



Thursday, January 14, 2021

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

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

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*E.1.b.a. Use of Parking Lot at 940 Caledonia Ave for Transitional Tiny Home Community

Pending approval at COTW

*E.1.b.b. Council Committee and Neighbourhood Liaison Appointments

*E.1.b.c. Emergency Social Services Grant - Meegan Community Care Tent

F. BYLAWS

*F.1. Bylaw for 1224 Richardson Street: Rezoning Application No. 000705

32

A report recommending:

- 1st and 2nd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1244) No. 21-013
- 1st, 2nd, and 3rd readings of:
 - Housing Agreement (1224 Richardson Street) Bylaw (2021) No. 21-014

The application is ready to proceed to Public Hearing and proposes to allow for an increase in density and three multiple dwelling buildings.

F.2. Bylaw for 956 Heywood Avenue: Development Permit with Variances Application No. 00126

211

A report recommending:

- 1st, 2nd and 3rd readings of:
 - Housing Agreement (956 Heywood Avenue) Bylaw (2021) No. 21-005

The application is ready to proceed to an Opportunity for Public Comment and

proposes to construct a 4-storey multiple dwelling building with variances.

F.3. Bylaw for Council Remuneration Amendment Bylaw

222

A report recommending:

- **Adoption of :**
 - Council Remuneration Amendment (No. 1) Bylaw No. 21-015

The purpose of this bylaw is to amend the Council Remuneration Bylaw.

F.4. Bylaw for Temporary Borrowing, 2021

223

A report recommending:

- **Adoption of:**
 - Temporary Borrowing Bylaw, 2021 No. 21-004

The purpose of this Bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

F.5. Bylaw for Park Dedication (1850 Leighton Road)

225

A report recommending:

- **Adoption of:**
 - Park Dedication (1850 Leighton Road) Bylaw No. 21-009

The purpose of this bylaw is to dedicate lands known as 1850 Leighton Road for park purposes.

G. NEW BUSINESS

G.1. 2020 By-Election Results

226

A report providing information on the 2020 By-Election Results.

H. CLOSED MEETING

MOTION TO CLOSE THE JANUARY 14, 2021 COUNCIL MEETING TO THE PUBLIC

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

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

- *Section 90(1)(c) labour relations or other employee relations.; and*
- *Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public*

I. APPROVAL OF CLOSED AGENDA

J. READING OF CLOSED MINUTES

***J.1. Minutes from the Closed Committee of the Whole Meeting held November 12, 2020**

***J.2. Minutes from the Closed Council Meeting held November 12, 2020**

K. UNFINISHED BUSINESS

L. CORRESPONDENCE

M. NEW BUSINESS

M.1. Municipal Service - Community Charter Section 90(1)(k)

M.2. Employee Relations - Community Charter Section 90(1)(c)

M.3. Employee Relations - Community Charter Section 90(1)(c)

N. CONSIDERATION TO RISE & REPORT

O. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

November 12, 2020, 3:07 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

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

Due to the COVID-

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

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Dubow, Councillor Potts, Councillor Thornton-Joe, Councillor Young

ABSENT: Councillor Isitt, Councillor Loveday

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Director of Finance, P. Bruce - Fire Chief, C. Coates - City Clerk, T. Soulliere - Director of Parks, Recreation & Facilities, T. Zworski - City Solicitor, B. Eisenhauer - Head of Engagement, K. Hoese - Director of Sustainable Planning and Community Development, C. Havelka - Deputy City Clerk, C. Mycroft - Manager of Executive Operations, AK Ferguson - Committee Secretary

B. APPROVAL OF AGENDA

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the agenda be approved

Amendment:

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That the Committee of the Whole Report from November 12, 2020 be added to the agenda.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

C. READING OF MINUTES

C.1 Minutes from the daytime meeting held October 15, 2020

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

That the minutes from the daytime meeting held October 15, 2020 be adopted.

CARRIED UNANIMOUSLY

D. PROCLAMATIONS

D.1 "Rising Economy Week" - November 16 - 20, 2020

Moved By Councillor Alto
Seconded By Councillor Dubow

That the following proclamation be endorsed:

- Rising Economy Week - November 16 - 20, 2020

CARRIED UNANIMOUSLY

D.2 "Day of Awareness for Survivors of Financial Abuse and Economic Injustice" - November 26, 2020

Moved By Councillor Alto
Seconded By Councillor Potts

That the following proclamation be endorsed:

- Day of Awareness for Survivors of Financial Abuse and Economic Injustice - November 26, 2020

CARRIED UNANIMOUSLY

D.3 "Orange Days: End Violence Against Women and Girls" – November 25, 2020 to December 10, 2020

Council discussed:

- *Whether it is possible to light up the fountain or City Hall in orange.*

Moved By Councillor Thornton-Joe
Seconded By Councillor Alto

That the following proclamation be endorsed:

- Orange Days: End Violence Against Women and Girls - November 25, 2020 to December 10, 2020

CARRIED UNANIMOUSLY

D.4 "World Diabetes Day" – November 14, 2020

Council (to follow COTW)
November 12, 2020

Moved By Councillor Thornton-Joe
Seconded By Councillor Dubow

That the following proclamation be endorsed:

- World Diabetes Day - November 14, 2020

CARRIED UNANIMOUSLY

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the November 5, 2020 COTW Meeting

F.1.a.a 611 and 629 Speed Avenue -Development Variance Permit No. 00243 (Burnside)

Moved By Councillor Alto
Seconded By Councillor Thornton-Joe

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. 00243 for 611 and 629 Speed Avenue, in accordance with:

1. Plans date stamped October 14, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the site area of proposed strata lot 1 from 5340m² to 2112m²;
 - ii. reduce the site area of proposed strata lot 2 from 5340m² to 3237m²;
 - iii. reduce the required number of residential parking spaces from 65 to 16 for strata lot 1;
 - iv. reduce the required number of visitor parking spaces from 7 to 4 for strata lot 1.
3. The applicant must provide two car share vehicles, two designated car share parking spaces with energized electrical outlets each capable of 240 volts and 30 amps, 100 car share memberships and usage credits in Phase 1, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

**F.1.a.b 1002 Vancouver Street: Development Permit with Variance
Application No. 00154 (Fairfield)**

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with a Variance Application No. 00154 for 1002 Vancouver Street, in accordance with:

1. Plans date stamped August 19, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.65 metres to 0.3 metres
 - ii. reduce the minimum parking requirement from 31 spaces to 10 spaces *Development Variance Permit Application No. 00195 reduced the parking requirement from 21 spaces to 12 parking spaces
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

F.1.a.c Equity Workshop - Update, Community Profile, Next Steps

Moved By Councillor Dubow
Seconded By Councillor Alto

That Council receive this report for information.

CARRIED UNANIMOUSLY

F.1.a.d 1133 Fort Street: Rezoning Application No. 00727 (Fairfield)

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and

second reading of the Zoning Regulation Bylaw Amendment and Land Use Contact Discharge Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

F.1.a.e 1628 Edgeware Road: Rezoning Application No. 00726 and Development Permit with Variances Application No. 00138 (Oaklands)

Moved By Councillor Potts

Seconded By Councillor Alto

Rezoning Application No. 00726

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00726 for 1628 Edgeware Road, 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 a legal agreement to secure operational details including staffing and services offered, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation and execution of a statutory right-of-way of 1.18m along the rear lane, to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variances Application No. 00138

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. 00726, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00138 for 1628 Edgeware Road, in accordance with:

1. Plans date stamped October 5, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 7.5m to 6.75m
 - ii. reduce the rear yard setback from 9.14m to 8.3m
 - iii. reduce the combined side yard setbacks from 4.5m to 3.04m
 - iv. increase the site coverage from 40% to 41.4%
 - v. reduce the required vehicle parking from 6 stalls to 1 stall.
3. Registration of legal agreements on the property's title to secure the operation of the rest home facility, to the satisfaction of the Director of Sustainable Planning and Community Development.

4. Final plans to be generally in accordance with plans date stamped October 5, 2020.
5. The Development Permit lapsing two years from the date of this resolution."

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

OPPOSED (1): Councillor Thornton-Joe

CARRIED (5 to 1)

F.1.a.f 1834 Stanley Avenue: Work Without Permit - Bylaw File #156641

Moved By Councillor Potts

Seconded By Councillor Young

1. That the Council direct the City Clerk to file a notice in the Land Title Office in relation to a property located at 1834 Stanley Avenue, legally described as *SECTION 75 VICTORIA PLAN VIP206 PARCEL B, E PT LOTS 14/15/16 HERITAGE DESIGNATION* indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

FOR (5): Mayor Helps, Councillor Dubow, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Alto

CARRIED (5 to 1)

F.1.a.g 2021-2025 Draft Financial Plan

Moved By Councillor Potts

Seconded By Councillor Dubow

That Council receive this report for information and give further consideration on November 30, 2020.

CARRIED UNANIMOUSLY

F.1.a.h Council Member Motion: Extended Hours for Showers and Washrooms

Councillor Thornton-Joe advised she is still waiting for BC Housing and Island Health. She noted that Our Place will proceed with the initiative as there is a fundraising effort available.

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the City continue to provide funding to Our Place through Emergency Management BC for shower services and to seek funding from Island Health and BC Housing to extend services to provide showers from 8am to 9pm daily.

That staff report back to Council should Emergency Management BC indicate that it intends to withdraw its funding.

CARRIED UNANIMOUSLY

F.1.a.i Council Member Motion: Access to Transit

Moved By Councillor Potts

Seconded By Councillor Dubow

1. That the City of Victoria allocate up to \$2812.50 per month to the Community Social Planning Councils BC Transit Ticket Assistance Program, from the financial stability reserve, for the provision of transit fare for persons sheltering outdoors.
2. That the City of Victoria work with the Coalition to End Homelessness, the Community Social Planning Council, and existing distributors to determine a distribution plan for transit fare.
3. That this funding allocation be reviewed in 3 months time.

CARRIED UNANIMOUSLY

F.1.b Report from the November 12, 2020 COTW Meeting

F.1.b.e Council Member Motion: Funding for Sanctuary Youth Centre

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That staff report back on availability of funding to provide \$27,490 to fund the Sanctuary Youth Drop In for an additional 3 hours on days that they are currently open and to provide funds for a day shelter in the event of extreme weather.

Councillor Loveday joined the meeting at 3:30 pm.

Amendment:

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

That staff report back on availability of funding to provide \$27,490 **be allocated from the Financial Stability Reserve** to fund the Sanctuary Youth Drop In for an additional 3 hours on days that they are currently open and to provide funds for a day shelter in the event of extreme weather.

CARRIED UNANIMOUSLY

On the main motion as amended:

CARRIED UNANIMOUSLY

F.1.b.b1908, 1916, and 1920 Oak Bay Avenue - Update to Rezoning Application No. 00694 and Development Permit with Variances Application No. 000551

Moved By Councillor Thornton-Joe

Seconded By Councillor Potts

Rezoning Application No. 00694

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00694 for 1908, 1916, and 1920 Oak Bay Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements to:
 - a. ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. \$25,000 towards the construction of a crosswalk
 - ii. one car share membership per dwelling unit
 - iii. one car share membership per commercial unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. electric vehicle conduits for all underground parking stalls
 - vi. four electric vehicle charging stations
 - vii. 24 electric bike charging stations
 - viii. one bicycle repair station;

- c. secure a Statutory Right-of-Way of 3.35 meters along the Oak Bay Avenue to the satisfaction of the Director of Engineering and Public Works; and
- d. to secure the following, to the satisfaction of the Director of Engineering and Public Works:
 - i. public realm improvements to Oak Bay Avenue and Redfern Street; and
 - ii. removal and disposal of existing storm drain main along the frontage in its current alignment, including excavation, backfill above the spring line of the new pipe, and surface restoration.

Development Permit with Variances Application No. 000551

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. 00694, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 000551 for 1908, 1916, and 1920 Oak Bay Avenue, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front setback (south) for the upper storeys from 6.00m to 2.30m;
 - ii. reduce the rear setback (north) from 6.00m to 5.30m;
 - iii. reduce the interior lot line setback (west) for the second and third storeys from 2.40m to 1.00m;
 - iv. reduce the interior lot line setback (west) for the second storeys from 2.40m to 0.15m for planter boxes;
 - v. reduce the flanking street setback (east) from 2.40 m to 0.35m;
 - vi. reduce the number of commercial vehicle parking spaces from 26 to 10;
 - vii. reduce the number of residential vehicle parking spaces from 44 to 43;
 - viii. increase the distance between entrances and the short term bicycle parking from 15m to 48.1m;
 - ix. increase the number of storeys from 4 to 5;
 - x. increase the height from 15m to 17.68m.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

G. BYLAWS

G.1 Bylaw for 324/328 Cook Street and 1044, 1048, and 1052/1054 Pendergast Street: Rezoning Application No. 00634 and Development Permit with Variance Application No. 000527

Moved By Councillor Young
Seconded By Councillor Alto

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 20-081 (Amendment No. 1233), and give first, second and third readings of Housing Agreement (324 Cook Street) Bylaw No. 20-082.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 Short Term Rental Business Licence Appeal Hearings

H.1.a Short Term Rental Appeal Hearing: 7-290 Superior Street

Council received a report dated November 5, 2020 from the City Clerk regarding the Short Term Business License Appeal for 7-290 Superior Street.

Councillor Potts recused herself from the meeting at 3:41 p.m. as her house is in close proximity to the residence in question.

The City Clerk outlined the process of compiling the information that comes before Council.

The Mayor outlined the process for the hearing before council.

Council discussed:

- *The owner advertising the suite as a self-contained suite, which goes against our bylaw.*
- *It was noted that there is no cooking stove or fridge, and therefore making it unsuitable for the rental market.*

Moved By Councillor Young
Seconded By Councillor Thornton-Joe

That Council allow the reconsideration request of Jessica Tatlow and direct issuance of the 2020 short-term business licence for the premises at 7 - 290 Superior Street.

FOR (4): Mayor Helps, Councillor Loveday, Councillor Thornton-Joe, and Councillor Young

OPPOSED (2): Councillor Alto, and Councillor Dubow

CARRIED (4 to 2)

Councillor Potts rejoined the meeting at 4:05 pm.

H.1.b Short Term Rental Appeal Hearing: 42 Moss Street

Council received a report dated November 5, 2020 from the City Clerk regarding the Short Term Business License Appeal for 42 Moss Street.

The City Clerk outlined the process of compiling the information that comes before Council.

The Mayor outlined the process for the hearing before Council.

Council discussed:

- *That the property is clearly advertised as a functioning two-bedroom suite.*

Moved By Councillor Loveday

Seconded By Councillor Potts

That Council deny the reconsideration request of Birute Curran and uphold the Licence Inspectors decision to deny a short-term rental business licence for premises at 42 Moss Street.

CARRIED UNANIMOUSLY

I. CLOSED MEETING

Moved By Councillor Potts

Seconded By Councillor Young

MOTION TO CLOSE THE NOVEMBER 12, 2020 COUNCIL MEETING TO THE PUBLIC

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

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

- *Section 90(1)(c) labour relations or other employee relations;*
- *Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and*
- *Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

CARRIED UNANIMOUSLY

J. APPROVAL OF CLOSED AGENDA

K. READING OF CLOSED MINUTES

N. NEW BUSINESS

N.1 Legal Advice - Community Charter Section 90(1)(i)

This item was deferred.

N.2 Legal Advice - Community Charter Section 90(1)(i)

Council discussed a Legal Advice matter.

The motion was recorded and kept confidential.

N.3 Law Enforcement - Community Charter Section 90(1)(f)

Council discussed a Law Enforcement matter.

The motion was recorded and kept confidential.

All staff, except the City Manager, were excused at 3:42 p.m.

N.4 Employee Relations - Community Charter Section 90(1)(c)

Council discussed an Employee Relations matter.

P. ADJOURNMENT

Moved By Councillor Loveday

Seconded By Councillor Potts

That the Council meeting adjourn.

Time: 4:07. p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JANUARY 7, 2021

For the Council meeting of January 14, 2021, the Committee recommends the following:

F.1 727 Yates Street - Tax Incentive Program Application No. 00031 (Downtown)

1. That Council instruct the City Solicitor to prepare a Tax Exemption Bylaw for 727 Yates Street for 9.08% of assessed value for 10 years, pursuant to Section 225 of the Community Charter, with the following conditions:
 - a. that the tax exemption take effect no earlier than 2022, after the expiry of the tax exemption for 719, 721-725 Yates Street, approved under bylaw 18-062
 - b. that a covenant identifying the tax exemption be registered on the title of the property and any possible future strata titles
 - c. that the final costs of seismic upgrading be verified by the Victoria Civic Heritage Trust.
2. That Council authorize amendments to the front façade rehabilitation strategy approved under Heritage Alteration Permit with Variances No. 00008, in accordance with Drawing H.1 by Studio One Architecture Inc., date stamped November 30, 2020.

G.5 Appointment of Bylaw Officer - Chris Goldsmith

That Council approve the appointment of Chris Goldsmith

1. As a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); and
2. As a Business Licence Inspector for the City of Victoria

G.6 Appointment of Bylaw Officer - Amy Acheson

That Council approve the appointment of Amy Acheson

1. As a Bylaw Officer pursuant to section 2(a) of the Inspection Bylaw (06-061); and
2. As a Business Licence Inspector for the City of Victoria

E.2 Greater Victoria Harbour Authority - Update on GVHA and draft 2019/2020 Financial Statements

That Council receive this report for information.

G.1 Heritage Property Tax Exemptions – Summary of Exemptions since 2006

That Council receive this report for information.

G.2 Investing in Canada Infrastructure Program – Grant Funding Application

That Council:

1. Direct staff to submit a grant application for up to \$2.1 million in funding for the Government Street North Bicycle Master Plan Project from the Investing in Canada Infrastructure Program (ICIP) - COVID-19 Resilience Infrastructure Stream (CVRIS).
2. If the grant application is approved, authorize the City entering into a shared cost agreement with the Province of British Columbia, generally described in this report, on the terms acceptable to the Director of Finance and the Director of Engineering and Public Works and in a form acceptable to the City Solicitor.

G.3 Motor Vehicle Act Pilot – Reduced Default Speed Limits on Local Roads

That Council:

Direct staff to finalize any outstanding stakeholder engagement, pending approval of resources through the 2021 Financial Planning process, and prepare an application to participate in the Motor Vehicle Act Pilot Program to reduce default speed limits on local roads without a continuous centre line in the City of Victoria from 50 km/hr to 30 km/hr as per the 2019 – 2022 Strategic Plan.



VICTORIA CITY COUNCIL TO FOLLOW COMMITTEE OF THE WHOLE

MEETING OF THURSDAY, JANUARY 7, 2021

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the December 10, 2020 COTW Meeting

E.1.a.a 1171 Rockland Avenue: Development Variance Permit Application No. 00253 (Fairfield)

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. 00253 for 1171 Rockland Avenue, in accordance with:

1. Plans, date stamped August 11, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - i. reduce the minimum unit size from 33m² to 19.5m² for one unit.
3. The Development Permit lapsing two years from the date of this resolution."

E.1.a.b Victoria Housing Strategy Annual Review

That Council direct staff to:

1. Receive the Victoria Housing Strategy Annual Review 2019 for information.
2. Amend page 48 of the *Victoria Housing Strategy Phase Two* document, with updates to the Housing Unit Targets, which considers new population projections, a Housing Needs Assessment, and a Housing Gap Analysis including more detail for the very low, low, and median income brackets and change 950 to 1450 in the report.
3. Approve the 2021 Prioritization of Housing Strategy Actions.
4. Work with the consultants to arrive at a target for housing suitable for families that incorporates both latent demand and projected demand and to make that the 2025 target.

E.1.a.c Zero Waste Victoria

That Council:

1. Approve Zero Waste Victoria;
2. Direct staff to begin implementing strategies in Zero Waste Victoria as outlined in the short-term action plan; and
3. Direct staff to report back with draft bylaw(s) for Council's consideration to regulate priority single-use items after new municipal authorities are conferred by the Province.
4. Refer the Zero Waste Victoria report to the Board of the Capital Regional District (CRD), and the Mayors and Councils of CRD member Local Governments, for information.

5. Request that the Mayor write on behalf of Council to the Board of the CRD, requesting that the CRD work with the City of Victoria and other local governments to advocate for “flow control” regulating the export of solid waste outside the region.
6. Advocate to the Capital Regional District to increase the tipping fee for disposal of unsorted solid waste at the Hartland Landfill, to discourage the disposal of unsorted solid waste and encourage waste reduction / diversion / recycling.
7. Direct staff to report back on options for increasing diversion rates from multi-family residential and commercial properties.
8. Direct staff to explore options for separating pet waste at off-leash dog areas in parks

E.1.a.d

3120 Washington Avenue: Rezoning Application No. 00735 (Burnside)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00735 for 3120 Washington Avenue, 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:

- a. Preparation of legal agreements executed by the applicant to secure the following, with form satisfactory to the City Solicitor:
 - i. a housing agreement to ensure that future Strata bylaws cannot prohibit the rental of dwelling units, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - ii. a statutory right-of-way of 1.00m on Washington Avenue for sidewalk improvements, to the satisfaction of the Director of Engineering and Public Works;
 - iii. the design of the proposed eight single-family dwelling units and associated landscaping in accordance with the plans dated October 13, 2020, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - iv. Further consideration by the developer of options to increase the rear setback.

E.1.a.e

131, 137 Skinner Street and 730 - 736 Tyee Road: Rezoning Application No. 00747 (Victoria West)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00747 for 730-736 Tyee Road & 131-137 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

E.1.a.f

1244 Wharf Street: Heritage Alteration Permit with Variances Application No. 00023 (Downtown)

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 Heritage Alteration Permit with Variances Application No. 00023 for 1244 Wharf Street, in accordance with:

1. Plans, date stamped November 20, 2020.
2. The Conservation Plan for the Yates Block at 1244 Wharf Street by Donald Luxton and Associates Inc., dated September 2020

3. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - a. increase the parapet projection from 1m to 4.5m (for cornice and pediment only)
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Revisions to the existing Statement of Significance to include restored heritage features as character-defining elements to the satisfaction of the Director of Sustainable Planning and Community Development.
6. Revisions to elevation details of the proposed restored pediment and cornice, including molding profiles, to the satisfaction of the Director of Sustainable Planning and Community Development
7. Minor plan amendments to illustrate frontage improvements to the satisfaction of the Director of Engineering.
8. Preparation and execution of a legal agreement to secure frontage improvements, to the satisfaction of the Director of Engineering
9. Council authorizing the restoration of historic features, including a pediment, roof level cornice and balcony, which will project over the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
10. Heritage Alteration Permit with a Variance lapsing two years from the date of this resolution."

E.1.a.g Council Member Motion: Bring Back Mainstreet

1. That Council refer the Bring Back Mainstreet to staff working on the implementation of *Victoria 3.0, Create Victoria*, the Parks and Open Spaces Masterplan, Build Back Victoria, Neighbourhood Planning, and to staff in finance, real estate, economic development and planning for their consideration.
2. That Council refer "In It Together: Bringing Back Canada's Main Streets" to the Minister of Municipal Affairs with request for consideration actions to reduce the property tax impacts to legacy main street businesses, arts and culture organizations and non-profits downtown and in village centres.

E.1.b Report from the January 7, 2021 COTW Meeting

E.1.b.a Appointment of Animal Control Officer

1. That Neil Lundin be appointed as
 - a. "Animal Control Officer" pursuant to section 49(1) of the Community Charter, and
 - b. That his appointment be rescinded upon termination of his employment by Victoria Animal Control Services Ltd.

E.1.b.b Council Member Motion: Refer proposed Jubilee Route to Oak Bay Council for Input

1. That Council refer to the Jubilee route options to Oak Bay Council for their input and request that Oak Bay provide feedback to City of Victoria staff by January 31st

F. BYLAWS

F.1 Bylaw for Council Remuneration Amendment Bylaw

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

1. Council Remuneration Amendment (No. 1) Bylaw No. 21-015

F.2 Bylaw for Temporary Borrowing, 2021

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

1. Temporary Borrowing Bylaw, 2021 No. 21-004

F.3 Bylaw for Vehicles for Hire Bylaw Amendment

That the following bylaw **be adopted:**

1. Vehicles for Hire Bylaw, Amendment Bylaw (No. 22) No. 20-126

F.4 Bylaw for Park Dedication (1850 Leighton Road)

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

1. Park Dedication (1850 Leighton Road) Bylaw No. 21-009

G. CORRESPONDENCE

G.1 Letter from the City of Port Moody

That the correspondence from the City of Port Moody be received for information.

G.2 Letter from the Corporation of the City of Vernon

That the correspondence from the Corporation of the City of Vernon be received for information.

H. CLOSED MEETING

MOTION TO CLOSE THE JANUARY 7, 2021 COUNCIL MEETING TO THE PUBLIC

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

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

- Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- Section 90(1)(c) labour relations or other employee relations;
- Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;
- Section 90(1)(g) litigation or potential litigation affecting the municipality;
- Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

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

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

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD JANUARY 14, 2021

For the Council meeting of January 14, 2021, the Committee recommends the following:

F.1 Council Committee and Neighbourhood Liaison Appointments

That Council approve the following appointments:

Victoria City Council Appointments to Boards and Com
2018 - 2022

A. External Committees / Boards		
Capital Region Emergency Service Telecommunications (CREST)		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Young	Councillor Dubow	<ul style="list-style-type: none"> Governed by the <i>Emergency Co</i> Provides emergency radio teleco response agencies in BC's capita
Canadian Capital Cities Organization Board		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe Councillor Alto	Councillor Loveday Councillor Young	<ul style="list-style-type: none"> Representatives from each capit the historic, cultural, economic a Canada. Representatives from federal, pr public sectors as well as the priv
Greater Victoria Harbour Authority - Board Member		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Alto	Councillor Alto	<ul style="list-style-type: none"> The purpose of the GVHA is to m assets and operations. To respond to and be reflective o cooperation with the members an The Board of Directors is compri respective nominees.
Greater Victoria Harbour Authority - Member Representative		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Isitt	Councillor Isitt	<ul style="list-style-type: none"> Each Member is represented by Member.
Greater Victoria Public Library Board		

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Loveday	Councillor Alto	<ul style="list-style-type: none"> Governed by a Board of Trustees Make policy within the legislation and GVPLB mission Oversee the GVPLB finances
Destination Greater Victoria Board of Directors		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Loveday	Councillor Andrew	<ul style="list-style-type: none"> The not-for-profit destination management partnership with more than 900 businesses in Greater Victoria to promote tourism
Municipal Insurance Association of British Columbia (MIABC)		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Young	Councillor Isitt	<ul style="list-style-type: none"> Provide broad liability insurance, financial security, stabilize liability, management education
Federation of Canadian Municipalities - Election to Board of Directors		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor may seek appointment to FCM		<ul style="list-style-type: none"> Represent the interests of municipalities that fall within federal jurisdiction There are 8 Directors of the Board Elections are held at the Annual Meeting The Board meets 3 times annually

Board of Cemetery Trustees of Greater Victoria		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Potts	Councillor Potts	<ul style="list-style-type: none"> Established and governed under the <i>Service Act</i> and the <i>Community</i> Responsible for regulations for the property of the Board Oversee the finance of the Board
Greater Victoria Airport Authority - Airport Consultative Committee		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Isitt	Councillor Isitt	<ul style="list-style-type: none"> The meetings provide an opportunity to engage with the Victoria Airport Authority
Greater Victoria Family Court and Youth Justice Committee		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Dubow	Councillor Potts	<ul style="list-style-type: none"> Established under the <i>Provincial</i> Mandate is to protect youth in the 1 Councillor or public appointee to
University of Victoria Liaison		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe	Councillor Dubow	<ul style="list-style-type: none"> Not clearly defined
Victoria Civic Heritage Trust – 2 appointees		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe Councillor Loveday	Councillor Thornton-Joe Councillor Dubow	<ul style="list-style-type: none"> Administers grant (incentives & funding) and rehabilitation of legally protected institutional heritage buildings, on <ul style="list-style-type: none"> Building Incentive Program (BIP) - building for eligible conservation Design Assistance Grant (DAG) - building for preliminary conservation Seismic Parapet Incentive Program - \$50,000 per building for voluntary parapet and facade falling hazard PIP-Design Assistance Grant - \$3,000 per building for preliminary Tax incentive Program (TIP) - and recommendations for eligible Residential TIP projects

Victoria Heritage Foundation – 1 appointee

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Potts	Councillor Thornton-Joe	<ul style="list-style-type: none"> Administers a grant program to assist with the purchase and rehabilitation of older homes Helps support the conservation of historic houses through house grants, education and public programs

Victoria Parks and Recreation Foundation

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe	Councillor Potts	<ul style="list-style-type: none"> Its mission is to enhance the park and recreation services, recreation services, public programs, restricted to, the City of Victoria; To receive and solicit donations and services for an endowment fund Administer donations and bequests Hold title to real property that is owned by the Foundation

Victoria Regional Transit Commission – Mayor is standing Member (4 years) / Council nominated candidate (2 years) Commission by the Province (2 years)

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Dubow	Councillor Isitt	<ul style="list-style-type: none"> Many decisions regarding transit in the region are made by this Commission Commission members are appointed by the Council from persons holding elected office It is responsible for determining transit service levels; setting fares, reviewing the annual operating budget and determining the local share of the annual cost of transit

Community Action Plan on Discrimination

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Alto Councillor Dubow	Councillor Potts Councillor Alto	<ul style="list-style-type: none"> The mandate is to address social issues in Victoria, in particular health and housing

T'Mexw Treaty Advisory Committee		
2018 - 2020	2021 - 2022	Roles / Responsibilities
Councillor Alto	Councillor Alto	<ul style="list-style-type: none"> Coordinates and represents the Island local governments within the Te'Mexw Treaty negotiations
B. CRD Boards & Committees		
CRD Board of Directors – 4 year appointment (position of Municipal Directors and Alternate Municipal Directors on the Capital Regional District Board and the Capital Regional District Hospital Board) Mayor Helps Councillor Isitt Councillor Loveday Councillor Young Councillor Alto – 1st alternate Councillor Dubow – alternate Councillor Potts – alternate Councillor Thornton-Joe – alternate Councillor Andrew - alternate		
Arts Commission – 4 year appointment if a CRD Director / 2 year appointment if not a CRD Director / Alternate		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Loveday Alternate: Councillor Dubow	Councillor Loveday Alternate: Councillor Alto	<ul style="list-style-type: none"> Established as an independent body to provide advice to the CRD on matters related to arts and culture established in 2001. Mandate to support arts in the community through involvement, creation exhibition and funding. The adjudicative body for arts funding.
Regional Water Supply Commission – *** appointment of 1 Council member pending the completion of public input		
Term (4 years) Appointees (four)		Roles / Responsibilities
Councillor Isitt Councillor Loveday Councillor Young *** Councillor Dubow		<ul style="list-style-type: none"> A commission to review any matter related to water supply service.

Regional Housing Trust Fund Commission		
2019 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe	Councillor Potts	<ul style="list-style-type: none"> • A fund that provides capital grants for the acquisition, development, and retention of housing. • Is a key function of the Regional Housing Trust Fund which helps leverage additional funds for housing.
Royal and McPherson Theatres Society Advisory Committee		
2018 - 2020	2021 - 2022	Roles / Responsibilities
Councillor Loveday Councillor Young	Councillor Alto Councillor Dubow	<ul style="list-style-type: none"> • An Advisory role to provide advice and support to the Board of Directors.
Climate Action Inter-Municipal Task Force		
Term (4 years)	Appointee (one)	Roles / Responsibilities
Councillor Potts	Councillor Loveday	<ul style="list-style-type: none"> • Meets bi-annually • Share information, collaborate on deliverables and provide input on the Climate Action Program
Island Corridor Foundation Advisory Committee		
Term		Roles / Responsibilities
Appointment by CRD		A collaboration between First Nations and the Island community.
C. City Advisory Bodies		
Art in Public Places Committee		
2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe	Councillor Young	<ul style="list-style-type: none"> • To advise the City on public art initiatives in the City. • To advise and consult on specific commissions of work. • To nominate one of their members to serve on the selection panel for the project. • To determine the type of competition project, and review the criteria for the Call to Artists and the Competition.

Renters' Advisory Committee

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Dubow Councillor Loveday	Councillor Potts Councillor Andrew	<ul style="list-style-type: none"> To provide advise and recommendations on rental housing stock; Improving conditions and well-being of tenants; Strategic priorities relating to housing; The impacts of provincial and federal government on municipal policy and civic life; Enhancing access and inclusion for all; Other matters relevant to the role of the committee.

South Island Prosperity Partnership

2018 – 2020	2021 - 2022	Roles / Responsibilities
Mayor Helps	Councillor Alto	<ul style="list-style-type: none"> A collaboration of private business, government and secondary institutions create a prosperous future for the South Island development and to diversify the economy. Advise on to best deliver and support small businesses.

Urban Food Table

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Isitt Councillor Loveday	Councillor Isitt Councillor Loveday	<ul style="list-style-type: none"> To bring together organizations and individuals together to support increased food production as an important part of developing a sustainable food system in the city.

City of Victoria Youth Council

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Dubow	Councillor Loveday	<ul style="list-style-type: none"> A youth group that offers opportunities for young people to get involved on issues and initiatives in Victoria. Take action and raise awareness on issues that affect young people. Work with Mayor, Council and staff on municipal processes and decision making.

Honorary Citizens Committee

2018 - 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe Councillor Isitt	Councillor Thornton-Joe Councillor Isitt	<ul style="list-style-type: none"> Meet to ensure there are a suitable candidates from Evaluate nominations and make recommendations To recognize citizens for their service made an exceptional contribution to the community of former residents of Victoria

Active Transportation Advisory Committee

2018 - 2020	2021 - 2022	Roles / Responsibilities
Councillor Isitt Councillor Young	Councillor Loveday Councillor Isitt	<ul style="list-style-type: none"> Provides advice on strategies for active transportation, including proposed transportation issues and priorities for Pedestrian and Cycling Master Plan projects and place-making initiatives

Downtown Victoria Business Association

2018 - 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe	Councillor Young	<ul style="list-style-type: none"> To be a proactive champion for the business community, promoting sustainable action and advocacy

Canada Day Liaison

2018 - 2020	2021 - 2022	Roles / Responsibilities
Councillor Thornton-Joe	Councillor Thornton-Joe	<ul style="list-style-type: none"> A collaboration between various community groups to produce a Canada Day event downtown

Welcoming Cities Task Force

2021-2022	Roles / Responsibilities
Established in 2020	Mayor Helps and Councillor Dubow <ul style="list-style-type: none"> To develop a Welcoming Cities Strategy and Welcoming Standards To develop stronger, more inclusive relationships between newcomers and long-time residents

Accessibility Advisory Committee

2021 - 2022	Roles / Responsibilities
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Established in 2020

Councillor Potts
Councillor Isitt

- To inform and provide feedback of City initiatives, program and lens.
- Act as resource and provide implementation of the Access Action Plan.

Seniors' Advisory Committee

2021 - 2022

Roles / Responsibilities

Established in 2020

TBD

Staff to report back with

City Family

2018 - 2020

2021 - 2022

Roles / Responsibilities

Mayor Helps
Councillor Alto
Councillor Isitt
Councillor Thornton-Joe
TBD for 2021-2022:
Councillor Alto
Councillor Isitt
Councillor Potts

- Made up of members of the Songhees urban Indigenous people, the Maikani members.

Royal and McPherson Theatres Society

2018 - 2020

2021 - 2022

Roles / Responsibilities

Councillor Alto

Councillor Andrew

- Society founded in 1977 for the purpose of promoting and supporting the development of the performing arts in the community.
- Works to maintain, preserve and enhance the Royal and McPherson Playhouse by providing management of the organization.

Acting Mayor

2018 - 2022

Roles / Responsibilities

Rotation based on Alphabetical order of Councillors

2021

- Council must establish a schedule to fill the office of acting mayor on a regular basis.
- Responsible for acting in the place of the mayor when the mayor is absent or otherwise unable to act.

January	Councillor Loveday	<ul style="list-style-type: none"> Has the same powers and duties applicable matter.
February	Councillor Potts	
March	Councillor Thornton-Joe	
April	Councillor Young	
May	Councillor Alto	
June	Councillor Andrew	
July	Councillor Dubow	
August	Councillor Isitt	
September	Councillor Loveday	
October	Councillor Potts	
November	Councillor Thornton-Joe	
December	Councillor Young	

Councillor Neighbourhood Liaisons

2018 – 2020	2021 - 2022	Roles / Responsibilities
Councillor Potts	Councillor Alto	Burnside Gorge Community
Councillor Isitt	Councillor Isitt	Hillside / Quadra Neighbourhood Blanshard Adv
Councillor Thornton-Joe	Councillor Young	Downtown Resi
Councillor Young	Councillor Isitt	Fairfield Gonzales C
Councillor Dubow	Councillor Dubow	Fernwood Comm
Councillor Alto	Councillor Andrew	James Bay Neighb
Councillor Alto	Councillor Thornton-Joe	North Jubilee Neigh
Councillor Dubow Councillor Alto as Co-Liaison	Councillor Potts	North Park Neighb
Councillor Isitt	Councillor Loveday	Oakland Comm
Councillor Young	Councillor Thornton-Joe	Rockland Neighb
Councillor Alto	Councillor Thornton-Joe	South Jubilee Neigh
Councillor Loveday	Councillor Dubow	Victoria West Con

D.1 Emergency Social Services Grant - Meegan Community Care Tent

That Council allocate an Emergency Social Services Grant of \$6,500 for the “Meegan Community Care Tent” to the Red Cedar Café Society as the grant recipient and permit holder.

Direct staff to continue to seek options for a location for the Meegan Community Care Tent, excluding Avalon Street

H.1 Use of Parking Lot at 940 Caledonia Ave for Transitional Tiny Home Community

1. That Council authorize Aryze Developments to apply for a temporary use permit in relation to up to 36,000 sq ft of the Royal Athletic Park parking lot at 940 Caledonia Avenue (the “Site”) for a temporary Transitional Tiny Home Community on the Site for up to 30 homes.
2. That Council direct staff to work with BC Housing to negotiate a proposed lease or licence of occupation at a nominal rate for the use of the Site for the purpose of the Transitional Tiny Home Community that assumes the City and Aryze Developments (not BC Housing) sharing site remediation risks and removal of the temporary structures, on the terms satisfactory to the City’s Head of Strategic Real Estate and the Director of Parks, Recreation and Facilities, and in the form satisfactory to the City Solicitor, and to report back to Council for approval of the agreement.
3. That Council direct staff to expedite the processing of the temporary use permit application and other applications associated with the Transitional Tiny Home Community at the Site to be submitted by Aryze, and hold an opportunity for public comment.
4. That Council direct staff to return to Council as soon as possible to seek Council approval for funding from the federal-provincial Restart funding, to pay the proportion of the costs the City will be incurring for start up.
5. That all of this work be carried out in as expedient a way as possible with the aim that there is occupancy of the Tiny Home Community by no later than March 31st
6. That Council request City staff and the operator engaged by BC Housing to meet on a regular basis during the project planning phase for the Transitional Tiny Home Community with both housed and unhoused neighbours and once the project is established to establish a Community Advisory Committee with participation from nearby neighbours and residents of the Transitional Tiny Home Community, to respond to queries and concerns and to help ensure neighbourhood integration.
7. That Council authorization pursuant to Recommendations 1 to 6 does not limit Council’s or any City official’s discretion in relation to the approval of the temporary use permit or any other City approval pertaining to the Transitional Tiny Home Community, nor does the authorization create any rights or obligations aside from the right to apply for a temporary use permit in relation to the Site.

8. That this motion be forwarded to the daytime Council meeting held January 14, 2021.



Council Report

For the Meeting of January 14, 2021

To: Council **Date:** December 31, 2020

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

Subject: **Update Report on Rezoning Application No. 00705 for 1224 Richardson Street**

RECOMMENDATION

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 21-013 (Amendment No. 1244), and give first, second and third readings of Housing Agreement (1224 Richardson Street) Bylaw No. 21-014.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning Application for the property located at 1224 Richardson Street. The proposal is to create a new site-specific zone that permits an increase in density and allows for three buildings with ground-oriented multiple dwellings.

PUBLIC HEARING CONDITIONS

Legal Agreements

In accordance with Council's motion of July 9, 2020 (see attached minutes), the following conditions have been fulfilled:

- a Housing Agreement to ensure a future strata cannot restrict the rental of dwelling units, with the exception of four dwelling units secured as below market home ownership units which are intended to be owner occupied
- a Section 219 Covenant securing the following Transportation Demand Management measures has been registered on title:
 - one car share vehicle
 - one car share parking spot
 - one care share membership per dwelling unit
 - one hundred dollars in car share usage credits per membership
 - two oversized bicycle parking stalls
 - one bicycle repair station;
- A statutory right-of-way of 1.43m along the adjacent laneway has been registered on title.

Administrative Process for Below-Market Housing

In accordance with the Council motion, the applicant revised the proposal to ensure an administrative process is in place to manage the below-market housing units associated with this proposal. Previously, the applicant had been offering to secure the initial sale price through a covenant on title and another covenant that would penalize an owner for selling their unit within three years of purchase. However, in the absence of third-party oversight to administer the program and no buyer qualifications in place, it was unclear as to what extent the application would provide a contribution to affordable housing in Victoria.

Instead, the applicant has chosen to work with the Capital Regional District (CRD) to secure four units (one two-bedroom and three one-bedroom) at a minimum of ten percent below market value in perpetuity. This arrangement has been secured through legal agreements on title (see attached).

The CRD would manage the appraisal and sale of the below-market units in perpetuity. Qualified buyers would have to have lived in the Capital Region for at least a year, be a first-time home buyer, and have a maximum qualifying income of approximately \$85,000 for the one-bedroom units and \$95,000 for the two-bedroom unit. While the income thresholds are too high to meet the City's definition of Affordable Home Ownership, the approach of partnering with a government agency to secure and administer the below-market housing is generally consistent with the City's Housing Strategy and would add to the diversity of housing options in the neighbourhood, which is also encouraged in the Official Community Plan.

The remaining twenty units would be sold at market value. As mentioned, a housing agreement has been provided to ensure a future strata cannot restrict rental of the market units.

CONCLUSIONS

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

Respectfully submitted,

Alec Johnston
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: July 2, 2020 Committee of the Whole meeting staff report
- Attachment B: July 2, 2020 Committee of the Whole meeting minutes
- Attachment C: July 9, 2020 Council motion
- Attachment D: Capital Regional District Housing Agreement.



Committee of the Whole Report

For the Meeting of July 2, 2020

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

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

Subject: Rezoning Application No. 00705 for 1224 Richardson 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. 00705 for 1224 Richardson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of legal agreements for the following:
 - a. to ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. to secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. one car share vehicle
 - ii. one car share parking spot
 - iii. one care share membership per dwelling unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. two oversized bicycle parking stalls
 - vi. one bicycle repair station;
 - c. to secure a 1.43 metre Statutory Right-of-Way adjacent to the lane.

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 1224 Richardson Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new site-specific zone in order to increase the density to 0.67:1 floor space ratio (FSR) and allow for multiple dwellings at this location. A concurrent development permit with variances application would vary the parking, height and number of storeys and allow for a roof deck.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Official Community Plan* (OCP, 2012) Traditional Residential Urban Place Designation in terms of use, density, built form and place character
- the proposal would create new homeownership options and advance the OCP's objectives with regards to providing a diversity of housing types in each neighbourhood
- the proposal is inconsistent with the *Rockland Neighbourhood Plan* (1987), which encourages consideration of duplex or small-scale townhouses as an appropriate form of infill in the R1-B Zoned areas of the neighbourhood
- the proposal meets the Tenant Assistance Policy.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for three ground-oriented residential buildings, with approximately 24 dwelling units, at an overall density of 0.67:1 floor space ratio (FSR). Although similar in width to adjacent properties, the subject site is a relatively deep lot with a total site area of approximately 1738m². The new zone would allow for houseplexes as a form of ground-oriented multiple dwelling, as well as increased height and reduced setbacks in comparison to the R1-B Zone, Single Family Dwelling District.

Variances related to parking, number of storeys, height and roof decks are also associated with this proposal and reviewed in relation to the concurrent Development Permit with Variances Application.

Affordable Housing

The applicant proposes the demolition of two dwellings and creation of 24 new one- and two-bedroom units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would ensure that future Strata Bylaws could not prohibit the rental of units.

The subject site is designated as Traditional Residential in the *Official Community Plan* (OCP, 2012) and is therefore not subject to the Inclusionary Housing and Community Amenity Policy. Nevertheless, as a voluntary measure, the applicant is offering to secure the initial sale of the units at an average of \$330,000 for one-bedroom units and \$480,000 for two-bedroom units. An

additional covenant on the dwellings would require an owner to pay fifty percent of the difference between their purchase price and the increased sale price to the City's Housing Reserve Fund if the unit is sold within three years of purchase.

In order to meet the definition of affordable homeownership, as outlined in the *Victoria Housing Strategy Phase Two*, an applicant must partner with a government agency or establish non-profit housing organization to administer the unit sales, income test potential buyers, and to monitor and enforce the affordable housing program. This is typically done through agencies such as BC Housing or the Capital Regional District which, unlike the City, are resourced to run these programs and staff have recommended that the applicant pursue such a partnership. However, the applicant has chosen not to do so, and has not provided an alternate way of administering the program or ensuring that affordability is passed on to future owners. Further, the proposed below-market rates for the initial sale have not been verified by an independent third-party, nor have maximum income criteria for potential buyers been established.

Therefore, although these voluntary covenants could potentially help in limiting housing prices and curbing speculation, in the absence of appropriate administrative measures in place it is uncertain as to what extent the application would provide a contribution to affordable housing in Victoria. However, an alternate motion is provided should Council decide to direct staff to work with the applicant on executing these covenants.

Tenant Assistance Policy

The proposal is to demolish an existing building which would result in a loss of two 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

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

Active Transportation

The application proposes short and long term bicycle parking, including two spaces for over-sized bicycles, which supports active transportation.

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 single family dwellings, duplexes and house conversions to multiple dwellings. Several of the properties to the west, along Linden Avenue, are either heritage-registered or designated properties.

Existing Site Development and Development Potential

The site is presently developed as a single family dwelling that has been converted to a duplex.

Under the current R1-B Zone, the property could be developed as a single family dwelling with either a secondary suite or a garden suite. Alternatively, subject to Council approval of a development permit for panhandle subdivision, the property could be subdivided into three lots and each lot could have a single family dwelling with either a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing zone.

Zoning Criteria	Proposal	Existing Zone	OCP Traditional Residential
Site area (m ²) – minimum	1738.22	460	-
Number of units – maximum	24	2	-
Density (Floor Space Ratio) – maximum	0.67:1	-	1:1
Total floor area (m ²) – maximum	1156.15 *	420	-
Lot width (m) – minimum	17.36	15	
Height (m) – maximum	9.4 * (Building A) 10.08 * (Building B) 9.95 * (Building C)	7.6	-
Storeys – maximum	3*	2	Up to 2-3
Site coverage (%) – maximum	31	40	-
Open site space (%) – minimum	56	-	-
Separation space between buildings (within the site) (m) – minimum	27.05 (Buildings A and B) 7.61 (Buildings B and C)	-	-
Roof deck	Yes * (Buildings B and C)	No	-
Setbacks (m) – minimum			

Zoning Criteria	Proposal	Existing Zone	OCP Traditional Residential
Building A			
Front	7.09 * (building) 4.80 * (stairs)	7.5 (building) 5.0 (stairs)	-
Side (east)	1.84	1.74 (10% of lot width)	-
Side (west)	3.14 (building)	1.74 (10% of lot width)	-
Combined side yards	4.98	4.5	-
Building B			
Side (east)	1.81 (building)	1.74 (10% of lot width)	-
Side (west)	3.13 (building) 1.47 * (stairs)	1.74 (10% of lot width)	-
Combined side yards	3.28 *	4.5	-
Building C			
Side (east)	1.81 (building)	1.74 (10% of lot width)	-
Side (west)	3.09 (building) 1.29 * (stairs)	1.74 (10% of lot width)	-
Rear	9.35 *	25.25 (25% of lot depth)	-
Combined side yards	3.10 *	4.5	-
Parking – minimum	10 *	23	-
Visitor parking included in the overall units – minimum	3	2	-
Bicycle parking – minimum			
Long Term	26	26	-
Short Term	18	18	-

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Rockland CALUC at a Community Meeting held on July 16, 2019. A second CALUC meeting was held on

September 17, 2019 due to the potential for an Official Community Plan amendment. All property owners and residents within 200m of the subject site were notified of the second meeting, whereas only those within 100m were notified of the first meeting. Meeting summaries are attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP, 2012) Urban Place Designation for the subject property is Traditional Residential, which supports ground-oriented residential uses. The OCP states that new development may have a density of generally up to 1:1 floor space ratio (FSR) and up to two storeys in height and approximately three storeys along arterial and secondary arterial roads. The OCP also notes that within each designation there will be a range of built forms and that decisions about the appropriate scale for a particular site will be based on an evaluation of the context in addition to consistency with OCP policies, other relevant City policies and local area plans.

The subject site is located on a collector road, not an arterial road, however the immediate context includes several older character houses that are similar in scale to the proposed buildings. While the proposed development is technically three storeys in height due to the ceiling height of the basement relative to average grade, the buildings present as two storeys with a raised basement. This form of development fits with the existing context and is considered consistent with the spirit of the Traditional Residential Urban Place Designation.

Some of the adjacent houses remain as single family dwellings while many have been converted to multiple dwellings – a common form of infill development in both the Rockland neighbourhood and Fairfield to the south of Richardson Street. The proposed houseplexes, which are buildings of three or more units that appear as large single family dwellings, and density of 0.67:1 FSR, are considered a compatible form of infill development that is consistent with the use, density and place character envisioned in the OCP for Traditional Residential areas. Furthermore, the proposed mix of one- and two-bedroom condominiums would help advance the OCP housing objectives, which encourage a diversity of housing types to create more home ownership options in each neighbourhood.

Rockland Neighbourhood Plan

The *Rockland Neighbourhood Plan* (1987) supports consideration of duplexes or small-scale townhouses as an appropriate form of infill in areas currently zoned R1-B. The plan does not contemplate houseplexes as a potential housing typology in the neighbourhood. Although the proposed development is not consistent with the envisioned use, it is aligned with the policies that support new buildings that compliment the larger estate houses of Rockland, and would add to the neighbourhood's ground-oriented housing stock.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This application was received prior to October 24, 2019, so it falls under *Tree Preservation Bylaw No. 05-106* consolidated June 1, 2015. The tree inventory included in the attached

arborist report identifies five offsite trees that could be impacted by development activities: one bylaw-protected, three unprotected, and one City street tree. The following is a summary of tree-related considerations:

- a bylaw-protected European ash tree on the neighbouring property to the east is proposed for removal due to conflict with Building C (root loss from excavation and loss of canopy); therefore, two replacement trees will need to be planted at 1232 Richardson Street
- an unprotected black locust tree on 1232 Richardson Street is also proposed for removal due to negative impacts from the proposed building excavation
- two unprotected trees on neighbouring properties and a hawthorn tree on the City frontage are to be retained with mitigation measures such as tree protection fencing and arborist supervision
- thirty new trees have been proposed to be planted on the site.

Statutory Right-of-Way

The applicant is offering a 1.43m wide Statutory Right-of-Way to help achieve a wider right-of-way along the public portion of the lane.

Regulatory Considerations

Variances related to parking, number of storeys, height and roof decks are associated with this proposal and are reviewed with the concurrent Development Permit with Variances Application.

CONCLUSIONS

The proposal to rezone the site to construct three houseplexes on one lot is consistent with the use and density envisioned for this location in the OCP and would add to housing diversity in the Rockland neighbourhood. Therefore, staff recommend that Council consider advancing the application to a Public Hearing.

ALTERNATE MOTIONS

Option 1 (with Legal Agreement related to Housing Offer)

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

1. Preparation and execution of legal agreements for the following:
 - a. to ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. to secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. one car share vehicle
 - ii. one car share parking spot

- iii. one care share membership per dwelling unit
- iv. one hundred dollars in car share usage credits per membership
- v. two oversized bicycle parking stalls
- vi. one bicycle repair station;
- c. to secure a 1.43 metre statutory right-of-way adjacent to the lane;
- d. **to secure the initial sale prices at a maximum average of \$330,000 for one bedroom units and \$480,000 for two bedroom units; and**
- e. **to ensure that an owner contribute 50% of the difference between their purchase price and the increased sale price to the City's Housing Reserve Fund if the unit is sold within three years of purchase.**

Option 2 (Decline)

That Council decline Rezoning Application No. 00705 for the property located at 1224 Richardson Street.

Respectfully submitted,


Alec Johnston
Senior Planner
Development Services

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: June 23, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped June 8, 2020
- Attachment D: Letter from applicant to Mayor and Council dated May 20, 2020
- Attachment E: Community Association Land Use Committee Comments dated July 16, 2019, September 17, 2019 and October 10, 2019
- Attachment F: Arborist report dated May 13, 2019 updated August 19, 2019
- Attachment G: Advisory Design Panel minutes dated November 27, 2019
- Attachment H: Letter from applicant in response to Advisory Design Panel recommendation dated January 24, 2020
- Attachment I: Tenant Assistance Plan
- Attachment J: Correspondence.



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

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

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

Subject: Development Permit with Variances Application No. 00149 for 1224 Richardson Street

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. 00705, if it is approved, consider the following motion:

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

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

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 *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

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 1224 Richardson Street. The proposal is to construct three buildings with multiple dwellings on one lot. The variances are related to reduced parking, increased height and number of storeys, and to allow for roof decks.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Design Guidelines for Development Permit Area 16: General Form and Character, which seeks to integrate new development in a manner that compliments and enhances established place character
- the proposal is generally consistent with the *Rockland Neighbourhood Plan*, 1987, which encourages new development that is compatible with the traditional architectural character of the area
- the parking variance is considered supportable as the applicant is proposing Transportation Demand Management (TDM) measures to mitigate the potential impacts from this variance which would be secured by legal agreement in conjunction with the concurrent Rezoning Application.
- the variances related to height and number of storeys are considered supportable because the proposed building is similar in scale and character to adjacent buildings
- the variance to permit roof decks is considered supportable as the decks present as upper storey balconies and would have minimal impact on adjacent properties in terms of overlook.

BACKGROUND

Description of Proposal

The proposal is to construct three multiple dwellings (houseplexes) with approximately 24 dwelling units. The proposal includes the following major design components:

- traditional architectural form and character that takes design cues from adjacent buildings
- 24 dwelling units in three buildings (Building A: 6 units, Building B: 9 units and Building C: 9 units)
- individual at-grade entrances for each unit
- clustered surface parking for ten vehicles located behind the street fronting building (Building A) accessed via the public portion of the laneway
- bike parking rooms within each building
- shared exterior garbage and recycling enclosure adjacent to Building A.

Exterior building materials include:

- fiber cement shingles (light tan, light grey and dark grey colour)
- fiber cement horizontal siding (dark tan, slate and cream colour)
- wood trim (white colour)
- fiberglass roof shingles (charcoal colour)
- wood stairs, guards and exterior doors (white colour).

Landscape elements include:

- vegetated swale for on-site storm water management
- private outdoor space for the majority of units in the form of a balcony or patio
- shared gardening area with raised planters and fruit trees
- common outdoor amenity space with outdoor fireplace, pergola and seating
- metal grate boardwalk providing access to the buildings across the swale
- perimeter landscaping and fencing for privacy.

The proposed variances are related to:

- reducing the vehicle parking from 23 stalls to 10 stalls
- increasing the height from 7.6 metres to 10.08 metres
- increasing the number of storeys from 2.5 to 3
- allowing roof decks.

Sustainability

As indicated in the applicant's letter dated May 20, 2020 the following sustainability features are associated with this proposal:

- buildings would be designed and constructed to accommodate future solar panels and electric vehicle charging
- landscape design that incorporates storm water retention swales and infiltration areas, drought tolerant plants, permeable pavers and infiltration areas
- 30 new on-site trees
- relocation or recycling of the existing building.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing zone.

Zoning Criteria	Proposal	Existing Zone	OCP Traditional Residential
Site area (m ²) – minimum	1738.22	460	-
Number of units – maximum	24	2	-
Density (Floor Space Ratio) – maximum	0.67:1	-	1:1

Zoning Criteria	Proposal	Existing Zone	OCP Traditional Residential
Total floor area (m ²) – maximum	1156.15 *	420	-
Lot width (m) – minimum	17.36	15	
Height (m) – maximum	9.4 * (Building A) 10.08 * (Building B) 9.95 * (Building C)	7.6	-
Storeys – maximum	3*	2	Up to 2-3
Site coverage (%) – maximum	31	40	-
Open site space (%) – minimum	56	-	-
Separation space between buildings (within the site) (m) – minimum	27.05 (Buildings A and B) 7.61 (Buildings B and C)	-	-
Roof deck	Yes * (Buildings B and C)	No	-
Setbacks (m) – minimum			
Building A			
Front	7.09 * (building) 4.80 * (stairs)	7.5 (building) 5.0 (stairs)	-
Side (east)	1.84	1.74 (10% of lot width)	-
Side (west)	3.14 (building)	1.74 (10% of lot width)	-
Combined side yards	4.98	4.5	-
Building B			
Side (east)	1.81 (building)	1.74 (10% of lot width)	-
Slide (west)	3.13 (building) 1.47 * (stairs)	1.74 (10% of lot width)	-
Combined side yards	3.28 *	4.5	-
Building C			

Zoning Criteria	Proposal	Existing Zone	OCP Traditional Residential
Side (east)	1.81 (building)	1.74 (10% of lot width)	-
Side (west)	3.09 (building) 1.29 * (stairs)	1.74 (10% of lot width)	-
Rear	9.35 *	25.25 (25% of lot depth)	-
Combined side yards	3.10 *	4.5	-
Parking – minimum	10 *	23	-
Visitor parking included in the overall units – minimum	3	2	-
Bicycle parking – minimum			
Long Term	26	26	-
Short Term	18	18	-

ANALYSIS

Official Community Plan

The subject site is designated as Traditional Residential in the *Official Community Plan* (OCP, 2012), which supports ground-oriented residential buildings with front and rear yards, variable landscaping and units oriented to face the street.

Rockland Neighbourhood Plan

The *Rockland Neighbourhood Plan* (1987) encourages the preservation of larger lots, architecture that relates to the traditional form and character of existing buildings, and retention and enhancement of landscape and streetscape features that contribute to the neighbourhood's heritage character. The proposal is generally consistent with these policies.

Design Guidelines for Development Permit Area 16: General Form and Character

The OCP identifies the site within Development Permit Area 16: General Form and Character. The objectives of this DPA are to integrate new developments in a manner that compliments and enhances the established place character of an area through high quality architecture, landscape and urban design. Other objectives include providing sensitive transitions to adjacent properties with built form of three storeys or lower, and to achieve more liveable environments through considerations for human-scaled design, quality of open spaces, privacy impacts and safety and accessibility. Design Guidelines that apply to DPA 16 are the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012), *Advisory Design Guidelines*

for *Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

The proposal complies with the guidelines as follows:

- the traditional building design and landscaping respects the character of the established area and incorporates exterior materials that are durable and will weather gracefully
- street-oriented entrances are prominent and include entry canopies and porches that provide a transition from the public realm of the street and sidewalk to the private realm of the proposed residences
- landscaped planting areas and communal outdoor spaces that foster community and contribute to the green character of the area
- pedestrian oriented site planning with clustered parking located behind the street fronting building and accessed via a shared driveway, which limits the visual impact of vehicle parking on the existing street character and reduces the amount of site area taken up by vehicle access and parking.

Advisory Design Panel

The application was referred to the Advisory Design Panel (ADP) on November 27, 2019. The ADP was asked to comment on the overall building and landscape design, with particular attention to the transition with adjacent properties.

The ADP meeting minutes are attached for reference, and the following motion was carried:

It was moved ... that Advisory Design Panel recommend to Council that Development Permit Application No. 000558 for 1224 Richardson Street be declined until further consideration of the following items:

- *clarification of pedestrian use of the lane*
- *clarification of public and private site access*
- *adjustments to the character of units B and C to better fit the property*
- *accessibility of the units and accessibility within the site*
- *clarification of site functionality, including loading.*

The applicant provided a letter of response dated January 24, 2020, as well as revised plans to address the ADP comments and issues identified in the motion.

