



## REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, September 3, 2020, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

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](http://www.victoria.ca).

Council is committed to ensuring that all people who speak in this chamber are treated in a fair and respectful manner. No form of discrimination is acceptable or tolerated. This includes discrimination because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or economic status. This Council chamber is a place where all human rights are respected and where we all take responsibility to create a safe, inclusive environment for everyone to participate.

Pages

A. APPROVAL OF AGENDA

B. Poetry Reading

*By Youth Poet Laureate, Neko Smart.*

C. READING OF MINUTES

D. REQUESTS TO ADDRESS COUNCIL

D.1 Mehdi Najari: CFAX Attack on Mayor and Council

D.2 Robin Bayley: Accessibility and Kindness

\*D.3 Janine Grace: Motion Re: Covid/School Application for Land Use Change (Withdrawn)

D.4 Jeremy Caradonna: Safe Reopening of School

D.5 Lindsay Cerilli: South Park Students' Health and Safety Compromised Due to Beacon Hill Park Homeless Encampment

D.6 Katie Stewart: Action on Homeless and Addiction Issues

E. PROCLAMATIONS

\*F. PUBLIC AND STATUTORY HEARINGS

To participate live at the hearing, phone 778-698-2440, participation code 1551794#

- You will be asked to state your name, and will then be placed on hold until it's your turn to speak.
- Please have your phone on mute or remain quiet when you join the call - any background noise or conversation will be heard in the live streamed meeting.
- When it is your turn to speak, staff will un-mute your call and announce the last 4 digits of your phone number.
- State your name, address and item you are speaking to.
- You will have 5 minutes to speak then will be cut off when the next speaker is connected.
- When speaking:
  - o Using a 'speaker phone' is not recommended unless require by the user.
  - o Turn off all audio from the meeting webcast.

For more information on Virtual Public Hearings, go

to: <https://www.victoria.ca/EN/meta/news/public-notice/virtual-public-hearings.html>

Please note that any videos you submit and the opinions you express orally will be webcast live and will be recorded to form a part of the public record.

Correspondence you submit will form part of the public record and will be published on the agenda. Your phone number and email will not be included in the agenda. For more information on privacy and the FOIPPA Act please email [foi@victoria.ca](mailto:foi@victoria.ca).

**\*F.1      1400 Quadra Street and 851 Johnson Street: Rezoning Application No. 00738**

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*Council is considering an application to allow for the use of Storefront Cannabis Retailer at 1400 Quadra Street and remove the use of Storefront Cannabis Retailer from 851 Johnson Street.*

Addendum: Correspondence

**F.1.a      Public Hearing & Consideration of Approval**

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- **Motion to give 3rd reading to:**
  - Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078
- **Motion to adopt:**
  - Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078

**F.2      POSTPONED TO SEPTEMBER 17, 2020: 404 Henry Street: Heritage Designation Application No. 000189**

~~*Council is considering an application to designate the property as heritage.*~~



F.2.a ~~Public Hearing & Consideration of Approval:~~

- ~~Motion to give 3rd reading to: Heritage Designation (404 Henry Street) Bylaw No. 20-074~~
- ~~Motion to adopt: Heritage Designation (404 Henry Street) Bylaw No. 20-074~~

F.3 1118 Princess Avenue: Development Variance Permit Application No. 000246

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*Council is considering an application for a classroom building located over two lots.*

F.3.a Opportunity for Public Comment & Consideration of Approval

*Motion to approve development variance permit*

F.4 2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141

65

*Council is considering an application to permit a five-storey affordable rental building with commercial on the ground level.*

F.4.a Public Hearing & Consideration of Approval

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- Motion to give 3rd reading to:
  - Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054
- Motion to adopt:
  - Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054
  - Housing Agreement (2558 Quadra Street) Bylaw (2020) No. 20-055
- Motion to approve development permit with variances

G. REQUESTS TO ADDRESS COUNCIL

G.1 Rich Fleming: Beacon Hill Camping

\*G.2 Shae Smith: Housing

Addendum

\*G.3 Nathan Popp: City Response to Sheltering During the Pandemic

Addendum

\*G.4 April McNeil: Sheltering at Hollywood Park

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Addendum: Name and Attachment

\*G.5 Mollie Margetts: G.1. City Response on Sheltering During the Pandemic

Addendum

\*G.6 Rob Vanzella: I.1 Rodenticide Ban

Addendum

\*G.7 Mark Gustafson: South Park School Buffer

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Addendum

\*G.8 Marie Turcott: Anticoagulant Rodenticides

Addendum

H. UNFINISHED BUSINESS

I. REPORTS OF COMMITTEES

J. NOTICE OF MOTIONS

K. BYLAWS

L. CORRESPONDENCE

M. NEW BUSINESS

N. QUESTION PERIOD

O. ADJOURNMENT

**G. BYLAWS**

**G.1 Bylaw for 1400 Quadra Street and 851 Johnson Street: Rezoning Application No. 00738**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

That the following bylaw **be given first and second readings:**

1. Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078

FOR (5): Mayor Helps, Councillor Alto, Councillor Dubow, Councillor Loveday, Councillor Potts,

OPPOSED (2): Councillor Thornton-Joe, Councillor Young

**CARRIED (5 to 2)**



## Council Report

For the Meeting of August 6, 2020

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**To:** Council **Date:** July 28, 2020  
**From:** C. Havelka, Deputy City Clerk  
**Subject:** 1400 Quadra Street and 851 Johnson Street: Rezoning Application No. 00738

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### RECOMMENDATION

That the following bylaw be given first and second readings:  
1. Zoning Bylaw 2018, Amendment Bylaw (No. 6) No. 20-078

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 20-078.

The issue came before Council on July 9, 2020 where the following resolution was approved:

#### **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.

Respectfully submitted,

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

Christine Havelka  
Deputy City Clerk

A handwritten signature in black ink, appearing to read 'Debra Kentz'.

**Report accepted and recommended by the City Manager:** \_\_\_\_\_

**Date:** July 30, 2020  
\_\_\_\_\_

### List of Attachments:

- Bylaw No. 20-078

**E. REPORTS OF COMMITTEE**

**E.1 Committee of the Whole**

**E.1.a Report from the July 2, 2020 COTW Meeting**

**E.1.a.b 1400 Quadra Street and 851 Johnson Street - Rezoning  
Application No. 00738**

**Moved By** Councillor Alto  
**Seconded By** Mayor Helps

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.

FOR (6): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Dubow

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

**CARRIED (6 to 2)**

**F. LAND USE MATTERS**

**F.1 1400 Quadra Street and 851 Johnson Street - Rezoning Application No. 00738 (Downtown)**

Committee received a report dated July 2, 2020 from the Director of Sustainable Planning and Community Development regarding the property located at 1400 Quadra Street to add the use of store front cannabis retailer as a site-specific regulation for the zone and at 851 Johnson Street to remove the use of store front cannabis retailer as a site-specific regulation for the zone. Staff are recommending that the application be declined as there are multiple cannabis retailer properties within the 400 m zone.

*Committee discussed:*

- *Which businesses in the area have achieved their provincial licences and are operating.*
- *How are there 4 properties within 400 m of the subject property*
- *Difference in size between the properties*

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That Council decline Rezoning Application No. 00738 for the property located at 1400 Quadra Street.

FOR (2): Councillor Thornton-Joe, and Councillor Young

OPPOSED (3): Mayor Helps, Councillor Alto, and Councillor Potts

**DEFEATED (2 to 3)**

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

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.

FOR (3): Mayor Helps, Councillor Alto, and Councillor Potts

OPPOSED (2): Councillor Thornton-Joe, and Councillor Young

**CARRIED (3 to 2)**



## Committee of the Whole Report For the Meeting of July 2, 2020

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**To:** Committee of the Whole **Date:** June 18, 2020

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

**Subject:** Rezoning Application No 00738 for 1400 Quadra Street and 851 Johnson Street

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### RECOMMENDATION

That Council decline Rezoning Application No. 00738 for the property located at 1400 Quadra Street.

### 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.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the properties located at 1400 Quadra Street and 851 Johnson Street. The proposal is to rezone 1400 Quadra Street to add the use of storefront cannabis retailer as a site-specific regulation to the CBD-2 Zone, Central Business District 2, and to rezone 851 Johnson Street to remove the use of storefront cannabis retailer from the site-specific regulations of the CBD-1 Zone, Central Business District 1.

The following points were considered in assessing this application:

- the proposal is consistent with the Core Residential designation in the *Official Community Plan*, which envisions commercial uses on the ground floor
- the proposal is consistent with the Residential Mixed-Use District designation in the *Downtown Core Area Plan*, which encourages active commercial uses at-grade
- the proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are properties within 400m that are zoned to permit storefront cannabis retailer as a use. However, this application is to move a previously approved storefront cannabis retailer across the street and subsequently amend the zoning of the initial property so that there would not be a net increase in the number of properties zoned for this use.

Although this proposal is inconsistent with Council's approved *Storefront Cannabis Retailer Rezoning Policy*, an alternate motion has been prepared if Council wishes to advance the application for consideration at a Public Hearing.

## **BACKGROUND**

### **Description of Proposal**

This application is to rezone 1400 Quadra Street to add the use of storefront cannabis retailer, and to rezone 851 Johnson Street to remove the use of storefront cannabis retailer. The following differences from the current zone at 1400 Quadra Street are being proposed:

- storefront cannabis retailer would be a permitted use
- only one storefront cannabis retailer would be permitted to operate on the property at a time
- storefront cannabis retailer would be restricted to a maximum floor area of 80m<sup>2</sup>
- the maximum storefront cannabis retailer store frontage facing a street would be 8.5m.

All other requirements within the CBD-2 Zone, Central Business District 2, including the site-specific regulations, remain the same.

### **Sustainability**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation**

The applicant has not identified any active transportation impacts associated with this application.

### **Public Realm**

No public realm improvements beyond City standard requirements are proposed in association with this Rezoning Application.

### **Accessibility**

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### **Land Use Context**

The area is characterized by a mix of uses including office, commercial and residential. Alix Goolden Performance Hall is located across the street to the east and the Portland Hotel Society Residential Outreach Building is located immediately to the west.

### **Existing Site Development and Development Potential**

The site is presently under construction. When completed, the 14-storey building will feature commercial on the ground floor and approximately 113 residential rental units.



## **Community Consultation**

Consistent with the *Storefront Cannabis Retailer Rezoning Policy*, the requirement to arrange and participate in a Community Association Land Use Committee (CALUC) Community Meeting is waived unless the application involves construction of a new building; however, the application was referred to the Downtown Residents Association. Also consistent with the Policy, the application has been referred to School District No. 61 and the Victoria Police Department (VicPD). No responses had been received at the time of writing this report.

## **ANALYSIS**

### **Official Community Plan**

The proposal is consistent with the Core Residential designation in the *Official Community Plan* (2012), which envisions commercial uses.

### **Downtown Core Area Plan**

The proposal is consistent with the Mixed-Use Residential designation in the *Downtown Core Area Plan* (2011), which encourages active retail uses at-grade.

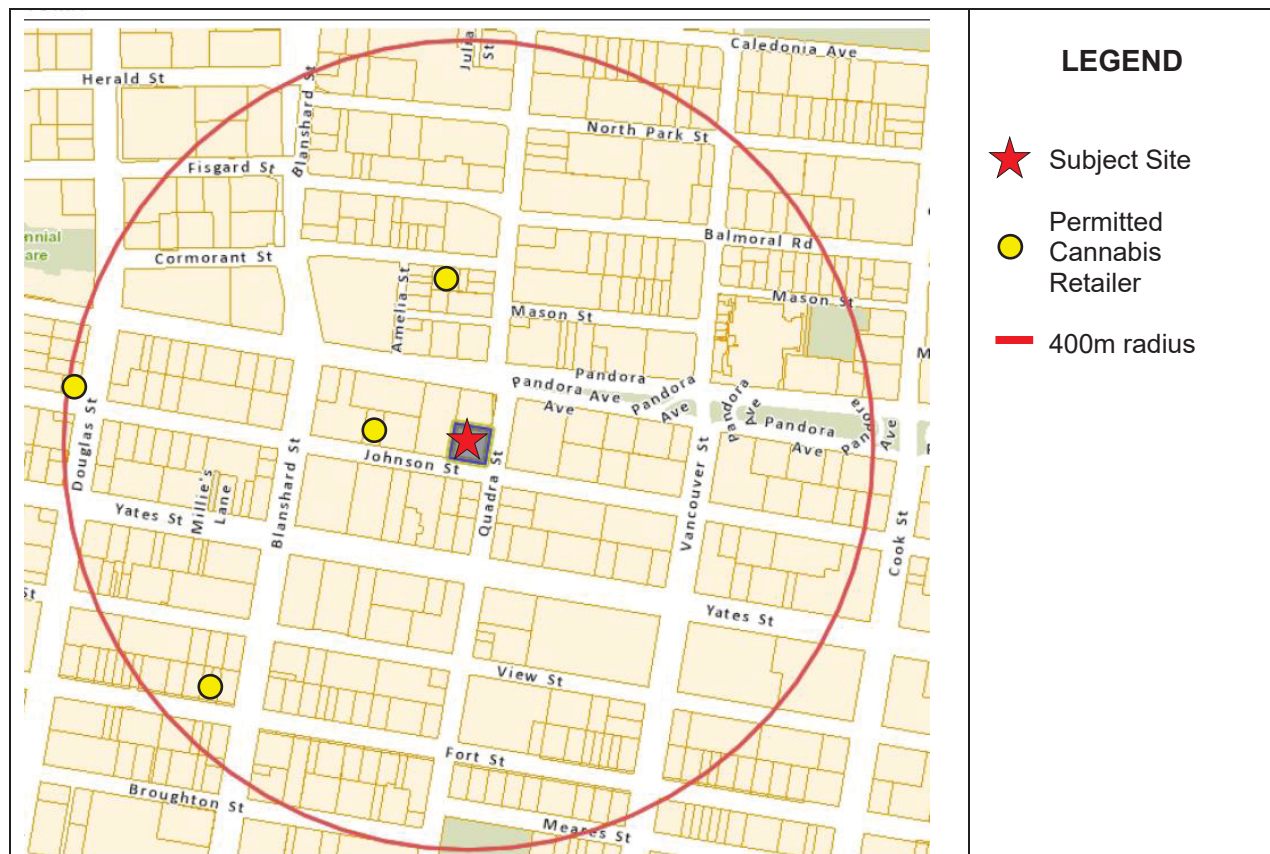
### **Tree Preservation Bylaw and Urban Forest Master Plan**

There are no Tree Preservation Bylaw impacts and there are no impacts to public trees with this application.

### **Storefront Cannabis Retailer Rezoning Policy**

The application is to relocate a storefront cannabis retailer use from 851 Johnson Street to 1400 Quadra Street. If Council were to approve the rezoning at 1400 Quadra Street, staff recommend subsequently amending the zoning of 851 Johnson Street. The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are four properties within 400m of the subject property that have storefront cannabis retailer as a permitted use: 826 Johnson Street is 72m away, 853 Cormorant Street is 136m away, 778 Fort Street is 325m away, and 1402 Douglas Street is 388m. There are no public or independent elementary, secondary or high schools within 200m of the property.

As noted, the proposal is to relocate a previously approved storefront cannabis retailer from 851 Johnson Street across the street to 1400 Quadra Street. The *Storefront Cannabis Retailer Rezoning Policy* notes that Council can vary from the 400m separation distance between retailers based on circumstances of a specific application. As such, staff have provided an alternate motion for Council's consideration.



## CONCLUSIONS

The proposal to permit the storefront cannabis retailer use is consistent with the *Official Community Plan* and the *Downtown Core Area Plan*. The proposal is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy* as there are four other properties within 400m that permit the use of storefront cannabis retailer. However, the proposal is to move a previously approved retailer across the street at 1400 Quadra Street and amend the zoning of the initial property at 851 Johnson Street. As such, an alternate motion has been provided for Council's consideration.

## ALTERNATE MOTION

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.

Respectfully submitted,

Mike Angrove  
Senior Planner  
Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

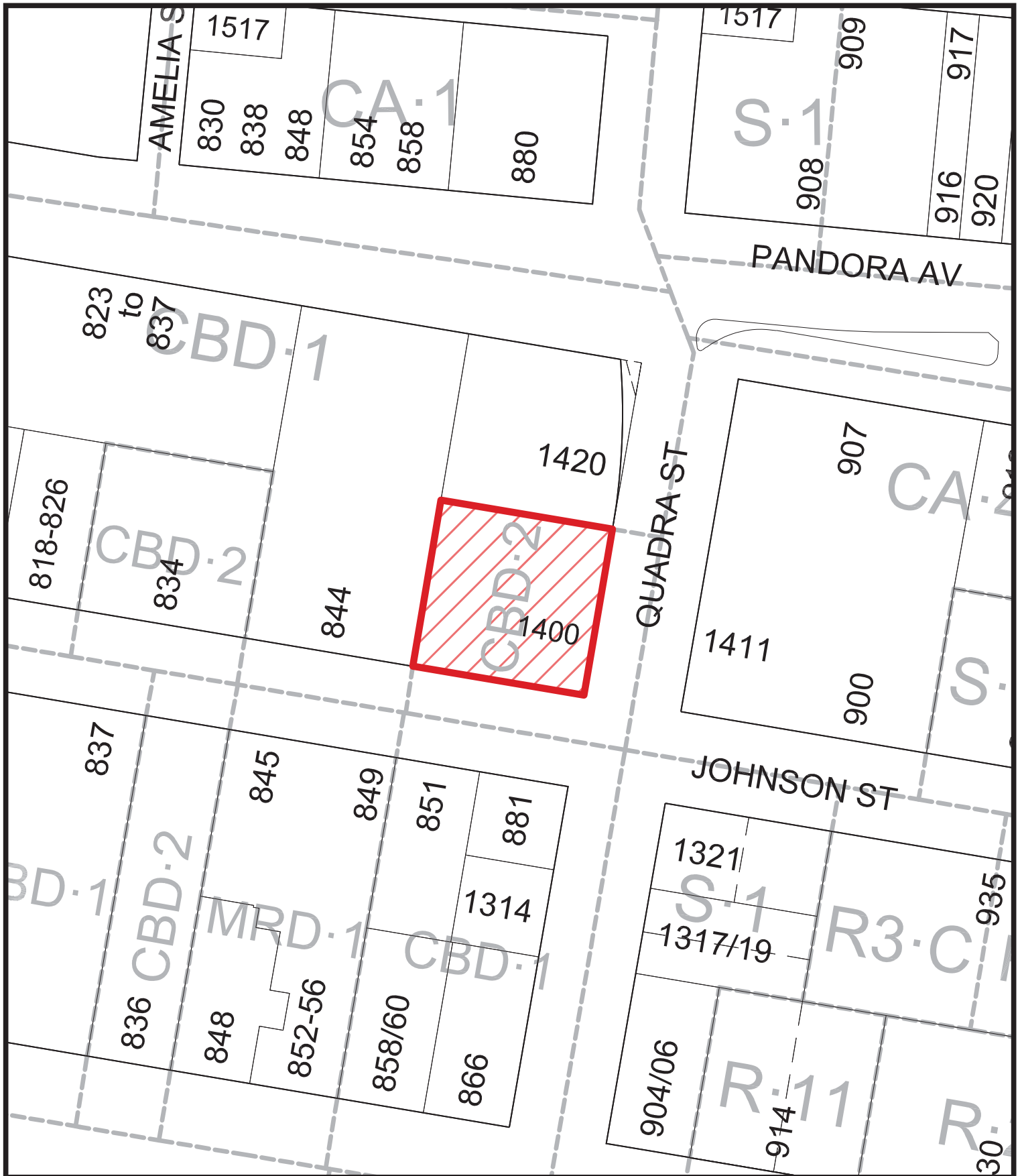
Report accepted and recommended by the City Manager:



Date: June 25, 2020

**List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped June 2, 2020
- Attachment D: Letter from applicant to Mayor and Council dated April 24, 2020.



1400 Quadra Street  
Rezoning No.00738





1400 Quadra Street  
Rezoning No.00738





Proposed Location

A000	Title Sheet
A001	Legends & Schedules
A002	Site Plan
A101	Main Floor Plan

Revision Issued  
June 2, 2020

<p>DESIGNER'S NAME (PRINT NAME OF THE DESIGNER)</p> <p>DATE OF THE DESIGN (DATE OF THE DESIGN)</p> <p>DESIGNER'S ADDRESS (ADDRESS OF THE DESIGNER)</p> <p>DESIGNER'S PHONE NUMBER (PHONE NUMBER OF THE DESIGNER)</p> <p>DESIGNER'S E-MAIL ADDRESS (E-MAIL ADDRESS OF THE DESIGNER)</p> <p>DESIGNER'S SIGNATURE (SIGNATURE OF THE DESIGNER)</p> <p>DESIGNER'S SEAL (SEAL OF THE DESIGNER)</p>		<p>DESIGNER'S NAME (PRINT NAME OF THE DESIGNER)</p> <p>DATE OF THE DESIGN (DATE OF THE DESIGN)</p> <p>DESIGNER'S ADDRESS (ADDRESS OF THE DESIGNER)</p> <p>DESIGNER'S PHONE NUMBER (PHONE NUMBER OF THE DESIGNER)</p> <p>DESIGNER'S E-MAIL ADDRESS (E-MAIL ADDRESS OF THE DESIGNER)</p> <p>DESIGNER'S SIGNATURE (SIGNATURE OF THE DESIGNER)</p> <p>DESIGNER'S SEAL (SEAL OF THE DESIGNER)</p>	
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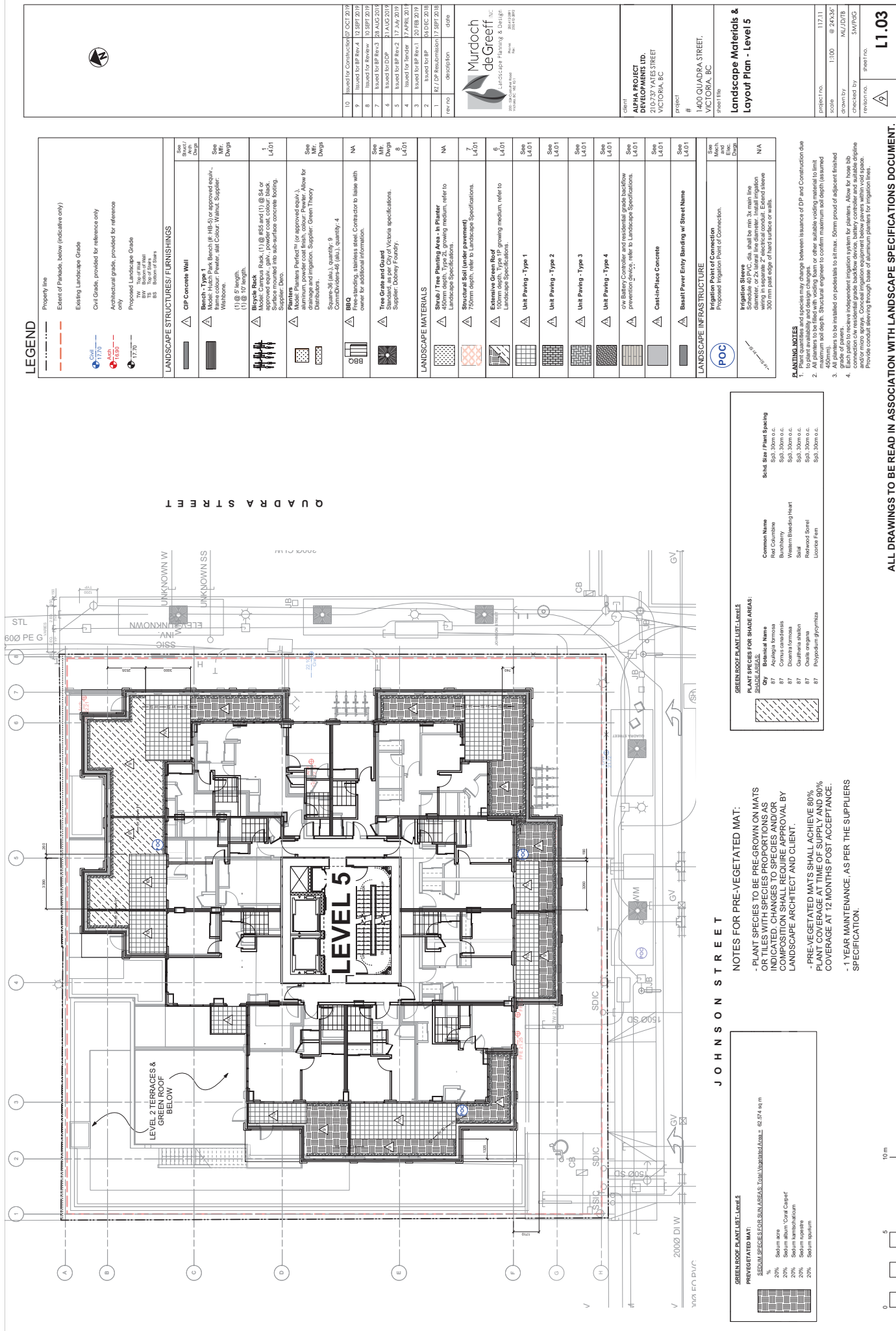












NOTES FOR PRE-VEGETATED MAT:

- PLANT SPECIES TO BE PRE-GROWN ON MATS OR TILES WITH SPECIES PROPORTIONS AS SHOWN. MATS TO BE SUPPLIED BY LANDSCAPE ARCHITECT AND CLIENT.
- PRE-VEGETATED MATS SHALL ACHIEVE 80% PLANT COVERAGE AT TIME OF SUPPLY AND 90% COVERAGE AT 12 MONTHS POST ACCEPTANCE.
- 1 YEAR MAINTENANCE, AS PER THE SUPPLIERS SPECIFICATION.

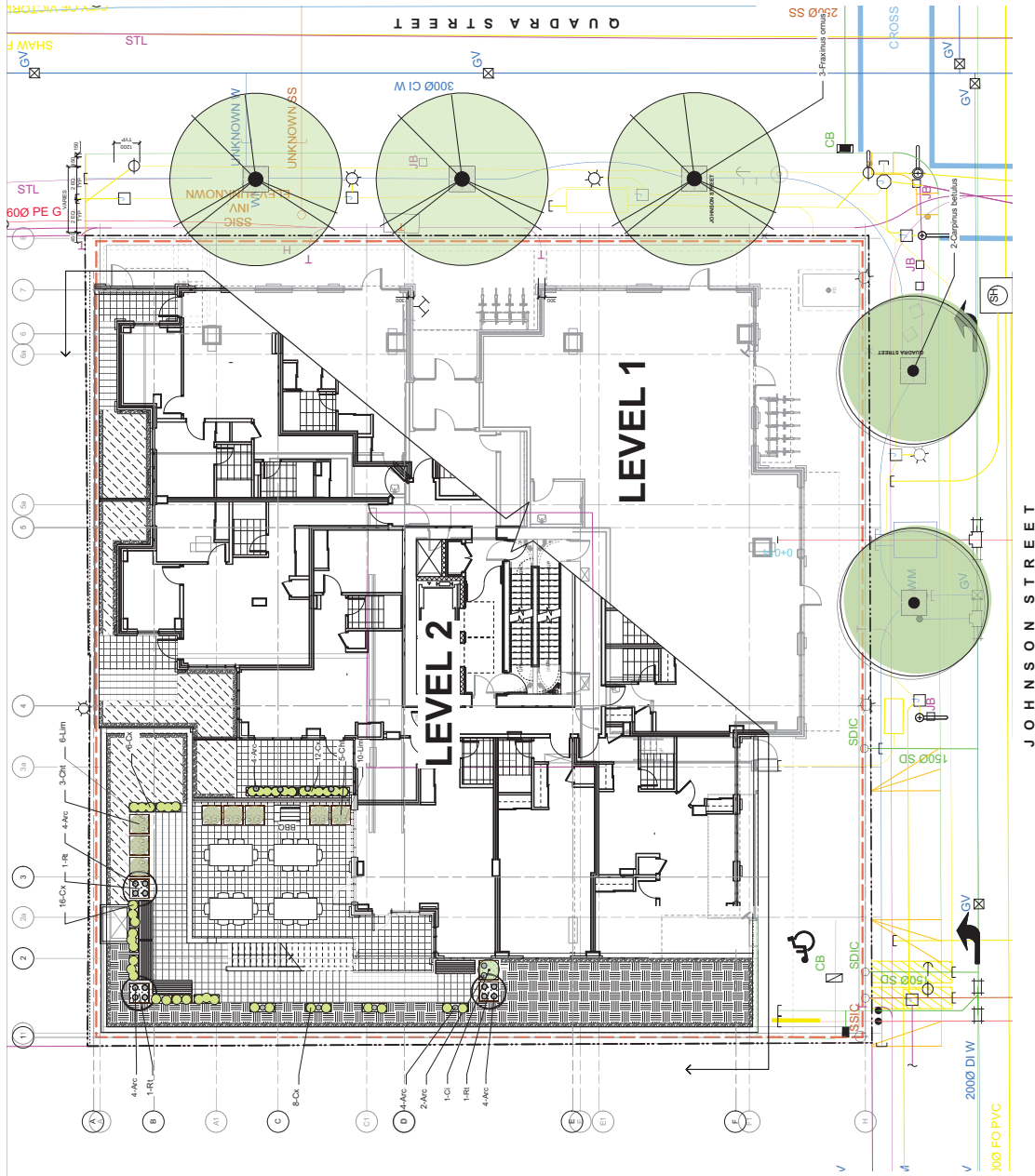
GREEN ROOF PLANT LIST - Level 5

PRE-VEGETATED MAT:

Species	Proportion
Beckmannia	20%
Beckmannia	20%
Beckmannia	20%
Beckmannia	20%
Beckmannia	20%

PLANT SPECIES FOR SHADE AREAS:

Common Name	Botanical Name	Shade Area
Burnberry	Urtica dioica	87
Western Bleeding Heart	Dioclea formosa	87
Salal	Gaultheria phillyifolia	87
Redwood Sorel	Oxalis oregana	87
Loosestrife	Physocarpus opulifolius	87



PLANT LIST - LEVEL 1		
Sym	Botanical Name	Common Name
1	Carpinus betulus	European Hornbeam
2	Fraxinus omnis	Flowering Ash
3	Rosa typhina	Shagbark Sumac
4	Arctostaphylos uva-ursi	Konikewick
5	Calluna vulgaris	Heather Reed Grass
6	Chamaecyparis x scabra 'Kia Forest'	Blue Spruce
7	Chamaecyparis x scabra 'Kia Forest'	Blue Spruce
8	Chamaecyparis x scabra 'Kia Forest'	Blue Spruce
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15	Chamaecyparis x scabra 'Kia Forest'	Blue Spruce
16	Chamaecyparis x scabra 'Kia Forest'	Blue Spruce

GREEN ROOF PLANT LIST - LEVEL 2		
Sym	Botanical Name	Common Name
1	Sedum album 'Coral Carpet'	Red Columbine
2	Sedum album 'Coral Carpet'	Red Columbine
3	Sedum album 'Coral Carpet'	Red Columbine
4	Sedum album 'Coral Carpet'	Red Columbine
5	Sedum album 'Coral Carpet'	Red Columbine
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99	Sedum album 'Coral Carpet'	Red Columbine
100	Sedum album 'Coral Carpet'	Red Columbine

NOTES FOR PRE-VEGETATED MAT:

- PLANT SPECIES TO BE PRE-GROWN ON MATS OR TILES WITH SPECIES PROPORTIONS AS INDICATED. CHANGES TO SPECIES AND/OR COMPOSITION SHALL REQUIRE APPROVAL BY LANDSCAPE ARCHITECT AND CLIENT.
- PRE-VEGETATED MATS SHALL ACHIEVE 80% PLANT COVERAGE AT TIME OF SUPPLY AND 90% COVERAGE AT 12 MONTHS POST ACCEPTANCE.
- 1 YEAR MAINTENANCE AS PER THE SUPPLIERS SPECIFICATION.

