



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, May 27, 2021, 6:30 P.M.

6TH FLOOR BOARDROOM, CAPITAL REGIONAL DISTRICT, 625 FISGARD STREET, VICTORIA, B.C.

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

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

Pages

A. APPROVAL OF AGENDA

B. POETRY

By Poet Laureate, John Barton

C. READING OF MINUTES

D. REQUESTS TO ADDRESS COUNCIL

D.1. Jayda Lynn: Helping Victoria's Youth

D.2. Todd Litman: Bikeway Benefits

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E. PROCLAMATIONS

F. PUBLIC AND STATUTORY HEARINGS

Public and Statutory Hearings will be convened by electronic means as authorized by Ministerial Order No. M192:

"Local Government Meetings and Bylaw Process (COVID-19) Order No. 3"

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

- You will be asked to state your name, and will then be placed on hold until it's your turn to speak.
- Please have your phone on mute or remain quiet when you join the call - any background noise or conversation will be heard in the live streamed meeting.

- When it is your turn to speak, staff will un-mute your call and announce the last 4 digits of your phone number.
- State your name, address and item you are speaking to.
- You will have 5 minutes to speak then will be cut off when the next speaker is connected.
- When speaking:
 - Using a 'speaker phone' is not recommended unless require by the user.
 - Turn off all audio from the meeting webcast.

For more information on Virtual Public Hearings, go

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

Please note that any videos you submit and the opinions you express orally will be webcast live and will be recorded to form a part of the public record. Correspondence you submit will form part of the public record and will be published on the agenda. Your phone number and email will not be included in the agenda. For more information on privacy and the FOIPPA Act please email foi@victoria.ca.

***F.1. HEARING CANCELLED**

~~**580-582 Niagara Street: Rezoning Application No. 00721**~~

~~**Council is considering an application to allow for two additional units in an existing duplex, for a total of four residential units.**~~

***F.1.a. HEARING CANCELLED**

~~**Public Hearing & Consideration of Approval**~~

- ~~**Motion to give 3rd reading to:**~~
 - ~~Zoning Regulation Bylaw, Amendment Bylaw (No. 1251) No. 21-028~~
- ~~**Motion to adopt:**~~
 - ~~Zoning Regulation Bylaw, Amendment Bylaw (No. 1251) No. 21-028~~
 - ~~Housing Agreement (580-582 Niagara Street) Bylaw (2021) No. 21-029~~

***F.2. 1244 Wharf Street: Rezoning Application No. 00739**

11

~~**Addendum: Additional Correspondence**~~

~~**Council is considering an application to add "hotel" as a permitted use and to permit residential uses below street grade.**~~

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

47

- **Motion to give 3rd reading to:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1243) No. 21-012
- **Motion to adopt:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1243) No. 21-012

F.3. 123/125 Government Street: Development Variance Permit Application No. 00252

49

Council is considering an application to reduce the parking requirement from two stalls to one and to reduce the required setback from the existing window on the lower level.

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

- **Motion to approve development variance permit**

***F.4. 1250 Dallas Road: Development Variance Permit Application No. 00254**

77

Addendum: Additional Correspondence

Council is considering an application to create additional floor area (loft area) in the existing accessory building.

F.4.a. Opportunity for Public Comment & Consideration of Approval

- **Motion to approve development variance permit**

G. REQUESTS TO ADDRESS COUNCIL

H. UNFINISHED BUSINESS

***H.1. Bylaw for 1475 Fort Street: Development Permit with Variances Application No. 00120**

118

Referred from the May 27, 2021 Council to Follow COTW meeting

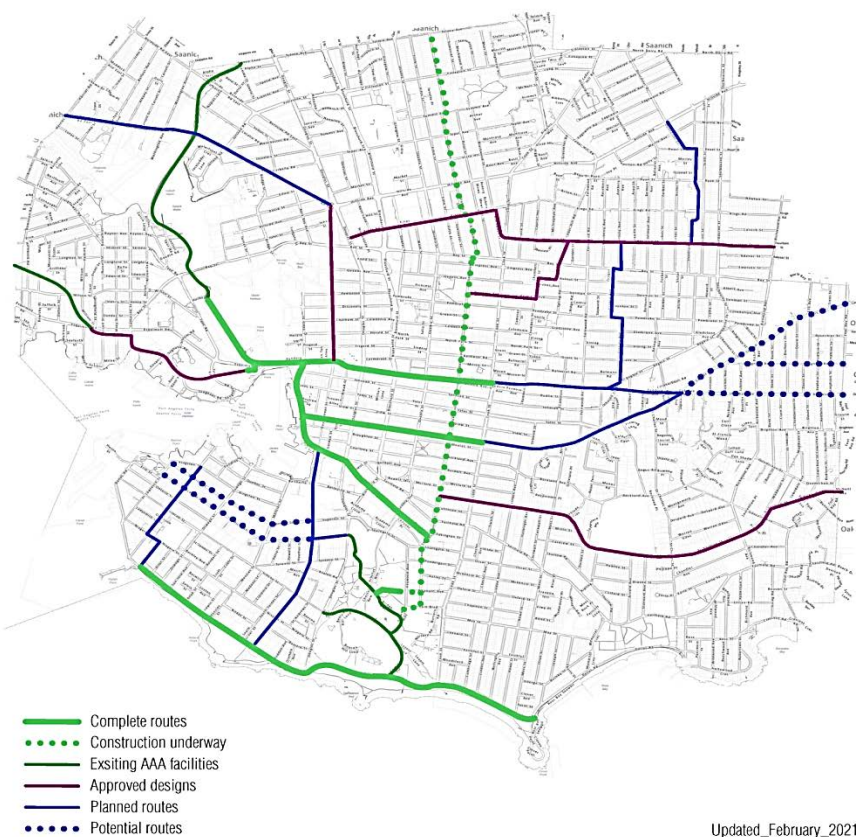
A report recommending:

- **1st, 2nd and 3rd readings of:**
 - Housing Agreement (1475 Fort Street) Bylaw, (2021) No. 21-057
- **Approval of updated Development Permit with Variances Application recommendation**

This application is ready to proceed to Opportunity for Public Comment and proposes to construct a four-storey rental building with approximately 32

dwelling units.

- I. REPORTS OF COMMITTEES
- J. NOTICE OF MOTIONS
- K. BYLAWS
- L. CORRESPONDENCE
- M. NEW BUSINESS
- N. QUESTION PERIOD
- O. ADJOURNMENT



Evaluating Bikeway Criticism

Todd Litman

Victoria Transport Policy Institute

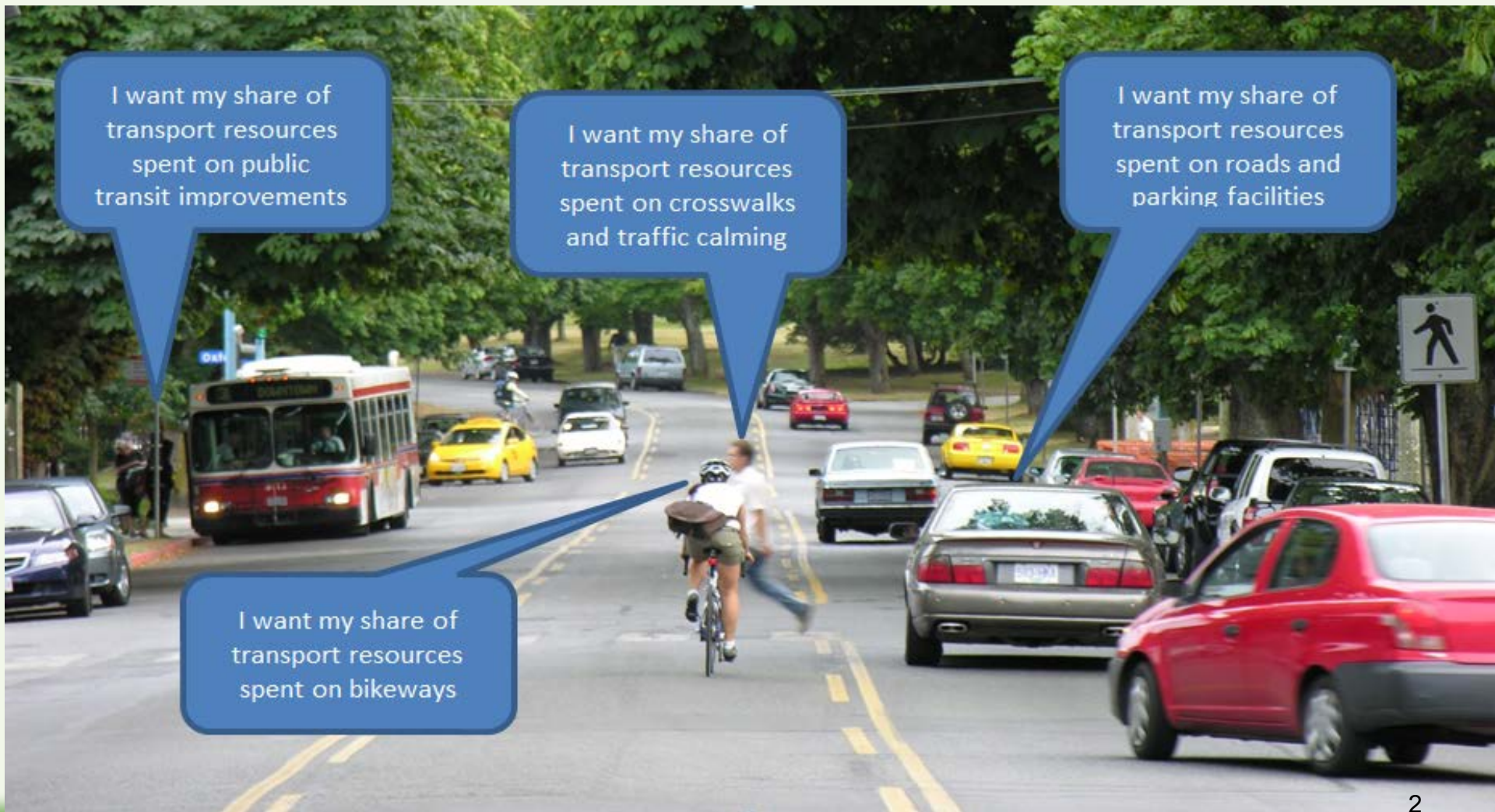
Presented

Victoria City Council

29 May 2021

Victoria's bikeway plan will create 32 kilometers of All Ages and Ability (AAA) bikeways where active modes have priority over motor vehicle traffic. This will help the city achieve its transportation targets and community goals. The bikeway network will represent 12% of Victoria's road-kilometers and about 3% of total street space, which is less than the portion of residents who bicycle and our mode share targets.

Efficient and Fair Transportation

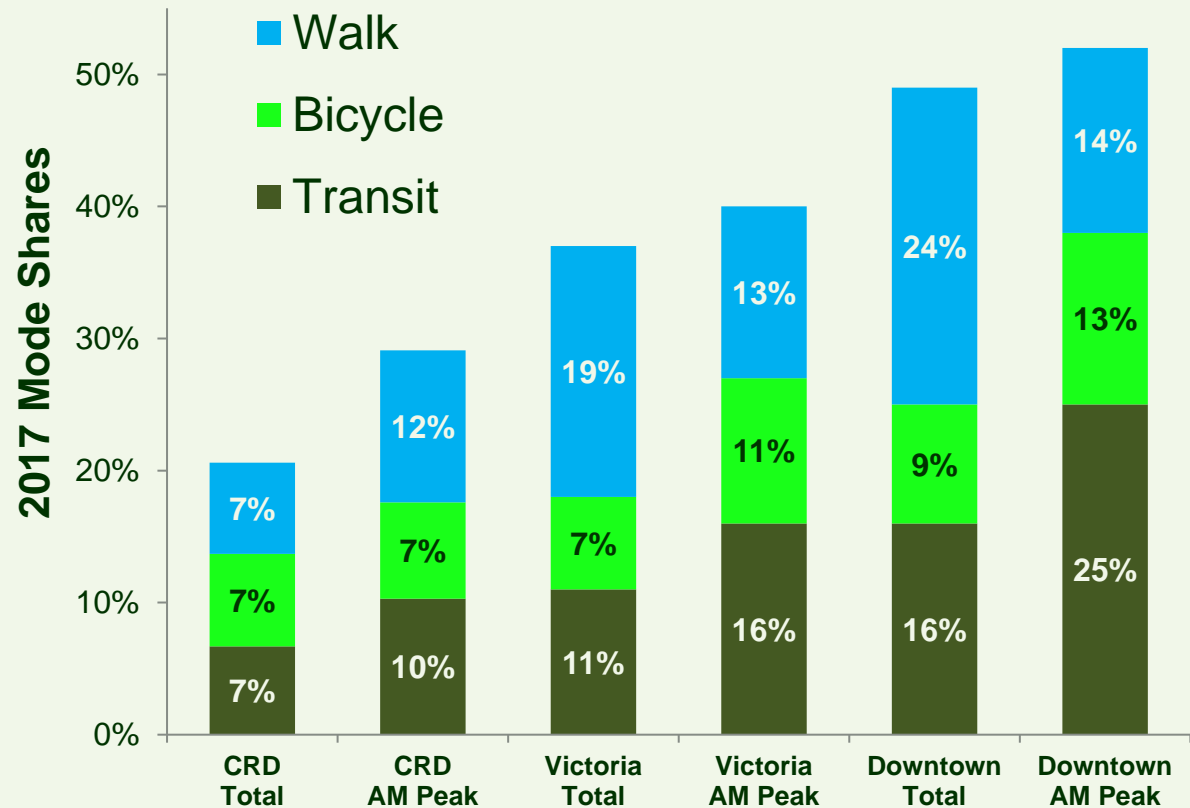


Active Transportation Targets

In 2017, 7% of total trips and 11% of peak-period trips in Victoria were by bicycle. These shares have probably increased since.

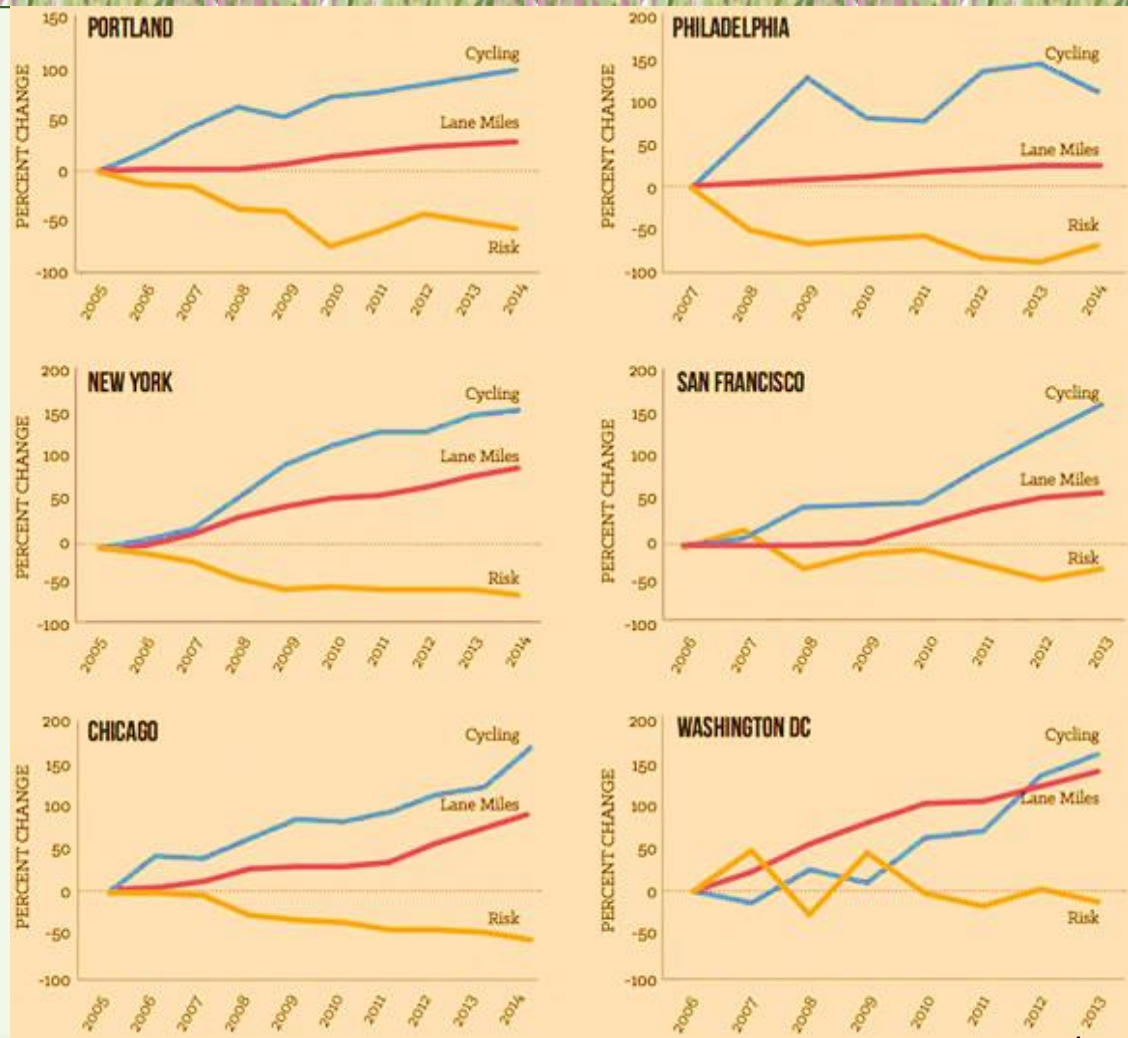
Active mode targets:

- **Victoria:** Increase to 55% and transit mode shares to 25% by 2050.
- **CRD:** Increase to 30% region-wide and 50% in denser areas by 2038
- **BC:** Double by 2030.



Bikeways Increase Ridership and Safety

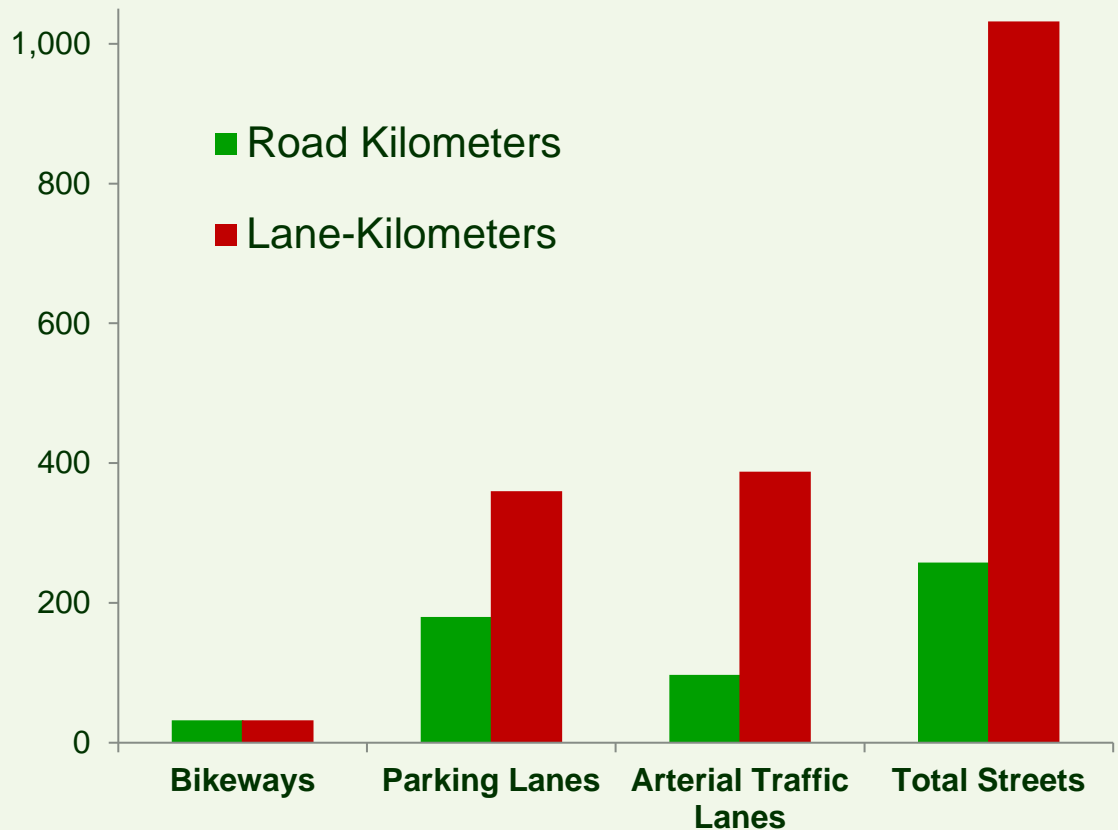
Cities that build more bike lane experience more bicycling and lower crash rates, an effect called “safety in numbers.”



Bikeways Compared with Auto Road Space

Victoria's 32 kilometers of planned bikeways represent just 12% of the city's 258 kilometers of streets, and less than 3% of total lane-kilometers.

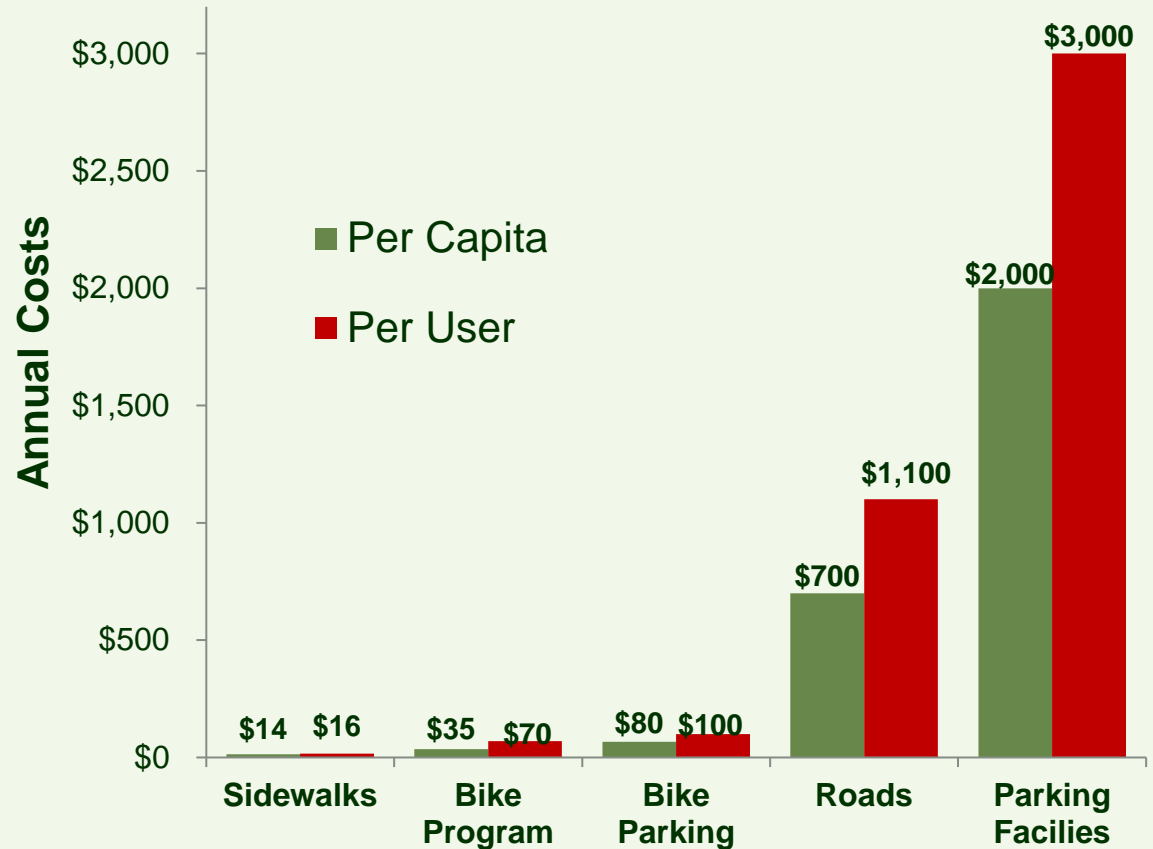
For every square meter of bikeway there are about 12 square meters devoted to parking lanes and 12 square meters devoted to arterial traffic lanes that serve automobile travel.



Estimated Annual Costs

Because they are small and light, active modes have much lower facility costs than motorists.

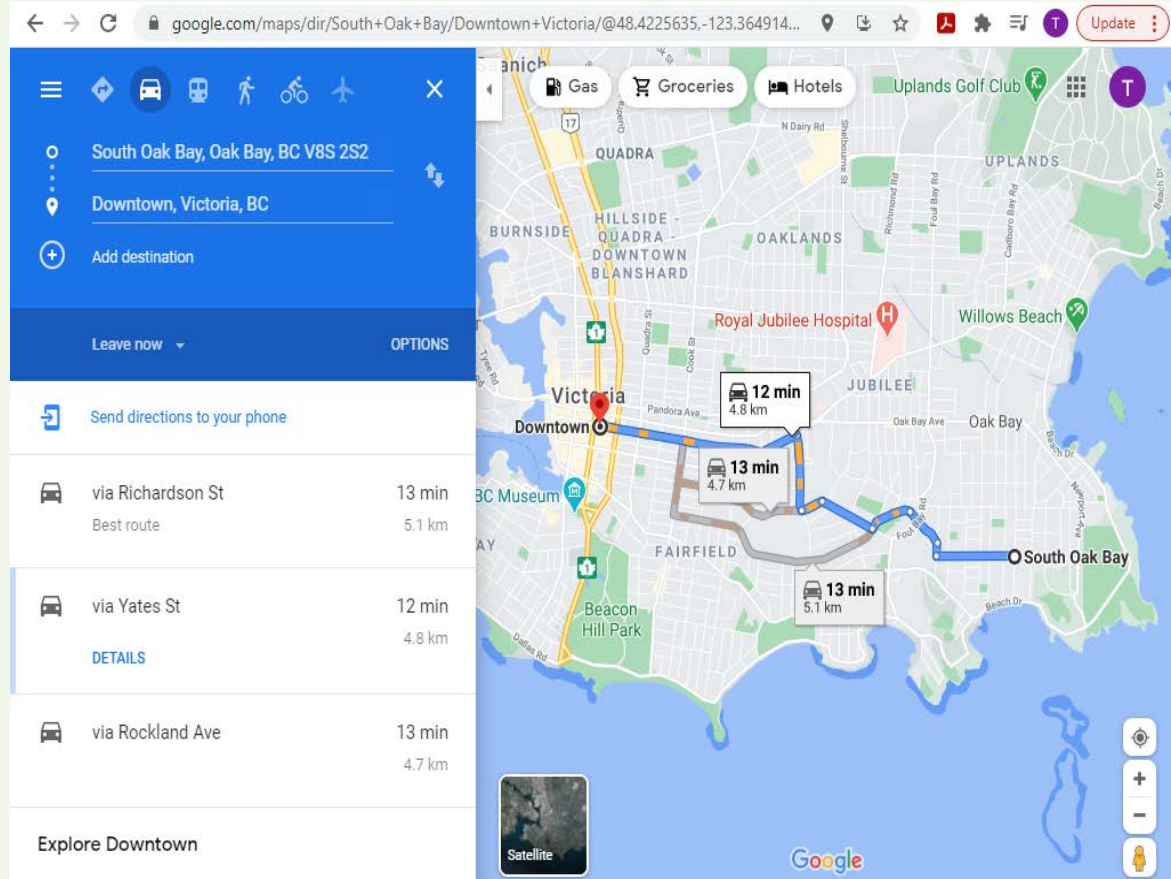
As a result, people who rely on bicycles tend to subsidize motorists' facility costs, and Victoria residents subsidize non-resident motorists who use our roads and parking facilities.



Critics Exaggerate Delays

Oak Bay Avenue is already shorter and faster (4.8 kms, 12 minutes) for than Richardson St. (5.1 kms, 13 minutes) from Oak Bay to downtown Victoria.

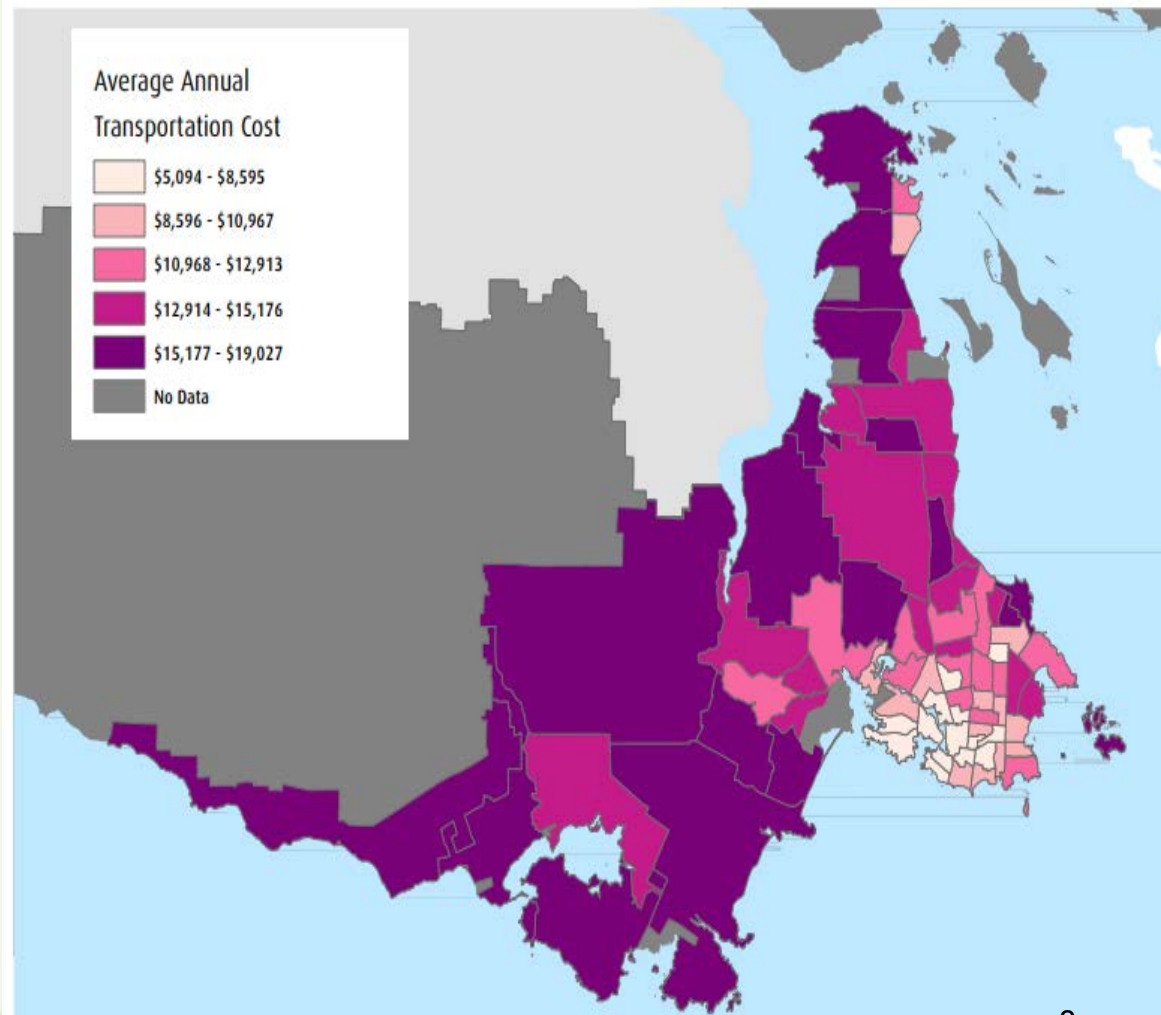
It is absurd to claim that Richardson's bikeway will significantly increase travel delay, crash risks and pollution; it may for some car trips but these are offset by shifts to active travel.



Affordability

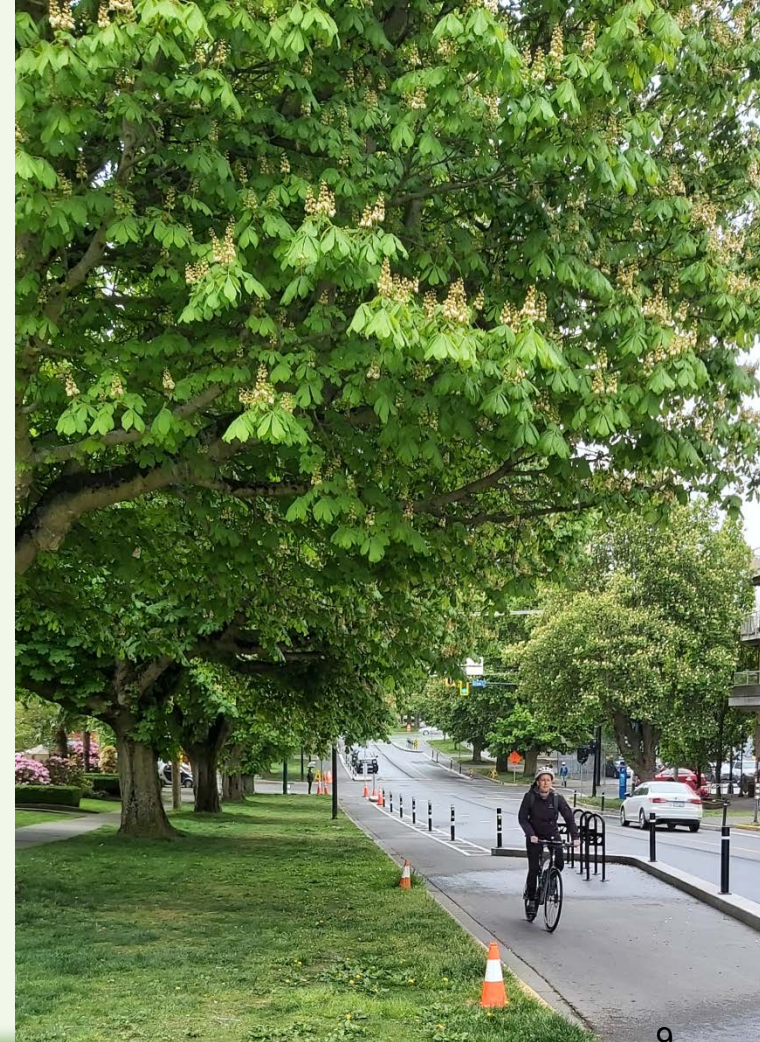
Household transportation costs are much lower in compact, multimodal neighborhoods where residents can minimize their vehicle expenses.

(CRD *Housing and Transportation Cost Estimate Study*, 2020)



Conclusions 1

- Victoria is building an All Ages and Abilities (AAA) bike network to help achieve various community goals. Although most residents seem to support this plan there are vocal critics who argue that bikeways are wasteful, and unfair. These claims are not justified.
- Surveys indicate that many people want to bike more, but fear riding on busy streets. Experience shows that bikeways can significantly increase bicycle travel and reduce automobile traffic, and their costs are usually repaid many times over through vehicle and infrastructure savings, health and equity gains, plus environmental and economic benefits.
- A significant and growing portion of Victoria residents bicycle. In 2017, 7% of total trips were by bike, with higher rates under congested conditions. Victoria has more adult bicycles than cars, over a quarter of residents bicycle at least occasionally, and more would do so if riding conditions improved.



Conclusions

- Critics ignore the high costs that vehicle traffic imposes on urban neighborhoods and the large benefits provided by shifts to active modes. Because of their large size, speed and risk, cars impose more than ten times the infrastructure, crash and environmental costs as bicycle travel under typical urban conditions.
- Critics exaggerate negative impacts and ignore many potential benefits. Bikeways may slow some car trips, although far less than critics claim, but by improving active travel conditions they increase walking and bicycling, and reduce traffic problems.
- Critics are wrong to claim that Victoria's bikeway investments are excessive and unfair. Bikeways use about 3% of road space, compared with 35% devoted to car parking and 38% devoted to arterial traffic lanes that are unsuitable for most bicyclists. Less than 7% of Victoria's roadway spending and less than 2% of total road and parking spending is devoted to bicycle facilities. This is far less than the portion of residents who currently bicycle or our mode share targets. In contrast, more than 90% of Victoria's road space and transportation spending is devoted to automobile facilities, although they have only 63% mode share. Overall, bicyclists subsidize motorists and Victoria residents subsidize out-of-town car trips. *That is unfair.*

K.2 Bylaw for 1244 Wharf Street: Rezoning Application No. 00739

Moved By Councillor Andrew

Seconded By Councillor Thornton-Joe

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

- Zoning Regulation Bylaw, Amendment Bylaw (No. 1243), No. 21-012

CARRIED UNANIMOUSLY



Council Report

For the Meeting of May 13, 2021

To: Council **Date:** May 4, 2021
From: C Kingsley, City Clerk
Subject: 1244 Wharf Street: Rezoning Application No. 00739

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1243) No. 21-012

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 21-012.

The issue came before Council on October 8, 2020 where the following resolution was approved:

1244 Wharf Street: Rezoning Application No. 00739 (Downtown)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No.00739 for 1244 Wharf Street, that first and second reading of the Zoning Regulation Bylaw amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Council authorizing the existing street-level projecting building ornamentation 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.

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 21-012

**F.1.a.b 1244 Wharf Street: Rezoning Application No. 00739
(Downtown)**

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No.00739 for 1244 Wharf Street, that first and second reading of the Zoning Regulation Bylaw amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Council authorizing the existing street-level projecting building ornamentation 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.

CARRIED UNANIMOUSLY

G.1 1244 Wharf Street: Rezoning Application No. 00739 (Downtown)

Committee received a report dated September 17, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Rezoning Application for 1244-1252 Wharf Street in order to add "hotel" as a permitted use and to permit residential uses below the street grade.

