiating Department: Development Services

Director Referral	Review Requested ¹	Comments Received ²	Director Comments ³
Corporate Communications			
Conference Centre			
Engineering/Public Works			
Finance			
Fire			
Human Resources			
Internal Audit/Risk Mgmt			
Legislative/Regulatory Serv			
Parks, Recreation & Culture			
Planning & Development			
Police Chief			
Solicitor			
Sustainability			
Technical Review Committee			

**SUBMITTED TO LEGISLATIVE &
REGULATORY SERVICES ON
Oct 20/14 FOR
INCLUSION ON THE Nov 6/14
GPC/PLUC/COUNCIL AGENDA.**

**PLEASE NOTIFY PLANNER
Leanne Saylor IF THIS
SCHEDULE CANNOT BE MET.**

The undersigned certifies that this report:

1. Was reviewed by the Directors identified above;
2. Each identified Director's comments were considered in this report and the report's recommendations are satisfactory to each identified Director;
3. The report is in its final form and ready for the City Manager's approval.

Author's Signature: *Leanne Saylor*

Date: Oct 17, 2014

Author's Position: Planner

¹ Date that comments were requested of each identified Director.

² Date that comments were received from each identified Director.

³ Nature of the comments received: Verbal / Written / No Comments.

⁴ Required referral for reports to the PLUSC.



Planning and Land Use Committee Report

For Meeting of November 6, 2014

To: Planning & Land Use Committee **Date:** October 23, 2014
From: Leanne Taylor, Planner, Development Services Division
Subject: **Rezoning Application #00436 and Development Permit Application #000389 for 301 and 303 St. Lawrence Street** – Application to rezone the property from the R-2 Zone, Two Family Dwelling District, to a new zone and to consider approval of a Development Permit to allow four townhouse units.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and concurrent Development Permit Application for the properties located at 301 and 303 St. Lawrence Street. The proposal is to rezone the property to allow four townhouse units.

The following points were considered in reviewing this application:

- The proposal is consistent with the *Official Community Plan 2012 (OCP)* and the design guidelines contained in Development Permit Area 16.
- The site is currently in the R-2 Zone, Two Dwelling District, and occupied by a duplex.
- The proposed traditional design, density, height and massing are considered acceptable in the neighbourhood context.

Staff recommend that the Committee advance this Rezoning Application to a Public Hearing as the proposal is consistent with the OCP land use policy and applicable design guidelines.

Recommendations


That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application #00436 for 301 and 303 St. Lawrence Street, that first and second reading to the *Zoning Regulation Bylaw* amendment be considered by Council and a Public Hearing be set.

"That Council consider the following motion after the Public Hearing for Rezoning Application #00436:

1. Plans date stamped September 22, 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 Director of Sustainable Planning and Community Development."

Respectfully submitted,


Leanne Taylor
Planner
Development Services Division


Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Jason Johnson

Date: _____

LT:aw:af

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00436\PLUSC PLANNING REPORT - NOV 6 2014.DOC

1.0 Purpose

The purpose of this application is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit Application for the property located at 301 and 303 St. Lawrence Street.

2.0 Background

2.1 Description of Proposal

The proposal is to rezone the property from the R-2 Zone (Two Family Dwelling District) to a new zone to allow four townhouse units.

Details of the proposal include:

- the proposed building complements the architectural diversity of the building types and traditional character of the neighbourhood
- the main entrances to the units would be located on St. Lawrence Street and Michigan Street
- the townhouses would be three storeys, however, at-grade on St. Lawrence Street, the building would appear to be two storeys
- the driveway access would be located off of Michigan Street and each unit would have two parking spaces located in a double-car garage at the rear of the building.

Exterior building materials include:

- HardiePanel siding with wood battens
- wood columns
- stone
- fibreglass shingles.

Landscape materials include:

- permeable pavers
- various tree and shrub species (noted on planting plan)
- a stone-faced retaining wall
- decorative fencing.

2.2 Sustainability Features

The applicant is proposing a number of green building design features which are outlined in a letter from the applicant (attached). These features include:

- permeable surfaces
- water conservation measures
- energy efficient features.

2.3 Land Use Context

The immediate neighbourhood is characterized by a mix of townhouse developments, single family houses, a church and park space. The subject property is directly across from Fisherman's Wharf Park and adjacent to a church. Properties to the north and south are occupied by existing townhouse developments.

2.4 Existing Site Development and Development Potential

The subject property is occupied by a duplex. The current zoning for the property allows a two-family dwelling.

The following data table summarizes the proposal. An asterisk is used to identify where the proposal is less stringent than the R-K Zone, Medium Density Attached Dwelling District. Although the proposal is for medium-density attached housing, a new zone would need to be created since the density exceeds the maximum floor space ratio (FSR) in the R-K Zone.

Zoning Criteria	Proposal	R-K Zone Standard
Site Area (m ²) - minimum	792.1	740
Total Floor Area (m ²) - maximum	587.3	n/a
Floor Space Ratio - maximum	0.74:1*	0.6:1
Lot Width (m)	21.3	18
Height (m) - maximum	7.8 to uppermost ceiling 9.1 to midpoint of roof	8.5 to uppermost ceiling
Site Coverage (%) - maximum	43.5*	33
Open Site Space (%) - minimum (Landscaping)	28.5*	45
Storeys	3*	2.5
Third Storey (%) - maximum floor area	100*	60
Setbacks (m) - minimum		
Front (Michigan Street)	5.17*	6 Entrance Porch - 1.6 into setback
Rear Yard (NE)	2.8	2.5
Side Yard (SE)	Balcony/Wall: 5.8 Bedroom/Dining Main Windows - 6.4	Balcony/Wall: 2.5 Bedroom/Dining Main Windows - 4
Side Yard on Flanking Street (NW on St. Lawrence Street)	Bedroom Main Window - 2.9* Living Room Main Window - 2.7*	Bedroom Main Window - 4 Living Room Main Window - 7.5

Zoning Criteria	Proposal	R-K Zone Standard
Parking		
Number of Parking Spaces	8	6
Visitor Parking – minimum	0*	1
Bicycle Storage (Class 1)	Secure bicycle storage in garage	n/a
Bicycle Rack (Class 2)	1 six space rack	n/a

2.5 Legal Description

Lot 1, District Lots 1324 and 1325, Victoria City, Plan 5553.

2.6 Consistency with City Policy

2.6.1 Official Community Plan, 2012

The *Official Community Plan 2012* (OCP), Urban Place Designation for the subject property is Traditional Residential. Within this designation, attached residential buildings on secondary arterial roads, such as St. Lawrence Street, are encouraged. The OCP includes the subject properties in Development Permit Area (DPA) 16, General Form and Character where the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* are applicable.

2.6.2 Consistency with Design Guidelines

The proposal complies with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* as follows:

- To accentuate the building on the corner site, distinctive massing, building articulation and architectural treatments will be incorporated into the design of the building.
- The proposed building has a varied roofline, gables, large windows, and distinctive entryways facing St. Lawrence Street and Michigan Street.
- The end units have large private patios and the two middle units have balconies.
- The entryways are designed to emphasize the transition from the public realm of the street and sidewalk to the private realm of the residences. Substantial landscaping would be planted at the entryways to enhance the residential presence.
- The site would have permeable surface treatments along the driveway, walkways and private patios.

2.6.3 James Bay Neighbourhood Plan, 1993

The *James Bay Neighbourhood Plan* encourages low-density infill or medium-density townhouses to be considered in the context of the neighbourhood and the character of the adjacent properties. The plan further acknowledges that there should be visual harmony of form and scale between new buildings and adjacent residential units, and that new developments demonstrate a high standard of design and respect the existing streetscape character.

2.7 Community Consultation

In accordance with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning Applications*, a Community Meeting was held with the James Bay Neighbourhood Association (JBNA) on January 8, 2014. The comments from this meeting are attached to this report. Following the January meeting, revisions were made to the design of the building. The JBNA reviewed the new plans and provided their response to the new design in a letter dated August 21, 2014 (attached).

2.8 Issues

The main issues associated with this application are:

- proposed density
- consistency with design guidelines and CALUC concerns.

3.0 Analysis

3.1 Proposed Density

The proposed four-unit townhouse development has a floor space ratio (FSR) of 0.74:1. A total FSR up to approximately 1:1 is supported in the Traditional Residential Urban Place Designation in the OCP and, therefore, this proposal is consistent with the maximum density established for this area.

3.2 Consistency with Design Guidelines and CALUC Concerns

The proposed design, presented in this report, is different from what was originally submitted to the City and the CALUC at their meeting on January 8, 2014, although the revised plans identifying the changes were sent to the CALUC for review and comment on August 7, 2014. The applicant has indicated to staff that they have consulted the immediate neighbours regarding the design changes and an updated letter dated October 20, 2014, is attached. The CALUC supported the original design even though it deviated from the typical traditional design that is evident in the immediate neighbourhood. The original design of the four-unit townhouse development was a contemporary building with less building articulation, variation in roofline and architectural treatments. Staff support the new design for reasons that the building design fits in with the general character of the broader neighbourhood and is consistent with the multi-family design guidelines with respect to building form, character, finishes and landscaping details.

4.0 Resource Impacts

There are no resource impacts anticipated with this application.

5.0 Conclusions

The proposed four-unit townhouse development is consistent with the policies for land use and density outlined in the OCP for the Traditional Residential Urban Place Designation. The project is also designed in accordance with the objectives of DPA 16 and the design guidelines for multi-family residential development. Staff recommend that the Committee advance this Rezoning Application to a Public Hearing.

6.0 Recommendation

6.1 Staff Recommendations

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application #00436 for 301 and 303 St. Lawrence Street, that first and second reading to the *Zoning Regulation Bylaw* amendment be considered by Council and a Public Hearing be set.

"That Council consider the following motion after the Public Hearing for Rezoning Application #00436:

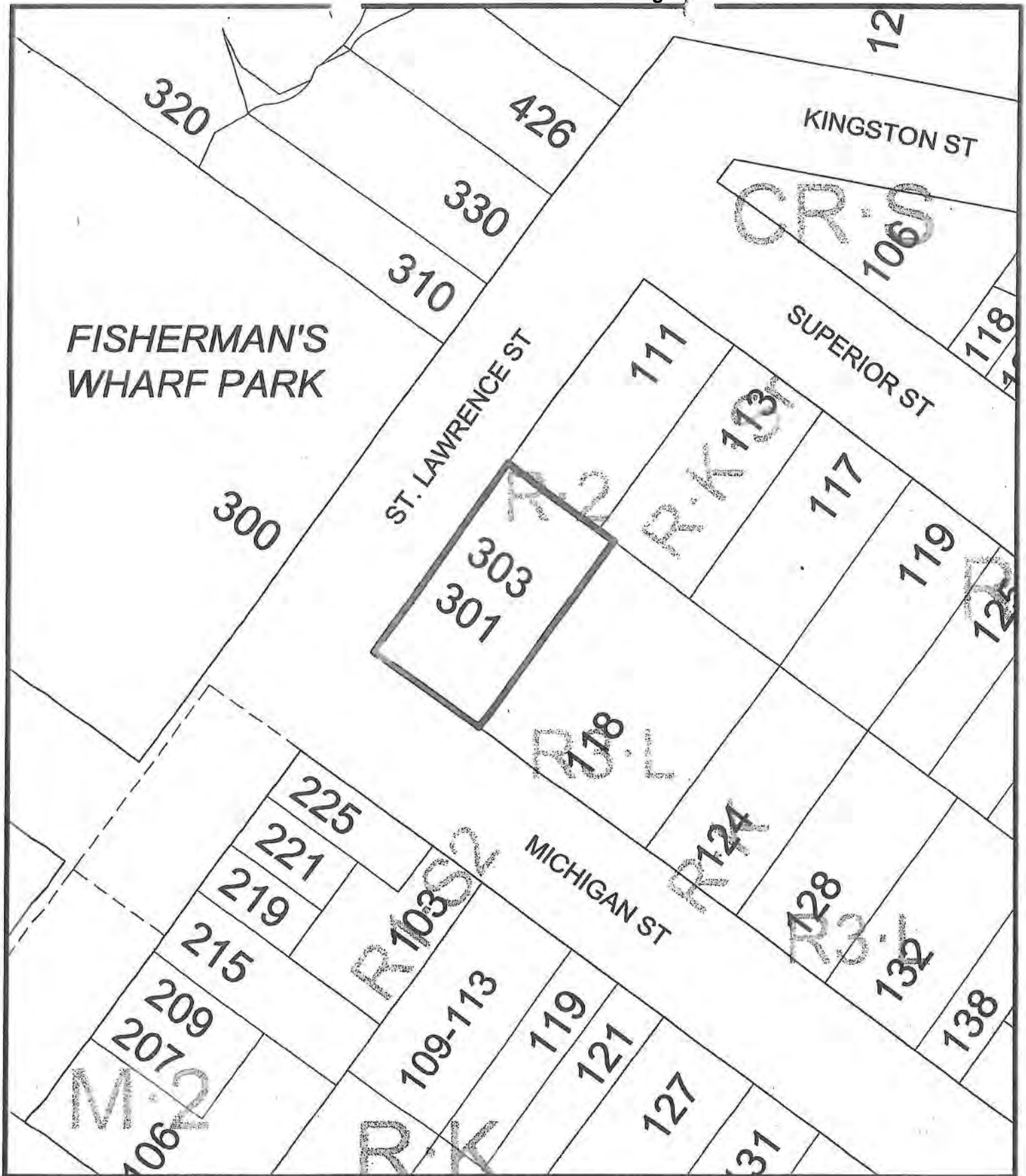
1. Plans date stamped September 22, 2014;
2. Development meeting all *Zoning Regulation Bylaw* requirements;
3. Final plans to be generally in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development."

6.2 Alternate Recommendation (decline)

That Rezoning Application #00436 and Development Permit Application #000389 for 301 and 303 St. Lawrence Street be declined.

7.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated August 6, 2014
- Plans dated September 4, 2014
- Green Building Features statement
- Letter from CALUC dated August 21, 2014
- Letter from CALUC dated January 21, 2014
- Letter from applicant dated October 20, 2014.



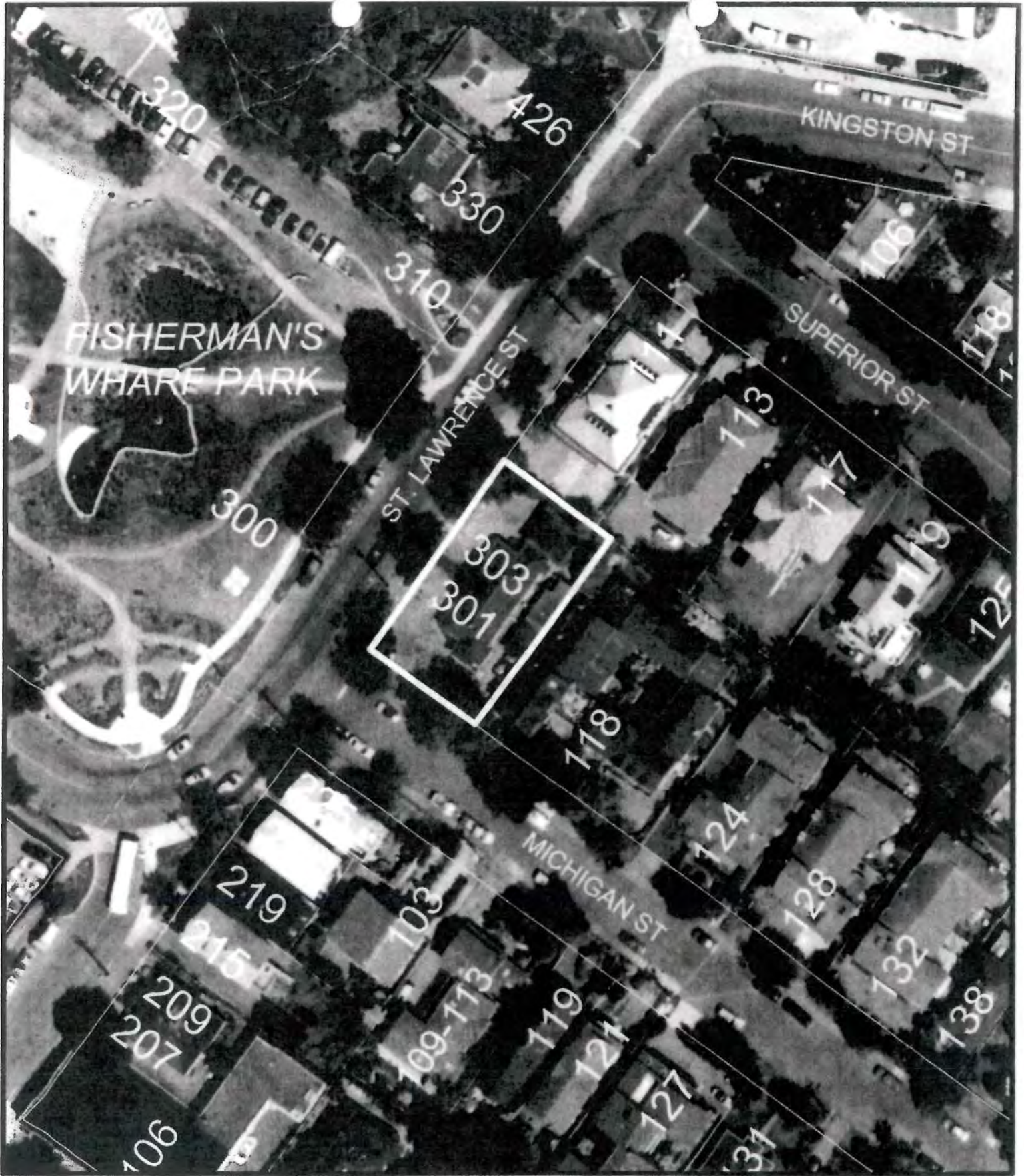
301-303 St Lawrence Street

Rezoning #00436

Bylaw #



Rezoning Application # 00436 for 301 and 303 St. Lawrence St...



301-303 St Lawrence Street

Rezoning #00436

Bylaw #

Rezoning Application # 00436 for 301 and 303 St. Lawrence St...



AUG - 6 2014

Planning & Development Department
Development Services Division

August 5, 2014

RE: RE-ZONING AND DEVELOPMENT PERMIT REQUEST FOR 301/303 ST. LAWRENCE ST

Honourable Mayor and Council:

Please find attached a complete package with rationale for the proposed re-zoning of 301-303 St. Lawrence and our further request for a development permit. We would like to thank The Planning Committee for helping us in the process of designing the 4 townhouse complex to ensure that it is in keeping with the traditional look of the neighbourhood.

In particular we believe that our submission addresses the following:

2.2 New development should avoid long unvaried stretches of frontages in ways that include, but are not limited to:

2.2.1 Massing that gives the impression of small blocks.

2.2.2 Little or no repetition in the proportion of frontages, where feasible.

3.4 Distinctive massing, building articulation and architectural treatments should be incorporated for corner sites, highly visible building sites or buildings, or portions of buildings, when these terminate street corridors.

4.2 Rich and varied architectural materials are encouraged to enhance and articulate street frontages.

As shown in our new set of drawings we believe we have captured a very interesting, tradition structure that allows for a variety of roof lines and structure that bumps in and out between each of the condo town homes so as to give a feel that each one is unique. There are no long stretches of unvaried frontage in this project.

In particular we have varied each of the entrances to the townhouses so that the building gives the impression that each home is unique with no cookie cutter feel. The entrance for the northerly duplex is on St Lawrence Street designated by a street front arbour much the same as other properties in James Bay. The southerly townhouse is faced on Michigan with a larger grassed street front and a large front entry. This allows our neighbours on Michigan to see a rich front entry in keeping with the other homes in the area.

We anticipate cladding the building with light grey Hardy Board planks and siding and we will use a contrasting dark grey fascia with white aluminum soffit. In addition our windows will have white vinyl frames and we will paint our entrance way posts white. To further contrast this we intend to use a mixture of charcoal grey and light grey shingles in different roofing areas to ensure a varied look. We will use Pacific Ashlar slate around each entrance way and along the retaining wall to provide a rich look at

each entrance and as a retaining wall. We are also proposing to use black metal fencing in all areas shown on the drawings. The door and entryway framing will be a rich, natural fir with vertical lines giving further contrast to the overall look. We believe that the colours, material and overall look is in keeping with the beautiful park across the street and the traditional feel of the neighbourhood homes. Our entries to each townhouse provide an open and inviting street view and we intend to make use of small hedging to provide natural beauty at the sidewalk.

We believe that our drawings address massing, repetition, uniqueness of design and a very rich feel to our property and hope you will agree.

In addition we have considered the privacy of our neighbours. Our proposed plan moves the complete building to the front of our lot on St Lawrence so that our neighbours on Michigan have increased distance from our building. We are only suggesting 2 small balconies in our inside units so that the owners will be able to have BBQ space close to their kitchen/dining room areas.

Below are additional questions we address in this proposal.

1. Confirm that you have reviewed the James Bay Neighbourhood Plan (JBNP) as adopted by the City of Victoria Council, November 1993, and discuss your development relative to the document

We have reviewed the James Bay neighbourhood plan and the City of Victoria OCP. The current property would be considered a large lot in reference to the current use, R2 zoning and can support an increase to 4 townhomes with little variances under RK medium density attached dwellings zoning. There are a number of townhome zoned and built out properties both adjacent and in the area of the property. St. Lawrence is a walking artery for pedestrians traveling to downtown from along the waterfront and several of the larger developments have townhomes you can enter off the side walk. We feel this is a street friendly approach and have therefore created our proposal with the side walk entry fronted with low natural greenery in keeping with a residential feeling. We have also created a green, sensitive street front feel for the unit facing Michigan Street so as to enhance the look for our neighbours. This being a corner lot it's important to have continuity on both frontages.

On this particular street scape there are several interesting building designs. We believe our design should consider the other buildings fronting the park and respect the difference in the era of construction when considering the design. First we have the church next to the property on the north then 4 small single family homes moving south from the property (the "4 Sisters"). The 4 Sisters are on a lot the size of our property and their zoning is M2. It is unlikely that the M2 zoning will be used in for the 4 Sisters but if they are not rezoned as suggest in the community plan a very large development could happen with them being amalgamated into the M2 properties to the south. Our

design is traditional and varied respecting the nearby homes and the beautiful park across the street.

2. Describe the neighbouring buildings. How will you respect the surrounding architectural design?

The neighbouring buildings are a mix of 4 early 19 century single family dwellings (4 Sisters) to the south, a 1980's church on the north, 1970 townhouses to the east and a park to the west. With this vast mix of architectural designs adjacent to the property as well as the addition of the large modern condo complexes (The Reef and Shoal Point) and the commercial properties along Erie St. that surround the park we believe that this proposed design captures a mix of the single dwelling homes and townhouses. We use a variety of window sizes and types to address contrast and interest to our townhouses. Our design includes a variety of rooflines and we feel it should stand out as a complement to the new Fisherman's Wharf Park and yet blend well with neighbouring properties.

3. Have you anticipated shadowing issues? Detail how you will handle.

We have considered shadowing. Moving the building closer to the northwest corner of the property as proposed creates the least amount of shadowing for those residential occupied properties that are affected. We have also minimized our roofline height as much as possible.

4. Provide comments on the existing site landscape and vegetation and your future plans for the same.

The current site has minimal landscaping other than grass, a few shrubs and a tree on the NW, SE & SW corners. All of the trees will remain. The new landscaping will beautify the surrounding environment. We will introduce patio appropriate hedging for screening and natural beauty, water permeable driveway to work within the new stormwater guidelines and the use of various greenery along the concrete retaining wall adjacent to the driveway so as to give it a more natural look. In addition we plan to retain grass along the Michigan Street side. There will be 2 side patios at the north and south with water permeable landscaping.

5. Provide your interpretation of the "character of James Bay Community" and how your proposed development relates to your interpretation.

Having lived in James Bay for 12 Years (Mike Reid) and 8 years (Laura Nixon) we know and love the James Bay Area. James Bay is like a town within a city. It is very unique because much of its borders are ocean and park with only a slight attached area to the downtown core and a small village to pick up resident groceries, supplies and services. It is one of the most walk friendly areas of Victoria. Everything is accessible by foot and we have exceptional access to the ocean and downtown.

James Bay houses many different life styles from rentals to high end properties. James Bay has the highest density of residents among communities next to downtown. This is one reason why we have seen a steady stream of uniquely refurbished and newly built small residential properties. James Bay has steered away from high rise development in favour of attached residential dwellings (townhomes, Duplex) or small lot infill. We believe that our proposal is sensitive and innovative working with the existing area. We would like to create a beautiful residential feeling on a lot that is substantially larger than what it is currently being used for or the existing zoning would allow.

This type of densification is also mid stream in affordability for units of this size in an area where land is expensive. We are retired and are now looking to downsize to a smaller more manageable home. We would like to live in one of these townhomes when they are complete.

6. What is the intended market orientation? (seniors, middle class etc.)

We hope it will attract middle class, small family, professional or retired couples. With access to the park, wharf and downtown we think it is a great use of the property.

7. Is this a Time Share development?

No

8. What benefits does the proposed project provide to the residents of James Bay?

It really helps to clean up a general eye sore property along a beautiful new park and adds beautification through greenery. Being a rental property for the last 30 years it has had some challenges with tenants for the neighbours and the existing building has had minimal upkeep. The building has out lived the rise in the value of the land and this will only continue. It is not worth updating the existing structure as its design is old and worn. The proposal suggests we only have a driveway on to Michigan St. which eliminates the driveway on St. Lawrence. We believe that this is safer for residents and public vehicles using St. Lawrence. In addition we have allowed for 8 parking spots which we believe takes some congestion off the neighbouring streets. We have minimized the slope of the roof and the placement of the townhouses on the lot to so as to reduce shadowing for the neighbours. The lot as 4 townhomes versus a duplex may increase tax dollars for James Bay.

9. What is the level of interior finish proposed for the units?

The level of interior finish will be in keeping with today's construction standards: hardwood & tile floors, wooden cabinets, stone counters, solid core doors, vaulted & 9' ceilings. We will use high quality sustainable product.

10. Provide comments on your proposed project's contribution to "mixed and varied housing units ,families, seniors, rental, affordable. etc."

Our proposal incorporates the type of property we are increasingly seeing people choose when living within the city. The proposal incorporates new construction, is medium build in size, with minimal maintenance by allowing the Strata to take care of the maintenance work. This allows the residents to share the cost and effort of upkeep. Because the units are less than 2000 square feet each the price point is more affordable than a duplex with 2 larger homes would cost.

11. Provide an overview of your project's parking, circulation and impact on neighbourhood traffic and traffic patterns.

After speaking with the neighbours we decided that more parking within the lot was better because of the current constraints in the area for residents. We have included 2 spots per townhouse. With St. Lawrence being an artery we chose to remove the driveway on that portion of the property and we believe that this greatly helps to improve the traffic flow and safety on St. Lawrence. There is currently a driveway on Michigan St. which we intend to maintain and acknowledge that with the addition of 2 units there may be minor circulation changes as the owners travel Michigan St.

12. Describe the construction and design qualities of the proposed development that help support a healthy and sustainable environment.

- We are locating the building to reduce shadowing of sun for the neighbours and retaining trees to maximize shade. We included large windows to allow for maximizing natural light that enhance the views while reducing the need for electric lighting during daytime.
- We plan to use electric baseboard heaters in each room that will allow owners to monitor and reduce the use of electricity in rooms not used at all times.
- We will include gas cook top stove and a main floor gas fireplace to provide efficient heating and cooking. We designed an open main floor area to allow for the fireplace heating circulating in this space. In addition we will include a gas hook up to the barbeque to reduce the need for propane tanks on the property.
- Our floors will be hardwood eliminating the need for synthetic carpeting and we will use kitchen and bathroom cabinetry with granite countertops to improve sustainability of the inside finish. Our objective is to simplify and reduce maintenance requirement.
- Our construction will consider maximizing daylight, reducing noise, ensuring ventilation and moisture control.
- Our exterior landscaping will make use of stormwater to reduce city water system and storm system needs where possible.
- In addition we are investigating whether the existing building can be relocated so as to divert construction waste from the landfill however to date we have had no

positive feedback. Because the building is so old we do not believe that any of the interior can be given to the Reuse It store.

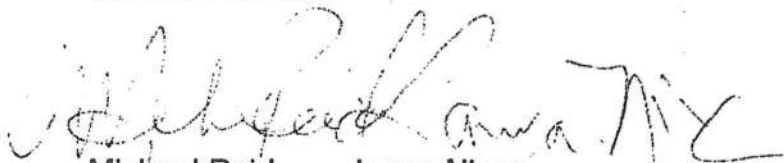
13. What environmental features do you intend to include?

First we will maintain the existing trees on the property. We will increase the use of plants and screening on the property for beautification, make use of water permeable patio and driveways to decrease the flow of stormwater into the system, direct the eaves through drainage downspout pipes to the grass area to allow for use of stormwater to water the lawn. In addition we intend to add bike storage recognizing that the owners will most likely walk or bike instead of driving whenever possible.

We are pleased with our completed drawings. We respectfully submit the required drawings for our re-zoning and design permit package and we would be very pleased to present to your Honourable Mayor and Council at your earliest date possible our plan and example board of the finishing we would like to use on the buildings exterior.

Thank you for your consideration.

Sincerely,
0772613 BC Ltd.



Michael Reid Laura Nixon
250 516-3399 250 415-5008



JBNA

Received
City of Victoria

AUG 21 2014

Planning & Development Department
Development Services Division

James Bay Neighbourhood Assoc.

234 Menzies St
Victoria, B.C.
V8V 2G7

www.jbna.org

Mayor and Council
#1 Centennial Sq.
Victoria BC

August 18th 2014

Re: REZ00426 for 301-303 St Lawrence.

The JBNA Board has received correspondence dated August 7 wherein City Planning has provided a full set of drawings for the proposed development which deviates significantly from the plans brought forward to the JBNA General Meeting in January of this year (Letter dated January 13 forwarded to Council following the JBNA meeting).

From reading the information package, it appears that the design brought forward in January was amended at the City's request. The January schematics suggested contemporary residences. Although the January proposal was not "traditional", the design reflected elements of the nearby Reef building. Visually, the massing reflected the old (but not on heritage register) 4-sisters to the south. To the north of this property is the contemporary structure of the Church of Truth.

The structure presented in the August document is like many others found in James Bay; not heritage, not contemporary. The January proposal was respectful of the neighbouring property to the east, with the proposed structure sited to the west side of the property and had a low roof-line.

The question we must ask Council is, why was the proposed design rejected? Has the City, which requested the total redesign, notified and/or involved the immediate neighbours prior to forwarding the proposal to Council? While asking these questions, we are mindful that the owner/developer has not initiated the changes on its own accord, and hence should not bear the costs that might be associated with further review.

This significant change in design requested by the City also has implication for the overall CALUC process where one design is presented to residents who then provide comments based on the design presented but final City approval is for a different design. We expect that modifications will always be made after community meeting but a total redesign was not anticipated.

Tom Coyle, Vice Chair JBNA



James Bay Neighbourhood Association

234 Menzies St
Victoria, B.C.
V8V 2G7

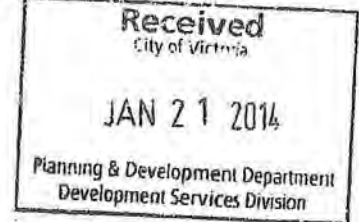
www.jbna.org

January 13th, 2014

Mayor and Council,
City of Victoria

Re: Development proposal – Rezoning – 301-303 St Lawrence St.

Dear Mayor Fortin & Council,



On January 8th, the development proposal for 301-303 St Lawrence was reviewed at the JBNA meeting, fulfilling the CALUC consultation process. The following excerpt is from the minutes of the meeting:

6. Re-zoning Proposal: 301-303 St Lawrence

Mark Imhoff: Bluewater Developments Ltd & Laura Nixon, 077631 B.C. Ltd.

The proposal is to create a 4 unit townhouse complex in place of the current duplex. The current property has 2 driveways, one on Michigan, the other on St Lawrence. The proposal is to have one access via Michigan and to have 8 parking spots and facilities for bicycle parking (8). The townhouses would be shifted to the north and west. Set-back changes are requested and the complex will be higher than the existing buildings.

Residents living near to the property were invited to comment first. None chose to and others were invited to comment. (Note: From 6:30 to 7 pm, prior to the start of the JBNA meeting, residents were able to review the schematics and discuss the project with the proponents.)

Questions:

Q: Fisherman's Wharf Park resident: Parking - there is a lot of contention for street parking on occasion. Also – regarding the roofline – I don't understand it.

A: Parking is not decreased, we've provided 2 spaces per suite on the site itself and by removing the driveway on St. Lawrence, we've added another public parking space. [The roofline was explained and clarified].

C: Pilot Street resident: I approve of this one – it's very pedestrian friendly, great to have two spaces per unit and adding street parking – it's win-win. It looks great to me and I like the contemporary design.

Q: Oswego resident: How big is your home on Dallas?

A: About 4600 sqft.

C: I applaud you for building a smaller home. This is a good design for the lot.

C: I think it would be helpful to provide the size of the lot and the zoning changes.

A: That is all covered in the chart (stepped through chart on screen).

C: Pilot Street resident: I've seen a number of your designs, and I like this one very much.

Sincerely,

Marg Gardiner
President, JBNA

for Tom Coyle
Chair, JBNA CALUC

Cc: Murray Miller, Planning

Green Building Features

301/303 St Lawrence St

Applicants: Michael Reid, Laura Nixon, Mark Imhoff

Category	Feature
Site Selection and Design	<ul style="list-style-type: none"> • Our design moves the building closer to the northwest corner of the property so as to create the least amount of shadowing for those residents affected. • This large corner lot allows green space for each unit. • In addition our building location is designed to minimize noise for the neighbours • The design has only 1 driveway on to Michigan St. which eliminates the driveway on St. Lawrence allowing more greenery. We believe this is safer for residents and public vehicles using St. Lawrence.
Transportation	<ul style="list-style-type: none"> • Our design includes onsite bike parking. • Our 4 townhomes will have a total of 8 parking stalls on the site. • The removal of one driveway crossing on St Lawrence removes the hazard of backing onto a busy road and may allow additional on street residential parking spots with this proposal • The driveway we intend to create is water permeable
Energy Efficiency	<ul style="list-style-type: none"> • Install high efficiency appliances • Install many windows that open to allow natural ventilation in the homes. The windows will be low E thermo windows with openers • Individually controlled room heat • Open concept living allowing excellent natural light. • Motion detectors on all exterior lighting • Building includes large overhangs at the north and south porch as well as roof overhang at the interior units to shield the building from direct sunlight and thereby moderate interior temperatures
Renewable Energy	<ul style="list-style-type: none"> • Exterior maintains the existing trees and adds a new large tree to help with heat on the building • This home will be electrically heated which is Canada's largest renewable energy source, • The main floor is open concept to make use of natural sunlight to light and warm the entire floor. • We will also use an energy efficient natural gas fireplace to provide heating needs for each home

	<ul style="list-style-type: none"> • Our design makes use of electric baseboard heater in upper and lower floor rooms so that owners can monitor and reduce energy in rooms not used all the time • Interior floors will be hardwood eliminating the need for synthetic carpet. Hardwood is a more sustainable solution • Our interior countertops will be granite to provide a more sustainable interior finish
Water	<ul style="list-style-type: none"> • Install Faucets and shower heads with flow rate of 8L/min. or less • Install dual flush toilets with ultra-low flow (4.5L/flush) • Install water permeable patios and driveways • Direct eaves trough drainage downspout pipes to grassed areas so as to use stormwater to water lawn
Landscaping and Site Permeability	<ul style="list-style-type: none"> • Our design maintains the existing trees on the property and adds one additional large tree • Our exterior landscaping will make use of stormwater to reduce city water system and storm system needs where possible • We will introduce hedging instead of fencing around the property in keeping with and inviting, sustainable, natural beauty at the sidewalk • Our design incorporates a water permeable driveway to work within the new stormwater guidelines • We included the use of various greenery along the concrete retaining wall adjacent to the driveway so as to give it a more natural look. • Our plan includes retaining the grass along the Michigan Street side and incorporating a new large tree. • Our 2 side patios at the north and south with water permeable landscaping



SUBJECT PROPERTY FROM ST. LAWRENCE STREET



SUBJECT PROPERTY FROM MICHIGAN STREET



ADJACENT TOWNHOUSES ON MICHIGAN STREET



SUBJECT PROPERTY FROM ST. LAWRENCE STREET



ADJACENT CHURCH ON ST. LAWRENCE STREET



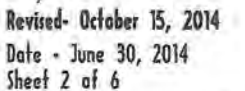
HOUSES ON ST. LAWRENCE STREET

Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.



Revised - October 15, 2014
Date - June 30, 2014
Sheet 1 of 6

Gerry Troesch
Residential Design
3716 Alga Road Drive, Victoria BC V8C 4M6
Phone - 250-691-8402 Email - gtroesch@telusnet.net



Gerry Troesch
Residential Design
5716 Ridge Pond Drive, Victoria BC V9C 4M6
Phone • 250-995-8402 Email • gtroesch@telusnet WebSite

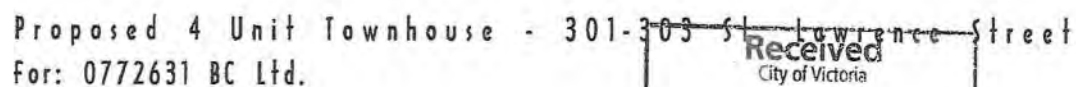
Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.

SEP 22 2014

Planning & Development Department
Development Services Division

[illegible]

NOTE: ALL DIMENSIONS MUST BE CONFORM WITH DIN 41 AND DIN 41 STANDARD SPECIFICATION.



Gerry Troesch
Residential Design
2715 Ridge Pond Drive, Victoria BC V9C 4J6
Phone - 250-395-6422 Email - gtroesch@kts.net Website

Planning & Development Department
Development Services Division



ST. LAWRENCE STREET ELEVATION



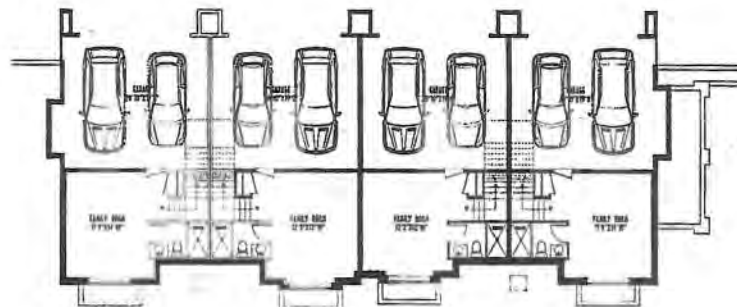
MICHIGAN STREET ELEVATION
Scale - 1/8" = 1'-0"

Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.



Revised: September 4, 2014
Date: June 30, 2014
Sheet 4 of 6

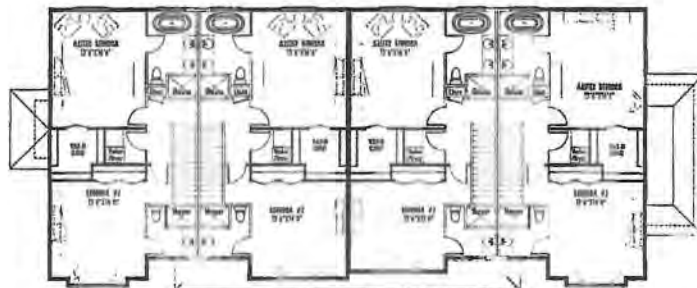
Gerry Troesch
Residential Design
3719 Ridge Point Drive, Victoria BC V8C 4M8
Phone: 779-991-8422 Email: gtroesch@shawnet website



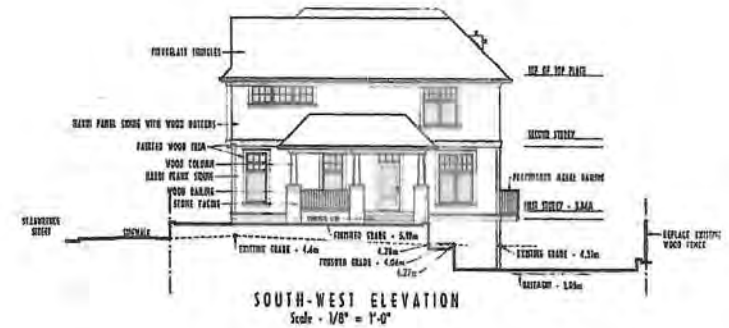
BASEMENT FLOOR PLAN
FLOOR AREA - 1771.4 sq.ft. (TOTAL) including
GARAGES - 1647.9 sq.ft. (TOTAL) including
Scale - 1/8" = 1'-0"



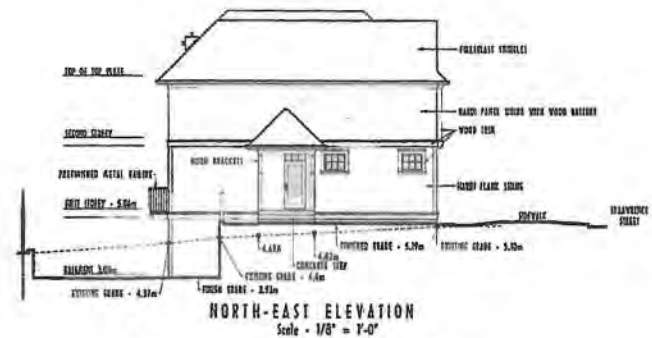
FIRST STOREY FLOOR PLAN
FLOOR AREA - 1771.4 sq.ft. (TOTAL) including
Scale - 1/8" = 1'-0"



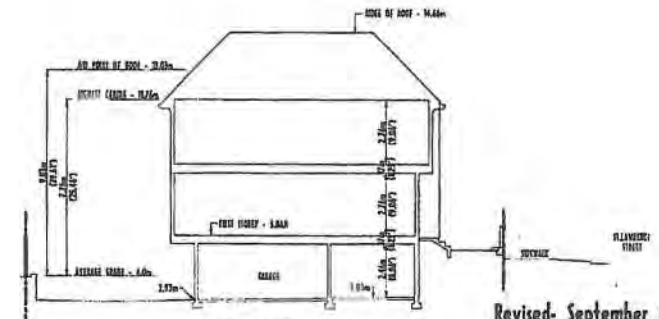
SECOND STOREY FLOOR PLAN
FLOOR AREA - 1771.4 sq.ft. (TOTAL) including
Scale - 1/8" = 1'-0"



SOUTH-WEST ELEVATION
Scale - 1/8" = 1'-0"



NORTH-EAST ELEVATION
Scale - 1/8" = 1'-0"



BUILDING SECTION
Scale - 1/8" = 1'-0"

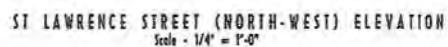
Revised- September 4, 2014
Date - June 30, 2014
Sheet 5 of 6

Gerry Troesch
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3710 Ridge Road Drive, Victoria BC V8C 6G8
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Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.

SEP 22 2014

Planning & Development Department
Development Services Division



SEP 22 2014
City of Victoria
Planning & Development Department
Development Services Division

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James Bay Neighbourhood Association

234 Menzies St
Victoria, B.C.
V8V 2G7

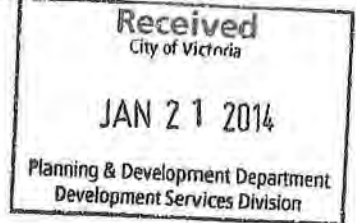
www.jbna.org

January 13th, 2014

Mayor and Council,
City of Victoria

Re: Development proposal – Rezoning – 301-303 St Lawrence St.

Dear Mayor Fortin & Council,



On January 8th, the development proposal for 301-303 St Lawrence was reviewed at the JBNA meeting, fulfilling the CALUC consultation process. The following excerpt is from the minutes of the meeting:

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Mark Imhoff: Bluewater Developments Ltd & Laura Nixon, 077631 B.C. Ltd.

The proposal is to create a 4 unit townhouse complex in place of the current duplex. The current property has 2 driveways, one on Michigan, the other on St Lawrence. The proposal is to have one access via Michigan and to have 8 parking spots and facilities for bicycle parking (8). The townhouses would be shifted to the north and west. Set-back changes are requested and the complex will be higher than the existing buildings.

Residents living near to the property were invited to comment first. None chose to and others were invited to comment. (Note: From 6:30 to 7 pm, prior to the start of the JBNA meeting, residents were able to review the schematics and discuss the project with the proponents.)

Questions:

Q: Fisherman's Wharf Park resident: Parking - there is a lot of contention for street parking on occasion. Also – regarding the roofline – I don't understand it.

A: Parking is not decreased, we've provided 2 spaces per suite on the site itself and by removing the driveway on St. Lawrence, we've added another public parking space. [The roofline was explained and clarified].

C: Pilot Street resident: I approve of this one – it's very pedestrian friendly, great to have two spaces per unit and adding street parking – it's win-win. It looks great to me and I like the contemporary design.

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A: About 4600 sqft.

C: I applaud you for building a smaller home. This is a good design for the lot.

C: I think it would be helpful to provide the size of the lot and the zoning changes.

A: That is all covered in the chart (stepped through chart on screen).

C: Pilot Street resident: I've seen a number of your designs, and I like this one very much.

Sincerely,

Marg Gardiner
President, JBNA

for Tom Coyle
Chair, JBNA CALUC

Cc: Murray Miller, Planning

October 20, 2014

**RE: RE-ZONING AND DEVELOPMENT PERMIT REQUEST FOR
301/303 ST. LAWRENCE ST AND LETTER DATED August 18,
2014 FROM THE JAMES BAY NEIGHBOURHOOD ASSOCIATION**

Honourable Mayor and Council:

On September 16th we received a copy of the letter from the James Bay Neighbourhood Association regarding our August 5, 2014 application for Re-zoning and Re-development of a property situated at 301/303 St Lawrence St.. We believe you have a copy of this letter in your package.

We would like to report to The Honourable Mayor and Council now our recent discussion with the neighbours based upon a walk around with the revised drawings by Mr. Mark Imhoff. Below is a summary of the houses he visited and a brief description of their comments.


- | | | |
|-----------------------|------------|---|
| 1. 225 St. Lawrence. | Christina | Likes development proposal Traditional style |
| 2. 221 St. Lawrence | Heely | Likes development proposal Traditional style |
| 3. 215 St. Lawrence | Brent | Likes development proposal Traditional style |
| 4. 219 St Lawrence | | No one home |
| 5. 113A Superior | Angie | Likes development proposal Traditional style |
| 6. 113B Superior | Christine | Likes development proposal Traditional style |
| 7. 113C Superior | Andres | Likes development proposal Traditional style |
| 8. 118 Michigan Units | 1, 3, 5, 7 | Like overall development proposal prefers 1st proposal with lower sloped roof and no balcony's on the rear of the building. |
| 9. 103 Michigan | Tony | Likes development proposal Traditional style |
| 10. 119 Michigan | Nicole | Likes development proposal Traditional style |

Our adjacent neighbours prefer the original plan presented at the JBNEA. Reasons are the combination of sloped and flat roof in the original plan allows more natural light and they also feel the two decks added to the rear of the building effect their privacy. We have positioned the building a substantial distance from the property line to limit these affects.

As you have not seen the original design that the JBNEA reviewed we have enclosed a one page snapshot view of the front and back look of this design so that you have a full set of information for review.

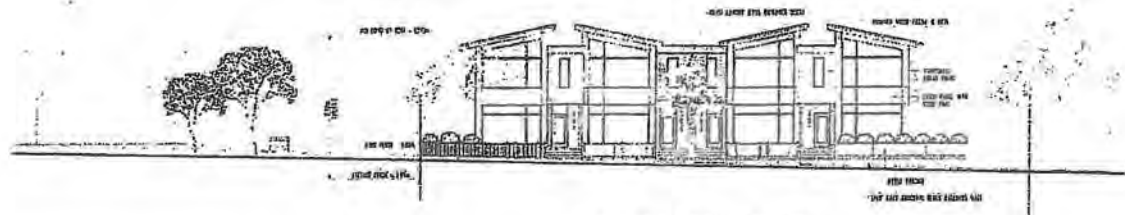
We look forward to discussing the re-zoning and development proposal for this property in the coming month.

Sincerely;
0772613 BC. Ltd.

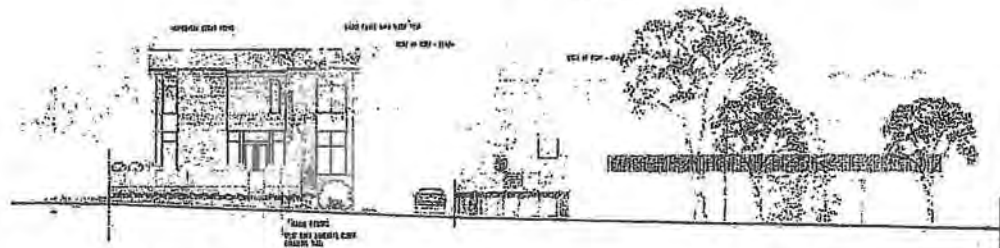
The image shows two handwritten signatures in black ink. The signature on the left is for Michael Reid, and the signature on the right is for Laura Nixon. Both signatures are fluid and cursive.

Michael Reid
250 516-3399

Laura Nixon
250 415-5008



ST. LAWRENCE STREET ELEVATION
Side - 10' x 14'

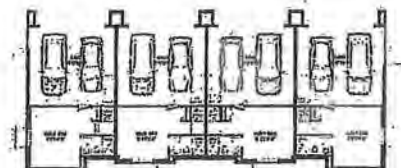


MICHIGAN STREET ELEVATION
Side - 10' x 14'

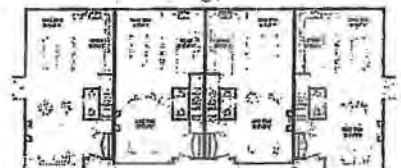
Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.

Date - January 4, 2014
Sheet 3 of 4

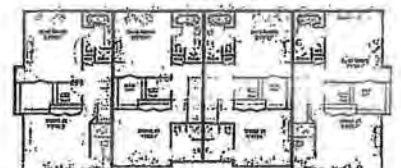
Gerry Troesch
Residential Design
2710 Marine Drive, Victoria, BC V8N 1A1
Phone - 250-383-1111 Fax - 250-383-1112



SECOND FLOOR PLAN
Overall - 10' x 14' (including
porch and stairs)
Net - 10' x 14'



FIRST FLOOR PLAN
Overall - 10' x 14' (including
porch and stairs)
Net - 10' x 14'

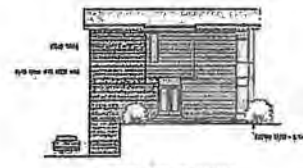


GROUND FLOOR PLAN
Overall - 10' x 14' (including
porch and stairs)
Net - 10' x 14'

Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.



SOUTH-EAST ELEVATION
Side - 10' x 14'



NORTH-EAST ELEVATION
Side - 10' x 14'

Date - December 30, 2013
Sheet 4 of 4

Gerry Troesch
Residential Design
2710 Marine Drive, Victoria, BC V8N 1A1
Phone - 250-383-1111 Fax - 250-383-1112



Planning and Land Use Committee Report For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Leanne Taylor, Development Services Division
Subject: Development Permit Application #000389 for 301 and 303 St. Lawrence Street.

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion after the Public Hearing for Rezoning Application #00436, if it is approved:

"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, Sustainable Planning and Community Development."

LEGISLATIVE AUTHORITY

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

Pursuant to sections 920(8) and (9), where the purpose of designation is the establishment of objectives for the form and character of a commercial, industrial and multi-family development, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures but may not include requirements regarding the particulars of the landscaping or of the exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 301 and 303 St. Lawrence Street. The proposal is to construct four townhouse units.

The following points were considered in assessing this Application:

- The proposal is consistent with the *Official Community Plan 2012* (OCP) and the design guidelines contained in Development Permit Area 16.
- The proposed design is consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial* (2012).
- The proposed modern design, density, height and massing are considered acceptable in the neighbourhood context.

BACKGROUND

Description of Proposal

The proposal is for four townhouse units. Specific details include:

- the proposed building complements the architectural diversity of the building types and character of the neighbourhood
- the main entrances to the units would be accessed off St. Lawrence Street and Michigan Street
- the townhouses would be three storeys, however, at-grade on St. Lawrence Street, the building would appear to be two storeys
- the exterior building materials include HardiePanel and cedar siding, painted wood fascia and trim, and fibreglass shingles
- new hard and soft landscaping will be introduced and the private patios will face away from the adjacent residential properties
- the driveway access would be located off Michigan Street and each unit would have two parking spaces located in a double-car garage at the rear of the building.

Sustainability Features

As indicated in the applicant's letter dated January 8, 2015, the following sustainability features are associated with this Application:

- permeable surfaces
- water conservation measures
- energy efficient features.

Existing Site Development and Development Potential

The site is presently a duplex.

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 16: General Form and Character.

The revised proposal is consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial* (2012) and responds to the concerns raised by the immediate neighbours with respect to the original design presented to the Planning and Land Use Committee on November 6, 2014. The significant changes include:

- The traditional, pitched roofline has been replaced with a modern, sloped roofline and the building height has been reduced.
- The windows are maximized on the St. Lawrence Street elevation. Two windows on the rear elevation were removed.
- The patios for the two middle units are now located on the front side of the building facing St. Lawrence Street. The rear balconies have been removed.
- Roof elements above the entryways have been added. The entryways are designed to emphasize the transition from the public realm of the street and sidewalk to the private realm of the residences. Substantial landscaping is also being proposed to enhance the residential presence.

The proposed building design accentuates the corner site by applying distinctive massing, building articulation and architectural treatments. The modern building design fits in with the general character and streetscape of the broader neighbourhood.

CONCLUSIONS

The proposal to construct four townhouse units is consistent with DPA 16 and the multi-family design guidelines with respect to building form, character, finishes and landscaping details. Given the changes summarized, staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Application # for the property located at 301 and 303 St. Lawrence Street.

Respectfully submitted,



Leanne Taylor, Planner
Development Services Division



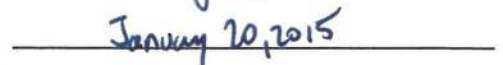
Alison Meyer, Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:



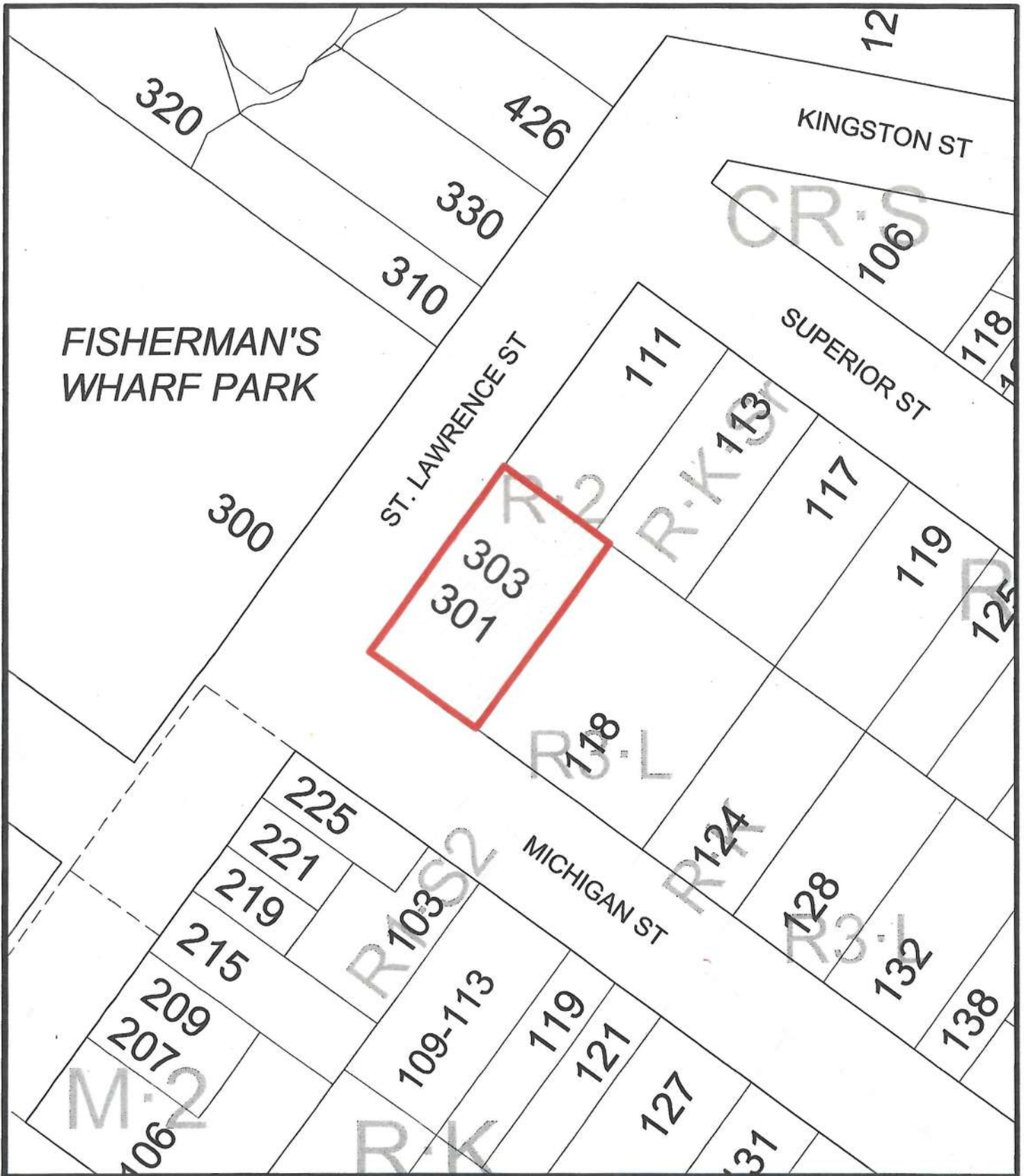
January 20, 2015

LT:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00436\DP PLUC REPORT FOR 301 303 ST. LAWRENCE ST.DOC

List of Attachments

- Zoning map
- Aerial map
- Letter from applicant January 8, 2014
- Green Building Features Summary
- Neighbourhood Petition January 9, 2014
- Plans dated December 18, 2014 and January 8, 2015.



301-303 St Lawrence Street

Rezoning #00436

Bylaw #





301-303 St Lawrence Street

Rezoning #00436

Bylaw #



Development Permit Application # 000389 for 301 and 303 St. ...



**RE: RE-ZONING AND DEVELOPMENT PERMIT REQUEST FOR
301/303 ST. LAWRENCE ST**

Honourable Mayor and Council:

On November 6th, 2014 we appeared before The Planning and Land Use (PLUC) Committee with our request for a rezoning and development permit for a fourplex project at the corner of St Lawrence St and Michigan St in James Bay. At the meeting all of the participants were pleased with the concept of a fourplex on this property however there were concerns raised with the style of the traditional structure that was proposed.

We would like to report to Mayor and Council that we have revised our townhouse design based on feedback from neighbours, and the PLUC meeting on November 6, 2014. In particular these are the concerns expressed that we have addressed:

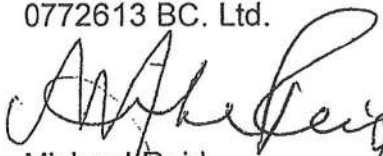
1. Removed rear decks
2. Patio for middle units are fronting St. Lawrence Street
3. Reduced building height
4. Removed some windows on the rear elevation.


Attached are the new drawings showing a contemporary fourplex building with large windows, a building that shows definition allowing for some bump in and outs to provide variety and eliminate a cookie cutter feel to the new building. We have included the Green Building Feature Summary for your information. We will make use of natural cedar siding sprinkled with Hardy Board in spots to allow for variety. Our window trim will be black to contrast with the natural wood and we will make use of beautiful Pacific Ashlar slate for all retaining walls to allow for our building to blend nicely with the Fisherman's Wharf Park across the street. As mentioned on the attached Green Features sheet we have will use water permeable patio and landscaping materials. We will use black grating at the 2 front window wells with patio to allow natural light into the basement room.

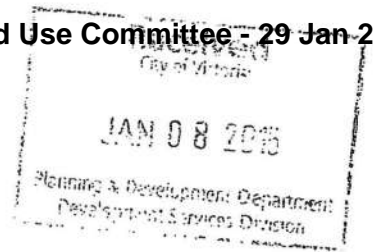
This structure is almost identical to the structure reviewed at The James Bay Neighbourhood Association meeting in January of 2014. Attached is the petition that we circulated to our immediate neighbours living in the strata development at 118 Michigan Street and around our block.

We look forward to discussing the rezoning and development proposal for this property in the coming month.

Sincerely;
0772613 BC. Ltd.


Michael Reid
250 516-3399


Laura Nixon
250 415-5008



Green Building Features

301/303 St Lawrence St

Applicants: Michael Reid, Laura Nixon, Mark Imhoff

Category	Feature
Site Selection and Design	<ul style="list-style-type: none"> • Our design moves the building closer to the northwest corner of the property so as to create the least amount of shadowing for those residents affected. • We have minimized the building height of the building to reduce shadowing for our neighbours • This large corner lot allows green space for each unit. • In addition our building location is designed to minimize noise for the neighbours • The design has only 1 driveway on to Michigan St. which eliminates the driveway on St. Lawrence allowing more greenery. We believe this is safer for residents and public vehicles using St. Lawrence.
Transportation	<ul style="list-style-type: none"> • Our design includes onsite bike parking. • Our 4 townhomes will have a total of 8 parking stalls on the site. • The removal of one driveway crossing on St Lawrence removes the hazard of backing onto a busy road and may allow additional on street residential parking spots with this proposal • The driveway we intend to create is water permeable
Energy Efficiency	<ul style="list-style-type: none"> • Install high efficiency appliances • Install many large windows that open to allow natural ventilation in the homes. The windows will be low E thermo windows with openers • : Individually controlled room heat • Open concept living allowing excellent natural light. • Motion detectors on all exterior lighting • Building includes large overhangs at the north and south porch as well as roof overhang at the interior units to shield the building from direct sunlight and thereby moderate interior temperatures • We have minimized the building height of the building to reduce shadowing for our neighbours

Renewable Energy	<ul style="list-style-type: none"> • Exterior maintains the existing trees and adds a new large tree to help with heat on the building • This home will be electrically heated which is Canada's largest renewable energy source, • The main floor is open concept to make use of natural sunlight to light and warm the entire floor. • We will also use an energy efficient natural gas fireplace to provide heating needs for each home • Our design makes use of electric baseboard heater in upper and lower floor rooms so that owners can monitor and reduce energy in rooms not used all the time • Interior floors will be hardwood eliminating the need for synthetic carpet. Hardwood is a more sustainable solution • Our interior countertops will be granite to provide a more sustainable interior finish
Water	<ul style="list-style-type: none"> • Install Faucets and shower heads with flow rate of 8L/min. or less • Install dual flush toilets with ultra-low flow (4.5L/flush) • Install water permeable patios and driveways • Direct eaves trough drainage downspout pipes to grassed areas so as to use stormwater to water lawn
Landscaping and Site Permeability	<ul style="list-style-type: none"> • Our design maintains the existing trees on the property and adds one additional large tree • Our exterior landscaping will make use of stormwater to reduce city water system and storm system needs where possible • We will introduce hedging instead of fencing around the property in keeping with and inviting, sustainable, natural beauty at the sidewalk • Our design incorporates a water permeable driveway to work within the new stormwater guidelines • We included the use of various greenery along the concrete retaining wall adjacent to the driveway so as to give it a more natural look. • Our plan includes retaining the grass along the Michigan Street side and incorporating a new large tree. • Our patios and window wells will all use water permeable stone

JAN 09 2015

Planning & Development Department
Development Services Division

November 14, 2014

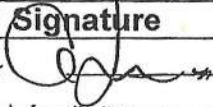
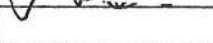
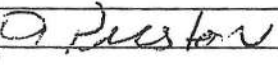
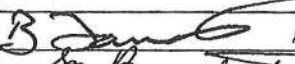
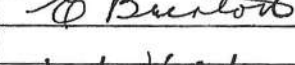
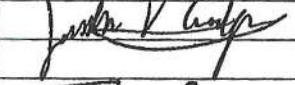
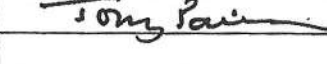
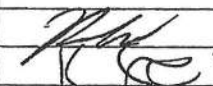
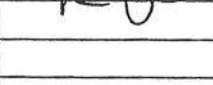
**RE: RE-ZONING AND DEVELOPMENT PERMIT REQUEST FOR
301/303 ST. LAWRENCE ST**

Honourable Mayor and Council:

We are the neighbours of The 301/303 St Lawrence St Re-zoning and Development Project. In August of this year, in a letter from the James Bay Neighbourhood Association and a subsequent letter from The 118 Michigan St Strata Board we expressed our view that we would support changing the zoning of the above mentioned property to site specific to allow for a 4plex development. However, we were not happy with the look and design of the 4plex submitted to council on November 6th, 2014.

Mark Imhoff and Laura Nixon have revised the 4plex design (as shown on the attached) to a modern structure with a lower roof line which is very similar to the structure presented at the James Bay Neighbourhood Association meeting in January of 2014. They also heard our wishes that there are no balconies at the back of the 4plex which we support.

We would like The Honourable Mayor and Council to know that we are pleased with the design and support the new structure for the development at 301/303 St Lawrence. Please see below our signatures

Address	Name	Signature
225 St. Lawrence	CALLUM CAMPBELL	
215 St. Lawrence		
219 St Lawrence		
113A Superior	Angela Preston	
113B Superior		
113C Superior	Brendan James	
118 Michigan Units 1,	Elaine Branton	
118 Michigan Units 3,		
118 Michigan Units 5,	Sandra Bradley	
118 Michigan Units 7		
103 Michigan	TONY PAINE	
119 Michigan		
118 MICHIGAN	James Barber	
118 MICHIGAN	Kelli Stiller	



SUBJECT PROPERTY FROM ST. LAWRENCE STREET



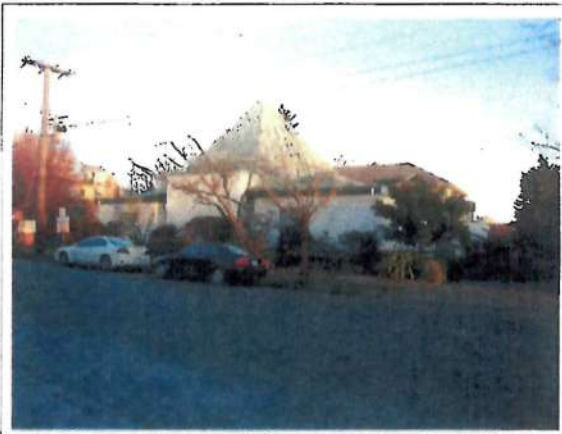
SUBJECT PROPERTY FROM MICHIGAN STREET



ADJACENT TOWNHOUSES ON MICHIGAN STREET



THE REEF AND SHOAL POINT ACROSS PARK

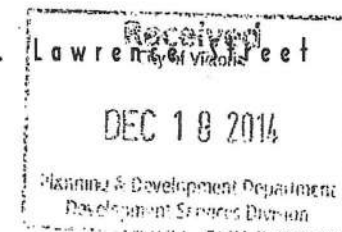


ADJACENT CHURCH ON ST. LAWRENCE STREET



HOUSES ON ST. LAWRENCE STREET

Proposed 4 Unit Townhouse - 301-303 St.
For: 0772613 BC Ltd.



Date - December 4, 2014
Sheet 1 of 6

Gerry Troesch
Residential Design
3719 Ridge Pond Drive, Victoria BC V8C 4M8
Phone - 250-699-6402 Email - gtroesch@telusnet.victoria



Received
City of Victoria
DEC 18 2015
Planning & Development Department
Development Services Division

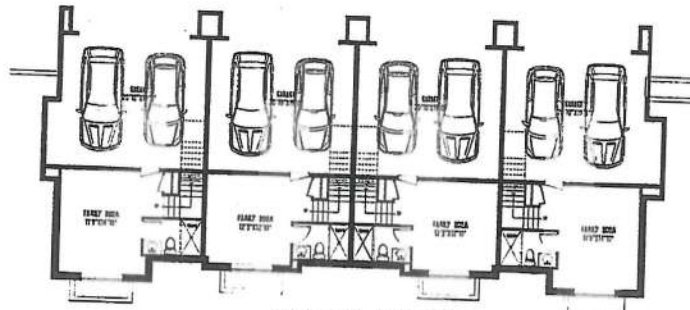
Date - December 4, 2014
Sheet 3 of 6
Gerry Troesch
Residential Design
3710 Ridge Pond Drive, Victoria BC V9C 4M8
Phone - 250-695-6182 Email - gtroesch@telusnet Website



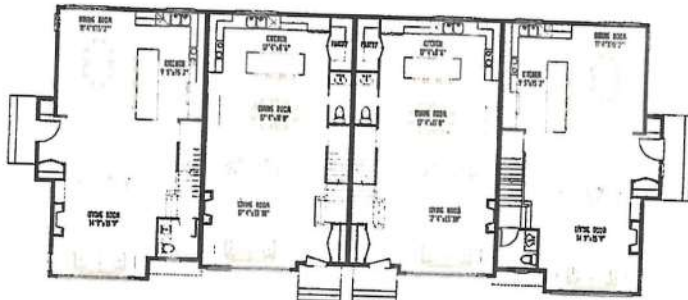
Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772613 BC Ltd.

Date - December 4, 2014
Sheet 4 of 6

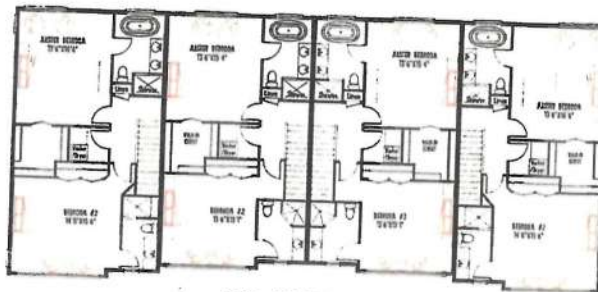
Gerry Troesch
Residential Design
3719 Ridge Road Drive, Victoria BC V8C 4M8
Phone - 250-955-9402 Email - gtroesch@shaw.ca Website



FIRST STOREY FLOOR PLAN
FLOOR AREA - 1032.7 sq.ft. (295.3 sq.m)
CEILING - 8'11.5" (247.3) (varies)
Scale - 1/8" = 1'-0"



SECOND STOREY FLOOR PLAN
FLOOR AREA - 1074.5 sq.ft. (295.3 sq.m)
Scale - 1/8" = 1'-0"



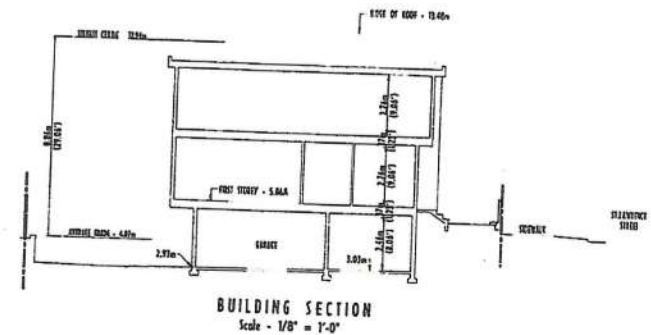
THIRD STOREY FLOOR PLAN
FLOOR AREA - 1012.8 sq.ft. (293 sq.m)
Scale - 1/8" = 1'-0"



SOUTH-WEST ELEVATION
Scale - 1/4" = 1'-0"



NORTH-EAST ELEVATION
Scale - 1/8" = 1'-0"



BUILDING SECTION
Scale - 1/8" = 1'-0"

Received
City of Victoria

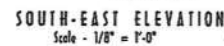
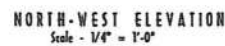
DEC 18 2015

Planning & Development Department
Development Services Division

Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772613 BC Ltd.

Date - December 4, 2014
Sheet 5 of 6

Gerry Troesch
Residential Design
3719 Ridge Road Drive, Victoria BC V8C 4M8
Phone - 250-686-4402 Email - gtroesch@johnnet.com



Gerry Troesch
Residential Design
3719 Ridge Road Drive, Victoria BC V8C 4M8
Phone - 250-918-8402 Email - gtroesch@telusnet.ca Website



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Leanne Taylor, Development Services Division
Subject: Rezoning Application #00456 for 1330 Ivy Place

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 #00456 for 1330 Ivy Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1330 Ivy Place. The proposal is to rezone part of the property from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, in order to permit construction of a new small lot house and accessory building.

The following points were considered in assessing this Application:

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

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone a portion of the subject property from R1-B, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District. The proposal is to construct a small lot house and accessory building on the proposed small lot and retain the existing house on the remaining R1-B lot. Variances would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit Application.

Sustainability Features

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

Land Use Context

The immediate neighbourhood is characterized by a mix of single-family houses and multi-unit residential buildings. The adjacent properties at 1326 Ivy Place and 2725 Hespler Place have been developed in a manner similar to this proposal with a small lot house facing Hespler and the existing house being maintained on the lot fronting Ivy Place.

Existing Site Development and Development Potential

The site is presently a single-family house. Under the current R1-B Zone, the property could be developed as a single-family house with a secondary suite. Should a portion of the subject property be rezoned to the R1-S2 Zone then a new small lot house would be permitted in accordance with the *Small Lot House Policy*. Secondary suites are not permitted on small lots.

Data Table

The following data table compares the proposal with the existing R1-B Zone and R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing Zone. Two asterisks are used to identify the existing non-conformities. An accessory building is being proposed on the small lot (Lot B) only, therefore, "n/a" is used to indicate that the requirements are not applicable to the proposed R1-B Zone lot.

Zoning Criteria	Proposal – Lot A (Existing House)	Zone Standard R1-B	Proposal – Lot B (New Small House)	Zone Standard R1-S2
Site area (m ²) - minimum	460.5	460	290	260
Density (Floor Space Ratio) - maximum	n/a	n/a	0.55:1	0.6:1
1 st and 2 nd storey floor area (m ²) - maximum	189.32	280	n/a	n/a

Zoning Criteria	Proposal – Lot A (Existing House)	Zone Standard R1-B	Proposal – Lot B (New Small House)	Zone Standard R1-S2
Combined floor area (m ²) - maximum	189.32	300	158.96	190
Lot width (m) - minimum	18.28	15	18.29	10
Height (m) - maximum	4.91	7.6	7	7.5
Storeys - maximum	2	2	2	2
Site coverage % - maximum	35.01	40	33.5	40
Setbacks (m) - minimum				
Front	4.16*	7.5	4.6*	6
Rear	6.71*	7.5	3.89*	6
Side	1.51* (NE)	3	1.5 (SE)	1.5
Side	1.47** (SW)	1.83	3.07 (SW)	1.5
Combined side yards	2.98*	4.5	n/a	n/a
Parking - minimum	1	1	1	1
Accessory Building				
Combined floor area (m ²) – maximum	n/a	n/a	9.1	37
Height (m) – maximum	n/a	n/a	2.97	4
Setbacks (m) – minimum				
Front	n/a	n/a	13.71*	18
Rear			0.6	0.6
Side			0.6	0.6
Separation space between an accessory building and principal building (m) - minimum	n/a	n/a	2.4	2.4
Rear yard site coverage %	n/a	n/a	13.94	30

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Oaklands CALUC at a Community Meeting held on May 15, 2014. At the time of writing this report, a letter from the CALUC had not been received.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 92% 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 OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential – Small Lot. The proposal is consistent with the objectives of DPA 15A to achieve new infill development that respects the established character in residential areas.

Oaklands Neighbourhood Plan (1993)

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

Small Lot House Rezoning Policy (2002)

The *Small Lot House Rezoning Policy* encourages sensitive infill development with an emphasis on ground-oriented housing that fits in with the existing character of a neighbourhood. The Policy refers to a "Small Lot House" with a minimum lot size of 260m² and a minimum lot width of 10m. The proposed new small lot has a lot size of 290m² and lot width of 18.29m. The existing house would remain on the subject property (in the R1-B Zone) with its entrance facing Hespler Place. The new small lot house would face Ivy Place.

Regulatory Considerations

Road Dedication Requirements

To meet future transportation-related needs on Ivy Place and Hespler Place, a road dedication would be required. A Right-of-Way width of 15m would be sufficient to meet these needs and, therefore, a dedication of 1.404m would be required on Ivy Place and 1.252m would be required on Hespler Place at the time of subdivision. The proposed lot areas are calculated based on the road dedication requirement and both meet the minimum requirement after the road dedication is factored into the proposal.

Tree Preservation Requirements

One Garry Oak tree located in the proposed building envelop of the small lot would be removed. The tree was assessed and identified as diseased in an arborist report prepared by a Certified Arborist (attached). Two Garry Oak trees in the front yard of the proposed small lot would be retained and the applicant would be required to provide a tree preservation plan at the time of subdivision in accordance with the city's *Tree Preservation Bylaw*.

CONCLUSIONS

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

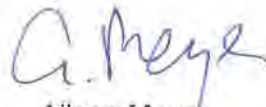
ALTERNATE MOTIONS

That Council decline Rezoning Application #00456 for the property located at 1330 Ivy Place.

Respectfully submitted,

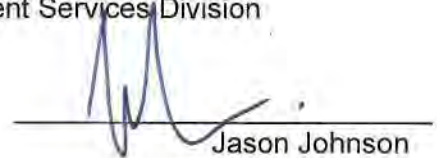


Leanne Taylor
Planner
Development Services Division



Alison Meyer
Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:


Jason Johnson

Date:

January 20, 2015

LT:aw

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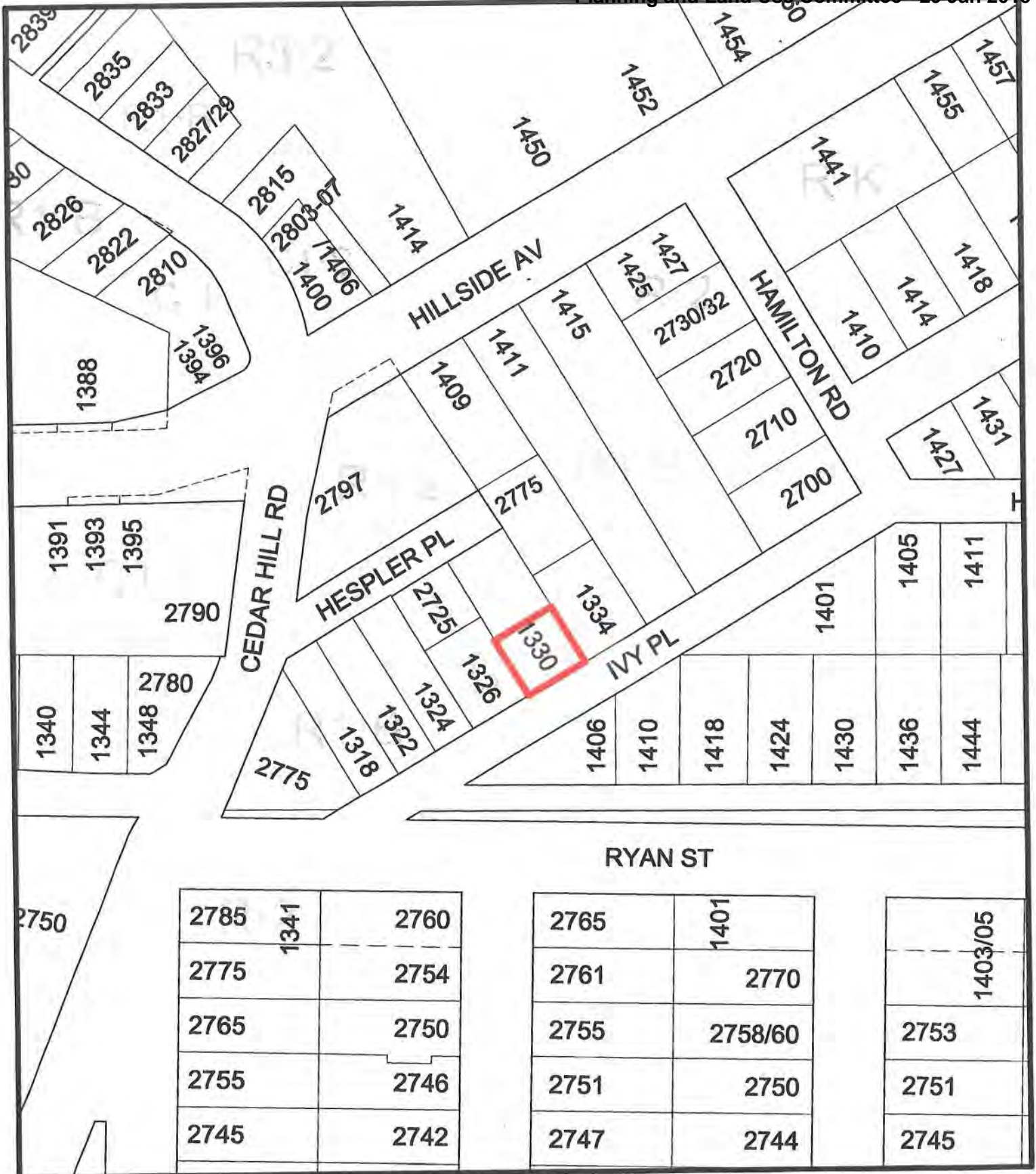
List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated January 13, 2015
- Arborist report dated June 30, 2014
- Submission drawings dated November 4, 2014
- Small Lot Housing Rezoning Petition.



1330 Ivy Place
Rezoning #00456
Bylaw #





1330 Ivy Place
Rezoning #00456
Bylaw #





13-Jan-15

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

RE: Proposed subdivision and rezoning to create a new R1S2 lot
at 1330 Ivy Place and retain an R1B Lot facing Hespeler Place,
Lot 2, Sections 29-30, Victoria District, , Plan 6352

Dear Mayor Helps and Councillors:

We are pleased to submit our revised application for the above noted property, to permit the construction of a new small single family dwelling, generally in accordance with the City's policy and guidelines for infill housing. As noted in our earlier correspondence, the double frontage lot, with the existing house sited far to the rear of the lot affords an ideal opportunity to retain the existing house. From the owners' discussions of the concept with neighbours over several months, and the generally positive response from the Oaklands Community Association land use committee at our mandated public meeting on May 15, 2014, we submitted our original application, believing that the project was a very good fit under the policy and guidelines. There were and are concerns from one adjacent neighbour and one across the road, the other neighbours are supportive of the application.

The original application has been reviewed by staff, and the requirement from land development to acquire additional right of way on both frontages has had the effect of generating 7 siting variances where we previously had only existing non conformities related to the siting of the original house.

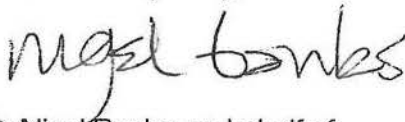
The natural advantages of the site include a topography that permits a new small house which does not overlook adjacent properties, existing trees which can remain, with one exception, on the subject site and adjacent municipal property. The exception, in the building footprint, has been determined by our arborist to be diseased and unsafe. The proposed new house takes on more traditional form that will fit with the eclectic mix of neighbouring properties, and its' finish materials will reflect that approach. The site has two existing driveways, one on each frontage, and the fact that it is the last but one property on two very short streets should preclude any traffic problems.



Despite the reduced lot sizes, we still believe that this proposal affords the opportunity to provide an additional new family home, while preserving the existing. The application is in keeping with a policy that supports infill where appropriate, and preserves the single family character of the neighbourhood. This project also maintains a large percentage of open space by utilizing existing parking and drives, on lots that, even after the road dedication still represent a total area in excess of those mandated by the zoning regulation. The proposal will also preserve neighbourhood amenity through proper attention to the issues of tree health, with minimal disruption to existing streetscapes.

Thank you for your consideration of this revised application.

Yours Very Truly,

A handwritten signature in black ink, appearing to read "Nigel Banks". The signature is written in a cursive, flowing style.

Nigel Banks, on behalf of
June and Brian Harrold



Talbot Mackenzie & Associates

Consulting Arborists

June 30, 2014

June Harrold
1330 Ivy Place
Victoria, BC V89 2X9

Received
City of Victoria

JUL 15 2014

Planning & Development Department
Development Services Division

At your request we examined a 62.0 cm d.b.h. Garry oak tree in your front yard in order to assess its current health and any risk it may pose to its surroundings. The tree is located where it could strike the residence on the neighbouring property should it fail. It is our understanding that the tree has had branch failure historically, the most recent being a large scaffold limb in recent years.

Based on a visual examination, the tree appears to be in declining health, as evidenced by its reduced annual shoot growth and sparse, pale foliage. There are several small open decay cavities throughout the crown associated with old pruning wounds and patches of sloughing bark between the buttress roots at the base of the tree. A closer examination of the areas of sloughing bark found decayed wood tissues and indications of fungal infection. Resistograph readings taken between the buttress roots found localised drops in resistance in the outer tissues and then increased resistance further into the trunk.

In our opinion, given the trees location, its current health, the history of limb failure and indications of fungal infection found in the lower trunk it would be best to remove this tree to eliminate the associated risk.

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
Encl. – picture page

CC: Nigel Banks

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure 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 or 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

June 30, 2014

1330 Ivy Place

Pictures

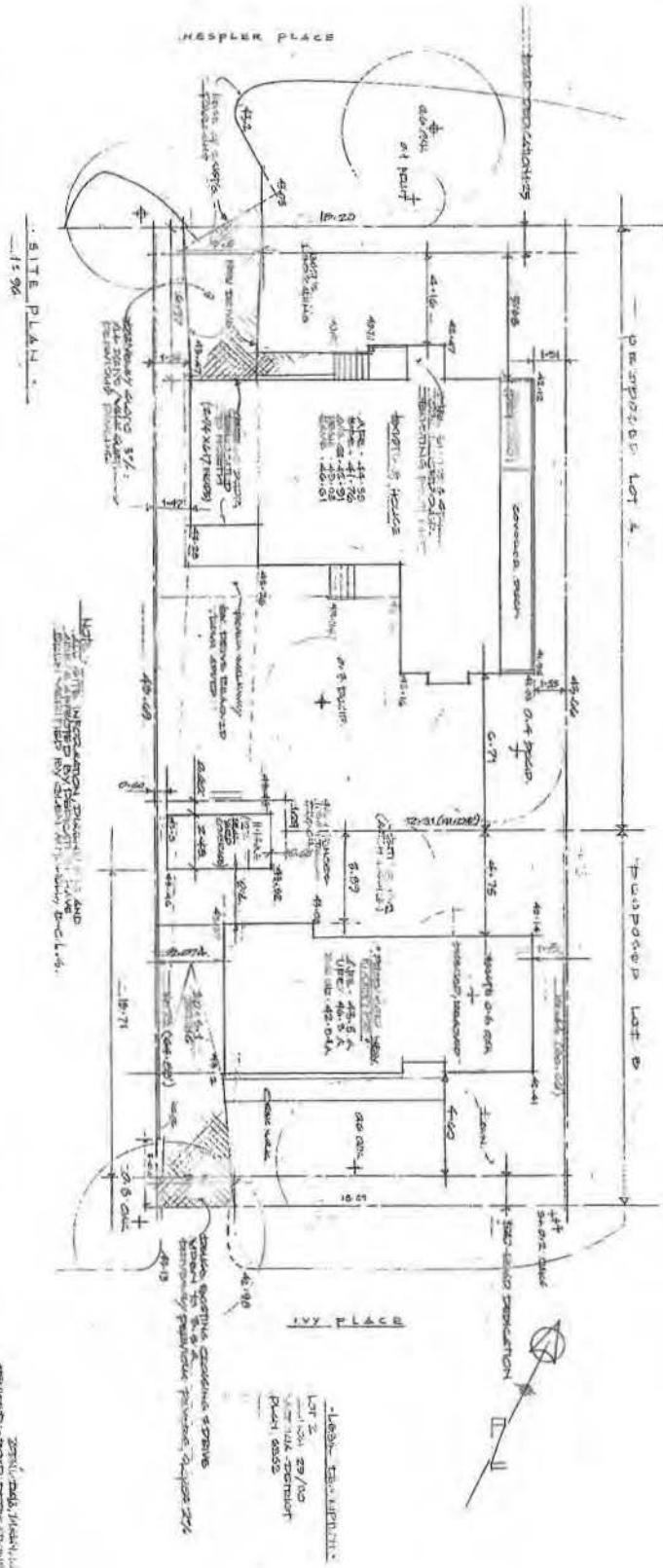
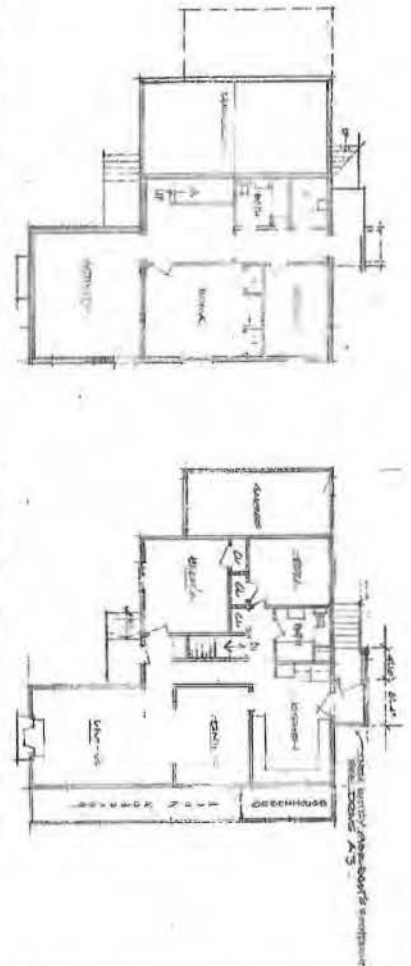


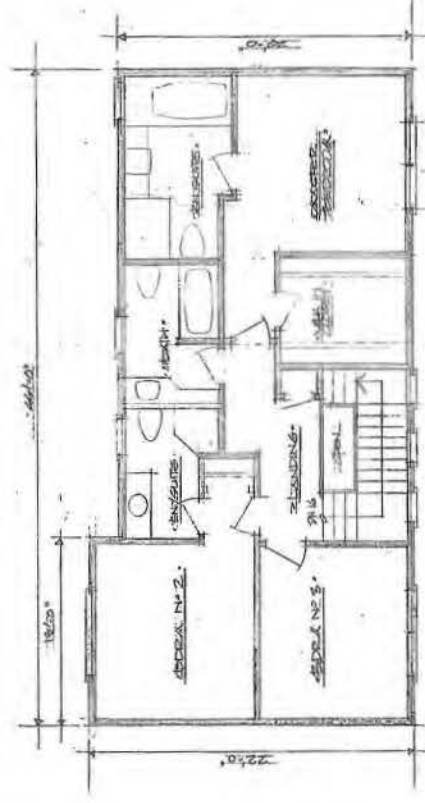
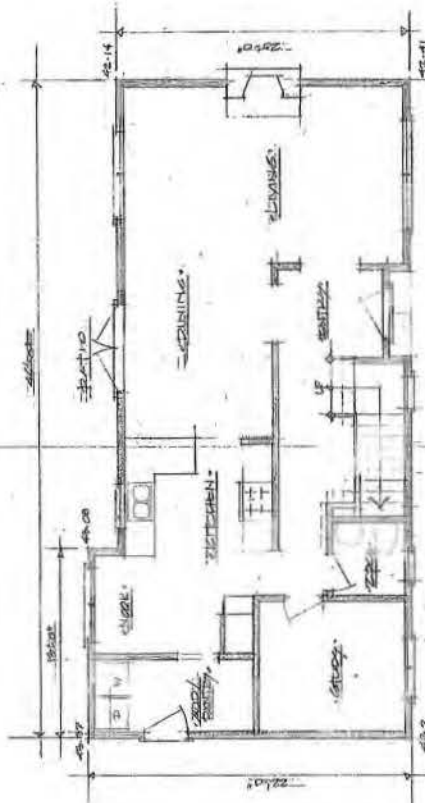
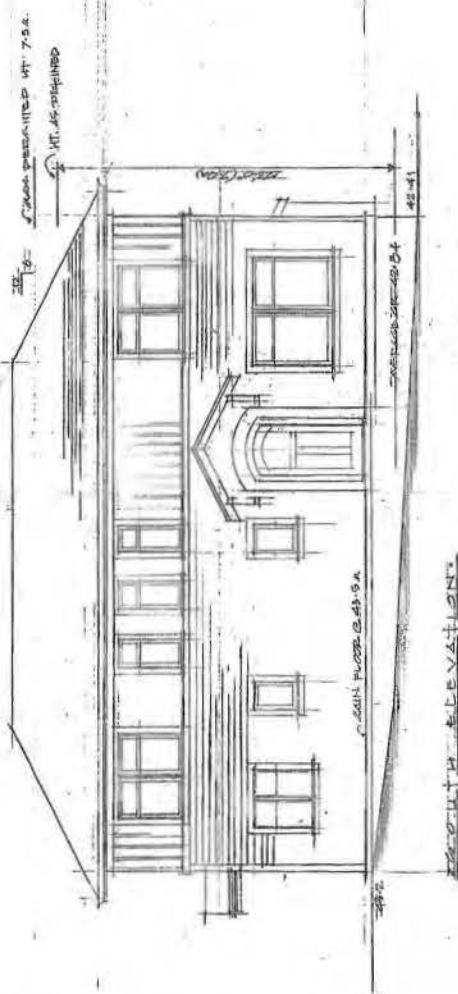
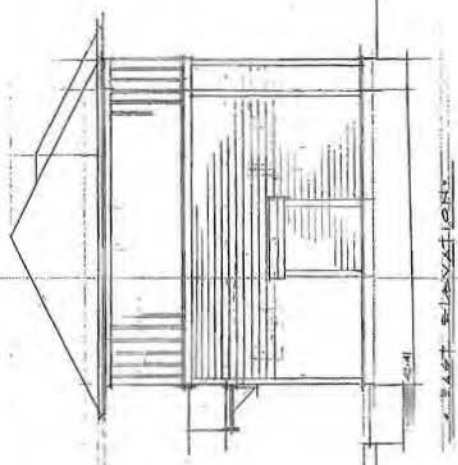
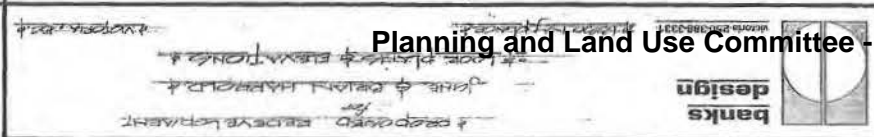
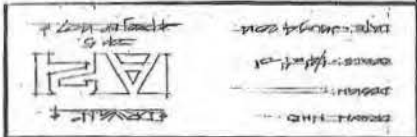
Location of tree in yard, showing sparse foliage and decline symptoms.



Areas of decayed infected wood tissue found at the base of the tree.

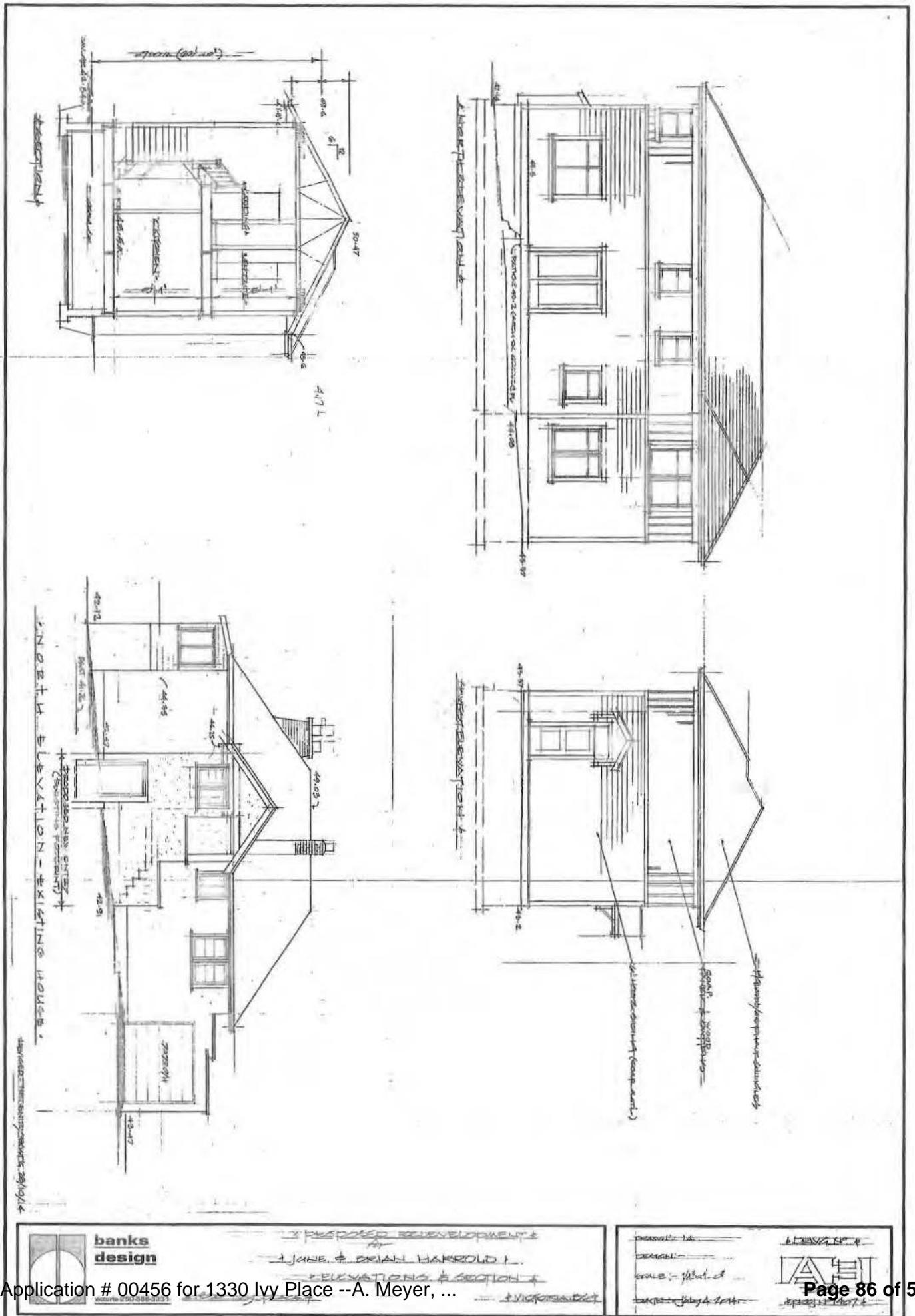
Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: trechelp@telus.net

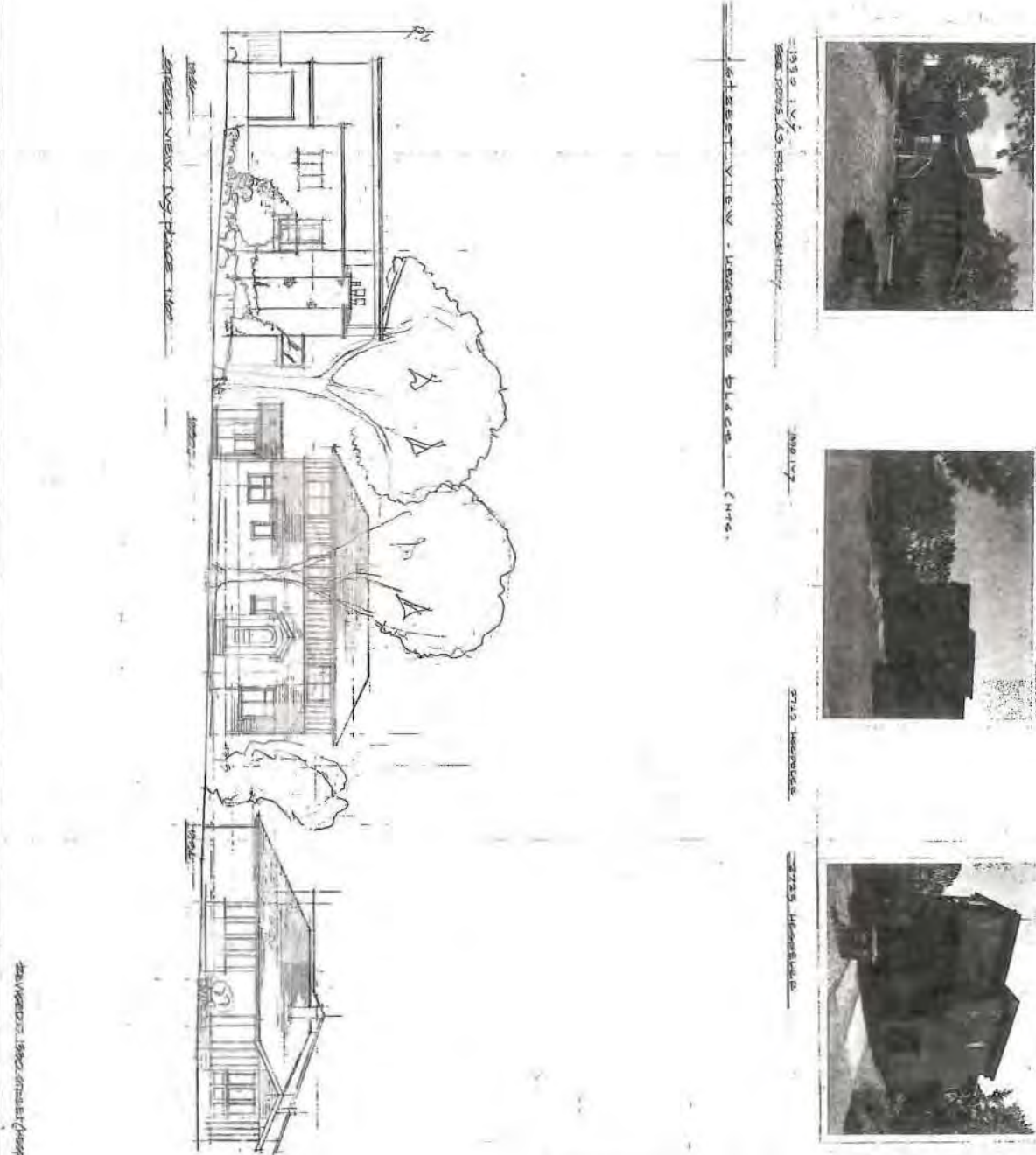
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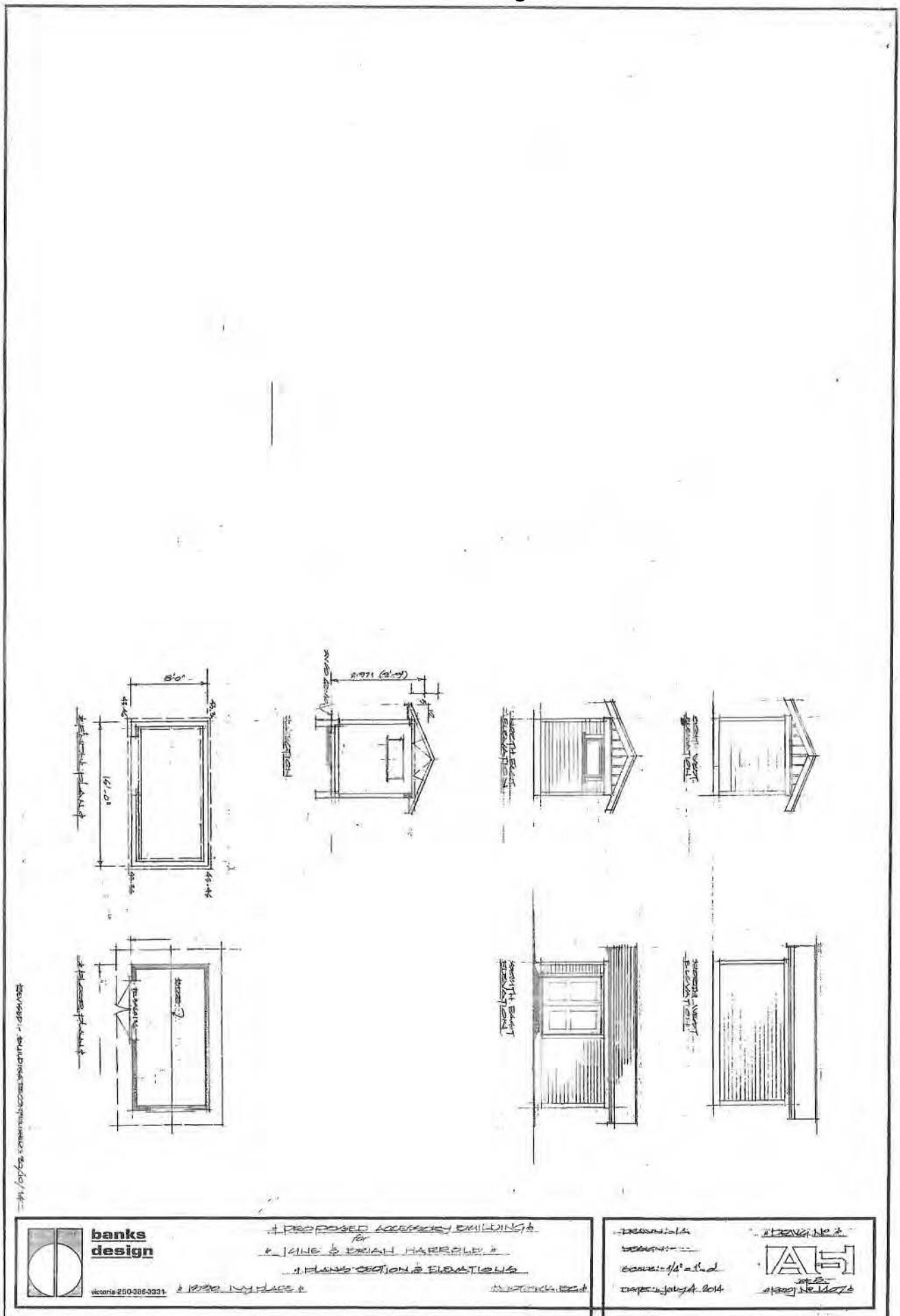


MAIN FLOOR PLAN - 891 SF

UPPER FLOOR PLAN - 860 SF









DATE : JANUARY 12, 2015 SCALE : 1:96



DATE # # SCALE #
JANUARY 12, 2015 1:96

Page 1

**SUMMARY
SMALL LOT HOUSE REZONING PETITION**

I, JUNE HARROLD, have petitioned the adjacent neighbours* in compliance with
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at IVY PLACE,
(location of proposed house)

and the petitions submitted are those collected by May 15, 2014. **
(date)

Address	In Favour	Opposed	Neutral (30-day time expired)
512 — 2797 Cedar Hill Rd.	✓	✓	✓
103 — " " "	✓		
301 — " " "	✓		
305 — " " "	✓		
3 — 1322 IVY PLACE	✓		
302 — 2797 Cedar Hill Rd	✓		
208 — " " " "	✓		
303 — " " " "	✓		
2725 HESPLER PLACE		✓	
201 — 2797 Cedar Hill Rd	✓		
202 — " " " "	✓		
404 — " " " "	✓		
2775 HESPLER PLACE	✓		
304 — 2797 Cedar Hill Rd	✓		

SUMMARY	Number	%
IN FAVOUR	23	92
OPPOSED	2	8
TOTAL RESPONSES	25	100%

TOTALS Pages 1s

— 92% in favour
— 8% oppose
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.

Page 2

SUMMARY SMALL LOT HOUSE REZONING PETITION

I, JUNE HARROLD, have petitioned the adjacent neighbours* in compliance with
(applicant)

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

and the petitions submitted are those collected by _____ **
(date)

Address	In Favour	Opposed	Neutral (30-day time expired)
	✓	✓	✓
201-2797 Cedar Hill Rd	✓		
401- " " " "	✓		
405- " " " "	✓		
1318 IVY PLACE	✓		
406-2797 Cedar Hill Rd	✓		
306- " " " "	✓		
1324 IVY PLACE	✓		
203-2797 Cedar Hill Rd	✓		
204- " " " "	✓		
1326 IVY PLACE (Form returned late)		✓	
1406 RYAN ST			✓
11334 IVY PLACE	✓		
(Said at CALUC meeting, he does support application, but hasn't returned form yet)			

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,

BRIAN & JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) J. HAMILTON (see note above)

ADDRESS: 304. 2797 CEDAR HILL Rd.

Are you the registered owner? Yes ☐ No ☒

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

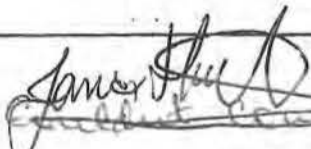
☒ I support the application.

☐ I am opposed to the application.

Comments:

Will support - No objections.
new house on street would look nice

April 2014
Date


~~James Hamilton~~
Signature
has now signed

SMALL LOT HOUSE REZONING PETITION

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

BRIAN + JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) GRAEME MEYER (see note above)

ADDRESS: 2775 HESPLEN PLACE

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:

4/26/2014

Date



Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) M. Trett (see note above)

ADDRESS: 404 2797 Cedar Hill Rd

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Will support - Why not.

April 2014
Date

Couldnt come to door.
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN + JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) Katie Anderson (see note above)

ADDRESS: #202 - 2797 Creder Hill RD

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

April 26th 2014
Date

Katie Anderson
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN+JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) KRISTIN MACDONALD (see note above)

ADDRESS: 2797 CEDAR HILL RD. APT. 201

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 27, 2014
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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

JUNE & BRIAN HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 Ivy Place, Victoria, B.C.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) TERESITA SKIPP (see note above)

ADDRESS: #303-2797 CEDAR HILL RD.

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

I like the plan of the house. It's beautiful

April 12/04
Date

Teresta Skipp
Signature

SMALL LOT HOUSE REZONING PETITION

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

JUNE & BRIAN HAROLD (print name) am conducting the petition requirements for the

property located at 1330 Ivy Place, Victoria

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) MARGERY STEVENS (see note above)

ADDRESS: 205²⁷⁷ Cedar Hill Rd

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

"go for it" MARGERY.

21, April, 2014.
Date

Margery Stevens
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN + JUNE HARROLD am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) REBECCA SMITH (see note above)

ADDRESS: #302 - 2797 CEDARHILL RD.

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Apr. 1 26/14
Date

Rebecca Smith
Signature

SMALL LOT HOUSE REZONING PETITION

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

JUNE & BRIAN HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 Ivy Place, Victoria.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) Peter Harrison (see note above)

ADDRESS: #3 1322 Ivy Place.

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:

Seems like a good use of the
Property.

April 12/14.
Date

Peter Harrison
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD; am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE,

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) MR MORAN (see note above)

ADDRESS: 305 2797 Cedar Hill Rd

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Will support.

April 2014
Date

Could not come to door.
Signature

SMALL LOT HOUSE REZONING PETITION

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

JUNE + BRIAN HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE, VICTORIA.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) GERRETT CONNOR (see note above)

ADDRESS: #301 - 2797 CEDAR HILL RD.

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

APR 12 2014
Date

Gerrett Connor
Signature

SMALL LOT HOUSE REZONING PETITION

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

JUNE B. BRIAN HARROLD (print name) am conducting the petition requirements for the

property located at 1330 IVY PLACE, VICTORIA.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) Scott, Justin (see note above)

ADDRESS: 103-2797 Cedar Hill Rd

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

April 13/14
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD (print name), am conducting the petition requirements for the

property located at 1330 Ivy Place, Victoria, B.C.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) ROBERT D. MEYER (see note above)

ADDRESS: 160 WILSON ST & 512 - Manager at 2797 Cedar Hill Road

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

April 2014
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD; am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) Darren Kelly (see note above)

ADDRESS: 2797 Cedar hill RD # 201

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 27 2014
Date

Darren Kelly
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) M. FIRSTBROOK (see note above)

ADDRESS: 401 2797 Cedar Hill Rd

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

No objections.

April 2014
Date

didn't come to door.
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE,

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) Katya Buttner-Schneider (see note above)

ADDRESS: 405-2797 Cedar Hill Rd

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

May 4, 2014
Date

Katya Buttner-Schneider
Signature

SMALL LOT HOUSE REZONING PETITION

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

JUNE & BRIAN HARROLD am conducting the petition requirements for the
(print name)

property located at 1330, IVY PLACE, VICTORIA.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) TRACY MOORE (see note above)

ADDRESS: 1318 Ivy Place

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 01 / 14
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE,

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) EUGENIE SHON (see note above)

ADDRESS: 406-2797 CEDAR HILL ROAD

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

PLANS LOOK GREAT AND FITS IN WELL
IN THE NEIGHBORHOOD

05/05/14
Date

E. Shon
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN + JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) MR BAKEN (see note above)

ADDRESS: 306, 2797 CEDAR HILL Rd.

Are you the registered owner? Yes ☐ No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Will support

April 2014
Date

didn't come to door.
Signature

SMALL LOT HOUSE REZONING PETITION

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

JUNES BRIAN HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 Ivy Place, Victoria, B.C.

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following (print)

NAME: (please print) PATRICIA AXEN (see note above)

ADDRESS: 1324 Ivy Place, Victoria

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

April 26, 2014
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE,

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) Sebastian Kayne (see note above)

ADDRESS: 203-2797 Cedar Hill-203

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:

9th May/14
Date

[Signature]
Signature

SMALL LOT HOUSE REZONING PETITION

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

BRIAN & JUNE HARROLD, am conducting the petition requirements for the
(print name)

property located at 1330 IVY PLACE,

to the following Small Lot Zone: _____

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

Please review the plans and indicate the following:

NAME: (please print) Aaron Connacher (see note above)

ADDRESS: 104-2777 Cedar Hill Rd

Are you the registered owner? Yes ☐ No ☒


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

☒ I support the application.

☐ I am opposed to the application.

Comments:

May 9 / 2014
Date


Signature

SMALL LOT HOUSE REZONING PETITION

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

Nigel Banks (print name), am conducting the petition requirements for the
J. D. Banks design
 property located at 1330 Ivy Place
 to the following Small Lot Zone: R1B to R1S2

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) Neil & Barbara Campbell (see note above)

ADDRESS: 1326 Ivy Place

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:

7th June 2014
 Date

[Signature]
 Signature



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Leanne Taylor, Development Services Division
Subject: Development Permit with Variances Application #00456 for 1330 Ivy Place.

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 #00456, if it is approved, Council consider the following motion:

"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

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

Small Lot House

- v. Part 1.23, Section 8(a): Reduce the front yard setback from 6m to 4.6m;
 - vi. Part 1.23, Section 8(b): Reduce the rear yard setback from 6m to 3.89m;
 - vii. 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."

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 rezoning 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, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 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.

The following points were considered in assessing this application:

- The proposal is consistent with the objectives for sensitive infill Development Permit Area 15A: Intensive Residential – Small Lot of the *Official Community Plan 2012* (OCP).
- The proposed design is consistent with the *Design Guidelines for Small Lot House (2002)*. The traditional design and massing for the new house fits in with the existing older houses in the neighbourhood.
- The requested variances for front, rear and side yard setbacks are in part due to the road dedication requirements, existing lot depth of the parent parcel and legal non-conformities of the existing dwelling unit.
- The proposed rear yard of the existing house would provide adequate green space, landscaping and privacy for residents and the neighbouring properties. The proposed rear yard of the new small lot is just under 4m, however, there is adequate area for a patio, accessory building and some privacy screening.

BACKGROUND

Description of Proposal

The proposal is for a small lot house. Specific details include:

- The proposed small lot house is a traditional, two-storey building. There is no consistent streetscape or apparent patterns to the roof forms of neighbouring buildings. The proposed design maintains a pitched roofline and a gabled entryway.
- Siding materials include horizontal siding, wood panel and battens, and fibreglass/asphalt shingles.
- New hard and soft landscaping would be introduced.

The proposed variances are related to:

- reducing the front, side and rear yard setbacks of the existing house
- reducing the front and rear yard setbacks of the proposed new small lot house
- reducing the front yard setback of the proposed accessory building on the small lot.

Sustainability Features

The applicant is proposing to use pervious pavers for the driveways. There are no other sustainability features associated with this application.

Existing Site Development and Development Potential

The site is presently a single family home.

Data Table

The following data table compares the proposal with the existing R1-B and R1-S2 Zones. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify the existing non-conformities. An accessory building is being proposed on the small lot (Lot B) only; therefore, "n/a" is used to indicate that the requirements are not applicable to the proposed R1-B lot.

Zoning Criteria	Proposal – Lot A (Existing house)	Zone Standard R1-B	Proposal – Lot B (New Small House)	Zone Standard R1-S2
Site area (m ²) - minimum	460.5	460	290	260
Density (Floor Space Ratio) - maximum	n/a	n/a	0.55:1	0.6:1
1 st and 2 nd storey floor area (m ²) - maximum	189.32	280	n/a	n/a
Combined floor area (m ²) - maximum	189.32	300	158.96	190
Lot width (m) - minimum	18.28	15	18.29	10
Height (m) - maximum	4.91	7.6	7	7.5
Storeys - maximum	2	2	2	2
Site coverage % - maximum	35.01	40	33.5	40
Setbacks (m) - minimum				
Front	4.16*	7.5	4.6*	6
Rear	6.71*	7.5	3.89*	6
Side	1.51* (NE)	3	1.5 (SE)	1.5
Side	1.47** (SW)	1.83	3.07 (SW)	1.5
Combined side yards	2.98*	4.5	n/a	n/a

Parking - minimum	1	1	1	1
Accessory Building				
Combined floor area (m ²) – maximum	n/a	n/a	9.1	37
Height (m) – maximum	n/a	n/a	2.97	4
Setbacks (m) – minimum				
Front	n/a	n/a	13.71*	18
Rear			0.6	0.6
Side			0.6	0.6
Separation space between an accessory building and principal building (m) - minimum	n/a	n/a	2.4	2.4
Rear yard site coverage %	n/a	n/a	13.94	30

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Oaklands CALUC at a Community Meeting held on May 15, 2014. At the time of writing this report, a letter from the CALUC had not been received.

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot.

The small lot house would be adjacent to an existing traditional rancher and a two-storey art-deco house. The design of the small lot house incorporates traditional architectural elements similar to the rancher. Some overshadowing of neighbouring properties may occur as a result of a two-storey building with no step back in the design for the portions closest to the side property lines. However, existing Garry Oak trees on the subject property and in the Right-of-Way also creates some shadowing on the properties. Windows are being proposed on the front and rear elevations. There are no windows on the side elevations facing the existing neighbours. Overall, the architectural elements of the building, such as the roofline, massing and entryways, are consistent with the policies and design specifications of the *Small Lot House Rezoning Policy (2002)*.

Regulatory Considerations

Proposed Variances – Existing House

A front yard setback variance would be required for the existing house due to the road dedication requirement of 1.25m on Hespler Place and the relocation of the front entrance. The proposal is to reduce the front yard setback from 7.50m to 4.16m. The garage door and driveway would also be relocated and accessed off of Hespler Place. Staff recommend that Council support the variance, given that the proposed front yard setback of the existing house is similar to the adjacent property and, therefore, would not alter the overall rhythm of front yard setbacks.

The side yard setback on the east side of the existing house is legally non-conforming due to a covered deck projecting into the setback resulting in an existing side yard setback of 1.55m instead of 3m. The applicant would like to construct a greenhouse in front of the covered deck and attach it to the existing house. With the addition, the proposal is to reduce the side yard setback to 1.51m. This is a minor change from the existing siting and staff recommend that Council consider supporting it.

Proposed Variances – Small Lot House

The applicant is proposing to reduce the front yard setback of the small lot house from 6m to 4.6m due to the road dedication requirement of 1.404m. The adjacent houses have similar front yard setbacks; therefore, the location of the small lot house would not disrupt the existing streetscape pattern.

A rear yard setback variance would also be required for the small lot house. The rear property line of the small lot would be in line with the rear side of the adjacent houses and, as a result, the small lot house would not project into the rear yard beyond the established pattern of the existing structures. The design guidelines for small lot houses encourage a rear yard setback to be 25% of the lot depth. The proposal is approximately 23-25% of the lot depth.

Proposed Variance – Accessory Building

The applicant is proposing to reduce the front yard setback of the proposed accessory building on the small lot from 18m to 13.7m. However, the accessory building would still be located behind the small lot house and meet the minimum separation distance required in the R1-S2 Zone. The pitched roofline of the accessory building is similar to the proposed roofline of the small lot house.

CONCLUSIONS

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

ALTERNATE MOTION

That Council decline Development Permit with Variance Application #00456 for the property located at 1330 Ivy Place.

Respectfully submitted,

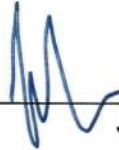


Leanne Taylor, Planner
Development Services Division



Alison Meyer, Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:



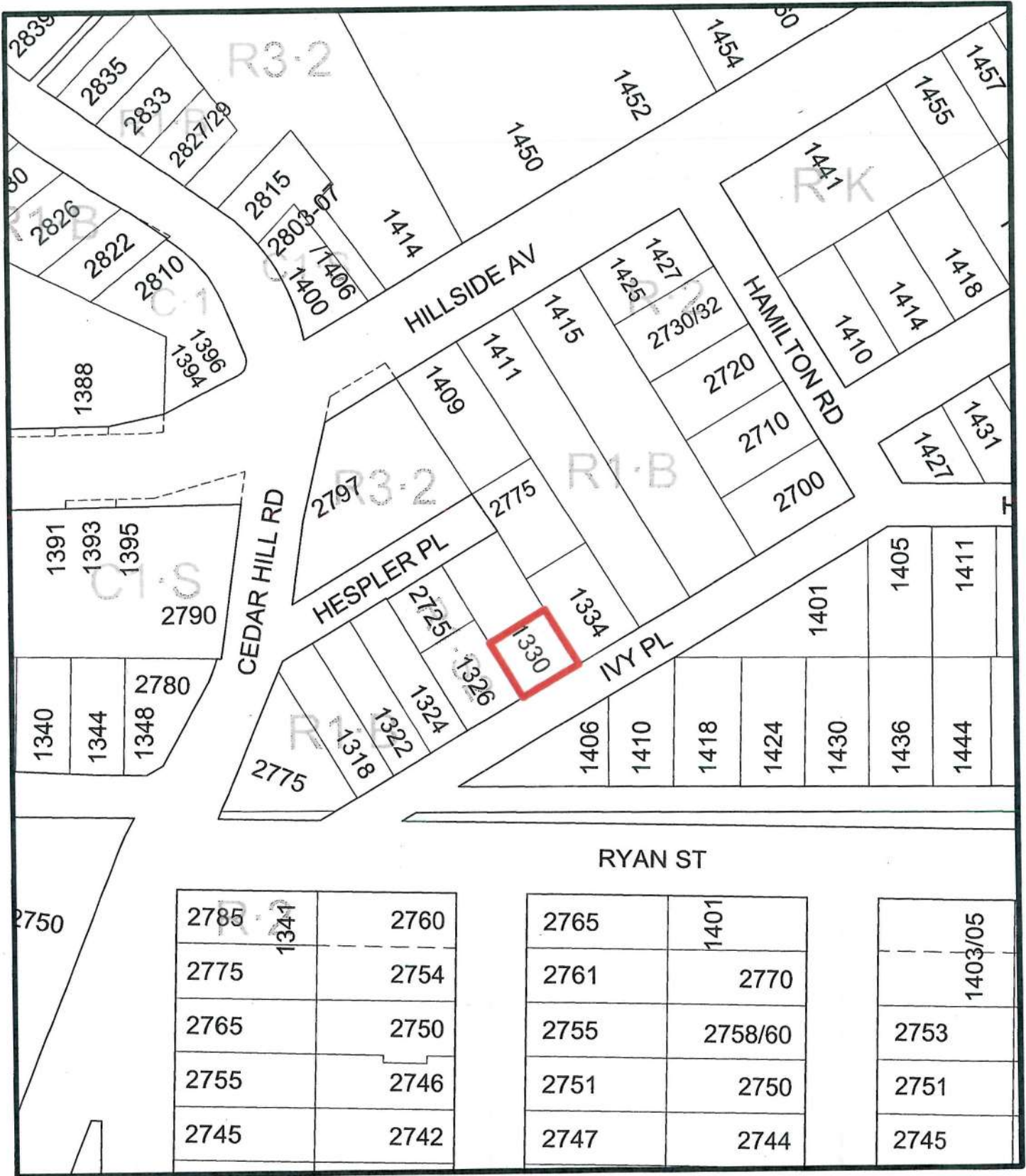
LT:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00456\DP PLUC REPORT TO 1330 IVY.DOC

List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated January 13, 2015
- Submission drawings dated November 4, 2014.





1330 Ivy Place
Rezoning #00456
Bylaw #





13-Jan-15

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

RE: Proposed subdivision and rezoning to create a new R1S2 lot
at 1330 Ivy Place and retain an R1B Lot facing Hespeler Place,
Lot 2, Sections 29-30, Victoria District, , Plan 6352

Dear Mayor Helps and Councillors:

We are pleased to submit our revised application for the above noted property, to permit the construction of a new small single family dwelling, generally in accordance with the City's policy and guidelines for infill housing. As noted in our earlier correspondence, the double frontage lot, with the existing house sited far to the rear of the lot affords an ideal opportunity to retain the existing house. From the owners' discussions of the concept with neighbours over several months, and the generally positive response from the Oaklands Community Association land use committee at our mandated public meeting on May 15, 2014, we submitted our original application, believing that the project was a very good fit under the policy and guidelines. There were and are concerns from one adjacent neighbour and one across the road, the other neighbours are supportive of the application.

The original application has been reviewed by staff, and the requirement from land development to acquire additional right of way on both frontages has had the effect of generating 7 siting variances where we previously had only existing non conformities related to the siting of the original house.

The natural advantages of the site include a topography that permits a new small house which does not overlook adjacent properties, existing trees which can remain, with one exception, on the subject site and adjacent municipal property. The exception, in the building footprint, has been determined by our arborist to be diseased and unsafe. The proposed new house takes on more traditional form that will fit with the eclectic mix of neighbouring properties, and its' finish materials will reflect that approach. The site has two existing driveways, one on each frontage, and the fact that it is the last but one property on two very short streets should preclude any traffic problems.

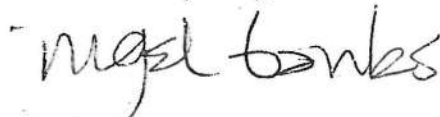


250-386-3331

Despite the reduced lot sizes, we still believe that this proposal affords the opportunity to provide an additional new family home, while preserving the existing. The application is in keeping with a policy that supports infill where appropriate, and preserves the single family character of the neighbourhood. This project also maintains a large percentage of open space by utilizing existing parking and drives, on lots that, even after the road dedication still represent a total area in excess of those mandated by the zoning regulation. The proposal will also preserve neighbourhood amenity through proper attention to the issues of tree health, with minimal disruption to existing streetscapes.

