



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, July 9, 2020

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at www.victoria.ca

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B. APPROVAL OF AGENDA

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D.1 Letter from the Minister of Finance and Deputy Premier

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A letter of response dated June 8, 2020, regarding the COVID-19 Action Plan.

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A letter of response dated June 30, 2020, regarding the next phase of construction of the *Bicycle Master Plan*.

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00135 (Burnside)

- E.1.a.d 1224 Richardson Street - Rezoning Application No. 00705 and Development Permit with Variances Application No. 00149 (Rockland)
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- E.1.a.f COVID-19 Update
- E.1.a.g Bicycle Master Plan - 2020 Project Designs and Network Update
- E.1.a.h Tax Sale Process - COVID-19 Update

F. BYLAWS

- F.1 Bylaw for 913-929 Burdett Avenue and 914-924 McClure Street: Rezoning Application No. 00466 and Heritage Alteration Permit with Variances Application No. 00214 10

A report recommending:

- 1st and 2nd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1217) No. 20-022
- 1st, 2nd, and 3rd readings of:
 - Housing Agreement (913-929 Burdett and 914-924 McClure) Bylaw (2020) No. 20-023
 - Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Repeal Bylaw (2020) No. 20-024
- Consideration of revised Heritage Alteration Permit with Variances motion

The application is ready to proceed to Public Hearing and proposes to construct a seniors residence (Mount St. Angela).

- F.2 Bylaw for 1015 Cook Street: Rezoning Application No. 00670 and Development Permit with Variances Application No. 00131 178

A report recommending:

- 1st and 2nd readings of:

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1228) No. 20-066
- **1st, 2nd, and 3rd readings of:**
 - Housing Agreement (1015 Cook Street) Bylaw (2020) No. 20-067

The application is ready to proceed to Public Hearing and proposes to increase the density and construct a five-storey residential building with rental dwelling units.

F.3 Bylaw for Tax Sale Deferral 203

- **1st, 2nd, and 3rd readings of:**
 - 2020 Tax Sale Deferral Bylaw No. 20-080

The purpose of the bylaw is to defer the 2020 Tax Sale and extend the redemption period for the 2019 Tax Sale.

F.4 Bylaw for Land Use Procedures Bylaw Amendment 204

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Land Use Procedures Bylaw, Amendment Bylaw (No. 12) No. 20-076

The purpose of the bylaw is to amend the *Land Use Procedures Bylaw* to permit an alternate process to in-person, pre-application community meetings during emergencies or extraordinary circumstances.

***F.5 Bylaws for Electric Vehicle Ready Requirements for New Construction 208**

Addendum: New Item

A report recommending:

- **1st and 2nd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1210) No. 20-001
 - Zoning Bylaw 2018, Amendment Bylaw (No. 5) No. 20-075

The purposes of these bylaws are to amend current bylaws to establish electric vehicle charging design standards.

G. CLOSED MEETING

MOTION TO CLOSE THE JULY 9, 2020 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90(1)(c) labour relations or other employee relations;

Section 90(1)(g) litigation or potential litigation affecting the municipality;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

H. APPROVAL OF CLOSED AGENDA

I. READING OF CLOSED MINUTES

J. UNFINISHED BUSINESS

K. CORRESPONDENCE

L. NEW BUSINESS

L.1 Intergovernmental Relations - Community Charter Section 90(2)(b)

L.2 Appointment - Community Charter Section 90(1)(a)

L.3 Appointment - Community Charter Section 90(1)(a)

L.4 Intergovernmental Relations - Community Charter Section 90(2)(b)

L.5 Legal Advice/Litigation - Community Charter Section 90(1)(g) & 90(1)(i)

L.6 Employee Relations - Community Charter Section 90(1)(c)

M. CONSIDERATION TO RISE & REPORT

N. ADJOURNMENT



June 8, 2020

390271

Her Worship Mayor Lisa Helps
City of Victoria
mayor@victoria.ca

Jeff Bray, Executive Director
Downtown Victoria Business Association
jeff@downtownvictoria.ca

Elysia Glover, Executive Director
Community Micro Lending
info@communitymicrolending.ca

Catherine Holt, CEO
Greater Victoria Chamber of Commerce
ceo@victoriachamber.ca

Stephen Pearce, President
Think Local First
info@seafirstinsurance.com

Dear Mayor Helps, Mr. Bray, Ms. Glover, Ms. Holt, and Mr. Pearce:

Thank you for your letter dated March 30, 2020, providing suggestions as to how we can help businesses in B.C. cope with the negative financial impacts of the COVID-19 pandemic. I appreciate you taking the time to write.

The COVID-19 pandemic is affecting all aspects of people's lives, including jobs, savings and most importantly one's own health and the health of loved ones. Our government is committed to

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working with our partners across B.C. and Canada to do everything we can to keep all people healthy, safe and supported.

Our government announced a \$5 billion COVID-19 Action Plan to help British Columbians affected financially by the COVID-19 pandemic. Our plan builds on the Government of Canada's plan and is focused on protecting people's health and safety, bringing financial relief for people and businesses alongside the federal government, and building B.C.'s plan for economic recovery in partnership with the business and labour community.

The measures within our COVID-19 Action Plan are an important first step and we will continue to take action to counter the impacts from COVID-19. We are committed to doing what it takes to support people throughout B.C. as we get through this together. Our immediate goal is to provide some relief for businesses struggling with cash flow today. The aim of the federal benefits, B.C. tax deferrals, BC Hydro relief and \$700M in reduced School Tax rates for businesses is to provide some breathing room that commercial property owners and their leaseholders need in the short-term.

In addition to receiving property tax relief, small businesses in British Columbia may be eligible for a 75% reduction in monthly rent. Commercial landlords are being encouraged to apply for the new Canada Emergency Rental Assistance program on behalf of their commercial tenants affected by COVID-19.

On June 1st, our government announced an emergency order issued under the *Emergency Protection Act* to prevent landlords eligible for CECRA from evicting their tenants for unpaid rent payments through to the end of June 2020. The order is intended to encourage more landlords to apply for the CECRA program while giving some temporary relief to businesses who have been hardest hit by the pandemic. Further information can be found online at: <https://news.gov.bc.ca/releases/2020FIN0034-000988>

An Economic Recovery Task Force has been established to ensure the Province's economic response to COVID-19 is effective and responsive to the needs of British Columbians. The Task Force will help ensure the benefits of provincial programs are reaching their intended targets and complement federal programs, while also discussing long-term economic recovery following COVID-19. Further information regarding the Economic Recovery Task Force can be found online at: <https://news.gov.bc.ca/releases/2020PREM0046-000618>.

Be assured that we will continue to work with business leaders and organizations across the province on how to best support and respond to the needs of businesses of all types and sizes.

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We will continue to help people, families and businesses so that British Columbians are supported.

For information on B.C.'s Action Plan and other government resources and updates, visit:
www.gov.bc.ca/covid19

Thank you for your comments and suggestions. They have been noted and will be considered as we continue to help people, families and businesses during this pandemic so that British Columbians are supported.

Thank you again for taking the time to write.

Sincerely,

A handwritten signature in blue ink that reads "Carole James". The signature is written in a cursive, flowing style.

Carole James
Minister and Deputy Premier

cc: Honourable John Horgan, Premier



THE CORPORATION OF THE DISTRICT OF OAK BAY
MUNICIPAL HALL – 2167 OAK BAY AVENUE – VICTORIA, B.C. V8R 1G2
PHONE (250) 598-3311 FAX (250) 598-9108 WEBSITE: www.oakbay.ca

OFFICE OF THE MAYOR

June 30, 2020

City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6
Via email to mayorandcouncil@victoria.ca

Dear Mayor and Council,

RE: 2020 Bicycle Network Improvement Projects – Richardson Street
Request from Oak Bay Council to Extend Consultation

Last night at a Special Meeting of Oak Bay Council, District staff provided an update regarding the City of Victoria's progress with respect to implementation of the *Bicycle Master Plan*. I understand that City of Victoria staff will be presenting a report this Thursday, July 2, 2020 at your Committee of the Whole meeting (Agenda Item G.2), outlining the next phase of construction, which will include Kings-Haultain, Government Street North, Kimta Road and Richardson Street.

Oak Bay Council appreciates the City of Victoria's continued efforts improve cycling infrastructure and we understand that completion of the planned network by 2022 is a key priority for Council. The City's broader goal of creating safe cycling infrastructure is in alignment with the active transportation priorities of Oak Bay Council. We are aware that the City undertook a condensed community engagement process in late 2019 for this next phase of construction; however, in Council's ongoing dialogue with residents, it is unclear if Oak Bay residents were fully aware of and engaged in that process. Oak Bay Council was not included in the initial consultation process.

The Richardson Street improvements, in particular, will have significant short and long-term implications for Oak Bay. The intent of Oak Bay is to be a partner with the City of Victoria on this corridor, which spans the boundary between our

municipalities. With Richardson Street being an extension of McNeill Avenue, it is important for Oak Bay Council to have input on the proposed design for this medium-use but significant transportation corridor that runs between South Oak Bay and Victoria. Closing Richardson Street to motorized vehicles will result in significant impacts to Oak Bay residents, and will necessitate changes to roads and sidewalks to accommodate traffic patterns changes, impacting our local engineering priorities.

As such, Council would very much appreciate an opportunity for further discussion on the proposed design for the Richardson Street Corridor, prior to it being considered by the City of Victoria Council for approval. To that end, please be advised that the following motion was made by Oak Bay Council on June 29, 2020:

THAT Council request the City of Victoria extend consultation to allow Oak Bay Council the opportunity to review and comment on the design prior to approving changes to the Richardson Street Corridor.

Given this formal request, I would ask that Victoria Council allow City staff to meet with Oak Bay Council (and through that process inform residents of Oak Bay) to present the proposed design and answer questions. From that discussion Council, informed by staff, may have some constructive input into the approach for this corridor and its connection with Oak Bay infrastructure. It will also help inform and potentially adjust our capital project priorities. Depending on your current expected timelines, this may require a pause in the consideration process until such consultation is completed. Please be assured that Oak Bay will treat this process as a priority to help Victoria avoid unnecessary delays.

Thank you for your consideration of Oak Bay Council's request. I look forward to hearing from you at your earliest convenience, and to further dialogue with the City on this very important infrastructure project.

Sincerely,



Kevin Murdoch, Mayor
District of Oak Bay



cc L. Varela, Chief Administrative Officer
 D. Horan, Director of Engineering and Public Works
 Oak Bay Council

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JULY 2, 2020

For the Council meeting of July 9, 2020, the Committee recommends the following:

E.2 South Island Prosperity Project

That Council receive this presentation for information.

F.1 1400 Quadra Street and 851 Johnson Street - Rezoning Application No. 00738

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00738 to add storefront cannabis retailer as a permitted use at 1400 Quadra Street and remove storefront cannabis retailer as a permitted use at 851 Johnson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

F.2 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street - Rezoning Application No. 00720 and Development Permit with Variances Application No. 00135 (Burnside)

Rezoning Application No. 00720

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
 - i. a housing agreement to ensure the residential rental units remain rental in perpetuity
 - ii. Statutory Right-of-Ways of 4.82m on Grant Street and 1.38m on Irma Street be registered on title to the satisfaction of the Director of Engineering and Public Works
 - iii. construction of a public plaza on the corner of Gorge Road East and Irma Street to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works.
 - iv. purchase of two car share vehicles with assigned parking spaces on-site, 121 car share memberships for the life of the building along with \$100 usage credit for each membership and 6 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Community Planning and Sustainable Development.
 - v. preparation of the appropriate legal agreement to ensure the appropriate construction methodology would not impact the health of the Garry Oak trees to be retained.
2. The applicant confirms that all the current tenants have reviewed the Tenant Assistance Plan and had an opportunity to identify their individual needs and that the applicant update the Tenant Assistance Plan accordingly to the satisfaction of the Director of Community Planning and Sustainable Development.

Development Permit with Variances Application No. 00135

That, subject to the preparation and execution of legal agreements to secure rental housing in perpetuity, Statutory Right-of-Ways, the construction of a new plaza and transportation demand management measures, to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Work, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00720, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00135 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, in accordance with:

1. Plans date stamped May 22, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of residential parking spaces from 141 to 106
 - ii. reduce the required number of visitor parking spaces from 15 to 7 parking spaces
 - iii. reduce the rear yard setback from 6m to 2.93m.
3. The applicant provide the details of the proposed public art to be installed on the brick facade on the west elevation drawing to the satisfaction of the Director of Community Planning and Sustainable Development.
4. The Development Permit lapsing two years from the date of this resolution.”

F.3 1224 Richardson Street - Rezoning Application No. 00705 and Development Permit with Variances Application No. 00149 (Rockland)

Rezoning Application No. 00705

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00705 for 1224 Richardson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements for the following:
 - a. to ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. to secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. one car share vehicle
 - ii. one car share parking spot
 - iii. one care share membership per dwelling unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. two oversized bicycle parking stalls
 - vi. one bicycle repair station;
 - c. to secure a 1.43 metre statutory right-of-way adjacent to the lane;
 - d. to secure the initial sale prices at a maximum average of \$330,000 for one bedroom units and \$480,000 for two bedroom units; and
 - e. to ensure that an owner contribute 50% of the difference between their purchase price and the increased sale price to the City's Housing Reserve Fund if the unit is sold within three years of purchase.

- f. That Council direct staff to work with the applicant to establish an administrative way to implement affordable home ownership and report to Council at first and second reading of the bylaws for this proposal.

Development Permit with Variances Application No. 00149

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00705, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00149 for 1224 Richardson Street, in accordance with:

1. Plans date stamped June 8, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 23 stalls to 10 stalls;
 - ii. increase the height from 7.6 metres to 10.08 metres;
 - iii. increase the number of storeys from 2.5 to 3;
 - iv. allow for roof decks.
3. The Development Permit lapsing two years from the date of this resolution.”

F.4 146 Kingston Street - Application for a Change to Hours for Coast Victoria Harbourside Hotel, Liquor Primary License (James Bay)

That Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Coast Victoria Harbourside Hotel located at 146 Kingston Street having hours of operation from 9:00 am to 1:00 am daily with the existing occupant load of 52 people.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request, and assumptions are that the noise impacts would be negligible as the establishment proposes closing one hour later on Sunday only and opening two hours earlier each day, and the increase affects only indoor service area. The requested hours of operation in conjunction with the existing occupant load are not expected to result in negative impacts to the community.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the business plan and long-term viability of the establishment.
- c. The views of residents were solicited via a mail out which included 276 letters to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice was posted at the property. The City received twelve letters in response to the request where 9 respondents were opposed to the adjustment and 3 were in support of the change. The James Bay Neighbourhood Association did not provide comment.
- d. Council recommends the license endorsements be approved.

G.1 COVID-19 Update

That Council receive the report from the City Manager for information.

G.2 Bicycle Master Plan - 2020 Project Designs and Network Update

That Council:

1. Approve the design for the Kings-Haultain corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;
2. Approve the design for the Kimta Road / E&N Connector and direct staff to complete engineering drawings and prepare construction tender documents; and Authorize City Staff to apply for funding for the Kimta Road / E&N Connector project through the Province of BC Active Transportation Grant Program. If successful, authorize the City Clerk to execute the agreement under terms similar to those of the 2020/2021 grant program; and Authorize the City to enter into an agreement with the Capital Regional District (CRD), on terms acceptable to the Acting Director of Engineering and Public Works and in the form satisfactory to the City Solicitor, for cost-sharing towards the detailed design of the Kimta Road / E&N Connector project that includes the following general provisions:
 - a. Consent and agreement of the use of Island Corridor Foundation parcels, project representatives, design, tendering and award, project management, communications and debt due.
 - b. Development of a Project Charter to detail project representatives, design, tendering and award, project management, communications and implementation costs.
 - c. City's total contribution not to exceed \$1.38M.
3. Approve the design for the Richardson Street corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;
4. Approve the design for the Government Street North corridor as per the details of this report and direct staff to complete engineering drawings and prepare construction tender documents;
5. Approve designating the Dallas Road Project, between Lewis Street and Clover Point, as a temporary multi-use pathway for up to 18 months;
6. Direct staff to organize a workshop with Council prior to the 2021 Financial Planning process to assess changes to the scope and sequencing of remaining corridors in the network while considering the current budgetary, social and environmental outlooks;
7. Direct staff to incorporate construction and other costs for the 2020 projects referenced in this report into the 2021 draft Financial Plan.

G.4 Tax Sale Process - COVID-19 Update

That Council direct staff to bring forward Tax Sale Deferral Bylaw to the July 9, 2020 Council meeting for introductory readings and adoption.



Council Report

For the Meeting of July 9, 2020

To: Council **Date:** June 25, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: **Update on Rezoning Application No. 00466 and Heritage Alteration Permit with Variances Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street**

RECOMMENDATION

Rezoning Application No. 00466

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 20-022 (Amendment No. 1217), and give first, second and third readings of Housing Agreement (913-929 Burdett & 914-924 McClure) Bylaw No. 20-023 and Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Repeal Bylaw No. 20-024.

Heritage Alteration Permit with Variances Application No. 00214

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00466, if it is approved, consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

1. Plans date stamped October 7, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increasing the building height from 16.5m to 20.55m;
 - ii. reducing the front yard setback from 10.6m to 8.75m;
 - iii. reducing the rear yard setback from 5.4m to 4.7m;
 - iv. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - v. reducing the vehicle parking requirement from 59 stalls to 56 stalls.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.

4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
5. The Heritage Alteration Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Heritage Alteration Permit with Variances Applications for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. The proposal is to create a new site-specific zone that permits an increase in density and allows for construction of a senior's residence (plus 26 assisted living units) at the rear and side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be conserved and incorporated into the project.

PUBLIC HEARING CONDITIONS

In accordance with Council's motion of October 24, 2019 (see attached minutes), staff can report that the following conditions set by Council in relation to the Rezoning Application have been fulfilled:

- the applicant has increased the term of the proposed rental from 20 to 60 years and provided an executed Housing Agreement to secure the following:
 - 66 of the dwelling units (50% of the total units) as market rental units for a minimum of 60 years
 - 26 of the market rental units as assisted living units
 - five additional dwelling units as affordable rental units for a minimum of 60 years
 - to ensure that a future strata cannot restrict rental of dwelling units
- a Section 219 Covenant to secure design and construction of the building to Built Green Bronze Certification standards has been registered on title.

CONCLUSIONS

The recommendation provided for Council's consideration contains the appropriate language to advance these applications to a Public Hearing and an Opportunity for Public Comment.

Respectfully submitted,



Alec Johnston
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: June 25, 2020

List of Attachments

- Attachment A: Council minutes, dated October 24, 2019.
- Attachment B: Committee of the Whole report and attachments from the meeting of October 24, 2019

I.1.b Report from the October 24, 2019 COTW Meeting**I.1.b.a 2019 External Audit Plan****Moved By** Councillor Dubow**Seconded By** Councillor Thornton-Joe

That Council receive this report for information.

CARRIED UNANIMOUSLY**I.1.b.b 913-929 Burdett Avenue and 914-924 McClure Street - Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 (Fairfield)****Moved By** Councillor Thornton-Joe**Seconded By** Councillor LovedayRezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council subject to the following conditions:
 - a. Preparation of a Housing Agreement Bylaw for the following:
 - i. to secure 50% of the total units as market rental for a minimum of 20 years;
 - ii. to secure a minimum of 26 units be used as assisted living for a minimum of 20 years;
 - iii. to secure a minimum of five affordable rental units for a minimum of 20 years;
 - iv. to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units; and
 - v. to repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. Preparation of a Section 219 Covenant to secure the sustainability features and construction achieving a minimum BUILT GREEN® Bronze Certification level.
 - c. That Council request the applicant change the protection of rentals to 60 years instead of 20 years.
 - d. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - e. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:

- f. 219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages;
- g. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property; and
- h. Heritage Revitalization Agreement dated February 14, 2008.
- i. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped October 7, 2019.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increasing the building height from 16.5m to 20.55m;
 - ii. reducing the front yard setback from 10.6m to 8.75m;
 - iii. reducing the rear yard setback from 5.4m to 4.7m;
 - iv. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - v. reducing the vehicle parking requirement from 59 stalls to 56 stalls.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- 4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
- 5. The Heritage Alteration Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Councillor Dubow, and Councillor Isitt

CARRIED (6 to 2)



Committee of the Whole Report

For the Meeting of October 24, 2019

To: Committee of the Whole **Date:** October 10, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street

RECOMMENDATION

Rezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council subject to the following conditions:
 - a. Preparation of a Housing Agreement Bylaw for the following:
 - i. to secure 50% of the total units as market rental for a minimum of 20 years;
 - ii. to secure a minimum of 26 units be used as assisted living for a minimum of 20 years;
 - iii. **to secure a minimum of five affordable rental units for a minimum of 20 years;**
 - iv. to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units; and
 - v. to repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. **Preparation of a Section 219 Covenant to secure the sustainability features and construction achieving a minimum BUILT GREEN® Bronze Certification level.**
2. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages;

- ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property; and
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
- b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

“That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped October 7, 2019.**
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m;
 - b. reducing the front yard setback from 10.6m to 8.75m;
 - c. reducing the rear yard setback from 5.4m to 4.7m;
 - d. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - e. reducing the vehicle parking requirement from 59 stalls to 56 stalls.**
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
5. The Heritage Alteration Permit lapsing two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a Rezoning Application and a Heritage Alteration Permit Application for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. At the meeting of June 8, 2017 (minutes attached), Council passed a motion to forward the applications to a public hearing, subject to the preparation of a Zoning Regulation Bylaw Amendment, Housing Agreement Bylaw and Section 219 Covenant for sewage attenuation.

The applicant is willing to fulfil the conditions set by Council; however, given that over two years has passed since Council provided the above direction, staff are bringing the application to Committee of the Whole for Council’s consideration prior to referring the Rezoning Application and Heritage Alteration Permit Application for consideration at a Public Hearing.

BACKGROUND

Description of Proposal

The proposal is to amend the existing CD-10 Zone, Mount St. Angela District to create a new site-specific zone that permits an increase of the bonus density provision in exchange for the

heritage conservation measures to be applied to the heritage-designated buildings on the subject site. The applicant proposes to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be incorporated into the project. The Committee of the Whole reports for Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 presented at the Committee of the Whole (COTW) meetings of January 12, 2017 and June 8, 2017 are attached for additional information and reference. Other than additional off-street parking within the parkade level, no design changes are proposed since the meeting of June 8, 2017.

Regulatory Changes

New Zone

The following amendments from the current CD-10 (Mount St. Angela) District Zone are proposed and would be accommodated in the new zone:

- increase in floor space ratio (FSR) from 1.3:1 to a maximum of 1.96:1 FSR
- the following additional uses:
 - "seniors' housing – assisted living" means a facility where regular care or supervision is given by a health care professional as well as assistance with the performance of the personal functions and activities necessary for daily living for persons such as the aged or chronically ill who are unable to perform them efficiently for themselves
 - "seniors' housing – independent living" means a residential building containing in any combination, two or more dwelling units, housekeeping units, or sleeping units for the accommodation of elderly persons, including the ancillary common areas and accessory personal service and convenience uses, for the exclusive use of residents and tenants of the building and their guests.
- amendment to the amenities in the zone to remove the requirement for a mid-block walkway and a heritage revitalization agreement (the latter being replaced by Heritage Alteration Permit No. 00214)
- additional building height from 13.6m to 16.5m.

Parking

The requirement for 60 vehicle parking stalls in the existing zone is based on a previous proposal for this site. In reviewing the current proposal against the requirements under Schedule C of the *Zoning Regulation Bylaw* (which was updated since the application was last brought to COTW), a total of 59 stalls are required (46 stalls for the residential units and 13 visitor parking stalls). A total of 56 stalls is being proposed; therefore, a three-stall parking variance has been added to the motion for Council's consideration. The variance is considered supportable given that the applicant is proposing long term bike parking in excess of the Schedule C requirements as well as change room facilities which help encourage cycling as a means of transportation.

Legal Agreements

Housing Agreement

With regard to the Housing Agreement Bylaw, the applicant proposes five units as affordable rental for a twenty-year period, with rent levels in accordance with the Inclusionary Housing and

Community Amenity Policy. The affordable units would be located on levels 1, 3 and 4 of the proposed development and would include:

- 1 studio unit
- 1 one bedroom unit
- 2 one bedroom plus den units
- 1 two bedroom unit.

In addition to the housing agreement, the applicant's letter indicates that a 34-unit building at 1046 and 1048 North Park Street to house existing residents of Mount Saint Angela in a purpose-built facility for the Vancouver Island Health Authority has received approvals. These units would not be secured through a housing agreement; however, the site's R-91 Zone, North Park Residential District, limits residential use to "rest homes". The applicant has also indicated that the 34 rental units would be low-income affordable units based on VIHA's housing mandate.

Section 219 Covenants

A report from Herold Engineering has been provided to confirm the flow rates the proposed development would have on existing infrastructure. Staff have reviewed this and confirm that sewage attenuation will not be required for this application. The recommendation has been updated to remove this requirement.

A number of sustainability features are proposed as part of the concurrent Heritage Alteration Permit. These features would be secured through a Section 219 covenant to ensure construction achieving a minimum of BUILT GREEN® "Gold" certification. The applicant is amenable to entering into this agreement. As part of the original recommendation, this was included as a condition of issuing the Heritage Alteration Permit. Normal practice is to prepare these in advance of the Public Hearing and revised wording is included for Council's consideration.

Land Lift Analysis

G.P. Rollo and Associates was engaged to provide an updated economic analysis of the project based on the proposed density and uses of the building and updated costs for heritage retention and seismic upgrading. The analysis determined that based on the increase in density from a floor space ratio of 1.3:1 to 1.96:1 and tenure of the building, the resulting land lift was approximately \$1.35 million. Previous analysis conducted in 2016 determined a land lift of \$3 million. The rehabilitation costs of the Heritage Registered building including seismic upgrading are estimated by a professional quantity surveyor to be in excess of \$5.0 million, an increase of \$0.7 million from 2016. The analysis reaffirms that the costs of rehabilitating the heritage designated buildings is in excess of the projected lift in land value.

CONCLUSION

The proposed design of the development remains unaltered since Committee of the Whole last viewed the application. Revised terms for the Housing Agreement are proposed and staff are seeking direction from Council prior to advancing the applications for consideration at a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street.

Respectfully submitted,

For: J. Taylor
Alec Johnston
Senior Planner – Urban Design
Development Services Division

J.T. / Andrea Hudson
Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

John O'Reilly
John O'Reilly
Senior Heritage Planner
Development Services Division

Report accepted and recommended by the City Manager

Date:

Jocelyn Jenkins
Oct 17, 2019

Appendices

Conditions of Heritage Alteration Permit No. 00214:

- Appendix A: Mount St. Angela, 917-923 Burdett Avenue
- Appendix B: Cartreff Residence, 913 Burdett Avenue
- Appendix C: Temple Residence, 924 McClure Avenue.

List of Attachments

- Attachment A: Minutes from June 8, 2017 Council Meeting
- Attachment B: Minutes from June 8, 2017 Committee of the Whole Meeting
- Attachment C: Minutes from January 12, 2017 Council Meeting
- Attachment D: Minutes from January 12, 2017 Committee of the Whole Meeting
- Attachment E: Applicant's Letter to Mayor and Council, dated August 13, 2019
- Attachment F: Plans, dated October 7, 2019
- Attachment G: Updated Land Lift Analysis, dated April 25, 2019
- Attachment H: Committee of the Whole Report from the Meeting of June 8, 2017
- Attachment I: Committee of the Whole Reports from the Meeting of January 12, 2017.

APPENDIX A

Conditions of Heritage Alteration Permit No. 00214

Mount St. Angela 917-923 Burdett Avenue

The Heritage Alteration Permit No. 00214 subject to the following conditions specific to Mount St. Angela (917-923 Burdett Avenue):

1. The Applicant agrees to preserve, rehabilitate, and restore the 1866 appearance of Mount St. Angela College (917-923 Burdett Avenue) in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and as outlined in Section 4.0 of the Mount St. Angela Conservation Plan dated September 2010 by Don Luxton and Associates, and will not undertake any work that is contrary to the Conservation Plan.
2. The Applicant agrees to respect the hierarchy of heritage values in the preservation, rehabilitation, and restoration of Mount St. Angela as described in Section 3 of the Mount St. Angela Conservation Plan.
3. The Applicant agrees that all work required for the preservation, rehabilitation, restoration of Mount St. Angela will be in accordance with good engineering and heritage conservation practices.
4. The Applicant agrees that all work will be in accordance with the review of proposed interventions to Angela College as detailed in the Donald Luxton and Associates Heritage Review date stamped March 18, 2016, and in the plans, date stamped November 8, 2016.
5. The Applicant agrees to the **preservation and restoration of the exterior** of Angela College as detailed in Section 4.0 of the 2010 Conservation Plan, including:
 - i. maintain the building in its current location
 - ii. remove later intrusive alterations, including the Annex, porte-cochere, and rear additions to the structure that linked it to the Annex
 - iii. restore missing elements from the original construction period, such as replaced wooden-sash windows and the front oriel window, based on archival documentation and surviving building elements
 - iv. retain existing front entry door, as there is no clear evidence of the appearance of the original, and the door dates to an earlier intervention but is appropriate and matches interior detailing
 - v. preserve surviving original elements, including protection and stabilization
 - vi. repair exterior brickwork, rubble-stone foundation, fascia and woodwork
 - vii. repair and repaint existing wooden window sashes
 - viii. undertake seismic upgrade to current standards.
6. The Applicant agrees to the **preservation and rehabilitation of the interior** of Angela College as detailed in Section 4.0 of the 2010 Conservation Plan, that will make possible the building's new use for senior living, which provides interventions that:
 - i. preserve specific original features and features from later periods considered of heritage value
 - ii. rehabilitate interior spaces and services suitable for new use.
7. The Applicant agrees to undertake necessary seismic upgrading of the existing structure where necessary to ensure adequate and safe lateral support in the likelihood of a seismic event.

8. The Applicant agrees to engage a third-party "**Certified Professional**" architectural heritage consultant to oversee the work of contractors and tradespersons to ensure all preservation, rehabilitation, and restoration work is carried out in accordance with the 2010 Heritage Conservation Plan.
9. The Applicant will notify the City as soon as possible if the Certified Professional's engagement with the applicant is terminated for any reason.
10. The Applicant agrees, upon substantial completion of the work and prior to applying for an occupancy permit for Mount St. Angela, to provide written confirmation from the "Certified Professional" confirming that (1) all work identified in the Heritage Conservation Plan has been completed; and (2) the architectural, engineering and technical details and components of the work comply in all material respects with the requirements of the 2010 Mount St. Angela Conservation Plan.

APPENDIX B

Conditions of Heritage Alteration Permit No. 00214

Cartreff Residence

913 Burdett Avenue

The Heritage Alteration Permit No. 00214 subject to the following conditions specific to the Cartreff Residence (913 Burdett Avenue):

1. The Applicant agrees that they will preserve, rehabilitate, and restore the 1904-05 exterior appearance of the Cartreff Residence in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and will not undertake any work that is contrary to the intentions of the September 2010 Mount St. Angela Conservation Plan by Don Luxton and Associates.
2. The Applicant agrees to respect the hierarchy of heritage values in the preservation, rehabilitation, and restoration of the Cartreff Residence as described in Section 3 of the Mount St. Angela Conservation Plan.
3. The Applicant agrees that all work required for the relocation, preservation, rehabilitation, and restoration of the Cartreff Residence will be in accordance with good engineering and heritage conservation practices.
4. The Applicant agrees to the **preservation, rehabilitation, and restoration of the exterior** of the Cartreff Residence meeting the intentions of the 2010 Conservation Plan, and that all work will be in accordance with the review of proposed interventions to Cartreff Residence as detailed in the Donald Luxton and Associates Heritage Review dated March 18, 2016, and in the plans, dated November 8, 2016, which will:
 - i. raise the historic structure 0.53m and relocate the structure 1.8 metres forward onto a new foundation within the existing property while retaining its same relative orientation to Burdett Avenue
 - ii. raise grade and landscaping to maintain its existing relationship to the historic structure and to the street
 - iii. preserve and restore the exterior facades, including repair and repaint of wood-frame windows,
 - iv. repair, replace and repaint cedar wall shingles
 - v. repair, replace, and paint wood trim
 - vi. reconstruct chimneys with existing brick after relocation
 - vii. install new aluminum gutters
 - viii. refinish exterior stucco pebble dash finish with colour consistent with recommended 2010 Conservation Plan colour historical palette, or evidence from on-site paint discoveries through paint layer scraping
 - ix. construct an addition that does not impair, and is sensitive to the function and context of, the original structure.
5. The Applicant agrees to engage a third-party **"Certified Professional"** architectural heritage consultant to oversee the work of contractors and tradespersons to ensure all preservation, rehabilitation, and restoration work is carried out in accordance with the 2010 Heritage Conservation Plan.
6. The Applicant will notify the City as soon as possible if the Certified Professional's engagement with the applicant is terminated for any reason.

7. The Applicant agrees, upon substantial completion of the work and prior to applying for an occupancy permit for the Cartreff Residence, to provide written confirmation from the "Certified Professional" confirming that (1) all work identified in the Heritage Conservation Plan has been completed; and (2) the architectural, engineering and technical details and components of the work comply in all material respects with the requirements of the 2010 Mount St. Angela Conservation Plan.

APPENDIX C

Conditions of Heritage Alteration Permit No. 00214

Temple Residence

924 McClure Avenue

The Heritage Alteration Permit No. 00214, subject to the following conditions specific to the Temple Residence (924 McClure Avenue):

1. The Applicant agrees to relocate, preserve, rehabilitate, and restore the 1906 appearance of Temple Residence in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and as outlined in Section 6.0 of the Mount St. Angela Conservation Plan dated September 2010 by Don Luxton and Associates, and will not undertake any work that is contrary to the Conservation Plan.
2. The Applicant agrees to respect the hierarchy of heritage values in the preservation, rehabilitation, and restoration of the Temple Residence as described in Section 3 of the Mount St. Angela Conservation Plan.
3. The Applicant agrees that all work required for the relocation, preservation, rehabilitation, and restoration of the Temple Residence will be in accordance with good engineering and heritage conservation practices.
4. The Applicant agrees that all work will be in accordance with the review of proposed interventions to the Temple Residence as detailed in the Donald Luxton and Associates Heritage Review date stamped March 18, 2016, and in the plans, date stamped November 8, 2016.
5. The Applicant agrees to the **preservation, rehabilitation, and restoration of the exterior** of the Temple Residence as detailed in Section 6.0 of the 2010 Conservation Plan, including:
 - i. provide guidelines to relocate the historic structure onto a new foundation approximately 23m east within the existing property while retaining its same relative orientation to McClure Street
 - ii. recreate the front stone wall and stairs
 - iii. preserve and restore the exterior facades, including square but shingle wall finishes from grade level to soffit, eyebrow flares, board-and-batten finish in front gables
 - iv. retain and preserve original windows with stained glass and fixed lattice, wood trim and sills
 - v. replace aluminum sash window units with historically appropriate wood-sash windows
 - vi. retain and preserve verandah elements including square columns, capitals, wooden solid balustrade, and tongue-and-groove ceiling
 - vii. retain and preserve sleeping porch with tongue-and-groove ceiling and walls
 - viii. retain and preserve original bargeboards with decorative ends, finials, and brackets
 - ix. reconstruct the chimneys with existing brick after relocation
 - x. reinstate original exterior colour scheme
 - xi. and rehabilitate the interior
 - xii. construct an addition that does not impair the original structure.
6. The Applicant agrees to engage a third-party **"Certified Professional"** architectural heritage consultant to oversee the work of contractors and tradespersons to ensure all preservation,

rehabilitation, and restoration work is carried out in accordance with the 2010 Heritage Conservation Plan.

7. The Applicant will notify the City as soon as possible if the Certified Professional's engagement with the applicant is terminated for any reason.
8. The Applicant agrees, upon substantial completion of the work and prior to applying for an occupancy permit for the Temple Residence, to provide written confirmation from the "Certified Professional" confirming that (1) all work identified in the Heritage Conservation Plan has been completed; and (2) the architectural, engineering and technical details and components of the work comply in all material respects with the requirements of the 2010 Mount St. Angela Conservation Plan.

4. Cycle Network Implementation Update – Fort Street Design

Motion:

It was moved by Mayor Helps, seconded by Councillor Loveday, that Council direct staff to:

1. Approve the value-engineered, "complete streets" AAA Bicycle Facility in 2017/2018, and implement the three 800-1000 block crosswalk upgrades in future years;
2. Amend the 2017 Financial Plan to allocate an additional \$270,000 from the Gas Tax Reserve to fund the Fort Street project, and authorize staff to proceed to tender a construction contract as outlined in this report;
3. Amend the 2017 Financial Plan to allocate an additional \$110,000 from the Accessibility Capital Reserve for accessibility features for the Fort Street Bike Lane project; and
4. The 8 parking spots and taxi stand on 600 block of Fort Street be retained, that we fund the \$500,000 by borrowing from the infrastructure reserve and that we repay the infrastructure reserve, with interest, from revenues generated from those 8 parking meters until the amount is repaid.

Council discussed the following:

- *Whether it would be beneficial to wait until an assessment of the in place design is received before major infrastructure is finished.*

Carried Unanimously

5. Updated on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Motion:

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

Rezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
2. That Council instruct staff:
 - a. To prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. That a portion of the units in the building be secured at below market rental.
3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
 - b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

1. Plans date stamped May 3, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. Reducing the rear yard setback from 5.4m to 4.7m
 - d. Reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.

5. Sustainability features and construction achieving the BUILT GREEN® Certification level.
6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

Carried

For: Mayor Helps, Councillors Alto, Isitt, Loveday, Lucas, and Young
Opposed: Councillors Madoff

6. Application for a Permanent Change to Hours of Service for a Liquor Primary Licence (212046), D'arcy McGee's, 1127 Wharf Street (Downtown)

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council direct staff to provide the following response to the Liquor Licensing Agency:

1. Council, after conducting a review with respect to noise and community impacts, does support the application of D'arcy McGee's, located at 1127 Wharf Street to extend closing hours from 1:00 am to 2:00 am on Fridays and Saturdays.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request to extend the hours to 2:00 am on Friday and Saturdays and is not expected be a significant issue.
- b. If the application is approved, the impact on the community is expected to be positive economically as the approval supports the request of the business.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received one letter in support of the application and three letters opposed to the application which included a letter from the Victoria Downtown Residents Association. The letter from VDRA states a number of concerns related to densification of similar establishments with similar closing hours due the proximity of existing residential units.
- d. Council recommends the issuance of the license.

Carried Unanimously

7. 2016 Regional Growth Strategy - Dispute Resolution Process

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council advise the CRD of the City's interest in appointing a designated representative to participate in the RGS dispute resolution process.

Carried

For: Mayor Helps, Councillors Isitt, Loveday, Lucas, and Madoff
Opposed: Councillors Alto and Young

8. Lessons Learned Policy

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council receive this report for information.

Carried Unanimously

9. Public Engagement Roadmap

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto, that Council endorse the Public Engagement Roadmap and direct staff to report back for final consideration after consultation.

Carried Unanimously

10. Correspondence Management Policy

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council approve the Correspondence Management Policy and include an amendment to Section D of the policy:

*Correspondence received from the Federal or Provincial Government, **Regional**, Local and First Nations Governments within the capital-Regional-District, shall, where the subject matter warrants...*

Carried Unanimously

BYLAWS

a. Bylaws for Land Use Contract Termination – Phase 1

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaws be given first and second reading:

1. *Land Use Contract Discharge (104 Dallas Road) Bylaw No. 17-055*

6. LAND USE MATTERS

6.1 Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Committee received a report dated May 25, 2017 from the Director of Sustainable Planning and Community Development providing new information for the property located at 913-929 Burdett Ave and 914-924 McClure Street, also known as the Mt. St. Angela property, following the Joint Heritage Advisory Panel and the Advisory Design Panel which was held February 1, 2017.

Councillor Isitt returned to the meeting at 1:34 p.m.

Committee discussed:

- Whether a provision of low market housing will be included with a housing agreement.
- How staff are ensuring that a diverse range of housing options are available.

Motion:

It was moved by Councillor Alto, seconded by Councillor Young,
Rezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
2. That Council instruct staff :
 - a. to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
 - b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

1. Plans date stamped May 3, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. Reducing the rear yard setback from 5.4m to 4.7m
 - d. Reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
5. Sustainability features and construction achieving the BUILT GREEN® Certification level.
6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

Amendment: It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

Rezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
2.
 - a. That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. **That a portion of units in the building be secured at below market rental.**
3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to

discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:

- i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
- b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

On the amendment:
CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Isitt, and Loveday
Against: Councillors Madoff and Young

Committee discussed:

- What may happen to the rental units and tenants following the expiration of the 20 year Housing Agreement.
- Amending the policy to require social housing and rental units for higher density projects.

Main motion as amended:

Rezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
2. a. That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
b. That a portion of units in the building be secured at below market rental.
3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property

- iii. Heritage Revitalization Agreement dated February 14, 2008.
- b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

1. Plans date stamped May 3, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. Reducing the rear yard setback from 5.4m to 4.7m
 - d. Reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
5. Sustainability features and construction achieving the BUILT GREEN® Certification level.
6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

On the main motion as amended:

CARRIED 17/COTW

For: Mayor Helps, Councillors Alto, Isitt, Loveday, and Young
Against: Councillors Madoff

Committee of the Whole Meeting – June 8, 2017

REPORTS OF COMMITTEES3. Committee of the Whole – January 9, 2017

Councillor Coleman withdrew from the meeting at 8:34 p.m. due to a potential pecuniary conflict of interest with the following item, as his wife works for the Anglican Synod of the Diocese of BC.

7. Rezoning Application No. 00466 for 913-929 Burdett Avenue & 914-924 McClure Street (Fairfield) & Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Motion:

It was moved by Councillor Madoff, seconded by Mayor Helps, that a meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel be convened to consider the application for 913-929 Burdett Avenue and 914-924 McClure Street and that the report from the joint panel be included in the agenda when the application is considered by the Committee of the Whole.