Committee discussed the following:

- *Concerns raised from the Victoria Downtown Residents Association*
- *Specific heritage value aspects of the property*
- *Remote CALUC meeting processes and community input*

Moved By Councillor Thornton-Joe

Seconded By Mayor Helps

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendments that would authorize the proposed development outlined in Rezoning Application No.00739 for 1244 Wharf Street, that first and second reading of the Zoning Regulation Bylaw amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Council authorizing the existing street-level projecting building ornamentation 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.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of October 1, 2020

To: Committee of the Whole **Date:** September 17, 2020

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

Subject: Rezoning Application No. 00739 for 1244 Wharf Street

RECOMMENDATION

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application No.00739 for 1244 Wharf Street, that first and second reading of the *Zoning Regulation Bylaw* amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Council authorizing the existing street-level projecting building ornamentation 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.

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis, and recommendations for a rezoning application for the property located at 1244 Wharf Street. The proposal is to rezone from the Inner Harbour McQuades District (IHMc) Zone to a new zone to add "hotel" as a permitted use and to permit residential uses below the street grade, at a "walk-out" level to the harbour.

The following points were considered in assessing this application:

- the proposal is consistent with the land uses envisioned in the Core Inner Harbour Legislative Urban Place Designation in the *Official Community Plan*, 2012 (OCP)
- the proposal maintains and enhances active frontages at street level as envisioned in the OCP
- the proposal advances heritage objectives in the OCP and the *Downtown Core Area Plan* by adding flexibility to an existing heritage designated building.

Description of Proposal

This Rezoning Application is to add “hotel” as a permitted use and to permit residential uses below the street grade. A Heritage Alteration Permit Application to renovate this heritage-designated building has been submitted and will be the focus of a subsequent report.

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

- permitting residential uses below the street grade in an existing building that currently permits residential uses
- adding “hotel” use as a permitted use.

Tenant Assistance Policy

The proposal is to add an additional use and to reduce current restrictions on residential uses in an existing building. No loss of existing residential rental units is anticipated.

Sustainability

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

Active Transportation

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

Public Realm

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

Accessibility

No physical changes are proposed as part of this rezoning.

Land Use Context

The area is characterized by a mixture of retail, commercial, restaurant, tourism and hotel use, and the subject property is immediately adjacent to Reeson Park. The existing sloping site on the harbour results in buildings with fewer storeys on Wharf Street compared to their harbour elevations.

Existing Site Development and Development Potential

The site is presently occupied by a three-storey, designated heritage building that contains ground floor restaurant uses with office and educational facility uses on the floors above.

Under the current IHMc Zone, Inner Harbour McQuades District, the property could be developed as a mixed-use building with ground floor commercial uses and residential or office uses above, a recreation facility, a club, or craft and artisan trades.

Data Table

The following data table compares the proposal with the IHMc Zone and the relative policies in the Official Community Plan (OCP). There are several aspects of the existing building which are inconsistent with the existing zone; however, these are considered legal non-conforming. A double asterisk has been used to identify the legal non-conforming aspects of the building.

Zoning Criteria	Proposal	Existing Zone	OCP
Density (Floor Space Ratio) – maximum	2.69**	2.00	4
Total floor area (m ²) – maximum	1779**	1325	n/a
Height (m) – maximum	15.20**	8.00	15
Setbacks (m) – minimum			
Front	0	nil	n/a
Rear	5.73	nil	n/a
Side (north)	0.30	nil	n/a
Side (south)	0.60	nil	n/a
Parking – minimum	0	N/A	
Bicycle parking stalls – minimum	0	N/A	

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures* during the COVID-19 pandemic, for processing rezoning and variance applications, the application has been posted on the Development Tracker with the requisite notification sent to the Downtown Residents Association CALUC as well as to owners and occupiers of property within 100 metres of the subject site. Initially, the Downtown CALUC waived the requirement for a CALUC meeting prior to this application being submitted while the City established alternate community consultation procedures for the COVID 19 pandemic. The thirty-day online comment period has now expired, and no comments were received.

ANALYSIS

The following City policies were used to assess the Rezoning Application:

- *Official Community Plan* (2012)
- *Downtown Core Area Plan* (2011)
- *Victoria Harbour Plan* (2001).

Official Community Plan

The subject property is located within the Core Inner Harbour Legislative Urban Place Designation in the OCP. This designation envisions densities up to 4:1 floor space ratio (FSR) and building heights up to five storeys. No additional density or construction is being proposed and the addition of “hotel” as a permitted use is consistent with the land uses envisioned for this downtown area.

Residential uses are currently permitted within the existing zone; however, this use is limited to portions of the building above the ground floor. This limitation is intended to maintain an active street frontage along Wharf Street. The proposal to permit residential uses below the ground floor is consistent with this intent because residential uses will still be limited to portions of the building that do not front Wharf Street. The proposed increase to where residential uses are permitted in the building would allow the applicant to utilize lower levels of the building, below Wharf Street, that function as “walk-out” space due to the sloping site. This proposed change to where residential uses are permitted would help to advance economic vitality and social vibrancy by adding activity and uses to portions of the building typically difficult to activate.

The proposed additional use and changes to where residential uses are permitted also helps to advance heritage conservation goals in the OCP. By increasing the range and arrangement of uses within this existing heritage designated building, its ongoing occupation, maintenance and contribution to the downtown architectural fabric and commercial vibrancy is supported.

The Downtown Core Area Plan (DCAP)

Strengthening tourism and economic development are broad aims outlined in DCAP, which the proposed changes help to advance. DCAP also seeks to promote the revitalization of heritage buildings which, through adding greater flexibility of use, is also supported. While no physical changes are proposed in this rezoning, the applicant has indicated that, if this rezoning is successful, a hotel operator can be attracted to the site with greater certainty. Similarly, any future development would occur through a heritage alteration permit application process that will utilize the Standards and Guidelines for the Conservation of Historic Places as a guide to meaningfully rehabilitate and/or restore the character defining elements of the building.

Development Permit Area 9 (HC): Core Inner Harbour

The subject property is located within Development Permit Area 9 (Heritage Conservation): Core Inner Harbour. The related objectives for this DPA are to revitalize key waterfront areas, conserve heritage buildings and to enhance the inner harbour through high quality architecture. Again, the proposed uses help to advance this objective.

Density Bonus Policy

The subject property is located outside of the prescribed “Density Bonus” areas of the City and is not proposing additional floor area. As such, neither the *Inclusionary Housing and Community Amenity Contribution Policy* (2019) nor the DCAP Density Bonus system provisions apply.

Encroachment Agreement

Cornices and some decorative features of the existing building currently encroach into the City right-of-way. To facilitate and legalize this existing condition, the applicant is required to enter into an Encroachment Agreement with the City. Appropriate wording is included in the recommendation for Council's consideration.

CONCLUSIONS

The proposed additional “hotel” use and relaxation to the location of residential uses within the current zone advance vitality and heritage conservation objectives in the OCP. This property holds significant value as a historic element which contributes to the rich sense of place in the Inner Harbour and the downtown core, and adding flexibility to the uses permitted can help to secure this resource by enabling both a renewal and upgrade of the building in a subsequent Heritage Alteration Permit. On that basis, staff recommend advancing the application to a Public Hearing.

ALTERNATE MOTION

That Council decline Application No. 00739 for the property located at 1244 Wharf Street.

Respectfully submitted,



Miko Betanzo
Senior Planner – Urban Design
Development Services Division



Karen Hoes, Director
Sustainable Planning and Community
Development Department

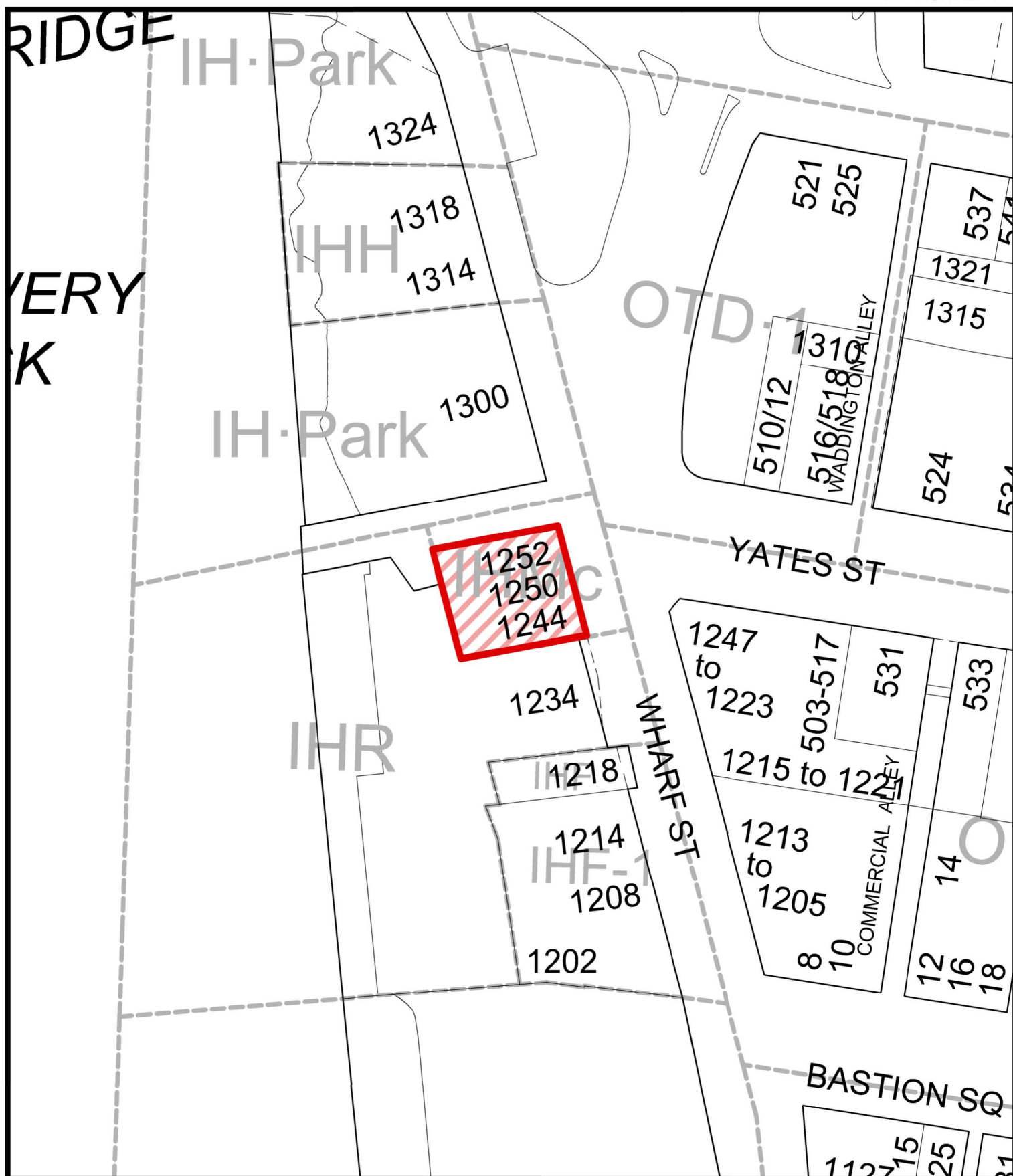
Report accepted and recommended by the City Manager:



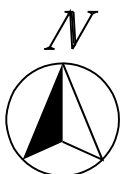
Date: September 22, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: As-built plans dated/date stamped June 9, 2020
- Attachment D: Letter from applicant to Mayor and Council dated May 26, 2020.



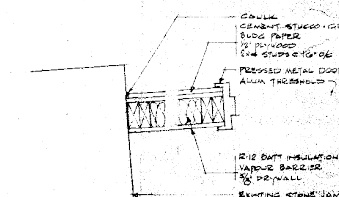
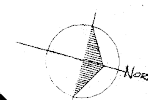
1244 to 1252 Wharf Street
Rezoning No.00739



1244 to 1252 Wharf Street
Rezoning No.00739



1. BREAK OUT & MAKE GOOD
EXISTING CONC FLOOR FOR
INSTALLATION OF NEW FOOTINGS.
2. REMOVE & MAKE GOOD EXISTING
DRYWALL CEILING FOR
INSTALLATION OF PLUMBING &
ELEC
3. SEE DWG A-3 FOR WALL
LEGEND
4. SEE STRUCTURAL DWGS FOR
LOCATIONS OF WOOD POSTS
BUILT INTO STUD WALLS

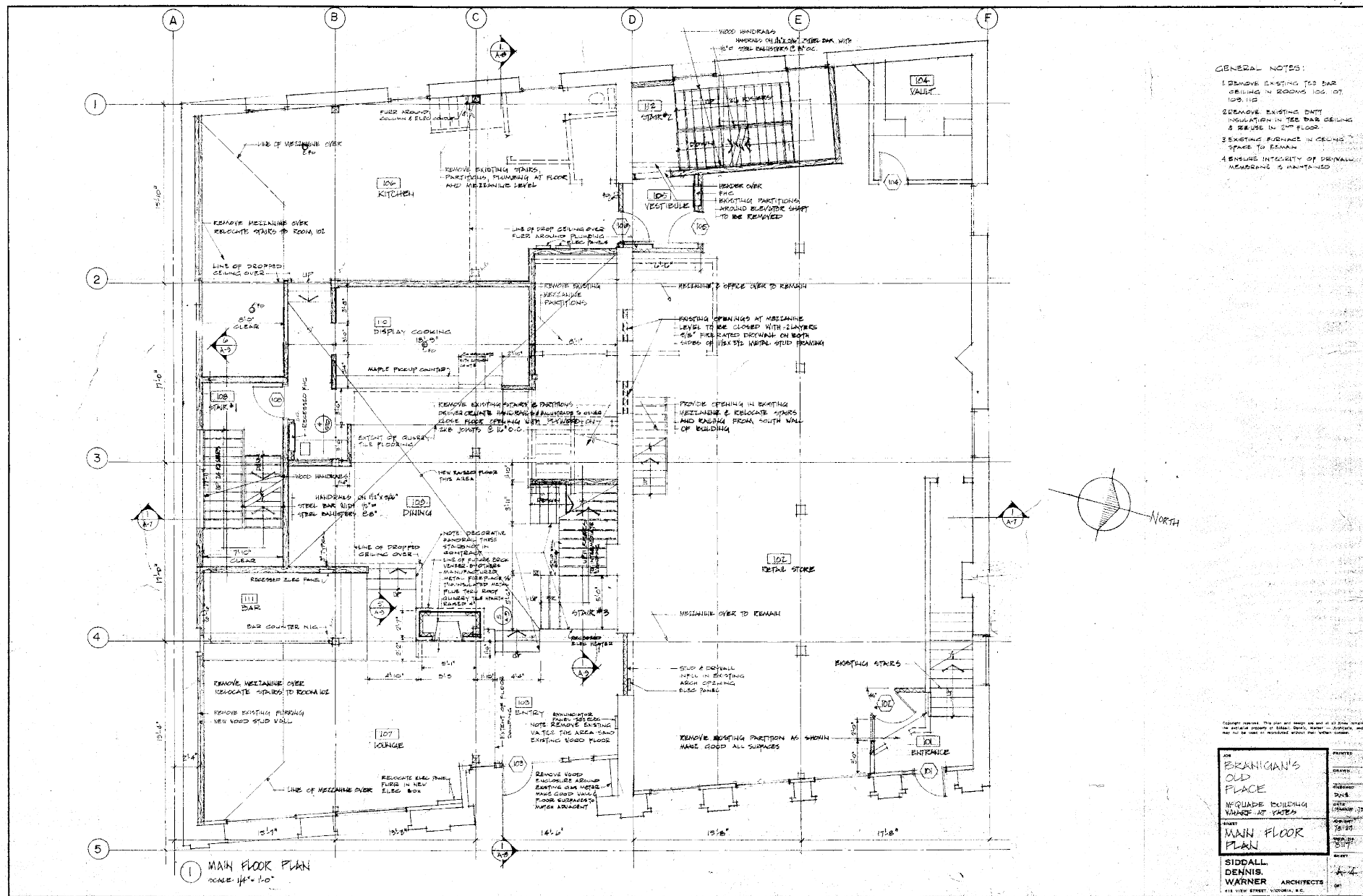


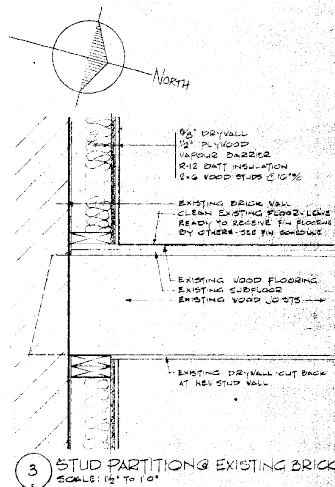
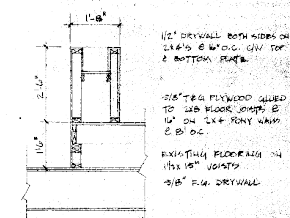
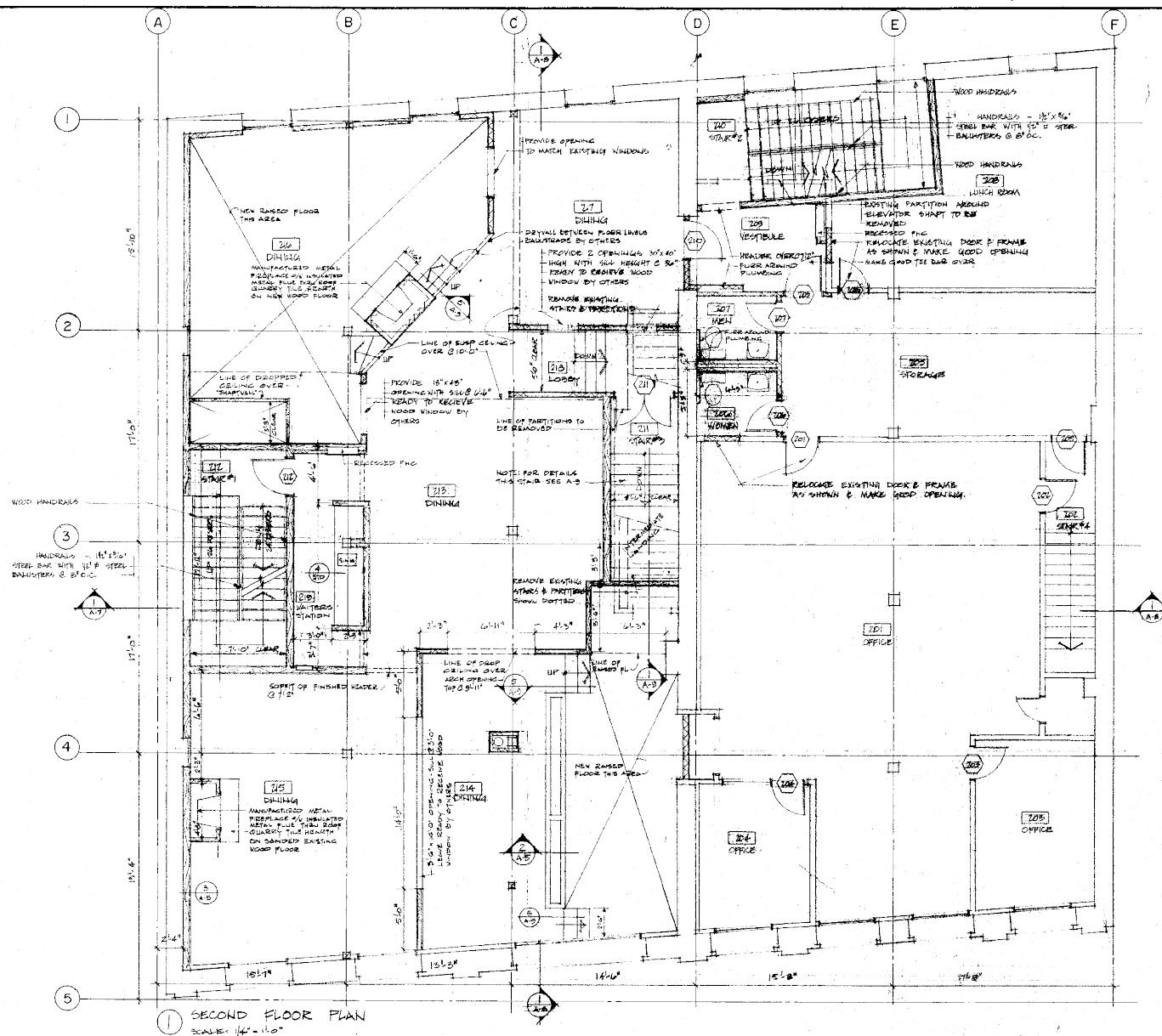
2 DOOR FRAME

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JOB	PRINTED
BRANIGAN'S OLD PLACE	SHEET
WAGLADE BUILDING VARNER AT PAGES	QUANTITY
	QUANTITY
	DATE
	WAGLADE
DATE	JAN 21
LOWER BASEMENT FLOOR PLAN	QTY. NO.
	QTY. NO.
	WAGLADE
SIDDALL DENNIS WARNER ARCHITECTS	DATE
311 AV. STEUBEN, WAGLADE	

① LOWER BASEMENT FLOOR PLAN
size: 16' x 16'



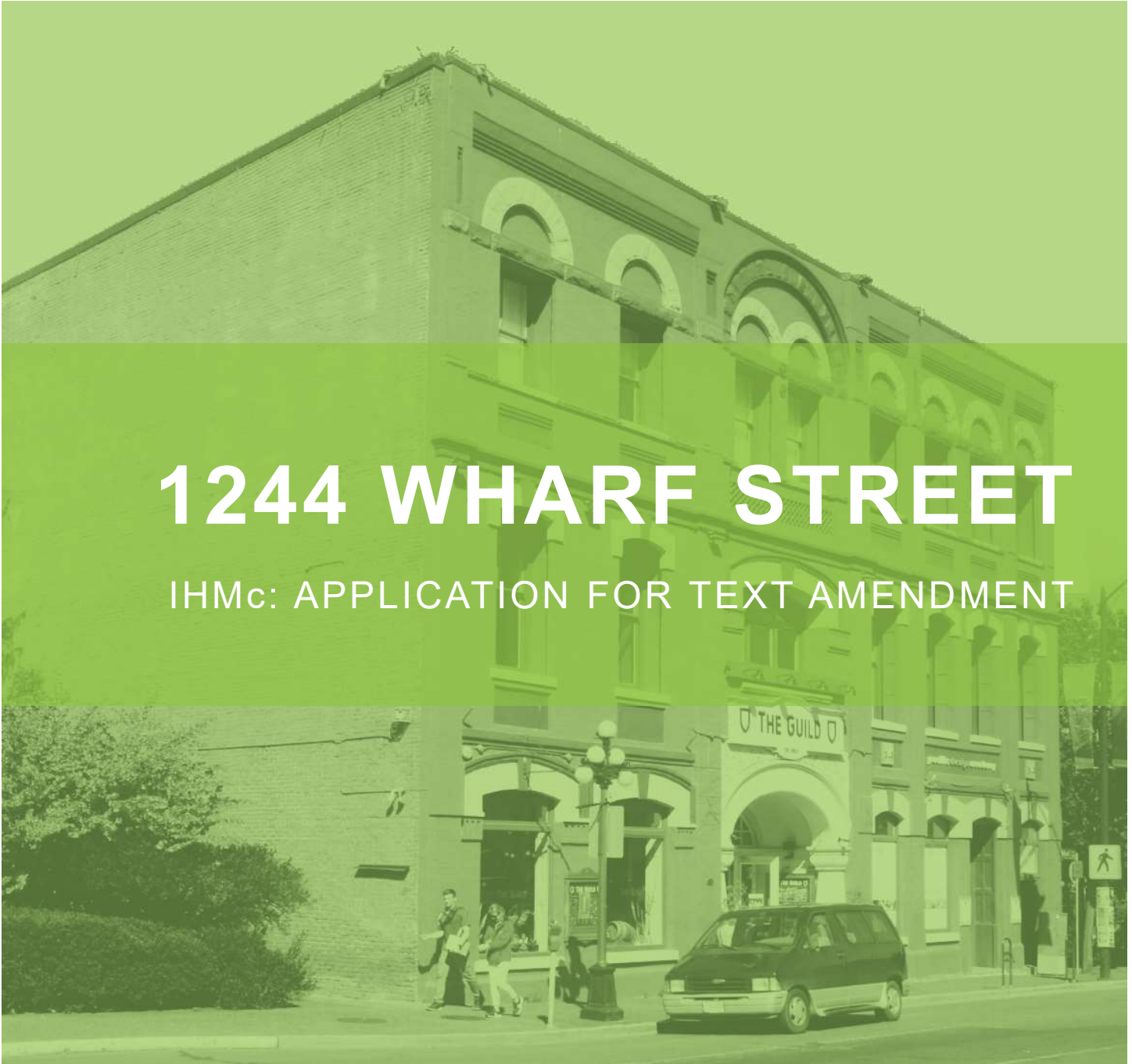


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<p>FOR BRANIGAN'S OLD PLACE 140 QUADRA WARREN AT YATES</p>	<p>PROJECT NO. 00000000 DRAWING 00000000</p>
<p>CLIENT SECOND FLOOR PLAN</p>	<p>PREPARED BY B.G.D.W. DATE MARCH 19 1987</p>
<p>PROJECT SIDDALL, DENNIS, WARNER ARCHITECTS 612 WEST STREET, VICTORIA, B.C.</p>	<p>DATE 18-87 SHEET NO. 5113 SHEET 1 OF 5 24"</p>

1244 WHARF STREET

IHM_c: APPLICATION FOR TEXT AMENDMENT



May 26th, 2020

City of Victoria
No.1 Centennial Square
Victoria BC V8W 1P6

Attn.: Mayor and Council
RE: Text Amendment Application for 1244 Wharf Street

Dear Mayor and Council,

Cascadia Architects is pleased to submit this application for a text amendment to the existing zone at 1244 Wharf Street on behalf of The Salient Group (the 'Applicant'). We are confident that this application is aligned with the objectives and policies of the Official Community Plan (OCP) and the Downtown Core Area Plan (DCAP), and is consistent with all relevant urban place guidelines and design guidelines.

The objective of this application is to create certainty of allowable uses in order to facilitate future works to revitalize and upgrade the existing heritage building on the site. This application does not seek additional storeys to the existing building. The intent for future works will be to work within the existing footprint of the building in order to activate it and contribute to the vibrancy of the area.

In preparing this application, the team has received preliminary input from City Planning staff and guidance from a heritage conservation specialist.



HISTORIC PHOTOGRAPHS OF THE EXISTING BUILDING

Description of the Proposal

Historically Significant Existing Structure

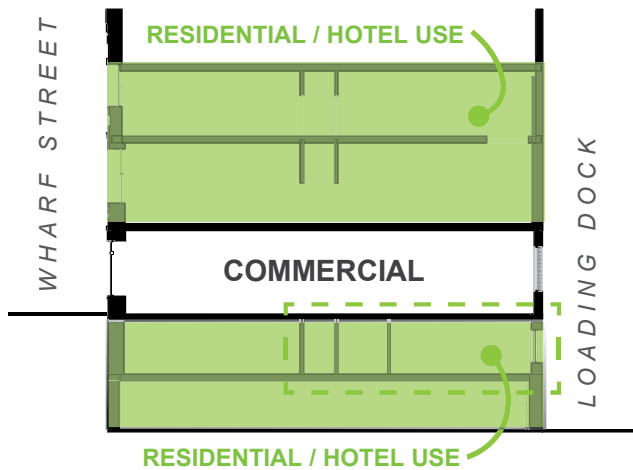
The site is located at the foot of Yates Street on the west side of Wharf Street, flanked by Reeson Park to the north, and the Victoria Regent Hotel to the south and the west. There is an existing dual aspect to the building located on the site, presenting a commercial frontage to Wharf Street and a harbour frontage to the water. The original building, with its rubble masonry foundation, was erected in 1882. Following this, an additional storey was added in 1892, with a large addition to the side in 1896. The random rubble stonework, brick masonry and load bearing masonry details, windows, decorative detailing, and iron shutters and doors, constitute significant character defining elements of the building. This building is compositionally significant to Old Town's layered, small scale historic fabric sloping upward from the water.

Rezoning Application Rationale

The site is currently underperforming as a meaningful destination within the Inner Harbour. Though it is partially occupied by a professional education centre, more than half of the building sits unoccupied. This proposed text amendment to the existing zone represents the Applicant's first steps in the path to renewing and revitalizing the building's significance in the Downtown Core. It is the Applicant's intention to proceed with an application to the City of Victoria's Tax Incentive Program (TIP) to revitalize and upgrade the property. The result will be the substantial rehabilitation of the site which celebrates the historic qualities of the building through the preservation, rehabilitation and restoration of its exterior, while simultaneously re-activating its use through the extensive renovation of its interior.

With the goal of achieving this aesthetic and functional revitalization, **the Applicant requests a text amendment to the existing IHMc zone to add hotel use to the uses already permitted in the zone, and to allow hotel and residential use *below* the Wharf Street frontage as well as *above* it.** A successful text amendment to the existing zone will align the site zone to the current zoning and uses in the surrounding area and with the objectives of the OCP. Given the uncertain economic environment at this time, it will also provide flexibility of use for the Applicant.

The intent of an approved hotel use will be to work with a hotel group operator. There is no intent to allow the operation of individual short-term vacation rental units, consistent with the City's recent policy updates that preclude short term vacation rentals.



The Applicant has taken care to ensure that the original intent of the zone, to preserve commercial use adjacent to Wharf Street, is retained with this proposed text amendment. Due to the unique site condition of buildings located along the west side of Wharf Street, there are two storeys situated below the Wharf Street frontage. It is our belief that the portion of the level located below Wharf Street oriented to the waterfront is appropriate for residential or hotel use without impacting the continuous commercial street frontage associated with Wharf Street. This is an important element in activating the existing floor area and allowing for new use in this lower portion of the building.

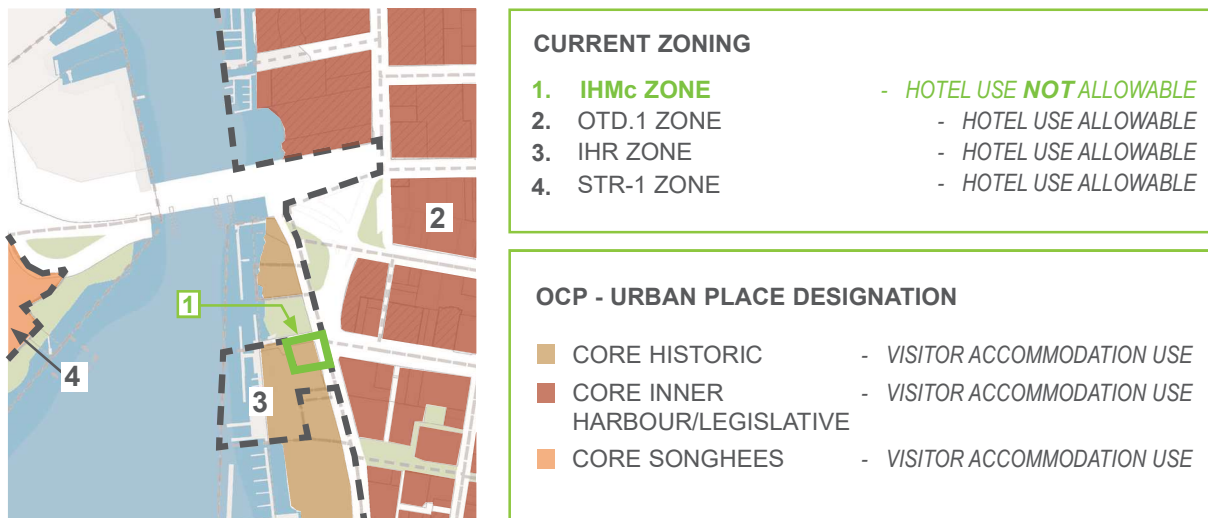
A successful text amendment application will enable the Applicant to further a design and economic analysis with certainty. It should be noted that all future development of this concept will occur within the framework of the City's Heritage Alteration Permit (HAP) application process and will utilize the Standards and Guidelines for the Conservation of Historic Places as a guide to meaningfully rehabilitate and/or restore the character defining elements of the building. A heritage consultant has already been retained for this project and will continue to provide consultation and direction.

Government Policies

The broadening of the zone to include hotel use and the associated renewal of the existing building that this rezoning allows is in conformance with the OCP, DCAP, Old Town Design Guidelines, and the Standards and Guidelines for the Conservation of Historic Places. It supports their policies and objectives, particularly pertaining to the consideration of heritage value, and the perception of heritage property as a resource with value for present and future generations as described in the OCP.

The OCP states that the City of Victoria strives to work with partners to attract jobs, residents and visitors to Victoria by promoting a new image as a vibrant, diverse and creative city in a maritime setting, while retaining the importance of heritage, history and tradition in defining Victoria's character. This proposal provides an excellent opportunity to successfully advance this objective, bringing modern purpose to a historically significant building located along the city's waterfront while simultaneously revitalizing its aesthetic and life safety performance.

The document also supports the clustering of tourist and visitor services in the Inner Harbour and Urban Core via the retention and enhancement of the mix of service, retail, offices, and visitor accommodation (among other uses) in the area, and the strengthening of Victoria's appeal to visitors through the enhancement of an attractive and vibrant waterfront. Again, the introduction of hotel use and the renewal of the existing structure on the 1244 Wharf Street site are in alignment with these objectives based on the site's urban place designation, its proximity to the Inner Harbour, and the existing building's historical significance.



The site, located in the Downtown Core Area, holds a Core Inner Harbour/Legislative Urban Place Designation, and is directly adjacent to the Core Historic Urban Place Designation. Visitor accommodation is one of the supported uses listed within the Urban Place Guidelines for both, which comprise the bulk of the area surrounding the site. There is a mix of zones surrounding 1244 Wharf Street, but many in close proximity to the site also support hotel use. These zones include the Old Town District-1 Zone, the Inner Harbour Regent District Zone, and the Songhees Transient Accommodation Residential District Zone. Amending the existing Inner Harbour McQuade zone to include this hotel use aligns the site with the objectives of the OCP and the zoning intent in the area.

Historic Revitalization

1244 Wharf Street is a heritage designated building. Future works proposed for the property will be pursued as an upgrading and revitalization of the existing historic building to serve two primary purposes.

Firstly, it will conserve and enhance heritage property, improving the visual identity and appearance of the city, both from Wharf Street and the waterfront. It will significantly contribute to the picturesque quality and character of the Inner Harbour District as well as to its economic vitality and vibrancy as

a tourist destination. The rehabilitation of this heritage designated property on a significant site in the Inner Harbour District will create a new tourist attraction and/or facility, supporting the visitors in the area while also contributing to the area's rich sense of place by creating a place that serves both to attract people and to benefit the community. In these ways, the zoning amendment will facilitate the celebration of an important piece of Victoria's architectural heritage and will enhance the Inner Harbour's prominence as a world class destination.

Secondly, the renewal of this historic building will improve its life safety systems, conserving its viability as an important element of the city's urban fabric moving forward. These works include improved fire sprinkler and life safety systems, structural performance, exiting, accessibility, ventilation, electrical distribution, and lighting.

In conclusion, the 1244 Wharf Street site holds significant value as a historic element which contributes to the rich sense of place in the Inner Harbour and the downtown core - however, it is in need of revitalization. We are confident that this text amendment application to existing zoning will provide a critical first step to enabling both a renewal and upgrade of the building, and a new use which will breathe life and vitality into the area as a whole.

In preparing this letter, the team has carefully considered the relevant OCP objectives and associated design guidelines which impact this site. We strongly believe that this text amendment will enable a meaningful contribution to the overall vibrancy of the Downtown Core Area and the Inner Harbour District. If you have any questions or require further clarification of any part of this application, please do not hesitate to contact our office.

Sincerely,

CASCADIA ARCHITECTS INC.



Peter Johannknecht, Architect AIBC, RAIC,
LEED AP
Principal



Gregory Damant, Architect AIBC, RAIC,
LEED AP
Principal

Dear Victoria Council & CALUC,

I live in a residential unit in the Regent next door to this proposed development. On first glance the proposal seems to fit into the pattern that has been established for use in our complex, however on closer examination I am not sure about the parking provisions. Certainly I would expect problems in our area if there were not enough parking places at least one for each hotel room and each residence. I suppose that could be in the basement of the development since there is access, even though limited at the back, below the building. Without adequate included parking then for sure I foresee problems for our neighborhood, and for tenants of the new development.

Have a wonderful day,
Gregg



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

September 21st, 2020

Re: 1244 Wharf Street, Yates Block – Rezoning Application

Dear Mayor Helps and Council,

Since May 2020, the DRA LUC has been in discussions with the Applicant, Mr. Robert Fung, and the City planning department regarding the proposed Rezoning at 1244 Wharf Street to “allow for hotel use and for residential uses to be permitted below the ground floor”.

Comments and concerns regarding the application at 1244 Wharf Street by the DRA LUC are as follows:

- Members appreciate the applicant’s recognition that the Yates Block is a valued historic building (erected in three stages between 1882 and 1896) and makes a significant contribution to the heritage character of Victoria's Inner Harbour Precinct.
- Members are satisfied that the applicant is not seeking additional storeys to the existing building.
- The applicant made verbal assurances that the Yates Block would undergo heritage restoration as part of this application, but the application does not make any firm commitments within this Rezoning Application.
- In the letter to the City, the applicant alludes to heritage restoration work on the building and states that the “intent” for future works will be to work within the existing footprint of the building. Since there has been no commitment made as part of this application for heritage restoration, the community has no assurances that future applications will uphold the stated intent.
- The applicant outlines in their letter of intent general descriptions of future work on the building as: “...preservation, rehabilitation and restoration of its exterior” and “extensive renovation of its interior”. The applicant has supplied no commitment or details of the work proposed on this designated heritage building. It is common practice, when considering a rezoning, to have these details provided or, in some cases, actually tied to the rezoning. There is substantial concern that a future Heritage Development Permit may result in another façadism project and Council will lack the necessary discretionary

- power to obtain the commitments for an appropriate rehabilitation of the building if that opportunity is missed during the Rezoning Application process.
- Members discussed the condition of the distinctive mural “Whaling Walls” by Robert Wyland on the northern façade and expressed concerns regarding its future and whether it will be restored or protected.
 - The applicant has provided assurances that the hotel use requested does not include short-term vacation rentals and the City has confirmed the use for STVRs is not permitted.