Four of the five issues identified by the ADP appear to relate to the site planning and building orientation as it relates to the adjacent lane. However, only the two ends of the lane are public right-of-way; the majority of the lane is located on private property. While access to the lane is not currently controlled and the general public continues to use the lane for vehicle and pedestrian access, the subject site does not have legal access to the privately-owned portion of the lane. Further, as noted in the applicant's letter dated January 24, 2020, several owners of the lane raised concern with the proposed development having access via the lane and have requested a fence be installed to limit the potential for occupants of Buildings B and C to utilize the lane for dropoff and loading. Therefore, the proposed development has not been designed to utilize the private lane nor have the buildings been oriented to face the private lane. Instead, consistent with the Design Guidelines, the buildings are oriented towards Richardson Street and the vehicle access is off the public portion of the lane as shown on the site plan. To better fit the

property, the applicant has modified Buildings B and C to reduce the “institutional character” of the entrances, which was a concern noted by the Panel.

Regulatory Considerations

A number of variances related to height, setbacks, parking and roof decks are proposed as part of this application. This approach is recommended to ensure that reduced siting requirements are not entrenched in a new custom zone and that any future alternative development proposals would need to apply to Council to achieve these, or different variances.

Height and Number of Storeys

In terms of height, the OCP envisions buildings up to approximately two storeys in most areas designated as Traditional Residential, with taller buildings up to approximately three storeys along arterial or secondary arterial roads. Generally consistent with this policy direction, the new zone would establish a maximum height of 7.6m and 2.5 storeys. The proposed buildings appear as two-storey buildings with a raised basement; however, the *Zoning Regulation Bylaw* considers the lower basement level as the first storey due to the ceiling height relative to average grade. Therefore, the proposed buildings are technically three storeys in height. The average grade is lowered by the sunken patios for the basement units. Staff consider the increase in number of storeys from 2.5 storeys to three, and increase in building height from 7.6m to 10.08m, as supportable because the building appears as a 2.5 storey building and the sunken patios contribute to the livability of the lower units, consistent with the Design Guidelines.

Parking

A variance is requested to reduce the required number of parking stalls from a total of 23 to 10. To mitigate some of the potential impacts from this variance the applicant is proposing the following Transportation Demand Management (TDM) measures, which would be secured by legal agreement as a condition of the concurrent Rezoning Application:

- one car share vehicle
- one dedicated car share parking stall
- car share memberships for each unit
- \$100 car share credit per membership
- two over-sized bicycle parking stalls
- one bicycle repair station.

Given these measures, staff consider the parking variance as supportable.

Roof decks

Consistent with the existing R1-B Zone, , in order to limit the potential negative impacts on adjacent properties in terms of privacy in the event a different design was advanced in the future, the new zone would not permit roof decks as a right. The proposed upper storey balconies, which are a typical design feature of traditional buildings in the area, are technically roof decks as they are located above the second storey of the building. However, these balconies are small in size and are oriented to the south and not towards the rear yards of adjacent properties. Staff therefore consider these roof decks supportable as they are

consistent with the character of the area, provide private outdoor space for the upper units and would have minimal impact on adjacent properties.

CONCLUSIONS

The proposal to construct three houseplexes on one lot with 24 ground-oriented dwellings is considered consistent with the Design Guidelines for Development Permit Area 16: General Form and Character. The buildings and associated landscaping would integrate with the mix of single family dwellings, duplexes and house conversions and the associated variances have been mitigated through design and appropriate TDM measures. Therefore, staff recommend that Council consider approving the application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00149 for the property located at 1224 Richardson Street.

Respectfully submitted,


Alec Johnston
Senior Planner
Development Services Division


Karen Hoese, Director
Sustainable Planning and Community
Development Department

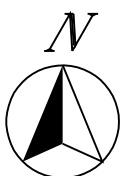
Report accepted and recommended by the City Manager:



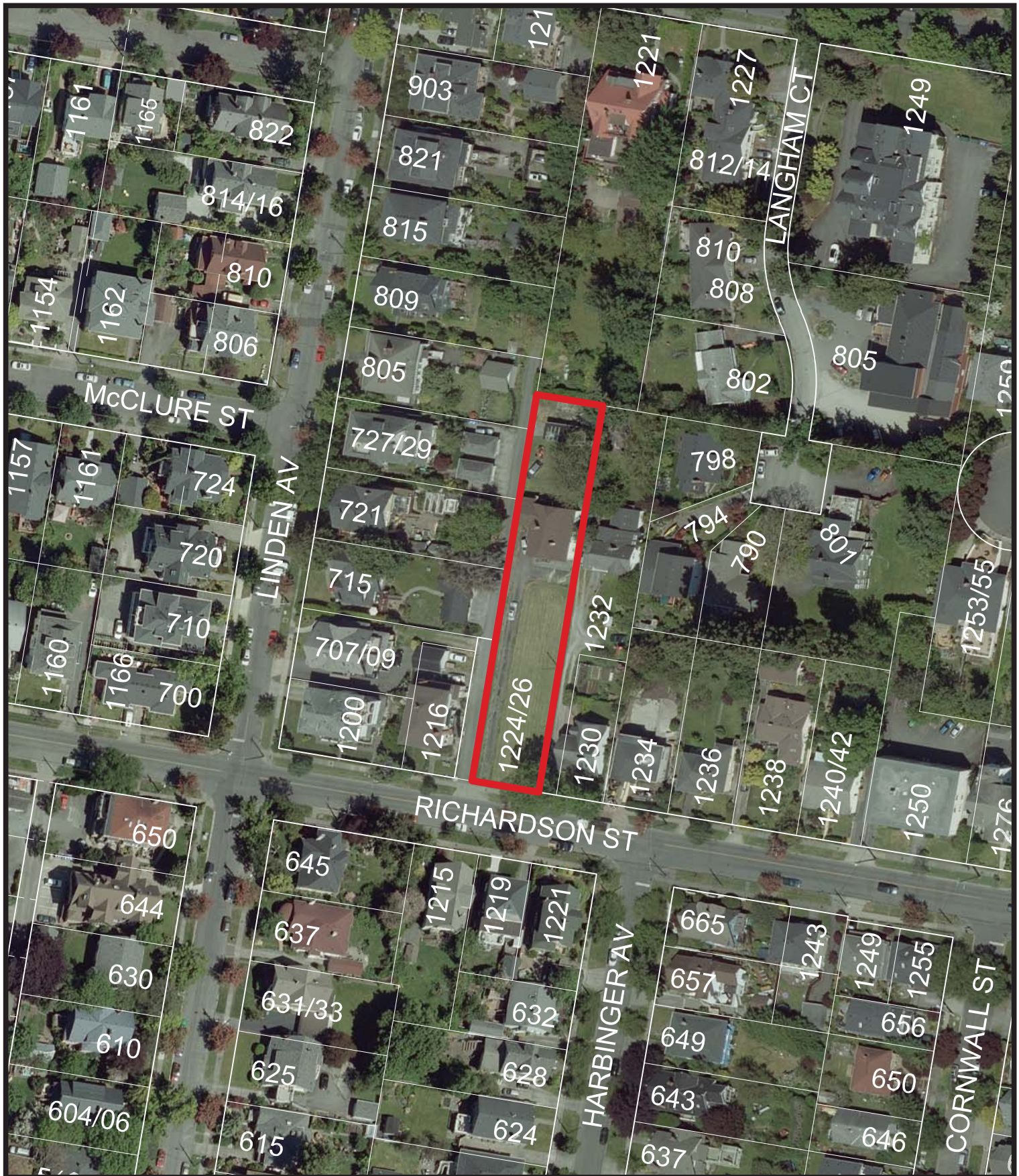
Date: June 23, 2020

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1224 Richardson Street
Rezoning No.00705



1224 Richardson Street
Rezoning No.00705

1224 Richardson Street



Christine Lintott
Architects

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Telephone: 250.394.1589
www.lintottarchitects.ca

ISSUE **DATE**

For Rezoning/
Development Permit Jun. 28, 2019

Resubmission Rezoning/
Development Permit Jun 8, 2020

Revisions
Published areas indicate revisions
compared to the previously
submitted version.

Received Date:
June 8, 2020

Revision **Description** **Date**

1. Car share parking added 2019-09-13

2. Building & unit floor areas clarified 2019-09-13

3. Final height revised. Avg grade & highest corner revised. 2019-09-13

4. PR Copy removed from project 2019-09-13

5. Renderings updated to include driveway fence, stair revisions, landscaping, and other details. 2020-01-24

6. Revised unit area calculations. Landscape Plan area calculations. 2020-06-08

7. Revised parking calculations. 2020-06-08

ARCHITECT

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SURVEYOR

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250-479-8733

CONTACT: TMT TREES
tmttrees@gmail.com

Project Data

Date 2020-06-08 14:54:46 PM
Drawn by CL
Checked by CL

A0.00

Scale As indicated

Project Scope:

- Demolition of two (2) existing buildings and site work.
- New landscaping and pedestrian sidewalks.
- New surface parking lot with ten (10) total stalls.
- Twenty four (24) total Affordable Housing units: six (6) one-bedroom units, eighteen (18) short-term units, twenty-six (26) long-term units.
- Short-term and long-term city parking provided: eighteen (18) short-term stalls, twenty-six (26) long-term stalls.

Total Floor Area	
Building A	3,137.22 m ²
Building B	1,137.22 m ²
Building C	1,137.22 m ²
Total	5,411.66 m²

NOTE:
FLOOR AREA AREAS ARE MEASURED TO INTERIOR FACE OF EXTERIOR WALLS AND ARE EXCLUSIVE OF CYCLES PARKING IN COMPLIANCE WITH REGULATION FOR "AREA" IN SCHEDULE A OF THE ZONING REGULATION BY-LAW.

Building A Room Area - Units	
Name	Area
Unit A1	1,137.22 m ²
Unit A2	1,137.22 m ²
Unit A3	1,137.22 m ²
Unit A4	1,137.22 m ²
Unit A5	1,137.22 m ²
Unit A6	1,137.22 m ²
Unit A7	1,137.22 m ²
Unit A8	1,137.22 m ²
Unit A9	1,137.22 m ²
Unit A10	1,137.22 m ²
Unit A11	1,137.22 m ²
Unit A12	1,137.22 m ²
Unit A13	1,137.22 m ²
Unit A14	1,137.22 m ²
Unit A15	1,137.22 m ²
Unit A16	1,137.22 m ²
Unit A17	1,137.22 m ²
Unit A18	1,137.22 m ²
Unit A19	1,137.22 m ²
Unit A20	1,137.22 m ²
Unit A21	1,137.22 m ²
Unit A22	1,137.22 m ²
Unit A23	1,137.22 m ²
Unit A24	1,137.22 m ²
Unit A25	1,137.22 m ²
Unit A26	1,137.22 m ²
Unit A27	1,137.22 m ²
Unit A28	1,137.22 m ²
Unit A29	1,137.22 m ²
Unit A30	1,137.22 m ²
Unit A31	1,137.22 m ²
Unit A32	1,137.22 m ²
Unit A33	1,137.22 m ²
Unit A34	1,137.22 m ²
Unit A35	1,137.22 m ²
Unit A36	1,137.22 m ²
Unit A37	1,137.22 m ²
Unit A38	1,137.22 m ²
Unit A39	1,137.22 m ²
Unit A40	1,137.22 m ²
Unit A41	1,137.22 m ²
Unit A42	1,137.22 m ²
Unit A43	1,137.22 m ²
Unit A44	1,137.22 m ²
Unit A45	1,137.22 m ²
Unit A46	1,137.22 m ²
Unit A47	1,137.22 m ²
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Unit A52	1,137.22 m ²
Unit A53	1,137.22 m ²
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Unit A57	1,137.22 m ²
Unit A58	1,137.22 m ²
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Unit A61	1,137.22 m ²
Unit A62	1,137.22 m ²
Unit A63	1,137.22 m ²
Unit A64	1,137.22 m ²
Unit A65	1,137.22 m ²
Unit A66	1,137.22 m ²
Unit A67	1,137.22 m ²
Unit A68	1,137.22 m ²
Unit A69	1,137.22 m ²
Unit A70	1,137.22 m ²
Unit A71	1,137.22 m ²
Unit A72	1,137.22 m ²
Unit A73	1,137.22 m ²
Unit A74	1,137.22 m ²
Unit A75	1,137.22 m ²
Unit A76	1,137.22 m ²
Unit A77	1,137.22 m ²
Unit A78	1,137.22 m ²
Unit A79	1,137.22 m ²
Unit A80	1,137.22 m ²
Unit A81	1,137.22 m ²
Unit A82	1,137.22 m ²
Unit A83	1,137.22 m ²
Unit A84	1,137.22 m ²
Unit A85	1,137.22 m ²
Unit A86	1,137.22 m ²
Unit A87	1,137.22 m ²
Unit A88	1,137.22 m ²
Unit A89	1,137.22 m ²
Unit A90	1,137.22 m ²
Unit A91	1,137.22 m ²
Unit A92	1,137.22 m ²
Unit A93	1,137.22 m ²
Unit A94	1,137.22 m ²
Unit A95	1,137.22 m ²
Unit A96	1,137.22 m ²
Unit A97	1,137.22 m ²
Unit A98	1,137.22 m ²
Unit A99	1,137.22 m ²
Unit A100	1,137.22 m ²

Building B Room Area - Units	
Name	Area
Unit B1	1,137.22 m ²
Unit B2	1,137.22 m ²
Unit B3	1,137.22 m ²
Unit B4	1,137.22 m ²
Unit B5	1,137.22 m ²
Unit B6	1,137.22 m ²
Unit B7	1,137.22 m ²
Unit B8	1,137.22 m ²
Unit B9	1,137.22 m ²
Unit B10	1,137.22 m ²
Unit B11	1,137.22 m ²
Unit B12	1,137.22 m ²
Unit B13	1,137.22 m ²
Unit B14	1,137.22 m ²
Unit B15	1,137.22 m ²
Unit B16	1,137.22 m ²
Unit B17	1,137.22 m ²
Unit B18	1,137.22 m ²
Unit B19	1,137.22 m ²
Unit B20	1,137.22 m ²
Unit B21	1,137.22 m ²
Unit B22	1,137.22 m ²
Unit B23	1,137.22 m ²
Unit B24	1,137.22 m ²
Unit B25	1,137.22 m ²
Unit B26	1,137.22 m ²
Unit B27	1,137.22 m ²
Unit B28	1,137.22 m ²
Unit B29	1,137.22 m ²
Unit B30	1,137.22 m ²
Unit B31	1,137.22 m ²
Unit B32	1,137.22 m ²
Unit B33	1,137.22 m ²
Unit B34	1,137.22 m ²
Unit B35	1,137.22 m ²
Unit B36	1,137.22 m ²
Unit B37	1,137.22 m ²
Unit B38	1,137.22 m ²
Unit B39	1,137.22 m ²
Unit B40	1,137.22 m ²
Unit B41	1,137.22 m ²
Unit B42	1,137.22 m ²
Unit B43	1,137.22 m ²
Unit B44	1,137.22 m ²
Unit B45	1,137.22 m ²
Unit B46	1,137.22 m ²
Unit B47	1,137.22 m ²
Unit B48	1,137.22 m ²
Unit B49	1,137.22 m ²
Unit B50	1,137.22 m ²
Unit B51	1,137.22 m ²
Unit B52	1,137.22 m ²
Unit B53	1,137.22 m ²
Unit B54	1,137.22 m ²
Unit B55	1,137.22 m ²
Unit B56	1,137.22 m ²
Unit B57	1,137.22 m ²
Unit B58	1,137.22 m ²
Unit B59	1,137.22 m ²
Unit B60	1,137.22 m ²
Unit B61	1,137.22 m ²
Unit B62	1,137.22 m ²
Unit B63	1,137.22 m ²
Unit B64	1,137.22 m ²
Unit B65	1,137.22 m ²
Unit B66	1,137.22 m ²
Unit B67	1,137.22 m ²
Unit B68	1,137.22 m ²
Unit B69	1,137.22 m ²
Unit B70	1,137.22 m ²
Unit B71	1,137.22 m ²
Unit B72	1,137.22 m ²
Unit B73	1,137.22 m ²
Unit B74	1,137.22 m ²
Unit B75	1,137.22 m ²
Unit B76	1,137.22 m ²
Unit B77	1,137.22 m ²
Unit B78	1,137.22 m ²
Unit B79	1,137.22 m ²
Unit B80	1,137.22 m ²
Unit B81	1,137.22 m ²
Unit B82	1,137.22 m ²
Unit B83	1,137.22 m ²
Unit B84	1,137.22 m ²
Unit B85	1,137.22 m ²
Unit B86	1,137.22 m ²
Unit B87	1,137.22 m ²
Unit B88	1,137.22 m ²
Unit B89	1,137.22 m ²
Unit B90	1,137.22 m ²
Unit B91	1,137.22 m ²
Unit B92	1,137.22 m ²
Unit B93	1,137.22 m ²
Unit B94	1,137.22 m ²
Unit B95	1,137.22 m ²
Unit B96	1,137.22 m ²
Unit B97	1,137.22 m ²
Unit B98	1,137.22 m ²
Unit B99	1,137.22 m ²
Unit B100	1,137.22 m ²

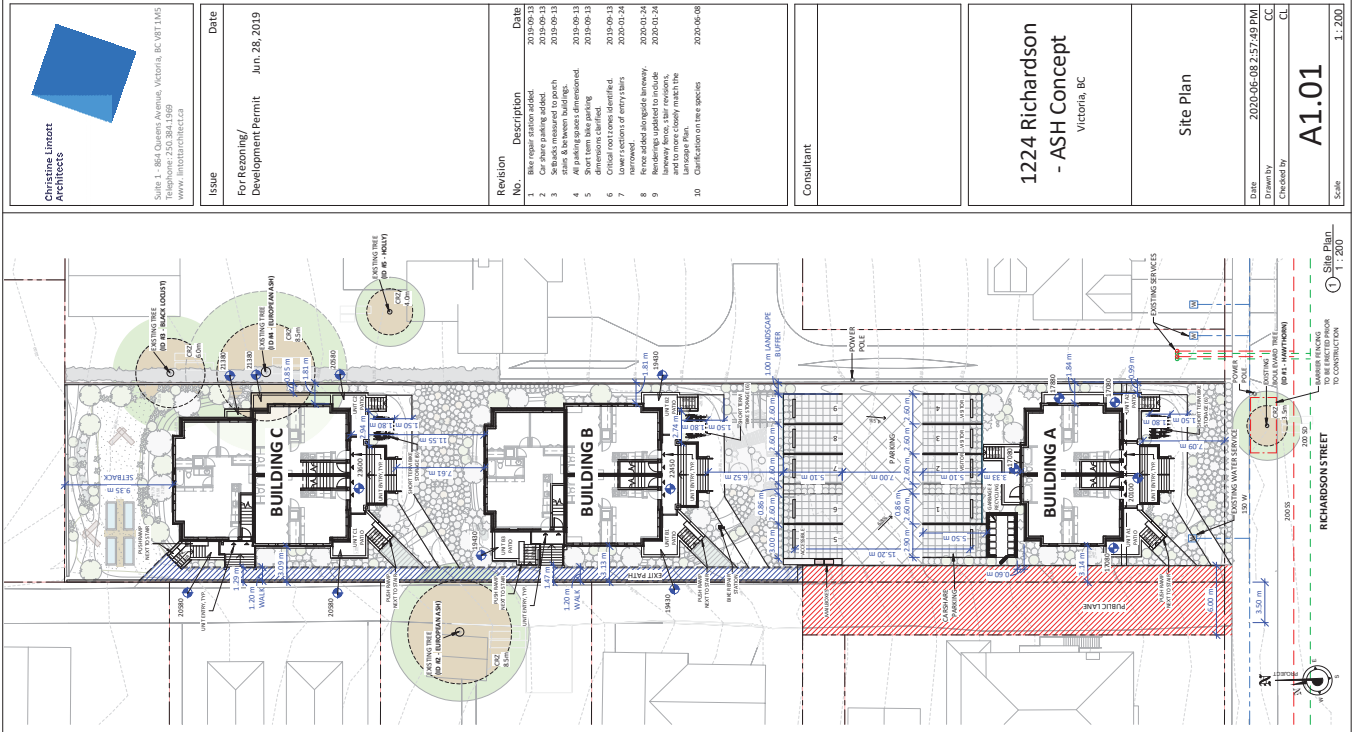
Building C Room Area - Units	
Name	Area
Unit C1	1,137.22 m ²
Unit C2	1,137.22 m ²
Unit C3	1,137.22 m ²
Unit C4	1,137.22 m ²
Unit C5	1,137.22 m ²
Unit C6	1,137.22 m ²
Unit C7	1,137.22 m ²
Unit C8	1,137.22 m ²
Unit C9	1,137.22 m ²
Unit C10	1,137.22 m ²
Unit C11	1,137.22 m ²
Unit C12	1,137.22 m ²
Unit C13	1,137.22 m ²
Unit C14	1,137.22 m ²
Unit C15	1,137.22 m ²
Unit C16	1,137.22 m ²
Unit C17	1,137.22 m ²
Unit C18	1,137.22 m ²
Unit C19	1,137.22 m ²
Unit C20	1,137.22 m ²
Unit C21	1,137.22 m ²
Unit C22	1,137.22 m ²
Unit C23	1,137.22 m ²
Unit C24	1,137.22 m ²
Unit C25	1,137.22 m ²
Unit C26	1,137.22 m ²
Unit C27	1,137.22 m ²
Unit C28	1,137.22 m ²
Unit C29	1,137.22 m ²
Unit C30	1,137.22 m ²
Unit C31	1,137.22 m ²
Unit C32	1,137.22 m ²
Unit C33	1,137.22 m ²
Unit C34	1,137.22 m ²
Unit C35	1,137.22 m ²
Unit C36	1,137.22 m ²
Unit C37	1,137.22 m ²
Unit C38	1,137.22 m ²
Unit C39	1,137.22 m ²
Unit C40	1,137.22 m ²
Unit C41	1,137.22 m ²
Unit C42	1,137.22 m ²
Unit C43	1,137.22 m ²
Unit C44	1,137.22 m ²
Unit C45	1,137.22 m ²
Unit C46	1,137.22 m ²
Unit C47	1,137.22 m ²
Unit C48	1,137.22 m ²
Unit C49	1,137.22 m ²
Unit C50	1,137.22 m ²
Unit C51	1,137.22 m ²
Unit C52	1,137.22 m ²
Unit C53	1,137.22 m ²
Unit C54	1,137.22 m ²
Unit C55	1,137.22 m ²
Unit C56	1,137.22 m ²
Unit C57	1,137.22 m ²
Unit C58	1,137.22 m ²
Unit C59	1,137.22 m ²
Unit C60	1,137.22 m ²
Unit C61	1,137.22 m ²
Unit C62	1,137.22 m ²
Unit C63	1,137.22 m ²
Unit C64	1,137.22 m ²
Unit C65	1,137.22 m ²
Unit C66	1,137.22 m ²
Unit C67	1,137.22 m ²
Unit C68	1,137.22 m ²
Unit C69	1,137.22 m ²
Unit C70	1,137.22 m ²
Unit C71	1,137.22 m ²
Unit C72	1,137.22 m ²
Unit C73	1,137.22 m ²
Unit C74	1,137.22 m ²
Unit C75	1,137.22 m ²
Unit C76	1,137.22 m ²
Unit C77	1,137.22 m ²
Unit C78	1,137.22 m



Southwest Aerial View



Richardson Street View





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Issue	Date
For Reasoning/ Development Permit	Jun. 28, 2019
Resubmission Permit/ Development Permit	Jun 8, 2020

Revision	Description	Date
1	Grade calculation completed to include stairs & patches.	2020-09-13

Consultant

1224 Richardson
- ASH Concept
Victoria, BC

Survey & Height
Calculations

Date	2020-06-08 14:54:04 PM
Drawn by	Author
Checked by	Checker

A1.02

Scale	1:200
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BC LAND SURVEYORS SITE PLAN OF:
Civic: 1224 Richardson Street
Legal: Parcel C (00 38188) of Section 26,
Fairfield Farm Estate, Victoria City, Plan 13

Parcel Identifier: 009-243-311
in the City of Victoria

Scale: 1:250. Distances are in metres

The intended print size is 18" by 24"

Legend

Boundaries are to geographic datum

UTM = Universal Transverse Mercator

UTM = Universal Transverse Mercator

UTM = Universal Transverse Mercator

UTM = Universal Transverse Mercator

UTM = Universal Transverse Mercator

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UTM = Universal Transverse Mercator

Building C Height Calculation

A1.6 A2

A1.6 A3

A1.6 A4

A1.6 A5

A1.6 A6

A1.6 A7

A1.6 A8

A1.6 A9

A1.6 A10

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A1.6 A13

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A1.6 A15

A1.6 A16

A1.6 A17

A1.6 A18

A1.6 A19

A1.6 A20

A1.6 A21

A1.6 A22

A1.6 A23

A1.6 A24

A1.6 A25

A1.6 A26

A1.6 A27

A1.6 A1

A1.6 A2

A1.6 A3

A1.6 A4

A1.6 A5

A1.6 A6

A1.6 A7

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A1.6 A27

A1.6 A1

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A1.6 A26

A1.6 A27

A1.6 A1

A1.6 A2

A1.6 A3

A1.6 A4

A1.6 A5

A1.6 A6

A1.6 A7

Building B Height Calculation

A1.6 A1

A1.6 A2

A1.6 A3

A1.6 A4

A1.6 A5

A1.6 A6

A1.6 A7

A1.6 A8

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A1.6 A27

A1.6 A1

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A1.6 A27

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A1.6 A27

A1.6 A1

A1.6 A2

A1.6 A3

A1.6 A4

A1.6 A5

A1.6 A6

Building A Height Calculation

A1.6 A1

A1.6 A2

A1.6 A3

A1.6 A4

A1.6 A5

A1.6 A6

A1.6 A7

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A1.6 A5

A1.6 A6

A1.6 A7

A1.6 A8

A1.6 A9

A1.6 A10

A1.6 A



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Issue	Date
For Reasoning/ Development Permit	Jun. 28, 2019
Resubmission Reasoning/ Development Permit	Jun 8, 2020

Revision No.	Description	Date
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- ASH Concept
Victoria, BC

Street Elevations

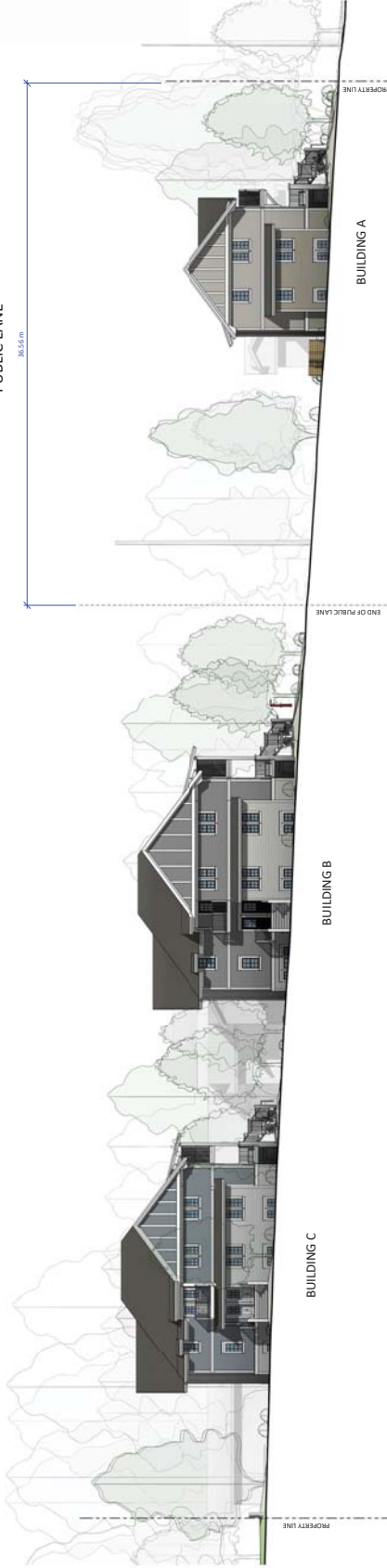
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Checked by	CL

A1.03

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PUBLIC LANE

36.55 m

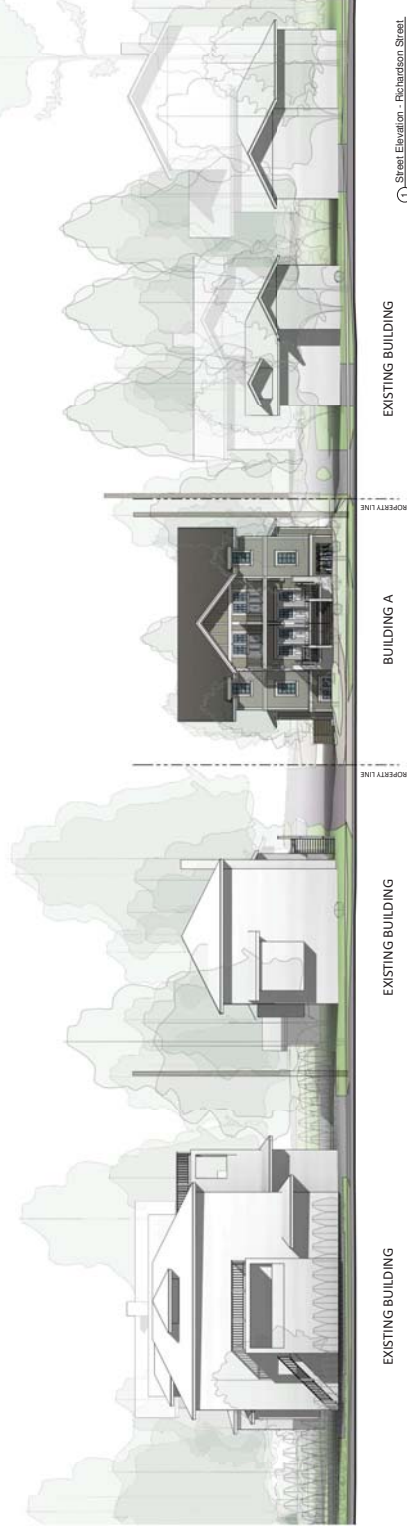


BUILDING C

BUILDING B

BUILDING A

② Street Elevation - Public Lane
1:150



EXISTING BUILDING

EXISTING BUILDING

BUILDING A

EXISTING BUILDING

① Street Elevation - Richardson Street
1:150



Issue	Date
For Reasoning/ Development Permit	Jun. 28, 2019
Resubmission Reasoning/ Development Permit	Jun 8, 2020

Revision No.	Description	Date
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Consultant

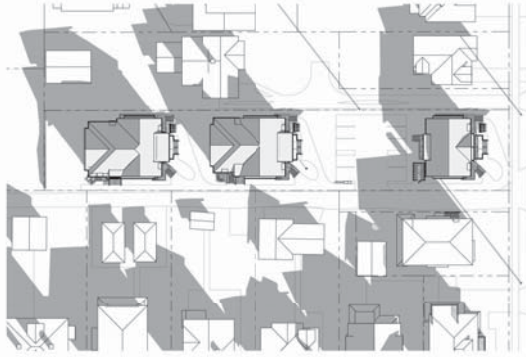
1224 Richardson
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Shadow Studies

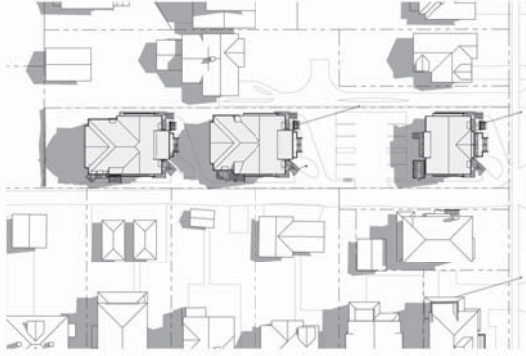
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Checked by	Checker

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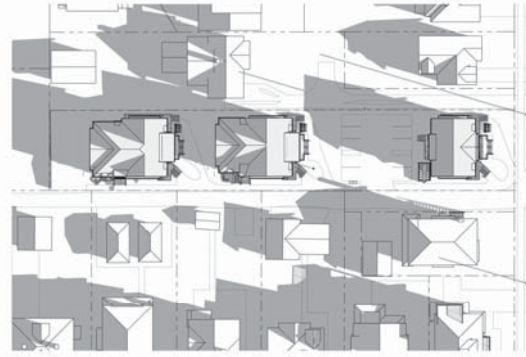
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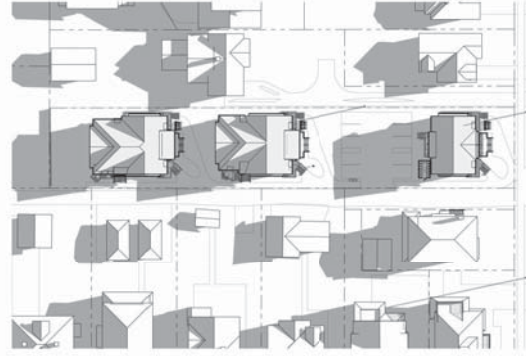
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1 : 500



① Shadow Study - Equinox 8am.
1 : 500



⑥ Shadow Study - Winter Solstice 2pm.
1 : 500



⑤ Shadow Study - Winter Solstice 12pm.
1 : 500



④ Shadow Study - Winter Solstice 10am.
1 : 500



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ISSUE	DATE
For Reasoning/ Development Permit	Jun. 28, 2019
Resubmission Reasoning/ Development Permit	Jun 8, 2020

Revision	No.	Description	Date
1		Window overlay elevations added to drawing set.	2019-09-13

Consultant

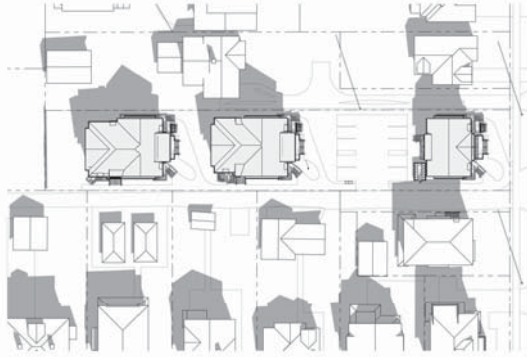
1224 Richardson
- ASH Concept
Victoria, BC

Shadow Studies

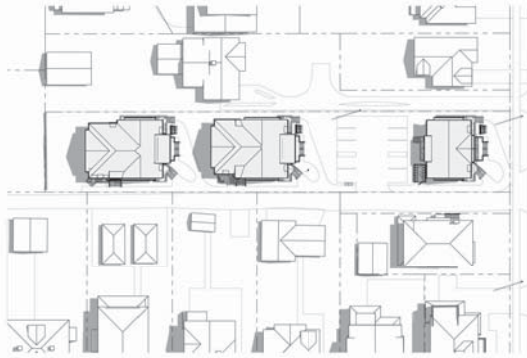
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Checked by	Checker

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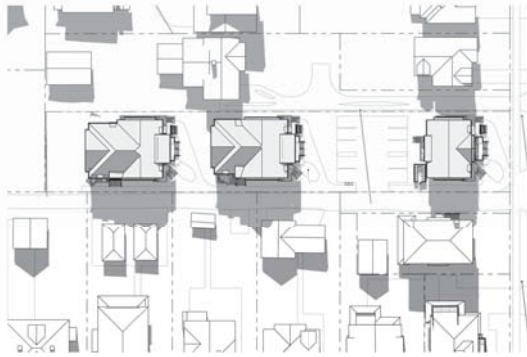
Scale As indicated



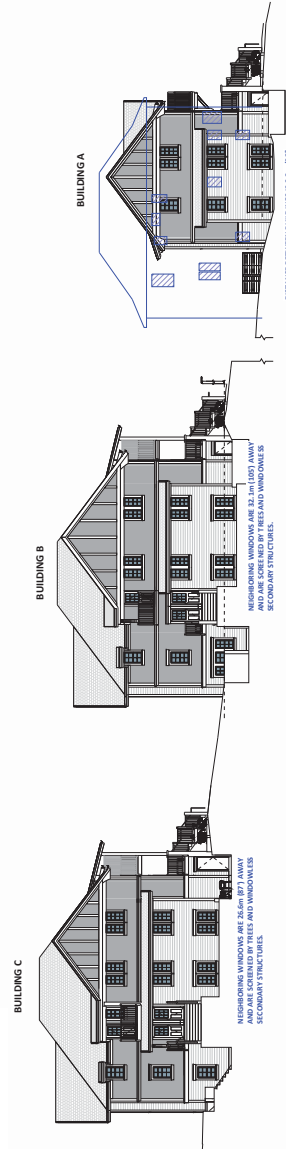
① Shadow Study - Summer Solstice 4pm
1:500



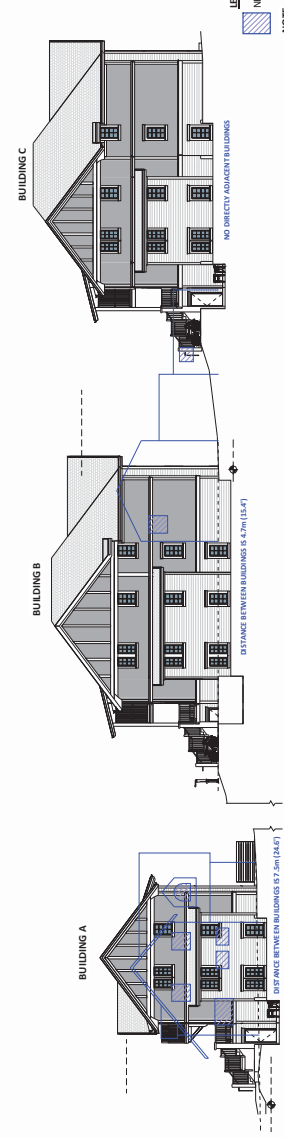
② Shadow Study - Summer Solstice 12pm
1:500



③ Shadow Study - Summer Solstice 8am
1:500



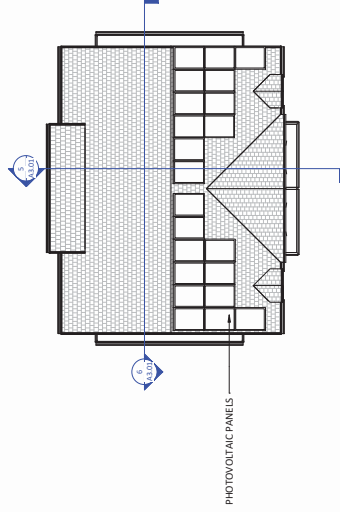
④ Window Overlay - West
1:150



⑤ Window Overlay - East
1:150

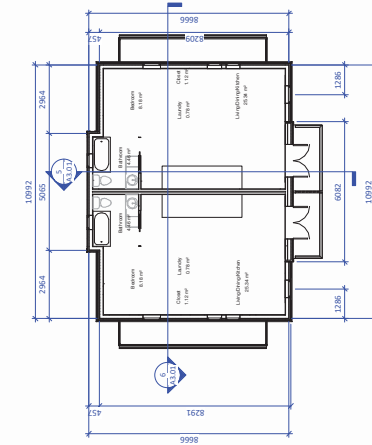
LEGEND
[Blue hatched box] NEIGHBORING WINDOW

NOTE:
NEIGHBORING WINDOW SIZES & LOCATIONS ARE ESTIMATED AND NOT BASED ON SURVEYED DATA.

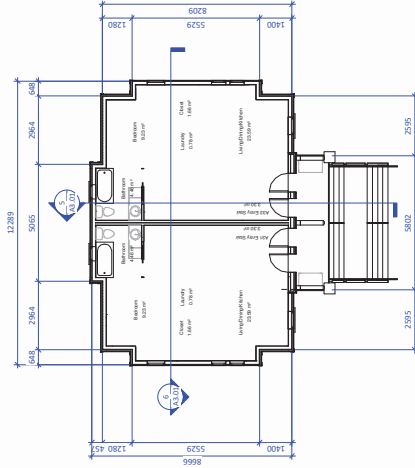


⑤ 3D Overview of Building A
1 : 100

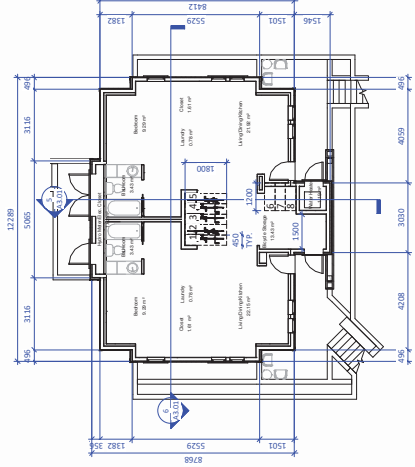
④ Elev. Plan - Building A
1 : 100



③ Floor Plan - Level 3 - Building A
1 : 100



② Floor Plan - Level 2 - Building A
1 : 100



① Floor Plan - Level 1 - Building A
1 : 100



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Architects

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Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019
Resubmission Rezoning/ Development Permit	June 8, 2020

Revising No.	Description	Date
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Consultant

ASH Richardson
Victoria, BC

Floor Plans - Building A

Date	2020-06-10 13:19 PM
Drawn by	CL
Checked by	CL

A2.01

Scale	1 : 100
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Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019
Resubmission Rezoning/ Development Permit	June 8, 2020

Revision No.	Description	Date
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Consultant

ASH Richardson

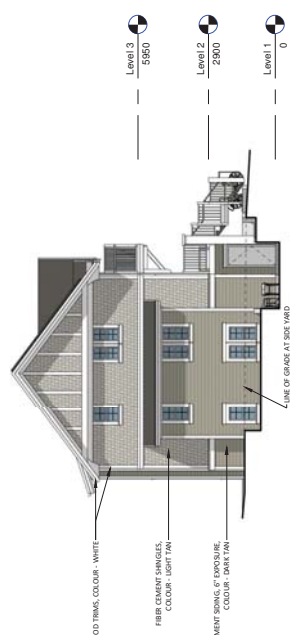
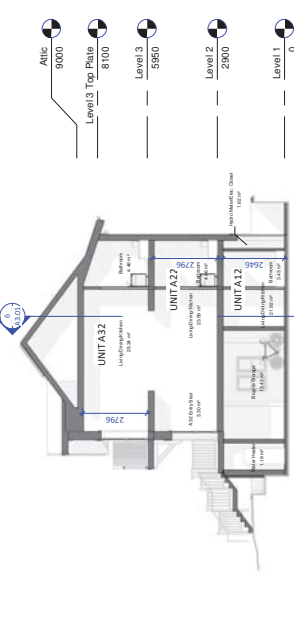
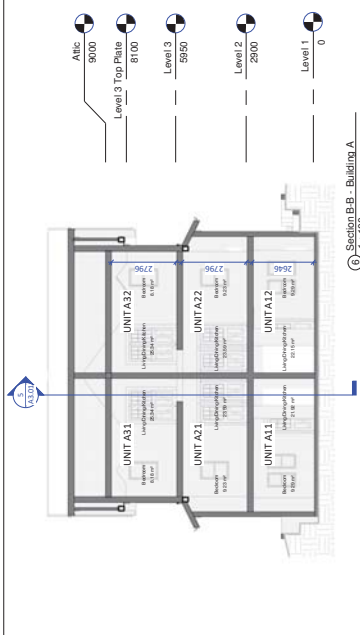
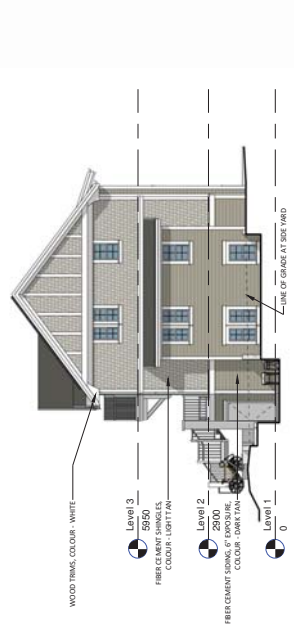
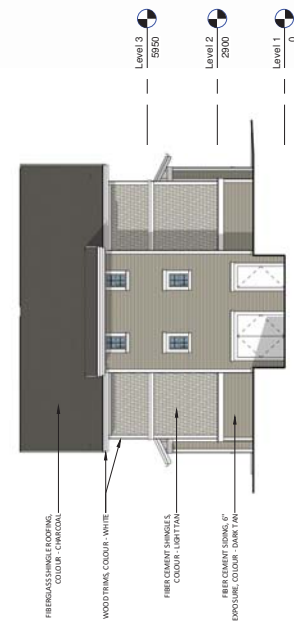
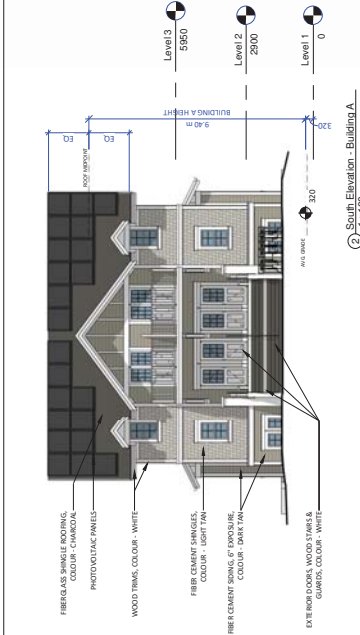
Victoria, BC

Elevations & Sections -
Building A

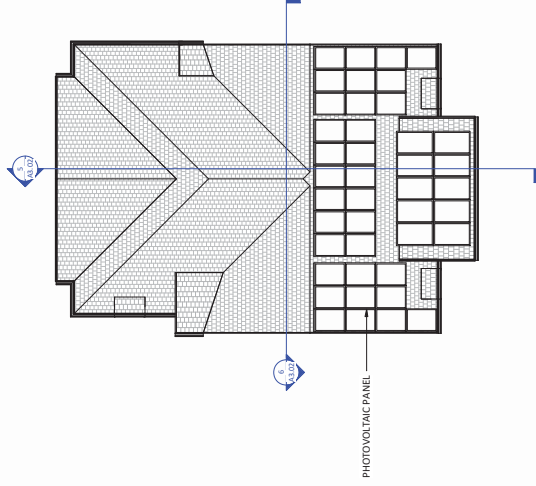
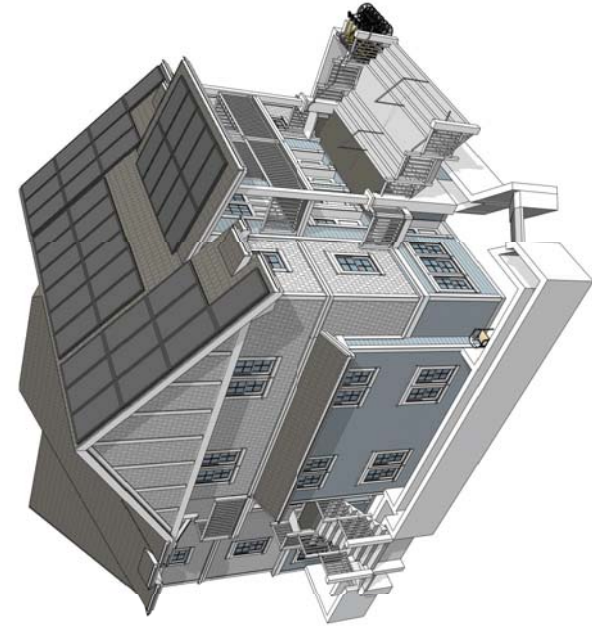
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Drawn by	CL
Checked by	CL

A3.01

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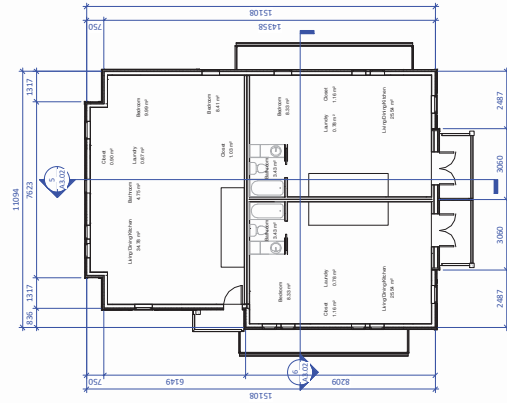


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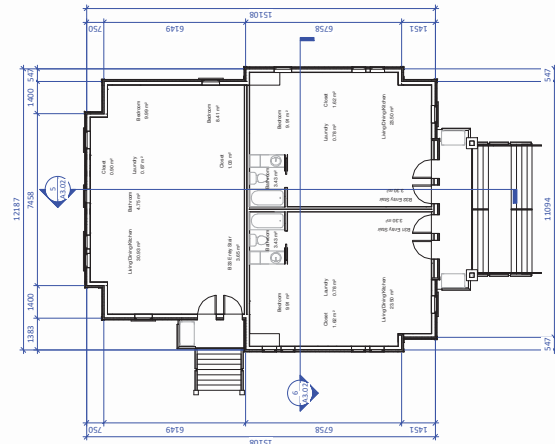


⑤ 3D Overview of Building B

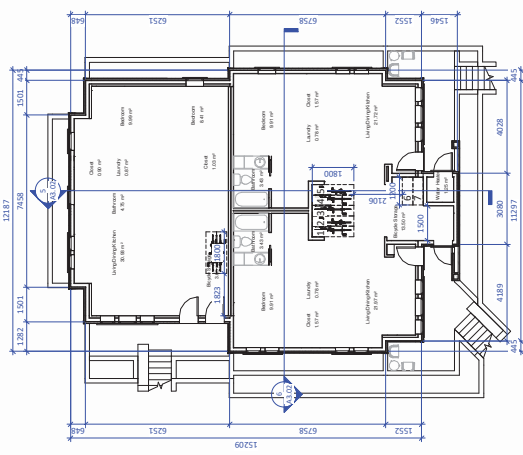
④ Roof Plan - Building B



③ Floor Plan - Level 3 - Building B



② Floor Plan - Level 2 - Building B



① Floor Plan - Level 1 - Building B

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Issue Date
For Rezoning/
Development Permit Jan. 4, 2019
Resubmission Rezoning/
Development Permit June 8, 2020

Revises No. Description Date

Consultant

ASH Richardson
Victoria, BC

Floor Plans - Building B

Date 2020-06-10 13:31:47 PM
Drawn By CL
Checked By CL

A2.02

Scale 1:100



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Issue	Date
For Reasoning/ Development Permit	Jan. 4, 2019
Resubmission Reasoning/ Development Permit	June 8, 2020

Revision No.	Description	Date
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Consultant

ASH Richardson

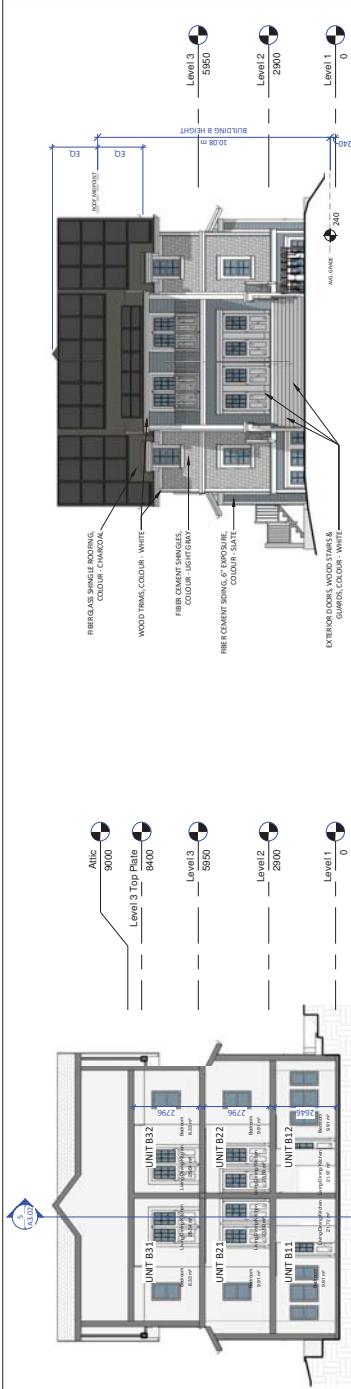
Victoria, BC

Elevations & Sections -
Building B

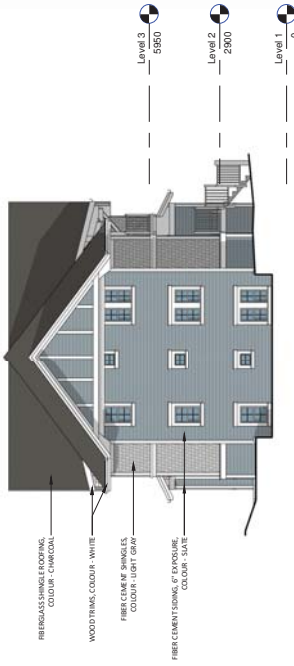
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Checked by	CL

A3.02

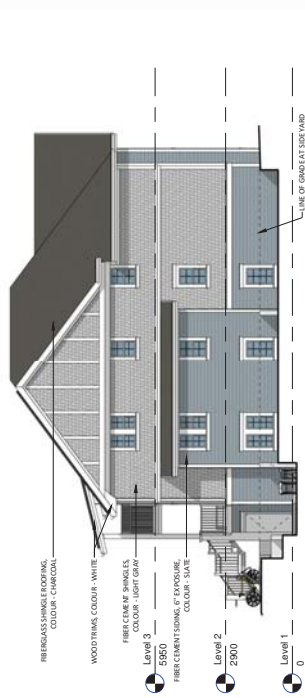
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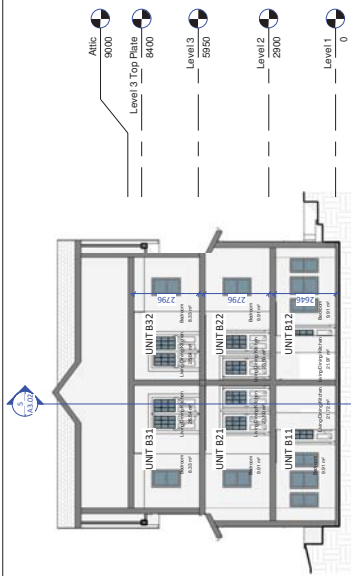
③ South Elevation - Building B
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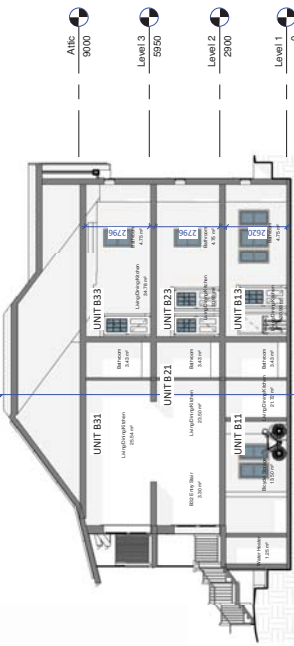
② North Elevation - Building B
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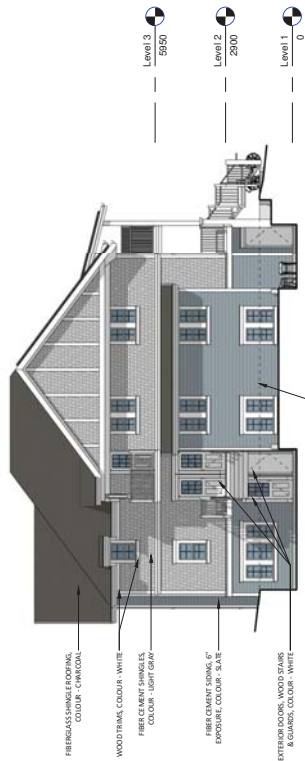
① East Elevation - Building B
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⑥ Section B-B - Building B
1 : 100



⑤ Section A-A - Building B
1 : 100



④ West Elevation - Building B
1 : 100



Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019
Resubmission Rezoning/ Development Permit	June 8, 2020

Revision No.	Description	Date
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ASH Richardson

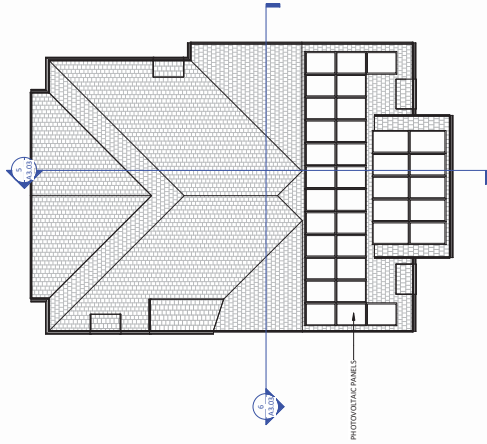
Victoria, BC

Floor Plans - Building C

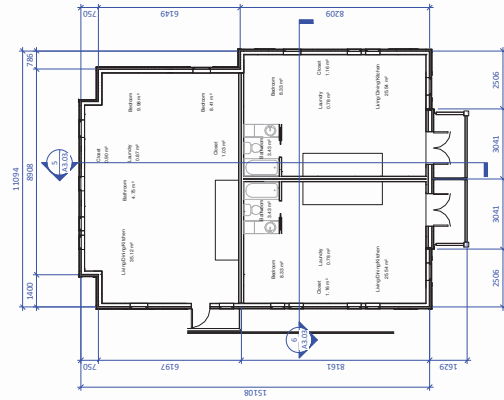
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Checked by	CL

A2.03

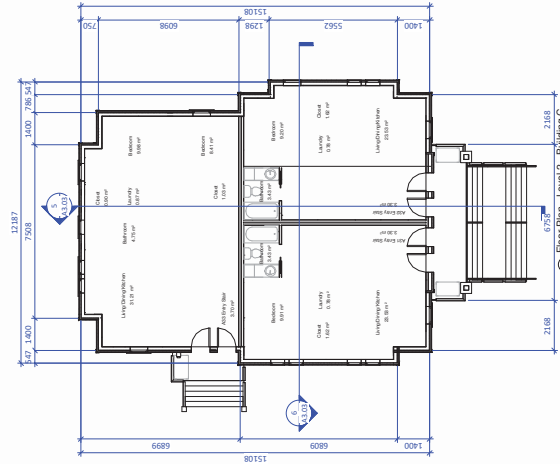
1:100



5 3D Overview of Building C

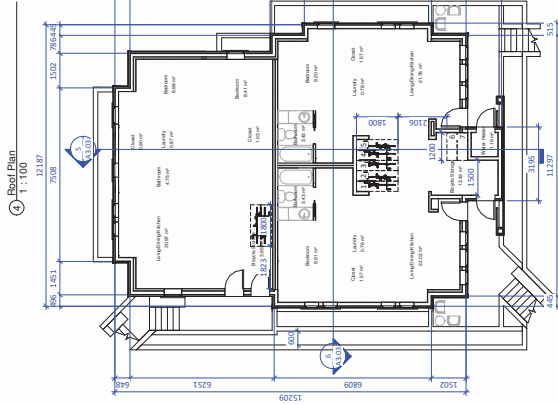


3 Floor Plan - Level 3 - Building C
1 : 100

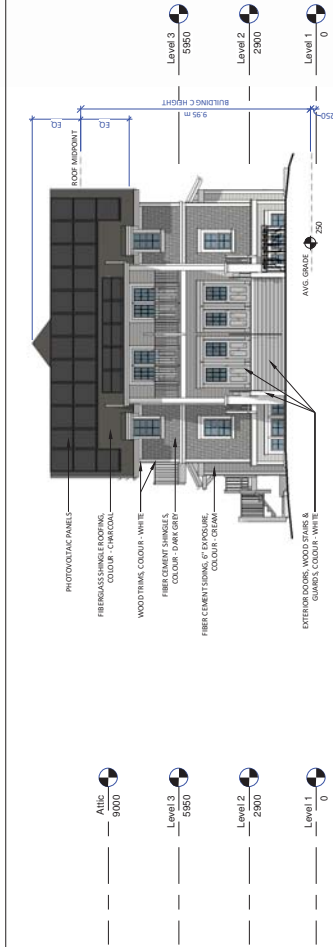


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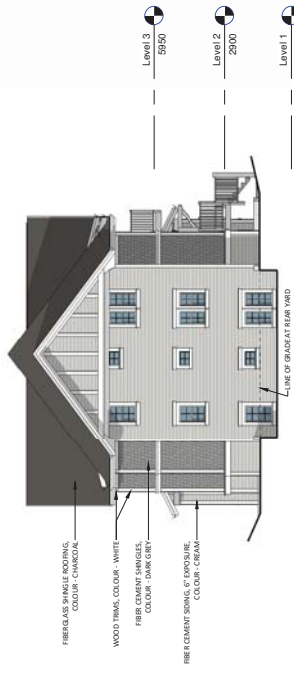
② Floor Plan
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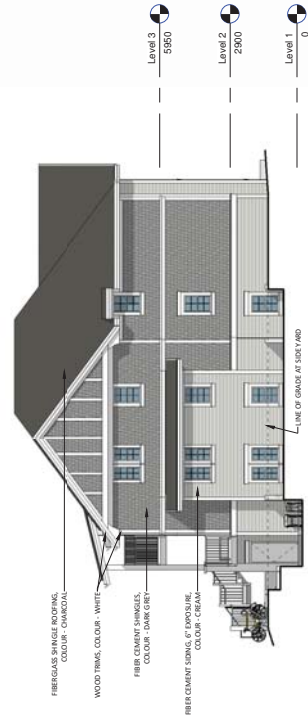
1 Floor Plan - Level 1 - Building C
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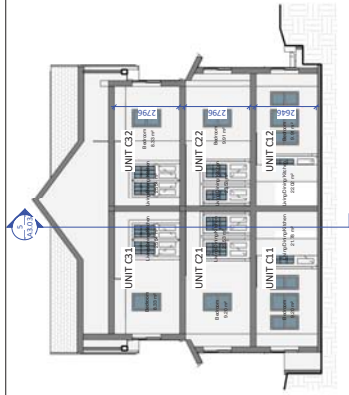
② South Elevation - Building C
1:100



