



AMENDED AGENDA
PLANNING AND LAND USE COMMITTEE
MEETING OF MAY 15, 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. Late Item: Minutes from the meeting held on May 1, 2014

DECISION REQUEST

2. Rezoning Application # 00428 and Development Permit # 000362 for 2680 Blanshard Street 3 - 71
--D. Day, Director of Sustainable Planning & Community Development
Neighbourhood: Burnside Gorge Recommendation: Proceed to PH
3. Development Permit with Variance # 000332 for 1440 Dallas Road 73 - 86
--D. Day, Director of Sustainable Planning & Community Development
Neighbourhood: Fairfield Recommendation: Proceed to PH
4. Development Permit with Variance # 000344 for 1625 Belmont Avenue 87 - 99
--D. Day, Director of Sustainable Planning & Community Development
Neighbourhood: North Jubilee Recommendation: Proceed to PH
5. Development Permit with Variance # 000361 for 401 Bay Street 101 - 111
--D. Day, Director of Sustainable Planning & Community Development

Neighbourhood: Burnside Gorge Recommendation: Proceed to PH

6. Development Variance Permit Application # 00133 for 2-1010 Yates Street 113 - 124

--D. Day, Director of Sustainable Planning & Community Development

Neighbourhood: Downtown Recommendation: Proceed to PH

7. Liquor License Application - Executive House Hotel 125 - 175
--R. Woodland, Director of Legislative & Regulatory Services

Neighbourhood: Downtown Recommendation: Allow Increase in Occupant Load

8. Liquor License Application - Ocean Point Resort 177 - 191
--R. Woodland, Director of Legislative & Regulatory Services

Neighbourhood: Victoria West Recommendation: Allow Increase in Occupant Load

ADJOURNMENT

Planning and Land Use Committee Report

Date: April 28, 2014 **From:** Lucina Baryluk, Senior Process Planner
Subject: **Rezoning Application #00428 and Development Permit #000362 for 2680 Blanshard Street** - Application to amend the existing C1-N Zone, Neighbourhood Shopping District, to permit a liquor retail store allowing the relocation and expansion of a liquor retail store within the existing commercial centre

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and a Development Permit Application to allow a liquor retail store as a permitted use, and accommodate the relocation of the existing liquor retail store within the same commercial complex (commonly referred to as Blanshard Square). The store is currently 669 m² and after expansion is proposed to have a total floor area of 1282 m².

The following points were taken into consideration in assessing this application:

- The *Official Community Plan 2012* places the subject property within a Large Urban Village. This designation envisions free-standing commercial uses as a key land use (along with multi-family residential and mixed-use buildings) and employment generator. This is consistent with the policy direction of the *Burnside Neighbourhood Plan*. The applicant is indicating that by relocating the liquor retail store and increasing the floor area, this will lead to an increase in the number of jobs generated, thus continuing to generate employment in the Humber Green area.
- As there is an existing liquor store located in the Blanshard Centre, the relocation of the liquor retail store will maintain the mix-used character of the area. Given the direction and densities for Large Urban Villages within the OCP (up to 1.5:1 FSR), further commercial intensification of these types of sites is anticipated.
- The broader context of land uses in the general area is commercial in nature (retail use, office and food outlets), with three multi-family developments and a seniors' residence within proximity. As this application represents a relocation of the same type of retail use within an existing commercial centre, albeit with a larger floor area, the land use and traffic impacts to the neighbouring residential areas are not expected to change significantly.
- The liquor retail store will occupy space previously occupied by a retail use and the parking requirements remain the same.

The proposal is generally in keeping with the City's *Licensee Retail Stores Rezoning Policy*, with the exception of store size. The policy recommends a maximum store size of 200 m² and the proposed store is 1282 m² (existing store is 669 m²).

The Burnside Gorge Community Association hosted a community meeting on November 18, 2013. In compliance with the *Licensee Retail Stores Rezoning Policy*, the School District and Police Department have been consulted and have provided no comments on the proposal. In addition, the applicant has submitted a number of petitions.

Staff recommends that the Planning and Land Use Committee advance this application to a Public Hearing.

Recommendations

1. That Rezoning Application #000428 for 2680 Blanshard Street proceed to Public Hearing and that Sustainable Planning and Community Development Staff prepare the necessary *Zoning Regulation Bylaw* amendments to allow a Liquor Retail Store as a permitted use within the existing commercial centre, with a maximum total floor area of 1282 m².
2. Following consideration of Rezoning Application #000428, that Council authorize the issuance of Development Permit Application #000362 in accordance with:
 - a. Plans date stamped April 28, 2014;
 - b. Development meeting all *Zoning Regulation Bylaw* requirements;
 - c. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,



Lucina Baryluk
Senior Process Planner
Development Services Division

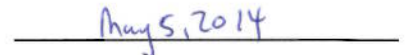


Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Jason Johnson

Date:



LB:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00428\LRS BLANSHARD PLUC REPORT.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and a Development Permit Application to allow a liquor retail store as a permitted use, and accommodate the relocation of the existing liquor retail store within the same commercial complex (commonly referred to as Blanshard Square). The store is currently 669 m² and after expansion is proposed to have a total floor area of 1282 m².

2.0 Background

2.1 Relevant History

Blanshard Square is a multi-unit commercial complex on the south-west corner of Hillside Avenue and Blanshard Street. The complex was constructed in 1987. In 1995 the existing BC Liquor Store took over a space formerly occupied by a restaurant. The location of this existing store fronts Hillside Avenue and Ross Lane. The total floor area of the existing store is 669 m².

The liquor retail store is a legal non-conforming use within the existing C1-N Zone, Neighbourhood Shopping District, applicable to Blanshard Square. Therefore in order to relocate this liquor store within Blanshard Square a rezoning is required.

On March 27, 2003, City Council determined that any new liquor retail stores (including relocations) would require a rezoning. This was a response to changing policies by the Liquor Control and Licensing Branch, which permitting private-owned liquor stores. Since the establishment of Council's policy in 2003, Council has dealt with approximately twelve liquor retail store Rezoning Applications.

2.2 Development Proposal

The proposal is to relocate BC Liquor Store to another retail unit within Blanshard Square which was formerly occupied by a furniture store. The interior of the space will be reconfigured to suit the tenant, with removal of a portion of the mezzanine area. The total floor area will be 1282 m² (1022 m² on the main floor that is comprised of 765 m² of retail and 256 m² of warehouse and a 260 m² office mezzanine area). However, it is noted that the final determination of interior space rests with the operator.

There are minor changes to the building façade, including new signage and changes to the colour of the awnings. The loading area will be at the rear of the store, from Ross Lane. The existing loading bay that serviced the furniture store will be reconfigured to suit the needs of the liquor retail store.

There are no changes to the parking layout or number of stalls. The commercial complex has parking in excess of its current *Zoning Regulation Bylaw* requirements. The applicant indicates in the supporting submission material that 144 parking stalls will be provided for the store: however it is important to clarify that this parking is for the entire Blanshard Square.

The liquor retail store will occupy space previously occupied by a retail use and, as such, the parking standards remain the same. To further explain the current parking situation, at the time Blanshard Square was developed in 1987, the City's Bylaws allowed for small car parking stall dimensions (variations to the length and/or width). The subject property has approximately 30

small car parking stalls, which were therefore conforming at the time of development. With the inclusion of small car stalls in the total number of parking stalls, Blanshard Square exceeds Schedule 'C' requirements for parking.

Bicycle parking will be required in compliance with Schedule 'C'. The applicant will include covered bike parking for customers and secure bike storage within the store for employees.

2.3 Land Use Context

Blanshard Square has nine retail tenants in three separate buildings. The tenant mix includes three restaurants, a convenience store, personal service uses and a fruit and food basket delivery service. The current BC Liquor Store is the largest tenant, occupying 669 m². The space the Liquor Store wishes to relocate to was formerly occupied by a furniture store, and is currently vacant.

Blanshard Square is defined by two arterials (Hillside Avenue and Blanshard Street) and two local streets (Ross Lane and Hill Street). The property is accessed from all road frontages, with the exception of Blanshard Street.

There are a significant number of residential units in the immediate neighbourhood:

<i>Development Name</i>	<i>Address</i>	<i>Number of Units</i>	<i>Comments</i>
West Coast Garden	760-770 Hillside Ave	87 units	Rental with retail units on ground floor
Hillcrest Centre	755 Hillside Ave	30 units	Strata
Chartwell Ross Place	2630 Ross Lane	99 units	Retirement residence
Evergreen Court	2501-2691 Blanshard 825-841 Hillside Ave	114 units	BC Housing

The most recent addition to the immediate neighbourhood is the Andrew Sheret building for office and retail use, currently under construction at 740 Hillside Avenue.

The area is also characterized by a number of commercial buildings serviced by surface parking lots.

2.4 Legal Description

Lot 4, section 4, Victoria District, Plan 44898.

2.5 Consistency with City Policy

2.5.1 Official Community Plan 2012

The *Official Community Plan 2012 (OCP)* designates the subject site within the Large Urban Village of Humber Green. The Urban Place Guidelines for a Large Urban Village envision multi-

unit residential buildings, freestanding commercial and mixed-use buildings. There are a number of Large Urban Villages identified in the OCP: Selkirk Village, Quadra Village, Victoria West Village, Jubilee Village, Stadacona Village, Cook Street Village and James Bay Village.

With respect to the Humber Green, the OCP states:

Humber Green was an area with historical importance as a gateway into the City and is presently a busy intersection with commercial activity. The area includes a convergence of the City's main arterial streets that carry high traffic volumes, resulting in a busy node at the intersection of Douglas Street, Government Street, Gorge Road East and Hillside Avenue. Service commercial uses and surface parking lots presently characterize this area. Revitalization is needed to realize the area as a Large Urban Village and return it to a gateway.

More specifically, the Burnside Strategic Directions consider the Burnside area as key employment generator and reservoir of industrial and commercial land.

The OCP places this property within Development Permit Area 5, Large Urban Village – Humber Green Village, for the purposes of revitalization of an area in which commercial use is permitted and establishment of objectives for the form and character of commercial, industrial and multi-family residential developments. The most applicable design guideline for this application is the *Advisory Design Guidelines for Buildings, Signs and Awnings (1981)*.

As no new buildings will be constructed as part of this application, the opportunities for affecting the revitalization targets of the OCP are limited. The proposed changes to the façade and signage to accommodate the liquor retail store are minor therefore, no further analysis of this application with respect to the Development Permit guidelines is necessary.

2.5.2 Burnside Neighbourhood Plan, 1992

The OCP captures the planning direction contained within the *Burnside Neighbourhood Plan*. The *Burnside Gorge Neighbourhood Plan* specifically cites Mayfair Shopping Centre and Humber Green as major commercial areas, supporting higher density intensive commercial areas with a mix of commercial activities focussed on retail stores, tourist accommodation and restaurants.

2.5.3 Zoning Regulation Bylaw and Development Potential

The subject property is currently zoned C1-N, Neighbourhood Shopping District, which permits commercial-residential buildings and a range of commercial uses, such as offices, banks, retail stores, restaurants, high tech and call centre. With the advent of Council's *Licensee Retail Stores Rezoning Policy* in 2003, a Rezoning Application is required to facilitate the move and expansion of the liquor store within Blanshard Square. By legally establishing a liquor retail store as a permitted use, this use can be established anywhere on the subject property (with imposed size restrictions). Should Council decline this application, the existing liquor store can remain in its existing location as a legal non-conforming use subject to the provisions of Section 911 of the *Local Government Act*.

The C1-N Zone has an upper density limit of 1.4:1 and Blanshard Square is currently developed at approximately 0.40:1, therefore, additional development potential exists on the property. As the C1-N Zone applies to a number of properties within the City, a site specific zone must be created to allow the additional use of a liquor retail store and to limit the size of the proposed store. Note that in the applicant's submission, the site specific zone is referred to as Comprehensive Development District; however, a site specific zone would be a more appropriate term in this instance.

2.5.4 Licensee Retail Stores Rezoning Policy

In order to guide Council on liquor retail store Rezoning Applications, a *Licensee Retail Stores Rezoning Policy* was endorsed by Council in 2003. The policy outlines parameters regarding location, size and distance from other liquor retail stores and schools.

Compliance of this application with this Policy is explored in the Analysis Section of this Report.

2.6 Community Consultation

In compliance with the Rezoning Application process, the Community Association held a Community Meeting on November 18, 2013. The meeting invitation was extended to the Hillside-Quadra Community Association. The record of this meeting is attached to this report.

In compliance with the *Licensee Retail Stores Rezoning Policy*, the School District and Police Department have been consulted, with the referral letters sent January 23, 2014. At the time of writing, neither organization have provided comments on the proposal.

In addition, the *Licensee Retail Stores Rezoning Policy* requires that the applicant poll the residents and owners of neighbouring lots. A number of petitions collected by the applicant are attached to this report as further information for Council.

3.0 Issues

The main issues associated with this application are:

- consistency with the OCP direction for Large Urban Villages
- consistency with the intent of the *Licensee Retail Stores Rezoning Policy*.

4.0 Analysis

4.1 OCP Direction for Large Urban Villages

The *Official Community Plan 2012 (OCP)* designates the subject site within the Large Urban Village of Humber Green. The Urban Place Guidelines for a Large Urban Village envision multi-unit residential buildings, freestanding commercial and mixed-use buildings. With the exception of the Selkirk and Stadacona Village, the Large Urban Villages identified in the OCP have at least one liquor store: Quadra Village, Victoria West Village, Jubilee Village (Fort and Foul Bay), Cook Street Village and James Bay Village. Two of these stores are operated by the Provincial Liquor Distribution Branch. A liquor retail store (size 42 m²) was approved for Selkirk Village in 2010, however, the license was subsequently relocated to another location in Saanich.

The Large Urban Village concept views commercial centres as employment generators. As per the applicant's submission, due to the large store, the number of full and part-time employees will increase.

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

With respect to traffic, the Bunt Traffic Report provided by the applicant concludes that the relocation will have an 'indiscernible' increase in traffic for Blanshard Square. The Traffic Report also recommends a number of on-site improvements, which the applicant states will be undertaken, however, the City does not secure these improvements. Most of the on-site improvements are voluntary by the applicant/mall owner, such as additional pavement markings or improvements to internal circulation.

Much of the loading and garbage collection for Blanshard Square takes place directly adjacent to Ross Lane. Due to the proximity of the buildings to the Lane, there is little opportunity for screening or landscape improvements. The proposed liquor store will alter the configuration of the loading bay for functional reasons, however, no sound attenuation is contemplated. In addition, the applicant has indicated that loading area visibility is desirable for security reasons.

4.2 Licensee Retail Stores Rezoning Policy

4.2.1 Distance to Schools

The Licensee Retail Stores Rezoning Policy states that the liquor retail store should be at least 200 m from an elementary or secondary school. The closest school is S.J. Willis, which is approximately 300 m away (straight-line distance) from door to door.

4.2.2 Distance to Other Liquor Retail Stores

There are a number of liquor retail stores in the general area. Provided in the table below is a listing of the stores and approximate straight-line distance from Blanshard Square.

<i>Liquor Retail Stores</i>	<i>Distance (m) from Blanshard Square (approx.)</i>
Shark Club Liquor Store, 2852 Douglas (Sandman Inn)	300
Cascadia in Quadra Village	435
Liquor Plus, 2915 Douglas (Super 8 Hotel)	510
Rosie's (Comfort Inn) 3020 Blanshard	670
Liquor Depot, 123 Gorge Road East (Ramada)	900

The *Licensee Retail Stores Rezoning Policy* considers a minimum distance of 200 m between liquor retail stores as appropriate separation distance. The intent of this aspect of the policy is to avoid a proliferation of liquor retail outlets in an area (same block or intersection). While distance between liquor stores can be an influencing factor, the liquor retail outlets cited above do not directly serve the same neighbourhoods and are on different travel routes. In any event, the minimum distance between stores criteria is satisfied. Further, the existing liquor store at

Blanshard Square was opened in 1995 and thus pre-dates this policy. The movement of the liquor store within the same commercial complex does not create any further compromises to this policy.

4.2.3 Size of Store

The policy recommends a maximum total floor area of 200 m². The proposed liquor retail store will have a total floor area of 1282 m². The floor area devoted to retail is 765 m² with the remainder of the main floor (265 m²) indicated as warehouse. The mezzanine area of 260 m² will be used for meetings and offices. As noted, the internal organization of the store is ultimately left to the store operator and cannot be regulated in the *Zoning Regulation Bylaw*.

In terms of size, most private liquor stores comply with the 200 m² limit, with the Harris Green Liquor Merchants being the notable exception with a 260 m² store size. However, the BC Liquor Stores located in Victoria all exceed the recommended total floor area.

The applicant provides the justification that the larger store is in keeping with the trends for provincial Liquor Distribution Branch stores, allowing more retail space for display, customer movement and selection.

BC Liquor Stores	Total Floor Area (m²)
Blanshard Square, (current)	669
Blanshard Square (proposed)	1282
Fairfield Plaza	486
James Bay	442
Fort Street and Foul Bay Avenue	697
Hillside Mall Centre (not constructed)	785

4.2.4 Other Policies

The *Licensee Retail Stores Rezoning Policy* requires that an applicant indicate how Crime Prevention Through Environmental Design (CPTED) will be implemented. The applicant has indicated that security cameras and on-site security will be enhanced. The loading area will be fully visible and landscaping will maintain sightlines.

There are no policies guiding or restricting the type or products sold within a liquor store and this aspect of a proposal cannot be addressed in the *Zoning Regulation Bylaw*, nor can the hours (or days) of operations. The applicant has provided a table comparing the differences in operating protocol between the existing and proposed store in the supporting material.

5.0 Resource Impacts

There are no resource impacts anticipated.

6.0 Conclusions

The application to relocate the BC Government Liquor store within Blanshard Square merits consideration under the *Official Community Plan*. The *Official Community Plan 2012* places the subject property within a Large Urban Village. This designation envisions free-standing commercial uses as a key land use (along with multi-family residential and mixed-use buildings)

and employment generator. A liquor retail store is an established use within Blanshard Square and is generally a type of retail establishment found in Large Urban Villages. Blanshard Square is an established commercial centre, with capacity for commercial intensification.

The proposal meets the intent of the *Licensee Retail Stores Rezoning Policy* by maintaining a 200 m distance between liquor retail outlets. However, the proposed store will exceed the 200 m² store size recommendation. The current store at 669 m² already exceeds the store size recommendation and will be increased to 1282 m². However, the land use and traffic impacts to the neighbouring residential areas are not expected to change significantly. In the context of the location within an established commercial centre and well-served by transportation routes, the additional floor area is supportable.

For the reasons provided, staff recommend that Council consider supporting the proposed relocation of the liquor retail store.

7.0 Recommendations

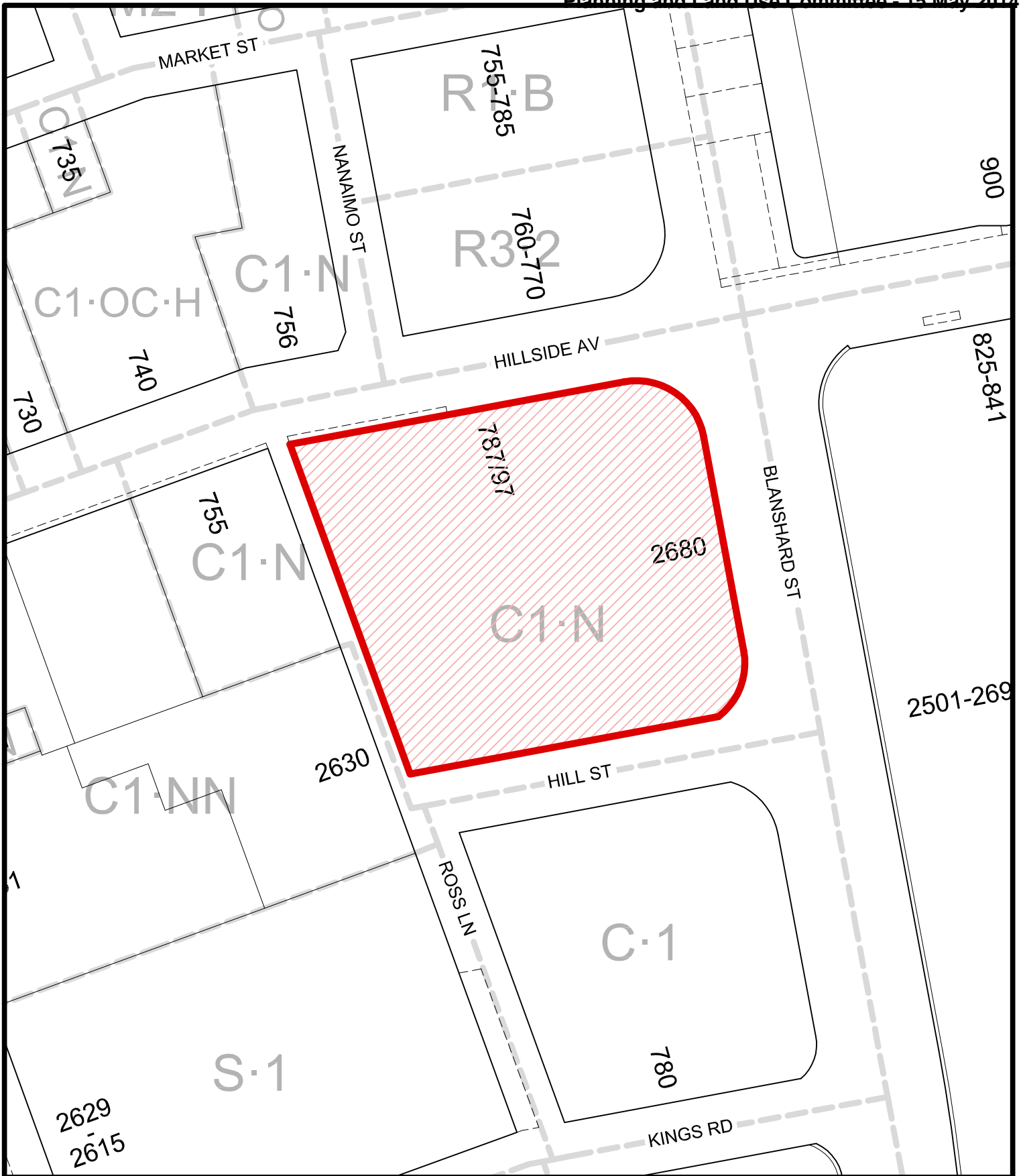
1. That Rezoning Application #000428 for 2680 Blanshard Street proceed to Public Hearing and that Sustainable Planning and Community Development Staff prepare the necessary *Zoning Regulation Bylaw* amendments to allow a Liquor Retail Store as a permitted use within the existing commercial centre, with a maximum total floor area of 1282 m².
2. Following consideration of Rezoning Application #000428, that Council authorize the issuance of Development Permit Application #000362 in accordance with:
 - a. Plans date stamped April 28, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.

7.1 Alternative Recommendation

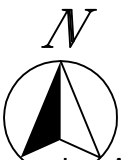
That Rezoning Application #00428 for 2680 Blanshard Street be declined.

8.0 List of Attachments

- Location map and air photo
- City of Victoria's *Licensee Retail Stores Rezoning Policy*
- Applicant's Submission:
 - Summary letter and Rationale for Liquor Store Relocation
 - Appendix 1: Traffic Study
 - Appendix 2: Burnside Gorge Community Association Letter dated December 18, 2013
 - Appendix 3: Letters of support and petitions
 - Appendix 4: Development Permit Drawings showing building elevations.



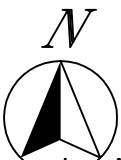
2680 Blanshard Street
 Rezoning #00428
 Bylaw #



Rezoning Application # 00428 and Development Permit # 000362...



2680 Blanshard Street
Rezoning #00428
Bylaw #



Rezoning Application # 00428 and Development Permit # 000362...

LICENSEE RETAIL STORES REZONING POLICY

GENERAL CHARACTERISTICS

- An application for a Licensee Retail Store must be accompanied by a letter of preliminary approval from the Province of BC.
- The store should be in an established or planned retail location to minimize nuisance to nearby neighbours. This may be within a primary or district centre as identified in the *Official Community Plan*, within a commercial area identified in a neighbourhood plan or in a location zoned for other retail use.
- Entrance to the store should be from an existing street frontage or from within an existing shopping centre.
- Required parking may range from one space per 37.5 m² of gross floor area in suburban malls to nil in highly walkable locations, e.g. Downtown or a corner store.
- The store should be at least 200 m from an elementary or secondary school.
- The City wishes to avoid concentrations of this use, e.g. in the same block or at the same intersection. Generally, the store should be at least 200 m from an existing Licensee Retail Store, BC Liquor Store, wine or beer store. A reduced distance may be warranted in locations such as neighbourhood or district centres.

Note that provincial regulations may require a higher distance between stores. The most restrictive regulation shall apply.

- For applications with street frontage, the applicant should refer to the City's *Crime Prevention Through Environmental Design (CPTED)* guidelines and indicate, as part of the application, how the guidelines will be observed.
- Facility size is limited to a total floor area of 200 m².
- Revitalization of a heritage building and/or improved shop frontage on a street is encouraged.

APPROVAL PROCESS

- Recognizing the impact of this type of application, all residents and owners of neighbouring lots must be polled by the applicant as to the acceptability of the application, with the results submitted as part of the site plan information.
- The application will be referred to School District #61 and Victoria City Police for up to 30 days to ensure that their comments are considered in Council's decision.
- In addition to the policies for Licensee Retail Stores, the applicant must undertake the processes required for a rezoning application. This will include participation in a community meeting (CALUC) prior to the submission of the application.



Brook Pooni Associates Inc.
Suite 410 – 535 Thurlow Street
Vancouver, BC V6E 3L2
www.brookpooni.com
T 604.731.9053 | F 604.731.9075

April 24, 2014

City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6

Dear Mayor and Council,

RE: RELOCATION OF THE EXISTING GOVERNMENT LIQUOR STORE AT 2680 BLANSHARD STREET

On behalf of the British Columbia Liquor Distribution Branch (LDB), Brook Pooni Associates is pleased to submit the following rezoning and development permit application for the relocation of the existing Government Liquor Store.

The store is currently located at the northwest corner of the Blanshard Square Shopping Centre at 2680 Blanshard Street and the LDB would like to relocate to the now vacant Jordan's Furniture Store at the southwest corner of the same site. The proposed development requires an application to rezone the property to Comprehensive Development District due to the relocation of the existing liquor store use.

The store in its current location was opened in 1995 (19 years) and has not had a major renovation since inception. There is a need to update the store, bring it in line with the LDB's current corporate identity, to respond to the demands of customers and ensure customer satisfaction. This relocated liquor store will create a more pleasant shopping experience with wider aisles, better lighting, more efficient checkouts and increased selection.

The BC Liquor Distribution Branch subscribes to six core values that are demonstrated in all day-to-day activities with customers, business partners and employees. They include exemplary service, public safety and corporate responsibility, integrity, respect, teamwork and innovation. The BCLDB strives to be a good corporate citizen.

FEEDBACK SUMMARY

The project team has conducted the following consultation as a part of the rezoning process:

- October-November 2013 - Neighbourhood Petition
- October 15, 2013 – Presentation to the Burnside Gorge Community Association (BGCA) Land Use Committee
- November 18, 2013 – Community Open House / Presentation hosted by the BGCA

Four letters of support have been received for the store relocation from surrounding businesses. In addition to these letters, the following feedback was received through the petition, BGCA Land Use Committee presentation and Open House/presentation to BGCA.

- **Neighbourhood Petition:** Neighbouring residents and tenants were provided with petition forms and given a deadline of December 4th to return completed petitions. There were 15 completed petitions received, including 14 supportive responses and 1 opposed.
- **BGCA Land Use Committee:** Comments related to **bike and pedestrian access, covered bike parking, park lot pinch points, site access, security and landscaping.**
- **BGCA Open House and Presentation:** Comments related to noise, traffic, loitering and littering, and increase in size.



RESPONSE TO FEEDBACK

The project team has worked to address the feedback received to ensure that the project satisfies the issues raised by the community. The following section provides an overview of the ways in which each item has been addressed.

Transportation Planning

- **Site Access:** Bunt & Associates were retained to assist with the site planning process and noted in their recommendations that patronage of the new store is expected to be similar to the existing location. The upgrades are primarily for customer comfort, to provide increased product selection and an expanded back of house component. **Bunt estimates that the proposed relocation will result in an indiscernible increase in traffic to Blanshard Square (0 to 30 total two-way vehicle trips per peak hour).**
- **Traffic:** Bunt provided recommendations for on-site improvements relating to multi-modal circulation as well as an examination of loading requirements. All of Bunt's recommendations have been integrated.
- **Bike and Pedestrian Access and Covered Parking:** Covered bike parking will be provided under an awning. In addition, secured bike storage space will be provided for employees within the store. A marked pedestrian walkway will be added.
- **Parking Lot Pinch Points:** The purpose of the pinch point is to calm traffic through the site. As indicated above, a painted pedestrian walkway will be added to bring further safety order to the site. **The relocation of the store from a parking standpoint is positive, as it will be adjacent to a larger parking pool within the Blanshard Square Shopping Centre.**

Design

- **Frontage:** A litterbin will be added and a bike rack will be located under an awning along the frontage.
- **Landscaping:** Landscape features will be maintained to ensure appropriate site lines and CPTED guidelines.

Store Operation

- **Security and Loitering:** The store will have increased security including additional cameras, in-store security guards and security patrols of exterior grounds as required. Sale of single bottle beers, coolers and ciders will be prohibited with a few exceptions pertaining to large sizes of craft beer, which are sold at a higher price point.
- **Littering:** The store will add a litterbin to the frontage. There will be a reduction in the number of empties that can be returned by someone at the store from 72 to 24 bottles per person per day (note that an existing local Bottle Depot is within walking distance).
- **Noise:** Noise specific to loading at the back of the building would end by 6:00 PM at night in the new location. There is general noise accumulation within the site with a number of businesses open late.
- **Increase in Size/Competition:** The landlord has consulted with surrounding businesses, many of which are in support as indicated with the letters received as noted above.
- **Good Neighbour:** The store managers are accessible during operating hours to respond to any neighbour inquiries.

Throughout the year, each Government Liquor Store participates in a variety of programs and campaigns that benefit



people thought the province of British Columbia, as well as in their own communities. LDB is an active community contributor with donations amounting to \$330,000 annually to fund 23 Victoria service groups such as Our Place Society, Gorge Burnside Community Association, Fairfield Gonzales Community Association, Learning Through Loss Community Knowledge Centre, Threshold Housing Society.

We look forward to continuing to work with the City of Victoria to realize the potential for the re-location and renovation of the liquor store in the Blanshard Square Shopping Centre. The rationale document included in our application package will provide you with further information on the proposed relocation.

Sincerely,

A handwritten signature in black ink, appearing to read "Blaire Chisholm", written in a cursive style.

Blaire Chisholm,
Associate, Brook Pooni Associates





Brook Pooni Associates Inc.
Suite 410 – 535 Thurlow Street
Vancouver, BC V6E 3L2
www.brookpooni.com
T 604.731.9053 | F 604.731.9075

Rationale for Liquor Store Relocation

2680 Blanshard Street, Victoria



Project Contact

Blaire Chisholm, Brook Pooni Associates
Suite 410-535 Thurlow Street
Vancouver, BC V6E 3L2

April 24, 2014



TABLE OF CONTENTS

1.0 INTRODUCTION	3
2.0 PROPERTY INFORMATION	4
2.1 Site Data	4
2.2 Site Context	4
3.0 REGULATORY CONTEXT	6
3.1 Official Community Plan	6
3.2 Zoning Bylaw	6
3.3 Licensee Retail Stores Rezoning Policy	6
3.5 Map of Schools and Liquor Stores	7
4.0 PROPOSAL DETAILS	8
4.1 Summary	8
4.2 Operational Comparison Chart	8
4.3 Site Plan	9
4.4 Site Plan Statistics	10
5.1 Transportation Study	11
5.2 Site Parking	11
6.0 PUBLIC CONSULTATION	13
6.1 Summary	13
6.2 Neighbourhood Petition	13
6.3 Letters of Support	13
6.4 Presentation to Land-Use Committee	13
6.5 Open House and Presentation	14

APPENDICES

1. Bunt & Associates Transportation Memo
2. Burnside Gorge Community Association Letter
3. Community Letters and Petition Responses
4. Architectural Materials



1.0 INTRODUCTION

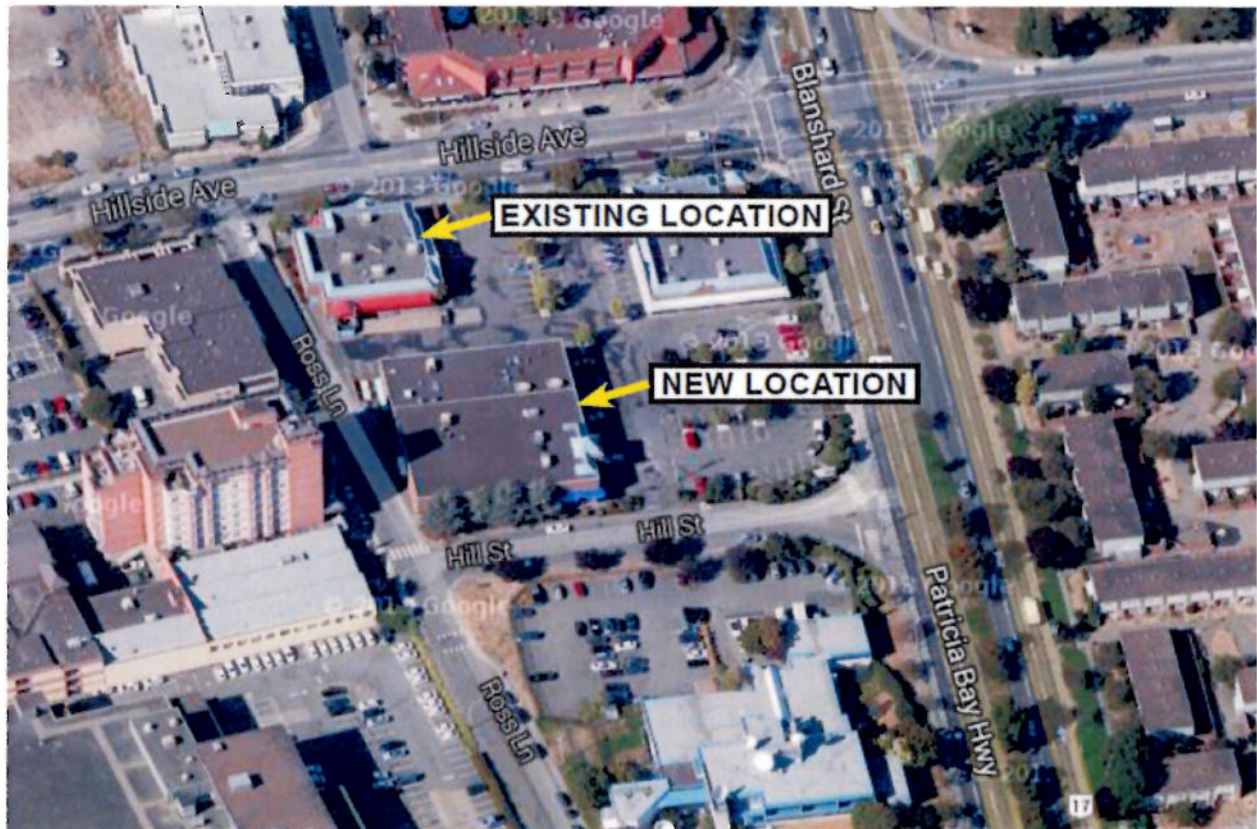
The British Columbia Liquor Distribution Branch (LDB) would like to relocate their existing store within the Blanshard Square Shopping Centre to the now vacant Jordan's Furniture Store at the southern end of the same site. The store was opened in 1995 and has had no major renovations since that time. This relocated Liquor Store will create a more pleasant shopping experience through wider aisles, better lighting, more efficient checkouts and increased selection.

