



AMENDED AGENDA
COMMITTEE OF THE WHOLE
MEETING OF THURSDAY, JANUARY 25, 2018, AT 9:00 A.M.
COUNCIL CHAMBERS
CITY HALL, 1 CENTENNIAL SQUARE
Located on the traditional territory of the Esquimalt and Songhees People

Page

APPROVAL OF AGENDA

CONSENT AGENDA

READING OF MINUTES

1. ~~Minutes from the Meeting held December 14, 2017~~

Deferred

[Addenda]

Presentation

2. Johnson Street Bridge Quarterly Update Report
--J. Huggett, Project Director for the Johnson Street Bridge Replacement Project

9 - 41

A report providing information regarding a quarterly update on the progress towards to the Johnson Street Bridge Replacement Project.

Late Item: Presentation, Letter from Hardesty & Hanover

Recommendation: That Council receive this report for information.

[1 Report Johnson Street Bridge Replacement Project Quarterly Update](#)

[2 Appendix A Budget Update](#)

[3 Appendix B Contingency](#)

[4 Appendix C Closure Schedule](#)

[5 LATE Letter from Hardesty and Hanover](#)

[6 LATE Presentation](#)

[Addenda]

UNFINISHED BUSINESS

3. Letter from the District of West Kelowna 43

A letter dated December 13, 2017 regarding cannabis tax revenue.

Recommendation: *That the correspondence dated December 13, 2017 from the District of West Kelowna be received for information.*

Referred from the January 18, 2018 Committee of the Whole Meeting

[Letter from the District of West Kelowna](#)

LAND USE MATTERS

4. Rezoning Application No. 00602 for 736 Princess Avenue (Rock Bay) and Associated Official Community Amendment 45 - 148
--J. Tinney, Director of Sustainable Planning & Community Development

A report providing information and recommendations regarding an application to construct a six-storey, mixed-use building consisting of ground floor commercial and residential above.

Late Item: ***Additional Letter to Mayor and Council, Letter from First National Financial, Presentation, Additional Letter from CALUC***

Recommendation:***That Council decline Rezoning Application No. 00602 for the property located at 736 Princess Avenue.***

[1 Report REZ 00602 for 736 Princess Avenue and associated Official Community Plan Amendment](#)
[2 Attachment A & B Maps](#)
[3 Attachment C Plans](#)
[4 Attachment D Letter to Mayor and Council](#)
[5 Attachment E Letter from First National Financial LLP](#)
[7 Attachment G Parking Study](#)
[8 Additional CALUC Comments](#)
[9 Correspondence](#)
[10 LATE Additional Letter to Mayor and Council](#)
[11 LATE Letter from First National Financial](#)
[12 LATE Presentation](#)
[13 LATE Additional CALUC Letter](#)

[Addenda]

5. Development Permit with Variances Application No. 00065 for 736 Princess Avenue (Rock Bay) 149 - 155
--J. Tinney, Director of Sustainable Planning & Community Development

A report providing information and recommendations regarding an application to construct a six-storey, mixed-use building consisting of ground floor commercial and residential above.

Recommendation: That Council decline Development Permit with Variance Application No. 00065 for the property located at 736 Princess Avenue.

See Rezoning Item Above for Attachments

[DPV 00065 for 736 Princess Avenue](#)

6. Rezoning Application No. 00608 for 323 Skinner Street (Vic West) 157 - 210
--J. Tinney, Director of Sustainable Planning & Community Development

A report providing information and recommendations regarding an application to raise and convert an existing single-storey single-family dwelling to create a daycare for up to 32 children.

Late Item: Presentation

Recommendation: That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

- [1 Report REZ 00608 for 323 Skinner Street](#)
- [2 Attachment A & B Maps](#)
- [3 Attachment C Plans](#)
- [4 Attachment D Letter to Mayor and Council](#)
- [5 Attachment E CALUC Comments](#)
- [6 Attachment F Arborist Report](#)
- [7 Attachment G Correspondence](#)
- [8 LATE Presentation](#)

[Addenda]

7. Development Permit Application No. 000523 for 323 Skinner Street (Vic West) 211 - 214
--J. Tinney, Director of Sustainable Planning & Community Development

A report providing information and recommendations regarding an application to raise and convert an existing single-storey single-family dwelling to create a daycare for up to 32 children.

Recommendation: That Council, after the Public Hearing for Rezoning Application No. 00608, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit Application No. 000523 for 323 Skinner Street subject to submission of supplementary plans identifying the proposed sustainability features, to

the satisfaction of the Director of Sustainable Planning and Community Development, in accordance with: 1. Plans date stamped December 15, 2017. 2. The development meeting all Zoning Regulation Bylaw requirements. 3. The Development Permit lapsing two years from the date of this resolution."

See Rezoning Item Above for Attachments

[DP 000523 for 323 Skinner Street](#)

8. Development Variance Permit No. 00186 for 1322 Rockland Avenue (Rockland) 215 - 314
--J. Tinney, Director of Sustainable Planning & Community Development

A report providing information and recommendations regarding an application to subdivide the lot into two lots to create one vacant lot while retaining the existing heritage protected building on the other lot.

Late Item: Final Arborist Report, Additional Letter to Mayor and Council, Revised Plans, Correspondence, Presentation, Additional Correspondence

Recommendation: That Council decline Development Variance Permit Application No. 00186 for the property located at 1322 Rockland Avenue.

- [1 Report DP 00186 for 1322 Rockland Avenue](#)
- [2 Attachment A & B Maps](#)
- [3 Attachment C Plans](#)
- [4 Attachment D Letter to Mayor and Council](#)
- [5 Attachment E CALUC Comments](#)
- [6 Attachment F Arborist Report](#)
- [7 Attachment G Correspondence](#)
- [8 Correspondence](#)
- [9 LATE Final Arborist Report](#)
- [10 LATE Additional Letter to Mayor and Council](#)
- [11 LATE Correspondence](#)
- [12 LATE Revised Plans](#)
- [13 LATE Presentation](#)
- [14 LATE LATE Correspondence](#)

[Addenda]

STAFF REPORTS

9. Application for a Structural Change to Increase the Occupant Load for a Liquor Primary License (300068), Upstairs Cabaret, 15 Bastion Square 315 - 385
--J. Tinney, Director of Sustainable Planning & Community Development

A report providing information and recommendations regarding an application for a structural change to increase the occupant load from 300 to 500 persons.

Late Item: Presentation

Recommendation:*That Council direct staff to provide the following response to the Liquor Licensing Agency: 1. Council, after conducting a review with respect to noise and community impacts, does support the application of Upstairs Cabaret, located at 15 Bastion Square for a structural change to increase the occupant load from 300 to 500 persons. Providing the following comments on the prescribed considerations: a. The impact of noise on the community in the vicinity of the establishment has been considered. The consideration of noise related to the Upstairs Cabaret recognized that noise is partly due to the sound system as a constant which is not substantially impacted by occupant load. The impacts of the increased occupant load were also considered and are consistent with uses contemplated for the area and therefore supportable. b. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local entertainment destination and as a local employer. c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received 39 letters in support of the application and 5 letters opposed to the application. The letters of opposition describe issues resulting from patrons leaving the establishment which include, noise, loud use of profanities, vomiting and the overall impact this has on the occupants and business of the Victoria Regent Hotel. Letters of support commonly noted the proposed capacity is needed to support local talent with adequately sized venues. Respondents also supported the application for the impact it would have on reducing queue times and improved atmosphere, both to the benefit of patrons. d. Council recommends the issuance of the license.*

[1 Report Application for a Structural Change to Increase the Occupant Load for a Liquor Primary](#)

[2 Appendix A Maps](#)

[3 Appendix B Council Minutes - May 24, 2007 re Policy](#)

[4 Appendix C Letters from the Public](#)

[5 Appendix D Provincial Liquor License Types](#)

[6 Appendix E Response from Applicant Regarding COTW Report](#)

[7 LATE Presentation](#)

[Addenda]

- | | | |
|-----|--|-----------|
| 10. | 816 Government Street (Customs House) - Road Dedication
--F. Work, Director of Engineering & Public Works | 387 - 389 |
|-----|--|-----------|

A report providing information and recommendations regarding the property owner voluntarily dedicating 12.5 square metres of land as road right-of-way, where the sidewalk is over private property.