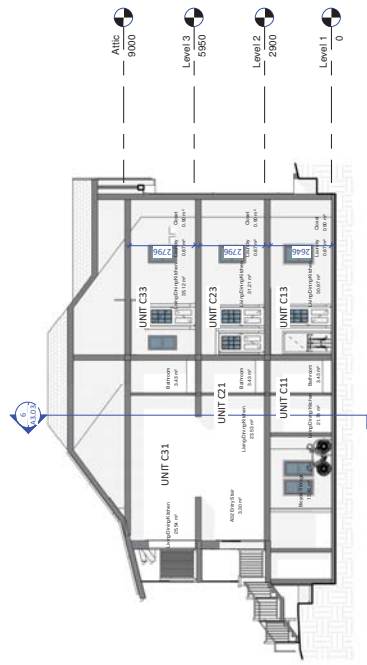
1 North Elevation - Building C
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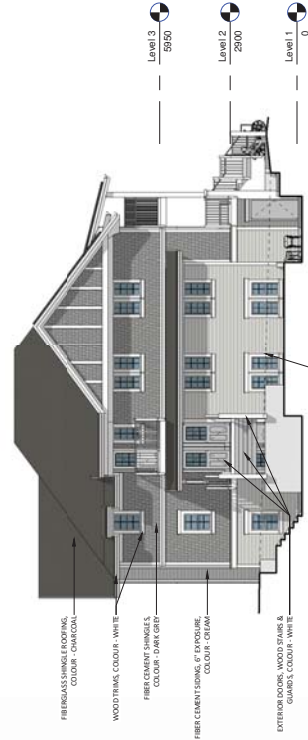
③ East Elevation - Building C
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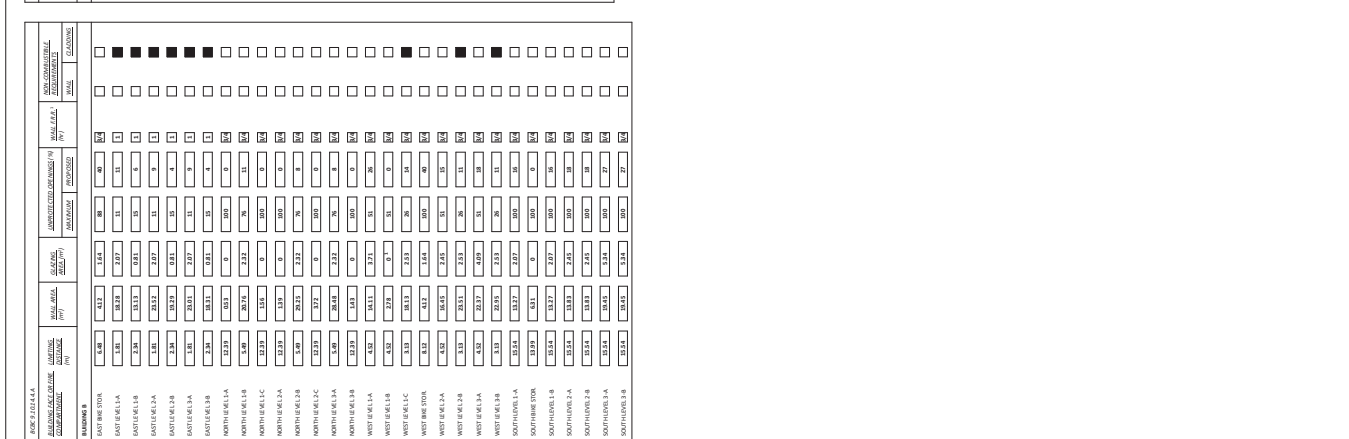
6 Section B-B - Building C
1 : 100



5 Section A-A - Building C
1 : 100



4 West Elevation - Building C
1 : 100



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ISSUE	DATE
For Rezoning/ Development Permit	Jun. 28, 2019
Resubmission Rezoning/ Development Permit	Jun 8, 2020

Revision No.	Description	Date
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Consultant

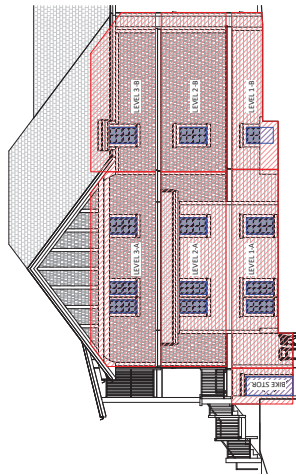
1224 Richardson
- ASH Concept
Victoria, BC

Spatial Separations

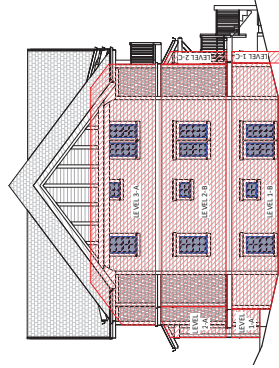
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Checked By	Checker

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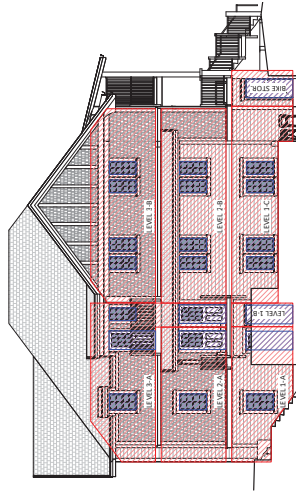
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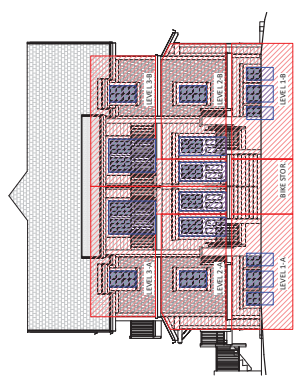
② Separations - Building C - East
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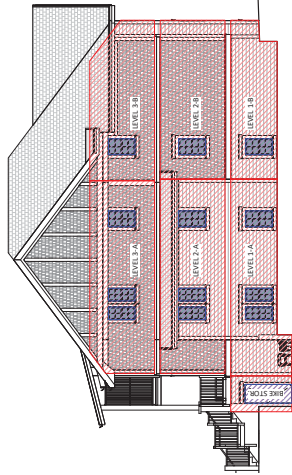
⑨ Separations - Building C - North
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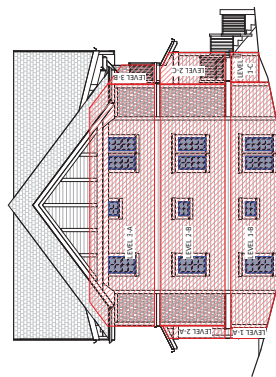
① Separations - Building C - West
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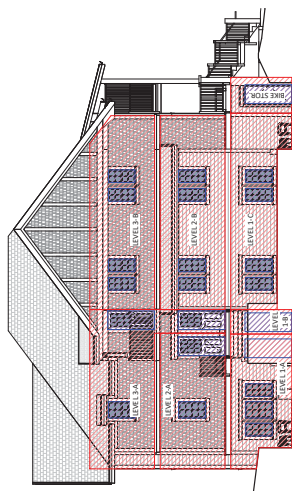
⑩ Separations - Building C - South
1 : 100



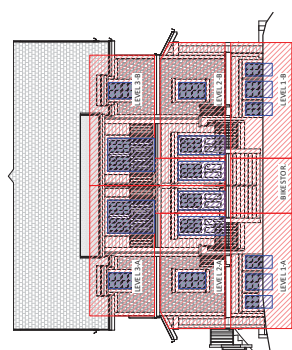
⑧ Separations - Building B - East
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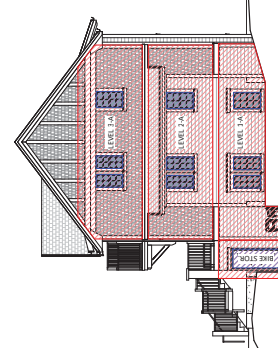
⑤ Separations - Building B - North
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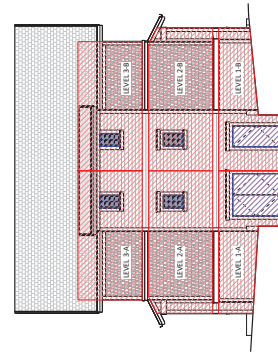
⑦ Separations - Building B - West
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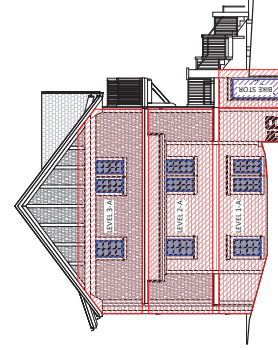
⑥ Separations - Building B - South
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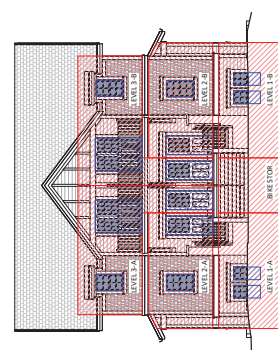
④ Separations - Building A - East
1 : 100



① Separations - Building A - North
1 : 100



③ Separations - Building A - West
1 : 100



② Separations - Building A - South
1 : 100

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E	June 8, '20		Pergola revision	
D	Jan 23, '20		Rezonig/DP resubmission	
C	Sept 16, '19		Rev. Planting Plan	
B	Sept 13, '19		Rev. Rezonig submission	
A	June 26, '16		Rezonig submission	
REVISIONS				



#3-864 Queens Ave. Victoria B.C. V6T 1M5
Phone: (250) 598-0105

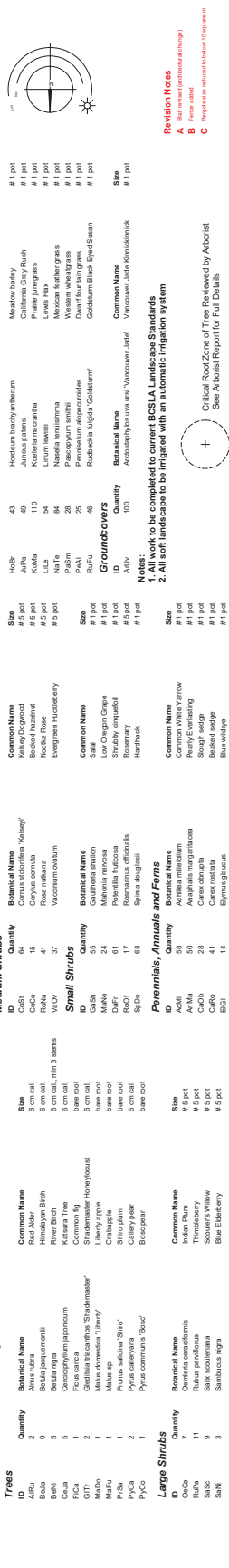
PROJECT

1224 Richardson St.
Victoria, BC

Landscape Concept
Plan

SCALE	1:150	DRAWN OL	CHECKED BW
PROJECT No. 1921			

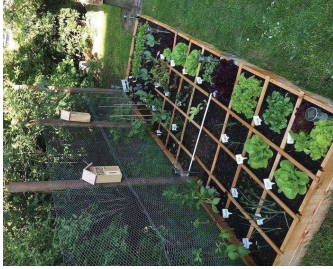
DATE Sept 16, 2019 1 of 2 SHEET



Recommended Nursery Stock

[illegible]

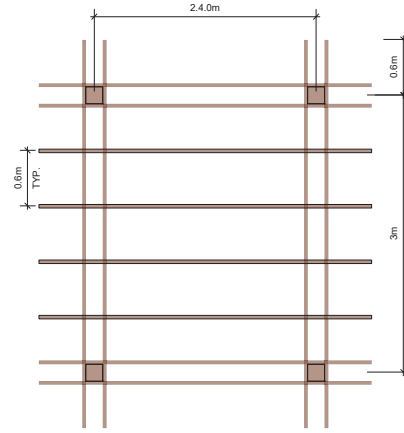
Landscape Concept Plan - 1224 Richardson



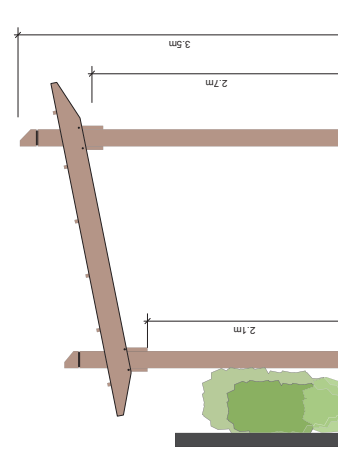
Community gardens create spaces for social capital to emerge and present a precedent for interactive urban living and environmental stewardship



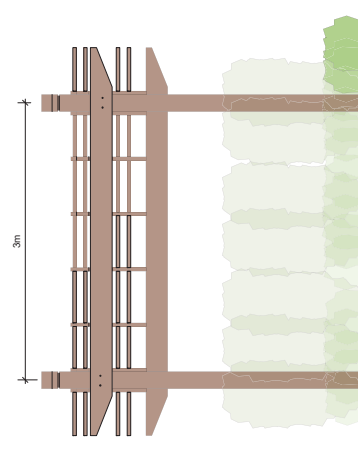
Grasses with boulder retention throughout sloped site



Wood Pergola - Plan View
1:25



Wood Pergola - Side Elevation
1:25



Wood Pergola - Front Elevation
1:25

SCALE	DRAWN	SL
as shown	CHECKED	BW
PROJECT No. 1921		

PROJECT No. 1921

DATE
Sept 13, 2019

2 of 2
SHEET

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E	June 8, '20	Perglia revision		
D	Jan 23, '20	Rezonig/DP resubmission		
C	Sept 16, '19	Rev. Planting Plan		
B	Sept 13, '19	Rev. Rezonig submission		
A	June 28, '19	Rezonig submission		
REVISIONS				



LADR LANDSCAPE ARCHITECTS

#3-864 Queens Ave. Victoria B.C. V8T 1M5
Phone: (250) 598-0105

PROJECT
1224 Richardson Street
Victoria, BC

Revised May 20, 2020

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

RE: 1224 Richardson Street, Rezoning and Development Permit Application

Utilizing the principles and practices of gentle density, this proposal for 1224 Richardson Street envisions 24 affordable to buy, one- and two-bedroom strata units distributed in three traditionally designed house-like buildings. With the provision of modest car parking, car share services and extensive secure outdoor/indoor bike parking, this proposal also minimizes the need for and use of the automobile and better positions this neighbourhood for a sustainable future.

These units will be provided without subsidy and at densities conforming to the OCP and existing built form and character of the neighbourhood. At an average target price of \$330,000 for a new built one bedroom unit, and \$480,000 for a new built 2 bedroom unit, this pricing is substantially lower than the average one bedroom which is offered for \$482,703 and the average two bedroom unit that is offered for \$1,211,586 (see Schedule 1 attached, for MLS data, as of June 10, 2019). Further, all units in this project will meet BC Housing's definition of 'affordable housing' and 22 of 24 units will meet the City of Victoria's definition of 'affordable housing'.

The proponents guarantee that the current list price will be used upon completion, or adjusted no more than the Home Price Index through the Victoria Real Estate Board, based on the market change up or down as of June 2019 until the date the properties come to market.

In addition to the at market affordability, the proponents further propose to place a covenant in perpetuity on all units: that any buyer must hold their unit for a minimum of 3 years. Should they sell their unit prior to 3 years, they will pay 50% of the difference between their purchase price and the increased sales price to the City of Victoria housing fund.

In so doing, this proposal will significantly increase the supply of affordable housing for moderate income households, and encourage diversity of housing types within the Fairfield/Rockland neighbourhood now and in the future.

Description of Proposal

The proposal seeks to remove the existing duplex structure and replace it with 3 ground oriented house-plex buildings and a surface automobile parking lot. Each unit will have its own front door. All buildings are lobby and corridor-free, making the buildings reduced in scale and effectively 100% efficient. The front building will contain 6, 1 bedroom units and the two back buildings will each contain: 6-1 bedroom units and 3-2 bedroom units for a total of 24 affordable strata ownership units. The proposal will rezone the existing R1-B "Single Family" zoned site to a site specific zone to support the proposed uses. A concurrent Development Permit will also be required. The proposal will result in increased density but with a resulting FSR of .67 and lot coverage of 31%, the density will be well within the form and character of the neighbourhood. Two existing tenants will be displaced and will be accommodated as per the City's Tenant Assistance Policy.

Government Policies

As a gentle densification approach to increasing affordable and sustainable housing options in the City, that respects the form and character of its neighbourhood, the proposed rezoning and development of 1224 Richardson is consistent with a large number of the goals and objectives of the City of Victoria's Official Community Plan, specifically:

Land Management and Development

6 (A). Victoria has compact development patterns that use land efficiently.

6.1.5 Traditional Residential consists primarily of residential and accessory uses in a wide range of primarily ground-oriented building forms including single, duplexes, townhouses and row-houses, house conversions, and low-rise multi-unit residential

6.2 consider the form, place character, use and density guidelines provided in Figure 8, providing finer grained policy and regulatory guidance in response to local context and development opportunity.

Which for Traditional Residential Designated lands allows for an FSR up to 1.1:1

Place Making- Urban Design and Heritage

8 (d) That social vibrancy is fostered and strengthened through human scale design of buildings, streetscapes and public spaces.

8.43 Encourage high quality architecture, landscape and urban design to enhance the visual identity and appearance of the City.

8.44 Support new infill and building additions that respond to context through sensitive and innovative design.

8.45 Encourage human scale in all building designs, including low, mid-rise and tall buildings, through consideration of form, proportion, pattern, detailing and texture, particularly at street level.

8.48 Integrate off-street vehicle parking in a way that does not dominate development or streetscapes

Environment

10.5 Enhance the adaptive capacity of ecosystems and the urban forest to withstand climate change impacts through increasing the use and diversity of native and climate change adapted species on both public and private lands

Infrastructure

11.20 Promote sustainable site design that reduces peak runoff volumes and rainwater contaminants through elements such as on-site retention, pervious surfaces, green space, and plantings.

Climate Change and Energy

12.4 Continue to promote the reduction of community greenhouse gas emissions, through:

12.4.1 Compact land use patterns such as walkable and complete centres and villages.

12.4.2 Transit-oriented development

12.17 Continue to support and enable the private development of green buildings, subject to development control and building regulation, with features that may include but are not limited to:

12.17.1 Alternative transportation facilities; 12.17.2 Sustainable landscaping; 12.17.5 Energy efficiency technology; 12.17.6 On-site renewable energy technology; and, 12.17.8 Efficient plumbing fixtures and systems.

Housing and Homelessness

13 (d) That a wide range of housing choice is available within neighbourhoods to support a diverse, inclusive and multigenerational community

13.9 Support a range of housing types, forms and tenures across the city and within neighbourhoods to meet the needs of residents at different life stages, and to facilitate aging in place.

13.10 Encourage a mix of residents, including households with children, by increasing opportunities for innovative forms of ground-oriented multi-unit residential housing.

13.34 Promote a diversity of housing types to create more home ownership options such as multi-unit developments, the creation of small residential lots, street-oriented fee simple row-houses and other housing forms consistent with the guidelines in Figure 8.

Food Systems

17.11 Encourage the provision of gardens and other food production spaces for the use of residents in new multi-unit housing.

This lot is within the Rockland Neighbourhood and borders the Fairfield Neighbourhood. With respect to the Neighbourhood Directions for Rockland, Section 30 of the OCP, the proposal is consistent with the strategic directions which seek to “encourage a diversity of population and housing in consideration of the neighbourhood’s heritage and estate character” and “continue to conserve the historic architectural and landscape character of the neighbourhood”.

With respect to Fairfield, Section 21 of the OCP, the proposal is consistent with the strategic directions which seek to “maintain and enhance established character areas”, and “maintain neighbourhood population to ensure to support the viability of community and commercial services and schools.”

The addition of 24 residential units within the walkable Rockland/Fairfield community will also support the goals outlined in Figure 3 of the OCP, specifically, to accommodate an additional 2000 people in Victoria by 2041, in areas outside of the urban core, town centers and large urban villages.

As the project is situated in General Development Permit Area #16, the design incorporates the strategies in “Advisory Design Guidelines for Buildings, Signs and Awnings” (1981), “Design Guidelines for Attached Residential Development” (2018), and “Guidelines for Fences, Gates and Shutters” (2010), as outlined below:

- Units are oriented to the street [2018 1a) i, iv, 2]
- Units have adequate separation to support landscape and sensitive transitions to adjacent existing development and open spaces, to maximize daylight and to minimize shadowing and overlook on neighbouring properties [2018 1a) iv, 2]
- Vehicular access, circulation and parking are minimized to limit impact on fronting streets and neighbouring properties [2018 1a) vi]
- Building form, design and materials are of a high standard, enhancing the form and character of neighbouring properties and on a human scale [2018 3 1), 2)]
- Open space is enhanced to support the urban forest, provide privacy where needed, emphasize unit entrances and pedestrian accesses, reduce storm water runoff, and to ensure that front and rear yards are not dominated by parking. [2018 3 4)]

- Landscaping complements the building, is suited to local climate, and includes deciduous trees for light penetration in winter [2012, 5.1 & 5.6]
- Private open space in form of balconies provided wherever possible [2012, 5.8]
- Required parking located interior to the lot, with some paving of permeable materials [2012, 8.1.3 & 8.3]
- All proposed fencing is based on existing style to integrate into surroundings, and made of materials that will weather gracefully [2010]

Project Benefits and Amenities

The key benefits of the project – adding 24 affordable strata units, while minimizing the need for and use of the automobile– are interlinked and foundational to the proposal’s ability to sensitively integrate with the neighbourhood, while providing much needed housing and adding resiliency to the City of Victoria.

Need and Demand

The proposal responds directly to a current shortage of affordable market housing, where extremely high prices have locked out many Victoria residents from home ownership. While existing zoning permits only one detached residence, the proposed rezoning would permit a total of twenty-four (24) households on the property, so that more citizens can comfortably live, work and shop within blocks of downtown Victoria. This ‘gentle density’ form of development offers more housing without impacting the residential character of the neighbourhood.

Neighbourhood

The context is typical of transitional urban-residential zones, with a mix of renovated heritage homes, house conversions and multi-storey apartment buildings of various ages. Many of the adjacent and neighbouring properties are already in fact larger and more densely sited than this proposal. As noted above, this proposal will help enhance this character with gentle densification infill housing.

Impacts

The configuration of the development was designed specifically to avoid visually impacting the character, and massing of the Neighbourhood. The front building is smaller to more closely match other buildings fronting Richardson Street while the rear two buildings are slightly larger to match the more closely adjacent buildings on Linden located across the lane that runs up the west side of the subject property. While the result of the proposal will be more people living on the property, care has been taken to ensure all parking is discreetly incorporated within the property, such that the availability of street parking is unaffected. The change to apartment use should not have an adverse noise impact and is complementary to the surrounding uses and buildings.

Design and Development Permit Guidelines

As the site is located within General Development Permit Area #16, there are no specific design guidelines applicable in this instance, beyond those mentioned in the Government Policies section above.

Safety and Security

The proposal acknowledges and integrates key CPTED principles to maintain and enhance safety and security. Entrances have been located for maximum visibility and directness from the street, and proposed living spaces facing all directions provide and promote passive surveillance. Short term bicycle parking will be visible from the sidewalk, and/or internal sidewalks, thus discouraging opportunities for crime. Exterior lighting will be provided at exits for safety but will also make them more secure. Along the private alley to the west of the property, fencing will be lower and see through to encourage overlook into the alleyway and minimize opportunities for negative activity such as petty crime and graffiti. Along the street, the increased proximity of the front building to the street will increase street overlook and better communicate an image of maintenance and care, further enhancing apparent street safety and comfort.

Transportation

An explicit objective of the project design has been to encourage non-automobile transportation options, such as walking, bicycling, bus and car share options, both to enhance the affordability of the development and lower its ongoing environmental impact. Nevertheless, all required off-street automobile parking requirements are still met on site, so as to minimize parking impacts to the surrounding neighbourhood. The property has a walk score of 87, considered very walkable and is within 20 minutes' walk of downtown, several shopping areas, schools, parks and recreation facilities. Additionally, this proposal will provide bicycle storage facilities in accordance with the requirements of Schedule C, (in fact, larger than required to accommodate cargo bikes and with potential to charge electric bikes). Given the project fronts on Richardson St. (a future enhanced bike route) and is proximate to Vancouver Street, access to designate bike routes is superior. The site is also within blocks of major bus routes on Cook, Richardson, Fort and Fairfield Streets with connections to the entire CRD region. Finally, as part of this development the proponents will purchase a modo carshare vehicle and provide 24 car share memberships (attached to the units). A dedicated parking spot will also be provided on site for the car share vehicle. These transportation advantages will all serve to reduce the demand for single occupancy vehicle traffic and parking.

Heritage

The existing residence is not a designated or registered heritage building. While restoration and redevelopment were considered for the building, as part of this rezoning and development, its size and character do not allow for the efficient redevelopment of the site. All efforts will be made to move and reuse the building.

Green Building Features

While the project is not seeking a third-party green building certification, it is targeting Step 3, Energy Code standards and achieves several sustainable objectives intrinsic to infill housing, namely walkable density and opportunities for comfortable compact living. Further, the buildings will be structurally designed and solar pre-plumbed to accommodate solar PV and electric vehicle charging. All plumbing fixtures will be low flow and the landscape plan includes drought resistant design and species to reduce water usage. The landscape plan also accommodates stormwater retention swales, infiltration areas and permeable pavers in some of the hard surfaces required to meet the Schedule C parking requirements to limit peak storm water runoff. The landscape features will also maximize planting areas, include space for

vegetable gardens and increase the urban forest via the net addition of 28 new trees, including a significant number of fruit trees. No excess vehicular parking is proposed, and additional short-term bicycle parking can be readily added in future. The existing building will not be retained, as it does not allow for the efficient and sensitive redevelopment of the site. The building will be moved to a suitable site if possible. If not, the building will be deconstructed to reuse as much of the building materials as possible: structural old growth fir, copper wiring, metal plumbing fixtures, etc.

Infrastructure

There is adequate public infrastructure to support the proposal. In fact, given its gentle infill nature, we believe densification will only lightly increase the load on existing infrastructure while substantially enhancing the economic and social vitality of the neighbourhood and city.

Summary

The proposed rezoning and redevelopment of 1224 Richardson St. represents a sensitive and contextually appropriate project for the Rockland/Fairfield neighbourhood. Support of the proposal will serve to add 24 affordable market strata units without need for subsidy and provide a 'gentle density' form of housing infill, which shall help enhance and sustain the community at large.

Sincerely,

A handwritten signature in cursive script that reads "Tim Stemp".

Tim Stemp, Gene Miller, Dan Pringle & Harry Newton
Per,
1224 Richardson Property Corp.



Current Listings

Address	SCls	Bd	Bth	Built	FinSF	LotSF	List\$	Sell\$	Assess\$	DoM	\$/FinSF	S/L%	L/A%
Your Property										\$0			
815-1029 View St	Con	1	1	2019	388	388	\$325,000			33	\$838		
624-1029 View St	Con	1	1	2019	441		\$325,000			40	\$737		
508-1029 View St	Con	1	1	2019	388	388	\$325,000			41	\$838		
622-1029 View St	Con	1	1	2019	441		\$349,000			40	\$791		
409-777 Herald St	Con	1	1	2020	455	1	\$374,900	\$10,097,700		101	\$824		3.7
626-1029 View St	Con	1	1	2019	441		\$379,000			40	\$859		
314-1029 View St	Con	1	1	2019	435	435	\$425,000			24	\$977		
205-989 Johnson S	Con	1	1	2019	743	743	\$460,000			45	\$619		
501-613 Herald St	Con	1	1	2018	520	562	\$465,000	\$363,200		12	\$894		128.0
E-1204-989 Johnsc	Con	1	1	2019	611	611	\$480,000			45	\$786		
805-777 Herald St	Con	1	1	2020	606	1	\$485,900	\$10,097,700		101	\$802		4.8
418-1029 View St	Con	1	1	2019	624	624	\$499,000			66	\$800		
307-1628 Store St	Con	1	1	2021	562	562	\$500,000			76	\$890		
802-777 Herald St	Con	1	1	2020	556	1	\$519,900	\$10,097,700		101	\$935		5.1
531-1029 View St	Con	1	1	2019	669	669	\$594,500	\$500,000		25	\$889		118.9
305-530 Michigan S	Con	1	1	2021	698		\$699,900			96	\$1,003		
304-888 Governme	Con	1	2	2020	895	895	\$998,850	\$22,641,000		89	\$1,116		4.4
Count 17	Average	1.0	1.1	2019	557	452	\$482,703	\$8,966,217		57	\$859		44.2
	Median	1.0	1.0	2019	556	562	\$465,000	\$10,097,700		45	\$838		5.0
	Minimum	1.0	1.0	2018	388	1	\$325,000	\$363,200		12	\$619		3.7
	Maximum	1.0	2.0	2021	895	895	\$998,850	\$22,641,000		101	\$1,116		128.0

Overall Summary

		Bd	Bth	Built	FinSF	LotSF	List\$	Sell\$	Assess\$	DoM	\$/FinSF	S/L%
Your Property										\$0		
Count 17	Average	1.0	1.1	2019	557	452	\$482,703	\$8,966,217		57	\$859	
	Median	1.0	1.0	2019	556	562	\$465,000	\$10,097,700		45	\$838	
	Minimum	1.0	1.0	2018	388	1	\$325,000	\$363,200		12	\$619	
	Maximum	1.0	2.0	2021	895	895	\$998,850	\$22,641,000		101	\$1,116	

Explanation of Terms

Current Listings - listings on the market now; Pending Sales - listings where sales have been agreed but not completed; Recent Sales - listings where sales have completed; Listings That Did Not Sell - listings that did not sell and are no longer on the market

SCls - Listing Sub-Class; Bd - total bedrooms; Bth - total bathrooms; Built - year built; FinSF - finished square footage; Lot SF - lot area in sqft; List\$ - last list price; Sell\$ - selling price; Assess\$ - BCA assessed value; DoM - Days on Market (for Current listings, the number of days the listing contract has been in force; for others listings, the number of days the listing contract was in force before going off-market); \$/FinSF - price per finished square foot (selling price for pending and recent sales, list price for others); S/L% - selling price divided by last list price, expressed as a percentage; L/A% - last list price divided by assessed value, expressed as a percentage; S/A% - selling price divided by assessed value, expressed as a percentage

Listing Sub-Class Abbreviations: SFD - Single Family Detached; SDp - Strata Duplex Unit; Con - Condo Apartment; Twn - Townhouse; Rv2 - Revenue Duplex; Rv3 - Revenue Triplex; Rv4 - Revenue 4-Plex; MDw - Manu Double-Wide; MSw - Manu Single-Wide; Rec - Recreational; Other - Other

Count - the number of listings in the group/overall; Average - sum of the values in the column above divided by the number of values; Median - the middle value when the values in the column above are sorted; Minimum - the lowest value in the column above; Maximum - the highest value in the column above (listings with no data are excluded from Average, Median, Minimum and Maximum calculations)

Information given is from sources believed reliable but should not be relied upon without verification. Where shown, all measurements are approximate and school enrollment is subject to confirmation. Buyers must satisfy themselves as to the applicability of GST. Data © VREB. Software © Tarasoft Corporation.



Current Listings

Address	SC	Bd	Bth	Built	FinSF	LotSF	List\$	Sell\$	Assess\$	DoM	\$/FinSF	S/L%	L/A%
Your Property										\$0			
825-1628 Store St	Con	2	2	2021	1,118	1,118	\$1,025,000			79	\$917		
2104-777 Herald St	Con	2	2	2020	1,085	1	\$1,039,900	\$10,097,700		101	\$958		10.3
303-550 Michigan St	Con	2	2	2021	1,123	1	\$1,139,900			96	\$1,015		
2102-777 Herald St	Con	2	2	2020	1,121	1	\$1,153,200	\$10,097,700		101	\$1,029		11.4
205-1201 Fort St	Con	2	2	2021	1,268	1,483	\$1,200,000	\$1,111		51	\$946		
1902-848 Yates St	Con	2	3	2020	1,385		\$1,459,900			25	\$1,054		
412-888 Governme	Con	2	3	2020	1,373	1,307	\$1,499,000			19	\$1,092		
PH8-1018 Pentrele	Con	2	3	2021	1,575	2,113	\$1,900,000	\$1,111		50	\$1,206		
311-888 Governme	Con	2	3	2020	1,710	1,710	\$2,899,900			134	\$1,696		
207-888 Governme	Con	2	3	2020	2,160	2,262	\$3,499,900			134	\$1,620		
306-888 Governme	Con	2	3	2020	2,029	2,234	\$3,599,900			134	\$1,774		
1008-777 Herald St	Con	2	1	2020	783	1	\$627,900	\$10,097,700		101	\$802		6.2
905-960 Yates St	Con	2	2	2018	860	860	\$655,000	\$476,000		26	\$762		137.6
S216-1105 Pandor	Con	2	2	2019	819	819	\$659,000			19	\$805		
W-802-989 Johnso	Con	2	2	2019	879	879	\$690,000			45	\$785		
E-706-989 Johnso	Con	2	2	2019	837	837	\$695,000			45	\$830		
203-1201 Fort St	Con	2	2	2021	795	881	\$735,000	\$1,111		54	\$925		
N413-1105 Pandor	Con	2	2	2019	894	894	\$739,000			36	\$827		
1603-848 Yates St	Con	2	2	2020	883	883	\$739,900			13	\$838		
701-777 Herald St	Con	2	2	2020	890	1	\$746,300	\$10,097,700		101	\$839		7.4
2103-777 Herald St	Con	2	2	2020	854	1	\$755,900	\$10,097,700		101	\$885		7.5
1003-777 Herald St	Con	2	2	2020	929	1	\$756,900	\$10,097,700		101	\$815		7.5
402-848 Yates St	Con	2	2	2020	1,097		\$779,900			147	\$711		
213-530 Michigan St	Con	2	2	2021	812	1	\$789,900	\$11,619,000		96	\$973		6.8
602-989 Johnson St	Con	2	2	2019	1,024	1,024	\$825,000			45	\$806		
311-1201 Fort St	Con	2	2	2021	896	1,057	\$899,900	\$1,111		56	\$1,004		
308-1628 Store St	Con	2	2	2021	1,143	1,143	\$985,000			74	\$862		
207-530 Michigan St	Oth	2	2	2021	1,183	1	\$1,149,900	\$11,619,000		96	\$972		9.9
104-560 Michigan St	RTw	2	3	2021	1,451	1	\$1,489,900	\$11,619,000		96	\$1,027		12.8
Count 29	Average	2.0	2.2	2020	1,137	797	\$1,211,586	\$6,851,689		75	\$992		21.7
	Median	2.0	2.0	2020	1,085	879	\$899,900	\$10,097,700		79	\$925		8.7
	Minimum	2.0	1.0	2018	783	1	\$627,900	\$1,111		13	\$711		6.2
	Maximum	2.0	3.0	2021	2,160	2,262	\$3,599,900	\$11,619,000		147	\$1,774		137.6



Overall Summary

		Bd	Bth	Built	FinSF	LotSF	List\$	Sell\$	Assess\$	DoM	\$/FinSF	S/L%
Your Property									\$0			
Count	29	Average	2.0	2.2	2020	1,137	797	\$1,211,586	\$6,851,689	75	\$992	
		Median	2.0	2.0	2020	1,085	879	\$899,900	\$10,097,700	79	\$925	
		Minimum	2.0	1.0	2018	783	1	\$627,900	\$1,111	13	\$711	
		Maximum	2.0	3.0	2021	2,160	2,262	\$3,599,900	\$11,619,000	147	\$1,774	

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SENT VIA EMAIL

July 16, 2019

Mayor and Council
City of Victoria

Re: 1224 Richardson Street Rezoning Application

Dear Mayor and Council:

On Wednesday, June 19th the CALUC Community meeting for the above project was held, with a turnout of approximately 50 neighbors to consider and discuss the project.

While there was much support for the Affordable Sustainable Homes/Gentle Density concept behind the project, the general consensus was that there remained much further refinement required of the project to integrate well into the area. Of the 24 CALUC Community Meeting Feedback Forms returned, 19 opposed the development as proposed, and 5 supported it. In addition, 5 additional e-mails the Rockland Land Use committee received wrote in opposition to the project as proposed.

The greatest concern was expressed over the 8 + 2 visitor parking spaces proposed for 24 units. That concern was also stated in the majority of the Feedback Forms. It was widely expressed that it was unreasonable to think that most tenants would have no car, especially tenants with families. The neighbours expressed the concern that the streets of the neighbourhood were already oversubscribed for parking and there was no ability to absorb even more on street parking.

A corollary concern to the lack of parking was the potential impact of the increased density on the private lane siding much of the property. For many years this private lane has been used as a mixed use thru path for automobiles, bikes, and pedestrians but the Linden owners of that lane felt little was proposed to keep it safe for all. While the proponents discussed fencing, the concern was also on the impact of the addition 1224 owners using the lane as a driveway for vehicle access greatly increasing vehicle usage.

There was general support for the ASH concept but it was frequently voiced that the number of units was too great as there was not space for parking to adequately support the units. It was suggested that the number of units be reduced by including 3 bedroom units. This was viewed as a way to offset parking shortfalls as well as an important addition to the affordable housing stock available in the city.

Several suggested a more reasonable proposal would be to plan for 6 units per building complementing the existing conversions on Linden and in the general area. There was concern expressed over the size of the proposed buildings in overlook of the one storey homes immediately adjacent to the east along Richardson and it would be reasonable that the units maintain the height of the existing R1-B zoning.

At this time the RNA LUC would propose:

1. The size and mix of the units be reconsidered, in particular the addition of 3 bedroom units.
2. Additional analysis be done on all available parking resources on and off the property.
3. That further discussion take place to alleviate neighbor concerns about the private lane usage.

If you have any questions concerning the detail provided in this letter, please do not hesitate to contact our RNA LUC Chair, Bob June. Bob is copied here and will provide the detailed feedback referenced in this letter to you under separate cover.

Respectfully,
Marc Hunter
President
RNA

cc: Bob June, RNA LUC Chair
Geoff Young, City of Victoria Councillor
Gary Pemberton, City of Victoria and Rockland City Liaison

October 10, 2019

Mayor and Council:

Re: CALUC Community Meeting - 1224 Richardson Street, REZ00705

Dear Mayor and Council:

Approximately 45 attended the second CALUC Community Meeting September 17, 2019 on this proposal required by an increase in building heights. The issues raised mirrored the issue of the first meeting approximately 35 attendees.

A review of the notes accompanying shows the primary issues is the size of the project. Several voiced a concern that the buildings are too big. Several voiced concerns that there are too many units in the buildings.

There was additional concern that the units do not reflect the requirements of the community in that the units are either too small for families or that the bedroom mix does not address the need for three-bedroom housing in Victoria. There was also discussion as to whether the units provide enough value or a price point to be presented as "affordable housing."

Skepticism greeted the information that the buildings have adequate parking in their alignment with the current Schedule C Parking "Affordable" 0.20 requirements and a Modo car provision. It should be noted that the Schedule C Affordable minimum number requirement is; (affordable dwelling units secured in perpetuity through a legal agreement) Concern about available, or the unavailability, on-street parking remains high.

As the project is predicated in great part on its public transit/cycling/walkability credentials a question was raised about the future of bus service on Richardson

We have now been informed by Engineering & Public Works the Shared - All Ages & Abilities Cycling Infrastructure is being considered for this corridor and discussion is to take place on the impacts on Richardson traffic flow and on-street parking. This discussion may take place in the next several weeks and possibly provide the neighbors with good data on parking trends.

The owners of the private lane section that connects Richardson to Rockland remain concerned about safety in the lane with much higher traffic from the project anticipated.

It must be noted that there was support from some for the project as it stands and that all participants spoke in favor of seeing affordable housing. The issue is in execution, not in desirability.

Respectfully,

Marc Hunter
President, RNA

CALUC Meeting Notes for 1224 Richardson

September 17, 2019

Facilitator: Bob June

Note taker: Anthony Danda

Proponents: 1224 Richardson Property Corp, Tim Stemp

RE-200705

Proponent Presentation

Partners: Tim Stemp, Dan Pringle, Harry Newton, Gene Miller

Mr. Stemp explained that this second CALUC meeting was required to notify residents within a 200m radius as the first meeting only covered a 100 m radius.

Mr. Stemp reviewed the highlights of the presentation and the changes from the initial application.

Questions + Comments

Bill Edmonds, 715 Linden

QUESTION: How big are the suites? It's difficult to understand the value until the developer can provide a price / sq ft comparison with the market.

RESPONSE: 1 bed = 500 sq ft, 2 bed = 600 – 700 sq ft. They are comparable to what is being built today.

Bill Birney, 1215 Rockland

QUESTION: City council has backed off from anything without affordable housing. I think the development is commendable and unique. But when you negotiate with the city, do you have any intentions of converting to more expensive units?

RESPONSE: The proponents have no intention of changing the prices. They are proud to bring this needed development to the market.

Bill Edmonds, 715 Linden

QUESTION: What would be put in place to ensure no short-term rentals, e.g. Airbnb?

RESPONSE: The city regulates STRs. There is nothing we can do to limit these rentals within those regulations.

Nora McCoy, 1255 Richardson

Raised a concern about the bus route on Cook Street. The #1 comes five times a day and is on the watchlist to be cancelled, so the argument about lack of parking is weakened.

RESPONSE: There are sufficient bus routes at Cook and Fort.

Tamsen Macintosh and Peter Wells, 721 Linden

COMMENT: Expressed concerns about the height and density.

RESPONSE: There is only a very minor height variance. In fact the house on Richardson is shorter than ones around it. It is also placed over 100 ft from neighbouring buildings, which is more than Mr. Wells' property.

COMMENT: The structures could be smaller.

RESPONSE: But they wouldn't be affordable. The house is actually smaller than most on Linden.

COMMENT: The use of the alleyway for 24 units is concerning. Access should come off of Richardson.

RESPONSE: City staff prefer the access point in the alley.

COMMENT: Is that code?

RESPONSE: The city is treating it currently as intermodal. We have provided an additional 1.5m right of way to delineate the sidewalk from the road.

COMMENT: I don't want new housing overlooking an alley that the residents pay taxes on.

RESPONSE: Why don't you put up signs today restricting access?

Matt Drislane, 809 Linden

COMMENT: The developers are naïve to think that people won't have cars. Residents will put savings from the affordable housing into cars. Lack of parking is a very big concern.

QUESTION: Why didn't you just build 4 – 5 single family homes?

RESPONSE: We are meeting a demand in the city of Victoria for more housing.

Donna Meares, 715 Linden

QUESTION: Can you explain the affordability and how it works?

RESPONSE: ASH is a private concept where units are sold at affordable prices. If a buyer flips the property within three years, they must pay the city 10% of the profit. We are modifying our profit as an investment in affordability.

Peter Gardner, 526 Linden

QUESTION: Do you believe that less than 0.5 car / resident is reasonable?

RESPONSE: That is what the data in studies show.

QUESTION: Where will people park if it goes over the proposed amount?

Annette Ruitenbeck, 1200 Richardson

I have concerns that we must trust you to stick to affordability.

ASH is a red herring. The real concern is conversion to market housing.

Families don't fit into these tiny spaces.

RESPONSE: The intent is to sell to owners in perpetuity. It's not perfect but we're trying to balance affordability and free market. Owners should be able to take part in market uplifts.

We have said we would include a restrictive covenant that we will sell at the prices we are committing to.

Raphael Beck, 727 Linden

QUESTION: Is there a strategy to prevent people from flipping?

RESPONSE: The fact that the units are small and have no parking will always limit their value.

QUESTION: We do not want people walking down our lane. Any solutions to prevent increased vehicle / pedestrian traffic?

RESPONSE: We are configuring the driveway so drivers must turn left. You will need to manage the pedestrians in the alley.

Bruce Masterson, 707 Linden

I have 5 units with 9 cars, so the data you presented before does not match my experience.

Parking will overflow onto Linden which is already packed.

Catherine Shanker, 1255 Richardson

We can agree that there is a dearth of housing in Fairfield. There is also a dearth of 3+ bedrooms for families, for either rent or purchase.

QUESTION: At the proposed pricing, what is the profit compared to affordability?

RESPONSE: We acknowledge that we will make a profit. We are not asking for any subsidies. One just has to compare our prices to others. It's an expensive piece of land. Jukebox is significantly more expensive for comparable units. End of the day, one can't build 3 bedroom units without subsidies. And this model still allows owners to participate in the market so they may one day afford a 3 bedroom somewhere. There are even development proposals on smaller lots with more units.

Brian Kendrick, 538 Harbinger

QUESTION: Are the basement units included in the FSR?

RESPONSE: Yes

Jackie Bease, 1238 Richardson

QUESTION: Where does the proponent live?

RESPONSE: Burdett, Rockland and Fairfield

COMMENT: Construction could have an impact on small businesses.

RESPONSE: Construction should take 1 – 1.5 years

Lynn Walmsley, 815 / 821 Linden

COMMENT: I'm concerned about density. Why couldn't you have built 3 x 4 multiplexes providing affordable rents? 24 units on a lot on the lane is not feasible. I wish you could do it in 12 units. Why can't you redesign to have fewer units. I am against the density and parking.

RESPONSE: If we have less units, then the units would not be affordable. We are giving 1.5m to the city. 6m is more than enough for 2 cars to pass each other.

Kirk Bease, 1238 Richardson

Parking is already quite contentious on Richardson and this development will make it worse.

I would like to see more 2 bedrooms for 2 incomes, which fits the neighbourhood better.

Sean Leitenberg, 1618 Richardson

I support the proposal.

The proponents can't develop much less because of construction and property costs. They aren't getting rich.

This is not subsidized housing. Perhaps we need more subsidized housing.

I want to see more of this type of development. I don't want to see half the units for twice the price.

Nora McCoy, 1255 Richardson

QUESTION: Why don't you have more 2 bedroom units?

RESPONSE: 25% are 2 bedroom units. More would change the economics and hence the feasibility of the development.

Beth Barnes, 629 Harbinger

I oppose this development due to the parking, which is already a huge problem in the neighbourhood. Where will guests park? There should also be fewer units.

Bill Edmonds, 715 Linden

You should look into where people can rent parking in the neighbourhood.



Talbot Mackenzie & Associates

Consulting Arborists

1224 Richardson St, Victoria

Construction Impact Assessment &

Tree Preservation Plan

Prepared For: 1224 Richardson Property Corp
Attention: Tim Stemp
1224 Richardson St
Victoria, BC
V8V 3E1

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

Date of Issuance: May 13, 2019
Updated August 19, 2019

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com



Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 1224 Richardson Street, Saanich

Date of Site Visit: May 1, 2019

Site Conditions: Residential lot. No ongoing construction activity.

Summary: We anticipate Ash tree #4 (81cm DBH), located on a neighbour's property to the east, will be significantly impacted by excavation to construct building C's foundation and surrounding retaining wall. A significant portion of its crown (~50%) would also conflict with the new building. We recommend this tree be removed prior to construction. Roots from Ash #2 and Black Locust #3 (both also located on adjacent properties) are also likely to be encountered during excavation for construction of buildings B and C, respectively. We anticipate both can be retained and recommend an arborist supervise any excavation within their critical root zones and prune any severed roots back to sound tissue. Black Locust #3 will also require pruning to attain clearance from building C but we do not anticipate its health will be significantly impacted as a result.

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 three new buildings and a parking area
- 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. No trees were 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 by-law protected trees with their identification numbers were labelled on the attached Site Plan. The conclusions reached were based on the information provided within the attached plans from Christine Lintott Architects (dated March 2019).

Limitations: No exploratory excavations have been requested 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.

An underground servicing plan was not available for comment.

Summary of Tree Resource: Five trees were inventoried, none of which are on the subject property. There is one Hawthorn tree on the municipal frontage (#1) and four on adjacent properties #2-5)



Municipal Hawthorn #1 (31cm DBH below union).



Ash #2 (~75cm DBH). We could not measure this tree's DBH as it is growing through the neighbour's fence.



Black Locust #3 (left, ~60cm DBH) and Ash #4 (right, 81cm DBH). These trees are both growing within 1m of the fence. We did not measure the DBH of #3 as it is located on the neighbour's property. The DBH of #4 was provided by City of Victoria Parks.



Black Locust #3 (left) had some dieback and large deadwood but is in fair health. The existing garage on the subject property is located within this tree's CRZ. Ash #4 has some dieback and is in fair health.



Holly #5 (~40cm DBH). We did not measure the DBH of this tree as it is located on the neighbour's property.

Trees to be Removed: We anticipate one tree, **Ash #4** (81cm DBH), will require removal as a result of the excavation to construct building C. The lower floor of the building, which will be constructed below the existing grade, and the surrounding retaining wall will likely require excavation to the east property line. The tree is approximately 0.5m from the fence. We anticipate large, structural roots will be encountered, resulting in significant health and structural impacts. In addition, about half of the tree's crown would have to be pruned for building clearance and would likely require entire limbs to be removed. Therefore, we recommend the tree be removed prior to construction. If the neighbour wishes to retain this tree, we anticipate the risk associated with whole tree failure will increase considerably. The neighbour should be notified of the proposed impacts to their tree. This tree is bylaw protected.

Potential Impacts on Trees to be Retained and Mitigation Measures

- **Ash #2** (~75cm DBH) is located across the driveway west of the subject property and is approximately 5.5m from the northwest corner of the retaining wall surrounding building B. Less than one-quarter of this tree's CRZ will be impacted and we do not anticipate its health will be impacted. We recommend the project arborist prune any roots encountered back to sound tissue at the edge of excavation. We were unable to measure this tree as there it is growing through a neighbour's fence and is conflicting with a garage roof. It may be by-law protected (80cm DBH or greater).
- **Black Locust #3** (~60cm DBH) is also located next to the east fence line but is approximately 3m from the northeast building corner. To minimize root loss, we recommend limiting the extent of excavation at the northwest corner of building C. If excavation occurs 1m outside the building footprint, we anticipate less than one-quarter of this tree's CRZ will be impacted. Large roots (>3cm in diameter) will likely be encountered, which may exacerbate this tree's already declining health condition. We recommend the project arborist supervise all excavation within this tree's CRZ and prune any roots encountered back to sound tissue at the edge of excavation.

Crown pruning will also be required to attain building clearance. This tree is growing asymmetrically away from the adjacent ash tree, which limits the number of conflicting limbs. There appear to be suitable laterals to prune back to, and we anticipate the largest branches that will have to be removed are about 4cm in diameter. It should be noted that this tree is already in fair to poor health condition. Depending on the number and size of roots encountered, the root loss and crown pruning may expedite this tree's decline. It may be prudent to remove this tree and plant young, well-structured replacement trees. The neighbour should be notified of the proposed impacts to their tree. This tree is not by-law protected.

- **Driveway:** We do not anticipate any trees will be impacted by construction of the proposed common driveway or parking area.
- **Underground Services:** An underground site servicing plan was not available for comment. Based on discussions with the applicant, the underground services will likely either be run down the west or east sides of the property. There is a sanitary sewer ROW on the west side

of the property. If underground services are run down the west side of the property, excavation will likely be required within the CRZ of Ash #2, potentially resulting in significant impacts if roots are damaged or severed. If they are aligned on the east side of the property, excavation may occur within the CRZ of municipal Hawthorn #1. Alternative excavation techniques (e.g. hydro-vac, air-spade, or a combination of machine and hand-digging) would likely be recommended in each case. We recommend the project arborist review the site servicing plan once it becomes available to evaluate the potential impacts to trees to be retained and recommend mitigation measures.

- **Arborist Supervision:** All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. In particular, the following activities should be completed under the direction of the project arborist:
 - Excavation within the CRZs of Ash #2 and Black Locust #3 for construction of buildings B and C
 - Any excavation within the CRZ of trees to be retained for the installation of underground services
- **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.
- **Demolition of the Existing Building:** The demolition of the existing house and any services that must be removed or abandoned, must take the critical root zone of the trees to be retained into account. If any excavation or machine access is required within the critical root zones of

trees to be retained, it must be completed under the supervision and direction of the project arborist. If temporarily removed for demolition, barrier fencing must be erected immediately after the supervised demolition.

- **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.
- **Blasting:** Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.
- **Scaffolding:** This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see “Minimizing Soil Compaction” section).
- **Landscaping and Irrigation Systems:** The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.
- **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.

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, 1-page site survey, 12-page site and building plans, 1-page barrier fencing specifications, 2-page tree resource spreadsheet methodology and definitions

Disclosure Statement

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

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

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

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected
1	Hawthorn	<i>Crataegus oxycantha</i>	31 below unions	6	3.5	Moderate	Poor	Fair/poor	Municipal tree (ID: 21386), significant dieback	N (Municipal)
2	European Ash	<i>Fraxinus excelsior</i>	~75	12	8.5	Moderate	Fair	Fair	Neighbour's tree, ~4m from property line, growing on far edge of laneway through fence, cracks in driveway, dieback, 2nd stem may have been pruned historically, large pruning wounds, overhangs to near property line (may be by-law protected)	N (Neighbour's)
3	Black Locust	<i>Robinia pseudoacacia</i>	~60	10	6.0	Good	Fair	Fair	Neighbour's tree, next to fence, asymmetric crown due to competition with ash, dieback, large deadwood, overhangs ~3.5m	N (Neighbour's)
4	European Ash	<i>Fraxinus excelsior</i>	81	14	8.5	Moderate	Fair	Fair	Neighbour's tree, 0.5m from fence, some dieback	N (Neighbour's)
5	Holly	<i>Ilex spp.</i>	~40	6	4.0	Good	Good	Fair	Neighbour's tree, >3m from property line	N (Neighbour's)

BC LAND SURVEYORS SITE PLAN OF:

Civic: 1224 Richardson Street

Legal Parcel C (DD 38188I) of Section 26,
Fairfield Farm Estate, Victoria City, Plan 13

Parcel Identifier: 009-343-211
in the City of Victoria

Scale 1:250 Distances are in metres



The intended print size is 18" by 24"

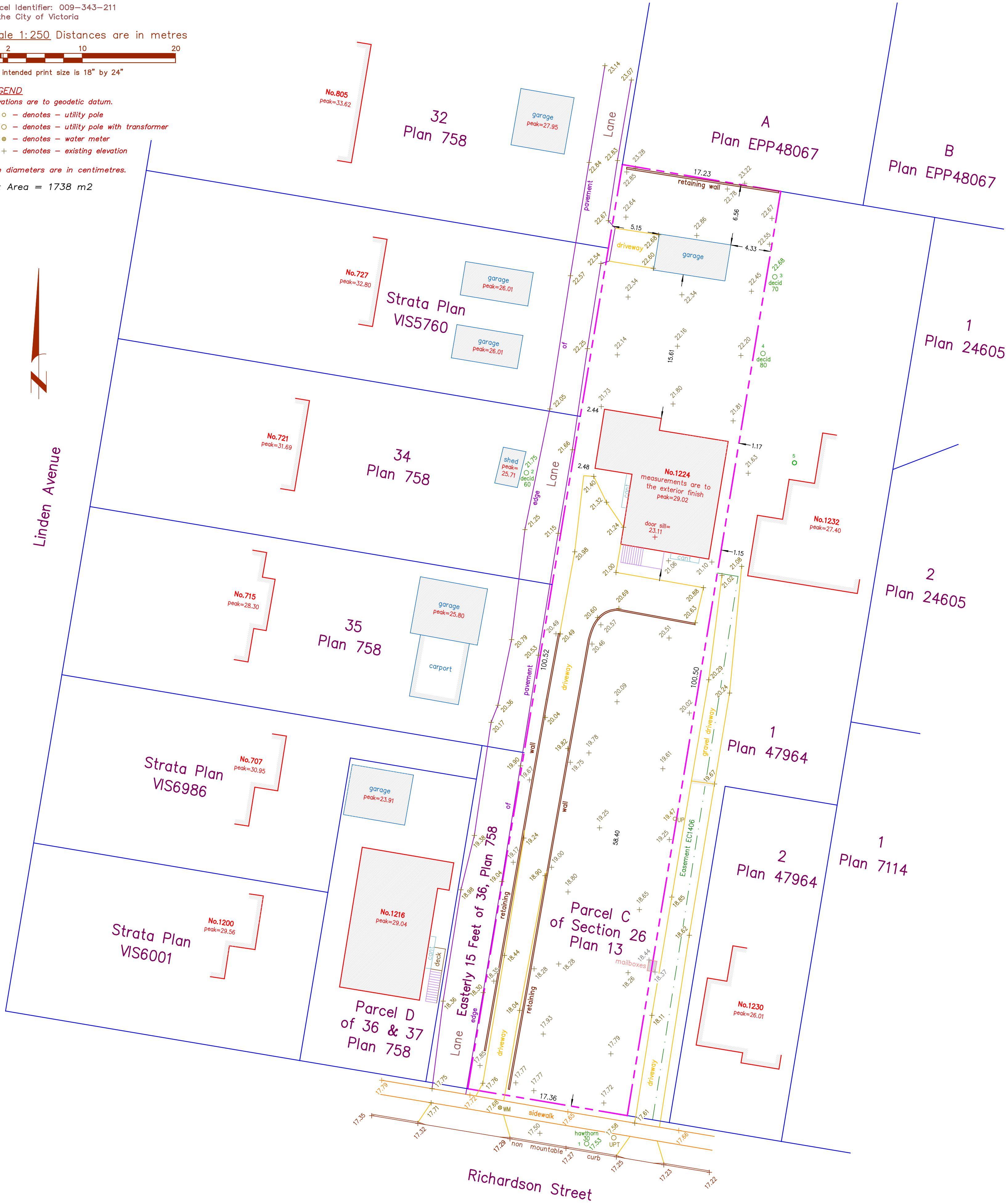
LEGEND

Elevations are to geodetic datum.

- UP ○ - denotes - utility pole
- UPT ○ - denotes - utility pole with transformer
- WM ● - denotes - water meter
- ###+ - denotes - existing elevation

Tree diameters are in centimetres.