PLANTING NOTES

1. Plant quantities and species may change between issuance of DP and final program. All plantings shall be done in accordance with the final program.
2. Green roof to be pre-vegetated with mats or tiles for sun areas and shaded areas. All plantings shall be done in accordance with the final program.
3. All plantings shall be done in accordance with the final program.
4. All raised aluminum planters to be irrigated.

ALL DRAWINGS TO BE READ IN ASSOCIATION WITH LANDSCAPE SPECIFICATIONS DOCUMENT.







The applicant's pharmaceutical background and knowledge has helped them implement and put into place initiatives that design the retail store in such a way that focus on patron control, public safety control, and minor prevention.

As such, the applicant will put further measures in place to ensure the store design incorporates CPTED principals to deter and further mitigate crime issues. These will include Natural Surveillance, Natural access and control, territorial reinforcement, and maintenance.

Specifically, the applicant is proposing:

#### **Natural surveillance**

- To install both interior and exterior audible and visual security system that are to be monitored both at store level and remotely for added security.
- There is little to no landscaping in front of the proposed unit. This allows for clear street sight lines and visual surveillance.
- Front doors of all businesses will be well lit and have key lighting placed to highlight the access points both in the rear and front of the retail store.
- Staff on site have been trained to detect and monitor nuisance behavior the company holds a no loitering policy as well as a zero tolerance for onsite consumption policy. Staff will have sight lines to review/ patrol the perimeter of the parking area and building.
- Interior space has been designed to create an open concept for easy shopping. There are low tables with smell jars. The room has been developed to add flow and movement to the consumer so each guest can be engaged with an active team member to mitigate interior theft and deter negative behaviors.
- The layout has been developed to allow staff to engage guests one on one to ensure each person who accesses the business is assisted and ultimately monitored.
- Product is mandated by the province to be locked and secure. Only staff with keys are permitted to access.
- Inventory is brought in on a weekly basis to ensure on site storage amounts are generally low but can still meet consumer demand
- Staff have emergency buttons in place and can access both the executive team and local authorities if required at any time.
- All inventory is kept in a secure locking storage that is monitored.
- Low amounts of cash are kept on hand with deposits being reconciled at shift changes



CLARITY  
CANNABIS™

April 24th, 2020

**City of Victoria**

1 Centennial Square  
Victoria, B.C. V8W 1P6  
Canada

RE: Storefront Cannabis Retailer Rezoning Application, 1400 Quadra Street, Victoria, B.C.

**Attention: Mayor Lisa Helps and Members of Council**

On behalf Clarity Cannabis BC Ltd. I want to thank you for the opportunity to present information about our proposed retail cannabis store. As part of our Storefront Cannabis Retail Rezoning application package, we are submitting this letter detailing the aspects of our proposed relocation of our store for your consideration.

**Description of Proposal/City Policy**

This site, recently rezoned CBD-2 (Central Business District-2 zone) through a separate Rezoning Application by the Owners and Landlord of the proposed location, who supports this application.

Our proposed location of 1400 Quadra Street, approximately 1,014 sq ft on the ground floor commercial space being constructed and completed approximately 2021. Our submission complies with all provisions of the Storefront Cannabis Retailer Rezoning policy, and is located:

- Within a Core Business urban place as identified in the Official Community Plan
- Within a secondary commercial centre area as identified in the Harris Green Neighborhood Plan
- At least 200m from a public or independent elementary, middle or secondary school
- At least 400M from another lot where a storefront cannabis retailer is permitted and licensed with LCRB.
- With proper vehicle and bicycle parking which is applicable to retail stores as outlined in Schedule C of the Zoning Regulation Bylaw and Zoning Bylaw 2018





CLARITY  
CANNABIS™

The proposed location conforms to the Storefront Cannabis Retailer policy with expectation of its proximity to two other storefronts. As measured in Google Maps, the approximate distances are as follows:

- 150 metres to the Victoria Cannabis Buyers Club, 826 Johnson Street
- 270 metres to the CraftPro, 1321 Blanshard Street, #301

Clarity Cannabis is currently located across the street at 855 Johnson Street, and will be submitting the appropriate relocation application with the LCRB for the proposed new location. As such, in order for the LCRB to consider the application, the local government and/or Indigenous nation for the area in which the store is proposed to be located or is located will, in most cases, be required to provide a recommendation that the licence be issued or amended.

#### **Project Benefits/Neighborhood/Impacts**

There are no Public schools in Harris Green district.

As an experienced industry-leading pharmacist and entrepreneur (with over 18 years experience), Clarity Cannabis serves to offer safe and informed access to adult-use cannabis.

The next closest licensed retail cannabis store currently sits over 450m away from the proposed location, with our current store relocating from 855 Johnson Street to the new proposed location and continue to support and serve the Harris Green neighborhood. We expect to employ 10-12 staff and would be operating within the “Alpha Rental Project” of the Harris Green neighborhood, providing a new service in the building that contains a wide mixture of tenants. Being located within the busy centre we expect to compliment/improve conditions on surrounding businesses, and with limited hours of operation do not expect to have any negative impacts on our immediate neighbours.

The principle involved in the proposed relocation of cannabis store has extensive experience in many sectors including retail and pharmaceutical. In particular they have successfully retailed a controlled substance for over 2 years (cannabis) across British Columbia, including here in the City of Victoria.

Environmental benefits include recycling of plastics and tins, scent-free work environment. Our team has joined the green initiative and secured a contract with a recycling company to encourage recycling all cannabis packaging and decrease the environmental impact.

#### **Nuisance behaviours**

Nuisance behaviour in and around the proposed site are not permitted. Clarity Cannabis does not support queuing to enter the location or loitering around the vicinity of the store. To mitigate this



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behaviour, there will be surveillance systems in place to monitor both the exterior and interior of the location.

Clarity Cannabis team members are trained to detect intoxicated patrons. As part of the Provincial requirements, any guest who appears to be under the influence of drugs or alcohol must not be permitted to remain within the license area. As part of Clarity Cannabis's best practices, staff have been trained to detect and enforce a zero-tolerance policy with respect to intoxicated patrons.

Guests will be denied services and immediately requested to leave, should this occur. The staff will also document and report any and all issues to the executive team.

### **Design/Safety and Security**

As part of the new construction for proposed location, we are not proposing to make any modifications to the external façade of the building and will stay within the Urban Design Guidelines of the Harris Green neighborhood. The safety and security of our staff, customers, and neighborhood is paramount. Our proposed floor plan was designed with clear sight-lines in mind, and we will also be installing the following security features:

- Video surveillance to monitor all entrances/exits and the interior of the store at all times
- Security and fire alarm system. The alarm control panel will be located in the same location as the camera recorder and will also be in a secure locked cabinet. This system will be a 24/7 monitored system, it can notify the alarm center via cellular and analog phone
- Safe to securely store all inventory and cash

### **Crime Prevention Through Environmental Design (CPTED)**

Clarity Cannabis implements operational measures within its store and has reviewed the site company, to provide a detailed security plan to continuously improve upon their strategies. The security plan is not a provincial requirement; however, Clarity Cannabis takes pride in ensuring best practices are implemented within its business and will take additional steps to become an industry leader with exceptionally high standards focused around safety, security and consumer education.

### **Design Elements of the store based upon CPTED**

The proposed space is located within a shopping complex within the Harris Green neighborhood of Victoria. The applicant and neighboring business communities' work together to ensure public safety standards are optimized.



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#### **Territorial reinforcement/Lighting Details**

- Building entrances will be accentuated with lighting and will be well lit into the evening hours and post-closing
- Walkways have pedestrian scale lighting to ensure no night threats
- Interior of the business will be well lit and offer an inviting shopping experience
- Ongoing lighting maintenance will be conducted. Staff are to visually inspect both the exterior including the parking areas. Interior lighting will be kept in working order.

#### **Ongoing Maintenance**

- On a quarterly basis the executive team will review the security plan in place. Part of Clarity Cannabis's best practice's guidelines created by the company allow the team to quickly adapt based upon need and any potential issues that have been highlighted.
- Staff are provided with logbooks to detail and comment on any issues. These are continually reviewed by management.

#### **Transportation**

Our proposed unit is within a new development and meets the vehicle and bicycle parking standards of Schedule C – Off Street Parking Regulations. Our store can also be accessed via the bus route that runs along Johnson Street and Quadra Street.

#### **Heritage**

The proposed location does not have a heritage designation.

Thank you for this opportunity and we look forward to working with you.

Sincerely,

**Clarity Cannabis BC Ltd.**

Per: 

1

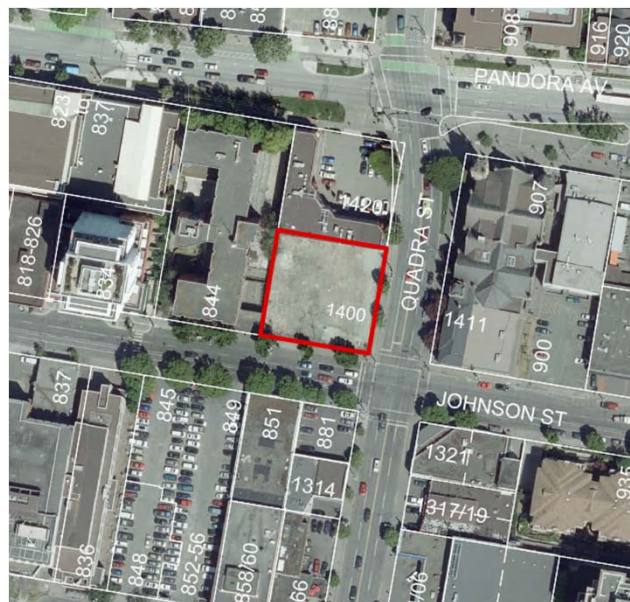
## Rezoning Application for 1400 Quadra Street & 851 Johnson Street



1

### Aerial View

2



2

## Subject Site

3



3

4



Proposed Location



4



## Neighbouring Property

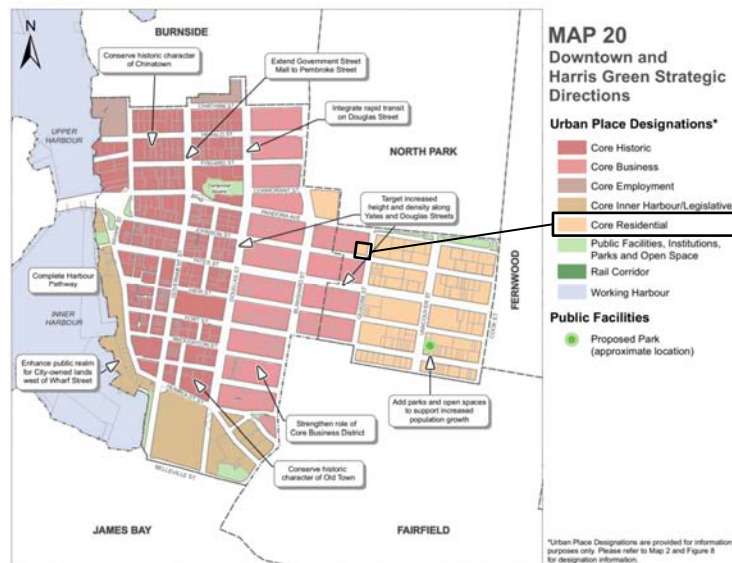
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5

## Official Community Plan

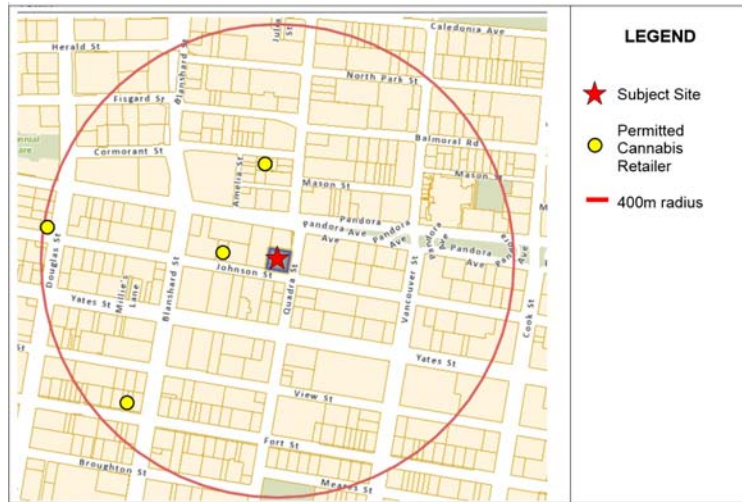
6



6

## Distances from Other Retailers

7



To whom it may concern.

Date: 29/04/2020

Clarity Cannabis has been operating at the location of 851 Johnson Street since \_\_\_\_\_, 2019.

To the best of my knowledge there have been no problems, no loitering and no use of product inside or outside the storefront. We fully support its proposed relocation (across the street) to 1400 Quadra Street and having Clarity Cannabis continue to be a member of the Green Harris Community.

I/We believe that Clarity Cannabis is run in a Professional manor, proving a safe and clean environment.

NAME: Jesús Lozano-Villorreal

Position: Project Manager

Business: PHS Community Services

Signature

Address: 844 Johnson Street.

Victoria BC V8V 1N3



## Richard Elliott

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**From:** Ian Sutherland [REDACTED]  
**Sent:** June 30, 2020 11:08 AM  
**To:** Victoria Mayor and Council; Michael Angrove  
**Subject:** 1400 Quadra - Cannabis Retail Use  
**Attachments:** 1400 Quadra - Cannabis Retail Use.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Please see attached letter from the CALUC.

Regards,  
Ian Sutherland  
Chair DRALUC



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

June 28<sup>th</sup>, 2020

**Re: Rezoning Application No 00738 for 1400 Quadra Street and 851 Johnson Street**

Dear Mayor Helps and Council,

The DRA LUC would like to offer support for the Staff recommendation to decline the application. As observed by Staff, the property “is inconsistent with the *Storefront Cannabis Retailer Rezoning Policy*, as there are properties within 400m that are zoned to permit storefront cannabis retailer as a use”.

Proximity rules were established by Council to limit the number of Cannabis retailers to the point that the public is adequately served and operators do not need to sell to minors to make ends meet. There is a strong case that indicates a direct correlation between the viability of these businesses and compliance regarding sale to minors.

It is understood that the application is a relocation of an existing licence within the local area. However, there is no shortage of ground floor retail properties for lease within the Downtown and therefore no apparent impediment for the applicant to seek a location that complies with the current proximity rules. It is important that precedence is not set in relaxing these proximity rules without a compelling rationale. We strongly encourage Council to uphold its wise decision to adopt the 400m proximity rule for Cannabis retailers.

Sincerely,

Ian Sutherland  
Chair Land Use Committee, Downtown Residents Association

cc COV Planning

To whom it may concern.

Date:

Clarity Cannabis has been operating at the location of 851 Johnson Street since \_\_\_\_\_, 2019.

To the best of my knowledge there have been no problems, no loitering and no use of product inside or outside the storefront. We fully support its proposed relocation (across the street) to 1400 Quadra Street and having Clarity Cannabis continue to be a member of the Green Harris Community.

I/We believe that Clarity Cannabis is run in a Professional manor, proving a safe and clean environment.

NAME: Tina Denis  
Position: owner  
Business: Forge Training  
Signature: T Denis  
Address: 851 Yates St

To whom it may concern.

Date:

Clarity Cannabis has been operating at the location of 851 Johnson Street since \_\_\_\_\_, 2019.

To the best of my knowledge there have been no problems, no loitering and no use of product inside or outside the storefront. We fully support its proposed relocation (across the street) to 1400 Quadra Street and having Clarity Cannabis continue to be a member of the Green Harris Community.

I/We believe that Clarity Cannabis is run in a Professional manor, proving a safe and clean environment.

NAME: Lucas Gerry  
Position: manager  
Business: Big O Joes  
Signature: \_\_\_\_\_  
Address: 1319 Quadra

To whom it may concern.

Date:

Clarity Cannabis has been operating at the location of 851 Johnson Street since \_\_\_\_\_, 2019.

To the best of my knowledge there have been no problems, no loitering and no use of product inside or outside the storefront. We fully support its proposed relocation (across the street) to 1400 Quadra Street and having Clarity Cannabis continue to be a member of the Green Harris Community.

I/We believe that Clarity Cannabis is run in a Professional manor, proving a safe and clean environment.

NAME: Larissa Gymbaluk

Position: admin

Business: Fix

Signature: L. Gymbaluk

Address: 805 Johnson

## Pamela Martin

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**From:** Tricia Pearson <[REDACTED]>  
**Sent:** August 28, 2020 9:54 AM  
**To:** Public Hearings  
**Subject:** Opposed to cannabis retailer at 1400 Quadra

Hello,

Thank you for the opportunity to provide feedback on the proposed by-law amendment (No. 6) No 20-078. This is to allow a cannabis retailer at 1400 Quadra.

I am opposed to this occurring. As you well know the downtown core has a serious number of mental health, drug dealers, drug addicts, crime and general mischief issues for a town this size. I find it hard to believe that we require ANY MORE cannabis dealers - though I know this is a proposed move, not a new outlet. Yes, I am going full NIMBY. I do not want this closer to my home. This area is already extremely disappointing, scary and rank. Thank you again for the opportunity. I sincerely hope you can see the point of view of the opposition and consider its merit.

Richard Weninger  
502-845 Yates Street  
Victoria Vc V8W 4A3

**Pamela Martin**

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**From:** Oscar Mogollon <[REDACTED]>  
**Sent:** August 28, 2020 7:49 AM  
**To:** Public Hearings  
**Subject:** Proposed changes to 1400 Quadra St. and 851 Johnson St

Reference:

Zoning bylaw 2018 Amendment Bylaw (No 6) – No 20-078

I believe this proposed store is located less than a 100 m away from another existing cannabis shop (Victoria Cannabis Buyers Club 826 Johnson Street ). This is less than half the recommended distance between cannabis stores. Between these 2 locations, hundreds of young families live, and many more will live in the next couple of years.

The proposed store at 1400 Quadra will also be across the road from the Victoria Conservatory of Music, where hundreds of children study. I encourage the City Council to take these facts into consideration.

Kind Regards,

Oscar Mogollon  
702-834 Johnson St. V8W1N3

## Pamela Martin

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**From:** Jason Strauss <[REDACTED]>  
**Sent:** August 28, 2020 10:15 AM  
**To:** Public Hearings  
**Subject:** Zoning Bylaw 2018, Amendment Bylaw (No. 6) - No. 20-078

Dear Council,

In regards to the proposed permit for a storefront cannabis retailer at 1400 Quadra Street, I submit by email my written comments herein. I own and live in a condominium unit at 930 Yates Street. Minor property crime, littering, loitering, loud shouting, physical fighting, assault and drug use has started to become an issue on Yates Street. The 711 store on Quadra street and its parking lot seems to be a conduit for bringing these crimes and drug use onto Yates Street. The doorway vestibule at 914 Yates Street (StatsCanada Federal Government Building, right around the corner from the 711) seems to especially be a spot where I observe drug use almost every single evening. Sometimes with groups as large as 8 people using hard drugs in that vestibule at 9pm in the evening. Loud shouting, fighting, assaults... have all been witnessed at the intersection of Quadra and Yates streets. My concern is that Quadra street between the Pandora corridor and Yates street is becoming this conduit for bringing these crimes, open drug use and fighting onto Yates street. To whatever extent a storefront cannabis store at 1400 Quadra street would create a buffer between the Pandora Street corridor and the Yates Street corridor, I would be in support of this proposed permit. What is the occupancy of the new building at 1400 Quadra street, above ground level? Will it increase or decrease the buffer between the Pandora and Yates Street corridors? Will this new storefront support a balance in our community or exacerbate tensions between the Pandora corridor and residents on Yates street? What plans and proposals can the proponent and/ or council put forward to address these concerns to help to sustain a balance in our community?

Jason Strauss  
930 Yates Street



## Pamela Martin

---

**From:** Holly Vivian <[REDACTED]>  
**Sent:** August 26, 2020 3:16 PM  
**To:** Public Hearings  
**Cc:** Matt Yee  
**Subject:** zoning bylaw 2018, amendment bylaw (no. 6) - No.20-078: cannabis retailer

Hi City of Victoria

Here are my written comments for the upcoming public hearing.

I am opposed to the proposed rezoning at 1400 Quadra street.

We have a longstanding cannabis retailer in the building containing 818-826 Johnson Street (I don't know their exact number offhand, but it's all part of a brick storage type building.)

This street needs help badly. Ever since 844 Johnson became a (very poorly run) social housing facility, this block in particular has suffered and become vastly less desirable. Social housing is necessary and lots more of it - but it MUST come with appropriate support staff and services.

The cannabis rezoning proposal is not directly related to activity at 844 Johnson, but we do NOT need yet another and larger cannabis facility on this street.

What we need at 1400 Quadra is something that will promote community gathering in a healthy way, drive foot traffic, and help create a more vibrant pedestrian experience.

Expanding the cannabis retailer currently at 851 Johnson Street to a larger space at 1400 Quadra street will not support increased vitality in this block. (For the record, I would also be writing to oppose a legal office or other low-traffic commercial proposal at 1400 Quadra, as those would not drive foot traffic and create community either.)

Here at 834 Johnson, we have 3 live-work townhomes that are low-traffic commercial spaces. They functioned just fine while there was an old age care home next door, but they do not help to increase foot traffic or function as any sort of community hub.

A restaurant or cafe or lounge of some kind would serve this block much better, and when we are through the pandemic, evening performances at the Alix Goolden Hall and Metro Studio and Wood Hall and Capital Ballroom will be well served by having more community hub type spaces surrounding them. We have 4 performance venues in this immediate area, and a huge number of high density residential buildings surrounding them.

With a music school, 4 live performance venues (plus several other smaller performance related spaces nearby), and a high density population, The City of Victoria would be well served to focus on the Harris Green as a culture hub for downtown and to encourage complementary businesses into this neighbourhood.

Thanks for your consideration.

Holly Vivian  
Resident, 834 Johnson Street, #1202  
[REDACTED]

*Could we ever know each other in the slightest without the arts?*  
-Gabrielle Roy

**Pamela Martin**

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**From:** Karl Fritz [REDACTED] >  
**Sent:** September 3, 2020 9:33 AM  
**To:** Public Hearings  
**Subject:** Proposed Bylaw Changes to 1400 Quadra Street and 851 Johnson Street - Rezoning No. 00738

Dear Council Members

As the property owner of 858/860 Yates Street I am deeply concerned with the prospect of a storefront cannabis retailer opening on the 1400 block of Quadra St. My reasons are as follows:

Location unacceptable  
Too much vehicle traffic for the area  
Extremely limited parking  
Area is already overcrowded

Therefore I am opposed to this application going through.

Regards.  
Karl Fritz

Sent from [Mail](#) for Windows 10

## A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Bylaw 2018 to permit a Storefront Cannabis Retailer at 1400 Quadra Street and to remove Storefront Cannabis Retailer as a permitted use at 851 Johnson Street.

The Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

**Title**

1 This Bylaw may be cited as the “ZONING BYLAW 2018, AMENDMENT BYLAW (NO. 6)”.

**Amendments**

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

- (a) in Part 4.1, Section 8, by deleting from row 26 the words “b. Storefront Cannabis Retailer is a permitted use” in column B and the entire corresponding text in column C;
- (b) by renumbering items c. to e. in column B of that row as items b. to d.; and
- (c) in Part 4.2, Section 8, by adding the following to row 15 as a new item c.:

		c. <b>Storefront Cannabis Retailer</b> is a permitted use	<ul style="list-style-type: none"> <li>i. only one storefront cannabis retailer at a time is permitted on the lot;</li> <li>ii. the use does not occupy more than 200m<sup>2</sup>; and</li> <li>iii. the maximum store frontage of the storefront cannabis retailer facing a street is 8.5m.</li> </ul>
--	--	-----------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**Commencement**

3 This Bylaw comes into force on adoption.

READ A FIRST TIME the **6<sup>th</sup>** day of **August** 2020

READ A SECOND TIME the **6<sup>th</sup>** day of **August** 2020

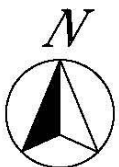
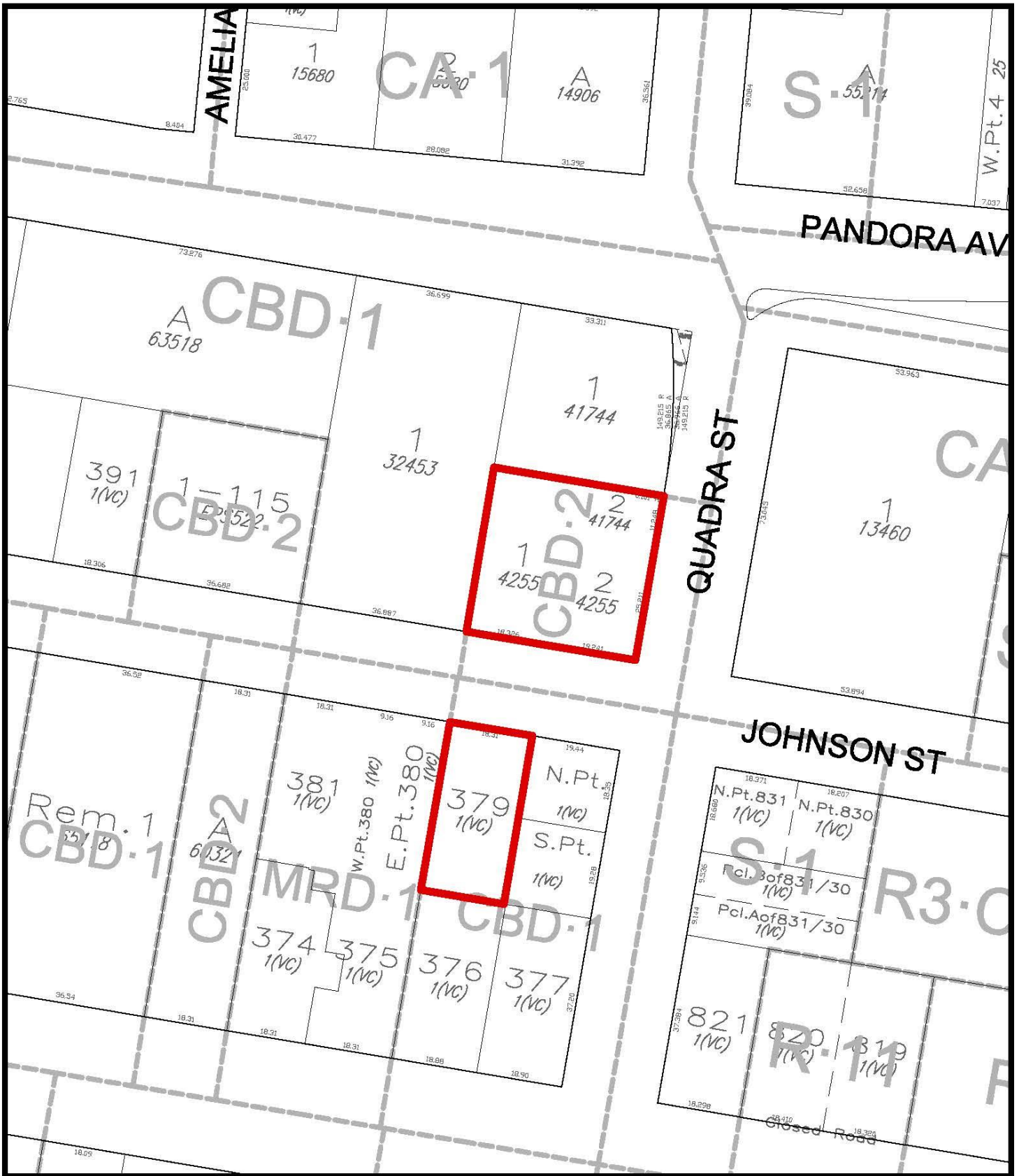
Public hearing held on the day of 2020

READ A THIRD TIME the day of 2020

ADOPTED on the day of 2020

CITY CLERK

MAYOR



1400 Quadra Street and 851 Johnson Street  
Rezoning No.00738

**F. REPORTS OF COMMITTEES**

**F.1 Committee of the Whole**

**F.1.b Report from the August 6, 2020 Committee of the Whole**

**F.1.b.b.1118 Princess Avenue: Development Variance Permit  
Application No. 000246 (George Jay Elementary School)  
(Fernwood)**

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:  
“That Council authorize the issuance of Development Variance Permit Application No. 00246 for 1118 Princess Avenue, in accordance with:
  - a. Plans date stamped July 15, 2020.
  - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    - i. Allow the building to be constructed over a property line
    - ii. Reduce the side yard setback from 1.85m to 0.0m (West - Lot 16)
    - iii. Reduce the side yard setback from 1.85m to 0.0m (East Lot 17).
  - c. The Development Permit lapsing two years from the date of this resolution.”
2. That recommendations be forwarded to the August 6, 2020 daytime Council Meeting so that an opportunity for public comment can be scheduled in September.

**CARRIED UNANIMOUSLY**

**B. CONSENT AGENDA**

**Moved By** Councillor Alto

**Seconded By** Councillor Dubow

That the following items be approved without further debate.

**CARRIED UNANIMOUSLY**

**G.1 1118 Princess Avenue: Development Variance Permit Application No. 000246 (George Jay Elementary School) (Fernwood)**

Committee received a report dated July 23, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Development Variance Permit Application No. 000246 for 1118 Princess Avenue in order to place a portable school building at George Jay Elementary School.

**Moved By** Councillor Alto

**Seconded By** Councillor Dubow

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:  
“That Council authorize the issuance of Development Variance Permit Application No. 00246 for 1118 Princess Avenue, in accordance with:
  - a. Plans date stamped July 15, 2020.
  - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
    - i. Allow the building to be constructed over a property line
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    - iii. Reduce the side yard setback from 1.85m to 0.0m (East Lot 17).
  - c. The Development Permit lapsing two years from the date of this resolution.
2. That recommendations be forwarded to the August 6, 2020 daytime Council Meeting so that an opportunity for public comment can be scheduled in September.

**CARRIED UNANIMOUSLY**





## Committee of the Whole Report For the Meeting of August 6, 2020

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**To:** Committee of the Whole **Date:** July 23, 2020

**From:** Karen Hoesel, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit No. 00246 for 1118 Princess Avenue (George Jay Elementary School)

---

### RECOMMENDATION

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:  
"That Council authorize the issuance of Development Variance Permit Application No. 00246 for 1118 Princess Avenue, in accordance with:
  - a. Plans date stamped July 15, 2020.
  - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
    - i. Allow the building to be constructed over a property line
    - ii. Reduce the side yard setback from 1.85m to 0.0m (West - Lot 16)
    - iii. Reduce the side yard setback from 1.85m to 0.0m (East – Lot 17).
  - c. The Development Permit lapsing two years from the date of this resolution."
2. That recommendations be forwarded to the August 6, 2020 daytime Council Meeting so that an opportunity for public comment can be scheduled in September.