As a result of the new restrictions outlined by the City, no CALUC meeting took place for this proposal, so there has been no opportunity for the community to participate in any information sharing related to this project. Therefore, the community must rely on the relevant documents posted on the City’s Development Tracker. As per the interim process, the community is notified by mail that they have a 30-day period from the date the plans are submitted to the City. In this case, the Application Date is listed as 14 August. However, the DRA only received the notification on 26 August with a deadline of 14 September. It is presumed that members of the public received their notices on the same date; effectively providing only 19 days (10 working days) to read the information on the website, contact staff and/or the DRA LUC with questions, formulate a response and submit it to the City. We strongly suggest that this is insufficient time, particularly when the information on the Development Tracker is vague and unhelpful.

For this proposal, the information provided on the Development Tracker consists of two old site plans, some photos of the existing building and the applicant’s letter to the City. As such, the current process has not served the public interest when the City solicits community feedback, as the general public cannot provide an informed opinion when insufficient meaningful information has been supplied. We request that for all applications going forward, that a staff review report is posted on the Development Tracker before the 30-day period begins, as it provides greater clarity of information, context and background. To further inform the public it would also be appropriate to post any Staff Reports to Council, ADP and Heritage Advisory Panel to the Development Tracker as they become available.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ian Sutherland', with a stylized, flowing script.

Ian Sutherland
Chair Land Use Committee Downtown Residents Association

Rezoning Application No. 000739

1244 Wharf Street, Victoria, BC



1

Aerial Map



2

Existing Site



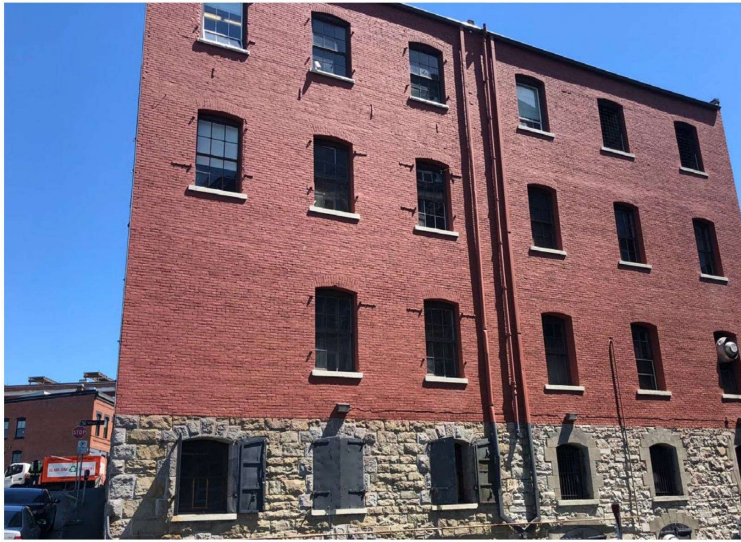
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Existing Site



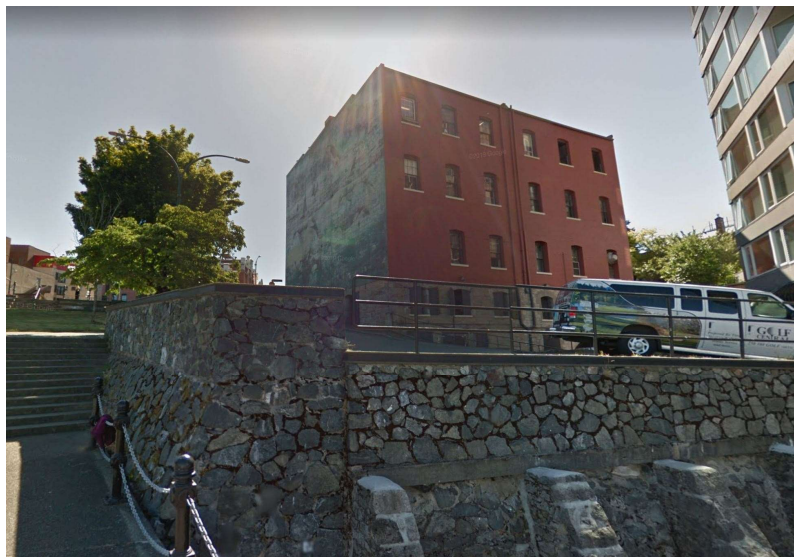
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Existing Site



5

Existing Site



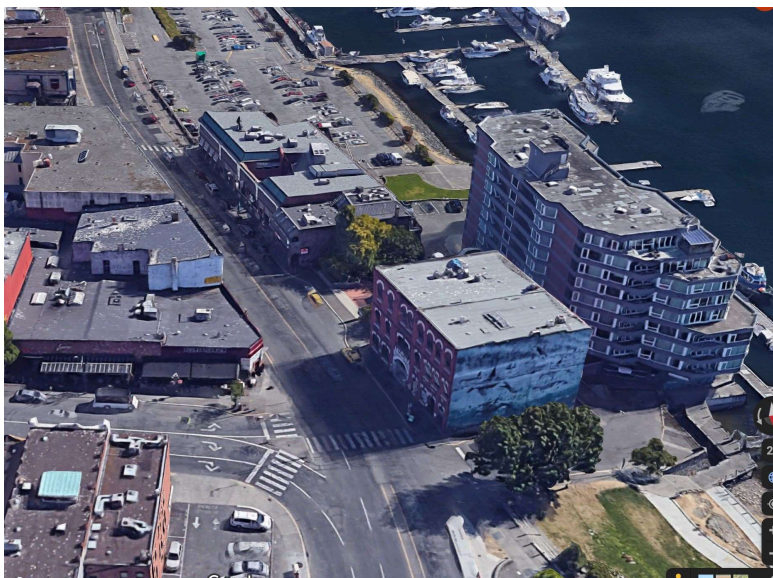
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Existing Site



7

Neighbouring Properties



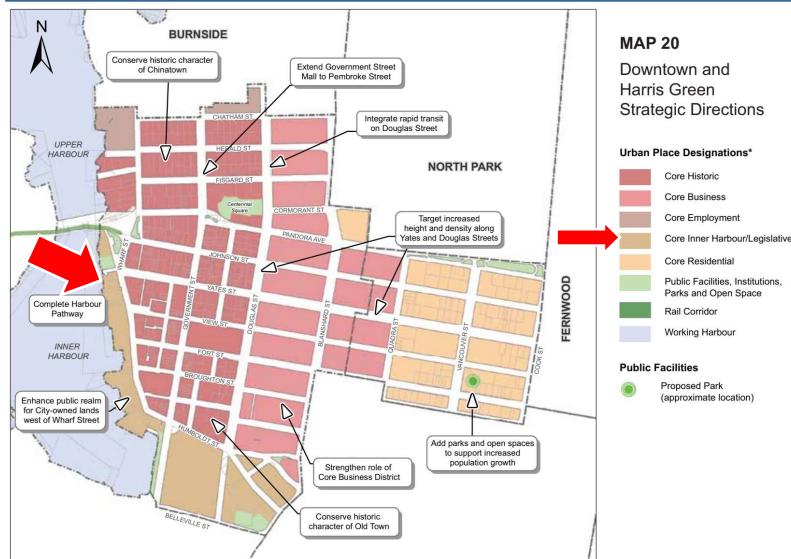
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Neighbouring Properties



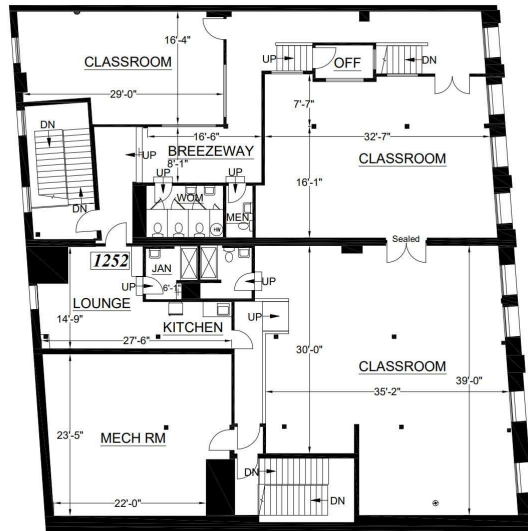
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OCP Map



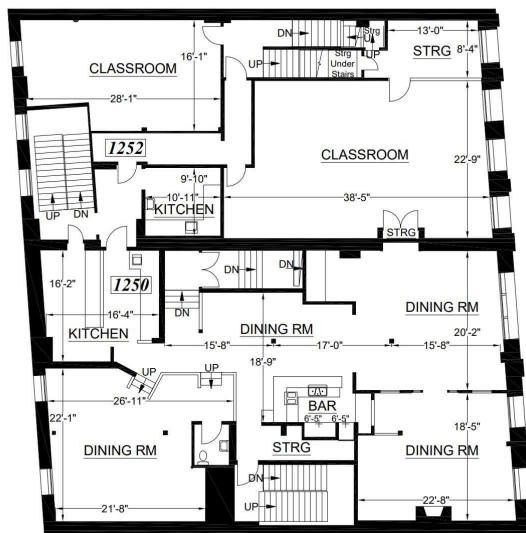
10

Plans – 3rd Floor



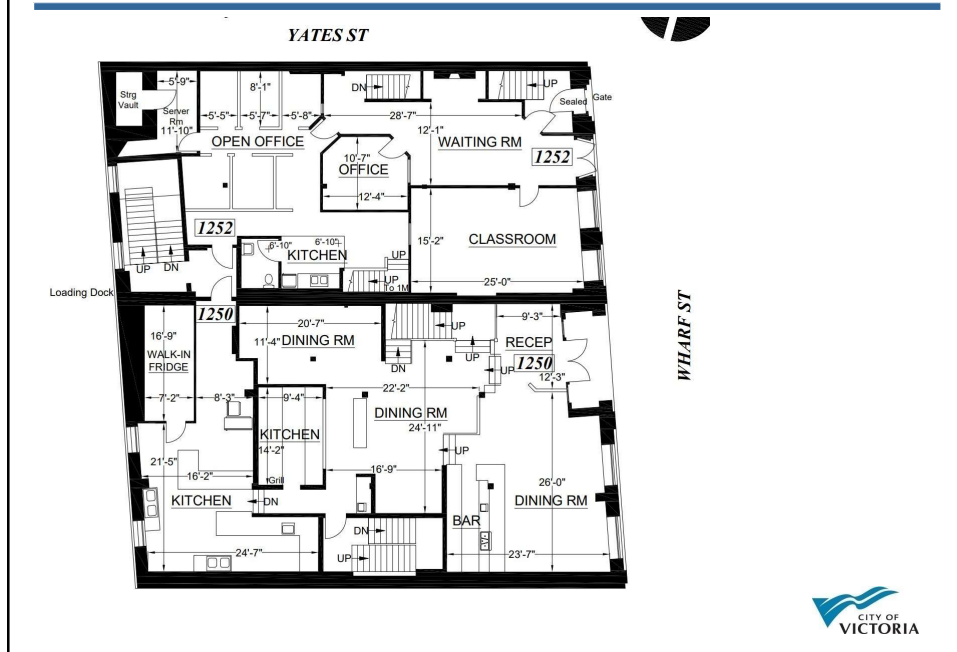
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Plans- Second Floor



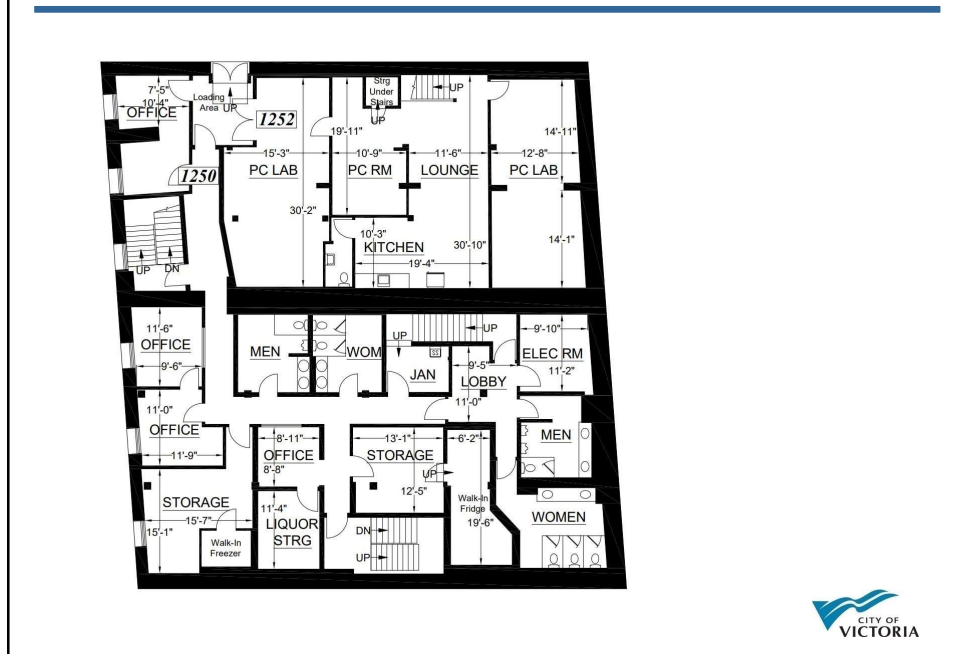
12

Plans – Ground Floor



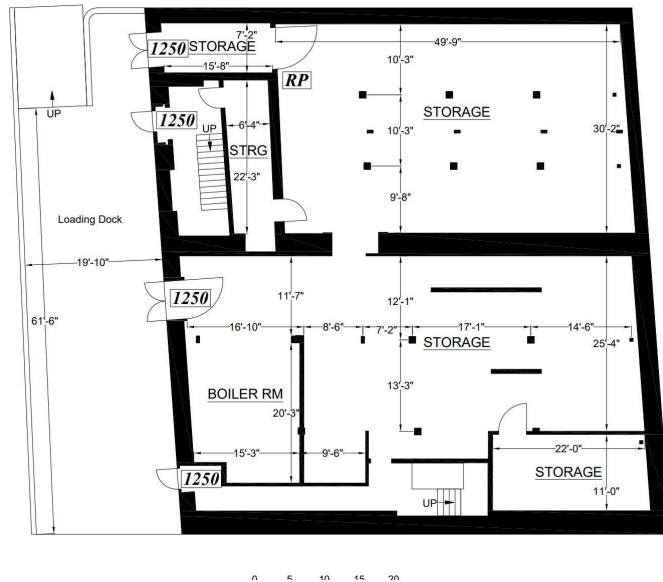
13

Plans- Basement



14

Plans- Basement Lowest Level



[REDACTED]

From: BTFinR roberts [REDACTED]
Sent: Saturday, May 22, 2021 1:06 PM
To: Public Hearings
Subject: PID: 027-882-853: Lot A, Lot 201, Victoria City PPlan VIP86556

Hello my name is Brad Roberts and i am messaging you regarding the rezoning of 1244,1250,1252 Wharf st.

I think we should leave this building as it is; I miss the history of old Victoria and the old Bard and Bankers building has more history than most other buildings left in Victoria. We need to be able to remember the past of Victoria of old and I think the City has destroyed more History in the last five years then they have protected. Just because the last operators of this location couldn't make a working restaurant. doesn't mean that it's a failed location. It just means they shouldn't have been in the restaurant business to begin with. besides, don't we have enough hotels in Victoria currently that have been suffering because of Covid? why do we need another one? I for one say let it be and find someone who actually knows how to run a kitchen to be in charge of bringing this piece of history back to life.

Thank you for hearing what I have to say;

Bradley Thomas Roberts.



ALLARD CONTRACTORS Ltd.
P.O. Box 47, Port Coquitlam, B.C. V3C 3V5



May 27, 2021

City of Victoria Mayor, Council and Legislative Services:

I am writing to you today in support of the proposed rezoning of the Chandler Building at 1244, 1250 and 1252 Wharf Street. Please add this letter to your May 27th Public Hearing File.

I am the former owner and operator of Hyack Air, located in front of the Victoria Regent Hotel and next to Reeson Park. My wife, my brother and I also all own units in the Regent, and we are elated to see something good happening with the Chandler building.

The Reeson Park area has been a concern for the Regent and for Hyack Air for many decades, and the disgusting state of the area, and specifically Reeson Park, has increasingly contributed to the reputation of the area as a hotspot for open drug use, petty theft, violence and general mischief. Hyack employees regularly had to clean graffiti on windows and walls, and especially on the mural of the DeHavilland Beaver on the north side of the Regent, and also had to do daily needle checks to make sure the area was safe for tourists to exit the waterfront.

Having spent many years dealing with the effects of the city turning a blind eye to the area, I am glad to see that City Hall is considering a rezoning of the Chandler building.

Sincerely,

James T. Allard, B.Sc.

Vice President

Allard Contractors

[REDACTED]

From: mark stevens [REDACTED]
Sent: Thursday, May 27, 2021 12:47 PM
To: Public Hearings
Subject: Joining Regulation Bylaw amendment NO 1243 - No 21-012

Dear Mayor and Council of the City of Victoria,

I am writing you in support of the development proposal and Re zoning Application for 1244, 1250, and 1252 Wharf Street.

I represent the Strata 962 Council otherwise The Victoria Regent building.

We as Council wish the new owner every success in the refurbishment and establishment of this important historic landmark property. The proposed Hotel and restaurant will add greatly to the beautification and prosperity of the Lower Yates and Wharf Street district (The Design District)

This opportunity will very much help in the restoration of civil behaviour in the Reeson Park and surrounding areas. We have been overwhelmed at times with badly behaved youth loitering and defiling, littering, fighting and openly engaged in drug peddling and use..

I commend the City of Victoria Police Department, City Works Department and the Greater Victoria Harbour Authority for their tireless work in dealing with these issues, however what is needed along with the ***Broken Window Theory*** is this very much needed Investment in this vital business district.

I thank you for your kind attention and wish you good and sound judgement!

Sincerely.

Mark. Stevens. Chair. VIS 962

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw for land known as 1244, 1250 and 1252 Wharf Street in the IHMc Zone, Inner Harbour McQuades District, to add a new hotel use as a permitted use, and to remove the location restriction for residential uses.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1243)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in PART 8.20 as follows:
 - i. in subsection 1(j), by removing the wording “located at least one floor above the grade at Wharf Street” and replacing with “not located on the first storey”;
 - ii. in section 1, by adding “(m) hotel” after subsection (l); and
 - iii. by adding the following new section 6 immediately after section 5:

“Definitions 6. Hotel means facilities offering transient lodging accommodation to the general public and may provide accessory uses such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels.”
- 3 The zoning for the land known as 1244, 1250 and 1252 Wharf Street, legally described as PID: 027-882-853 Lot A, Lot 201, Victoria City Plan VIP86556 and shown hatched on the attached map, is amended accordingly.

READ A FIRST TIME the	13th	day of	May	2021
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READ A SECOND TIME the	13th	day of	May	2021
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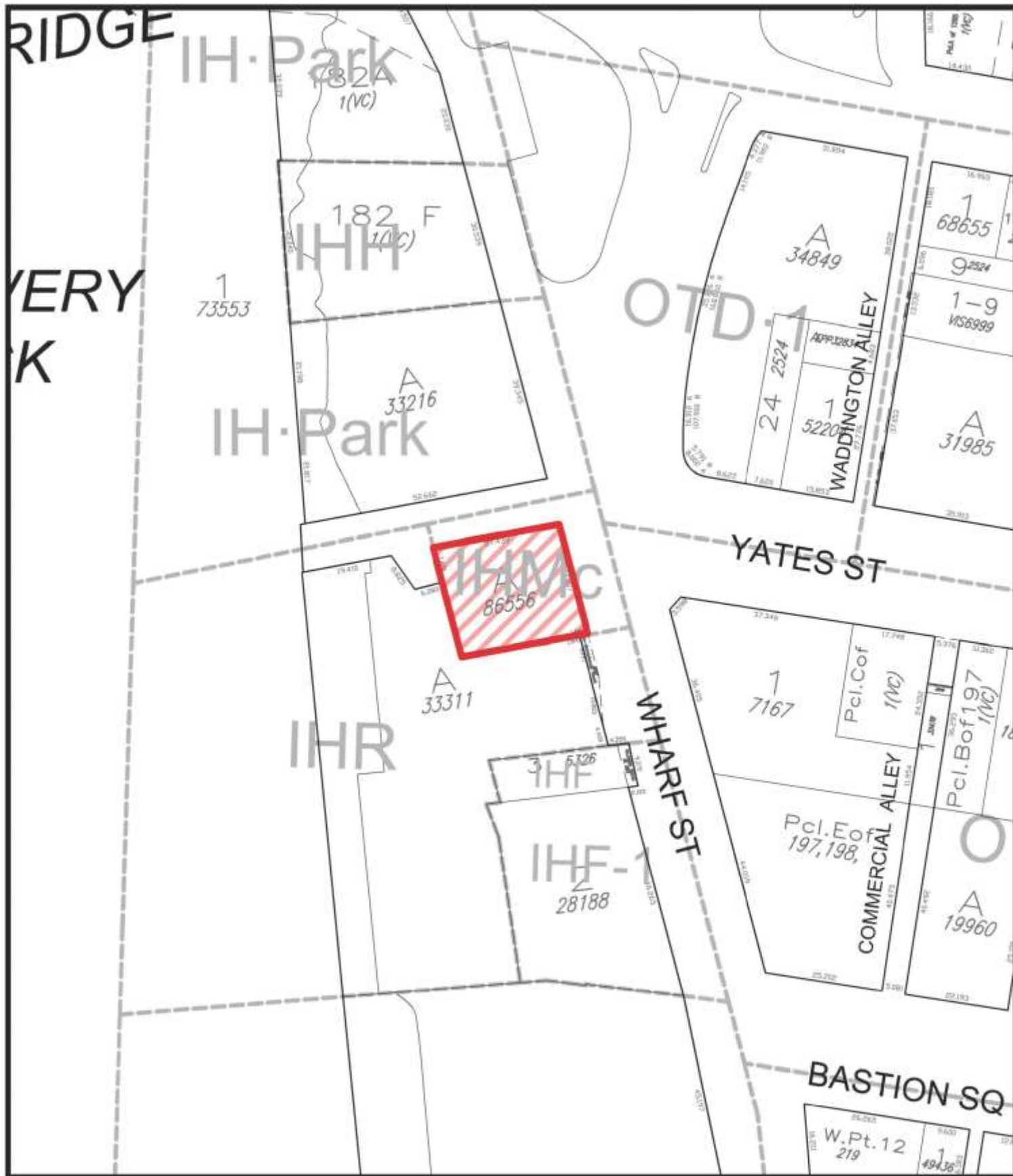
Public hearing held on the		day of		2021
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READ A THIRD TIME the		day of		2021
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ADOPTED on the		day of		2021
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CITY CLERK

MAYOR



1244 to 1252 Wharf Street
Rezoning No.00739



**F.1.a.c -123/125 Government Street: Development Variance Permit
Application No. 00252 (James Bay)**

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. 00252 for 123/125 Government Street in accordance with:

1. Plans date stamped October 2, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the required parking from two stalls to one stall;
 - ii. Reduce the setback requirement for a lower storey window on the side elevation (south) from 3.0 m to 2.4 m.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

G.4 123/125 Government Street: Development Variance Permit Application No. 00252 (James Bay)

Committee received a report dated February 26, 2021 from the Director of Sustainable Planning and Community Development regarding the proposed Development Variance Permit Application for 123/125 Government Street in order to reduce the parking requirement from two stalls to one and to reduce the required setback from a window on the lower level and recommending that it move forward to an opportunity for public comment.

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. 00252 for 123/125 Government Street in accordance with:

1. Plans date stamped October 2, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce the required parking from two stalls to one stall;
 - ii. Reduce the setback requirement for a lower storey window on the side elevation (south) from 3.0 m to 2.4 m.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of March 11, 2021

To: Committee of the Whole **Date:** February 26, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit Application No. 00252 for 123/125 Government Street

RECOMMENDATION

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. 00252 for 123/125 Government Street in accordance with:

1. Plans date stamped October 2, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the required parking from two stalls to one stall;
 - ii. Reduce the setback requirement for a lower storey window on the side elevation (south) from 3.0 m to 2.4 m.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 123/125 Government Street. The proposal is to reduce the parking requirement from two stalls to one and to reduce the required setback from a window on the lower level. This window already exists and the variance is needed to legitimize its placement in this location.

The following points were considered in assessing this application:

- The original dwelling on the subject parcel was constructed in 1906. There has been a number of changes to the original structure resulting in a complex history of approvals, which permitted the two-family dwelling in 1967 and further renovations in 2019.
- The applicant's desire to strata subdivide the building requires that zoning irregularities, are addressed, triggering the requirement for two variances as noted above.
- The reduction in required parking from two stalls to one is considered supportable as it is a small variance and the active transportation measures help mitigate the shortfall.
- The variance for an existing window on the lower level is supportable as it is minor in nature and does not create any privacy issues.
- No additional physical changes are proposed as part of this application as the changes to the original structure were undertaken under previous approvals.

BACKGROUND

Description of Proposal

The application is to reduce the required parking from two stalls to one and to formalize the placement of a bay window in the side yard that is already in situ. The bay window was inadvertently missed as requiring a variance during a previous approval process. This application is being triggered by the applicant's desire to strata subdivide the existing two-family dwelling and the process requires full compliance with the *Zoning Regulation Bylaw*. No new construction is proposed as part of this application.

Affordable Housing

The retention of an existing two-family dwelling maintains the variety of housing units in the area and the renovation enhances the quality of the supply. This two-family dwelling is occupied by members of the same family and no change in occupancy is anticipated at this time.

Sustainability

The retention and renovation of an existing building creates less construction waste. Permeable paving is in place for the driveway and parking stall.

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. The pathways and driveway are designed to be accessible.

Active Transportation

Although two-family dwellings are exempt from requiring bike parking, in this instance secure bicycle parking for use by the residents is proposed to be accommodated in the existing accessory building.

Public Realm

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

Relevant History

The existing dwelling was constructed in 1906 as a single-family dwelling and converted to a two-family dwelling in 1967. In 2019, the existing structure was raised to create more useable living space for each unit and the building was extensively renovated on all floors. At that time, a Board of Variance approval was obtained to allow for the additional building height. The additional setback variance required for the new bay window on the lower level would have been an appropriate variance for Board of Variance deliberation, however, it was not part of the application and therefore is now being considered as part of this Development Variance Permit application.

Data Table

The following data table compares the existing two-family dwelling with the R-2 Zone, Two Family Dwelling District. For clarity, it is noted that no further construction is considered on the subject property and the intent of the requested variances is to facilitate the strata subdivision of the existing two family dwelling.

An asterisk is used to identify where the proposal does not meet the requirements of the existing zone; two asterisks identify where this is an existing condition, and an explanatory note of approval history is provided.

Zoning Criteria	Proposal (Existing two-family dwelling)	R-2 Zone	Notes
Site area (m ²) – minimum	653	555	
Floor space ratio – maximum	0.49:1	0.5:1	
Height (m) – maximum	8.61**	7.6	Board of Variance granted approval in 2019 to allow additional height
Storeys – maximum	3**	1.5	Legal non-conforming - original structure
Site coverage (%) - maximum	29.8	40	
Setbacks (m) – minimum			
Front (Government Street)	6.38**	7.5	Legal non-conforming-original footprint
Rear	18.74	15.01	
Side (north)	1.88	1.52	
Side (south)	2.4*	3.0	Variance requested to accommodate existing bay window.

Zoning Criteria	Proposal (Existing two- family dwelling)	R-2 Zone	Notes
Combined side yards	4.74	4.5	
Vehicle Parking – minimum	1*	2	Variance requested

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, the application was referred to the James Bay Neighbourhood Association. No comments have been received to date.

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

The applicant has also canvassed the neighbours with respect to the parking variance and has provided petitions to support their application.

ANALYSIS

Official Community Plan and James Bay Neighbourhood Plan

The proposal is consistent with the *Official Community Plan*, 2012 (OCP) and *James Bay Neighbourhood Plan*, which both support maintaining a variety of housing types and tenures. The strategic directions for the James Bay area include to “enable adaption and renewal of existing building stock” (Policy 21.16.4). By considering and supporting minor variances to the existing two-family dwelling, these policy objectives are realized.

Zoning Regulation Bylaw

The proponent's plan to strata subdivide the existing two units, triggers the need to ensure full compliance with the *Zoning Regulation Bylaw* and formalize any irregularities. If the second dwelling unit is used as rental only, it does not trigger the need for an additional parking stall; however, an additional stall is required to facilitate the change in tenure. If the building qualified as a house conversion under Schedule G – House Conversion Regulations, it would not be required to provide any parking regardless of how many units were proposed; however, since there were modifications to the building in 2019 that added floor area and raised the building more than 0.6m (two feet), it does not qualify as a conversion until five years has passed. The following sections address the two proposed variances.

Parking Variance

Schedule C requires one parking stall per unit for two-family dwellings. Only one parking stall is provided on site. However, there is sufficient paved area in the front of house and a driveway to accommodate deliveries or short-term parking when required.

This section of Government Street is designated for resident parking only and creates opportunity for the occupants to use street parking when available. Further, the two units are existing, and therefore no change in the parking demand is anticipated as a result of strata titling the units.

The parking variance request may be partially mitigated by the active transportation measure, of including secure bicycle parking in the accessory building.

The site is also in close proximity to services and amenities within James Bay neighbourhood, which supports less reliance on vehicles.

Setback Variance

The side yard setback requirement is 3.0m and the bay window which was installed on the lower level as part of the 2019 renovations has a 2.4m setback. As such, a further variance is required. There are no overlook or privacy issues associated with the placement of this window as it provides light into a non-habitable area and there is adequate buffering from the adjacent neighbour. This variance is considered minor in nature and was inadvertently omitted from the Board of Variance application that considered the additional floor area and changes that were approved in 2019, hence the request to formalize its placement with this Development Variance Permit Application.

CONCLUSIONS

The application is consistent with policies within the *Official Community Plan*, which supports a diversity of housing types in each neighbourhood and further encourages the renewal of existing housing stock. The parking stall shortfall of one stall is supportable as mitigation measures are in place. The setback variance for a bay window is supportable as it does not create any privacy issues. The variances are minor in nature and are requested to create conformity with the applicable regulations to facilitate the strata subdivision of an existing building.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00252 for the property located at 123/125 Government Street.

Respectfully submitted,

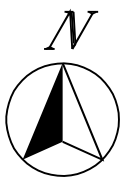
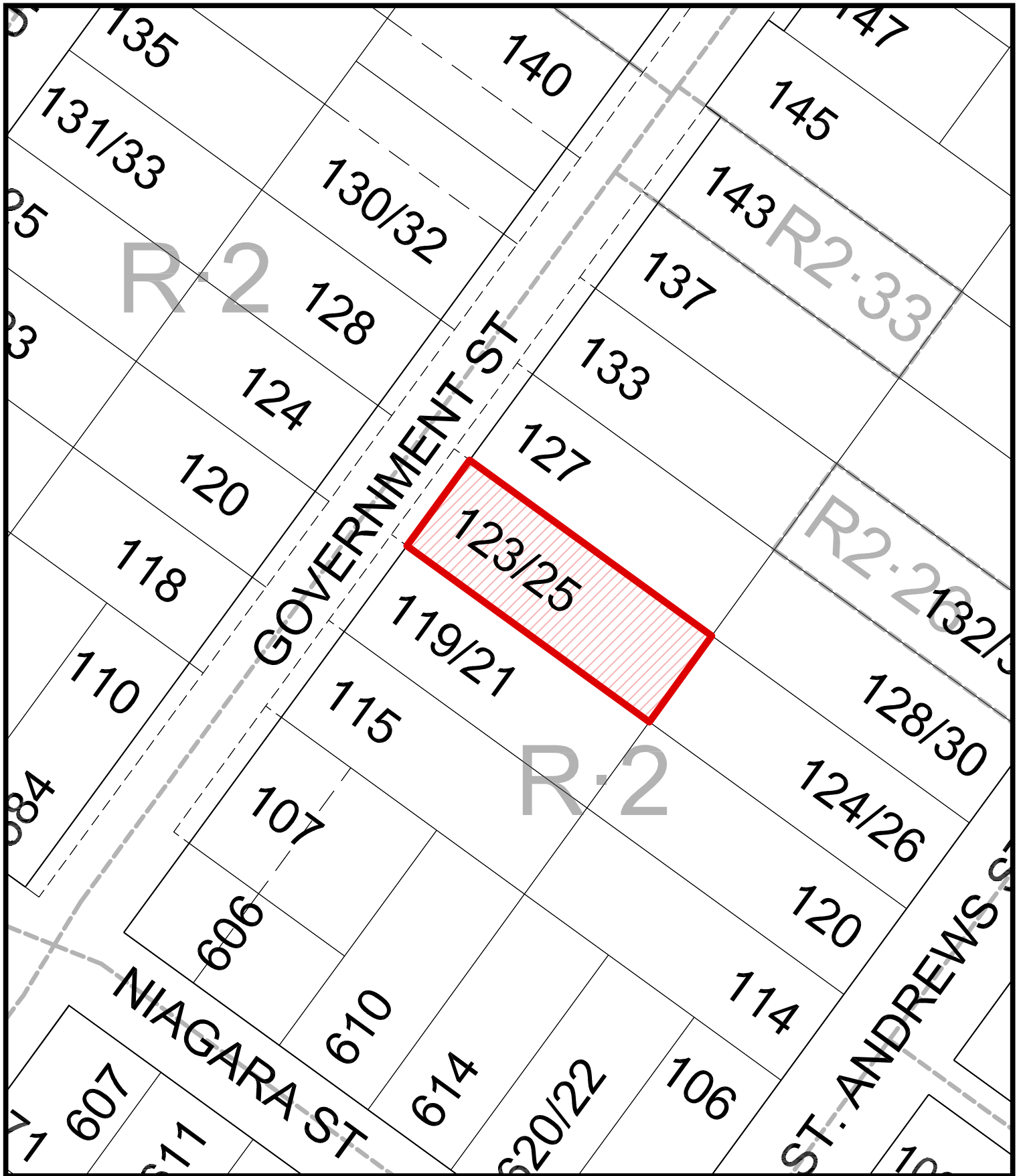
Lucina Baryluk
Senior Planner
Development Services

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

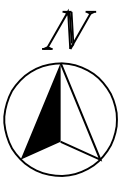
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped October 20, 2020
- Attachment D: Letter from applicant to Mayor and Council dated August 24, 2020
- Attachment E: Correspondence – petitions submitted by agent on behalf of owner.