Recommendation: That Council authorize the Mayor and the City Clerk to execute legal documents to the satisfaction of the City Solicitor, allowing for the following at 816 Government Street: • the dedication as road of 12.5 square metres of land; and • the discharge of existing SRW CA4632179

816 Government Street (Customs House) - Road Dedication

11. Council Resolution for Emergency Operations Centre Exercise Grant Application 391 - 399
--P. Bruce, Fire Chief

A report providing information and recommendations regarding a grant application to UBCM for emergency operations centre training for City staff.

Recommendation: That Council: 1. Authorize staff to apply for a \$25,000 grant through the Community Emergency Preparedness Fund for Emergency Operations Centre (EOC) training and exercise development and delivery. 2. Authorize the Mayor and City Clerk to execute any agreements related to a successful grant application.

1 Report Council Resolution for Emergency Operations Centre Exercise Grant Application

2 Appendix A 2018 EOC Program & Application Guide

NOTICE OF MOTIONS

NEW BUSINESS

12. Attendance at the Board Meeting of the Canadian Capital Cities Organization, February 7 & 8, 2018 401
--Councillor Alto

A Council member motion regarding a request to attend the CCCO Board Meeting.

Recommendation: That Council authorize the attendance and associated costs for Councillor Alto to attend the in-person Board meeting of the Canadian Capital Cities Organization to be held in Ottawa, February 7 and 8, 2018.

Attendance at the Board Meeting of the Canadian Capital Cities Organization, February 7 & 8, 2018

13. Attendance at the Federation of Canadian Municipalities Sustainable Communities Conference, Feb. 6-8, 2018 403
--Mayor Helps

A Council member motion regarding a request to attend the FCM Sustainable Communities Conference.

Late Item: Revised Motion

Recommendation: That Council authorize the attendance and associated costs for Mayor Helps to attend the FCM Sustainable Communities Conference to be held in Ottawa, February 6-8, 2018.

[LATE Revised Attendance at the FCM Sustainable Communities Conference, Feb. 6-8, 2018](#)

[Addenda]

14. **Late Item:** Contribution Toward Meeting Costs for Victoria Community Association Network 405 - 407
--Councillor Isitt & Loveday

A Council member motion providing recommendations regarding meeting costs for the Victoria Community Association Network.

Recommendation: That Council direct staff to: (1) Make provision for the following expenditures in the 2018 Financial Plan Bylaw, funded from new assessed revenue: a. in-kind funding to cover security costs relating to meetings of the Victoria Community Association Network at Victoria City Hall, with annual expenditures for this purpose not to exceed \$800; b. a monetary contribution of \$100 toward insurance costs for meetings of the Victoria Community Association Network; (2) Include these expenditures adjusted for the rate of inflation in the draft Financial Plan for 2019 and subsequent years, until such time as Council adopts a different policy with respect to support for meetings of this network.

[1 Report Contribution Toward Meeting Costs for VCAN](#)
[2 Attachment 1 VCAN Letter](#)

[Addenda]

15. **Late Item:** Local Government Leadership Academy Attendance Request 409
--Councillor Loveday

A Council member motion regarding a request to attend the Local Government Leadership Academy Attendance Request.

Recommendation: That Council approve costs for registration, accommodation, transportation, and incidentals for Councillor Jeremy Loveday to attend the Local Government Leadership Academy conference from Jan.31-Feb 2. 2018.

[Local Government Leadership Academy Attendance Request](#)

[Addenda]

ADJOURNMENT



**Committee of the Whole Report
For the Meeting of January 25, 2018**

To: Committee of the Whole **Date:** January 18, 2018
From: Jonathan Huggett, P. Eng., Project Director
Subject: Johnson Street Bridge Replacement Project Quarterly Update

RECOMMENDATION:

That City Council receive this report for information.

EXECUTIVE SUMMARY

Quarterly reports are prepared on the Johnson Street Bridge Replacement Project throughout the year to keep Council and the community updated on this important project. This is the first quarterly report for 2018, with the next one scheduled for April 2018. Should any emergent issues arise, staff will provide an immediate update to Council.

During the last three months, the two rings, and lower counterweight were completed and installed in their final location in the bascule pier. The falsework (temporary supports required for installation) temporarily supporting the rings has been removed, though the falsework supporting the lower counterweight will remain in place until the bascule leaf can be attached to the rings. The bascule leaf currently located on a barge located at the north end of the inner harbour, will be lifted in to its final location commencing on Friday January 26th with the actual lift being on the Saturday.

During the lifting of the bascule leaf the main navigation channel will be closed from Friday January 26th for 9 days. This is because the navigational channel will be blocked by the leaf until it is fully attached to the rings and is able to be lifted out of the way.

Work has continued on the main bascule leaf and the associated walkways and cycle paths. The walkway and cycle path supports have been attached to the main bascule leaf and the aluminum plank riding surfaces have been attached. The main roadway surface has been completed and the handrails attached. Trial lighting of the leaf has also been undertaken.

South side and in-channel fendering is complete. Work continues on reviewing options for the north side fendering required to protect the bridge from outgoing vessels. Geotechnical investigations are complete and significant efforts are in progress to reduce the capital costs while still maintaining protection for the bridge. Council will be updated.

At the December 14, 2017 meeting, Council approved updated conceptual designs for the public realm areas surrounding the Johnson Street Bridge on the both the west and east sides. The work underway is focussed on the south west and south-east plaza areas and the David Foster walkway section which will be located under the east span of the new bridge. The City of Victoria's Artist in Residence and Indigenous Artist in Residence have produced concepts for the public art to be

located in a triangle shape area on the east side of the bridge and details of that proposed public art are now being finalized.

The new bridge is scheduled to open to traffic on March 31, 2018. Key dates involved in meeting that schedule are as follows:

1. Installation of main bascule span – January 27, 2018
2. Commissioning and testing of the new bridge – February through March 2018

The approved budget is \$105.06 million (see Appendix A). As of December 31, 2017 actual costs of \$96.08 million have been incurred.

There will be one more planned project budget increase request for fendering. Should additional unforeseen events occur before the completion of the project, Council will be advised.

The nearing of the completion of the new bridge has heightened public interest.

Media have taken a keen interest in the bridge assembly in Victoria and the City's Engagement department is working closely with the Project Director to ensure timely information and access to spokespeople. Numerous media opportunities have been held to explain the project and next steps in construction.

Staff continue working with the neighbouring residential areas on proactive engagement with neighbours to keep them informed of weekend or evening work and increased activity at the worksite.