LDB will require a rezoning to allow the provision of liquor sales within this new location as per the Licensee Retail Stores Rezoning Policy.

The proposed store meets or exceeds the current location in the following ways:

- Enhanced security measures to minimize impacts on the neighbours. Security will be improved with cameras providing 100% coverage and on-site security during hours of operation as required.
- The new bottle return policy will limit the number of bottle returns to 24 per day per person.
- The new store location maintains the minimum distance from local schools.
- The larger store will create an enhanced consumer experience through wider aisles, better lighting, more efficient checkouts and increased selection.
- LDB will continue its award-winning social responsibility initiatives of giving back to the community it operates in.

The proposed development requires an application to rezone the property to Comprehensive Development District due to the relocation of the existing liquor store use.





2.0 PROPERTY INFORMATION

2.1 Site Data

- Address: 2680 Blanshard Street
- PID: 006-786-847
- Folio: 09696071
- Legal Information: LOT A, SECTION 4, VICTORIA, PLAN 44898
- Site Area: 101, 184 Sq. Ft.
- Existing Tenant/CRU Areas:

TENANT	SURVEYED AREA
B.C. LIQUOR STORE	7,202
BLACK&LEE	1,295
BOSTON PIZZA	4,405
FOUNTAIN	3,689
MERLE NORMAN	951
VACANT	17,142
MAGICUTS	999
MIXER FOOD MART	759
TIM HORTONS	2,191
EDIBLE ARRANGEMENTS	1,058
Total Area	39,691

2.2 Site Context

The existing and proposed site are located on the city block bound by commercial uses along Hillside Avenue to the north, residential uses along Blanshard Street to the east, CBC/CHEK Station on Hill Street to the south, a three storey residential strata as well as a seniors assisted living complex along Ross Lane to the west.

The proposed relocation is currently a vacant retail space in the Blanshard Square commercial centre. The site includes three buildings that accommodate nine commercial retail units.



Residential Development - 755 Hillside Avenue



Residential Development - 755 Hillside Avenue



John Alfred Manor - 2631 Douglas Street



CBC/CHEK - 780 Kings Road

2680 Blanshard Street Liquor Store Relocation



3.0 REGULATORY CONTEXT

The proposed development requires an application to rezone the property to Comprehensive Development District due to the relocation of the existing liquor store use. The following is a summary of the guiding policy.

3.1 Official Community Plan

Within the Official Community Plan, the site is found within the Burnside Neighbourhood in Humber Green Village where liquor stores are a permitted use. This commercial hub is indicated as Development Permit Area 5: Large Urban Villages.

3.2 Zoning Bylaw

The site is zoned Neighbourhood Shopping (C1-N). The relocation of the store triggers the City's Licensee Retail Stores Rezoning Policy process.

3.3 Licensee Retail Stores Rezoning Policy

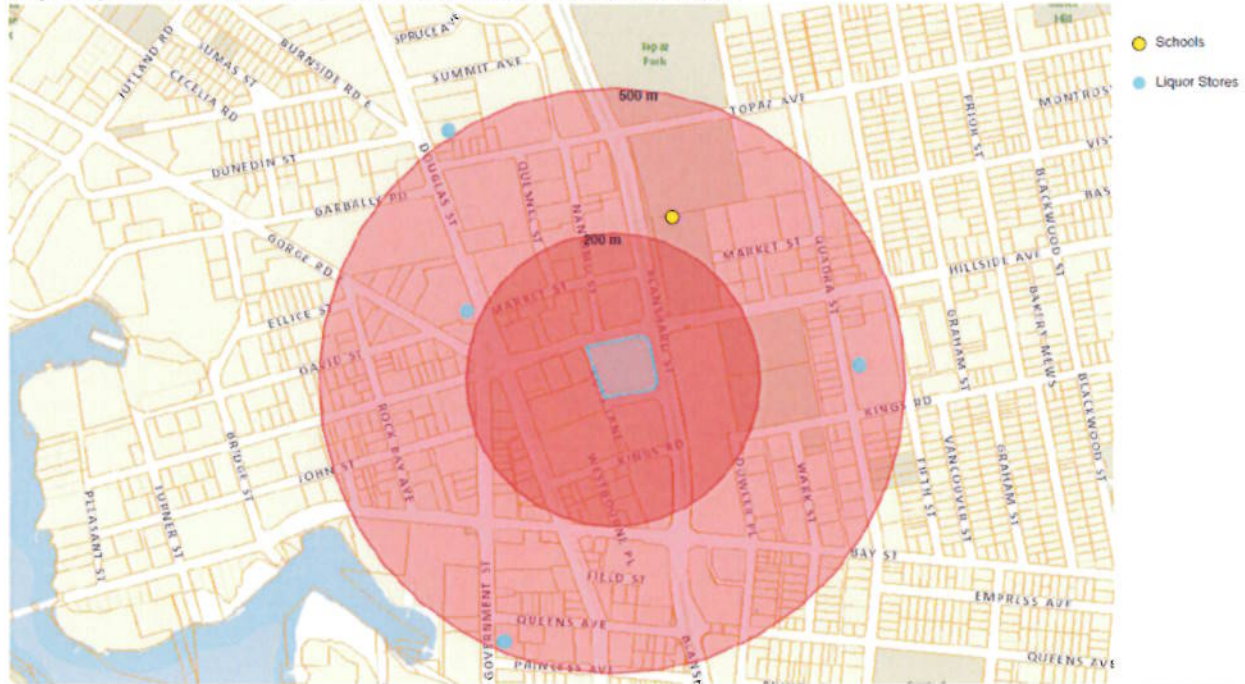
The following chart outlines the City's General Characteristics for liquor stores and provides applicable information about the proposal.

Rezoning Policy	Proposal Information
An application for a Licensee Retail Store must be accompanied by a letter of preliminary approval from the Province of BC	The store is a BC Liquor Distribution Branch store, the existing store was established in 1995.
The store should be in an established or planned retail location	The site is in the Humber Green Urban Village Commercial zone.
Entrance to the store should be from an existing street frontage or from within an existing shopping centre.	The entrance to the store will be internal to the shopping centre site, similar to the existing entrance.
Required parking may range from one space per 37.5 m ² of gross floor area in suburban malls to nil in highly walkable locations, e.g. Downtown or a corner store.	124 parking stalls are required within the parking bylaw and 144 are provided.
The store should be at least 200 m from an elementary or secondary school as well as other existing liquor stores.	The store complies with the minimum distance from schools and other liquor stores. (See map in section 3.5)
Explanation of how Crime Prevention Through Environmental Design (CPTED) guidelines will be observed.	Landscaping features will be maintained to ensure appropriate site lines. As well, the back of house loading area will be open and transparent.
Facility size is limited to a total floor area of 2,153 sq. ft.	Existing store is approx. 7,200 sq. ft. and the new location is approx. 11,500 sq. ft. on the ground floor of which 7,597 sq. ft. of the new space will be dedicated retail floor area, with the remainder as storage. Much of the increase in store size will be used to accommodate wider aisle and to expand the back of house office component of the business rather than to increase the quantity of sales items. A mezzanine office area of 2,800 sq.ft. brings the total floor area to approx.. 13,800 sq.ft (1282 Sq. m.)
Revitalization of a heritage building and/or improved shop frontage on a street is encouraged.	The façade of the building will be revitalized to reflect updated corporate identity for a BC Liquor Store.

3.5 Map of Schools and Liquor Stores

One of the policies within the Licensee Retail Stores Rezoning Policy speaks to proximity of existing liquor store and elementary schools. The figure below identifies both uses and indicates that neither use is within 200m of the proposed relocation.

Map: Liquor Stores and Schools within a 200m and 500m radius





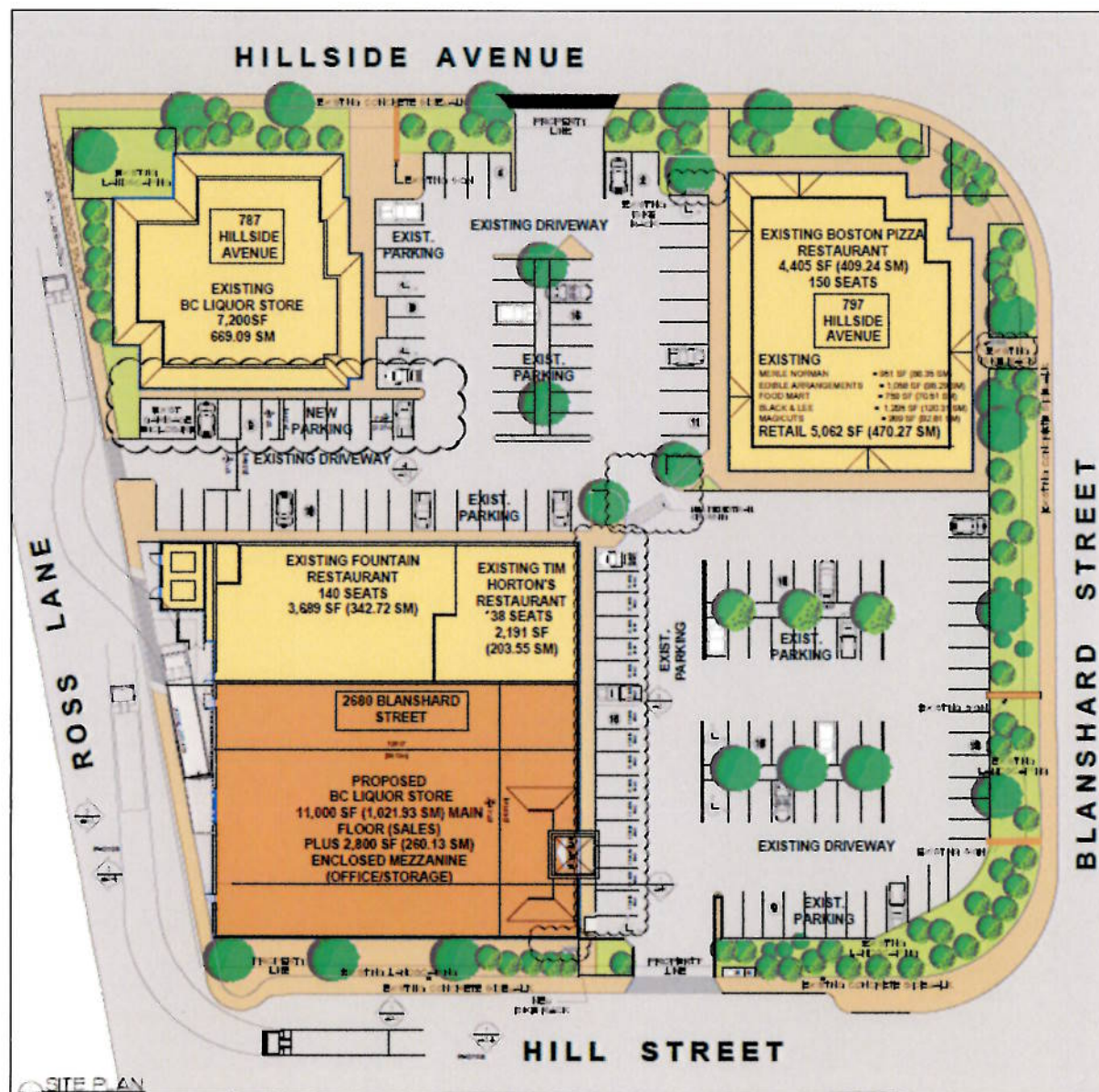
4.0 PROPOSAL DETAILS

4.1 Summary

The Liquor Distribution Branch would like to move to a larger building and a larger format store to accommodate the customer needs of the surrounding area.

4.2 Operational Comparison Chart

Issue	Existing Government Liquor Store	Proposed Government Liquor Store
Design and Size	Government Liquor Store with approximately 7,200 sq. ft.	Government Liquor Store with approximately 13,800 sq. ft. for ground floor retail, storage and mezzanine. The relocated liquor store will create a more pleasant shopping experience through wider aisles, better lighting and a wider selection of product, as well as provide a mezzanine for office and meeting space.
Location	North west quadrant of Blanshard Square	South west quadrant of Blanshard Square
Hours of Operation	Monday to Saturday - 9:30 am to 9:00 pm, Sunday and Holidays - closed.	Monday to Saturday – 9:30 am to 11:00 pm, Sunday and Holidays – closed.
Parking	Parking is available in the surface parking lot located adjacent to the building, including 144 stalls.	Parking is available in the surface parking lot located adjacent to the building, including 144 stalls.
Traffic and Circulation	Parking and loading occur on the south side of the building. There is one dedicated loading bay.	Parking and loading occur parallel to Ross Lane located at the rear of the building.
Loading Schedule	Loading occurs between 7:00 am and 8:00 pm, six days per week in the designated loading bay. The average loading and unloading time is approximately 30 minutes.	Loading occurs between 7:00 am and 6:00 pm, four days per week in the designated loading bay. The average loading and unloading time is approximately 30 minutes.
Bottle Returns	A maximum of 72 bottles per day per person.	A maximum of 24 bottles per day per person.
Security	In-store security during peak business hours.	The store will have increased security including additional cameras, in-store security guards and security patrols of exterior grounds as required. Sale of single bottle beers, coolers and ciders will be prohibited with a few exceptions pertaining to large sizes of craft beer, which are sold at a higher price point.
Employment	9 regular employees and 15 auxiliary staff (which work in 3 different stores in Victoria).	14 regular employees plus 18 auxiliary staff, greater product selection therefore more knowledgeable staff and efficient checkout process.
Bike Parking	N/a	13 bike stalls for employees will be included within the store. A public bike rack will be provided under an awning for customers.





4.4 Site Plan Statistics

Item	Existing	Proposed
Site Area	101,184 Sq. Ft. (9,499 Sq. M)	
Total Gross Floor Area	Main Floor: 33,549 SF (3,116.8 SM) Mezzanine: 6,142 SF (570.6 SM) Total Existing: 39,691 SF (3,687.4 SM)	Main Floor: 33,549 SF (3,116.8 SM) Mezzanine to be Removed: (3,342 SF (310.48 SM)) Enclosed Remaining Mezzanine: 2,800 SF (260.13 SM) Total Proposed: 36,349 SF (3,376.93 SM)
Floor Area Uses	7,202 Sq. Ft. (669.1 Sq. M)	11,500 Sq. Ft. (1,022 Sq. M.) Main Floor, approximately 7,597 Sq. Ft. dedicated to retail and 3,903 Sq. Ft. to warehouse Plus 2,800 Sq. Ft. (260 sq. M.) enclosed mezzanine (Office/Storage) = approx..13,800 sq.ft (1282 Sq.M)
Floor Space Ratio	0.39 FSR	0.36 FSR
Grade	Per Existing	
Height	18'-8" TO 32'-0" (5.69 M TO 9.75 M) Existing	
Number of Stories	One Existing	
Setbacks	North: Per Existing East: Per Existing West: Per Existing South: Per Existing	
Landscaping	The existing landscaping as shown is to remain.	



5.0 TRANSPORTATION PLANNING

5.1 Transportation Study

Bunt & Associates were retained to assist with the site planning process for the proposed relocation of a BC Liquor Store within the Blanshard Square Shopping Centre. Patronage of the new store is expected to be similar to the existing location. The upgrades are primarily for customer comfort, to provide increased product selection and an expanded back of house component. The relocation from a parking standpoint is positive due to the store now being located adjacent to a larger parking pool within the Blanshard Square shopping centre.

Bunt has provided recommendations for on-site improvements relating to multi-modal circulation as well as an examination of loading requirements:

- Our analysis illustrated loading vehicle encroachment onto the sidewalk south of the proposed new loading bay driveway alignment. We recommend the loading bay driveway alignment be moved towards the south by approximately 2 meters.
- We recommend that a painted pedestrian crossing be introduced that connects the two major retail areas.
- We recommend all of the parking spaces in the row immediately adjacent to the front door of the new store be converted to short-term spaces (15 minute parking).
- We recommend a curb let down be introduced at the HC parking space near the Liquor Store's entrance to better allow wheel chair access to the store from the parking lot.
- We recommend bicycle parking be added in as close proximity to the new Liquor Store frontage as possible, without compromising sidewalk space for pedestrians.

All of the above recommendations have been integrated into the proposed site plan.

5.2 Site Parking

Commercial Retail Area:

- UNIT # 1 - 2680 BLANSHARD - NEW BC LIQUOR STORE = 8,239 SF (765.42 SM)
- UNIT #40 - 707 HILLSIDE - MERLE NORMAN = 951 SF (88.35 SM)
- UNIT #30 - 707 HILLSIDE - EDIBLE ARRANGEMENTS = 1,058 SF (98.29 SM)
- UNIT #20 - 707 HILLSIDE - FOOD MART = 759 SF (70.51 SM)
- UNIT #60 - 707 HILLSIDE - BLACK & LEE = 1,295 SF (120.31 SM)
- UNIT #70 - 707 HILLSIDE - MAGICUTS = 999 SF (92.81 SM)
- 787 HILLSIDE - EXISTING BC LIQUOR STORE = 7,202 SF (669.09 SM)
- TOTAL = 20,503 SF (1,904.79 SM)
- **1 SPACE PER 37.5 SM OF GROSS FLOOR AREA = 51 SPACES**

Restaurant:

- UNIT # 10 - 797 HILLSIDE - BOSTON PIZZA = 4,405 SF (409.24 SM) 150 SEATS
- UNIT # 4 - 2680 BLANSHARD - FOUNTAIN RESTAURANT = 3,689 SF (342.72 SM) 140 SEATS
- UNITS # 2/3 - 2680 BLANSHARD - TIM HORTON'S = 2,191 SF (203.55 SM) 38 SEATS
- TOTAL = 10,285 SF (955.51 SM) 328 SEATS
- **1 SPACE PER 5 SEATS = 66 SPACES**

Office:

- NEW BC LIQUOR STORE: UNIT # 1 - 2680 BLANSHARD ENCLOSED MEZZANINE = 1,960 SF (182.09 SM)
- **1 SPACE PER 65 SM OF GROSS FLOOR AREA = 3 SPACES**



Warehouse:

- NEW BC BC LIQUOR STORE:
 - UNIT # 1 - 2680 BLANSHARD = 2,761 SF (256.5 SM)
 - UNIT # 1 - 2680 BLANSHARD ENCLOSED MEZZ. = 840 SF (78.04 SM)
- TOTAL = 3,601 SF (334.54 SM)
- 1 SPACE PER 93 SM OF GROSS FLOOR AREA = 4 SPACES

Total Parking Provided

TOTAL PARKING SPACES REQUIRED = 124 SPACES

TOTAL PARKING SPACES EXISTING/MODIFIED = 144 SPACES



6.0 PUBLIC CONSULTATION

6.1 Summary

The project team has conducted the following consultation as a part of the rezoning process:

- October-November 2013 - Neighbourhood Petition
- October 15, 2013 – Presentation to the Burnside Gorge Community Association Land Use Committee
- November 18, 2013 – Community Open House / Presentation hosted by the Burnside Gorge Community Association

6.2 Neighbourhood Petition

On October 30, 2013, Brook Pooni Associates conducted a neighbourhood petition of the surrounding property owners and tenants. All surrounding buildings were contacted to verbally notify residents and businesses of the petition. Copies of the petition were then hand delivered to each address.

Neighbouring residents and tenants were provided with petition forms and given a deadline of December 4th to return completed petitions. There were 15 completed petitions received, including 14 supportive responses and 1 opposed. The following list highlights the origin of these responses:

- **825 – 841 Hillside / 2501-2691 Blanshard:** BC Housing Residential Rentals – 180 copies of the petition were distributed to the tenants, three completed petitions were returned, all in support
- **780 Kings Road:** CHEK TV station – One completed petition returned – in support
- **2630 Ross Lane:** Chartwell Seniors Facility – One copy of petition left with manager – No petition returned to date
- **755 Hillside:** Residential Strata Building – 30 copies of the petition mailed to residents – One completed petition returned to day – opposed
- **756 Hillside:** Long & McQuade - One completed petition returned – in support
- **770 Hillside:** Remax - One completed petition returned – in support
- **770 Hillside:** Furniture Rental - One completed petition returned – in support
- **760 Hillside:** Residential Rental Building - One completed petition returned from the building manager – in support
- **2680 Blanshard:** Commercial Centre containing the existing and proposed liquor store – 2 completed petitions returned, both in support.

6.3 Letters of Support

Four letters of support have been received for the store relocation from surrounding businesses. These include:

- **Tenants sharing #3-772 Bay Street:** Le Gers Properties, Castera Investments, Camargue Investments, Galatia Realty and Canmed Investments
- **#3-774 Bay Street:** Gizmos Computers
- **776 Bay Street:** Wen Blanshard Foods
- **#3-770 Bay Street:** Creatures Pet Store

6.4 Presentation to Land-Use Committee

On behalf of the Liquor Distribution Branch, Brook Pooni Associates presented to the Burnside Gorge Land Use Committee on October 15, 2013. The presentation was followed by an informal question/comment period. During this time, the Land Use Committee raised the following issues:



1. **Bike and pedestrian access and covered bike parking**
 - a. **Response:** Covered bike parking will be provided under an awning. In addition, secured bike storage space will be provided for employees within the store. A marked pedestrian walkway will be added.
2. **Frontage – pedestrian and bike friendly as well as litter bins**
 - a. **Response:** A litterbin will be added along with a bike rack located under an awning.
3. **Parking lot – pinch points and pedestrian and bike friendly**
 - a. **Response:** The purpose of the pinch point is to calm traffic through the site. A painted pedestrian walkway will be added to bring further safety order to the site. The relocation of the store from a parking standpoint is positive as it will be adjacent to a larger parking pool within the Blanshard Square Shopping Centre.
4. **Access from Hillside and all other streets – pedestrian, bike, bus and car issues**
 - a. **Response:** Bunt & Associates were retained to assist with the site planning process and noted in their recommendations: Patronage of the new store is expected to be similar to the existing location. The upgrades are primarily for customer comfort, to provide increased product selection and an expanded back of house component. Bunt estimates that the proposed relocation will result in an indiscernible increase in traffic to Blanshard Square (0 to 30 total two-way vehicle trips per peak hour).
5. **Security**
 - a. **Response:** The store will have increased security including additional cameras, in-store security guards and security patrols of exterior grounds as required. Sale of single bottle beers, coolers and ciders will be prohibited with a few exceptions pertaining to large sizes of craft beer, which are sold at a higher price point.
6. **Landscaping**
 - a. **Response:** Landscape features will be maintained to ensure appropriate site lines and CPTED guidelines.

6.5 Open House and Presentation

On November 18, 2013, the Burnside Gorge Community Association hosted a community meeting that was advertised jointly with Quadra-Hillside Community Association, in order for the BC Liquor Distribution Branch to discuss their rezoning application. Brook Pooni Associates presented on behalf of the Liquor Distribution Branch for this event.

Comments and Questions:

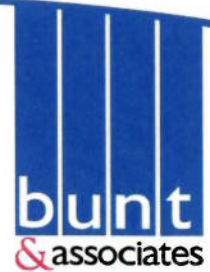
1. **Noise:** Concern about cut through traffic, particularly via Ross Lane and noise for residents at Ross Place (seniors home that backs onto the development zone) with a larger store and longer hours. What are the proposed mitigations?
 - a. **Response:** Noise specific to loading at the back of the building would end by 6:00 PM at night in the new location. There is general noise accumulation within the site with a number of businesses open late.
2. **Traffic:** A number of questions regarding traffic were part of the discussion as this will be a “destination store” for all of Victoria.
 - a. **Response:** Bunt & Associates were retained to assist with the site planning process. Bunt provided recommendations for on-site improvements relating to multi-modal circulation as well as an



examination of loading requirements (See, Section 5.0 for recommendations all of which have been integrated).

3. **Loitering and Littering:** Concern over littering, security and loitering around liquor store.
 - a. **Response:** The store will have increased security including additional cameras, in-store security guards and security patrols of exterior grounds as required. Sale of single bottle beers, coolers and ciders will be prohibited with a few exceptions pertaining to large sizes of craft beer, which are sold at a higher price point. The store will add a litterbin to the frontage. There will be a reduction in number of empties that can be returned by someone at the store from 72 to 24 bottles per person per day (local Bottle Depot within walking distance).
4. **Increase in Size/Competitiveness:** Concern that size is a significant increase for a liquor store. Additional concerns were raised related the impact of the move on the surrounding businesses in the development (the mixer shop).
 - a. **Response:** The landlord has consulted with surrounding businesses, many of which are in support. The store managers are accessible during operating hours to respond to any neighbour inquiries.





MEMO

DATE: December 13, 2013
 PROJECT: 4020.52
 NO:
 PROJECT: **Blanshard & Hillside Liquor Store Relocation**
 SUBJECT: **Transportation Memo - Draft**

TO: Laurie Schmidt
 Brook Pooni Associates Inc.
 FROM: Jason Potter, Bunt & Associates

Bunt & Associates were retained to assist with the site planning process for the proposed relocation of a BC Liquor Store within the Blanshard Square shopping centre, located at 2680 Blanshard Street in Victoria BC. The location of the site is shown in **Exhibit 1**.

Bunt has provided recommendations for on-site improvements relating to multi-modal circulation as well as an examination of loading requirements.

1. BACKGROUND

The proposed relocation will result in the existing 652 m² liquor store being relocated within the same Blanshard Square shopping centre complex into a larger 1,022 m² location (size increase of 370 m² or 3,983 sf). The existing and future proposed locations are illustrated in Exhibit 1 with local area context.

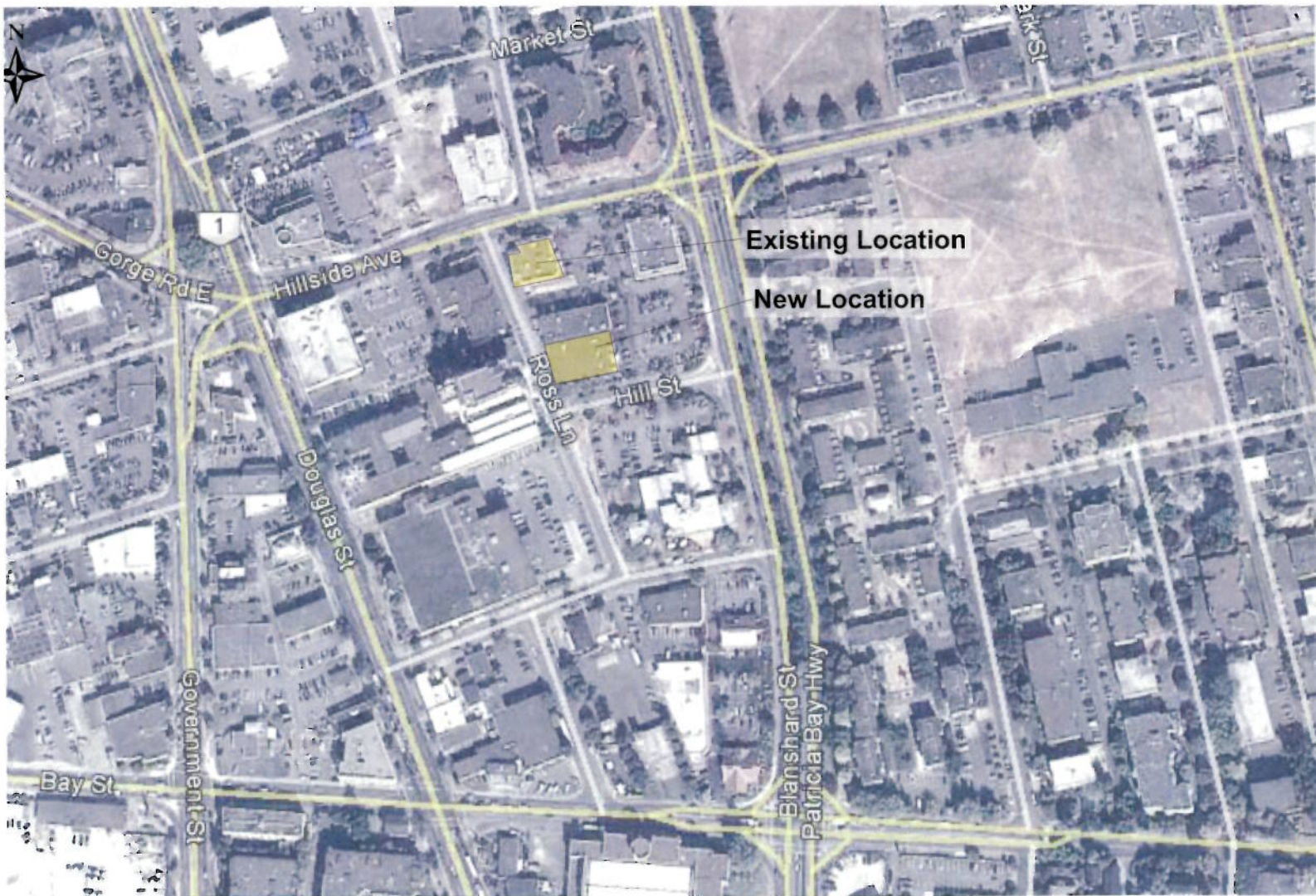
The existing and future proposed sites are serviced with a 144 space parking pool. The parking pool is shared with the other Blanshard Square tenants.

2. SITE ACCESS

The site is accessed from three frontages, Hill Street to the south, Hillside Avenue to the north and Ross Lane to the west. **Exhibit 2** illustrates the access points as well as the relevant turn restrictions. No changes in terms of vehicle access to the site will result from the proposed BC Liquor Store relocation.

3. DEVELOPMENT IMPACT

Patronage of the new store is expected to be similar to the existing location. The upgrades are primarily for customer comfort, to provide increased product selection and an expanded back of house component.



bit 1

Location - Blanshard & Hillside Liquor Store Relocation

ard & Hillside Liquor Store Relocation
2 December 2013 Scale NTS



bit 2 Access

ard & Hillside Liquor Store Relocation
2 December 2013 Scale NTS

Applying Bunt's in-house trip rates for a Liquor Store (approximately 8 two-way trips per 1,000 square feet during peak Weekday PM and Saturday mid-day peak hour periods) suggests that the proposed increase in store size could result in approximately 30 additional two-way vehicle trips per peak Weekday PM and Saturday mid-day peak hour periods. The Institute of Transportation Engineers (ITE) Trip Generation Manual does not have a Liquor Store land use.

Due to the stated rationale for relocation and a review of Liquor Store trip rates we estimate that the proposed relocation will result in an indiscernible increase in traffic to Blanshard Square (0 to 30 total two-way vehicle trips per peak hour).

The relocation from a parking standpoint is positive due to the store now being located adjacent to a larger parking pool within the Blanshard Square shopping centre.

4. LOADING

The proposed new Liquor Store's loading bay is located off of Ross Lane. Alterations to the loading bay have been proposed by the developer and are presented in **Exhibit 3**. Bunt examined the new proposed loading facility using AutoTURN software. Truck turning paths for a WB-12 truck are presented in **Exhibit 4**. Our analysis illustrated encroachment onto the sidewalk south of the proposed new driveway alignment. We recommend the driveway alignment be moved towards the south by approximately 2 meters.

Loading activity will occur between 7 AM and 6 PM four days a week. This is a reduction from the existing loading schedule which operates from 7 AM to 8 PM six days a week.

5. ON-SITE RECOMMENDATIONS

Conceptual on-site circulation recommendations are illustrated in **Exhibit 5**, and are described below.

1) We recommend that a painted pedestrian crossing be introduced at the location indicated in **Exhibit 5**. The location is also shown in **Photo 1** on the following page.

A more formalized and visible pedestrian linkage at this location will provide a short and clearly defined crossing point for pedestrians and will also act as a traffic calming measure for vehicles. The location is centrally located and connects Blanshard Square's two major retail buildings. This pedestrian crossing will allow vulnerable pedestrians leaving their vehicle from the main parking pool to go over to the sidewalk adjacent Edible Arrangements and make their way to the Liquor Store using a pedestrian route rather than through the parking lot if they desire to do so. It also connects the new store to the Blanshard Street sidewalk (there is a walkway connection from the parking lot area to Blanshard Street sidewalk near the Black & Lee Tuxedo shop).

The curb let-downs for the pedestrian crossing are currently in place. We suggest the crossing be formalized by adding painted pedestrian crossing markings, and by adding bi-directional pedestrian crossing signs.