That the panel be asked for comments on, but not limited to:

1. The relationship between the scale of the proposed development and the OCP policy that supports new additions that conserve and enhance heritage property.
2. Does the proposal appropriately respond to Standard 1 of the National Standards and Guidelines in respect to the removal of heritage designated elements/additions and the relocation of the Cartreff and Temple buildings
3. Does the proposal respond appropriately to Standard 11 of the National Standards and Guidelines in terms of new construction being physically and visually compatible with, subordinate to, yet distinguishable from, the historic place.
4. Does the Conservation Plan adequately address the National Standards and Guidelines and provide appropriate detail on how the proposal responds to the Guidelines
5. Has adequate information been provided by the applicant to support the claim that the level of Burdett Street has been raised over time and that this justifies the moving and raising of the Cartreff House.
6. Does the proposed landscape plan respect and retain historic landscaping appropriate to the 1860s Mt. St. Angela building and the 1905, Samuel McClure designed, Cartreff House as outlined in the Standards and Guidelines.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the applicant be asked to reconsider the dedication of a midblock pathway between Burdett Avenue and McClure Street.

Council discussed the following:

- *That the midblock pathway was not recommended by staff.*
- *That the heritage elements of this application should be the focus.*

For: Councillors Isitt, Loveday, and Young
Opposed: Mayor Helps, Councillors Alto, Lucas, Madoff, and Thornton-Joe

On the amendment:
Defeated

On the motion:
Carried Unanimously

Councillor Coleman returned to the meeting at 8:41 p.m.

7. LAND USE MATTERS

7.1 Rezoning Application No. 00466 for 913-929 Burdett Avenue & 914-924 McClure Street (Fairfield) & Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Committee received a reports dated December 16, 2016 from the Director of Sustainable Planning and Community Development providing information and recommendations on the proposed rezoning and Heritage Alteration Permit for the property located at 913-929 Burdett and 914-924 McClure Street to amend the existing CD-10 Zone to create a new site specific zone to permit increased density and allow for the construction of a 106-unit senior's residence.

Councillor Isitt returned to the meeting at 10:37 a.m.

Councillor Loveday excused himself at 10:50 a.m. and returned at 10:51 a.m.

Committee discussed:

- Heritage buildings taking the centre stage as opposed to the new construction.
- The Advisory Design Panel and the Heritage Advisory Committee coming together for a joint meeting to discuss the proposal.
- The reasoning for not proceeding with the midblock walk way.

Motion: It was moved by Councillor Madoff, seconded by Mayor Helps, that a meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel be convened to consider the application for 913-929 Burdett Avenue and 914-924 McClure Street and that the report from the joint panel be included in the agenda when the application is considered by the Committee of the Whole.

That the panel be asked for comments on, but not limited to:

1. The relationship between the scale of the proposed development and the OCP policy that supports new additions that conserve and enhance heritage property.
2. Does the proposal appropriately respond to Standard 1 of the National Standards and Guidelines in respect to the removal of heritage designated elements/additions and the relocation of the Cartreff and Temple buildings
3. Does the proposal respond appropriately to Standard 11 of the National Standards and Guidelines in terms of new construction being physically and visually compatible with, subordinate to, yet distinguishable from, the historic place.
4. Does the Conservation Plan adequately address the National Standards and Guidelines and provide appropriate detail on how the proposal responds to the Guidelines
5. Has adequate information been provided by the applicant to support the claim that the level of Burdett Street has been raised over time and that this justifies the moving and raising of the Cartreff House.

6. Does the proposed landscape plan respect and retain historic landscaping appropriate to the 1860s Mt. St. Angela building and the 1905, Samuel McClure designed, Cartreff House as outlined in the Standards and Guidelines.

Committee discussed:

- The proposed new elements having more prominence than the heritage elements.
- Concerns with the length of time this project has taken come before Committee of the Whole.
- The density of the property taking more priority than the heritage elements.
- Providing an invitation to all members of the Advisory Design Panel and the Heritage Advisory Committee to discuss these issues; the meeting taking place in the Ante-Chamber.

CARRIED UNANIMOUSLY 17/COTW



924 McClure St.
 Victoria, BC. V8V 3E7
 c. 250.413.7307
 o. 778-432-3550
 e. arcata@telus.net

August 13, 2019

Mayor and Council,
 1, Centennial Square
 Victoria, BC

Your Worship and Council

Re: Update on Committee of the Whole Report for the meeting June 08, 2017
Specifically rezoning application No.0046 for 913-929 Burdett Avenue and 914-924 McClure Street and Heritage Alteration Permit Application No.00214 for 913-929 Burdett Avenue and 914-924 McClure Street. (Fairfield)

We have made a number of further substantial changes to our proposed housing agreement to reflect Councils adopted Amendments to the housing agreement presented at the June 08 COTW.

"a That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.

b. That a portion of units in the building be secured at below market rental."

Inclusionary Zoning

We feel that our application includes inclusionary rezoning as part of the Mount St Angela rezoning.

The proponent has acquired property at 1046/1048 North Park to build a purpose designed building to house for 34 affordable units for people who suffer from mental illness currently housed in Mount St Angela. This would be the first purpose built brand new building the VIHA program has seen and it is an important piece to the on going legacy of Mount St Angela

North Park

The Rezoning Application No. 00632 along Development Permit with Variances Application No. 00071 was approved by council at the public hearing on November 22, 2018.

The project is for 34 single room occupancy units purposed built for VIHA . This number represents 25% of the Mount St. Angela total unit count of 132 .

A housing agreement would not be registered as the intended use and wording in the zoning bylaw would ensure compliance similar to a housing agreement. VIHA can only sign a 10 year lease as per their policy/mandate. The developer intends to offer VIHA or similar non profit provider similar renewal lease options in perpetuity.

The units would rent under the definition of affordable rent, affordable units, and low income threshold - based on VIHA's housing mandate.

Mount St Angela

With respect to this proposed development the developer intends to build a 132 unit strata.

The Developer will consent to the registration of a housing agreement.

The housing agreement would:

- a. Limit occupancy to seniors and their caregivers.
- b. Include 26 dedicated assisted living units, subject to a 20 year term.
- c. 50% of the units will be subject to a 20 year rental obligation and otherwise no rental restrictions will be permitted.
- d. 5 units would be dedicated for affordable rent.

This represents 5% of the remaining units and brings the total number of below market units for both projects to 39 or 30% of the total unit count.

The dedicated units are as follows:

- 1 studio unit located on Level 3 on the submitted plan (attached)
- 1 bedroom unit located on Level 4 on the submitted plan
- 1 bedroom + den unit located on Level 1 on the submitted plan
- 1 bedroom + den unit located on Level 4 on the submitted plan
- 2 bedroom unit located on Level 4 on the submitted plan

The above units would follow affordable rental units found in Schedule A of the City of Victoria's Inclusionary Housing Expectations 2019.

A revised land lift analysis reflecting the associated heritage revitalization costs & revised housing model based on the terms of reference was submitted to city staff by Rollo & Associates Land Economists in April 2019

We look forward to meeting with Council to answer any questions regarding our revised housing agreement.

Yours truly,



Larry Cecco, MRAIC, AIA Int.

on behalf of MI Ventures

MOUNT ST. ANGELA
Senior Living. Redefined.

LANDSCAPE:
SMALL & ROSSELL LANDSCAPE ARCHITECTS INC.
3012 MANZER ROAD
Sooke, BC, V9Z 0C9
Phone: (250) 642-8967
Email: design@smallandrossell.com

- L1 LANDSCAPE PLAN - OVERALL
- L2 LANDSCAPE PLAN - MAIN FLOOR LEVEL
- L3 LANDSCAPE PLAN - LOWER FLOOR LEVELS
- L4 ACTIVITY ROOF GARDEN & GREEN ROOFS
- L5 PROPOSALS TO ALTER HERITAGE GARDEN WALL ON BURDETT FRONTAGE
- L6 TREE RETENTION / REMOVAL PLAN
- L7 PLANT SCHEDULE & EXAMPLES

DESIGN CONSULTANT:
ARCATA LTD.
924 McCURE ST.
VICTORIA, BC, V8V 3E7
Phone: (250) 413-7307
Email: arcata@telus.net

ARCHITECTURAL:
KEY ARCHITECTURE LTD.
2ND FLR, 1124 FORT STREET
VICTORIA, BC, V8V 3K3
Phone: (250) 382-3823
Email: info@keyarchitecture.com

DRAWING LEGEND
 B.0 PROJECT DATA
 B.1 KEY PLAN
 B.2 SITE PLAN
 B.3 AVERAGE GRADE CALCULATIONS
 B.4 PARKING LEVEL PLAN
 B.5 LEVEL 1 PLAN
 B.6 LEVEL 2 PLAN
 B.7 LEVEL 3 PLAN
 B.8 LEVEL 4 PLAN
 B.9 LEVEL 5 PLAN
 B.10 ROOF PLAN
 B.11 ELEVATIONS
 B.12 ELEVATIONS
 B.13 ELEVATIONS
 B.14 SECTIONS
 B.15 SECTIONS

HERITAGE ALTERATION ADDITIONAL PLANS


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C49	CARTREF.	PHOTOGRAPHS
C50	CARTREF.	DENO PLANS
C51	CARTREF.	GARDEN & MAIN LEVEL
C52	CARTREF.	SECOND LEVEL
C53	CARTREF.	GARDEN LEVEL
C54	CARTREF.	RENO PLANS
C55	CARTREF.	MAIN LEVEL
C56	CARTREF.	RENO PLANS
C57	CARTREF.	SECOND LEVEL
C58	CARTREF.	ELEVATIONS
C59	CARTREF.	ELEVATIONS
C60	CARTREF.	SECTIONS

T.A20 TEMPLE - PHOTOGRAPHS
T.A30 TEMPLE - DEMO PLANS - GARDEN & MAIN LEVEL
T.A31 TEMPLE - DEMO PLANS - SECOND LEVEL
T.A40 TEMPLE - DEMO PLANS - PARKING & GARDEN LEVEL
T.A41 TEMPLE - DEMO PLANS - MAIN & SECOND LEVEL

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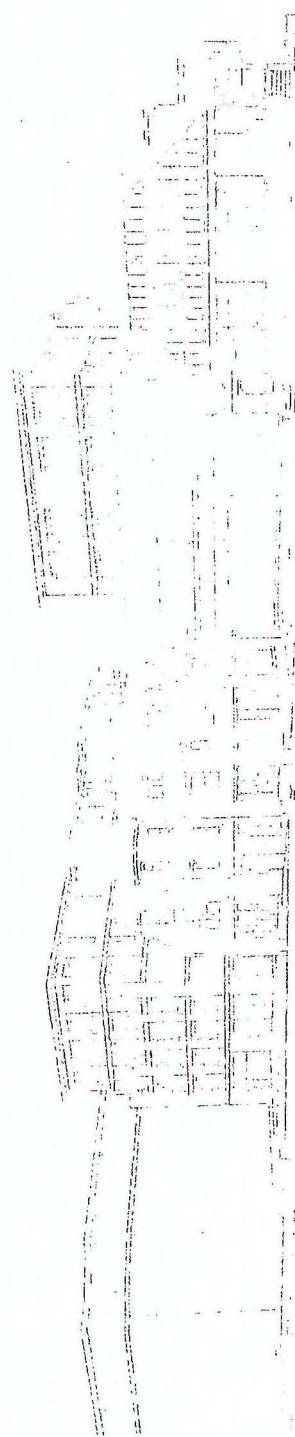
Revisions
Received Date:
Oct 07/19

 CITY OF VICTORIA

MOUNT ST. ANGELA
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COMMENTS		DATE	BY
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2.	PREP WORK / RECEIVING SUBMISSION	Jan 2016	
3.	PREP WORK / RECEIVING SUBMISSION	Jan 2016	
4.	PREP WORK / RECEIVING SUBMISSION	Jan 2016	
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8.	PREP WORK / RECEIVING SUBMISSION	Jan 2016	
9.	PREP WORK / RECEIVING SUBMISSION	Jan 2016	
10.	PREP WORK / RECEIVING SUBMISSION	Jan 2016	

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	SCALE	DATE PLOTTED
AS NOTED	11/24 - 1/10	01.07.2018
DATE PLOTTED		Sheet 17
SCALE		



PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures
&
Norwood Group

ARCHITECT - CRP

key architecture ltd

200-1021 HASTINGS STREET, VICTORIA, BC V8M 1A1

PH: 250-383-8221

CONSULTANT

Arcata

250-383-8221

410-201 WEST 10TH STREET

COMMENTS

1	100% PRELIMINARY SUBMISSION	DATE: 01/11/10
2	100% PRELIMINARY SUBMISSION	DATE: 01/11/10
3	100% PRELIMINARY SUBMISSION	DATE: 01/11/10
4	100% PRELIMINARY SUBMISSION	DATE: 01/11/10
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6	100% PRELIMINARY SUBMISSION	DATE: 01/11/10
7	100% PRELIMINARY SUBMISSION	DATE: 01/11/10
8	100% PRELIMINARY SUBMISSION	DATE: 01/11/10

MOUNT ST. ANGELA

Senior Living. Redefined.

DATE: 01/11/10

1124 - 1110

DATE: 01/11/10

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KEY PLAN

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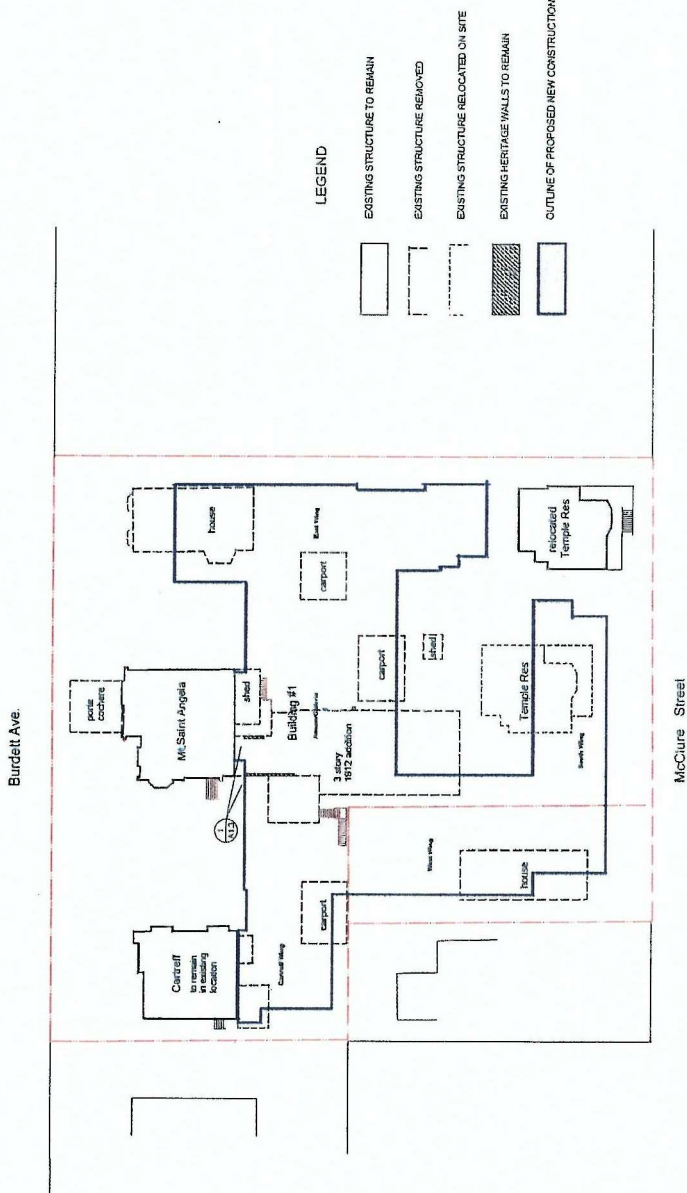
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Key Plan
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ARCHITECT - CRP

key

architecture ltd
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CONSULTANT

Arcata

Small business not
available 10/19/24 12:00 PM

COMMENTS

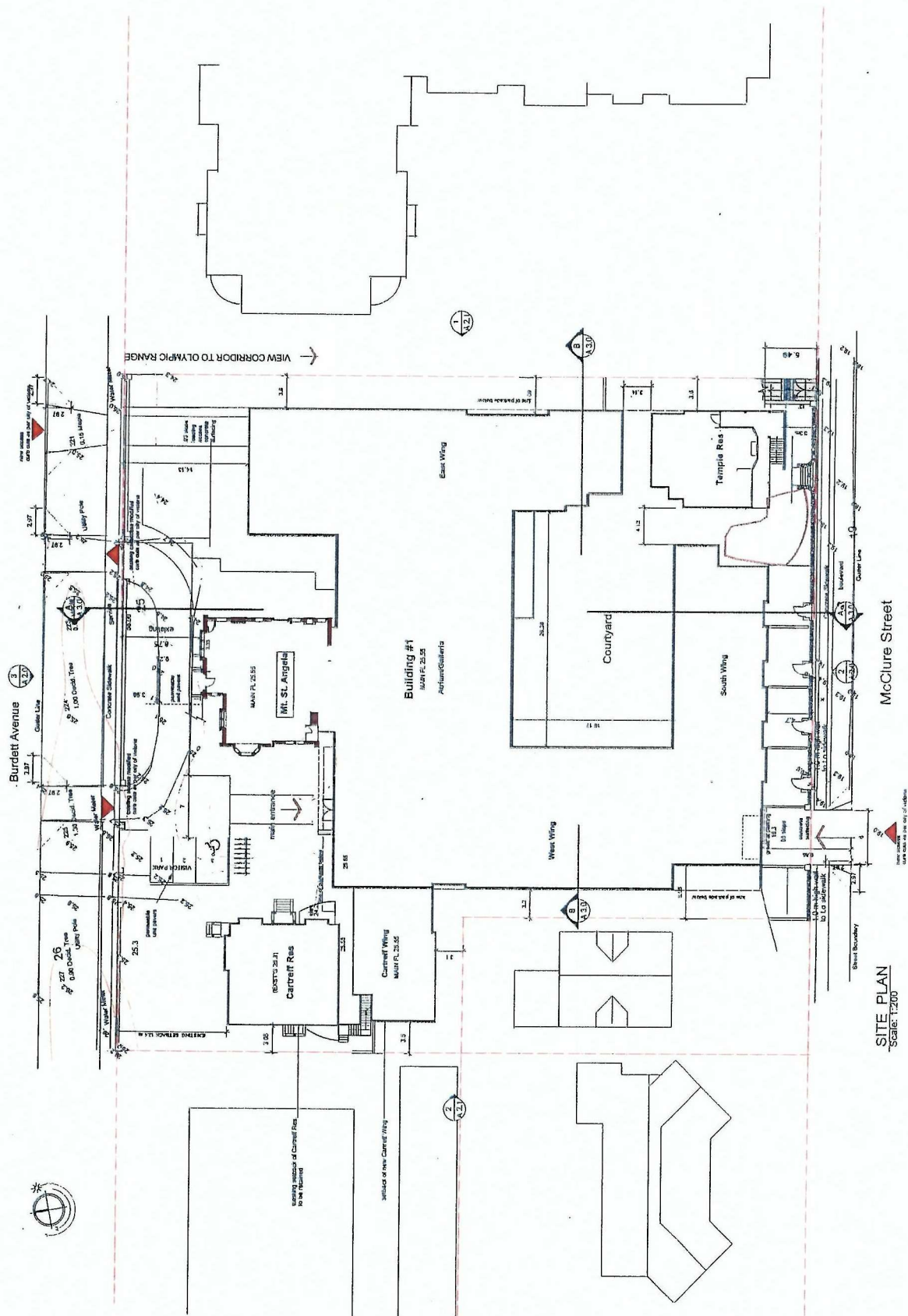
no.	Source	date
1.	1. van Houten's submission	SEP 2001
2.	2. RE: HAZ / FRESHWATER SUBMISSION	MAY 2001
3.	3. RE: AVERAGE GRADE CALC	MAY 2001
4.	4. RE: GATE AND GARAGE DOOR	JULY 2001
5.	5. RE: 30' DEEP ACP CONCRETE	JULY 2001
6.	6. RE: 30' DEEP ACP JOINT CONCRETE	MAY 2001
7.	7. RE: 30' DEEP ACP JOINT CONCRETE	MAY 2001
8.	8. RE: 30' DEEP ACP JOINT CONCRETE	OCT 2001

MOUNT ST. ANGELA
Senior Living. Redefined.

SITE PLAN

SCALE	JOE No.
AS NOTED	1124 - 1410
DATE PLUTED	
Oct. 07 2018	
DRAWN BY	

A7.0b



SITE PLAN
Scale: 1:200

PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures
&
Norwood Group

ARCHITECT - CRP

key architecture ltd.

250 113 7307 1224 MODERN ST
VANCOUVER, BC V6L 3K6

CONSULTANT

Arcata

250 113 7307 1224 MODERN ST
VANCOUVER, BC V6L 3K6

COMMENTS

1	REVISION	DATE	BY
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9	REVISION	DATE	BY

Senior Living, Redefined.

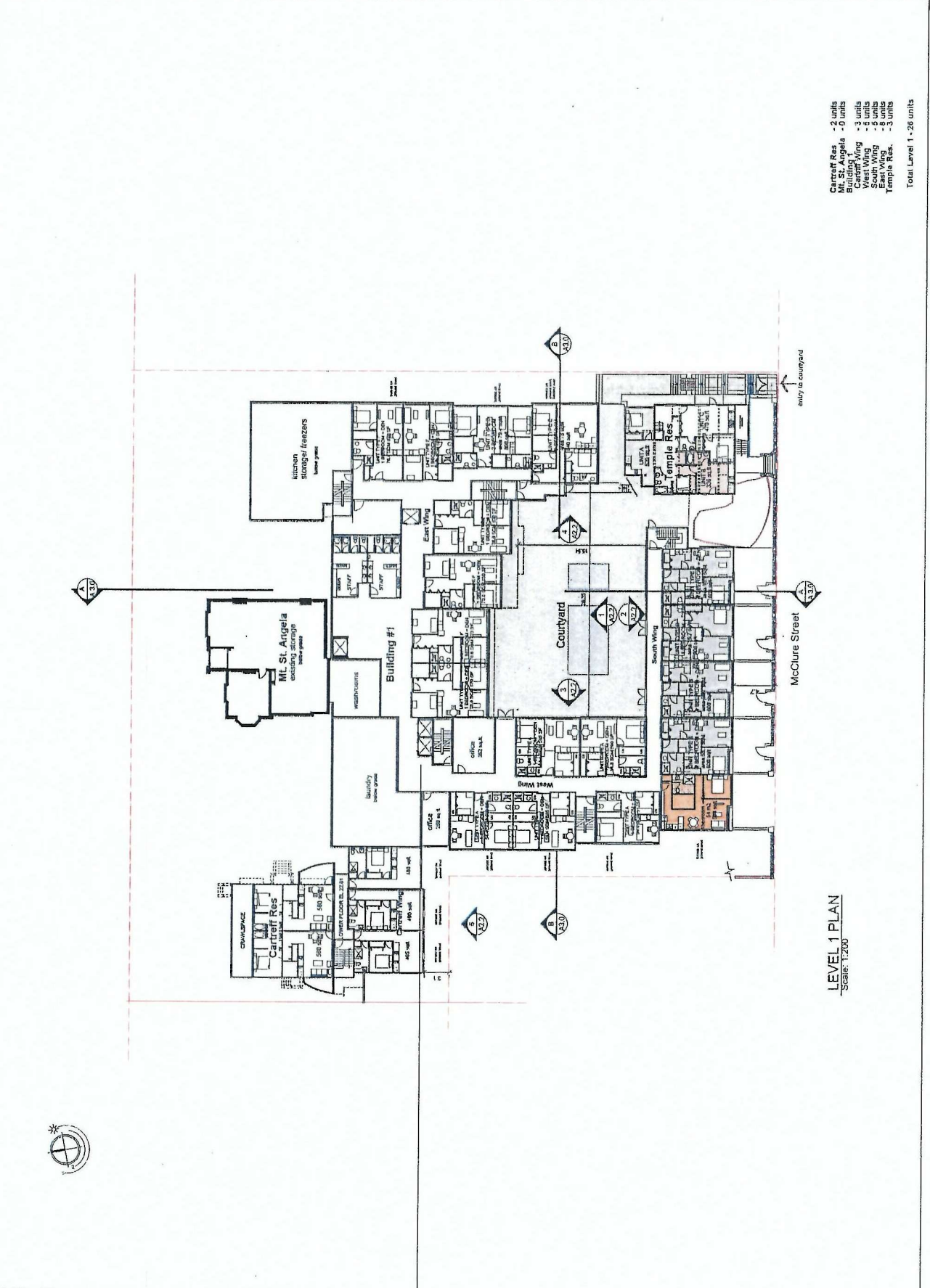
MOUNT ST. ANGELA

SHEET

LEVEL 1 PLAN

SCALE	AS NOTED	DATE	11/24/14
DATE	11/24/14	DATE	11/24/14
DATE	11/24/14	DATE	11/24/14
DATE	11/24/14	DATE	11/24/14

A1.2



PROJECT
Mount St Angela
 913-929 Burdett Ave.
 Victoria B.C.

CLIENT
 MI Ventures
 &
 Norwood Group

ARCHITECT - CRP

key
 architectura ltd
 253 313 7077 / 524 McCrellie St
 253 313 7077

CONSULTANT
Arcata
 253 313 7077 / 524 McCrellie St
 253 313 7077

COMMENTS	
1.	NOT RECOMMENDING SUBSTITUTION
2.	NOT RECOMMENDING SUBSTITUTION
3.	NOT RECOMMENDING SUBSTITUTION
4.	NOT RECOMMENDING SUBSTITUTION
5.	NOT RECOMMENDING SUBSTITUTION
6.	NOT RECOMMENDING SUBSTITUTION
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8.	NOT RECOMMENDING SUBSTITUTION

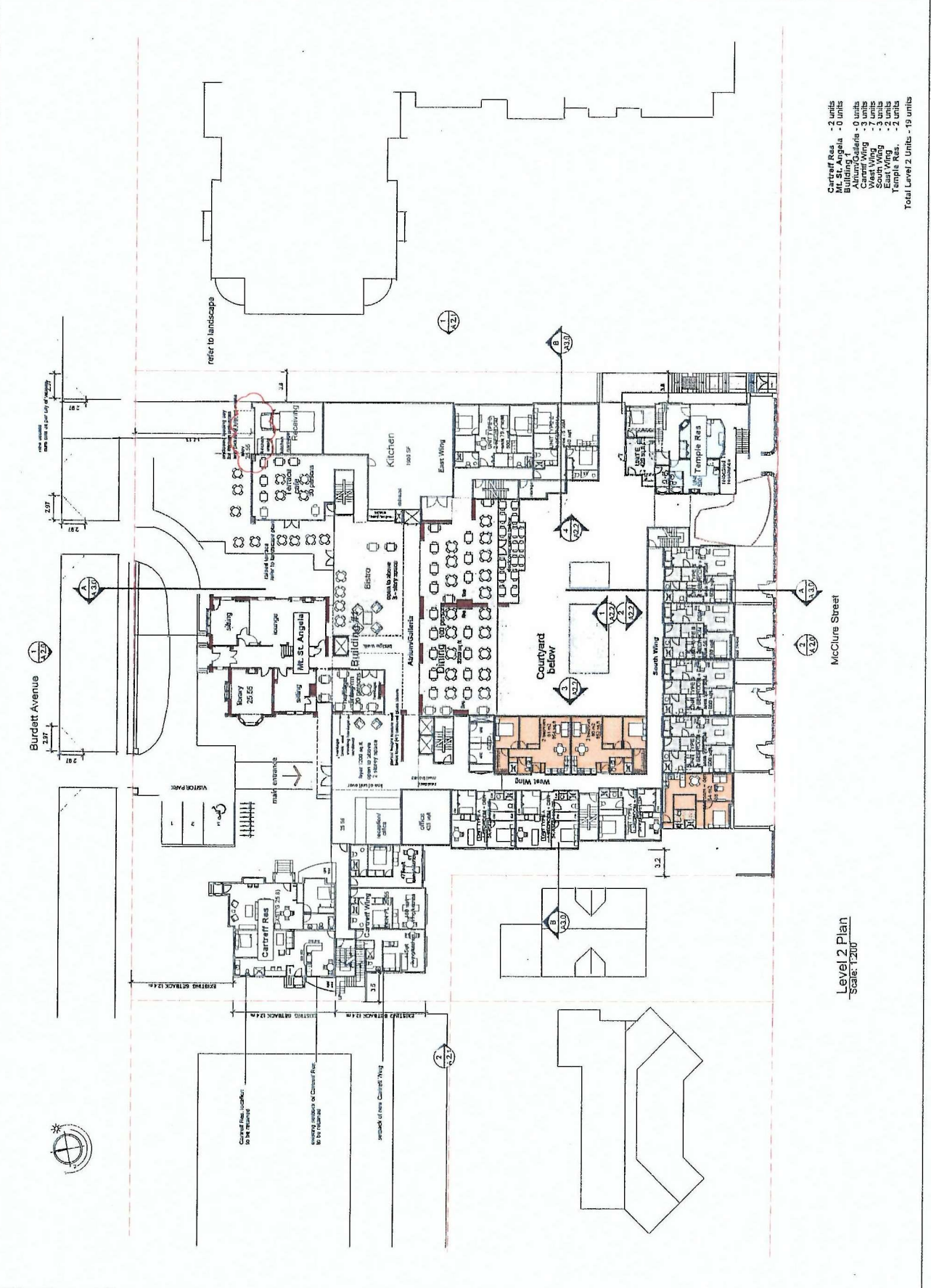
MOUNT ST. ANGELA
 Senior Living. Redefined.

LEVEL 2 PLAN

SCALE
 AS NOTED
 1:1250 - 1:1410

DATE
 Dec 27 2019

DRAWN BY
 A1.3



Carrieff Res - 2 units
 Mt. St. Angela - 0 units
 Temple Res - 0 units
 Carrieff Res - 0 units
 Carrieff Res - 3 units
 Carrieff Res - 7 units
 Carrieff Res - 2 units
 Carrieff Res - 2 units
 Total Level 2 Units - 19 units

Level 2 Plan
 Scale: 1:200

PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures & Norwood Group

ARCHITECT - CRP

key architecture ltd

architects

250-1137 707 593 MOORE ST

2ND FLR VICTORIA B.C. V8M 1A1

CONSULTANT

Arcata

250-1137 707 593 MOORE ST

4TH FLR VICTORIA B.C. V8M 1A1

COMMENTS

1	REVISION	DATE	BY
1	REVISION	DATE	BY
2	REVISION	DATE	BY
3	REVISION	DATE	BY
4	REVISION	DATE	BY
5	REVISION	DATE	BY
6	REVISION	DATE	BY
7	REVISION	DATE	BY
8	REVISION	DATE	BY

Senior Living, Redefined.

MOUNT ST. ANGELA

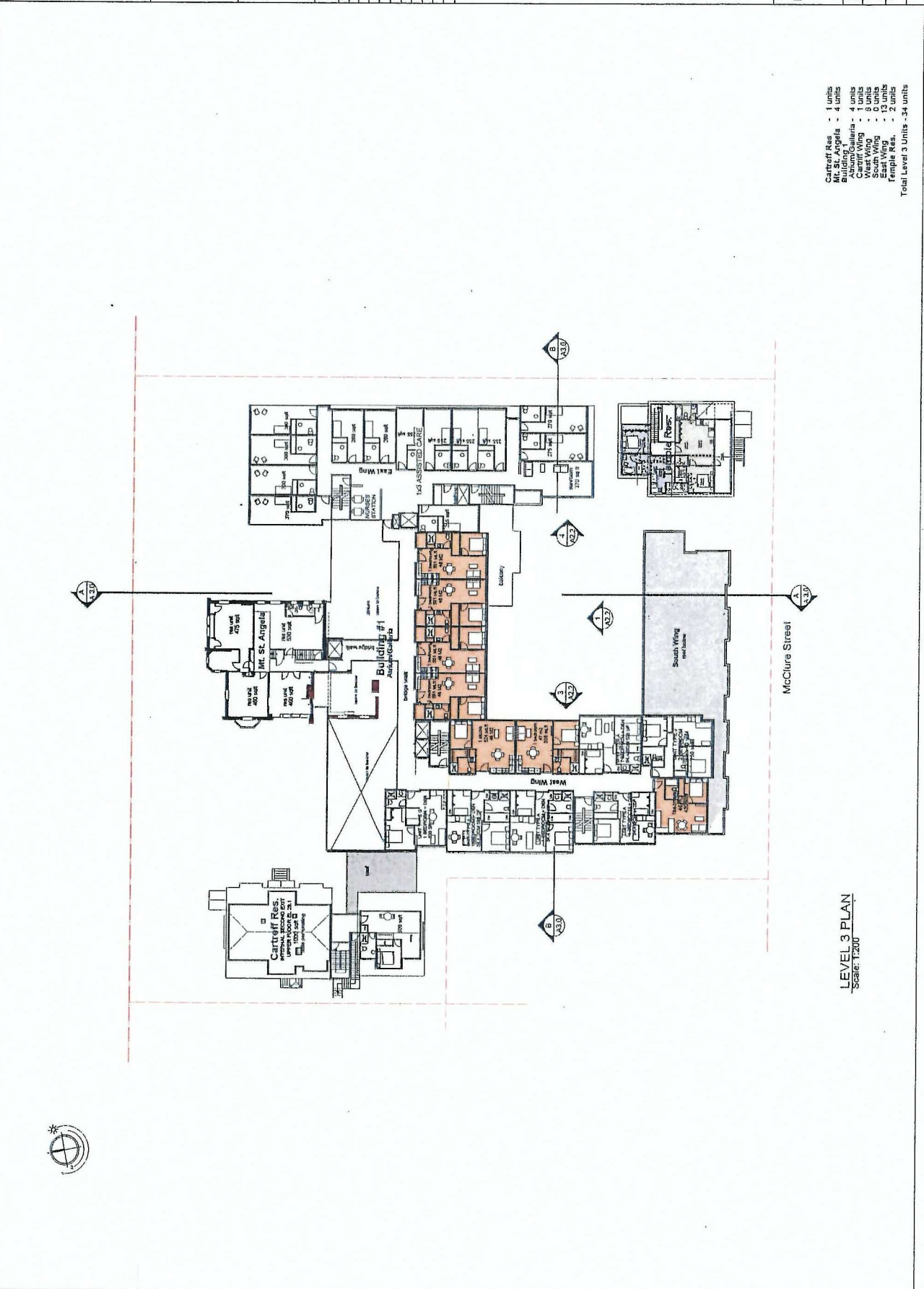
LEVEL 3 PLAN

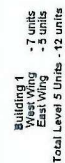
Scale: 1/8" = 1'-0"

DATE: 07/2019

PROJECT: 11524 - 1410

ARCHITECT: A1.4





LEVEL 5 PLAN
Scale: 1:200

PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures & Norwood Group

ARCHITECT - CRP

keay architects ltd

2531 707 1521 Mount St

2500 250 1521

2500 250 1521

CONSULTANT

Arcata

2531 707 1521 Mount St

2500 250 1521

2500 250 1521

COMMENTS

1. NEW FLOORING SUBMISSION
2. NEW FLOOR FLOORING SUBMISSION
3. NEW FLOOR FLOORING SUBMISSION
4. NEW FLOOR FLOORING SUBMISSION
5. NEW FLOOR FLOORING SUBMISSION
6. NEW FLOOR FLOORING SUBMISSION
7. NEW FLOOR FLOORING SUBMISSION
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9. NEW FLOOR FLOORING SUBMISSION

MOUNT ST. ANGELA

Senior Living. Redefined.

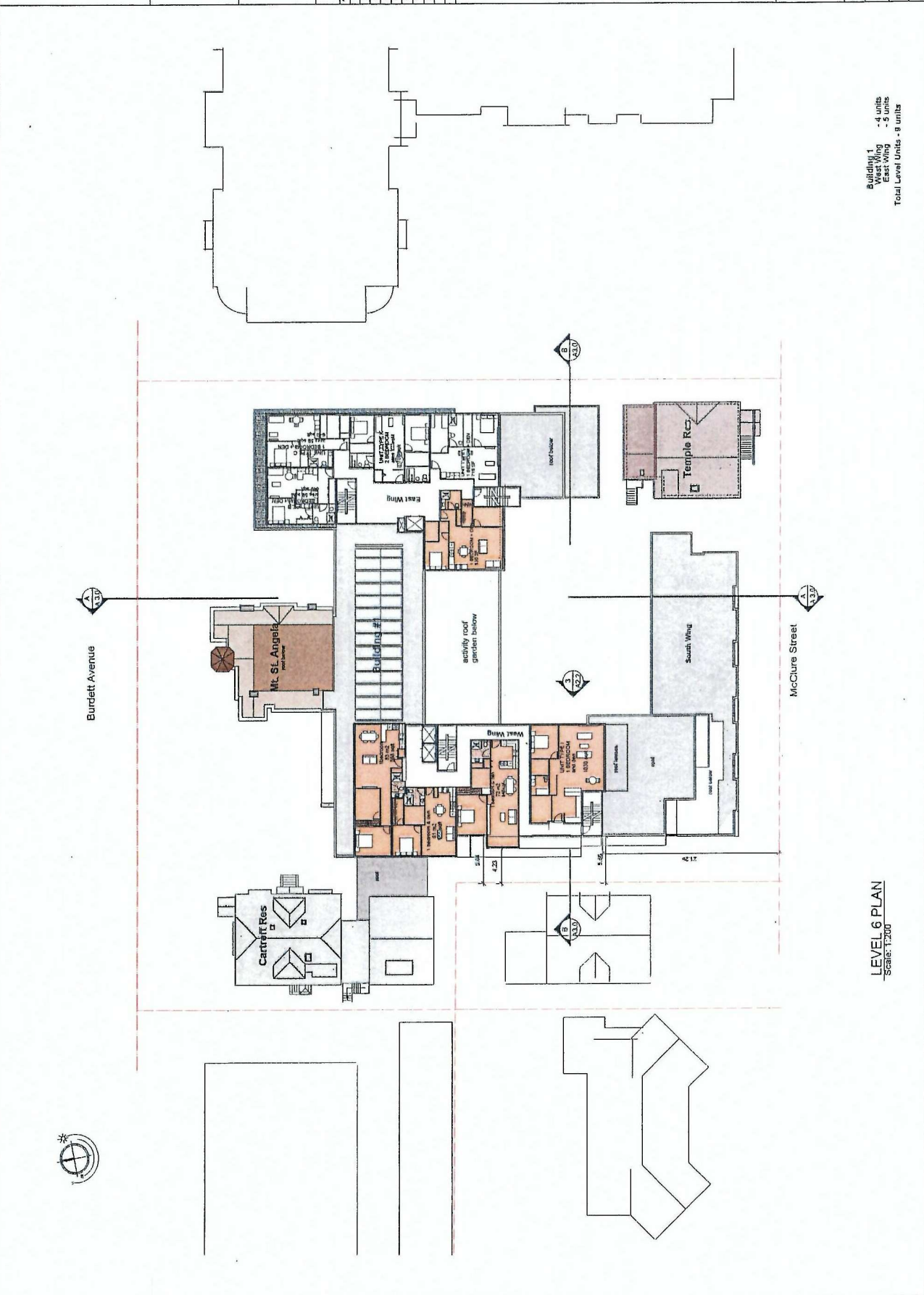
LEVEL 6 PLAN

SCALE: 1/8" = 1'-0"

DATE: 11/24/2019

PROJECT: 11/24/2019

PROJECT: 11/24/2019



PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures
&
Norwood Group

ARCHITECT - CRP

key architecture ltd

200-1111 10th Street, Suite 100, Victoria, BC V8W 2E1

250-413-1207 / 554-1606

www.keyarchitect.com

CONSULTANT

Arcata

250-413-1207 / 554-1606

www.arcata.ca

COMMENTS

#	REVISION	DATE	BY
1	1.0177 REVISION SUBMISSION	07/20/2019	MM
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7	1.0177 REVISION SUBMISSION	07/20/2019	MM
8	1.0177 REVISION SUBMISSION	07/20/2019	MM

Senior Living. Redefined.

