



AMENDED AGENDA
PLANNING AND LAND USE COMMITTEE
MEETING OF NOVEMBER 6, 2014, AT 9:00 A.M.
COUNCIL CHAMBERS
CITY HALL, 1 CENTENNIAL SQUARE

Page

CALL TO ORDER

APPROVAL OF AGENDA

CONSENT AGENDA

ADOPTION OF MINUTES

1. Minutes from the Meeting held on October 16, 2014.

DECISION REQUEST

2. Rezoning Application # 00457 and Concurrent Official Community Plan Amendment for 521-557 Superior Street and 524-584 Michigan Street 3 - 132
--D. Day, Director of Sustainable Planning and Community Development

Neighbourhood: James Bay Recommendation: Forward to Public Hearing
3. Development Permit Application # 000381 for 819 Yates Street 133 - 214
--D. Day, Director of Sustainable Planning and Community Development

Neighbourhood: Downtown Recommendation: Issue Permit
4. Rezoning Application # 00436 and Development Permit Application # 000389 for 301 and 303 St. Lawrence Street 215 - 286
--D. Day, Director of Sustainable Planning and Community Development

Neighbourhood: James Bay Recommendation: Forward to Public Hearing

LATE CORRESPONDENCE

5. Development Permit with Variances Application # 000333 for 2005 287 - 315

Cook Street

--D. Day, *Director of Sustainable Planning and Community Development*

Neighbourhood: Fernwood Recommendation: Forward to Public Hearing

ADJOURNMENT



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: October 31, 2014

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

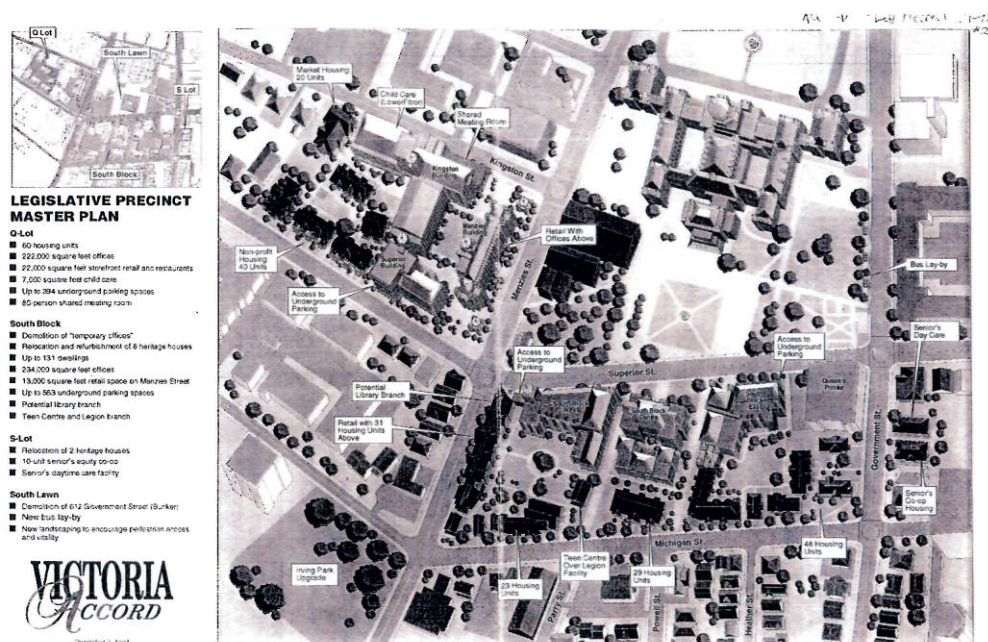
With submission of the Heritage Conservation Plans and approval of the Heritage Alteration Permits with conditions, the MDA requirements have been met. The Heritage provisions in the MDA have been met and can be deleted from it.

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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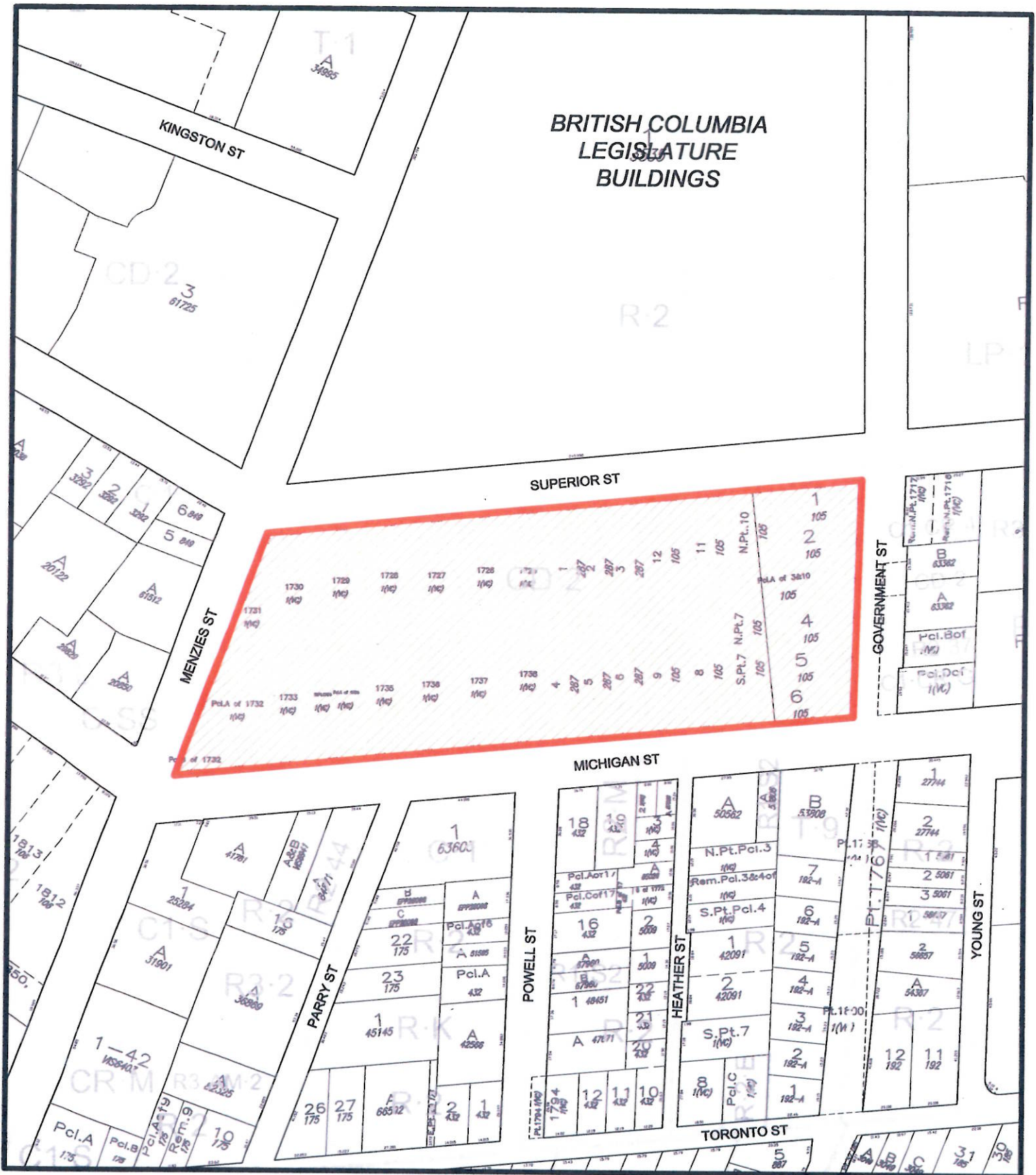
Policy 21.16.9: Enable the expansion of cultural assets in the Inner Harbour/Legislative district.

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
			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"	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. The option of a payout of an amount of a community amenity contribution will be detailed.
		c) temporary parking, if provided, to be accompanied by a Traffic Impact Study with Design Panel review of parking proposal; and d) require submission of phasing plan for all office and residential development with DP for first office building	c) Delete provision 6.3 and 6.4 d) No change	c) 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 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	Requirements for: a) the provision of 700 m ² 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.	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.	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. 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.

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...





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:

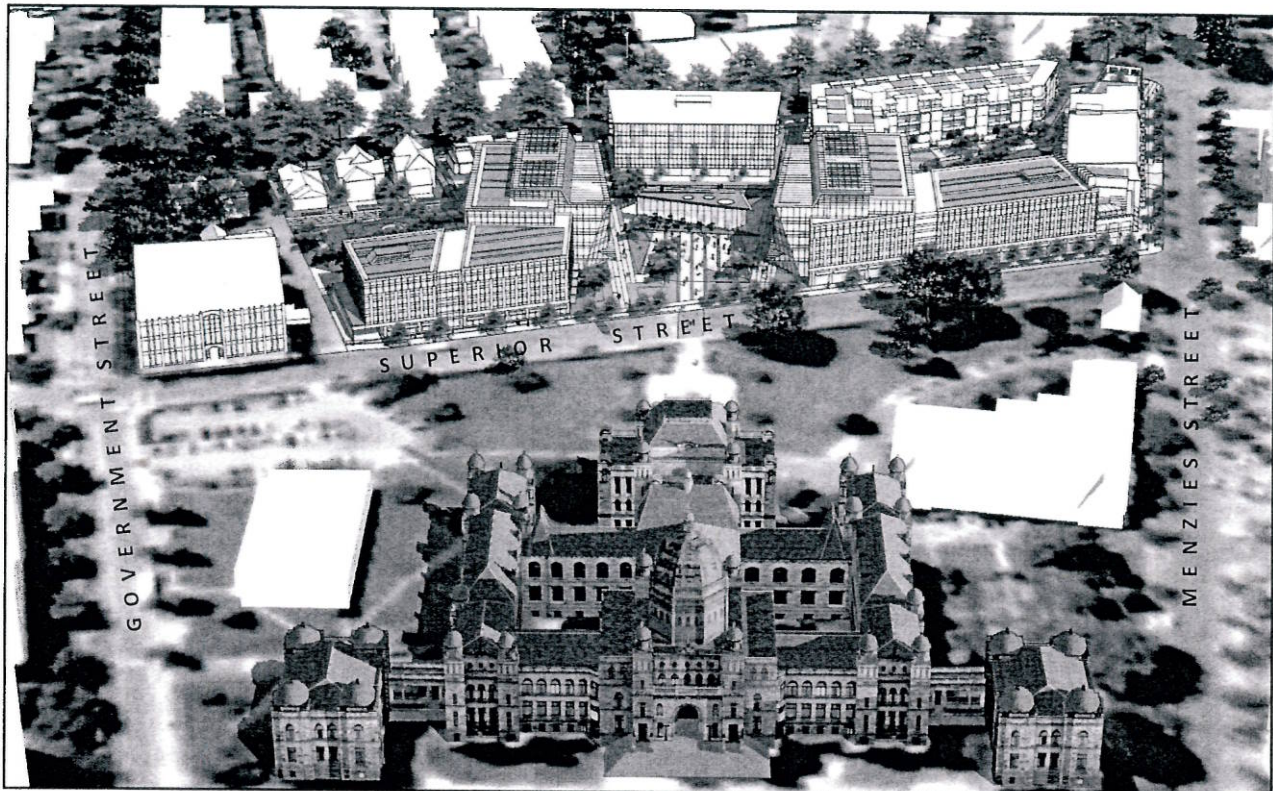
- The Project should be heavily informed by the urban design parameters of the Victoria Accord and the land use directions of the existing CD-2 zone.
- The Project should respond in a sensitive and complementary way to the Site's unique context proximate to the Legislature and the James Bay neighbourhood.
- 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.

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- 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

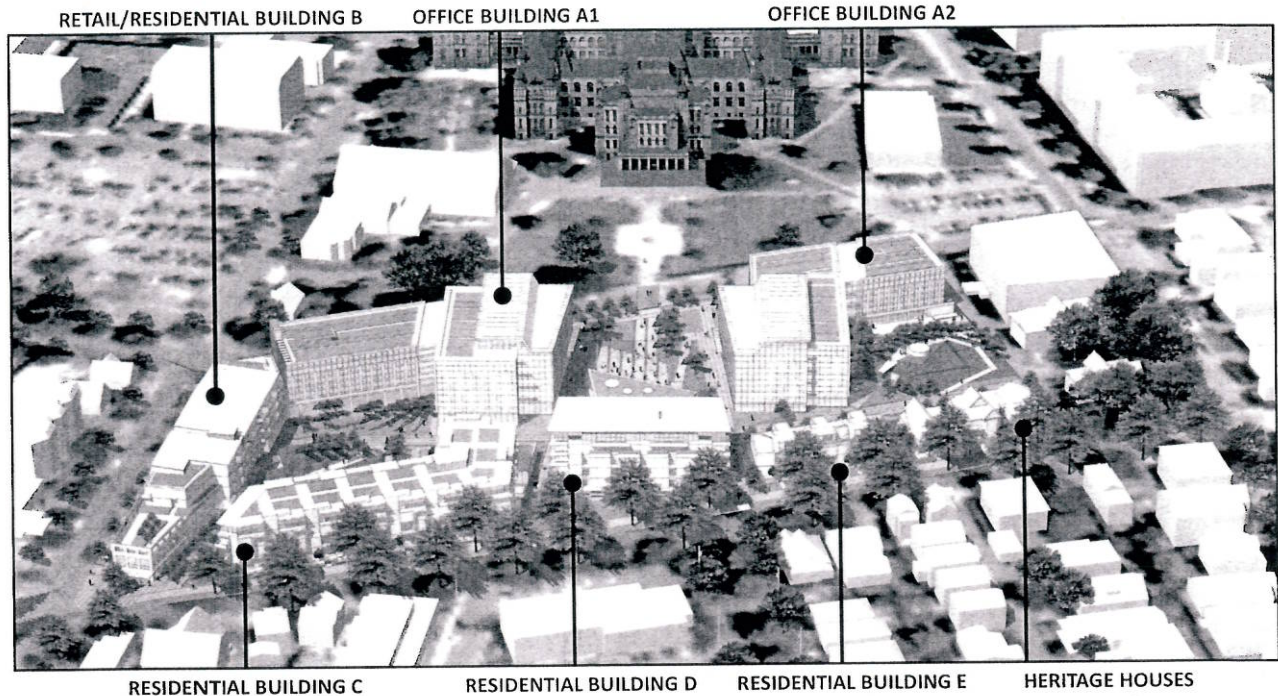
In connection with the sale of the Site to the Applicant, the provisions of the Victoria Accord applicable to the Site were secured going forward by way of a Section 219 covenant. The covenant spells out the basis on which the development of the Site shall be permitted to proceed. To conform to the terms 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.

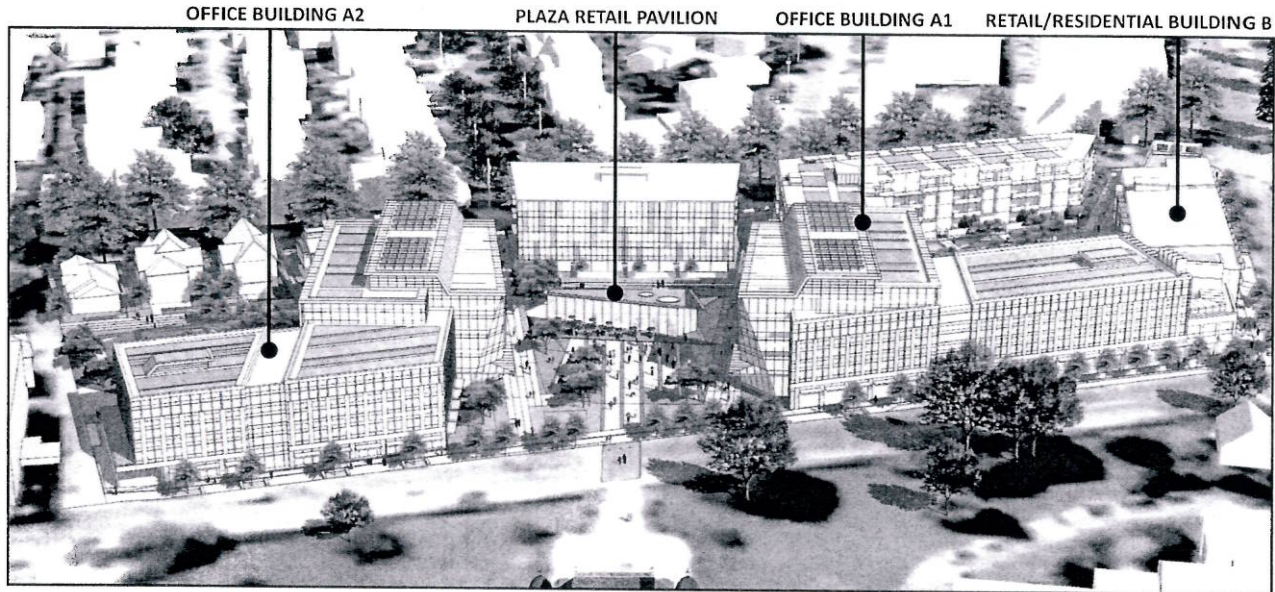
Each office building has a 2 storey entrance lobby oriented to Superior Street and the Legislature and flanking the east and west sides of the plaza. As viewed from the south lawn of the legislature, the office building entries are designed to create a dramatic invitational gesture to the public plaza 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

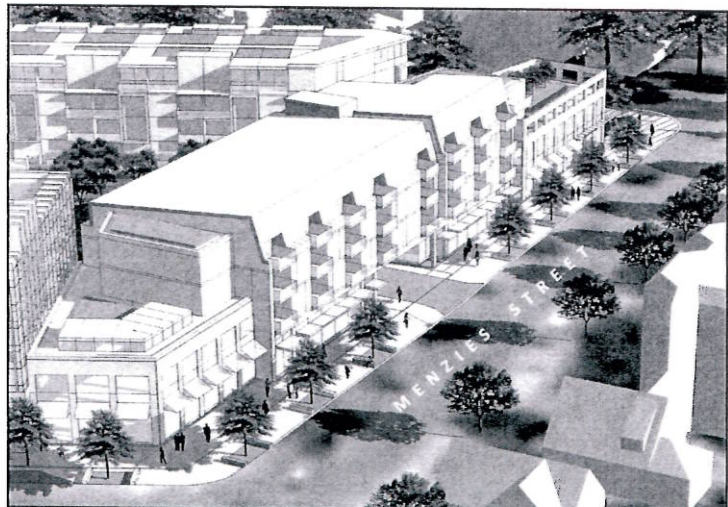
Retail oriented uses are envisioned at the ground level where each office building fronts onto the plaza. To further animate and define the south edge of the plaza, a transparent retail pavilion intended for restaurant tenants and complete with outdoor seating is proposed. The pavilion form is strongly 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.

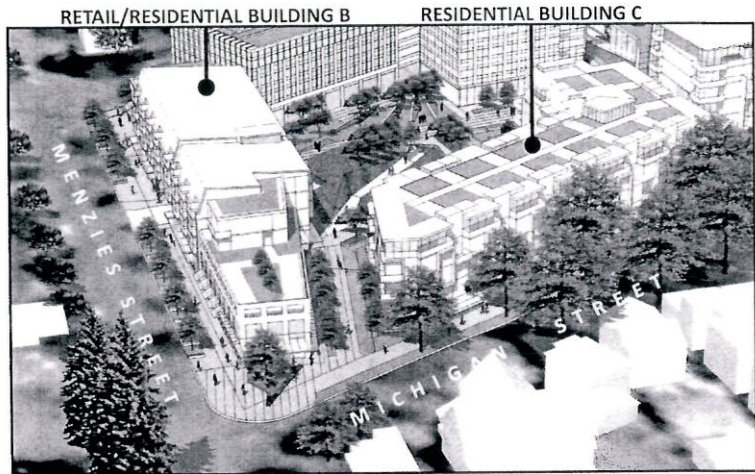
The street level spaces will be flexible and able to accommodate a range of retail tenants of varying sizes with large transparent individual shop front windows and entries, continuous weather protection canopies and integrated signage and lighting. Located at the northwest corner at the termination 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.

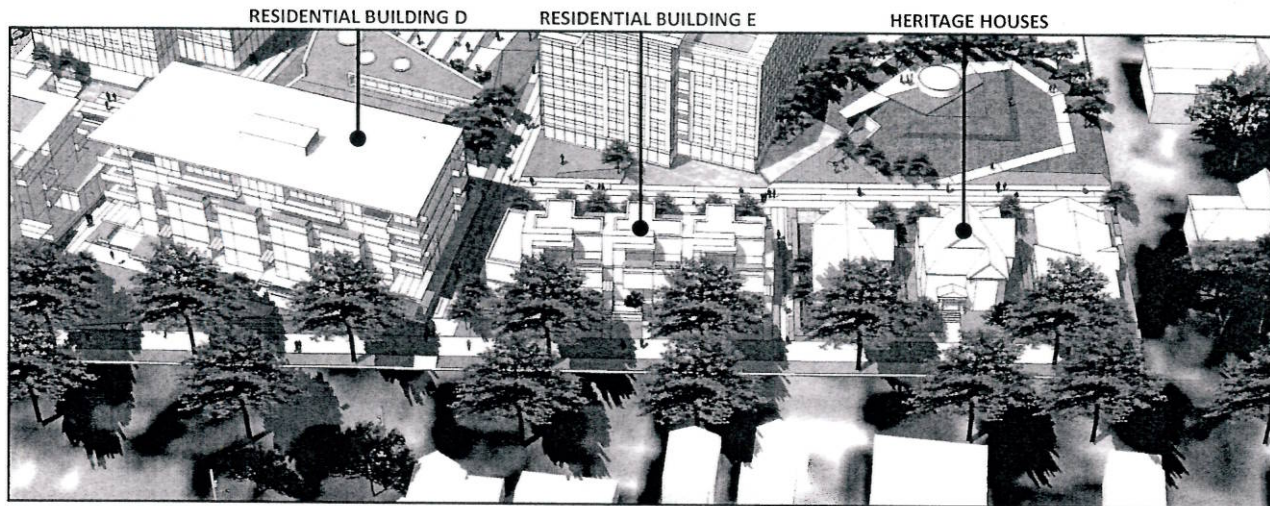
The north façade of Building D performs a critical role as a backdrop to the central public plaza, and will be highly visible from the Legislative grounds. Much attention will be afforded to the design and detail of this façade, and it is intended that it relate closely to the expression of the office 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

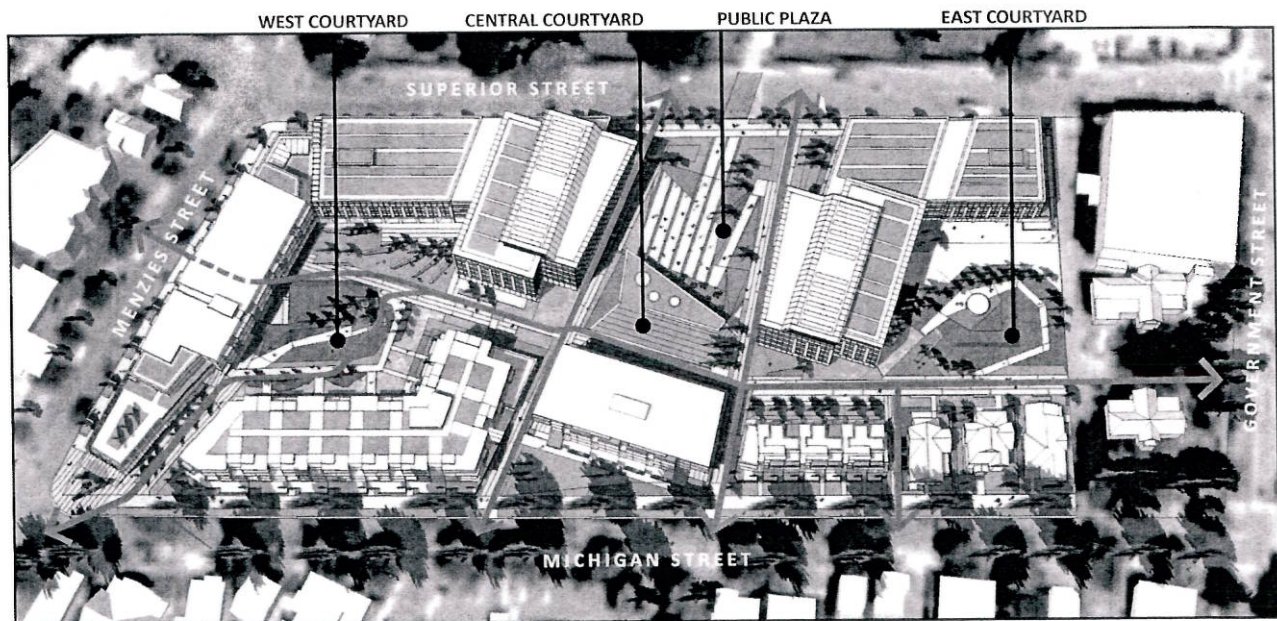
The relationship between the Site and the surrounding context of the Legislative Precinct and the James Bay neighborhood is paramount in informing the character and form of the public realm. The Project seeks to convey a narrative focused on the immediate and regional identity of place, while seeking 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.

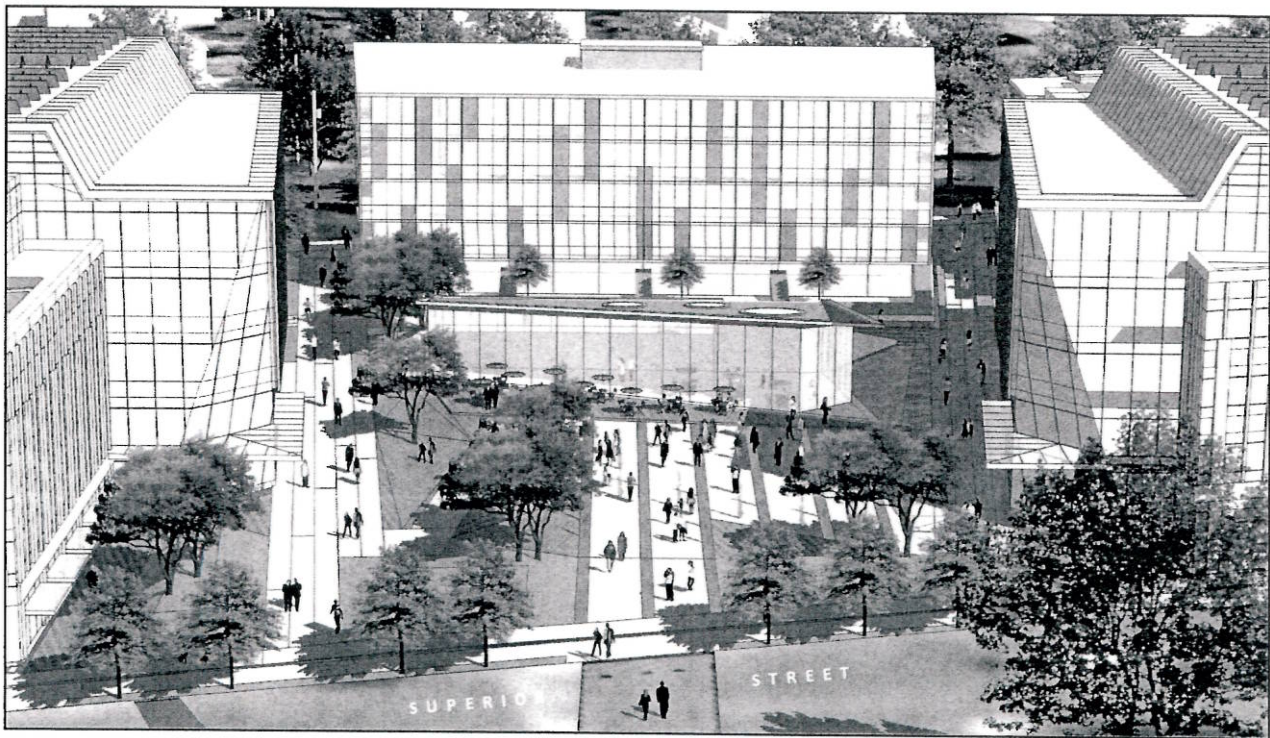
The design expression for Superior Street is predicated upon reinforcing the formal relationship between the Project and the south portion of the Legislature grounds. The layering of modal uses includes a widened sidewalk and interactive zone that accommodates potential retail along the office building 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

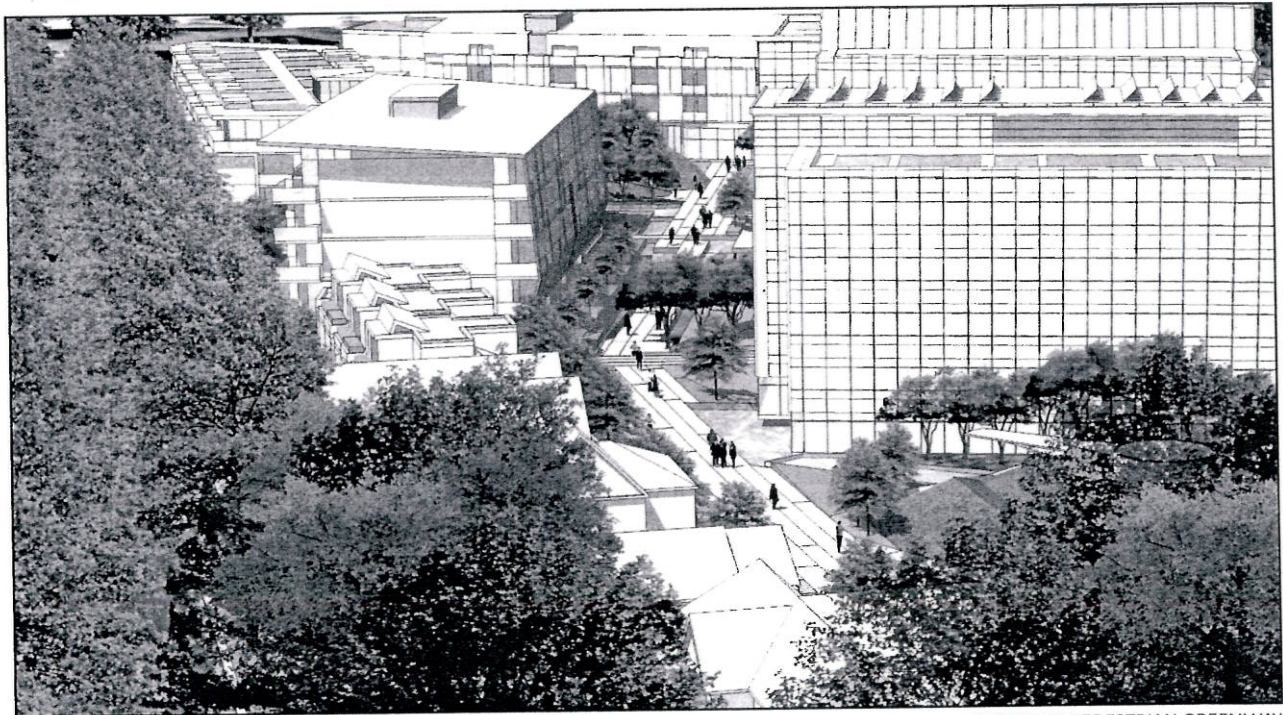


CENTRAL PUBLIC PLAZA

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

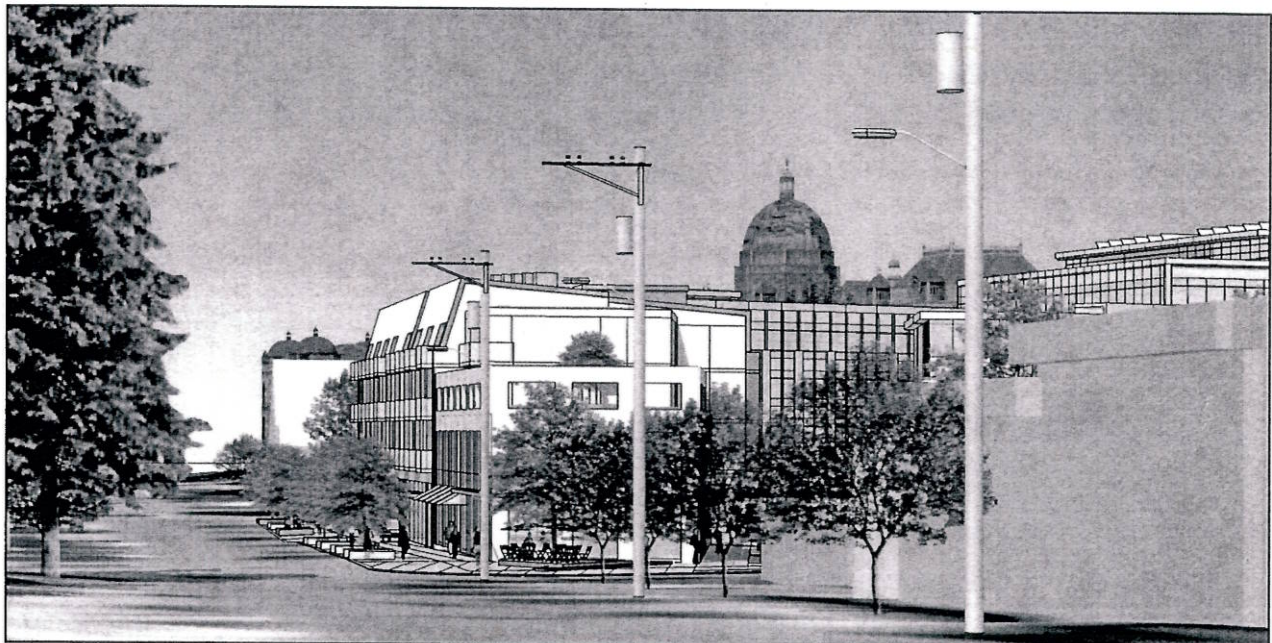
The interior of the Site is characterized by a series of courtyards that provide publicly accessible green space coupled with both active and passive outdoor programming elements to facilitate healthy active living within the community. This courtyards become a series of interconnected rooms linked together 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.

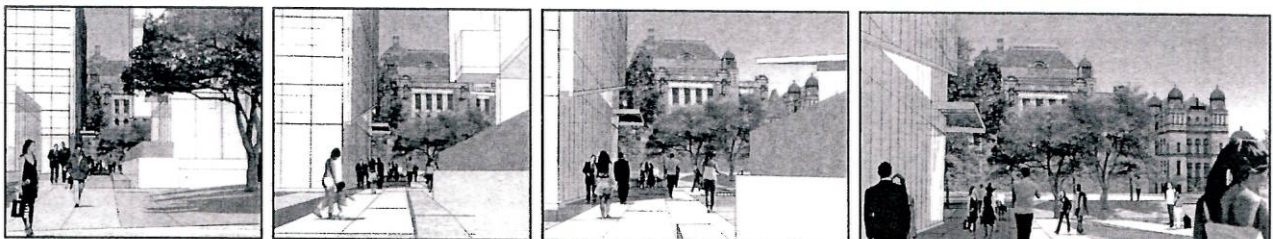
Public Pedestrian Pathways

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.

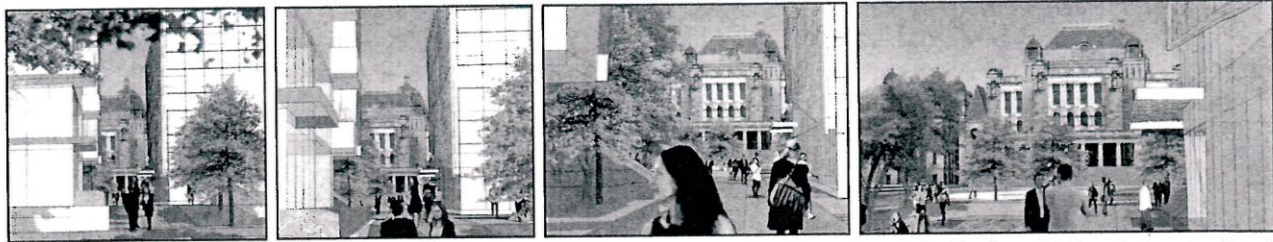


Street Level View looking north on Menzies Street

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

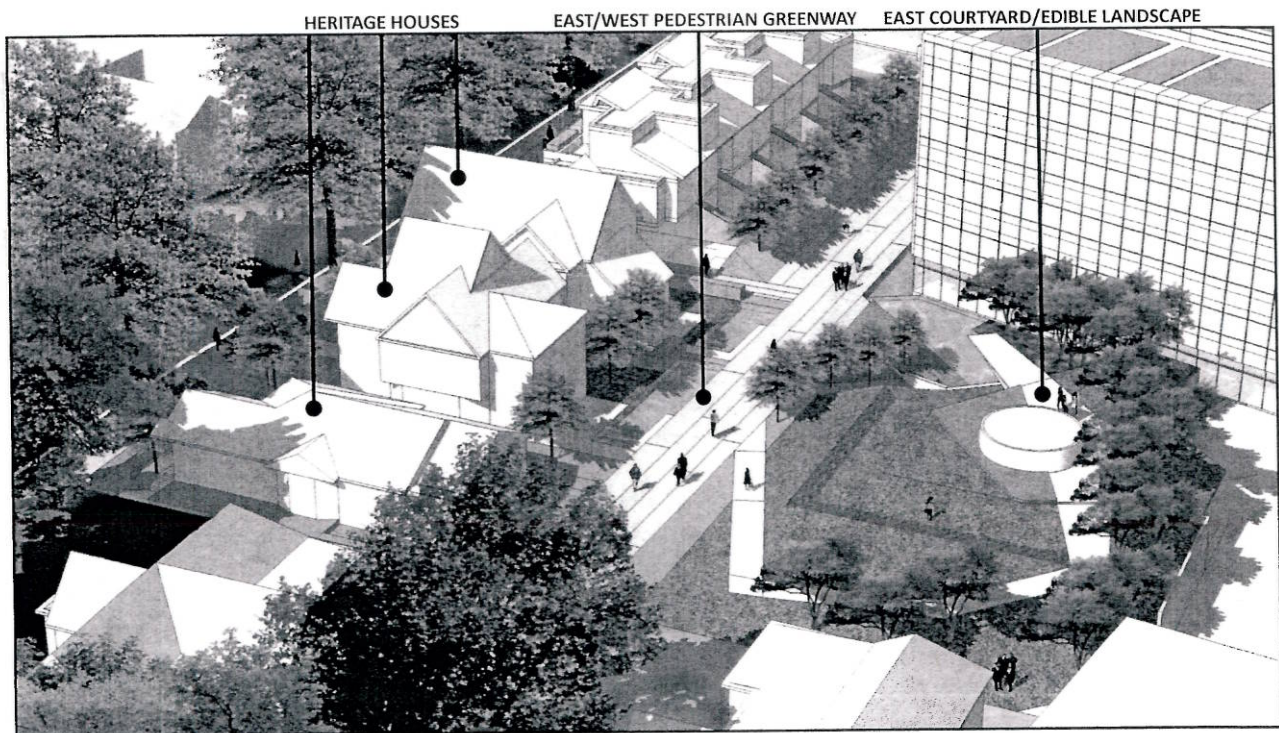


Powell walkway through the Site from Michigan to Superior Street

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.

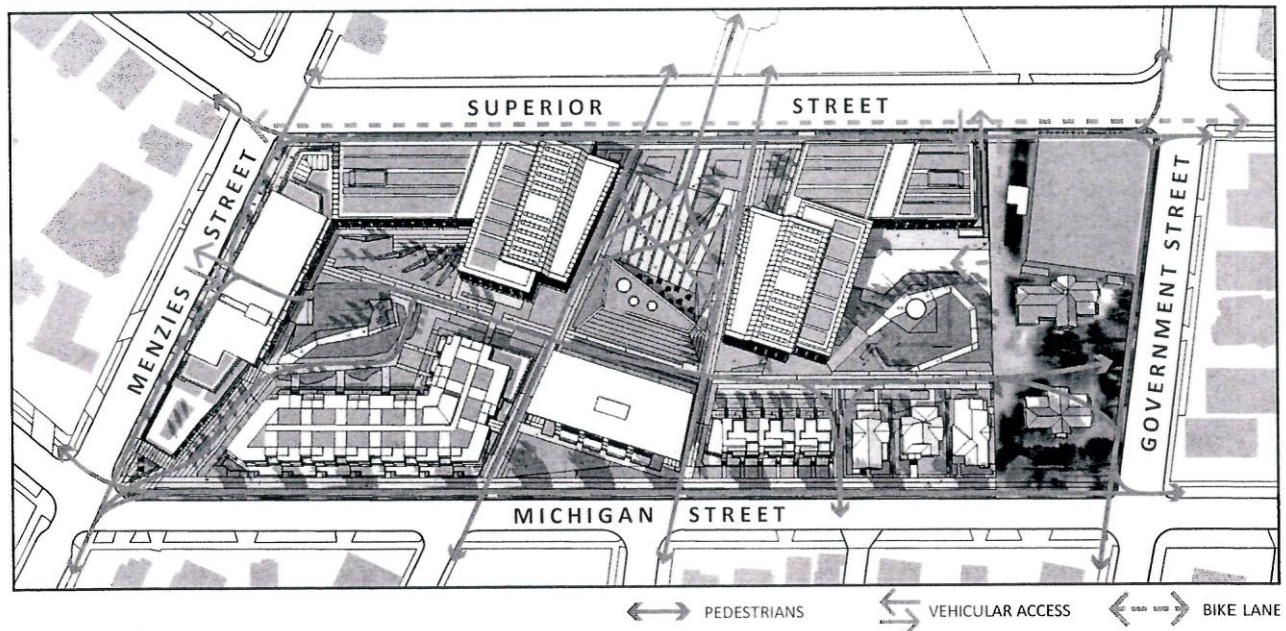
Safety and Security Considerations

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.

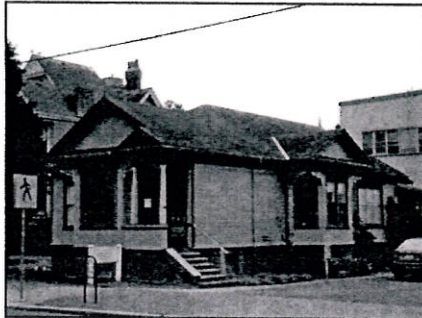


Transportation

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 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:

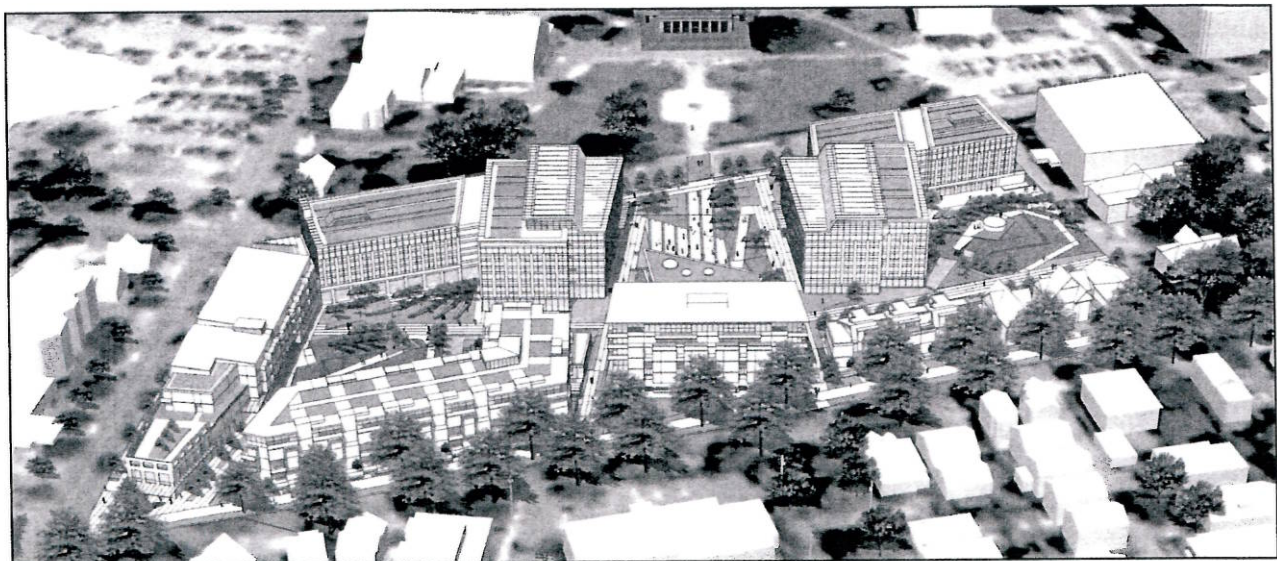
- A potential ground-source geexchange based HVAC system
- A potential district energy system solution to diversify overall heating and cooling loads and permit the sharing of excess thermal energy between buildings
- The retention and treatment of either stormwater or grey water for the use of irrigating the building landscapes and green roofs
- The use of solar thermal collectors on building roofs to heat domestic hot water and recharge the geexchange 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

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

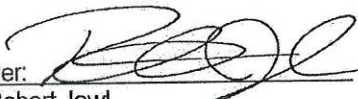
retail businesses in the James Bay neighborhood, and direct invitations to groups including the Downtown Residents Association. Approximately 150 community members attended the event.

- 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 CFX 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



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 (Menzie's) 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.

01

endall elliot
ARCHITECTURE
cti

1:1000 METRIC

CONTEXT PLAN WITH 1:5000 INSET AERIAL PHOTO

CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP88872

CONCERT PROPERTIES & JAWL PROPERTIES
21 July 2014
REZONING APPLICATION

CONCERT
Jawl Properties Ltd.