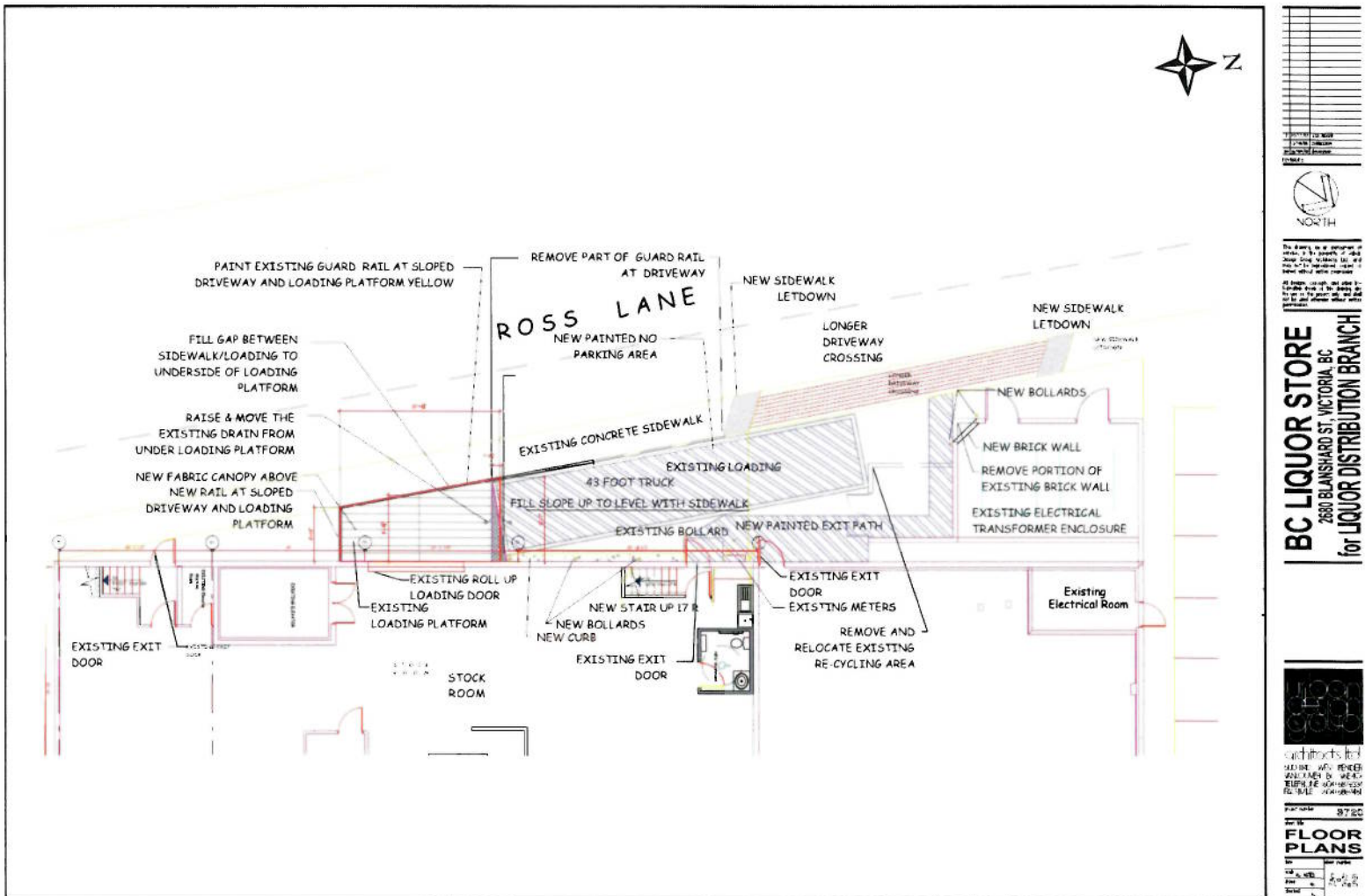
Photo 1: Pedestrian Crossing location

- 2) We recommend all of the parking spaces in the row immediately adjacent to the front door of the new store be converted to short term spaces (15 minute parking). This will encourage higher vehicle turnover and discourage staff from parking in the highest priority spaces.
- 3) We recommend curb let downs be introduced along the new store frontage to better allow shopping cart or wheel chair access.
- 4) We recommend (3 - 4) parking spaces immediately adjacent to the liquor store's front entry be converted into small vehicle spaces in order to add sidewalk/ pedestrian space. The spaces could be reduced to approximately 4.6m depth while retaining the width of the existing spaces. Note, 4.6 m represents the typical depth or length of a small vehicle space, however, Victoria bylaw does not recognize small vehicle spaces and as such does not have small vehicle parking space size guidelines.

5) We recommend bicycle parking be added in as close proximity to the new Liquor Store frontage as possible, without compromising sidewalk space for pedestrians. To the south of the new store along the Hill Street frontage of the building would appear to be the most appropriate location. This location is convenient for cyclists entering the site from Hill Street via Blanshard Street's southbound bike lane. The bike parking should be as visible as possible from Hill Street and should be weather sheltered.

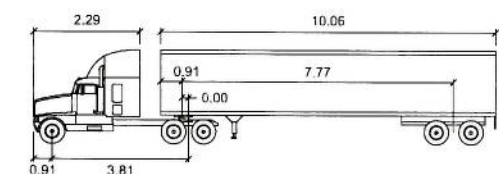
An AutoCAD file showing these five recommended alterations is provided as an attached file. These recommendations have been added to the most recent (December 13, 2013) site plan as shown in Exhibit 6.

We trust this information to be useful, should you have any questions please feel free to contact us at your convenience.



bit 3 Liquor Store Loading Bay Proposed Alterations

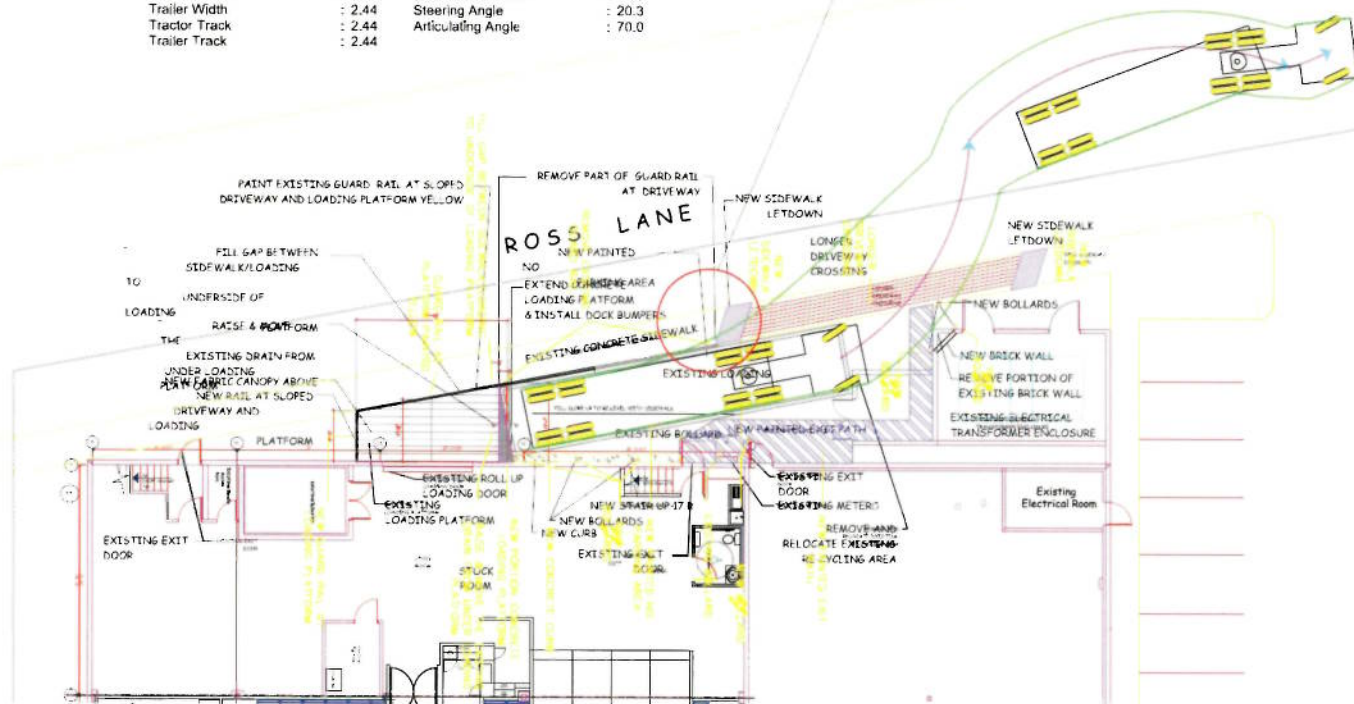
Blanshard & Hillside Liquor Store Relocation
2 December 2013 Scale NTS



meters

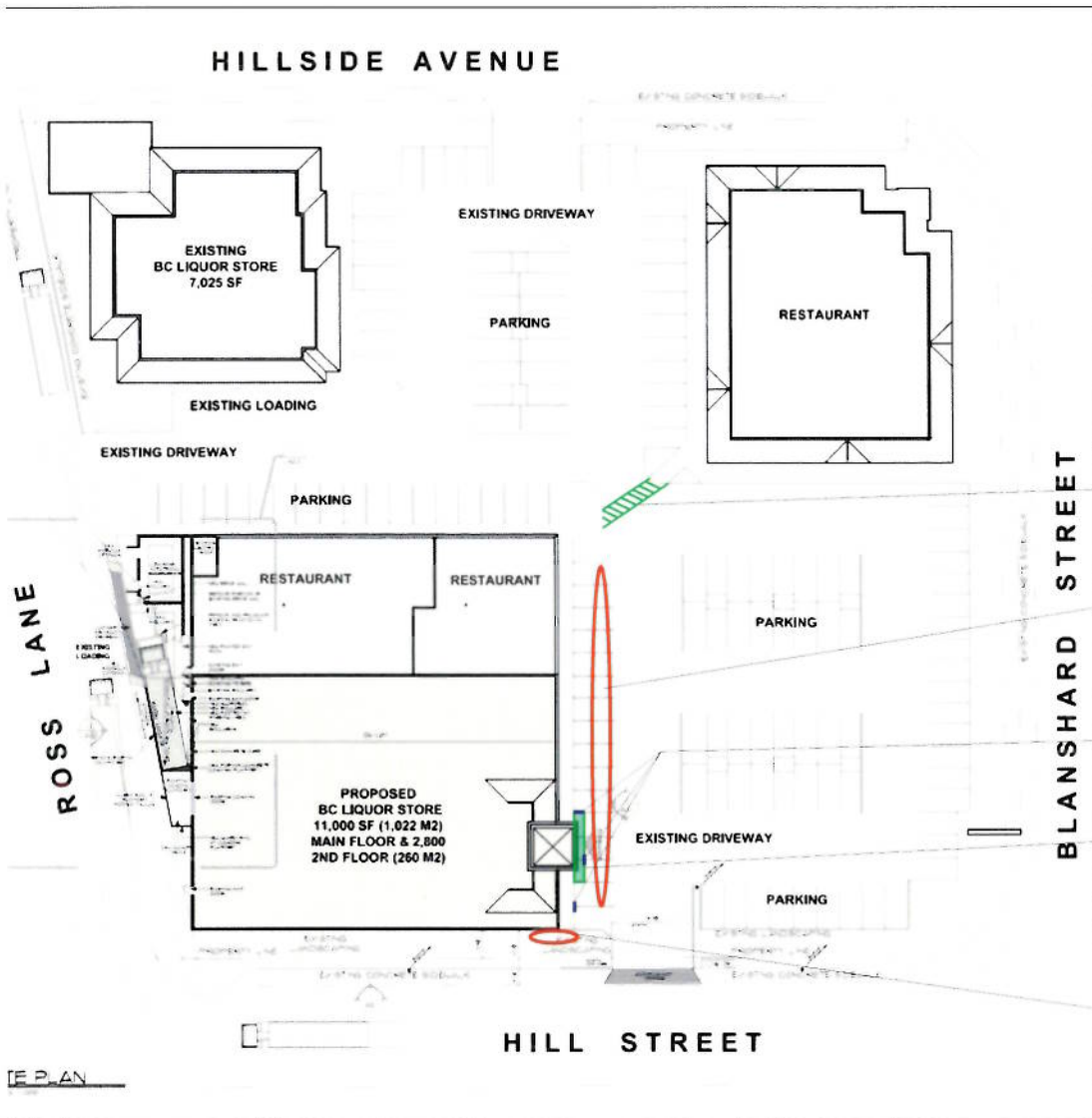
Tractor Width	: 2.44	Lock to Lock Time	: 6.00
Trailer Width	: 2.44	Steering Angle	: 20.3
Tractor Track	: 2.44	Articulating Angle	: 70.0
Trailer Track	: 2.44		

Shift driveway to south (approximately 2



bit 4 Major Store Loading AutoTURN Analysis

ard & Hillside Liquor Store Relocation
2 December 2013 Scale NTS



- 1) Paint pedestrian crossing and add bi-directional "Pedestrian Crossing" signs.
- 2) Mark all spaces in this row as short term parking. Some spaces near Tim Horton's marked as short term spaces.
- 3) Introduce curb let-downs from sidewalk parking lot area.
- 4) Convert 3-4 parking spaces immediately adjacent to small vehicle spaces from regular (depth reduction, width remain) in order to create additional pedestrian realm.
- 5) Add bicycle parking (at minimum one 6

bit 5 Recommended On-site Improvements

3rd & Hillside Liquor Store Relocation
2 December 2013 Scale NTS



Burnside Gorge Community Association

471 Cecelia Road, Victoria B.C. V8T 4T4
T: (250) 388-5251 | F: (250) 388-5269
bgca@shaw.ca | www.burnsidegorge.ca

December 18, 2013

Dear Mayor and Council

CALUC Community Meeting: Rezoning application for 2680 Blanshard (BC Liquor Commission)

On November 18, 2013, the Burnside Gorge Community Association (BGCA) hosted a CALUC Community meeting, that was advertised jointed with Quadra-Hillside Community Association, in order for the BC Liquor Commission to discuss their rezoning application and proposed movement of their location at Hillside XX to the former Jordan's (now vacant) within the same complex. The proposal increases the size of the liquor store from about 7200 sq ft to over 11,000 sq ft.

The proposal is for a "Signature BC Liquor Store" with increased square footage, increase hours, increase in staffing, reduction of site bottle return from 72 empties a day to 24 empties, and a change to the loading configuration on the west side of building.

Comments and questions from the floor:

Noise. Concern about cut through traffic, particularly via Ross Lane and noise for residents at Ross Place (seniors home that backs onto the development zone) with a larger store and longer hours. What are the proposed mitigations?

Response: Store (in its current location) has been opened to 11 p.m. before. Noise specific to loading at back building would end by 6-7 p.m. at night. There is general noise accumulation with the site with a number of businesses open late.

Traffic. A number of questions regarding traffic were part of the discussion as this will be a "destination store" for all of Victoria. Concerns and comments included:

- Bike and pedestrian considerations. Bike parking and pedestrian/cyclist flow within the development to be consider as part of traffic management. And Traffic flow review regardless of modality (bike, pedestrian, not car centric)
- Request for a Traffic Management/Flow review of both the parking lot and of the four streets that encompass the development. With a destination store and the entrance off Hillside between Blanshard and Douglas there are already safety concerns around access into the development and through the development via parking lot.
- Concern over loading zone and loading zone access.

Response: proponent and land owner will seek a transportation review.

Loitering and littering. Concern over long hours, noise, littering, security and loitering around liquor store.

Response: Reduction in numbers and types of 'singles' that can be purchased. Will seek to add refuse bins to exterior design, reduction in number of empties that can be returned by someone at the store (local Bottle Depot within walking distance). For security, the store will have increased cameras, additional personnel.

Increase in size/competitiveness. Concern that size is a significant increase in current City zoning for a liquor store. Currently approximately 3.5 times the size of the City's limit for private stores and now seeking to increase size more. Community is already very well serviced with a high concentration of liquor stores within walking distance (2 on Douglas, 1 at Quadra-Hillside, 1 on Blanshard). Cascadia (at Quadra Hillside) had to develop a good neighbour pledge to be able to develop their store and it is not nearly the same size. Over concentration bad for all business. It's a question of equity. Additional concern over location move impact on businesses internal to the development (the mixer shop).

Response: proponent was seeking to renovate existing store and the site became available. Will be servicing retail and wholesale from same location. Proponent had not, at the time of the meeting, met with all businesses internal to the development and committed to a follow up meeting asap. Proponent was interested in reviewing and implementing a good neighbour pledge if that would meet a need in the community.

The proponent outlined timeframes of submitting rezoning application in mid-December and, if approved, an expectation of about 6 months of process to final public hearing. They anticipate a seamless transition with one site remaining open until other site is ready.

As per the process of a Burnside Gorge Community Association rezoning community meeting, there is a straw vote to provide context to the questions.

Therefore, of the meeting attendees, 1 person generally approved of the proposal as presented and 4 were opposed.

Broader Context for Development

In Burnside Gorge Community Association community meetings, we have included an additional approach to soliciting feedback on rezoning applications. We are also getting feedback from attendees on their wishes for, and thoughts about, the immediate vicinity of a subject property. We are hoping that, over time, this will help us stitch together a more comprehensive view and put rezonings into context.

We were unable to collect such comments for this specific meeting as it was a jointly advertised meeting with Quadra-Hillside.

Land Use Committee Specific Comments (October 15 meeting with proponent)

- Bike and pedestrian access and covered bike parking
- Frontage – pedestrian and bike friendly and litter bins
- Parking lot – pinch points and pedestrian and bike friendly
- Access from Hillside and all other streets – pedestrian, bike, bus and car issues
- Security
- Landscaping

Yours sincerely,

79 Schur

Land Use Committee Chair
Burnside Gorge Community Association
landuse@burnsidegorge.ca



LE GERS PROPERTIES INC., CASTERA INVESTMENTS INC., CAMARGUE
INVESTMENTS INC., GALATIA REALTY INC. & CANMED INVESTMENTS INC.

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

josee@groupedenux.com - www.groupedenux.com

November 26th, 2013

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

RE: Letter of support for proposed rezoning of 2680 Blanshard Street, Victoria, BC

To whom it may concern,

In light of the recent rezoning proposal regarding the relocation, within the site, of the existing BC Liquor Store at 2680 Blanshard Street. The above mentioned companies, as joint tenants sharing a space at #3-772 Bay Street, one block south of 2680 Blanshard Street, wish to express their strong support for the rezoning proposal.

Sincerely,



Josée Stamhuis
Property Manager



Gizmos Computers Victoria Locations

#3-774 Bay Street
Victoria B.C. V8T-5E4

(250)381-8222 Fax (250)381-8223

#758-Goldstream Ave

Langford B.C. V9B-2X4

(250)474-3443 Fax(250)4743494

WWW.GIZMOS.CA

November 26, 2013

To Whom It May Concern:

This letter is to indicate that Gizmos Computers, located on the same city block as the proposed liquor store supports the expansion of the said Signature Liquor store. We feel that the added foot traffic will enhance our business, and be an asset to the community.

If you have any questions, feel free to contact me any time at our Bay Street address.

Kelly Wagner, General Manager

A handwritten signature in blue ink, appearing to read 'Kelly Wagner', written over a faint, curved line.

PROPOSED SIGNATURE LIQUOR STORE

@#1-2680 Blanchard Street Victoria BC

November 28 2013

To: City of Victoria

From: Wen Blanchard Foods Ltd./DBA Wendys

776 Bays Victoria BC V8R 3P9

To whom it may concern: We are in full support of a larger Liquor store at the proposed location. We feel that the larger space will serve customers better and bring more shoppers to the area.

Sincerely,

Wen Blanchard Foods Ltd.

Joseph Vucko

President

776 Bay St.

Victoria BC

V8T 1R1

Cell# 250-380-8251

Fax 250-590-9785

Ji.vucko30@me.com



Creatures Pet Store (0588828 BC Ltd)
#3 - 770 Bay St, Victoria BC, V8T 5E4
ph (250) 382-3329 fax (250) 388-4251 email: creatures2010@gmail.com

2013-11-27

City of Victoria

To whom it concerns:

Re: Unit #1 2680 Blanchard St

I understand there is pending proposal for the building at 2680 Blanchard St unit 1, where the new potential tenant would operate a liquor store known as a "Signature Liquor Outlet".

As a business operator at 770 Bay St, Creatures Pet Store, I am in favor of this proposal, and would look forward to an upgraded liquor store and the potential new traffic to the area.

Sincerely

A handwritten signature in blue ink, appearing to read 'Ty Hahn', is written over a faint, larger signature.

Ty Hahn

Owner, Creature pet Store.

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

On behalf of the BC Liquor Distribution Branch, Brook Pooni Associates has applied to the City of Victoria to rezone the property located at 2680 Blanshard Street to permit a retail liquor store relocation within the site.

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

Please review the plans and indicate the following:

NAME: (please print) Fountain Restaurant (Yan Fen Guan)

ADDRESS: #4 - 2680 Blanshard st

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

I do not have any concerns to the relocation
however hopefully the liquor store have a better selection than
the current. We only get our liquor from the current
liquor store. It stays just as convenient.

Nov 19 / 13
Date

[Signature]
Signature

CITY OF VICTORIA

CITY OF VICTORIA

Page 54 of 191

Signature _____

CITY OF VICTORIA

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

On behalf of the BC Liquor Distribution Branch, Brook Pooni Associates has applied to the City of Victoria to rezone the property located at 2680 Blanshard Street to permit a retail liquor store relocation within the site.

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

Please review the plans and indicate the following:

NAME: (please print) Cash Advantage

ADDRESS: 770 Hillside Ave

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

Comments: I have no concerns.

Nov 27/13
Date

Signature

CITY OF VICTORIA

Page 57 of 191

LICENSEE RETAIL STORE REZONING PETITION

On behalf of the BC Liquor Distribution Branch, Brook Pooni Associates has applied to the City of Victoria to rezone the property located at 2580 Blanshard Street to permit a retail liquor store relocation within the site.

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

Please review the plans and indicate the following:

NAME (please print) Michael Fekete

ADDRESS: 815 FEMBERTON

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments: I love the idea. Let's do it!

Nov 21, 2013 [Signature]

CITY OF VICTORIA

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

On behalf of the BC Liquor Distribution Branch, Brook Pooni Associates has applied to the City of Victoria to rezone the property located at 2680 Blanshard Street to permit a retail liquor store relocation within the site.

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

Please review the plans and indicate the following:

NAME: (please print) W39112 MacDONALD

ADDRESS: 203-7111 BLANSARD AVE V8T 2T3

Are you the registered owner? Yes ☒ No ☐

OWNER OF MY UNIT IN THE STRATA
TREASURER OF STRATA COUNCIL V/S 1117.
I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☐ I am opposed to the application.

Comments:

W39112 MACDONALD L200104-1
EXTENDED HOURS, TRAFFIC WILL
INCREASE AS WELL AS NOISE. OUR
STRATA HAS ALREADY AMENATED BY-
LAWS TO ALLOW 2 UNITS FACING
ROSS LAKE TO COVER BALCONIES TO
MITIGATE EXISTING NOISE. BOTTLE
RETURN LIMITATION IS A POSITIVE
PROPOSAL. PARKING IS A CONCERN
AND NEW STREET DEVELOPMENT ACROSS THE
STREET HAS ALREADY REDUCED ITS
PROPOSED PARKING SPACE AS THEY HAVE
REDUCED BUILDING HEIGHT NEXT TO SEVERAL
CONCERNS. 104 MIGHT REQUIRE MORE
SPEED BUMPS ON HILL STREET ALSO.

18/11/2012
Date

Wayne MacDonald
Signature

CITY OF VICTORIA

Page 60 of 191

Page 61 of 191

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

On behalf of the BC Liquor Distribution Branch, Brook Pooni Associates has applied to the City of Victoria to rezone the property located at 2680 Blanshard Street to permit a retail liquor store relocation within the site.

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

Please review the plans and indicate the following:

NAME: (please print)

ADDRESS:

Are you the registered owner? Yes ☐

No ☒

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Nov 7, 2013
Date

Date _____

 Signature

Signature _____

CITY OF VICTORIA

Page 63 of 191

Signature _____

Page 64 of 191

Page 65 of 191

LICENSEE RETAIL STORES REZONING POLICY

LICENSEE RETAIL STORE REZONING PETITION

On behalf of the BC Liquor Distribution Branch, Brook Pooni Associates has applied to the City of Victoria to rezone the property located at 2680 Blanshard Street to permit a retail liquor store relocation within the site.

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

Please review the plans and indicate the following:

NAME: (please print) BLENHEIM VENTURES LTD

ADDRESS: 760 HILLSIDE AVENUE *

Are you the registered owner? Yes ☒ No ☐

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

☒ I support the application.

☐ I am opposed to the application.

Comments:

* BUILDING TAKES UP FULL CITY BLOCK BOUNDED BY
THE FOLLOWING ROADS:
- HILLSIDE AVE
- BLANSHARD ST
- MARKET ST
- NANAIMO ST

OTHER ADDRESSES INCLUDED ARE:
- 755 MARKET STREET
- 765 MARKET
- 775 MARKET
- 785 MARKET

November 04/13
Date

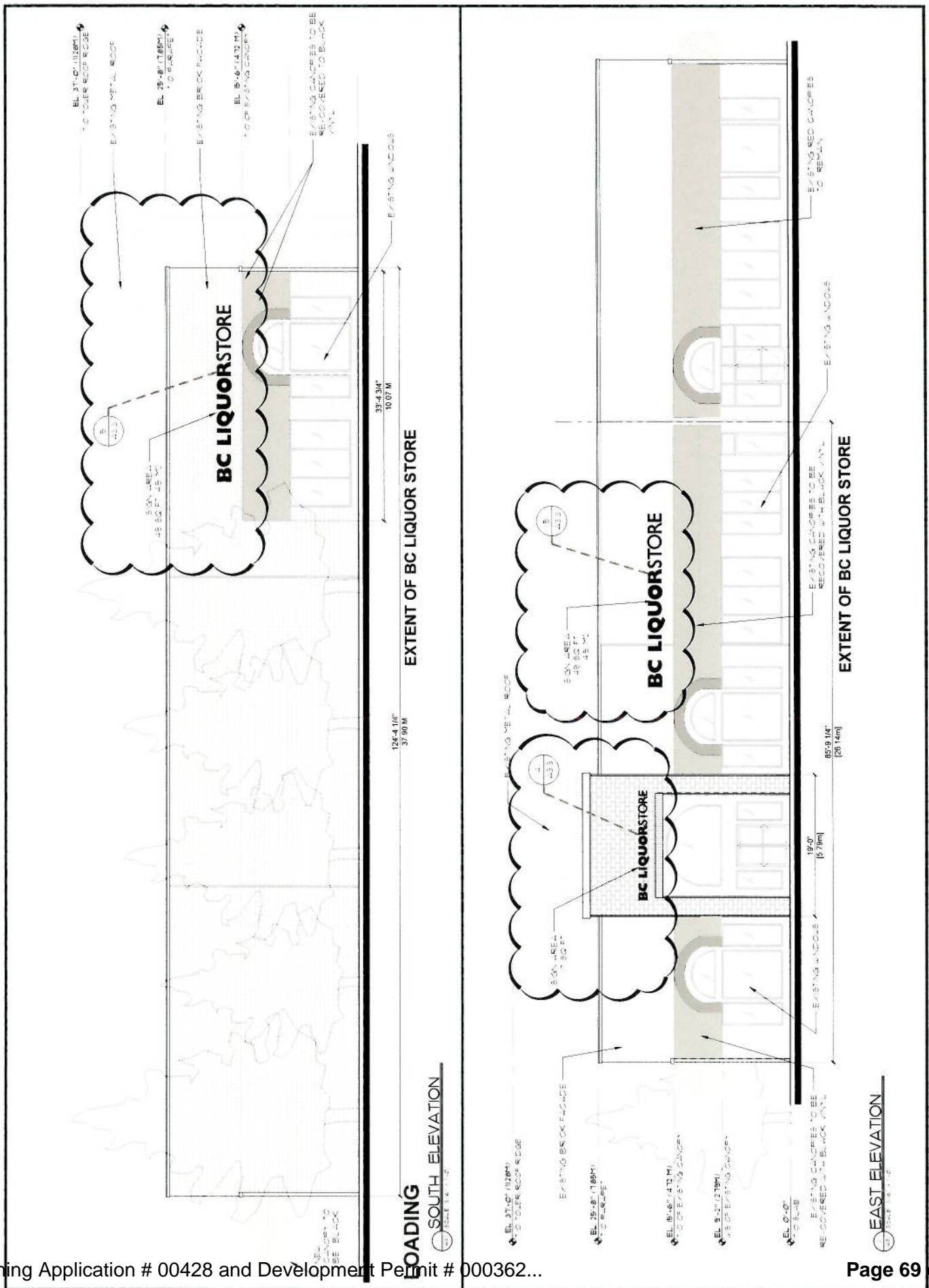
R. Rango
Signature

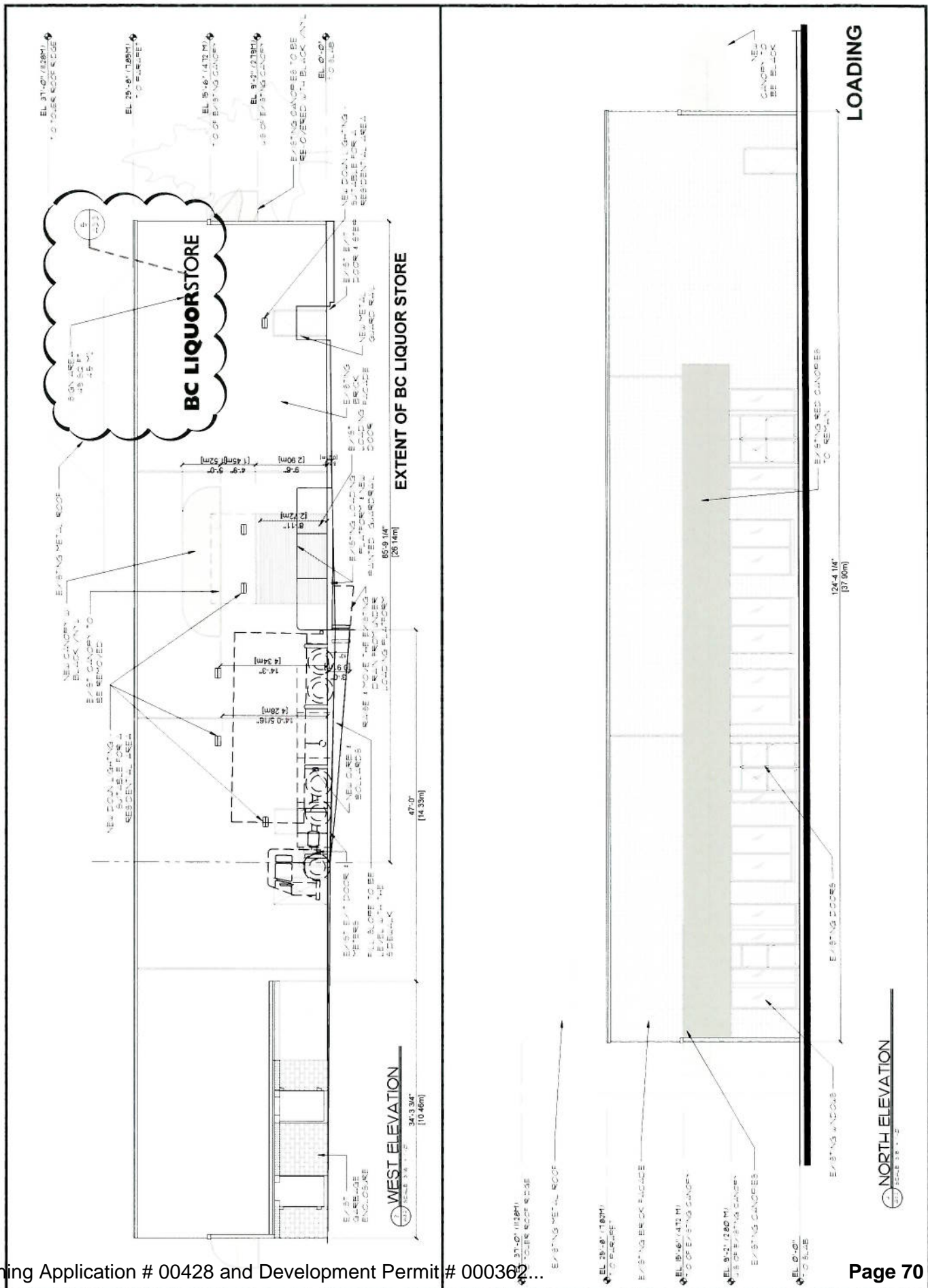
CITY OF VICTORIA

Blanshard Square
2680 Blanshard Street

Appendix 4
Development Permit Details









Planning and Land Use Committee Report

Date: May 1, 2014 **From:** Helen Cain, Senior Planner
Subject: **Development Permit with Variance #000332 for 1440 Dallas Road**
Application to relax the R1-S2 Zone (Restricted Small Lot Two Storey District) to permit a rooftop deck

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit with Variance Application for the property at 1440 Dallas Road. The applicant proposes the addition of a rooftop deck to a small lot house to enable private views of the Dallas Road oceanfront. This proposal requires a relaxation of the R1-S2 Zone (Restricted Two Storey Small Lot House District) standards which do not permit a roof deck.

The following points were considered in assessing this application:

- The proposed deck is sited within the front portion of the roof with access and egress from both an elevator, for wheelchair accessibility, and rear stairs.
- No portion of the deck would be located at the back of the roof, where it would be possible to look over and view the rear yards of neighbouring houses.

In accordance with the City's *Land Use Procedures Bylaw*, this Development Permit Application with Variance requires notification, sign posting and a Hearing. Staff recommend that the Committee support this application because the proposed rooftop deck would have little or no impact on the privacy of adjacent neighbours.