Lot Area = 1738 m2



January 15, 2019

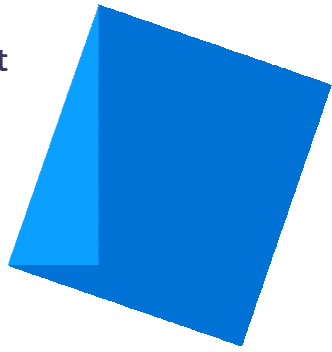
File : 12,917-9
POWELL & ASSOCIATES
B C Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4
phone (250) 382-8855

Setbacks are derived from field survey.
Parcel dimensions shown hereon 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. 96

1224 Richardson Street



Christine Lintott Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5
Telephone: 250.384.1969
www.lintottarchitect.ca

Issue	Date
For Rezoning/ Development Permit	March --, 2019

Revision No.	Description	Date
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Project Scope:

- Demolition of two (2) existing buildings and sitework
- New construction of three (3) buildings at three storeys each
- Twenty four (24) total Affordable Housing units: six (6) two-bedroom units, eighteen (18) one-bedroom units
- New surface parking lot with ten (10) total stalls and Photovoltaic (PV) canopy
- New landscaping and paved entry sidewalks
- Photovoltaic (PV) panels on building roofs and parking lot canopy
- Short-term and long-term bicycle parking provided: eighteen (18) short-term stalls, twenty-six (26) long-term stalls

APPLICANT

1224 RICHARDSON PROPERTY CORP

250-415-6240

CONTACT: TIM STEMPE
TimP993@hotmail.com

ARCHITECT

CHRISTINE LINTOTT ARCHITECTS
SUITE 1 - 864 QUEENS AVENUE
VICTORIA, BC V8T 1M5

250-384-1969

CONTACT: CHRISTINE LINTOTT
Christine@lintottarchitect.ca

LANDSCAPE ARCHITECT

LADR LANDSCAPE ARCHITECTS
3 - 864 QUEENS AVENUE
VICTORIA, BC V8T 1M5

250-598-0105

CONTACT: BEV WINDJACK
bwindjack@ladrla.ca

SURVEYOR

POWELL & ASSOCIATES
250 - 2950 DOUGLAS STREET
VICTORIA, BC V8T 4N4

250-382-8855

Project Area Tables:

Building A Floor Area - Zoning	
Name	Area
Electrical	2 m ²
Mechanical	1 m ²
Unit 1A	40 m ²
Unit 1B	40 m ²
Unit 2A	42 m ²
Unit 2B	42 m ²
Unit 3A	45 m ²
Unit 3B	45 m ²
	258 m ²

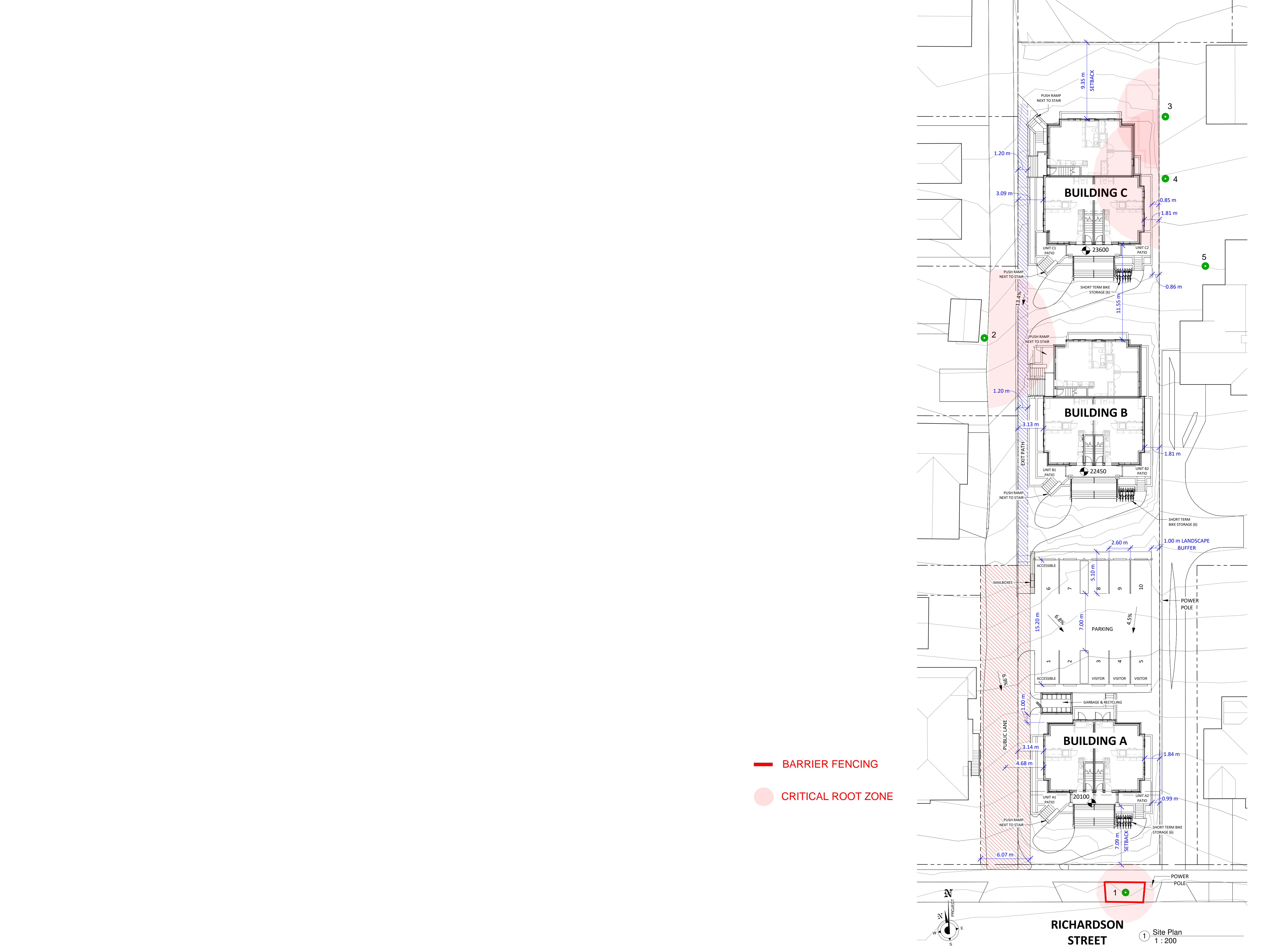
Building B Floor Area - Zoning	
Name	Area
Mechanical	1 m ²
Unit 1A	41 m ²
Unit 1B	41 m ²
Unit 1C	61 m ²
Unit 2A	42 m ²
Unit 2B	42 m ²
Unit 2C	61 m ²
Unit 3A	45 m ²
Unit 3B	45 m ²
Unit 3C	69 m ²
	448 m ²

Building C Floor Area - Zoning	
Name	Area
Unit 1A	41 m ²
Unit 1B	40 m ²
Unit 1C	60 m ²
Unit 2A	44 m ²
Unit 2B	43 m ²
Unit 2C	61 m ²
Unit 3A	45 m ²
Unit 3B	45 m ²
Unit 3C	70 m ²
	450 m ²

Project Information Table			
Zone	Proposed		
Site Area	NEW ZONE		
Total Floor Area ¹	1,738.22 m ²		
Commercial Floor Area	1,157m ²		
Floor Space Ratio	N/A		
Site Coverage %	0.67:1		
Open Site Space %	31%		
Open Site Space %	56%		
Height of Buildings ²	Building A = 9.40m	Building B = 10.08m	Building C = 9.95m
Storeys #	3 storeys		
Parking Stalls #	0.2 per unit (<45m ²) x 18 => 3.6 0.5 per unit (>45m ² and <70m ²) x 6 => 3.0 Visitor = 0.1 per unit x 24 => 2.4 Total required: 9		10 spaces proposed
Bicycle Parking #	Long Term: 1 space per unit that is (<45m ²) => 18 1.25 spaces per dwelling unit that is (>45m ²) => 7.5 Short Term: 6 spaces per building x 3 buildings => 18		26 Long Term Spaces proposed 18 Short Term Spaces proposed
Building Setbacks			
Front Yard (South)	Proposed		
Rear Yard (North)	7.09m		
Side Yard (East)	9.35m		
Side Yard (West)	1.81m		
	3.09m		
Residential Use Details			
Total Number of Units	24		
Unit Type Breakdown	18 one-bedroom units, 6 two-bedroom units		
Ground Oriented Units	24 residential units		
Minimum Unit Floor Area	40m ²		
Total Residential Floor Area	1,153m ²		
¹ Long term bicycle parking not included in area calculation per zoning bylaw amendment 18-017.			
² Refer to elevation drawings for height calculations. See A1.02 for average grade calculations.			

Drawing List	
A0.00	Project Data
A1.01	Site Plan
A1.02	Survey & Height Calculations
A1.03	Street Elevations
A2.01	Floor Plans - Building A
A2.02	Floor Plans - Building B
A2.03	Floor Plans - Building C
A3.01	Elevations & Sections - Building A
A3.02	Elevations & Sections - Building B
A3.03	Elevations & Sections - Building C
A3.11	Spatial Separations
A3.12	Spatial Separations





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Issue	Date
For Rezoning/ Development Permit	March --, 2019

Revision No.	Description	Date

Consultant

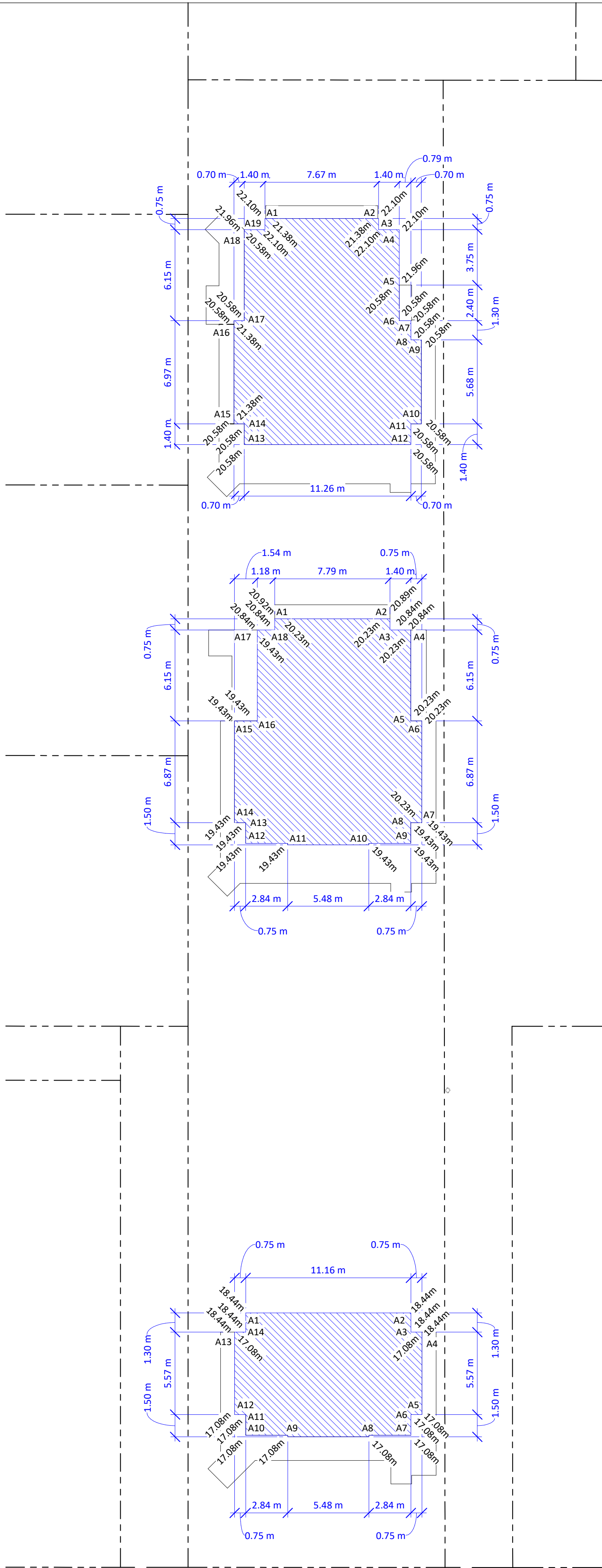
1224 Richardson - ASH Concept
Victoria, BC

Site Plan

Date	2019-05-01 2:59:01 PM
Drawn by	CC
Checked by	CL

A1.01

Scale	1 : 200
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BUILDING C HEIGHT CALCULATION

A1 & A2	$((22.70 + 22.70) \div 2) \times 7.67\text{m} = 163.98$
A2 & A3	$((21.95 + 21.95) \div 2) \times 0.75\text{m} = 16.58$
A3 & A4	$((22.70 + 22.70) \div 2) \times 1.40\text{m} = 30.94$
A4 & A5	$((22.70 + 21.95) \div 2) \times 3.75\text{m} = 82.61$
A5 & A6	$((21.95 + 21.95) \div 2) \times 2.40\text{m} = 49.39$
A6 & A7	$((22.67 + 22.67) \div 2) \times 0.79\text{m} = 16.26$
A7 & A8	$((22.67 + 22.49) \div 2) \times 1.30\text{m} = 26.75$
A8 & A9	$((22.49 + 22.49) \div 2) \times 0.70\text{m} = 14.41$
A9 & A10	$((22.49 + 22.29) \div 2) \times 5.68\text{m} = 116.89$
A10 & A11	$((22.29 + 22.29) \div 2) \times 0.70\text{m} = 14.41$
A11 & A12	$((22.29 + 22.26) \div 2) \times 1.40\text{m} = 28.81$
A12 & A13	$((22.26 + 22.41) \div 2) \times 11.26\text{m} = 231.73$
A13 & A14	$((22.29 + 22.26) \div 2) \times 1.40\text{m} = 28.81$
A14 & A15	$((22.29 + 22.26) \div 2) \times 0.70\text{m} = 14.41$
A15 & A16	$((22.29 + 22.26) \div 2) \times 6.97\text{m} = 149.02$
A16 & A17	$((22.29 + 22.26) \div 2) \times 0.70\text{m} = 14.41$
A17 & A18	$((22.29 + 22.26) \div 2) \times 6.15\text{m} = 126.57$
A18 & A19	$((22.29 + 22.26) \div 2) \times 1.40\text{m} = 30.84$
A19 & A1	$((22.41 + 22.70) \div 2) \times 0.75\text{m} = 16.58$
	55.87m 1173.39

1173.39 ÷ 55.87m = 21.00m Average Grade

BUILDING B HEIGHT CALCULATION

A1 & A2	$((20.23 + 20.23) \div 2) \times 7.79\text{m} = 95.57$
A2 & A3	$((20.89 + 20.84) \div 2) \times 0.75\text{m} = 53.56$
A3 & A4	$((20.84 + 20.84) \div 2) \times 1.40\text{m} = 95.57$
A4 & A5	$((20.23 + 20.23) \div 2) \times 6.15\text{m} = 71.22$
A5 & A6	$((20.23 + 20.23) \div 2) \times 0.75\text{m} = 101.85$
A6 & A7	$((20.23 + 20.23) \div 2) \times 6.87\text{m} = 47.15$
A7 & A8	$((19.43 + 19.43) \div 2) \times 0.75\text{m} = 63.90$
A8 & A9	$((19.43 + 19.43) \div 2) \times 1.50\text{m} = 21.36$
A9 & A10	$((19.43 + 19.43) \div 2) \times 2.84\text{m} = 96.05$
A10 & A11	$((19.43 + 19.43) \div 2) \times 5.48\text{m} = 21.17$
A11 & A12	$((19.43 + 19.43) \div 2) \times 2.84\text{m} = 63.04$
A12 & A13	$((19.43 + 19.43) \div 2) \times 1.50\text{m} = 150.09$
A13 & A14	$((19.43 + 19.43) \div 2) \times 0.75\text{m} = 150.09$
A14 & A15	$((19.43 + 19.43) \div 2) \times 6.87\text{m} = 150.09$
A15 & A16	$((19.43 + 19.43) \div 2) \times 1.54\text{m} = 150.09$
A16 & A17	$((19.43 + 19.43) \div 2) \times 6.15\text{m} = 150.09$
A17 & A18	$((20.84 + 20.84) \div 2) \times 1.18\text{m} = 150.09$
A18 & A1	$((20.84 + 20.92) \div 2) \times 0.75\text{m} = 71.95$
	55.86m1108.41

1108.41 ÷ 55.86m = 19.84m Average Grade

BUILDING A HEIGHT CALCULATION

A1 & A2	$((18.44 + 18.44) \div 2) \times 11.16\text{m} = 205.79$
A2 & A3	$((18.44 + 18.44) \div 2) \times 1.30\text{m} = 23.97$
A3 & A4	$((18.44 + 18.44) \div 2) \times 0.75\text{m} = 13.83$
A4 & A5	$((17.08 + 17.08) \div 2) \times 5.57\text{m} = 95.14$
A5 & A6	$((17.08 + 17.08) \div 2) \times 0.75\text{m} = 12.81$
A6 & A7	$((17.08 + 17.08) \div 2) \times 1.50\text{m} = 25.62$
A7 & A8	$((17.08 + 17.08) \div 2) \times 2.84\text{m} = 48.51$
A8 & A9	$((17.08 + 17.08) \div 2) \times 5.48\text{m} = 93.60$
A9 & A10	$((17.08 + 17.08) \div 2) \times 2.84\text{m} = 48.51$
A10 & A11	$((17.08 + 17.08) \div 2) \times 1.50\text{m} = 25.62$
A11 & A12	$((17.08 + 17.08) \div 2) \times 0.75\text{m} = 12.81$
A12 & A13	$((17.08 + 17.08) \div 2) \times 5.57\text{m} = 95.14$
A13 & A14	$((18.44 + 18.44) \div 2) \times 0.75\text{m} = 13.83$
A14 & A1	$((18.44 + 18.44) \div 2) \times 1.30\text{m} = 23.97$
	42.06m 739.14

739.14 ÷ 42.06m = 17.57m Average Grade

BC LAND SURVEYORS SITE PLAN OF:

Civic: 1224 Richardson Street

**Legal Parcel C (DD 381881) of Section 26,
Fairfield Farm Estate, Victoria City, Plan 13**

Parcel Identifier: 009-343-211
In the City of Victoria

Scale 1:250 Distances are in metres



The intended print size is 18" by 24"

LEGEND

Elevations are to geodetic datum.

UP ○ - denotes - utility pole

UPT ○ - denotes - utility pole with transformer

WM ● - denotes - water meter

≡ - denotes - existing elevation

Tree diameters are in centimetres.

Lot Area = 1738 m2



Linden Avenue

January 15, 2019

File : 12,917-9
POWELL & ASSOCIATES
B C Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4
phone (250) 382-8855



Setbacks are derived from field survey.
Parcel dimensions shown hereon 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.

Christine Lintott
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5
Telephone: 250.384.1969
www.lintottarchitect.ca

Issue	Date
For Rezoning/ Development Permit	March --, 2019

Revision No.	Description	Date
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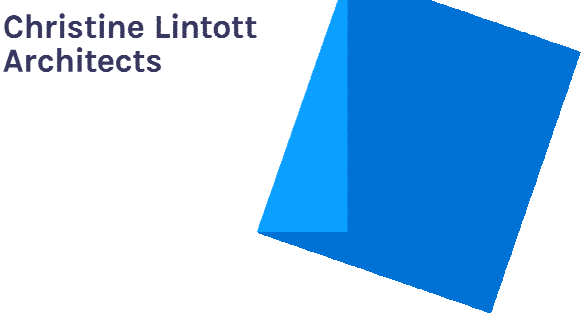
Consultant

**1224 Richardson
- ASH Concept**
Victoria, BC

**Survey & Height
Calculations**

Date	2019-05-01 2:59:02 PM
Drawn by	Author
Checked by	Checker

A1.02
Scale 1 : 200



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5
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Issue	Date
For Rezoning/ Development Permit	March --, 2019

Revision No.	Description	Date
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Consultant

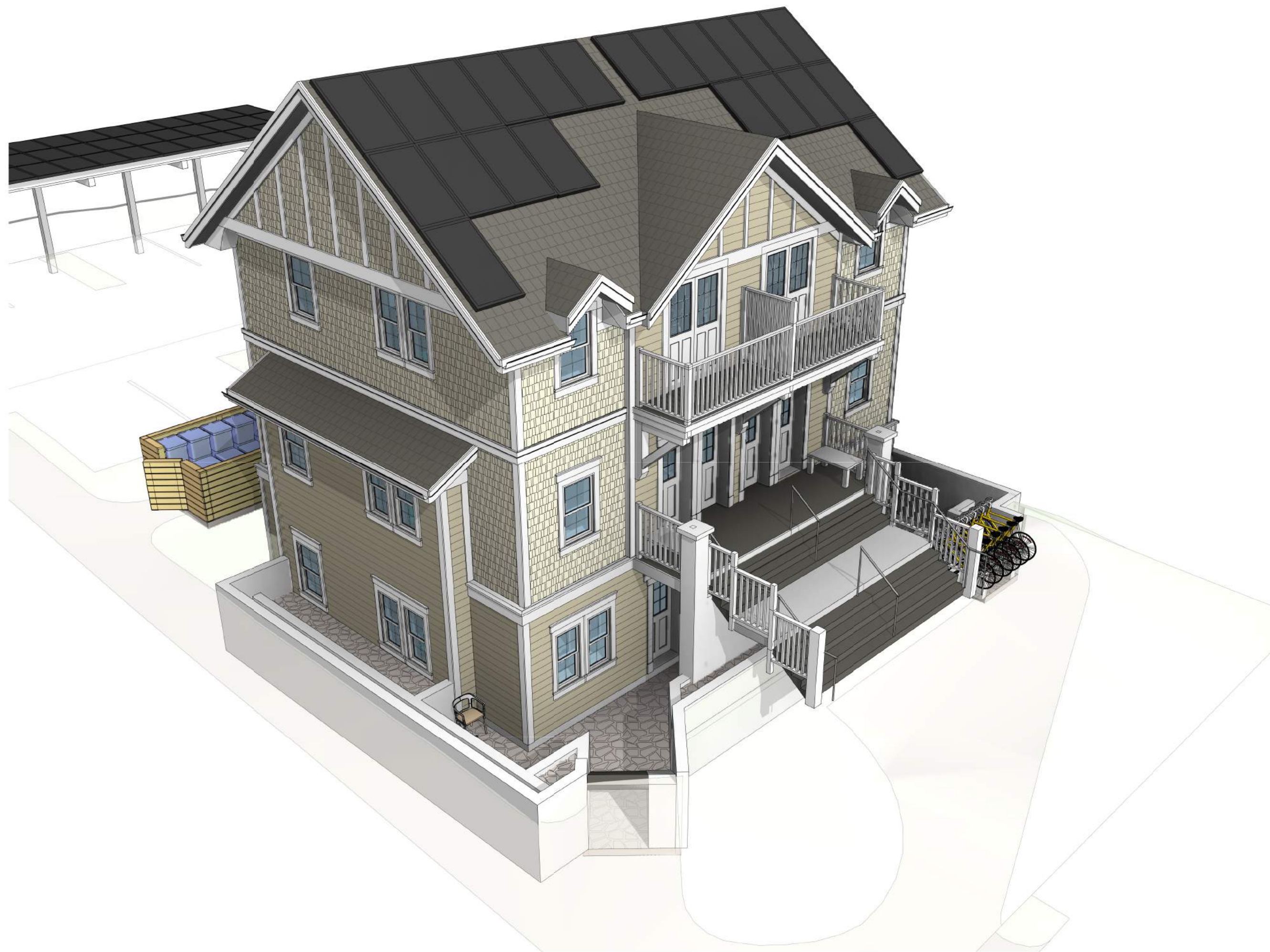
1224 Richardson
- ASH Concept
Victoria, BC

Street Elevations

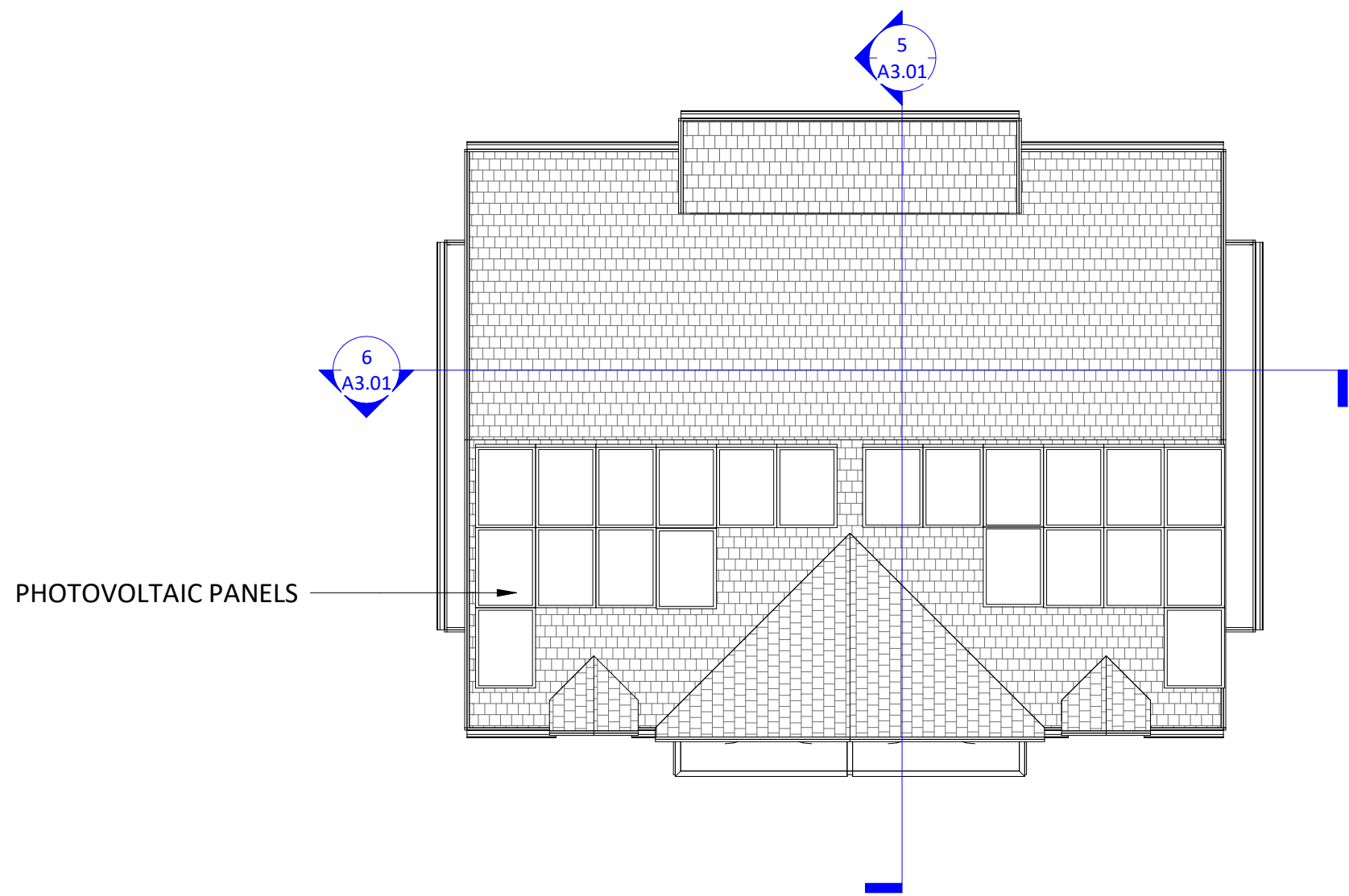
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Checked by	CL

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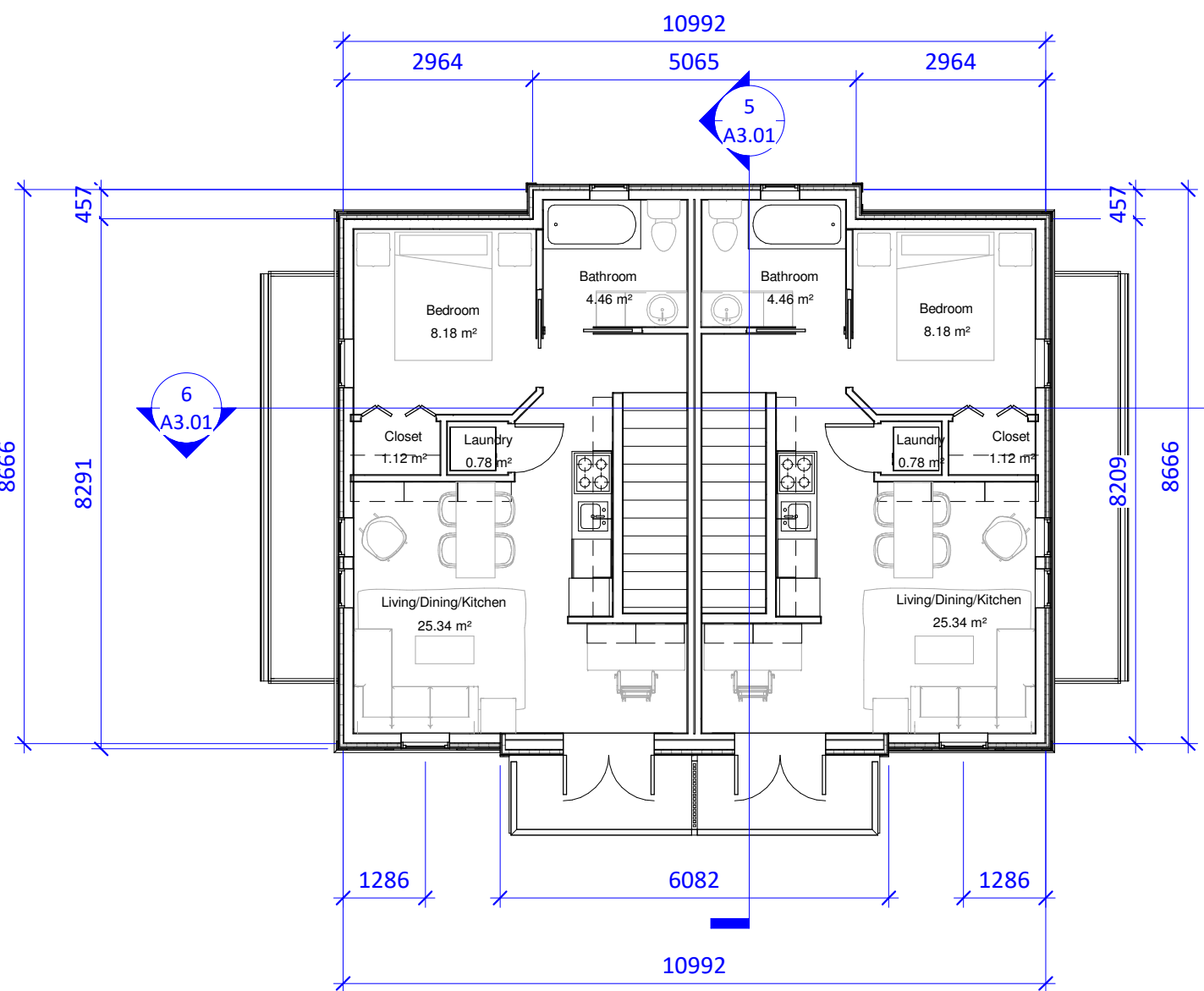
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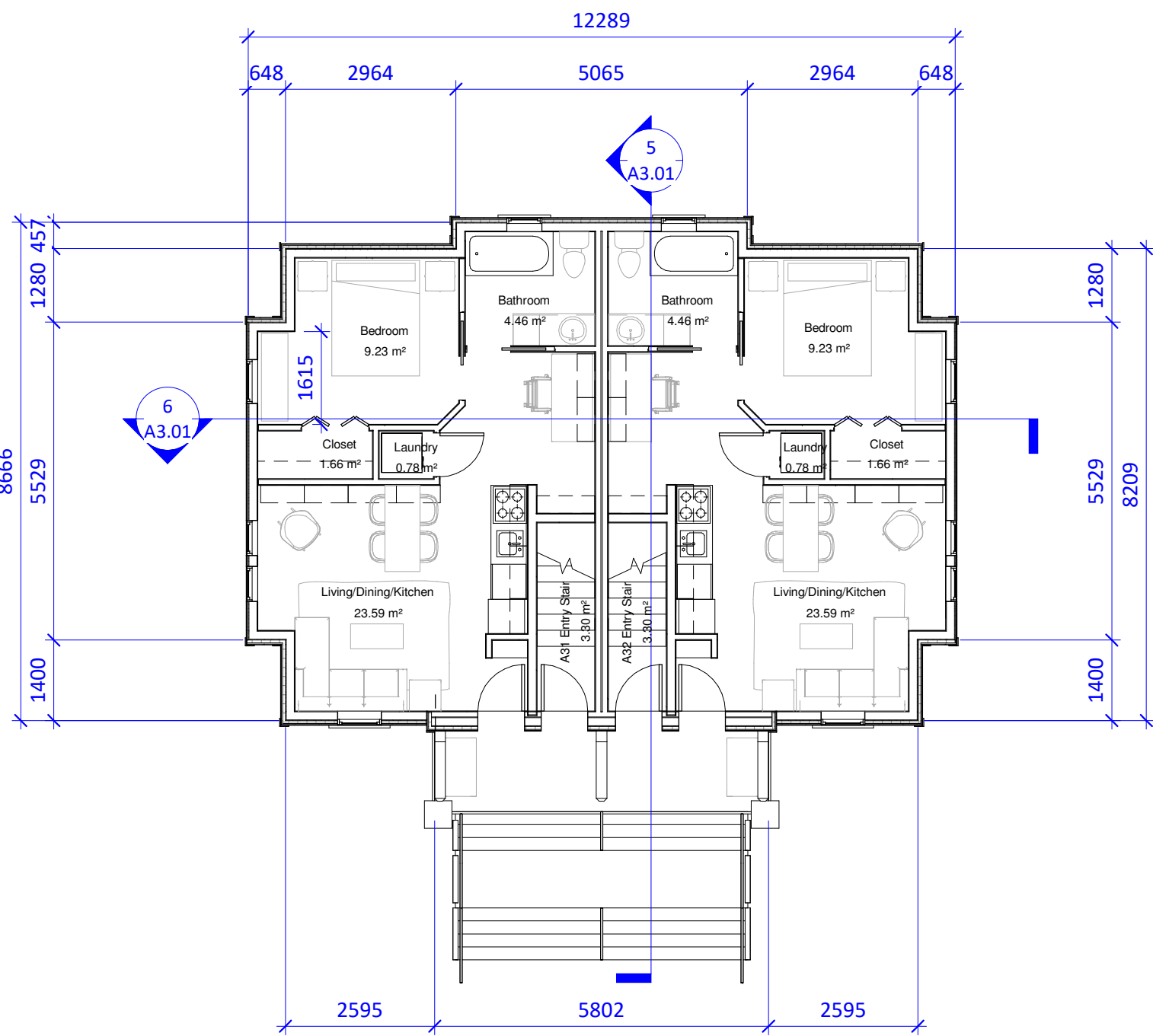
5 3D Overview of Building A



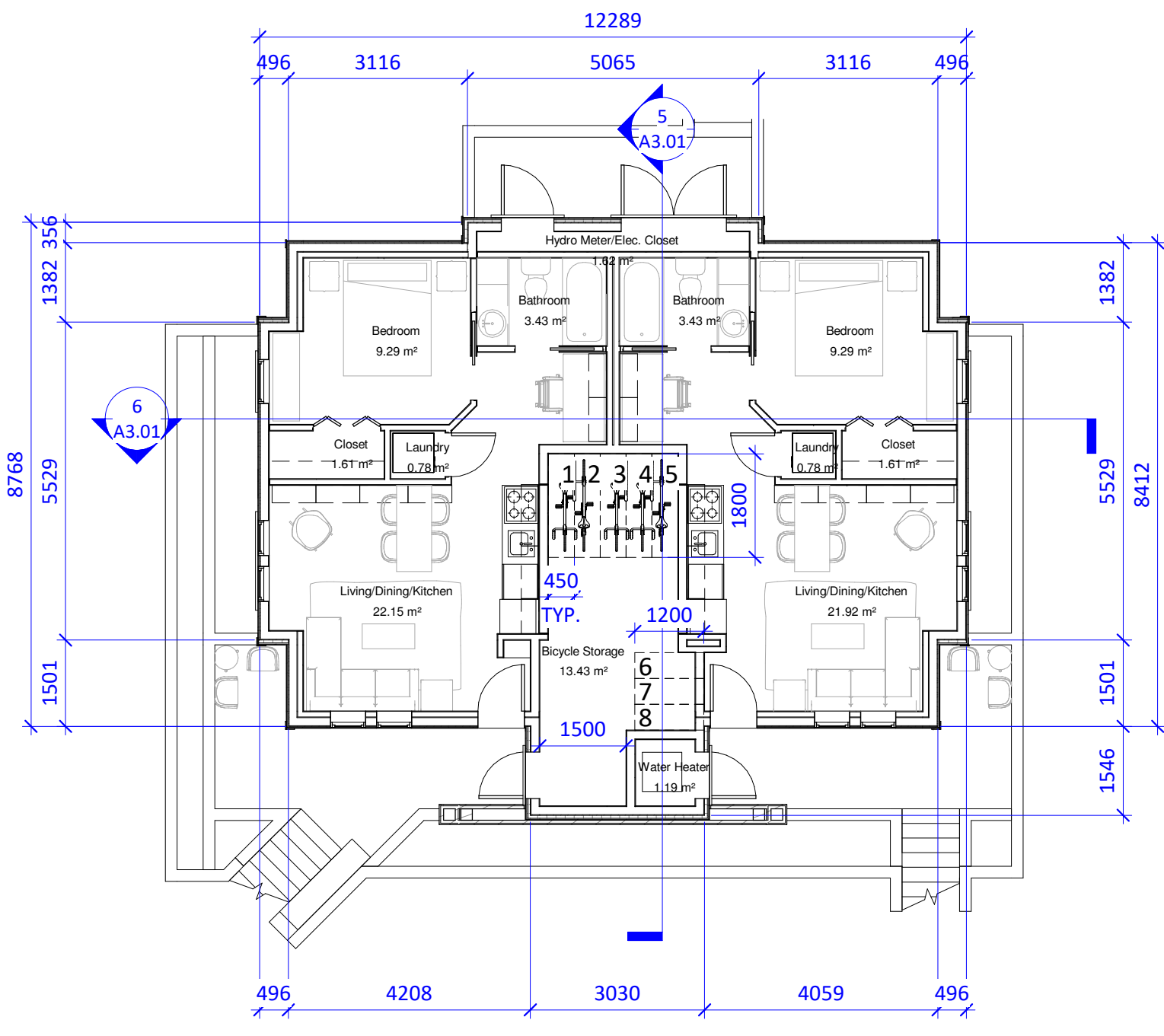
4 Roof Plan - Building A
1 : 100



3 Floor Plan - Level 3 - Building A
1 : 100

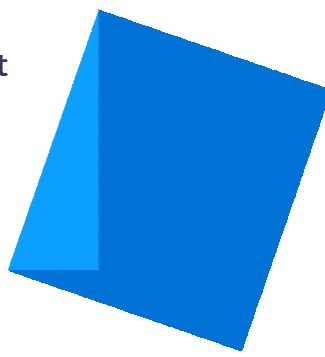


2 Floor Plan - Level 2 - Building A
1 : 100



1 Floor Plan - Level 1 - Building A
1 : 100

Christine Lintott
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www.lintottarchitect.ca

Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019

Revision No.	Description	Date
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Consultant

ASH Richardson

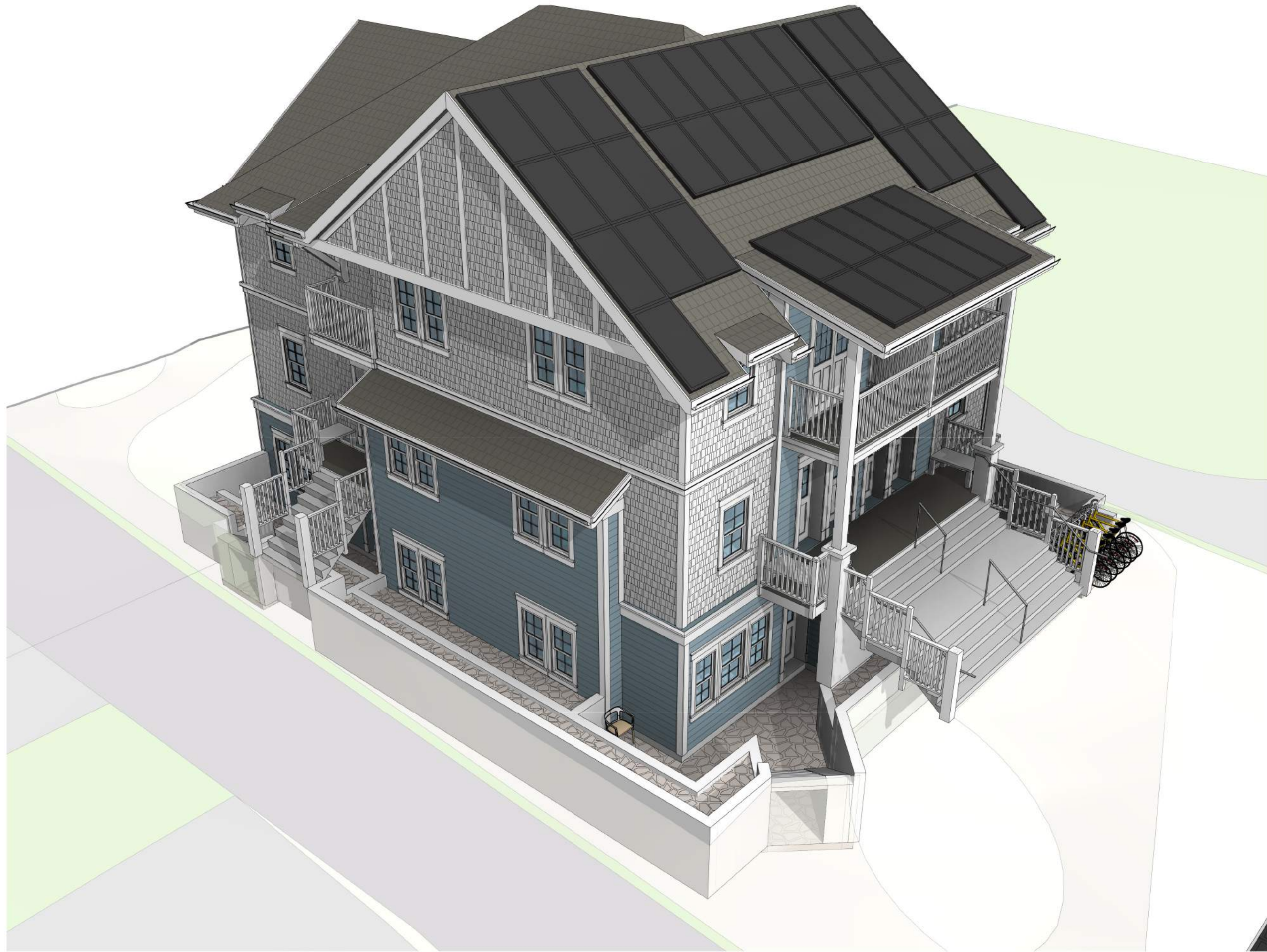
Victoria, BC

Floor Plans - Building A

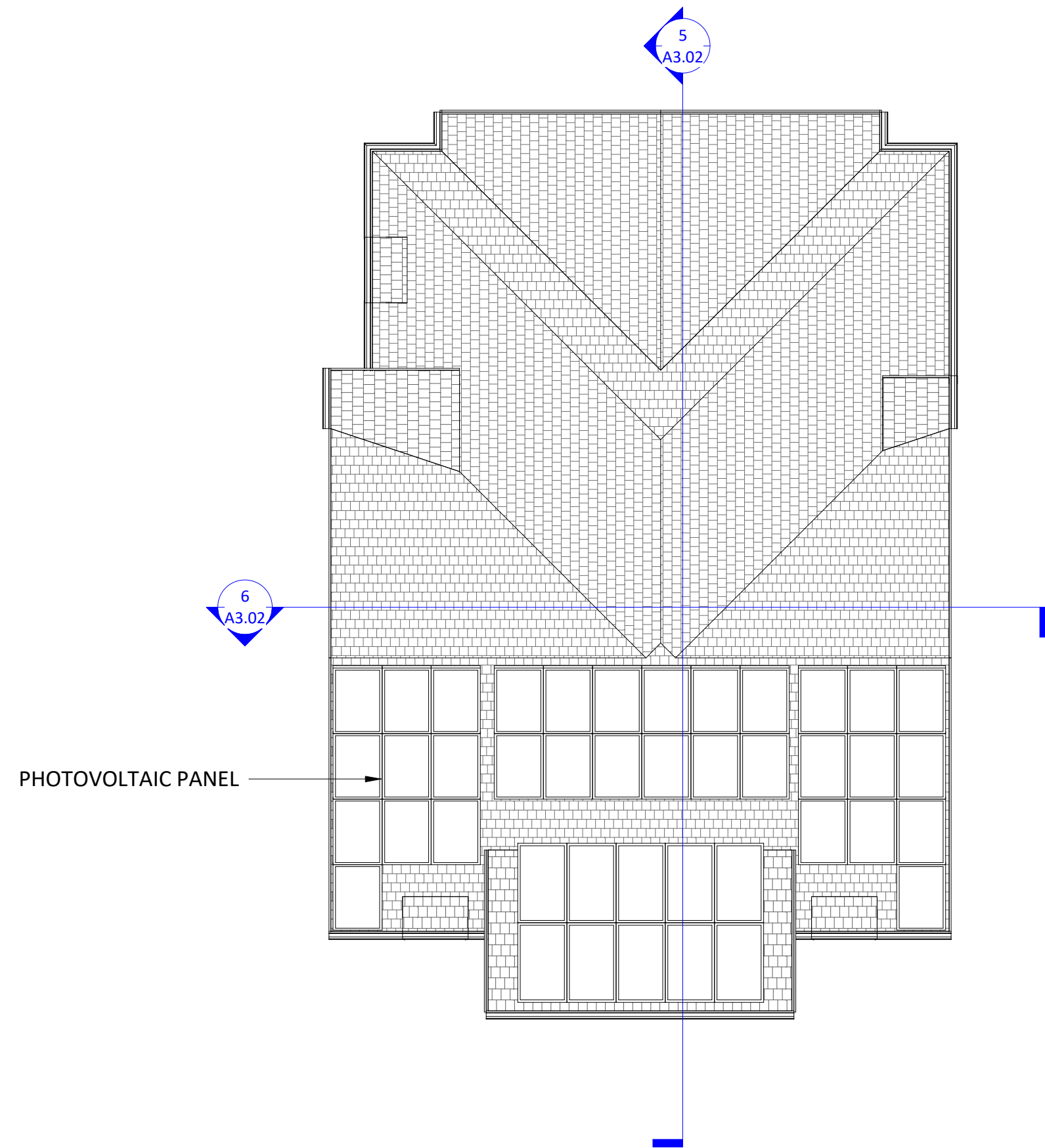
Date	2019-05-01 10:05:01 AM
Drawn by	CC
Checked by	CL

A2.01

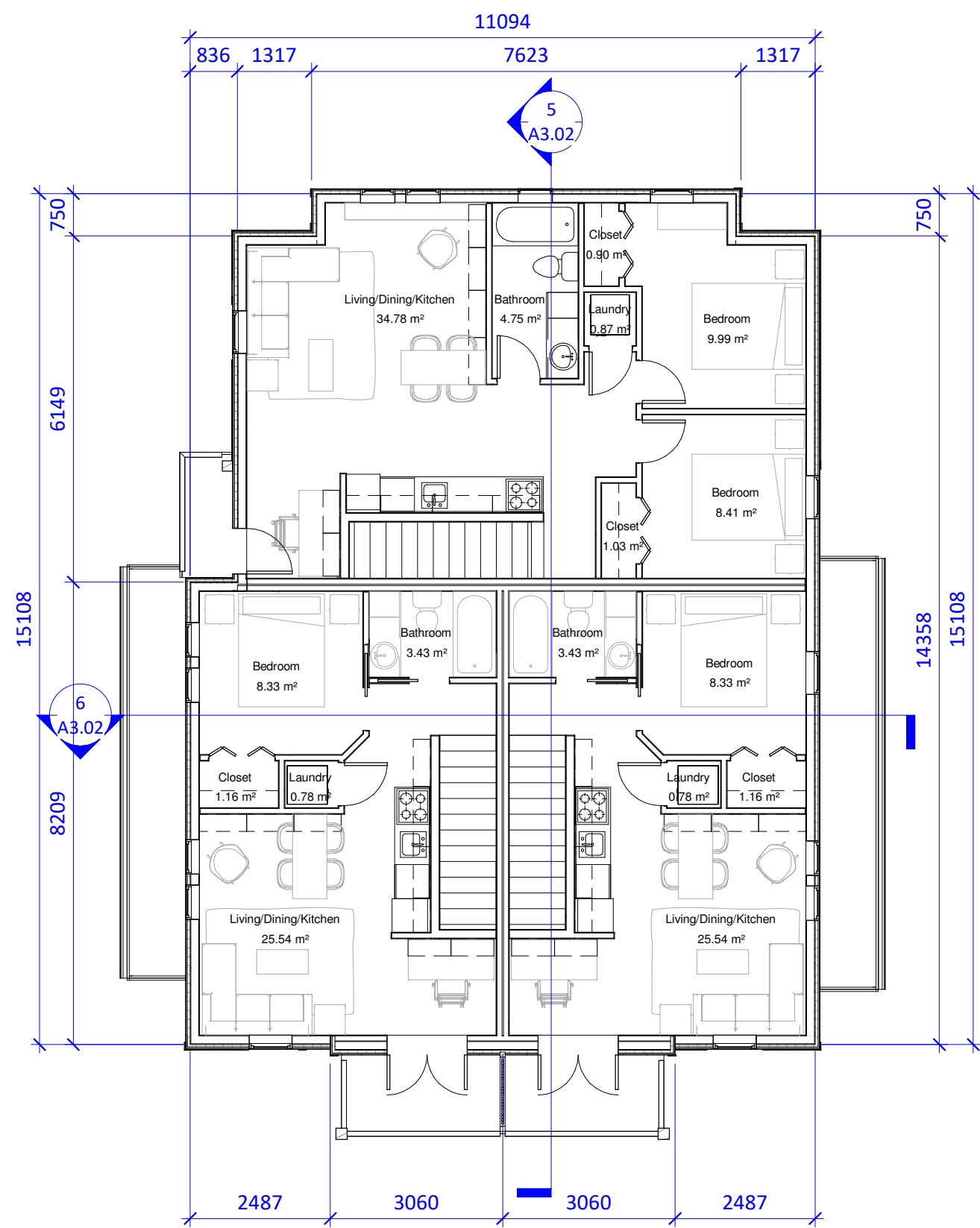
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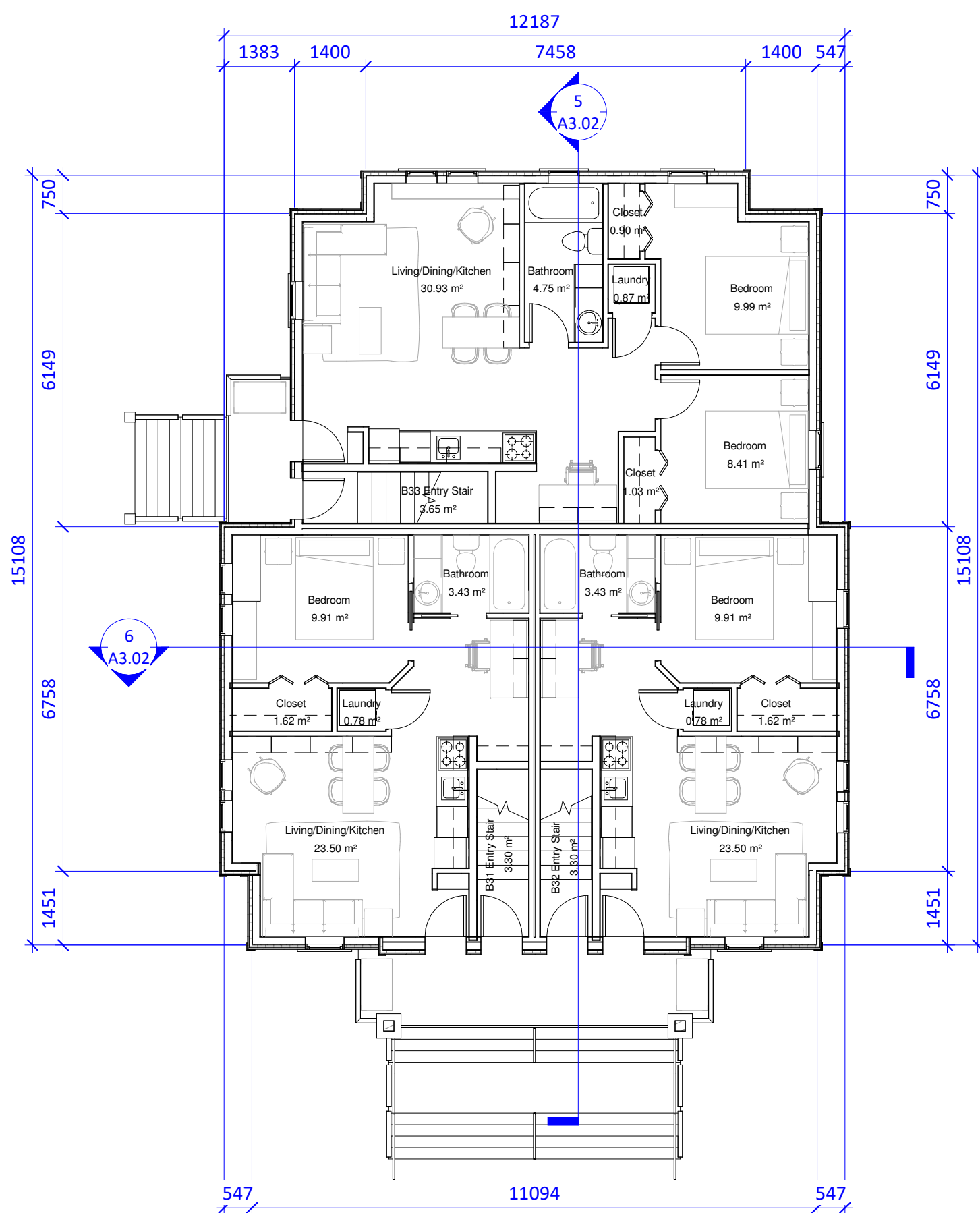
⑤ 3D Overview of Building B



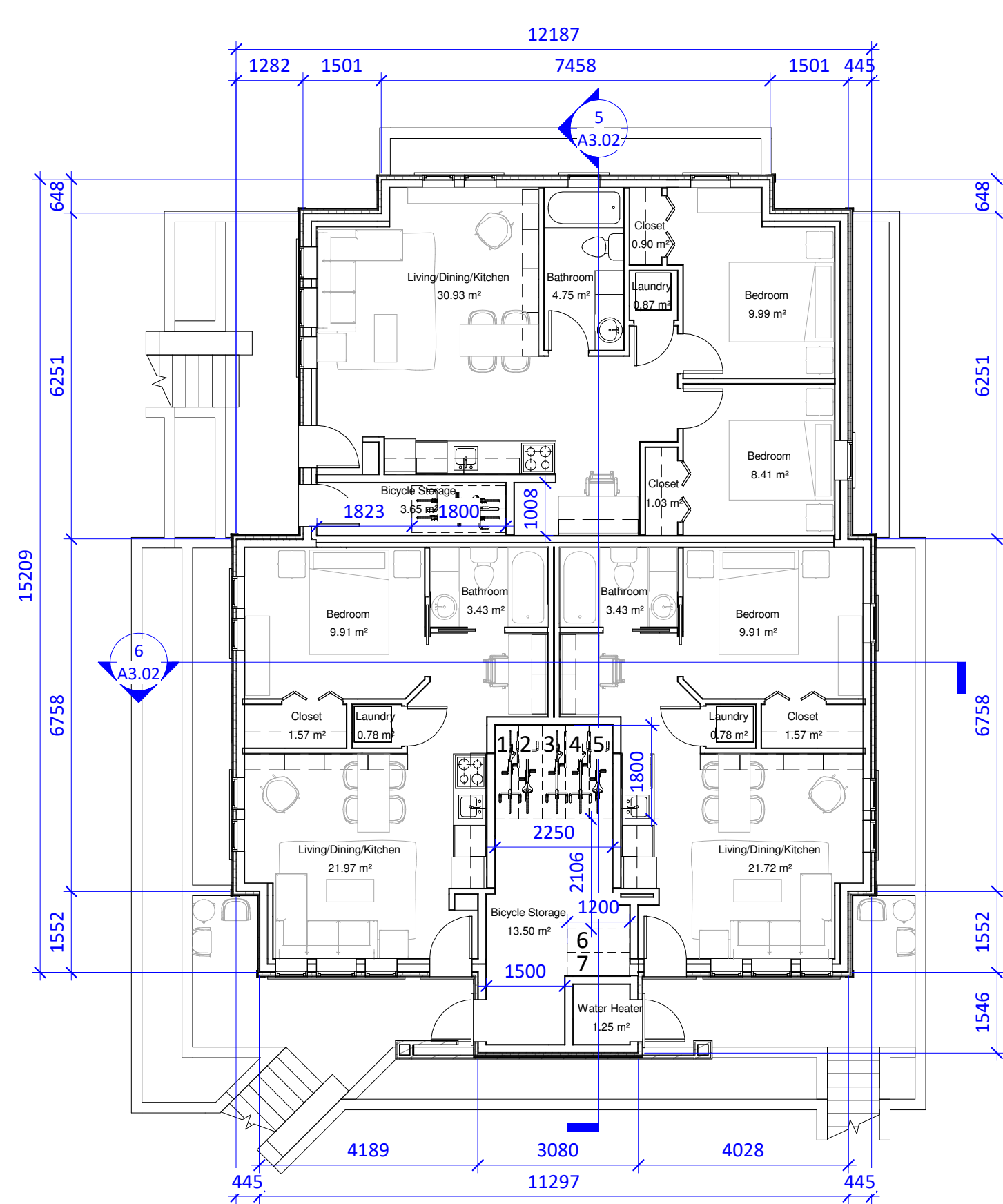
④ Roof Plan - Building B
1 : 100



③ Floor Plan - Level 3 - Building B
1 : 100

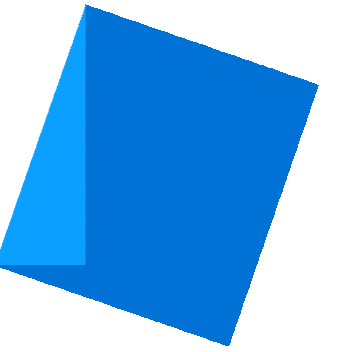


② Floor Plan - Level 2 - Building B
1 : 100



① Floor Plan - Level 1 - Building B
1 : 100

Christine Lintott
Architects



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Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019

Revision No.	Description	Date
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Consultant