MOUNT ST. ANGELA

SCALE

AS NOTED

DATE

07/20/2019

PROJECT

Mount St Angela

SCALE

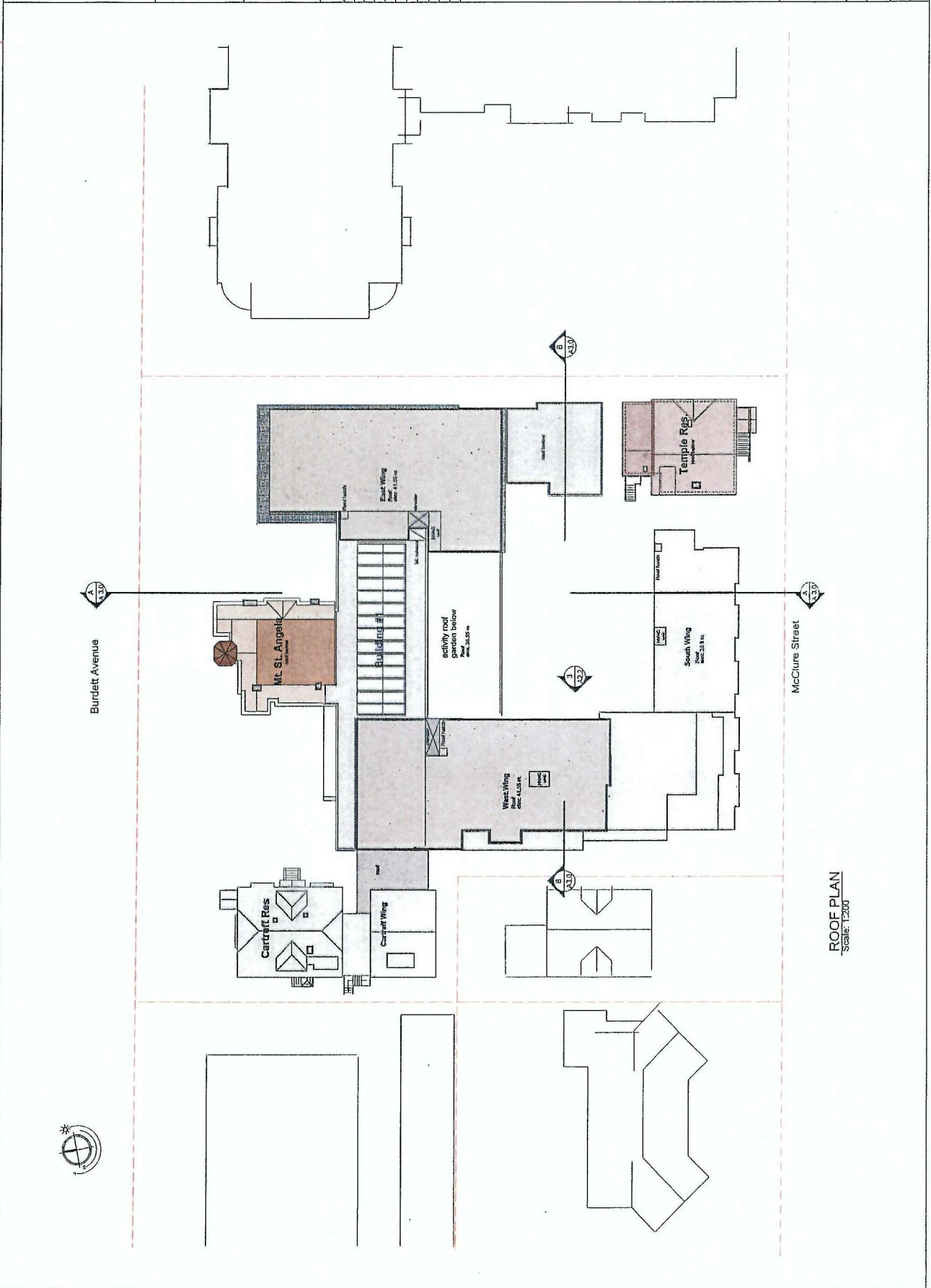
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DATE

11/24/2019

PROJECT

Mount St Angela



PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures & Norwood Group

ARCHITECT - GRP

key

monitors ltd

3400 16th Ave S, Suite 100, Calgary, Alberta T2C 1A1, Canada

403-243-1627

www.monitors.ca

CONSULTANT

Arcata

1000 10th Ave S, Suite 100, Calgary, Alberta T2C 1A1, Canada

403-243-1627

www.arcata.ca

COMMENTS

1. PREPARED FOR SUBMISSION

2. PREPARED FOR SUBMISSION

3. PREPARED FOR SUBMISSION

4. PREPARED FOR SUBMISSION

5. PREPARED FOR SUBMISSION

6. PREPARED FOR SUBMISSION

7. PREPARED FOR SUBMISSION

8. PREPARED FOR SUBMISSION

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MOUNT ST. ANGELA

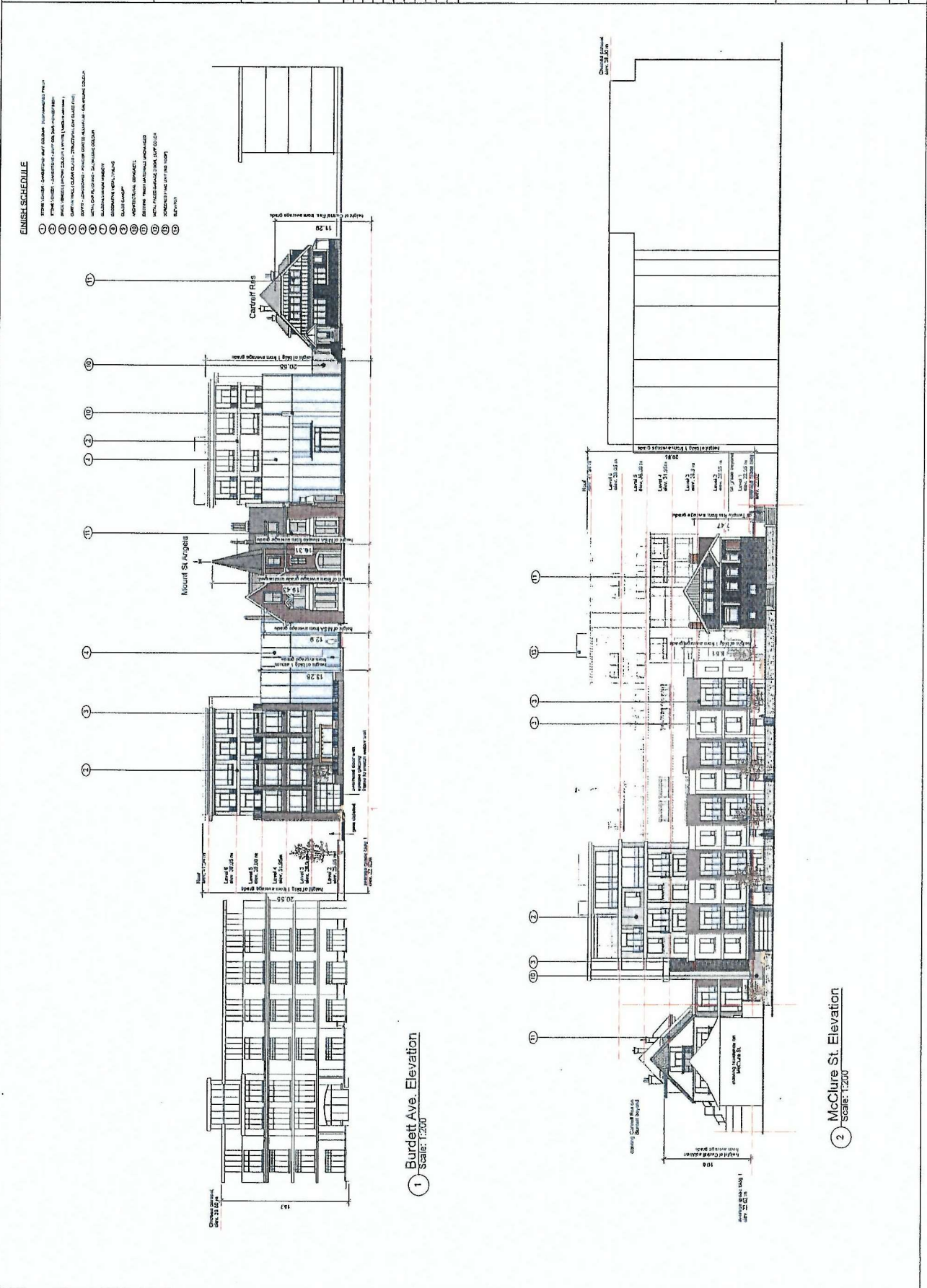
ELEVATIONS

SCALE: 1/8" = 1'-0"

DATE: 11/24/2010

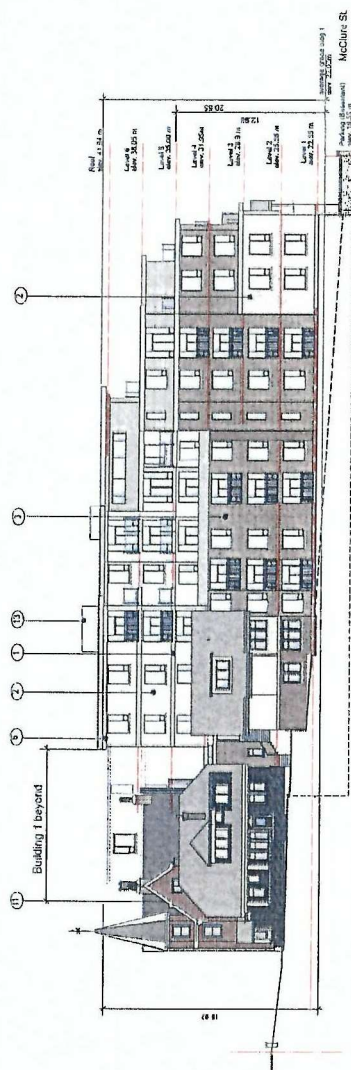
PROJECT: 11/24/2010

SCALE: A2.0



[illegible]

① East Elevation
Scale: 1/200



2 West Elevation
Scale: 1:200

Senior Living, Redefined.

Paul Allen

SOUL	408 PLS.	A2.1
AS NOTED	1124 - 1430	
GATE PLANTED		
CO. 07 2019		
DIARY		

PROJECT
Mount St Angela
 913-929 Burdett Ave.
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 &
 Norwood Group

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key
 CONSULTANT
Arcata
 CONSULTANT

NO.	REVISION	DATE	BY
1	PRELIMINARY SUBMISSION	2019.09.01	
2	RELIANT / REVISIONS SUBMISSION	2019.09.01	
3	RELIANT / REVISIONS SUBMISSION	2019.09.01	
4	RELIANT / REVISIONS SUBMISSION	2019.09.01	
5	RELIANT / REVISIONS SUBMISSION	2019.09.01	
6	RELIANT / REVISIONS SUBMISSION	2019.09.01	
7	RELIANT / REVISIONS SUBMISSION	2019.09.01	
8	RELIANT / REVISIONS SUBMISSION	2019.09.01	
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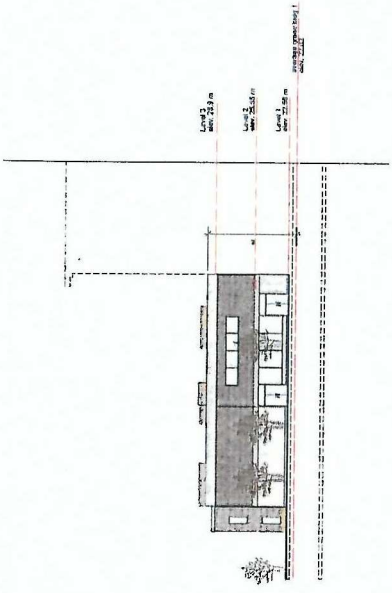
MOUNT ST. ANGELA
 Senior Living. Redefined.

SHEET TITLE
ELEVATIONS

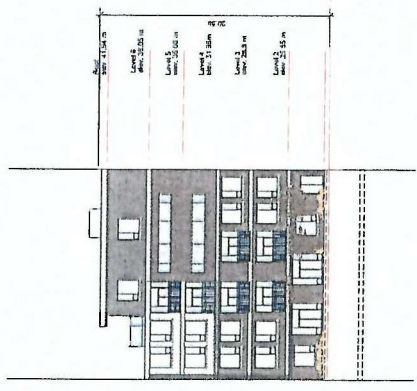
PROJECT NO.	11124 - 11110
SHEET NO.	11124 - 11110
DATE OF SHEET	2019.09.01
SCALE	A2.2



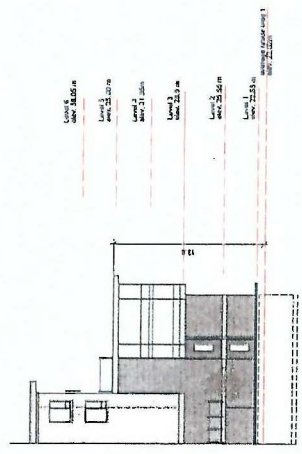
① Courtyard North Elevation
 Scale: 1:200



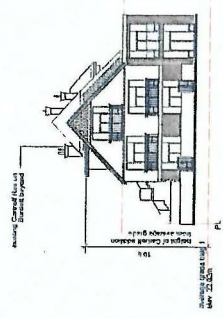
② Courtyard South Elevation
 Scale: 1:200



③ Courtyard West Elevation
 Scale: 1:200



④ Courtyard East Elevation
 Scale: 1:200



⑤ Cartreff Addition McClure Elevation
 Scale: 1:200

PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

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ARCHITECT - CRP

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architectura ltd

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keay@keayarch.ca

CONSULTANT

Arcata

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arcata@keayarch.ca

COMMENTS

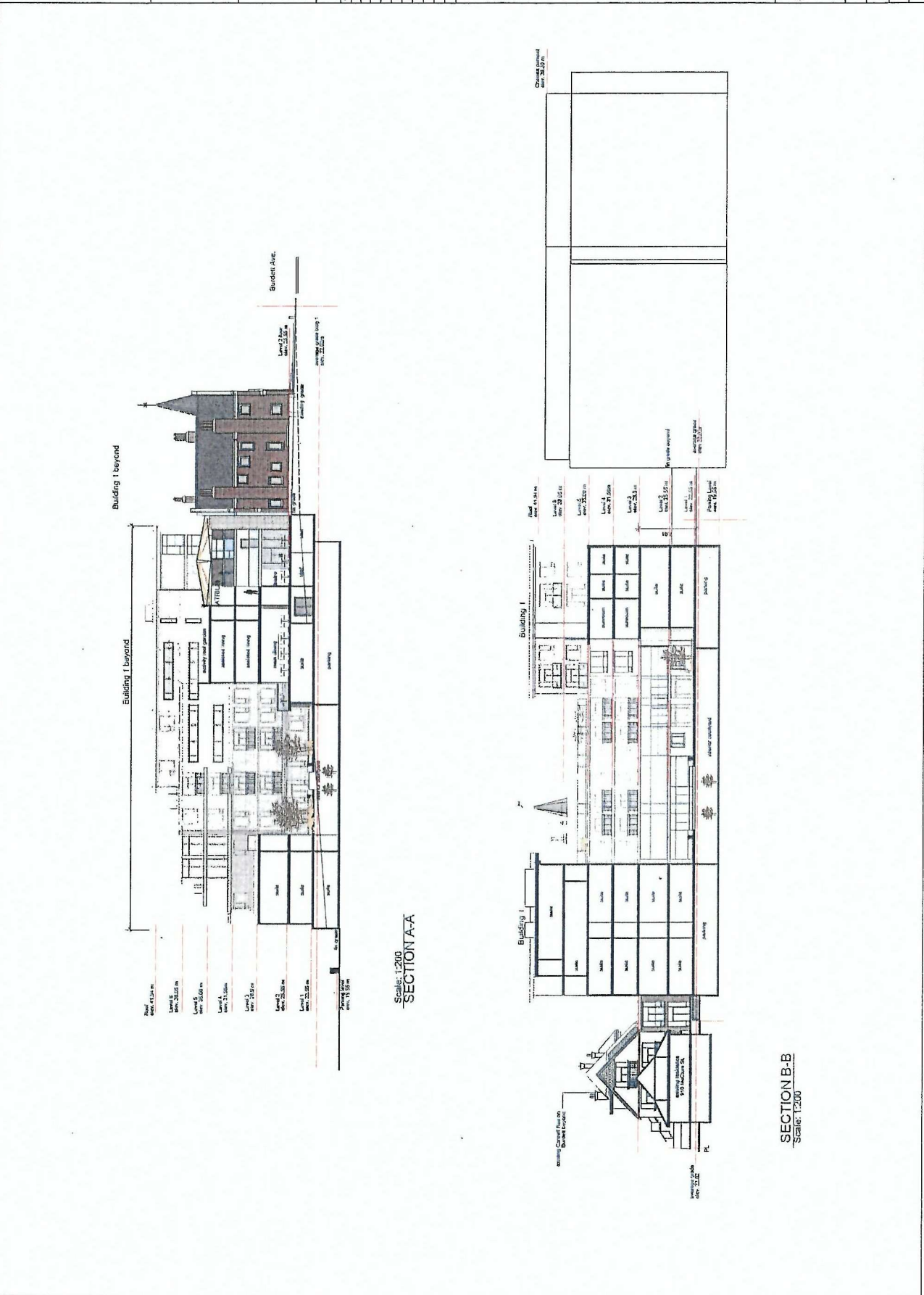
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4.	RECOMMEND REVISION SUBMISSION	See sheet
5.	RECOMMEND REVISION SUBMISSION	See sheet
6.	RECOMMEND REVISION SUBMISSION	See sheet
7.	RECOMMEND REVISION SUBMISSION	See sheet
8.	RECOMMEND REVISION SUBMISSION	See sheet
9.	RECOMMEND REVISION SUBMISSION	See sheet
10.	RECOMMEND REVISION SUBMISSION	See sheet

SECTION A-A

Scale: 1:200

SECTION B-B

Scale: 1:200



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keay@keayarch.ca

CONSULTANT

Arcata

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arcata@keayarch.ca

COMMENTS

1.	NOT RECOMMEND SUBMISSION	See sheet
2.	RECOMMEND REVISION SUBMISSION	See sheet
3.	RECOMMEND REVISION SUBMISSION	See sheet
4.	RECOMMEND REVISION SUBMISSION	See sheet
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8.	RECOMMEND REVISION SUBMISSION	See sheet
9.	RECOMMEND REVISION SUBMISSION	See sheet
10.	RECOMMEND REVISION SUBMISSION	See sheet

SECTION A-A

Scale: 1:200

SECTION B-B

Scale: 1:200

PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures & Norwood Group

ARCHITECT - CRP

keay

STRUCTURE LTD.

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Fax: 780.441.1112

CONSULTANT

Arcata

11111 150th Ave. E. Unit 100

Edmonton, Alberta T6C 1B4

Phone: 780.441.1111

Fax: 780.441.1112

COMMENTS

1. 1st FLOOR PLAN SUBMISSION

2. 1st FLOOR PLAN SUBMISSION

3. 1st FLOOR PLAN SUBMISSION

4. 1st FLOOR PLAN SUBMISSION

5. 1st FLOOR PLAN SUBMISSION

6. 1st FLOOR PLAN SUBMISSION

7. 1st FLOOR PLAN SUBMISSION

8. 1st FLOOR PLAN SUBMISSION

9. 1st FLOOR PLAN SUBMISSION

10. 1st FLOOR PLAN SUBMISSION

Senior Living. Redefined.

MOUNT ST. ANGELA

SHADOW STUDY

DATE: 11/15/10

TIME: 11:00 - 1:00

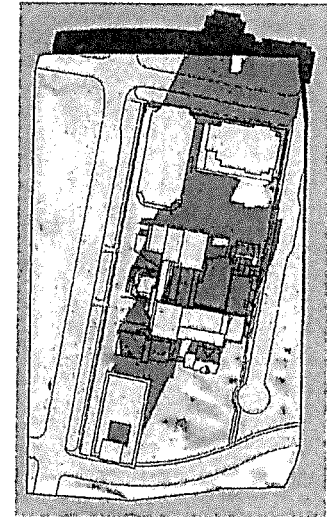
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TIME: 11:00 - 1:00

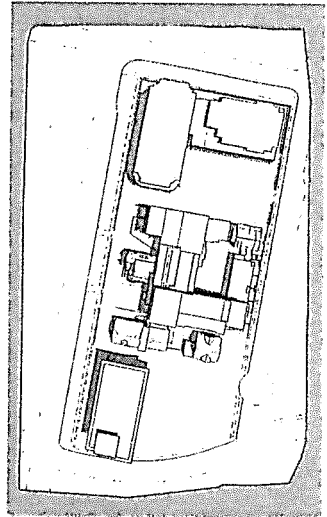
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TIME: 11:00 - 1:00

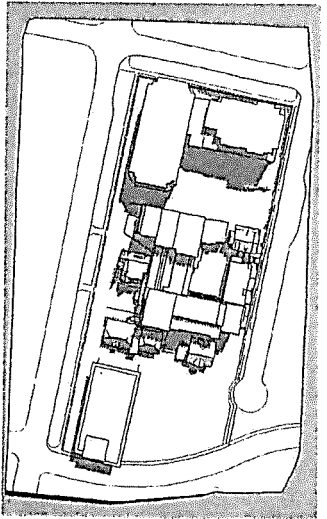
A 7.0



Evening

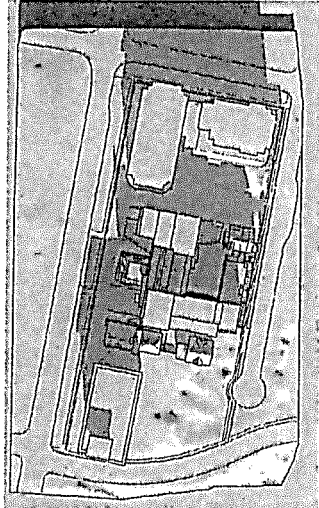


Noon

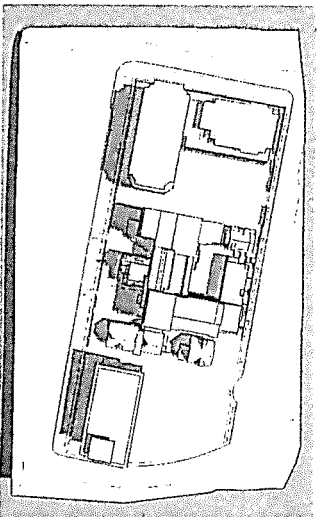


Morning

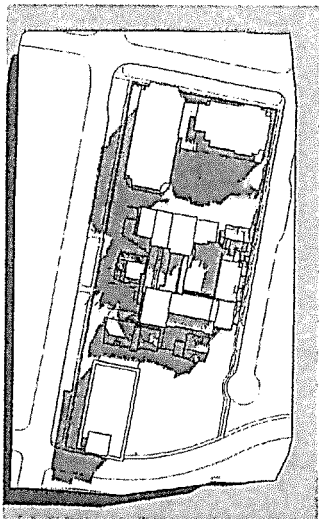
Summer Solstice



Evening

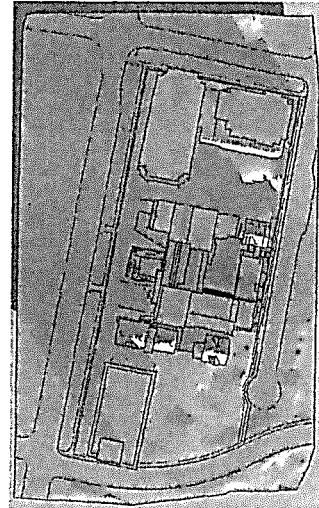


Noon

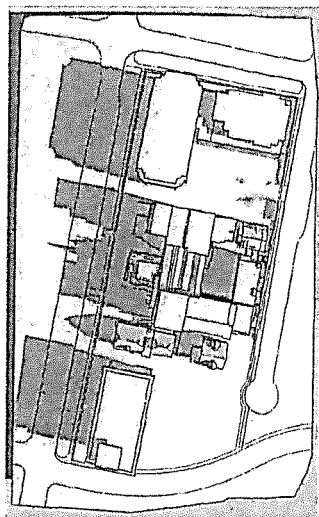


Morning

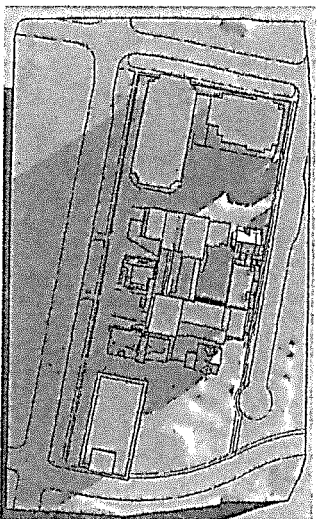
Equinox



Evening



Noon



Morning

Winter Solstice

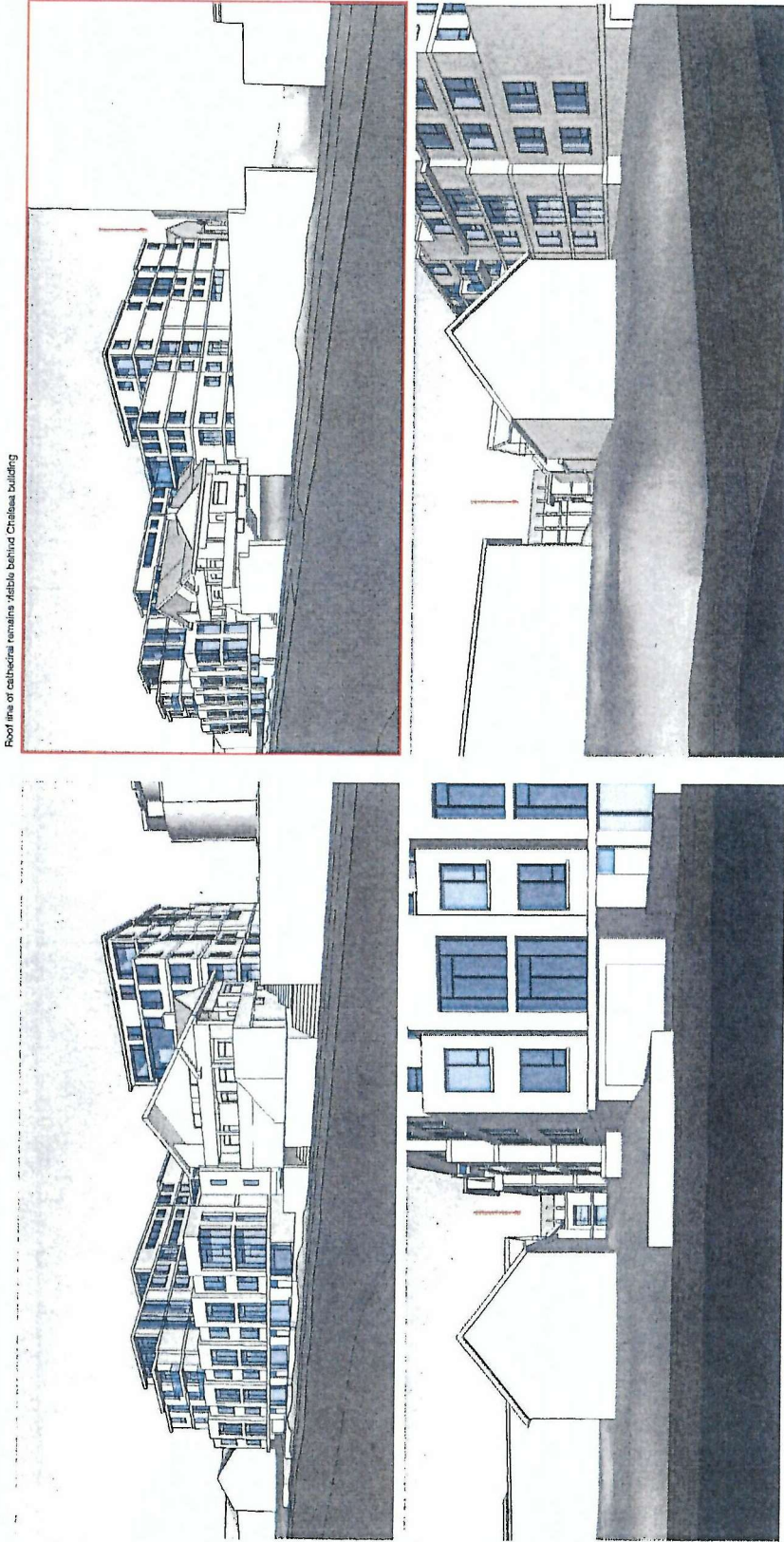


Current Conditions: McClure St. views looking north toward Christ Church Cathedral.
(Photos taken from the south sidewalk on McClure St.)

Limited view of cathedral tower behind existing residence

Limited view of cathedral tower through trees during fall season

Roof line of cathedral visible behind Chelsea building during fall season



Roof line of cathedral remains visible during fall season

New Conditions: Views of Christ Church Cathedral will be maintained

PROJECT
Mount St Angela
913-929 Burdett Ave.
Victoria B.C.

CLIENT
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&
Norwood Group

ARCHITECT - CRP

key
keay
3140 11th Street
Victoria B.C. V8T 2G2
416 251 1111
www.keay.ca

CONSULTANT
Arcata
3140 11th Street
Victoria B.C. V8T 2G2
416 251 1111
www.arcata.ca

NO.	REVISION	DATE
1	1. AMF PRELIMINARY SUBMISSION	2014-01-14
2	2. PRELIMINARY SUBMISSION	2014-01-14
3	3. PRELIMINARY SUBMISSION	2014-01-14
4	4. PRELIMINARY SUBMISSION	2014-01-14
5	5. PRELIMINARY SUBMISSION	2014-01-14
6	6. PRELIMINARY SUBMISSION	2014-01-14
7	7. PRELIMINARY SUBMISSION	2014-01-14
8	8. PRELIMINARY SUBMISSION	2014-01-14
9	9. PRELIMINARY SUBMISSION	2014-01-14
10	10. PRELIMINARY SUBMISSION	2014-01-14

MOUNT ST. ANGELA
Senior Living. Redefined.

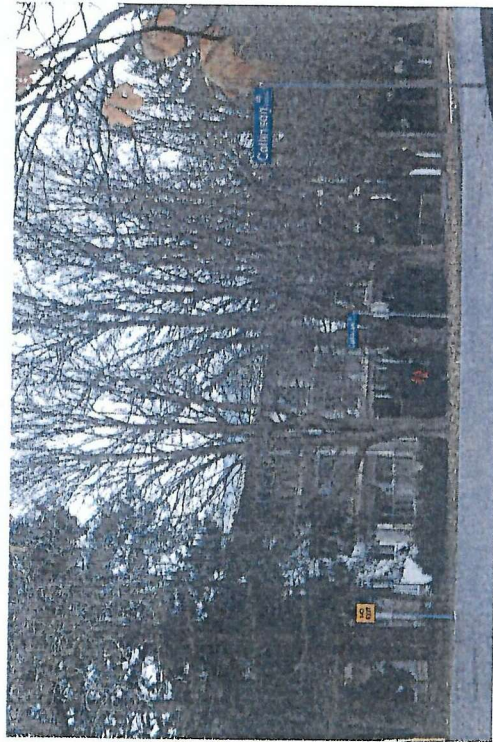
SHEET 14
Perspectives-Public views
of Christ Church Cathedral
from McClure St.

SCALE	1/8" = 1'-0"
DATE	11/24/14
DESIGNED BY	CRP
CHECKED BY	CRP
DATE	11/24/14

A 7.3



View at the corner of Sutlej St. and Vancouver St. looking north toward Christ Church Cathedral during fall season. Proposed project does not impinge on current view.



View at the corner of Collinson St. and Vancouver St. looking north toward Christ Church Cathedral during fall season. Roof and tower are visible here. The roof line of the proposed project does not impinge on current view.



View at the corner of Humboldt St. and Vancouver St. looking north toward Christ Church Cathedral, no view from this location.



View at the corner of Quadra St. and Burdett Ave. looking south toward proposed project during fall season.



PROJECT Mount St Angela 913-929 Burdett Ave. Victoria B.C.		CLIENT MI Ventures & Norwood Group		ARCHITECT - CRP	
key architectura ltd 240 WEST 10TH STREET, SUITE 100 VANCOUVER, BC V6E 2R4 TEL: 604-681-1111 FAX: 604-681-1112 WWW.ARCATA.COM		CONSULTANT Arcata 1000 WEST 10TH STREET, SUITE 100 VANCOUVER, BC V6E 2R4 TEL: 604-681-1111 FAX: 604-681-1112 WWW.ARCATA.COM		COMMENTS	
MOUNT ST. ANGELA Senior Living. Redefined.					
Perspectives-Public views of Christ Church Cathedral					
DATE: 11/14/14 DRAWN BY: 11/14/14 CHECKED BY: 11/14/14 DATE: 11/14/14 DRAWN BY: 11/14/14		DATE: 11/14/14 DRAWN BY: 11/14/14		DATE: 11/14/14 DRAWN BY: 11/14/14	
A 7.4					



View along Burdett Ave.

PROJECT Mount St Angela 913-929 Burdett Ave. Victoria B.C.		CLIENT MI Ventures & Norwood Group		ARCHITECT - CRP	
keay architecture ltd 204-1111, 1410 Tenth Avenue, Suite 100 Vancouver, BC V6E 1C1		CONSULTANT Arcata 2250 West 10th Avenue 4th Floor Vancouver, BC V6H 1A1			
COMMENTS					
NO.	DESCRIPTION	DATE	BY	TO	
1.	1.01 PRELIMINARY SUBMISSION	2016-01-20	MM	MM	
2.	2.01 PRELIMINARY SUBMISSION	2016-01-20	MM	MM	
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SHEET NO.					
SCALE					
AS NOTED					
DATE					
11/21/14					
A 7.6					

PROJECT

Mount St Angela
913-929 Burdett Ave.
Victoria B.C.

CLIENT

MI Ventures
&
Norwood Group

ARCHITECT - CRP

keay

keay structures ltd
204-1111 GILBERT ST
VICTORIA BC V8M 1A1

CONSULTANT

Arcata
1000-1111 GILBERT ST
VICTORIA BC V8M 1A1

COMMENTS

#	REVISION	DATE	BY
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9.	9.000 PRELIMINARY SUBMISSION	2014-01-06	keay
10.	10.000 PRELIMINARY SUBMISSION	2014-01-06	keay

MOUNT ST. ANGELA
Senior Living. Redefined.

WEST FILE

Views

SCALE

1/8" = 1'-0"

1/16" = 1'-0"

DATE PLOTTED

06/12/2014

PROJECT

000000

A 7.10



Entrance Lobby

PROJECT

Mount St Angela
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CLIENT

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&
Norwood Group

ARCHITECT - CRP

key

architecture ltd
255-815-7201 / 524-1600
100-1111-1111

CONSULTANT

Arcata
255-815-7201 / 524-1600
100-1111-1111

COMMENTS

NO	REVISION	DATE	BY
1	1.001 ARCHITECTURE SUBMISSION	2017-01-10	ARCATA
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4	4.001 LAMP / MICROSCOPE SUBMISSION	2017-01-10	ARCATA
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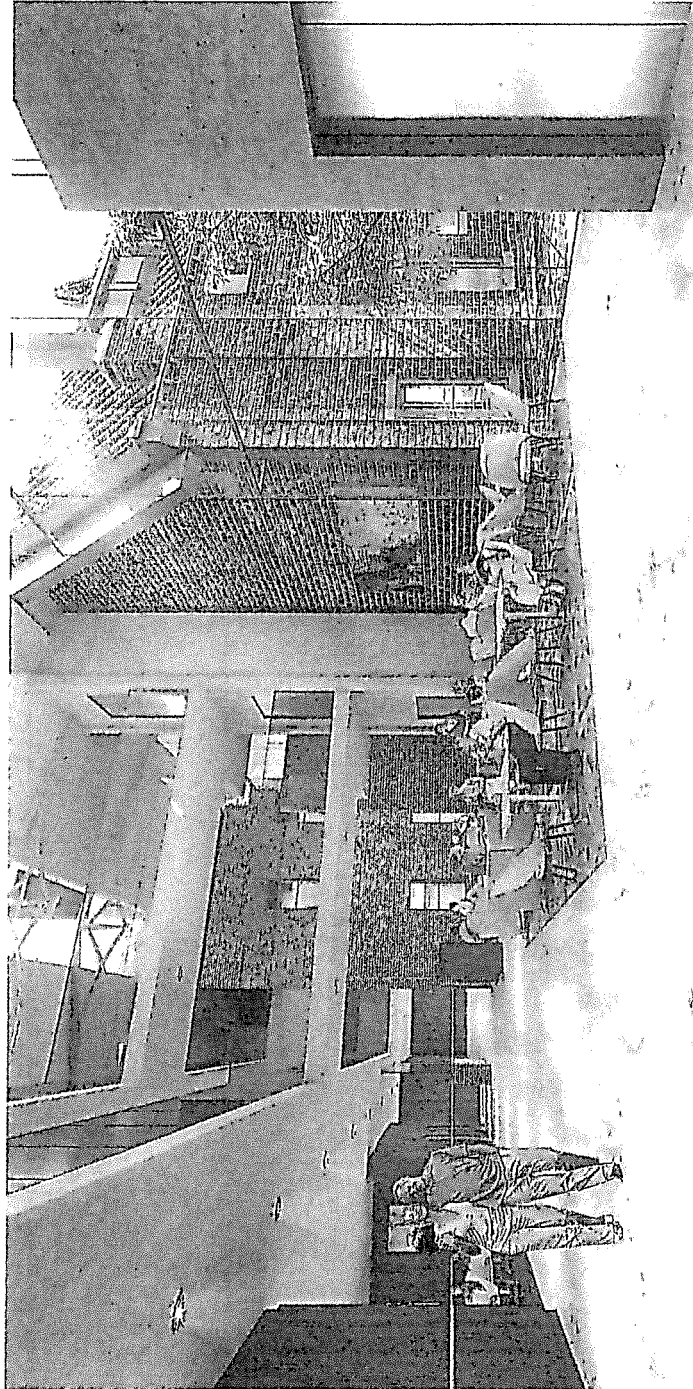
MOUNT ST. ANGELA
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Views

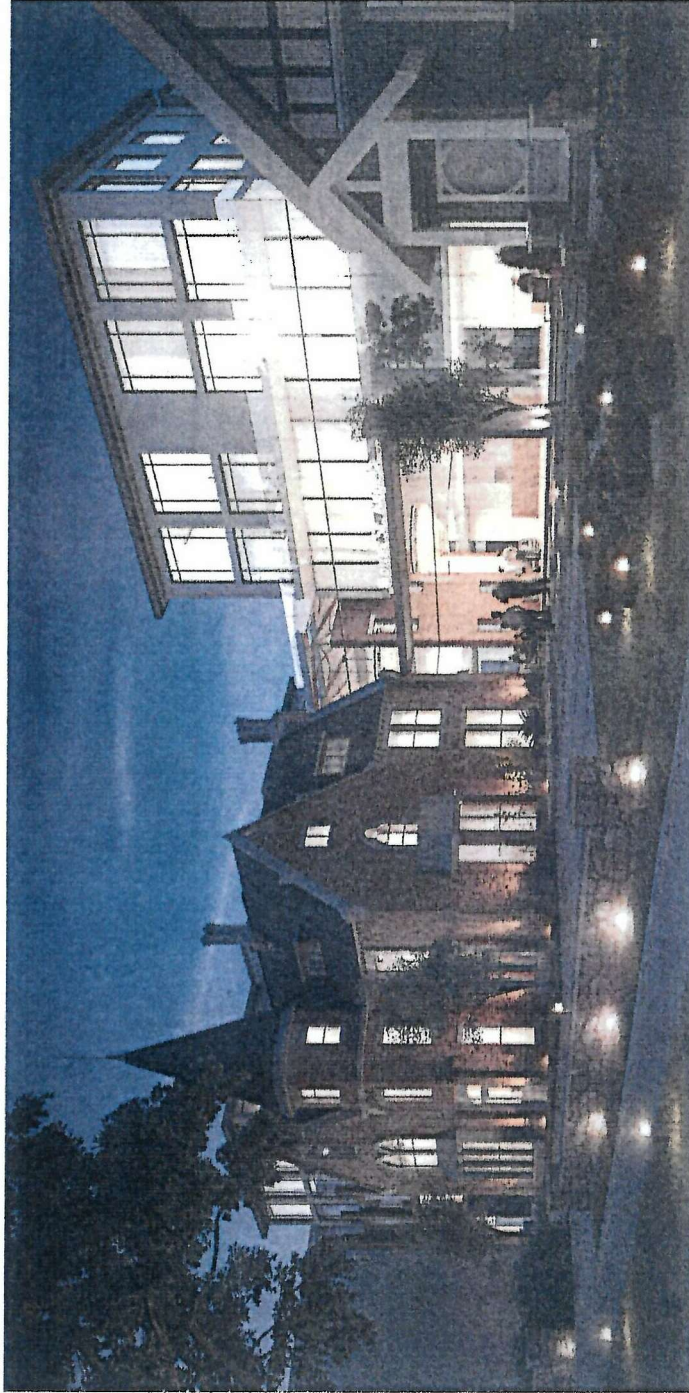
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DATE	11/24/17
DATE	11/24/17
DATE	11/24/17

A 7.11



Atrium View



Entrance at night

MOUNT ST. ANGELA

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NO.	REVISION	DATE	BY
1	1.000 PRELIMINARY SUBMISSION	08/13/10	MM
2	2.000 PRELIMINARY SUBMISSION	08/13/10	MM
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8	8.000 PRELIMINARY SUBMISSION	08/13/10	MM

COMMENTS

Arcata
255 415 7201 • 504 ARCHITECTS
475 211 8741 • 504 INTERIORS

CONSULTANT

key
architectural ltd

255 415 7201 • 504 ARCHITECTS
475 211 8741 • 504 INTERIORS

ARCHITECT - CRP

Norwood Group

&

MI Ventures

CLUB

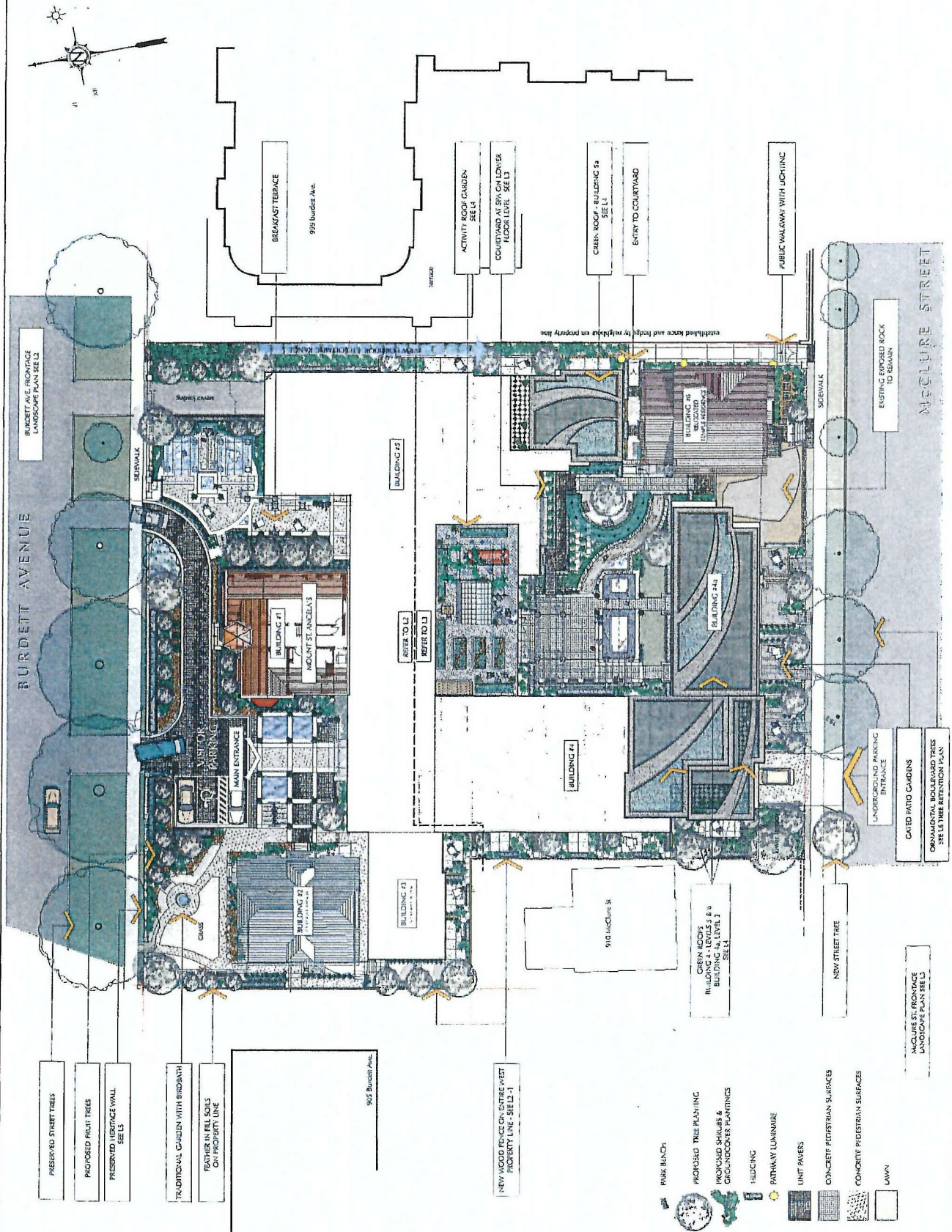
PROJECT

Mount St. Angela
913-929 Burdett Ave.
Victoria B.C.