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit application for the property located at 1118 Princess Avenue. The proposal is to place a portable school building at George Jay Elementary School to be used as a dedicated music room for the upcoming school year. The existing school site consists of multiple lots that have not been consolidated. The proposed building would be located on the lot line between two lots, referred to as Lot 16 and Lot 17. Variances from the *Zoning Regulation Bylaw* are required to permit the building to be located over the lot line and for the resulting zero side yard setback conditions on both of the impacted lots.

The following points were considered in assessing this application:

- the proposal responds to objectives and policies outlined in the *Official Community Plan*, (OCP, 2012) that recognize the importance of schools and their role in creating a complete community
- the proposed variances are technical in nature resulting from locating the portable building on an existing lot line within the overall school site and are not expected to result in a significant impact on the neighbourhood.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to place a portable school building at George Jay Elementary School. The building will be used as a music room. Specific details include:

- the building would be situated on an existing hard surfaced area located between the existing school buildings and playing fields
- the building would be 4.2m in height and have a footprint of approximately 90m<sup>2</sup>
- exterior finishing materials include lap siding and metal flashing.

Variances are required to permit the proposed building to be located over a lot line and for the resulting zero side yard setback conditions on each impacted lot.

### **Sustainability Features**

The applicant has not identified any specific sustainability features associated with this proposal, however, the architect has indicated that this particular portable is a new build, constructed to current code standards with improved energy efficiency, featuring thermal resistance using higher insulation values, as well as heating systems that are improved over earlier modular classroom models.

### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this proposal.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Development Variance Permit application.

### **Accessibility Impact Statement**

An accessible wheelchair ramp to the building entrance would be provided.

### **Existing Site Development and Development Potential**

The site is presently occupied by George Jay Elementary School.

Under the current R1-B Zone, Single Family Dwelling District, the property could be redeveloped as a single-family dwelling with a secondary suite or a garden suite.

### **Data Table**

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

Zoning Criteria	Proposal Lot 16	Proposal Lot 17	Existing Zone (R1-B)
Site area (m <sup>2</sup> ) – minimum	676	676	230
Lot width (m) – minimum	18.46	18.46	7.5
Building Location	Over property line *	Over property line *	Building not permitted over property line
Height (m) – maximum	4.2	4.2	7.6
Storeys – maximum	1	2.5	2.5
Site coverage (%) – maximum	8	7.5	40
<b>Setbacks (m) – minimum:</b>			
Front	7.5	7.5	7.5
Rear	13.86	13.86	9.16
Side (west)	0 *	10.79	1.85
Side (east)	14.5	0 *	1.85
Parking – minimum	0	0	0

## Relevant History

The proposed portable building would be located on land owned by the City but administered by School District under the *School Act* given its use for education purposes. On June 25, 2020, the City approved a licence allowing the School District to place the portable at this location for a period of five years with an option to extend this to two further five-year periods if required.

Staff did consider whether it would be possible to consolidate the two lots that are subject to this application (i.e. if the lots were consolidated then no variances would be necessary). However, consolidating lots was not deemed feasible and the submission of a Development Variance Permit application to allow the proposed temporary building to straddle the lot line was considered to be the best way forward.

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on July 16, 2020, the application was referred for a 30-day comment period to the Fernwood CALUC. As there is some urgency to proceed with the development and place the building on site for the start of the school year, this application is being presented to Committee of the Whole prior to the end of the 30-day comment period. However, staff have contacted the CALUC chair to discuss the proposal and explain the timelines associated with this application. At the time of writing this report, a letter

from the CALUC had not been received. Any comments received from the CALUC will be forwarded to Council at the Opportunity for Public Comment, should Council proceed with the staff recommendation.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variance.

## **ANALYSIS**

### **Official Community Plan**

The proposal is consistent with the *Official Community Plan* (OCP, 2012) which includes policies that support schools and recognize the importance of their role in creating complete communities.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

There are no *Tree Preservation Bylaw* impacts or impacts to public trees with this application.

### **Proposed Variances**

The existing site occupied by George Jay Elementary School is made up of multiple lots. As outlined in their letter dated July 20, 2020, the School District is seeking to install the portable building over one of these lot lines for the following reasons:

- if the building was located further to the east (on Lot 16) it would encroach upon the school playing fields
- if the building was located further to the west (on Lot 17) it would encroach upon the existing school and it would be difficult to achieve adequate separation distance between buildings as required by the BC Building Code
- other locational factors such as the presence of a retaining wall on Lot 17, the suitability of the existing asphalt surface and proximity of underground utilities have also influenced the siting of the proposed building.

Further details are included in the aforementioned letter (attached).

The proposed siting of the building requires variances to allow the building to be situated on the lot line and to permit the resulting zero side yard setback condition on both the impacted lots. The proposed side yard setback variance would occur centrally within the school grounds. The proposed building is set back 7.5m from Queens Avenue and would be located a significant distance from the nearest neighbouring property. As such, staff consider that these variances are supportable and would not adversely impact neighbours or the wider neighbourhood.

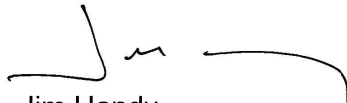
## **CONCLUSIONS**

The proposed application to place a portable school building at George Jay Elementary School is consistent with City policy. The proposed variances are considered supportable and would not impact the neighbouring properties or the wider neighbourhood.

## **ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 00246 for the property located at 1118 Princess Avenue.

Respectfully submitted,



Jim Handy  
Senior Planner – Development Agreements  
Development Services Division



Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

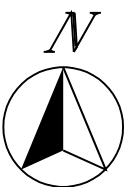
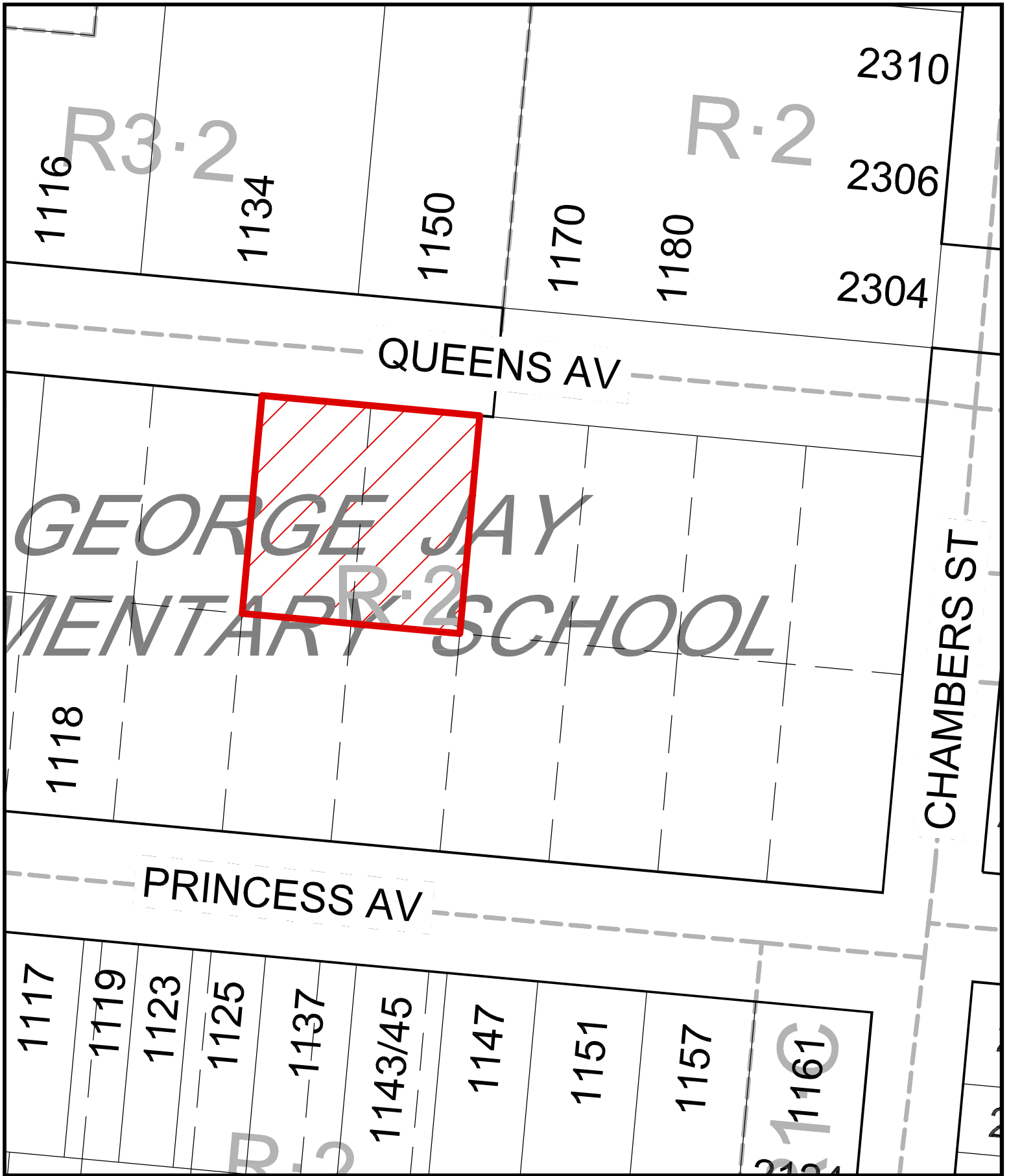
Report accepted and recommended by the City Manager:



Date: July 25, 2020

### List of Attachments

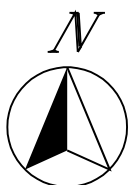
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped July 15, 2020
- Attachment D: Letter from applicant to Mayor and Council dated July 20, 2020
- Attachment E: Letter from the Greater Victoria School District dated July 20, 2020.



1118 Princes Avenue  
Development Variance Permit #00246







1118 Princes Avenue  
Development Variance Permit #00246







Client	Architectural Design	Structural Consultants	Mechanical Consultants	Electrical Consultants
School District No. 61 Chuck Morris, Director of Facilities 556 Boleskine Rd. Victoria, B.C. V8Z 1E8 Ph: (250) 920-3401	Iredale Architecture Michael Van Bakel 16 Bastion Square Victoria, B.C. V8W 1H9 Ph: (250) 381-5582	Herold Engineering Kate Ulmer 1051 Vancouver Street Victoria, B.C. V8V 4T6 Ph: (250) 590-4875	Stephen McNicholls Consulting Stephen McNicholls 45 King George Terrace Nanaimo, B.C. V6C 1S4 Ph: (604) 687-1800	AES Iain Barnes 300 - 1815 Blanshard Street Victoria B.C. V8T 5A4 Ph: (250) 381-6121

# SD 61 - Portable Building - New Music Room George Jay Elementary School

1118 Princess Ave. Victoria, B.C. V8T 1L3 | Development Variance Permit| July 13, 2020

## Drawing List

Architectural
A-000 Cover Sheet
A-100 Site Plan
A-101 Plans
A-102 Elevations & Sections
A-103 Wall Sections & Details

## BUILDING ENVELOPE REQUIREMENTS

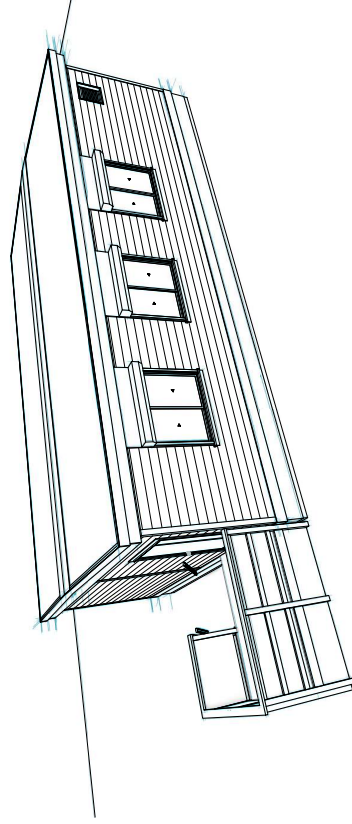
Referenced Documents: ASHRAE-90.1, 2016  
Requirements Taken From Table 5.5-4 For Climate Zone 4C Nonresidential

<b>1. Roofs</b> Insulation Entirely Above Deck Wood Framed	R-30 min. R-20
<b>2. Walls Above Grade</b> Wood Framed	R-20
<b>3. Floors</b> Wood Framed	R-30
<b>4. Opaque Doors</b> Swinging	U-0.370 Max.
<b>5. Vertical Fenestration</b> Non Metal Framing	U-0.31 Assembly Max. 0.36 Assembly Min. Single 1.10 Assembly Min. V-TISHOC

## BUILDING CODE REVIEW

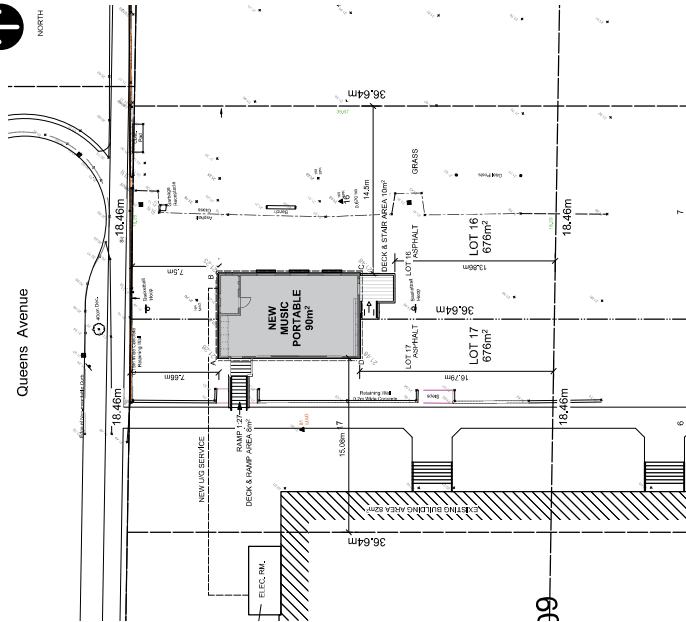
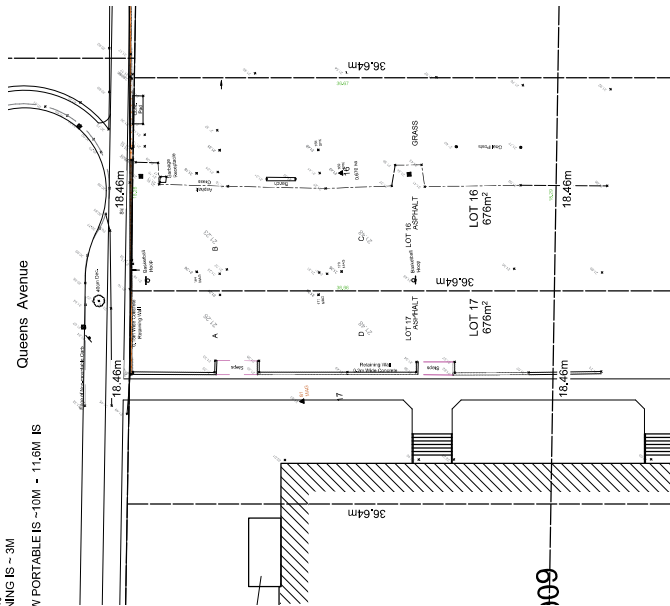
Referenced Documents:  
British Columbia Building Code 2018 - Part 3

<b>1. Building Information</b> Building Area Number of Storeys Sprinklered	960 sq.ft. 1 No
<b>2. Building Classification</b> Group 1, Class 1, Occupancy (max 20 people) Section 3.1.2.5. Allowable Building Type Classified As Group D Combustible Construction Permitted	



**LIMITING DISTANCE**

EXISTING EAST FACE OF SCHOOL,  
FROM TABLE 3.2.3.1 OF BCBC WE REQUIRE A LIMITING DISTANCE OF ~7m  
WEST FACE OF PORTABLE FROM TABLE 3.2.3.7 BCBC  
FOR PORTABLE CLADDING WE REQUIRE  
MINIMUM ALLOWABLE UNPROTECTED OPENINGS BETWEEN 25 TO 50%  
FROM TABLE 3.2.3.2 OF BCBC THE LIMITING DISTANCE FOR 25% OPENING IS ~ 3M  
MINIMUM LIMITING DISTANCE BETWEEN EXISTING BUILDING AND NEW PORTABLE IS ~10M - 11.6M IS  
PROPOSED.



3 Existing Site Plan  
Scale: 1:200

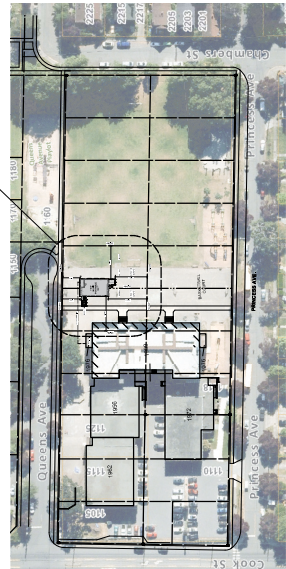
2 Proposed Site Plan  
Scale: 1:200

**PARKING REQUIREMENTS AS PER SCHEDULE C VICTORIA BY-LAW**

1 SPACE PER 150m²  
TOTAL SCHOOL AREA = 5310m²  
EXISTING PARKING SPACES = 36

NOTE: BUILDING IS BEING PLACED ON GRUBBING ON EXISTING ASPHALT	
GRAD POINTS	AVG. DISTANCE BETWEEN POINTS
A TO B	(21.26 + 21.23) / 2 = 21.25
B TO C	(21.23 + 21.48) / 2 = 21.36
C TO D	(21.48 + 21.48) / 2 = 21.48
D TO A	(21.48 + 21.26) / 2 = 21.37
TOTAL	83.54
GRADE CALCULATION	PERIMETER / AVERAGE GRADE
TOTAL X	83.54 / 39 = 2.14

PROJECT DATA LOT 17	
Project Address	1118 Princess Avenue Lot 17
P.L.D.	000-335-382
Folio	234.07-475-004
PROJECT DATA LOT 16	
Project Address	1118 Princess Avenue Lot 16
P.L.D.	000-335-382
Folio	234.07-475-004
Zoning	
Zone Standard	R-2
Zone Proposed	R-2
Site Area M2	
Total Floor Area m2	Public Building N/A
Floor Space Ratio	Public Building N/A
Site Coverage %	40%
Open Site Space %	30%
Number of Storeys	2.5 max
Parking Stalls	1
Building Setbacks m	
Front Yard	7.6m
Rear Yard	12.2m - 35% lot depth
East Side Yard	1.25m - 40% lot width
West Side Yard	1.25m - 40% lot width
East Side Yard	1.25m - 40% lot width
West Side Yard	1.25m - 40% lot width



1 Context Plan  
Scale: 1:1000

No.	Date	Age	Revision Notes
A	2024-07-13	Development Permit	
No.	Date	Issue Notes	
<b>IREDALE ARCHITECTURE</b>			
Suite 202 - One Alexander Street Vancouver, BC V6C 2A5 T: 778-5581 F: 778-5585 info@iredale.ca www.iredale.ca			
18 Buxton Square Victoria BC V8W 1H9 T: 250-683-8888 F: 250-683-8889 arch@iredale.ca www.iredale.ca			
Site Plan			
SD 61 George Jay Elementary School			
Site Plan			
Scale	1:1000	As Noted	
Author	10/10/20	10/10/20	
Checker	10/10/20	10/10/20	
Drawn By	10/10/20	10/10/20	
Project ID	19000		
<b>A-100</b>			

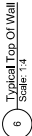




1

Wall Section @ Windows

Scale: 1:10







July 20, 2020

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

Att.: Mayor and Council City of Victoria

**RE: Development Variance Permit for Portable Building George Jay Elementary School**

### **DESCRIPTION OF PROJECT**

School District 61 Victoria is seeking to place a temporary prefabricated building at 1118 Princess Avenue, George Jay Elementary School.

The building is a new purpose built portable constructed to the current British Columbia Building Code and Ashrae requirements.

### **REASON FOR PORTABLE BUILDING**

The portable will be used as a dedicated music room for the school. Currently there is no dedicated space within the school to be used as a music room. At this time students must leave their classroom to collect instruments from storage, then return them to storage at the end of their music class. The new portable building will provide a place where instruments can be kept in one location.

In addition, since the new building will be remote from the main part of the school, music practice sessions will no longer be disruptive to the other classes.

### **VARIANCES**

#### **Property Line Setbacks**

The proposed location of the portable building would Site it half on Lot 17 and half on Lot 16. We would like to reduce the East sideyard setback of Lot 17 and the West sideyard setback of Lot 16 to 0m instead of the currently required 1.85m

If we locate the building to the west so that it is completely located on Lot 17, we cannot meet the required limiting distances as set out in the spatial separation tables of the BCBC. As well the building would overlay the existing north south walkway and require the demolition of the existing retaining wall.

The current proposed location of the building sits completely on an existing asphalt surface which has been approved as a suitable base for the cribbing of the building. If we move the building to the east so that it sits completely within the setback boundaries of Lot 16, we will no longer have a suitable base. The building would also encroach on student playfield.



By situating the building as shown we have close access to trench power from the existing electrical room on the north side of the school.

Also lot 17 is split with a retaining wall that runs north to south. We are proposing to take advantage of this change in elevation so that we can create a very shallow bridge/ramp that will connect directly from the existing paved walkway into the music portable, approx. 100mm rise over 2.8m. If we locate the building on lot 16 we will need to provide an expensive lift system or build a ramp about 8m in length.

Regards,

IREDALE ARCHITECTURE

Michael Van Bakel | Co-Principal  
Intern Architect AIBC, MRAIC



## *Greater Victoria School District*

491 Cecelia Road, Victoria, British Columbia V8T 4T4  
Phone 250-920-3458 ~ Fax 250-920-3461

July 20, 2020

### **Re- George Jay Music Studio location**

To Mayor and Council;

The Greater Victoria School District 61 is requiring a portable unit on the George Jay school site. The unit will be used as a music room for the George Jay school starting Sept 2020. The unit needs to be placed straddling lots 16 and 17. The unit cannot be placed on one of these lots due to the following reasons;

- Lot 17 has a retaining wall which with setbacks will push the unit into lot 16.
- Placing the unit solely on lot 16 is cost prohibitive and the unit would be placed partially onto the only school field.
- The best and only placement for the unit is located on lots 16 and 17.

For lots 16 and 17 please reference further information on the application for the proposed variance submitted by Michael Van Bakel of Iredale Architects.

I hope that you find the information above to your satisfaction. If you have any further questions or concerns please don't hesitate to contact me.

Sincerely,

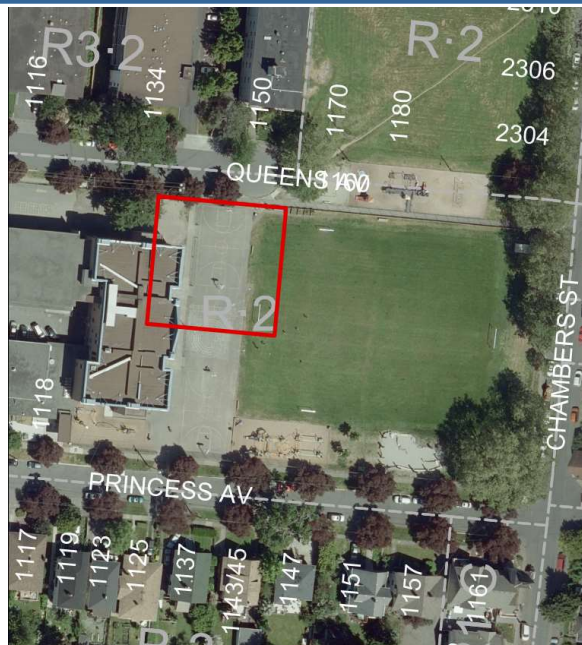
A handwritten signature in dark ink, appearing to read "Chuck Morris".

Chuck Morris, CTech  
Director of Facilities  
School District No. 61

Development Variance Permit  
Application  
for  
1118 Princess Avenue  
George Jay Elementary School



1



## Aerial Map



2

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Looking South From Queens Avenue,  
East Side of School



3

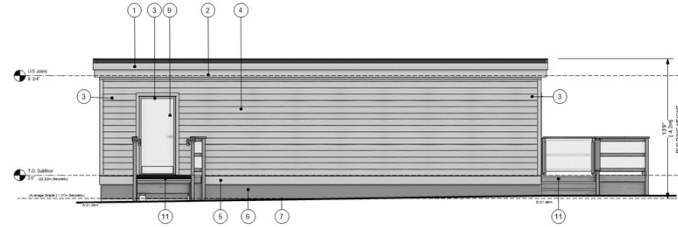
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North Side of Queens Avenue

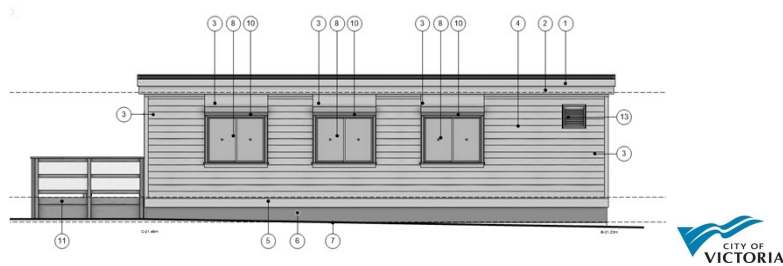


4

### Elevation Facing West to School

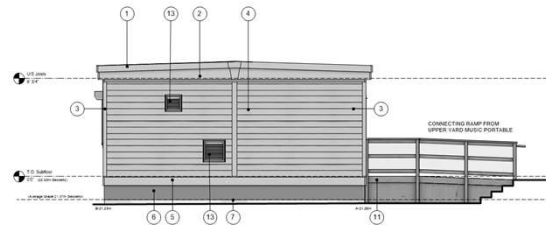


### Elevation Facing East to Playfield

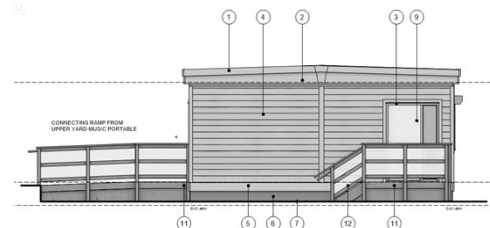


5

### Elevation Facing North to Queens Avenue



### Elevation Facing South to Princess Avenue



6

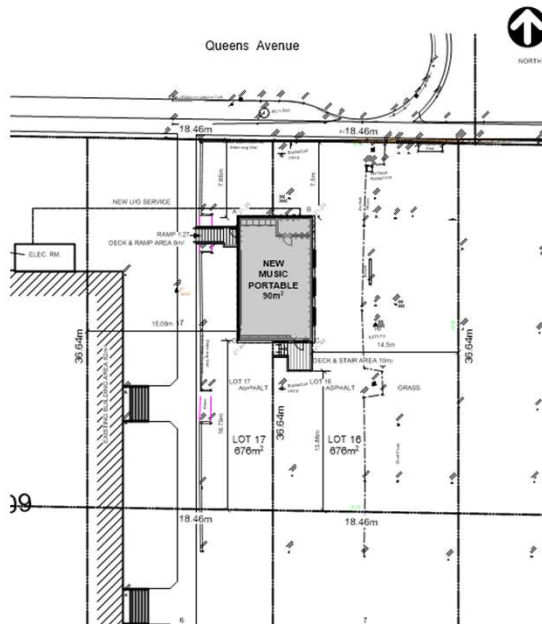


## Prefabricated Building



7

## Site Plan



8



## Pierre-Paul Angelblazer

---

**From:** Jim Handy  
**Sent:** August 4, 2020 3:31 PM  
**To:** Christine Havelka; Katie Lauriston; Pierre-Paul Angelblazer  
**Cc:** Alison Meyer  
**Subject:** FW: Variance for George Jay Portable

**Importance:** High

Please see correspondence below from the Fernwood CALUC. This relates to 1118 Princess Ave which is on this Thursdays COTW agenda. Can we please add this as a late correspondence.

**From:** Fernwood Land Use Committee <[REDACTED]>  
**Sent:** August 4, 2020 3:22 PM  
**To:** Jim Handy <JHandy@victoria.ca>  
**Subject:** Variance for George Jay Portable

Hi Jim,

I am just writing to follow up on our conversation regarding the George Jay portable. We reached out to the Parents' Advisory Council at George Jay in case they had an opinion but they have not replied. We posted a notice on our website that was shared via our social media. We received one comment in support of the proposal and no other comments.

The Fernwood Community Association Land Use Committee therefore has no concerns or questions to report in regard to this variance issue. I hope this is sufficient for your needs as I know your deadline is tomorrow.

Let me know if you need anything else - you can call me at [REDACTED].

Thanks,  
Kristin

**G. BYLAWS**

**G.3 Bylaws for 2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141**

**Moved By** Councillor Alto  
**Seconded By** Councillor Potts

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054

**CARRIED UNANIMOUSLY**

**Moved By** Councillor Dubow  
**Seconded By** Councillor Alto

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

1. Housing Agreement (2558 Quadra Street) Bylaw (2020) No. 20-055

**CARRIED UNANIMOUSLY**



## Council Report

For the Meeting of August 6, 2020

---

**To:** Council **Date:** July 28, 2020  
**From:** C. Havelka, Deputy City Clerk  
**Subject:** 2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141

---

### RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1225) No. 20-054

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

2. Housing Agreement (2558 Quadra Street) Bylaw (2020) No. 20-055

### BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaws No. 20-054 and No. 20-055.

The issue came before Council on March 12, 2020 where the following resolution was approved:

#### **2558 Quadra Street: Rezoning Application No. 00707 and Development Permit with Variances Application No. 00141**

##### Rezoning Application No. 00707

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00707 for 2558 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements to secure a Statutory Right-of-Way of 3.2m off Quadra Street, to the satisfaction of the Director of Engineering.
2. Preparation and execution of a Housing Agreement to secure the building as rental in perpetuity and to secure 19 units as affordable and 21 units as below market in perpetuity, defined by the VHRF guidelines that were in existence on March 19, 2019, to the satisfaction of the Director of Sustainable Planning and Community Development.

##### Development Permit with Variances Application No. 00141

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. 00707, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00141 for 2558 Quadra Street, in accordance with:

1. Plans date stamped February 12, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. decrease the rear yard setback from 4.53m to 2.90m to the steps;
  - ii. decrease the north side yard setback from 4.53m to 0m to the parkade and 2.52m to the building face; and
  - iii. decrease the south side yard setback from 4.53m to 0m to the parkade and 3.89m to the building face.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering, addressing staff comments regarding the public realm.
4. The Development Permit lapsing two years from the date of this resolution.

Respectfully submitted,



Christine Havelka  
Deputy City Clerk

**Report accepted and recommended by the City Manager:**



**Date:**

July 28, 2020

**List of Attachments:**

- Bylaw No. 20-054
- Bylaw No. 20-055

## **I. REPORTS OF COMMITTEES**

### **I.1 Committee of the Whole**

#### **I.1.a Report from the March 5, 2020 COTW Meeting**

##### **I.1.a.e 2558 Quadra Street: Rezoning and Development Permit with Variances Application (Hillside/Quadra)**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

##### **Rezoning Application No. 00707 for 2558 Quadra Street**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00707 for 2558 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

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##### **Development Permit with Variances Application No. 00141 for 2558 Quadra Street**

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. 00707, if it is approved, consider the following motion:

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  - iii. decrease the south side yard setback from 4.53m to 0m to the parkade and 3.89m to the building face.