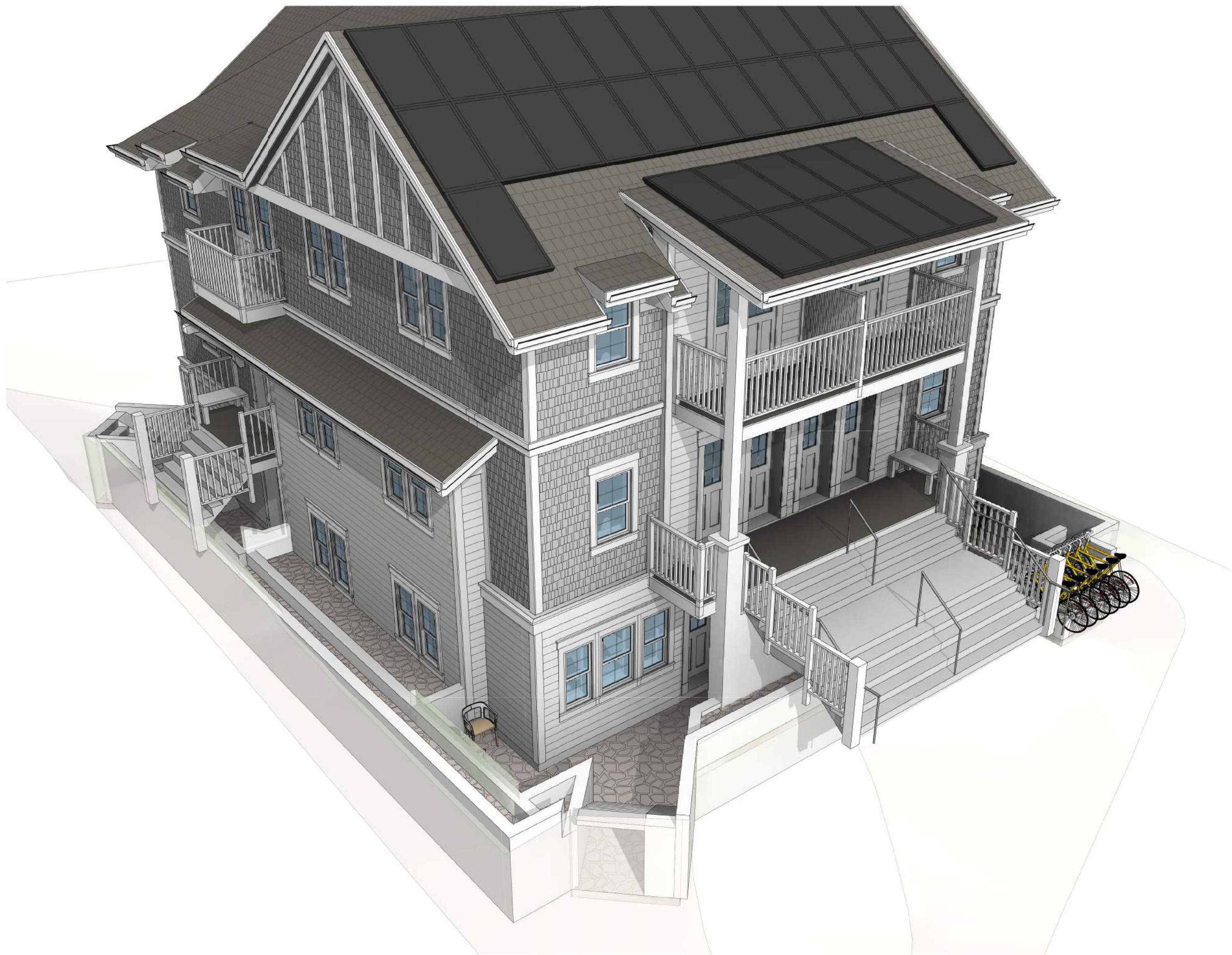
ASH Richardson
Victoria, BC

Floor Plans - Building B

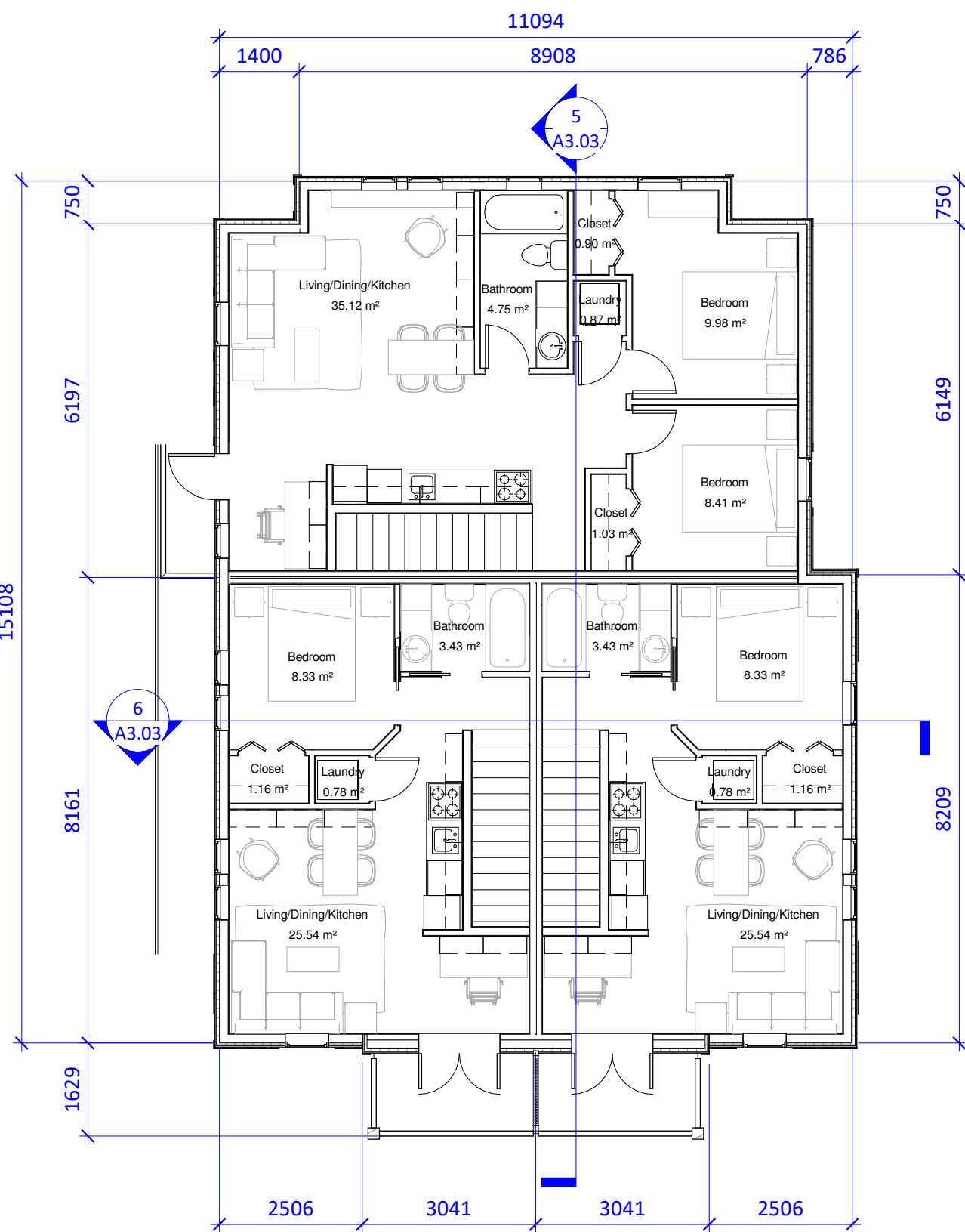
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Checked by	CL

A2.02

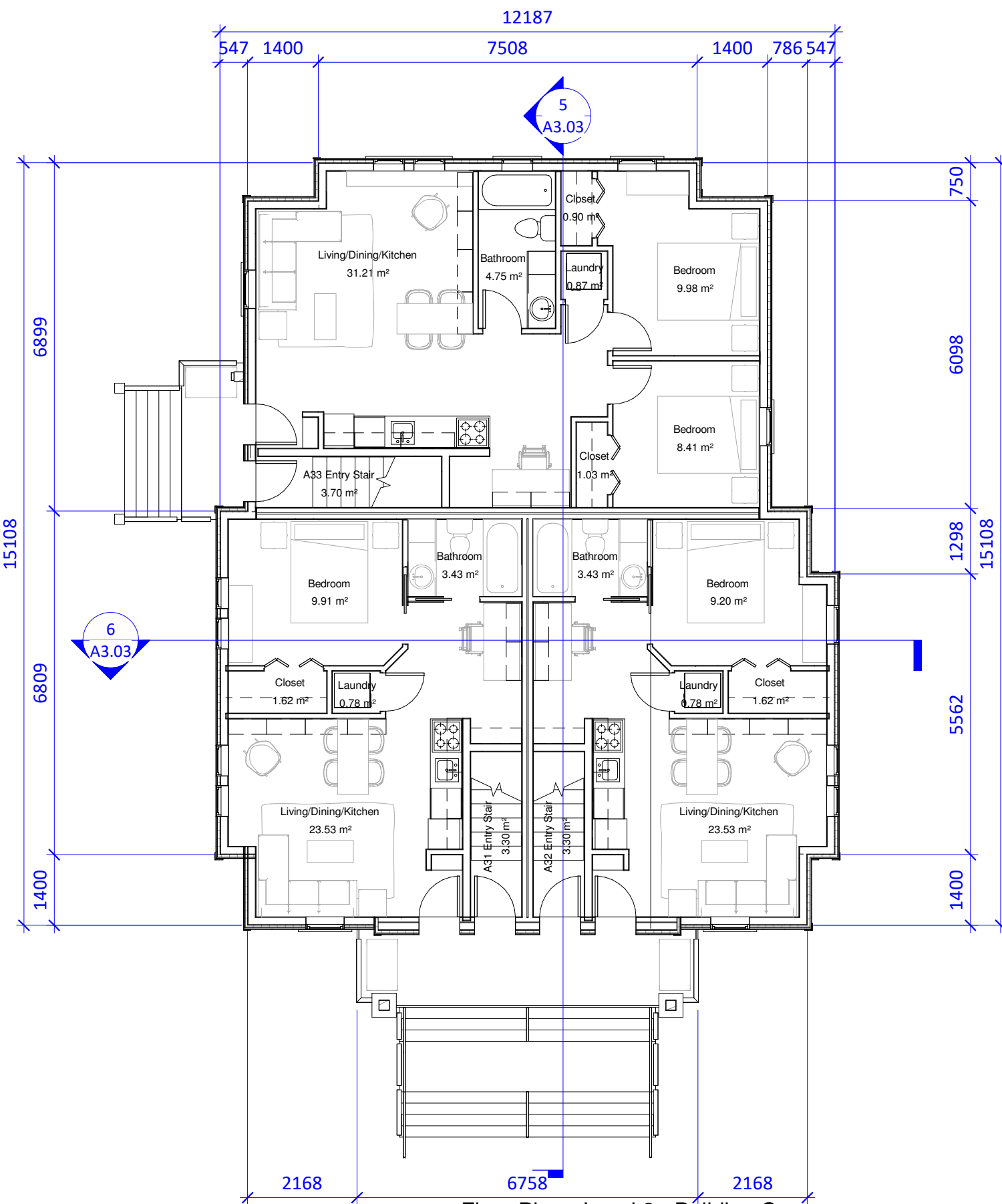
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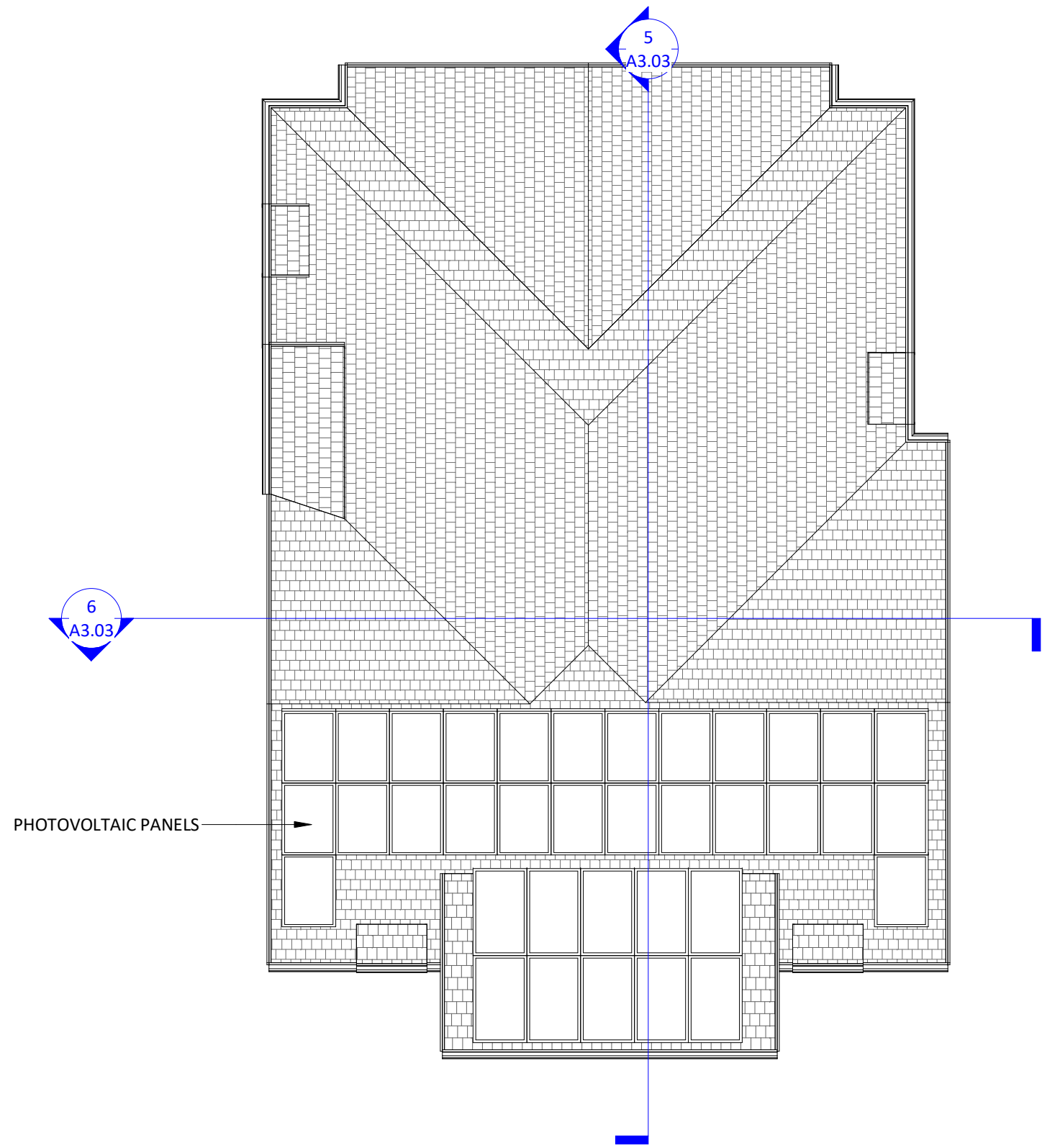
5 3D Overview of Building C



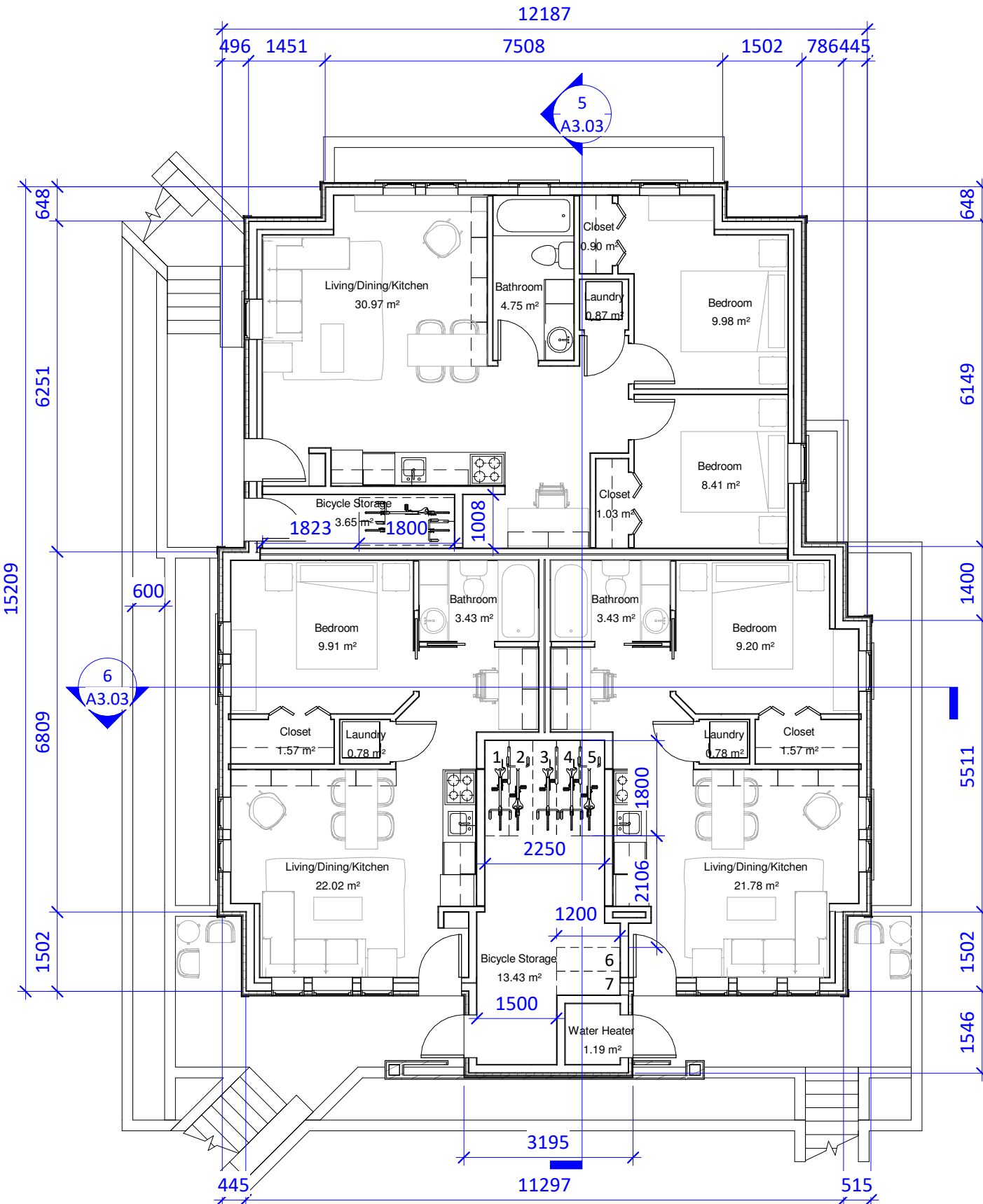
3 Floor Plan - Level 3 - Building C
1 : 100



2 Floor Plan - Level 2 - Building C
1 : 100

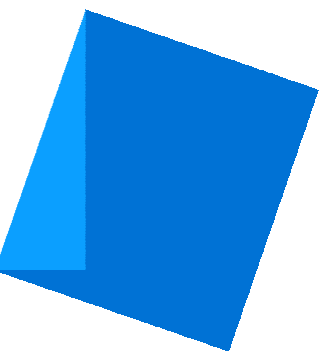


4 Roof Plan
1 : 100



1 Floor Plan - Level 1 - Building C
1 : 100

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www.lintottarchitect.ca

Issue	Date
For Rezoning/ Development Permit	March --, 2019

Revision No.	Description	Date
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Consultant

ASH Richardson

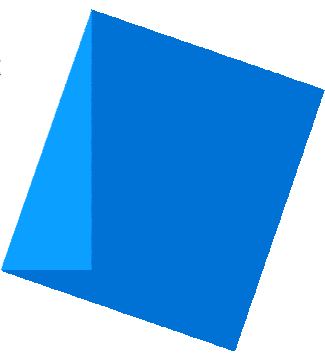
Victoria, BC

Floor Plans - Building C

Date	2019-05-01 10:12:34 AM
Drawn by	CC
Checked by	CL

A2.03

Scale	1 : 100
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Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019

Revision No.	Description	Date
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Consultant

ASH Richardson

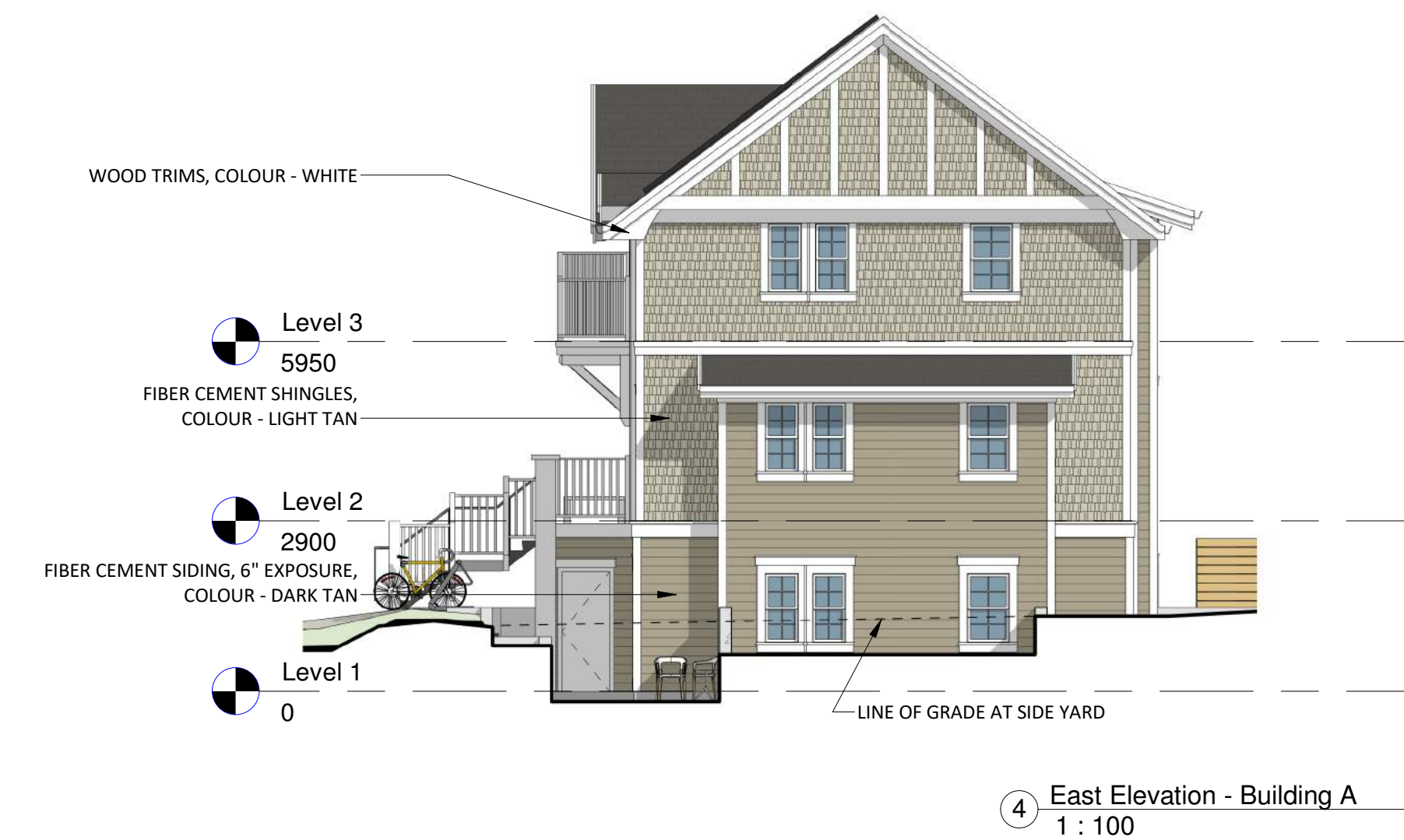
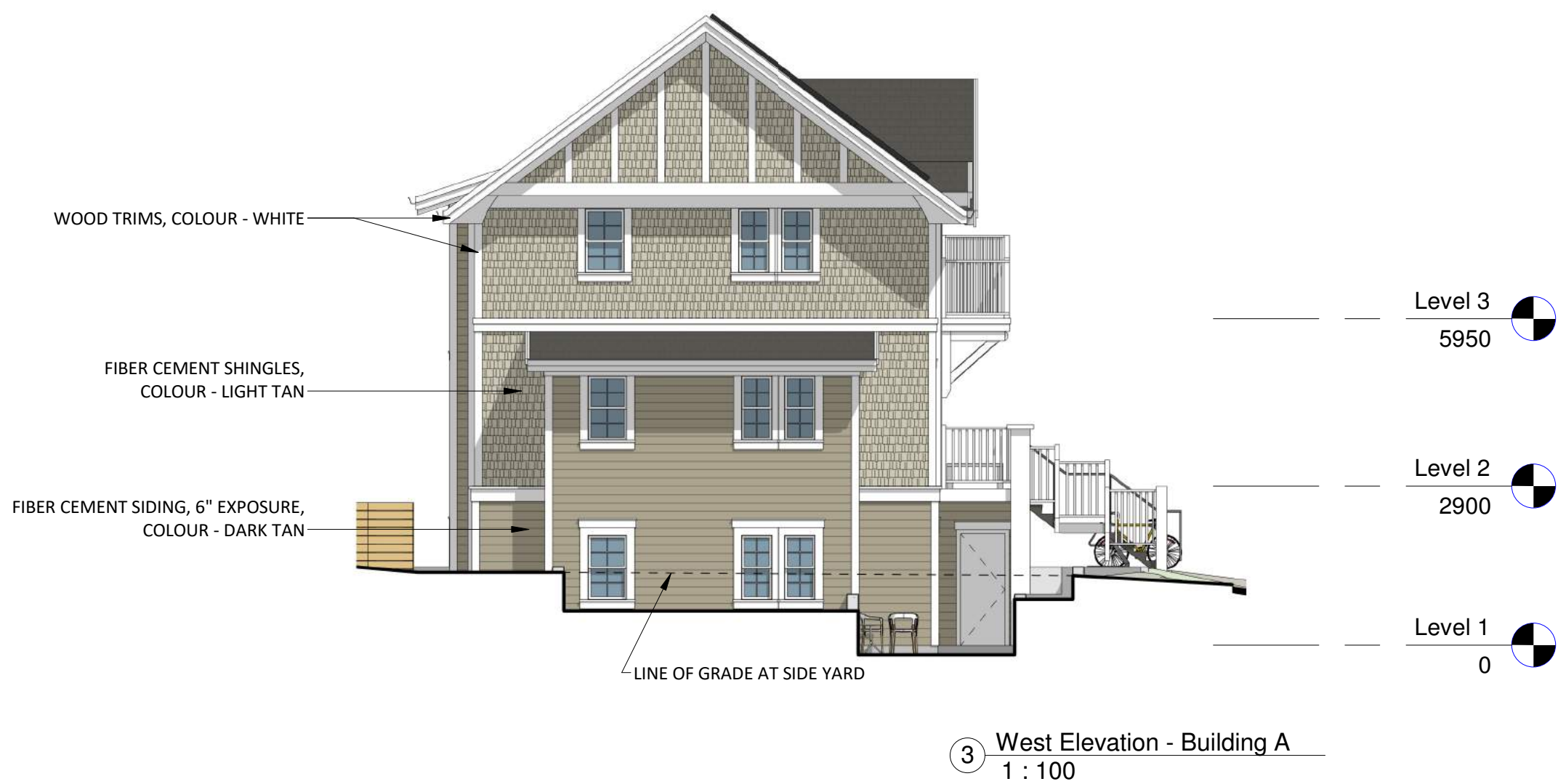
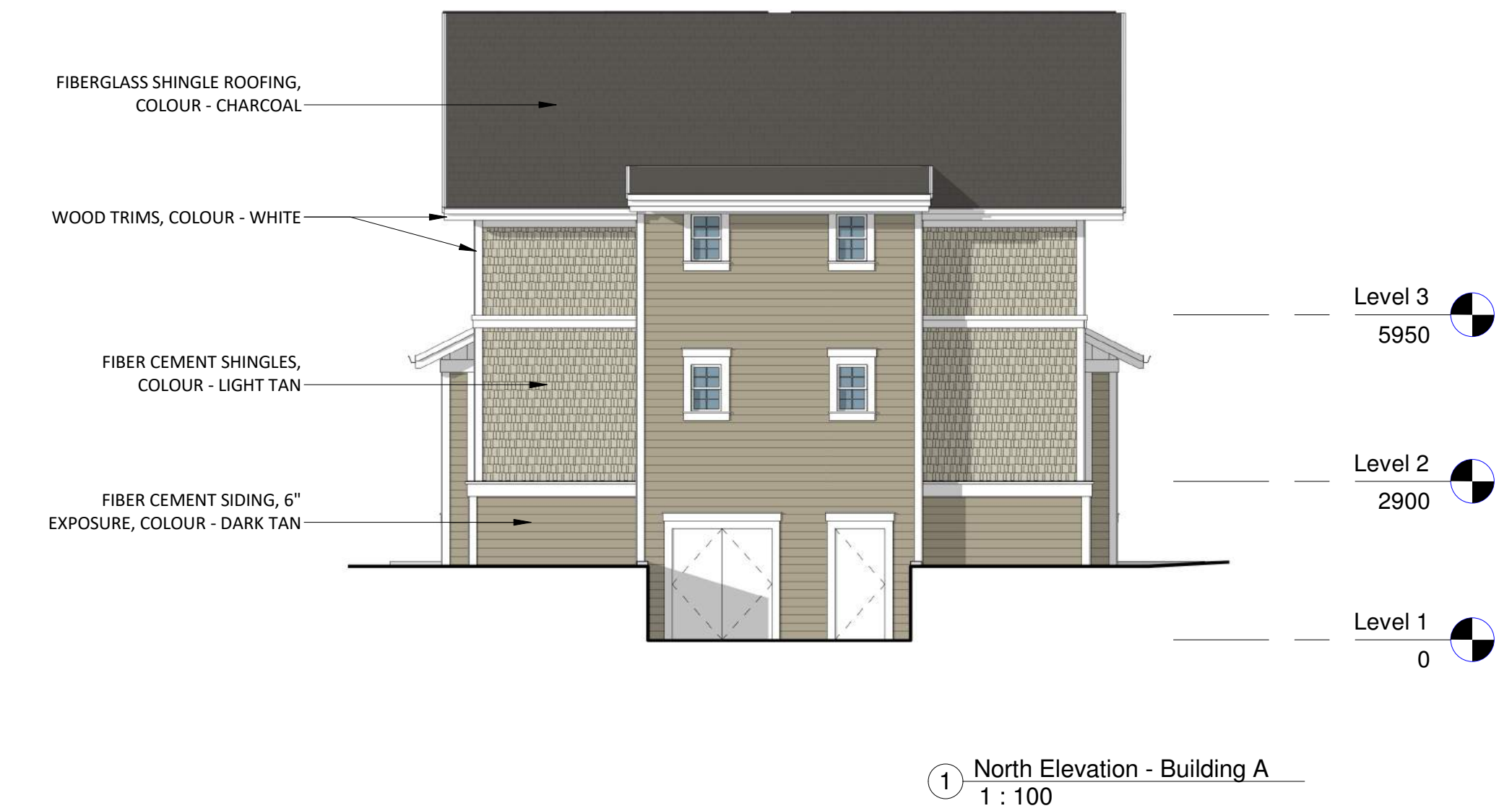
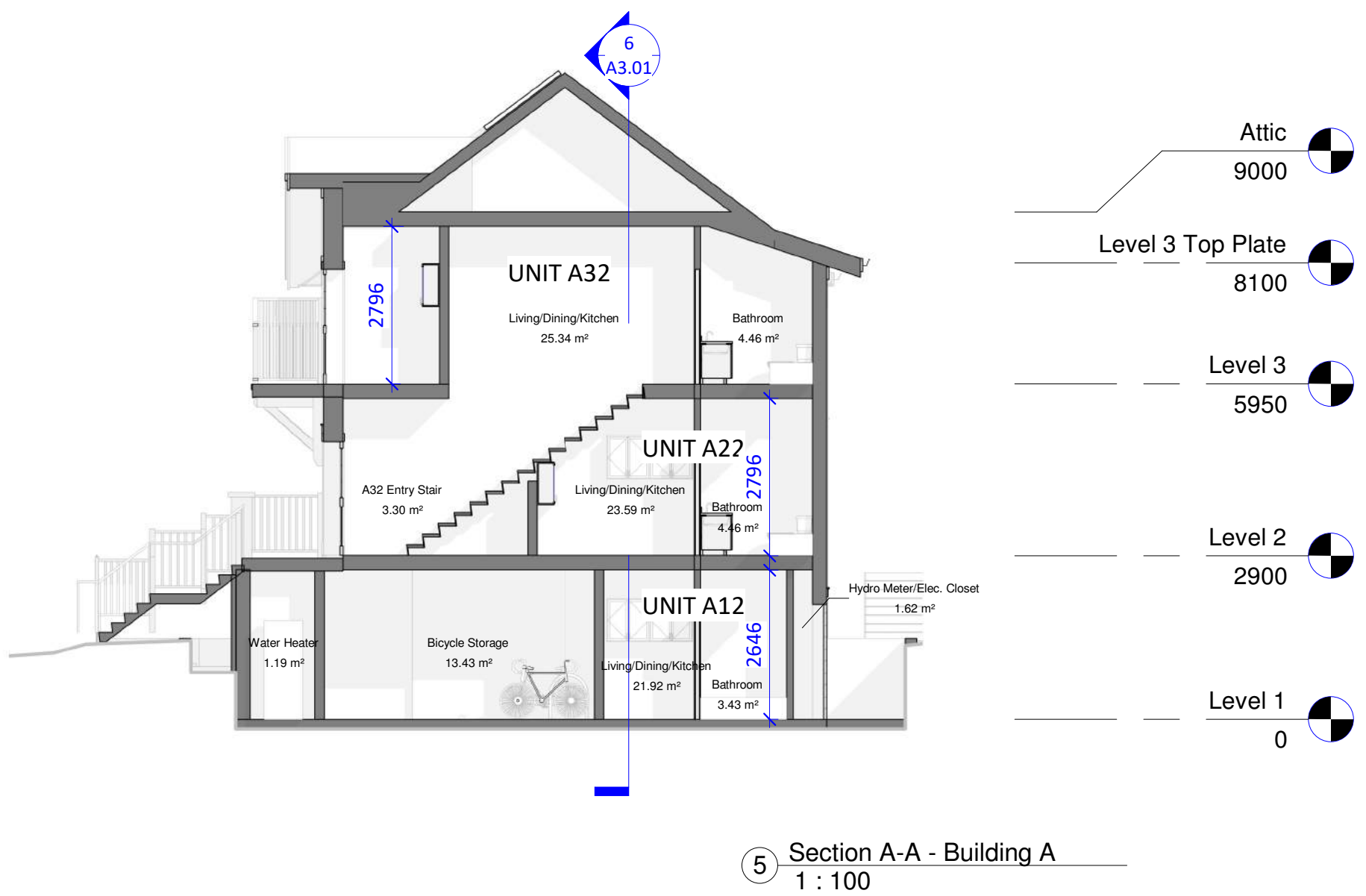
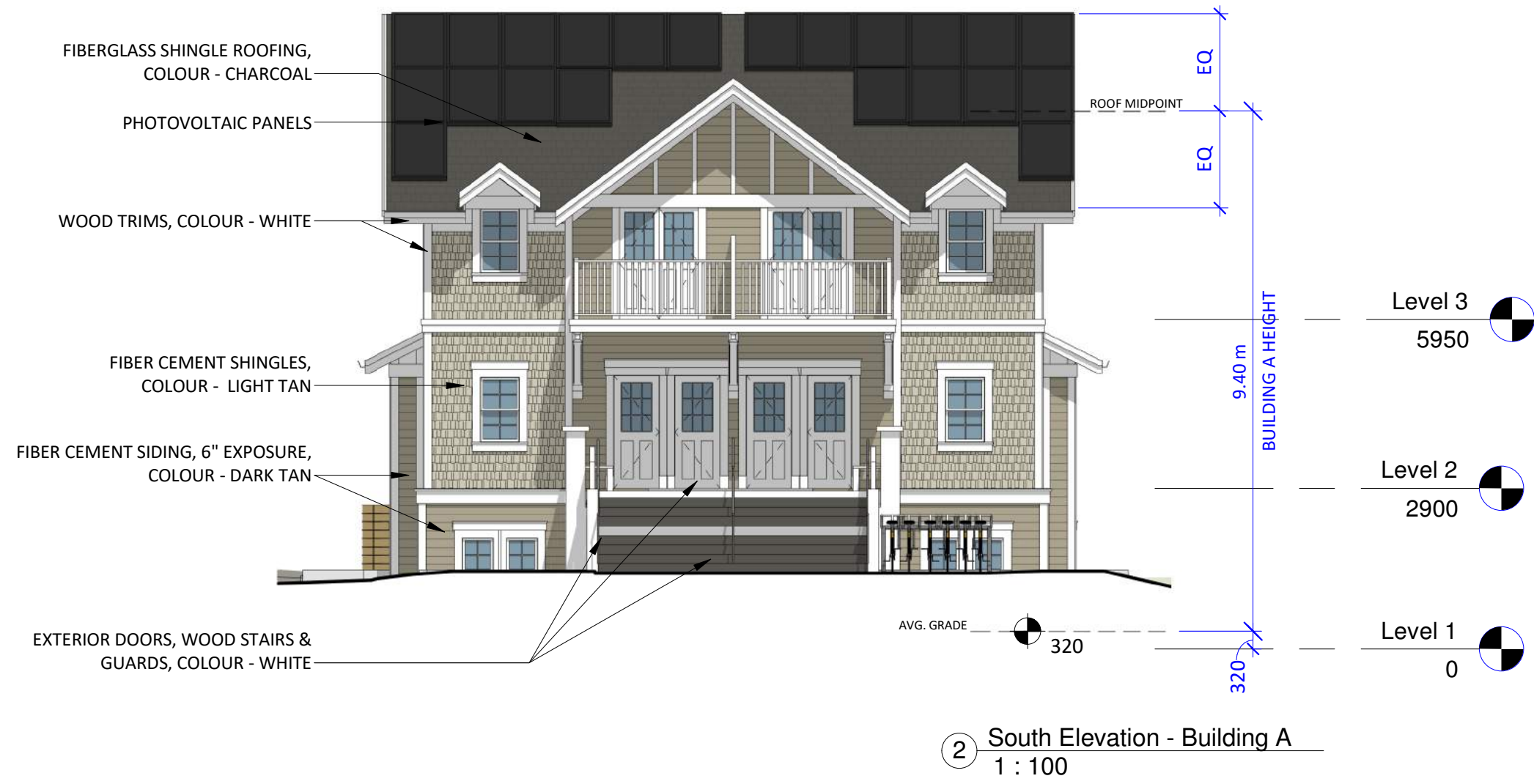
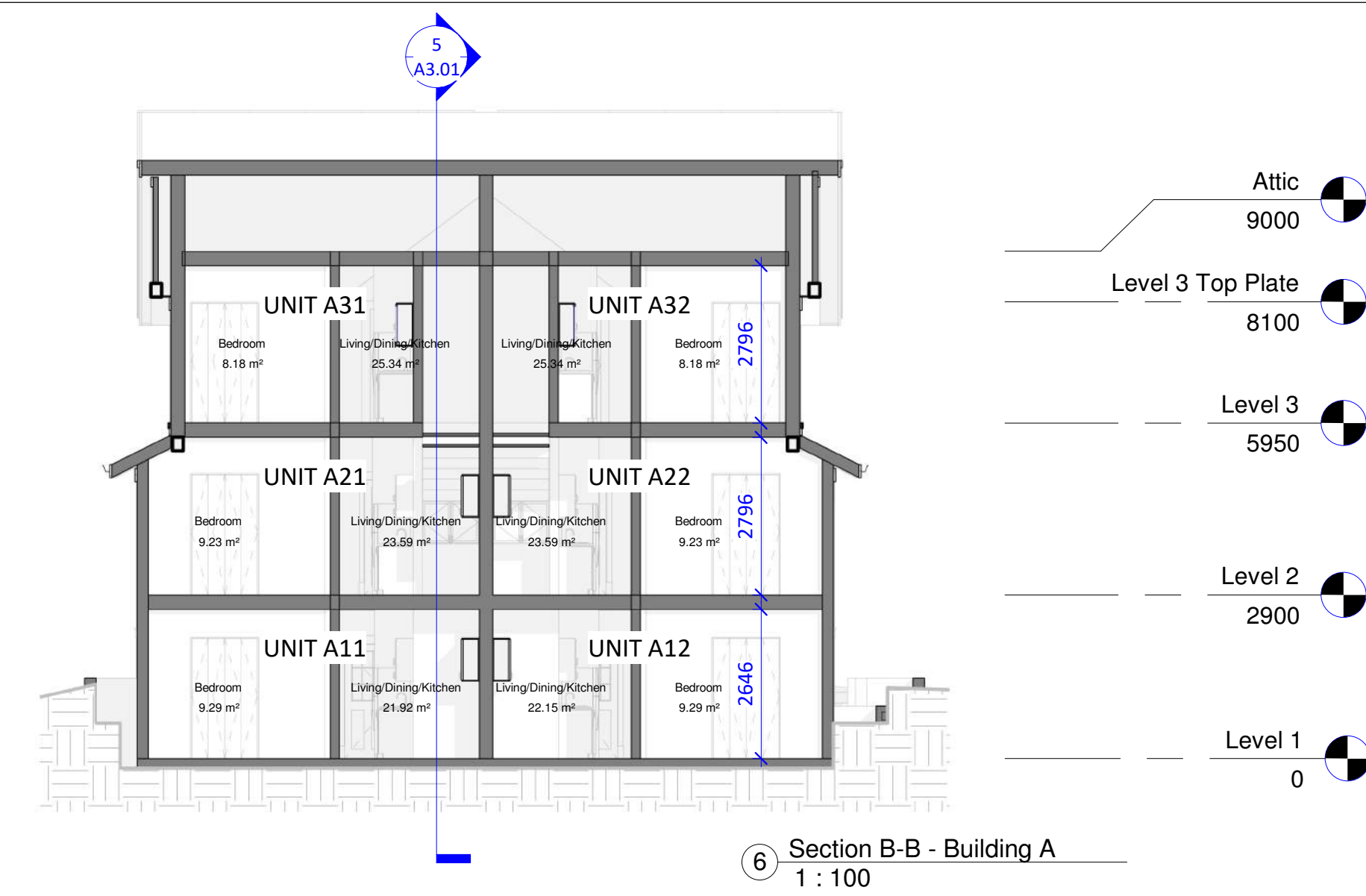
Victoria, BC

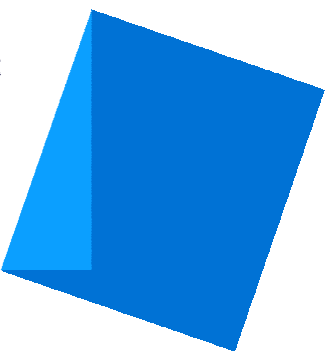
Elevations & Sections -
Building A

Date	2019-05-01 10:06:44 AM
Drawn by	CC
Checked by	CL

A3.01

Scale	1 : 100
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Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019

Revision No.	Description	Date
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Consultant

ASH Richardson

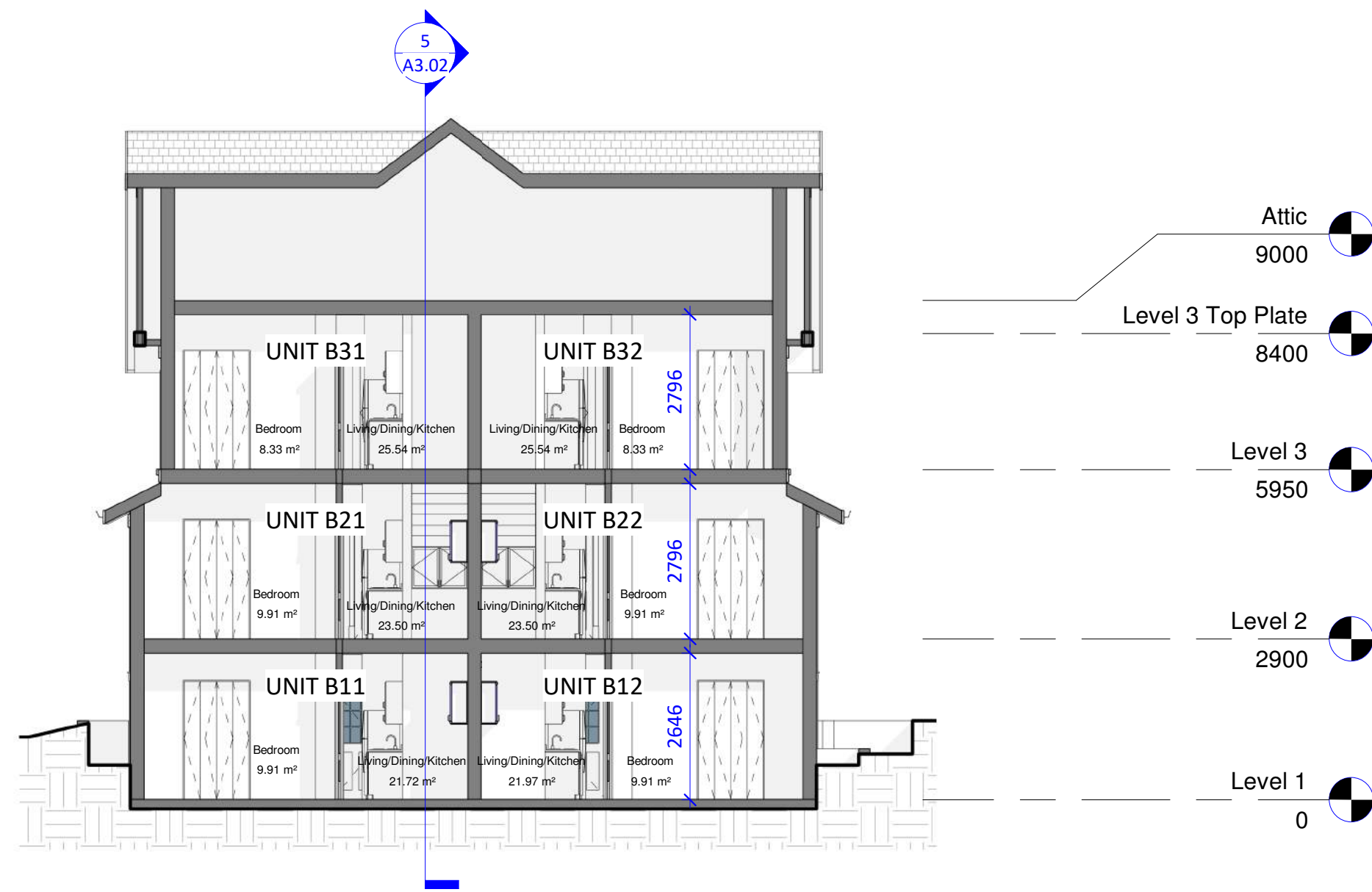
Victoria, BC

Elevations & Sections -
Building B

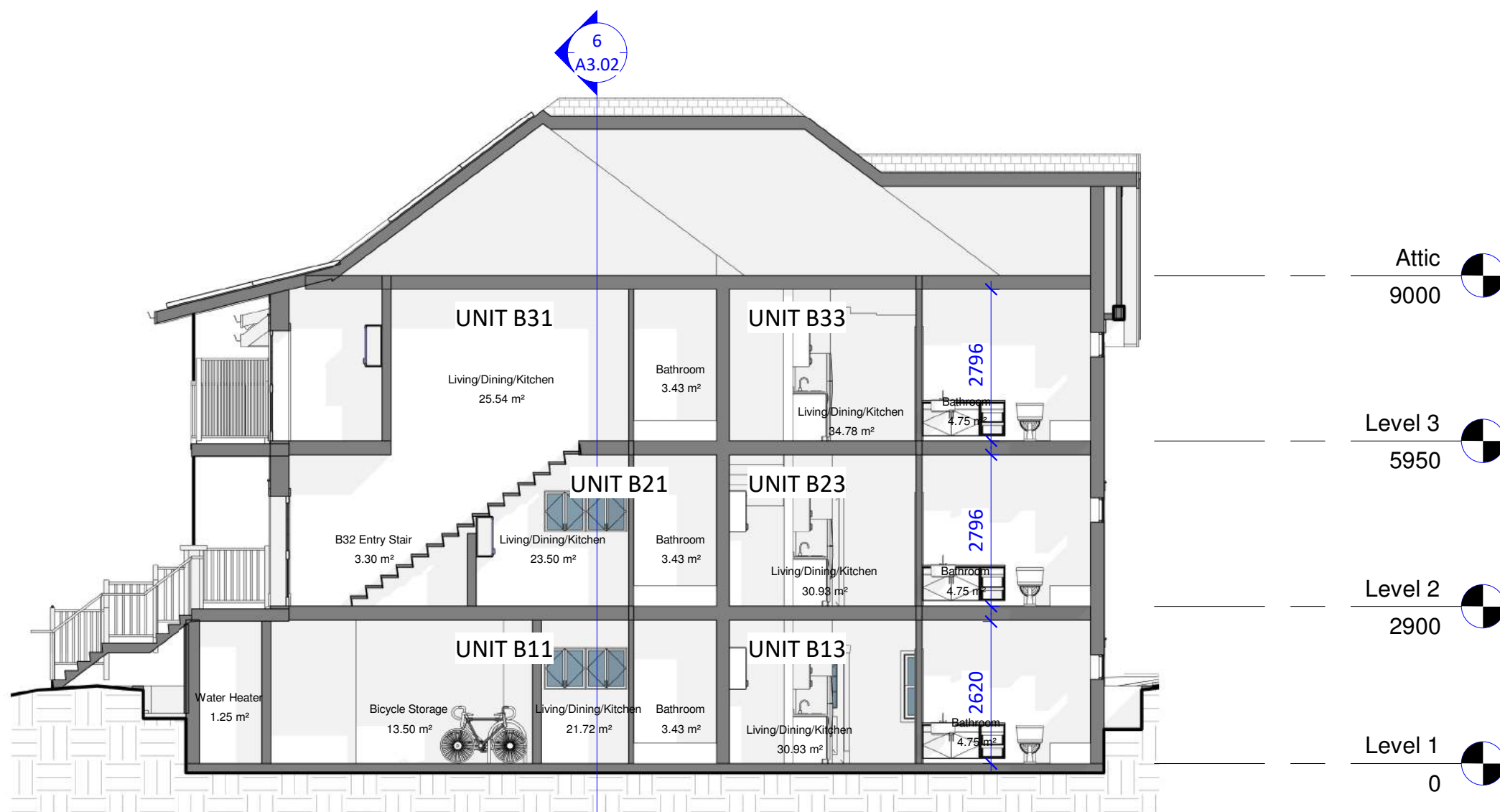
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Drawn by	CC
Checked by	CL

A3.02

Scale	1 : 100
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6 Section B-B - Building B
1 : 100



5 Section A-A - Building B
1 : 100



4 West Elevation - Building B
1 : 100



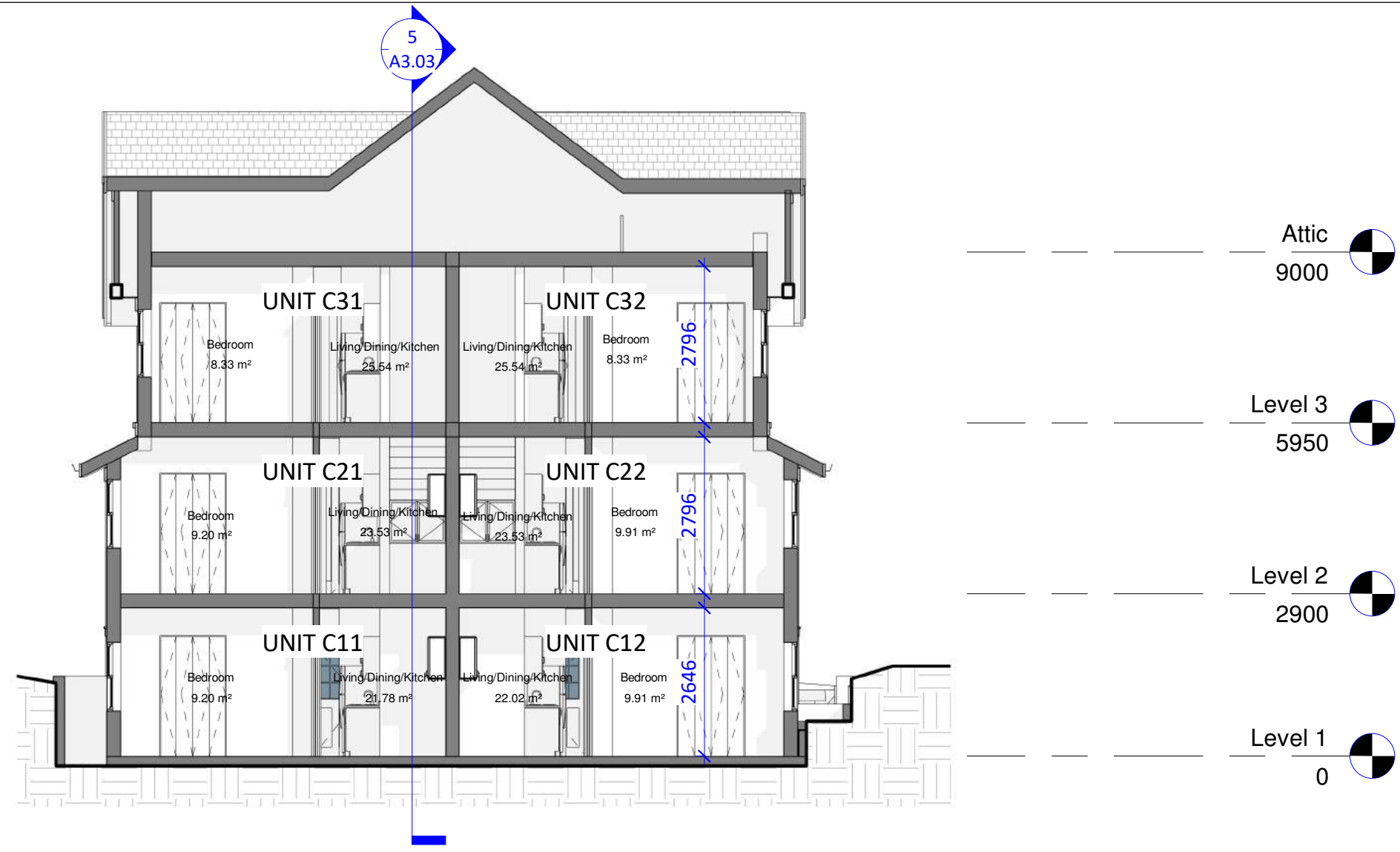
3 South Elevation - Building B
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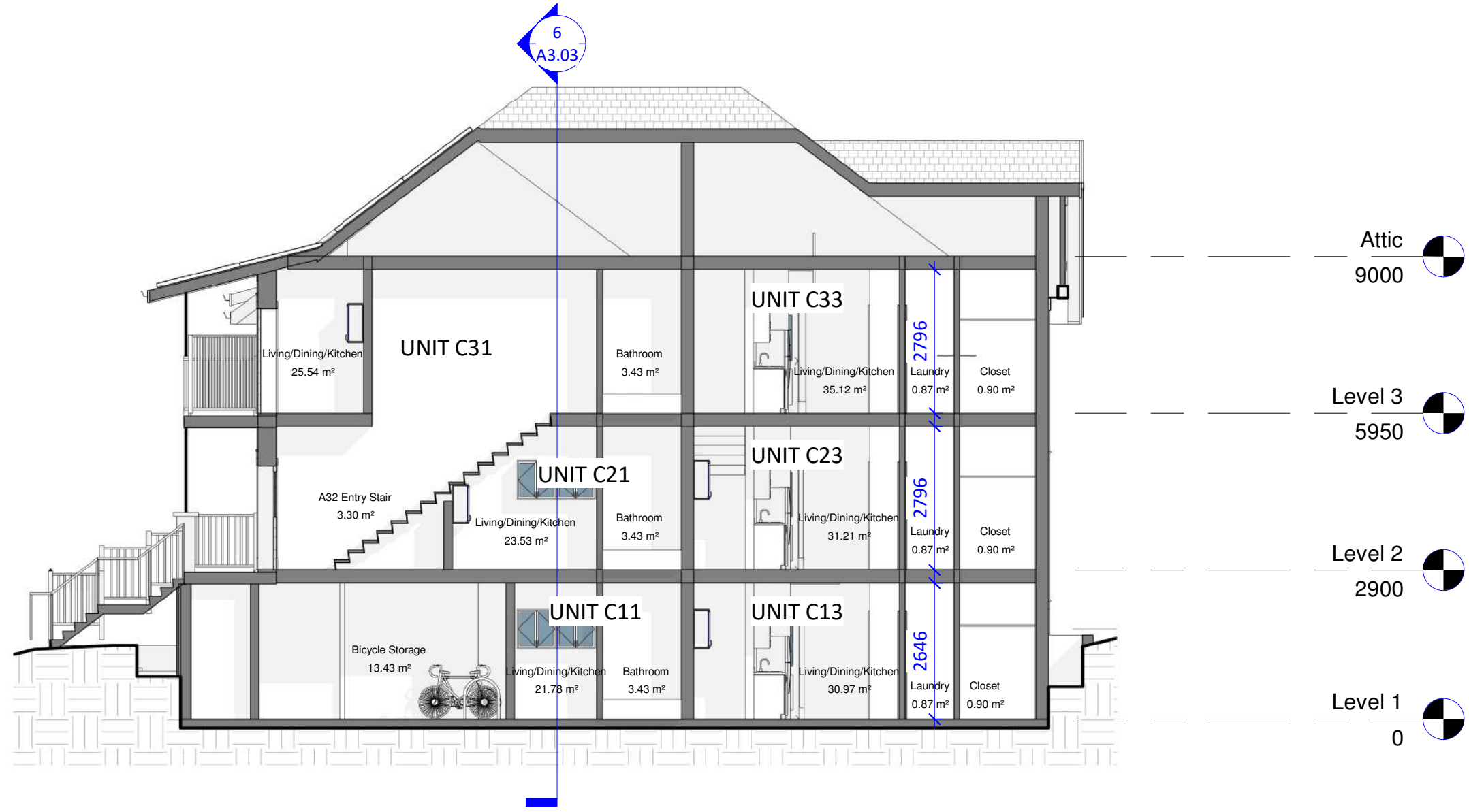
2 North Elevation - Building B
1 : 100



1 East Elevation - Building B
1 : 100



6 Section B-B - Building C
1 : 100



5 Section A-A - Building C
1 : 100



4 West Elevation - Building C
1 : 100



2 South Elevation - Building C
1 : 100

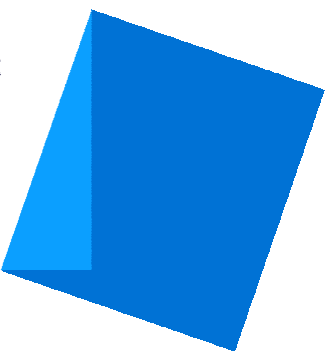


1 North Elevation - Building C
1 : 100



3 East Elevation - Building C
1 : 100

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Issue	Date
For Rezoning/ Development Permit	March --, 2019

Revision No.	Description	Date

Consultant

ASH Richardson
Victoria, BC

Elevations & Sections - Building C
Date2019-05-01 10:12:49 AM
Drawn byCC
Checked byCL
A3.03
Scale1 : 100

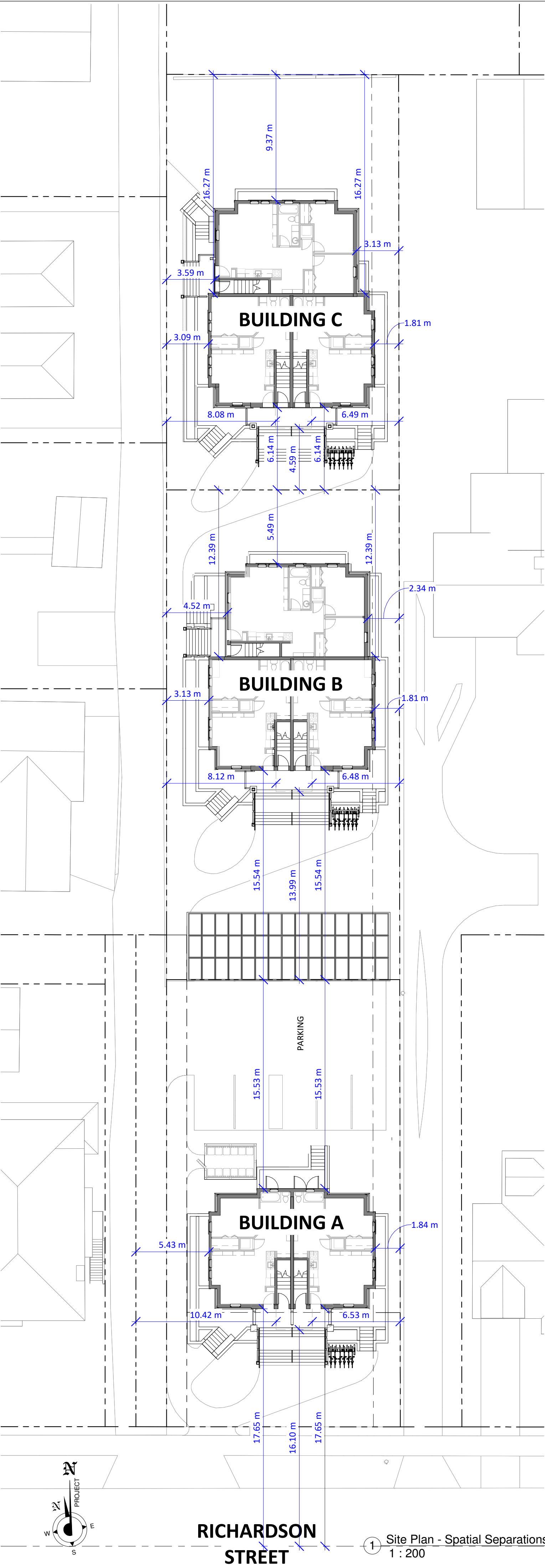
Limiting Distance & Spatial Separations Analysis