Recommendations

That Development Permit #000322 for 1440 Dallas Road proceed to a Hearing, in accordance with:

1. Plans date stamped December 24, 2013, for Development Permit #000332
2. Development meeting all *Zoning Regulation Bylaw* requirements, except Part 1.23, R1-S2 Zone (Restricted Small Lot Two Storey District):
 - prohibition on a rooftop deck relaxed to allow a rooftop deck.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,



Helen Cain
Senior Planner
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Jason Johnson

Date: May 5, 2014

HC:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000332\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 with Variance Application for the property located at 1440 Dallas Road.

2.0 Background

2.1 Description of Proposal

The applicant is proposing the addition of a roof deck to a small lot house to enable private views of the Dallas Road oceanfront. This proposal requires a relaxation of the R1-S2 Zone (Restricted Two Storey Small Lot House District) standards which do not permit a roof deck.

The proposed deck is sited within the front portion of the roof with access and egress from both an elevator, for wheelchair accessibility, and rear stairs leading up to the roof. It should be noted that no portion of the deck would be located at the back of the roof, where it would be possible to look over and view the rear yards of neighbouring houses.

2.2 Existing Site Development and Development Potential

The subject properties are located in the R-J Zone, Low Density Attached Dwelling District. This Zone permits all uses in the R1-S2 Zone (Restricted Small Lot Two Storey District), subject to the regulations in that Zone. The data table (below) compares the proposal with the standard R1-S2 Zone (Restricted Small Lot Two Storey District). This proposal is less stringent than the standard zone in the criterion that is identified with an asterisk (*) below.

Zoning Criteria	Proposal	Zone Standard R1-S2
Site area (m ²) – minimum	295.33	260.00
Total floor area (m ²) – maximum	160.68	190.00
Density (Floor Space Ratio) – maximum	0.54:1	0.6:1
Site coverage (%) – maximum	35.17	40.00
Setbacks (m) – minimum		
Front (south)	6.00	6.00
Rear (north)	6.00	6.00
Side (east)	1.50	1.50
Side (west)	1.50	1.50
Height (m) – maximum	7.32 (building)	7.50
Storeys – maximum	2	2
Roof deck	Yes*	Not permitted
Parking – minimum	2	1

2.4 Land Use Context

The property is located in an area where the place character is low-density single family dwellings and duplexes with pockets of relatively higher-density multi-unit residential uses.

There are no commercial uses in the immediate vicinity. New infill in the form of low-density and ground-oriented housing is well suited to the streetscape that includes 1440 Dallas Road and the immediate area of the south Fairfield neighbourhood.

2.5 Legal Description

- Parcel B (DD 131128I) of Lots 13 and 28, Block F, Fairfield Farm Estate, Victoria District, Plan 340
- Lot 27, Block F, Fairfield Farm Estate, Victoria City, Plan 340.

2.6 Relevant History

Council approved an earlier Development Permit for four small-lot houses for the properties at 1440 and 1450 Dallas Road on March 14, 2013. At that time, the proposal did not include any variances. Subsequently, the owner of one of these small lot houses is seeking a relaxation of the R1-S2 Zone standard to permit a roof deck.

2.7 Community Consultation

In compliance with the Community Association Land Use Committee Procedures for Processing Variances, this Development Permit Application was referred to the Fairfield Gonzales Community Association on December 2, 2013, for a 30-day comment period. No comments were received at the time of writing this report.

3.0 Issues

The main issue related to this application is the impact of the proposed roof deck on the privacy of adjacent neighbours.

4.0 Analysis

4.1 Privacy Impacts

Potential impact of a rooftop deck on the privacy of immediate neighbours is an important issue. The applicant has worked constructively with staff to reduce the footprint of the proposed deck so that the viewing area is restricted to the front of the roof, while a walkway from the elevator shaft would be wide enough to accommodate a wheelchair. Given that views from the rooftop to neighbouring yards would only be possible from the walkway portion of the deck, the privacy of adjacent neighbours would be reasonably protected.

5.0 Resource Impacts

There are no resource impacts anticipated.

6.0 Conclusions

Staff recommend that the Committee support this application because the proposed rooftop deck would have little or no impact on the privacy of adjacent neighbours.

7.0 Recommendations

7.1 Staff Recommendations

That Development Permit #000322 for 1440 Dallas Road proceed to a Hearing, in accordance with:

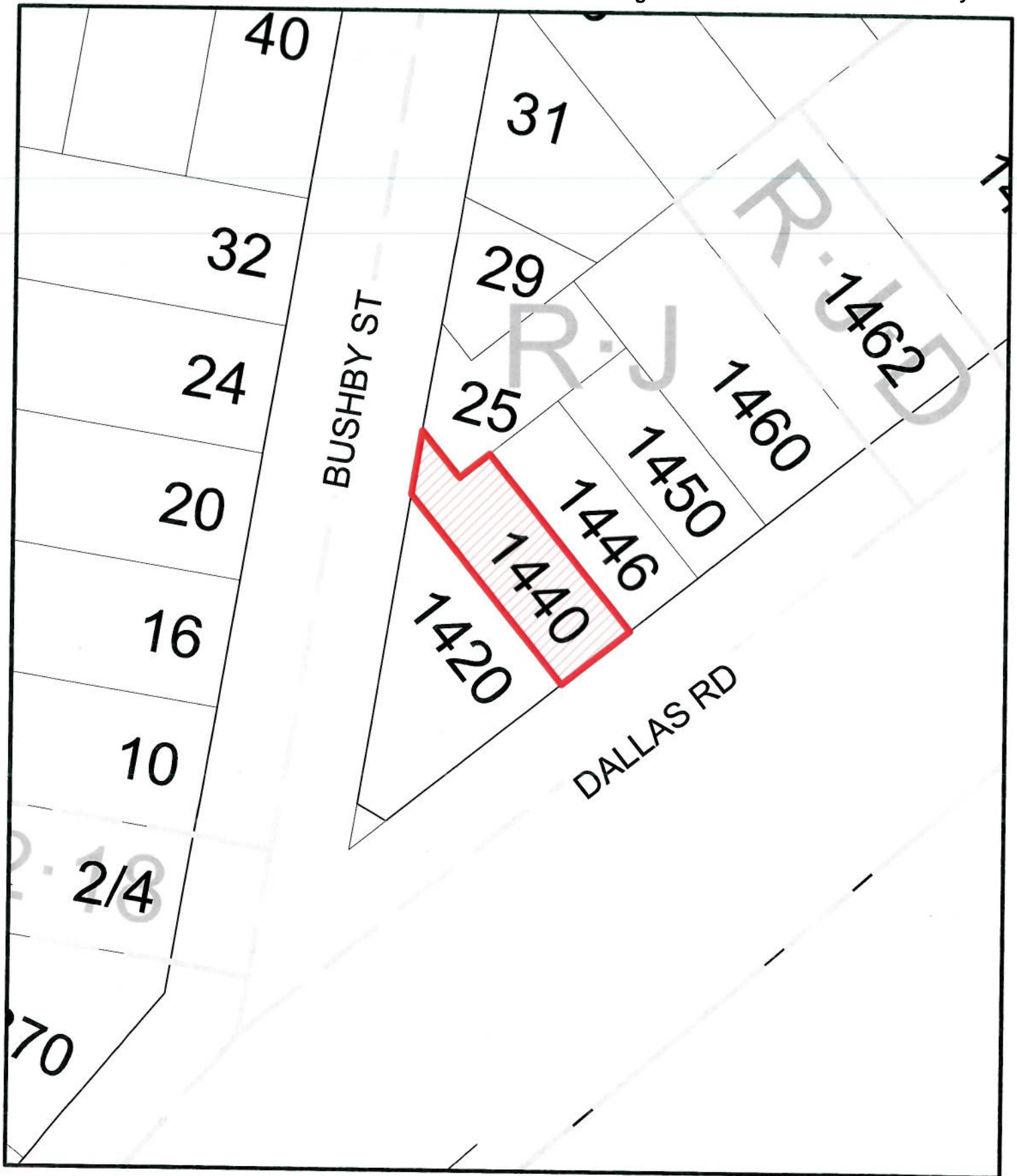
1. Plans date stamped December 24, 2013, for Development Permit #000332.
2. Development meeting all *Zoning Regulation Bylaw* requirements except Part 1.23, R1-S2 Zone (Restricted Small Lot Two Storey District):
 - prohibition on a rooftop deck relaxed to allow a rooftop deck.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendation

That Council decline Development Permit Application #000332.

8.0 List of Attachments

- Zoning map
- Aerial map
- Letters from applicant stamped December 24, 2013, November 29, 2013, and October 30, 2013
- Plans stamped December 24, 2013, for Development Permit #000322.



1440 Dallas Road - Lot 4
Development Permit #000332

Development Permit with Variance # 000332 for 1440 Dallas Ro...



1440 Dallas Road - Lot 4
Development Permit #000332

Development Permit with Variance # 000332 for 1440 Dallas Ro...



December 23, 2013

City of Victoria, Planning and Developing Department
Development Services Division
#1 Centennial Square
Victoria, B.C. V8W 1P6

Re: Lot 4, 1450 Dallas Road, Victoria B.C. - Development Permit with Variance

Dear Mayor and Council,

Thank you for considering our application for a rooftop deck at 4-1440 Dallas Road, for Development Permit # 000332. Our application has been altered to allow for stairwell access to the rooftop (as well as elevator access), per recommendations from the Application Review Summary dated November 27 2013. We are applying for only one variance, for the existence of the rooftop deck.

Please see our previous letter from November 19, 2013 for the application rationale.

Regarding "Conditions to be met prior to Planning & Land Use Committee of the Whole", from Development Services Division, please see below in blue:

- Provision of additional analysis of the impact of roof deck on adjacent residents.
[Roof deck is now shown on site plan, as requested](#)
- Plan revisions to fully show the roof deck in context of the neighbouring houses.
[Roof deck is now shown on site plan, as requested](#)
- Plan revisions that reduce the northerly extent of roof deck to meet the minimum requirements of universal access, only.
[Northerly walkway reduced to 5 feet wide, as requested](#)

Regarding Permit and Inspection Division comments, please see below in blue:

- Roof top occupancies require a code compliant access to exit. The elevator/cab lift is not considered to be an access to exit as it cannot be used in cases of fire emergencies.
[Primary stair access is now incorporated to the roof deck](#)
- The services of a structural engineer will be required at the building permit stage for glass guards and construction of deck.
[A structural engineer will certify the drawings and specifications at the Building Permit stage](#)
- Will need to confirm correct venting of attic space under proposed deck.
[To be confirmed at the Building Permit stage](#)

We appreciate your time in reviewing our revised application.

Sincerely,

Rus Collins
Zebra Design & Interiors Group, Inc.

Zebra Design & Interiors Group Inc. • 1161 Newport Avenue, Victoria BC V8S 5E6
Phone: (250) 360-2144 Fax: (250) 360-2115
Email: info@zebragroup.ca Website: www.zebragroup.ca



November 19, 2013

City of Victoria, Planning and Developing Department
Development Services Division
#1 Centennial Square
Victoria, B.C. V8W 1P6

Re: Lot 4, 1450 Dallas Road, Victoria B.C. - Development Permit with Variances

On behalf of our client Mr. Schenck we would like to apply for a development permit with variances, in order to allow the construction and maintenance of a rooftop deck at the above mentioned property. A development permit has already been issued for this property, but this application is to address the addition of two minor variances to this small lot.

The first variance request is for the existence of the deck itself. The second is a building height variance of 0.88 meters, because the roof height would need to be calculated to the top of the glass railing of the enclosure. Allowable building height is 7.5 meters; height to the top of the glass railing would be 8.38 meters.

Mr. Schenck has lived at this location on Dallas Road for many years and is now having a new house built for him. He has always desired to build a new home with a roof deck but as we were designing his home and preparing the development permit for the property, we had to inform him that roof decks were no longer permitted.

After making some enquiries with City staff, we found out that a variance could be applied for, and Mr. Schenck has respectfully asked that we seek such a variance on his behalf. Mr. Schenck would also like to have access to the roof for the purpose of cleaning his skylights and in future, he intends to install solar heating panels which would also be easier to maintain with roof access.

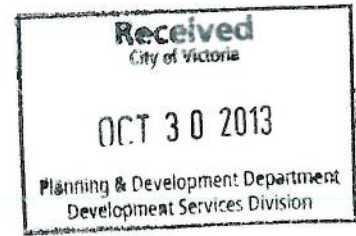
We understand that one of the principal reasons for the current restriction on roof decks is because of concerns regarding privacy for neighbours. In response to this issue, we have designed the deck enclosure to be set back significantly from the edges of the building, in order to protect the privacy of the neighbours. In addition, the enclosure has been designed with obscured, frosted glass for the majority of the railing except a portion on the side facing the ocean. Mr. Schenck's location is somewhat unique in that, as the property faces the ocean, he does not have neighbours anywhere in the front 180 degrees of his property. Sight lines and privacy should not be a concern in that forward direction.

We hope that you will weigh the special conditions of this property when considering your response to this application. Thank you for your time and we look forward to your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Rus Collins".

Rus Collins
Zebra Design & Interiors Group, Inc.



October 22, 2013

City of Victoria, Planning and Developing Department
Development Services Division
#1 Centennial Square
Victoria, B.C. V8W 1P6

Re: Lot 4, 1450 Dallas Road Lot, Victoria B.C. – request for amendment to Development Permit

On behalf of our client Mr. Schenck we would like to apply for an amendment to the development permit, in order to allow the construction and maintenance of a rooftop deck. Mr. Schenck has lived at this location on Dallas Road for many years and is now having a new house built for him. He has always desired to build a new home with a roof deck but as we were designing his home and preparing the development permit for the property, we had to inform him that roof decks were no longer permitted.

After making some enquiries with City staff, we found out that a variance could be applied for, and Mr. Schenck has respectfully asked that we seek such a variance on his behalf. Mr. Schenck would also like to have access to the roof for the purpose of cleaning his skylights and in future, he intends to install solar heating panels which would also be easier to maintain with roof access.

We understand that one of the principal reasons for the current restriction on roof decks is because of concerns regarding privacy for neighbours. In response to this issue, we have designed the deck enclosure to be set back significantly from the edges of the building, in order to protect the privacy of the neighbours. In addition, the enclosure has been designed with obscured, frosted glass for the majority of the railing except a portion on the side facing the ocean. Mr. Schenck's location is somewhat unique in that, as the property faces the ocean, he does not have neighbours anywhere in the front 180 degrees of his property. Sight lines and privacy should not be a concern in that forward direction.

We hope that you will weigh the special conditions of this property when considering your response to this application. Thank you for your time and we look forward to your comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Rus Collins".

Rus Collins

ZEBRA DESIGN & INTERIORS GROUP INC. • 1161 NEWPORT AVENUE, VICTORIA BC V8S 5E6
PHONE: (250) 360-2144 FAX: (250) 360-2115
Email: info@zebragroup.ca Website: www.zebragroup.ca

RE-ISSUED FOR
DEVELOPMENT
PERMIT
V/V VARIANCES
DEC. 23, 2013

ZEBRADESIGN



1161 NEWPORT AVE
VICTORIA, B.C. V8S 5E6
Phone: (250) 380-2144
Fax: (250) 380-2115

Drawn By: K. BELFAY
Date: NOV. 20, 2013

Scale: AS NOTED

PROJECT:
ROOFTOP DECK
LOT 4 - 1440/1450
DALLAS RD

TITLE:
SITE PLAN, SITE
DATA & FLOOR
PLANS

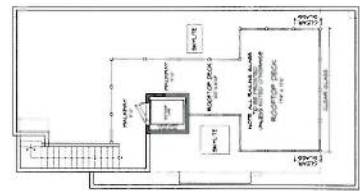
Revision: Sheet:
A - 08/13/13 DP
0.1

TRD NO. 2224

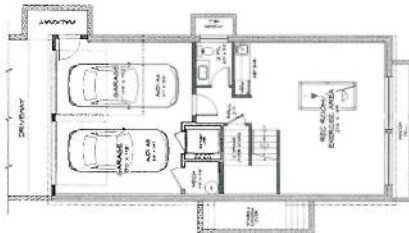
SITE DATA - Proposed Lot 4 @ 1440-1450 Dallas Road	
LEGAL DESCRIPTION: PROPOSED LOT 4, LOTS 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	



Main Floor Plan
Scale: 1/8" = 1'-0"



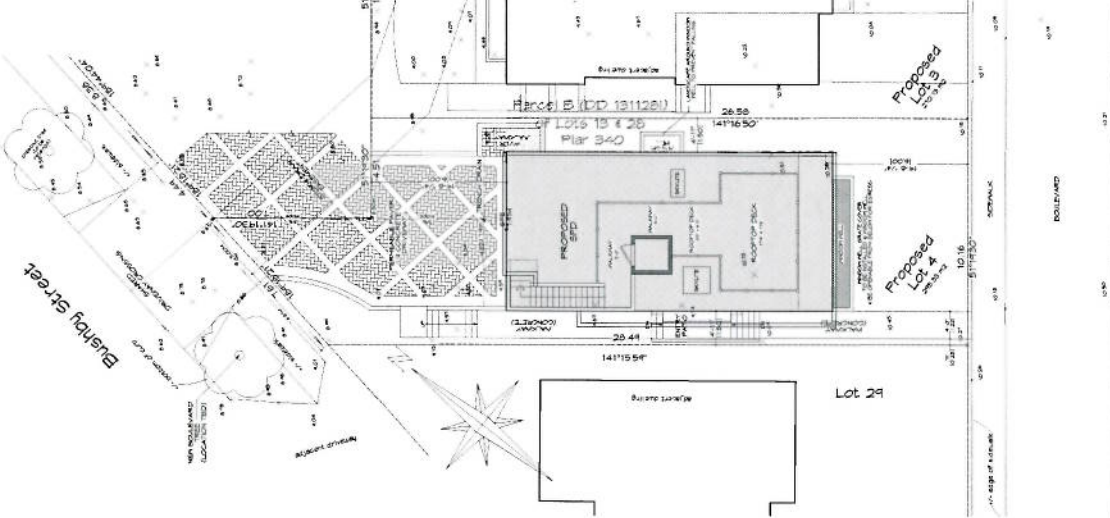
Roof Plan
Scale: 1/8" = 1'-0"



Lower Floor Plan
Scale: 1/8" = 1'-0"



Upper Floor Plan
Scale: 1/8" = 1'-0"



Site Plan
Scale: 1/8" = 1'-0"

RE-ISSUED FOR
DEVELOPMENT
PERMIT
W/ VARIANCES
DEC. 23, 2013

ZEBRADESIGN

1161 NEWPORT AVE
VICTORIA, B.C. V8S 5E9
PROJECT NO. 1440/1450
PLOT 1440/1450
DALLAS RD

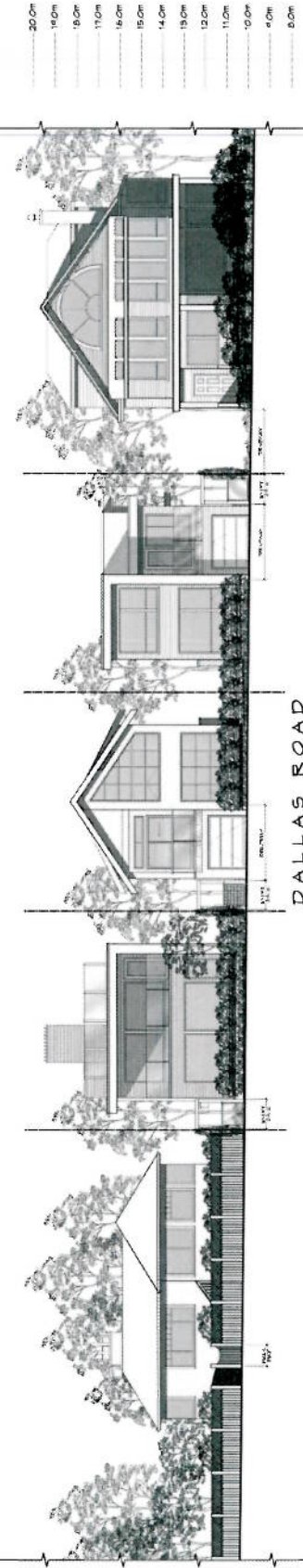
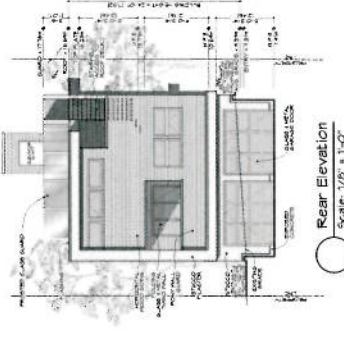
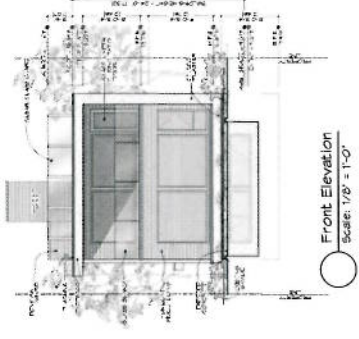
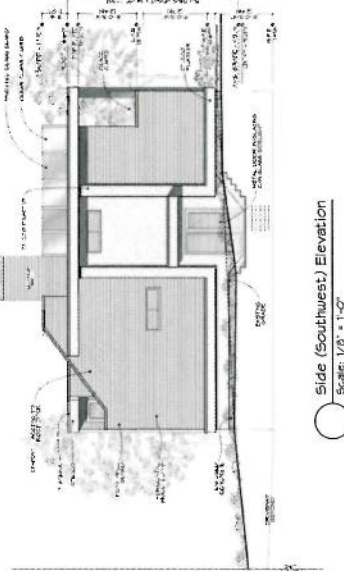
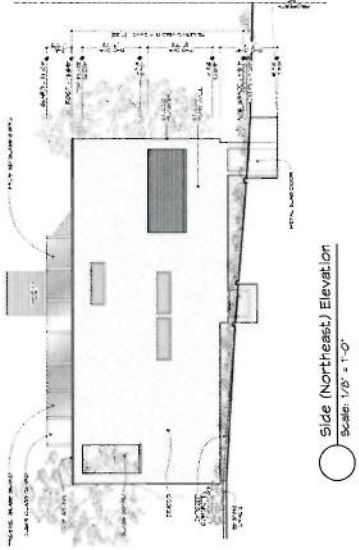
Drawn By: K. BELLEVY
Date: NOV. 20, 2013
Scale: AS NOTED

Project:
ROOFTOP DECK
LOT 4 - 1440/1450
DALLAS RD

THE
ELEVATIONS
& STREETSCAPE

Revision: Sheet:
A - DEC 2013 DP
0.2

Proj No: 2224



REV. NO.	DESCRIPTION	DATE
A	REVISED ELEVATIONS AND STREETSCAPE PLOTS SUBMITTED TO BUILDING BOARD	DEC 2013

August 2013

City of Victoria
 Building and Development
 1 Centennial Square
 Victoria, B.C. V8W 1P6



Re: 1450 Dallas Road, Lot 4 - Application for Variance

After reviewing the plans and elevations for the proposed roof deck for Lot 4- 1450 Dallas Road, we the undersigned have no objections to the proposed variance.

SIGNATURE/ PRINT NAME	ADDRESS	DATE
Joyce MILLER,		
	20 Bushby St. Victoria	3 Oct 2013
Olin Williams	1420 Dallas Rd.	6, Oct. 2013
Blaine Fisher	16 Bushby St	OCT 16/13
Blaine Fisher	VICTORIA	
Peggy Cady	40 Bushby St	Oct 6, 13
John Park	victoria V8S1B2	
W. K. Lavin	32 BUSHBY ST.	Oct 6, 13
James Penman	VICTORIA	
	V8S 1B2.	
James G. Nicoll	103 Bushby St	Oct 12
Ann F. Nicoll	VICTORIA	
	V8S-1A2	

2

ent

ad, L

ns a
d, w

----- Original Message -----

From: DOUGLAS M SAY

Sent: Friday, January 03, 2014 09:28 AM

To: Development Services email inquiries; Community Planning email inquiries; Deborah Day

Subject: Development at 1440 and 1450 Dallas Road

24 Bushby St
Victoria BC
Canada V8S 1B2

Planning Dept
C/O City Hall
1 Centennial Square
Victoria, BC V8W 1P6

Concerning development at 1440 and 1450 Dallas Road

The development was the removal of 2 homes and the building of 4 small lot single family homes. The buyer of the west-most lot (closest to the intersection of Bushby St and Dallas Road) has approached us to support the placing of a deck on the roof of the new home as well as an elevator up to that deck.

We do not support this proposal and have told him so.

Firstly I understand decks are not allowed on roofs currently.

Secondly, our house is directly behind the house currently being built. If built, the deck would be fully visible from our second floor and vice versa. This would lessen both our privacies to an unacceptable degree.

The elevator would add approximately 10 feet of height above the roof of the house (for the elevator and associated machinery). This would be a totally unnatural construction on top of the house, increase the overall height of the house unacceptably and impact our view unnecessarily as well as damage the aesthetics of the neighborhood.

I am happy to discuss this further should it be required.

I will also send a copy of this via regular mail.

Sincerely,

Doug Say

Planning and Land Use Committee Report

Date: April 24, 2014 **From:** Lucina Baryluk, Senior Process Planner
Subject: Development Permit with Variances #000344 for 1625 Belmont Avenue

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 1625 Belmont Avenue. This application is to replace the existing stairs and walkways on the north side of the building. Due to changes in regulations since the construction of this building in 1974, this reconstruction triggers a number of variances to the *Zoning Regulation Bylaw* and the property is also now subject to the requirements of Development Permit Area 16, General Form and Character.

The following points were considered in analysing this application:

- The upgrading of the stairs and landing will meet the current *BC Building Code* standards for width, thereby improving Code compliance for safety.
- The material replacements, especially the stairs and railings, will modernize the building exterior and extend the life of the building.
- The setback relaxation has minimal impact as the adjacent land use is a church parking lot and a mature plant buffer is in place between the two properties. Further, the setback variance request is minor (under 2.0 m).
- The variance requests for open site space and parcel coverage are also minor and reflect the current situation.

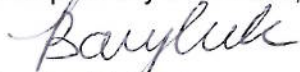
In accordance with the City's *Land Use Procedures Bylaw*, this Development Permit Application has variances, therefore, it requires a notification, sign posting and a Hearing.

Recommendations

That Council authorize the issuance of Development Permit #000344 in accordance with:

1. Plans stamped "Development Permit Application #000344" dated April 16, 2014.
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Section 3.3.4 (1) - Relaxation for the maximum site coverage from 30% to 35%
 - Section 3.3.6 (1) - Relaxation for the minimum open site space from 30% to 27%
 - Section 3.3.12 - Relaxation for the internal property line setback (north) from 3.97m to 2.36 m.

Respectfully submitted,




Lucina Baryluk
Senior Process Planner
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:
LB:aw



Jason Johnson

Date:

May 1, 2014

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 1625 Belmont Avenue. This application is to replace the existing stairs and walkways on the north side of the building. Due to changes in regulations since the construction of this building in 1974, this reconstruction triggers a number of variances to the *Zoning Regulation Bylaw* and the property is also now subject to the requirements of Development Permit Area 16, General Form and Character.

2.0 Background and Description of Proposal

The property contains a 12-unit residential building and the original fire exiting stairs at the rear of the building (north side) now need replacement. The existing stairs are constructed of wrought iron and will be replaced by wood treads and risers, aluminium guards and handrails. Due to changes in the *BC Building Code*, the replacement stairs must be wider in width and, therefore, triggering variances to the *Zoning Regulation Bylaw* (see Data Table detail below for details). Portions of the siding will also be removed and will be replaced with new stucco and repainted and the walkways and landings will be resurfaced with a vinyl material.

2.1 Existing Site Development and Development Potential

The property is within the R3-2 Zone, Multiple Dwelling District. This Zone provides for a multiple dwelling development, along with other uses. No further development is contemplated at this time.

2.2 Data Table

The following data table indicates the three areas where a relaxation to the *Zoning Regulation Bylaw* is required. Note that the minimum setback represents the closest distance for both staircases. ("Staircases A and B" as notated on the attached plans.)

Zoning Criteria	Proposal	R3-2 Zone Zone Standard
Site coverage (%) – maximum	35	30
Open site space (%) – minimum	27	30
Setbacks (m) – minimum From internal property line (north)	2.36	3.97

2.3 Land Use Context

The east side of Belmont Avenue is characterized by a number of multiple dwelling units of a similar era. To the north of this property is Saint Barnabas Church and parking lot for the church.

2.4 Legal Description

Strata Lots 1 to 12 inclusive, Section 75, Victoria District, Strata VIS 162, together with an interest in the common property in proportion to the unit entitlement of the Strata Lot shown on Form 1.

2.5 Consistency with Design Guidelines

The subject property is within Development Permit Area 16, General Form and Character. The applicable guidelines are *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012)*.

As this proposal consists mainly of the replacement of materials and is an improvement of an existing situation only limited design analysis is warranted. In terms of exterior finishes, the current finishes will be replaced with higher-quality materials that are more durable than the existing finishes. The revised colour palette is appropriate for the building and responds to the mature vegetation along the property boundary.

2.6 Community Consultation

In compliance with the Community Association Land Use Committee (CALUC) Procedures for Processing Variances, the application was referred to the North Jubilee Neighbourhood Association for a 30-day comment period on January 21, 2014. No comments were received at the time of writing this report.

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

3.0 Issues

There are no significant issues associated with this application.

4.0 Resource Impacts

There are no resource impacts anticipated.

5.0 Conclusions

The proposal is necessary for building maintenance and will improve the appearance of the building and extend the life of the building. The increase in the width of the stairs is a result of Building Code requirements. The setback variance does not impact the adjacent property, as the building is adjacent to a church parking lot. In addition, mature vegetation creates a buffer between the two properties. The relaxations for site coverage and open site space are not a concern as they reflect the current situation and are a result of refinements in the interpretation the *Zoning Regulation Bylaw* since the original construction of this building in 1974.

6.0 Recommendations

6.1 Staff Recommendations

That Council authorize the issuance of Development Permit #000344 be issued in accordance with:

1. Plans stamped "Development Permit Application #000344" dated April 16, 2014.
2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Section 3.3.4 (1) - Relaxation for the maximum site coverage from 30% to 35%

- Section 3.3.6 (1) - Relaxation for the minimum open site space from 30% to 27%
- Section 3.3.12 - Relaxation for the internal property line setback (north) from 3.97m to 2.36 m.

6.2 Alternative Recommendation

The Council decline the application.

7.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated April 14, 2014
- Plans dated April 16, 2014.





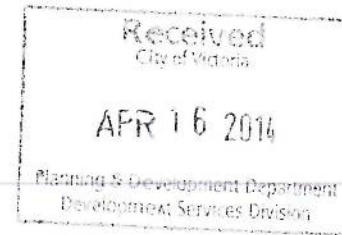
1625 Belmont Avenue
Development Permit #000344

Development Permit with Variance # 000344 for 1625 Belmont A...

DORAN MUSGROVE ARCHITECT, INC.

April 14, 2014

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



Dear Mayor Fortin and Council:

Re: Exterior Walkway and Stair Repairs to 1625 Belmont Avenue

On behalf of Strata Transcona 162 (Strata), I am applying for a Development Permit as required under Development Permit Act 16, "General Form and Character". Also included in this application is a request for a reduction in side yard setback.

Strata Transcona 162 is a three storey walk-up building of 12 suites (4 per floor). The building was built in the early 1970's. Given that the structure is 40 years old, it is in relatively good condition except for the exterior walkways and stairs on the north elevation. The upgrade of both walkways and the replacement of two sets of stairs (called A and B) are the subject of this Development Permit application with a variance for side yard encroachment.

As noted by the Planning Department, additional variances are required for lot coverage and open site space. However, both variances for site coverage and Open Site Space are marginal and an existing situation since the construction of the building.

The upgrading of both walkways and the replacement of both sets of stairs has resulted in the width of the walkways at both stair locations, as well as both sets of stairs being increased in width to meet the requirements of the BC Building Code, current edition. The increase in width at both stair locations encroaches into the side yard setback, which is the subject of the encroachment setback.

In terms of Development Permit Application 16 "Form and Character" all work occurs to the north elevation only, and includes:

- Both sets of existing stairs to be replaced with new wood risers and treads, similar to the existing stairs, but to the current BC Building Code;
- The existing guards to be replaced with new aluminum guards and handrails. The finish to be 'Rideau Brown';
- The finish of the existing walkways (a non-code compliant mopped on elastomeric finish) to be replaced with a 60 mil vinyl membrane. Colour to be 'Ultra Classic Steel 60';
- The underside of the walkways (stucco) to be repaired where damaged and repainted to match the existing colour (General Paint "Signal Mountain");
- New walkway trim and fascia boards to be painted General Paint "Centaurer";

... /2

615 RAYNOR AVENUE
VICTORIA, BC V9A 3A9
250.380.1031 CELL 250.888.3892
MUSGROVE@TELUS.NET

DORAN MUSGROVE ARCHITECT, INC.

- 2 -

- Where the walkways have been removed at the central portion of the north elevation, due to the walkway being too narrow (1' 0") for use, the wall finish to be refinished in stucco. The colour to be General Paint 'Signal Mountain';
- As the walkways and stairs form part of the exit requirements for the strata units, the emergency lighting, emergency alarm, pull stations and general lighting will be examined and replaced where deficient.

The existing walkways for the general length, other than the stair locations, do not encroach into the north side yard setbacks. However, both sets of stairs encroach into the north side yard setback by varying amounts:

- Staircase "A" encroaches into the setback 1.47 metres (4' 10") for a length of 5.69 metres (18' 8") including landings. This reduces the setback from 3.97 metres (13' 0") to 2.69 metres (8' 3"). To allow for property line variation at the staircase and construction tolerances, we request a setback of 2.54 metres (8' 4") by 5.69 metres (18' 8").
- Staircase "B" encroaches into the setback 1.47 metres (4' 10") for a length of 5.69 metres (18' 8") including landings. This reduces the setback from 3.97 metres (13' 0") to 2.51 metres (8' 3") to allow for property line variation and construction tolerances. We request a setback of 2.36 metres (7' 9") by 5.69 metres (18' 8").

The decrease in the side yard setback on the north elevation will not impact the adjacent property, currently a parking lot for St. Barnabas Church. The area between the adjacent property and the strata property is heavily screened with mature landscaping. The adjusted location of the new stairs will not impact the landscaping found on the strata property.