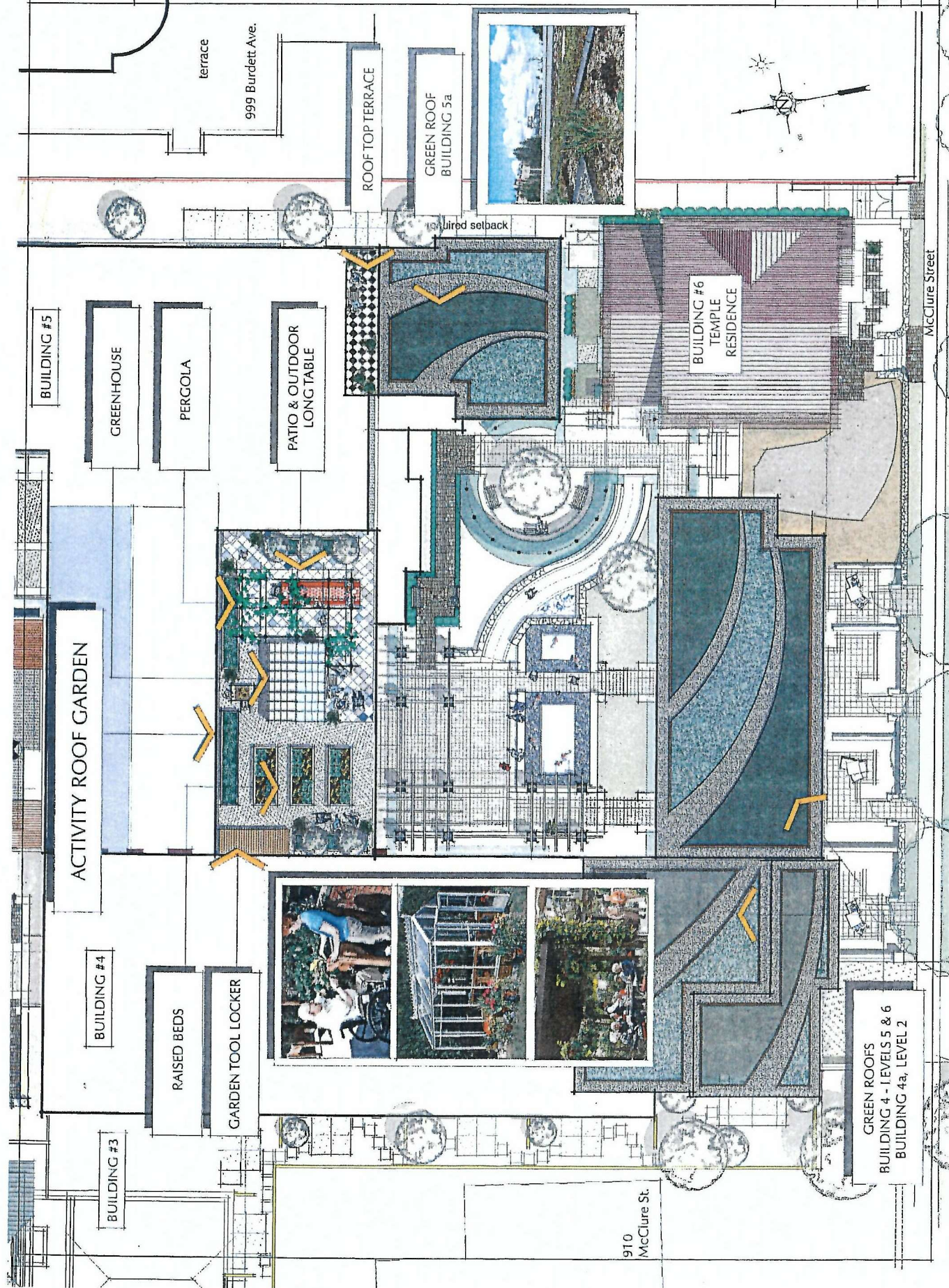
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DATE PLOTTED	11/24/11 11:10
DATE OF 2011	08/17/2011
DATE OF 2011	08/17/2011

A 7.12







ROBERT N. SMITH, PH.D.

NET TOTAL
TREE RETENTION /
REMOVAL PLAN

100	100
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14 JUL 68







97



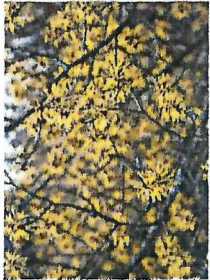



Polymerization (C) PVT & Serial A. Threaded | no change. Temperature was...



No. 5053

[illegible]

TREES		SHRUBS - MASSING	
	Flowering dogwood		Magnolia "Vulcan"
	Japanese maple		Hydrangea "Bluebird"
	Azalea		Hardy fuchsia

SHRUBS - SPECIMEN		PERENNIALS / GROUND COVERS	
	Red veined enkianthus		Hardy geranium
	Witch-hazel		Calla lily
	Mock orange blossom		Hosta

PLANT SCHEDULE INDICATES TYPICAL SPECIES, PLANT SIZES AND APPROXIMATE NUMBERS				
BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	COMMENTS
TREES				
ACER PALMATUM	JAPANESE MAPLES	#6 - #15 PER	50	SPRING / AUTUMN COLOUR
CORNUS KOURA "SATOMI"	PINK FL. DOGWOOD	40% CAL PER		FLOWERS
CORNUS BETULUS "PASTIGATA"	HORNBEAM	50% CAL PER		PL. EACHED
MAGNOLIA EVERGREEN & DECIDUOUS	MAGNOLIA	45% CAL PER		FLOWERS
STYRAX JAPONICA	BELL FLOWER TREE	50% CAL PER		FLOWERS
FRUIT TREES	"HERITAGE" VARIETIES	#5 - #10 PER	5	FRUIT / HERITAGE VALUE
BOULEVARD				
SPECIES AS REQUESTED BY CITY PARKS				
SHRUB PLANTING - TOTAL AREA 115.50M				
SPECIMEN SHRUBS 100% - 115.50M @ 3.33 / 50m = 35 shrubs				
ARBITUS UNICO "COMPACTA"	STRAWBERRY TREE	#5 - #15 PER	35	EVERGREEN / ORNAMENTAL
AZALEA VARIETIES	AZALEAS	DECIDUOUS & EVERGREEN		EVERGREEN / ORNAMENTAL
ENKIANTHUS CAMPANULATUS	ENKIANTHUS			SPRING COLOUR
HYDRANGEA VARIETIES	HYDRANGEAS			FLOWERS
PHILADELPHUS "BELLE ETOLIE"	MOCK ORANGE BLOSSOM			SPRING FLS / FRAGRANCE
RHODODENDRON SPP	RHODO VARIETIES			FLOWERS
VIBURNUM X BODNANTENSE "DAWN"	WINTER FL. VIBURNUM			SPRING COLOUR / EVERGREEN
MASSING SHRUBS 150% - 376.50M @ 1.5 / 50m = 864 plants				
AZALEA	EVERGREEN AZALEA	#1.200	864	COLOR
HYDRANGEA	HYDRANGEAS			PROUDLY RESISTANT
ENKIANTHUS	ENKIANTHUS			PROUDLY RESISTANT
LONGICORA "FALGAY"	LONGICORA			PROUDLY RESISTANT
ROSA VARIETIES	ROSA ROSES			COLOR / FRAGRANCE
SARCOCODON RUSCIFOLIA	FRAGRANT WINTER BOX			FRAGRANCE / PROUDLY RESISTANT

PLANT SCHEDULE INDICATES TYPICAL SPECIES, PLANT SIZES AND APPROXIMATE NUMBERS				
BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	COMMENTS
PERENNIALS / GROUND COVERS				
ARCTOSTAPHYLOS UVA URSI	ARCTOSTAPHYLOS UVA URSI	40% x 40% x 11.5m = 1323 plants	1323	NATIVE SPP
GERANIUM MACROPHYLLUM	GERANIUM	PLANTAIN LILY		PROUDLY RESISTANT
HOSTA VARIETIES	HOSTA			FLOWERS
IGULARIA DENATA	IGULARIA			FLOWERS
LOST COUNTESS MANICURE	LOST COUNTESS			NATIVE SPP
ZANTHOXARIS ARMATA	CALLA LILY			FLOWERS / FOLIAGE
GREEN ROSE 300 50 M				
SEEDING MAT TO COVER 330 50 M & PLANT PLUGS				
ALUMINUM CERNUM	ALUMINUM CERNUM	10cm POTS	100	EVERGREEN
CALLA LILY	CALLA LILY	10cm		NATIVE BULB
GERANIUM MACROPHYLLUM	GERANIUM	10cm		FLOWERS
HELIOTROPIS TEMPERARIENS	HELIOTROPIS	10cm		FLOWERS
KNIPHOFIA BORDER BAILLET	KNIPHOFIA	10cm		PROUDLY TOLERANT
LAURUS	LAURUS	10cm		BIRD ATTRACTOR
LEUCODENDRON	LEUCODENDRON	10cm		PROUDLY TOLERANT
PERENNIALS LOGGERS COVER 140% - 40% - 40%	PERENNIALS LOGGERS COVER 140% - 40% - 40%	10cm		PROUDLY TOLERANT
SEDUM SPECTABILE "AUTUMN JOY"	SEDUM SPECTABILE	10cm		PROUDLY TOLERANT
STIPA TENUISSIMA	MEXICAN FEATHER GRASS	10cm		AUTUMN INTEREST

PLANT SCHEDULES & EXAMPLES	
1. PLANT SCHEDULES PROPOSED PLANT SPECIES, SPACING, SIZE AND NUMBERS ARE A GUIDE TO THE PLANTING CONCEPT AND CHARACTER. THIS INFORMATION WILL BE CONFIRMED AT BUILDING PERMIT APPLICATION STAGE WHEN DETAILED PLANTING PLANS WILL BE PROVIDED.	
2. LANDSCAPE STANDARDS SOFT LANDSCAPE WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF THE LATEST BC LANDSCAPE STANDARD. SOFT LANDSCAPE WORKS SHALL BE IRRIGATED WITH AN AUTOMATED LOW VOLUME UNDERGROUND IRRIGATION SYSTEM IN ACCORDANCE WITH APPLICABLE PLUMBING REGULATIONS AND INSTALLED TO THE STANDARDS OF THE IRRIGATION INDUSTRY ASSOCIATION OF BC AND TO THE STANDARDS OF THE CITY OF VICTORIA.	

124 Fort Street Victoria, BC Canada V8W 3G9
email: jany@keayarchitecture.ca
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SMALL & ROSS
LANDSCAPE ARCHITECTS INC
1017 moner road, north, b.c. v8v 0c9
tel: 250 642 6967
www.smallandross.com

KEAY & CECOCO
ARCHITECTURE LTD.

MOUNT ST. ANGELA

17

<p>KEAY ARCHITECTURE LTD.</p> <p>1124 Port Street Victoria, BC Canada V8V 2K6</p> <p>Office 250 582 0413</p> <p>Cell 250 582 0413</p>	<p>SMALL & ROSS</p> <p>LANDSCAPE ARCHITECTS INC.</p> <p>1017 10th Street, Suite 100, Victoria, BC V8W 2G6</p> <p>250-642-6967</p> <p>www.smallandross.com</p>	<p>MOUNT ST. ANGELA</p>	<p>PLANT SCHEDULES & EXAMPLES</p>	<p>L7</p>
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PROJECT

Mount St Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

Mt Ventures & Norwood Group

ARCHITECT - CRP

key architecture ltd.

255.413.707 / 834 McCre St.

PHS 017 111111 & 111111

CONSULTANT

Arcata

255.413.707 / 834 McCre St.

PHS 017 111111 & 111111

COMMENTS

1. SEE EXISTING DIMENSIONS

2. SEE EXISTING DIMENSIONS

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Senior Living, Redefined.

MOUNT ST. ANGELA

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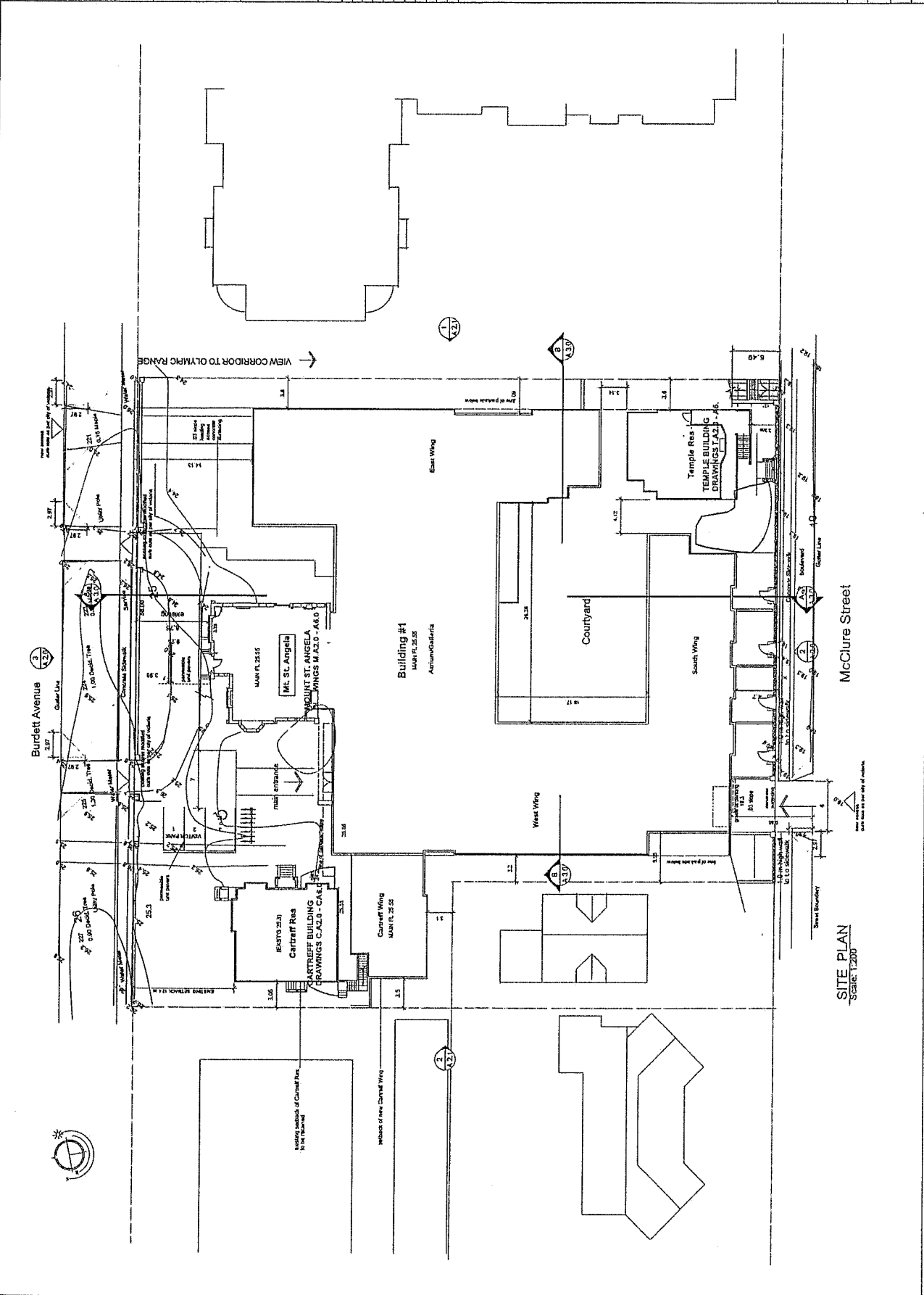
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DATE OF 2018

Drawn by

A1.0

SITE & KEY PLAN



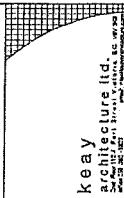
PROJECT

Mount St. Angela
913-929 Burdett Ave.
Victoria B.C.

CLIENT

Mil Ventures
&
Norwood Group

ARCHITECT - CRP



CONSULTANT

Arcata
250.413.7007 / 920 MACPHER ST.
VANCOUVER, BC V6C 2E7

COMMENTS

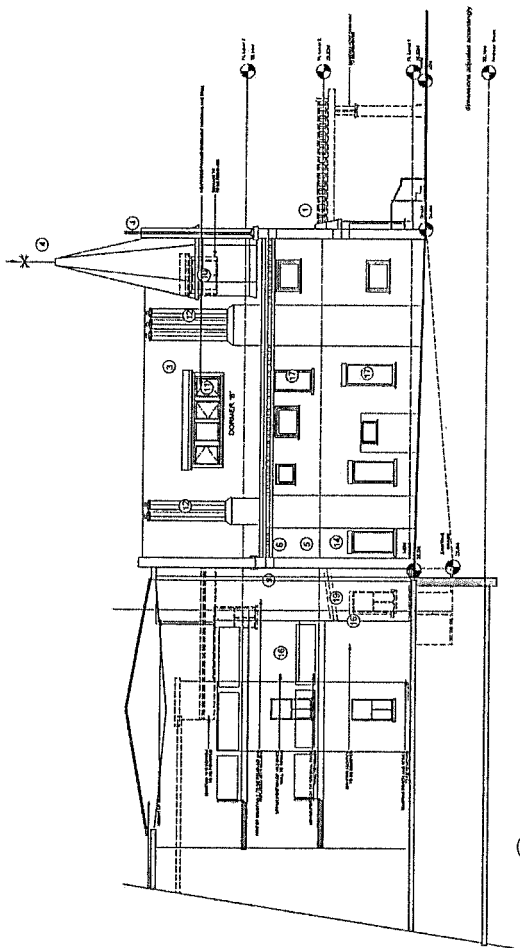
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MOUNT ST. ANGELA

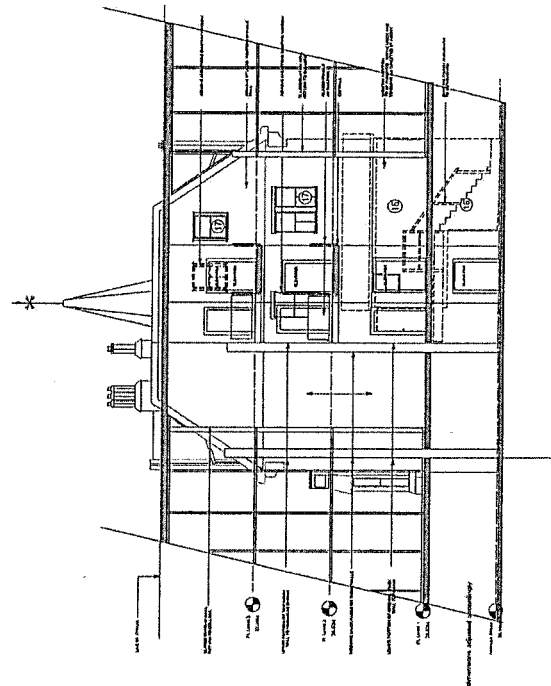
Senior Living. Redefined.

COLLEGE RESTORATION ELEVATIONS

SCALE	1/8" = 1'-0"
DATE	11/11/11
DESIGNED BY	M.A.5.1
DRAWN BY	



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



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

- ANSELVA COLLEGE
- SCOPE OF EXTERIOR RESTORATION WORK
1. RECONSTRUCT PORTE COCHERE, MAKE BRICK EXTERIOR WALL GOOD
 2. REMOVE CORNER ON NORTH ELEVATION, RECONSTRUCT ORIEL WINDOW
 3. NEW 1/2" CEDAR SHINGLE ROOF
 4. RE AND RE SHEET METAL FINALS AS REQUIRED
 5. REPAIR MORTAR AS REQUIRED, TO MATCH SPECIFICATIONS
 6. REBUILD GUTTER AND RAIN AS REQUIRED, TO MATCH ORIGINAL
 7. RE AND RE SHEET METAL DECORATIVE ELEMENTS
 8. REPAIR MORTAR BELLS AND WINDOW SURROUNDS
 9. ELASTOMERIC JOINTS ON CORBELS AND OTHER ELEMENTS
 10. MAKE GOOD, PLUMB JOINT AT BRICKWORK, FINISHING COLOR TO MATCH EXISTING. DO NOT REPAIR CASTING
 11. CORNER REMOVED, ROOF MADE GOOD
 12. CORNER AND WINDOWS REBUILT TO DETAIL
 13. CHIMNEY STABILIZED PER STRUCTURAL
 14. RE AND RE SHINGLE ROOF ON TOWER
 15. NEW 4" ROUND RAIN THROUGHOUT
 16. REMOVE METAL FIRE ESCAPE
 17. RECONSTRUCT REAR ADDITION AND REAR STAIR
 18. REPAIR WINDOWS AS REQUIRED, REPAIR
 19. THIS SECTION OF ORIGINAL CONSTRUCTION TO REMAIN
 20. REPAIR CAST CONC STAIRS
 21. NEW STAINLESS STEEL HANDRAILS

PROJECT

Mount St Angela
913-929 Burdett Ave.
Victoria B.C.

CLIENT

MI Ventures
&
Norwood Group

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architecture ltd.
258-113 7007/7824 MOUNT ST
VICTORIA B.C. V8N 1A1

CONSULTANT

Arcata
258-113 7007/7824 MOUNT ST
VICTORIA B.C. V8N 1A1

COMMENTS

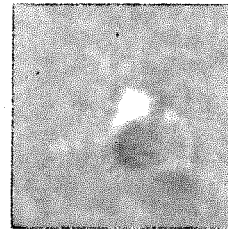
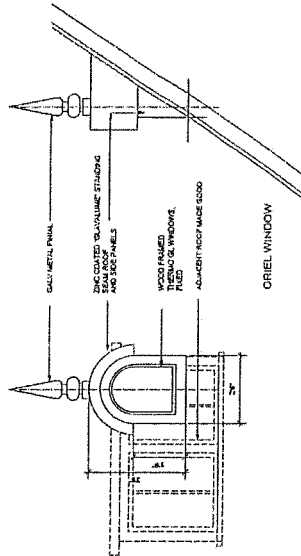
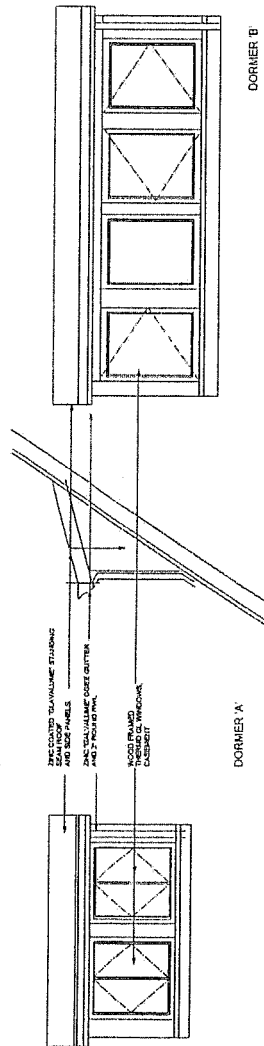
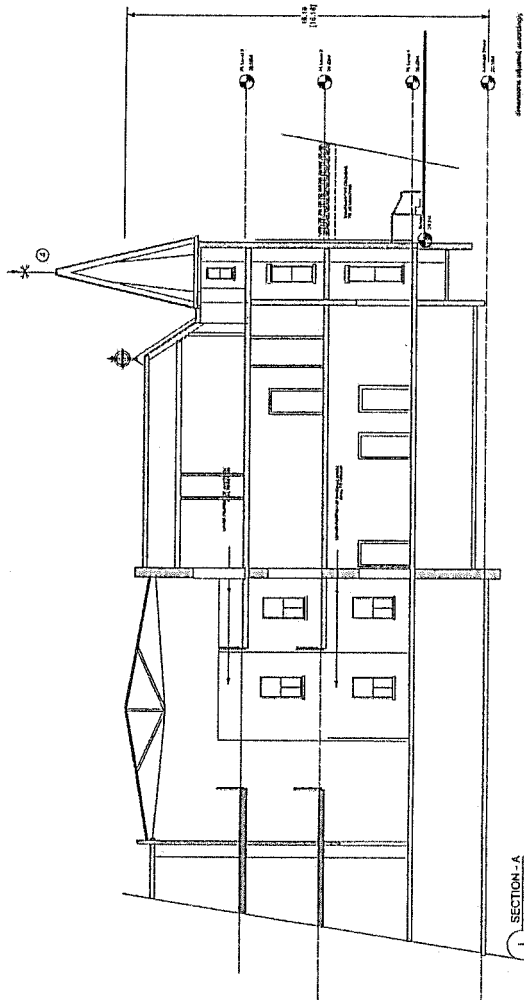
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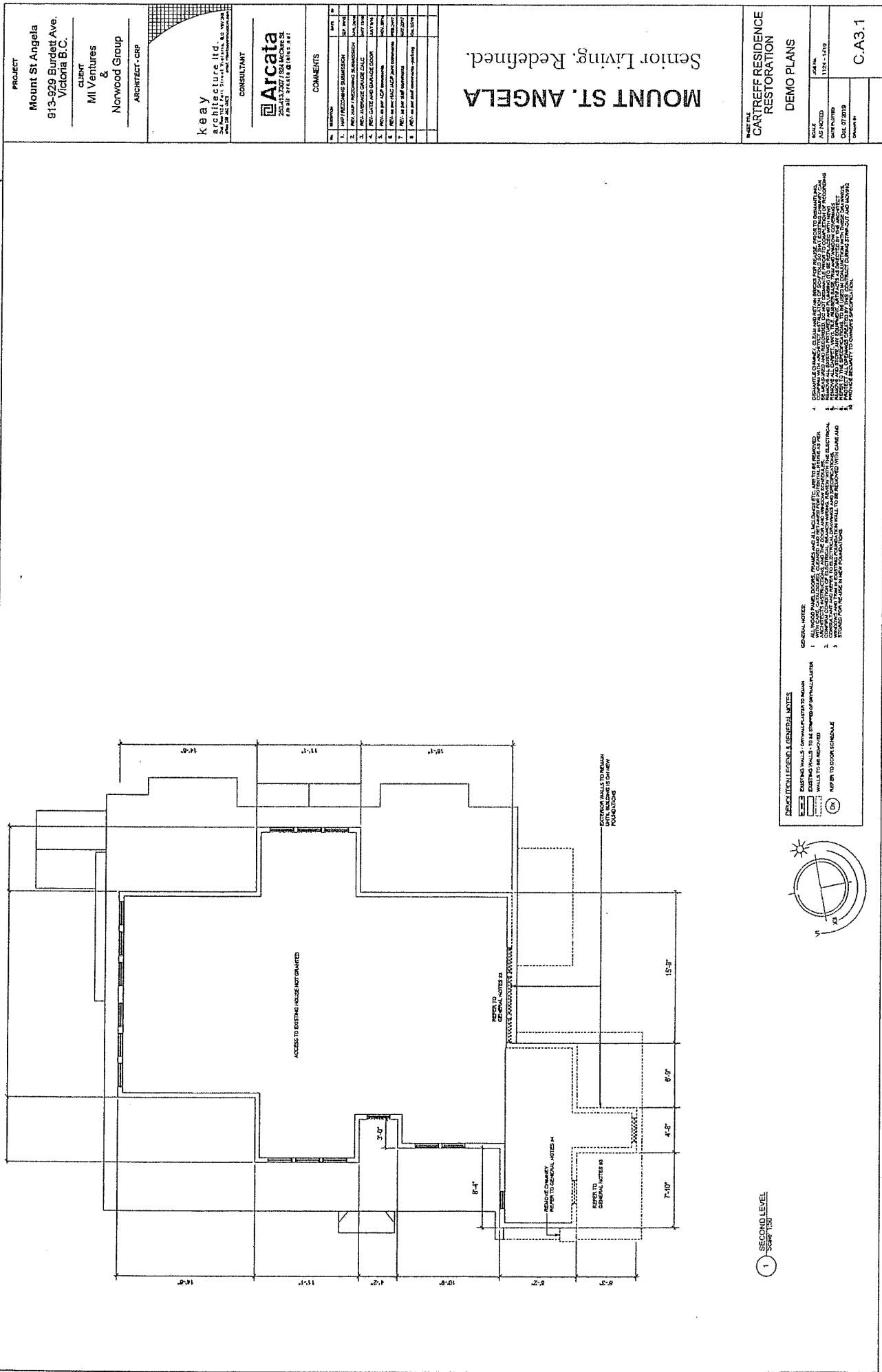
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COLLEGE
RESTORATION
SECTIONS & DETAILS

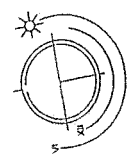
SCALE
AS NOTED
DATE PLOTTED
OCT 07 2019
DRAWN BY
M.A6.0



DETAIL OF ORIEL WINDOW AND FINIAL
FROM 1876 PHOTOGRAPH



1 SECOND LEVEL
SCALE 1/8" = 1'-0"



DEMOLITION LEGEND & GENERAL NOTES

EXISTING WALLS - DEMOLITION SYMBOL

WALLS TO BE REMOVED

WALLS TO BE REINFORCED

NOT TO SCALE

NOT TO SCALE

NOT TO SCALE

GENERAL NOTES

1. ALL EXISTING WALLS, CEILING, FLOOR AND ALL CHANGES ETC. ARE TO BE REMOVED AND RECONSTRUCTED AS SHOWN ON THIS PLAN.

2. ALL EXISTING WALLS, CEILING, FLOOR AND ALL CHANGES ETC. ARE TO BE REMOVED AND RECONSTRUCTED AS SHOWN ON THIS PLAN.

3. ALL EXISTING WALLS, CEILING, FLOOR AND ALL CHANGES ETC. ARE TO BE REMOVED AND RECONSTRUCTED AS SHOWN ON THIS PLAN.

4. ALL EXISTING WALLS, CEILING, FLOOR AND ALL CHANGES ETC. ARE TO BE REMOVED AND RECONSTRUCTED AS SHOWN ON THIS PLAN.

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EXISTING WALLS - DEMOLITION SYMBOL

WALLS TO BE REMOVED

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NOT TO SCALE

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GENERAL NOTES

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4. ALL EXISTING WALLS, CEILING, FLOOR AND ALL CHANGES ETC. ARE TO BE REMOVED AND RECONSTRUCTED AS SHOWN ON THIS PLAN.

MOUNT ST. ANGELA Senior Living: Redefined.

NO.	REVISION	DATE
1.	1.0077 FLOORING SUBMISSION	2017.04.04
2.	2.0017 FLOORING SUBMISSION	2017.04.04
3.	3.0017 FLOORING SUBMISSION	2017.04.04
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9.	9.0017 FLOORING SUBMISSION	2017.04.04
10.	10.0017 FLOORING SUBMISSION	2017.04.04

COMMENTS

1.0077 FLOORING SUBMISSION

2.0017 FLOORING SUBMISSION

3.0017 FLOORING SUBMISSION

4.0017 FLOORING SUBMISSION

5.0017 FLOORING SUBMISSION

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10.0017 FLOORING SUBMISSION

key

architecture ltd.

250-111-207 / 1801 KENNEDY ST.

2ND FLOOR

250-111-207 / 1801 KENNEDY ST.

2ND FLOOR

PROJECT

Mount St. Angela

913-929 Burdett Ave.

Victoria B.C.

CLIENT

MI Ventures

&

Norwood Group

ARCHITECT - CRP

REVISIONS

CARTREEF RESIDENCE RESTORATION

DEMO PLANS

DATE: 11/24/17

DATE: 11/24/17

DATE: 11/24/17

DATE: 11/24/17

C.A3.1

PROJECT
Mount St Angela
 913-929 Burdett Ave.
 Victoria B.C.

CLIENT
**Mi Ventures
 &
 Norwood Group**

ARCHITECT - CRP

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CONSULTANT
Arcata
 2501-1702 BURNHAMTHORPE RD.
 MISSISSAUGA, ONTARIO L4W 1M1
 TEL: 905-876-1111
 WWW.ARCATA.COM

NO.	REVISION	DATE	BY	CHK
1	10/17/2018	10/17/2018	10/17/2018	10/17/2018
2	10/17/2018	10/17/2018	10/17/2018	10/17/2018
3	10/17/2018	10/17/2018	10/17/2018	10/17/2018
4	10/17/2018	10/17/2018	10/17/2018	10/17/2018
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7	10/17/2018	10/17/2018	10/17/2018	10/17/2018
8	10/17/2018	10/17/2018	10/17/2018	10/17/2018
9	10/17/2018	10/17/2018	10/17/2018	10/17/2018
10	10/17/2018	10/17/2018	10/17/2018	10/17/2018

MOUNT ST. ANGELA Senior Living. Redefined.

SHEET NO.
**CARTREFF RESIDENCE
 RESTORATION
 ELEVATIONS**

SCALE
 1/8" = 1'-0"

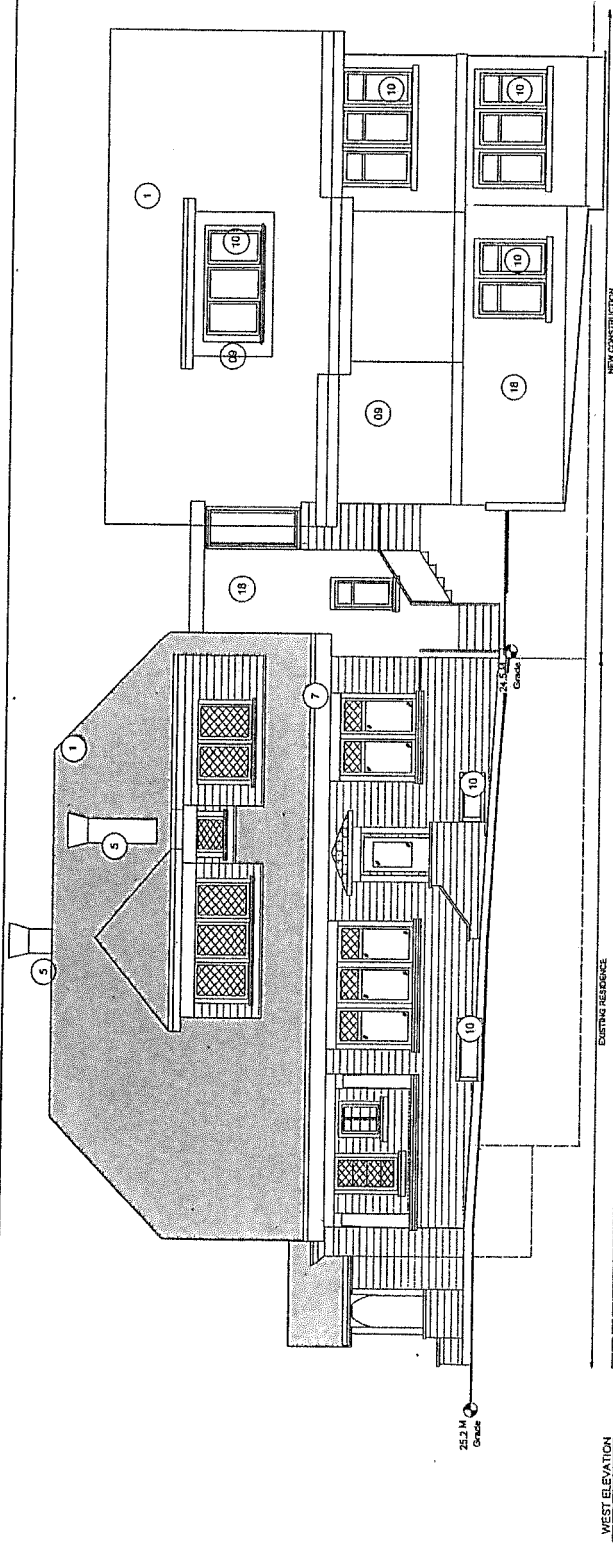
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DESIGNED BY
 11/14/2018

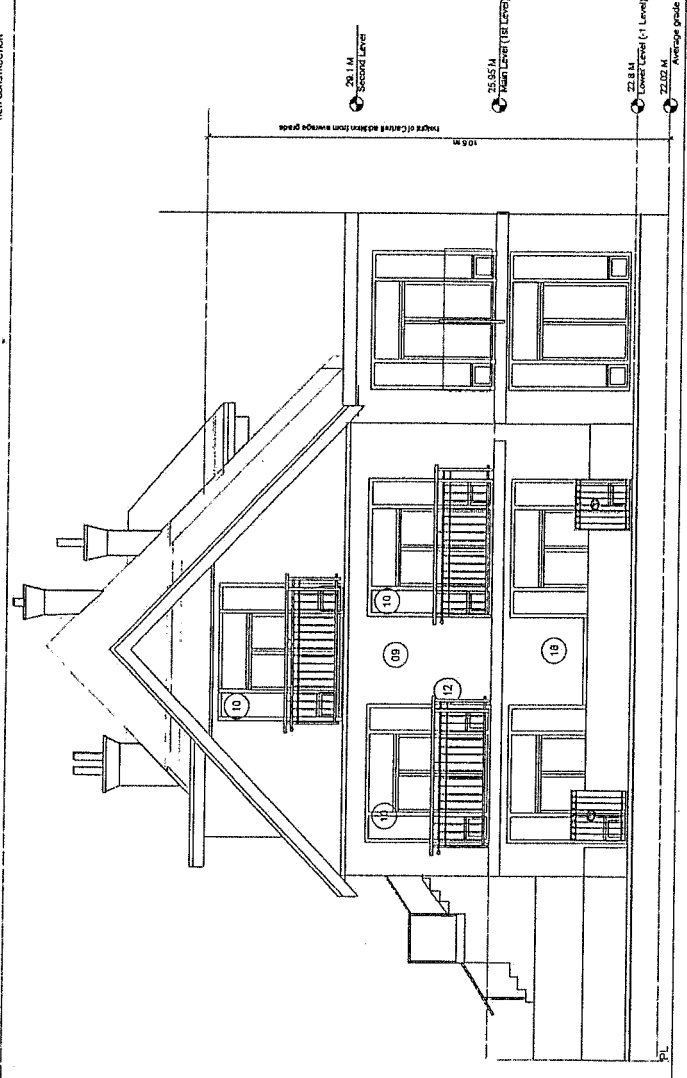
CHECKED BY
 11/14/2018

PROJECT NO.
 C-A5.0

- FINISH SCHEDULE**
- SCOPE OF EXTERIOR RESTORATION WORK**
1. FINISH GLASS SHINGLE ROOF
 2. RE-PAINT CEDAR WALL SHINGLES, PAINTED
 3. RE-PAINT WOOD TRIM, PAINTED
 4. REPAIR WOOD FRAME WINDOWS AS REQUIRED, RE-PANT
 5. CHIMNEY RECONSTRUCTED
 6. NEW TRICH ON MENSAH ROOF
 7. NEW AUI BUTTERS ON ROUND RAIL
 8. EXTERIOR EXISTING TRIM AS SHOWN TO MATCH EXISTING TRIM, SHINGLE FINISH TO MATCH
 9. STUCCO, REMOVAL DASH FINISH, COLOR TO SPEC
 10. WOOD FRAME THERMO GL. WINDOWS, PAINTED
 11. ALUMINUM FRAMED THERMO GL. WINDOWS, PAINTED
 12. ALUMINUM PICKETS AND RAIL FOR JULIETTE BALCONY
 13. BRICK WALL ON ALUMINUM GATE, PAINTED
 14. TYPICAL LIMESTONE PANELS
 15. METAL FLASHING, BASED BRANDEL FINISH
 16. ALUMINUM RAILING SYSTEM W/ GLAZED PANELS
 17. STONE VENEER - SANDSTONE - BUFF COLOR, HONEYFINISH
 18. BRICK VENEER (BROWN COLOUR)



WEST ELEVATION
 SCALE 1/8" = 1'-0"



SOUTH ELEVATION
 SCALE 1/8" = 1'-0"

C.A5.1

EAST ELEVATION
SCALE: 1/8"

MOUNT ST. ANGELA
Senior Living. Redefined.