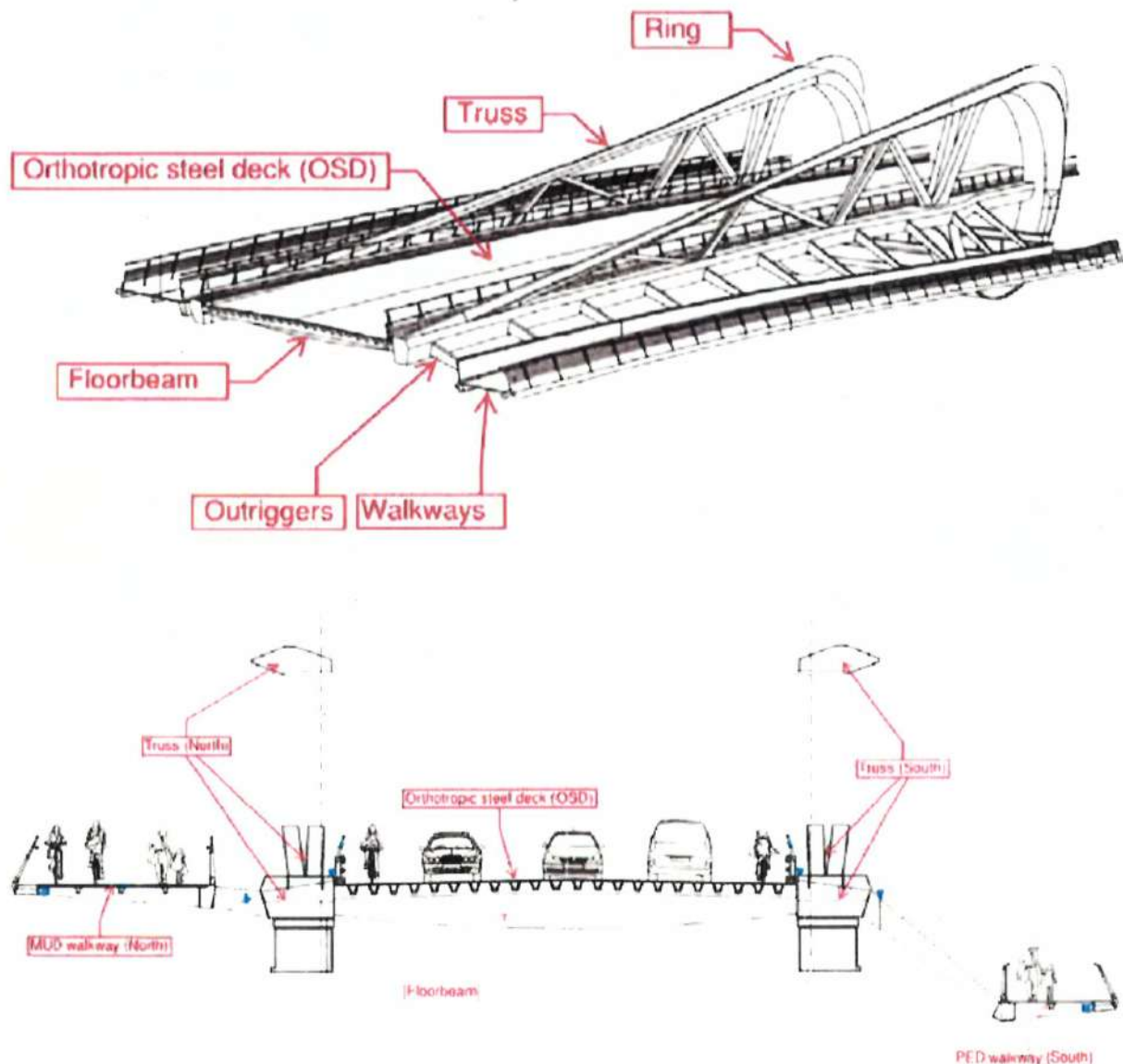
In the coming months as the bridge pieces are lifted into place, City staff have a communications and media plan in place to ensure that information about key milestones of interest to the public and the media are shared. Staff will also continue to communicate possible impacts such as road or marine channel closures, bridge lifts and other construction related impacts to the public, the media and stakeholders.

PURPOSE

As directed by Council, staff provides quarterly reports on the Johnson Street Bridge Replacement Project throughout the year. This is the first report for 2018, with the next update scheduled for April 2018.

RING AND LOWER COUNTERWEIGHT INSTALLATION AND ASSEMBLY

The following diagrams provide visual clarity of the main steel components being fabricated for the new bridge:



The north and south rings and lower counterweight were installed on December 9th and 10th, 2017. Following the rings and counterweight being lifted into place and supported on temporary steel falsework, all three components were carefully aligned and then the rings were bolted to the

counterweight. The rings were then lowered onto the machinery supporting them permanently and the ring falsework was removed.