Thank you for your consideration of this revised application.

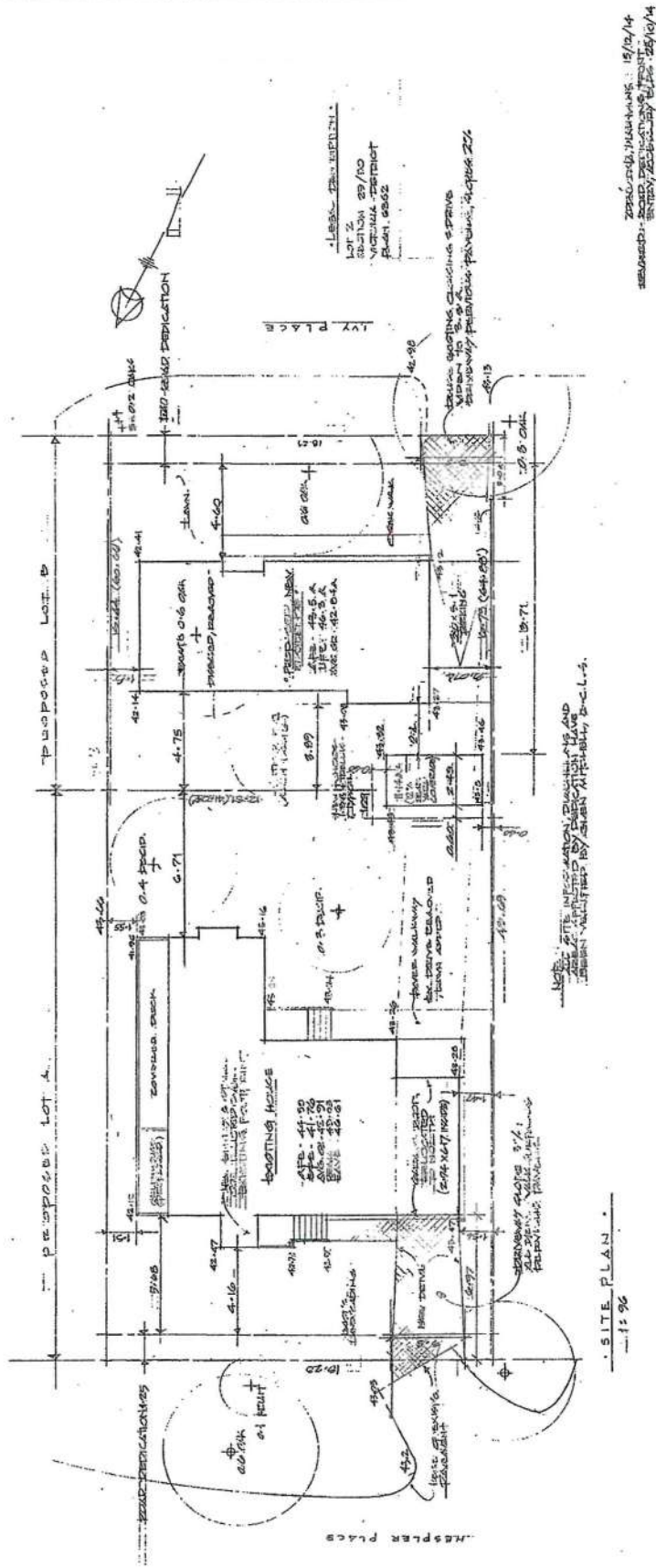
Yours Very Truly,

A handwritten signature in black ink that reads "Nigel Banks". The signature is written in a cursive, flowing style.

Nigel Banks, on behalf of
June and Brian Harrold

2014-17 EA*	REVENUE/1000	2014-17 LA*	2014-17 LOT #
1ST AREA	400 A	460.5 A*	2200.02A *
2ND AREA	16 A	19.28 A	0.97 A
3RD AREA	45 A*	55 % (14.22A)	28.55 % (7916 sq)
4TH AREA	280 A*	100.32 A* (2007.10)	19.5 A (1791 sq)
5TH AREA	300 A*	109.82 A*	169 A*
6TH AREA	N/A	N/A*	0.95 A*
7TH AREA	3	3	3
8TH AREA	7.9 A	4.91 A	7.0 A
9TH AREA	7.5 A	14.5 A (14.10 A)	4.6 A
10TH AREA	7.5	6.72 #	4.75 #
11TH AREA	10% (100) 1.5	1.91 #	1.5
12TH AREA	2.99	1.47 #	0.20
13TH AREA	4.5 A	2.98 #	

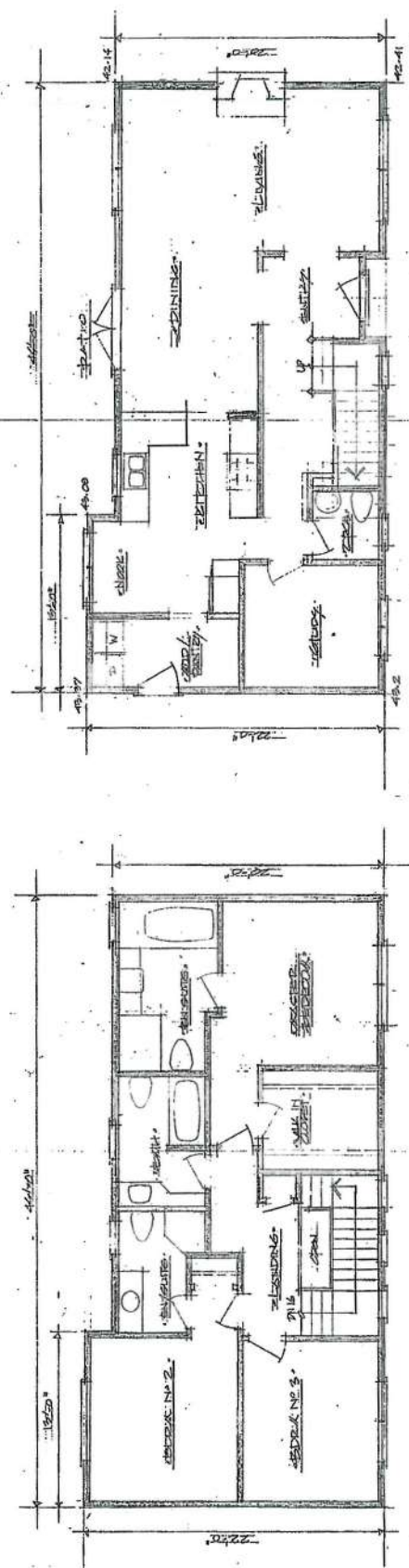
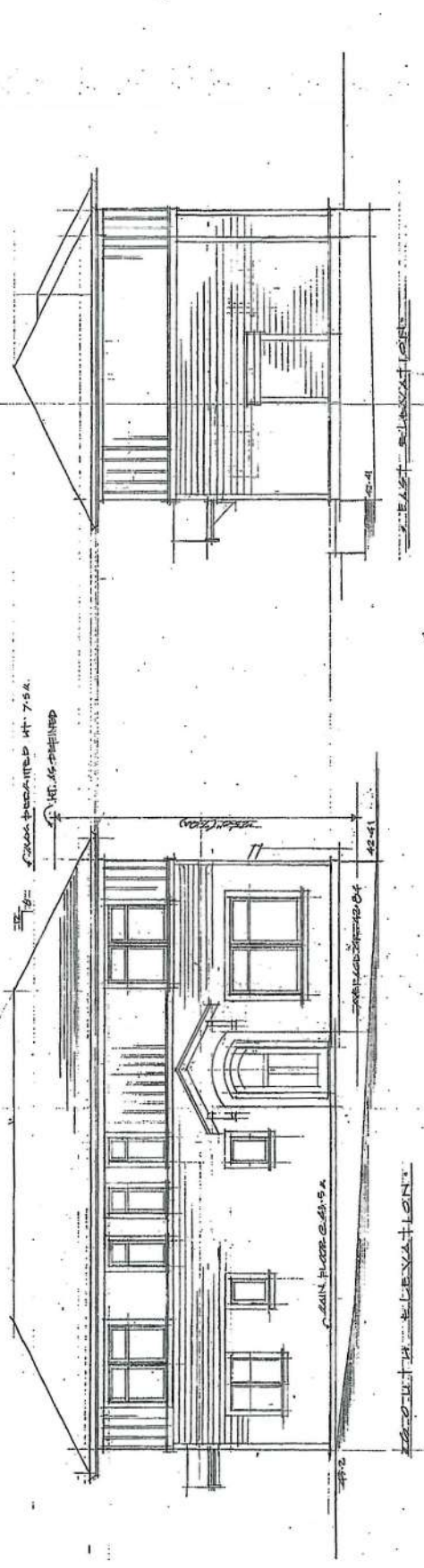
REPLYING REQUESTED OR EXISTING CONDITION
 FOR VISA INSTRUCTIONS REQUESTED BY OR AUTHORIZED BY
 THE TRAVEL AGENCY OF THE TRAVELER



DATE: 01/29/15
 DRAWN: [Signature]
 CHECKED: [Signature]
 SCALE: 1/8" = 1'-0"

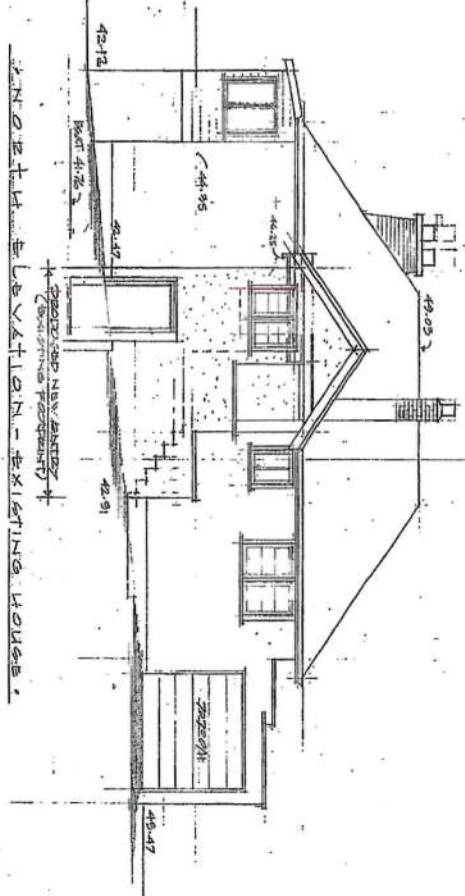
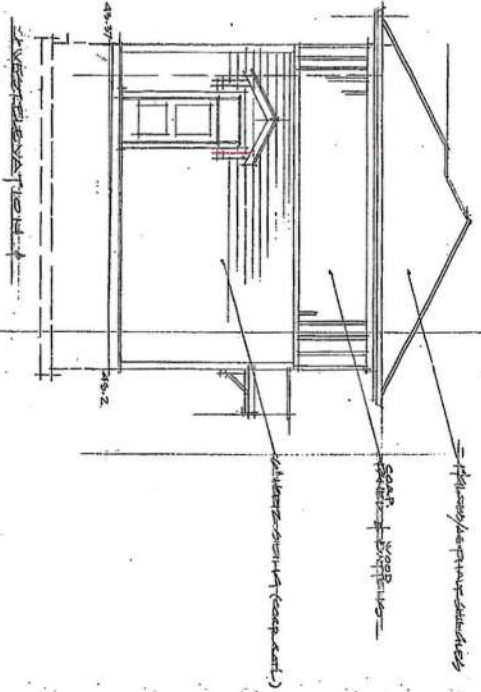
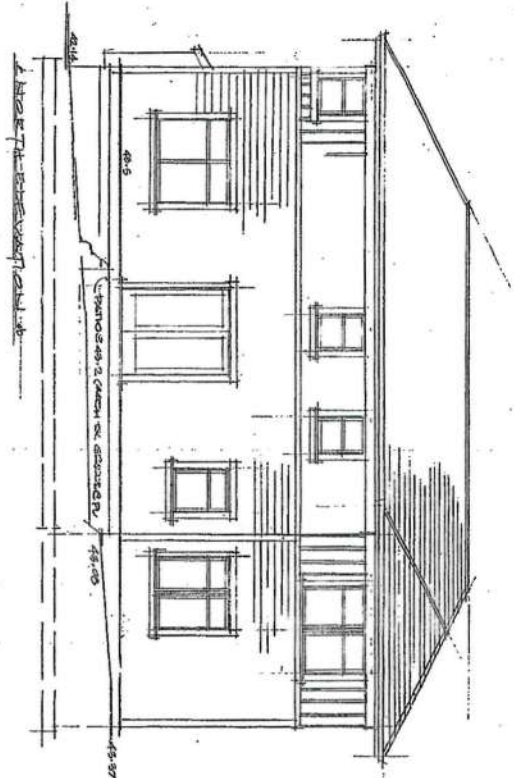
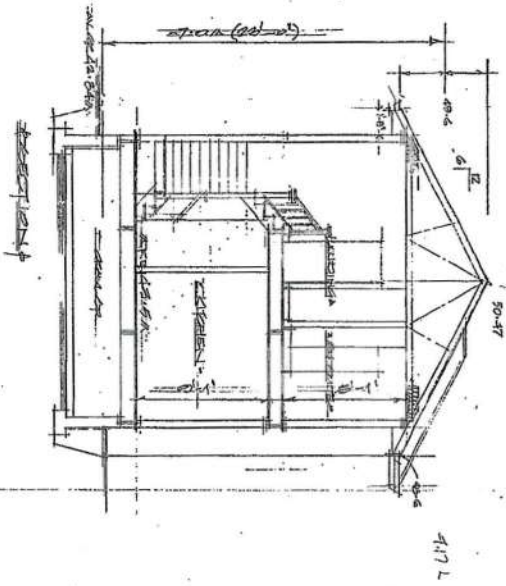
PROPOSED SUBEVALUATION
 FOR
 JULE & DEAN HAROLD
 1000 S. 10TH AVE.
 WICHITA, KS 67202

banks
 design
 1000 S. 10TH AVE.
 WICHITA, KS 67202
 (316) 261-1111



FIRST FLOOR PLAN - 891 SF

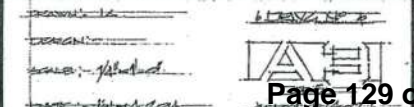
SECOND FLOOR PLAN - 800 SF



REAR ELEVATION - EXISTING HOUSE



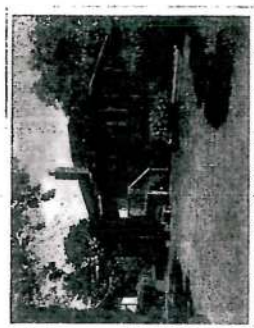
PROPOSED REDEVELOPMENT
JUNE & BRIAN HARROLD
ELEVATIONS & SECTION A-A
VICTORIA, BC



DESIGN NO. 2
DATE: 10/1/14
PROJECT: 1300 STREET (HOSPITAL) 29/10/14

PROPOSED REDEVELOPMENT
FOR
JAMES & BRIAN HAROLD
1300 STREET VIBNY
VICTORIA BC

banks
design
1300 STREET (HOSPITAL) 29/10/14



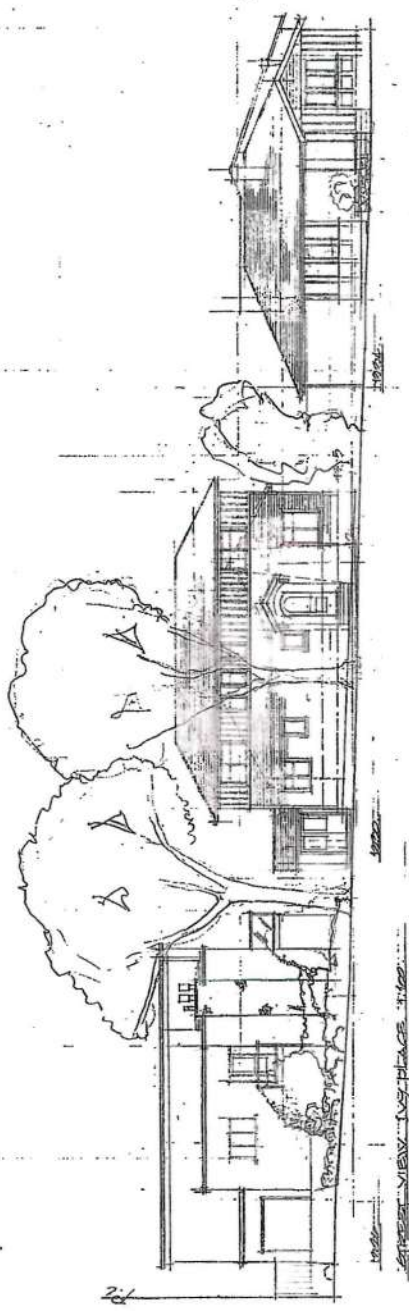
PROPOSED REDEVELOPMENT

PROPOSED REDEVELOPMENT

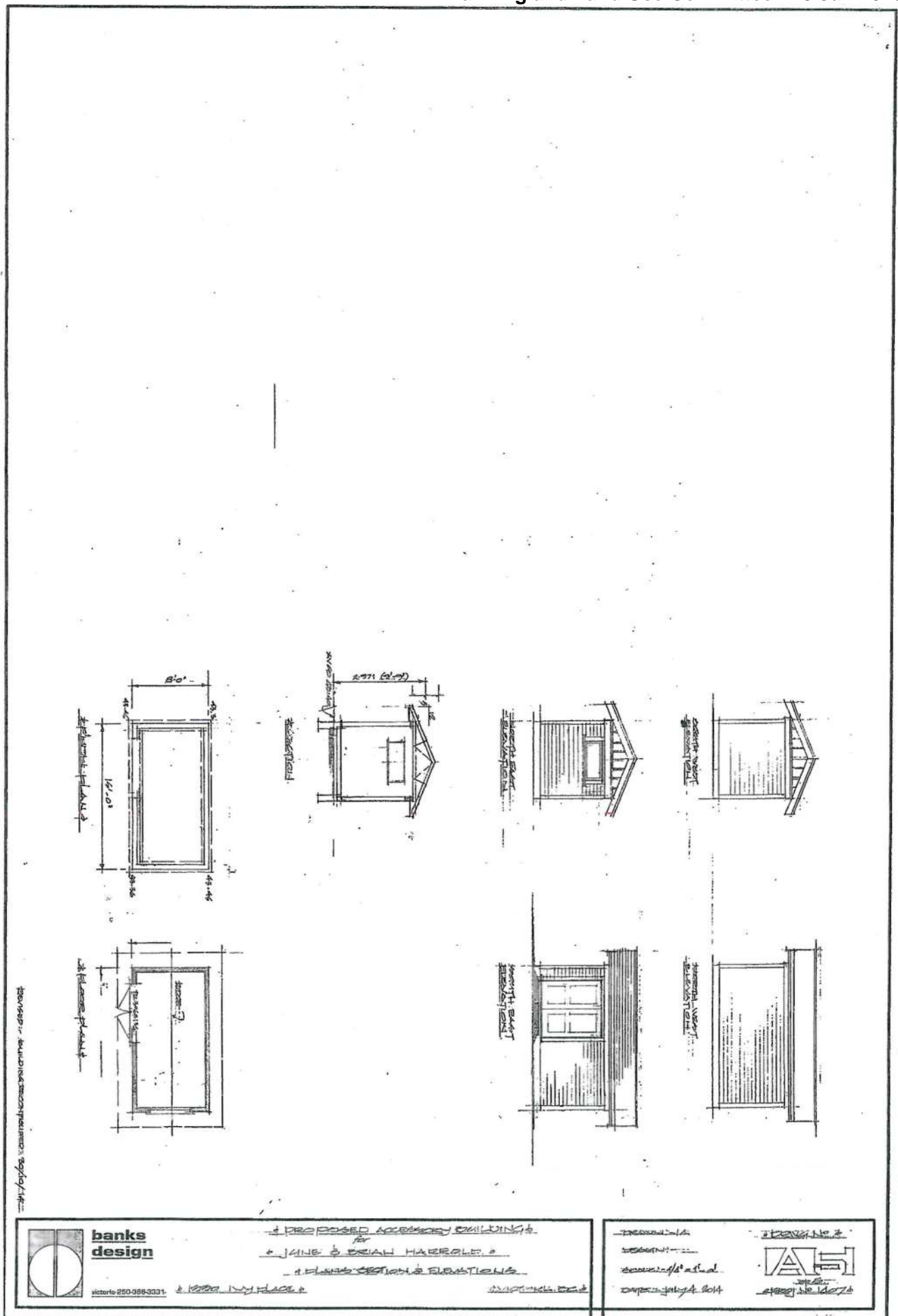
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PROPOSED REDEVELOPMENT

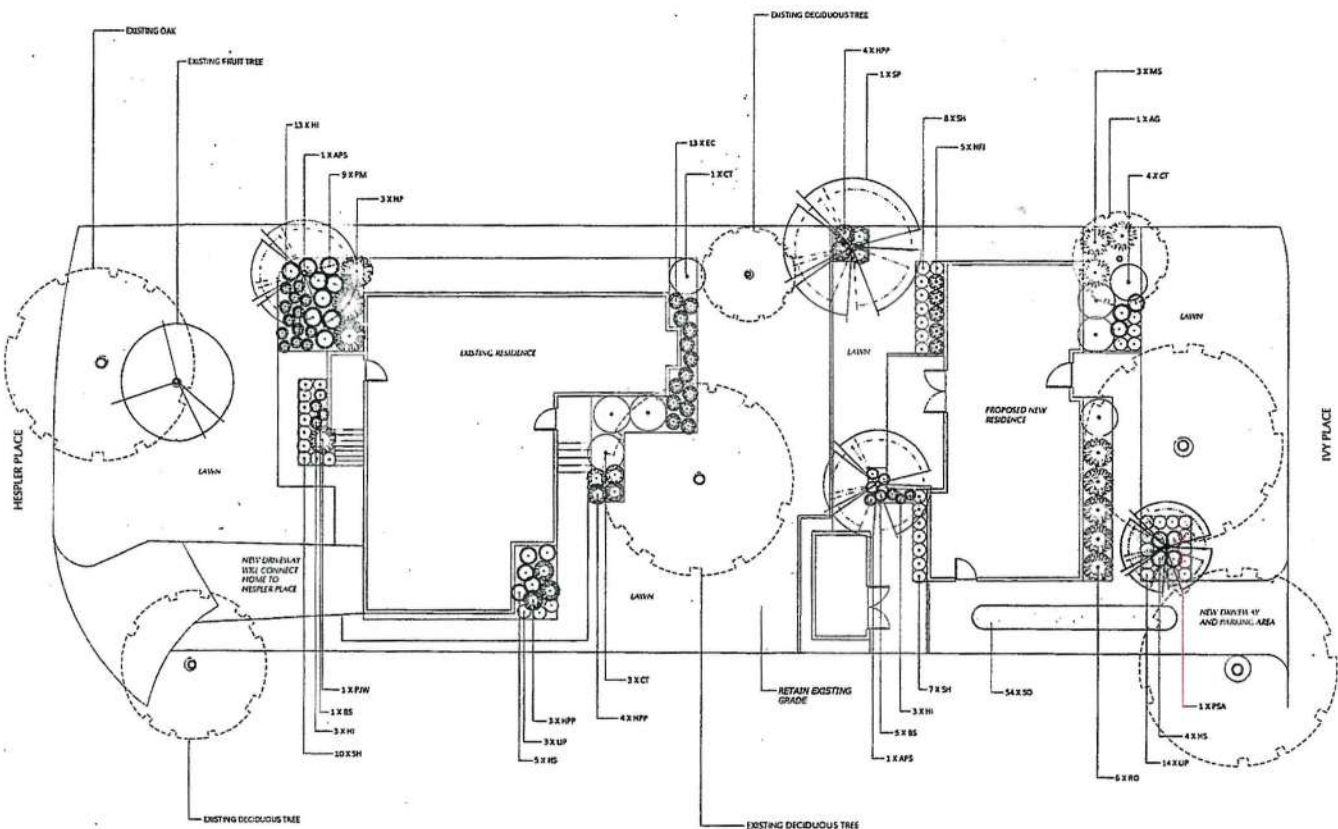


PROPOSED REDEVELOPMENT





== SCALE ==



PLANT LIST				
ADD.	QTY.	SIZE	BOTANICAL NAME	COMMON NAME
TREES				
AG	1	SCM	ACER GRiseum	PAPERBARK MAPLE
APS	2	H7	ACER PALMATUM 'SEBRU'	SEBRU JAPANESE MAPLE
PSA	1	H7	PRUNUS SERULATA 'AMANOGAWA'	AMANOGAWA FLOWERING CHERRY
SP	1	SCM	STEWARTIA PSEUDOCAMELLIA	JAPANESE STEWARTIA
SHRUBS				
CT	8	H5	CHOISYA TERNATA	MEXICAN MOCK ORANGE
EC	13	H1	ERICA CARNEA 'SPRINGWOOD PINK'	PINK WINTER FLOWERING HEATHER
HP	3	H5	HYDRANGEA PANNICULATA 'WIMS RED'	WIMS RED PEDIGREE HYDRANGEA
LUP	21	H1	LAVANDULA X INTERMEDIA 'PROVENCE'	FRENCH LAVENDER
PIW	1	H5	PERIS JAPONICA 'WHITE PEARL'	WHITE PEARL DWARF PERIS
RO	5	H3	ROSEMARY OFFICINALIS	ROSEMARY
SH	25	H1	SARCOCODON HOCKEYIANA HUMILIS	DWARF SWEETBOX
PERENNIALS, GRASSES AND FERNS				
BS	6	H1	BLECHNUM SPICAT	DEER FERN
HS	12	H3	HELIOTROPION SEMPERVIRENS	BLUE OAT GRASS
HE	10	H1	HELIODORUS 'VIOLET PRINCE'	VIOLET PRINCE HELIODORUS
HPP	11	H1	HEMEROCALLIS 'PINK PLAYMATE'	PINK PLAYMATE DAYLILY
HPI	5	H1	HOSTA 'FROSTED JADE'	FROSTED JADE HOSTA
MS	3	H3	MISCANTHUS SINENSIS 'MORNING LIGHT'	MORNING LIGHT SILVER GRASS
PM	9	H3	POUSTICARIA MENTHUTUM	SWISS FERN
SO	54	4"	SEDUM OREGANUM	OREGON STONECROP

GREENSPACE DESIGNS
sustainable landscape design

PROJECT TITLE :
PROPOSED RESIDENTIAL REDEVELOPMENT for
JUNE AND BRIAN HARROLD
1350 IVY PLACE

PAGE TITLE :
LANDSCAPE PLANTING PLAN: 2 OF 2

DATE : JANUARY 12, 2015 **SCALE :** 1:96



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Lucina Baryluk, Senior Process Planner
Subject: Rezoning Application #00459 for 2560 Quadra Street

RECOMMENDATIONS

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 #00459 for 2560 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Provision of a third-party economic land lift analysis that justifies any increase in density that exceeds the floor space ratio above the base of 1.5:1 FSR with a contribution equivalent to 75% of the increase in the land value attributed to the additional density and that it be equally divided between the Parks and Greenways Fund Acquisition Reserve Fund and the Victoria Housing Reserve Fund, to be secured to the satisfaction of the City Solicitor and the Assistant Director of Development Services.
2. Registration of Housing Agreement to ensure that the units remain rental for a period of 10 years to the satisfaction of the Assistant Director of Development Services.
3. Conditions identified in the Development Permit Report be endorsed by Council.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2560 Quadra Street. The proposal is to increase the density from the allowable density within the existing Zone (Quadra Village District).

The following points were considered in assessing this Application:

- The subject property is within Quadra Village, which is designated as a Large Urban Village in the *Official Community Plan* (OCP). A mixed use development with residential densification is consistent with the direction of the OCP.
- The OCP provides policy direction within this designation to consider increases in density where a proposal advances the OCP objectives. The staff recommendation put forward for Council's consideration is to quantify the land lift associated with the proposed density increase through the provision of a third-party economic land lift analysis. Staff further recommend that any amenity contribution be equivalent to 75% of the increase in the land value attributed to the additional density and that it be equally divided between the Parks and Greenways Fund Acquisition Reserve Fund and the Victoria Housing Reserve Fund.

Staff recommend that Council advance this Application.

BACKGROUND

Description of Proposal

This Rezoning Application is to permit the construction of a four-storey, 18-unit residential building with ground floor commercial within Quadra Village. The existing building would be demolished.

The following changes from the current zone (Quadra Village District) are being proposed:

- increase the maximum total floor area from 868m² to 1120.12m² as determined by the maximum floor space ratio (FSR)
- increase the maximum FSR from 1.4:1 to 1.81:1.

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

Sustainability Features

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

Land Use Context

Quadra Street, within Quadra Village, is dominated by commercial developments, with some mixed-use projects (commercial on the main floor with residential on the upper storeys). In recent years, some commercial buildings have changed ownership accompanied by tenant improvements. However, there has been little new development in the last several years.

Existing Site Development and Development Potential

Under the current C1-QV Zone, Quadra Village District, the property could be developed for a mixed-use building (commercial-residential) with a maximum floor space ratio of 1.4:1 and a maximum height of four storeys and 15.5m.

Data Table

The following data table compares the proposal with the existing C1-QV Zone, Quadra Village District. An asterisk is used to identify where the proposal is less stringent than the existing zone. It is noted that a site-specific zone will be created for this proposal, and consequently the new zone will reflect the proposed density and siting; however, a vehicle parking variance will still be required.

Zoning Criteria	Proposal	Zone Standard C1-QV
Site area (m ²) - minimum	620	N/A
Total floor area (m ²) – maximum	1120.12*	868.38
Commercial floor area (m ²)	60.89 (ground floor)	Ground floor requirement
Density (Floor Space Ratio) - maximum	1.81*	1.4
Number of units - maximum	18	n/a
Height (m) - maximum	15.07	15.5
Site coverage (%) – maximum	74	N/A
Open site space (%) – minimum	16	N/A
Storeys – maximum	4	4
Setbacks (m) - minimum		
Front - 1 st and 2 nd storey	3.2	3
Front - 3 rd and 4 th storey	3.2*	6
Rear	0.2	N/A
Side (north)	0	N/A
Side (south)	0*	3.65 (1/4 building height)
Parking: Residential - minimum	10*	23 1.3 per unit
Parking: Visitor – minimum	0*	2
Parking: Commercial – minimum	0*	2
Landscape strip along surface parking – south	0*	0.6 m
Bicycle storage for residential units	37	18
Bicycle racks for short-term and commercial use	6 space rack provided	6 space rack required

Relevant History

On November 24, 2011, Council approved a Development Permit for this site. The previously approved Development Permit was for 17 residential units with ground floor commercial. The four-storey building did not require a rezoning as the density provisions of the current zoning (Quadra Village District) were not exceeded. However, this previously approved Development Permit has expired and the new proposal differs from the previous application.

It is also relevant to note that in the intervening time period, the new *Official Community Plan* has been adopted.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra Neighbourhood Action Group at a Community Meeting held on May 22, 2014. A letter dated July 1, 2014, is attached to this report.

ANALYSIS

Official Community Plan (OCP) and Proposed Increase in Density

The existing zone for this site permits densities with a floor space ratio (FSR) of up to 1.4:1. The OCP provides policy direction within the Large Urban Village Designation to consider increases in density beyond the base floor space ratios of 1.5:1 and up to 2.5:1 in strategic locations for the advancement of plan objectives. The proposal for residential densification within a Large Urban Village satisfies the OCP objective of contributing to provision of dwelling units within an Urban Village. In addition, the commercial component can support a number of commercial services that support an Urban Village.

The previous proposal had 17 units, while the current proposal has only one more unit, but with a larger building floor area (see Data Table for further details). However, the applicant has not provided a specific rationale detailing how this project advances the OCP objectives and has indicated they do not wish to undertake a land lift analysis.

As the proposal exceeds this density (proposing 1.81:1 FSR), a land lift analysis is recommended to justify the increase in density above 1.5:1 FSR. The contribution of a community amenity may justify extra density above 1.5:1 FSR and is consistent with City policy and past practises. This would be determined through the provision of a third-party economic analysis of the project. Consistent with the normal process, the third-party consultant would work under the direction of staff but be paid for by the applicant.

Hillside-Quadra Neighbourhood Plan

The *Hillside-Quadra Neighbourhood Plan* stipulates a residential component in any redevelopment and also encourages the continuity of the street front without blank walls or garage entrances. This development satisfies both these objectives.

Housing Agreement

The applicant has indicated that they are willing to enter into a Housing Agreement to ensure the units are provided as rental accommodation for a 10-year period.

CONCLUSIONS

This Application for increased density is supportable in the context of Quadra Village, and the policies pertaining to Large Urban Villages, with the stipulation that a density lift analysis be undertaken. The unit mix and size of units would add to the diversity of rental housing in the area and the rental housing could be secured for a period of 10 years.

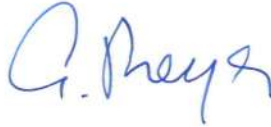
ALTERNATE MOTION

That Council decline Rezoning Application #00459 for the property located at 2560 Quadra Street.

Respectfully submitted,

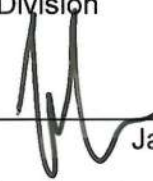


Lucina Baryluk
Senior Process Planner
Development Services Division



Alison Meyer
Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

January 21, 2015

LB:aw

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List of Attachments

- Air photo
- Subject property map
- Letter from Eric Barker, Architect, dated December 5, 2014
- Letter from the Hillside-Quadra Neighbourhood Action Group dated July 1, 2014.





December 5 / 2014

Mayor and Council
City of Victoria
1 Centennial Square
Victoria , B.C.
V8w 1P6

RE: 2560 Quadra for the Denux Group of Companies

Mayor and Council

The site in question is located at the south end of Quadra Village acting as a gateway to the commercial area. The OCP describes the need to develop Quadra Village as a complete Urban Village with increased residential and commercial density which could , under some circumstances , be as high as a 2.5 FSR. This is an opportunity to intensify use in an important Urban Village in the City of Victoria to take advantage of a strong local commercial base supported by good public transportation close to Victoria's downtown.

My client is a developer of a different type – building property to rent and hold for the long term . Their experience as a property management firm tells them that a MIXTURE of small bachelor units with larger two bedroom units works better in the long term attracting a more stable mix of tenants . The tenant profile will include focusing on the needs of the aging household demographic . The senior couple downsizing into rental units tuned to their needs is a growing consideration in the current market.

Therefore , we are proposing to re-zone the current C1-QV zone to enable an increase in the total floor area available from the 1.4 FSR in the current zone to 1.8 . This will enable a typical floorplate to have 3 – bachelors in the 400 sf range and 3- 2-bedroom units in the 775 sf range for a total of 18 unit . To conform to the existing zone with the same number of units would result in all units sized in the 435 sf range.

It is important to understand that the genesis of the decision to increase the total building area and re-zone was to create some larger units - not more units .This is not about generating more value but rather creating a mix of units that will be viable and sustain over time . Being a rental property it has less value than a strata property and if monthly return was the key criteria a collection of smaller units on a smaller floor plate within the existing zone would have been the approach . Because of this my client would request that the requirement for a land-lift analysis be removed from the list of development conditions .

ERIC BARKER ARCHITECT INC. 
727 Pandora Avenue Victoria BC V8W 1N9 | eba@ericbarkerarchitect.ca | 250-385-4565

On the ground floor there is commercial space fronting on Quadra reinforcing the commercial character of the Village . The parking is provided on grade behind the commercial accessed off the public lane behind thereby not disturbing the streetscape with a driveway .The parking is screened from neighbouring property by a landscaped area between the open stairs to the north and by metal architectural fencing with vines along the south and west faces.

There are 10 parking stalls provided which require a parking variance . Adept Transportation Solutions has completed an analysis of the parking and concluded the parking ratio of our proposal - .55/unit - matches the rental buildings in the immediate area .The location in Quadra Village and the proximity to public transportation and to downtown are important supportive factors .We propose to mitigate the variance both by doubling the bicycle parking on site from that required in the by-law and by putting 8 spaces in locked closets on each floor close to the unit .The informal open walkway to the units is well suited to residents bringing their bicycles up their floor and locking them in a closet close to the front door of their unit .

The majority of the neighborhood supports the project and importantly two of the three immediate neighbors do as well . Fifteen business owners on Quadra from this end of Quadra to Hillside were shown the plans and indicated their support .There was concern initially in meetings with the neighborhood that a height variance was being requested . When it was clarified that the building conforms to the 4-storey height within the current zone , this concern dissipated . Several meetings were held with the owner of the Café Fantastico who is concerned about the project . Shadow studies were completed to illustrate our proposal did not shadow a new deck and the planned location of solar panels on the café building . An offer was made to make further modifications to deal with other concerns but no interest was shown in further contact.

A pictorial description of the evolution of the proposal through the consultation process is appended to our application . There is a letter from the resident association in your package which , in part , describes comments arising out of an advertised neighborhood meeting in May of this year. The attendance at the meeting was very low – 4 or 5 people - and therefore not representative of broader neighborhood opinion .

In 2011 a development permit for a residential / commercial project, known as the Seto, was approved by Council .In many ways it was almost identical to our proposal.

1. Commercial on the ground floor facing Quadra with 3 floors of residential above .
2. Surface parking behind the commercial accessed off the lane behind
3. 4 stories in height
4. Footprints within 5% of each other
5. 18 units in our proposal vs 17 in the Seto
6. 10 surface parking stalls vs 11 in the Seto

The main difference that triggers the re-zoning is the total floor area of our proposal is larger than the 1.4 FSR in the C1-QV zone. The area of the proposal equates to a 1.8 FSR – an increase of 2670 sf which has been distributed over three floors to increase the size of the 2 bedroom units as has been mentioned earlier. To compensate for this additional area we have added a 280 sf landscaped area – 31 ft x 9 ft- between the stairwells on the north side to provide screening to the parking and visual relief .

The building will have the following ' green features '

1. Drain parking area and roof into treatment swale in landscaped area
2. Energy Star appliances
3. 35 % of all construction material will be re-cycled
4. 35 % of all construction material will be produced within 500 k
5. 70 % of all construction waste will be diverted from the landfill
6. Low VOC paints / green label carpets / formaldehyde free products
7. Wire one parking stall for rapid charging EV
8. Reduced car parking and increased bicycle parking
9. Low E glazing

In summary, we believe this site is a great opportunity to make the best use of an site in an Urban Village close to Downtown by building new needed rental housing .

Regards,



Eric J. Barker, Architect AIBC, LEED AP

EJB/jj

Hillside-Quadra Neighbourhood Action Group
c/o 901 Kings Road
Victoria BC V8T 1W5
nag@quadravillagecc.com

July 1, 2014

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

RE: Proposed Development at 2560 Quadra

I am writing this letter on behalf of the Hillside-Quadra Neighbourhood Action Group (NAG) to discuss community input on the above-noted proposal based on comments made during the CALUC (Community Association Land Use Committee) process.

Community Consultation Process

The proponent originally contacted NAG March 6, 2014 seeking a meeting to discuss the proposal.

The proponent attended a preliminary meeting, held during our regular NAG meeting on April 7, 2014. The proponent provided drawings and answered questions.

The Community Meeting under the CALUC process was held May 22, 2014 after the usual mail-out, and was attended by 4-6 community members. The proponent presented drawings and answered questions. A copy of the proposed plans was not made available immediately, but was sent on June 11, 2014.

It is our observation that the proponent has met the consultation requirements within this phase of the CALUC process.

Our Understanding of the Proposal

The property is currently the site of a bungalow on a 50' x 133' lot and is zoned C1-QV - Quadra Village District. It was the subject of a Development Permit application to build a 17 unit retail and strata residential building named the Seto in 2011, which included variances in the areas of setbacks and parking. After consultations with the then-owners, NAG wrote a letter on the subject to Council September 10, 2011, and Council approved the application on November 24, 2011. However, the planned project was not built and the permit expired, followed by the sale of the property.

The current proponent wishes to seek site-specific zoning to allow the construction of an 18-unit, 4 story rental apartment building, with fenced-in parking and a single retail space on the first floor, and residential suites on the floors above. Nine units would be bachelor apartments, with the other nine having 2 bedrooms. The proponent spoke of their wish to build larger units with higher ceilings as a way to seek a more stable rental base. Much of the building is proposed to be built to the lot line, with a floor area-to-lot area ratio of 1.8 rather than the currently allowed 1.4. Although four stories are allowed under the current zoning, the proponent does not envision their total height being within the C1-QV zone. Eleven motor vehicle parking spaces (four open and 7 secured) and 42 bicycle spaces (36 enclosed, 6 on bike rack) are proposed. It was said to be likely to include a car-share space, but this was not committed to. Exterior staircases and walkways, as well as a small area of

landscaping, is proposed for the North side of the building. Some current trees would be removed, and the proponent said that replacement trees would be put in the neighbourhood, although likely not on the same property.

Consistency with the Surrounding Area

The property fronts on Quadra Street at the South end of the commercial core of Quadra Village, and backs on an unnamed alley running between Kings Road and Bay Street. To the North it is bordered by commercial properties currently housing a laundromat, small shop, cafe, and the offices of local non-profit organizations. The properties to the South are predominantly multi-family residential. Across the alley to the West is a child-focused park, Wark St. Commons, with multi-family buildings to the South of the park. The area across Quadra also shows a mix of predominantly multi-family residential transitioning into buildings with both retail and residential. The adjacent properties to the North and South are also zoned C1-QV, as are most properties immediately across Quadra Street.

Within the 1994 Hillside Quadra Neighbourhood Plan, this section of Quadra Street has the objective of "Consider reduction of allowable height, more street retail". Within the 2012 Official Community Plan, this section of Quadra Street is designated as "Large Urban Village" with a strategic direction of "Further develop Quadra Village as a complete Large Urban Village with increased residential and commercial density, community and commercial services, and additional public realm enhancements."

Concerns or Comments of Which We Are Aware

We do not as a neighbourhood group advocate or oppose particular developments, preferring to play a role that ensures proper consultation and due process in advance of public hearings and Council deliberations. However, through our involvement in the CALUC process, we do become aware of neighbourhood concerns and views.

In the case of this property, the following views on the proposal were expressed by participants in the Community Meeting or by individuals providing written feedback following the meeting:

1. A number of people expressed concern with the height of the proposed building and its potential to overshadow surrounding areas. It was stated that most of the surrounding buildings are three stories and that this building would not fit that profile, tending to loom over the area. The proponent had prepared shadow studies of four and three-story versions of the proposal and these were reviewed at the community meeting.
2. Concern was expressed about building right to the property line with limited setbacks and no terracing on the upper stories. This was seen by some as undermining the intent of the Quadra Village guidelines and might set precedents for other development to follow.
3. There was some concern about the appearance of the design and whether it fits the character of the Village. Some individuals see some combination of the overall massing, the visible parking lot and exterior stairwells, the perceived lack of "softening" features to the frontage, and limited greenscaping as creating an unattractive appearance.
4. The vehicle access for the proposed building would be through the narrow alley at the rear. There was concern expressed about the volume of traffic on the alley (and on Kings Road, when considered in combination with other current proposals in the area) and the safety risk this may pose, particularly for the adjacent park and pedestrians walking along Kings Road. The lack of visitor parking was also cited as a possible source of parking pressure for neighbouring properties.
5. It was stated by one individual that if the development is approved as a rental building it should have a covenant to guarantee that it remain so for a number of years.

We would be pleased to provide further information or comments on any of the above if that would be helpful. I

can be reached at nag@quadravillagecc.com.

Sincerely,

Keith Macgowan
Chair, Hillside-Quadra Neighbourhood Action group

cc: Lucina Baryluk (Planner, City of Victoria)
Eric Barker (Representative for the Proponent)
Sophie Denux (Proponent)

From: Laura Taylor
Date: January 27, 2015 at 11:40:22 AM PST
To: City Councillors
Subject: 2560 Quadra Rezoning Application

Dear Mayor and Council

I have lived near the Quadra Village for 22 years and watched it grow into a real center of the neighbourhood. It has really increased my enjoyment of my neighbourhood and decrease my use of my car. To continue the village's importance, vibrancy and growth, it is important that the original vision for the village and the direction in the OCP does not get eroded over time.

The proposed rezoning would allow a large increase in density well beyond the OCP policy direction. Because of this I strongly support the staff recommendation that a third-party land lift analysis be carried out to determine if the increase in density is justified and if so what community amenities could be considered to compensate for this increase.

Regards Laura Taylor

2580 Graham St.
Victoria, BC
V8T 3Y7

From:

Sent: Tuesday, January 27, 2015 10:19 PM

To: Ben Isitt (Councillor)

Subject: PLUC Re: 2560 Quadra

Dear Ben,

Thank you for meeting with me today. This letter is as discussed in regards to the rezoning application for 2560 Quadra.

Although increased density has a positive affect on my business, rezoning is not appropriate for this site and is not appropriate in general for our neighbourhood. The current zoning was put in place after extensive consultation and work with the community. The current zoning is a reflection of the communities desires for the neighbourhood and still allows for significant density increase. The proposed 320 bed CRD care facility for example, is within current zones, as was this sites previous development proposal for 17 units. Much development can and will happen within the current zoning.

A major issue with this proposed development is the reduction and elimination of setbacks. This will severely impact neighbours including users of Wark Park. As well, the scale of this project is not inline with the rest of Quadra Village particularly as it is probably the smallest site. Although I cannot speak for the neighbourhood, I am certainly very aware of the opinions of it residents and business's. Not one person that I have spoken to has been in favour of or felt that rezoning was appropriate. If this were to go to public hearing, there would be no shortage of opposition but it would be at the unfortunate and unnecessary cost of the communities time. It is my hope that council turn down this proposal at this stage.

If you have any questions or wish to discuss further, I would be happy to do so in person, on the phone, or via email.

Best Regards,

Ryan Taylor
Caffe Fantastico
965 Kings Road,
Victoria, BC V8T 1W7



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Lucina Baryluk, Senior Process Planner
Subject: **Development Permit with Variances Application #000244 for 2560 Quadra Street**

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application #00459, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit Application #000382 for 2560 Quadra Street, in accordance with:

1. Plans date stamped October 21, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for Schedule C, total number of parking stalls reduced from 25 to 10, with no provision for visitor parking.
3. Review by Advisory Design Panel.
4. Developer to provide written confirmation from Victoria Car Share Cooperative that 18 memberships be secured for the project to the satisfaction of the Assistant Director of Development Services.
5. Final plans to the satisfaction of the Director of Engineering and Public Works for any works within the Statutory Right-of-Way.
6. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director of Development Services."

LEGISLATIVE AUTHORITY

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

Pursuant to section 920(8) of the *Local Government Act*, where the purpose of designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 2560 Quadra Street. The proposal is construct a four-storey, 18-unit residential and ground floor commercial building. The variance is related to a relaxation of the off-street vehicle parking requirements.

The following points were considered in assessing this Application:

- The subject property is within Development Permit Area 5, Large Urban Villages, Quadra Village. The applicable guidelines are the Quadra Village Design Guidelines. The proposal is generally consistent with these Design Guidelines.
- The *Hillside-Quadra Neighbourhood Plan* stipulates a residential component in any redevelopment and also encourages the continuity of the street front without blank walls or garage entrances. This development satisfies both these objectives.
- A parking variance is required to reduce the required number of off-site parking stalls from 25 to 10 stalls. The applicant has provided a Parking Demand Study (attached) supporting the parking variance. The parking reduction is supportable based on the findings of the consultant and the applicant has agreed to provide a Car Share membership for each residential unit.

BACKGROUND

Description of Proposal

The proposal is for a mixed use building within Quadra Village. Specific details include:

- a four-storey building with a maximum height of 15.07m
- vehicular access from the lane
- vehicle parking for 10 cars on the ground floor under the building, accessed from the lane
- the main building cladding material is fiber cement siding, with a change of colours, which defines the commercial component by a darker base
- the front elevation also creates architectural interest with different window placement and wrap-around balconies
- the north elevation has an open staircase required for fire access
- landscaping is proposed along the Quadra Street frontage to define the commercial space, and a landscape area (two trees and shrubs) is proposed along the north elevation.

Sustainability Features

As indicated in the applicant's letter dated December 5, 2014, the following sustainability features are associated with this application:

- stormwater treatment swale for run-off from the roof and parking
- ENERGY STAR appliances
- recycling 35% of construction materials
- sourcing 35% of construction materials within 500km
- diverting 70% of construction waste from landfill
- choice of green materials (paints, carpets, glazing)

- one electric vehicle charging station
- providing tenant bike storage on each floor adjacent to the unit entrance.

Data Table

The data table is provided in the Rezoning Application Report for this proposal.

Relevant History

On November 24, 2011, Council approved a Development Permit for this site. The previously approved Development Permit was for 17 residential units with ground floor commercial. The four-storey building did not require a rezoning as the density provisions of the current zoning (Quadra Village District) were not exceeded. However, this previously approved Development Permit has expired and the new proposal differs from the previous application. The minutes of the previous approval are provided in the attachments for Council's information.

It is also relevant to note that in the interim the new *Official Community Plan* has been adopted. However, the applicable design guidelines (Quadra Street Design Guidelines) remain the same.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the Development Permit and Rezoning Applications were referred to the Hillside-Quadra Neighbourhood Action Group. A letter dated July 1, 2014 is attached to the Rezoning Application Report.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within DPA 5, Large Urban Village. The specific guidelines that apply to the area are the *Quadra Street Design Guidelines*. Council approval is required for exterior design, finish and landscaping of new developments, as the subject property is within a revitalization area.

The architect has provided a drawing showing the evolution of the project from the previous proposal to the current proposal. The drawing shows the design response to the feedback from the community and staff.

The *Quadra Village Design Guidelines* encourage infill and continuity of street frontage. This project meets this objective by fully developing the frontage, without parking stalls or parking drive aisles, thus eliminating conflicts with pedestrian activity along Quadra Street. In addition, the Quadra Street frontage with commercial space and the entrance to the residential units will be attractive to pedestrians and provide for an active pedestrian environment. The landscaping and potential for an outdoor seating area provides a visual definition of the outdoor commercial space. The applicant has provided a drawing showing details of the street elevation.

The Guidelines encourage terracing back of upper floors. The intent is to achieve a built form that is human scale by mitigating perceived building mass at upper levels. While the building does not totally achieve this objective, the building articulation, change of building color and window details serve to break up the façade and create visual interest. The inclusion of balconies along the front façade also adds to the interest to this elevation in addition to providing usable open space for the building occupants.

Hillside-Quadra Neighbourhood Plan

The *Hillside-Quadra Neighbourhood Plan* stipulates a residential component in any redevelopment and also encourages the continuity of the street front without blank walls or garage entrances. This development satisfies both these objectives.

Regulatory Considerations – Zoning Regulation Bylaw

The required off-street parking for the 18 residential units and the commercial space is 25 stalls, and 10 stalls are proposed. The magnitude of the parking variance was similar for the previous proposal and was supported as there was significant participation in the Victoria Car Share Cooperative (membership for all units, vehicle purchase and marketing participation).

The applicant has scaled back Car Share participation to providing memberships for all units, and provided a Parking Demand Study (attached) to support the parking variance. Staff have found the data supporting the parking variance acceptable, and are supportive of this variance request.

Other Considerations

As a significant redevelopment within Quadra Village, it is appropriate that this application be reviewed by the Advisory Design Panel.

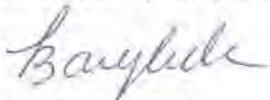
CONCLUSIONS

The continuous building frontage along Quadra Street will create an active pedestrian environment, with visible access to both the entrance to the residential units and the commercial component. The proposal generally complies with the directions provided in the *Quadra Street Design Guidelines*. As the applicant is proposing to provide membership for each residential unit, and has supported the request for a parking variance with a Parking Demand Study, the parking variance is supportable. Staff recommend to Council that this application proceed, subject to referral to the Advisory Design Panel.


ALTERNATE MOTION

That Council decline Development Permit Application #000382 for the property located at 2560 Quadra Street. (Note: If the Rezoning Application is declined, the Development Permit Application does not proceed.)

Respectfully submitted,



Lucina Baryluk
Senior Process Planner
Development Services Division



Alison Meyer
Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

January 20, 2014

LB:aw

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List of Attachments

- Air photo
- Subject property map
- Council minutes of November 24, 2011
- Adept Transportation Solutions, Parking Demand Study
- Development Permit Plans submission dated October 21, 2014.



Development Permit #000382

Development Permit with Variances Application # 000244 for 2...



Development Permit Application No. 000244 for property known as 2560 Quadra Street

1. Development Permit No. 000244

The City of Victoria will be considering the issuance of a development permit for the land known as 2560 Quadra Street in Development Permit Area No. 28 for the purpose of varying certain requirements of the Zoning Regulation Bylaw, namely by reducing the required distance (setback requirements) for the building from the front and south side property lines and reducing the number of required parking stalls and parking lot landscaping.

The land is subject to the objectives and guidelines for Development Permit Area 28, Quadra Village, as set out in the City's *Official Community Plan Bylaw*.

Legal Description of the Land: Lot 161, Block 10, Section 4, Victoria District, Plan 132

Mayor Fortin opened the public hearing at 9:25 p.m.

Councillor Hunter returned to the meeting at 9:26 p.m.

Curtis Myles (Architect): In speaking to the spirit of the project, Quadra is a novel place full of all sorts of architectural fabric. They toured around the area to find out what kind of building would fit in. This was a small piece of land and to get to this project, it required a review of the parking as required for the proposed units. The good news is that the Quadra neighbourhood association was delighted to see something happen here, but they can't satisfy the parking requirement and make the project viable. The maximum amount of parking on this site with the 17 small, affordable units was 11 cars and with these small units, people likely won't want a car. Also, it is one of the highest transportation corridors in the city so that is another reason why they can justify the proposal for less car stalls. Another part of this project was working with staff and knotting together the architectural fabric of the project to ensure the continuity of the street frontage. One of the variances was to ensure the commercial form went from one side of the project to another, which will provide a pedestrian friendly and quaint aspect to it. He also described aspects of the corridors to the north and south of the development.

Councillor Young asked what the setback on the north side of the building was.

Curtis Myles: The setback is zero.

Councillor Young asked about the open corridor and if a building of similar height was built on the lot to the north, would that corridor become closed?

Curtis Myles: On the north side they are not permitted a zero setback. If there was a new development on that side, because this project is at zero, they would have to adapt to the bylaw. This is zoned residential so it would be a lower density.

Councillor Lucas noted that parking is mentioned a lot in this report and staff suggests it isn't a problem. Has the agreement with Victoria car share been confirmed?

Curtis Myles: Yes, the agreement has been confirmed.

Councillor Lucas noted that Council passed a motion putting a priority on co-ops in all City parking spaces. He also asked about the site drawings that show Starbucks at the commercial location and if this was a confirmed business?

Curtis Myles: No, that drawing was used to identify what could be there.

Keith Davis (Wark Street): He said he supports this development as the neighbourhood needs it. Quadra village has had its ups and downs and it is a perfect project and a step in the right direction.

Mayor Fortin closed the public hearing at 9:36 p.m.

2. Motion – Approve Development Permit No. 000244

It was moved by Councillor Lucas, seconded by Councillor Luton, that Council authorize the issuance of Development Permit in accordance with:

1. Plans stamped "Development Permit Application # 000244" dated September 6, 2011.
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - a. Section 4.52.4.a – Quadra Street setback for third and fourth floors relaxed from 6.0 m to 3.3 m for balcony projection;
 - b. Section 4.52.6.b – side yard setback (south) relaxed from 3.4 m to nil for ground floor commercial and 2.71 m for residential;
 - c. For Schedule C, Off Street Parking Requirements:
 - i. Parking requirement relaxed from 1.4 stalls per dwelling unit (24 stalls) to 0.64 per unit (11 stalls) for a maximum 17 units,
 - ii. Parking requirement for commercial use relaxed from 1 parking stall to nil for a maximum of 75 m² of commercial floor area,
 - iii. Visitor parking relaxed from 1 parking stall to nil,
 - iv. Surface parking landscape strip (south) relaxed from 0.6 m to nil.

Councillor Lucas said the extension of retail on this side of the street is exciting but he is a bit disappointed that Council has in a way blocked retail on the other side of the street, which is now residential. There are a lot of concerns and complaints about parking restrictions getting in the way of development so he is pleased to see that Council is open to looking at transportation corridors allowing a reduction in parking. He is concerned about meeting the minimum requirement for bike parking because in Quadra Village there is a dearth of bike parking and it might be worth considering doubling the bike parking. This development will be a great contribution to the neighbourhood in general and will bring life and energy to that street.

Councillor Luton said this is an encouraging development and he would always support housing more than shelter for cars. It would also be good to look at increasing the class one parking for bikes within the building to meet some of the demand as people shift from vehicles to bikes.

Councillor Thornton-Joe said she will support the application and she thanked the proponent for naming the building after Harry Seto.

Councillor Coleman noted the evolutions of neighbourhoods and it wasn't that far back when Quadra Hillside had nicknames that were not appreciated. This is a good trend line and he recognized the contribution of the neighbourhood action group. Looking at all the letters from this group and interpreting what they want has meant many iterations but it makes it easier to make a decision and support this application.

Councillor Alto noted that the planning committee was supportive of the car share agreement which ensures their comfort for a reduction in parking and is of note for future proponents.

Carried



Adept Transportation Solutions
PLANNING AND ENGINEERING

2560 Quadra Street, Victoria, BC

**PROPOSED RENTAL APARTMENT
COMPLEX**

**Parking Demand Study In Support of
Parking Variance Application**

FINAL REPORT

Prepared for:
Carmague Properties Inc.

Date:
August 28, 2014

Prepared by:
Adept Transportation Solutions

W. Wayne Gibson, CTech, Principal
Senior Transportation Technician



BACKGROUND

Camargue Properties Inc. engaged Adept Transportation Solutions (Adept) to undertake an analysis of off-street parking demand for the proposed redevelopment of 2560 Quadra Street, in the City of Victoria, BC. The intent of the study was to determine an appropriate off-street parking supply for the proposed rental apartment component of the building.

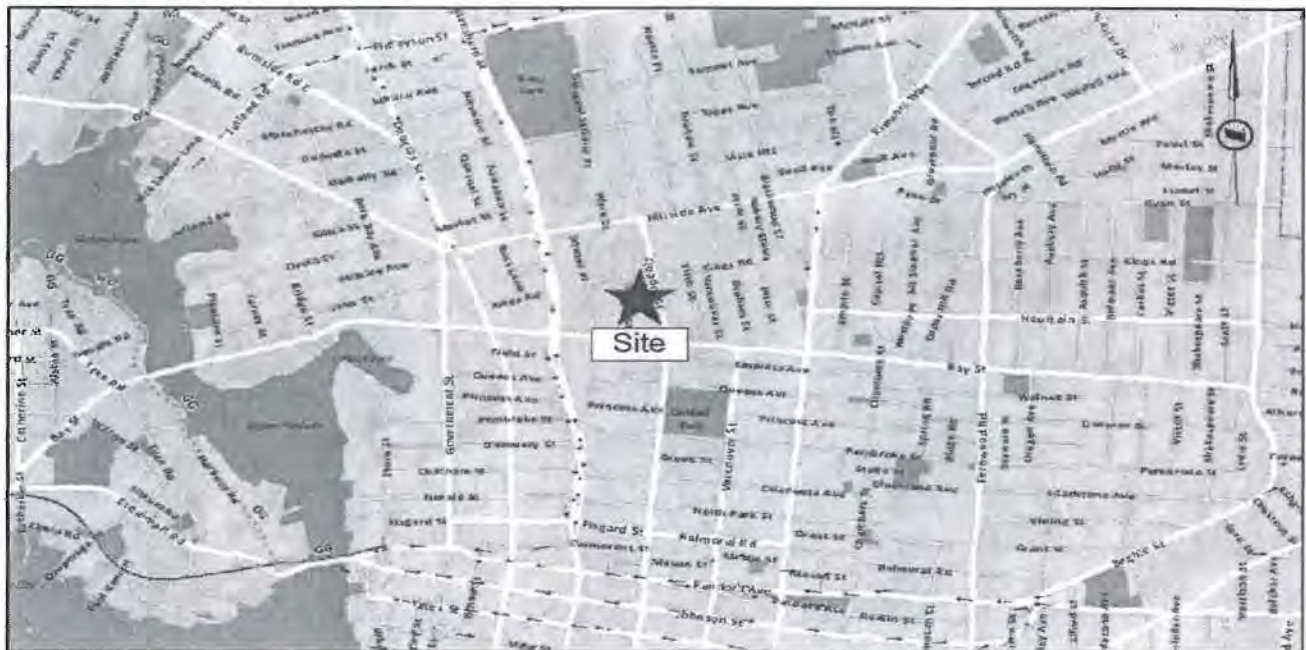
In 2011, under a similar application, the existing single-family home site was granted a rezoning for a Strata Residential building with 17 units consisting of - 9 bachelors @ 360 ft² / 3 - 1 Br. @ 650 ft² and 5 - 2 Br. @ 750 ft² with commercial uses on the ground floor. The permit was approved by the City with 11 surface stalls for the residential component under the building (a rate of 0.65 stalls per unit) and involvement of the Car Share Co Op along with other TDM measures; however, the project was not constructed.

At this time, the application at 2560 Quadra Street proposes a four-storey building with commercial space on the main floor and 18 rental apartment units above. It will include a mix of 9 - bachelor units under 450 ft² and 9 - 2 bedroom units above 750 ft². The commercial space is approx. 655 ft². It is proposed that 10 off-street parking spaces be provided as shown on the attached Site Plan.

To advance the project at this time, a new development permit is being sought along with a revised parking variance.

The site location is depicted in the following Area Plan illustrated in **Exhibit 1**.

Exhibit 1: Area Plan with Site Location



In order to assess the actual parking demand for this specific land use, Adept Transportation Solutions carried out research related to parking demand for adjacent rental apartments and has analyzed the infrastructure available to support alternative mode of travel. Our findings are described in the following sections.



EXISTING CONDITIONS

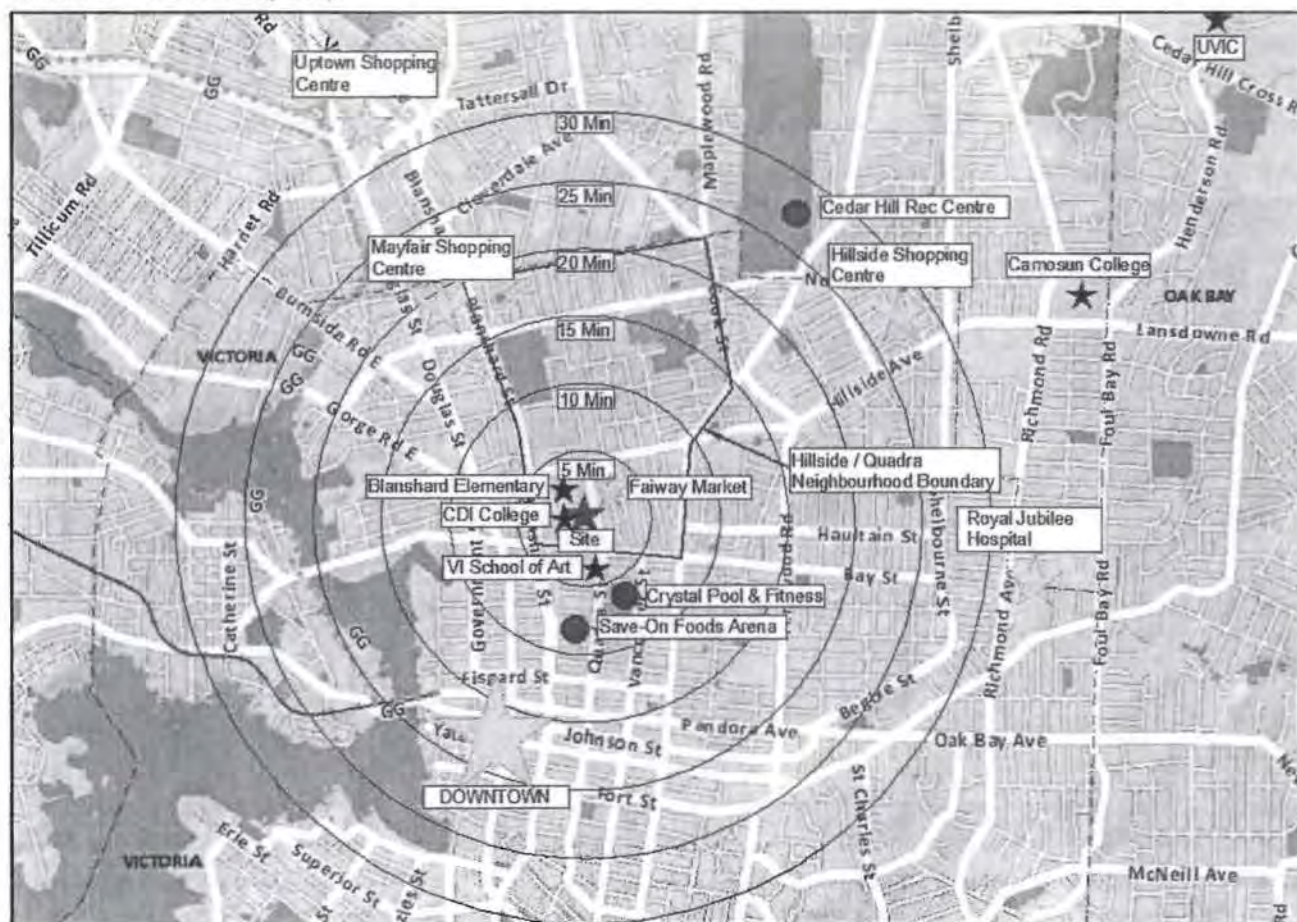
WALKING:

The Hillside – Quadra neighbourhood is extremely walkable as it is served by the commercial centre at the intersection of Hillside Avenue and Quadra Street known as Quadra Village. Quadra Village provides a mix of retail, service and small office facilities.

The location of the subject development site is also within close proximity to excellent transit services for longer trips. In this mature neighbourhood, infrastructure to accommodate pedestrians is already in place. There are existing concrete sidewalks along both sides of the roads in the vicinity of the site, along with controlled crossings at major intersections.

The following **Exhibit 2 – Walkability Map** shows the approximate walk distance and times for up to a 30 minute one-way walk trip. Major destinations are also identified. For this estimate, an average walk speed was assumed at 1.2 m/s.

Exhibit 2: Walkability Map



2560 Quadra Street Jubilee Avenue – Parking Variance Study
Adept Project CP-1001 – August 28, 2014



CYCLING:

Victoria, the "Cycling Capital of Canada" has a mild climate most of the year, moderate topography, and most of the population in the region is located within 6 km of the downtown, which is an ideal range for attracting cyclists.

Cycling is one of the most sustainable modes of transportation and displacement of auto trips by cycling helps to reduce traffic congestion and reduces noxious emissions. The main market segment for journey-to-work trips by bicycle as the primary mode of transportation are less than 8km in length. Cycling can be combined with other travel modes, such as transit.

The following Exhibit 3 - Victoria, Oak Bay & Saanich Cycling Network illustrates the City of Victoria, District of Oak Bay and connecting District of Saanich bikeway networks. The proposed development is located a short distance between two major existing north / south bikeway routes (Blanshard Street and Vancouver Street) and the proposed east / west Bay Street route and is approximately 1 kilometre from the downtown core.

Exhibit 3: Victoria, Oak Bay & Saanich Cycling Networks



Bicycle travel distance estimates from the subject development site are shown. These are estimates based on a 10km/h bicycle travel speed and are for illustrative purposes only as there can be a large variation in cyclist travel speed based on trip purpose and rider ability.



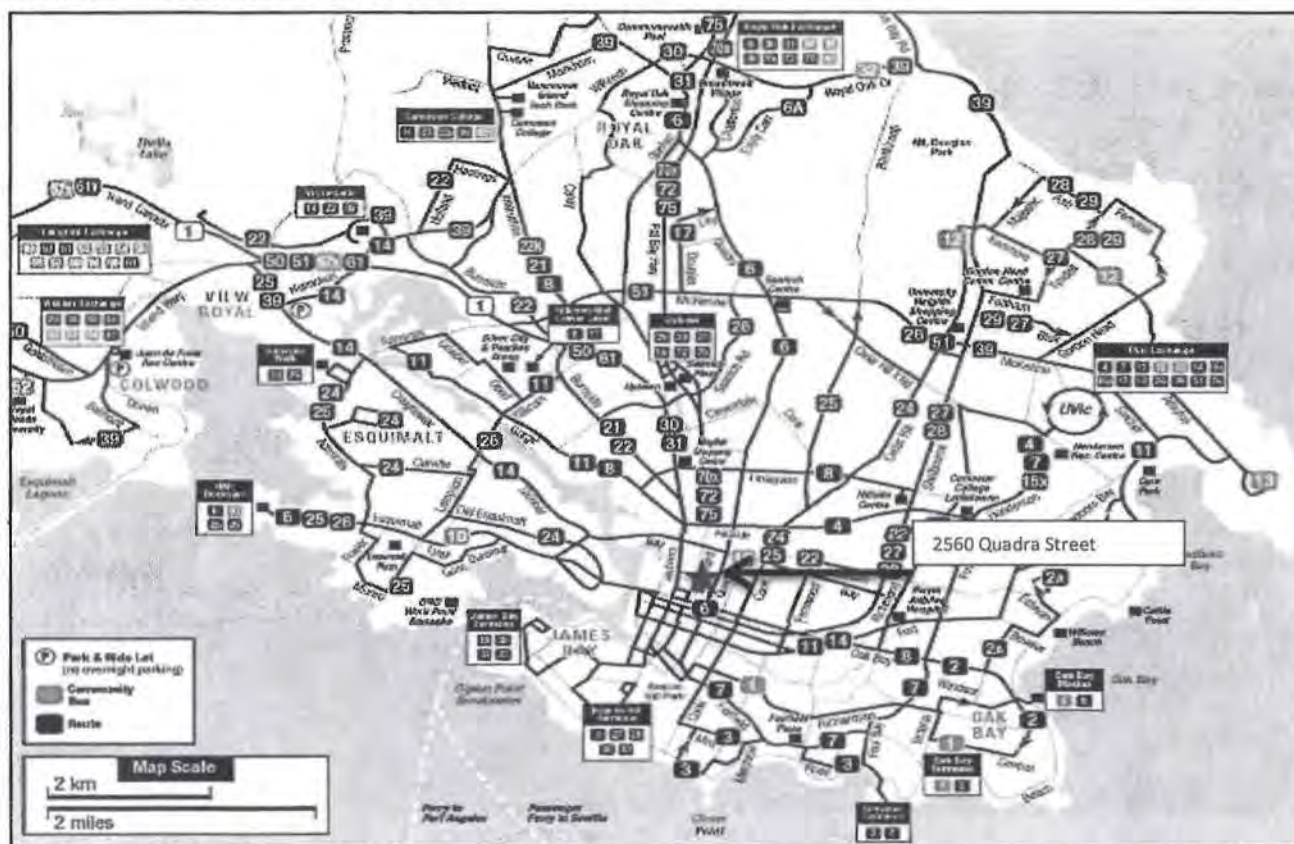
TRANSIT:

Convenient Transit service with excellent headways is provided along Quadra Street as well as Hillside Avenue which is one block north of the subject site.

Route #6 travels along Quadra Street with sheltered bus stops approximately 100m north of the site. Route #6 operates on 15 minute headways or better for the majority of the day and connects the site to HMCS Dockyard to the southwest via the downtown core as well as to the Royal Oak Exchange to the north. Route #4 operates along Hillside Avenue, which is approximately 260m north of the site, with very short headways and connects Downtown Victoria to Camosun College's Lansdowne Campus and beyond to UVIC via the Quadra Village and Hillside Town Centre areas.

A transit map is provided in Exhibit 4 for reference to the proximity of the site to the transit network.

Exhibit 4: Transit Routes near the Site





ANALYSIS

2011 CRD HOUSEHOLD ORIGIN-DESTINATION SURVEY

According to the 2011 CRD Household OD Survey¹, conducted by R.A. Malatest & Associates Ltd., the subject site is within the "District 6 - Victoria North" study area. As can be seen in the excerpt below, this area has 14,233 households. The total estimated vehicle ownership within the district is 16,554 which translates to a vehicle ownership rate of 1.16 vehicles per household and a rate of 0.57 vehicles per person. In contrast, the region as a whole has a vehicle ownership rate of 1.63 vehicles per household. The average household vehicle ownership rates for the survey study areas are shown in Table 1 below.

Table 1: CRD 2011 Household O-D Survey - Vehicle Ownership Rates per Household by District

Sidney	North Saanich	C. Saanich	Downtown	Victoria South	Victoria North	Saanich North	Saanich East	Saanich West	Oak Bay	Esquimalt	View Royal	Highlands	Langford	Colwood	Metchosin	Sooke
1.5	2.17	1.93	0.77	1.06	1.16	2.08	1.52	1.82	1.57	1.36	1.69	2.73	1.96	1.99	2.2	1.92

District 6 - Victoria North

Demographic Characteristics

Population	29,167	Actively Travelled	24,589
Employed Population	16,181	Number of Vehicles	16,554
Households	14,233	Area (ha)	774
Jobs in District	20,188		

Occupation	Male	Female	Total	%
Status (age 11+)				
Full Time Employed	6,522	5,439	11,961	45%
Part Time Employed	1,468	2,752	4,220	16%
Student	1,913	2,559	4,472	17%
Retiree	2,383	2,891	5,274	20%
Homemaker	47	292	339	1%
Other	1,141	893	2,033	8%
Total	12,727	13,939	26,666	100%

Traveler Characteristics	Male	Female	Total
Licensed Drivers	9,688	10,774	20,462
Trips made by residents			84,925

Selected Indicators	
Daily Trips per Person (age 11+)	2.91
Vehicles per Person	0.57
Number of Persons per Household	2.05
Daily Trips per Household	5.97
Vehicles per Household	1.16
Workers per Household	1.14
Population Density (Pop/ha)	37.68
Employment Density (Jobs/ha)	26.08
Jobs per Person	0.69



Household Size	Total	%
1 person	9,913	42%
2 persons	5,050	35%
3 persons	1,823	13%
4+ persons	1,446	10%
Total	14,233	100%

Households by Vehicle Availability	Total	%
0 vehicles	2587	18%
1 vehicle	7684	55%
2 vehicles	2983	21%
3+ vehicles	779	5%
Total	14,233	100%

As the Victoria North District covers a broad area with different neighbourhood characteristics, more detailed analysis of the Quadra Village parking trends was undertaken and is described in the following pages.

¹ <https://www.crd.bc.ca/docs/default-source/regional-planning-pdf/transportation/crd-od-survey-dailytravelcharacteristicsreportfinal.pdf?sfvrsn=2>



CITY OF VICTORIA OFF-STREET PARKING BYLAW

The parking section of the City of Victoria Zoning Regulation Bylaw for the subject site's R3-2 zone stipulates an off-street parking requirement of 1.4 spaces per multiple (rental) dwelling unit of which 10% of the parking supply must be assigned for visitors. Under this scenario, the proposed development would require 25 off-street parking spaces.

TENANT PARKING DEMAND FOR ADJACENT RENTAL APARTMENTS IN SUBJECT QUADRA VILLAGE AREA

As Adept has done in numerous other 'parking demand' studies, in order to better understand the existing parking trends of similar nearby rental apartment complexes, ICBC was requested to undertake a vehicle ownership search for rental apartments relative to this study along the block of Quadra Street. The results are effective as of February 28, 2014. **Exhibit 5** shows the locations of the subject development site and the other 4 rental complexes analyzed as being pertinent to this study, as listed on **Table 2**. The other two sites marked with an asterisk were analyzed through property management surveys and are discussed in the next section.

Exhibit 5: Pertinent Study Apartment Complexes

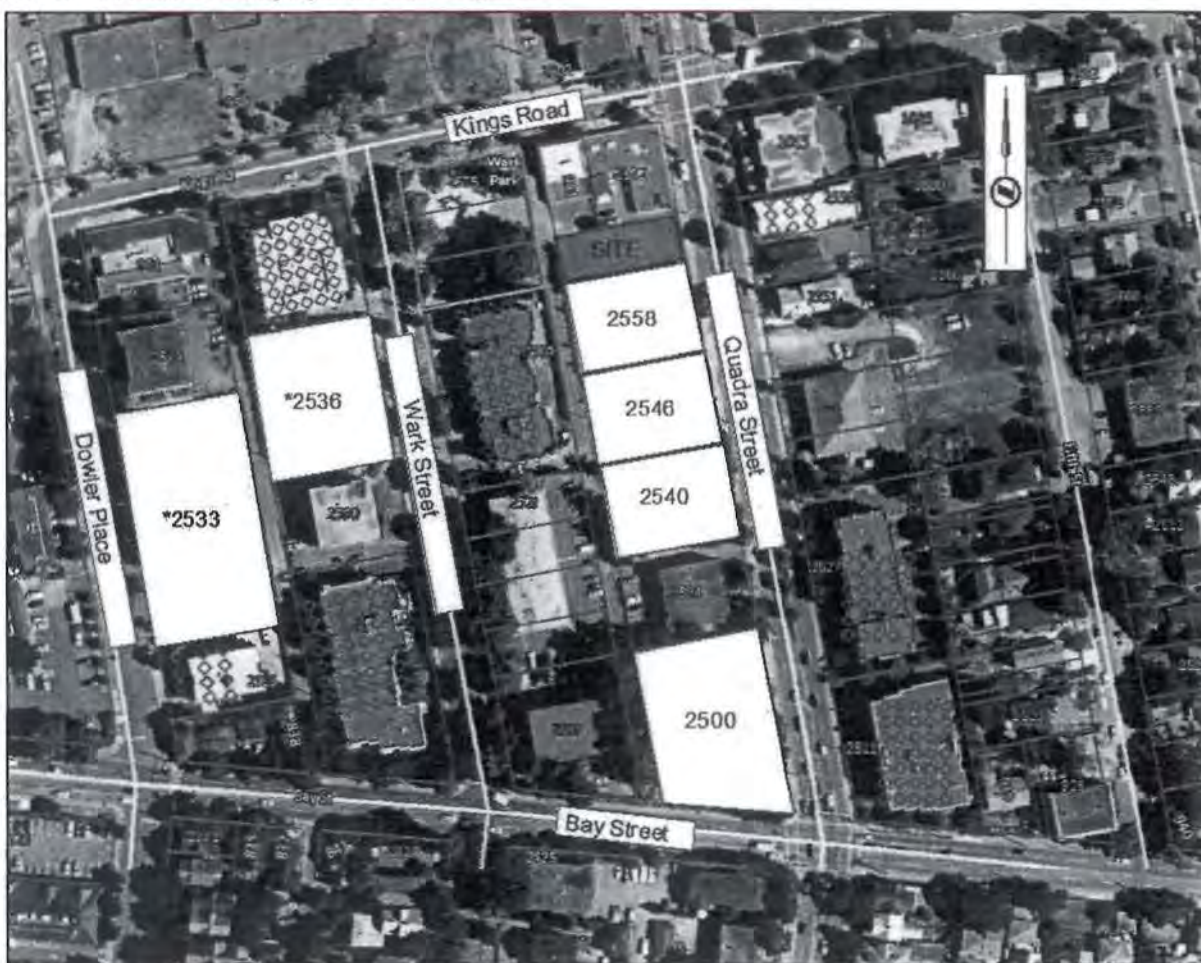




Table 2 summarizes the results of our requested ICBC search of actively insured vehicles by address as of February 28, 2014, relative to this study.

Table 2: ICBC Vehicle Registration Data Demand for Rental Apartments Directly Adjacent to Subject Site

Postal Code	Address	No. of Rental Suites	Registered Tenant Vehicles	Ownership Rate	Parking Supply / Rate (spaces per unit)
V8R 4N4	2540 Quadra Street	22	11	0.50	18 / 0.82
V8R 4N4	2546 Quadra Street	21	10	0.48	18 / 0.86
V8R 4N4	2558 Quadra Street	20	5	0.25	11 / 0.55
V8R 4N4	2500 Quadra Street	26	19	0.73	32 / 1.23

As shown in the ICBC data, the four surveyed apartment complexes (containing a total of 89 rental apartment units) has a resident-tenant vehicle ownership rate of 0.51 vehicles per suite. Excluding the 2558 Quadra site (since it is a greater Victoria Housing Society building), results in an average resident vehicle ownership rate of 0.58 vehicles per suite for the 3 standard rental apartment complexes.

*ADDITIONAL PROPERTY MANAGEMENT SURVEYS

During field reconnaissance, Adept staff had the opportunity to survey other adjacent rental buildings in more detail.

1. The apartment complex at 2533 Dowler Place contains 43 rental units with 56 surface parking stalls. Of these units, 3 are bachelor, 14 have 1 bedroom and 11 contain 2 bedrooms. According to the resident manager, none of the Bachelor unit residents owned vehicles, 11 of the 1 bedroom residents own a vehicle and all 11 of the 2 bedroom unit residents own one vehicle, for an overall demand of 22 spaces (0.51 vehicles per suite). At the time of this survey, 2 suites were vacant. Parking spaces are unbundled and are exclusive of the monthly rental rate. The cost for a dedicated parking space is an additional \$15/month for an uncovered space and \$25 for a covered space. Currently, the excess spaces are available and advertised for rental and 6 spaces are rented to non-residents. 2 spaces have been reclaimed to accommodate refuse/recycling containers. The site provides a secure common bicycle storage room capable of accommodating 25 bicycles. The room is fully utilized.
2. The apartment complex at 2536 Wark Street contains 23 rental units and has 24 surface parking stalls. Of these units, 1 is a bachelor, 12 have 1 bedroom and 10 contain 2 bedrooms. Two of the 2 bedroom units were vacant at the time of the interview. According to the resident manager, only 5 residents own a vehicle. Approximately half of the tenants are students and use cycling and transit as their primary travel mode.

The compilation of this information is provided in **Table 3**. Please note that for these calculations, the vacant rental units were assumed to be occupied and have 1 vehicle.



Table 3: Additional Off-Street Parking Utilization for Rental Apartments

Address	# of units	Bach	1 Bdrm	2 Bdrm	Parking Supply	Parking Utilization / Rate (spaces per unit)
2533 Dowler Place	43	3	29	11	56	*24/0.56
2536 Wark Street	23	1	12	10	24	*7/0.30

Incorporating this additional data into the vehicle ownership calculation results in an average parking demand of 0.53 vehicles per rental suite in the vicinity of the proposed development.

VISITOR PARKING

Should there be any spill-over of visitor parking, there is ample on-street parking within walking distance available for visitors for all of the rental apartment complexes in the vicinity of the subject site along Kings Road and Wark Street as shown in Exhibit 6.

Exhibit 6: Parking Availability Near the Site



2560 Quadra Street Jubilee Avenue – Parking Variance Study
Adept Project CP-1001 – August 28, 2014



ON-STREET PARKING SUPPLY

There is partially 'Time Restricted' (2 Hours, Monday-Saturday 8am-6pm) on-street parallel parking along the south side of this block of Kings Road. The same restriction applies to both Wark Street and Dowler Place. Along the Quadra Street frontage, 2hr daytime 'Time Restricted' parking is available with the exception of the periods of 7-9am and 4-6pm Monday - Friday.

BICYCLE PARKING

The project should provide secure "Class 1" bicycle parking spaces at a rate of 2 per unit as well as "Class 2" six-bike parking racks at each building entrance. The proposed Class 1 parking supply is double the current bylaw requirement, but is deemed more practical in this specific area based on our study findings.

CONCLUSIONS

The current City of Victoria off-street parking bylaw for the subject site does not recognize the important effect that location has in a reduced 'parking demand' rate for apartments in this specific area. The Bylaw does provide some recognition of reduced parking requirements based on 'site location' and specific land-use in many of their zones.

In conjunction with the site being well serviced by walking, cycling and transit infrastructure, local amenities, and the relative proximity to the post-secondary educational facilities, the requested parking variance for this complex is warranted.

Based on the site location, neighbourhood amenities and our study findings, we suggest an appropriate rate for the subject development would be 0 spaces for Bachelor units, 1 space for each of the two bedroom units for a total supply of 9 spaces plus one space for the commercial use for a total of 10 spaces or a parking supply rate of 0.56 spaces per unit. The commercial unit parking stall should be made available to visitors outside of business hours.

Our recent project specific research findings have determined that a parking variance as per our recommendation is warranted for this project; a reduction in the current 1.4 stalls / per unit rate down to 0.56 stalls / per unit.

The justification for our recommended parking variance is as follows:

- compatibility with the City of Victoria and the CRD adopted strategies for encouraging travel modes other than the automobile;
- excellent public transit and pedestrian / cycling infrastructure;
- close proximity to all required amenities (i.e. grocery and other shopping, restaurants / cafes, and medical, including a major Hospital facility and pertinent post-secondary educational facilities);
- proximity to the downtown core area;
- the provision of double the bylaw requirement for secure bicycle storage lockers; and
- there is ample on-street parking available in the immediate vicinity of the site should there be any visitor parking overflow during peak visitor periods.



RECOMMENDATIONS

In view of Adept's research, analysis and findings regarding the parking demand for this project, it is recommended that Council approve an off-street parking variance for this project from 1.4 spaces per unit down to 0.56 spaces per unit; a variance of 15 off-street parking spaces. That is, instead of the 25 (18 units X 1.4) spaces required under the current bylaw, that Council approve 10 (18 X 0.56) off-street parking spaces for this building permit application; a provision of 10 spaces for the 18 rental units and commercial use.

URBANITÉ - Evolution of the Proposal

by Camargue Properties

1



2



CONTACT NEIGHBORS

- two OK, one concerned about apparent size
- reduce gray planes to show white frame



3



- step back top floor on Quadra / carry balcony across face
 - make ground floor commercial more visible
- C of V STAFF FEEDBACK

4



MEET COMMUNITY. LISTEN / CHANGE

- reduce FSR from 2.0 to 1.8
- remove 1 storey
- remove large walls from North face



THE IDEA

- Quadra Village ideal location for new rental building.
 - Approved scheme had units that were too small / want bigger units not more units.
- OCP encourages densification of urban villages.

October 24, 2014



Civic Address :2560 Quadra
 Legal Description: LOT 161,
 BLOCK 10, SECTION 4,
 VICTORIA, PLAN 132
 Folio: 09661004
 PID: 000-472-590

Consultants:

Architect
 Eric Barker Architect Inc.
 Xanadu Crespo (M-ARCH)
 727 Pandora Ave.
 Victoria, B.C.
 V8W 1N6
 (250) 385-4504

Landscape Architect
 Keith N Grant Landscape Architecture
 Keith Grant BCLA
 2274 Cranmore Rd
 Victoria, B.C.
 V8N 1Z3
 (250) 598-7872

PROJECT INFORMATION TABLE

Zoning	C1-QV
Site Area	620.3 sm
Site Coverage	80.8 % (501.28 sm)
Total floor Area	1120.12 sm
Floor Space ratio	1.81
Height of Building	15.07 m
Number of Storeys	4

BUILDING SETBACKS

Front yard	3.20 m
Rear Yard	0.20 m
Side Yard (indicate which side)	0
Side Yard (indicate which side)	0
Combined Side yard	0
Open Site Space %	16.47 % (102.17 m2)

Parking stalls (number) on site	10
Bicycle parking	
Secured	37
Rack	6

RESIDENTIAL USE DETAIL

Total number of Units	18
Unit type, e.g. 1 bedroom	0
Unit type, e.g. 2 bedroom	9
Unit type, Bachelor	9
Ground-oriented units	1 Commercial
Minimum Unit Floor Area	37.6 sm
Total residential floor area	984.75 sm

UNIT BREAKDOWN

unit	m2
201	37.63
202	40.17
203	39.74
204	70.25
205	70.71
206	73.99
301	37.63
302	40.17
303	39.74
304	70.25
305	70.71
306	73.99
401	37.63
402	40.17
403	39.74
404	70.25
405	70.71
406	61.27
Subtotal	984.75

L1 Commercial	60.89
L1 storage/Garbage/Elevator	55.49
L2 ,L3,L4 Bicycle Storage	18.99

Total **1120.12**



1 Key Plan
 No Scale



1 Photomontage from South East



2 Photomontage from North East

10/21/2014 11:32:39 AM

ERIC BARKER ARCHITECT INC.
 727 PANDORA AVENUE, VICTORIA, B.C.
 (250) 385-4504 Fax (250) 450-1100

Sheet Number	Sheet Name
A-0.0	Cover Sheet
A-0.1	3D View
A-0.2	Existing Survey
A-0.3	Existing Study
A-1.0	Site Plan
A-1.1	Plan Plans
A-1.2	Plan Plans
A-2.0	Section
A-2.1	Section
A-3.0	Section

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 City of Victoria

OCT 21 2014

Planning & Development Department
 Development Services Division

NOTE:
 Ground plane development conceptual only
 See landscape plan for detail

No.	Date	Description
1	10/21/2014	Development Permit / Rezoning application

Denux Group
 2560 Quadra

Cover Sheet

Project number	111001
Date	Oct 21, 2014
Drawn by	Eric Barker
Checked by	Checker
Scale	No Scale

A-0.0





3 3D View from South East



4 3D View from North East



5 3D View from North West



6 3D View from South West

08/21/2014 11:34:00 AM

 ERIC BARKER ARCHITECT INC.
 707 FINESTRA AVENUE, VICTORIA, B.C.
 2507-394-0395 Fax: 250-394-0396 VISA MC

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 City of Victoria

OCT 21 2014

Planning & Development Department
 Development Services Division

No.	Date	Description
1	08/21/2014	Development Permit / Rezoning application
Denux Group 2560 Quadra		
3D Views		
Project number	227990	
Date	Oct 21, 2014	
Prepared by	Author	
Checked by	Checker	
A-0.1		
Rev		



2023/08/04 11:24:00 AM



ERIC BARBER *MDP*
ARCHITECT *Inc.*

ARCHITECT Inc.

727 N. ALDRICH AVENUE, VICTORIA, B.C.
250-361-4215 Fax 250-361-4215 WWW: WWW

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City of Victoria

OCT 21 2014

Planning & Development Department
Development Services Division

No.	Date	Description
A:\Document\denux\213090 Quadra Development Permit - 213090 Quadra Development Permit - 2015-01-26-000001 014 22 2015-01-26		
Development Permit / Rezoning application		
Denux Group 2560 Quadra		
Existing Survey		
Project number	213090	
Date	Oct 23, 2014	
Drawn by	Author	
Checked by	Checker	
A-0.2		
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10/03/2014 11:34:05 AM
ERIC BARKER
ARCHITECT Inc.
257 MADON AVENUE, VICTORIA, B.C.
250-525-4505 Fax 250-525-1500

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City of Victoria

OCT 21 2014

Planning & Development Department
Development Services Division

No.	Date	Description
1	10/03/2014	Development Permit / Rezoning application
2	10/03/2014	Denux Group 2560 Quadra
3	10/03/2014	Shadow Study
4	10/03/2014	123790
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Shadow Study Spring PM
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Shadow Study Summer PM
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Shadow Study Winter PM
1:400



Shadow Study Spring Noon
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Shadow Study Summer Noon
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Shadow Study Winter Noon
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Shadow Study Spring AM
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Shadow Study Summer AM
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Shadow Study Winter AM
1:400

13/01/2014 11:07:27 AM


ERIC BARKER
ARCHITECT INC.
227 FAUCONIER AVENUE, VICTORIA, B.C.
250-591-4555 Fax: 250-591-1194

Legend:

Elevation View Key



Sheet No.	Sheet Title	Revision
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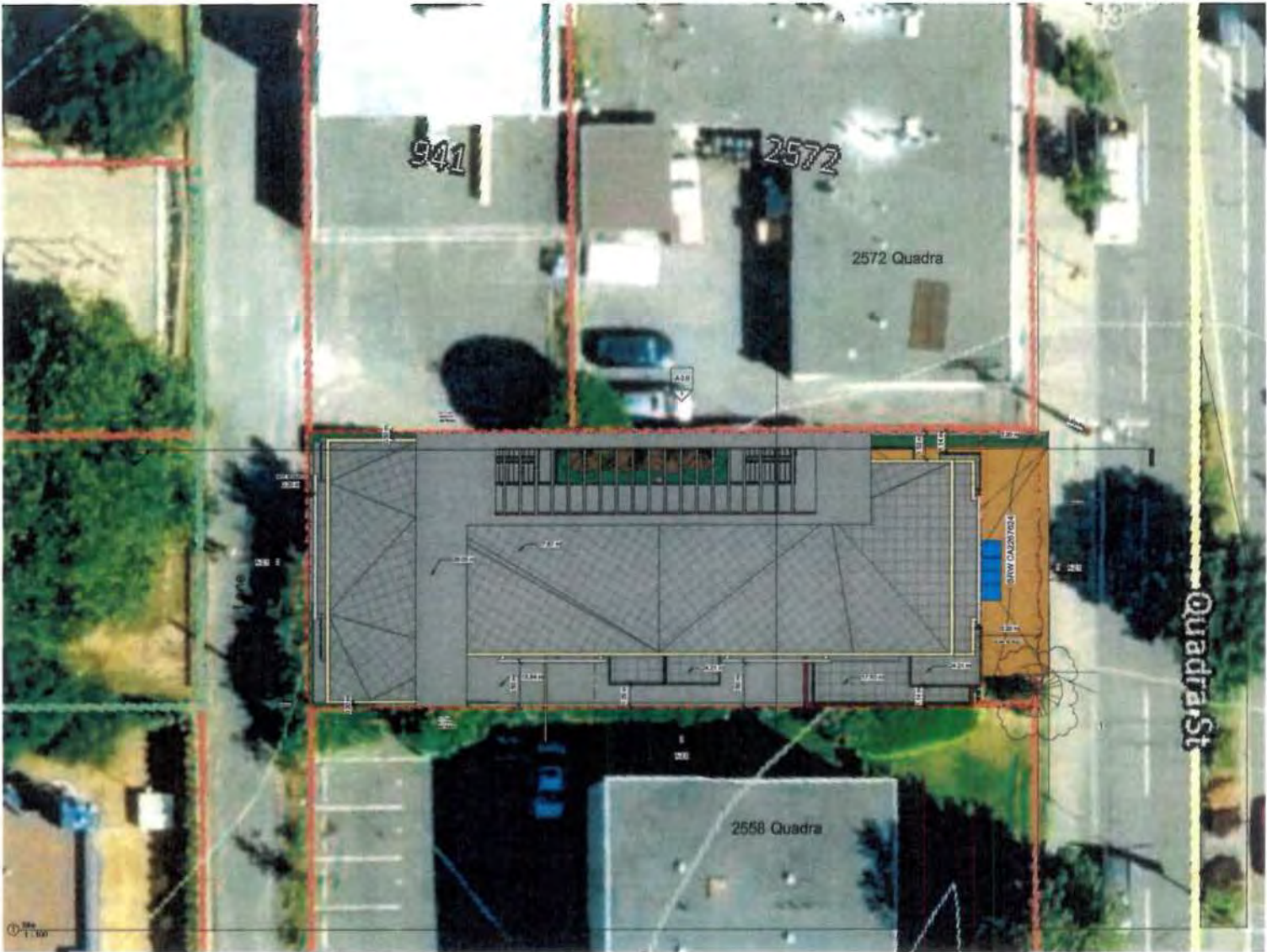
Development Permit /
Rezoning application

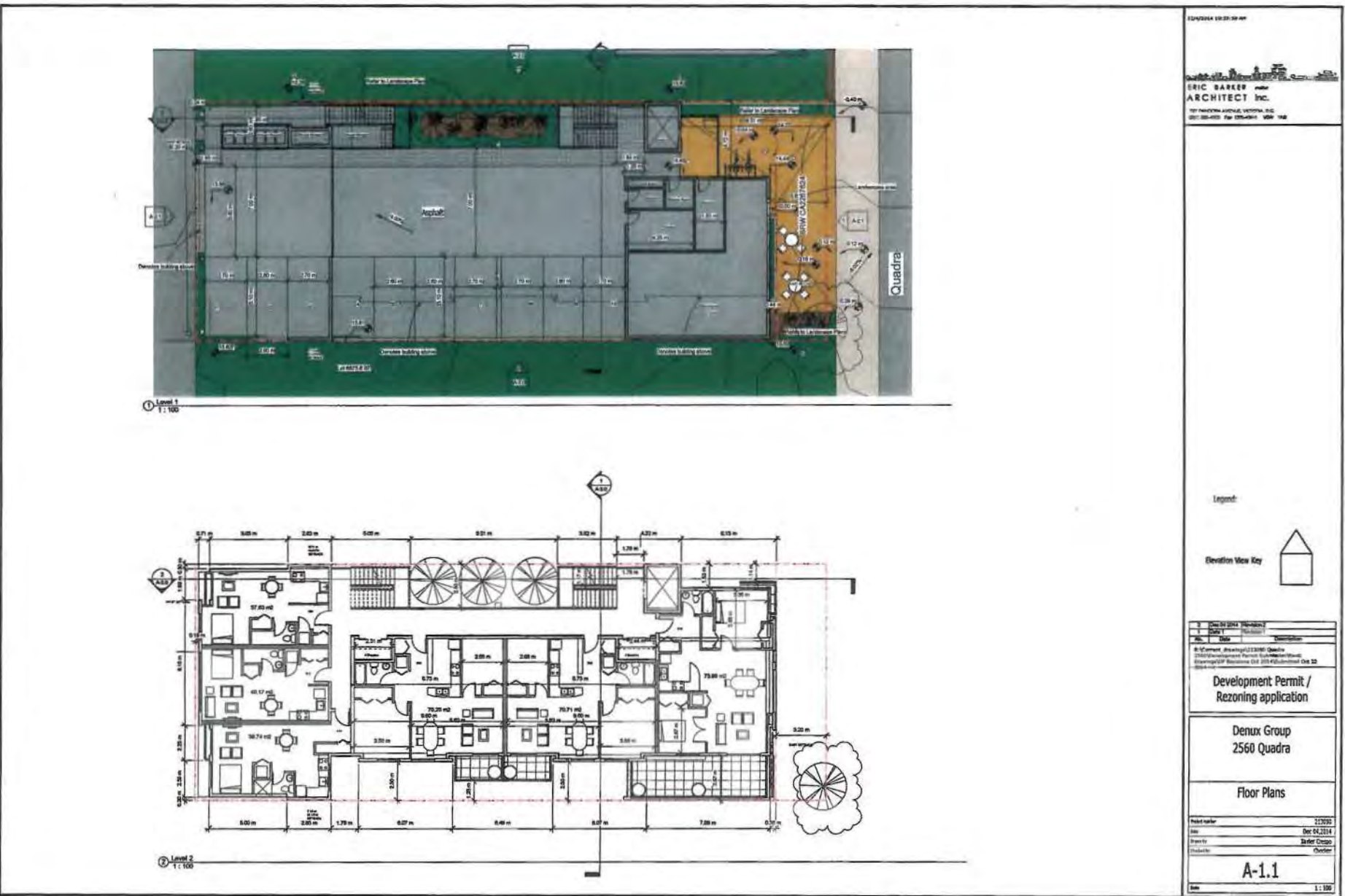
Denux Group
2560 Quadra

Site Plan

Project number	2115001
Date	Dec 04, 2014
Author	Jarvis Cragin
Checker	
Scale	1:100

A-1.0





18/01/2014 11:34:09 AM
ERIC BARBER ARCHITECT Inc.
201 THE CITY SQUARE, VICTORIA, VIC 3181
031 239 4000 Fax: 031 239 4005 1504 1506

Received
City of Victoria

OCT 21 2014

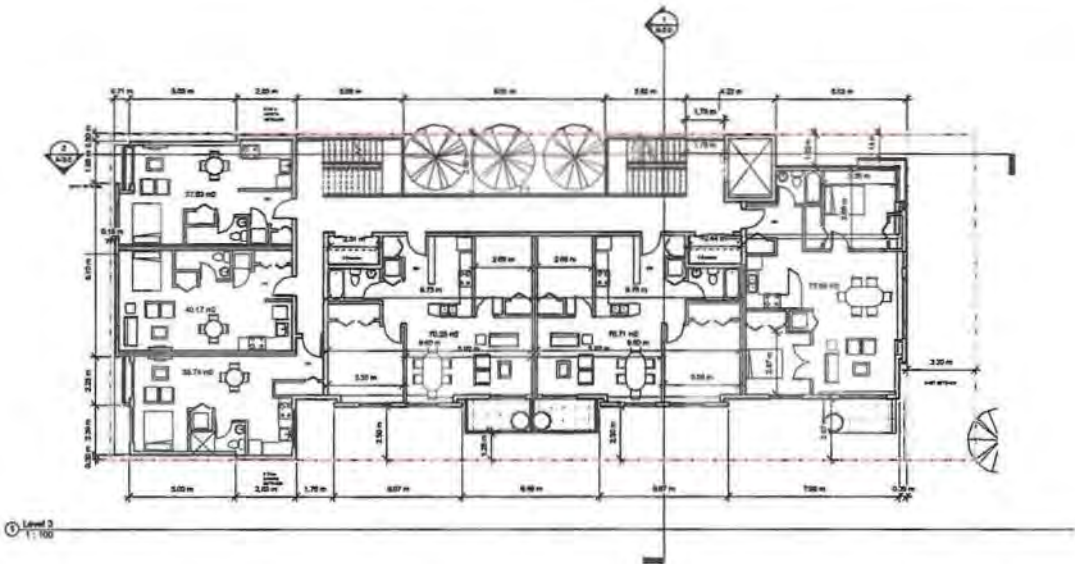
Planning & Development Department
Development Services Division

Legend:

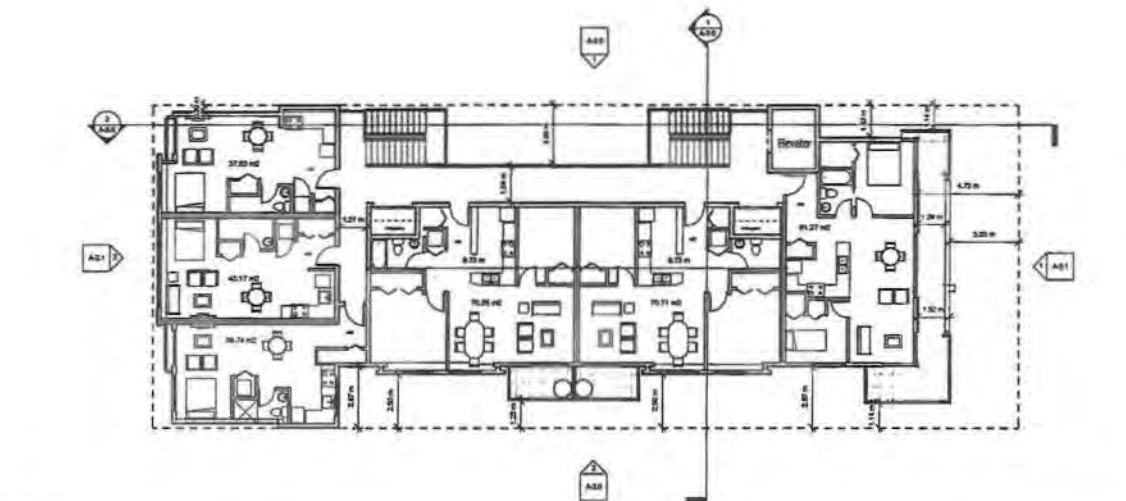


Roofline View Key

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Drawn	08/11/2014	
Checked		
Checked by		
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Level 3
1:100



Level 4
1:100

00000000 10:34:14 AM
 ERIC SAREEP ARCHITECT INC.
 101 HANCOCK AVENUE VICTORIA, B.C.
 250-351-0076 Fax 250-351-0078 1000 1000

Received
 City of Victoria
 OCT 21 2014
 Planning & Development Department
 Development Services Division

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0000244 11:34:30 AM
ERIC BARBER ARCHITECT INC.
107 HANOVER AVENUE, VICTORIA, B.C.
V8V 1A6

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City of Victoria

OCT 21 2014

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Development Services Division

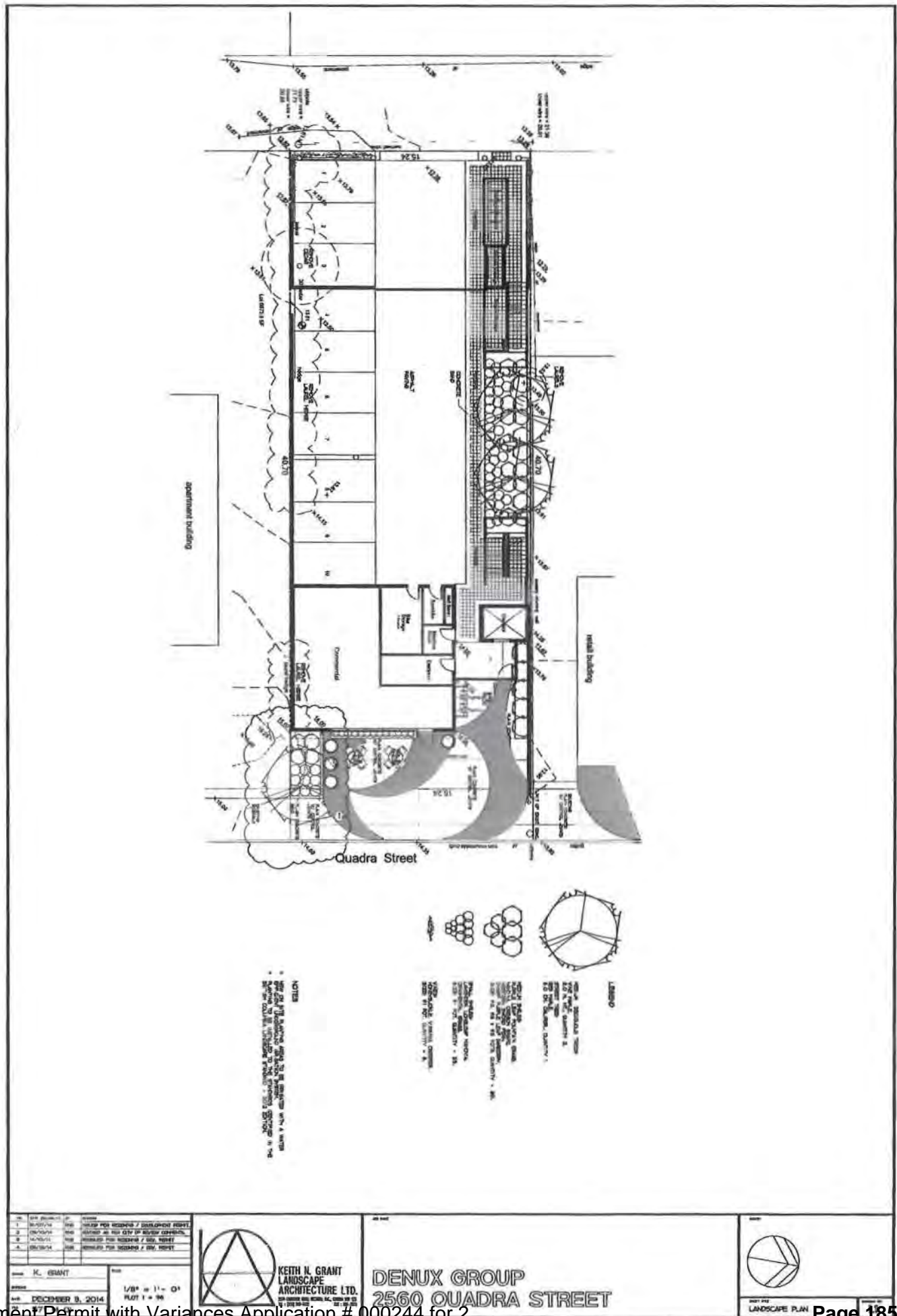
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Development Permit / Rezoning application		
Denux Group 2560 Quadra		
Elevations		
Project number	210080	
Date	Oct 21, 2014	
Drawn by	Denux Group	
Checked by	Denux Group	
A-2.1		
Scale	1:100	



1 East
1:100



2 West
1:100





CAMARGUE PROPERTIES INC.

#3-772 Bay Street Victoria BC V8T 5E4 Canada
Tel: 250.920.5435 Fax: 250.920.5437

January 16th, 2015

City of Victoria

Legislative Services

Re: Proposed development at 2560 Quadra Street

Letters of support from neighbours

Please find enclosed the letters of support received from various neighbours and businesses in Quadra Village regarding the proposed development at 2560 Quadra Street:

- 1) Capilia Hair Services (formerly l'Atelier) – 2553 Quadra, unit 1
- 2) The Wooden Shoe – 2576 /2580 Quadra Street
- 3) Greater Victoria Housing Society (immediate neighbour South) - 2558 Quadra
- 4) Citizens Counseling Centre – (immediate neighbour back North side) – 941 Kings
- 5) Stampers! – 2630B Quadra
- 6) Serenity Hair Salon – 2606 Quadra
- 7) Spring Wellness – 2604 Quadra
- 8) Caribbean Bakery – 2646 Quadra

Sincerely,

Sophie Denux
Vice-president

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images of the new proposed building located at 2560 Quadra St. and support the Rezoning Application made to the City of Victoria.

Name:

Leanna Eastgate

Date:

Jan 15/15

Signature:

[Handwritten Signature]

2553 Quadra Unit #1



1



2

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images of the new proposed building located at 2560 Quadra St. and support the Rezoning Application made to the City of Victoria.

Name:

Arie Huygenhoven

Date:

Jan 15 - 2015

Signature:

Arie Huygenhoven

THE WOODEN SHOE

2576/2580 QUADRA STREET



1



2

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images of the new proposed building located at 2560 Quadra St. and support the Rezoning Application made to the City of Victoria.

Name:

Kaye Mellish, p
Greater Victoria *
Date: Housing Society
Nov 3 / 14

Signature:

Kaye Mellish

* we own the rental building next door to this proposal.



1



2

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images
of the new proposed building located at
2560 Quadra St. and support the Rezoning
Application made to the City of Victoria.

Name:

Brenda Wilson
Citizens Counseling Centre
941 Kings

Date:

Dec. 22/14

Signature:

[Handwritten Signature]



1



2

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images
of the new proposed building located at
2560 Quadra St. and support the Rezoning
Application made to the City of Victoria.

Name:

STAMPERS!

4630 B Quadra St.

STEVE THOMSON

Date:

Jan 12/15

Signature:

Steve Thomson



1



2

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images of the new proposed building located at 2560 Quadra St. and support the Rezoning Application made to the City of Victoria.

Name:

Hien Primeau

Date:

Jan 12 / 2015

Signature:

Hien Primeau



1



2

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images
of the new proposed building located at
2560 Quadra St. and support the Rezoning
Application made to the City of Victoria.

Name:

Will Kous Y Au

Date:

Jan. 12 2015

Signature:

[Handwritten Signature]



1



2

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images of the new proposed building located at 2560 Quadra St. and support the Rezoning Application made to the City of Victoria.

Name:

James Domen
Caribbean Bakery
2646 Quadra

Date:

12-01-2015

Signature:

[Handwritten Signature]



1



2



CAMARGUE PROPERTIES INC.

#3-772 Bay Street Victoria BC V8T 5E4 Canada
Tel: 250.920.5435 Fax: 250.920.5437

January 20th, 2015

City of Victoria


Legislative Services

Re: Proposed development at 2560 Quadra Street
Letter of support

*Development permit #00382
Re-zoning #00959.*

Please find enclosed another letter of support received from 2618 Quadra Street in Quadra Village regarding the proposed development at 2560 Quadra Street:

Sincerely,


Sophie Denux
Vice-president

Urbanité

By Camargue Properties

A new rental apartment project in Quadra Villa



Site Plan



Aerial View

I have reviewed these images
of the new proposed building located at
2560 Quadra St. and support the Rezoning
Application made to the City of Victoria.

Name: *Alia Halal Meat*
2618 Quadra St.

Date: *Jan. 19. 2015*

Signature:

S. Schulz



1



2

Planning and Land Use Committee Report
For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 16, 2015
From: Brian Sikstrom, Senior Planner, Development Services Division
Subject: Rezoning Application # 00457 and concurrent Official Community Plan Amendment Application for 521-557 Superior Street and 524-584 Michigan Street

RECOMMENDATIONS

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

1. That Council consider giving first reading to 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

- 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.

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 bylaw is subject to the same approval and other requirements as the power to adopt a new Official Community Plan bylaw.

The purpose of this report is to update Council on the Official Community Plan Amendment Application (OCP) and concurrent Rezoning Application for the properties located at 521-557 Superior Street and 524-584 Michigan Street. The report will summarize the status of:

- the pre-conditions set by Council in relation to these Applications
- compliance with the *Environmental Management Act*
- *Local Government Act* requirements related to statutory consultation.

Council Pre-Conditions

In accordance with Council's motion of November 27, 2014, the necessary Official Community Plan Bylaw Amendment and Zoning Regulation Bylaw Amendment that would authorize Rezoning Application #00457 for the property located at 521-557 Superior Street and 524-584 Michigan Street have been prepared. The Planning and Land Use Committee (PLUC) report dated October 30, 2014, together with the meeting minutes and the proposed Bylaw Amendments are attached. With regard to the pre-conditions that Council set in relation to this Application staff can report the following:

Master Development Agreement

The existing Master Development Agreement (MDA) has been amended for Council's consideration (attached). The proposed amendments are summarized in Appendix A of this report with changes since the October 30, 2014 report to Council highlighted in grey. The major amendments to the existing MDA include the following:

- Housing
 - requiring a minimum of 61 units suitable for families and 51 affordable units
 - adding the City's OCP definition of affordable housing as well as a definition of "small market unit" and "housing suitable for families"
 - adding a provision that ensures over half of the required affordable housing units (i.e. 26 small market units) be provided in the first phase of the development.
- Transportation Demand Management (TDM)
 - adding a schedule which specifies the minimum TDM measures that are to be provided in the development. These measures include: the provision of end of trip facilities for cyclists including lockers and showers; a requirement for market rate (non-subsidized) parking; vehicle charging stations; priority parking stalls for ride-share and high occupancy vehicles; and a parking space for a car-share vehicle.

- Amenities

Library

- extending the timeline for the initial offer of acceptance by the City, adding flexibility to the amount of space offered to the City and allowing other community uses
- replacing a two-year notice period for occupancy of space by the City with an ongoing right of first offer and providing an ongoing right for the City to occupy space 15 years after the most recent commencement of any other occupant's lease.

- adding requirements for the provision of a high-quality central public plaza off Superior Street including: construction in accordance with the *Capital Park Urban Design Guidelines* and Development Permit plans, public access, completion conditions, timing and funds as security.

Public Art

- adding requirements for the provision of public art in the central plaza including: a minimum value of \$150,000.00; an approval process reviewed and approved by City's Art in Public Places Committee, the selection of the winning artwork by a selection committee; and on-going maintenance and repair by the property owner.

Financial Contribution

- adding a requirement for the payout of a community amenity contribution of \$118,000.00 to the City which may be used at its discretion to support the Greater Victoria Public Library, the development of affordable housing or for any other amenity.

Design Guidelines

Consistent with Council's direction, the proposed *Capital Park Urban Design Guidelines* were referred to the Advisory Design Panel (ADP) on November 26, 2014. The ADP recommended approval of the Rezoning Application with "staff and the applicant exploring the addition of livability guidelines to help address the relationship between the proposed mix of residential and commercial uses". The applicant has met with staff and made refinements to the design guidelines in response to the ADP's comments as well as those provided by staff. The minutes of the ADP meeting and a letter from the applicant responding to the ADP's comments and recommendation dated December 8, 2014, are attached to this report.

In addition to referencing the *Capital Park Urban Design Guidelines* in the *Official Community Plan*, an amendment to the OCP is proposed to exempt subdivision applications that are consistent with the design guidelines from the requirement for a Development Permit. The exemption would also be noted in the design guidelines. This will streamline the subdivision approval process in instances where the project proceeds in a manner consistent with the design guidelines.

Environmental Management Act Compliance

The applicant has provided a Release Letter from the Ministry of the Environment (MOE), which permits Council to approve the Official Community Plan Bylaw Amendment and Zoning Regulation Bylaw Amendment. However, a Certificate of Compliance or other Release Letter from the MOE will be required before Council approval can be given to any Development Permit Applications for buildings on the site.

Waste Management Plan, Financial Plan and Statutory Consultation

As a result of the proposed OCP Amendment, the *Local Government Act* requires that Council consider Financial Plan Implications, Waste Management Plan Implications and statutory consultation requirements as part of any proposed OCP Amendments. The following sections outline details related to these considerations:

There are potential financial plan implications anticipated with respect to the possible inclusion of a GVPL branch in Council's capital budget and strategic planning deliberations.

Waste Management Plans (the Capital Regional District Liquid Waste Management Plan and Capital Regional District Solid Waste Management Plan)

There are no waste management plan implications anticipated.

Statutory Consultation

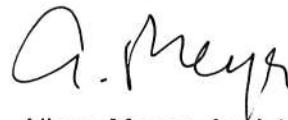
The *Local Government Act* (LGA) section 879(1) requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. Consistent with section 879 (2) (a) of the LGA, Council must further consider whether 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 reference the *Capital Park Urban Design Guidelines* and to exempt subdivision applications that are consistent with the design guidelines from the requirement for a Development Permit will apply the design guidelines to future development of the site and streamline the subdivision approval process in instances where development proceeds in a manner consistent with the design guidelines. As these amendments are applicable to the subject properties only and all owner and occupiers within a 200 metre radius of the site were notified and invited to participate in a Community Meeting, through the Community Association Land Use Committee (CALUC) Community Meeting Notice process, the consultation proposed at this stage in the process is recommended as adequate.

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:

Date:


Jason Johnson
January 10, 2015

BMS:aw

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List of Attachments

- Staff Report on Rezoning and concurrent Official Community Plan Amendment for 521-557- Superior Street and 524-584 Michigan Street dated October 30, 2014, with attachments and plans
- Minutes from the Council meeting of November 27, 2014
- Official Community Plan Amendment Bylaw and Rezoning Amendment Bylaw (No. 1026)
- Minutes from the Advisory Design Panel meeting of November 26, 2014
- Letter from Jawl Development Corporation dated December 8, 2014
- Master Development Agreement for 521-557 Superior Street and 524-584 Michigan Street
- Letter from Ministry of Environment dated February 20, 2014.
- Draft Capital Park Urban Design Guidelines, January 5, 2015 (separate document)

APPENDIX A: Summary of Updated Amendments to the South Block Master Development Agreement

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
1.0	Interpretation	Legislative Precinct Urban Design Manual (LPUMD) referenced Development Area definition	Replace references to LPUMD with <i>Capital Park Urban Design Guidelines</i> . Amend to match new DPAs Add definitions of "Affordable Housing Unit", "Building A2", "Building B", "CPUDG", "Central Plaza", "Small Market Unit" and "Suitable for families"	Update Added definitions reflect the proposal and add specificity regarding what is considered affordable housing, small market units and units suitable for families.
2.0	Purpose and Intent	Terms and conditions of development established.	No changes	N/A
3.0	Streets	Requirement to provide off-site works and services; internal lanes, walkways and courtyards open to the public; comprehensive engineering drawings and a SRW on Superior Street.	Replace LPUDM references with <i>Capital Park Urban Design Guidelines</i> .	Update
4.0	Subdivision and Phasing of Development	Requirements for development permit; subdivision as outlined in LPUDM (with no subdivision straddling DPA boundaries) and submission of a tree inventory showing trees to be removed and retained.	Replace LPUDM References with <i>Capital Park Urban Design Guidelines</i> . Amend to not require a Development Permit if subdivision is consistent with <i>Capital Park Urban Design Guidelines</i> . Move phasing plan requirement to this section of the MDA and	Lessens approval requirements provided subdivision is consistent with the design guidelines. Adds certainty regarding future phases of the development.

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
			add Phasing to title and a requirement for a phasing plan Delete Tree Inventory Requirement provisions 4.4 and 4.5	A Tree Inventory acceptable to the Parks Department was submitted with Rezoning Application.
5.0	Permitted Uses and Floor Space Allocation	Requirement to: develop in accordance with CD-2 Zone regulations; develop a tracking system to monitor assignment of floor areas; not to exceed specified floor areas in two DPAs; not to build in a "no build area"	Delete provisions specifying floor areas and requiring floor area tracking.	These provisions are redundant with maximum floor areas in all DPAs to be specified in Zoning Regulation Bylaw amendments.
6.0	Housing	Requirements for: Housing with a mix of households, income levels and tenures; 50% of housing units to be suitable for families 51% to be affordable as defined.	No change Require a minimum of 61 units suitable for families and 51 affordable units. Add the City's OCP definition of affordable housing as well as a definition of "small market unit" and "housing suitable for families" Add a requirement for a minimum of 26 "Affordable Housing Units" in "Building B" in Phase 1 of the	N/A Maintains commitment to provide similar number of family and affordable units as the previous Leg Precinct MDA. However, no increase would be required based on the proposed larger number of units. Added definitions of "affordable housing", "housing suitable for families" and "small market unit" adds clarity to these requirements. Requires the provision of over half the required affordable housing units (i.e. small market units) in Phase 1 of the

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
		Temporary parking, if provided, to be accompanied by a Traffic Impact Study with Design Panel review of parking proposal; and Require submission of phasing plan for all office and residential development with DP for first office building.	development. Delete provision 6.3 and 6.4 No change but move this provision to Section 4.0.	development. Temporary surface parking is not proposed to be installed in association with the first development of the lands N/A
7.0	Transportation Demand Management Plan	Requirements to provide: bicycle storage and shower facilities in any office development; a traffic and parking impact study and, in cooperation with the Province and the City, establish a monitoring committee.	Delete provision 7.2 and reference to Transportation Demand Study submitted as part of the Rezoning Application. Add a schedule outlining TDM measures to include: end of trip facilities for cyclists including lockers and showers; vehicle charging stations; priority parking stalls for ride-share and high occupancy vehicles; and a parking space for a car-share vehicle. Amend monitoring committee members to include representatives of the James Bay community, the Province and the City.	A parking and traffic impact study acceptable to the Engineering Department was submitted with Rezoning Application. The minimum required TDM measures are specified in this schedule. Amendment updates wording of this provision to include three significant stakeholders.
8.0	Amenities	Requirements for: The provision of 700m ² of space suitable for	Amendments to: extend timeline of initial	The provision of space for GVPL will require on-

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
		GVPL use at market rent subject to acceptance of the space by the City within six months of the issuance of a DP or upon giving two years notice.	offer acceptance, add flexibility to amount of space offered and allow other community uses; to replace two-year notice period with an ongoing right of first offer; and to provide an ongoing right to occupy space with a 15 year time-frame.	going funding from the City and the Library. Such funding would be part of Council's strategic planning and budget discussions.
		The provision of a fitness facility to be available for community use six months after occupancy of an office building with operating principles and guidelines determined by the office building tenant and the City's Parks Department in consultation with community representatives.	No change	N/A
			Add requirements for the provision of a high quality central public plaza off Superior Street including: construction to be in accordance with the <i>Capital Park Urban Design Guidelines</i> and Development Permit plans, public access, completion conditions, timing and security provided.	These provisions secure a high quality central plaza as a community amenity of this project.
			Add requirements for the provision of public art in the central plaza including: a minimum value of \$150,000.00; an approval process reviewed and approved	These provisions secure public art as a community amenity of this project.

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
			by City's Art in Public Places Committee; the selection of the winning artwork by a selection committee; and on-going maintenance and repair by the property owner. Add requirement for the payout of a community amenity contribution of \$118,000.00 to the City which may be used at its discretion to support the Greater Victoria Public Library, the development of affordable housing, or for any other amenity.	This provision secures a financial payout of the remaining community amenity contribution required of the developer based on the land lift analysis.
9.0	Heritage Buildings	Requirements for the relocation and restoration of heritage houses	Delete provisions 9.1 and 9.2	Plans for heritage house restoration and relocation were approved by Council on September 11, 2014.
10.0	Public Body	The agreement does not affect the powers of the City regarding its bylaws and regulations in relation to the land nor the requirements or obligations to be met by the owner under these bylaws and regulations.	No changes	N/A
11.0	General Provisions	The agreement is to be registered expeditiously and runs with the land.	Amend the provision that requires discharge of the registered Agreement if the OCP and Zoning Regulation Bylaw Amendments are not adopted from 60 days to six months.	This amendment extends the length of time for adoption of bylaws by the City before the registered Agreement has to be discharged.



Planning and Land Use Committee Report

For the meeting on November 6, 2014

Date: October 30, 2014 **From:** Brian Sikstrom, Senior Planner

Subject: **Rezoning Application # 00457 and concurrent Official Community Plan Amendment for 521-557 Superior Street and 524-584 Michigan Street** - Application to amend the CD-2 Zone, Legislature Comprehensive District, to permit a multi-phased, mixed-use development comprised of offices, ground floor commercial and residential uses covering the majority of the South Block.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and concurrent Official Community Plan Amendment for the properties located at 521-557 Superior Street and 524-584 Michigan Street.

The proposed development is similar in concept to that envisaged in the *1994 Victoria Accord Legislative Precinct Plan*. It would be constructed in three or more phases beginning with construction of the first office building on Superior Street and the mixed residential/commercial building on Menzies Street.

A Rezoning Application is required to permit an increase in the total floor area of 3691 m² (mostly for residential uses) from 34,449 m² to 37,915 m² as well as changes to permitted floor areas within amended Development Area boundaries. The rezoning is also required to permit ground-floor commercial uses (e.g. retail, restaurants) along Superior Street. The applicant has prepared the proposed *Capital Park Urban Design Guidelines* to guide the development and decisions on Development Permit Applications for all development phases. An Official Community Plan amendment is required to reference in the Legislative Precinct Development Permit Area these updated design guidelines for building design as well as landscaping in all phases of the development. In addition, amendments are required to the existing covenant regarding housing and amenities and other aspects governing development of the site.

The following points were considered in reviewing this application:

- The Rezoning Application and concurrent Official Community Plan amendments are generally consistent with the *Official Community Plan, 2012* and the existing *Legislative Precinct Volume 1, Urban Design Manual, 1994*; the *Legislative Precinct Volume 2 Development Area Guidelines, 1994*; and the *Legislative Precinct Volume 3 Built Form Guidelines, 1994*.
- The accompanying proposed *Capital Park Urban Design Guidelines* update the existing Legislative Precinct design guidelines based on the development proposal and are generally consistent with them.
- The proposed development is generally consistent with the Master Development Agreement (MDA) covering the site, which includes requirements for streets, subdivision, permitted uses and floor space allocation, housing, transportation demand management, amenities and heritage houses.