02

endall elliot
ARCHITECTS
cti Architecture

1:1000

EXISTING SITE PLAN W/ SURVEY UNDERLAY
7.530 METRIC

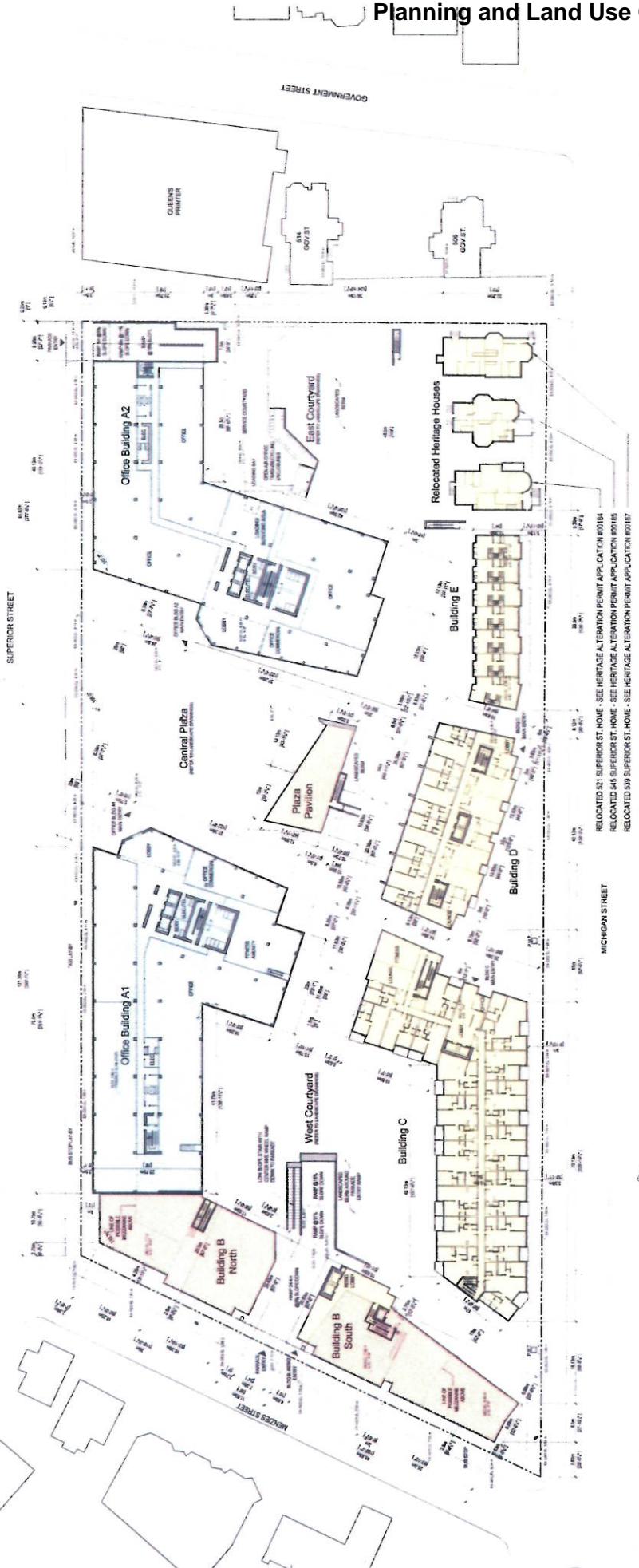
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA 8 C
LOT 2 VICTORIA CITY PLAN EPP38872

CONCERT PROPERTIES & JAWL PROPERTIES
REZONING APPLICATION
21 JULY 2014

CONC-RT
Jawl Properties Ltd

LEGEND

OFFICE
RESIDENTIAL
COMMERCIAL



LEGEND

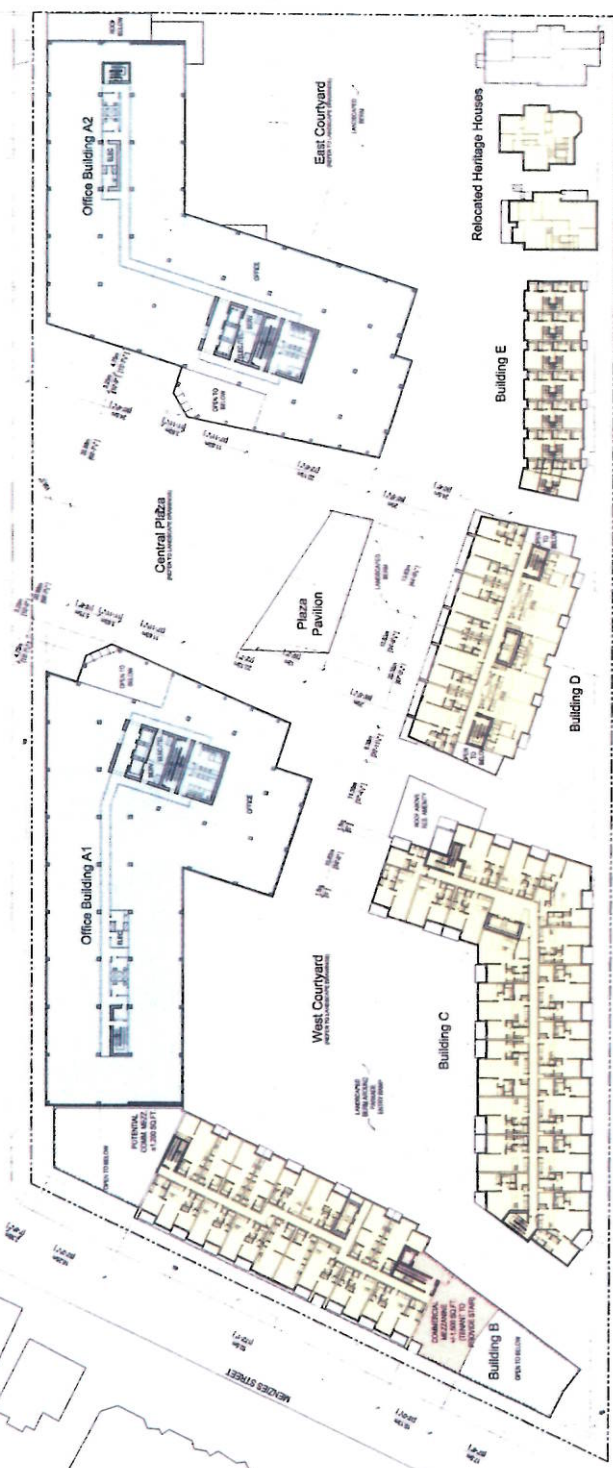
- OFFICE
- RESIDENTIAL
- COMMERCIAL



Provisional Landscape Concepts

SUPERIOR STREET

MICHIGAN STREET





LEGEND

- OFFICE
- RESIDENTIAL
- COMMERCIAL

Provincial Legislative Council

SUPERIOR STREET

GOVERNMENT STREET

QUEEN'S PARK

514 GOV ST

506 GOV ST

Office Building A2

Relocated Heritage Houses

Building E

Building D

Office Building A1

Building C

Building B

MICHIGAN STREET

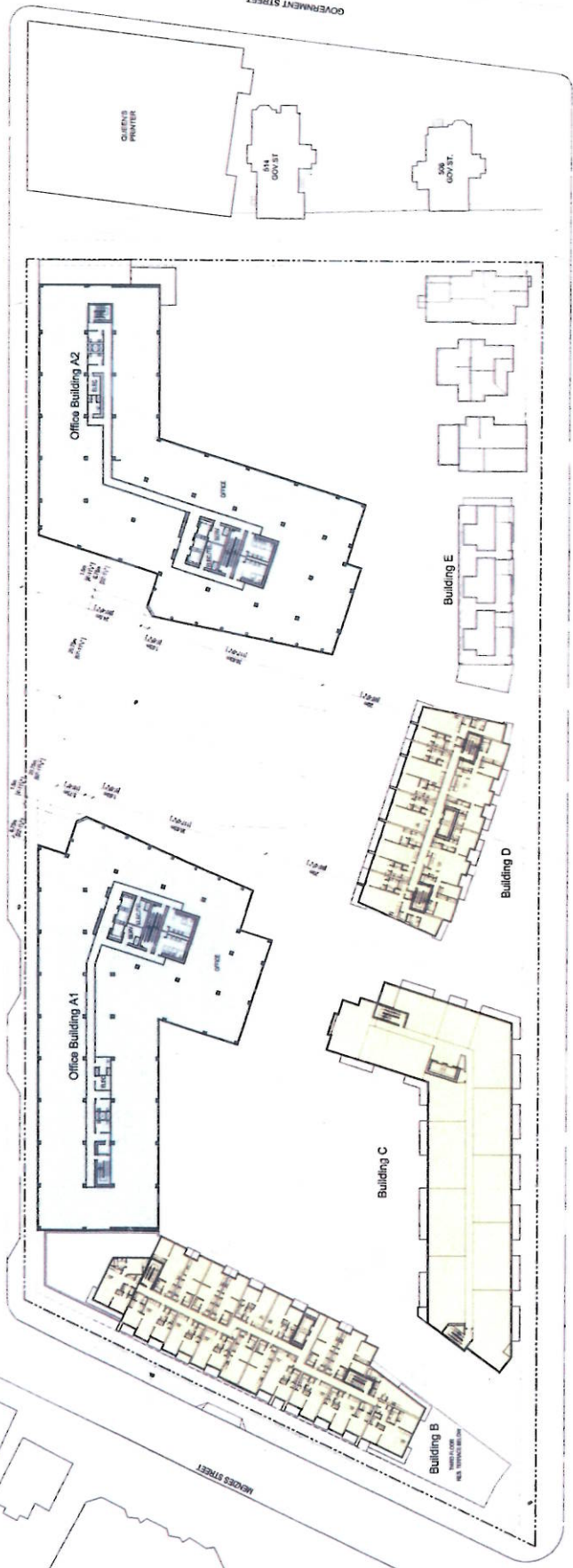
MUNDS STREET



Provincial Legislature Grounds

SUPERIOR STREET

MICHIGAN STREET





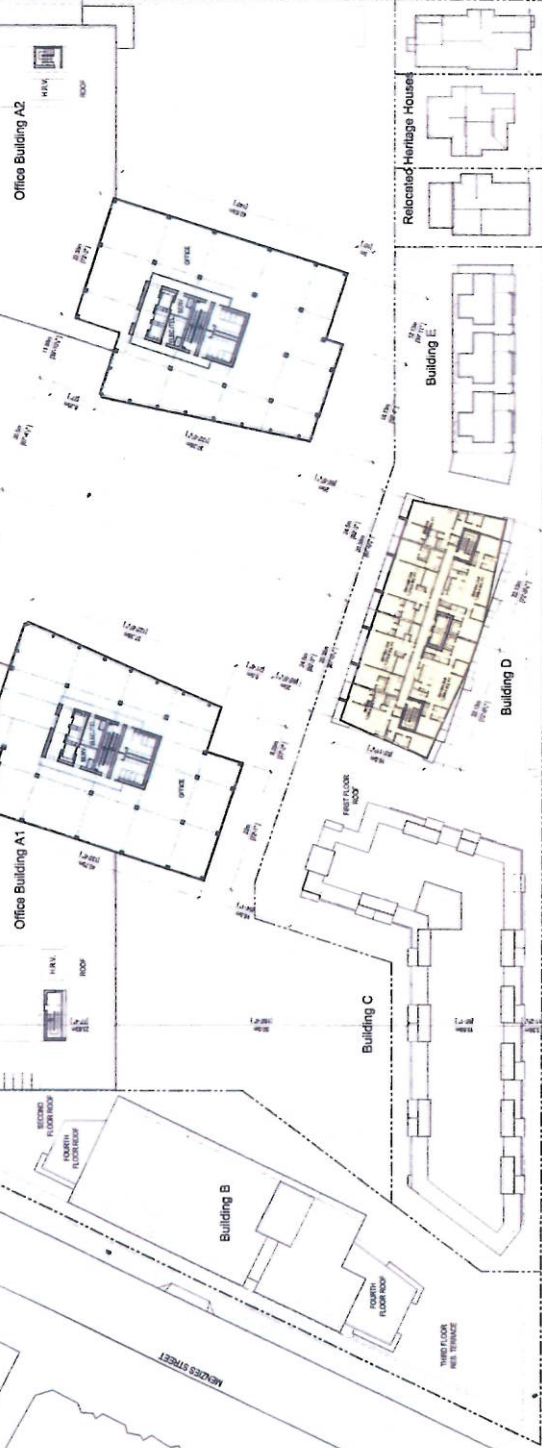
Provincial Legislative Council

SUPERIOR STREET

GOVERNMENT STREET

MICHIGAN STREET

MEUNIER STREET

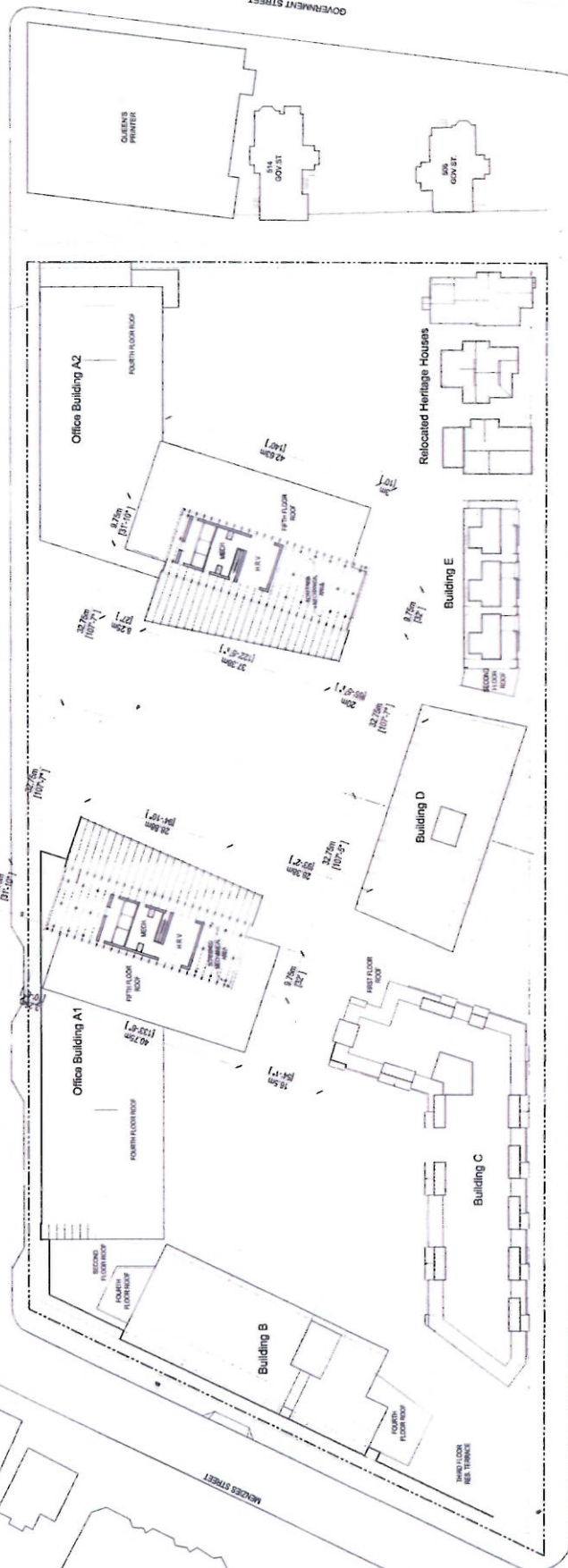




Provided for Applicant's Records

SUPERIOR STREET

MICHIGAN STREET





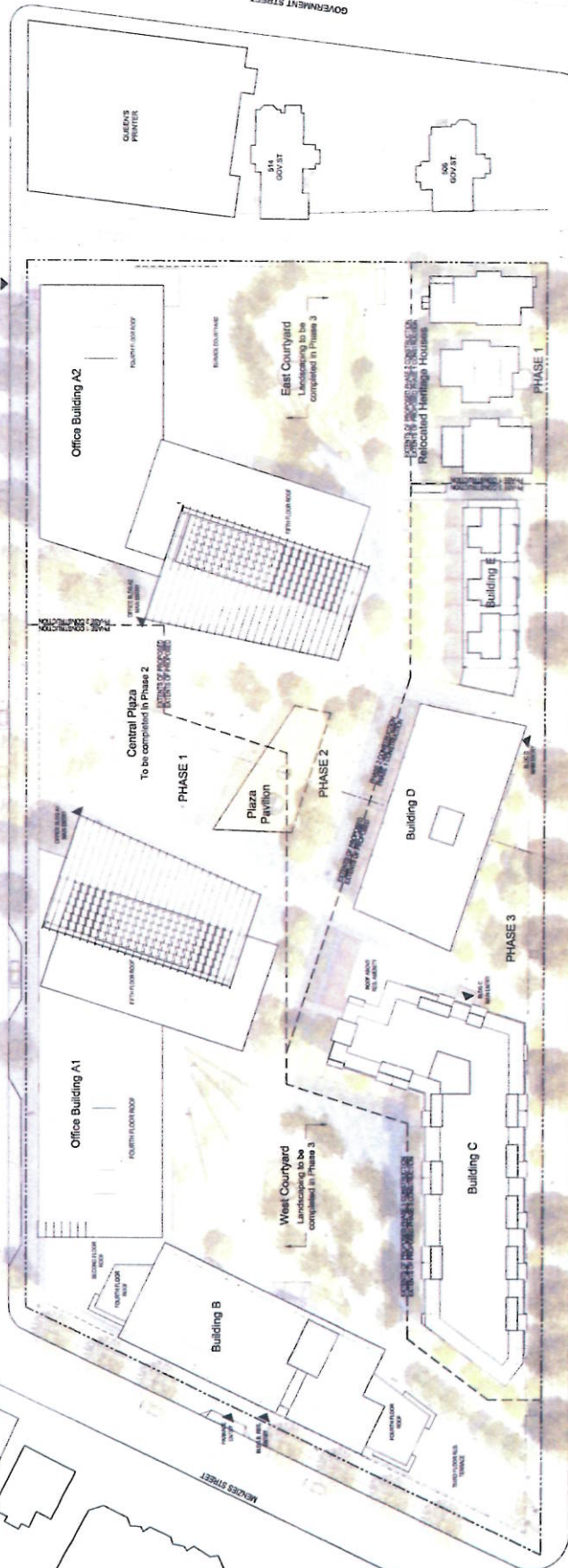
Proposed Legislative Controls

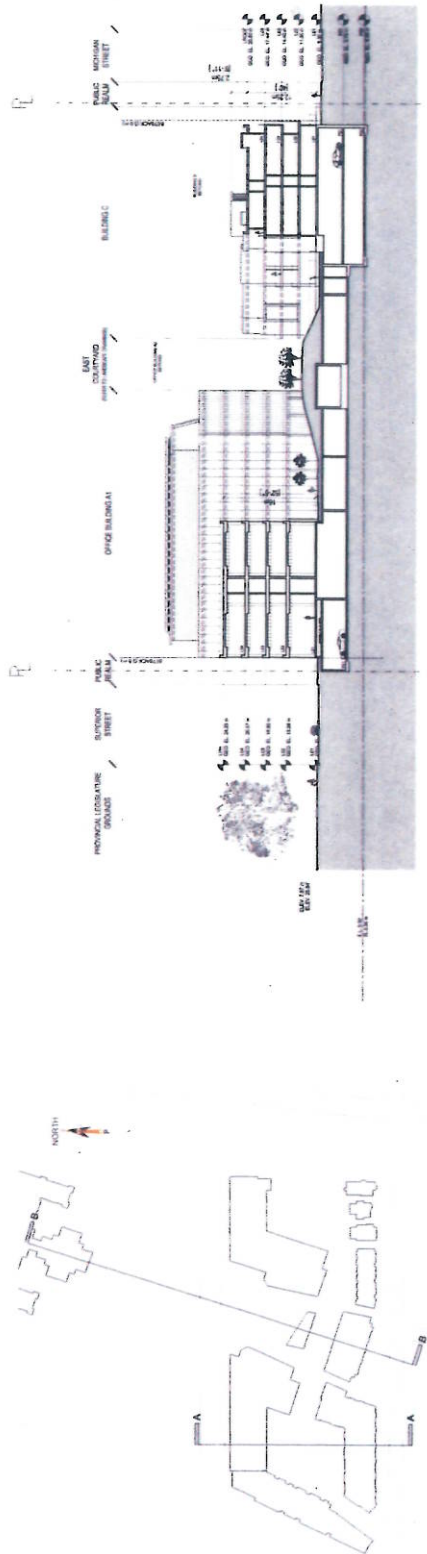
SUPERIOR STREET

MICHIGAN STREET

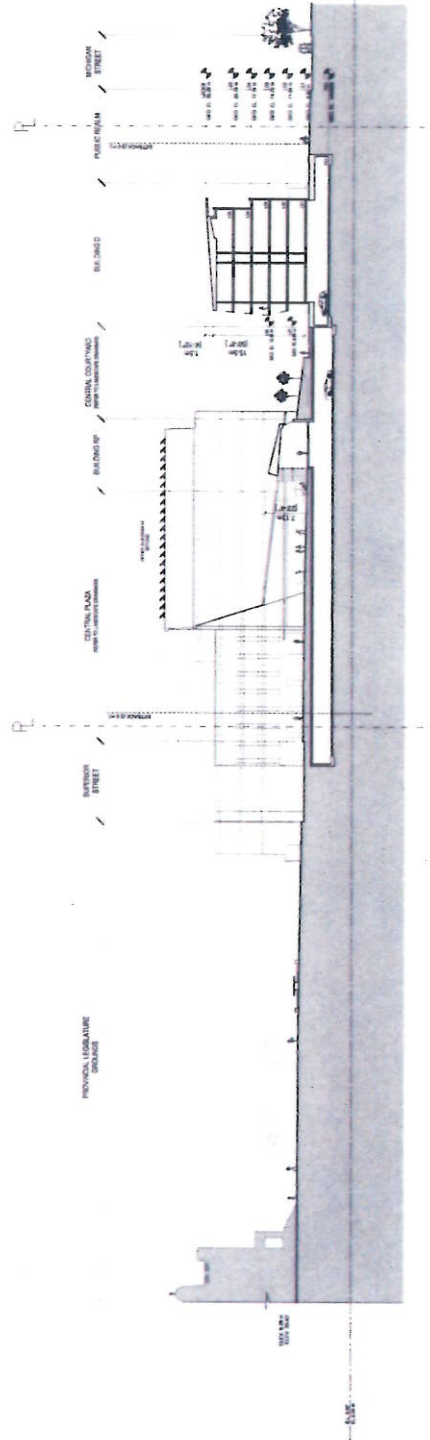
MELING STREET

GOVERNMENT STREET





SECTION FACING EAST - WEST COURTYARD
A-A
SCALE 1:100



SECTION FACING EAST - CENTRAL PLAZA
B-B
SCALE 1:100

EAST SECTION A-A - WEST COURTYARD &
EAST SECTION B-B - CENTRAL PLAZA
1:100 METRIC

CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA B.C.
LOT 2 VICTORIA CITY PLAN EPP38872

CONCERT PROPERTIES & JAWL PROPERTIES
21 July 2014
REZONING APPLICATION

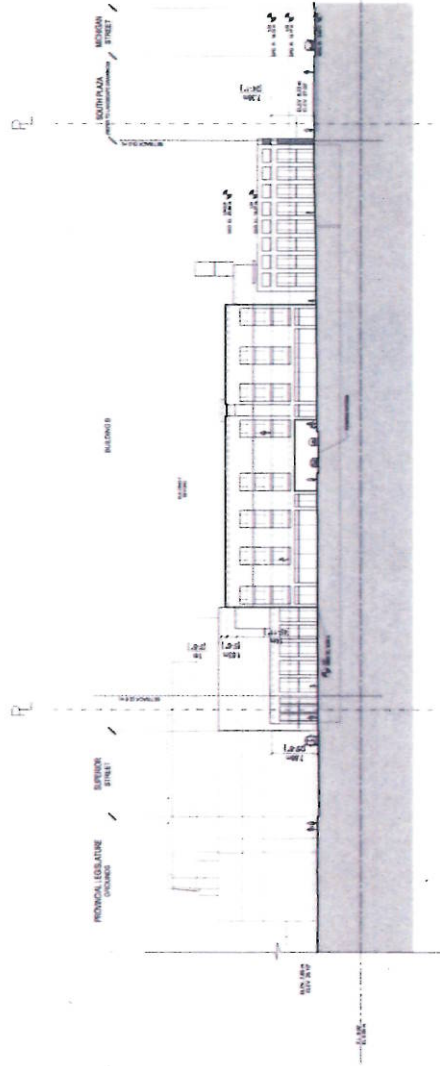
CONCERT

Jawl Properties Ltd

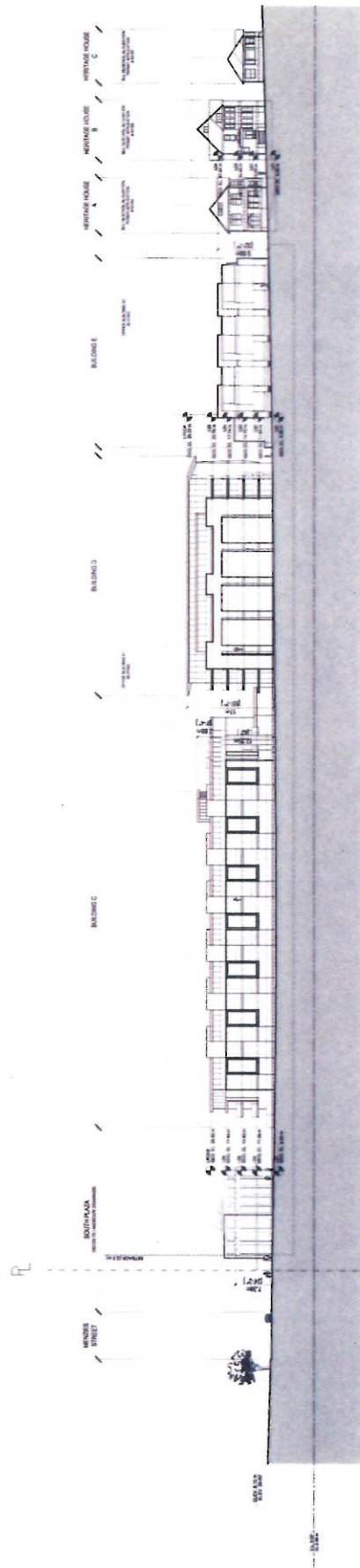
endall elliot

Architecture





WEST ELEVATION - MENZIES STREET C-C



SOUTH ELEVATION - MICHIGAN STREET D-D

17

endall elliot

Architecture

7-7-11

EAST ELEVATION C-C - MENZIES STREET &
NORTH ELEVATION D-D - MICHIGAN STREET
1:400 METRIC

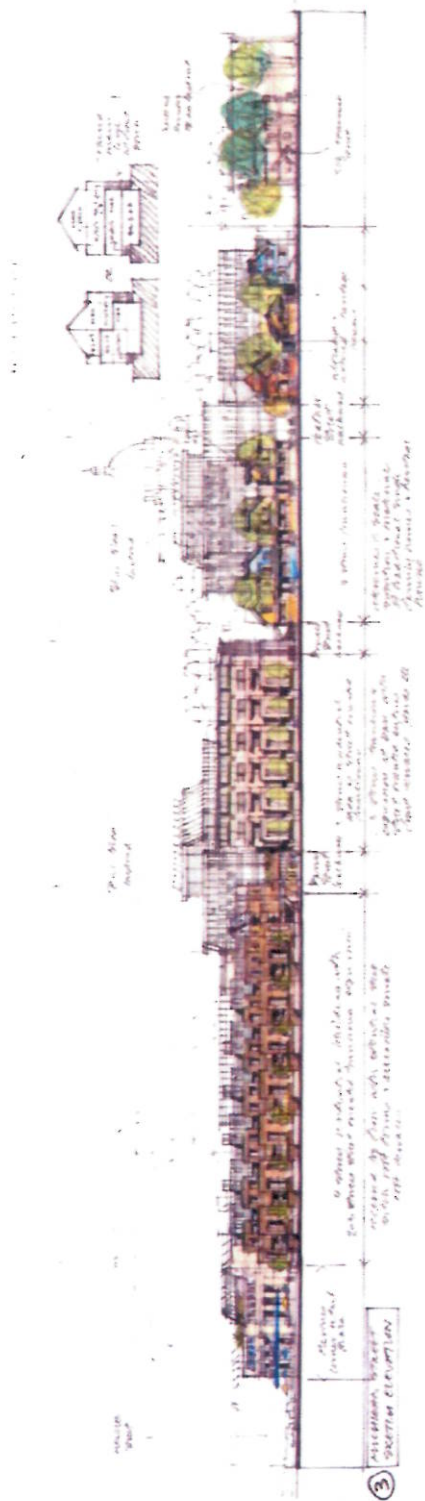
PROJECT
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2 VICTORIA CITY PLAN EP38872

CLIENT
CONCERT PROPERTIES & JAWL PROPERTIES
21 JULY 2014
REZONING APPLICATION

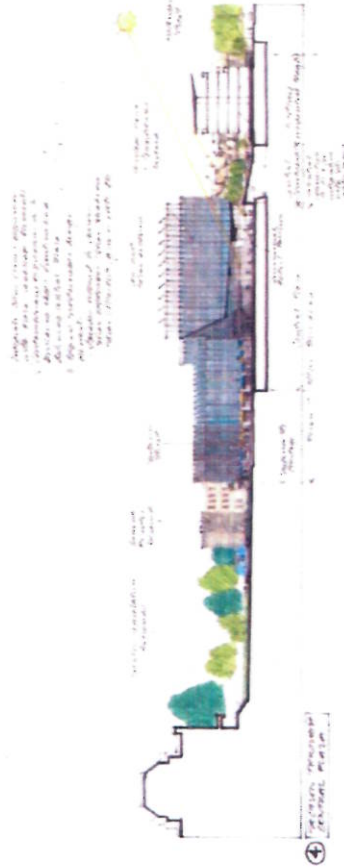
CONC RT

Jawl Properties Ltd.





SOUTH ELEVATION CHARACTER SKETCH - MICHIGAN STREET **C**
SCALE NTS



EAST-FACING SECTION CHARACTER SKETCH - CENTRAL PLAZA **D**
SCALE NTS



NORTH-FACING SECTION CHARACTER SKETCH - COURTYARDS **E**
SCALE NTS

CONC **ERT**

CONCERT PROPERTIES & JAWL PROPERTIES
21 July 2014
REZONING APPLICATION

CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA BC
LOT 2 VICTORIA CITY PLAN EP93872

CHARACTER SKETCHES
NOT TO SCALE

endall elliot
ARCHITECTURE

19





21

endall elliot
architects + urban designers

CEI Architecture

Scale: 1:1000
North Arrow

FIGURE 11
NORTH-FACING 3D MODEL PERSPECTIVE
NOT TO SCALE

FIGURE 12
CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY PLAN EP38872

CLIENT: CONCERT PROPERTIES & JAWL PROPERTIES
DATE: 21 JULY 2014
REZONING APPLICATION

CONC = RT
Jawl Properties Ltd.



MENZIES STREET - EAST SIDE
SCALE 1:100



SUPERIOR STREET - EAST SIDE
SCALE 1:100



MICHIGAN STREET - NORTH SIDE
SCALE 1:100

22

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ARCHITECTS

CEI Architecture

P.O.

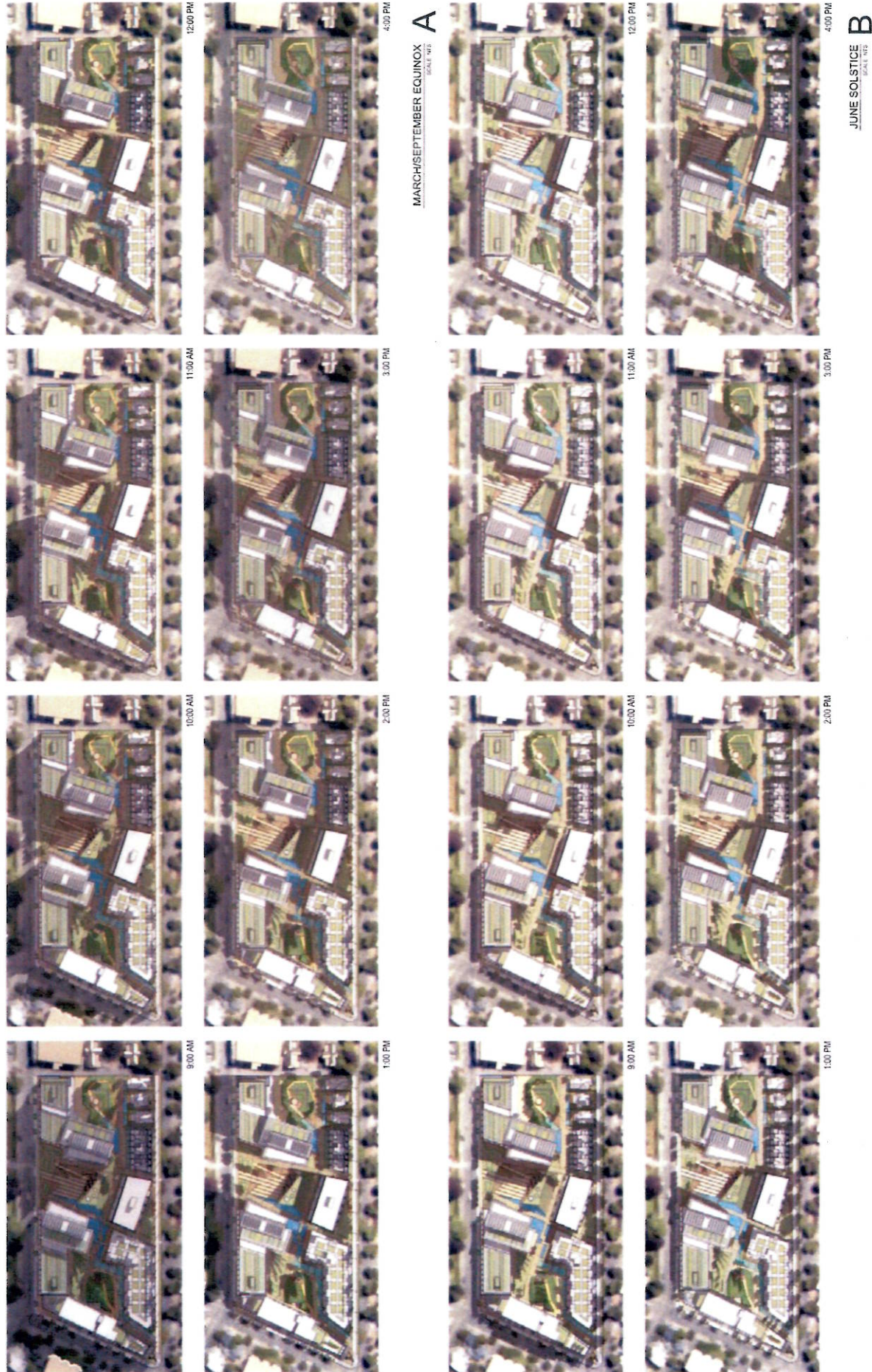
CONTEXT IMAGES
NOT TO SCALE

CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2 VICTORIA CITY PLAN EPP8872

CLIENT: CONCERT PROPERTIES & JAWL PROPERTIES
REDACTED
21 July 2014
REZONING APPLICATION

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23

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ARCHITECTS
endall elliot Architecture
endall elliot Architecture

SHADOW STUDIES
NOT TO SCALE

CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA B C
LOT 2 VICTORIA CITY PLAN EPP-8872

CLIENT
CONCERT PROPERTIES & JAWL PROPERTIES
SUBMITTED
21 July 2014
REZONING APPLICATION

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2-1

endall elliot
architects

CEI Architecture

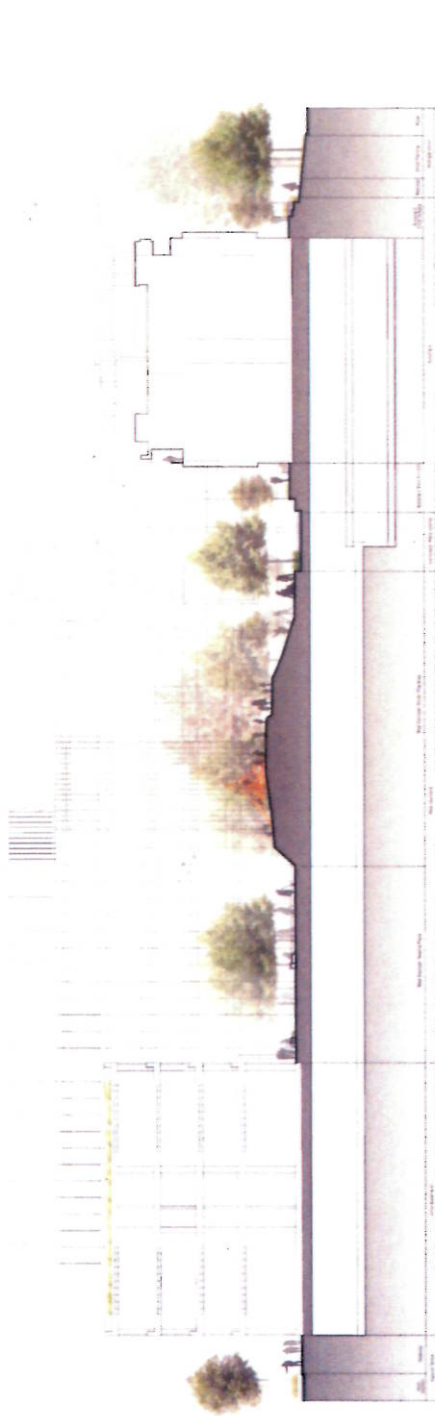
1/200



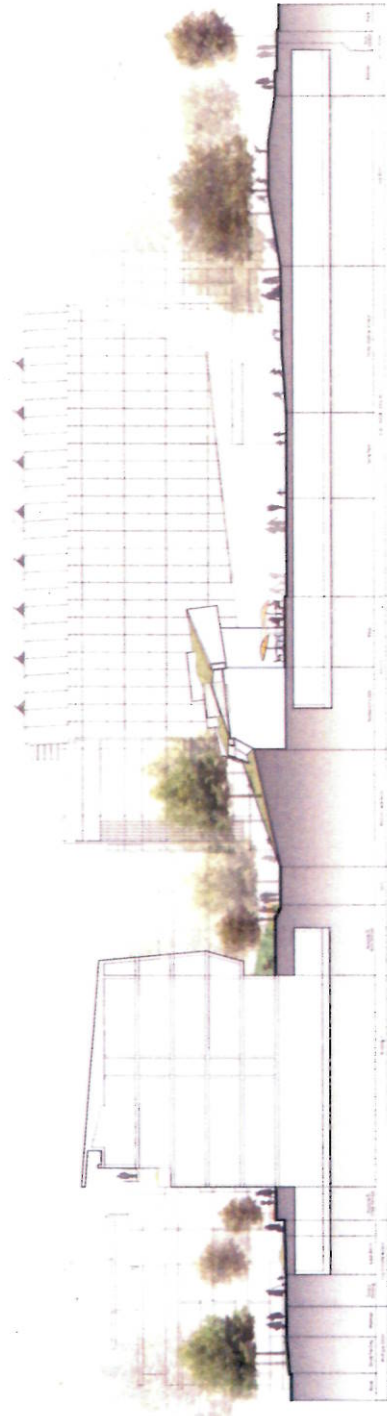
ILLUSTRATIVE SECTIONS
SHEET 1 OF 2

CONCERT PROPERTIES & JAWL PROPERTIES
DATE

CONC RT
Jawl Properties Ltd



SECTION A-A
1:200



SECTION B-B
1:200

2-2

endall elliot
ARCHITECTS
CEH Architecture

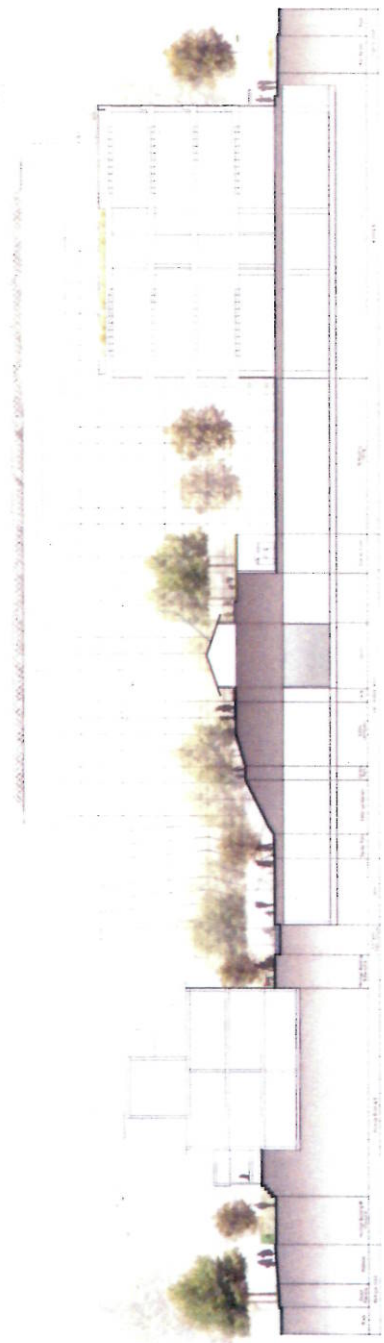
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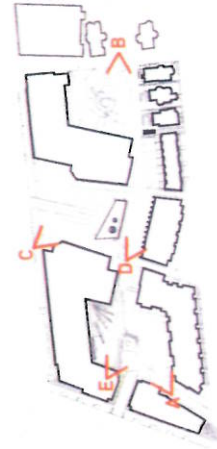


CAPITAL PARK MIXED USE DEVELOPMENT
VICTORIA, B.C.
LOT 2, VICTORIA CITY, PLAN EPP38872

CLIENT: CONCERT PROPERTIES & JAWL PROPERTIES
DATE: 1/10/14

CONC = RT
Jawl Properties Ltd







Green Roof



Pavilion / Entry Plaza



Children's Playground



Sitting Plaza



Lawn Berm



Stormwater Course / Collection & Remediation Pond



Spine



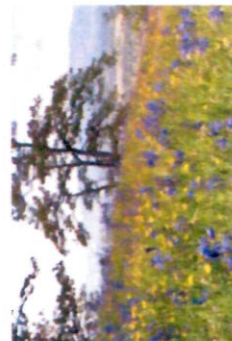
Streetscape / Rain Gardens



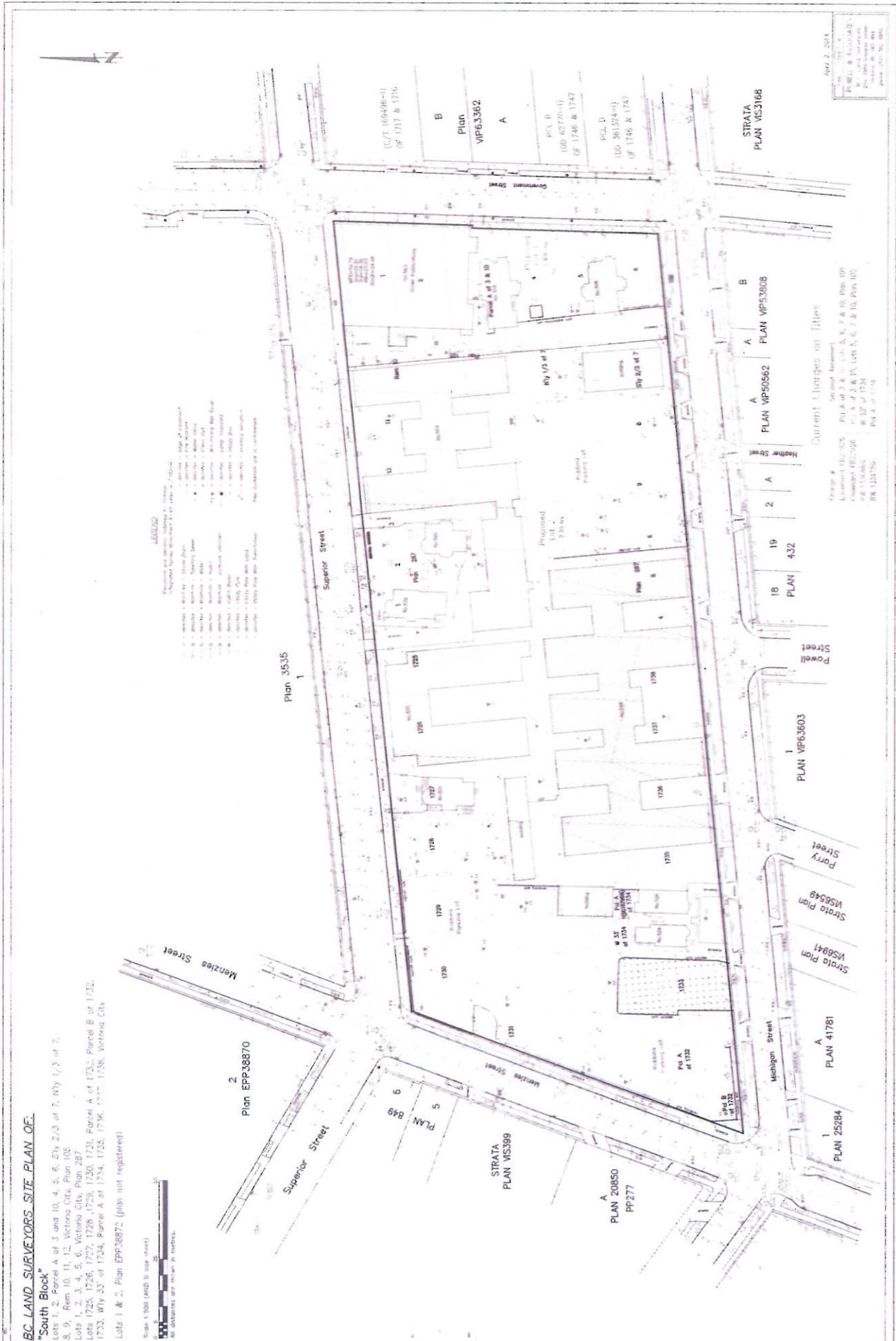
Picnic & Gathering Area



Edible Landscape



Meadow Planting





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 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.

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

TRANSPORTATION PLANNERS AND ENGINEERS



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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bunt & associates

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.

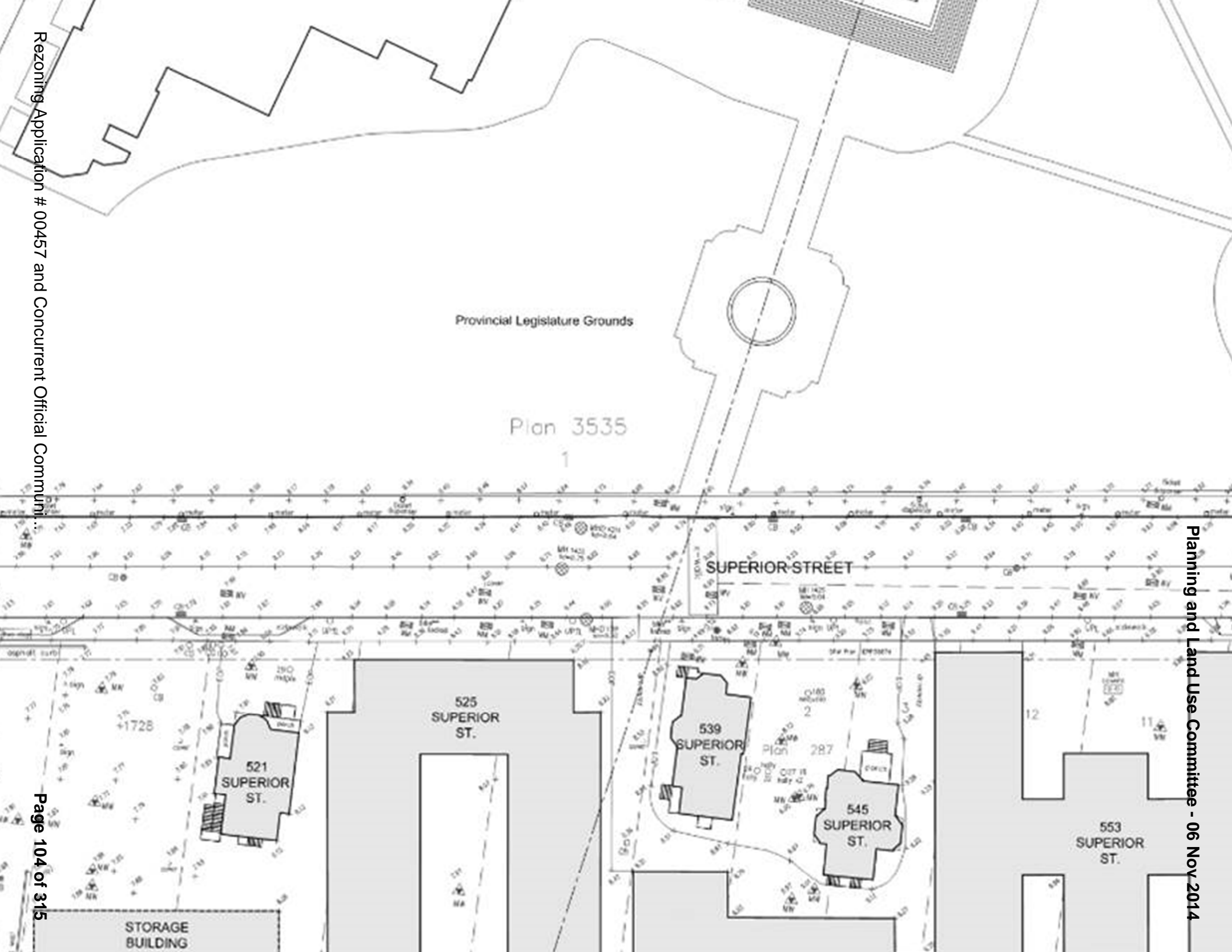
Transportation Demand Management (TDM)

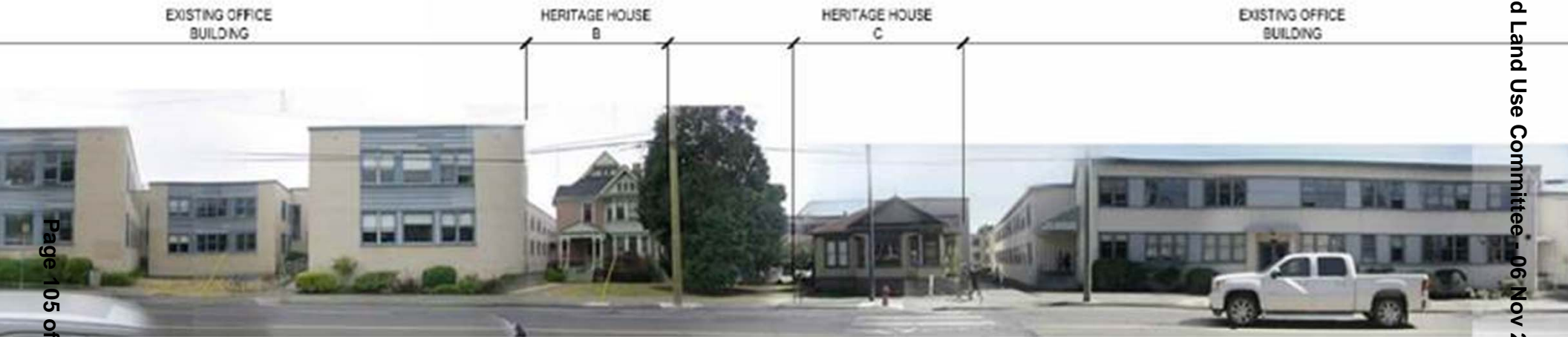
The development plan offers various TDM measures aimed at promoting non-private vehicle use. These initiatives include, perhaps most importantly, the reduction of subsidized vehicle parking for Provincial office employees, which currently accounts for 264 of the site's 317 surface parking spaces, down 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.

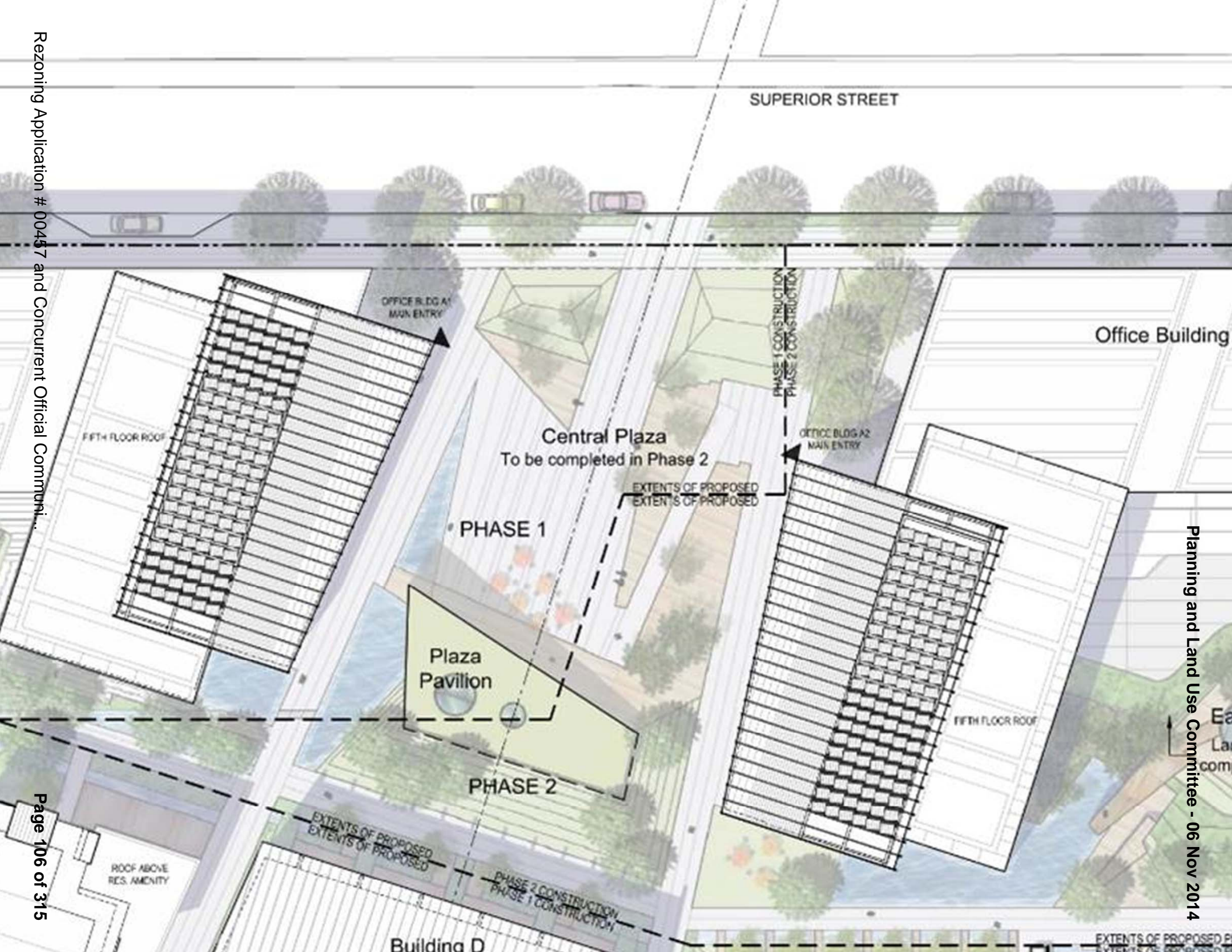
Other TDM initiatives include ride-share initiatives, promotion of car sharing, cycling and transit use.

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.