Figure 1 –Attachment of Rings to Counterweight

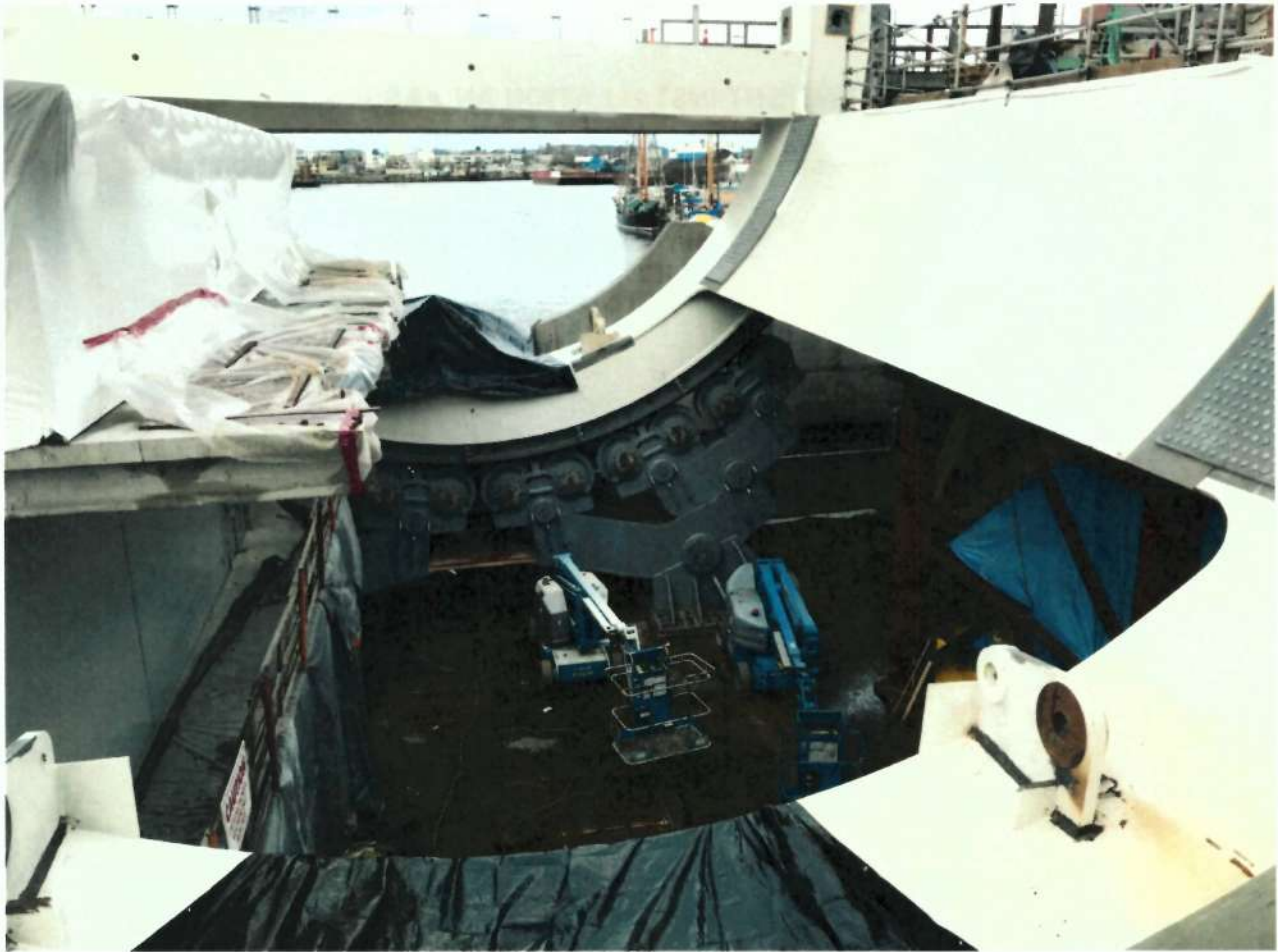


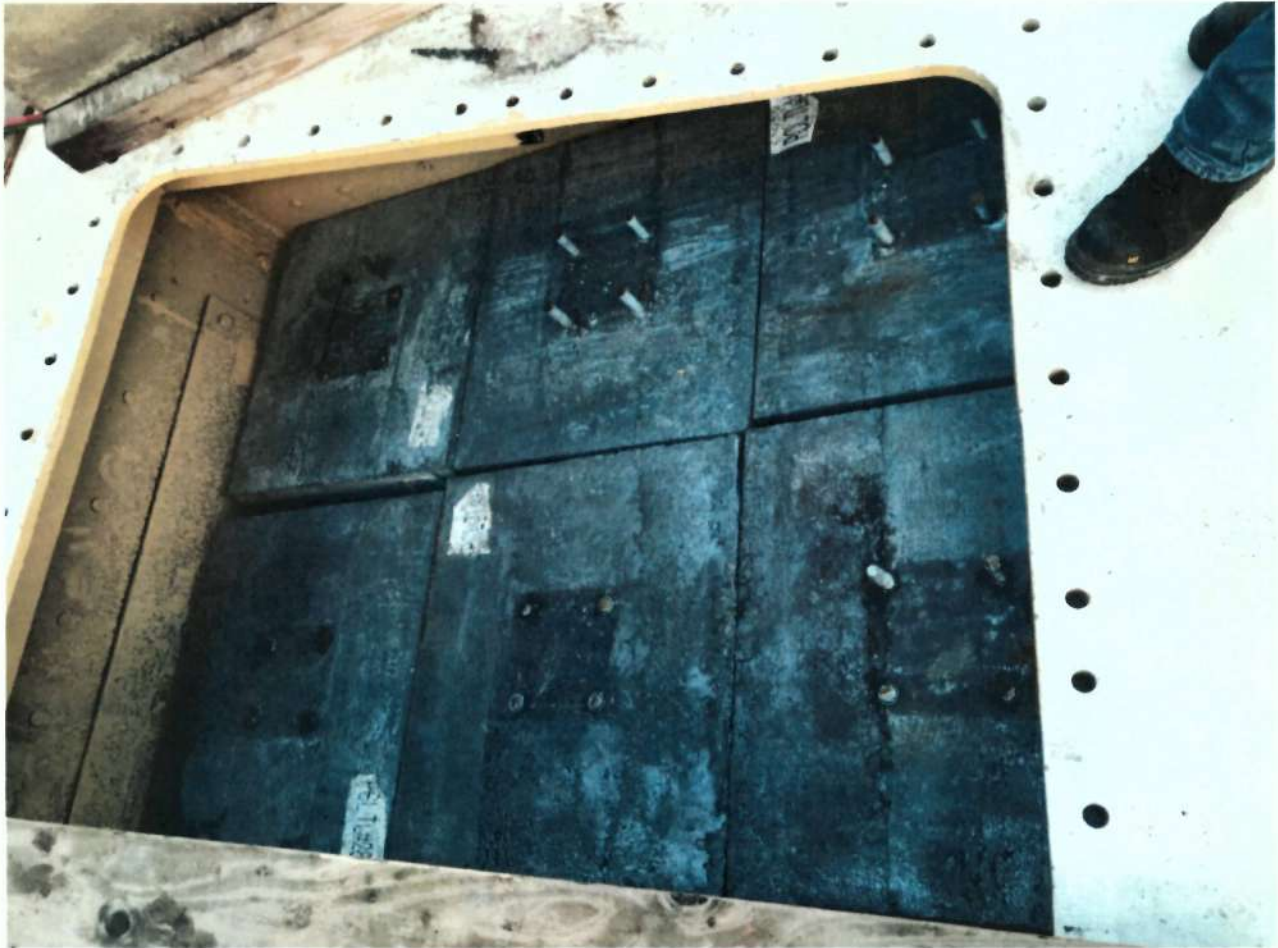
Figure 2 – Rings in Final Position on Equalizers and Machinery



LOADING OF COUNTERWEIGHTS

On completion of the installation of the rings and lower counterweights, ballast in the form of lead and steel plates was added to both the lower and upper counterweights (the latter are integral with the rings). The amount of ballast will be finalized once the bascule leaf is attached.

Figure 3 - Lead Blocks in Lower Counterweight to be sealed with cover plate.



FINAL ASSEMBLY OF BASCULE SPAN

Since September 17th, the main bascule leaf and the associated walkways and cycle paths have been on a barge at the north end of the harbour. The various parts will remain on the barge, and the walkway and cycle path supports will be attached to the main bascule leaf. The completed span will then be lifted in a single operation on Saturday January 27, 2018 and bolted to the rings which are aligned and in place.

Figure 4 – Current Status of the Bascule Leaf and associated outriggers



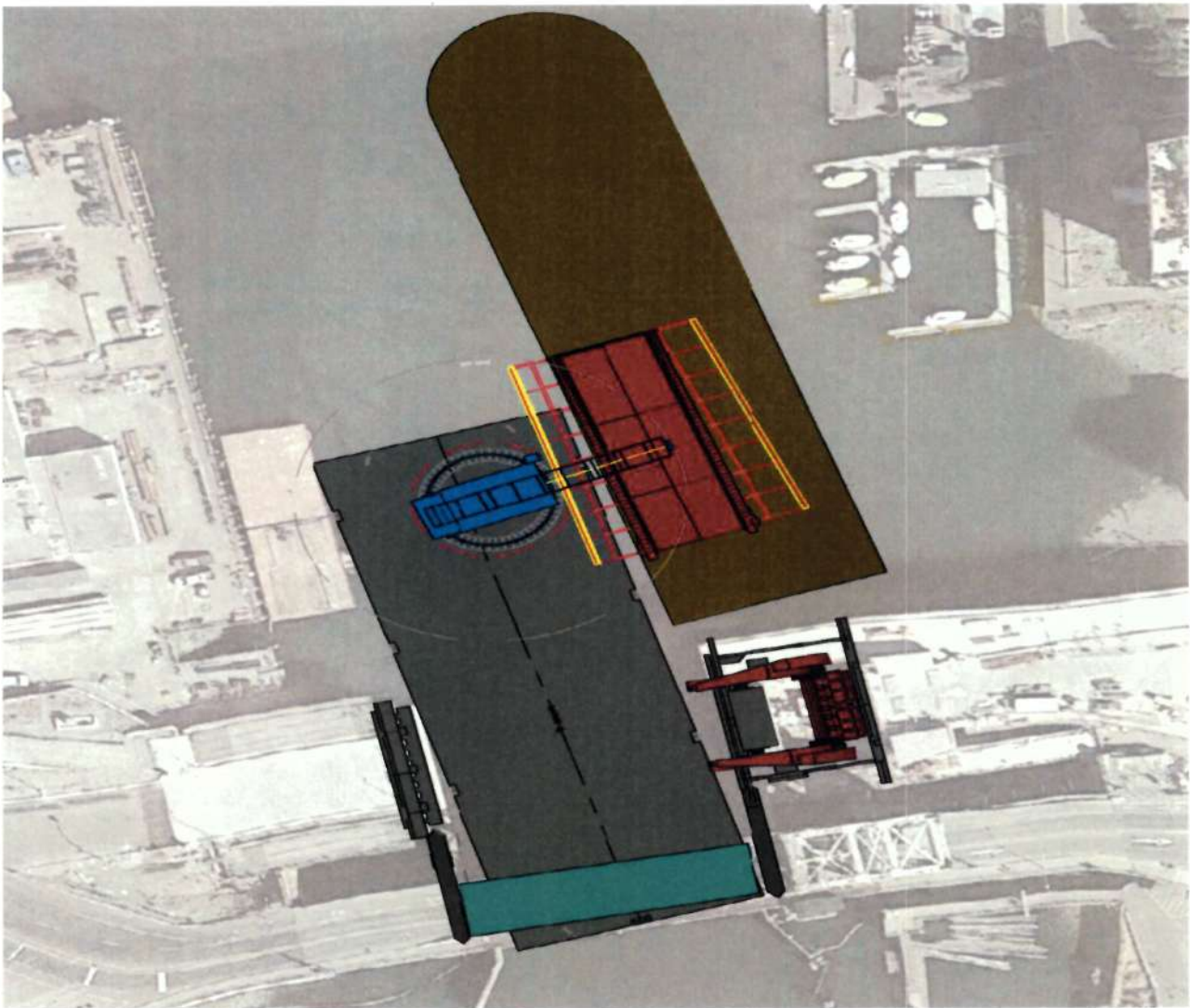
The following picture shows the multi-use path that has been attached to the main span before that is lifted into place on January 27, 2018.