The Strata looks forward to your approval for both the Development Permit and the Variances, which will improve the sustainability of the structure and the safety of the inhabitants.

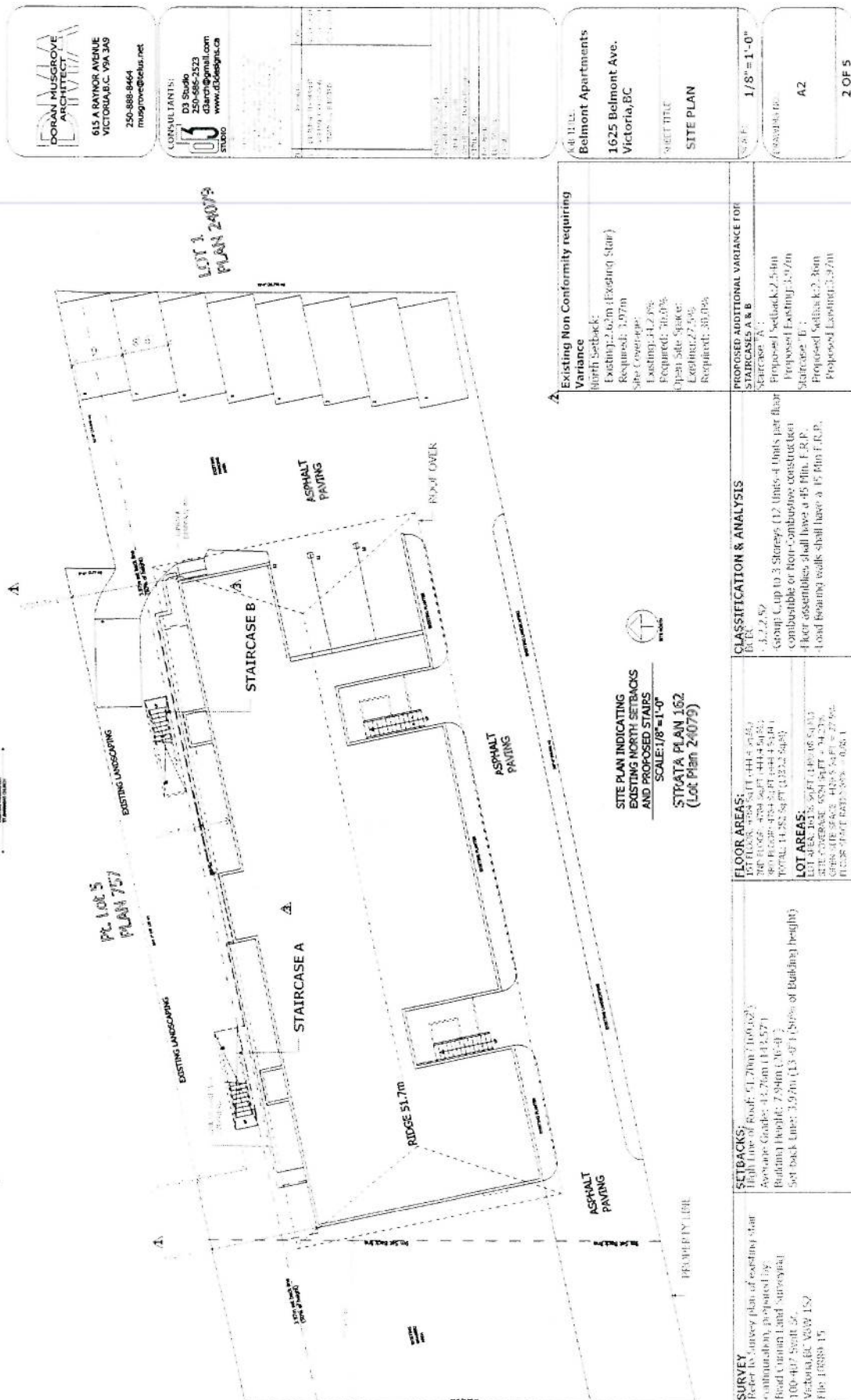
Yours sincerely,

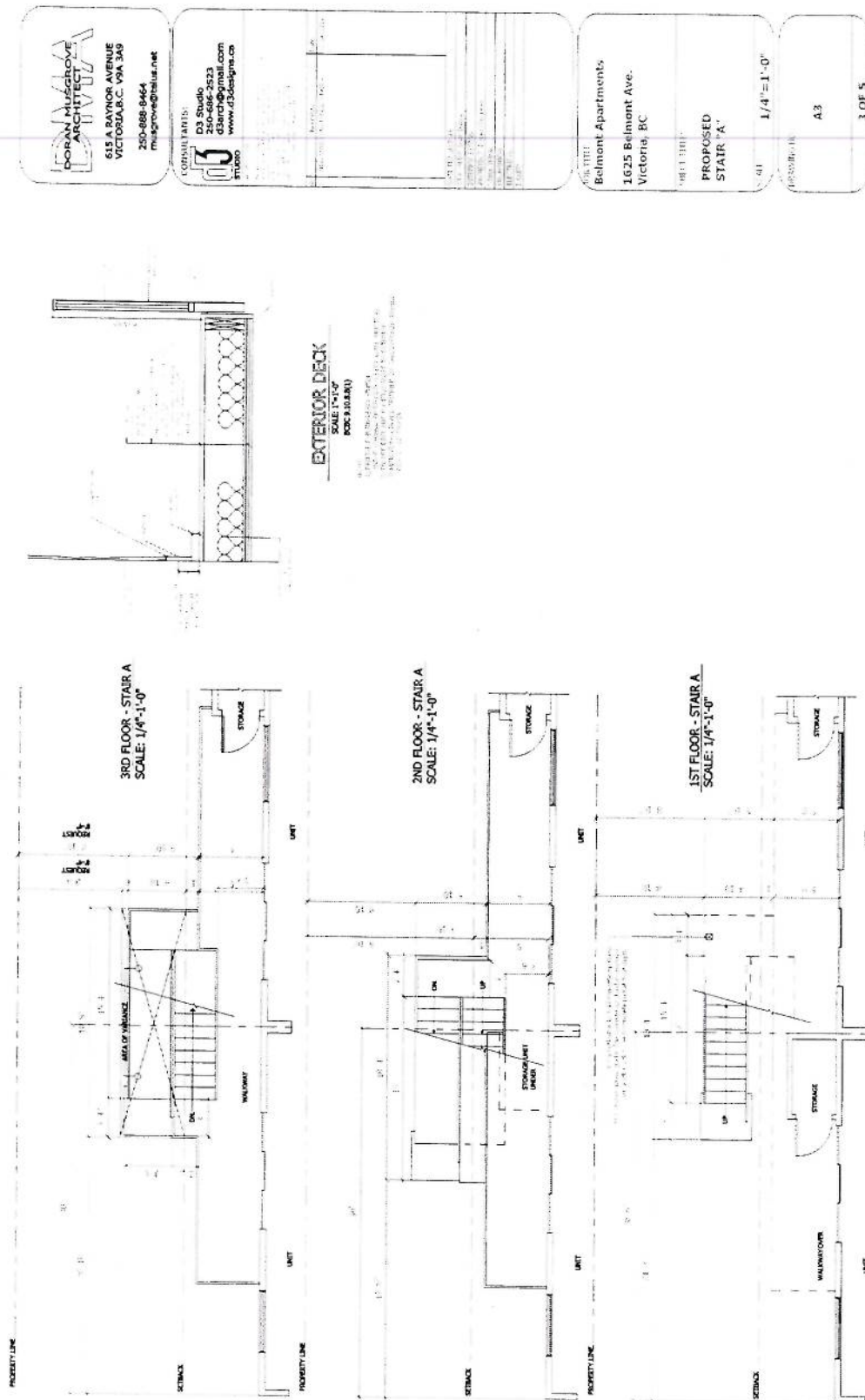


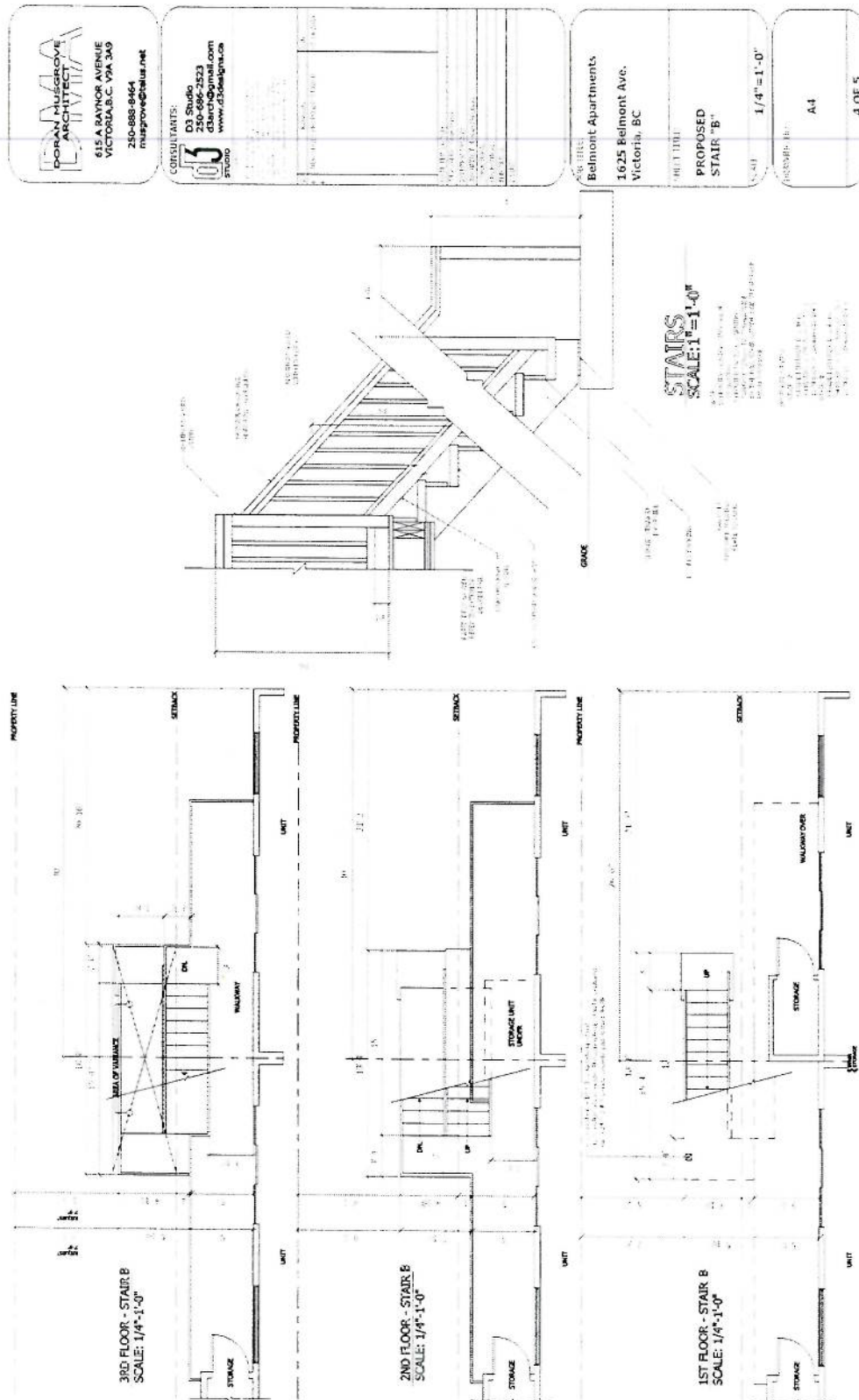
Doran Musgrove, Architect
AIBC, LEED®AP

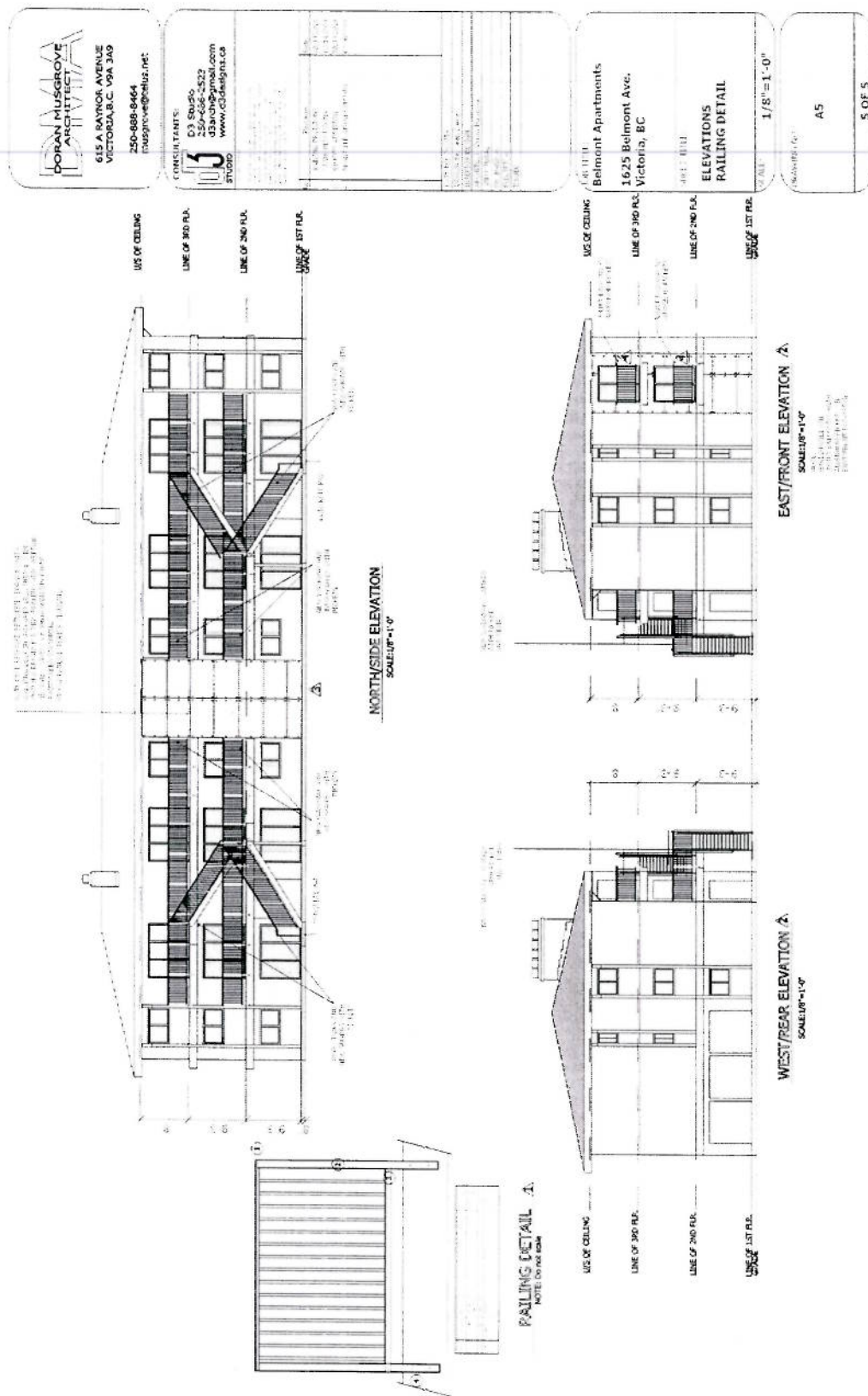
615 RAYNOR AVENUE
VICTORIA, BC V9A 3A9
250.380.1031 CELL 250.888.3892
MUSGROVE@TELUS.NET













Planning and Land Use Committee Report

Date: May 1, 2014
From: Jim Handy
 Development Agreement Facilitator
Subject: Development Permit with Variance #000361 for 401 Bay Street
 Proposed cement storage silo

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding an application for a Development Permit with variance at 401 Bay Street. The application proposes to construct a new storage silo at an existing cement plant and seeks a variance from the *Zoning Regulation Bylaw* as the proposed structure would be 18.36 m in height, exceeding the maximum height allowance of 15 m in the M-3 Zone, Heavy Industrial District.

The following points were considered in analyzing this application:

- As a result of site grades, much of the current site infrastructure, including several of the existing silos, would appear taller than the structure being proposed.
- The development is consistent with relevant City Policy and Design Guidelines.

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

Recommendations

That Council authorize the issuance of a Development Permit with variance for 401 Bay Street, in accordance with:

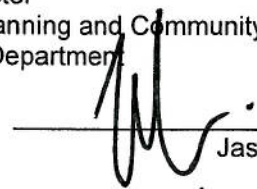
1. Plans stamped "Development Permit #000361" dated "April 1, 2014".
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - a. Section 7.3.3(1) – Height relaxed from 15.0 m to 18.36 m.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,


 Jim Handy
 Development Agreement Facilitator
 Development Services


 Deb Day, Director
 Sustainable Planning and Community
 Development Department

Report accepted and recommended by the City Manager:


 Jason Johnson
 Date: May 1, 2014

JH:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000361\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 an application for a Development Permit with variance at 401 Bay Street. The application proposes to construct a new storage silo at an existing cement plant and seeks a variance from the *Zoning Regulation Bylaw* as the proposed structure would be 18.36 m in height, exceeding the maximum height allowance of 15 m in the M-3 Zone, Heavy Industrial District.

2.0 Background

The application site is currently occupied by a cement plant and is located within an established heavy industrial area. The applicant states that the new silo is required for operational reasons.

2.1 Description of Proposal

The proposed silo would be used for the storage of cement. The structure would stand 18.36 m tall and would be located in close proximity to existing plant equipment.

2.2 Existing Site Development and Development Potential

The application site is currently in the M-3 Zone, Heavy Industrial District. Heavy industrial uses which may involve processing, assembly, storing, wholesaling, testing, servicing, wrecking or salvaging of certain goods and materials are permitted in this Zone.

2.3 Data Table

The following data table compares the proposal with the existing M-3 Zone, Heavy Industrial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard
Site area (m ²) – minimum	669	n/a
Total floor area (m ²) – maximum	18.29	n/a
Density (Floor Space Ratio) – maximum	n/a	3:1
Height (m) – maximum	18.36*	15.00
Setbacks (m) – minimum		
North (Bay Street)	21.00	3.00
South	10.00	0 or 3.00
East	7.00	0 or 3.00
West	4.50	3.00
Loading Zone – minimum	1	1
Parking – minimum	3	1

2.4 Land Use Context

The application site is located at the corner of Bay Street and Turner Street which extends down to the Upper Harbour. The immediate area is predominantly industrial in nature with heavy industrial activities situated adjacent to the harbour.

2.5 Legal Descriptions

- Lot 12, Block L, Section 4, Victoria District, Plan 16
- Lot 13, Block L, Section 4, Victoria District, Plan 16.

2.6 Consistency with City Policy and Design Guidelines

The *Official Community Plan 2012*, *Downtown Core Area Plan 2011* and *Burnside Neighbourhood Plan* all recognize the application site as part of a key employment area where there is support for the continuation of industries requiring shoreline access for their operations. The application site is currently occupied by a well-established cement plant and cement powder is barged to this location and stored in existing silos. The application proposes the construction of an additional silo at the cement plant.

In light of the above and considering the scale and nature of the proposal, it is considered that the development is consistent with relevant City Policy and Design Guidelines.

2.7 Community Consultation

In compliance with the Community Association Land Use Committee Procedures (CALUC) for Processing Variances, the application was referred to the Burnside Neighbourhood Association Land Use Committee on April 8, 2014, for 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*, because this Development Permit Application has a variance, it requires notification, sign posting and a Hearing.

3.0 Issues

Given the established industrial site context and the scale and nature of the proposed development, it is considered that the design of the silo does not, in itself, present any significant planning issues. Therefore, the key issue relating to this application is the proposed height of the silo as this is a variance from the *Zoning Regulation Bylaw*.

4.0 Analysis

4.1 Height of Proposed Structure

The application seeks a variance from the *Zoning Regulation Bylaw* as the proposed structure would be 18.36 m in height, exceeding the maximum height allowance of 15 m in the M-3 Zone, Heavy Industrial District. As a result of site grades, the proposed silo would not appear taller than existing infrastructure on the site; in fact some of the existing silos would appear significantly taller than the one being proposed. The new silo would also be located in close proximity to existing site infrastructure and would always be viewed in the context of the existing cement plant where several large silos already exist.

In light of the above, the proposed structure would not have a significant visual impact in the area and the proposed height variance is considered acceptable.

5.0 Resource Impacts

There are no resource impacts anticipated.

6.0 Conclusions

The proposal is consistent with the City's policies and design guidelines. The application proposes the construction of a silo within an existing concrete plant located in a well-established heavy industrial area. Staff recommend that Council approve this application.

7.0 Recommendations

7.1 Staff Recommendations

That Council authorize the issuance of a Development Permit with variance for 401 Bay Street, in accordance with:

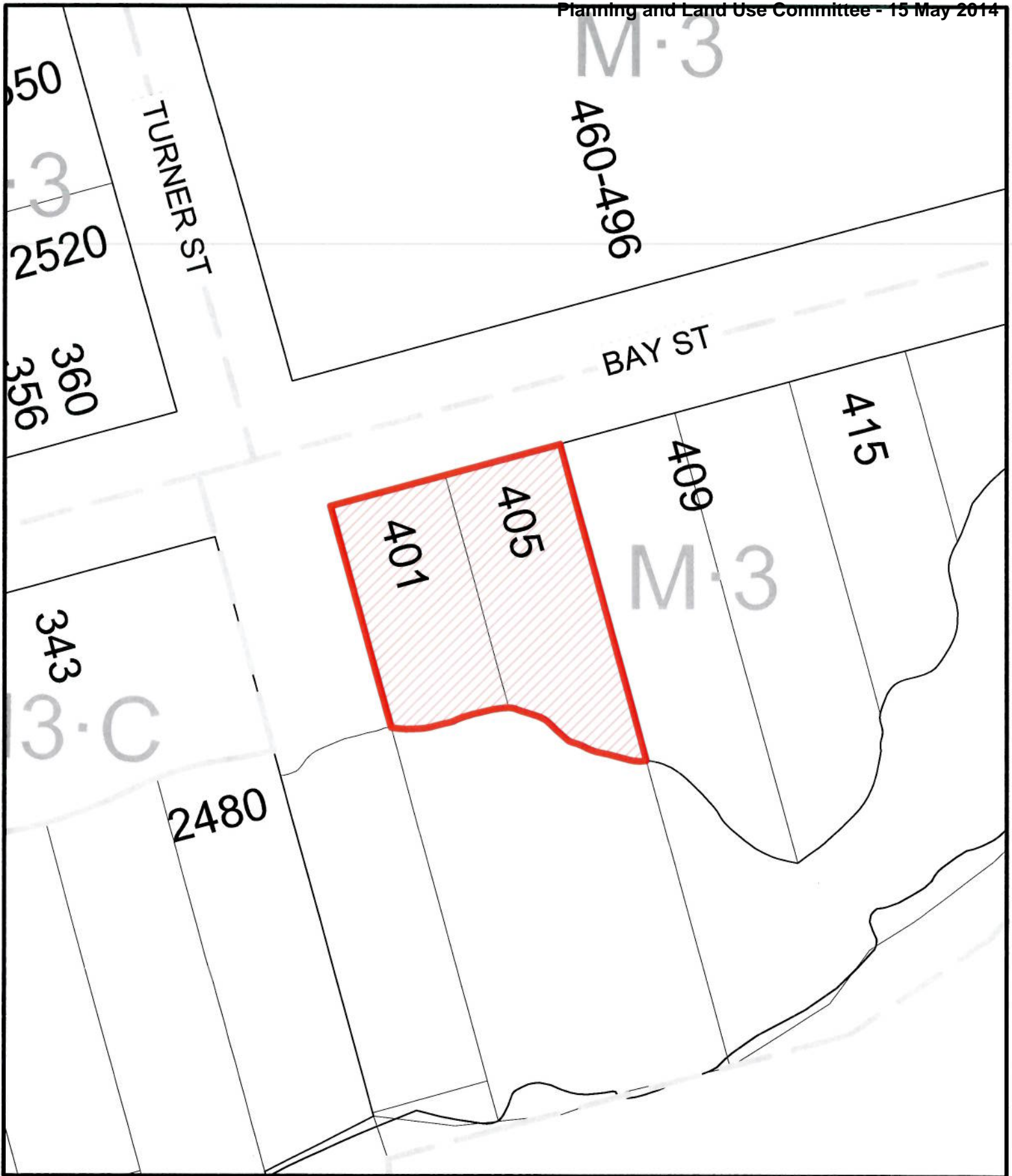
1. Plans stamped "Development Permit #000361" dated "April 1, 2014".
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - a. Section 7.3.3(1) – Height relaxed from 15.0 m to 18.36 m.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendation

That Council decline the application.

8.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated April 1, 2014
- Plans dated April 1, 2014.



401 Bay Street

Development Permit #000361

Development Permit with Variance # 000361 for 401 Bay Street...



401 Bay Street

Development Permit #000361

Development Permit with Variance # 000361 for 401 Bay Street...



DATE : April 2, 2014

PROJECT NO.: 13805

TO : Mayor Dean Fortin and Victoria City Council

FROM : Niall McPherson, EIT

SUBJECT : 401 Bay Street Development Permit Application

Dear Mayor Dean Fortin and Victoria City Council,

Lafarge Canada Inc (Lafarge) is proposing to construct one additional cement storage silo at their current site at 401 Bay Street. Lafarge and Butler Brothers Supplies Ltd (Butler) occupy two neighbouring sites on Bay Street. Two types of cement powder, Type 1 and Type 2, are barged to the Lafarge/Butler site and are used by both parties. Lafarge has a storage facility at 401 Bay Street for Type 1; however, to load Type 2 the Lafarge cement trucks must load on the Butler site. This proposed storage silo will allow Lafarge cement trucks to load on Lafarge property.

Project Benefits

The proposed silo will provide enhanced safety for both Butler and Lafarge in loading cement trucks with cement powder. Lafarge cement trucks will no longer need to drive on Butler property and navigate through the site and around loading Butler concrete trucks. The access to the proposed cement silo on the Lafarge site will be directly off Turner Street, minimizing truck traffic onsite.

During loading of a cement truck samples need to be taken to test the quality of the cement. Currently Lafarge uses an access platform that is separate from the loading area causing unnecessary site traffic and additional vehicle idling time. The proposed silo will have an attached access platform allowing sampling of cement while the truck is being loaded, thereby minimizing traffic and idling.

There will be less truck traffic on the Butler property resulting in a safer working environment for Butler and Lafarge employees.

The existing cement circulation system is powered with a diesel generator. The new system will be driven by an electric motor resulting in a smaller carbon footprint. The new motor will also reduce noise pollution caused by the existing diesel generator.

Neighbourhood

The neighbourhood around 401 Bay Street is currently heavy industrial. Butler and Lehigh Hanson Canada flank the site with visible industrial infrastructure (stockpiles, equipment, storage silos, etc.). Within nearby Rock Bay other waterside industrial facilities exist such as Ocean Concrete and Island Asphalt Co.

The Lafarge site currently contains a cement storage silo much taller and wider than the proposed silo; therefore, the new silo will not cause a large difference in the profile of the site and will not be visible from some angles on Bay Street. The proposed silo base is approximately 3.5m below Bay Street, this further minimizes the visibility of the silo.

Design and Development Permit Guidelines

The site layout is relatively unaltered due to the new silo being proposed in an area of site that was not used previously. The proposed silo will be located beside an existing cement storage silo. The cement trucks will continue to enter the site from Turner Street and have the option of loading from either silo.

The proposed silo will match existing features on site, such as two other cement storage silos. The proposed silo is neither taller nor wider than the main storage silo onsite.

The appearance of the site will remain industrial, as per the zoning M-3: Heavy Industrial District.

Height Relaxation Variance

The City of Victoria Zoning Regulation Bylaw (No. 80-159) states a *maximum height of any building shall not exceed 15m* in an area zoned M-3 Heavy Industrial. The proposed silo requires a maximum building height relaxation variance. The total silo height is 18.364m; however, the silo is situated 4.267m below the level of Bay Street making the height of silo relative to Bay Street only 14.097m. In addition, an existing adjacent silo onsite is 12.028m higher in elevation relative to Bay Street than the proposed silo.

Regards,



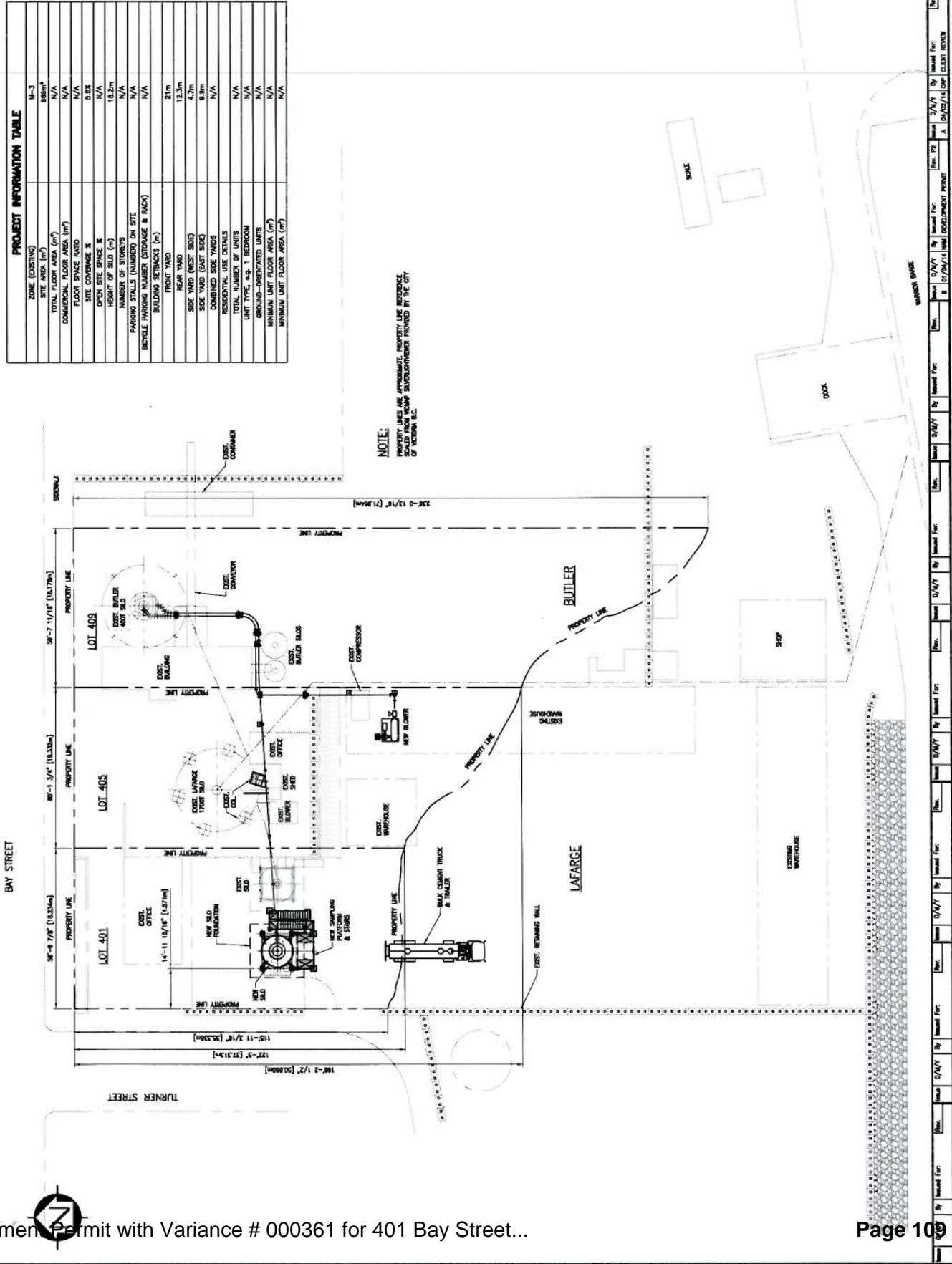
Niall McPherson, EIT

Structural Engineer

[illegible]

PROJECT INFORMATION TABLE	
ZONE (EASTING)	
SITE AREA (m ²)	
TOTAL FLOOR AREA (m ²)	
COMMERCIAL FLOOR AREA (m ²)	
FLOOR SPACE INFO	
SITE COVERAGE %	
OPEN SITE SPACE & HARDTOP %	
PERCENTAGE OF BUILDING FOOTPRINT	
PARKING SPALLS (NUMBER) ON SITE	
BIKECYCLE PARKING NUMBER (STORAGE & RACK)	
BUILDING SETBACKS (m)	
FRONT YARD	
REAR YARD	
SIDE YARD (WEST SIDE)	
SIDE YARD (EAST SIDE)	
COMBINED SIDE YARDS	
RESIDENTIAL USE DETAILS	
TOTAL NUMBER OF UNITS	
UNIT TYPE, e.g., 1 BEDROOM	
GROUND-ORIENTATED UNITS	
MINIMUM UNIT FLOOR AREA (m ²)	
MINIMUM UNIT FLOOR AREA (m ²)	

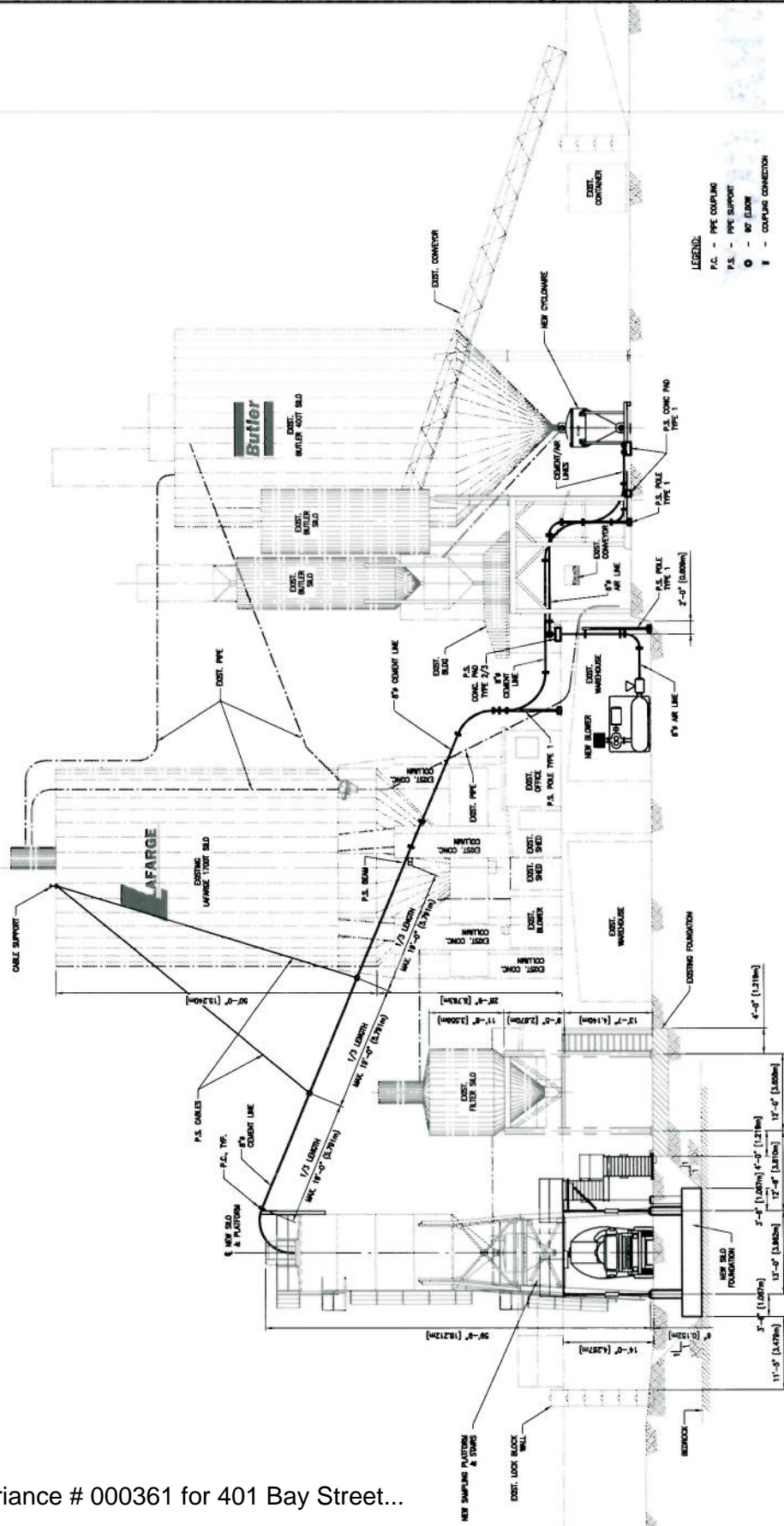
NOTE:
PROPERTY LINES ARE APPROXIMATE. PROPERTY LINE RESURVEY
SCALED FROM VCLMAP SURVEY/OWNER PROVIDED BY THE CITY
OF VICTORIA B.C.