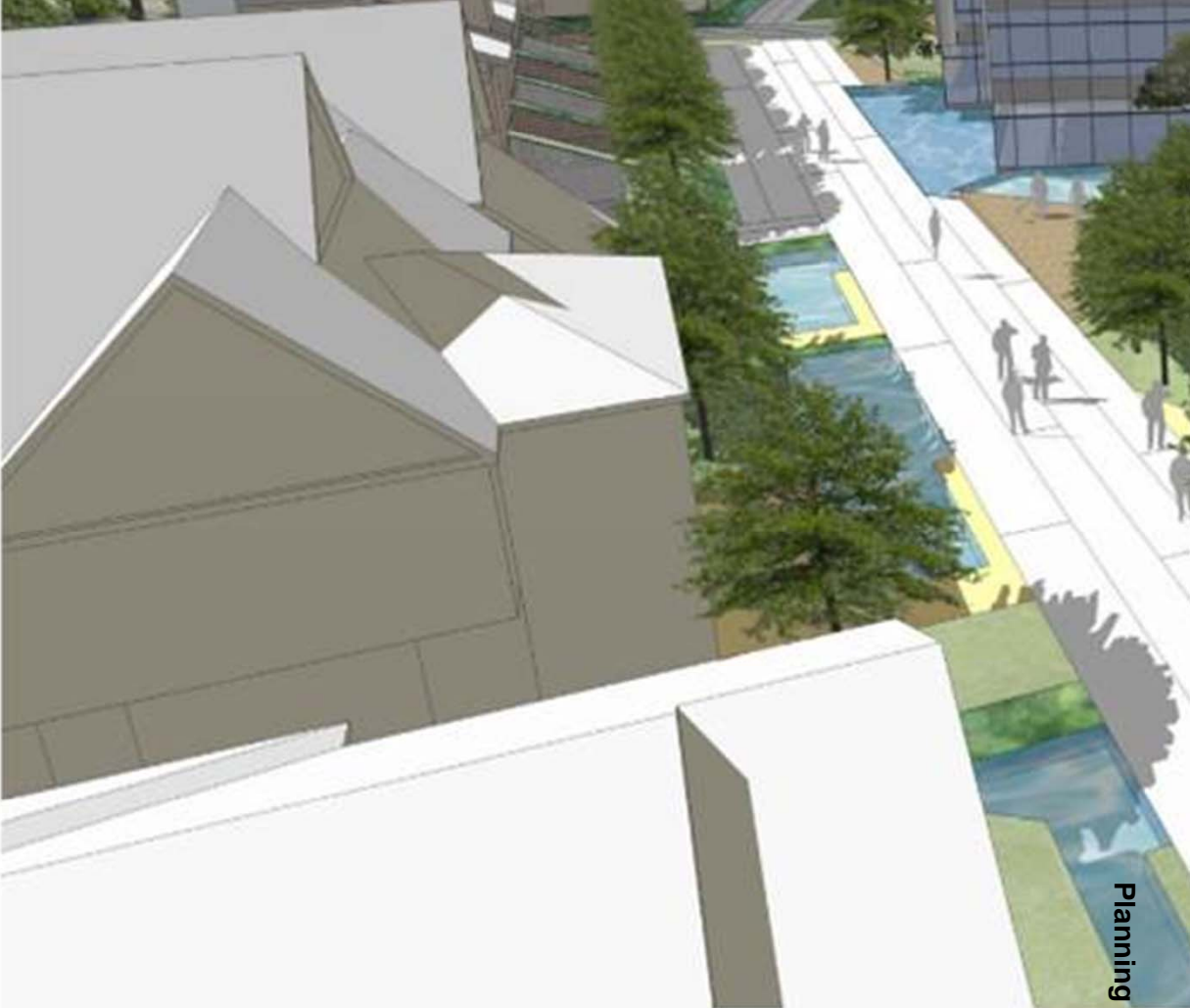




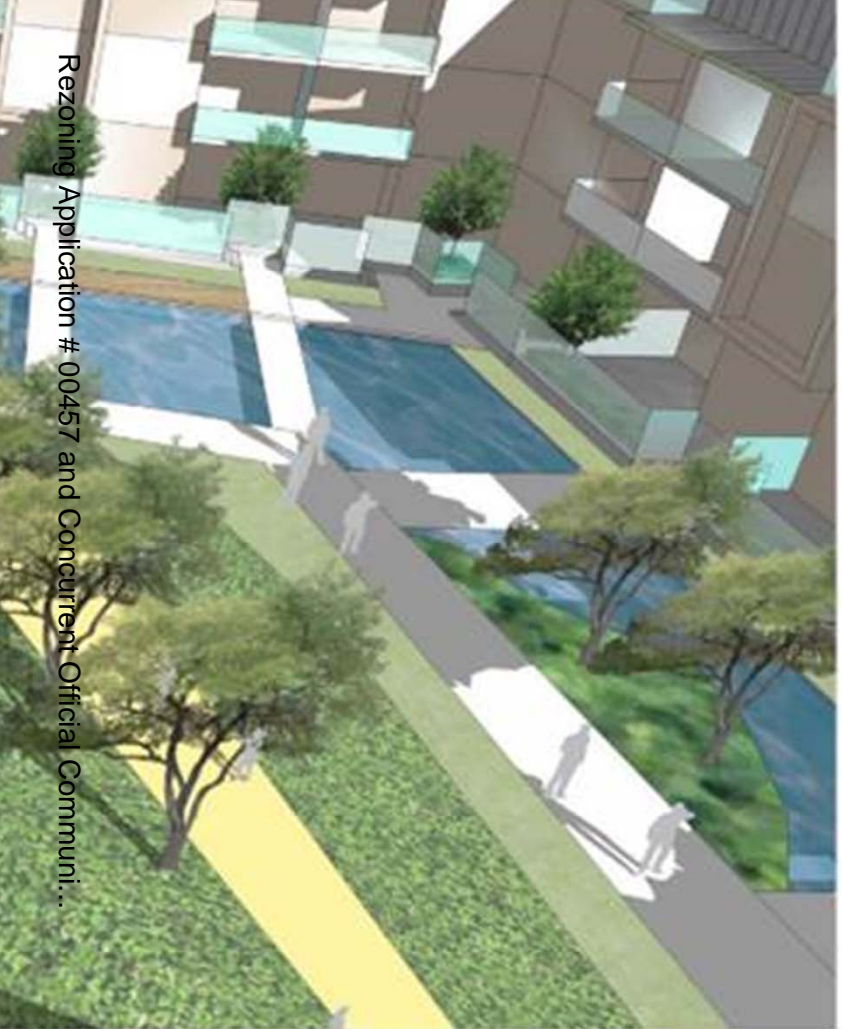








Planning and Land Use Committee - 06 Nov 2014



Rezoning Application # 00457 and Concurrent Official Communi...



E



CH



Sitting Plaza

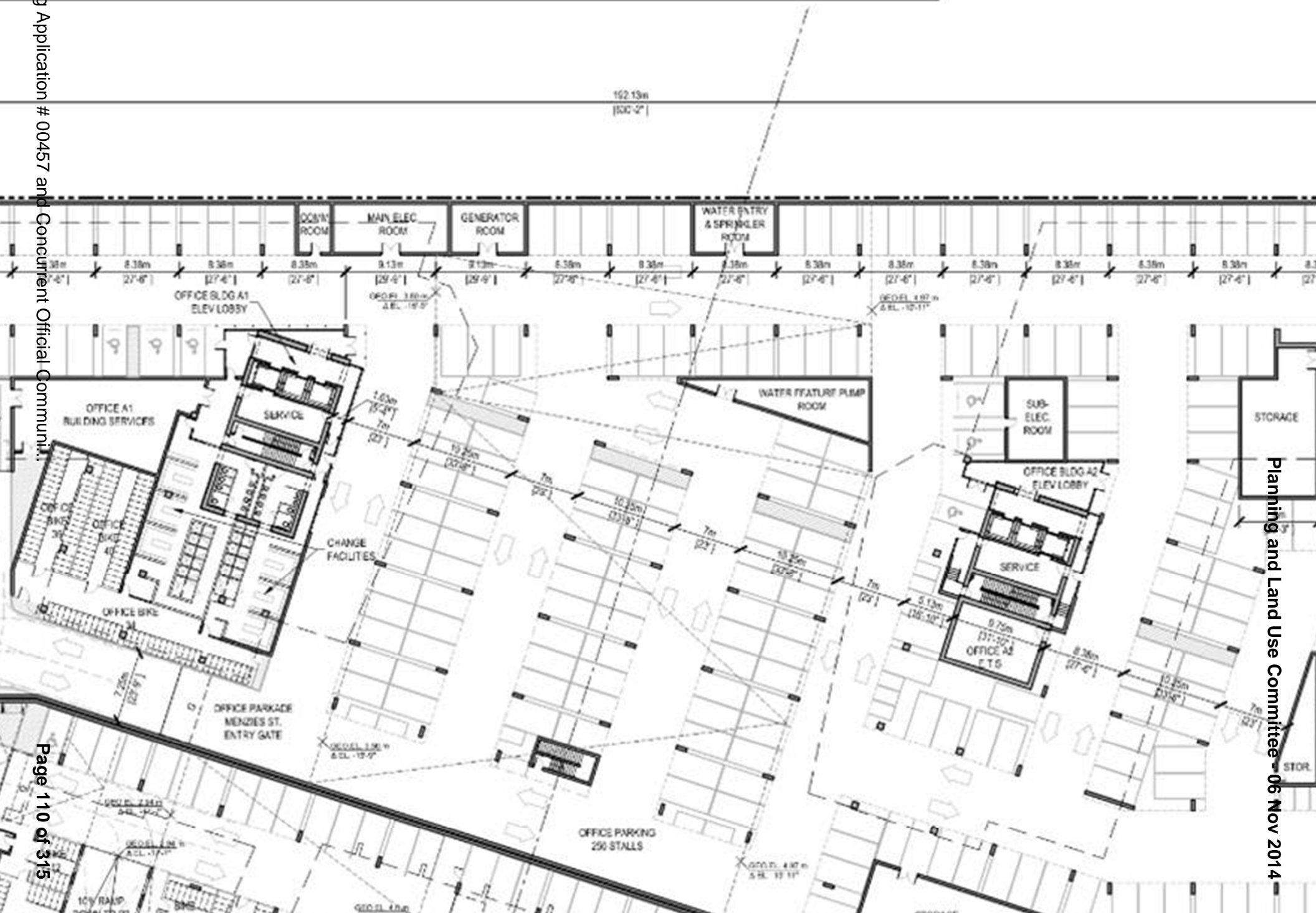


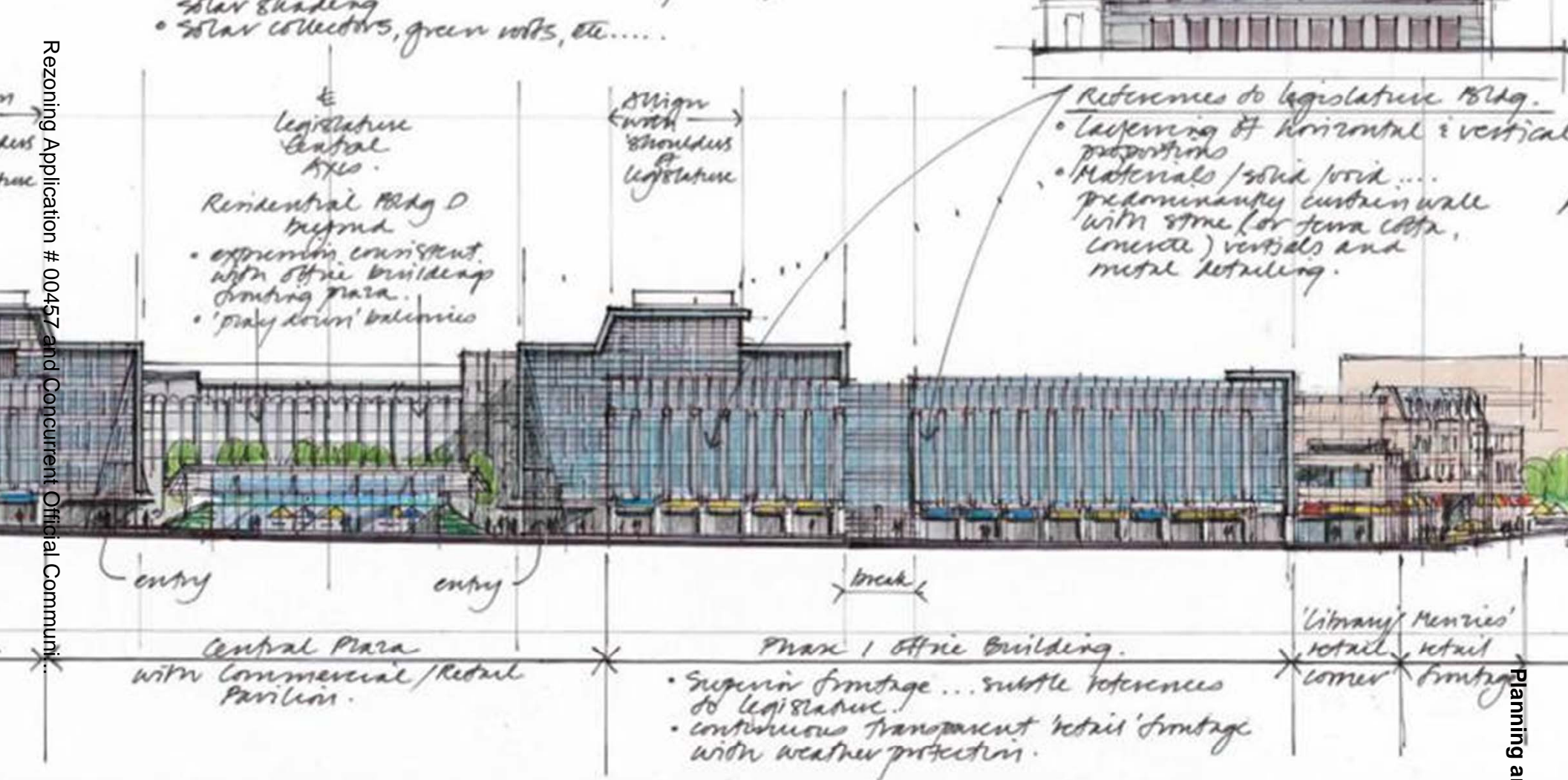
Planning and Land Use Committee - 06 Nov 2014



- NO ENCRoachMENTS
- MIN. 2.3M VERTICAL CLEARANCE ALONG VEHICULAR CIRCULATION PATH FROM PARKADE ENTRY TO STALL IN ADDITION TO CLEARANCE AT STALL

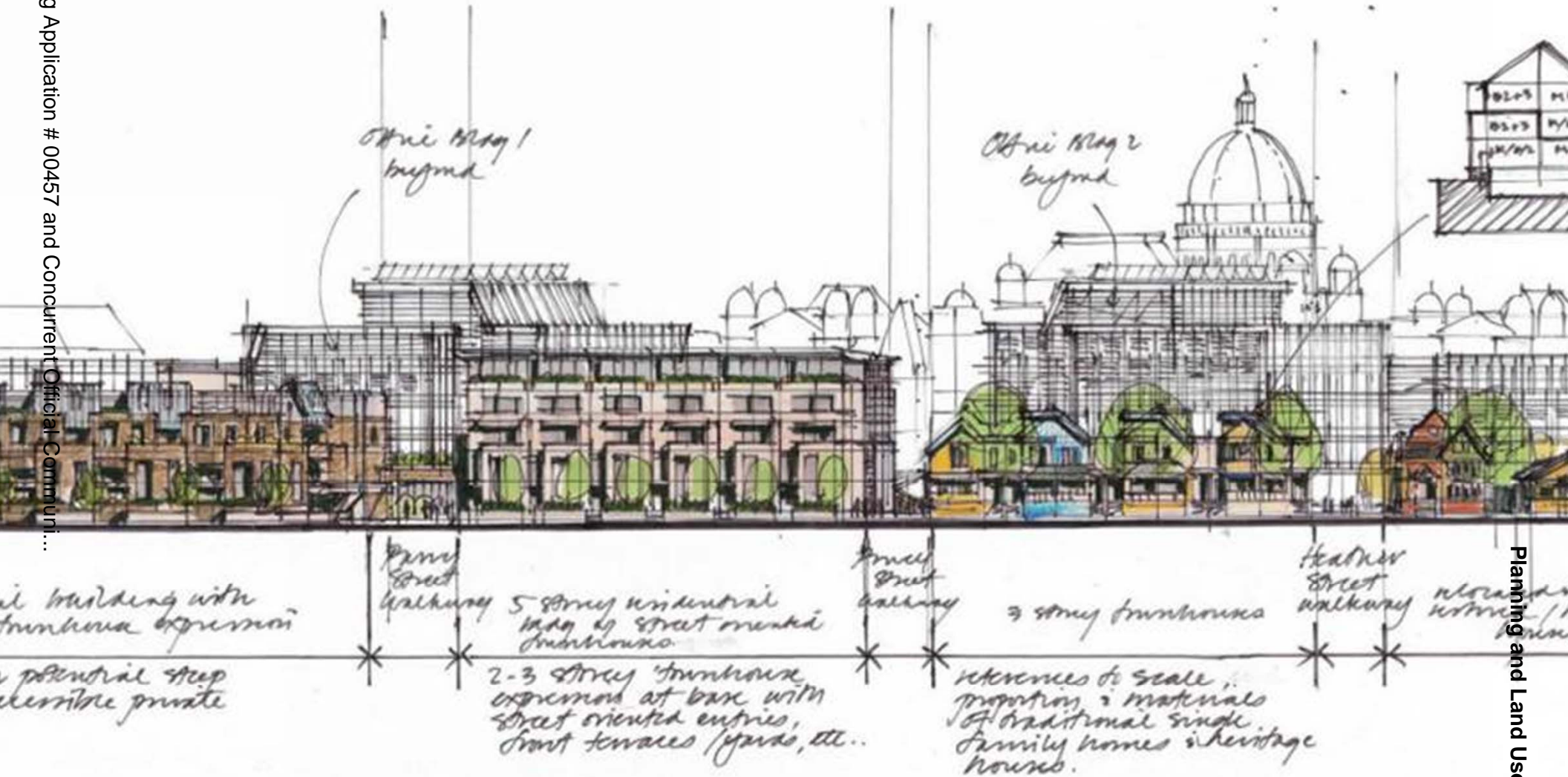
- MOTORBIKE PARKING STALL (PERPENDICULAR TO AISIF)
- NO ENCRoachMENTS
 - MIN. 2.1 M VERTICAL CLEARANCE TYP.



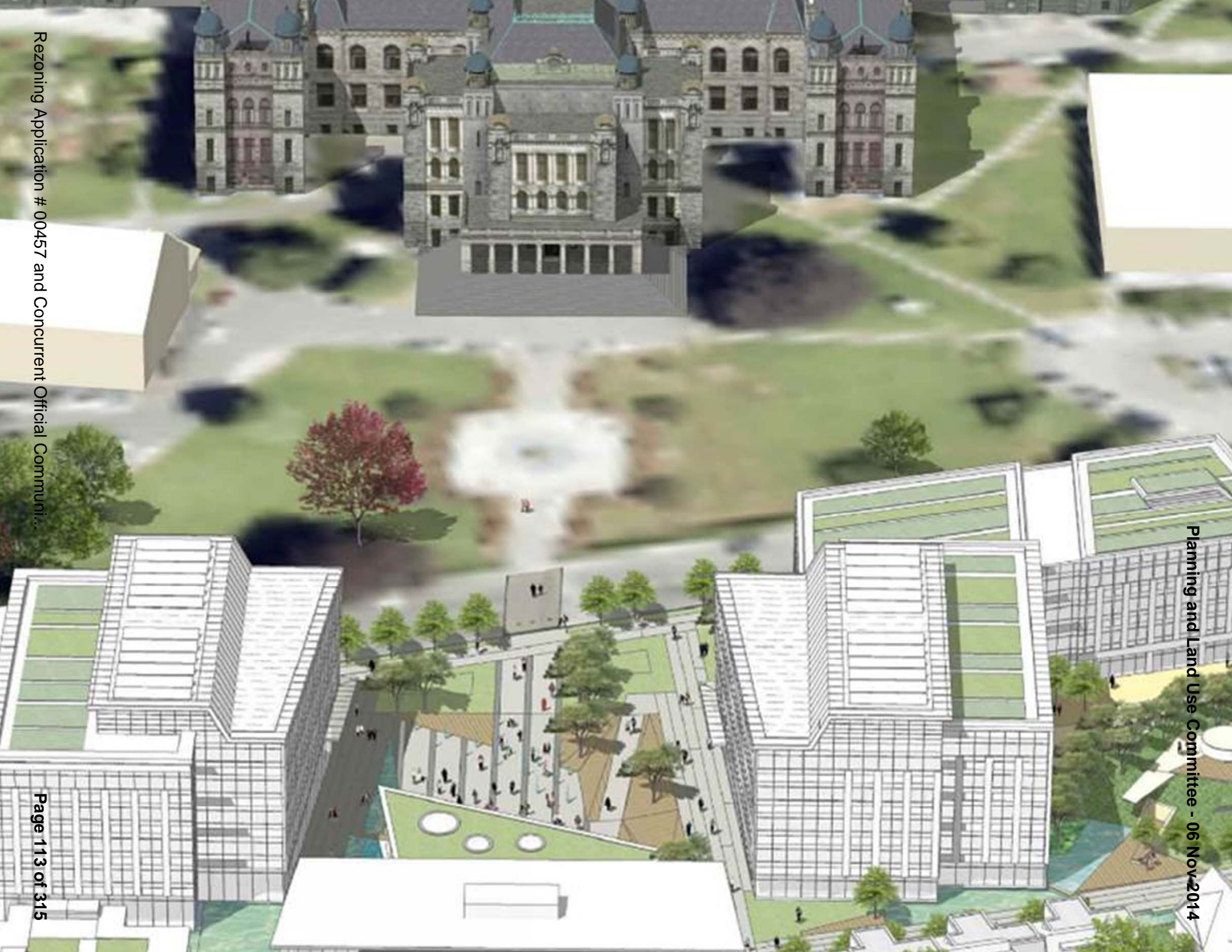


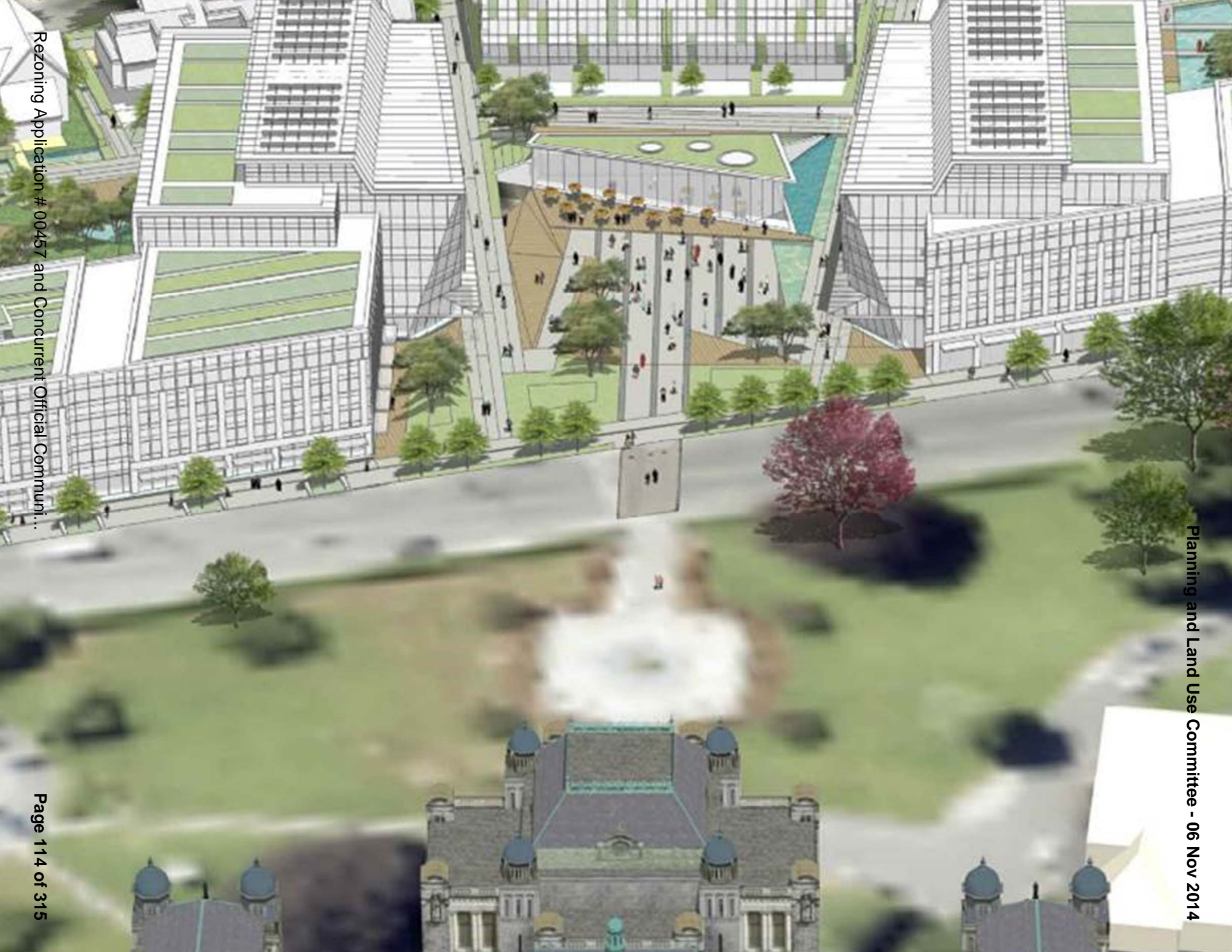
NORTH ELEVATION CHARACTER SKETCH

- 'village retail grain' texture....
- sense of "incremental growth"
- set back upper floor
- consider references to steep pitch roof forms / dormers, etc.
- vertical proportions to windows



SOUTH ELEVATION CHARACTER SKETCH

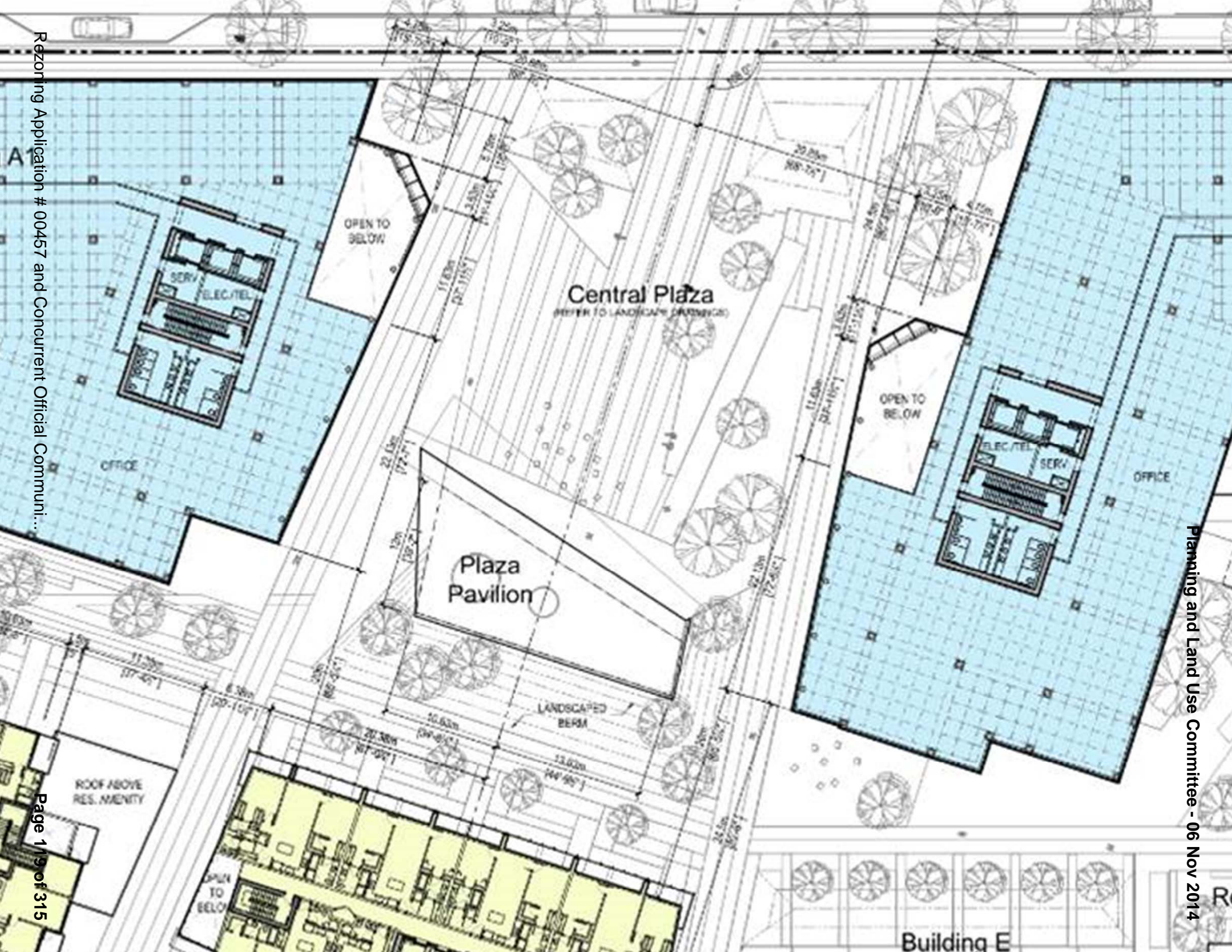


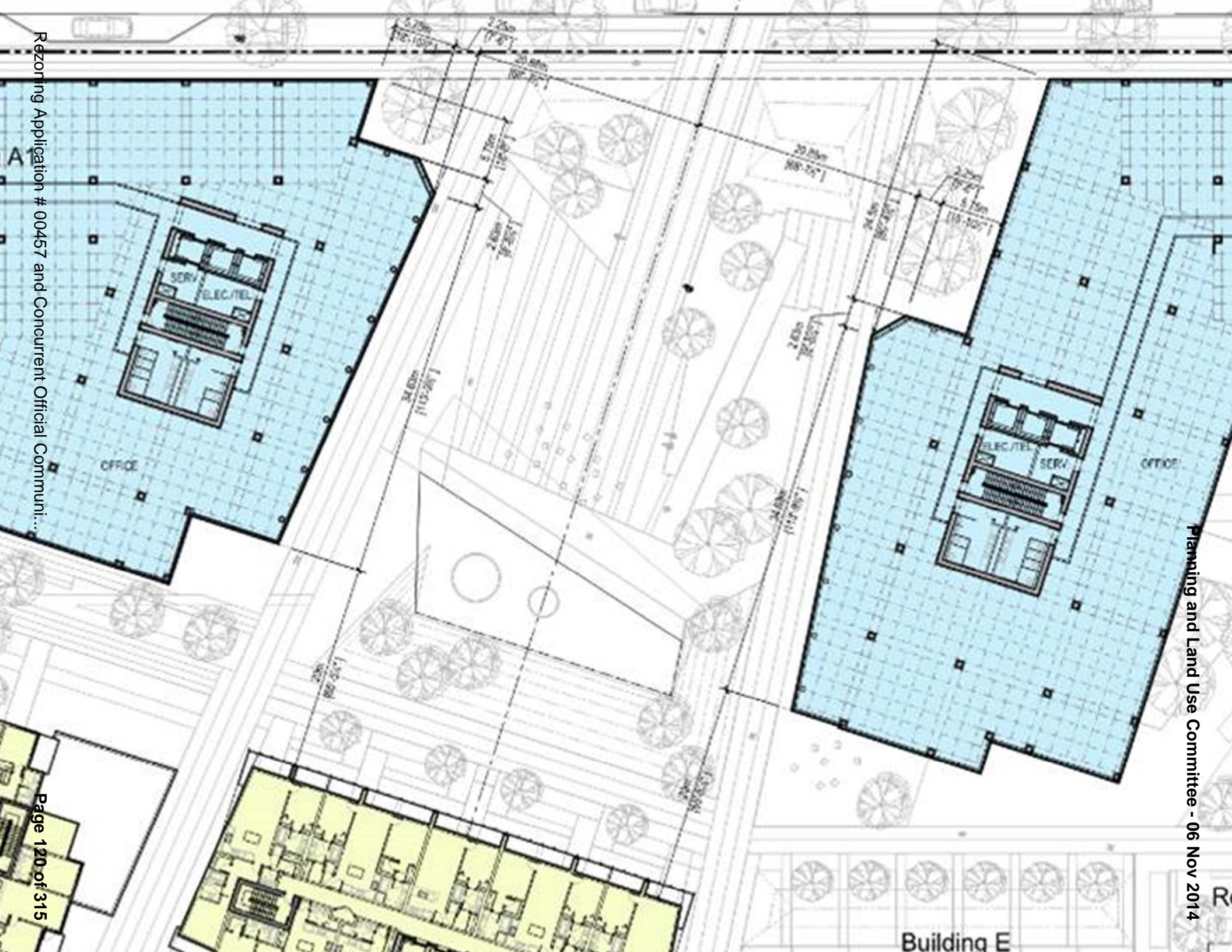


GVPL benefit	Victoria Housing Fund	Central Public Plaza*	Public
X	X	X	
\$425,600	X	X	Planning and Land Use Committee - 06 Nov 2014
X	\$425,600	X	



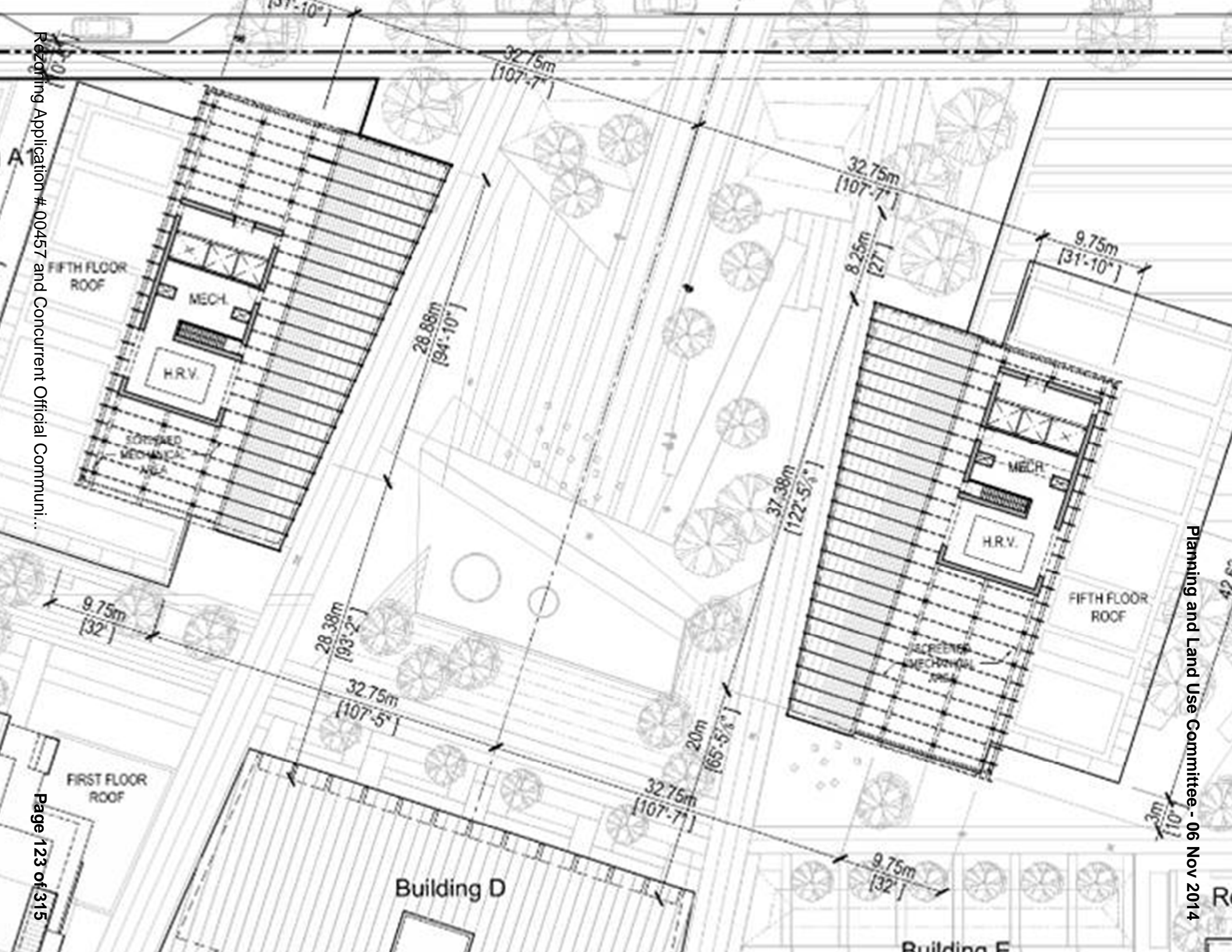


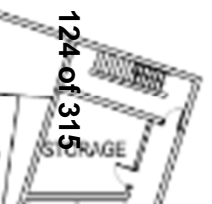
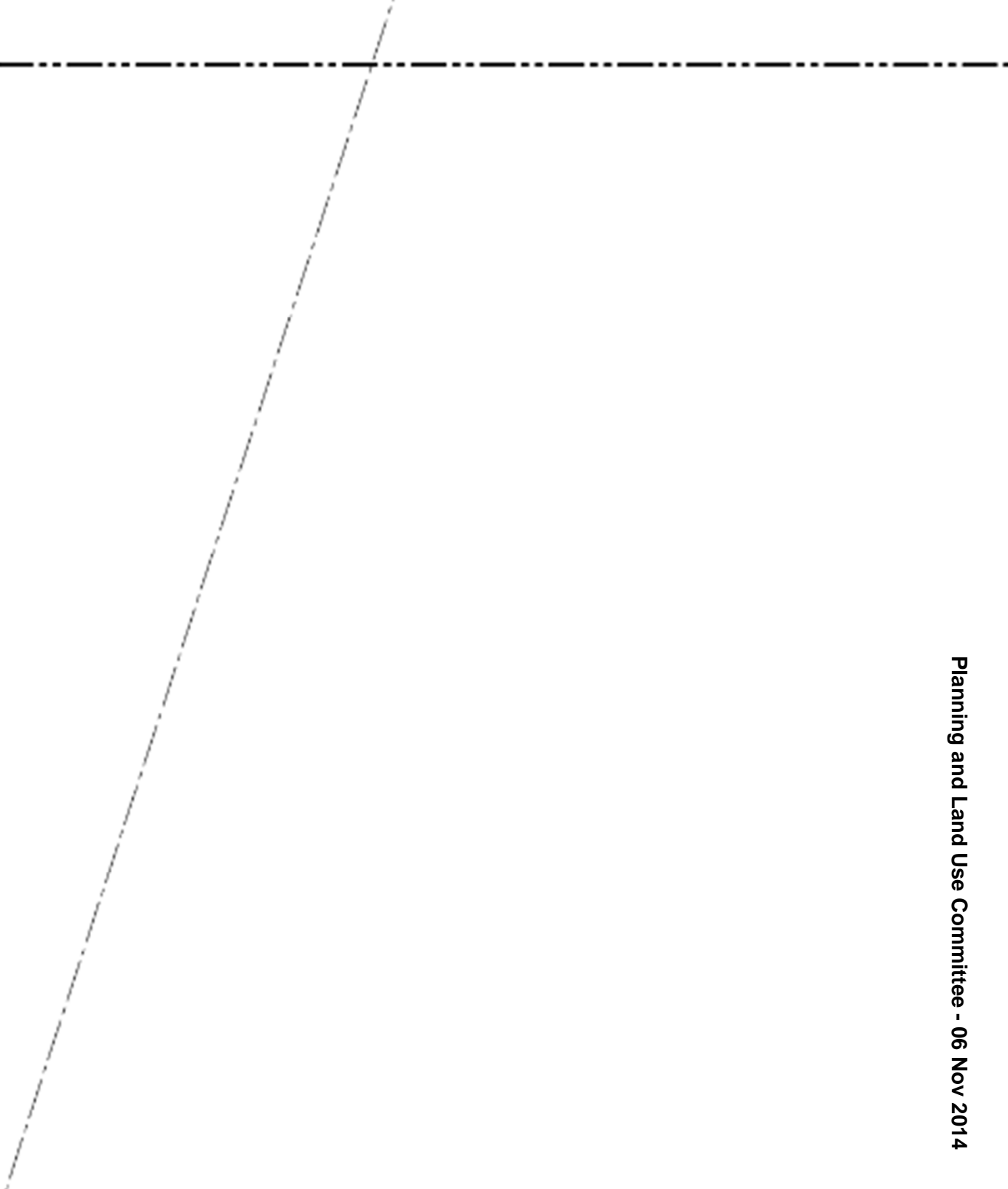


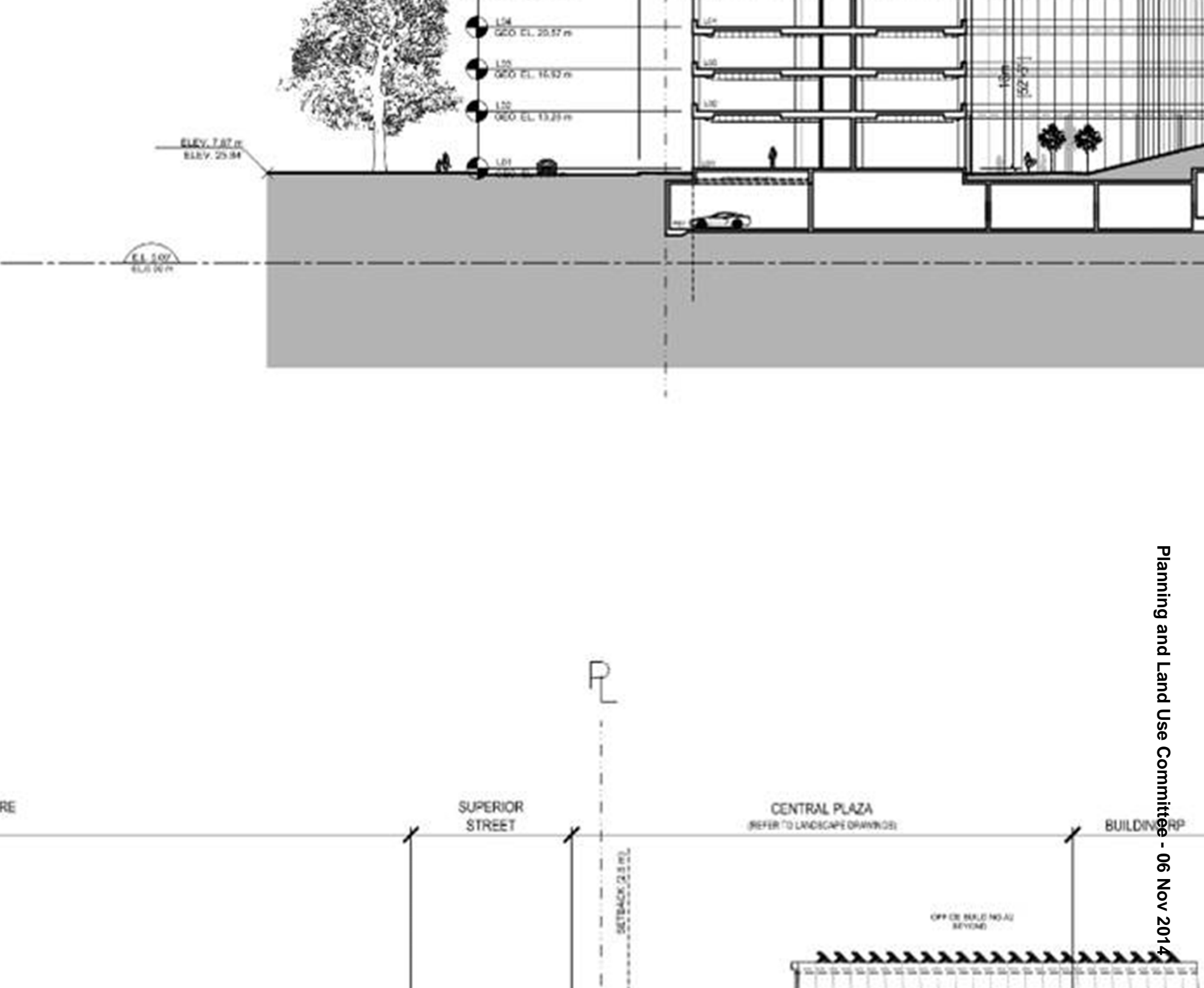




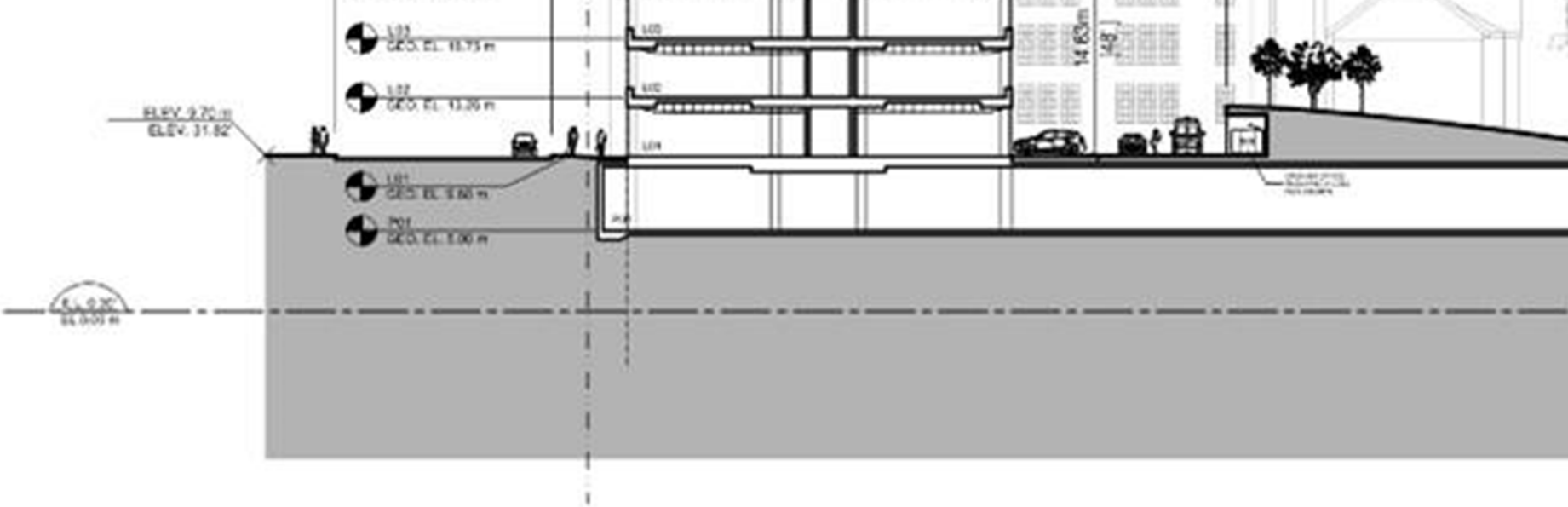








SECTION



CENTRAL COURTYARD
(REFER TO LANDSCAPE DESIGN)

OFFICE BUILDING A2

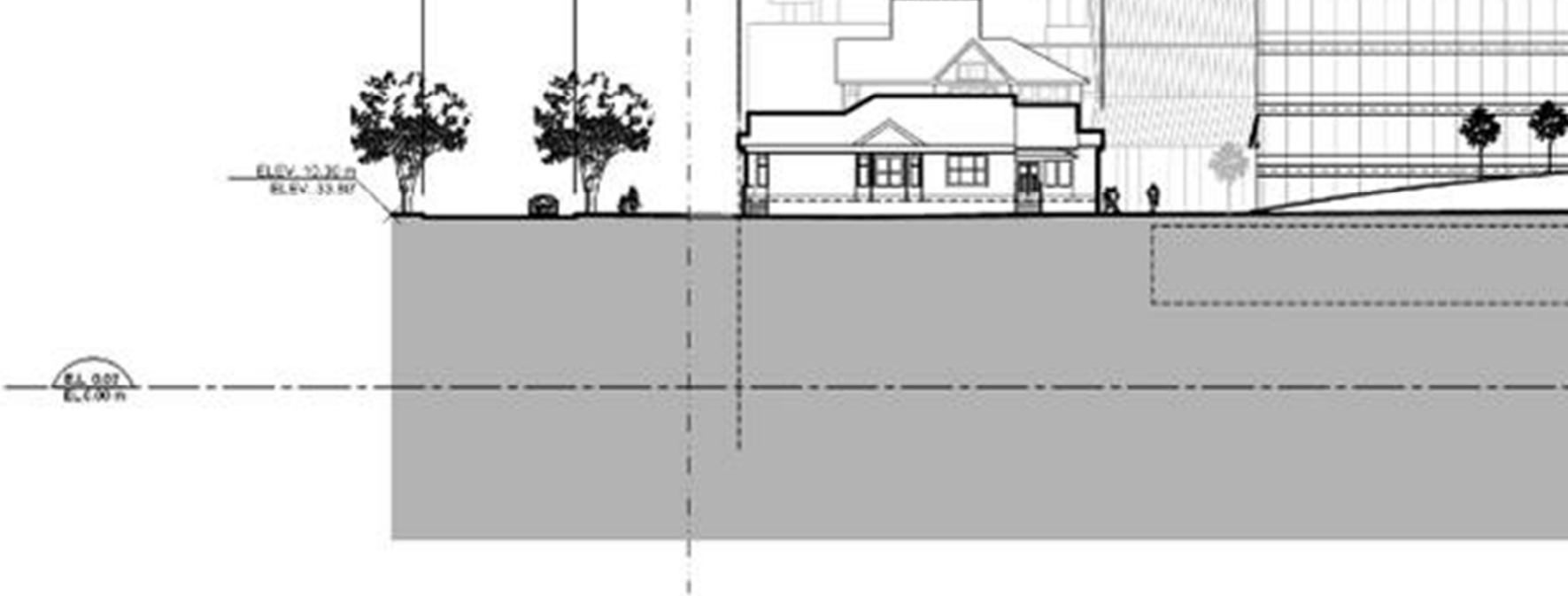
OFFICE SERVICE COURTYARD
(REFER TO LANDSCAPE DESIGN)