BCBC 9.10.14.4.A									
BUILDING FACE OR FIRE COMPARTMENT	LIMITING DISTANCE (m)	WALL AREA (m²)	GLAZING AREA (m²)	UNPROTECTED OPENINGS (%)		WALL F.R.R. ¹ (hr)	NON-COMBUSTIBLE REQUIREMENTS		
				MAXIMUM	PROPOSED		WALL	CLADDING	
BUILDING A									
EAST BIKE STOR.	6.53	4.38	1.64	90	37	3/4	<input type="checkbox"/>	<input type="checkbox"/>	
EAST LEVEL 1-A	1.84	17.87	2.07	11	12	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
EAST LEVEL 2-A	1.84	23.50	2.07	11	9	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
EAST LEVEL 3-A	1.84	22.69	2.07	11	9	1	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NORTH LEVEL 1-A	15.53	8.49	0.46	100	6	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NORTH LEVEL 1-B	15.53	8.55	0.46	100	6	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NORTH LEVEL 2-A	15.53	17.57	0.46	100	3	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NORTH LEVEL 2-B	15.53	17.57	0.46	100	3	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NORTH LEVEL 3-A	15.53	15.64	0.46	100	3	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NORTH LEVEL 3-B	15.53	15.59	0.46	100	3	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEST LEVEL 1-A	5.43	18.15	2.07	74	11	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEST BIKE STOR.	10.42	4.38	1.64	100	37	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEST LEVEL 2-A	5.43	24.78	2.07	74	8	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WEST LEVEL 3-A	5.43	23.82	2.07	74	9	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH LEVEL 1-A	17.65	13.65	1.26	100	9	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH BIKE STOR.	16.10	6.29	0	100	0	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH LEVEL 1-B	17.65	13.65	1.26	100	9	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH LEVEL 2-A	17.65	14.18	2.45	100	17	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH LEVEL 2-B	17.65	14.18	2.45	100	17	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH LEVEL 3-A	17.65	19.29	5.34	100	28	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SOUTH LEVEL 3-B	17.65	19.29	5.34	100	28	3/4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

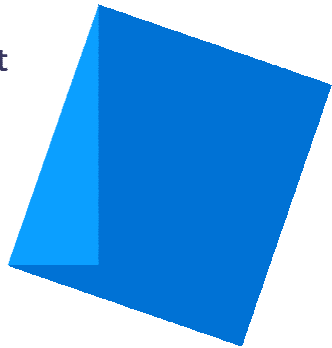
BCBC 9.10.14.4.A									
BUILDING FACE OR FIRE COMPARTMENT	LIMITING DISTANCE (m)	WALL AREA (m ²)	GLAZING AREA (m ²)	UNPROTECTED OPENINGS (%)		WALL F.R.R. ¹ (hr)	NON-COMBUSTIBLE REQUIREMENTS		
				MAXIMUM	PROPOSED		WALL	CLADDING	
BUILDING B									
EAST BIKE STOR.	6.48	4.12	1.64	88	39	3/4			
EAST LEVEL 1-A	1.81	22.53	2.07	11	9	1			
EAST LEVEL 1-B	2.19	13.90	0.81	15	6	1			
EAST LEVEL 2-A	1.81	23.52	2.07	11	9	1			
EAST LEVEL 2-B	2.19	19.29	0.81	15	4	1			
EAST LEVEL 3-A	1.81	22.76	2.07	11	9	1			
EAST LEVEL 3-B	2.19	19.48	0.81	15	4	1			
NORTH LEVEL 1-A	12.39	0.71	0	100	0	3/4			
NORTH LEVEL 1-B	5.49	19.98	2.32	76	12	3/4			
NORTH LEVEL 1-C	12.39	1.60	0	100	0	3/4			
NORTH LEVEL 2-A	12.39	1.76	0	100	0	3/4			
NORTH LEVEL 2-B	5.49	29.25	2.32	76	8	3/4			
NORTH LEVEL 2-C	12.39	4.08	0	100	0	3/4			
NORTH LEVEL 3-A	5.49	28.65	2.32	76	8	3/4			
NORTH LEVEL 3-B	12.39	2.09	0	100	0	3/4			
WEST LEVEL 1-A	4.67	14.14	3.71	51	26	3/4			
WEST LEVEL 1-B	4.67	2.78	0 ¹	51	0	3/4			
WEST LEVEL 1-C	3.13	22.53	2.53	26	11	3/4			
WEST BIKE STOR.	8.12	4.12	1.64	100	40	3/4			
WEST LEVEL 2-A	4.67	16.34	2.45	51	15	3/4			
WEST LEVEL 2-B	3.13	23.51	2.53	26	11	3/4			
WEST LEVEL 3-A	4.67	22.49	4.09	51	18	3/4			
WEST LEVEL 3-B	3.13	22.95	2.53	26	11	3/4			
SOUTH LEVEL 1-A	15.54	13.75	2.07	100	15	3/4			
SOUTH BIKE STOR.	13.99	6.08	0	100	0	3/4			
SOUTH LEVEL 1-B	15.54	13.75	2.07	100	15	3/4			
SOUTH LEVEL 2-A	15.54	14.18	2.45	100	17	3/4			
SOUTH LEVEL 2-B	15.54	14.19	2.45	100	17	3/4			
SOUTH LEVEL 3-A	15.54	19.32	5.34	100	28	3/4			
SOUTH LEVEL 3-B	15.54	19.32	5.34	100	28	3/4			

BCBC 9.10.14.4.A									
BUILDING FACE OR FIRE COMPARTMENT	LIMITING DISTANCE (m)	WALL AREA (m ²)	GLAZING AREA (m ²)	UNPROTECTED OPENINGS (%)		WALL F.R.R. ¹ (hr)	NON-COMBUSTIBLE REQUIREMENTS		
				MAXIMUM	PROPOSED		WALL	CLADDING	
BUILDING C									
EAST BIKE STOR.	6.49	4.26	1.64	88	39	3/4			
EAST LEVEL 1-A	1.81	22.48	2.07	11	9	1			
EAST LEVEL 1-B	2.98	10.40	0.81	25	8	1			
EAST LEVEL 2-A	1.81	23.47	2.07	11	9	1			
EAST LEVEL 2-B	2.98	19.38	0.81	25	4	1			
EAST LEVEL 3-A	1.81	22.63	2.07	11	9	1			
EAST LEVEL 3-B	2.98	17.97	0.81	25	4	1			
NORTH LEVEL 1-A	16.27	1.69	0	100	0	3/4			
NORTH LEVEL 1-B	9.37	19.80	2.32	100	12	3/4			
NORTH LEVEL 1-C	16.27	0.77	0	100	0	3/4			
NORTH LEVEL 2-A	16.27	4.10	0	100	0	3/4			
NORTH LEVEL 2-B	9.37	29.10	2.32	100	8	3/4			
NORTH LEVEL 2-C	16.27	1.90	0	100	0	3/4			
NORTH LEVEL 3-A	9.37	29.36	2.32	100	8	3/4			
WEST LEVEL 1-A	3.74	13.62	2.45	35	18	1			
WEST LEVEL 1-B	3.74	2.73	0 ¹	35	0	1			
WEST LEVEL 1-C	3.09	22.39	2.53	25	11	1			
WEST BIKE STOR.	8.08	4.26	1.64	100	39	3/4			
WEST LEVEL 2-A	3.74	16.30	2.45	35	15	1			
WEST LEVEL 2-B	3.09	23.52	2.53	25	11	1			
WEST LEVEL 3-A	3.74	21.03	2.45	35	12	1			
WEST LEVEL 3-B	3.09	22.62	2.53	25	11	1			
SOUTH LEVEL 1-A	6.14	13.65	2.07	90	15	3/4			
SOUTH BIKE STOR.	4.59	6.29	0	52	0	3/4			
SOUTH LEVEL 1-B	6.14	13.65	2.07	90	15	3/4			
SOUTH LEVEL 2-A	6.14	14.21	2.45	90	17	3/4			
SOUTH LEVEL 2-B	6.14	14.21	2.45	90	17	3/4			
SOUTH LEVEL 3-A	6.14	19.44	5.34	90	27	3/4			
SOUTH LEVEL 3-B	6.14	19.44	5.34	90	27	3/4			

¹ 3/4HR FIRE RATED, THERMALLY BROKEN DOOR REQUIRED



Christine Lintott Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5
Telephone: 250.384.1969
www.lintottarchitect.ca

Issue Date
For Rezoning/ Development Permit March --, 2019

Revision No. Description Date

Consultant

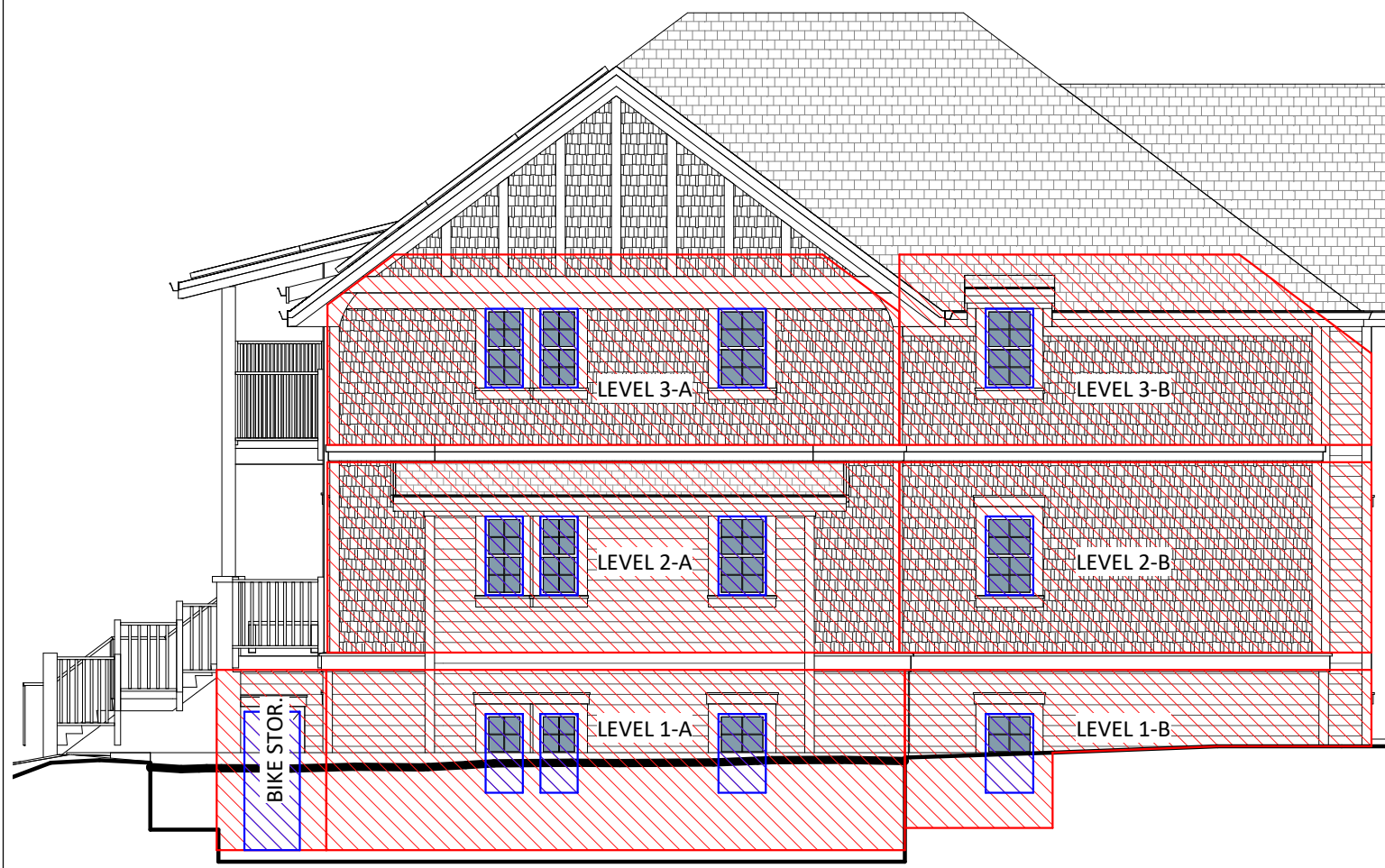
1224 Richardson - ASH Concept
Victoria, BC

Spatial Separations

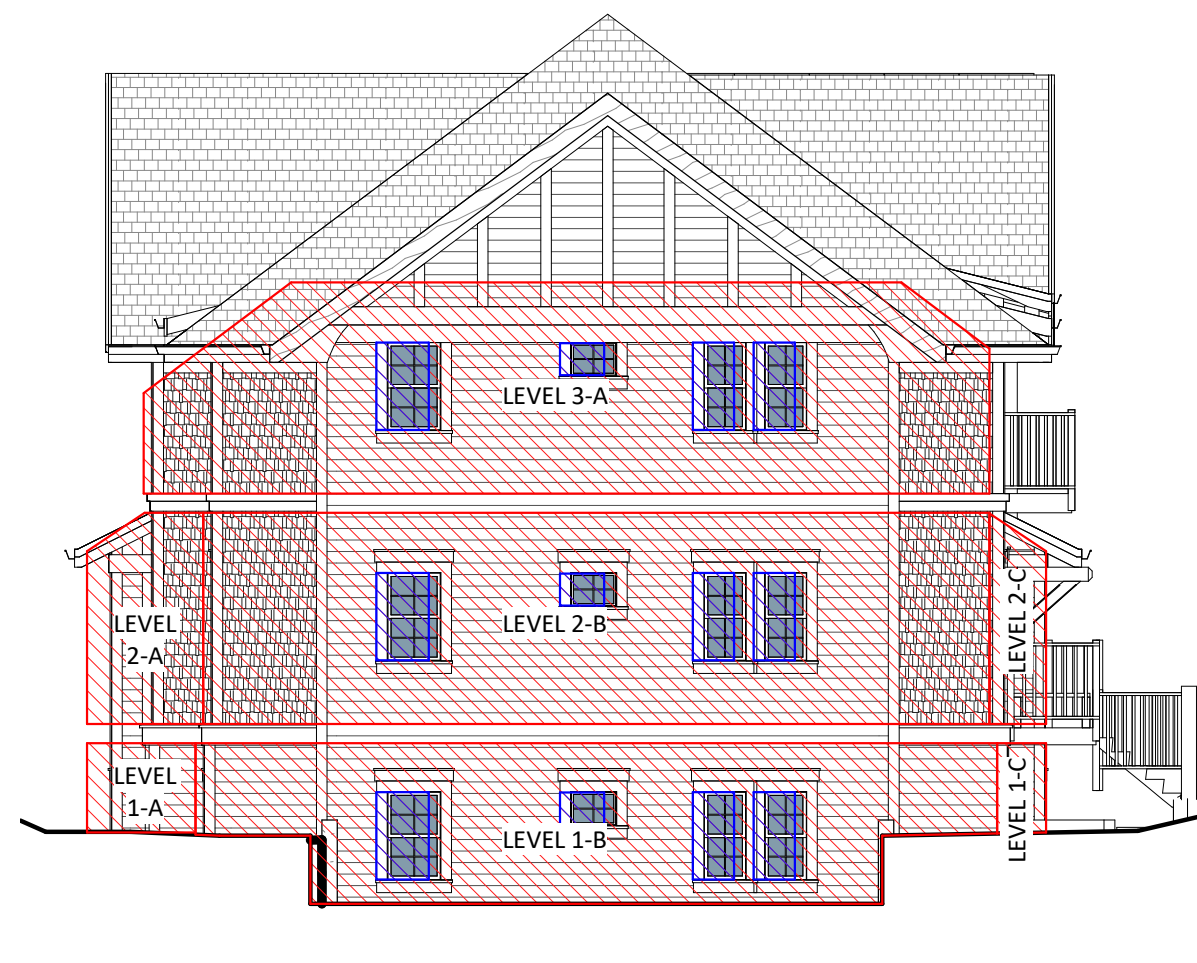
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Checked by CL

A3.11

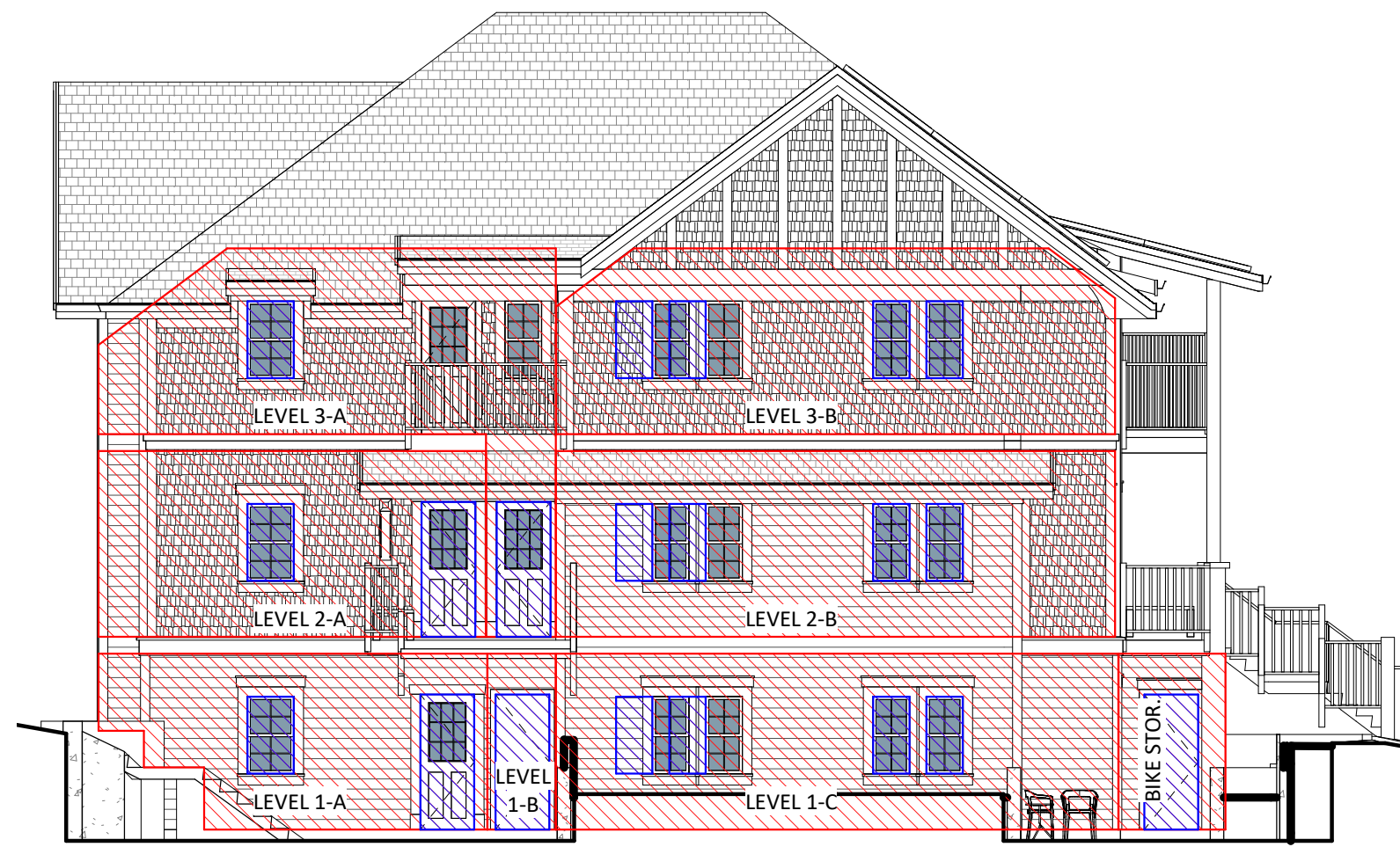
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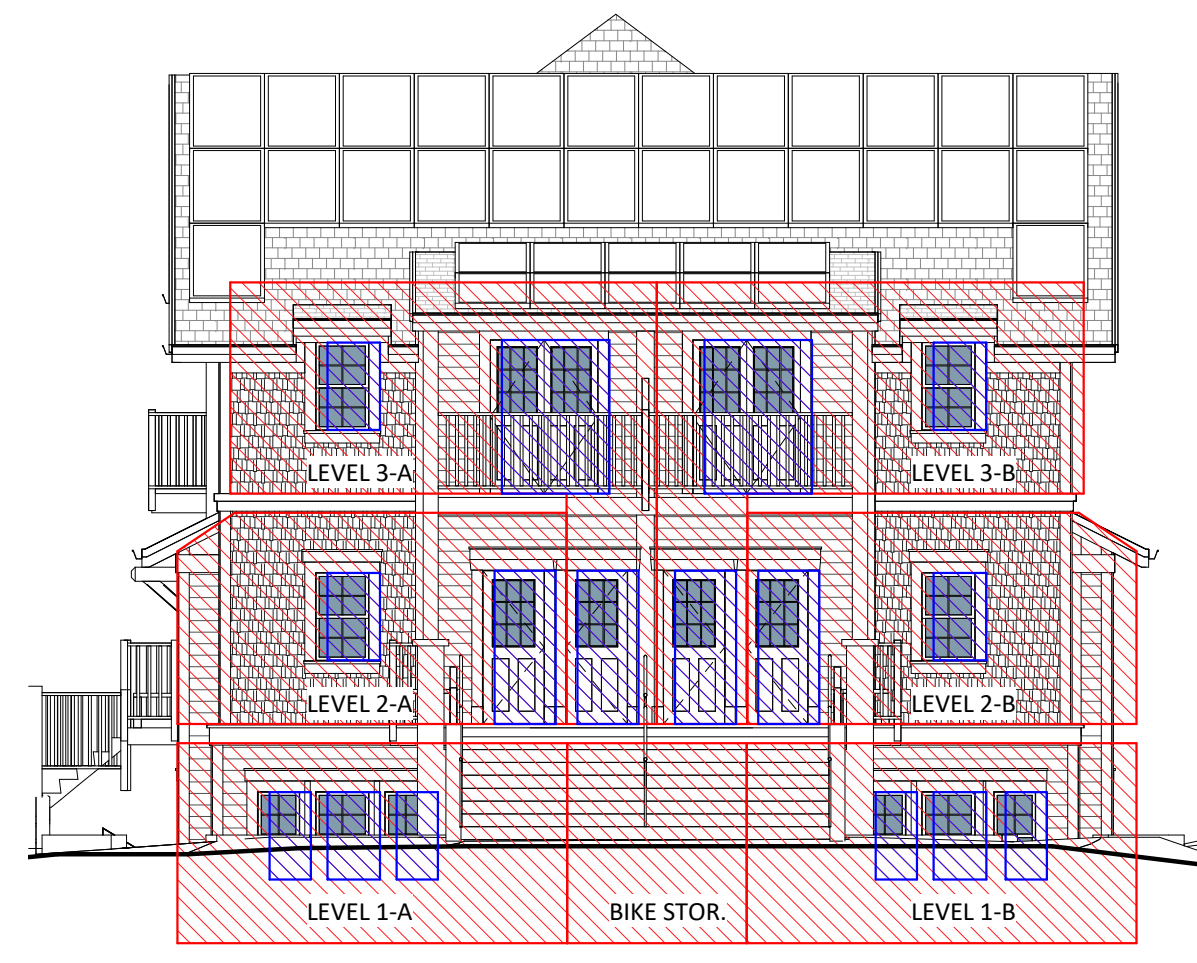
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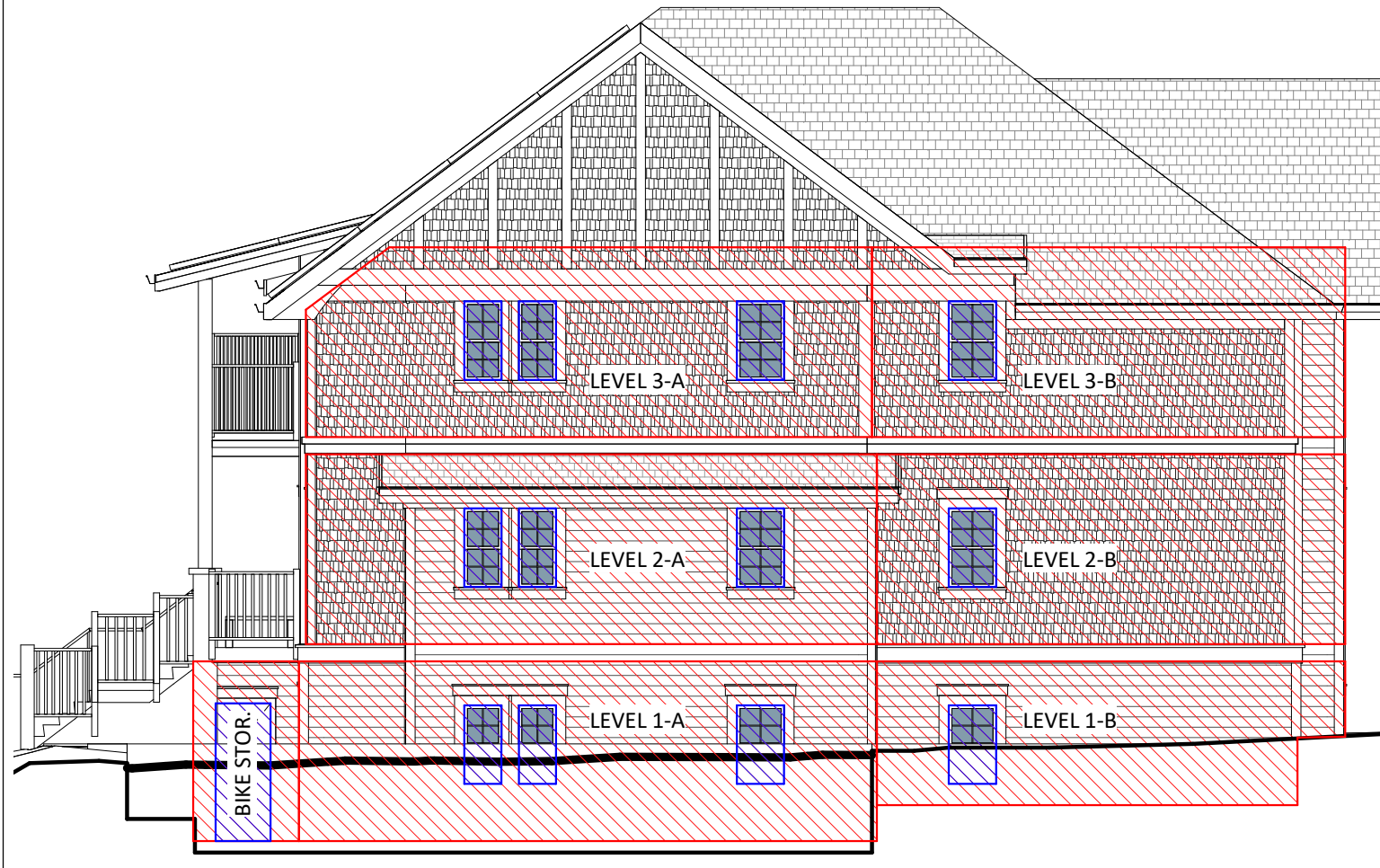
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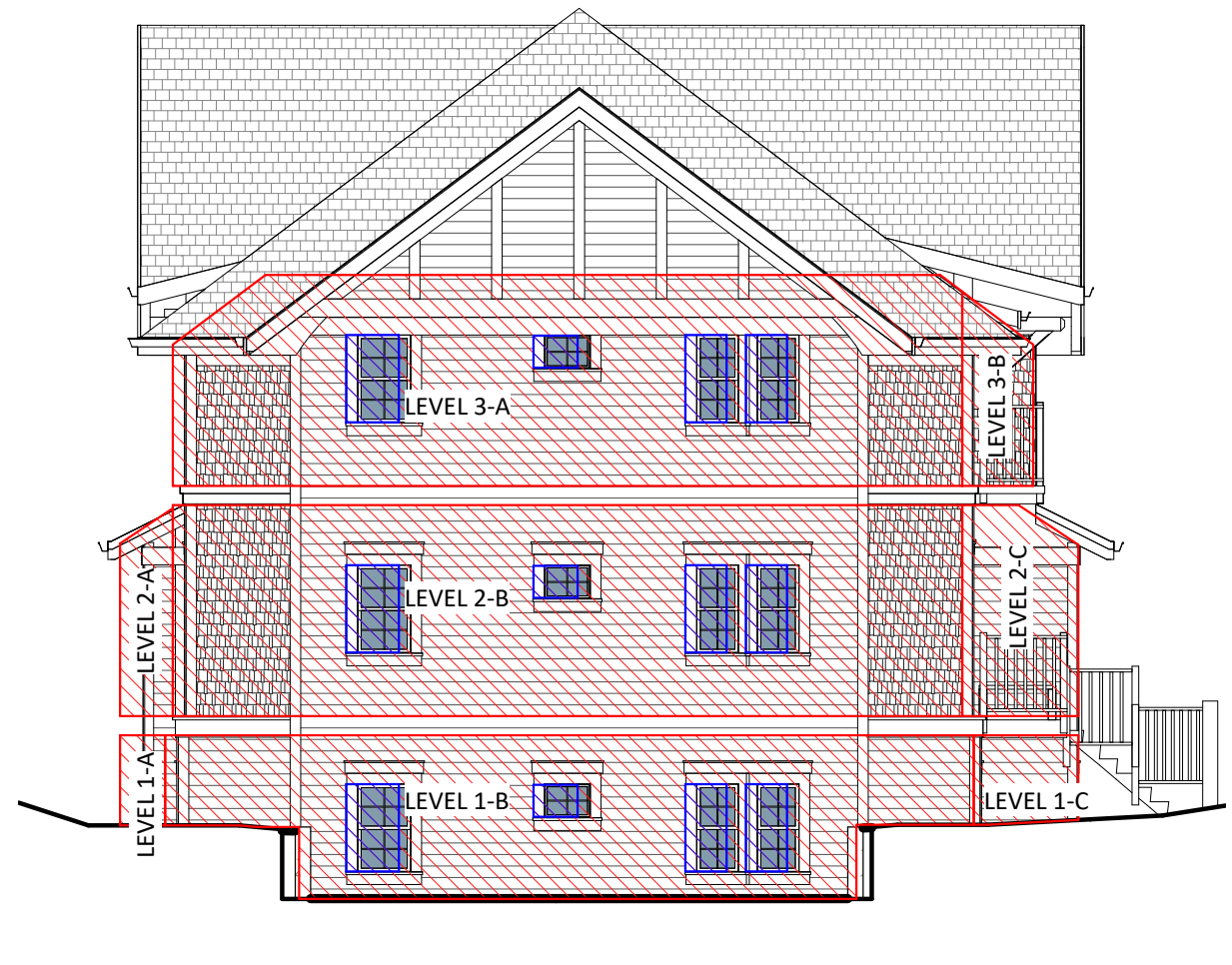
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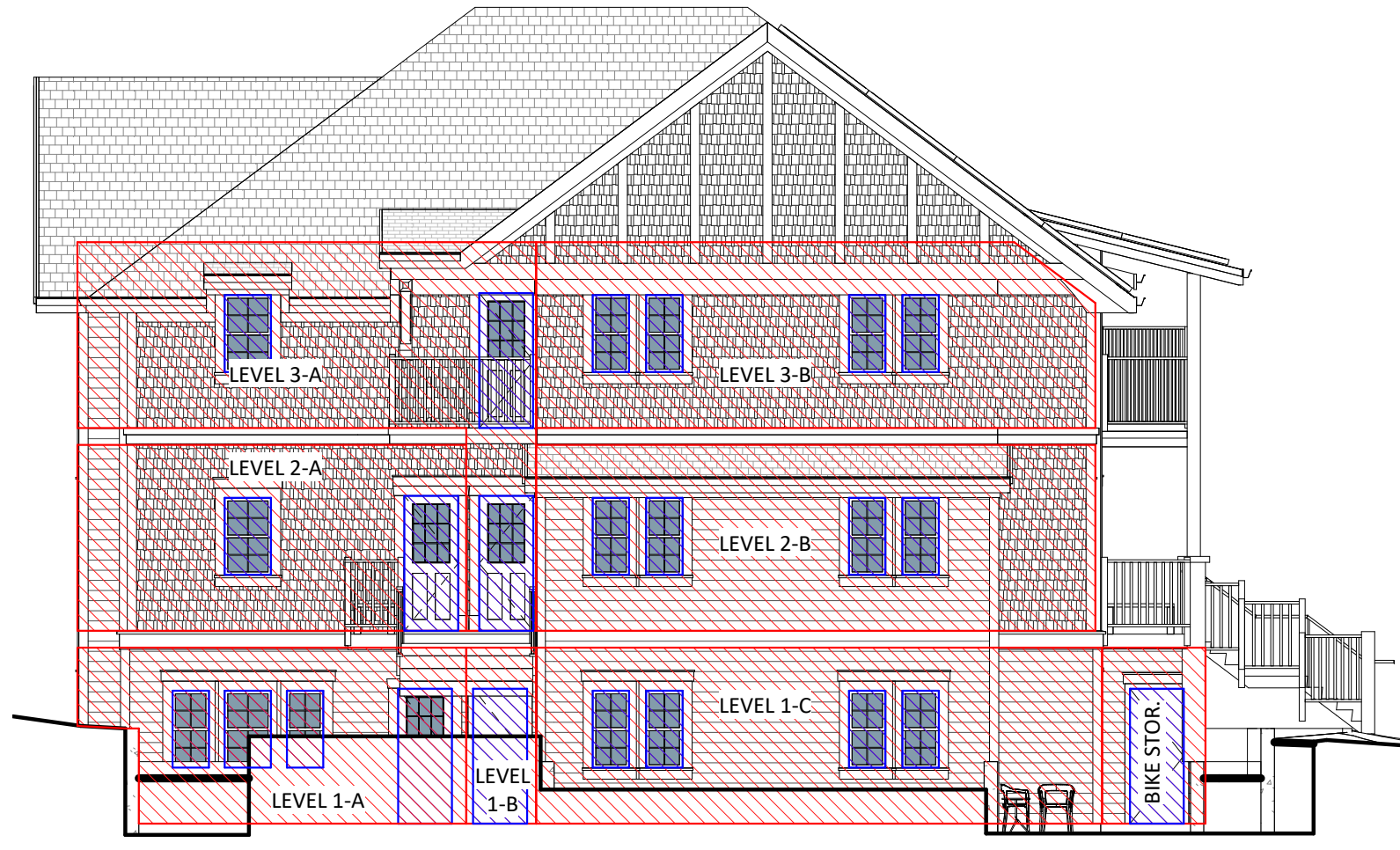
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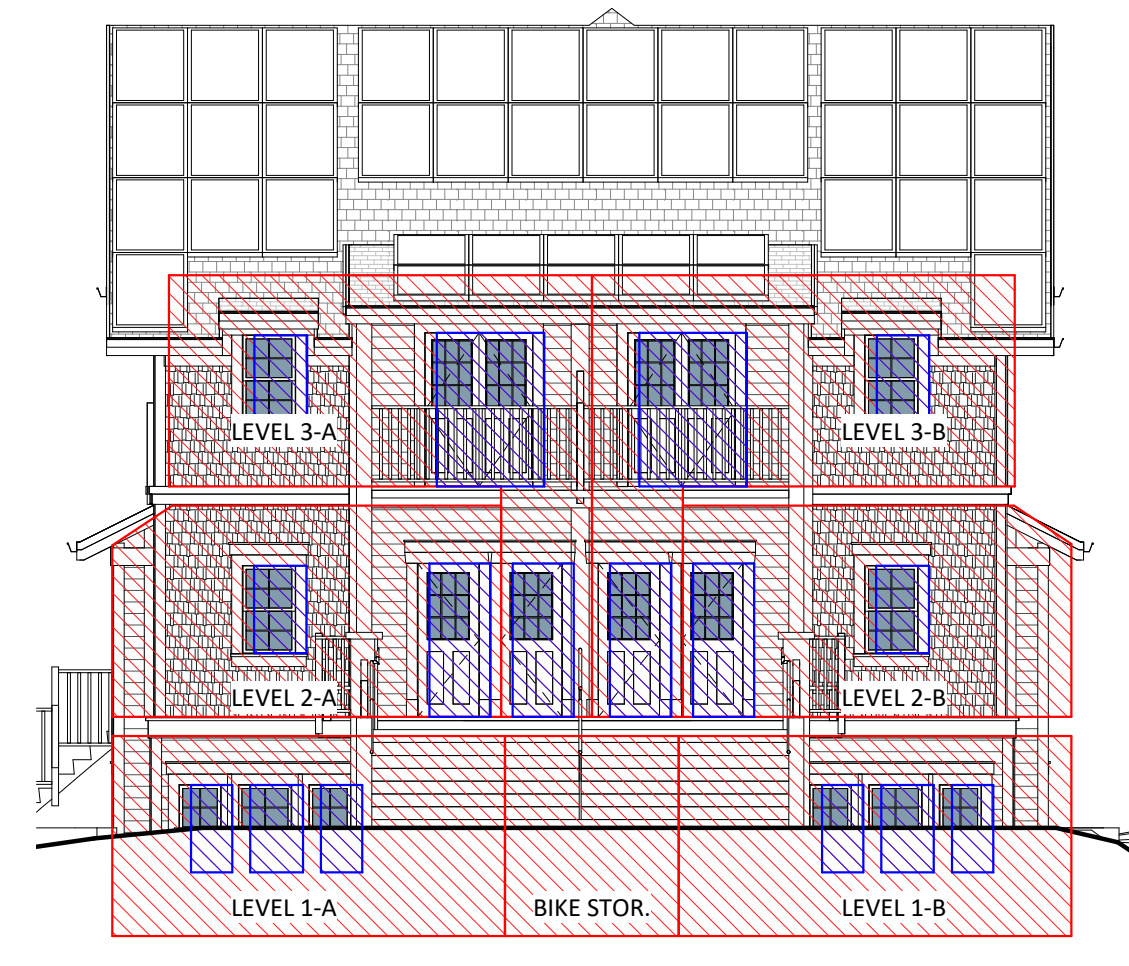
8 Separations - Building B - East
1 : 100



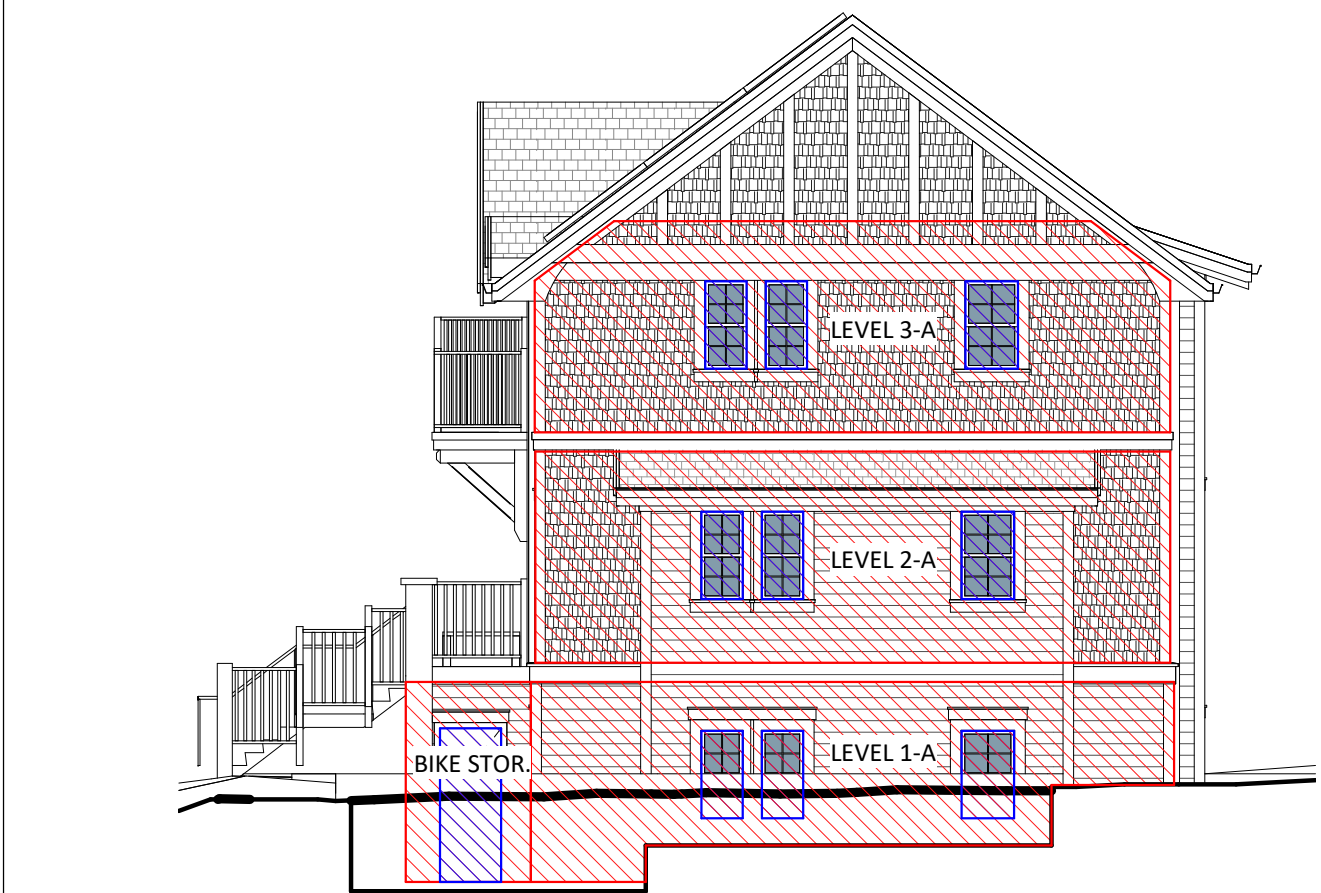
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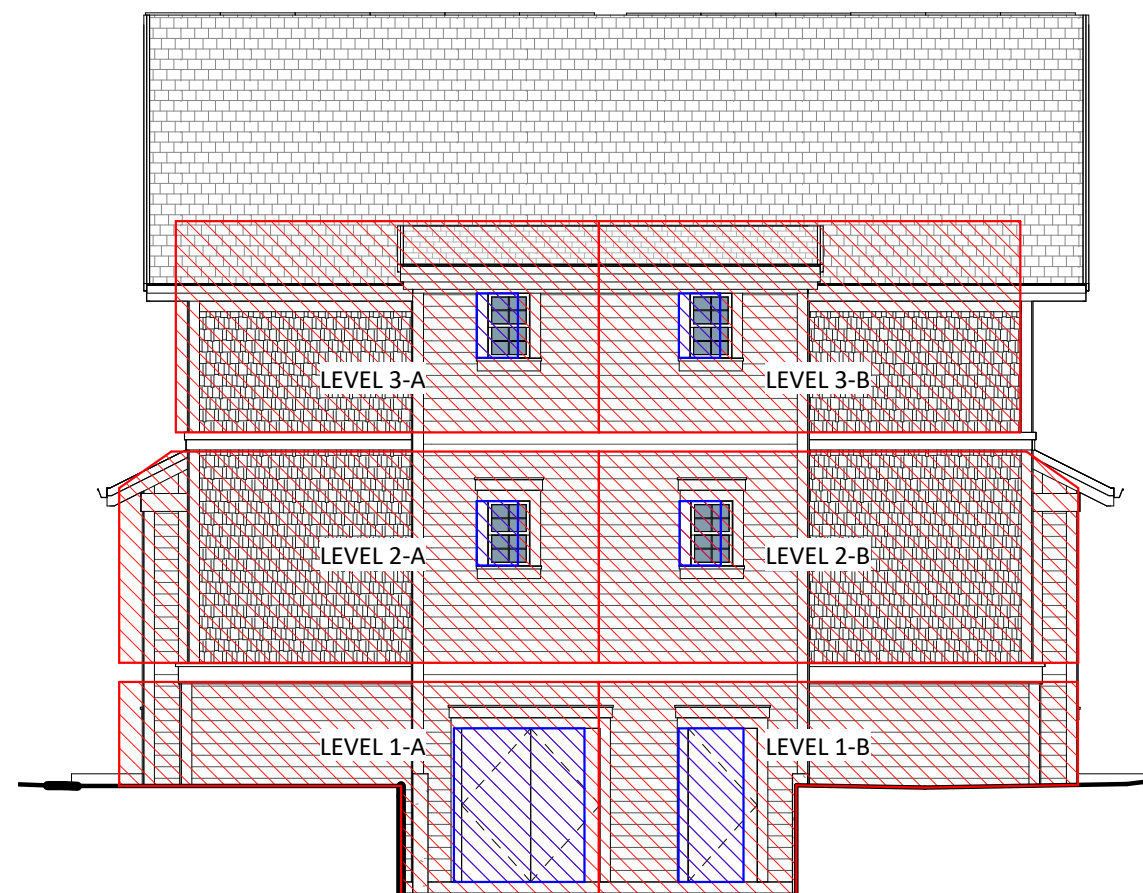
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1 : 100



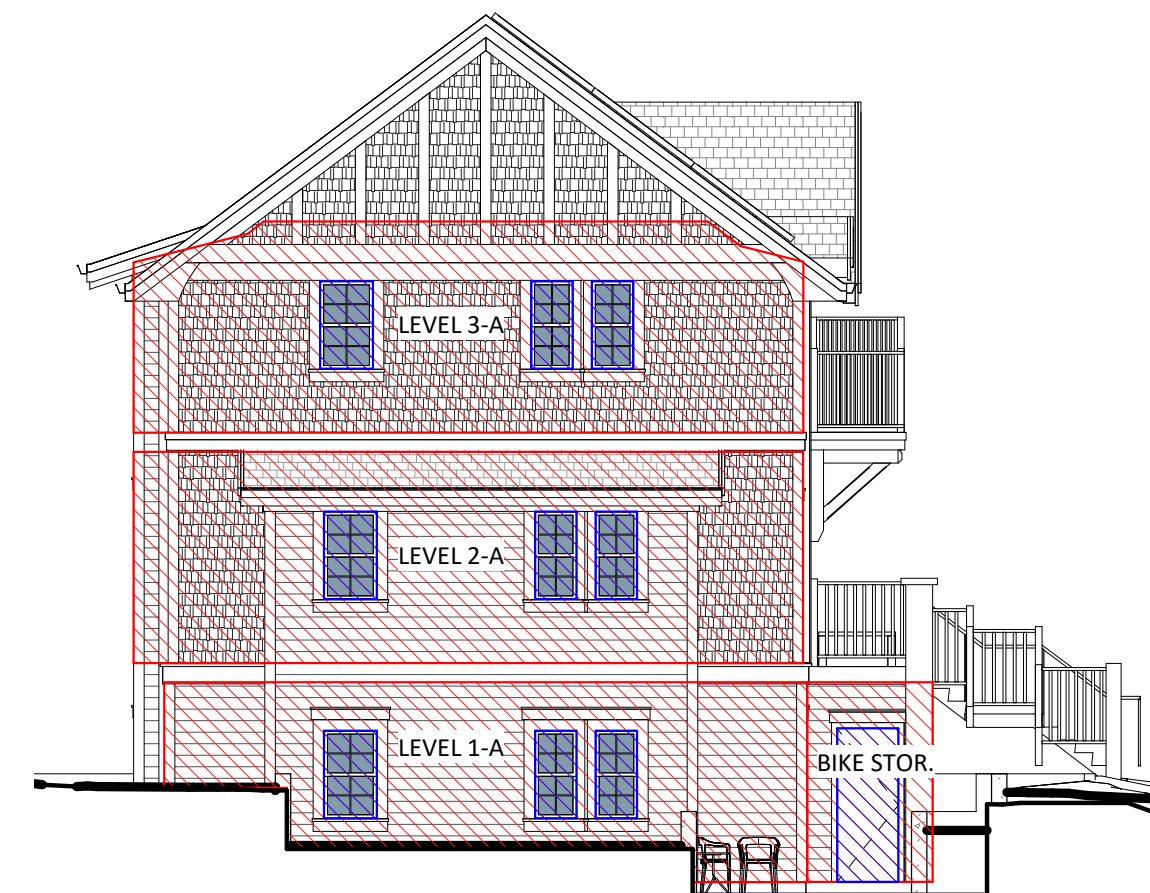
6 Separations - Building B - South
1 : 100



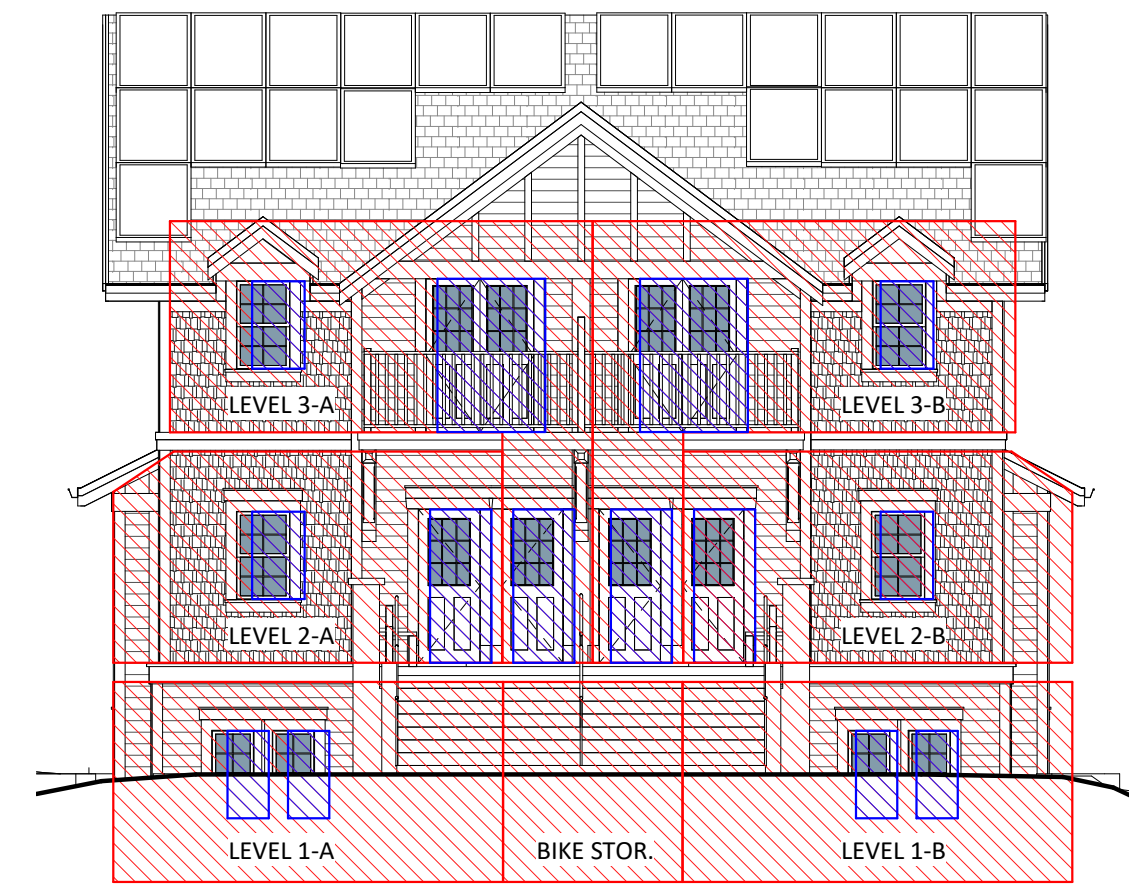
4 Separations - Building A - East
1 : 100



1 Separations - Building A - North
1 : 100

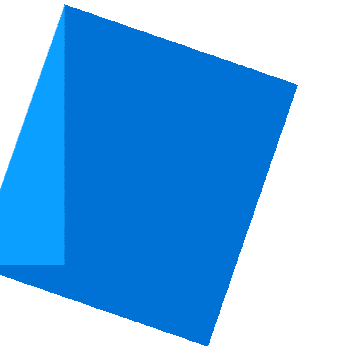


3 Separations - Building A - West
1 : 100



2 Separations - Building A - South
1 : 100

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www.lintottarchitect.ca

Issue	Date
For Rezoning/ Development Permit	March --, 2019

Revision No.	Description	Date
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Consultant

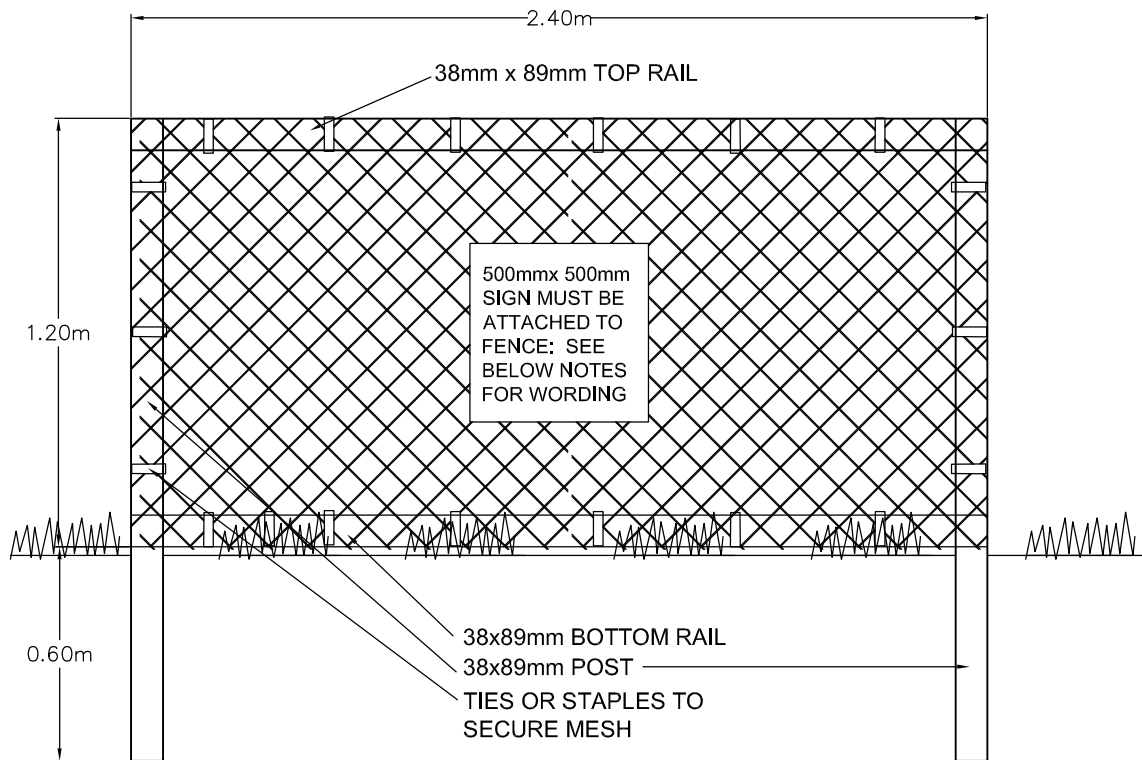
1224 Richardson
- ASH Concept
Victoria, BC

Spatial Separations

Date	2019-05-01 3:00:23 PM
Drawn by	Author
Checked by	Checker

A3.12

Scale	1 : 100
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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

5.3 Development Permit Application No. 000558 for 1224 Richardson Street

The City is considering a Development Permit application to construct multiple dwellings.

Applicant meeting attendees:

CHRISTINE LINTOTT
OLIVIA LYNN
TIM STEMPE

CHRISTINE LINTOTT ARCHITECTS INC
CHRISTINE LINTOTT ARCHITECTS INC
APPLICANT

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

- transition with adjacent properties
- any other aspects of the proposal on which the ADP choose to comment.

Christine Lintott provided the Panel with a detailed presentation of the site and context of the proposal and Olivia Lynn provided the Panel with details of the proposed landscape plan.

Pamela Madoff left meeting at 3:00pm.

The Panel asked the following questions of clarification:

- there is already a public lane along Rockland Avenue, does this mean that eventually private lane owners will not be able to utilize their back lane?
 - Alec Johnston clarified that the portion that would provide access to the proposed parking area on the subject property is public. The rest of the lane going north is privately owned by the properties that front onto Linden Avenue. Currently, there is informal use of this private lane by the public.
- where would moving vans park?
 - this would be challenging, and they may block driveways
- was the public right of way used as a pedestrian route?
 - yes, for pedestrians and vehicles.
- is a private easement agreement on title?
 - yes, drafted in 1902
- has this lane issue been discussed with the fire department?
 - yes, they are okay with it because there are fire hydrants in close proximity
- where are the rain gardens on the plan?
 - they run across and down the private lane on the west side
- are the windows in wells on the lowest level of each building? And are there concerns for stormwater with this aspect?
 - there is a rendering issue affecting the site grading
 - stormwater will be directed throughout the site. Where the buildings come together, the grading will meet at a gentle slope
- is the rain collected from the private walkway?
 - yes
- what is the walkability of this development to retail amenities?
 - it is very high; Cook Street Village is approximately a 5-7 minute walk
- will the parking be assigned and titled?
 - yes, there will be two spaces that will be visitor stalls and 1 car share stall.

Panel members discussed:

- lack of green space on the sidewalk adjacent to the lane
- concern for the extensive hard surfaces
- concern for the fire pit location
- need to revise the institutional appearance of the front entrance stairs
- acknowledgment of the density on the site
- concern for the building's relationship to the public lane
- lack of parking for the scale of the development
- the building's large footprint
- the site's lack of accessibility from the street, and lack of accessibility within each unit
- opportunity to examine other building options, such as a house and two guest houses.

Motion:

It was moved by Stefan Schulson, seconded by Marilyn Palmer, that Advisory Design Panel recommend to Council that Development Permit Application No. 000558 for 1224 Richardson Street be declined until further consideration of the following items:

- clarification of pedestrian use of the lane
- clarification of public and private site access
- adjustments to the character of units B and C to better fit the property
- accessibility of the units and accessibility within the site
- clarification of site functionality, including loading.

Carried Unanimously

6. ADJOURNMENT

The Advisory Design Panel meeting of November 27, 2019 was adjourned at 3:20 pm.

Stefan Schulson, Chair

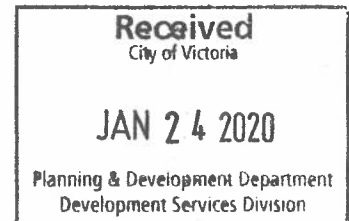
1224 Richardson Property Corp
1153 Burdett Ave
Victoria, BC V8V 3H3
250.384.1969

1224 Richardson Street

Rezoning & Development Permit (REZ-00705 & DP-00558)
Advisory Design Panel Motion Response & Additional Neighbour Consultation

January 24, 2020

Response to the Advisory Design Panel Motion of Nov 27, 2019 & Additional Neighbour Consultation



Attention: Alec Johnston, Area Planner, Development Services Division, City of Victoria

Dear Mr. Johnston,

This letter is in response to the Advisory Design Panel Motion of November 27, 2019 regarding the proposed rezoning & development permit for 1224 Richardson Street. It also provides some updates on minor revisions to development plans to accommodate changes made to address the panel's concerns and/or requests from surrounding neighbours.

The Advisory Design Panel's motion was to recommend that Council decline the application **until** further consideration of the following items:

1. Clarification of pedestrian use of the lane
2. Clarification of public and private site access
3. Adjustments to the character of units B and C to better fit the property
4. Accessibility of the units and accessibility within the site
5. Clarification of site functionality, including loading.

Due to the format of the meeting where the panel discusses and debates the application after the proponent has presented and responded to some limited preliminary questions, we were not able to respond or provide this clarification at the time of the meeting. Most of the concerns identified above were not directly raised as questions to our team, but rather developed during the debate amongst panel members during the later half of the meeting which we were not permitted to respond to. This is unfortunate as, had we been given the opportunity to respond to questions or provide clarifications during the panel's debate we believe we could have resolved any concerns or confusion they had and that the motion would have been more positive.

As such we have provided additional information, clarification and responses below to address the panel's concerns.

1. *Clarification of pedestrian use of the lane.* The Current lane is approx. 4.6 m in width and runs from Richardson Road at the south end to Rockland Ave at the north end. The southern most 120 feet of the lane is a public laneway owned by the City of Victoria. The remainder of the lane north to Rockland Ave is privately owned by the properties on the east side of the 700 and 800 Block of Linden.

The lane is open at both ends and used by the public at large along its entire length for vehicle, bicycle and pedestrian traffic between Richardson and Rockland. The lane is also used by City garbage crews servicing the 700 and 800 block of Linden Ave, 1224, 1230, & 1232 Richardson as well as the carriage house at 1232 Richardson.

During the City's initial review of our proposed development, Engineering staff indicated that the most appropriate driveway access to our proposed parking lot was off of the public portion of the lane as the current driveway for 1224 Richardson was too close to the intersection of Richardson and the Lane to meet the City's requirements and standards of practice. They also indicated that the lane did not meet the City's design requirements for two way traffic, i.e., a 6 m lane width, and so requested a 1.4m Statutory Right Of

Way along the West side of our property for the length of the public lane way. We are prepared to grant that SROW. In so doing, this will improve the safety of the lane for all users of the public lane and also permit more effective access to our property.