123 and 125 Government Street
Development Variance Permit No.00252





123 and 125 Government Street
Development Variance Permit No.00252



125 Government St.

VICTORIA, BC

PROPOSED PARKING VARIANCE:

PROJECT INFORMATION:

RESIDENTIAL DESIGNER: LATITUDE 48 DESIGN LTD.
ryan@latitude48design.com
778,977,4848

INTERIOR DESIGNER: MAVRIKOS DESIGN LTD.
250-852-9677

GENERAL CONTRACTOR: FLINTSTONES CONSTRUCTION LTD.
250,880,1188

STRUCTURAL ENGINEER: HEROLD ENGINEERING LTD.
250,590,4875

SURVEYOR: EXPLORER LAND SURVEYING INC.
250,381,2257

PROJECT ADDRESS:

SITE ADDRESS: 125 GOVERNMENT STREET

LEGAL DESCRIPTION: LOT 12, PLAN V1P786, SECTION 2,
LAND DISTRICT S7, BECKLEY FARM, EXC W 9 FT THEREOF

PROJECT SCOPE OF WORK:

PARKING VARIANCE - APPROVE THE EXISTING
GRANDFATHERED PARKING STATUS IN A STRATA DUPLEX

SHEET INDEX:

A0.0 COVER SHEET

A2.1 FOUNDATION & LOWER FLOOR PLAN

A2.2 MAIN & UPPER FLOOR PLAN

A3.1 SECTION & ROOF PLAN

A4.1 ELEVATIONS

A4.2 ELEVATIONS

A6.1 PERSPECTIVES

FLOOR AREA CALC. PER UNIT

SECOND FLOOR:	903 SF
MAIN FLOOR:	1150 SF
TOTAL UPPER UNIT:	2053 SF
LOWER FLOOR UNIT:	1404 SF

ZONING ANALYSIS:

ZONE: R-2

LOT AREA: 653.6m² REQUIRED PARKING - 2 STALLS

AVG. GRADE: 16.09m AVAILABLE PARKING - 1 STALL

ZONING REQUIREMENTS	ALLOWABLE	EXISTING
FLOOR SPACE RATIO (FSR):	0.50	0.49
GROSS FLOOR AREA (GFA):		
MAIN FLOOR (UNIT #1):	280.0m ²	106.9m ²
SECOND FLOOR (UNIT #1):		83.9m ²
LOWER FLOOR (UNIT #2):		130.5m ²
TOTAL:	326.8m ²	321.3m ²
SHED:	37.0m ²	35.3m ²

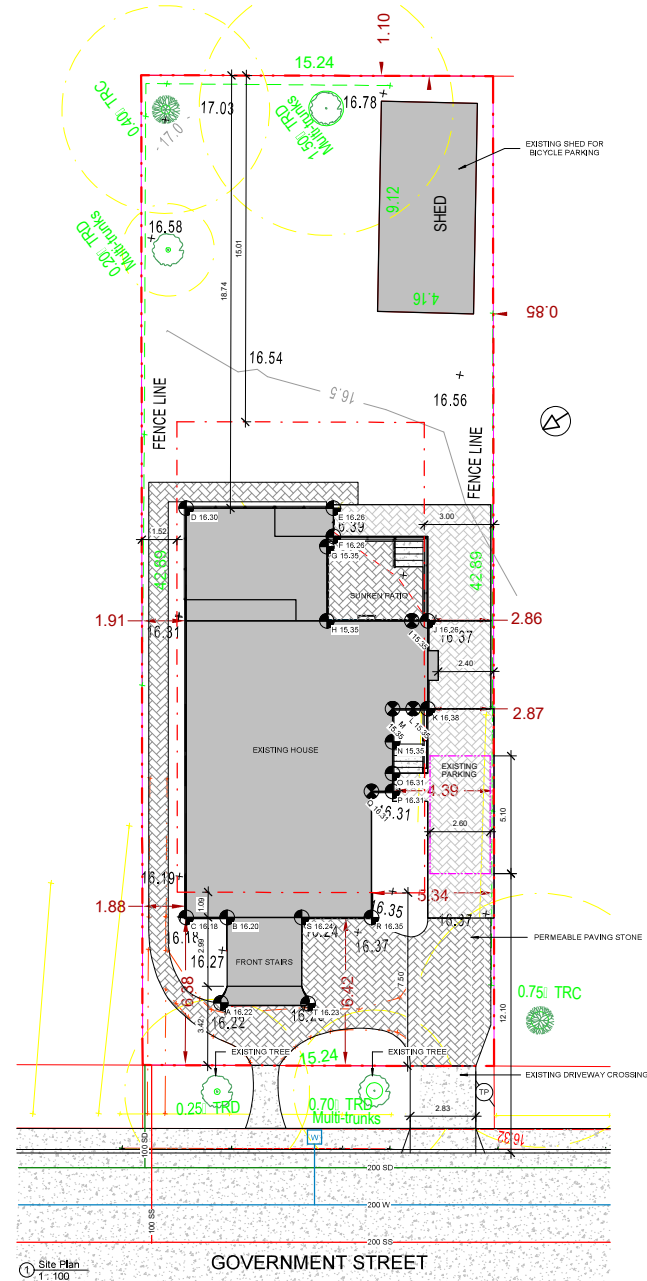
LOT COVERAGE:		
HOUSE:		157.1m ²
SHED:		38.0m ²
TOTAL:	40.0% (261.4m ²)	195.1m ²
HEIGHT:	7.60m	8.61m

SETBACKS:		
FRONT (NW):	7.50m	3.42m
BACK (SE):	15.01m (35%)	18.74m
SIDE (NE):	1.52m	1.88m
SIDE (SW):	3.00m	2.86m

COMMUNITY MAP



AVERAGE GRADE CALC.				
POINT	GRADE	AVG. OF POINTS	DBT. BETWEEN	TOTAL
A	16.22	A-B ((16.22 + 16.20) / 2)	3.79m	61.43
B	16.20	B-C ((16.20 + 16.18) / 2)	1.78m	28.82
C	16.18	C-D ((16.18 + 16.30) / 2)	17.73m	287.94
D	16.30	D-E ((16.30 + 16.26) / 2)	6.40m	104.18
E	16.26	E-F ((16.26 + 16.26) / 2)	1.22m	18.84
F	16.26			
G	15.35	G-H ((15.35 + 15.35) / 2)	3.45m	52.96
H	15.35	H-I ((15.35 + 15.35) / 2)	4.17m	64.01
I	15.35			
J	16.26	J-K ((16.26 + 16.26) / 2)	3.81m	61.95
K	16.38			
L	15.35	L-M ((15.35 + 15.35) / 2)	1.52m	23.33
M	15.35	M-N ((15.35 + 15.35) / 2)	2.79m	42.83
N	15.35			
O	16.31	O-P ((16.31 + 16.31) / 2)	0.79m	12.88
P	16.31	P-Q ((16.31 + 16.31) / 2)	0.91m	14.84
Q	16.31	Q-R ((16.31 + 16.35) / 2)	5.48m	85.16
R	16.35	R-S ((16.35 + 16.24) / 2)	3.04m	46.54
S	16.24	S-T ((16.24 + 16.23) / 2)	3.79m	61.53
T	16.23	T-U ((16.23 + 16.22) / 2)	3.78m	61.33
TOTAL			64.43m	1036.58
GRADE CALCULATION			1036.58 / 64.43m	16.09m



- GENERAL NOTE:
- It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of any work. The contractor is to ensure that all work is done in accordance with the design and specifications of the project. The contractor is to ensure that all work is done in accordance with the design and specifications of the project. The contractor is to ensure that all work is done in accordance with the design and specifications of the project.
 - All notes and details shown on the drawings are typical unless otherwise noted.
 - All designs, drawings, and specifications prepared by the designer shall be the property of the designer and shall remain the property of the designer. The designer shall not be responsible for any work completed or not completed in accordance with the design and specifications of the project.
 - All work is to comply with the latest version of the BC Building Act and the BC Building Code. The designer shall not be responsible for any work completed or not completed in accordance with the design and specifications of the project.
 - All changes or deviations on the drawings are the responsibility of the owner or contractor and must be forwarded to the designer for verification and review.
 - The contractor shall verify all dimensions and elevations prior to the commencement of any work. The contractor is to ensure that all work is done in accordance with the design and specifications of the project. The contractor is to ensure that all work is done in accordance with the design and specifications of the project. The contractor is to ensure that all work is done in accordance with the design and specifications of the project.

No.:	
By:	RW
Drawing Description:	Parking Variance
Date:	20/Aug/20

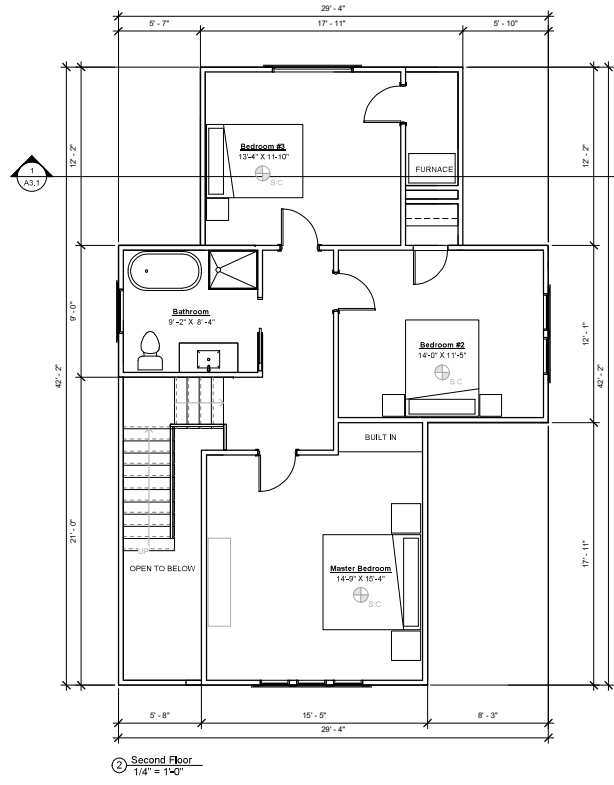
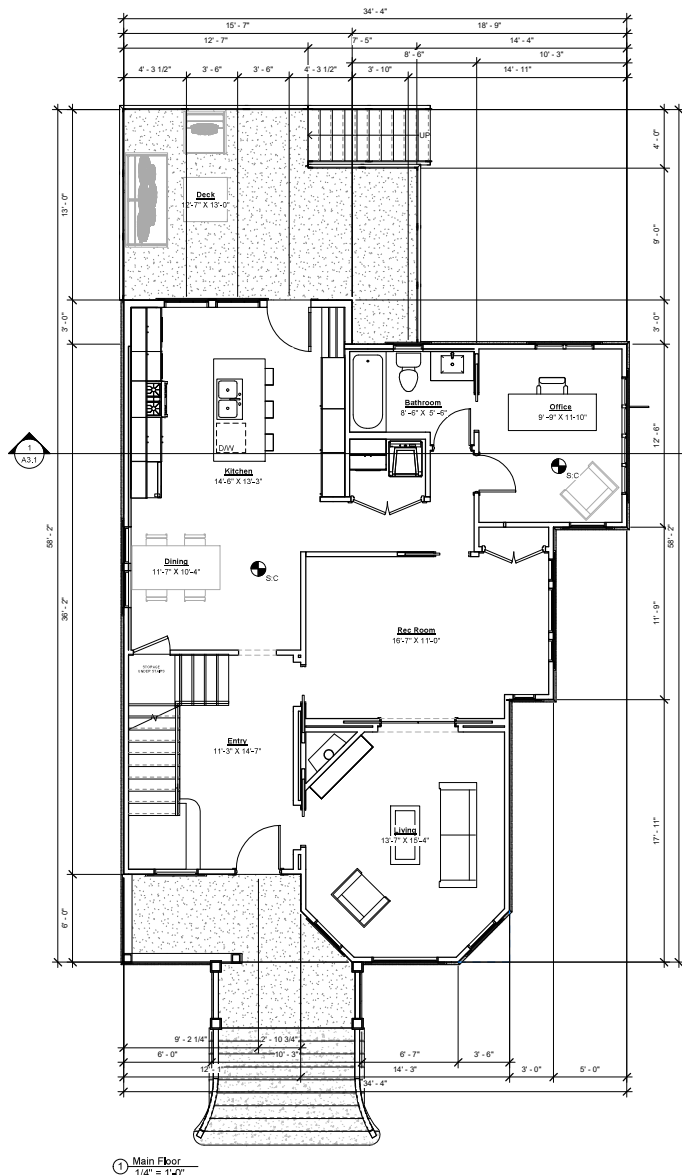


Project:
125 Government Street

Sheet Title:
Cover Page

Project No.:
18067

Sheet:
A0.0



- GENERAL FRAMING NOTES**
- ALL FRAMING TO BE IN ACCORDANCE WITH THE CURRENT BC BUILDING CODE.
 - ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE.
 - DOUBLE CRIPPLE STUDS TO BE USED ON ALL UNITS OVER 5 IN SPAN.
 - ALL WALL AND ROOF SHEATHING TO BE 1/2" PLYWOOD UNLESS NOTED OTHERWISE.
 - ALL UNITS TO BE MINIMUM 4x12 JOIST LUMBER UNLESS NOTED OTHERWISE.
 - ALL CONCRETE TO BE A MINIMUM 25MPa AT 28 DAYS.
 - END DRAWINGS WILL SUPERSEDE ALL ARCHITECTURAL NOTES AND DETAILS.
 - TYPICAL WINDOW & DOOR HEIGHTS:
LOWER FLOOR: 7'-0"
MAIN FLOOR: 7'-0"
SECOND FLOOR: 7'-0"
 - ALL EXPOSED LUMBER TO BE TREATED WITH AN INDUSTRY APPROVED PRESERVATIVE.

PLAN LEGEND

WALL
LINE OF ROOF OVER
LINE OF INTERIOR VAULT
LINE OF FLOOR OVER
LINE OF WALL BELOW
POST / COLUMN
ORDER TRUSS
DROP BEAM
FLASH BEAM
SMOKE/CARBON DETECTOR
DOOR SEE TAG
WINDOW SEE TAG
JOIST/Rafter SPAN DIRECTION

- GENERAL NOTES:**
- It is the responsibility of the contractor to verify all dimensions and elevations prior to the commencement of work. The contractor is to ensure that only the design of any items and regulations identified within the drawings are to be followed with the construction of the project. The contractor is to ensure that all dimensions and elevations are consistent with the design of the project.
 - All notes and details shown on the drawings are typical unless otherwise noted.
 - All designs, drawings and specifications prepared by the designer shall be in accordance with the current BC Building Code and all applicable laws and regulations. The contractor is to ensure that all work is completed in accordance with the design of the project.
 - All work is to comply with the latest version of the BCBC, local municipal bylaws, and provincial environmental regulations.
 - All changes or deviations are the responsibility of the owner or contractor and must be forwarded to the Designer for verification and review.
 - The Contractor shall work with an ASCE certified surveyor to confirm elevations, sight and placement of the proposed building or structure prior to commencing any work. The Designer is not responsible for any errors or omissions in regard to elevations, sight or placement of the building or structure. Any changes to the work shall be forwarded and confirmed with the surveyor prior to starting the project.

No.:	
By:	RW B
Drawing Description:	
Parking / Variance	
Date:	20/Aug/24



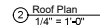
Project:
125 Government Street

Sheet Title:
Main & Upper Floor Plan

Project No.:
18067

Sheet:
A2.2

FLOOR AREA CALC. PER UNIT	
SECOND FLOOR:	903 SF
MAIN FLOOR:	1150 SF
TOTAL UPPER UNIT:	2053 SF
LOWER FLOOR UNIT:	1404 SF



GENERAL NOTES:

1. It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of work. The contractor or owner shall notify the designer of any errors and irregularities identified within the drawings prior to moving forward with the construction of the project. Commencement of construction constitutes acceptance of the drawings, acceptance of the existing site conditions, and that all dimensions and elevations have been verified and are acceptable for construction.
2. All notes and details shown on the drawings are typical unless otherwise noted.
3. All designs, drawings, and specifications prepared by the designer (including but not limited to) shall remain the property of the designer regardless of whether the work was completed or not.

project.

4. All Work to comply with the latest version of the BCDC, local municipal bylaws, and provincial environmental regulations.

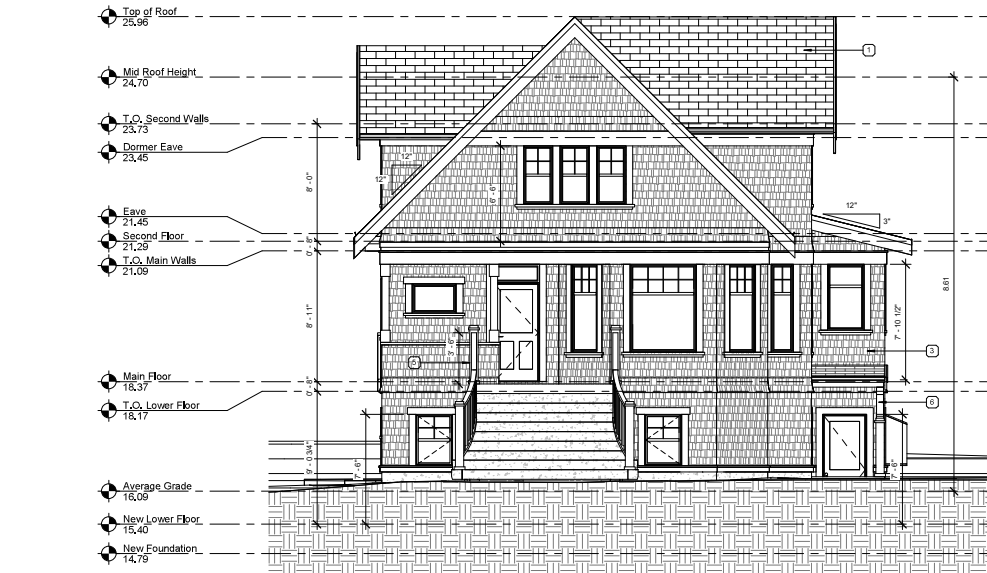
5. All changes or deviations are the responsibility of the owner or contractor and must be forwarded to the Designer for verification and review.

The Contractor will work with an ABCIS certified surveyor to confirm elevations, siting and placement of the proposed building or structure prior to commencing construction. The Contractor will be responsible for any encroachments in regards to elevations, siting, or placement of the building or structure. Any changes to the work shall be reviewed and coordinated with the surveyor prior to starting the project.

No.:

8

FLOOR AREA CALC. PER UNIT	
SECOND FLOOR:	903 SF
MAIN FLOOR:	1150 SF
TOTAL UPPER UNIT:	<u>2053 SF</u>
LOWER FLOOR UNIT:	1404 SF



SPATIAL SEPARATION CALCULATION
NORTH WEST - ELEVATION

AREA OF BUILDING FACE (ABF)	73.8m ²
LIMITING DISTANCE	6.0m
ALLOWABLE GLAZED AREA (AGA)	34.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m ²	(73.8m ² X 34%) =
AREA OF GLAZED OPENINGS PROPOSED	25.1m ²
PERCENTAGE OF GLAZED AREA PROPOSED	13.9m ²
	18.8%

ELEVATION NOTES

1	ASPHALT SHINGLE ROOFING
2	3-PLY MOD. BIT. ROOFING
3	SHINGLE SIDING
4	STONE VENEER
5	GUARD RAILING
6	PAINTED KNEE BRACE

EXTERIOR FINISH

WINDOW TRIM	2X6 PAINTED WOOD TRIM CW SLOPED TAPER CUT 2X4 SILL & 2X4 SUB SILL
DOOR TRIM	2X6 PAINTED WOOD TRIM
SOFFIT	CONTINUOUS VENTED WOOD SOFFIT
GUTTER	5" ALUMINUM GUTTER
BARGE BOARD	2X12 PAINTED WOOD TRIM BOARD CW 1X4 SUB TRIM
FASCIA BOARD	2X6 PAINTED WOOD TRIM BOARD
BELLY BAND	2X6 PAINTED WOOD TRIM
GABLE SOFFIT BANDS	2X10 PAINTED WOOD TRIM BOARD

SPATIAL SEPARATION CALCULATION
SOUTH WEST - ELEVATION - AREA 1

AREA OF BUILDING FACE (ABF)	18.4m ²
LIMITING DISTANCE	2.8m
ALLOWABLE GLAZED AREA (AGA)	22.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m ²	(18.4m ² X 22%) =
AREA OF GLAZED OPENINGS PROPOSED	4.3m ²
PERCENTAGE OF GLAZED AREA PROPOSED	22.0%

SPATIAL SEPARATION CALCULATION
SOUTH WEST - ELEVATION - AREA 2

AREA OF BUILDING FACE (ABF)	25.8m ²
LIMITING DISTANCE	4.0m
ALLOWABLE GLAZED AREA (AGA)	39.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m ²	(25.8m ² X 39.0%) =
AREA OF GLAZED OPENINGS PROPOSED	10.1m ²
PERCENTAGE OF GLAZED AREA PROPOSED	25.1%

SPATIAL SEPARATION CALCULATION
SOUTH WEST - ELEVATION - AREA 3

AREA OF BUILDING FACE (ABF)	39.8m ²
LIMITING DISTANCE	5.0m
ALLOWABLE GLAZED AREA (AGA)	50.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m ²	(39.8m ² X 50.0%) =
AREA OF GLAZED OPENINGS PROPOSED	20.2m ²
PERCENTAGE OF GLAZED AREA PROPOSED	6.7m ²
	16.8%

- GENERAL FRAMING NOTES:**
1. ALL FRAMING TO BE IN ACCORDANCE WITH THE CURRENT BC BUILDING CODE.
 2. ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE.
 3. DOUBLE CHIMNEY STUCCO TO BE USED ON ALL WALLS OVER 2 IN. SPAN.
 4. ALL WALL AND ROOF SHEATHING TO BE 1/2" PLW WOOD UNLESS NOTED OTHERWISE.
 5. ALL UNITS TO BE MINIMUM 3/4" X 2 IN. LUMBER UNLESS NOTED OTHERWISE.
 6. ALL CONCRETE TO BE A MINIMUM 25MPa AT 28 DAYS.
 7. FIN. DRAWINGS WILL SUPERSEDE ALL ARCHITECTURAL NOTES AND DETAILS.
 8. TYPICAL WINDOW & DOOR HEIGHTS:
LOWER FLOOR 7'-0" VARIES
SECOND FLOOR 7'-0" VARIES
 9. ALL EXPOSED LUMBER TO BE TREATED WITH AN INDUSTRY APPROVED PRESERVATIVE.

PLAN LEGEND:

WALL	---
LINE OF ROOF OVER	---
LINE OF INTERIOR VAULT	---
LINE OF FLOOR OVER	---
LINE OF WALL BELOW	---
POST / COLUMN	+
GIRDER TRUSS	---
DROP BEAM	---
FLUSH BEAM	---
SMOKE/CO/IBO DETECTOR	⊙
DOOR SILE TAG (READS 45 28 770)	⊙
WINDOW SILE TAG (READS 45 37000)	⊙
JOIST/RAPTER SPAN DIRECTION	---

- GENERAL NOTES:**
1. It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of construction. The contractor is to ensure that the design of any areas and regulations identified within the drawings prior to moving forward with the construction of the project.
 2. All notes and details shown on the drawings are typical unless otherwise noted.
 3. All design, drawings, and specifications prepared by the designer shall be the responsibility of the owner or contractor and must be forwarded to the Designer for verification and review.
 4. All work is to comply with the latest version of the BCBC, local municipal bylaws, and provincial environmental regulations.
 5. The contractor shall work with an ASQ/Certified Surveyor to confirm elevations, and the placement of the proposed building or structure prior to commencing any work. Unless the Designer is not responsible for any structural elements in regards to foundation, siting, or placement of the building or structure. Any changes to the work shall be reviewed and confirmed with the designer prior to starting the project.

Date:	20/Aug/24	By:	RW	B
Drawing Description:				



Project:

125 Government Street

Sheet Title:

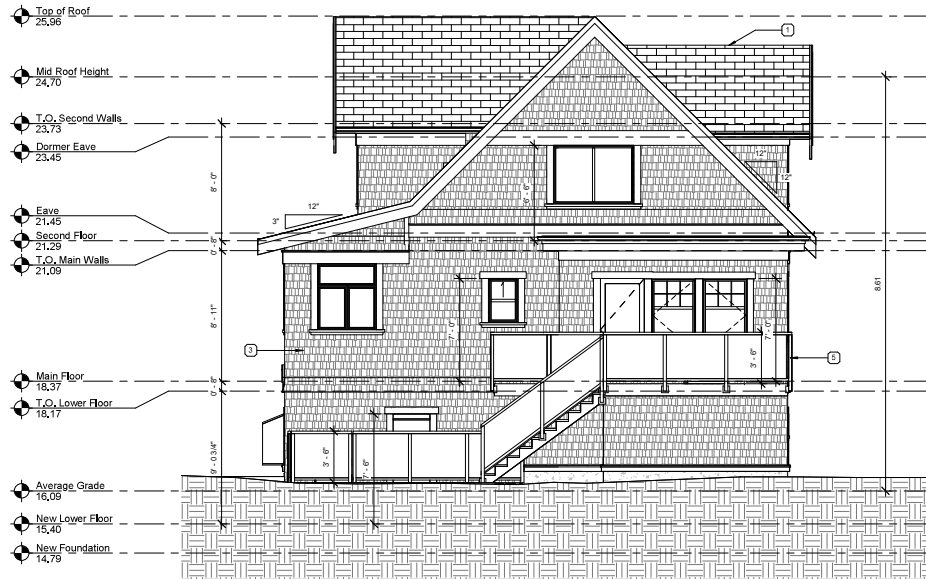
Elevations

Project No.:

18067

Sheet:

A4.1



① South East
1/4" = 1'-0"

SPATIAL SEPARATION CALCULATION SOUTH EAST - ELEVATION	
AREA OF BUILDING FACE (ABF):	75.4m ²
LIMITING DISTANCE:	22.0m
ALLOWABLE GLAZED AREA (AGA):	100.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m ²	75.4m ²
(75.4m ² X 1.00) =	
AREA OF GLAZED OPENINGS PROPOSED:	10.2m ²
PERCENTAGE OF GLAZED AREA PROPOSED:	13.5%

ELEVATION NOTES	
①	ASPHALT SHINGLE ROOFING
②	1/2" PLY WOOD, BIF. ROOFING
③	SHINGLE SIDING
④	STONE VENEER
⑤	GUARD RAILING
⑥	PAINTED KNEE BRACE

EXTERIOR FINISH	
WINDOW TRIM	2X6 PAINTED WOOD TRIM CW SLOPED TAPE
DOOR TRIM	2X6 PAINTED WOOD TRIM
SOFFIT	CONTINUOUS VENTED WOOD SOFFIT
GUTTER	5" ALUMINUM GUTTER
BAROE BOARD	2X10 PAINTED WOOD TRIM BOARD CW
FASCIA BOARD	2X6 PAINTED WOOD TRIM BOARD
BELLY BAND	2X6 PAINTED WOOD TRIM
GABLE SOFFIT	2X10 PAINTED WOOD TRIM BOARD
BANDS	

SPATIAL SEPARATION CALCULATION NORTH EAST - ELEVATION	
AREA OF BUILDING FACE (ABF):	88.4m ²
LIMITING DISTANCE:	1.8m
ALLOWABLE GLAZED AREA (AGA):	7.0%
(ABF) X (AGA) = ALLOWABLE GLAZED AREA m ²	6.2m ²
(88.4m ² X 0.07) =	
AREA OF GLAZED OPENINGS PROPOSED:	6.0m ²
PERCENTAGE OF GLAZED AREA PROPOSED:	6.8%

- GENERAL FRAMING NOTES**
- ALL FRAMING TO BE IN ACCORDANCE WITH THE CURRENT BC BUILDING CODE
 - ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE
 - DOUBLE Cripple studs to be used on all UNITS OVER 8' IN SPAN
 - ALL WALL AND ROOF SHEATHING TO BE 1/2" PLYWOOD UNLESS NOTED OTHERWISE
 - ALL UNITS TO BE MINIMUM 4" X 12" LUMBER UNLESS NOTED OTHERWISE
 - ALL CONCRETE TO BE A MINIMUM 25MPa AT 28 DAYS
 - END DRAWINGS WILL SUPERSEDE ALL ARCHITECTURAL NOTES AND DETAILS
 - TYPICAL WINDOW & DOOR HEIGHTS:
LOWER FLOOR: 7'0"
MAIN FLOOR: 7'0" (VARIABLE)
SECOND FLOOR: 7'0" (VARIABLE)
 - ALL EXPOSED LUMBER TO BE TREATED WITH AN INDUSTRY APPROVED PRESERVATIVE

PLAN LEGEND

- WALL
LINE OF ROOF OVER
LINE OF INTERIOR VAULT
LINE OF FLOOR OVER
LINE OF WALL BELOW
ORDER TRUSS
SHOP BEAM
FLUSH BEAM
SMOKE/CARBON DETECTOR
DOOR SEE TAG
(READ AS 2' X 7'0")
WINDOW SEE TAG
(READ AS 7'0" X 5'0")
JOIST/Rafter SPAN DIRECTION



- GENERAL NOTES:**
- It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of work. The contractor is to ensure that only the design of any areas and specifications outlined within the drawings are to be followed. Any deviations from the design are to be noted and approved by the designer prior to proceeding with the work.
 - All notes and details shown on the drawings are typical unless otherwise noted.
 - All design, drawings, and specifications prepared by the designer shall be the property of the owner or contractor and must be returned to the designer for verification and review.
 - All work is to comply with the latest version of the BCBC, local municipality, and all other applicable regulations.
 - The contractor shall work with an ASCE certified surveyor to confirm elevations, and placement of the proposed building or structure prior to commencing any work. Unless the Designer is responsible for the accuracy of the elevations to be shown, using or placement of the building or structure is to be the work of the contractor and confirmed only the surveyor prior to starting the project.

No.	By:	Rev	Date:	Drawing Description:	Parking Variance
			20/Aug/24		

Flintstones
DESIGN & BUILD

Project:
125 Government Street

Sheet Title:
Elevations

Project No.:
18067

Sheet:
A4.2



② North East
1/4" = 1'-0"



GENERAL NOTES:

1. It is the responsibility of the contractor or owner to verify all dimensions and elevations prior to the commencement of work. The contractor is to ensure that only the design of any items and regulations identified within the drawings prior to moving forward with the construction of the project. Construction of any structure constitutes acceptance of the drawings, acceptance of the existing site conditions, and means dimensions and elevations have been verified and are acceptable for the project.

2. All notes and details shown on the drawings are typical unless otherwise noted.

3. All designs, drawings, and specifications prepared by the designer constitute all design and shall be the project's design. All designs and drawings are subject to change without notice or without the work being completed or not. All work shall be done in accordance with the project.

4. All work is to comply with the latest version of the CBC, local municipalities, and provincial environmental regulations.

5. All changes or deviations are the responsibility of the owner or contractor and must be forwarded to the Designer for verification and review.

6. The contractor shall work with an ASCEI certified surveyor to confirm elevations, slope and placement of the proposed building or structure prior to commencing any work. Unless the Designer is responsible for any structural elements in regards to foundation, slope, or placement of the building structure. Any changes to the work shall be reviewed and confirmed with the designer prior to starting the project.

No.	By:	Drawing Description:	Date:
8	RW	Parking / Variance	20/Aug/24

Flintstones
DESIGN & BUILD

Project:
125 Government Street

Sheet Title:
Proposed Perspectives

Project No.:
18067

Sheet:
A6.1

August 24th, 2020

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

Dear Mayor & Council Members,

On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. submits the following application to the City of Victoria. The details and justification of our request are outlined below.

The Two-family dwelling at 125 Government Street is an existing 3 storey home that was built in 1906. It has recently undergone a substantial renovation improvement that established upper and lower dwelling units, with the current owner residing in one and close family members in the other. During the planning for the renovation, we established that the single available parking stall was grandfathered in place for a two family dwelling and was all that was needed between the two families given the location of the home to the downtown core.

The requirement for a parking variance comes as we move forward to strata title the two-family dwelling. As the City of Victoria defines a strata title as a change of use on the property, we lose our existing grandfathered status for the single parking stall. We require a parking variance due to the existing site restrictions to meet the current "Schedule C" parking requirements. Under the current bylaw, we would need to provide one parking stall per dwelling unit (two in total), which we cannot accommodate on this property.

Given the limitation on parking stalls, there is ample room within the existing shed to accommodate bicycle parking for each unit. Additionally, the walkability of the property to nearby shops, restaurants, and bus routes allows future owners to reconsider the need for a vehicle.

Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

RE: 125 Government Street – Parking Variance Application

To whom it may concern,

On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. will be submitting the following application to the City of Victoria Council. The details and justification of our request are outlined below.

The Two-family dwelling at 125 Government Street is an existing 3 storey home that was built in 1906. It has recently undergone a substantial renovation improvement that established upper and lower dwelling units, with the current owner residing in one and close family members in the other. During the planning for the renovation, we established that the single available parking stall was grandfathered in place for a two family dwelling and was all that was needed between the two families given the location of the home to the downtown core.

The requirement for a parking variance comes as we move forward to strata title the two-family dwelling. As the City of Victoria defines a strata title as a change of use on the property, we lose our existing grandfathered status for the single parking stall. We require a parking variance due to the existing site restrictions to meet the current "Schedule C" parking requirements. Under the current bylaw, we would need to provide one parking stall per dwelling unit (two in total), which we cannot accommodate on this property.

Given the limitation on parking stalls, there is ample room within the existing shed to accommodate bicycle parking for each unit. Additionally, the walkability of the property to nearby shops, restaurants, and bus routes allows future owners to reconsider the need for a vehicle.

Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: Karl Fritz / Monica Fritz
Date: Aug 27/20
Address: 3119 Glasgow St. Victoria B.C.
I support this Variance Application: Yes ☒ No ☐

Signature: 

RE: 125 Government Street – Parking Variance Application

To whom it may concern,

On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. will be submitting the following application to the City of Victoria Council. The details and justification of our request are outlined below.

The Two-family dwelling at 125 Government Street is an existing 3 storey home that was built in 1906. It has recently undergone a substantial renovation improvement that established upper and lower dwelling units, with the current owner residing in one and close family members in the other. During the planning for the renovation, we established that the single available parking stall was grandfathered in place for a two family dwelling and was all that was needed between the two families given the location of the home to the downtown core.

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Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: Derek Hawksley

Date: Aug 26/20

Address: 128 Government St.

I support this Variance Application: Yes ☒ No ☐

Signature: [Handwritten Signature]

RE: 125 Government Street – Parking Variance Application

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Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: CARY WRIGHT

Date: Aug 28 / 20

Address: 121 GOVERNMENT ST

I support this Variance Application: Yes ☒ No ☐

Signature: 

RE: 125 Government Street – Parking Variance Application

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Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: Colleen Butler

Date: Aug 26th / 2020

Address: 124 Government St

I support this Variance Application: Yes ☒ No ☐

Signature: 

RE: 125 Government Street – Parking Variance Application

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Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: Karen Froebe

Date: Aug 26, 2020

Address: 130 St Andrews St

I support this Variance Application: Yes ☒ No ☐

Signature: Karen Froebe

RE: 125 Government Street – Parking Variance Application

To whom it may concern,

On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. will be submitting the following application to the City of Victoria Council. The details and justification of our request are outlined below.

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Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: Monica Fritz

Date: Sept 10 / 20

Address: 3119 Glasgow St.

I support this Variance Application: Yes ☒ No ☐

Signature: Monica Fritz

RE: 125 Government Street – Parking Variance Application

To whom it may concern,

On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. will be submitting the following application to the City of Victoria Council. The details and justification of our request are outlined below.

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Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: Mauro Melo

Date: Sept 3/2020

Address: 120 Government St – owner.

I support this Variance Application: Yes ☒ No ☐

Signature: [Handwritten Signature]

RE: 125 Government Street – Parking Variance Application

To whom it may concern,

On behalf of the owners of 125 Government Street, Latitude 48 Design Ltd. will be submitting the following application to the City of Victoria Council. The details and justification of our request are outlined below.

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Thank you for your consideration and attention to this application.

Sincerely,
Latitude 48 Design Ltd.



Ryan Wyllie, TQ
Principal

Steve Parry

Name: CORIN O'CONNOR

Date: Sept 17/20

Address: 127 GOVERNMENT ST

I support this Variance Application: Yes ☒ No ☐

Signature: Corin O'Connor

1

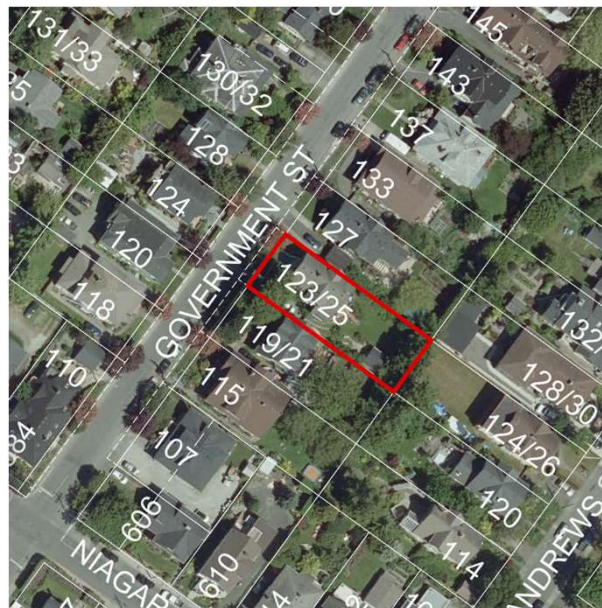
Development Variance Permit Application for 123/125 Government Street



1

2

Subject Map



2

Existing duplex – as constructed

3

Arrow indicates setback variance

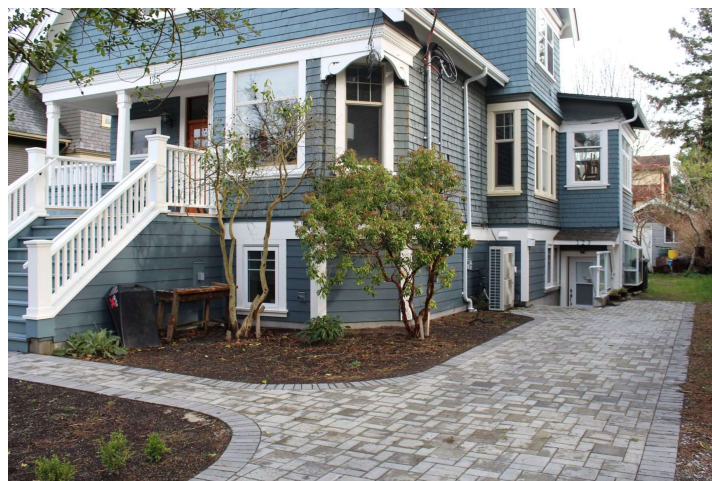


3

Existing duplex – as constructed

4

Driveway detail



4

**F.1.a.a 1250 Dallas Road: Development Variance Permit Application
No. 00254 (Fairfield-Gonzales)**

Moved By Councillor Andrew

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. 00254 for 1250 Dallas Road, in accordance with:

1. Plans date stamped January 25, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height of the accessory building from 3.5m to 4.73m
 - ii. increase the floor area of an accessory building from 37m² to 55.2 m²
 - iii. reduce the required vehicle parking from 7 stalls to 4 stalls.
3. One six space bicycle rack to be installed in the rear yard.
4. The Development Variance Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

E.1 1250 Dallas Road: Development Variance Permit Application No. 00254
(Fairfield-Gonzales)

Committee received a report dated April 1, 2021 from the Director of Sustainable Planning and Community Development regarding a Development Variance Permit Application for the property located at 1250 Dallas Road proposing to create additional floor area (loft area) in the existing accessory building.

Moved By Councillor Andrew

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. 00254 for 1250 Dallas Road, in accordance with:

1. Plans date stamped January 25, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height of the accessory building from 3.5m to 4.73m
 - ii. increase the floor area of an accessory building from 37m² to 55.2 m²
 - iii. reduce the required vehicle parking from 7 stalls to 4 stalls.
3. One six space bicycle rack to be installed in the rear yard.
4. The Development Variance Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of April 15, 2021

To: Committee of the Whole **Date:** April 1, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit No. 00254 for 1250 Dallas Road

RECOMMENDATION

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. 00254 for 1250 Dallas Road, in accordance with:

1. Plans date stamped January 25, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height of the accessory building from 3.5m to 4.73m
 - ii. increase the floor area of an accessory building from 37m² to 55.2 m²
 - iii. reduce the required vehicle parking from 7 stalls to 4 stalls.
3. One six space bicycle rack to be installed in the rear yard.
4. The Development Variance Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1250 Dallas Road. The property currently houses a five-unit residential strata development and one accessory building. The proposal is to create additional floor area (loft area) in the existing accessory building.

The variances are related to height and floor area of the accessory building. Due to the introduction of an internal staircase in the accessory building, the size of an existing parking stall

is reduced, and the stall no longer meets parking stall dimensions, which triggers a parking variance.