1.FLOOR
GEO. EL. 30.76 m

1.FLOOR
GEO. EL. 27.88 m

HERITAGE HOUSES
BEYOND

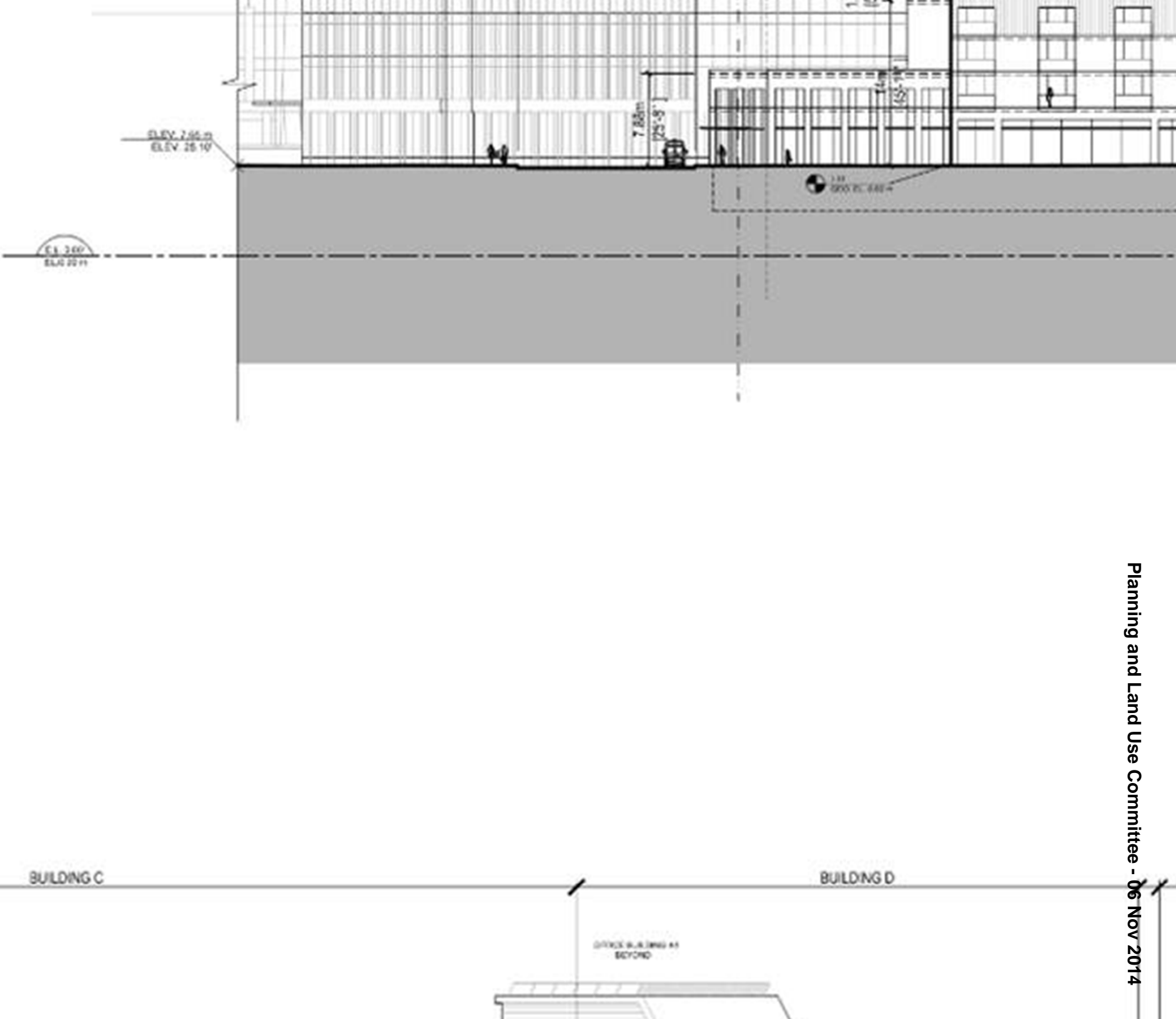


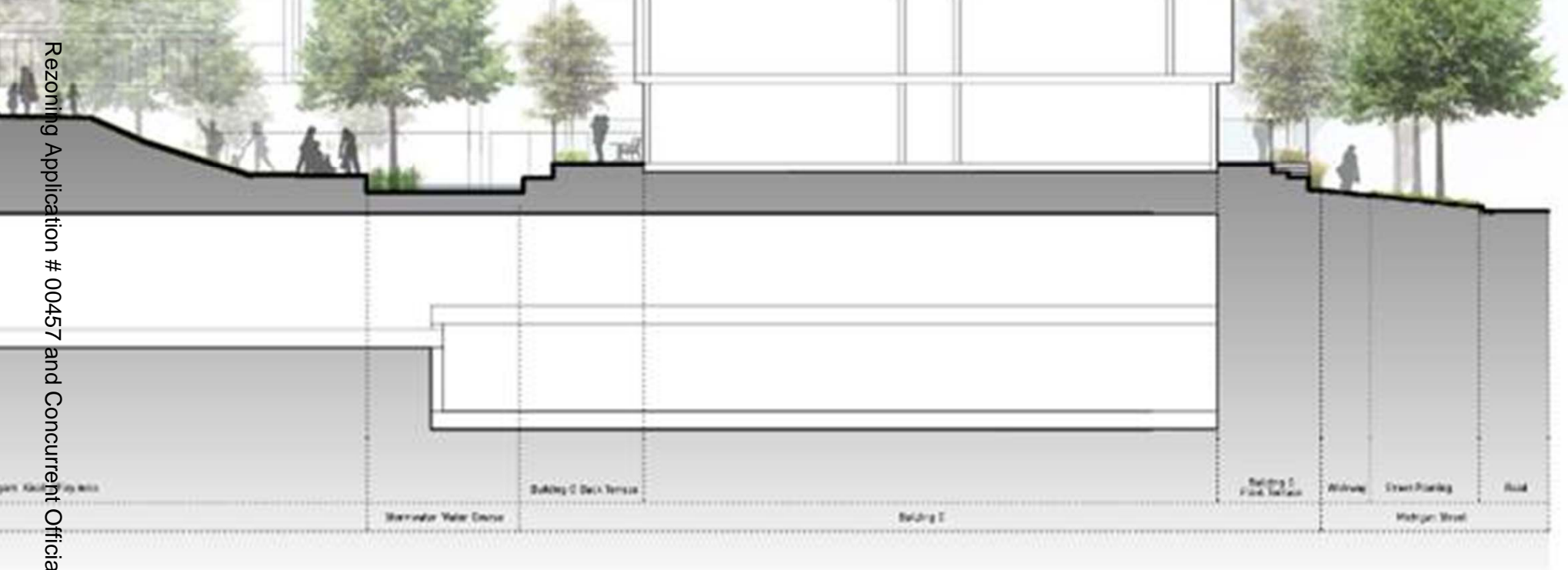
CENTRAL COURTYARD
(REFER TO LANDSCAPE DRAINAGE)

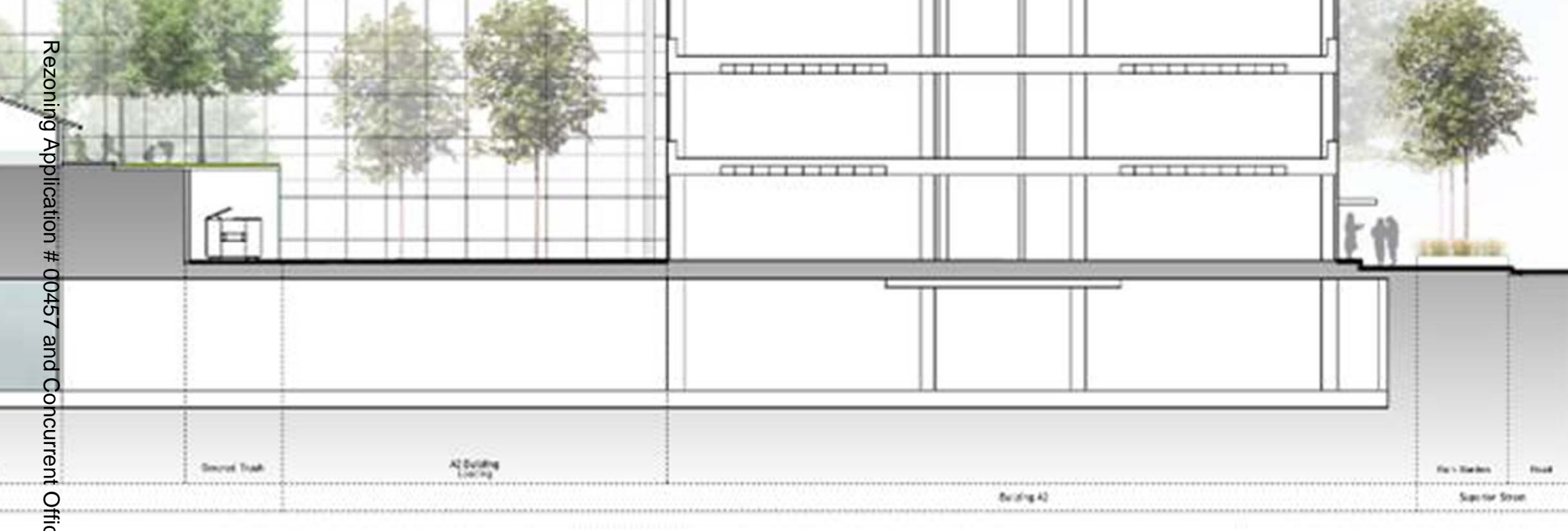
OFFICE BUILDING A1

MECHANICAL
PENTHOUSE

MECHANICAL
PENTHOUSE







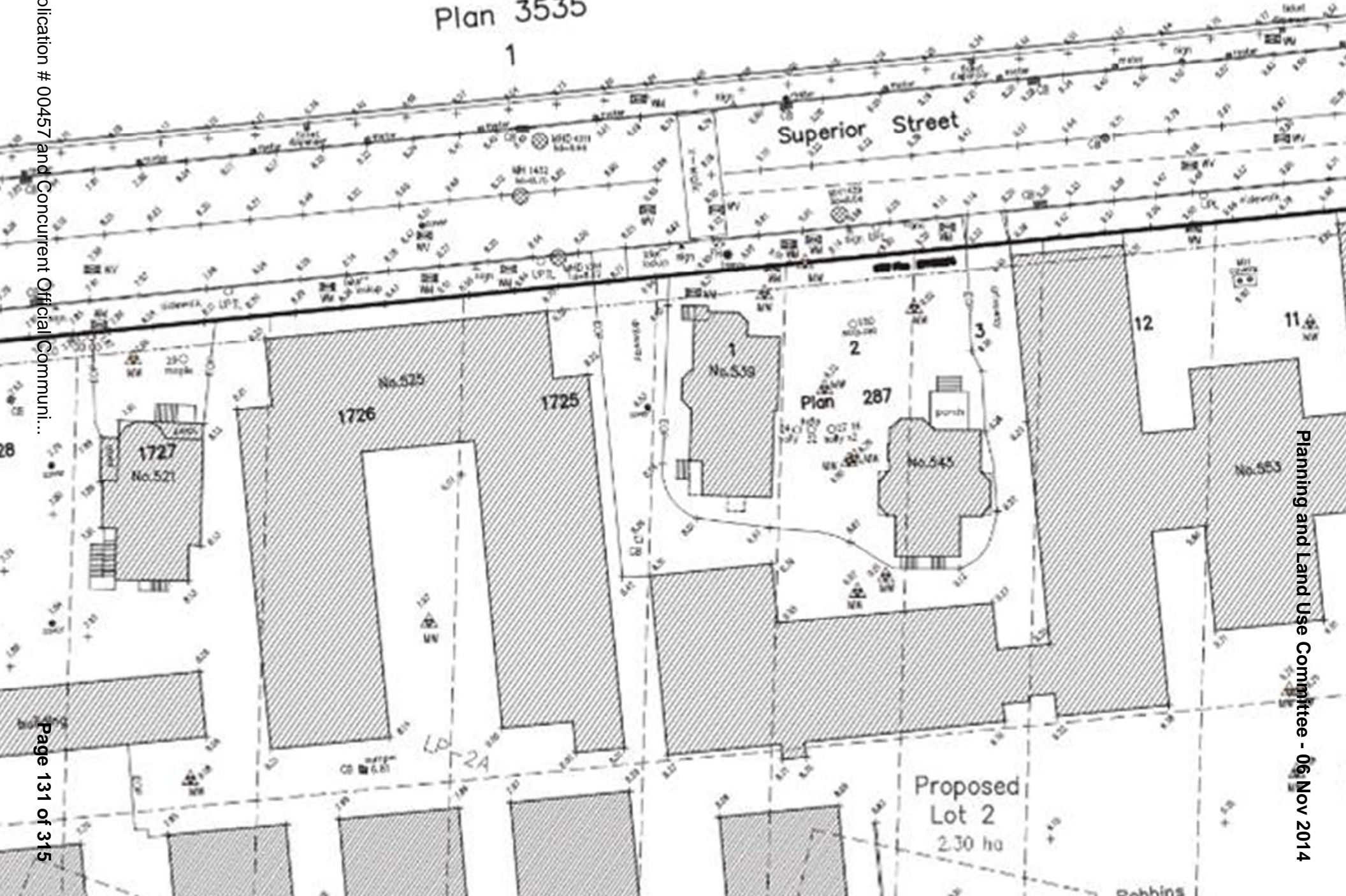
UP ◊ - denotes - Utility Pole
 UPL ◊ - denotes - Utility Pole With Light
 UPT ◊ - denotes - Utility Pole With Transformer

M + - denotes - existing elevation
 Tree diameters are in centimeters.

Plan 3535

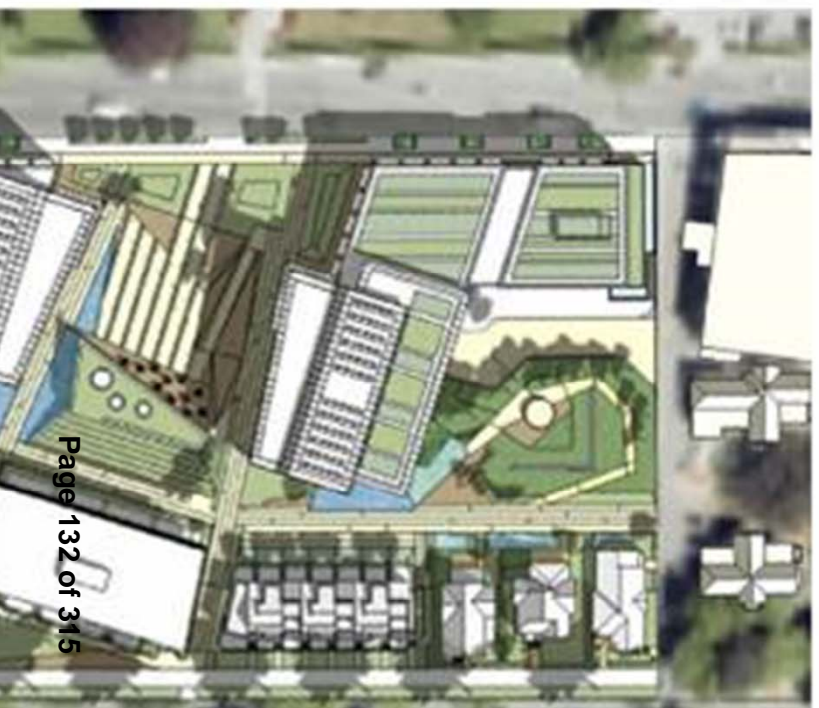
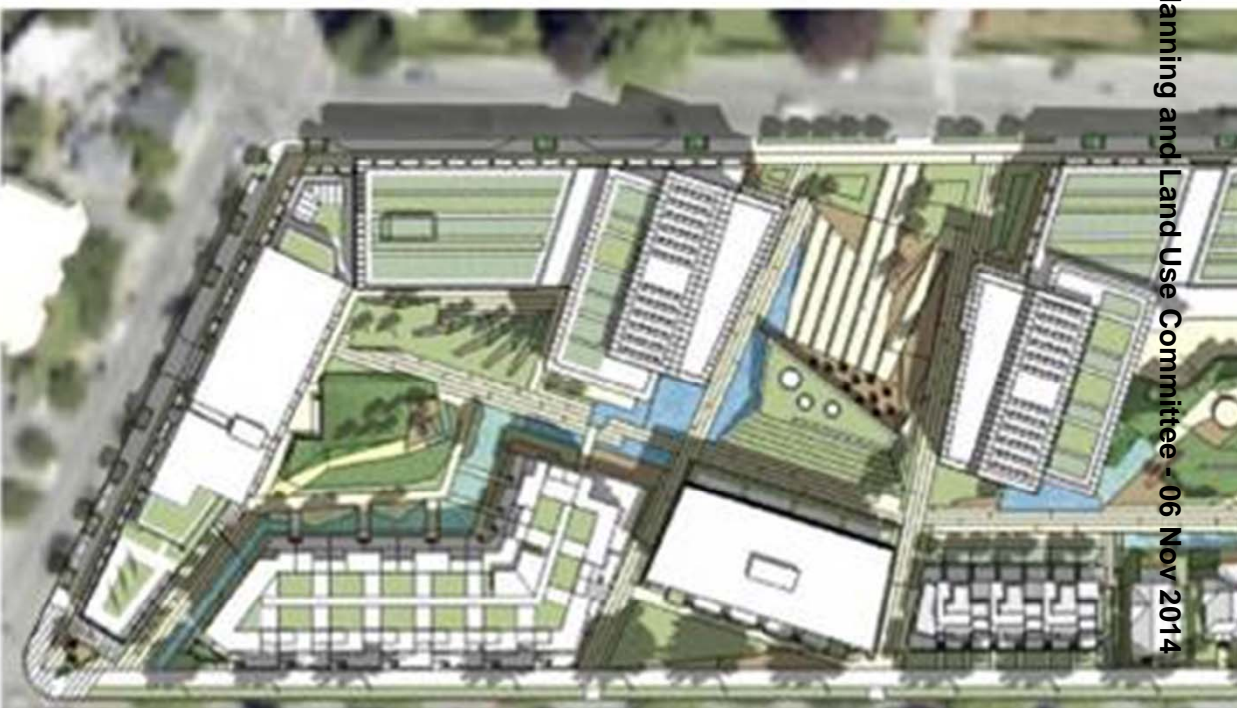
1

Superior Street





2:00 PM





Planning and Land Use Committee Report

For the meeting of November 6, 2014

To: Planning and Land Use Committee **Date:** October 23, 2014
From: Charlotte Wain, Senior Planner – Urban Design
Subject: **Development Permit Application #000381 for 819 Yates Street**
 Application to construct a new mixed-use multiple-dwelling building with 209 units.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application #000381 for the property located at 819 Yates Street. The Application is to construct a 16-storey mixed-use building with 6,660 m² of ground-floor commercial fronting Yates Street and residential uses above. A through-block walkway is located on the east of the property, linking Yates Street and View Street.

The following factors were considered in reviewing this application:

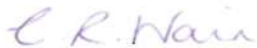
- The site is within Development Permit Area 2, Core Business, which permits Council to regulate the form and character of commercial and multi-family residential development.
- The proposal complies with the current CA-62 Zone, Central Area (Yates-View) District.
- The proposal is generally consistent with the *Downtown Core Area Plan* (DCAP).
- The proposal is generally consistent with the *Master Development Agreement* for the property.
- There are no variances proposed as part of this Application.
- There is a discrepancy between the *Master Development Agreement* (MDA) and the *Zoning Regulation Bylaw* with regard to the required width of the mid-block walkway. The MDA requires a width of 4.5 m whereas the *Zoning Regulation Bylaw*, which is the predominant regulation, requires a width of 3 m. A MDA Amendment will be required since the proposal advances a 3 m wide walkway.

Overall the Application is consistent with the regulations, policies and design guidelines; however, staff are concerned with the lack of direct and universal access to the residential lobby from the through-block walkway, especially given there is no commercial frontage proposed for this area. Staff recommend that Council support this Application with design refinements to introduce a secondary entrance along the walkway.

Recommendations

1. That Council direct staff to prepare the necessary motion to authorize the issuance of Development Permit #000381 for 819 Yates Street, subject to:
 - a. revisions to the proposal to provide a secondary entrance to the building on the east elevation within the through-block walkway;
 - b. amendment of the *Master Development Agreement*, to revise the width of the through-block walkway from 4.5 m to 3 m, to comply with zoning to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor;
 - c. receipt of evidence that the application is in compliance with the Ministry of Environment's Environmental Management Act as it pertains to potentially contaminated sites.
2. That Council consider authorizing City of Victoria staff to execute an Encroachment Agreement for a fee of \$750.00 plus \$25.00 per m² of exposed shored face during construction, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works. This is to accommodate shoring for construction of the underground parking structure at the property line.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager: _____



Jason Johnson

Date: October 30, 2014

CW:aw:af

S:\TEMPEST_ATTACHMENTS\PROSPERO\PLDP\DP000381\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application #000381 for the property located at 819 Yates Street.

2.0 Background

2.1 Description of Proposal

The Application is to construct a 16-storey mixed-use building with 6,660 m² of ground floor commercial uses fronting Yates Street with residential uses above. A through-block walkway is located on the east of the property, linking Yates Street and View Street. The apartments are comprised of five at-grade residential units, three of the units front the through-block walkway and two of the units front View Street. The remaining 204 units are located on the upper floors and are comprised of one and two-bedroom apartments.

The building design consists of a four-storey podium on Yates Street with a three-storey residential podium on View Street. Two adjoining residential towers are proposed above the podium, with a 16-storey tower on Yates Street and a 12-storey tower on View Street. This includes the mechanical room on the north tower roof (Yates Street) and the stair access on the south tower roof (View Street) which, in this case, are considered as a storey because they are fully enclosed and provide access to the roof and outdoor patio.

The applicant proposes three levels of underground parking for 162 vehicles accessed from View Street. Fifteen of these spaces would be reserved for visitor use. Two hundred and nine secure bicycle racks would be provided (one for each unit) with a further two provided for the commercial units and eight publicly accessible bicycle racks would be located at the front of the building on Yates Street.

2.2 Existing Site Development and Development Potential

The corner site has an area of 2620 m² and is occupied by a pay surface parking lot. The current CA-62 Zone, Central Area (Yates-View) District, permits a variety of uses including residential, office, retail and restaurants at a density of up to 5.83:1 Floor Space Ratio (FSR) when the following amenities are provided:

- at least 80% of the floor area is provided exclusively for residential use
- a 3 m wide public walkway secured by statutory right-of-way along the east side of the property, in this zone, linking Yates and View streets
- public art with a value of at least \$200,000.00
- a Housing Agreement pursuant to section 905 of the *Local Government Act* providing for two supported housing units, a minimum of 10% of adaptable housing units, and requiring that all housing units must be capable of being rented to tenants. This agreement is already in place.

The maximum height permitted in this zone is 55 m.

2.3 Sustainability Features

The green building features in the proposal include:

- bicycle storage for all 209 residential units
- provision of two bicycle storage facilities for the commercial units
- fresh air ventilation.

2.4 Data Table

The following data table compares the proposal with the existing CA-62 Zone. The proposal complies with all regulations set out in the CA-62 Zone and no variances are being requested.

Zoning Criteria	Proposal	Existing Zone Standard CA-62
Site area (m ²) - Minimum	2628	N/A
Total floor area (m ²) – Maximum		
Residential	14,660	15,274.6
Commercial	613	
Total	15,273	
Density (Floor Space Ratio) - Maximum	5.83:1	5.83:1
Height (m) - Maximum	45	55
Storeys - Maximum	16	N/A
Site coverage (%) - Maximum	66	N/A
Open site space (%) - Minimum	34	N/A
Setbacks (m) - Minimum		
Front - Yates	1.6 below 10 m in height 5.4 above 10 m in height	1.4 below 10 m in height 3.5 above 10 m in height
Rear - View	1.5 below 10 m in height 5.3 above 10 m in height	1.5 below 10 m in height 5.3 above 10 m in height
Side - East	3.0	3.0
Side - West	0	0
Parking – Minimum	147 (0.7 per unit)	146
Visitor Parking - Minimum 10% of total parking provided	15	15
Bicycle Storage (Class 1) - Minimum	211	211

Zoning Criteria	Proposal	Existing Zone Standard CA-62
Bicycle Rack (Class 2) - Minimum	8 units	8 units

2.5 Land Use Context

The site is in an area of predominantly commercial and residential uses. Immediately adjacent uses are:

- North (across Yates Street) – commercial and office commercial (The Atrium)
- East – St. Vincent de Paul Thrift store and residential
- South (across View Street) – retail commercial and residential
- West – Empire Theatre.

2.6 Legal Description

Lot A, District Lots 306, 307, 324 and 325, Victoria City, Plan 33016.

2.7 Relevant History

The property was rezoned in 2008 to a site-specific CA-62 Zone, Central Area (Yates-View) District. As part of the increase in density associated with the new zone, the provision of amenities was secured through a *Master Development Agreement* (MDA), which also lists the requirement for streetscape and servicing improvements.

2.8 Community Consultation

The Application does not include variances, therefore, consistent with the Community Association Land Use Committee (CALUC) procedures related to development applications, it was not circulated to the Downtown Residents Association for comment. However, the applicant exceeded consultation requirements and presented the proposal to the Downtown Residents Association. A copy of the CALUC's letter of support is included with this report.

3.0 Issues and Analysis

The key issue associated with this Application is the consistency with design guidelines. The following section analyzes the proposal's consistency with City policy and applicable guidelines.

3.1 Consistency with City Policy

3.1.1 Official Community Plan (2012)

The subject property is designated within Development Permit Area 2 (Heritage Conservation), Core Business. The objectives of the designation are to conserve and enhance the character of the Downtown, realize the architectural potential of the area and encourage revitalization of the area through design control of new infill buildings and landscaping. Design guidelines that apply to Development Permit Area 2 are the *Advisory Design Guidelines for Buildings, Signs and Awnings* and the *Downtown Core Area Plan, 2011*.

3.1.2 Downtown Core Area Plan (2011)

The subject lands are located in the Central Business District (CBD). One of the primary objectives of the CBD is to accommodate commercial employment uses that reinforce the area as the main employment centre. As a result, the *Downtown Core Area Plan* (DCAP) restricts the residential component of all mixed use developments within the CBD to 3:1 FSR. Although the proposal exceeds this amount, it does comply with the existing custom zone, which was crafted prior to the creation of the DCAP and does not limit residential use.

Multi-unit residential development is encouraged in the CBD with higher density focussed along Yates Street. Active commercial street-level uses are encouraged to support pedestrian activity along with well-designed public realm improvements. The current proposal is consistent with these objectives as it contributes a significant amount of new street-level commercial space in the CBD which is further supported by residential uses above.

With respect to urban design, the (DCAP) provides both broad objectives for the Downtown Core and more detailed design guidelines for specific districts. The DCAP also includes policies related to the design of buildings. Overall, the proposal is consistent with these policies; however some inconsistencies with the design policies are discussed below.

Building Massing and Response to Context

The CA-62 Zone contains similar regulations to DCAP for building setbacks. While the proposal deviates slightly from the guidelines in the DCAP, it does comply with the custom zone's regulations for building setbacks.

The DCAP provides general guidelines relating to massing and built form, including guidelines for street wall heights based on the width of the street. The intent of these guidelines is to:

- minimize the effects of shading and wind
- maintain views to the open sky
- avoid the visual presence of bulky upper building mass.

The applicant is proposing a street wall of 30.8 m in height on View Street (5.8 m above the recommended guidelines). Although the secondary street wall is taller than what the DCAP recommends, the increased setback is considered an acceptable design response for the building massing.

Along Yates Street, the proposed primary street wall height is 11.5 m which is 3.5 m shorter than recommended in the guidelines. The proposed secondary street wall height is 42.2 m in height, which is 12.2 m taller than recommended in the guidelines. Anything above 30 m should be stepped back 6 m from the property line. While there is no third step-back of the building mass, the 5.4 m setback of the secondary street wall is consistent with the setback guidelines and is considered an acceptable design response for the building massing.

Floor Plate Size

The DCAP provides guidelines for new buildings with respect to floor plate sizes. The intent of the guidelines is to avoid bulky buildings and to encourage a more enhanced skyline.

Height	Floor Plate Limitation (as described in DCAP)	Proposal
Portion of building less than 20 m	No restriction	N/A
Portion of building between 20 m and 30 m (levels 8-10)	930 m ² (10,010 ft ²)	1,134 m ² (12,206 ft ²) exceeded on levels 8-10
Portion of building greater than 30 m (levels 11-15)	650 m ² (6,996 ft ²)	1,134 m ² (12,206 ft ²) exceeded on level 11 only

Larger floor plates often accentuate the bulk of buildings. As a result, it is important that the visual impact of larger floor plates is broken down through careful design consideration and material selection. In this instance, the material selection and articulation of the building façade provides sufficient visual interest to lessen the perceived bulkiness of upper floors. In addition, the varying height of the towers provides an appropriate response through provision of a higher tower on Yates Street and lower tower on View Street.

Through-block Walkway

In order to achieve the maximum density provided in the CA-62 Zone, the provision of a through-block walkway is required. The walkway must:

- link View Street and Yates Street along the east side of the property
- be at least 3.0 m wide.

Appendix 3 of the DCAP also provides general design criteria for through-block walkways. The guidelines recommend that walkways be open to the sky, provide direct access to ground-level commercial uses and that adjacent buildings should be designed to provide multiple entrances. Architectural designs are also encouraged to reflect the through-block walkway as an extension of the public street and to encourage pedestrian activity. The key guideline that is not being respected with the current application is that no direct access is provided to either the commercial unit or the residential lobby from the through-block walkway. During the evening (after sunset and before sunrise) it is anticipated that the gates of both the north and south end of the walkway would be locked. As the Application is currently presented, the only access to the building off View Street during these hours is via a ramp that leads to a bicycle storage room with steps providing access to the lobby. Residents with mobility issues and visitors would be required to use Yates Street to gain access to the main entrance during the evening. Staff are concerned that the lack of a secondary entrance conflicts with the desire to encourage pedestrian activity. This concern was reinforced by members of the Advisory Design Panel in the meeting of September 24, 2014. The minutes of this meeting are attached with this report.

The applicant has raised concerns with regard to security implications of including more than one access point into the building. However, staff are of the opinion that the through-block walkway warrants greater consideration in the design and access to the building, especially in light of the lack of commercial frontage proposed along the walkway. Staff therefore recommend that Council request revisions to the design of the through-block walkway through the inclusion of a secondary entrance within the through-block walkway, in the location currently occupied by a fire exit door.

3.1.3 Advisory Design Guidelines for Buildings Signs and Awnings (1981)

These Guidelines state that an acceptable application will include consideration of an attractive streetscape and that the architecture and landscaping of the immediate area be identified and acknowledged. In evaluating a design, particular emphasis will be placed on the solution to these general aspects: comprehensive design approach, relevancy of expression, context, pedestrian access, massing, scale, roofline, detailing, street relationship, vistas, landscaping plan, colours and textures. The Application is consistent with these Guidelines.

3.2 Consistency with Master Development Agreement

Statutory Right-of-Way

As mentioned, the applicant proposes a through-block walkway linking View Street and Yates Street. Consistent with the requirements of the existing CA-62 Zone, the applicant will register a statutory Right-of-Way in favour of the City to permit public access through the walkway to ensure this walkway is to be open to the public.

The current proposal satisfies the requirements of the CA-62 Zone. However, a discrepancy exists in the width requirement for the through-block walkway between the zoning requirements (3 m) and the MDA requirements (4.5 m). The applicant proposes to amend the MDA requirement to be consistent with the zone. Staff recommend Council consider the amendment to the MDA. Language is included in the recommendation to this effect.

Sewage Attenuation

The MDA recognizes that the increase in density may result in a need for an increase in the capacity of the City's sanitary sewer system. A condition of the MDA requires the applicant provide a report calculating the anticipated volume of sewage to be produced by the development, which will determine whether any additional facilities are necessary. No such report has been received to date. The applicant has raised concerns with this requirement and has requested it be waived. However, this cannot be achieved without an amendment to the MDA. Staff have considered this issue and recommend the MDA remains as currently written, since this is standard practice for a development of this scale.

3.3 Response to Advisory Design Panel (ADP) Review

This Application was reviewed by the ADP at the meeting of September 24, 2014. The minutes from this meeting are attached. The ADP recommended that the Application be approved subject to the following:

- consideration of an intercom on the View Street security gates for increased accessibility
- review of Crime Prevention Through Environmental Design (CPTED) considerations at-grade with particular attention to alcoves and open spaces, residential and visitor access from View Street, the walkway and the unplanted corner near the bike entrance
- consideration of advanced design detail of the Yates Street retail frontage
- consideration of privacy impacts on the inside corners at the transition point of the two towers.

In response to the ADP, the applicant revised the design as follows:

- redesign of the alcoves on Yates Street and View Street to provide a more shallow recess at the exit stairs
- enhancement of the commercial entrances on Yates Street by including a more prominent entrance reflecting the treatment of the upper storeys
- refinement of the Yates Street retail canopy
- inclusion of landscaping near the entrance to the bike room on View Street.

The applicant has not addressed the issues raised by ADP in relation to accessibility of the building from View Street. A letter has been provided by the applicant to justify these omissions and has been included with this report.

3.4 Other Development Considerations

Environmental Site Remediation

The Ministry of Environment (MOE) has informed City staff that the Rezoning Application and Development Permit Application are to be suspended until the proponent has applied for and obtained one of the following: a determination that the site is not contaminated, a Voluntary Remediation Agreement, Approval in Principle of a remediation plan or a Certificate of Compliance confirming the satisfactory remediation of the site. Consistent with the normal process, the Development Permit cannot be issued until the MOE requirements have been met and the staff recommendation includes wording to reflect this requirement.

Underpinning

The proposed development includes an underground parking structure. If the excavation requires anchor-pinning into the City Right-of-Way during the excavation process, this would be legally secured with terms to the satisfaction of the Director of Engineering and Public Works and the City Solicitor. This will allow temporary shoring anchors to be placed in the public Right-of-Way under all infrastructure and then abandoned once shoring is no longer required. The anchors will be left in the Right-of-Way as there is no practical way to remove them once the building walls are installed. There should be no impact to the existing City of Victoria or Utility infrastructure.

4.0 Resource Impacts

There are no resource impacts anticipated with this application.

5.0 Conclusions

The proposal to construct a mixed-use building of this scale and density is generally consistent with the design guidelines contained within the DCAP. The proposal includes high quality building materials and landscape finishes and appropriate design responses have been included for the through-block walkway. However, the recommendations by staff and the Advisory Design Panel in relation to accessibility of the building and provision of a secondary access within the through-block walkway have not been adequately addressed in the revisions to the proposal.

In conclusion, staff recommend that Committee support this application with certain conditions.

6.0 Recommendations

6.1 Staff Recommendation

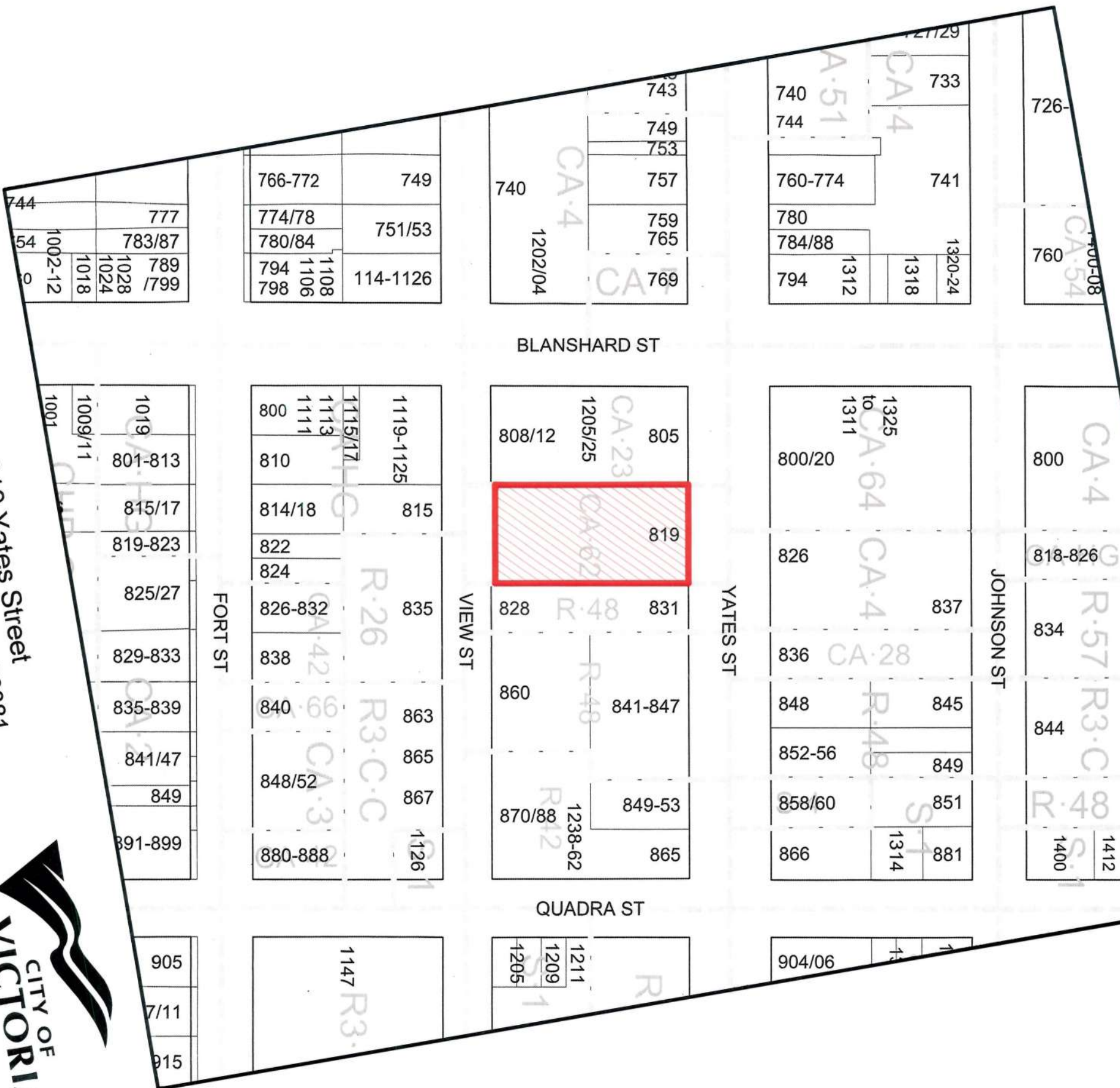
1. That Council direct staff to prepare the necessary motion to authorize the issuance of Development Permit #000381 for 819 Yates Street subject to:
 - a. revisions to the proposal to provide a secondary entrance to the building on the east elevation within the through-block walkway;
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 - c. receipt of evidence that the Application is in compliance with the Ministry of Environment's Environmental Management Act as it pertains to potentially contaminated sites.
2. That Council consider authorizing City of Victoria staff to execute an Encroachment Agreement for a fee of \$750.00 plus \$25.00 per m² of exposed shored face during construction, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works. This is to accommodate shoring for construction of the underground parking structure at the property line.

6.2 Alternate Recommendation

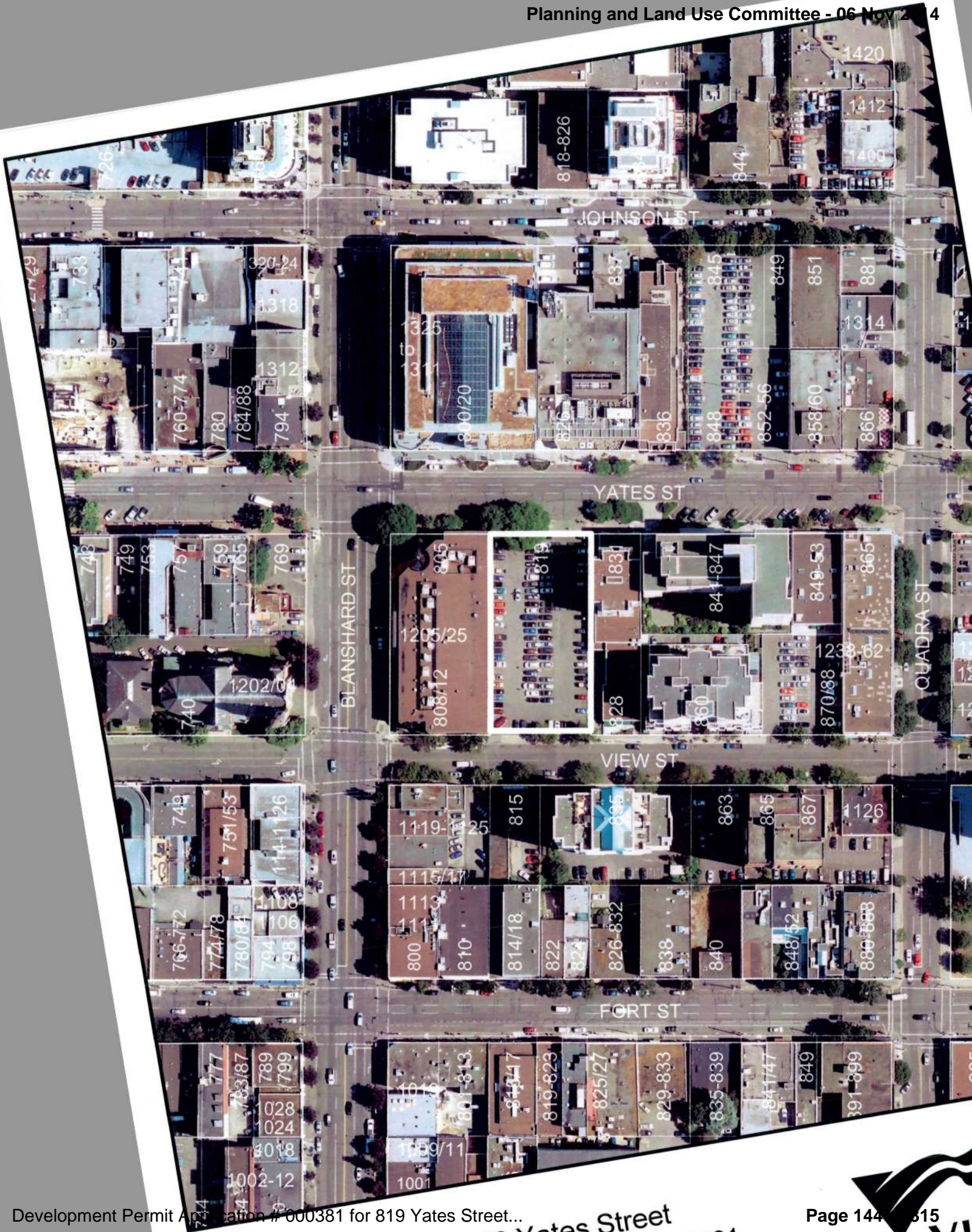
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 - b. receipt of evidence that the Application is in compliance with the Ministry of Environment's Environmental Management Act as it pertains to potentially contaminated sites.
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7.0 List of Attachments

- Zoning map
- Aerial map
- Letter from architect dated October 2, 2014
- ADP minutes from September 24, 2014
- Letter from architect detailing the amendments in response to ADP comments, dated October 3, 2014
- Letter from Downtown Residents Association, dated September 12, 2014
- Plans dated October 1, 2014.



819 Yates Street
Development Permit #000381





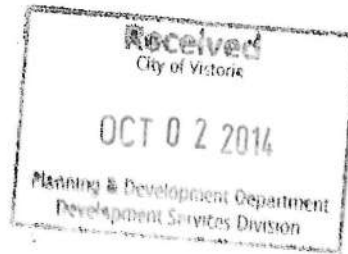
**Musson
Cattell
Mackey
Partnership**

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www.MCMParchitects.com



October 2, 2014

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

Attention: **Mayor and Council**

Dear Sirs:

Re: **819 YATES STREET
OUR PROJECT NO. 214027.01 – 1.6.1.1
DEVELOPMENT PERMIT APPLICATION**

This letter is in support of our application for a Development Permit for the above property. The proposal is for a rental residential tower with a total floor area of 15,270 square metres (164,375 square feet) and a floor space ratio of 5.83:1.0. The proposed building is 15 stories high, with an overall height of 42.7 metres (140 feet) and has a total of 209 residential units.

Planning Policy

This site is zoned CA-62, Central Area (Yates-View) District and the proposal conforms with that zoning. The floor Space Ratio is 5.83:1, and height limit is 55 m / 180 ft. There are also setbacks from Yates and View (generally as per the Urban Design Guidelines of the Downtown Core Area Plan). This zone sets the parking ratio at 70% of the number of residential dwelling units, with no additional stalls required for commercial uses; based on 209 units, the required parking is 147, and this number is provided.

Planning Principles and Design Response

The project proposal respects the principles of design given in the Official Community Plan and the Downtown Core Area Plan. Such principles as applicable to this site include:

- Yates to be the primary commercial street, with continuous commercial frontage (except for the residential entry and through-block walkway on the east side).
- More density and height on Yates, less on View.
- In plan, step back the building eastward in the southerly part to acknowledge the spires of Saint Andrews Cathedral.
- Provision of a through-block pedestrian walkway.
- Articulation of the tower façade, with projecting "frames" around various unit balconies.

Mayor and Council, City of Victoria
October 2, 2014



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Mid-block Walkway

As required by the zoning and Master Development Agreement (MDA), a walkway between Yates and View Streets has been provided on the east side of the property. This walkway will have decorative gates at both ends for securing overnight.

The Zoning Bylaw stipulates a 3-metre (10-foot) wide walkway, whereas the MDA stated 4.5 metres is required. Our proposal is for a 3-metre allowance. The reasons for the wider width in the MDA are not clear, but may have stemmed from the design of the previous two-tower scheme and the setbacks of the towers from the property line (the scheme was included as a schedule appendix to the original MDA).

In our current proposal, the building is in fact 6 metres (20 feet) away from the property line, except for the residential lobby. This lobby is projected to locate the entry closer to Yates Street. It is fully glazed along its full length adjacent to the walkway, so that the exterior area will not feel narrow or hemmed in. In the south half of the block, residential units front onto the walkway, with private landscaped patios. At the north end, the outdoor area widens to a full 6 metres (20 feet) (see ground floor plan).

The design and functional aspects of this walkway have been carefully thought through, discussed with the Downtown Residents Association, and discussed at some length by the Advisory Design Panel. We feel that the proposed 3-metre allowance will completely meet the goals of the Downtown Core Area Plan and zoning, while complementing the design and livability of the proposed development.

Residential Amenities

A communal amenity room is proposed on the twelfth floor, with kitchen and washroom, connecting to an extensive exterior floor-top patio. The latter features a covered barbecue area, multiple seating areas (for use by more than one group at a time), and landscaping (shown on the Landscape Concept Plan). The location offers a south exposure and good views. This type of amenity has been used on previous Chard projects and has proven to be very popular and successful.

Extensive bicycle storage is provided, one for every unit. About one half of this is provided at the main floor level, and the rest at parking level P1.

Adaptable Units

A total of 21 adaptable units are planned, 13 one-bed and 8 two-bed, meeting the 10% requirement. The units meet the "Mandatory Building Standards for Adaptable Housing" in all respects, including clearance at entries, door widths, clear space in washrooms, heights of electrical outlets, bathroom and kitchen layouts, and low thresholds at balcony doors.

Mayor and Council, City of Victoria
October 2, 2014



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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.

Sewage Attenuation

The MDA stipulates a sanitary sewage attenuation tank for the project. This does put a burden on the project, including space allocation, effect on adjacent spaces, capital costs, and ongoing operating costs. We would ask that this item be subject of a separate engineering analysis, including taking into account that there are two street frontages, both of which would have access to services.

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**

A handwritten signature in black ink, appearing to read 'Bill Reid', written over a horizontal line.

Bill Reid, ARCHITECT AIBC, MRAIC, CP
William J. Reid Architect Ltd., Partner

BR:eer

I:\Projects\2014\214027 - 819 Yates Street-Arch Services\Correspondence\1.6 Authorities\OUT\DP Application Ltr-Rev Oct01-14.docx

**MINUTES OF THE
ADVISORY DESIGN PANEL
HELD WEDNESDAY, SEPTEMBER 24, 2014 12 P.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:20 P.M.

Panel Members Present: Christopher Rowe (Chair); Brad Forth;
Cynthia Hildebrand; Mickey Lam; Mike Miller

Absent: Larry Podhora; Rod Windjack; Barry Cosgrave;
Ann Katherine Murphy

Staff Present: Mike Wilson – Senior Planner-Urban Design;
Charlotte Wain – Senior Planner-Urban Design

2. APPLICATIONS

2.1 Development Permit Application #000381 for 819 Yates Street

The application is to construct a new, multiple dwelling building with 209 units.

Applicant Meeting attendees: Mr. David Chard, Chard Development Ltd.
Mr. Bill Reid, MCM Architects
Mr. Mark Thompson, MCM Architects
Ms. Julie Lommerse, LADR Landscape Architects Inc.

Ms. Wain provided the Panel with a brief introduction of the application and the areas of the project that staff were seeking advice on, including the following:

- height of the street walls on Yates Street and View Street
- floor plate sizes
- location and design of the residential exit stairwells on Yates Street and View Street
- at-grade interface on the south elevation (View Street) with particular attention to the parkade entrance and transformer
- opportunities to enhance the communal recreation space on Level 5 of the Yates Street podium roof.

Mr. Chard then provided an introduction of the proposal to the Panel.

Mr. Thompson provided a detailed presentation of the proposal to the Panel.

Ms. Lommerse provided a detailed presentation of the landscape proposal to the Panel.

Mr. Thompson then provided information on the Level 12 amenity space and the fifth-floor roof access to the Panel.

Mr. Forth joined the meeting at 12:35 P.M.

Panel Members discussed:

- Concerns regarding the recessed exit gates as they are likely to be inhabited by non-residents. However, the building will have an on-site resident manager to deal with these types of issues.
- That an intercom system could be incorporated into the gates for better accessibility.
- Reconsideration of the public art location. Some members liked the idea of incorporating it into the recessed exit gates.
- The design of the gap in the canopy over the exit door.
- That the break in the building does a lot for the massing but does raise CPTED issues.
- That there needs to be further consideration of CPTED guidelines.
- That the roof amenity is a great space for residents; however, it will be in constant sunlight. The applicant could consider some ideas on how to provide shade for this area.
- Concerns regarding the retail having very little street presence.
- That the building is a good design with good massing; however, it needs some fine-tuning.

Action:

MOVED / SECONDED

That the Advisory Design Panel recommend to Council that Development Permit Application #000381 for 819 Yates Street be approved subject to:

- Consideration of an intercom on the View Street security gates, for increased accessibility.
- Review of CPTED considerations at-grade with particular attention to alcoves and open spaces; residential and visitor access from View Street; the walkway; and the unplanted corner near the bike entrance.
- Consideration of advanced design detail of the Yates Street retail frontage.
- Consideration of privacy impacts on the inside corners at the transition point of the two towers.

CARRIED UNANIMOUSLY

3. MINUTES

3.1 Minutes from the Meeting held August 20, 2014

Action:

MOVED / SECONDED

That the Minutes of the Advisory Design Panel held August 20, 2014 be approved subject to revision of:

- page 3, last bullet, "finishes" to be changed to "building face design".

CARRIED UNANIMOUSLY

3.2 Minutes from the Meeting held August 27, 2014

Action:

MOVED / SECONDED

That the Minutes of the Advisory Design Panel held August 27, 2014 be approved.

CARRIED UNANIMOUSLY

4. ADJOURNMENT

The Advisory Design Panel meeting of September 24, 2014 adjourned at 1:19 P.M.

Christopher Rowe, Chair

M C M

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October 3, 2014

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



Attention: **Mayor & Council**

Dear Sirs:

Re: **819 YATES STREET
OUR PROJECT NO. 214027 – 1.6.1.1
ADVISORY DESIGN PANEL RECOMMENDATIONS**

The Development Permit Application for 819 Yates Street was reviewed by the Advisory Design Panel September 24, 2014 and they recommended approval subject to:

1. Consideration of an intercom on the View Street security gates, for increased accessibility.
2. Review of CPTED considerations at grade with particular attention to alcoves and open spaces; residential and visitor access from View Street; the walkway; and the unplanted corner near the bike entrance.
3. Consideration of advanced design detail of the Yates Street retail frontage.
4. Consideration of privacy impacts at the inside corners of the transition point of the two towers.

The following are our responses to these recommendations.

1. **Intercom at View Street**
This item would apply during the nighttime hours, as it is anticipated that the gates at both and north and south end of the walkway would be closed and locked overnight. There is access for residents from View Street directly into the building, from the southwest corner. It is the applicant's preference that visitor access during the nighttime be restricted to only one location, that being the main entrance into the lobby at Yates which is also the only address point for the building. Intercoms for strangers and visitors to buzz in are a potential weak point, and it is felt that this should be restricted in the overnight ours at one point only, which can be more properly monitored.
2. **CPTED**
The two alcoves in question are at the mid points of the building on both Yates and View, where exit stairs exit out onto the street. These alcoves have been made more shallow, so as to not function as places to hide or sleep overnight. There is still an approximately one foot setback to distinguish the finishes from the adjacent frontages, as this ties in to the general design of the tower; this latter aspect was commented on favourably by the Design Panel during discussion. Residential and

Mayor and Council, City of Victoria
October 3, 2014

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visitor access from View Street has been discussed in the above section on the intercom; to reiterate, we feel that restricting visitor access during the overnight hours from View Street creates a more secure environment. Regarding the walkway, as noted the security gates will be closed and locked overnight. The walkway is exposed to the main lobby for almost half its length, and the entire walkway is overlooked by the approximately 100 apartment units above. It will be well lit, with low level lighting (so as not to provide glare into the suites), not to mention the light spill from the main lobby. As such, we believe we have done all that is possible to prevent this area from becoming a place to loiter, or hide out of sight. The unplanted corner near the bike entrance has been addressed in our plans by adding landscaping; we believe that this point was more of a privacy issue and a CPTED issue.