- The amenities required under the MDA, potential for a library branch and the provision of a fitness centre available to the community, are maintained in the proposed development. The library amenity would require substantial long-term funding from the City and the Greater Victoria Public Library (GVPL).
- An independent third party land lift analysis was undertaken and concludes that the proposed density increase would result in a land value increase of \$567,400.00. Based on the current practice, an amenity contribution of \$425,600.00 would be recovered by the City through an amenity contribution by the applicant of \$425,600.00.
- The applicant is proposing to provide and maintain additional amenities not required in the MDA, including the provision of a high quality central public plaza off Superior Street and a public art installation located within it.
- The applicant is requesting that the extra costs resulting from building these features be credited towards the required amenity contribution. Crediting these costs can be considered based on policies which support these features provided public access is secured.
- Council has a variety of options for considering the crediting or paying out of the applicant's amenity contribution.
- The approach of amenity contributions strategically going to physical improvements that are legally secured as well as to the GVPL branch or the Victoria Housing Fund is recommended. It would result in a major enhancement on Superior Street and the Legislative Precinct and also could facilitate a GVPL branch should City and GVPL funding for it be provided or, alternately, leverage the provision of additional affordable housing in the City. The community amenity contribution allocation recommended by staff is summarized as follows:

Community Amenity Contribution Items	Proposed Amounts
Central Public Plaza enhancement	\$156,888
Public Art	\$150,000
GVPL or Victoria Housing Fund	\$118,712
Total Amenity Contribution	\$425,600

- The applicant is requesting modifications to the existing MDA regarding the provision for future GVPL space and the provision of affordable housing as well as housing suitable for families. The proposal to provide space for a library in the first phase of the proposed development has financial implications for the City. The acceptance of the offer to lease space for a branch library will require its inclusion in Council's discussion of its Financial Plan and strategic priorities in 2015 as well as in the library's own budget and priorities deliberations. If the City accepts the offer (with the GVPL's support), ongoing operational funding as well as capital tenant improvements would need to be provided beginning in the 2017 budget year upon completion of construction of the building.
- The requested MDA modifications regarding the library would increase the time the City and the GVPL have to accept the first offer of a lease; would allow the City and the GVPL to potentially reduce the possible floor area to match the need; and also would allow for other compatible uses of benefit to the City and the GVPL. Staff recommend that Council direct that these revisions be made. The other amendments proposed by the applicant can be considered with further review with respect to appropriate wording regarding the City's interests.

- The requested MDA modifications regarding affordable and family housing would result in the provision of the same number of “affordable” housing units and units “suitable for families” as was envisaged in the original *Legislative Precinct* Master Development Agreement. However, no additional affordable or family units would result from the additional housing units proposed with the increase in density. This can be considered, as these additional units trigger the required community amenity contribution.
- Other MDA modifications regarding housing would include the addition of the OCP definition of affordable housing; defining housing suitable for families as units with two or more bedrooms; and providing a definition of “small market units”.
- Overall, the requested MDA modifications are considered by staff to be in keeping with the original intent of the MDA and are summarized in Appendix B.
- The Transportation Impact Assessment submitted by the applicant with the Rezoning Application provides a strong basis of support for the parking numbers and the study also shows that the forecast traffic generated by the development can be handled within the existing affected streets and intersections as well as the project’s access driveways.
- The applicant submitted Heritage Conservation Plans and Heritage Alteration Permit Applications for the five Heritage-Registered houses which Council approved on September 11, 2014, with conditions to be met by the applicant. The conditions include the submission of relocation plans for the houses and their Heritage Designation following relocation.
- The applicant has submitted an Arborist’s Report providing an inventory of existing trees. While not all of the existing Horse Chestnut trees on the Michigan Street public right-of-way can be retained due to planning and construction parameters of the development, strategies to retain and preserve the health of the existing Horse Chestnut trees identified will be required to the maximum practical extent in order to maintain the street’s tree-lined character.
- The applicant has undertaken extensive consultation with the James Bay Neighbourhood Association, the Downtown Business Association and the general public through an open house. The feedback from this consultation has been positive and supportive of the development proposal.

Based on the above, staff recommend that Council forward the Application to a Public Hearing.

Recommendations

That Committee consider the following actions and recommendations to Council:

- 1) That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 882 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application # 00457 for 521-557 Superior Street and 524-584 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a) Staff report back on the MDA amendments related to the library and affordable and family housing as well as new provisions that would secure and allocate the

amenity contributions as recommended in Section 3.1.6 and Appendix B of this report.

- b) Amendment of the MDA to not require Council approval of a Development Permit for subdivision where the proposed subdivision is consistent with the development as described in the proposed *Capital Park Urban Design Guidelines*.
 - c) Registration of the amended MDA when finalized.
 - d) Review of the proposed *Capital Park Urban Design Guidelines* by the Advisory Design Panel.
 - e) Compliance with the Ministry of the Environment's Environmental Management Act as it pertains to potentially contaminated sites.
- 2) Following consideration of Rezoning Application #00457, that Council authorize staff to prepare and enter into an Encroachment Agreement to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

Respectfully submitted,

Brian Sikstrom,
Senior Planner
Development Services Division



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Jason Johnson

Date: _____

BMS:aw

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1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and concurrent Official Community Plan Amendment for the properties located at 521-557 Superior Street and 524-584 Michigan Street (South Block).

2.0 Background

A Rezoning Application is required to permit an increase in the total floor area of 3691 m² (mostly for residential uses) from 34,449 m² to 37,915 m² as well as to allow changes to permitted floor areas within amended Development Area boundaries. The rezoning is also required to permit ground-floor commercial uses along Superior Street. An *Official Community Plan* amendment is required to reference new Design Guidelines for building design and finishes as well as landscaping in all phases of the development. In addition, amendments are required to the existing covenant governing development of the site.

2.1 Description of Proposal

The proposal is for a mixed-use development comprised of office, ground-floor commercial and residential land uses on South Block. The development is to be phased and is similar in concept to that of the development envisaged in the *1994 Victoria Accord Legislative Precinct Plan*.

The first phase of development is the construction of a five-storey office building on Superior Street with ground floor commercial uses (e.g. retail, professional businesses), a plaza and a retail pavilion. The first phase also includes the construction of a four-storey apartment building with ground-floor commercial space (e.g. retail, restaurants) on Menzies Street. Before construction begins, three heritage houses located within phase one are to be relocated to the southeast edge of the subject properties fronting Michigan Street.

The second phase of development is the construction of another five-storey office building further east on Superior Street. The third phase of development is comprised of three residential buildings of three to five storeys fronting on Michigan Street with a variety of unit types, sizes and tenures.

The completed development will incorporate extensive landscaping, including an edible landscape garden, and underground parking. Proposed amenities include a fitness centre with public access, the provision of space for a potential Greater Victoria Public Library (GVPL) branch, the provision of a central public plaza including a public art installation.

The applicant has prepared the proposed *Capital Park Urban Design Guidelines* to guide the development and decisions on Development Permit Applications for all development phases. An Official Community Plan amendment is required to reference these Guidelines in the Legislative Precinct Development Permit Area which covers the site.

A detailed description of the proposal is provided in the applicant's letter to Mayor and Council dated July 22, 2014 and in the plans, which is attached to this report.

2.2 Sustainability Features

As indicated in the applicant's letter dated July 22, 2014, and in a detailed description of the project's green building attributes in the form of Leadership in Energy and Environmental Design (LEED) checklists, the sustainability features associated with this proposal include the following:

- minimum LEED gold target for the office and residential buildings
- green roofs and extensive green spaces
- bicycle storage and shower changing facilities for office building occupants
- electrical charging infrastructure
- potential district energy system
- potential retention and treatment of stormwater or grey water for irrigation of landscaping
- potential use of solar collectors to heat water.

2.3 Existing Site Development and Development Potential

The 23,044 m² development site occupies all of the South Block except for the provincially-owned properties fronting on Government Street (the Queen's Printer and two heritage houses). The site is currently occupied by surface parking lots, four office buildings and five heritage houses. Under the existing CD-2 Zone, Legislature Comprehensive District, the maximum permitted total floor area is 34,449 m² comprised of 21,743 m² of offices, 1400 m² of commercial and 11,305 m² of residential uses. There are five Development Areas in the South Block, each having differing regulations related to permitted uses, floor areas, building heights, site coverage, setbacks and parking.

The existing Master Development Agreement governing development of the site requires that a minimum of 50% of the housing in the Legislative Precinct (including Q-Lot and S-Lot adjacent to South Block) be suitable for families and at least 51% to be affordable in the form of small market units or through privately sponsored initiatives such as co-ops. Other requirements include: the provision of amenities such as a government employee fitness facility available for community use and the provision of 700 m² of floor area physically acceptable for Greater Victoria Public Library use; the relocation and restoration of the heritage houses; and the provision and implementation of a transportation demand management plan.

2.4 Data Table

The following data table compares the overall proposal with the existing CD-2 Zone, Legislature Comprehensive Development District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Overall Proposal	CD-2 Zone Standard
Site area (m ²) – minimum	23043.7	23043.7
Total floor area (m ²) – maximum	37915.30*	34449.00
Office	21,846.50*	21743.00
Commercial	1641.80*	1400.00
Residential	14427.00*	11305.00
Density (Floor Space Ratio) – maximum	1.65:1*	N/A
Height (m) – maximum	7.30-27.89*	10.70-23.50

Zoning Criteria	Overall Proposal	CD-2 Zone Standard
Site coverage (%) – maximum	41.20	51.00
Open site space (%) – minimum	52.00	49.00
Storeys – maximum	1-5	3-5
Setbacks (m) – minimum		
Superior St.	2.44	2.44
Michigan St.	3.00	3.00
East	Nil	N/A
Menzies St.	2.60	2.40
Parking – minimum	412	294
Bicycle storage – minimum	299	232
Bicycle rack – minimum	58*	93

2.5 Land Use Context

The development site is bounded by:

North (across Superior St.): the Legislature and its grounds
 West (across Menzies St.): an apartment building, service station and other commercial buildings
 South (across Michigan St.): a variety of residential buildings, a community building, a church and a commercial building
 East (provincially property): the Queen's Printer and two heritage houses.

2.6 Legal Descriptions

- Lot 2 of Lots 1720-1743, Victoria City, Plan EPP38872 (Applicant's property)
- Lot 1 of Lots 1892-1895, Victoria City, Plan EPP38870 (Province's property).

2.7 Relevant History

On March 13, 2014, City Council approved an amendment to the CD-2 Zone, Legislature Comprehensive District, to reinstate office uses, which had been removed due to changes in the definition of public building. Council also approved a Development Permit for subdivision of provincial lands on the South Block and Q-Lot to enable the sale of two parcels to the private sector. As part of the subdivision of the parcels, Council also approved the replacement of the *Legislative Precinct Master Development Agreement* (MDA) with updated agreements. The agreements, registered as covenants on the newly subdivided lots, retain and transfer the previous MDA obligations to the new owners.

Following a Request for Proposals by the Province and Council's zoning, subdivision and covenant approvals, the applicant acquired this site and a portion of Q-Lot from the Province. As part of the sale, the Province agreed to a 21-year lease of approximately 16,723 m² of office space to be provided by the applicant in two newly constructed buildings. The sale agreement includes a completion deadline of March 1, 2017, for provincial occupancy of at least 5574 m² in the first new office building and a deadline of March 31, 2019, for occupancy of the remaining office space.

2.8 Consistency with City Policy

2.8.1 Official Community Plan, 2012

The proposed Zoning Regulation Bylaw Amendments are generally consistent with the *Official Community Plan, 2012* (OCP) policies which support office, residential and commercial development in the Legislative Precinct. The OCP policies relevant to this Application are attached in Appendix A.

Because this Application contains an Official Community Plan Amendment to reference the proposed *Capital Park Urban Design Guidelines* in the Legislative Precinct Development Permit Area which covers the site, the *Local Government Act* requires that Council consider Financial Plan Implications, Waste Management Plans and statutory consultation requirements.

Should Council support the OCP amendment, 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 and federal governments and their agencies should be considered by Council, however, in this instance it is not recommended as necessary because the amendment can be considered under approved City policies. The staff recommendation reflects this approach.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan*, the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*.

With respect to the City's *Financial Plan*, the proposal to provide space for a library in the first phase of the proposed development has financial implications for the City. The acceptance of the offer to lease space for a branch library will require its inclusion in Council's discussion of its capital budget and strategic priorities in 2015 as well as in the library's own budget and priorities deliberations. If the City accepts the offer (with the GVPL's support), funding would need to be provided beginning in the 2017 budget year upon completion of construction of the building.

This proposal will have no impact on the *Capital Regional District Liquid Waste Management Plan* or the *Capital District Solid Waste Management Plan*, as no major increase in density is proposed.

2.8.2 Consistency with Design Guidelines

The site is included in Development Area 12 (HC) Legislative Precinct, with objectives to enhance the area through high quality architecture, landscape and urban design. The *Legislative Precinct Volume 1, Urban Design Manual, 1994*; the *Legislative Precinct Volume 2 Development Area Guidelines, 1994*; and the *Legislative Precinct Volume 3 Built Form Guidelines, 1994*, currently regulate the form and character of buildings as well as exterior design, finishes and landscaping in this Development Permit Area.

In support of the current proposal and future development of the site, the applicant has prepared a new set of urban design guidelines. The proposed *Capital Park Design Guidelines* (under separate cover) are based on the current guidelines but update the vision, objectives, guiding principles as well as specific design features and directions.

2.8.3 Consistency with Master Development Agreement

The proposed development is consistent with the Master Development Agreement (MDA) covering the site, which includes requirements for streets, subdivision, permitted uses and transportation demand management measures with modifications reflecting the proposal with respect to floor space allocation, housing, amenities and heritage houses.

The major features of the MDA are outlined in the Issues and Opportunities section of this report with a description of modifications proposed by the applicant. A summary of the applicant's proposed modifications to the MDA is provided in Appendix B.

2.9 Community Consultation

Consistent with the *Community Association Land Use Committee Procedures for Processing Rezoning Applications*, a community meeting was held on September 10, 2014. A letter dated September 18, 2014, from the James Bay Neighbourhood Association documenting the comments and feedback received at the meeting is attached. In addition, the applicant held an open house on September 10, 2014, as well as meetings with the James Bay Community Project and the Downtown Victoria Business Association. Documentation provided by the applicant from the open house and these meetings is also attached to this report.

3.0 Issues and Analysis

The following issues and analysis are associated with this application and are addressed below.

- Provision of Amenities
- Provision of Affordable Housing and Housing Suitable for Families
- Transportation Demand Management Measures
- Heritage Houses
- Urban Design Guidelines.

3.1 Provision of Amenities

The Application requires the provision by the applicant of amenities cited in the MDA as well as consideration of an amenity contribution resulting from the proposed increase in density. To determine the latter, a land lift analysis of the applicant's proposal has been undertaken by an independent third party. The analysis (attached) concludes that the proposed density increase would result in a land value increase of \$567,400. Based on the City's current and past practice, a 75% proportion of the land lift would be recovered by the City through an amenity contribution by the applicant of \$425,600. Where amenities rather than a financial contribution are proposed by an applicant outside the Downtown, preferred amenities include City-wide projects and projects identified in an existing City plan. On-site and adjacent amenities are supported only in exceptional circumstances where the amenity is identified in an existing City plan, is a new feature that adds positively to the public realm and is of a public nature with secured public access.

The amenities required in the existing MDA and those proposed by the applicant are described below. An analysis of these amenities and options for crediting these towards an amenity contribution by the applicant are also discussed and conclusions provided.

3.1.1. Amenities Required in the Existing MDA

3.1.1.1 Fitness Centre

The existing MDA requires the provision of a government employee fitness facility on the ground floor of one of the proposed office buildings. Consistent with the existing MDA, the fitness centre must be available for community use six months after an occupancy permit has been issued with operating principles and guidelines developed by the tenant, the applicant and the City's Director of Parks and Recreation (due to its nature as a recreational amenity).

The applicant is proposing to provide a fitness centre on the ground floor of the office building in phase one of the development. The centre will be made available to the public with the details of its operation to be established.

3.1.1.2 Public Library

The existing MDA requires the applicant to provide 700 m² of floor space that is physically acceptable for use by the Greater Victoria Public Library (GVPL) in a mixed-use building fronting on Menzies Street. This space must be offered to the City for GVPL use at market rent. The City has up to six months after the issuance of the Development Permit for the building to accept the offer. If the offer is not accepted within the six months, the City must give the applicant at least two years notice if it wants to occupy space for the GVPL.

The applicant is concerned with the two year notice period for lease of space by the City for the GVPL should it not accept the initial offer to lease space. The applicant has advised that this provision will discourage leasing of space to commercial tenants who wish to install high quality improvements. Such improvements would not be financially feasible unless there is a standard lease period of 10 years with possible renewals for at least one or two additional five-year terms.

The alternative MDA provisions proposed by the applicant would:

- extend the timeline for acceptance by the City of the offer to lease the space for the GVPL from six months to one year from the date of approval of the Development Permit for the first phase of development
- permit flexibility in the amount of space offered with a range from 350 m² to 700 m².
- reduce the lease rate from full market to a percentage of full market (e.g. 75%) for a period of 10 years provided the amount of this subsidy is credited towards the required amenity contribution
- expand the permitted occupancy of the space to include alternative community uses compatible with the retail character of the proposed mixed-use building
- provide an ongoing right of first offer to lease any space of 350 m² or greater that becomes available. Note: This would replace the two-year notice period for an intention to lease the space for the GVPL.
- provide a right for the City's lease to occupy 350 m² to 700 m² of space for GVPL 15 years after the commencement of any other occupant's lease on a rolling basis. This would require advance notice of no less than two years.

The proposed MDA amendments would give the City and the GVPL more time to consider the initial offer to lease space. In addition, the amount of space offered and leased would be tailored to the GVPL functions and needs in this location. Should the extent of the leased space be lessened, the costs to the City and the GVPL could be reduced. A reduced lease rate that is credited to the applicant's amenity contribution would be of no net benefit to the City financially. The replacement of the existing two-year notice period for an intention to lease the space with an ongoing right of first offer and future right to occupy recognize the leasing and fitting out realities of the development but may lessen the chances of the GVPL locating in the development in future should the City not accept the initial offer to lease. A timeframe for a future right to occupy and lease space of 15 years is preferable to 20 years.

3.1.2. Additional Amenities Proposed by the Applicant

3.1.2.1 Central Public Plaza

The existing Master Development Agreement requires that the applicant provide and maintain a series of lanes, walkways and courtyards open to the public as shown in the *Legislative Precinct Design Manual*. In addition to walkways and courtyards, the applicant is proposing to provide and maintain a central public plaza off Superior Street with legally secured public access. The details of its design are still to be finalized but the applicant is envisioning high quality hard and soft landscape areas, water features, natural and structural seating areas, infrastructure provisions for events and performances and other features including public art (see below). Based on the premium construction costs, the applicant is requesting that a portion of the cost difference from a standard level plaza be credited to the required amenity contribution. An initial estimate of this cost difference has been provided by the applicant and is in the order of \$300,000.

The applicant's rationale for consideration of the central plaza as an amenity by the City is fourfold:

- the proposed central plaza is an added feature with no equivalent feature in the current Legislative Precinct urban design concept
- the proposed plaza will be of high quality
- the improvement of the public realm with the creation of new urban plazas is a *Downtown Core Area Plan* objective which qualifies for density bonus funding. This objective should also be considered for this site as it is adjacent to the Downtown
- the proposed central plaza will be public and access legally secured.

3.1.2.2 Public Art

The existing MDA does not require the provision of public art. The applicant is proposing to provide public art in the central public plaza of a minimum value of \$150,000. The proposed public art would follow the City's Public Art Policy with future maintenance of the art work by the applicant.

The applicant's rationale for consideration of public art as an amenity by the City is fourfold:

- the proposed public art is an added feature with no equivalent feature in the current Legislative Precinct urban design concept

- the provision of the public art would generally follow the City's Public Art Policy with a design competition
- the location of the public art in the central public plaza would be in keeping with the improvement of the public realm objective of the *Downtown Core Area Plan*, which qualifies for density bonus funding. This objective should also be considered for this site as it is adjacent to the Downtown
- the proposed public art will have access to it legally secured.

3.1.6. Considerations and Conclusions

The requirement in the MDA that the applicant provide 700 m² of space physically acceptable for the GVPL at market rates is unusual in that its realization would require substantial long-term funding from the City and the GVPL. The reduced leasing rate for 10 years is contingent on accepting the applicant's request that this lease reduction be credited towards the required amenity contribution of \$425,600.00. The applicant has estimated that the net present value of a lease at 75% of market rate would be approximately \$400,000. A reduced lease rate that is credited to the applicant's amenity contribution could be seen as the City undertaking full payment for the space (for the amenity contribution).

Currently, funding of a GVPL branch in James Bay is not in the City's Financial Plan and there are other priorities which could be impacted with its inclusion. The applicant's proposed amendments to increase the time the City and the GVPL have to accept the first offer of a lease, to reduce the possible floor area and to allow for other compatible uses are of benefit to the City and the GVPL. Staff recommend that Council direct that these revisions be made. The other amendments proposed by the applicant can be considered with further review with respect to appropriate wording regarding the City's interests.

With the uncertainty regarding acceptance of the initial offer of space for the GVPL, this may not be the amenity that should be considered for an amenity contribution credit. In addition, treating a reduced leasing rate as an amenity contribution would negate any financial subsidy to the City in leasing the space. However, if a reduced lease rate for 10 years were offered by the applicant without the City crediting the amenity contribution, this would clearly be a subsidy and incentive provided by the applicant for the GVPL in the development in addition to the other proposed amenities.

The rationale provided by the applicant for consideration of the Central Public Plaza as an amenity contribution to the project is generally supportable based on the creation of a larger and enhanced public realm in an important location relative to the Provincial lands and James Bay (provided public access is legally secured) and the cost difference from a standard plaza (to be confirmed by an independent quantity surveyor). This notwithstanding, the proposed central public plaza can be seen to be of equal, if not more, benefit to the applicant and the occupants of the adjacent office buildings; however, the applicant seems to have recognized the private benefit by requesting that a significant, but not a full, portion of the costs be considered an amenity contribution. Assuming an equal share of public and private benefit, allowing 50% of the cost difference between a standard and premium quality plaza as the amenity contribution is one option that can be considered.

The applicant has provided a cost estimate illustrating the difference in costs between a standard plaza and the proposed central public plaza. The amount is estimated at \$313,776. Halving this cost difference reflecting the joint public and private benefit would result in an amenity contribution of \$156,888.

The rationale provided by the applicant for consideration of public art located in the proposed central public plaza is generally supportable based on the provision of public art following the City's Public Art Policy as well as its location in the proposed central public plaza with public access legally secured. The amount estimated by the applicant at \$150,000 would be a significant amenity contribution.

This would leave an amenity contribution of \$118,712 to be credited or paid out by the applicant.

It is proposed that the most direct approach would be to provide this as a cash contribution for the City to hold and then allocate to the provision of the library, the Victoria Housing Fund or other amenities of Council's choosing. If allocated to the Housing Fund, the provision of additional non-profit affordable housing units in the City could be assisted (see below).

Based on the above, Council has a variety of options regarding the allocation of a potential amenity contribution. Additionally, Council may choose to not require an amenity contribution in association with this Application. The following table summarizes the major options available for Council's consideration.

	Community Amenity Contribution Items – Total \$ 425, 600			
	GVPL benefit	Victoria Housing Fund	Central Public Plaza*	Public Art
Major Options				
Contribution not required	X	X	X	X
All GVPL	\$425,600	X	X	X
All Victoria Housing Fund	X	\$425,600	X	X
Combinations of Options				
Housing + Physical Improvements	X	\$118,712	\$156,888	\$150,00
GVPL + Physical Improvements	\$118,712	X	\$156,888	\$150,000

Notes: *a contribution of half the cost difference between standard and proposed treatments of the central public square is assumed.

Given the uncertainty of leasing space for a library and the benefit of a reduced lease rate negated by being credited as amenity contribution, the best choice of options may be a combination of:

- crediting the applicant for the central public plaza and public art, and
- requiring the applicant to pay out the remaining community amenity contribution to the City either for the GVPL (possibly for a lease rate reduction or some fitting out costs) or to the Victoria Housing Fund. Note: The timing of the City's

decision on this could allow for a reasonable time for acceptance of the initial offer of space for the GVPL, e.g. the one-year period proposed by the applicant.

The approach of amenity contributions strategically going to physical improvements that are legally secured, as well as to the GVPL or the Victoria Housing Fund, would result in a major enhanced public space adjacent to Superior Street and the Legislative Precinct. It would also facilitate a GVPL branch should City and GVPL funding for it be provided or, alternately, leverage the provision of additional affordable housing in the City. Whether or not part of the community amenity contribution is directed to the GVPL branch library, the opportunity for a library in this location would be retained and would be facilitated with the further review and analysis of the MDA amendments proposed by the applicant.

The community amenity contribution allocation recommended for Council's consideration is summarized as follows:

Community Amenity Contribution Items	Proposed Amounts
Central Public Plaza enhancement	\$156,888
Public Art	\$150,000
GVPL or Victoria Housing Fund	\$118,712
Total Amenity Contribution	\$425,600

3.2 Affordable and Family Housing

The existing MDA requires that at least 50% of the housing in the Legislative Precinct (including Q-Lot and S-Lot) be suitable for families and that at least 51% of the dwellings be affordable. The covenant does not define the term "suitable for families". Affordable housing, however, is described as "housing provided through government sponsored programs, if available; small market units; or through privately sponsored initiatives such as co-ops".

The original development envisaged a total of approximately 201 dwellings on the Legislative Precinct Lands. The Legislative Precinct Lands are defined to include all the properties covered by the CD-2, Zone, Legislature Comprehensive District, including:



Legislative Precinct Lands

- all of South Block
- "Q" Lot covering the western portion of the block bounded by Menzies Street, Kingston Street and Superior Street
- "S" lot comprised of 507 and 525 Government Street on the east side of Government Street opposite the South Block

To date, the Kew Court townhouses on Michigan Street and Heritage House Abbeyfield Seniors' Housing on Government Street have been constructed. Together, they comprise 50 affordable and 40 family-oriented units. Another 20 units in a seniors "care-a-minium" have been constructed on Superior Street, which do not fit either the affordable or family housing categories. Taking into account what has been constructed to date, the remaining housing provided by the applicant must be comprised of at least 51 affordable units and 61 units suitable for families. The applicant is planning to provide the affordable housing units, as defined in the MDA, as well as the housing units that would be suitable for families.



Kew Court



Camelot "Care-a-minium"



Abbeyfield House

An additional 41 housing units are proposed by the applicant above the number of housing units originally planned. The applicant is requesting an amendment to the MDA to exempt these units from the minimum affordable and family housing percentage requirements in the MDA. These additional units account for most of the density increase requested in the Rezoning Application and the lift in land value resulting in the requirement for an amenity contribution from the applicant.

The applicant is also proposing that the definition of "affordable housing" in the existing MDA be amended to include the affordable housing definition in the *Official Community Plan, 2012*, i.e. housing that costs no more than 30% of a household's annual income. In addition, the applicant is recommending that "housing suitable for families" be defined as housing units containing two or more bedrooms.

3.2.1 Considerations and Conclusions

The amendments to the MDA proposed by the applicant would result in the provision of a similar number of "affordable" housing units and units "suitable for families" as was envisaged in the original Legislative Precinct Master Development Agreement. In this way, the original agreement would be kept whole. However, no additional affordable or family units would result from approximately 41 additional proposed housing units. Instead, the increased floor area (mostly comprised of housing units) would trigger an amenity contribution of \$425,600.00 based on the increased value of land. If Council wished to support an increase in affordable housing, the full or a part of the amount of this amenity contribution could be directed to the Victoria Housing Fund. This would preclude crediting or paying out this amount of contribution towards

other amenities such as the GVPL, the central public plaza or public art as requested by the applicant.

The applicant's proposed amendments to the definition of affordable housing and housing suitable for families would add further specificity to both types of housing. However, the definition of affordable housing in the MDA would remain broad, i.e. "small market units" requiring more than 30% of a household's income would still qualify as "affordable". In addition, the existing MDA lacks a definition of "small market unit". This uncertainty could be removed by defining "small market unit" in the MDA.

Currently, the minimum permitted size of apartment units is 33 m² in some of the City's standard apartment zones and less in some of the newer zones. The applicant has advised that, based on their market analysis, units approximating the minimum size are not economic in this James Bay location. Consequently, the applicant has suggested that units of up to 52 m² should be considered "small market units" that meet the MDA definition of "affordable".

With the lack of affordable housing provided through government-sponsored programs and change of the Legislative Precinct from government sponsored to a private market project, the provision of non-market, affordable housing in the Legislative Precinct is unlikely to occur. The provisions of the existing MDA are very broad, notwithstanding possible amendments to more clearly define what constitutes affordable housing, housing suitable for families and small market units. When viewed with the changed lens of today, the proposed development will provide a mix of housing types as well as tenures with market rental units proposed in the relocated heritage houses. These units will result in a mix of residents of varying ages, incomes and household characteristics. However, the affordable component will most likely be a relative one based on the size and tenure of units.

The inclusion of the City's OCP definition of "affordable housing" as well as adding a definition of "housing suitable for families" as proposed by the applicant should be made to the MDA. In addition, a definition of "small market unit" should be added to the MDA in consultation with the applicant and staff. Consideration should be given to directing the applicant's amenity contribution to the Victoria Housing Fund in a further review of the amenities and the applicant's request for crediting the required amenity contribution to the provision of these amenities, i.e. the GVPL, the central public plaza and public art.

3.3 Transportation Demand Management Measures

The existing MDA requires the provision of a traffic and parking impact study that sets out the proposals for Transportation Demand Management (TDM). It also requires the provision of bicycle storage and shower facilities for any office development. In addition, the MDA requires that the applicant establish an ongoing operations committee, including representatives of the James Bay community, the province, government employees and BC Transit to monitor the implementation of the TDM.

The Rezoning Application includes a Transportation Impact Assessment prepared by Bunt & Associates (the Executive Summary is attached). The study concludes that the amount of parking proposed for office, retail and residential uses will meet the anticipated demand in part due to the location of the site close to the Downtown, bus routes and major ferry and float plane terminals. Parking demand is also expected to be lessened by Transportation Demand Management (TDM) measures which include the removal of subsidized parking for government employees with parking at market rates and the promotion and encouragement of car sharing, cycling and transit use. The proposed TDM measures include:

- a comprehensive information brochure for residents and employees on transportation alternatives
- electric car charging utilities
- one onsite parking space for a car share provider
- priority parking spaces for ride share vehicles.

There are currently 317 surface parking stalls on the property with 264 spaces reserved for Provincial employees. The applicant's proposed parking standards and current parking standards as set out in Schedule C of the *Zoning Regulation Bylaw* by land use are the following:

Use	Proposed Parking Standard (Stalls)	Proposed Parking Stalls	Current Parking Stall Standard	Current Required Parking Stalls
Office	1 per 110.5 m ²	198	1 per 74 m ²	296
Commercial*	1 per 37.5 m ²	44	1 per 37.5 m ² *	44*
Residential*	1 to 1.5 per unit	162 to 243	1.3 to 1.4 per unit*	211 to 226*
Heritage Houses*	0.62 per unit	8	1.3 per unit*	17*
Total All Uses		453		575

* Note: the existing CD-2 Zone does not require parking for commercial or residential uses. However, the standards cited are the standards for these uses in Schedule C of the *Zoning Regulation Bylaw*.

The applicant is proposing to provide bike storage facilities, including covered and secure bike rooms for use by residents and employees, as well as outside bike racks, in all phases of the development. In addition, the applicant will be providing a separated bike track on Superior Street, which is designated a Shared Greenway and a proposed bikeway in the *Official Community Plan, 2012*.

The traffic component of the Transportation Impact Assessment report forecasts trip generation levels for the project that are 25% below those shown in a standard trip generation model. This is attributed to the location, context and design of the project as well as the timing of existing office peak hour trips. The analysis indicates that street intersections will operate well within their capacity with low delays at build out of the project even using conservative trip generation forecasts. The proposed access driveways to the project from Superior Street and Menzies Street are also shown to operate well, with minimal delays.

The overall trip generation figures for the project at build out are provided below:

Existing Peak PM Hour Vehicle Trips*	Peak Hour PM Vehicle Trips at Project Build Out – model output	Peak Hour PM Vehicle Trips at Project Build Out – modified model output
82	404	299

*Note: The figures are for week days.

The details of the membership and operation of an ongoing operations committee to monitor the implementation of the TDM have not been provided by the applicant. These would need to be provided and the committee established prior to occupancy of the first phase of the project in order to meet the requirements of the existing MDA.

Since the traffic and impact study has been submitted, the requirement that the applicant provide it can be deleted from the existing MDA.

3.3.1 Considerations and Conclusions

The Transportation Impact Assessment submitted by the applicant provides a strong basis of support for the parking numbers and their allocation of office, commercial and residential uses in the proposed development. The amount of parking proposed is further supported by the Transportation Demand Management measures as outlined in the Transportation Impact Assessment report. The report also shows that the forecast traffic generated by the development can be handled within the existing affected streets and intersections as well as the project's access driveways. The wording of the existing MDA will ensure bicycle facilities are provided and that a committee is established to monitor the implementation of TDM measures. However, a number of TDM measures described in the report are not legally secured. Staff recommend that it would be appropriate to secure the on-site car share parking stall as well as the electric charging station and to reference the Transportation Impact Assessment report in the MDA. With the Transportation Impact Assessment report submitted, the requirement in the MDA to submit a traffic and parking impact study has been met and this provision can be deleted.

3.4 **Heritage Houses**

The existing MDA requires that the applicant provide the extent of restoration of the heritage houses in future development proposal guidelines and submit a plan for restoration and relocation of the houses for approval by the City. The heritage houses must be restored in accordance with the approved conservation plans in the approved locations whether on-site or off-site.

The three Heritage-Registered houses on Superior Street (521, 539 and 545) are proposed to be relocated to the southeast quadrant of the development site to allow the first phase of development to proceed. In addition, two Heritage-Registered houses on Michigan Street (524 and 526) are proposed to be relocated to receiving sites elsewhere in the James Bay neighbourhood.

The applicant has submitted Heritage Conservation Plans and Heritage Alteration Permit Applications for the five Heritage-Registered houses which Council approved on September 11, 2014, with conditions to be met by the applicant. The conditions include the submission of relocation plans for the houses and their Heritage Designation following relocation.

3.4.1 Considerations and Conclusions

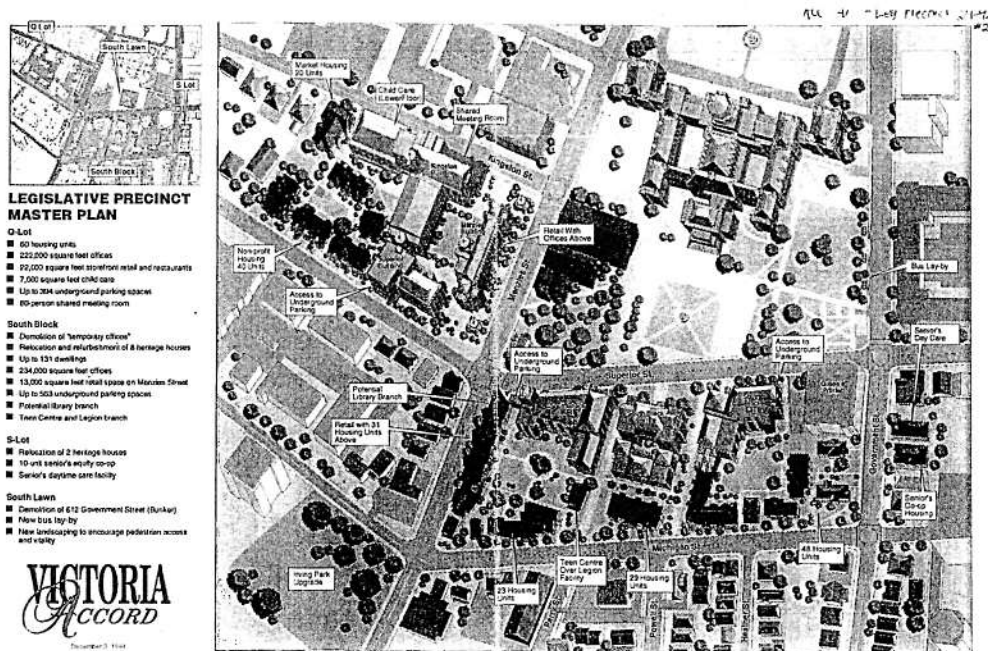
With submission of the Heritage Conservation Plans and approval of the Heritage Alteration Permits with conditions, the MDA requirements have been met. The Heritage provisions in the MDA have been met and can be deleted from it.

3.5. Urban Design Guidelines

The existing MDA requires that development of the site include a series of lanes, walkways and courtyards open to the public and maintained by the owner as shown in the *Legislative Precinct Urban Design Manual* (LPUDM). The covenant also requires subdivision into lots generally outlined in the LPUDM and the submission of an inventory of existing trees showing those to be removed and those to be retained.

The LPUDM is comprised of the *Legislative Precinct Volume 1, Urban Design Manual, 1994*, the *Legislative Precinct Volume 2 Development Area Guidelines, 1994* and the *Legislative Precinct Volume 3 Built Form Guidelines, 1994*. These documents are also cited in the *Official Community Plan, 2012* and form the basis for staff and Council review and approval of Development Permits Applications for siting, form, exterior design and finish of buildings, as well landscaping in Development Permit Area 12 (HC): Legislative Precinct.

The existing LPUDM envisages development, which includes the following features:

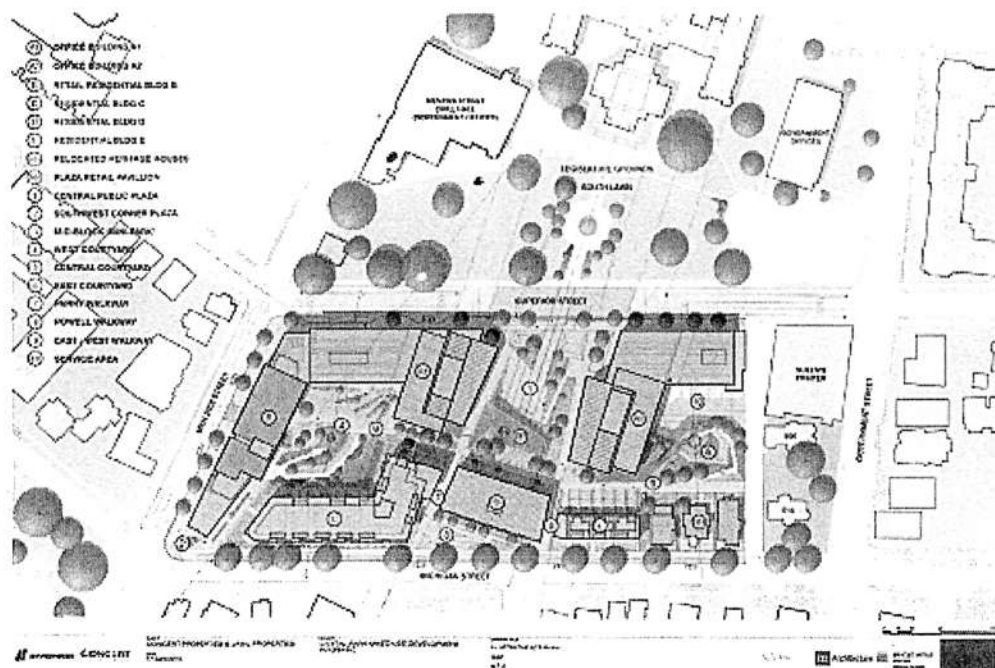


- an urban frame for the legislature and a comfortable transition to surrounding residential areas
- a mix of uses including a mix of housing types including market and affordable units
- pedestrian-friendly streets and interior block courtyards and interspersed walkways
- view corridors retained and created towards the Legislature Buildings
- relocation and restoration of heritage houses
- underground parking
- high quality government offices fronting on Superior Street with building heights ranging from four to five storeys
- apartments and townhouses along Michigan Street with building heights ranging from three to four storeys

- mixed commercial/residential development fronting on Menzies Street with building heights up to 3.5 storeys

The existing LPUDM includes overarching goals, urban design objectives and development area guidelines. In addition, it includes built-form guidelines on building, landscaping and paving materials.

The proposed *Capital Park Urban Design Guidelines*, submitted by the applicant, would replace the existing LPUDM. This requires an amendment to the *Official Community Plan, 2012* to reference the updated guidelines in the Legislative Precinct Development Area. Amendments to the existing MDA to replace the references to LPUDM are also required. The proposed *Capital Park Urban Design Guidelines* are largely based on the LPUDM with an updated vision, guiding principles, overall design guidelines and guidelines specific to Development Areas that reflect the current proposal. The updated guidelines are comprehensive but have a simplified and user-friendly structure with layout focused on design with ample use of photos and graphics. The updated guidelines include clear statements on their purpose and how they are to be used and administered. The document includes a section on project implementation (including subdivision and phasing) and appendices that provide site history, relevant planning background and a glossary of terms. The modifications in content from the LPUDM are largely due to differences in the features of proposed development from the original 1994 proposal.



These differences include:

- development of two rather than three office buildings fronting on Superior Street
- provision of a central public plaza on the Superior Street frontage with a retail pavilion
- provision of a small plaza on the southwest corner of the site
- provision of water features and an edible landscape garden
- relocation of three heritage houses to the southwest corner of the site and the relocation two heritage houses to sites in the neighbourhood

- a building height of five storeys for one proposed apartment building fronting Michigan Street.

These modifications notwithstanding, the proposed *Capital Park Urban Design Guidelines* reflect the spirit of the LPUDM and its vision for a high quality mixed-use development on the South Block that complements the Legislature and integrates well with the surrounding James Bay neighbourhood.

The existing LPDUM includes details regarding the provision of trees on the site. The applicant has submitted an Arborist's Report providing an inventory of existing trees, which is required in the MDA. While not all of the existing Horse Chestnut trees on the Michigan Street public right-of-way can be retained due to planning and construction parameters of the development, strategies to retain and preserve the health of the existing Horse Chestnut trees will be required to the maximum practical extent in order to maintain the street's tree-lined character. The existing trees on the Menzies Street and Superior Street public rights-of-way are not in healthy condition and are proposed to be replaced with new, appropriately placed trees. The plan related to the provision of trees is reflected in the proposed *Capital Park Urban Design Guidelines*.

3.5.1 Considerations and Conclusions

If Council wishes to advance this Application to a Public Hearing, the *Official Community Plan, 2012* should be amended to reference the proposed *Capital Park Urban Design Guidelines* in Development Permit Area 12, Legislative Precinct. In addition, the existing MDA should be amended to replace references to the LPUDM with the updated design guidelines document. The updated design guidelines would benefit from a review by the Advisory Design Panel before any consideration of the *Official Community Plan, 2012* amendment by Council.

Since the Arborist's Report has been submitted, the requirement that the applicant provide it can be deleted from the existing MDA.

4.0 **Resource Impacts**

The resource impacts anticipated with this Application are financial with respect to the possible inclusion of a GVPL branch in Council's capital budget and strategic planning deliberations. Staff or consulting resources may also be required should an initial offer to lease space for the GVPL be accepted.

5.0 **Conclusions**

The Rezoning Application, Official Community Plan Amendment and proposed Capital Park Urban Design Guidelines set the stage for a mixed-use development that will provide improved office space for the Provincial government and potentially other employers as well as significant urban benefits in this historic and symbolic area of the City. A major benefit will be the reinforcement of Victoria as the Provincial capital and employment centre. In addition, the development will embody the revitalization and enhancement of the Legislative Precinct envisaged in the Victoria Accord and the Legislative Precinct zoning, plans and design guidelines adopted in 1994.

The proposed development, with a modest increase in floor space, continues the positive scale and design relationship with the Parliament Buildings. The proposed central public square off Superior Street will add to the attractiveness and vitality of the public realm directly across from

the Parliament Buildings. This plaza and the interior block courtyards, pathways and gardens provide additional views towards the Parliament Buildings. These pathways will also provide attractive pedestrian routes through the block which will link with the residential neighbourhood to the south. The three to five storey scale of the proposed residential development on the south, Michigan Street side of the block and the mix of townhouses, apartments and heritage houses will provide a range of housing types and tenures that are in keeping with the scale and the variety of housing nearby. In addition, the applicant is proposing to meet the requirements for a minimum number of affordable units and units suitable for families required under the existing agreement. The proposed mixed-use building with upper-floor residential and ground floor commercial uses on Menzies Street will reinforce and add to the vitality of the James Bay Village Centre.

As with the *Legislative Precinct Plan*, the proposed development includes the relocation and restoration of the remaining heritage houses on the block. The proposal also retains full underground parking for all uses with the implementation of Transportation Demand Measures such as bicycle storage and shower facilities for employees and a committee to monitor these and other measures. The Transportation Impact Assessment submitted by the applicant provides a strong basis of support for the parking numbers and the study also shows that the forecast traffic generated by the development can be handled within the existing affected streets and intersections as well as the project's access driveways.

The proposed development includes a fitness centre to be available for community use and potential space for a GVPL branch which are required amenities in the existing MDA. The central public plaza and a major public art installation to be located in the plaza are two proposed amenities not required in the in the existing MDA. These additional amenities warrant consideration of the applicant's request that at least a portion of their costs be credited towards the required community amenity contribution due to the land lift resulting from the rezoning. The potential GVPL branch as well as the Victoria Housing Fund are other options for allocating the community amenity contribution. The approach of amenity contributions strategically going to physical improvements that are legally secured as well as to the GVPL or the Victoria Housing Fund would result in a major enhancement on Superior Street and the Legislative Precinct. It would also facilitate a GVPL branch should City and GVPL funding for it be provided or, alternately, leverage the provision of additional affordable housing in the City.

The proposed *Capital Park Urban Design Guidelines* update the existing Legislative Precinct Guidelines based on the development proposal and are generally consistent with them. Moreover, the Guidelines reflect the spirit of the LPUDM and its vision for a high quality mixed-use development on the South Block that complements the Legislature and integrates well with the surrounding James Bay neighbourhood.

Based on all of the considerations above, staff recommend that the Committee support the application.

6.0 Recommendations

6.1 Staff Recommendations

That Committee consider the following actions and recommendations to Council:

- 1) That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 882 of the Local Government Act

and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application # 00457 for 521-557 Superior Street and 524-584 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

- a) Staff report back on the MDA amendments related to the library and affordable and family housing as well as new provisions that would secure and allocate the amenity contributions as recommended in Section 3.1.6 and Appendix B of this report.
 - b) Amendment of the MDA to not require Council approval of a Development Permit for subdivision where the proposed subdivision is consistent with the development as described in the proposed *Capital Park Urban Design Guidelines*.
 - c) Registration of the amended MDA when finalized.
 - d) Review of the proposed *Capital Park Urban Design Guidelines* by the Advisory Design Panel.
 - e) Compliance with the Ministry of the Environment's Environmental Management Act as it pertains to potentially contaminated sites.
- 2) Following consideration of Rezoning Application #00457, that Council authorize staff to prepare and enter into an Encroachment Agreement to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

6.2 Alternate Motion

That Council decline Application #00452 and the associated Official Community Plan amendment.

8.0 List of Attachments

- Zoning map
- Aerial map
- Letters from the applicant dated July 22 and September 17, 2014
- Consultation Information provided by the applicant dated September 18, 2014
- Letter from the James Bay Community Association dated September 18, 2014
- Plans dated July 22, 2014
- South Block Land Lift and Amenity Contribution Analysis dated September 16, 2014
- Executive Summary of the Capital Park Transportation Impact Assessment by Bunt & Associates, September 12, 2014.

APPENDIX A: Relevant Sections of the *Official Community Plan, 2012*

Section 6 – Land Management and Development

Victoria accord lands are designated “Core Inner Harbour/Legislative” on map 2. Figure 8 indicates the following permitted uses in this designation:

- Public institutional and assembly
- Commercial, including office, retail and visitor accommodation
- Marine water and air transportation
- Recreation and tourism related uses
- Multi-unit residential and mixed-use
- Home occupations.

Section 14 – Economy

Policy 14.15: Increase the supply of office space in the Inner Harbour/Legislative and Core Business areas through medium and high-density commercial mixed use development, respectively.

Policy 14.18: Consider the place-based conditions for economic sectors generally as described in Figure 17 in support of Victoria’s economic structure, as identified on Map 14. [For the Core Inner Harbour/Legislative designation, figure 17 identifies the following economic sectors: Transportation and warehousing; public administration; finance, insurance, real estate; advanced technology; healthcare services; tourism and visitor services; arts, culture and entertainment; residential goods and services (retail, commercial and community services)].

Policy 14.26: Continue to encourage the concentration of specialty retail in the Core Historic and Core Inner Harbour/Legislative areas through pedestrian-oriented uses at street level in defined locations, short-term parking, and in enhanced public transit, particularly rapid transit along Douglas Street.

Policy 14.27: Work with the Province to maintain the city’s status as the headquarters of the Provincial Government, through:

- 14.27.1: Meeting its needs for institutional and office space in the Urban Core; and,
- 14.27.2: Working toward a long-term development strategy for under-used lands in the Legislative Precinct.

Policy 14.28: Support employment growth in government services, professional services and the finance, real estate and insurance sector through the strategic location of commercial mixed-use development in close proximity to the Legislature and throughout the Core Business area.

Policy 14.42: Foster the development of cultural hubs, with clusters of cultural industries and related activity in the arts, culture, and entertainment sector, by:

- 14.42.1: Retaining and enhancing the supply of work/live for cultural producers in the Core Historic and Core Inner Harbour/Legislative areas.

Section 21 – Neighbourhood Directions

Policy 21.16.2: Focus commercial development in the Legislative Precinct and James Bay Village

Policy 21.16.7: Realize development opportunities near the Parliament Buildings in a way compatible with neighbourhood character.

Policy 21.16.9: Enable the expansion of cultural assets in the Inner Harbour/Legislative district.

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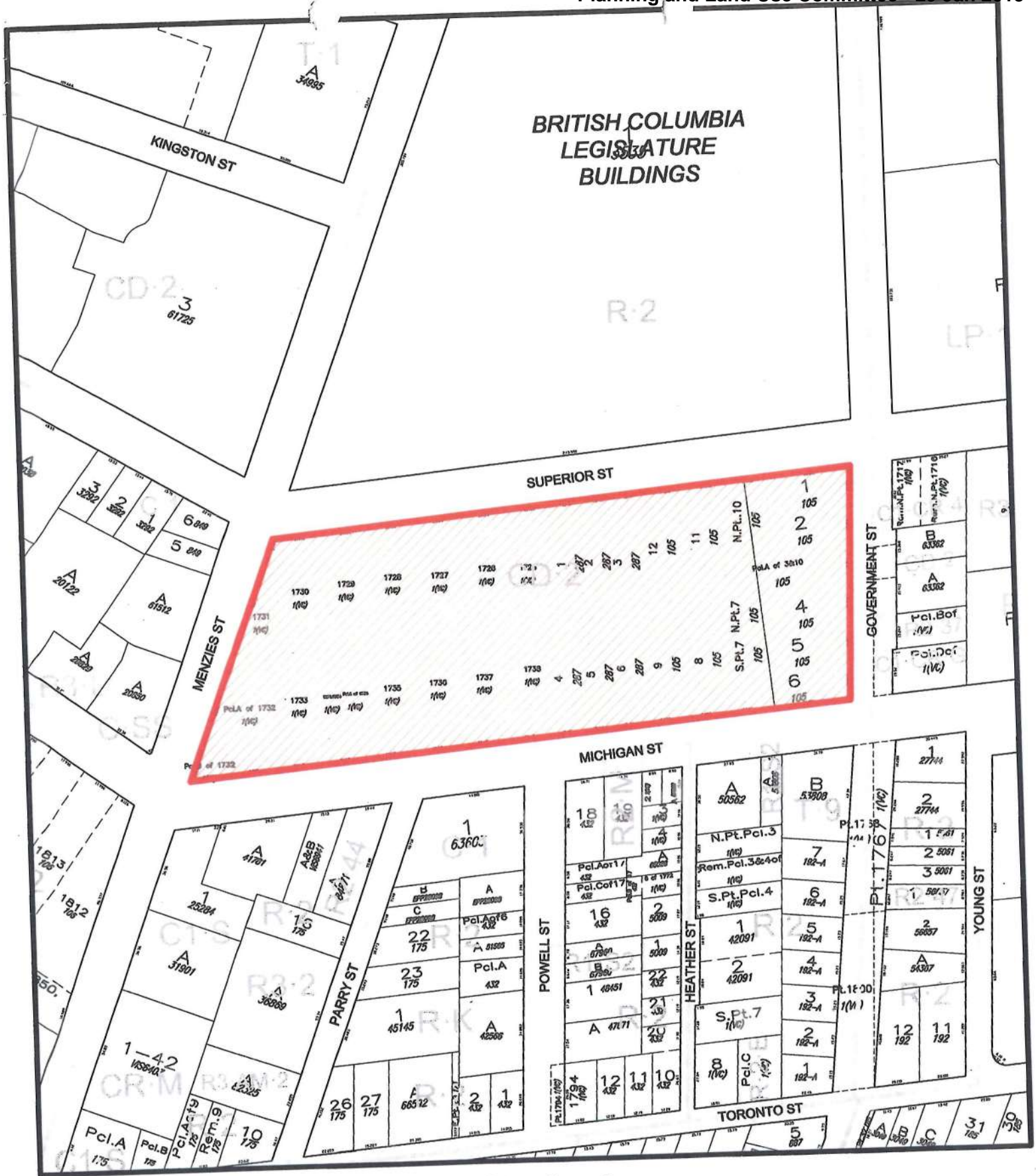
Policy 21.16.9: Enable the expansion of cultural assets in the Inner Harbour/Legislative district.

APPENDIX B: Summary of Proposed Amendments to the South Block Master Development Agreement

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
1.0	Interpretation	Legislative Precinct Urban Design Manual (LPUMD) referenced Development Area definition	Replace references to LPUMD with <i>Capital Park Urban Design Guidelines</i> . Amend to match new DPAs	Update
2.0	Purpose and Intent	Terms and conditions of development established.	No changes	N/A
3.0	Streets	Requirement to provide off-site works and services; internal lanes, walkways and courtyards open to the public; comprehensive engineering drawings and a SRW on Superior Street.	Replace LPUDM references with <i>Capital Park Urban Design Guidelines</i> .	Update
4.0	Subdivision	Requirements for development permit; subdivision as outlined in LPUDM (with no subdivision straddling DPA boundaries) and submission of a tree inventory showing trees to be removed and retained.	Replace LPUDM References with <i>Capital Park Urban Design Guidelines</i> . Amend to not require a DP if subdivision is consistent with <i>Capital Park Urban Design Guidelines</i> . Delete Tree Inventory Requirement provisions 4.4 and 4.5	A Tree Inventory acceptable to the Parks Department was submitted with Rezoning Application.
5.0	Permitted Uses and Floor Space Allocation	Requirement to: develop in accordance with CD-2 Zone regulations; develop a tracking system to monitor assignment of floor areas; not to exceed specified floor areas in two DPAs; not to build in a "no build area"	Delete provision 5.4 on specified floor areas for two DPAs.	Maximum floor areas in all DPAs to be specified in Zoning Bylaw amendments.
6.0	Housing	Requirements for: a) housing with a mix of households, income levels and tenures; b) 50% of housing units to be suitable for families 51% to be affordable as defined;	No change b) require a minimum of 61 units suitable for families and 51 affordable units. Add the City's OCP	N/A b) maintains commitment to provide similar number of family and affordable units as the previous Leg

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
		<p>c) temporary parking, if provided, to be accompanied by a Traffic Impact Study with Design Panel review of parking proposal; and</p> <p>d) require submission of phasing plan for all office and residential development with DP for first office building</p>	<p>definition of affordable housing to the definition in the MDA and add a definition of housing suitable for families. Add a definition of "small market unit"</p> <p>c) Delete provision 6.3 and 6.4</p> <p>d) No change</p>	<p>Precinct MDA. However, no increase would be required based on the proposed larger number of units. Added definitions of "affordable housing", "housing suitable for families" and "small market unit" adds clarity to these requirements.</p> <p>The option of a payout of an amount of a community amenity contribution will be detailed.</p> <p>c) Temporary surface parking is not proposed to be installed in association with the first development of the lands</p> <p>N/A</p>
7.0	Transportation Demand Management Plan	Requirements to provide: bicycle storage and shower facilities in any office development; a traffic and parking impact study and, in cooperation with the Province and the City, establish a monitoring committee.	Delete provision 7.2 and reference Transportation Demand Study submitted as part of the Rezoning Application.	A parking and traffic impact study acceptable to the Engineering Department was submitted with Rezoning Application.
8.0	Amenities	<p>Requirements for:</p> <p>a) the provision of 700 m² of space suitable for GVPL use at market rent subject to acceptance of the space by the City within 6 months of the issuance of a DP or upon giving two years notice.</p>	<p>a) Amendments to: extend timeline of initial offer acceptance, add flexibility to amount of space offered and allow other community uses; to replace two-year notice period with an ongoing right of first offer; and to provide an ongoing right to occupy space with a 15 year time-frame.</p>	<p>The provision of space for GVPL will require on-going funding from the City and the Library. Such funding would be part of Council's strategic planning and budget discussions.</p> <p>The option of a payout to the City of an amount of a community amenity contribution will be detailed further with its allocation to be determined by Council.</p>

Section Number	Topic	Current Provisions	Proposed Changes in Provisions	Comments/Rationale
		b) the provision of a fitness facility to be available for community use six months after occupancy of an office building with operating principles and guidelines determined by the office building tenant and the City's Parks Department in consultation with community representatives.	b) No change c) Add provisions for a central public plaza off Superior Street. d) Add provisions for public art	N/A Crediting an amount of the community amenity contribution will be detailed. Crediting an amount of the community amenity contribution will be detailed.
9.0	Heritage Buildings	Requirements for the relocation and restoration of heritage houses	Delete provisions 9.1 and 9.2	Plans for heritage house restoration and relocation were approved by Council on Sept. 11, 2014.
10.0	Public Body	The agreement does not affect the powers of the City regarding its bylaws and regulations in relation to the land nor the requirements or obligations to be met by the owner under these bylaws and regulations.	No changes	
11.0	General Provisions	The agreement is to be registered expeditiously and runs with the land.	No changes	



521-557 Superior Street and
524-584 Michigan Street
Rezoning #00457

Bylaw #

Rezoning Application # 00457 and concurrent Official Communi...



Jawl Development Corporation

CONCERT™
REAL ESTATE CORPORATION

July 22, 2014

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

Attention: Mayor and Council

Re: Application for Rezoning to a New Comprehensive Development Zone, the modification of an existing Section 219 covenant and an OCP Amendment in respect to Lands commonly known as South Block.

Introduction

Jawl Precinct Lands Corp and South Block (Concert) Ltd (collectively the "Applicant") are pleased to submit this letter and the enclosed documents in support of an application for rezoning, the modification of an existing Section 219 covenant and an OCP Amendment relating to lands municipally described as 521, 525, 531, 537, 539, 541, 543, 553, and 557 Superior Street and 524, 526, 540, 544, 548, 550, 552, and 584 Michigan Street, Victoria, BC. and legally described as Lot 2 of Lots 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, and 1743, Victoria City, Plan EPP38872 (the "Site"). Located in the James Bay neighbourhood, the Site totals 23,044 square meters (248,044 square feet) and is bordered by Superior Street, Menzies Street and Michigan Street. At its eastern edge, the Site is bordered by a land parcel owned by the Province of British Columbia (the "Province") on which is located the Queen's Printer and two heritage homes. The Site currently accommodates a number of surface parking lots, four commercial buildings accommodating provincial government offices and five unoccupied heritage houses.

The Applicant acquired the Site from the Province in March, 2014 following an extensive public offering process. As part of the acquisition, the Applicant agreed to provide the Province with upwards of 16,723 m² (180,000 square feet) of high quality office space for a twenty year lease term in two newly constructed office buildings on the Site. Through the land sale and its commitment to a long term lease back of premises, the Province confirmed its intention to see the Site developed to a higher and better use and reaffirmed its long term commitment to retaining government offices in the City of Victoria.



Subject Site

Guiding Principles

Since November of 2013, the Applicant and its design team, led by Endall Elliot Associates in collaboration with CEI Architecture, have been engaged in the formulation of a development proposal for the Site (the "Development Proposal" or the "Project"). This work has endeavoured to devise a high quality mixed use concept involving market leading office space, dynamic and vital retail amenities, a range of housing options and a comprehensive network of well-appointed public areas. Guiding the team throughout this undertaking have been a number of core principles:

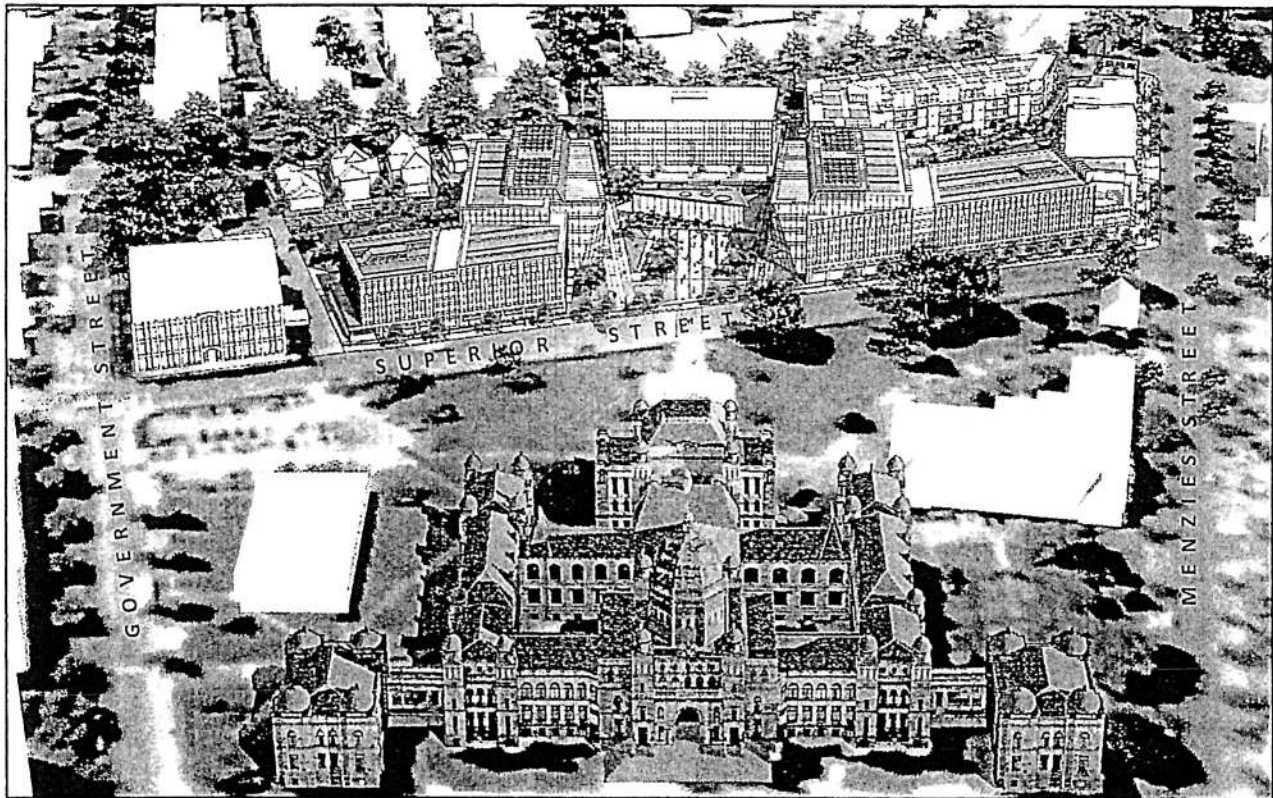
- The Project should be heavily informed by the urban design parameters of the Victoria Accord and the land use directions of the existing CD-2 zone.
- The Project should respond in a sensitive and complementary way to the Site's unique context proximate to the Legislature and the James Bay neighbourhood.
- The Project should facilitate an enhanced public realm that prioritizes public accessibility and permeability to and through the Site via an integrated network of welcoming and well-appointed plazas, courtyards and walkways.
- The Project should respect and enhance street level sight lines towards the Legislature from various approach angles and create new publicly accessible areas to enjoy this vista.
- The Project should prioritize forward thinking approaches to environmental and operational building performance.
- The Project's office space should be designed to market leading quality standards and meet the Province's long term needs.
- The Project's residential units should be designed to accommodate a range of unit types and resident profiles to ensure a healthy diversity of unit options in an attractive and highly liveable setting.
- The Project's retail units should contribute to a dynamic street interface, particularly on Menzies Street, and contribute to an expanded array of retail offerings in the James Bay neighbourhood.

Following numerous design iterations, dialogue with representatives from the City of Victoria and consultation with key stakeholders, we believe the Development Proposal that forms the basis of this application meets these objectives.

Project Overview

The proposed multi-phased mixed use development incorporates approximately 37,915 m² (408,115 square feet) of total floor area comprised of the following primary components:

- Approximately 21,846 m² (235,154 square feet) of office space in two 4 - 5 storey buildings, to be developed in two phases on the northern portions of the Site. The Province has already agreed to lease over 16,720 m² of this office space for a 20 year term. The buildings will be designed to achieve a minimum standard of LEED Gold certification from the CGBC.
- Approximately 14,427 m² (155,289 square feet) of residential uses in four separate buildings on the west and southern portions of the Site, to be developed in two or more phases. The residential buildings will vary in height from three to five stories and will provide a range of unit types, sizes and tenures to respond to diverse market needs and demands.
- Three existing Heritage Houses currently fronting onto Superior Street will be relocated and restored as a group, suitable for rental residential use, at the southeast corner of the Site facing Michigan Street. The floor area for these houses is included in the residential area noted above. Two other existing Heritage houses located on Michigan Street will be relocated and rehabilitated off-site in alternative locations within the James Bay neighbourhood.
- Approximately 1,642 m² (17,672 square feet) of street level retail uses, predominantly located along the Menzies Street frontage on the west side of the Site. Approximately 209 m² (2,246 square feet) of the retail space will be located in a plaza pavilion between the two office buildings that is intended to accommodate a food and beverage tenancy.
- An extensive and integrated network of streetscapes, plazas, landscaped courtyards and pedestrian pathways providing a full range of well-appointed public spaces which will contribute to a unique sense of place for the Project.
- All vehicular parking will be provided on the Site in a below grade parking structure that will accommodate a total of approximately 412-494 spaces. The Project will also include extensive bicycle storage and support facilities as well as accommodate off-street loading facilities.



Development Proposal

The proposed form of development for the Project has evolved in direct response to the rich and varied aspects of the Site's unique urban context. In addition to the core principles listed above, the development of the overall site plan has been informed by the following urban design considerations:

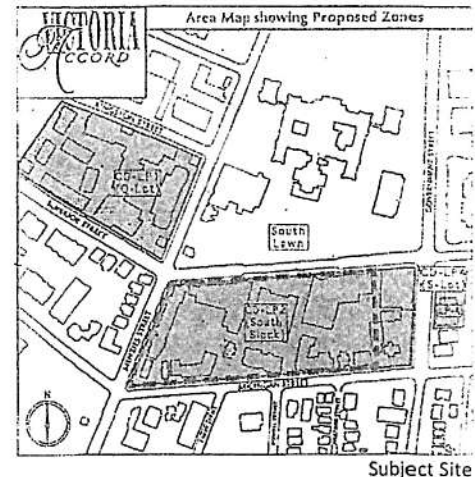
1. The introduction of street fronting buildings, reinforcing and animating the major street frontages and relating to the varying characteristics of the Legislative and commercial precinct to the north, the mixed use / street retail oriented Menzies Street corridor, and the quieter, tree lined residential neighbourhood along Michigan Street.
2. As prescribed in the Victoria Accord, the office building frontage along the central portion of the Superior Street frontage is aligned to establish a formal, axial relationship with the Legislature to the north.
3. The preservation and enhancement of views and pedestrian access through the Site to the Legislature northwards from Menzies, Parry and Powell Street are of particular importance. A thorough study of street level view sequences from these and other vantage points has resulted in the provision of clear, inviting public pedestrian pathways and sight lines through the Site, strengthening north / south connections between James Bay, the Legislature grounds and the Downtown Core.
4. Recognizing the programmatic requirement to achieve adequately sized office buildings with large floor plates suitable for phased construction, a significant public plaza directly on axis to the Legislature has been introduced in lieu of a third, small and separate office building as originally envisioned in the Victoria Accord. Framed by the two office buildings to the west and east, this plaza promises to become an active and vibrant public space for the City and the surrounding neighbourhood.
5. To reinforce the definition of the space and contribute animation, a small food and beverage oriented retail pavilion has been introduced on the south edge of the plaza. Integrated with contoured landscaping on its south edge, the pavilion will also assist in facilitating a sense of privacy between the commercial and residential zones of the project.
6. To further reinforce and define the south edge of the public plaza, the Michigan Street fronting residential building situated between the north-south walkways aligned with Parry and Powell Streets was also aligned perpendicular to the central axis of the Legislature.
7. The existing Superior Street heritage houses are to be relocated and restored at the southeast corner of the Site, adjacent to the two existing Provincially owned heritage houses on Government Street to the east. Together with a small row of 3 storey townhouses to the west, these heritage houses form a residential grouping compatible in scale and character with the residential neighbourhood on the opposite side of Michigan Street.

8. Retail and residential uses on the west portions of the Site fronting Menzies and Michigan Street are consistent in scale and character with existing buildings to the south and to future development anticipated to the west.
9. Most importantly, the public pedestrian realm is to be carefully developed to the highest standards with an integrated network of streetscapes, plazas, courtyards and pedestrian pathways, providing a full range of public spaces and experiences and a unique sense of place.

Although we remain at the early stages of detailed design, the Development Proposal is intended to demonstrate a commitment to a high quality of contemporary design and construction, strongly influenced by considerations of sustainability, that achieves a complementary contextual fit with the surrounding neighbourhood. A more detailed description of each of the major building components and the public realm / landscape network is provided in the Project Description section of this letter.

Applicable Policies

The City of Victoria's 2012 Official Community Plan (the "OCP") classifies the Site as spanning two urban place designations. The Menzies Street frontage falls within the "Large Urban Village" designation which promotes mixed-use commercial and multi-unit residential as primary uses. The balance of the Site falls within the "Core Inner Harbour / Legislative" designation, which promotes institutional, office, retail and multi-unit residential as primary uses. In both cases, the Development Proposal is well aligned with the land uses identified in each urban place designation. Further, the proposed building typologies and public space characteristics are consistent with the place character features and built form directions identified in the OCP. Indeed the Project presents a notable opportunity to materially advance the objectives of the OCP within the James Bay neighbourhood.



The Site also falls within an area commonly known as the Legislative Precinct and is part of a number of undeveloped land parcels subject to the CD-2 zone and the design guidelines that supplemented the Victoria Accord. There is also a Section 219 covenant registered as a charge against the title to the Site. It spells out the terms of the Master Development Agreement (the "MDA"), which governs future development activities on the Site. The Project has endeavoured to respect the core principles outlined in the CD-2 zone, the existing design guidelines and the MDA; however, certain updates are proposed to each in the context of this application.

CD-2 Legislature Comprehensive District Zone

The existing CD-2 zone is divided into a number of development areas and applies to additional properties besides the Site. A new Comprehensive Development Zone is proposed under this application so as to allow for modest amendments to certain terms of the zone applicable to the Site. These include an approximately 3,446 m² (37,313 square feet) increase in the aggregate permitted density on the Site and the refinement and simplification of the development area boundaries. No material modifications to the land uses contained in the existing zone are being requested.

The Victoria Accord Design Guidelines

Three supplements to the Victoria Accord were created to govern the design of the build out of the undeveloped Provincially owned lands in the Legislative Precinct which included the Site:

- Volume One – Part One: Urban Design Manual
- Volume One – Part Two: Development Area Guidelines
- Volume Two – Built Form Guidelines

These guidelines have been strongly considered in formulating the Development Proposal and we believe the foundational urban design strategies codified in these documents remain relevant today. That said, a number of aspects of the design guidelines require amendment to reflect:

- Current best practices for sustainable building and site design.
- A subdivided parcel from the balance of the Legislative Precinct with amended development area boundaries.

- Provincial requirements for office floor plates of certain dimensions to meet specific functional parameters and the need to consolidate into two office buildings instead of three.
- A modified and expanded approach to enhancing site permeability and publically accessible open space.
- A cohesive architectural expression that is optimized to its context and meets the functional parameters of future occupants, residents and the public.

Supplementing this application are proposed updated design guidelines for the Site. These design guidelines follow the same format as the existing guidelines and reflect edits and updates to the original text to account for the items noted above. The OCP amendment proposed under this application reflects the necessity to amend and update the existing design guidelines.

The Master Development Agreement

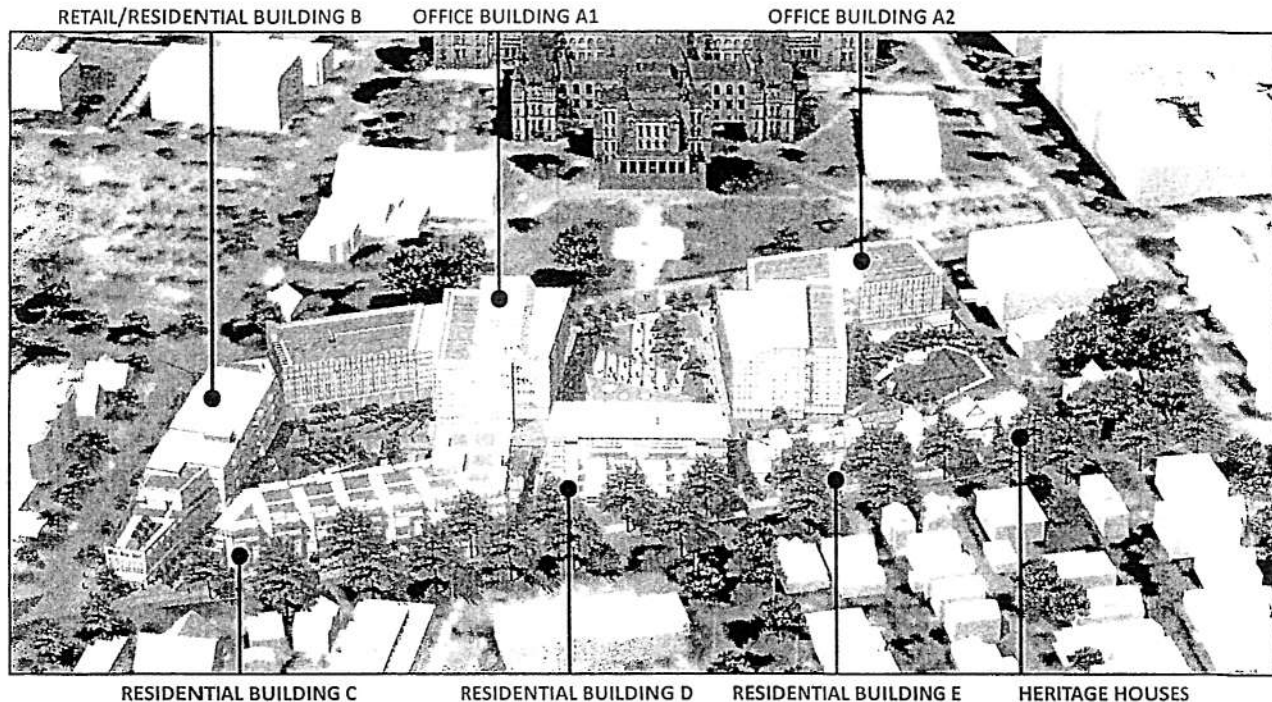
In connection with the sale of the Site to the Applicant, the provisions of the Victoria Accord applicable to the Site were secured going forward by way of a Section 219 covenant. The covenant spells out the basis on which the development of the Site shall be permitted to proceed. To conform to the terms of this application and to reflect current stakeholder and proponent aspirations, it is anticipated that a number of modifications to the MDA shall be required. That said, we are committed to respecting all core attributes of the MDA and anticipate that any proposed amendments will result in equal or improved outcomes for the City and community stakeholders.

Development Density

The Development Proposal includes a total gross area of 37,915 m² (408,115 square feet) comprised of 21,846 m² (235,154 square feet) of office space, 14,427 m² (155,289 square feet) of residential space and 1,642 m² (17,672 square feet) of street level retail space. The New Comprehensive Development Zone being requested for the Site has an allowable aggregate density level of 1.65:1 as further described in the following table:

	FLOOR AREAS ACCORD PROVISION	DENSITY	FLOOR AREAS PROPOSED	DENSITY
OFFICE:	21,743 M ² 234,044 FT ²		21,846 M ² 235,154 FT ²	
RESIDENTIAL:	11,305 M ² 121,688 FT ²		14,427 M ² 155,289 FT ²	
COMMERCIAL:	1,400 M ² 15,069 FT ²		1,642 M ² 17,672 FT ²	
TOTALS:	34,449 M ² 370,802 FT ²		37,915 M ² 408,115 FT ²	
SITE AREA:	23,044 M ² 248,044 FT ²	1.49:1	23,044 M ² 248,044 FT ²	1.65:1

As the table above notes, the density framework implied by the Development Proposal reflects an increase in the permissible density for the Site currently contained in the existing CD-2 zone (34,449 m² / 1.49:1). Notwithstanding the requested increase, we believe that the Development Proposal improves upon the development concept outlined in the Victoria Accord while respecting its core principles. Indeed extensive examination of the Project's impact on view corridors, shadowing, the public realm, traffic and other affected areas gives us confidence that the massing strategy and the implied density for the Project is appropriate and equals or in some cases improves upon the quality, character and contextual fit of the Victoria Accord concept. Further, as summarized in the table above, the majority of the requested increase in permissible density relates to the residential components of the Project thus moving closer to a more equitable balance between residential and commercial uses and more thoroughly embracing mixed-use objectives. Finally, as noted elsewhere in this letter, the Development Proposal features numerous incremental public amenities versus the Victoria Accord concept, which in part, are facilitated by the density framework outlined above.



Project Description

The design of the proposed form of development has been informed by and is highly conformant with the 1994 Victoria Accord Urban Design Manual and Built Form Guidelines. Although prepared over 20 years ago, in our opinion the urban design principles established in the Victoria Accord are still very relevant and useful in guiding the formulation of a project that recognizes and responds to the unique attributes of the Site and the surrounding neighbourhood.

The Development Proposal has evolved in response to the core principles and key urban design considerations outlined in the preceding sections of this letter, rather than simply seeking to conform solely to the prescribed density, floor area, heights and massing strategies permitted in the existing land use directions. Indeed the Project strives to build and improve upon the form of development described in the Victoria Accord documentation.

Office Buildings A1 and A2

These two commercial office buildings are located on the north portion of the Site along Superior Street, reinforcing the Superior Street frontage and establishing a formal massing relationship with the Legislature buildings and grounds. To address the Provincial tenant's programmatic requirements, the buildings are to be developed in two phases with a central public plaza located between the two buildings, on axis with the Legislature. Both office buildings are in general conformance with the maximum densities and 4 - 5 storey building heights identified in the Victoria Accord.

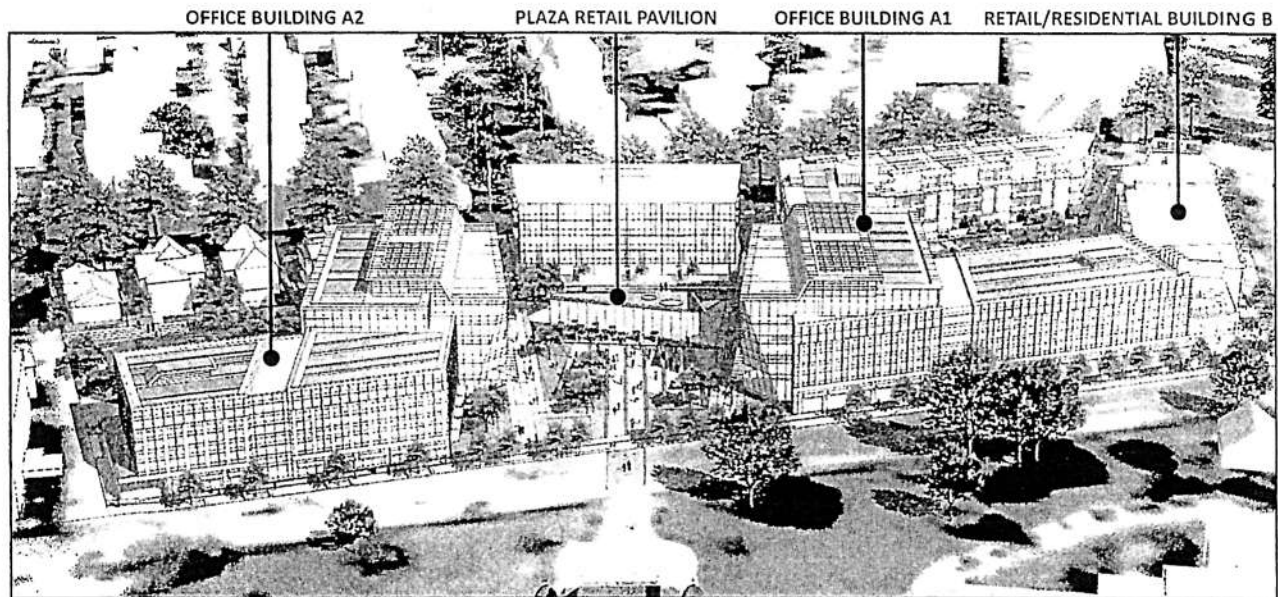
Each office building has a 2 storey entrance lobby oriented to Superior Street and the Legislature and flanking the east and west sides of the plaza. As viewed from the south lawn of the legislature, the office building entries are designed to create a dramatic invitational gesture to the public plaza and the pedestrian walkways leading southwards through the Site to Parry, Powell and Menzies Street. To further reinforce the formal axial relationship to the Legislature, the office building penthouse levels are aligned with the 'shoulder' wings of the Legislative Building.

Subtle, contemporary architectural references to the materiality, as well as the horizontal and vertical proportioning of the historic Legislature and Queens Printer buildings will inform the architectural expression of the office buildings. Vertical interruptions in the continuous four storey streetwall along Superior Street will relieve the long expanse and modulate the scale of the buildings' frontage. A rhythm of continuous, transparent retail oriented frontage complete with weather protection canopies will be provided at street level. The main floor level of each building will be aligned as closely as possible with the adjacent slope of the street to allow for multiple potential entry points to service commercial / retail spaces. The architectural expression of the plaza and courtyard facing portions of the buildings is intended to shift slightly as the design of these facades takes into account potential shading strategies to mitigate

solar heat gain. Other sustainable design considerations, including natural daylighting to building interiors, stormwater management, green roofs, solar collectors, and integration with landscape strategies will also inform the design and expression of buildings A1 and A2.

Plaza Retail Pavilion

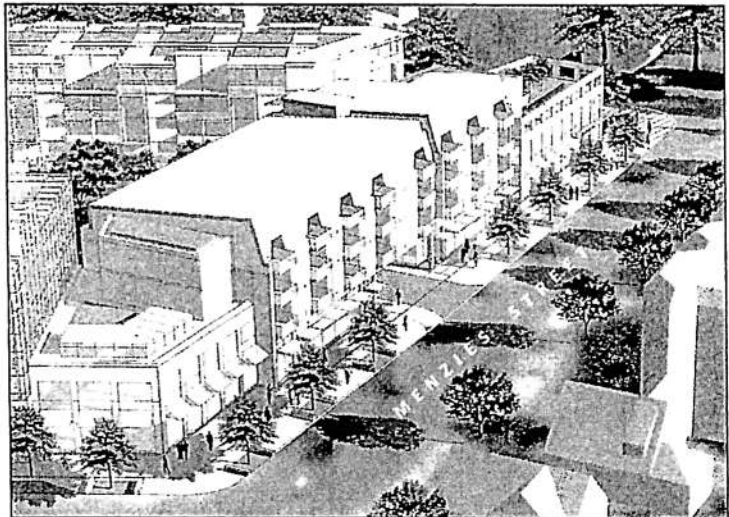
Retail oriented uses are envisioned at the ground level where each office building fronts onto the plaza. To further animate and define the south edge of the plaza, a transparent retail pavilion intended for restaurant tenants and complete with outdoor seating is proposed. The pavilion form is strongly integrated with the central landscaped courtyard behind to provide a transition zone and deal with privacy / overlook issues between the commercial and residential zones of the Site.



Building B

Continuous street level retail uses with 3 storeys of residential above are proposed on the Menzies Street frontage. The building is consistent in scale and character with existing development to the south and to future development anticipated to the west. With subtle references to traditional 2-3 storey scale commercial retail buildings similar to those found at the 'five corners' intersection of Menzies and Toronto Streets, this building is intended to have the grain and texture of a traditional "village" retail streetscape. The massing of the building will be articulated to modulate the scale of the long street frontage in a manner similar to smaller buildings that have been constructed incrementally over a period of time.

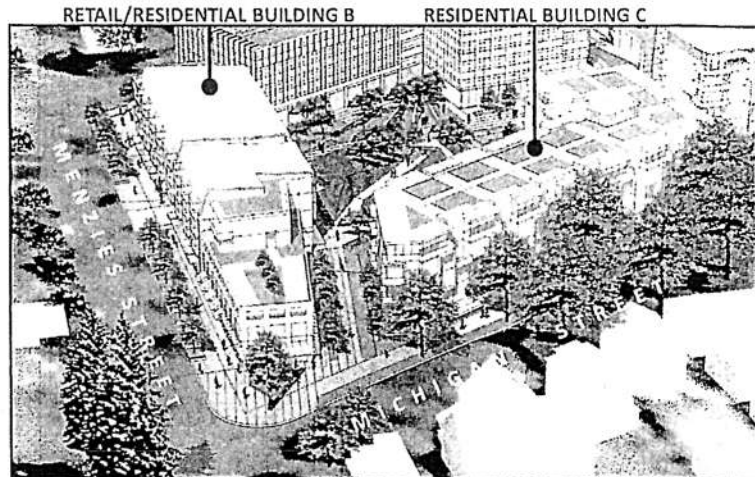
The street level spaces will be flexible and able to accommodate a range of retail tenants of varying sizes with large transparent individual shop front windows and entries, continuous weather protection canopies and integrated signage and lighting. Located at the northwest corner at the termination of the Superior Street end view from the west is a prominent 2 storey retail space capable of accommodating a potential library tenant. At the southwest corner of Menzies and Michigan Streets, double height retail space with room for a potential mezzanine and expressed on the exterior as a corner "flat iron" building, has been provided. This space would be ideal for a larger food and beverage tenant associated with outdoor



seating on a sunny corner plaza. One of two primary vehicular access points to the below grade parking is positioned midway along the block. This frontage will also incorporate pedestrian and bicycle access to the interior landscaped courtyards and walkways. A landscaped amenity roof terrace for residents is proposed at level 3 at the south end of the building. The 4th level of the building is set back slightly on both the street and courtyard sides of the building, and with a change in exterior finish material will contribute to maintaining a lower scale perception of the building.

Building C

Lower scale residential uses are located along the Michigan Street frontage, relating to the scale of James Bay residential areas to the south. All residential buildings fronting onto Michigan Street will have a consistent 2 - 3 storey townhouse expression in keeping with the rhythm and scale of this quiet, tree lined residential street. The 4 storey building C is the largest of the Michigan Street residential buildings and is compatible in scale with the 2 - 3 storey commercial and residential uses directly across the street. Together with the 'flat iron' retail building and plaza at the south end of building B, building C helps to frame the view from Menzies Street to the dome of the Legislature and creates a strong invitational gesture to the west courtyard space. The main entry lobby and residential amenity space are located along the Parry Street walkway through the Site, providing animation and overlook for the public walkway areas. The fourth level is set back from the lower face of the building to diminish the perceived scale of the building and to allow for generous, outdoor terraces.



Building D

This 5 storey residential building, located between the north / south pedestrian walkways on the Parry and Powell Street alignments, is situated perpendicular to the Legislature central axis and scaled to be consistent with office buildings A1 and A2 to better define the south edge of the central public plaza. The plan form of the building is therefore skewed in relation to the Michigan Street frontage, creating a strong invitational gesture to the public pedestrian walkways through the Site and a triangular landscaped forecourt and pocket park between the Parry and Powell Street ends. The southwest and southeast corners of Building D will work together with the entry corner of Building C and the west corner of the Building E townhouses to bookend the Parry and Powell street walkway entries, adding to the sense of invitation to and through the Site. As for all residential buildings fronting onto Michigan Street, a 2 - 3 storey townhouse expression is consistent with the continuous, lower scale residential streetscape.

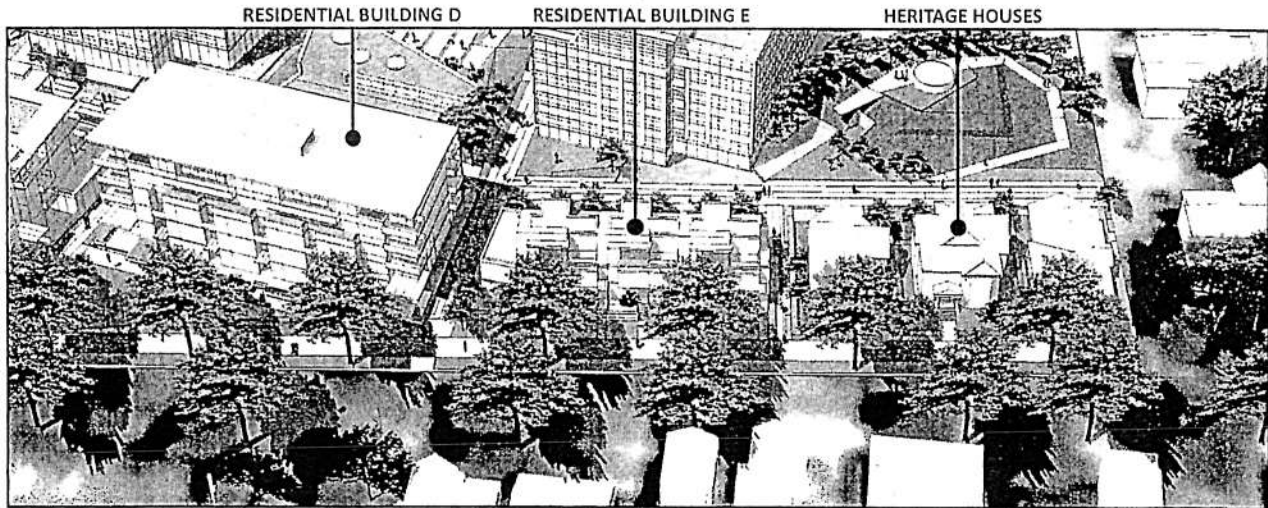
The north façade of Building D performs a critical role as a backdrop to the central public plaza, and will be highly visible from the Legislative grounds. Much attention will be afforded to the design and detail of this façade, and it is intended that it relate closely to the expression of the office building facades framing the plaza, rather than assuming the appearance of a typical residential apartment building. At this preliminary stage of the design process, the design team is exploring strategies to maintain a clean, controlled order to this façade without compromising outdoor living spaces and the splendid views to the Legislature from the building.

Building E

This row of 2 ½ storey townhouses is clustered together with the relocated and restored heritage houses at the southeast corner of the Site. The townhouses are scaled to be consistent with the height and proportion of the adjacent heritage houses, and they relate well to the lower scale, predominantly single family residential neighbours across Michigan Street. They have individual street facing entries with front yards overlooking the street, and rear yards with integrated landscaping to provide privacy and separation from the public walkway and office zones on the north side. Though distinctly contemporary in character, the townhouses will also be designed to relate to neighbouring residential buildings in material, colour and detail.

Heritage Houses

As mentioned above and as described in more detail in the Heritage Considerations section of this letter, three existing Superior Street heritage houses will be relocated and restored on-site. As with the building E townhouses, the southeast corner of the site was considered the preferred location for the heritage houses given the lower scale residential character of the east portion of Michigan Street. More importantly, together with the two Provincially owned Government Street heritage houses and grounds immediately adjacent, an authentic cluster of houses reminiscent of the traditional single family character of the neighbourhood is preserved.



Project Phasing and Future Subdivision

Given the scope of the undertaking and to accommodate interim use requirements for some of the existing Provincial office tenancies on the Site, it is intended that construction of the overall project will be completed in two or more phases. Phase 1 entails the removal of the existing 2 storey office block at 525 Superior Street and the relocation of three heritage houses to make way for the construction of the A1 office building and building B (the Menzies fronting retail / residential building). Phase 1 construction is targeted to commence in the summer of 2015 and be completed in approximately 18 – 24 months. Phase 2 construction includes the demolition of the existing 541 / 553 Superior Street office block to allow for the construction of the A2 office building on the eastern portion of the Site. Phase 3 construction requires the demolition of the existing 544/548 Michigan office block to enable the construction of residential buildings C, D and E. Phase 3 construction may commence concurrently or partially overlap with the construction of Phase 2 depending upon construction logistics and prevailing market conditions.

In addition to accommodating the phased construction requirements, the project has been designed to allow for the future potential subdivision of the Site into as many as six separate legal parcels. Office buildings A1 and A2, together with the plaza retail pavilion form one parcel, and building B another. Buildings C, D and E would form a third parcel, and the 3 restored heritage houses would each be subdivided into separate parcels. A Project Phasing and Subdivision Plan has been submitted as part of this application.

Architectural Expression / Materials

For the purposes of this application, the design team has primarily focused on broader urban design, site planning, building form and massing issues. Detailed design of individual buildings has yet to be completed and will be done in conjunction with the preparation of the development permit applications for each discrete building. Nonetheless, at this early stage of the design process, conceptual directions regarding architectural expression and detailed design of the project have begun to emerge. The proposed form and massing of the development has been derived to respect and be complimentary to the Site's unique historical context, and the architectural design and detailing of the project should achieve an exemplary level of contemporary design consistent with that objective.

To that end, the architectural expression of buildings will be informed by subtle, rather than literal references to neighbouring traditional and / or historical architecture. More importantly, the detailed design of buildings will develop in response to considerations of sustainability, durable materials and construction, and current market leading quality standards. We believe that these parameters and objectives are reflected and confirmed in the proposed design guidelines for the Project which form part of this application.

The Public Realm

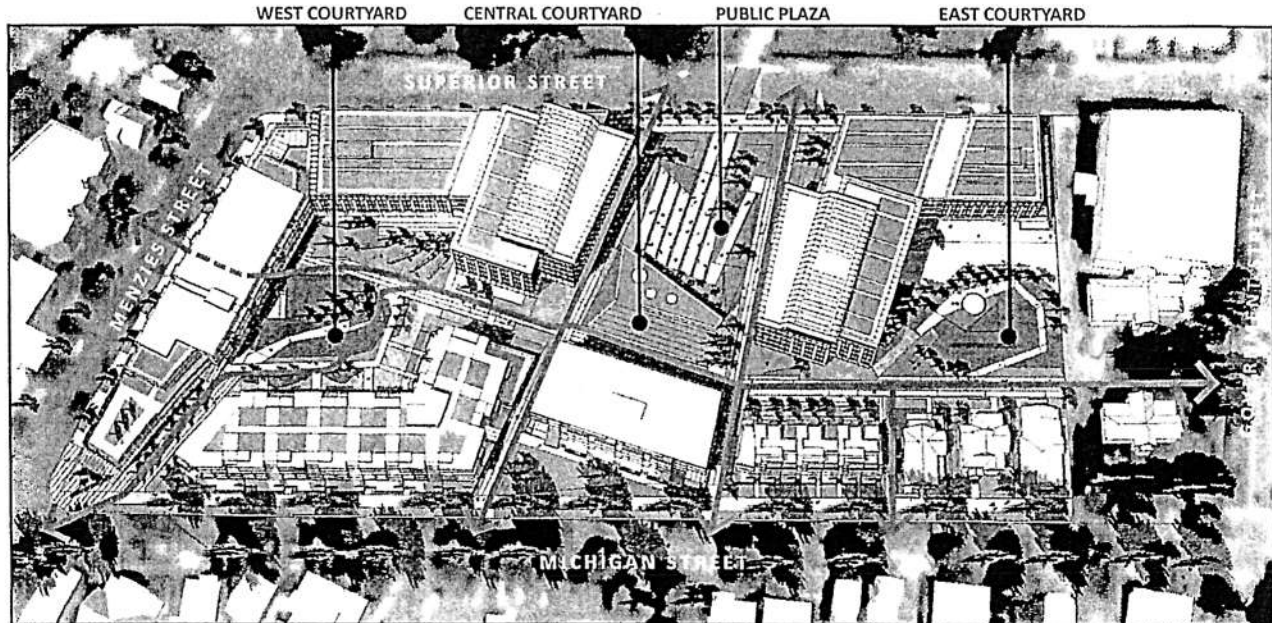
The relationship between the Site and the surrounding context of the Legislative Precinct and the James Bay neighborhood is paramount in informing the character and form of the public realm. The Project seeks to convey a narrative focused on the immediate and regional identity of place, while seeking to create a seamless integration of architecture and landscape as expressed in a 'folded landscape' aesthetic.

Contextually, the public realm seeks to merge the formal character of the Legislative Precinct with a finer grain, informal character expressive of the James Bay community. The open space becomes the transition between these two distinct adjacencies, whereby the pedestrian scale of the surrounding neighbourhood is reflected in the design of the public realm along Menzies Street and Michigan Street, and a more symmetrical and axial expression for the Project's central plaza forecourt and streetscape fronting Superior Street relates to the Legislature and its south lawn.

The folded aesthetic of the internal courtyard landscape merges with the folded façade forms of the inward-facing building adjacencies to achieve a design expression within the interior of the block that serves as a 'foil' to the more formal massing relationship of the office buildings with the Legislature. Thus, the interior expression of the Project creates a contrasting form expression with the outward facing frontages.

The public realm landscape plays a critical role in telling a narrative for the site that speaks to the natural, cultural and historical context of the Site and its surroundings. The landscape expression is an angular abstraction of the Garry Oak meadow ecology that is distinctive to Victoria and the Capital Region. Rolling hills and rock outcroppings with Garry Oak trees are expressed in the form of angular berms and timber outcrops that become sculptural seating forms, play walls, protruding decks and furnishings. A shallow meandering stream follows the course of the east west greenway, depicting the ephemeral watercourses that once flowed across the sand flats of James Bay. The Garry Oak meadow is further expressed on the green roofs of the surrounding office and residential buildings, creating a functional urban ecology and a means of "rewilding" the urban landscape.

Streets



The transitions between the Project and the surrounding community is fundamentally expressed within the streetscape environment. Each of the street frontages is unique in its design response, with careful consideration given to complimenting the facing side of the street, retaining existing street trees, considering sustainable stormwater management practice, and creating a pedestrian environment that responds to the uses, texture and scale of building adjacencies.

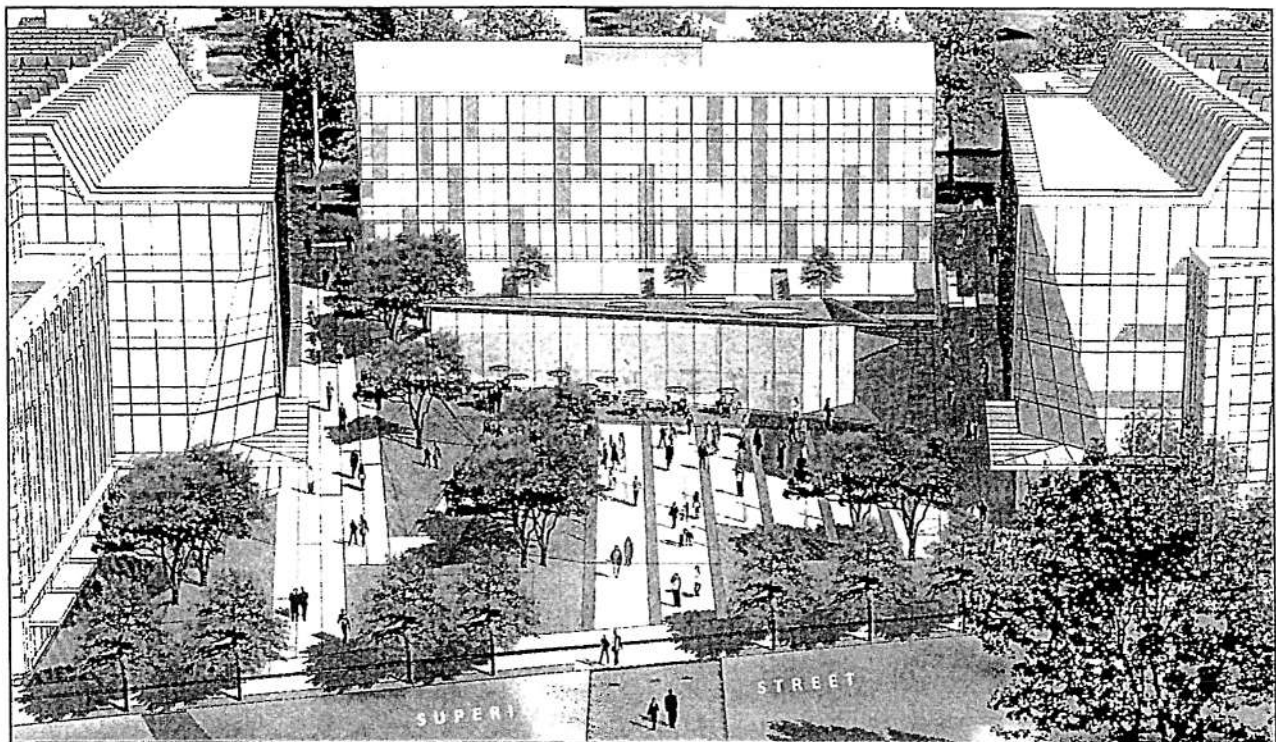
The design expression for Superior Street is predicated upon reinforcing the formal relationship between the Project and the south portion of the Legislature grounds. The layering of modal uses includes a widened sidewalk and interactive zone that accommodates potential retail along the office building frontages, a boulevard zone designed to accommodate rain gardens, street trees and seating alcoves, and reconfiguration of the street to allow for dedicated bike lanes. A bus pullout and passenger loading zone, street parking, and maneuvering lanes for vehicular traffic access to the Site will all be considered in the detailed design of the streetscape.

A mid-block crossing is proposed as part of an extension of the plaza ground plane across Superior street to connect with the axial walkway of the Legislature lawn. A change in paving material combined with a potentially level pedestrian crossing will provide additional cues to both cyclists and motorists that this is a pedestrian priority zone. Where crossings are flush with sidewalks, entry points will be defined with shrub planting and bollards to limit pedestrian access to designated crossing zones. Special paving within the plaza extension into the street will use vehicular rated unit paving conforming to City of Victoria Engineering requirements.

Menzies Street is designed to accommodate a vibrant retail environment with anticipated retail uses that will enhance what is seen as the neighbourhood high street. The scale is more intimate and finer grained with shallow interactive zones to accommodate outdoor retail displays and café seating. A segmental planted boulevard interspersed with seating enables additional opportunities for pedestrian activity. Paving sections between boulevard planting provides access points for parallel parking and loading.

Michigan Street is a quiet, tree-lined residential street fronted with private 'front yards' and terraces that correspond with the scale and grain of the residential homes on the facing side of the street. Mature Horse Chestnut trees line both sides of the street to create a beautifully enclosed street corridor with a leafy shade canopy. Provisions will be made to maintain the generously sized lawn boulevards which have enabled these mature trees to thrive and reach their full genetic potential. An adequately sized sidewalk provides access to the ground oriented residential units. While no formal demarcation for cyclists is anticipated, it is seen that the narrow street with parking on either side will continue to facilitate reduced traffic speeds and create a safe mixed modal travel street appropriate for cyclists.

Plazas

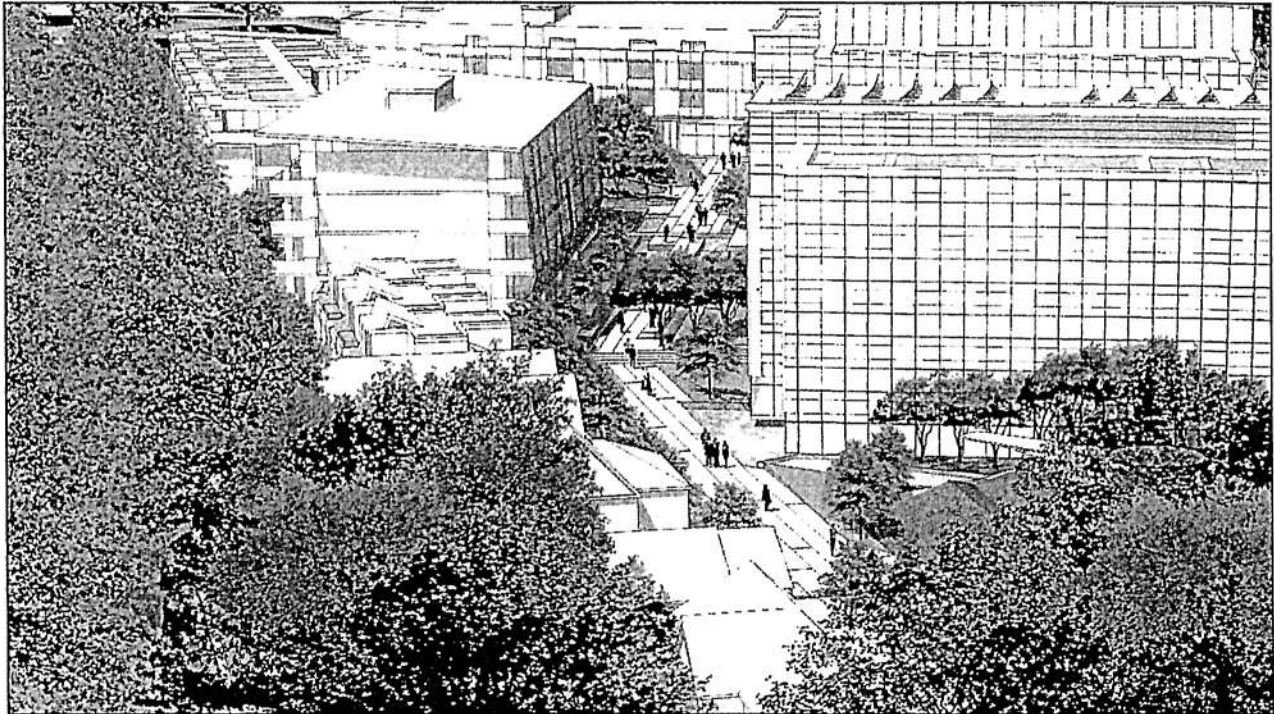


CENTRAL PUBLIC PLAZA

The public central plaza serves as the front door to the Capital Park Project, and becomes a community focused destination for social gathering, performances and public life for the both the Legislative Precinct and James Bay. The Plaza bears a formal axial relationship to the south lawn of the Legislature with a continuous ground plane that follows the alignment of the Legislature's south lawn. At the same time, the folded elements of the interior landscape environment are layered over top in the form of angular timber seating terraces and lawn berms to create an iconic plaza form that merges both the formal and informal. The arrangement of timber seating elements on the north and east sides responds to the desired orientation towards the morning and afternoon sun creating comfortable edge conditions for respite, informal gathering and spectating. Actively programmed building edges infuse activity into the plaza, consisting of a restaurant/café pavilion with outdoor patio space, as well as lobby spaces and potential retail frontage in the flanking office buildings. The plaza could be animated by a series of water jets, integrated into the ground plane as a visual and water play attraction, or turned off to accommodate outdoor performances, farmer's market and other programmed events to ensure the full breadth of the plaza's use potential.

The southwest corner plaza at Menzies and Michigan Street serves as an informal, neighbourhood scale meeting point and a spill out space for a café patio and casual outdoor seating. This plaza becomes an invitational gesture for public access into and through the west courtyard. A central seating deck becomes an iconic and sculptural meeting point that alludes to the character of the folded landscape that is expressed in the interior of the site, coupled with diagonal paving that reinforces the centerline of the building prow.

Courtyards



EAST WEST PEDESTRIAN GREENWAY

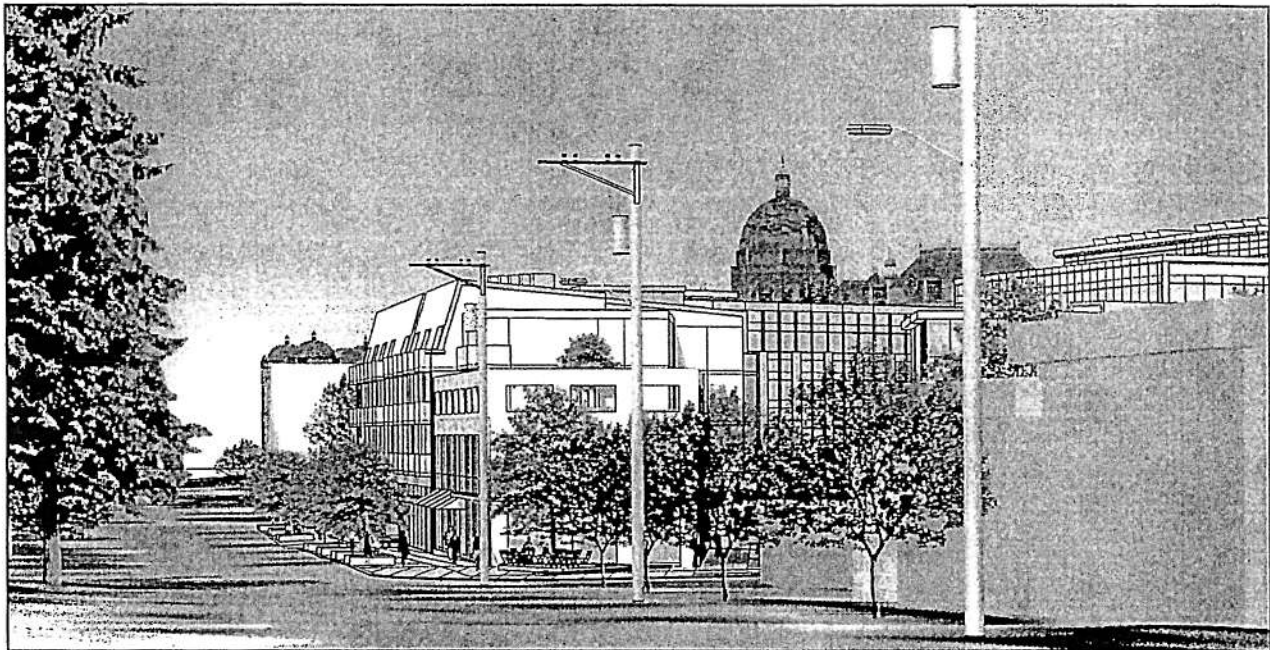
The interior of the Site is characterized by a series of courtyards that provide publicly accessible green space coupled with both active and passive outdoor programming elements to facilitate healthy active living within the community. This courtyards become a series of interconnected rooms linked together by an east/west pedestrian path that provides public access through the site. They are visually connected through the use of water and the folded Gary Oak landscape as a common theme throughout.

The west, central and east courtyard spaces all incorporate extensive contoured landforms, as part of the common 'folded landscape' vocabulary. These landforms serve the multiple purposes of concealing parking access ramps and service spaces, creating natural visual buffers between the residential and commercial buildings, and providing a natural setting for the provision of a variety of uses. Each courtyard is envisioned as having its own unique and distinct character, yet unified by common elements such as the water courses, tree lined pathways, seating, and lighting details that link them together.

In addition to providing sunny, outdoor seating areas for office and residential occupants, the west courtyard presents opportunities for play potential, including climbing elements, play sculpture, a slide and sunning lawn. A shallow water feature to the southeast of the landscaped mound provides a privacy separation and amenity for the ground oriented residential units in Building C. The central courtyard serves as a soft transition between the main entry plaza and residential building D. A sloping lawn integrated with the south side of the restaurant/ café pavilion continues the theme of the folding landscape, and creates a desirable south facing slope for sunning. The east west pedestrian pathway parallel to the toe of the slope runs alongside a water channel that provides separation from the adjoining ground-oriented residential units. The knoll of the east courtyard features an edible landscape comprised of a robust assortment of food producing shrubs and herbs that provide year round appeal.

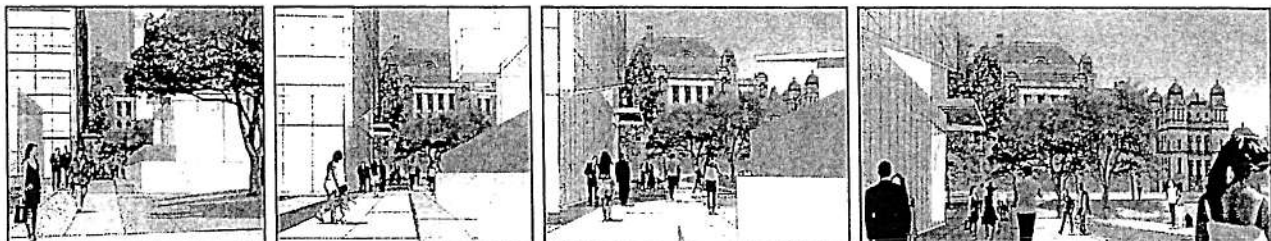
Public Pedestrian Pathways

Supported by the extensive improvements to the Michigan, Menzies and Superior streetscapes, the provision of multiple obvious and inviting pedestrian walkways is vital to achieving a publicly accessible open space network through the central zones of the Site. Extensive street level view analysis and 3D modeling has been used by the design team to consider the visual and experiential aspects of how one approaches the Site from different directions and moves through it on any of the multiple pathways provided.

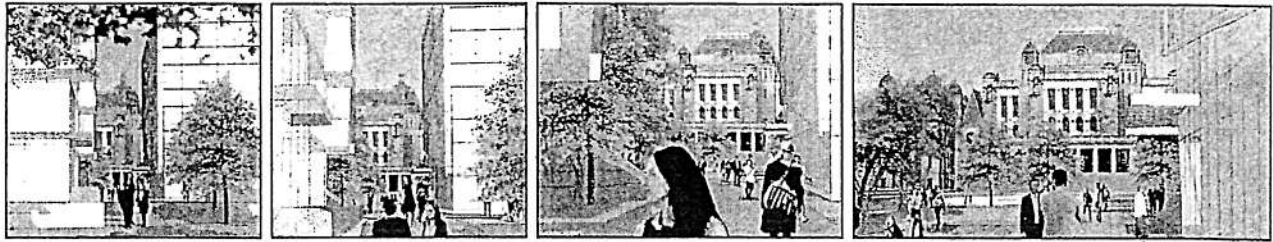


Street Level View looking north on Menzies Street

The approach and access routes north south through the Site from Menzies Street and from the Parry and Powell Street alignments, are designed to take into account critical sightlines to the Legislature. Upon entering the site from the south or the north, these walkway alignments are characterized by an inviting, sequential experience of moving between the smaller, more intimate passageways framed by the Michigan Street residential buildings and the central public plaza with its water feature, café pavilion and animated office building frontages. A greenway serves as the primary east-west linkage, connecting the southwest corner of the Site and the Menzies Street commercial retail environment through to the eastern boundary of the Site and the park-like space between the two Government Street heritage houses.



Parry walkway through the Site from Michigan to Superior Street

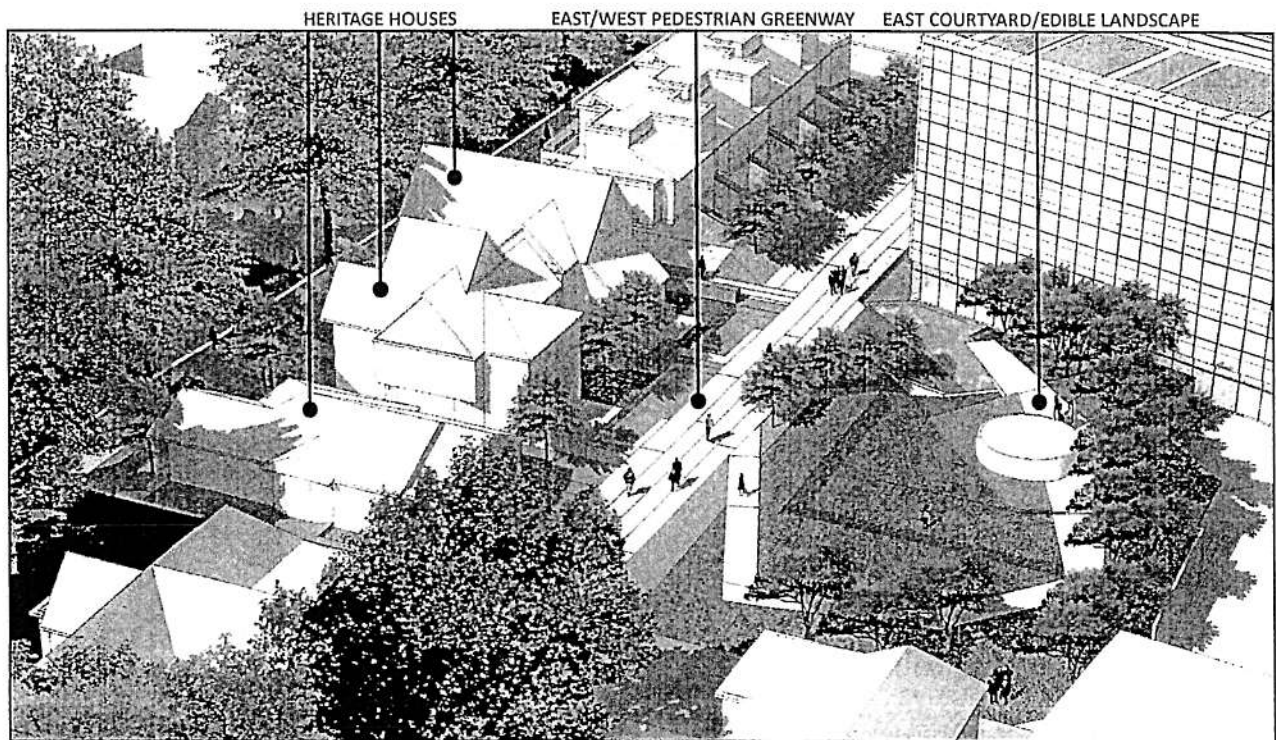


Powell walkway through the Site from Michigan to Superior Street

Project Benefits and Amenities

The Development Proposal described above strives to improve upon the form of development and public realm strategies prescribed by the Victoria Accord design guidelines and produce an enhanced array of benefits and amenities to community and project stakeholders. In addition to the overall benefits that will derive from the addition of sustainable designed high quality office, retail and residential premises on the Site, the following amenities and public benefits (or modest variations thereof subject to on-going MDA discussions) are envisioned to be provided in accordance with the provisions of the existing MDA:

- A 700 square meter retail space suitable for library use
- A fitness facility on the main level of the first office building
- The relocation and restoration of 5 heritage houses
- Threshold numbers of affordable (51) and family (61) housing units
- A series of lanes, walkways and courtyards open to the public



Additional amenities and public benefits arising from the Development Proposal and enabled by the proposed increase in density outlined above include:

- The provision of a high quality public plaza with supporting retail amenities on Superior Street, consistent with the public amenity space objectives outlined in the 2011 Downtown Core Area Plan.
- Improved sightlines through the Site and to the Legislature from the south versus the Victoria Accord concept.
- Improvement upon the scope and quality of the courtyard spaces as envisioned in the Victoria Accord through the incorporation of water features, improved sun path exposure, high quality furnishings and landscape and other public realm enhancements.

- The introduction of a publicly accessible 'edible landscape' garden as a component of the landscape plan, consistent with the Food Systems objectives outlined in the 2012 Official Community Plan.
- A more equitable balance in the ratio of office space to residential space reinforcing a true mixed-use character.
- Significantly enhanced commitment to sustainable design (proposed minimum standard of LEED Gold for all newly constructed buildings) as compared to the Victoria Accord (no green building commitments).

Need and Demand

In addition to the numerous community benefits and amenities of the Development Proposal noted above, the Project also responds to specifically identified demands and needs of the marketplace. The Provincial requirement for high quality, environmentally responsive office space customized to their specific parameters was a core motivation for undertaking the sale of the Site and the corresponding leaseback of office premises. Of the 21,846m² (235,154 square feet) of office space proposed for the Project, 16,723m² (180,000 square feet) has already been leased by the Province with phased occupancy required in 2017 and 2019. Of the total area leased by the Province, a significant component will be utilized to relocate occupants of the existing buildings on the Site that have come to be regarded by the Province as functionally obsolete. In Victoria's 2012 Economic Development Strategy, the number one strategic focus area identified is to "maintain the City's role as the headquarters of the Provincial Government." No other land parcel or development undertaking in the City of Victoria is more vital to meeting this strategic priority than this Development Proposal.

With respect to the commercial retail components of the Project, we regard it as essential that key street level interface areas benefit from the animation and vitality that comes from active retail uses. Further, a 2013/2014 community survey commissioned by the James Bay Neighbourhood Association identified the addition of expanded retail amenities on the Site as being one of the most appealing and important community contributions of the Project. Finally, while a sales and marketing campaign has not yet commenced, our preliminary assessment of the market and experience with similar projects indicates a healthy demand for residential offerings in this location. Indeed we believe a thoughtfully curated mix of unit types, sizes, and tenures as well as the incorporation of both affordable units and units appropriate for families will be positively received by local residents and play a key role in realizing the Project's mixed-use aspirations.

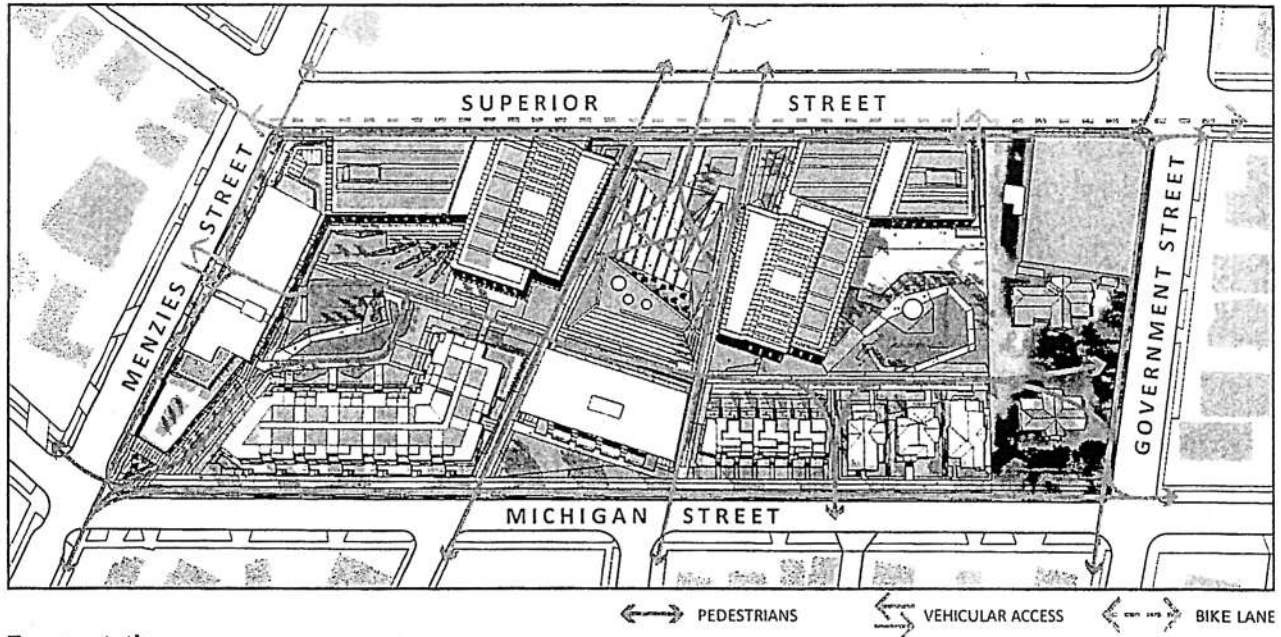
Safety and Security Considerations

The Project design has considered factors impacting the safety and security of visitors and occupants of the buildings as well as members of the surrounding community. CPTED principles have been incorporated extensively including:

- The encouragement of natural surveillance through extensive windows at the ground level of the Project which look onto adjacent streets and sidewalks.
- Active retail uses at strategic street level frontages to promote natural surveillance as well as positive and desirable activity on Superior Street, Menzies Street and in the central public plaza.
- Individual entries and semi-private outdoor terraces for ground level residential units fronting onto Michigan Street to enhance the neighbourhood character and contribute 'eyes on the street' surveillance.
- The positioning of all building entrances and access to the network of courtyards and pedestrian walkways through the Site in locations that are easily identifiable from street level.
- Sidewalk and street design and multiple open and inviting access points to the network of courtyards and walkways through the Site to encourage high volume pedestrian and bicycle traffic.
- Locating primary residential building entry lobbies and amenity spaces adjacent to the Parry and Powell pedestrian walkway passages to / from Michigan Street.
- Lighting design for interior and exterior public spaces which has been coordinated so as to eliminate dark corners and encourage warmly lit, highly visible areas conducive to positive public activity.
- Carefully considered landscape design which minimizes visual barriers and hiding spots so as to ensure adequate surveillance, particularly in areas within the courtyards and proximate to building entrances.
- 24 hour overlook and surveillance of the public courtyards by office building users during the day and courtyard facing residential units in the evening.
- The provision of a high density project with active office, residential and retail uses which will offer natural surveillance and activity support from the thousand plus people expected to occupy, visit, and pass through the Site each day.

In addition to the CPTED principles noted above, the Project will also incorporate on-site security personnel, CCTV at building entrances, and a card access system controlling ingress to the secure areas of the buildings. As the detailed

design of the project develops further over the coming months, the project team is committed to ongoing study and consideration of CPTED parameters.