The following points were considered in assessing this application:

- The *Official Community Plan, 2012*, (OCP) identifies this site within the Traditional Residential urban place designation which supports a diversity of housing types.
- The Fairfield Neighbourhood Plan (2019) encourages a diverse mix of housing types and tenure and the retention and adaptive reuse of existing buildings.
- A Section 219 Covenant securing the design, exterior materials and landscaping of the development was secured as part of the 2017 rezoning process to allow the five-unit strata conversion. This application is consistent with that covenant and the covenant will remain in place.
- The accessory building is existing and the main change to the exterior of the building is the addition of shed dormers to provide adequate ceiling height for the loft area. The dormers do not have any windows, and, as such, do not create any privacy impacts.
- The proposed loft area added to the accessory building is intended to be an amenity space for residents, which will improve the liveability of the development.
- The previous approvals included a variance to reduce the vehicle parking from seven stalls to five stalls, which was considered sufficient for the five strata units within the principal building (one per unit). With the current proposal one stall within the garage does not meet the standards for stall length, however, this stall remains functional for a small car.
- The use of bicycles for transportation is encouraged by the following bicycle facilities: a six-space bike rack for short term use and six spaces for long term bicycle storage. These cycling facilities help to mitigate the parking variance.

BACKGROUND

Description of Proposal

The proposal is to create additional floor area within an existing accessory building. Specific details include:

- The inclusion of dormers in the accessory building is requested to provide adequate floor to ceiling height so this area can be used as an amenity area by the residents. The dormers and the reconstruction of the roof require a height variance to increase the height of the accessory building from 3.5m to 4.73m.
- The loft space will have a floor area of 19.2 m², which requires an increase to the allowable floor area of an accessory building from 37m² to 55.2 m².
- The existing accessory building on the subject parcel currently contains two parking stalls and an area designated for two bicycles (long term bike parking). With the reconfiguration of the accessory building, there will be space for three bicycles. In addition to this bicycle storage, there is a space within the principle building for the storage of three bicycles.
- Adding stairs within the garage, to access the loft space, reduces the size of one of the parking stalls, and, as such, the length of the stall does not meet bylaw standards of 5.1m reducing it to 2.695 m therefore triggering the requested variance.

Housing

A Housing Agreement is in place that ensures future Strata Bylaws do not prohibit the rental of units. This application does not affect this Housing Agreement, which will remain in place.

Sustainability

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

Public Realm Improvements

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

Active Transportation

The application will increase the amount of Class 1 bicycle parking stalls from five to six stalls. The six-stall bicycle rack for visitors (Class 2) will be installed in the rear yard.

Accessibility

The *British Columbia Building Code* regulates accessibility as it pertains to buildings. The landscape, pathways and hard surface parking area surrounding the building are designed to be accessible.

Existing Site Development and Development Potential

The site is in R1-41 Zone, Dallas Road Restricted Conversion District. This site-specific zone was adopted on August 10, 2017, to allow the current use of the property for five self-contained dwelling units and subsequent strata subdivision. No further development potential exists on the property under the current zoning.

The variances relate to the accessory building and to the parking, and the following data table compares the proposal with the *Zoning Regulation Bylaw*, Schedule F (Accessory Buildings) and Schedule C (Off-Street Parking). It is noted that the site-specific zone that was drafted for this property in 2017 applies the Schedule C - Parking Regulations and the recent updates that exempt House Conversions from requiring parking do not apply.

An asterisk is used to identify where the proposal does not meet the requirements of the existing regulations.

Accessory Building – Schedule F			
	Proposal	Bylaw standard	Existing at time of rezoning
Location	Rear yard	Rear yard	
Combined Floor Area (m ²) – maximum	55.2*	37	35.8
Height (m) – maximum	4.73*	3.5	3.56

Accessory Building – Schedule F			
	Proposal	Bylaw standard	Existing at time of rezoning
Setbacks (m) – minimum:			
Rear	5.35	0.6	
Side	1.54	0.6	
Separation space from principal building	2.43	2.4	
Rear yard site coverage (%) – maximum	16.50	25	

Parking Requirements – Schedule C			
	Proposal	Bylaw standard	Required at the time of rezoning
Vehicle parking - minimum	4*	7	5
Bicycle parking – short term (6 space rack)	1	n/a (existing building)	1 (not installed)
Bicycle parking stalls– long term	6	n/a (existing building)	5

Relevant History

Over the 100 years of the life of the main building, a number of transitions have occurred from a single-family dwelling to a duplex, to four suite rental building and finally to its current status today of a five-unit strata development. Over this time, the subject parcel has been the subject of a complex history of approvals.

In 2017, Council approved a rezoning of this property to a site-specific zone allowing a five-unit strata subdivision of the existing dwelling, as the proposal could not proceed under the House Conversion regulations in place at that time. The construction to create the five strata units was completed under appropriate permits in December 2018.

This site-specific zone created for the project (R1-41 Zone, Dallas Restricted Conversion District) provided specific regulations for the five-unit strata subdivision. However, for accessory buildings and parking requirements, the standard regulations applied and are therefore currently applicable: Schedule F for Accessory Buildings and Schedule C for Off-Street Parking Regulations.

In 2017, the following were included as part of the development:

- five Class 1 bicycle parking stalls (long term)
- a six-stall bicycle rack for short term visitor use
- an electric vehicle charging station.

The electric vehicle changing station and long-term bike parking have been installed. At this time, the bike rack has not yet been installed as the area for the bike rack has not been fully landscaped. However, the developer has created a space for it in the rear yard. The installation of this bike rack is noted in the staff recommendation and would be listed as a condition of the Development Variance Permit, should Council approve the application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on December 2, 2020 and January 25, 2021, the application was referred for a 30-day comment period to the Planning and Zoning Committee of the Fairfield Gonzales Community Association. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Official Community Plan

The *Official Community Plan, 2012* (OCP) identifies this site as being within the Traditional Residential urban place designation, which supports a diversity of housing types.

Fairfield Neighbourhood Plan

The Fairfield Neighbourhood Plan also supports a diversity of housing sizes, form and tenure. This property is within Sub-Area 3, where the well-established mix of housing types is recognized as contributing to the neighbourhood character.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no *Tree Preservation Bylaw* impacts with this application.

Regulatory Considerations

Height Variance for the Accessory Building

A height variance is requested for the existing accessory building. Schedule F of the *Zoning Regulation Bylaw* regulates the size and siting of accessory buildings. As this accessory building was existing at the time of the 2017 Rezoning Application and the subsequent strata subdivision, the accessory building has non-conforming status for its height. The height at that time was determined to be 3.56m, which is slightly over the maximum allowable height for an accessory building of 3.5m.

With the addition of dormers in the roof to allow for usable height in the loft area, the height is now calculated differently (from the mid-point of the shed dormers) and the new height is deemed to be 4.73m. At the roof peak, the actual increase in overall height is approximately 0.26m to allow for the reconstruction of the roof. From the public realm, this additional height will not have a significant impact.

The design of the dormers is complementary to the residence, which also has shed dormers. The dormers on the accessory building do not have windows and, as such, present no privacy issues.

Size of Accessory Building

As previously noted, the accessory building was in place at the time of the 2017 rezoning. The existing floor area is 35.8m². According to the project's architect, the loft area was in existence at the time of the rezoning, however, as it was not accessible it did not contribute to the floor area. By adding stairs to access the space and dormers to provide adequate ceiling height for use, an additional 19.4m² of floor area is added to the accessory building.

This additional floor area does not contribute to the building mass and provides usable amenity space for the occupants.

Parking Variance

Applying the current *Zoning Regulation Bylaw* parking standards to this project, seven parking stalls in total are required based on unit size, one of which is required for visitor parking. Currently, three surface parking stalls are provided in the rear yard and two stalls are provided in the accessory building. However, due to the inclusion of interior stairs in the accessory building to gain access to the loft area, one parking stall length has been reduced to 2.695m. The Bylaw standard length requirement is 5.1m. While reduced stall length may be functional for a small car, Schedule C of the *Zoning Regulation Bylaw* does not make provision for small car stalls.

While five parking stalls would be ideal for this development, as this would represent one per unit, four stalls are acceptable. The locational aspects of the project allow for walking and cycling access to outdoor recreation (Dallas Road and Beacon Hill Park) and services within Cook Street Village, which will lessen the reliance on vehicular trips.

CONCLUSIONS

Staff recommend that Council consider supporting the application. The proposed exterior changes to the existing accessory building are minor in nature and do not appreciably alter the mass of the building. There are no privacy impacts associated with addition of dormers in the existing accessory building, as there are no windows within the dormers. The proposal to allow additional floor area within the existing accessory building creates a functional amenity area for the residents and, as such, improves the liveability of the development. The parking reduction of one additional stall is supportable as adequate bicycle facilities are provided that will foster the use of bicycles by the residents.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00254 for the property located at 1250 Dallas Road.

Respectfully submitted,

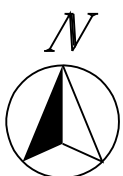
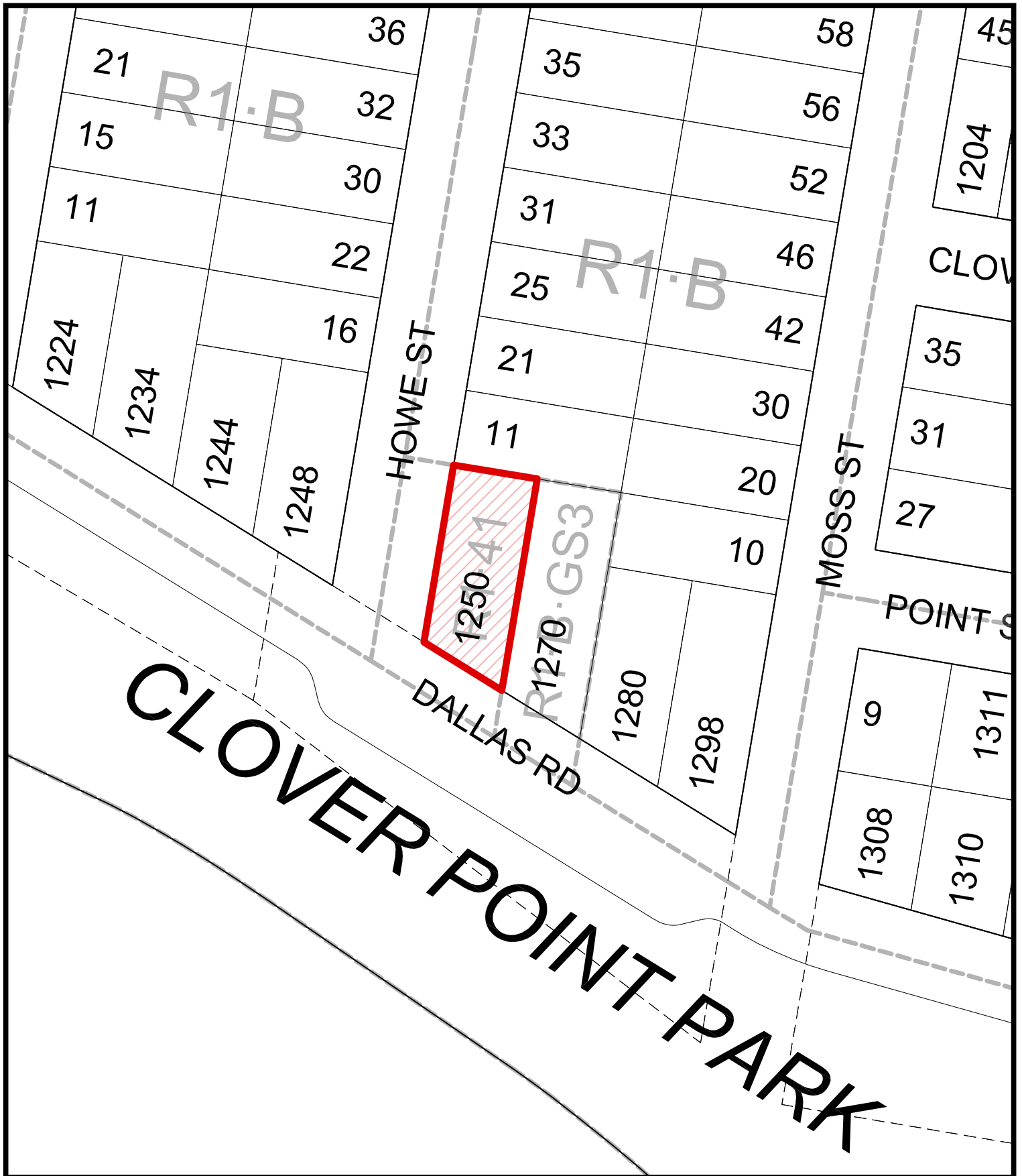
Lucina Baryluk
Senior Planner
Development Services

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

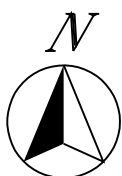
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 25, 2021
- Attachment D: Letter from applicant to Mayor and Council dated November 25, 2020 and December 10, 2020.



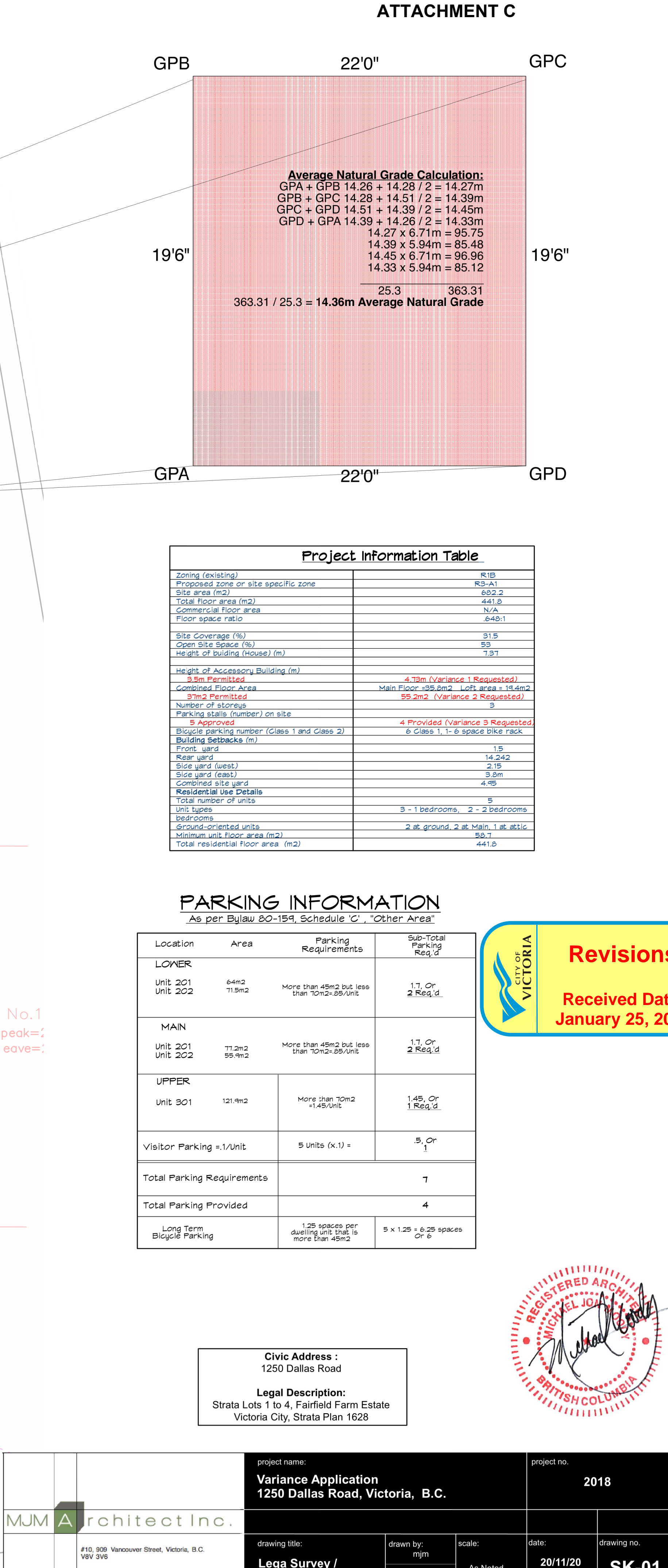
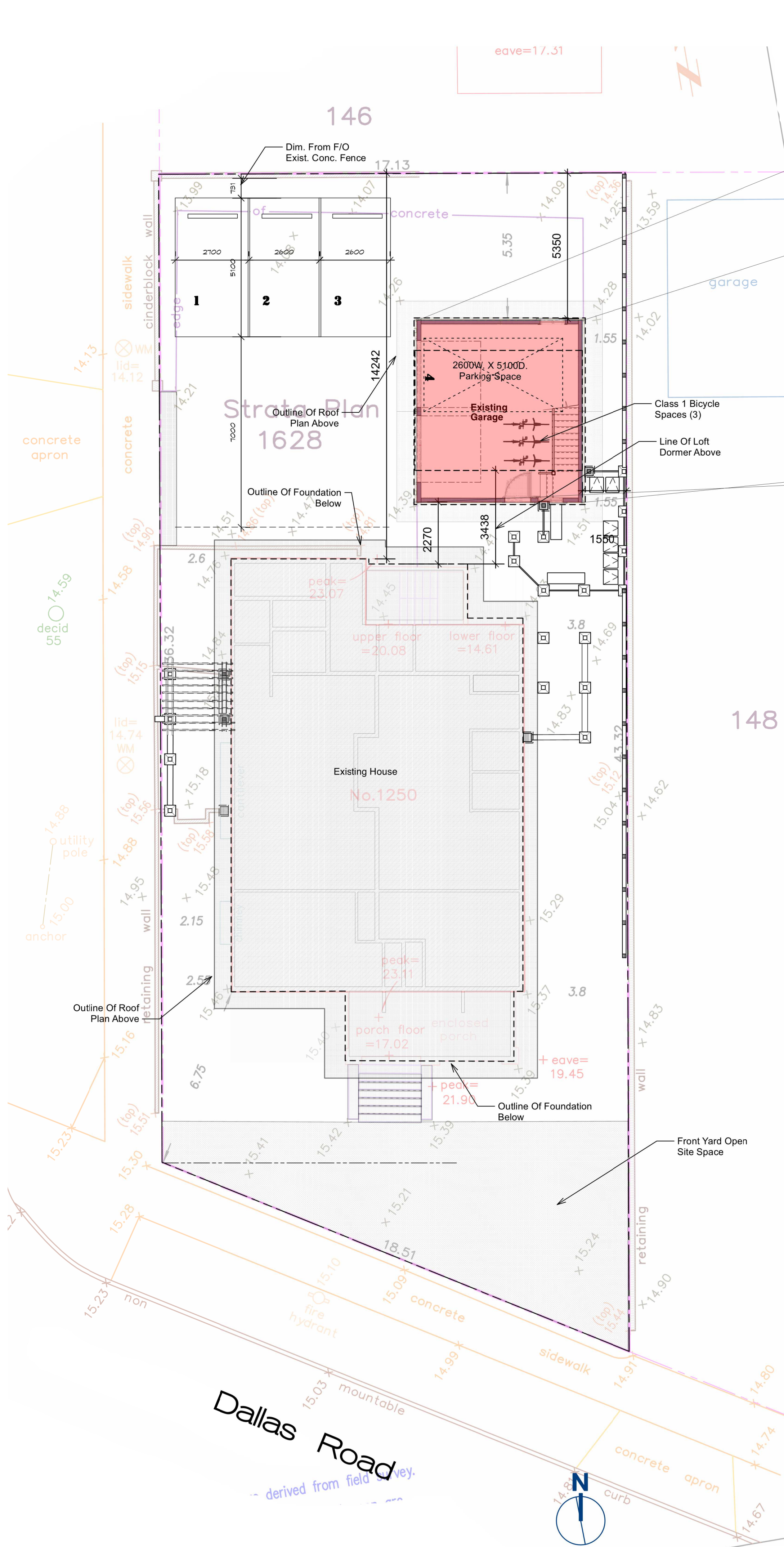
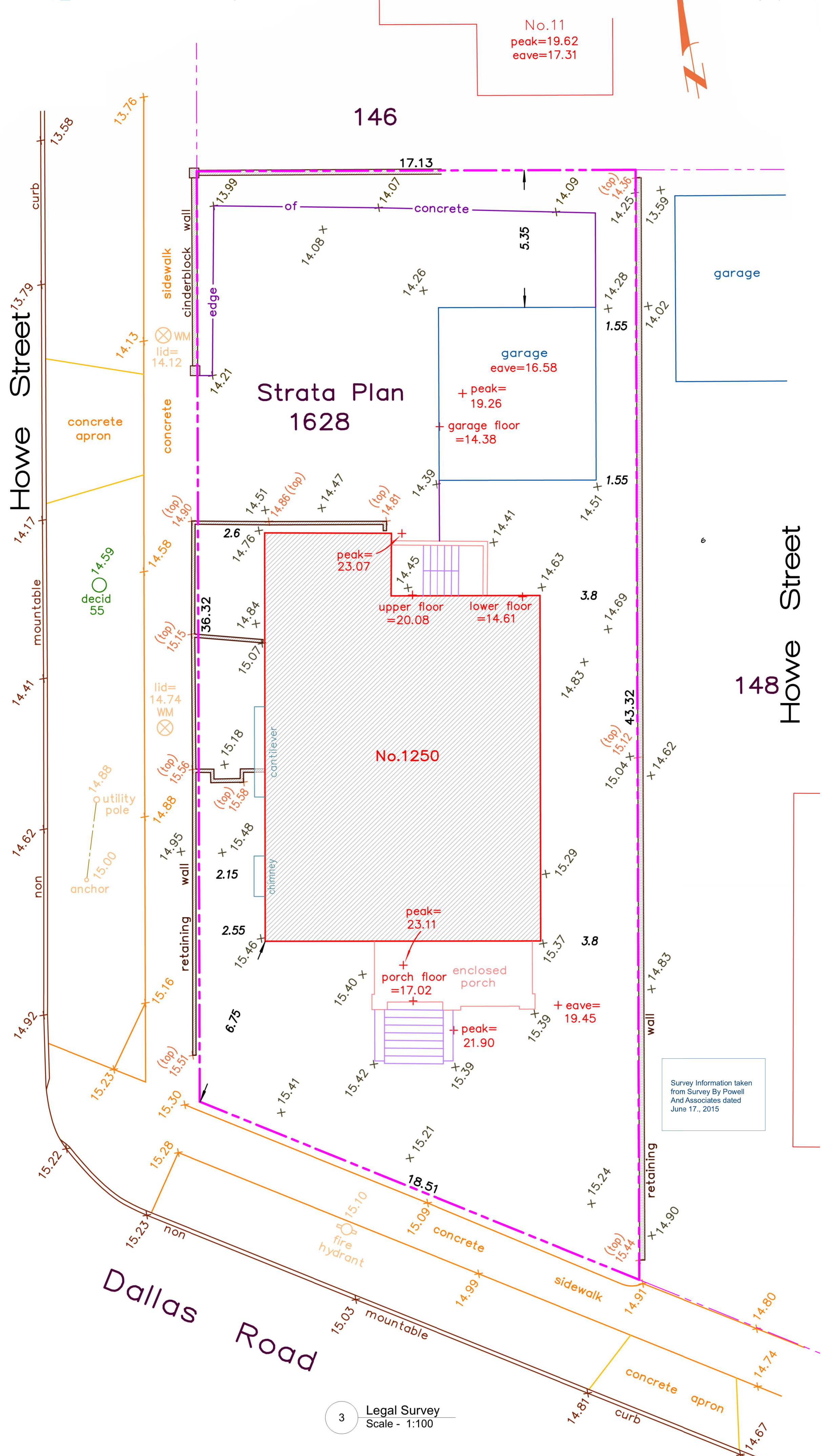
1250 Dallas Road
Development Variance Permit No.00254

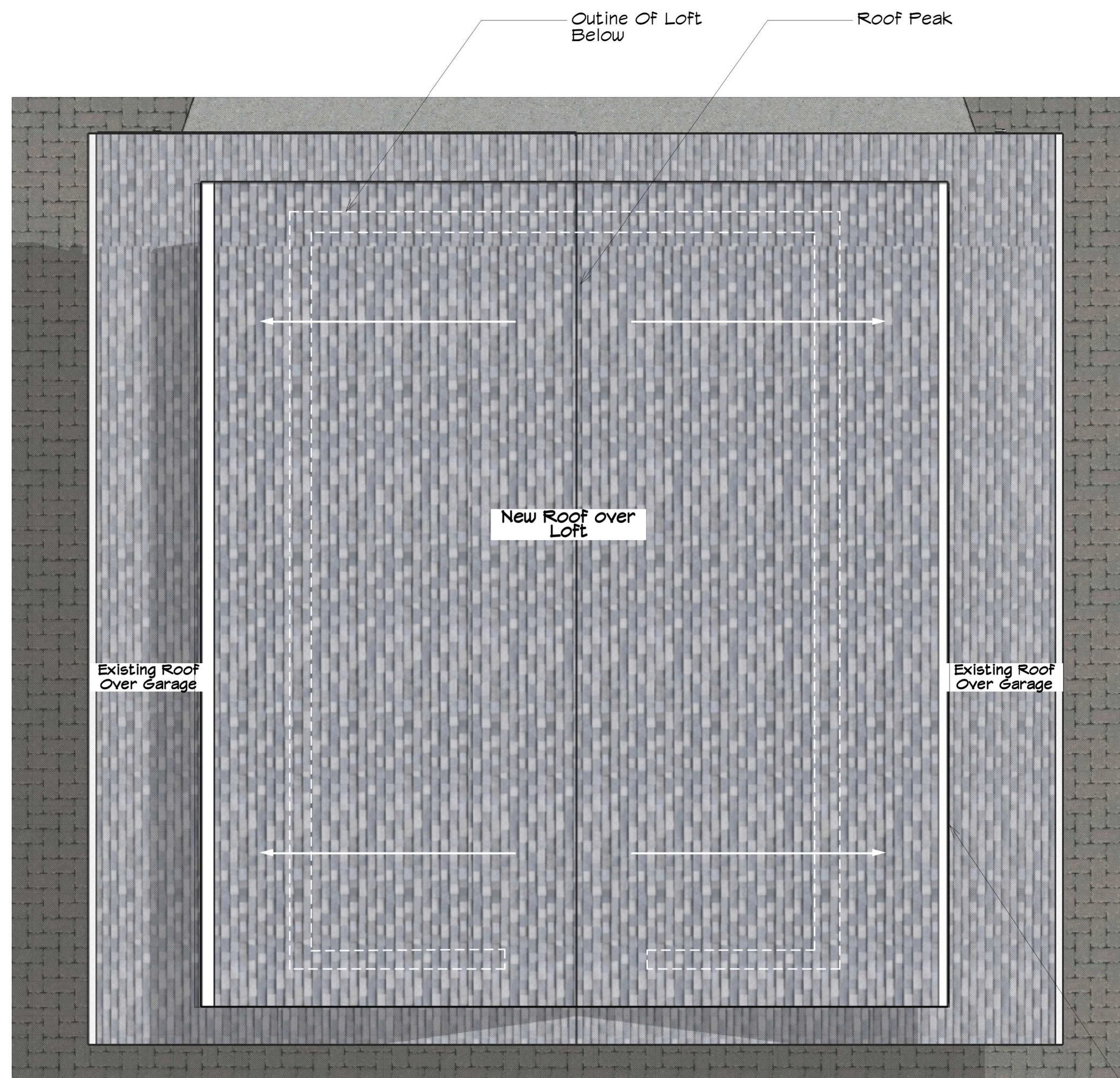




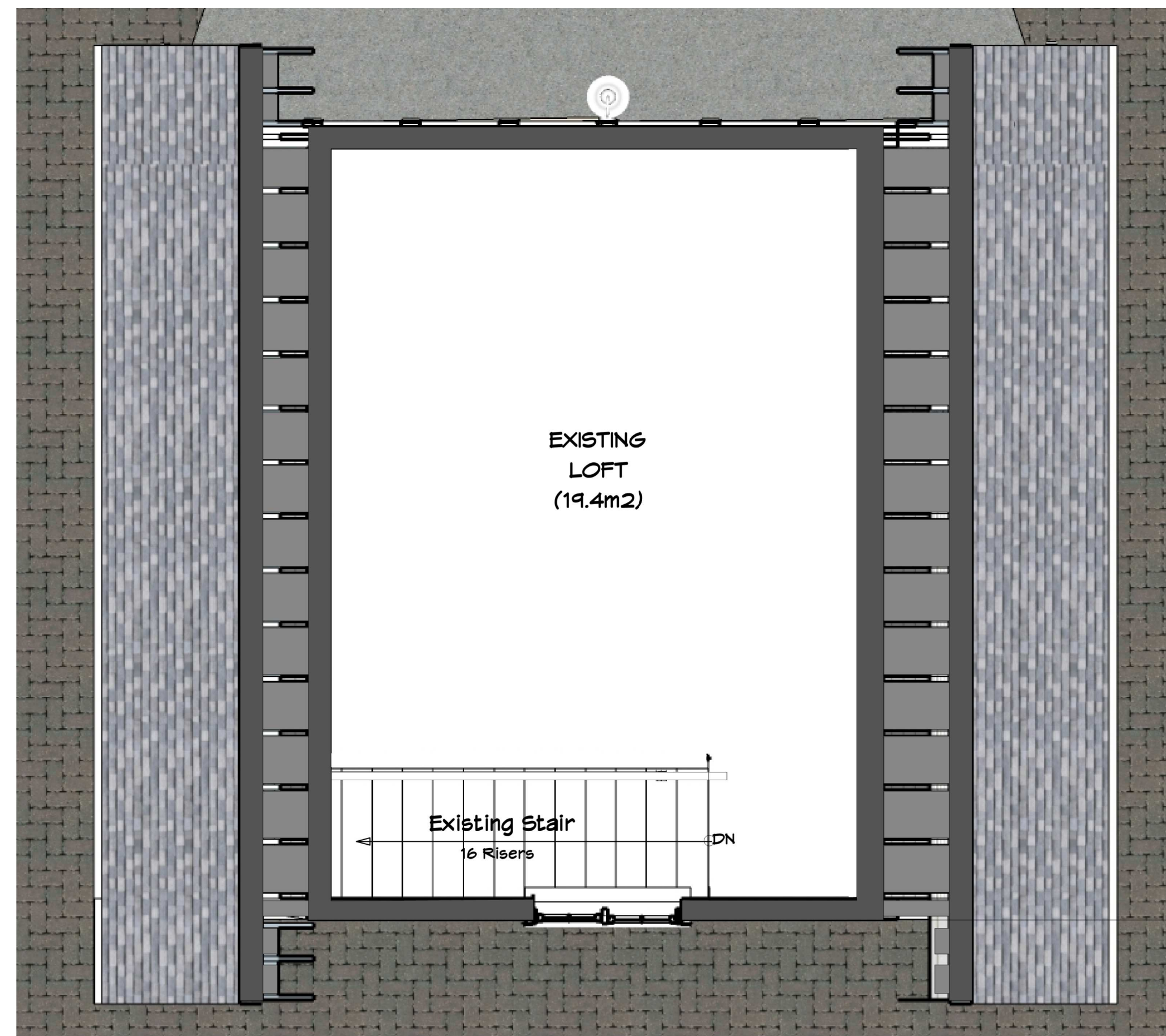
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Development Variance Permit No.00254



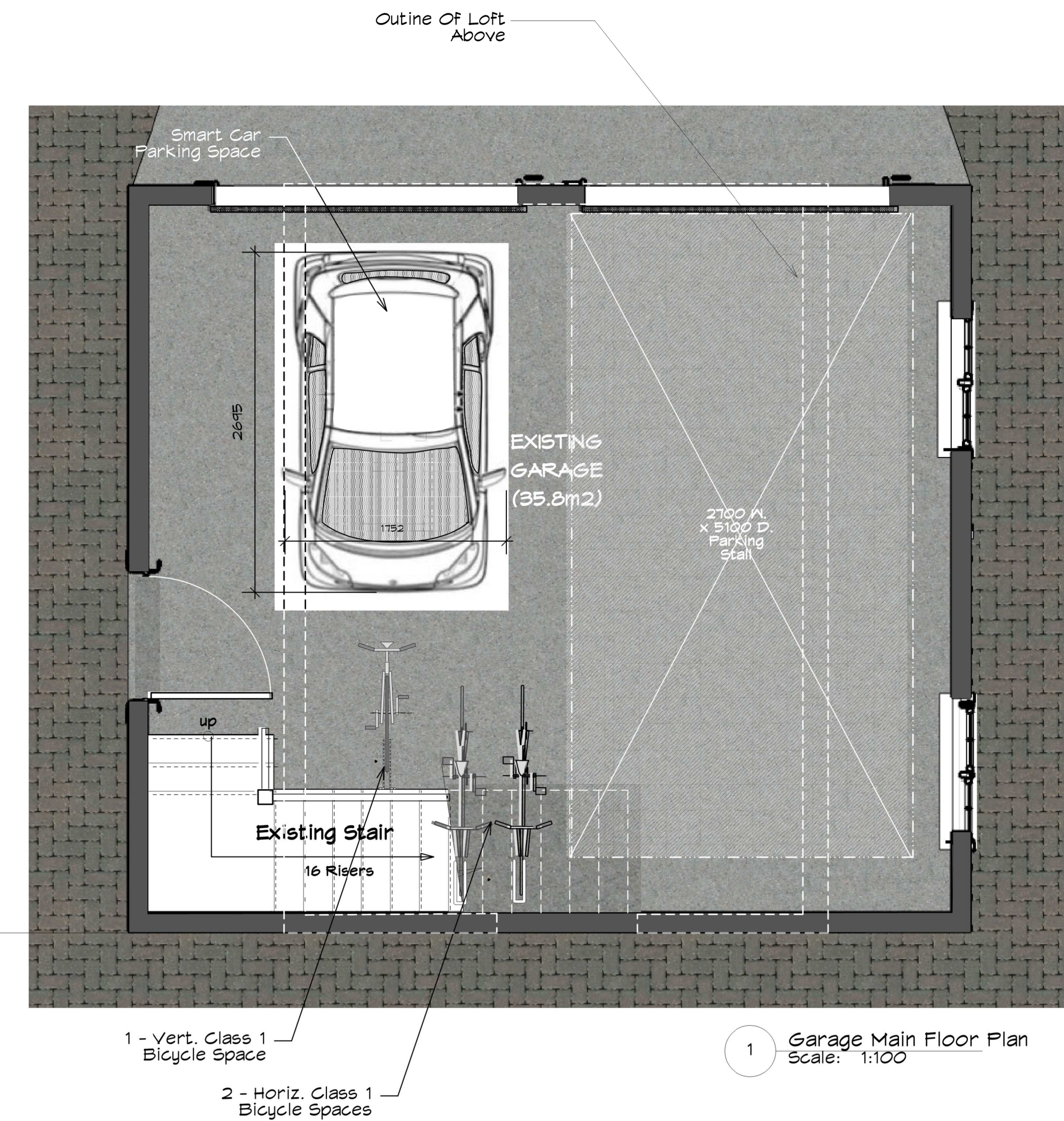




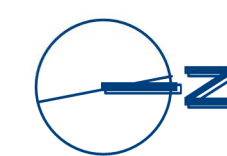
3 Garage Roof Plan
Scale: 1:100

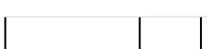


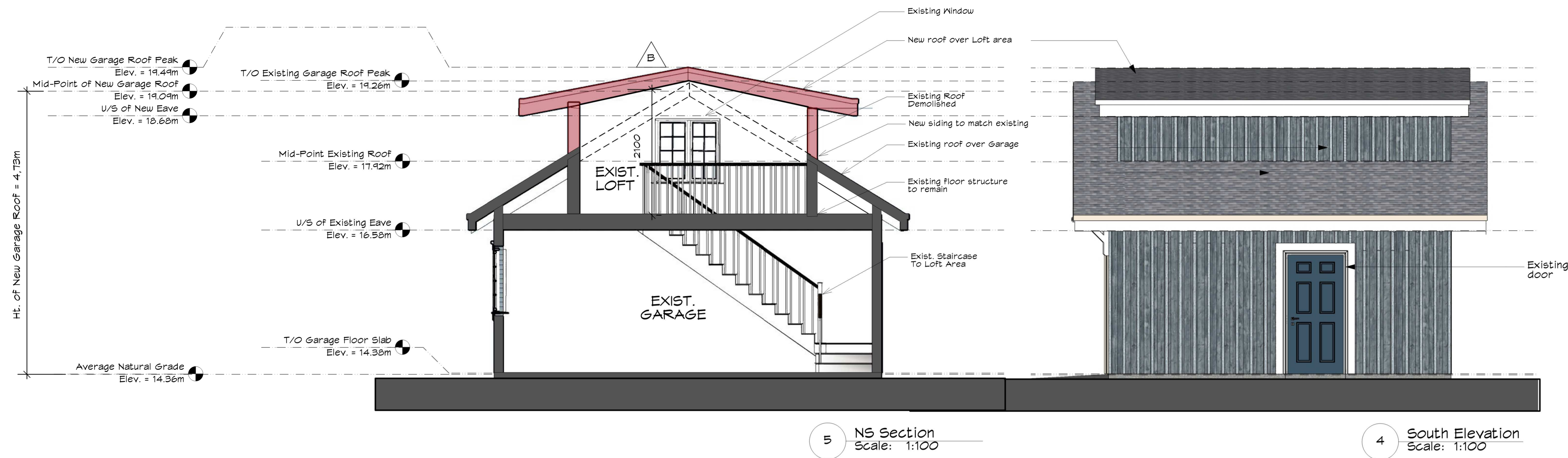
2 Garage Loft Floor Plan
Scale: 1:100



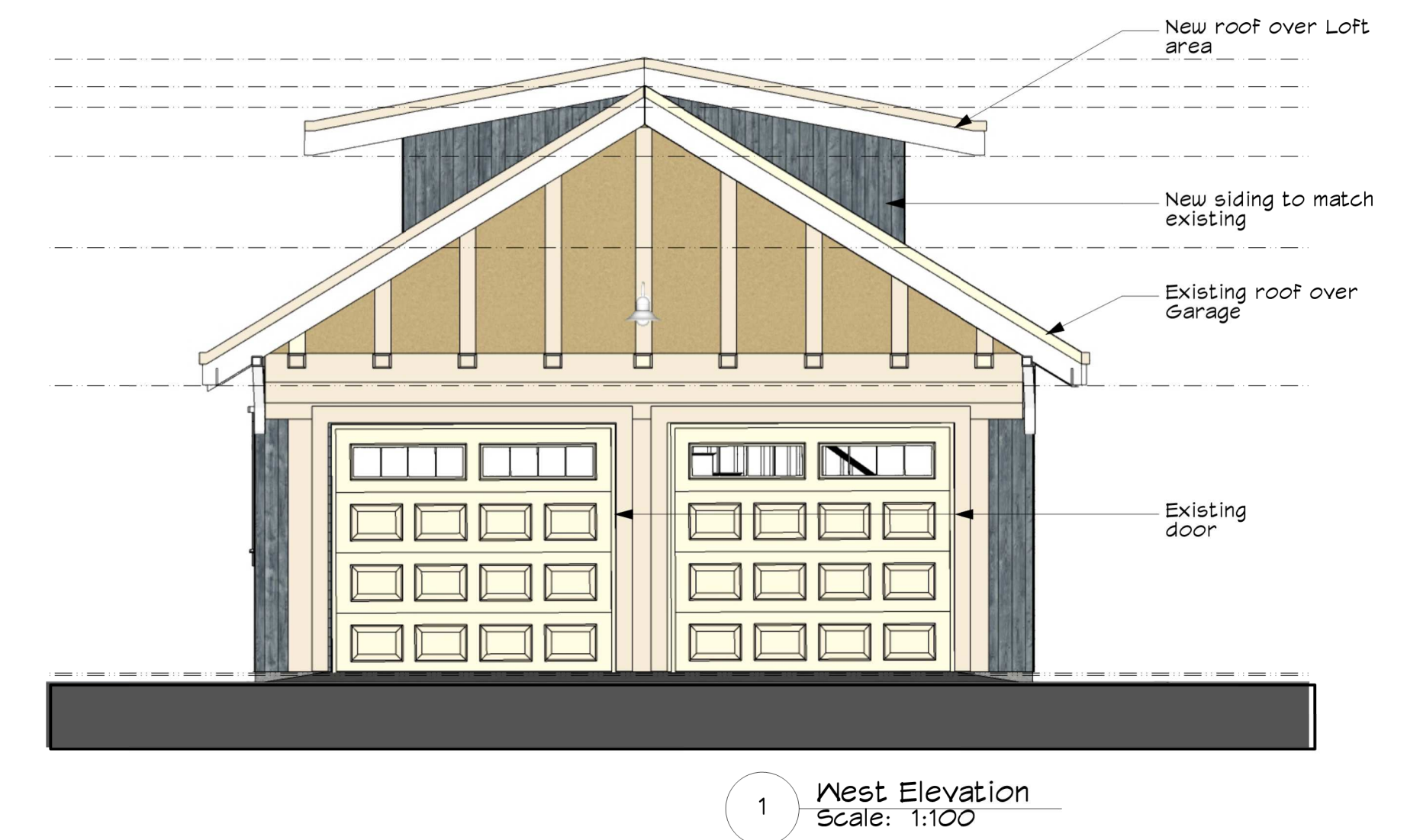
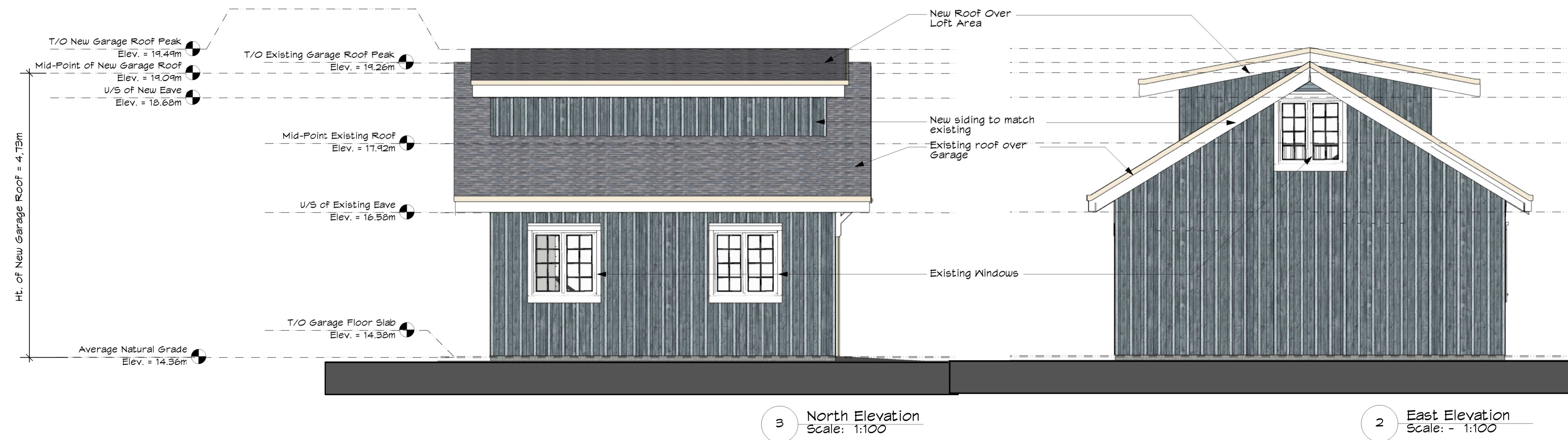
1 Garage Main Floor Plan
Scale: 1:100