3. Yates Street Retail Frontage

The design of this frontage has been further developed as indicated in the revised plans submitted. The retail entrances have been enhanced with a surrounding frame to echo the treatment in the overall tower, and the canopy has been broken into a stepped design to create a finer sense of scale, again relating to the smaller scale balcony elements as used in the main tower.

4. Privacy Impacts

The inside corners have solid walls on both suites that form the corner, generally preventing a direct look from suite to suite. It is true that from the balcony of one unit, one could look around the corner and back toward the other unit. However, this is a distance of some 15 or 16 feet and one would have to make a deliberate effort to lean over to turn and look. Lines of sight from unit to unit are not uncommon in higher density apartment districts between different buildings, and cannot be avoided altogether. The outer unit at the corners could have the balconies enclosed by a solid or obscure glass side panel, but that would have a negative impact on the livability of the unit, preventing it from taking advantage of its corner exposure and views and is not felt to be an appropriate measure.

I trust this adequately explains our responses to the Panel's comments. Thank you for your consideration of this application.

Yours truly

**MUSSON CATTELL MACKEY PARTNERSHIP
ARCHITECTS DESIGNERS PLANNERS**



Bill Reid, ARCHITECT AIBC, MRAIC, CP
William J. Reid Architect Ltd., Partner

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1715 Government Street
Victoria, BC
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250.386.5503

Mayor and Council
City of Victoria
No.1 Centennial Square
Victoria, BC
V8W 1P6

September 12, 2014

Re: 819 Yates Street – Chard Developments – Development Permit Review

Dear Mayor Fortin and Council,

The DRA LUC has recently met with the applicant and reviewed the drawings for the above mentioned project.

Based on the information presented by the applicant the purpose of the Development Permit is to create a 209 unit market rental apartment building with ground floor commercial space fronting Yates and View Streets. The building would have an underground parking structure with the entry from View Street. The project would also provide public mid block access from Yates to View Streets.

Comments and concerns raised at the Land Use Committee meeting by the members are as follows;

- It was commented that the requirement for a 4.5m wide midblock walkway was somewhat incongruent as the location was west of midblock and the requirement should have been placed on recently constructed buildings located on the actual midblock. Some members commented that there appeared little need for a midblock walkway in any case, and considering personal security and potential property damage, certainly not one open 24 hours a day.
- The variance to reduce the width requirement for the midblock walk to 3.0m was discussed at length. This walkway would not serve as access to any commercial areas along its length and would serve only as a midblock cut through. Sidewalks on Yates Street are approximately 4.5 m wide and sidewalks on View Street are 3.2 m wide. Both sidewalks also have many obstructions. Pedestrian traffic loads would be significantly less through the midblock walkway than on sidewalks on Yates and View so a narrower width will suffice. Committee consensus was the required width of 4.5 m was unnecessary and that the 3.0 m proposed width was generous enough.
- Based on personal experience as downtown residents, members highly recommended that the walkway be secured at night and that security gates be constructed at this time

so as to be integrated with the building design in a quality fashion. It is noted that security gates installed after the fact by property managers rather than designers and builders are frequently unsightly and poorly integrated. It was also suggested that with some special effort the gates could possibly be integrated with some form of public art or sculpture making them an "invitation" for people to utilize the walkway.

- It is also strongly recommended by the committee that fire exit doors at the street should be located as close to the property line as possible and not be sheltered as they are only to be used in emergencies. Creation of these types of spaces anywhere along the building frontage only contributes to places for people to sleep, congregate or defecate.
- The location of security gating for the parking entry is also a concern. It is recommended that the security gate be located as close to the street as possible to enhance security for the parking garage entry and deny sheltered unsecured areas for sleeping, congregating, etc. A second gate close to the street frontage closed only at night would also enhance building security.
- The applicant is also asking to be relieved of the requirement to provide two social housing units as part of this application. Since this building is now proposed to be a rental building and not a market condominium building as with the previous application, the CALUC agrees the overall net benefit to the community is greater even without the social housing units.
- The committee was pleased with the design and finishes that were proposed by the applicant in particular the articulation of the façade and quality of the cladding.

The DRA supports this proposal as it appears to be of high quality, and will provide needed rental accommodation for downtown residents.

Sincerely,



Ian Sutherland
Chair Land Use Committee
Downtown Residents Association

cc Planning and Development Department

PROJECT INFORMATION

PROJECT ADDRESS	819 YATES STREET, VICTORIA BC
NEIGHBOURHOOD	DOWNTOWN
DOWNTOWN CORE AREA PLAN DISTRICT	CENTRAL BUSINESS DISTRICT
DEVELOPMENT PERMIT AREA	DPA 2
LEGAL DESCRIPTION	LOT A, DISTRICT LOTS 306, 307, 324 & 325, VICTORIA, PLAN 33016
ZONING	CA-62 ZONE, CENTRAL AREA (YATES-VIEW) DISTRICT
LOT AREA	28,289 SF (2,628 SM)
SITE COVERAGE	18,619 / 28,289 = 66 %
OPEN SITE SPACE	9,581 / 28,289 = 34 %
TOTAL FLOOR AREA	164,400 SF (15,273 SM) - RESIDENTIAL 157,800 SF (14,560 SM) - RETAIL 6,600 SF (613 SM)
FLOOR SPACE RATIO	164,400 SF / 28,289 SF = 5.81 (15,274 SM / 2,628 SM = 5.81)
AVERAGE GRADE	19.39 M
HEIGHT OF BUILDING	ALLOWED UNDER CA-62 ZONING 180'-5" (55 M)
NUMBER OF STOREYS	16 STOREYS + 12 STOREYS
BUILDING SETBACKS	FRONT (YATES STREET) 4'-7" (1.4 M) - BUILDING BELOW 10 M 11'-6" (3.5 M) - BUILDING ABOVE 10 M REAR (VIEW STREET) 5'-0" (1.5 M) - BUILDING BELOW 10 M 17'-5" (5.3 M) - BUILDING ABOVE 10 M SIDE (EAST): 9'-10" (3.0 M) SIDE (WEST): 0 M
PARKING	PARKING REQUIRED UNDER SCHEDULE C RESIDENTIAL: 209 (0.7 / UNIT)
	VISITOR PARKING REQUIRED UNDER SCHEDULE C 10% OF TOTAL
BICYCLE STORAGE	CLASS 1 BICYCLE PARKING REQUIRED UNDER SCHEDULE C 1 / RESIDENTIAL UNIT, 2 FOR COMMERCIAL CLASS 2 BICYCLE PARKING REQUIRED UNDER SCHEDULE C 6 FOR RESIDENTIAL, 2 FOR COMMERCIAL
NUMBER OF STORAGE LOCKERS	1 / UNIT

PROPOSED
147'-8" (45.0 M)PROPOSED
5'-6" (1.6 M)
11'-6" (3.5 M)5'-0" (1.5 M)
17'-5" (5.3 M)9'-10" (3.0 M)
0 MPROPOSED
147PROPOSED
15PROPOSED
209 + 2PROPOSED
6 + 2PROPOSED
209

FLOOR	RETAIL	RESIDENTIAL	UNIT #	1BED	2BED
L01	613	589	4	1	1
L02		871	10	2	2
L03		1,402	16	4	4
L04		1,308	16	4	4
L05		1,134	14	4	4
L06		1,134	11	6	6
L07		1,134	11	6	6
L08		1,134	11	6	6
L09		1,134	11	6	6
L10		1,134	11	6	6
L11		1,134	11	6	6
L12		627	3	3	3
L13		627	2	6	6
L14		627	2	6	6
L15		627	2	6	6
L16		46	0	0	0
SUBTOTAL	613	14,661	135	74	74
TOTAL		15,274		209	
SITE AREA		2,628			
PSR		5.81			

SUITE TYPES

TYPE	RANGE
1 BEDROOM	508 - 875 SF (47.2 - 81.2 SM)
2 BEDROOM	732 - 1052 SF (68 - 97.7 SM)
ADAPTABLE UNIT - 1 BED	555 SF (51.5 SM)
ADAPTABLE UNIT - 2 BED	720 SF (66.9 SM)
TOTAL	

COUNTS
122
66
13
8
209

DRAWING LIST

A001	PROJECT DATA
A101	CONTEXT PLAN
A102	EXISTING SITE PLAN
A103	SITE PLAN
A201	P3 FLOOR PLAN
A202	P2 FLOOR PLAN
A203	P1 FLOOR PLAN
A204	GROUND FLOOR PLAN
A205	L2 FLOOR PLAN
A206	L3 FLOOR PLAN
A207	L4 FLOOR PLAN
A208	L5 FLOOR PLAN
A209	L6 - L11 FLOOR PLAN
A210	L12 FLOOR PLAN
A211	L13 - L15 FLOOR PLAN
A212	ROOF PLAN
A301	BUILDING SECTIONS
A401	BUILDING ELEVATIONS
A402	BUILDING ELEVATIONS
A403	STREET ELEVATION
A404	ENLARGED BUILDING ELEVATIONS
A405	ENLARGED BUILDING ELEVATION
A501	SHADOW STUDIES
A502	SHADOW STUDIES
A503	SHADOW STUDIES
A601	VIEW IMPACT STUDIES
A602	VIEW IMPACT STUDIES
A603	VIEW IMPACT STUDIES
A604	VIEW IMPACT STUDIES
A701	3D VIEW
A702	3D VIEW
A703	3D VIEW
A704	3D VIEW - STOREFRONT

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10 SEP 2014
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22 JUL 2014
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Revisions 100 (max 100)Seal
819 YATES STREETVictoria, BC
Project
PROJECT DATADrawing
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Planning and Land Use Committee - 06 Nov 2014

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01 SEP 2014
PROPOSED SITE PLAN
10 SEP 2014
PROPOSED SITE PLAN
22 JAN 2014
PROPOSED SITE PLAN

Revisions:

Site
819 YATES STREET

Victoria, BC
Project
**CONTEXT
PLAN**

Scale
1" = 100'
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Sheet

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A-01



01 SEP 2014
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- 30 SEP 2014
ISSUED FOR PAPER TO ADP
- 10 SEP 2014
ISSUED FOR PAPER TO ADP
- 22 JUN 2014
ISSUED FOR OP APPLICATION

Revisions 100

Reviews 159

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1149 | 1150 | 1151 | 1152 | 1153 | 1154 | 1155 | 1156 | 1157 | 1158 | 1159 | 1160 | 1161 | 1162 | 1163 | 1164 | 1165 | 1166 | 1167 | 1168 | 1169 | 1170 | 1171 | 1172 | 1173 | 1174 | 1175 | 1176 | 1177 | 1178 | 1179 | 1180 | 1181 | 1182 | 1183 | 1184 | 1185 | 1186 | 1187 | 1188 | 1189 | 1190 | 1191 | 1192 | 1193 | 1194 | 1195 | 1196 | 1197 | 1198 | 1199 | 1200 | 1201 | 1202 | 1203 | 1204 | 1205 | 1206 | 1207 | 1208 | 1209 | 1210 | 1211 | 1212 | 1213 | 1214 | 1215 | 1216 | 1217 | 1218 | 1219 | 1220 | 1221 | 1222 | 1223 | 1224 | 1225 | 1226 | 1227 | 1228 | 1229 | 1230 | 1231 | 1232 | 1233 | 1234 | 1235 | 1236 | 1237 | 1238 | 1239 | 1240 | 1241 | 1242 | 1243 | 1244 | 1245 | 1246 | 1247 | 1248 | 1249 | 1250 | 1251 | 1252 | 1253 | 1254 | 1255 | 1256 | 1257 | 1258 | 1259 | 1260 | 1261 | 1262 | 1263 | 1264 | 1265 | 1266 | 1267 | 1268 | 1269 | 1270 | 1271 | 1272 | 1273 | 1274 | 1275 | 1276 | 1277 | 1278 | 1279 | 1280 | 1281 | 1282 | 1283 | 1284 | 1285 | 1286 | 1287 | 1288 | 1289 | 1290 | 1291 | 1292 | 1293 | 1294 | 1295 | 1296 | 1297 | 1298 | 1299 | 1300 | 1301 | 1302 | 1303 | 1304 | 1305 | 1306 | 1307 | 1308 | 1309 | 1310 | 1311 | 1312 | 1313 | 1314 | 1315 | 1316 | 1317 | 1318 | 1319 | 1320 | 1321 | 1322 | 1323 | 1324 | 1325 | 1326 | 1327 | 1328 | 1329 | 1330 | 1331 | 1332 | 1333 | 1334 | 1335 | 1336 | 1337 | 1338 | 1339 | 1340 | 1341 | 1342 | 1343 | 1344 | 1345 | 1346 | 1347 | 1348 | 1349 | 1350 | 1351 | 1352 | 1353 | 1354 | 1355 | 1356 | 1357 | 1358 | 1359 | 1360 | 1361 | 1362 | 1363 | 1364 | 1365 | 1366 | 1367 | 1368 | 1369 | 1370 | 1371 | 1372 | 1373 | 1374 | 1375 | 1376 | 1377 | 1378 | 1379 | 1380 | 1381 | 1382 | 1383 | 1384 | 1385 | 1386 | 1387 | 1388 | 1389 | 1390 | 1391 | 1392 | 1393 | 1394 | 1395 | 1396 | 1397 | 1398 | 1399 | 1400 | 1401 | 1402 | 1403 | 1404 | 1405 | 1406 | 1407 | 1408 | 1409 | 1410 | 1411 | 1412 | 1413 | 1414 | 1415 | 1416 | 1417 | 1418 | 1419 | 1420 | 1421 | 1422 | 1423 | 1424 | 1425 | 1426 | 1427 | 1428 | 1429 | 1430 | 1431 | 1432 | 1433 | 1434 | 1435 | 1436 | 1437 | 1438 | 1439 | 1440 | 1441 | 1442 | 1443 | 1444 | 1445 | 1446 | 1447 | 1448 | 1449 | 1450 | 1451 | 1452 | 1453 | 1454 | 1455 | 1456 | 1457 | 1458 | 1459 | 1460 | 1461 | 1462 | 1463 | 1464 | 1465 | 1466 | 1467 | 1468 | 1469 | 1470 | 1471 | 1472 | 1473 | 1474 | 1475 | 1476 | 1477 | 1478 | 1479 | 1480 | 1481 | 1482 | 1483 | 1484 | 1485 | 1486 | 1487 | 1488 | 1489 | 1490 | 1491 | 1492 | 1493 | 1494 | 1495 | 1496 | 1497 | 1498 | 1499 | 1500 | 1501 | 1502 | 1503 | 1504 | 1505 | 1506 | 1507 | 1508 | 1509 | 1510 | 1511 | 1512 | 1513 | 1514 | 1515 | 1516 | 1517 | 1518 | 1519 | 1520 | 1521 | 1522 | 1523 | 1524 | 1525 | 1526 | 1527 | 1528 | 1529 | 1530 | 1531 | 1532 | 1533 | 1534 | 1535 | 1536 | 1537 | 1538 | 1539 | 1540 | 1541 | 1542 | 1543 | 1544 | 1545 | 1546 | 1547 | 1548 | 1549 | 1550 | 1551 | 1552 | 1553 | 1554 | 1555 | 1556 | 1557 | 1558 | 1559 | 1560 | 1561 | 1562 | 1563 | 1564 | 1565 | 1566 | 1567 | 1568 | 1569 | 1570 | 1571 | 1572 | 1573 | 1574 | 1575 | 1576 | 1577 | 1578 | 1579 | 1580 | 1581 | 1582 | 1583 | 1584 | 1585 | 1586 | 1587 | 1588 | 1589 | 1590 | 1591 | 1592 | 1593 | 1594 | 1595 | 1596 | 1597 | 1598 | 1599 | 1600 | 1601 | 1602 | 1603 | 1604 | 1605 | 1606 | 1607 | 1608 | 1609 | 1610 | 1611 | 1612 | 1613 | 1614 | 1615 | 1616 | 1617 | 1618 | 1619 | 1620 | 1621 | 1622 | 1623 | 1624 | 1625 | 1626 | 1627 | 1628 | 1629 | 1630 | 1631 | 1632 | 1633 | 1634 | 1635 | 1636 | 1637 | 1638 | 1639 | 1640 | 1641 | 1642 | 1643 | 1644 | 1645 | 1646 | 1647 | 1648 | 1649 | 1650 | 1651 | 1652 | 1653 | 1654 | 1655 | 1656 | 1657 | 1658 | 1659 | 1660 | 1661 | 1662 | 1663 | 1664 | 1665 | 1666 | 1667 | 1668 | 1669 | 1670 | 1671 | 1672 | 1673 | 1674 | 1675 | 1676 | 1677 | 1678 | 1679 | 1680 | 1681 | 1682 | 1683 | 1684 | 1685 | 1686 | 1687 | 1688 | 1689 | 1690 | 1691 | 1692 | 1693 | 1694 | 1695 | 1696 | 1697 | 1698 | 1699 | 1700 | 1701 | 1702 | 1703 | 1704 | 1705 | 1706 | 1707 | 1708 | 1709 | 1710 | 1711 | 1712 | 1713 | 1714 | 1715 | 1716 | 1717 | 1718 | 1719 | 1720 | 1721 | 1722 | 1723 | 1724 | 1725 | 1726 | 1727 | 1728 | 1729 | 1730 | 1731 | 1732 | 1733 | 1734 | 1735 | 1736 | 1737 | 1738 | 1739 | 1740 | 1741 | 1742 | 1743 | 1744 | 1745 | 1746 | 1747 | 1748 | 1749 | 1750 | 1751 | 1752 | 1753 | 1754 | 1755 | 1756 | 1757 | 1758 | 1759 | 1760 | 1761 | 1762 | 1763 | 1764 | 1765 | 1766 | 1767 | 1768 | 1769 | 1770 | 1771 | 1772 | 1773 | 1774 | 1775 | 1776 | 1777 | 1778 | 1779 | 1780 | 1781 | 1782 | 1783 | 1784 | 1785 | 1786 | 1787 | 1788 | 1789 | 1790 | 1791 | 1792 | 1793 | 1794 | 1795 | 1796 | 1797 | 1798 | 1799 | 1800 | 1801 | 1802 | 1803 | 1804 | 1805 | 1806 | 1807 | 1808 | 1809 | 1810 | 1811 | 1812 | 1813 | 1814 | 1815 | 1816 | 1817 | 1818 | 1819 | 1820 | 1821 | 1822 | 1823 | 1824 | 1825 | 1826 | 1827 | 1828 | 1829 | 1830 | 18





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10 SEP 2014
REVISIONS PER ADP
10 SEP 2014
ISSUED FOR PERMIT TO ADP
22 JUL 2014
ISSUED FOR DP APPLICATION

Revisions: 10 MAY 2014

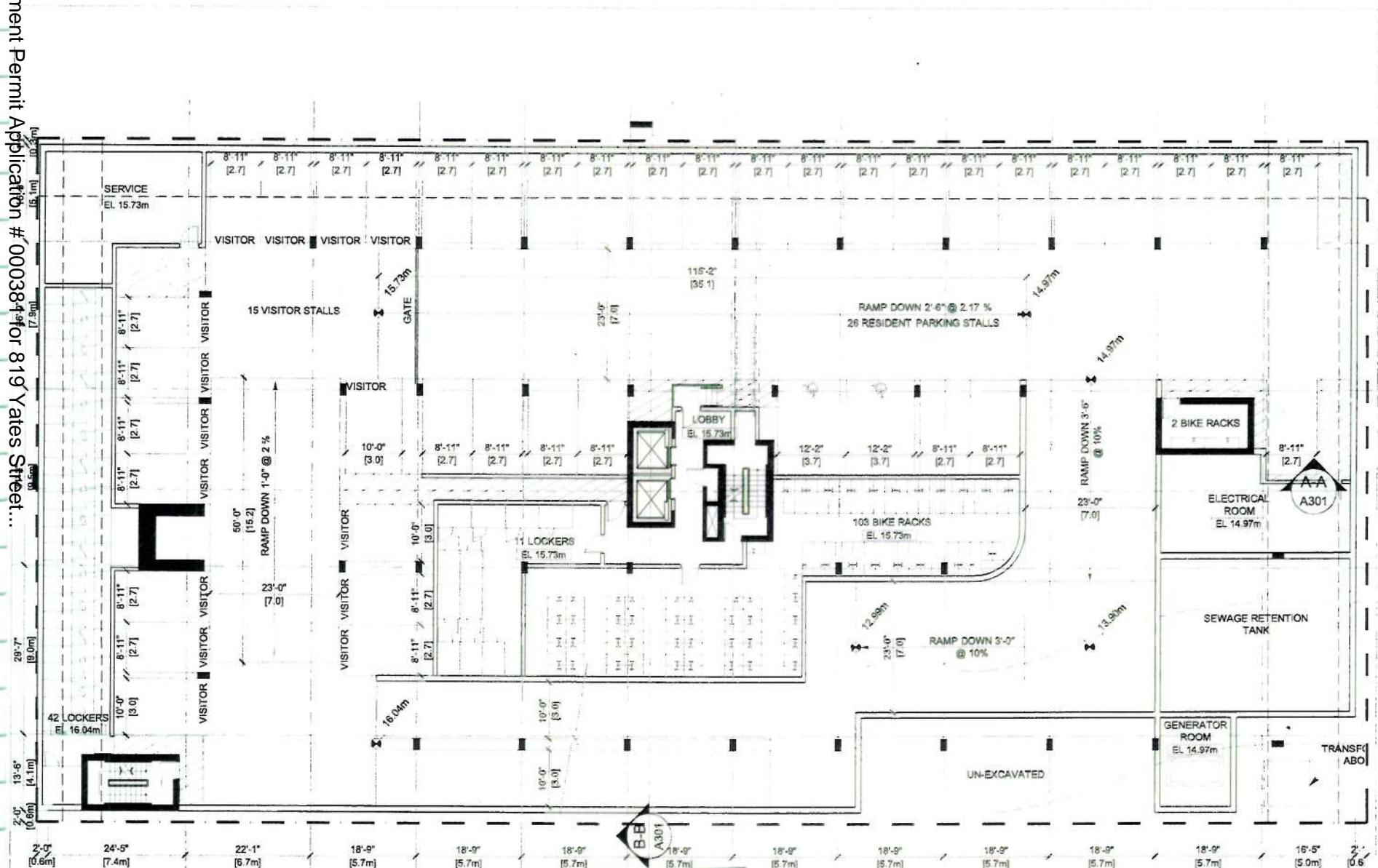
819 YATES STREET

Victoria, BC
Project
P1 FLOOR PLAN

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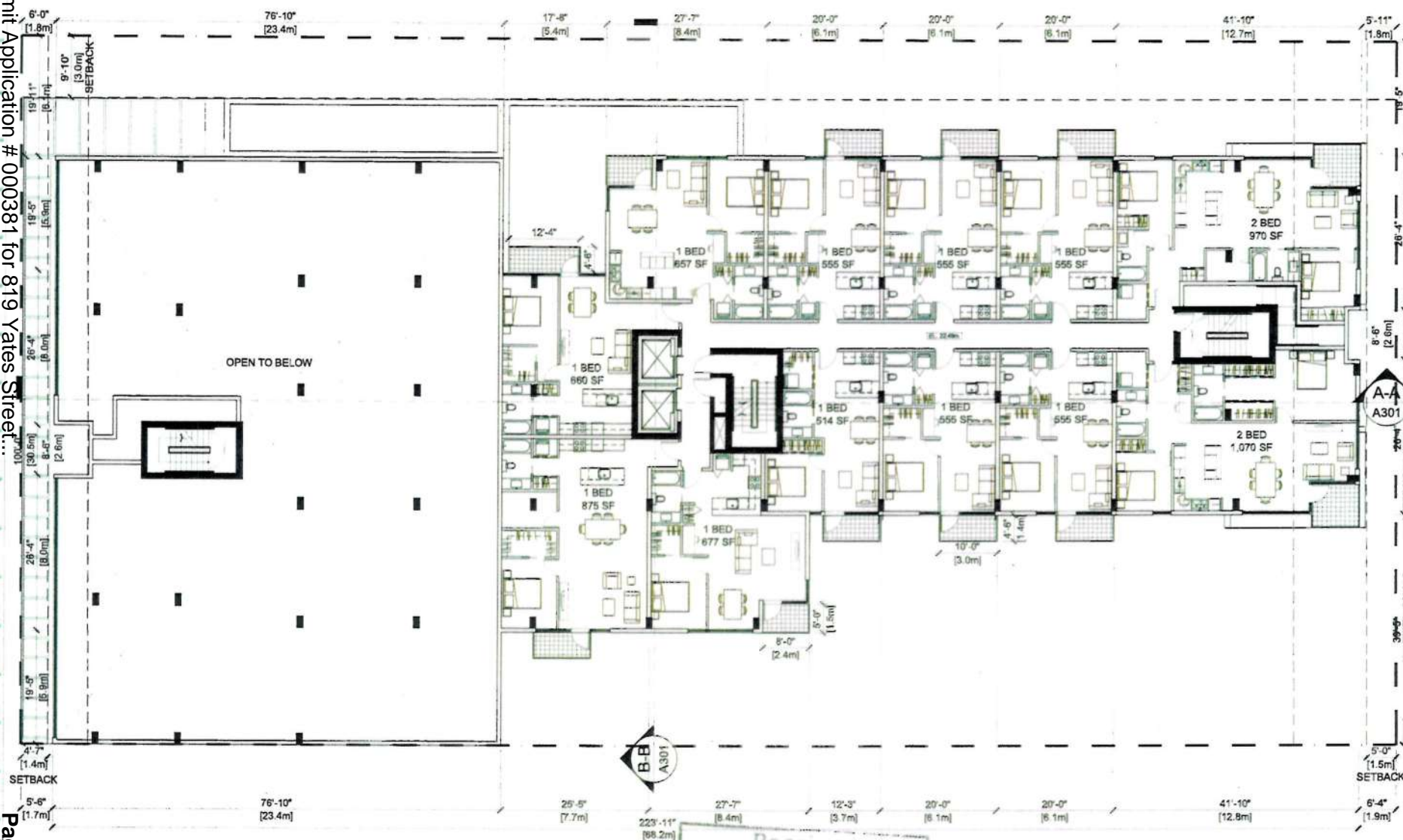
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100% P1 FLOOR PLAN - 819 YATES STREET AND BURRARD STREET DOCUMENT - 25 JULY 2014 P1.DWG - 20 Nov 2014 11:41 AM 1 KLE



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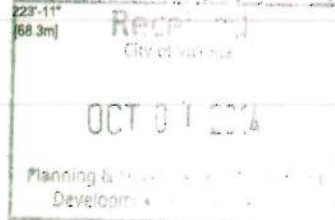
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10 SEP 2014
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10 SEP 2014
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Seal
819 YATES STREET
Victoria, BC
Project
L3 FLOOR PLAN
Drawing
Scale
Project
Sheet

Planning and Land Use Committee - 06 Nov 2014
A206



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10 SEP 2024
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819 YATES STREET

Victoria, BC

Project

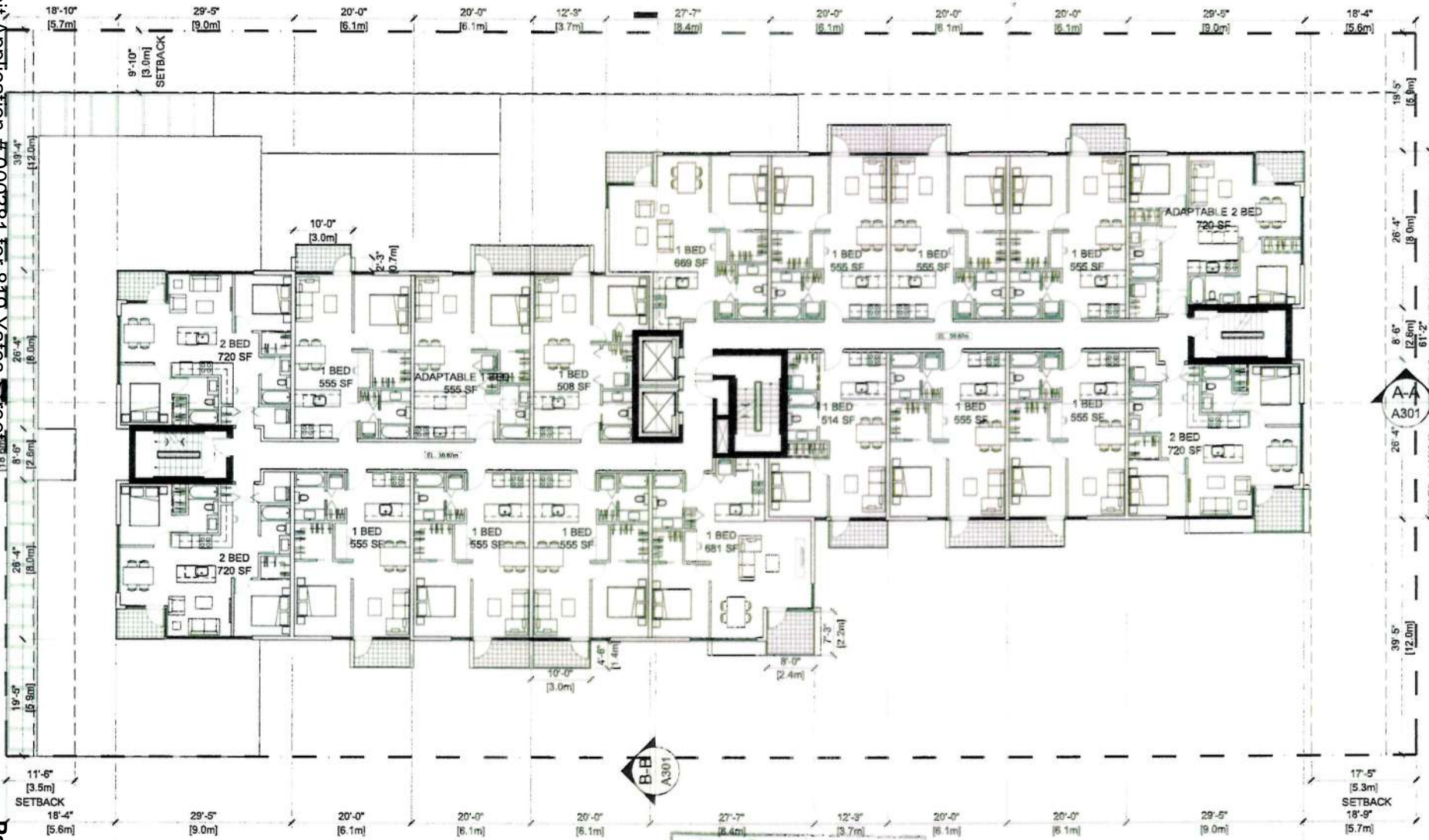
L5 FLOOR PLAN

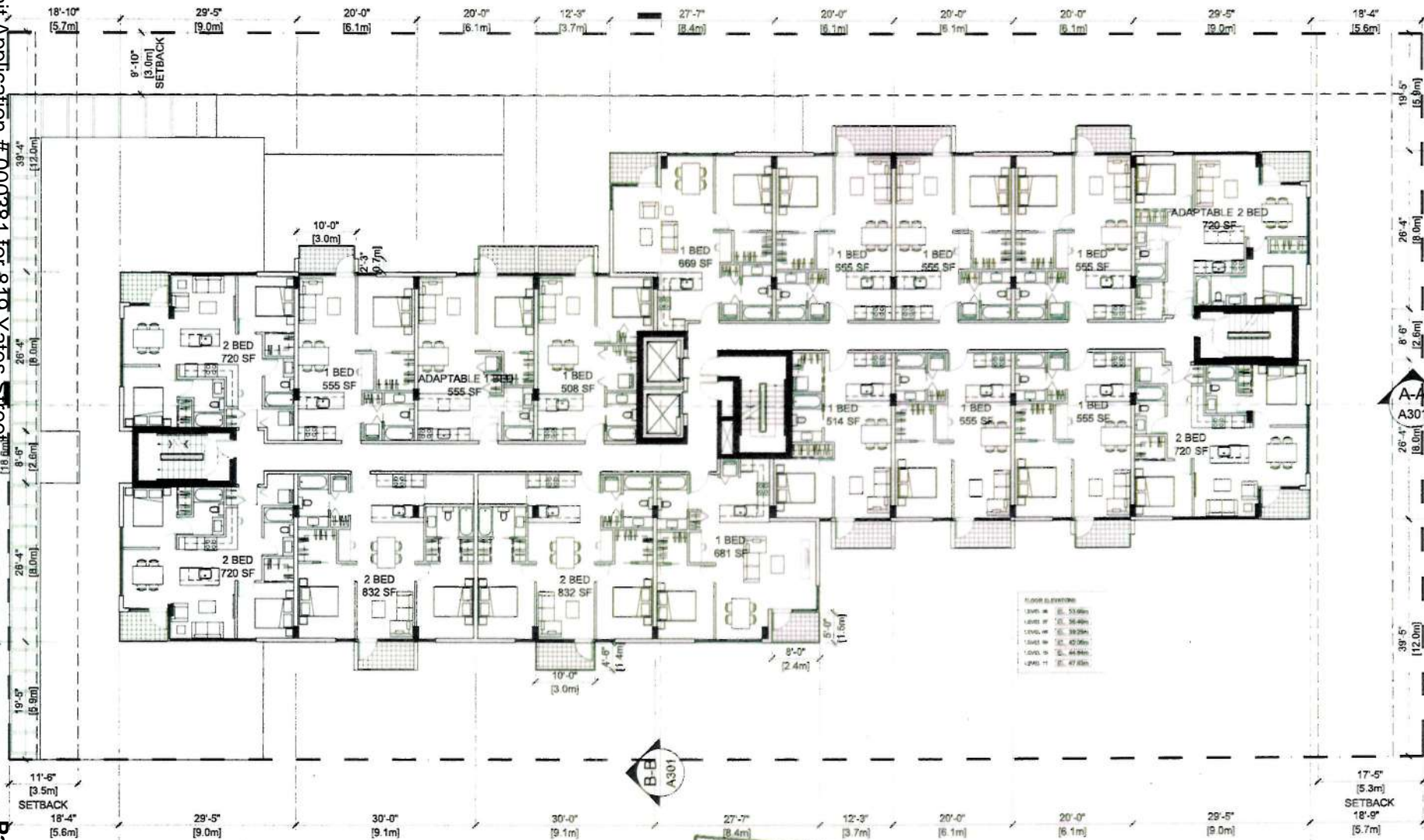
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Project: 000381

Sheet: A301

Planning and Land Use Committee - 06 Nov 2014





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22 JUL 2014
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819 YATES STREET

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Project
16 to 111
FLOOR PLANS

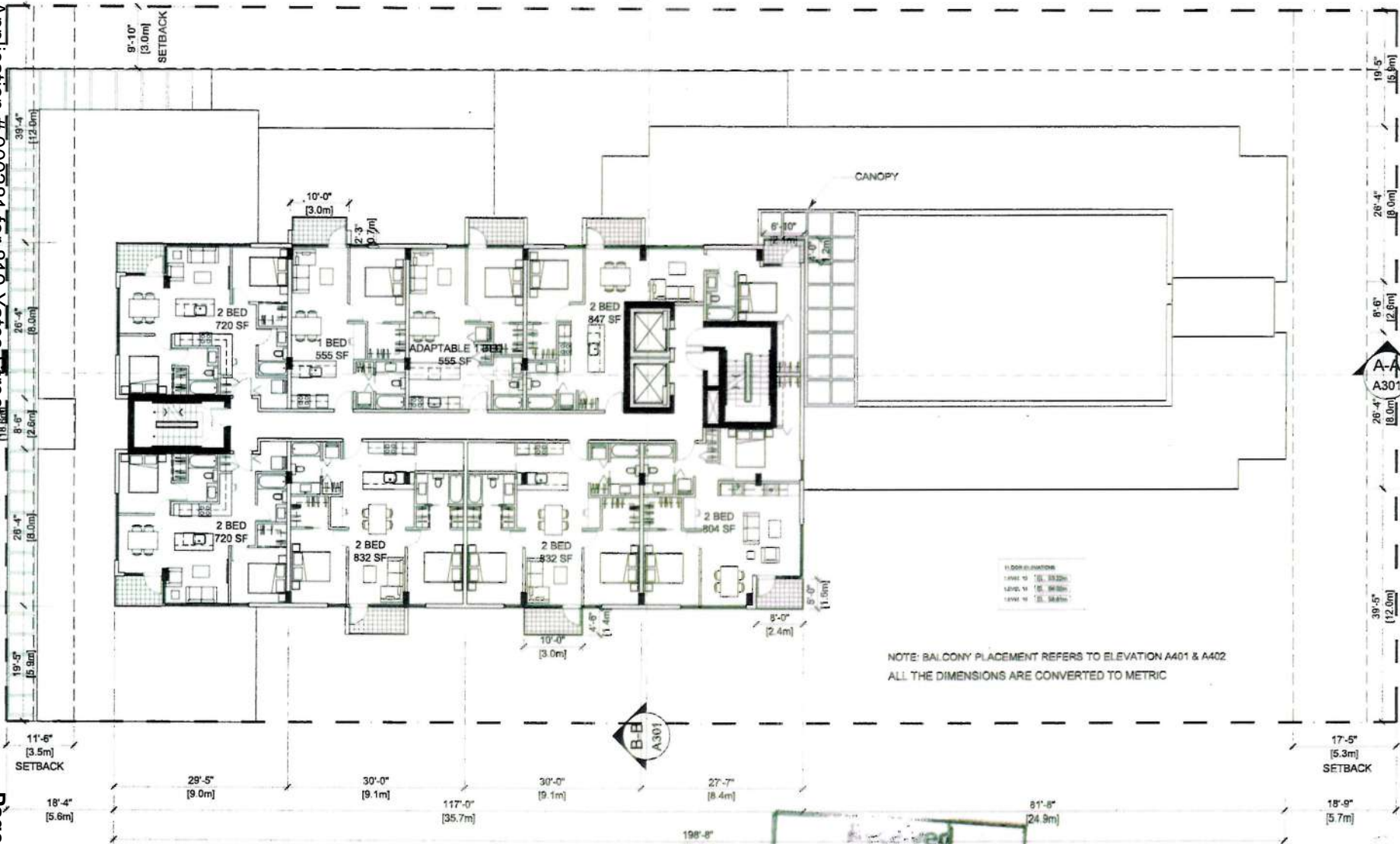
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Planning and Land Use Committee - 106 Nov 2014

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30 SEP 2014
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30 SEP 2014
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22 JUL 2014
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819 YATES STREET

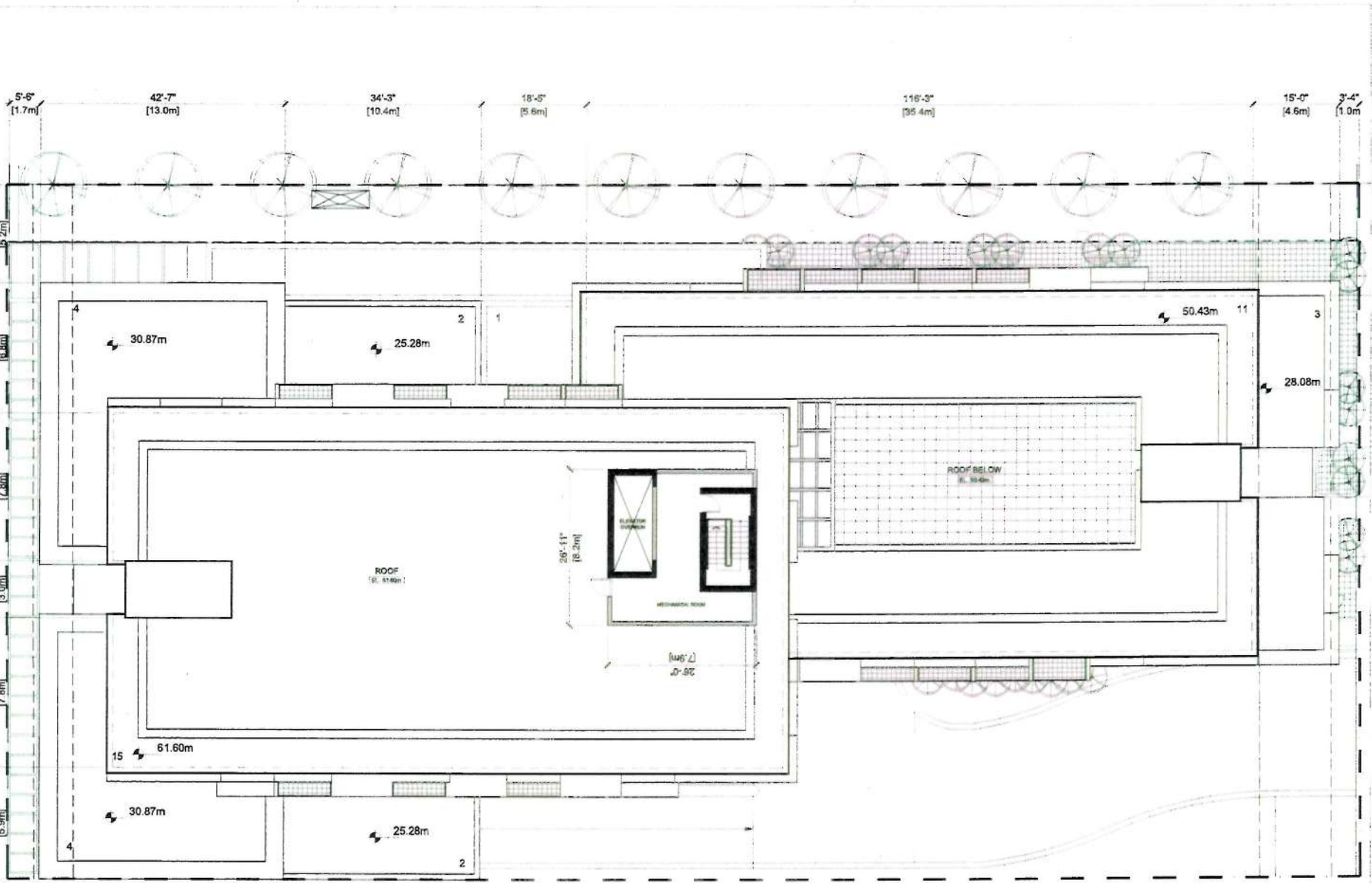
Victoria, BC

**L13 to L15
FLOOR PLANS**

Scale: 1/8" = 1'-0"
Project: 06-11-14
Sheet: A-11

Planning and Land Use Committee 06 Nov 2014

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- 20 SEP 2014
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- 10 SEP 2014
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- 22 JUL 2014
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Site:
819 YATES STREET

Victoria, BC
Project:
ROOF PLAN

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A12



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2 Section B-B
A301

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Sheet A-30.

METAL PANEL ON STEEL STUD RAINSCREEN WALL SYSTEM
 METAL PANEL WITH WOOD TEXTURE
 METAL PANEL (COLOR AS PER ELEVATION)
 DOUBLE GLAZED CLEAR LOW-E GLASS
 CONCRETE SLAB COVERED WITH COMPOSITE PANEL
 PAINTED CONCRETE
 CLEAR GLASS PANELS IN ANODIZED ALUMINUM GUARDRAIL
 GLASS ALUMINUM CANOPY



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Victoria, BC
 Project
 BUILDING
 ELEVATIONS

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 Scale
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A401

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METAL PANEL ON STEEL STUD RAINSCREEN WALL SYSTEM
 METAL PANEL WITH WOOD TEXTURE
 METAL PANEL (COLOR AS PER ELEVATION)
 DOUBLE GLAZED CLAR LOW E GLASS
 CONCRETE SLAB COVERED WITH COMPOSITE PANEL
 PAINTED CONCRETE
 CLEAR GLASS PANELS IN ANODIZED ALUMINUM GUARDRAIL
 GLASS ALUMINUM CANOPY



1 North Elevation
A402

2 West Elevation
A402

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Victoria, BC
 Project
**BUILDING
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- 10 SEP 2014
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819 YATES STREET

Victoria, BC

Project

STREET
ELEVATION

Drawing

Scale 1000 = 1"

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4

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A403

1 North Street Elevation

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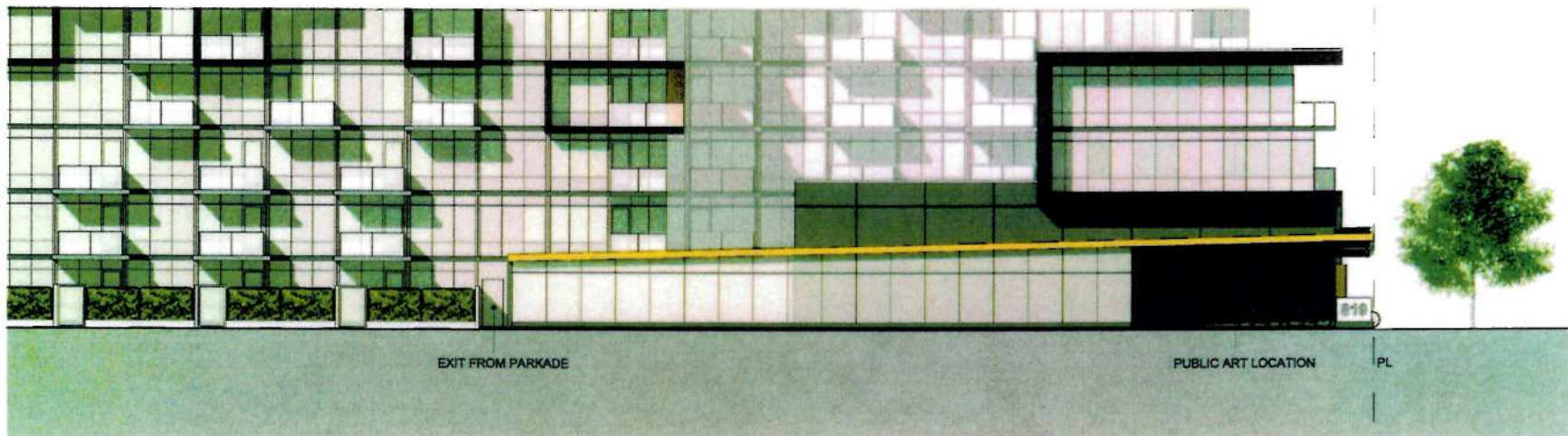


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A402

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1 RESIDENTIAL ENTRY ELEVATION
A405

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819 YATES STREET

Victoria, BC
Project

BUILDING
ENLARGED
ELEVATION

Sheet
A405

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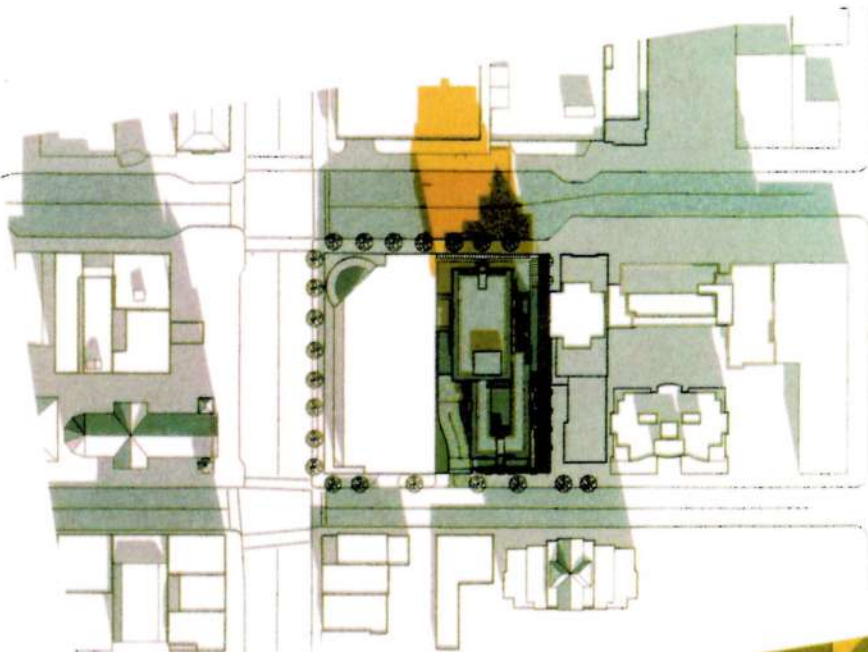
819 YATES STREET

Victoria, BC

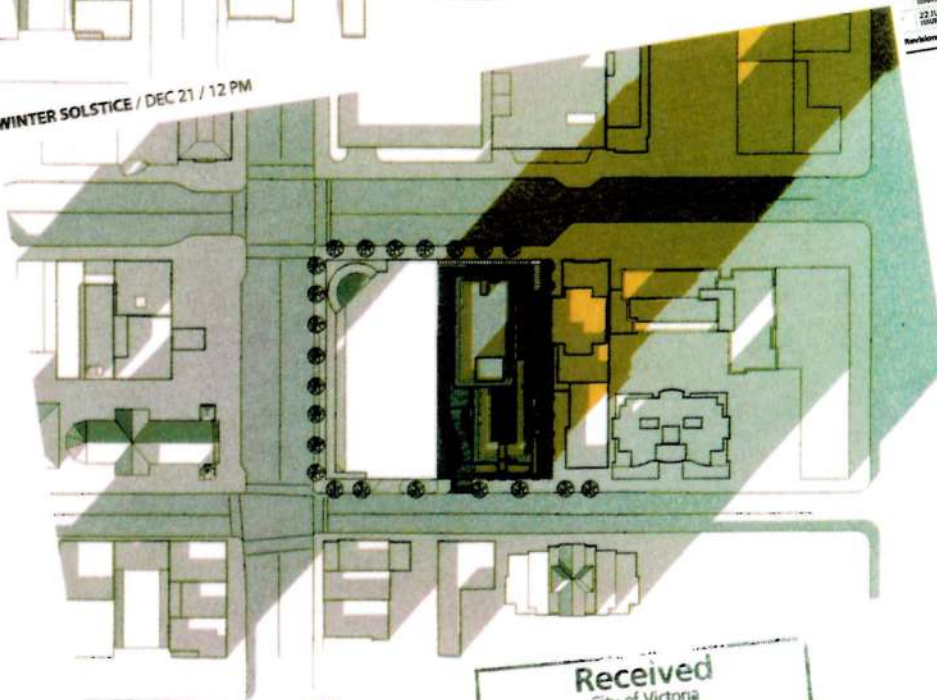
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STUDIES**