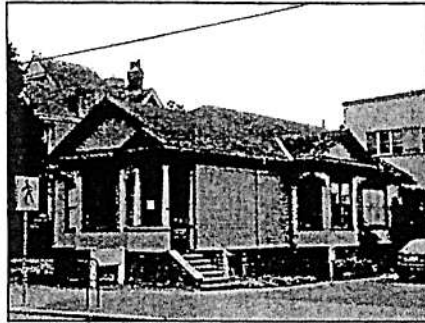


Transportation

The Project's location and design make it very well suited to facilitate multi-modal transport access for occupants, residents and visitors. Pedestrian movement is encouraged through numerous access points to the Site on the north / south and east / west alignments to the extensive internal pathway and courtyard network. Further, all pedestrian areas are envisioned to feature high quality paving, lighting and streetscape furnishings, landscaping which separates sidewalks from adjacent traffic lanes, numerous pedestrian refuge areas and prominent building entries with good visibility and overlook. Bus access to the Site is encouraged as Government Street, Superior Street, and Menzies Street are all are significant transit routes and one of the downtown's key bus interchange stations is immediately adjacent to the Site. It is also noted that the potential transit exchange location for the envisioned Douglas Street Rapid Transit Corridor is located just two blocks from the Project. Bicycle access to the Site is encouraged by the Project from a number of perspectives. The Project will be advancing the Cycling Network envisioned in the Downtown Core Area Plan (2011) with the creation of a bike lane along the Project's Superior Street frontage. Each phase of the Project will also provide extensive secured and public bicycle parking in excess of the City of Victoria's specified requirements. Cycling is further encouraged by the incorporation of end of trip facilities in the office building component of the Project through the inclusion of shower, changing and locker facilities for use by building occupants.

All vehicular parking for the Project is proposed to be accommodated underground with access provided via two entry ramps (one off Menzies Street and another off Superior Street). In total, a minimum of 206 parking spaces are proposed for the office components and 44 spaces for the commercial retail components. Parking for the residential components will be provided at a ratio of 1-1.5 spaces per residential unit (162-244 spaces total). The proposed parking ratios for the newly constructed residential components and the commercial retail components are compliant with City of Victoria Schedule C guidelines. The Applicant proposes the waiver of the parking requirements associated with the three heritage houses being retained on-site due to the construction impracticalities dictated by the home's heritage features, subdivision boundary constraints, and the priority of rental unit affordability for the suites. The application also proposes a revision of the required parking ratio for the commercial office component of the Project. The application proposes a parking ratio of 1 stall per 106.0 square meters of office space versus 1 stall per 74.0 square meters as currently provided for in the existing CD-2 zone. The proposed level of parking appears more than adequate based on parking demand studies of precedent office projects owned by the Applicant in the Downtown Victoria area. Further, the Province (the occupant of the office space) has advised that the proposed parking ratio would comfortably exceed their anticipated demand for employee parking. Bunt Engineering has prepared a comprehensive traffic and parking assessment based on the proposed parking counts and trip generation expectations of the Proposed Development. Bunt's report notes that the proposed parking ratios are more than adequate to meet anticipated demand and the Project is not expected to contribute materially to any negative traffic conditions at surrounding intersections. A copy of Bunt's report is included in the Application package for further reference.

Heritage Considerations



An overriding heritage consideration for this prominent site is its proximity to the Legislature building and grounds, and to the historic Downtown Core and harbourfront. The scale and form of the Development Proposal has been derived substantially in response to the Site's formal, axial relationship to the Legislature. This relationship will continue to influence the detailed design and architectural expression of the buildings through the design development phases of the Project.

At present, there are five heritage houses located on the Site, all of which are listed on the City of Victoria's Heritage Register. To facilitate the office, residential, retail and public realm aspects of the Development Proposal and to create an enhanced context for the heritage houses it is required that all five houses be relocated. The Development Proposal contemplates relocating the three houses presently situated at various points along the Superior Street frontage to the southeast quadrant of the Site. This relocation strategy is intended to facilitate the creation of a unified cluster of heritage homes along Michigan Street supporting the heritage context of the two adjacent heritage houses that front onto Government Street that are owned by the Province and complementing the residential form on the southern side of Michigan Street. The remaining two heritage homes, currently situated along the Michigan Street frontage, are proposed to be relocated within James Bay to a location that is complementary to their heritage value. The two Michigan Street houses are typical in style and form to houses of their era and would fit in comfortably on a residential street within James Bay. The three Superior Street houses were selected for on-site retention as they possess a higher level of heritage value and are more impressive examples of homes from their time period. We believe that this relocation strategy will improve the context of all five of the heritage homes.

A Conservation Plan has been prepared for each home which outlines the steps to be taken to rehabilitate the houses and protect their heritage value. We plan to undertake this work on the three Superior Street houses as soon as practical following their relocation. At that time, they will also be revitalized for use as rental residential properties. It is anticipated that the three houses will contain a total of 13 rental suites. Anticipating this use, the design team's priority has been the preservation of the historic structures of the buildings and letting the natural constraints of the homes dictate the unit count, size and format as opposed to altering the houses to accommodate a prescribed housing program.

The Applicant has started the process of identifying suitable potential receiver sites within James Bay for the two Michigan Street houses and will be requiring that the recipients of the homes complete the work outlined in the Conservation Plan. It is anticipated that these two homes will also be converted for use as rental residential properties.

A Heritage Submission was made to the City on June 16, 2014 to address the treatment of these five heritage homes. The existing MDA requires that the restoration and relocation plan for these houses be approved by the City. The submission included the Conservation Plan and Relocation Plan for each home (or in the case of the Michigan Street houses, criteria that a receiver site must meet) and is intended to address the requirements outlined in the MDA.

Green Building Features

In addition to the architectural features noted above, the Applicant and design team are committed to embracing green building principles into the Project's design and long term operations. All newly constructed components of the Project will be registered with the Canadian Green Building Council's LEED program and will target a minimum designation of Gold for the office and residential buildings. We envision the Project becoming a showcase project for environmentally responsive office and residential building construction through the utilization of:

- High performance building envelope systems
- Extensive green spaces including vegetated roof areas to address the heat island effect and manage stormwater run-off
- Significant enhancements to the scope of permeable landscape surfaces as compared to the existing condition
- Energy efficient lighting and electrical systems including a reduced lighting power density in all buildings
- Water efficient plumbing fixtures in all buildings
- Bicycle storage and shower and changing facilities for office building occupants
- Fitness facilities for office building occupants
- Energy Star appliances for residential buildings
- Electrical vehicle charging infrastructure
- Low VOC interior finishes in all buildings
- Building designs optimized for interior daylighting
- Redevelopment of an under utilized urban site in an area that is well served by transit and highly accessible by pedestrians and cyclists

Other sustainability strategies under consideration by the design team include:

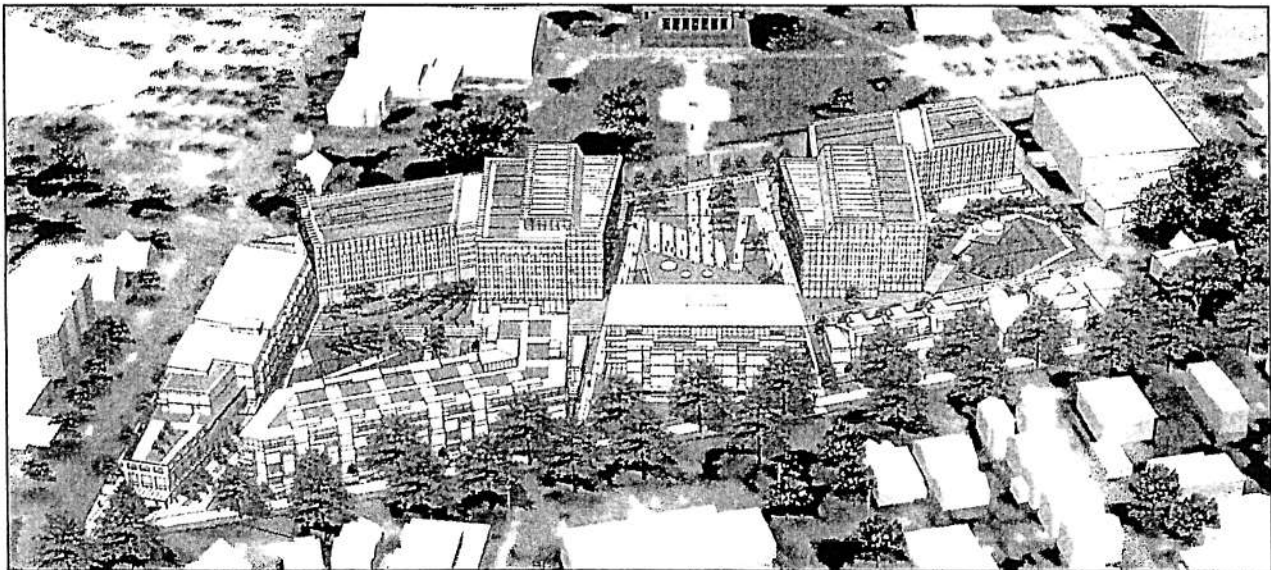
- A potential ground-source geoechange based HVAC system
- A potential district energy system solution to diversify overall heating and cooling loads and permit the sharing of excess thermal energy between buildings
- The retention and treatment of either stormwater or grey water for the use of irrigating the building landscapes and green roofs
- The use of solar thermal collectors on building roofs to heat domestic hot water and recharge the geoechange loops during summer months

A more detailed description of the Project's green building attributes in the form of separate preliminary LEED checklists for the Office and Residential building components are included with this application.

Infrastructure

The design team has consulted with City of Victoria staff to review existing City infrastructure locations and proposed services planned for the Project. The Site is presently serviced on all three frontages with sanitary sewer, storm drain, water, hydro, communications and gas. Preliminary servicing locations for individual development phases have been identified and will be refined during the next stages of the design process. Extensive frontage improvements within the right-of-way are anticipated for the Project and existing grades along project boundaries will be met.

The design team has initiated coordination with utility companies with services adjacent to the Site to review existing infrastructure and review potential conflicts with proposed right-of-way improvements. Additionally, we are exploring the option of the beautification of some Project frontages through moving existing overhead utilities underground. The Project is integrating sustainability into the design process and it is anticipated that this approach will minimize the impact of this project on City infrastructure.



Conclusion

The Applicant and the design team believe the Development Proposal presents a significant opportunity to bring new life to a key block that links the James Bay community with the Downtown Core. We have proceeded thoughtfully at each stage of the conceptual design development process conducted to date and believe that this Project responds to both the vision set forth in the City of Victoria's applicable planning guidelines as well as the more general community aspirations for the Site. Indeed consultation efforts to date with a wide array of community stakeholders have affirmed our conviction in the direction we have taken with the Development Proposal.

In the months to come, we anticipate following this application with building specific development permit applications for the first phase of construction. This shall include the first of the two office buildings and the residential and retail building along Menzies Street. To meet the Province's targeted occupancy date for the first office building, construction must be complete by March of 2017. To enable this timeline to be achieved, it is critical that on-site construction activity begin no later than the summer of 2015. We sincerely appreciate the time and effort put forth thus far by members of staff at the City of Victoria in assisting with a collaborative and expedited approach to this application. We look forward to working with City staff in connection with this application in the months ahead and are available as necessary to answer any questions or furnish additional information as required.

Sincerely,

JAWL DEVELOPMENT CORPORATION

Per:

Robert Jawl



CONCERT REAL ESTATE CORPORATION

Per:

Brian McCauley



Jawl Development Corporation



September 17, 2014

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

Attention: Brian Sikstrom

Re: South Block Application Review Summary – Rezoning File # 00457

Dear Brian:

We received a copy of the Application Review Summary dated August 21, 2014 in connection with our application for the rezoning of South Block (Rezoning Application #00457). We appreciate the efforts made by City of Victoria staff in providing this initial feedback. Many of the comments raised are for information purposes and we will be mindful of those points as we proceed towards both development permit and building permit applications for the respective project components. A number of items however require immediate attention and I would like to update you on our responses / action items in connection with those topics. For convenience, this letter will follow the same categorical organization as the Application Review Summary.

Sign Posting:

- We have received four site signs from Laura Wilson and they were installed on site as of September 12, 2014.

Development Services Division Review:

- We understand that the City has now received a copy of the third party land lift analysis applicable to the site. We look forward to discussion this topic and the valuation of the proposed amenities with the Planning Department staff in due course.
- The additional view studies requested by Planning Department staff were provided on August 29, 2014.

Transportation Review:

- Further to staff comment pertaining to the proposed parking variance applicable to the 13 residential units in the three relocated heritage houses, we agree to modify our proposed parking strategy for the project. Specifically, we propose to include 8 parking stalls in the adjacent parkade (below the A2 office building) which will be allocated to the 13 residential units in the 3 relocated heritage homes. This will also involve a reduction of 8 stalls from the allocation proposed for the commercial office components of the project. The 8 stalls applicable to the heritage homes (a ratio of 0.62 stalls per unit) will be supplemented with the TDM measure of including storage facilities for the 13 residential units suitable for on-site secure bicycle storage. It should be noted that the 8 underground parking stalls will be constructed in connection with the second phase of work whereas the heritage homes will be relocated, rehabilitated, and occupied during phase one. Accordingly, there will be a time lag post occupancy until the associated parking is able to be provided. We distributed a revised traffic and parking impact report from Bunt Engineering to the Engineering Department on September 12, 2014. On September 15, 2014 we received confirmation from Steve Hutchison indicating that he was satisfied with the revised report which reflects the modifications noted above.

Land Development Review:

- WSP Civil Engineers (Stephen Childs) has been engaged to prepare a civil site servicing plan for review by the Engineering Department prior to any building permit application.
- We anticipate submitting a preliminary subdivision application prior to the end of 2014.

Parks Division Comments:

- A meeting was convened between Architecture, Landscape Architecture, and Arborist project team members and Brooke Daitl of the Parks Department on September 10, 2014 to discuss the proposed approach to managing the project's impact on the Horse Chestnut trees along Michigan Street. A strategy was discussed aimed at mitigating the impact to the trees proposed to be retained while accommodating construction requirements and critical dimensions within the underground parking structure. A letter describing the proposed tree management strategy was provided to Brooke for his consideration and we are awaiting response from the Parks Department with comment on our proposed approach.
- We acknowledge the comments from the Parks Department describing concerns surrounding the proposed "dog friendly" status of the green space in front of Residential Building D. Accordingly, we agree to remove this proposed designation / use for this green space.

Permits and Inspections Division Comments:

- Representatives of the project team convened a meeting with Avy Woo and other members of the permits and inspections team to review the comments noted in the Application Review Summary. We understand the comments raised and will continue an ongoing dialogue with Departmental staff as the detailed design is prepared.

We hope the action items noted above adequately reflect the required responses to the immediate items noted in the Application Review Summary however if you feel any items are unaddressed or require further action on our part, please don't hesitate to let us know.

Sincerely,

JAWL DEVELOPMENT CORPORATION

Per. 
Robert Jawl



James Bay Neighbourhood Association

234 Menzies St
Victoria, B.C.
V8V 2G7

www.jbna.org

September 18th, 2014

Deb Day,
Director, Planning,
City of Victoria.

Dear Deb,

Re: Capital Park - CALUC rezoning from existing CD-2 zone to a Comprehensive Development Zone, OCP amendments, & modification of Section 219 Covenant

The Capital Park project was presented at the September 10th, 2014 JBNA General Meeting as per the CALUC process. Representatives of the Jawl/Concert consortium and project team leaders were present and responded to resident questions.

Attached please find the excerpt from the Minutes of the meeting that pertain to the proposal. Although the minutes provide a reporting of the questions/responses, we offer the following comments that capture the essence of the response to the proposal and major points made during the meeting.

There were approximately 120 present at the meeting. Poster boards were set up in advance of the meeting and a model provided a gathering place before and after the meeting where residents could speak one-to-one with members of the team.

The proposal met with applause at several points during the presentation and Q/A session. However, concerns remain, some specific to neighbours directly to the south of the project. Concerns included:

- construction logistics (noise and crew parking)
- concerns about street parking and increased traffic upon completion
- amenities - no consultation (*Note: although JBNA had done a survey and the Victoria Accord specified amenities as identified 20 years ago, the City has not consulted regarding current community amenity needs/wishes*)

Should you have any questions concerning the points raised, please contact us.

Tom Coyle,
JBNA CALUC Chair

Yours truly,

Marg Gardiner
President, JBNA

Cc: Brian Sikstrom, Planning
Robert Jawl, Jawl/Concert
JBNA Board of Directors

JBNA September 10th, 2014 General Meeting Minutes: EXCERPT

7. Capital Park (South Block) Rezoning and OCP amendments
Robert Jawl, Jawl/Concert Consortium
Alan Endall – Endall Elliot Assoc: Architect
Derek Lee – PWL: Landscape Architect

The proposal involves a rezoning, OCP amendments, and modification of an existing Section 219 Covenant to facilitate the development of a multi-phased mixed-use complex incorporating office, retail, and residential uses. The rezoning proposal would be from the existing CD-2 zone to a Comprehensive Development Zone.

Phase 1 including Building A1 (Superior) and Residential B (Menzies) should start approximately in a year. Phase 2 is building A2 at the east end and Phase 3 is Michigan residential buildings.

Q: See need for traffic calming on Michigan St

A: Haven't started work on that as yet and as there will be no parking access of Michigan should mitigate traffic calming. Have a traffic consultant on the project.

Q: How firm are plans for library and is there any daycare?

A: Nothing has been firmed up – there will be critical thinking of what and who will be entertaining for the retail. Will require a floor load to facility the library space. Have made proposal to City. Do not yet know if City will accept.

Q: Did I hear that there are 188 parking stalls for office workers

A: 198

Q: How many office workers

A: estimate 1000

Q: Where will overflow park?

A: 1 parking stall for 9 people in other businesses up town – this proposal ratio is greater, including bike storage, change room and shower facilities, encourage busing. Gov't feels adequate and that not everyone will request parking.

Q: Concern about using residential street parking.

A: This will be a case of policing.

C: Questioned consultation as the plan seemed quite complete.

A: Chair responded that the project had already been to JBNA on 2 other occasions and that the Victoria Accord had driven aspects of the development. The Victoria Accord was agreed upon by the city. Government and community in 1993.

Q: Thank you presenting a quality project, however have concern of height of buildings on Michigan, 5-storey building feels out of place with the other residential buildings, green space on inside at expense of pushing setbacks to sidewalks.

A: The Accord states a 5-storey cap and have tried to mitigate the height concerns, angling the 5 storey building on Michigan which provides front green space. The tree canopy will also mitigate the height and the upper part of the building may not even be visible from Michigan.

Since Capital Park is on the north side of Michigan, there will be no shade effects on existing residences on Michigan.

Q: Will there be an exercise pool in the fitness area?

A: No. Didn't have special allowances and would have to be managed by City or YMCA and neither requested it.

C: Would like to see, at a future presentation, the proposed lighting for evening, concerns for safety issues.

A: Will be warmly lighted, will avoid darkened areas, to provide safe traffic areas and natural safety and will have onsite security – will be safe and welcoming all hours.

Q: As an amenity would like to see a performance space for plays or other community events.

A: Outdoor plaza may serve that purpose and perhaps for the Community Market some day.

Q: 5-storey building behind Leg, will it be seen above Leg?

A: No

Q: Question whether there will be adequate bus service for employees.

A: Bus service on Government Street.

C: 4 of the Schematics will be on JBNA website, thank you for coming tonight.

C: There has been consultation with JBNA and the community through a survey late last year. There has been consultation between the developers and the community. There has not been consultation between the City and the community.

C: Thank you for a happy experience with developers, feels trying to work with everyone in community and this will be a very beautiful project.

Q: Will the 3 heritage homes be residential or commercial?

A: Rental residential units, following upgrading will be designated as heritage

Q: 198 parking spaces for residential use?

A: For office workers only. Residential and retail will be separate, over 200 more.

C: Entry & egress very concerned about left hand turns.

C: Interesting evening. Perhaps the project could be altered to include the removal of the "bunker building" on the south east corner of the leg grounds once government workers move into new office space.

A: Will have to consult with government what their intentions will be for the continued use of the building.

Q: handicap access?

A: entire development will be accessible, which is mandated by building codes

Q: How long for complete development of site?

A: Hope to commence first phase next year and complete in 18 months, 2017, then start phase 2 for completion in summer or fall of 2019, earliest residential on Michigan 2019 or shortly thereafter.

Q: Will there be provisions for the contractors workers parking?

A: There will be parking on site and parking on Q-lot during building phase.

General applause from those present.



CAPITAL PARK MIXED USE DEVELOPMENT

VICTORIA, B.C.

JULY 21, 2014

LOT 2 OF LOTS 1720 - 1743 INCLUSIVE, VICTORIA CITY, PLAN EPP38872

REZONING APPLICATION SUBMISSION

PROJECT TEAM

OWNERS

JAWL DEVELOPMENT CORPORATION
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kbogness@concertproperties.com

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Contact: Goran Ostojic

ELECTRICAL ENGINEER

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Joy Singh

CIVIL ENGINEER

WSP GROUP
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CODE CONSULTANT

GHL CONSULTANTS
409 Granville St #950, Vancouver, BC V6C 1T2
Contact: David Graham

TRAFFIC CONSULTANT

BUNT & ASSOCIATES ENGINEERING
1050 W Pender St #1550, Vancouver, BC V6E 4T3
Contact: Jason Potter

LEED CONSULTANT

INTEGRAL GROUP
200 Granville St #180, Vancouver, BC V6C 1S4
Contact: Goran Ostojic

LAND SURVEYOR

POWELL & ASSOCIATES
250 - 2950 Douglas Street, Victoria, BC V8T 4N4
Contact: James Worton

DRAWING LIST

ARCHITECTURAL

- 00 COVER
- 01 CONTEXT PLAN W/ AERIAL PHOTO
- 02 EXISTING SITE PLAN W/ SURVEY UNDERLAY
- 03 PROPOSED SITE PLAN W/ OVERALL DEVELOPMENT DATA
- 04 PROPOSED SITE PLAN W/ COMPREHENSIVE DEVELOP DATA
- 05 LEVEL 1 PLAN
- 06 LEVEL 2 PLAN
- 07 LEVEL 3 PLAN
- 08 LEVEL 4 PLAN
- 09 LEVEL 5 PLAN
- 10 MECHANICAL PENTHOUSE PLAN
- 11 ROOF PLAN W/ CONSTRUCTION PHASING OVERLAY
- 12 PARKADE LEVEL 1 PLAN
- 13 PARKADE LEVEL 2 PLAN
- 14 SECTIONS
- 15 SECTIONS
- 16 ELEVATIONS
- 17 ELEVATIONS
- 18 CHARACTER SKETCHES
- 19 CHARACTER SKETCHES
- 20 SOUTH-FACING 3D MODEL PERSPECTIVE
- 21 NORTH-FACING 3D MODEL PERSPECTIVE

- 22 CONTEXT IMAGES
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LANDSCAPE

- L1 ILLUSTRATIVE LANDSCAPE PLAN
- L2-1 ILLUSTRATIVE SECTIONS
- L2-2 ILLUSTRATIVE SECTIONS
- L3 AERIAL PERSPECTIVES
- L4 PRECEDENT IMAGERY

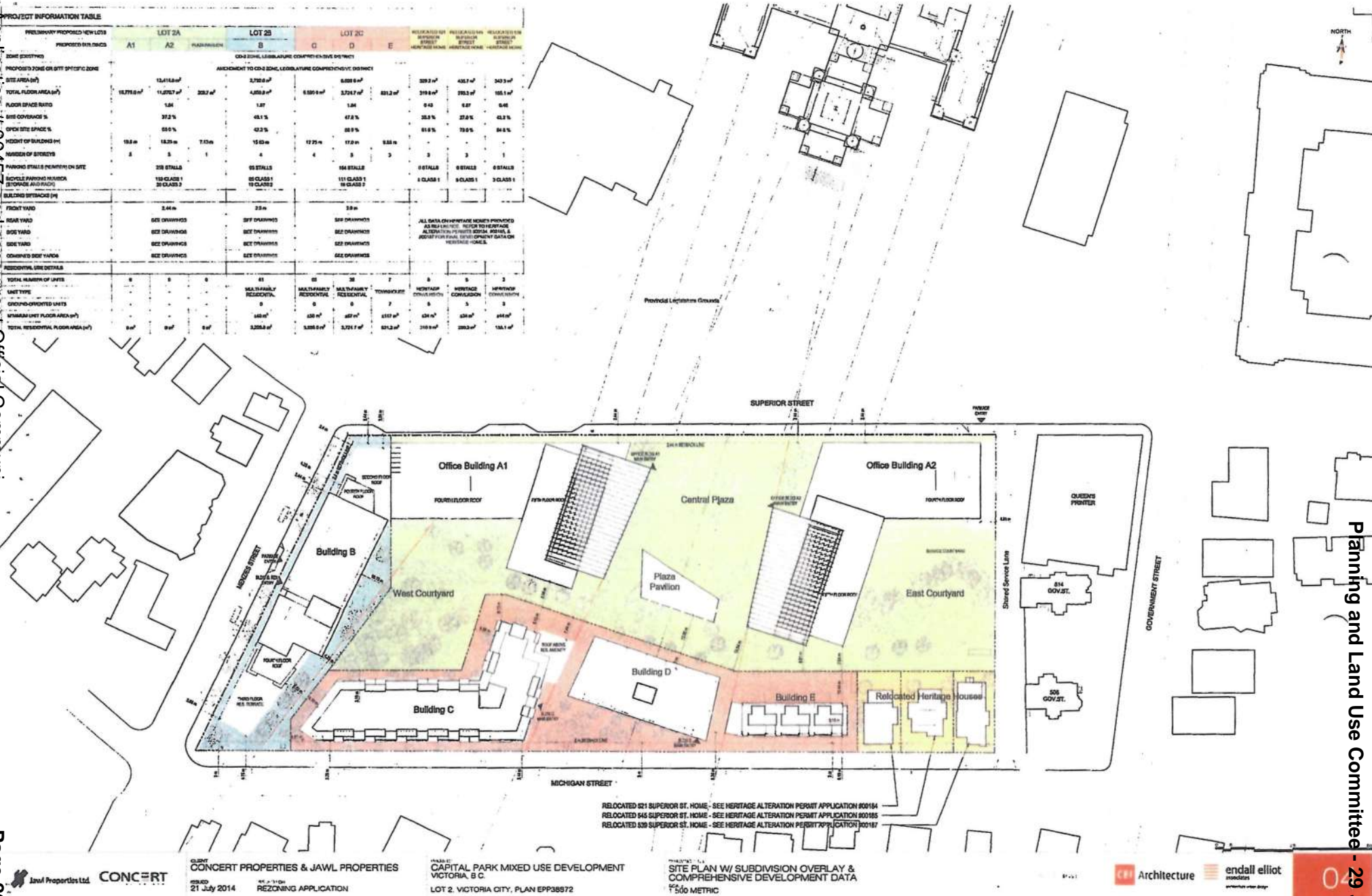
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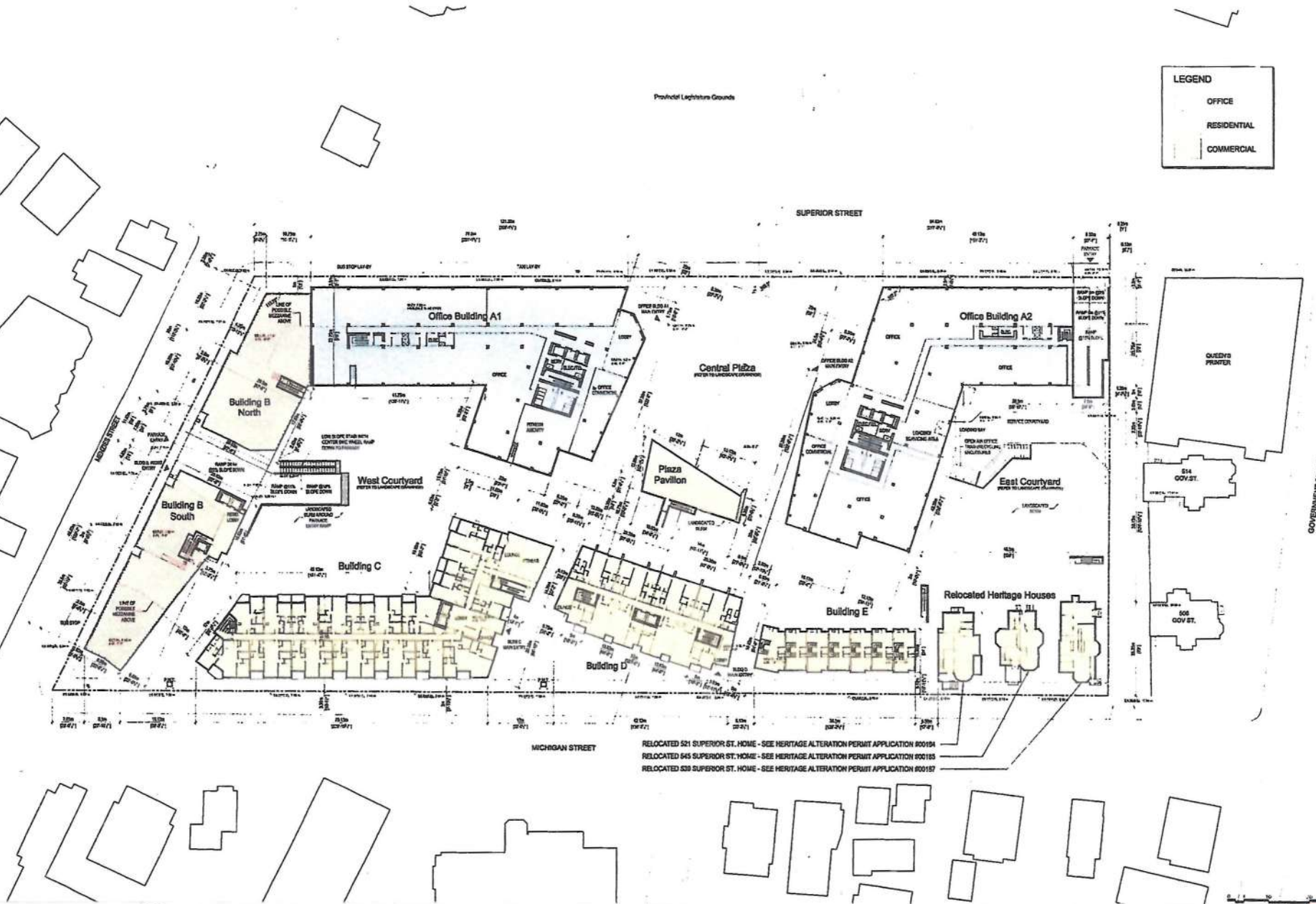
- EXISTING SITE SURVEY



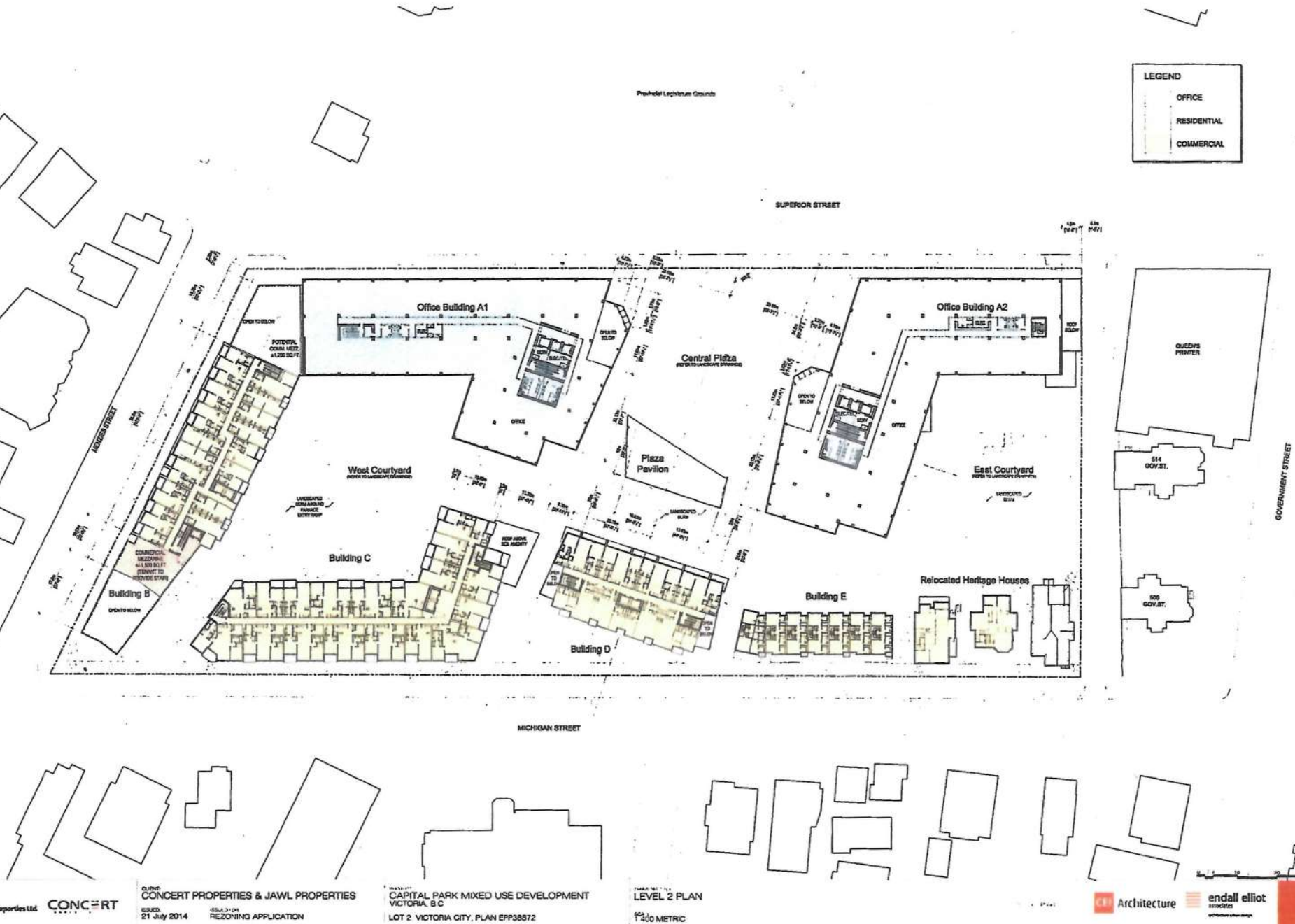


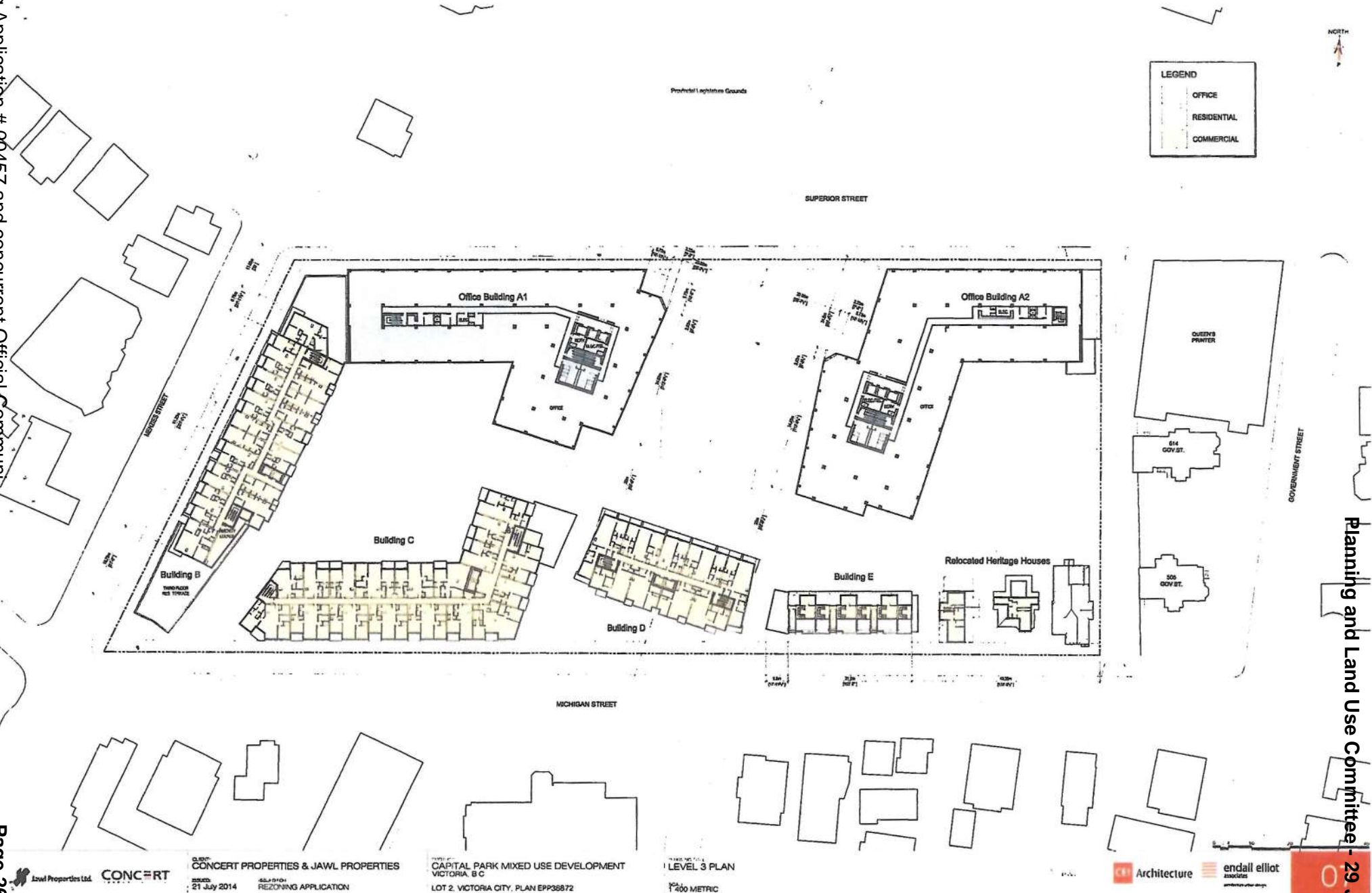
PROJECT INFORMATION TABLE										
PRELIMINARY PROPOSED NEW LOTS										
PROPOSED BUILDINGS										
PROPOSED ZONE OR SITE SPECIFIC ZONE										
SITE AREA (m ²)										
TOTAL FLOOR AREA (m ²)										
FLOOR SPACE RATIO										
SITE COVERAGE %										
OPEN SITE SPACE %										
HEIGHT OF BUILDING (m)										
NUMBER OF STOREYS										
PARKING SPACES PROVIDED ON SITE										
VEHICLE PARKING SPACES (STORAGE AND RAMP)										
BUILDING SETBACKS (m)										
FRONT YARD										
SIDE YARD										
REAR YARD										
SIDE YARD										
COVERED SIDE YARD										
RESIDENTIAL USE DETAILS										
TOTAL NUMBER OF UNITS										
UNIT TYPE										
GROUND-ORIENTED UNITS										
MINIMUM UNIT FLOOR AREA (m ²)										
TOTAL RESIDENTIAL FLOOR AREA (m ²)										

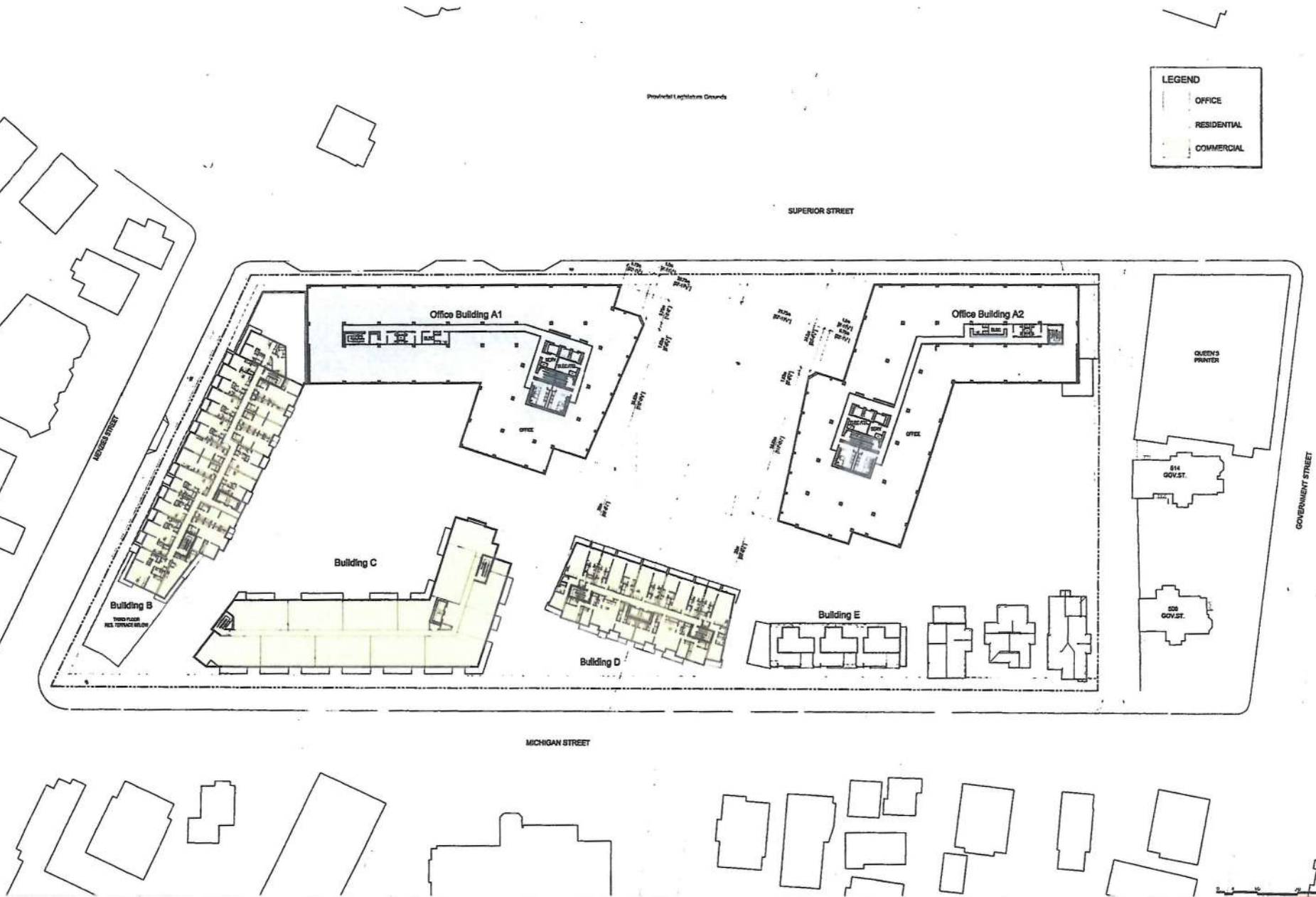




RELOCATED 521 SUPERIOR ST. HOME - SEE HERITAGE ALTERATION PERMIT APPLICATION #00104
 RELOCATED 645 SUPERIOR ST. HOME - SEE HERITAGE ALTERATION PERMIT APPLICATION #00105
 RELOCATED 530 SUPERIOR ST. HOME - SEE HERITAGE ALTERATION PERMIT APPLICATION #00107







Jawl Properties Ltd. **CONC=RT**

CONCERT PROPERTIES & JAWL PROPERTIES
ISSUED: 21 July 2014
SUBJECT: REZONING APPLICATION

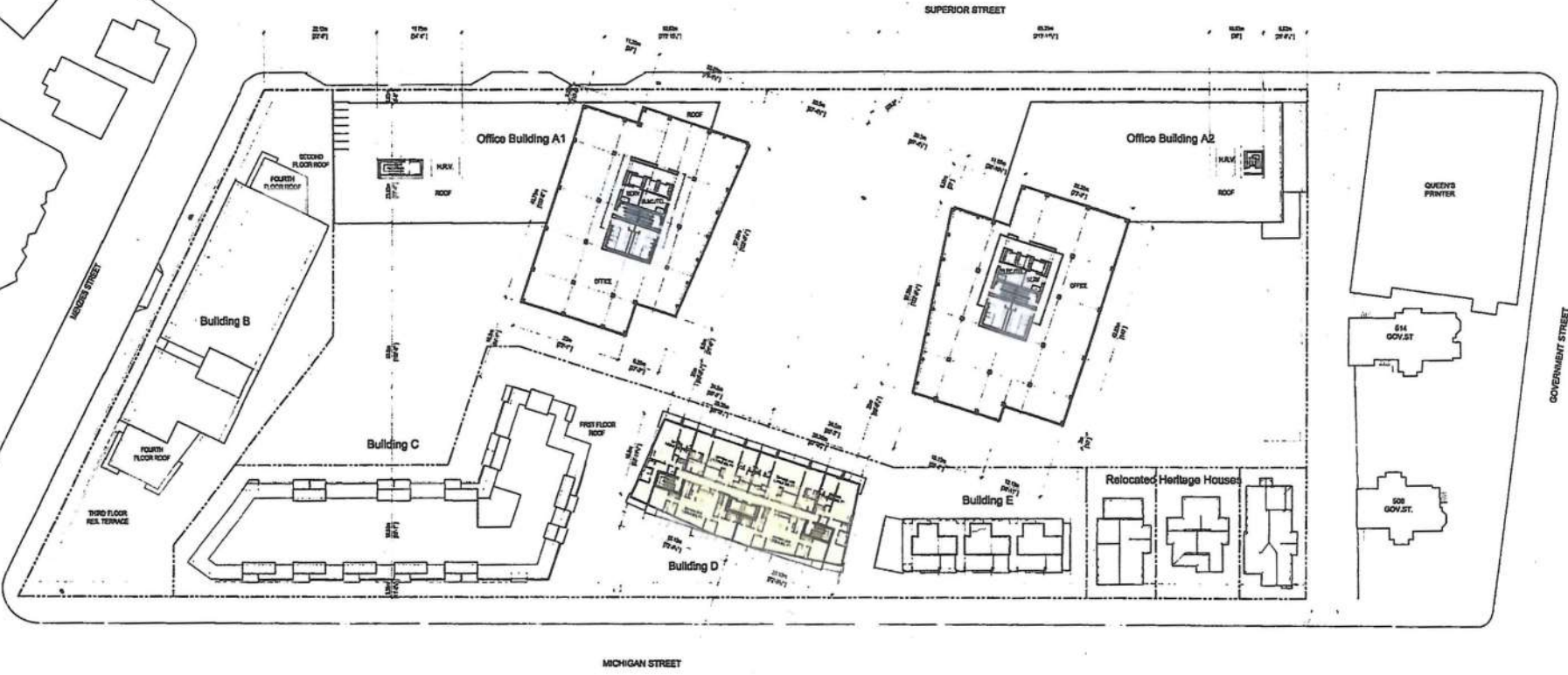
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EP38872

LEVEL 4 PLAN
1:200 METRIC

Architecture **endall elliot**
associates
partnership urban design



LEGEND	
[Symbol]	OFFICE
[Symbol]	RESIDENTIAL
[Symbol]	COMMERCIAL



Land Properties Ltd.

CONC=RT

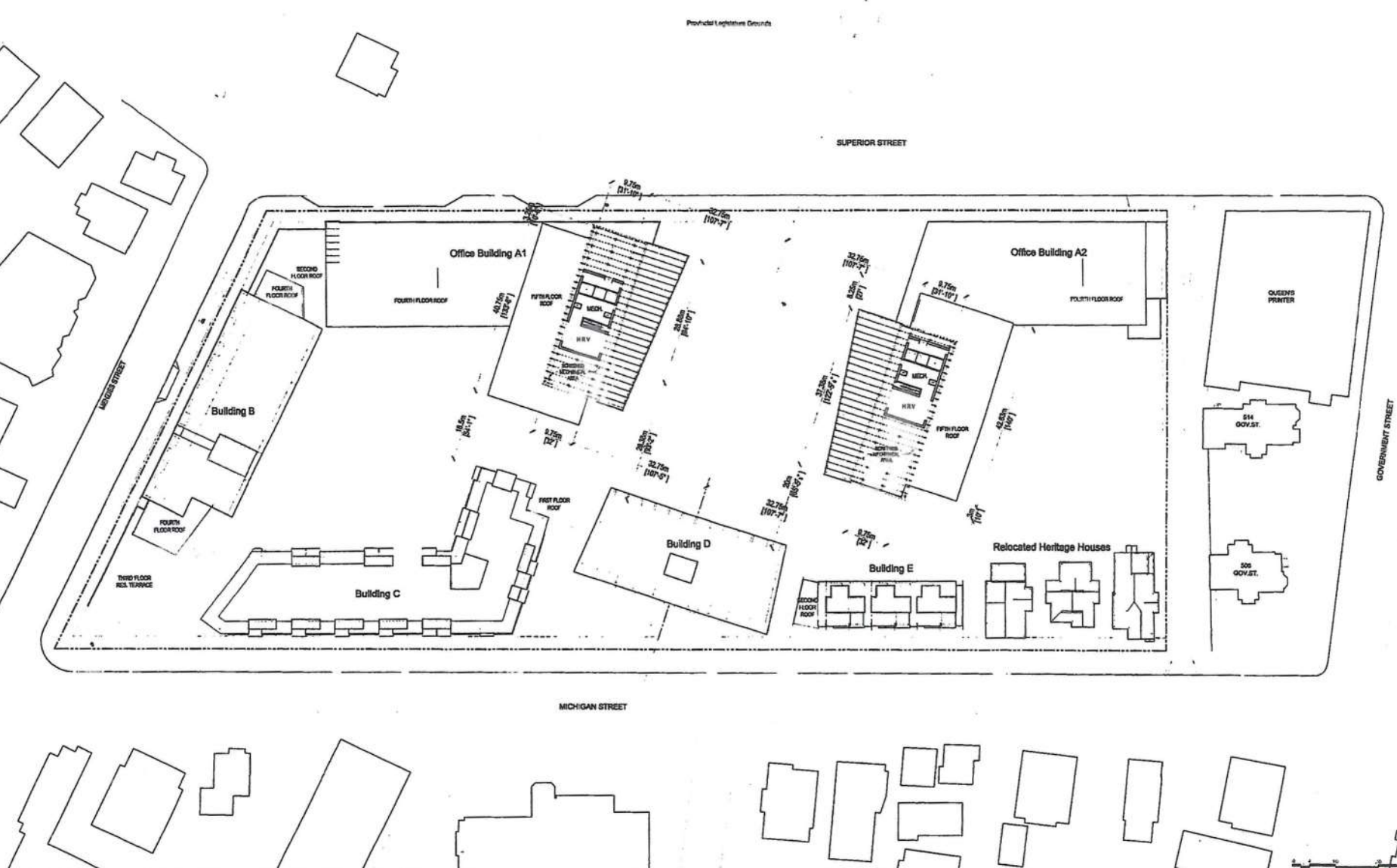
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ISSUED: 21 July 2014
TO: 1104
REZONING APPLICATION

PARCELS
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA B C
LOT 2, VICTORIA CITY, PLAN EPP36872

LEVEL 5 PLAN
1:400 METRIC

Architecture

endall elliot
associates
architectural urban design

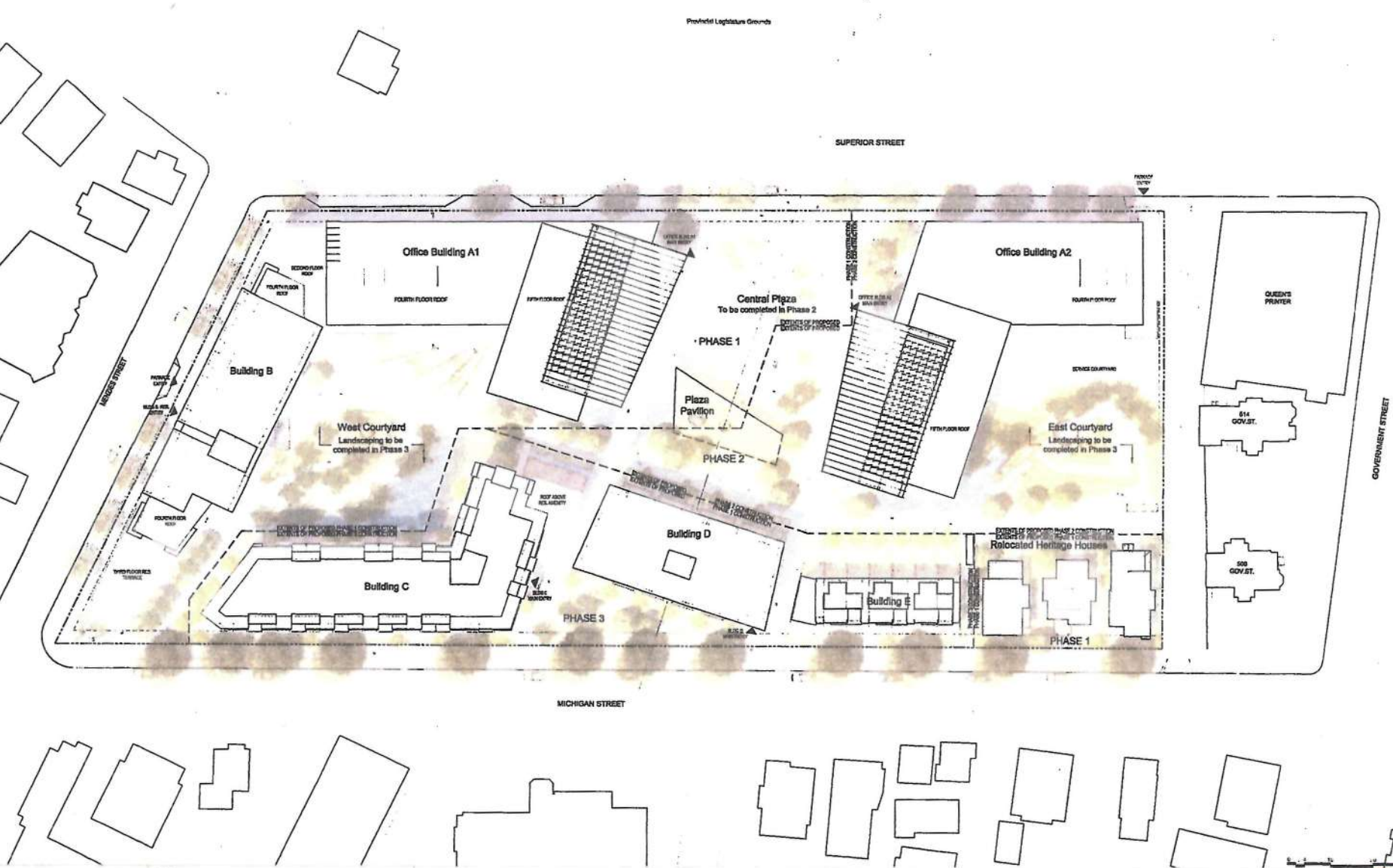


Client: CONCERT PROPERTIES & JAWL PROPERTIES
 21 July 2014
 REZONING APPLICATION

Project: CAPITAL PARK MIXED USE DEVELOPMENT
 VICTORIA, B.C.
 LOT 2, VICTORIA CITY, PLAN EPP38872

Planning: PENTHOUSE PLAN
 1:400 METRIC

Architecture endall elliot
 2014



Javel Properties Ltd. **CONC=RT**

CLIENT: CONCERT PROPERTIES & JAWL PROPERTIES
ISSUED: 21 July 2014
SUBJECT: REZONING APPLICATION

NAME OF: CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP36672

ROOF PLAN / CONSTRUCTION PHASING PLAN
SCALE: 1:400 METRIC

Architecture **endall elliot**
architects

1

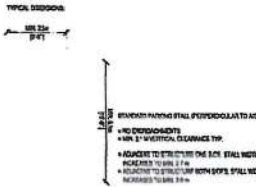
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- THE DESIGN OF ALL BIKE SPACES SHALL BE IN ACCORDANCE WITH THE CITY OF VICTORIA BY-LAW 2010-01-001, SCHEDULE 1.
- THE DESIGN OF THE BIKE SPACES INCLUDING BIKE RACKS, COMPANION LOCKERS, AND OTHER BIKE STORAGE EQUIPMENT SHALL BE IN ACCORDANCE WITH THE RELEVANT PROVISIONS OF THE CITY OF VICTORIA BY-LAW 2010-01-001, SCHEDULE 1.



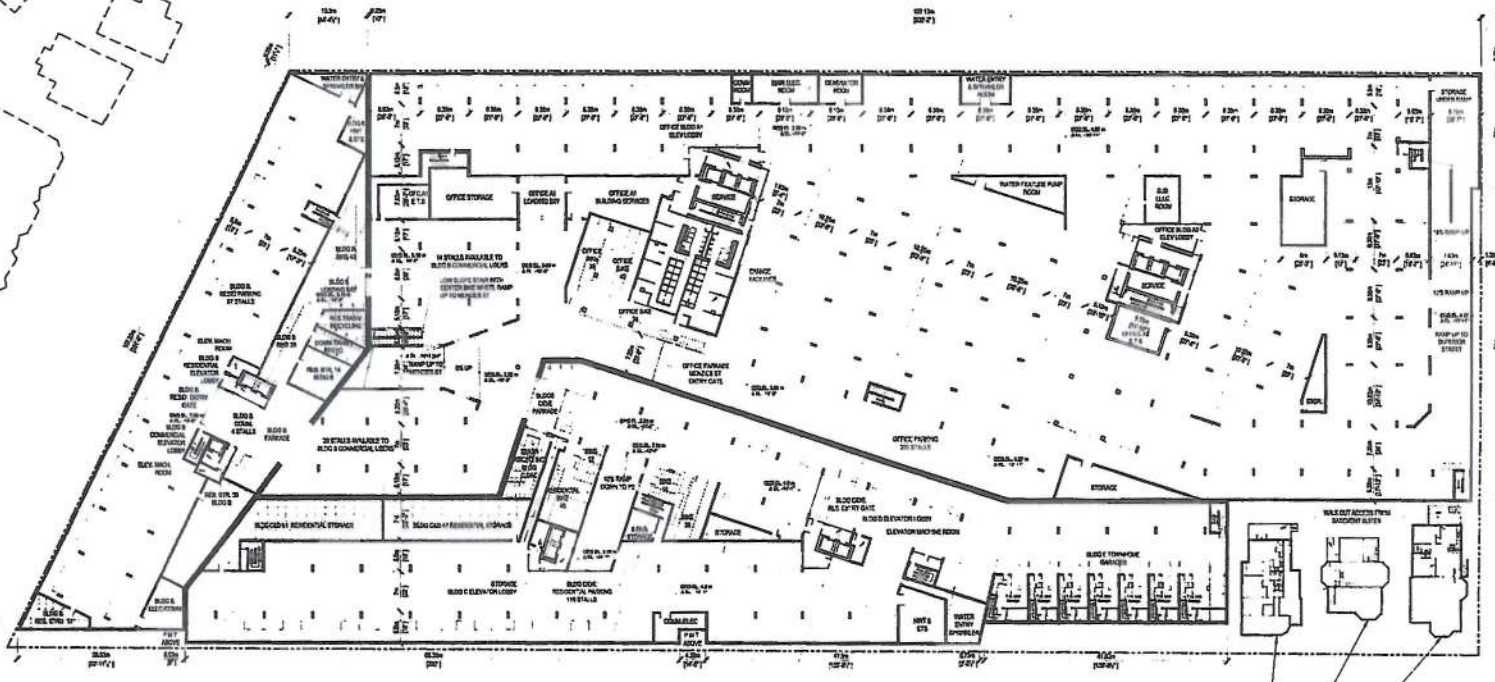
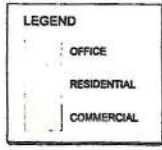
GENERAL PARKING NOTES:

- ALL VEHICLES PARKING TO BE PROVIDED IN ACCORDANCE WITH THE CITY OF VICTORIA BY-LAW 2010-01-001, SCHEDULE 1.
- THE DESIGN OF ALL PARKING SPACES SHALL BE IN ACCORDANCE WITH THE RELEVANT PROVISIONS OF THE CITY OF VICTORIA BY-LAW 2010-01-001, SCHEDULE 1.



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RELOCATED 521 SUPERIOR ST. HOME - SEE HERITAGE ALTERATION PERMIT APPLICATION #00184
 RELOCATED 545 SUPERIOR ST. HOME - SEE HERITAGE ALTERATION PERMIT APPLICATION #00185
 RELOCATED 539 SUPERIOR ST. HOME - SEE HERITAGE ALTERATION PERMIT APPLICATION #00187

CONCERT

CONCERT PROPERTIES & JAWL PROPERTIES
 21 July 2014
 REZONING APPLICATION

CAPITAL PARK MIXED USE DEVELOPMENT
 LOT 2, VICTORIA CITY, PLAN EPP38872

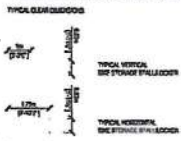
PARKING LEVEL 1 PLAN
 1:200 METRIC

Architecture endall elliot

12

GENERAL BIKE PARKING NOTES:

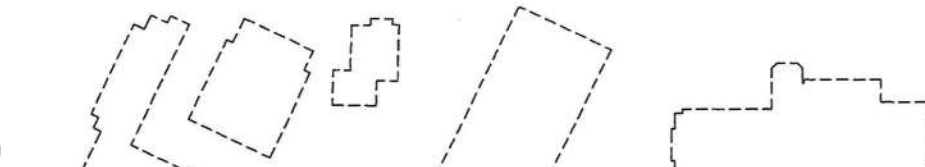
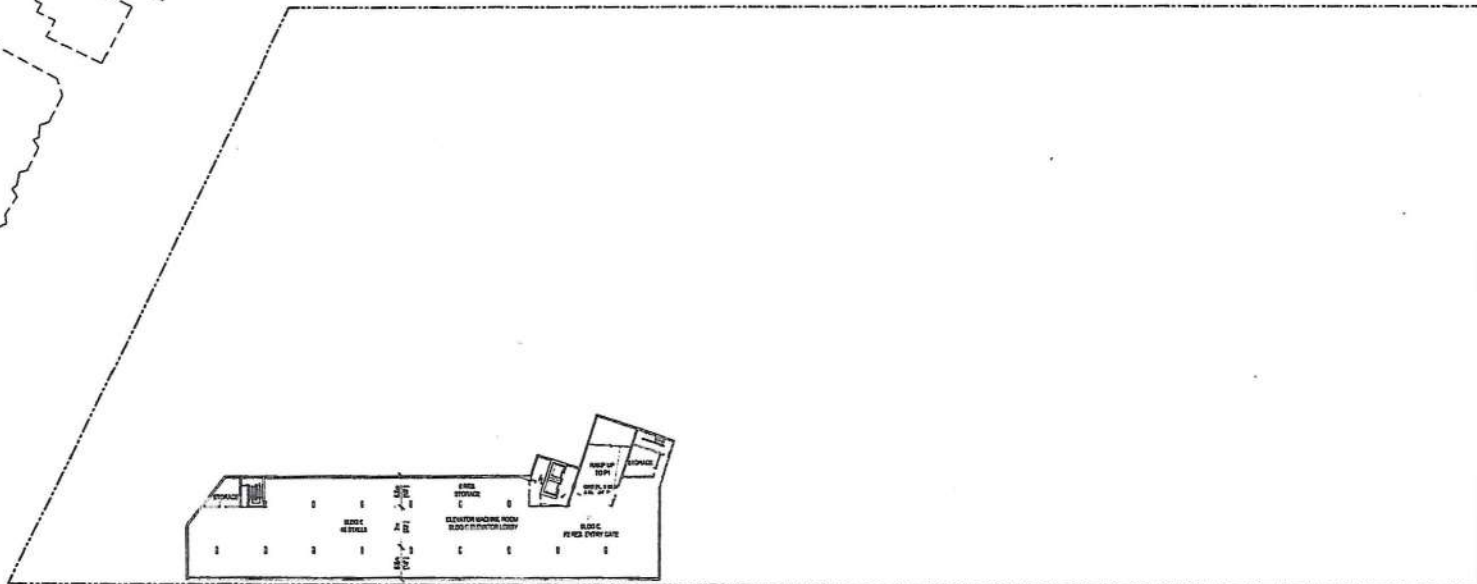
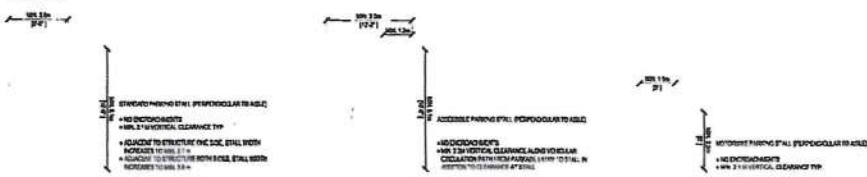
- THE DESIGN OF ALL BIKE SPACES SHALL BE IN ACCORDANCE WITH CITY OF VICTORIA BYLAW 660-2006 (SCHEDULE 1).
- THE DESIGN OF THE BIKE SPACES INCLUDING BIKEWAY SIGNAL, COMPASS, LIGHTS, AND/OR OTHER FEATURES SHALL BE IN ACCORDANCE WITH THE RELEVANT PRECEDENT THE CITY OF VICTORIA BICYCLE PARKING GUIDELINES (SCHEDULE 1).



GENERAL PARKING NOTES:

- ALL VEHICLES PARKING TO BE PROVIDED IN ACCORDANCE WITH CITY OF VICTORIA BYLAW 660-2006 (SCHEDULE 1).
- THE DESIGN OF ALL ACCESSIBLE PARKING SPACES SHALL BE IN ACCORDANCE WITH THE RELEVANT PRECEDENT THE CITY OF VICTORIA BICYCLE PARKING GUIDELINES (SCHEDULE 1).

TYPICAL DIMENSIONS



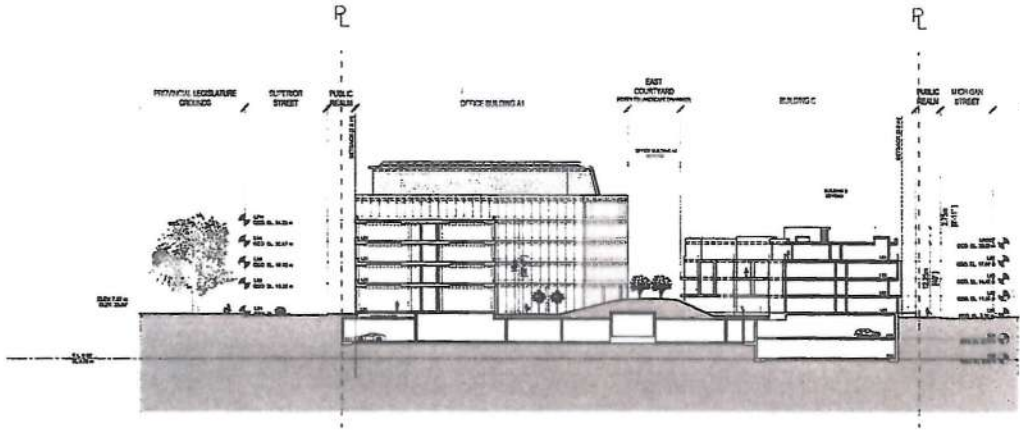
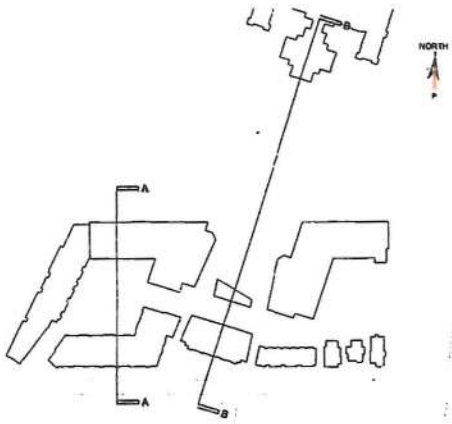
CLIENT: CONCERT PROPERTIES & JAWL PROPERTIES
 DATE: 21 July 2014
 PROJECT: REZONING APPLICATION
 LOCATION: LOT 2, VICTORIA CITY, PLAN EPP38872

PROJECT: CAPITAL PARK MIXED USE DEVELOPMENT
 LOCATION: VICTORIA, B.C.
 LOT 2, VICTORIA CITY, PLAN EPP38872

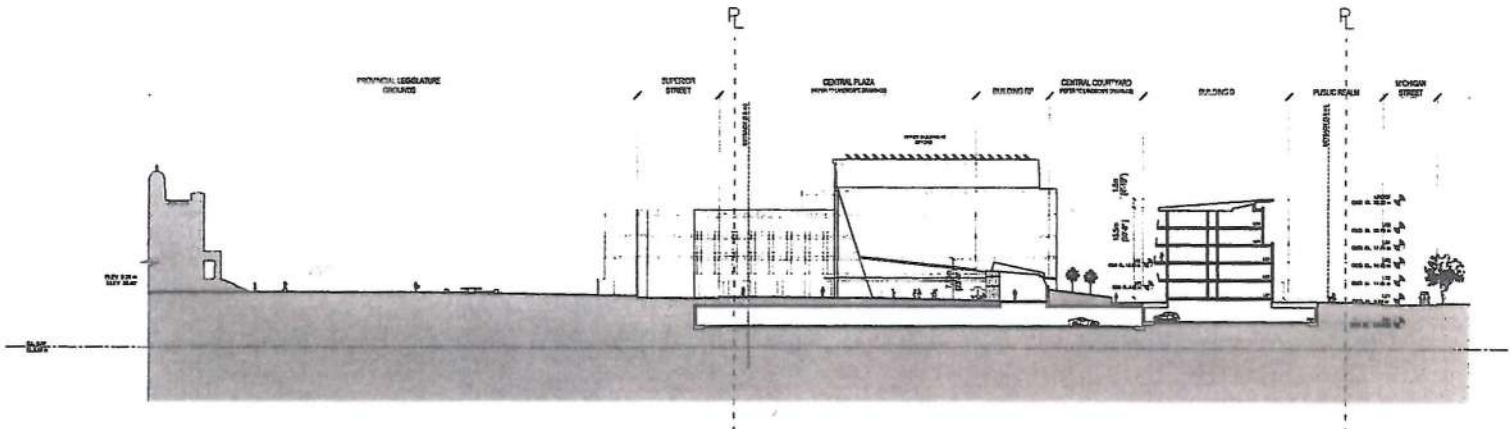


PROJECT: CAPITAL PARK MIXED USE DEVELOPMENT
 LOCATION: VICTORIA, B.C.
 LOT 2, VICTORIA CITY, PLAN EPP38872

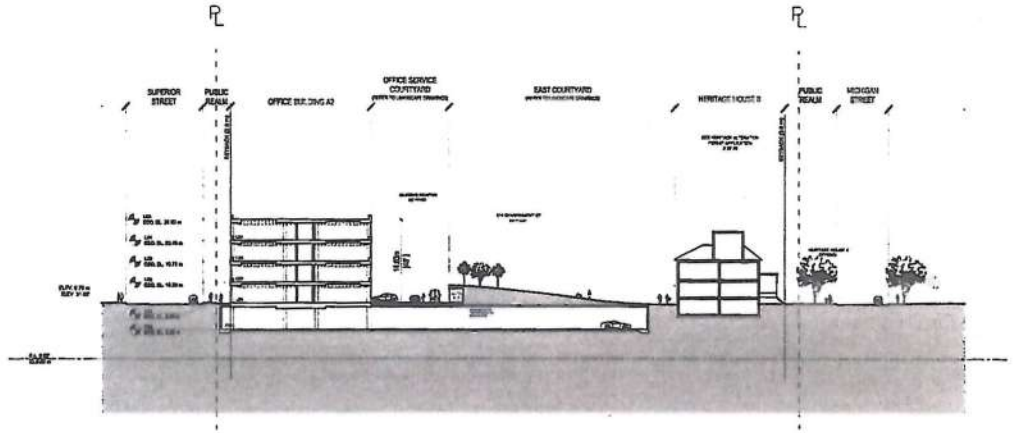
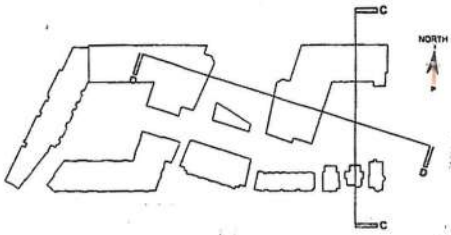
PROJECT: CAPITAL PARK MIXED USE DEVELOPMENT
 LOCATION: VICTORIA, B.C.
 LOT 2, VICTORIA CITY, PLAN EPP38872



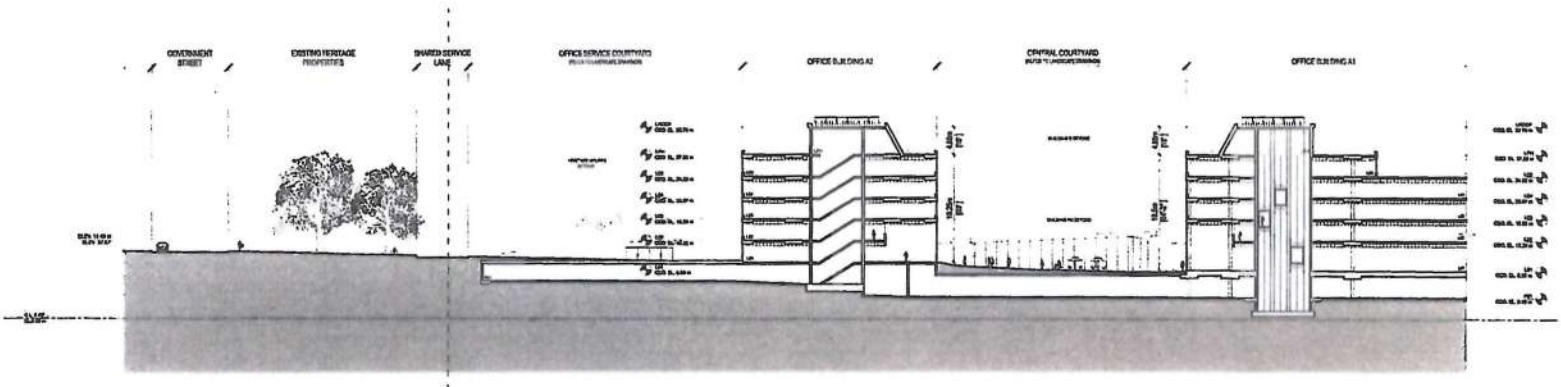
SECTION FACING EAST - WEST COURTYARD
SCALE 1:400 A-A



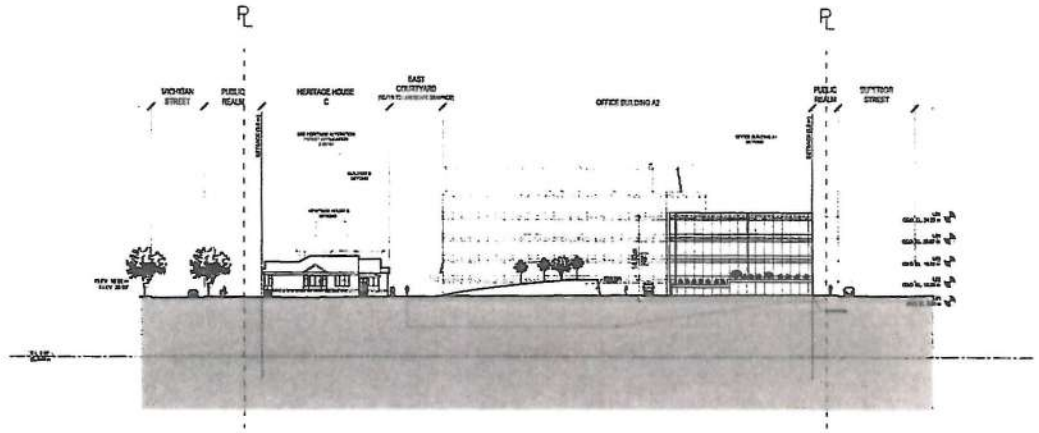
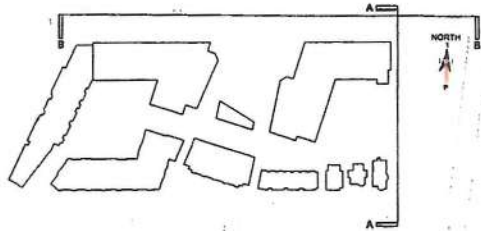
SECTION FACING EAST - CENTRAL PLAZA
SCALE 1:400 B-B



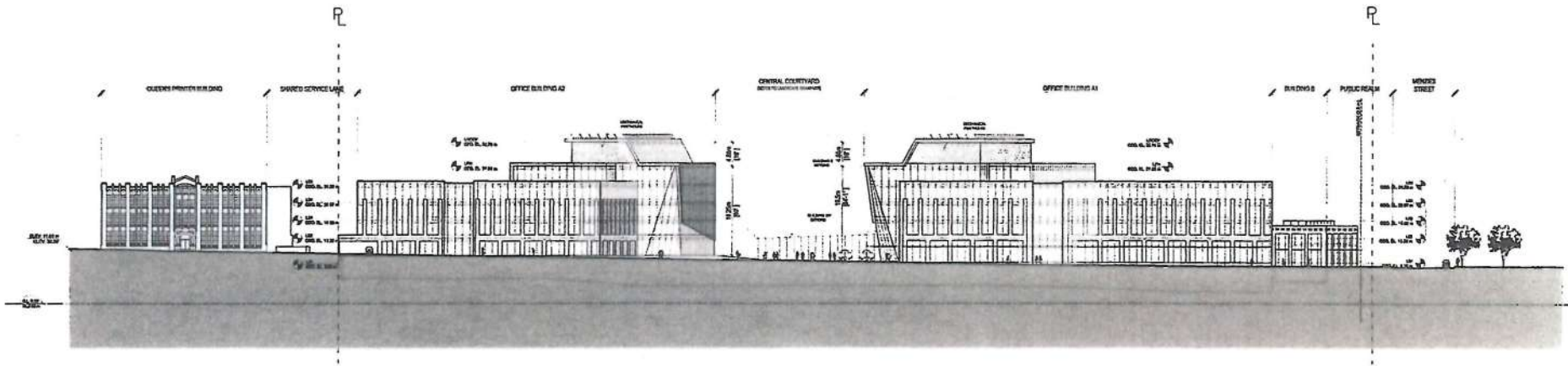
SECTION FACING EAST - EAST COURTYARD C-C
SCALE 1:400



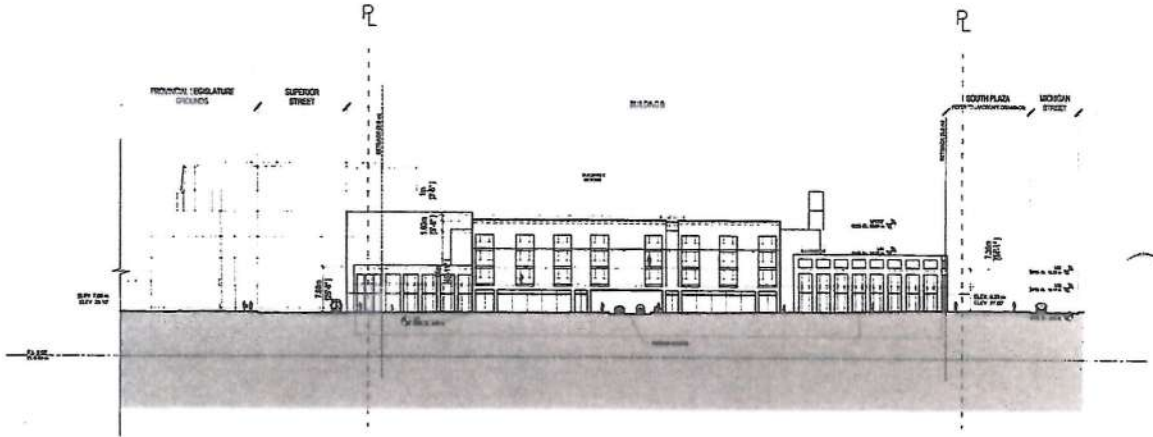
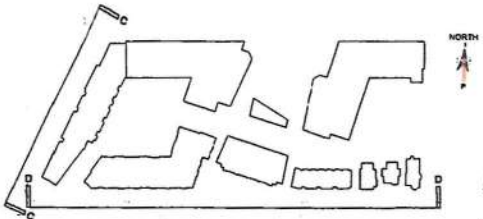
SECTION FACING SOUTH - OFFICE BUILDINGS A1 + A2 D-D
SCALE 1:400



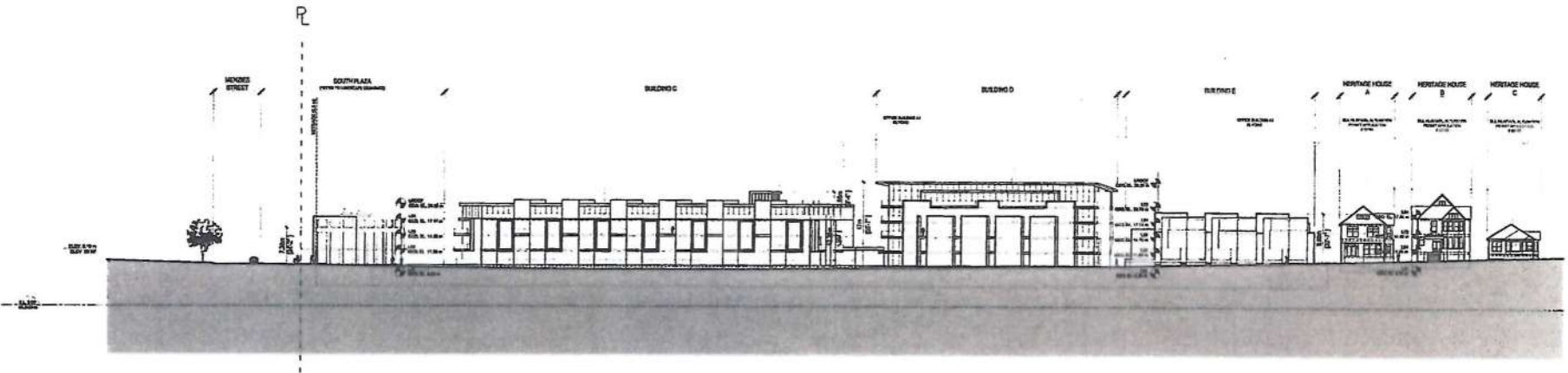
EAST ELEVATION - SHARED ACCESS LANE
SCALE 1:400 A-A



NORTH ELEVATION - SUPERIOR STREET
SCALE 1:400 B-B



WEST ELEVATION - MENZIES STREET
SCALE 1:400 C-C



SOUTH ELEVATION - MICHIGAN STREET
SCALE 1:400 D-D



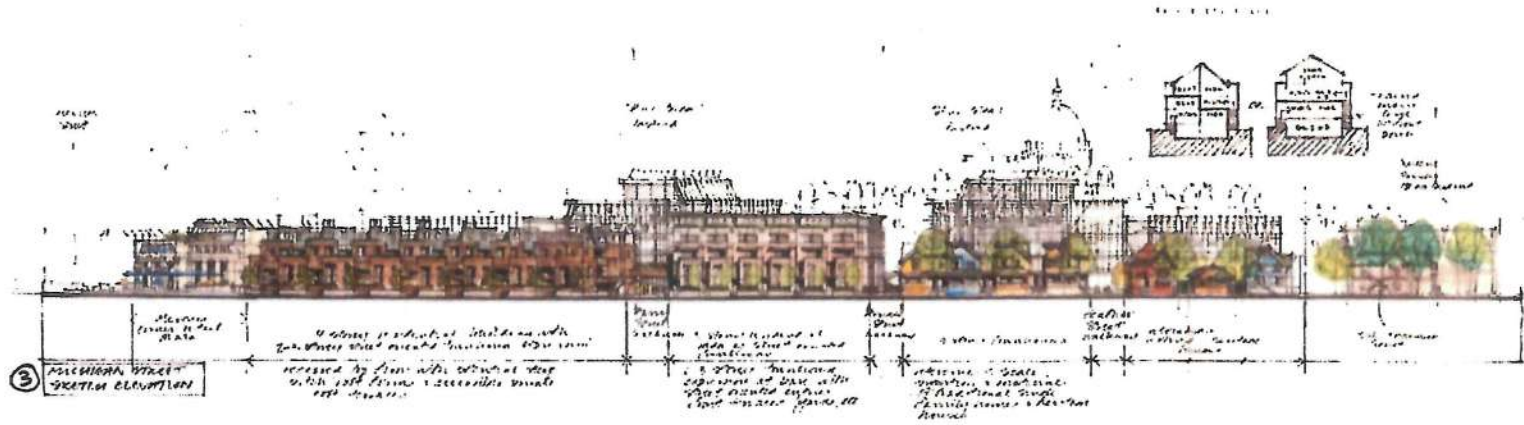
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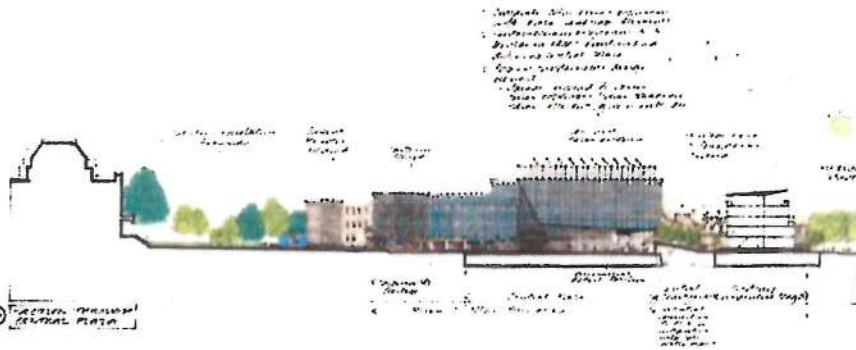
SCALE: NT

B



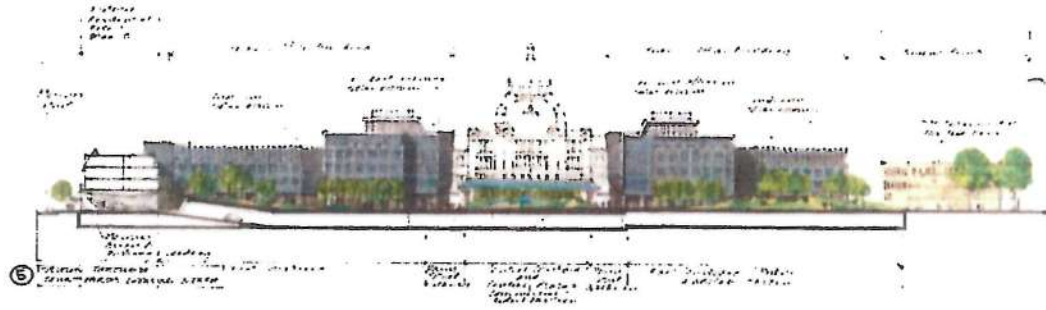
SOUTH ELEVATION CHARACTER SKETCH - MICHIGAN STREET
SCALE: NTS

C



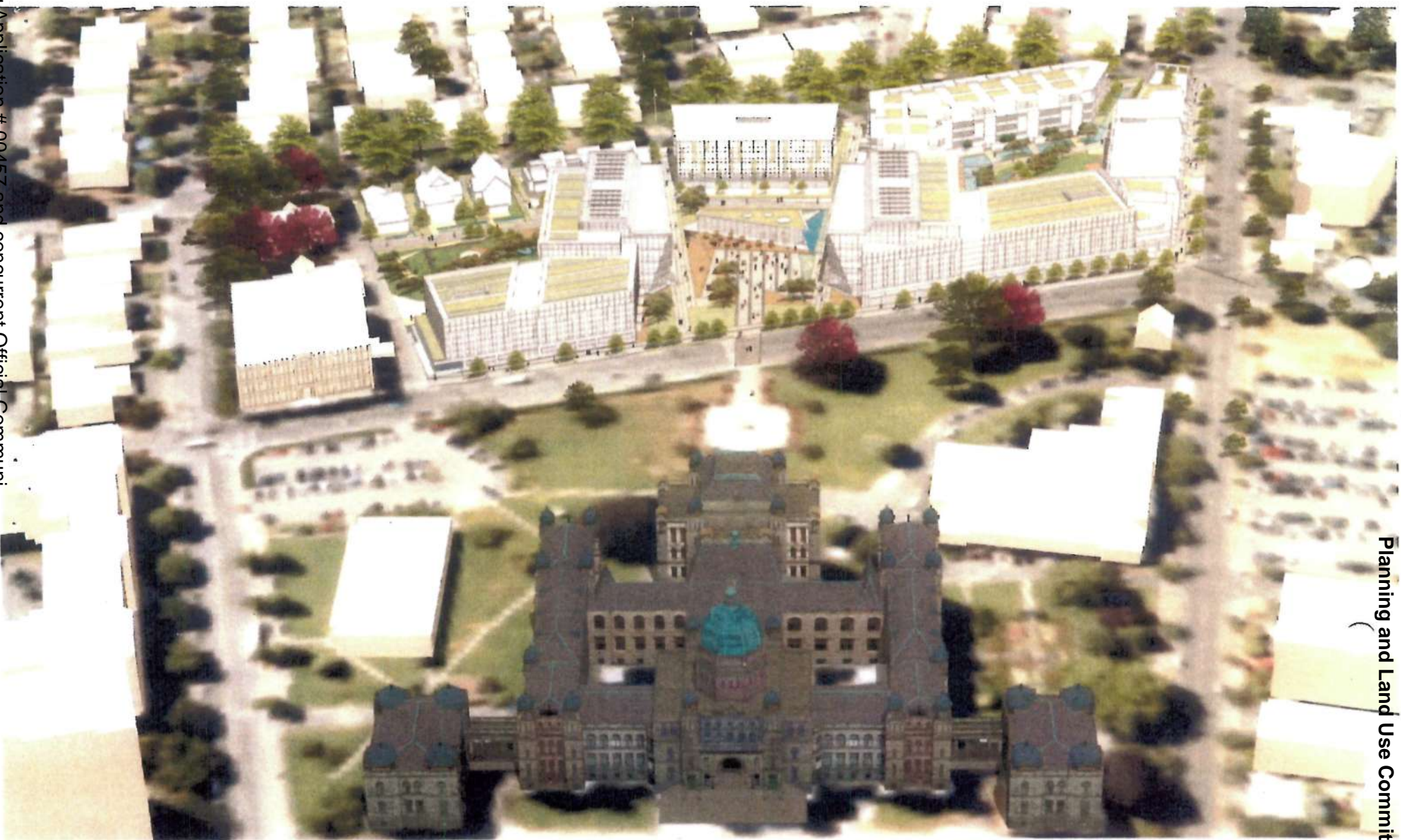
EAST-FACING SECTION CHARACTER SKETCH - CENTRAL PLAZA
SCALE: NTS

D



NORTH-FACING SECTION CHARACTER SKETCH - COURTYARDS
SCALE: NTS

E



0 4 8 12
Scale
Architecture endall elliot
associates

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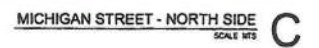
02-002186-101
SOUTH-FACING 3D MODEL PERSPECTIVE
NOT TO SCALE

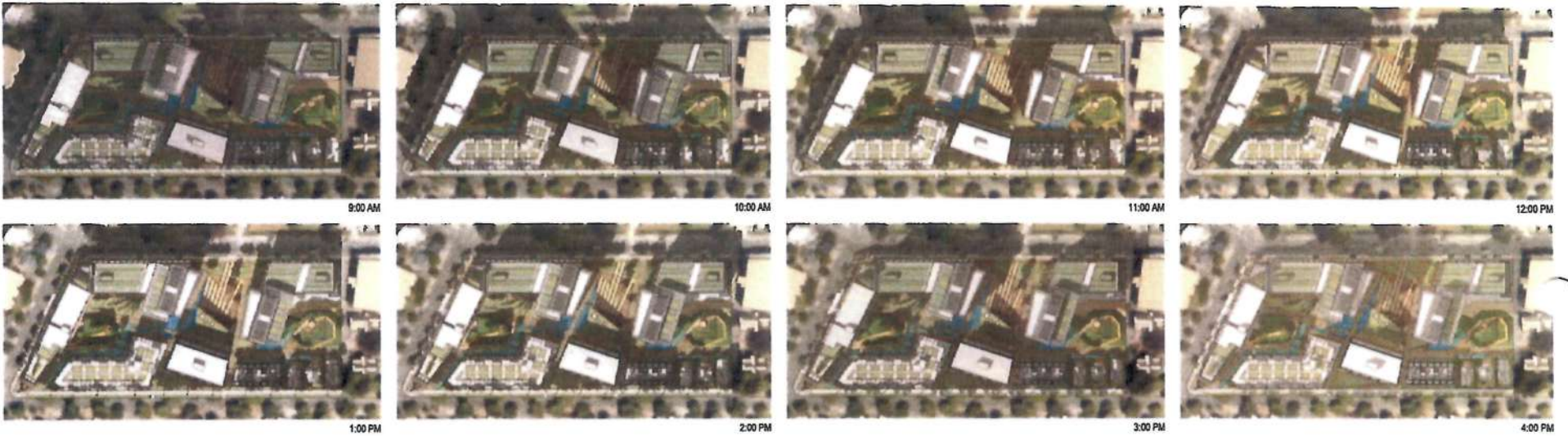
02-002186-101
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP38872

CLIENT
CONCERT PROPERTIES & JAWL PROPERTIES
DESIGNED
21 July 2014
DRAWN
08/06/2014
REZONING APPLICATION

Jawl Properties Ltd. CONCERT

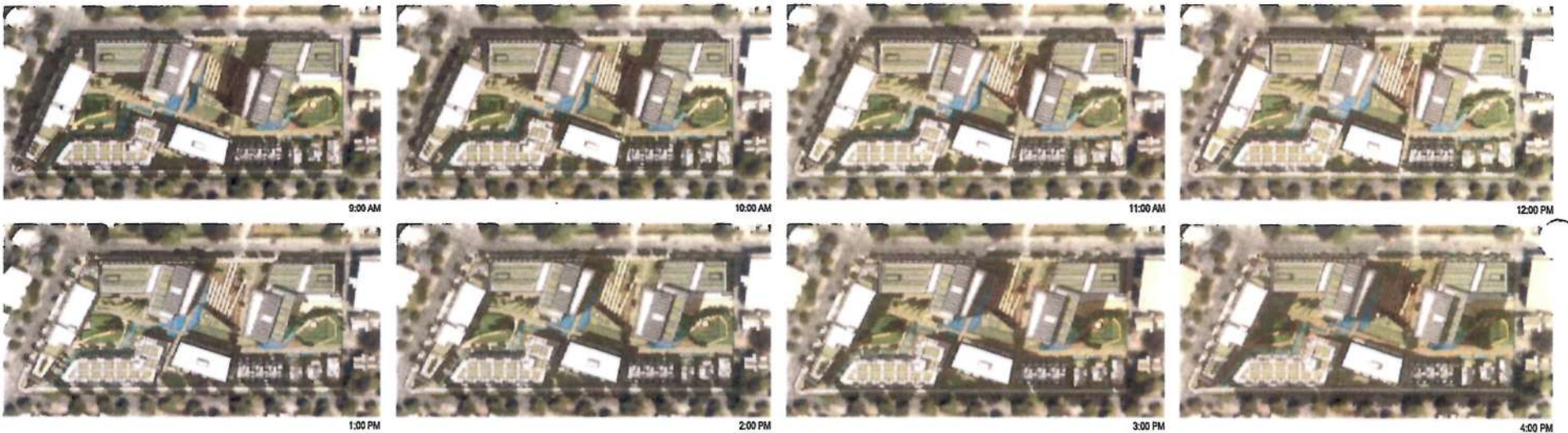






MARCH/SEPTEMBER EQUINOX
SCALE: MTS

A



JUNE SOLSTICE
SCALE: MTS

B



Jawl Properties Ltd. **CONCERT**

CLIENT: CONCERT PROPERTIES & JAWL PROPERTIES
DATE: 21 July 2014
SUBJECT: RESIZING APPLICATION

PROJECT: CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP38872

SHADOW STUDIES
NOT TO SCALE

Architecture endall elliot
VICTORIA, BC



LEGEND

- 1 Public Detail / Entry Plaza
- 2 Timber Seating Terraces
- 3 Lawn Borms
- 4 Restaurant Café / Pavilion / Patio
- 5 Pavilon Lawn Borm
- 6 Southwest Corner Plaza
- 7 West Courtyard Knoll
- 8 A1 Office Seating Plaza
- 9 East Courtyard Knoll
- 10 Edible Landscape Planting
- 11 Stormwater Cistern
- 12 Picnic & Gathering Area
- 13 Stormwater Water Course
- 14 A2 Office Seating Plaza
- 15 Stormwater Collection Pond
- 16 Stormwater Remediation Pond
- 17 Dog-Friendly Parklet
- 18 Bike Rack

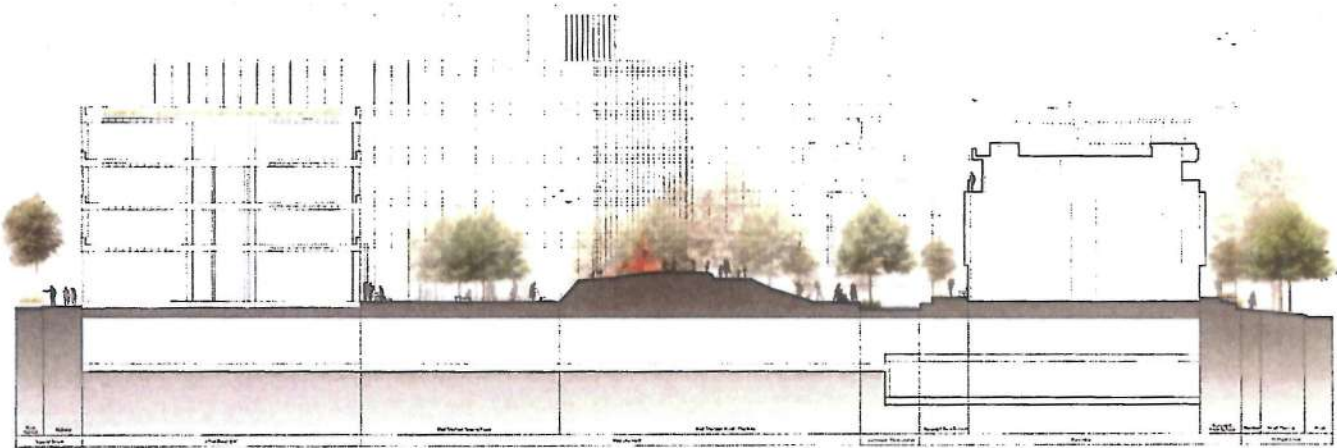
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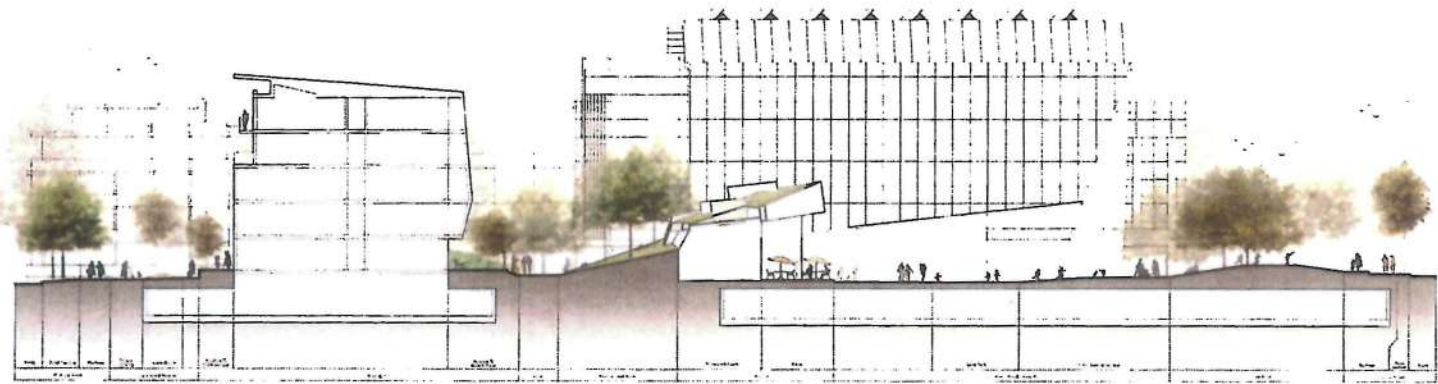
PROJECT
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP38872

Jaw Properties Ltd. CONCERT

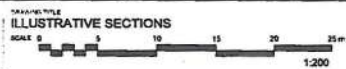
Architecture endall elliot



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SECTION B-B
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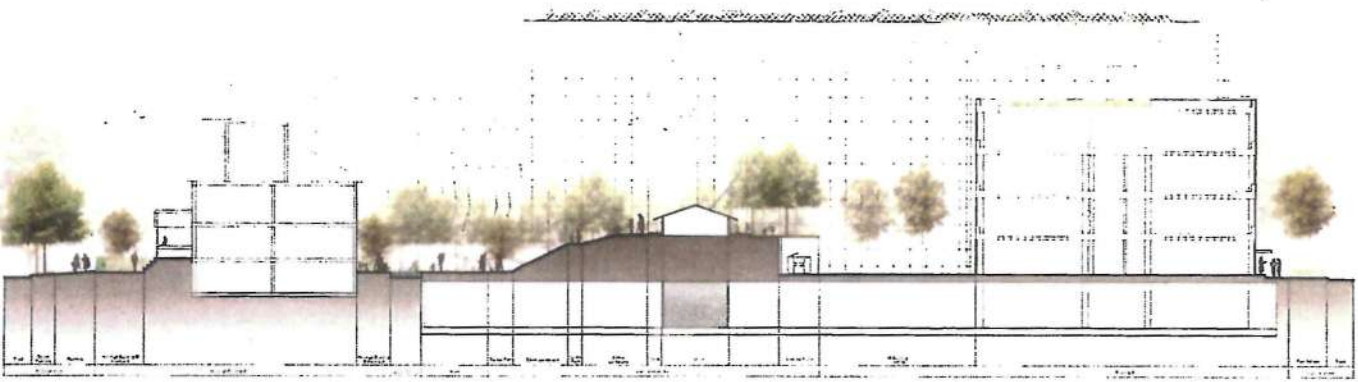


PROJECT
CONCERT PROPERTIES & JAWL PROPERTIES
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP38872

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CONCERT PROPERTIES & JAWL PROPERTIES
DATE

Jawl Properties Ltd
CONCERT

Architecture
endall elliot
associates
architectural design



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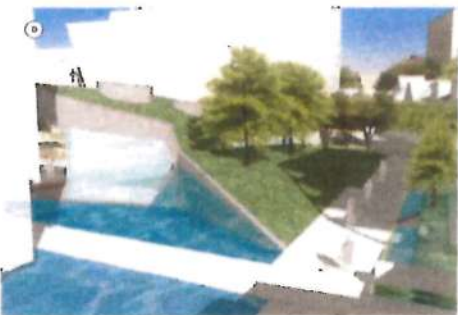
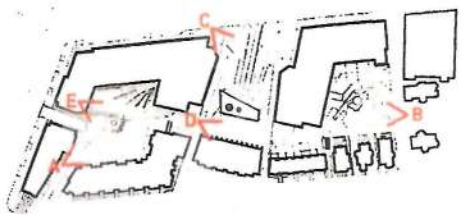
Jawl Properties Ltd **CONCERT**

CLIENT
CONCERT PROPERTIES & JAWL PROPERTIES
DATE

PROJECT
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP38872

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Architecture **endall elliot**
architectural design





Pavilion / Entry Plaza



Green Roof



Lawn Berm



Sitting Plaza



Children's Playground



Streetscape / Rain Gardens



Spine



Stormwater Course / Collection & Remediation Pond



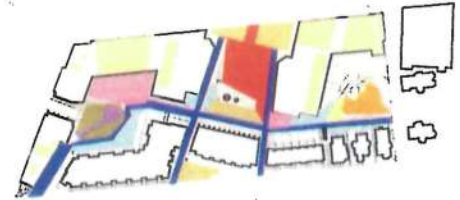
Meadow Planting



Edible Landscape



Picnic & Gathering Area



"South Block"

Lots 1, 2, Parcel A of 3 and 10, 4, 5, 6, S'y 2/3 of 7, N'y 1/3 of 7,
8, 9, Rem 10, 11, 12, Victoria City, Plan 105

Lots 1, 2, 3, 4, 5, 6, Victoria City, Plan 287

Lots 1725, 1726, 1727, 1728, 1729, 1730, 1731, Parcel A of 1732, Parcel B of 1732, 1733, Wly 33' of 1734, Parcel A of 1734, 1735, 1736, 1737, 1738, Victoria City

Lots 1 & 2, Plan EPP38872 (plan not registered)

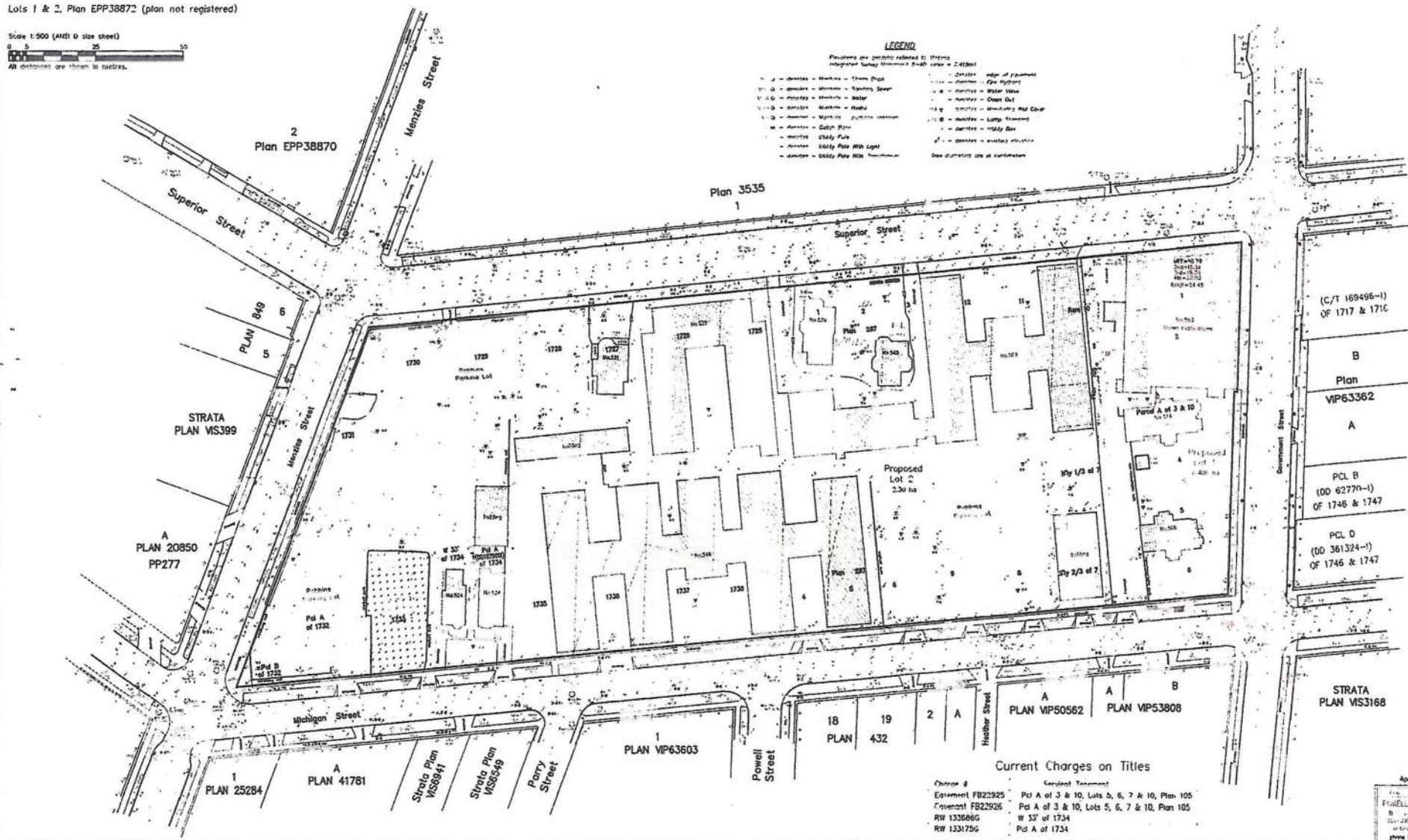


LEGEND

Fluorine gas is not toxic, related to the more integrated safety measures in the 5-60 series.

- [illegible]

free consulting are at our disposal



Jawl Development Corporation



September 18, 2014

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

Attention: Brian Sikstrom

Re: South Block Application (Rezoning File # 00457) – Stakeholder Engagement Summary

Dear Brian:

At our meeting on September 17th, 2014 regarding the South Block rezoning application (rezoning file #00457), we provided you with an update describing the stakeholder consultation activities completed to date in connection with the proposal. As requested, this letter further details these undertakings.

- On April 9, 2014, the project team presented an overview of the project at the James Bay Neighborhood Association monthly meeting. This presentation was supported by extensive presentation boards and a formal PowerPoint presentation describing the preliminary proposal for Capital Park. The meeting included a 45 minute question and answer period. Approximately 50 community members were in attendance.
- On May 7, 2014, the project team presented an overview of the project to the directors and invited guests of the James Bay Community Project. This presentation was supported by presentation boards describing the preliminary proposal for Capital Park. The meeting included a 15 minute discussion period. Approximately 20 directors and guests of the James Bay Community Project were in attendance.
- On May 14, 2014, Robert Jawl attended the James Bay Neighborhood Association monthly meeting and addressed community member questions relating to the project during the open Q&A session at the end of the meeting. Approximately 45 community members were in attendance.
- On June 11, 2014, Robert Jawl presented updated project materials at the James Bay Neighborhood Association monthly meeting. This presentation was supported by a formal PowerPoint presentation describing items including density and height parameters, parking metrics, view studies, and shadow analysis. The meeting included a 30 minute question and answer period. Approximately 50 community members were in attendance.
- On June 18, 2014, Robert Jawl presented an overview of the project to the directors and invited guests of the Downtown Victoria Business Association. This presentation was supported by updated presentation boards describing the proposal for Capital Park. The meeting included a 30 minute discussion period. Approximately 15 directors and guests of the DVBA were in attendance.
- On September 10, 2014, the project team convened a community open house in the former Samuels Restaurant space (655 Douglas Street) from 2-6pm to share and discuss updated project details with a wide array of stakeholders. Presentation materials included extensive display boards, a physical model of the proposed project, booklets indicating view analysis from a multitude of perspectives, and a video flythrough of the site. Ten members of the project team were on hand to meet with community members, answer questions, and receive feedback. The open house was widely promoted including an advertisement in the James Bay Beacon, a notification in the James Bay Community Project newsletter, promotional signage displayed by

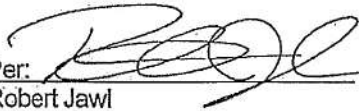
retail businesses in the James Bay neighborhood, and direct invitations to groups including the Downtown Residents Association. Approximately 150 community members attended the event.

- On September 10, 2014, the project team presented a comprehensive overview of the most current project materials at the James Bay Neighborhood Association monthly meeting. This represented the formal CALUC meeting and was advertised via a City of Victoria mail out in advance of the mandated notification date. This presentation was supported by a formal PowerPoint presentation, extensive display boards, a physical model, booklets indicating view analysis from a multitude of perspectives, and a video flythrough of the site. The meeting included a 45 minute question and answer period. Approximately 80 community members were in attendance.
- Since the purchase of the Capital Park site, the project team has also made itself available to local media outlets to share information pertaining to the proposed project. Media pieces in connection with the proposed project have run multiple times in the Times Colonist, the Victoria Daily News, the James Bay Beacon, and on CFAX 1070.

We believe that the proposed project has been enhanced as a result of this extensive community and stakeholder dialogue. Further, we have been encouraged by the overwhelmingly positive and supportive comments received during these discussions. We would be pleased to offer further details pertaining to the events noted above should that be of interest.

Sincerely,

JAWL DEVELOPMENT CORPORATION

Per: 
Robert Jawl



September 16, 2014

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

Re: South Block Land Lift and Amenity Contribution Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete an Amenity Contribution Analysis for the South Block property in Victoria bounded by Menzies Street, Michigan Street, and Superior Street, across from the Provincial Legislature (hereafter referred to as 'the Site') in order to determine an estimate of potential contribution that could be collected for public amenities from the lift in land values created from increasing the density of development on the Site.

Specifically, GPRA has been retained to estimate the land lift and amenity contribution from an increase in density from that which is allowed under current zoning and the requirements of the 2014 South Block Master Development Agreement (covenant) and the density and development which is proposed by Jawl Precinct Lands Corp and South Block (Concert) Ltd (the Proponent) for their Capital Park project. Specifically, the increased area amounts to 37,329 square feet, or 3,466 square metres in gross building area (GBA) based on information made available to GPRA by the Proponent.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the Site assuming it already had the proposed density under current market conditions, as well as to determine the value that could be afforded if developed under the current zoning and requirements of the covenant on title. GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the new density. The 'Lift' is then calculated as the difference in residual land values under both current zoning and the proposed new zoning/density.

METHODOLOGY & ASSUMPTIONS

The Site is roughly 23,044 square metres in area and can be developed under the current zoning and the covenant on title for a mix of office, commercial retail, and residential at a density up to 1.49 FSR, or 34,449 square metres of GBA. At a proposed new density of 1.65 FSR there would be 37,915 square metres of GBA, comprised of 22,056 square metres of office (the majority of which is pre-leased to the Province), a 4,660 square metre mixed residential/commercial building,



9,613 square metres of strata apartments, and 1,587 square metres of ground oriented townhouses and refurbished heritage homes.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula. For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. GPRA has prepared separate proformas for 5 distinct parcels of the overall Site to isolate the residual land values for each of these parcels. The residual values are the maximum supported land value a developer could pay for the Site (under the density and conditions tested) while achieving an acceptable return for their project.

For these analyses GPRA has determined the residual value based on the developer achieving an acceptable profit of 15% on total project costs (calculated as a representative portion of overall project costs for the proposed development) for the parcels developed for strata uses. For the parcels developed as office and mixed use GPRA has relied upon adjusting the land value to achieve an acceptable Internal Rate of Return (IRR), set at 7% for office and 7.5% for the mixed use parcel.

The residual land value determined from this analysis is then compared to the value of the site under the current zoning to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made no allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any significant improvements that would be required only from the proposed density of 1.65 FSR and not from the 1.49 FSR base analysis would impact the lift and would need to be identified, priced, and taken off whatever contribution has been established.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. A similar review of office and retail rents was conducted within the same general radius. GPRA also received estimates of revenues from the proponents which have been considered. Project costs were derived from sources deemed reliable, including estimates provided by the proponents, as well as information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.



CONCLUSIONS & RECOMMENDATIONS

As indicated above GPRA has not made any cost allowance for on-site improvements or amenities as part of this analysis. GPRA's understanding is that there are requirements from the covenant that must be fulfilled regardless of the application for additional density, and thus these will not impact the lift in any way. However, any additional requirements by the City arising solely from the additional density would need to be considered and deducted from the contribution indicated below, as would any public benefits that the have been proposed by the developers that the City deems as being creditable toward the contribution.

GPRA identifies the lift on the South Block Site from the increased density as being roughly \$567,400 when using a base FSR of 1.49 and a new density of 1.65 FSR.

As indicated above it is our understanding that the City would be seeking 75% of the lift in value, which would be approximately \$425,600 using the current zoning as a base value with a developer building a 1.49 FSR mixed use development.

I trust that our work will be of use in the City's determination of the Amenity Contribution they will seek as part of the density increase on the South Block. I am available to discuss this further at your convenience.

A handwritten signature in black ink, appearing to read "Gerry Mulholland".

Gerry Mulholland |Vice President
G.P. Rollo & Associates Ltd., Land Economists
T 604 275 4848 | M 778 772 8872 |
E gerry@rolloassociates.com | W www.rolloassociates.com

Capital Park Transportation Impact Assessment

Final Report

Prepared for

Jawl Precinct Lands Corp and South Block (Concert) Ltd.

Date

September 12, 2014

Prepared by

Bunt & Associates

Project No.

4025.34

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EXECUTIVE SUMMARY

Jawl Precinct Lands Corp and South Block (Concert) Ltd. are proposing to redevelop the western portion of the block south of Victoria's BC Legislature Building. This block is bounded by Superior Street, Government Street, Michigan Street and Menzies Street. The property's current land uses are office uses and public surface parking lots. This site is located within the Legislative Precinct, and is planned to be redeveloped as a mixed use comprehensive development in keeping with the overall plan for the Precinct. The Province will remain a major office tenant; these office uses will be complemented by multi-family residential, commercial uses and public amenity space.

For the purposes of this study, we have assumed the development will replace the current office space of approximately 13,750 m² (148,000 sq.ft.) and 317 surface parking stalls with 21,847 m² (235,154 sq.ft.) of office space, 175 residential apartment units and 1,642 m² (17,672 sq.ft.) of street level retail/commercial space which may include a 743 m² (8,000 sq.ft.) library. The development is proposed to be built over three phases, with a forecasted completion date of 2021.

Access

Vehicle access to the site will be provided with two access points: one access point will be on Superior Street, located west of the Queens Printer building which will remain in its current location and the second access point is on Menzies Street.

Traffic

The existing site generates approximately 82 total two-way vehicle trips (4 inbound and 78 outbound) during the Weekday PM peak hour. At project build-out, the proposed development was modeled with 404 total site generated two-way vehicle trips (120 inbound and 284 outbound) in the Weekday PM peak hour. The net traffic increase associated with the redevelopment of the site was therefore calculated at 322 two-way vehicle trips per weekday PM peak hour (116 inbound and 206 outbound).

Due to various factors including location, alternative transportation mode options and Transportation Demand Management strategies, the actual site generated trips are expected to be substantially lower than those modeled (calculated as approximately 100 fewer total two-way vehicle trips during the peak hour).

Detailed peak hour intersection capacity analyses of 17 surrounding intersections suggest the local road network is able to accommodate the modelled and conservatively calculated increase of vehicle trips to and from the site. The site access points are also shown to operate well, with minimal delays.

Parking

Parking for the development will be located underground; the site plan proposes a total of 453 parking spaces; 198 for office use, 44 for commercial (and/or library) use and 211 for residential use.

The proposed parking supply is equivalent to an office parking rate of one vehicle space per 110.5 m², a commercial parking rate of one vehicle space per 37.5 m², and a residential parking rate that ranges from 1.0 to 1.5 spaces per unit, visitor inclusive (the average 1.25 spaces per unit rate used herein) for the regular condo units and 0.62 spaces per unit for the Heritage Home rental units. All of these parking supply rates are expected to accommodate peak period parking demands.

Significant reductions in office employee parking cost subsidies from those currently provided by the Province will allow the developer to lower the office vehicle parking supply without compromising current on-street parking supplies. The site has good transit connections which, along with the reductions in parking subsidy, will support the goal of shifting current office employee travel modes from private automobiles to other modes.

The proposed residential vehicle parking supply rate is consistent with expected parking demand for this location, based on review of other similar development in Victoria. The proposed parking supply is expected to accommodate site generated parking demand yet is not so high as to encourage excess private vehicle ownership and use.

The development's proposed parking supply for the commercial (and/ or library) component is in compliance with the City of Victoria bylaw requirement for these uses.

The Heritage Home residential units are expected to have parking demands lower than the other residential units as they will be smaller units and will be rental units. The 13 residential units in the three Heritage Homes located along Michigan Street are proposed to be serviced with eight parking spaces in the parkade structure under the office 2 building. These spaces will not be built until the office 2 building is complete, hence there will be an approximate 3 year lag on these parking spaces. The Heritage Home residential unit's parking demands will be supported with storage for each unit that could be used for a bicycle and newly created on-street parking spaces immediately adjacent on Michigan Street's north curb. These proposed 'Resident Only' parking spaces will become available with the removal of six existing driveway letdowns along this block edge (approximately 115m of curbside space will be made available or approximately 16 parking spaces). These spaces will accommodate resident demand in the interim while the 8 parkade spaces are being constructed. When the 8 spaces are provided with the office 2 building the newly created 16 on-street parking spaces will accommodate the Heritage Home residential visitor demand as well as provide additional on-street 'resident only' parking spaces.

Parking demand surveys conducted by Bunt of publically available on-street parking spaces located within a one block radius of the site undertaken on Wednesday May 28, 2014 suggest a peak day time occupancy of 58% at 1:00 PM during an in-session BC Legislature weekday. On the day of the parking surveys, the surrounding on-street parking area experienced a demand peak after 6:00PM when publically available parking spaces become free of charge. To confirm this finding, subsequent spot counts of on-street parking occupancy after 6:00 PM were undertaken; these follow up surveys suggest that on the first day of the parking surveys, there was likely an event at a nearby site (possibly the Royal BC Museum that resulted in an atypical demand pattern after 6:00 PM). The follow up surveys confirmed that there is a peak in on-

street peak demand patterns at 7:00 PM however it is typically not as pronounced as observed during our first survey (7:00 PM peak average occupancy approximately 65 -70% on 158 spaces). With the new data, it was concluded that the currently available on-street parking supply can absorb additional on-street demand if some residential visitors or commercial visitors choose to use on-street parking rather than the spaces provided on-site.

The parking demand surveys indicated that the north side of Michigan Street, which is currently signed "90 Minute Parking", experiences the highest parking demand. With the redevelopment of the site, the north side of Michigan Street will become residential frontage, so it is recommended that the current "90 Minute Parking" restriction be changed to "Resident Only" in keeping with the south side of the street.

Loading

On-site loading, recycling and garbage collection facilities will be provided at both the Superior Street and Menzies Street vehicle access points. Loading, recycling and garbage collection loading facilities will be designed to accommodate a SU-9 loading truck design vehicle.

Multi-Modal Analysis

The site is well located within a short five to ten minute walk from both Victoria's downtown area and to the James Bay residential community.

Internally to the site plan, the development scheme and proposed building locations provide a significant improvement to internal block pedestrian routes, resulting in better overall neighbourhood area pedestrian route connectivity.

The site will have strong pedestrian connections across Superior Street to the BC Legislature building and the adjacent transit facilities on Government Street. The central area of the block will have an enhanced pedestrian realm with outdoor seating areas, and open space landscaping.

Future City of Victoria goals to increase cycling mode split are encouraged with the site's provision of Class 1 and Class 2 bicycle parking and cycling end-of-trip facilities, all in excess of bylaw requirements. The proposed development will be well equipped with bike storage facilities, including covered and secure bike rooms for resident and employee use, and outside bicycle racks in convenient locations for shorter term visitor and customer bike parking.

Transportation Demand Management (TDM)

The development plan offers various TDM measures aimed at promoting non-private vehicle use. These initiatives include, perhaps most importantly, the reduction of subsidized vehicle parking for Provincial office employees, which currently accounts for 264 of the site's 317 surface parking spaces, down to approximately 30 subsidized parking spaces. Parking costs for Provincial office employees will hence increase from current levels of \$15 per month to approximately \$175 per month. This is expected to result in a decrease in office parking demand and subsequent private vehicle use.

Other TDM initiatives include ride-share initiatives, promotion of car sharing, cycling and transit use.

In summary, it is our opinion that the proposed development plan is well suited to this site due to the location's strong connections to transit and its proximity to a vibrant walking community. The site plan's sustainable transportation mode focus and the shared use synergies between the land uses reflected in internal trip capture abilities of the site mark a considerable step towards Smart Growth development principles and overall community sustainability.

REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – November 6, 2014

Councillor Young withdrew from the meeting at 10:10 p.m. due to a pecuniary conflict of interest as his family owns property within the notification area for the following Official Community Plan amendment.

1. Rezoning Application # 00457 and Concurrent Official Community Plan Amendment for 521-557 Superior Street and 524-584 Michigan Street

It was moved by Councillor Alto, seconded by Councillor Coleman,

1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 882 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application # 00457 for 521-557 Superior Street and 524-584 Michigan Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. That staff report back on the MDA (Master Development Agreement) amendments related to the library and affordable and family housing as well as new provisions that would secure and allocate the amenity contributions as recommended in Section 3.1.6 and Appendix B of this report.
 - b. Amendment of the MDA to not require Council approval of a Development Permit for subdivision where the proposed subdivision is consistent with the development as described in the proposed Capital Park Urban Design Guidelines.
 - c. Registration of the amended MDA when finalized.
 - d. Review of the proposed Capital Park Urban Design Guidelines by the Advisory Design Panel.
 - e. Compliance with the Ministry of the Environment's Environmental Management Act as it pertains to potentially contaminated sites.
2. Following consideration of Rezoning Application # 00457, that Council authorize staff to prepare and enter into an Encroachment Agreement to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

Councillor Gudgeon said concerns have been expressed by the public that the City is not receiving sufficient amenities for this development.

Deb Day: That would be a concern for people to express at the Public Hearing.

Councillor Isitt asked about the Royal Canadian Legion who didn't receive a parking entitlement with their relocation and he suggested possible solutions to this issue.

Councillor Coleman advised that the relocation of the Legion was an arrangement with the Province and the applicant wasn't involved.

Carried Unanimously

Council meeting
November 27, 2014

A BYLAW OF THE CITY OF VICTORIA

Under its statutory powers, including sections 875 to 878, and 919.1 to 920 of the *Local Government Act*, the Council of the Corporation of the City of Victoria enacts the following provisions:

- READ A SECOND TIME the _____ day of _____ 2015.

Public hearing held on the _____ day of _____ 2015.

READ A THIRD TIME the _____ day of _____ 2015.

ADOPTED on the _____ day of _____ 2015.

CORPORATE ADMINISTRATOR

MAYOR

A BYLAW OF THE CITY OF VICTORIA

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1026)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in Schedule B by replacing
Part 12.2 [*CD-2 Zone, Legislature Comprehensive District*] with the provisions in
Schedule 1 of this Bylaw.

ADOPTED on the _____ day of _____ 2015

MAYOR

Schedule 1

PART 12.2 – CD-2 ZONE, LEGISLATURE COMPREHENSIVE DISTRICT

Definitions

- 1 In this part,

“build to line” means the minimum horizontal distance at which 20% of the building wall, excluding entrance canopies and porches, must be located from a designated street;

“Building D” means the building that is illustrated in the Capital Park Urban Design Guidelines (as those guidelines are referred to in DPA 12(HC): Legislative Precinct of the Official Community Plan) as being within Development Area LP-2C;

“Retail Pavilion” means the building that is illustrated in the Capital Park Urban Design Guidelines (as those guidelines are referred to in DPA 12(HC): Legislative Precinct of the Official Community Plan), as being within Development Area LP-2A;

“maximum floor area” means the gross area of all buildings that are used for specified uses in a Development Area, and unless expressly stated otherwise in the regulations for a Development Area, includes basements.

Area

- 2 This zone is divided into Development Areas as shown on the maps attached as Schedule 2.

General Siting

- 3 More than one building may be sited on a lot.
- 4 A building may straddle a lot line or a Development Area boundary.