[illegible]

[illegible]

**PRELIMINARY
NOT FOR CONSTRUCTION**



Motivate



Planning and Land Use Committee Report

Date: April 24, 2014 **From:** Charlotte Wain, Senior Planner – Urban Design
Subject: **Development Variance Permit Application #00133 for 2-1010 Yates Street**
 Application for a parking variance for a change of use in the S-1 Zone, Limited Service District

Executive Summary

The purpose of this report is to provide Council with information, analysis and recommendations regarding a Development Variance Permit Application to vary the parking requirements related to a change of use from retail to a fitness gymnasium at Unit 2, 1010 Yates Street. The property currently has a non-conforming situation related to parking and contains a total of 35 surface parking stalls located in the rear (a deficiency of 17 stalls from the zone standard). Parking regulations contained in Schedule C of the *Zoning Regulation Bylaw* require an increase of 10 stalls for the change of use. The applicant is requesting a parking variance for these required 10 stalls.

The following factors were taken into consideration in reviewing this application:

- The site is located Downtown and is within close proximity to walking, cycling and public transit facilities.
- The inclusion of a fitness gymnasium will provide an active use at ground level in an otherwise vacant unit.
- The applicant has proposed additional bicycle facilities exceeding the requirements set out in Schedule C of the *Zoning Regulation Bylaw*. This will be secured by way of a landscape security.

Staff recommend that the Planning and Land Use 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

That Council authorize the issuance of Development Variance Permit #00131 for 2-1010 Yates Street, in accordance with:

1. Plans date stamped April 24, 2014, for Development Variance Permit #00131.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C Off-Street Parking Requirements – relaxation of required parking for the proposed fitness gymnasium from an additional 10 parking stalls to nil.

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

Respectfully submitted,

C. R. Wain

AM

A. E. Day

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:

[Signature]

Jason Johnson

Date: *May 8, 2014*

CW:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DVP\DVP00133\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC

1.0 Purpose

The purpose of this report is to provide Council with information, analysis and recommendations regarding a Development Variance Permit Application to vary the parking requirements related to a change of use from retail to fitness gymnasium at 2-1010 Yates Street. The property currently has a non-conforming situation related to parking and contains a total of 35 surface parking stalls located in the rear (a deficiency of 17 stalls from the zone standard of 52 stalls). The City's parking regulations require an additional 10 stalls, which is the net difference between the non-conforming parking associated with the previous use and the parking requirement for the proposed new use.

2.0 Background

2.1 Description of Proposal

The applicant intends to convert the existing vacant ground floor retail unit to a fitness gymnasium, with a total proposed assembly area 148.6 m². In order to obtain a Building Permit for this construction, a Development Variance Permit must be obtained for the requested parking variance.

2.2 Existing Site Development and Development Potential

The proposed site is situated within an existing single-storey building on the corner of Yates Street and Vancouver Street. The building currently contains a restaurant (Moxie's Classic Grill) and a vacant retail unit (the proposed location for the fitness gymnasium) fronting Yates Street. Three smaller units, containing a tanning salon, hair salon and office, are located to the rear and are accessed off the parking lot on Vancouver Street.

2.3 Data Table

The following data table compares the proposal with the existing S-1 Zone, Limited Service District. An asterisk (*) is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard
Site area (m ²) – minimum	2140	N/A
Total floor area (m ²) – maximum	No change	N/A
Density (Floor Space Ratio) – maximum	No change	1.5:1
Height (m) – maximum	Existing	15
Site coverage (%) – maximum	Existing	60
Storeys – maximum	1.5	N/A

Zoning Criteria	Proposal	Zone Standard
Setbacks (m) – minimum	0	0
North	0	0
South	0	0
East	0	0
West	0	0
Parking Existing Use – minimum	35	52
Parking New Use – minimum	35*	62
Bicycle storage (Class 1) – minimum	5	1
Bicycle rack (Class 2) – minimum	5	5

The parking requirements cannot be applied retroactively to the entire building, which has non-conforming status. The parking variance considered in this application is for the proposed fitness gymnasium, totalling 148.6 m²). The parking variance requested is calculated on the difference between the existing non-conforming use (52 stalls) and the proposed use (62 stalls) for a total of 10 stalls.

2.4 Land Use Context

The site at the corner of Yates Street and Vancouver Street is in an area of service commercial uses and multi-family housing in the Harris Green District. Immediately adjacent uses are:

- North (adjacent to the surface parking lot): multi-family dwellings
- East: vacant site (building demolished)
- South (across Yates Street): multi-family dwellings
- West (across Vancouver Street): retail commercial.

2.5 Community Consultation

In accordance with the Community Association Land Use Committee Procedures for Processing Variances, the application was referred to the Downtown Residents Association on March 18, 2014, for a 30-day comment period. A letter from the Downtown Residents Association was received and is attached to this report. This Development Permit Application has variances, therefore, it requires notification, sign posting and a hearing.

3.0 Issues

The following issues are associated with this application:

- adequacy of parking
- provision for alternative modes of travel.

4.0 Analysis

A Transportation Demand Management study was not considered necessary for this parking

variance due to the fact that the variance request is relatively minor in nature, no additional floor space will be added as part of the proposal and the building is located downtown within close proximity to transit facilities. It is anticipated that the majority of customers will use alternative modes of travel to the proposed fitness gymnasium. In addition, the surrounding on-street parking is metered, and will not affect residential parking.

The change of use from retail to fitness gymnasium may result in a higher demand for parking due to the frequency of customers visiting the facility. However, the applicant is proposing to mitigate the demand for off-street parking by providing for alternative modes of travel. Relying heavily on the walking and cycling option for staff and customers, the applicant is proposing the following:

- Installation of a bicycle rack – 5 stalls, consistent with the minimum requirement listed in Schedule C of the *Zoning Regulation Bylaw*, located at the front of the building for customer use.
- Installation of a secure bike storage facility – 5 stalls, 4 of which are above the minimum requirement listed in Schedule C of the *Zoning Regulation Bylaw*, located within the rear parking lot for staff use.

A security deposit will be required to ensure these facilities are installed.

It should be noted that a comprehensive review of the parking standards as set out in Schedule C of the *Zoning Regulation Bylaw* will commence later this year. As this is a major work program item requiring significant research, analysis and consultation, recommendations for changes to the Bylaw are not anticipated to be presented to Council until later in 2015.

Staff has reviewed the proposal and recommends that the application move forward, based on the provision of bicycle facilities in excess of the minimum zoning requirements. Staff therefore recommend that Council support the proposed parking variance.

5.0 Resource Impacts

No additional resource impacts are anticipated.

6.0 Conclusions

The inclusion of a fitness gymnasium will provide an active use at ground level in an otherwise vacant unit. With the inclusion of a fitness gymnasium, there is a parking shortfall of an additional 10 stalls. Due to the relatively minor variance and as no new floor space is being created, the impact on surrounding properties is expected to be minimal. In order to mitigate any parking impacts, the applicant has committed to the installation of both a publicly accessible bike rack and secure bike parking for staff, in excess of the requirements listed in Schedule C of the *Zoning Regulation Bylaw*.

Staff has reviewed the proposal and recommends that the application move forward, based on the provision of bicycle facilities in excess of the minimum zoning requirements.

Given that the development is in an existing commercial building and any new use within the building will potentially create a demand that exceeds the on-site parking capabilities and given the provision of bicycle storage and parking facilities exceed Bylaw requirements, staff recommend approval of this application.

7.0 Recommendations

7.1 Staff Recommendation

That Council authorize the issuance of Development Variance Permit #00131 for 2-1010 Yates Street, in accordance with:

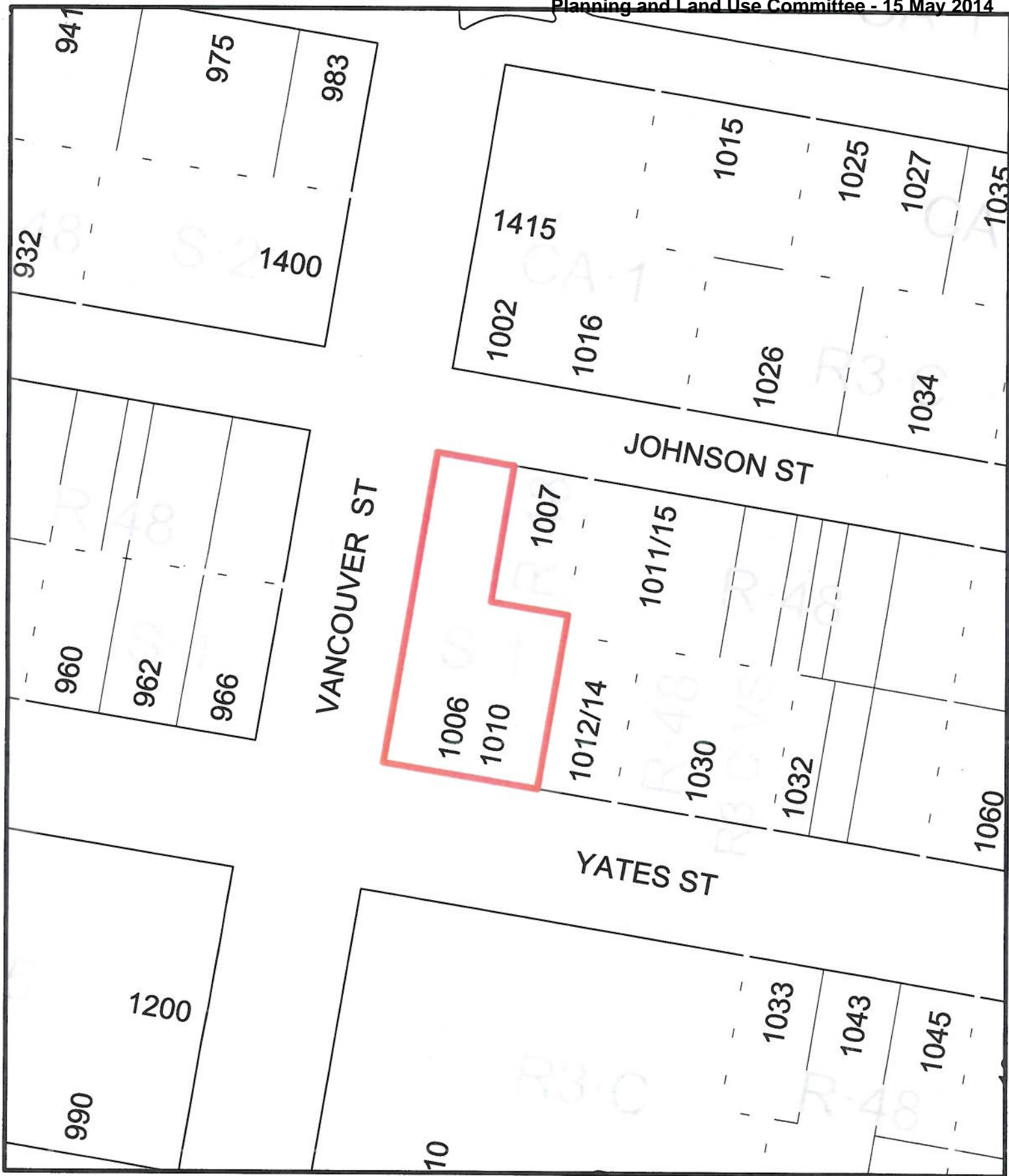
1. Plans date stamped April 24, 2014, for Development Variance Permit #00131.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C Off-Street Parking Requirements – relaxation of required parking for the proposed fitness gymnasium from an additional 10 parking stalls to nil.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternative Recommendation

That Council decline the application.

8.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant to Council dated April 24, 2014
- Letter from Downtown Residents Association dated April 29, 2014
- Plans dated April 24, 2014



1006 and 1010 Yates Street
Development Variance Permit #00133

Development Variance Permit Application # 00133 for 2-1010 Y...



1006 and 1010 Yates Street

Development Variance Permit #00133

Development Variance Permit Application # 00133 for 2-1010 Y...

April 24, 2014

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

RE: Parking Variance for 1010 Yates St.

Dear Mayor and Council,

On behalf of my client Camargue Properties, I am applying for a parking variance to enable a change of use of tenant space #2 at 1010 Yates. We are proposing the space be occupied by a private workout facility called Orange Theory. This gym would have groups of 10-15 people engaged in strength training and aerobic workouts in hourly cycles in the morning before and after work. The location is well suited to this market being three blocks from Douglas and downtown Victoria.

The current parking was approved as non - conforming for the pre-existing uses in the building. The issue is that the use of the space in question is changing from retail at 403 sf/ stall –6.4 stalls to 1600 sf of assembly use at 102.25 sf/stall - 15.6 stalls for the gym area. We require a parking variance for the difference between the parking required for the two uses.

ERIC BARKER ARCHITECT INC.



727 Pandora Avenue Victoria BC V8W 1N9 | eba@ericbarkerarchitect.ca | 250-385-4565
R:\Current_drawings\2130100 Yates 1006 1010\Correspondence

The justification for this variance is that the market for this facility will come from office and service workers living or working in the downtown. As such many will walk or cycle to the facility. Further the area is well served with on-street metered parking whose use by patrons of this facility will not conflict with retail/ office demand as it is on the edge of downtown.

To facilitate and encourage the use of walking and biking to this location we are proposing the installation of 10 bicycle parking stalls that will be located on the property. We propose 5 class 1 stalls and 5 class 2 stalls at the locations indicated in the site plan. These ten new bicycle parking stalls exceed the minimum requirements in Schedule C of the Bylaw by a considerable margin and will also benefit customers and employees of the other businesses located at this location.

In summary, it is this sort of use that will support living downtown - a key goal of the OCP.

Regards,



Eric J. Barker, Architect AIBC, LEED AP

EJB/ab/jj



1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

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

April 29, 2014

Re: Development Variance Permit #00133 for 2-1010 Yates Street

Dear Mayor Fortin and Council,

The DRA Land Use Committee has reviewed the proposed development at 2-1010 Yates Street.

Feedback from the committee is as follows:

- Businesses in this area are increasingly patronized by downtown residents and non-motorists.
- A studio/gym space will be a great fit for the neighbourhood.
- The majority of patrons are expected to attend the facility "before and after work" which appear to be off peak times for street parking in that location.

The DRA LUC supports this proposal.

Sincerely,

Ian Sutherland
Chair Land Use Committee
Downtown Residents Association

cc Planning and Development Department

Project Description:

Tenant Improvement in Suite #2 @ 1010 Yates.
A new exercise gym with the exercise area located on the ground floor and a mezzanine with office space overlooking the exercise area.

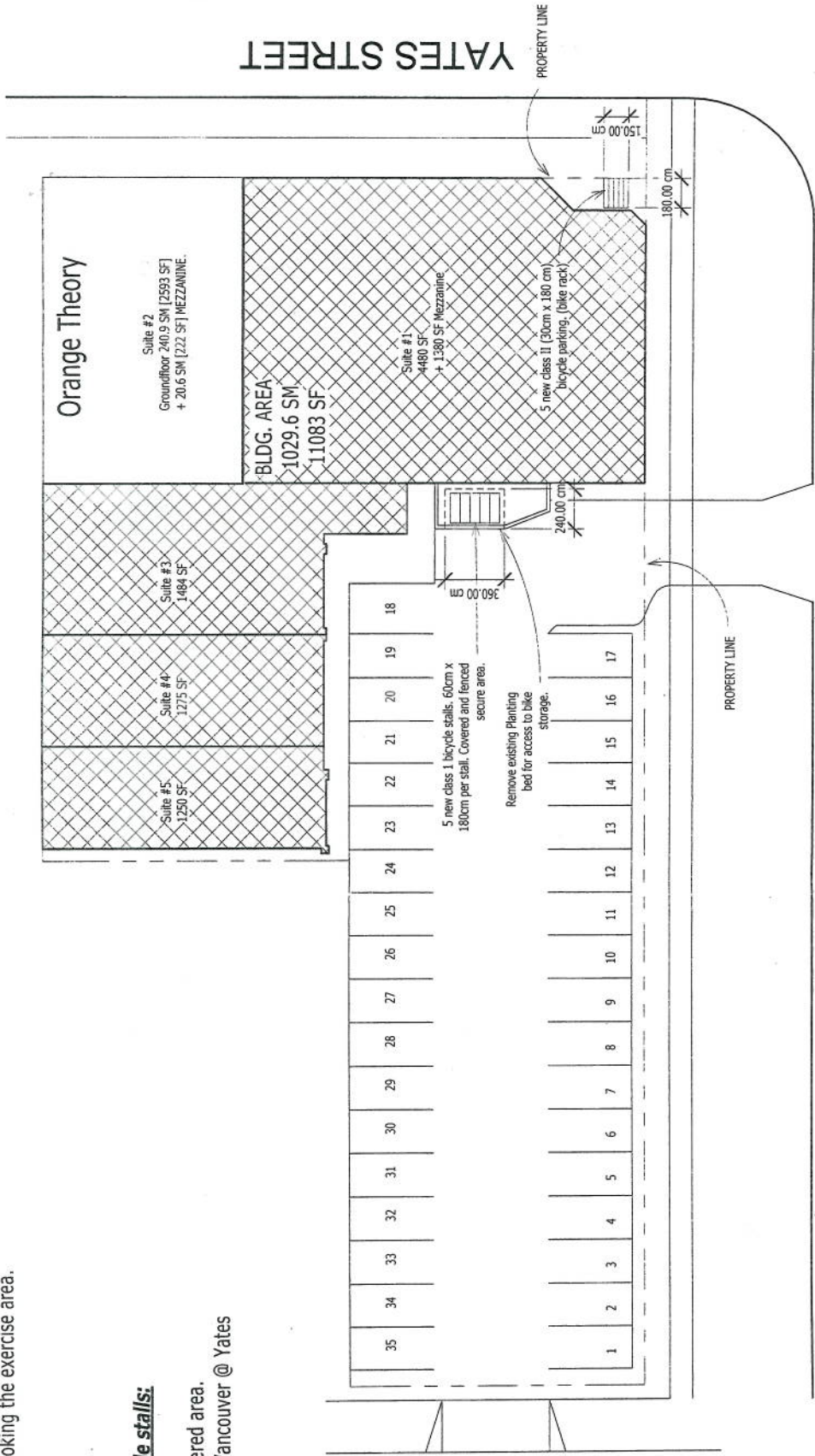
SUITE SIZE:

Groundfloor 240.9 SM [2593 SF]
+ 20.6 SM [222 SF] MEZZANINE

Proposed number of new bicycle stalls:

5 Class I stalls in secured and covered area.
5 Class II stalls near Entrance at Vancouver @ Yates

R:\Current_drawings\20146 Orange Theory\Bp submission 20140422.rvt



1 Site Plan, Bicycle Parking
3/64" = 1'-0"

VANCOUVER STREET

 ERIC BARKER ARCHITECT INC. 727 Pandora Ave. Victoria BC V8W 1Y9 Ph: (250) 385-4555 www.ericbarkerarchitect.com	Site Plan for Bicycle Parking			001.1	
	Date	04/23/2014	Project No.	20146	

ORANGE THEORY HEALTH CLUB
1010 Yates Street /Orange Theory



Planning and Land Use Committee Report

Date: April 17, 2014 **From:** Robert Woodland, Director of
Legislative and Regulatory Services

Subject: Application for a permanent change to Occupant Load of Licensed area in relation to a Liquor-Primary Liquor Licence, for the **Executive House Hotel** (Bartholomew's Pub), 777 Douglas Street, Licence, No. 064730

Executive Summary

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by the Executive House Hotel (Bartholomew's Pub) in relation to their Liquor Primary Liquor Licence for the premises located at 777 Douglas Street, for a permanent change to increase the occupant load.

The current occupant load for the liquor primary service area of the pub is 186 persons (including 28 on the exterior patio). The hours of liquor service are from 09:00h to 01:00h Monday through Sunday. The requested change is due to the reconfiguration of the pub and restaurant floor space on the ground floor of the hotel that faces Humboldt St. If approved, the occupancy for the liquor primary service area would be increased to 241 persons (including 32 for the exterior patio). There would be no change in the hours of operation as a result of this application.

Recommendation

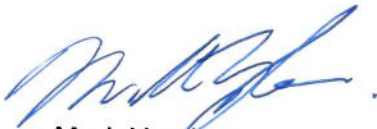
That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, supports:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.
 - (b) While this request represents a capacity increase of close to 30% in the occupant load of Liquor Primary Licensed seats, there is expected to be minimal impact on the neighbourhood as the overall capacity of licensed seats in the hotel is decreasing due to the closing of the Café D'Amore Food Primary Liquor Licensed seats (120) that would result from this request being

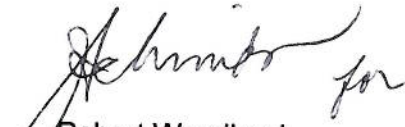
approved. There is no concern that this change would result in the business being operated contrary to its primary purpose.

- (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the pub and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters (including one from the Downtown Resident's Association) not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Analysis of the responses not supporting the application determined that the majority of these residents are quite concerned about noise and nuisance issues related to liquor patrons generally present (including after closing hours) in this area of the City but in many cases these persons were not directly linked to the applicant's business.

Respectfully submitted,



Mark Hayden
Manager, Bylaw and
Licensing Services



Robert Woodland
Director Legislative and
Regulatory Services

Report accepted and recommended by the City Manager:



Date:

May 5, 2014

MATERIALS RECEIVED VIA PUBLIC CONSULTATION PROCESS:

Attached 33 Available N/A

[A letter from the proponent, 7 letters (one from the Aria Strata Council) supporting the increase in occupant load, 24 letters (one from the Downtown Residents Association - DRA) not supporting the occupant load increase and 1 petition from the Falls Building with 46 signatures opposing the increase in occupant load are attached.]

Purpose

The purpose of this report is to seek a Council resolution for submission to the Liquor Control and Licensing Branch regarding an application by the Executive House Hotel in relation to their Liquor Primary licensed operation located at 777 Douglas Street (Bartholomew's Pub) for a permanent change to increase the occupant load of the business.

Background

The Executive House Hotel is located at 777 Douglas St. on a triangular lot that is bounded by Burdett Ave., Humboldt St. and Penwell St. The hotel and associated licensed premises have been in operation since 1990. The hotel is in the process of being rebranded as a "Doubletree by Hilton" hotel and the licensed space is being reconfigured as a result.

The hotel holds one Liquor Primary Liquor licence which allows it to operate 2 separate Liquor Primary businesses adjacent to each other in the hotel. They are Doubles Lounge, which is a 46 seat lounge and Bartholomew's Pub, which is currently a 140 seat pub (total occupant load is currently 186 persons). The hotel also has 2 Food Primary Liquor licenses. One of these, Café D'Amore, is located directly adjacent to Bartholomew's Pub. The hotel is closing this 120 seat café and is utilizing the space to add the proposed 55 seats to Bartholomew's Pub. The Hotel has also stated they will be using the revised Bartholomew's space to provide lunch and dinner service. The new larger area proposed for the Liquor Primary businesses will support an occupant load of 241 persons (including 32 outdoor patio seats) as determined by the Chief Building Official of the City. This occupant load covers both the Doubles Lounge and the revised Bartholomew's Pub floor spaces.

In their attached letter (see Attachments), the owner's representatives have described the business plan for the overall operation of the licensed area of the hotel. A map of the subject property and immediate area is also attached to this report.

Location

Official Community Plan:

- The OCP designates the property within the "Primary Centre".
- The area is designated within Development Permit Area 15 (Heritage Conservation) Downtown.

Downtown Core Area Plan:

- The property is within the "Inner Harbour District" (IHD) and adjacent to the "Central Business District".
- The IHD contains marine related businesses and activities, provincial government offices, commercial businesses that serve tourists and workers including hotels, retail stores and restaurants with residential development.

Zoning:

- The property is zoned CA-11 Central Area (Executive House) District.
- This zone permits a mix of uses including restaurants, offices, transient accommodation and liquor retail stores.
- Off-street parking is required for transient accommodation and residential uses, but not required for other commercial uses listed in the zone.

Neighbourhood Compatibility:

- Surrounding land uses include: retail, restaurants, personal services hotels, conference centre, offices, residential and public/cultural buildings.
- There is residential use within a 100m radius at the following locations:
 - 707 Courtney Street (The Falls condominium high rise, building # 1)
 - 708 Burdett Avenue (The Falls condominium high rise, building # 2)
 - 751 Fairfield Road (The Astoria condominium high rise)
 - 723 – 737 Humboldt Street (The Aria condominium high rise)
 - 788 Humboldt Street (The Belvedere condominium high rise)

The Sustainable Planning & Community Development Department has no objection to the application as the use is permitted.

Liquor Control and Licensing Branch

The General Manager of the provincial Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. Local government is to provide comments and recommendations to the LCLB on all liquor-primary licence applications regarding the potential for noise and impact on the community if the application is approved.

Relevant Policy / Bylaw

- a) Liquor Licensing Policy;
- b) Liquor Licensing Fee Bylaw.

Issues and Analysis

This application is being pursued as a permanent change to the operating conditions so that the hotel can reconfigure the floor space for all of its liquor licensed facilities. A letter from the applicant outlining the purposes of the requested change and a diagram outlining the proposed changes are attached to this Report.

Within a 100-metre radius of the Executive House, there are six other Liquor Primary establishments with a total patron capacity of 1585 seats:

VENUE	HOURS	SUNDAY HOURS	SEATING	TYPE
Fairmont Empress Bengal Lounge	11:00h to 01:00h	11:00h to 24:00h	125	Lounge
Quality Inn - Downtown 850 Blanshard St.	11:00h to 01:00h (M-Th) 11:00h to 02:00h (Fr-Sat)	11:00h to 01:00h	104	Pub
Strathcona Hotel 3 separate venues 919 Douglas St.	11:00h to 02:00h	11:00h to 02:00h	1237 in total including patio*	Pub/Lounge Nightclub
Chateau Victoria 740 Burdett Ave.	11:00h to 01:00h	11:00h to 24:00h	119	Lounge

*Patio service ends at 23:00h

Bylaw Enforcement

The Bylaw and Licensing Services Division has no concerns with the application. Two noise complaints (from the same complainant and relating to night time operation) were received in 2010 and 2011. These were resolved by the Hotel by adding additional security staff to monitor patrons and the area immediately adjacent to the pub.

No complaints have been received since 2011. The applicant has Good Neighbour Agreement in place (since 2004) for their Liquor Primary business. This is a condition of their business licence.

Engineering & Public Works Department

The Downtown Community Development Section reviewed this application and provided the following comments:

Café D'Amore emphasized dining over liquor consumption. Changes in liquor licence legislation are expected to relax food service requirements for food primary licensees vis a vis liquor consumption. While it is unclear if the 120 Food Primary Liquor licensed seats will be surrendered or become inactive indefinitely, it's understood that the seats would no longer be active at this site.

- No structural changes to the building are to occur and therefore, it is assumed that the area of the outside patio is also not subject to change given its confined perimeter. Given it closes at 11:00pm daily, any increase in the level of activity outside could otherwise contribute to noise concerns.
- The premises are located in a very active late night entertainment destination. This venue has had a long history of providing a popular live music and dancing bar. This has contributed to the vibrancy of the late night economy in the downtown.
- This area currently experiences congestion and disturbance issues during bar closing times between 1:00am and 2:30am.

The increase in liquor primary seats is valued in supporting a popular late night venue; however, it may incrementally contribute to public disturbance issues in the area.

Police

Police have no objections to the application. There may be a slight potential for noise increase, however it is believed that this proposed change would have little impact on the community.

Official Community Plan Consistency Statement

As the request by the applicant is congruent with the Zoning Regulation Bylaw requirements, this request, if approved, is consistent with the OCP.

Financial and Staff Capacity Assessment

Not applicable. This issue has no direct staffing or other resourcing impacts.

Public Engagement and Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all owners and occupiers within 50 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, the business displayed a poster at the access points to their business for a 4 week period which also invited people to provide input to the City with respect to this application.

The result of this consultation was that the City received 7 letters supporting the application, 24 letters not in support of the application and 1 petition with 46 signatures not in support of the application. In analysing the responses from residents who were not supportive of the application, the primary concern was for an increase in noise and nuisance from patrons in the general area and not necessarily from patrons of the Executive House Hotel. The letter of support from the strata council at the Aria building is of interest as this group of residents has met and discussed their concerns with the new hotel manager whom they believe (based on previous experience) will proactively mitigate any noise or nuisance issues that may arise. Copies of all feedback received are attached to this Report.

Conclusions

Council is required to submit a resolution to the LCLB; either supporting the application by the Executive House Hotel to increase their occupant load with a supporting rationale, or, not supporting the application by the Executive House Hotel to increase the occupant load with a supporting rationale.

The request complies with the City's current liquor licensing policy because:

- the requested use is compatible with the neighbourhood;
- allowing the extra seats would be a positive economic benefit to the licensee;
- the business has a positive compliance record with no complaints received in the past 3 years; and
- the request complies with existing City regulations governing this type of business.

The liquor primary licence associated with this hotel has been operating since 1990 with a good compliance record with the exception of a brief period between 2010 and 2011 when the hotel was operating under different ownership. City staff from all Departments have no significant concerns about the proposed change to increase the occupant load as requested by the applicant. Given the demise of the Café D'Amore space in the hotel, the overall number of licensed seats is actually declining by 65 seats. It is also noted that the closing hours of the applicant's Liquor Primary businesses is 1:00AM and therefore patrons will have left the premises by 1:30AM. In contrast, a number of other Liquor Primary businesses in the area have a 2:00AM closing and therefore their patrons will be exiting those businesses at 2:30AM which means that these businesses are far more likely to be the cause of late night nuisances and noise that a number of residents have complained about. In checking noise/nuisance complaints filed with the City, the vast majority of complaints come from the operations at the Strathcona Hotel, just a block away from the applicants business.

Of the concerns expressed by the community, the primary concern is for increased noise. Given the specifics of the reconfiguring of space within the hotel and as the City has not received any noise complaints from these premises since early 2011, it is not expected that this change will have anything other than a minor effect on noise or nuisance in the local area. However, Council must bear in mind public input when considering whether the application is in the community interest. Should Council decide to not support the application, a draft Resolution that complies with the LCLB requirements is included in the Appendix.

Recommendation

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, supports:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.
 - (b) While this request represents a capacity increase of close to 30% in the occupant load of Liquor Primary Licensed seats, there is expected to be minimal impact on the neighbourhood as the overall capacity of licensed seats in the hotel is decreasing due to the closing of the Café D'Amore Food Primary Liquor Licensed seats (120) that would result from this request being approved. There is no concern that this change would result in the business being operated contrary to its primary purpose.
 - (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the pub and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters (including one from the Downtown Resident's Association) not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Analysis of the responses not supporting the application determined that the majority of these residents are quite concerned about noise and nuisance issues related to liquor patrons generally present (including after closing hours) in this area of the City but in many cases these persons were not directly linked to the applicant's business.

APPENDIX

This Appendix contains a draft Council Resolution not supporting the approval of the Licence Application.

This draft Resolution is in the specified format required by the Liquor Control and Licensing Branch.