We also planned to provide a sidewalk along the west side of our property from Richardson to the rear of the northern most proposed building which would have been open to the public to improve pedestrian safety along the public and private lane section that abuts our property. Unfortunately, a number owners in the 700 block of Linden who own the private section of the lane have insisted that we install a fence along our west property line where it abuts the private portion of the lane to prevent any residents in the proposed development from using the lane for pick up or drop of purposes. As such the sidewalk along the west side of our property, north of the public section of the lane will be fully enclosed within the fenced section of our property and not accessible to the public.

As noted above, the private portion of the lane is owned by the properties on the east side of the 700 and 800 block of Linden. The control and access for public pedestrian use of that portion of the lane is entirely in the control of those owners and we have no ability to influence or alter that control. If they choose to close off that access or leave it open, that is entirely up to them. Having said all of this, our development has been designed to ensure that the residents do not have direct access from our property to the private section of the lane as requested by some of the owners of that portion of the lane. Our proposed pedestrian access as described below under items 2 & 4 is entirely from Richardson and/or the City-owned, public portion of the lane.

2. *Clarification of public and private site access.* As noted above public pedestrian access to the site would be via the sidewalk on Richardson Road and/or a new public sidewalk along the east side of the public section of lane. Public vehicle traffic would access the site via the city owned section of the lane into the private parking lot on the subject site. As we have previously indicated we intend to work with City Traffic Engineering staff to design signage that directs vehicles leaving our property to turn south into the public section of the lane and curbing on our property that prevents vehicles from turning north into the private section of lane. This curbing will prevent vehicles from turning north out of our parking lot but will not impact north bound public or private vehicle access from Richardson to ensure we do not impact what is currently accessible.
3. *Adjustments to the character of units B and C to better fit the property.* Based on our notes of the panel's discussion of this point we believe this request is to address two issues the panel raised. The first was a desire among some of the panel members to have the buildings face the lane due to the confusion regarding ownership and access to the lane. As noted above in item 1 the lane to the west of building B and C is not a public lane, it is private property.

The City of Victoria Design Guidelines for: Multi Unit Residential, Commercial and industrial states:

2.3.1 - Buildings should be oriented towards public streets, walkways and amenities (parks, harbour and coastline, etc).

Turning the building to face the lane would be directly contrary to this section of the City's guidelines. This is precisely why our design has all three buildings facing the "public street," not the lane.

The second issue of adjustment discussed by the panel was the large wide front stairs that one member commented looked too wide and institutional. Modifications have been made to "de-institutionalize" the stair while also acknowledging the Building Code requirements associated with exposure protection of the exits from each dwelling unit. The lower lift of stairs are narrowed to ease the overall width and address the comments, while also meeting the intent of the requirements for exposure protection.

4. *Accessibility of the units and accessibility within the site.* The Edwardian/Craftsman Character and style of the buildings have been chosen to fit in with the existing streetscape, massing and context of the neighbourhood. This type of structure, along with the City's design guidelines that encourage separate individual front doors (ground orientated units), and the desire to deliver 24 affordable home ownership opportunities makes it very difficult to also make these units accessible to those with physical disabilities. We looked at using ramp

systems to allow some of the lower or mid floor units to be accessible, but the length of ramp required was not feasible given the height of the buildings in relationship to the average exterior grade. We also looked at raising the buildings to decrease the length of ramp required to make lower units accessible, but this would have raised the overall height of the buildings beyond its surrounding neighbours and would likely create significant concern from the community. We also looked at providing an elevator but the design is ground orientated to give each unit its own front door which does not allow for the use of an elevator. As such we are not able to offer any accessible units in this development but believe that providing 24 affordable for sale units in this highly desirable neighbourhood is of sufficient value to offset this concern.

5. *Clarification of site functionality, including loading.* This concern appears to be related to how the development would accommodate service vehicles or people moving in and out without blocking sections of the private lane. Service vehicles (repair men, parcel delivery etc would enter the site via the public lane off Richardson and park in the reserved visitors spot in the parking lot. Small moving vans would utilise the same visitor spot with no disruption to the development residents or surrounding neighbours. Where larger moving vans are used this would be pre booked with the strata manager to allow temporary closing of some of the stalls on the North or South side of the parking lot to accommodate a larger moving truck. This is the same process that is used at many apartment or condo projects for move ins or for cleaning and sealing parking surfaces, or repairing piping, lighting etc. in underground parkades. Vehicles would be discouraged from parking in the private lane to unload as the fence between the lane and the subject site cuts off access to the buildings on the subject development site.

In addition to the issues raised by the ADP one of the neighbours on Linden has expressed concern over the proposed fence along the west side of the site separating it from the private lane. As you know this fence was requested by some, but not all of the neighbours along Linden. We therefore agreed to install a continuous 4-foot solid fence along this property line from the north end of the property south to the point where the public lane begins. Ms. Tamsin McIntosh of 721 Linden expressed concern that this fence was not tall enough to ensure that delivery vans did not park in the private lane and pass items over the fence. While this is highly unlikely as there would be no way for delivery drivers to notify the residents they were parked there, we have made attempts to meet with Ms McIntosh over the last couple of weeks but have not received a response from her. We also spoke with one of the residents of 727/29 Linden who agreed with our concern that a taller solid board fence would create a graffiti target like the fence on this side of the lane to the north of the subject property and that it was counter active to eyes on the alley way for safety & security purposes. This resident also agreed that a taller open lattice type fence would sufficiently discourage delivery drivers from stopping in the lane to pass packages over the fence while enhancing the eyes on the lane as well as allowing for views of the site landscaping from the lane which she believed would be a positive addition. We have therefore revised the fence along the West property line from a 4-foot solid board fence to a 5-foot open lattice fence as shown on the revised landscape plan as well as the updated building renderings.

We trust this adequately responds to the clarification requirements outlined in the ADP's motion and will allow you to finalize your report and present our proposal to Committee of The Whole as soon as possible. Please do not hesitate to contact the undersigned if you have any questions or further concerns.

Best Regards,



Tim Stemp
1224 Richardson Property Corp



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

STEP 1	BACKGROUND: 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.
STEP 2	POLICY APPLICATION: Complete tenant impact assessment to determine the requirements of your application.
STEP 3	Complete application requirement, including: <ul style="list-style-type: none"> 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)
STEP 4	SUBMIT: Complete form and submit to: <ul style="list-style-type: none"> a. Email digital copy of plan to housing@victoria.ca (include appendices)
STEP 5	REVISE: Applicant to update and return application requirements with staff input.
STEP 6	FINALIZE: 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	No	If yes, complete the next question.
Does your work require the permanent relocation of tenant(s) out of the building?	Yes	No	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	No	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

Site Address:	
Owner Name:	
Company Name:	
Tenant Relocation Coordinator (Name, Position, Organization):	

EXISTING RENTAL UNITS

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor		
1 BR		
2 BR		
3 BR		
3 BR+		
Total		

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:	dd/mm/yyyy	dd/mm/yyyy
Compensation Please indicate how you will be compensating the tenant(s).			Yes No
Moving Expenses Please indicate how the tenant(s) will receive moving expenses and assistance.			Yes No
Relocation Assistance Please indicate how the tenant(s) will receive relocation assistance.			Yes No
Right of First Refusal Please indicate whether the applicant is offering right of first refusal to the tenant(s). Please indicate your reasoning.			Yes No
Tenants Requiring Additional Assistance Please indicate whether there are tenants requiring additional assistance. If so, please indicate how the applicant plans to provide additional support.			Yes No
Other Comments			

Tenant Communication Plan Components	APPLICANT	
	Tenant Communication Plan	
	Date:	dd/mm/yyyy
How and when did you inform tenants of the rezoning or development application?		
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)?		
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)		
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.		
Other communications notes:		

FINAL TAP Review - [For City Staff to complete]

Application received by _____ (City Staff) on _____ (Date)

Did the applicant meet TAP policy? Yes No

Staff Comments on
final plan:

Monica Dhawan

From: Patricia Manly <[REDACTED]>
Sent: Sunday, June 16, 2019 9:43 PM
To: Victoria Mayor and Council
Cc: [REDACTED]
Subject: 1224 Richardson proposed development

Dear Mayor and Council:

I regret that I will be out of town on Wednesday, June 19 and will thus be unable to attend the community information meeting regarding this development proposal.

I have been informed by neighbours who live closer to Richardson that the proposal is to develop the lot from its current duplex to a 24 strata units with 10 parking stalls.

Personally, I support increasing density in Victoria in order to mitigate our housing shortage, provided that this can be done wisely. I do not object to increasing the density at 1224 Richardson to provide additional housing in the neighbourhood. In particular, I support efforts to make our neighbourhood more affordable for families with young children.

I do have some concerns:

- The scale of this development seems excessive. I would be much more agreeable to a proposal half this size.
- The site is close to the intersection of Harbinger and Richardson. The potential of additional traffic along Harbinger is a concern that could affect our quality of life and property values. Traffic calming strategies may be helpful and should be considered.
- The lane that runs between Richardson and Rockland to the west of the property is actually a family friendly resource that needs to be protected, in my view. The lane currently has next to no traffic, which makes it an ideal place for children to learn to ride bicycles, skateboards, etc. without danger. Although I do not have children myself, I would hate to see the loss of a bike friendly space that is currently suitable for young children to develop their skills.
- Preserving and enhancing Victoria's green space should always be a priority, and I would hope that this has been taken into consideration in this proposal.

Thank you for your consideration of these concerns. I am hopeful that development can proceed on this site at a scale that will add to Victoria's housing supply while preserving Fairfield and Rockland's quiet, leafy atmosphere.

Sincerely,

Patricia Manly, Ph.D.
 608 Harbinger Avenue
 Victoria, BC V8V 4J1

Heather McIntyre

From: Raphael Beck [REDACTED]
Sent: Monday, June 17, 2019 4:25 PM
To: Victoria Mayor and Council; [REDACTED]
Subject: Fwd: Development at 1224 Richardson

As we are unable to attend the June 19 meeting, we would like to voice our concerns regarding the proposed development on Richardson:

1. The size of the development is out of proportion to the surrounding neighborhood. It will turn a quiet residential area into a busy urban environment.
2. Privacy of residents west of the lane could be compromised as tenants from the development seek to shortcut through to Linden avenue.
3. Parking: it is unrealistic to assume that 24 “families” will own 10 cars. More likely, most of them will. That means that they will seek parking in adjacent streets, resulting in residents of these streets having trouble finding a parking place.
4. Lane traffic: our big concern is that the narrow private lane will be transformed into a high-traffic area. This will compromise the safety of young children living along the lane, as well as pedestrians and bikers who often use the lane now.
5. Is paying \$850 per square foot considered “affordable housing”?

The development should be scaled down to fit the neighbourhood.

Raphael and Dahlia Beck
3-727 Linden Ave

630 Linden Ave.,
Victoria, B.C.
V8V 4G5.

June 20, 2019.

Mayor and Council
Victoria, B.C.

re: Proposed Development
1224 Richardson (Jim Stemp)

I am not opposed to development. I have a place to live and only feel that it is right if other people also have a place.

The issue is Parking. There is no parking on the north side of Richardson. Ten spots on the property is severely inadequate for 24 units, even if there was only 1 occupant per unit. If they all ride bicycles, they'll need groceries delivered and there needs to be space for taxis and visitors.

The number of service people that are on our street daily is amazing. Neighbours have groceries and water delivered. There are couriers several days a week. Plenty of lawn-care people. Neighbours are vigilant in maintaining their homes and yard as a result, there are painters, electricians, plumbers, carpenters, bricklayers, arborists. Myself, I had the help of a caregiver for $4\frac{1}{2}$ years. Also, I have family who visit from out of town. I always request them as much as possible to park in front of our lot. I know they grandfathered some of the older homes that have been converted into suites not requiring as much on-site parking as was necessary but with new construction, I think the problem of parking should be addressed before it is built.

Thank you,

Sandra Greenwood



Lucas De Amaral

From: Melanie and Morgan Finley [REDACTED]
Sent: September 5, 2019 5:41 PM
To: Victoria Mayor and Council
Subject: Proposed Development 1224 Richardson Street

Hi,

We are opposed to the proposed development at 1224 Richardson Street changing from single family to 24 strata units.

We live within close proximity to 1224 Richardson Street and have received a notice about the proposed development to change the zoning from R1-B (single family house) to 24 strata units. This does not align with other neighbourhood developments to date. It changes the family residential feel of our neighbourhood. It does not meet proposed or active community development plans. We also have grave concerns about lack of parking that will be provided and the increased traffic on a laneway that is on an elementary school walking route.

While we appreciate the desire to densify our residential neighbourhoods this proposal is not suitable for our area. Please consider changing this high density proposal to one that suits the neighbourhood. Other lots close by have been subdivided into single family houses or large 2 story houses on large lots have been strata converted into 3 or 4 units.

Thank you,

Heather McIntyre

From: Development Services email inquiries
Sent: September 6, 2019 11:03 AM
To: Victoria Mayor and Council
Subject: FW: 1224/1226 Richardson St- Proposed redevelopment

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

Subject: 1224/1226 Richardson St- Proposed redevelopment
Date: 2019-09-05 19:32
From: ANGELE MUNRO [REDACTED]
[REDACTED]
[REDACTED]

To Whom it may concern,

I live at 3-602 Trutch St and am in favour of the proposed site specific development of this property with the following suggestions.

I drive along Richardson St 6 days a week past that location on my way to Oak Bay Recreation. It is a very busy street even early in the morning (usually 6:45 am). It is a bicycle route and there are lots of vehicles parked along the street as well as vehicular traffic.

.

To address these concern, I would suggest that the Developer provide enough on-site parking for residents and visitors also bicycle storage.

This location would be great for residents who wish to cycle or walk to work Downtown which would benefit the traffic and parking in the city.

Also, it should be considered that this building has no Heritage value.

A new building would provide a safe and healthy environment for its residents and be an asset to Fairfield. Some older buildings in the area have been a safety issue. There have been fires in the neighbourhood in the last couple of years as well as lead and asbestos issues.

I appreciate having the opportunity to voice my opinion.

Thank you

--

ANGELE MUNRO,BA
Realtor
Pemberton Holmes Ltd
[REDACTED]
[REDACTED]

...Tell ANGELE

Heather McIntyre

From: Loretta Blasco [REDACTED]
Sent: September 18, 2019 10:07 AM
To: Victoria Mayor and Council
Subject: Proposed development of 1224 Richardson

Good morning,

I wasn't able to attend last night's meeting, but I thought it was important to share with you what I see as going in the wrong direction with development. What I mean by that is, for example, 1201 Fort Street and the Black and White developments that are currently being constructed.

What Victoria DOES NOT NEED are more condo developments in our neighbourhoods.

What Victoria DOES NEED is affordable rental/co-op housing stock. And by affordable, I don't mean subsidized units, nor do I mean, 300 sq. ft. units for \$1400 per month. We need housing where people can get on with their lives and build community. I do understand that all levels of government need to be involved, but it's time to say no to over development in our neighbourhoods. It's time to think differently about housing, other than condo units, and the time is now to make it happen.

Please pay attention to the set backs on these developments that are coming to you for approval. There is no need, except greed, to have buildings encroaching on sidewalks, and neighbours. As well, greed drives the need to increase the height of these buildings. A two story building on Richardson fits in better with the neighbourhood, not 3 stories. And for goodness sake, if you going to allow this development, please make sure the city receives some amenities for the privilege of building in a neighbourhood, for example, money for better roads, or maybe green space. Stop giving our valuable land away for nothing, for free.

I hope you, the Mayor, and city council will carefully consider the legacy you are trying to leave for Victorians living and working here. I'm sure, you would rather have a legacy with a different headline, Instead of the headline saying that Victoria is one of the worst places in Canada to be a renter now. Wouldn't it be exciting to change that statement around to something more community based, affordable and inclusive?

Please think carefully as you consider the proposed development of 1224 Richardson.

Thank you.

Loretta Blasco
301-1025 Linden Avenue
Victoria BC

Sent from my iPad

CALUC COMMUNITY MEETING FEEDBACK FORM

This form was developed by the RNA Land Use Committee to help consolidate neighbor's feedback to Rezoning Proposals. It is not meant to be a complete compilation of all issues. When a development proposal requires rezoning the applicant is advised to have consulted with the immediate neighbors at a community meeting so that their concerns can be considered. Please read this form carefully, checking the statements with which you are in agreement and signing to indicate you have been informed about this development proposal. You are encouraged to provide comments: however, your ultimate position need not be declared until the Public Hearing before City Council.

☒ I have had an opportunity to review the required plans and proposal for 1224/26 Richardson.

☒ Both the existing zoning and the requested proposed rezoning criteria have been explained.

☒ I have been informed of the proposed number of dwellings.

☒ The plans I have seen include the site plan, landscape plan, floor plans, elevations with clearly indicated heights, setbacks and site coverage, photos or illustrations (to scale) of buildings in relation to flanking buildings.

☐ Proposals for blasting or tree removal have been explained.
OR

☒ I have been informed there will be no blasting or tree removal.

planting new trees, great news.

☒ The proposed landscaping for our common property line is acceptable to me.

☒ The proponent's explanation adequately addressed my questions and concerns about the proposal.

☒ I understand that the plans I have seen may change considerably and that it would be in my best interest to follow the process going forward.

not the "ASH"

Component which is a distraction

Please check one of the following to indicate your support of, further consideration, or objection to this development as it has been proposed.

☐ I support the concept as proposed.

☐ I do not have an opinion at this time.

☒ I am opposed to this development as it has been proposed.

Signature(s): Annette Ruitenberg Date: Sept 18, 2019

Address: # 3, 1200, Richardson Street "ASH"

Comment: The "affordable sustainable housing" concept is a red herring. The developers explained their plan in more detail at this second meeting. I now understand that ASH is not (over) →

Thank you for this. It is your neighborhood. Please do not hesitate to contact the proponent, the Rockland Planner, the Rockland Council Liaison or landuse@rockland.bc.ca if you have questions or concerns.

an official program but ~~rather~~ rather, Gene Miller's invention. Once the original buyers sell, there will be no further "affordable" elements that are enforceable.

Yet the neighbourhood will still have a significantly over-populated, under-served lot.

- 24 units is too many
- inadequate parking by any measure
- bus service in the area is minimal & projected to remain low tho somewhat improved

- densely populated houses in rear of property → how will they be served by service vehicles, movers, emergency vehicles etc? via the alley? It's a private alley. Via the parking lot? It will probably be full because it is too small for the number of units proposed.

My new understanding from this ^{meeting} second is that ASH ("affordable sustainable housing") is a red herring.

This is simply a development proposal, with too many units for the level of services available. Parking is a real issue. It is unfair to expect the culture to change from car-culture to other, simply because there isn't parking available. 129

Heather McIntyre

From: PW [REDACTED]
Sent: October 14, 2019 10:40 AM
To: Victoria Mayor and Council
Cc: Development Services email inquiries
Subject: 1224 Richardson development.

Hello

Hope you all had a wonderful weekend.

Concerns over the 24 unit proposed development at 1224 Richardson. Developer is using affordable housing to propose rezoning reduced set backs over height and to many units on a lot that in the past had one house with access only and required off Richardson.

We have had two resident meetings the residents concerns are not a development, just the kind of development.

We would appreciate your attention to our Concerns. The lane adjacent to the development (Richardson to Rockland) is owned by the residents on Linden we allow the public to use the back lane..it's nice to share a quiet walk on the lane. We have a problem regarding the lane. The development is proposing they use the lane (small portion off Richardson owned by city) to access the development off the lane. This is nothing but trouble. It is a lane not a road, it is narrow and does not meet code and will create unsafe traffic problems, all traffic from the development will use the private lane. There is a proposal for a curb to direct vehicle traffic into the development. The lane needs to be left alone. The driveway clearly needs to be separate and off Richardson. The lane should not be used as an allowance for variance to the proposed development. The owners of the lane pay taxes every year on the lane and at this point would like to keep the lane open for the public. The owners of the lane have not been offered compensation from the developer or the city might consider the purchase or reducing the property tax bill. The planning department needs to keep this in mind. Time and money should not be spent on re-engineering the lane.

The Development for that site is wrong it is our opinion the site zoning must be attached to the building plans. Plans of 6-8 family units. Reasons ..the condo market is flooding and prices reasonable we need the next step up for family homes. This area is suitable.

Parking is a big issue with this development.

The developer seems to have heart please encourage them to build family units, less density with no use or allowances with the "Lane"

Regards,
Peter Willis
Victoria

Sent from cell

Heather McIntyre

From: ron [REDACTED]
Sent: February 14, 2020 12:58 PM
To: Victoria Mayor and Council
Subject: 1224 Richardson development

Good day,

As we live at 1232 Richardson, next door to this proposed development, we would like to raise our concerns.

This has already been turned down by the Advisory Design Group. This proposal will now be presented to you without addressing any of the concerns. That is, over height, over dense, minimal parking.

We would have no problem with half that many units in smaller buildings but as it stands now we will be subject to a wall of three story windows the full length of our property. There is no solution presented for the protected tree on the 1232 lot which over stands the proposed building "C". Both 1224 and 1232 lots are only 55 feet wide so this development on 1224 would totally devalue any resale options for 1232 as the present code calls for a 60 foot lot for a panhandle development.

Regards,

Maureen and Ron Pugh

1232 Richardson Street

Lucas De Amaral

From: Tamsin McIntosh [REDACTED]
Sent: March 5, 2020 12:17 PM
To: Lisa Helps (Mayor)
Subject: 1224 Richardson

>
> To Mayor Lisa Helps and Council
>
> I have several concerns about the proposed development at 1224 Richardson Avenue.

> The developers are not working with the neighbors, and are going ahead after being turned down by your Advisory Design Group. It seems that by calling the development "affordable", they believe this development will pass council, even though this is a huge jump in density for profit. I am totally supportive of affordable housing, but this proposed development does not meet the community's needs. We are just a few blocks from an elementary school and a Community Centre. We have more affordable small units already on the market. We really need some family housing.

>
>
> This is essentially a panhandle development, with the two back buildings having no street access. I am told by City planners that it is not a panhandle because it is not wide enough to qualify. With a lane way house, or panhandle lot there are extra restrictions, designed to protect neighbors from a big building looking into and shading our back yards. This development dwarfs my neighbors properties to the East. The developers drawings are shown from an angle that makes them appear to fit in. Please hold them to the set backs and height restrictions in R1A, as other properties that actually have street access are held to this zoning.

> The back two buildings have no street access and the building at the back has no vehicle access for fire, ambulance or deliveries.

> The lane at the back is a PRIVATE DRIVE owned by the houses to the south. I own 721 Linden, and I own the lane at the back of my property.

> 1224 Richardson has always had it's own driveway, but that is not in the new plans. My neighbours have never minded the foot and bicycle traffic,

> but are tired of getting blocked, and have voted to put up PRIVATE LANE and NO PARKING signs. The lane is not wide enough for cars to pass, and this development creates a number of dangerous situations such as having to back out onto Richardson, driving onto a pedestrian sidewalk and limited visibility at both ends. It will be even more dangerous for the proposed bike lane. Closing the lane to through traffic would solve some of the problems, but would also create some.

> I invite you to come out, and will happily walk the lane and show you our concerns. Please give me a call or email with the time you would like to come, and I will do my best to meet you or have a neighbor meet you.

>
> Tamsin McIntosh
> 721 Linden Ave
> Victoria B.C. V8V4G8
> [REDACTED]

Richard Elliott

From: Calum Ramsay [REDACTED]
Sent: June 23, 2020 12:34 PM
To: Victoria Mayor and Council; Alec Johnston
Subject: 1224 Richardson St. Development - Letter of Support
Attachments: 1224 Richardson St. Letter of Support - City of Victoria.pdf

To the Mayor and Council,

My name is Calum Ramsay. I currently rent at 103-100 Saghalie Rd, and I'd like to own one of the new units proposed for 1224 Richardson St.

The addition of 24 affordable, walk-up single and double bedroom homes will greatly improve the local area, as well as boosting the supply of affordable housing in Victoria. The location – close to downtown, Cook St. village, bike lanes, and transit – will increase the density and vitality of the area, while maintaining its current form and character.

Personally, the most important factor is proposed prices – at \$420 000 for a 2-bedroom home, my partner and I will be able to afford our own place in Victoria. I've attached a copy of this letter in PDF form to this email.

Please support this new endeavor, and help us out by improving availability of affordable housing in Victoria,

Respectfully submitted,

Calum Ramsay

City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

ATTN: Mayor & Council

Also emailed to: mayorandcouncil@victoria.ca, ajohnston@victoria.ca

Re: Development Proposal for 1224 Richardson St.

To the Mayor and Council,

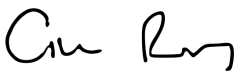
My name is Calum Ramsay. I currently rent at 103-100 Saghalie Rd, and I'd like to own one of the new units proposed for 1224 Richardson St.

The addition of 24 affordable, walk-up single and double bedroom homes will greatly improve the local area, as well as boosting the supply of affordable housing in Victoria. The location – close to downtown, Cook St. Village, bike lanes, and transit – will increase the density and vitality of the area, while maintaining its current form and character.

Personally, the most important factor is proposed prices – at \$420 000 for a 2-bedroom home, my partner and I will be able to afford our own place in Victoria.

Please support this new endeavor, and help us out by improving availability of affordable housing in Victoria,

Respectfully submitted,

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

Calum Ramsay

Richard Elliott

From: staft [REDACTED]
Sent: June 23, 2020 11:03 AM
To: Victoria Mayor and Council; Alec Johnston
Subject: Development Proposal for 1224 Richardson St.
Attachments: Letter.Vic.Council.pdf

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

Attention: Mayor & Council

Re: Development Proposal for 1224 Richardson St.

Dear Mayor & Council,

As a senior and current home owner in Fairfield (1355 Carnsew Street) , I am intrigued and optimistic about the addition of a more affordable option for seniors in our neighborhood. I currently use Car Share, do not own a car, and ride cycles (and motorcycles) in part to support a green lifestyle.

This development looks to be both affordable and functional for a senior such as myself wishing to downsize. I would gladly move into a 450sq ft living space, without the added headache of yard upkeep and possibly to add a more social living environment.

While I guess I would prefer a more acoustically isolated structure than the currently proposed wood structure walk ups [concrete floors and walls assure better privacy and noise isolation], I might still be amenable to one of these units if I could be assured of peace and privacy. That said, I firmly believe well designed tiny living spaces are the way to go for both the young and old alike. The area is ideally suited to walk anywhere vital in Victoria in under half an hour.

Please support this development and increase the stock of affordable to buy homes in Victoria.

Sincerely,

John Stauff (M.B.A. B.A.Sc . Retired]

Richard Elliott

From: Ryan Jabs [REDACTED]
Sent: June 23, 2020 2:22 PM
To: Victoria Mayor and Council
Cc: Alec Johnston
Subject: Support for housing proposal at 1224 Richardson

Dear Mayor and Council:

My name is Ryan Jabs. I live at 1560 Oakland Ave. and am a small developer that focuses on proposing more missing middle housing in core Victoria.

I am supportive of the housing being proposed for 1224 Richardson, as it fits well within the fabric of the neighbourhood and will provide homes for people who want to work and live in the city.

In my view, this proposal aligns with city values as it offers gentle density in a neighbourhood that needs more homes, as well as relatively affordable home ownership in a neighbourhood that has become unaffordable to many. It will also cater – and, in fact, encourage – people who don't need or don't want to own or use a car to live a car free lifestyle by being in a walkable neighbourhood, with great bicycle amenities and with a car share vehicle on site.

There are relatively few of these types of missing middle projects being proposed in the city, as they often take more time and effort to be approved – and cost more per home to develop – compared to some of the large-scale developments that are proposed for the city.

However, these types of homes are more likely to foster strong community and family values compared to much larger multi-family buildings, as people within these buildings are more likely to recognize and get to know and support each other and their neighbours (regular eye contact is key!).

I am looking forward to the outcome of this proposal, as I consider how I can also provide more of this type of housing in the city.

Thank you for taking the time to read this letter.

Sincerely,

Ryan Jabs | President, Community Builder
Lapis Homes | [REDACTED] www.lapishomes.com
[REDACTED]



Richard Elliott

From: Julian West [REDACTED]
Sent: June 24, 2020 7:16 PM
To: Victoria Mayor and Council
Cc: Alec Johnston
Subject: Re: Development Proposal for 1224 Richardson St.

Dear Mayor & Council,

My name is Julian West. I am a small-scale developer and the Founder of Urban Thrive. I believe projects like the one proposed for 1224 Richardson Street are exactly what we need to become a thriving, sustainable city and I strongly urge you to endorse this project.

First, it's important to realize that housing policy is also climate policy. Every new home in the City of Victoria reduces the demand new suburbs in the Westshore and beyond – preserving forested lands, reducing car-dependency, commute times and transportation carbon emissions, to name just a few social benefits. There may be 13 municipalities in the region, but we are strongly interconnected and share one atmosphere.

Low-rise, wood-frame buildings like 1224 Richardson also have a dramatically lower carbon footprint (in construction and operation) compared to energy-intensive concrete & steel high-rises and sprawled single-detached suburban dwellings. This is by far the best type of housing we can build to reduce carbon emissions.

1224 Richardson welcomes households to the City of Victoria who would otherwise struggle to find realistic options, because of its affordability and unique neighbourhood-scale form. After all, there are a lot of people who don't want to live in a downtown high-rise and can't afford a single-family home.

Despite what some people may say, this type of housing also enhances neighbourhood fabric. Diverse housing types brings diverse people. Car-lite/car-free households are much more likely to shop locally and support local businesses. The additional tax revenue enables better maintenance of public infrastructure and amenities. Better, more-frequent transit service becomes more economically viable. The list goes on.

If Victoria is to achieve its housing and climate goals, we need to share our neighbourhoods and offer housing in all shapes and sizes. 1224 Richardson is exactly the type of development we need to achieve these goals and I sincerely hope you support this project.

Gratefully,

Julian West | [REDACTED]
www.UrbanThrive.ca

Richard Elliott

From: Colin Jerome [REDACTED]
Sent: June 29, 2020 9:06 PM
To: Victoria Mayor and Council; Alec Johnston
Subject: Proposed development at 1224 Richardson St

Dear Mayor and Council,

We are writing in support of the proposed development at 1224 Richardson Street. We live in Ladysmith, BC but are considering moving to Victoria if we can afford to purchase a home. We would like to buy one of the units at 1224 Richardson Street.

The proposed development of 3 Dockland-Style homes divided into 24 affordable, walk-up, 1 and 2 bedroom units enhances the neighbourhood and improves the stock of affordable housing available to purchase in Victoria.

With easy access to downtown and Cook St Village, bicycle and bus routes, this is an ideal location to gently increase the density and vitality of the neighbourhood, while respecting its current form and character.

Most importantly, at the proposed prices: \$330,000 for 1 bedroom units and \$420,000 for a 2 bedroom unit, we will be able to buy a home in Victoria.

Please support this development and increase the stock of affordable homes in Victoria.

Sincerely,
Colin and Marie Jerome

Richard Elliott

From: christine knussmann <cknussmann@gmail.com>
Sent: June 29, 2020 3:08 PM
To: Victoria Mayor and Council
Cc: Alec Johnston
Subject: Re: Development Proposal for 1224 Richardson St.

Dear Mayor & Council,

I currently live at Linden Ave. and I would like to live in one of the units proposed for 1224 Richardson St. The proposed development, of 3 Rockland-style homes divided up into 24 affordable, walk-up, 1 and 2 bedroom units, enhances the neighborhood and improves the stock of affordable housing available to purchase in Victoria.

With easy access to downtown and Cook Street Village, bicycle and bus routes, this is an ideal location to gently increase the density and vitality of the neighbourhood, while respecting its current form and character.

I have been living in this neighborhood for over 15 years and would like to purchase my own place in the near future. At the proposed prices: \$330,000 for a 1 bedroom unit this would be the ONLY place, amongst the new developments in this neighborhood, I could afford.

Please support this development and increase the stock of affordable homes to buy in Victoria and help me to have a chance to stay in my beloved neighborhood.

Yours sincerely,

Christine

Richard Elliott

From: Douglas Curran [REDACTED]
Sent: June 29, 2020 10:52 PM
To: Victoria Mayor and Council
Subject: RE: ASH Proposal for 124 Richardson Street / July 2 Council Meeting
Attachments: RE-1224 Richardson ASH proposal.docx

Please see attached letter, regarding the development proposal for 1224 Richardson.

cheers, Douglas Curran

Douglas Curran
1161 Burdett Avenue
Victoria, BC Canada V8V 3H3

[REDACTED]

dougcurran.photography
[REDACTED]

Douglas Curran – Photographer
1161 Burdett Avenue, Victoria BC, Canada V8V 3H3

June 27, 2020

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

RE: 124 Richardson ASH proposal

Mayor and council,

I am writing in support of the development of 1224 Richardso St. as a development of 3 houseplex structures for this location.

As a Fairfield community resident, I was engaged in the In-fill housing process for Fairfield, looking for viable responses to housing needs in this near downtown section of the city.

As has been long recognized, residents of this community are looking for workable designs that offer an expanded choice in housing forms, beyond the traditional single-family homes, while still preserving the scale and design elements of that traditional form.

The ASH concept (affordable, sustainable housing) is a lower cost concept that addresses many of the concerns we explored through our community working group and also through the Cook Street pop-up information centre. More directly, in the immediate neighbourhood of Rockland and Burdett Avenues, the ASH concept houseplexes of this scale were widely supported as a preferred choice to accommodate the budgets of first-time buyers, while reinforcing the scale and form most representative of this traditional part of Fairfield.

I urge Council to look carefully at the core aspects of this project and recognize the multiple ways in which this project answers Council's own ambitions for expanded housing within an affordable and innovative cost structure for infill housing in the traditional neighbourhood.

Regards, Douglas Curran

1161 Burdett Avenue



Richard Elliott

From: Denton Pendergast [REDACTED]
Sent: June 29, 2020 12:51 PM
To: Victoria Mayor and Council
Subject: In support of Richardson project
Attachments: Richardson support letter.docx

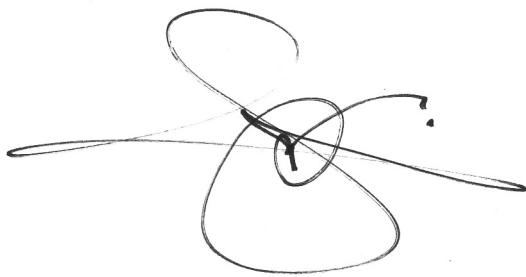
28 June, 2020

Mayor and Council,

I've been following the development and rezoning of 1224 Richardson with a great deal of interest. It would seem to me that the project is a perfect use, not only for the land configuration but for providing what seems to be reasonably priced home ownership for a number of families and individuals.

I hope the Mayor and council grasp this opportunity to move such meretricious project forward, both in and within itself, and as a new housing option for our forward thinking city.

Respectfully

A handwritten signature in black ink, featuring a large, stylized 'D' and 'P' that are intertwined. The signature is fluid and cursive, with a horizontal line extending to the left and another to the right, both ending in small loops.

Denton Pendergast
406, 890 Academy Close
Victoria, V8V 2Y1

Lisa Helps (Mayor)

From: Joel Bryan [REDACTED]
Sent: June 29, 2020 3:57 PM
To: Lisa Helps (Mayor)
Cc: Harry Newton
Subject: 1224 Richardson development support

Good Day,

I am writing today to voice my support for the proposed development at 1224 Richardson.

My family and I live on nearby Cornwall Street and commute to work and school by bike, foot and car almost daily past the proposed site.

The development seems to meet city plans for both density and affordable housing and would be a welcome addition to the neighbourhood where additional affordable units are very much needed.

Cheers,
Joel Bryan
631 Cornwall St,
Victoria, BC

Richard Elliott

From: Michael Richardson [REDACTED]
Sent: June 29, 2020 7:37 PM
To: Victoria Mayor and Council
Subject: 1224 Richardson

Mayor and Council,

I am writing in support of the rezoning and building of the multi-unit housing development at 1224 Richardson.

It shows imaginative use of this oddly shaped piece of land in Fairfield. The proposed units fit within the surrounding streetscape and would be a welcome addition to the neighbourhood. The fact that it meets an affordability level is enough to 'seal the deal'.

M. Richardson
150 Wellington Avenue
Victoria, BC.

Sent from my iPad

Richard Elliott

From: Rosa Harris [REDACTED]
Sent: June 29, 2020 8:52 AM
To: Victoria Mayor and Council; Gene Miller
Subject: In support of 1224 richardson proposal

To Mayor Helps and Victoria City Council

As a longstanding resident of the city, I want to put my full support behind the proposed development project at 1224 Richardson and the rezoning required to realize it.

A denser city is a more vibrant and functional city – provided such density is undertaken with respect. I believe that's the case in this instance. The prospective buildings are clearly designed to maintain the character of the neighbourhood. Just as important, erecting them would increase the stock of much-needed affordable housing in the city.

This well-thought-out enterprise, which makes clever and appropriate use of land, could serve as a template for future such undertakings in other neighbourhoods. Victoria needs to execute fresh ideas like this one.

Sincerely,

Rosa Harris
206-649 Bay Street
Victoria
V8T 5H8

Richard Elliott

From: Steve Woolrich [REDACTED]
Sent: June 29, 2020 4:35 PM
To: Victoria Mayor and Council
Subject: LETTER OF SUPPORT | DEVELOPMENT PROPOSAL | 1224 RICHARDSON STREET
Attachments: Letter of Support 1224 Richardson.pdf

Importance: High

Good Day,

Please find my Letter of Support for this exciting project attached.

Sincerely,

Steve



Steve Woolrich | Principal
People • Place • Connection
[REDACTED]



@RethinkUrban | rethinkurban.com

The world we shape is the world we touch - with our words, our actions, our dreams.” - Ken Nerburn



June 29, 2020

To Mayor and Council,

I'm writing to strongly support the proposed development and rezoning at 1224 Richardson Street.

As neighbourhoods throughout Victoria continue to explore new developments that will support affordable housing and well thought out designs that bridge the many concerns around density, this project meets the needs of the Rockfield/Fairfield area.

For over two decades I've been directly involved in reviewing land use applications, bylaws and designs, as they relate to community safety and wellbeing. This particular housing concept provides our city with a viable alternative worth considering. I feel it's imperative that people live in neighbourhoods that are healthy and safe, and don't compromise the character of their surroundings. This project is compelling, and strikes a great balance.

Sincerely,

Steve Woolrich



Richard Elliott

From: Lucas De Amaral
Sent: June 30, 2020 9:26 AM
To: Richard Elliott
Subject: Fw: 1224 Richardson St letter of support

From: Erin Fisher [REDACTED]
Sent: June 29, 2020 5:46 PM
To: Lisa Helps (Mayor) <LHelps@victoria.ca>
Subject: 1224 Richardson St letter of support

Hello Mayor Lisa Helps and city council,

I'm a supporter of what you've done for lower income housing rentals and condo developments in the city, as well as the bike lanes and help for the homeless population throughout the pandemic.

I've been a music instructor at the Victoria Conservatory of Music for the last sixteen years, and during that time have found renting or buying in the city increasingly difficult.

Harry Newton is currently my landlord, and the buildings he's developed on Pemberton rd have stood out from everywhere else in terms of quality. I've been living in 1016 Pemberton for the last 8 years, and would very much like to see 1224 Richardson and developments like it go forward.

Thank you for your time,

Erin Fisher

--

Erin Fisher
Victoria, BC, Canada

[REDACTED]

Richard Elliott

From: Gene Miller [REDACTED]
Sent: June 30, 2020 8:07 AM
To: Victoria Mayor and Council
Subject: 1224 Richardson
Attachments: Street View[1].jpg; Building B - North[1].jpg; Aerial[1].jpg; Building B[1].jpg; Building A[1].jpg

Dear Lisa,

Your Committee of the Whole agenda this Thursday (tomorrow) includes a land use item regarding 1224 Richardson Street: a proposal requiring rezoning.

The planner's report recommends that the proposal advance to public hearing, and in support of that outcome I want to bring a few of the project features to your attention.

The proposal is to develop a 55x360ft. lot as three new multi-suite 'houseplexes' with a total of 24 one- and two-bedroom apartment homes and surface parking, a Modo share-car, and secure bike parking. Each unit will have its own front door, meaning a stronger sense of home and no space (or cost) wasted in lobbies or corridors.

At the developer's initiative, in support of the case for housing affordability, these units will be offered for sale at a significant 10% below average comparable market prices. To avoid speculation, a buyer who sells in less than three years will be obliged to return half of any profits to the City of Victoria's housing affordability fund.

The buildings have been designed to fit—not fight—with the existing homes in the immediate area, and the property will be heavily landscaped. Vehicular access has been designed to utilize the 120 ft. of public lane beside the property (off Richardson), and not the balance of the lane which is privately and cooperatively owned.

We believe this proposal will offer affordable home ownership largely to move-up homebuyers (liberating rental units), and will provide the city with an innovative and significant study model for increasing density in neighbourhoods without damaging character. (See attached images.)

We hope this proposal merits your support.

Best,

Gene Miller











Richard Elliott

From: Norma Butterfield [REDACTED]
Sent: June 29, 2020 9:00 PM
To: Victoria Mayor and Council
Subject: Rezoning of 1224 Richardson
Attachments: Mayor and Council Richardson 1.pdf

To Mayor and Council,

Re: Rezoning proposal 1224 Richardson (There is a signed copy of my letter in the attachment below).

I want to voice my support of the proposed development and rezoning at 1224 Richardson.

I like the design and the idea of having 24 affordable homes, each with their own front door, while respecting and enhancing the character of the Rockland/Fairfield neighbourhood. This type of housing is needed in this area and other parts of our city.

It is a sensible and considerate way to add to the density of this beautiful area. I also like the proposed covenant regarding the sale of the homes prior to the first three years.

I think this is an important housing idea and design that the city can consider for other areas.

Thank you,

Norma Butterfield

1201-21 Dallas Road,
Victoria, BC
V8V 4Z9

Richard Elliott

From: Norma Butterfield [REDACTED]
Sent: June 29, 2020 9:08 PM
To: Victoria Mayor and Council
Subject: Rezoning proposal for 1224 Richardson
Attachments: Mayor and Council Richardson 2.pdf

To Mayor and Council,

Re: Rezoning proposal 1224 Richardson (There is a signed copy of my letter in the attachment below).

I sent this email to you a few moments ago but the attachment I sent was blank. Here is the correct attachment.

I want to voice my support of the proposed development and rezoning at 1224 Richardson.

I like the design and the idea of having 24 affordable homes, each with their own front door, while respecting and enhancing the character of the Rockland/Fairfield neighbourhood. This type of housing is needed in this area and other parts of our city.

It is a sensible and considerate way to add to the density of this beautiful area. I also like the proposed covenant regarding the sale of the homes prior to the first three years.

I think this is an important housing idea and design that the city can consider for other areas.

Thank you,

Norma

Norma Butterfield

1201-21 Dallas Road,
Victoria, BC
V8V 4Z9

June 29, 2020

To Mayor and Council,

Re: Rezoning proposal 1224 Richardson

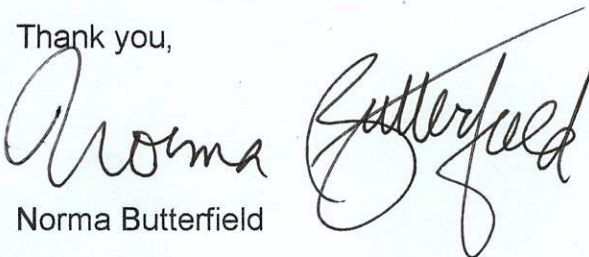
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I like the design and the idea of having 24 affordable homes, each with their own front door, while respecting and enhancing the character of the Rockland/Fairfield neighbourhood.

It is a sensible and considerate way to add to the density of this beautiful area. I also like the proposed covenant regarding the sale of the homes prior to the first three years.

I think this is an important housing idea and design that the city can consider for other areas.

Thank you,

A handwritten signature in black ink, reading "Norma Butterfield". The signature is written in a cursive style, with the first name "Norma" and the last name "Butterfield" clearly legible.

Norma Butterfield

1201-21 Dallas Road,
Victoria, BC
V8V 4Z9

Richard Elliott

From: E Davies [REDACTED]
Sent: June 25, 2020 12:39 PM
To: Victoria Mayor and Council
Cc: Alec Johnston
Subject: Support for proposal development at 1224 Richardson St.
Attachments: City of Victoria.pdf

Good afternoon,

I am writing to you today in support of the proposed development at 1224 Richardson Street, Victoria. Please see the attached letter of support.

Thank you,

Eleri Davies

--

Eleri A. Davies
778.873.6958
[REDACTED]

Attention: Mayor & Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

June 25, 2020

Re: Support for proposed development at 1224 Richardson St.

Dear Mayor and Council,

I live at 100 Saghalie Road, Victoria. I am writing you today to support the proposed development at 1224 Richardson Street.

As someone who works in the sustainability sector and is looking to enter the housing marketing for the first time in Victoria, this is precisely the type of Gentle Density development we need.

This is an exciting project, as it will enhance the community well-being by encouraging a diverse group of socio-economic homeowners to enter a market. Ultimately, this will develop an inclusive community where young people from the area can stay in the neighbourhood they grew up in, retirees can downsize in the area they have called home, and renters can become homeowners without having to move to the suburbs.

Having reviewed the project proposal, I see several links to the City of Victoria's Community Plan to increase affordable home ownership without negatively affecting the existing neighbourhood. In addition, the proposed sustainability features of the project align with the provincial government's CleanBC plan, Active Transportation Plan and the city's Go Victoria strategy.

It is clear that the project team has provided thoughtful integration of the City of Victoria's transportation, affordable housing, climate solutions, and community well-being strategies while designing to fit with the current neighbourhood aesthetic.

For these reasons, I urge you to approve this development.

Sincerely,

A handwritten signature in black ink that reads "Eleri A. Davies". The script is cursive and fluid, with the first name "Eleri" being more prominent than the last name "Davies".

Eleri A. Davies

Richard Elliott

From: Mary Ann Espedido [REDACTED]
Sent: June 26, 2020 11:46 PM
To: Alec Johnston
Cc: Victoria Mayor and Council
Subject: 1224 Richardson Street

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

Attention: Mayor & Council

Dear Mayor & Council,

I am a Victoria resident. I am writing you today to support the proposed development at 1224 Richardson Street.

This is precisely the type of Gentle Density development we need in Victoria. It will provide desperately needed affordable housing without negatively impacting the existing neighbourhood. This project will allow young people from the area to stay in the neighbourhood they grew up in, retirees to down size in the area they have called home and renters to become home owners without having to move to the suburbs.

I urge you to approve this development.

Sincerely,

Mary Ann Espedido

Richard Elliott

From: trevor rowe [REDACTED]
Sent: June 26, 2020 11:58 PM
To: ajohnston@victoria.bc
Cc: Victoria Mayor and Council
Subject: 1224 Richardson Street

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

Attention: Mayor & Council

Dear Mayor & Council,

I am a Victoria resident. I am writing you today to support the proposed development at 1224 Richardson Street.

This is exactly the type of Gentle Density development we need in Victoria. It will provide affordable housing without negatively impacting the existing neighbourhood. This project will allow young people, such as my young adult children, to stay in the neighbourhood they grew up in, retirees to down size in the area they have called home and renters to become home owners without having to move to the suburbs.

Please support affordable living.

Trevor Rowe

Richard Elliott

From: ryley rohan [REDACTED]
Sent: June 27, 2020 7:58 PM
To: Victoria Mayor and Council
Subject: 1224 Richardson development

Dear Mayor & Council.

My name is Ryley Rohan and I am inquiring about the development at 1224 Richardson. I am interested in this development due it's location. I do not have a vehicle and I work construction mostly in the downtown area where I commute by bike and have had a hard time finding housing in the near by areas for long term periods. I was wondering when this project was scheduled to be completed and if it still needed approval because I would be interested ,

Thank you for your time

Ryley

Richard Elliott

From: Bill Weaver [REDACTED]
Sent: June 28, 2020 1:46 PM
To: Victoria Mayor and Council
Subject: re: Development and Rezoning at 1224 Richardson.

To Mayor and Council:

We're delighted and excited to support the proposed development and rezoning at 1224 Richardson. We already know Fairfield residents who would love a development like this.

For several years, I've been hearing about the Affordable Sustainable Housing concept, and have been hoping to see it brought to life. In my opinion, it's the perfect answer to Victoria's affordable housing needs, while maintaining the character our neighbourhood of Fairfield is known for.

Victoria has another chance to innovate. We need to breathe life into more ideas like this. Please greenlight this project.

Many thanks

Bill Weaver and Siobhan Robinsong
1316 Point St, Victoria, BC V8S 1A5

.

--

Bill Weaver
Across Borders Media
www.natureofmedia.org

Richard Elliott

From: [REDACTED]
Sent: June 28, 2020 3:32 PM
To: Victoria Mayor and Council
Subject: Support for development at 1224 Richardson St.

To Mayor Lisa Helps and Victoria City Council

Dear Mayor and Council,

I'd like to show my support for an exciting and timely new multi-family housing development and rezoning proposed for 1224 Richardson St. in Fairfield.

I've lived in Fairfield/Rockland and James Bay for the last 30 years and welcome this approach to re-development and densification of our residential neighbourhoods. The proposed units are affordable enough to ensure diversity in the community while reflecting the architectural character of the adjacent homes and streets.

I currently rent a character home which, with its 3 adjacent houses, is scheduled for demolition in the next year for another multi-family development. I would welcome seeing an ASH project as an alternative to wiping out the character of my neighbourhood.

I hope you will approve the Richardson St. project which will provide a path to follow for other land owners in Victoria.

Sincerely,

Geoff Gosson
415 Parry St.
Victoria, BC
[REDACTED]

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

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

CARRIED UNANIMOUSLY

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

Committee received a report dated June 18, 2020 from the Director of Sustainable Planning and Community Development regarding the rezoning and development permit with variance for the property located at 1224 Richardson Street. The rezoning proposal would allow for a new site-specific zone in order to increase the density and allow for multiple dwellings and the development permit with variances application would allow for varied parking, height and number of storeys and allow for a roof deck.

Committee discussed:

- *The reasoning for the applicant adding a covenant to the property without being prompted by the City.*

Moved By Mayor Helps

Seconded By Councillor Potts

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

1. Preparation and execution of legal agreements for the following:
 - a. to ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;

- b. to secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. one car share vehicle
 - ii. one car share parking spot
 - iii. one care share membership per dwelling unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. two oversized bicycle parking stalls
 - vi. one bicycle repair station;
- c. to secure a 1.43 metre statutory right-of-way adjacent to the lane;
- d. to secure the initial sale prices at a maximum average of \$330,000 for one bedroom units and \$480,000 for two bedroom units; and
- e. to ensure that an owner contribute 50% of the difference between their purchase price and the increased sale price to the City's Housing Reserve Fund if the unit is sold within three years of purchase.

Amendment:

Moved By Mayor Helps

Seconded By Councillor Alto

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

- 1. Preparation and execution of legal agreements for the following:
 - a. to ensure that a future strata cannot restrict the rental of units to non-owners, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. to secure the following transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works:
 - i. one car share vehicle
 - ii. one car share parking spot
 - iii. one care share membership per dwelling unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. two oversized bicycle parking stalls
 - vi. one bicycle repair station;
 - c. to secure a 1.43 metre statutory right-of-way adjacent to the lane;

- d. to secure the initial sale prices at a maximum average of \$330,000 for one bedroom units and \$480,000 for two bedroom units; and
- e. to ensure that an owner contribute 50% of the difference between their purchase price and the increased sale price to the City's Housing Reserve Fund if the unit is sold within three years of purchase.
- f. **That Council direct staff to work with the applicant to establish an administrative way to implement affordable home ownership including mechanisms to measure income of prospective buyers and report to Council at first and second reading of the bylaws for this proposal.**

Amendment to the amendment:

Moved By Councillor Alto

Seconded By Councillor Potts

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

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 - ii. one car share parking spot
 - iii. one care share membership per dwelling unit
 - iv. one hundred dollars in car share usage credits per membership
 - v. two oversized bicycle parking stalls
 - vi. one bicycle repair station;
 - c. to secure a 1.43 metre statutory right-of-way adjacent to the lane;
 - d. to secure the initial sale prices at a maximum average of \$330,000 for one bedroom units and \$480,000 for two bedroom units; and
 - e. to ensure that an owner contribute 50% of the difference between their purchase price and the increased sale price to the City's Housing Reserve Fund if the unit is sold within three years of purchase.
 - f. **That Council direct staff to work with the applicant to establish an administrative way to implement affordable home ownership**

~~including mechanisms to measure income of prospective buyers and report to Council at first and second reading of the bylaws for this proposal.~~

CARRIED UNANIMOUSLY

On the main motion as amended:

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

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

CARRIED (3 to 2)

Moved By Mayor Helps

Seconded By Councillor Potts

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

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

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

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

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

CARRIED (3 to 2)

Committee recessed at 12:12 p.m. and returned at 12:45 p.m.

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

Committee received a report dated June 18, 2020 from the Director of Sustainable Planning and Community Development regarding a proposal to

E.1.a.d1224 Richardson Street - Rezoning Application No. 00705 and Development Permit with Variances Application No. 00149 (Rockland)

Moved By Councillor Alto

Seconded By Councillor Potts

Rezoning Application No. 00705

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

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

Development Permit with Variances Application No. 00149

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

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

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

FOR (7): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Dubow

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 23 PAGES

Your electronic signature is a representation that you are a designate authorized to certify this document under section 168.4 of the *Land Title Act*, RSBC 1996 c.250, that you certify this document under section 168.41(4) of the act, and that an execution copy, or a true copy of that execution copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Cook Roberts LLP

Barristers and Solicitors

7th Floor, 1175 Douglas Street

Victoria

BC V8W 2E1

Telephone: (250) 385-1411

File No.: 114760/JVC/dh

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:

[PID]

[LEGAL DESCRIPTION]

009-343-211

**PARCEL C (DD 38188I) OF SECTION 26, FAIRFIELD FARM ESTATE,
 VICTORIA CITY, PLAN 13**

STC? YES ☐

3. NATURE OF INTEREST

CHARGE NO.

ADDITIONAL INFORMATION

SEE SCHEDULE

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

1224 RICHARDSON PROPERTY CORP. (INC. NO. BC1192230)**COASTAL COMMUNITY CREDIT UNION (INC. NO. FI 114)**

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

CAPITAL REGIONAL DISTRICT

625 FISGARD STREET

VICTORIA

V8W 1R7

BRITISH COLUMBIA

CANADA

Incorporation No

0

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

JOHN VAN CUYLENBORG
 Solicitor

7th Floor, 1175 Douglas Street
 Victoria, B.C. V8W 2E1

Phone: 250-385-1411 Fax 250-413-3300

E-mail: johnvc@cookroberts.bc.ca

Execution Date

Y	M	D
20	09	22

Transferor(s) Signature(s)

1224 RICHARDSON PROPERTY
 CORP. by its Authorized Signatory
 (ies):

Tim Stemp

Gene Miller

OFFICER CERTIFICATION:

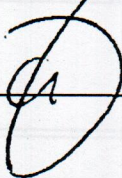
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 2 of 23 PAGES

Officer Signature(s)



CHARLES BLANARU
Barrister & Solicitor
 #200 - 1808 Bowen Road
 Nanaimo, B.C. V9S 5W4
 Ph. (250) 753 2202 Fax: (250) 753 3949

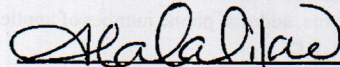
Execution Date

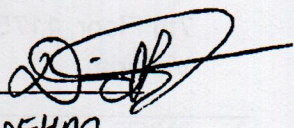
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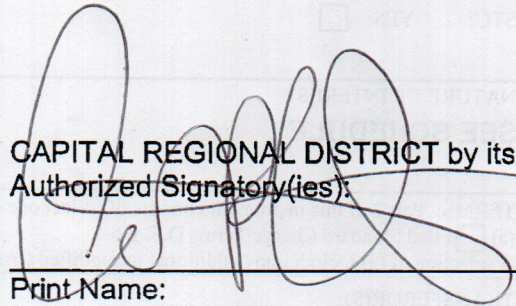
Transferor / Borrower / Party Signature(s)

COASTAL COMMUNITY CREDIT
 UNION by its Authorized Signatory(ies):

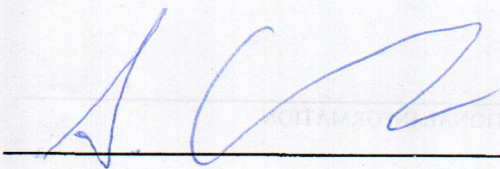

 Print Name:
Alana Haisaku, FCUC, BBA
Senior Business Relationship Manager
Nanaimo Business Centre

Print Name: 
DAVE BOEHM

CAPITAL REGIONAL DISTRICT by its
 Authorized Signatory(ies):

Print Name: 

Print Name:
Colin Plant
CRD Board Chair


STEVEN N.D. CAREY
Barrister + Solicitor
 CAPITAL REGIONAL DISTRICT
 625 FISGARD STREET
 VICTORIA, BC CANADA V8W 1R7

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**
SCHEDULE

PAGE 3 OF 23 PAGES

NATURE OF INTEREST
CHARGE NO.
ADDITIONAL INFORMATION

Covenant

Section 219 page 8 Paragraph 2.1

NATURE OF INTEREST
CHARGE NO.
ADDITIONAL INFORMATION

Rent Charge

Page 12 Paragraph 2.4

NATURE OF INTEREST
CHARGE NO.
ADDITIONAL INFORMATION

Option to Purchase

Page 14 Paragraph 3.1

**NATURE OF INTEREST
Priority Agreement**
CHARGE NO.
ADDITIONAL INFORMATION

Granting the Section 219 Covenant with 3 registration numbers less than this priority agreement priority over Mortgage CA7295489 and Assignment of Rents CA7295490 Page 19

**NATURE OF INTEREST
Priority Agreement**
CHARGE NO.
ADDITIONAL INFORMATION

Granting the Rent Charge with 3 registration numbers less than this priority agreement priority over Mortgage CA7295489 and Assignment of Rents CA7295490 Page 19

**NATURE OF INTEREST
Priority Agreement**
CHARGE NO.
ADDITIONAL INFORMATION

Granting the Option to Purchase with 3 registration numbers less than this priority agreement priority over Mortgage CA7295489 and Assignment of Rents CA7295490 Page 19

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT AND HOUSING AGREEMENT

WHEREAS:

- A. 1224 Richardson Property Corp. (the "**Developer**") is the registered owner of the Lands described in Item 2 of General Instrument – Part 1 and the Developer intends to complete a multi-unit residential development on the Lands (the "**Strata Development**") and shall designate four (4) affordable in perpetuity units, comprising three (3) one-bedroom and one (1) two-bedroom units, of the strata lots to be created by the strata plan for the Strata Development as the Affordable Units to which strata lots this Agreement will apply.
- B. The Developer intends to build the Affordable Units to ensure the availability of affordable housing in Victoria, British Columbia.
- C. To ensure that each Affordable Unit continues to be available as affordable housing, the Developer has agreed to grant the Capital Regional District ("**CRD**"):
 - (a) a covenant under Section 219 of the *Land Title Act* (the "**Covenant**") and a housing agreement under Section 483 of the *Local Government Act* setting out, amongst other things, the procedure to be followed in connection with any sale of an Affordable Unit as well as restrictions on the sale price on use and rental of an Affordable Unit;
 - (b) an option to purchase an Affordable Unit if it is sold, rented or used in breach of the Covenant; and
- D. For clarity, the Owner acknowledges and agrees that:
 - (a) this Agreement constitutes both a covenant under Section 219 of the *Land Title Act* and a housing agreement entered into under Section 483 of the *Local Government Act*;
 - (b) the CRD is required to file a notice of housing agreement in the Land Title Office against title to the Land; and
 - (c) once such notice is filed, this Agreement binds all persons who acquire an interest in the Land as a housing agreement under Section 483 of the *Local Government Act*.