Development Area LP-1A

Uses

- 5 The only use permitted in Development Area LP-1A is residential.
- 6 In Development Area LP-1A

Maximum Floor Area

- (a) the maximum floor area must not exceed 9,300m²;

Site Coverage

- (b) the site coverage must not exceed 49%;

- Height (c) a building must not exceed 10.7m nor 4 storeys in height;
- Setbacks (d) the setback
- (i) from Superior Street must be at least 4.3m, and
 - (ii) from Kingston Street must be at least 3.0m;
- Open Site Space (e) open site space must be at least 40%.

Development Area LP-1B

- Uses 7 The following uses are permitted in Development Area LP-1B:
- (a) public buildings;
 - (b) offices;
 - (c) professional businesses;
 - (d) retail;
 - (e) restaurants;
 - (f) daycare;
 - (g) chartered banks.
- 8 In Development Area LP-1B
- Maximum Floor Area (a) the maximum floor area must not exceed 23,400m²:
- (i) public buildings and offices together may be up to the maximum floor area of 23,400m²,
 - (ii) retail and restaurant uses together must not exceed 2,050m²,
 - (iii) daycare use must not exceed 700m²;
- Site Coverage (b) the site coverage must not exceed 50%;
- Height (c) a building must not exceed 22m nor 6 storeys in height;
- Setbacks (d) the setback
- (i) from Menzies Street is 5.0m and nil for accessory buildings,
 - (ii) from Kingston Street is nil, and
 - (iii) from Superior Street is 2.44m;
- Open Site Space (e) open site space must be at least 35%; and

Parking

- (f) 1 parking space for each 84m² of office space must be provided.

Development Area LP-2A

Uses

- 9 The following uses are permitted in Development Area LP-2A:
- (a) fitness clubs;
 - (b) public buildings;
 - (c) offices;
 - (d) bakeries used predominantly for the retail sale of bakery products sold from the premises;
 - (e) financial institutions, including but not limited to chartered banks, credit unions, trust, insurance and mortgage companies;
 - (f) retail;
 - (g) restaurants and coffee shops;
 - (h) laundrettes and dry-cleaning establishments used or intended to be used for the purpose of dealing with the public served thereby;
 - (i) personal services including but not limited to barbering, hairdressing, tailoring, shoemaking and shoe repair, optical, watch and jewelry repair and small animal services;
 - (j) cultural facilities including museums, galleries and exhibits;
 - (k) studios;
 - (l) high tech;
 - (m) call centre.

- 10 In Development Area LP-2A

Maximum Floor Area

- (a) the maximum floor area must not exceed 22,060m², excluding basement as well as floor area and stair access required for enclosed non-habitable roof top service areas, mechanical equipment, elevator control rooms, stair landings and elevator landings;

Site Coverage

- (b) the site coverage must not exceed 40%;

Height

- (c) a building must not exceed 21m in height, excluding enclosed non-habitable service areas, mechanical equipment, elevator control rooms, and enclosed stair landings and elevator landings that project above the roof of a building.

Build to Line

- (d) the build to line is 2.44m from Superior Street, except for the Retail Pavilion;

Open Site Space

(e) open site space must be at least 53%;

Vehicle Parking

(f) in accordance with the regulations in Schedule "C", provided that the number of stalls required is as follows:

- (i) offices, public buildings, high tech and call centre – 1 space per 110.5 m².
- (ii) all other commercial uses – 1 space per 37.5 m²;

Location of Vehicle Parking

(g) parking required under section 10 (f) may be located within any lot within the CD-2 Zone regardless of the lot where the parking is actually required, provided it is secured by an easement, and a covenant in favour of the City, both registered in accordance with section 6 of Schedule "C" of this Bylaw. Parking spaces may also be bisected by a lot line;

Bicycle Parking

(h) in accordance with the regulations in Schedule "C", except that the minimum number of Class 1 and Class 2 bicycle parking spaces required is increased by 10% over the number otherwise required under Schedule "C".

Development Area LP-2B

Uses

11 The following uses are permitted in Development Area LP-2B:

(a) commercial-residential buildings

- (i) the ground floor and any mezzanine floor of which is used or intended to be used only for commercial uses listed (b) to (m) and (p) below, and
- (ii) the floors above the ground floor and any mezzanine floor of which are used or intended to be used only for multiple dwelling and home occupation uses;

(b) fitness clubs;

(c) offices;

(d) bakeries used predominantly for the retail sale of bakery products sold from the premises;

(e) financial institutions, including but not limited to chartered banks, credit unions, trust, insurance and mortgage companies;

- (f) retail;
- (g) restaurants and coffee shops;
- (h) laundrettes and dry-cleaning establishments used or intended to be used for the purpose of dealing with the public served thereby;
- (i) personal services including but not limited to barbering, hairdressing, tailoring, shoemaking and shoe repair, optical, watch and jewelry repair and small animal services;
- (j) studios;
- (k) high tech;
- (l) call centre;
- (m) cultural facilities including museums, galleries and exhibits;
- (n) multiple dwelling;
- (o) home occupation subject to the regulations in Schedule "D";
- (p) public building.

12 In Development Area LP-2B

Maximum Floor Area

- (a) the maximum floor area must not exceed 4,660m², excluding basement as well as floor area and stair access required for enclosed non-habitable roof top service areas, mechanical equipment, elevator control rooms, stair landings and elevator landings,

Site Coverage

- (b) the site coverage must not exceed 52%;

Height

- (c) a building must not exceed 17m in height, excluding enclosed non-habitable service areas, mechanical equipment, elevator control rooms, and enclosed stair landings and elevator landings that project above the roof of a building.

Build to Line

- (d) the build to the line is 2.4m from Menzies Street;

Setbacks

- (e) the setback
 - (i) from Superior Street is 2.44m, and
 - (ii) from Michigan Street is 4.5m;

Open Site Space

- (f) open site space must be at least 40%;

Vehicle Parking

- (g) in accordance with the regulations in Schedule "C", provided that the number of stalls required is as follows:

		<ul style="list-style-type: none"> (i) offices, <u>public buildings</u>, <u>high tech</u> and <u>call centre</u> – 1 space per 110.5 m²; (ii) all other commercial uses – 1 space per 37.5 m²; (iii) <u>dwelling units</u> in commercial-residential <u>buildings</u> – 1 space per dwelling unit;
Location of Vehicle Parking		(h) Parking required under section (12(g)) may be located within any <u>lot</u> within the CD-2 Zone regardless of the <u>lot</u> where the parking is actually required, provided it is secured by an easement and a covenant in favour of the City, both registered in accordance with section 6 of Schedule "C" of this Bylaw. Parking spaces may also be bisected by a <u>lot line</u> ;
Bicycle Parking		(i) in accordance with the regulations in Schedule "C", except that the minimum number of Class 1 and Class 2 bicycle parking spaces required is increased by 10% over the number otherwise required under Schedule "C".
Development Area LP-2C		
Uses	13	<p>The following uses are permitted in Development Area LP-2C:</p> <ul style="list-style-type: none"> (a) <u>multiple dwelling</u>; (b) <u>attached dwelling</u>; (c) <u>home occupation</u> subject to the regulations in Schedule "D";
	14	In Development Area LP-2C
Maximum Floor Area		(a) the <u>maximum floor area</u> must not exceed 10,440m ² , excluding <u>basement</u> as well as floor <u>area</u> and stair access required for enclosed non-habitable roof top service areas, mechanical equipment, elevator control rooms, stair landings and elevator landings.
Site Coverage		(b) the <u>site coverage</u> must not exceed 50%;
Height		(c) a <u>building</u> must not exceed 17.5m in <u>height</u> , excluding enclosed non-habitable service areas, mechanical equipment, elevator control rooms, and enclosed stair landings and elevator landings that project above the roof of a building.

- | | |
|-----------------------------|--|
| Build to Line | (d) the <u>build to line</u> is 3.0m from Michigan Street, except for Building D; |
| Open Site Space | (e) <u>open site space</u> must be at least 48%; |
| Vehicle Parking | (f) in accordance with the regulations in Schedule "C", provided that the number of stalls required is as follows: <ul style="list-style-type: none"> (i) <u>multiple dwelling</u> – 1 space per <u>dwelling unit</u>; (ii) <u>attached dwelling</u> – 1 space <u>dwelling unit</u>; |
| Location of Vehicle Parking | (g) parking required under section 14 (f) may be located within any <u>lot</u> within the CD-2 Zone regardless of the <u>lot</u> where the parking is actually required, provided it is secured by an easement, and a covenant in favour of the City, both registered in accordance with section 6 of Schedule "C" of this Bylaw. Parking spaces may also be bisected by a <u>lot line</u> ; |
| Bicycle Parking | (h) in accordance with the regulations in Schedule "C", except that the minimum number of Class 1 and Class 2 bicycle parking spaces required is increased by 10% over the number otherwise required under Schedule "C". |

Development Area LP-2D

- | | |
|--------------------|--|
| Uses | 15 The following uses are permitted in Development Area LP-2D: <ul style="list-style-type: none"> (a) <u>multiple dwelling</u>. |
| | 16 In Development Area LP-2D |
| Maximum Floor Area | (a) the <u>maximum floor area</u> must not exceed 757m ² , excluding <u>basement</u> ; |
| Site Coverage | (b) the <u>site coverage</u> must not exceed 49%; |
| Height | (c) a <u>building</u> must not exceed 3 storeys in <u>height</u> ; |
| Setbacks | (d) the <u>setback</u> from Michigan Street must be at least 2.5m; |
| Open Site Space | (e) <u>open site space</u> must be at least 52%; |

- Vehicle Parking
- (f) in accordance with the regulations in Schedule "C", subject to the following:
- (i) multiple dwelling – 0.6 spaces per dwelling unit;
- Location of Vehicle Parking
- (g) parking required under section 16 (g) may be located within any lot within the CD-2 Zone regardless of the lot where the parking is actually required, provided it is secured by an easement and a covenant in favour of the City, both registered in accordance with section 6 of Schedule "C". Parking spaces may also be bisected by a lot line;
- Bicycle Parking
- (h) in accordance with the regulations in Schedule "C", subject to the following:
- (i) 1 Class 1 space per dwelling unit;
- (ii) 1 2-space rack per building or 1 6-space rack per three buildings.

Development Area LP-2E

- Uses
- 17 The following uses are permitted in Development Area LP-2E:
- (a) public buildings;
- (b) offices;
- (c) fitness clubs;
- (d) residential;
- (e) surface parking.
- 18 In Development Area LP-2E
- Maximum Floor Area
- (a) the maximum floor area must not exceed 4,615m²;
- Site Coverage
- (b) the site coverage must not exceed 54%;
- Height
- (c) a building must not exceed 23.5m nor 5 storeys in height;
- Setbacks
- (e) the setback from Government Street is nil;
- Open Site Space
- (f) open site space must be at least 30%;
- Vehicle Parking
- (g) 1 parking space for each 74m² of office space must be provided.

Development Area LP-4

Uses

19 The following uses are permitted in Development Area LP-4, in any building constructed prior to 1931:

- (a) rest homes – Class B;
- (b) adult day care;
- (c) duplexes and multiple dwellings.

19A The following uses are permitted in Development Area LP-4 in any building:

- (a) offices;
- (b) caretaker's suite.

20 In Development Area LP-4

Maximum Floor Area

- (a) floor space ratio must not exceed 1:1;

Site Coverage

- (b) the maximum site coverage must not exceed 50%;

Height

- (c) a building must not exceed 11m nor 2.5 storeys in height;

Setbacks

- (d) the setback from Government Street must be at least 3.0m;

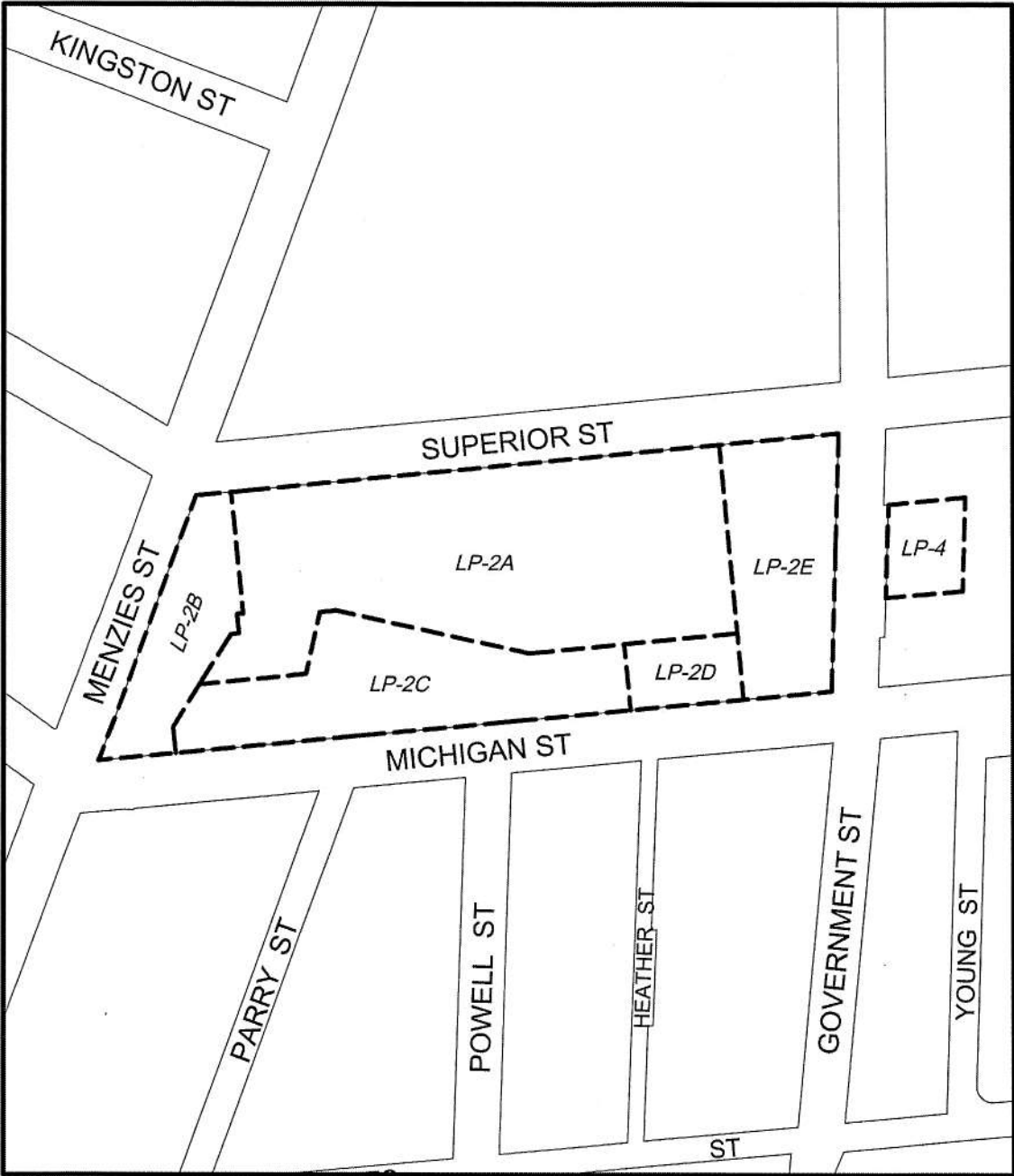
Open Site Space

- (e) open site space must be at least 40%;

Parking

- (f) parking for office purposes may be located on a lot other than the lot on which that office is located provided it is secured by an easement, and a covenant in favour of the City, both registered in accordance with section 6 of Schedule "C".

Schedule 2



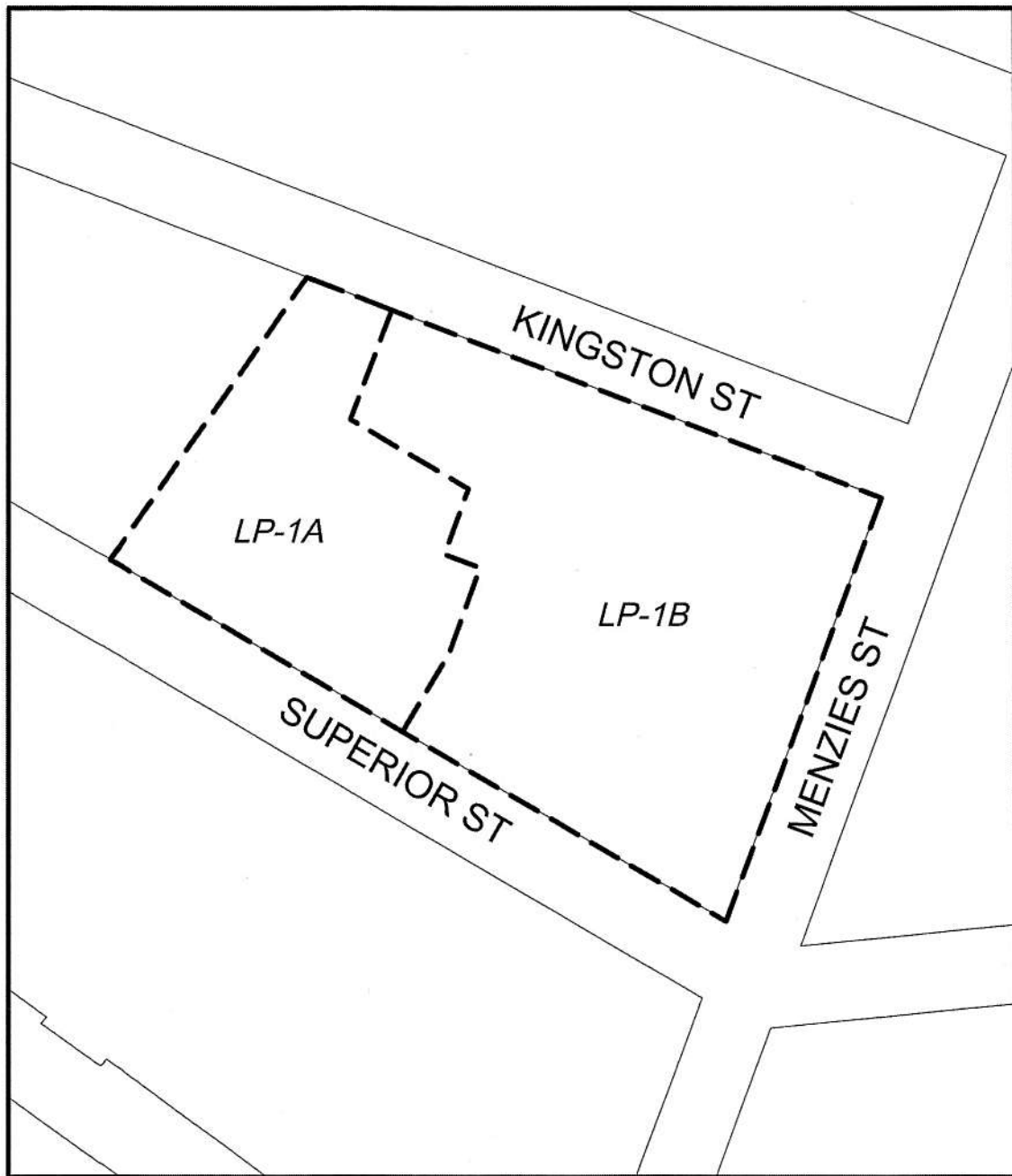
Schedule #2

Development Areas

CD-2 Zone, Legislative Comprehensive District



Schedule 2



Schedule #2

Development Areas

CD-2 Zone, Legislative Comprehensive District



MINUTES OF THE
ADVISORY DESIGN PANEL
HELD WEDNESDAY, NOVEMBER 26, 2014, 12 P.M.

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:19 P.M.

Panel Members Present: Christopher Rowe, (Chair); Barry Cosgrave; Brad Forth; Cynthia Hildebrand; Mike Miller; Ann Katherine Murphy; Rod Windjack

Absent: Mickey Lam; Larry Podhora

Staff Present: Mike Wilson – Senior Planner-Urban Design;
Charlotte Wain – Senior Planner- Urban Design

2. APPLICATIONS

Mr. Windjack recused himself from the meeting at 12:19 PM due to a pecuniary conflict of interest.

2.1 Rezoning Application #00457 for 521-557 Superior Street & 524-584 Michigan Street

The Application is to permit a multi-phased, mixed-use development comprised of offices, retail and residential uses covering the majority of South Block. An OCP amendment, subdivision and Development Permit approvals are also required.

Applicant Meeting attendees: Mr. Robert Jawl, Jawl Properties Ltd.
Mr. Mohan Jawl, Jawl Properties Ltd.
Ms. Karen Jawl, Jawl Properties Ltd.
Mr. Brian McCauley, Concert Properties Ltd.
Mr. Jim Aalders, CEI Architecture
Mr. Alan Endall, Endall Elliot Associates
Mr. Derek Lee, PWL Partnership

Ms. Wain provided the Panel with a brief introduction of the Application and requested that the Panel provide advice to Council on the proposed *Capital Park Urban Design Guidelines*. Ms. Wain also requested that the Panel provide Staff with feedback on areas of the Guidelines that could be improved.

Mr. Jawl then provided the Panel with a brief introduction of the presentation.

Mr. Endall provided a detailed presentation of the proposal to the Panel including the guiding principles influencing the guidelines.

Mr. Lee then provided a detailed presentation of the landscape proposal to the Panel.

Mr. Endall then provided the Panel with some information on the proposed phases of development.

Mr. Jawl concluded the presentation and requested feedback from the Panel.

Panel Members discussed:

- Possibility of using some of the plaza space as a sub-venue for special events held at the Legislature by including a stage.
- The strong symmetry with the Legislature may be putting too much emphasis on the proposed residential building to the south as a terminus to the visual axis.
- Concerns regarding the townhouses proposed location in building E (location, height and privacy).
- Preferences for balconies facing the office buildings rather than the proposed yards.
- The varying heights of the residences.
- Further work needs to be done on the south-east corner where the Heritage Buildings are being relocated for a better visual transition to the other residential buildings.
- Streetscape on Superior Street.
- The east-west link through the site, and providing a better link to Menzies Street.
- Green Buildings section seems weak.
- Potential CPTED issues with the 3D landscape terrain.
- The finer design details of the Proposal can be worked through at the Development Permit stage.
- Adding livability guidelines to the document.
- Concerns of the edible garden being available to all of the James Bay Community and associated management issues.

Action:

MOVED / SECONDED

It was moved by Mr. Cosgrave, seconded by Ms. Hildebrand, that the Advisory Design Panel recommend to Council that Rezoning Application #00457 for 521-557 Superior Street & 524-584 Michigan Street be approved as presented subject to:

- Staff and the applicant exploring the addition of livability guidelines within the document to help address the relationship between the proposed mix of residential and commercial uses.

CARRIED UNANIMOUSLY

Mr. Windjack returned to the meeting at 1:58 PM.

Jawl Development Corporation



December 8, 2014

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

Attention: Brian Sikstrom

Re: South Block Application (Rezoning File # 00457) – Advisory Design Panel Review of the Capital Park Urban Design Guidelines

Dear Brian:

On November 26, 2014 the City of Victoria Advisory Design Panel ("ADP") convened to review and discuss the proposed Capital Park Urban Design Guidelines that have been developed in connection with the South Block rezoning application (rezoning file # 00457). Subsequent to the meeting, we received a copy of the meeting minutes including ADP's unanimously carried motion recommending that the design guidelines be approved as presented subject to "staff and the applicant exploring the addition of livability guidelines within the document to help address the relationship between the proposed mix of residential and commercial uses."

At our meeting with Alison Meyer, Jeff Mitton, and yourself on December 4, 2014, we reviewed the design guidelines in light of ADP's motion and discussed the ways in which the guidelines currently incorporate strategies to address livability concerns as well as some proposed language amendments to further address ADP's recommendation. We also discussed a number of additional enhancements to the design guidelines aimed at responding to other comments and discussion points raised by ADP.

The amendments and clarifying points pertaining to the design guidelines pursuant to ADP's motion are summarized as follows:

- Section 1.6.6 – Guiding Principle #6 states "The Project's residential units should be designed to accommodate a range of unit types and resident profiles to ensure a healthy diversity of unit options in an attractive and highly livable setting" making clear that livability considerations are paramount in individual building design.
- Section 3.2.C – Form and Massing / Building Frontage Guideline C is proposed to be amended to read: "courtyard facing frontages must carefully consider issues of sunlight access, shadowing, privacy, and security to enhance livability" to emphasize livability considerations.
- Section 3.7.E – Architectural Expression Guideline E reads: "the architectural expression of the different frontages of individual buildings may vary dependent on considerations of solar orientation, privacy and daylight access, and between street facing and courtyard facing frontages of the building" to emphasize livability considerations.
- Section 3.9.3.A – Window and Window Materials Guideline A reads: "window placement and detailing should be carefully considered such that the façade of each building may achieve a sense of rhythm and proportion that is appropriate to its urban and historical context, while at the same time considerations of views, daylighting, privacy, overlook, and the visual and special connection between interior and exterior spaces" to emphasize livability considerations.
- Section 5.1.L – Plaza Retail Pavilion Guideline L reads: "the Pavilion form should be integrated with the central landscaped courtyard to the south to provide a transition zone and deal with privacy / overlook issued between the commercial and residential zones of the Site" to emphasize livability considerations.
- Section 5.2.J – Development Area 2B Guideline J reads: "opportunities to architecturally differentiate between the Menzies Street frontage and courtyard facing frontages in consideration of daylighting, acoustic and privacy issues are encouraged" to emphasize livability considerations.
- Section 5.3.G – Development Area 2C Building C Guideline G reads: "consideration of shadowing, daylight access, acoustics and privacy should inform the detailed design of Building C, possibly

resulting in some differentiation in the architectural expression between the Michigan Street and courtyard facing frontages of the building" to emphasize livability considerations.

- Section 5.3.O – Development Area 2C Building E Guideline O reads: "rear yards should also be provided together with integrated landscaping to provide privacy measures and separation from the public walkway and office zones to the north" to emphasize livability considerations.

Proposed additional amendments and clarifying points pertaining to the design guidelines pursuant to ADP's comments and discussion points (beyond the panel's motion) are summarized as follows:

- Section 3.5.F – Safety and Security / CEPTED Principles Guideline F is proposed to be amended to read: "carefully consider landscape design and topography which minimizes visual barriers and hiding spots so as to ensure adequate surveillance, particularly in areas within the courtyards and proximate to building entrances" to respond to ADP comments pertaining to CEPTED considerations for the three dimensional landscape terrain.
- Section 4.4.B – Plazas Guideline B is proposed to be amended to read: "designated places for seating must be integrated into plaza design which allow for a range of seating options including the ability to accommodate larger groupings of people or events" to respond to ADP comments encouraging that plaza spaces be used as possible event locations.
- Section 4.4.J – Plazas Guideline J reads: "the Superior Street Plaza's potential to accommodate passive and active outdoor events should be considered including provision for power sources in strategic locations" indicating further support for event provisioning in plaza locations.
- Section 5.2.B – The following language is proposed to be added to Development Area 2B Building B Guideline B: "the potential for access to the Building B retail premises from the east side of the building should be considered where feasible in collaboration with the ultimate building retail tenants" in response to ADP comments pertaining to enhancing the visual and physical east-west linkages between the Building B retail spaces, the West Courtyard, and Menzies Street.

At our December 4th meeting, we also discussed a number of additional minor edits to the design guidelines in response to comments raised by Alison Meyer. These additional changes will also be reflected in the next version of the design guidelines presented to City of Victoria staff for review.

We sincerely appreciate the efforts of staff and the ADP members in offering feedback to improve the design guidelines, which shall govern the future build out of this important site. We feel confident that the guidelines have been enhanced through these collaborative efforts.

Sincerely,

JAWL DEVELOPMENT CORPORATION

Per. 
Robert Jawl

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 7 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

DRAFT

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
 [PID] [LEGAL DESCRIPTION]

SEE SCHEDULESTC? YES ☐

3. NATURE OF INTEREST CHARGE NO. ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

SEE SCHEDULE

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

THE CORPORATION OF THE CITY OF VICTORIA

#1 CENTENNIAL SQUARE

VICTORIA

BRITISH COLUMBIA

V8W 1P6

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

n/a

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Execution Date

Transferor(s) Signature(s)

Y	M	D
15		

SOUTH BLOCK (CONCERT) LTD.
 by its authorized signatory(ies):

Name: _____

Name: _____

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 2 of 7 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y

M

D

15

JAWL PRECINCT LANDS CORP. by its
authorized signatory(ies):

Name:

Name:

15

THE CORPORATION OF THE CITY
OF VICTORIA by its authorized
signatory(ies):

Name:

Name:

15

(AS TO PRIORITY)
TULISTA ESTATES LTD. by its
authorized signatory(ies):

Name:

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 3 of 7 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y M D

15

(AS TO PRIORITY)
SUN CHARIOT HOLDINGS LTD. by its
authorized signatory(ies):

Name:

Name:

15

(AS TO PRIORITY)
CRIMSON INVESTMENT CORP. by its
authorized signatory(ies):

Name:

Name:

15

(AS TO PRIORITY)
HARO INVESTMENT CORPORATION
by its authorized signatory(ies):

Name:

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 4 of 7 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y

M

D

15

(AS TO PRIORITY)

INDRANI ENTERPRISES INC. by its
authorized signatory(ies):

Name:

Name:

15

(AS TO PRIORITY)

CONCERT REAL ESTATE
CORPORATION by its authorized
signatory(ies):

Name:

Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM E

SCHEDULE

PAGE 5 OF 7 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

029-274-486**LOT 2 OF LOTS 1720 1721 1722 1723 1724 1725 1726 1727 1728 1729 1730
1731 1732 1733 1734 1735 1736 1737 1738 1739 1740 1741 1742 1743**STC? YES ☐ **VICTORIA CITY PLAN EPP38872**

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID] [LEGAL DESCRIPTION]

STC? YES ☐

LAND TITLE ACT
FORM E

SCHEDULE

PAGE 6 OF 7 PAGES

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Covenant		Entire document, except Page 20, Paragraph 11

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Priority Agreement		Granting this Covenant with one registration number less than this priority agreement priority over Mortgage CA3667618, Assignment of Rents CA3667619, Mortgage CA3667620 and Assignment of Rents CA3667621; Page 20, Paragraph 11

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION

**LAND TITLE ACT
FORM E****SCHEDULE**

PAGE 7 OF 7 PAGES

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

5. TRANSFEROR(S):

SOUTH BLOCK (CONCERT) LTD., INC. NO. BC0994984, as to an undivided 1/2 interest
(As to Covenant)

JAWL PRECINCT LANDS CORP., INC. NO. BC0992197, as to an undivided 1/2 interest
(As to Covenant)

As to the undivided half interest of South Block (Concert) Ltd. (As to Priority):

TULISTA ESTATES LTD., INCORPORATION NO. BC0618495

SUN CHARIOT HOLDINGS LTD., INCORPORATION NO. BC0618497

CRIMSON INVESTMENT CORP., INCORPORATION NO. BC894156

HARO INVESTMENT CORPORATION, INCORPORATION NO. BC0632609

INDRANI ENTERPRISES INC., INCORPORATION NO. BC0240284

As to the undivided half interest of Jawl Precinct Lands Corp. (As to Priority):

CONCERT REAL ESTATE CORPORATION, INCORPORATION NO. C0424436

TERMS OF INSTRUMENT - PART 2

Section 219 Covenant

THIS AGREEMENT dated for reference the day of , 2015.

AMONG:

JAWL PRECINCT LANDS CORP.
Incorporation Number: BC0992197
100-3350 Douglas Street
Victoria, British Columbia V8Z 3L1

and

SOUTH BLOCK (CONCERT) LTD.
Incorporation Number: BC0994984
9th Floor, 1190 Hornby Street
Vancouver, British Columbia V6Z 2K5

(collectively the "**Transferor**")

OF THE FIRST PART

AND:

THE CORPORATION OF THE CITY OF VICTORIA
#1 Centennial Square
Victoria, British Columbia V8W 1P6

(the "**Transferee**")

OF THE SECOND PART

WHEREAS:

- A. The Transferor is the registered owner in fee-simple of those lands and premises located within the City of Victoria, in the Province of British Columbia, more particularly described as :

PID 029-274-486

Lot 2 of Lots 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, and 1743, Victoria City, Plan EPP38872

(hereinafter referred to as the "**Lands**")

- B. The Transferee is a municipality incorporated under the laws of the Province of British Columbia;
- C. The Transferor has applied to amend the City of Victoria Zoning Regulation Bylaw No. 80-159 as it applies to the Lands, under the terms of **[insert title and number of zoning bylaw amendment bylaw]** (the "Zoning Amendment Bylaw"), and has applied to amend the provisions of Development Permit Area 12 (HC): Legislative Precinct, as those provisions apply to the Lands, under the terms of **[insert title and number of OCP amendment bylaw]** (the "OCP Amendment Bylaw").
- D. The Transferor acknowledges that it is in the public interest that the use and development of the Lands be restricted as set out in this Agreement.
- E. Section 219 of the *Land Title Act* provides that a covenant, whether of negative or positive nature, in respect of the use of land or the use of a building on or to be erected on land, or that land is not to be built on or subdivided except in accordance with the covenant may be granted in favour of the Transferee and may be registered as a charge against the title to the Lands.

NOW THEREFORE THIS AGREEMENT WITNESSES that under Section 219 of the *Land Title Act*, and in consideration of the premises and the mutual covenants and agreements contained herein, and the sum of ONE (\$1.00) DOLLAR of lawful money of Canada now paid to the Transferor by the Transferee (the receipt and sufficiency of which is hereby acknowledged), and for other good and valuable consideration the parties covenant and agree each with the other as follows:

1.0 INTERPRETATION

1.1 In this Agreement,

"Affordable Housing Unit" means a housing unit that:

- a) falls within the financial means of a household living in either a market or non-market dwelling unit, such that the total costs for rent or mortgage (including a 10% down payment) plus taxes, insurance and utilities equals thirty percent or less of the household's gross annual income; or
- b) is otherwise developed on the Lands in accordance with the requirements of section 6.3 of this Agreement;

"Building A2" means the office building that is to be developed within Development Area 2A and labeled "Office Building A2" on the site plan that is attached to this Agreement as Schedule "A";

"Building B" means the residential and retail building that is to be developed within Development Area 2B and labeled "Building B" on the site plan that is attached to this Agreement as Schedule "A";

"CD-2 Zoning Regulations" means Part 12.2 of the City of Victoria Zoning Regulation By-law No. 80-159, as amended from time to time;

"CPUDG" means the design guidelines titled "Capital Park Urban Design Guidelines" that will be incorporated by reference into the provisions of Development Permit Area 12 (HC): Legislative Precinct under the City of Victoria Official Community Plan Bylaw No. 12-013, upon the adoption of the OCP Amendment Bylaw;

"Central Plaza" means the high quality plaza that is to be constructed as part of the Development within Development Area 2A, as generally depicted on the plan that is attached to this Agreement as Schedule "B";

"Development" means the development that the Transferor proposes to construct on the Lands as contemplated under this Agreement;

"Development Area" means an area of the Lands designated as a Development Area under the CD-2 Zoning Regulations, and the words "Development Area" where immediately followed by a combination of letters and numerals such as "2A", "2B", "2C", or "2D" means the Development Area with the corresponding alpha-numeric designation as shown on Schedule 2 to the CD-2 Zoning Regulations;

"Q-Lot" means the lands legally described as PID: 029-274-451, Lot 2 of Lots 1888, 1890, 1891, 1892, 1893, 1915, 1916, 1917, 1918, and 1919, Victoria City, Plan EPP38870;

"Small Market Unit" means a housing unit that is equal to or less than fifty-two (52) square metres in floor area;

"suitable for families" means a housing unit that contains two or more bedrooms.

2.0 PURPOSE AND INTENT

- 2.1 The purpose of this Agreement is to establish the terms and conditions under which the Transferor agrees that it will subdivide and develop the Lands, and the Transferor therefore covenants and agrees with the Transferee that it shall not use or permit the use of the Lands or any building on the Lands, construct any building on the Lands or subdivide the Lands except in accordance with this Agreement.

- 2.2 The Transferor shall be solely responsible for all costs and expenditures required to fulfill its obligations under this Agreement, whether or not those costs and expenses are specifically referred to herein.

3.0 STREETS

- 3.1 The Transferor shall not construct any new buildings on the Lands unless it constructs on the highways that immediately adjoin the portion of the Lands being developed the off-site works and services that are required for the development of the Lands, in accordance with the standards (including requirements for security) and specifications under the Transferee's Victoria Subdivision and Development Servicing Bylaw No. 12-042 (the "**Subdivision Bylaw**"), and in accordance with the requirements of the CPUDG, unless alternative standards or specifications are agreed to by the Transferor and the Transferee.
- 3.2 Concurrently with the development of any portion of the Lands for which a development permit has been issued by the Transferee, and in order to provide internal public circulation, the Transferor will provide on the portion of the Lands being developed a series of lanes, walkways and courtyards open to the public as shown in the CPUDG, all to be provided, constructed and maintained at the expense of the Transferor in the locations and in accordance with the CPUDG.
- 3.3 Concurrently with the first application for a development permit for an office building on the Lands, the Transferor must provide comprehensive engineering drawings detailing the works and services to be provided on the Superior Street, Michigan Street, and Menzies Street frontages of the Lands. The Transferor shall also provide comprehensive engineering drawings for the Michigan and Superior Street frontages lying immediately to the east of the Lands to the extent reasonably required by the Transferee's Director of Engineering to verify that the frontage works constructed by the Transferee on highways immediately adjoining the Lands will be capable of tying into and connecting with, in accordance with good engineering and construction practices, the frontage works and services to be constructed in future by the owner of the adjoining lands to the east.
- 3.4 Concurrently with the application for a building permit for the construction of Building A2 the Transferor shall grant to the Transferee a statutory right of way for highway purposes pursuant to section 218 of the Land Title Act, over those areas of the Lands shown outlined and identified as "Area B" and "Area D" on Explanatory Plan EPP38874, a reduced copy of which is attached hereto as Schedule "C", the statutory right of way to be on the terms attached to this Agreement as Schedule "D".

4.0 SUBDIVISION AND PHASING OF DEVELOPMENT

- 4.1 The Transferor proposes to subdivide the Lands into the lots generally described in section 6.2 of the CPUDG.
- 4.2 Concurrently with the first development permit application for an office building on the Lands, the Transferor must submit a phasing plan showing the proposed phasing of all office and residential development on the Lands, for the Transferee's review and approval. The phasing plan may be amended from time to time subject to the Transferee's review and approval.

5.0 NO BUILD AREA

- 5.1 The Transferor covenants and agrees that it shall not construct any above-ground buildings or structures on that part of the Lands shown outlined and identified as "Area B" on Reference Plan EPP38873, a reduced copy of which is attached hereto as Schedule "E" (the "No-Build Area"). Upon the demolition or destruction of the building that, as of the date of this Agreement, is located on the Lands immediately to the west of the No-Build Area, the Transferee shall execute a modification of this Agreement in a form that may be registered in the Land Title Office, releasing the Transferor from the restriction under this section 5.1.

6.0 HOUSING

- 6.1 The development of the Lands must include the provision of housing for a mix of households, income levels and tenures.
- 6.2 The Transferor agrees to develop housing on the Lands such that:
 - (a) a minimum of 61 of the housing units on the Lands are suitable for families; and
 - (b) a minimum of 51 of the housing units on the Lands are Affordable Housing Units.
- 6.3 The Transferor shall fulfill its obligation under section 6.2(b) to provide Affordable Housing Units through one or more of the following:
 - (a) the development of housing units through government sponsored programs;
 - (b) the development of housing units through privately sponsored initiatives such as housing co-operatives;
 - (c) the development of Small Market Units;

- (d) the development of housing units that conform to paragraph (a) of the definition of "Affordable Housing Unit" under section 1.1 of this Agreement.

- 6.4 Concurrently with each development permit application for the Lands, or any part of the Lands, the Transferor must submit for the Transferee's review and approval a report identifying the number and location of all Affordable Housing Units, and housing units that are suitable for families, that are proposed to be developed under the terms of that development permit.
- 6.5 The Transferor covenants and agrees to develop a minimum of twenty-six (26) Affordable Housing Units on the Lands in Building B and that Building B shall form part of the first phase of construction contemplated in the phasing plan submitted in connection with section 4.2.

7.0 TRANSPORTATION DEMAND MANAGEMENT PLAN

- 7.1 The Transferor covenants and agrees to provide and implement the traffic demand management ("TDM") strategies listed in Schedule "F" to this Agreement as an integral and ongoing part of the Development.
- 7.2 In cooperation with the registered owner of Q-Lot, the Transferor must establish and provide for the ongoing operation of a committee to monitor the implementation of the TDM strategies referred to in section 7.1. The committee must include representatives from the James Bay community, the Province of British Columbia (as the intended tenant of the office portion of the Development) and the Transferee.

8.0 AMENITIES

Library Premises

- 8.1 In Development Area 2B, the Transferor must provide approximately seven hundred (700) square metres of rentable floor space constructed so that it is physically suitable to accommodate library use (the "Option Premises") in accordance with the following requirements:
 - (a) Prior to the issuance of a development permit for Development Area 2B, the Option Premises must be offered for lease to the Transferee for use by the Greater Victoria Public Library (the "Initial Option"). The annual base rent (net rent) applicable to the Initial Option shall be 100% of market rent. The Transferee will have up to 12 months following the issuance of a development permit for Development Area 2B to accept the offer. Failing acceptance of the Initial Option within this timeline, the Initial Option will be deemed to be void and the Transferor shall have the right to lease the Option Premises to one or more third party tenants in the Transferor's sole discretion. If the Transferee does not accept the Initial Option, from and

after the date on which an occupancy certificate is granted for the retail premises in Development Area 2B (which includes the Option Premises), the Transferee shall have an on-going right of first offer to lease any three hundred fifty (350) square metres or larger retail premises (including all or a portion of the Option Premises) that becomes available in Development Area 2B at any point in the future for use by the Greater Victoria Public Library (the "Ongoing ROFO"). The annual base rent (net rent) applicable to the Ongoing ROFO shall be 100% of market rent.

- (b) If the Transferee does not accept the Initial Option and has not leased any premises offered to the Transferee pursuant to the Ongoing ROFO, then subject to no less than two years prior notice, the Transferee shall have the right to lease the Option Premises for use by the Greater Victoria Public Library on the date that is the later of:
 - i) 15 years following the date on which an occupancy certificate is granted for the retail premises in Development Area 2B (which includes the Option Premises); or
 - ii) 15 years following the proposed lease commencement date of the most recent Ongoing ROFO applicable to the Option Premises which has been offered to the Transferee (the "Future Option").
- (c) While the Option Premises must be constructed so as to comprise approximately seven hundred (700) square metres of rentable floor space in size, the Transferee may lease space pursuant to the Initial Option, the Ongoing ROFO, or the Future Option which is less than seven hundred (700) square metres in its sole discretion provided that the leased premises is no less than three hundred fifty (350) square metres and that the size of the leased premises does not leave any adjacent premises with less than one hundred (100) square metres in rentable floor space or result in adjacent premises having a configuration which would make it unreasonably difficult to lease those adjacent premises to a third party tenant.
- (d) While this section 8.1 contemplates the use of the Option Premises by the Greater Victoria Public Library, if the Option Premises are leased by the Transferee, the Transferee shall be permitted to utilize the Option Premises (including for certainty any premises leased by the Transferee pursuant to the Initial Option, the Ongoing ROFO, or the Future Option) for an alternative use provided that such a use is similarly public in nature, has a retail character, is generally consistent with the character and quality of the Development, and provides a benefit to the community.

Fitness Facility

- 8.2 The Transferor must construct an adequate government employee fitness facility on the ground floor of an office building in Development Area 2A. This facility must be made available for community use six months after an occupancy permit has been issued and must be used according to operating principles and guidelines to be developed by the office building tenant and the Transferee's Director of Parks and Recreation in consultation with community representatives. The Transferor shall organize and facilitate one or more meetings of the parties referred to in the preceding sentence, to assist with the development of those operating principles and guidelines.

Central Plaza and Public Art

- 8.3 Without limiting section 3.2 of this Agreement the Transferor covenants and agrees that as part of the development of Development Area 2A the Transferor shall construct the Central Plaza, in accordance with CPUDG and subject to the terms and conditions of the Development Permit to be issued by the Transferee.
- 8.4 The Transferor further covenants and agrees to register against title to the Lands a statutory right of way in favour of the Transferee for public access over the Central Plaza on the terms set out in Schedule "G" to this Agreement.
- 8.5 Subject to section 8.6, the Transferor shall complete the construction of the Central Plaza, and shall register the statutory right of way referred to in section 8.4, prior to the issuance of an occupancy permit for Building A2.
- 8.6 If the Central Plaza has not been completed prior to the Transferor's application for an occupancy permit for Building A2, then the time limit for completion of the Central Plaza under section 8.5 may be extended, with the advance written consent of the Transferee, if:
- (a) a registered British Columbia landscape architect, or other professional with qualifications that are acceptable to the Transferee (the Transferor's Professional"), certifies that the Central Plaza is at least seventy-five (75%) percent complete,
 - (b) the statutory right of way referred to in section 8.4 has been registered in favour of the Transferee,
 - (c) the Transferor has placed with the Transferee a letter of credit issued by a Canadian financial institution (the "Letter of Credit") on terms that are acceptable to the Transferee, equaling 120% of the estimated cost to complete the Central Plaza, such estimated cost to be certified by the

Transferor's Professional, with such cost estimate subject to the acceptance and written approval of the Transferee,

- (d) the Transferor has provided the Transferee with a written schedule for the completion of the Central Plaza that is acceptable to the Transferee,
 - (e) the Letter of Credit is kept in effect until the Transferor's Professional certifies that the Central Plaza is one hundred (100%) percent complete.
- 8.7 If the Letter of Credit provided under section 8.6(c) is not renewed at least thirty (30) days prior to any expiry date, the Transferee may draw upon the Letter of Credit and hold the funds as security under this Agreement for the completion of the Central Plaza, which may be performed by the Transferee at its discretion.
- 8.8 If the Transferor does not complete the Central Plaza within the time provided for in the scheduled referred to in section 8.6(d), the Transferee may at its discretion draw upon the Letter of Credit and enter upon the Lands to complete the Central Plaza.
- 8.9 The Letter of Credit to be provided under this section shall be in addition to and not a substitute or replacement for any security that is required to be provided by the Transferor under section 925 of the *Local Government Act* as a condition of a Development Permit for the construction of the Central Plaza.
- 8.10 As part of the improvements to be constructed in the Central Plaza, the Transferor covenants and agrees that it shall provide a permanent public art installation with a value of no less than One Hundred and Fifty Thousand (\$150,000.00) Dollars.
- 8.11 Prior to the issuance of a building permit for Building A2, the Transferor must provide the Transferee with security in the form of an irrevocable letter of credit in the amount of One Hundred and Fifty Thousand (\$150,000.00) Dollars, as security for the Transferor's obligations under section 8.10 and which may be drawn upon up to its full extent to provide the public art installation (or any aspect thereof) in the event the Transferor or its successors in title, fail to complete the public art installation under this Agreement within four (4) years of the issuance of a building permit for Building A2. Once the Transferor's obligations to install the public art as set out in this Agreement have been fulfilled, the irrevocable letter of credit contemplated under this section 8.11 shall be released by the Transferee.
- 8.12 The Transferor must comply with the following process for the selection of the public art installation required under section 8.10:
- (a) The Transferor shall develop a draft request for proposal document for the selection of the artist and public artwork concept. The draft request for

proposal document shall contemplate either an invited competition or a direct commission process.

- (b) The draft request for proposal document shall be submitted to the City of Victoria's Art in Public Places Committee for review and approval.
 - (c) The Transferor shall coordinate the implementation of the invited competition or direct commission process in the manner specified in the approved request for proposal document.
 - (d) Artist responses to the invited competition or direct commission process shall be reviewed by a five (5) person selection committee (the "Selection Committee") comprised of the following members:
 - i) One representative who is a member of and is appointed by the Art in Public Places Committee;
 - ii) One representative who is a member of and is appointed by the James Bay Neighbourhood Association;
 - iii) One representative who is a member of the Transferor's architectural or landscape architectural design team for the Development and who is appointed by the Transferor;
 - iv) One representative appointed by the Transferee's Manager, Arts, Culture and Special Events; and
 - v) One representative appointed by the Transferor.
 - (e) The Selection Committee shall select a preferred artist submission from the invited competition review or review and approve the artist proposal from the direct commission process, as the case may be. The choice of artist and public art proposal confirmed by the Selection Committee shall be binding upon the Transferor.
 - (f) The Transferor may not deviate from the public art selection process outlined in this section 8.12 unless a request by the Transferor to do so has been agreed to by the Transferee in writing. In considering any request by the Transferor to deviate from the public art selection process outlined in this section 8.12, the Transferee shall consult with the Art in Public Places Committee.
- 8.13 The Transferor covenants and agrees to provide for the ongoing maintenance and repair of the public art installation to a high standard. In the event that the public art installation is destroyed or otherwise removed from the Lands, the Transferor shall replace it with a permanent public art installation of at least equal

value and quality.

Financial (Amenity) Contribution

- 8.14 Prior to the issuance of a building permit for any buildings or structures on the Lands, the Transferor covenants and agrees to make a financial contribution to the Transferee in the amount of One Hundred Eighteen Thousand (\$118,000.00) Dollars, which the Transferee may use in its sole discretion to support the Greater Victoria Public Library, the development of affordable housing, or for any other amenity of the Transferee's choosing.

9.0 PUBLIC BODY

- 9.1 Nothing contained or implied within this Agreement shall prejudice or affect the duties, rights and powers of the Transferee in the exercise of its functions under any public or private statutes, bylaws, orders or regulations, all of which may be fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered.
- 9.2 Nothing in this Agreement shall relieve the Transferor from any obligation or requirement arising under any applicable statute, bylaw or regulation in respect of the development of the Lands.

10.0 GENERAL PROVISIONS

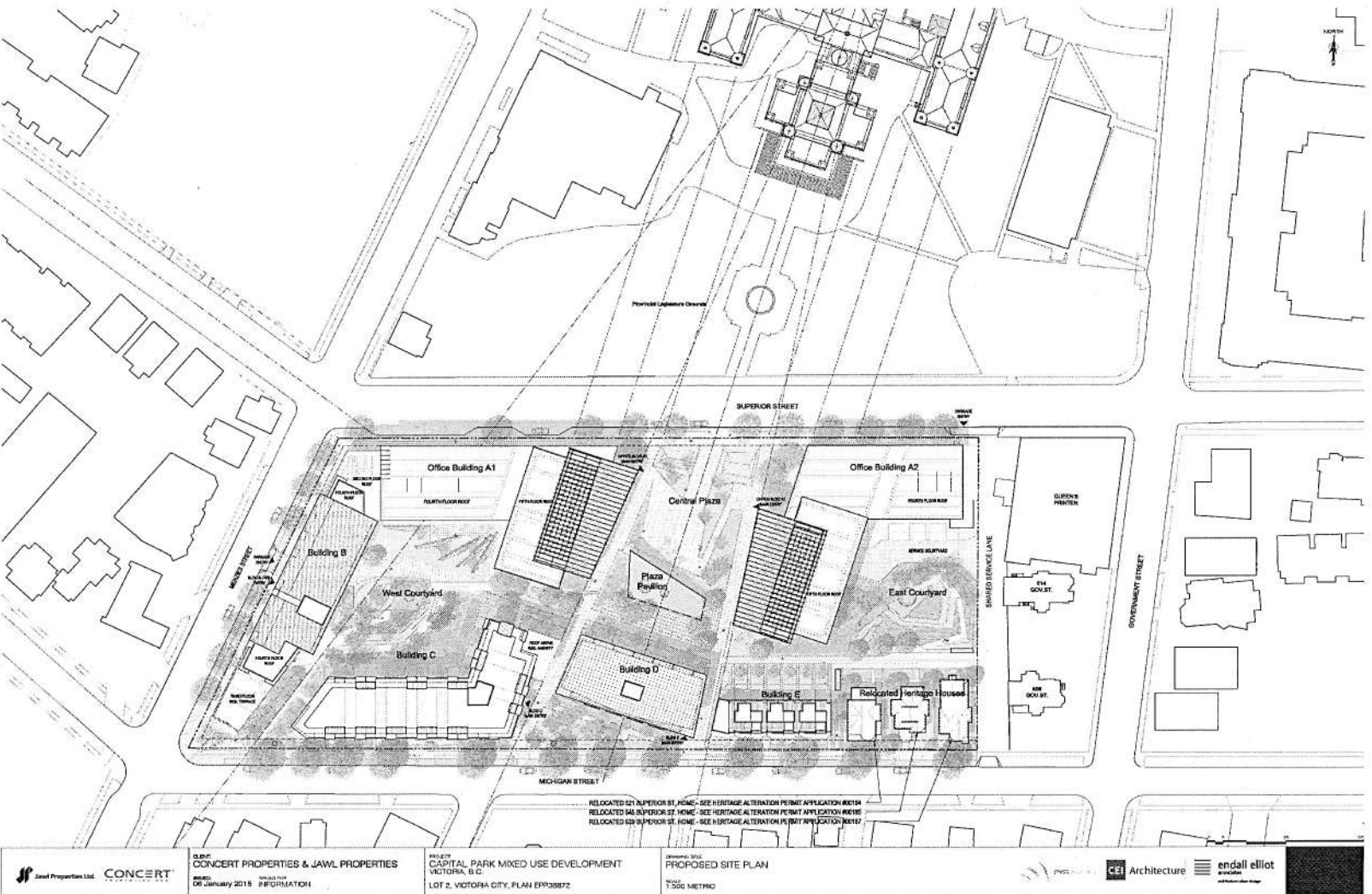
- 10.1 At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement and the Section 219 Covenant it creates over all registered and pending charges and encumbrances of a financial nature against the Lands.
- 10.2 If the Zoning Amendment Bylaw and OCP Amendment Bylaw are not each given third reading and final adoption within six (6) months following the registration of this Agreement against title to the Lands, the Transferee shall provide the Transferor with a discharge of this Agreement in registrable form.
- 10.3 Upon the final adoption of the Zoning Amendment Bylaw and the OCP Amendment Bylaw, the Transferee shall provide the Transferor with a discharge of Covenant No. CA3641384 in registrable form, with the express understanding that following final adoption of the Zoning Amendment Bylaw and the OCP Amendment Bylaw, to the extent of any conflict between the terms of this Agreement and Covenant No. CA3641384, this Agreement and not Covenant No. CA3641384 shall govern the use and development of the Lands by the Transferor.
- 10.4 Time is of the essence of this Agreement.

- 10.5 The Transferor covenants and agrees for itself, its heirs, executors, successors and assigns, that it will at all times perform and observe the requirements and restrictions set out in this Agreement and they shall be binding upon the Transferor as personal covenants only during the period of its respective ownership of any interest in the Lands.
- 10.6 It is mutually understood, acknowledged and agreed by the parties hereto that the Transferee has made no representations, covenants, warranties, guarantees, promises or agreements (oral or otherwise) with the Transferor other than those contained in this Agreement.
- 10.7 The waiver by a party of any breach of this Agreement or failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar, and no waiver shall be effective unless it is in writing signed by both parties.
- 10.8 Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 10.9 No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 10.10 The enforcement of this Agreement shall be entirely within the discretion of the Transferee and the execution and registration of the Agreement against title to the Lands shall not be interpreted as creating any duty on the part of the Transferee to the Transferor or to any other person to enforce any provision or the breach of any provision of this Agreement.
- 10.11 The restrictions and covenants herein contained shall be covenants running with the Lands and shall be perpetual, and shall continue to bind all of the Lands when subdivided, and shall be registered in the Victoria Land Title Office pursuant to section 219 of the *Land Title Act* as covenants in favour of the Transferee as a first financial charge against the Lands.
- 10.12 The Transferor agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.
- 10.13 If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.
- 10.14 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

11.0 PRIORITY AGREEMENT

- 11.1 Tulista Estates Ltd., Sun Chariot Holdings Ltd., Crimson Investment Corp., Haro Investment Corporation, and Indrani Enterprises Inc. (collectively, the "Jawl Group"), who are the registered holders of a charge by way of Mortgage CA3667618 and Assignment of Rents CA3667619 registered against the Lands (collectively the "Jawl Charges") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One (\$1.00) Dollar paid by the Transferee to the Jawl Group (the receipt whereof is hereby acknowledged), agree with the Transferee, its successors and assigns, that the within section 219 Covenant shall be an encumbrance upon the Lands in priority to the Jawl Charges in the same manner and to the same effect as if it had been dated and registered prior to the Jawl Charges.
- 11.2 Concert Real Estate Corporation ("Concert"), who is the registered holder of a charge by way of Mortgage CA3667620 and Assignment of Rents CA3667621 registered against the Lands (collectively the "Concert Charges") in the Land Title Office at Victoria, British Columbia, for and in consideration of the sum of One (\$1.00) Dollar paid by the Transferee to Concert (the receipt whereof is hereby acknowledged), agrees with the Transferee, its successors and assigns, that the within section 219 Covenant shall be an encumbrance upon the Lands in priority to the Concert Charges in the same manner and to the same effect as if it had been dated and registered prior to the Concert Charges.

The Transferor and Transferee acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D (pages 1 and 2) attached hereto.



SITE PLAN
"A" SCHEDULE

[illegible]

PLAN EPP38874



SCHEDULE "D"**STATUTORY RIGHT OF WAY – HIGHWAY PURPOSES****TERMS OF INSTRUMENT - PART 2**

WHEREAS:

A. The Transferor is the registered owner in fee simple of the following land in the Province of British Columbia:

(the "Lands")

B. The Transferee is the Corporation of the City of Victoria;

C. This Right of Way is necessary for the operation and maintenance of the Transferee's undertaking as described in Recital D;

D. The Transferee wishes to be able to construct, operate and maintain a public highway and other works including but not limited to a system of roadways, sidewalks and utility services in perpetuity over a portion of the Lands; and

E. To facilitate the construction and use by the Transferee and the public of a public highway, and to facilitate the installation and use of works that may be placed by the Transferee on, under or over the highway including pavements, sidewalks, boulevards, curbs, gutters, drains, sewers, utility poles, wires, fences, overhead and underground cables, traffic signals, transit shelters, and landscaping including but not limited to trees, shrubs, flowers and grass, and irrigation works required for the maintenance of that landscaping, and any other works, facilities or appurtenants necessary for the use of the Right of Way as a public highway (collectively the "Works"), the Transferor has agreed to grant the Right of Way in this Agreement.

NOW THEREFORE, in consideration of the sum of One (\$1.00) Dollar of lawful money of Canada, now paid by the Transferee to the Transferor (the receipt and sufficiency of which is now acknowledged by the Transferor), and in consideration of the covenants and conditions agreed to be observed and performed by the parties and for other valuable consideration:

1.0 THE TRANSFEROR:

1.1 Pursuant to Section 218 of the Land Title Act, hereby grants, conveys, confirms and transfers, in perpetuity, to the Transferee, its officers, employees, contractors, licensees and invitees, including without limitation the general public, the full, free and uninterrupted right, licence, liberty, privilege, permission and right of way to use as a public highway, including but not limited to the right to enter onto, use, go, return, pass

over and across for highway purposes, that portion of the Lands, shown in heavy outline on the Right of Way Plan prepared by [Name of Surveyor] and filed in the Victoria Land Title Office under Plan No. _____ a reduced copy of which is attached hereto as Schedule "A" (the "**Right of Way**");

1.2 Covenants and agrees to and with the Transferee that in connection with the grant under Section 1.1 of this Agreement, the Transferee and its officers, employees, contractors, licensees and invitees shall have the full, free and uninterrupted right, licence, liberty, privilege, permission and right of way to lay down, install, construct, entrench, operate, maintain, inspect, alter, repair, remove, replace, bury, cleanse, string, and otherwise establish one or more system of Works upon the Right of Way;

1.3 Covenants and agrees to and with the Transferee that the Transferee shall:

- (a) for itself and its agents, workers, contractors and all other licensees of the Transferee;
- (b) together with machinery, vehicles, equipment, and materials;
- (c) upon, over, under and across the Right of Way;
- (d) as may be necessary, useful, or convenient for the purposes in Section 1.1 and Section 1.2; and
- (e) in connection with the operations of the Transferee in relation to the Works;

be entitled at all times to enter, use, pass and repass, labour, construct, erect, install, dig, carry away soil or other surface or subsurface materials, and clear of all trees, growth, buildings or obstructions now or hereafter in existence (other than those underground buildings or structures that the Transferee's Director of Engineering has approved in writing pursuant to section 2.1 of this Agreement) upon, over, under and across the Right of Way;

1.4 Grants, conveys, confirms and transfers unto the Transferee for itself, and its employees, agents, workers, contractors and all other licensees of the Transferee together with machinery, vehicles, equipment and materials, the right at all times to enter upon and to pass and repass over such of the Lands of the Transferor as may reasonably be required for the purpose of ingress to and egress from the Right of Way;

1.5 Transfers, assigns and conveys to the Transferee all right, title and interest in and to any Works that the Transferee, or the Transferor have prior to this Agreement established or constructed or maintained or operated within the Right of Way or in relation to any similar Works previously constructed by any party whatsoever within the Right of Way.

2.0 THE TRANSFEROR COVENANTS:

2.1 Not, and not to permit or allow any other person, to erect, place, install or maintain any building, structure, addition to a building or structure, paved driveway or patio, pipe, wire or other conduit on, over or under any portion of the Right of Way, except those that are constructed underground at a depth that will not interfere with or obstruct the use of the Right of Way for the purposes identified in section 1.1, as approved in writing by the Transferee's Director of Engineering;

2.2 Not to do anything or to permit any act or thing which in the opinion of the Transferee in any way interferes with or damages or prevents access to or use of the Right of Way or is likely to cause harm to the Works installed in or upon the Right of Way;

2.3 To trim or, if the Transferee determines it is necessary, cut down any tree or other growth on the Lands which in the opinion of the Transferee, constitutes or may constitute a danger or obstruction to the Right of Way or the Works or those using same;

2.4 From time to time and at all times at the reasonable request and at the cost of the Transferee to do and execute or cause to be made, done or executed any further and other lawful acts, deeds, things, devices, conveyances and assurances in law required to ensure the Transferee of its rights under this Agreement; and

2.5 To permit the Transferee to peaceably hold and enjoy the rights hereby granted.

3.0 THE TRANSFEE COVENANTS:

3.1 As far as reasonably possible, to carry out all work in a proper and workmanlike manner so as to do as little injury to the Lands as possible; and

3.2 To make good at its own expense damage or disturbance which may be caused to the Lands in the exercise by the Transferee of its rights under this Agreement except as permitted under this Agreement.

3.3 Not to exercise its rights under this Agreement until completion of the demolition of the building that is situated on the Right of Way as of the date of this Agreement, and following completion of such demolition and during the period of construction of the building that is to be constructed on that part of the Lands adjoining the Right of Way, not to exercise its rights under this Agreement in a manner that will unreasonably interfere with that construction.

4.0 THE PARTIES COVENANT TO AND AGREE WITH EACH OTHER, as follows:

4.1 The Transferor shall not diminish or increase the soil cover over any pipe installed in the Right of Way without the Transferee's prior written consent;

4.2 No right herein granted to or reserved by the Transferee shall require the Transferee to clear, repair or maintain the Works or the Right of Way unless the Transferee is expressly required herein to perform such cleaning, repairing or maintenance;

4.3 If the Transferor defaults in observance or performance of its obligations hereunder, the Transferee, after 10 days prior written notice to the Transferor specifying the default and at any time in case of emergency, may (but is not obligated to) rectify the default, and the Transferor shall pay to the Transferee, on demand, its reasonable costs in connection with so rectifying;

4.4 The Transferor shall, after execution hereof by it at the expense of the Transferor, do or cause to be done all acts necessary to grant priority to this Agreement over all financial charges and encumbrances which are registered, or pending registration, against the Title to the Lands in the Land Title Office save and except those as have been specifically approved in writing by the Transferee or have been granted in favour of the Transferee;

4.5 Waiver of any default by either party shall not be deemed to be a waiver of any subsequent default by that party;

4.6 Whenever this Agreement creates a power or obligation of the Transferee to make a decision or to exercise any contractual right or remedy, the Transferee may do so in accordance with the provisions of this Agreement and no public law duty, whether arising from the principals of fairness or the rules of natural justice, shall have any application;

4.7 Notwithstanding anything herein contained, the Transferee reserves all rights and powers of expropriation otherwise enjoyed by the Transferee;

4.8 Without limiting Section 4.7, nothing contained or implied in this Agreement will derogate from the obligations of the Transferor under any other agreement with the Transferee or prejudice or affect the Transferee's rights, powers, duties or obligations in the exercise of its functions under all public and private statutes, by-laws, orders and regulations, which may be as fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by Transferor and the Transferee;

4.9 In spite of any rule of law or equity to the contrary, the Works brought on to, set, constructed, laid, erected in, upon or under the Right of Way by the Transferee shall at all times remain the property of the Transferee, even if the Works are annexed or affixed to the freehold, and the Works shall at any time and from time to time be removable in whole or in part by the Transferee;

4.10 No part of the title in fee simple to the Lands of the Transferor shall pass to or be vested in the Transferee under or by virtue of this Agreement, and the Transferor may

fully use and enjoy all of the Lands of the Transferor subject only to the rights and restrictions in this Agreement;

4.11 If any section, subsection, sentence, clause or phrase in this Agreement is for any reason held to be invalid by the decision of a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of the Agreement;

4.12 This Agreement shall attach to and run with the Lands and each and every part to which the Lands may be divided or subdivided whether by subdivision plan, strata plan or otherwise howsoever, provided that if a parcel into which the Lands are subdivided does not have within its boundaries any portion of the Right of Way as defined on plan EPP_____, the Transferee shall at the request of the Transferor execute a release of this Right of Way from the title to such parcel, and the Transferor shall be responsible for the cost of preparation and registration of the release;

4.13 The Transferor acknowledges that (a) these Covenants are enforceable against the Transferor and his successors in title, but (b) the Transferor is not personally liable for breach of these Covenants where such liability arises by reason of an act or omission occurring after the Transferor named herein or any future owner ceases to have a further interest in the Lands;

4.14 If at the date hereof the Transferor is not the sole registered owner of the Lands of the Transferor, this Agreement shall nevertheless bind the Transferor to the full extent of his interest therein, and if he acquires a greater or the entire interest in fee simple, this Agreement shall likewise extend to such after-acquired interests;

4.15 Where the expression "Transferor" includes more than one person, all covenants made by the Transferor shall be construed as being several as well as joint with respect to all persons constituting the Transferor;

4.16 This Agreement shall continue to benefit and be binding upon the Transferor and Transferee, and their respective heirs, administrators, executors, successors and permitted assigns, as the case may be;

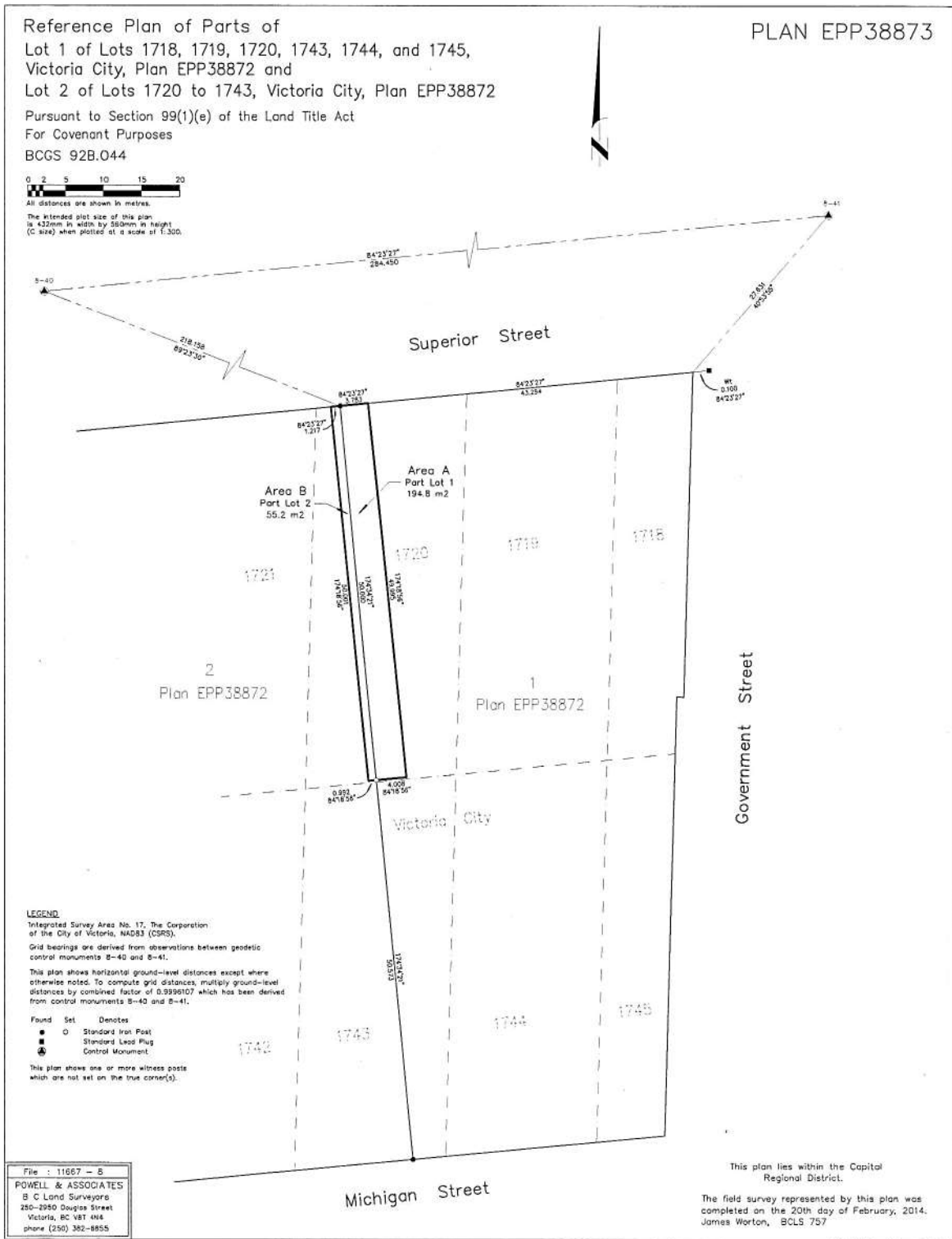
4.17 Gender specific terms include both genders and corporations, and the singular and plural forms are interchangeable, according to the context; and

4.18 This Agreement will be governed and construed according to the laws of the Province of British Columbia.

The parties hereto acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D attached hereto.

SCHEDULE "E"

PLAN EPP38873



SCHEDULE "F"**TDM MEASURES**

The Transferor shall provide the following TDM measures as an integral and ongoing part of the Development:

1. End of trip facilities for cyclists (shower and change facilities) shall be provided for use by the occupants of the office buildings within Development Area 2A. These facilities shall provide no less than an aggregate of 1 shower stall per 2,400 square metres of office space constructed on Development Area 2A. These facilities shall also include clothing lockers for use by cyclists. The aggregate number of clothing lockers provided shall be no less than 1.4 times the minimum number of Class 1 bicycle parking spaces required on Development Area 2A (where "Class 1" has the meaning ascribed to that term under Schedule C to the City of Victoria Zoning Bylaw No. 80-159). These clothing lockers shall be a minimum of 45 centimetres in depth, 30 centimetres in width and 90 centimetres in height.
2. The Transferor shall not charge for the use of off-street parking spaces associated with the office use at less than the prevailing market rate for parking spaces in similar office buildings situated within 1 kilometre of the Lands.
3. The parking area associated with the office buildings shall include no less than 5 electric vehicle charging stations.
4. The parking area associated with the office buildings shall include no less than 4 parking stalls which are to be offered on a priority basis for ride-share or high occupancy vehicles. These stalls are to be located in priority locations within the parking area of the office buildings (with "priority location" meaning a location which is no further than 40 metres from an office building elevator lobby entry on the first level of underground parking). For the purposes of this section, "ride share" means two or more people sharing a car rather than driving as a single occupancy.
5. The Transferor shall offer one vehicle parking space on the Lands for lease at no cost to a car share program, where "car share program" means a program for the common use of one or more motor vehicles by members of the program.

SCHEDULE "G"**STATUTORY RIGHT OF WAY – CENTRAL PLAZA**

Page 4 of 9 Pages

Statutory Right of Way – Central Plaza**TERMS OF INSTRUMENT - PART 2****W H E R E A S:**

- A. The Transferor is the registered owner of the following land in the Province of British Columbia:

(the "Lands");
- B. The Transferor has agreed to provide certain amenities for the better integration of the development into its neighbourhood in connection with the development of the Lands, including the right of public access to and use of a public plaza developed and maintained in perpetuity over a portion of the Lands;
- C. The Transferee is The Corporation of the City of Victoria;
- D. The Transferee wishes to be able to access, for itself and all members of the public, a public plaza developed and maintained in perpetuity over a portion of the Lands;
- E. The Transferor has agreed to grant a Statutory Right of Way on the terms hereinafter set forth;
- F. It is necessary for the operation and maintenance of the Transferee's undertaking of a public plaza (the "Central Plaza") for the enjoyment of the general public that a right of way be established in accordance with this document;

NOW, THEREFORE, THIS INDENTURE WITNESSES that in consideration of the sum of Ten (\$10.00) Dollars of lawful money of Canada, now paid by the Transferee to the Transferor and other valuable consideration (the receipt and sufficiency of which is hereby acknowledged by the Transferor), and in consideration of the covenants hereinafter contained:

1.0 STATUTORY RIGHT OF WAY

- 1.1 Pursuant to Section 218 of the *Land Title Act*, the Transferor does hereby grant, convey, confirm and transfer, in perpetuity, to the Transferee, its successors and assigns, and all of its employees, agents, servants, licensees and invitees including all members of the public who might so desire, at all times by day or night, the full, free and uninterrupted right, licence, liberty, privilege, permission and right of way, for the purpose of a public plaza, to enter, use, go, return, pass

over and across that part of the Lands (the "Right of Way Area") shown as "Statutory Right of Way Area ____" on an Explanatory Plan registered at the Victoria Land Title Office under number _____, a reduced copy of which is attached hereto as Schedule A.

1.2 The Transferor will permit the Transferee and every member of the public to peaceably hold and enjoy the rights hereby granted, provided however that notwithstanding the foregoing the Transferor and those claiming authority through the Transferor, and their respective agents may bar entry to or eject from the Central Plaza any person who:

- (a) acts in a manner disruptive to the business operations of the tenants in the buildings on the Lands;
- (b) acts in a disorderly or offensive manner, or interferes with, threatens or obstructs any other person;
- (c) acts in a manner that damages or poses a threat to damage any landscaping or improvements on the Lands;
- (d) loiters or appears to be asleep or unconscious; or
- (e) otherwise creates a nuisance.

2.0 GENERAL

2.1 For certainty, nothing in this Agreement relieves the Transferor of any obligation or duty in relation to the maintenance of the Transferor's Lands, including the Right of Way, and whether arising or imposed by common law, statute or agreement.

2.2 The Transferor and the Transferee agree that enforcement of this Agreement shall be entirely within the discretion of the Transferee and that the execution and registration of this Agreement against title to the Lands shall not be interpreted as creating any duty on the part of the Transferee to the Transferor or to any other person to enforce any provision or prevent or restrain the breach of any provision of this Agreement.

2.3 At the Transferor's expense, the Transferor must do everything necessary to secure priority of registration and interest for this Agreement over all registered and pending charges and encumbrances of a financial nature against the Lands.

2.4 This Agreement does not

- (a) affect or limit the discretion, rights or powers of the Transferee under any enactment (as defined in the *Interpretation Act*, R.S.B.C. 1996, c. 238, on the reference date of this Agreement) or at common law in relation to the

Transferor or the Lands all of which may be exercised or enforced by the Transferee as if this Agreement did not exist,

- (b) affect or limit any enactment relating to the use or subdivision of the Lands, or
 - (c) relieve the Transferor from complying with any public or private enactment, including in relation to the use or subdivision of the Lands.
- 2.5 Where the Transferee is required or permitted by this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent, the Transferor agrees that the Transferee is under no public law duty of fairness or natural justice in that regard and agrees that the Transferee may do any of those things in the same manner as if it were a private party and not a public body.
- 2.6 No part of the title in fee simple to the soil shall pass to or be vested in the Transferee under or by virtue of these presents and the Transferor may fully use and enjoy all of the Lands subject only to the rights and restrictions herein contained.
- 2.7 The covenants herein shall be covenants running with the Lands upon which the Right of Way is situated and none of the covenants herein contained shall be personal or binding upon the parties hereto, save and except during the Transferor's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Transferor shall have an interest, but that the Lands, nevertheless, shall be and remain at all times charged herewith.
- 2.8 The parties hereto shall do and cause to be done all things and execute and cause to be executed all documents which may be necessary or desirable to give proper effect to the intention of this instrument.
- 2.9 This Agreement shall enure to the benefit of and be binding upon the parties hereto and their successors and assigns and their heirs and administrators respectively.
- 2.10 Whenever the singular or masculine are used they shall be construed as including the plural, feminine or body corporate where the context requires.
- 2.11 If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.

3.0 PRIORITY AGREEMENT

- 3.1 _____, the registered holder of a charge by way of _____ registered against the Lands, which said charge is registered in

the Land Title Office at Victoria, British Columbia, under _____, for and in consideration of the sum of Ten (\$10.00) Dollars paid by the Transferee to the said Chargeholder (the receipt of whereof is hereby acknowledged), agrees with the Transferee, it successors and assigns, that the Statutory Right of Way shall be an encumbrance upon the Lands in priority to the said charge in the same manner and to the same effect as if it had been dated and registered prior to the said charge.

The parties hereto acknowledge that this Agreement has been duly executed and delivered by the parties executing Forms C and D attached hereto.

SCHEDULE "A"

(Reduced Copy of Explanatory Plan Showing
Statutory Right of Way Area)



20 February, 2014

Victoria File: 26250-20/16418
SITE: 16418

VIA EMAIL ONLY: michael.masson@gov.bc.ca and bsikstrom@victoria.ca

Shared Services BC
Ministry of Labour and Citizen Services
4000 Seymour Street
Victoria, BC V8W 9V1
Attention: Michael Masson

City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6
Attention: Brian Sikstrom

Dear Michael Masson and Brian Sikstrom:

Re: Site Profile Submission – Zoning and Subdivision Applications
505, 515, 521, 525, 539, 541, 553 and 563 Superior Street, 506 and 514 Government
Street, and 524, 526, 544 and 584 Michigan Street, Victoria
PIDs: 009-195-050, 009-195-068, 009-195-092, 009-397-591, 009-397-604, 009-397-612
and 009-397-787

This letter is to acknowledge receipt of a satisfactorily completed site profile pertaining to the above-referenced site.

Based on the information provided by the applicant, the ministry is prepared to provide the necessary release so that the City of Victoria may proceed with approval of the zoning and subdivision applications. To that end, please accept this letter as notice pursuant to the *Local Government Act* (section 946.2(2)(b)) or the *Land Title Act* (section 85.1) in the case of subdivision that the City of Victoria may approve the zoning and subdivision applications under this section because the Director does not require site investigation prior to approval of the zoning and subdivision applications. This decision is for the limited purpose of the zoning and subdivision applications.

In accordance with section 7(1) of the Contaminated Sites Regulation (Regulation), the Director requires a preliminary site investigation for the subject site following completion of the zoning and subdivision applications. Investigation of all environmental media must be conducted until

the full extent of contamination is determined at the site and which has migrated from the site. Section 58 and 59 of the Contaminated Sites Regulation describe the requirements for the conduct of preliminary and detailed site investigation and the content of reports based on those investigations.

Pursuant to the *Local Government Act* (section 946.2), *Vancouver Charter* (section 571B), *Islands Trust Act* (section 34.1) or the *Land Title Act* (section 85.1) in the case of subdivision, this decision will suspend approval of future applications for the site identified in section 40 of the Act, until:

- the proponent has applied for, and obtained one of the following instruments, as applicable: a Determination that the site is not a contaminated site, a Voluntary Remediation Agreement, an Approval in Principle of a remediation plan or a Certificate of Compliance confirming the satisfactory remediation of the site. A copy of the legal instrument must be provided to the approving authority; or
- the approving authority has received notice from the ministry that it may approve a specific application because a) in the opinion of the Director, the site would not present a significant threat or risk if the specified application were approved; b) the Director has received and accepted a Notification of Independent Remediation with respect to the site; or c) the Director has indicated that a site investigation is not required prior to the approval of the specified application.

For more information regarding the freeze and release provisions of the site profile process, refer to Fact Sheet 37, "Site Profile Freeze and Release Provisions" and Administrative Guidance 6, "Site Profile Decisions and Requesting Release Where Local Government Approvals are Required" available on the Land Remediation Section Website at <http://www.env.gov.bc.ca/epd/remediation/>.

Please be advised of the following:

- The absence of a requirement to undertake a site investigation does not necessarily mean that the site is not a contaminated site. It is recommended that the proponent retain a qualified environmental consultant to identify and characterize any soil and/or groundwater of suspect environmental quality encountered during any subsurface work at the subject site;
- Those persons undertaking site investigations and remediation at contaminated sites in British Columbia are required to do so in accordance with the requirements of the Act and its regulations. The ministry considers these persons responsible for identifying and addressing any human health or environmental impacts associated with the contamination; and
- Penalties for noncompliance with the contaminated sites requirements of the Act and Regulation are provided in section 120(17) of the Act.

- 3 -

Decisions of a Director may be appealed under part 8 of the Act.

Please contact the undersigned at 604 582-5377 if you have any questions about this letter.

Yours truly,

A handwritten signature in black ink, appearing to read "Vin Hanemayer". The signature is fluid and cursive, with the first name "Vin" and last name "Hanemayer" clearly distinguishable.

Vincent Hanemayer
for Director, *Environmental Management Act*

vch\

cc: Paul Webb, Hemmera, Fax: 604 669-0430



**Planning and Land Use Committee Report
For the Meeting of January 29, 2015**

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Helen Cain, Senior Planner, Development Services Division
Subject: **Official Community Plan Amendment Application and Rezoning Application #00453 for 1521-1531 Elford Street** –Update on Statutory Requirements for Consultation During OCP Amendment

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 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 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.

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 properties located at 1521-1531 Elford Street. The proposal is for a new four-storey, 32-unit apartment building with a floor space ratio (FSR) of 1.45:1.

On October 9, 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 September 18, 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 Urban Residential. 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.

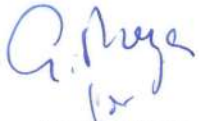
Statutory Requirements for OCP Amendment Consultation

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 1521-1531 Elford Street from Traditional Residential to Urban Residential will allow for increased density and multi-unit residential uses across the site. Given the surrounding area is primarily multi-unit residential and City park land; 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:

Date:



Jason Johnson
January 10, 2015

HC:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00453\PLUC REPORT JAN 2015.DOCX

List of Attachments

- Council Minutes for October 9, 2014 meeting
- Planning and Land Use Committee Report dated September 18, 2014.

2. **Rezoning Application #00453 and Development Permit Application #000374 for 1521 and 1531 Elford Street:**

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

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 Advisory Design Panel with direction for attention to the transition to the adjacent heritage registry house and park and 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 FSR 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 Director of 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 Director of 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 gives first reading to the *Official Community Plan* Amendment Bylaw;
 - b. That Council consider the *Official Community Plan* Bylaw, 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* 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 plans identified above to the satisfaction of the Director of 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.

Carried

For:

*Mayor Fortin, Councillors Alto, Coleman,
Helps and Thornton-Joe*

Against:

Councillors Gudgeon, Isitt, Madoff, and Young

Council meeting
October 9, 2014



1521 & 1531 Elford Street
Rezoning #00453
Bylaw #



The logo of the National Bureau of Standards (NBS) is located in the top right corner. It consists of a circle containing a stylized 'N' and 'B' intertwined, with the letters 'NBS' written in a serif font above the circle.





Planning and Land Use Committee Report

For the Meeting of October 2, 2014

Date: September 18, 2014 **From:** Helen Cain, Senior Planner
Subject: *Official Community Plan* Amendment, Rezoning Application #00453 and
 Development Permit Application #000374 for 1521 and 1531 Elford Street

Executive Summary

The purpose of this report is to provide Council with 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 properties located at 1521-1531 Elford Street. The proposal is for a new four-storey, 32-unit apartment building with a floor space ratio (FSR) of 1.45:1.

The following points were considered in assessing these applications:

- The OCP designates the properties as Traditional Residential. However, the subject site is located along the Pandora Avenue transit corridor and within walking distance (200 m) of Stadacona Village, where the OCP envisions density up to 1.2:1 FSR with potential bonus density up to a total of approximately 2:1 FSR.
- The proposed design is subject to Development Permit Area 16 General Form and Character (DPA 16) and adequately meets the majority of the applicable guidelines. However, staff have outstanding concerns related to providing a transition to the adjacent house and Stadacona Park and the street appearance of the apartment building.
- The proposal would result in the loss of three Garry Oak trees in Stadacona Park; staff recommend that the proponent cover the cost of the tree replacement.

Staff recommend that Council amend the OCP to designate the subject properties as Urban Residential and advance these applications to a Public Hearing, subject to referral to Advisory Design Panel and the completion of a Third-Party Land Lift Analysis for the requested bonus density.

Recommendations

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 Advisory Design Panel with direction for attention to the transition to the adjacent house and park and 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 FSR 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 Director of 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 Director of 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:

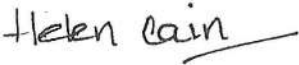
- a. That Council gives first reading to the *Official Community Plan* Amendment Bylaw;
- b. That Council consider the *Official Community Plan* Bylaw, Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* 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* 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 plans identified above to the satisfaction of the Director of 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.

Respectfully submitted,



Helen Cain
Senior Planner
Development Services Division





Deb Day, Director
Sustainable Planning and Community
Development Department

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

Date: _____

HC:lw

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1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding an OCP Amendment, a Rezoning Application and a Development Permit Application for the properties located at 1521 and 1531 Elford Street.

2.0 Background

2.1 Description of Proposal

The subject site is two lots located at the corner of Pandora Avenue and Elford Street. The property at 1521 Elford Street is in the R3-2 Zone (Multiple Dwelling District) and the property at 1531 Elford Street is in the R1-B Zone (Single Family Dwelling District). The proposal is to rezone the properties to allow a four-storey, 32-unit apartment building with a density of 1.45:1 floor space ratio (FSR). It should be noted that the portion of the development on the south lot (1531 Elford Street) would be 1.63:1 FSR, and on the north lot (1521 Elford Street) would be 1.3:1 FSR. As the proposed density and apartments are not permitted in Traditional Residential, an OCP amendment is required to change the designation of both parcels to Urban Residential.

The proposed site plan, architecture and landscape design include:

- apartment building form with four storeys on the south portion and three storeys on the north portion and a massing that is stepped back from the street wall on the third, or fourth, storey
- visible entrances on both street frontages, and access to the underground parking from Elford Street
- balconies on all elevations with metal railings and metal or glazed inset panels
- stucco siding (white, grey) mixed with horizontal wood panels for accent details
- individual patios surfaced in non-permeable pavers and concrete driveway along the north side of the building to the parkade
- on the subject site, removal of three Garry Oak trees at the construction phase, balanced with new trees, shrubs and groundcover introduced around the patios
- on public lands, retention of a Garry Oak tree on Elford Street, five new boulevard trees on Pandora Avenue, and the removal of three Garry Oak trees in Stadacona Park that would be lost in the construction of the underground parking.

2.2 Green Building Features

The applicant has submitted a "Sustainability Statement" (attached) that offers to provide two years of transit passes for the strata owners, and to use materials with recycled content and low toxicity. At the Building Permit phase, the applicant indicates that the interior would address water and energy conservation and that construction waste would be diverted from landfill.

2.3 Existing Site Development and Development Potential

There is an existing triplex on the property at 1521 Elford Street and a vacant house in poor condition at 1531 Elford Street. Development potential under current zoning would allow a multiple dwelling, such as an apartment building, of six storeys or more, with densities up to 1.6:1 FSR on the lot at 1521 Elford Street, and a single family dwelling at 1531 Elford Street.

2.4 Data Table

The data table (below) compares the proposal with the existing R3-2 Zone (Multiple Dwelling District) and R1-B Zone (Single Family Dwelling District). The proposal is less stringent than the existing zones in criteria identified with an asterisk (*) below.

Zoning Criteria	Proposal	Zone Standard R3-2	Zone Standard R1-B
Site area (m ²) – minimum	1910.00	920.00	460.00
Total floor area (m ²) – maximum	2774.82*	2292.00	300.00
Density (Floor Space Ratio) – maximum	1.45:1	1.6:1	n/a
Height (m) – maximum	16.13	18.50	7.60
Site coverage (%) – maximum	47.30*	40	40.00
Open site space (%) – minimum	47.80*	60	N/A
Storeys – maximum	4	6 or more (depending on consistency with other regulations)	2
Setbacks (m) – minimum			
North (Rear)	5.00* (building) 0.00* (parkade)*	8.07	3.05 (side)
South (Front: Pandora Avenue)	5.43* (building)*	10.50	N/A
East (Side: Stadacona Park)	5.00* (building) 0.00* (parkade)	8.07	8.38 (rear)
West (Side: Elford Street)	4.23* (building) 0.00* (parkade)	0.00	7.50 (front)
Parking stalls – minimum	40*	45	1
Visitor parking stalls – minimum	3*	5	N/A
Bicycle storage – minimum	32	32	N/A
Bicycle rack – minimum	12 (2 racks)	12 (2 racks)	N/A

2.5 Land Use Context

The immediately adjacent land uses include:

- to the north, a house converted to a multiple dwelling in the R1-B Zone (Single Family Dwelling District)
- to the south, a four-storey apartment building in the R3-2 Zone (Multiple Dwelling District)
- to the east, Stadacona Park
- to the west, six-storey apartment building in the R3-2 Zone (Multiple Dwelling District)

2.6 Legal Description

Lots 8 and 9, Section 75, Victoria District, Plan 2307.

2.7 Relevant History

At the meeting on January 23, 2014 (Minutes attached) the Planning and Land Use Committee considered a Development Permit Application for the property located at 1521 Elford Street. As stated in the applicant's letter, the property owner has since purchased the adjacent property, 1531 Elford Street, and is proposing a larger building with a different design than originally proposed. However, the previous application has not been withdrawn, pending a Council decision on the current Rezoning and Development Permit Application.

2.8 Consistency with City Policy

2.8.1 Official Community Plan, 2012

The proposal is aligned with OCP objectives and policies related to land use management. OCP Objective 6(a) targets housing growth in close walking distance (200 m) of Large Urban Villages and supports densities up to 1.2:1 FSR in such locations with eligibility for bonus density up to a total of 2:1 FSR, if a proposal contributes to Citywide goals, e.g. amenities. However, the proposal would require an OCP amendment because the subject properties are designated Traditional Residential. As the subject site is situated within 200 m of Stadacona Village, staff recommend that Council change the designation of the properties located at 1521-1531 Elford Street to Urban Residential.

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 change the Urban Place Designation as this matter can be considered under policies in the OCP Bylaw.

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.

2.8.2 Fernwood Neighbourhood Plan, 1994

Fernwood Neighbourhood Plan, 1994, includes a "summary map" that identifies the policy direction for the subject properties as "retention of Single Family Dwelling and consideration of Small Lot Infill Housing". Although an apartment building is not envisioned in the local area plan, the properties are situated in close proximity to Stadacona Village (approximately 68 m and 105 m for 1521 and 1531 Elford Street, respectively), which the OCP identifies as a strategic location for housing growth. As the immediate land use context is primarily three- to six-storey apartment buildings, staff are recommending support for the proposed use. However, it is also recommended that the proposal be refined to further address the transition to the park setting and low-scale residential area to the north, as discussed in "Section 4 – Issues" of this report.

2.9 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 June 4, 2014. A letter from the CALUC is attached to this report.

3.0 Issues

The main issues related to these applications are:

- strategic growth and bonus density
- logical assembly of parcels
- design review and analysis
- loss of Garry Oak trees
- encroachment into Right-of-Way and park
- multi-modal transportation planning.

4.0 Analysis

4.1 Strategic Growth and Bonus Density

OCP Policy 6.23 states that new development with densities up to approximately 2:1 FSR may be supported in Urban Residential areas within 200 m of a Large Urban Village where the proposal significantly advances OCP objectives. For instance, a monetary contribution to a public amenity may justify a proposed density above 1.2:1 FSR.

The proposed development has a total density of 1.45:1 FSR, exceeding the base density of 1.2:1 FSR for Urban Residential areas. However, the property located at 1521 Elford Street has an existing entitlement of up to 1.6:1 FSR under the existing R3-2 Zone. The portion of the development on the property located at 1531 Elford Street, which is located in the R1-B Zone, would have a density of 1.3:1 FSR; obtaining density above 1:1 FSR would require an OCP amendment as this parcel is designated Traditional Residential.

Council has provided direction to staff to report back on Third-Party Land Lift Analysis requirements for applications that involve bonus density, and, in the interim, to provide recommendations based on density ceilings in the OCP and applicable local area plans. Since Council adoption of the OCP in 2012, staff have taken this approach in Planning and Land Use Committee reports on rezoning applications such as the proposals for 836-838 Broughton Street; 605-629 Speed Avenue and 606-618 Francis Street; and 1075 Pandora Avenue.

Given that the maximum density that is permitted in Traditional Residential is 1:1 FSR, staff are recommending that Council direct a Third-Party Land Lift Analysis be undertaken to determine the monetary value of the lift from 1:1 to 1.3:1 FSR, and that 75% of any increase in monetary value be contributed to the City's Parks and Greenways Acquisition Reserve Fund. This approach is consistent with Council's direction to continue to assess In addition, a Section 219 Covenant for sewage attenuation is required for any infrastructure improvements related to increased density.

4.2 Logical Assembly of Parcels

OCP Policy 6.8 provides direction for the logical assembly of sites to enable the best realization of permitted development for an area. The proposal is consistent with this planning principle as lot consolidation would contribute to growth near to Stadacona Village rather than creating an "orphan lot" at 1531 Elford Street, which would decrease the development potential of the site.

4.3 Design Review and Analysis

The proposed design has been reviewed in relation to DPA 16 General Form and Character. Staff analysis of the proposal is summarized below, in relation to outstanding design issues.

4.3.1 Context and Transition

In DPA 16, new infill should be sensitive to its context. One relevant guideline (Policy 1.2) is that "where new development is directly abutting lands in a different OCP Urban Place Designation, or it directly abuts a different Development Permit Area, the design should provide a transition between areas in ways that respond to established form and character, and that anticipate any future development". While the siting of the building would provide adequate setbacks for "breathing room" in relation to the adjacent house to the north and the park to the east, the transition in height and massing could be improved. Specifically, refinements to the north and east elevations should be considered with respect to stepping back the building wall on the third or fourth storeys, and removing or reducing the extent of the balcony projections into the east setback.

4.3.2 Street Appearance

Policy 2.1.3 of the applicable design guidelines states that "new development that is located on a corner site should be designed to contribute to both streetscapes". The proposed design has features to provide visual interest such as building wall articulation and projecting balconies. However, refinements to the west, south and east elevations are recommended to increase the prominence of the main entrances to the building, and bring cohesion to the overall design.

The visual impact of the large size and scale of the new building, relative to the adjacent house and park, should also be mitigated. While the street walls would be broken into human-scaled proportions, the building lacks a "base". One way to address this issue would be to reconsider the placement of colour in exterior finishes to mark the lower and upper portions of the building.

4.4 Loss of Garry Oak Trees

With respect to plan details related to the Tree Protection Bylaw, three (3) Garry Oaks on the subject site would be removed. Staff support their removal because one tree, near the west property line, is in poor condition and two additional trees, near the north property line, would be affected during the construction of the underground parking. These trees would be replaced with five proposed street trees on Pandora Avenue.

Additionally, three Garry Oak trees in Stadacona Park would be lost as the result of excavation and construction on the subject properties. Staff are recommending that the applicant commit to covering the cost of removing the existing trees and planting six new trees in the park. This obligation would be secured through a Section 219 Covenant.

4.5 Encroachment into Right-of-Way and Park

If it is determined that excavation for the underground parking in this proposal will result in anchor pins remaining in the public Right-of-Way along Elford Street or in Stadacona Park, Council approval to authorize an encroachment agreement, or agreements, would be required before any excavation and construction can begin. Staff recommend that Council approve any necessary encroachments agreements to be secured prior to the issuance of a Building Permit.

4.6 Multi-Modal Transportation Planning

To enable the future improvement of sidewalks along Pandora Avenue, staff are requesting a Statutory Right-of-Way (SRW) of 2.40 m along that frontage to be registered on property title, prior to a Public Hearing. The applicant has agreed and the plans identify the requested SRW.

5.0 Resource Impacts

There are no resource impacts anticipated with this application.

6.0 Conclusions

This proposal for a four-storey apartment building within walking distance of Stadacona Village is aligned with OCP policies for strategic growth locations and fits with the general massing and scale of the adjacent three to six-storey apartment buildings. The proposed design adequately complies with most of the DPA 16 guidelines, but there are outstanding concerns with respect to the transition to the adjacent house and park and street appearance. Staff are recommending that these applications be referred to Advisory Design Panel for comment, and that a Third-Party Land Lift Analysis be completed, prior to advancing to a Public Hearing.

7.0 Recommendations

7.1 Staff Recommendations

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 Advisory Design Panel with direction for attention to the transition to the adjacent house and park and 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 FSR 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 Director of 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 Director of 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* Bylaw, Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council gives 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* 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 plans identified above to the satisfaction of the Director of 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.

7.2 Alternate Recommendation

That Council decline Rezoning Application #00453 and Development Permit Application #000374 for the properties located at 1521-1531 Elford Street.

8.0 List of Attachments

- Aerial map
- Zoning map
- Letters from Alan Lowe, stamped July 30, 2014 and June 5, 2014
- Sustainability Statement, from Alan Lowe, stamped July 30, 2014
- Plans for Rezoning Application #00453 and Development Permit Application #00374, stamped July 30, 2014
- Arborist Report, from Gye + Associates, dated August 10, 2014
- Planning and Land Use Committee Minutes for January 23, 2014 meeting
- Letter from Fernwood Community Association Land Use Committee, stamped June 16, 2014.

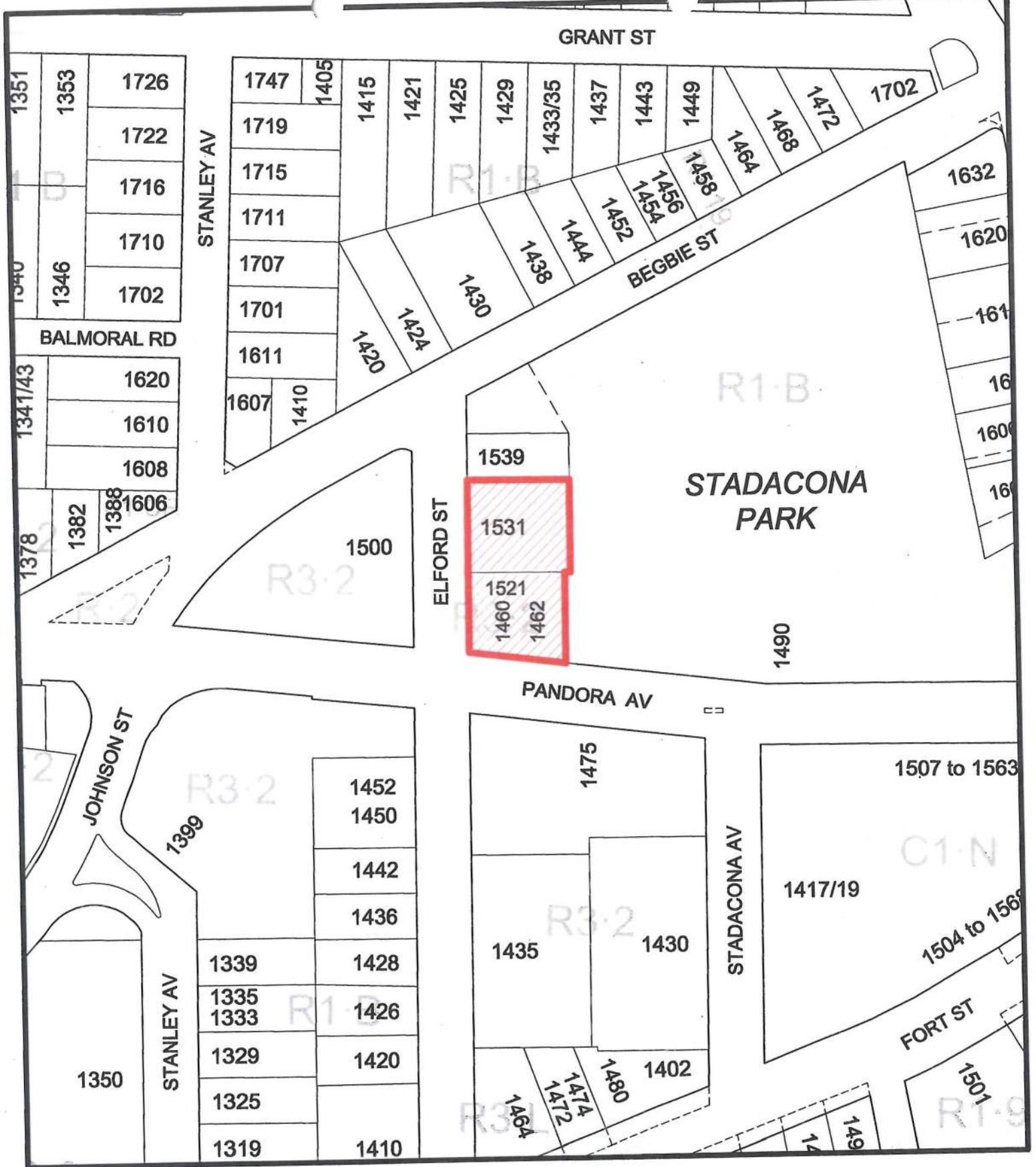


1521 & 1531 Elford Street

Rezoning #00453

Bylaw #





1521 & 1531 Elford Street
Rezoning #00453
Bylaw #





28 July 2014 (revised)

City of Victoria
Planning Department
#1 Centennial Square
Victoria, British Columbia, V8W 1R6



Attention: Mayor and Council

Re: 1521 and 1531 Elford Street, Victoria British Columbia

Your Worship Mayor Fortin and Council,

We are pleased to submit this rezoning application for a 32 unit residential condominium project in the Fernwood neighbourhood. The property at 1521 Elford Street is presently zoned R3-2 Multiple Dwelling District and the property at 1531 Elford street is presently zoned R1-B Single Family Dwelling District. We are proposing to consolidate the two lots and create a new zone for this proposed development.

We were in the process of applying for a development permit with variances on the property at 1521 Elford when the neighbouring property came on the market. Our development permit was reviewed at a Planning and Land Use Committee meeting in January 2014 but we have since put that application on hold to pursue this rezoning application.

We feel this rezoning application is consistent with the 2012 Official Community Plan and advances the plans objectives. The subject properties however are designated as Traditional Residential in the OCP and we would need to request an Official Community Plan amendment to Urban Residential. The property at 1521 Elford Street already has a R3-2 zone which allows up to 6 storeys and a FSR of 1.6 to 1.0. The R3-2 zone and the characteristics of that zone is better suited with the Urban Residential designation than the Traditional Residential designation. The property at 1531 Elford would be a logical land assembly that will further advance the plan objectives of being located within 400 metres of a large urban village, located along transit routes, and located along secondary arterials.

Except for the heritage conversion to the north, the remainder of the adjacent properties to the south west of Stadacona Park are all within the Urban Residential designation. We intend to use the property at 1531 Elford as a transition down towards the heritage conversion by keeping the density of this portion of the property down to 1.3 to 1.0. The overall combined FSR that we are seeking for the development will be 1.45 to 1.0. The OCP states that increased densities of up to 2.0 to 1.0 may be considered in strategic locations for the advancement of plan objectives.

The plan states that urban residential areas should generally:

- be located within 400 metres of a large urban village (Stadacona Centre)
- be located along frequent transit routes (Begbie Street and Pandora Avenue)
- be located along secondary arterial routes (Begbie Street and Pandora Avenue)

The general development guidelines of the Official Community Plan also states the following:

- Encourage logical land assembly (the two properties are within 150 metres of Stadacona Centre and have mixed zoning)
- Consider site specific amendments of the plan that are consistent with the intent of the plan (intent is to create higher residential densities around urban villages)
- Encourage residential densities within 400 meters of an urban village

Given the new OCP is focusing on our population growth within walking distance (400 metres) of large urban villages such as Stadacona Centre and along arterials and secondary arterials, this site an excellent candidate to be redeveloped for multi-family residential use. This site also benefits from being adjacent to green space in the form of Stadacona Park as well as nearby Scurrah Green, Verrinder Park, and Johnson Street Green.

The R3-2 zone allows buildings up to 6 storeys in height. Our initial proposal to develop 1521 Elford Street was for a 6 storey building but planning staff encouraged our client to redesign the project for a 4 storey building. The R1-B zone allows for building that have a minimum side yard setback of 1.5 metres and a height of 7.6 metres (2.5 to 3 storeys). Our proposal is to blend the zones together so that building is set back at least 5.0 metres from all property lines except for a small section at the corner where the setback is 4.23 metres. We have pulled the buildings away from Stadacona Park so the setback is at least 6.08 metres with the majority of the setback at 7.0 metres. The section of the building closest to the heritage house on Elford Street will have the second floor set back an additional 1.8 metres from the property line. The site slopes down considerably from Pandora Avenue to Begbie Street so our building form will also step down towards Begbie Street and the heritage house.

Through our community meetings, we heard that doors on the street were important so we have also created doors to the two ground floor units off Elford Street. We feel that the stepping down of the building towards the heritage building, the doors along Elford Street, the stepping back of the building on the upper floors, the variety of materials proposed for the building, and the larger setbacks create a more human scale to this building, creates a good streetscape and relation to the street, as well as fits the context of the area and creates a transition to the heritage house to the north. This building also creates a transition to the enclave of more traditional homes along Begbie Street starting with the heritage house to the north.

We have been through the CALUC process in Fernwood twice and feel that the majority of the comments have been positive. There were some concerns about the design of the building and how a preference for pitched roofs would be a better fit. We feel however, the contrast in design from the traditional pitched roofs on the houses to the north and along Begbie Street, accentuates the heritage nature of the homes and allows for the rich variety of building forms that makes this city.

Parking was also an issue that the community had some concerns about. We are requesting a minor variance for parking, but we will still have at least one parking stall per unit plus visitors parking on site. One of the members of the community commented that this new development will not be creating any parking problems as it will be providing at least one parking stall per unit plus visitors parking, but it has been the conversions in the neighbourhood that have created the parking problems. There is the 3 unit house to the north that only has one parking space, and many 4-6 unit conversions along Belmont that only have 1 or 2 parking spaces.

The project provides bicycle parking in the underground parking area as well as visitor parking stalls. As the building is located adjacent to transit routes and bike lanes, we feel the variance requested is reasonable.

We trust that this proposal is in keeping with the neighbourhood and your vision for this area within the newly adopted Official Community Plan. Should you have any questions, please feel free to contact us at 250-360-2888.

Yours truly,

A handwritten signature in dark ink, appearing to read "Alan Lowe". The signature is fluid and cursive, with the first name "Alan" and last name "Lowe" clearly distinguishable.

Alan Lowe
Alan Lowe Architect Inc.

cc. Client



05 June 2014

City of Victoria
Planning Department
#1 Centennial Square
Victoria, British Columbia, V8W 1R6

Attention: Mayor and Council

Re: 1521 and 1531 Elford Street, Victoria British Columbia

Your Worship Mayor Fortin and Council,

We are pleased to submit this rezoning application for a 33 unit residential condominium project in the Fernwood neighbourhood. The property at 1521 Elford Street is presently zoned R3-2 Multiple Dwelling District and the property at 1531 Elford street is presently zoned R1-B Single Family Dwelling District. We are proposing to consolidate the two lots and create a new zone this proposed development.

We were in the process of applying for a development permit with variances on the property at 1521 Elford when the neighbouring property came on the market. Our development permit was reviewed at a Planning and Land Use Committee meeting in January 2014 but we have since put that application on hold to pursue this rezoning application.

We feel this rezoning application is consistent with the 2012 Official Community Plan and advances the plans objectives. The plan states that urban residential areas should generally:

- be located within 400 metres of a large urban village (Stadacona Centre)
- be located along frequent transit routes (Begbie Street and Pandora Avenue)
- be located along secondary arterial routes (Begbie Street and Pandora Avenue)

The general development guidelines of the Official Community Plan also states the following:

- Encourage logical land assembly (the two properties are within 150 metres of Stadacona Centre and have mixed zoning)
- Consider site specific amendments of the plan that are consistent with the intent of the plan (intent is to create higher residential densities around urban villages)
- Encourage residential densities within 400 meters of an urban village

Given the new OCP is focusing on our population growth within walking distance (400 metres) of large urban villages such as Stadacona Centre and along arterials and secondary arterials, this site an excellent candidate to be redeveloped for multi-family residential use. This site also benefits from being adjacent to green space in the form of Stadacona Park as well as nearby Scurrah Green, Verrinder Park, and Johnson Street Green.

The R3-2 zone allows buildings up to 6 storeys in height. Our initial proposal to develop 1521 Elford Street was for a 6 storey building but planning staff encouraged our client to redesign the project for a 4 storey building. The R1-B zone allows for building that have a minimum side yard setback of 1.5 metres and a height of 7.6 metres (2.5 to 3 storeys). Our proposal is to blend the zones together so that building is set back at least 5 metres from all property lines, and the front section closest to the heritage house on Elford Street will have the third floor set back an additional 2 metres from the property line. The site slopes down considerably from Pandora Avenue to Begbie Street so our building form will also step down towards Begbie Street and the heritage house. Through our community meetings, we heard that doors on the street were important so we have also created doors to the two ground floor units off Elford Street.

We feel that the stepping down of the building towards the heritage building, the doors along Elford Street, the stepping back of the building on the upper floors, the variety of materials proposed for the building, and the larger setbacks create a more human scale to this building, creates a good streetscape and relation to the street, as well as fits the context of the area and creates a transition to the heritage house to the north. This building also creates a transition to the enclave of more traditional homes along Begbie Street starting with the heritage house to the north.

We have been through the CALUC process in Fernwood twice and feel that the majority of the comments have been positive. There were some concerns about the design of the building and how a preference for pitched roofs would be a better fit. We feel however, the contrast in design from the traditional pitched roofs on the houses to the north and along Begbie Street, accentuates the heritage nature of the homes and allows for the rich variety of building forms that makes this city.

Parking was also an issue that the community had some concerns about. We are requesting a minor variance for parking, but we will still have at least one parking stall per unit plus visitors parking on site. One of the members of the community commented that this new development will not be creating any parking problems as it will be providing at least one parking stall per unit plus visitors parking, but it is the conversions in the neighbourhood that have created the parking problems. There is the 3 unit house to the north that only has one parking space, and many 4-6 unit conversions along Belmont that only have 1 or 2 parking spaces.

The project provides bicycle parking in the underground parking area as well as visitor parking stalls. As the building is located adjacent to transit routes and bike lanes, we feel the variance requested is reasonable.

We trust that this proposal is in keeping with the neighbourhood and your vision for this area within the newly adopted Official Community Plan. Should you have any questions, please feel free to contact us at 250-360-2888.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Alan Lowe', written in a cursive style.

Alan Lowe
Alan Lowe Architect Inc.

cc. Client



1521 AND 1531 ELFORD STREET - SUSTAINABILITY STATEMENT

Parcel Address: 1521/1531 Elford Street

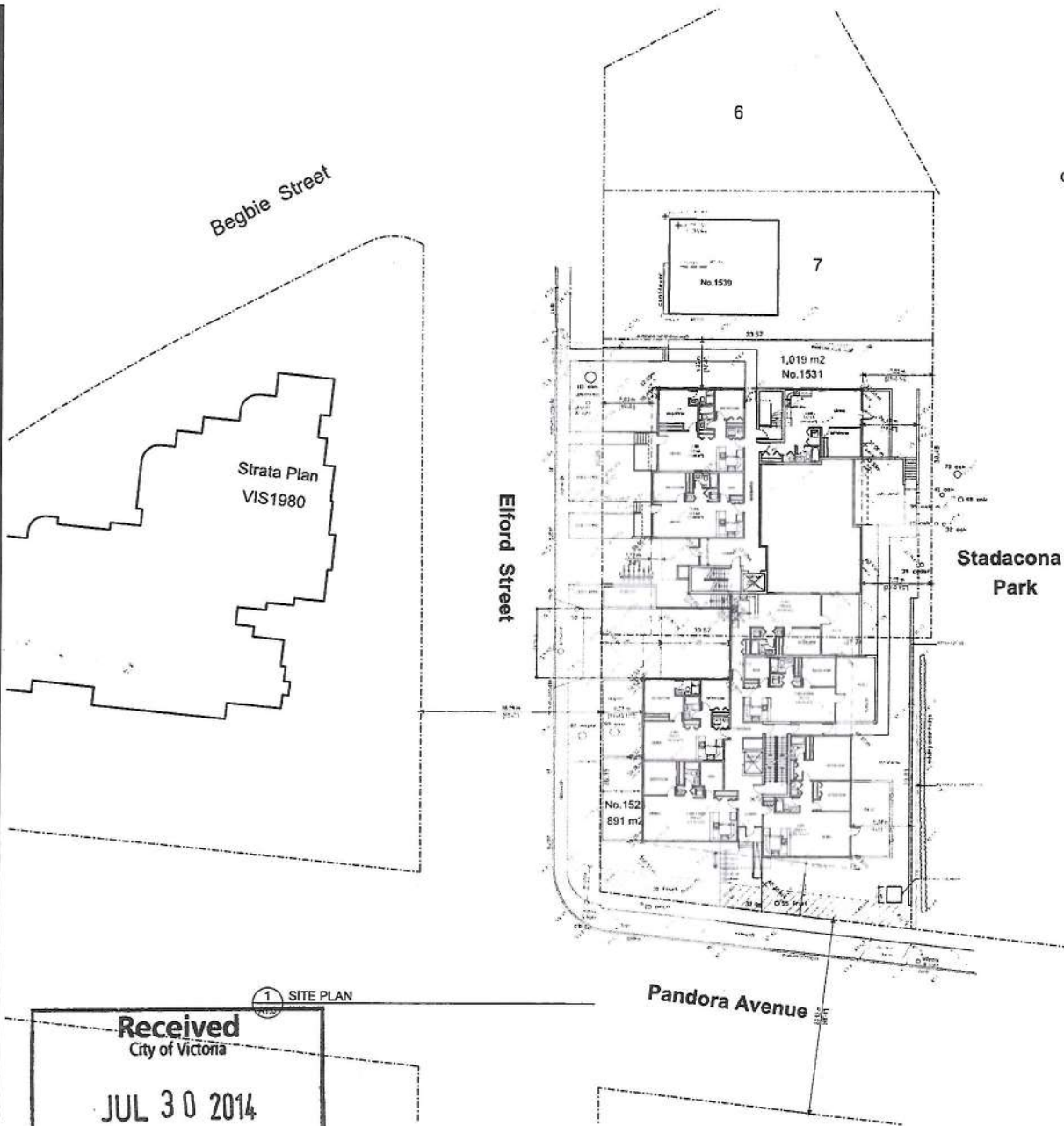
Environmental Indicators

The project is located at the corner of Elford Street and Pandora Avenue and is within walking distance to Stadacona Centre. This project is a consolidation of two sites, one zoned R3-2 Multiple Dwelling District and the other zoned R1-B Single Family. The R3-2 zoned property is a legal triplex and the R1-B zoned property contains a boarded up house that has been used by squatters for many years. The site is located adjacent to a triplex conversion to the north, a six storey condominium across the Elford Street to the west and a four storey apartment building across Pandora Avenue to the south. The site is strategically located along a bike route and convenient to bus routes along Pandora Avenue and Begbie Street. As the site has been developed in the past, the site does not support ecologically sensitive areas.

The project will see the construction of a new 32 unit, four storey multi-family residential building with one level of underground parking. The majority of the building mass will be situated on the R3-2 zoned property with the building stepping down towards the north.

General building sustainable initiatives proposed are as follows:

- Redevelop an existing site with higher density to minimize urban sprawl
- Reduction in required parking stalls/ increase in bicycle parking (32 secured / 12 at entrance) to encourage alternate modes of transportation and walking
- BC Transit passes provided to purchasers for first two years
- Deconstruction of existing buildings
- Water conservation – low-flow plumbing fixtures, dual flush toilets
- Energy efficient appliances and light fixtures
- Operable windows for natural ventilation
- Use of recycled content in materials
- Use of non-toxic materials
- Diversion of construction waste from landfill



Received
City of Victoria
JUL 30 2014
Planning & Development Department
Development Services Division

SITE DATA

LEGAL ADDRESS: LOTS 8 & 9, SECTION 75, VICTORIA DISTRICT, PLAN 2307
CIVIC ADDRESS: 1521 / 1531 ELFORD STREET
VICTORIA, BRITISH COLUMBIA

ZONING DATA
ZONING: R3-2 & R1-B TO NEW ZONE

OCCUPANCY CLASSIFICATION: GROUP C - RESIDENTIAL
BUILDING CLASSIFICATION: 3.2.2.50 GROUP C, UP TO 6 STORES, SPRINKLERED
3.2.2.50 2) a) Floor assemblies shall be fire separations with a F.R.R. not less than 1 HR.

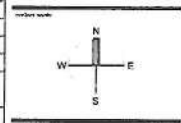
ZONE (EXISTING)	Existing 1521 / 1531 R3-2 / R1-B	Required / Allowed	New Zone	Variance Requested
Site area	Total 1910 sq.m (20,559 sq. ft)		1910 sq.m	
Floor Areas:				
Basement (U/G PARKING)			1605.48m ²	
Ground Floor (north)			265.88 m ²	
Ground Floor (south), 2nd Floor (north)			815.79m ²	
2nd Floor (south), 3rd Floor (north)			763.08 m ²	
3rd Floor (south), 4th Floor (north)			595.26 m ²	
4th Floor (south)			334.8 m ²	
Gross Floor Area			2774 m ²	
			(Does not include park levels area)	
Building Area			866.3m ²	
Open Site Area	80%		47.8%	12.2 %
Floor space ratio	1.6:1	1.4:1	1.62:1	1.3:1
Site coverage %	40 %	40 %	47.3 %	7.3 %
Height of Building (m)	18.5 m		16.12 m	
Number of Storeys			4	
Parking stalls on site		1.4 per unit 45 stalls	40	5
Bicycle parking (storage and racks)			32	
Building setbacks (m)				
Front yard (Pandora)	7.5m	7.5m	5.43m	
Rear yard	7.5m	7.5m	5.0m	
Side yard	7.5m	1.5m	6.06m	
Side yard West (Elford)	7.5m	3.0 m	4.23m	
Overhang Load			84	
Total number of units			32	
Type of Units / number			32 x 1 BDR + 10 x 2 BDR	
Total Residential Floor Area			2704 sq. m ²	
Fire Protection			Sprinklered	

EXISTING GRADE

AVERAGE GRADE CALCULATION:
POINTS A&B - (40.10+40.10+80.2)/2=40.10 x 21.43 m = 859.34
POINTS B&C - (40.10+40.10+80.2)/2=40.10 x 30.21 m = 1211.42
POINTS C&D - (53.38+40.10+76.48)/2=56.24 x 10.87 m = 426.53
POINTS D&E - (57.00+37.00+74.00)/2=43.00 x 6.97 m = 298.89
POINTS F&G - (37.00+37.00+74.00)/2=37.00 x 20.94 m = 774.78
POINTS H&I - (36.48+36.90+73.38)/2=36.69 x 15.48 m = 567.06
POINTS I&J - (35.90+37.00+73.90)/2=35.95 x 3.80 m = 140.41
POINTS J&K - (37.00+37.00+74.00)/2=37.00 x 5.6 m = 207.20
POINTS K&L - (37.00+37.00+74.00)/2=37.00 x 4.2 m = 155.40
POINTS L&M - (37.00+37.00+74.00)/2=37.00 x 1.41 m = 52.17
POINTS M&N - (35.89+35.89+71.77)/2=35.89 x 7.12 m = 255.53
POINTS O&P - (35.89+37.04+72.53)/2=36.46 x 8.84 m = 322.35
POINTS Q&R - (38.52+38.52+77.04)/2=38.52 x 8.22 m = 316.63
POINTS S&T - (39.26+39.26+78.52)/2=39.26 x 8.54 m = 335.20

TOTAL 5696.81
AVERAGE GRADE: 5886.81 / 155.08m(PERIMETER) = 37.95m GEODETIC

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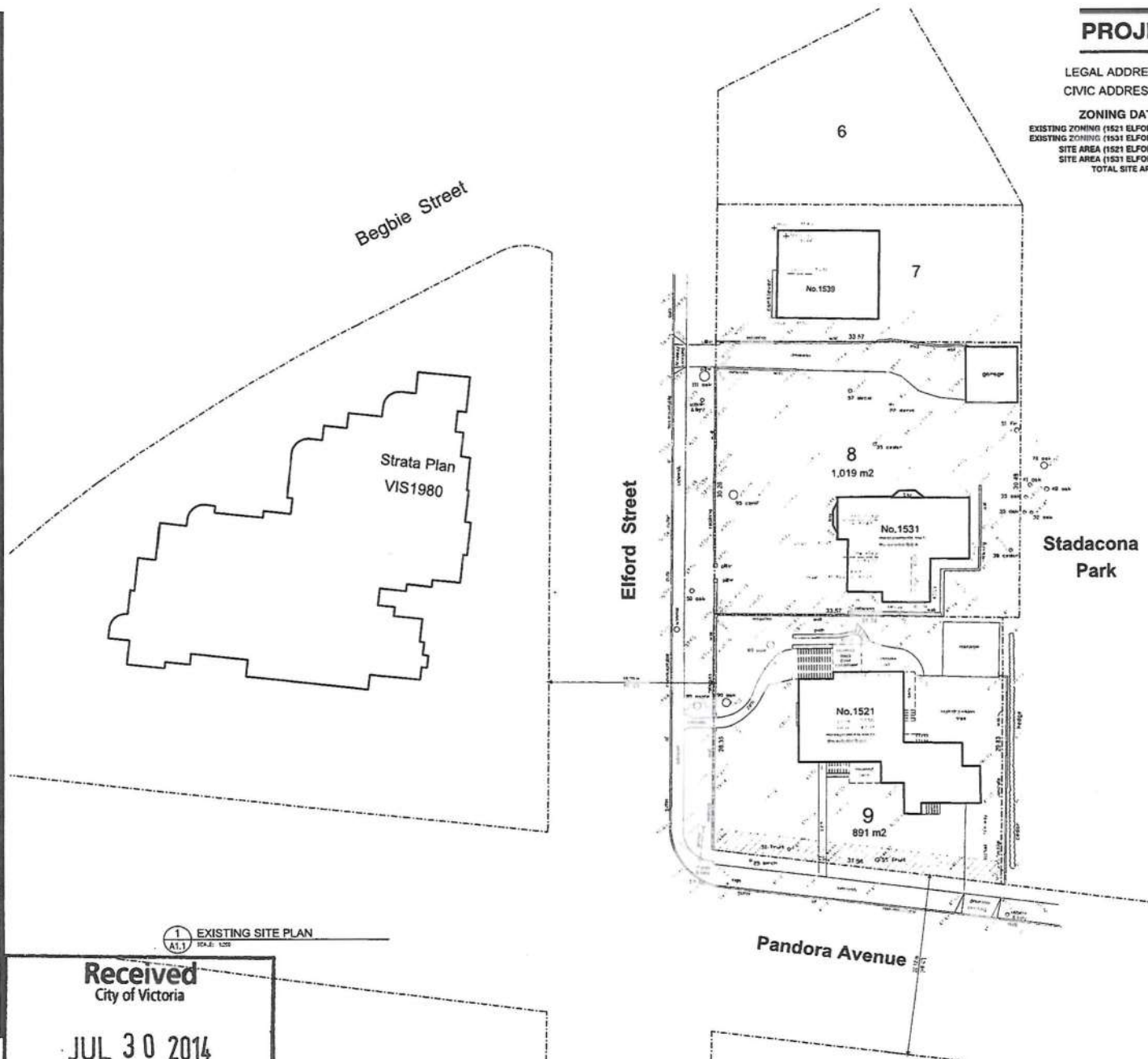
alan lowe architect inc.
222-1100 Vancouver Rd. 1 250 696 6666
Vancouver, British Columbia V6L 2G1
CANADA

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELFORD STREET
VICTORIA, BC

SITE PLAN
SITE DATA

project NO.: 13-378
DATE: 1/29/2014
DRAWN BY: LCP
CHECKED BY: JLP

A1.0



PROJECT INFORMATION

LEGAL ADDRESS: LOTS 8 & 9, SECTION 75, VICTORIA DISTRICT, PLAN 2307

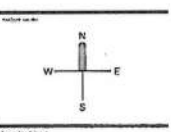
CIVIC ADDRESS: 1521 & 1531 ELFORD STREET
VICTORIA, BRITISH COLUMBIA

ZONING DATA

EXISTING ZONING: (1521 ELFORD): R1-0 SINGLE FAMILY DWELLING
EXISTING ZONING: (1531 ELFORD): R1-0 SINGLE FAMILY DWELLING
SITE AREA (1521 ELFORD): 891 m²
SITE AREA (1531 ELFORD): 1,019 m²
TOTAL SITE AREA: 1,910 m²

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based on the property of the Applicant.
Responsibility for errors in the drawings is
entirely that of the Applicant and is not
accepted by the Engineer or Surveyor.

Scale: 1:1000



1. PRELIMINARY CONSULTATION 28 JULY 14
2. PRELIMINARY APPLICATION 4 JULY 14
3. PRELIMINARY APPLICATION 4 JULY 14
4. PRELIMINARY APPLICATION 4 JULY 14

alan lowe architect inc.