CARTREFF RESIDENCE RESTORATION

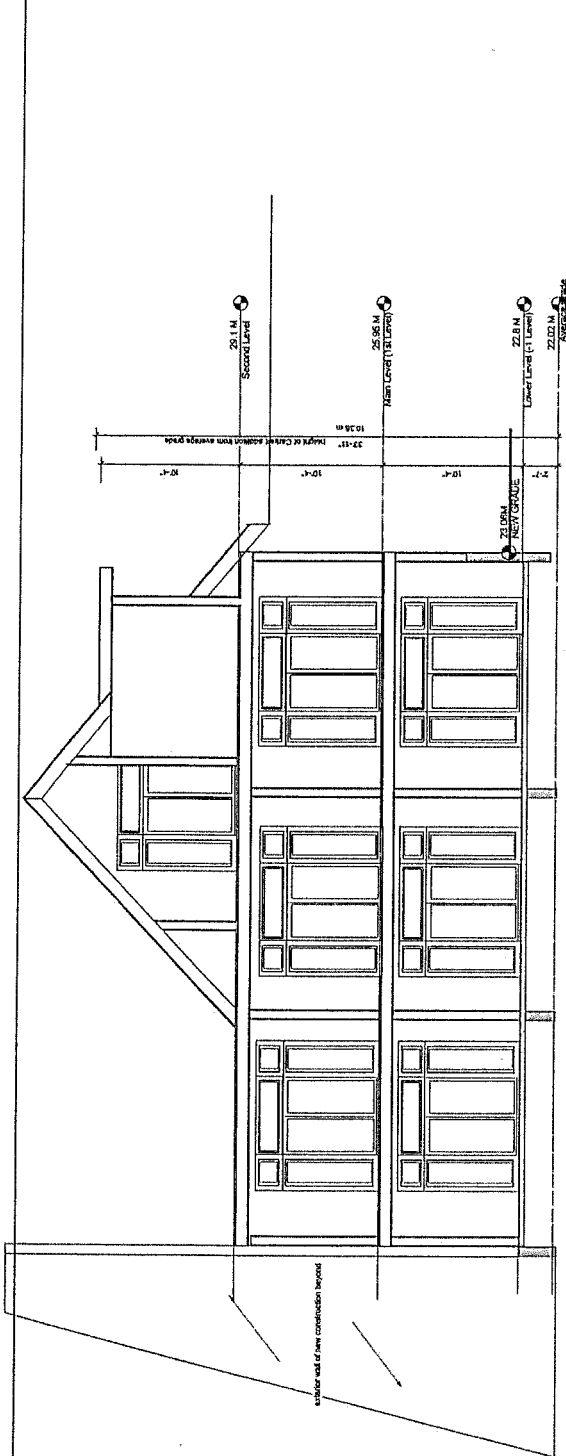
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AS NOTED	1124 - 1410	
GATE PLOTTED		
Oct. 07 2019		
DRAWN BY		

PROJECT	Mount St Angela 913-929 Burdett Ave Victoria B.C.
CLIENT	MI Ventures & Norwood Group
ARCHITECT - CRP	

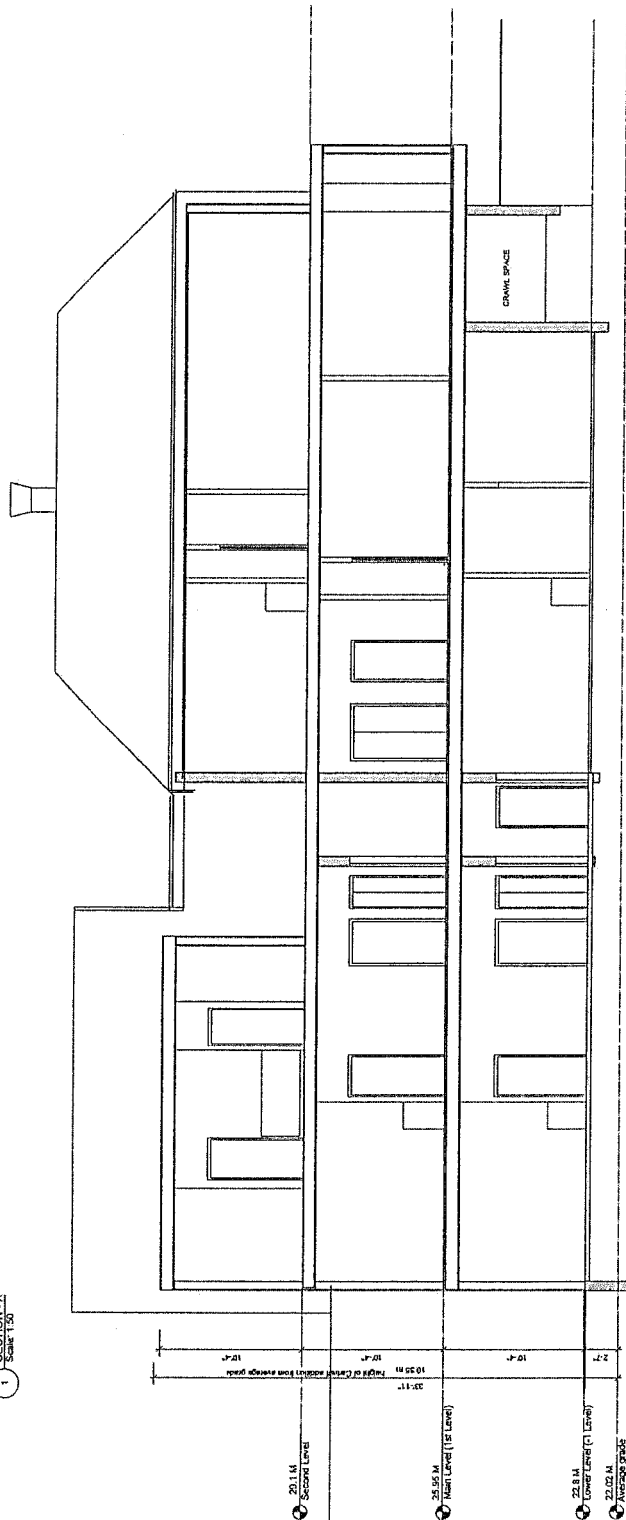
**key
architecture ltd.**
204 Maple Hill East Street, Victoria, BC V8P 2H4
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email: arcata@jaleknet

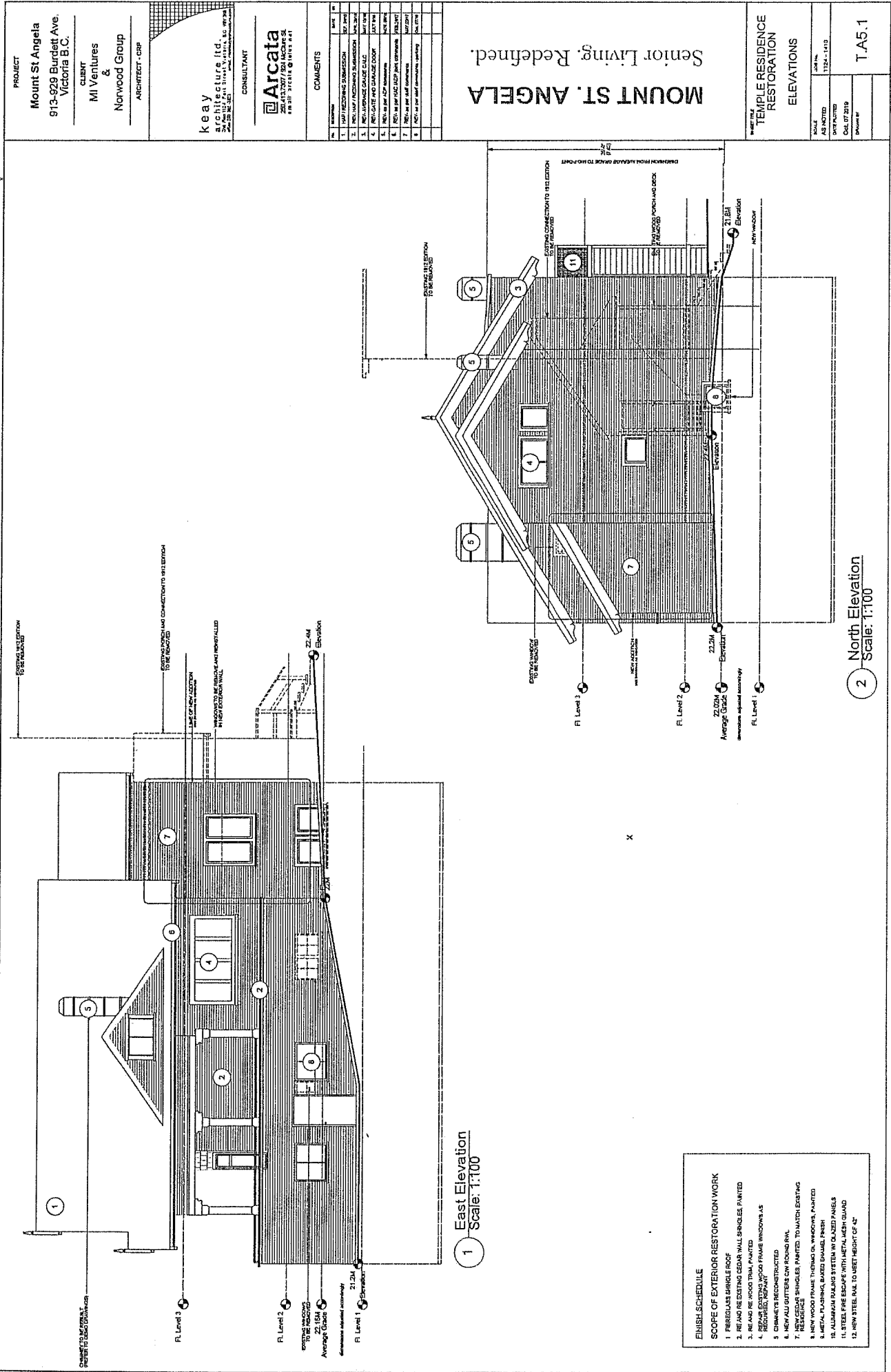
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2. HUP HAZ / PREZONING SUBMISSION		SEP. 2004	
3. RES. AVERAGE SHADE CALC.		NOV. 2004	
4. RES. AVERAGE SHADE CALC.		JAN. 2005	
5. RES. GATE AND GARAGE DOOR		AUG. 2005	
6. RES. vs per ACP documents		AUG. 2005	
7. RES. vs per HAZ ACP (not comments)		SEP. 2007	
8. RES. vs per ACP documents		SEP. 2007	
9. RES. vs per ACP documents - parking		NOV. 2008	



1 SECTION - A
Scale: 1:50



2 SECTION - B
Scale: 1:50



PROJECT
Mount St Angela
 913-929 Burdett Ave.
 Victoria B.C.

CLIENT
 MI Ventures
 &
 Norwood Group

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Arcata
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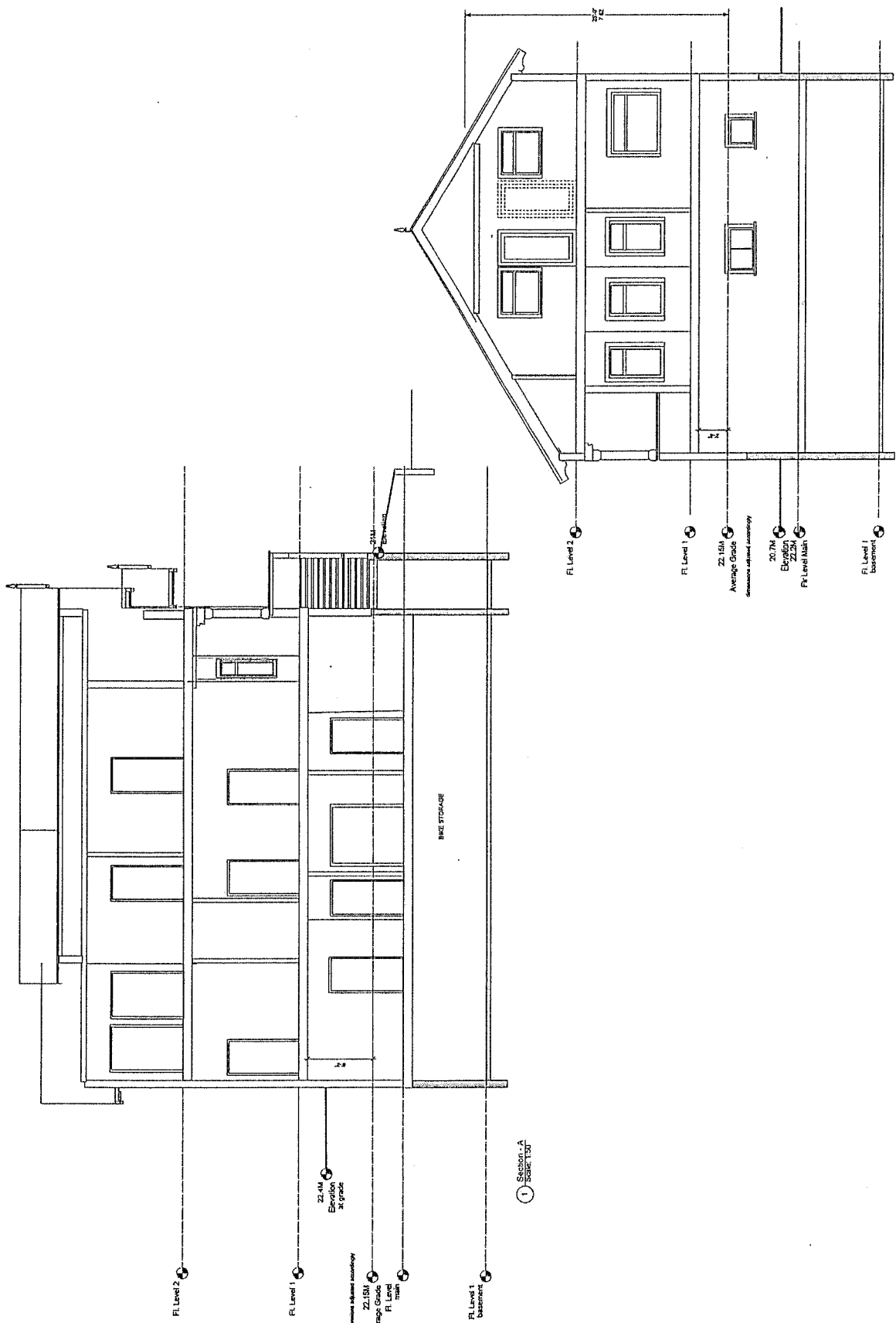
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4. HAP HAP RECORDING SUBMISSION	MAY 2018
5. HAP HAP RECORDING SUBMISSION	MAY 2018
6. HAP HAP RECORDING SUBMISSION	MAY 2018
7. HAP HAP RECORDING SUBMISSION	MAY 2018
8. HAP HAP RECORDING SUBMISSION	MAY 2018

MOUNT ST. ANGELA
 Senior Living. Redefined.

SHEET 101
**TEMPLE RESIDENCE
 RESTORATION**
 SECTIONS

SCALE	AS NOTED
DATE	11/24/2018
DATE	07/2018
DATE	07/2018

T.A6.0



1 Section A
 Scale 1/32"

2 Section B
 Scale 1/32"



April 25, 2019

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

Re: Mount St Angela Seniors Development Land Lift and Amenity Contribution Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete land lift and amenity contribution analysis for the proposed rezoning of 913-929 Burdett Avenue and 914-924 McClure Street Victoria (the Site) from CD-10 Zone, Mount St. Angela District to a new zone with an increase in density from 1.2:1 FSR multiple dwelling to a proposed density of 1.96:1 FSR seniors residential project on the Site. This lift is expected to finance the costs of rehabilitation, restoration and seismic upgrading of the heritage buildings on the Site.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the site if developed under current zoning at 1.2:1 FSR as well as the land value supported by the proposed change in density to the proposed 1.96:1 FSR. GPRA used standard developer proformas for each case to model the economics of a seniors development project assuming it already had the zoning for a density of 1.96:1 FSR. The 'Lift' is then calculated as the difference in residual land values under both current zoning and the proposed new zoning.

METHODOLOGY & ASSUMPTIONS

The Site is 5,429 square metres in area and can be developed under current zoning under the CD-10 zone at a density up to 1.2:1 FSR with 6,515 square metres in gross floor area of residential (net saleable/rentable area of 5,537 square metres). Parking at the base density would be in an underground parking structure. Under the proposed new zoning the additional 0.76 FSR would add approximately 4,126 square metres of gross area to the building, with a proposed mix of rental independent and assisted living units for seniors, with 5 units to be secured as below market rentals, as well as 26 independent living units and 50% of the remaining units to be secured as rental for a 20 year term through a housing agreement.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For the analyses GPRA has determined the residual value for the residential strata based on the developer achieving an acceptable profit of 15% on total strata project costs (calculated as a representative portion of overall project costs for the proposed development). The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

It is often the case that a developer cannot achieve a profit on the sale of a rental or commercial project immediately after completion and instead takes a long term perspective looking at value as an ongoing income stream with a potential disposition at some point in the future. As such, for the residual value of the project utilized for seniors rental GPRA has instead looked at the developer achieving an acceptable return on their investment measured as an Internal Rate of Return (IRR) and the maximum supported land value that would allow a developer to achieve a target IRR.

The residual land values determined from this analysis of the property developed as proposed under the rezoned density of 1.96:1 FSR as seniors rental is then compared to the residual land value of the Site if developed under current zoning at 1.2:1 FSR as residential strata to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning and not from development under current zoning would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of wood frame and of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which would likely be developed on the Site under current planning. Seniors rental rates were derived from a review of seniors developments offering a similar scope of supportive services in the Victoria region. Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.

CONCLUSIONS & RECOMMENDATIONS

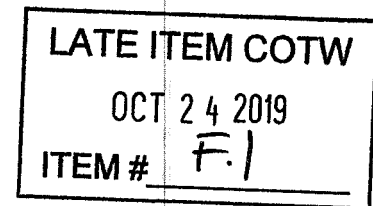
GPRA Estimates the lift from rezoning the Site from 1.2:1 FSR to 1.96:1 FSR with the uses discussed herein would be roughly \$1.35 million, with the City's 75% share totaling \$1.013 million.

However, as the purpose of this exercise is in part to determine whether the lift is sufficient to offset the cost of the heritage retention, it must be noted that the proponent has estimates for the refurbishment of the heritage building and seismic upgrades at a cost well in excess of \$5 million according to an estimate provided by Beacon Construction Consultants Inc. This would indicate that there is still a substantial shortfall between the increase in land value from the additional density and the cost of the heritage retention. As such, GPRA does not recommend the City seek any amenity contribution from the rezoning of the Site as proposed.

I trust that our work will be of use in the City's decision on the rezoning of 913-929 Burdett Avenue and 914-924 McClure Street Victoria. I am available to discuss this further at your convenience.



Gerry Mulholland | Vice President
G.P. Rollo & Associates Ltd., Land Economists
T 604 275 4848 | M 778 772 8872 |
E gerry@rolloassociates.com | W www.rolloassociates.com



Committee of the Whole Report
For the Meeting of June 8, 2017

To: Committee of the Whole **Date:** May 25, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Update on Rezoning Application No. 00466 and Heritage Alteration Permit
Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street

RECOMMENDATION

Rezoning Application No. 00466

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
2. That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
 - b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

1. Plans date stamped May 3, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. reducing the rear yard setback from 5.4m to 4.7m
 - d. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
5. Sustainability features and construction achieving the BUILT GREEN® Certification level.
6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a Rezoning Application and a Heritage Alteration Permit Application for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. At the Council meeting of January 12, 2017, Council passed a motion to forward the applications to the Joint Heritage Advisory Panel and the Advisory Design Panel with comments included in the follow-up staff report.

A meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel held on February 1, 2017, led to a recommendation to Council for the approval of the application with recommendations for the refinements to the proposal that are detailed later in this report. The applicant has made design revisions in response to the Panel and staff feedback.

Given that the applicant has satisfied the conditions related to this application, staff are recommending for Council's consideration that the Rezoning Application and Heritage Alteration Permit Application proceed for consideration at a Public Hearing.

BACKGROUND

Description of Proposal

The proposal is to amend the existing CD-10 (Mount St. Angela) Zoning Regulation Bylaw to create a new site-specific zone that permits the increase of the bonus density provision in exchange for the heritage conservation measures to be applied to the heritage-designated buildings on the subject site. The applicant proposes to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be incorporated into the project. The Committee of the Whole reports for Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 dated December 16, 2017, and presented at the Committee of the Whole (COTW) meeting of January 12, 2017, are attached for additional information and reference.

On January 12, 2017, Council passed the following motion:

"It was moved by Councillor Madoff, seconded by Mayor Helps, that a meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel be convened to consider the application for 913-929 Burdett Avenue and 914-924 McClure Street and that the report from the joint panel be included in the agenda when the application is considered by the Committee of the Whole.

That the panel be asked for comments on, but not limited to:

- 1. The relationship between the scale of the proposed development and the OCP policy that supports new additions that conserve and enhance heritage property.*
- 2. Does the proposal appropriately respond to Standard 1 of the National Standards and Guidelines in respect to the removal of heritage designated elements/additions and the relocation of the Cartreff and Temple buildings.*
- 3. Does the proposal respond appropriately to Standard 11 of the National Standards and Guidelines in terms of new construction being physically and visually compatible with, subordinate to, yet distinguishable from, the historic place.*
- 4. Does the Conservation Plan adequately address the National Standards and Guidelines and provide appropriate detail on how the proposal responds to the Guidelines.*
- 5. Has adequate information been provided by the applicant to support the claim that the level of Burdett Street has been raised over time and that this justifies the moving and raising of the Cartreff house.*
- 6. Does the proposed landscape plan respect and retain historic landscaping appropriate to the 1860s Mt. St. Angela building and the 1905, Samuel McClure designed, Cartreff House as outlined in the Standards and Guidelines."*

Issues and Analysis

Further information and analysis are provided in this report on the following items associated with this application:

- Joint Heritage Advisory Panel and Advisory Design Panel meeting
- revisions resulting from the Joint Panel's comments

- revisions resulting from staff feedback
- regulatory considerations

Summary of Joint Heritage Advisory Panel and Advisory Design Panel Report

The Application was referred to the Joint Heritage Advisory Panel (HAPI) and the Advisory Design Panel (ADP) on February 1, 2017 (draft minutes attached). The majority of the Panel agreed that the:

- scale of the development in relation to OCP had been addressed satisfactorily
- proposal appropriately responds to Standard 1 of the National Standards and Guidelines and agreed with the removal of the hotel addition and the porte cochere
- proposal appropriately responds to Standard 11 of the National Standards and Guidelines; however, modifications to the addition of the Cartreff house should be less imitative, particularly the roofline
- Conservation Plan and design detail of the Temple residence pay particular attention to sensitive restoration and reconstruction of the staircase, front wall and gate and resolve the discrepancy in the front elevation of the building itself
- moving and lifting of the Cartreff residence is no longer part of the proposal
- front garden of the Cartreff residence be reconsidered to be more in line with an Edwardian bordered garden and distinct from the rest of the frontage. It was also recommended that the applicant consider the use of the fruit trees as part of the landscape given their historical presence on site
- project be reclassified as a rehabilitation, not as preservation.

Revisions Resulting from Joint Panel Comments

Cartreff Residence

The applicant is proposing to retain the Cartreff residence in its existing location and at its existing height. Roof articulation now reflects existing conditions and reconstructed chimneys are included on all roof plans, elevations, and three-dimensional views. The south wing addition is less imitative with a simple gable roofline, a shed roofed dormer on the west side, and a change of exterior colour that complements the Cartreff while transitioning to the darker foundation. Windows of the addition are more compatible and have been minimized on the west side to increase privacy.

Temple Residence

The applicant is proposing to reconstruct the design details of the staircase, front wall and gate as recommended in the Conservation Plan, and all reconstructed chimneys are on all roof plans, elevations, and three-dimensional views.

St. Angela College

Fenestration openings in the remnant west brick wall are consistent with existing conditions, and the intricate reconstructed chimneys are included on all roof plans, elevations, and three-dimensional views.

Landscaping

The applicant proposes a traditional formalized garden in front of the Cartreff residence distinct from the rest of the frontage. Existing stone gate pillars will be preserved and a new forged gate will be installed. A Plant Schedule and examples are included in the application package and details the proposed tree species, specimen and massing shrubs, as well as, perennials and ground cover.

Revisions Resulting from Staff Comments

The applicant has also responded to staff comments and have included the following revisions:

- an additional visitor parking stall has been allocated in the underground parkade to eliminate a parking variance
- detail has been provided for the overhead door on Burdett Avenue which includes translucent glazing and a mullion pattern to match the surrounding glazing. The assembly is also set back within the structure by 0.4m
- the east corner of the south wing elevation has been revised with the addition of corner glazing and refined architectural details to eliminate the blank wall
- inconsistencies related to bicycle stall calculation and setbacks have been addressed.

Regulatory Requirements

The following data table has been included for clarity and includes updated information related to building height, setbacks and parking that have arisen from the revised design. The building height has increased from 20.53m to 20.55m as a result of updated average grade calculations. Typographical and rounding errors on the plans have been corrected for the front and rear yard setbacks and are detailed in the table. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard CD-10
Site area (m ²) - minimum	5429.00	3978.00
Number of dwelling units - maximum	106	N/A
Density (Floor Space Ratio) - maximum	1.96:1*	1.3:1
Total floor area (m ²) - maximum	10,638.00*	4976.00
Height (m) - maximum	20.55* (<i>previously 20.53</i>)	13.60
Storeys - maximum	6*	4
Site coverage % - maximum	49.4*	37.91
Open site space % - minimum	38*	46.56
Setbacks (m) – minimum		
Front (Burdett Avenue)	8.75* (<i>previously 8.8</i>)	10.60

Zoning Criteria	Proposal	Zone Standard CD-10
Rear (McClure Street)	4.70* (building) (<i>previously 4.20</i>) 3.30* (stairs) (<i>previously 3.70</i>)	5.40
Side (east)	3.60	3.60
Side (west)	3.05 (Cartreff residence) 3.20* (building)	3.60
Parking - minimum	46*	60 (number of parking stalls specified in existing zone is attributed to previous proposal)
Visitor parking (minimum) included in the overall units	4 (<i>previously 3*</i>)	4
Class 1 secure bicycle parking stalls (minimum)	108	107
Class 2 publicly accessible bicycle parking stalls (minimum)	8 (<i>previously 6*</i>)	7

Zoning Regulation Bylaw

In accordance with Rezoning Application No. 00466, staff recommend that Council consider a site-specific zone to accommodate the proposed development. The Applicant proposes a building height of 20.55m; given the prominence of this site to the Mount St. Angela building, staff are recommending that Council consider a lower height limit of 16.5m to be included in the new zone, which is the height of the Mount St. Angela building (measured to half the height of the steeple). This approach is recommended to ensure that the higher height does not become an entitlement entrenched in the zone, allowing future proposals to come forward and achieve a height of 20.55m as a right, rather than benefiting from a Council review process.

In addition, this Application is proposing reduced setbacks when compared to the current zone:

- from 10.6m to 8.75m for the front yard
- from 5.4m to 4.7m for the rear yard
- from 3.6m to 3.2m for the west yard for the new building, 3.05m for the Cartreff Residence building, and 1.06m for the Cartreff stairs (a projection allowance is proposed to be incorporated into the new zone).

Staff similarly recommend that Council consider issuing variances for the proposed setbacks to ensure a re-evaluation, if this project is for some reason never built. Appropriate wording has been included in the recommendation provided for Council's consideration.

CONCLUSION

Given the results of the Joint Heritage Advisory Panel and Advisory Design Panel, as well as revisions undertaken by the applicant to address the recommendations by the Panel and staff feedback, it is recommended for Council's consideration that the Application move forward to a Public Hearing.

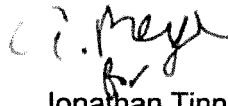
ALTERNATE MOTION

That Council decline Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street.

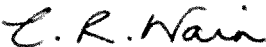
Respectfully submitted,



Merinda Conley
Senior Heritage Planner
Development Services Division

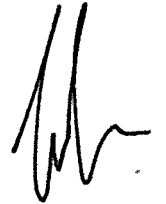


Jonathan Tinney
Director
Sustainable Planning and Community
Development Department



Charlotte Wain
Senior Planner – Urban Design
Development Services Division

Report accepted and recommended by the City Manager:



Date: _____

May 31, 2017

Appendices:

Conditions of Heritage Alteration Permit No. 00214:

- Appendix A, Mount St. Angela, 917-923 Burdett Avenue
- Appendix B, Cartreff Residence, 913 Burdett Avenue
- Appendix C, Temple Residence, 924 McClure Avenue

List of Attachments:

- Minutes from January 12, 2017 Committee of the Whole meeting
- Minutes from January 12, 2017 Council Meeting
- Letter from Larry Cecco, Keay Cecco Architecture Ltd., date stamped May 3, 2017
- Plans, dated May 3, 2017
- Staff report to Joint Advisory Design and Heritage Advisory Panel Report, dated January 19, 2017
- Minutes of February 1, 2017, Joint Advisory Design and Heritage Advisory Panel meeting



• Attachment I
• Item F.1

LATE ITEM COTW

OCT 24 2019

ITEM # F.1

Committee of the Whole Report For the Meeting of January 12, 2017

To: Committee of the Whole **Date:** December 16, 2016

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00466, if it is approved, consider the following motion:

1. "That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:
 - i. Plans date stamped November 8, 2016.
 - ii. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.6m
 - b. reducing the front yard setback from 10.6m to 8.8m
 - c. reducing the rear yard setback from 5.4m to 4.2m
 - d. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 1.7m for the Cartreff Residence.
 - iii. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
 - iv. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
 - v. Sustainability features and construction achieving the BUILT GREEN® Certification level.
 - vi. The Heritage Alteration Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

A heritage-designated property, pursuant to Section 611(3) of the *Local Government Act*, requires a Heritage Alteration Permit for the occurrence of an alteration, a structural change, a relocation, removal, or damage to an interior feature or fixture, or a landscape feature. In accordance with Section 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the

heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration of action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. The Application is being considered concurrent with Rezoning Application No. 00466 to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be incorporated into the project.

A Heritage Revitalization Agreement was adopted by Council on February 14, 2008, in relation to a previous application when the property was rezoned to the current CD-10 (Mount St. Angela) District Zone in February 2008. A Development Permit and Heritage Alteration Permit were approved in March 2010 for the alternative design. These permits have since expired and are unrelated to the current application, and it is being recommended to Council in the concurrent rezoning report that all legal documents not attributable to the current proposal be discharged, which includes the Heritage Revitalization Agreement.

Staff is recommending for Council's consideration that utilizing a Heritage Alteration Permit process rather than a Heritage Revitalization Agreement to specify the conditions for the preservation, rehabilitation, and restoration of the three heritage properties provides a more direct, enforceable and elegant approach ensuring all measures are in place to respect heritage values and meet appropriate conservation standards.

The following points were considered in assessing this Application:

- The Application is consistent with the *Official Community Plan* (OCP), 2012, that supports new additions that conserve and enhance heritage property.
- The Application is generally consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development*.
- The Application is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

BACKGROUND

Description of Proposal

The proposal is to to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building at 917-923 Burdett Avenue. The building is proposed at six storeys. Since the ground level along Burdett Avenue is defined as a basement under the *Zoning Regulation Bylaw*, it does not count as a storey. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also incorporated into the project. The proposal is to remove the existing 1912 addition at the rear of the 1866 Angela College building, the rear annex, the porte-cochere and the third-floor link. Portions of the existing north, west and east

brick walls of the 1912 addition are proposed for retention as features in the interior atrium/galleria containing the main dining area for the residents. The exterior of Angela College would be restored in accordance with the September 2010 Mount St. Angela Conservation Plan.

The Cartreff Residence at 913 Burdett Avenue will be incorporated as part of the complex through a rear addition linking it to the main building. The residence will retain its current duplex configuration and will be moved forward 1.8m, raised by 0.53m, and placed on a new foundation which will return it to its proximate original relationship to the street and sidewalk. The brick chimneys will be measured during deconstruction to form an accurate record, which will then be used as a guide when they are rebuilt using the existing brick.

The Temple Residence at 924 McClure Street is proposed for relocation to the southeast end of the site to allow for a parking garage entrance. The interior will be reconfigured to contain seven suites, but will retain the designated interior features. The exterior finishes will be restored, and a small sympathetic one-storey addition will be located on the northeast corner. New exterior window openings and one door opening are proposed on the garden level to accommodate the new interior layout. Two windows in the northeast corner of the main level will be reused for the small northeast addition, and positioned to match the existing configuration. One window on the second level will be removed to accommodate the new interior layout. A new metal fire escape is proposed for the west elevation. The existing brick chimneys will be reconstructed using the existing brick.

The Mount St. Angela Conservation Plan for the site was prepared by a heritage consultant in March 2007 as part of a previous rezoning application. The Conservation Plan was updated in September 2010 and issued again as a separate document. The same consultant reviewed the previous plan alongside the 2010 Conservation Plan and provided an updated review of the plan in the context of the current proposed development (see attached letter, dated stamped March 18, 2016).

Sustainability Features

As noted in the Applicant's letter, date stamped November 8, 2016, the following sustainability features are proposed as part of this Application:

- building orientation to take advantage of solar gain
- high performance wood frame system
- retention of three existing buildings
- recycling of building materials from the structures to be removed from the property
- solar collectors for hot water pre-heating
- rainwater harvesting for irrigation
- permeable paving to reduce storm water runoff
- heat recovery ventilation systems
- geothermal heating/cooling
- construction to BUILT GREEN® "Gold" standard.

Active Transportation Impacts

The Application proposes the following features which support active transportation:

- 108 secure bicycle racks located in the underground parkade
- 6 publicly accessible bicycle racks located outside the main entrance on Burdett Avenue
- showers and changing facilities for staff located on level one.

Advisory Design Panel Referral

This Application was referred to the Advisory Design Panel (ADP) on July 27, 2016. The Panel were asked to comment on the following aspects of the proposal:

- massing, height and transition in relation to the context
- interface on the west elevation
- loss of the mid-block walkway
- proposed finishes and materials.

The minutes from the meeting are attached for reference and the following motion was carried (unanimous):

That the Advisory Design Panel recommend to Council that Rezoning Application # 00466 and Heritage Application # 00214 for 913-929 Burdett Avenue and 914-924 McClure Street be approved with recommendations as follows:

- *to reconsider the 6-storey massing at the southwest corner*
- *to reconsider the 3-storey massing on the McClure elevation*
- *to reconsider the variety of window sizes and types*
- *resolution of structure, window glazing and materials of the window wall in the atrium to reflect the consideration that has gone into the rest of the project.*

The architect's detailed response to the Panel's recommendations (date stamped November 8, 2016) is attached to this report. The Applicant has responded to ADP's recommendations as follows:

- the proposed density decreased from 1.98:1 to 1.96:1 floor space ratio (FSR)
- the massing on the south west corner has been reduced by increasing the setback from McClure Street at the fifth storey by 1m and removing a unit on the sixth storey. This density was relocated to the south portion of the east wing on the third storey.
- the units along McClure Street have been revised to provide a unified expression for the first three storeys with modulations in the south elevation and the creation of bay windows
- additional windows have been included on the east elevation
- overall the number of window types has been reduced from 22 to 10
- additional detail for the glass atrium has been provided including structural glass fins
- the application of exterior finishes and materials has been refined.

The changes to the massing and proportion of the building in the south west corner are an improvement, and the refinement of the McClure Street frontage provides a sensitive response to the immediate context. The supporting perspective views demonstrate an articulation of the south elevation that respond well to the street with additional entrances to the ground floor units, and modulation in the façade that suggests a townhouse built form, despite the upper units being configured internally as apartments. The floor plans are not consistent with the perspective views and do not represent the same articulation of the façade, and staff therefore recommend for Council's consideration, revisions to the plans to be consistent with the architectural intent along this frontage. Appropriate wording has been included in the concurrent rezoning report to capture this requirement as a condition of setting the Public Hearing.

Heritage Advisory Panel Referral

The Heritage Advisory Panel met on July 12, 2016, (minutes attached) to review the Application. The following motion was carried (unanimously):

That the Panel recommend to Council that Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street be declined.

In summary, the Heritage Advisory Panel felt the proposed development's use is inappropriate in terms of scale and its attention to the natural landscape, existing outbuildings, adjacent heritage properties and view corridors. However, staff respectfully disagrees with this assessment as the Application does meet the *Official Community Plan* (OCP) policy in terms of supporting new additions that conserve and enhance heritage property, as well as general standards of the *Standards and Guidelines for the Conservation of Historic Places in Canada* - in particular, the relocation of an historic place within its current context maintains its heritage value, and the development is physically and visually compatible with, subordinate to, and distinguishable from the historic place. The 'Analysis' section of this report provides further information on the evaluation of the Application's consistency with City policy.

ANALYSIS

Official Community Plan

The Application is supported by *Official Community Plan* policies which state:

- 8.49 Continue to support new additions that conserve and enhance heritage property, as consistent with the *National Standards and Guidelines for the Conservation of Historic Places in Canada*.

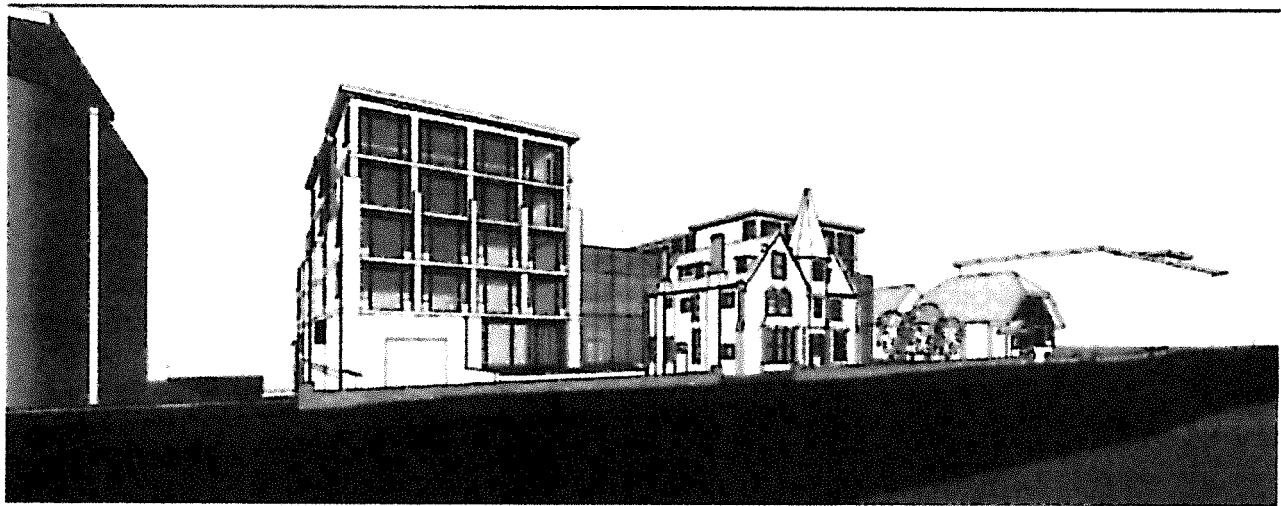
The subject property is within Development Permit Area (DPA) 16 of the *Official Community Plan* which seeks to integrate commercial, industrial and multi-unit residential buildings in a manner that is complementary to the established place character in the neighbourhood, including heritage character. Enhancing the character of the streetscape through high quality architecture, landscape and urban design, as well as creating human-scaled design, quality of open spaces, and safety and accessibility are also key objectives of this DPA.

Multi-Unit Residential, Commercial and Industrial Guidelines

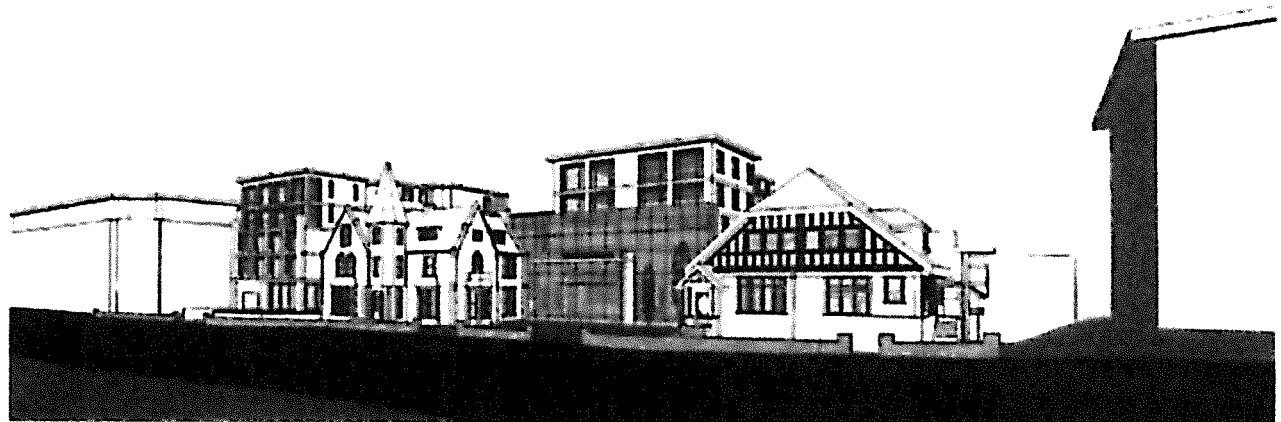
The *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* are applicable and the proposal generally complies with the Guidelines as follows:

Height of Building in Relation to Context

The height of the rooftop of the proposed main east and west wings is 20.53m as measured from the site's average grade. This is approximately 1m higher than the adjacent multi-unit residential project to the east on Burdett Avenue known as the Chelsea so this is considered a reasonable fit with the context. The lower height of the Cartreff Residence provides a transition in scale to the four-storey apartment building to the west along Burdett Avenue with an approximate difference in height of 2.6m.

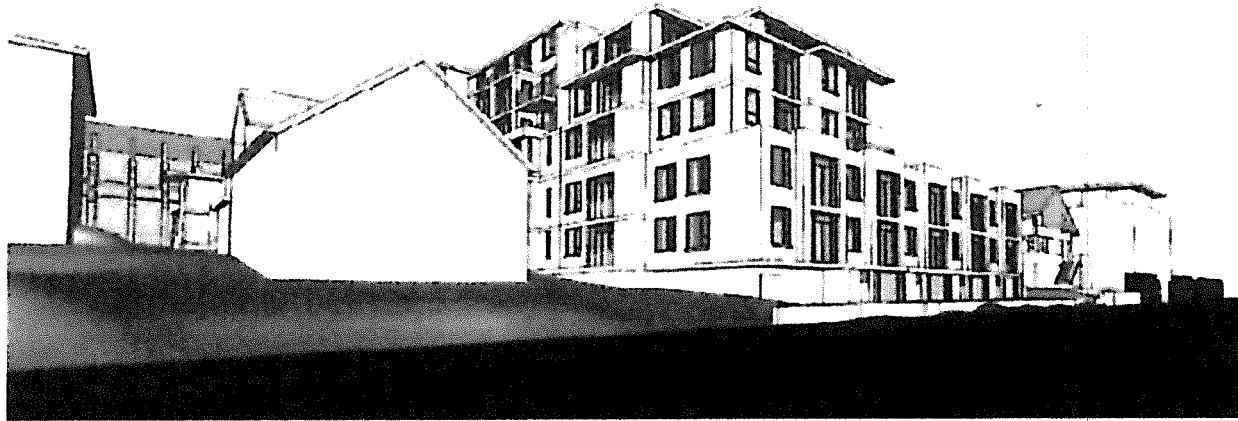


SW view along Burdett Avenue

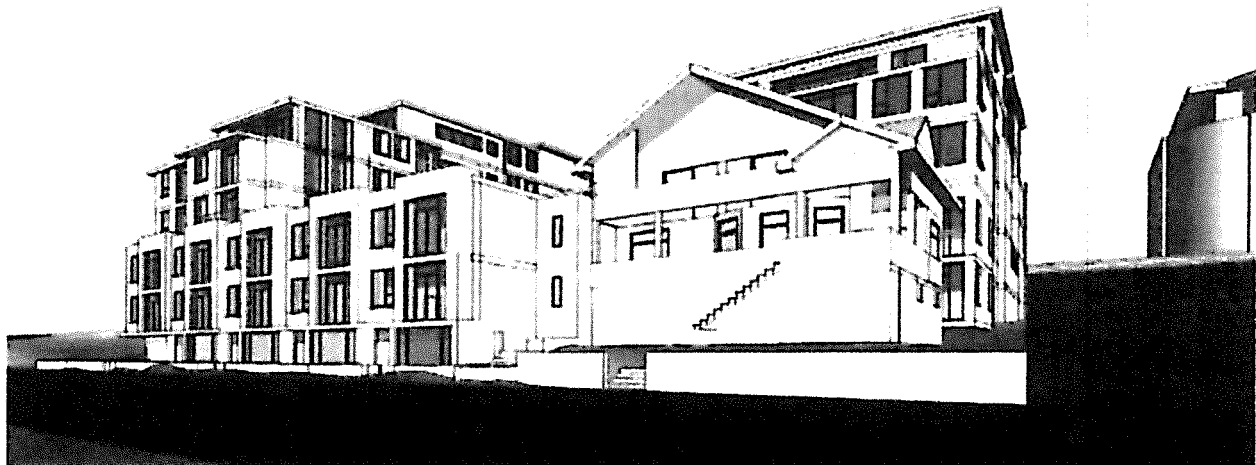


SE view along Burdett Avenue

On McClure Street, there is a single-family dwelling located at 910 McClure Street (used as a legal duplex) immediately to the west, followed by a three and a half storey heritage-registered building known as Abigail's Hotel at 906 McClure Street. The bulk of the west wing of the proposed development does impact the adjacent house in terms of its height. Staff previously expressed concern with the south west portion of the building and the Applicant responded to comments from staff and ADP by increasing the setback at the fifth storey and removing a unit on the sixth storey as described earlier in this report. The supporting 3D views from street level along McClure Street demonstrate (provided on page 7 of this report) the effect on the overall massing, which now reads as a six storey building, consistent with the policy contained within the OCP.