Resolution

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Executive House Hotel**, Liquor License No. 064730, located at 777 Douglas Street, **does not support**:

1. The application of the **Executive House Hotel** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 241 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Inner Harbour District and is within the Intermediate Noise District which allows for a higher noise threshold.
 - (b) While technical analysis suggests there is expected to be minimal direct impact on the immediate neighbourhood from this application, Council is concerned that allowing an increase in the number of Liquor Primary seats may lead to this establishment becoming a destination for out of area patrons wishing to drink during the late evening hours. This in turn may lead to unacceptable noise and nuisance concerns in the largely residential area around this business. This in turn could negatively impact police department workload and resources.
 - (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the pub and a notice posted at the property. Thirty-two responses were received by the City. Seven letters were received supporting the application, including one from the Strata Council of a nearby apartment building. Twenty-four letters, including one from the Downtown Resident's Association, not supporting the application were received and 1 petition with 46 signatures not supporting the application was also received. Council notes that there have been many concerns expressed by area residents about unacceptable levels of noise and nuisance in this part of the City that is directly related to liquor service. Council is concerned that any additional liquor primary capacity in this area may exacerbate the problems of nuisance and noise that currently exist.

ATTACHMENTS

The following documents are attached:

1. A letter from the proponent explaining the purpose for the requested change.
2. A copy of the approved floor plan.
3. An aerial photograph (map) of the property and surrounding area.
4. Seven letters in support of the application.
5. Twenty-four letters not supportive of the application.
6. A petition not supportive of the application.

Executive House Hotel
777 Douglas Street
Victoria, BC
V8W 2B5
Ph: (250) 388-5111
Fx: (250) 385-1323

March 3, 2014

RE: Renovations and Liquor Licensing changes to Bartholomew's Pub

To whom it may concern:

The Executive House Hotel is currently rebranding as a Doubletree by Hilton, and as a result extensive renovations and new construction are planned for the hotel, over the next two years

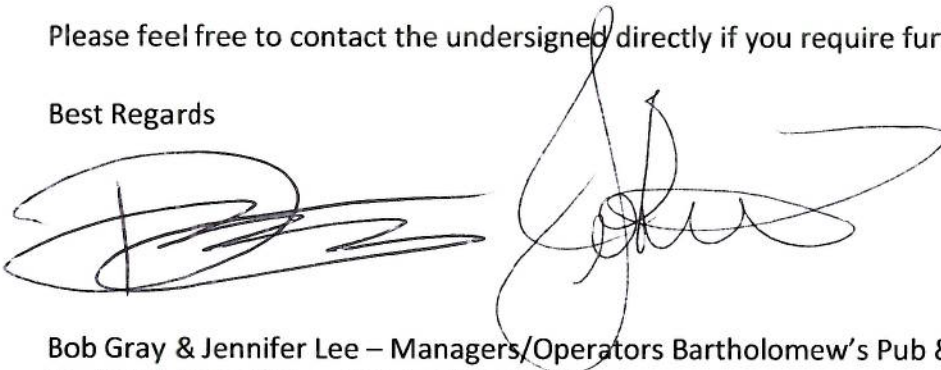
Part of the project includes renovations in Bartholomew's Pub which will see the closure of the CAffe D'Amore, and a proposed expansion of the pub area. This will result in a cancelation of the Food Primary licence in the CAffe and an application to expand the Liquor primary Licence of Bartholomew's from 28 on the patio, 112 in the pub to 32 on the patio and 163 in the pub. There are no renovations or changes planned for Doubles Lounge, adjacent to Bartholomew's.

(46
seats)

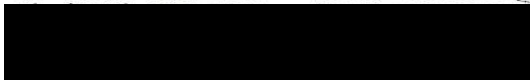
The plan is to have breakfast service moved upstairs to the dining room on the lobby level, while Bartholomew's will continue to provide lunch, dinner, room service, and weekend evening entertainment to hotel guests as well as local residents.

Please feel free to contact the undersigned directly if you require further information.

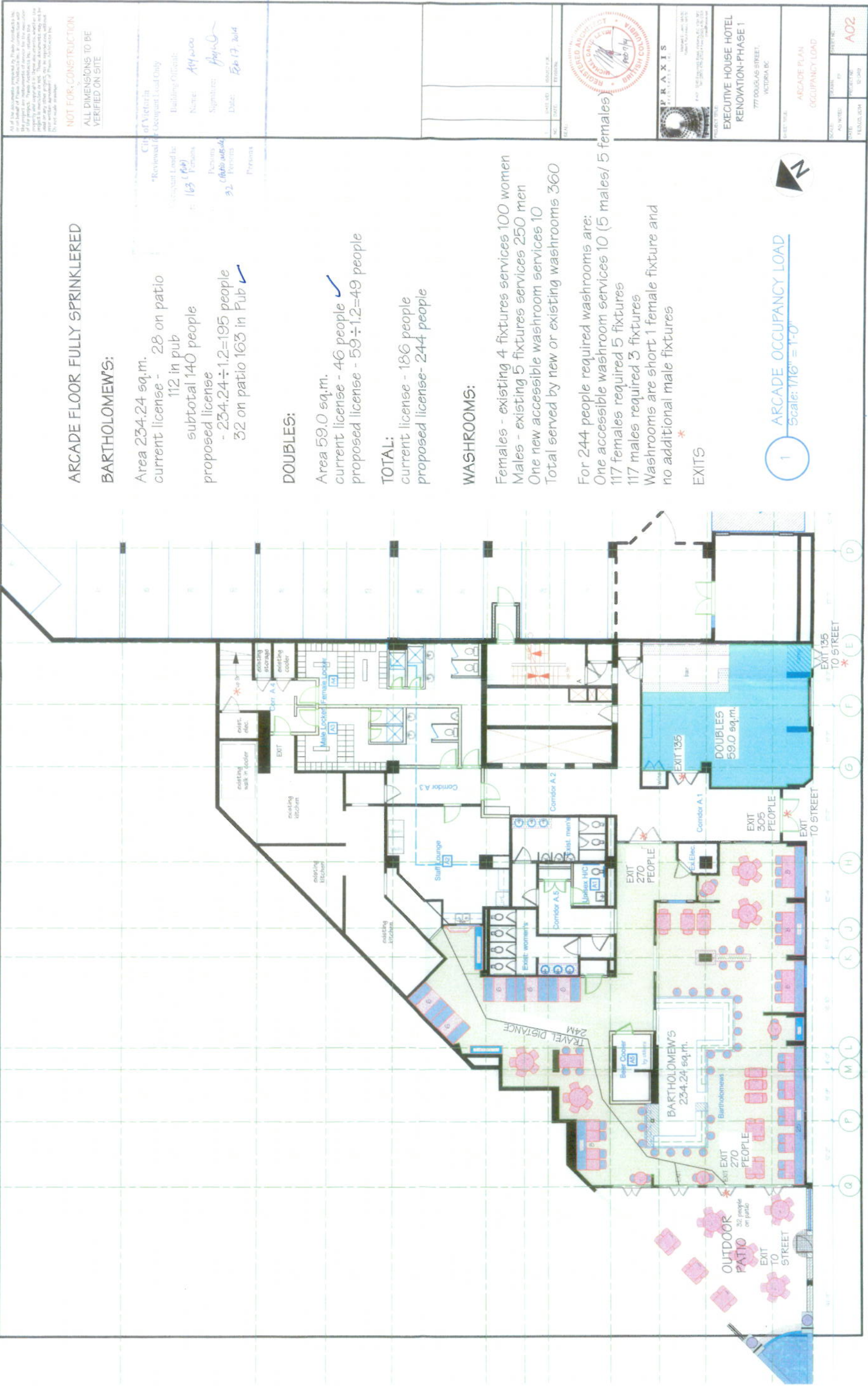
Best Regards



Bob Gray & Jennifer Lee – Managers/Operators Bartholomew's Pub & Doubles Lounge



43





Executive House Hotel - 777 Douglas St.

04/22/2014



Legend
Victoria Parcels

1: 1,700



Notes



86.4 Meters

43.19

0

86.4

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

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



737 Humboldt St., Victoria, BC V8W 1B1

Manager, Bylaw and Licensing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

Dear Sir:

This letter is a response from the ARIA Strata Council to the March 10th letter from the City soliciting neighbourhood reaction to the application by Bartholomew's Pub for an increase in their occupancy load to 241 persons.

As the main entrance to Bartholomew's has been out onto Humboldt Street, we have had some concerns in the past. There was inevitably some noise produced by patrons who came out onto the sidewalks to smoke. In the summer, if the doors onto the corner patio were open, music and noise spilled out. The noise typically peaked on weekends at closing time when some boisterous patrons tended to mill about, engaging in loud conversation - and sometimes musical improvisation - that often persisted well into the wee hours.

Now the hotel is being rebranded, up-graded and is under a new management firm. Some members of our Strata Council executive had a good meeting with the hotel manager, Francis Mariet, to discuss our concerns. In his previous role as Manager of the Marriott Victoria, which is just opposite the ARIA, he had proved himself a good neighbour, responsive to concerns from ARIA residents. He restated his intention to be respectful of community and neighbours' concerns.

Because the ARIA has an interest in promoting a viable, vibrant downtown neighbourhood, our Strata Council does not oppose the application to increase the liquor license occupancy load. However, we would like noise and nuisance issues to be mitigated as much as possible. Our block of the Humboldt Valley is essentially high-density residential now and a bar scene is not appropriate. If the main entrance to the drinking establishment remains on Humboldt, and also if the entrance to the patio is moved from Douglas onto Humboldt, we ask the proponent to undertake to monitor the entrances with a doorman or security guard presence, to break up loitering or rowdiness. When the patio is used (and we don't oppose patio use), we would like it closed by 11 pm, 7 nights per week to limit late night noise.

We thank you for the opportunity to provide public input.

Sincerely,
Ruth Annis
ARIA Strata Council President

Mark Hayden

From: [REDACTED]
Sent: Thursday, Apr 3, 2014 11:55 AM
To: Liquor Licence Email
Subject: re: Licence reference #064730 & Executive House Ltd.

We were asked by the owners just to send you a quick email to let you know that we support their proposed expansion plans of the liquor primary and occupant load of Bartholomew's Pub.

Thanks,

Zech Prinz

--
Armeni Jewelers

This email is free from viruses and malware because avast! Antivirus protection is active.
<http://www.avast.com>

Mark Hayden

From: Paul Homewood [REDACTED]
Sent: Thursday, Apr 3, 2014 8:23 AM
To: Liquor Licence Email
Subject: Licence reference # 064730 - Executive House Ltd
Attachments: image001.jpg; image002.gif; image003.jpg

To whom it may concern,

Budget Rent a car of Victoria is happy to support the expansion application by Bart's Pub. Bartholomew's have been long standing neighbors of ours and we have always enjoyed a good relationship with their staff and customers. The whole "Hilton project" has our support and the proposed changes at Bart's would appear to a logical part of it.

Sincerely,

Paul Homewood

Director, Sales & Training
Budget Rent a Car of Victoria Limited
Tel: (250) 953 5218
Toll Free: 1-800-668-9833



Follow us on: Like us on:



Mark Hayden

From: Ozge Karahasan [REDACTED]
Sent: Wednesday, Apr 2, 2014 5:29 PM
To: Liquor Licence Email
Subject: Licence reference # 064730 and Executive House Ltd.

To whom it may concern,

Dear Sir/Madam

This email is to inform you that as a business located in the neighbourhood, we support the proposed expansion of the liquor primary and occupant load of Bartholomew's Pub. (Licence reference # 064730 and Executive House Ltd.)

Sincerely,
Ozge Karahasan

Manager of Cafe Mela
784 Humboldt St.

Mark Hayden

From: Winchester Galleries [REDACTED]
Sent: Wednesday, Apr 2, 2014 3:30 PM
To: Liquor Licence Email
Cc: bob58@shaw.ca
Subject: Support for# 064730 (Bartholemew's Pub)
Attachments: image002.png; image004.jpg

To Whom it May Concern:

We are writing in support of the proposed expansion of the liquor primary and occupant load of Bartholomew's Pub (# 064730).

Yours sincerely,
Elizabeth Levinson

Per:



Winchester Modern
758 Humboldt Street
Victoria, British Columbia V8W 4A2
tel: 250-382-7750

[REDACTED]
www.winchestergalleriesltd.com



Mark Hayden

From: Bob Gray <[REDACTED]>
Sent: Wednesday, Apr 2, 2014 3:24 PM
To: Liquor Licence Email
Subject: Fwd: Pub expansion at Bartholomew's

Re: Executive House Ltd. Licence # 064730

----- Forwarded message -----

From: Jennifer Work <[REDACTED]>
Date: Wed, Apr 2, 2014 at 2:59 PM
Subject: Fwd: Pub expansion at Bartholomew's
To: Baby <[REDACTED]>

Jennifer Gray

Begin forwarded message:

From: LEACHMAN Cliff <[REDACTED]>
Date: 2 April, 2014 12:11:57 PM PDT
To: [REDACTED]
Cc: LEACHMAN Cliff <[REDACTED]>
Subject: Pub expansion at Bartholomew's
Reply-To: Leachman Cliff <[REDACTED]>

Attention City Hall

To whom it may concern,

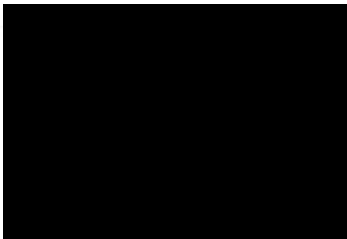
As a residential owner of the Astoria and commercial owner of 762 Humboldt street, I support the expansion of the PUB at what was formerly Bartholomews on Humboldt street. I have no objections and look forward to returning as a customer to the renovated premises. Thank you in advance for your consideration and if you have any further questions don't hesitate to call or email at the address below

Dr. Cliff Leachman
762 Humboldt street
Victoria, B.C.
V8W 4A1
[REDACTED]

--

Regards

*Bob & Jennifer Gray
#405-165 Kimta Rd
Victoria, BC
V9A 7P1*



Mark Hayden

From: Russell Books Vintage [REDACTED]
Sent: Friday, Apr 4, 2014 11:51 AM
To: Liquor Licence Email
Subject: LLC# 064730-Barts

To Whom It May Concern,

I am writing to express my support for the expansion of Bartholomew's English-Style Pub, LLC# 064730, on behalf of Russell Books.

Sincerely,

Andrea Minter

Russell Books Vintage
734 Fort Street
Victoria, B.C. V8W 1H2
Mon-Sat 9-6, Sun 11-5
vintage@russellbooks.com
250-220-9364



1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

Manager Administration Legislative Services
City of Victoria
No.1 Centennial Square
Victoria, BC
V8W 1P6

April 16, 2014

Re: Permanent Change to a Liquor Licence-Executive House 777 Douglas

Dear Manager Administration Legislative Services,

The licence under application has functioned with its current capacity of liquor sales for many years. The adjacent Humboldt Valley has since become a populated and desirable residential neighbourhood.

This licence apparently extends over Bartholomew's Pub currently at 140 seats with a proposed expansion of 55 seats to a total of 241 Seats. Doubles Lounge will not be changed and contains 46 additional Liquor Primary seats.

Members anticipate that expanded capacity and corresponding liquor sales at this liquor primary will do little to enhance the liveability of the Humboldt Valley enclave. Members are specifically concerned that the expansion would encourage a destination for out of area patrons for late night drinking. This use is incongruent for this residential area.

The establishment in question has been found in contravention of the liquor act and fined accordingly. Case Number EH09-126 March 30, 2010. Liquor contraventions are an indication of a failure of management.

The executive House Hotel has managed to function for many years with its current Liquor Primary seating capacity. The DRA LUC has concerns for additional Liquor Primary seating in this residential neighbourhood and therefore does not support this application.

Sincerely,

Robert Florida

Downtown Residents Association

Robert & Lexie Brough
April 03 2014

Manager, Bylaw and Licencing Services
c/o Legislative Services
1 Centennial Square
Victoria British, Columbia
V8W 1P6

Dear sir/madam

Thank you for your letter dated March 10 2014 regarding the: Notice of Application for Permanent Change to a Liquor Licence; re: The Executive House located at 777 Douglas Street

Our condominium is in a building called 'The Falls', and it's adjacent to, and only a few floors above the Executive House Bar and Patio. In other words we are located right between the Strathcona Bar and the Executive House Bar - lucky us. When we purchased this unit we expected a lot of activity and some street noise but we had no idea it would also be like living next to a fraternity house. The Executive House has very loud bands playing several nights a week and the base noise and vibrations can be heard and felt across the street; enough to disturb a person trying to watch TV, read, or use a computer. Our second bedroom facing the street is essentially unusable for sleeping until all the shouting drunks go home. This means our family, (grandkids), could never stay with us in our home.



This bar also has an open patio. When people are drinking out on the patio you can clearly hear their voices and especially any shouting or outburst of laughter which happens often and increases as they become more intoxicated. As I'm sure you can appreciate - the more people that are allowed to be on the premises the more noise it generates. The staff do not want to risk irritating the patrons so they make no serious attempt to control the noise inside or on the patio.

The single objective is to sell as much alcohol as possible and as a result you get procession of drunks leaving the bar in the early morning hours often yelling obscenities at each other - then the sirens begin. I feel bad for the police who I know from talking to them are sick and tired of attending to drunks in the downtown area - why would you add to their problems by adding more seats ultimately increasing the risk of harm to the police. We should all be trying to make it safer for them. The City of Victoria is already known by both residents and visitors to have a serious alcohol problem downtown. The streets in this downtown area of Victoria are already not safe at night: let's not make it worse.

YOU MUST DENY THIS APPLICATION.

Sincerely;

Robert and Lexie Brough



UNIT # 506-5 708 Bennett Ave.

Mark Hayden

From: Greg Ramsay [REDACTED]
Sent: Monday, Mar 31, 2014 11:50 AM
To: Liquor Licence Email
Cc: Duncan MacKenzie; e.thefallsstrata@gmail.com
Subject: EXECUTIVE HOUSE HOTEL increase of persons to the drinking premises

To: liquorlicense@victoria.ca

Cc: Duncan MacKenzie; [REDACTED]

Manager, Bylaw and Licensing Services c/o Legislative Services

I own 804S condominium at The Falls.

I am very much against the 30 per cent increase of persons (186 persons to 241 persons) to the occupancy level to a liquor license at the Executive House Hotel.

This is unacceptable and this application should be rejected for many reasons, namely:

1. The increase in noise associated with the large crowd size especially at closing hour while crowds disburse; and
2. The increase in crimes ranging from violence and vandalism, public drinking and disorder and increasing incidents of public urination

The Falls Excess Noise Committee has determined that The Executive House Hotel can cause excessive noise.

Noise sound meter results indicated noise levels beyond the city noise bylaw limits.

Increasing the occupancy numbers will further increase excessive noise and complaints.

No effective plan has been put in place to deal with the excessive noise.

I am very much against the 30 percent change to the number of persons in their drinking premises.

Brock Ramsay [REDACTED]

Greg Ramsay [REDACTED]

Mark Hayden

From: M Choi [REDACTED]
Sent: Thursday, Mar 27, 2014 5:29 PM
To: Liquor Licence Email
Subject: Executive House Hotel

Regarding Permanant Change to a Liquor Licence for Executive House Hotel, located at 777 Douglas Street, I believe that this application should **be rejected** for lots of reasons,

1. the increase in noise associated with the drunken crowds
2. the increase in crimes such as drinking, disorder and public urination.

This expansion should be reconsidered.

Regards,

M Choi
406-708 Burdett Ave.
Victoria BC

Mark Hayden

From: IAN MARSH [REDACTED]
Sent: Sunday, Mar 30, 2014 6:51 PM
To: Liquor Licence Email
Subject: Bartholomew's Pub

As a resident at The Falls, 708 Burdett Ave, immediately across the road from the Executive Hotel, I would like to express an objection to the proposed increase in seating at the pub. As a downtown resident I am quite willing to accept a certain level of nighttime noise associated with local business and understand it is part of living here. However the current level of disturbance from loud patrons is I believe already more than enough and I request that you consider the needs of downtown residents in your deliberations, a number which appears to likely increase significantly in the coming years. These residents also add to the vibrancy of the city's downtown hub.

Sincerely
Ian Marsh

Sent from my BlackBerry 10 smartphone on the Bell network.

Mark Hayden

From: Jeff McGillis [REDACTED]
Sent: Wednesday, Mar 26, 2014 10:44 AM
To: Liquor Licence Email
Cc: Anita Venture (amcgillis@albertaventure.com); Anita McGillis; jeffmcgillis@live.ca
Subject: EXECUTIVE HOUSE HOTEL (Bartholomew's Pub) Application for Expansion

Manager, Bylaw and Licencing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

Dear Sir / Madame

I own a condominium unit in the Falls Development on Courtney Street and understand that the executive House Hotel (Bartholomew's Pub) has applied for an expansion permit.

I want to voice my strong opposition to this due to the adverse effect it will have on the quality of life and on the property values. There are already problems with noise, vandalism, violence and drunkenness and disorder in the area and this will only contribute to the problems. I do not want to see an increase in these issues but rather a decrease and elimination of these issues.

Thank you

Jeff McGillis
N1102- 707 Courtney St.
Victoria, BC

Mark Hayden

From: Anita McGillis [REDACTED]
Sent: Wednesday, Mar 26, 2014 10:49 AM
To: Liquor Licence Email
Cc: 'Jeff McGillis'
Subject: FW: EXECUTIVE HOUSE HOTEL (Bartholomew's Pub) Application for Expansion

I am in ownership with Jeff McGillis and agree with his comments. I also do not want to see an expansion granted to the Bartholomew's Pub.

Thank you.

Anita McGillis

From: Jeff McGillis [REDACTED]
Sent: Wednesday, March 26, 2014 11:44 AM
To: liquorlicence@victoria.ca
Cc: Anita Venture [REDACTED] Anita McGillis [REDACTED]
Subject: EXECUTIVE HOUSE HOTEL (Bartholomew's Pub) Application for Expansion

Manager, Bylaw and Licencing Services

c/o Legislative Services
1 Centennial Square
Victoria, BC V8W 1P6

Dear Sir / Madame

I own a condominium unit in the Falls Development on Courtney Street and understand that the executive House Hotel (Bartholomew's Pub) has applied for an expansion permit.

I want to voice my strong opposition to this due to the adverse effect it will have on the quality of life and on the property values. There are already problems with noise, vandalism, violence and drunkenness and disorder in the area and this will only contribute to the problems. I do not want to see an increase in these issues but rather a decrease and elimination of these issues.

Thank you

Jeff McGillis
N1102- 707 Courtney St.
Victoria, BC

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4336 / Virus Database: 3722/7222 - Release Date: 03/20/14

Thursday, March 27, /14

M.A. (mark) Hayden
manager,

Bylaw and Licensing Services,
c/o Legislative Services,
1 Centennial Square,
Victoria, B.C. V8W-1P6,

Notice of Application for Permanent Change to a Liquor Licence.

This letter is in response of the proposal for a change in licence conditions for Liquor Primary venue in the Executive House Hotel (Bartholomew's Pub) located at 777 Douglas Street. (The new Hilton Hotel)
The requested change is to increase the occupant load from 186 persons to 241 persons, which will be an extra 55 persons to frequent Bartholomew's Pub each night.

We both are against the proposal for the change of the capacity of the licence conditions.

Enclosed are our concerns for the change.

P.2.

One of our concerns is the address of the change in Liquor Licence conditions in the Executive House Hotel (Bartholomew's Pub) located at ~~777~~ Douglas Street. The newly renovated Hotel will be The Hilton Hotel. The pub's entrance is not located on Douglas Street, but on our street, (Humboldt Valley) across from our condominium the "ARIA". The residences of the Aria will be the only ones affected by the change. The Marriot Hotel, Chateau Hotel, and the Falls will all not be able to see the going ons of the Bartholomew Pub. The pub has two entrances. The pub entrance and the adjacent restaurant doors are very close together.

We would hope that both entrance doors giving access to the pub on Humboldt Street will have to be removed and the entrance to be off Douglas or Burdette Street, so the staff will be able to monitor the behavior and intoxication levels of their patrons. The Marriot and Chateau Hotels and even Bria's Social House have a hostess present

to greet their guests. The pubs in the marriot and Chateau Hotels are inside the hotel adjacent to the hotel lobbies. All guests of the hotels are greeted by a door man. This way all patrons are monitored. That has been the big problem of Bartholomew's Pub. No one holds any of the patrons which have consumed alcohol accountable. There has never been any supervision of the condition of their patrons. Some patrons arrive at the pub so intoxicated that they have needed assistance in walking and Bartholomew's pub just turns a blind eye and serves them even more alcohol. Then they come back outside for a cigarette and go back in falling down drunk. No one has ever turned them away. The smokers all go outside the pub and are allowed to stand right outside the doors and anyone walking by have to go around them. They have never paid attention to the no smoking space in front of the doors. The patrons smoking and doing drugs and marijuana come across the street

P. 4

to our building, The Aria, They even shoot up on their drugs. They are totally oblivious to anything going on around them and are without any disregard for anyone walking by. We have been asked if we want anything, (drugs) These intoxicated patrons also urinate and even desicrate at the car lots across the street. We have even witnessed street fights. There never has been much of a police presence at night. The police cruisers go down Burdette Street unable to see any goings on even at closing time. There also are a lot of drunks getting into their vehicles and driving off. The police are too busy driving around the Strath Hotel. What will happen when there are even 55 more patrons unsupervised at the end of the evening? Is an establishment not responsible to see that their patrons are not served too much alcohol? Why have they not turned any drunks away? The city of Victoria promotes downtown living. Is this

Victoria promotes downtown living but the noise bylaw of no noise after 10:00 pm and before 7:00 am in all the city neighbourhoods are being ignored for the Aria-Humboldt valley homeowners.

We live on the 8th. floor and we hear all the noise, so you can imagine how loud the pub is. Even with the windows closed, we have to leave fans on to drown out the noise. In the past, there has been no concern for the pub's neighbours. They have not obeyed any of the rules for a pub owner.

Hopefully you will take into account all of our concerns and we can live in peace with the new Hilton Hotel.

737 Humboldt Street.

N803

Allan + Gysbertha Davies

Mark Hayden

From: Allan Quinn <[REDACTED]>
Sent: Tuesday, Mar 25, 2014 7:55 PM
To: Liquor Licence Email
Subject: Expansion of Bartholomew's Pub

I would like to express my concerns about the request by the Executive House Hotel to expand Bartholomew's Pub. I own a condominium at The Falls across the street. There have been untold problems with the rambunctious crowds that the tenants in the north tower have had to deal with from the Strathcona Hotel. I am very concerned that a somewhat acceptable situation at the Executive House could get out of hand if the premises is allowed to expand. Please consider helping to keep our neighbourhood noise to a minimum. If things do get out of hand which is very possible, I see room for all kinds of expensive litigation and court problems. Please prevent a mess from happening!

Sincerely,
James Quinn
S802
The Falls

Mark Hayden

From: Robert Glazier [REDACTED]
Sent: Friday, Mar 21, 2014 3:08 PM
To: Liquor Licence Email
Subject: The Executive House expanded liquor license application

I reside in unit 506 - 708 Burdett Ave, Victoria, directly across the street from Bartholomews Pub. I would urge the City to DENY this application. At present the sound level emanating from the band, music and noisy patrons is on most Friday and Saturday nights, a major hindrance to the enjoyment of my home. To expand the seating and patronage would exacerbate an already intolerable situation. One of the bedrooms in my Condo faces Burdett Ave and my guests complain they cannot sleep due to the noise from the pub, particularly on weekends. I fully accept we will incur some noise downtown, buses, party noise, but that pub in particular is very noisy, as it has a Live Band that plays until 1:30 am. The patrons often yell, scream and having residences next door is not a good mix. However it is what it is and we have to get along. To increase capacity would be a significant deterioration in the use and enjoyment of my condo. I urge the city to deny this application. Thank you

Robert Glazier

Bob Glazier [REDACTED]

Johns, Southward, Glazier, Walton & Margetts, Barristers and Solicitors,
204 - 655 Tyee Rd, Victoria, B.C. V9A 6X5

Telephone: (250)381-7321 Fax: (250)381-1181 Toll Free: (888)442-4042 WEBSITE: www.jsq.bc.ca

WARNING:

1. The information on this email and any attachments is privileged and confidential and exempt from disclosure and intended only for the use of the individual to whom it is addressed. If you have received this communication in error, you are hereby notified that your review, dissemination or copying of this communication is prohibited. Please contact our office immediately and destroy the communication. Thank you.
2. From time to time, our spam filters eliminate or block legitimate email from clients. If your email contains important attachments or instructions, please ensure that we acknowledge receipt of those attachments or instructions.

Mark Hayden

From: DAWN KROAD <[REDACTED]>
Sent: Friday, Mar 21, 2014 10:23 AM
To: Liquor Licence Email
Cc: Price, Glenn
Subject: Permanent Change to Occupancy Load - Executive House Hotel - 777 Douglas Street

To: Manager, Bylaw and Licensing Services

As an original owner of a Condo at "The Falls" and I'm writing to oppose the Executive House Hotel's request to expand seating capacity from 186 to 241.

Speaking as an owner, I believe that this application should be rejected for the following reasons, all negatively having impact on living at the Falls.

1. An increase of occupants to the Executive House Hotel would most certain expand noise levels to a higher decibel; 2. An increase of occupants would most certain increase public disturbance; and 3. From a financial perspective, many owners have sold at a loss due to the tarnished image of The Falls and an increase of occupants would most certain contribute to this image.

The City of Victoria needs to encourage growth of new viable businesses that service the growing Downtown population of new households and not encourage latenight.

I am asking the City of Victoria not grant the proposed application to the Executive House Hotel at this time.

Thank you,

Dawn
Owner at The Falls

Mark Hayden

From: Dean Desroches [REDACTED]
Sent: Tuesday, Mar 25, 2014 6:13 AM
To: Liquor Licence Email
Subject: Executive House Hotel application for expansion of licence premises

Manager, bylaw and licensing
Services.

Please consider this email as a letter to contest the application for a permanent change to a liquor licence for Executive House Hotel (Bartholomew's pub).

I am a resident owner at the Falls and clearly have experienced noise, public drinking, and incidents of public urination, as well as vandalism and theft, mainly due the over population of drinking establishments.

This has decreased property value and increased crime and vandalism at the Falls Property mainly upon patron disbursement at Bar closings.

Please reject the proposed application as our family feels unsafe with existing licensing, not withstanding further expansion.

Regards,

Dean Desroches

Mark Hayden

From: Liza Bialy [REDACTED]
Sent: Tuesday, Mar 25, 2014 1:20 PM
To: Liquor Licence Email
Subject: Permanent Change to a Liquor Licence - Executive House Hotel

Dear Manager, Bylaw and Licencing Services,

As an owner of a until in The Fall (702 - 707 Courtney Street) I would like to express my concern about expanding the drinking premises capacity to 241 patrons from the current 186 capacity at Bartholomew's Pub. Increasing the capacity would only contribute to the noise and violence already occurring during the evening hours. There is also a concern about seeing more major crimes such as the shooting outside another Douglas Street club on February 25th 2013 (<http://www.timescolonist.com/news/local/man-pleads-guilty-to-attempted-murder-in-drive-by-shooting-of-victoria-doorman-1.676314>). As an owner wanting to preserve the quality and beauty of Victoria I hope that this capacity increase is not granted.

Regards,
Liza Bialy

Mark Hayden

From: Dennine Giles [REDACTED]
Sent: Saturday, Mar 22, 2014 11:28 AM
To: Liquor Licence Email
Subject: Executive House Hotel (Bartholomew's Pub) - Application to expand liquor license
Attachments: image007.jpg; image008.png; image009.jpg

Good afternoon,

It has recently been brought to my attention that the Executive House Hotel (Bartholomew's Pub) has applied to expand their liquor license. My family and I currently reside in unit S1005, 708 Burdett Avenue (The Falls) which is directly beside the applying business.

At present, the noise that comes from that establishment is enough to be heard clearly up to our condo. We have been patient with the noise as I understand they are running a business and I make sure to drown it out as best I can. With the application before your board to increase the number of patrons allowed at the premise I can't imagine how much more noise there will be. I am strongly opposed to the application and trust that you will take into consideration the number of people this application will adversely affect.

Should you require further information from me or would like to discuss the situation further, please do not hesitate to contact me directly at 780 799 3530.

Thank you,

Dennine

Dennine Giles
Northstar Group



NORTHSTAR GROUP

Fort McMurray Calgary Cochrane Fort St John

780 799 3530 (Cell) 780 713 2846

505 MacKenzie Boulevard, Fort McMurray T9H 4X3



Mark Hayden

From: Maureen Nohr [REDACTED]
Sent: Friday, Mar 21, 2014 7:38 PM
To: Liquor Licence Email
Subject: Manager,Bylaw,Licensing Service

TO: Manager,Bylaw and Licensing Service:

% Legislative Services
1Centennial Square
Victoria BC V8W 1P6

RE: Change of Liquor Licence
Executive House Hotel / Bartholomew's Pub

To Whom it May Concern,

We object to the Executive House Hotel / Bartholomew's Pub, application for a permanent change of liquor licence from 186 persons to 241 persons which is a 50% increase.

Our condo is located on the 11th floor, corner suite fronting on Douglas Street and Humbolt. Two of our bedrooms are located on side of Executive House Hotel and Bartholomew's Pub. We have already been frustrated with the noise and sleep interruption from the Pub. There have been times when shouting and disorder have been so concerning that we needed to get up and make sure people were ok or if assistance was needed. There is no way that the increase of liquor licensing seating should be allowed, if anything it should be decreased. In fact there have been times when fines for disorderly conduct and the Noise Bylaw should have been enforced! We have thought about making a formal complaint to the City to in force the noise bylaw. That is how disturbing it can be! If you allow the 50% increase this would be a huge negative impact on our life enjoyment and could impact the value of our condo. We are the original owner and we paid ALOT of money for our suite and want to enjoy the location. When we purchased we were aware of Bartholomew's Pub as it is now.

Please! Please! do not allow the application for the increase seating. There are lots of pubs already in this area and we see no reason to allow the increase seating liquor license. It is only for the owner to make more money, at the expense of people living in the area.

Sincerely,

Arnold and Maureen Nohr
The Falls
[REDACTED]

Mark Hayden

From: Dallas Chapple [REDACTED]
Sent: Friday, Mar 21, 2014 4:03 PM
To: Liquor Licence Email
Cc: liquorlicense@victoria.ca
Subject: Executive House

To whom it may concern,

As an owner at The Falls we would like to be recorded as firmly against the requested increase to Bartholomew's Pub by The Executive House Hotel. Our objections are particularly about the increase in noise with the larger crowd disbursing, and with the increase in crimes from violence and vandalism, public drinking and disorder and increasing incidents of public urination. This is a residential area which we must share with the commercial establishments but to have further problems for which we have to hire a private security company is unacceptable.