 MJM Architect Inc.		project name: Variance Application 1250 Dallas Road, Victoria, B.C.				project no. 2018	
#10, 809 Vancouver Street, Victoria, B.C. V8V 2V6 ph: (250) 681-5492 e-mail: mjmoodys@shaw.ca		drawing title: Floor Plans & Roof Plan		drawn by: mjm checked by: mjm	scale: As Noted	date: 20/11/20 rev 21/01/18 yy/mm/dd	drawing no. SK-1.0



View Of Existing Garage From Howe Street



MJM Architect Inc. #10, 909 Vancouver Street, Victoria, B.C. V8V 3V8 ph: (250) 681-5492 e-mail: mjmood@shaw.ca		project name: Development Variance Application 1250 Dallas Road, Victoria, B.C.		project no. 2018	
drawing title: Elevations & Section		drawn by: mjm	scale: As Noted	date: 20/11/20 rev. 21/07/18 yy/mm/dd	drawing no. SK-2.0



November 23rd., 2020

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

Re: Development Variance Permit Application - 1250 Dallas Drive

To Whom It May Concern,

We are writing to explain the necessity for the development variance permit for the property at 1250 Dallas Road. Several years ago the owners converted a single-family home into 5 suites and now live in one of those suites. The existing garage remained untouched except for an exterior re-painting to match the new residences.

The existing loft area, accessed by a stairway within the garage, is currently being underutilized as storage room since the headroom is insufficient to conform to the BC Building Code. The owners wish to create a fitness room in the loft space and will need to increase the ceiling height to accomplish this. In keeping with the design of the adjacent residences, they are proposing to open up the existing roof and add a shed dormer over the existing structure. This is evident in the cross section on attached drawing SK-02. Since the calculation of height is measured to the mid-point of the sloped roof, the new height of the garage would now be measured to the midpoint of the shed dormers, requiring a height variance of 1.23m (3.5m (existing height) to 4.73m). We would like to point out that the actual increase in height from the existing roof peak to the roof peak of the new shed dormers is less than 10", resulting in a very negligible impact on the adjacent neighbours.

We respectfully request your consideration and approval of this variance so that the owners may make better use of such a valuable space and improve their health and well-being at the same time.

Thank you very much for your attention to this matter and if there are any questions or concerns we would be happy to respond to any enquiries.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Moody". The signature is fluid and cursive, with the first name being more prominent.

Michael J. Moody
 Architect AIBC, MRAIC, LEED® A.P.
 Principal

Michael Jon Moody Architect AIBC, MRAIC, LEED® A.P. Principal
 #202- 535 Yates Street, Victoria, B.C. V8W 2Z6

ph: (250)661-5492 e-mail: michael@mjmarchitect.ca

10 Dec 2020

Mayor and Council,

RE: Development Variance Application for the property at 1250 Dallas Rd.

We are writing to confirm that there would be a loss of one parking spot in the garage. Since rezoning the property no vehicles have been parked inside the garage. We have five legal residences and will now have four parking spaces, if this application is approved. We have witnessed single family residences with as many vehicles parked on the street as our five legal residences have vehicles parked on the street combined. Therefore we are impacting street parking less than single family residences in the area.

With the approval of the variances for the garage we would then have accessible storage and a small workout area in the upstairs portion. This will allow us to use the areas as intended and have adequate accessible storage and parking in the garage. We would like to mention we drive an electric smart car which easily fits in the "lost" parking spot which currently does not meet the "parking requirements" of the City, although not a standard dimension, it still provides more than adequate space to park our smart car, as well as another vehicle.

We live in 600 sq ft and would like to have a spot to have some resistance training equipment. With Covid 19, and seemingly future illnesses on the horizon, this allows for the residents at 1250 Dallas Rd to stay active and healthy.

There is no impact to our neighbours since no windows overlook their properties and sight lines are not impacted. It does change the look of the garage, a look that will match the home and will be constructed to the same high standard as the main house.

Thank you for your time and consideration

James Colebourn
Jane Leece

Pacific Diamond Holdings
202-1250 Dallas Rd
Victoria, BC
V8V 1C4

1

Development Variance Permit Application for 1250 Dallas Road



1

2

Aerial View



2

View of 1250 Dallas with accessory building 3



3

Accessory building 4



4

Accessory building dormers

5



5

Accessory building and adjacent house on Howe Street

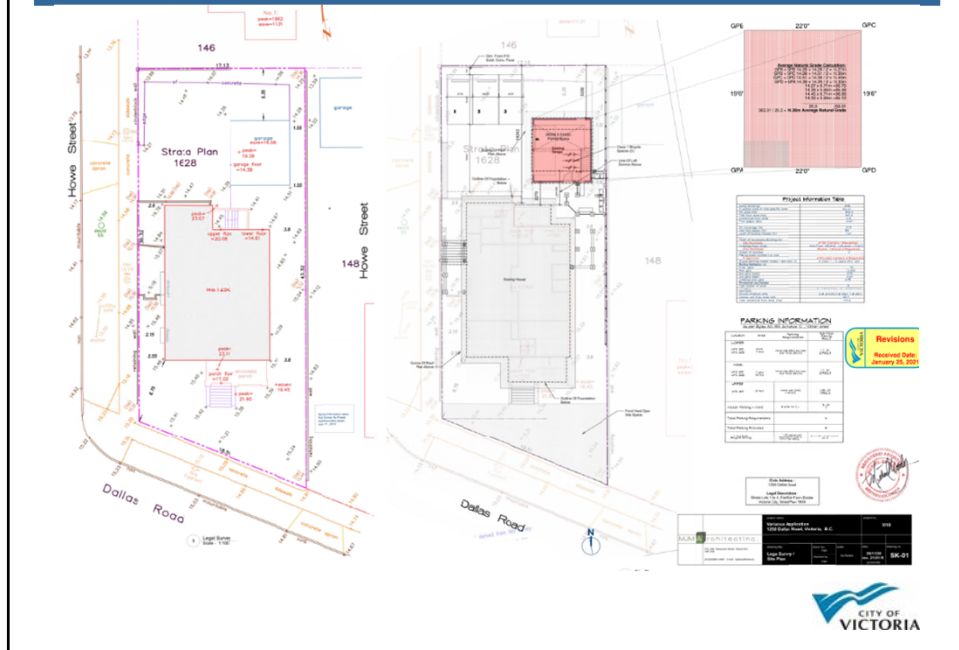
6



6

Site Plan

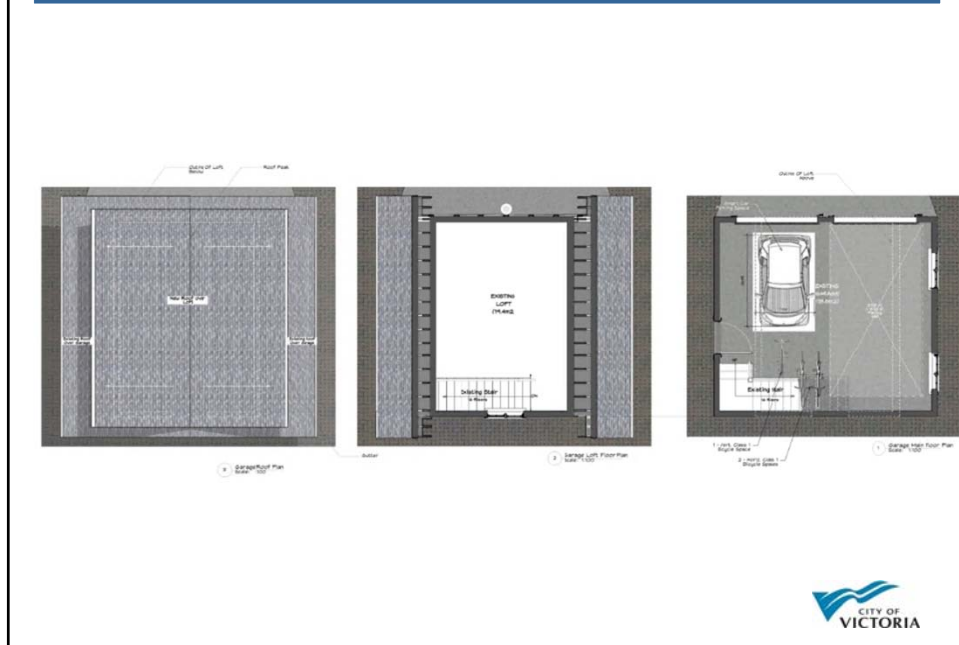
7



7

Accessory Building floor plans

8



8

Accessory Building elevations

9



[REDACTED]

From: Susan Korneychuk [REDACTED]
Sent: Thursday, May 20, 2021 10:00 AM
To: Public Hearings
Subject: Development Variance Permit Application No. 00254

Further to the application for Development Variance for 1250 Dallas Rd, Victoria, BC V8V 1C4 I am writing to say that I am in support of the changes being proposed. As a resident I am in favour of the development of a shared space that will be offered for use by the residents of the property.

The overall height of the building does not increase with the addition, only the roof line profile.

In regards to the reduced parking spaces, there are currently five separate 'families' living at 1250 Dallas Road and each one has one vehicle for a total of 5. As this property is on a corner lot there is plenty of street parking available on both Dallas Road and Howe Street and the reduction in parking stalls would not, in my opinion, put any further stress on parking availability.

Sincerely, Susan Korneychuk
102 - 1250 Dallas Rd, Victoria, BC V8V 1C4
[REDACTED]

From: Jane and Beat Mertz, 89 Howe Street, Victoria, BC [REDACTED]

RE: Development Variance permit Application No. 00254, May 14, 2021, City of Victoria

Although kudos to the developer for keeping the design to fit in the neighbourhood, the site should have only had four units, as requested by the neighbours. The developer received permission from council for many variances to build the five strata properties on the site.

The developer started to build a suite in the garage until a couple of neighbours inquired about the two new dormers being built in the roof of the supposed garage. The developer/owner did not have permits to modify the garage. Work was stopped at that point by the city.

The garage has never been used for cars by the owner/developer or the residents since the units were rented. There were never seven (7) stalls for parking for the building, as stated in the current variance request, five (5) at best. The two garage spaces were apparently never available for use. There are only three (3) parking stalls now available for the tenants on the lot in front of the garage. Only two tenants ever use it, everyone else is parked on the street. Reality vs planning.

It is very doubtful that the space will be used as a yoga or exercise space for the tenants. It will be a garden suite, which does not fit the community plan for Fairfield or the City. (*"Eligible locations for a garden suite in Victoria include all properties that contain only a single-family detached dwelling and are appropriately zoned..."*).

Also, I do not understand how it can be used as a Commercial exercise space when it is zoned Residential use only. Will the developer now apply for rezoning for Commercial usage? The City cannot enforce that only tenants use the site.

Parking is becoming a problem on Howe Street for its residents and visitors. Even more so now that the new Dallas bikeway has been installed. People are parking down Howe Street instead of Dallas Road, just as predicted. Turning off Dallas Road onto Howe Street can be hazardous when larger vehicles are parked at the corner on Howe; very common event. You cannot see around the parked vehicle coming from the eastern entrance from Dallas onto Howe. We may ask for residential parking soon.

Council voted for what was/is best for the developer and not the neighbours in Fairfield. Please do not allow this variance request to go through. So-called gentle density is not so gentle on the neighbours.



Picture of the parking usage onsite and Howe Street.

[REDACTED]

From: cheryl marli [REDACTED]
Sent: Wednesday, May 26, 2021 8:39 AM
To: Public Hearings
Subject: Development Variance Permit Application #00254

To Victoria City Council

When this rezoning was originally considered by council, the proposal for five units was countered by some Howe/Dallas residents for approval of four units ONLY due to parking concerns. It was also recommended by some to have garage removed at end of project to provide even more parking in back of property for not only renters but guests. Contractor convinced council this garage would provide two more parking places so it was included in rezoning and council approved five units. To date, I have never seen more than 2-3 cars parked in back and none in garage. The overflow of cars is onto Howe/Dallas road. Clover Point parking has been greatly reduced now putting even more pressure on limited parking on side streets.

As someone who delivers groceries to next door visually impaired neighbor, it is a nightmare to enter or exit her property which adjoins 1250 Dallas Road property. There are already cars parked on both sides of Howe and Dallas making it dangerous to pull out onto either Dallas or Howe Street.

Contractor/owner has done a nice job of developing this property to fit into neighborhood with the exception of providing enough parking.

Sent from my iPhone

[REDACTED]

From: Victoria Mayor and Council
Sent: Wednesday, May 26, 2021 4:12 PM
To: Public Hearings
Subject: Fw: questions regarding re-zoning for 1250 Dallas to be considered Thursday May 27/21

Follow Up Flag: Follow up
Flag Status: Completed

From: mld [REDACTED]
Sent: May 26, 2021 4:06 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: questions regarding re-zoning for 1250 Dallas to be considered Thursday May 27/21

1. Does this mean every garage in our neighborhood can be raised 3+ feet and the accessory building converted to living space?
2. Why are there no drawings or elevations for the neighborhood to see what this is going to look like?

RE: Development Variance Permit Application No. 00254, May 14, 2021, City of Victoria

From: Howard Barker and Elizabeth Sharp, 55 Howe Street, Victoria, BC
[REDACTED]

We have seen the Variance Permit Notice as well as the Applicant's letter to Mayor and Council dated 10-Dec-2020. We have also seen submissions to this Variance Permit made by Jane and Beat Mertz and by Paul Freeman and Brandi Roth, and while we concur with their submissions, we have the following additional comments.

To begin, we commend the Owner/Applicant of 1250 Dallas Rd for making renovations and expansions to their property that respect and maintain the character of the original structure and neighbourhood as a whole. This comment cannot be made of numerous properties in close proximity on both Dallas Rd. and N-S streets running off it. We believe, however, that there is something amiss with their Variance Permit Application.

The 10-Dec-2020 letter states that the structure in question is a "garage". Yet, it also says that it has not housed a vehicle as yet. Now they want to expand it to have vehicle storage space plus a "small workout area in the upstairs portion". Coincidentally, the proposed floor space of 600 ft² is very close to that of some of the existing units. Given that the "garage" is both electrified and plumbed, it would appear as though it is being "prepped" to become a *sixth* living space as opposed to a gym plus garage (but it has not been used as a garage... why not?... to avoid future living space smelling like a garage?). While six units on a single property would certainly be densification of living space, which City Council is clearly not averse to, it is definitely not the type of densification Council likes to promote. This is not "affordable housing", for a unit such as this, in its location, would easily rent for more than \$3K/month or sell for over \$500K.

Moreover, if this Variance is granted it would be riding the existing "thin edge of the wedge" in terms of what is happening along the Clover Point portion of Dallas Rd. Some of the structures that have been constructed recently are sadly out of step with the near-universally attractive, and consistent, character of south Fairfield. The condition of several properties along this stretch suggests assuredly that they are facing imminent demolition and questionable replacement! Should the ground be made fertile for 1250 Dallas Rd. to expand significantly into a sixth unit on a single property, it will only bolster the drive toward excessive, out-of-character alteration of the area.

Finally, a question directed to the Mayor, Council, and City Development Department... If you receive multiple submissions that argue *against* the granting of a Variance Application, how many do you have to receive before the "rights" of those arguing against it, and in favour of maintaining a neighbourhood's character and safety, outweigh the "right" of a single applicant to make alterations for individual capital gains?

May 27, 2021

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

Submission by: E-mail (publichearings@victoria.ca)

RE: Proposed Changes to 1250 Dallas Road (Development Variance Permit Application #00254).

As the owners/residents of 21 Howe Street, we are familiar with both the previous and current changes to 1250 Dallas Road. We are also aware that the owner at 11 Howe Street has grave concerns regarding how the latest developments at 1250 Dallas Road will impact both her property and the immediate neighbourhood (she will be providing a separate submission outlining those issues). This situation has created a disturbance within this quiet, amicable neighbourhood and our sincere hope is that this Review Panel can determine a suitable resolution.

The issues, while seemingly simple, have left us with questions. As such, we list them here and ask whether it is possible for someone to please address them with us so that we are better informed. The items for discussion are as follows:

1. The height of the accessory building changing from 3.5 – 4.73 m;
2. The floor area of [the] accessory building changing from 37 – 55.2 m²; and
3. The vehicle parking on the site changing from 7 stalls to 4 stalls.

a. Items #1 & #2 (Request to increase the height and floor area of the “accessory” building):

a.1 Adverse impact on the view/property value.

The enclosed photo is taken from our south-facing master bedroom (at 21 Howe Street). As can be seen within the photo, the roof of the “accessory” building is visible and to a minor degree, impedes our ocean view. We wonder whether this current review pertains to leaving the height at its current status or whether it will be further increased (possibly eliminating more of our view). Obviously, we have concerns regarding the latter as we cherish our ocean views and hope that they remain; however, we are often reminded by family and friends that development is inevitable and should, for example, our “southern” neighbours (including the owners at 11 Howe Street) decide to re-build, most likely that view would be altered/eliminated and we most likely will have little-to-no recourse to affect that change. So we live each day enjoying our view (while we still have it!) and hope that others will respect their desires and we attempt to respect theirs.

We appreciate how the owner at 11 Howe Street could have concerns about the current renovation, especially if this structure impedes her view or detracts from her site’s privacy. As such, we urge this Review Panel to determine a suitable outcome that provides an adequate solution/compromise to both the owners of both 1250 Dallas Road and 11 Howe Street.

p.1/3

a.2 Ability to convert this structure to additional living/commercial space

In the Notice, there is no mention of what activity/activities are intended for what is simply referenced as the, "accessory building." In conversation with the owners at 1250 Dallas Road, they indicated that this space will be used as "personal" space (for a gym/workshop). Because they reside on the property with their tenants, we can understand why this onsite, personal "get-away" space would be desirable. We must admit that we are confused by the fact that there has already been construction while there is still a permit review and ask for clarification—"Is the intention of this review to determine whether the building height/dimensions should be further increased or is it addressing the construction to date?" If it is addressing the work-to-date, there is little impact on our residence (i.e. minor view obstruction); however, we can appreciate why the resident at 11 Howe Street might have concerns.

It is also our understanding that there is no intention to develop this "accessory" building into additional rental/accommodation or commercial space (as evidenced by the fact that it currently is not plumbed to accommodate this). Increasing the usage of this space as an additional residence or as a commercial space may impact other residences within the neighbourhood due to the increase in traffic/parking, etc. Obviously, 11 Howe Street would be the most inconvenienced by this change.

b. Item #3 (Reduced parking on the site):

A couple of years ago, when the initial renovation of the main residence was conducted, it was our understanding that the owners applied for a variance to allow for five (5) suites as opposed to the previous four (4) units. We are of the understanding that as part of that variance to increase the number of dwellings, the owners provided assurances that there would be ample on-site parking to off-set the increase in site occupants. However, in this latest application, the owners are now requesting that the previously agreed upon on-site parking be down-sized, thereby necessitating the need for a great percentage of the residents at this site to park on the street. We understand that street parking is public parking and is therefore available on a "first-come, first-served" basis; however, but appreciate how this might be disconcerting for the owner at 11 Howe Street as her residence is in direct proximity to the proposed changes and as such, she would theoretically be most impacted.

Summary Statement:

In closing, we truly appreciate that our residence has an ocean view and convenient street parking. More importantly, however, we enjoy/cherish the fact that the residents within our neighbourhood are civil and respectful. This issue has proven to be emotionally charged and has created distress for not only the parties at 11 Howe Street and 1250 Dallas Road, but also, for those around them. We wish only the very best for both groups, and as such, we urge this Review Panel to implement a decision (or decisions) that will allow for a suitable resolution (and possible compromise) as we want the neighbourhood to return once again to a state of harmonious co-existence.

As mentioned above, we would greatly appreciate clarification to our questions above (we only became aware of this review proceeding earlier this week and as such, feel relatively ill-informed). In addition, if you require our further participation/involvement, we would be happy to assist where possible.

Sincerely:

Buck
Patricia & Darren Buckler
21 Howe Street
Victoria, BC V8R 1J8

Attachment:

Photograph 1: View from 21 Howe Street's Master Bedroom Window

Note: the plywood/plastic identifies the location of the current construction.



p.3/3

Comments Re: Development Variance Permit Application No. 00254

The proposal laid out by the applicant to expand the garage outbuilding at 1250 Dallas Road for a gym and storage appears to be thoughtful and quite convincing. It addresses the negative impacts on parking and privacy and portrays the expansion as advantageous to the health and well-being of its residents. However, from our perspective, as residents of 11 Howe Street directly adjacent to the proposed development, we have a number of serious concerns.

Parking

- The direct loss of 3 parking stalls as a result of this proposal will have a significant impact on street parking.
- Parking congestion is already a serious problem on the top end of Howe Street. The stalls onsite at 1250 Dallas Road are generally occupied, as well as is adjacent on-street parking. This is despite the fact that the garage does not appear to be used currently for parking. It should be noted that there is already an allocated street parking spot for a Modo car which contributes to the congestion. This congestion creates a risk as it is at the intersection of Dallas and Howe Streets and near an existing fire hydrant.
- Despite what the applicant says, the greatest demand for parking on the first block of Howe Street comes from the occupants of their property. It should be noted that the demand for street parking can be expected to increase as pandemic-related concerns ease, and socialization increases.
- Street parking availability in front of our home is extremely important for us as one of us is legally blind and use of our driveway is affected by a concrete wall that separates the two properties (insufficient room for both driver and passengers to enter/exit the vehicle). There are times when we and others have had to park a distance from our home. This creates a significant inconvenience and risk should an emergency arise.
- The applicant states that they drive a small electric vehicle but have neglected to mention that they also have an SUV for construction activities.

Garage Conversion and Expansion

- The applicant made significant alterations to the garage last year without having the necessary building permit which they now seek. This included framing in a large dormer that faces directly on to 11 Howe St.
- The developer has a history of construction without seeking permits and completely disclosing their intentions. If this variance proceeds, the applicant will be one step away from adding another suite(s) to the property.
- When approval was sought and granted in 2017 for changing the zoning to permit 5 units in the main house, it was our understanding that garage was designated for parking.
- The applicant has stated that they have only 600 square feet of living space in their apartment. This should be confirmed and whether it would be possible to include a gym/storage facility somewhere in the main house.

- For safety reasons, it may not be advisable to have a gym in a garage due to carbon monoxide risk. This risk is greater if there is reduced ventilation from no outside windows as the applicant is proposing.
- The dormer has an impact, although relatively minor, on the site lines from the rear of our house.

Our Position/Conclusion

- For these reasons, we do not support this Development Variance.
- We recommend that the garage be returned to its original aesthetic and be maintained in its intended and zoned use for parking. This will help ease the current parking congestion on the upper end of Howe Street.
- We believe that this proposal negatively impacts the enjoyment of our property and could adversely affect its value.
- We have included a number of photos for illustration.
- We thank Council for consideration of our objections in this matter.

Paul Freeman and Brandi Roth
Owner Occupants
11 Howe Street
[REDACTED]

May 24, 2021























Council Report

For the Meeting of May 27, 2021

To: Council **Date:** May 13, 2021

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

Subject: **Update on Development Permit with Variances Application No. 00120 for 1475 Fort Street**

RECOMMENDATION

That Council give first, second and third readings of Housing Agreement (1475 Fort Street) Bylaw No. 21-057.

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 Variance Application No. 00120 for 1475 Fort Street in accordance with:

1. Plans date stamped **April 30, 2021**
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the vehicle parking from 45 stalls to 26 stalls;
 - ii. reduce the visitor parking from 3 stalls to 2 stalls;
 - iii. increase the building height from 12 metres to 12.92 metres;
 - iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
 - v. reduce the rear setback from 6.46 metres to 3.96 metres;
 - vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
 - vii. reduce the west side yard setback from 6.46 metres to 3.86 metres (balconies) and 5.75 metres (building);
 - viii. increase the site coverage from 40 percent to 47 percent;
 - ix. allow for an accessory structure to be located in the front yard rather than the rear yard.
3. Final plans generally in accordance with the plans date stamped April 30, 2021 with the following revisions:

- i. changes to the panhandle driveway to comply with the *Highway Access Bylaw* and *BC Building Code* requirements, to the satisfaction of the Director of Engineering and Public Works
- ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities

4. The Development Permit lapsing two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding a Development Permit with Variances Application for the property located at 1475 Fort Street. The proposal is to construct a four-storey rental building with approximately 32 dwelling units. Variances are related to building height, site coverage, setbacks, parking and the location of an accessory structure.

In accordance with Council's motion of February 4, 2021 (minutes attached), the necessary conditions that would authorize the approval of the Development Permit with Variances for the subject property have been fulfilled. In addition, since the application was presented at Committee of the Whole, the applicant has revised the plans to reduce the footprint of the underground parkade, creating space for additional trees in the southwest corner of the property, and has provided a window overlay with the adjacent property to the south located at 949 Pemberton Road.

COMMENTS

Legal Agreements

With regard to the preconditions set by Council in relation to this application, staff can report that the following agreements have been executed by the applicant:

- a Housing Agreement to secure rental tenure of the dwelling units in perpetuity, while allowing for potential lease of all or a portion of the dwelling units to the Vancouver Island Health Authority for non-market housing
- a Section 219 covenant to ensure that the dwelling units are not strata titled has been registered on title
- a section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street has also been registered on title.

Plan Revisions

The applicant has reduced the footprint of the underground parking structure to provide a larger planting area with greater soil depth in the southwest corner of the property without increasing the parking variance associated with this proposal. Two columnar Hornbeam trees are proposed in this location as bylaw replacement trees. Adding new trees that can grow to full maturity by having access to greater soil depth helps to mitigate the impact of the site coverage, building height and setback variances by softening the visual appearance of the building and reducing privacy impacts by providing screening. They would also help to advance the City's Urban Forest objectives by providing ecological services such as wildlife habitat, storm water management and reducing urban heat island effects.

In addition to the plan revision, the applicant has provided a window overlay (sheet A502) to help illustrate the relationship between the northwest elevation of 949 Pemberton Road and the south elevation of the proposal. The window overlay demonstrates that there would be minimal privacy impacts as the buildings and windows are off-set from each other. The perimeter landscaping on both properties would also limit overlook into adjacent private outdoor space.

CONCLUSIONS

The applicant has fulfilled the conditions set by Council and the building revisions and landscape improvements help to mitigate the impact of the proposed variances. Therefore, it is recommended that the application advance to an Opportunity for Public Comment.

Respectfully submitted,

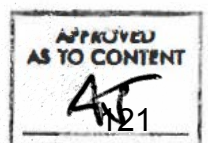
Alec Johnston
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Housing Agreement (1475 Fort Street) Bylaw No. 21-057
- Attachment B: Plans date stamped April 30, 2021
- Attachment C: Council to Follow Committee of the Whole Meeting Minutes dated February 4, 2021.



Schedule A

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:

LANTERN PROPERTIES LTD. (INC. NO. C0816000)

101 – 1176 Burnaby Street
Vancouver, BC V6E 1P1

(the "Owner")

WHEREAS:

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1475 Fort Street, Victoria, B.C. and legally described as:

PID: 005-397-863
Lot 2, Section 74, Victoria District, Plan 9796

(collectively, the "Lands").
- D. The Owner has applied to the City to develop the Lands to permit 32 housing units within the Development in accordance with this Agreement.
- E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

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

{00073223:1}

60.0960.035/0011

1.0 DEFINITIONS

1.1 In this Agreement:

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

"Development" means the new 32 unit building consisting of residential housing and related facilities on the Lands;

"Dwelling Units" means any or all, as the context may require, of the 32 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and **"Dwelling Unit"** means any of such residential dwelling units located on the Lands;

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

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

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

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

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

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

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

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

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

Authority rents Dwelling Units for non-market housing, these units do not require a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit and the Owner leasing the Dwelling Units to Vancouver Island Health Authority shall be deemed to be in compliance with the terms of this Agreement.

3.0 NO RESTRICTIONS ON RENTALS

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

4.0 REPORTING

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

- (a) all Dwelling Units are being rented to Non-owners or are vacant, and
- (b) all other requirements of this Agreement are being complied with by the Owner and the Development,

along with such other information as may be requested by the Director from time to time.

- 4.2** The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 4.3** The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

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

6.0 LIABILITY

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

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

7.0 GENERAL PROVISIONS

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

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

in the case of the City, addressed to:

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

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

and in the case of the Owner, addressed to:

Lantern Properties Ltd.
101 – 1176 Burnaby Street
Vancouver, BC V6E 1P1

Attention: Jeff Hayes
Fax: 866-288-1991
Email: jeff.hayes@lanprop.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.
- 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.

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

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

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

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

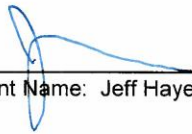
IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

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

Karen Hoese, Director of Sustainable Planning and Community Development

Date signed:_____

LANTERN PROPERTIES LTD.
by its authorized signatory(ies):



Print Name: Jeff Hayes

Date signed: APRIL 21, 2021

**F.1.a.d 1475 Fort Street: Update on Development Permit with
Variances Application No. 00120 (Rockland)**

Moved By Councillor Potts
Seconded By Councillor Alto

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 secure rental tenure of the dwelling units in perpetuity while allowing all or a portion of the dwelling units to be leased to a third party housing provider for non-market housing, to the satisfaction of the Director of Sustainable Planning and Community Development
- b. A Section 219 covenant to ensure that the dwelling units are not strata titled, to the satisfaction of the Director of Sustainable Planning and Community Development
- c. A section 219 covenant to secure a Statutory Right-of-Way of 0.72m along Fort Street, to the satisfaction of the Director of Engineering and Public Works.
- d. An agreement to secure sixteen car share memberships, 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 Variance Application No. 00120 for 1475 Fort Street, in accordance with:

1. Plans date stamped October 19, 2020
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the vehicle parking from 45 stalls to 26 stalls;
 - ii. reduce the visitor parking from 3 stalls to 2 stalls;
 - iii. increase the building height from 12 metres to 12.92 metres;
 - iv. reduce the front setback from 10.5 metres to 1.81 metres (entrance canopy) and 3.53 metres (building);
 - v. reduce the rear setback from 6.46 metres to 3.96 metres;
 - vi. reduce the east side yard setback from 6.46 metres to 3.05 metres (balconies and entrance canopy) and 4.93 metres (building);
 - vii. reduce the west side yard setback from 6.46 metres to 3.86 metres (balconies) and 5.75 metres (building);
 - viii. increase the site coverage from 40 percent to 47 percent;
 - ix. allow for an accessory structure to be located in the front yard rather than the rear yard.

3. Final plans generally in accordance with the plans date stamped October 19, 2020 with the following revisions:
 - i. changes to the panhandle driveway to comply with the Highway Access Bylaw and BC Building Code requirements, to the satisfaction of the Director of Engineering and Public Works
 - ii. Relabel the proposed bylaw replacement trees to ensure replacement trees are provided on site, to the satisfaction of the Director of Parks, Recreation and Facilities
4. The Development Permit lapsing two years from the date of this resolution.”

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That this matter be referred to staff to work with the applicant to address concerns around privacy and tree removal.