NE view along McClure Street



NW view along McClure Street

Transition

The guidelines encourage new development to be compatible through sensitive design. The proposed development utilizes a transparent glass connection which provides a transitional backdrop that pronounces Mount St. Angela and the Cartreff Residence along Burdett Avenue. The darker brick veneer on the lower levels of the east and west elevations lessen the overall scale of the development by grounding the structure and creating a more solid transition to each of the three designated structures. At the same time, additional lighter-finished upper levels tend to be emphasized less with the selection of lighter material colours and glass. The proposal has created a more sensitive transition to the adjacent lot by aligning the parkade structure with the building above. This area is proposed to be landscaped with patio seating, paving, plants and shrubs as noted on the landscape plan.

Relationship to the Street

The proposed development respects the dense vegetation and tree canopy of Burdett Avenue by setting back the new portions of the building, and maintaining the existing spatial relationships of the heritage buildings with the street. The landscape treatment of the Burdett Avenue frontage and retention of the stone wall further reinforces this relationship.

On McClure Street, the project proposes a lower scale rhythm of façade elements reminiscent of the exterior colour pattern of the 1912 addition, and is set apart from, and not exceeding the height of, the relocated Temple Residence. The stone wall abutting the south property line will be retained with modifications for vehicle and pedestrian entrances as well as ground-oriented units on the south wing and the relocated Temple Residence.

Human Scale, Massing, Height and Architectural Features

The Guidelines encourage human scale in the design of buildings and public space that enhances local area distinctiveness with features that contribute to a sense of place. The building massing is visually broken down by utilizing varying heights, different materials (stone, brick and glazed curtain wall), horizontal overhangs, and stepping back of upper floors.

Although the building may be perceived as seven storeys from some perspectives along McClure Street, the structure is a six-storey building as the lowest storey meets the definition of basement under the *Zoning Regulation Bylaw* and is excluded from the storey calculations. The mechanical penthouse is also excluded from the storey calculation as it does not contain a roof. The proposed two-storey portion on the south wing contains ground-oriented units that are visually broken into human-scaled proportions through form, surface treatment and colour. It relates well to the relocated Temple Residence, and provides a good transition to the adjacent Chelsea building. Private alcove recesses along McClure Street make a transition from the private realm of the residences to the public realm of the street.

The stepping back of upper floors, mentioned previously, helps to mitigate the perception of the height from McClure Street.

Exterior Finishes

The primary exterior building materials are a combination of buff stone and brown and white brick veneers, glass curtain walls with structural glass fins, glass canopy, and decorative metal railings. Exterior finishes of Mount St. Angela, the Cartreff Residence and the Temple Residence will be fully restored.

Open Spaces and Landscaping

The open spaces of the project are enhanced through the landscape treatment, including ornamental ponds, glazed pergolas, a community herb garden and landscaped courtyards. The roofscape is enhanced by the proposed green roofs on the south wing on McClure Street and a portion of the east wing. Although staff have raised concerns regarding the impact of the west elevation with the adjacent building at 910 McClure Street, this portion of the proposal would be extensively landscaped with trees, shrubs and seating areas, which will assist in softening the building edge on this elevation. The proposal also benefits from some reductions in massing and increasing the stepping back portion of the upper levels on this side.

2010 Conservation Plan

The September 2010 Conservation Plan (updated from the previous March 2007 Conservation Plan) prepared by Donald Luxton and Associates provides a comprehensive plan for the conservation and rehabilitation of the heritage buildings on the site. This latest proposal plan has been reviewed by this consultant and found to be in conformance with the 2010 Conservation Plan (see attached letter, date stamped March 18, 2016).

Heritage Context

The proposal includes the demolition of the rear 1912 addition to Angela College to permit the new development on the site. This rear wing was previously approved for removal as part of the rezoning for the site approved by Council on February 14, 2008. Portions of the west and east brick exterior walls will be retained as features in the interior atrium/galleria containing the main dining area for the senior's residence.

The most significant aspect of the Application is the design of the new building and its relationship to the existing heritage buildings on the site. The concept is for a three-storey glazed curtain wall which will link the south wall of the 1866 Angela College building to the south end of a new addition to the Cartreff Residence at 913 Burdett Avenue. It will also link to a six-storey wing on the east end of the complex that steps down to four storeys adjacent to the Temple Residence, thereby providing a transparent, neutral backdrop to the prominent heritage buildings. The siting will also retain the existing spatial relationship between Angela College and the Cartreff Residence in a landscaped setting respecting the character of the 900 block of Burdett Avenue which has large trees on the boulevard and adjacent properties. The front elevation of the east wing is designed with a combination of a brick base, sandstone veneer on the upper floors, and glazed window walls to relate to the materials of Angela College. The massing of the project is concentrated in the centre of the block to allow for lower portions adjacent to the two or three-storey heritage buildings.

Standards and Guidelines for the Conservation of Historic Places in Canada

Relevant guidelines from the *Standards and Guidelines for the Conservation of Historic Places in Canada* include the following:

4.3.1 - Exterior Form

Recommended:

- 6 Retaining the exterior form by maintaining proportions, colour, and massing and the spatial relationships with adjacent buildings.
- 10 Reinstating the exterior form by recreating missing, or revealing obscured parts to re-establish character-defining proportions and massing.
- 13 Selecting the location of a new addition that ensures that the heritage value of the place is maintained.
- 14 Designing a new addition in a manner that draws a clear distinction between what is historic and what is new.
- 15 Designing an addition that is compatible in terms of materials and massing with the exterior form of the historic building and its setting.

With respect to the preservation and restoration approach to Angela College:

- 24 Reinstating the building's exterior form from the restoration period, based on documentary and physical evidence.
- 25 Removing a non character-defining feature of the building's exterior form, such as an addition built after the restoration period.
- 26 Recreating missing features of the exterior form that existed during the restoration period, based on physical or documentary evidence.

4.5.1 - All Materials

Recommended:

- 14 Repairing or replacing materials to match the original as closely as possible, both visually and physically.

4.5.2 - Wood and Wood Products

Recommended:

- 14 Retaining all sound and repairable wood that contributes to the heritage value of the historic place.
- 17 Replacing in kind extensively deteriorated or missing parts of wood elements, based on documentary and physical evidence.
- 20 Replacing in-kind an irreparable wood element, based on documentary and physical evidence.

The concept respects the above recommendations contained in the *Standards and Guidelines for the Conservation of Historic Places in Canada*. The proposed new building complex links to the two heritage-designated buildings on Burdett Avenue through the rear elevation in both cases, thus minimizing the loss of historic features. The design of the new building repeats some of the primary materials of the original Angela College such as brick and Tyndall limestone, while still designed with a contemporary expression, thus providing a compatible but differentiated addition that preserves the historic character of the original.

The Temple Residence has several additional window and door openings on the lower level which are not original to the structure. The Applicant proposes to retain, repair and reuse existing wood frame windows, and new window openings and new window types will be reflective of the era and style of the house.

The changes proposed for the heritage-designated stone wall at the front of the property along Burdett Avenue are required as detailed on the new landscape plan, and will conserve and integrate the original materials and gateposts.

Regulatory Requirements

Zoning Regulation Bylaw

In accordance with Rezoning Application No. 00466, staff recommend that Council consider a site specific zone to accommodate the proposed development. The Applicant proposes a building height of 20.53m. Given the prominence of this site to the Mount St. Angela building, staff are recommending that Council consider a lower height limit of 16.5m to be included in the new zone, which is the height of the Mount St. Angela building (measured to half the height of the steeple). This approach is recommended to ensure that the higher height does not become an entitlement entrenched in the zone, allowing future proposals to come forward and achieve a height of 20.53m as a right, rather than benefiting from a Council review process.

In addition, this Application is proposing reduced setbacks when compared to the current zone:

- from 10.6m to 8.8m for the front yard
- from 5.4m to 4.2m for the rear yard
- from 3.6m to 3.2m for the west yard for the new building and 1.7m for the Cartreff Residence.

Staff similarly recommend that Council consider issuing variances for the proposed setbacks to ensure a re-evaluation, if this project is for some reason never built. Appropriate wording has been included in the recommendation for Council's consideration.

Tree Preservation Bylaw

The proposal would result in the loss of three trees along McClure Street and the relocation of one along Burdett Avenue. The proposal is to replace these with three street trees consistent with City standards along Burdett Avenue. An arborist report will be required at the same time as a building permit application, which will outline the construction impact mitigation measures to successfully retain the existing trees along the Burdett Avenue street frontage. One Garry Oak tree would be removed as part of the proposed development, since it is located within the proposed building envelope. This is the only bylaw protected tree within the subject site and would be replaced at a ratio of 2:1 as per the requirements of the *Tree Preservation Bylaw*.

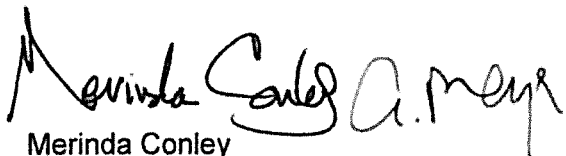
CONCLUSION

Staff recommend that the overall concept of the Application, including the relocation of the heritage houses to allow a more efficient use of the site, has merit and that the concept of linking heritage structures by glazed additions has been successfully used in other jurisdictions. Careful attention to detail will be critical to success. Given the scope and complexity of the project, staff also recommend that a "Certified Professional" architectural heritage consultant be commissioned by the Applicant to oversee all heritage conservation work to ensure consistency with the Heritage Revitalization Agreement and *Standards and Guidelines for the Conservation of Historic Places in Canada*.

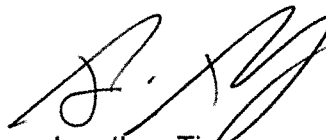
ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street.

Respectfully submitted,

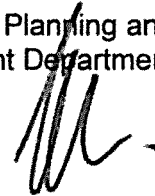


Merinda Conley
Senior Heritage Planner
Development Services Division



Jonathan Tinney
Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: December 30, 2016

Appendices

Conditions of Heritage Alteration Permit No. 00214

- Appendix A, Mount St. Angela, 917-923 Burdett Avenue
- Appendix B, Cartreff Residence, 913 Burdett Avenue
- Appendix C, Temple Residence, 924 McClure Avenue

List of Attachments

- Aerial Map
- Zoning Map
- Letter from John Keay, Keay Cecco Architecture Ltd., date stamped December 15, 2016
- Letter from Larry Cecco, Keay Cecco Architecture Ltd., date stamped November 8, 2016
- Background documentation, dated November 15, 2016
- Letter from Safe Design Council, received February 12, 2016
- Design Rationale, dated November 8, 2016
- Mount St. Angela Conservation Plan, Donald Luxton and Associates, September 2010
- Letter from Donald Luxton, date stamped March 18, 2016
- Plans, dated November 8, 2016
- Land lift analysis, dated October 27, 2016
- Staff report to Heritage Advisory Panel, dated July 5, 2016
- Minutes of July 12, 2016, Heritage Advisory Panel meeting
- Staff report to Advisory Design Panel, dated July 27, 2016
- Minutes of July 27, 2016, Advisory Design Panel meeting.



Committee of the Whole Report

For the Meeting of January 12, 2017

To: Committee of the Whole **Date:** December 16, 2016

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No.00466 for 913-929 Burdett Avenue and 914-924 McClure Street

RECOMMENDATION

"That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and direct staff to set a Public Hearing date once the following conditions are met:

1. Plan revisions to allocate an additional parking stall for visitor use;
2. Plan revisions to demonstrate articulation of the south elevation and any other changes required to ensure accuracy and consistency with plans to the satisfaction of City staff;
3. Discharge of all legal documents from past development proposals not attributable to the current proposal to the satisfaction of City staff including the following:
 - a. S.219 Covenant relating to the provision of full frontage works;
 - b. Statutory Right-of-Way for the provision of a 1.2m public walkway;
4. Introduction of bylaws to repeal the formerly adopted bylaws from past development proposals, including a bylaw pursuant to a Heritage Revitalization Agreement and a bylaw pursuant to a Housing Agreement, as required;
5. Preparation of the following documents, executed by the applicant to the satisfaction of City staff:
 - a. Housing Agreement to secure a minimum of 50% of the units as market rental and a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and that the former Housing Agreement be repealed and terminated;
 - b. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of City staff;
 - c. Agreement to terminate Heritage Revitalization Agreement related to past development proposal."

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as

the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use or the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 913-929 Burdett Avenue and 914-924 McClure Street. The proposal is to amend the existing CD-10 (Mount St. Angela) Zone to increase the bonus density provision in exchange for the heritage conservation measures to be applied to the heritage-designated buildings on the subject site.

The following points were considered in assessing this application:

- the application is consistent with the OCP Urban Residential urban place designation, which envisions density up to 1.2:1 floor space ratio (FSR) with potential bonus density up to a total of approximately 2:1 FSR in strategic locations for the advancement of plan objectives
- the application meets the objectives of the Placemaking policy, Economy policy and Density Bonus policy in the *Official Community Plan (OCP)* which directs continued support for heritage conservation. A detailed analysis of the Heritage Alteration Permit is provided in a separate report, along with conditions to secure the rehabilitation and seismic upgrading of the heritage-designated building
- a third party economic analysis of the project was completed which states that the proposed increase in density is required in order to off-set the costs of retaining and rehabilitating the heritage-designated building. The analysis determined that the cost of retaining and rehabilitating the Heritage Registered façades was in excess of the projected value of the land lift associated with the project
- a Housing Agreement is recommended to ensure a minimum of 50% of the units are retained as market rental and a minimum of 26 units be used as assisted living for a minimum period of 20 years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.

BACKGROUND

Description of Proposal

This Rezoning Application is to amend the Zoning Regulation Bylaw to create a new site specific zone that permits increased density.

The following amendments from the current CD-10 (Mount St. Angela) District Zone are proposed and would be accommodated in the new zone:

- increase in floor space ratio (FSR) from 1.3:1 to a maximum of 1.96:1 FSR
- amendment to the amenities in the zone to remove the requirement for a mid-block walkway along the eastern edge of the property

- additional building height from 13.6m to 16.5m.

Affordable Housing Impacts

The applicant proposes the creation of 106 new residential units plus 26 assisted living units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would ensure that a minimum of 50% of the units are retained as market rental for a minimum period of 20 years and that future Strata Bylaws could not prohibit the rental of units.

Sustainability Features

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

Active Transportation Impacts

The applicant has identified a number of active transportation features which will be reviewed in association with the concurrent Heritage Alteration Permit Application for this property.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Land Use Context

The area is characterized by a mixture of four and five storey multi-residential buildings along Burdett Avenue and lower scale residential along McClure Street. Christ Church Cathedral is situated opposite the subject site and contains four heritage-designated buildings.

Existing Site Development and Development Potential

The site is presently occupied by three heritage-designated buildings: Mount St. Angela College and the Cartreff residence along Burdett Avenue, and the Temple residence at 924 McClure Street. Two non-heritage-designated two-storey buildings are located at 929 Burdett Avenue and 914 McClure Street, which would be removed to accommodate the development.

Under the current CD-10 (Mount St. Angela) District Zone, the property could be developed as a four-storey multiple-dwelling with a maximum density of 1.3:1 FSR.

Data Table

The following data table compares the proposal with the existing CD-10 (Mount St. Angela) District Zone. The current zone is divided into two development areas; for the purpose of this comparison, these development areas have been combined. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard CD-10
Site area (m ²) - minimum	5429.00	3978.00

Zoning Criteria	Proposal	Zone Standard CD-10
Number of dwelling units - maximum	106	N/A
Density (Floor Space Ratio) - maximum	1.96:1*	1.3:1
Total floor area (m ²) - maximum	10,630.00	4976.00
Height (m) - maximum	20.53*	13.60
Storeys - maximum	6*	4
Site coverage % - maximum	49.4*	37.91
Open site space % - minimum	38*	46.56
Setbacks (m) – minimum		
Front (Burdett Avenue)	8.80*	10.60
Rear (McClure Street)	4.20* (building) 3.70* (stairs)	5.40
Side (east)	3.60	3.60
Side (west)	1.70* (Cartreff residence) 3.20* (building)	3.60
Parking - minimum	46*	60 (number of parking stalls specified in existing zone is attributed to previous proposal)
Visitor parking (minimum) included in the overall units	3*	4
Class 1 secure bicycle parking stalls (minimum)	108	107
Class 2 publicly accessible bicycle parking stalls (minimum)	6	6

Relevant History

The property was rezoned to the current CD-10 (Mount St. Angela) District Zone on February 14, 2008. A Development Permit and Heritage Alteration Permit were approved on March 25, 2010 for an alternative design. These permits have since expired and are unrelated to the current application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales Community Association CALUC at a Community Meeting held on June 15, 2015. A letter dated June 19, 2015 is attached to this report.

ANALYSIS

Official Community Plan

The OCP identifies the subject property as being located in the "Urban Residential" designation which envisions floor space ratios generally up to 1.2:1 FSR with increased density up to approximately 2:1 FSR. Policy 6.23 of the OCP notes that applications seeking density towards the upper-end of the scale will generally be supported where proposals significantly advance Plan objectives and are located within 200m of the Urban Core. Although the proposal falls just outside the Urban Core at 220m, it does advance other objectives in the OCP such as the retention and seismic upgrades of the heritage designated buildings. The OCP notes that within each designation, decisions about density and building scale for individual sites will be based on site-specific evaluations in relation to the site, block and local area context, and will include consideration of consistency with all relevant policies within the OCP and local area plans (in this case, the *Humboldt Valley Precinct Plan*).

While the applicant is proposing density and height above the base density envisioned for the Urban Residential designation, the Placemaking Policy (8.52) in the OCP directs continued support for heritage conservation through incentives and allowances including property tax reductions, bonus density provisions and zoning variances.

The proposal is consistent with the place-character features envisioned for the Urban Residential designation through the provision of variable yard setbacks, with primary doorways facing the street. It is also consistent with other Placemaking policies that require new development to give careful consideration to maintain the views of identified heritage landmark buildings. The proposal includes view perspectives towards Christ Church Cathedral and has identified that there will be minimal impact on these views during the fall season. The dense tree canopy would obscure some views during the summer months.

The OCP encourages a range of housing types, forms and tenures across the City. The applicant is willing to include, as a voluntary amenity, the rental of at least 50% of the units (a minimum of 53 units) at market rate secured through a Housing Agreement. The Housing Agreement would also ensure that future strata bylaws could not prohibit strata owners from renting residential strata units.

Humboldt Valley Precinct Plan

The Applications are not consistent with the policies in the Humboldt Valley Precinct Plan which designate the subject property for institutional use up to four storeys. The properties at 914 and 924 McClure Street are identified for residential use up to three storeys, although the Plan does also recognise 914 McClure Street specifically as being a potential site for redevelopment.

The proposal is for a six-storey building, which is greater than the building heights envisioned in the Plan (four storeys along Burdett Avenue and three stories along McClure Avenue). Although technically the proposal is not consistent with this policy, it should be noted that the OCP provides the most current policy direction as it relates to density and building heights. The Plan encourages new development to respect the scale and massing of the surrounding area and this was an item identified for review by the Advisory Design Panel. Further details are provided in the concurrent Heritage Alteration Permit report.

Mid-Block Walkway

Previous versions of the proposal included a mid-block walkway connecting Burdett Avenue with McClure Street along the eastern property boundary, consistent with the Humboldt Valley Precinct Plan and current zoning; however, as noted in the applicant's letter, feedback from the community indicated this was not a desirable amenity. As a result, the mid-block walkway is not included in the current proposal. The applicant has also included a letter from the Safe Design Council, which concludes that a mid-block walkway would result in an increased perception of crime. Staff recommend for Council's consideration that this requirement be removed.

Third Party Economic Analysis

Paul Rollo and Associates was engaged to undertake an economic analysis of the project in order to justify that the proposed increase in density was required in order to off-set the costs of retaining and rehabilitating the Heritage Registered building façades. The analysis determined that based on the increase in density from a floor space ratio of 1.3:1 to 1.96:1 the resulting land lift was approximately \$3 million; however, the applicant proposes the rehabilitation of the Heritage Registered building including seismic upgrading. Based on a construction cost estimate provided by a professional quantity surveyor, the cost associated with this work is estimated at \$4.3 million.

In accordance with City Policy, bonus density incentives may be considered where heritage conservation is proposed. As a result, if Council is supportive of the Application moving forward for consideration at a Public Hearing, staff recommend that Council consider requiring specific conditions in association with the Heritage Alteration Permit to secure the retention and rehabilitation of the Heritage Registered building in lieu of monetary contributions to the City's Public Realm Improvement Fund and Heritage Building's Seismic Upgrade Fund, which would normally be based on top of the lift.

Sewage Attenuation

Sewage attenuation may be required for infrastructure improvements to support the proposed increase in density from the 1.3:1 FSR maximum for multiple dwellings in the existing zoning entitlement, to the proposed density of 1.96:1 FSR. The applicant has confirmed that a report from a qualified engineer will be submitted in order to evaluate the need for sewage attenuation. Should any amount of attenuation be necessary, a Section 219 covenant will be required to secure this commitment. Preparation of the S.219 covenant is required prior to a Public Hearing addressing this issue.

Legal Agreements

A number of legal agreements exist pertaining to the previous proposal. This includes a Heritage Revitalization Agreement (HRA) for the heritage buildings on the property, as well as a S.219 covenant for frontage works and a Statutory Right-of-Way (SRW) for a 1.2m mid-block walkway from Burdett Avenue to McClure Street. These documents are no longer attributable to the current proposal, therefore staff recommend for Council's consideration that these documents be rescinded. Further analysis of the HRA is included in the concurrent Heritage Alteration Permit No. 00214 report.

Staff recommend that Council consider requiring a new Housing Agreement, as authorised by Section 483 of the *Local Government Act*, to secure a minimum of 50% of the market seniors

rental units (at least 53 units) and that 26 of the units be used as assisted living for a minimum period of 20 years.

Regulatory Considerations

Building Height and Setbacks

The applicant proposes the new zone to include a maximum building height of 20.53m. Given the importance of the relationship of the new buildings to the Mount St. Angela building, staff are recommending that Council consider a lower height limit of 16.5m to be included in the new zone, which is the height of the Mount St. Angela building (measured to half the height of the steeple). This would allow Council to consider issuing a Heritage Alteration Permit with Variances for the new structure, as proposed in Heritage Alteration Permit Application No. 00214. This also ensures that the additional height could only be achieved through a variance process and not become an entitlement entrenched in the zoning, becoming a right for any future proposal that may be advanced if this proposal is not built. Similarly, a number of setback variances are proposed when compared to the current zone as outlined in the data table. Staff have provided further review of these in the concurrent Heritage Alteration Permit report.

In accordance with City Policy, zoning variances (including building height and setbacks) may be considered where heritage conservation is proposed. Staff have provided more detailed comment on the proposed height variance in the Heritage Alteration Permit report.

The floor plans associated with Heritage Alteration Permit Application No. 00214 do not accurately reflect the architectural intent to provide articulation along this façade. Normal practice is for minor design revisions to take place prior to issuance of a Heritage Alteration Permit, but in this circumstance the amendment may affect the setback variance along McClure Street. Staff therefore recommend for Council's consideration that this be corrected prior to setting a Public Hearing.

Parking

The requirement for 60 stalls in the existing zoning is based on the previous proposal. In reviewing the current proposal against the requirements under Schedule C of the *Zoning Regulation Bylaw*, a total of 42 stalls are required (37 stalls for seniors residential and 5 stalls for assisted living/community care). A total of 46 stalls is being proposed and three of these stalls are identified as visitor parking, which is one fewer than the requirements (based on 10% of 37 stalls); however, reallocating one of the underground stalls for visitor use would eliminate the visitor stall parking variance. Appropriate wording has been included in the staff recommendation for Council's consideration to revise the plans accordingly.

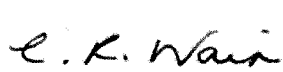
CONCLUSIONS

Although the Application is not consistent with the Humboldt Valley Precinct Plan as it relates to density, it does further the goals and objectives noted in the OCP and the DCAP regarding heritage conservation and place making. As the applicant is proposing to include a minimum of 50% of the dwelling units as market rental for a minimum period of 20 years and the upgrades to the heritage designated buildings will be secured through the Heritage Alteration Permit, the proposed increase in density is considered appropriate in this location. It is recommended for Council's consideration that the Application move forward for a Public Hearing subject to the conditions provided in the staff recommendation.

ALTERNATE MOTION

That Council decline Application No. 00466 for the property located at 913-929 Burdett Avenue and 914-924 McClure Street.

Respectfully submitted,

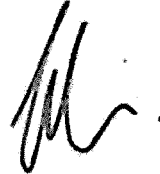


Charlotte Wain
Senior Planner, Urban Design



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: December 30, 2016

List of Attachments

- Aerial Map
- Zoning Map
- Letter from John Keay, Keay Cecco Architecture Ltd., date stamped December 15, 2016
- Letter from Larry Cecco, Keay Cecco Architecture Ltd., date stamped November 8, 2016
- Background Documentation, dated December 15, 2016
- Letter from Safe Design Council, received February 12, 2016
- Design Rationale, dated November 8, 2016
- Mount St. Angela Conservation Plan, Donald Luxton and Associates, September 2010
- Letter from Donald Luxton, date stamped March 18, 2016
- Plans dated November 8, 2016
- Land lift analysis dated October 27, 2016
- Staff report to Heritage Advisory Panel, dated July 5, 2016
- Minutes of July 12, 2016, Heritage Advisory Panel meeting
- Staff report to Advisory Design Panel, dated July 27, 2016
- Minutes of July 27, 2016, Design Advisory Panel meeting.

Heather McIntyre

From: Alieda Blandford [REDACTED]
Sent: October 22, 2019 10:16 AM
To: Victoria Mayor and Council
Cc: Riga Godron; Yuka Kurokawa; Leslie Robinson; Amy White
Subject: 913-929 Burdett Avenue and 914-924 McClure Street

Dear Mayor and Council,

I wish to express my support of the proposed development at 913-929 Burdett Avenue and 914-924 McClure Street as outlined in [Thursday's agenda](#) (p.51). (I am also in favour of the development proposed at 1046 North Park St, for adults living with mental illness.)

I am pleased that the Mount St. Angela's development makes considerations for the needs and desires of Victoria's residents. The character of the building will be retained, and more importantly, this development will deliver several affordable rental units for seniors, as well as assisted living facilities. Our residents are very sorely in need of purpose-built rentals; affordable units and assisted living facilities are also in high demand.

With that said, I am disappointed that only half of the units in this proposal will be designated as rentals, and then only for 20 years. The five affordable units and the 26 assisted living units will also only be available for 20 years. I would ask the City to push for a better deal for Victoria's senior residents: more rental units, more affordable units, and/or for a longer period of time: at least 25 or 30, and ideally a minimum of 50 years.

Otherwise, seniors who begin tenure in these affordable and assisted-living rental units in the near future will quickly face housing insecurity and rising rents at a time when they should be comfortable, safe, and cared for.

Thank you for your consideration. I know you will do all you can to secure the best deal possible for our senior citizens.

With warm regards,

Alieda Blandford
Renters' Advisory Committee Member

Heather McIntyre

From: Victoria E. Adams [REDACTED]
Sent: October 22, 2019 5:11 PM
To: Victoria Mayor and Council
Subject: Land Use Matters - 913-929 Burdett Ave., 914-924 McLure Street

City Council
City of Victoria

I cannot support this residential development project as a senior, a tenant, and a taxpayer in the City of Victoria.

There are several problems with this proposed housing development.

1. **Why is the city approving even more site-specific zoning**, when no other municipality in BC is doing do? The City of Victoria has more than 770 site specific zones! Far from simplifying the zoning categories for Victoria, the City is simply perpetuating a system of one-off zoning requests to perpetuate land value appreciation for owners in an already unaffordable real estate market. Why doesn't the R-91 (North Park District Residential Zoning) apply to this residential project?
2. This **development has no net public benefit** in spite of the fact that it is a 106-unit residential development. The land lift analysis points out that although the owner will benefit from increased density from 1:3:1 to 1:96:1 FSR, the land lift value was reduced to \$1.3 million, while the owner's heritage preservation and seismic upgrading cost would exceed \$5 million. There will be no public benefit since the owner's costs will exceed the value of the land lift. What has not been revealed is whether the properties within the complex designated "heritage" have received any civic grants or tax exemptions to maintain or upgrade the properties.
3. **Parking requirements** for 60 spaces (46 for residents and 13 for visitors) are based on the previous proposal. The new proposal reduces the total number of parking spaces to 56 and replaces the space with cycling storage and change room facilities. The real question is, if affordability, accessibility, social equity, reduction of GHGs are to be considered a public benefit, why not eliminate private parking for residents by including a limited number of car-share spaces for residents, and limited parking for visitors. This would align with the city's Active Transportation/Mobility strategy, climate action plan, and reduce the per unit housing costs.
4. **Covenants for the property have been removed.** In spite of the increased density, engineering reports there is no impact on the existing sewage infrastructure from this project. Where is the evidence? What staff have not considered is how new development in this area will impacted by or limited by the carrying capacity or loads whether for potable water, sewage, storm drainage, waste removal, as well as road capacity due to increased volume of traffic.
5. In the **absence of an evidence-based, consistent and Housing Agreements policy**, individual housing agreements appear to be entirely discretionary based primarily on the interests and needs of the owner/investors. Where is the public benefit ensured in the city's housing agreement policy and, how are the most vulnerable occupants, i.e. tenants, modest-income seniors protected? Why is housing tenure protected

for 20 years, but not 50 years, or in perpetuity? Furthermore, there are no limitations on the conversions to strata, or the conditions of the unit sales. What does “affordable” housing mean? If five units are designated “affordable” (according to the City’s “Inclusionary Housing and Community Amenity Policy”, how much will seniors be expected to pay for these strata units or rental units? While 34 units at 1046 and 1048 North Park (to be built for VIHA to house existing Mount Angela residents) will be designated “low-income affordable units”, what will seniors be expected to pay for these units? And, is the City’s definition of “affordability” the same as VIHA’s definition of “low-income affordable units”?

Furthermore, the 34-unit VIHA purpose-built seniors rental facility (McLure Street) will not be secured through a housing agreement. Why not? Apparently, VIHA can only sign 20-year lease agreements. This means there is no low-income rental housing security related to the development of this property. And, if the site’s R-91 zone (N. Park Residential District) limits residential use to rest-homes, then why is the owner asking for a spot rezoning of the 913 Burdett property when it could be part of the R-91 zone?

Summary:

In spite of the city’s adoption of new “inclusive” “affordable” housing policies, in this 106-unit development: Less than 30% of the units will be affordable many senior tenant households in the city.

- 22 units will be strata title residential units (presumably the going rate of more than \$500,000 per unit depending on the size)
- 53 units (50% of the total number of units will be “market rental”) based on the maximum rent that can be garnered in a Victoria’s high-rental market.
- 5 units will available as “affordable market rental” (but only for 20 years).
- 26 units will be designated assisted living units (but only for 20 years).

Sincerely,

Victoria Adams
Victoria, BC

References:

Staff Report Oct. 10/19 – Rezoning Application No. 00466 and Heritage Alteration Permit Application No.00214 for 913-929 Burdett Avenue and 914-924 McLure Street
<https://pub-victoria.escribemeetings.com/filestream.ashx?DocumentId=45809>

Nicole Crescenzi, “City of Victoria considers proposed senior rental development”, VicNews, 21 October 2019.
<https://www.vicnews.com/news/city-of-victoria-considers-proposed-senior-rental-development/>

Bill Cleverley, “Design and heritage panels tussle over Mount St. Angela overhaul”, Times Colonist, January 13, 2017.
<https://www.timescolonist.com/news/local/design-and-heritage-panels-tussle-over-mount-st-angela-overhaul-1.7235612>