3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering, addressing staff comments regarding the public realm.
4. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**

## **F. LAND USE MATTERS**

### **F.1 2558 Quadra Street: Rezoning and Development Permit with Variances Application (Hillside/Quadra)**

Committee received a report dated February 20, 2020 from the Director of Sustainable Planning and Community Development regarding a Rezoning and Development Permit with Variances application for the property located at 2558 Quadra Street in order to construct a five-storey rental building with commercial units on the ground floor.

*Committee discussed:*

- *The setbacks from the proposed building and the neighbouring buildings.*
- *The percentage of units that would be low market rent.*
- *Ensuring that the breakdown of low market or affordable units be included within the reports coming to Committee of the Whole.*

**Moved By** Mayor Helps

**Seconded By** Councillor Alto

#### **Rezoning Application No. 00707 for 2558 Quadra Street**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00707 for 2558 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

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#### **Development Permit with Variances Application No. 00141 for 2558 Quadra Street**

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. 00707, if it is approved, consider the following motion:

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- 3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering, addressing staff comments regarding the public realm.
- 4. The Development Permit lapsing two years from the date of this resolution.

**CARRIED UNANIMOUSLY**



## Committee of the Whole Report For the Meeting of March 5, 2020

---

**To:** Committee of the Whole **Date:** February 20, 2020

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

**Subject:** Rezoning Application No. 00707 for 2558 Quadra 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. 00707 for 2558 Quadra Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements to secure a Statutory Right-of-Way of 3.2m off Quadra Street, to the satisfaction of the Director of Engineering.
2. Preparation and execution of a Housing Agreement to secure the building as rental in perpetuity and to secure 19 units as affordable and 21 units as below market in perpetuity, defined by the VHRF guidelines that were in existence on March 19, 2019, to the satisfaction of the Director of Sustainable Planning and Community Development.

### 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 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 of 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 2558 Quadra Street. The proposal is to rezone from the C1-QV Zone, Quadra Village District, to a site-specific zone in order to construct a five-storey affordable rental building with commercial on the ground floor.

The following points were considered in assessing this application:

- the proposal is consistent with the Large Urban Village designation, which envisions mixed-use buildings up to six storeys with a density of up to approximately 2.5:1 Floor Space Ratio (FSR)
- the proposal is inconsistent with the policy to reduce height in the *Hillside-Quadra Neighbourhood Plan*, but is consistent with the policies to provide commercial uses at street level and to provide more housing
- the applicant is willing to enter into a Housing Agreement to secure the building as rental in perpetuity, as well as to secure the 19 units as affordable and 21 units as below market in perpetuity, as defined by the Victoria Housing Reserve Fund guidelines that were in existence on March 19, 2019.

## **BACKGROUND**

### **Description of Proposal**

This Rezoning Application is to rezone from the C1-QV Zone, Quadra Village District, to a site-specific zone in order to construct a five-storey affordable rental building with commercial on the ground floor.

The following differences from the current zone are being proposed and would be accommodated in the new zone:

- increase the floor space ratio (FSR) from 1.40:1 to 2.28:1
- increase the total floor area from 1735.58m<sup>2</sup> to 2826m<sup>2</sup>
- increase the height from 15.5m to 18.12m
- increase the number of storeys from 4 to 5
- reduce the commercial vehicle parking requirement from 16 stalls to 11 stalls.

The differences in setbacks are discussed in the concurrent Development Permit with Variances report.

### **Affordable Housing Impacts**

The applicant proposes the creation of 40 new residential units which would increase the overall supply of housing in the area. On March 14, 2019, Council approved funding to this proposal through the Victoria Housing Reserve Fund (VHRF). As such, a Housing Agreement is proposed to secure the building as rental in perpetuity and to secure the 19 units as affordable and 21 units as below market in perpetuity. Affordable housing in this instance is defined by the VHRF guidelines that were in existence on March 19, 2019, when Council originally approved the grant for this proposal.

### **Tenant Assistance Policy**

The proposal is to demolish the existing building, which would result in a temporary loss of 19 existing residential rental units. Consistent with the Tenant Assistance Policy, the applicant has provided a Tenant Assistance Plan, which is attached to this report.

### **Sustainability Features**

As indicated in the applicant's letter dated October 23, 2019, the following sustainability features are associated with this proposal:

- the building will be constructed to BC Energy Step Code Step 3 at a minimum, and may meet Step 4 if senior government funding is available

- electrical conduits for future EV stations will run to all parking stalls and plugins provided to 10% of stalls
- plugins will be provided within the long term bicycle storage area for charging of electric bicycles.

### Active Transportation Impacts

As previously noted, the application proposes plugins within the long term bicycle storage area, which supports active transportation.

### Public Realm Improvements

No public realm improvements beyond the City standard requirement are proposed in association with this application.

### Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposal includes four fully accessible studio units, which include roll-in showers, five-foot turning radii in living spaces and washrooms, low-hanging cupboards, roll-under counters and wide doorways. The building entrances will also be constructed using universal design standards.

### Land Use Context

The subject site is located within Quadra Village. The village is characterized by commercial uses on the ground floor and residential uses on the upper storeys. The immediate area outside Quadra Village is mostly made up of multi-unit residential buildings.

### Existing Site Development and Development Potential

The site is presently a 19-unit multi-unit residential rental building. Under the current C1-QV Zone, Quadra Village District, the property could be developed as a commercial building or a mixed-residential building with commercial on the ground floor, up to a height of 15.5m and a density of up to 1.4:1 FSR.

### Data Table

The following data table compares the proposal with the existing C1-QV Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Existing C1-QV Zone
Site area (m <sup>2</sup> ) – minimum	1239.7	N/A
Density (Floor Space Ratio) – maximum	2.28	1.4
Total floor area (m <sup>2</sup> ) – maximum	<b>2826 *</b>	1735.58
Height (m) – maximum	<b>18.12 *</b>	15.5
Storeys – maximum	<b>5 *</b>	4

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Existing C1-QV Zone</b>
<b>Setbacks (m) – minimum</b>		
Front	1.24 – 1 <sup>st</sup> storey 6.33 – 2 <sup>nd</sup> + storeys	3m – 1 <sup>st</sup> & 2 <sup>nd</sup> storey 6m – 3 <sup>rd</sup> + storeys
Rear	<b>2.90 *</b> – steps 5.38 – building face	4.53
Side (north)	<b>0 *</b> – parkade <b>2.52 *</b> – building face	4.53
Side (south)	<b>0 *</b> – parkade <b>3.89 *</b> – building face	4.53
<b>Vehicle Parking – minimum</b>		
Residential	15	15
Visitor	4	4
Commercial parking	<b>11 *</b>	16
<b>Bicycle parking – minimum</b>		
Long term	48	48
Short term	10	10

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on September 13, 2018. A letter dated October 12, 2018 is attached to this report.

## ANALYSIS

### Official Community Plan

The subject site is designated as Large Urban Village in the *Official Community Plan* (OCP, 2012). The Large Urban Village designation envisions low to mid-rise mixed-use buildings up to approximately six storeys and up to approximately 2.5:1 FSR. Staff believe the proposal is consistent with this designation, as the height is five storeys and the FSR is 2.28:1.

Furthermore, staff consider the proposal to be consistent with the objectives and policies within Section 13: Housing and Homelessness, in that it enables housing affordability across the housing spectrum, expands rental housing and expands housing choice within the neighbourhood.

## Local Area Plans

The subject property is designated as “Consider reduction of allowable height, more street retail” within the *Hillside-Quadra Neighbourhood Plan*. In addition, the Plan notes that housing in this area should be required as part of any new development. The proposal is inconsistent with the Plan’s recommendation to reduce height, but staff believe the proposal is generally consistent with the Plan overall by adding new housing and street commercial uses. As previously mentioned, the proposal is consistent with the envisioned heights in the OCP.

## Tree Preservation Bylaw and Urban Forest Master Plan

The tree inventory for the proposal, outlined in the Arborist Report issued on October 3, 2019, includes six trees on the subject lot, all of which are proposed for removal. Excavation for the underground parkade will result in the removal of two bylaw protected western red cedars in the front of the property. The applicant is required to install a new concrete barrier, curb and gutter along the property line in the laneway, as per the *Subdivision and Development Servicing Bylaw*, which will result in the removal of four small municipal trees.

There are five new trees proposed to be planted on the subject lot: four vine maples and one sweet chestnut, which is a variety that is widely cultivated for its edible seed. The three vine maples and the sweet chestnut will be replacement trees for the Western red cedars which are to be removed. Three new boulevard trees are proposed in an irrigated grassed boulevard on the Quadra Street frontage. Due to limited public space, there are currently no municipal trees on the west side of this block.

The proposed underground parkade extends to within approximately 1m from the proposed boulevard trees. In the future when parkade remediation is required, it is likely that the new boulevard trees will require removal to allow for remediation work to take place at which time the trees would require removal and replacement. Therefore, under the current proposal, the boulevard trees would have an expected lifespan of 20-40 years, the same approximate lifespan as the parkade membrane.

The current landscape plan shows a new municipal tree and three areas of green space along the laneway. Engineering requirements to expand the laneway will eliminate the tree and proposed green spaces. The landscape plan will need to be revised to reflect this prior to a Public Hearing.

## Regulatory Considerations

The applicant has requested a lower commercial parking rate to reduce the commercial vehicle parking from 16 to 11 stalls. At present, the commercial unit is intended to be used as office space for the Greater Victoria Housing Society, which would only require six stalls. However, the applicant has requested the commercial parking be calculated at the most stringent rate, which in this instance is one stall per 20m<sup>2</sup> of floor area for a total of 16 stalls. This would ensure that any tenant changes in the future would not trigger a parking variance. This rate would be written into the site-specific zone and is considered supportable, as it is a fairly minor difference, which in all likelihood could be approved as a delegated variance and it allows flexibility in choosing future tenants. In addition, the location of the proposal is in an area that is highly accessible by modes of active transportation and frequent transit.

## CONCLUSIONS

The proposal is generally consistent with the OCP as it relates to multi-residential and commercial development within Large Urban Village areas. While the proposal does not meet the overarching policy to maintain lower heights within the *Hillside-Quadra Neighbourhood Plan*, it does meet other policies such as providing additional housing and at-grade commercial uses. It also achieves goals included in the OCP related to encouraging a range of different housing types including affordable housing. Staff therefore recommend that Council consider moving the application forward to a Public Hearing.

## ALTERNATE MOTION

That Council decline Rezoning Application No. 00707 for the property located at 2558 Quadra Street.

Respectfully submitted,



Michael Angrove  
Senior Planner  
Development Services



Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: Feb 27, 2020

## List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped February 12, 2020
- Attachment D: Letter from applicant to Mayor and Council dated October 23, 2019
- Attachment E: Community Association Land Use Committee Comments dated October 12, 2018
- Attachment F: Tenant Assistance Plan
- Attachment G: Arborist Report
- Attachment H: Advisory Design Panel Report dated November 13, 2019
- Attachment I: Advisory Design Panel Minutes from the meeting held on November 27, 2019
- Attachment J: Correspondence (Letters received from residents).





## Committee of the Whole Report

For the Meeting of March 5, 2020

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**To:** Committee of the Whole **Date:** February 20, 2020

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

**Subject:** Development Permit with Variances Application No. 00141 for 2558 Quadra Street

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### RECOMMENDATION

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. 00707, if it is approved, consider the following motion:

That Council authorize the issuance of Development Permit with Variance Application No. 00141 for 2558 Quadra Street, in accordance with:

1. Plans date stamped February 12, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. decrease the rear yard setback from 4.53m to 2.90m to the steps;
  - ii. decrease the north side yard setback from 4.53m to 0m to the parkade and 2.52m to the building face; and
  - iii. decrease the south side yard setback from 4.53m to 0m to the parkade and 3.89m to the building face.
3. Revised plans, to the satisfaction of the Director of Sustainable Planning and Community Development and the Director of Engineering, addressing staff comments regarding the public realm.
4. The Development Permit lapsing two years from the date of this resolution.

### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 2558 Quadra Street. The proposal is to construct a five-storey affordable rental building with commercial on the ground floor.

The following points were considered in assessing this application:

- the proposal is generally consistent with the relevant design guidelines applicable to Development Permit Area 5: Large Urban Villages, including the *Quadra Village Design Guidelines* (1998)
- the proposal is consistent with the *Hillside-Quadra Neighbourhood Plan*, as the proposal contributes to creating an attractive, safe and friendly environment.
- the proposal will also require variances to decrease the rear and side yard setbacks. It is recommended that these siting standards be facilitated through the variance process rather than entrenching the standards in a zone, so that if this proposal is not constructed, any new proposals would require new variances that would be assessed on their merit in the future.

## BACKGROUND

### Description of Proposal

The proposal is to construct a five-storey affordable rental building with commercial on the ground floor. Specific details include:

#### General Form

- a one-storey offset podium that houses the commercial unit and frames the public realm
- four storeys of residential stepped back from the podium and from Quadra Street
- common amenity space in the form of a rear-yard, south-facing patio and a ground-floor common room
- underground parking accessed off the rear lane.

#### Design Details

- brick around the base
- fiber cement panel siding
- both vertical and horizontal metal siding
- vinyl windows.

#### Landscaping

- rear yard common patio constructed of concrete pavers and including outdoor seating
- allotment gardens for urban agriculture
- eight new trees to be planted including sweet chestnut, vine maples, Persian ironwood and European beech
- concrete pavers and ornamental plantings used to define the main entrance.

The proposed variances are related to:

- decreasing the rear yard setback from 4.53m to 2.90m
- decreasing the north side yard setback from 4.53m to 0m to the parkade and 2.52m to the building face

- decreasing the south side yard setback from 4.53m to 0m to the parkade and 3.89m to the building face.

### Sustainability Features

As indicated in the applicant's letter dated October 23, 2019, the following sustainability features are associated with this proposal:

- the building will be constructed to BC Energy Step Code Step 3 at a minimum, and may meet Step 4 if senior government funding is available
- electrical conduits for future EV stations will run to all parking stalls and plugins are proposed to be provided to 10% of stalls
- plugins will be provided within the long term bicycle storage area for charging of electric bicycles.

### Active Transportation Impacts

As previously noted, the application proposes plugins within the long term bicycle storage area, which supports active transportation.

### Public Realm Improvements

No public realm improvements, beyond standard City requirements, are proposed in association with this Development Permit Application.

### Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposal includes four fully accessible studio units, which include roll-in showers, five-foot turning radii in living spaces and washrooms, low-hanging cupboards, roll-under counters and wide doorways. The building entrances will also be constructed using universal design standards.

### Existing Site Development and Development Potential

The site is presently a 19-unit multi-unit residential rental building. Under the current C1-QV Zone, Quadra Village District, the property could be developed as a commercial building or a mixed-residential building with commercial on the ground floor, up to a height of 15.5m and a density of up to 1.4:1 floor space ratio (FSR).

### Data Table

The following data table compares the proposal with the existing C1-QV Zone. An asterisk is used to identify where the proposal is less stringent than the existing Zone.

Zoning Criteria	Proposal	Existing C1-QV Zone
Site area (m <sup>2</sup> ) – minimum	1239.7	N/A
Density (Floor Space Ratio) – maximum	2.28	1.4
Total floor area (m <sup>2</sup> ) – maximum	<b>2826 *</b>	1735.58

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Existing C1-QV Zone</b>
Height (m) – maximum	<b>18.12 *</b>	15.5
Storeys – maximum	<b>5 *</b>	4
<b>Setbacks (m) – minimum</b>		
Front	4.24 – 1 <sup>st</sup> storey 6.33 – 2 <sup>nd</sup> + storeys	3m – 1 <sup>st</sup> & 2 <sup>nd</sup> storey 6m – 3 <sup>rd</sup> + storeys
Rear	<b>2.90 *</b> – steps 5.38 – building face	4.53
Side (north)	<b>0 *</b> – parkade <b>2.52 *</b> – building face	4.53
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<b>Vehicle Parking – minimum</b>		
Residential	15	15
Visitor	4	4
Commercial parking	<b>11 *</b>	16
<b>Bicycle parking – minimum</b>		
Long term	48	48
Short term	10	10

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on September 13, 2018. A letter dated October 12, 2018 is attached to this report.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## ANALYSIS

### Development Permit Area and Design Guidelines

The *Official Community Plan (OCP, 2012)* identifies this property within DPA 5: Large Urban Villages. Design Guidelines that apply to DPA 5 are the *Quadra Village Design Guidelines (1998)*, *Advisory Design Guidelines for Buildings, Signs and Awnings (2006)*, and *Guidelines for*

*Fences, Gates and Shutters* (2010).

Staff consider the proposal to be generally consistent with the above policies and design guidelines. The *Quadra Village Design Guidelines* encourage a 3m setback from Quadra Street in order to define the commercial street and an additional 3m setback at the third storey. The proposal meets these setbacks. The Design Guidelines note there are no prescriptive guidelines for building materials, except that materials which are inappropriate to an urban, commercial context are strongly discouraged. Street-level entrances should be clearly visible and directly accessible from the main street, and outdoor displays and seating areas are encouraged between sidewalk and storefront.

The proposal is inconsistent with envisioned height and density within the *Quadra Village Design Guidelines*. The Guidelines recommend a maximum of four storeys and a maximum floor space ratio (FSR) of 1.4:1, whereas the proposal is for five storeys and a 2.28:1 FSR. However, the proposal is consistent with the OCP-envisioned built form of buildings up to six storeys and up to 2.5:1 FSR.

### **Local Area Plans**

The subject site is designated as “Consider reduction of allowable height, more street retail” within the *Hillside-Quadra Neighbourhood Plan*. Although the height is inconsistent with the neighbourhood plan, five storeys is consistent with the envisioned six storeys in the OCP. The neighbourhood plan also notes that exterior form and materials should be reasonably compatible with those of their neighbours and that the front face of a project contributes to making that portion of the street an attractive, safe and friendly environment. Staff believe the proposal is generally consistent with the *Hillside-Quadra Neighbourhood Plan*.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

The tree inventory for the proposal, outlined in the Arborist Report issued on October 3, 2019, includes six trees on the subject lot, all of which are proposed for removal. Excavation for the underground parkade will result in the removal of two bylaw protected western red cedars in the front of the property. The applicant is required to install a new concrete barrier, curb and gutter along the property line in the laneway, as per the *Subdivision and Development Servicing Bylaw*, which will result in the removal of four small municipal trees.

There are five new trees proposed to be planted on the subject lot: four vine maples and one sweet chestnut, which is a variety that is widely cultivated for its edible seed. The three vine maples and the sweet chestnut will be replacement trees for the Western red cedars which are to be removed. Three new boulevard trees are proposed in an irrigated grassed boulevard on the Quadra Street frontage. Due to limited public space, there are currently no municipal trees on the west side of this block.

The proposed underground parkade extends to within approximately 1m from the proposed boulevard trees. In the future when parkade remediation is required, it is likely that the new boulevard trees will require removal to allow for remediation work to take place at which time the trees would require removal and replacement. Therefore, under the current proposal, the boulevard trees would have an expected lifespan of 20-40 years, the same approximate lifespan as the parkade membrane.

The current landscape plan shows a new municipal tree and three areas of green space along the laneway. Engineering requirements to expand the laneway will eliminate the tree and proposed green spaces. The landscape plan will need to be revised to reflect this prior to a Public Hearing.

## **Regulatory Considerations**

Staff recommended a site-specific zone with maximum rear and side yard setbacks of 25% of the building height (4.53m in this instance), which is consistent with the standard zone used in Quadra Village, the C1-QV Zone. The proposal will therefore require variances to decrease the rear yard setback from 4.53m to 2.90m, decrease the north side yard setback from 4.53m to 0m and decrease the south side yard setback from 4.53m to 0m. While staff believe this proposal has been designed to fit the site, maintain privacy and provide appropriate transitions to neighbouring buildings, staff do not recommend enshrining the proposed setbacks within the zone. This is to ensure that, should this proposal not be constructed, any new proposals would either have to meet the setbacks or request variances from Council while demonstrating that the impact on the public realm and neighbouring properties is minimal.

## **Advisory Design Panel**

The Advisory Design Panel (ADP) reviewed this Application on November 27, 2019. A copy of the minutes from this meeting are attached. The ADP was asked to comment on the overall design with particular attention to the street relationship and entry features.

The ADP recommended approval with considerations to:

- incorporating appropriate vertical landscaping in raised containers on the north and south sides of the patio
- enhancing the prominence of the commercial retail unit entrance
- use of roof access from the second floor units
- reducing the parking and adding dedicated storage for residential units
- review of the relationship between the private and public realm on the west lane side.

The applicant has responded to ADP's comments by indicating:

- planting in the north setback is undesirable due to shadowing from the building
- planting in the south setback would shade the community garden
- the commercial entrance is meant to be secondary to the residential entrance
- there is no desire to further increase the parking shortfall
- roof access and a new rear entrance were limited for safety and security.

Therefore, no changes were made to address the considerations that the ADP put forth.


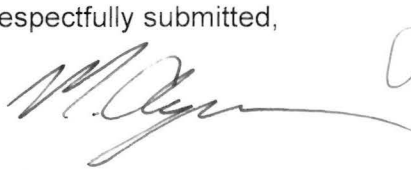
## **CONCLUSIONS**

Staff believe the proposed development is generally consistent with the relevant Design Guidelines and represents an appropriate fit at one of the entrances to Quadra Village as well as within the immediate and general context. The variances to reduce the rear and side yard setbacks are supported by staff, as the building still maintains appropriate distancing to minimize privacy concerns. Therefore, staff recommend that Council consider supporting this application.

## **ALTERNATE MOTION**

That Council decline Development Permit with Variances Application No. 00141 for the property located at 2558 Quadra Street.

Respectfully submitted,



Michael Angrove  
Senior Planner  
Development Services



Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager



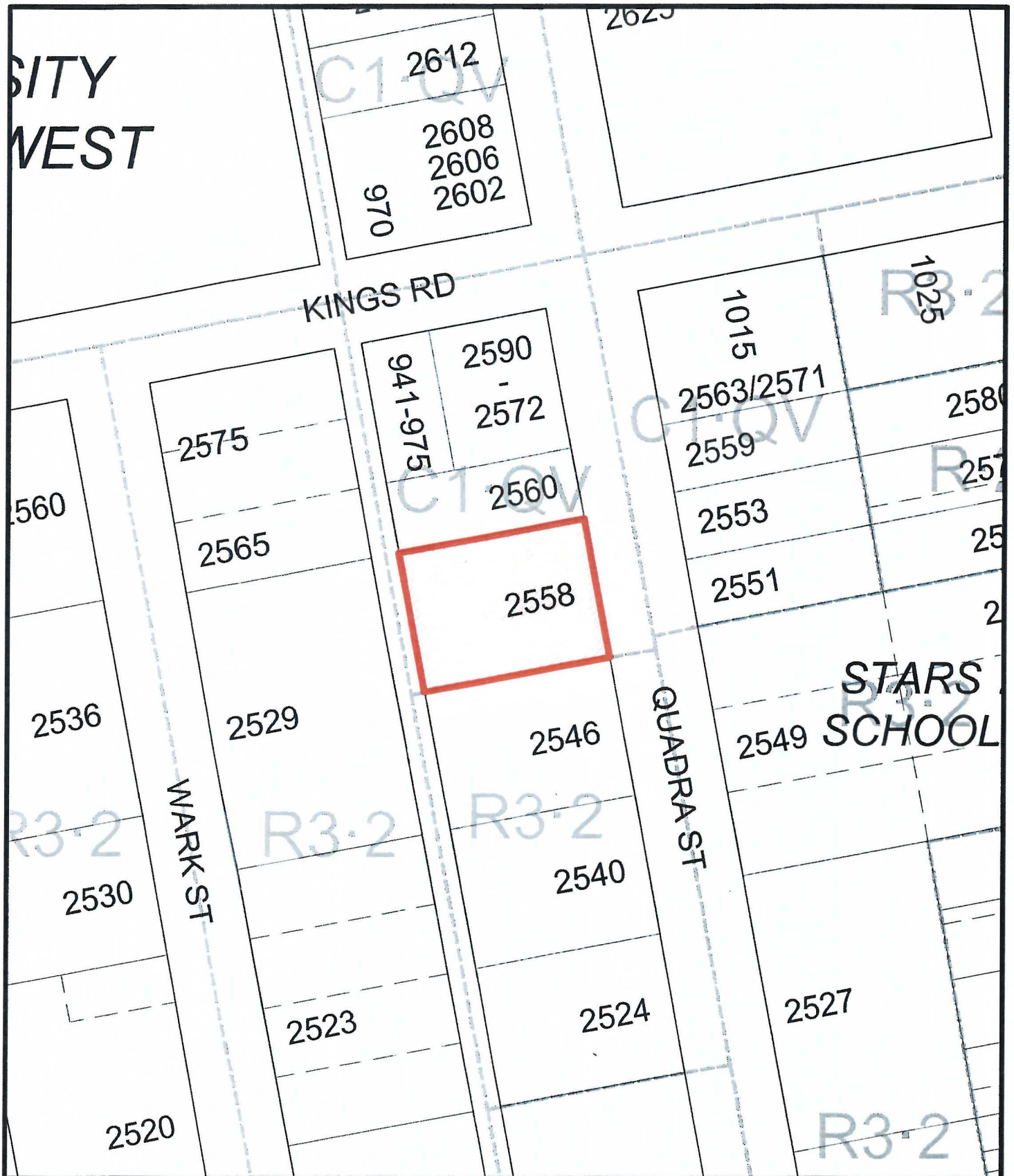
Date:

Feb 27, 2020

#### List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped February 12, 2020
- Attachment D: Letter from applicant to Mayor and Council dated October 23, 2019
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2558 Quadra Street  
Rezoning No.00707





2558 Quadra Street  
Rezoning No.00707



# BC LAND SURVEYORS SITE PLAN OF:

Civic: 2558 Quadra Street

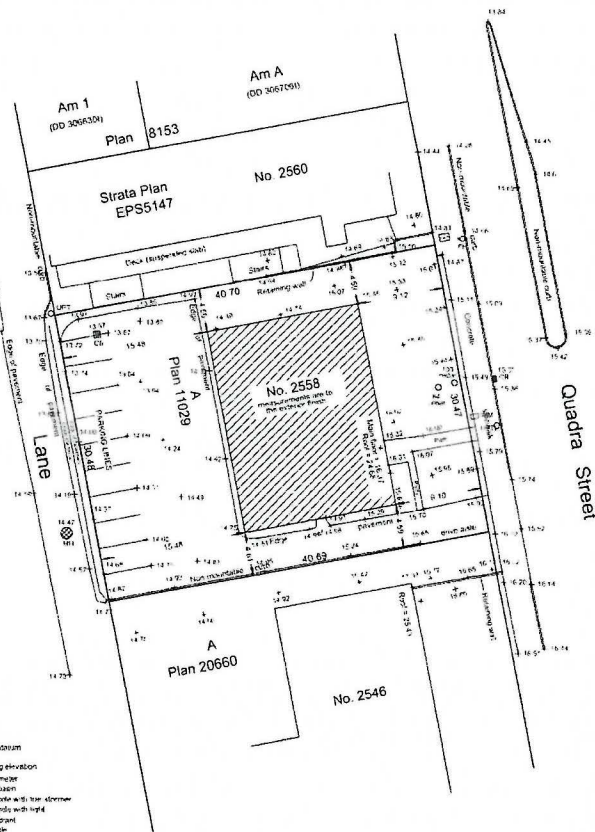
Legal: Lot A, Section 4

Victoria District, Plan 11029

Parcel number: 055 121 246 is the City of Victoria

SCALE 1:300

All distances are shown in metres.  
Diagram 11 x 17 sheet



**LEGEND**  
Elevations are in geoid datum  
+ denotes existing elevation  
- denotes water meter  
- denotes catch basin  
- denotes utility pole with low clearance  
- denotes utility pole with high clearance  
- denotes fire hydrant  
- denotes manhole  
Tree diameters are in centimetres  
Lot Area = 1240 m<sup>2</sup>

August 3, 2018

File: 12.827-25

**POWELL & ASSOCIATES**  
B.C. Land Surveyors  
250-2600 Douglas Street  
Victoria, BC V8T 4N4  
phone: (250) 382-8854

The following non-financial charges are shown on the current title and may affect the property:  
M76301 - Undersurface rights

Setbacks are derived from field survey  
Parcel dimensions shown herein are derived from Land Title Office records

This document shows the relative location of the surveyed features and shall not be used to define property boundaries.