Council discussed the following:

- *Input recent received from the public*
- *Rental applications in the city*

FOR (4): Councillor Thornton-Joe, Councillor Dubow, Councillor Isitt, Councillor Young

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Loveday

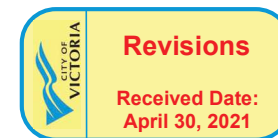
DEFEATED (4 to 5)

On the main motion:

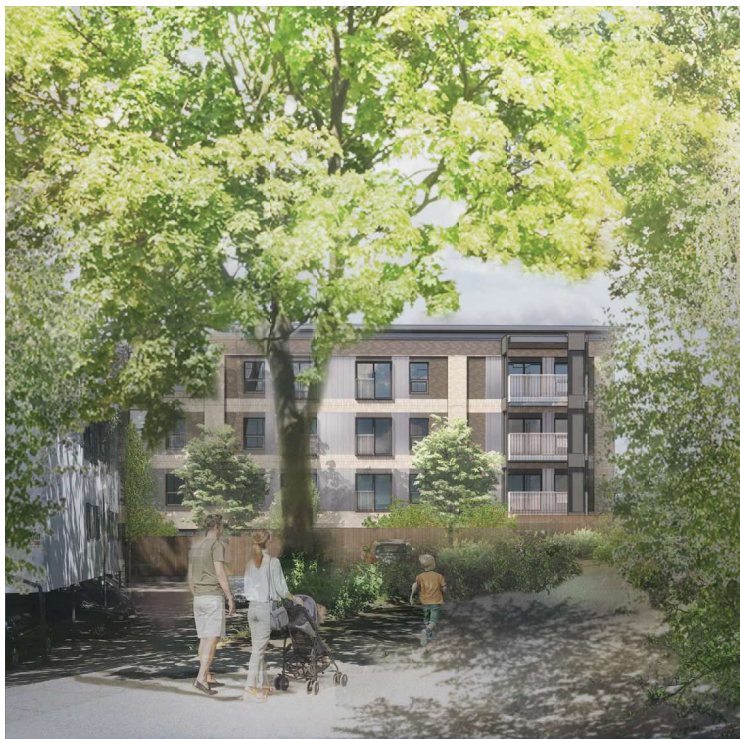
FOR (6): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Potts, Councillor Loveday

OPPOSED (3): Councillor Thornton-Joe, Councillor Isitt, Councillor Young

CARRIED (6 to 3)



1475 FORT STREET - HADERA APARTMENTS



VIEW FROM FREWING LANE

DRAWING LIST:

Architectural

- A000 COVER
- A001 SURVEY + PROJECT DATA
- A002 BUILDING CODE REVIEW
- A003 3D VIEWS
- A004 MATERIALS
- A101 SITE PLANS - DEMOLITION & PROPOSED
- A201 FLOOR PLANS
- A202 FLOOR PLANS
- A301 ELEVATIONS
- A302 ELEVATIONS
- A401 BUILDING + SITE SECTIONS
- A501 SHADOW STUDY
- A502 949 PEMBERTON ROAD WINDOW OVERLAY

Civil

- C-1 CONCEPTUAL SITE SERVICING PLAN

Landscape

- L-1 LANDSCAPE CONCEPT PLAN
- L-2 TREE PRESERVATION PLAN

APPLICANT:
Lantern Properties Ltd.
101-1176 Burnaby Street
Vancouver, BC V6E 1P1
604.723.4576

Contacts:
Josh Hayes
josh.hayes@lanprop.com

Paladon Development Group
Owner's Rep:
Paul Woodward, P. Eng.
paladon@shaw.ca

ARCHITECT
Cascadia Architects
101-804 Broughton Street
Victoria, BC
V8W 1E4
250.590.3226

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sara@cascadiaarchitects.ca

Peter Johannknecht Architect AIBC LEED AP
peter@cascadiaarchitects.ca

Gregory Damant Architect AIBC LEED AP
greg@cascadiaarchitects.ca

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Skyline Engineering
380 - 4243 Glanford Ave
Victoria, BC
V8Z 4B9
250.590.4133

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cmaclea@seng.ca

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Morrison Hershfield
536 Broughton Street
Victoria, BC
V8W 1C6
250.361.1215

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Craudoy@morrisonhershfield.com

GEOTECHNICAL CONSULTANT
Ryzuk Geotechnical
28 Crease Ave
Victoria, BC
V8Z 1S3
250.475.3131

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Andrew Jackson, P.Geo., Eng.L.
andrew@ryzuk.com

MECHANICAL ENGINEER
Integral Group
Suite 101 - 1019 Wharf Street
Victoria, BC
V8W 2Y9
250.418.1288

Contact:
Andy Chong, P.Eng., LEED AP
achong@integralgroup.com

ELECTRICAL ENGINEER
Integral Group
Suite 101 - 1019 Wharf Street
Victoria, BC
V8W 2Y9
250.418.1288

Contact:
Andy Crosson, P.Eng., LEED AP
BD+C
acrosson@integralgroup.com

CIVIL ENGINEER
J.E. Anderson & Associates
4212 Glanford Ave
Victoria, BC
V8Z 4B7
250.727.2214

Contact:
Ross Tuck, P.Eng.
rtuck@jeanderson.com

LANDSCAPE ARCHITECT
LADR Landscape Architects
3-864 Queens Ave
Victoria, BC
V8T 1M5
250.598.0105

Contact:
Bev Windjack, BCSLA, AALA,
CSLA, ASLA, LEED AP BD+C,
ERPSC
bwindjack@ladra.ca

Transportation Consultant
Bunt & Associates
645 Fort St #530
Victoria, BC
V8W 1Z9
250.592.6122

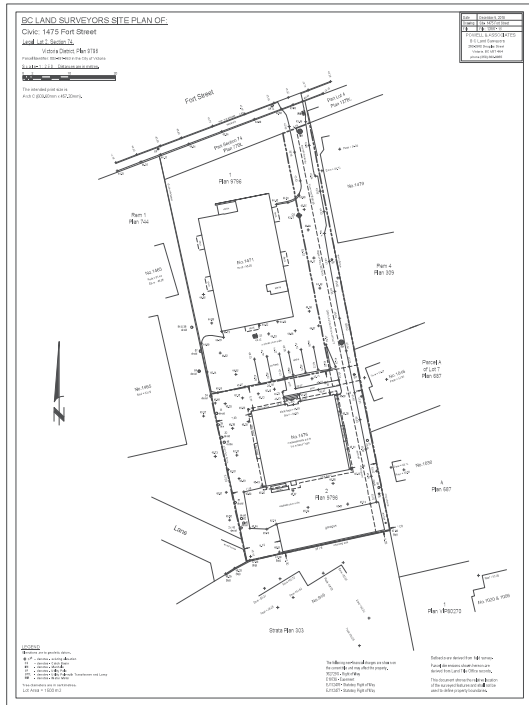
Contact:
Simon Button, P.Eng.
250.592.6122
sbutton@bunteng.com

LANTERN PROPERTIES LTD
DP SUBMISSION REVISION 2.3
APRIL 29, 2021

Project #	1618	Date	APRIL 29, 2021
Sheet #	A000	Revision	5
MAY 10, 2021			

CASCADIA ARCHITECTS INC
101-804 Broughton Street
Victoria, BC V8W 1E4 Canada
250.590.3223
cascadiaarchitects.ca

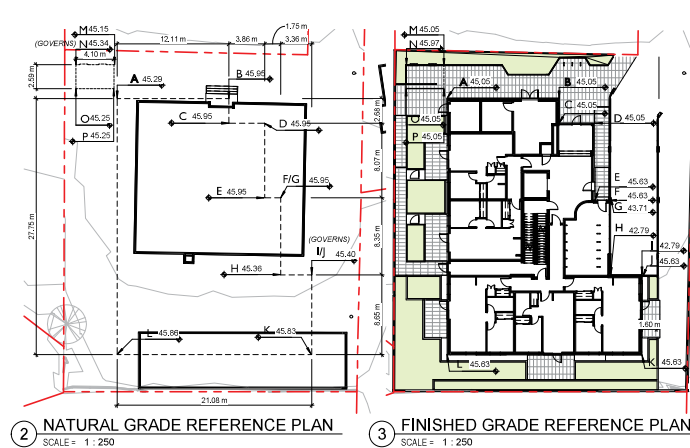
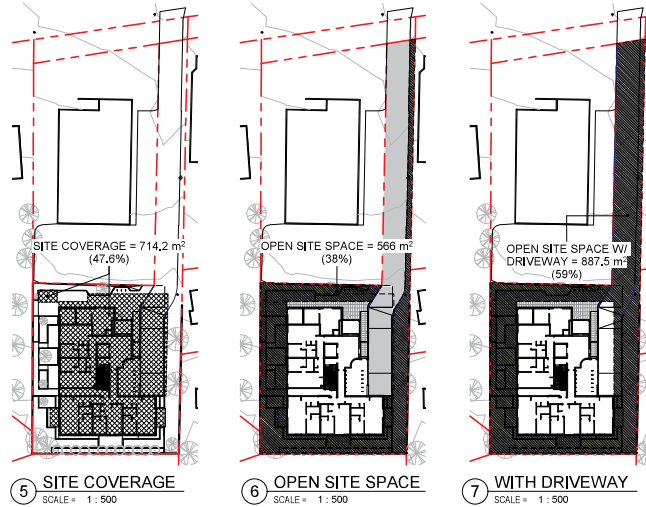




1 Existing Survey
SCALE = 1:500



4 SITE LOCATION PLAN
SCALE = 1:1000



PROJECT DATA

ZONING ANALYSIS: R3-AM-2: MID RISE MULTIPLE DWELLING DISTRICT

	ZONE ALLOWANCE	PROPOSED	VARIANCE
SITE AREA	520 m²	1,500 m²	N
FSR (BONUS FOR ENCLOSURE)	1.6:1	1.42:1	N
OPEN SITE SPACE (MIN)	30%	38%	N
OPEN SITE SPACE (W/ DRIVEWAY) (MIN)	50%	59%	N
SITE COVERAGE (MAX)	40%	48%	Y
NUMBER OF STOREYS	4	N	Y
ALLOWABLE HEIGHT	12 m	12.02 m	Y
SETBACK - FRONT YARD	10.5 m	3.80 m	Y
SETBACK - SIDE YARD WEST	6.40 m	3.05 m	Y
SETBACK - SIDE YARD EAST	6.40 m	3.05 m	Y
SETBACK - REAR YARD	6.40 m	3.05 m	Y
# OF UNITS	N/A	32	N/A
MINIMUM UNIT AREA	35 m²	40 m²	N
MINIMUM NUMBER OF CAR STALLS	45	26	Y
LONG TERM BICYCLE PARKING	8	45	Y
SHORT TERM BICYCLE PARKING	8	6	N
ACCESSORY GARDEN STRUCTURE	NOT LOCATED	PROPOSED IN P.Y.	Y

RESIDENTIAL USE DETAILS	
TOTAL NUMBER OF UNITS	32
UNIT TYPE	28 1 BDRM, 6 2 BDRM
GROUND ORIENTED UNITS	5
MINIMUM UNIT FLOOR AREA (m²)	40 m²
TOTAL RESIDENTIAL FLOOR AREA (m²)	2,136.29 m²

CALCULATIONS:

SITE COVERAGE CALCULATION:

MAIN STRUCTURE	703.5 m²
ACCESSORY STRUCTURE	10.7 m²
LOT AREA	1,500.0 m²
TOTAL (STRUCTURE)	714.2 m²
LOT AREA	1,500.0 m²
SITE COVERAGE	0.476 = 47.6%

SITE COVERAGE ACCESSORY STRUCTURE CALCULATION:

ACCESSORY STRUCTURE	10.7 m²
LOT AREA	1,500.0 m²
TOTAL (ACCESSORY)	10.7 m²
LOT AREA	1,500.0 m²
SITE COVERAGE	0.007 = 0.7%

OPEN SITE SPACE CALCULATION:

LOT AREA	1,500.0 m²
BUILDING & PARKING	612.5 m²
OPEN SITE SPACE	887.5 m²
LOT AREA	1,500.0 m²
OPEN SITE SPACE	0.59 = 59%

OPEN SITE SPACE WITH DRIVEWAY CALCULATION:

MAIN BUILDING	612.5 m²
LOT AREA	1,500.0 m²
MAIN BUILDING	612.5 m²
OPEN SITE SPACE	887.5 m²
LOT AREA	1,500.0 m²
OPEN SITE SPACE w/ DRIVEWAY	0.59 = 59%

MAIN STRUCTURE - AVERAGE GRADE CALCULATION:

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN	TOTALS
A: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 12.11m	= 545.56
B: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 2.68m	= 120.73
C: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 3.35m	= 172.69
D: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 8.07m	= 363.89
E: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 1.71m	= 76.80
F: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 8.35m	= 361.14
G: 43.71m	(43.71 + 42.79) / 2 = 43.25	x 3.35m	= 143.77
H: 42.79m	(42.79 + 42.79) / 2 = 42.79	x 8.65m	= 369.70
I: 42.79m	(42.79 + 42.79) / 2 = 42.79	x 21.08m	= 901.88
J: 45.40m (NATURAL)	(45.40 + 45.40) / 2 = 45.40	x 27.35m	= 1,246.19
K: 45.03m	(45.03 + 45.03) / 2 = 45.03		
L: 45.03m	(45.03 + 45.03) / 2 = 45.03		
TOTALS			4,404.60

GRADE CALCULATION:

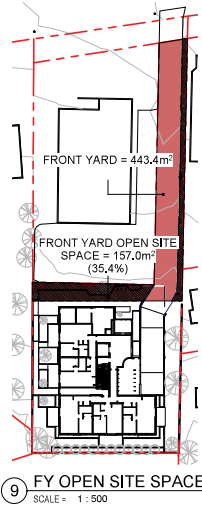
4,404.60 / 97.66m (perimeter of building) = 45.10 m

ACCESSORY STRUCTURE - AVERAGE GRADE CALCULATION:

GRADE POINTS	AVERAGE OF POINTS	DISTANCE BETWEEN	TOTALS
M: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 4.10m	= 184.20
N: 45.34m (NATURAL)	(45.34 + 45.05) / 2 = 45.20	x 2.58m	= 117.07
O: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 4.10m	= 184.21
P: 45.05m	(45.05 + 45.05) / 2 = 45.05	x 2.58m	= 117.08
TOTALS			602.56

GRADE CALCULATION:

602.56 / 9.28m (perimeter of building) = 65.04 m



9 FY OPEN SITE SPACE
SCALE = 1:500

FRONT YARD OPEN SITE SPACE:
FY OPEN SITE SPACE = 157.0 m² / 443.4 m² = 35.4%

NO.	DESCRIPTION	DATE
1	DP Revision 1	08/18/2020
2	DP Revision 2	08/18/2020
3	DP Revision 3	08/18/2020
4	DP Revision 4	08/18/2020



CASCADIA ARCHITECTS INC.

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Project	DP SUBMISSION REVISION
Project #	2.3
LANTERN PROPERTIES LTD	
HADERA APARTMENTS 1475 Fort Street	
Victoria BC	

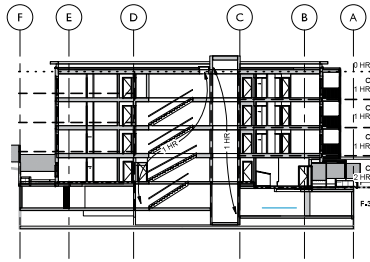
SURVEY + PROJECT DATA

Date: APRIL 29, 2021

Scale: As indicated Project # 1618

Revision: OCT 14, 2020

Sheet # A001



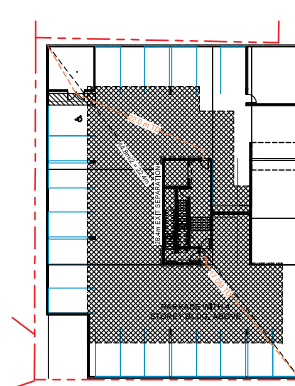
3.1.2.1 CLASSIFICATION OF BUILDING:
BUILDING TYPE: 4 STOREYS, DWELLING UNITS W/ UNDERGROUND PARKADE
STOREY 1 THROUGH 4: GROUP C (DWELLING UNITS)
UNDERGROUND: F-3 STORAGE GARAGE

3.2.2.51, GROUP C, UP TO 4 STOREYS, SPRINKLERED
 COMBUSTIBLE CONSTRUCTION
 FLOOR ASSEMBLIES: 1 hr
 LOAD BEARING WALLS, COLUMNS, & ARCHES: 1 hr
 MEZANINES: 1 hr (N/A)
 ROOF ASSEMBLIES: 0 hr

3.5.3.1, ELEVATOR HOISTWAYS
 1 hr FRR as per TABLE 3.5.3.1.

3.2.1.2, STORAGE GARAGE CONSIDERED AS A SEPARATE BUILDING
 2 hr FRR as per 3.2.1.2.1

8 CODE REVIEW - BUILDING SECTION
 SCALE = 1 : 250



OCCUPANCY: F-3 STORAGE GARAGE
MINIMUM SEPARATION OF 2 EXITS: 22.4m
MAX. TRAVEL: 45m

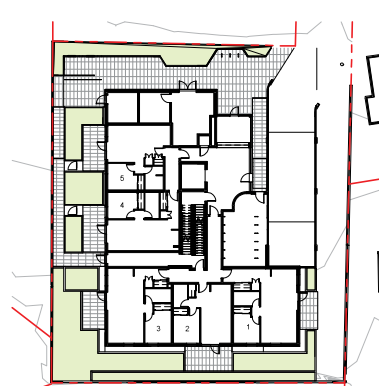
Net Area: 904 m²
 Storage Garage: 46 sq.m/person
 904/46 = 20 people

OCCUPANT LOAD: 20 people

MINIMUM EXIT WIDTH:
 STAIRS:
 8mm/person x 20 = 160mm

RAMP/SICORR/DORS/PASSAGEWAYS:
 6,1mm/person x 20 = 122mm

1 CODE REVIEW PARKADE LEVEL
 SCALE = 1 : 250



OCCUPANCY: GROUP C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

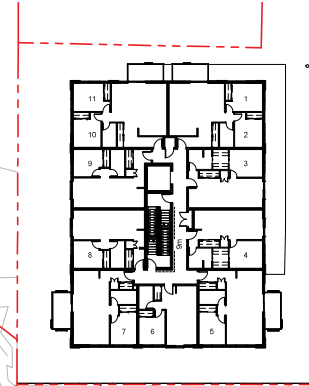
5 Bedrooms x 2 people/bedroom = 10 people

OCCUPANT LOAD: 10 people

MINIMUM EXIT WIDTH:
 STAIRS:
 8mm/person x 10 = 80mm

RAMP/SICORR/DORS/PASSAGEWAYS:
 6,1mm/person x 10 = 61mm

2 CODE REVIEW LEVEL 1
 SCALE = 1 : 250



OCCUPANCY: C - RESIDENTIAL
MINIMUM SEPARATION OF 2 EXITS: 9m

11 bedrooms x 2 people/bedroom = 22 people

OCCUPANT LOAD: 22 people

MINIMUM EXIT WIDTH:
 STAIRS:
 8mm/person x 22 = 176mm

RAMP/SICORR/DORS/PASSAGEWAYS:
 6,1mm/person x 22 = 134mm

3 CODE REVIEW 2/3/4 TYPICAL
 SCALE = 1 : 250

BUILDING CODE REVIEW:

BUILDING CODE ANALYSIS:

REFERENCED DOCUMENT:
 British Columbia Building Code 2018, Part 3

SECTION 3.1. GENERAL:

3.1.2.1, CLASSIFICATION OF BUILDINGS:
 Group C: Residential Occupancy Levels 1-4
 Group F-3: Low-hazard Industrial Occupancy 1 Level (IUG)

3.2.1.2, STORAGE GARAGE CONSIDERED AS SEPARATE BUILDING:
 2 hr FRR required as per 3.2.1.2.1

3.1.1.7, OCCUPANT LOAD:
 See Code Review Plans A002

SECTION 3.2. BUILDING FIRE SAFETY:

Parade Level
 Gross Floor Area: 904 m²

Level 1: 412 m²
 Level 2/3/4: 544 m²
 Gross Floor Area: 2,044 m²

Building Area: 544 m²

3.2.2.51, GROUP C, UP TO 4 STOREYS, SPRINKLERED
 • Maximum allowable building area not more than 1,800 m²
 • Combustible construction
 • Floor assemblies not less than 1 hr
 • Sprinklered - YES

3.2.1, SPATIAL SEPARATION AND EXPOSURE PROTECTION (Table 3.2.1.1.4)

See Limiting Distance Key Elevations A002

SECTION 3.3. SAFETY WITHIN FLOOR AREAS:

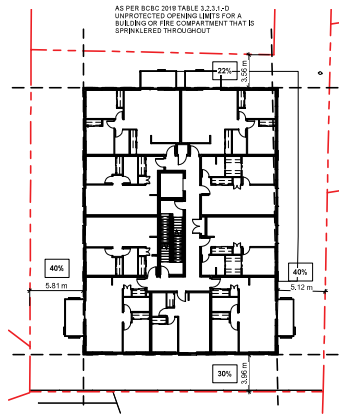
3.3.4.2, FIRE SEPARATIONS
 Suites of residential occupancy shall be separated from each other and the remainder of the building by a fire separation having a fire resistance rating not less than 1 hr

SECTION 3.4. EXITS:

3.4.2.1, MINIMUM NUMBER OF EXITS
 Minimum number of exits: 2 per floor

3.4.2.2, LOCATION OF EXITS:
 Max. Travel Permitted (residential use): 30m
 Max. Travel Permitted (F-3 use): 45m

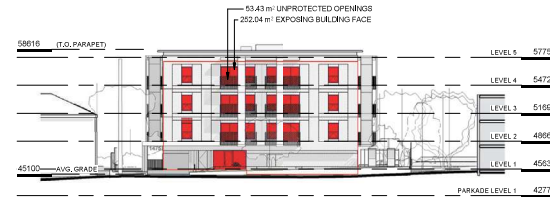
3.4.2.3, DISTANCE BETWEEN EXITS
 one half the maximum diagonal dimension of the floor area, but need not be more than 9m for a floor area having a public corridor.



9 CODE REVIEW - LIMITING DISTANCE KEY
 SCALE = 1 : 250



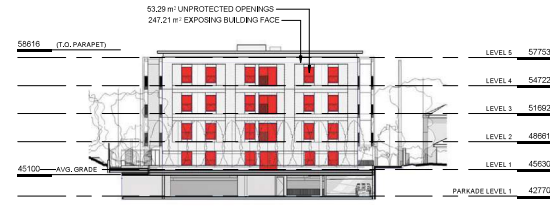
4 EAST ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250



5 NORTH ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250



6 WEST ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250



7 SOUTH ELEVATION - LIMITING DISTANCE KEY
 SCALE = 1 : 250

NO.	DESCRIPTION	DATE
1	DP Revision 2	OCT 19, 2020
2	Development Manual Application	OCT 12, 2019



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Project
DP SUBMISSION REVISION
2.3
 LANTERN PROPERTIES LTD
 HADERA APARTMENTS 1475 Fort Street
 Victoria BC

Sheet Name
BUILDING CODE REVIEW

Date
APRIL 29, 2021

Scale
 As indicated

Project #
1618

Revision
 OCT 14, 2020

Sheet #
A002

4/30/2021 9:31:00 AM



CLOSE UP VIEW FROM FREWING LANE



VIEW FROM FORT STREET



VIEW FROM PANHANDLE



VIEW OF LOBBY / PARKADE ENTRANCE

1	DP Revision 2.2	FEB 9, 2021
2	DP Revision 2	FEB 13, 2020
3	DP Revision 1	SEP 13, 2019
4	Developer Initial Application	JUL 12, 2018
NO.	DESCRIPTION	DATE



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Project	
DP SUBMISSION REVISION	
2.3	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street	
Victoria BC	
Sheet Name	3D VIEWS
Date	APRIL 29, 2021
Scale	1 : 300
Project #	1618
Revision	FEB 9, 2021
Sheet #	A003



SW CORNER VIEW FROM FREWING LANE

NO.	DESCRIPTION	DATE
1	DP Revision 2.2	108.9.2021
2	DP Revision 2.3	20.11.2021



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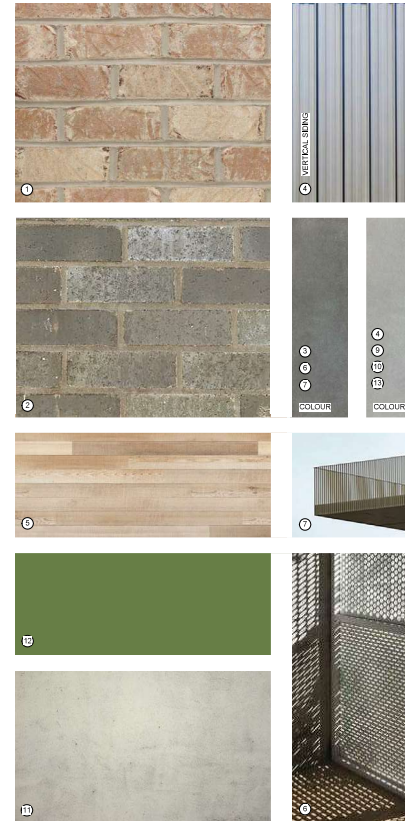
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Project	
DP SUBMISSION REVISION	
2.3	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street	
Victoria BC	
Sheet Name	3D VIEW
Date	
APRIL 29, 2021	
Scale	Project #
1 : 300	1618
Revision	5
FEB. 9, 2021	
Sheet #	A003.1

4/30/2021 9:21:21 AM



VIEW FROM PANHANDLE



MATERIALS LIST

- ① TUMBLER BRICK (LIGHT)
- ② SMOOTH BRICK (DARK)
- ③ METAL PANEL (DARK GREY)
- ④ PREFINISHED VERTICAL METAL SIDING (GREY)
- ⑤ T&G CEDAR, SOFFITS (CLEAR FINISH)
- ⑥ PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
- ⑦ PREFINISHED ALUMINUM PICKET (DARK GREY)
- ⑧ VISION GLASS TYP. (DARK GREY FRAMES)
- ⑨ PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
- ⑩ PREFINISHED METAL CLAD FLASHINGS (GREY)
- ⑪ ARCHITECTURAL CONCRETE
- ⑫ PREFINISHED ALUMINUM PLANTER (DARK GREEN)
- ⑬ PREFINISHED METAL CLAD COLUMN (GREY)

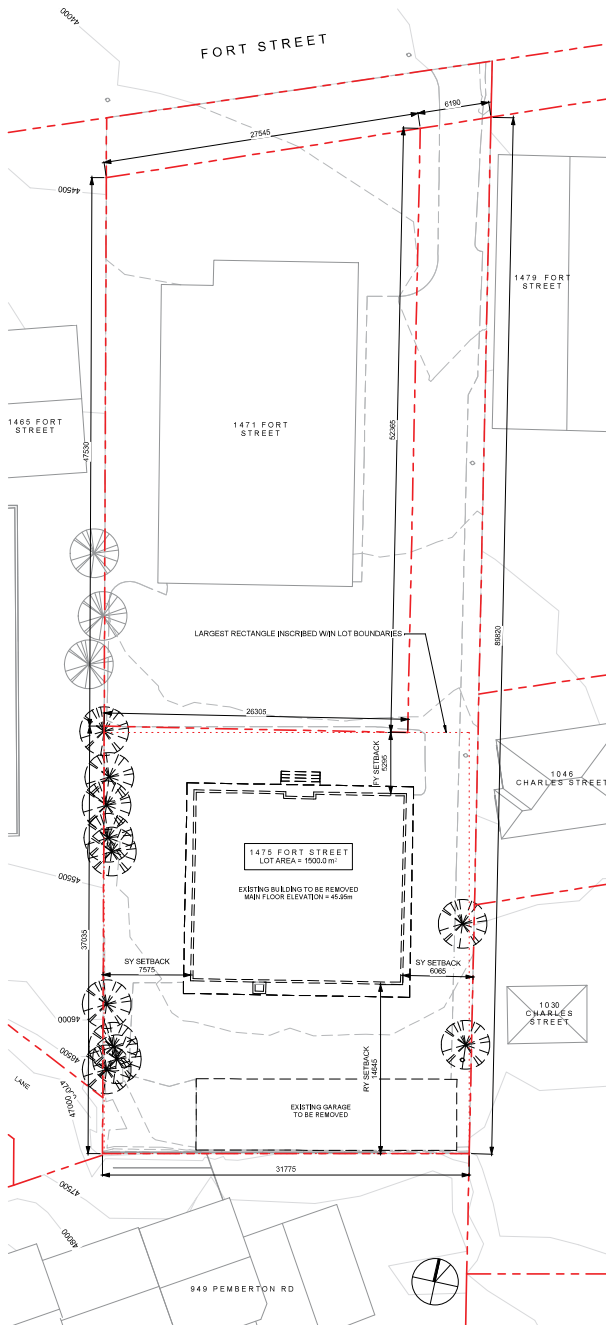
1	DP Revision 2.3	10/9/2021
2	DP Revision 1	08/11/2019
Development Material Application		07/11/2019
NO.	DESCRIPTION	DATE



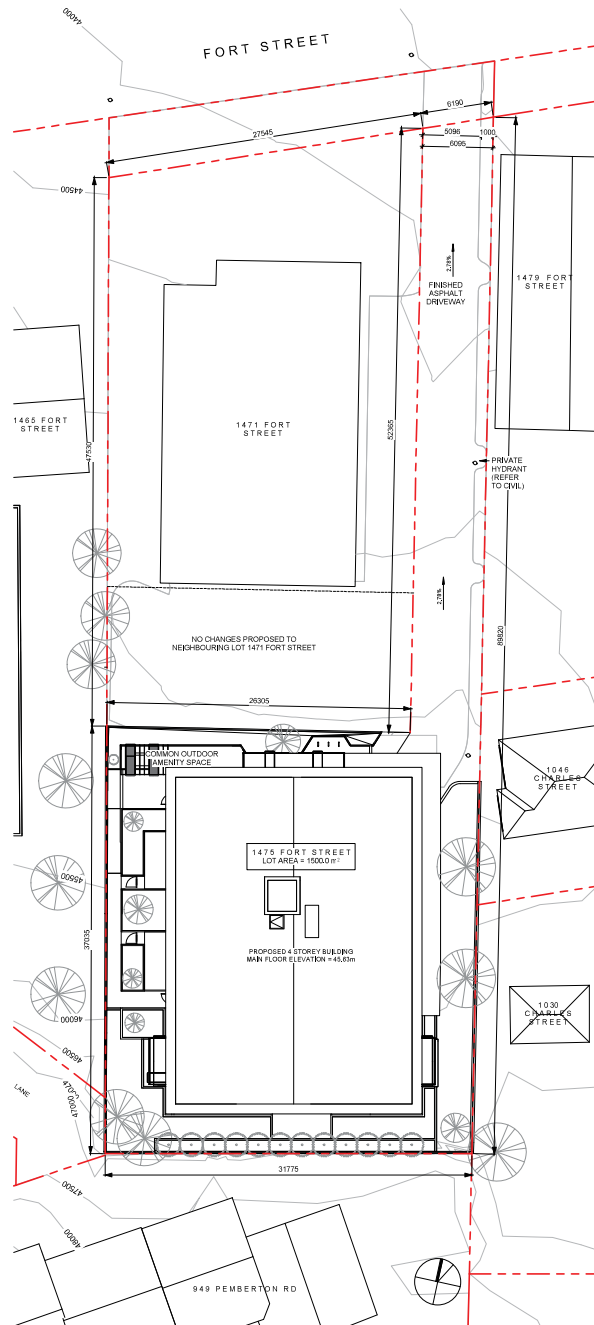
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Project	
DP SUBMISSION REVISION 2.3	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	
MATERIALS	
Date	
APRIL 29, 2021	
Scale	Project #
As indicated	1618
Revision	Revision
FEB 9, 2021	5
Sheet #	Sheet #
	A004

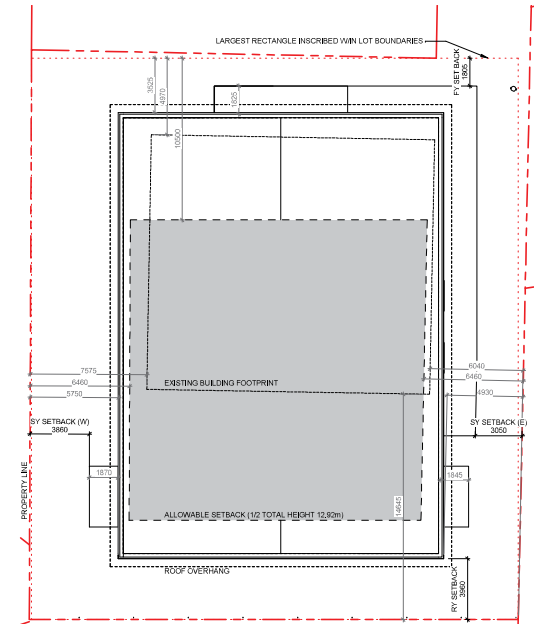
4/30/2021 9:21:51 AM



① SITE PLAN DEMOLITION
SCALE = 1:200



② SITE PLAN PROPOSED
SCALE = 1:200



③ SETBACK DIAGRAM
SCALE = 1:150

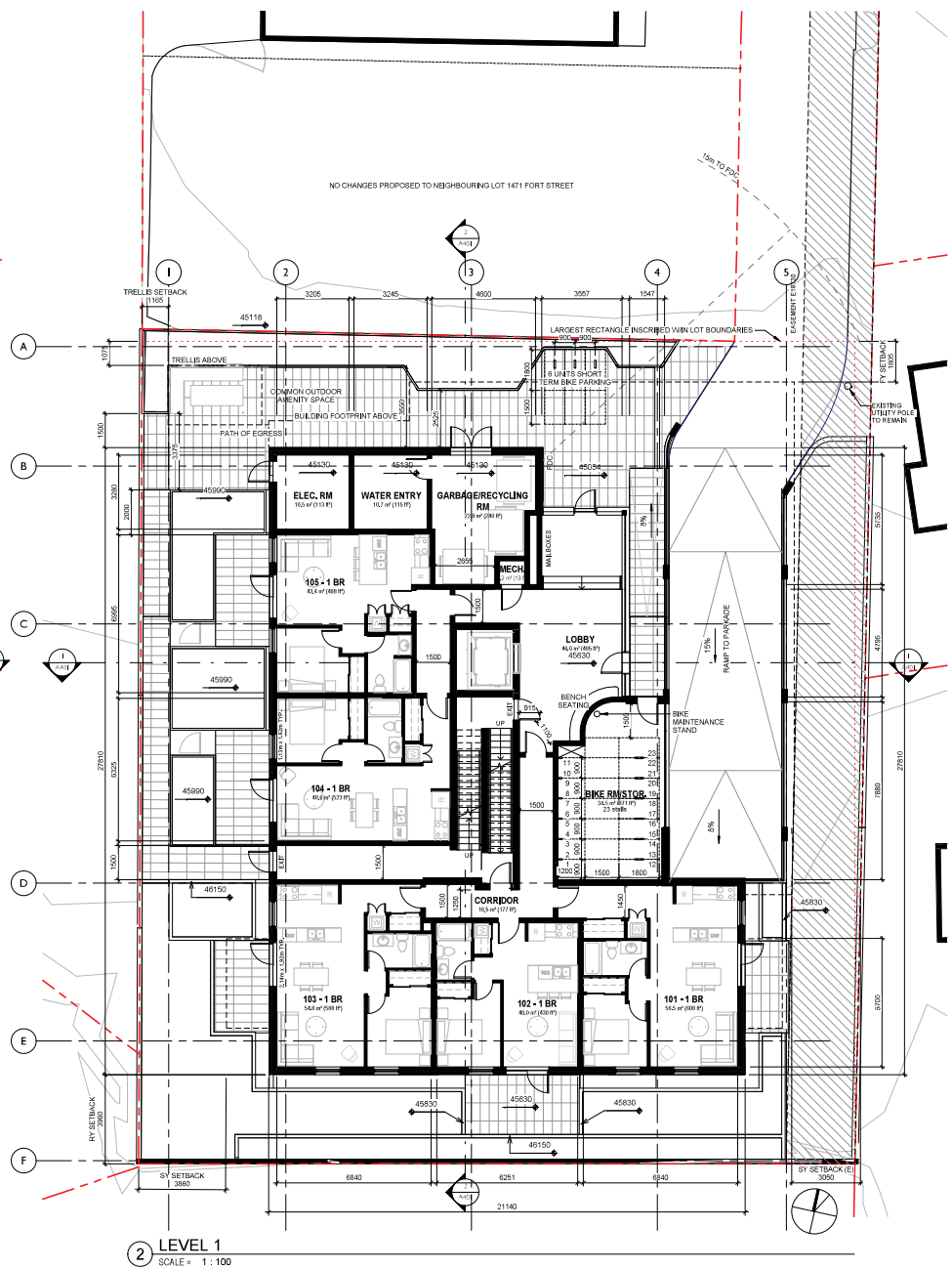
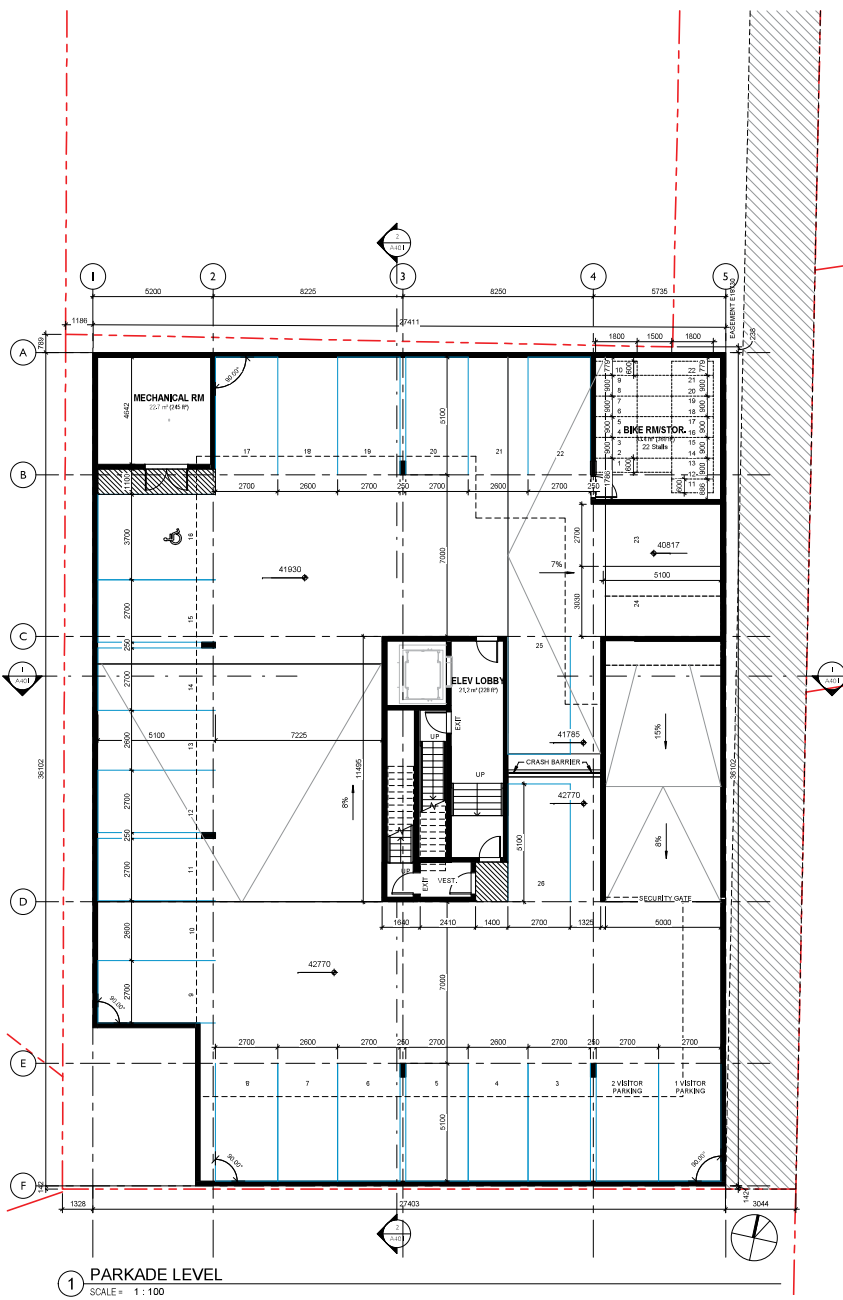
1.	DP Revision 2	OCT 19, 2020
2.	DP Revision 1	SEP 13, 2019
3.	Development Permit Application	OCT 12, 2019
NO.	DESCRIPTION	DATE