Rezoning & Heritage Alteration Permit with Variances Application

**Mount St. Angela
913-929 Burdett Avenue & 914-924 McClure
Street**

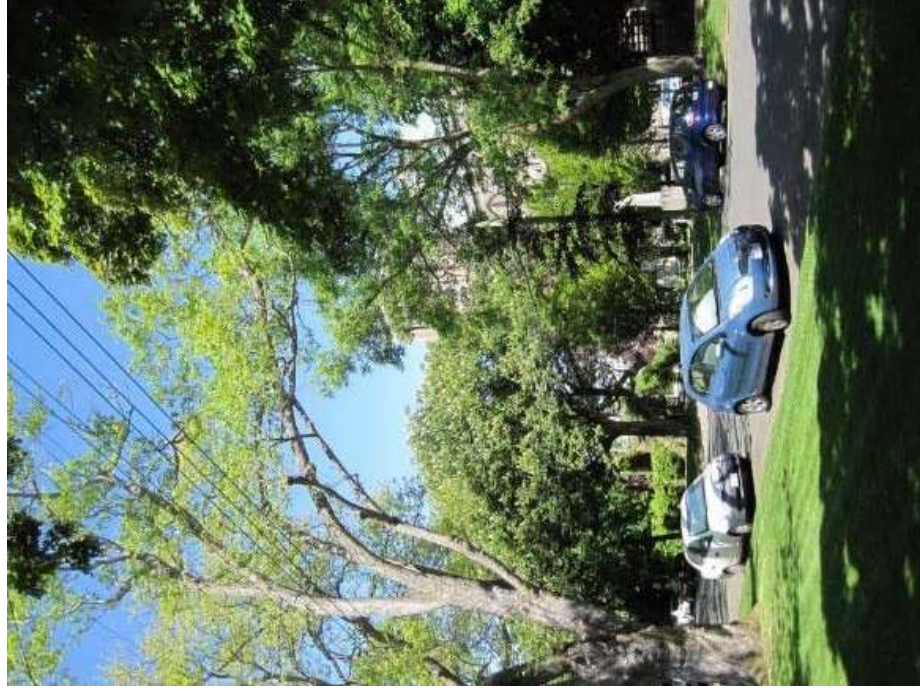




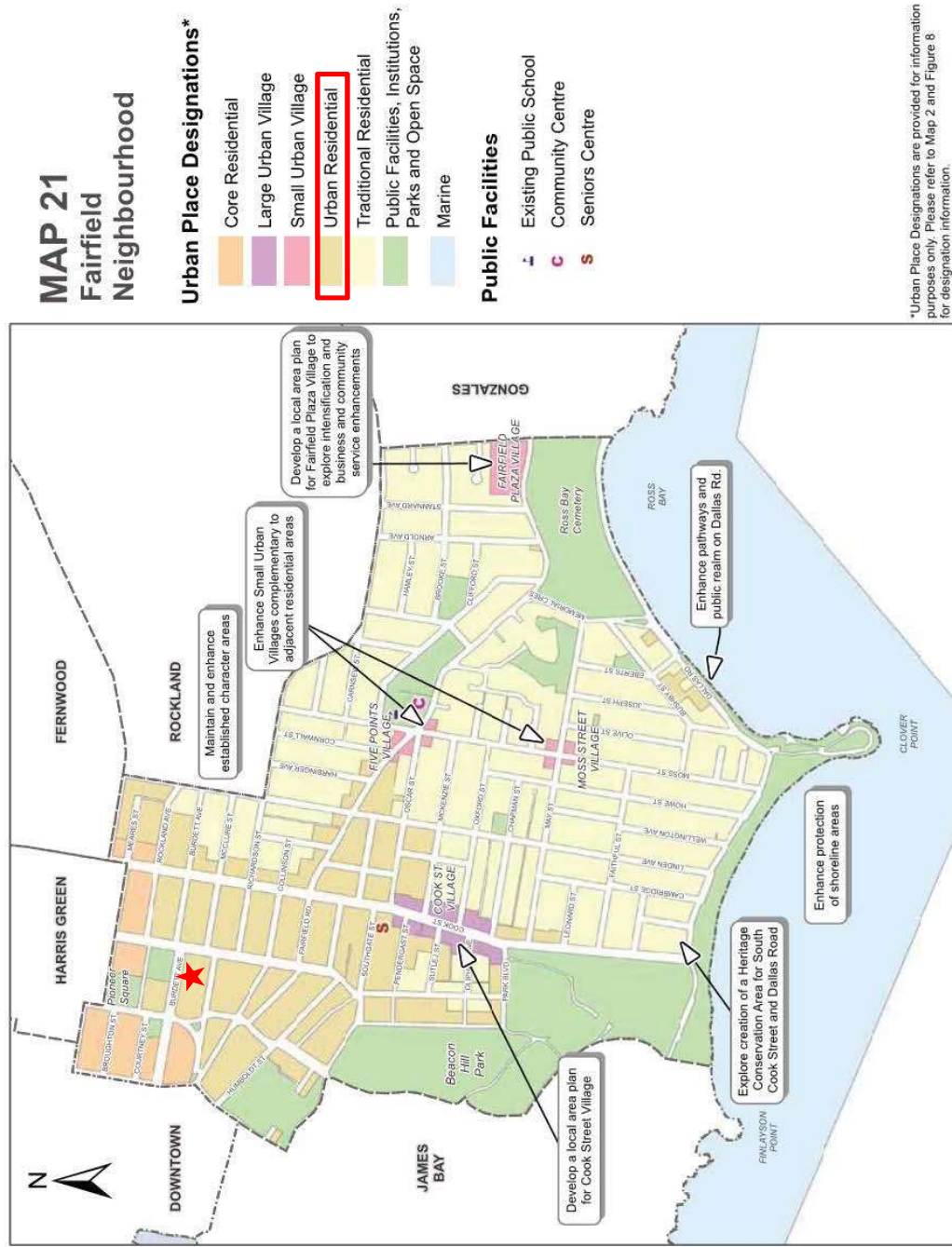
CONTEXT | EXISTING SITE



CONTEXT | NEIGHBOURING PROPERTIES



SECTION 21: NEIGHBOURHOOD DIRECTIONS





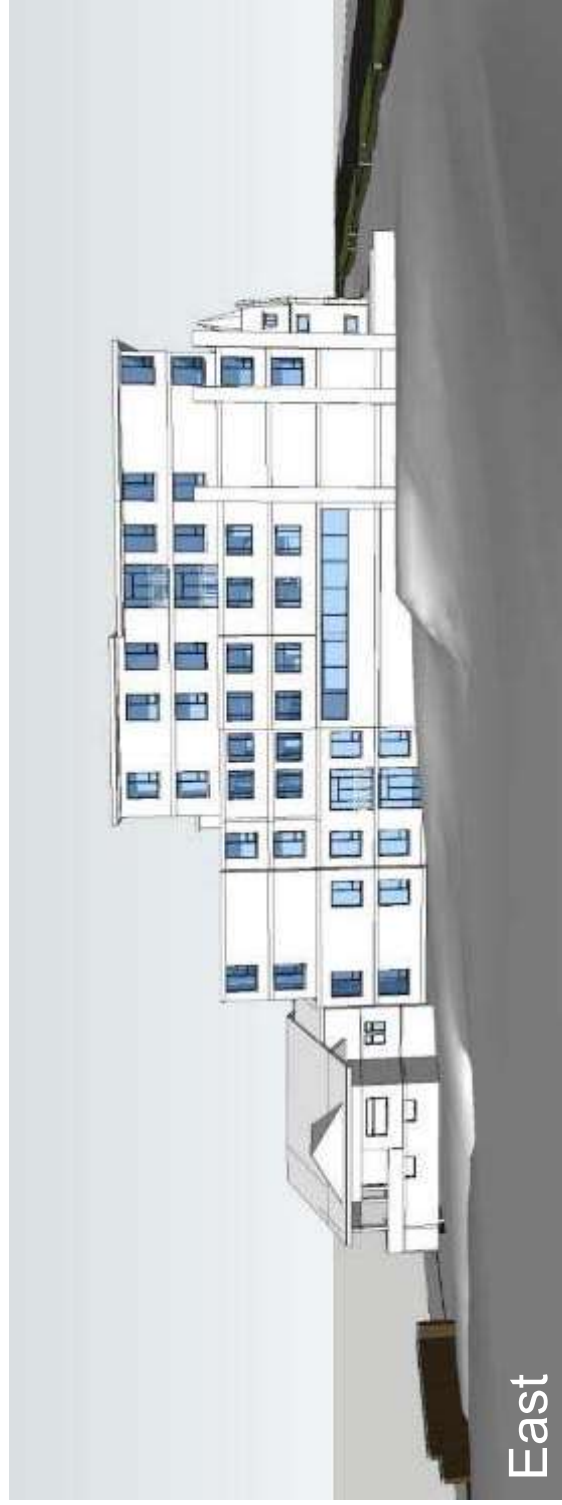




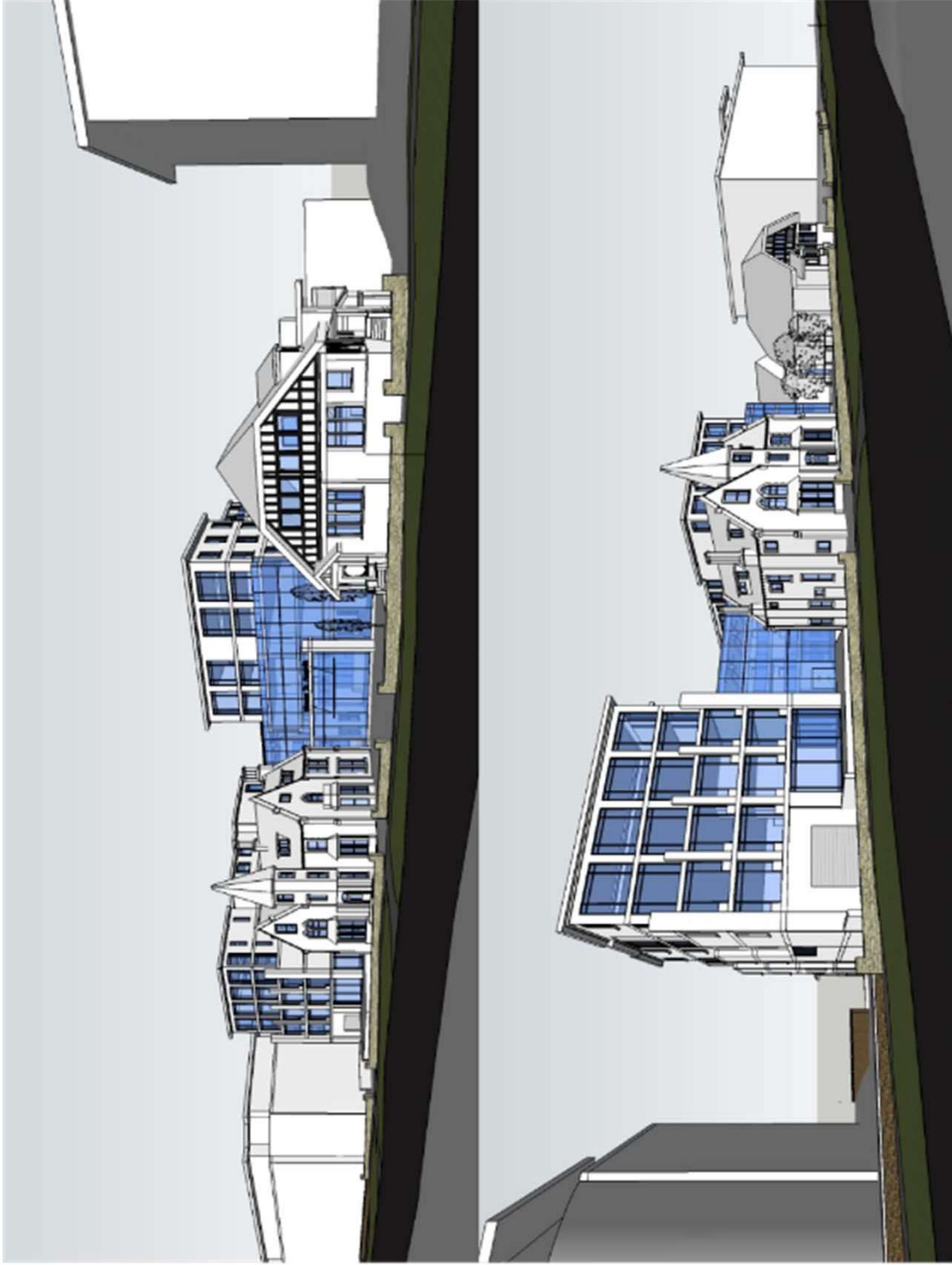




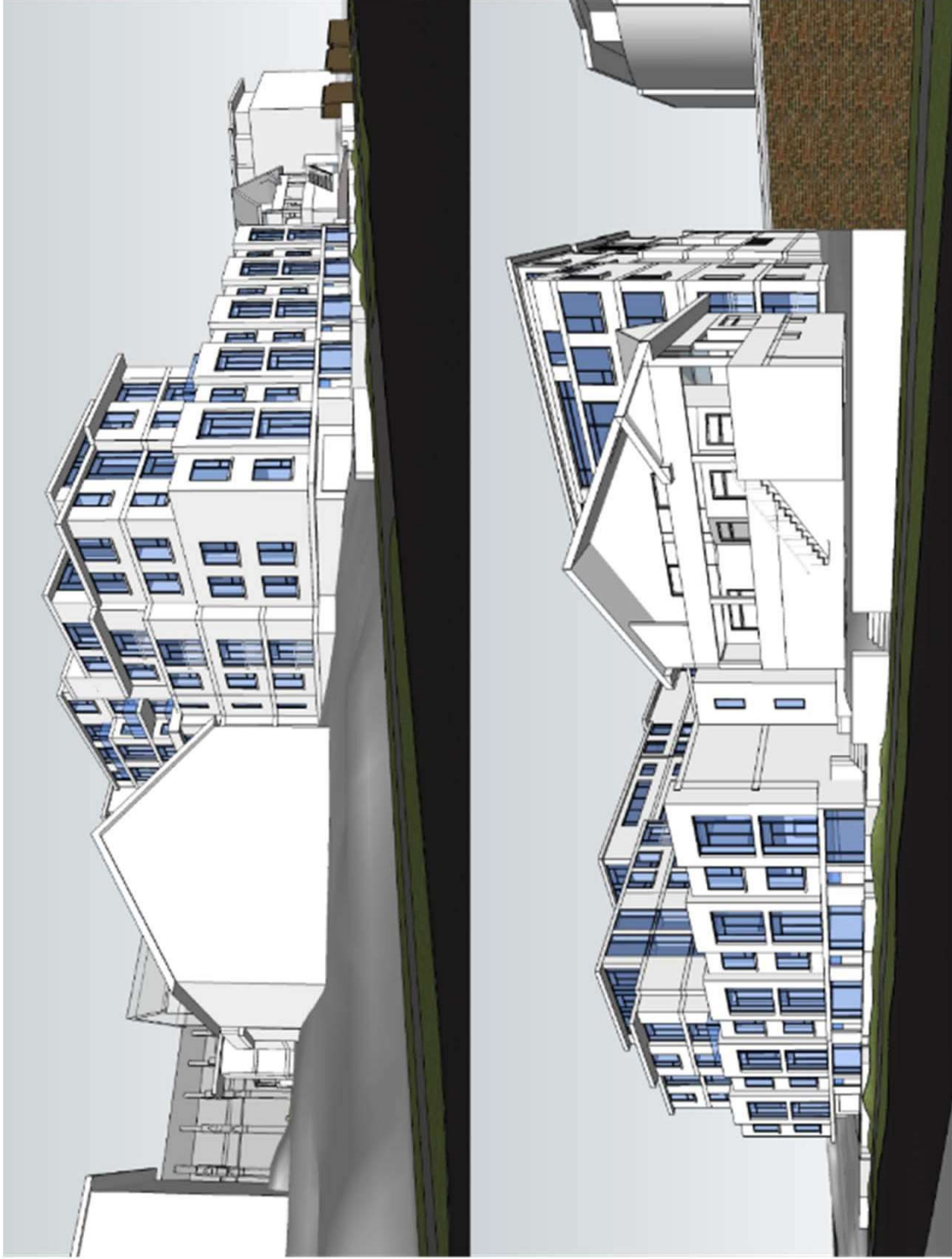
Massing | Elevations



Massing | Burdett Avenue



Massing | McClure Street



Massing | Streetscape





LEVEL 1 PLAN
Scale: 1:200







LEVEL 4 PLAN
SCALE: 1:200



LEVEL 5 PLAN
Scale: 1:200



LEVEL 6 PLAN
Scale: 1:200

















A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-97 Zone, Mount St. Angela Seniors' Housing District, and to rezone the lands known as:

- (a) 913 Burdett Avenue and 914 McClure Street from the R-K Zone, Medium Density Attached Dwelling District; and
- (b) 917-929 Burdett Avenue and 924 McClure Street from the CD-10 Zone, Mount St. Angela District,

all to the R-97 Zone, Mount St. Angela Seniors' Housing District, and to delete the CD-10 Zone, Mount St. Angela District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1217)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" as follows:
 - (a) under the caption PART 3 – MULTIPLE DWELLING ZONES by adding the following words:

"3.131 R-97 Mount St. Angela Seniors' Housing District"; and
 - (b) under the caption PART 12 – COMPREHENSIVE DEVELOPMENT ZONES CONTINUED by striking out the following words:

"12.10 CD-10 Mount St. Angela".
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.130 the provisions contained in Schedule 1 of this Bylaw.
- 4 The properties described below and shown hatched on the attached map are removed from the R-K Zone, Medium Density Attached Dwelling Zone, and placed in the R-97 Zone, Mount St. Angela Seniors' Housing District:
 - (a) 913 Burdett Avenue, legally described as PID: 027-551-989, Lot 1, Christ Church Trust Estate, Victoria City, Plan VIP85236; and
 - (b) 914 McClure Street, legally described as PID: 009-332-049, Lot 22, Block 6, Christ Church Trust Estate, Victoria City, Plan 35.
- 5 The land known as 917, 923 and 929 Burdett Avenue and 924 McClure Street, legally described as PID: 027-552-004, Lot 2, Christ Church Trust Estate, Victoria City, Plan VIP85236, and shown cross-hatched on the attached map, is removed from the CD-10 Zone, Mount St. Angela District, and placed in the R-97 Zone, Mount St. Angela Seniors' Housing District.

- 6 The Zoning Regulation Bylaw is also amended by striking out Part 12.10 CD-10 Zone,
Mount St. Angela District.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the _____ day of _____ 2020

Public hearing held on the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR

PART 3.131 – R-97 ZONE, MOUNT ST. ANGELA SENIORS' HOUSING DISTRICT

3.131.1 Definitions

- a. In this Part, seniors' housing – assisted living means a facility where regular care or supervision is given by a health care professional as well as assistance with the performance of the personal functions and activities necessary for daily living for persons, such as the aged or chronically ill, who are unable to perform them efficiently for themselves.
- b. In this Part, seniors' housing – independent living means a residential building containing in any combination, two or more dwelling units, housekeeping units, or sleeping units for the accommodation of elderly persons, including the ancillary common areas and accessory personal service and convenience uses, for the exclusive use of residents and tenants of the building and their guests.

3.131.2 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. seniors' housing – assisted living
- b. seniors' housing – independent living
- c. multiple dwelling
- d. home occupation subject to the regulations in Schedule "D"
- e. accessory buildings subject to the regulations in Schedule "F".

3.131.3 Community Amenities

As a condition of additional density pursuant to Part 3.131.4, all of the following community amenities must be provided:

- a. Registration of a legal agreement, or legal agreements, securing:
 - i. no less than 50% of the total dwelling units as rental (the "Rental Units") for no less than 60 years;
 - ii. no less than 26 of the Rental Units as seniors' housing – assisted living for no less than 60 years;
 - iii. no less than 5 of the dwelling units, none of which are Rental Units, as affordable rental units for no less than 60 years; and
 - iv. that no strata corporation can pass bylaws that would prohibit or restrict the rental of dwelling units to non-owners in perpetuity.
- b. Registration of a legal agreement to ensure that any buildings in this Zone achieve Built Green Canada Bronze certification or an equivalent sustainable building certification.
- c. Registration of a covenant providing that none of the buildings will be used or occupied until the existing buildings in the Zone are rehabilitated in accordance with the heritage conservation measures stated in Heritage Alteration Permit with Variance Application No. 00214.

PART 3.131 – R-97 ZONE, MOUNT ST. ANGELA SENIORS' HOUSING DISTRICT

3.131.4 Lot Area, Floor Space Ratio

- | | |
|---|--------------------|
| a. <u>Lot area</u> (minimum) | 5425m ² |
| b. <u>Floor space ratio</u> where the amenities have not been provided pursuant to Part 3.131.3 (maximum) | 0.6:1 |
| c. <u>Floor space ratio</u> where the amenities have been provided pursuant to Part 3.131.3 (maximum) | 1.96:1 |

3.131.5 Height

- | | |
|---|-------|
| a. Principal <u>building height</u> (maximum) | 16.5m |
|---|-------|

3.131.6 Setbacks, Projections

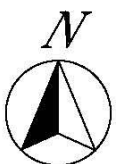
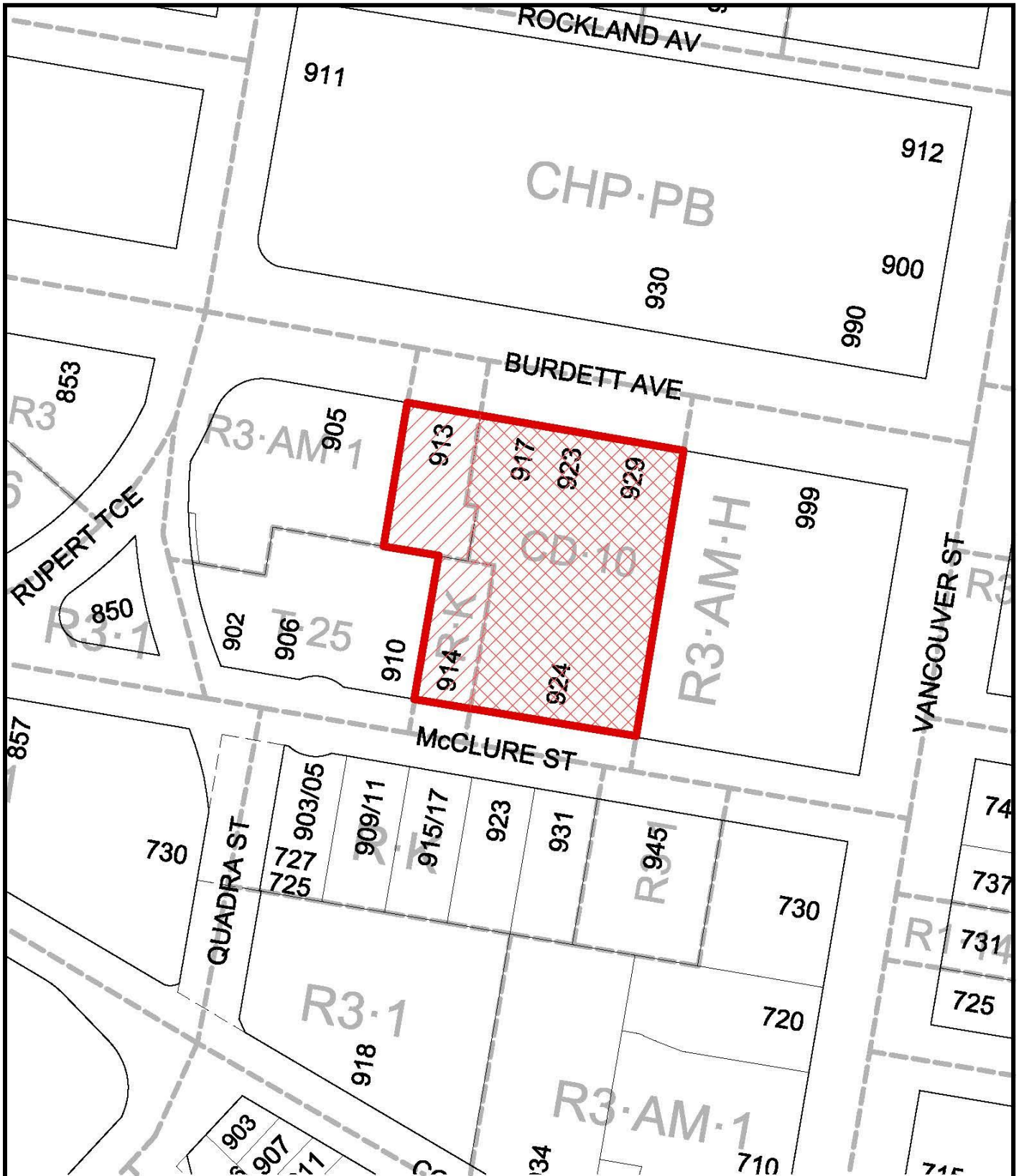
- | | |
|--|-------|
| a. <u>Front yard setback</u> (minimum) | 10.6m |
| b. <u>Rear yard setback</u> (minimum) | 5.4m |
| c. <u>Side yard setback</u> from interior <u>lot lines</u> (minimum) | 3.6m |
| d. Stairs may project into a <u>setback</u> (maximum) | 2.0m |

3.131.7 Site Coverage, Open Site Space

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 50% |
| b. <u>Open site space</u> (minimum) | 38% |

3.131.8 Vehicle and Bicycle Parking

- | | |
|---|---|
| a. Vehicle parking for <u>seniors' housing – independent living</u> and <u>seniors' housing – assisted living</u> (minimum) | Subject to the regulations in Schedule "C" for Assisted Living Facilities |
| b. Vehicle parking for all other uses (minimum) | Subject to the regulations in Schedule "C" |
| c. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |



913-929 Burdett Ave & 914-924 McClure St
Rezoning No.00466



Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

1 This Bylaw may be cited as the "HOUSING AGREEMENT (913-929 BURDETT & 914-924 MCCLURE) BYLAW (2020)".

2 The Director of Sustainable Planning and Community Development is authorized to execute the Housing Agreement:

- (a) substantially in the form attached to this Bylaw as Schedule A;
- (b) between the City and M.I. Ventures Inc., Inc. No. BC0858024 and St. Angela Holdings No. 2 Ltd., Inc. No. 0825443, or other registered owners from time to time of the lands described in subsection (c); and
- (c) that applies to the lands known as 913 – 929 Burdett Avenue and 914-924 McClure Street, Victoria, BC, legally described as:
 - PID: 009-332-049
Lot 22, Block 6, Christ Church Trust Estate, Victoria City, Plan 35;
 - PID: 027-551-989
Lot 1, Christ Church Trust Estate, Victoria City, Plan VIP85236; and
 - PID: 027-552-004
Lot 2, Christ Church Trust Estate, Victoria City, Plan VIP85236.

3 Bylaw No. 07-062, the Housing Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Bylaw is repealed and the agreement authorized by that bylaw is terminated.

READ A SECOND TIME the _____ day of _____ 2020

READ A THIRD TIME the

day of

2020

ADOPTED on the

day of

2020

CITY CLERK

MAYOR

HOUSING AGREEMENT
(Pursuant to section 483 of the *Local Government Act*)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA
#1 Centennial Square
Victoria, British Columbia V8W 1P6

(the "City")

AND:

ST. ANGELA HOLDINGS NO. 2 LTD. (Inc. No. BC0825443)
15 – 1594 Fairfield Road
Victoria, B.C. V8S 5L8

- and -

M.I. VENTURES INC. (Inc. No. BC0858024)
185 – 911 Yates Street, #317
Victoria, B.C. V8V 4Y9

(collectively, the "Owner")

AND:

TERRAPIN MORTGAGE INVESTMENT CORP.
Suite 2200, Four Bentall Centre
1055 Dunsmuir Street, Post Office Box 49214
Vancouver, British Columbia V7X 1K8

(the "Existing Chargeholder")

WHEREAS:

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.

{00043656:1}

- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with civic addresses of 913 Burdett Avenue, 929 Burdett Avenue, and 914 McClure Street, and legally described as:

Parcel Identifier 027-551-989
Lot 1, Christ Church Trust Estate, Victoria City, Plan VIP85236

Parcel Identifier 027-552-004
Lot 2, Christ Church Trust Estate, Victoria City, Plan VIP85236

Parcel Identifier 009-332-049
Lot 22, Block 6, Christ Church Trust Estate, Victoria City, Plan 35

(collectively, the "**Lands**").

- D. The Owner has applied to the City to rezone the Lands to permit the development and construction of one hundred and thirty-two (132) residential housing units and related facilities on the Lands in accordance with this Agreement (the "**Development**").
- E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner to provide for sixty (60) years: that sixty-six (66) of the Dwelling Units within the Development on the Lands will be used and held only as rental housing, with twenty-six (26) of those units to be used as assisted living rental units; and that five (5) additional units be affordable rental units.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"**Assisted Living Units**" means Dwelling Units for Seniors in which regular care or supervision is given by a health care professional as well as assistance with the performance of the personal functions and activities necessary for daily living such as the provision of housekeeping and prepared meals as needed;

"**Business Day**" means Monday to Friday, other than any such day which is a statutory holiday in Victoria, British Columbia;

"**CPI**" means the All-items Consumer Price Index for Victoria, B.C. published from time to time by Statistics Canada, or its successor in function;

"**CPI Increase**" means the CPI for January in the calendar year of the proposed rent increase divided by the CPI for January of the immediately preceding calendar year;

"**Dwelling Units**" means any or all, as the context may require, of the 132 residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "Dwelling Unit" means any of such residential dwelling units located on the Lands;

{00043656:1}

"Immediate Family" includes a person's spouse, child, grandchild, parent, grandparent, sibling, niece and nephew, and includes the Immediate Family of the person's spouse;

"Median Gross Annual Household Income" means the median gross annual household income for renters in the City of Victoria, as reported in Statistics Canada's most recent Census data, and in the event that Statistics Canada no longer reports median gross annual household income for renters in the City, the median total income of households in the City of Victoria as reported in Statistics Canada's most recent Census data will be used instead;

"Median Household Income Limit" means the maximum annual collective household income for the Dwelling Unit, as determined by making the following calculations and rounding the result to the nearest ten:

- (a) for studio Dwelling Units, Median Gross Annual Household Income x 0.7925, which, for reference purposes only, equated to \$35,000 in 2015,
- (b) for one-bedroom Dwelling Units, Median Gross Annual Household Income x 0.9510, which, for reference purposes only, equated to \$42,000 in 2015, and
- (c) for two-bedroom Dwelling Units, Median Gross Annual Household Income x 1.1774, which, for reference purposes only, equated to \$52,000 in 2015;

"Median Income Unit" means a Dwelling Unit that is designated as a Median Income Unit in accordance with Article 5.0 of this Agreement;

"Non-owner" means a person other than a Related Person or the Owner;

"Owner" includes a person who acquires an interest in the Lands or any part of the Lands or the Development and is thereby bound by this Agreement, as referred to in section 12.3;

"Related Person" includes, where the registered or beneficial owner of the Lands or Dwelling Unit, as applicable, is:

- (a) a corporation or society:
 - (i) an officer, director, shareholder, or member of such corporation or society, or of another entity which is a shareholder or member of such corporation or society; or
 - (ii) an Immediate Family of a person to whom paragraph (i) applies, or
- (b) an individual, an Immediate Family of the registered or beneficial owner;

"RTA" means the *Residential Tenancy Act*, S.B.C. 2002, c.78, as amended or replaced, from time to time;

"Senior" means a person of the age of fifty-five (55) years or more;

{00043656;3}

"Tenancy Agreement" means a tenancy agreement pursuant to the RTA that is regulated by that Act; and

"Term" means the period commencing of the date when this Agreement has been duly executed by all parties to it and ending on the sixty (60) year anniversary of the date as of which the final occupancy permit for the Development is issued by the City.

2.0 DWELLING UNITS TO BE OCCUPIED BY SENIORS

2.1 The Owner covenants and agrees that during the Term:

- (a) No Dwelling Unit will be occupied by:
 - (i) a single occupant, unless that occupant is a Senior;
 - (ii) multiple occupants, unless at least one occupant is a Senior, and all other occupants are over the age of majority and either members of the Senior's Immediate Family, or a licensed caregiver; or
 - (iii) any other person.
- (b) If, as of the result of the death of an occupant, there is no Senior permanently residing in a Dwelling Unit, each remaining occupant that is also Immediate Family (a **"Remaining Occupant"**) may continue to occupy that Dwelling Unit until the earlier of the date on which:
 - (i) the Remaining Occupant dies; or
 - (ii) the Remaining Occupant ceases to occupy the Dwelling Unit as his or her permanent residence for a period exceeding sixty (60) days,

and the restrictions described in paragraph 2.1(a) and (b) above will apply to any occupant subsequently occupying the Dwelling Unit.

3.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

3.1 The Owner covenants and agrees that during the Term, sixty-six (66) of the Dwelling Units shall be designated as rental units (the **"Rental Units"**), and that the Rental Units shall only be used as rental housing, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

4.0 ASSISTED LIVING UNITS

4.1 The Owner covenants and agrees that during the Term, twenty-six (26) Rental Units shall be designated as Assisted Living Units, and that each designated Assisted Living Unit shall only be occupied and used as an Assisted Living Unit.

5.0 MEDIAN INCOME HOUSING

5.1 The Owner covenants and agrees that during the Term, five (5) of the Dwelling Units shall be designated as Median Income Units, and that:

{00043656:3}

- (a) each designated Median Income Unit shall only be occupied and used as a Median Income Unit;
- (b) none of the designated Median Income Units shall also be designated as a Rental Unit pursuant to Article 3.0;
- (c) each of the studio Median Income Units shall only be occupied by one or more tenants with a combined annual income that is equal to or less than the Median Household Income Limit for studio Dwelling Units, and the monthly rent payable shall be no more than 30% of the combined annual income of the tenant(s) divided by 12, subject to Article 7.0;
- (d) each of the one-bedroom Median Income Units shall only be occupied by one or more tenants with a combined annual income that is equal to or less than the Median Household Income Limit for one-bedroom Dwelling Units, and the monthly rent payable shall be no more than 30% of the combined annual income of the tenant(s) divided by 12, subject to Article 7.0; and
- (e) each of the two-bedroom Median Income Units shall only be occupied by one or more tenants with a combined annual income that is equal to or less than the Median Household Income Limit for two-bedroom Dwelling Units, and the monthly rent payable shall be no more than 30% of the combined annual income of the tenant(s) divided by 12, subject to Article 7.0.

6.0 NO RESTRICTIONS ON RENTALS

- 6.1** The Owner covenants and agrees, in perpetuity, that except as permitted in Articles 2.0-5.0, the Owner will refrain from taking any steps, entering into any agreements, or imposing any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.
- 6.2** Without limiting the generality of section 6.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

7.0 RENT ADJUSTMENTS

- 7.1** During the term of the tenancy, the rent payable by the tenant(s) of any Median Income Unit may be increased only by the amount permitted under the RTA and any other applicable legislation.
- 7.2** Notwithstanding the RTA, in no case shall the rent for a Median Income Unit in any calendar year exceed the rent for the preceding calendar year multiplied by the CPI Increase.

8.0 REPORTING

- 8.1** The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, within thirty (30) days of the Director's written request, a report in writing confirming the following:

{00043656:3}

- (a) sixty-six (66) Rental Units are being rented to Non-owners;
- (b) twenty-six (26) Rental Units are being rented as Assisted Living Units;
- (c) five (5) Dwelling Units are being rented as Median Income Units; and
- (d) such other information as may be requested by the Director from time to time.

8.2 The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.

8.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

9.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

9.1 Notice of this Agreement (the "**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

10.0 LIABILITY

10.1 The Owner agrees to indemnify and save harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.

10.2 The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement, or otherwise that would not have arisen "but for" this Agreement.

11.0 PRIORITY AGREEMENT

11.1 The Existing Chargeholder is the registered holder of charges by way of the following mortgages or charges against the Lands, which are registered in the Land Title Office at Victoria, British Columbia, under registration numbers CA6480313, and CA6480314 (collectively, the "**Existing Charges**"). In consideration of the sum of One (\$1.00) Dollar paid by the City (the receipt whereof is hereby acknowledged), the Existing Chargeholder agrees with the Owner and the City, that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

{00043656:1}

12.0 GENERAL PROVISIONS

12.1 NOTICE. If sent as follows, notice under this Agreement is considered to be received:

- (a) upon confirmation of delivery by Canada Post if sent by registered mail,
- (b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and
- (c) on the date of delivery if hand-delivered, and

in the case of the City, addressed to:

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

Attention: Director of Sustainable Planning and
Community Development
Fax: 250-361-0386
Email: CommunityPlanning@victoria.ca

and in the case of the Owner, addressed to:

15 – 1594 Fairfield Road
Victoria, BC V8S 5L8

Attention: Christopher Isherwood

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail, email or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- (d) notice sent by the impaired service is considered to be received on the date of delivery, and
- (e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

12.2 TIME. Time is of the essence of this Agreement.

12.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

{00043656:3}

- 12.4 WAIVER.** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 12.5 HEADINGS.** The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.
- 12.6 LANGUAGE.** Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.
- 12.7 LEGISLATION.** Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.
- 12.8 EQUITABLE REMEDIES.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement
- 12.9 CUMULATIVE REMEDIES.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 12.10 ENTIRE AGREEMENT.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 12.11 FURTHER ASSURANCES.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 12.12 AMENDMENT.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 12.13 LAW APPLICABLE.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 12.14 NO DEROGATION FROM STATUTORY AUTHORITY.** Nothing in this Agreement shall:
- (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
 - (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

{00043656:1}

12.15 SEVERABILITY. If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

12.16 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.

12.17 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

12.18 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF
VICTORIA by its authorized signatory:

Karen Hoese, Director of Sustainable Planning
and Community Development

Date signed: _____

ST. ANGELA HOLDINGS NO. 2 LTD.
by its authorized signatory(ies):

Print Name: W. O. Leonard

Michelle Isherwood

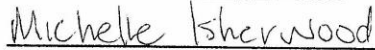
Date signed: Jan 30 / 20

M.I. VENTURES INC.

by its authorized signatory(ies):



Print Name: _____



Print Name: _____


Date signed: Jan 30/20**TERRAPIN MORTGAGE INVESTMENT CORP.**

by its authorized signatory(ies):

Print Name: __________
Print Name: _____

Date signed: _____


M.I. VENTURES INC.
by its authorized signatory(ies):


Print Name: _____

Michelle Sherwood
Print Name: _____

Date signed: Jan 30/20

TERRAPIN MORTGAGE INVESTMENT CORP.
by its authorized signatory(ies):


Print Name: MARK DAVIES

Print Name: _____

Date signed: Feb. 5, 2020

A BYLAW OF THE CITY OF VICTORIA

Whereas the owner of the affected property has consented to the termination of the heritage revitalization agreement authorized by Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Bylaw (the “HRA Bylaw”), the purpose of this Bylaw is to repeal the HRA Bylaw.

Under its statutory powers, including section 610 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

1. This Bylaw may be cited as the “HERITAGE REVITALIZATION AGREEMENT (923 & 929 BURDETT AVENUE AND 924 MCCLURE STREET) REPEAL BYLAW (2020)”.

Repeal

2. Bylaw No. 07-061, the Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Bylaw is repealed, and the agreement authorized by that bylaw is terminated.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR



Council Report

For the Meeting of July 9, 2020

To: Council **Date:** June 26, 2020
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: **Update on Rezoning Application No. 00670 and Development Permit with Variance Application No. 00131 for 1015 Cook Street.**

RECOMMENDATION

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 20-066 (Amendment No. 1228), and give first, second and third readings of Housing Agreement (1015 Cook Street) Bylaw No. 20-067.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variance Applications for the property located at 1015 Cook Street. The proposal is to increase the density to 2.31:1 floor space ratio to construct a five-storey apartment building with live/work dwelling units on the ground floor.

In accordance with Council's motion of February 27, 2020, included below, the necessary conditions that would authorize the approval of Rezoning Application No. 00670 have been fulfilled. In addition, the applicant has revised the unit mix from 30 studio units and one one-bedroom unit to 23 one-bedroom units and eight studio units.

The motion from the February 27, 2020 Council meeting is as follows:

Rezoning Application No. 00670

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00670 for 1015 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. *An executed legal agreement, with terms and in a form to the satisfaction of the Director of Engineering and Public Works and the City Solicitor, to secure Transportation Demand Management measures that include:*
 - i. *provision of three car share vehicles (different sizes);*
 - ii. *three dedicated on-site car share parking space with access to electric vehicle charging;*
 - iii. *one car share membership for each dwelling unit with an initial \$100 credit;*
 - iv. *two long term bike parking spaces in addition to what is required by the Zoning*

- Regulation Bylaw; and*
- v. an at-grade bike parking room that includes a bike repair station, bike wash area, parking for oversized bikes and electric charging capabilities in addition to what is required by the Zoning Regulation Bylaw.*
- 2. An executed legal agreement in a form to the satisfaction of the City Solicitor, to secure all of the dwelling units as rental in perpetuity.*

Development Permit with Variance Application No. 00131

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00679, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00131 for 1015 Cook Street, in accordance with:

- 1. Plans date stamped December 18, 2019.*
- 2. Revisions to the landscape plan to identify the existing pear tree as “to be retained”.*
- 3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - i. reduce the parking from 16 stalls to three stalls and the visitor parking from three stalls to one stall.*
- 4. The Development Permit lapsing two years from the date of this resolution.”*

UPDATE

Public Hearing Conditions

With regard to the pre-conditions set by Council in relation to the Rezoning Application, staff can report that the following items have been fulfilled:

- an executed Housing Agreement was provided to secure all of the dwelling units as rental in perpetuity
- a Section 219 Covenant to secure the Transportation Demand Measures has been executed, filed with Land Titles and should be registered prior to the Public Hearing.

Revised Plans

The application has been revised to provide 23 one-bedroom units and eight studio units. Aside from the unit mix, there are no other changes to the proposal.

CONCLUSIONS

The recommendation provided for Council’s consideration contains the appropriate language to advance these applications to a Public Hearing and an Opportunity for Public Comment.

Respectfully submitted,



Alec Johnston
Senior Planner
Sustainable Planning and Community
Development Department



Karen Hoese, Director
Sustainable Planning and Community
Development Department

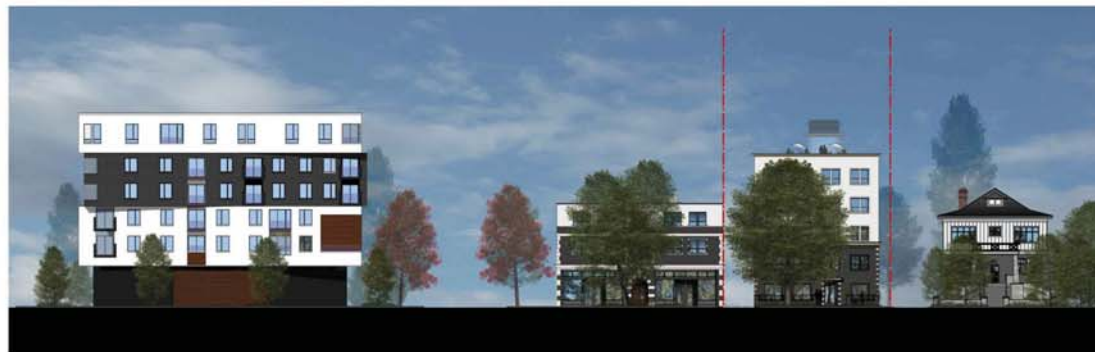
Report accepted and recommended by the City Manager:



Date: July 3, 2020

List of Attachments

- Attachment A: Revised plans deemed received December 18, 2019



LEGAL DATA

CIVIC ADDRESS
1015 Cook Street, Victoria BC

LEGAL ADDRESS
Parcel A (DO 1267560) of Lots 1592 and
1593, Victoria City
PID 009-396-799

SURVEY INFORMATION
based on legal survey prepared by Explorer
Land Surveying Inc dated 22 June 2018
File no. 11555

PROPERTY OWNER

CREUER ENTERPRISES LTD.

Suite 200, 101 Old Island Highway, Victoria BC
Contact: Jordan Milne
Phone: 250.891.5673
Email: jmilne@gncprojects.com

ARCHITECT & PRIME CONSULTANT

HILLEL ARCHITECTURE INC.

697 St. Patrick Street, Victoria BC, V8S 4X4
Contact: Peter Harscastle
Phone: 250.592.9198
Email: peter@hillelarch.ca

LANDSCAPE ARCHITECT

LADR LANDSCAPE ARCHITECTS INC.

Unit 2B, 495 Dupplin Road, Victoria BC, V8Z 1B8
Contact: Bev Windjack
Phone: 250.598.0105
Email: bwindjack@ladra.ca

DRAWING LIST

ARCHITECTURAL

- A1.1 Existing Site Survey & Cover Sheet
- A1.2 Proposed Site Plan & Project Data
- A1.3 Shadow Studies
- A2.1 Proposed Floor Plans
- A2.2 Bicycle Parking Facilities
- A3.1 Streetscape Exterior Elevations
- A3.2 Proposed Exterior Elevations
- A3.3 Proposed Exterior Elevations

- A4.1 Proposed Building Section
- A4.2 Proposed Materials & Colour Palette

LANDSCAPE

- L1 Landscape Concept Plan



Prepared by Explorer Land Surveying Inc dated 22 June 2018
File: 11555

1 Site Survey Plan
A1.3 (Metric scale: 1:200)



2 Site Context Plan
A1.3 (Metric scale: NTS)

ATTACHMENT A

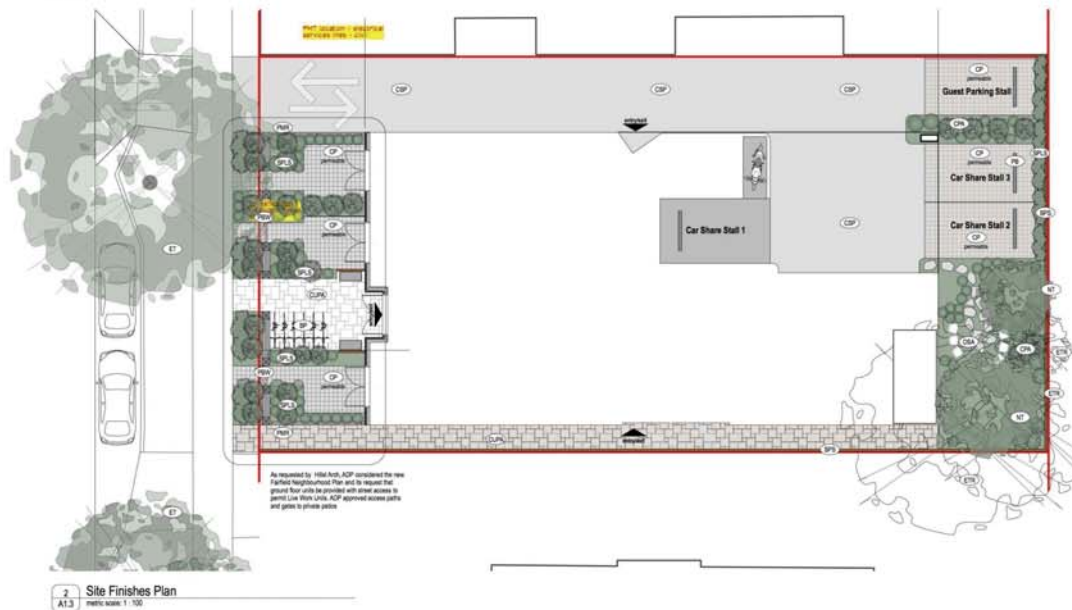
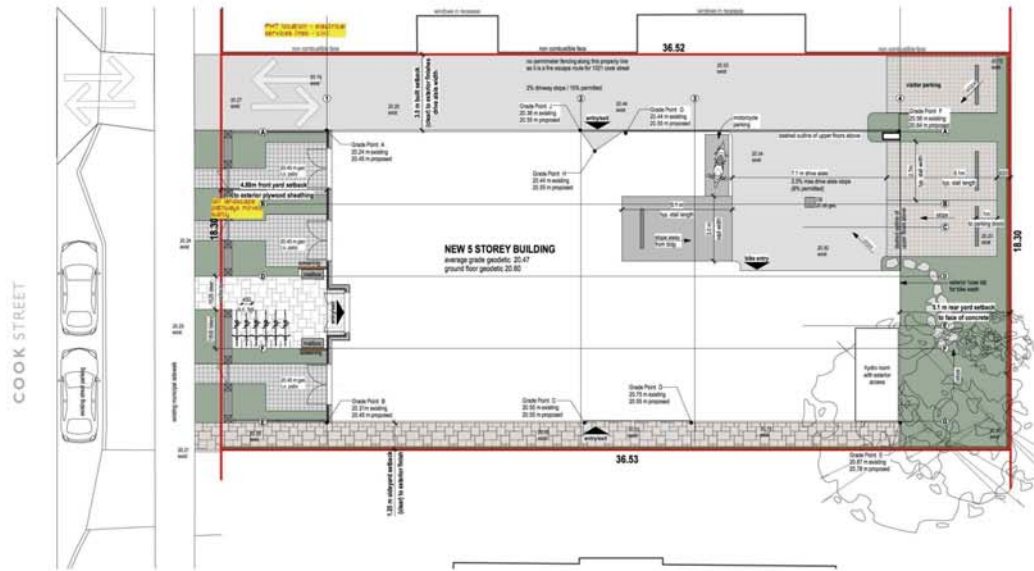
The Charlesworth
1015 Cook Street, Victoria BC

Revisions
Received Date:
June 17, 2020
Deemed Date:
December 18, 2019

Hillel Architecture Inc.

Project: The Charlesworth
1015 Cook Street, Victoria BC
Client: Creuer Enterprises Ltd.
Date: June 17, 2020
Author: Peter Harscastle
Checked: Jordan Milne
Scale: 1:200
Sheet: A1.1





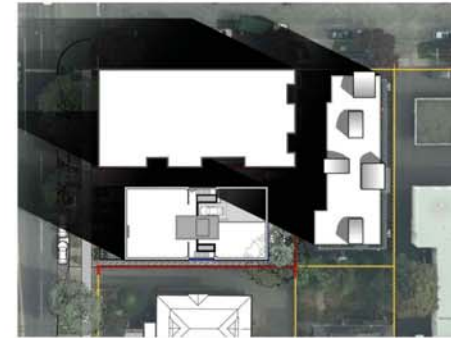
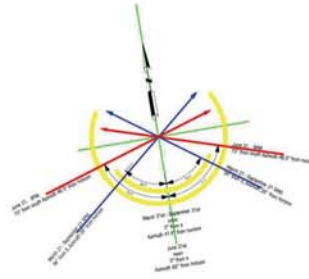
PROJECT DATA		EXISTING ZONING	PROPOSED PROJECT
ZONING	C-1 / RD-A1 * two zones exist on this site		Designed for a site specific zone to best represent its unique community location and the water building at 1021 Cook Street
site area (±±2)	* two zones exist on this site		688.3 ±±2
site coverage % max.			54 % (385.3 ±±2)
open space (landscape area)			13 % (89.2 ±±2)
height of building (m)			15.9 m proposed Building Height 20.1 m proposed height at elevator shaft
number of stories			5 stories
DENSITY			
total floor area	two zones exist on this site		1,552.5 ±±2 (14,711.02) inside face of all courtyard floor areas
horizontal building area			360.3 ±±2 (3,679.92)
floor space ratio			2.32 : 1
SITE SETBACKS			
front / (rear) Cook Street	two zones exist on this site		4.88 m
rear / (rear)			5.1 m
side / (north)			3.5 m
side / (south)			1.25 m
balcony or deck that faces a street boundary			Not applicable
entrance canopy that faces a street boundary			8m projection into PV setback
PARKING			
parking stalls on site (for residential suites)			30 suites X 0.5 = 15.5 stalls 1 suite X 0.6 = .6
visitor parking			31 suites X 0.1 = 3.1 stalls
total parking for site			19 Stalls Required *10 stall equivalence with Parking Reduction Measures 3 motor pool storage + 3 x 5 stalls + 10 stall equivalence 1 additional stall for visitors
bicycle parking			4 actual stall provided / 15 stall Variance requested 30 units @ 1 bike per unit less than 45m2 1 unit @ 1.25 bike per unit more than 45 m2 31 bikes required / 22 provided / 9 more than bylaw 6 space rack at main entry provided

1915 Cook Street - Average Grade Calculation							
	Start	Finish	Average	Distance	Factor	Total Factors	Average grade (total factors perimeter)
AB	20.31	20.31	20.28	13.57	275.15	1657.92	80.98
BC	20.31	20.45	20.43	11.89	242.91		
CD	20.55	20.55	20.46	4.98	100.29		
DE	20.55	20.78	20.67	9.79	202.31		
EF	20.78	20.96	20.87	13.57	280.49		
FG	20.96	20.44	20.65	12.69	259.33		
GH	20.44	20.44	20.44	1.68	34.34		
HJ	20.44	20.38	20.41	1.13	23.06		
JA	20.38	20.44	20.31	11.82	240.06		
			TOTAL		80.98		





1 Site Plan Shadow Study
A1.3
June 21st at 9AM
73° from South, Azimuth 46.5° from horizon
not to scale



4 Site Plan Shadow Study
A1.3
March 21st and September 21st at 9AM
54° from S, Azimuth 27.5° from horizon
not to scale



2 Site Plan Shadow Study
A1.3
June 21st at 12 Noon
0° from S, Azimuth 65° from horizon
not to scale



5 Site Plan Shadow Study
A1.3
March 21st and September 21st at 12 Noon
0° from S, Azimuth 41.5° from horizon
not to scale



3 Site Plan Shadow Study
A1.3
June 21st at 3PM
73° from S, Azimuth 46.5° from horizon
not to scale



6 Site Plan Shadow Study
A1.3
March 21st and September 21st at 3PM
54° from S, Azimuth 27.5° from horizon
not to scale

The Charlesworth

1015 Cook Street, Victoria BC

Hillel Architecture Inc.