203-1110 Glenwood Rd. 3rd Floor
Victoria, British Columbia V8M 1G2

RESIDENTIAL DEVELOPMENT

1521 & 1531 ELFORD STREET

EXISTING SITE PLAN

project no.: 13-378

date: 13 JUL 14

drawn by: LORR

checked by: JOR

scale: 1:1000

A1.1

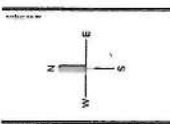
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City of Victoria

JUL 30 2014

Planning & Development Department
Development Services Division

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2. SITE PLAN APPLICATION 24 JULY 2014
 3. SITE PLAN APPLICATION 24 JULY 2014
 No. 24-000-0000 Date
 alan lowe architect inc.
 202 - 6114 (Victoria) 202 - 6114 (Victoria)
 202 - 6114 (Victoria) 202 - 6114 (Victoria)

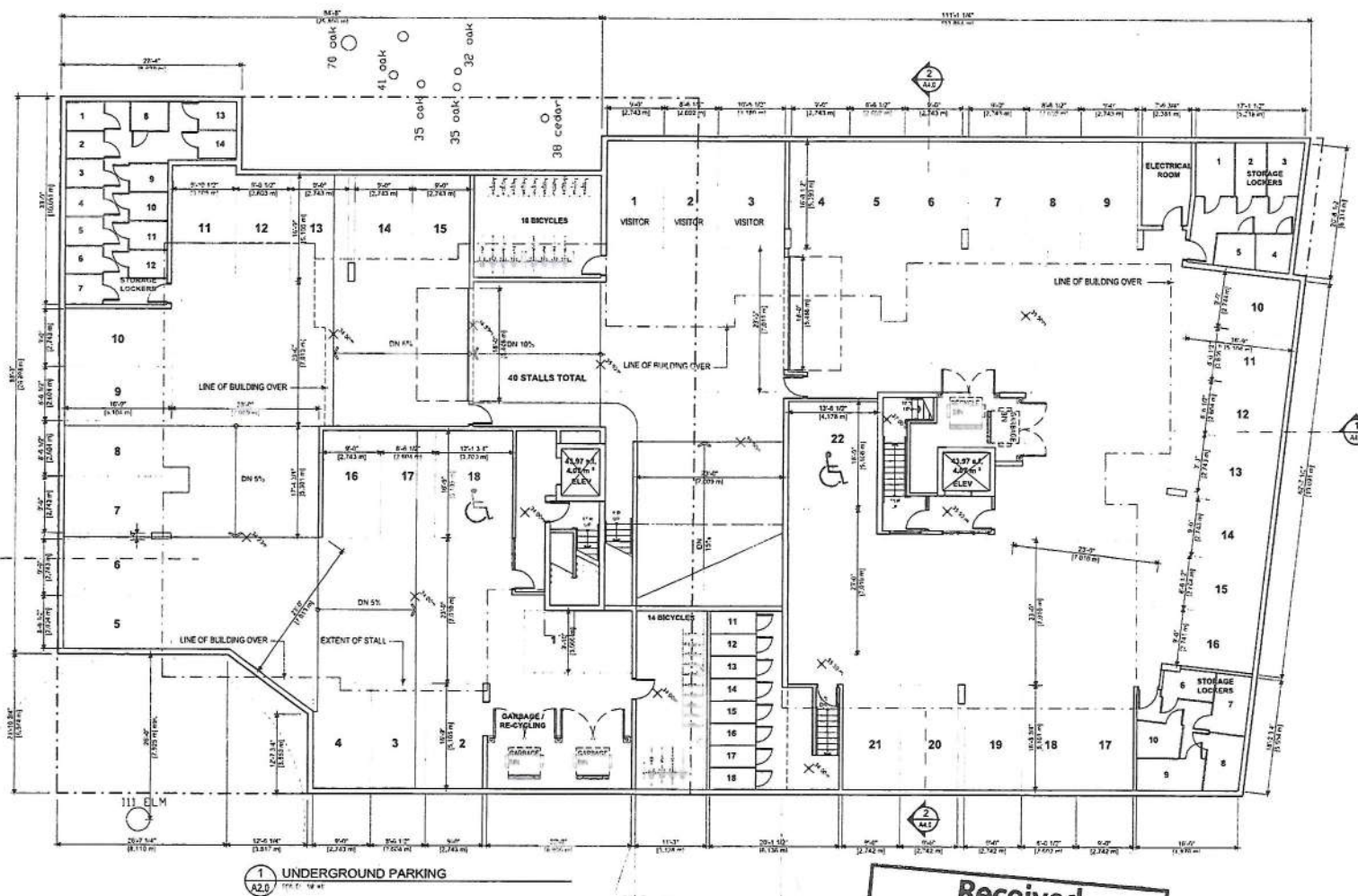
RESIDENTIAL DEVELOPMENT
 1521 & 1531 ELM STREET
 UNDERGROUND PARKING

project no.: 13-078
 date: 13 JUL 2014
 prepared: LOWE
 checked: LOWE

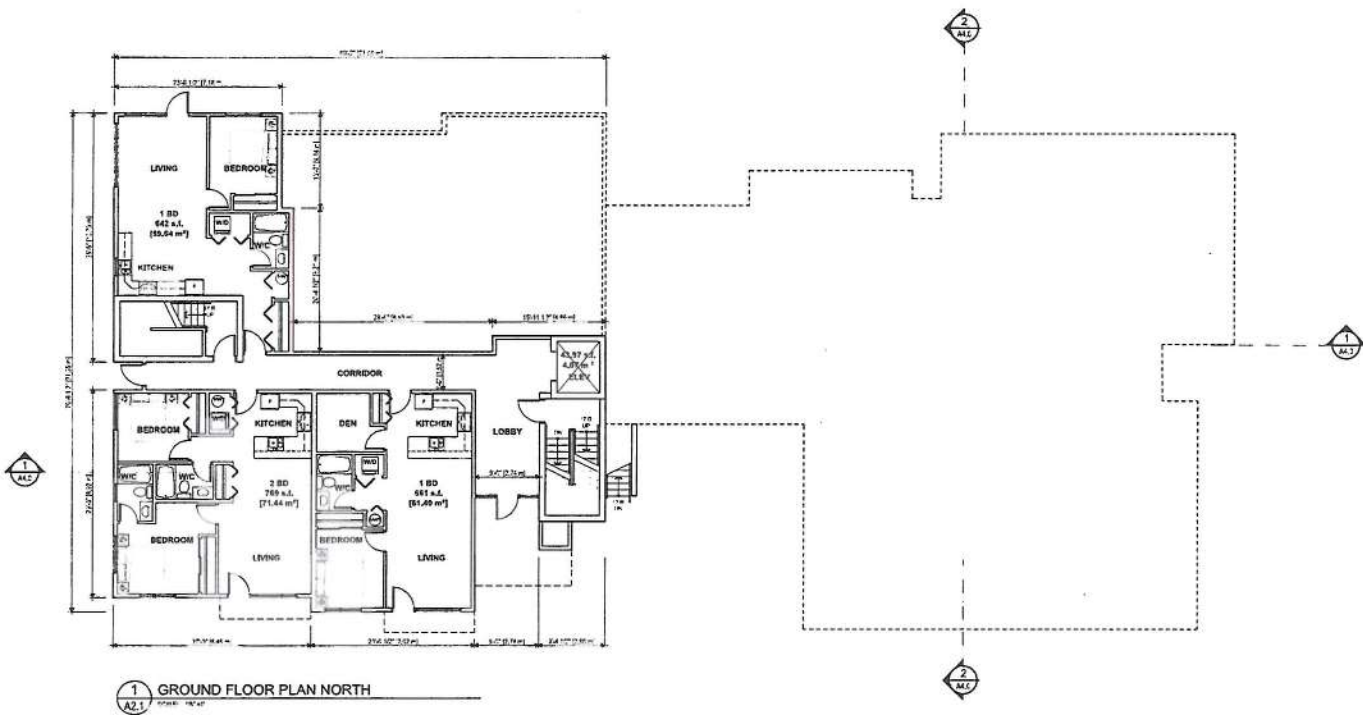
A2.0

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 Planning & Development Department
 Development Services Division



1 UNDERGROUND PARKING
 A2.0

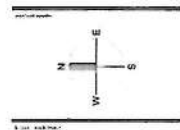


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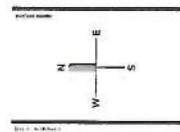
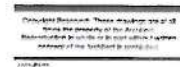


2. RESUBMIT APPLICATION 30 JULY 14
1. RESUBMIT APPLICATION 30 JULY 14
30 JULY 14
alan lowe architect inc.
203 - 1110 DUNDAS STREET W.
VANCOUVER, BC V6E 2T6

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELMFORD STREET
VICTORIA, BC
FLOOR PLAN
GROUND FLOOR NORTH

project no: 13-078
date: 3 JULY 2014 scale: 1/8" = 1'-0"
drawn by: LDF checked by: JDF

A2.1



2	REPOSING APPLICATION	26 JULY 74
1	REPOSING APPLICATION	5 JUNE 74
No	Account / Description	Date

alan lowe architect inc.

202 - 1116 Guernsey St. • 251-566-8888
Mobile: 800-922-0000

RESIDENTIAL
DEVELOPMENT

1521 & 1521 ELFORD STREET

FLOOR PLAN
2ND FLOOR NORTH
GROUND FLOOR SOUTH

project no.: 13-378

DATE	5 JUNE 2014	STATE	1/07-17
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Low	Low
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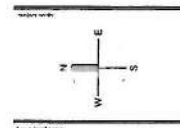
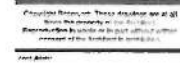
A2.2

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alan lowe architect inc.

**RESIDENTIAL
DEVELOPMENT**

1521 & 1531 ELFORD STREET
DETROIT, MI 48207

FLOOR PLAN
3rd FLOOR NORTH
2nd FLOOR SOUTH

project no.: 13-378	
date: 5 JUNE 2014	time: 1:05 PM
operator: LOWE	station: J01

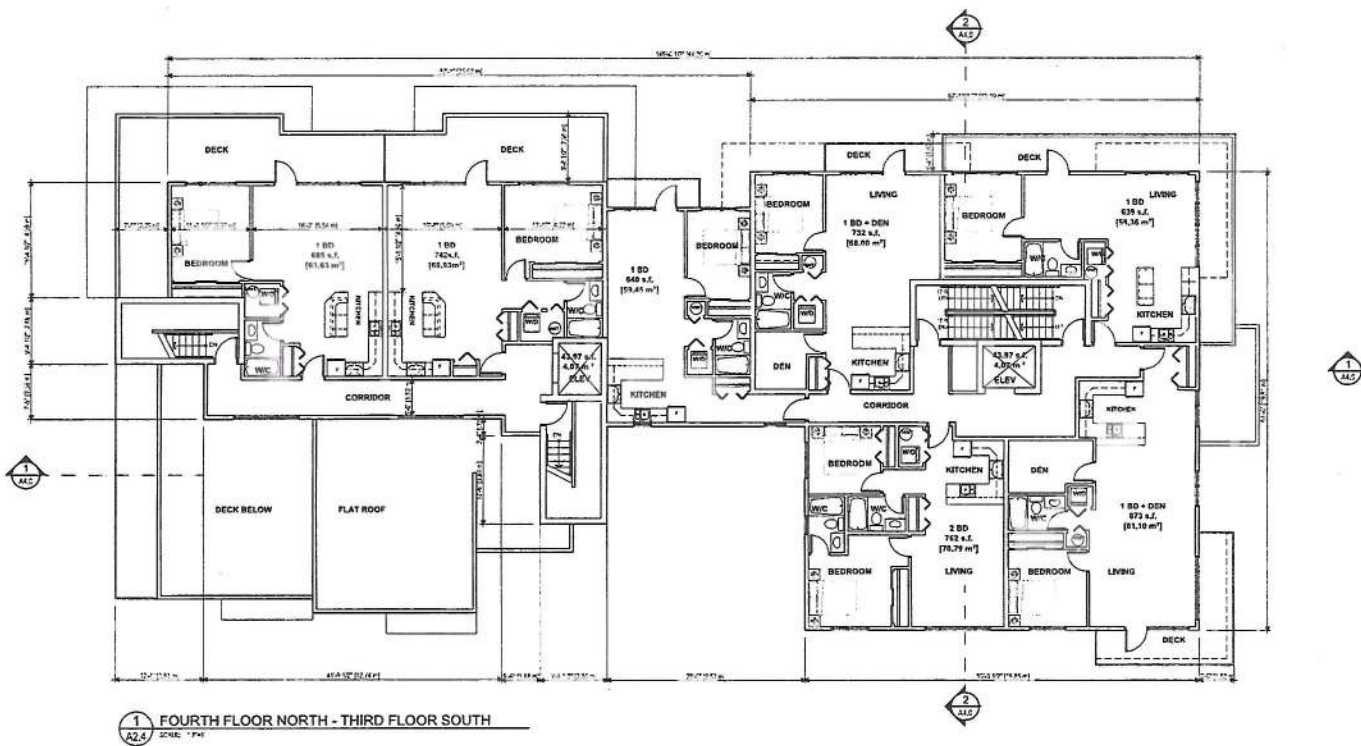
A2.3

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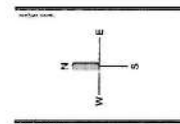
Planning & Development Department
Development Services Division

Planning and Land Use Committee - 29 Jan 2015



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City of Victoria
JUL 30 2014
Planning & Development Department
Development Services Division

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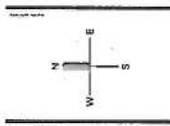
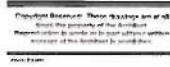
2. REZONING APPLICATION 24 JULY 14
1. REZONING APPLICATION 5.8.2014
By: [Signature] Date: [Signature]
alan lowe architect inc.
225 - 1110 (Pembroke St.) 1. 11th floor
Vancouver, British Columbia
V6C 2E6

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELMFORD STREET
V6C 2E6
FLOOR PLAN
4th FLOOR NORTH
3RD FLOOR SOUTH

project no. 13-37
date: 5 JUNE 2014
author: LOWE
checked: [Signature]

A2.4

Planning and Land Use Committee 29 Jan 2015



2	REZONING APPLICATION	28 JULY 14
1	REZONING APPLICATION	5 JUNE 14
No.	Issued - Revisited	Date

alan lowe architect inc.

223 • 1110 Glenhurst St
Winnetka, Illinois 60093

**RESIDENTIAL
DEVELOPMENT**

**1521 & 1511 ELFORD STREET
WINTHROP, NC**

**FLOOR PLAN
4th FLOOR SOUTH**

project no.: 13-378	
date: 5 APR 2014	scale: 1:200
status: LOW	date: 13 APR 2014
status: LOW	

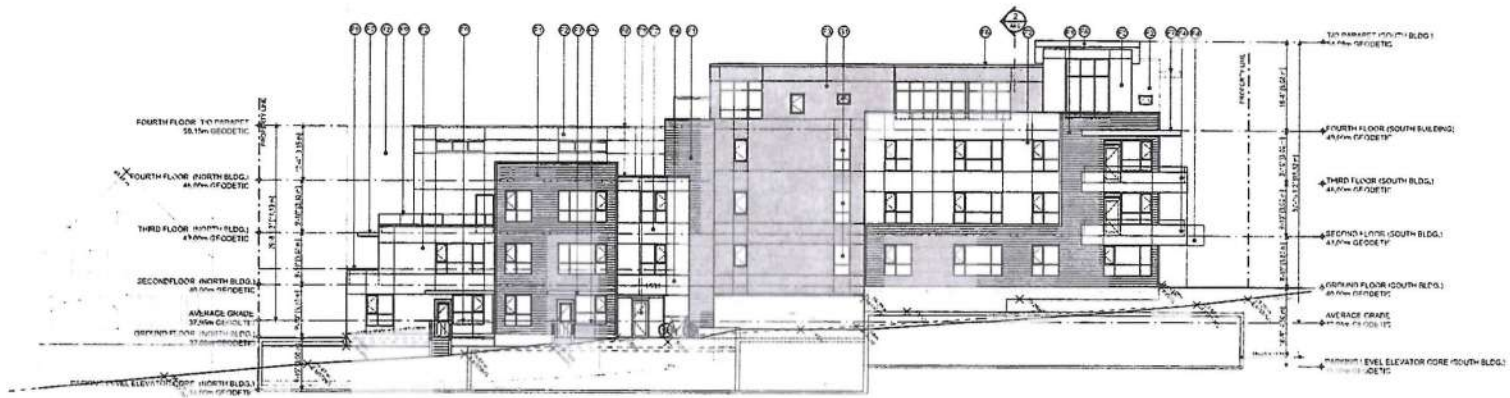
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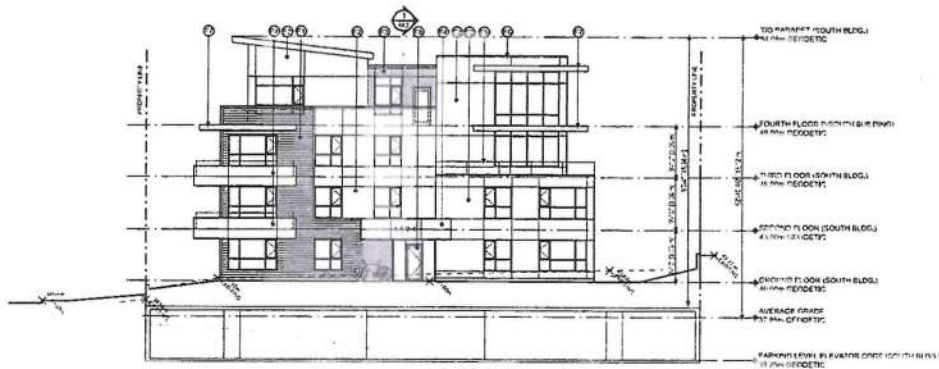
JUL 30 2014

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Development Services Division

Planning and Land Use Committee - 29 Jan 2015



2 WEST ELEVATION (ELFORD STREET)
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION (PANDORA AVE.)
SCALE: 1/8" = 1'-0"

EXTERIOR FINISHES & NOTES:	
(1) INTERIOR FINISHES	
(2) EXTERIOR FINISHES	
(3) EXTERIOR FINISHES	
(4) EXTERIOR FINISHES	
(5) EXTERIOR FINISHES	
(6) EXTERIOR FINISHES	
(7) EXTERIOR FINISHES	
(8) EXTERIOR FINISHES	
(9) EXTERIOR FINISHES	
(10) EXTERIOR FINISHES	

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City of Victoria

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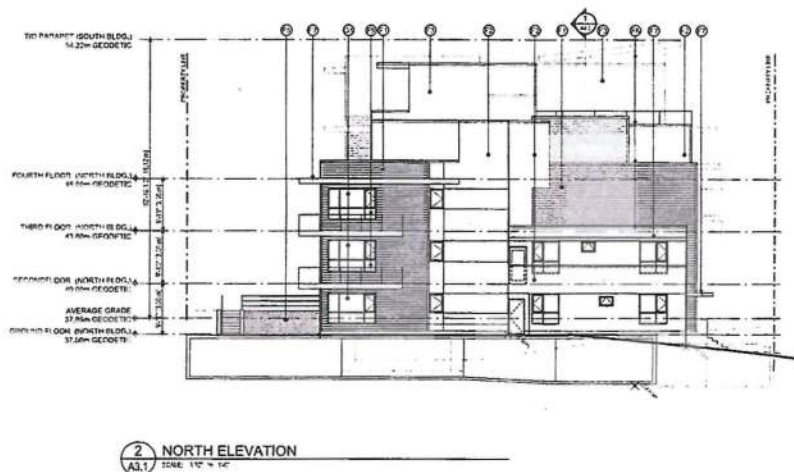
2. REZONING APPLICATION
1. REZONING APPLICATION
NO. 100-100-0000-0000
alan lowe architect inc.
203 - 1110 Commercial St.
Victoria, British Columbia
V8W 2E1

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELFORD STREET
ELEVATIONS

project no: 13-070
date: 5 JUNE 2014
scale: 1/8" = 1'-0"
author: LJOE
checked: JLD

A3.0

Planning and Land Use Committee - 29 Jan 2015



EXTERIOR FINISHES & NOTES :

- (F1) ALUMINUM: ANODIZED
- (F2) 6" MAX. SPACER
- (F3) 6" MAX. SPACER
- (F4) 20% MINIMUM METAL RATIO
- (F5) UNFINISHED
- (F6) 20% MINIMUM METAL FINISHING
- (F7) 20% MINIMUM METAL FINISHING
- (F8) FLARED CORNER
- (F9) GLAZED PANEL: 20% MINIMUM
- (F10) 20% MINIMUM METAL FINISHING

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Site Location

2. RESIDENTIAL APPLICATION 28 JULY 14
1. RESIDENTIAL APPLICATION 5 JUNE 14
No. Revised / Resubmit Date

alan lowe architect inc.
303-1110 Courtenay Rd.
Victoria British Columbia
V8M 1K1
(250) 363-1000

RESIDENTIAL DEVELOPMENT
1431 & 1431 ELFD STREET

RENDERINGS

project no.: 13-378
date: 5 JUNE 2014 scale: 3/32"=1'
designed by: LOWE project no.: 201

A3.2



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alan lowe architect inc.
203-1150 Government St.
Vancouver, B.C. V6E 2Y4
Tel: 604.681.1150

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELFORD STREET
RENDERINGS

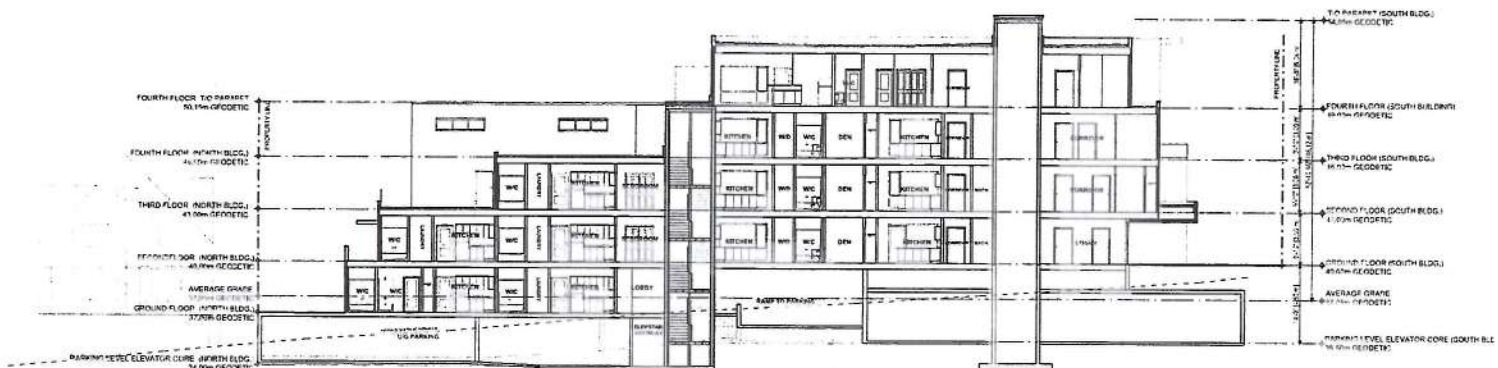
project no.	13-378
date	14 JUNE 2014
drawn by	LOWE
checked by	LOWE

A3.3

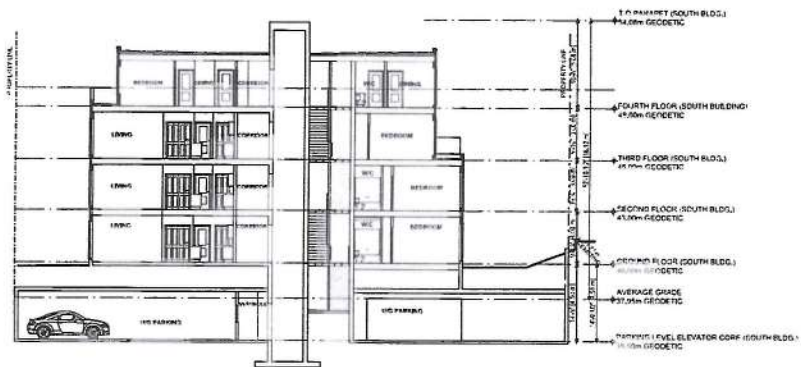
Received
City of Victoria

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Development Services Division



1 SECTION
SCALE: 1/8" = 1'-0"



2 SECTION
SCALE: 1/8" = 1'-0"

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2. REZONING APPLICATION 24 JULY 14
1. REZONING APPLICATION 5 JUNE 14

No. 1521 & 1531 Elford Street Date

alan lowe architect inc.

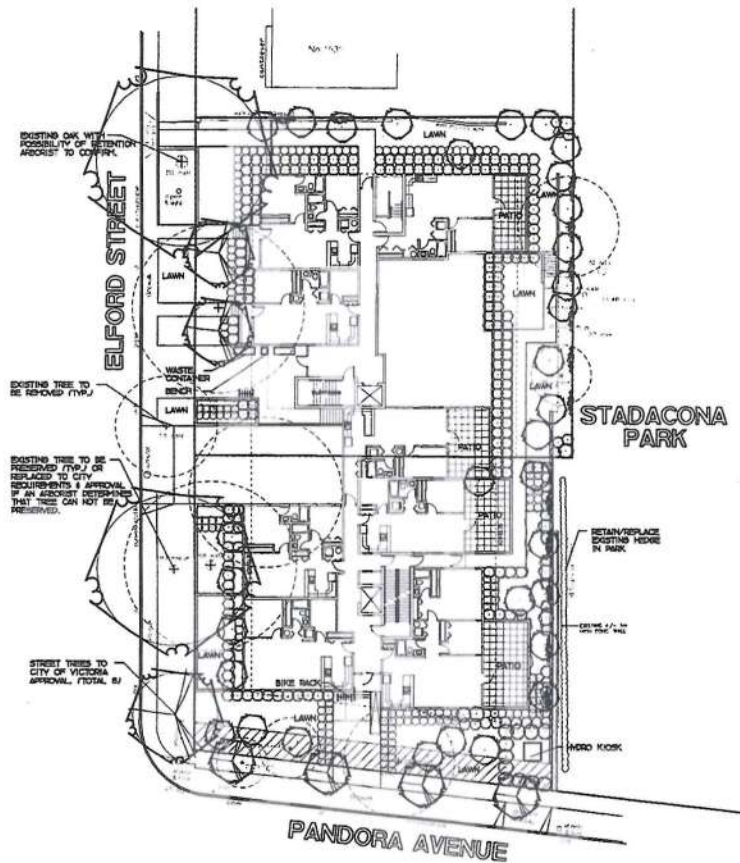
202-1130 Commercial St. 1st Floor Suite 100
Vancouver, British Columbia
V6C 2E6

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELFORD STREET
SECTION

project no.: 13-078
date: 5 JUNE 2014 scale: 3/32" = 1'
prepared by: LONT
checked by: JLS

A4.0

Planning and Land Use Committee - 29 Jan 2015



LEGEND



MEDIUM DECIDUOUS TREE TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (C),
SIZE 2" CH POT, APPROPRIATE NO. = 12



MEDIUM DECIDUOUS TREE TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (C),
SIZE 2" CH POT, APPROPRIATE NO. = 12



LARGE SHED TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (C),
SIZE 2" CH POT, APPROPRIATE NO. = 12



MEDIUM SHED TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (C),
SIZE 2" CH POT, APPROPRIATE NO. = 12



SMALL SHED TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (C),
SIZE 2" CH POT, APPROPRIATE NO. = 12



WIDE TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (C),
SIZE 2" CH POT, APPROPRIATE NO. = 12



RELANDSCAPING TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (C),
SIZE 2" CH POT, APPROPRIATE NO. = 12

NOTES

- LANDSCAPE NOTES ARE TO BE COORDINATED WITH A FULLY AUTOMATIC IRRIGATION SYSTEM.
- THIS DRAWING IS CONCEPTUAL ONLY AND NOT INTENDED FOR CONSTRUCTION PURPOSES.
- THIS DRAWING IS FOR SOFT LANDSCAPE ONLY.

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City of Victoria

JUL 30 2014

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ELFORD STREET CONDOMINIUMS VICTORIA, B.C.

1 : 200



LANDSCAPE PLAN | P1

3.1 Official Community Plan Amendment, Rezoning Application #00453 and Development Permit Application #000374 for 1521 and 1531 Elford Street

Committee received a report dated September 18, 2014 which provided Committee with information, analysis and recommendations regarding a request for an *Official Community Plan* (OCP) amendment, a Rezoning Application and a Development Permit Application for the properties located at 1521-1531 Elford Street. The proposal is for a new four-storey, 32-unit apartment building with a floor space ratio (FSR) of 1.45:1.

Action: It was moved by Councillor Helps, seconded by Councillor Coleman, 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 Advisory Design Panel with direction for attention to the transition to the adjacent house and park and 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 FSR 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 Director of 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 Director of 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 gives first reading to the *Official Community Plan* Amendment Bylaw;
 - b. That Council consider the *Official Community Plan* Bylaw, 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 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 plans identified above to the satisfaction of the Director of 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.

CARRIED 14/PLUC0243

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

Committee discussed:

- If further revisions could be made to reduce tree loss in Stadacona Park. Whether revisions to save trees will lead to a larger parking variance.
- Concerns on how this proposal is going to impact the park.
- Evidence to support the argument that the current buildings were beyond repair.
- The CALUCs concerns regarding the impact on the park and how this proposal will impact the street.
- Concerns regarding the removal of trees both on private and park land, and how the applicant will be planting new trees.
- Whether the proposal is ready for Advisory Design Panel.
- How urban parks can benefit from urban development. As it can increase public use in the park.
- Whether the proposal could fit better in its context.

- The meaning of Traditional Residential and whether this is the ideal project to be surrounding the park.

Action: It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Committee amend the recommendation as follows:

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 Advisory Design Panel with direction for attention to the transition to the adjacent **heritage registry** house and park and 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 FSR 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 Director of 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 Director of 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 gives first reading to the *Official Community Plan* Amendment Bylaw;
 - b. That Council consider the *Official Community Plan* Bylaw, 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 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 plans identified above to the satisfaction of the Director of 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 14/PLUC0244

On the main motion:
CARRIED 14/PLUC0245

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

PLUC Meeting
October 2, 2014



August 10, 2014

1521 On The Park Properties Ltd.
1933 Keating X Rd, Victoria, BC V8M 2A4

Attention: Dave Vidalin

Dear Mr. Vidalin:

Re: 1521 & 1531 Elford Street, Victoria, BC

Purpose of Report

This report has been prepared in support of your rezoning and development permit application for the above properties. The report, which includes a Tree Plan drawing, has the following objectives:

1. Provide a comprehensive and accurate description of the tree resource, both on the subject properties and adjacent public lands.
2. Provide accurate biometrics of all protected trees and an assessment of their condition;
3. Indicate the critical root zone required to sustain trees recommended for preservation;
4. Provide recommendations for tree removal and retention.
5. In order to preserve selected trees, provide guidelines to assist with modifications to the site plan and design of the proposed building, including underground parking;
6. Provide protection measures for the preservation of selected trees.



Figure-1: Context Photo



Urban Forests by Design

T (250) 544-1700
E jgye@gyeandassociates.ca
W www.gyeandassociates.ca

Site Description, including adjacent lands

The site is currently comprised of two partially treed traditional residential lots, bounded by Elford Street to the west, Stadacona Park to the east, Pandora Street to the south and another residential lot to the north.

The Trees

The northerly-most lot (1531 Elford) supports one large Deodar Cedar tree (#2) and a moderately-sized Douglas Fir (#15)—both in good condition (see Table-1 below). The south lot supports two large Garry Oak trees. The oak located closest to Elford Street (Tree # 5) exhibits large conks around the base of the trunk from the fungal pathogen *Inonotus dryadeus*. This decay fungus attacks the roots and bole (or root crown) of the tree. Visible conks are an indicator of advanced decay.



Figure-2: Fungal conks at base of Oak # 5

Three large boulevard trees are located on Elford Street, adjacent to the two properties: a very large English Oak, a moderately-sized Garry Oak and a large Sycamore maple. The English Oak appears in good health and exhibits no structural defects. The Garry Oak is in poor health. The Sycamore maple appears in good health, but has a pronounced lean across the street and is likely structurally dependant upon Oak # 5 for its anchorage (see Figure-5 below).

There are no trees of significance located on Pandora Street to the south of 1521 Elford St. A significant copse of nine mature Garry Oaks is located within Stadacona Park immediately adjacent to 1531 Elford Street. These oaks are generally in good health, although three 12" diameter oaks closest to the property boundary have pronounced (phototropic) leans into the site.

The residential lot located to the north of the site has no significant trees located within 5m of the shared property line.



Figure-3: Stadacona Park Oaks



Figure-4: Boulevard English Oak # 1
(adjacent 1531 Elford St.)



Figure-5: Boulevard Garry Oak #3
(adjacent 1531 Elford St.)



Figure-6: Boulevard Sycamore # 4 & private
Garry Oak #5 (adjacent 1521 Elford St.)



Figure-7: Base of Tree #s 4 and 5, looking north

Proposed Land Use

Rezoning will create one building lot from the two existing residential properties for the purpose of constructing a large multifamily residential building with underground parking.

Anticipated Tree Impacts

The underground parking footprint will take up most of the site and will impact to a greater or lesser extent all of the trees discussed thus far.

- Any trees within the interior of the site will be forfeit. This includes Tree #s 2, 5, 6 and 15.
- The boulevard Oak # 3 will be significantly impacted by the entrance to the underground parkade. Given its poor condition, it is recommended that the tree be removed and replaced.
- The boulevard Sycamore Maple # 4 will be impacted both by the parkade excavation and by the removal of its companion tree, Oak # 5. It is recommended that this boulevard tree be removed and replaced.
- The three park oaks noted above lean well into the building footprint. The critical root zones of these trees, as well as portions of the root zone of the six other oaks, also extend into the parkade footprint.

Summary Tree Removal and Compensation Recommendations:

1. Remove Tree #s 2 – 6, as well as Park Oaks 10, 11 and 12. The rationale for these removals has been reviewed on site with the City Parks Development Officer.
2. Provide replacement tree compensation to the City at a ratio of 1:1 for the removal of the two boulevard trees and a ratio of 2:1 for the removal of the three park oaks.



GYE + ASSOCIATES

Consultants in Urban Forestry and Arboriculture

Tag #	Common Name	DBH (cm)	Protected Root Zone radius (m) (12x)	Health	Structural Condition	Recommendations	Rationale/Comments
1	English Oak	112	13	Good	Good	RETAIN	
2	Deodar Cedar	95	11	Good	Fair	REMOVE	Inside building footprint
3	Garry Oak	50	6	Poor	Fair	REMOVE	Poor condition; impacted by entranceway
4	Sycamore	80	10	Fair	Poor	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation. 20 degree phototropic lean to west. Co-dependant with Tree 5
5	Garry Oak	90	11	Poor	Poor	REMOVE	Inside building footprint. Large Innotus Draedus conks at base of tree (see photos)
6	Garry Oak	80	10	Fair	Fair	REMOVE	Inside building footprint
7	Garry Oak	54	6	Good	Fair	RETAIN	
8	Garry Oak	61	7	Good	Fair	RETAIN	
9	Garry Oak	30	4	Good	Fair	RETAIN	
10	Garry Oak	33	4	Fair	Fair	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation.
11	Garry Oak	33	4	Fair	Fair	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation.
12	Garry Oak	36	4	Fair	Fair	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation.
13	Garry Oak	46	6	Good	Fair	RETAIN	
14	Garry Oak	57	7	Good	Fair	RETAIN	
15	Douglas Fir	51	6	Fair	Fair	REMOVE	Inside building footprint
16	Garry Oak	53	6	Good	Fair	RETAIN	

Table-1: Detailed Tree Inventory



GYE + ASSOCIATES

Consultants in Urban Forestry and Arboriculture

Tree Preservation

The trees with the highest potential for preservation are the very large boulevard English Oak (located at the north-west corner of the site) and six of the nine park oaks.

Boulevard Tree # 1 (112cm diameter English Oak)

This tree is one of the largest English Oaks in the City and is remarkable for its condition and form. This tree is one of many large shade trees of similar age that extend south along the 1100 and 1200 blocks of Elford street, forming an allée of overarching canopy. The appraised value of this tree is conservatively estimated to be \$35,000.¹

The biggest challenge with preserving this oak is its sheer size. Using the City's default multiplier of 18x the stem diameter for calculating critical root area, this 1.12m diameter oak would require a protected root zone 40 metres across! The City multiplier is applied as a rough guide, independent of soil conditions, species resilience to disturbance or tree condition. The authoritative guide for managing trees and development is Matheny and Clark's Trees and Development – A Technical Guide to the Preservation of Trees during Land Development, which does take these factors into account in recommending an appropriate multiplier.² The multiplier recommended for a mature tree that is moderately resilient to disturbance and in good condition is 12, which gives a protected root zone radius of 13.4m (44'). As can be seen on the attached Tree Plan drawing, even this reduced set-back represents a significant encroachment into the potential parking footprint and so must come at the expense of parking spaces that are all ready below that required by the City (and therefore currently the subject of an application for a variance).

The use of multipliers, even when calculated in a more nuanced manner as recommended by Matheny and Clark, is at best a rough "rule-of-thumb" for gauging the amount of area required to sustain a tree in the long-term. Tree roots grow opportunistically and their actual distribution, extent, density and soil depth can vary widely depending upon site conditions.

In light of this fact and given the conflict between tree habitat and parking requirements, Gye and Associates Ltd (G&A) undertook to try and empirically assess the spatial extent of the tree's root system. A mini-excavator was contracted, under supervision of the arborist, to explore for roots on the east side of the tree. A narrow trench was established 12m from the base of the tree and gently extended toward the base of the tree to a depth of 2m. Few roots were encountered and the results of the root exploration were judged inconclusive.³

¹ Trunk Formula Method, Guide for Plant Appraisal, 9th Edition, Council of Tree and Landscape Appraisers (International Society of Arboriculture, Champlain IL. USA. 2000)

² Copyright © 1998 by International Society of Arboriculture, Exponent Publishers, Hagerstown, IN, USA

³ Few roots were encountered until the trench reached a point approximately 5m distant from the tree. At a depth of 1.1m, a 65mm diameter oak root was encountered. The root was oriented in line with the tree and rose as it extended away from the tree, suggesting larger structural roots further down. At this point, the trench was continued for 2 more metres at a reduced depth of 1m in order not to damage large woody roots. Further roots ranging in size from 30 – 50mm were encountered. On a tree of this size, structural roots 200mm in diameter and greater would be expected at this distance (3m) from the tree. As none were found, it is surmised that these roots are located below the elevation reached by the excavator.



GYE + ASSOCIATES

Consultants in Urban Forestry and Arboriculture



Figure-8. Root exploration trench
(Note root debris along right-hand edge of trench)

It should be noted that the ambient grade of the site inside the property line is approximately 1.2m higher than the street grade where the tree is located and is supported by a retaining wall at the property boundary. The 2m depth of our trench represented the safest practical depth the machine could dig to, given the size of the machine and WorkSafe BC regulations. It is entirely possible that much larger structural roots are located further down than we could dig. In well-drained soils, the roots of vigorous broadleaved species, such as English Oak, are often found hugging the surface of bedrock or other root-limiting strata, such as glacial till. At these vertical boundaries, rainwater that has infiltrated through porous soils above is intercepted and begins to travel along the impervious lens of rock or till. Tree roots, being opportunistic, will gravitate to these strata in order to harvest the more abundant moisture and nutrients to be found there.

Given the uncertainty of the results of our exploration, I have recommended that a minimum 10m radial area be left undisturbed around the tree. This offset is also indicated on the attached Tree Plan. While more aggressive than the offset recommended by Methany and Clark, the 10m offset recommendation takes account of the fact that only one quadrant of the tree's critical root area is affected by the parkade.

The architect has modified the building plan in an effort to provide as much area for the tree as possible. Given current parking constraints, however, the best that can be achieved is 7 – 8m of undisturbed soil. An additional metre of clearance is required between the outside edge of the parkade wall and the face of the excavation in order to construct forms for the wall footing. This gap has been minimized in order to preserve as much area as possible for the tree roots. Such a small gap will require an excavated face that is vertical, rather than sloped back toward the tree. Vertical cuts of this depth must be retained with special procedures and materials such as soil nails and shotcrete.

These relationships between the tree's estimated root system, recommended offsets, key soil elevations and the proposed location of the parkade wall and its associated excavation are illustrated in Figure-8 below.



GYE + ASSOCIATES
Consultants in Urban Forestry and Arboriculture

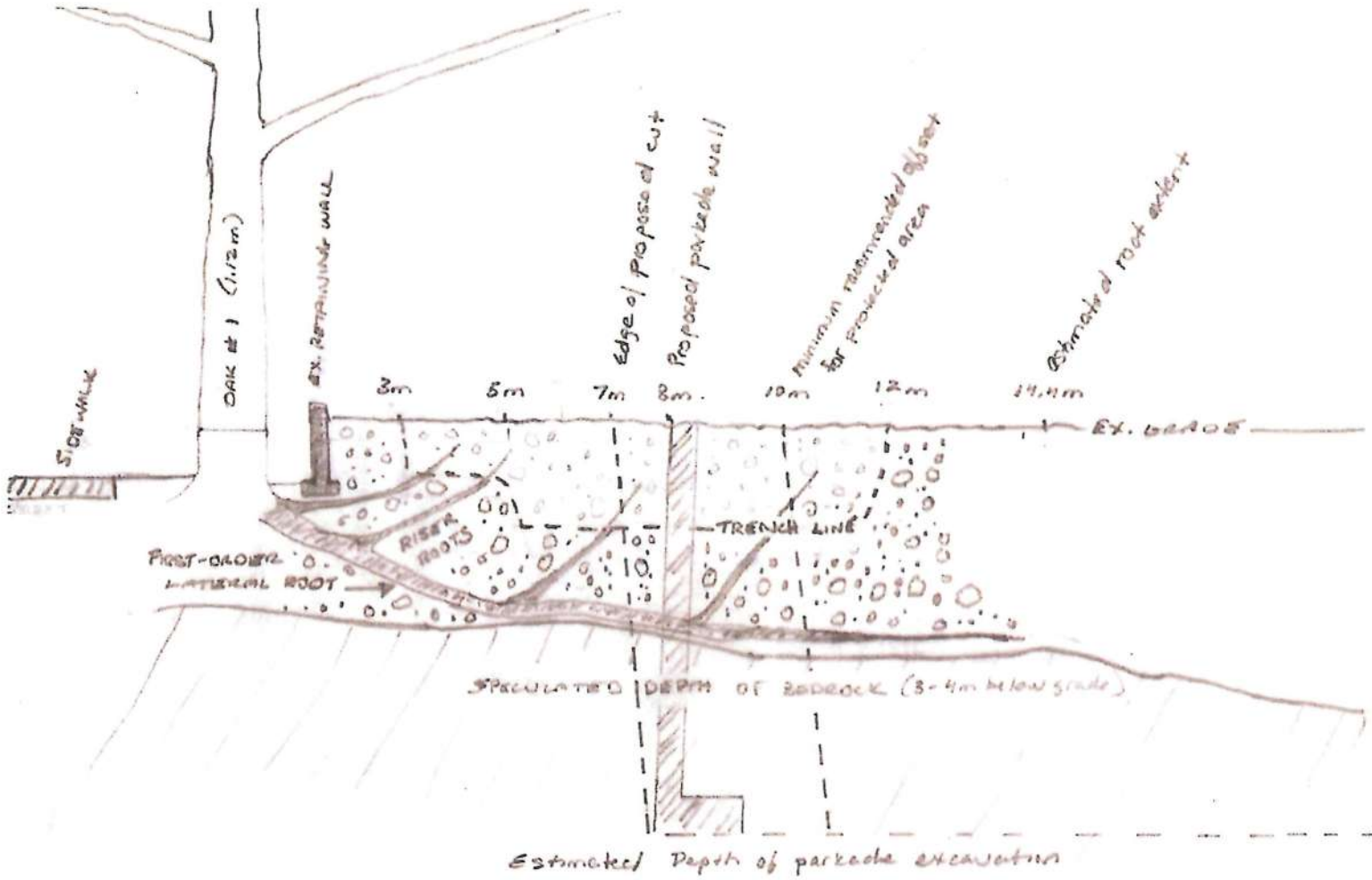


Figure-9. X-section (west to east) through Tree # 1 (1.12 English Oak)



It should also be noted that the broader excavation for the parkade will interrupt the seasonal rainwater interflows that the tree has grown to depend upon. Permanent supplemental irrigation during the wetted shoulder seasons when the tree is in leaf, and to a lesser extent, during the summer months, will be a necessary measure to sustain the health of the tree.

While nothing is completely certain, it is my best judgement that this change in hydrology and the reduction in the recommended protection area will not kill the tree in the short-medium term; however it is likely to have a deleterious effect upon its health, vigour and longevity in the longer term, even with the application of supplemental measures (such as mulching and irrigation) to optimize the residual growing environment. This being said, large mature boulevard trees are often unavoidably subjected to worse impacts as part of public works, despite the application of best practices. As a community, while we do what we can to minimize such impacts, we accept this as a necessary consequence of having large trees in the built environment where they must compete for space with other infrastructure and services. The best practical scenario in this particular case would be if the parking requirements could be relaxed in order to afford this significant tree the minimum recommended offset of 10m of undisturbed soil.

Park Oaks

Of the nine oaks within Stadacona Park that are located adjacent to the east boundary of the site, three are problematic and cannot be accommodated in the site plan. Oak #s 10, 11 and 12 are located hard up against the property line and, as indicated above, both their root systems and their entire canopies extend well into the subject property. Portions of the root systems of other oaks within this group also encroach into the site, but not to such a large extent. This is illustrated on the attached tree plan. After reviewing the protected root zone and canopies of the oaks in this copse, the architect has modified the parkade footprint to accommodate all but Oak #s 10, 11 and 12. We request permission from the City to remove these oaks, which will be compensated for to the City calculated at a 2:1 ratio.



Urban Forests by Design

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jgye@shaw.ca
www.gyeandassociates.ca



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Consultants in Urban Forestry and Arboriculture



Figure-10. Park Oak #s 10, 11 & 12
(Note aerial encroachment of 7.5m into site)

Summary Recommendations:

1. Negotiate a parking variance that will allow a reduction in the parkade footprint to accommodate the recommended minimum 10m setback of undisturbed soils.
2. Erect tree protection fencing as indicated on the attached Tree Plan drawing and tree fencing detail. Large-format all-weather signs must be affixed on all aspects of the tree fencing identifying the area within as a 'PROTECTED TREE HABITAT—KEEP OUT'.
3. The project arborist must be present during the excavation of soils adjacent to the tree protection area.
4. Excavated cuts along the tree protection boundary must be covered to prevent soil dessication and erosion.
5. 100mm of complete tree chip mulch, free of cedar or disease, will be distributed throughout the fenced tree protection area.
6. Any oak roots greater than 30mm in diameter damaged during excavation will be pruned cleanly back to undamaged tissue.
7. All blasting activity within a 30m radius of protected trees must submit a blasting plan for approval by the project arborist. The project arborist will monitor all blasting within this perimeter.
8. Sensors are required to be positioned at the edge of the tree protection areas to record peak particle velocity, which must not exceed 25mm per second. A record of the measurements will be forwarded to the project arborist on a daily basis.

9. To support the large boulevard English Oak, incorporate supplemental irrigation, maintenance and monitoring procedures into the Landscape Plan and Strata agreement.



Figure-11. Stadacona Park's future oak cohort

Certification:

This report and the opinions expressed within it have been prepared in good faith and to accepted arboricultural standards within the scope afforded by its terms of reference and the resources made available to the consultant.

Respectfully submitted,



Jeremy Gye - President
Gye and Associates, Urban Forestry Consultants Ltd.

Consulting Arborist (Diploma, American Society of Consulting Arborists, 1997)
ISA Certified Arborist (Certification No. PN-0144A)
ISA Municipal Specialist (Certification No. PN-0144AM)
Certified Tree Risk Assessor (TRACE No. 0016)
Certified Master Woodland Manager (Small Woodlands Program of BC)



TREE #1 - BOULEVARD ENGLISH OAK



TREE #4 & 5 - BOULEVARD SYCAMORE + 2 GARRY OAKS (both facing)



TREE #7 - 10 PARK OAKS (West facing)



TREE #2 - DECIDUOUS CEDAR



TREE #3 - BOULEVARD GARRY OAK



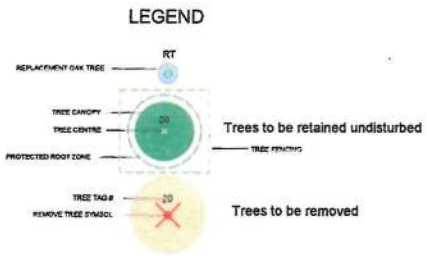
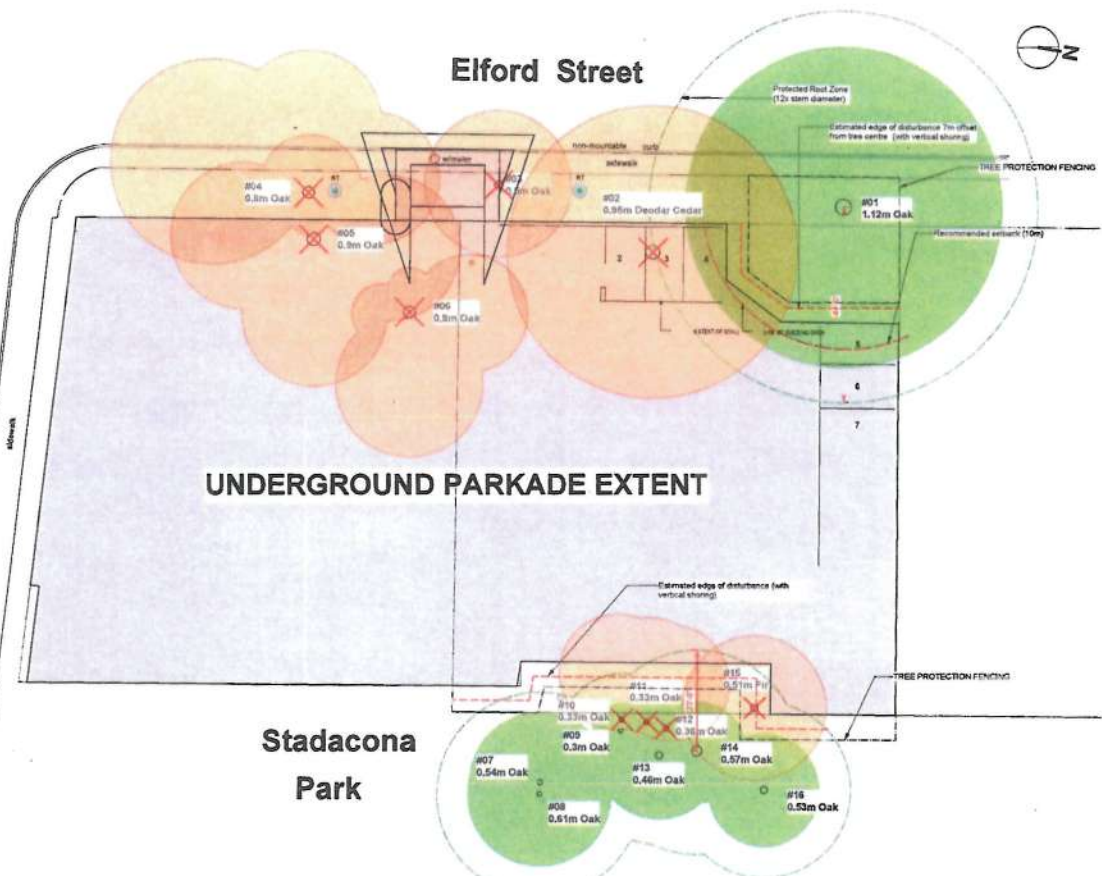
TREE #6 - FUNGAL CONKS (*Diplodia dryadum*) AT BASE OF OAK



TREE #10-12 - 3 PARK OAKS RECOMMENDED FOR REMOVAL (South facing along east pit)

Tree #	Common Name	Stem dia. (cm)	Estimated Root Zone radius (1 1/2 x stem dia.)	Health	Structural Condition	Recommendations	Reference/Comments
1	English Oak	112	13	Good	Good	RETAIN	
2	Deciduous Cedar	95	11	Good	Fair	REMOVE	Inside building footprint
3	Garry Oak	90	5	Fair	Fair	REMOVE	Tree condition impacted by anthropogenic
4	Sycamore	80	10	Fair	Poor	REMOVE	Poor structural condition - heavy impacts from underground parkade excavation. 20 degree subhorizontal beam to west. Co-dependent with Tree 5
5	Garry Oak	90	11	Fair	Poor	REMOVE	Inside building footprint. Large invasive Deciduous conks at base of tree (see photos)
6	Garry Oak	80	10	Fair	Fair	REMOVE	Inside building footprint
7	Garry Oak	54	6	Good	Fair	RETAIN	
8	Garry Oak	61	7	Good	Fair	RETAIN	
9	Garry Oak	30	4	Good	Fair	RETAIN	
10	Garry Oak	32	4	Fair	Fair	REMOVE	Poor structural condition - heavy impacts from underground parkade excavation
11	Garry Oak	33	4	Fair	Fair	REMOVE	Poor structural condition - heavy impacts from underground parkade excavation
12	Garry Oak	30	4	Fair	Fair	REMOVE	Poor structural condition - heavy impacts from underground parkade excavation
13	Garry Oak	46	6	Good	Fair	RETAIN	
14	Garry Oak	57	7	Good	Fair	RETAIN	
15	Thornless Fir	51	6	Fair	Fair	REMOVE	Inside building footprint
16	Garry Oak	53	6	Good	Fair	RETAIN	

SUMMARY TREE STATISTICS	
Protected Trees on site	3
Affected Public Trees (Park & Roadway)	13
Trees to be removed (0 private, 0 street)	8
Trees to be preserved (0 private, 7 public)	7



TREE PRESERVATION MEASURES

1. Grubbing Tree Removal and planting to be carried out under supervision of the Arborist. Staking plan must be approved by the Arborist. Pallet Particle Voles must be measured at the rear edge of the Tree Protection Area and not exceed 25mm per section.
2. Stumps within Tree Protection Areas (TPAs) should be chopped out or left in place, not excavated.
3. Construction hoarding will double as Tree Protection Fencing. Additional Tree Fencing will be required to protect Tree #1 (double-sided only).
4. Any excavation adjacent to TPAs (including underground services) must be supervised by the Arborist.
5. No dumping of fill, concrete or past debris within TPAs.
6. Limited storage of materials within TPA must be authorized by the Arborist.
7. Exposed excavated cuts within TPAs must be securely covered with geotextile cloth to prevent deterioration of soils and roots.
8. Temporary impaction and watering of TPAs will be provided at the discretion of the Arborist.
9. Compensation will be provided for 6 replacement Garry Oak trees (2.5m call) in exchange for the removal of 3 park trees.
10. Compensation will be provided for 2 replacement street trees (2.5m call) in exchange for the removal of 2 street trees.

alan architect inc.
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www.alanarchitect.com

PROJECT
1531 Elford St
Victoria, BC

SHEET TITLE
Tree Plan

REV	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	2014.08.08

PROJECT NO. 14-022
DATE Aug 8, 2014
SCALE 1:150
DRAWN BY JO
SHEET NO. T-1



Fernwood Community Association

1923 Fernwood Road,
Victoria, B.C., V8T 2Y6
(250) 384-7441
Email: landuse@fernwoodvic.ca
Web: www.fernwoodvic.ca



June 12, 2014

Planning Department
City of Victoria
#1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 1521-1531 Elford

The Land Use Committee held two Official Community meetings for this proposal one on the May 7, 2014 and another on June 4, 2014 due to a mail-out radius error. 13 people were in attendance at the May 7 meeting and 15 people in attendance at the June 4 meeting.

At the May 7 meeting the proponents architect articulated the history of the project through City of Victoria planning and the acquisition of the second property and presented the current 4 Storey building. This building incorporated comments from citizens who attended previous unofficial community meetings including 'doors on the street' in a townhouse style for a portion of the building on Elford Street. On the positive side some citizens were pleased with the stepped back and stepped down roof lines so the building would not present any large faces. Some owners in the area appreciated that only a minor parking variance was requested and that there was only one driveway requested for the project so the street parking on Elford would not be reduced. The owner of the heritage house was concerned that the height of the building and modern architecture of the building would take away from the character of his house. It was pointed out that under R1-B a new multi-unit building could be built 1.5 metres from his property line at a height of 7.5 metres and this building would be 5 metres from the property line and 9 metres high at the closest face. A resident commented that maybe the heritage house would stand out more as it would be the only heritage house on the street making it unique. A comment was made that some neighbours would prefer a more heritage pitch style roof. Traffic concerns were raised about the traffic entering Pandora Street from Elford with the City's new bike lanes and traffic backing up to the intersection of Begbie and Pandora. A question was raised about parking for construction in this neighbourhood.

At the June 4 meeting comments were again made with regard to preferring pitch roofs as opposed to flat roofs. The proponent's architect indicated that the flat roof kept the overall building height much lower. Again another resident indicated they liked the doors on the street. Some residents queried the impact of the building on Stadacona Park. The architect indicated they had softened the building's appearance with multiple exterior treatments in organic colours for the portion of the building that is not screened by existing park trees. A question was raised whether the developer could provide any amenities for the park such as planting new trees. The issue of parking generated significant discussion the owner of the heritage house questioned granting any variances for parking. Owners at the Lord Elford were sympathetic that every unit had a parking stall and 6 guest parking spots were being provided. A resident from Belmont was pleased with the development and felt that it was an appropriate location and density for the neighbourhood and also appreciated the parking provided considering that most of the converted heritage homes in the area provided only one parking stall for three to four units each. Another resident from Stanley was also pleased with the consultative effort and final product of the development.

The general tone of the meeting was accepting to the development with the replacement of the dilapidated house and the compliance with the local area plan.

Sincerely,

Stephanie Hill
Acting Chair - Land Use Committee
Fernwood Community Association



Planning and Land Use Committee Report For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Helen Cain, Senior Planner, Development Services Division
Subject: Rezoning Application #00425 for 836-838 Broughton Street

RECOMMENDATION

Staff recommend that Committee forward this report to the January 29, 2015, Council meeting and 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, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that Council waive the requirement for a Public Hearing.

LEGISLATIVE AUTHORITY

In accordance with section 890 (4) of the *Local Government Act*, Council may waive the Public Hearing requirement if a proposed bylaw amendment is consistent with the *Official Community Plan* (OCP).

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 836-838 Broughton Street. The proposal is City-initiated 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 as shown in Rezoning Application #00425, which Council approved on May 22, 2014.

BACKGROUND

Description of Proposal

The proposal is to amend the RMD-1 Zone to accommodate the 1.3m projection of balconies into the front, rear and east side yards as outlined in the Council-approved final plans for Rezoning Application #00425. The omission of the balcony projections was an administrative error and the Zoning Regulation Bylaw Amendment is necessary to enable the issuance of a Building Permit. Additionally, the RMD-1 Zone provisions related to amenity contributions would be clarified through replacing the term "Base Amount" with the term "Base Contribution", and referencing the Bylaw amendment number.

Relevant History

At the meeting of May 22, 2014, Council approved the development of an 11-storey, 84-unit, residential and commercial mixed-use building, as outlined in Rezoning Application #00425 and Development Permit Application #000337 for 836-838 Broughton Street. As shown on the final plans and staff reports before Council, the building has balconies that project 1.3m into the front, rear, and east side yard setbacks.

ANALYSIS

Zoning Regulation Bylaw

Except as noted, all aspects of the proposal are consistent with the RMD-1 Zone.

Official Community Plan

The proposal to amend the RMD-1 Zone, in a manner which is consistent with the previously approved Rezoning Application #00425, is consistent with the OCP as detailed in previous reports.

Community Consultation

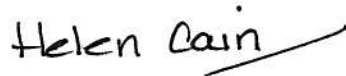
Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant consulted with the Fairfield Gonzales CALUC as part of the original application. Staff have contacted the CALUC about the current proposed amendment. No formal comments have been received prior to writing this report.

While Council has the statutory authority to waive a Public Hearing if a proposed Bylaw amendment is consistent with the OCP, it is the City's practice to ensure the public are informed through: a sign on the property, newspaper advertisements; a mail out to property owners within 100m of the site; and posting of the proposed Zoning Regulation Bylaw Amendments on a notice board at City Hall. If members of the public wish to speak to the RMD-1 Zone amendment, they may provide written correspondence to Mayor and Council, prior to third reading of the Bylaw.


CONCLUSIONS

The City-initiated amendments to the *Zoning Regulation Bylaw* would ensure clarity of interpretation of provisions related to amenity contributions, and would correct administrative errors in the drafting of the RMD-1 Zone that are consistent with the Council-approved Rezoning Application and Development Permit for 836-838 Broughton Street and would allow for the issuance of a Building Permit for this project.

Respectfully submitted,



Helen Cain
Senior Planner
Development Services Division



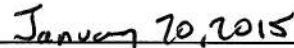
Alison Meyer, Assistant Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager: _____



Jason Johnson

Date: _____



HC:aw

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List of Attachments

- Council Minutes from May 22, 2014 meeting
- Council Report on Rezoning Application #00425 and associated attachments, dated April 25, 2014.

REZONING APPLICATION PUBLIC HEARING

2. Rezoning Application No. 00425 for property known as 836-838 Broughton Street

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 992) - No. 14-034

To rezone the land known as 836 and 838 Broughton Street from the CHP-CR Zone, Cathedral Hill Precinct Commercial Residential District, to a new RMD-1 Zone, Residential Mixed Use Broughton Street District, to permit a multi-unit residential building, commercial uses, live-work dwelling units, public buildings, home occupation, and accessory buildings and to provide for increased density with the provision of specified community amenities.

New Zone: RMD-1, Residential Mixed Use Broughton Street District
Legal Description: Lot 266 and Lot 267, Victoria City
Existing Zone: CHP-CR Zone, Cathedral Hill Precinct Commercial Residential District

Mayor Fortin opened the public hearing at 8:36 p.m.

Mark Whitehead (Musson Cattell Mackey Partnership, Vancouver): Advised that the site is situated on the edge of the Commercial District and highlighted the following in his presentation:

- Everything one could need is accessible within a 100 metre radius of this site.
- This site is a catalyst to development on this street and will help activate it.
- The massing of the building was described as well as the terraces and street view.
- The landscape plan noting that Bev Windjack, the landscape architect, is available for questions.

Councillor Isitt asked the following questions:

- *The ground level units and if the patio space is semi-private?*
- *Will the units be strata or owned by the developer?*
- *The fixtures intended for the units?*
- *Would the units be sold as live/work or commercial?*
- *Does the walkway provide a mid-block connection?*

Mark Whitehead: Responded to the questions:

- The patio space is not private and can be commercial or residential frontage.
- The units will be strata owned.
- There will be a washroom and small kitchen at the back of the ground floor live/work units.
- The zoning allows the units to be sold as live/work or commercial.

Alison Meyer (Assistant Director of Development Services): There isn't a mid-block walkway identified in the policy document, or required as part of this development.

Jason Ross (Langford Street): Asked for clarification on the following points:

- What is the height variance for this proposal;
- Is it bordering the Downtown Core Area;
- The difference in height of this building with those in the surrounding area.

Alison Meyer: Provided the following information:

- It is a rezoning application to increase the density which meets the expectation of the policy for the area.
- It is within the Downtown Core Area Plan.
- Currently the buildings are a range of height and under the policy they would anticipate a building around 10 storeys. This building is 10 storeys but the elevator shaft qualifies as the 11th storey.

Suzanne and Jane Bradbury (Broughton Street): they are property owners on this street and registered their support for this proposal as follows:

- This will support businesses in this part of downtown as residential development is essential for stabilizing the neighbourhood.
- They own the parking lot opposite the project and noted the difficulty in filling parking lots though bike storage and bus stops are packed;
- Creating spaces for people who live and work downtown all the time will help keep businesses thriving.

Councillor Thornton-Joe asked if a "woof top" garden had been considered as more residences downtown have areas for dogs.

Bev Windjack (Landscape Architect): This wasn't considered for this project.

Dave Chard (Chard Development Ltd): Advised they do have a dog washing area in the building.

Mayor Fortin closed the public hearing at 8:54 p.m.

2. Bylaw Motion – Consideration of Third Reading

It was moved by Councillor Helps, seconded by Councillor Alto, that the following bylaw **be given third reading:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 992)

14-034

Councillor Helps said she supports this project and commented on the following:

- *The building activates the street and is an amenity for the area;*
- *The flexibility of providing live/work studios;*

Councillor Isitt asked for more information regarding the amenity contribution as it seems low.

Alison Meyer: The results of the land lift analysis indicated the high cost of land and construction and she described how costs vary according to how many floors are built in a concrete building.

Councillor Isitt commented on the following:

- *The desire to have retail owners for the ground level suites.*
- *If there is a way to secure the mid-block walkway depending on how Fort Street frontage develops.*
- *Local area planning and the suggestion the Downtown border be moved to Quadra Street.*

Mayor Fortin said the application is supportable and commented on the following:

- *This building will lead the way in an area that is changing noting the transformation of Pioneer Square Park.*
- *The increase in demand for bike parking is a positive problem.*

Councillor Madoff said she supports this application and commented on the following:

- *The bonus density policy and what it does and does not deliver; what other jurisdictions have achieved with their bonus density policy.*
- *The issue of the value of parking variances and if Council wishes to make that a policy; having a broader discussion on parking requirements in residential neighbourhoods.*

Carried Unanimously

3. Bylaw Motion – Adoption

It was moved by Councillor Helps, seconded by Councillor Alto, that the following bylaws **be adopted:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 992)
Housing Agreement (836-838 Broughton Street) Bylaw

14-034

14-035

Carried Unanimously

4. **Motion - Approve Development Permit**

It was moved by Councillor Helps, seconded by Councillor Alto, that Council authorize the issuance of a Development Permit for 836-838 Broughton Street, in accordance with:

1. Plans stamped Development Permit #000377 dated April 23, 2014;
2. Development meeting all *Zoning Regulation Bylaw* requirements;
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Carried Unanimously

5. **Authorize Execution of Encroachment Agreement**

It was moved by Councillor Helps, seconded by Councillor Alto, that Council authorize the Mayor and the Corporate Administrator to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Mayor Fortin asked if there was a motion to consider a mid-block walkway.

Deb Day: Advised that staff can look at the implications of this as there are sensitivities on Fort Street.

Carried Unanimously

Council meeting
May 22, 2014



Council Report

Date: April 25, 2014 **From:** Helen Cain, Senior Planner
Subject: Rezoning Application #00425 and Development Permit Application #000337 for 836-838 Broughton Street – Update on conditions for proceeding to a Public Hearing

Executive Summary

The purpose of this report is to present Council with updated information, analysis and recommendations regarding a Rezoning Application and a Development Permit Application for the properties located at 836-838 Broughton Street. The properties are located in the CHP-CR Zone (Cathedral Hill Precinct Commercial Residential District) which permits a maximum floor space ratio (FSR) of 2.0:1 for a multiple dwelling. The applicant proposes to rezone the property to increase the density to 5:1 FSR in order to construct an 84-unit, 11-storey, residential mixed-use building.

On February 27, 2014, Council approved this Rezoning Application to proceed to a Public Hearing subject to conditions, including provision of a Land Lift Analysis and associated community amenity contributions, and referral of the Development Permit Application to the Advisory Design Panel (ADP). Steps that have been taken to meet these conditions are summarized below:

- A third-party consultant has completed a Land Lift Analysis to determine any increase in land value that would result from rezoning to allow for a mixed-use development at a density of 5:1 floor space ratio (FSR.)
- Based on the results of the above report, the applicant would contribute a total of \$10,000 to the Downtown Core Area Public Realm Improvement Fund and Downtown Heritage Building Seismic Upgrade Fund. This amount would be secured through "community amenity" provisions in the proposed new zone.
- The ADP has reviewed the Development Permit Application and recommends Council approve the application, subject to changes that enhance the ground-level commercial space, ensure universal accessibility into and within the building and improve personal safety within a walkway along the east property line.

The applicant has worked with staff on design revisions to address the ADP recommendations as presented in the final plans attached to this report. The staff recommendation identifies the revised plans and also includes the correction of a typographical error in Zoning Regulation Bylaw Amendment No.14-034, which identified the "community amenity" as \$7,000, whereas the amount should be \$10,000 as per the third-party Land Lift Analysis.

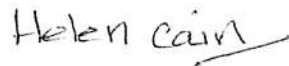
Recommendations

1. That Zoning Regulation Bylaw Amendment Bylaw No 14-034 be amended as follows:
 "6.85.4 Community Amenities" is struck out and replaced with:

"6.85.4 Community Amenities

- a. As a condition of additional density pursuant to part 6.85.6 b., a monetary contribution to the Downtown Core Area Public Realm Improvement Fund and the Downtown Heritage Building Seismic Upgrade Fund in the amount of \$10,000, as adjusted pursuant to part 6.85.4.b must be provided as a community amenity.
 - b. The amenity contribution in the amount of \$10,000 (the "Base Contribution") shall be adjusted annually on January 1 commencing the second calendar year following the year this bylaw is adopted and each year thereafter, by an amount calculated by multiplying the Base Amount as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period."
2. That the following motions be considered by the Council following the Public Hearing for Rezoning Application #00425:
- A. That Council authorize the issuance of a Development Permit for 836-838 Broughton Street, in accordance with:
 - a. plans stamped Development Permit #000377 dated April 23, 2014;
 - b. development meeting all *Zoning Regulation Bylaw* requirements;
 - c. final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
 - B. That Council authorize the Mayor and the Corporate Administrator to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

Respectfully submitted,

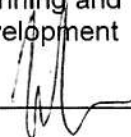


Helen Cain
Senior Planner
Development Services

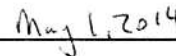



Deb Day, Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager: _____


Jason Johnson

Date: _____



HC:aw

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1.0 Purpose

The purpose of this report is to present Council with updated information, analysis and recommendations regarding a Rezoning Application and a Development Permit Application for the properties located at 836-838 Broughton Street.

2.0 Background

On February 20, 2014, the Planning and Land Use Committee (PLUC) considered a staff report (attached) on these applications. On February 27, 2014, Council ratified the PLUC recommendation (Minutes attached) to proceed to Public Hearing, subject to conditions. These included the completion of a Third Party Land Lift Analysis to assess any increase in land value and associated community amenity contributions, as well as referral of the Development Permit Application to the Advisory Design Panel.

3.0 Issues & Analysis

The following provides a summary of updated information related to:

- land lift analysis and community amenity contribution
- Advisory Design Panel recommendations
- revised plans
- design refinements.

3.1 Land Lift Analysis and Community Amenity Contribution

The purpose of the land lift analysis is to determine any increase in land value that would result from the rezoning to allow for a mixed use development at a density (5:1 FSR) which is above the base density (3:1 FSR) outlined in the *Official Community Plan (OCP)*, 2012 for this location. In this instance it has been determined that a contribution of \$10,000 to the Downtown Core Area Public Realm Improvement Fund and the Downtown Heritage Building Seismic Upgrade Fund would be supportable and is included in provisions of the new RMD-1 Zone (Residential Mixed Use Broughton Street District), prepared for the properties at 836-838 Broughton Street.

3.2 Advisory Design Panel Recommendations

Subsequent to consideration of these applications at the Planning and Land Use Committee, the Advisory Design Panel (ADP) reviewed the proposal on February 26, 2014 (Minutes attached). The ADP recommended to Council that the Development Permit Application be approved, subject to design refinements with respect to high-quality exterior finishes, ensuring universal accessibility at street level and to the proposed rooftop garden, and protecting personal safety within a walkway along the east property line of the subject site. Additionally, the ADP advised staff to consider increased height in the commercial storey to promote street animation. This would result in a slightly higher building than envisioned for this area in the design guidelines.

3.3 Revised Plans

Following the ADP meeting, the applicant has worked with Development Services staff to revise the proposal as identified in the attached letter (dated March 18, 2014) and updated final plans (dated April 23, 2014). As a result of revisions, the technical details of these applications have minor changes from the proposal as presented in the previous staff report. The data table (below) compares the revised plans with the existing CHP-CR Zone (Cathedral Hill Precinct Commercial

Residential District). The proposed residential mixed-use building is less stringent than the standard zone in criteria identified with an asterisk (*) below. The Zoning Bylaw Amendment has been drafted to reflect these changes.

Zoning Criteria	Proposal	CHP-CR Zone
Site area (m ²) – minimum	1337.80	n/a
Total floor area (m ²) – maximum	6659	n/a
Density (Floor Space Ratio) – maximum	5:10*	2:10
Height (m) – maximum	33.13*	22.50
Storeys – maximum	11 (10 storeys for main building, small washroom/storage and stairs associated with roof top access trigger identification of eleventh storey)	n/a
Site coverage (%) – maximum	87	n/a
Open site space (%) – minimum	13	n/a
Setbacks (m) – minimum south (front) north (rear) west (side) east (side)	2.61 (ground floor) 2.43 (2 nd to 4 th floor) Nil (ground floor) 4.10 (2 nd to 4 th floor) Nil (1 st to 4 th floor) Nil (ground floor from building face) 2.29 (2 nd floor)	2.00 2.00 n/a n/a n/a n/a
Parking (stalls) – minimum	80*	115 – if all residential 120 – if ground floor retail
Bicycle storage – minimum	100	85
Bicycle rack – minimum	8	7

3.4 Design Refinements

Following the referral of the Development Permit Application to the ADP, the applicant has refined the proposed design in order to address the ADP recommendations and comments with respect to improvements to the ground-floor commercial storey, universal access and personal security. These revisions include strengthening the commercial storefronts through lowering the ground storey to enable increased height in the glazed frontage. Lowering the building also enables universal access to the building without a wheelchair ramp. Concern about the personal safety within the landscaped walkway along the east property line is addressed through the introduction of a card control gate with an emergency "panic button".

It should be noted, that while the commercial storey is lowered slightly, it is has a higher floor to ceiling height. The end result is that the total building height is 33.13 m, including a washroom facility in the rooftop garden private amenity. Although the *Downtown Core Area Plan, 2011*, (Policy 6.173) identifies a maximum height of 30 m for this location on Broughton Street, staff consider the proposal to meet the intention of that policy with respect to urban form and the ground-level improvements would help create a strong street presence for this new building.

4.0 Recommendations

1. That Zoning Regulation Bylaw Amendment Bylaw No 14-034 be amended as follows:

"6.85.4 Community Amenities" is struck out and replaced with:

"6.85.4 Community Amenities

- a. As a condition of additional density pursuant to part 6.85.6 b., a monetary contribution to the Downtown Core Area Public Realm Improvement Fund and the Downtown Heritage Building Seismic Upgrade Fund in the amount of \$10,000, as adjusted pursuant to part 6.85.4.b must be provided as a community amenity.
 - b. The amenity contribution in the amount of \$10,000 (the "Base Contribution") shall be adjusted annually on January 1 commencing the second calendar year following the year this bylaw is adopted and each year thereafter, by an amount calculated by multiplying the Base Amount as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period."
2. That the following motions be considered by the Council following the Public Hearing for Rezoning Application #00425:
 - A. That Council authorize the issuance of a Development Permit for 836-838 Broughton Street, in accordance with:
 - a. plans stamped Development Permit #000377 dated April 23, 2014;
 - b. development meeting all *Zoning Regulation Bylaw* requirements;
 - c. final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
 - B. That Council authorize the Mayor and the Corporate Administrator to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

5.0 Attachments

- Letter from applicant, stamped March 13, 2014
- Plans for Rezoning Application #00425 and Development Permit Application #000337, stamped April 23, 2014
- Council Minutes from February 27, 2014
- Advisory Design Panel Minutes from February 26, 2014
- Land Lift Analysis report, prepared by G.P. Rollo & Associates Ltd., March 25, 2014
- Planning and Land Use Standing Committee report, dated February 7, 2014 with appended:

- Zoning map
- Aerial map
- Letters from architect, stamped December 3, 2013
- Letter from applicant, stamped February 3, 2014
- Plans for Rezoning Application and Development Permit Application, stamped January 28, 2014
- Minutes from Fairfield and Gonzales Community Association Meeting on October 21, 2013.



MCM

**Musson
Cattell
Mackey
Partnership**

March 13, 2014

Architects
Designers
Planners

City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6
Via Email: hcain@victoria.ca

A Partnership
Of Corporations

Attention: **Helen Cain
Senior Planner**

1600 Two Bentall Centre
555 Burrard Street, Box 264
Vancouver, British Columbia
Canada V7X 1M9

Dear Helen,

Re: **838 BROUGHTON STREET
OUR PROJECT #213029.01 – 8.5
REVISIONS RESULTING FROM ADVISORY DESIGN PANEL**

T 604. 687. 2990
F 604. 687. 1771
www.MCMParchitects.com

From the notes we took at Advisory Design Panel (ADP), we have made the following revisions:

- 1) The concern about CPTED with regard to the landscaped access along the east property line has been revised to include a card control gate with panic hardware where the building meets the access and enclosure of the parking stair.
- 2) Accessibility to the roof deck has been confirmed (additionally 2ft has been added to the north side) and our response at ground is to lower the slab elevation so that it is accessible without a ramp.
- 3) The concrete finish in the ground floor area was noted "architectural concrete" in the submission set of drawings but was not picked up at ADP. "Architectural concrete" is an industry wide technical term that calls for a high quality finish either by acid wash or sandblasting. We will update the rendering to indicate this. Also note that we have extended the planter and added a guard to improve safety.
- 4) In the opinion of the panel the quality of the ground floor was diminished by limited floor to floor height. By lowering the ground floor area / planters we have been able to make the floor to floor 2 ft. higher which will address this concern. Additionally we have increased the height of the glass and the depth of return of the brick which will increase the "solidity" of the charcoal brick base. We have included detail of this along with the signage anticipated.

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From the general discussion at the panel we have also added the following information:

- Notes regarding the soffit over the driveway
- Panel joints on the façade
- A detail for "bird management"
- A reduction in overhang at the top of the building (less "heavy")

Hope this helps in your review. Please let me know if you have additional questions.

Yours truly,

**MUSSON CATTELL MACKEY PARTNERSHIP
ARCHITECTS DESIGNERS PLANNERS**



Mark Whitehead, Architect AIBC, MRAIC, (ASSOC) AIA
Mark Whitehead Architect Ltd., Partner

MW:pmt

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PROJECT INFORMATION

PROJECT ADDRESS	836 & 838 BROUGHTON STREET, VICTORIA, B.C.		
NEIGHBOURHOOD	FAIRFIELD		
DOWNTOWN CORE AREA PLAN DISTRICT	RESIDENTIAL MIXED USE DISTRICT		
DEVELOPMENT PERMIT AREA	DPA 14		
LEGAL DESCRIPTION	LOTS 266 & 267, VICTORIA		
ZONING	CHP-CR (CATHEDRAL HILL PRECINCT COMM/RES DISTRICT)		
LOT AREA	14,400 ft² (1,337.8 m²)		
SITE COVERAGE	12,385 ft² / 14,400 ft² = 86% (1150.6 m² / 1,337.8 m² = 86%)		
OPEN SITE SPACE	2,233.6 ft² / 14,400 ft² = 16% (207.5 m² / 1,337.8 m² = 16%)		
TOTAL FLOOR AREA	71,675 ft² (6,659 m²) 69,605 ft² (6,493 m²) RESIDENTIAL 1,790 ft² (166 m²) RETAIL		
FLOOR SPACE RATIO	CURRENT CHP-CR ZONING: 2:1 ALLOWED UNDER SPECIAL DENSITY AREA (REZONING) PROPOSED: 71,675 ft² / 14,400 ft² = 5 (6,659 m² / 1,337.8 m² = 5)		
FLOOR PLATE SIZE	REQUIRED UNDER DOWNTOWN CORE AREA PLAN 65.6' (20m)- 98.4' (30m): max 10,010 ft² (930 m²) PROPOSED: max 8,339 ft² (775 m²)		
AVERAGE GRADE (GEODETIC)	73.06' (22.27 m) = 0.00' ON PLANS		
HEIGHT OF BUILDING (ABOVE AVERAGE GRADE)	ALLOWED UNDER DOWNTOWN CORE AREA PLAN: 98.4' (30 m) ALLOWED UNDER CHP-OB ZONING: 73.8' (22.5 m) PROPOSED: 100' (30.48m) 73.8'		
NUMBER OF STOREYS	11 STOREYS		
STREETWALL	REQUIRED UNDER DOWNTOWN CORE AREA PLAN FOR NARROW STREETS (<25m) PRIMARY FACE WIDTH, min 60% SITE WIDTH: 119.6' (36.4m) x 60% = 71.8' (21.9m) HEIGHT, 32.8' (10m) - 49.2' (15m) SETBACK, 0' (0m) - 9.8' (3m) SECONDARY FACE WIDTH, min 30% SITE WIDTH: 119.6' (36.4m) x 30% = 35.9' (10.9m) HEIGHT, 59.1' (18m) - 82' (25m) SETBACK, 9.8' (3m) - 19.7' (6m) SETBACK ABOVE 82' (25m): min 19.7' (6m)	PROPOSED 74.8' (22.8m) 40' (12.2m) 5' (2.4m) 60' (21.0m) 78.8' (23.9m) 11.3' (3.4m) 20.3' (6.2m)	
BUILDING SETBACKS	REQUIRED UNDER DOWNTOWN CORE AREA PLAN FOR HEIGHT 0' (0m) - 98.4' (30m) EXTERIOR WALL, SIDE PROPERTY LINE: min 9.8' (3m) EXTERIOR WALL, REAR PROPERTY LINE: min 9.8' (3m) BALCONIES, SIDE PROPERTY LINE: min 11.5' (3.5m) BALCONIES, REAR PROPERTY LINE: min 11.5' (3.5m)	PROPOSED 17' (5.2m) 14'6" (4.4m) 13' (3.9m) n/a	
PARKING	PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C RESIDENTIAL: 118 (1.4/UNIT) LIVE / WORK / RETAIL: 3 (1/65m²)	PROPOSED 69 4 (1/37.5m²) 73 SUBTOTAL	
	VISITOR PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C 8 (10% OF TOTAL)	PROPOSED 7 80 TOTAL	
BICYCLE STORAGE	CLASS 1 BICYCLE PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C 83 (1/UNIT) CLASS 2 BICYCLE PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C 7	PROPOSED 100 PROPOSED 8 108 TOTAL	
NUMBER OF STORAGE LOCKERS	84 (1/UNIT)		
SUITE TYPES	TYPE	SIZE RANGE	QUANTITY
	LIVE / WORK	910 - 950 ft² (84.5 - 88.3 m²)	2
	1 BED ROOM	459 - 655 ft² (42.6 - 60.9 m²)	44
	1 BED ROOM & DEN	597 - 806 ft² (55.5 - 74.8 m²)	8
	2 BED ROOM	825 - 1,030 ft² (76.6 - 95.7 m²)	20
	2 BED ROOM & DEN	1,021 - 1,229 ft² (94.9 - 114.2 m²)	10
	TOTAL		84



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Architects
Designers
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838
BROUGHTON ST
VICTORIA, BC

Project #
213029.1

2 DEC 15 DP SUBMISSION
28 JAN 16 CH REVISIONS
6 FEB 16 ADDITIONAL INFO
19 FEB 16 ADP SUBMISSION
17 MAR 16 ADP RESPONSE
15 APR 16 RESUBMISSION

COVER
SHEET

N.T.S.



A.000

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VICTORIA, BC

Project #
213029.1

2 DEC 13 CP SUBMISSION
28 JAN 14 CP REVISIONS
6 FEB 14 ADDITIONAL INFO
18 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
16 APR 14 INTERVIEW

CONTEXT
PLAN

N.T.S.



A.100



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VICTORIA, BC

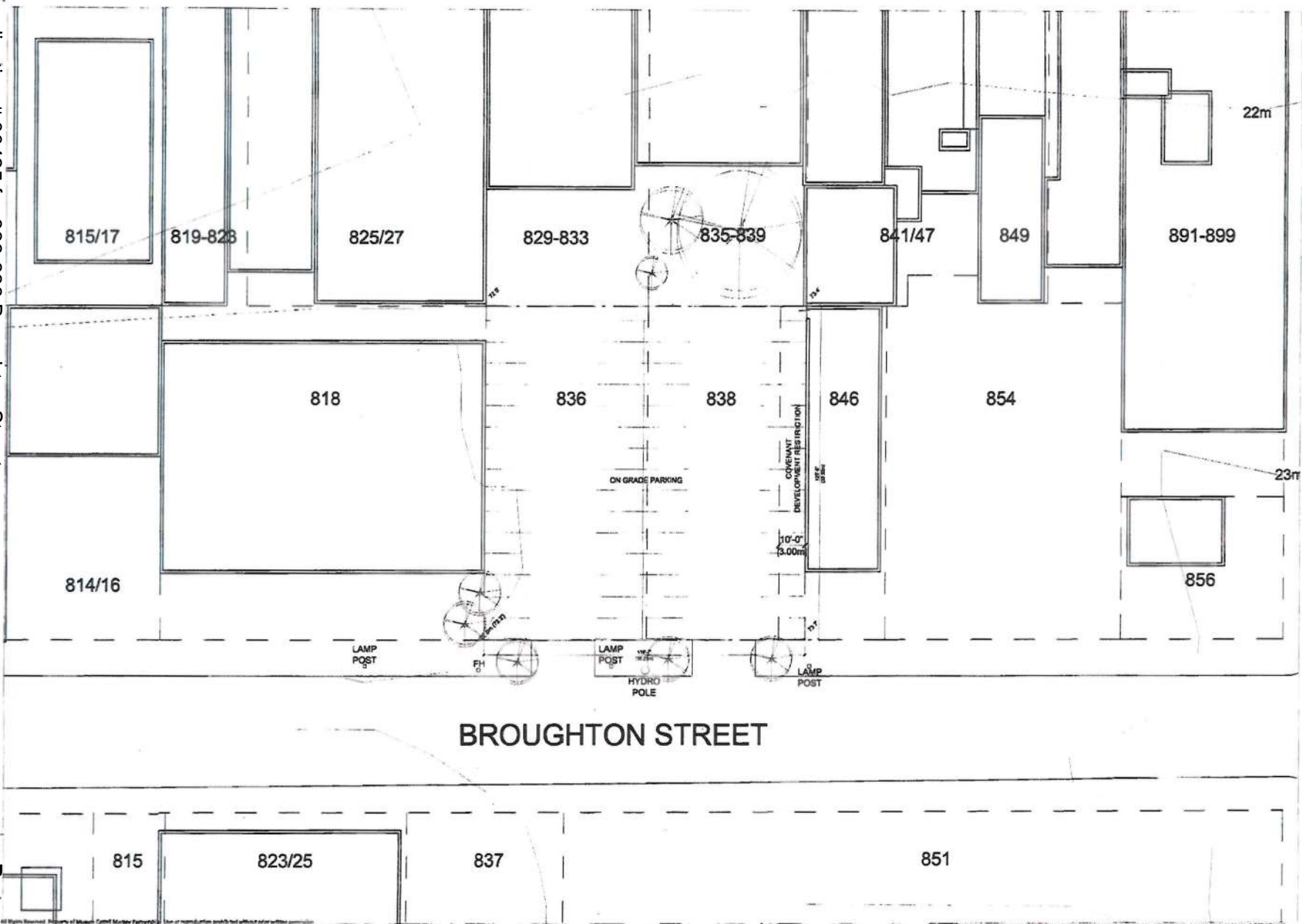
Project #
219029.1

2 DEC 13 OP SUBMISSION
26 JAN 14 DP REVISIONS
6 FEB 14 REDUCED/REVISIONS
13 FEB 14 ADP SUBMISSION
17 MAR 14 ADP REVISIONS
16 APR 14 REDUCED/REVISIONS

SITE
PLAN
EXISTING

1/32" = 1'-0"

A.101



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Project #
213029.1

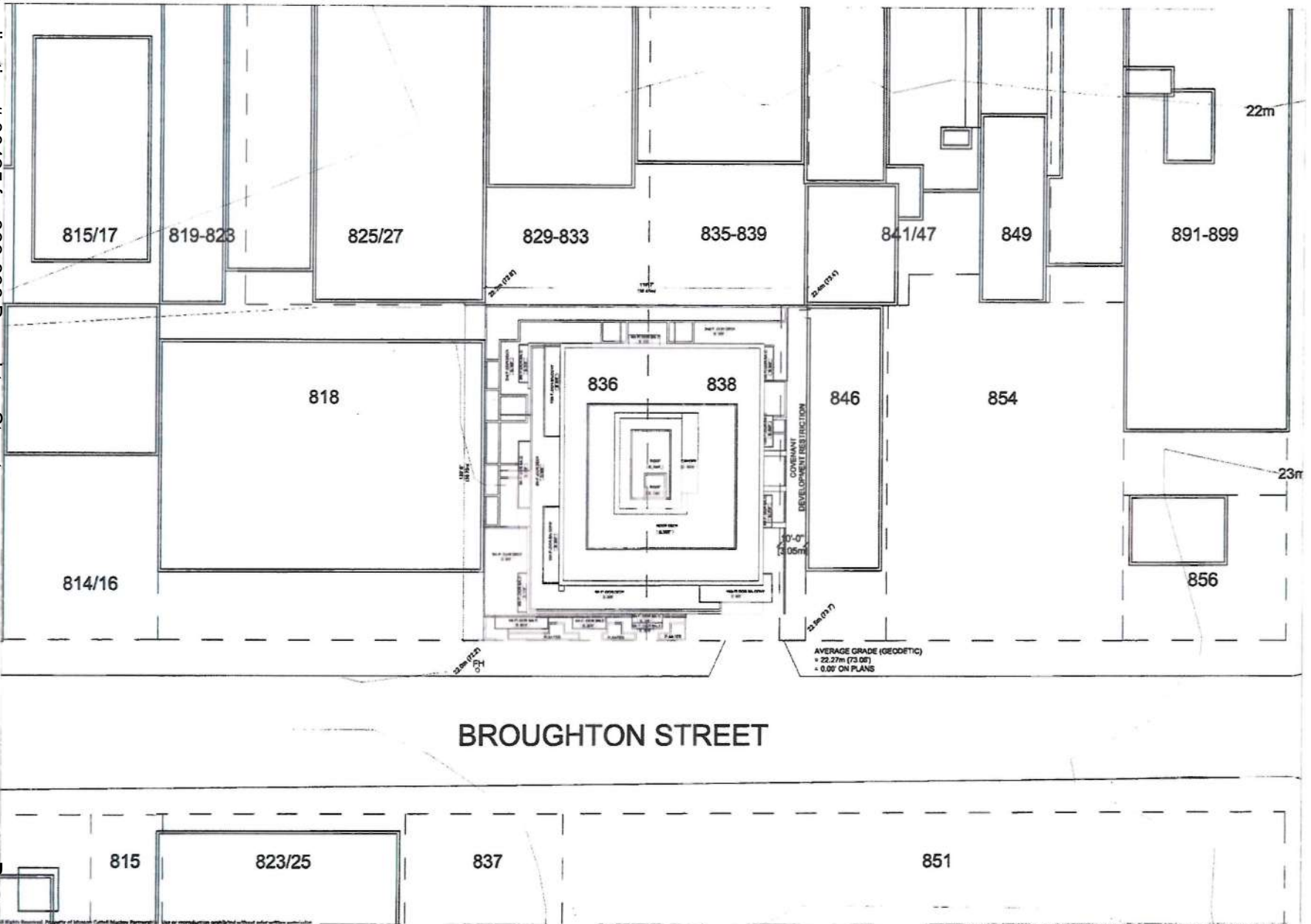
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6 FEB 14 ADDITIONAL INFO
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17 MAR 14 ADP REVISIONS
15 APR 14 REVISIONS/CHG

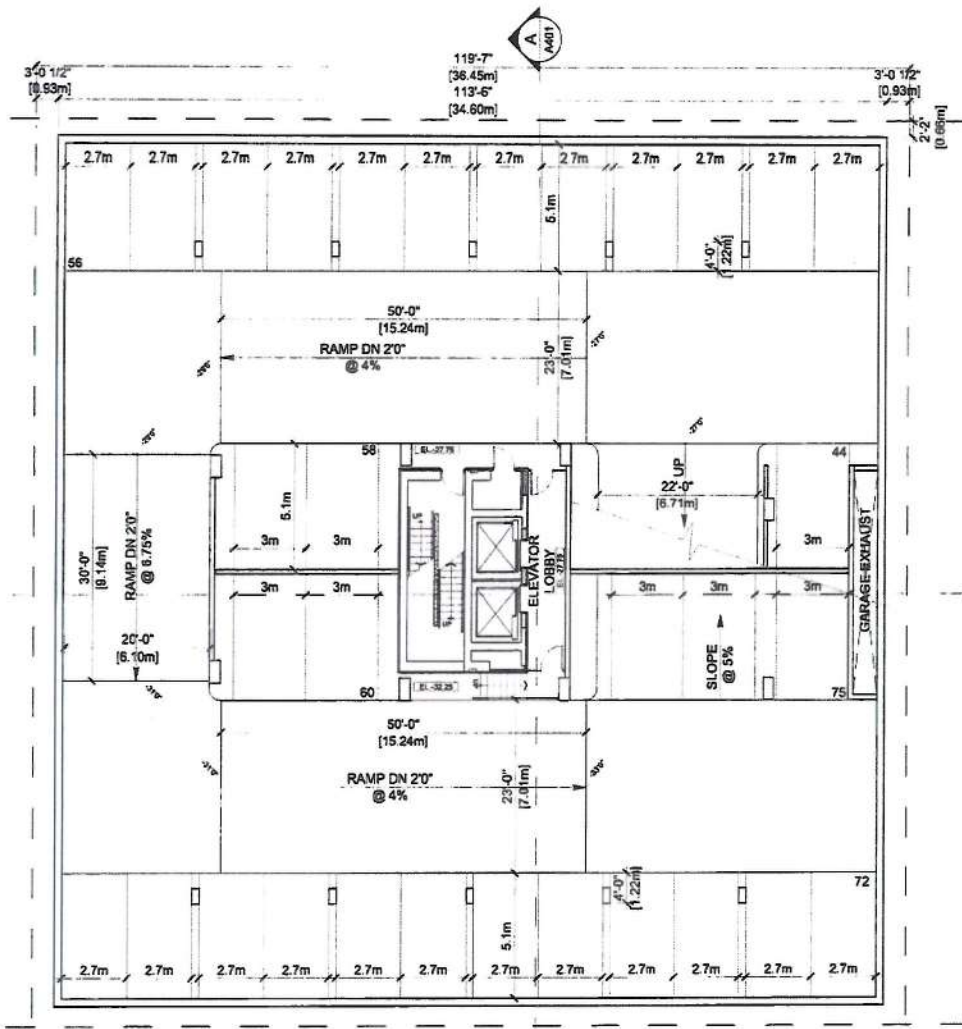
SITE
PLAN

1/32" = 1'-0"



A.102





PARKING P3
13 125 ft²



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Project #
219029.1

2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
23 FEB 14 ADP CIRCUMSTANCES
17 MAR 14 ADP RESPONSE
16 APR 14 RESUBMISSION

**PARKING
P3
PLAN**

1/16" = 1'-0"

A.200

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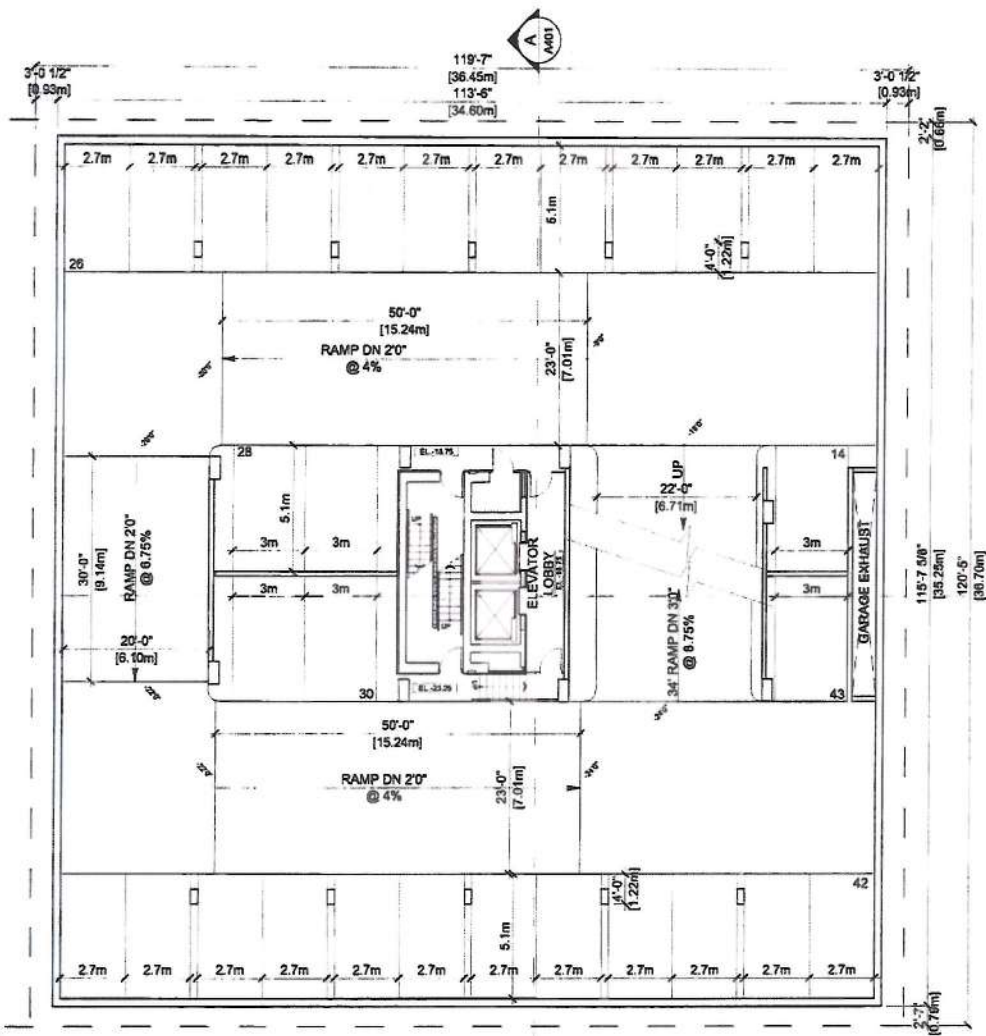
2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISION
6 FEB 14 ADDITIONAL INFO
19 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
16 APR 14 RESUBMISSION

PARKING
P2
PLAN

1/16" = 1'-0"



A.201



PARKING P2
13 125 ft²



DATE: 2014/01/20 11:00 AM 1/16" = 1'-0"

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Project #
213029.1

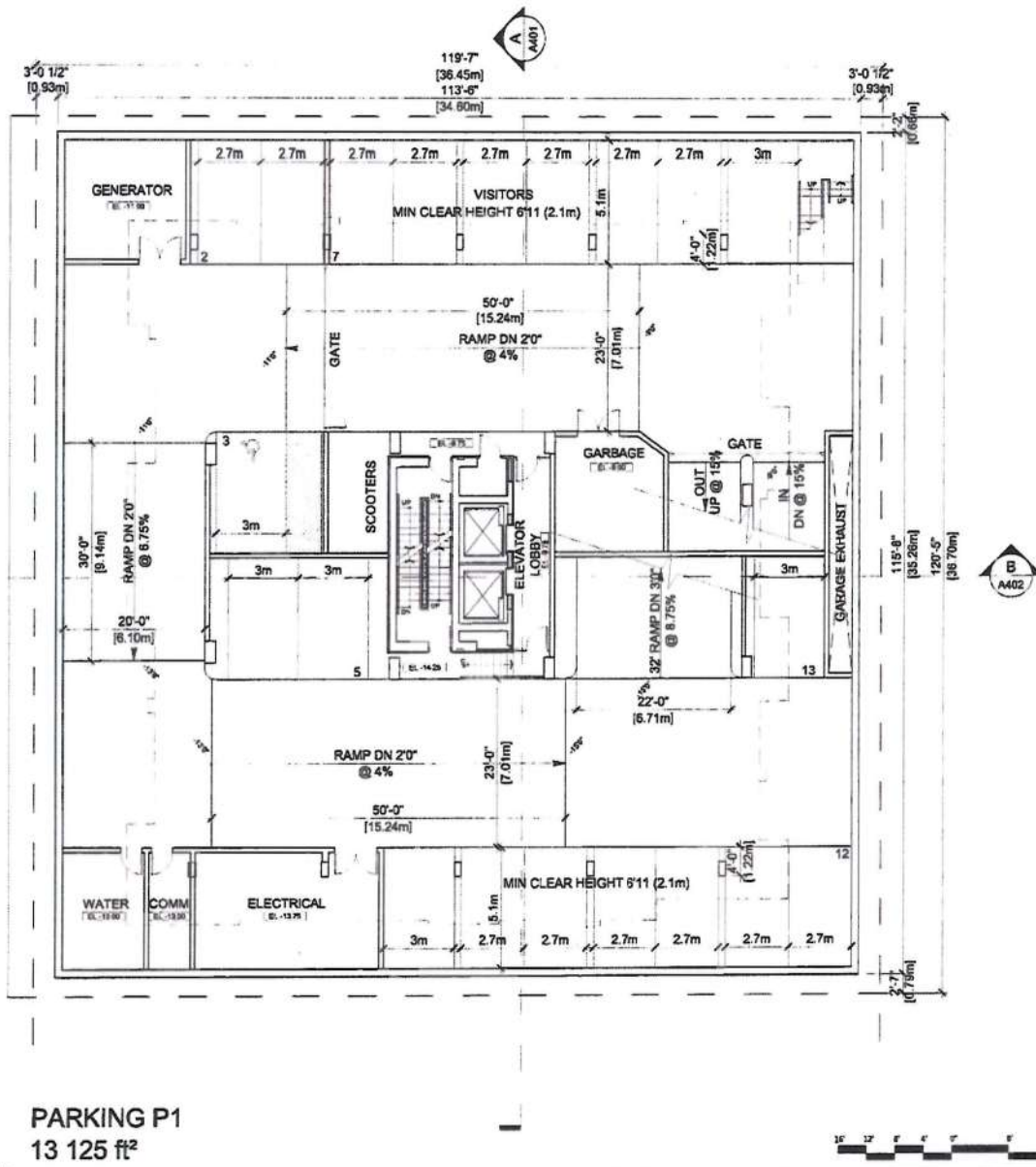
2 DEC 13 DP SUBMITTAL
20 JAN 14 DP REVISION
6 FEB 14 ADDITIONAL INFO
10 FEB 14 ADP SUBMITTAL
17 MAR 14 ADP RESPONSE
18 APR 14 RESUBMITTAL

PARKING
P1
PLAN

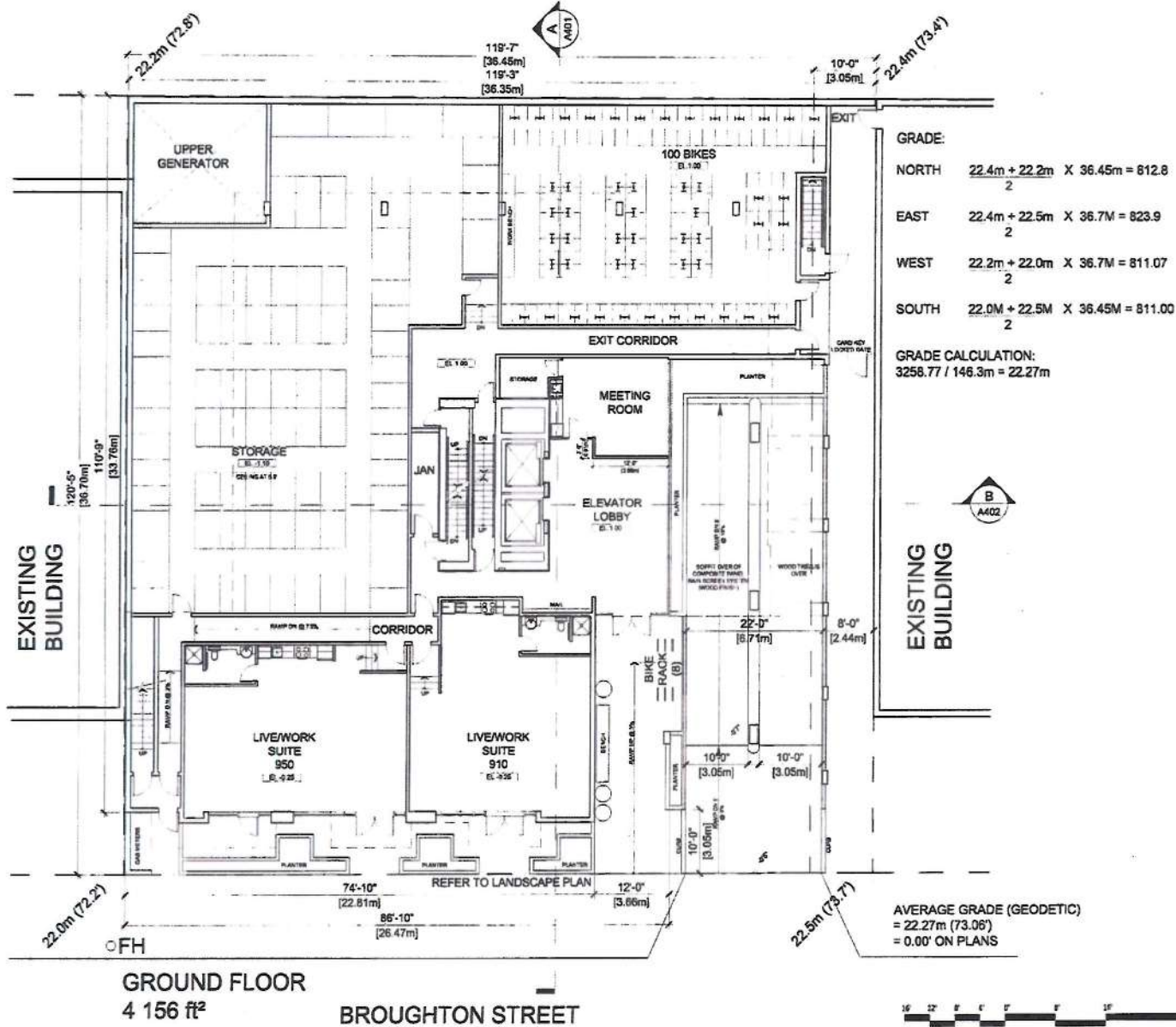
1/16" = 1'-0"



A.202



PARKING P1
13 125 ft²



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Project #
213029.1

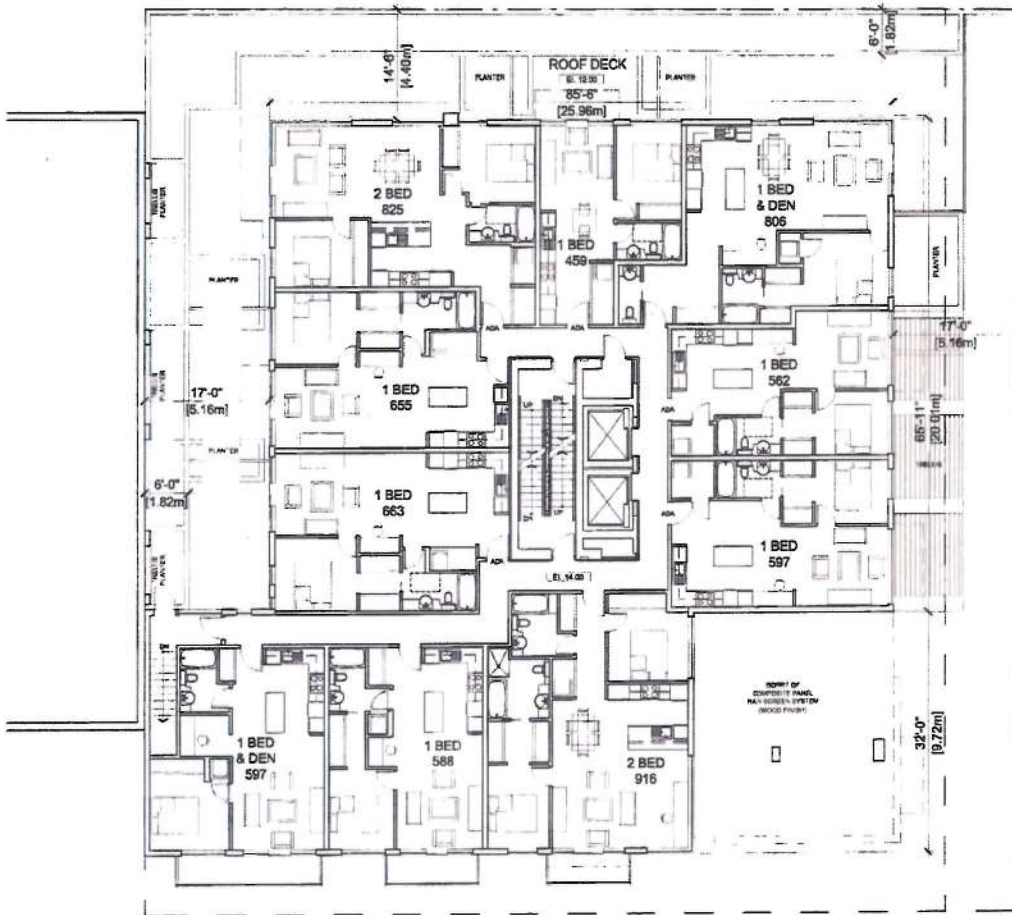
2 DEC 23 OP SUBMISSION
28 MAR 14 OP REVISIONS
6 FEB 14 ADDITIONAL INFO
19 FEB 14 ADD SUBMISSION
17 MAR 14 ADD RESPONSE
16 APR 14 RESUBMISSION

GROUND
FLOOR
PLAN

1/16" = 1'-0"

1

A.203



SECOND FLOOR
7 647 ft²



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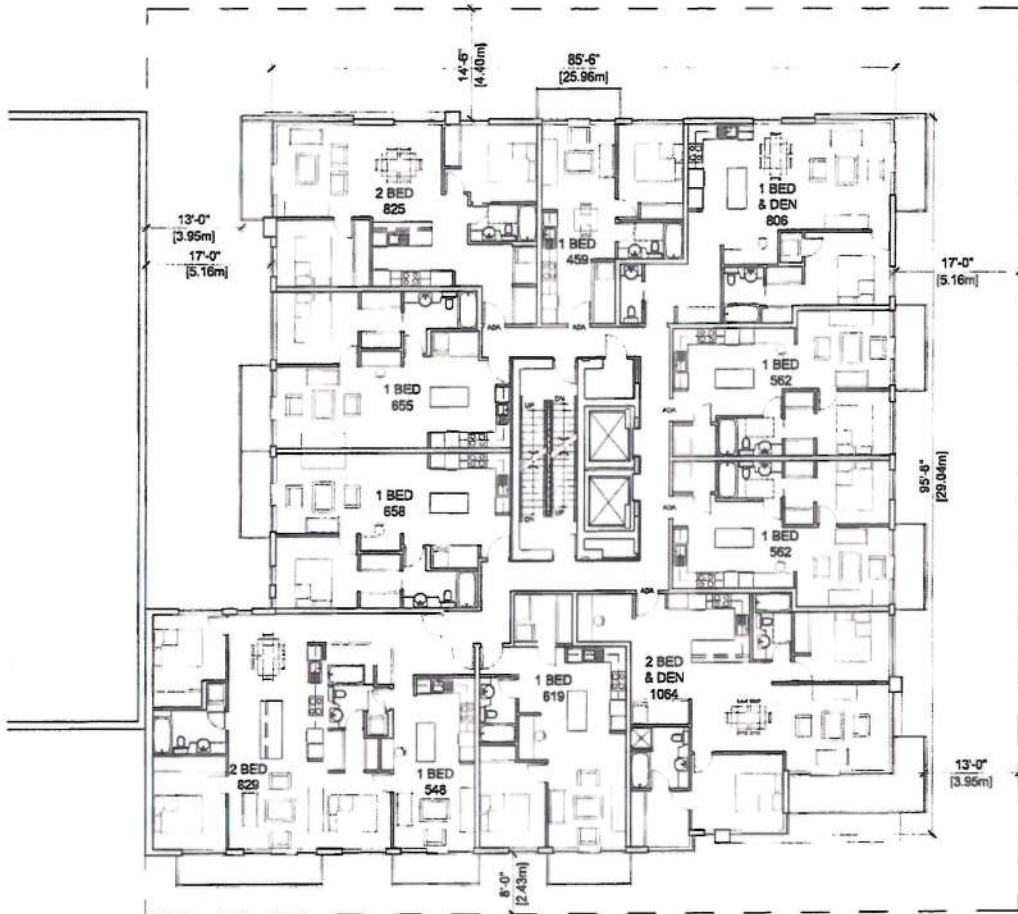
Project #
213029.1

2 DEC 13 UP SUBMISSION
28 MAR 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
20 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
26 APR 14 RESUBMISSION

SECOND
FLOOR
PLAN

1/16" = 1'-0"

A.204



THIRD & FOURTH FLOOR
8 339 ft²



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VICTORIA, BC

Project #
213029.1

2 DEC 13 DP SUBMITTAL
25 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
15 FEB 14 ADP SUBMITTAL
27 MAR 14 ADP RESPONSE
15 APR 14 RESUBMISSION

THIRD&FOURTH
FLOOR
PLAN

1/16" = 1'-0"



A.205



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Project #
213029.1

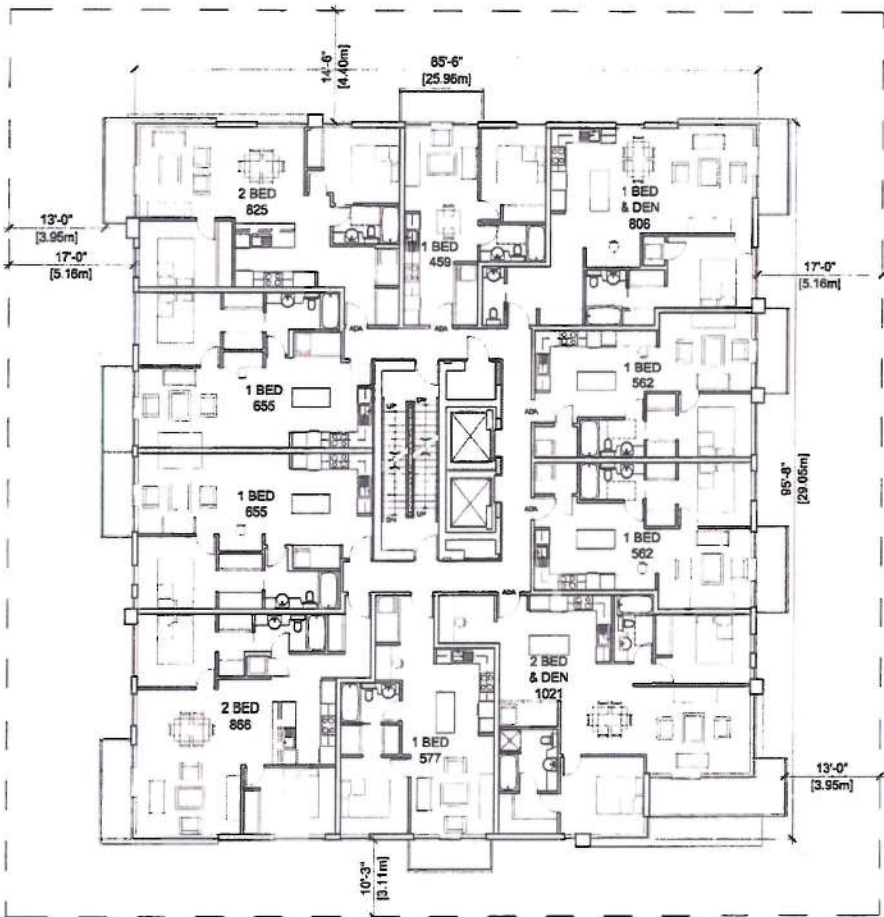
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26 JAN 34 DP REVISION
6 FEB 34 ADDITIONAL INFO
19 FEB 34 ADP SUBMISSION
17 MAR 34 ADP RESPONSE
10 APR 34 RESUBMISSION

TYPICAL
FLOOR
PLAN

1/16" = 1'-0"



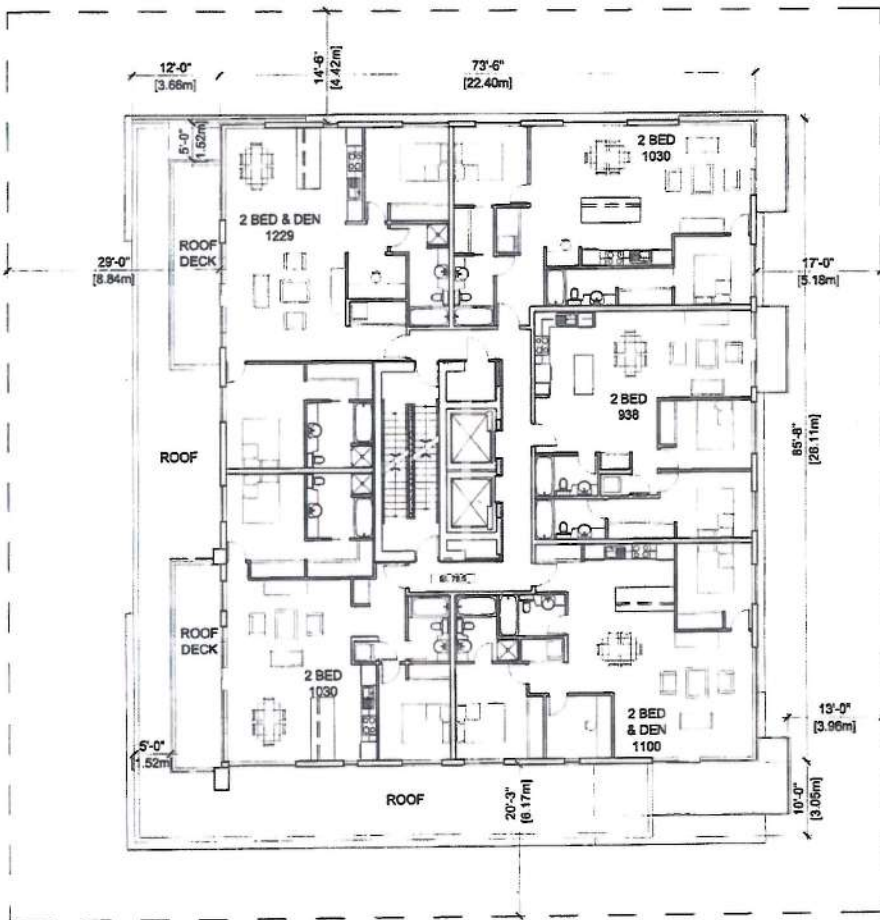
A.206.2



SIXTH TO EIGHTH FLOOR
7 688 ft²



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NINTH FLOOR
5 953 ft²



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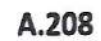
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213029.1

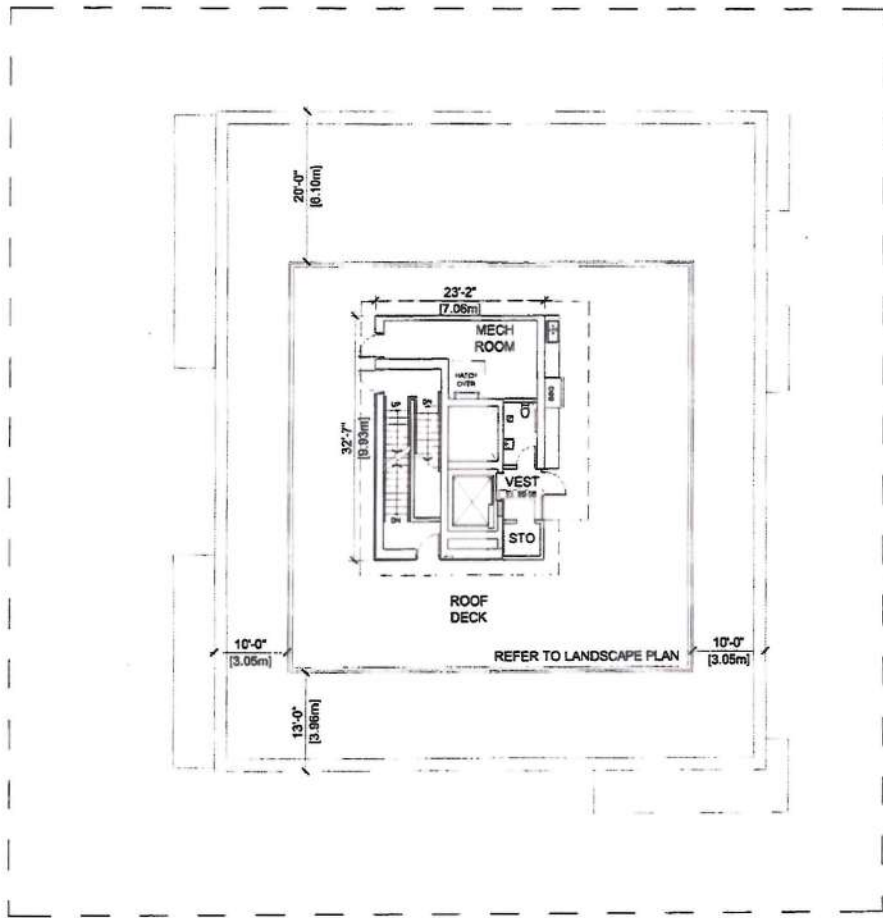
2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
10 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
16 APR 14 RESUBMISSION

NINTH
FLOOR
PLAN

1/16" = 1'-0"

A.207





ROOF DECK
536 ft²



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Project #
213029.1

2 DEC 13 GP SUBMISSION
28 JAN 14 GP REVISIONS
6 FEB 14 ADDITIONAL INFO
19 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
16 APR 14 RESUBMISSION

**ROOF
DECK
PLAN**

1/16" = 1'-0"



A.209

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Project #
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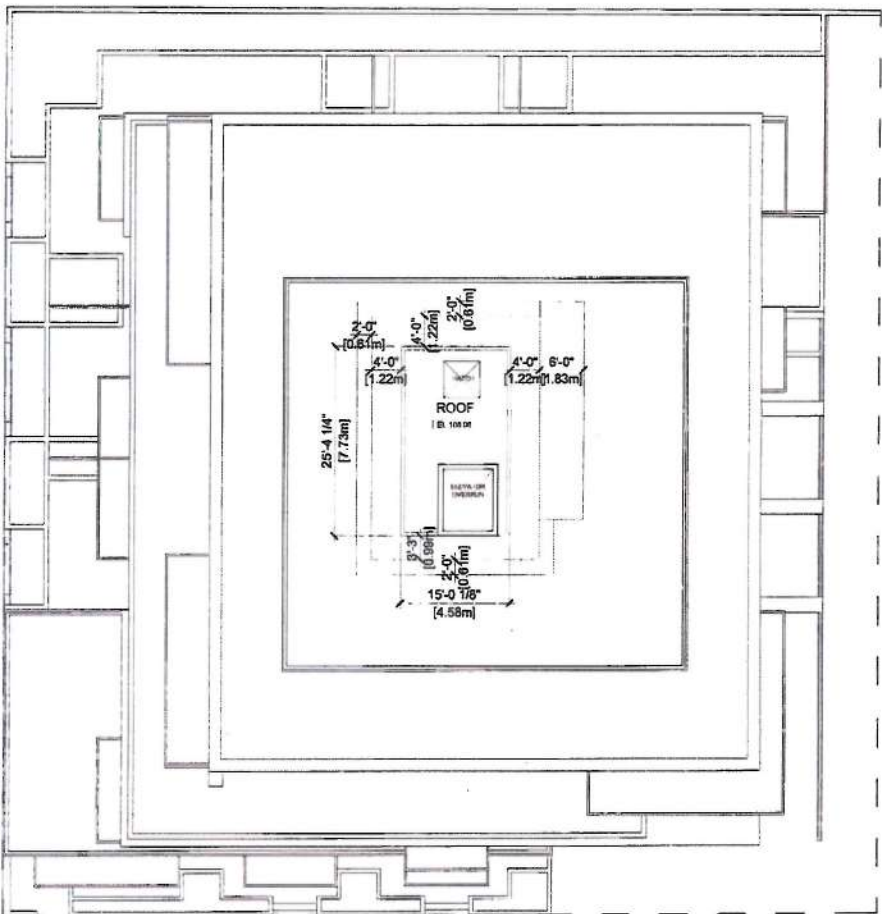
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26 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
15 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
15 APR 14 RESUBMISSION

ROOF
PLAN

1/16" = 1'-0"



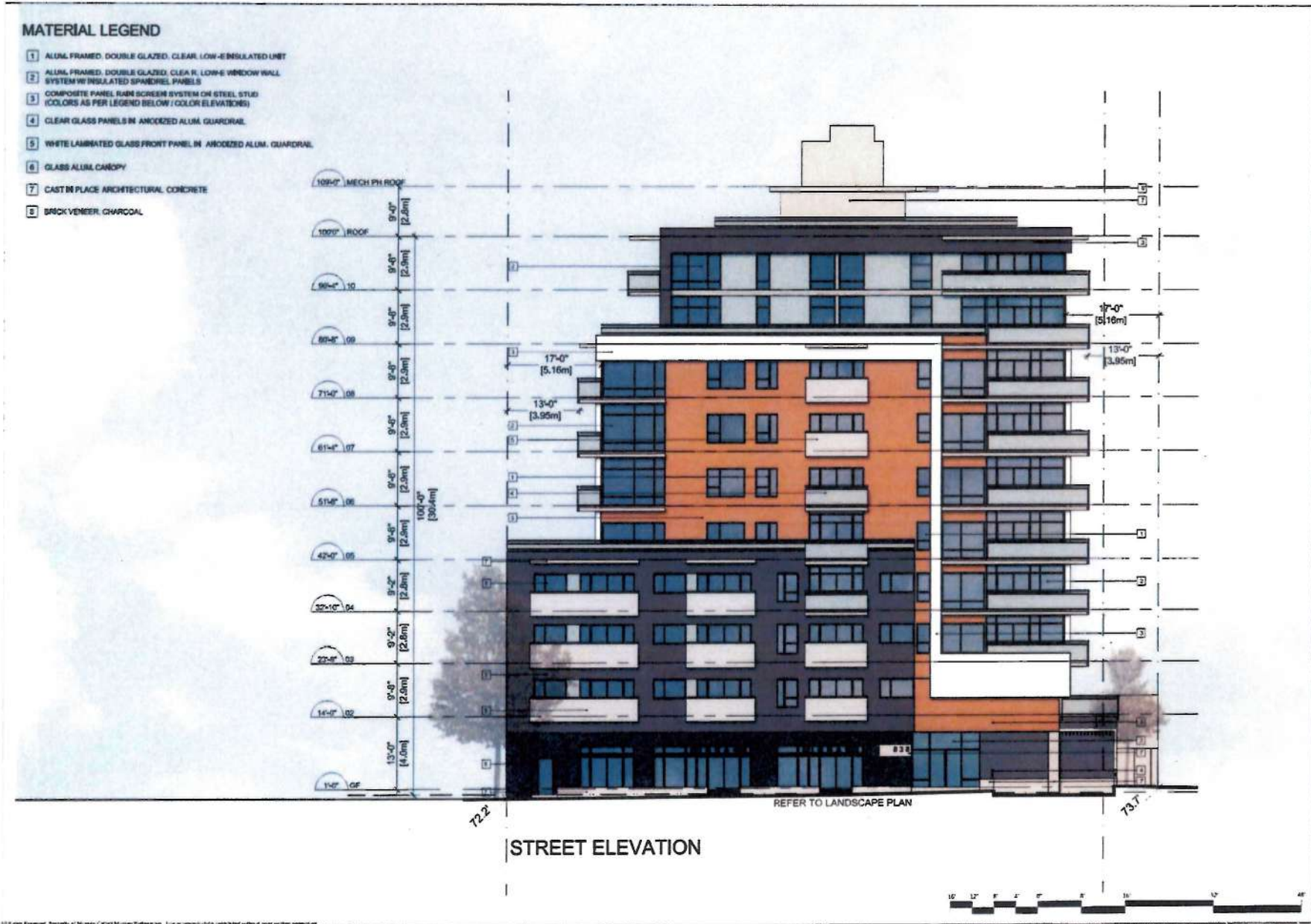
A.210



ROOF PLAN



\\musson\proj\2013\213029\213029.dwg (1:16) 15 APR 2014 11:04 AM | MCM



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Project #
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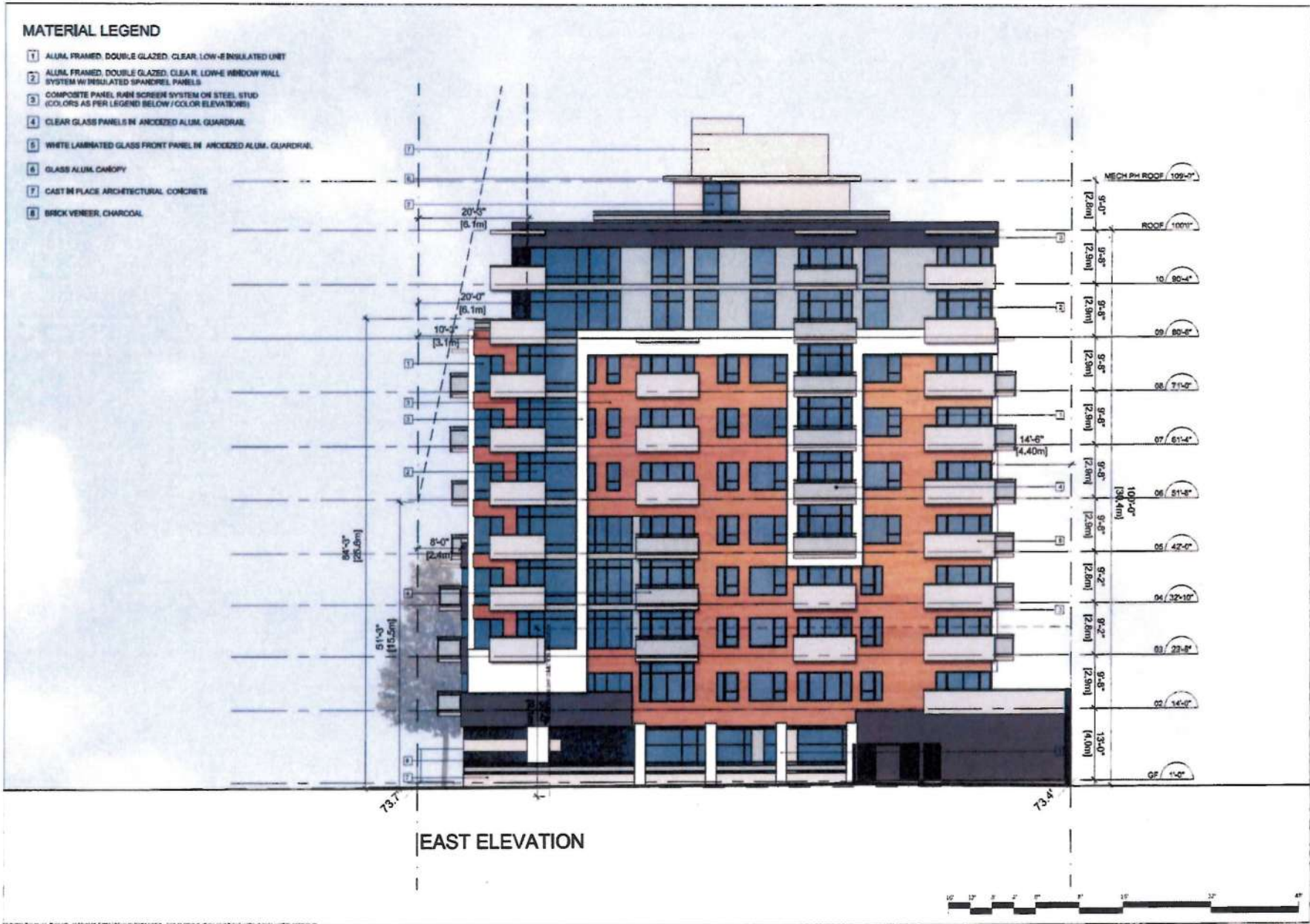
2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
19 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
16 APR 14 RETURN/REVISION

**SOUTH
ELEVATION**

1/16" = 1'-0"



A.301



M C M

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Project #
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2 DEC 13 DP SUBMISSION
20 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
19 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
16 APR 14 REVISIONS/NOTES

**EAST
ELEVATION**

1/16" = 1'-0"

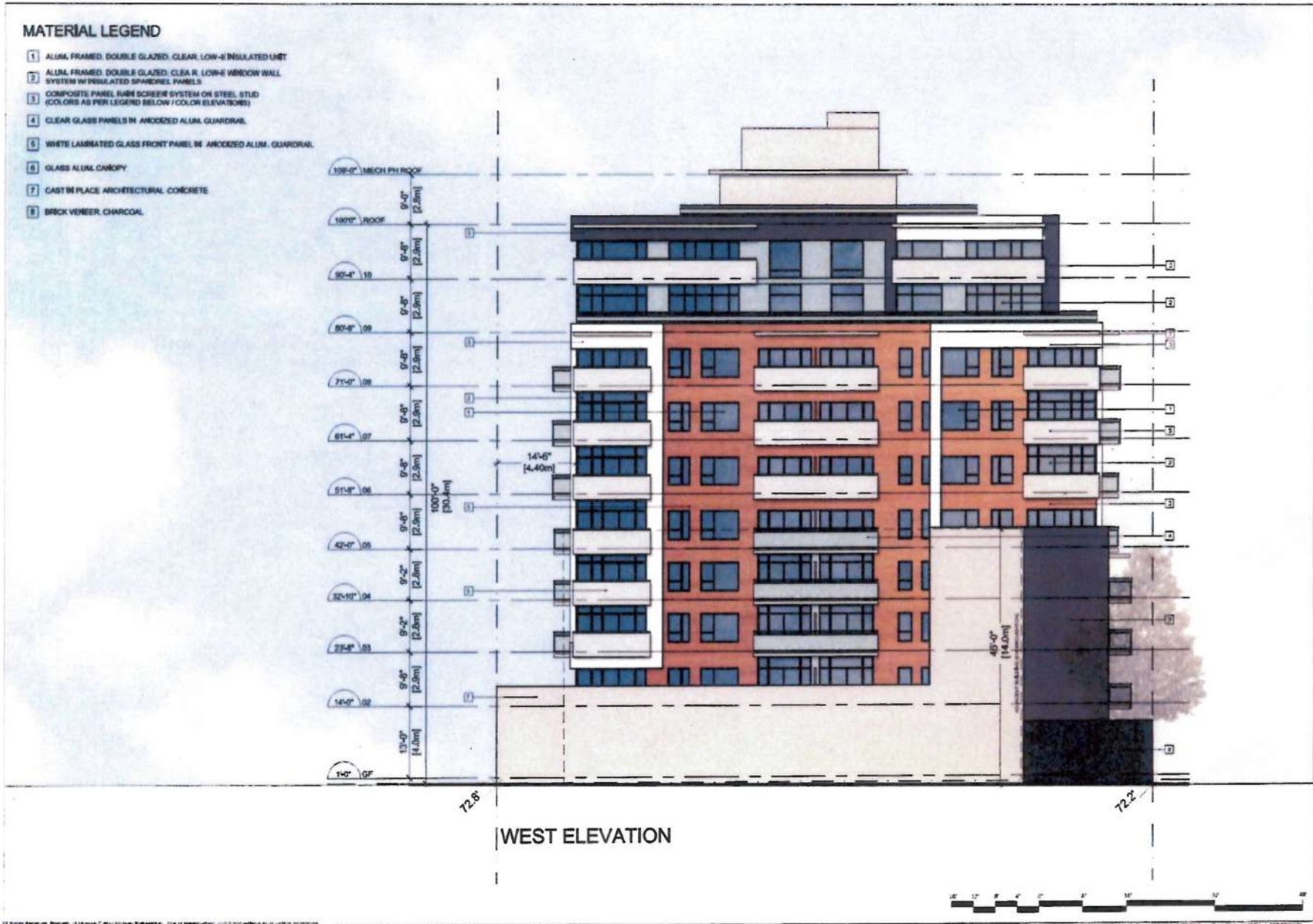


A.302

- 1 ALUM. FRAMED, DOUBLE GLAZED, CLEAR LOW-E INSULATED UNIT
- 2 ALUM. FRAMED, DOUBLE GLAZED, CLEAR LOW-E WINDOW WALL SYSTEM WITH INTERIOR GLAZED SPIGOT PANEL
- 3 COMPOSITE PANEL WITH SCREEN SYSTEM ON STEEL STUD (COLORS AS PER LEGEND BELOW / COLOR ELEVATIONS)
- 4 CLEAR GLASS PANELS IN ANODIZED ALUM. GUARDRAIL
- 5 WHITE LAMINATED GLASS FRONT PANEL IN ANODIZED ALUM. GUARDRAIL
- 6 GLASS ALUM. CANOPY
- 7 CAST IN PLACE ARCHITECTURAL CONCRETE
- 8 BIRCH VENEER, CHARCOAL



Planning and Land Use Committee - 29 Jan 2015



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Project #
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2 DEC 13 DP SUBMISSION
20 MAR 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
15 FEB 14 ADP SUBMITTAL
17 MAR 14 ADP RESPONSE
16 APR 14 RESUBMITTAL

**WEST
ELEVATION**

1/16" = 1'-0"



A.304



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Project #
213029.1

2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
19 FEB 14 ADP SUBMISSION
17 MAR 14 ADP RESPONSE
16 APR 14 RESUBMISSION

STREETSCAPE

N.T.S.