Figure 5 – MUD Deck Surface for Bascule span



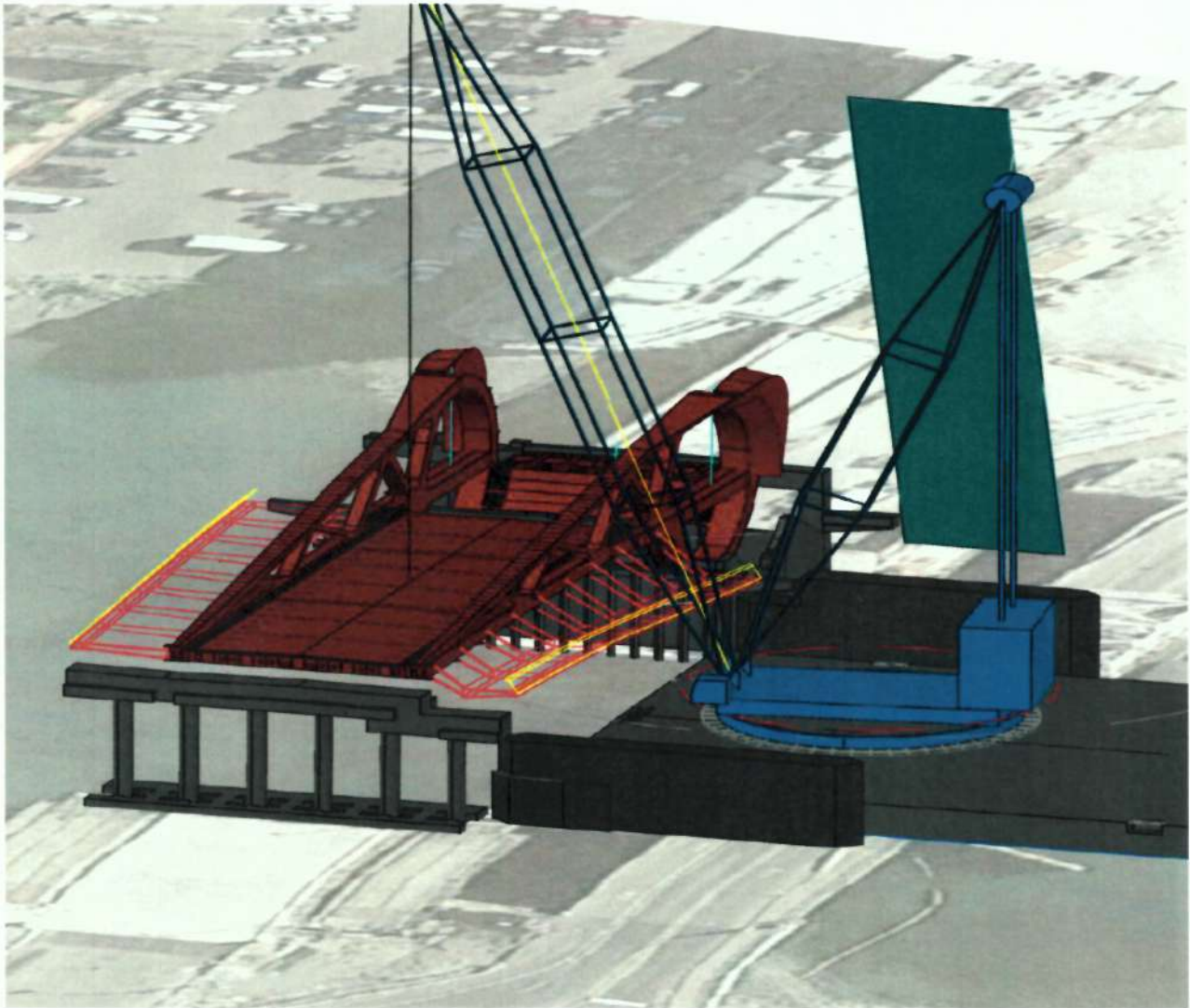
Starting on January 27, 2018, the main bascule leaf span will be lifted as one piece with all of the walkways and cycle tracks attached from the barge it currently sits on:

Figure 66 – Barge and Crane Position with Main Span



Once the span is in the air, the crane then moves under the existing bridge carrying the main span and rotating it ready to set it down in the correct position.

Figure 7 – Main Span lifted in place



The main span is then bolted to the rings. A detailed schedule for the entire bascule leaf lift and attachment is attached as Appendix C.

FENDERING UPDATE

South side and in-channel fendering is complete to protect the bridge from vessel collision. During the past quarter various ongoing tasks have been undertaken related to reviewing options for the north side fendering. This has included the drilling of geotechnical investigation holes to assess soil conditions, discussions with Telus regarding the stability of the adjacent Telus duct bank, and preliminary design work.

Other fendering work has also been undertaken during this quarter, including the removal of some of the old creosote coated piles both on the south side and in the in-channel areas. This has enabled a wider navigation channel to be established.

SCHEDULE UPDATE

The new bridge is scheduled to open to traffic on March 31st 2018. Key dates involved in meeting that schedule are as follows:

1. Installation of main bascule span – January 27, 2018
2. Commissioning and testing of the new bridge – February through March 2018

FINANCIAL IMPLICATIONS

The approved budget is \$105.06 million (see Appendix A). As of December 31, 2017 actual costs of \$96.08 million have been incurred including the following:

Vendor	Services	Budgeted	Invoiced	% Invoiced
WSP	Main Professional Services Contract: Project Management, design, procurement, administration, geotechnical engineering, permits	\$9.362 m	\$9.359 m	99.96%
WSP	Additional Professional Services: Subsequent changes to the contract such as: owner's quality control for steel fabrication; review of non-conformance reports; Hardesty & Hanover settlement payments; supplementary services; safety review; fendering; Janion design; etc.	\$2.656 m	\$2.570 m	96.74%
PCL	Main Bridge Contract:	\$62.935 m	\$58.963 m	93.69%
PCL	Additional Construction Services: Subsequent changes to the contract such as: hazardous waste and soil removal; installation of rip rap; pedestrian overpass modifications; increase to the environmental cash allowance; precast girder gaskets; safety revisions; Janion Plaza; handrail changes; pedestrian canopy changes; etc.	\$3.273 m	\$3.139 m	95.91%

The table below summarizes the allocation of the approved project completion contingency (see Appendix B for a detailed account of the contingency):

Original Project Completion Contingency	\$ 2,515,000
Add: Value Engineering Savings	300,000
Approved Funding March 2015	1,500,000
Approved Funding July 2015	2,554,000
Approved Funding May 2016	2,050,000
Project Completion Contingency December 2017	\$ 8,919,000
Less Committed Contingency	(8,403,759)
Unallocated Contingency December 2017	\$ 515,241

There will be one more planned project budget increase request for fendering. Should additional unforeseen events occur before the completion of the project, Council will be advised.

BRIDGE MANAGEMENT UPDATE

JSB Project support staff are working on a bridge management program to capture administrative, operational, and maintenance procedures regarding the new bridge. Once completed, these will be referenced by relevant (current and future) staff. The structure of the program has been developed; it covers the following:

- Asset description;
- Bridge administration;
- Operational programs and procedures;
- Maintenance programs and procedures;
- Security and safety;
- Upgrade, reconfiguration/modification;
- Replacement and disposal plans.