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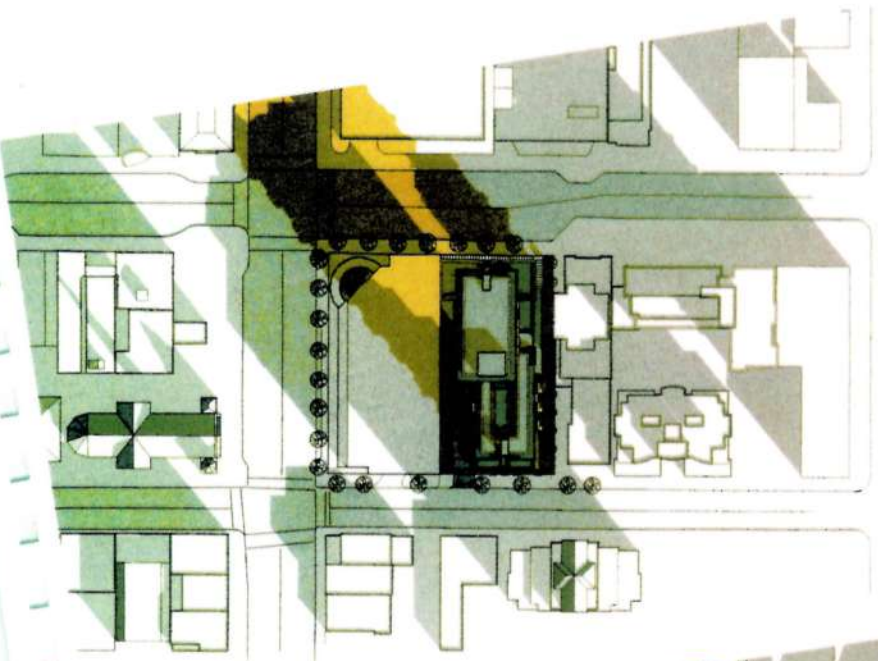
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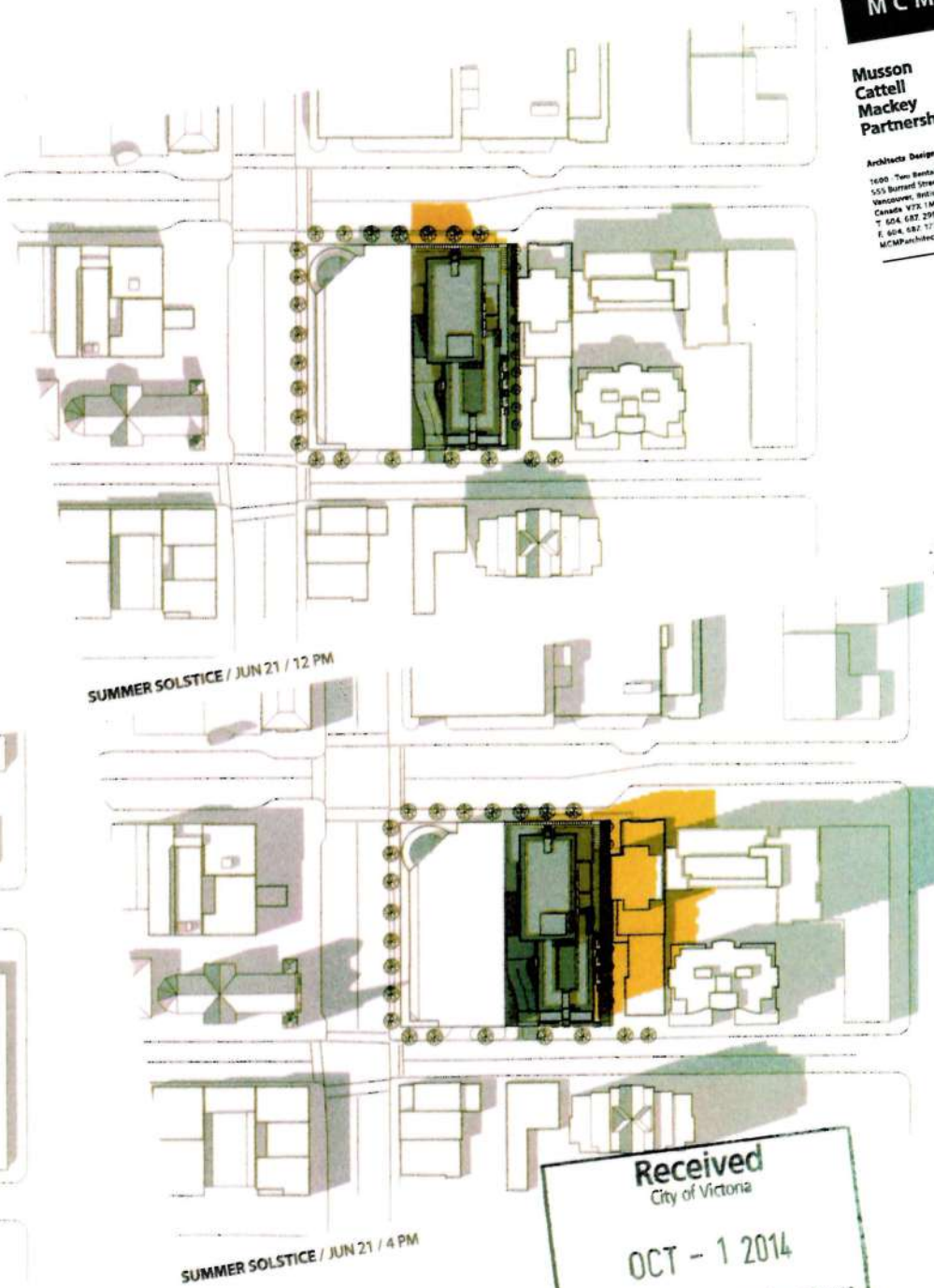
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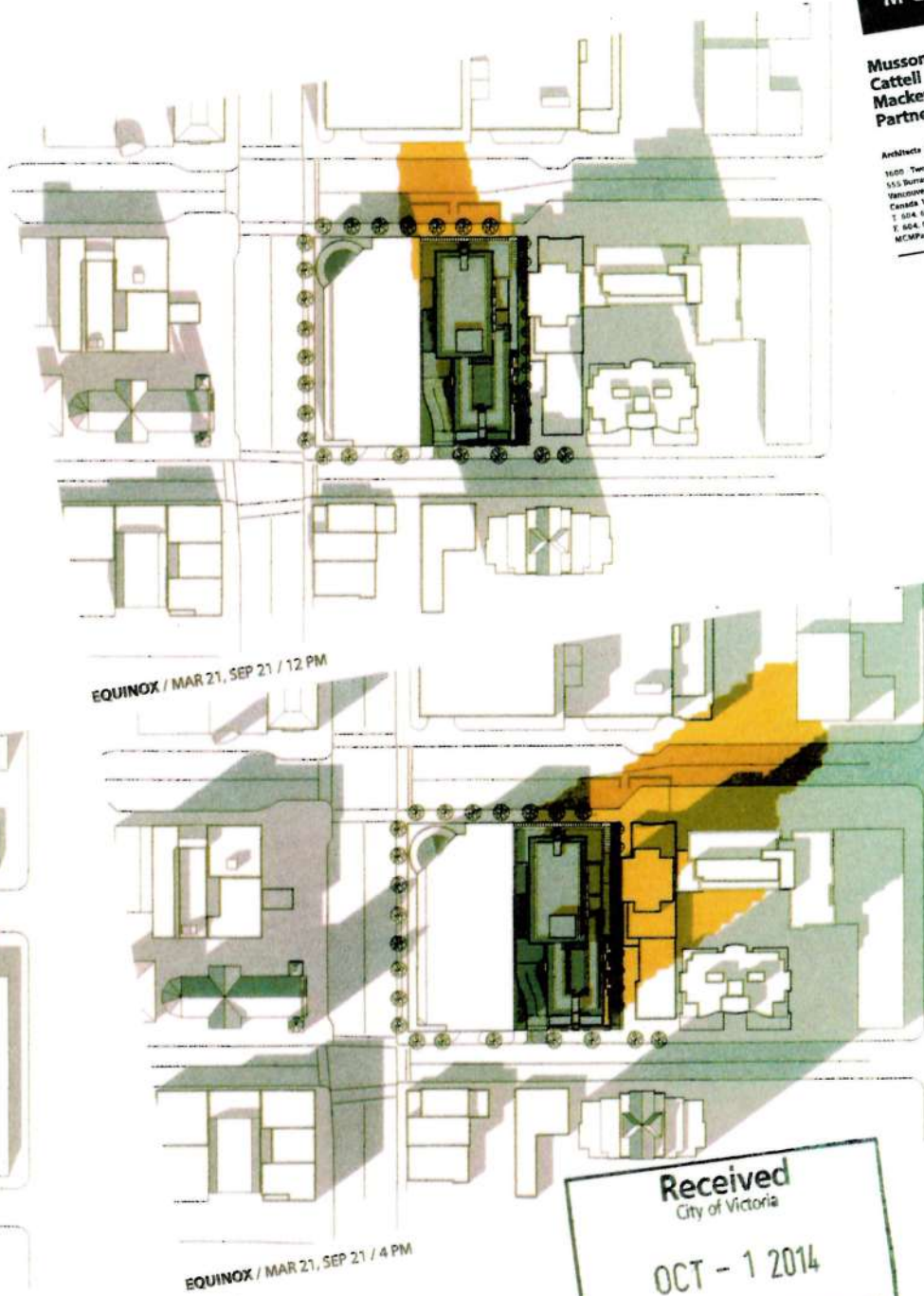
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**SHADOW
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30 SEP 2014
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819 YATES STREET

Victoria, BC
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**SHADOW
STUDIES**

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Project: A50
Client:

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VIEW IMPACT STUDIES OF ST. ANDREW'S CATHEDRAL
AT THE INTERSECTION OF VIEW STREET AND QUADRA STREET

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819 YATES STREET

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Project

**VIEW IMPACT
STUDIES**

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Scale
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Sheet
A601

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VIEW IMPACT STUDIES
AT THE INTERSECTION OF BLANSHARD STREET AND VIEW STREET - LOOKING EAST

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STUDIES**

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AT THE INTERSECTION OF BLANSHARD STREET AND YATES STREET - LOOKING EAST

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Victoria, BC

Project

**VIEW IMPACT
STUDIES**

Drawing

Scale NTS

Project 063

Sheet A63

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VIEW IMPACT STUDIES
AT THE SIDEWALK FROM ADJACENT LOT ON VIEW STREET - LOOKING WEST TOWARDS CATHEDRAL

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1 30 SEP 2014
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3 22 JUL 2014
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VIEW IMPACT
STUDIES

Scale 1/8" = 1'-0"
Project 2014-07-22
Sheet A-04

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VIEW FROM NORTH EAST CORNER ON YATES STREET

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3D VIEW

Drawing
Scale
Project
Sheet
A70

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VIEW FROM NORTH ON YATES STREET

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3D VIEW

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- 30 SEP 2014
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Project: 000381

Sheet: A203

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10 SEP 2014
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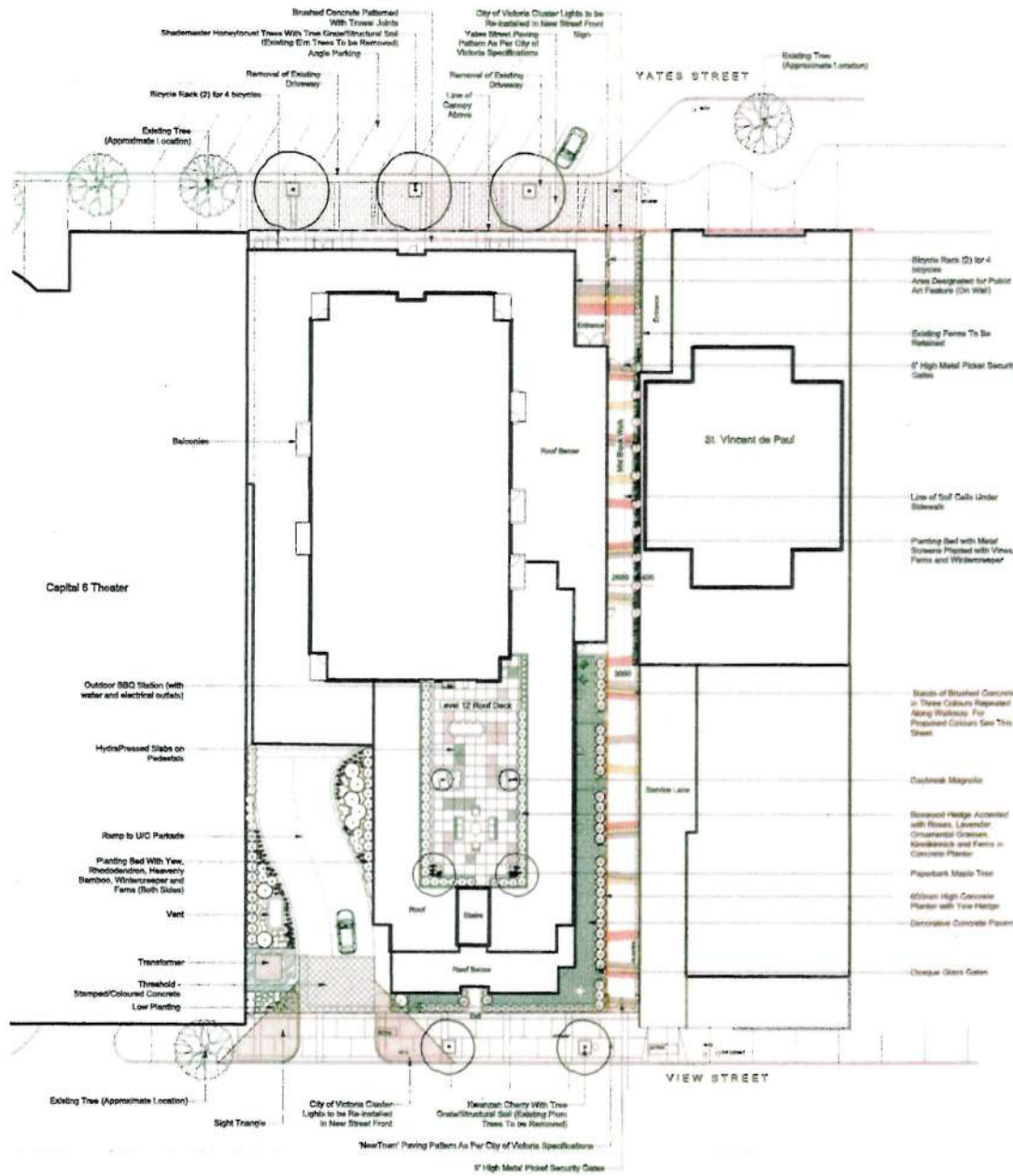
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819 YATES STREET

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Project
3D VIEW

Drawing
Scale
Project
Sheet
A704





Recommended Nursery Stock

Trees			
Total 9	Technical Name Acer glabrum Gleditsia triacanthos "Shademaster" Magnolia "Debutante" Prunus serrulata "Yanasei"	Common Name Paperbark Maple Shademaster Honeylocust Darkmagnolia Hawthorn Japanese Cherry	Size 4cm dbh 1.5m H. Single Stem 4cm dbh 4cm dbh 10m dbh
Large Shrubs			
Total 10	Technical Name Buxfordia "Purpurea" Rhododendron "Annie Krossen" Taxus canadensis "Fastigiate"	Common Name Boxwood Annie Krossen Rhododendron Yew	Size 10m dbh 10m dbh 10m dbh
Medium Shrubs			
Total 72	Technical Name Buxfordia "Purpurea" Rhododendron "Annie Krossen"	Common Name Boxwood Annie Krossen Rhododendron	Size 10m dbh 10m dbh
Small Shrubs			
Total 77	Technical Name Buxfordia "Purpurea" Rhododendron "Annie Krossen" Taxus canadensis "Fastigiate"	Common Name Boxwood Annie Krossen Rhododendron Yew	Size 10m dbh 10m dbh 10m dbh
Perennials, Annuals and Ferns			
Total 146	Technical Name Buxfordia "Purpurea" Rhododendron "Annie Krossen"	Common Name Boxwood Annie Krossen Rhododendron	Size 10m dbh 10m dbh
Groundcovers			
Total 24	Technical Name Buxfordia "Purpurea" Rhododendron "Annie Krossen"	Common Name Boxwood Annie Krossen Rhododendron	Size 10m dbh 10m dbh
Vines			
Total 11	Technical Name Buxfordia "Purpurea" Rhododendron "Annie Krossen"	Common Name Boxwood Annie Krossen Rhododendron	Size 10m dbh 10m dbh

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



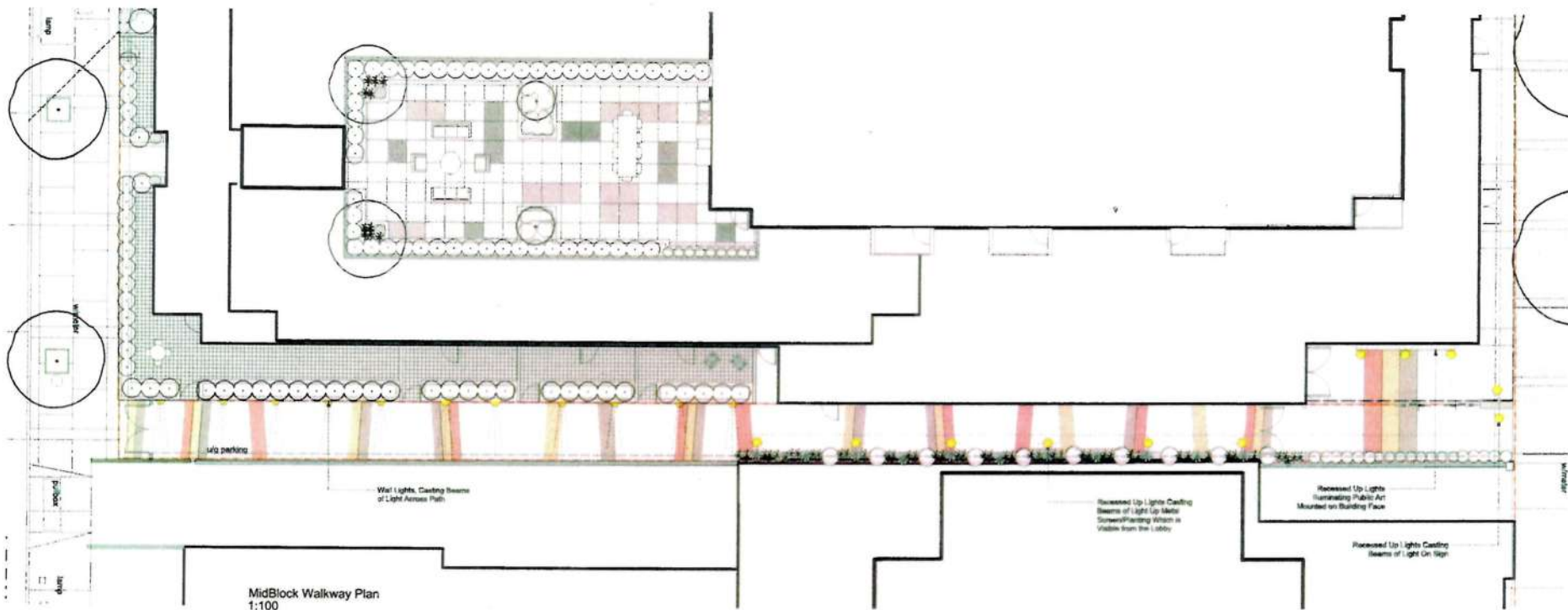
Proposed Concrete Colours for Midblock Walkway



Scale 1:200

Landscape Concept Plan - 819 Yates Street





Example of Wall Light



Example of Recessed Up Light

Mid Block Walkway Lighting Plan - 819 Yates Street



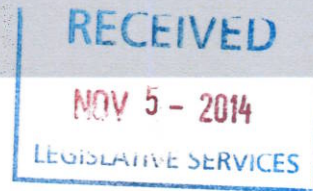
LADR LANDSCAPE ARCHITECT
79-495 Dufferin Rd. - Victoria, B.C. V8T 1B7
Phone: (250) 598-0105 Fax: (250) 598-0999
Project No: 1428 Aug 26-14



Mid Block Walkway - 819 Yates Street



CHARD



By Hand

November 5, 2014

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

Dear Mayor & Council Members,

Re: Development Permit Application #000381 for 819 Yates Street- Application to construct a new mixed use multiple-dwelling building with 209 units

We would like to comment with regard to the Planning and Land Use Committee Report pertaining to the Committees recommendations "to provide a secondary entrance to the building on the East elevation within the through-block walkway."

The 819 Yates Street project has been designed to accommodate a 3 metre wide public walkway on the site's east side as per the existing CA-62 zoning requirements. As permitted under the MDA, we have proposed on the plans to have gates which allow for the closure of the mid-block walkway for the hours between sunset and sunrise. During those hours this walkway will be inaccessible except as an emergency exit from the subject property.

We consider the addition of a second access within the mid-block walkway inappropriate for several additional reasons:

- The building address is 819 Yates (one building address) accessed from Yates Street.
- The additional access raises security concerns for users of the mid-block walkway, the adjacent property, and the subject building.
- The primary building entrance from 819 Yates Street is approximately 80 feet from the proposed additional access. The primary entrance will be disabled friendly, have intercom access for visitors, FOB access for residents and security cameras. We feel that this additional access is redundant.
- The addition of second lobby access is an additional project cost, increases management and security costs while reducing building security for this 209 unit downtown rental project.

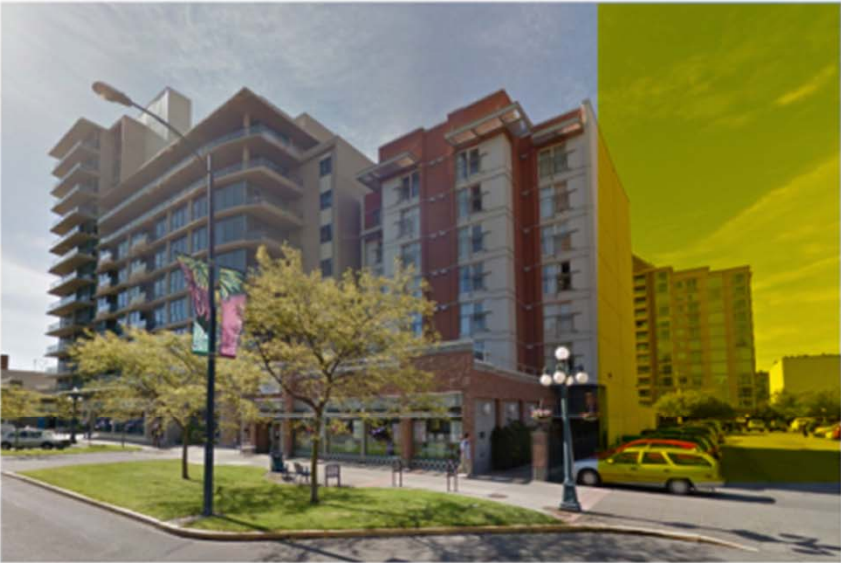
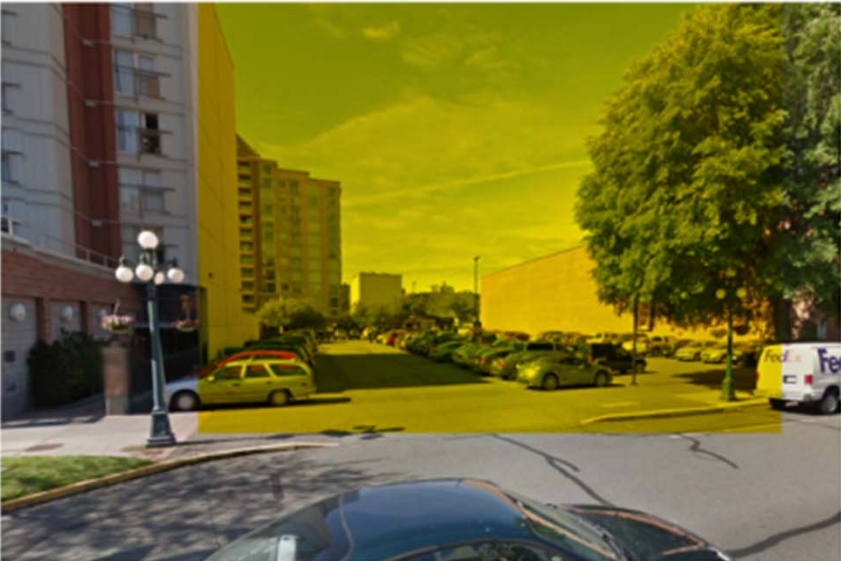
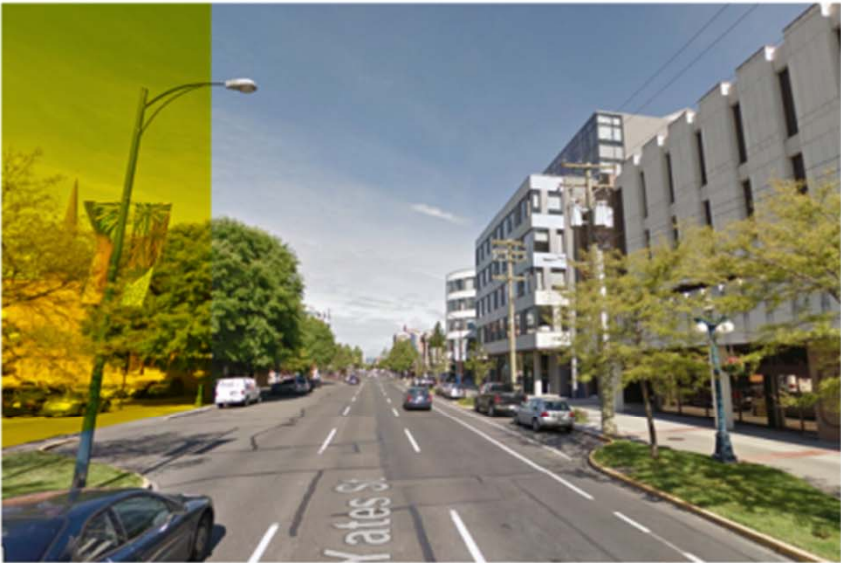
We respectfully request that Council consider Alternate Recommendation – 6.2, should Council deems approval of this development permit application appropriate.

Sincerely,
CHARD DEVELOPMENT LTD.



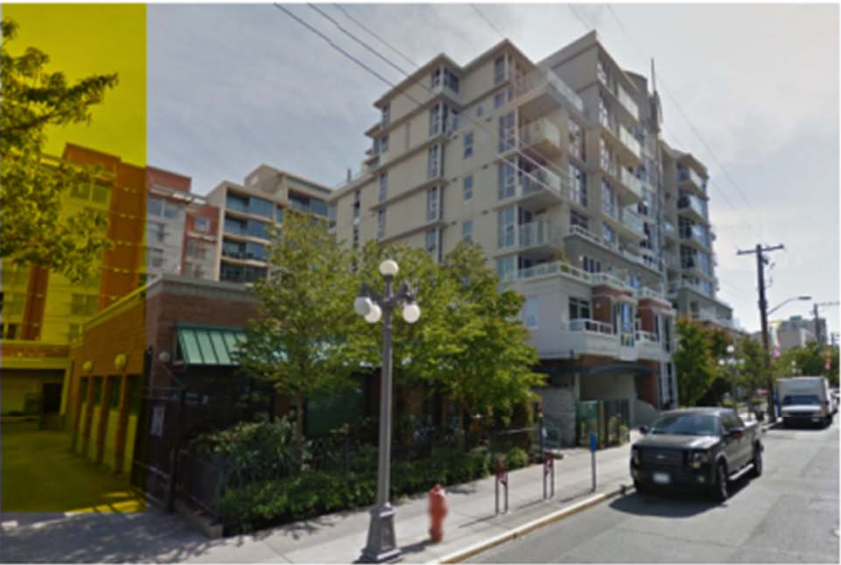
David Chard
dave@charddevelopment.com

Cc: City of Victoria Planning Department



SITE PHOTOS ON YATES STREET

SITE



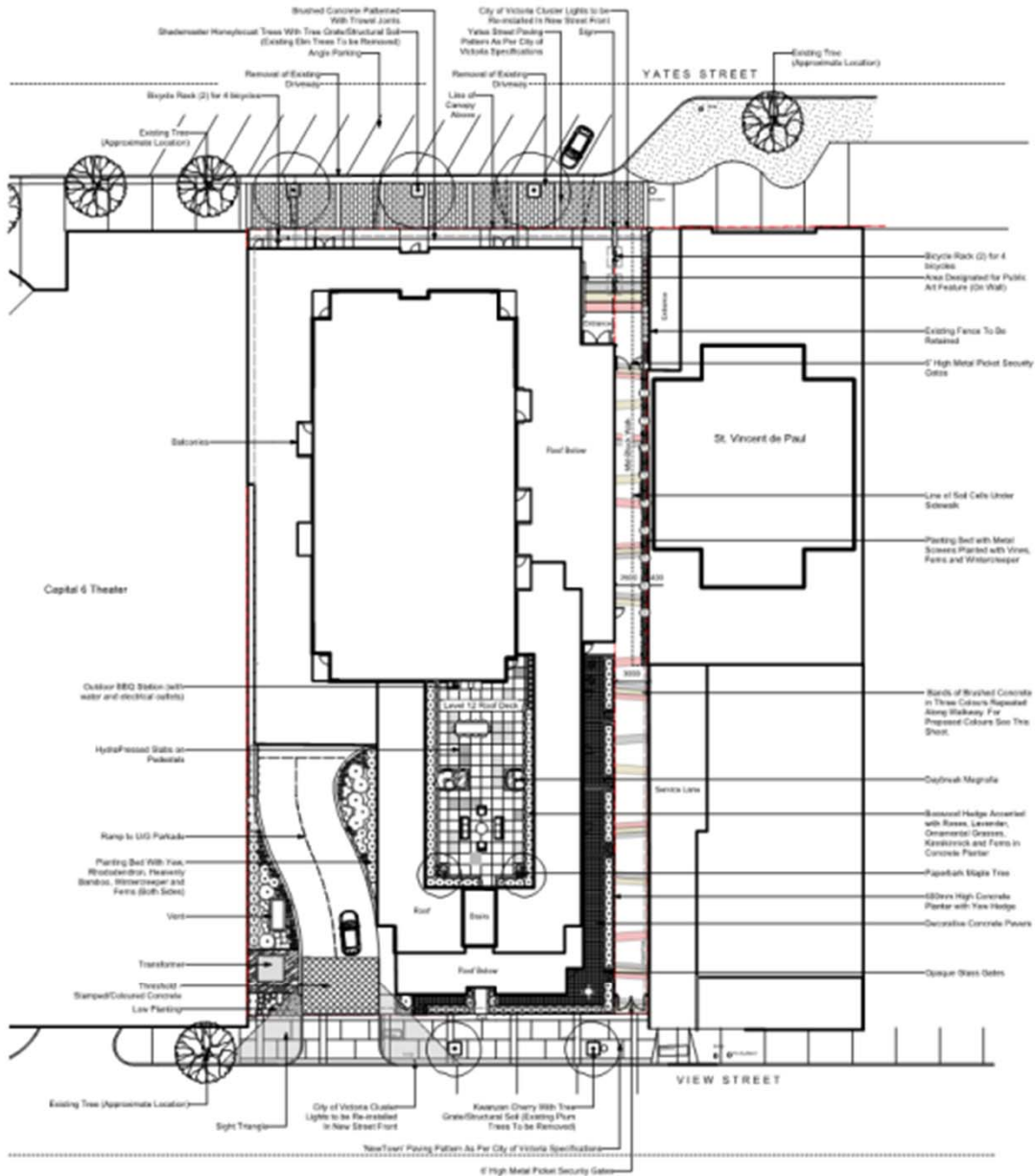
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SITE PHOTOS

ON VIEW STREET



STREETSCAPE



Recommended Nursery Stock

Trees			
Total 9	Botanical Name	Common Name	Size
	<i>Acacia gmelina</i>	Papertash Maple	4cm dbh 5m Ht. Single Stem
	<i>Gleditsia triacanthos 'Shademaster'</i>	Shademaster Honeylocust	4cm dbh
	<i>Magnolia 'Daydream'</i>	Daydream Magnolia	4cm dbh
	<i>Prunus serrulata 'Wintercreeper'</i>	Kalmuck Japanese Cherry	4cm dbh
Large Shrubs			
Total 43	Botanical Name	Common Name	Size
	<i>Berberis thunbergii</i> f. <i>atropurpurea</i> Thunb	Dark Rose Olive Japanese Barberry	80 pot
	<i>Rhododendron 'Pink Koushouki'</i>	Pink Koushouki Rhododendron	80 pot
	<i>Taxus canadensis 'Fastigiat'</i>	Yew Tree	80 pot
Medium Shrubs			
Total 72	Botanical Name	Common Name	Size
	<i>Buxus 'Green Mountain'</i>	Green Mountain Boxwood	80 pot
	<i>Rhododendron 'Dora Amabilis'</i>	Dora Amabilis Rhododendron	80 pot
Small Shrubs			
Total 77	Botanical Name	Common Name	Size
	<i>Buxus sempervirens 'Semi-prostrata'</i>	Prostrate Boxwood	80 pot
	<i>Prunus 'Capri' 'Vital'</i>	White Flower Capri Rose	80 pot
	<i>Lavandula stoechas 'Violet Queen'</i>	Spanish Lavender	80 pot
	<i>Nandina domestica 'Fire Power'</i>	Fire Power Nandina	80 pot
Perennials, Annuals and Ferns			
Total 145	Botanical Name	Common Name	Size
	<i>Rachnum sp.</i>	Rose Fern	80 pot
	<i>Helleborus viridis</i>	Blue Bell	80 pot
Groundcovers			
Total 24	Botanical Name	Common Name	Size
	<i>Andropogon scoparius</i>	Andropogon	80 pot
Vines			
Total 11	Botanical Name	Common Name	Size
	<i>Wisteria sinensis</i>	Chinese Wisteria	80 pot, 100 pot
	<i>Clematis integrifolia</i>	French Clematis	80 pot, 100 pot

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



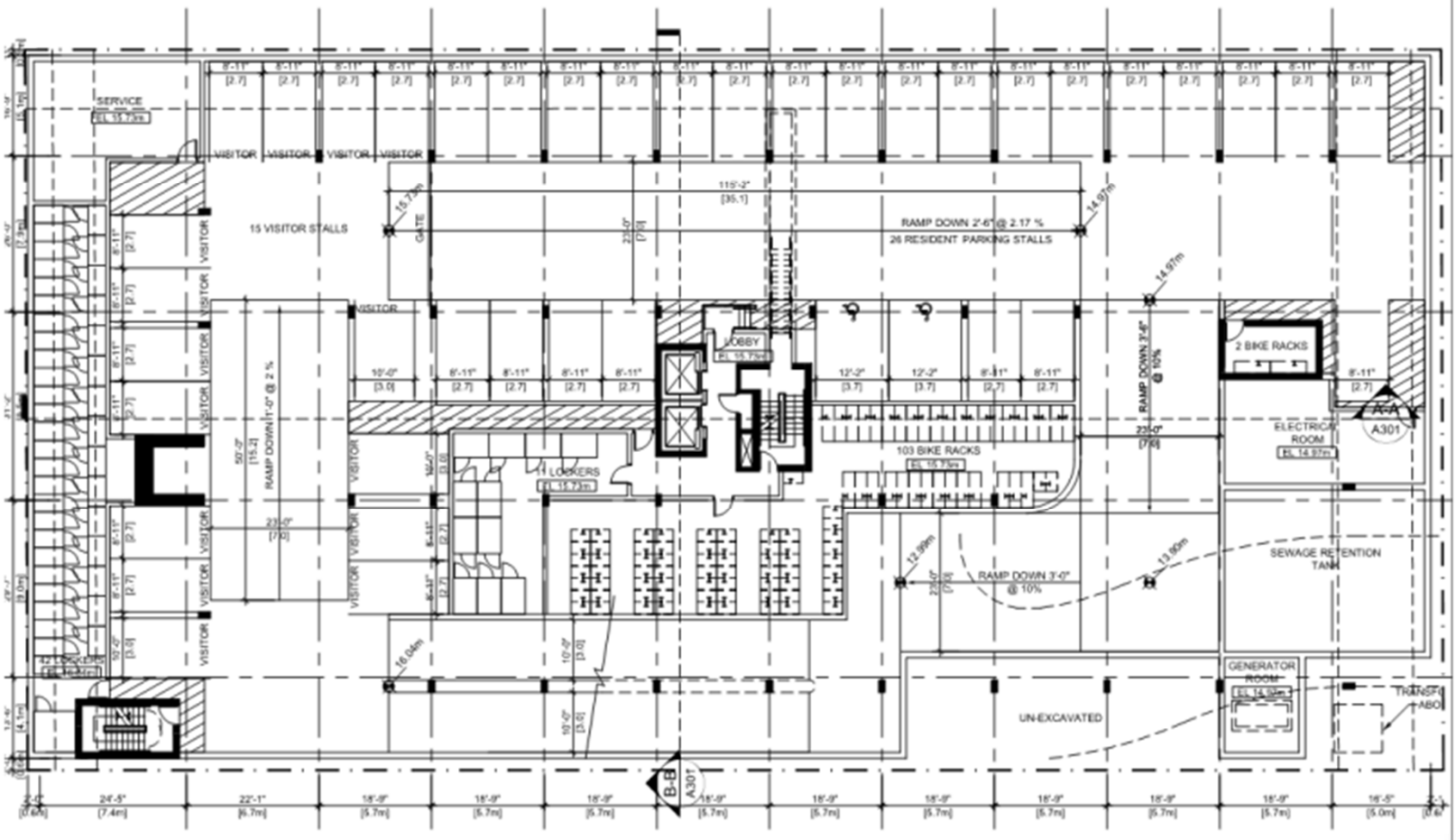
LANDSCAPE
CONCEPT PLAN



LANDSCAPE

MID BLOCK WALKWAY ELEVATION

L1 PARKING PLAN





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NORTH & SOUTH ELEVATION



THROUGH-BLOCK WALKWAY

EAST ELEVATION



WEST ELEVATION



3D PERSPECTIVE
ON YATES STREET



3D PERSPECTIVE
ON VIEW STREET



3D PERSPECTIVE
RETAIL VIEW ON YATES STREET



1 FRONT TRIM OF FRAME



4 INSIDE PANEL OF FRAME



2 SIDE PANEL OF FRAME & STAIR PANEL



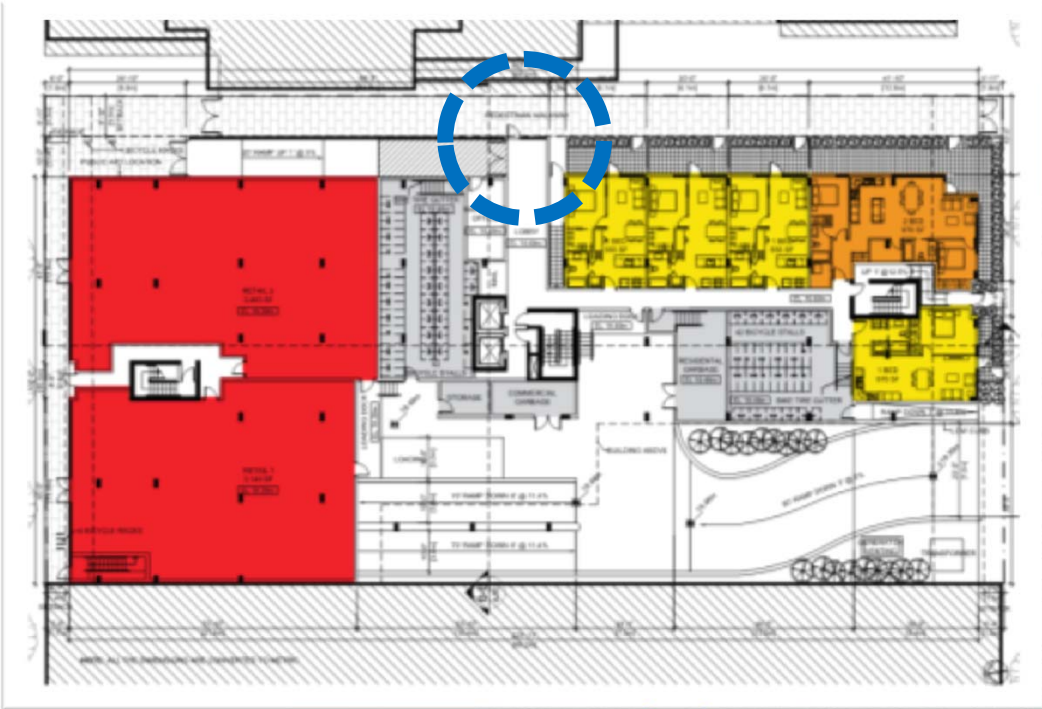
5 HIGHLIGHTED FRONT TRIM OF FRAME & RESIDENTIAL CANOPY



3 SOLID WALL & COMMERCIAL CANOPY

MATERIAL BOARD

GROUND FLOOR PLAN



THROUGH-BLOCK WALKWAY

EAST ELEVATION



3D PERSPECTIVE
ON YATES STREET



YATES STREET

VIEW STUDY



YATES STREET

VIEW STUDY



VIEW STREET

VIEW STUDY





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

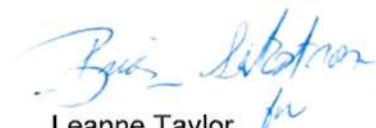
That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application #00436 for 301 and 303 St. Lawrence Street, that first and second reading to the *Zoning Regulation Bylaw* amendment be considered by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

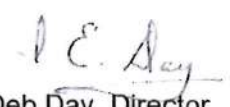
"That Council consider the following motion after the Public Hearing for Rezoning Application #00436:

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:

October 30, 2014

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.



CITY OF
VICTORIA

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301-303 St Lawrence Street

Rezoning #00436

Bylaw #



Rezoning Application # 00436 and Development Permit Applicat...



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

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



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



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



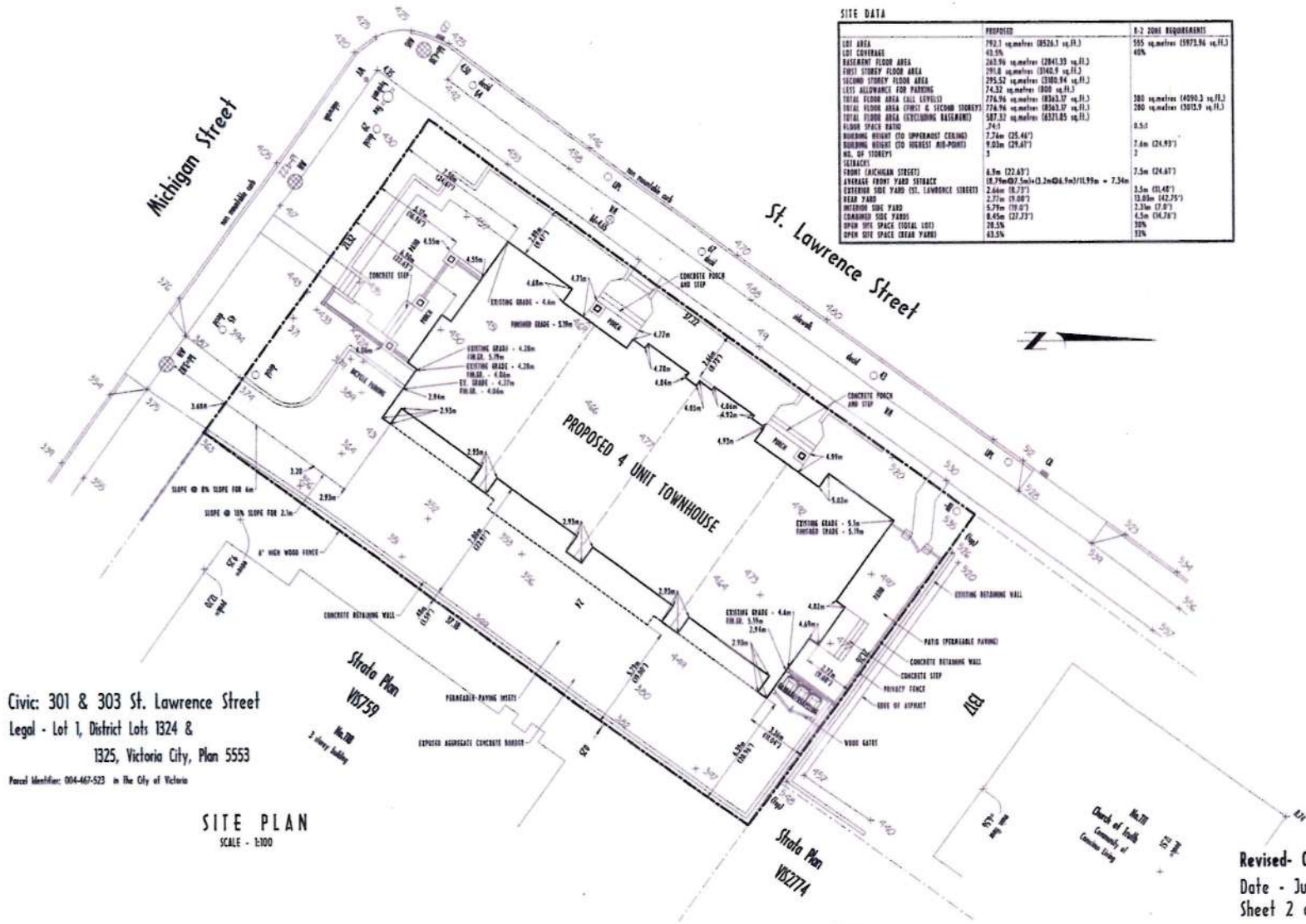
HOUSES ON ST. LAWRENCE STREET

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
2718 Ridge Road Drive, Victoria BC V8C 4M8
Phone - 250-565-8422 Email - gtroesch@shaw.ca Website



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

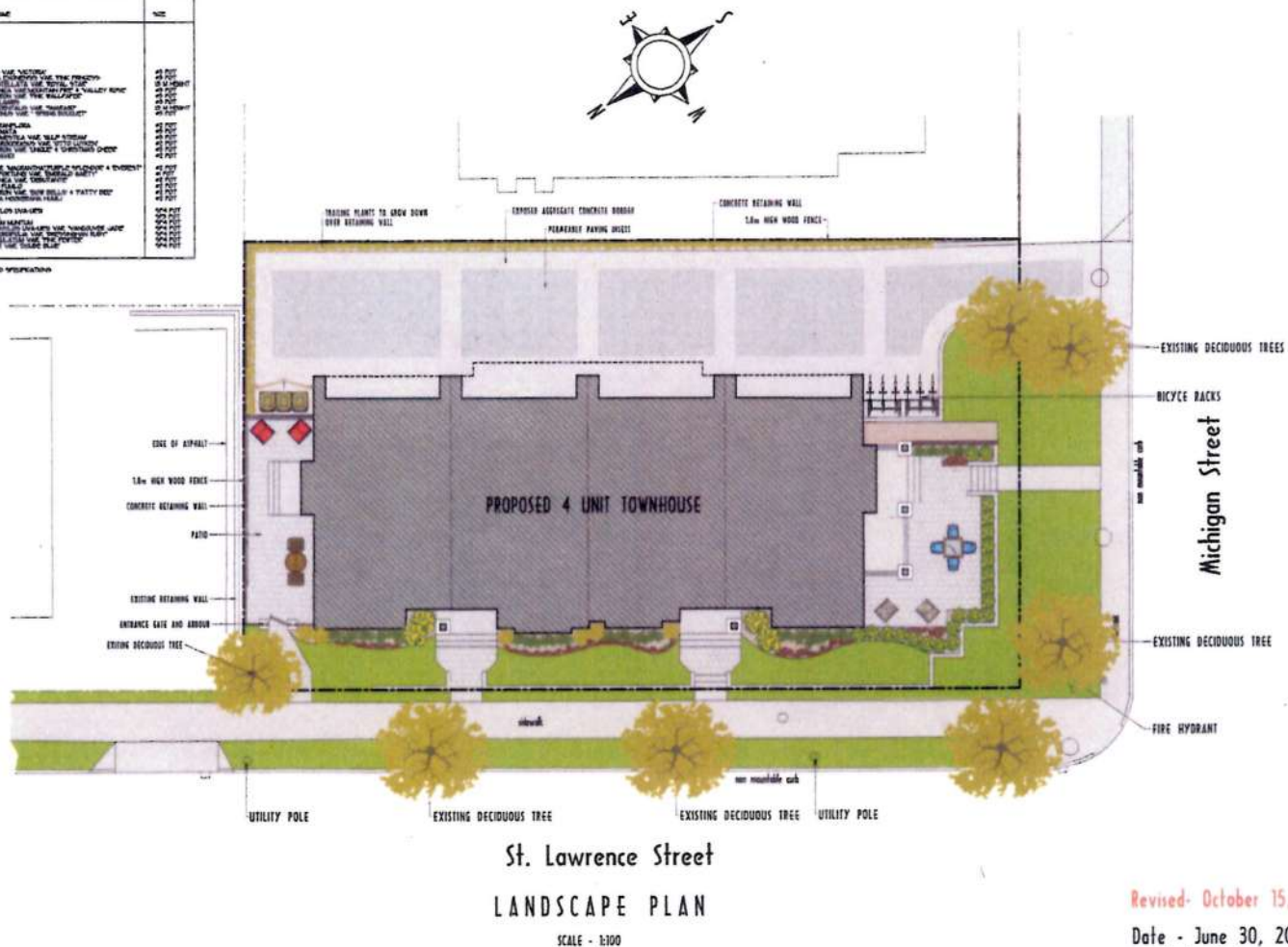
Received
City of Victoria
SEP 22 2014
Planning & Development Department
Development Services Division

Revised- October 15, 2014
Date - June 30, 2014
Sheet 2 of 6

Gerry Troesch
Residential Design
3718 Ridge Pond Drive, Victoria BC V8C 4M6
Phone - 250-955-8402 Email - gtroesch@telus.net Website

[illegible]

NOTE: ALL LANDSCAPE WORK TO CONFORM WITH LOCAL AND STATE STANDARD SPECIFICATIONS
ALL AREAS TO BE GRASSED WITH AN SUITABLE, PERENNIAL GRASS



Gerry Troesch
Residential Design
3716 Ridge Pond Drive, Victoria BC V8C 4M8
Phone - 250-686-8402 Email - gtroesch@telus.net Website

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

Received
City of Victoria

SEP 22 2014

Planning & Development Department
Development Services Division



ST. LAWRENCE STREET ELEVATION



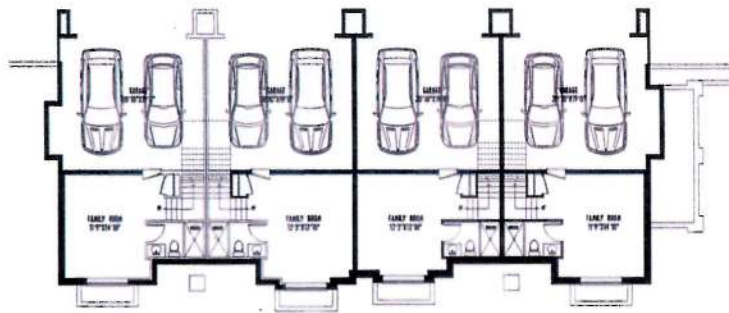
MICHIGAN STREET ELEVATION
Scale - 1/8" = 1'-0"

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

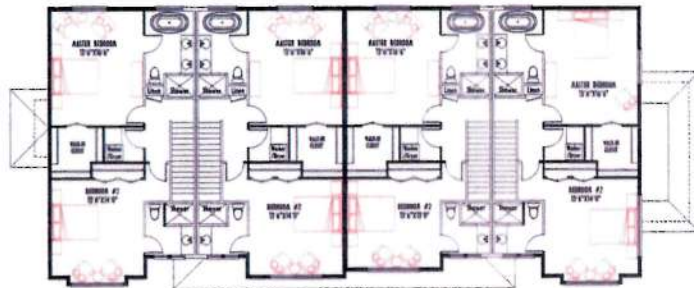
Gerry Troesch
Residential Design
3718 Ridge Pond Drive, Victoria BC V8C 4M8
Phone - 250-666-8407 Email - gtroesch@telusnet.victoria



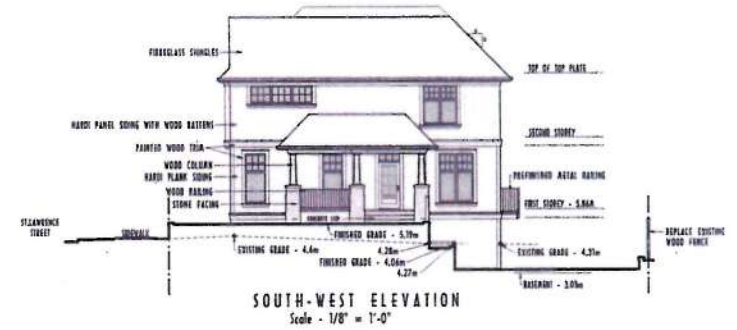
BASEMENT FLOOR PLAN
FLOOR AREA - 1011.6 sq.ft. (101.6 sq.meters)
GARAGE - 1045.9 sq.ft. (103.28 sq.meters)
Scale - 1/8" = 1'-0"



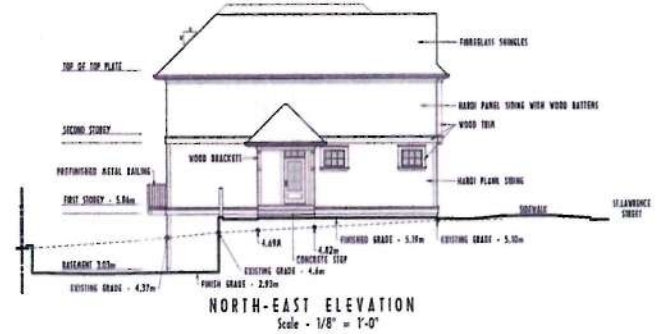
FIRST STOREY FLOOR PLAN
FLOOR AREA - 3145.4 sq.ft. (291.9 sq.meters)
Scale - 1/8" = 1'-0"



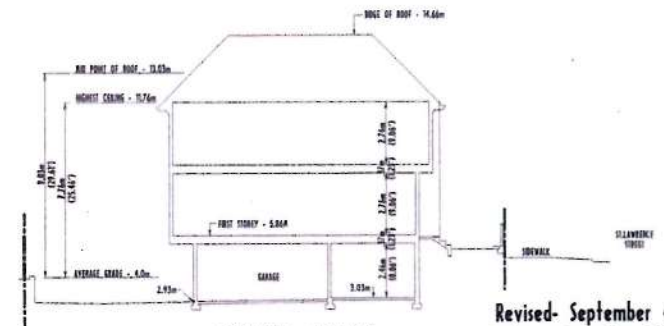
SECOND STOREY FLOOR PLAN
FLOOR AREA - 3101.54 sq.ft. (285.52 sq.meters)
Scale - 1/8" = 1'-0"



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
Residential Design
2710 Ridge Point Drive, Victoria BC V8C 4M8
Phone - 250-565-8422 Email - gtroesch@telus.net Website

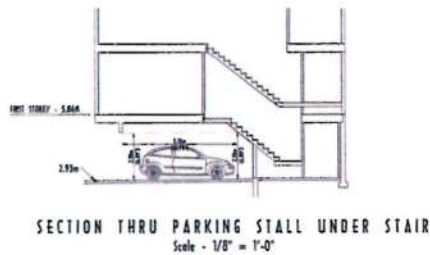
Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.