2 Site Survey  
A001 NTS



## PROJECT INFORMATION

**CIVIC ADDRESS**  
2558 QUADRA STREET

**LEGAL DESCRIPTION**  
LOT A, SECTION 4, VICTORIA DISTRICT PLAN 11029

**SITE AREA**  
1239.7 SM

**PROJECT DESCRIPTION**  
4 STOREYS OF RESIDENTIAL AFFORDABLE HOUSING ABOVE ONE STOREY OF GROUND FLOOR COMMERCIAL WITH ONE BASEMENT LEVEL OF PARKADE

**BUILDING HEIGHT**  
5 STOREYS - 17.250 M (BCBC)

**BUILDING AREA**  
700 SM (BCBC)

GROSS BUILDING FLOOR AREA	BCBC	ZONING
PARKADE	880 SM	486 SM
GROUND FLOOR LEVEL 1	529 SM	2340 SM
LEVELS 2-5	2400 SM	2340 SM
TOTAL (EXCLUDING PARKADE)	2945 SM	7626 SM

RESIDENTIAL UNITS	BC HOUSING	ZONING
16 STUDIO @	36 SM	33 SM
4 ACCESSIBLE STUDIO @	48 SM	44 SM
16 ONE BED @	56 SM	53 SM
4 TWO BED @	78 SM	75 SM
40 TOTAL		

**COMMERCIAL UNITS**  
1 COMMERCIAL RETAIL UNIT @ 330 SM

**VEHICLE PARKING**  
PARKADE 22  
SURFACE 8  
TOTAL 30

**BICYCLE PARKING**  
LONG TERM 48  
SHORT TERM 10  
TOTAL 58

## VICTORIA ZONING BYLAW SUMMARY

**ZONING (CURRENT)**  
C1-QV QUADRA VILLAGE DISTRICT

**USE**  
COMMERCIAL  
RESIDENTIAL

**FLOOR SPACE RATIO**  
GROSS BUILDING FLOOR AREA (ZONING) / SITE AREA  
2620/1239.7 = 2.1

**SITE COVERAGE**  
AREA OF LOT OCCUPIED BY ANY STRUCTURE / SITE AREA  
1014/1239.7 = 82%

**OPEN SITE SPACE**  
SITE AREA - (BUILDING AREA + SURFACE PARKING AREA)  
1239.7 - 720 = 519.7  
OPEN SITE SPACE / SITE AREA  
519.7 / 1239.7 = 42%

**AVERAGE GRADE:** 15.03 M (GEODETIC)  
SEE SITE PLAN FOR GRADE CALCULATION

**HEIGHT OF BUILDING** 16.129 M AS MEASURED FROM AVERAGE GRADE

**VEHICLE PARKING**  
AFFORDABLE RENTAL UNITS

< 45 SM 2 X 20 = 4

> 45 SM 6 X 16 = 3

> 70 SM 75 X 4 = 15

SUB TOTAL 15

VISITOR 1 X 40 = 4

COMMERCIAL 319/100 = 15

TOTAL REQUIRED 30

PROVIDED 30

**BICYCLE PARKING**  
LONG TERM 1 X 20 = 20

> 45 SM 125 X 20 = 25

COMMERCIAL 319/100 = 13

TOTAL LONG TERM REQUIRED 48

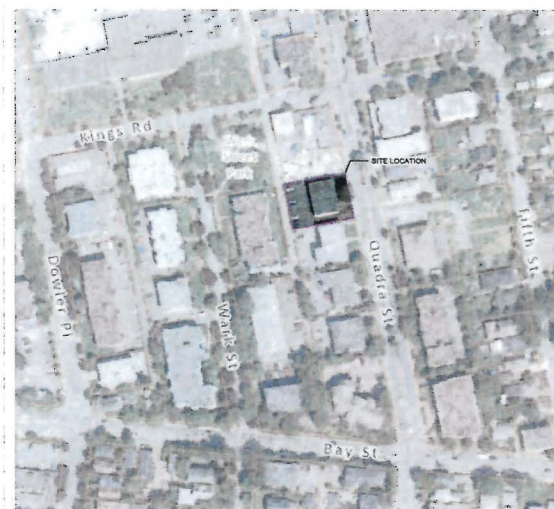
TOTAL PROVIDED 48

**SHORT TERM**  
RESIDENTIAL (THE GREATER OF) 1 X 40 OR 6

COMMERCIAL 319/100 = 4

TOTAL SHORT TERM REQUIRED 10

TOTAL PROVIDED 10



1 Location Plan  
A001 NTS



## CODE ANALYSIS

REFERENCE DOCUMENT BCBC 2018 DIVISION B - PART 3

**OCCUPANCY CLASSIFICATIONS (TABLE 3.1.2.1)**  
BELOW GRADE PARKADE  
GROUP F, DIVISION 3 - LOW HAZARD INDUSTRIAL  
GROUND FLOOR COMMERCIAL RETAIL UNIT (CRU) - ANY OF THE FOLLOWING:  
GROUP A2 - ASSEMBLY  
GROUP D - BUSINESS AND PERSONAL SERVICES  
GROUP E - MERCANTILE  
LEVELS 2-5:  
GROUP C - RESIDENTIAL

**OCCUPANCY SEPARATIONS (TABLE 3.1.3.1)**  
BELOW GRADE PARKADE CONSIDERED AS A SEPARATE BUILDING AND SEPARATED FROM THE FLOORS ABOVE BY A 2 HOUR FIRE SEPARATION IN ACCORDANCE WITH 3.2.1.2

A2/C - 1 HOUR  
A2/D - 1 HOUR  
A2/E - 2 HOUR  
C/D - 1 HOUR  
C/E - 2 HOUR  
D/E - NONE REQUIRED

**BUILDING SIZE AND CONSTRUCTION RELATIVE TO OCCUPANCY**  
3.2.2.4 - GROUP A, DIVISION 3, UP TO 6 STOREYS, ANY AREA SPRINKLERED

FIRE SUPPRESSION - FULLY SPRINKLERED  
ALLOWABLE HEIGHT - 6 STOREYS  
ALLOWABLE AREA - ANY  
CONSTRUCTION - NON COMBUSTIBLE  
FLOOR ASSEMBLIES - 1 HOUR  
SUPPORTING WALLS AND STRUCTURE - 1 HOUR

3.2.2.50 - GROUP C, UP TO 6 STOREYS, SPRINKLERED  
FIRE SUPPRESSION - FULLY SPRINKLERED  
ALLOWABLE HEIGHT - 6 STOREYS & 18 M  
ALLOWABLE AREA - 1440 SM (BASED ON FIVE STOREYS)  
CONSTRUCTION - COMBUSTIBLE OR NON COMBUSTIBLE  
FLOOR ASSEMBLIES - 1 HOUR  
SUPPORTING WALLS AND STRUCTURE - 1 HOUR

3.2.2.56 - GROUP D, UP TO 6 STOREYS, SPRINKLERED  
FIRE SUPPRESSION - FULLY SPRINKLERED  
ALLOWABLE HEIGHT - 6 STOREYS  
ALLOWABLE AREA - 840 SM (BASED ON FIVE STOREYS)  
CONSTRUCTION - NON COMBUSTIBLE  
FLOOR ASSEMBLIES - 1 HOUR  
SUPPORTING WALLS AND STRUCTURE - 1 HOUR

3.2.2.62 - GROUP E, ANY HEIGHT, ANY AREA, SPRINKLERED  
FIRE SUPPRESSION - FULLY SPRINKLERED  
ALLOWABLE HEIGHT - ANY HEIGHT  
ALLOWABLE AREA - ANY AREA  
CONSTRUCTION - NON COMBUSTIBLE  
FLOOR ASSEMBLIES - 2 HOUR  
SUPPORTING WALLS AND STRUCTURE - 2 HOUR

3.2.2.76 - GROUP F, DIVISION 3, ANY HEIGHT, ANY AREA, SPRINKLERED  
FIRE SUPPRESSION - FULL SPRINKLERED  
ALLOWABLE HEIGHT - ANY HEIGHT  
ALLOWABLE AREA - ANY AREA  
CONSTRUCTION - NON COMBUSTIBLE  
FLOOR ASSEMBLIES - 2 HOUR  
SUPPORTING WALLS AND STRUCTURE - 2 HOUR

**ACTUAL SIZE AND CONSTRUCTION**  
PARKADE -  
FIRE SUPPRESSION - FULL SPRINKLERED  
HEIGHT - 1 STOREY  
AREA - 880 SM  
CONSTRUCTION - NON COMBUSTIBLE  
FLOOR ASSEMBLY - 2 HOUR  
SUPPORTING WALLS AND STRUCTURE - 2 HOUR

**BUILDING -**  
FIRE SUPPRESSION - FULLY SPRINKLERED  
HEIGHT - 5 STOREYS - 17.250 M  
AREA - 700 SM  
CONSTRUCTION -  
LEVEL 1 - NON COMBUSTIBLE (INCLUDING FLOOR ABOVE)  
LEVELS 2-5 - COMBUSTIBLE (EXCEPT LEVEL 2 FLOOR)  
FLOOR ASSEMBLY  
LEVEL 2 - 2 HOUR (NON COMBUSTIBLE)  
LEVELS 3-5 - 1 HOUR  
SUPPORTING WALLS AND STRUCTURE  
LEVEL 1 - 2 HOUR  
LEVELS 2-5 - 1 HOUR  
ROOF ASSEMBLY - NONE

## DRAWING INDEX

**ARCHITECTURAL**  
A001 PROJECT INFORMATION

A101 ARCHITECTURAL SITE PLAN  
A102 PARKADE PLAN  
A201 LEVEL 1 PLAN  
A202 LEVELS 2-5 PLANS  
A203 ROOF PLAN  
A301 EXTERIOR ELEVATIONS  
A302 STREETSCAPE  
A303 PERSPECTIVES  
A401 BUILDING SECTIONS  
A402 BUILDING SECTIONS

**CIVIL**  
18.136 REZONING CONCEPTUAL SERVICES

**LANDSCAPE**  
L101 LANDSCAPE MATERIALS  
L301 PLANTING PLAN

Received  
City of Victoria  
FEB 12 2020  
Planning & Development Department  
Development Services Division


ISSUED FOR  
REZONING

2558 Quadra Street 2500 Quadra Street Victoria, BC	
Project Information	
A001	2

ATTACHMENT C



- GRAPHIC LEGEND**
- REINFORCED CONCRETE
  - CONCRETE BLOCK
  - FRAMED WALL
  - BRICK VENEER
  - SIDING AND EXTERIOR INSULATION
  - FIRE RATED SEPARATION

**SHEET NOTES**  
 1. PROVIDE (8) 3A408C 5 LB BRACKET MOUNTED FIRE EXTINGUISHERS (FE) IN LOCATIONS SHOWN.

Received  
 City of Victoria  
 FEB 12 2020  
 Planning & Development Department  
 Development Services Division

**VEHICLE PARKING CALCULATION**

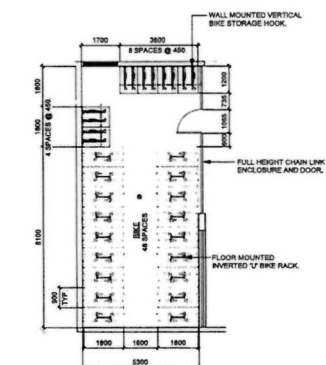
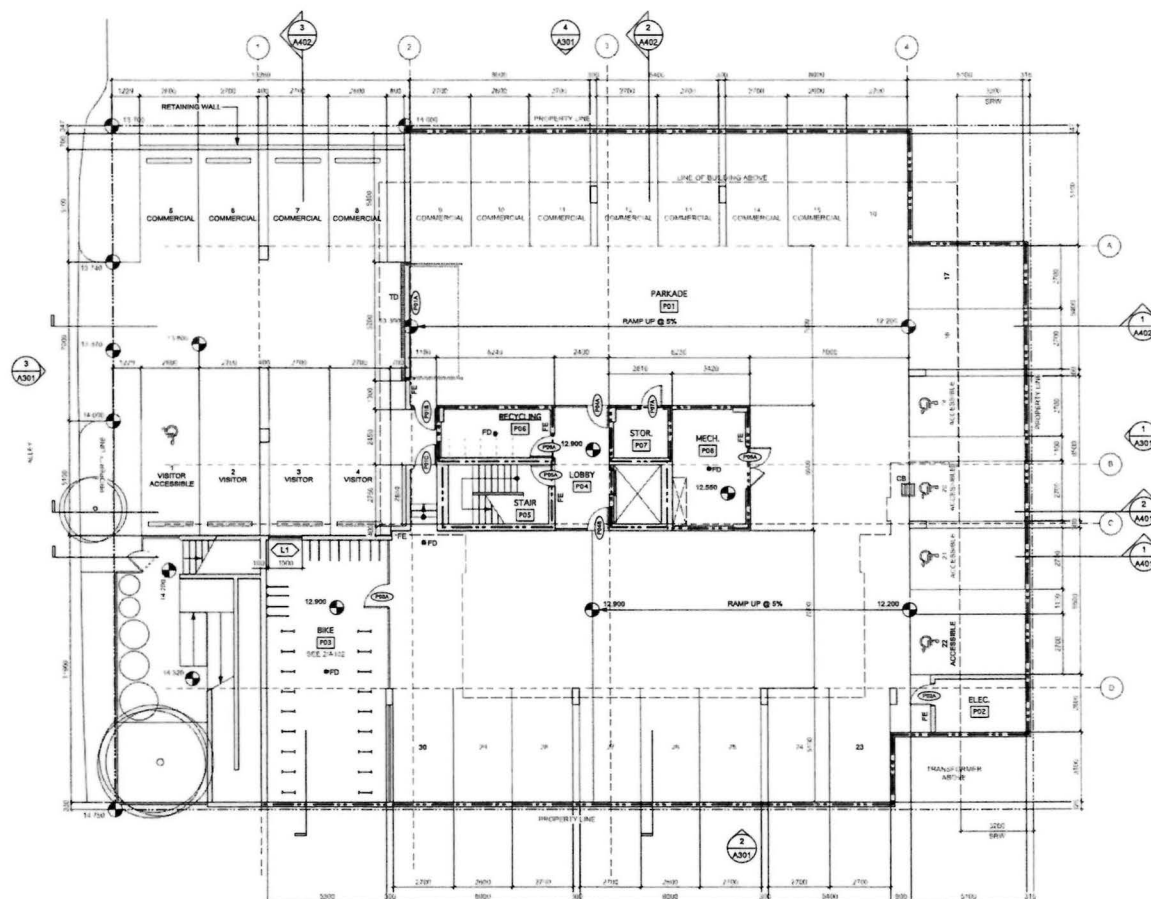
<b>AFFORDABLE RENTAL UNITS</b>	
UNITS 4-6 SM	20 X 2 = 4
UNITS 45-70 SM	16 X 5 = 8
UNITS 70-80 SM	4 X 2 = 8
SUB-TOTAL	40
VISITOR	40 X 1 = 4
COMMERCIAL/RETAIL	218/200 = 18
TOTAL REQUIRED	30
PROVIDED	30

<b>LONG TERM BIKE PARKING CALCULATION</b>	
UNITS 4-6 SM	20 X 1 = 20
UNITS 45-70 SM	20 X 1.25 = 25
COMMERCIAL/RETAIL	218/100 = 3
TOTAL REQUIRED	48
PROVIDED	48


ISSUED FOR  
 REZONING

dhK Architects	
2558 Quadra Street (South to 40th Street) Victoria, BC	
Parkade Plan	
A102	2



2 Bike Room Furnishings Plan  
 Scale: 1:100

1 Parkade Plan  
 Scale: 1:100





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Planning & Development Department  
Development Services Division

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### EXISTING BUILDING

LEVEL 3-5 SIMILAR.  
SEE A602, & 603 & A604 FOR ENLARGED PLANS.

Level 2 Plan

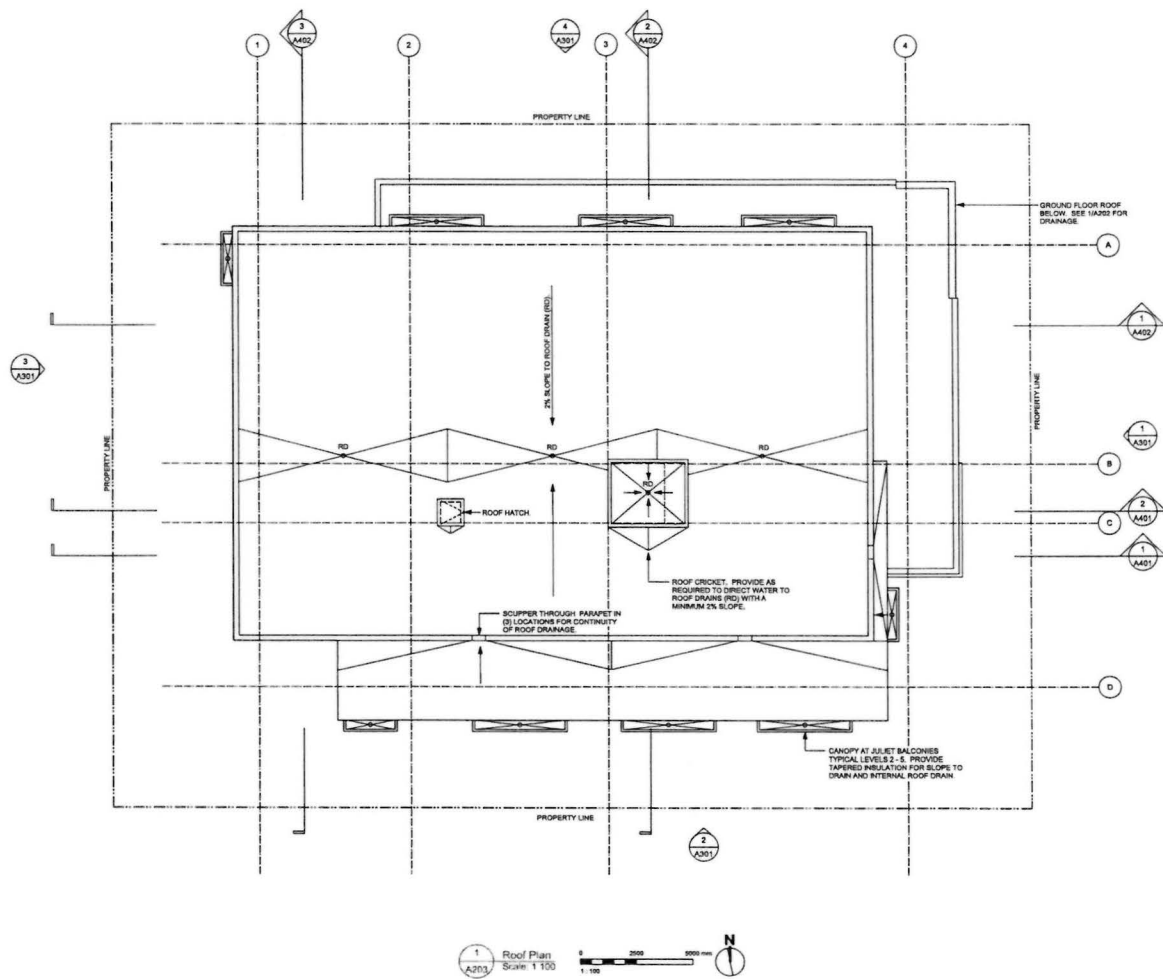
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**SHEET NOTES:**  
1. PROVIDE PERMANENT ANCHORS FOR FALL PROTECTION AND WINDOW WASHING AT A MINIMUM DISTANCE OF 2 M BACK FROM THE INSIDE FACE OF THE PARAPET AROUND THE ENTIRE PERIMETER OF ROOF.



Received  
City of Victoria

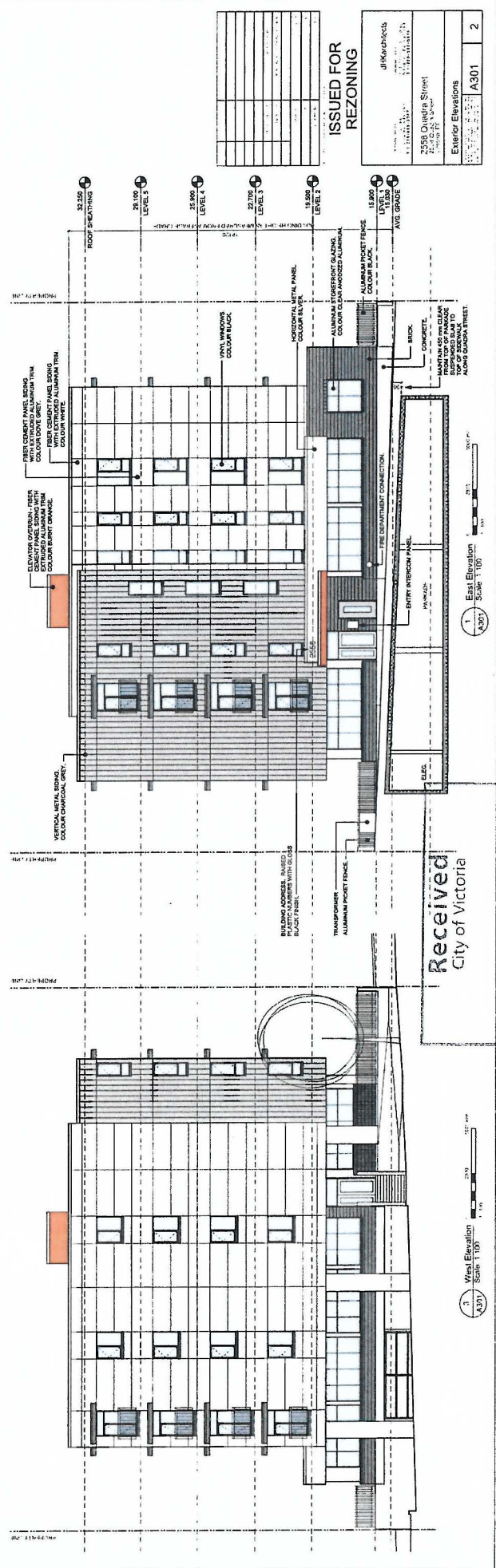
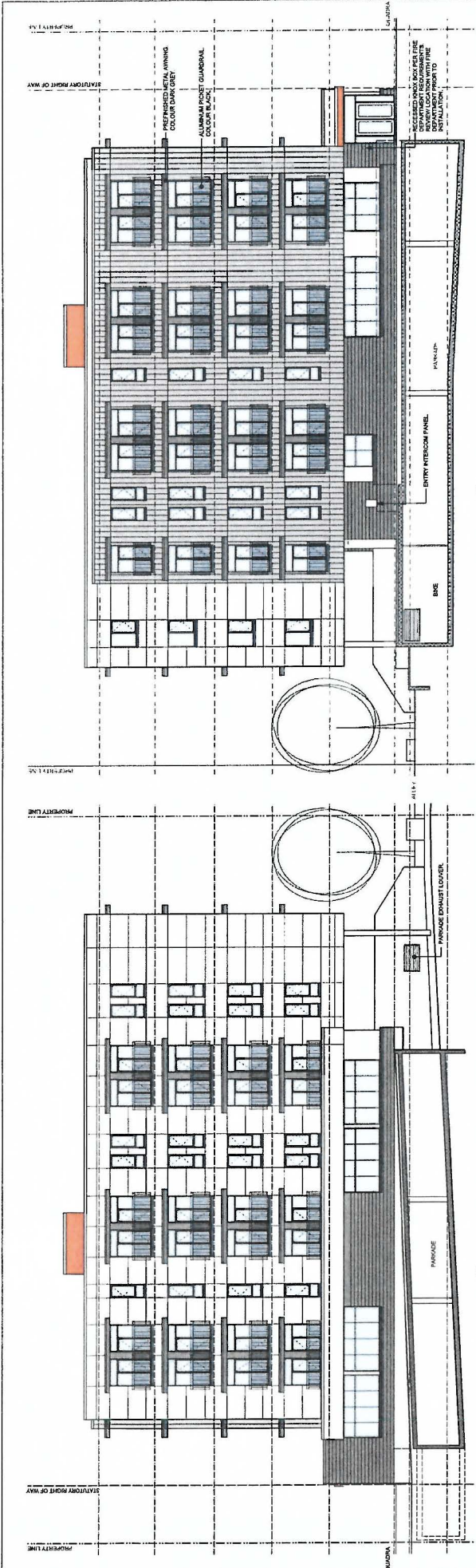
FEB 12 2020

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Development Services Division

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REZONING



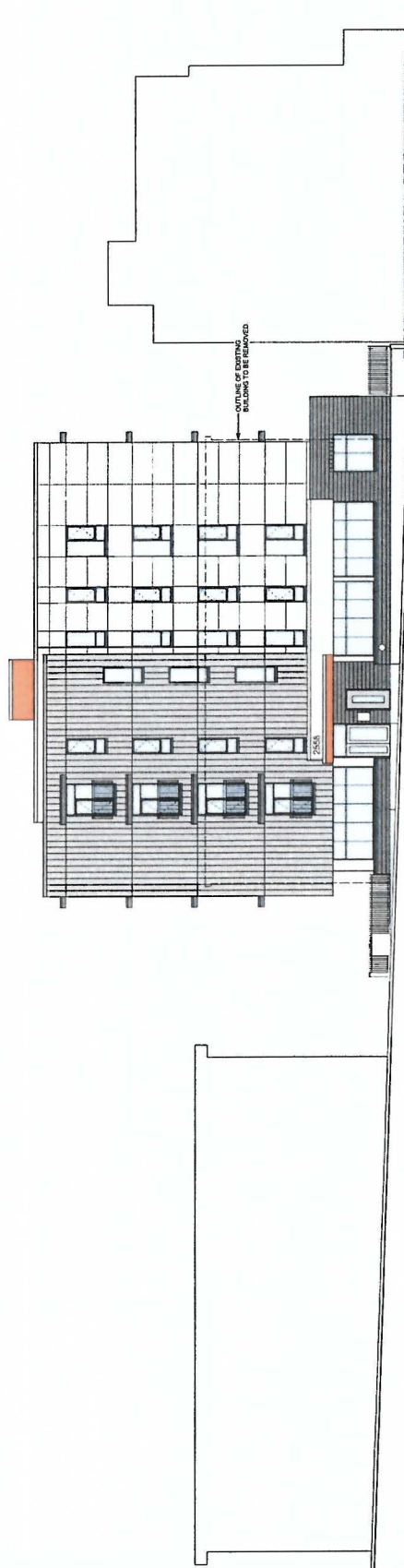


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2 Existing Quadra Street Elevation  
A302 NTS

[illegible][illegible]

ISSUED FOR  
REZONING

<p>  <b>dH Architects</b>          1000 15th St., Suite 100          San Francisco, CA 94103          Tel: 415.774.3333          Fax: 415.774.3334          Email: info@dha.com       </p>	<p> <b>2558 Quadra Street</b>          Victoria, BC V8N 4G6          Tel: 250.363.7800          Fax: 250.363.7801          Email: info@2558.com       </p>	<p> <b>Streetscape</b>          A302       </p>	<p>         2       </p>
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Received  
City of Victoria

FEB 12 2020

Planning & Development Department  
Development Services Division







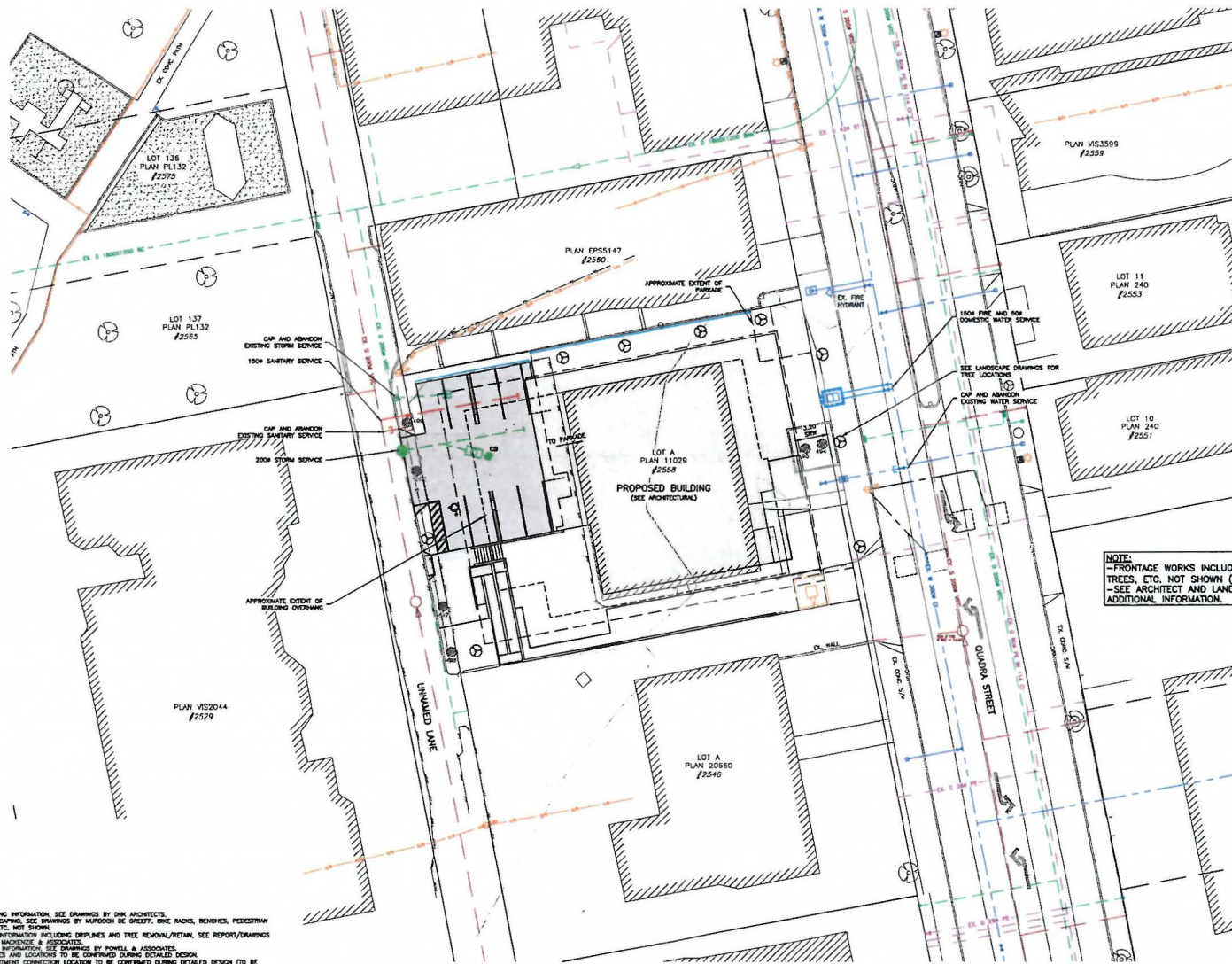


**2558 Cudra Street**  
2558 Cudra St  
Vancouver, BC

**Building Sections**

A402	2
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**LEGEND**  
 (Symbol) EXISTING TREE TO BE REMOVED. SEE ARBORIST REPORT.

**NOTE:**  
 - FRONTAGE WORKS INCLUDING CURBS, SIDEWALK, TREES, ETC. NOT SHOWN (DETAILS TO BE CONFIRMED).  
 - SEE ARCHITECT AND LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION.

- NOTES:**
1. FOR BUILDING INFORMATION, SEE DRAWINGS BY DAK ARCHITECTS.
  2. FOR LANDSCAPING, SEE DRAWINGS BY HANCOCK DE GROOTS. BENCHES, PEDESTRIAN LIGHTING, ETC. NOT SHOWN.
  3. FOR TREE INFORMATION INCLUDING DRUPLINES AND TREE REMOVAL/RETAIN, SEE REPORT/DRAWINGS BY TAYLOR MACKENZIE & ASSOCIATES.
  4. FOR LEGAL INFORMATION, SEE DRAWINGS BY POWELL & ASSOCIATES.
  5. UTILITY SIZES AND LOCATIONS TO BE CONFIRMED DURING DETAILED DESIGN.
  6. FIRE DEPARTMENT CONNECTION LOCATION TO BE CONFIRMED DURING DETAILED DESIGN (TO BE WITHIN 45m OF FIRE HYDRANT).
  7. ALL EXISTING ON-SITE BUILDINGS, DRIVEWAYS, PARKING LOTS, RAMP, ETC. TO BE REMOVED AND DISPOSED OFF-SITE (NOT SHOWN FOR CLARITY).
  8. SIDE INFORMATION SHOWN IS PRODUCED FROM A COMBINATION OF FIELD SURVEY AND GIS INFORMATION PROVIDED BY THE CITY OF VICTORIA. ALL INFORMATION TO BE CONFIRMED IN THE FIELD PRIOR TO CONSTRUCTION (INCLUDING COMPLETING A SCHEMATIC).

Received  
 City of Victoria  
**FEB 12 2020**  
 Planning & Development Department  
 Development Services Division

FEBRUARY 11, 2020  
**ISSUED FOR  
 REZONING**

SEE ARCHITECTURAL AND LANDSCAPING, DRAWINGS FOR ADDITIONAL INFORMATION  
 LEGAL PLAN & TOPOGRAPHIC SURVEY PROVIDED BY POWELL & ASSOCIATES

1:200 0 4 12m

THIS DRAWING AND DESIGN IS THE PROPERTY OF McElhanney Ltd. and shall not be used, reproduced or modified without the consent of the said company. McElhanney Ltd. will not be held responsible for the improper or unauthorized use of this drawing and design.