Development of the operations and maintenance of the program will take place closer to the end of the project.

City staff are planning for integration of the JSB as the city's biggest infrastructure to the city's new asset management system

PUBLIC REALM UPDATE

At the December 14, 2017 meeting, Council approved updated conceptual designs for the public realm areas surrounding the Johnson Street Bridge on the both the west and east sides. This includes a future waterfront park in Victoria West, a revised design for the Northern Junk plaza, and a revised landscape design for the triangle island to accommodate a public art installation.

The City of Victoria's Artist in Residence and Indigenous Artist in Residence were commissioned by Council to provide public art as part of this project. The artists have collaborated and developed a public art concept that will be sited on the triangle island in the form of a sculptural work of art with a sound installation. Council's Art in Public Places Committee approved the public art proposal.

Council approved a budget of \$650,000 by reallocating unused 2017 budgets to finance completion of the triangle island, as well as completion of landscaping at the Janion plaza, Johnson Street traffic median, and the Esquimalt and Harbour Road intersection. Staff are proceeding with implementation of these areas, and advancing to the detailed design stage, following this Council decision.

Council directed staff to report back on the rationale and implications of amending the Development Cost Charges (DCC) bylaw for parks DCCs. Should Council approve bylaw amendments, \$3 million in DCC funding could be used to fund the construction of the future Victoria West park (at the former 'S-curve' lands) with funding from development cost charges. This is subject to amending the City's Development Cost Charges Bylaw so that DCCs may be used to finance construction. Financing of the Northern Junk plaza will be considered in future pending the outcome of the rezoning application for the adjacent Northern Junk site. In the meantime, staff are working with PCL to establish interim connections through these areas, so the bridge connections are operational when the old bridge is decommissioned.

CITIZEN ENGAGEMENT UPDATE

The largest milestone to date took place in December 2017 when the lower counterweight and two steel rings that are part of the bridge superstructure were installed into the bascule pier. The Dynamic Beast crane barge arrived in Victoria and spent the weekend lifting the massive steel pieces into place, which has changed the skyline of the Upper Harbour. The lifting and installation of the steel pieces in Victoria mark major project milestones that staff are ensuring is well documented and communicated to the public.

Media have taken a keen interest in the bridge pieces arriving in Victoria and the City's Engagement department is working closely with the Project Director to ensure timely information and access to spokespeople. Numerous media opportunities have been held to explain the project and next steps in construction and the Times Colonist did a major feature in their weekend Islander section about how the new bridge works. Frequent website updates, photos, and social media posts are also being proactively shared. Public inquiries have also increased over the past couple of months following the steel's arrival and staff continue to answer questions and share information as needed.

Staff are also doing proactive engagement with local neighbours to keep them informed of weekend or evening work and increased activity at the bridge worksite. The City is working closely with PCL to keep noise and traffic disruptions to a minimum. Engagement staff are also working closely with PCL and Transport Canada to ensure that bridge and marine channel closures are communicated in advance to the public and affected stakeholders. At any time in the project where significant construction activities will create impacts, an email to stakeholders is sent and face-to-face meetings with City staff and PCL are held if necessary.

The next major milestone takes place January 26th – February 4th, when the bridge deck span that will complete the bridge superstructure is scheduled will be lowered into place by the Dynamic Beast crane barge. This marks the last major piece of the bridge to be installed and once the bridge deck span is connected to the rings the bridge will be raised for the first time. The public and media have been informed of how they can watch the lift event and City staff will be documenting the milestone with photos and video. Engagement staff are also working with Transportation to communicate advance notice of construction, planned detours and periodic bridge closures to the public and local businesses.

The next major milestone of the bridge project will be the opening event. City staff are putting together event plans and working with the Federal Government to coordinate an appropriate event to commemorate the opening of the new Johnson Street Bridge, while also paying tribute to the existing bridge.

Following the opening of the new bridge, there will still be significant work for PCL to complete as the existing bridge must be decommissioned. Public impacts will continue, as the construction site does not close when new bridge opens, it simply shifts to the south for several months. Proactive communication with the public and stakeholders will continue for construction impacts and marine channel closures required as the existing bridge is dismantled and barged away later this summer.

SAFETY AND ENVIRONMENT

Environmental monitoring is being conducted by Hemmera field representatives on a regular basis. Hemmera have been actively involved during the past quarter in various tasks that could have environmental impacts. An archaeological monitor from Stantec and a First Nations representative will be on-site during any excavation works.

UPDATE ON RISK MANAGEMENT

Effective risk management requires continuous monitoring and updating.

The primary risk issues, all of which have the potential to impact the project schedule, are as follows:

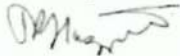
1. Completion of the steelwork assembly and painting
2. Installation and assembly of the steelwork
3. Testing and commissioning of the bridge operation

NEXT STEPS

Priority tasks over the next couple of months include the following:

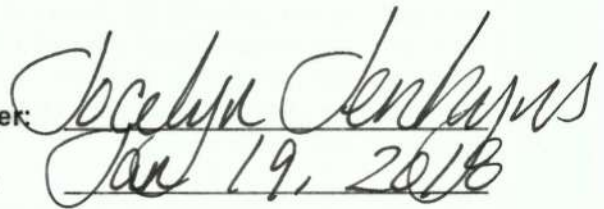
1. Continue to monitor steel work assembly and painting;
2. Monitor the proposed testing and commissioning procedures for the bridge to assure satisfactory operation;
3. Develop options for the north side fendering design and bring a report to Council regarding next steps;
4. Work with PCL to amend their demolition work related to the old bridge so that the removal of the abutments is consistent with the final plans for the public realm.

Respectfully submitted,



Jonathan Huggett, P. Eng.
Project Director

Report accepted and recommended by the City Manager:



Date:

Jan 19, 2018

List of Attachments

- Appendix A – Budget Update
- Appendix B – Contingency
- Appendix C – Closure Schedule

Budget Update	Adjusted Budget	Actuals (Dec 31, 2017)	Remaining Budget
Project Component			
Professional Services			
Design Management, Design & Contract Administration	10.763	10.763	-
Design Consultant Optimization	0.250	0.250	-
Development Costs to End 2010	1.333	1.333	-
Approvals & Permitting	1.129	1.125	0.004
Legal/Procurement	2.902	2.632	0.270
Additional Professional Service Costs	2.834	2.527	0.307
Subtotal	19.211	18.630	0.581
Construction Costs			
Main Bridge Contract	62.935	58.963	3.972
Additional Construction Costs	3.273	3.139	0.134
Subtotal	66.208	62.102	4.106
General Construction			
Early Marine Works, Rail Bascule Removal	2.431	2.431	-
Insurance	2.252	1.671	0.581
TELUS Duct Relocation	1.635	1.635	-
BC Hydro Works	1.179	0.782	0.397
Additional General Construction Costs	1.612	0.064	1.548
Subtotal	9.109	6.583	2.526
City Costs	2.936	2.525	0.411
Unallocated Contingency	0.515	-	0.515
Property	1.000	0.997	0.003
Finance Fees	0.920	0.249	0.671
Value Added Tax (HST/PST)	2.699	2.699	0.000
Settlement Agreement	2.462	2.299	0.163
Total (In millions)	105.060	96.084	8.976

Original Project Completion Contingency		\$ 2,515,000
Add: Value Engineering Savings - Shortening of East End Span		300,000
Approved Funding March 2015		1,500,000
Approved Funding July 2015		2,554,000
Approved Funding May 2016		2,050,000
Project Completion Contingency December 31, 2017		\$ 8,919,000
	Actuals at Dec 31, 2017	Committed December 2017
Professional Service Costs		
Professional Consulting Services	\$ 1,971,609	\$ 2,201,485
Fendering Review	321,817	398,099
Legal Fees	1,498,665	1,768,286
Mediator Fees	43,220	43,220
Construction Costs		
Additional Main Bridge Contract Costs	2,757,969	2,800,455
BC Hydro Work	473,925	473,925
Additional General Construction Costs	50,967	51,160
Insurance	70,892	70,892
City Costs	595,289	596,238
Totals:	\$ 7,784,353	\$ 8,403,759
Remaining Unallocated Contingency		\$ 515,241
		\$ 8,919,000