Planning & Development Department
Development Services Division



ST LAWRENCE STREET (NORTH-WEST) ELEVATION
Scale - 1/4" = 1'-0"



SECTION THRU PARKING STALL UNDER STAIR
Scale - 1/8" = 1'-0"



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

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



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

Gerry Troesch
Residential Design
3710 Ridge Road Drive, Victoria BC V8C 4M8
Phone - 250-699-8402 Email - gtroesch@telus.net Website



James Bay Neighbourhood Association

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

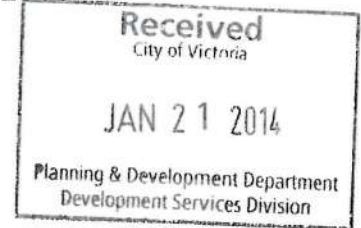
www.jbna.org

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

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.

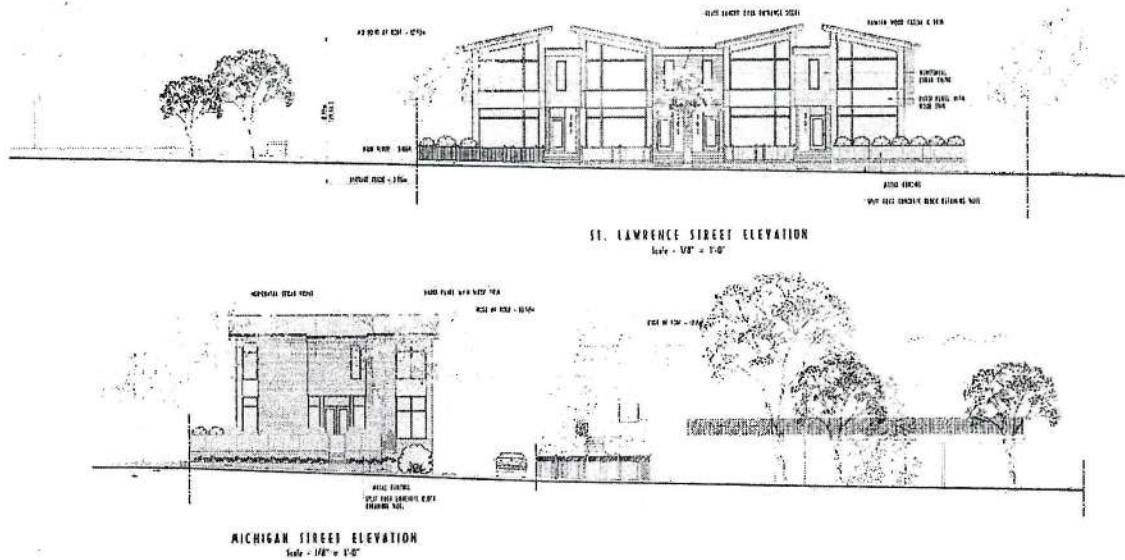
We look forward to discussing the re-zoning and development proposal for this property in the coming month.

Sincerely;
0772613 BC. Ltd.

A handwritten signature in black ink, appearing to read 'Michael Reid', written over the printed name.

Michael Reid
250 516-3399

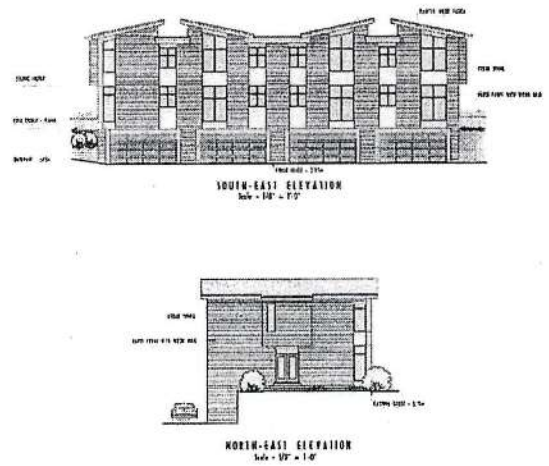
Laura Nixon
250 415-5008



Date - January 4, 2014
Sheet 3 of 4

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

Gerry Troesch
Residential Design
2110 Ridge Road Drive, Victoria BC V8C 1A6
Phone - 250-855-8888 Email - gtroesch@shaw.ca



Date - December 30, 2013
Sheet 4 of 4

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

Gerry Troesch
Residential Design
2110 Ridge Road Drive, Victoria BC V8C 1A6
Phone - 250-855-8888 Email - gtroesch@shaw.ca

Strata Council 118 Michigan St

118 Michigan St, Victoria BC, V8V1R1

October 31, 2014

City of Victoria Mayor and Councilors
City of Victoria Land Use Development Departments

Dear Sir or Madame,

We (the Strata Council of 118 Michigan St) are writing to you to voice our opinions and concerns on the proposed development at 301/303 St Lawrence St – our immediate neighbour.

Having met with a member of the development team (Mark Imhoff) we understand that two design proposals have been (or will be) submitted for 301/303 St Lawrence St. (see attached PDF):

1. A 'Modern' four-plex design
2. A 'Four-Sisters' four-plex design (designed to reflect the Four Sisters heritage homes across the street)

Members of our Strata have expressed serious concerns over the aspects of the 'Four-Sisters' proposal.

In the 'Modern' proposal the design/slope of the roofline reflects our concerns over the amount of light that will be lost for the neighbours residing the townhouses on the west side of 118 Michigan. The 'Four-sisters' proposal does not make this concession – instead it will block out more significant amounts of light as the roofline is many feet higher.


In the 'Modern' proposal the primary outdoor living space is in the front of the homes – away from any and all neighbours. While there are windows in the rear of the 'Modern' proposal it appears to be designed with the immediate neighbours in mind – trying to reduce the impact on our living spaces.

The 'Four-Sisters' proposal has balconies at the rear of the property. These balconies directly overlook the residents of 118 Michigan. In fact for some 118 Michigan residents these **balconies look directly into both their master bedrooms AND living rooms**. I think any sensible person would agree this almost completely erodes the private enjoyment of these residents' homes. The balcony encroachment and loss of privacy will not only will destroy the private oasis of our living space it has also raised serious concerns about resale values and potential loss of property value.

We ask that you take our concerns into consideration when reviewing the 301/303 St Lawrence proposals. Based on the existing proposals the residents of 118 Michigan would strong recommend the approved four-plex design takes our privacy and re-sale values into account and doesn't restrict our ability to enjoy our homes.

Sincerely,

Kelsi Stiles

Kelsi Stiles
Strata President, 118 Michigan St


“Modern Proposal”

No balconies



No outdoor living space facing 118 Michigan residents



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



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

Roofline slope attempts to address concerns over loss of light

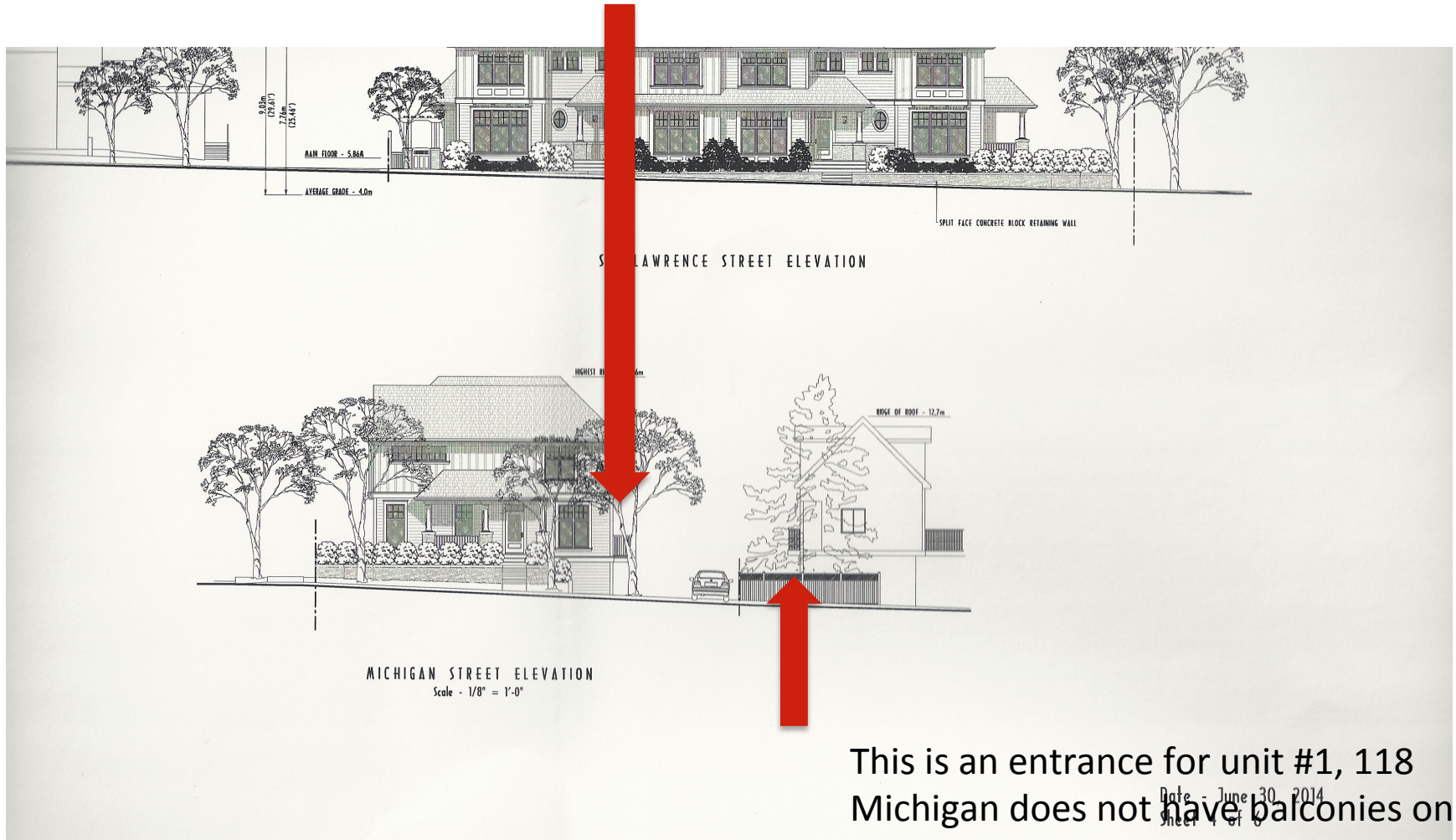
Date - December 30, 2013
Sheet 4 of 4

Gerry Troesch
Residential Design
3718 Ridge Point Drive, Victoria BC V8C 4B8
Phone - 250-966-8402 Email - gtroesch@telus.net Website

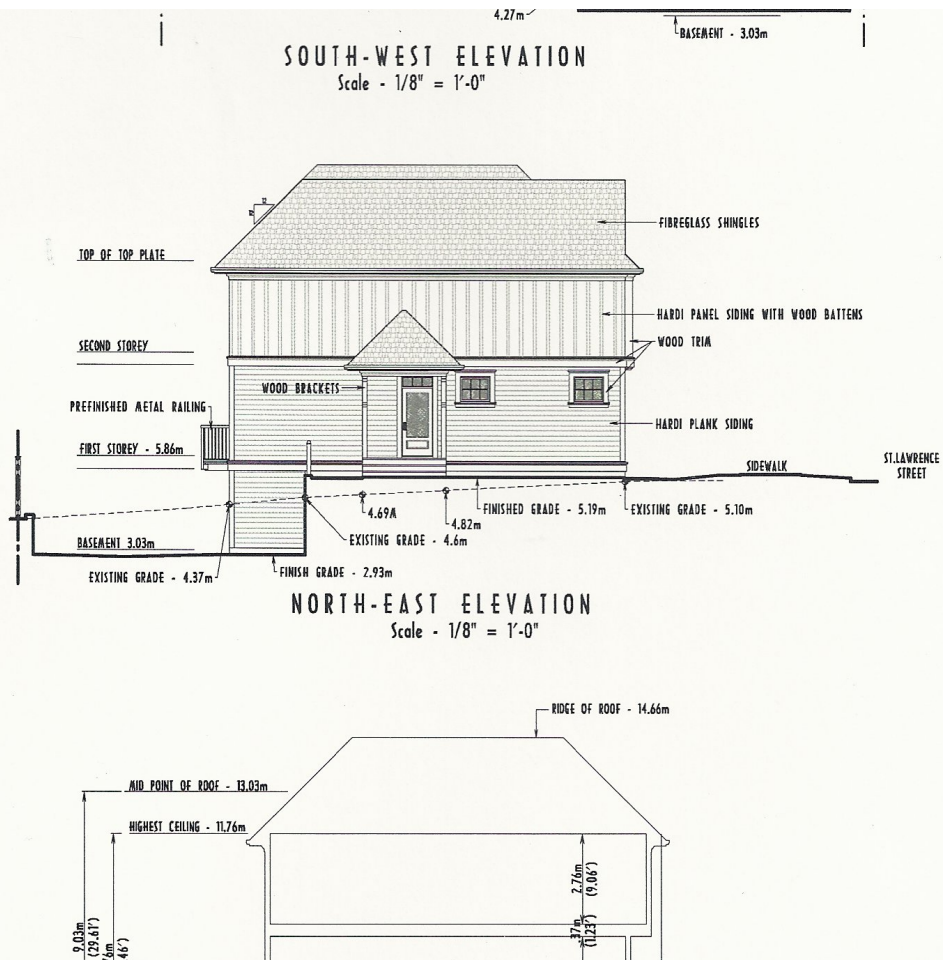
St. Lawrence Street

“Four-sisters Proposal”

Note offending balconies. At this height they will look into both the living and master of 118 Michigan residents homes



This is an entrance for unit #1, 118 Michigan does not have balconies on the west side of the building



Greetings Victoria Councillors,

We are owners of the James Bay property, Unit #1, 118 Michigan Street and our strata unit faces directly to 301 / 303 St. Lawrence Street. Currently it has an old duplex which the Imhoff Group is proposing for redevelopment to a new fourplex.

Mr. Imhoff kindly spent time with us months ago, shortly after acquiring the property, providing us blueprints of the proposed fourplex. Although the lot is currently zoned duplex he persuaded us that we were better off accepting his fourplex plan for the following reason: If he built another duplex he would be unopposed in building a high structure close to our property line that would be unpleasant for us to live next to.

Better we accept his fourplex proposal for a design that featured: 1. Location spaced farther away from our property line. 2. A low roof line that would still allow at least minimal light over the unit, less wall effect. 3. No balconies or large windows facing our lot so our privacy would not be radically impaired.

This design appealed to us and we viewed it as not significantly lessening our property values and could be acceptable to live next to. PLEASE NOTE: We are NOT opposed to redevelopment of the lot, we intended to be supportive of a mutually acceptable proposal. We consider our response to be very accommodating, considering we are being asked to support rezoning for a fourplex over a duplex. Even WITH accepting this proposal we knew we will be accepting less light, blocked viewpoints and much larger structure shadowing us. (Including our Unit #1 upper bedroom window losing it's partial ocean view.)

The initial design considerations to minimize structure height and the relative privacy of no balconies facing us and ONLY these aspects of the presentation encouraged us to conditionally give Mr. Imhoff our endorsement for his needed zoning change / impending construction.

PLEASE NOTE: This initial design was endorsed by: 1. The Developer (obviously), 2. Our Strata (the ONLY adjacent residents to the lot), 3. The James Bay Neighbourhoos Assoc. All good, right?

Wow! Were we shocked to discover that somehow via the City of Victoria Planning administrators the above proposed / acceptable plan was rejected in favour of a fourplex structure that we are all VERY MUCH OPPOSED TO. (How can this HAPPEN?)

Our objections: Although it is understood that the location of the new design still provides some space between our structures, that is the only acceptable similarity -

1. The much higher roof line will significantly limit light coming in our west windows. There is a concern for personal safety along our exterior west property line sidewalk access to four strata units in darker months. It will also cause our current plants / gardening to be threatened by insufficient light.
2. The new design has balconies switched from the front (facing St. Lawrence Street) to the back - directly facing us. With large patio door / window views directly into the living rooms / dining rooms / bedrooms of our units. Barbecue activities / common balcony noise will adversely affect us.

We are unified at 118 Michigan Strata (that has existed here since 1979) in requesting that the INITIAL proposal or a design VERY close to it be revisited for approval. Lower the roofline and no balconies on the east side please! This part of James Bay (like all of James Bay actually) is NOT a continuous traditional 100+ yr old neighbourhood architecturally. It is a mixture of traditional AND contemporary designs. There is NO compelling reason to require THIS project to comply with 100 year old design features at the expense of enjoyment and diminished property

value of us, the most affected adjacent neighbours. The initial contemporary design proposal is complimentary to the mixed housing styles in the neighbourhood. All parties appear to agree except City Planners?? This surely must be unprecedented!

City Councillors, PLEASE, at this coming Thursday Council Planning Meeting - SUPPORT US IN JAMES BAY in rejecting the revised design for 301 / 303 St. Lawrence St. Thank you very much!

Michael & Elaine Brinton, Unit #1, 118 Michigan Street, Victoria, V8V 1R1

City of Victoria Mayor and Councilors
City of Victoria Land Use Development Departments
Dani Eisler
3 118 Michigan Street
Victoria, BC V8V 1R1

Ladies and Gentlemen,

I am writing to express my concerns about the proposed new development at 301/303 St. Lawrence Street. I understand this is an item on the agenda for the upcoming Planning Committee Meeting on November 6th.

My townhouse is one of the four nearest residences of the planned redevelopment, immediately to the east. My front door, living room window, and bedroom window overlook the site. Obviously I have a great interest in this issue.

Originally, Mark Imhoff presented plans to our strata members, plans that addressed some of the negative impact that a new, higher structure would have on us. The roofline took into account and minimized the blockage of natural light. The window positions on the back of the building, the side immediately facing our living spaces, allowed for as much privacy as possible. The position of the new building was well back from the property line, another factor in limiting loss of light and loss of privacy.

Recently, it™s come to my attention that the plans have been changed radically, apparently at the request of the City, in order to homogenize the streetscape by having 301/303 St. Lawrence resemble the 4 Sisters on the opposite corner of St. Lawrence and Michigan Streets.

James Bay is home to a wonderful diversity in design. The buildings within even a block of 301/303 St. Lawrence are varied, but compatible. The traditional 4 Sisters, the modern Church of Truth, the majestic Shoal Point, and The Reef with its contemporary flourishes all contribute character to the neighbourhood. The initial design for the redevelopment of the property was attractive and suitable for its location. It was also respectful of our existing homes to the immediate east, with the lower roofline maximizing light, and the outdoor space in front providing separation between living spaces.

I do not support the new design. The much higher roof will block much of the incoming light from my home and front garden. Not only will this mean the interior of my home will be darker and colder in almost constant shadow but it also raises the issue of personal safety along the sidewalk on the west side of our strata access to four of our strata units. Three of those four units are owned and occupied by single female seniors. I am one of them.

In addition to the much higher roofline, the new plan moves the primary outdoor living space for the two middle units to the back of the property. The larger windows and the balconies will have clear sightlines into my front door, my living room and my bedroom. With gas fittings included on the balconies, obviously (and understandably) bbq™s will be in use. Cooking odors and noise from common activity will be inescapable. These larger windows and encroaching balconies mean an extreme loss of privacy, and also restrict my enjoyment of my own property.

Please note: I am not opposed to the redevelopment of the property. But it must be an acceptable design that enhances the neighbourhood, and does not unduly infringe on my privacy, or my property value. I felt the initial design, originally presented to our strata members and to the James Bay Neighbourhood Association meeting in January, was worthy of support.

I do not understand why the initial design was rejected, and why we, as neighbours, were not notified or involved in the process. As it stands, I cannot support the redevelopment as radically altered from the initial plan.

I urge you to return to the design originally presented to the community and us by Mark Imhoff, perhaps with minor modifications, if necessary. It would allow for the continued enjoyment of my property, the ensuring of my safety and privacy, the protection of my home's resale value, and it would be a great addition to the community.

Sincerely

Dani Eisler

To Whom it May Concern:

Re: Development of 4-plex at 301-303 St Lawrence Street, James Bay

I am a resident of the townhouse complex at 118 Michigan. I reside in Number 5 directly facing the proposed Development.

I have seen two potential designs for the site. The first being very similar to the more modern designs also abutting the Fisherman's Wharf Park, and a second more traditional.

The first design is the preferred one of myself and my fellow residents.

My biggest concern with design number two, is that the outside space, which on the first design, was on the front of the building, has now been changed to balconies on the back of the building. From where they are placed, they look directly both into my bedroom and living room, completely destroying my privacy.

Additionally, it is to be expected that as these balconies come off the kitchens of the proposed townhouses, that people will be barbequeing and socializing and giving the proximity to my bedroom, I expect disturbed nights, and party noise as people will obviously be entertaining.

I know some of my fellow residents also prefer the first design, for light issues. This is not a problem for my unit specifically, but the balconies are.

I have to admit, I am at a loss to understand why the second design could not also have had the outside space at the front of the townhouses facing the park. So if for any reason, and I cannot see that there should be, the second design is necessary, I would ask that it be redesigned to put the outside space at the front of the building. As I know something of building design, I am quite certain this is more than possible.

Sincerely,

Sandra Godfrey
5-118 Michigan Street
Victoria,
BC, V8V 1R1



James Bay Neighbourhood Association

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

www.jbna.org

To: Deb Day, Director Planning
Fr: Marg Gardiner, President, JBNA
Cc: Janice Schmidt, JBNA Board

November 3rd, 2014

Re: PLUC: Proposed Development 301-303 St Lawrence.

The November 6th PLUC agenda package identifies the proposed development of a 4-plex at 301-303 St Lawrence.

The proposal came through JBNA DRC/CALUC on January 8th, 2014.

In the past week we have received communications from near-by residents.

Please ensure that the information provided to PLUC for the November 6th meeting includes the following communications

(NOTE: the first three items have been provided to you/City earlier in the year and last week):

January 13

JBNA letter re January 8th CALUC meeting

August 18

JBNA letter re revised proposal

*(Note: question asked by JBNA **NOT** responded to)*

October 31

Michael Brinton (E-mail and 2 e-mails with JBNA comment)

Provided to you on October 31

October 31

Kelsei Stiles

November 1

Michael and Elaine Brinton

November 1

Barbara McLintock e-mail

November 2

Dani Eisler – letter via e-mail

Marg Gardiner, President, JBNA

Strata Council 118 Michigan St

118 Michigan St, Victoria BC, V8V1R1

October 31, 2014

City of Victoria Mayor and Councilors
City of Victoria Land Use Development Departments

Dear Sir or Madame,

We (the Strata Council of 118 Michigan St) are writing to you to voice our opinions and concerns on the proposed development at 301/303 St Lawrence St – our immediate neighbour.

Having met with a member of the development team (Mark Imhoff) we understand that two design proposals have been (or will be) submitted for 301/303 St Lawrence St. (see attached PDF):

1. A 'Modern' four-plex design
2. A 'Four-Sisters' four-plex design (designed to reflect the Four Sisters heritage homes across the street)

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We ask that you take our concerns into consideration when reviewing the 301/303 St Lawrence proposals. Based on the existing proposals the residents of 118 Michigan would strong recommend the approved four-plex design takes our privacy and re-sale values into account and doesn't restrict our ability to enjoy our homes.

Sincerely,

Kelsi Stiles

Kelsi Stiles



From: **Michael Brinton**

Date: Sat, Nov 1, 2014 at 11:16 PM

Subject: 301 / 303 St. Lawrence Street Fourplex Rezoning / Design Change - IMPORTANT INFO...

To: councillors@victoria.ca

Greetings Victoria Councillors,

We are owners of the James Bay property, Unit #1, 118 Michigan Street and our strata unit faces directly to 301 / 303 St. Lawrence Street. Currently it has an old duplex which the Imhoff Group is proposing for redevelopment to a new fourplex.

Mr. Imhoff kindly spent time with us months ago, shortly after acquiring the property, providing us blueprints of the proposed fourplex. Although the lot is currently zoned duplex he persuaded us that we were better off accepting his fourplex plan for the following reason: If he built another duplex he would be unopposed in building a high structure close to our property line that would be unpleasant for us to live next to.

Better we accept his fourplex proposal for a design that featured: **1.** Location spaced farther away from our property line. **2.** A low roof line that would still allow at least minimal light over the unit, less wall effect. **3.** No balconies or large windows facing our lot so our privacy would not be radically impaired.

This design appealed to us and we viewed it as not significantly lessening our property values and could be acceptable to live next to. PLEASE NOTE: We are NOT opposed to redevelopment of the lot, we intended to be supportive of a mutually acceptable proposal. We consider our response to be very accommodating, considering we are being asked to support rezoning for a fourplex over a duplex. Even WITH accepting this proposal we knew we will be accepting less light, blocked viewpoints and much larger structure shadowing us. (Including our Unit #1 upper bedroom window losing it's partial ocean view.)

The initial design considerations to minimize structure height and the relative privacy of no balconies facing us and ONLY these aspects of the presentation encouraged us to *conditionally* give Mr. Imhoff our endorsement for his needed zoning change / impending construction.

PLEASE NOTE: This initial design was endorsed by: 1. The Developer (obviously), 2. Our Strata (the ONLY adjacent residents to the lot), 3. The James Bay Neighbourhoos Assoc. All good, right?

Wow! Were we shocked to discover that somehow via the City of Victoria Planning administrators the above proposed / acceptable plan was rejected in favour of a fourplex structure that we are all VERY MUCH OPPOSED TO. (How can this HAPPEN?)

Our objections: Although it is understood that the location of the new design still provides some space between our structures, that is the *only* acceptable similarity -

1. The much higher roof line will significantly limit light coming in our west windows. There is a concern for personal safety along our exterior west property line sidewalk access to four strata units in darker months. It will also cause our current plants / gardening to be threatened by insufficient light.

2. The new design has balconies switched from the front (facing St. Lawrence Street) to the back - directly facing us. With large patio door / window views directly into the living rooms / dining rooms / bedrooms of our units. Barbecue activities / common balcony noise will adversely affect us.

We are unified at 118 Michigan Strata (that has existed here since 1979) in requesting that the INITIAL proposal or a design VERY close to it be revisited for approval. Lower the roofline and no balconies on the east side please! This part of James Bay (like all of James Bay actually) is NOT a continuous traditional 100+ yr old neighbourhood architecturally. It is a mixture of traditional AND contemporary designs. There is NO compelling reason to require THIS project to comply with 100 year old design features at the expense of enjoyment and diminished property value of us, the most affected adjacent neighbours. The initial contemporary design proposal is complimentary to the mixed housing styles in the neighbourhood. All parties appear to agree except City Planners?? This surely must be unprecedented!

City Councillors, PLEASE, at this coming Thursday Council Planning Meeting - SUPPORT US IN JAMES BAY in rejecting the revised design for 301 / 303 St. Lawrence St. Thank you very much!

Michael and Elaine Brinton
Unit #1, 118 Michigan Street, Victoria V8V 1R1

7 – 118 Michigan Street
Victoria, BC V8V 1R1

November 1, 2014

Ladies and Gentlemen:

I write to comment on the proposed redevelopment of 301/303 St. Lawrence Street in James Bay, which I understand is scheduled to be discussed at a Planning Committee meeting on Nov. 6. As a resident of the adjacent townhouse complex at 118 Michigan Street, I and my fellow-residents are by far the nearest residential neighbours of the planned redevelopment.

Proponent Mark Imhoff has done a good job of keeping us informed of his plans, and when he first approached us with his ideas for the new development, I (and I think the majority of residents of the complex) was prepared to be supportive of this rezoning. Although there was some negative impact, particularly from blockage of some natural light, it was recognized that this site is currently under-utilized, especially in light of the City's innovative redevelopment of Fisherman's Wharf Park directly across the street. The plans appeared to be sensitive to our concerns as neighbours and to have been designed to mitigate the negative impact as much as possible. They were worth supporting.

In the last few weeks, however, we have been presented with plans so altered that they amount to a virtually total redesign of the project. We understand this redesign was undertaken at the request of the city who are hoping that the frontage on St. Lawrence Street would look more like the "Seven Sisters" further south on St. Lawrence.

Unfortunately the changes completely erase all the efforts previously made to mitigate negative impacts on us, the nearest neighbours. The rooflines have been further raised with the result of blocking out significantly more of the light for those who reside on the west side of our complex. Even more troubling, the balconies have been moved from the St. Lawrence frontage to the rear aspects of the townhouses, meaning they will directly overlook the main living areas (living room and master bedroom) of units in our complex. The result, if this is allowed to proceed, would be the virtual elimination of normal privacy for the residents of those units. (As an aside, I also cannot imagine that the residents of the new units would prefer to view their neighbours' living spaces from their balconies, rather than the greenspace of the park across the street.)

In closing, I strongly urge you to allow the proponent to return to the original design proposed for this development, with perhaps some MINOR modifications if necessary. If the re-design is the one that is allowed to go ahead, I will have no choice but to withdraw my support for this rezoning. If you have further questions, please feel free to contact me by email at: [REDACTED]

Yours very truly,
Barbara McLintock

November 2, 2014

Dani Eisler

3 – 118 Michigan Street
Victoria, BC V8V 1R1



**City of Victoria Mayor and Councilors
City of Victoria Land Use Development Departments**

Ladies and Gentlemen,

I am writing to express my concerns about the proposed new development at 301/303 St. Lawrence Street. I understand this is an item on the agenda for the upcoming Planning Committee Meeting on November 6th.

My townhouse is one of the four nearest residences of the planned redevelopment, immediately to the east. My front door, living room window, and bedroom window overlook the site. Obviously I have a great interest in this issue.

Originally, Mark Imhoff presented plans to our strata members, plans that addressed some of the negative impact that a new, higher structure would have on us. The roofline took into account and minimized the blockage of natural light. The window positions on the back of the building, the side immediately facing our living spaces, allowed for as much privacy as possible. The position of the new building was well back from the property line, another factor in limiting loss of light and loss of privacy.

Recently, it's come to my attention that the plans have been changed radically, apparently at the request of the City, in order to homogenize the streetscape by having 301/303 St. Lawrence resemble the "4 Sisters" on the opposite corner of St. Lawrence and Michigan Streets.

James Bay is home to a wonderful diversity in design. The buildings within even a block of 301/303 St. Lawrence are varied, but compatible. The traditional "4 Sisters", the modern Church of Truth, the majestic Shoal Point, and The Reef with its contemporary flourishes all contribute character to the neighbourhood. The initial design for the redevelopment of the property was attractive and suitable for its location. It was also respectful of our existing homes to the immediate east, with the lower roofline maximizing light, and the outdoor space in front providing separation between living spaces.

2.....

...2

I do not support the new design. The much higher roof will block much of the incoming light from my home and front garden. Not only will this mean the interior of my home will be darker and colder – in almost constant shadow – but it also raises the issue of personal safety along the sidewalk on the west side of our strata – access to four of our strata units. Three of those four units are owned and occupied by single female seniors. I am one of them.

In addition to the much higher roofline, the new plan moves the primary outdoor living space for the two middle units to the back of the property. The larger windows and the balconies will have clear sightlines into my front door, my living room and my bedroom. With gas fittings included on the balconies, obviously (and understandably) bbq's will be in use. Cooking odors and noise from common activity will be inescapable. These larger windows and encroaching balconies mean an extreme loss of privacy, and also restrict my enjoyment of my own property.

Please note: I am not opposed to the redevelopment of the property. But it must be an acceptable design that enhances the neighbourhood, and does not unduly infringe on my privacy, or my property value. I felt the initial design, originally presented to our strata members and to the James Bay Neighbourhood Association meeting in January, was worthy of support.

I do not understand why the initial design was rejected, and why we, as neighbours, were not notified or involved in the process. As it stands, I cannot support the redevelopment as radically altered from the initial plan.

I urge you to return to the design originally presented to the community and us by Mark Imhoff, perhaps with minor modifications, if necessary. It would allow for the continued enjoyment of my property, the ensuring of my safety and privacy, the protection of my home's resale value, and it would be a great addition to the community.

Sincerely

Dani Eisler

Subject: Proposed redevelopment of 301/ 303 St. Lawrence Street

7 – 118 Michigan Street

Victoria, BC V8V 1R1

November 1, 2014

Ladies and Gentlemen:

I write to comment on the proposed redevelopment of 301/303 St. Lawrence Street in James Bay, which I understand is scheduled to be discussed at a Planning Committee meeting on Nov. 6. As a resident of the adjacent townhouse complex at 118 Michigan Street, I and my fellow-residents are by far the nearest residential neighbours of the planned redevelopment.

Proponent Mark Imhoff has done a good job of keeping us informed of his plans, and when he first approached us with his ideas for the new development, I (and I think the majority of residents of the complex) was prepared to be supportive of this rezoning. Although there was some negative impact, particularly from blockage of some natural light, it was recognized that this site is currently under-utilized, especially in light of the City's innovative redevelopment of Fisherman's Wharf Park directly across the street. The plans appeared to be sensitive to our concerns as neighbours and to have been designed to mitigate the negative impact as much as possible. They were worth supporting.

In the last few weeks, however, we have been presented with plans so altered that they amount to a virtually total redesign of the project. We understand this redesign was undertaken at the request of the city who are hoping that the frontage on St. Lawrence Street would look more like the "Seven Sisters" further south on St. Lawrence.

Unfortunately the changes completely erase all the efforts previously made to mitigate negative impacts on us, the nearest neighbours. The rooflines have been further raised with the result of blocking out significantly more of the light for those who reside on the west side of our complex. Even more troubling, the balconies have been moved from the St. Lawrence frontage to the rear aspects of the townhouses, meaning they will directly overlook the main living areas (living room and master bedroom) of units in our complex. The result, if this is allowed to proceed, would be the virtual elimination of normal privacy for the residents of those units. (As an aside, I also cannot imagine that the residents of the new units would prefer to view their neighbours' living spaces from their balconies, rather than the greenspace of the park across the street.)

In closing, I strongly urge you to allow the proponent to return to the original design proposed for this development, with perhaps some MINOR modifications if necessary. If the re-design is the one that is allowed to go ahead, I will have no choice but to withdraw my support for this rezoning. If you have further questions, please feel free to contact me by email at:

Yours very truly,

Barbara McLintock

City of Victoria Planning Committee
RE: REZ00426 for 301/ 303 St. Lawrence Street

November 3, 2014

I am the current owner in #2-118 Michigan street that is next to a proposed redevelopment of 301/303 St Lawrence St. I purchased the unit after the initial design application was submitted and was unaware that it was rejected by certain individuals on the Planning Committee when it was acceptable to JBNA and the owners most directly affected by any development on that site. The second design was enforced onto the developer by the Planning Committee but it has been categorically rejected by JBNA and the owners of #118 Michigan St, again the persons most affected by any development on that site.

I take considerable objections to the unilateral decision making by this committee in regards to proposals put forth for 301/202 St. Lawrence St. It is shameful behaviour of this committee to unilaterally negated the input and considerations put forth by JBNA and the residents of 118 Michigan Street, this development's most immediate neighbor. The duties of a committee of any municipality are not to be executed in a vacuum without understanding of the persons your decisions affect. City of Victoria is supposed to be a democratic society based on principles of fair, judicious and informed decision making that considers all individuals as equal and valued members of society. To completely ignore the JBNA and the immediate neighbors' opinions are actions just short of a dictatorship by a small group of biased and self-serving individuals. To base your objections on 'not a traditional design' versus by-laws, site lines, easements, safety issues, land value issues is mind boggling. City of Victoria do not need a band of "nilly willies" telling us what style of architecture we are to have or not. Victoria and James Bay have a wide variety of architectural eras evident in all established neighborhoods.

I placed considerable cost into purchasing a home in an area where I found the designs to be compatible with my creative and artistic appeals. If I wanted to live in a "traditional" neighborhood- James Bay would not be a choice- Ever. I have worked as a Community Health Nurse in CRD for decades and have been in every (all 13 municipalities) providing home care to the citizens of CRD. I have done extensive work in James Bay and over the decades have found its charm growing in its' eclectic style and warmth and feeling of a community not just a block of houses. The style of homes is not 'traditional' which adds to its overall appeal. The homes have generally been improved upon with home maintenance and care to street presentation as well as introducing modern architecture that can be sleek but often is a balanced mix of stone, wood siding and large inviting door steps, decks and casements around large windows.

The issue: should the tax paying residences of 118 Michigan St. have their privacy violated and their access to well established sunlight be negated by the development design that imposes the balconies and outdoor living spaces directly into these private residences and has an excessive height that negates any natural sunlight that has been present for decades?

Privacy to Neighboring established homes:

James Bay properties generally have close and tight easements which challenges designers to respect privacy when attaching outdoor space either with a balcony or yard. I as a purchaser ensured I had outdoor space that did not look into others personal homes and others could not look into my inner home. I do not believe I am "unique" in that desire for privacy. No one should be subjected to having their life completely exposed by a new development that carelessly places balconies and outdoor living space that have clear sight lines into their private residential areas or onto their own outdoor living space. By allowing a new development to be built with such imposing sight lines into other persons'

private living spaces is excessively disrespectful. These long standing residents and tax payers have lived and established their lives in this area do not deserve to be negated and ignored by any city employee or committee member.

Sight Lines and Height Allowances:

As a purchaser, I preferred the outdoor space that has a clear east, west or south exposure for lightness, warmth and brightness throughout the year. The land in question overlooks a public park with trees in front. The current home has most of its outdoor space in the front. Many duplexes, multi-family dwellings in James Bay have the same arrangements. The front yard is a south to west exposure and the back is an north to east exposure. The back yard faces majority of all the windows, pathways and yards of 118 Michigan- private residences not a Public Park. If the second design (the one the Committee demands) is built the well-established residences of 118 Michigan Street will lose a significant amount of natural lighting into their homes and their outdoor spaces. This will result in a considerable decline in property value for these residents as well as decline in life style enjoyment and pleasure in your own home. The height of any new development on 301/303 St. Lawrence St. needs to consider the shadowing effect onto all surrounding private residents. No new building duplex or four-plex should be allowed to create a large unrelenting shadow over the pre-existing residents on 118 Michigan. The residents of 118 Michigan have paid years of taxes based upon their BC Assessment value to the City of Victoria and should not have to endure an significant loss in property value as well as personal enjoyment of one's own home because a developer wants to increase density on the adjoining property or because of Committee wants to impose their architectural biases.

Why are the privacy needs of the well-established tax paying residents of 118 Michigan St. being negated and ignored by city officials in favour of their architectural personal biases on the development of 301-303 St. Lawrence St.?

Why are the established sight lines and sunlight of long established residents being adversely affected in favour of a developer's desire to make money by increasing the occupancy density of #301-303 St. Lawrence St. and a Planning Committee wanting to impose their architectural biases.

I object to negating the input of JBNA and of the residents of 118 Michigan Street. I object to imposing 'design' preferences on a new development that is in a neighborhood that has no one style of designs evident anywhere. I want a fair, transparent process that focuses on what that piece of property can hold in terms of density, and the least amount of interference upon the adjacent well established properties in terms of preserving privacy and considering the development's height and restriction of sunlight onto 118 Michigan St. Please exercise sound principles of fair governance and due diligence not personal biases on this proposed development.

I do expect a written response to the contents and questions posed in this letter and to be made aware of any future hearings, comments or proposals.

Respectfully,
Alison Hitesman B. Ed RN
#2-118 Michigan St.
Victoria BC V8V 1R1

301 – 303 St. Lawrence Street

Rezoning Application #00436 and Development Permit Application #000389





Subject Property (301 – 303 St. Lawrence St) – Duplex



Property to the north – adjacent church on St. Lawrence St.



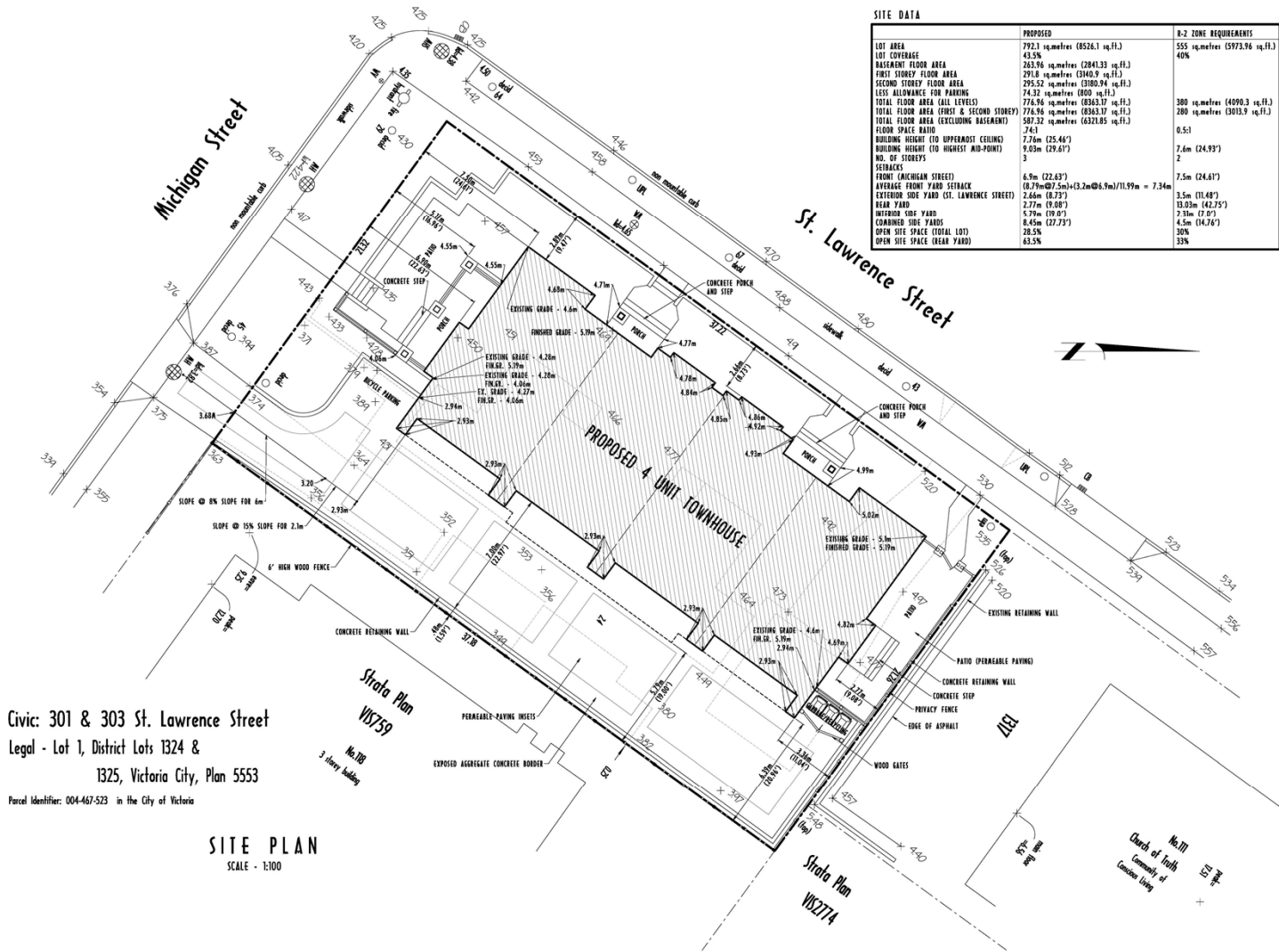
Property to the east – adjacent existing townhouses



Properties to the south: single-family dwellings (Four Sisters)



Property to the west - Fisherman's Wharf Park



Civic: 301 & 303 St. Lawrence Street
Legal - Lot 1, District Lots 1324 &
1325, Victoria City, Plan 5553
Parcel Identifier: 004-467-523 in the City of Victoria

SITE PLAN
SCALE - 1:100

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

Revised- October 15, 2014
Date - June 30, 2014
Sheet 2 of 6

Gerry Troesch
Residential Design
3710 Ridge Point Drive, Victoria BC V8C 4M8
Phone - 250-895-8402 Email - gtroesch@telus.net Website



ST LAWRENCE STREET (NORTH-WEST) ELEVATION
Scale - 1/4" = 1'-0"



SECTION THRU PARKING STALL UNDER STAIR
Scale - 1/8" = 1'-0"

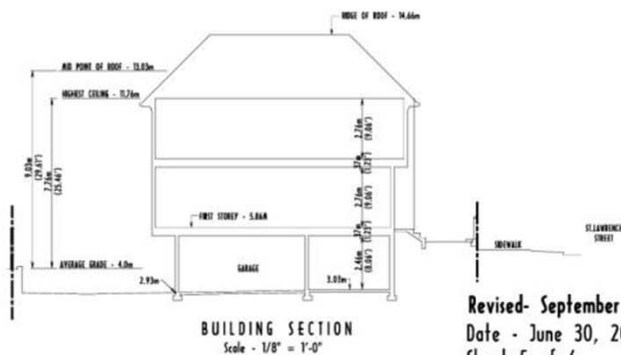
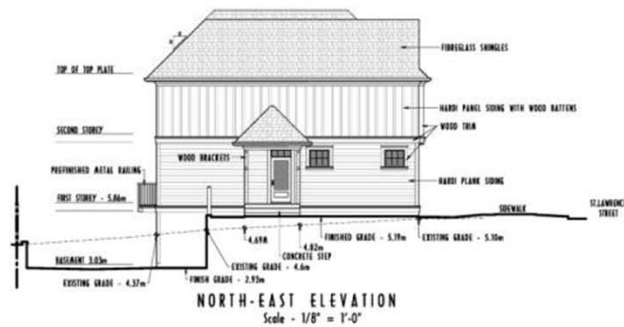
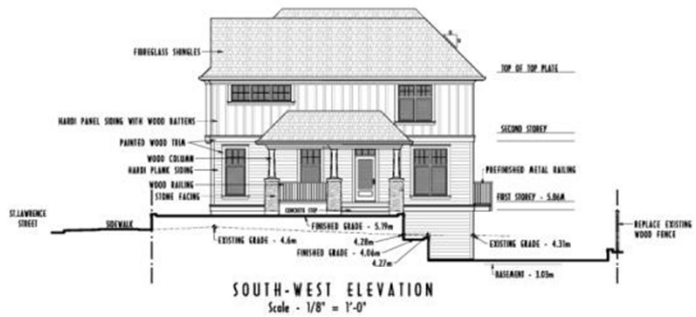
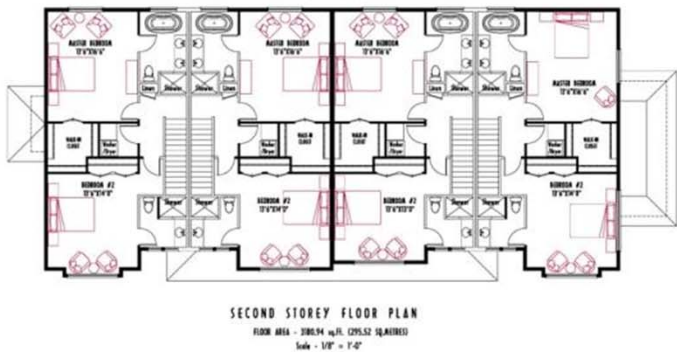
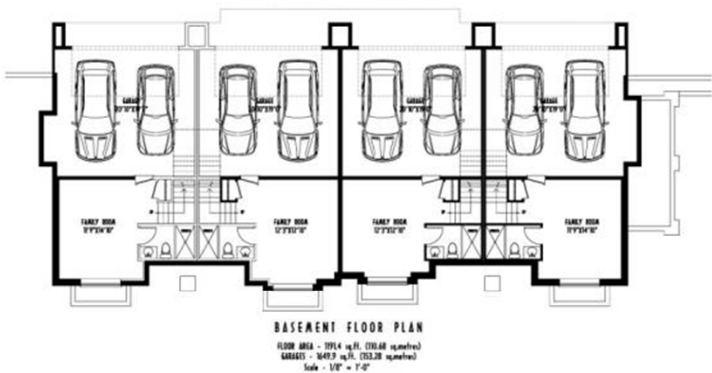


SOUTH-EAST ELEVATION
Scale - 1/8" = 1'-0"

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

Gerry Troesch
Residential Design
8710 Ridge Pond Drive, Victoria BC V8C 4M8
Phone - 250-566-9422 Email - gtroesch@shaw.net Website

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



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

Gerry Troesch
 Residential Design
 3710 Ridge Pond Drive, Victoria BC V8C 4M8
 Phone - 250-995-8402 Email - gtroesch@tsk.ca Website

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

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NETED: ALL LANDSCAPE WORK TO CONFORM WITH RCAL A AND RCNT A STANDARD SPECIFICATIONS
ALL AREAS TO BE REVEGETATED WITH AN AUTOMATIC LAWN/GRASS SYSTEM



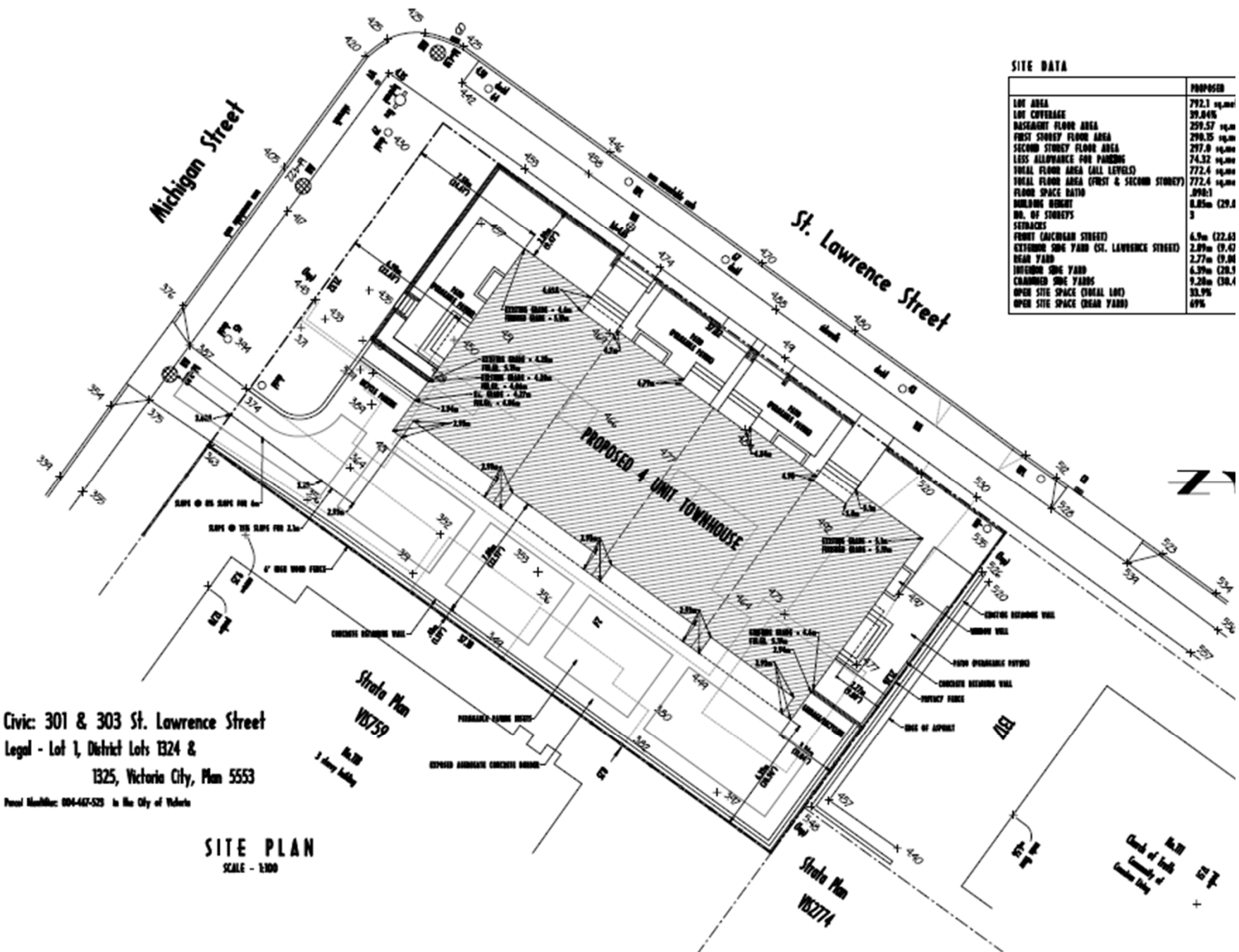
Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.