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Project	
DP SUBMISSION REVISION	
2.3	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street	
Victoria BC	
Client Name	
SITE PLANS - DEMOLITION & PROPOSED	
Date	
APRIL 29, 2021	
Scale	As indicated
Project #	1618
Revision	OCT 19, 2020
Sheet #	A101

4/30/2021 9:22:01 AM

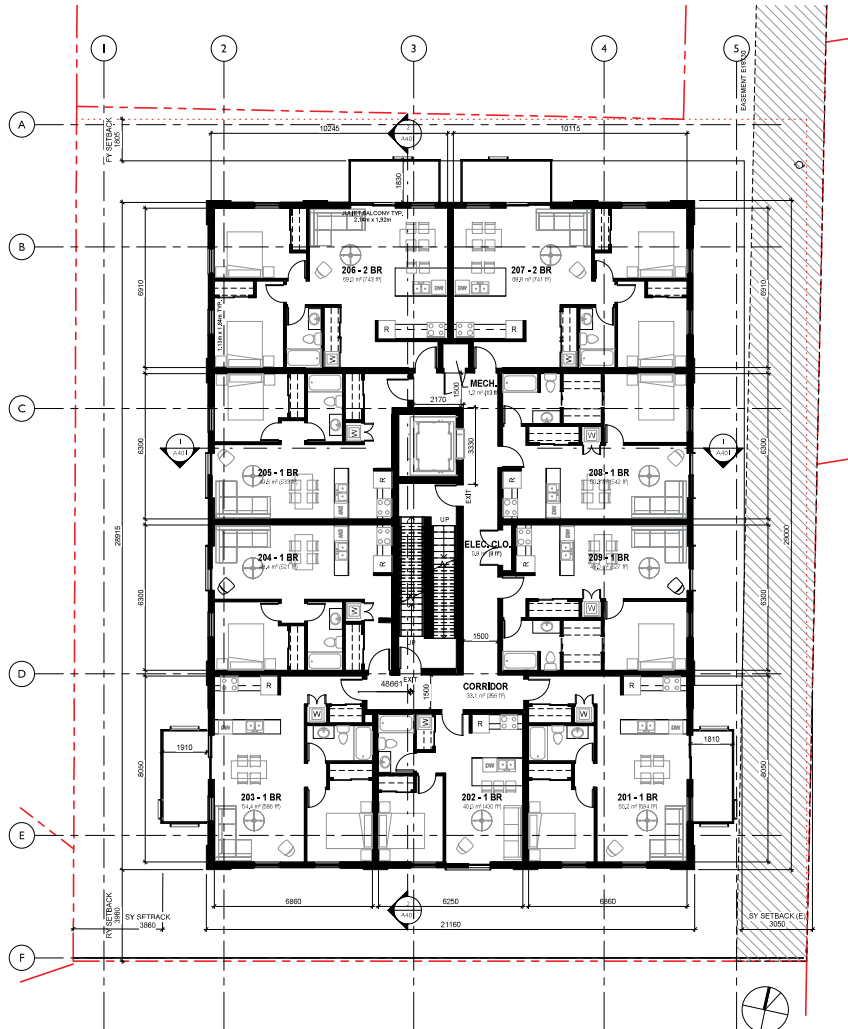


NO.	DESCRIPTION	DATE
1	DP Revision 2.2	2019.02.20
2	DP Revision 2	2019.02.20
3	DP Revision 1	2019.02.20
4	Development Approval Application	2019.02.20

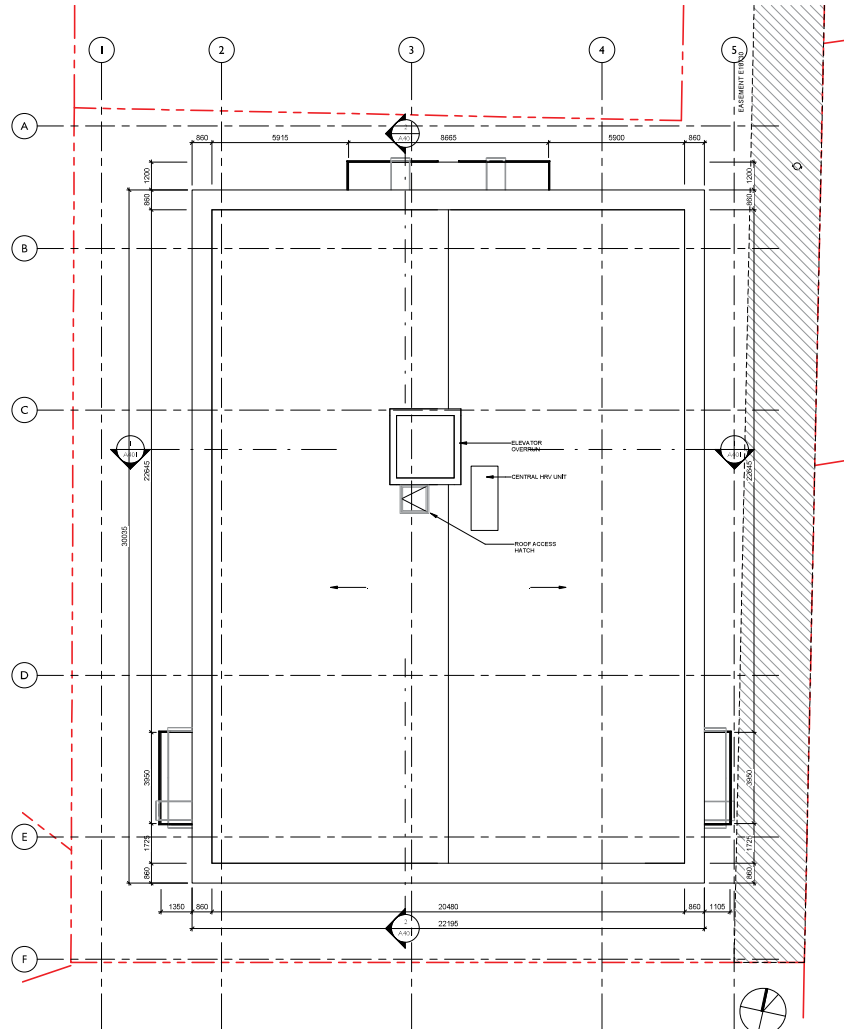


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Project	
DP SUBMISSION REVISION	
2.3	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street	
Victoria BC	
Sheet Name	
FLOOR PLANS	
Date	APRIL 29, 2021
Scale	1 : 100
Project #	1618
Revision	FEB 9, 2021
Sheet #	5
A201	



1 LEVEL 2/3/4 TYPICAL
SCALE = 1:100



2 ROOF PLAN
SCALE = 1:100

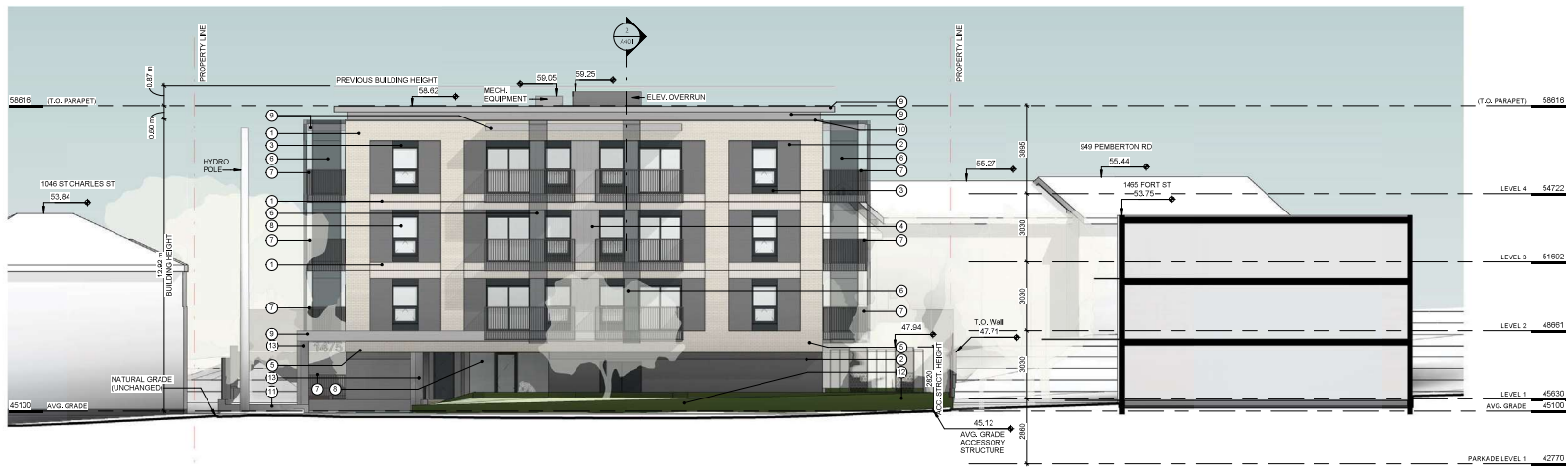
NO.	DESCRIPTION	DATE
1	DP Revision 1	SEPT 13, 2019
2	Development Material Application	SEPT 13, 2019



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Project	DP SUBMISSION REVISION	2.3
Client	LANTERN PROPERTIES LTD	
Address	HADERA APARTMENTS 1475 Fort Street	
City	Victoria BC	
Sheet Name	FLOOR PLANS	
Date	APRIL 29, 2021	
Scale	1:100	1618
Revision	SEPT 13, 2019	2
Sheet #	A202	

4/30/2021 9:22:18 AM



1 NORTH ELEVATION
SCALE = 1:100



2 EAST ELEVATION
SCALE = 1:100

MATERIALS LIST

- ① TUMBLER BRICK (LIGHT)
- ② SMOOTH BRICK (DARK)
- ③ METAL PANEL (DARK GREY)
- ④ PREFINISHED VERTICAL METAL SIDING (GREY)
- ⑤ TAG CEDAR, SOFFITS (CLEAR FINISH)
- ⑥ PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
- ⑦ PREFINISHED ALUMINUM PICKET (DARK GREY)
- ⑧ VISION GLASS TYP. (DARK GREY FRAMES)
- ⑨ PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
- ⑩ PREFINISHED METAL CAP FLASHINGS (GREY)
- ⑪ ARCHITECTURAL CONCRETE
- ⑫ PREFINISHED ALUMINUM PLANTER (DARK GREEN)
- ⑬ PREFINISHED METAL CLAD COLUMN (GREY)

1	DP Revision 2	2021.10.20
2	DP Revision 1	2021.10.20
3	DP Revision 1	2021.10.20
4	Development Material Application	2021.10.20
NO.	DESCRIPTION	DATE



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Project	
DP SUBMISSION REVISION 2.3	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	
ELEVATIONS	
Date	
APRIL 29, 2021	
Scale	Project #
As indicated	1618
Revision	4
OCT 11, 2020	
Sheet #	A301



1 SOUTH ELEVATION
SCALE = 1:100

MATERIALS LIST

- 1 TUMBLER BRICK (LIGHT)
- 2 SMOOTH BRICK (DARK)
- 3 METAL PANEL (DARK GREY)
- 4 PREFINISHED VERTICAL METAL SIDING (GREY)
- 5 TAG CEDAR, SOFFITS (CLEAR FINISH)
- 6 PREFINISHED ALUMINUM PERFORATED SCREENS (DARK GREY)
- 7 PREFINISHED ALUMINUM PICKET (DARK GREY)
- 8 VISION GLASS TYP. (DARK GREY FRAMES)
- 9 PREFINISHED METAL CLAD FASCIA AND SIDING (GREY)
- 10 PREFINISHED METAL CAP FLASHINGS (GREY)
- 11 ARCHITECTURAL CONCRETE
- 12 PREFINISHED ALUMINUM PLANTER (DARK GREEN)
- 13 PREFINISHED METAL CLAD COLUMNS (GREY)



2 WEST ELEVATION
SCALE = 1:100

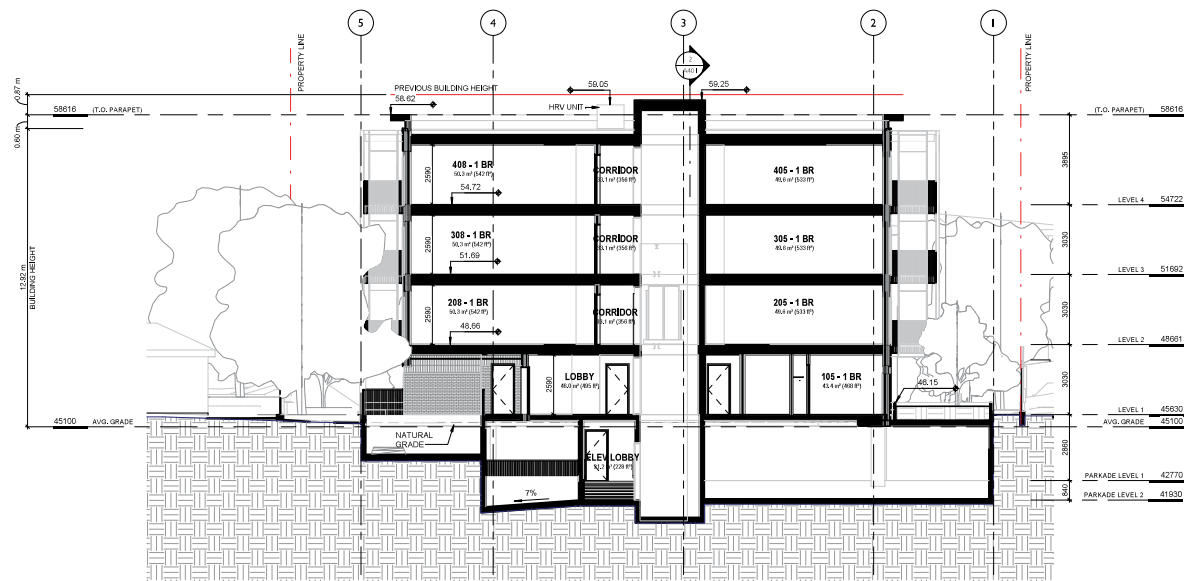
1	DP Revision 2	OCT 18, 2020
2	DP Revision 1	OCT 18, 2020
3	DP Revision 1	SEP 13, 2019
4	Development Material Application	OCT 12, 2019

NO.	DESCRIPTION	DATE
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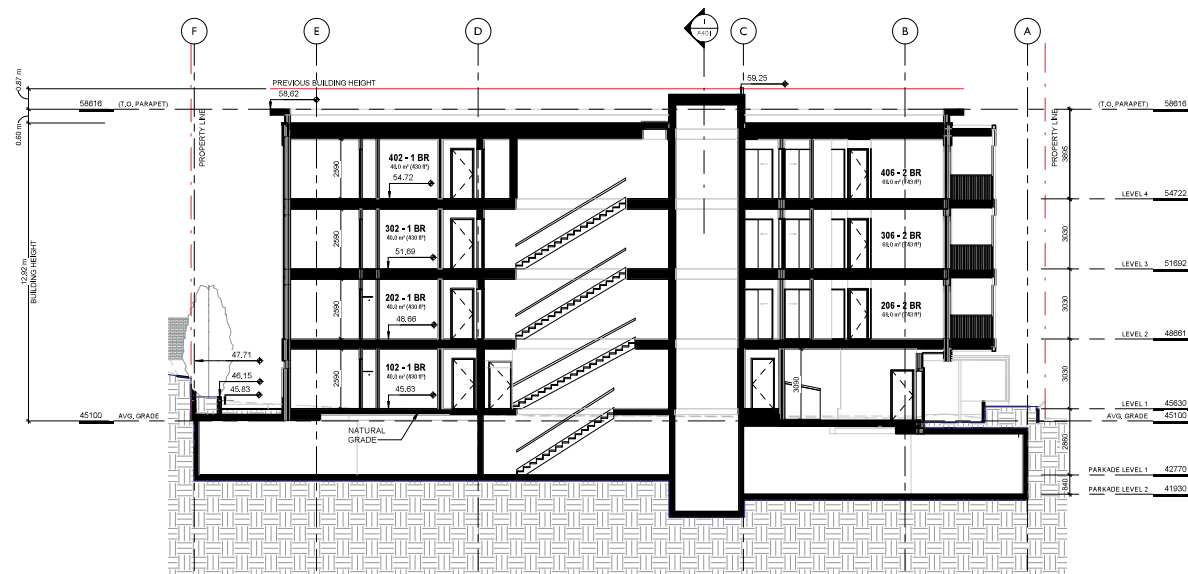


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Project	
DP SUBMISSION REVISION 2.3	
LANTERN PROPERTIES LTD	
HADERA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	
ELEVATIONS	
Date	
APRIL 29, 2021	
Scale	Project #
As indicated	1618
Revision	4
OCT 18, 2020	
Sheet #	
A302	



① Section 1
SCALE = 1 : 100



② Section 2
SCALE = 1 : 100

1.	DP Revision 2	OCT 18, 2020
2.	DP Revision 1	SEP 13, 2019
3.	Developmental Approval Application	OCT 12, 2018

NO.	DESCRIPTION	DATE
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Project
DP SUBMISSION REVISION
2.3
LANTERN PROPERTIES LTD
HADARA APARTMENTS 1475 Fort Street
Victoria BC

Project Name
BUILDING + SITE SECTIONS

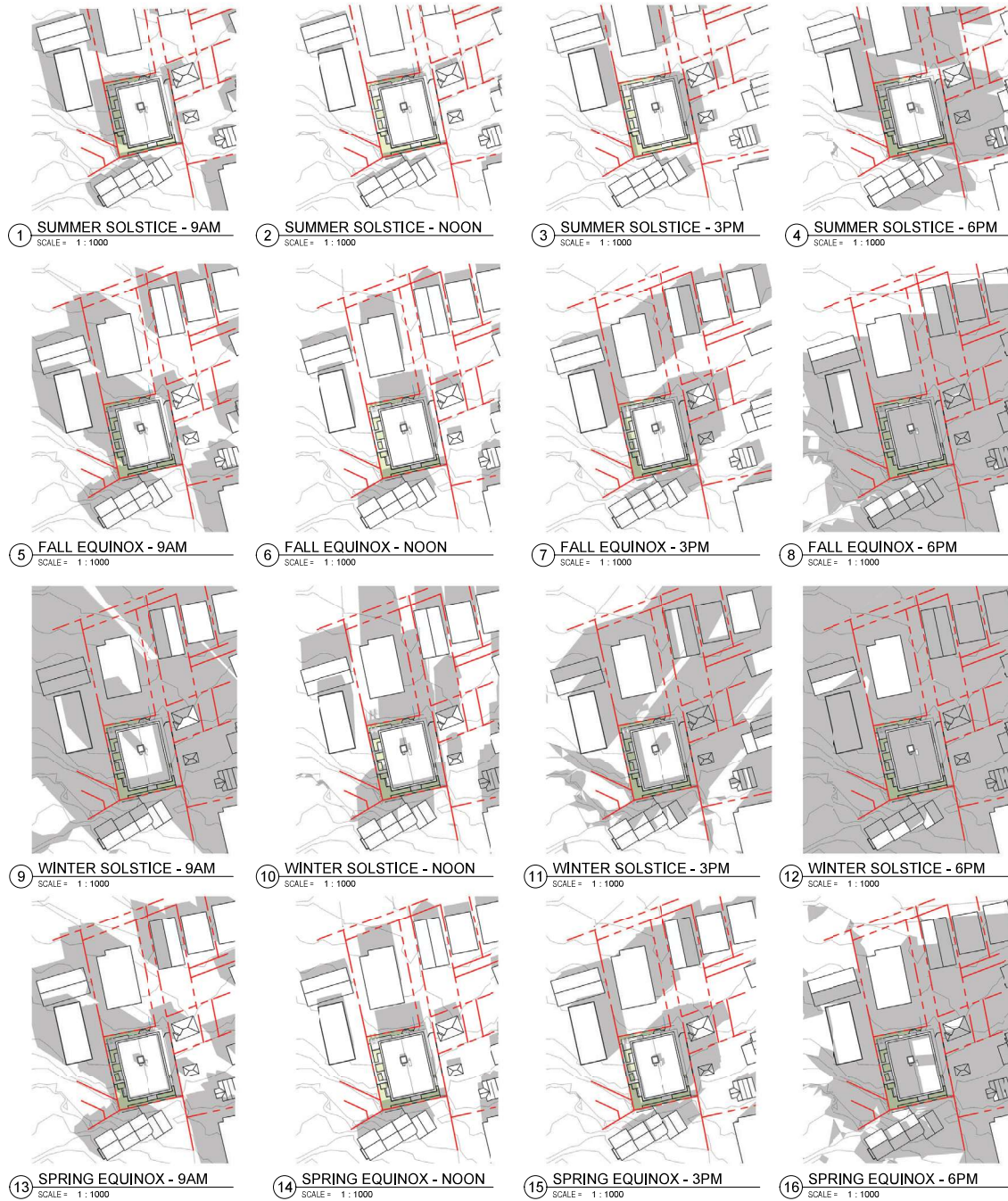
Date
APRIL 29, 2021

Scale
1 : 100

Revision
OCT 18, 2020

Sheet #
A401

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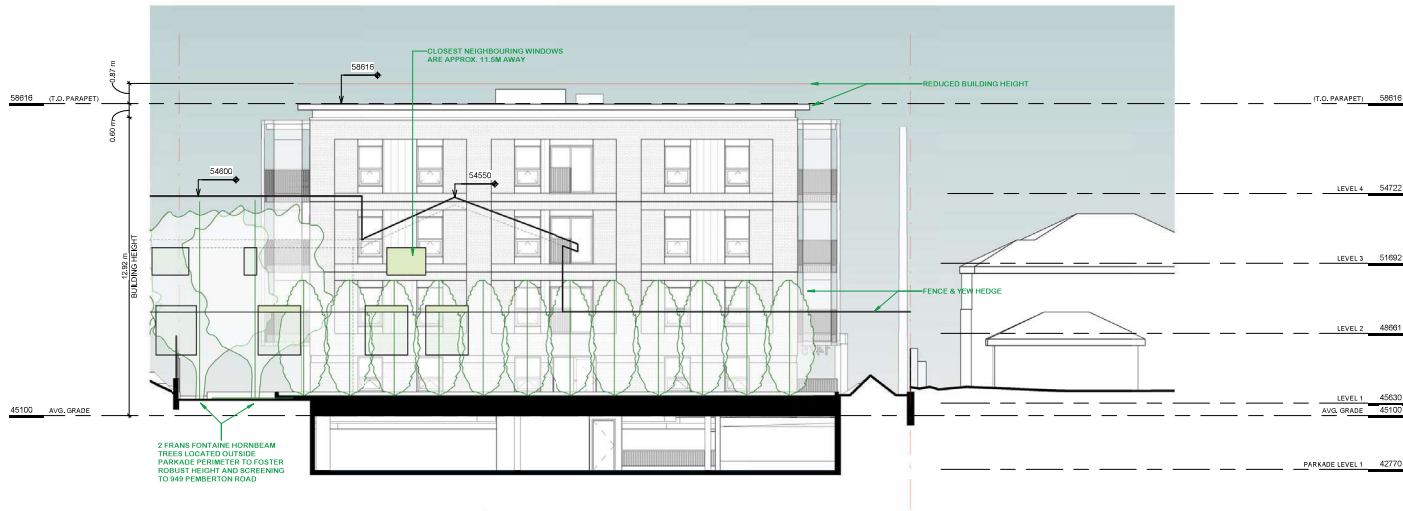


1	DP Revision 2	OCT 18, 2020
2	DP Revision 1	SEP 13, 2019
Development Natural Application		2781.12.2019
NO.	DESCRIPTION	DATE

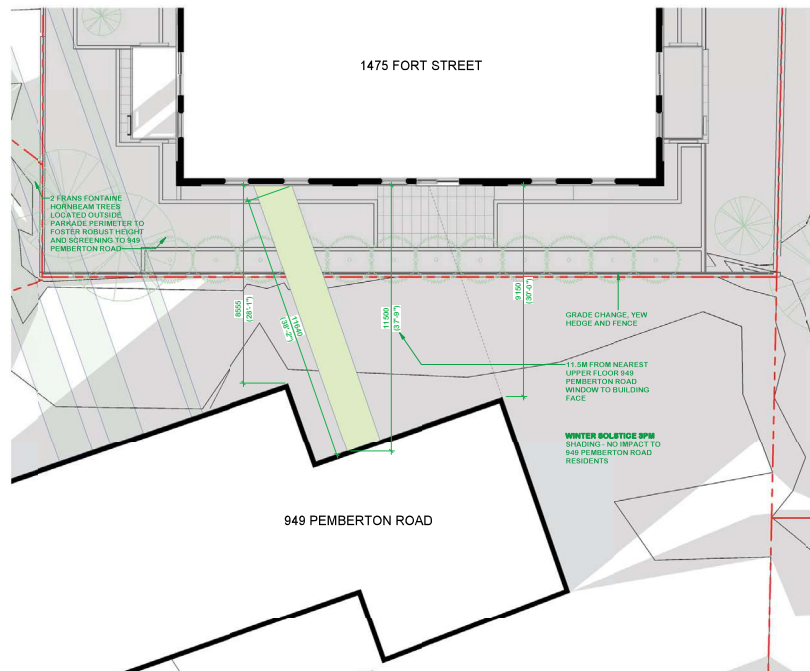


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Project	
DP SUBMISSION REVISION	
2.3	
LANTERN PROPERTIES LTD	
HADERA APARTMENTS 1475 Fort Street	
Victoria BC	
Sheet Name	
SHADOW STUDY	
Date	
APRIL 29, 2021	
Scale	Project #
1 : 1000	1618
Revision	Sheet #
OCT 18, 2020	4
A501	



① 949 PEMBERTON WINDOW OVERLAY ON SOUTH ELEVATION
SCALE = 1 : 100



② 949 PEMBERTON LEVEL 2 WINDOW OVERLAY
SCALE = 1 : 100



NOTE: 949 PEMBERTON ROAD WINDOW & DOOR LOCATIONS AND SIZES EXTRAPOLATED FROM SITE PHOTOGRAPH ABOVE

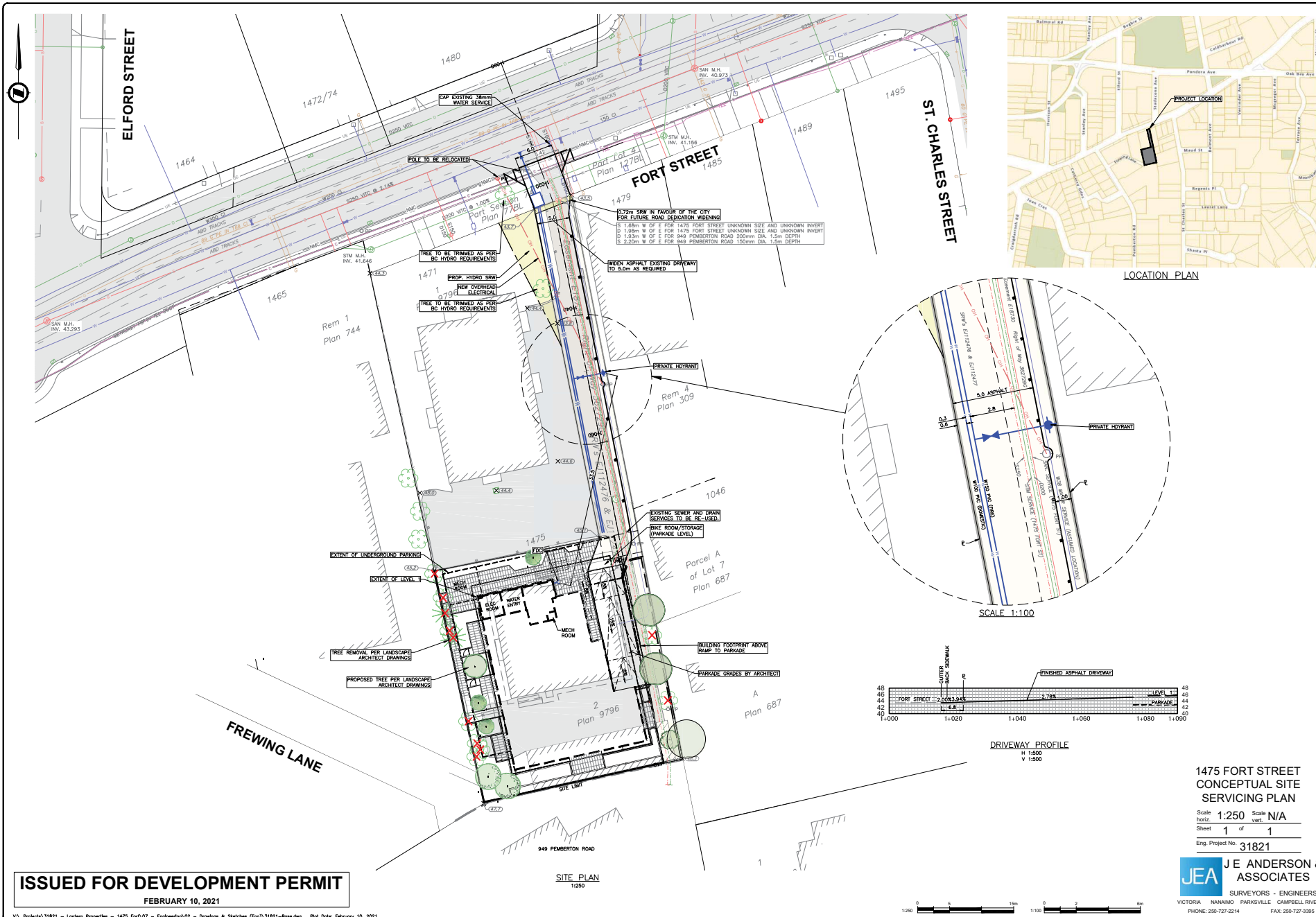
NO.	DESCRIPTION	DATE
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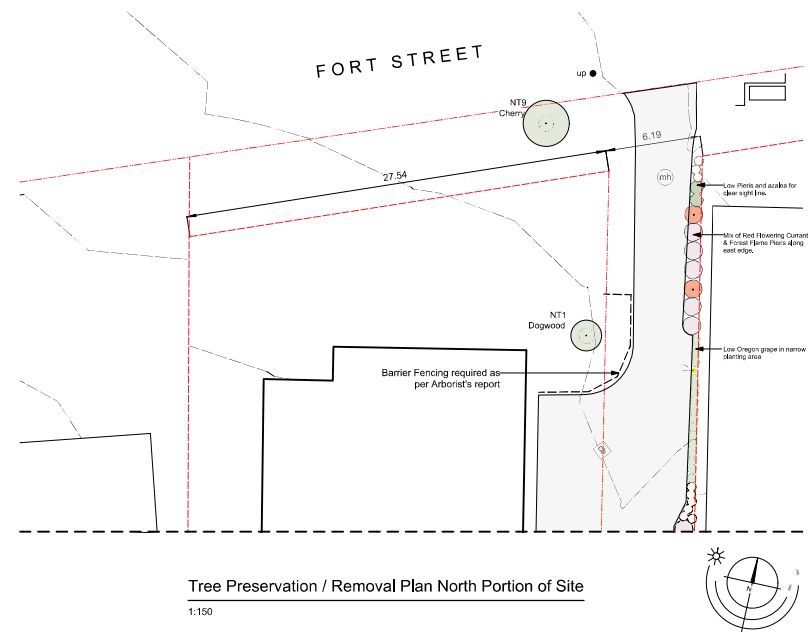
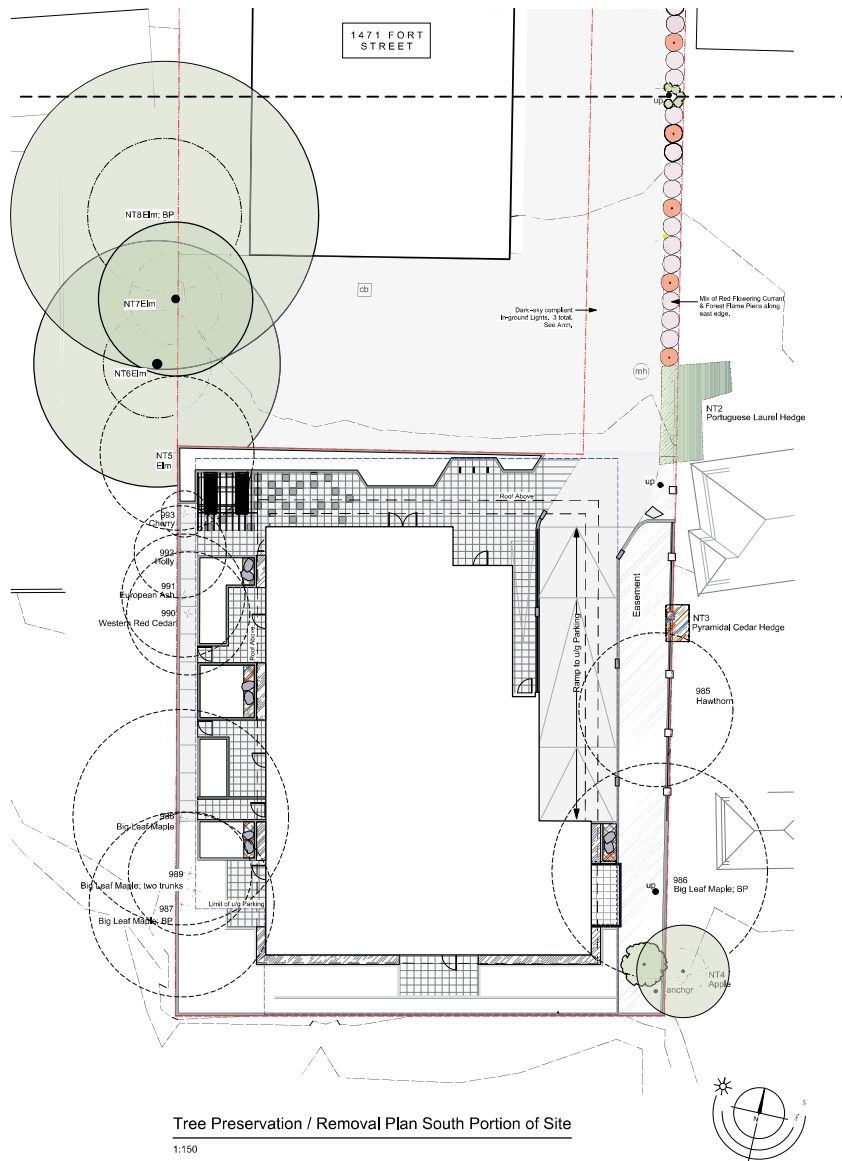


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Project	
DP SUBMISSION REVISION 2.3	
LANTERN PROPERTIES LTD	
HADARA APARTMENTS 1475 Fort Street Victoria BC	
Sheet Name	
949 PEMBERTON ROAD WINDOW OVERLAY	
Date	
APRIL 29, 2021	
Scale	Project #
1 : 100	1618
Revision	Sheet #
APRIL 29, 2021	6
A502	

4/30/2021 9:25:06 AM





Tree Removal Key

- CRZ of Removed Tree (10 total)
- BP By-law Protected (Removing 2; both on-site)
- CRZ of Retained Tree
- Tree ID as per Arborist's Report
- Canopy of Retained Tree

Project Consulting Arborist is Graham Mackenzie at **Talbot Mackenzie and Associates**
Contact: 250-479-8733 Email: tmreehelp@gmail.com

Tree Replacement Summary:

- 1) Two by-law protected trees, #986 and #987, are being removed (as per Arborist report). Four trees are required to replace the 2 by-law protected trees (2:1 replacement), they are identified on the Landscape Concept Plan.
- 2) Eight non-by-law protected trees are being removed and replaced with 8 new trees.
- 3) One By-law protected tree, NT8, is being retained as per Arborist report.
- 4) Twelve new trees are proposed for this project (including Replacement Trees).
- 5) The following work to be supervised by the project Arborist:
Locating barrier (tree protection) fencing, locating work zones, supervising excavation within critical root zones of trees to be retained, and reviewing and advising of any pruning requirements for machine clearances.
Arborist to also review the arborist report with the site supervisor, prior to beginning work on site.

- Rev D 210208 Trees revised in response to adjusted u/g parking
- Rev C 201215 Notes around replacement trees revised.
- Rev B 201008 Planting revised to suit adjusted architecture, & in response to community comments.
- Rev A 190906 Planting revised to suit adjusted architecture, & extended to Fort St. Tree Preservation Plan added

1475 Fort St. - Tree Preservation Plan