A.305



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Project #
213029.1

2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISIONS
6 FEB 14 ADDITIONAL INFO
19 FEB 14 ADP SUBMISSION
27 MAR 14 ADP RESPONSE
16 APR 14 RESUBMISSION

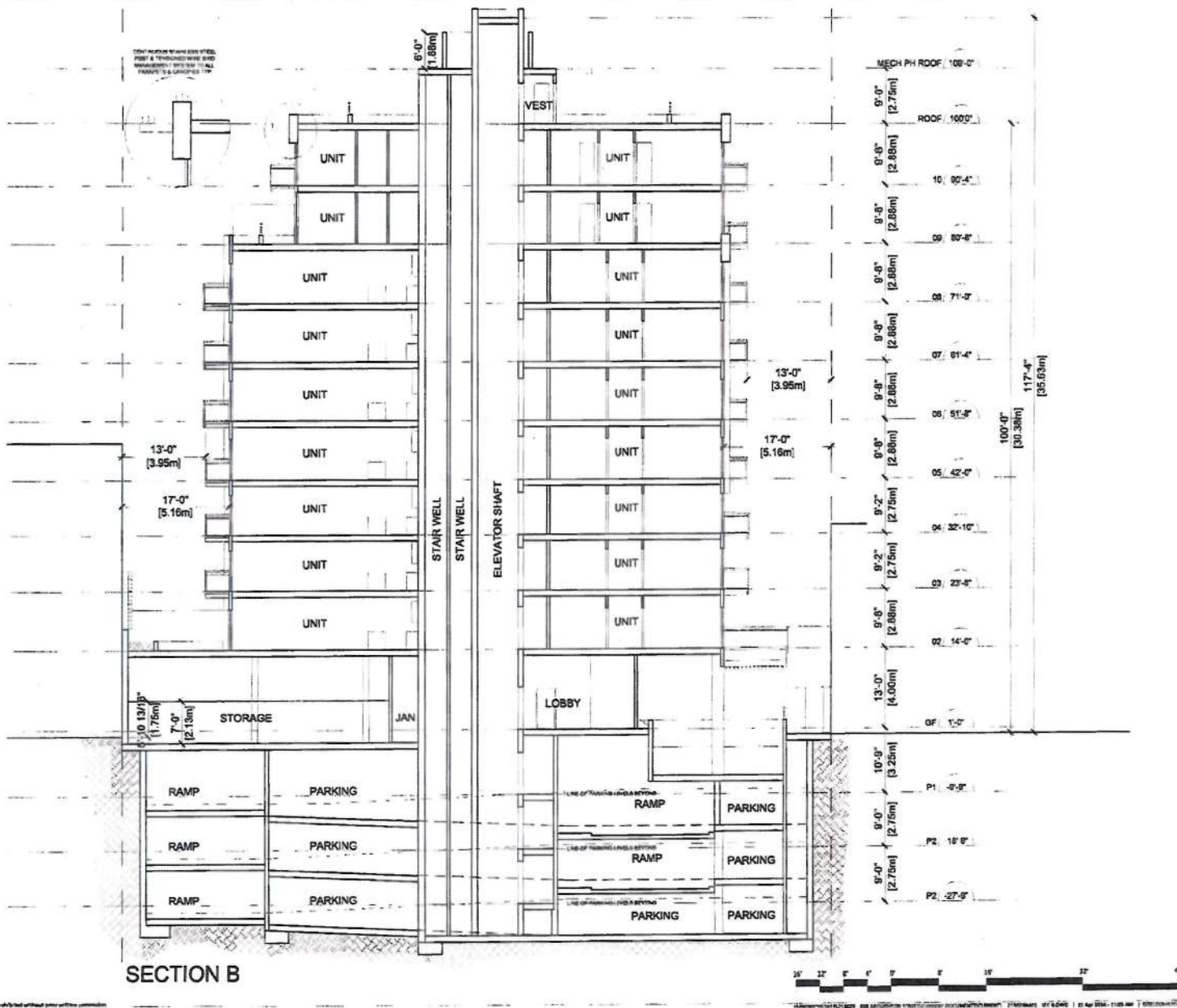
STREET VIEW

N.T.S.



A.306





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BROUGHTON ST
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Project #
213029.1

2 DEC 13 OP SUBMISSION
28 JAN 14 OP REVISIONS
6 FEB 14 ADDITIONAL INFO
10 FEB 14 ADD SUBMITTALS
17 MAR 14 ADD RESPONSE
16 APR 14 RESUBMISSION

SECTION B

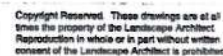
1/16" = 1'-0"



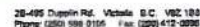
A.402

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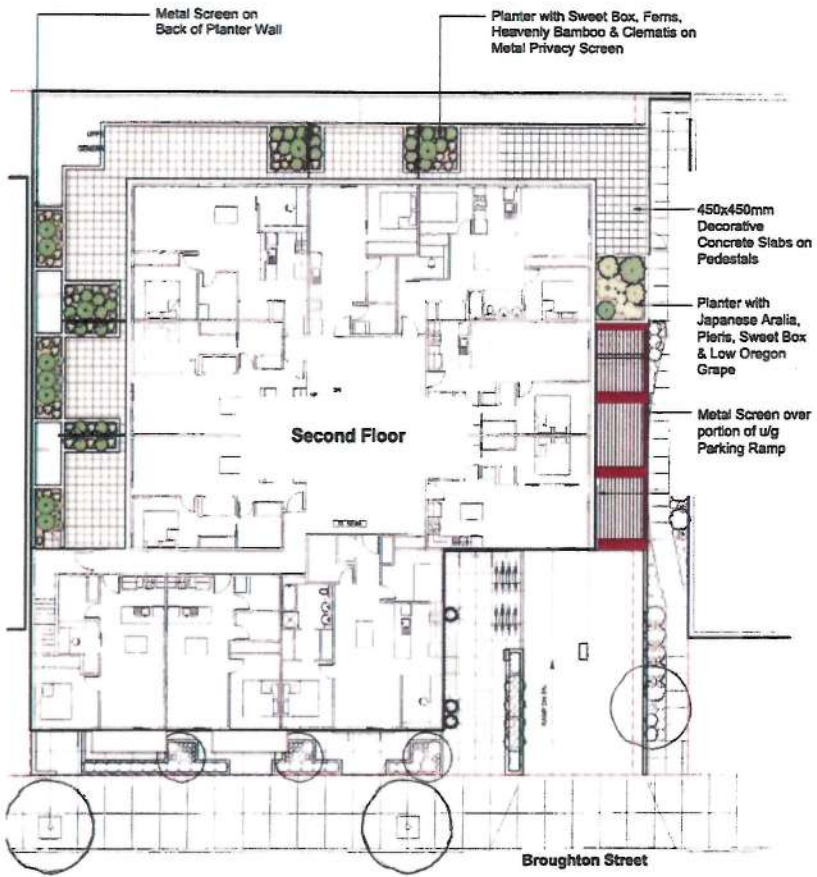
**Black Press
Building**



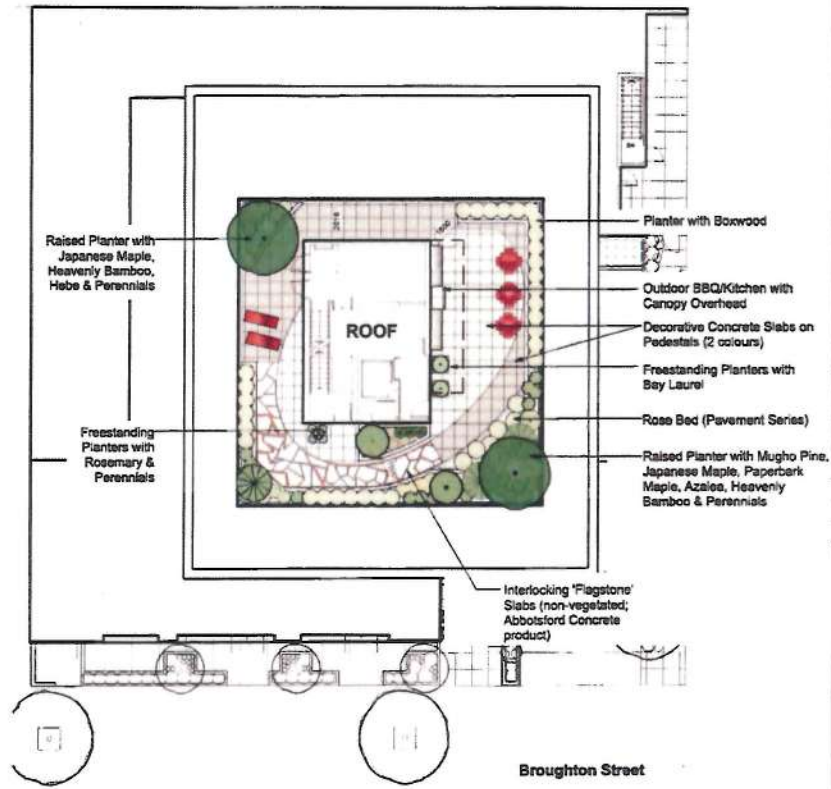
REVIEWS



DATE L1 of 2
Nov 26-13



Second Floor Plan



Roof Garden

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REVISIONS		
C	Mar 17-14	ADP Response
B	Jan 27-14	Issued for DP
A	Nov 27-13	Issued for DP

28-495 Dupont Rd. Victoria B.C. V8T 1B8
Phone: (250) 586-0105 Fax: (250) 412-0990

PROJECT
838 Broughton Street
Victoria, BC

TITLE
Landscape Concept Plan
Second Floor & Roof

SCALE
3/32"=1'-0"

PROJECT NO
1325

DATE
Nov 24-13

DRAWN
NW/BW

L2 of 2
SHEET



REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – February 20, 2014

1. Rezoning Application # 00425 for 836 and 838 Broughton Street

It was moved by Councillor Helps, seconded by Councillor Alto, that Council authorize that:

1. Rezoning Application # 00425 for 836 and 838 Broughton Street proceed for consideration at a Public Hearing, subject to:

- a. Provision of a third-party land lift analysis that justifies any increase in density that exceeds the floor space ratio of 3:1 FSR contribution of 25% of the value of any identified land lift being made to the Downtown Core Area Public Realm Improvement Fund (25%) and the Downtown Heritage Building Seismic Upgrade Fund (25%) to be secured to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
- b. Preparation of a *Zoning Regulation Bylaw* amendment to accommodate the proposal;
- c. Preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.
- d. Preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works for sewage attenuation to mitigate the impact of increased density.

2. Review by the Advisory Design Panel of Development Permit Application # 000377 prior to Council considering issuing the permit with special attention to the proposal's street relationship and contextual fit.

3. Following consideration of Rezoning Application # 00425, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

Carried Unanimously

Council meeting
February 27, 2014

VICTORIA ADVISORY DESIGN PANEL
MINUTES OF FEBRUARY 26, 2014
COMMITTEE ROOM #1

PRESENT

Suzanne Christensen
Barry Cosgrave
Gregory Damant
Brad Forth
Karen Hillel
Charles Kierulf
Christine Lintott

STAFF

Mike Wilson, Senior Planner – Urban Design
Helen Cain, Senior Planner

REGRETS

Rod Windjack (Chair)
Shawn McIntyre

CALL TO ORDER

Ms. Suzanne Christensen (Chair): Called the meeting to order at 12:05 p.m. and welcomed meeting participants.

MINUTES

MOVED / SECONDED

That the minutes of the November 27, 2013 meeting be **APPROVED** as circulated.

CARRIED

APPLICATION

**836-838 Broughton Street
Development Permit Application #000337**

The proposal is to construct an 11-storey, 84-unit residential building with three levels of underground parking.

Applicant Meeting attendees:

Dave Chard, Chard Development Ltd.
Graeme Clendenan, Chard Development Ltd.
Bev Windjack, LADR Landscape Architects
Mark Whitehead, Musson Cattel Mackey Partnership

Helen Cain provided the Panel with a brief introduction of the application and the areas of the project that Council was seeking advice on.

Recommendation:

MOVED / SECONDED

1. That Advisory Design Panel recommend to Council that Development Permit Application #000337 be approved subject to:
 - Addressing CPTED issues within the east side yard walkway
 - Ensuring that the concrete finish on the lower levels is of a high quality
 - Ensuring visible finishes within the parkade ramp are finished with high quality materials
 - Ensuring that there is adequate wheelchair accessibility particularly for at grade units facing Broughton Street and the rooftop patio space.
2. That the City consider a more liberal interpretation of the applicable design guidelines with respect to building height to allow for a taller ground floor.

CARRIED Unanimously.

Meeting adjourned at 1:35 pm.



LAND ECONOMISTS — DEVELOPMENT STRATEGISTS

March 25th, 2014

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

Re: 838 Broughton Street Amenity Contribution Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete an Amenity Contribution Analysis for the rezoning of 838 Broughton Street (hereafter referred to as 'the Site') in order to determine an estimate of potential fees that could be collected for public amenities from the lift in land values created from rezoning the Site.

Specifically, GPRA has been retained to determine the potential lift in land value from the current OCP designation allowing for development of mixed residential and commercial to a density up to 3.0 FSR to a new zone that would allow for development up to 5.0 FSR for a mix of residential strata apartments, with the capacity for ground level commercial/live-work uses.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the site assuming it already had the new zoning for 5.0 FSR under current market conditions, as well as to determine the value that could be afforded if developed under the current OCP. GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the new zoning. The 'Lift' is then calculated as the difference in residual land values under both current OCP designation and the proposed new zoning/density.

METHODOLOGY & ASSUMPTIONS

The Site is 1,338 square metres in area and can be developed under the OCP for a mix of ground floor commercial with residential above at a density up to 3.0 FSR. However, GPRA has run analysis of a 3.0 FSR project in concrete construction and found that it would not be economically viable for a developer to pursue. As well GPRA has doubts that one could accommodate 3.0 FSR in density in a wood frame project on the Site. As such we have consulted with Chard Development and determined that a wood frame building at 2.45 FSR would be possible on the site. Chard has provided GPRA with a rough plan for this option which has commercial at grade with strata residential above. Proposed new zoning would see 6,686 square metres of GBA, comprised of 6,508 square metres of strata apartments, and 178 square metres of ground floor commercial/live-work space.

11780 Hammersmith Way, Richmond, B.C. V7A 5E9 * Tel. (604) 277-1291 * Fax. 1-866-366-3507
www.RolloAssociates.com * E-Mail: gerry@rolloassociates.com



The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For these analyses GPRA has determined the residual value based on the developer achieving an acceptable profit of 15% on total project costs (calculated as a representative portion of overall project costs for the proposed development). The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

The residual land value determined from this analysis is then compared to the value of the site under the current OCP to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Significant off-site costs identified by the proponent that would need to be provided by this development as rezoned include costs for burying electrical along Broughton Street, sewer attenuation on site, and underpinning agreements for adjacent properties.¹ Any additional improvements that would be required only from the proposed rezoning to 5.0 FSR and not from the 2.45 FSR base analysis would impact the lift and would need to be identified, priced, and included in the analysis. However, there are no additional improvements of this sort anticipated at this time.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that the City has determined that they will seek 25% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. For the OCP analysis GPRA also reviewed wood frame project pricing within the same general radius. Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.

¹ Additional costs have been relayed via Chard Development and include \$200,000 for Hydro costs and \$98,300 for additional sewer attenuation costs which would be incurred in the proposed 5 FSR project but would not be in the 2.45 FSR base.



CONCLUSIONS & RECOMMENDATIONS

As stated previously, any added costs from redeveloping and rezoning the Site that have not been identified and included in this analysis that would only be incurred from rezoning as proposed rather than in the rezoning to the 2.45 FSR base would reduce the lift on the Site from rezoning.

GPRA identifies the lift on the 838 Broughton Site from rezoning as being roughly \$39,000 when using a base FSR of 2.45.

As indicated above it is our understanding that the City would be seeking 25% of the lift in value, which would be approximately \$10,000 using the OCP as a base value with a developer building a 2.45 FSR mixed use development.

I trust that our work will be of use in the City's determination of the Amenity Contribution they will seek as part of rezoning 838 Broughton Street. I am available to discuss this further at your convenience.

A handwritten signature in black ink, appearing to read "Gerry Mulholland".

Gerry Mulholland | Vice President
G.P. Rollo & Associates Ltd., Land Economists
T 604 277 1291 | M 778 772 8872 |
E gerry@rolloassociates.com | W www.rolloassociates.com



Planning and Land Use Committee Report

Date: February 7, 2014 **From:** Helen Cain, Senior Planner
Development Services

Subject: **Rezoning Application #00425 and Development Permit Application #000337 for 836 and 838 Broughton Street** - Applications to rezone lands to increase density and to construct an 84 unit residential mixed-use building

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit Application for the properties at 836 and 838 Broughton Street. These properties are located in the CHP-CR Zone (Cathedral Hill Precinct Commercial Residential District), which permits a maximum floor space ratio (FSR) of 2.0:1 for a multiple dwelling. The applicant proposes to rezone to increase the density to 5:1 FSR, and to construct an 84-unit residential mixed-use building with underground parking.

The following points were considered in assessing this application:

- The proposal is generally consistent with land use policies and design guidelines in the Official Community Plan, 2012 (OCP) and the applicable local area plans for the Downtown Core Area and Cathedral Hill Precinct.
- While the Downtown Core Area Plan includes the subject site in the "special density area," where there is no prescribed maximum density, the OCP identifies a base of 3:1 FSR and notes that up to approximately 5:1 FSR is supportable where a proposal significantly advances the OCP objectives. Accordingly, the applicant should provide a justification for the increased density from 3:1 FSR to 5:1 FSR.
- Although the proposal is largely consistent with the relevant design guidelines, it would benefit from further design revisions to ensure a positive street relationship is achieved.

Staff support this application advancing for consideration at a Public Hearing subject to the conditions outlined in the recommendation below.

Recommendations

1. That Rezoning Application #00425 for 836 and 838 Broughton Street proceed for consideration at a Public Hearing, subject to:
 - (a) provision of a third-party land lift analysis that justifies any increase in density that exceeds the floor space ratio of 3:1 FSR with a contribution of 75% of the value of any identified land lift being made to the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Building Seismic Upgrade Fund (25%) to be secured to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;

Planning and Land Use Committee

February 7, 2014

Rezoning Application #00425 and Development Permit Application #000377
for 836 and 838 Broughton Street

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- (b) preparation of a *Zoning Regulation Bylaw* amendment to accommodate the proposal;
 - (c) preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.
 - (d) preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works for sewage attenuation to mitigate the impact of increased density.
2. Review by the Advisory Design Panel of Development Permit Application #000377 prior to Council considering issuing the permit with special attention to the proposal's street relationship and contextual fit.
3. Following consideration of Rezoning Application #00425, that Council authorize the issuance of a Development Permit for 836-838 Broughton Street, in accordance with:
 - (a) plans stamped Development Permit #000377 dated January 28, 2014;
 - (b) development meeting all *Zoning Regulation Bylaw* requirements;
 - (c) final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Following consideration of Rezoning Application #00425, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

Respectfully submitted,

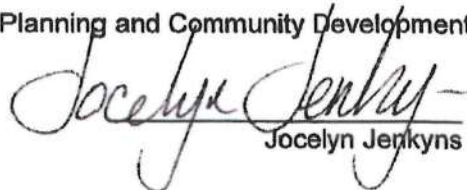


Helen Cain
Senior Planner
Development Services



Deb Day
Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Jocelyn Jenkyns

HC/ljm

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1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit Application for the properties at 836 and 838 Broughton Street.

2.0 Background

2.1 Description of Proposal

The applicant proposes to rezone the property at 836 and 838 Broughton to permit increased density, from the maximum for a multiple dwelling of 1.2:1 FSR in the existing CHP-CR Zone (Cathedral Hill Precinct Commercial Residential District) to 5:1 FSR. The proposal is for a multi-unit building with two units along the street frontage that would be either live-work, or commercial office or retail, and approximately 82 residential apartments on upper storeys. It is intended that the building be held in strata ownership.

The proposed development, urban design, architecture and landscape include the following details:

- mid-rise building form with primary and secondary street walls along the front (Broughton Street) elevation, and all parking underground
- siding: brick veneer (charcoal) at building base along primary street wall and architectural concrete panels in four colours for secondary street wall (brown), tertiary building face (light grey and dark grey), and accent line feature (white)
- windows and doors: aluminum windows and aluminum sliding doors to balconies, front patios, and roof decks on third and ninth floors; and balcony inset panels in combination of clear and white opaque glazing
- hardscape: mix of decorative and coloured concrete surfaces along frontage and pathway from street to the main building entrance
- trees and plantings: two new street trees and eight new trees on site with shrubs and groundcover along the primary street wall, within the east setback and vines overhanging the ramp to underground parking
- 82 vehicle parking stalls
- 100 Class One bike storage spaces.

2.2 Land Use Context

The subject property is located in north Fairfield and in an area of transition three blocks from the south boundary of the Downtown Core Area. Residential, residential mixed use and commercial development of medium-to-high density are appropriate in this area, where the existing place character includes low-rise commercial buildings, public buildings (Royal Theatre), community facilities (YMCA), and surface parking. Currently, the properties are used for surface parking.

2.3 Community Consultation

The applicant consulted with the Fairfield Gonzales Community Association Land Use Committee (CALUC) on October 21, 2013. Minutes from the CALUC meeting are attached to this report.

Planning and Land Use Committee
Rezoning Application #00425 and Development Permit Application #000377
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2.4 Existing Site Development and Development Potential

The data table (below) compares the proposal with the existing CHP-CR Zone (Cathedral Hill Precinct Commercial Residential District). The proposed apartment building is less stringent than the standard zone in criteria identified with an asterisk (*) below.

Zoning Criteria	Proposal	CHP-CR Zone
Site area (m ²) – minimum	1337.8	n/a
Total floor area (m ²) – maximum	6686	n/a
Density (Floor Space Ratio) – maximum	5:1*	2:1
Height (m) – maximum	32.9*	22.5
Storeys – maximum	11 (10 storeys for main building, small washroom/storage and stairs associated with roof top access trigger identification of eleventh storey)	n/a
Site coverage (%) – maximum	86	n/a
Open site space (%) – minimum	16	n/a
Setbacks (m) – minimum south (front) north (rear) west (side) east (side)	2.38 Nil (main floor) 4.4 m (building face) Nil (1 st to 4 th floor) 5.1	2 n/a n/a n/a
Parking (stalls) – minimum	82*	115 – if all residential 120 – if ground floor retail
Bicycle storage – minimum	100	85
Bicycle rack – minimum	7	7

2.5 Legal Description

Lot 266 and Lot 267, Victoria City

2.6 Consistency with City Policy

2.6.1 Regional Growth Strategy

The proposal contributes to the *Regional Growth Strategy* goal of adding to the supply of housing within the boundaries of the City.

2.6.2 Official Community Plan, 2012

The proposed development is consistent with land use policies of the *Official Community Plan 2012* (OCP). The properties at 836 and 838 Broughton Street are designated as Core Residential, where the OCP envisions diverse housing types, including low, mid and high-rise multi-unit residential and mixed use, as well as commercial and institutional uses. Heights identified in the OCP in this location are "from three storeys up to approximately 20 storeys". It should be noted, however, that this broad OCP vision for height is more narrowly defined in the *Downtown Core Area Plan, 2011*, detailed in Section 2.6.3 below.

Generally, the OCP envisions a density of 3:1. FSR for those parts of the Core Residential area west of Quadra Street, and this includes the 800-block of Broughton Street. Increased density up to a total of approximately 5:1 FSR may be considered for such locations within the Urban Core, and "where a proposal significantly advances the objectives of this plan". The subject site at 836 and 838 Broughton Street is eligible for bonus density, insofar as these land parcels are located in the Urban Core.

In accordance with the OCP, the new residential mixed-use apartment building is subject to DPA14 Cathedral Hill Precinct. The objectives of DPA 14 are:

4. (a) *To revitalize an area of commercial use through redevelopment of sites including surface parking lots and public realm improvements to increase vibrancy, complement the adjacent Core Business area and strengthen commercial viability.*
- (b) *To enhance the Cathedral Hill Precinct through a high quality of architecture, landscape and urban design that reflects the function of a major residential centre on the edge of the central business district in scale, massing and character, while respecting prominent heritage properties and landmarks.*
- (c) *To recognize the transitional nature of the area between a high density of Downtown and the medium to lower density residential neighbourhood through sensitive infill and the enhancement of streetscapes.*

The proposed development at 836 and 838 Broughton Street is consistent with DPA 14 objectives for redevelopment of parking lots specifically, and overall high-quality design.

2.6.3 Downtown Core Area Plan, 2011 and Cathedral Hill Precinct Plan, 2004

With respect to local area plans, the *Downtown Core Area Plan, 2011* ("DCAP") and the *Cathedral Hill Precinct Plan, 2004* ("CHPP"), apply to the subject site. Within the DCAP, the Core Residential Mixed District (RMD) includes the 800-block of Broughton Street. The latter is both a transitional zone from high-to-medium density, in the "Cross Town Concept", and where height transitions from high-rise to mid-rise buildings in the "Urban Amphitheatre Concept".

The DCAP does not identify a maximum density for Broughton Street between Blanshard Street and Quadra Street because this block is located in the "Special Density Area" where the appropriate density is determined on a site-by-site basis. However, policies in the DCAP for form, massing and design considerations, such as height, serve to shape the potential density of a specific site. For instance, "Map 32 - Maximum Building Heights" identifies a height ceiling for the subject properties of up to 30 m, which is approximately ten storeys for residential buildings, or eight commercial storeys. CHPP similarly identifies height of up to eight storeys for the same block, and "Map 3 - Anticipated Redevelopment" includes the location as a priority for redevelopment.

These DCAP policies should also be considered in review of the proposed rezoning and design:

Residential Mixed-Use District (RMD) - Objectives and Policies

1. *To encourage multi-unit residential development appropriate to the context and function of each neighbourhood and (that) reflects the differences in allowable building heights and density throughout the RMD along with other land uses, public amenities and services that help to develop complete communities.*
2. *To ensure new residential development includes active street-level businesses where appropriate, to provide commercial services and activities and to increase pedestrian activity within the public realm.*
- 3.102 *Ensure that designs for new buildings and improvements to the public realm located along the edges of the RMD consider scale, orientation, setbacks, mass and building height to provide sensitive transitions to surrounding Districts.*

Development Blocks - Policies

- 6.165 *Locate the tallest buildings closer to the middle of the development block, where the development block has an east-west orientation, in order to reduce the potential shading and wind effects on adjacent north-south streets.*

The proposal for a building of maximum height is generally consistent with DCAP Policy 6.165 in terms of the location of the apartment building in the middle of the development block.

2.7 Consistency with Design Guidelines

The proposal is subject to review under DPA 14 Cathedral Hill Precinct. Building form, character, finishes, and landscaping details are controlled and regulated in relation to the applicable guidelines in the *Downtown Core Area Plan, 2011*, and the *Cathedral Hill Precinct Plan, 2004*. The proposal responds well to the design considerations, as summarized below.

2.7.1 Building Separation and Setbacks

The proposed site plan for the residential mixed use development is consistent with the DCAP guidelines for residential building separation distances and setbacks. Buildings that are up to 30 m in height should have a minimum of 3 m setback for side and rear yards, for the upper storeys of the face of the tower; the proposal fully complies with that criteria. It should be noted that Broughton Street fits the category "narrow street" in the DCAP, where the front setback should be less than 3 m in order to create a sense of animation. Here again the proposal is

generally compliant as the main portion of the building has a setback of 2.38 m; the easterly portion of the front façade does not meet this guideline as an area of side yard needs to be maintained in order to accommodate an easement for the neighbouring property; additionally, the main entrance is set further back from the property line.

2.7.2 Building Design

The proposed building is consistent with the heights outlined in the DCAP and the associated maximum height for the specific block of the subject site. The proposal also complies with Appendix 7 "Building Design Guidelines" in the DCAP and its related Policy 6.185 for "street walls and setbacks - narrow streets". Overall, the proposed form and massing is organized to demarcate the building base, body and top. An enhanced street presence could be achieved with further refinement to aspects of the design and architecture in order to foster a more human-scaled design and overall appropriate contextual fit. With respect to technical details for building proportions, the proposed design fully complies with the required width, height and setbacks for primary and secondary street wall, and building face above 20 m.

2.7.3 Building and Street Interface

In the DCAP Appendix 5 "Building and Street Interface Guidelines", this block of Broughton Street is identified as a "commercial street". In these locations, public realm improvements should be designed to relate to adjacent retail, office and mixed-use land uses, and to provide comfortable, safe and animated pedestrian environments. The proposal includes commercial and/or live work uses at grade and this would contribute to street animation in combination with frontage features such as articulation at the building base, multiple entrances, extensive glazing and awnings for weather protection for pedestrians. Also, two new street trees are proposed along with three trees and a row of plantings along the front (south) property line on site.

3.0 Issues

The following issues are associated with these applications:

- increased density within the Core Residential Areas
- commercial use at street level and potential for design refinements
- building height
- parking and traffic
- encroachment agreement for underpinning.

4.0 Analysis

4.1 Increased Density within the Core Residential Areas

The OCP states that new development in locations that are west of Quadra Street may exceed the maximum density of 3:1 FSR prescribed for Core Residential areas with extra density up to 5:1 FSR where a proposal includes features that "significantly advance" the OCP objectives. For instance, the contribution of a public amenity may justify extra density above 3:1 FSR. The proposed development for 836 and 838 Broughton Street has a density of 5:1 FSR. Should Council wish to approve these applications, the applicant should justify the proposed land lift from the base density of 3:1 FSR envisioned in the OCP for Core Residential areas located west of Quadra Street to permit the increased density of 5:1 FSR, representing 2:1 FSR of bonus density.

The applicant has submitted a letter dated February 3, 2014 (attached) indicating that they have voluntarily undertaken a third-party land lift analysis to quantify the value (if any) of the land lift. They have also requested in this letter that if it is determined that there is value gained from the land lift, that instead of the City's standard requirement to secure 75% of this value, that it be reduced to 25%. This request is based on the policy that applies to a portion of the Central Business District (CBD) between Blanshard and Douglas Streets where applications that were made prior to December 31, 2013, would only be required to contribute 25% in order to provide a "phase-in" period. This "phase-in" period was established in recognition of policies contained in the previous *Downtown Plan*, 1990, that applied to this area and supported higher densities for certain types of development. This property is located outside this area but the application was submitted to the City on December 3, 2013. An alternate motion that would reflect this request is presented later in this report as Option Two.

Additionally, a Section 219 Covenant for sewage attenuation is required for infrastructure improvements to support the proposed increase in density from the 2:1 FSR maximum for multiple dwellings, in the existing zoning entitlement, to 5:1 FSR. Wording to capture this requirement is provided in both Options One and Two of this report.

4.2 Commercial Use at Street Level and Potential for Design Refinements

The applicant is proposing that two units at grade would be either "live/work" or be used as commercial space such as office or retail. Given that the 800-block of Broughton Street is categorized as a "commercial street" in the DCAP, the proposed mixed-use development is supportable, but the custom zone would need to be flexible in the permitted uses.

The project may benefit from further consideration of the design of the lower levels adjacent to the street in order to help ensure that a positive street presence is fostered. In particular, review of the lower level design, architectural features, entries, windows and materials would be useful. The staff recommendation contains language referring the application to Advisory Design Panel in order to get further input on these aspects of the proposal.

4.3 Building Height

The proposal is technically considered an eleven storey building because of a washroom, storage area and stairs associated with a roof top deck. These features are connected with the elevator shaft and mechanical apparatus which are normally exempted from the definition of a storey. Given the small area dedicated to these features, this "eleventh storey" will read as part of the mechanical penthouse, giving the building the overall appearance of a ten storey building. If Council chooses to advance the proposal for further consideration at a Public Hearing, the zoning bylaw amendments would be drafted to capture this limitation.

This height is appropriate to the mid-block location of the subject site and would help to create a new place character of mid-to-high rise building forms within the south edges of the Urban Core. While the residential mixed-use development would be a "tower", its height and scale would be modest in relation to Yates Street and Douglas Street, where the DCAP envisions the apex of the skyline to have built forms rising to 20 storeys.

4.4 Parking and Traffic

The applicant provided a Traffic and Parking Study which has been reviewed by the Transportation Section of the Engineering and Public Works Department. This study provided useful data, enabling staff to better understand the potential impacts of the proposed development and to plan for eventual improvements and changes that will be required, in due course, to ensure that traffic is managed in an effective manner. In terms of parking requirements, the study also bore out that the proposed total number of parking stalls, although slightly less than what is required in Schedule C of the *Zoning Regulation Bylaw* is acceptable. Additionally, the applicant has provided more than the required bicycle storage facilities.

4.5 Encroachment Agreement for Underpinning

With any project of this scale that has small setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the public right-of-way. The resulting material (typically rock anchors) presents no concerns to the public interest and do not impact underground infrastructure, however an Encroachment Agreement between the City and the developer is required. The staff recommendation includes direction to allow staff to enter into such an agreement, if the rezoning application is approved by Council and if it is deemed necessary to facilitate the construction of the project.

5.0 Resource Impacts

There are no resource impacts that are associated with this development.

6.0 Options

Option One: (Staff Recommendation)

1. That Rezoning Application #00425 for 836 and 838 Broughton Street proceed for consideration at a Public Hearing, subject to:
 - (a) provision of a third-party land lift analysis that justifies any increase in density that exceeds the floor space ratio of 3:1 FSR with a contribution of 75% of the value of any identified land lift to be made to the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Building Seismic Upgrade Fund (25%) to be secured to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - (b) preparation of a Zoning Regulation Bylaw amendment to accommodate the proposal;
 - (c) preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.
 - (d) preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works for sewage attenuation to mitigate the impact of increased density.

2. Review by the Advisory Design Panel of Development Permit Application #000377 prior to Council considering issuing the permit with special attention to the proposal's street relationship and contextual fit.
3. Following consideration of Rezoning Application #00425, that Council authorize the issuance of a Development Permit for 836-838 Broughton Street, in accordance with:
 - (a) plans stamped Development Permit #000377 dated January 28, 2014;
 - (b) development meeting all *Zoning Regulation Bylaw* requirements;
 - (c) final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Following consideration of Rezoning Application #00425, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

Option Two: (Applicant Preference for 25% Land Lift Contribution)

1. That Rezoning Application #00425 for 836 and 838 Broughton Street proceed for consideration at a Public Hearing, subject to:
 - a) provision of a third-party land lift analysis that justifies any increase in density that exceeds the floor space ratio of 3:1 FSR with a contribution of 25% of the value of any identified land lift to be made to the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Building Seismic Upgrade Fund (25%) to be secured to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - b) preparation of a Zoning Regulation Bylaw amendment to accommodate the proposal;
 - c) preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.
 - d) preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works for sewage attenuation to mitigate the impact of increased density.
2. Review by the Advisory Design Panel of Development Permit Application #000377 prior to Council considering issuing the permit with special attention to the proposal's street relationship and contextual fit.
3. Following consideration of Rezoning Application #00425, that Council authorize the issuance of a Development Permit for 836-838 Broughton Street, in accordance with:
 - a) plans stamped Development Permit #000377 dated January 28, 2014;
 - b) development meeting all Zoning Regulation Bylaw requirements;

- c) final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Following consideration of Rezoning Application #00425, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

Option Three: (Decline)

That Rezoning Application #00425 and Development Permit Application #000377 for 836 and 838 Broughton Street be declined.

7.0 Conclusions

This proposed development at 836 and 838 Broughton Street as a high density, mid-rise mixed use development would support the planning objectives for Downtown found in the OCP and the applicable local area plans for the Downtown Core Area and Cathedral Hill Precinct. While the DCAP includes the subject site in the "special density area" where there is no prescribed maximum density, the OCP identifies a base ceiling of 3:1 FSR for Core Residential areas located west of Quadra Street. It also identifies that bonus density up to approximately 5:1 FSR is supportable in these locations where a proposal significantly advances the OCP objectives. Accordingly, the applicant should provide a justification for the increased density from 3:1 FSR to 5:1 FSR based on OCP policy and the land lift analysis.

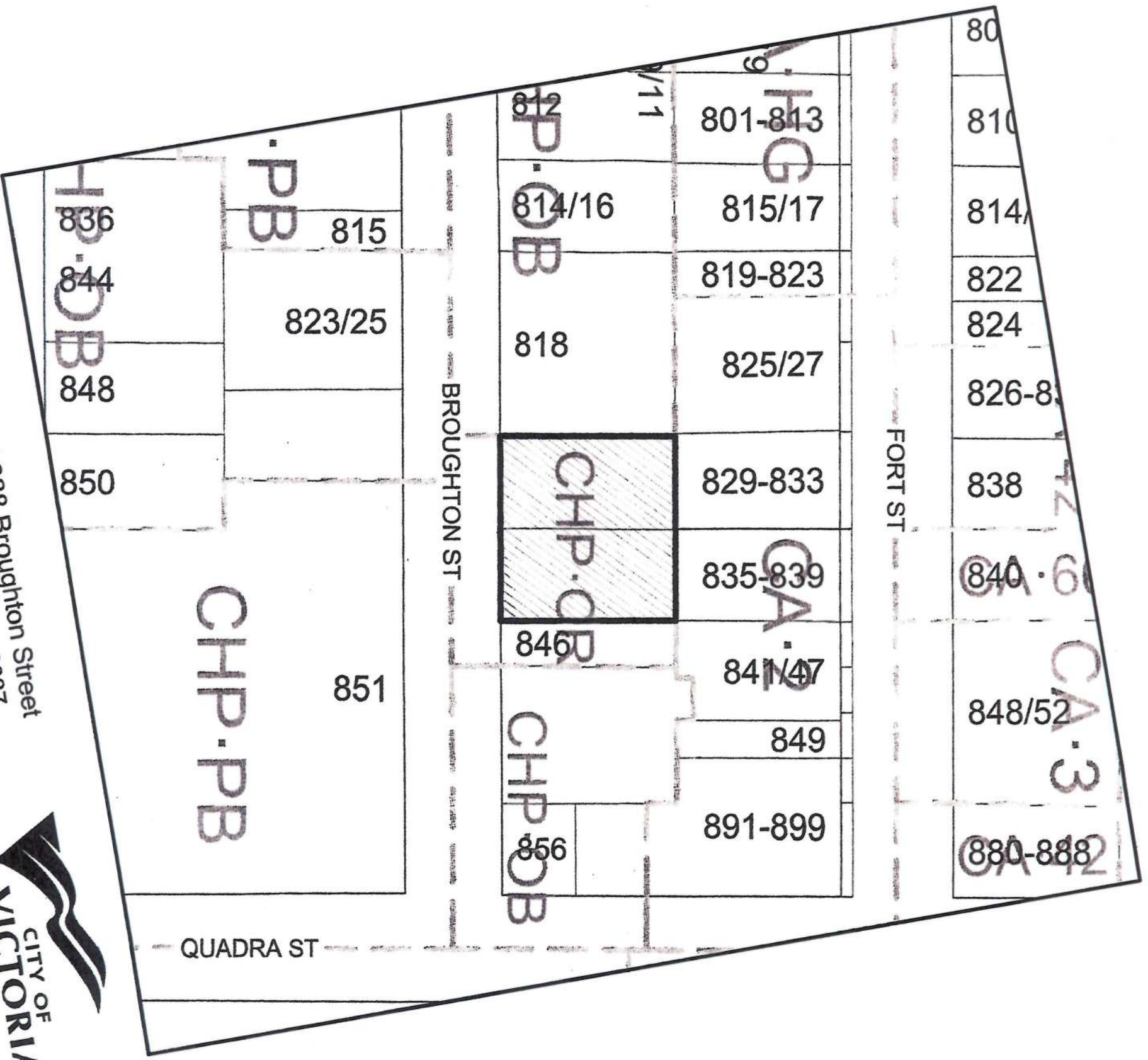
8.0 Recommendations

1. That Rezoning Application #00425 for 836 and 838 Broughton Street proceed for consideration at a Public Hearing, subject to:
 - (a) provision of a third-party land lift analysis that justifies any increase in density that exceeds the floor space ratio of 3:1 FSR with a contribution of 75% of the value of any identified land lift to be made to the Downtown Core Area Public Realm Improvement Fund (75%) and the Downtown Heritage Building Seismic Upgrade Fund (25%) to be secured to the satisfaction of the City Solicitor and the Director of Sustainable Planning and Community Development;
 - (b) preparation of a Zoning Regulation Bylaw amendment to accommodate the proposal;
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 - (d) preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Engineering and Public Works for sewage attenuation to mitigate the impact of increased density.
2. Review by the Advisory Design Panel of Development Permit Application #000377 prior to Council considering issuing the permit with special attention to the proposal's street relationship and contextual fit.

3. Following consideration of Rezoning Application #00425, that Council authorize the issuance of a Development Permit for 836-838 Broughton Street, in accordance with:
 - (a) plans stamped Development Permit #000377 dated January 28, 2014;
 - (b) development meeting all *Zoning Regulation Bylaw* requirements;
 - (c) final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Following consideration of Rezoning Application #00425, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

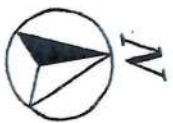
9.0 List of Attachments

- Zoning map
- Aerial photo
- Letters from architect, stamped December 3, 2013
- Letter from applicant, stamped February 3, 2014
- Plans for Rezoning Application and Development Permit Application, stamped January 28, 2014
- Minutes from Fairfield and Gonzales Community Association Meeting on October 21, 2013.

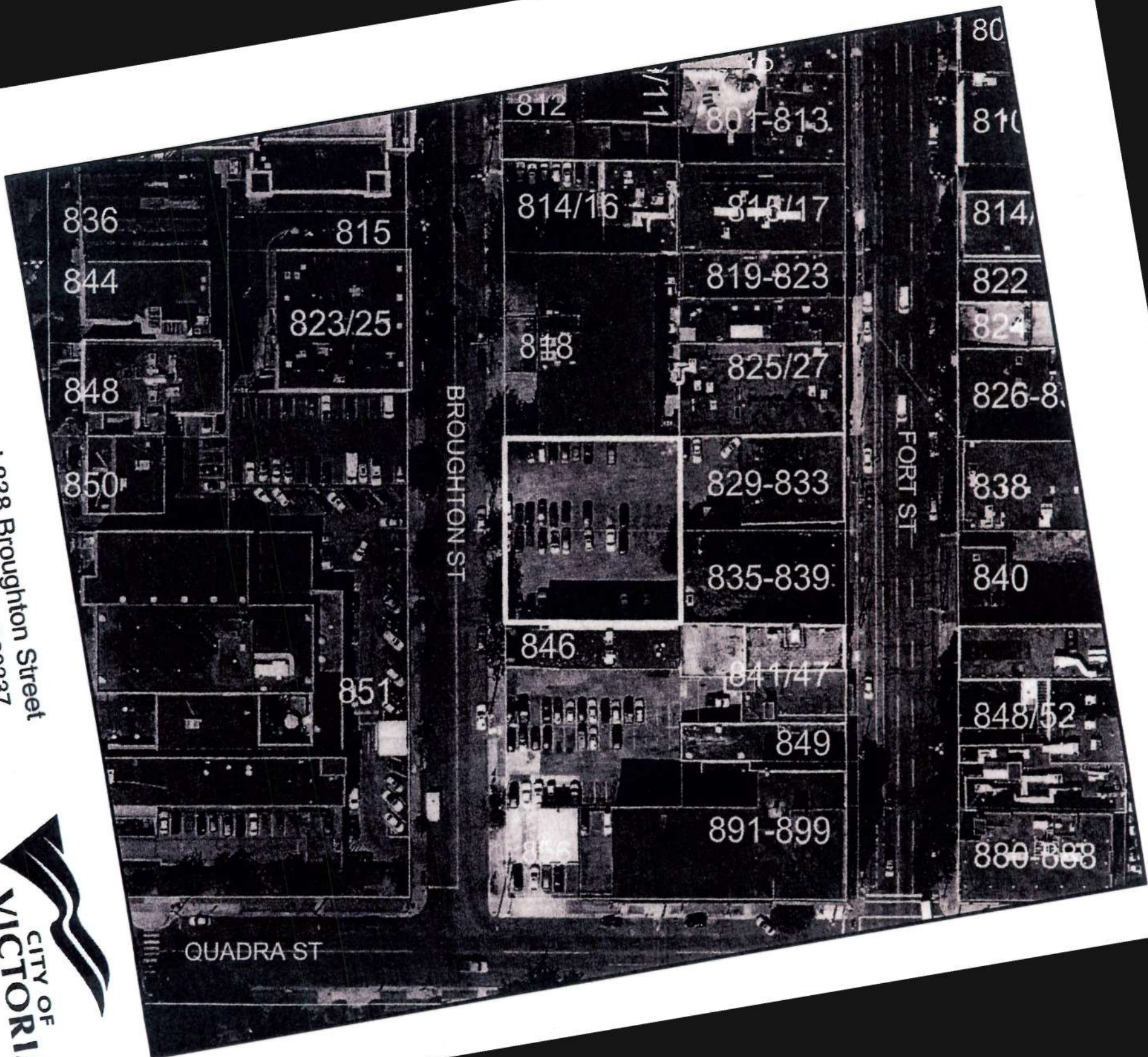


836 and 838 Broughton Street
Development Permit #000337





836 and 838 Broughton Street
Development Permit #000337





**Musson
Cattell
Mackey
Partnership**

December 2, 2013

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

Attention: **Mayor and Council**

Dear Sirs:

Re: **838 BROUGHTON STREET
OUR PROJECT NO. 213029.01 – 1.6.1.1
REZONING AND DEVELOPMENT PERMIT APPLICATION**

This letter is in support of our application for a Rezoning and Development Permit for the above property. The proposal is for a residential condominium tower with a total floor area of 6,686 square metres (71,970 square feet) and a floor space ratio of 5:1. The proposed building is 10 stories high, with an overall height of 29.9 metres (98 feet), and has a total of 85 residential units.

Planning Policy

This property is situated in the northeast corner of the Fairfield neighbourhood, adjacent to the Downtown and Harris Green neighbourhoods. More specifically, it is within the Cathedral Hill Precinct Plan of Fairfield. In addition to the Official Community Plan and the Cathedral Hill Precinct Plan, the property is also covered by the Downtown Core Area Plan 2011. The Official Community Plan 2012 envisages floor space ratios to a maximum of 5:1 in this area, while the Downtown Core Area Plan 2011 more specifically deals with height limits of 30 metres. These approved policies and documents may be described as generally having the following objectives:

- Provide greater density and housing opportunities in and around the downtown core.
- Facilitate a transition area in terms of height and density between the downtown to the west and the lower density residential areas in Fairfield to the south and east.
- Enhance the streetscape through building and landscape design.

Design Response

This project provides 85 one and two bedroom condominium residential units, generally at a smaller, affordable scale. Ground level units have direct access from the street; all other units have access to roof decks, balconies, or open windows with "Juliet" style balconies. A common rooftop amenity area is provided for the use of all residents; it will have a barbeque and seating areas and landscaping, and will enjoy views in all directions.

Architects
Designers
Planners

A Partnership
Of Corporations

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555 Burrard Street, Box 264
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Mayor and Council, City of Victoria
December 2, 2013

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The existing street has a mix of uses, scales and heights of buildings; generally most of the existing buildings are in the two-to-three-storey range. In recognition of this, the lower four floors of the proposal are set back approximately 2 metres from the property line, while the above levels 5 to 8 are stepped further back, and levels 9 and 10 are further back again. Setbacks and variations not only provide architectural interest when seen from a distance, but provide a more human scaled view scape for passers-by.

Sustainability

By its nature, a higher density project of this nature serves sustainability goals by providing residential opportunities within walking distance of downtown employment and amenities, and its adjacencies to transit routes. In recognition of these advantages, a lower parking ratio of .65 cars per unit is proposed. There is a large bicycle storage facility conveniently located at the ground level with space for 100 bicycles for the 85 apartments. This room will also have a repair table provided with holding clamps, etc. for the use of cyclists. There is also provision for motor scooters in the first parking level.

The project will be fully compliant with the new energy requirements being incorporated in the British Columbia Building Code as of December 2013. These include:

- High performance building envelopes in terms of insulation values, reduced window areas.
- Energy efficient lighting and electrical systems, including motion sensors lighting, LED lighting and other similar provisions.
- Low flush toilets and high efficiency plumbing fixtures, drought-tolerant landscaping and efficient drip irrigation.
- Construction waste management during construction.

Other than areas for entry / exit, private terraces, and mechanical equipment, a considerable part of the remaining roof is devoted to intensive planting, whether as screening and privacy elements at the ground and second levels, or as part of a roof garden at the top of the building for use by all residents.

The proposed building relies on fresh air ventilation and does not have air-conditioning systems. Efficient electric heating systems will have time-controlled thermostats.

CPTED

As noted above, one of the policy goals of development in this area is to enhance the streetscape and pedestrian experience, including the feeling of safety and security. It is achieved in the project through the design provision of street level units ("eyes on the street"), and an open lobby entry area fully visible from the street and adjacent to the parkade entry.

Mayor and Council, City of Victoria
December 2, 2013



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Floor Area Exemption

Rooms for bicycle parking and storage lockers have been located at the rear of the ground floor. As the ceilings in these rooms will be more than 1.8 metres above grade (will be approximately 2.7 metres), under the Zoning Bylaw they would be included in the total floor area. We are asking that these areas be exempted from the floor area.

From a design perspective, locating these facilities at the rear of the ground floor utilizes space that has no other practical purpose. If the area was treated as private outdoor space for dwelling units, it would mean those units would open into a space surrounded by blank walls to the east and west, with unknown future developments to the north (and currently a fairly unkempt area), and being on the north side, mostly in shadow. It is not a desirable area either for outlook or for an outdoor space.

Locating the bicycle parking and storage lockers at this level provides much better access for residents than locating them in basement levels as is commonly done. This is especially true for bicycle facilities which are used on a daily basis.

It is also worth noting that the Bylaw exempts floor area above grade that is used for motorized vehicle parking. To exempt cars and yet count bicycle space is, we submit, unfair and runs against the broader goal of encouraging cycling and lessening dependence on cars.

Adaptable Units

Fifty percent of the units will be constructed to the City's Adaptable Housing Standards, which allow for fitting out for the infirm and people in wheelchairs.

In summary, we believe this project will help in meeting policy objectives of the City of Victoria for this area, and provide a very livable and affordable opportunity for residents.

Yours truly

**MUSSON CATTELL MACKEY PARTNERSHIP
ARCHITECTS DESIGNERS PLANNERS**

Bill Reid, ARCHITECT AIBC, MRAIC, CP
William J. Reid Architect Ltd., Partner

BR:eer

I:\Projects\2013\213029 - 838 Broughton Street\Correspondence\1.6 Authorities\Rezoning and DP Application.docx



February 3, 2014

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

Attention: Ms. Helen Cain, Senior Planner

Dear Ms. Cain,

Re: Density Bonus - 836/838 Broughton Street, Victoria BC

Further to our meeting of January 30, 2014 with Deb Day and Alison Meyers, we are writing to advise on our views regarding the City of Victoria Density Bonus Provisions.

Firstly, in our opinion, the Downtown Core Area Density Bonus system is contrary to the City's attempts to implement an OCP and DCAP that will assist in creating a vibrant downtown and an affordable supply of new residential housing. It has the effect of increasing the cost of the end-product by introducing a hidden tax and compounding an already challenging set of development and market conditions.

In our view, the City should be encouraging projects in any way possible to achieve downtown rejuvenation and healthy growth as you have outlined in other section of the OCP and DCAP. By working with developers to address affordability issues head-on, the City could support a healthy downtown core alongside the benefits of higher property taxes in perpetuity rather than looking for a onetime 'tax grab' in the form of a density bonus payment.

Secondly, with regards to the proposed rezoning of 836/838 Broughton Street from a base density of 3.0 FSR to 5.0 FSR as outlined and permitted under the City policies, we will undertake the following in an attempt to have our application processed efficiently and in recognition of the City's policies:

1. Undertake a bonus density analysis by one of the two preferred economists selected by the City of Victoria.
2. Request Staff consider that this application be processed using the bonus density policy uplift formula of 25% as outlined in Section 4.15.1 rather than Section 4.15.2 given:
 - The application for rezoning and DP was submitted to the City of Victoria on December 3, 2013.

- The subject property backs onto the downtown area where the 25% land lift value was illustrated.
- We understand that the demarcation line was somewhat arbitrary at the time that Maps 14 and 15 were prepared. We consider a 75% Bonus density uplift to be very punitive with a direct impact on increasing costs of housing within the neighbourhoods that are adjacent to the downtown core.

We expect that the City will likely require 836/838 Broughton to include a sewer attenuation system that will add at a minimum \$250,000 in costs to the development. The size of a 14,400 liter tank is very significant in any urban development and will likely reduce parking stalls by 3 or 4 stalls. The requirement for holding tanks is another challenge and cost to developing in downtown Victoria.

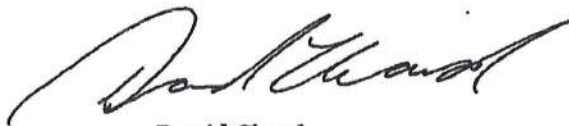
In summary, we request the consideration of City Staff on the following:

1. If a Density Bonus payment is required, have it based on 25% of the land lift value as the application was made prior to December 3, 2013 and given the subject property backs onto the designated area which require a 25% calculation.
2. The elimination of a sewer attenuation tank for the development that imposes increased development costs for the project and increased strata fees arising from maintenance costs for the owners of the suites in the long term.

Should you have any questions or comments on our requests please do not hesitate to call me directly.

Thank you for your consideration.

Yours truly,
CHARD DEVELOPMENT LTD.



David Chard
dave@charddevelopment.com

Cc: Alison Meyers – Assistant Director, Development Services
Deb Day – Director of Planning & Development

PROJECT INFORMATION

PROJECT ADDRESS	836 & 838 BROUGHTON STREET, VICTORIA, B.C.	
NEIGHBOURHOOD	FAIRFIELD	
DOWNTOWN CORE AREA PLAN DISTRICT	RESIDENTIAL MIXED USE DISTRICT	
DEVELOPMENT PERMIT AREA	CPA 14	
LEGAL DESCRIPTION	LOTS 286 & 287, VICTORIA	
ZONING	CHP-CR (CATHEDRAL HILL PRECINCT COMMARES DISTRICT)	
LOT AREA	14,400 sq' (1,337.8 m ²)	
SITE COVERAGE	12,385 sq' / 14,400 sq' = 86% (1150.5 m ² / 1,337.8 m ² = 86%)	
OPEN SITE SPACE	2,233.5 sq' / 14,400 sq' = 16% (207.5 m ² / 1,337.8 m ² = 16%)	
TOTAL FLOOR AREA	71,978 sq' (6,686 m ²) 70,080 sq' (6,508 m ²) RESIDENTIAL 1,898 sq' (178 m ²) RETAIL	
FLOOR SPACE RATIO	CURRENT CHP-CR ZONING: 2:1 ALLOWED UNDER SPECIAL DENSITY AREA (REZONING) PROPOSED: 71,978 sq' / 14,400 sq' = 5 (6,686 m ² / 1,337.8 m ² = 5)	
FLOOR PLATE SIZE	REQUIRED UNDER DOWNTOWN CORE AREA PLAN 65.8' (20m)- 95.4' (30m); max 10,010 sq' (930 m ²) PROPOSED: max 7,746 sq' (719.5 m ²)	
AVERAGE GRADE (GEODEIC)	73.06' (22.27 m) = 0.00' ON PLANS	
HEIGHT OF BUILDING (ABOVE AVERAGE GRADE)	ALLOWED UNDER DOWNTOWN CORE AREA PLAN: 95.4' (30 m) ALLOWED UNDER CHP-CR ZONING: 73.8' (22.5 m) PROPOSED: 98' (29.9m)	
NUMBER OF STOREYS	10 STOREYS	
STREET WALL	REQUIRED UNDER DOWNTOWN CORE AREA PLAN FOR NARROW STREETS (<65m) PRIMARY FACE WIDTH, min 60% SITE WIDTH: 119.8' (36.4m) x 60% = 71.8' (21.9m) HEIGHT: 32.8' (10m) - 48.2' (15m) SETBACK, 0' (0m) - 9.8' (3m) SECONDARY FACE WIDTH, min 30% SITE WIDTH: 119.8' (36.4m) x 30% = 35.9' (10.9m) HEIGHT, 28.1' (8m) - 62' (25m) SETBACK, 9.8' (3m) - 19.2' (6m) SETBACK ABOVE 52' (25m): min 19.2' (6m)	PROPOSED 74.8' (22.8m) 40' (12.2m) 8' (2.4m) 88' (27.0m) 78.8' (23.9m) 11.2' (3.4m) 20.3' (6.2m)
BUILDING SETBACKS	REQUIRED UNDER DOWNTOWN CORE AREA PLAN FOR HEIGHT 6' (2m) - 95.4' (30m) EXTERIOR WALL, SIDE PROPERTY LINE: min 9.8' (3m) EXTERIOR WALL, REAR PROPERTY LINE: min 9.8' (3m) BALCONIES, SIDE PROPERTY LINE: min 11.5' (3.5m) BALCONIES, REAR PROPERTY LINE: min 11.5' (3.5m)	PROPOSED 17' (5.2m) 14' (4.4m) 12' (3.8m) n/a
PARKING	PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C RESIDENTIAL: 123 (1.5/UNIT) LIVE / WORK / RETAIL: 3 (1/68m ²) VISITOR PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C 7 (10% OF TOTAL)	PROPOSED 73 7 (10% OF TOTAL) 82 TOTAL
BICYCLE STORAGE	CLASS 1 BICYCLE PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C 84 (1/UNIT) CLASS 2 BICYCLE PARKING REQUIRED UNDER ZONING BYLAW SCHEDULE C 6	PROPOSED 100 6 106 TOTAL
NUMBER OF STORAGE LOCKERS	84 (1/UNIT)	
SUITES TYPES	TYPE LIVE / WORK 1 BED ROOM 1 BED ROOM & DEN 2 BED ROOM 2 BED ROOM & DEN TOTAL	SIZE RANGE 940 - 980 sq' (87.3 - 91.0 m ²) 480 - 630 sq' (45.5 - 58.5 m ²) 600 - 810 sq' (55.7 - 75.25 m ²) 830 - 1,160 sq' (77.1 - 107.8 m ²) 840 - 1,280 sq' (78.0 - 119.0 m ²) QUANTITY 2 44 8 21 9 84

GROUND ORIENTATED UNITS

2

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PROJECT/CLIENT: 2130229.1 (REZONING APPLICATION), 2130229.1 (REZONING APPLICATION), 1 (2130229.1) (REZONING APPLICATION), 1 (2130229.1) (REZONING APPLICATION)

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Of Corporations838
BROUGHTON ST
VICTORIA, BCProject #
2130229.12 DEC 12 OR SUBMITTAL
28 JUN 14 OR APPROVALCOVER
SHEET

N.T.S.

A.000

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BROUGHTON ST
VICTORIA, BC

Project #
213029.1

2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISIONS

CONTEXT
PLAN

N.T.S.

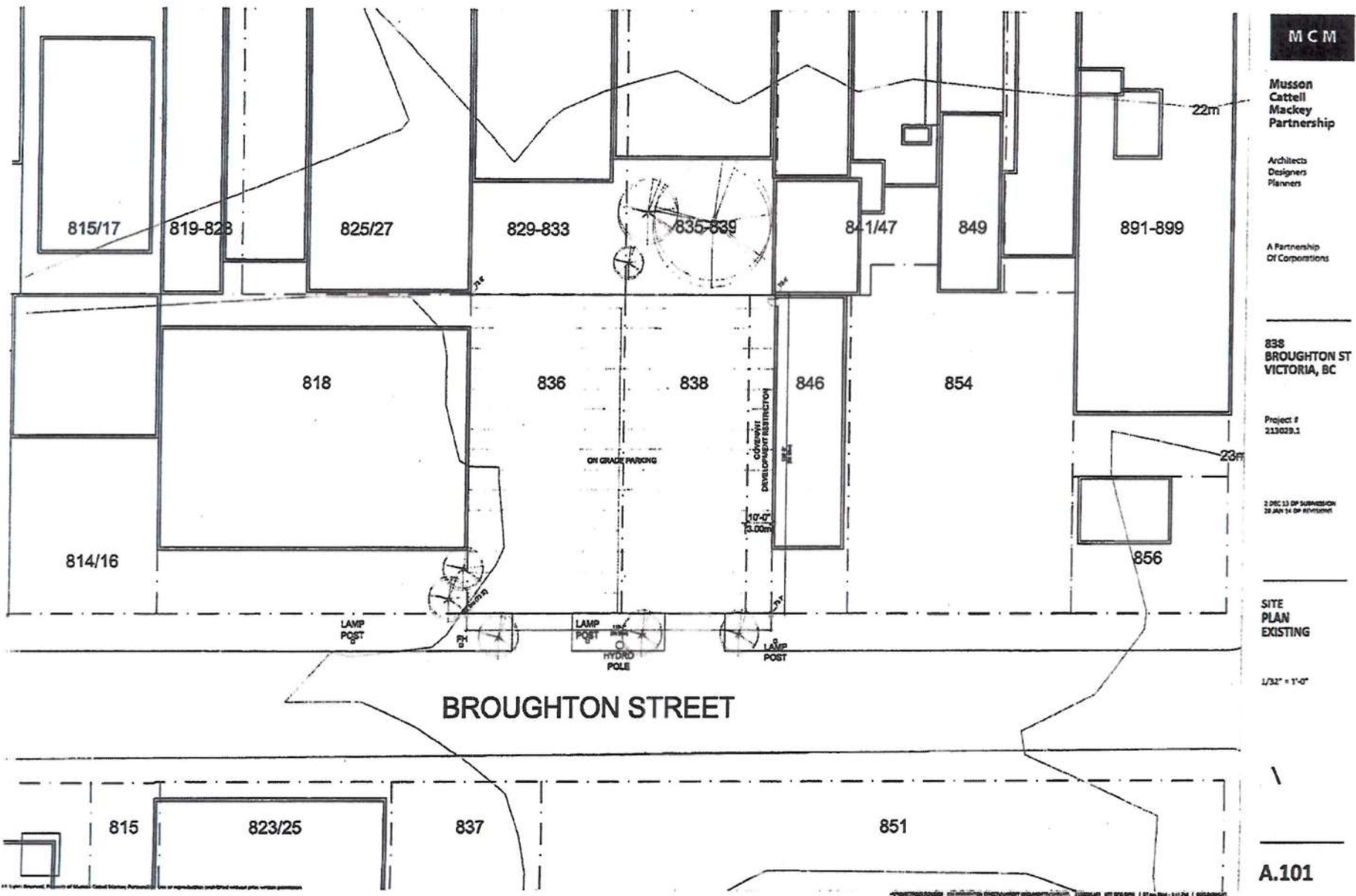
1

A.100



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VICTORIA, BC

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2 DEC 13 DP SUBMISSION
28 JAN 14 DP APPROVED

SITE
PLAN
EXISTING

1/32" = 1'-0"

A.101



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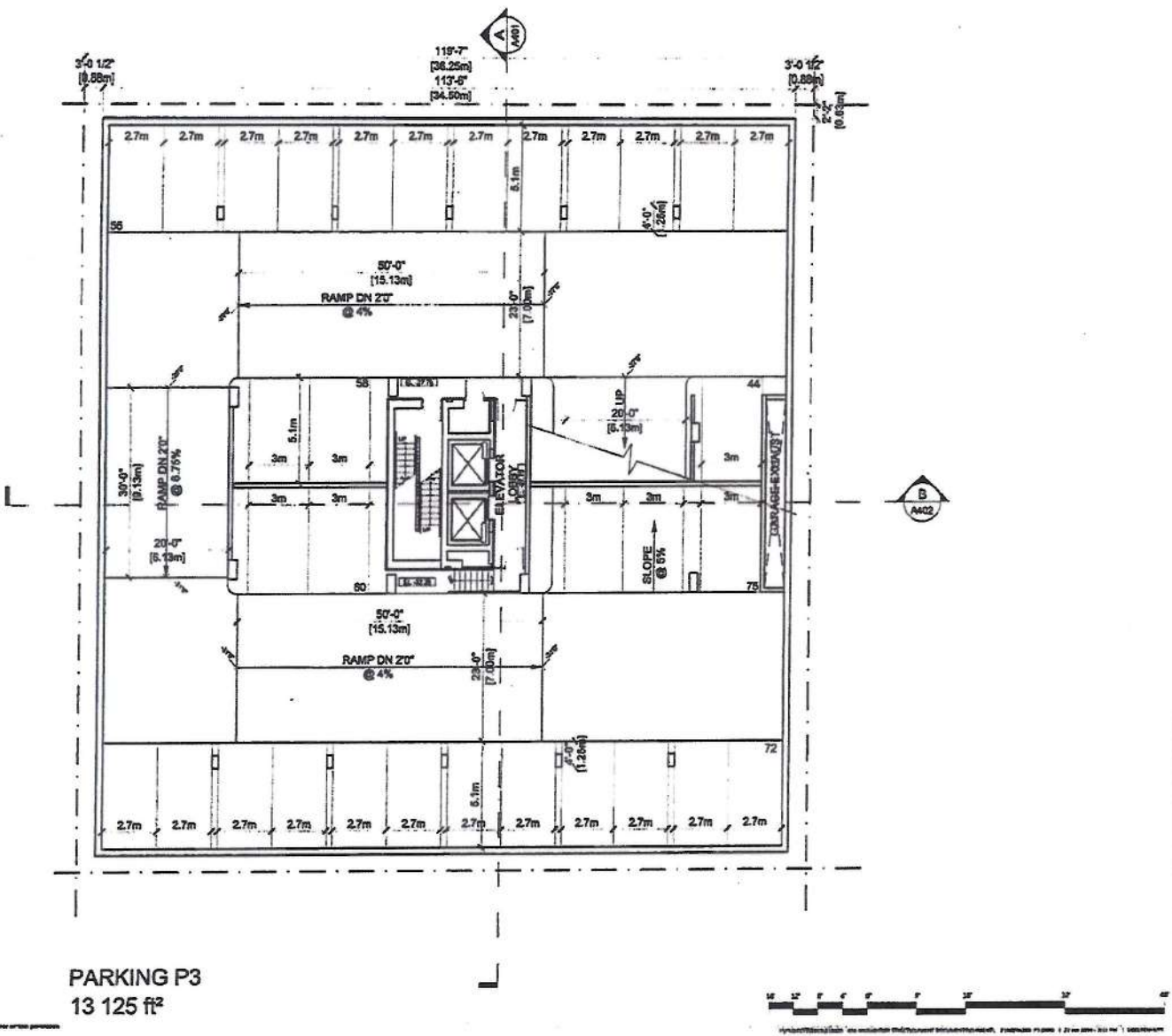
Project #
213029.1

1 DEC 13 DP SUBMISSION
26 JAN 14 DP REVISED

PARKING
P3
PLAN

1/2" = 1'-0"

A.200





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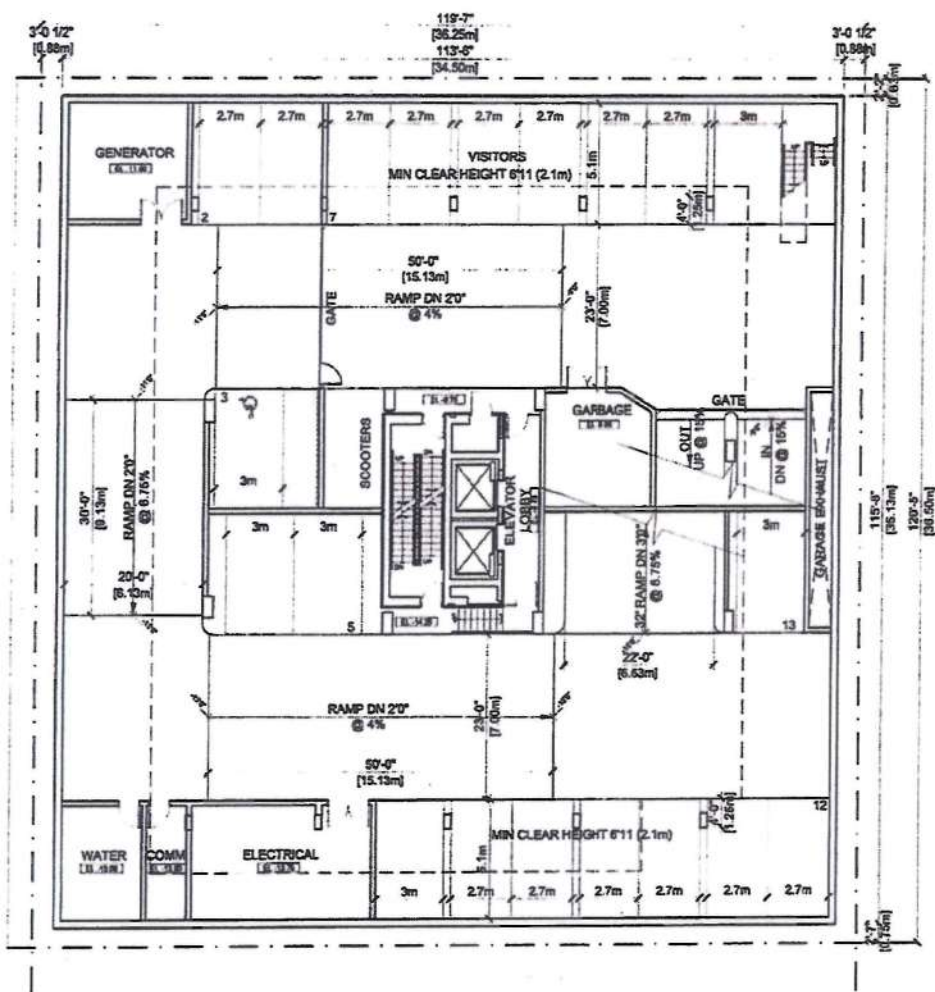
Project #
213029.1

2 DEC 12 BY SUBMITTER
28 JAN 14 ON REVISION

PARKING
P1
PLAN

1/16" = 1'-0"

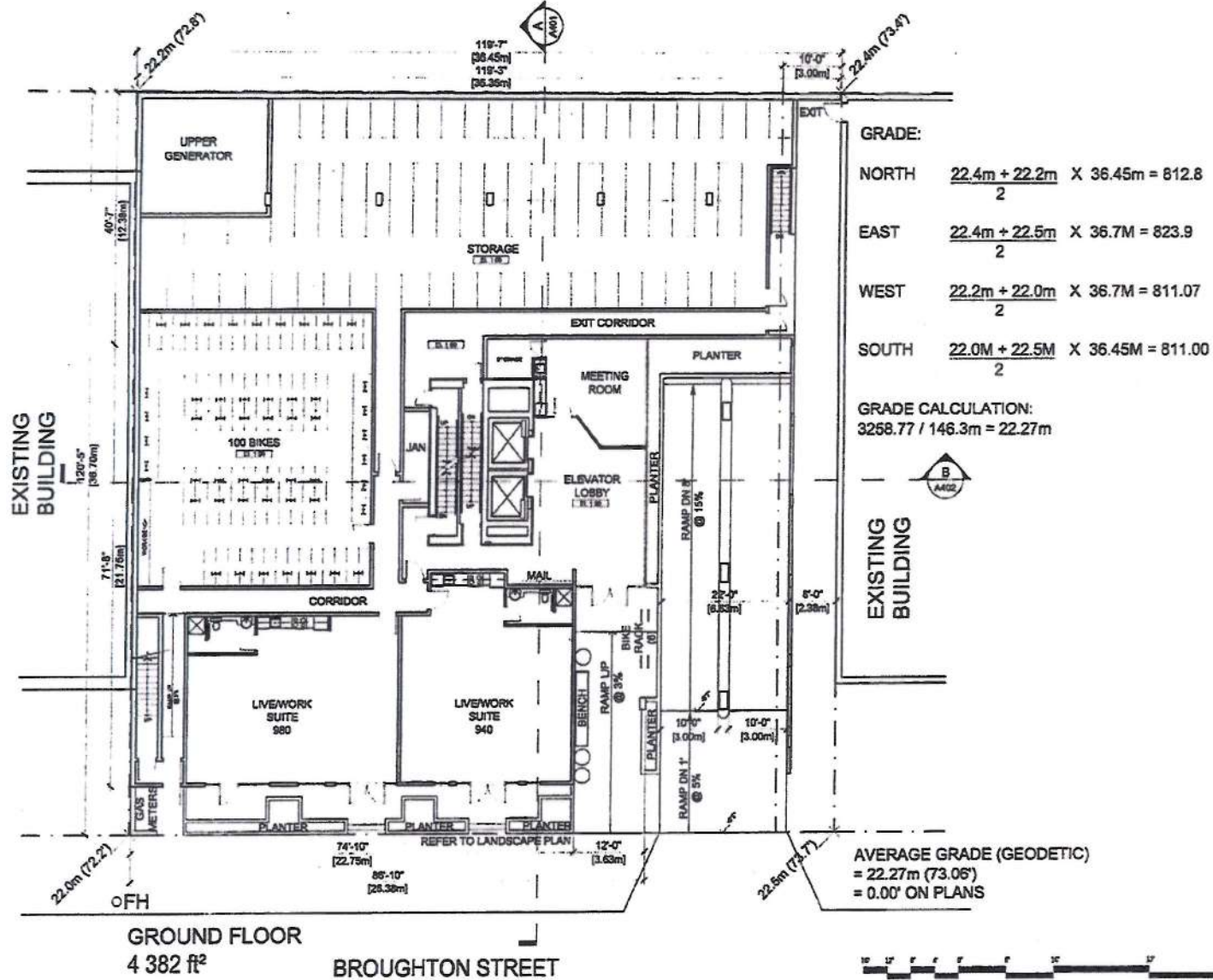
A.202



PARKING P1
13 125 ft²



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Project #
218029.1

1 DEC 13 PM 1:00:00
28 JAN 14 PM 1:00:00

GROUND
FLOOR
PLAN

1/25" = 1'-0"

A.203

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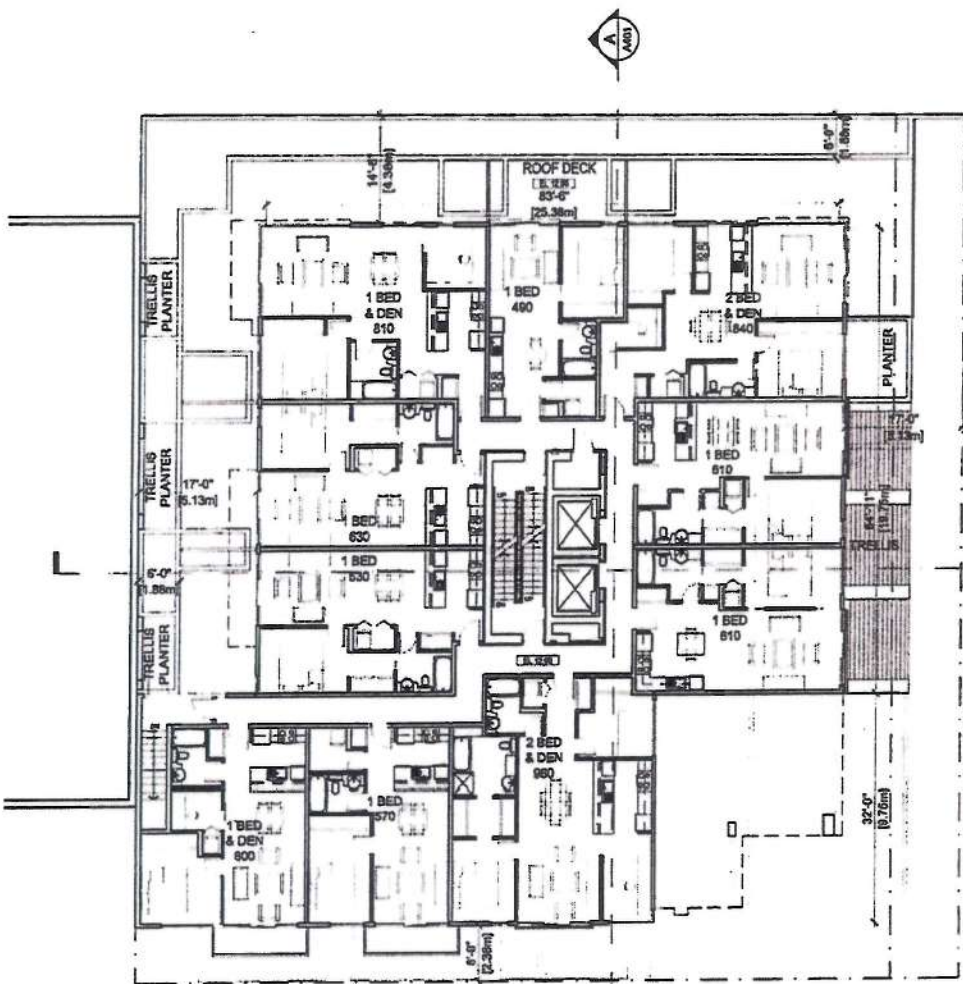
Project #
213028.1

2 DEC 13 OF SUBMISSION
28 JAN 14 OF REVISIONS

SECOND
FLOOR
PLAN

1/2" = 1'-0"

A.204



SECOND FLOOR
7 736 ft²



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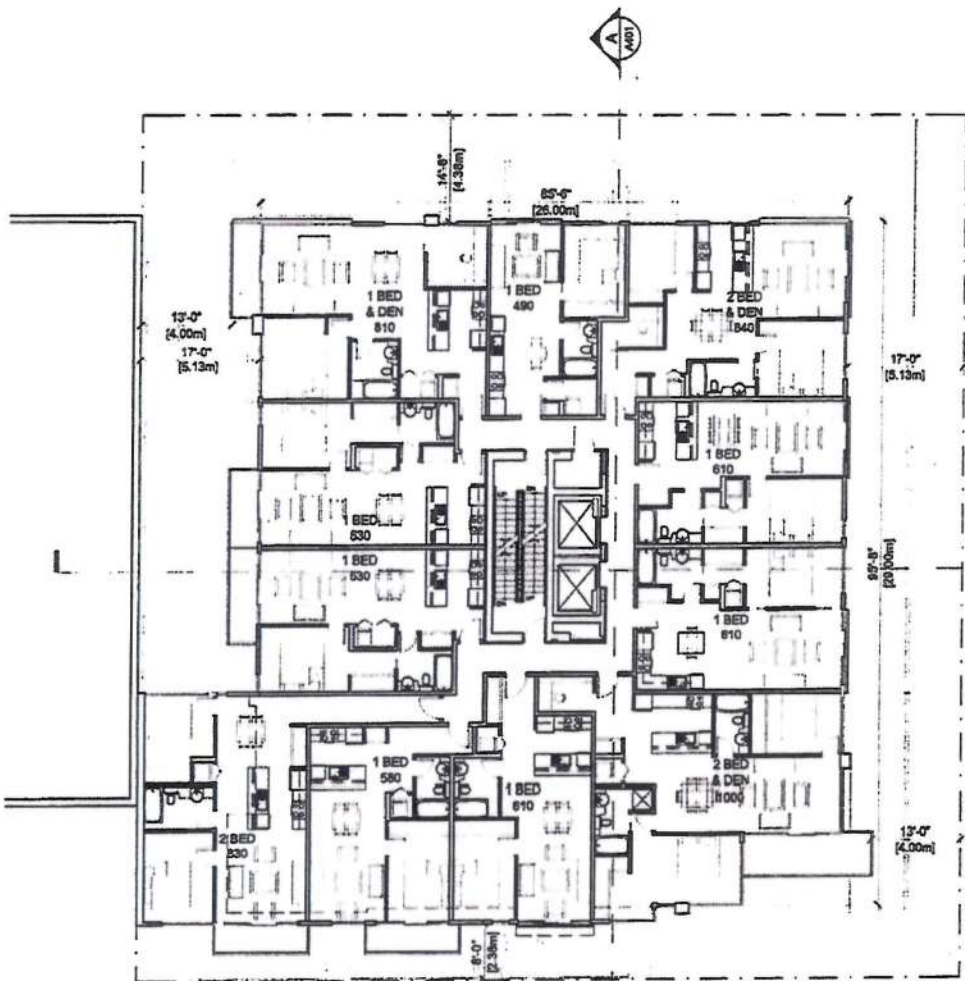
Project #
213029.1

1 DEC 13 BY SUBMISSION
28 JAN 14 BY REVISIONS

THIRD & FOURTH
FLOOR
PLAN

1/16" = 1'-0"

A.205



THIRD & FOURTH FLOOR
8 396 ft²



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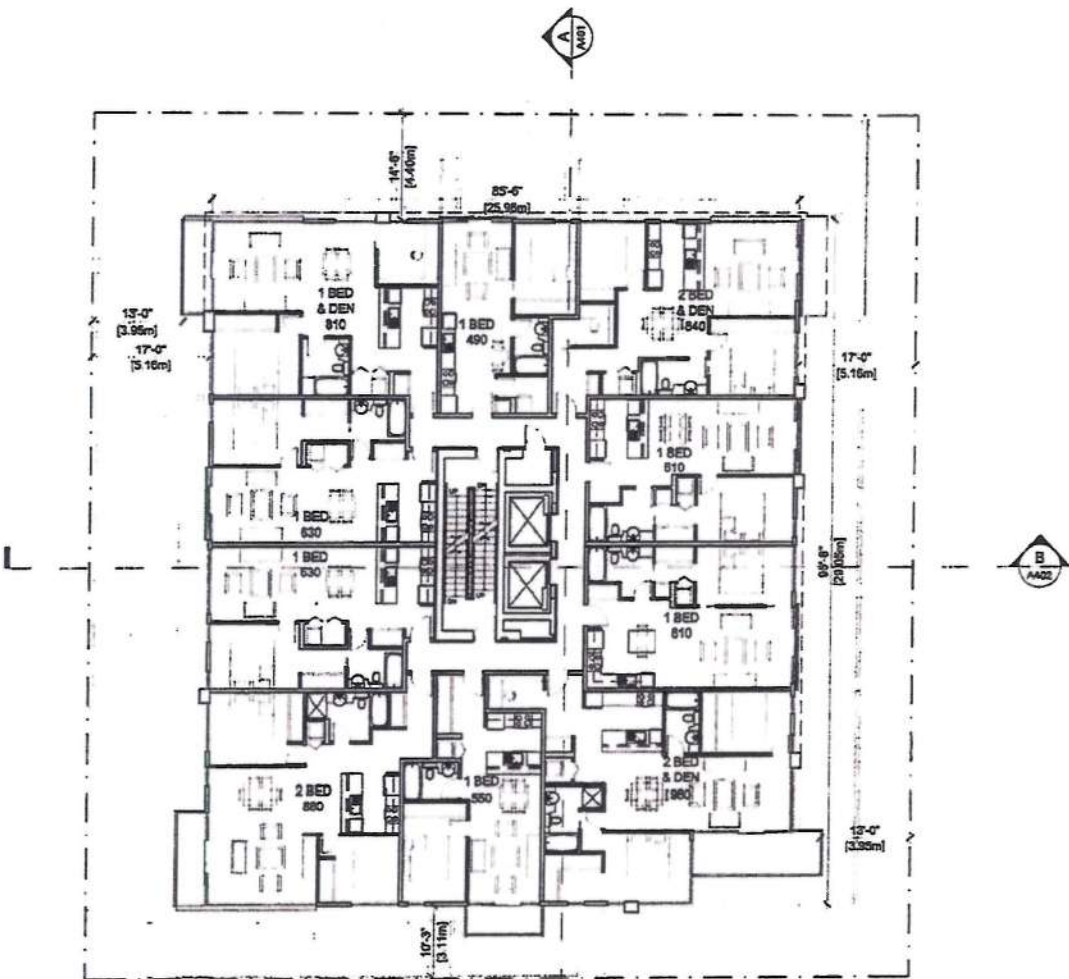
Project #
213029.1

2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISIONS

TYPICAL
FLOOR
PLAN

1/16" = 1'-0"

A.206



FIFTH THRU EIGHTH FLOOR
7 746 ft²



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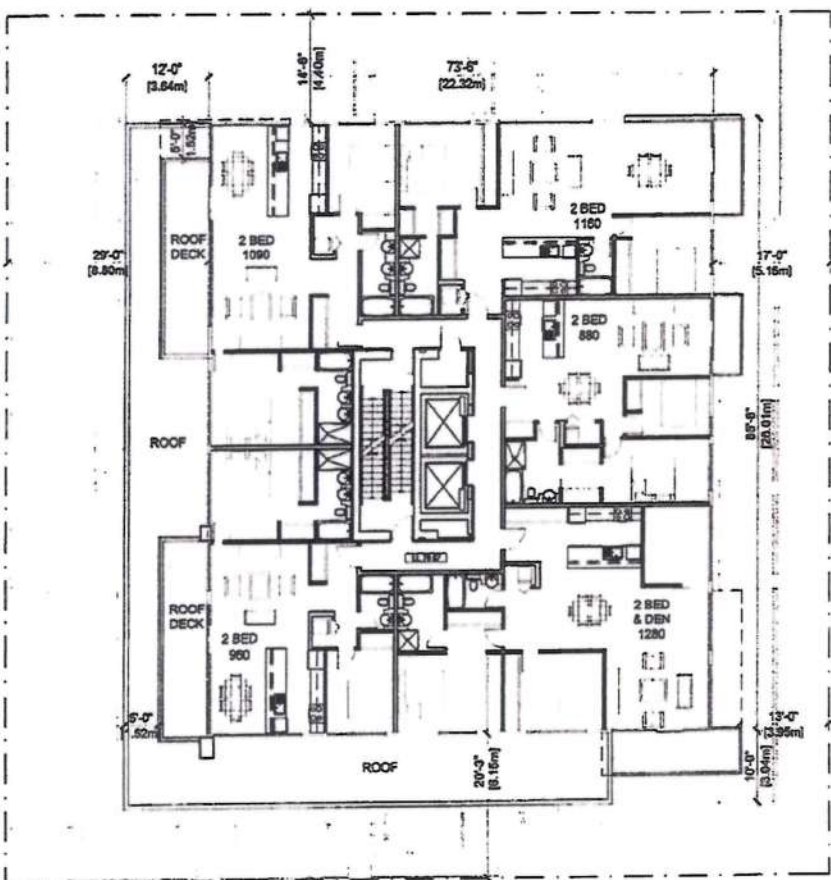
Project #
213029.1

1 DEC 13 OF SUBMISSION
25 MAY 14 OF REVISIONS

NINTH
FLOOR
PLAN

1/8" = 1'-0"

A.207



NINTH FLOOR
6 036 ft²



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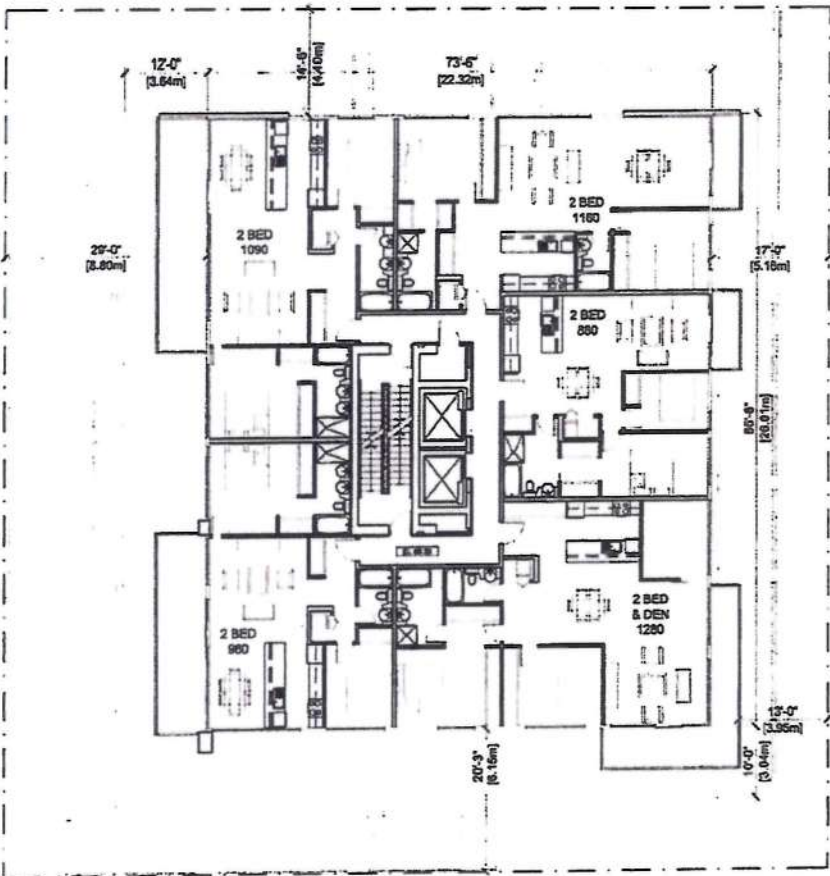
Project #
213029.1

2 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISION

TENTH
FLOOR
PLAN

1/16" = 1'-0"

A.208



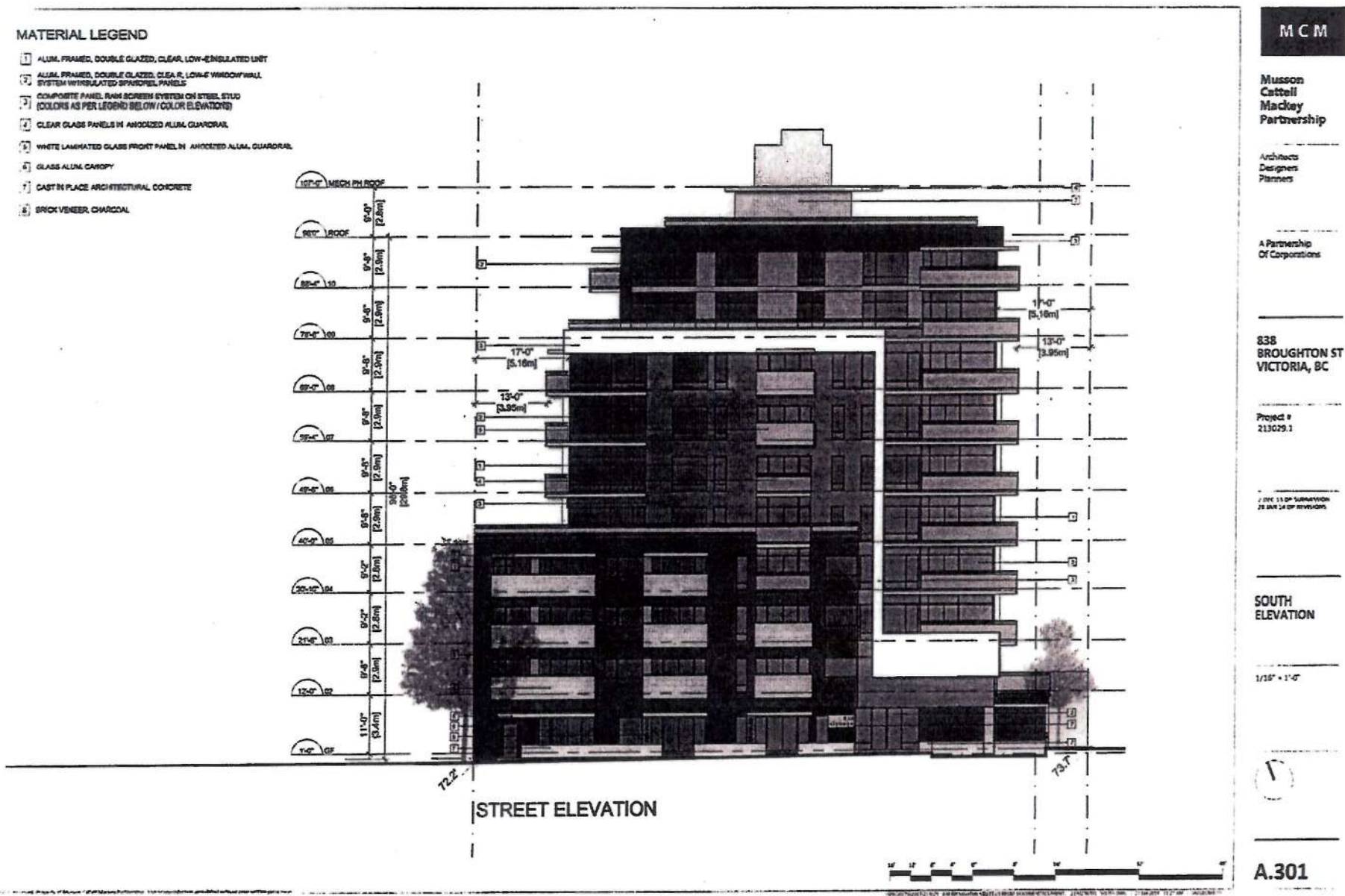
TENTH FLOOR
6 036 ft²



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A.209



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VICTORIA, BC

Project #
213023.1

2 SET 13 DP SUBMISSION
28 JAN 14 DP (REVISED)

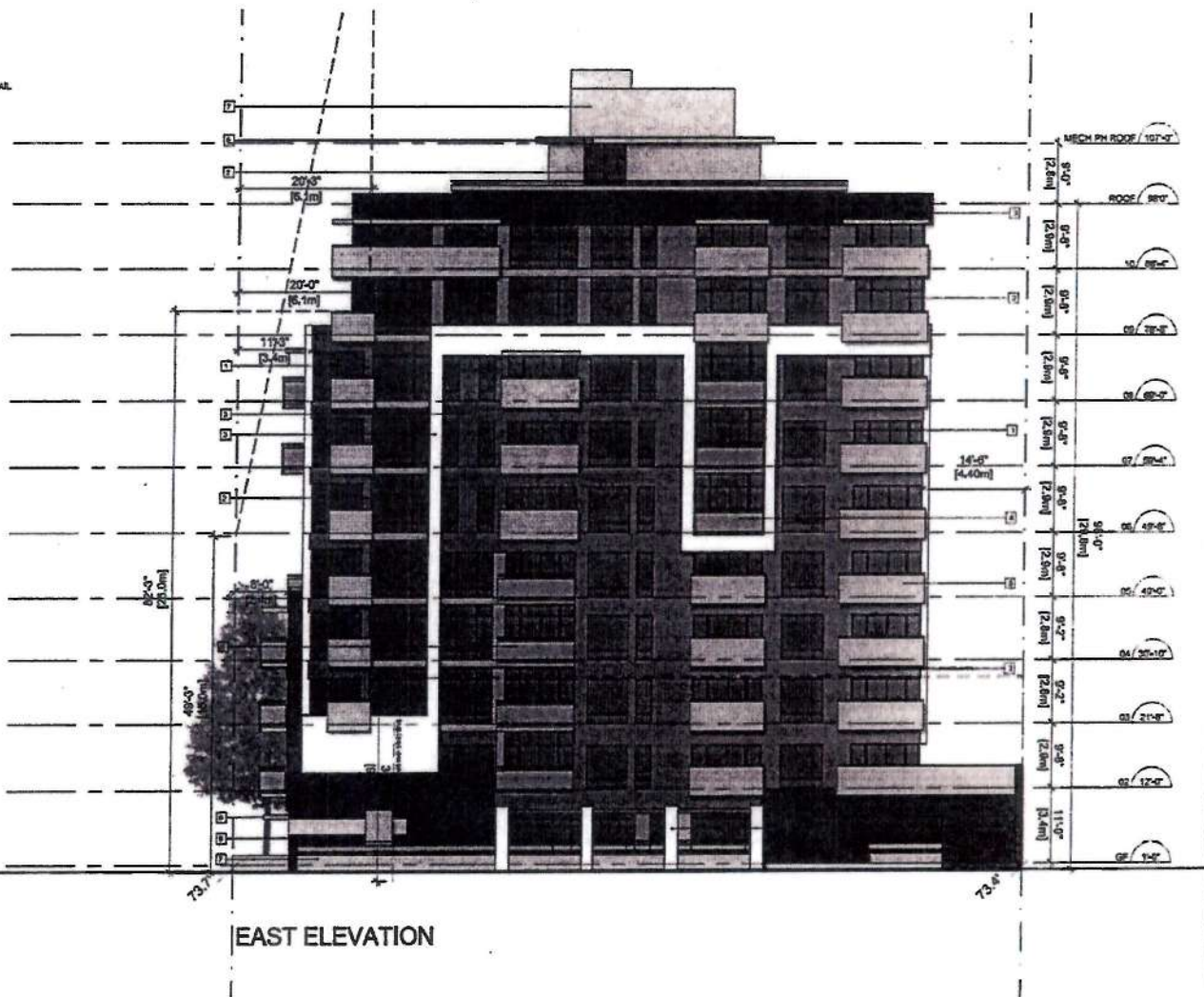
EAST
ELEVATION

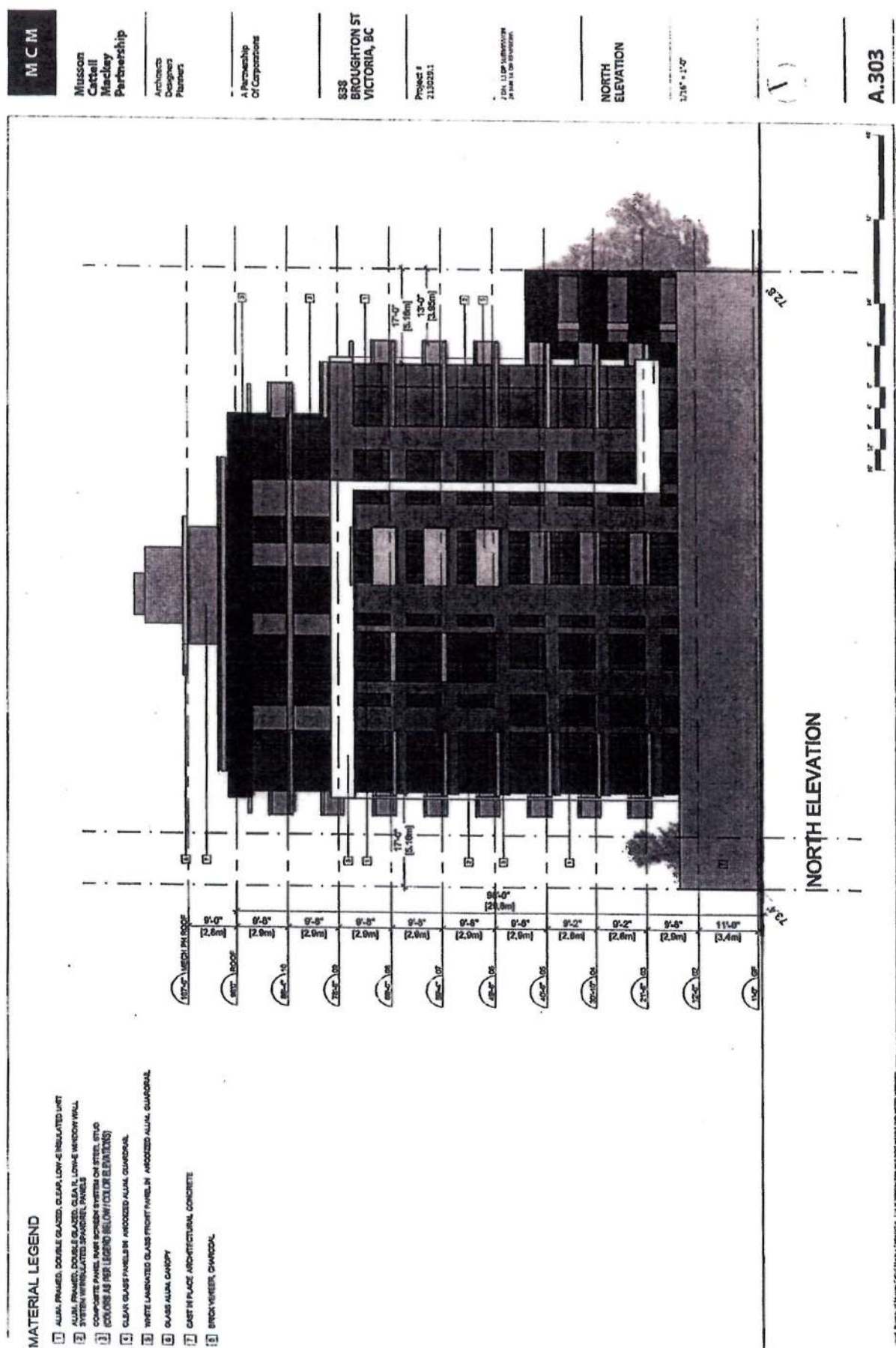
1/16" = 1'-0"

A.302

MATERIAL LEGEND

- [1] ALUM. FRAMED, DOUBLE GLAZED, CLEAR, LOW-E INSULATED UNIT
- [2] ALUM. FRAMED, DOUBLE GLAZED, CLEAR, LOW-E WINDOW WALL SYSTEM W/ INSULATED SPANDREL PANELS
- [3] COMPOSITE PANEL RAIN SCREEN SYSTEM ON STEEL STUD (COLORS AS PER LEGEND BELOW / COLOR ELEVATIONS)
- [4] CLEAR GLASS PANELS IN ANODIZED ALUM. GUARDRAIL
- [5] WHITE LAMINATED GLASS FRONT PANEL IN ANODIZED ALUM. GUARDRAIL
- [6] GLASS ALUM. CANOPY
- [7] CAST-IN PLACE ARCHITECTURAL CONCRETE
- [8] BARK VENEER, CHARCOAL





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VICTORIA, BC

Project #
211029.1

1/8" = 1'-0" (25.4mm)
1/16" = 1'-0" (25.4mm)

WEST
ELEVATION

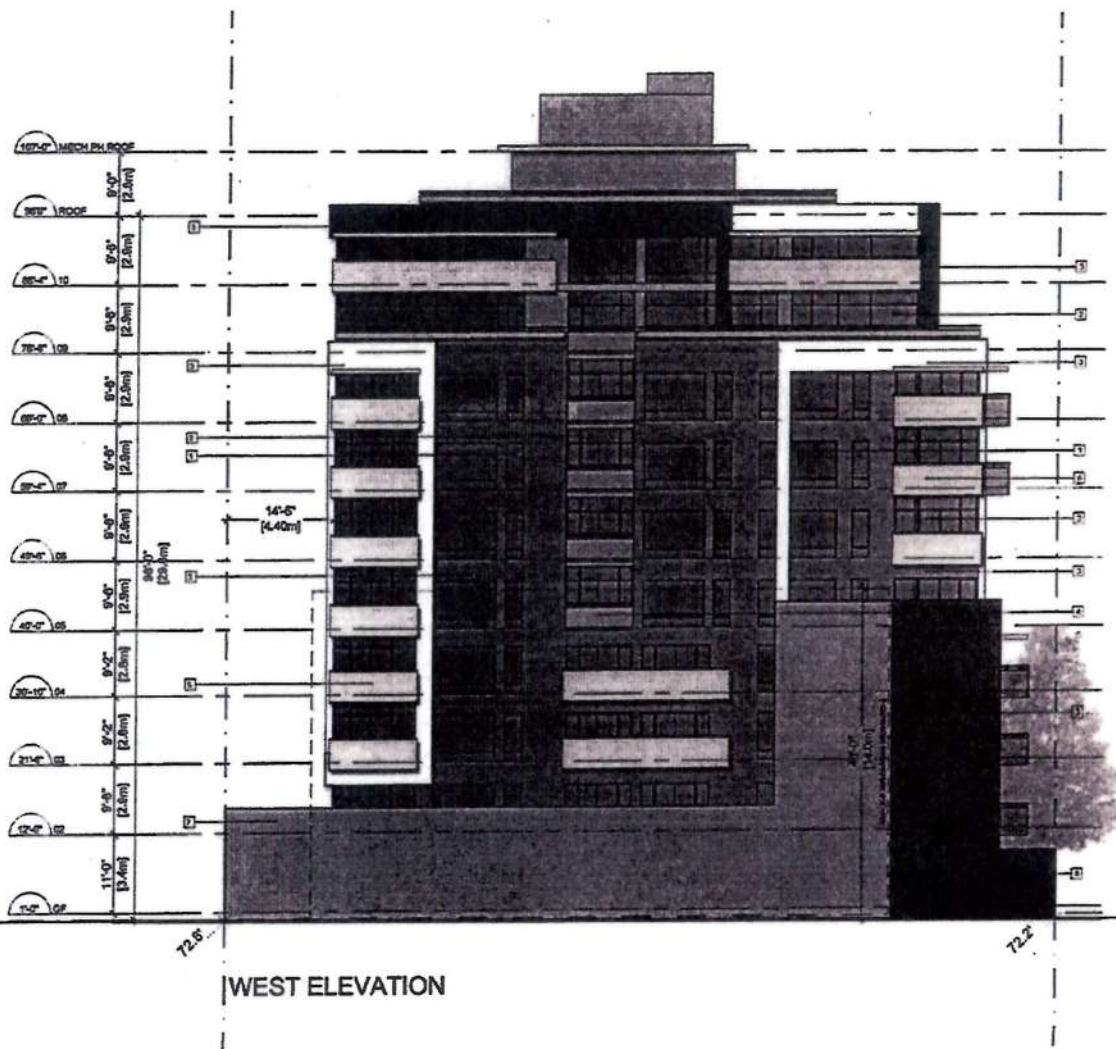
1/16" = 1'-0"



A.304

MATERIAL LEGEND

- 1 ALUM. FRAMED, DOUBLE GLAZED, CLEAR, LOW-E INSULATED UNIT
- 2 ALUM. FRAMED, DOUBLE GLAZED, CLEAR, LOW-E WINDOW WALL SYSTEM W/ INSULATED SPANDREL PANELS
- 3 COMPOSITE PANEL RAIN BORDER SYSTEM ON STEEL STUD (COLORS AS PER LEGEND BELOW / COLOR ELEVATIONS)
- 4 CLEAR GLASS PANELS IN ANODIZED ALUM. GUARDRAIL
- 5 WHITE LAMINATED GLASS FRONT PANEL IN ANODIZED ALUM. GUARDRAIL
- 6 GLASS ALUM. CANOPY
- 7 CAST IN PLACE ARCHITECTURAL CONCRETE
- 8 BRICK VENEER, CHARCOAL



WEST ELEVATION





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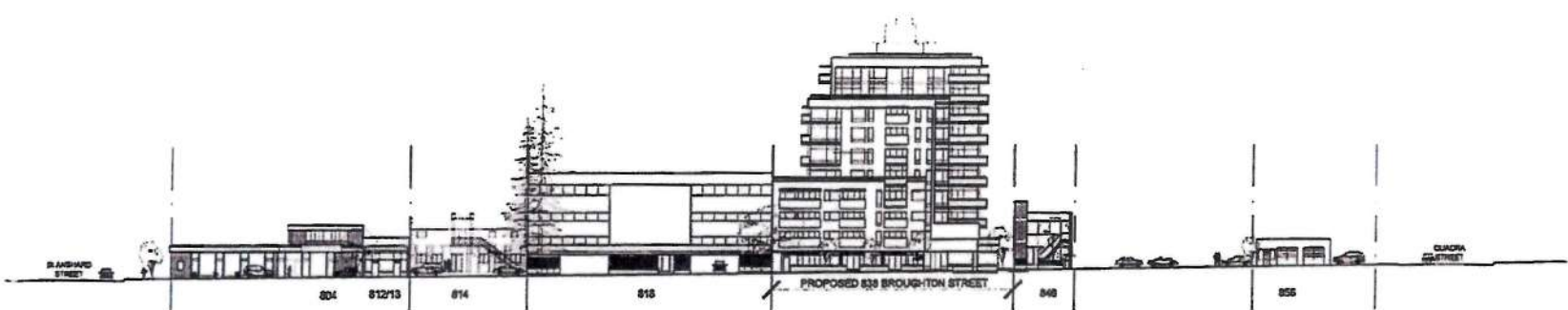
Project #
213029.1

7 DEC 13 DP SUBMISSION
28 JAN 14 DP REVISION

STREETSCAPE

N.T.S.

A.305



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PREPARED BY: MCM PARTNERSHIP. 100 BROADVIEW STREET, SUITE 200, VICTORIA, BC V8W 2G1. 25 JAN 2014. 10:00 AM. 1 REVISION.

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Project #
213029.1

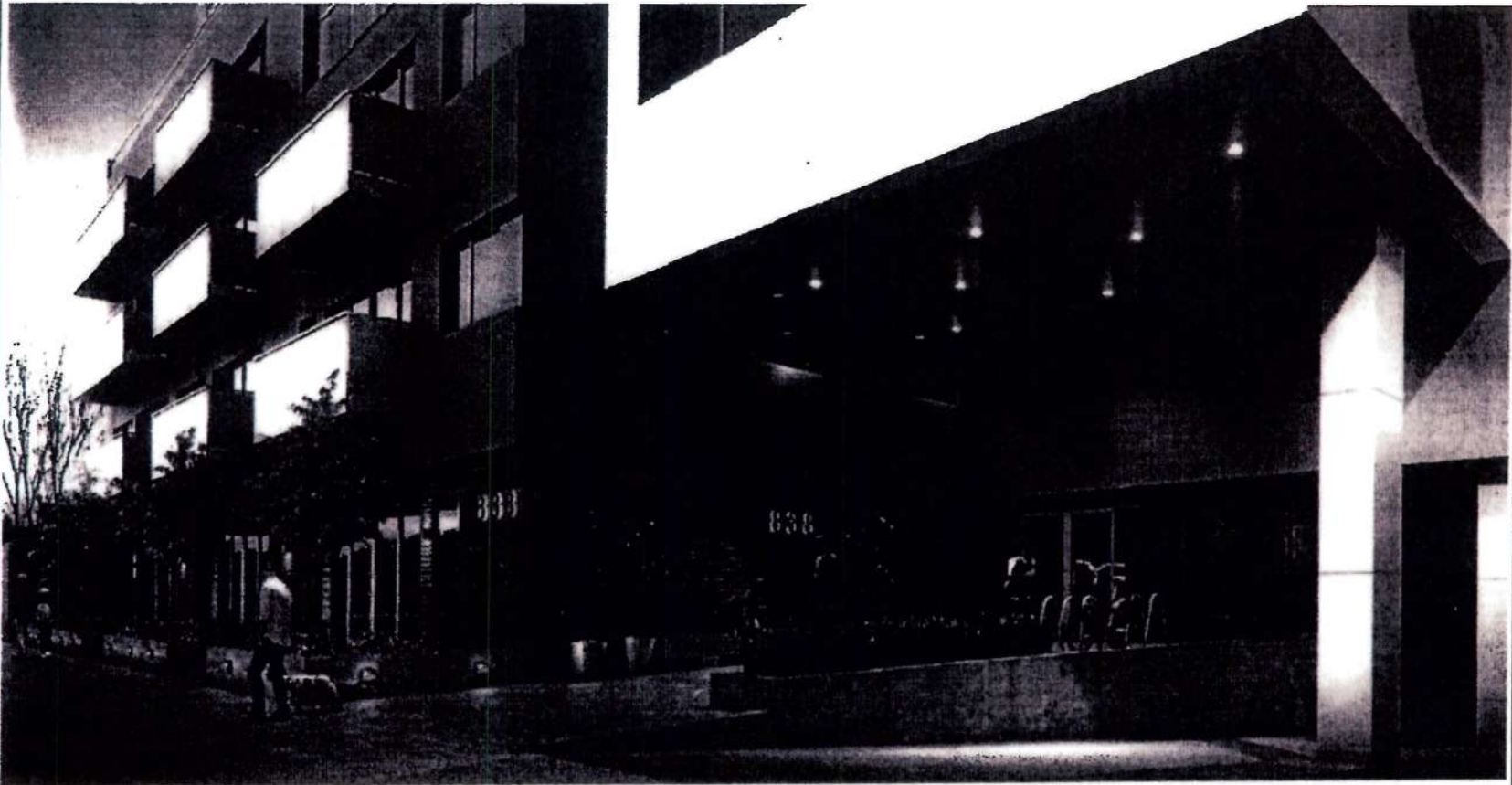
28 JAN 14 BY REVISED

STREET VIEW

N.T.S.