Gerry Troesch
Residential Design
3719 Ridge Pond Drive, Victoria BC V8C 4M8
Phone - 250-995-8402 Email - gtroesch@tskus.net Website



SITE DATA

	PROPOSER
LOT AREA	792.1 sq.m
LOT COVERAGE	39.04%
BASEMENT FLOOR AREA	259.57 sq.m
FIRST STOREY FLOOR AREA	296.35 sq.m
SECOND STOREY FLOOR AREA	217.8 sq.m
LESS ALLOWANCE FOR PARKING	74.32 sq.m
TOTAL FLOOR AREA (ALL LEVELS)	772.4 sq.m
TOTAL FLOOR AREA (FIRST & SECOND STOREY)	772.4 sq.m
FLOOR SPACE RATIO	.098:1
BUILDING HEIGHT	8.85m (29.1
NO. OF STOREYS	3
SETBACKS	
FRONT (MICHIGAN STREET)	6.9m (22.63
EXTENDING SIDE YARD (ST. LAWRENCE STREET)	2.89m (9.47
REAR YARD	2.77m (9.09
INTERIOR SIDE YARD	6.39m (20.9
CHANNLED SIDE YARDS	9.28m (30.4
OPEN SITE SPACE (TOTAL LOT)	33.9%
OPEN SITE SPACE (REAR YARD)	69%



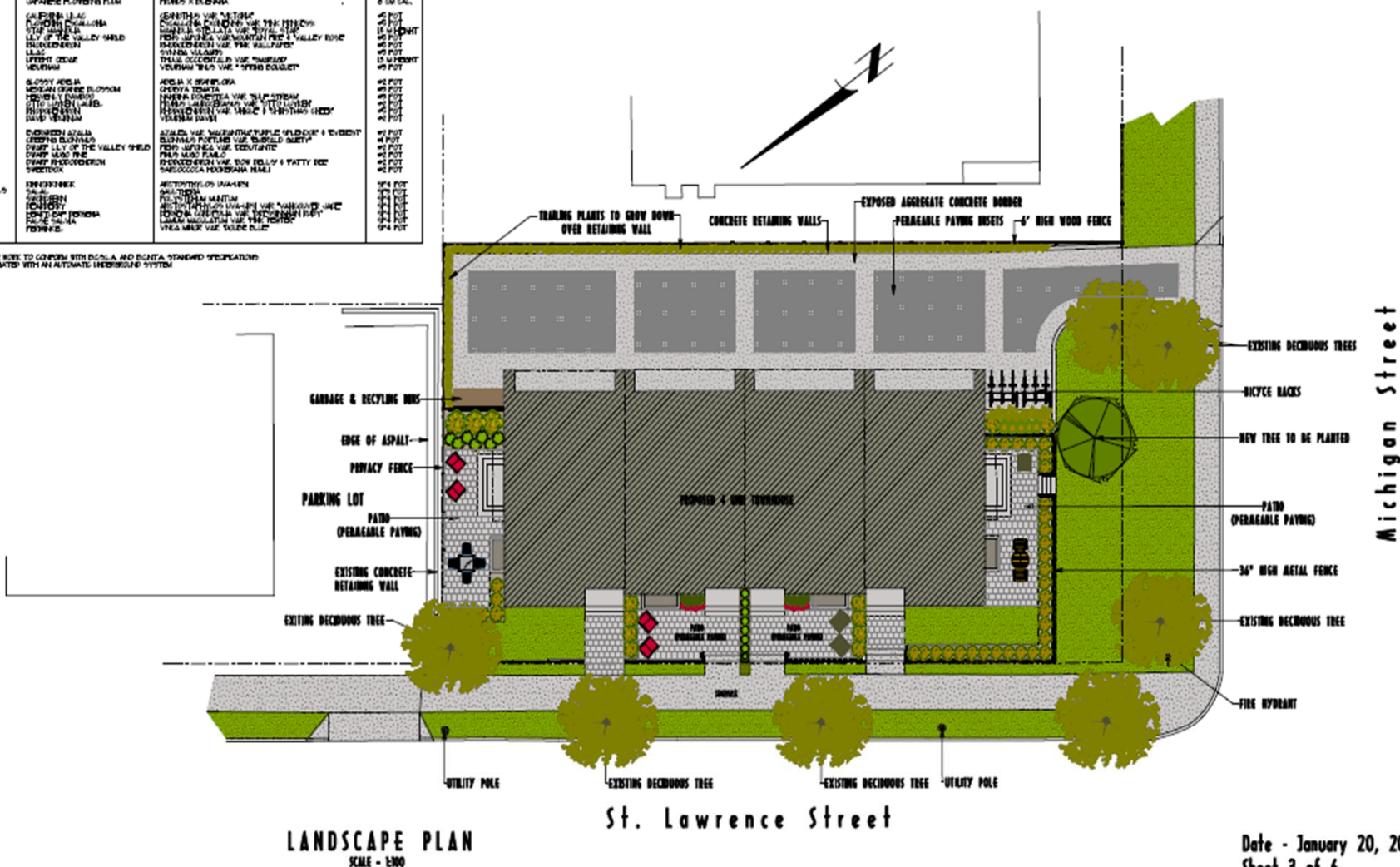
Civic: 301 & 303 St. Lawrence Street
 Legal - Lot 1, District Lots 1324 &
 1325, Victoria City, Plan 5553

Parcel Number: 004-402-523 in the City of Victoria

SITE PLAN
 SCALE - 1:300

[illegible]

NOTE: ALL LANDSCAPE WORK TO CONFORM WITH BICOLA AND BICENTA STANDARD SPECIFICATIONS.
ALL APPROX TO BE REPORTED WITH AN AUTOMATIC LEVELING/GRADING SYSTEM



LANDSCAPE PLAN
SCALE - 1/8"=1'-0"

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

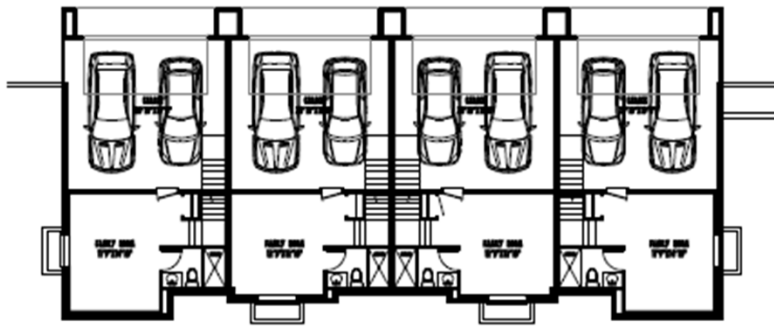
Date - January 20, 2014
Sheet 3 of 6

Gerry Troesch
Residential Design
3715 Ridge Pond Drive, Victoria BC V8C 4M5
Phone - 250-690-4452 Email - gtroesch@telus.net Website

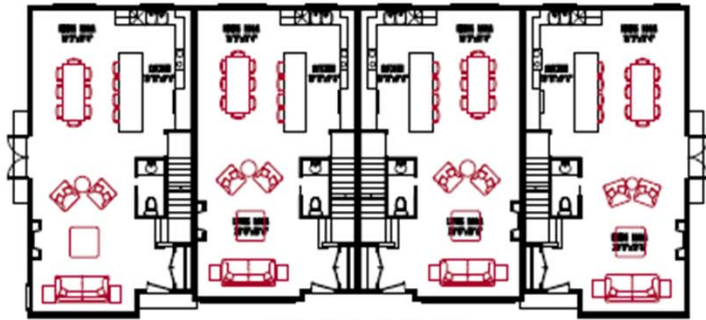


Gerry Troesch
Residential Design
8719 Ridge Pond Dr., Victoria BC V9C 4M8
Phone - 250-605-6422 Email - gtroesch@info.net Website

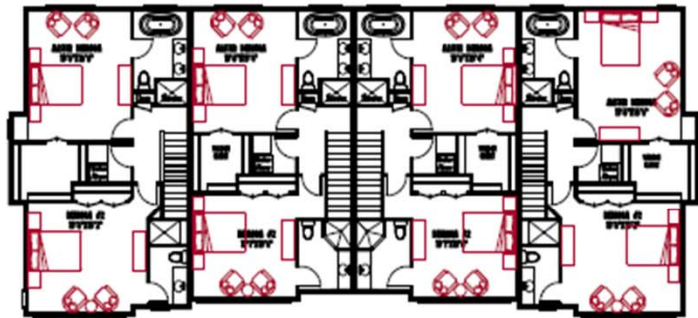
Proposed 4 Unit Townhouse - 301-303 St. Lawrence Street
For: 0772631 BC Ltd.



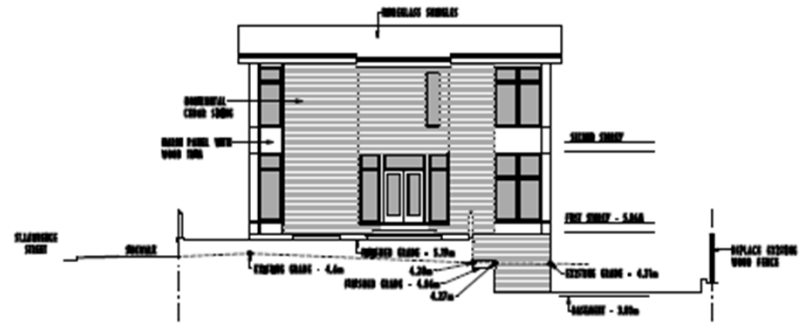
BASEMENT FLOOR PLAN
 FINISH AREA - 2023 sq.ft. (ONLY APPROXIMATE)
 SCALE - 1/4" = 1'-0"



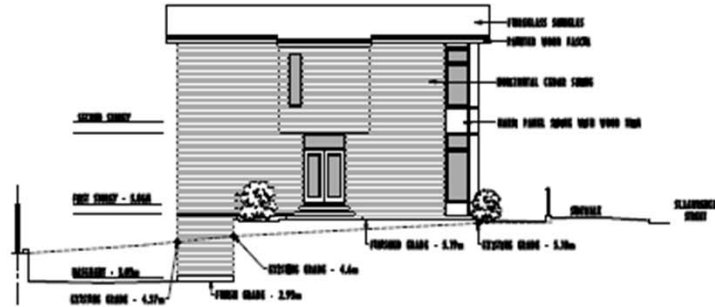
FIRST STOREY FLOOR PLAN
 FINISH AREA - 2023 sq.ft. (ONLY APPROXIMATE)
 SCALE - 1/4" = 1'-0"



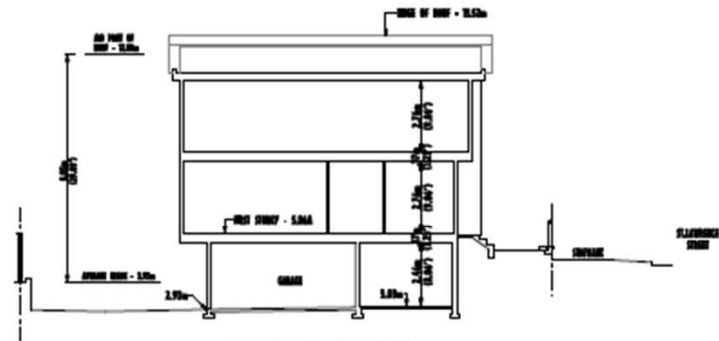
SECOND STOREY FLOOR PLAN
 FINISH AREA - 2023 sq.ft. (ONLY APPROXIMATE)
 SCALE - 1/4" = 1'-0"



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



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



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

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

Date - January 20, 2014
 Sheet 5 of 6

Gerry Troesch
 Residential Design
 5719 Ridge Road Drive, Victoria BC V8C 4B8
 Phone - 250-660-0400 Email - gerry@gerrytroesch.com





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- Sept
Date - June
Sheet 4 of 6

Gerry
Resident
3719 Ridge Pond Drive
Phone - 250-995-8402 Email



ST. LAWRENCE STREET ELEVATION
Scale - 1/8" = 1'-0"



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

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

Date - January 20, 2014
Sheet 4 of 6

Gerry Troesch
Residential Design
3710 Ridge Road Drive, Victoria BC V8C 4M8
Phone - 250-688-5452 Email - gerry@troeschdesign.com

Comparison between the “Traditional” Design Proposal and the “Modern” Design Proposal

	Traditional Design	Modern Design
Setback of building from rear (eastern) property line	6.39 m	6.39 m
Balconies – setback from rear (eastern) property line	5.79 m - balconies project 0.6 m from the face of building	No balconies
Height - highest ridge	14.66 m	13.52m
Roofline	Pitched	Sloped

Planning and Land Use Committee Report

For the meeting of November 6, 2014

To: Planning and Land Use Committee **Date:** October 21, 2014
From: Charlotte Wain – Senior Planner, Urban Design
Subject: **Development Permit with Variances #000333 for 2005 Cook Street**
Application to demolish a workshop addition of an existing legally non-conforming commercial building and construct a two-storey addition.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with Variances for the property located at 2005 Cook Street. The Application is to construct a two-storey addition to an existing legally non-conforming commercial building.

The following factors were considered in reviewing this Application:

- The proposal is considered generally consistent with DPA 16 (General Form and Character).
- A variance to the parking standard is being requested, reducing the requirement from four to three stalls. The reduction is considered supportable since the reconfigured access on Pembroke Street will provide a safer parking solution for customers with the removal of the drive aisle on Cook Street.
- The proposed addition will increase the commercial frontage and particularly the number of windows at the intersection of Cook Street and Pembroke Street.

For the above reasons, staff recommend that the Committee support this Application.

In accordance with the City's *Land Use Procedures Bylaw*, this Development Permit Application has variances, therefore, it requires notification, sign posting and a hearing.

Recommendations

1. That Council schedule a Hearing to consider Development Permit Application with Variances #000333 for 2005 Cook Street.
2. Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances #000333, in accordance with:
 - a. plans dated 31 July, 2014;
 - b. development meeting all Zoning Regulation Bylaw requirements, except for the following:
 - i. Schedule C, Section 7.2(b) - decrease the distance of an off-street parking space from the street boundary from 1.0 m to 0.55 m,
 - ii. Schedule C - Section 16.C.4 & 5 - decrease the number of off-street parking spaces from 4 (3 Retail, 1 Office) to 3,

- iii. Schedule C - Section 17(2) - decrease the number of Class 1 bicycle spaces (rack) from 3 to 2;
- c. 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,



Charlotte Wain
Senior Planner – Urban Design
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:

Jason Johnson

Date: October 30, 2014

CW:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000333\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with Variances for the property located at 2005 Cook Street.

2.0 Background

2.1 Description of Proposal

The Application is to construct a two-storey addition to an existing legal non-conforming commercial building, currently occupied by the Electric Mobility Store. The total floor area of the existing building and proposed addition will be 126.90 m².

The exterior materials include a combination of pine tongue and groove and concrete fiberboard with prefinished aluminum flashing along the roof edge.

The landscape treatment will consist of:

- unit paving laid out in a manner to distinguish pedestrian access from vehicular access and parking
- a landscape strip along the north and east extents of the rear parking area
- planting along the south property line adjoining Pembroke Street
- a landscape strip and raised planters between the Cook Street property boundary and the forecourt to the addition.

2.11 Sustainability Features

The proposal includes the reuse of an existing building and provision of bicycle parking for staff and members of the public, in addition to the retention of the municipal boulevard tree. No other green building features are proposed.

2.2 Existing Site Development and Development Potential

The site has an area of 267.7 m² and is currently occupied by an existing non-conforming commercial building in the R-2 Zone (Two Family Dwelling District). The building is legal non-conforming with regards to its use, therefore, structural alterations or additions may be considered at the Board of Variance. To this end, on June 25, 2014, the Board of Variance approved a building addition and a number of associated setback variances, which are identified in the data table below. However, the Board of Variance is not empowered to consider parking variances, location of parking stalls, number of bicycle stalls or Development Permit Applications, therefore, this Application addresses these items.

2.3 Data Table

The following data table compares the proposal with the existing R-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk identifies an existing legally non-conforming condition. The acronym "BOV" identifies the setbacks that have been approved by the Board of Variance.

Zoning Criteria	Proposal	R- 2 Zone Standard
Site area (m ²) – minimum	267.70	230.00
1 st and 2 nd storey floor area (m ²) – maximum	126.90	280.00
Total floor area (m ²) – maximum	126.90	300.00
Density (Floor Space Ratio) – maximum	0.47:1	n/a
Height (m) – maximum	7.26	7.60
Site coverage (%) – maximum	39.60	40.0
Storeys – maximum	2	2
Setbacks (m) – minimum		
North (side)	0.25** (existing lower) 6.05 (proposed upper)	1.50
South (side – Pembroke St)	3.25* (proposed lower) (BOV)	3.50
East (rear)	7.23* (BOV)	7.50
West (front – Cook St)	Nil** (existing lower) 5.96* (proposed upper) (BOV)	7.50
Combined side yards (m) – minimum	3.50* (BOV)	4.50
Parking – minimum	3*	4 (3 Retail, 1 Office)
Separation space between the street boundary and a parking space (m) – minimum	0.55*	1.00
Driveway/parking material	Concrete unit pavers	Non-permeable
Bicycle rack – minimum		
Class 1	2*	3
Class 2	6	3

2.4 Land Use Context

The immediate land use context includes:

- to the north (side) is a three-unit residential building to the south (across Pembroke Street) is an office building
- to the immediate east (along Pembroke Street) is a property containing four residential units
- to the west (across Cook Street) is a single family dwelling with basement suite.

2.5 Legal Description

Parcel A (DD 144704I) of Lots 1 and 2, Block 4, Section 3, Victoria District, Plan 62.

2.6 Consistency with City Policy

2.6.1 Official Community Plan (OCP)

The property located at 2005 Cook Street is covered by Development Permit Area 16, General Form and Character. The proposed alterations to the existing legal non-conforming commercial building are exempt from DPA 16 guidelines, however, the new addition is not exempt. The new addition portion of the proposed development has, therefore, been assessed against the objectives of DPA 16 and the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012) in relation to its exterior design and landscaping.

The subject property is prominently visible from Cook Street, a busy arterial road, and from the established residential neighbourhood to the east.

The objectives of DPA 16 include the integration of commercial buildings into a neighbourhood as well as enhancing the place character of established areas and their streetscapes through high quality architecture, landscape and urban design that respond to each distinctive setting through sensitive and innovative interventions.

2.6.2 Design Guidelines

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

- the proposed development adds interest to the streetscape through variations in rooflines
- the proposed development is on a corner site, with the building addition being designed to address both Cook Street and Pembroke Street
- a variety of architectural building materials have been provided and are continued around the building from the Cook Street façade to the Pembroke Street façade
- parking is located at the rear or side of the building, with planting being used to screen the parking from public view
- bike racks have been provided.

2.7 Community Consultation

In compliance with the *Community Association Land Use Committee (CALUC) Procedures for Processing Variances*, the Application was referred to the Fernwood CALUC on November 4 2013, and July 21, 2014 (revisions), for a 30-day comment period. No comments were received at the time of writing this report.

In accordance with the *City's Land Use Procedures Bylaw*, since this Development Permit Application has Variances, it requires notification, sign posting and a hearing.

3.0 Issues

The structural alteration to the existing non-conforming building and resulting variances associated with front, rear and side yard plus the combined setbacks have already been approved by the Board of Variance at a hearing held on June 25, 2014. The key issues associated with this Application are therefore limited to:

- consistency with design guidelines
- parking variance.

4.0 Analysis

4.1 Consistency with Design Guidelines

The current building is a modest and older single-storey building with a flat roof. The proposed addition would increase the extent of the building fronting the intersection of Cook Street and Pembroke Street, through additional windows along both elevations. While the predominant character of adjacent residences is traditional single-family residences with pitched roofs, the proposed shed roof is lower than the adjacent buildings and allows for a sensitive transition from the existing flat roof to the neighbouring properties. Window placement on the new addition will have a minimal impact on the adjacent neighbour at 1110 Pembroke Street as the rear parking provides an adequate buffer between the two buildings.

The applicant states in the cover letter that the choice of exterior finishes is a key component of integrating the proposed addition into the established neighbourhood. HardiePanel with metal reveals are proposed on the main floor, which are considered complementary to the commercial use. The upper floor is clad in horizontal pine siding and complements the adjacent property at 1110 Pembroke Street.

4.2 Parking Variance

A parking variance of one stall is being requested. Staff recommend that this is supportable since the proposed addition will allow for a reconfigured parking layout with two stalls located at the rear and one at the side accessed off Pembroke Street, which will enhance the streetscape presence along Cook Street. This is considered preferable and safer than the current access off Cook Street. As this one stall shortfall will have a relatively minor impact on neighbouring residents and businesses, staff recommend that Council support the proposed parking variance.

The distance between a parking space and the property line is proposed to be reduced from 1 m to 0.55 m. The intent of this requirement is to allow for appropriate landscape treatment, which in this case will result in limited screening of the parking stall adjacent to Pembroke Street. Although this is not preferable, the existing vegetation that would remain would help to soften the visual impact of this stall.

A variance of one secure bicycle stall, located inside the building, is also being requested. The applicant has informed staff that only three members of staff work at the premises at any given time, therefore, given the nature of the business as a mobility store, staff recommend that Council support the proposed bicycle parking variance.

5.0 Resource Impacts

There are no resource impacts anticipated with this Application.

6.0 Conclusions

The proposed addition is consistent with City policies and applicable design guidelines and will provide an enhanced building edge along Cook Street and Pembroke Street. The variance requested in relation to the one stall shortfall and distance between the parking stall and property line will not significantly affect the neighbouring residents and businesses.

Staff recommend that the Planning and Land Use Committee support this Application and advance it to a Hearing.

7.0 Recommendations

7.1 Staff Recommendations

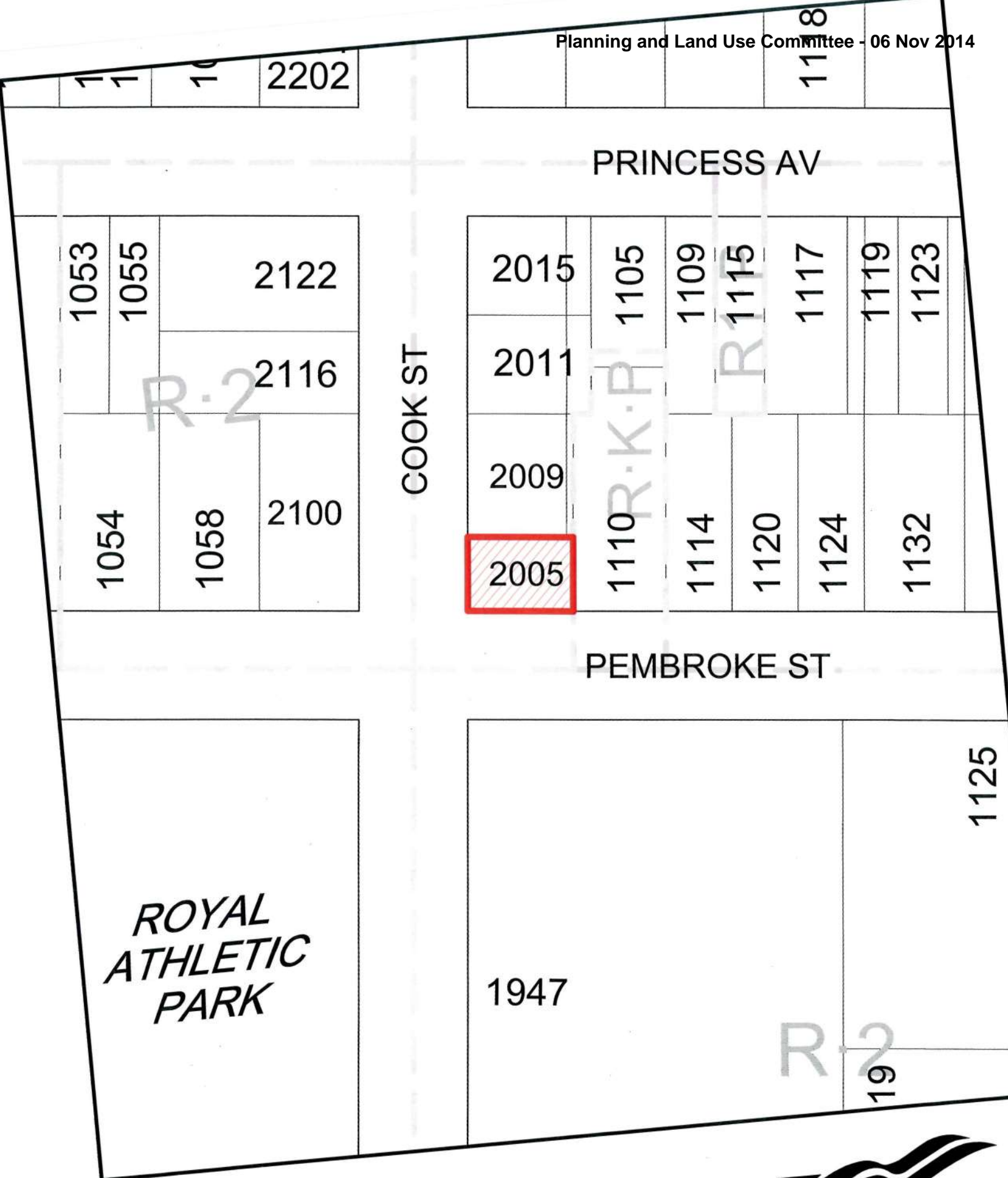
1. That Council schedule a Hearing to consider Development Permit Application with Variances #000333 for 2005 Cook Street.
2. Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances #000333, in accordance with:
 - a. plans dated 31 July, 2014;
 - b. development meeting all Zoning Regulation Bylaw requirements, except for the following:
 - i. Schedule C, Section 7.2(b) - decrease the distance of an off-street parking space from the street boundary from 1.0 m to 0.55 m,
 - ii. Schedule C - Section 16.C.4 & 5 - decrease the number of off-street parking spaces from 4 (3 Retail, 1 Office) to 3,
 - iii. Schedule C - Section 17(2) - decrease the number of Class 1 bicycle spaces (rack) from 3 to 2;
 - c. final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendation (decline)

That Council decline Development Permit with Variances #000333 for 2005 Cook Street.

8.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated April 16, 2014
- Architectural plans dated 31 July, 2014
- Landscape plan dated 2 October 2014.



ROYAL
ATHLETIC
PARK

N

2005 Cook Street

Development Permit #000333

Development Permit with Variances Application # 000333 for 2...



N

2005 Cook Street

Development Permit #000333

Development Permit with Variance Application #000333 for 2...



CITY OF
VICTORIA



VICTORIA DESIGN
G R O U P

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April 16, 2014

Development Services Division
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

SUBJECT: 2005 COOK STREET – DEVELOPMENT PERMIT APPLICATION

Mayor and Council,

We are proposing to renovate the existing building, as shown in the attached drawings. The renovation will necessitate demolition of the old work shop portion at the rear of the building, and construction of a new addition to the south side of the existing building. This will allow for rear access parking.

RATIONALE

The current building is a modest and dated single storey with a flat roof. We are proposing a two-storey addition to the south, with a sloped pitch roof that will help transition the proposed addition to the neighbouring homes to the existing flat roof commercial building. The addition overall height will be lower than the immediate neighbours' homes, providing a sensitive evolution to the adjacent properties.

The choice of exterior finishes is key in integrating this building into this established neighbourhood. We are proposing the use of Hardy Panel with metal reveals on the main floor, complementary to its commercial use. The upper floor-- while maintaining its contemporary architectural form-- would transition to horizontal pine siding to echo the use of interrelated colour and texture in the surrounding homes.

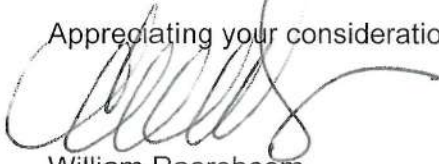
The proposed renovation and addition will necessitate the demolition of the old workshop at the rear of the building. This will allow for rear access parking, entering off Pembroke Street. This is preferable and safer than the current access off Cook Street where patrons are required to back out onto a very busy street. The removal of this structure will increase the building setback to the neighbouring buildings to the East and South side yards flanking Pembroke. A more enhanced streetscape would be naturally achieved.

The courtyard is proposed on the Southwest corner of the property where Cook and Pembroke connect. The surrounding landscape, featuring shrubbery, potted greenery and foliage, would lend itself well to the natural environment of the neighbourhood. Rear fencing and parking would create a continuum of the community vibe.

SUMMARY

Aesthetically, the proposed renovation and addition will contribute a bright and clean composition, contemporary lines, dynamic form, and richness of materials and finish, thereby strengthening the existing streetscape. In terms of safety, the Pembroke Street access will provide staff and customers with secure parking navigability.

Appreciating your consideration,

A handwritten signature in black ink, appearing to read 'William Peereboom', with a long, sweeping horizontal line extending to the right.

William Peereboom,
Owner, Victoria Design Group

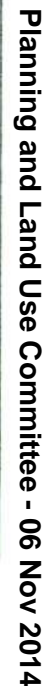


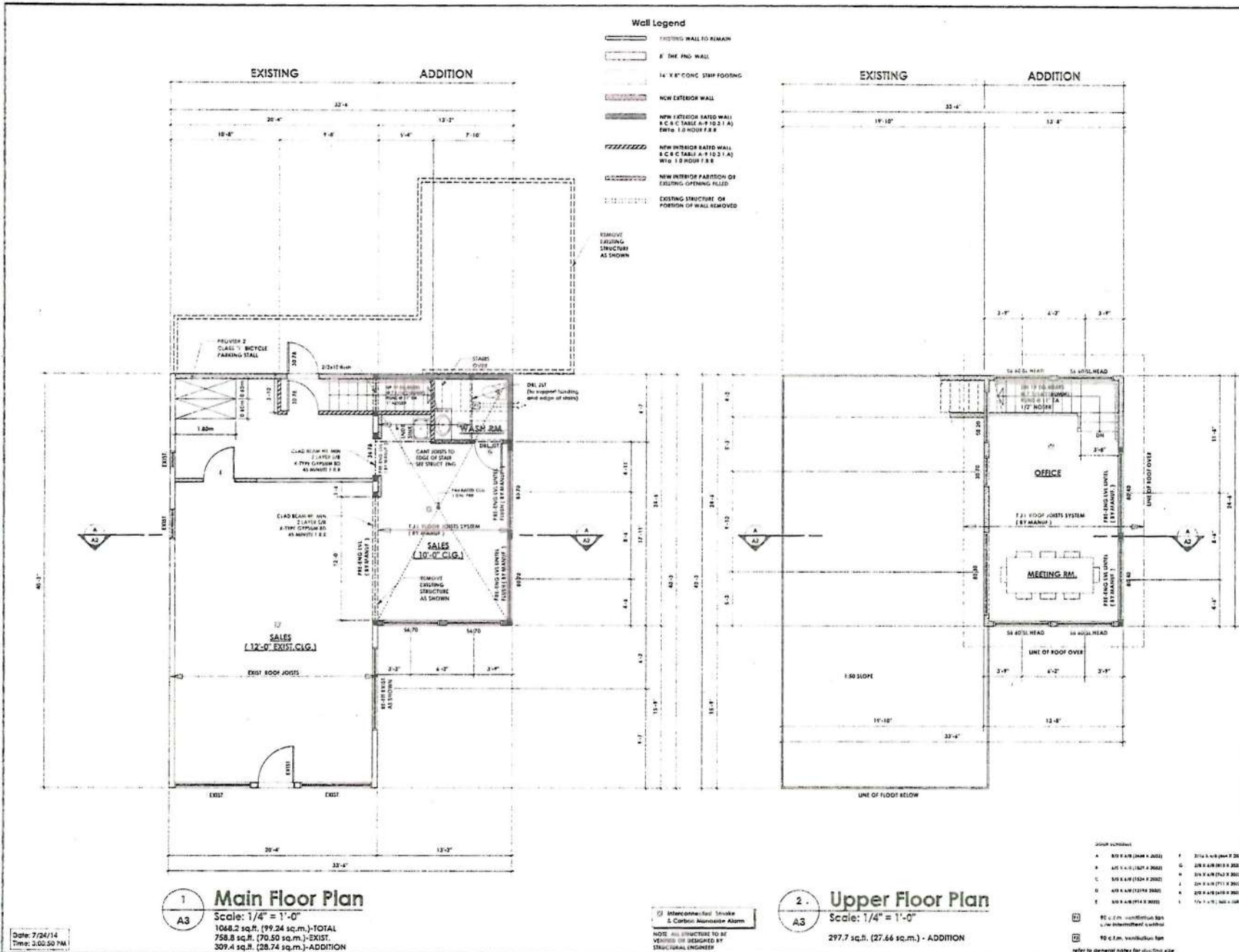
AVERAGE GRADE CALCULATION

A / B = (24.65 + 24.78) / 2 X 6.24 = 154.22
B / C = (24.78 + 24.90) / 2 X 4.80 = 119.23
C / D = (24.90 + 25.02) / 2 X 4.01 = 100.09
D / E = (25.02 + 25.10) / 2 X 7.47 = 185.33
E / F = (25.10 + 24.60) / 2 X 10.82 = 268.86
F / A = (24.60 + 24.65) / 2 X 12.27 = 303.15

TOTAL = 1130.9 / 45.61 = 24.80

414





PROFESSIONAL SEALS		



Construction Type (See 8.10.2.4, 8.10.14.15)
Group 1
Combustible Construction

Installed Insulation (8.7.1.14, Spatial separation between buildings)

Access Requirements (8.7.7)

Number of Exits 2 (8.7.7.2, 8.7.9.2.2)

Travel Distance (8.7.9.2.2) (path allowable)
Calculation A: 11.4m
Calculation B: 12.5m
Calculation C: 14.7m

Firearm Storage (8.10.2.1)
No firearm storage is permitted in Group 1 buildings.

Fire Alarm and Smoke Detection (8.7.1.14, 8.7.1.15)
Insulation Values (Table 8.7.1.1.8)
Wood Frame Building, detached building
Steel construction, Kit & B
Walls Above Ground: S2 S2

Firefighting Facilities (8.7.3.1.1.1, 8.7.3.2)
Requires watercourse (S.3.2.3.2.4 (i), 8.7.3.2.2 (12), 8.7.3.2.2 (13), 8.7.3.2.2 (14))
1 Universal Water Closet

Accessibility Requirements (8.8.2.2, 8.8.2.3)
Accessible Building
Group 1 (Main/Outside) 1 Water Closet (Installed on 1st floor) (8.8.2.3.2.2 (1))











3 UNIT RESIDENTIAL BUILDING



ROYAL ATHLETIC PARK



COOK STREET (NORTH OF SITE)

COOK STREET

CONTEXT



4 UNIT RESIDENTIAL BUILDING



OFFICE

PEMBROKE STREET

CONTEXT

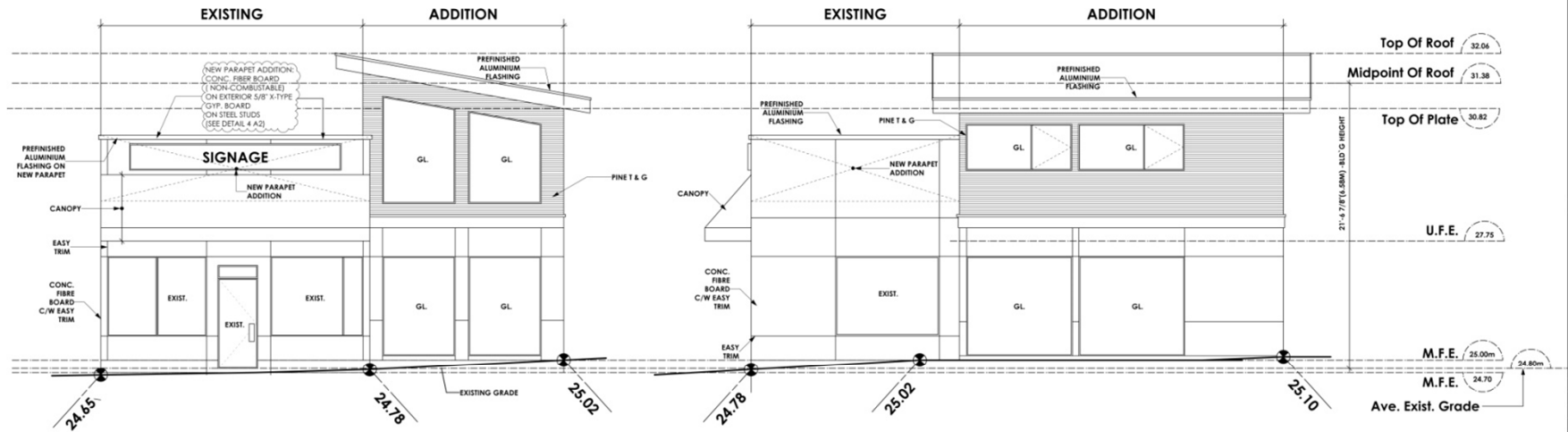
EXISTING BUILDING



PROPOSED ADDITION

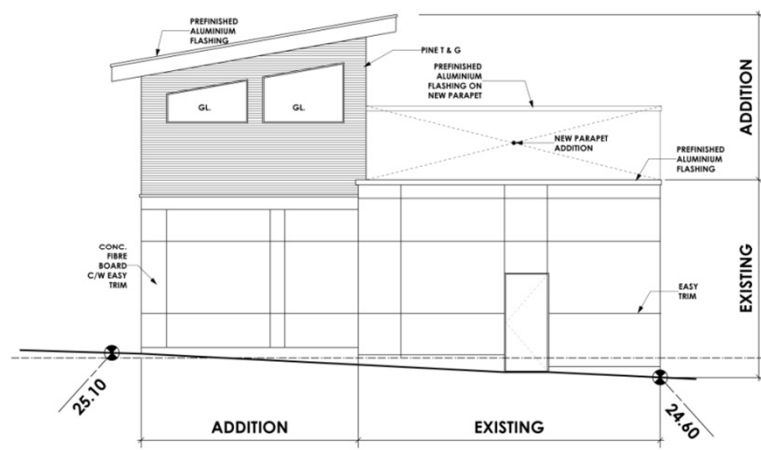




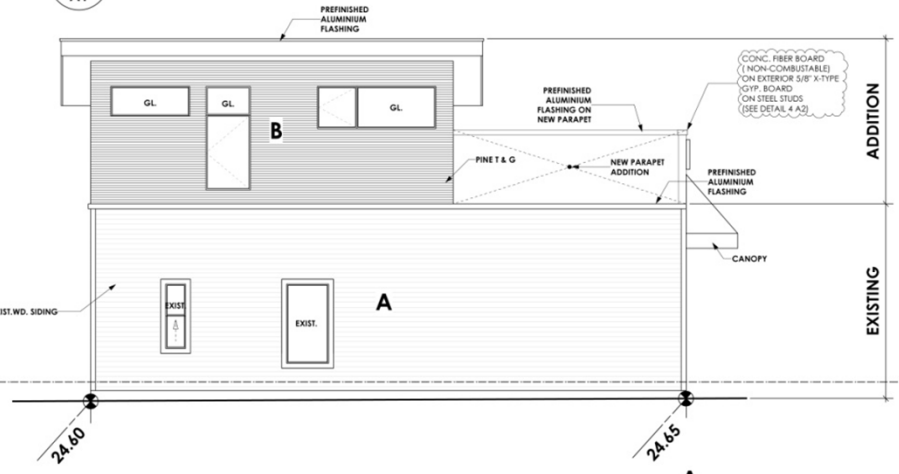


1 Front Elevation (West)
Scale: 1/4" = 1'-0"

2 Right Side Elevation (South)
Scale: 1/4" = 1'-0"



3 Rear Elevation (East)
Scale: 1/4" = 1'-0"



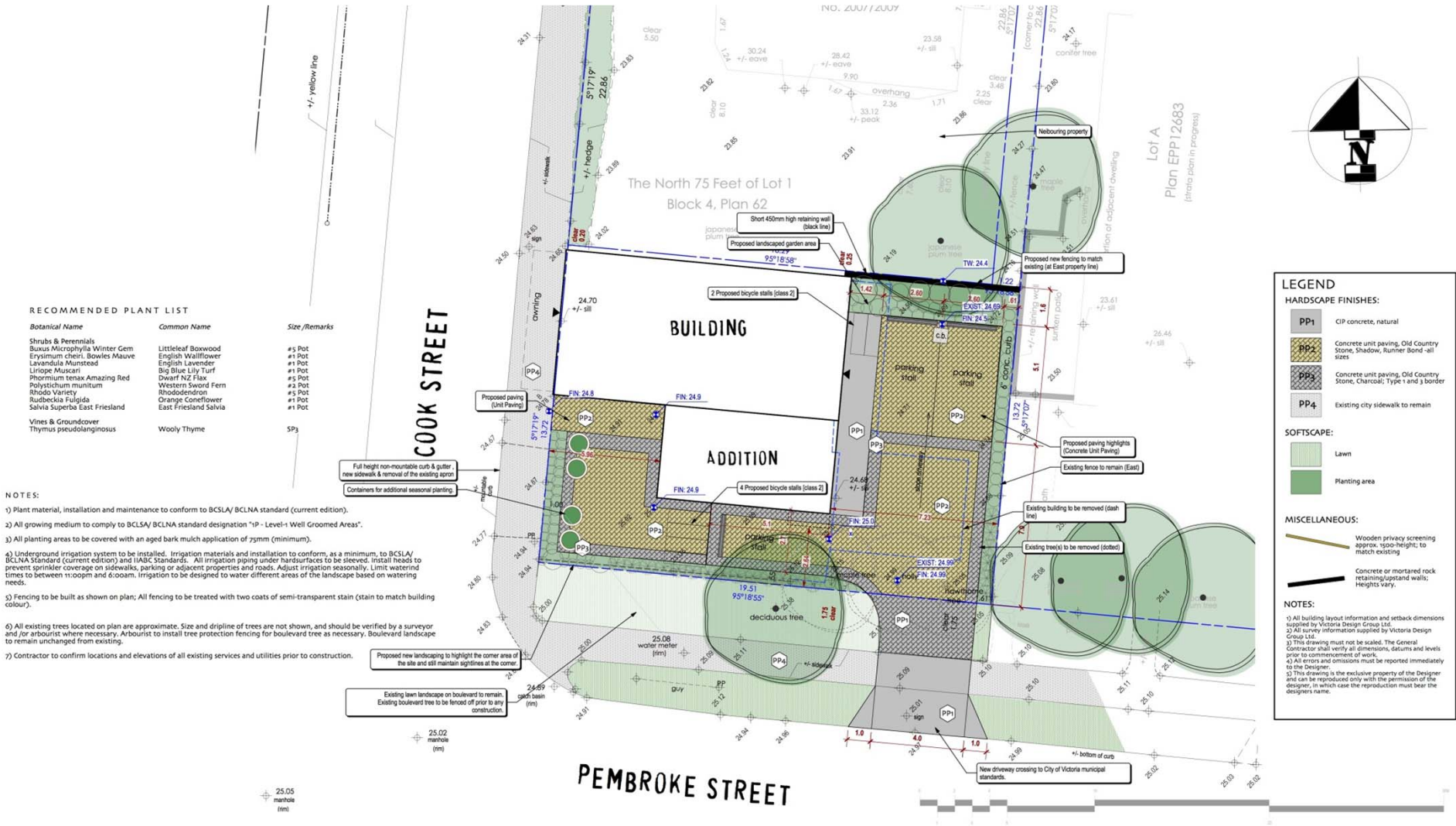
4 Left Side Elevation (North)
Scale: 1/4" = 1'-0"

A
LIMITING DISTANCE - 0.25 M
EXISTING NON-CONFORMING

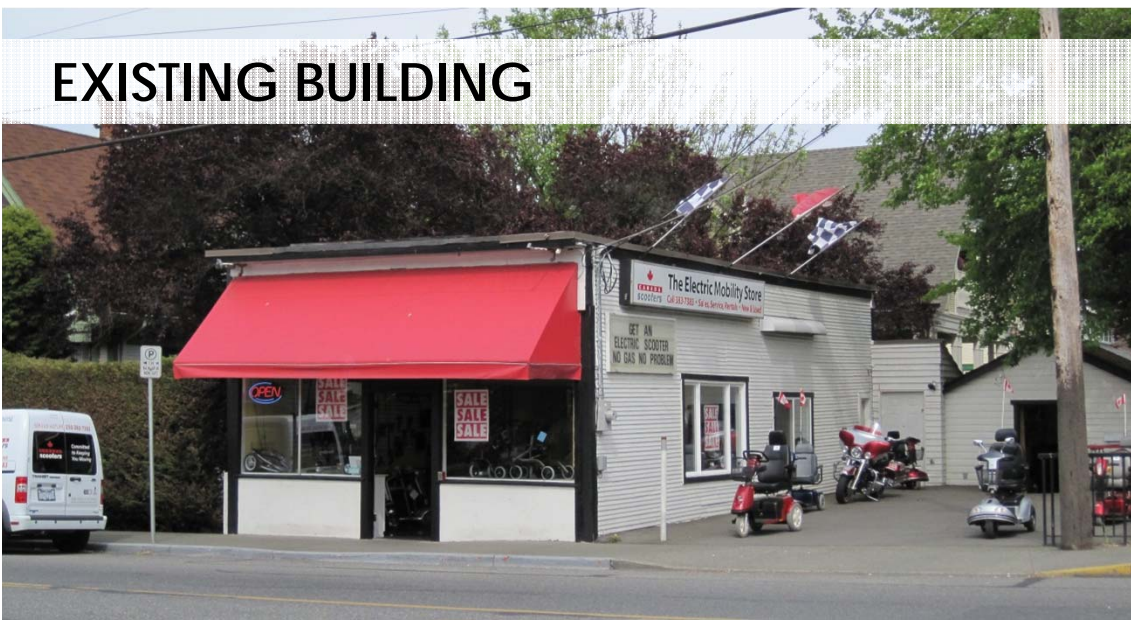
B

Limiting Distance	6.50	m.
Exposed Building Face	23.0	sq. m.
Allowable Openings	99	%
Allowable Opening Area	22.5	sq. m.
Proposed Openings	5.1	sq. m.

ELEVATIONS



EXISTING BUILDING



PROPOSED ADDITION