<p>1. 15 June 2018 Approved for CDMP and ADP</p> <p>2. 10 November 2018 Approved for ADP Revising</p> <p>3. 10 July 2019 Rejected for Revising</p> <p>4. 10 October 2019 Rejected for Revising</p>	<p>5. 10 October 2019 Rejected for Revising</p>	<p>6. 10 October 2019 Rejected for Revising</p>
--	---	---

The Charlesworth

1015 Cook Street, Victoria BC

Shadow Studies

Sheet No. **A1.3**

The Charlesworth

1015 Cook Street, Victoria BC

Hillel Architecture Inc.

Project Name	1015 Cook Street	Project No.	2015-001
Client	James & Jane Smith	Architect	Hillel Architecture Inc.
Address	1015 Cook Street	City	Vancouver
Phone	604-255-1234	Website	www.hillelarch.com
Project Manager	J. Hillel	Architect	J. Hillel
Date	2015-01-01	Scale	1:100

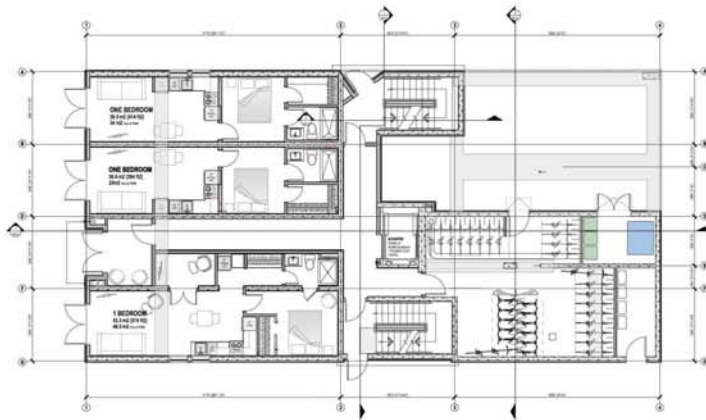
North

The Charlesworth
1015 Cook Street, Victoria BC

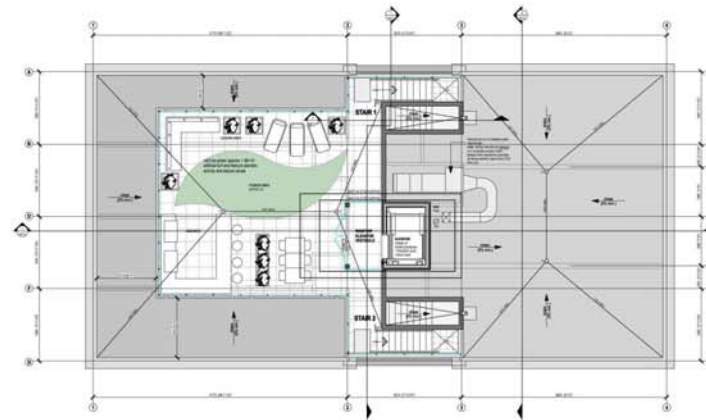
Ground Floor Plan

Scale: 1:100

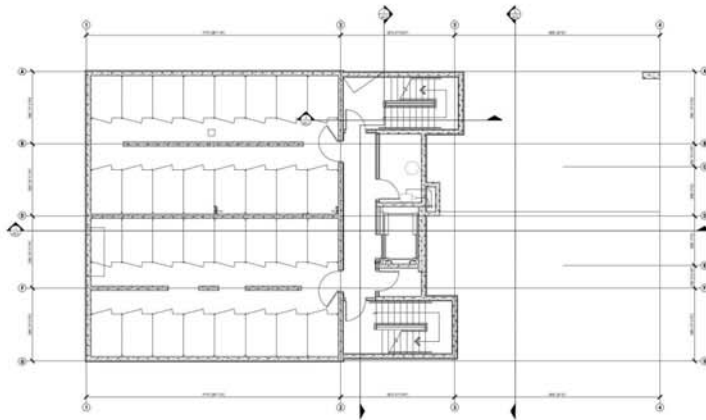
Sheet No. A23



2 Ground Floor Plan
metric scale 1:100



4 Roof Plan
metric scale 1:100



1 Basement Floor Plan
metric scale 1:100

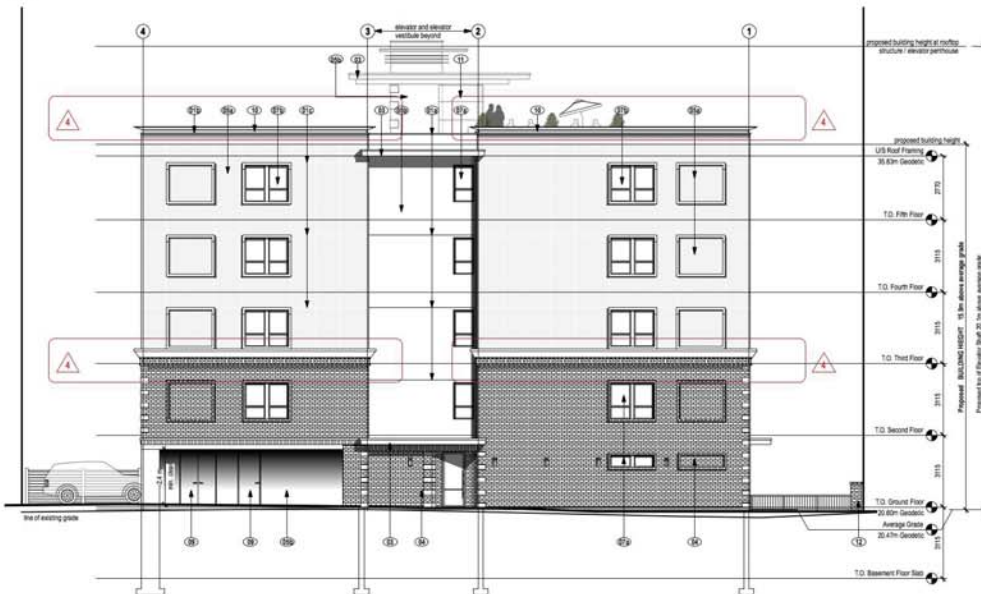


3 2nd, 3rd, 4th, and 5th Floor Plans
metric scale 1:100





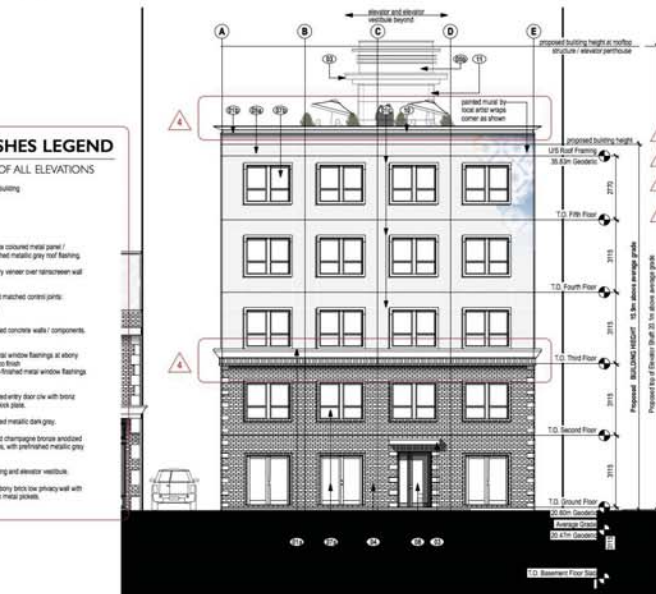
1 North (Side) Exterior Elevation
A3.2 metric scale: 1:100



2 North (Side) Exterior Elevation
A3.2 metric scale: 1:100



3 West (Cook Street) Exterior Elevation
A3.2 metric scale: 1:100



4 West (Cook Street) Exterior Elevation
A3.2 metric scale: 1:100

- EXTERIOR FINISHES LEGEND**
LIST OF FINISHES TYPICAL OF ALL ELEVATIONS
- (1) Prefinished metal floorings for parking building
 - A. Dark
 - B. Metallic graphite grey
 - C. Metallic light grey
 - (2) Insulated
 - (3) Entry canopies - metallic champagne bronze coloured metal panel / floorings to canopy edge face with prefinished metallic grey roof flooring
 - (4) Fixed clay adhered masonry coloured masonry veneer over rainscreen wall assemblies
 - (5) Smooth cement based stucco cove coloured matched control joints
 - A. Light white colour (semi-spec colour)
 - B. Dark grey colour (semi-spec colour)
 - (6) Dark grey elastomeric paint finish to exposed concrete walls / components
 - (7) Vinyl window / door assembly
 - A. Black finish cove black pre-finished metal window floorings at ebbony black finish or matching graphite stucco finish
 - B. White finish cove metallic light grey pre-finished metal window floorings at white stucco finish
 - (8) Solid wood, hand stained, glass front, glasswelder door cove with bronze hardware, prefinished champagne bronze kick plate
 - (9) Steel door and frame door assembly, painted metallic dark grey
 - (10) Cantilevered main roof cornice of prefinished champagne bronze anodized aluminum finish at underside exposed face, with prefinished metallic grey roof flooring
 - (11) Slotted enclosed weather protection flooring and elevator vestibule
 - (12) Side perimeter fencing at the street front ebbony brick low privacy wall with metallic graphite grey panels and rails, black metal pickets

The Charlesworth

1015 Cook Street, Victoria BC

Control drawing rules
Planning and Parking Department - Vancouver Conform to requirements by Planning Department

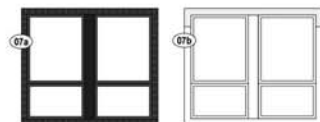
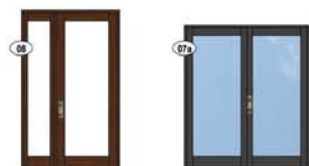
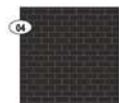
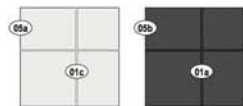
15. Data required - 4 Data provided - 10 Data tolerance
 1. Control drawing rules
 2. Planning and Parking Department - Vancouver Conform to requirements by Planning Department
 3. Data required - 4 Data provided - 10 Data tolerance
 4. Data required - 4 Data provided - 10 Data tolerance
 5. Data required - 4 Data provided - 10 Data tolerance
 6. Data required - 4 Data provided - 10 Data tolerance
 7. Data required - 4 Data provided - 10 Data tolerance
 8. Data required - 4 Data provided - 10 Data tolerance
 9. Data required - 4 Data provided - 10 Data tolerance
 10. Data required - 4 Data provided - 10 Data tolerance

BUBBLED DRAWING SET

Hillel Architecture Inc

Rev	Date	By	Check	Approved	Description
1	12 November 2019	AD	AD	AD	Initial Design
2	19 June 2019	AD	AD	AD	Revised Design
3	19 October 2019	AD	AD	AD	Revised Design
4	27 August 2019	AD	AD	AD	Revised Design

Project: The Charlesworth
 Location: 1015 Cook Street, Victoria BC
 Drawing No: A3.2
 Proposed Exterior Elevations



LIST OF FINISHES TYPICAL OF ALL ELEVATIONS

- | | | | |
|------------|--|-----------|---|
| 81c | Pre-finished metal flashings for parapets / building
a. black
b. metallic graphite gray
c. metallic light gray | 87 | Vinyl window / door assembly
a. black finish c/w black pre-finished metal window flashings at ebbony
bricks or matching graphite stucco finish
b. white finish c/w metallic light gray pre-finished metal window flashings
at white stucco finish |
| 82 | reserved | 88 | Solid wood, dark stained, glass finish, glazed entry door c/w with bronze
hardware, prefinished champagne bronze metal plate |
| 83 | Entry canopies - metallic champagne bronze coloured metal panel /
flashings to canopy edge face with prefinished metallic gray roof flashing. | 89 | Steel door and frame door assembly, painted metallic dark gray |
| 84 | Free clay adhered ebbony coloured masonry veneer over rainscreen wall
assembly. | 90 | Cathedral main roof cornice of prefinished champagne bronze anodized
aluminum finish at underside exposed face, with prefinished metallic gray
roof flashing. |
| 85 | Smooth cement based stucco c/w coloured matched control joints:
a. bright white colour (arch spine colour)
b. dark gray colour (arch spine colour) | 91 | Glazed underside weather protections forming and elevator vestibule |
| 86 | Dark gray elastic resin paint finish to exposed concrete walls / components. | 92 | Steel perimeter fencing at the street-front: ebbony brick low privacy wall with
metallic graphite gray coats and rails, black metal pickets. |



The Charlesworth
1015 Cook Street, Victoria BC

- Fishing and Fishing Gear

[illegible]

- Electric fire extinguisher
 - 2 additional fire extinguishers (water or foam recommended)
 - Design considerations for large, brown, acid resistant glass
 - Like foam-resistant water foam
 - Covered sufficient ways to take stock
 - Outdoor fire extinguisher
 - As required, or file as Flammable Section 1000000
- Laboratory Plan for next 10 days

* Religion and spirituality questionnaire

- Extensive building shelling to remove asbestos (building shelling and certification of asbestos abatement)
- Polystyrene-Gypsum Fiber sheet asbestos-removal permitting, asbestos-removal and disposal from contractors with Fairfax Independent N. (2010) & www.fairfaxva.gov

Hillel Architecture inc

Source: *Handbook of the History of the United States Navy*, 1915, pp. 100-101.

[illegible]

The Charlesworth
1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491,

Proposed Materials & Colour Palette

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A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the CA-92 Zone, Central Area (1015 Cook) District, and to rezone land known as 1015 Cook Street from the C-1 Zone, Limited Commercial District, and the R3-A1 Zone, Low Profile Multiple Dwelling District, to the CA-92 Zone, Central Area (1015 Cook) District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1228)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 6 – CENTRAL AREA ZONES by adding the
following words:

“6.103 CA-92 Central Area (1015 Cook) District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule “B” after Part 6.102 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1015 Cook Street, legally described as PID: 009-396-799 Parcel A (DD 126756I) of Lots 1592 and 1593, Victoria City and shown hatched on the attached map, is removed from the C1 Zone, Limited Commercial District, and the R3-A1 Zone, Low Profile Multiple Dwelling District, and placed in the CA-92 Zone, Central Area (1015 Cook) District.
- 5 The Zoning Regulation Bylaw is amended by adding to Schedule N – Residential Rental Tenure Properties the land known as 1015 Cook Street, legally described as PID: 009-396-799 Parcel A (DD 126756I) of Lots 1592 and 1593, Victoria City.

READ A FIRST TIME the _____ day of _____ 2020

READ A SECOND TIME the _____ day of _____ 2020

Public hearing held on the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR

PART 6.103 – CA-92 ZONE, CENTRAL AREA (1015 COOK) DISTRICT**6.103.1 Definitions**

- a. In this Part, “rooftop structure” includes antennas, elevator penthouses, elevator landings, stair access and landings, mechanical equipment, chimneys, ventilation systems, solar heating panels, green roof systems and similar structures that project above a roof, are non-habitable and which may be enclosed or unenclosed.
- b. In this Part, “parapet” means a vertical projection of a wall at the outer edge of a roof.
- c. In this Part, a “live/work dwelling unit”, means a self-contained dwelling unit combined with commercial space, which is limited to the following commercial uses:
 - i. artist studio,
 - ii. high tech,
 - iii. offices,
 - iv. personal service, or
 - v. making, processing and assembly of products on a small scale,

and where at least one of the residents of the dwelling unit and not more than one additional non-resident is engaged in the commercial use.

6.103.2 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. multiple dwelling
- b. live/work dwelling unit
- c. home occupation subject to the regulations in Schedule “D”
- d. accessory buildings subject to the regulations in Schedule “F”

6.103.3 Siting of Permitted Uses

- a. live work/dwelling units must be located on the first storey of a building

6.103.4 Community Amenities

As a condition of additional density pursuant to Part 6.103.5, the following community amenity must be provided:

- a. Registration of a legal agreement, or legal agreements, securing all of the dwelling units and live/work dwelling units as rental in perpetuity.

PART 6.103 – CA-92 ZONE, CENTRAL AREA (1015 COOK) DISTRICT**6.103.5 Floor Space Ratio**

- | | |
|---|--------|
| a. <u>Floor space ratio</u> where the amenities have not been provided pursuant to Part 6.103.4 (maximum) | 1:1 |
| b. <u>Floor space ratio</u> where the amenities have been provided pursuant to Part 6.103.4 (maximum) | 2.32:1 |

6.103.6 Height, Storeys

- | | |
|---|------|
| a. Principal <u>building height</u> (maximum) | 16m |
| b. <u>Storeys</u> (maximum) | 5 |
| c. Projections into <u>height</u> (maximum): | |
| i. <u>Parapets</u> | 1.0m |
| ii. <u>Rooftop Structures</u> | 5.0m |

6.103.7 Setbacks, Projections

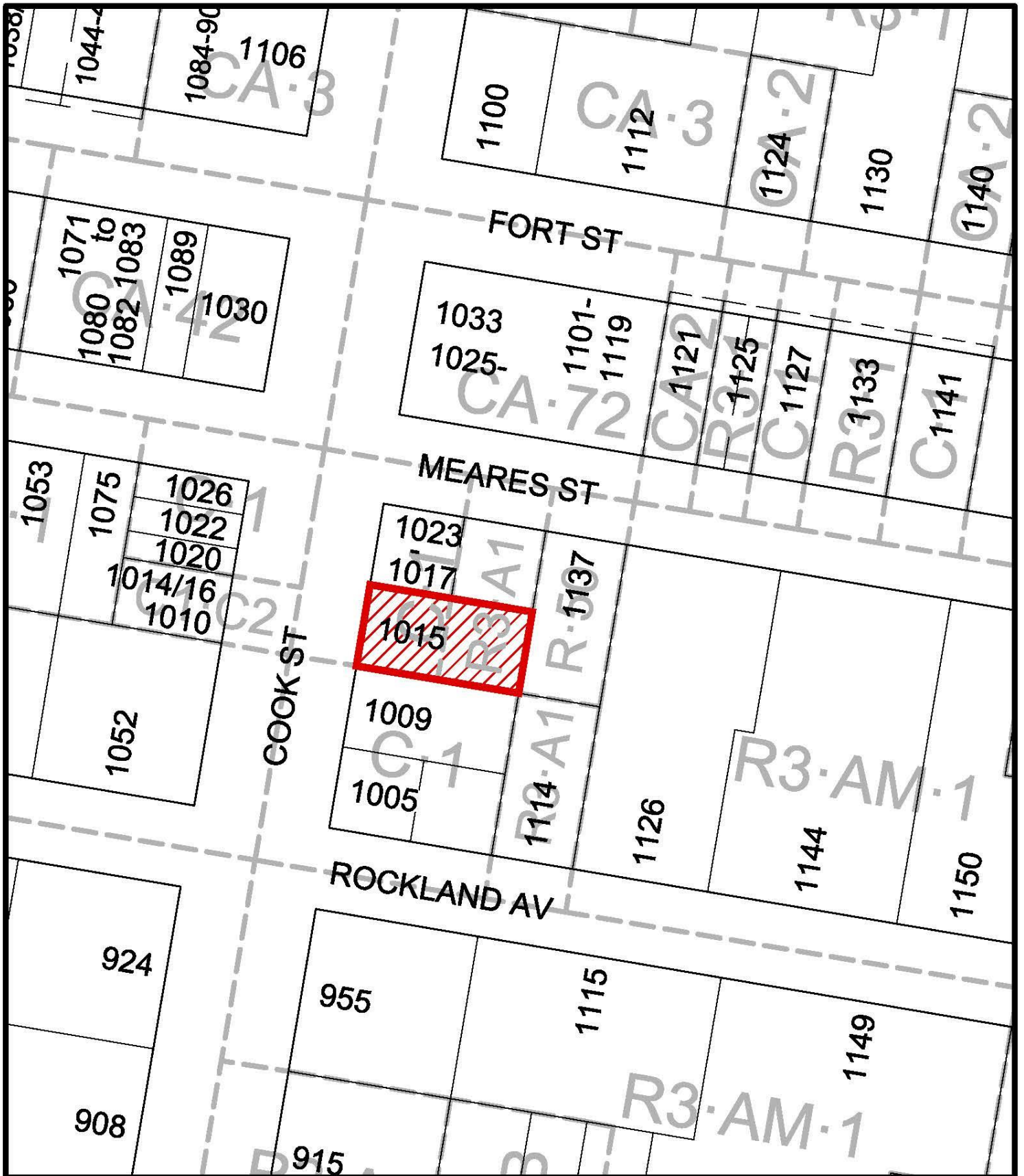
- | | |
|--|-------|
| a. <u>Front yard setback</u> (minimum) | 4.8m |
| b. <u>Rear yard setback</u> (minimum) | 5m |
| c. <u>Side yard setback</u> from north <u>lot line</u> (minimum) | 3.5m |
| d. <u>Side yard setback</u> from south <u>lot line</u> (minimum) | 1.25m |

6.103.8 Site Coverage, Open Site Space

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 54% |
| b. <u>Open site space</u> (minimum) | 13% |

6.103.9 Vehicle and Bicycle Parking

- | | |
|--------------------|--|
| a. Vehicle parking | Subject to the regulations in Schedule "C" |
| b. Bicycle parking | Subject to the regulations in Schedule "C" |



1015 Cook Street
Rezoning No.00670



Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

1 This Bylaw may be cited as the "HOUSING AGREEMENT (1015 COOK STREET)
BYLAW (2020)".

2 The Director of Sustainable Planning and Community Development is authorized to execute the Housing Agreement:

- (a) substantially in the form attached to this Bylaw as Schedule A;
- (b) between the City and Creurer Enterprises Ltd., Inc. No. A0060491 or other registered owners from time to time of the lands described in subsection (c); and
- (c) that applies to the lands known as 1015 Cook Street, Victoria, BC, legally described as:

READ A FIRST TIME the day of 2020

READ A SECOND TIME the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

MAYOR

HOUSING AGREEMENT(Pursuant to section 483 of the *Local Government Act*)

BETWEEN:

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

(the "City")

AND:

CREURER ENTERPRISES LTD. (INC. NO. A0060491)301 – 830 Shamrock Street
Victoria, B.C. V8X 2V1

(the "Owner")

WHEREAS:

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1015 Cook Street, Victoria, B.C. and legally described as:

PID: 009-396-799
PARCEL A (DD 1267561) OF LOTS 1592 AND 1593, VICTORIA CITY

(collectively, the "Lands").
- D. The Owner has applied to the City to rezone the Lands to permit the construction of thirty-one (31) housing units within the Development in accordance with this Agreement.
- E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "Agreement"), the parties agree each with the other as follows:

{00048786:3}

1.0 DEFINITIONS

1.1 In this Agreement:

"Business Day" means Monday to Friday, other than any such day which is a statutory holiday in Victoria, British Columbia;

"Development" means the new thirty-one (31) unit building consisting of residential housing, three (3) live-work units, and related facilities on the Lands;

"Dwelling Units" means any or all, as the context may require, of the thirty-one (31) self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and **"Dwelling Unit"** means any of such residential dwelling units located on the Lands;

"Immediate Family" includes a person's spouse, child, grandchild, parent, grandparent, sibling, niece and nephew, and includes the Immediate Family of the person's spouse;

"Non-owner" means a person other than a Related Person or the Owner;

"Owner" includes a person who acquires an interest in the Lands or any part of the Lands or the Development and is thereby bound by this Agreement, as referred to in section 7.3;

"Related Person" includes, where the registered or beneficial owner of the Lands or Dwelling Unit, as applicable, is:

- (a) a corporation or society:
 - (i) an officer, director, shareholder, or member of such corporation or society, or of another entity which is a shareholder or member of such corporation or society; or
 - (ii) an Immediate Family of a person to whom paragraph (i) applies, or
- (b) an individual, an Immediate Family of the registered or beneficial owner;

"Strata Corporation" means, for the portions of the Lands or any building on the Lands that is subdivided under the *Strata Property Act*, a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation.

"Tenancy Agreement" means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.

2.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

- ### 2.1
- The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing in perpetuity, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

[00048786:3]

3.0 NO RESTRICTIONS ON RENTALS

- 3.1** The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.
- 3.2** Without limiting the generality of section 3.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

4.0 REPORTING

- 4.1** The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, within thirty (30) days of the Director's written request, a report in writing confirming that:
- (a) all Dwelling Units are being rented to Non-owners or are vacant, and
 - (b) all other requirements of this Agreement are being complied with by the Owner and the Development,
- along with such other information as may be requested by the Director from time to time.
- 4.2** The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 4.3** The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

- 5.1** Notice of this Agreement (the "Notice") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

6.0 LIABILITY

- 6.1** The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.
- 6.2** The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with

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respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement, or otherwise that would not have arisen "but for" this Agreement.

7.0 GENERAL PROVISIONS

7.1 NOTICE. If sent as follows, notice under this Agreement is considered to be received:

- (a) upon confirmation of delivery by Canada Post if sent by registered mail,
- (b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and
- (c) on the date of delivery if hand-delivered, and

in the case of the City, addressed to:

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

Attention: Director of Sustainable Planning and
Community Development
Fax: 250-361-0386
Email: khoese@victoria.ca

and in the case of the Owner, addressed to:

Creurer Enterprises Ltd.
c/o 1015 Cook Street Limited Partnership
#200 – 101 Island Highway
Victoria, BC V9B 1E8

Attention: Jordan Milne
Email: jmilne@gmcprojects.com

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail, email or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- (d) notice sent by the impaired service is considered to be received on the date of delivery, and
- (e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

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- 7.2 TIME.** Time is of the essence of this Agreement.
- 7.3 BINDING EFFECT.** This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.
- 7.4 WAIVER.** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 7.5 HEADINGS.** The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.
- 7.6 LANGUAGE.** Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.
- 7.7 LEGISLATION.** Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.
- 7.8 EQUITABLE REMEDIES.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement
- 7.9 CUMULATIVE REMEDIES.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 7.10 ENTIRE AGREEMENT.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 7.11 FURTHER ASSURANCES.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 7.12 AMENDMENT.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 7.13 LAW APPLICABLE.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 7.14 NO DEROGATION FROM STATUTORY AUTHORITY.** Nothing in this Agreement shall:

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- (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
- (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

7.15 SEVERABILITY. If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

7.16 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.


7.17 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.


7.18 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF)
 VICTORIA by its authorized signatory:)
)
)
)
)
 Karen Hoese, Director of Sustainable Planning)
 and Community Development)
)
)
 Date signed: _____)

CREURER ENTERPRISES LTD.
by its authorized signatory(ies):


XANE ST PHILLIP
Print Name: _____


Print Name: Raymond C. Burkitt

Date signed: 2020 JUNE 4

Under the authority of Ministerial Order M159 of the Minister of Public Safety and Solicitor General, the Council of the Corporation of the City of Victoria, in open meeting assembled, enacts the following provisions:

1. Citation
2. 2019 Tax sale redemption period extension
3. 2020 Tax sale deferral

- 1 This Bylaw may be cited as the "2020 Tax Sale Deferral Bylaw No. 20-080."

- 2 That the redemption period for the annual tax sale held on September 30, 2019 is hereby extended to September 27, 2021, under and subject to the provisions of the Ministerial Order M159 of the Minister of Public Safety and Solicitor General.

- 3 That the annual tax sale pursuant to section 645 of the Local Government Act for 2020 be deferred to September 27, 2021, under and subject to the provisions of the Ministerial Order M159 of the Minister of Public Safety and Solicitor General.

READ A FIRST TIME the _____ day of _____ 2020.

READ A SECOND TIME the _____ day of _____ 2020.

READ A THIRD TIME the _____ day of _____ 2020.

ADOPTED on the _____ day of _____ 2020.

CITY CLERK

MAYOR



Council Report

For the Meeting of July 9, 2020

To: Council
From: C. Coates, City Clerk
Subject: CALUC Community Meetings During COVID-19 Pandemic: Land Use Procedures Bylaw Amendment
Date: June 29, 2020

RECOMMENDATION

That the following bylaw be given first, second, and third readings:

1. Land Use Procedures Bylaw, Amendment Bylaw (No. 12) No. 20-076

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-076.

The issue came before Council on June 18, 2020 where the following resolution was approved:

CALUC Community Meetings During COVID-19 Pandemic:

That Council direct staff to bring forward amendments to the Land Use Procedures Bylaw and any necessary Council resolutions to enable posting of development application plans on the Development Tracker while maintaining current notification requirements, as a substitute for the current Community Association Land Use Committee Community Meeting in response to the COVID-19 pandemic.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Coates'.

Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to read 'Deborah C. Smith'.

Date: June 30, 2020

List of Attachments:

- Bylaw No. 20-076

LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 12)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the *Land Use Procedures Bylaw* to permit an alternate process to in-person pre-application community meetings during emergencies or extraordinary circumstances. :

Contents

1. Title
2. Amendments
- 3.. Effective Date

Under its statutory powers, including Part 14 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

Title

1. This Bylaw may be cited as the “LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 12)”.

Amendments

2. The Land Use Procedures Bylaw No. 16-028, 2016 is amended as follows:

- (a) by striking out section 6 and replacing it with:

“Pre-application requirements

6. Before submitting an application to initiate changes to the OCP or the zoning bylaw, the applicant must, subject to Section 6A, pay to the City the pre-application notification fee as calculated in accordance with Schedule A of this Bylaw, and:
 - (a) arrange and participate in a Community Meeting not more than six months in advance of the application submission date; or
 - (b) submit plans for the proposed development to the City to post online for public comment to the applicable CALUC not less than 30 days and not more than six months in advance of the application submission date where an alternate process is required pursuant to section 8A.”
- (b) by inserting the following section immediately after section 6:

“6A. Section 6 does not apply where the Community Meeting has been waived pursuant to section 8.”

- (c) by striking out section 7 and replacing it with:

“Notification Distance

7. The City will provide owners and occupiers within the areas specified in Section 7A with notification of:

- (a) the date of the scheduled Community Meeting, if applicable; or
- (b) how the public can provide comments to the CALUC where an alternate process is required pursuant to Section 8A.”

- (d) by inserting the following section immediately after section 7:

“7A. The notification under section 7 will be provided to the owners and occupiers of properties located within:

- (a) 100 metres of the property that is the subject of the application (the “subject property”) if the application is for one of the matters listed in Section 27 of this Bylaw;
- (b) 200 metres of the property that is the subject of the application if the application is to amend the zoning bylaw and also requires an amendment to the Urban Place Designation for the subject property in the *Official Community Plan*; or
- (c) 200 metres of the property that is the subject of the application if the application is to amend the zoning bylaw and requires the creation of or amendment to guidelines in the *Official Community Plan* for one or more Development Permit Areas or Heritage Conservation Areas.”

- (e) By inserting the following sections immediately after section 8:

“Alternate Process to In-Person Community Meeting during Emergencies

8A Where a Community Meeting is required and has not been waived under Section 8, an alternate process may be used in accordance with the following circumstances:

- (a) If a state of local or provincial emergency has been declared in the City and in-person participation in a Community Meeting is inconsistent with the declaration or impractical, Council or the Director may require the applicant to submit plans for the proposed development to the City to post online for public comment to the

applicable CALUC not less than 30 days and not more than six months in advance of the application submission date.

- (b) If, in the Director's opinion, extra-ordinary circumstances exist that make it unsafe or impractical to hold a Community Meeting, the Director may require the applicant to submit plans in accordance with subsection (a).

8B Where the circumstances under section 8A no longer exist but the alternate process was initiated prior to the end of such circumstances, the alternate process may be completed to fulfill the Community Meeting requirement.”

- (f) in section 18(a), by striking out “the community meeting” and replacing it with “giving notice;”
- (g) in Schedule A, section 1, by striking out “of a Community Meeting” wherever it appears in that section.

Effective Date

3. This Bylaw comes into force on adoption.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR



**Council Report
For the Meeting of July 9, 2020**

To: Council **Date:** July 3, 2020
From: C. Coates, City Clerk
Subject: Electric Vehicle Ready Requirements for New Construction Bylaw Amendments

RECOMMENDATION

That the following bylaws be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1210) No. 20-01
2. Zoning Bylaw 2018, Amendment Bylaw (No. 5) No. 20-075

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaws No. 20-001 and No. 20-075.

The issue came before Council on June 25, 2020 where the following resolution was approved:

Electric Vehicle Ready Requirements for New Construction

That Council:

1. Direct staff to forward Zoning Amendment Bylaw Nos. 20-001 and 20-075 to require that Electric Vehicle (EV) readiness be provided for all new residential development and five percent of new institutional, commercial and industrial development to the July 9th Council meeting for introductory readings.
2. Direct staff to monitor EV demand and the use of charging infrastructure in institutional, commercial and industrial land uses and bring forward recommended amendments to the requirement levels as deemed necessary.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Chris Coates'.

Chris Coates
City Clerk

A handwritten signature in black ink, appearing to read 'Deborah C. Kenney'.

Report accepted and recommended by the City Manager:

Date: July 6, 2020

List of Attachments:

- Bylaw No. 20-001
- Bylaw No. 20-075

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by adding new definitions in Schedule A – Definitions and amending Schedule C – Off-Street Parking to establish electric vehicle charging design standards.

Contents

- 1 Title
- 2 Amendments
- 3 Transitional Provisions
- 4 Effective Date

The Council of The Corporation of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1210)”.

Amendments

- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) Schedule A – Definitions is amended by adding the following definitions immediately after the definition of “**Dwelling Unit**”:

“**Energized Electric Vehicle Outlet**” means a connected point in an electrical wiring installation at which current is taken and a source of voltage is connected to supply utilization equipment for the specific purpose of charging an electric vehicle.

“**Electric Vehicle Energy Management System**” means a system consisting of monitors, communications equipment, controllers, timers, and other applicable devices used to control electric vehicle supply equipment loads through the process of connecting, disconnecting, increasing, or reducing electric power to the loads.”;
 - (b) Schedule C – Off Street Parking is amended by adding the following immediately after section 2.3.4:

“2.4 Electric Vehicle Charging Infrastructure Requirements

 - 1. The owner or occupier of any land or any building or other structure, for each use present on the land or in the building or other structure, must:
 - a. provide energized electric vehicle outlets for parking spaces in accordance with Table 3; and

- b. submit a letter of assurance from a qualified registered professional that all energized electric vehicle outlets meet the specifications prescribed in the Electric Vehicle Charging Infrastructure Technical Bulletin (2020).
2. Energized electric vehicle outlets shall not be placed within the minimum vehicle parking space dimensions or drive aisle identified in Figure 2 of this Schedule.
3. Where an electric vehicle energy management system is implemented, the owner of the building must submit a letter of assurance from a qualified registered professional verifying that the electric vehicle management system meets the requirements set out in the Electric Vehicle Charging Infrastructure Technical Bulletin (2020).
4. Section 2.4.1 does not apply to visitor parking spaces.

Table 3: Minimum Number of Required Energized Electric Vehicle Outlets

Use or Class of Use	Minimum Number of <u>Energized Electric Vehicle Outlets</u>
Residential	
<u>Single Family Dwelling</u>	1 per required vehicle parking space
<u>Two Family Dwelling</u>	1 per required vehicle parking space
<u>Semi-attached Dwelling</u>	1 per required vehicle parking space
<u>Secondary Suite</u> or <u>Garden Suite</u>	n/a
All other residential uses not specifically identified in this table	1 per vehicle parking space
<u>Multiple Dwelling</u>	
Condominium, Apartment, Affordable	1 per vehicle parking space
All other <u>multiple dwellings</u> not specifically identified in this table	1 per vehicle parking space

Commercial, Institutional and Industrial	
Number of Vehicle Parking Spaces Provided	
<10	n/a
10-14	1
>15	2 <u>energized electric vehicle outlets</u> or 5% of the total number of required vehicle parking spaces, whichever is greater

- (c) Schedule C – Off Street Parking is further amended by:
- i. renumbering Table 3: Minimum Dimensions for Bicycle Parking to Table 4; and
 - ii. deleting “Table 3” in sections 2.1.2(a)(i) and 3.1.3(a)(i) and replacing with “Table 4”.

Transitional Provisions

- 3 If a complete application for a permit in accordance with the Land Use Procedures Bylaw or the Building and Plumbing Regulation Bylaw has been received by the City prior to October 1, 2020, then the provisions of Schedule C of the Zoning Regulation Bylaw No. 80-159 as it was on the day before the Zoning Regulation Bylaw Amendment Bylaw No. 1210, 20-001, will apply to the parking spaces of the development that is the subject of the permit.

Effective Date

- 4 This Bylaw comes into force on October 1, 2020.

READ A FIRST TIME the	day of	2020
READ A SECOND TIME the	day of	2020
Public hearing held on the	day of	2020
READ A THIRD TIME the	day of	2020
ADOPTED on the	day of	2020

CITY CLERK

MAYOR

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Bylaw 2018 by adding new definitions in Section 2.1 Administrative Definitions and amending Section 5.1 Off-Street Parking Regulations to establish electric vehicle charging design standards.

Contents

- 1 Title
- 2 Amendments
- 3 Transitional Provisions
- 4 Effective Date

The Council of The Corporation of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the “ZONING BYLAW 2018, AMENDMENT BYLAW (NO. 5)”.

Amendments

- 2 Bylaw No. 18-072, the Zoning Bylaw 2018, is amended as follows:

- (a) Section 2.1 – Administrative Definitions is amended by adding the following definitions immediately after the definition of “**Dwelling Unit**”:

“**Energized Electric Vehicle Outlet**” means a connected point in an electrical wiring installation at which current is taken and a source of voltage is connected to supply utilization equipment for the specific purpose of charging an electric vehicle.

“**Electric Vehicle Energy Management System**” means a system consisting of monitors, communications equipment, controllers, timers, and other applicable devices used to control electric vehicle supply equipment loads through the process of connecting, disconnecting, increasing, or reducing electric power to the loads.”;

- (b) Section 5.1 – Off Street Parking Regulations is amended by adding the following immediately after section 5.1.3:

“4. Electric Vehicle Charging Infrastructure Requirements

- a. The owner or occupier of any land or any **Building** or other structure, for each use present on the land or in the **Building** or other structure, must:
 - i. provide **Energized Electric Vehicle Outlets** for parking spaces in accordance with Table 3.
 - ii. submit a letter of assurance from a qualified registered professional that all **Energized Electric Vehicle Outlets** meet the specifications prescribed in the

Electric Vehicle Charging Infrastructure Technical Bulletin (2020).

- b. **Energized Electric Vehicle Outlets** shall not be placed within the minimum vehicle parking space dimensions or **Drive Aisle** identified in Figure 1, Part 5.
- c. Where an **Electric Vehicle Energy Management System** is implemented, the owner of the **Building** must submit a letter of assurance from a qualified registered professional that the **Electric Vehicle Management System** meets the requirements prescribed in the Electric Vehicle Charging Infrastructure Technical Bulletin (2020).
- d. Section 5.1.4 does not apply to visitor parking spaces.

Table 3: Minimum Number of Required **Energized Electric Vehicle Outlets**

Use or Class of Use	Minimum Number of Energized Electric Vehicle Outlets
Residential	
Condominium (Dwelling Unit in a Building regulated by the <i>Strata Property Act</i>)	1 per required vehicle parking space
Apartment (Dwelling Unit secured as rental in perpetuity through a legal agreement)	1 per required vehicle parking space
Affordable (Affordable Dwelling Units secured in perpetuity through a legal agreement)	1 per required vehicle parking space
Assisted Living Facility	1 per required vehicle parking space
All other residential uses not specifically identified in this table	1 per required vehicle parking space
Commercial	
Number of Vehicle Parking Spaces Provided	
<5	0
>5	1 Energized Electric Vehicle Outlet or 5% of the total number of required vehicle parking spaces, whichever is greater

- (c) Section 5.1.4 Bicycle Parking Specifications and Section 5.1.5 Bicycle Parking Exemptions shall be renumbered to Section 5.1.5 and Section 5.1.6 respectively.
- (d) Section 5.1.4.h.i is amended by deleting the words “Table 3” and replacing with “Table 4”.

Transitional Provisions

- 3 If a complete application for a permit in accordance with the Land Use Procedures Bylaw or the Building and Plumbing Regulation Bylaw has been received by the City prior to October 1, 2020, then the provisions of Part 5 of the Zoning Bylaw 2018, No. 18-072 as it was on the day before the Zoning Bylaw 2018 Amendment Bylaw No. 5, 20-075, will apply to the parking spaces of the development that is the subject of the permit.

Effective Date

- 4 This Bylaw comes into force on October 1, 2020.

READ A FIRST TIME the day of 2020

READ A SECOND TIME the _____ day of _____ 2020

Public hearing held on the _____ day of _____ 2020

READ A THIRD TIME the _____ day of _____ 2020

ADOPTED on the _____ day of _____ 2020

CITY CLERK

MAYOR