NOW THEREFORE in consideration of the mutual covenants set out below and other good and valuable consideration (the receipt and sufficiency of which are acknowledged by each of the parties), the parties agree as follows:

SECTION 1. INTERPRETATION

1.1 **Definitions.** In this Agreement:

- 1.1.1 "Affordable Unit" or "Affordable Units" shall mean the four (4) strata lots to be designated by the Developer within the Strata Development as the strata lots to which this Agreement shall apply, and shall be comprised of three (3) one-bedroom and one (1) two-bedroom units;
- 1.1.2 "Affordable Rate" means a rate determined from time-to-time by the NPO in its sole discretion with reference to BC Government guidelines, if any;
- 1.1.3 "Agreement" means Parts 1 and 2 of this General Instrument;
- 1.1.4 "Appraisal" has the meaning stated in Section 2.2;
- 1.1.5 "Appraisal Review Period" has the meaning stated in Section 2.2.4.1;
- 1.1.6 "Appraiser" means an appraiser accredited by the Appraisal Institute of Canada and duly qualified to appraise an Affordable Unit and on an approved list maintained by the NPO, if any;
- 1.1.7 "Approved Lender" means an "approved lender" (as defined in the *National Housing Act*, R.S.C. 1985, c. N-11) which holds an Insured Mortgage of an Affordable Unit;
- 1.1.8 "Below Market Value" means 90% of the Fair Market Value of the Affordable Unit from time to time;
- 1.1.9 "Business Day" means any day other than Saturday, Sunday or a statutory holiday in the Province of British Columbia;
- 1.1.10 "Closing Date" means the 30th day after the Notice Date, or the first Business Day thereafter that the LTO is open for business to the public;
- 1.1.11 "CMHC" means Canada Mortgage and Housing Corporation or any successor thereto;
- 1.1.12 "Covenant" has the meaning stated in Recital C and is the covenant set out in Section 2.1;
- 1.1.13 "CRD" has the meaning stated in Recital C;
- 1.1.14 "Developer" has the meaning stated in Recital A;
- 1.1.15 "Environmental Law" means any applicable federal, provincial or municipal laws pertaining to the presence, handling, release or removal of Hazardous Substances;

- 1.1.16 "Fair Market Value" of an Affordable Unit means the purchase price from time to time which a willing purchaser would pay to a willing vendor, dealing at arm's length from each other, for an Affordable Unit, unencumbered with the exception of Permitted Encumbrances and without the benefit of a parking stall or other parking entitlement;
- 1.1.17 "General Instrument - Part 1" means the General Instrument - Part 1 to which this Terms of Instrument - Part 2 is attached;
- 1.1.18 "Hazardous Substances" collectively means contaminants, pollutants or other substances which are hazardous or dangerous to the health of humans, animals or plants or to the environment and includes substances defined as hazardous substances or special waste under any law, regulation or order of a Statutory Authority;
- 1.1.19 "Immediate Family" means grandparent, parent, sibling, spouse, common-law partner, son or daughter;
- 1.1.20 "Insured Mortgage" means a mortgage insured pursuant to the *National Housing Act*, R.S.C. 1985, c. N-11;
- 1.1.21 "LTO" means the Land Title Office for the jurisdiction in which an Affordable Unit is located;
- 1.1.22 "Notice" means any written notice which CRD may deliver to the Owner under Section 3.3, exercising the Option;
- 1.1.23 "Notice Date" means the day on which the Owner is deemed by Section 6.2 to have received the Notice;
- 1.1.24 "NPO" means the Capital Region Housing Corporation or other non-profit housing organization or Person retained by CRD from time to time to administer the sale of the Affordable Units and to manage the rental of the Affordable Units;
- 1.1.25 "NPO Appraisal" has the meaning stated in Section 2.2.4.1;
- 1.1.26 "Offer" has the meaning stated in Section 2.2;
- 1.1.27 "Option" means the option to purchase granted by the Developer and the Owner to CRD under Section 3.1;
- 1.1.28 "Option Purchase Price" means:
- (1) 95% of the Below Market Value; or
 - (2) if the Owner has granted a bona fide arm's length mortgage or mortgages of the Affordable Unit to an Approved Lender which, as at the Closing Date, secures in aggregate an amount which exceeds 95% of the Below Market Value, the amount owing under and required to discharge the mortgage or mortgages to the Approved Lender as at the Closing Date;

- 1.1.29 "Owner" means the registered owner of an Affordable Unit from time to time and includes the Developer in its capacity as developer of the Affordable Units until the first conveyance to a Qualified Buyer, and their respective heirs, legal representatives, successors and assigns;
- 1.1.30 "Permitted Encumbrances" means those charges or encumbrances stated in Schedule "A" and any other encumbrances approved as required by the City of Victoria or Developer from time to time to complete the Strata Development or as in writing by CRD but shall not include any mortgage or other financial encumbrance and shall not include this Agreement;
- 1.1.31 "Person" means any individual, society, corporation, partnership, trustee, administrator, legal representative, Statutory Authority or other legal entity;
- 1.1.32 "Personal Property" means all lighting fixtures, appliances, equipment, cabinetry, affixed carpeting, drapes and blinds located within an Affordable Unit (except to the extent otherwise agreed in writing by CRD) but does not include an Owner's personal effects;
- 1.1.33 "Proceeding" has the meaning stated in Section 2.3.1;
- 1.1.34 "Project" means the Strata Development of which the Affordable Units will be a part and comprises all of the Lands referred to in Item 2 of the General Instrument - Part 1;
- 1.1.35 "Property" means the Affordable Unit and all Personal Property within the Affordable Unit;
- 1.1.36 "Qualified Buyer" means an individual who meets the criteria stated in Schedule "B";
- 1.1.37 "Statutory Authority" means any federal, provincial or municipal governmental authority which has jurisdiction over any matter referred to in this Agreement;
- 1.1.38 "Term" means the period commencing on the date of registration of this Agreement in the LTO and ending on the earlier of (a) the date which is ninety- nine (99) years thereafter, and (b) the date of any destruction or statutorily deemed destruction of the Project;
- 1.1.39 "Transaction" means the transfer of an Affordable Unit from the Owner to CRD;
- 1.1.40 "Transfer" means an instrument in a statutorily prescribed form by which the Owner transfers title to the Affordable Unit to CRD.
- 1.2 **Time.** Time will be of the essence of this Agreement. If any party expressly or impliedly waives this requirement, that party may reinstate it by delivering notice to the other party. If a time is specified in this Agreement for observing or performing any obligation, such time will be local time in Victoria, British Columbia.

- 1.3 **Governing Law.** This Agreement will be governed by and construed and enforced in accordance with the laws of British Columbia and the laws of Canada applicable in British Columbia.
- 1.4 **References.** In this Agreement, words importing the singular include the plural and vice versa, and words importing gender include all genders.
- 1.5 **Construction.** The division of this Agreement into sections and the use of headings are for convenience of reference only and are not intended to govern, limit or aid in the interpretation of this Agreement. The wording of this Agreement will be construed simply, according to its fair meaning, and not strictly for or against any party.
- 1.6 **Validity of Provisions.** If a Court of competent jurisdiction finds that any provision contained in this Agreement is invalid, illegal or unenforceable, such invalidity, illegality or unenforceability will not affect any other provision of this Agreement which will be construed as if such invalid, illegal or unenforceable provision had never existed and such other provisions will be enforceable to the fullest extent permitted at law.
- 1.7 **No Waiver.** Failure by either party to exercise any of its rights, powers or remedies hereunder or its delay to do so, will not be interpreted as a waiver of those rights, powers or remedies except in the case of a written waiver. No waiver of a particular right will be deemed to be a waiver of that right in any other instance or a waiver of any other right.
- 1.8 **Statutes.** Any reference to a statute and to any regulations under that statute means the statute and regulations as amended or replaced from time to time.
- 1.9 **Remedies.** Any party to this Agreement, in addition to its rights under this Agreement or at law, will be entitled to all equitable remedies including specific performance, injunction and/or declaratory relief, to enforce its rights under this Agreement. No reference to or exercise of any specific right or remedy under this Agreement or at law or in equity by any party will prejudice or preclude that party from exercising any other such right or remedy. No such right or remedy will be exclusive or dependent upon any other such right or remedy, but any party, from time to time, may exercise any one or more of such rights or remedies independently, successively or in combination. The Owner acknowledges that specific performance, injunctive relief (mandatory or otherwise) or other equitable relief may be the only adequate remedy for a default by the Owner under this Agreement.
- 1.10 **Schedules.** The following Schedules are attached to and form integral parts of this Agreement:

Schedule "A" Permitted Encumbrances
Schedule "B" Qualified Buyer Criteria

SECTION 2. SECTION 219 COVENANT

- 2.1 **Covenant.** The Owner hereby covenants with CRD that:
 - (a) the Affordable Unit will not be sold, assigned or otherwise transferred otherwise than:

- (i) to a Qualified Buyer;
 - (ii) for a selling price not greater than the Below Market Value;
 - (iii) subject to the Covenant and the Option; and
 - (iv) in a way which complies with Section 2.2, or to CRD under Section 3;
- (b) the Affordable Unit will not at any time be subject to a conventional high ratio mortgage or mortgages which, in total, secure an amount which exceeds 95% of the Below Market Value; and
- (c) the Owner shall not permit (whether by renting or otherwise) any person other than the Owner and members of the owner's Immediate Family to occupy the Affordable Unit, and shall not use or permit the premises to be used solely for conducting a business or profession,

and the Owner and CRD agree that, subject to Section 2.3 the covenant set out above will be registered as a charge against the Affordable Unit and run with the Affordable Unit for the Term.

2.2 Procedure for Sale of Affordable Unit.

2.2.1 Owner Notifies NPO of Intention to Sell.

If at any time after the first conveyance of an Affordable Unit by the Developer, the Owner wishes to sell, assign or otherwise transfer the Affordable Unit, the Owner will do so in accordance with a bona fide arm's length agreement of purchase and sale (or as a court may order in a proceeding to enforce a mortgage of the Affordable Unit) and the Owner will, prior to:

- (a) listing or offering the Affordable Unit for sale; or
- (b) accepting an offer to purchase the Affordable Unit,

deliver to the NPO written notice of their intention to sell an Affordable Unit, such notice to be in the form required by the NPO.

2.2.2 Owner Retains Appraiser.

Within 7 days after the Owner notifies the NPO of their intention to sell an Affordable Unit, the Owner will select an Appraiser to be retained by the Owner to undertake an appraisal (the "Owner Appraisal") of the Fair Market Value of the Affordable Unit. The Owner will deliver a copy of the Owner Appraisal to the NPO within 7 days after the Owner receives the Owner Appraisal.

2.2.3 Owner and NPO Agree on Maximum Selling Price.

If the Owner and the NPO agree within 7 days after the Owner Appraisal is delivered to the NPO that the Fair Market Value of the Affordable Unit is as stated in the Owner Appraisal, the Fair Market Value stated in the Owner Appraisal, less 10%, will be the maximum price at which the Owner will be permitted to sell the Affordable Unit during a period of 6 months commencing on the effective date of the Owner Appraisal.

2.2.4 Owner and NPO Do Not Agree on Maximum Selling Price.

2.2.4.1 If the Owner and the NPO do not agree within 7 days (the "Appraisal Review Period") after the Owner Appraisal is delivered to the NPO that the Fair Market Value of the Affordable Unit is as stated in the Owner Appraisal, the NPO will retain its own Appraiser to undertake an appraisal (the "NPO Appraisal") of the Fair Market Value of the Affordable Unit in which case the average of the Fair Market Value stated in the Owner Appraisal and the NPO Appraisal, less 10%, will be the maximum price at which the Owner will be permitted to sell the Affordable Unit during a period of 6 months commencing on the effective date of the NPO Appraisal.

2.2.4.2 The NPO will deliver a copy of the NPO Appraisal to the Owner within 7 days after the NPO receives the NPO Appraisal.

2.2.4.3 If the NPO Appraisal is not delivered to the Owner within 30 days after the end of the Appraisal Review Period, the Fair Market Value stated in the Owner Appraisal, less 10%, will be the maximum price at which the Owner will be permitted to sell the Affordable Unit during a period of 6 months commencing on the effective date of the Owner Appraisal.

2.2.5 Owner Responsible for Appraisal Costs.

The Owner will be responsible for the cost of both the Owner Appraisal and the NPO Appraisal. If the cost of the NPO Appraisal is initially paid by the NPO, the Owner will reimburse the NPO for the cost of the NPO Appraisal within 30 days after demand by the NPO. If any amount owed by the Owner to the NPO with respect to the NPO Appraisal is not paid prior to the completion of the sale of the Affordable Unit by the Owner, a portion of the sale proceeds equal to the amount owing to the NPO will be deemed to have been irrevocably assigned by the Owner to the NPO.

2.2.6 NPO Notifies Owner of Maximum Selling Price.

Within 7 days after the Fair Market Value of the Affordable Unit has been determined under Section 2.2.3 or 2.2.4, the NPO will notify the Owner of the maximum price, determined under Section 2.2.3 or 2.2.4, at which time the Owner will be permitted to offer to sell the Affordable Unit, which price shall be deemed to be its Below Market Value.

2.2.7 Owner to Deliver True Copy of Sale Contract to NPO.

The Owner will immediately deliver a true copy of any contract of purchase and sale which the Owner may enter into with respect to the sale of the Affordable Unit or any interest therein (the "Sale Contract"). The Owner will deliver to the NPO with the Sale Contract, or upon the request of the NPO, such information with respect to the buyer named in the Sale Contract as the NPO may reasonably require to determine whether the buyer is a Qualified Buyer.

2.2.8 Terms to be Included in Sale Contract.

The Sale Contract will be in writing and will:

- (a) be for a selling price not greater than the Below Market Value of the Affordable Unit;
- (b) be subject to the NPO determining and notifying the Owner in writing (within a period of 10 Business Days after the NPO receives a true copy of the Sale Contract) that (1) the Owner has complied with the requirements of this Section 2.2, and (2) the buyer is a Qualified Buyer, failing which the Sale Contract will be null and void; and
- (c) include a statement that the buyer agrees to purchase the Affordable Unit subject to the Covenant, the Option and all other terms of this Agreement.

2.2.9 No Sale after 6 Months Without New Appraisal.

The NPO will not be obligated to review or make any determination with respect to a Sale Contract as stated in subsection 2.2.8(b) above if the date of receipt by the NPO of a true copy of the Sale Contract and any other information required by the NPO under Section 2.2.7 is after the expiry of the 6 month period during which the Owner is permitted to sell the Affordable Unit. If the 6 month period has expired, the process under Section 2.2 will begin again, with the Owner giving fresh notice to the NPO of their intention to sell the Affordable Unit.

2.2.10 CRD Will Notify Owner of Change in NPO.

CRD will notify the Owner in writing of any appointment or replacement of an NPO and of the address to which notices to the NPO will be sent.

2.2.11 Fee to NPO

The NPO will be entitled to payment of a fee equal to 0.5% of the gross selling price of an Affordable Unit, such fee to be paid on closing of the sale of such Affordable Unit by the Owner and a portion of the sale proceeds equal to the amount owing to the NPO will be deemed to have been irrevocably assigned by the Owner to the NPO.

2.3 Procedure for Foreclosure.

2.3.1 CRD Right to Market and Sell.

If the Approved Lender or CMHC commences a foreclosure proceeding (the "Proceeding") under an Insured Mortgage of the Affordable Unit the Owner covenants and agrees with CRD that:

- (a) the Owner shall notify CRD of the Proceeding;
- (b) at the time which is the midpoint of any redemption period (the "Redemption Period") ordered in the Proceeding, CRD shall have the right and may apply for an order in the Proceeding, unopposed by the Owner, to market and sell the Affordable Unit in accordance with Section 2.1(a)(i), (ii), (iii) and (iv);
- (c) on receipt of the order in the Proceeding under Section 2.3.1(b) CRD shall have the right to enter into an agreement with a licensed realtor to market and sell the Affordable Unit at the prevailing commission or fee; and
- (d) the Owner shall provide reasonable access to the Affordable Unit by CRD, the licensed realtor and any prospective purchaser of the Affordable Unit for the purpose of repairing, cleaning, appraising, marketing and selling the Affordable Unit.

2.3.2 CMHC Notice to CRD.

In the event that CRD does not sell the Affordable Unit pursuant to Section 2.3.1, CMHC or the Approved Lender may, 120 days after expiry of the Redemption Period ordered in the Proceeding, issue a 30 day notice (the "Notice Period") to CRD to redeem the Insured Mortgage. In the event that CRD does not redeem the Insured Mortgage within the Notice Period, CRD shall cause this Agreement to be discharged from title to the Affordable Unit at the LTO within 7 days of expiry of the Notice Period.

2.3.3 CMHC Sale.

In the event that the Affordable Unit is sold by the Approved Lender or CMHC after discharge of this Agreement from title to the Affordable Unit and such sale generates funds in excess of the balance owing under the Insured Mortgage and related costs, including charges, taxes, commissions and utilities regarding the Affordable Unit, such excess funds shall forthwith be paid to CRD, for its own use absolutely. This Section 2.3.3 shall bind the Owner, the Approved Lender, CMHC (where CMHC has a mortgage loan insurance policy in force for the Affordable Unit) and CRD both before and after discharge of this Agreement from title to the Affordable Unit.

2.4 Procedure for Rental and Recovery of Rent Charges.

2.4.1 Rental Prohibited.

2.4.1.1 All rentals of the Affordable Units are prohibited, except:

- (a) In the case of hardship, as decided by the NPO in its sole discretion, and on making an application to the NPO in the form provided by the

NPO, if any, an Affordable Unit may be rented at an Affordable Rate for a period no shorter than six months; or

- (b) If a qualified buyer cannot be located, as decided by the NPO in its sole discretion, and on making an application to the NPO in the form provided by the NPO, if any, an Affordable Unit may be rented at an Affordable Rate for a period no shorter than six months.

2.4.1.2 The maximum term of any rental shall be two years, at which point the Affordable Unit must be listed for sale in accordance with section 2.2. Rental may continue at an Affordable Rate at the discretion of the NPO. If hardship continues or a qualified buyer cannot be located after this listing, additional sales listings may be required at any time at intervals decided by the NPO at its discretion.

2.4.1.3 Any tenancy shall be governed by an agreement under the *Residential Tenancy Act* (BC) which shall include the following provisions:

- (a) permitting the Owner to terminate the tenancy agreement in accordance with the *Residential Tenancy Act* if the tenant uses or occupies, or allows use or occupation of, the Affordable Unit in breach of the use or occupancy restrictions contained in this Agreement;
- (b) explicitly prohibiting the assignability, sub-letting, and use of the Affordable Unit for short term vacation rentals;
- (c) explicitly specifying that only persons named in the tenancy agreement may occupy the Affordable Unit;
- (d) providing that the Owner will have the right, at its option, to terminate the tenancy agreement should the tenant remain absent from the Affordable Unit for three consecutive months or longer, notwithstanding the timely payment of rent;
- (e) prohibiting guests residing in the Affordable Unit for more than 30 days, whether or not consecutive, in any 12 month period without the prior written consent of the Owner; and
- (f) prohibiting use of the Affordable Unit for non-residential rentals, assignments, sub-lets, licenses and uses, such as vacation rentals, including such services as AirBNB or Vacation Rental By Owner, short term licenses, or short-stay use of any kind, and business-only premises.

2.4.1.4 The Owner will terminate the tenancy if the tenant uses or occupies, or allows use or occupancy in breach of the use and occupancy restrictions in this Agreement.

2.4.2 Rent Charge and Acknowledgement.

2.4.2.1 The Owner acknowledges that the CRD requires affordable housing to ensure prosperity and economic growth for the residents of the Capital Region. The Owner acknowledges the purpose of the Affordable Unit is to provide affordable housing to residents of the Capital Region, and it is not to be used for a short term vacation rental or left as a vacant home. The Owner therefore agrees that for each day an Affordable Unit is occupied in breach of this Agreement, the Owner will pay to the CRD \$150 for each day on which the breach has occurred and continues to occur, as liquidated damages and not as a penalty, due and payable at the offices of the CRD on the last day of the calendar month in which the breach occurred. The \$150 per day amount will increase on January 1 of each year by the amount calculated by multiplying the amount per day payable on the previous January 1 by the percentage increase between that previous January 1 and the immediately preceding December 31 in the CPI.

2.4.2.2 The Owner hereby grants to the CRD a rent charge under s. 219 of the *Land Title Act* (British Columbia), and at common law, securing payment by the Owner to the CRD of the amount payable by the Owner pursuant to section 2.4.2 of this Agreement. The Owner agrees that the CRD, at its option, may enforce payment of such outstanding amount in a court of competent jurisdiction as a contract debt, by an action for and order for sale, by proceedings for the appointment of a receiver, or in any other method available to the CRD in law or in equity.

SECTION 3. OPTION TO PURCHASE

- 3.1 **Option to Purchase.** The Owner hereby grants CRD an exclusive and irrevocable option to purchase the Affordable Unit during the Term at the Option Purchase Price in accordance with Sections 3 and 4.
- 3.2 **Exercise of Option.** CRD may exercise the Option only if the Owner:
- (a) defaults in its obligations under Sections 2.1 or 2.2; or
 - (b) acquired the Affordable Unit from a previous Owner for a price which was, as of the date of closing of that transaction, greater than the Below Market Value or if the Owner was not, as of that date, a Qualified Buyer; or
 - (c) defaults in its obligations under any mortgage of the Affordable Unit.
- 3.3 **Method of Exercise of Option.** CRD may exercise the Option by delivering Notice of exercise of the Option to the Owner.
- 3.4 **Effect of Exercise of Option.** From and after the Notice Date, this Agreement and the Notice will together constitute a binding and enforceable contract between the Owner and CRD for the purchase and sale of the Affordable Unit in accordance with the terms and conditions of Section 4.

SECTION 4. PURCHASE AND SALE

- 4.1 **Purchase and Sale.** Subject to the terms and conditions of this Section 4 and relying on the warranties and representations herein set out, the Owner agrees to sell and CRD agrees to purchase the Affordable Unit on the Closing Date for the Option Purchase Price, and the Owner agrees that, at the request of CRD, it will transfer registered title to the Affordable Unit to CRD or such other Person as CRD may designate.
- 4.2 **Option Purchase Price.** CRD will pay the Option Purchase Price, subject to adjustment pursuant to Section 4.10, to the Owner on the Closing Date.
- 4.3 **Repair and Maintenance.** From and after the Notice Date to the Closing Date, the Owner will take good care of the Property, will carry out all necessary repairs, maintenance, and replacements, will take reasonable care to protect and safeguard the Property and will in all other respects deal with the Property so that the warranties and representations of the Owner set out in this Agreement remain true and correct.
- 4.4 **Insurance.** From and after the Notice Date to the Closing Date, the Owner will ensure that all policies of insurance with respect to the Property remain in full force and effect.
- 4.5 **Risk.** The Property will be at the risk of the Owner up to the time the Transfer is submitted for registration at the LTO on the Closing Date and will be at the risk of CRD after the time the Transfer is submitted for registration at the LTO on the Closing Date.
- 4.6 **Damage.** If, prior to the time the Transfer is submitted for registration at the LTO, any damage occurs to the Property or any of the assets comprising the Property, CRD, by notice to the Owner, may elect to postpone the Closing Date for a period of not more than 30 days and may also elect:
 - (a) not to acquire the Affordable Unit, in which case neither party will have any further obligation to the other under this Section 4 pertaining to that particular Notice; or
 - (b) that the Owner assign to CRD the Owner's right to receive any and all insurance proceeds payable with respect to the damage, subject to any bona fide loss payee designation, in which case the Owner will execute and deliver to CRD an assignment satisfactory to CRD.
- 4.7 **Construction Warranties.** From and after the Closing Date, the Owner will assign to CRD all the Owner's rights under all warranties, guarantees or contractual obligations against any contractor or supplier who was engaged in the construction, renovation, or repair of all or any part of the Affordable Unit or any improvement to the Affordable Unit. CRD's acceptance of this assignment will not represent a waiver by CRD of the Owner's covenants, agreements, representations and warranties set out in this Agreement.
- 4.8 **Owner's Covenants.** The Owner will:
 - (a) take all proper actions and proceedings on its part to enable the Owner to transfer a

good and marketable title to the Affordable Unit to CRD or such Person as CRD may designate, free and clear of all encumbrances other than Permitted Encumbrances;

- (b) deliver vacant possession of the Property to CRD or such Person as CRD may designate on the Closing Date, subject to prior receipt of the Option Purchase Price by the Owner;
 - (c) not, from and after the Notice Date to the Closing Date, sell, transfer, dispose of or remove from the Affordable Unit any Personal Property; and
 - (d) both before and after the Closing Date do such other things as CRD may reasonably require for transferring to and vesting in CRD or such Person as CRD may designate title to the Affordable Unit as contemplated by this Section 4.
- 4.9 **Documents.** CRD will prepare the documents necessary to complete the Transaction which will be in a form and substance reasonably satisfactory to CRD and its lawyers.
- 4.10 **Adjustments and Credits.** The Owner and CRD will adjust, as at the Closing Date, all usual adjustments for a property similar to the Property including taxes, utility rates and any moneys owing to the strata corporation formed in respect of the Project.
- 4.11 **Closing.** The Owner and CRD will complete the Transaction on the Closing Date at the offices of CRD or its lawyers.
- 4.12 **Owner's Closing Documents.** At the closing, the Owner will deliver to CRD the following duly executed documents:
- (a) the Transfer;
 - (b) a vendor's statement of adjustments;
 - (c) a bill of sale for the Personal Property and all other deeds, transfers, assignments, resolutions, consents, estoppels and other certificates and assurances as CRD may reasonably require;
 - (d) a certificate in confirmation that the sale of the Affordable Unit to CRD is exempt from taxes under the *Excise Tax Act* (the "GST") or, alternately, a certified cheque or bank draft payable to CRD in an amount equal to the GST payable by CRD on the Option Purchase Price; and
 - (e) unless waived in writing by CRD, a certified cheque or bank draft payable to CRD in the amount, if any, by which the moneys owing under and required to discharge any mortgage or mortgages of the Affordable Unit exceed the Option Purchase Price (calculated in accordance with Section 1.1.28(2)), as adjusted under Section 4.10.
- 4.13 **CRD's Closing Documents.** At the closing, CRD will deliver to the Owner:
- (a) a purchaser's statement of adjustments; and

(b) a cheque for the Option Purchase Price, as adjusted under Section 4.10.

- 4.14 **Tabling**. Except for the Transfer, all documents and cheques will be tabled at the closing. CRD will cause its lawyers, on the Closing Date, to conduct a pre-registration index search of the Affordable Unit at the LTO. If that search indicates that no liens, charges or encumbrances have been registered or filed in respect of the Affordable Unit except for Permitted Encumbrances and encumbrances which the lawyers for the Owner have undertaken to discharge, the lawyers for CRD or their agents shall submit the Transfer for registration and then conduct a post-filing registration index search. If that search indicates that no liens, charges or encumbrances have been registered or filed in respect of the Affordable Unit since the pre-filing registration index search, all documents and payments will be released to each of the Owner and CRD according to the entitlement of each of them.
- 4.15 **Reimbursement**. If CRD waives payment on the Closing Date of the amount referred to in Section 4.12(e), the Owner shall pay such amount to CRD, on demand, with interest thereon at the rate of eighteen percent (18%) per annum, compounded monthly, from the Closing Date to the date of payment.
- 4.16 **Survival**. All the representations, warranties, covenants and agreements of the Owner and CRD contained in this Agreement will survive the Closing Date, registration of documents, and the payment of the Option Purchase Price.

SECTION 5. RELEASE

- 5.1 **Release**. The Owner releases CRD and its officers, directors, employees and agents and their respective heirs, executors, administrators, personal representatives, successors and assigns absolutely and forever, from any claims the Owner may have against all or any of them for costs, expenses or damages the Owner may suffer, incur or be put to arising out of or in connection with this Agreement and from all claims arising out of advice or direction respecting the sale of the Affordable Unit or use of the Property given to the Owner by any of them or by the NPO.

SECTION 6. GENERAL PROVISIONS

- 6.1 **Discharge of Covenant and Option to Purchase on Strata Lots not designated as Affordable Units**. The parties agree that this Agreement is intended to only apply to the four (4) strata lots to be designated by the Developer as the Affordable Units upon the filing of the strata plan for the Strata Development and concurrently with filing of the strata plan for the Strata Development this Covenant, the Rent Charge and the Option to Purchase shall be discharged from title to all of the strata lots and the common property except for the Affordable Units designated by the Developer, and this Agreement will only charge the Affordable Units. The parties will execute all such documents as may be required to complete the foregoing discharges.
- 6.2 **Notices**. Unless otherwise specified, each notice to the Owner must be given in writing and delivered personally or by courier to the Owner at its address shown on title to the

Affordable Unit as registered in the LTO from time to time. Unless otherwise specified, each notice to CRD must be given in writing and delivered personally or by courier to CRD, Attention: Manager Real Estate Services, at the address shown on the General Instrument - Part 1 or to such other address or addresses or person or persons as CRD may designate. Notices will be deemed to have been received when delivered.

- 6.3 **Fees.** Each of the Owner and CRD will pay its own legal fees. CRD will pay all fees in connection with registration of the Transfer.
- 6.4 **Enuring Effect.** This Agreement will enure to the benefit of and be binding upon the respective heirs, executors, administrators, successors and permitted assigns as the case may be of the Owner and CRD, provided that the Owner shall not be liable for any breach of the covenant contained in Section 2.1 except as such liability relates to the period of ownership of an Affordable Unit by the Owner. If, by operation of statute or otherwise, the Option becomes or will within a period of three months become void or unenforceable as the result of the passage of time, the Owner or their heir, legal representative, successor or permitted assign, as the case may be, will, at the request of CRD, execute and deliver to CRD a replacement agreement substantially in the form of this Agreement.
- 6.5 **Registration.** This Agreement will be registered against title to the Lands initially and then shall be restricted to the titles to the Affordable Units upon filing of a strata plan of the Lands in the LTO subject only to Permitted Encumbrances.
- 6.6 **Discharge.** On expiry of the Term, the Owner may require that CRD execute and deliver to the Owner a release in registrable form of the Covenant and the Option.
- 6.7 **Amendment.** This Agreement may only be amended by written agreement of the parties.
- 6.8 **Counterparts.** This Agreement and any amendment, supplement, restatement or termination of any provision of this Agreement may be executed and delivered in any number of counterparts, each of which, when executed and delivered is an original, but all of which taken together constitute one and the same instrument.

IN WITNESS WHEREOF the parties have duly executed this Agreement by signing the General Instrument - Part 1.

CONSENT AND PRIORITY AGREEMENT

GIVEN THAT Coastal Community Credit Union (the "Chargeholder") is the holder of a mortgage and assignment of rents registered against the land legally described (the "Land") in the s. 219 covenant to which this Agreement is attached (the "Covenant"), which mortgage and assignment of rents are registered in the Victoria land title office under instrument numbers CA7295489 and CA7295490 respectively (the "Charge"),

This Consent and Priority Agreement is evidence that in consideration of payment to it of \$1.00 by the transferee described in item 6 of Part 1 of the Form C to which this Agreement is attached (the "Transferee"), the Chargeholder agrees with the Transferee as follows:

1. The Chargeholder consents to the granting and registration of the Covenant, Rent Charge, and Option to Purchase, and the Chargeholder agrees that the Covenant, Rent Charge and Option to Purchase bind its interest in and to the Land.
2. The Chargeholder grants to the Transferee priority for the Covenant, Rent Charge, and Option to Purchase over the Chargeholder's right, title and interest in and to the Land and the Chargeholder postpones the Charge, and all of its right, title and interest thereunder, to the Covenant, Rent Charge and Option to Purchase as if the Covenant, Rent Charge, and Option to Purchase had been executed, delivered and registered prior to the execution, delivery and registration of the Charge.

As evidence of its agreement with the Transferee to be bound by this Consent and Priority Agreement, as a contract and as a deed executed and delivered under seal, the Chargeholder has executed and delivered this Agreement by executing Part 1 of the Land Title Act Form C to which this Agreement is attached and which forms part of this Agreement.

SCHEDULE "A"
PERMITTED ENCUMBRANCES

Legal Notations:

Easement EC1406 over Part of Lot 1, Plan 47964

Charges, Liens and Interests:

Undersurface Rights (M76301) – Her Majesty the Queen in Right of the Province of British Columbia,
Inter Alia, A.F.B. 3.257.3685, Section 172(3), DD636 OS

SCHEDULE "B"
QUALIFIED BUYER CRITERIA

1. Sale of an Affordable Unit by the Developer:

In the case of the sale of an Affordable Unit by the Developer, a Qualified Buyer means:

- (a) a first time home buyer, being a buyer who has not owned a principal residence for at least 5 years immediately prior to the date of purchase of an Affordable Unit;
- (b) a resident of the Capital Regional District from time to time, for at least one year immediately prior to the date of purchase of an Affordable Unit;
- (c) A person who provides Proof of Income that annual gross Income is, for a one-bedroom unit, \$84,999 at time of sale, and for a two-bedroom unit, \$94,999 at time of sale, for at least one year immediately prior to the date of purchase of an Affordable Unit; and
- (d) a person who intends to immediately use and occupy the Affordable Unit as their principal residence and not rent or lease the Affordable Unit to any other person, nor leave the unit vacant, use it solely for a business or profession, or use it as a short-term vacation rental property of any kind.

it being understood and agreed that preferential consideration may be given to a person who meets all of the above criteria and all or some of the following criteria:

- (a) a person who does not own a vehicle; and
- (b) a person who satisfies such other criteria as may be applied by the NPO and CRD from time to time.

2. Sale of an Affordable Unit by an Owner other than the Developer:

In the case of the sale of an Affordable Unit by an Owner other than the Developer, a Qualified Buyer means:

- (a) a first time home buyer, being a buyer who has not owned a principal residence for at least 5 years immediately prior to the date of purchase of an Affordable Unit;
- (b) a resident of the Capital Regional District from time to time, for at least one year immediately prior to the date of purchase of an Affordable Unit;
- (c) a person who provides Proof of Income that annual gross Income is between the range set from time-to-time by the NPO in its sole discretion (which shall not be appealed) for at least one year immediately prior to the date of purchase of an Affordable Unit, it being understood and agreed that the NPO may, from time to time, grant an exemption from or vary such requirement if, in the opinion of the NPO and having regard to prevailing market conditions, such exemption or variation is

consistent with the continued use and availability of the Affordable Unit as affordable housing; and

- (d) a person who intends to immediately use and occupy the Affordable Unit as their principal residence and not rent or lease the Affordable Unit to any other person, nor leave the unit vacant, use it solely for a business or profession, or use it as a short-term vacation rental property of any kind.

For the purpose of Schedule B:

"Income" means the total income before income tax from all sources of all persons intending to live in an Affordable Unit including, without limitation:

- (a) all income from earnings, including commissions and tips;
- (b) all income from all public and private pension plans, old age security and guaranteed income supplement;
- (c) all income received under the *Employment and Assistance Act* and the *Employment and Assistance for Persons with Disabilities Act*;
- (d) disabled veteran's allowance;
- (e) alimony;
- (f) child support;
- (g) workers' compensation benefits;
- (h) employment insurance; and
- (i) Income from Assets,

but excluding the following:

- (a) child tax benefit;
- (b) capital gains, such as insurance settlement, inheritances, disability awards and sale of effects in the year they are received;
- (c) the earnings of a person aged 18 and under;
- (d) student loans, student loan equalization payments and student grants but excluding non-repayable training allowances, research fellowships or similar grants;
- (e) shelter aid for elderly renters (SAFER) or rental assistance program (RAP) payments received prior to purchasing an Affordable Unit;
- (f) GST rebates;

- (g) taxable benefits received through employment;
- (h) government provided daycare allowance; and
- (i) payments for foster children, or child in home of relative (CIHR) income under the *Employment and Assistance Act*.

"Income from Assets" means computing income from assets of all persons intending to live in an Affordable Unit at a percentage per annum as determined by CRD, excluding the first \$62,051.00 in assets of such persons, based on November 1, 2018 dollars, indexed over time by reference to changes from time to time in the consumer price index (all items, British Columbia) or if such consumer price index is no longer published, such substitute and comparable index as the NPO may designate.

"Proof of Income" means a tax return filed with Canada Revenue Agency or a notice of assessment from Canada Revenue Agency under the *Income Tax Act*.

- (g) taxable benefits received through employment;
- (h) government provided day care allowance; and
- (i) payments for foster children, or child in home of relative (CIHR) income under the Employment and Assistance Act.

"income from Assets" means computing income from assets of all persons relating to five in an Alternative Unit at a percentage per annum as determined by CRD, excluding the first \$52,051.00 in assets of such persons, based on November 1, 2016 dollars, indexed over time by reference to changes from time to time in the consumer price index (all items, British Columbia) or if such consumer price index is no longer published, such substitute and comparable index as the NFO may designate.

"Proof of income" means a tax return filed with Canada Revenue Agency or a notice of assessment from Canada Revenue Agency under the Income Tax Act.

A BYLAW OF THE CITY OF VICTORIA

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

- “3.133 R-99, Multiple Dwelling Richardson District”

- | | | |
|----------------------------|--------|------|
| READ A FIRST TIME the | day of | 2021 |
| READ A SECOND TIME the | day of | 2021 |
| Public hearing held on the | day of | 2021 |
| READ A THIRD TIME the | day of | 2021 |
| ADOPTED on the | day of | 2021 |

MAYOR

PART 3.133 – R-99 ZONE, MULTIPLE DWELLING RICHARDSON DISTRICT**3.133.1 Definitions**

In this Part, “ground-oriented multiple dwelling” means a building containing three or more self-contained dwelling units, at least half of which have individual and direct access at grade level.

3.133.2 Permitted Uses in this Zone

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

- a. Uses permitted in the R1-B Zone, Single Family Dwelling District, subject to the regulations set out in Part 1.2 of the Zoning Regulation Bylaw
- b. Ground-oriented multiple dwelling

3.133.3 Lot Area

- a. Lot area (minimum) 1700m²
- b. Lot width (minimum) 17m

3.133.4 Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 1160m²
- b. Floor space ratio (maximum) 0.67:1

3.133.5 Height, Storeys

- a. Principal building height (maximum) 7.6m
- b. Storeys (maximum) 2.5
- c. Roof deck Not permitted

PART 3.133 – R-99 ZONE, MULTIPLE DWELLING RICHARDSON DISTRICT**3.133.6 Setbacks, Projections, Building Separation**

- | | |
|--|-------|
| a. <u>Front yard setback</u> (minimum) | 6m |
| Except for the following maximum projections into the <u>setback</u> : | |
| • Steps less than 1.7m in <u>height</u> | 2.0m |
| b. <u>Rear yard setback</u> (minimum) | 7.5m |
| c. <u>Side yard setback</u> from the east property line (minimum) | 1.8m |
| d. <u>Side yard setback</u> from the west property line (minimum) | 1.25m |
| e. Separation between <u>buildings</u> other than an <u>accessory building</u> (minimum) | 7.5m |
| f. Eave projections into <u>setback</u> (maximum) | 0.75m |

3.133.7 Site Coverage, Open Site Space

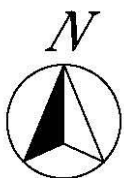
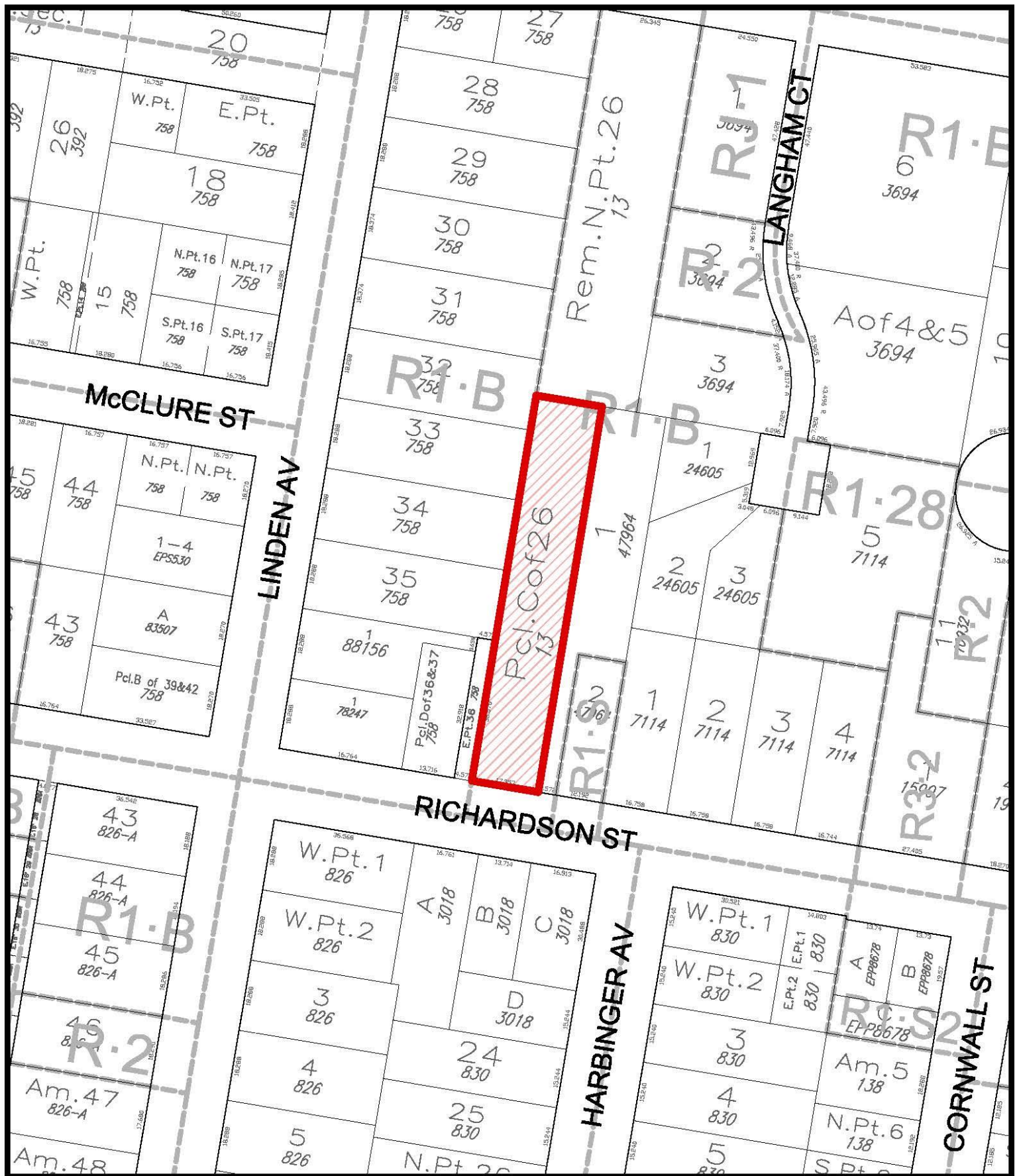
- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 40% |
| b. <u>Open site space</u> (minimum) | 50% |

3.133.8 Outdoor Features

- | |
|---|
| a. The <u>setbacks</u> set out in section 3.133.6 apply to <u>outdoor features</u> as though they are <u>buildings</u> |
| b. <u>Outdoor features</u> shall not exceed a <u>height</u> of 3.5m from <u>natural grade</u> or <u>finished grade</u> , whichever is lower |

3.133.9 Vehicle and Bicycle Parking

Subject to the regulations in Schedule “C”



1224 Richardson Street
Rezoning No.00705



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

1 This Bylaw may be cited as the "HOUSING AGREEMENT (1224 RICHARDSON STREET) BYLAW (2021)".

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

- READ A FIRST TIME the _____ day of _____ 2021

READ A SECOND TIME the _____ day of _____ 2021

READ A THIRD TIME the _____ day of _____ 2021

ADOPTED on the _____ day of _____ 2021

MAYOR

HOUSING AGREEMENT

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

AMONG:

THE CORPORATION OF THE CITY OF VICTORIA

#1 Centennial Square
Victoria, B.C.
V8W 1P6
(the "**City**")

AND:

1224 RICHARDSON PROPERTY CORP.

1153 Burdett Avenue
Victoria, British Columbia
V8V 3H3
(the "**Owner**")

AND:

COASTAL COMMUNITY CREDIT UNION (Inc. No. FI 114)
(the "**Existing Chargeholder**")

WHEREAS

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1224 Richardson Street, legally described as:

PID: 009-343-211
Legal Description: Parcel C (DD 38188I) of Section 26, Fairfield Farm Estate, Victoria City, Plan 13
(the "**Lands**").
- D. The Owner made an application to rezone and develop the Lands with three buildings containing a total of 24 Dwelling Units and related amenities.
- E. The Dwelling Units are intended to be stratified and therefore will be subject to the *Strata Property Act* (British Columbia) and the bylaws of the strata corporation, but the intent of

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this housing agreement is to ensure the perpetual availability of rental units (in addition to owner-occupied units), excluding the Below Market Units.

- F. 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 establish the terms and conditions regarding the occupancy of the residential units identified in this housing agreement.

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:

"Below Market Units" means the three (3) one-bedroom Dwelling Units and the one (1) two-bedroom Dwelling Unit within the Development that will be secured as 90% below-market ownership housing through a section 219 covenant and housing agreement between the Owner and the Capital Regional District, which document will be registered against the Lands prior to any rezoning approval for the Lands.

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

"Development" means the three (3) proposed residential building on the Lands, which are to include a total of twenty-four (24) Dwelling Units.

"Dwelling Units" means any or all, as the context may require, of the twenty-four (24) self-contained residential dwelling units within the Development that will be located on the Lands, 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 and is thereby bound by this Agreement, as referred to in section 7.3.

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

- (a) a corporation or society:

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

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

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

2.0 No Restrictions on Rentals

- 2.1 The Owner covenants and agrees that, with the exception of the Below Market Units, 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.
- 2.2 Without limiting the generality of section 2.1, 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, with the exception of the Below Market Units, to a Non-owner under the terms of a Tenancy Agreement.
- 2.3 For certainty, if the Lands or the Development on the Lands are subdivided under the *Strata Property Act*, the Dwelling Units within the Development may be occupied by the Owners of the strata lots.

3.0 Reporting

- 3.1 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:
 - (a) the number, type and location by suite or strata lot number, of Dwelling Units that are being rented to Non-owners; and
 - (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.
- 3.2 The Owner covenants and agrees:
 - (a) to exercise its voting rights in the Strata Corporation against the passage of any bylaws that would restrict the availability for rental of any Dwelling Unit, with the

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exception of the Below Market Units, under the terms of a Tenancy Agreement unless this Agreement is amended; and

(b) to notify the City of any proposed amendments to its strata bylaws.

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

4.0 Notice to be Registered in Land Title Office

- 4.1 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.

5.0 Liability

- 5.1 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.
- 5.2 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.

6.0 Priority Agreement

The Existing Chargeholder, as the registered holder of a charge by way of mortgage and assignment of rents which are registered against title to the Lands in the Land Title Office at Victoria, British Columbia, under numbers CA7295489 and CA7295490, 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.

7.0 General Provisions

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

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- (a) upon confirmation of delivery by Canada Post if sent by registered mail,
- (b) on the next Business Day if sent by 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
Email: Planning-CommunityPlanning@victoria.ca

and in the case of the Owner, addressed to:

1224 Richardson Property Corp.
153 Burdett Avenue
Victoria, British Columbia
V8V 3H3

Attention: Tim Stemp
Email: Timp993@hotmail.com

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.

7.2 **Time.** Time is of the essence of this Agreement.

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

7.4 **Waiver.** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed

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as a waiver of any future or continuing failure, whether similar or dissimilar.

- 7.5 **Headings.** The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.
- 7.6 **Language.** Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.
- 7.7 **Legislation.** Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.
- 7.8 **Equitable Remedies.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 7.9 **Cumulative Remedies.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 7.10 **Entire Agreement.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 7.11 **Further Assurances.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 7.12 **Amendment.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 7.13 **Law Applicable.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 7.14 **No Derogation From Statutory Authority.** Nothing in this Agreement shall:
 - (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

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- (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

- 7.15 **Severability.** If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.
- 7.16 **Joint and Several.** The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.
- 7.17 **Counterparts.** This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.
- 7.18 **Effective Date.** This Agreement is effective as of the date of the signature of the last party to sign.

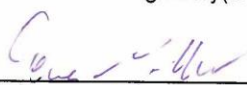
IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.


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

_____)
Director of Sustainable Planning and)
Community Development)

Date signed: _____

1224 RICHARDSON PROPERTY CORP.)
by its authorized signatory(ies):)



_____)
Print Name: Gene Miller)


_____)
Print Name: Tim Sney)

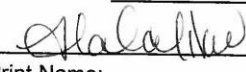
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Date signed: November 13, 2020

COASTAL COMMUNITY CREDIT UNION
by its authorized signatory(ies):



Derek Lewis, ABL
Regional Manager,
Commercial Services

Print Name: _____


Alana Halaliku, FCUIC, BBA
Senior Business Relationship Manager
Nanaimo Business Centre

Print Name: _____

Date signed: 11/25/20


WITNESS

CHARLES BLANARU
Barrister & Solicitor
#200 - 1808 Bowen Road
Nanaimo, B.C. V9S 5W4
Ph. (250) 753 2202 Fax: (250) 753 3949

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Council Report

For the Meeting of January 14, 2021

To: Council **Date:** January 8, 2021
From: C. Coates, City Clerk
Subject: 956 Heywood Avenue: Development Permit with Variances Application No. 00126

RECOMMENDATION

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

1. Housing Agreement (956 Heywood Avenue) Bylaw (2021) No. 21-005

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 21-005.

The issue came before Council on August 6, 2020 where the following resolution was approved:

956 Heywood Avenue: Development Permit with Variances Application No. 00126

That, subject to the preparation and execution of the following legal agreements in a form satisfactory to the City Solicitor:

- a. A Housing Agreement to ensure a future strata cannot restrict the rental of units, to the satisfaction of the Director of Sustainable Planning and Community Development; and
- b. A Section 219 Covenant to secure a car-share membership for each unit, to the satisfaction of the Director of Engineering and Public Works.

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 Permit with Variances Application No. 00126 for 956 Heywood Avenue, in accordance with:

1. Plans date stamped May 26, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 9 stalls to 6 stalls and visitor parking from 1stall to zero stalls;
 - ii. increase the height from 12m to 12.98m (main roof) and 14.81m (roof access);
 - iii. reduce the front setback from 10.50 metres to 6.63 metres;
 - iv. reduce the rear setback from 7.71 metres to 1.52 metres;
 - v. reduce the side setbacks from 7.71 metres to 1.37 metres (building) and 0.93m(window screens);
 - vi. increase the site coverage from 30 percent to 64 percent.
3. Registration of legal agreements on the property's title to secure the car share memberships, to the satisfaction of the Director of Engineering and Public Works.
4. Final plans to be generally in accordance with plans date stamped May 26, 2020.

5. The Development Permit lapsing two years from the date of this resolution.”

Respectfully submitted,

Chris Coates
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 21-005

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:

956 HEYWOOD HOLDINGS LTD.

(Incorporation Number: BC1136310)

1626 Garnet Road

Victoria, B.C.

V8P 3C8

(the "Owner")

AND:

ROYAL BANK OF CANADA

10 York Mills Road

Toronto, ON

M2P 0A2

(the "Existing Chargeholder")

WHEREAS

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 956 Heywood Avenue, and legally described as:
PID: 009-324-402,
Lot 36 of Lot 1694, Victoria City, Plan 24
(the "Lands").

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- D. The Owner has applied to the City for a development permit with variances and intends to construct a four-storey multi-unit residential building consisting of six dwelling units.
- E. The Dwelling Units are intended to be stratified and therefore will be subject to the *Strata Property Act* (British Columbia) and the bylaws of the strata corporation, but the intent of this housing agreement is to ensure the perpetual availability of rental units (in addition to owner-occupied units).
- F. 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 establish the terms and conditions regarding the occupancy of the residential units identified in this housing agreement.

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 proposed four-storey residential building on the Lands to include six (6) or more Dwelling Units.

"**Dwelling Units**" means any or all, as the context may require, of the six (6) or more 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 and is thereby bound by this Agreement, as referred to in section 7.3.

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

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

- (b) an individual, an Immediate Family of the registered or beneficial owner.

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

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

2.0 No Restrictions on Rentals

- 2.1 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.
- 2.2 Without limiting the generality of section 2.1, 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.
- 2.3 For certainty, if the Lands or the Development on the Lands are subdivided under the *Strata Property Act*, the Dwelling Units within the Development may be occupied by the Owners of the strata lots.

3.0 Reporting

- 3.1 The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Community Development, within thirty (30) days of the Director's written request, a report in writing confirming:
- (a) the number, type and location by suite or strata lot number, of Dwelling Units that are being rented to Non-owners; and
 - (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.
- 3.2 The Owner covenants and agrees:
- (a) to exercise its voting rights in the Strata Corporation against the passage of any bylaws that would restrict the availability for rental of any Dwelling Unit under the terms of a Tenancy Agreement unless this Agreement is amended; and
 - (b) to notify the City of any proposed amendments to its strata bylaws.
- 3.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications to this Agreement and that such consent may be withheld for any reason.

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4.0 Notice to be Registered in Land Title Office

- 4.1 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.

5.0 Liability

- 5.1 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.
- 5.2 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.

6.0 Priority Agreement

- 6.1 The Existing Chargeholder, as the registered holder of a charge by way of a Mortgage against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under number CA6477049, 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.

7.0 General Provisions

- 7.1 **Notice.** If sent as follows, notice under this Agreement is considered to be received:
- (a) upon confirmation of delivery by Canada Post if sent by registered mail,
 - (b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and
 - (c) on the date of delivery if hand-delivered, and

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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:

956 Heywood Holdings Ltd.
1626 Garnet Road
Victoria, BC V8P 3C8

Attention: Luke Mari
Email: lmari@purdeygroup.com

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

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

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

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

7.2 **Time.** Time is of the essence of this Agreement.

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

7.4 **Waiver.** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.

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- 7.5 **Headings.** The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.
- 7.6 **Language.** Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.
- 7.7 **Legislation.** Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.
- 7.8 **Equitable Remedies.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 7.9 **Cumulative Remedies.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 7.10 **Entire Agreement.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 7.11 **Further Assurances.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 7.12 **Amendment.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 7.13 **Law Applicable.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 7.14 **No Derogation From Statutory Authority.** Nothing in this Agreement shall:
- (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.

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- 7.15 **Severability.** If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.
- 7.16 **Joint and Several.** The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.
- 7.17 **Counterparts.** This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.
- 7.18 **Effective Date.** This Agreement is effective as of the date of the signature of the last party to sign.


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


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

956 HEYWOOD HOLDINGS LTD.)
 by its authorized signatory(ies):)
)
)
)
)
 Print Name: L. Ke Mui)
)
)
 Print Name: _____)
)
 Date signed: Nov 16, 2020)

[SIGNED]


ROYAL BANK OF CANADA
by its authorized signatory(ies):


Print Name: Orrie Sobers TEAM LEADER


Print Name: Giovanna Turco TEAM LEADER

Date signed: November 27 2020




OLIVER SORIANO MANUBA, Notary Public
City of Toronto, Limited to the attestation of
Instruments and the taking of affidavits for
The Royal Bank of Canada, Royal Trust Corporation
of Canada and The Royal Trust Company.
Expires, November 20, 2022.

ROYAL BANK OF CANADA
10 York Mills Rd, Toronto, ON M2P 0A2

NO. 21-015

A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to amend the Council Remuneration Bylaw.

Under its statutory powers, including section 235 of the *Community Charter*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. Title
2. Amendment
3. 2021 Special Provisions

Title

- 1 This Bylaw may be cited as the " COUNCIL REMUNERATION BYLAW AMENDMENT
(No. 1) BYLAW No. 21-015".

Amendment

- 2** Council Remuneration Bylaw No. 08-103 is hereby amended by adding the following as section 9:

2021 Special Provisions

- 3** 9. Section 4 of Bylaw 08-103 shall not be applied to the calculation of the indemnity for the Mayor or other members of Council for the year 2021.

READ A FIRST TIME the **7th** day of **January** 2021.

READ A SECOND TIME the **7th** day of **January** 2021.

READ A THIRD TIME the **7th** day of **January** 2021.

ADOPTED the _____ day of _____ 2021.

CITY CLERK

MAYOR

TEMPORARY BORROWING BYLAW, 2021

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to provide for the borrowing of money that may be necessary to meet the current lawful expenditures of the City.

Contents

- 1 Title
- 2 Definition
- 3 Borrowing authorized
- 4 Form of borrowing
- 5 Time of repayment
- 6 Tax revenue to be used for repayment

Under its statutory powers, including section 177 of the *Community Charter*, the Council of the City of Victoria enacts the following provisions:

Title

- 1 This Bylaw may be cited as the "TEMPORARY BORROWING BYLAW, 2021".

Definition

- 2 In this Bylaw, "CFO" means the City's Chief Financial Officer.

Borrowing authorized

- 3
 - (1) The CFO may borrow, on behalf of the City, on the credit and for the purposes of the City, from any bank, credit union, corporation, or other person, as the CFO may from time to time consider appropriate, an amount of money not exceeding \$172 million.
 - (2) The CFO must not borrow the money described in subsection (1) at a rate of interest that exceeds the prime rate of interest charged by the Royal Bank of Canada at the time when the lender imposes a rate of interest.

Form of borrowing

- 4
 - (1) The CFO may borrow by means of bank overdrafts.
 - (2) Where the borrowing is other than by way of bank overdrafts, the form of an obligation to be given as an acknowledgement of the liability must be a promissory note, demand note, or a banker's acceptance, sealed with the seal of the City and signed by the Mayor and the CFO.

Time of repayment

- 5** The money borrowed under this Bylaw and any interest on it must be repaid on or before December 31, 2021.

Tax revenue to be used for repayment

- 6** Revenue from all property value taxes must be used as necessary to repay the money borrowed under this Bylaw.

READ A FIRST TIME the **7th** day of **January** 2021.

READ A SECOND TIME the 7th day of **January** 2021.

READ A THIRD TIME the **7th** day of **January** 2021.

ADOPTED on the _____ day of _____ 2021.

CITY CLERK

MAYOR



Council Report

For the Meeting of January 14, 2021

To: Council **Date:** January 5, 2021
From: Chris Coates, City Clerk/Chief Elections Officer
Subject: 2020 By-election Results

RECOMMENDATION

That Council receive this report for information.

EXECUTIVE SUMMARY

A by-election was conducted on December 12, 2020 to fill one position as Councillor for the City of Victoria. In accordance with section 158 of the *Local Government Act* this report to Council is provided for information.

The official election results were declared on December 16, 2021 as follows:

Election Results - Office of Councillor

Location/Candidate	ANDREW, Stephen	DUNCAN, Rob	GODRON, Riga	HARDMAN, Stefanie	HEFLIN, Bill	HEIT, Jason	LEITENBERG, Sean	MCLEOD, Hailey	ROSENBERG, Keith	SCHMID, Alexander	VICKERY, Roshan
Advance	2194	34	1	815	67	1	73	26	3	10	163
Mail Ballots	1418	29	3	554	54	1	74	29	6	15	102
Crystal Garden	376	17	1	368	29	2	19	16	0	4	47
Da Vinci Centre	584	15	4	335	30	2	13	12	2	7	53
James Bay	484	14	6	324	29	1	26	19	0	4	56
Oaklands	625	23	3	529	18	2	17	20	1	2	71
Sir James Douglas	924	18	1	577	48	2	63	16	4	6	71
Vic High @ SJ Willis	332	8	3	281	11	2	9	20	0	5	40
TOTAL VOTES PER CANDIDATE	6937	158	22	3783	286	13	294	158	16	53	603

Ballot Account Compilation

Voting Location	Ballots Received by PEO	Ballots Cast	Spoiled Ballots	Rejected Ballots	Unused Ballots	Ballots Not Accounted For	Mail Ballots received after December 12th	TOTAL
Advance Voting - Crystal Garden	9200	3387	3	0	5810	0	n/a	9200
Mail Ballots	3800	2285	10	44	28	405	1028	3800
Crystal Garden	2400	879	4	0	1516	1	n/a	2400
DaVinci Centre	2399	1057	4	0	1337	1	n/a	2399
James Bay School	2400	963	6	0	1431	0	n/a	2400
Oaklands School	2400	1311	1	0	1088	0	n/a	2400
Sir James Douglas School	2400	1730	20	0	649	1	n/a	2400
Vic High @ SJ Willis	2400	711	3	0	1686	0	n/a	2400
TOTAL	27399	12323	51	44	13545	408	1028	27399

Staff will be bringing forward a Lessons Learned Report and further details on the by-election process for Council's consideration in early 2021.

Respectfully submitted,

Chris Coates
City Clerk/Chief Election Officer

Susanne Thompson
Deputy City Manager

Report accepted and recommended by the City Manager.