NO.	DATE	BY	ISSUED	NO.	DATE	BY	REVISIONS

**McElhanney**  
 500 - 3960 QUADRA STREET  
 VICTORIA, BC V8X 4A3  
 PH (250) 370-8221

PROJECT: FOREST HEIGHTS DEVELOPMENT  
 2558 QUADRA STREET, VICTORIA, BC  
 TITLE: CONCEPTUAL SERVICING

SCALE: HORIZ. 1:200 VERT. 1:10  
 PROJECT NO. 18-136  
 ISSUED/REVISION 18-136  
 APPROVING AUTHORITY FILE NO.  
 DRAWING NO. 18-136-REZONING

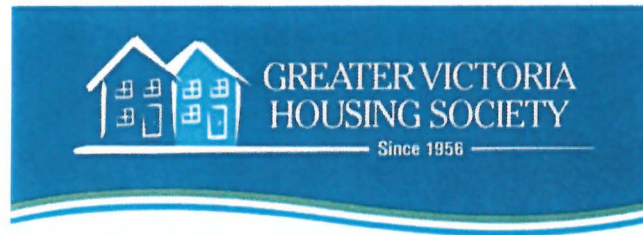
1. **Common Patio**  
Concrete unit pavers with outdoor couches and bistro tables. Wood screen and community bulletin board at parking







1. Boulevard trees have been placed to avoid existing and proposed infrastructure. Trees planted within 1m of an existing underground municipal service will have a root barrier installed between the tree and the existing service.
2. Boulevard trees will be placed a minimum of 1.5m from an above ground municipal service and the nearest streetlight or pole.
3. All boulevard species have been selected from the municipality's list of recommended boulevard trees or plants. In selected areas, trees or plants that are not on this list are allowed. First selection of boulevard trees or plants is determined through consultation with the City of Vancouver's Urban Forestry Department.
4. Landscaping within boulevard areas is to be irrigated (unless otherwise indicated).
5. Boulevard irrigation plants of connection to be 19 mm service, refer to Civil drawings for location and details. Irrigation equipment shall be installed in accordance with the City of Vancouver's Irrigation Manual. Transcutaneous for boulevard areas must be readily accessible to municipal staff.
6. Design and installation of boulevard drainage systems to meet current IABC and Municipal Engineering Department standards.
7. Design/bid drawings for boulevard irrigation to be submitted to Landscape Architect in PDF and CAD formats, at least two weeks prior to commencement of irrigation installation and will be subject to approval.
8. Boulevard irrigation to be inspected as per municipal specification by municipal staff. Boulevard tree irrigation system will not be maintained or operated by municipality after it is installed and approved by municipal staff.
9. All trees with boulevard to be irrigated with double drip irrigation system (check check valve).
10. All Boulevard Trees to be inspected by C.O.V. Parks staff upon delivery of stock prior to backfilling to protect planting operation, and C.O.V.



October 23, 2019

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

Dear Mayor Helps, Council and Staff,

**Re: Rezoning & Development Permit Application - 2558 Quadra Street, Victoria, BC**

## Introduction

Founded in 1956, Greater Victoria Housing Society (GVHS) is a non-profit charitable organization dedicated to providing affordable rental housing. For over 62 years GVHS has provided homes to low to moderate-income seniors, families, working individuals, and adults with disabilities. GVHS owns and operates 17 properties and 726 units of affordable housing throughout the region. GVHS currently owns and manages 427 units of seniors, workforce, and family housing in the City of Victoria.

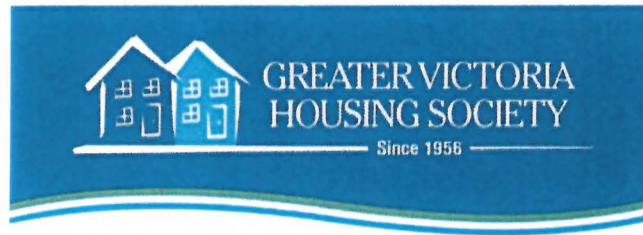
2558 Quadra Street, currently known as Forest Heights, is a 54-year-old, 3-storey, 19-unit apartment building owned and operated by GVHS. The building was purchased in 2008 with the intention of future redevelopment. Upon receiving ownership of the building GVHS immediately lowered the rents by 25%, thereby creating affordable housing that did not already exist. The building is well past its effective life and does not offer barrier free accessibility to tenants as it does not have an elevator. The site is under utilized and a recent feasibility study indicates that the property can support a building more than twice its size. Situated within the growing Quadra Village, it is in a prime location for additional affordable housing. The property is located close to shopping, employment, and recreational facilities.

## Proposal Summary

We are pleased to submit the attached application form and accompanying documents to rezone the property at 2558 Quadra Street to a mixed-use 5-storey 40-unit affordable rental redevelopment project. We are requesting that the property be rezoned from C1-QV (Quadra Village District) to C1-QV to enable a change of use from multi-family to mixed-use. Total FSR proposed is 2.3:1. A variance will be required for an increase in height from 4 to 5 storeys. The building is being designed as a purpose-built rental development owned and operated by GVHS with affordable rental rates geared to those earning very low to moderate incomes.

The building will include 16 studios, 16-one bedroom, 4-two bedroom, and 4 fully accessible studios for a total of 40 units. The ground floor of the building will have one commercial unit. The accessible units will include roll-in showers, 5-foot turning radiuses in living spaces and washrooms, low-hanging cupboards, roll-under counters, and wide doorways. Building entries will be built barrier free using full universal design standards.





Tenant rights have been identified as an important topic to be addressed by the City of Victoria. GVHS has a tenant relocation assistance policies that meet the City of Victoria Tenant Assistance Policy. See attached GVHS Tenant Relocation Assistance Plan.

## Policy Framework

The project has been carefully designed to conform with the *Official Community Plan (OCP)*. The OCP recognizes the site as a part of Quadra Village – designated as a Large Urban Village. The proposal meets the strategic directions laid out for the Hillside-Quadra neighbourhood by increasing residential and commercial density within the Large Urban Village. The building will also have community spaces available for rent to the public, thus enhancing the public realm provided by the new building.

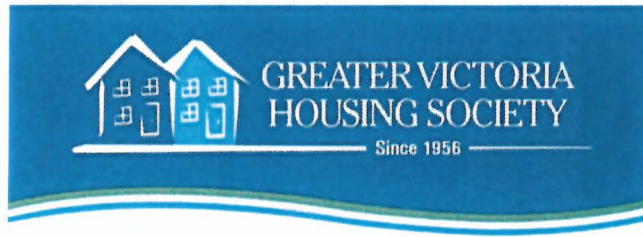
Large Urban Village	Low-rise and mid-rise multi-unit buildings up to approximately six storeys including row-houses and apartments, freestanding commercial and mixed-use buildings.	Ground-oriented commercial and community services reinforce the sidewalk. One to three storey building facades define the <u>street wall</u> . Regularly spaced boulevard and street tree planting, wide sidewalks. Off-street parking underground, at the rear or otherwise screened. Central public green space or square	Low to mid-rise multi-unit residential and mixed-use. Commercial, including visitor accommodation. Live/work. Home occupations.	Total floor space ratios generally up to 1.5:1. Increased density up to a total of approximately 2.5:1 may be considered in strategic locations for the advancement of plan objectives.
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The proposed development conforms to the OCP as being designed to a 5-storey mixed-use build (6-storeys permitted) with ground-oriented commercial, a one-storey street wall accompanied by a large boulevard with tree planting, public benches, and a large sidewalk, all while taking a municipal SRW over the street frontage of the property into consideration to allow for future sidewalk and road improvements.

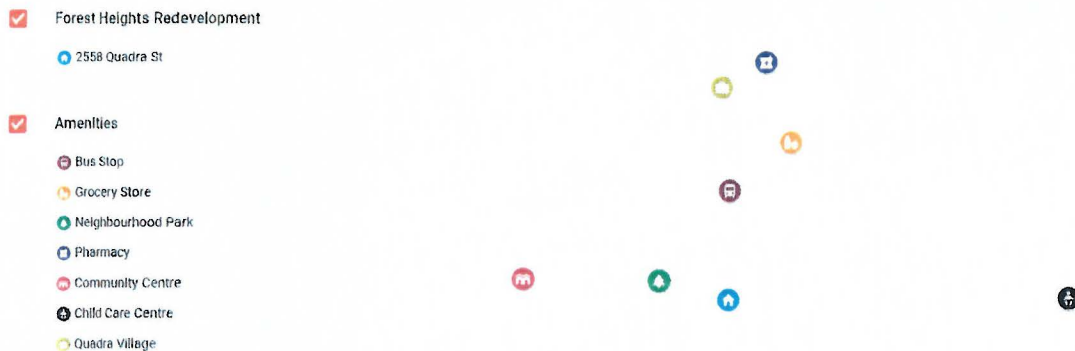
The OCP states that an increase of density of up to 2.5:1 may be considered in strategic locations. The proposed building would have a density of 2.3:1. The location of the site within the Quadra Village, on a major transit corridor, in a vibrant commercial district provides ideal conditions for a gentle increase in density on site. The Hillside-Quadra Neighbourhood Plan (1996) states that within the Quadra Village, a density bonusing provision in rezoning for commercial use should be encouraged by adding 40% more floorspace for the inclusion of housing.

## Project Benefits and Amenities

The addition of 40 residential units (+21 net) and 1 commercial unit on site will provide many benefits to tenants, neighbours, and the community at large. The increase in density on site will be beneficial to the local economy as it will add an increased tax base to the neighbourhood as well as consumers and employees for local businesses. Due to the location of the site within the Quadra Village and its proximity to downtown Victoria, the site relies on its proximity to amenities and services that enable users to carryout daily activities without the need of a vehicle. This provides an added environmental



bonus to the property, allowing tenants to live an urban lifestyle providing the opportunity to live, work, and play all within their community.



The site has been designed to foster positive social interactions within the community. Vehicle and bicycle access off the laneway will eliminate all vehicle access off Quadra Street and improve the overall safety, accessibility, and walkability of the streetscape. With public benches along the street front and inviting landscaping, the building will provide an improved social connection between pedestrians and the property. The site will include a common patio for residential and commercial users of the site. This will help encourage tenants to interact with one another and create a sense of community.

## Need and Demand

The issue of the high cost of housing in the Capital Region is well documented. The demand for affordable rental housing is projected to grow substantially particularly in the City of Victoria for low to moderate income households. The GVHS contribution of 21 additional units supports the demand for over 365 affordable housing units a year.

The site being rezoned from multi-family to mixed-use supports this. The *Hillside-Quadra Neighbourhood Plan (1996)* requests commercial frontage along Quadra Street. The OCP's designation for the site as Large Urban Village also calls for mixed-use and ground-oriented commercial and community services that reinforce the sidewalk.

## Victoria Housing Reserve Fund

As motioned by council on March 21, 2019, GVHS was approved for a \$330,000 grant to assist in the creation of additional affordable rental housing through the Victoria Housing Reserve Fund. A housing agreement will be registered on title securing 21 units of below market and 19 units of affordable rental housing as per the *January 2019* edition of the fund's guidelines.





## Neighbourhood

The site marks the south edge of the “Large Urban Village” OCP designation for Quadra Village, and is distinctly positioned to extend and enrich the pedestrian-oriented commercial core. In keeping with the community plan, this proposal succeeds at adding gentle density within the “Large Urban Village” boundary. Situated within a block characterized by aging 3-storey apartment buildings, this proposal is similar in scale and character to the recently completed *Urbanité* project next door (2560 Quadra St.), and will complement its patterns of usage and occupation.

## Impacts

New affordable / mixed-use housing projects such as the one we propose simultaneously revitalize the village and provide safer, more efficient, more accessible, and more affordable housing options.

While planning policy allows for up to 6 storeys in building height, a 5-storey building is proposed to provide the best fit with the neighborhood and in particular to moderate shading and overlook of its 4-storey neighbour. Currently almost all of the open space on site is asphalt parking lot and driveways. This will be replaced by a more balanced mix of soft and hard landscaping, including at-grade patio spaces and gardens.

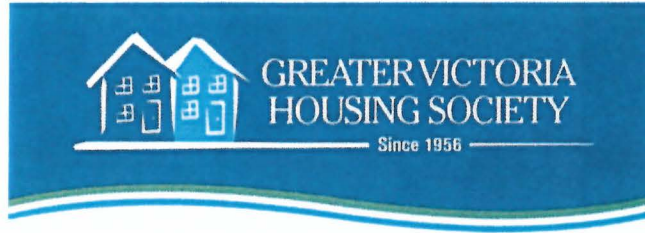
## Design and Development Permit Guidelines

The massing, form, and character have been developed in keeping with all applicable development permit and multifamily guidelines. The project satisfies long-range planning policies in general, and addresses particular local guidelines as follows:

- Provides ground-oriented commercial within the village core.
- Defines the street wall with a 5-storey facade and a single-storey secondary street wall.
- Locates all parking and vehicle access away from Quadra Street and off the lane instead. With a small amount of surface parking, the bulk of parking is enclosed underground.
- Accommodates population growth in large urban villages.
- In conjunction with recent and future redevelopment it will establish a southern gateway into the Quadra Street Village.

## Safety and Security

Quadra Village has a lively and diverse street life night and day. This project is designed (while referencing CTPED principles) to enrich that street life while also promoting the safety and security of residents and visitors. To minimize opportunities for concealment the building footprint is simple and rectilinear with minimal alcoves and recesses. Landscaping is similarly articulated with a combination of low ground cover and high crown plant species that provide clear sight lines into front, rear, and side yards without any blind spots. The outdoor amenity space and side yard will be secured by a 7' fence and locked gate to limit use to occupants only. All building faces have expansive glazing, especially at the ground floor, which maximizes the effectiveness of passive surveillance of the site. Appropriate levels of



shielded lighting provide safe, well lit pathways and garden areas around the building, especially at entry and exit doors.

## Transportation

The proposed parking will include 8 surface and 22 secure underground stalls. A 3-stall variance is being requested in order to meet the housing agreement to be registered. The bicycle parking requirements will be fully satisfied.

## Heritage

There is no heritage designation associated with the site or existing buildings.

## Green Building Features

The building will comply with the BC Energy Step Code - Step 3 at a minimum, and may meet Step 4, subject to senior government funding. Additional environmental building features will be illustrated as part of the development permit application. GVHS's goal is to try to create a Zero Emission building by not relying on natural gas for domestic hot water heating, thereby reducing our annual CO<sup>2</sup> output by more than 75%. Electrical conduits for future EV plugin stations will be run to all parking stalls and plugins will be provided for 10% of the parking spaces. Charging for electric bicycles will be made available within the secure bicycle storage.

## Infrastructure

Quadra Village is well equipped with both social and civil infrastructure to support the densification of this redevelopment. The heart of the village in the adjacent block offers a full spectrum of products and services and includes a major grocery store. Also, nearby is the Quadra Village community centre as well as Wark Street Park. Quadra Street itself is a major arterial route with frequent bus service and nearby bicycle greenways including Vancouver Street and Kings Road.

We look forward to hearing further on our application to rezone 2558 Quadra Street.

Sincerely,

Kaye Melliship  
Executive Director



By email to: Michael Angrove,  
City of Victoria mangrove@victoria.ca

12 October 2018

Dear Michael Angrove:

Re: Community Meeting for 2558 Quadra Street

### [Community Meeting Details](#)

Date: 13 September 2018

Location of meeting: Quadra Village Community Centre, 901 Kings Avenue

Meeting facilitated by: Hillside Quadra Neighbourhood Action Committee (NAC)

Number of people in attendance: 10 community members, 4 NAC Executive, 4 proponents

Meeting Chair: Jon Munn

Note taker: Janis LaCouvee

### [Proposed Development Details](#)

Proponent: Greater Victoria Housing Society (GVHS). GVHS (est. 1956), provides housing in 17 CRD properties for seniors, families, people with disabilities and low income earners. Currently the society can access provincial funding to build.

Presenters: James Munro—Director of Real Estate Development GVHS, Yvonne Blair--Director of Operations, GVHS, Rob Whetter—DHK Architects, Tamara Bonnemaïson—Murdoch De Greef Landscape Architects

Building Type and Use: 5-storey 40-unit mixed-use apartment (2-5 storeys) and office (ground floor GVHS Offices)

Unit Types and Sizes: 16 studios at 388 ft<sup>2</sup>, 4 accessible studios at 517 ft<sup>2</sup>, 16 one bedroom at 603 ft<sup>2</sup>, 4 two bedroom at 872 ft<sup>2</sup>. Note: 4 units less than presented at a preliminary meeting with the NAC Executive in June, as the result of a request for 2 BR units due to neighbourhood need.

### Amenities

Space: ground floor room for resident and community use, ground floor patio adjacent to laundry room. Juliet balconies (minor access to outdoor space)

Transport: a Modo car onsite; 25 (perhaps 50) memberships will be offered to tenants by GVHS.

### Affordability

Estimated Monthly Rents \$375 (studio) - \$1293 (2-bedroom) with a range of subsidies which include rent-geared-to income and disability allowance.



There is a tenant relocation strategy. Tenants will receive assistance with moving and hookup fees. The budget is \$55,000 to tenants for relocation. This relocation plan surpasses the terms of the new draft City of Victoria policies.

**Building Standards** (estimated long-term affordability and building quality improvement)

Energy: passive house / net zero (estimated 40% less energy use), triple glazed windows (quiet); parking plug-in for vehicles and bicycles.

Accessibility: building and all access routes will be designed using universal design standards.

### Existing Site Details

3-storey 19-unit apartment building

Aging, not built to accessible standards

No information regarding unit sizes, rents and amenities.

### Site & Building Details - Comparison

See table. Incomplete information.

### Discussion

#### Questions and concerns raised included:

**Shading**—Urbanité at 2540 Quadra was planned with extensive landscaping on the side of the building. How will the new building affect existing planting?

Tamara Bonnemaison, landscape architect intern, spoke to the different planting, including native plants between the buildings.

	OCP	Existing	Proposed
Floor Space Ratio (FSR)	2.5	1.4	2.32
Built Area			2883.9 m <sup>2</sup> (31,043 ft <sup>2</sup> )
Height: storeys, (m)	6	4	5 (17m, 55.78 ft)
Lot Coverage			47%
Yard/ setbacks Front			3m (1 floor) 6m? (2-5/F)
South side			? (>5m)
North side			5m
Rear (lane)			12m
Office Parking			4 (ratio?) shared
Residential Parking – Car (ratio)			26 (ratio?)
- Bicycle long term			48 (ratio?)
- Bicycle short term			6 (ratio?)
Landscaping, street trees		Large trees	Tree well provided for a large tree; some native species

**Noise from patio.** How much higher is the patio on the back of Forest Heights than Corey Park (apartment building directly rear/ west on Wark Street)? Concerns were raised about noise, cut-through from the between Quadra and the lane.

Proponents said that trees will provide screening. A fob security system may be used for the patio access. The patio will provide eyes on the street and provide recreational opportunities for tenants. GVHS staff will closely monitor complaints and strive to be good neighbours.

**Cladding** a resident mentioned that they enjoy the bounce-light off the current building and wondered how proposed building dark surfaces will decrease that effect.

Some of the cladding is white hardi-plank and light would bounce. The contrast in the design renderings (black and white) is not as high in actual fact.

**Algae on the building over time?** Among the concerns raised regarding flat roof and right-angle building design features was the ability of the building to age gracefully. The building designer replied that there is no overhang which normally alleviates algae growth, but materials may resist this problem.

**Construction.** Access concerns were raised about the lane being blocked as happened with construction of Urbanité, 2540 Quadra. The proponent said they might not have to block the lane because the proposed building is set back farther than 2540 which is not set back. The proponent would, in any case, inform the neighbours in advance.

**Parking.** There was some discussion about on-site parking, but the proponent's approach was generally seen acceptable although met with skepticism by some community attendees.

#### *Overall reaction*

In general, participants in the meeting supported the concept and efforts of the designers to fit the project into the streetscape and massing of adjacent buildings.

Thank you on behalf of the neighbourhood for the opportunity to comment on this proposed development

Jon Munn  
CALUC Co-chair  
Hillside Quadra Neighbourhood Action Committee

cc. Hillside Quadra NAC, James Munro - Director of Real Estate Development GVHS





Sustainable Planning and Community Development  
1 Centennial Square  
Victoria, BC V8W 1P6

# Tenant Assistance Plan

**This form must be submitted with your rezoning or development application. For contact, please send questions to your development services planner.**

## SUMMARY: Instructions and steps for Developers and Property Owners

<b>STEP 1</b>	<b>BACKGROUND:</b> Understand your rights and responsibilities as a landlord. Please review the documents in the background section pertaining to relocating tenants and the City's rental replacement policies.
<b>STEP 2</b>	<b>POLICY APPLICATION:</b> Complete tenant impact assessment to determine the requirements of your application.
<b>STEP 3</b>	Complete application requirement, including: a. Current Site Information b. Tenant Assistance Plan c. Tenant Communication Plan d. Appendix A - Current Occupant Information and Rent Rolls (For office use only) e. Appendix B - Correspondence with Tenants Communication (For office use only)
<b>STEP 4</b>	<b>SUBMIT:</b> Complete form and submit to: a. Email digital copy of plan to <a href="mailto:housing@victoria.ca">housing@victoria.ca</a> (include appendices)
<b>STEP 5</b>	<b>REVISE:</b> Applicant to update and return application requirements with staff input.
<b>STEP 6</b>	<b>FINALIZE:</b> City staff to finalize the review and signs off application requirements and used as attachment for the Committee of the Whole report.

## BACKGROUND: Rights and Responsibilities of Landlords and Tenants

The rights and responsibilities of landlords and tenants are regulated by the Province and is set out in the [Residential Tenancy Act](#).

Please refer to the City of Victoria's [website](#) for more information regarding the City of Victoria's rental housing policies. Supporting documents include:

- Tenant Assistance Instructions and Checklist
- Tenant Assistance Policy
- Frequently Asked Questions
- Sample Letter to Tenants
- Request for Tenant Assistance Form and Privacy Guidelines
- Final Tenant Assistance Report

## POLICY APPLICATION: Tenant Impact Assessment to Determine the Requirements of your Application

Answer the questions below to determine whether a plan is required with your application:

Tenant Impact	Indicate:		Application Requirement
Are you redeveloping or demolishing a building that will result in loss of existing residential units?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, complete the next question.
Does your work require the permanent relocation of tenant(s) out of the building?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, complete and submit a tenant assistance plan.
Do you have tenant(s) who have been residing in the building for more than one year?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, tenants are eligible under the tenant assistance plan

**If any are selected no, then a tenant assistance plan is not required as part of your application.**

# TENANT ASSISTANCE PLAN

## A. Current Site Information

<b>Site Address:</b>	2558 Quadra Street, Victoria, BC
<b>Owner Name:</b>	Greater Victoria Housing Society
<b>Company Name:</b>	Greater Victoria Housing Society
<b>Tenant Relocation Coordinator (Name, Position, Organization):</b>	Yvonne Blair, Manager of Tenant Relations, Greater Victoria Hous



### EXISTING RENTAL UNITS

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor	1	679.00
1 BR	15	806.33
2 BR	3	896.67
3 BR		
3 BR+		
<b>Total</b>	19	813.89

## B. Tenant Assistance Plan

For any renovation or redevelopment that requires relocation of existing tenants, the property owner must create a Tenant Assistance Plan that addresses the following issues:

- Early communication with the tenants
- Appropriate compensation
- Relocation assistance
- Moving costs and assistance
- Right of first refusal

The City has developed a Tenant Assistance Plan template that is available for applicant use. The template includes the required FOIPPA section 27(2) privacy notification which should be identified for tenants.

Please refer to the Tenant Assistance Policy with Tenant Assistance Plan guidelines for Market Rental and Non-Market Rental Housing Development.

### Required under the Residential Tenancy Act

#### Notice to End Tenancies

A landlord may issue a Notice to End Tenancy only after all necessary permits have been issued by the City. In addition, landlords must give four months' notice to end tenancies for renovation, demolition, and conversions. Tenants have 30 days to dispute the notice.

For more information, please refer to the [Landlord Notice to End Tenancy](#).

#### Renovations and Repairs

Renovations and repairs must be so extensive that they require the unit to be empty in order for them to take place, and the only way to achieve the necessary emptiness or vacancy is by terminating a tenancy. The RTA and associated guidelines provide specific guidance pertaining to whether a landlord may end a tenancy in order to undertake renovations or repairs to a rental unit.

For more information, please refer to [Ending a Tenancy for Landlord's use of Property](#).

#### Right of First Refusal

In instances of renovations or repairs requiring vacancy, the RTA requires tenants be offered the right of first refusal to enter into a new tenancy agreement at a rent determined by the landlord. This right of first refusal applies only to a rental unit in a residential property containing 5 or more units, and there are financial penalties for non-compliance.

For more information, please refer to [Tenant Notice: Exercising Right of First Refusal](#).

For full details, please check the [Government of British Columbia website](#).



Tenant Assistance Plan Components	APPLICANT		CITY STAFF
	Tenant Assistance Plan		Did the Applicant meet policy?
	Date:	February 21, 2020	
<b>Compensation</b>  Please indicate how you will be compensating the tenant(s).	Greater Victoria Housing Society will provide a compensation package in accordance to the Residential Tenancy Act (as required) and the City of Victoria's policy (Section 5.1) based on the length of tenancy. If tenants are successfully rehoused within the GVHS portfolio they will only be compensated as per the RTA requirements.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Moving Expenses</b>  Please indicate how the tenant(s) will receive moving expenses and assistance.	Yes. Tenants returning to the building under right of first refusal will also have the same expenses covered. Tenants will be asked to provide a receipt and expenses will be reimbursed up to the following amounts: - \$500 - Bachelor or 1 BR - \$750 - 2+ BR		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Relocation Assistance</b>  Please indicate how the tenant(s) will receive relocation assistance.	- GVHS are currently hiring a full-time in-house relocation coordinator that will work with tenants 1 on 1 to have their needs met. - GVHS is committed to re-housing current tenants of 2558 Quadra within our own portfolio wherever possible at a similar or equivalent rent. Where a unit within our portfolio is not available, if requested, we will assist in finding three comparable units in the Greater Victoria area that will fit as closely to their current accommodation as possible; At least one of the comparable units will be in the same neighbourhood. (see other comments)		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Right of First Refusal</b>  Please indicate whether the applicant is offering right of first refusal to the tenant(s). Please indicate your reasoning.	Tenants will be offered the first right of refusal (as per the RTA), based on their length of tenancy, to the new building if they desire to return to 2558 Quadra once the new building is complete.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Tenants Requiring Additional Assistance</b>  Please indicate whether there are tenants requiring additional assistance. If so, please indicate how the applicant plans to provide additional support.	GVHS's full-time in-house relocation coordinator will work with tenants 1-on-1 to have their needs met.  For existing tenants requesting assistance in finding alternative accommodation, we will provide a comparable option that rents for no more than 10% above current rent levels, unless otherwise agreed to by the tenant.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
<b>Other Comments</b>	- All current tenants will be provided with contact information for the tenant relocation manager/coordinator. If desired, tenants can provide their accommodation specifications and the tenant relocation manager/coordinator will actively search out vacant units that match the requirements.		

<b>Tenant Communication Plan Components</b>	<b>APPLICANT</b>	
	<b>Tenant Communication Plan</b>	
	<b>Date:</b>	February 21, 2020
How and when did you inform tenants of the rezoning or development application?	By Mail Notice (see attached copies): - July 16, 2018 - July 23, 2018 - Sept 13, 2019	
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)?	Updates of approvals & permitting progress of the project are provided to the tenants by mail notice. Tenants have been provided a direct email and phone number of the relocation coordinator should they have any questions or require additional assistance in their relocation. Tenants will be met with 1-on-1 with the relocation coordinator to have their needs assessed.	
What kind of resources will you be communicating to your tenants and how will you facilitate tenants in accessing these resources? (Please see the City's website for a list of resources)	<ul style="list-style-type: none"> <li>- Initiation of the process</li> <li>- Tenant Relocation Assistance Plan</li> <li>- Introduction of Relocation Coordinator</li> <li>- Contact and Availability of Greater Victoria Housing Society staff</li> <li>- Timeline changes</li> <li>- Notice to End Tenancy</li> </ul>	
Have tenant(s) confirmed with you whether they request assistance? If so, please indicate the staff responsible or whether a third-party service is requested.	GVHS's full-time in-house relocation coordinator will work with tenants 1-on-1 to have their needs met. No tenants have formally requested assistance and have only asked for updates on the status of the development process. Information has been provided when made available.	
Other communications notes:		

## FINAL TAP Review - [For City Staff to complete]

Application received by Hollie McKeil  (City Staff) on February 20, 2019  (Date)

Did the applicant meet TAP policy? Yes ☒ No ☐

Staff Comments on  
final plan:

The Tenant Assistance Plan submitted meets all requirements for non-market rental housing developments, in the Tenant Assistance Policy. The GVHS has consulted with tenants throughout the development application process, to ensure that the assistance plan submitted meets their needs. Tenants will be supported throughout the relocation process by the newly created staff position, Tenant Relocation Coordinator, whose responsibilities will be dedicated to relocating tenants.

All tenants will be offered a Right of First Refusal to the new building. Tenants will be relocated to alternative housing within the GVHS portfolio. If tenants aren't able to be rehoused in the GVHS portfolio they will be found three comparable units that meets their needs, that is no more than 10% above current rent levels and they will be compensated financially based on the City of Victoria's Tenant Assistance Policy amounts in section 5.1.

Staff consider the components of this TAP to be appropriate for the project.





Talbot Mackenzie & Associates  
Consulting Arborists

# **2558 Quadra St, Victoria**

## **Construction Impact Assessment & Tree Preservation Plan**

Prepared For: Greater Victoria Housing Society  
2326 Government Street  
Victoria, BC  
V8T 5G5

Prepared By: Talbot, Mackenzie & Associates  
Noah Borges  
ISA Certified # PN-8409A  
TRAQ – Qualified

Date of Issuance: October 3, 2019

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6  
Ph: (250) 479-8733  
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Email: [tmtreehelp@gmail.com](mailto:tmtreehelp@gmail.com)



## Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 2558 Quadra St, Victoria, BC

Date of Site Visits: September 12, 2019

Site Conditions: No ongoing construction activity.

**Summary:** Two bylaw protected Western Red Cedar trees (#494 and 495) are in the proposed parkade footprint and will require removal. During the demolition phase, these trees must be protected by erecting barrier fencing as indicated on the attached site plan. If the existing paved walkway to the front entrance of the building is removed before the trees are, caution must be exercised to not damage any roots that may be growing directly underneath and the barrier fencing should be extended to isolate this area.

There are four young maple trees (#496-499) that appear to be growing on municipal property west of the parking area. Based on discussions with the applicant, it is our understanding that they intend to remove these trees as well.

### **Scope of Assignment:**

- Inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line
- Review the proposal to demolish the existing building and construct a new multi-story building with an underground parkade
- Comment on how construction activity may impact existing trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

### **Methodology:**

- We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet.
- Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours' trees were not tagged.
- Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory.
- The conclusions reached were based on the information provided within the attached site and building plans from dHKarchitects (dated May 2019) and landscape plan from Murdoch de Greeff Inc. (dated October 2, 2019).

**Limitations:**

- No exploratory excavations have been conducted and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.
- Where trees were not surveyed on the plans provided, we have added their approximate locations. The accuracy of our estimated locations has not been verified by a professional surveyor. Only the trees shown on the attached site survey were professionally surveyed.

**Summary of Tree Resource:** 6 trees were included in the inventory, including two bylaw protected Western Red Cedar trees growing on the subject property. There are four recently planted maple trees located west of the parking area which appear to be on municipal property.

**Trees to be Removed:**

- **Western Red Cedars #494 and 495** are located within the footprint of the parkade.
- **Maples #496-499:** Based on discussions with the applicant, it is our understanding that these four trees will be removed. #498 is within the footprint of the driveway and #497 is in the waste sorting area (see attached landscape plan).