Sincerely,
Len and Dallas Chapple

RE/MAX Camosun
www.dallaschapple.com
office: dallas@dallaschapple.com
home: dallasandlen@shaw.ca
(250) 744-3301
toll free: 1-877-652-4880

Mark Hayden

From: Norra <[REDACTED]>
Sent: Thursday, Mar 13, 2014 12:22 PM
To: Liquor Licence Email
Subject: Executive House hotel

**Manager Bylaw and Licensing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC**

Dear Sir/Madame

We are Owners of Unit 302, 708 Burdett Ave “The Falls”

Recently we received in the mail “ Notice of Application For Permanent Change to A Liquor License.”

Please be advised we are OPPOSED to the request by Executive House Hotel (Bartholomew’s Pub) to increase occupant load from 186 to 241 persons.

We are already dealing with abnormal decibels of noise from the unruly patrons after closing time from this and other nearby clubs. This will add to even a bigger crowd and more incidents of loud noise.

The City and the Drinking establishments must first find an effective way to control the crowds of

drunken noise once the patrons are released into the streets before considering such applications.

The City is courting developers to build sustainable downtown neighborhoods and vibrant businesses to cater and service the families now living in the core. This is starting to happen.

The clubs and pubs must now co -exist with that sustainability in mind. Peace and quiet after patrons are released must now become a priority .

Our buildings are designated as “luxury” real estate and therefore need to be respected as such by our neighbors with regards to late night noise. If the establishments could hire “noise” police to keep decibels below acceptable bylaw requirements all night long then we could possibly co-exist but this does not happen now with the Strathcona dumping out drunken clubbers at 2 am, therefore, we must be vehemently against your application.

**Sincere Regards
Norra Miroseivic**

Mark Hayden

From: Monique Moore [REDACTED]
Sent: Friday, Mar 14, 2014 11:49 AM
To: Liquor Licence Email; Mayor (Dean Fortin)
Cc: Falls Manager; [REDACTED] Marianne Alto; Chris Coleman (Councillor); Shellie Gudgeon; Lisa Helps; Ben Isitt; Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)
Subject: Executive house hotel

To the Liquor Control and Licencing as well as City Council,

As a resident and owner at The Falls I do not support an increase in the occupancy at the Executive House Hotel Bartholomew Pub for the following reasons:

- 1) the residents do not need to contend with anymore late night bar noise than we do already
- 2) our concerns regarding the Strathcona Hotel have not been dealt with by Liquor Control, City Council or Victoria Police
- 3) on a nightly basis residents listen to loud bass pumping music as they lie in bed
- 4) taxi drivers are not abiding the pick up location rules and remaining on Douglas St
- 5) the hours of 11p:m until 3:00 a:m are filled with screaming, yelling and at times fighting bar patrons pouring out into the street. The Strathcona Hotel does not deal with disorderly patrons
- 6) the Victoria Police needs to have a required presence when more than 1000 bar patrons pour into the streets. Residents cannot and should not be expected to make nightly phone calls to maintain the peace and/or express concern over the well being of someone screaming on the street
- 7) If a roadside check stop was set up on either end of Courtney Street, I could guarantee that there would be many a failed breathalyzer test by drivers

It would be ridiculous for the Licencing Board, City Council, Victoria Police or homeowners to consider anymore bar patrons in the neighbourhood until the above problems are taken care of. As a homeowner, downtown resident, voter, tax payer and concerned citizen I continue to wait for these concerns to be addressed.

Sincerely,
Monique Moore

Sent from my iPad

Mark Hayden

From: Dal M. [REDACTED]
Sent: Wednesday, Mar 12, 2014 5:03 PM
To: Liquor Licence Email
Subject: Executive House Hotel
Importance: High

Manager Bylaw and Licensing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC

Dear Sir/Madame

We are Owners of Unit 1401, 708 Burdett Ave "The Falls"

Recently we received in the mail " Notice of Application For Permanent Change to A Liquor License."

Please be advised we are **OPPOSED** to the request by Executive House Hotel (Bartholomew's Pub) to increase occupant load from 186 to 241 persons.

We are already dealing with abnormal decibels of noise from the unruly patrons after closing time from this and other nearby clubs. This will add to even a bigger crowd and more incidents of loud noise.

The City and the Drinking establishments must first find an effective way to control the crowds of drunken noise once the patrons are released into the streets before considering such applications.

The City is courting developers to build sustainable downtown neighborhoods and vibrant businesses to cater and service the families now living in the core. This is starting to happen.

The clubs and pubs must now co -exist with that sustainability in mind. Peace and quiet after patrons are released must now become a priority .

Regards

Dal Mirosevic,

Mark Hayden

From: Stu <[REDACTED]>
Sent: Sunday, Mar 16, 2014 8:26 PM
To: Liquor Licence Email
Subject: Executive House Hotel

We live at 807-708 Burdett Avenue.

We are opposed to the proposed increase of the occupant load for the Executive House Hotel.

Residents on the south side of our property already complain about the noise from across the street. Increasing the load will do nothing for that.

Stuart & Barbara Fraser

Sent from my iPad

Mark Hayden

From: Jim Geminiano [REDACTED]
Sent: Sunday, Mar 16, 2014 11:33 AM
To: Liquor Licence Email
Subject: Executive House Hotel increase change to increase the occupant load to 241

dear sir,

I am against the propose increase of occupant load.Bartholomews Pub from 186 t0 241 people.

The place is already too noisy to the residential neighbourhood.

Very truly
Onofre Geminiano (469663 BC Ltd)
N1206
The Falls North Tower
707 Courtney Street, Victoria

Mark Hayden

From: [REDACTED]
Sent: Saturday, Mar 15, 2014 4:39 PM
To: Liquor Licence Email
Subject: Executive House Hotel

I am against the proposal to increase the license conditions for the Executive House Hotel. People are now shifting to the Urban lifestyle from the Suburban. Reasons being easy access to all the amenities such as Movie Theatres, Restaurants, Doctors, Dentists, Parks, Inner Harbour, etc... . The major negative I see as a Downtown resident is noise after 11 pm. So far the City has not addressed this as other cities have. (ex. New York City noise bylaw 42 Decibels as measured from inside nearby residences and 7 decibels over the ambient Sound level as measured on a street or public right of way 15 feet or more from the source between 10 pm and 7 am.). Living at the Falls building I am often kept awake from loud music and drunken "hooting and hollering" after the bars close. Bottom line less people being let out of the Bars at night less noise. So therefore as I stated above I am against the proposal to increase numbers at the Executive House Hotel.

Sent from my iPad

Mark Hayden

From: Mike <[REDACTED]>
Sent: Monday, Mar 17, 2014 10:54 AM
To: Liquor Licence Email
Subject: Fwd: Application for Permanent change to a Liquor License- 777 Douglas St.

Re sending

Sent from my iPad

Begin forwarded message:

From: Mike <[REDACTED]>
Date: March 17, 2014 at 10:16:52 AM PDT
To: "liquorlicense@victoria.ca" <liquorlicense@victoria.ca>
Cc: Susan Gains [REDACTED]
Subject: Application for Permanent change to a Liquor License- 777 Douglas St.

Dear Sir/Madam,

I am an owner at the Aria Condominium Buildings at #N-403-737 Humboldt and I am very concerned about the additional noise the 55 more people at closing time (1am) will create. Our bedroom faces north and would be directly impacted by the increase in late night activities. The main exit is out on to Humboldt Street as well as the current smoking area and Taxi pick up. People will congregate at this place and an additional 55 people will only add to issue of late night noise.

My wife Susan and I are opposed to increasing the occupancy load for the Executive House Hotel (Bartholomew's Pub) located at 777 Douglas Street.

Sincerely,

Michael and Susan Gains

Sent from my iPad

Mark Hayden

From: Steve Purcell [REDACTED]
Sent: Sunday, Mar 23, 2014 2:13 PM
To: Liquor Licence Email
Subject: re: Bartholomew's Pub

To whom it may concern:

This email is to protest against the proposed increase in seating at Bartholomew's Pub from 186 persons to 241 persons. This increase is almost 30% which is far too excessive.

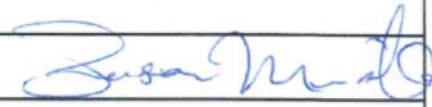


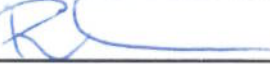





















We continually deal with loud noise and drunks from both the Strathcona and Bartholomew's. Imagine a 30% increase in the number of patrons spilling out of those places in the early morning.

If the City of Victoria wants to encourage more residents to live downtown and make it a viable centre, then please decline this notice of application. Having a vibrant city core with families and all of the positive elements that families bring, can only enhance the reputation of Victoria. You only have to look at some of the most liveable cities in the world and one of the common themes is that they all have a vibrant mix of residents living in the downtown areas. Increasing the pub capacity will only increase the inherent issues that go along with rowdy drunks loitering in the downtown core. This will dissuade many prospective families from purchasing housing in the downtown area.

Sincerely,

Steve Purcell
702S The Falls

**The Following Residents of the FALLS are opposed to
the expansion of the occupancy load of the
Bartholomew's part of the **Executive House Hotel****

Address (ie. 403 - 707 Courtney St.)	Name (please print)	Signature
908-707 Courtney	Susan Mineker	
1606 " "	Susan Murok → Susan Malkoske	
902 " "	ANDREW SAUBER	
908-707 Courtney	Perry Minaker	
1602-707 Courtney	D. Bingham	
1901 707 Courtney	J. Boyle	
1502 707 Courtney	J.M. Boyle Ltd	
602 707 Courtney	Abhishek C	
1206 - 707 Courtney	Xuan Shi	
1601-707 " "	NOLAN BAYNES	
1106-707 Courtney	Dan Wang	
1602 - 707 Courtney	S. BINGHAM	
1601 707 Courtney	Ben Vire	
1008-707 Courtney	Deanna Rosendaal	
502-707 Courtney	Derek Wain	
504-707 Courtney	Monique Moore	
605-707 Courtney	M. Khanna	
1203 707 only	MRS Brown	
1106-707 Courtney	Tang Tang	
1202-707 Courtney	William Shee	
804-707 Courtney	Charles Horst	
905-707 Courtney	Dennis Clement	
607-707	Nadia Tashen	
804-707 Courtney	Leslie Page	
708-707	Walter Sun	

**The Following Residents of the FALLS are opposed to
the expansion of the occupancy load of the
Bartholomew's part of the **Executive House Hotel****

Address (ie. 403 – 707 Courtney St.)	Name (please print)	Signature
1202, 708 Burdett	Barbara Wanke	B Wanke
402 708 Burdett	Ronnie Cavender	Ronnie Cavender
902, 708 Burdett Ave	Mahveh Sayah Sina	M. Sina
902-708 Burdett Ave	Mohammad Ali Khashei	M. A. Khashei
506-708 " "	ROBERT GLAZIER	Robert Glazier
305-708 " "	Ruth Humphries	Ruth Humphries
507-708 " "	BONNIE DREGER	Bonnie Dreger
1203-708 " "	Peter Jong	P. Jong
302-708 " "	NORZA MIRAZQUE	N. Mirazque
401-708 " "	DAL MIRDSELA	D. Mirdseila
704 708 Burdett	IAN MARSH	I. Marsh
402-708 Burdett Ave	Dan Kerr	D. Kerr
406-708 Burdett	Minkyung Choi	M. Choi
406-708 " "	Jerry Kim	J. Kim
605-708 Burdett	Alicia Bertrand	Alicia Bertrand
605-708 Burdett	Stuart Bertrand	Stuart Bertrand
702-708 Burdett	Steve Purcell	Steve Purcell
701-708 " "	Wilson's	Wilson's
700-708 Burdett	NOHR	And Nohr
807-708 Burdett	FRASER	Fraser
807-708 Burdett	FRASER	Fraser



Planning and Land Use Committee Report

For the May 15, 2014 Meeting

To: Planning and Land Use Committee **Date:** April 30, 2014

From: Robert Woodland, Director of Legislative and Regulatory Services

Subject: Application for a permanent change to Occupant Load of Licensed area in relation to a Liquor-Primary Liquor Licence, for the **Ocean Pointe Resort**, 45 Songhees Road, Licence, No. 144102

Executive Summary

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by the Ocean Pointe Resort in relation to their Liquor Primary Liquor Licence for the premises located at 45 Songhees Road, for a permanent change to increase the occupant load.

The current occupant load for the liquor primary service area of the pub is 26 persons. The hours of liquor service are from 11:00h to 01:00h Monday through Saturday and 11:00h to Midnight on Sunday. The requested change is due to the reconfiguration of the lobby, restaurant and lounge area on the ground floor of the hotel. If approved, the occupancy for the liquor primary service area would be increased to 54 persons. There would be no change in the hours of operation as a result of this application.

Recommendation:

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Ocean Pointe Resort**, Liquor License No. 144102, located at 45 Songhees Road, supports:

1. The application of the **Ocean Pointe Resort** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 54 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Songhees Transient Accommodation Residential District and is within the Intermediate Noise District which allows for a higher noise threshold.

- (b) While this request represents a capacity increase of approximately 100% in the occupant load of Liquor Primary Licensed seats, there is expected to be minimal impact on the neighbourhood as the number of licensed seats after the proposed increase still makes this a small establishment. There is no concern that this change would result in the business being operated contrary to its primary purpose.
- (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the hotel and a notice posted at the property. Four responses were received by the City. One letter was received supporting the application. Three letters not supporting the application were received, 2 of these letters expressed concern about parking issues in the neighbourhood and 1 letter was concerned about the potential for increased nuisance from the additional seats.

Respectfully submitted



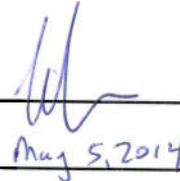
Mark Hayden
Manager, Bylaw and
Licensing Services



Robert Woodland
Director Legislative and
Regulatory Services

Report accepted and recommended by the City Manager: _____

Date: _____


Aug 5, 2014

MATERIALS RECEIVED VIA PUBLIC CONSULTATION PROCESS:

Attached 5 Available ____ N/A ____

[A letter from the proponent's agent, 1 letter supporting the increase in occupant load and 3 letters not supporting the occupant load increase]

Purpose

The purpose of this report is to seek a Council resolution for submission to the Liquor Control and Licensing Branch regarding an application by the Ocean Pointe Resort in relation to their Liquor Primary licensed operation located at 45 Songhees Road for a permanent change to increase the occupant load of the business.

Background

The Ocean Pointe Resort is located at 45 Songhees Road and includes a hotel, restaurant, lounge and spa facility. The hotel is undergoing renovations and the lobby, restaurant and lounge spaces are all being reconfigured as a result.

The hotel holds just the one Liquor Primary licence which allows it to operate the lounge on the main floor of the hotel adjacent to the lobby. This licence has been in place since 1992. The hotel also holds a Food Primary liquor licence for an onsite restaurant and banquet space that is part of the hotel. The renovations to the floor space will result in a slightly larger area proposed for the Liquor Primary business that will support an occupant load of 54 persons as determined by the Chief Building Official of the City. The current hours of operation are 11:00 AM to 1:00 AM, Monday through Saturday, and 11:00 AM to midnight on Sunday and will not change if this application is approved. It is also noted that the hotel does have onsite (mostly underground) parking spaces as required by the zoning regulations

In their attached letter (see Attachments), the owner's representatives have described the business plan for the overall operation of the licensed area of the hotel complex. A map of the subject property and immediate area is also attached to this report.

Location

Official Community Plan:

- The OCP designates the property within "Core Songhees".
- The area is designated within Development Permit Area 13 Songhees and Lime Point.

Zoning:

- The property is zoned STR-1 Songhees Transient Accommodation Residential District.
- This zone permits a mix of uses including restaurants, multiple dwellings, transient accommodation, clubs and lounges.
- Off-street parking is required for transient accommodation and residential uses (.5 parking space per unit), but is not required for other commercial uses listed in the zone.

Neighbourhood Compatibility:

- Surrounding land uses include: multiple dwellings, public green space and a vehicle sales outlet.
- There is residential use within a 50m radius at the following locations:
 - 27 – 33 Songhees (82 apartments and 10 townhouses)
 - 50 Songhees (multiple dwelling, 97 units)

The Sustainable Planning & Community Development Department has no objection to the application as the use is permitted.

Liquor Control and Licensing Branch

The General Manager of the provincial Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. Local government is to provide comments and recommendations to the LCLB on all liquor-primary licence applications regarding the potential for noise and impact on the community if the application is approved.

Relevant Policy / Bylaw

- a) Liquor Licensing Policy;
- b) Liquor Licensing Fee Bylaw.

Issues & Analysis

This application is being pursued as a permanent change to the operating conditions as the hotel owners are reconfiguring the floor space of the main floor of the building which will affect the layout of the lobby, restaurant and lounge areas. A letter from the applicant outlining the purposes of the requested change and a diagram outlining the proposed changes are attached to this Report.

Within a 100-metre radius of the Ocean Pointe Resort, there are no other Liquor Primary establishments.

Bylaw Enforcement

The Bylaw and Licensing Services Division has no concerns with the application. There have been no complaints made about the hotel operation with respect to nuisance or noise since 2000 (when electronic record keeping started). The applicant has Good Neighbour Agreement in place (since 2008) for their Liquor Primary business. This is a condition of their business licence.

Engineering & Public Works Department

The Downtown Community Development Section reviewed this application and provided the following comments:

The location is adjacent to the downtown centre and supports the service that guests at a hotel of this size might expect. Although the applicant's location is adjacent to a residential area, the total number of seats (including the requested additional seats) is modest. It is not considered to present an unreasonable, if any negative impact to neighbours. We therefore have no significant concerns with this request.

Police

The Police Department has no concerns with or objections to, the application.

Public Engagement and Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all owners and occupiers within 50 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, the business displayed a poster at the access points to their business for a 4 week period which also invited people to provide input to the City with respect to this application.

The result of this consultation was that the City received 1 letter supporting the application and 3 letters not in support of the application. In analysing the responses from residents who were not supportive of the application, the concern in 2 of the letters was that there would be parking problems created in the area by the increased number of patrons attending the lounge. One letter expressed concern about the potential for increased noise and nuisance from additional patrons should the application be approved. Copies of all feedback received are attached to this Report.

Conclusions

The request complies with the City's current liquor licensing policy because:

- the requested use is compatible with the neighbourhood;
- allowing the extra seats would be a positive economic benefit to the licensee;
- the business has a positive compliance record with no complaints received in the past 14 years; and
- the request complies with existing City regulations governing this type of business.

The liquor primary licence associated with this hotel has been operating since 1992 with an excellent compliance record. City staff from all Departments have no concerns about the proposed change to increase the occupant load as requested by the applicant. It is noted that the hotel does have onsite underground parking that provides sufficient spaces for guests as required by the Zoning Regulation Bylaw. The closing hours of the applicant's Liquor Primary business is 1:00AM (midnight on Sunday) and therefore patrons will have left the premises by 1:30AM. The hotel is not known as a destination establishment for the consumption of alcohol and most patrons in the lounge are hotel guests

Given the specifics of the reconfigured space within the hotel and the location of the lounge, it is not expected that this change will have anything other than a minor effect on noise or nuisance in the local area.

Recommendations

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the occupant load respecting liquor service for the Liquor Primary Liquor Licence of the **Ocean Pointe Resort**, Liquor License No. 144102, located at 45 Songhees Road, **supports:**

1. The application of the **Ocean Pointe Resort** to amend its Liquor Primary Liquor Licence to allow an increase in occupant load to 54 persons.
2. The Council provides the following comments on the prescribed considerations:
 - (a) The location is in a designated mixed use commercial area which authorizes restaurants, hotels, clubs and associated uses. There is a significant amount of residential use in the immediate vicinity. The Liquor Primary operation within the hotel is compatible with the neighbouring land uses. The business is located within the Songhees Transient Accommodation Residential District and is within the Intermediate Noise District which allows for a higher noise threshold.

- (b) While this request represents a capacity increase of approximately 100% in the occupant load of Liquor Primary Licensed seats, there is expected to be minimal impact on the neighbourhood as the number of licensed seats after the proposed increase still makes this a small establishment. There is no concern that this change would result in the business being operated contrary to its primary purpose.
- (c) The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the hotel and a notice posted at the property. Four responses were received by the City. One letter was received supporting the application. Three letters not supporting the application were received, 2 of these letters expressed concern about parking issues in the neighbourhood and 1 letter was concerned about the potential for increased nuisance from the additional seats.

ATTACHMENTS

The following documents are attached:

1. A letter from the proponent's agent explaining the purpose for the requested change.
2. A copy of the approved floor plan.
3. An aerial photograph (map) of the property and surrounding area.
4. One letter in support of the application.
5. Three letters not supportive of the application.

March 10, 2014

VIA EMAIL MHayden@victoria.ca

Mr. Mark Hayden
Manager of Bylaw &
Licensing Services
City of Victoria
625 Pandora Street,
Victoria, B.C. V8W 1P6

Dear Mark:

**Re: Application for a structural change to a liquor primary license
to increase the capacity from 26 to 54
At: Ocean Pointe Resort
45 Songhees Road, Victoria, B.C. V9A 6T3
Applicant: Delta Hotels No. 40 Limited Partnership
Liquor Primary License Number: 144102**

Further to our telephone conversation, the writer is assisting the above applicant with a request to the City of Victoria and the Liquor Control & Licensing Branch for an increase in the capacity from 26 to 54 on this liquor primary license number 144102.

The liquor primary licensed area in the hotel currently includes the lounge soft seating and bar located on Level 2. The current capacity is 26 persons however, the maximum occupant load to B.C. Building Code scale is 54 patrons. This area operates as a lounge/bar.

The Ocean Point Resort has a very positive record with the City of Victoria, the Victoria Police and the Liquor Control & Licensing Branch. It is a full service hotel that is primarily engaged in the provision of quality accommodation, restaurant, bar/lounge facilities and conference facilities to the general local public, tourists and business people from British Columbia, throughout Canada, the United States and around the world. Accordingly, the Ocean Pointe Resort wants to better serve the public and provide their guests with comparable quality and level of service that is available at other major full service hotels in British Columbia.

The increase in capacity of this liquor primary license will encourage more tourists and locals to enjoy the amenities of the hotel rather than travel to another establishment.

To support this application, please find attached the following:

- A Letter of Authorization from the applicant.
- A copy of the Liquor Branch Application for a Structural Change to a liquor primary license as required by the Liquor Control & Licensing Branch.
- Copy of Liquor Primary License Number 144102.
- Copy of the stamped floor plan from the City of Victoria.



I understand that you have a public notification process which includes a mail-out that the City of Victoria does and also a sign needs to be posted at the establishment for a 4 week period.

Please do not hesitate to contact me if you require further information.

Thanks kindly.

Yours truly,

RISING TIDE CONSULTANTS LTD.

A handwritten signature in blue ink that reads "Susan Mander".

Susan Mander

Licensing Specialist

cc: Delta Hotels No. 40 Limited Partnership

City of Victoria

*Reviewed for Occupant Load Only

Maximum Occupant Load is:

Building Official:

Mar 10, 2014

Main Floor:

54

Lounge liquor primary
Persons

Name:

Ang Woo
Ang Woo

ANT - OCCUPANT LOAD CALCULATION

Signature:

RESTAURANT : 3085 sq. ft. [287.77 sq. m.]
287.77 sq. m. / 1.2 sq. m. per person = 239 patrons
1530mm + 920mm = 2450mm
2450mm / 12.2mm per person = 200 occupants
121 patrons + staff
121 TOTAL OCCUPANTS (limited by design of space)

NET FLOOR AREA:
OCCUPANT LOAD BY NET AREA:
TOTAL EXIT WIDTH
OCCUPANT LOAD BY EXIT WIDTH:
TOTAL OCCUPANT LOAD:

LOUNGE : 1418 sq. ft. [131.73 sq. m.]
131.73 sq. m. / 1.2 sq. m. per person = 109 patrons
1530mm + 920mm = 2450mm
2450mm / 12.2mm per person = 200 occupants
54 patrons + staff
54 TOTAL OCCUPANTS (limited by design of space)

EXTERIOR RESTAURANT PATIO : 1477 sq. ft. [137.3 sq. m.]
137.3 sq. m. / 1.2 sq. m. per person = 114 patrons
1830mm
1830mm / 12.2mm per person = 150 occupants
60 patrons + staff
60 TOTAL OCCUPANTS (limited by single exit) (REFER TO NOTE #1)

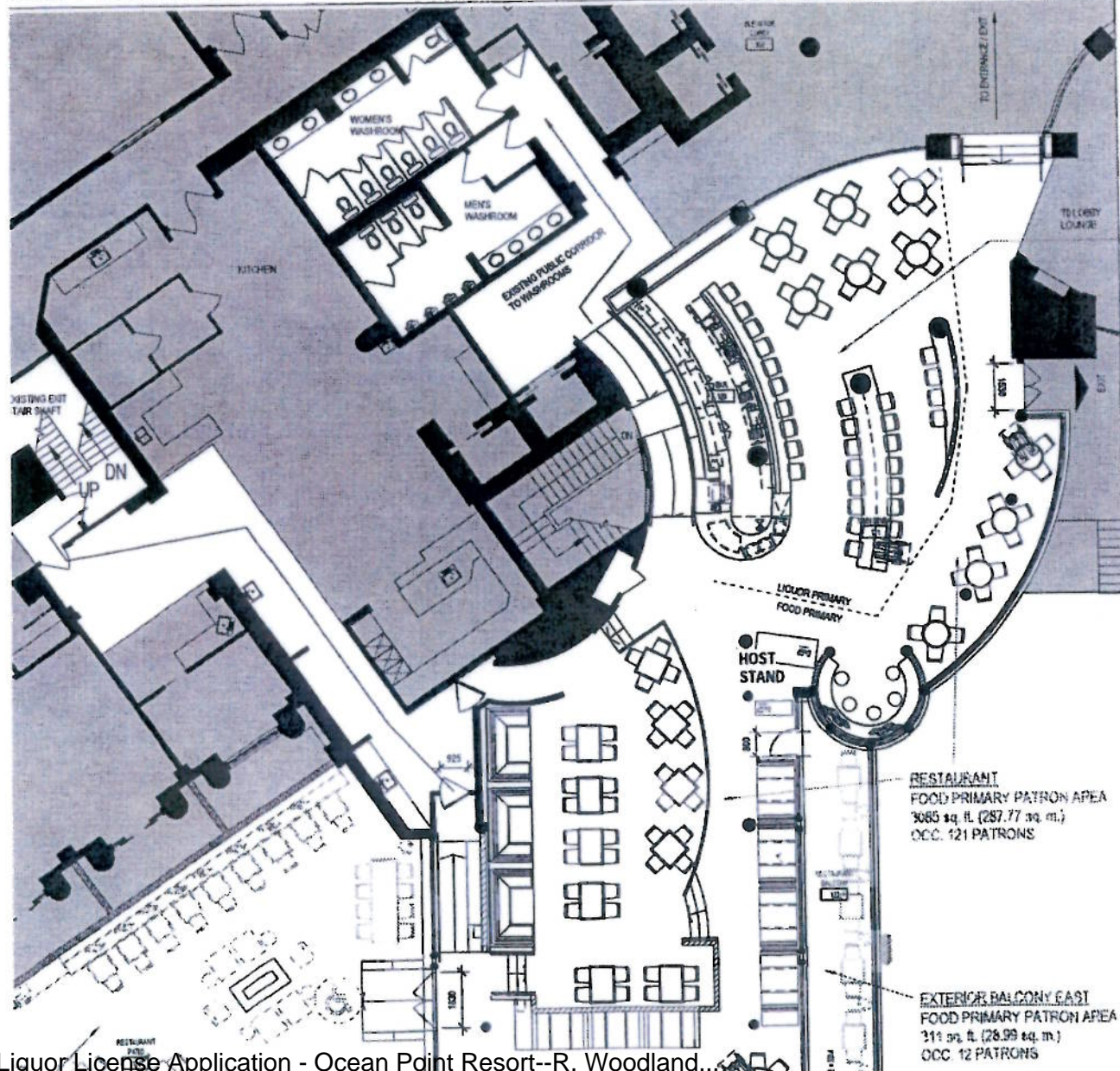
NET FLOOR AREA:
OCCUPANT LOAD BY NET AREA:
TOTAL EXIT WIDTH
OCCUPANT LOAD BY EXIT WIDTH:
TOTAL OCCUPANT LOAD:

EXTERIOR BALCONY EAST : 311 sq. ft. [28.99 sq. m.]
28.99 sq. m. / 1.2 sq. m. per person = 24 patrons
800mm
800mm / 12.2mm per person = 65 occupants
12 patrons + staff
12 TOTAL OCCUPANTS (limited by design of space) (REFER TO NOTE #1)

NET FLOOR AREA:
OCCUPANT LOAD BY NET AREA:
TOTAL EXIT WIDTH:
OCCUPANT LOAD BY EXIT WIDTH:
TOTAL OCCUPANT LOAD:

ANT FLOOR PLAN

LEVEL 2 RES



FEMALE
MALE

NOTE:
#1. EXTERIOR PATIO
WOULD BE EITHER INS

LOUNGE
LIQUOR PRIMARY PATRON.
1418 sq. ft. (131.73 sq. m.)
OCC: 54 PATRONS

RESTAURANT
FOOD PRIMARY PATRON AREA
3085 sq. ft. (287.77 sq. m.)
OCC: 121 PATRONS

EXTERIOR BALCONY EAST
FOOD PRIMARY PATRON AREA
311 sq. ft. (28.99 sq. m.)
OCC: 12 PATRONS

04/23/2014

Ocean Pointe Resort - 45 Songhees Rd.



Legend
Victoria Parcels

1: 2,279

Notes

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

115.8 0 57.88 115.8 Meters

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

Mark Hayden

From: John Amon <[REDACTED]>
Sent: Thursday, Mar 20, 2014 3:40 PM
To: Liquor Licence Email
Subject: Re Delta Application

Memo to Manager, Bylaw and Licensing Services
c/o Legislative Services
1 Centennial Square
Victoria, BC

I fully support the proposed change in licence conditions for Liquor Primary venue in the Ocean Pointe Resort. I live nearby at Songhees Point, at 50 Songhees Road.

The Delta Ocean Pointe Resort is a high quality establishment, a good neighbour, and a pleasant place to take guests to wine or dine. The increased capacity proposed in the Lounge is reasonable and appropriate.

Thank you for informing me of this Notice Of Application for Permanent Change to a Liquor Licence, and for providing me with the opportunity to comment.

John Amon
118-50 Songhees Road
Victoria BC, V9A7J4
[REDACTED]

Mark Hayden

From: Marilyn Hess [REDACTED]
Sent: Thursday, Mar 20, 2014 1:41 PM
To: Liquor Licence Email
Subject: Ocean Pointe Resort Application

Importance: High

Re: Liquor Control and Licensing Act – Permanent Change to Occupant Load

Ocean Pointe Resort – 45 Songhees Road

Thank you for this opportunity to express our opinion regarding the change requested by the Ocean Pointe Resort, in order to increase the occupant load for the Lounge area to **54** persons from **26** persons; an increase of **28** persons.

As residents of 50 Songhees Point, we have been awakened by rather happy, loud lounge patrons as they leave the Ocean Point and our concern is the 'more than doubling' of happy people carousing down the street late in the evening and early morning.

We know that the Ocean Pointe cannot control the noise and fumes as busses arrive and leave the facility, however limiting the amount of 'persons' enjoying the lounge and then leaving the resort hotel late at night can be reduced by having less patrons.

Therefore we are opposed to the increased amount of occupant load of the Ocean Point lounge area.

Herb and Marilyn Hess
415 – 50 Songhees Point
Victoria, BC V9A 7J4

Pho [REDACTED]

Mark Hayden

From: graham.zirul [REDACTED]
Sent: Tuesday, Apr 8, 2014 11:23 AM
To: Liquor Licence Email
Subject: Proposed Expansion of Liquor Licence - Ocean Point Resort

I am the owner of a condominium suite in the Peninsula Strata located at 29 Songhees Road. I have but one concern relating to the above proposal: **parking**. There are close to three hundred strata residences immediately adjacent to Ocean Point Resort and facing onto a single block of Songhees Road. Visitors to those residents are limited to the couple of dozen on-street parking spaces there, and they are invariably in short supply. Ocean Point events likewise put pressure on those spaces as their on-site, underground valet parking is used virtually exclusively by overnight guests in the Hotel. The current bar space was designed for and easily accommodates hotel guests and visitors...the expansion would be to accommodate outside public, bar patrons only. They will again be competing for the limited, one block of on-street parking. The parking is already currently stressed and what capacity remains should not be further intruded upon by approval of the Hotel's Proposal and to the detriment of local residents.

Thank you for your consideration,
Graham Zirul

Mark Hayden

From: Brenda.Leslie [REDACTED]
Sent: Tuesday, Apr 8, 2014 3:31 PM
To: Liquor Licence Email
Subject: Ocean Point Resort's application to expand Liquor Licence

I own a townhome at 33 Songhees and which faces onto Songhees Road immediately adjacent to the Hotel. Parking is already an issue in that location with pressure from several large condominium complexes there. These buildings have adequate parking for owners (though typically 1 stall per suite) but virtually all their numerous guests (including my own) need to park on the 1 short block fronting 33 Songhees. In addition, residents with the need to park an additional vehicle are typically there as well. Currently, when the Hotel has a scheduled function with outside guests, local parking and congestion is a "zoo". This proposed expansion of the bar area is not to accommodate Hotel guests (who park underground at the Hotel) but rather is for outside clientele. Check this out if you will ...I often stop by myself and there is invariably plenty of available seating. This expansion is obviously part of a plan to market the bar differently (perhaps to the after work crowd ...I don't know, but for sure they will be seeking to park on the street and further intrude on what is already a problematic situation for local residents.

I wish to see the Application declined. I do find it curious however that when in the Hotel yesterday they were in the midst of full-scale renovations of the lounge and bar area.

Sincerely,
Brenda Leslie