1

A.306



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VICTORIA, BC

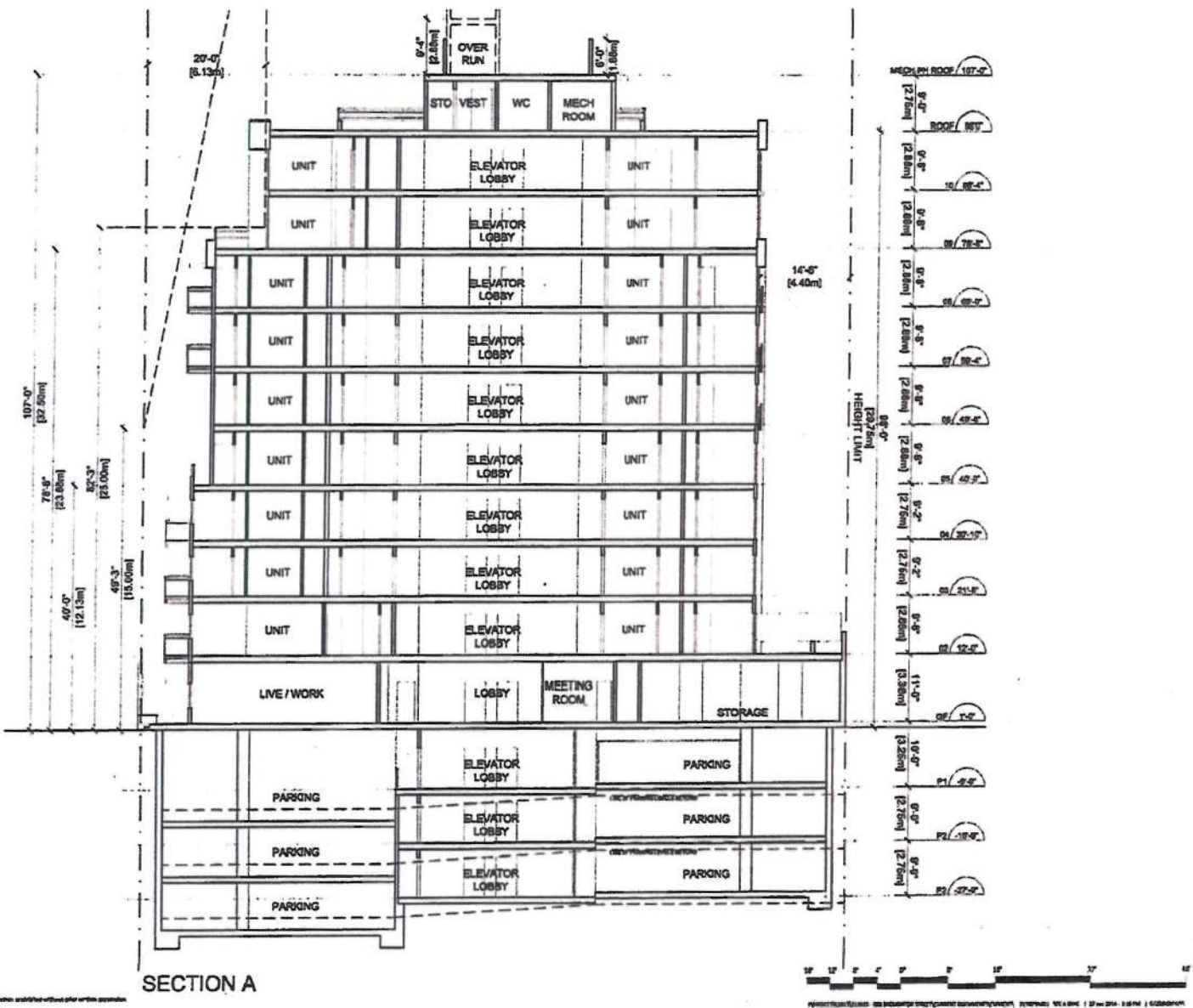
Project #
219029.1

2 DEC 13 OF SUBMITTION
28 JAN 14 OF REVISIONS

SECTION A

1/16" = 1'-0"

A.401



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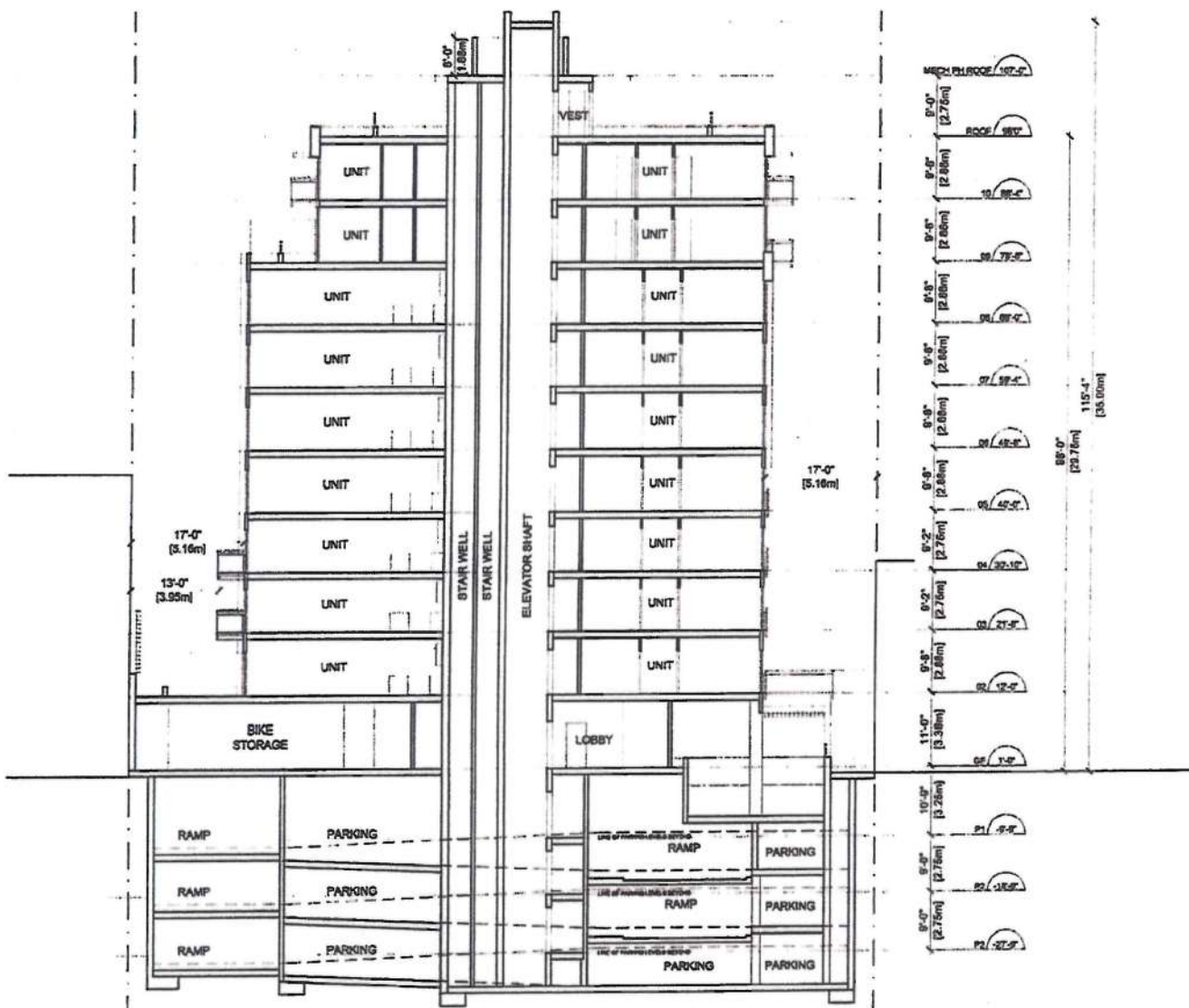
Project #
213029.2

1 DEC 13 OF SUBMISSION
28 JAN 14 OF REVISIONS

SECTION B

1/16" = 1'-0"

A.402



SECTION B

1/16" = 1'-0"

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B Jan 27-14, Issued for DP
A Nov 27-13, Issued for DP



25-495 Dufferin Rd. Victoria B.C. V8C 1B8
Phone (250) 589-0105 Fax (250) 412-0889

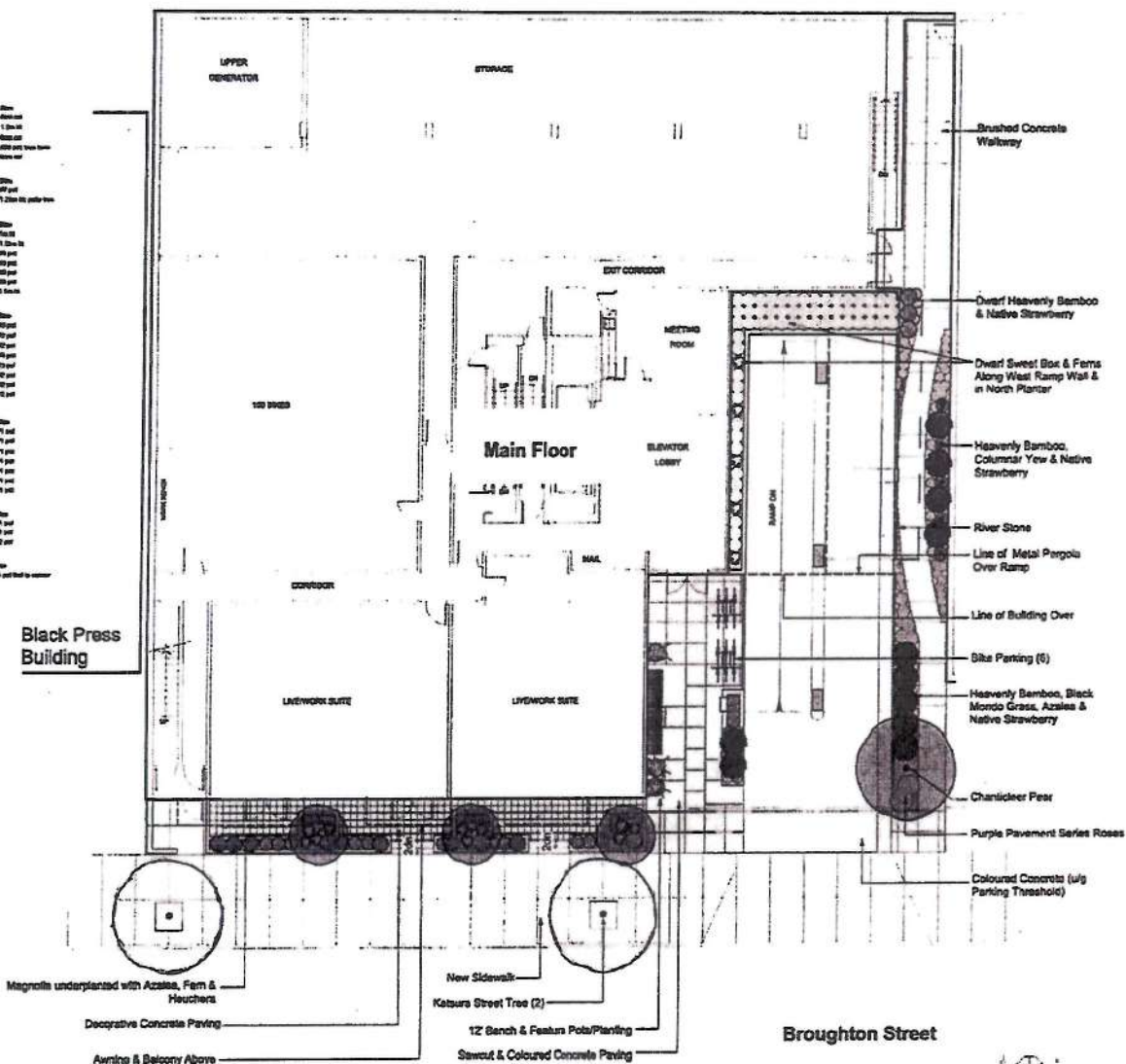
PROJECT
838 Broughton Street
Victoria, BC

TITLE
Landscape Concept Plan
Ground Level &
Nursery Schedule

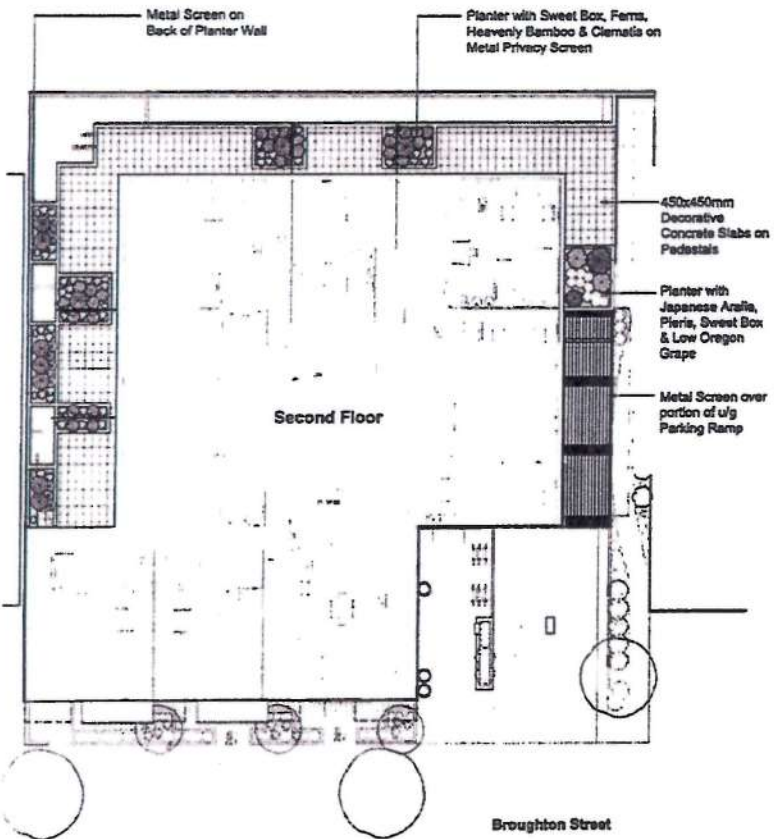
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CHECKED

PROJECT NO 1325

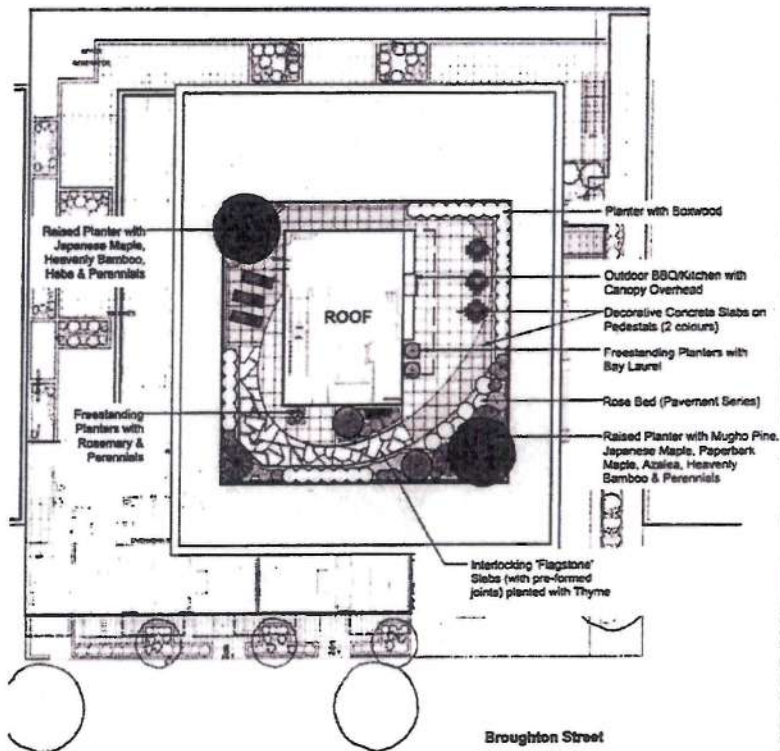
DATE Nov 28-13 L1 of 2
SHEET



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Second Floor Plan



Roof Garden

B Jan 27-14 Issued for DP
A Nov 27-13 Issued for DP
B/Revision



25-495 Osprey Rd. Victoria B.C. V8E 1G6
Phone: (250) 529-0100 Fax: (250) 412-0000

PROJECT

838 Broughton Street
Victoria, BC

TITLE

Landscape Concept Plan
Second Floor & Roof

SCALE

3/32"=1'-0"

DRAWN NW/BW

CHECKED

PROJECT No. 1325

DATE

Nov 24-13

L2 of 2

SHEET

**Planning and Zoning Committee
Fairfield Gonzales Community Association
October 21, 2013**



Members of FGCA Planning and Zoning Committee:

Paul Brown (chair), George Zador, Jim Masterton and Bill Rimmer

Subject Property:

818, 836, 838 Broughton Street. Proposed 10 storey residential building, approx 100 units plus rezoning of existing Black Press Building

13 attendees

Attendee Questions & Comments from Attendees:

- Will adjacent buildings on Fort Street be landlocked?
- Concern regarding removal of pay parking for patrons of the YMCA and Royal Theatre
- Will there be a mid-block walkway?
- What about security measures for the dead end pathway to back of Fort Street building?
- Not seeking any type of building certification
- Will be 3 raised 'City Home Units' that are not live/work
- All units will be condos
- 3 underground parking levels
- Some blasting will be required, however it is believed excavation will be mostly clay
- Projecting construction in 18 months and 22 months for construction
- What might the City want in return for density bonus? \$, rentals, amenities
- Why residential here?
- What steps will be taken to protect heritage building across street (former CFAX Building) from blasting? Good studies, engineering and planning; inspection of adjacent buildings prior to blasting
- Will contribute shoppers and security to the neighbourhood
- Intent is to keep Black Press Building (with improvements) for the foreseeable future
- Exterior will use composite panels – very durable
- Target market: mid-price ranges, lots of one bedrooms, smaller units
- Both proponent and attendees stressed importance of use of quality materials for aesthetics

RE: 836-838 Broughton Street Rezoning

Hi Helen,

I feel this issue is the kind of technicality that would not be noted by the casual observer. For that reason, and for the fact that the City is amending the zoning to suit, in my view there should be no reason for community objection.

Thanks for bringing it to our attention,

Best regards

George Zador

From: [Helen Cain](#)

Sent: Wednesday, January 21, 2015 4:21 PM

To: <mailto:planandzone@fairfieldcommunity.ca>

Subject: City-Initiated Amendment to the RMD-1 Zone (836-838 Broughton Street)

Hi George,

Further to our conversation this morning, the City has initiated minor amendments to the RMD-1 Zone for 836-838 Broughton Street. In the Council approved plans for Rezoning Application #00425 and Development Permit #000337 for this site, the building has balconies on the east side, front and rear elevations. There was a drafting error in the RMD-1 Zone, which does not allow balconies to project into setbacks, and the zone is being amended to be consistent with the approved plans. We are also make minor changes to wording related to amenity contributions to avoid any ambiguity.

I am attaching the Council Meeting Minutes for Rezoning Application #00425 for your reference.

All the best,
Helen

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388





Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Murray G. Miller, Senior Heritage Planner
Subject: Rezoning Application #00470 for 520 Niagara Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and 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, and that Council consider first and second reading of the amendment to the *Zoning Regulation Bylaw* at the March 12, 2015 Public Hearing.

LEGISLATIVE AUTHORITY

In accordance with Section 904 of the *Local Government Act* (LGA), Council is authorized to establish different density regulations for a zone that will entitle an owner to bonus density for the conservation or provision of amenities. Council is also authorized under Section 967 of the LGA to designate property of heritage value to be protected heritage property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a City-initiated Rezoning Application for the property located at 520 Niagara Street. The City has initiated this, with direction from Council, given a previous application to demolish an existing Heritage-Registered building on the property (Cathedral School). The City placed a Temporary Protection Order on the property so that staff could work with the landowner to explore redevelopment opportunities that could incorporate conservation of the building.

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*. The property is currently in the R-2 Zone, Two Family Dwelling District, which permits density of 0.5:1 floor space ratio (FSR). A new zone would be proposed that would provide opportunities for bonus density beyond this, up to 1:1 (maximum) FSR conditional on Heritage Designation of the Cathedral School.

The following points were considered in assessing this application:

- consistency with the OCP which permits density up to 1:1 (maximum) FSR in the Traditional Residential designation, and with policy 8.52, that enables consideration for bonus density and zoning variances to support heritage conservation
- consistency with the *James Bay Neighbourhood Plan* where it promotes the continued life of heritage structures through land use controls such as density.

Since the present Temporary Protection Order on the property will expire on March 15, 2015, staff recommend that Council consider the amendment following a Public Hearing on March 12, 2015.

BACKGROUND

Description of Proposal

This City-initiated Rezoning Application, developed in cooperation with the Anglican Diocese of BC, proposes a bonus density zone that would make available an increase in density from 0.5:1 FSR up to 1:1 (maximum) FSR and to permit attached dwellings conditional on Heritage Designation of the Heritage-Registered Cathedral School.

Sustainability Features

The Cathedral School has cultural value for present and future generations. Reuse and rehabilitation of heritage buildings reduces construction waste to landfills, and the energy savings and reduced carbon impact of rehabilitating the Cathedral School versus demolishing it and building a new one is expected to contribute to sustainability objectives.

Land Use Context

The immediate area is characterized by single family dwellings, duplexes and multi-unit residential buildings.

Existing Site Development and Development Potential

The site is presently occupied by the Cathedral School and is used as a day care. Under the current R-2 Zone, the property appears to have the potential for a development that would accommodate one duplex and one single family dwelling with a secondary suite. Once the current Temporary Protection Order expires on March 15, 2015, the Heritage-Registered building will no longer be protected.

Relevant History

On October 16, 2014, Council passed the following resolution pursuant to the *Local Government Act* (the "Act"), ordering the temporary protection of the Cathedral School with the written agreement of the Diocese:

1. *That Council resolves that, pursuant to Section 962(1)(a) of the Local Government Act, the property located at 520 Niagara Street be subject to temporary protection for a period of five months commencing on October 18, 2014.*
2. *That Council direct staff to initiate an expedited Rezoning Application in collaboration with the owner for the property located at 520 Niagara Street for consideration of a bonus density zone consistent with the Official Community*

Plan that would provide opportunities for bonus density in exchange for Heritage Designation of the building, and that the pre-application CALUC meeting be waived; and

3. *That Council consider adopting the Statement of Significance for St. James Mission of Christ Church Cathedral School located at 520 Niagara Street.*

The purpose of the temporary protection was to allow time for staff to continue to negotiate with the landowner to explore options regarding future development opportunities that could result in retention and protection of the Heritage-Registered Cathedral School. Staff have participated in discussions with the Diocese, architects and potential developers in order to explore options for moving forward. Based on those discussions, staff are now reporting back on an expedited schedule that would include consideration by Council and possibly the setting of a Public Hearing date prior to the expiration of the temporary protection on March 15, 2015.

Community Consultation

On October 16, 2014, Council waived the requirement for a pre-application CALUC meeting, but directed that staff meet with the CALUC before the application is considered by the Planning and Land Use Committee (PLUC). On December 22, 2014, staff consulted with the James Bay Neighbourhood Association's Development Review Committee as a precursor to attending the regular CALUC meeting.

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, staff consulted with the James Bay CALUC at a Community Meeting held on January 14, 2015. A letter dated January 16, 2015 from the James Bay Neighbourhood Association is attached to this report.

ANALYSIS

Official Community Plan (2012)

The OCP - Urban Place Designation identifies this particular James Bay property as "Traditional Residential". The Traditional Residential designation envisions buildings up to two storeys and density ranging up to approximately 1:1 floor space ratio (FSR). An opportunity exists for a new zone that uses the existing R-2 Zone as the base zone and is consistent with the use, densities and height envisioned for the Traditional Residential designation and Placemaking policy (8.52), which encourages support for heritage conservation through incentives and allowances, including bonus density provisions and zoning variances. The new zone would be consistent with the Traditional Residential designation by enabling ground-oriented buildings up to two storeys that face the street.

Local Area Plans

This proposed zoning amendment is consistent with key objectives of the *James Bay Neighbourhood Plan* where it encourages the rehabilitation of buildings of heritage significance which contribute to the neighbourhood's attractive character and the continued economic life of the Cathedral School.

Consistency with Other Guidelines

If the zoning amendment is adopted and the applicant chooses to redevelop the property under the bonus density option, a future Heritage Alteration Permit would be required and the applicant would need to demonstrate consistency of a development proposal with OCP policies and guidelines.

CONCLUSIONS

This proposed rezoning amendment has been developed in cooperation with the Anglican Diocese of BC after two consecutive Temporary Protection Orders were placed on the property in accordance with the *Local Government Act*. A third order is set to expire on March 15, 2015, and following Council's instructions for staff to explore options with the Diocese, staff propose a new zone that is consistent with the OCP, which encourages support for heritage conservation through incentives and allowances, including bonus density provisions and zoning variances.

Making available density up to 1:1 (maximum) FSR is consistent with the OCP and furthers heritage conservation objectives including the conservation of heritage property as resources with value for present and future generations.

ALTERNATE MOTION

That Council decline Rezoning Application #00470 for the property located at for 520 Niagara Street.

Respectfully submitted,

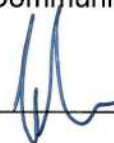


Murray G. Miller
Senior Heritage Planner
Community Planning Division



Andrea Hudson
Assistant Director
Community Planning Division
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

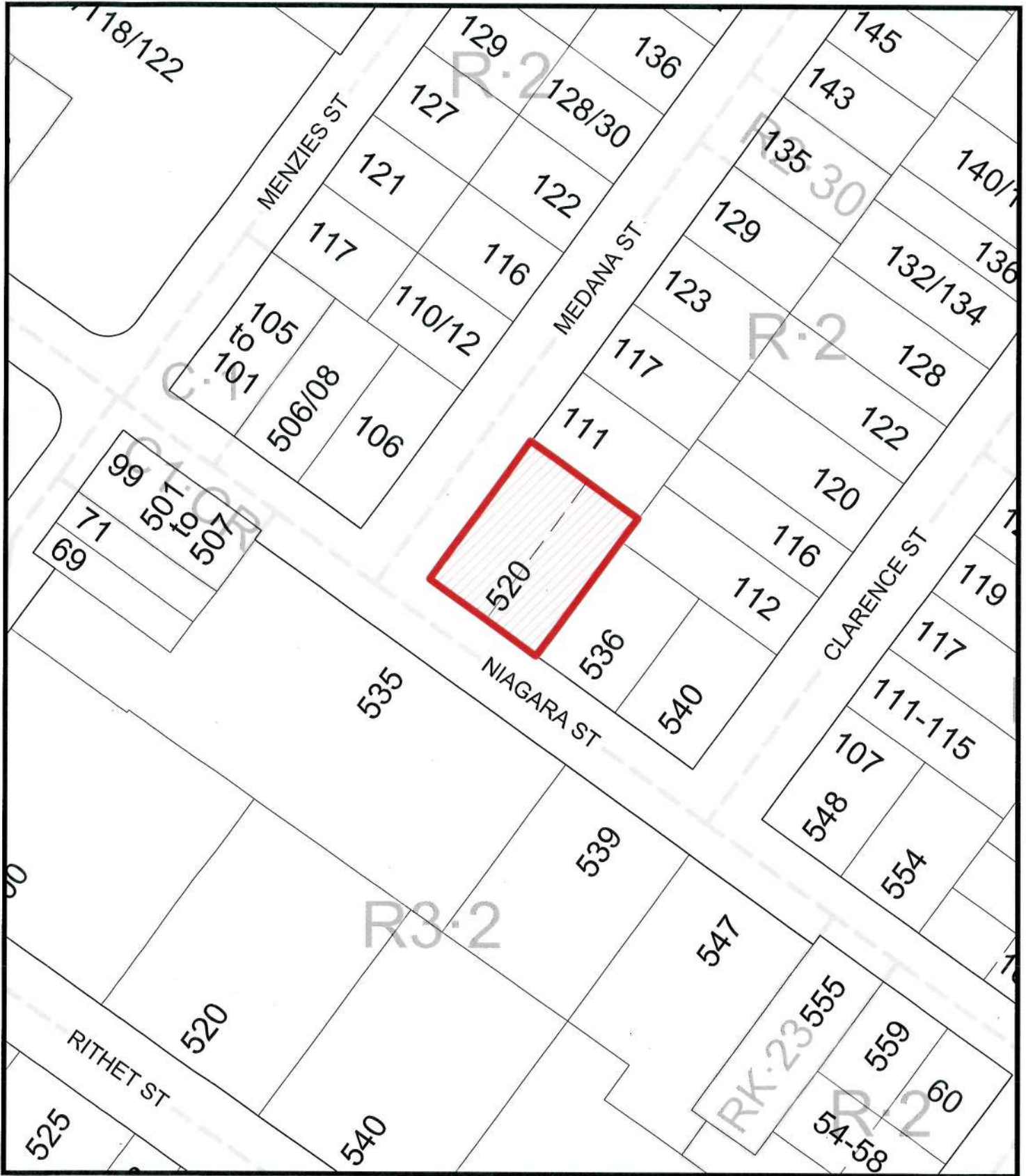
January 22, 2015

MGM/ljm

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00470\520 NIAGARA ST_REZ#00470_15JAN2015(FINAL).DOC

List of Attachments

- Zoning map
- Aerial map
- Letter from the James Bay Neighbourhood Association, dated January 16, 2015.



520 Niagara Street
Rezoning #00470
Bylaw #







James Bay Neighbourhood Association

234 Menzies St
Victoria, B.C.
V8V 2G7

www.jbna.org

January 16th, 2015

Mayor and Council
City of Victoria

Dear Mayor and Councilors,

Re: 520 Niagara Street (Cathedral School) – Rezoning Proposal

Attached please find an excerpt from the draft minutes of the January 14th JBNA meeting which considered the City initiated “incentive” rezoning of 520 Niagara, Cathedral School.

Unfortunately, the meeting did not provide a satisfactory review of the proposed rezoning. A review of the December 22nd JBNA DRC (Board development review sub-committee) meeting and a summary of the information presented at the January 14th meeting assist in understanding the dilemma now before us:

December 22nd, 2014 DRC meeting:

In mid-December we were contacted by Murray Miller, Senior Heritage Planner, who requested that the 520 Niagara rezoning CALUC meeting occur at the January JBNA meeting. To ensure that the proposal was well enough developed to present at the open public meeting, we scheduled a pre-CALUC meeting with a DRC session that occurred on December 22nd.

Tom Coyle, Tim Van Alstine, Trevor Moat and I had a most useful and positive discussion with Murray. We saw the possibility for an incentive zoning, with creativity. However, it was obvious that a CALUC meeting would be premature given the state of the proposal. Nevertheless, we scheduled the CALUC meeting for January to assist the city in keeping its schedule to create a rezoning incentive prior to March 15th. We discussed the need for the actual development proposal to come back through the community in a CALUC-like process. We were also assured that the presentation to the community would have the same detail as the presentation to be given to PLUC on January 29th.

January 14th, 2015 JBNA-CALUC meeting:

Unfortunately, the City presentation was essentially the same as the mid-December DRC presentation. The proposal was not further fleshed out. Residents' questions, most appropriately, were directed to the uncertainty that may accompany an incentive rezoning as described.

...2

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- 2 -

Discussion and Request:

The JBNA Board, and we believe most residents, appreciate the building structure and its historical importance. All understand that to keep the building, and the corner, a creative solution needs to be found. At the same time, it is recognized that neighbours immediately east and north of the property need confidence that their properties, and privacy, will not be unduly compromised by what could be.

Those present also understand the time (March) deadline for consideration of a rezoning "incentive".

Questions/Concerns that need to be resolved include but may not be restricted to:

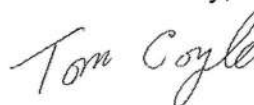
- 1) Ensuring that the rezoning does not permit zoning relaxation beyond that defined by the OCP.
- 2) Ensuring that the City will not consider rezoning relaxation beyond that defined by the OCP in the months ahead after the property is sold and a development proposed.
- 3) Ensuring that the rezoning "incentive" reverts to the current zoning if at anytime the building is purposely demolished.
- 4) Ensuring that there is a process whereby any development proposal comes through a CALUC-like process if and when a development proposal is submitted.
- 5) Ensuring that there is a process whereby any variance to any rezoning comes through a CALUC-like process if and when a development proposal is submitted and going forward at anytime before completion of a development.

In conclusion, since detail, wording, of the rezoning incentive was not brought forward to the public, fulfilling the consultation requirement as intended under the CALUC process is now questionable.



Marg Gardiner
President, JBNA

Sincerely,



Tom Coyle
Chair, JBNA CALUC

Cc: Murray Miller
Residents who asked to be kept informed
JBNA Board
Attach: Excerpt of draft minutes

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Excerpt from Draft Minutes of JBNA Public Meeting of January 14th, 2015

Due to the City's expedition of the rezoning (incentive) proposal, the excerpt provided is from minutes not yet reviewed.

**6. CALUC: 520 Niagara rezoning proposal – Cathedral School
Murray Miller, Senior City Heritage Planner**

This is a city re-zoning application to increase the density on the property and is consistent with the City's OPC.

Murray provided information including a 3-page handout that included information on:

- ~ Background from Dec 30 2013 when the City received an application for demolition of the school followed later by an application for building permit for the construction of a single family dwelling
- ~ July 24 2014 Council passed a resolution ordering the temporary protection of the school for 60 days and entered into discussions with the Anglican Diocese during which extensions were agreed upon.
- ~ As an incentive to protect the structure and register it as a heritage property a density increase through rezoning is being proposed. The rezoning is to be respectful of the city's OCP which permits a fsr ration of 1:1 while the current zoning permits 0.5:1.
- ~ proposal is consistent with the JB Neighbourhood Plan *vis a vis* heritage preservation
- ~ the Character-Defining Elements of the property

The specific rezoning proposal is meant to promote the continued life of the heritage structures through land use controls such as density, mixed uses and creative parking provision solutions. City's rational to rezone is to create density conditions that are attractive to a developer who would be required to conserve and adapt the building while maintaining the visibility of the west and south portions of the building and property

Note: handout to be attached to minutes which will be circulated at February JBNA meeting.

Q/A:

Notes:

- 1) *With the exception of JBNA DRC members, all but two of the speakers reside on Niagara, Medana or Clarence.*
- 2) *MG=Marg Gardiner, TC=Tom Coyle*

Q – The site specific rezoning hasn't been developed as yet?

A – correct

Q – this isn't the standard application of re-zoning. Why is City initiating?

A – City is not make application on behalf of the owner. Rather, City is trying to create an incentive for the owner to NOT demolish the building. This is a concept based on the OCP, balancing the heritage and surrounding residences and will it be supported in principal

Q – What is in the mind of the owner?

A – The owner wants to demolish the property, wants to get the maximum value out of the property.

Q – will there be a density bonus associated with the proposal

A – the incentive to NOT demolish the structure is the bonus for the community.

C/Q – Want to know what the owner is intending before any rezoning is approved. Why is city wanting to make it easier for the developer?

A – Not making it any easier for owner will still have to go through development application

Q – MG – At the December DRC, committee had requested that the City ensure that the proposal come back to the community once a development proposal is forwarded for a CALUC-like review. Given statements made by residents, there is an interest by nearby residents to be kept apprised of the changes to the file – will City commit to informing residents who provide e-mail addresses of changes/events relating to the proposal?

A – Staff have discussed items that came out of DRC mtg with JBNA. If the existing zone is looked at as the base line, the change would be an incentive. Any further changes would have to go back to JBNA (CALUC).

Yes, will send out notices to those who have indicated they want to have updates.

C – the bylaw wording should have been presented tonight so that we would know precisely what is being proposed.

Q – if school demolished what could be built now under existing zoning?

A – one duplex and 1 single residence with suite

Q – if zoning goes through, would the developer have to come back to JBNA if building is demolished after rezoning

A – Bonus density (incentive) would only apply if building remains.

Q – if there is a rezoning, will city guaranteed come here first as a CALUC process if there are any variances proposed?

A – there is no requirement now but understand the point

C/Q – thanks city for coming, the building is worth keeping and appreciates the creativity being proposed by the city. Are there any examples where this has been done elsewhere in the city?

A – hesitant to reference any other as it is site specific and unique, needs to think carefully before providing any examples. Believes there are some opportunities here. Once there are conditions, it is up to developer to come up with some ideas. Because there was a desire to keep the heritage property without plans for its replacement, this application was put on hold.

Q – delay of 5 months, when does it expire?

A – March 15th

Q – If City/Diocese don't come to a agreement, can owner demolish?

A – its possible

Q – can March 15th date be extended?

A – only with agreement with owner, city council has given direction to expedite matter, want a decision by March 15th deadline

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Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Lucina Baryluk, Senior Process Planner, Development Services Division
Subject: Development Variance Permit #00145 for 1726 Albert Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit #00145 for 1726 Albert Avenue and 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:
 - i. Schedule J, Secondary Suite Regulations, 1.a Minimum Required Floor Area reduced from 150m² to 140m².
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."

LEGISLATIVE AUTHORITY

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a rezoning regulation bylaw provided the permit does not vary the use or density of land from that specified in the zoning regulation bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1726 Albert Avenue. 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.

The following points were considered in assessing this Application:

- The proposal is generally consistent with the *Secondary Suite Design Guidelines*.
- The proposed variance to Schedule J, Secondary Suite Regulations, to reduce the minimum size of a dwelling unit from 150m² to 140m² in order to allow the inclusion of a secondary suite, will allow the creation of a functional bachelor suite without compromising the functionality of the main dwelling.

BACKGROUND

Description of Proposal

The proposal is to allow construction of a secondary suite within an existing single family dwelling. Specific details include:

- A portion of the unfinished first storey will be renovated to create a 38m² secondary suite which will be accessed via a side door on the west elevation.
- The remainder of the first storey will be part of the main house with a bedroom and utility area accessed by a new rear stairwell.
- Changes to the exterior of the dwelling include an addition to the rear of the building to provide access from the second storey to the lower floor. On the west elevation, a window will be replaced by a door and stairwell to provide access to the suite. There are no changes to the front façade.
- The suite will be accessed from the road by a new path (shown as pavers) along the west property line.
- Off-street parking requirements are satisfied for this parcel, as a garage is located in the rear yard.

Details of the proposed variance:

- The Secondary Suite Regulations (Schedule J) require a minimum floor area of 150m² in an existing dwelling to allow the inclusion of a secondary suite. As the existing floor area of this dwelling is 140m², a variance is required to relax this standard.

Sustainability Features

The applicant has not identified any specific sustainability features associated with this proposal, however, the proposal will maintain and renovate an existing home.

Existing Site Development and Development Potential

The subject property and existing dwelling conforms to the existing R1-B Zone, Single Family Dwelling District for single family dwellings. The existing two-storey dwelling was constructed in 1949. The total floor area of the dwelling is 140m² (which includes the 6m² addition for the stairwell). The R1-B Zone allows up to 300m² in total floor area.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on November 19, 2014 the application was referred for a 30-day comment period to the North Jubilee Neighbourhood Association. A letter from the CALUC, dated January 7, 2015, is attached to this report.

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

ANALYSIS

Regulatory Considerations

The intent of the regulation related to the minimum floor area requirement needed for a dwelling unit to include a secondary suite is to ensure that the liveability of the unit in terms of size is satisfied for both the main dwelling unit and the suite. In this case, the main dwelling layout shows a two-bedroom home while the suite layout has a combined living/bedroom area, with a full kitchen and four-piece bathroom with in-suite laundry facilities. So, in this instance, the principle of livability is maintained for both units.

Design Guidelines

The proposal generally meets the Secondary Suite Design Guidelines. In order to provide better visual identity and privacy for the suite entrance, staff recommend that Council request that further details of the lighting and landscaping adjacent to the suite entrance be required. This landscaping may include soft and hard landscaping features, such as planters or privacy screening. Details can be provided prior to the issuance of the building permit.

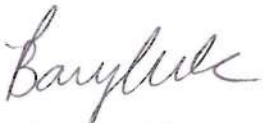
CONCLUSIONS

Albert Avenue is characterized by relatively small single family dwellings. In keeping with the scale of the adjacent dwellings, it is appropriate to consider a secondary suite within a dwelling unit that does not meet the minimum floor area required to allow a secondary suite. The proposed suite will be a functional unit, while at the same time the principal dwelling with two bedrooms will remain suitable for family use.

ALTERNATE MOTION

That Council decline Development Variance Permit Application #00145 for the property located at 1726 Albert Avenue.

Respectfully submitted,

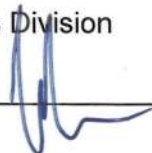


Lucina Baryluk
Senior Process Planner
Development Services Division

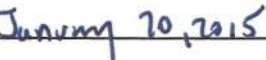


Alison Meyer,
Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:


Jason Johnson

Date:

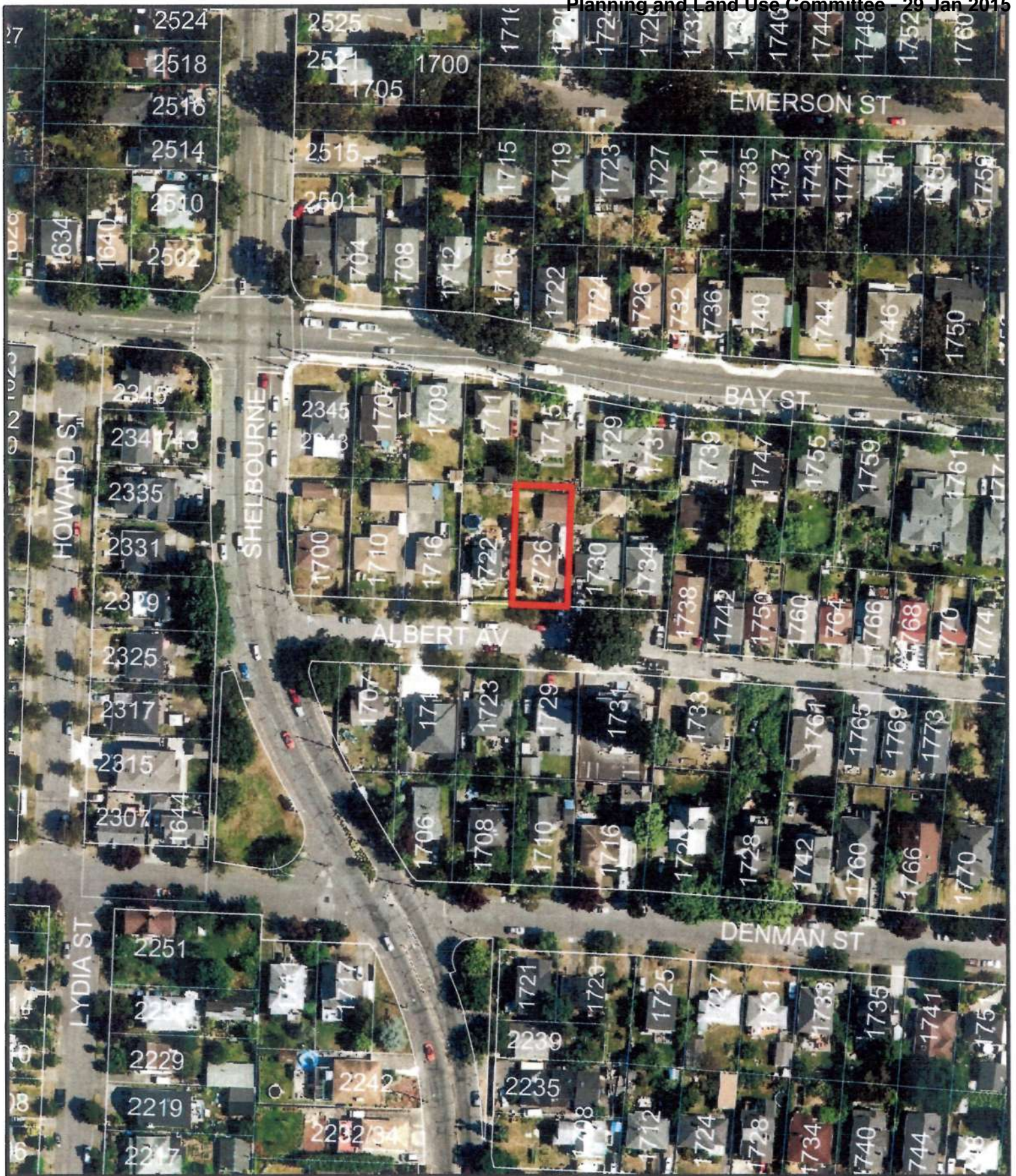

January 20, 2015

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List of Attachments

- Air photo
- Zoning map
- Submission drawings
- Letter from applicant dated November 12, 2014
- North Jubilee Neighbourhood Association letter dated January 7, 2015.



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Map showing surrounding streets and property lots:

- Howard St**: 1634, 1640, 1626, 1628, 1630, 1632, 1634, 1636, 1638, 1640, 1642, 1644, 1646, 1648, 1650, 1652, 1654, 1656, 1658, 1660, 1662, 1664, 1666, 1668, 1670, 1672, 1674, 1676, 1678, 1680, 1682, 1684, 1686, 1688, 1690, 1692, 1694, 1696, 1698, 1700, 1702, 1704, 1706, 1708, 1710, 1712, 1714, 1716, 1718, 1720, 1722, 1724, 1726, 1728, 1730, 1732, 1734, 1736, 1738, 1740, 1742, 1744, 1746, 1748, 1750, 1752, 1754, 1756, 1758, 1760, 1762, 1764, 1766, 1768, 1770, 1772, 1774, 1776, 1778, 1780, 1782, 1784, 1786, 1788, 1790, 1792, 1794, 1796, 1798, 1800, 1802, 1804, 1806, 1808, 1810, 1812, 1814, 1816, 1818, 1820, 1822, 1824, 1826, 1828, 1830, 1832, 1834, 1836, 1838, 1840, 1842, 1844, 1846, 1848, 1850, 1852, 1854, 1856, 1858, 1860, 1862, 1864, 1866, 1868, 1870, 1872, 1874, 1876, 1878, 1880, 1882, 1884, 1886, 1888, 1890, 1892, 1894, 1896, 1898, 1900, 1902, 1904, 1906, 1908, 1910, 1912, 1914, 1916, 1918, 1920, 1922, 1924, 1926, 1928, 1930, 1932, 1934, 1936, 1938, 1940, 1942, 1944, 1946, 1948, 1950, 1952, 1954, 1956, 1958, 1960, 1962, 1964, 1966, 1968, 1970, 1972, 1974, 1976, 1978, 1980, 1982, 1984, 1986, 1988, 1990, 1992, 1994, 1996, 1998, 2000, 2002, 2004, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2020, 2022, 2024, 2026, 2028, 2030, 2032, 2034, 2036, 2038, 2040, 2042, 2044, 2046, 2048, 2050, 2052, 2054, 2056, 2058, 2060, 2062, 2064, 2066, 2068, 2070, 2072, 2074, 2076, 2078, 2080, 2082, 2084, 2086, 2088, 2090, 2092, 2094, 2096, 2098, 2100, 2102, 2104, 2106, 2108, 2110, 2112, 2114, 2116, 2118, 2120, 2122, 2124, 2126, 2128, 2130, 2132, 2134, 2136, 2138, 2140, 2142, 2144, 2146, 2148, 2150, 2152, 2154, 2156, 2158, 2160, 2162, 2164, 2166, 2168, 2170, 2172, 2174, 2176, 2178, 2180, 2182, 2184, 2186, 2188, 2190, 2192, 2194, 2196, 2198, 2200, 2202, 2204, 2206, 2208, 2210, 2212, 2214, 2216, 2218, 2220, 2222, 2224, 2226, 2228, 2230, 2232, 2234, 2236, 2238, 2240, 2242, 2244, 2246, 2248, 2250, 2252, 2254, 2256, 2258, 2260, 2262, 2264, 2266, 2268, 2270, 2272, 2274, 2276, 2278, 2280, 2282, 2284, 2286, 2288, 2290, 2292, 2294, 2296, 2298, 2300, 2302, 2304, 2306, 2308, 2310, 2312, 2314, 2316, 2318, 2320, 2322, 2324, 2326, 2328, 2330, 2332, 2334, 2336, 2338, 2340, 2342, 2344, 2346, 2348, 2350, 2352, 2354, 2356, 2358, 2360, 2362, 2364, 2366, 2368, 2370, 2372, 2374, 2376, 2378, 2380, 2382, 2384, 2386, 2388, 2390, 2392, 2394, 2396, 2398, 2400, 2402, 2404, 2406, 2408, 2410, 2412, 2414, 2416, 2418, 2420, 2422, 2424, 2426, 2428, 2430, 2432, 2434, 2436, 2438, 2440, 2442, 2444, 2446, 2448, 2450, 2452, 2454, 2456, 2458, 2460, 2462, 2464, 2466, 2468, 2470, 2472, 2474, 2476, 2478, 2480, 2482, 2484, 2486, 2488, 2490, 2492, 2494, 2496, 2498, 2500, 2502, 2504, 2506, 2508, 2510, 2512, 2514, 2516, 2518, 2520, 2522, 2524, 2526, 2528, 2530, 2532, 2534, 2536, 2538, 2540, 2542, 2544, 2546, 2548, 2550, 2552, 2554, 2556, 2558, 2560, 2562, 2564, 2566, 2568, 2570, 2572, 2574, 2576, 2578, 2580, 2582, 2584, 2586, 2588, 2590, 2592, 2594, 2596, 2598, 2600, 2602, 2604, 2606, 2608, 2610, 2612, 2614, 2616, 2618, 2620, 2622, 2624, 2626, 2628, 2630, 2632, 2634, 2636, 2638, 2640, 2642, 2644, 2646, 2648, 2650, 2652, 2654, 2656, 2658, 2660, 2662, 2664, 2666, 2668, 2670, 2672, 2674, 2676, 2678, 2680, 2682, 2684, 2686, 2688, 2690, 2692, 2694, 2696, 2698, 2700, 2702, 2704, 2706, 2708, 2710, 2712, 2714, 2716, 2718, 2720, 2722, 2724, 2726, 2728, 2730, 2732, 2734, 2736, 2738, 2740, 2742, 2744, 2746, 2748, 2750, 2752, 2754, 2756, 2758, 2760, 2762, 2764, 2766, 2768, 2770, 2772, 2774, 2776, 2778, 2780, 2782, 2784, 2786, 2788, 2790, 2792, 2794, 2796, 2798, 2800, 2802, 2804, 2806, 2808, 2810, 2812, 2814, 2816, 2818, 2820, 2822, 2824, 2826, 2828, 2830, 2832, 2834, 2836, 2838, 2840, 2842, 2844, 2846, 2848, 2850, 2852, 2854, 2856, 2858, 2860, 2862, 2864, 2866, 2868, 2870, 2872, 2874, 2876, 2878, 2880, 2882, 2884, 2886, 2888, 2890, 2892, 2894, 2896, 2898, 2900, 2902, 2904, 2906, 2908, 2910, 2912, 2914, 2916, 2918, 2920, 2922, 2924, 2926, 2928, 2930, 2932, 2934, 2

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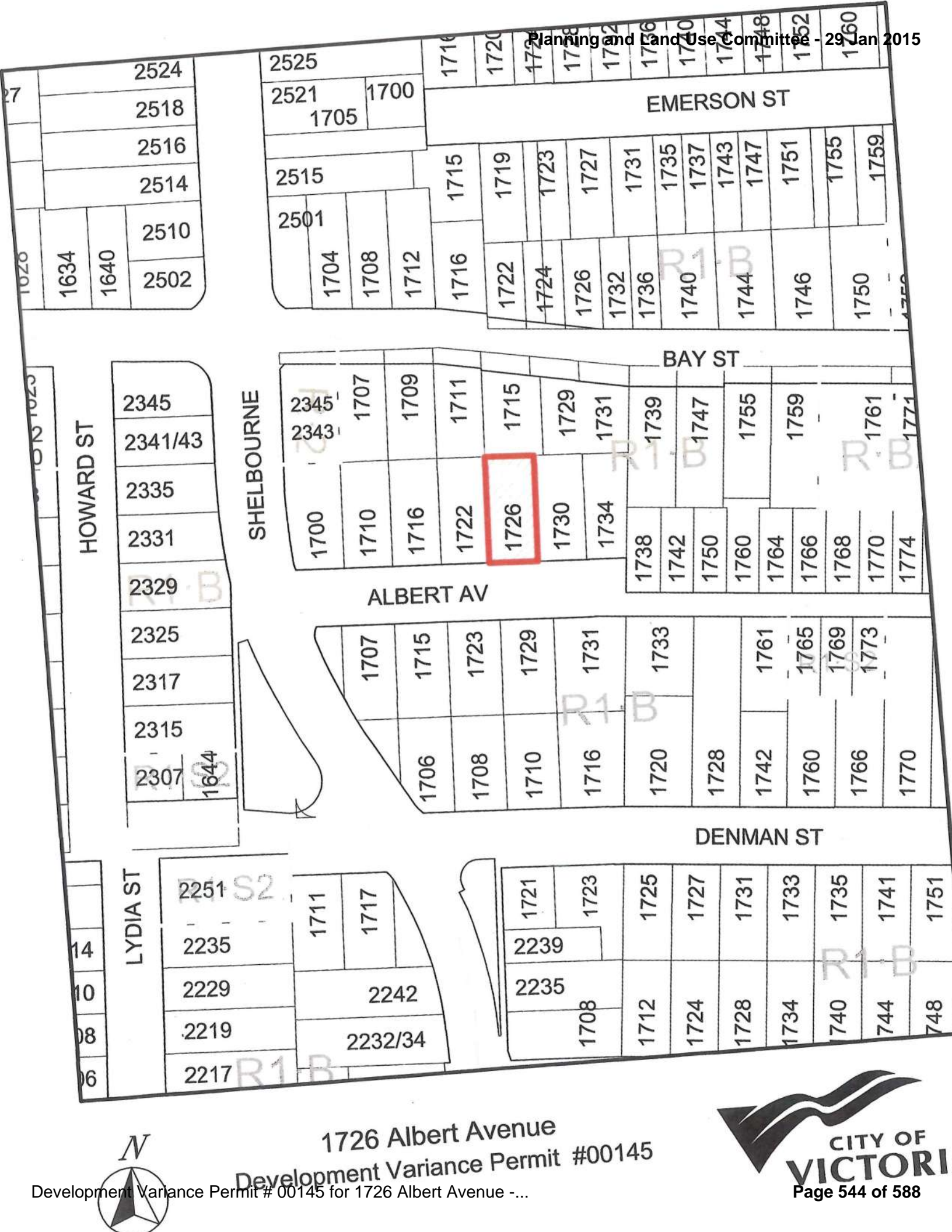
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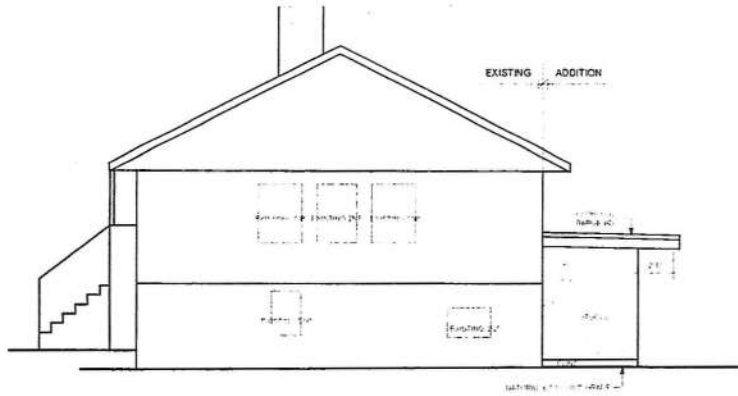
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Planning and Land Use Committee - 29 Jan 2015

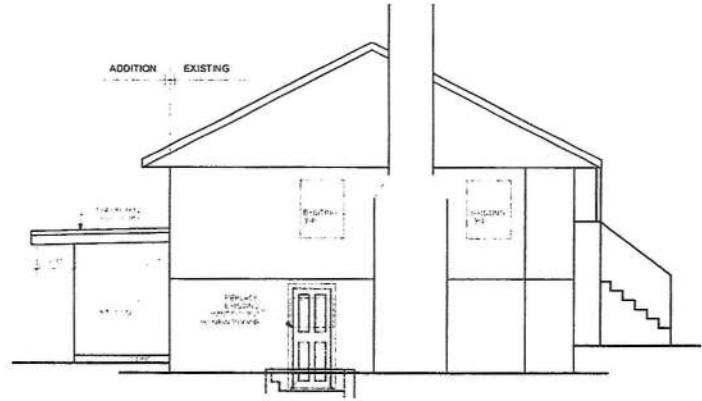
1726 Albert Avenue
Development Variance Permit #00145

City of Victoria
Page 544 of 588

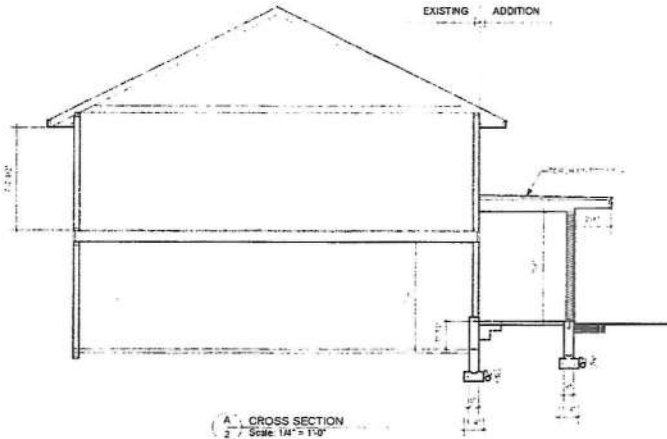




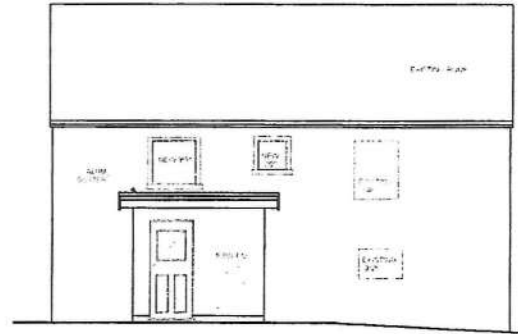
RIGHT ELEVATION (EAST)
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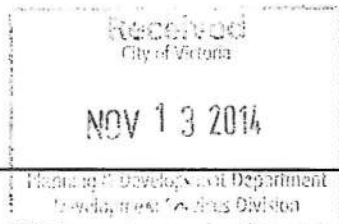
LEFT ELEVATION (WEST)
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REAR ELEVATION (NORTH)
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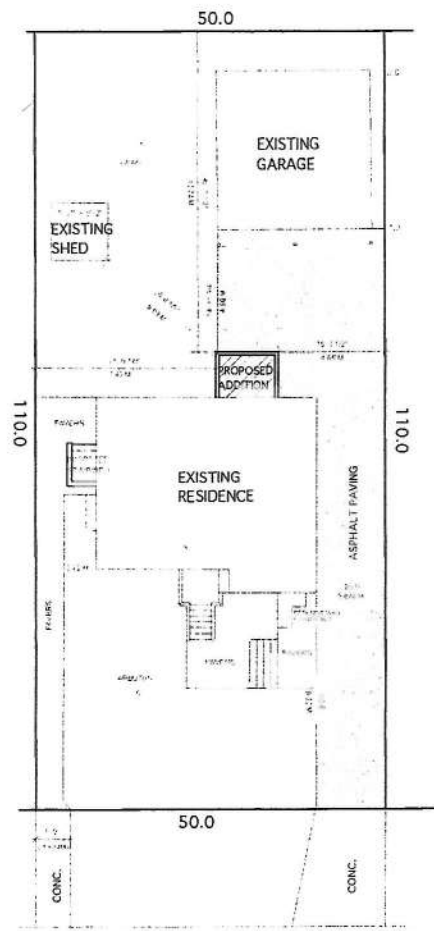


SCALE 1/4" = 1'-0"
DATE MAY 2014
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CHK BY KMMR
PLAN # 155

PROPOSED SECONDARY SUITE
& ADDITION
FOR MR. MICHAEL COOPER

SHEET

29 Jan 2015

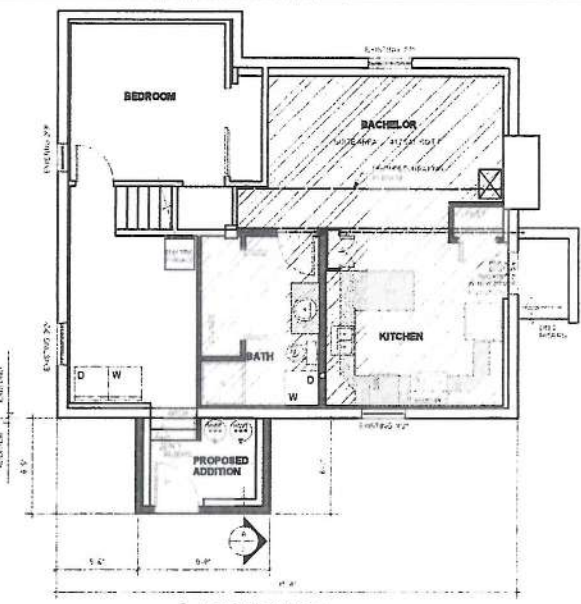


ALBERT AVENUE

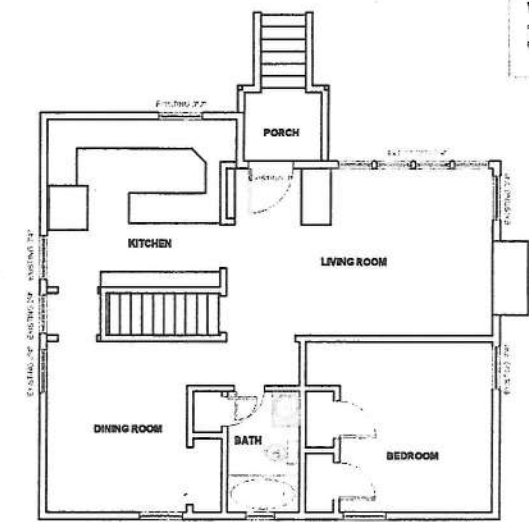
SITE PLAN
Scale: 1/100

SITE DATA	
OWNER	MICHAEL COOPER
ADDRESS	1726 ALBERT STREET
ZONE	R1-B ZONING
LEGAL DESCRIPTION	
LOT	3
SECTION	420
DISTRICT	75
RANGE	VICTORIA
SITE AREA	5500 SQ FT (510.9 SQ M.)
EXISTING SITE COVERAGE	1417.918 SQ FT (131.72 SQ M.) 25.78%
PROPOSED SITE COVERAGE	58.5 SQ FT (5.43 SQ M.) 1.06%
TOTAL SITE COVERAGE	1476.418 SQ FT (137.16 SQ M.) 26.84%
EXISTING FLR. AREA	1446.678 SQ FT (134.67 SQ M.)
PROPOSED FLR. AREA	58.854 SQ FT (5.56 SQ M.)
TOTAL FLR. AREA	1505.532 SQ FT (140.24 SQ M.)
SUITE FLOOR AREA	417.541 SQ FT (38.79 SQ M.) 27.66%
SETBACKS	
TO EXISTING GARAGE	14'-11 3/4" (4.56 M)
PROPOSED REAR	45'-1 1/8" (13.74 M)
PROPOSED SIDE	15'-3 1/2" (4.66 M)
PROPOSED SIDE	25'-8 1/2" (7.83 M)
EXISTING SIDE	6'-3 3/16" (2.02 M)
EXISTING SIDE	10'-0" (3.048 M)

WALL LEGEND	
PROPOSED WALL	---
EXISTING WALL	---



LOWER FLOOR PLAN
Scale: 1/4" = 1'-0"



MAIN FLOOR PLAN
Scale: 1/4" = 1'-0"

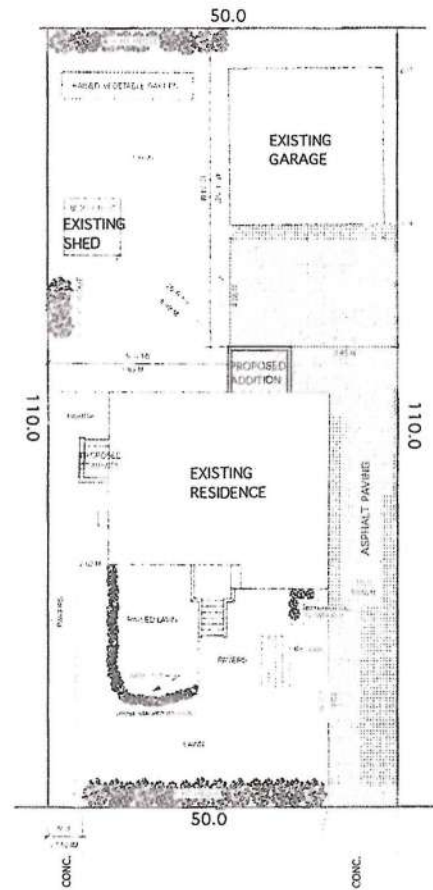
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Planning & Land Use Committee



SCALE 1/4" = 1'-0"
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DRAWN BY TMAW
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PLAN # 156

PROPOSED SECONDARY SUITE
& ADDITION
FOR MR. MICHAEL COOPER

SITE DATA	
OWNER	MICHAEL COOPER
ADDRESS	1726 ALBERT STREET
ZONE	R1-B ZONING
LEGAL DESCRIPTION	
LOT	3
PLAN	420
SECTION	76
DISTRICT	VICTORIA
RANGE	
SITE AREA	5500 SQ. FT. (510.9 SQ. M.)
EXISTING SITE COVERAGE	1417.918 SQ. FT. (131.72 SQ. M.) 25.78%
PROPOSED SITE COVERAGE	58.5 SQ. FT. (5.43 SQ. M.) 1.06%
TOTAL SITE COVERAGE	1476.418 SQ. FT. (137.16 SQ. M.) 26.84%
EXISTING FLR. AREA	1440.978 SQ. FT. (134.67 SQ. M.)
PROPOSED FLR. AREA	59.854 SQ. FT. (5.56 SQ. M.)
TOTAL FLR. AREA	1500.832 SQ. FT. (140.24 SQ. M.)
SUITE FLOOR AREA	417.541 SQ. FT. (38.79 SQ. M.) 27.66%
SETBACKS	
TO EXISTING GARAGE	14'-11 3/4" (4.56 M)
PROPOSED REAR	45'-1 1/8" (13.74 M)
PROPOSED SIDE	15'-3 1/2" (4.66 M)
PROPOSED SIDE	25'-8 1/2" (7.83 M)
EXISTING SIDE	8'-7 3/16" (2.62 M)
EXISTING SIDE	19'-0" (5.64 M)



ALBERT AVENUE

LANDSCAPE PLAN
Scale 1:100



SCALE 1/8" = 1'-0"
DATE MAY 2014
DRAWN BY TMMR
CHK BY KMMR
PLAN # 156

PROPOSED SECONDARY SUITE
& ADDITION
FOR MR. MICHAEL COOPER

Michael Cooper
1726 Albert Avenue
Victoria, BC, V8R 1Z1

12 November 2014

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

Dear Mayor and Council

Re: Development Variance Permit Application
Schedule J - Secondary Suite Regulations 1 a. - Minimum Required Floor Area
1726 Albert Ave. - Lot 3, Block 1, Section 76, Victoria District

This letter is in support of my request for a variance with respect to the minimum required building floor area for a secondary suite.

The relevant regulation reads: "A building containing a secondary suite must have a floor area of at least 150 m² of all floor levels combined." The floor area of the existing building is about 134.5 m².

I believe the variance is justified in light of the relatively small amount by which the building falls short of the floor area specified in the regulation.

The house is located about a block from the Royal Jubilee Hospital and I understand that there is a strong demand in the area for single-person accommodation along the lines of the proposed suite.

The location is very convenient for transit; it is a very short walk to each of Shelbourne St., Bay St. and Richmond Rd., and no more than three blocks from Fort St. As well, it is intended that the existing 8' by 8' shed in the backyard be made available to the suite tenant and it would be suitable for storing a bicycle. Further, although off-street parking is not required for a secondary suite, the single driveway along the side of the house can readily accommodate three vehicles and it is possible that a suite tenant could park a vehicle in the driveway.

The proposed changes to the exterior of the house - the new side entrance and the addition at the rear entrance - are modest and will not appreciably alter the character of the house or its appearance from the street.

Although the house is not large by modern standards, the proposed design will result in two quite functional living spaces: a main two-bedroom living space and a bachelor suite. Each living space will have its own washer and dryer (stacking in the case of the bachelor suite). Each living space will have plenty of available additional storage; the garage in the case of the main

living space and the 8' by 8' shed in the case of the bachelor suite.

The bachelor suite will have a separate side entrance with its own walkway to the street, enabling the tenant to come and go with a degree of privacy. The distance between the side of the house where the entrance to the suite will be and the six-foot fence at the property line, is about 8 feet, providing a small semi-private outdoor sitting area.

I have consulted with my adjacent neighbours and have met with the North Jubilee Neighbourhood Association Land Use Committee. No one expressed any objection to the proposed secondary suite.

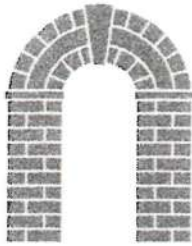
Please let me know if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "MD Cooper".

Michael Cooper

C:\Documents and Settings\MDC\My Documents\Old PC Contents Copy 140614\1726 Albert\Secondary Suite\Mayor & Council 141112B.wpd



North Jubilee
Neighbourhood
Association

c/o 1766 Haultain Street

Victoria, B.C., V8R2L2

January 7, 2015

Mayor Lisa Helps and City Councillors

1 Centennial Square

Victoria, B.C., V8W1P6

Re: Development Variance Permit #00145...1726 Albert Street

Dear Mayor Helps and City Councillors:

On November 5, 2014 the North Jubilee Neighbourhood Association Land Use Committee met with the applicant, Michael Cooper, re the proposed development variance permit for 1726 Albert Street. Mr. Cooper advised that he had talked to his neighbours on either side of his property and that they did not have any objections to his proposal.

The LUC agreed that this proposal for a secondary suite and small addition would fit in with the current housing in that area. This residence currently has a long driveway to a separate garage and on-site parking is not required for the proposed secondary suite.

When this DVP goes to public hearing, residents are given the opportunity to speak to Council. Therefore, the LUC decided that a CALUC meeting was not necessary.

Yours very truly,

Jean Johnson, Land Use Committee Chairman

On behalf of Pat May, Wilma Peters, Janice Stewart and Heather Fox

Cc: Lucina Baryluk



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 19, 2015
From: Kristina Bouris - Project Lead, Senior Planner, Community Planning Division
Subject: Burnside-Gorge/Douglas Area Plan Project Charter

RECOMMENDATION

Staff recommend that:

1. Committee provide any feedback and consider amending the project charter as required
2. Committee forward this report as amended to the January 29th Council meeting for Council's consideration and approval, and that Council instruct staff to proceed with the Burnside-Gorge/Douglas Local Area Plan as 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

EXECUTIVE SUMMARY

On June 26, 2014, Council directed staff to prepare a project charter for the Burnside-Gorge/Douglas Area Plan as the first local area plan to be initiated under the *Local Area Planning Program Terms of Reference* and pursuant to the *Official Community Plan (OCP)* adopted in 2012.

The Burnside neighbourhood is a complex area which is home to a diverse population of over 5,000 residents, more than 1,400 businesses, and several transportation corridors and employment lands of regional significance. The proposed project charter will guide the plan's completion and initial implementation activities following the plan's approval. The Communication and Engagement Strategy provides a framework for engaging a broad range of stakeholders with an interest in the diverse plan area. Finally, the Terms of Reference for the Engagement Advisory Group provide detail on the proposed composition, appointment process and role of this advisory group.

Upon Council approval, staff will launch Phase 1 (Identify Issues and Opportunities) of the local area planning process as follows:

- Launch public information process and complete recruitment and appointment for the Engagement Advisory Group (1 month)
- Finalize design of Phase 1 Engagement (1 month)
- Carry out Phase 1 Engagement activities (4 months) and report back to Council summarizing engagement findings, proposed guiding community objectives and further

public engagement that is needed for Phase 2.

A more detailed Section 7, timeframe, is in the project charter.

BACKGROUND

Council directed staff to commence a local area plan for the Burnside-Gorge/Douglas Area as the first local area plan to be initiated under the *Local Area Planning Terms of Reference*. This direction was approved by Council at the June 26, 2014, meeting and staff were instructed to return with a project charter and an engagement strategy:

That Council direct staff to commence a Burnside-Gorge / Douglas Area Plan;

- a. With specific emphasis on:
 - i. the Douglas Street Corridor including Mayfair Town Centre and Humber Green Urban Village
 - ii. the residential and mixed use areas within the Burnside neighbourhood
 - iii. the industrial and general employment lands within the Burnside neighbourhood including the Rock Bay District; and
- b. Begin the start-up phase (as described in the Local Area Planning Program Terms of Reference), and;
- c. Report back to Council with a detailed Project Charter.

The Burnside neighbourhood is a complex area which is home to a diverse population of over 5,000 residents, more than 1,400 businesses, several key transportation corridors and employment lands of regional significance. Priority for local planning is based on the principle of planning where planning is needed, with the intention of judiciously allocating resources to those areas that have experienced or are anticipating major change (OCP 20 (a)). The OCP identifies Burnside neighbourhood as a priority based on:

- strategic opportunities for growth and placemaking along Douglas Corridor and in urban villages and town centres, to support the area's role as a key regional transit corridor and gateway to Victoria
- adopted policy direction to enhance the vibrancy of the Rock Bay District and the broader employment lands as key economic assets for current and future businesses
- the need for improvements to infrastructure, amenities and services to knit together disparate areas and support urban growth, livability and sense of place for current and future residents and employees.

ISSUES & ANALYSIS

The proposed project charter will guide the preparation of the plan. It identifies the plan purpose, key areas of geographic focus and existing policy direction, core topics to be addressed, key deliverables, timeframe and resources for plan completion and initial implementation activities.

In keeping with the *Local Area Planning Terms of Reference*, the proposed Burnside-Gorge/Douglas Area Plan will support the OCP in addressing six core topics as well as additional topics that may be relevant to the planning area. The six core topics are:

- Land Management and Development (e.g. land use, density, building forms and heights)
- Placemaking (e.g. urban design of public space and private development, heritage conservation)

- Transportation and Mobility (e.g. conceptual complete street designs; pedestrian and cycling routes)
- Infrastructure (e.g. servicing, including water, sewer and stormwater; energy conservation)
- Parks and Public Spaces (e.g. type and scale of public open space)
- Amenities and Services (e.g. new/enhanced public amenities, facilities and community services).

Further detail is included in Section 4, Scope of Work, of the project charter.

The Communication and Engagement Strategy (Appendix A of the project charter) provides a framework for engaging a broad range of stakeholders within this diverse area, which includes over 5,000 residents, over 1,400 businesses, and transportation corridors of regional importance.

The project charter proposes that an Engagement Advisory Group, appointed by Council, advise staff in developing and implementing the public engagement process. This group would advise staff in the design of engagement activities, in reaching stakeholders, in delivering public engagement, and in interpreting stakeholder concerns. The Terms of Reference (attached) provides detail on the proposed composition, appointment process and role of this advisory group.

OPTIONS & IMPACTS

The timeframe and resources required to complete this plan are outlined in Section 7, Timeframe, and Section 8, Budget, Staff and Third Party Resources, in the project charter. A draft plan is expected to be completed twelve months from the start of public engagement, while the entire planning process is expected to take approximately 18 months from initiation to consideration by Council. The project charter recognizes that the proposed budget is to be considered at the upcoming financial planning process and that approval of the project charter would not commit the City to the requested budget. Rather, approval would allow staff to commence this project with the expectation that it will be completed with the budget Council chooses to allocate.

The next step in the planning process includes raising awareness of the upcoming process and holding a recruitment process for the Engagement Advisory Group. Applications for the Engagement Advisory Group would be accepted for a period of approximately four weeks and would be presented for Council consideration in time for the March 12, 2015, Governance and Priorities Committee meeting. This timeframe will allow the Engagement Advisory Group to convene in time to be involved in Phase 1 Engagement, with public engagement anticipated to commence in April 2015.

Staff are currently completing the background research and pre-planning for the project. The next anticipated step in launching the project is appointment of the Engagement Advisory Group as they will be involved in designing public engagement events. The Communication and Engagement Strategy proposes that Phase 1 engagement events be largely completed prior to summer 2015, as it is more difficult to ensure broad stakeholder participation during summer months. Delays in the Engagement Advisory Group appointments may require adjusting these plans in order to meet the project timeline.

This plan is the most complex of local area planning priority areas identified in the OCP in terms of the topics addressed and its geographic scale. The project is structured with a higher level of staff resources earlier in the process. As the project progresses, it is likely that resources will be available to begin subsequent Local Area Plans. Future plans may be expected to require

fewer resources.

OFFICIAL COMMUNITY PLAN CONSISTENCY STATEMENT

The proposed Burnside-Gorge/Douglas Area Plan process is consistent with the direction in OCP Section 20: Local Area Planning and OCP Section 21: Neighbourhood Directions.

Respectfully submitted,



Kristina Bouris
Senior Planner
Community Planning Division



Andrea Hudson
Assistant Director, Community Planning
Sustainable Planning and Community Development



Julie Potter
Manager, Citizen Engagement
Citizen Engagement and Strategic Planning

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

January 22, 2015

List of Attachments

- Attachment 1 - Project Charter: Burnside-Gorge/Douglas Area Plan
- Attachment 2 - Terms of Reference for the Burnside-Gorge/Douglas Area Plan Engagement Advisory Committee.

KB/ljm

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Planning and Land Use Committee Report
Burnside-Gorge/Douglas Local Area Plan Project Charter

January 29, 2015
Page 4 of 4



PROJECT CHARTER

Burnside-Gorge/Douglas Area Plan

January 15, 2014

Prepared by:
Kristina Bouris, Senior Planner
Marc Cittone, Senior Planner
Sustainable Planning and Community Development

Project Sponsor:
Andrea Hudson, Assistant Director
Community Planning Division
Sustainable Planning and Community Development

1.0 Project Purpose

The purpose of this project is to produce a Burnside-Gorge/Douglas Area Plan (Plan) that will advance the objectives of the *Official Community Plan* (OCP), respond to current conditions, and present a greater level of detail regarding how the area will grow and change over the next 30 years.

2.0 Background

The 2012 Official Community Plan (OCP) brought forward a new vision for how Victoria will grow and change over the next 30 years and identified the need for renewed local area planning to provide a greater level of detail focused on areas where growth and change are expected.

The OCP identifies Burnside neighbourhood as a priority for local area planning, with:

- strategic opportunities for growth and placemaking along Douglas Corridor and in urban villages and town centres, to support the area's role as a key regional transit corridor and gateway to Victoria;
- adopted policy direction to enhance the vibrancy of the Rock Bay District and the broader employment lands as key economic assets for current and future businesses; and,
- a need for improvements to infrastructure, amenities and services to knit together disparate areas and support urban growth, livability and sense of place for current and future residents and employees.

2.1 Local Area Planning Program Terms of Reference

In July 2014, Council adopted the *Local Area Planning Program Terms of Reference* which provides details regarding the purpose, approach, products and process of local area planning, particularly those elements that are common across all plans. At the same meeting, Council endorsed an approach to completing Local Area Plans within the Priority 1 areas identified in the OCP and the *OCP Implementation Strategy* (2013). Council approved initiating one overarching Local Area Plan in 2014 that generally follows the boundaries of the Burnside neighbourhood (Figure 1).

As directed by the *Local Area Planning Program Terms of Reference*, adopted by Council in July 2014, the purpose of the Plan will be to:

- determine how the City-wide goals and Neighbourhood Directions in the OCP can be best addressed and implemented at the local level
- provide a clear vision for how growth, development and other change will be managed in the local area
- respond to changing regional and local area trends and population dynamics
- plan for community services and amenities
- establish a strategy for major public investments, including estimated costs and funding options

- provide more detailed land use policies and built form objectives to guide the development of property.

The Plan is intended to provide a framework and level of strategic planning that is more detailed than the OCP. Used in conjunction with the OCP, the Plan will provide more specific guidance for City Council, staff, citizens, private sector and organizations for future decisions related to the following six core topics:

1. **Land Management and Development** (e.g. land use, density, building forms and heights)
2. **Placemaking** (e.g. urban design of public space and private development, heritage conservation)
3. **Transportation and Mobility** (e.g. conceptual complete street designs; pedestrian and cycling routes)
4. **Infrastructure** (e.g. servicing, including water, sewer and stormwater; energy conservation)
5. **Parks and Public Spaces** (e.g. type and scale of public open space)
6. **Amenities and Services** (e.g. new/enhanced public amenities, facilities and community services)

The Burnside-Gorge/Douglas Area Plan will generally follow the boundaries of the Burnside neighbourhood (see Figure 1).

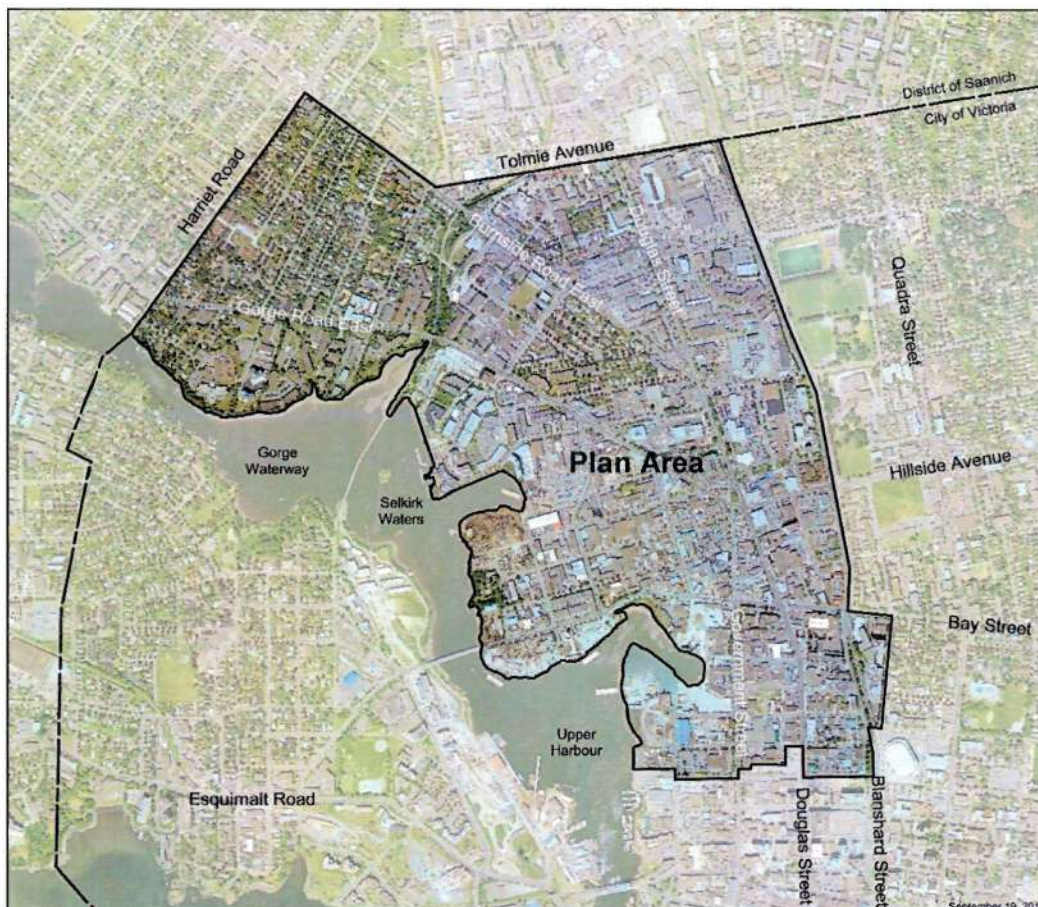

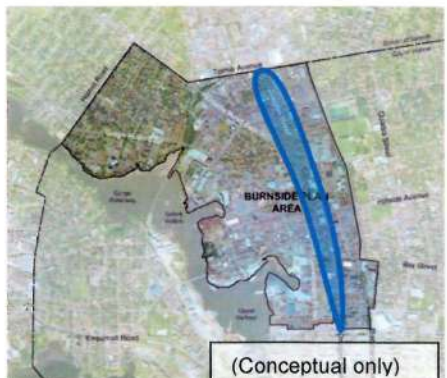
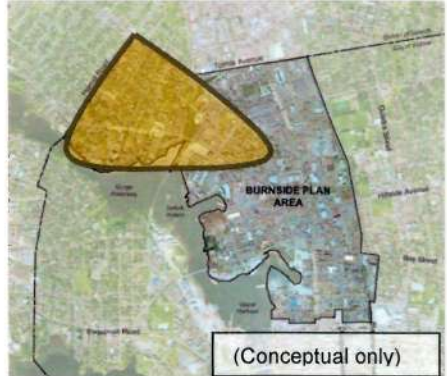


Figure 1: Burnside-Gorge/Douglas Plan Area

2.1 Key Geographic Areas of Focus

The Burnside neighbourhood has complex land uses and planning needs. Local area planning will focus on areas where future residential or employment growth and change are anticipated. These areas can be generally grouped into three key geographic areas of focus to be refined during Phase 1 of the project:

<p>1. Industrial and General Employment Lands, including Rock Bay</p>	<ul style="list-style-type: none"> The regionally significant industrial and general employment lands within the Burnside neighbourhood, including the Rock Bay District 	 <p>(Conceptual only)</p>
<p>2. Douglas Street Corridor</p>	<ul style="list-style-type: none"> The regionally significant Douglas Street Corridor including Humber Green Large Urban Village and Mayfair Town Centre 	 <p>(Conceptual only)</p>
<p>3. Residential and Mixed Use Areas</p>	<ul style="list-style-type: none"> Within the larger residential and mixed-use areas of Burnside Neighbourhood, the Plan will focus on areas of anticipated growth or change, including confirmation of urban village locations and boundaries, planning for the Gorge Road and Burnside Road Corridors and related areas 	 <p>(Conceptual only)</p>

2.2 Existing Plans and Policy Direction

The primary goal of local area planning is to advance the objectives of the OCP, particularly the Burnside Neighbourhood Directions contained in Section 23 of the OCP. In addition to the OCP, Council has approved other policy plans that establish objectives for the Burnside area, most notably the *Burnside Neighbourhood Plan* (1992), as well as the *Victoria Harbour Pathway Plan* (2008), *Greenways Plan* (2003), *Victoria Harbour Plan* (2001), *Bicycle Master Plan* (1995, update in progress) and *Neighbourhood Transportation Management Plan* (1993).

The existing OCP policy objectives most relevant to the preparation of the plan, drawn largely from the OCP's *Neighbourhood Directions*, include:

- accommodate higher density development along the Douglas Street Corridor to support its role as a primary transit and growth corridor and a gateway to Victoria
- retain and enhance the industrial and general employment areas
- develop Rock Bay as an intensive, green employment centre
- enhance the urban design of the area
- develop Mayfair Town Centre and Humber Green Village as places for future growth supportive of transit
- consider revisions to existing Urban Village locations and boundaries
- support a mix of housing types, forms and tenures in the area
- for major corridors, create more complete streets that can accommodate various types of transportation modes including pedestrians, cyclists, transit and vehicles
- improve the pedestrian and cycling environment and connections
- improve public access to the water
- locate new park and public space in the area
- enhance community services and facilities.

2.3 Public Engagement Strategy

Broad stakeholder engagement will be critical to the success of this plan. The Burnside neighbourhood is a complex area which is home to a diverse population of close to 6,000 residents, more than 1,400 businesses, and transportation corridors and employment lands of regional significance. The Communication and Engagement Strategy (Appendix A), outlines engagement techniques and timelines, identifies key local and regional stakeholders and identifies strategies for reaching harder-to-reach groups. The strategy focuses on engaging the diversity of both residents and business stakeholders in the plan area. An Engagement Advisory Group (see section 6.3) will play a key role in helping staff to design and deliver public engagement.

2.4 “One City” Approach

During this project, the City will take a “One City” approach that encourages collaboration among City departments and other organizations to respond to issues outside the scope of local area planning that might emerge while the project is still underway. Under the “One City” approach, staff will work collaboratively to identify the appropriate follow-up and response.

2.5 Collaboration with District of Saanich

The District of Saanich is proposing a Saanich Douglas Corridor/Uptown Centre Planning Study to examine long-term land use, urban design conditions and transportation improvements along the Douglas Street corridor from the Victoria border to the area around Uptown. The project is anticipated to be undertaken in 2015-2016, presenting possible opportunities for joint engagement and planning efforts. Staff from both municipalities have already begun meeting to discuss possible opportunities for collaboration.

3.0 Scope of Work

The scope of work and deliverables for this project will be guided by the *Local Area Planning Program Terms of Reference (2014)* and will include:

- Compile and review existing policies, technical studies and other analysis related to the study area and draw on this information to inform public engagement and the development of potential plan options.
- Develop and deliver a public engagement process, in collaboration with the Engagement Advisory Group (see Section 12.1), to facilitate community dialogue, identify issues and opportunities, analyze the impacts of different options and develop a shared stake in the future of the plan area.
- Develop policies for the following six core topics that advance OCP objectives (see Figure 3), provide a finer level of detail and consider the unique features and objectives of the local area:
 - **Land Management and Development:** how future population and employment growth will be addressed and accommodated in the local area (e.g. land use, density, building forms and height)
 - **Placemaking:** how urban design and heritage in the local area will contribute to the creation of special places (e.g. urban design of public space and private development; heritage conservation)
 - **Transportation and Mobility:** how transportation infrastructure and connections will be enhanced within the local area and connect to the rest of the City and adjacent municipalities. This topic will include content and actions previously addressed in Neighbourhood Transportation Management Plans, as appropriate (e.g. conceptual complete street designs; pedestrian and cycling routes)

- **Infrastructure:** how physical infrastructure and assets will support future growth (e.g. servicing, including water, sewer and stormwater; energy conservation)
- **Parks and Public Spaces:** planning for public spaces that serve recreational, ecological, community gathering and other purposes (e.g. type and scale of public open space)
- **Amenities and Services:** planning for the provision of new (and the enhancement of existing) public amenities, facilities and community services.
- Consider including additional topics and associated policies in response to local need and emerging issues and opportunities.
- Develop an Action Plan for guiding plan implementation and progress over time, including estimated costs, funding options and key actions to be implemented immediately following the approval of the Plan.
- Undertake any or all of the following, depending on the Plan outcomes and pending the availability of resources:
 - drafting of any zoning or guidelines required, integrated with the Zoning Bylaw Review, including zoning updates for Rock Bay as part of the implementation of the Downtown Core Area Plan
 - recommendations for new or amended Development Permit or Heritage Conservation Areas
 - other planning policies, to be determined.
- Work collaboratively with the Staff Technical Resource Group (see section 8.2) and Engagement Advisory Group throughout the project to facilitate communication between citizens, businesses, organizations, external agencies and City staff to facilitate a “One City approach” (section 2.3) to emerging issues and encourage action while planning.

4.0 Deliverables

The project will provide the following deliverables:

1. A proposed Burnside-Gorge/Douglas Area Plan to provide detailed policy guidance for future growth and change in the study area. The Plan may include some or all of the following components:
 - vision, broad objectives, policies, actions and a list of desired amenities
 - design concepts, illustrations, diagrams, guidelines
 - principles, strategies and other planning approaches, to be determined.
2. A proposed Action Plan to include actions to implement the Plan, timelines, roles and responsibilities and anticipated funding mechanisms. The Action Plan will be developed in close consultation with other departments in order to consider other City priorities, objectives and resources, and align the Action Plan with City's *Five-Year Financial Plan*, *20-Year Capital Plan* and *Corporate*

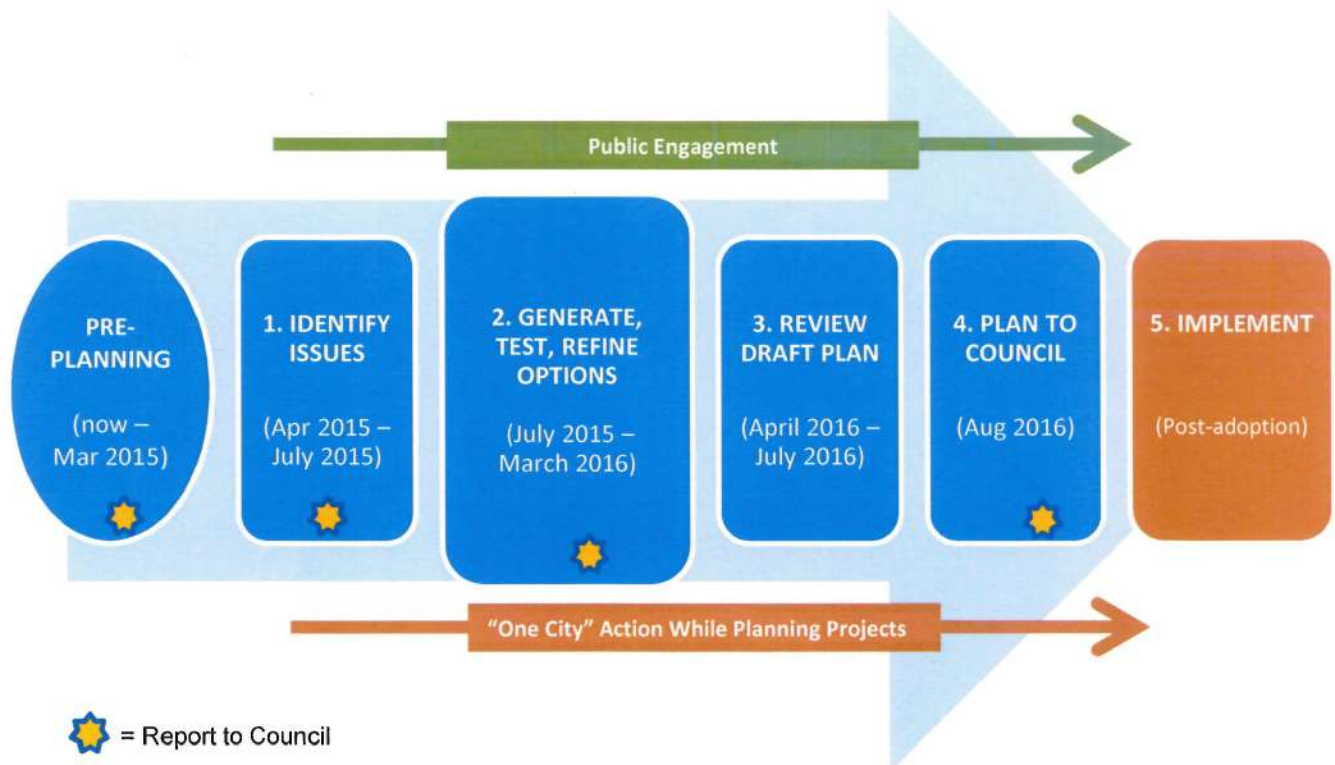
Strategic Plan. Recommended actions may include some or all of the following:

- new or amended Development Permit and Heritage Conservation Areas and associated guidelines
- amendments to existing local area plans, as needed
- amendments to *Zoning Regulation Bylaw* or other City bylaws, as needed
- recommendations for capital works, as needed
- recommendations for City services, programs and operations, as needed
- recommendations for partnership, advocacy or additional research, as needed.

5.0 Timeline

The project will follow a five-phased process, where the tasks, deliverables and milestones of the later phases will be shaped by the findings of the earlier ones. As a result, the timeline provides more detail for Preplanning and Phases 1 and 2.

The project timeline includes an implementation phase, Phase 5, to implement priority actions and lay the foundation for effective implementation of the Plan over time. The timing and scope of Phase 5 will be established through Council's adoption of the Action Plan, pending available resources.



5.1 Pre-Planning

July 2014 – March 2015 (underway)

- Conduct informal information interviews with some initial stakeholders to inform the development of the project charter and communication and engagement strategy
- Present proposed project charter, communication and engagement strategy and proposed Engagement Advisory Group terms of reference to Planning and Land Use Committee of Council for consideration
- Prepare background information that can be used to inform the project and public engagement process:
 - may include available information such as historical trends and data, composition of the residential, business and broader stakeholder community, land capacity analysis, feasibility studies, needs assessments, market forecasts, land use policies and regulations
 - create local area map series to depict spatial data
- Initiate project communications activities, including project identity, website and outreach materials
- Call for applications and Council appointment of Engagement Advisory Group
- Initial meeting of Engagement Advisory Group

5.2 Phase One: Identify Issues and Opportunities

April – July 2015

- Work with Engagement Advisory Group to initiate Phase 1 public engagement activities. The purpose of public engagement activities for this phase will be to help identify potential issues, community values, ideas and opportunities. In Rock Bay, where initial planning has been undertaken through the *Downtown Core Area Plan*, public engagement will focus on confirming and building upon existing policy directions.
- Deliver public engagement activities according to the communication and engagement strategy.
- Focus public engagement efforts on creating a shared level of understanding of the project and conditions in the local area to ensure that all participants are aware of the issues and opportunities, based on available information and past analysis.
- Identify issues/topics where additional study or analysis will be needed in Phase Three.
- Present a report to Council summarizing Phase 1 public engagement findings, proposed guiding community objectives and further public engagement that is needed.

5.3 Phase Two: Generate, Test and Refine Planning Options

July 2015 – March 2016

- Build on the issues, opportunities and objectives identified in Phase 2 to generate, explore and evaluate different options for addressing the issues.

- Work with Engagement Advisory Group to design and deliver public engagement activities to support Phase 2.
- Focus analysis and public engagement efforts on those issues and opportunities that are more complex or where there is less agreement on the preferred approach. Different methods will be used to understand the potential implications of different options, including financial impacts. This analysis will be led by staff and methods may include:
 - collaborative design workshops (e.g. charrette)
 - consultation with subject area experts
 - on-going working groups to address more complex issues
 - staff-led technical analysis
 - consultant studies (in unusual cases only, where staff is not available or there would be a benefit to having third-party analysis).
- Analyze options for a variety of impacts, such as cost, transportation, infrastructure, land use and climate change.
- Analyze options for their potential impact on services and infrastructure delivered by external agencies or the private sector (e.g. transit, school or daycare needs). Work with external partners to determine if there is adequate capacity to accommodate future growth.
- Depending on the issue(s), coordinate a public review of options before recommending preliminary Plan directions to Council. The need for public review will be determined in collaboration with the Engagement Advisory Group.
- Present options for preliminary Plan directions to Council before proceeding to Plan drafting. This will include an assessment of the physical, social, environmental and economic implications of different options.

5.4 Phase Three: Review Draft Plan

April 2016 – July 2016

- Develop a Draft Plan and associated Action Plan for public review.
- Work with the Engagement Advisory Group to develop a public engagement process to review the Draft Plan, the associated Action Plan and any other deliverables. Develop engagement methods that will encourage citizens, businesses and organizations to critically evaluate the Draft Plan's policies and actions and their potential implications.
- If the Plan deliverables include proposed amendments to the OCP, consider consultation obligations required under legislation.
- Produce a summary of public engagement feedback, including a synthesis of key issues and opportunities and how public feedback was considered.
- Refine policies based on public feedback and additional analysis, as necessary.

5.5 Phase Four: Plan to Council

August 2016

- Present the proposed Plan and Action Plan to Council's Planning and Land Use Committee, followed by a Public Hearing convened by Council to consider the proposed Plans
- Refine proposed Plan and Action Plan if directed by Council.

5.6 Phase Five: Implement

January 2017 → on-going

- Seek funding approval, as part of the 2017 financial planning process, for any short-term implementation actions.
- Implement priority Year One Actions (to be detailed in Action Plan).
- Work with other departments and external partners to coordinate implementation of longer-term action.
- Work with other organizational reporting processes to establish system for monitoring progress on implementing the Action Plan.

6.0 Budget, Staff and Third Party Resources

6.1 Budget

In addition to staff resources, the cost for the project is estimated at approximately \$150,000 (Table 1). It is proposed that Council allocate this budget from the Sustainable Planning and Community Development budget for Official Community Plan Implementation (2015-2016). Wherever possible, staff will carry out the work for this project. The requested budget will be used for expenses related to public engagement and for consultant-led transportation technical studies. Due to the complex planning needs and issues covered by the plan's study area, the project also includes a significant contingency fund to address issues and opportunities that may emerge during the early phases of the project. The findings of public engagement in Phase 2 and 3 will largely determine the scope of issues and associated resource needs for subsequent phases. As a result, all costs in Table 1 are contingent on the findings of Phase 2 and 3, and may be refined.

Table 1: Projected Operational Budget, Burnside-Gorge/Douglas Area Plan

Year	Project Phase	Expense Description	Estimated Operational Costs (excludes staff resources)
2014	Pre-Planning	--	--
2015	Phase 1: Identify Issues and Opportunities	Engagement Expenses (events, survey, promotion)	\$10,000
	Phase 2: Generate, Test, Refine Planning Options	Collaborative Design Workshops/Charrettes (3-4)	\$24,000
		Engagement Expenses (workshops, focus groups)	\$11,000
		Transportation Studies for major corridors (incl. contingency for additional technical study or modeling)	\$60,000
		2015 Contingency- for additional engagement, technical analysis or other project needs to address emerging issues, if necessary	\$15,000
		Subtotal	\$120,000
2016	Phase 2: (cont'd)	Engagement Expenses (workshops, options open house)	\$8,000
	Phase 3: Review Draft Plan	Engagement Expenses (events, promotion)	\$5,000
	Phase 4: Plan to Council	--	--
	Phase 3 & 4 Contingency	2016 Contingency- for additional engagement, technical analysis or other project needs to address emerging issues, if necessary	\$17,000
		Subtotal	\$30,000
2017	Phase 5: Implementation	To be determined	TBD
		Total Projected Operational Costs	\$150,000

6.2 Staff Resources

Staff resources for this project will consist of two separate but related groups:

- Staff Project Team
- Staff Technical Resource Group.

The involvement of additional staff from other departments may be required periodically to advance the overall project and to assist with certain issues or special events.

6.2.1 Staff Project Team

The Staff Project Team (Table 2), comprised of staff from Sustainable Planning and Community Development, Citizen Engagement and Strategic Planning, and Engineering and Public Works (Transportation), will be responsible for project management, data analysis, producing and recommending policy options for

Council's consideration. It will also be responsible for planning and delivering public engagement and working with the Engagement Advisory Group.

Table 2: Staff Project Team Resources

Department	Position	Estimated Full Time Equivalents		
		2015	2016	2017 Implementation
Sustainable Planning and Community Development	Project Lead	0.9	0.5	0.75
	Senior Planner: Kristina Bouris			
	Senior Planner: Marc Cittone	0.9	0.9	
	Senior Planner: Robert Batallas	0.5	0.5	
	Senior Planner, Urban Design: Chris Gower	0.3	0.3	
	Planning Analyst: Rob Bateman	0.5	0.5	0.2
Civic Engagement and Strategic Planning	Civic Engagement Advisor: Bridget Frewer	0.2	0.2	
Engineering and Public Works	Transportation Planner: Steve Hutchison	0.1	0.1	0.05

6.2.2. Inter-departmental Technical Resource Group

This group of 13 staff from across City departments will support the "One City" approach by sharing expertise and ensuring smooth flow of information among the many departments involved. The timing and level of involvement of individual members will vary based on the topic area. Members will advise on the feasibility of potential policy and implementation actions, help identify issues, opportunities and stakeholders and, where needed, attend engagement events. Members will act as a "point person" for their home department/agency. This group includes thirteen staff from across City departments, as shown in Table 3.

Table 3: Inter-departmental Technical Resource Group

Department	Position
Sustainable Planning and Community Development	Heritage Planner: Adrian Brett
	Senior Planner, Development Services: Brian Sikstrom
	Senior Planner, Social Issues: John Reilly
	Zoning Administrator: Thom Pebernat
Engineering and Public Works	Supervisor, Infrastructure Planning (Underground Utilities): Pete Neff
	Manager, Streets Operations: David Myles
Finance	Manager, Financial Planning: Jo-Ann O'Connor
Parks and Recreation	Manager, Parks Planning and Design: Leigh Sifton
	Manager, Arts, Culture and Special Events: Kristina Oberg
Solicitor's Office	Assistant City Solicitor: Kate Blokmanis
Victoria Fire Department	Emergency Management Coordinator: Rob Johns
	Assistant Deputy Chief, Administration: Chris Royle
Victoria Police Department	Community Resource Officer (Burnside and Gorge): Cst. Kathi Brown

7.0 Project Organizational Structure

The following diagram outlines the relationships between the various City entities in completing this plan.



8.0 Risk Assessment

Risk #	Risk	Likelihood to Occur (L,M,H)	Impact if Occurs (L,M,H)	Mitigation Plan
1	Uncertainty regarding future of rapid transit and associated development on Douglas Street	H	H	Plan will consider different scenarios for future of Douglas St. The Corridor's function as a key transit corridor is not in doubt, and can guide land use and placemaking.
2	Lack of capital resources to fully implement the new Local Area Plan	H	M	Plan and Action Plan will inform and be informed by future organizational planning and budget processes. Action Plan will identify funding mechanisms to be proposed during future financial planning processes. If resources unavailable, actions may be deferred or cancelled.
3	Raised public expectation regarding the pace of implementation of the plan	H	M	Action plan will include detailed timeline for implementation subject to funding and resources. Monitoring will report on progress and limitations.
4	Lack of staff resources to complete project on time	M	H	Detailed staff resource plans prepared in pre-planning phase. Scope of plan may be narrowed if necessary.
5	Lack of staff resources to support plan implementation	M	H	Project Charter designates staff time for initial phase of plan implementation. If staff resources unavailable, implementation actions may be deferred.
6	New development while new local area plan is still being prepared	M	H	OCP and existing neighbourhood plan
7	New or competing organization priorities delays plan implementation	M	M	Action Plan will inform and be informed by future organizational planning and budget processes. Actions may be deferred or cancelled.
8	Lack of representation of the full range of both business and residential stakeholders in engagement process	M	M	Engagement Advisory Group will help facilitate engagement; staff will invest effort to fill gaps in participation.
9	Lack of strong public confidence in consultation and plan process	M	L	Engagement and outreach will acknowledge past public engagement processes where relevant. Engagement Strategy will consider ways to minimize burnout, such as holding engagement activities for different City projects simultaneously.

Appendix A:

**Burnside-Gorge/Douglas Area Plan
Communication and Engagement Strategy**

January 2015



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1. Purpose

A three-phased engagement strategy to involve the community in an update to the Local Area Plan for the Burnside neighbourhood, including the Rock Bay area and the Douglas Street transportation corridor is planned for 2015 and 2016.

The focus of this engagement strategy is on Phase One. The strategy may change as needed to reflect any emerging needs.

2. Background

This spring, citizens will be invited to help plan for the future of the Burnside neighbourhood as the City begins work on a new Local Area Plan.

This project presents the opportunity to update and replace the current neighbourhood plan (1992) in response to current conditions, the significant amount of growth expected along the Douglas Street corridor, and the range of objectives established by the Official Community Plan (OCP) and other city policies.

The area accounts for about 12 per cent of land in the City of Victoria, comprised of regionally significant industrial and employment areas alongside established residential areas traversed by several key transportation corridors including the Douglas Street Corridor and the Lochside Trail. 6,000 residents live in the Burnside neighbourhood. 1,400 businesses provide work for over 14,000 people, making it a key employment area for the Greater Victoria region. Engagement with the community presents an opportunity to celebrate the diverse makeup of the area and build pride among residents and businesses as they help to establish the vision for the future of their neighbourhood.

The plan will focus on three areas: the Douglas Street Corridor from the edge of downtown to Tolmie Avenue, including Mayfair Town Centre and Humber Green Urban Village; the industrial and employment area known as the Rock Bay area; and the residential and commercial area of Burnside west of Douglas Street and north of the Rock Bay area.

There is a strong desire within the residential and business community to address some of the opportunities and challenges already identified during the OCP process, including the following:

- The area's division by multiple arterial roads that serve as regional routes into downtown Victoria creates a barrier to fostering a unified sense of community in the area.
- Lack of a complete neighbourhood or village centre that would provide the community with a range of services such as a grocery store, coffee shop, post office, etc.
- Opportunities to retain and improve the vibrancy and economic viability of industrial and employment areas.
- Desire for more community services, facilities, parks and public spaces in the area to meet current needs and accommodate future growth.
- Opportunities for adding a mix of housing types, forms and tenures.

- Opportunities to improve the pedestrian and cycling environment and connections.
- Opportunities for an enhanced look and feel of the public realm (sidewalks, parks, urban design).
- Consideration of the future of some large potential development sites within the area.

The new Burnside-Gorge/Douglas Area Plan will advance objectives from the City's recently adopted 2012 Official Community Plan (OCP) and help establish a long-term vision for the future of the neighbourhood.

3. Engagement Approach

The diverse use and makeup of the area will require a variety of engagement techniques to ensure all stakeholders affected by the new local area plan have opportunities to get involved.

An Engagement Advisory Group will be established to provide advice on how best to reach and engage all impacted stakeholders. Members will act as a sounding board to staff on engagement techniques and tools. They will also serve as ambassadors in the community by sharing information about the plan and opportunities for involvement with their networks. Members will also help staff better understand issues and opportunities to inform the planning process.

In addition, staff will seek to engage youth through the community's active Youth Program at Burnside-Gorge Community Centre, as well as through work with the City of Victoria's Youth Council. Members will have the opportunity to collaborate on the development of events targeted at youth and explore new tools and techniques to ensure broad promotion, awareness, and participation.

Recognizing the different engagement needs of the business community and the residential community, targeted tools and tailored online and face-to-face engagement strategies will be used to ensure effective outreach and involvement from all stakeholders. All in-person engagement will occur in the community in an effort to catch people in their neighbourhood and provide convenience in delivering feedback.

An interactive social media campaign highlighting the unique features of the area will be utilized to encourage participation and increase the sense of pride in the neighbourhood. A community profile, which will outline key facts about the neighbourhood and recognize the contributions of the employment lands, will also be used to showcase the neighbourhood and foster pride in the area.

As local area plans are focused on long range initiatives, the planning process will include an action plan, which will outline strategies to achieve both short- and long-term goals to make the process more tangible for the community.

Level of Public Participation

The City of Victoria has endorsed and adheres to the International Association of Public Participation's (IAP2) spectrum of public participation which identifies the level of community involvement in decision-making. The public engagement process will primarily focus on the Inform, Consult, and Involve spectrum categories as described below.

IAP2 Spectrum of Public Participation

	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide balanced and objective information in a timely manner.	To obtain feedback on analysis, issues, alternatives and decisions.	To work with the public to make sure that concerns and aspirations are considered and understood.	To partner with the public in each aspect of the decision making.	To place final decision in the hands of the public.
Promise to the Public	"we will keep you informed"	"We will listen to and acknowledge you concerns"	"We will work with you to ensure your concerns and aspirations are directly reflected in the decisions made"	"We will look to you for advice and innovation and incorporate this in decisions as much as possible"	"We will implement what you decide"
Example Tools	<ul style="list-style-type: none"> • Fact sheet • Website 	<ul style="list-style-type: none"> • Focus groups • Surveys 	<ul style="list-style-type: none"> • Workshops 	<ul style="list-style-type: none"> • Citizen Advisory Committee • Participatory decision-making 	<ul style="list-style-type: none"> • Citizen juries • Ballots

Engagement Phases

The focus of this engagement strategy is on Phase One. Once community values, issues, and opportunities have been established in the first phase, a second phase of engagement this fall will provide citizens with the opportunity to help decide on directions for the future. Next year, a third and final phase will provide citizens with a chance to review a draft of the new plan for any final input before the plan goes to Council for approval in 2016.

Phase One: Exploring Issues and Opportunities

April 2015 to July 2015

The first phase of engagement will focus on providing the community with clear, accessible information about the neighbourhood in order to equip citizens with the information they require to provide informed feedback. Feedback from the community will help identify community values and explore local issues and opportunities. The goal of phase one is to establish community objectives for the local area plan and collect feedback that will inform the development of strategies for growth and change in the neighbourhood.

Phase Two: Options for the Future July 2015 to March 2016

Phase two will build on the issues, opportunities and objectives identified in phase one to explore and evaluate strategic directions for the future. Engagement will be focused on those issues and opportunities that are more complex, or where there is less agreement about the preferred approach, in order to refine objectives and generate strategies and action items.

Phase Three: Review of Draft Plan April 2016 to July 2016

During phase three, community feedback will be solicited on the draft Burnside-Gorge/Douglas Area Plan.

4. Communication and Engagement Objectives for Phase One

- Celebrate the uniqueness of the area and generate excitement about the opportunity to redefine neighbourhood planning priorities. Hear from new voices and connect community members with staff to help shape the future of the area.
- Share information about the Burnside area to help the community understand the different areas in the neighbourhood (transportation, industrial, commercial, and residential) and the value they bring to the region.
- Share information on existing Official Community Plan policies for the area and other City plans as a starting point for conversations on the future of the area.
- Engage the community in a conversation to identify community values, opportunities, and issues in the neighbourhood.
- Build the capacity of citizens and businesses to work with each other and with the City to implement the local area plan over the long term. The BGDAP public engagement process will aim to foster stronger links between the business community, social service providers and residents.

5. Guiding Principles and Evaluation

Principles	Goal	Tactic	Measures
Inclusion	All individuals affected by the decision are involved in the engagement.	Offer engagement channels to meet the needs of all stakeholder groups.	Report number of individuals participating in each engagement effort: <ul style="list-style-type: none"> ▪ Attendance at facilitated sessions. ▪ Number of completed surveys (hard copy and electronic).
	There are no practical or financial barriers to participating in the engagement.		Report sub-areas of participants to measure geographical diversity.
	Stakeholders have the information		Information is provided to the public in a timely

Balanced and Complete Information	<p>required to provide informed feedback.</p> <p>Information on the issue is balanced and relevant.</p> <p>Clear information about how public input will be used.</p>	Provide clear and concise information in multiple formats.	<p>manner. Information is posted on the website in advance of the official launch; notice of the any face to face engagement is provided three weeks in advance.</p> <p>Key background information is provided to key stakeholders and interested members of the public to ensure they have the information required to provide informed input.</p>
Fair Process	Use methods that are appropriate for meeting goals of engagement.	Offer multiple opportunities to be heard.	Report number of residents and businesses making use of the different opportunities for engagement.
Capacity Building	<p>The engagement process provides stakeholders with additional knowledge.</p> <p>The process helps build relationships between the City and residents.</p>	Provide clear and concise information in multiple formats.	<p>Identify any new relationships.</p> <p>Report number of queries received through email, twitter, Facebook, online engagement platform, blog and written.</p>
Resources Used	Remain within budget		Budget was not exceeded.

6. Engagement Strategy

The community will have an opportunity to participate in discussions and provide input on six key topic areas:

- Community priorities for transit, cycling, and pedestrian connections in the area
- How future population and employment growth in the area will be accommodated
- Defining ways that urban design and heritage conservation can contribute to the character and sense of place in the neighbourhood
- Setting priorities for park enhancements and public spaces to serve the community
- Determining what infrastructure improvements will best support future growth in the area
- Community priorities for public services and amenities in the area

Engagement opportunities will provide citizens a chance to identify community values as well as opportunities and issues specific to the Burnside and Douglas Street corridor areas that they would like to see addressed in the years ahead.

Online tools and interactive face-to-face initiatives will be used to ensure the maximum number of stakeholders are reached through a variety of accessible methods. The City will be working

with the Engagement Advisory Group to refine the strategy, design public engagement events, and receive feedback on engagement methods and tools. The following provide a menu of the likely engagement activities during Phase One.

Strategy	Generate Local Media Stories Pique interest with local media to tell the story of the unique areas in Burnside and share information on opportunities for involvement.
Target Audience	All
Objectives	Raise the profile of the neighbourhood and build ownership among residents and businesses to participate in engagement opportunities.
Communication Tools	Media releases and story pitches Media events Interesting facts and relevant stats on the neighbourhood Visuals (maps and photos) of the area Media interviews with partners/subject matter experts who can speak to the regional significance or specific topic area
Strategy	Facilitated Sessions Three public sessions will be hosted; one in each of the study areas (Rock Bay, Douglas Street corridor, Burnside mixed-use residential/commercial area). Each facilitated session will engage citizens in an in-depth conversation about the area and touch on each of the six topic areas identified in the Project Charter. While each session will focus on one of the three geographic areas, it will also address how to integrate the three distinct areas.
Target Audience	All
Objectives	Share project and neighbourhood information Encourage citizens to identify issues, opportunities, and vision for the area Facilitate discussion Generate discussion about specific opportunities for improvements Go to where the people are
Communication Tools	Display boards Presentation Information sheets Community mapping
Target Reach	150 people

Strategy	Outreach to Business Community Meetings with business groups, business owners, and developers
Target Audience	Land owners Commercial owner / operators Industrial owner / operators Developers
Objectives	Share project information Encourage community input
Communication Tools	TBD
Outcomes	Public awareness and understanding of the project Ongoing stakeholder involvement Relationship building
Target Reach	50 people

Strategy	Outreach to First Nation Groups The Mayor's Office will contact the Chief of the Esquimalt First Nation and the Chief of the Songhees First Nation to determine their desired involvement.
Target Audience	The Esquimalt First Nation The Songhees First Nation
Objectives	Share project information Encourage community input
Communication Tools	TBD
Outcomes	Public awareness and understanding of the project Ongoing stakeholder involvement Relationship building
Target Reach	TBD

Strategy	Walking Tours Mobile workshops in different parts of the neighbourhood, to generate discussions about opportunities.
Target Audience	All – geographic based
Objectives	Generate discussion about specific opportunities for improvements Tap into community knowledge about their neighbourhood
Communication Tools	Website information Posters Media release Social media
Target Reach	50 people

Strategy	Pop-Up Events Mobile display with information and survey. Locations to include community events, parks, recreation centres, etc.
Target Audience	Various – people going about the daily activities
Objectives	Raise awareness Engage broader cross-section
Communication Tools	Printed materials Board Survey
Target Reach	100 people

Strategy	Youth Led Initiative Work with the City of Victoria Youth Council and members of the Burnside Gorge Youth Program to develop and host an interactive engagement initiative. Ideas include idea bombing- a session that entails providing a short presentation, the speaker outlining a few topic areas and then participants 'bomb' their ideas/response to the identified topic.
Target Audience	Youth and young adults
Objectives	Engage new and younger stakeholders through a new, innovative approach.
Communication Tools	TBD
Target Reach	50 people

Online Engagement

Strategy	Have Your Say Victoria Based on the type of feedback required, an online survey and possibly a discussion forum will be used to solicit feedback.
Target Audience	All
Objectives	Provide a convenient way for citizens to participate
Communication Tools	Website and Have Your Say Victoria
Target Reach	500 completed surveys / discussion comments

Strategy	Short Informational Video about Burnside
Target Audience	All
Objectives	Celebrate the neighbourhood and build excitement about the opportunities to participate
Communication Tools	Video, social media
Target Reach	500 video views

Strategy	Interactive social media campaign Locations and attributes of the study area will be celebrated through an interactive social media campaign which will also be used to raise awareness and encourage participation in the engagement process.
Target Audience	All
Objectives	Celebrate the neighbourhood and build excitement about the opportunities to participate
Communication Tools	Photos social media
Target Reach	500 interactions (comments, likes, shares, tweets)

Total Target Reach: 1,300

7. Promotion

Local media: Staff will reach out to local media to pique interest in telling the story of the neighbourhood and share information with the public about how to get involved in engagement events.

Social media: Continuous Facebook posts and tweets will be used to promote the video and information as well as draw attention to upcoming engagement initiatives.

Blog post: A story will be drafted for the City's blog about the Burnside Neighbourhood and opportunities to participate.

Video: A short video will be produced to encourage people to participate.

Posters: Create tailored posters to target interests of each stakeholder group.

Post-card mailing: Mail-out to residents to raise awareness about project and ways to be involved.

Existing organizations and networks: Use Engagement Advisory Committee and staff contacts to promote engagement opportunities.

Door-to-door visits: Introductions and relationship building with businesses.

8. Stakeholder Strategy

Key stakeholder groups are listed in the chart below. While some specific members are identified, this list is expected to grow as additional members are identified.

Stakeholder	Type	Specific Members	Stake in project
First Nations		Songhees Nation Esquimalt Nation	Land is on traditional territories of Esquimalt First Nations and the Songhees Nation
Business	Developers	Urban Development Institute Bosa Properties Chard Development Concert Properties Jawl Properties Knappett Projects Reliance Properties Tri-Eagle Developments Waywell Developments	Will be impacted/guided by final plan
	Land owners	Owners of key properties in the area	Will influence future of ownership and potential development in the area
	Commercial Business Owner / Operators	Businesses that lease space from property owners Many are small / independent businesses	Will be affected by future growth and development of the area
	Industrial Business Owner / Operator	Businesses that lease from property/and owners	Will be affected by future growth and development of the area
	Business groups	Greater Victoria Chamber of Commerce Greater Victoria Development Agency ViaTec	Represent business interests for the future of the area
	Employees of the employers in the area		Work in the area
	Patrons of the businesses		Frequent the area
Residents	Owners / Renter	Single Family Homes Multi-family housing (condos, apartments etc) Non-market housing	Will be affected by future growth and development of the area

	Owners/operators of Non market housing	Victoria Cool Aid Society Native Friendship Centre Pacifica Housing Association (Medewiwin) Gorge View Society (Chown Place) Greater Victoria Housing Society Selkirk Place Washington Co-op Housing Association	Will be affected by future growth and development of the area
	Community Association	Burnside-Gorge Community Association	Will be affected by future growth and development of the area
	Service Providers	Burnside Gorge Community Centre One UP Single Parent Resource Centre Cool Aid Rock Bay Landing John Howard Society	Will be affected by future growth and development of the area
	Youth	Youth program at Burnside Gorge Community Centre City of Victoria Youth Council	Will be affected by direction of the Local Area Plan as residents, employers or employees
	Seniors	Silver Threads Burnside Gorge Community Centre	Have local knowledge to share with staff in terms of what has worked in the community Will be affected by future growth and development of the area

	Families with children	<p>Burnside Kids (facebook group)</p> <p>Burnside Gorge Community Centre (BGCC), including Burnside Elementary School – various community focused tenants</p> <p>Maple Tree Childrens Centre</p> <p>Selkirk Montessori School (private school (K-Gr8)</p> <p>Day Care at Centennial United Church</p> <p>Single Parent Resource Centre</p> <p>The Link at Burnside</p>	Will be affected by future growth and development of the area
	Parks and recreation users	<p>Arbutus Park</p> <p>Cecelia Ravine Park</p> <p>Selkirk Green</p> <p>Cecelia Cove Park</p> <p>Sumas Park</p> <p>Balfour Ave. Playlot</p> <p>Burnside Gorge Community Centre</p>	Will be impacted by any improvements or changes to recreation services or park amenities
	Cultural organizations	<p>Hungarian Cultural Centre</p> <p>InterArts Collective</p> <p>Native Friendship Centre</p> <p>Victoria Immigrant and Refugee Centre Society</p>	<p>Will be affected by future growth and development of the area</p> <p>Provide a way to reach new voices representing diversity</p>
	Faith-based organizations	<p>Centennial United Church</p> <p>Community of Christ</p> <p>Gurdwara Singh Sabha</p> <p>Mustard Seed Street Church</p> <p>Victoria Foursquare Gospel Church</p>	<p>Will be affected by future growth and development of the area</p> <p>Provide a way to reach new voices representing diversity</p>

	Creative/arts and culture sector	InterArts Collective Rock Bay Square Community Arts Council of Greater Victoria Inter-Cultural Association Others identified through ArtScan	Will be affected by future growth and development of the area Provide a way to reach new voices representing culture and diversity
Heritage		Point Ellice House BC Heritage Branch Hallmark Society Heritage BC Victoria Civic Heritage Trust Victoria Historical Society Victoria Heritage Foundation	Will be affected by future growth and development of the area Opportunities to do more to celebrate heritage
Harbour / Waterway Groups		Greater Victoria Harbour Authority Gorge Waterway Initiative Industrial Harbour Users Commercial harbour users Recreational harbour users	Will be affected by future growth and development of the area
Transportation	Cyclists Transit Users Drivers Pedestrians Freight users	Greater Victoria Cycling Coalition (GVCC) BC Transit	Will be impacted by any changes/improvements to commutes



Terms of Reference

For the Burnside-Gorge/Douglas Area Plan
Engagement Advisory Group

January 15, 2014

Background

The Burnside neighbourhood is a diverse neighbourhood that includes established and emerging residential areas in which over 5,000 people call home; the majority of the City's industrial and general employment lands that are home to over 1,400 businesses with over 14,000 employees; and key regional transportation corridors. The area stretches from the Downtown Core Area to the municipal boundary with Saanich and includes what is generally called the Rock Bay area and lands adjacent to the Upper Harbour and Gorge Waterway.

The City of Victoria will be developing a Burnside-Gorge/Douglas Area Plan to guide growth and change within this neighbourhood over the next 30 years and is seeking interested residents, business owners and stakeholders to help shape the future of the neighbourhood. The Burnside-Gorge/Douglas Plan will consider important economic, social, environmental issues and objectives, as well as the aspirations of residents, businesses and organizations on how best to enhance the area over the next three decades. It will link land-use planning, transportation needs and urban design, and will provide guidance on matters such as employment lands, parks, heritage conservation, infrastructure and community services and facilities.

Purpose of the Engagement Advisory Group

The Engagement Advisory Group will be established to provide advice on engaging the community on the future of their neighborhood. The Advisory Group will also serve as ambassadors within the local area to actively promote public involvement in the planning process and act as a sounding board to assist staff in interpreting what is heard during community engagement.

Role of the Engagement Advisory Group

Members will help to:

- identify individuals and stakeholder groups in the local area and key contacts
- review engagement information shared with the community so that it is clearly written, easily accessible and includes everything community members require to provide informed feedback
- advise the Staff Project Team on engagement events and activities to best reach a broad range of community members
- actively promote involvement in the planning process throughout all sectors of the community
- help staff better understand issues and opportunities brought forward by the community
- attend and participate in public engagement events
- act as a sounding board to assist staff in interpreting what is heard during community engagement.

Members will help shape engagement and move the local area plan towards a successful completion. Advisory Group members who wish to participate in the development of policy content will be encouraged to participate in the various engagement opportunities that will be developed for this purpose. The focus of the Engagement Advisory Group is not policy development.

Advisory Group Composition

The Advisory Group will reflect a diversity of interests in the local area to help build community connections and encourage broad participation. Members should share an interest in fostering strong public participation and want to support the local area planning process moving forward to successful completion.

The Engagement Advisory Group will be appointed by City Council. Membership recruitment will encourage people from diverse backgrounds to participate. The Advisory Group will consist of nine members representing both specific sectors (two Community Association, two business, one youth) and at-large members (four positions).

Different backgrounds and perspectives that might be considered include:

- residents (may include a renter, owner, multi-unit resident, non-market housing resident, First Nations person, youth, senior, household with children under 18)
- businesses (may include businesses in various sectors such as manufacturing, retail/office, construction/trades, professional services, wholesale, creative industries such as arts, culture or design, hotels and motels; business owners or employees; well-established and relatively new businesses)
- social services (may include providers or clients)
- organizations (e.g. business organizations, community association, community centre, recreation groups, arts and culture, environmental stewardship groups, faith-based groups, informal organizations).

*One individual may meet several of these characteristics.

Selection Criteria

Five Sectoral Seats:

- Two members will be recommended to Council by the Burnside Gorge Community Association, with reference to the selection criteria below. The nominees will be confirmed by Council.
- Two members will be chosen from the business community, with each ideally relating to the Douglas Street Corridor and Rock Bay areas.
- One member will be chosen from youth (generally those age 16 through 24).

Four At-Large Seats:

People from a wide variety of backgrounds will be encouraged to apply for the four at-large positions, especially people from typically under-represented groups (businesses, renters and social services).

When appointing members to the Advisory Group, the following selection criteria will be used:

- commitment and interest in the future of the Burnside neighbourhood
- individuals who possess strong communication skills and the ability to work collaboratively as part of a team
- individuals who live, work, own property or have another direct interest in the local area (applications from outside the area will be considered for members interested in topics of

regional significance such as employment/industrial lands and transportation, where they can demonstrate connections to the local area)

- willingness and ability to commit to the necessary two-year time period, including weekday meetings (time to be confirmed by the Advisory Group)
- have a general understanding of civic processes and knowledge of issues related to planning and the future of Burnside
- have the ability to initiate dialogue with at least one sector, group or population in the local area (e.g. business owners, seniors, renters, youth, etc.)
- leadership skills and the ability to serve as an ambassador and commitment to actively promote public engagement in the development of the plan.

Overall, the selection process should strive to choose from a broad cross-section of stakeholders. Additional members may be recruited after the Advisory Group has been established in order to fill gaps in representation identified by the Engagement Advisory Group. Their position shall be filled upon recommendation of the Engagement Advisory Group according to the same selection criteria as the original members.

Terms of Office

Advisory Group members shall serve for the duration of the Plan process (approximately two years). A person will cease to be a member of the Advisory Group if that individual fails to attend three consecutive meetings of the Advisory Group without proper notice being given and without having been excused by resolution of the Advisory Group. Should a person cease to be a member of the Advisory Group during the Plan development process, their position shall be filled according to the same selection criteria as original members.

Meetings and Attendance

Meetings will be held at the call of the Chair, generally on a weekday at a time to be established by the Advisory Group. Meeting frequency will vary through the course of the project to meet timeline constraints and meet key milestones. Meetings will be more frequent early in the project to focus on the process design and preparation for public engagement activities.

Regular meeting attendance is required to remain a member in good standing. Members absent without prior notification to the Chair for three consecutive meetings may be deemed to have resigned.

Time Commitment

Outside of meetings, members should expect to spend at least two hours between meetings reviewing materials, on email and other preparation for meetings. Members should also expect to spend additional time at public events as needed.

Compensation and Acknowledgement

Members of the Engagement Advisory Group serve on a voluntary basis without compensation. Members will be recognized and acknowledged for their contribution to the project.

Advisory Group Chair

The Advisory Group will be chaired by the Assistant Director, Community Planning, Sustainable Planning and Community Development. Other City staff will be in attendance for project management and as a resource.

Governance

The role of the Engagement Advisory Group is to provide advice and make recommendations to the Project Team. The Project Team is directed by Council, the City Manager, and the Director of Sustainable Planning and Community Development.