Appendix C

LEGEND: "X" = DAY SHIFT, "N" = NIGHT SHIFT, "XN" = DAY AND NIGHT SHIFT, "D" = DELIVERY

ACTIVITY DESCRIPTION	WORK PERFORMED BY	COORD RESP.	1/26/2018	1/27/2018	1/28/2018	1/29/2018	1/30/2018	1/31/2018	2/1/2018	2/2/2018	2/3/2018	2/4/2018	2/5/2018	Notes/Comments:
CLOSURE 2														
MOBILIZE DHL BEAST AND SECURE IN CHANNEL	DHL	JS	X											MOVE INTO THE CHANNEL WHEN LIGHT EARLY AM
TRANSFER DOC GIRDERS TO MAC 8	DHL/KWH	JS	X											
MOVE NT12000 TO BEAST	VTB/LEDCOR	WM		X										AT FIRST LIGHT
MOVE BEAST AND ERECT LEAF	DHL/KWH	JS		X										
ERECT/DISMANTLE SCAFFOLDING AT FS	IND SCAFF	JS		X/N										
REMOBE BEAST	DHL	JS			X									AFTER ERECTION OF PANEL D
CONNECT FIELD SPLICE	KWH	CE/JC		XN	XN	XN								
VERIFY CONTACT FS	PCL/HH	CE				X								
REMOVE FIELD SPLICE FALSEWORK	KWH	EK					X	X						LOWER IT ONTO BARGE
REMOVE LEAF STRUT AT FS	KWH	EK							X					
POSITION PANEL D BARGE FOR LIFT AT BP	PCL	WM			X									
ERECT AND BOLT PANEL D	KWH	CE/JC			XN	XN	XN							START IIN THE AM
WELD PANEL D	KWH	CE				XN	XN	XN						
CUT PANEL D	ACUREN	CE				X		X						
ERECT MUD/PED AND STRINGERS AT GL 16-17	KWH	JC (WM)				X	X							
INSTALL GRATING MUD/PED GL 16-17	KWH	JC (WM)					XN	XN						
INSTALL HANDRAIL AT MUD/PED GL 16-17	KWH	EK (WM)						X	X					
REMOVE LIFTING LUGS ON LEAF AND GRIND SMOOTH	KWH	CE			X	X	X							AT A MINIMUM CUT SO THERE IS NOT CURB CONFLICT
BOLT AND WELD CURB	KWH	CE/JC (WM)				N	N							
WELD INSPECTION	ACUREN	CE (WM)					X							
INSTALL PL-2 BARRIER	KWH	EK (WM)						XN	XN					
REMOVE RESTPIER FALSEWORK	KWH	EK								X				
REMOVE LOWER CWT FALSEWORK	KWH	JC								X				WITH 130 TON CRANE FROM BACKSPAN
INITIAL BALANCE MEASUREMENTS (TOE HEEL REACTION)	KWH/PCL/SBE	CE/EK								X				
BALANCE ADJUSTMENTS/COVER PLATE INSTALL/REMOVE	KWH	CE								N				
INITIAL OPENING/ TESTING	PCK/SBE/EHM	CE/EK									X	X		



1501 Broadway New York, NY 10036

T 212.944.1150 • F 212.391.0297

www.hardesty-hanover.com

Ms. Jocelyn Jenkyns
Acting City Manager
City of Victoria
1 Centennial Square
Victoria, BC, Canada V8W 1P6

**Re: JOHNSON STREET BRIDGE REPLACEMENT PROJECT
3 JANUARY 2018 "FOCUS ON VICTORIA" ARTICLE
LETTER NO. 2822-082**

8 January 2018

Ms. Jenkyns:

Having read a 3 January article in "Focus on Victoria" by David Broadland relating to bolted-on plates on the underside of the Johnson Street Bridge rings, I felt it would be helpful if I gave you a brief summary of why those plates are there and how their use came to be. As with all issues that arise during a project of this magnitude, City Staff was fully involved in arriving at the best solution, particularly with respect to public safety, cost and schedule impacts; however, the details of these issues are not usually brought to City Council unless they represent a major scope change to the project, which this does not.

In the course of our routine quality inspections in the steel fabrication plant in China, the Contractor's quality control team discovered a violation of fabrication and welding standards in the particular area in question. This determination was confirmed by the City's Quality Oversight consultant. There was no "design flaw" by Hardesty & Hanover nor any other of the City consultants involved; it was assembly by the fabricator that did not conform to the design plan requirements nor to the applicable detailing and fabrication standards required in the specifications.

In accordance with the Quality Control Procedures in place for the project, an NCR was issued by the Quality Control Team indicating a non-conformance with the required plans and specifications in the subject area. When the NCR was issued, Hardesty & Hanover, as the Engineer of Record for Structural Steel, worked cooperatively with the City, Contractor, Fabricator and Quality Control Team to find the best way to correct the non-conformance.

Because of its location in a critical area of the structure, this non-conformance was particularly difficult to correct. The design team and fabrication team designed and reviewed numerous mitigation options. We even consulted two internationally known experts in fabrication and welding for their input. After reviewing all options, the project team unanimously agreed that the bolted plates were the best option, all factors considered.

In the final design of the bolted plates, care was taken to be sure the existing material was not weakened by the bolt holes and that provisions were made for additional coatings in newly exposed areas to retard corrosion. We even provided extra inspection ports so that the inside of the ring in this area could be accessed. I am confident that the final product with the plate addition meets or exceeds the original design strength.



Non-conformances are to be expected during any fabrication of this magnitude. I want to assure the City of Victoria that the Quality teams were vigilant throughout fabrication in looking for and correcting non-conformances such as this one and others that are not visible in the final product. Were we not satisfied that the fabricated product was acceptable and would lead to a safe bridge, we would not have allowed it to be shipped to the site for erection. The City's consultant team continues to monitor the erection on behalf of the City and I look forward to being able to provide the City with our final letter of assurance prior to the bridge being placed into service.

Very truly yours,

HARDESTY & HANOVER, LLC
Engineer of Record for Structural Steel

A handwritten signature in black ink, appearing to read 'Keith R. Griesing', with a large, sweeping flourish at the end.