**Potential Impacts on Trees to be Retained and Mitigation Measures**

- **Demolition of the Existing Building:** It is our understanding that the two Western Red Cedar trees (#494 and 495) must be protected during the demolition phase. The demolition of the existing building and any services that must be removed or abandoned, must take the critical root zone of these trees into account. If any excavation or machine access is required within the CRZs of these trees, it must be completed under the supervision and direction of the project arborist. Barrier fencing must be constructed in the areas indicated on the attached site plan to prevent soil compaction within their CRZs. If the existing paved walkway to the front entrance of the building is removed before the trees are, caution must be exercised to not damage any roots that may be growing directly underneath. The barrier fencing should be extended to isolate this area following the removal of the pathway. If the barrier fencing must be temporarily removed or modified, the project arborist must be notified.
- **Pruning Roots:** Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. Backfilling the excavated area around the roots should be done as soon as possible to keep the roots moist and aid in root regeneration. Exposed roots should be kept moist until the area is backfilled, especially if excavation occurs during a period of drought. This can be accomplished in a number of ways, including wrapping the roots in burlap or installing a root curtain of wire mesh lined with burlap, and keeping the area moist throughout the construction process.

- **Barrier Fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones.

The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

- **Minimizing Soil Compaction:** In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:
  - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
  - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
  - Placing two layers of 19mm plywood.
  - Placing steel plates.
- **Mulching:** Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See “methods to avoid soil compaction” if the area is to have heavy traffic.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
  - Locating the barrier fencing
  - Reviewing the report with the project foreman or site supervisor
  - Locating work zones, where required
  - Supervising any excavation within the critical root zones of trees to be retained
  - Reviewing and advising of any pruning requirements for machine clearances
- **Review and Site Meeting:** Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

Talbot Mackenzie & Associates

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

Thank you,



Noah Borges  
ISA Certified #PN-8409A  
TRAQ – Qualified

Talbot Mackenzie & Associates  
ISA Certified Consulting Arborists

Encl. 1-page tree resource spreadsheet, 10-page site and building plans, 2-page landscape plans, 1-page barrier fencing specifications, 2-page tree resource spreadsheet methodology and definitions

**Disclosure Statement**

The tree inventory attached to the Tree Preservation Plan can be characterized as a limited visual assessment from the ground and should not be interpreted as a "risk assessment" of the trees included.

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

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

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



September 12, 2019

2558 Quadra St  
Tree Resource Spreadsheet

Page 1 of 1

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Bylaw Protected	Retention Status
494	Western Red Cedar	<i>Thuja plicata</i>	103 (measured at 1.1m above ground)	10	15.5	Poor	Good	Fair	Pruned for utility line clearance, codominant leaders	Y	X
495	Western Red Cedar	<i>Thuja plicata</i>	85	10	13.0	Poor	Good	Fair	Codominant leaders, asymmetric crown due to competition with 494	Y	X
496	Maple	<i>Acer spp.</i>	8	2	1.0	Moderate	Good	Fair	Likely a municipal tree, likely red or freeman maple	N	X
497	Maple	<i>Acer spp.</i>	7	2	1.0	Moderate	Good	Fair	Likely a municipal tree	N	X
498	Maple	<i>Acer spp.</i>	8	3	1.0	Moderate	Good	Fair	Likely a municipal tree	N	X
499	Maple	<i>Acer spp.</i>	7	3	1.0	Moderate	Good	Fair	Likely a municipal tree	N	X

Prepared by:  
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# BC LAND SURVEYORS SITE PLAN OF:

Civic: 2558 Quadra Street

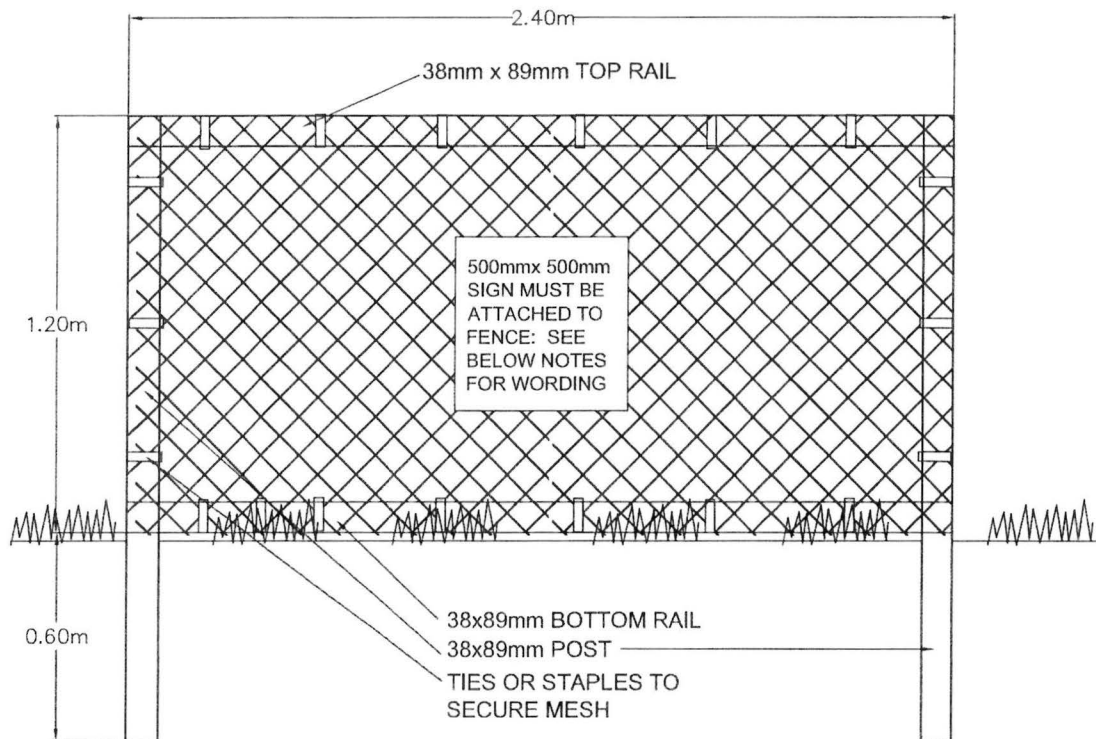
Legal: Lot A, Section 4,

Victoria District, Plan 11029

Plan Identifier: 606-121-209 in the City of Victoria

SCALE 1:300

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TREE PROTECTION FENCING

1. FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS \* USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
  2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.
- \* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



## Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6

Ph: (250) 479-8733

Fax: (250) 479-7050

Email: tmtreehelp@gmail.com

### Tree Resource Spreadsheet Methodology and Definitions

**Tag:** Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

**DBH:** Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.

\* Measured over ivy

~ Approximate due to inaccessibility or on neighbouring property

**Crown Spread:** Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

**Relative Tolerance Rating:** Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

**Critical Root Zone:** A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean).

**Health Condition:**

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

**Structural Condition:**

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

**Retention Status:**

- X - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain \* - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns





## Advisory Design Panel Report

### For the Meeting of November 27, 2019

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**To:** Advisory Design Panel **Date:** November 13, 2019

**From:** Michael Angrove, Planner

**Subject:** Development Permit with Variances Application No. 000559 for 2558 Quadra Street

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#### EXECUTIVE SUMMARY

The Advisory Design Panel (ADP) is requested to review a Development Permit with Variances Application for 2558 Quadra Street and provide advice to Council.

The proposal is for a five-storey affordable rental building and requires a Rezoning and Development Permit with Variances Application.

The property is within Development Permit Area (DPA) 5: Large Urban Villages. The following documents were considered in assessing this application:

- *Official Community Plan (OCP, 2012)*
- *Quadra Village Design Guidelines (1998)*
- *Advisory Design Guidelines for Buildings, Signs and Awnings (1981)*
- *Guidelines for Fences, Gates and Shutters (2010).*

The proposal is consistent with the applicable design guidelines for the following reasons:

- the building utilizes an offset podium to create a pedestrian scale and aid in framing the street
- vehicle parking access is provided off the rear lane to further contribute to a pedestrian-friendly interface
- the building is set back 3m on the first storey and 6m on the upper storeys from Quadra Street.

However, opportunities exist to further improve the main entrances and the interaction of the building with Quadra Street.

The Options section of this report provides guidance on possible recommendations that the Panel may make, or use as a basis to modify, in providing advice on this application.

## BACKGROUND

<b>Applicant:</b>	Mr. Daniel Saxton Greater Victoria Housing Society
<b>Architect:</b>	Mr. Charles Kierulf, MAIBC DHK Architecture
<b>Development Permit Area:</b>	Development Permit Area 5, Large Urban Villages
<b>Heritage Status:</b>	N/A

### Description of Proposal

The proposal is for a five-storey affordable rental building. A commercial unit and the main residential entrance fronts Quadra Street, while the vehicle access is from the rear lane. The proposal includes the following major design components:

- a one-storey offset podium that houses the commercial unit and frames the public realm
- four storeys of residential stepped back from the podium and Quadra Street
- common amenity space in the form of a rear-yard, south-facing patio and a ground-floor common room
- underground parking accessed off the rear lane.

Exterior materials include:

- brick around the base
- fiber cement panel siding
- both vertical and horizontal metal siding
- vinyl windows.

Landscaping elements include:

- rear yard common patio constructed of concrete pavers and including outdoor seating
- allotment gardens for urban agriculture
- eight new trees to be planted including sweet chestnut, vine maples, Persian ironwood and European beech
- concrete pavers and ornamental plantings used to define the main entrance.

The following data table compares the proposal with the existing C1-QV Zone, Quadra Village District. An asterisk is used to identify where the proposal is less stringent than the existing Zone. Additionally, the key City policy that pertains to the area has been included in this table.

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>C1-QV Zone Standard</b>	<b>OCP Policy</b>	<b>Hillside-Quadra Neighbourhood Policy</b>
Site area (m <sup>2</sup> ) – minimum	1239.70	N/A	N/A	N/A

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>C1-QV Zone Standard</b>	<b>OCP Policy</b>	<b>Hillside-Quadra Neighbourhood Policy</b>
Density (Floor Space Ratio) – maximum	<b>2.28 *</b>	1.4	2.5	1.4
Total floor area (m <sup>2</sup> ) – maximum	<b>2822 *</b>	1735.58	N/A	N/A
Height (m) – maximum	<b>18.12 *</b>	15.5	N/A	15.5
Storeys – maximum	<b>5 *</b>	4	6	4
Site coverage (%) – maximum	80	N/A	N/A	N/A
<b>Setbacks (m) – minimum</b>				
Front (Quadra Street)	<b>0</b> (parkade) * <b>3.26</b> (1st storey) <b>6.50</b> (2nd storey)	3.0m (1 <sup>st</sup> & 2 <sup>nd</sup> storey) 6.0m (3 <sup>rd</sup> storey & above)	N/A	3.0m (1 <sup>st</sup> & 2 <sup>nd</sup> storey) 6.0m (3 <sup>rd</sup> storey & above)
Rear (West)	<b>2.9 *</b>	4.53	N/A	N/A
Side (North)	<b>0</b> (parkade) * <b>2.54</b> (building wall) *	4.53	N/A	N/A
Side (South)	<b>0</b> (parkade) * <b>3.90</b> (building projection) *	4.53	N/A	N/A
Residential vehicle parking – minimum	20	15	N/A	N/A
Commercial vehicle parking – minimum	5	6	N/A	N/A
Visitor vehicle parking – minimum	4	4	N/A	N/A

Zoning Criteria	Proposal	C1-QV Zone Standard	OCP Policy	Hillside-Quadra Neighbourhood Policy
<b>Bicycle parking stalls</b> – minimum				
Class 1	47	47	N/A	N/A
Class 2	8	8	N/A	N/A

### Sustainability Features

The following sustainability features are proposed:

- Step 3 of the BC Energy Step Code will be met at minimum, with Step 4 subject to further funding opportunities being granted
- 10% of the parking stalls will have EV plugin stations, and the remaining stalls will have conduits for future EV plugin stations
- outlets will be available in the long term bicycle storage for electric bicycle charging.

### Consistency with Policies and Design Guidelines

#### Official Community Plan

The subject site is designated as Large Urban Village in the *Official Community Plan* (OCP, 2012), which envisions low- to mid-rise mixed-use buildings up to approximately six storeys. The place character features call for ground-oriented commercial and community services that reinforce the sidewalk, one- to three-storey building façades that define the street wall and off-street parking located underground or at the rear.

#### Hillside-Quadra Neighbourhood Plan

The subject site is designated as “Consider reduction of allowable height, more street retail” within the *Hillside-Quadra Neighbourhood Plan*. Although the height is inconsistent with the neighbourhood plan, five storeys is consistent with the OCP. The neighbourhood plan also notes that exterior form and materials should be reasonably compatible with those of their neighbours and that the front face of a project contributes to making that portion of the street an attractive safe and friendly environment.

#### Quadra Village Design Guidelines

The subject site falls within DPA 5: Large Urban Villages. The objectives of DPA 5 are to revitalize areas of commercial use into complete Large Urban Villages to encourage and support a mix of commercial and community services primarily serving the surrounding residential areas. Other objectives include achieving a unique character and sense of place with consideration for potential new landmarks, and achieving high quality architecture, landscape and urban design to enhance the appearance of Large Urban Villages and identity villages as important neighbourhood centres.

Design Guidelines that apply to DPA 5 are the *Quadra Village Design Guidelines* (1998), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

The *Quadra Village Design Guidelines* encourage a 3m setback from Quadra Street in order to define the commercial street and an additional 3m setback at the third storey. The proposal meets these setbacks. The Design Guidelines note there are no prescriptive guidelines for building materials, except that materials which are inappropriate to an urban, commercial context are strongly discouraged. Street-level entrances should be clearly visible and directly accessible from the main street, and outdoor displays and seating areas are encouraged between sidewalk and storefront.

There are two guidelines that the proposal is inconsistent with: a maximum of four storeys and a maximum floor space ratio (FSR) of 1.4:1. However, the OCP envisions up to six storeys and up to 2.5:1 FSR.

Staff consider that the proposal is generally consistent with the above policies and design guidelines; however, opportunities exist to improve the relationship of the street-level entrances and activation with the street. The Panel is invited to comment on these aspects of the proposal, as well as other aspects as the Panel sees fit.

## **ISSUES AND ANALYSIS**

The following sections identify and provide a brief analysis of the areas where the Panel is requested to provide commentary. The Panel's commentary on any other aspects of the proposal is also welcome.

### **Street Relationship and Strong Entry Features**

The Design Guidelines note that street-level entrances should be clearly visible and that outdoor displays and seating is encouraged to improve the street relationship. The commercial entrance, while located at the front of the building, does not face the street and there are no opportunities to bring commercial activity to the street. However, the sloping nature of the sight, the need to provide accessible entrances and the City's required 3.2m Statutory Right-of-Way create challenges in providing a commercial entrance that fronts and activates the street. Staff are therefore looking for design solutions that could further reinforce and activate the commercial entrance.

## **OPTIONS**

The following are three potential options that the Panel may consider using or modifying in formulating a recommendation to Council:

### **Option One**

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000559 for 2558 Quadra Street be approved as presented.

### **Option Two**

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000559 for 2558 Quadra Street be approved with the following changes:

- as listed by the ADP.



### **Option Three**

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000559 for 2558 Quadra Street does not sufficiently meet the applicable design guidelines and policies and should be declined (and that the key areas that should be revised include:)

- as listed by the ADP, if there is further advice on how the application could be improved.

### **ATTACHMENTS**

- Subject Map
- Aerial Map
- Plans date stamped October 25, 2019
- Applicant's letter dated October 23, 2019.

cc: Mr. Daniel Saxton, Applicant; Mr. Charles Kierulf, DHK Architecture.

## 5.1 Development Permit with Variances Application No. 000559 for 2558 Quadra Street

The City is considering a Development Permit application to a mixed use 5 storey affordable rental building with commercial use on the ground level. The proposal is concurrent with a Rezoning application.

Applicant meeting attendees:

JAMES MONROE	GREATER VICTORIA HOUSING SOCIETY
ROB WHETTER	DHK ARCHITECT
SCOTT MURDOCH	DHK ARCHITECT

Michael Angrove provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- street relationship and strong entry features
- any other aspects of the proposal on which the ADP chooses to comment.

Rob Whetter provided the Panel with a detailed presentation of the site and context of the proposal, and Scott Murdoch provided the Panel with details of the proposed landscape plan.

The Panel asked the following questions of clarification:

- where will large delivery trucks load and unload?
  - it would depend on the truck, some would come off the front, other larger ones would come off the lane
- is there street parking in front of this building?
  - yes
- is there a mechanical door for underground parking?
  - yes
- is having a commercial use on the ground floor a requirement?
  - yes
- is there a policy for treatment and design for the back lane?
  - no, not for the rear
- did the applicants consider occupying the roof space of the commercial building? Furthermore, could the balconies on the units that face northward to occupy that space?
  - a lot of housing societies do not provide balconies. The juliette balcony is a good compromise. Often with different amenities between units it becomes an issue
- do you have the depth over the slab to use proper permeable materials for parking?
  - yes
- are the trees on the south side going to be in raised boxes?
  - yes, there are 3 small trees in the bigger planter
- will that be the same situation on the other side?
  - large green screens are being considered for that edge
- what is the design rationale of the character and style of the proposal?
  - the balconies and tall windows provide character, along with the landscape plan. The applicant is looking at a different context from the norm in streetscape as well.

- how high is the fencing for protection?
  - 3 – 4ft. The applicant didn't want to put up huge walls but wanted a barrier as a deterrent
- is the interior space for the meeting room public?
  - no
- do you have a tenant yet for the commercial space?
  - no, the applicant may use this space for their head office
- is there a requirement to have storage units?
  - it is recommended but not required
- is there only one accessible unit per floor?
  - yes
- are any of the accessible units adaptable for future change?
  - no.

Panel members discussed:

- appreciation for the south west facing public patio
- desire for a landscaping buffer by the garbage area
- appreciation for the creative landscaping
- opportunity for raised planters for the trees on north and south side
- desire for the commercial roof space to be accessible
- appreciation of the street treatment of Quadra Street and the rear patio design
- desire to make the rear fence taller for security
- appreciation for the dual façade; however, three front doors may be confusing
- concern about the removal of the large tree in the front
- opportunity for design features to make the back lane a public amenity
- appreciation for the stairs facing the street with windows
- the provision of too much parking, and too little individual unit storage
- the entryway could have a greater visual impact.

**Motion:**

It was moved by Pamela Madoff, seconded by Jason Niles, that the Advisory Design Panel recommend to Council that Application No. 000559 for 2558 Quadra Street be approved with the following considerations:

- incorporating appropriate vertical landscaping in raised containers on the north and south sides of the patio
- enhancing the prominence of the commercial retail unit entrance
- use of roof access from the second-floor units
- reducing the parking and adding dedicated storage for residential units
- review of the relationship between the private and public realm on the west lane side.

**Carried Unanimously**

**Devon Cownden**

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**From:** EDDY ROSSIT [REDACTED]  
**Sent:** Tuesday, September 11, 2018 3:10 PM  
**To:** Development Services email inquiries  
**Subject:** Fwd: Community Notice Proposed Development;

Project#: 2558 Quadra Street.

Sent from my iPhone

Begin forwarded message:

**From:** Development Services email inquiries <[DevelopmentServices@victoria.ca](mailto:DevelopmentServices@victoria.ca)>  
**Date:** September 11, 2018 at 2:46:14 PM PDT  
**To:** EDDY ROSSIT [REDACTED]  
**Subject:** RE: Community Notice Proposed Development;

Good Afternoon Mr. Rossit,

Thank you for taking the time to email in about one of the Community Meetings. Could you please identify which project it is that you support in particular so we are able to add your correspondence to the correct report.

Warm Regards,

**Devon Cownden**

Planning Secretary  
 Sustainable Planning and Community Development  
 1 Centennial Square  
 Victoria, BC V8W 1P6  
 Phone: 250-361-0283  
 Email: [dcownden@victoria.ca](mailto:dcownden@victoria.ca)



**From:** EDDY ROSSIT [REDACTED]  
**Sent:** Tuesday, September 11, 2018 2:30 PM  
**To:** Development Services email inquiries <[DevelopmentServices@victoria.ca](mailto:DevelopmentServices@victoria.ca)>  
**Subject:** Fwd: Community Notice Proposed Development;

Sent from my iPhone

Begin forwarded message:

**From:** EDDY ROSSIT [REDACTED]  
**Date:** September 11, 2018 at 2:26:34  
**Subject:** Community Notice Proposed Development;

Good day, Just letting you know and giving my feedback on the Proposal development and would look to say that I support it. Eddy Rossit, Owner of Suite#105-2560 Wark, Street  
Victoria B.C.  
Sent from my iPhone



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Rezoning & Development  
Permit with Variances  
Application  
for  
2558 Quadra Street



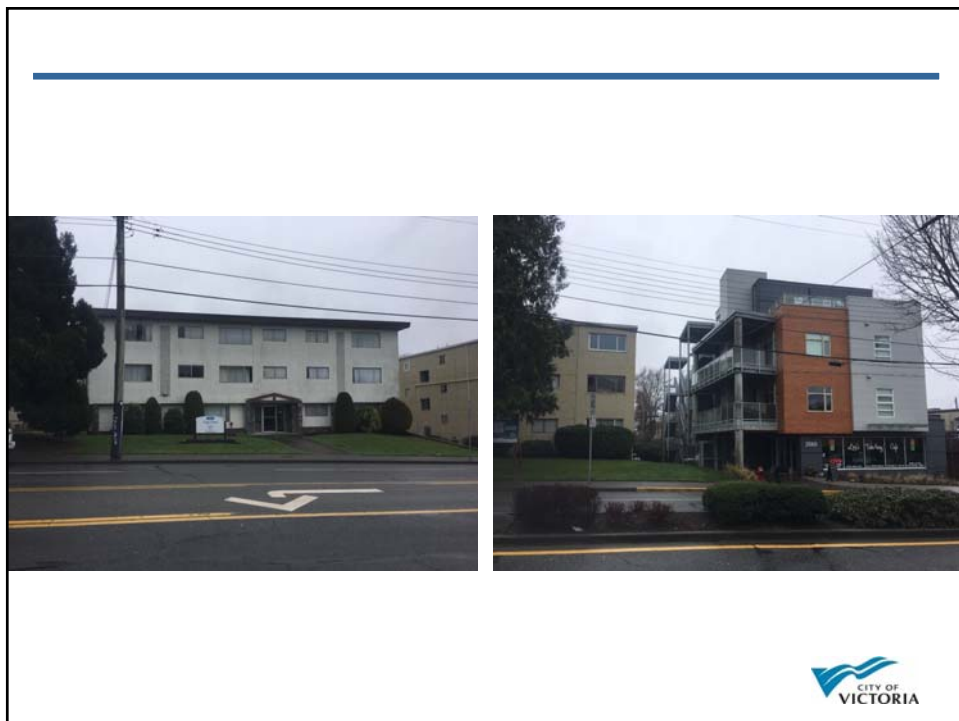
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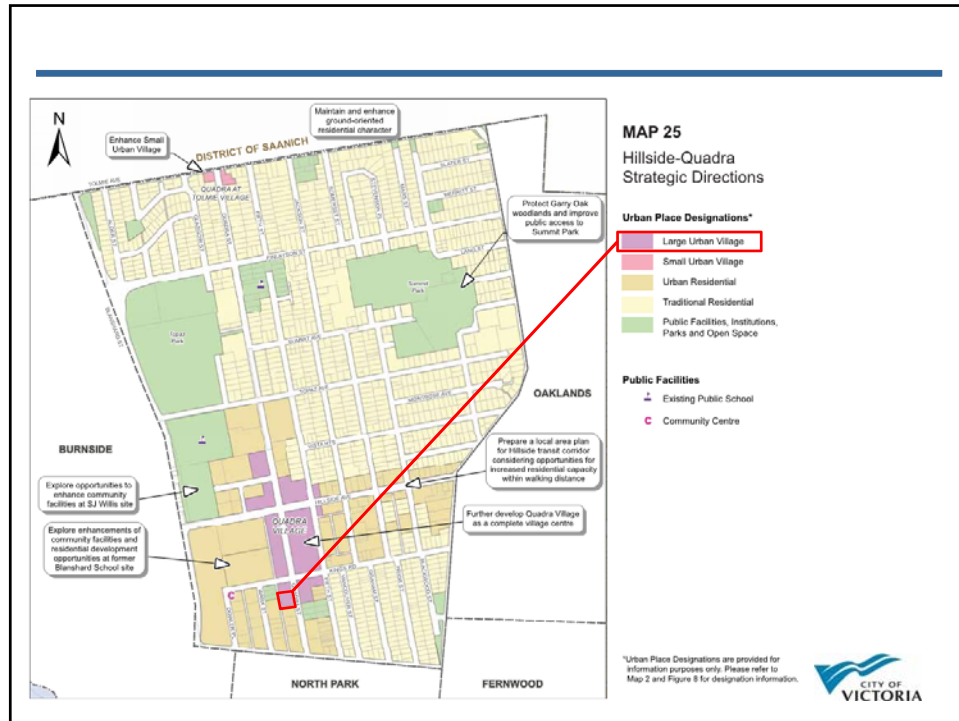
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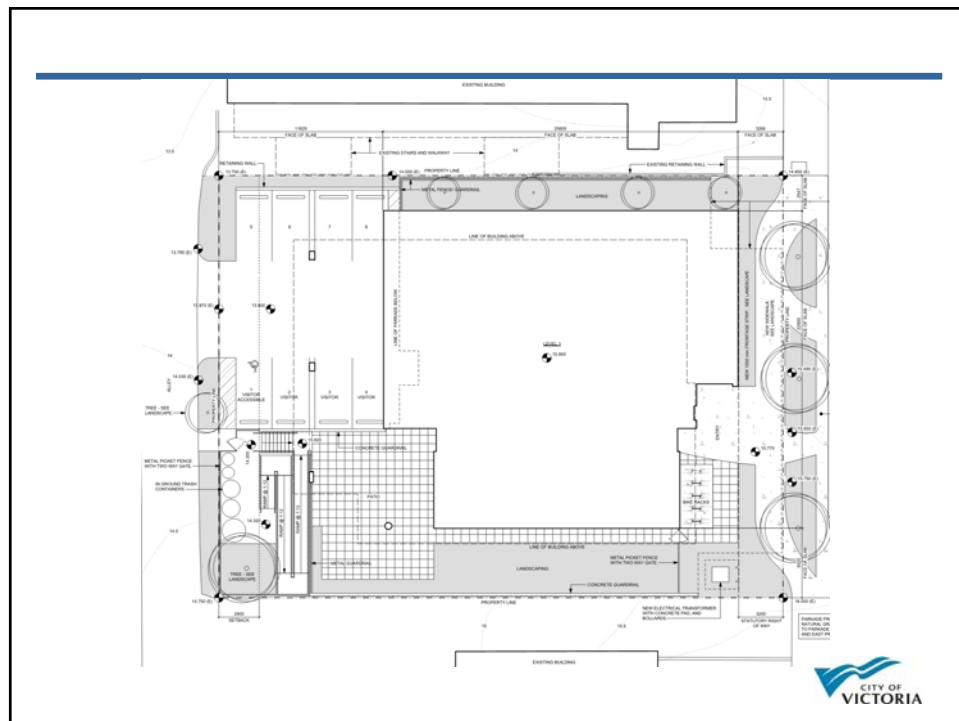
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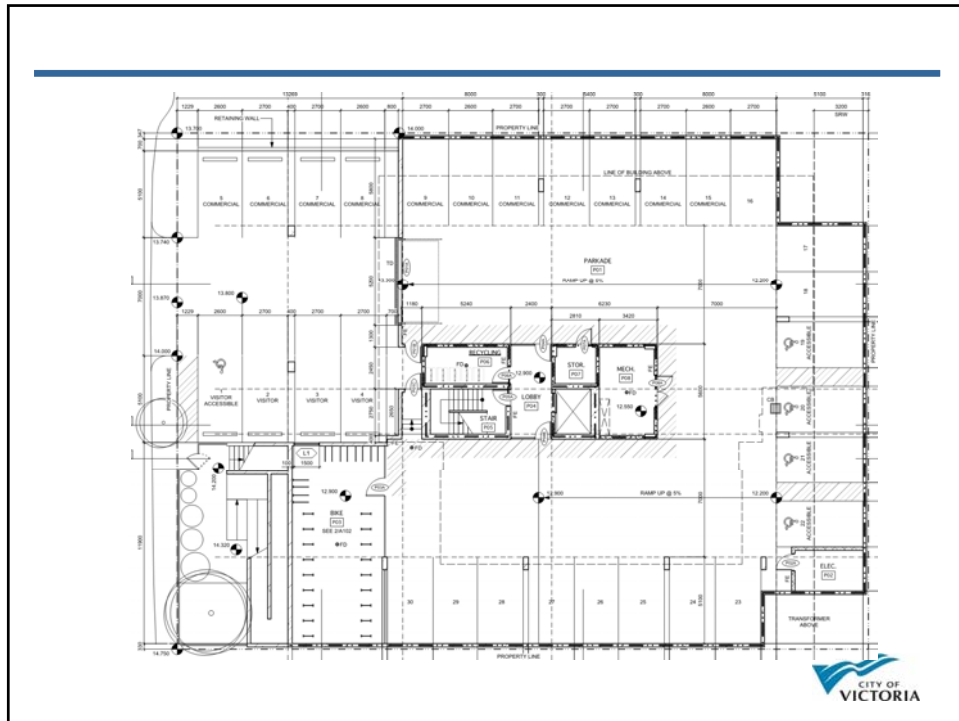
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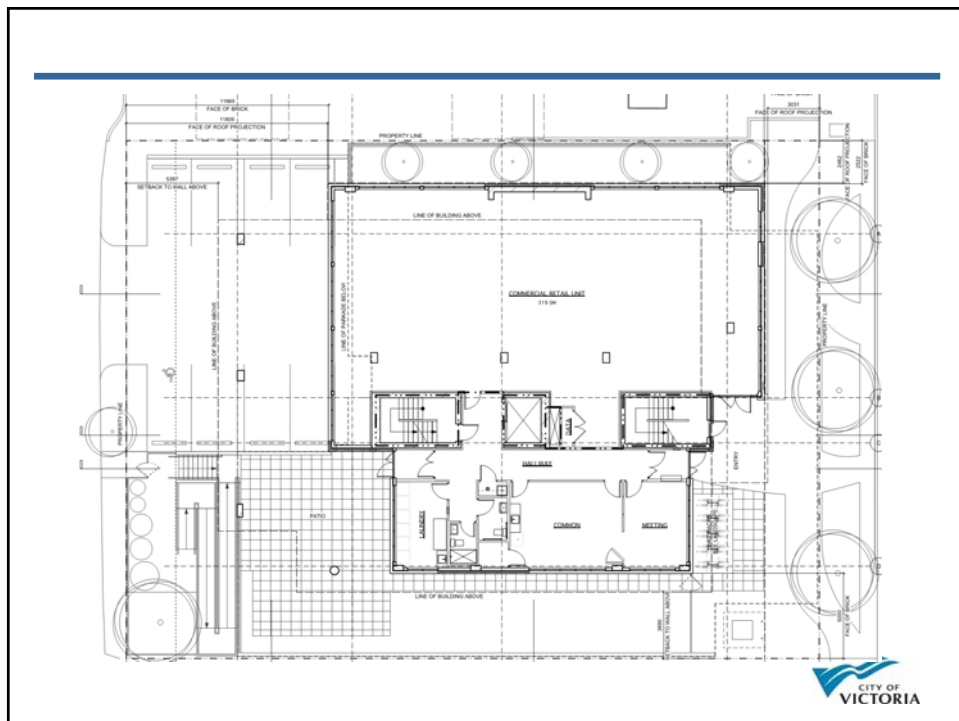
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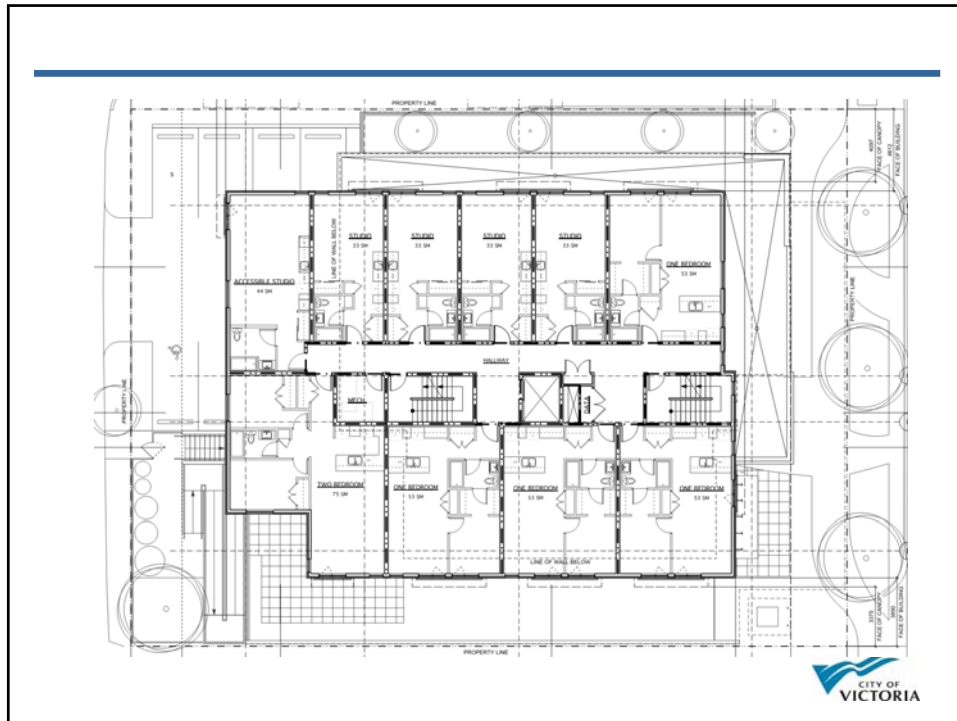
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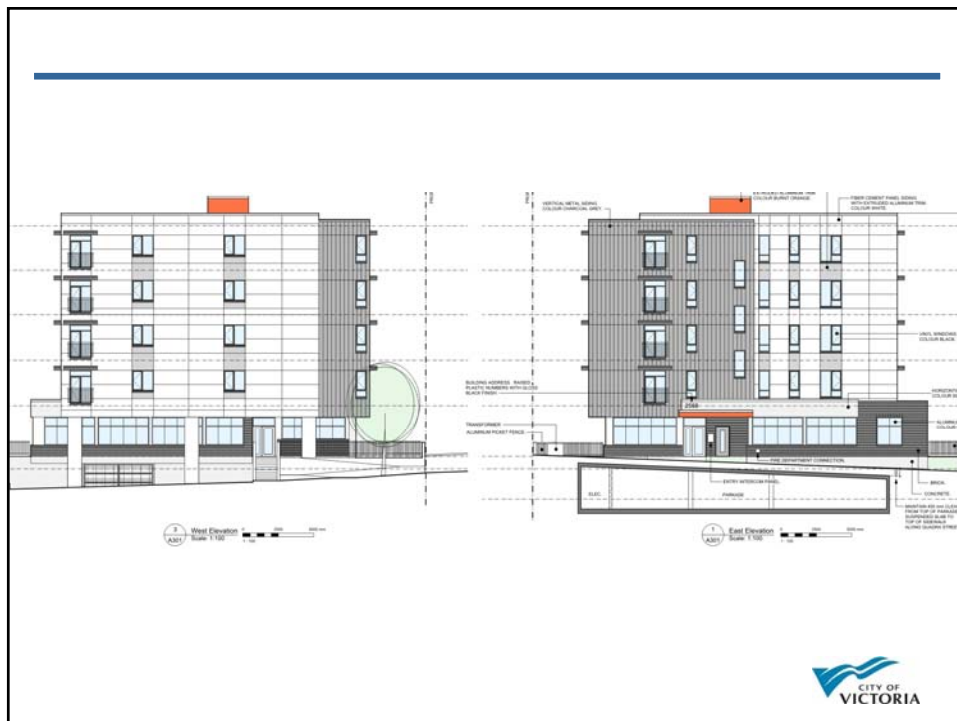
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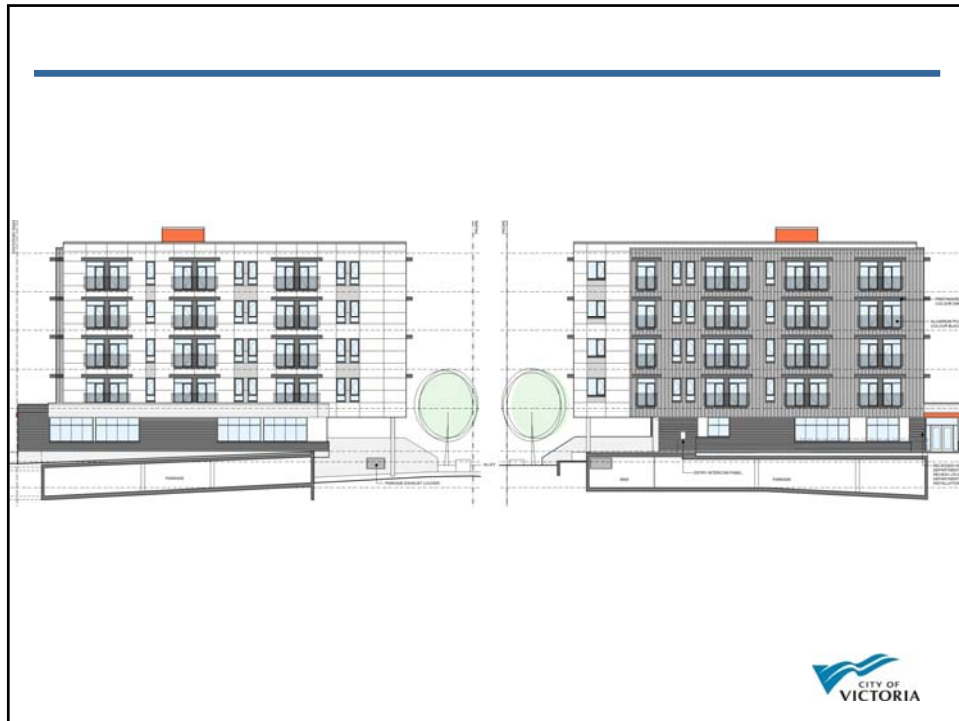


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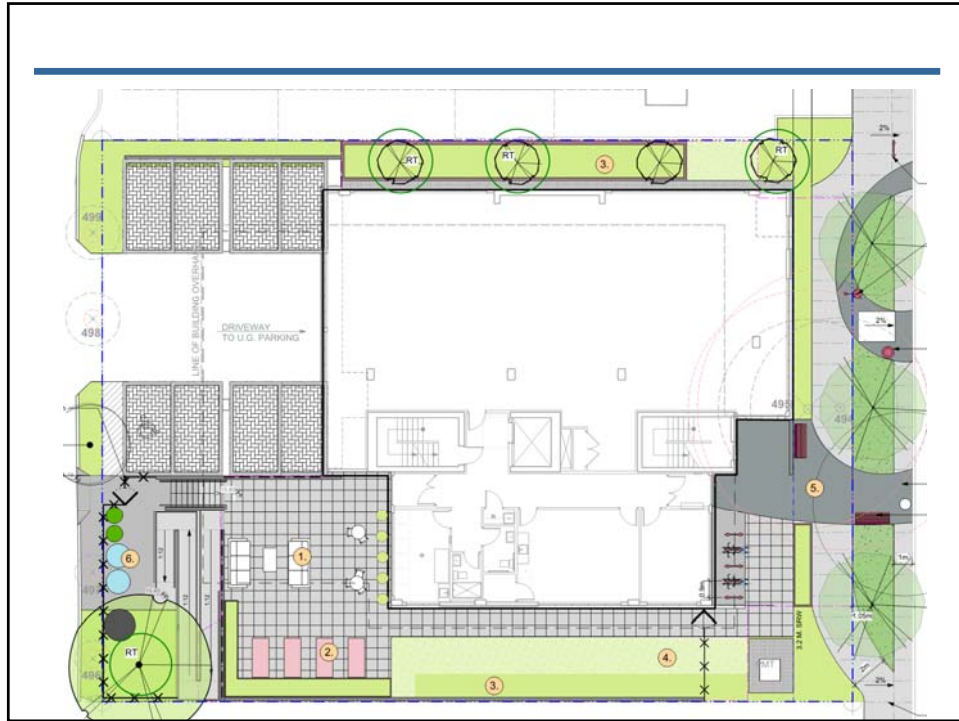




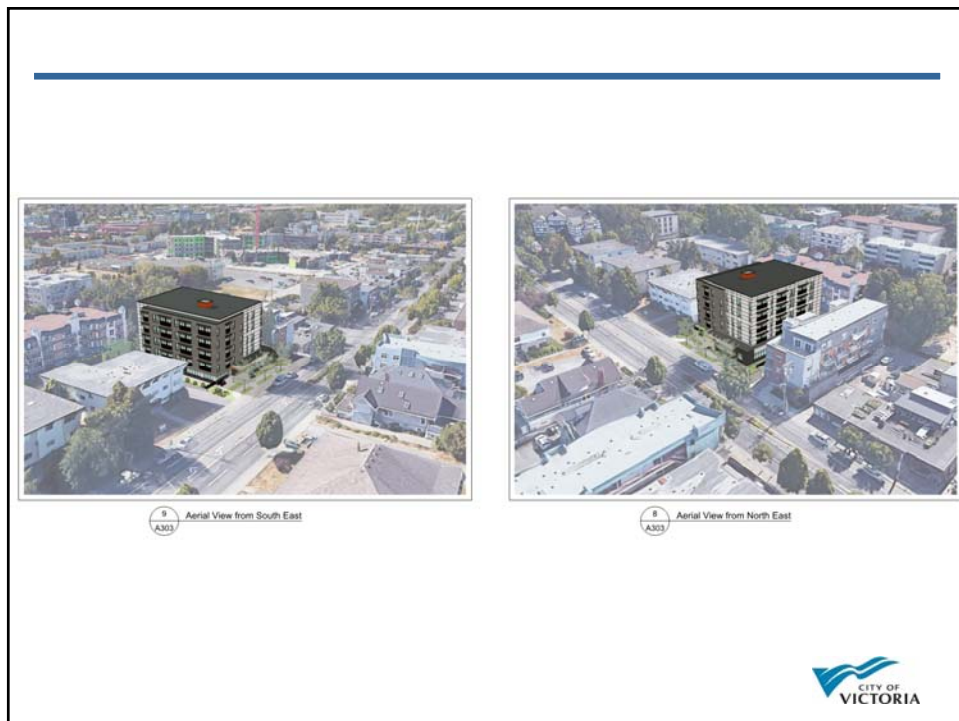
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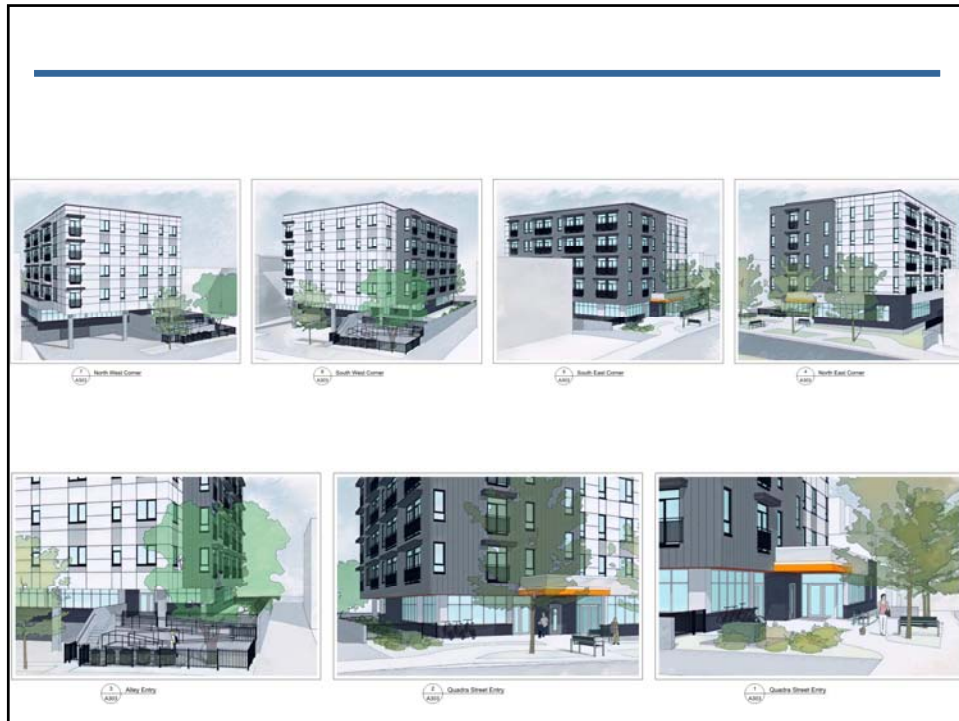
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**Pamela Martin**

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**From:** Hillary Thow [REDACTED] >  
**Sent:** August 26, 2020 5:38 PM  
**To:** Public Hearings  
**Subject:** 2558 Quadra Zoning Regulation Bylaw No. 20-054

Hello,

For the public hearing of 2558 Quadra on the topic of building a five-story affordable rental residential building with ground floor commercial.

I, Hillary Thow, of 209-2520 Wark Street, Victoria, am in support of the item.

I fully support more affordable rentals being built in Victoria.

Thank you,

Hillary Thow  
[REDACTED]

--

Hillary Thow  
[REDACTED]

NO. 20-054

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-QV2 Zone, Quadra Village (2558 Quadra) District, and to rezone land known as 2558 Quadra Street from the C1-QV Zone, Quadra Village District, to the C1-QV2 Zone, Quadra Village (2558 Quadra) 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. 1225)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 4 – GENERAL COMMERCIAL ZONES by adding the following words:  
  
“4.100 C1-QV2 Zone, Quadra Village (2558 Quadra) District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.99 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 2558 Quadra Street, legally described as PID: 005-121-299, Lot A, Section 4, Victoria District, Plan 11029, and shown hatched on the attached map, is removed from the C1-QV Zone, Quadra Village District, and placed in the C1-QV2 Zone, Quadra Village (2558 Quadra) District.

READ A FIRST TIME the	6 <sup>th</sup>	day of	<b>August</b>	2020
READ A SECOND TIME the	6 <sup>th</sup>	day of	<b>August</b>	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 4.100– C1-QV2 ZONE, QUADRA VILLAGE (2558 QUADRA) DISTRICT****4.100.1 Permitted Uses in this Zone**

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

- a. Uses permitted in the C1-QV Zone, Quadra Village District, subject to the regulations set out in Part 4.52 of the Zoning Regulation Bylaw, except as otherwise specified by the regulations of this Part 4.100.

**4.100.2 Total Floor Area, Floor Space Ratio**

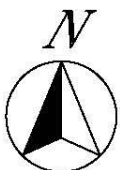
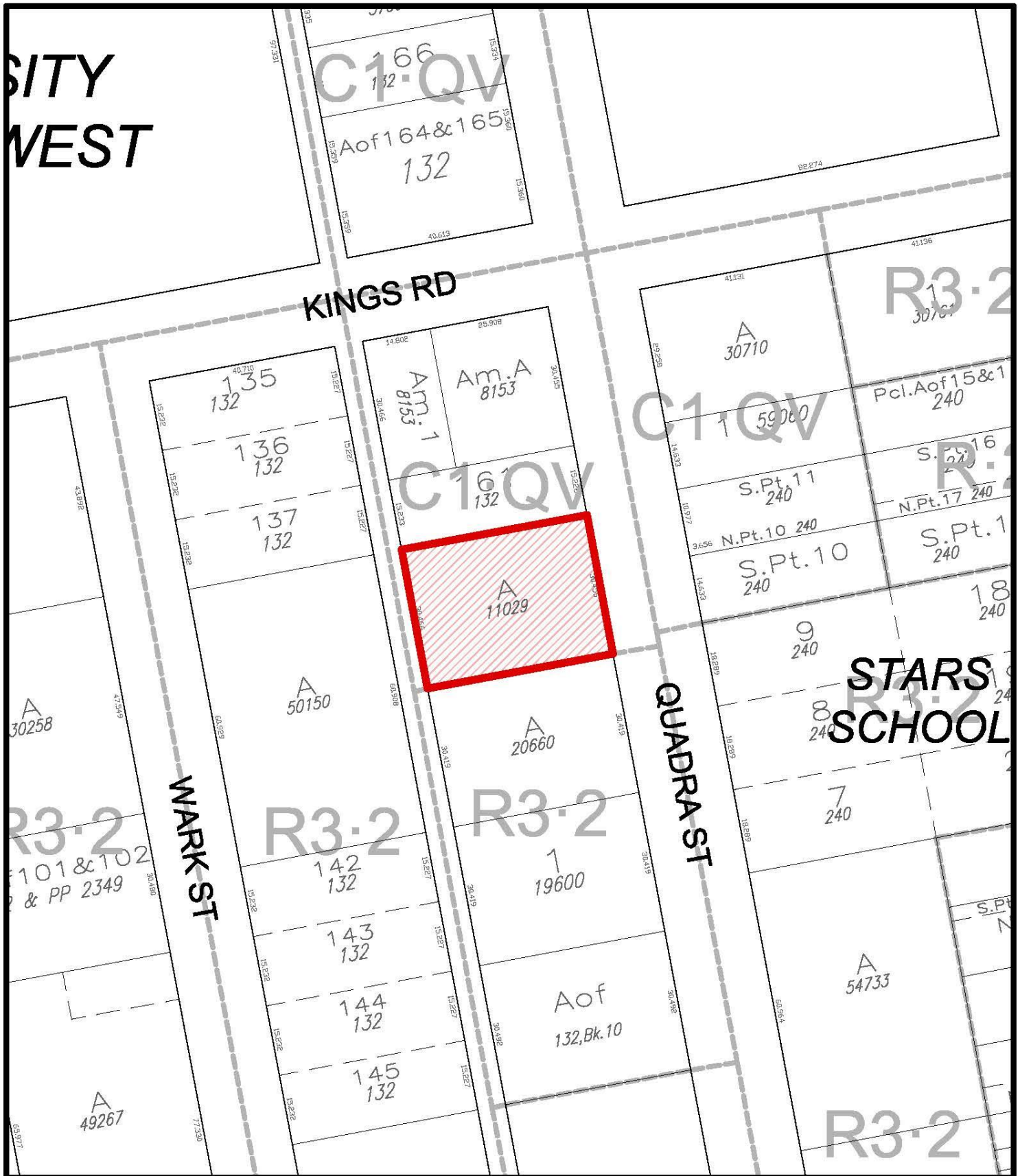
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|---------------------------------------|--------------------|
| a. <u>Total floor area</u> (maximum)  | 2826m <sup>2</sup> |
| b. <u>Floor space ratio</u> (maximum) | 2.28:1             |

**4.100.3 Height, Storeys**

- |                                               |       |
|-----------------------------------------------|-------|
| a. Principal <u>building height</u> (maximum) | 18.15 |
| b. <u>Storeys</u> (maximum)                   | 5     |

**4.100.4 Vehicle and Bicycle Parking**

- |                                                           |                                            |
|-----------------------------------------------------------|--------------------------------------------|
| a. <u>Vehicle parking</u> for all uses combined (minimum) | 30 spaces                                  |
| b. Bicycle parking (minimum)                              | Subject to the regulations in Schedule "C" |



2558 Quadra Street  
Rezoning No.00707

**HOUSING AGREEMENT (2558 QUADRA STREET) BYLAW**  
A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 2558 Quadra Street, Victoria, BC.

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:

**Title**

- 1** This Bylaw may be cited as the "HOUSING AGREEMENT (2558 QUADRA STREET) BYLAW (2020)".

**Agreement authorized**

- 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 Greater Victoria Housing Society, or other registered owners from time to time of the lands described in subsection (c); and
  - (c) that applies to the lands known as 2558 Quadra Street, Victoria, BC, legally described as:  
PID: 005-121-299  
Lot A, Section 4, Victoria District, Plan 11029.

READ A FIRST TIME the                      **6<sup>th</sup>**       day of                      **August**                      2020

READ A SECOND TIME the                      **6<sup>th</sup>**       day of                      **August**                      2020

READ A THIRD TIME the                      **6<sup>th</sup>**       day of                      **August**                      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, B.C. V8W 1P6

(the "City")

AND:

**GREATER VICTORIA HOUSING SOCIETY**2326 Government Street  
Victoria, BC V8T 5G5

(the "Owner")

AND:

**VANCOUVER CITY SAVINGS CREDIT UNION**810 - 815 West Hastings Street  
Vancouver, B.C. V6C 1B4**BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION**1701 - 4555 Kingsway  
Burnaby, B.C. V5H 4V8**CANADA MORTGAGE AND HOUSING CORPORATION**National Office, 700 Montreal Road  
Ottawa, ON K1A 0P7**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 2558 Quadra Street, Victoria, B.C. and legally described as:

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PID: 005-121-299  
 Lot A, Section 4, Victoria District, Plan 11029

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

- D. The Owner has applied to the City to rezone the Lands to permit 40 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:

#### 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 40 unit building consisting of residential housing and related facilities on the Lands;

"**Dwelling Units**" means any or all, as the context may require, of the 40 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 8.3;

"**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

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- (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 for a term of 60 years beginning on the date the City issues a final occupancy permit for the Development, 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.

## **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.

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## **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 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 PRIORITY AGREEMENT**

- 7.1** Vancouver City Savings Credit Union, as the registered holder of a charge by way of a mortgage and assignment of rents against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under numbers CA1899723 and CA1899724, respectively, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with 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.
- 7.2** British Columbia Housing Management Commission, as the registered holder of a charge by way of a mortgage against the Lands, which said charge is registered in the Land Title Office at Victoria, British Columbia, under number CA1654565, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with 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 charge in the same manner and to the same effect as if Notice had been filed prior to the said charge.
- 7.3** Canada Mortgage and Housing Corporation, as the registered holder of a charge by way of a mortgage against the Lands, which said charge is registered in the Land Title Office at Victoria, British Columbia, under number CA8252849, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with 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*,

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this Agreement shall be an encumbrance upon the Lands in priority to the said charge in the same manner and to the same effect as if Notice had been filed prior to the said charge.

## **8.0 GENERAL PROVISIONS**

### **8.1 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:

Greater Victoria Housing Society  
2326 Government Street  
Victoria, BC V8T 5G5

Attention: Executive Director  
Fax: 250-386-3434 \_\_\_\_\_  
Email: info@greatervichousing.org

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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- 8.2 TIME.** Time is of the essence of this Agreement.
- 8.3 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.
- 8.4 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.
- 8.5 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.
- 8.6 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.
- 8.7 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.
- 8.8 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.
- 8.9 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.
- 8.10 ENTIRE AGREEMENT.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 8.11 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.
- 8.12 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.
- 8.13 LAW APPLICABLE.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 8.14 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.

**8.15 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.

**8.16 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.

**8.17 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.

**8.18 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.

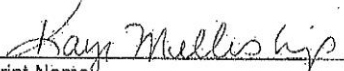
THE CORPORATION OF THE CITY OF )  
VICTORIA by its authorized signatories: )

\_\_\_\_\_)  
Karen Hoese, Director of Sustainable Planning )  
and Community Development )

Date signed: \_\_\_\_\_ )




GREATER VICTORIA HOUSING SOCIETY  
by its authorized signatory(ies):

  
Print Name: Kaye Melliship

Print Name: \_\_\_\_\_

Date signed: July 9, 2020

VANCOUVER CITY SAVINGS CREDIT UNION  
by its authorized signatory(ies):

  
Print Name: Abby Palaez  
Loan Security Coordinator  
Community Business & Investment

Print Name: \_\_\_\_\_

Date signed: July 15, 2020

BRITISH COLUMBIA HOUSING MANAGEMENT  
COMMISSION  
by its authorized signatory(ies):

Print Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date signed: \_\_\_\_\_

{00014619:4}

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**GREATER VICTORIA HOUSING SOCIETY**

by its authorized signatory(ies):

Kaye Melliship  
 Print Name: \_\_\_\_\_

Kaye Melliship  
 Print Name: \_\_\_\_\_

Date signed: July 9, 2020

**VANCOUVER CITY SAVINGS CREDIT UNION**

by its authorized signatory(ies):

\_\_\_\_\_  
 Print Name: \_\_\_\_\_

\_\_\_\_\_  
 Print Name: \_\_\_\_\_

Date signed: \_\_\_\_\_

**BRITISH COLUMBIA HOUSING MANAGEMENT COMMISSION**

by its authorized signatory(ies):

Abbas Barodawalla  
 Print Name: Abbas Barodawalla

Sara Goldvine  
 Print Name: Sara Goldvine

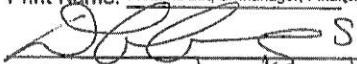
Date signed: July 22, 2020

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CANADA MORTGAGE AND HOUSING  
CORPORATION  
by its authorized signatory(ies):



Print Name: Frederic Blit, Sr Manager, Financing Operations



Print Name: Jim Langis, Counsel

Date signed: July 14 2020

{00014619;4}

## Pamela Martin

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**From:** Council Secretary  
**Subject:** FW: Thank you for your submission - City of Victoria - Address Council Form

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**From:** April McNeil [REDACTED]  
**Sent:** September 3, 2020 12:41 PM  
**To:** Council Secretary <councilsecretary@victoria.ca>  
**Subject:** Re: Thank you for your submission - City of Victoria - Address Council Form

Thank you. Can you please post the following:

As a resident of Victoria and the Fairfield neighbourhood, I am appalled at the state of our city parks. I am a single mother who works from home full time and lives across the street from Hollywood Park. Myself and my community have watched/reported the increase of crime, bylaw offences, dangerous and belligerent behaviour spiral out of control. We have had many offences and encounters with those sheltering in Hollywood Park, and we are concerned. As a community we have come together to collect these incidents here: <https://datastudio.google.com/u/0/reporting/8c194a84-bc5c-4271-802c-9706bde57ce2/page/OHEeB> . This is just a small glimpse of the impact sheltering is having on our community and our families.

We would like to see consultation with adjacent residents, communication as to resources and help, a sheltering and community liaison, as well as an amendment to the parks bylaw to include a 50m sheltering restriction from playgrounds and high traffic play space adjacent to sporting fields.

Thank you,

April McNeil

September 2, 2020

By email: mayorandcouncil@victoria.ca

Dear Mayor and Council

Re: Hazards to child safety and the need for safe schoolgrounds at – and access to –South Park School

We are parents of a young child that is currently registered at the South Park School. We are writing concerning hazards that are jeopardizing child safety in the vicinity of South Park School that have arisen in recent months. As you know from other parents and citizens, there have been a number of incidents in and immediately around the school area that constitute real hazards and safety concerns for Victoria's children, including ours. Without action by the city, events we have experienced with our children and that have heard about from other South Park parents make us concerned that the risks to child health and safety are becoming untenable and too great to ignore.

At present, the City's decision to encourage the existence and continued growth of the homeless encampment at Beacon Hill Park is having the unfortunate effect of compromising the safety of young children in our community, and the safety of South Park school grounds.

To elaborate, the safety of schoolgrounds at South Park Elementary are being degraded by the hazards and safety risks associated with found needles, drug paraphernalia, broken glass, vandalism, human feces and litter. Our 5 year old has been subject to individuals exposing themselves in the area we use to access South Park School from Beacon Hill Park and our family has experienced verbal harassment when transiting the area on designated routes. On top of these hazards, young children in our community are losing the availability for safe outdoor space for physical distancing in Beacon Hill Park, something that is important for preventing COVID.

Young children returning to school in the age of COVID-19 should not have to worry about the lack of safe outdoor space for physical distancing at school or have to deal with preventable hazards such as indecent exposure, broken glass in the school yard, vandalism and risks from needles. They should not have to ask why the windows on their school have been broken on multiple occasions and whether that means that their school is unsafe.

Now is a critical time for action given that school is set to begin in early September and recent incidents confirm that the encampment is compromising our ability to ensure the safety of South Park elementary school grounds. Respectfully, the city has clear authority and jurisdiction to address these hazards without waiting for provincial or federal action.

We understand that the City will be considering amendments to the Parks Regulation Bylaw to put into place a buffer zone of approximately 50 meters around South Park School to mitigate some of the documented negative effects and hazards that have emerged since the city stopped enforcing its existing bylaw that prevents continuous camping in Beacon Hill Park. While we fully support proceeding expeditiously with a bylaw amendment to create a buffer (shelter-free)



zone in the portion of Beacon Hill Park near South Park School, we are concerned that the proposal may not be defined with sufficient precision and, as a result, may not achieve its intended purpose of mitigating negative effects and hazards that currently exist. We are also concerned that allowing the encampment to persist along the western side of Beacon Hill Park may not sufficiently reduce the ongoing health and safety risks to young children or the sufficiently improve the safety of the South Park schoolgrounds. For example, moving the encampment a few metres away will not reduce the mobility or habits of those with addictions challenges from accessing South Park schoolgrounds.

We urge you as Mayor and Council to act expeditiously to take all available action to prevent further, foreseeable hazards to young children and to reverse the adverse effects (needles, broken glass, drug/needle paraphernalia) that have resulted from the current situation in Beacon Hill Park.

At a minimum, the buffer (or shelter-free zone) in the proposed bylaw amendments must:

1. be defined to include the entire length of South Park as that area is used by South Park School for recess and outdoor learning pursuant to a licencing agreement between the City and School District 61 (in other words, extending the shelter-free zone in BHP along the entirety of South Park School and South Park to the corner of Toronto and Douglas rather than treating the buffer zone for South Park School as ending at the corner of Michigan and Douglas); and
2. given the specific contours of Beacon Hill Park across from South Park School and South Park, create a buffer along South Park School that is no less than 60metres, but preferably something closer to 100metres.

In closing, we fully support the timely amendment of the Parks Regulation Bylaw in a manner that is properly defined and scoped to create an effective buffer (shelter-free) zone along South Park School and the areas it uses for recess and outdoor learning under the licencing agreement with the City. While we believe that additional actions by the city are likely needed to reduce the hazards and safety risks that city staff have identified within Beacon Hill Park, a 60-100metre buffer (shelter-free) zone in Beacon Hill Park across from South Park school that extends to the corner of Toronto and Douglas is an essential and immediate step the city must take to start reducing current risks to young children using Beacon Hill Park to access South Park School and those attending the school.

Sincerely,

Mark Gustafson and Jaela Shockey

cc: Carmen Gauvreau, Principal of South Park School  
Richard Fleming, parents' advisory committee  
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