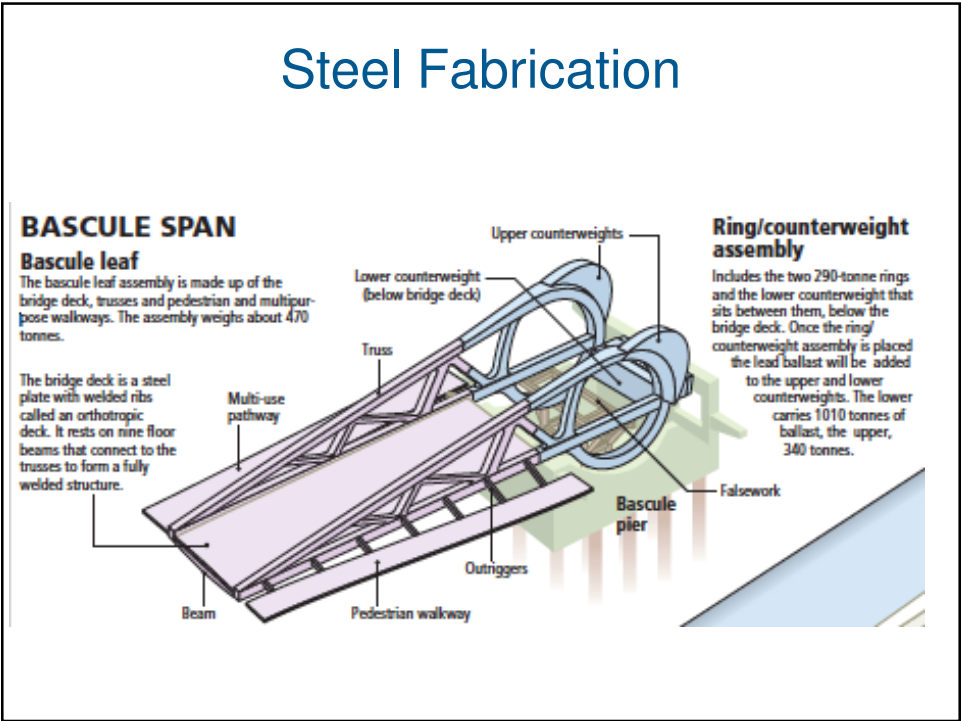
Keith R. Griesing
Principal

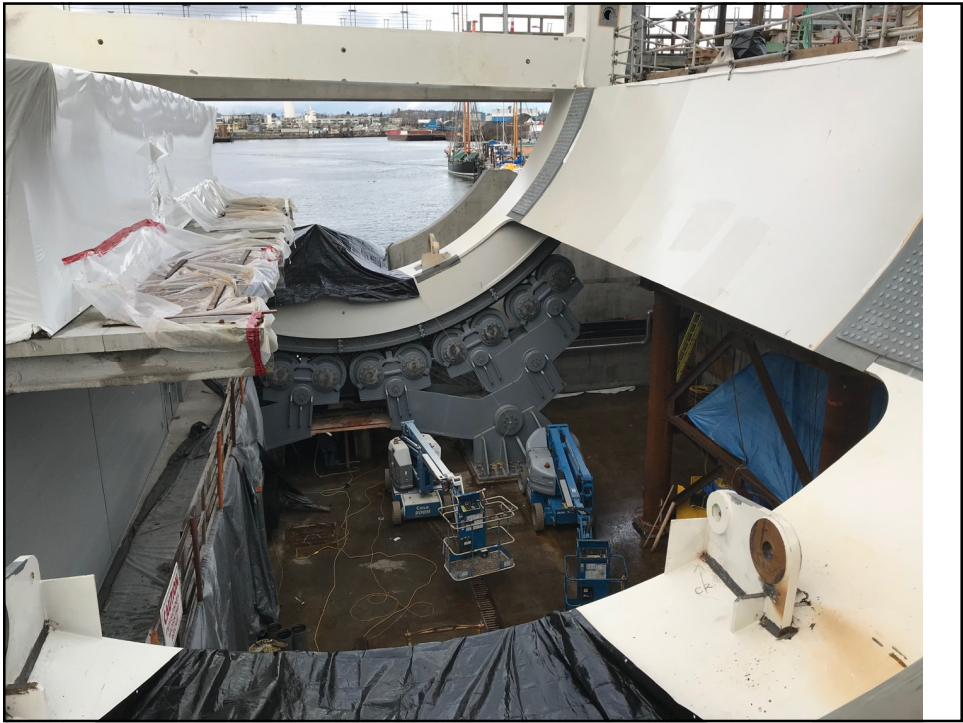
Cc: Jonathan Huggett, P.Eng
Angus English, P.Eng



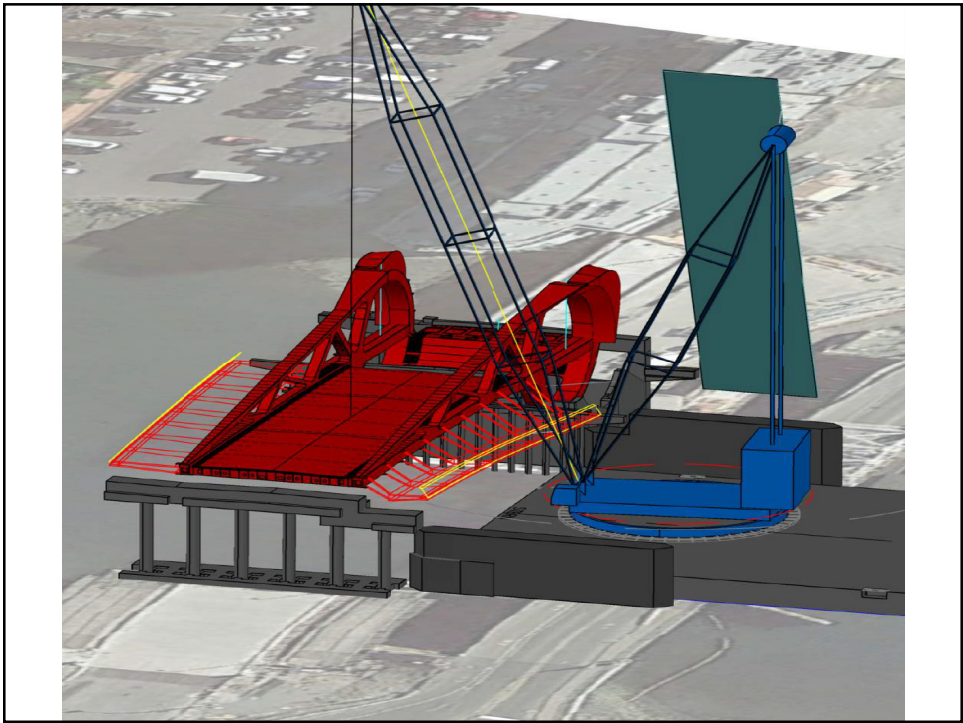
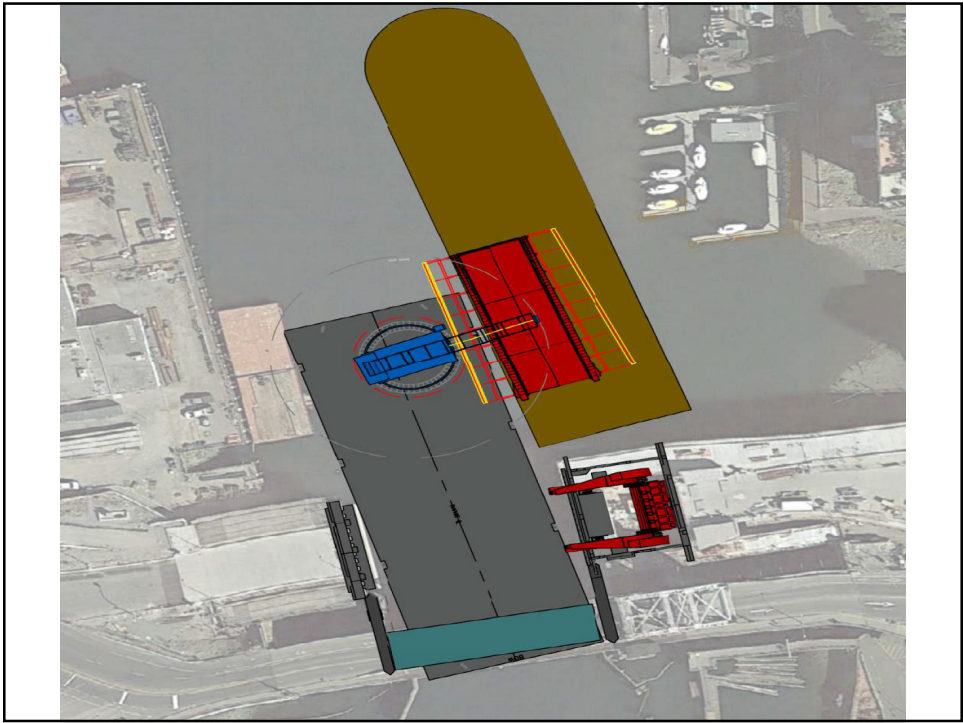
Outline of Presentation

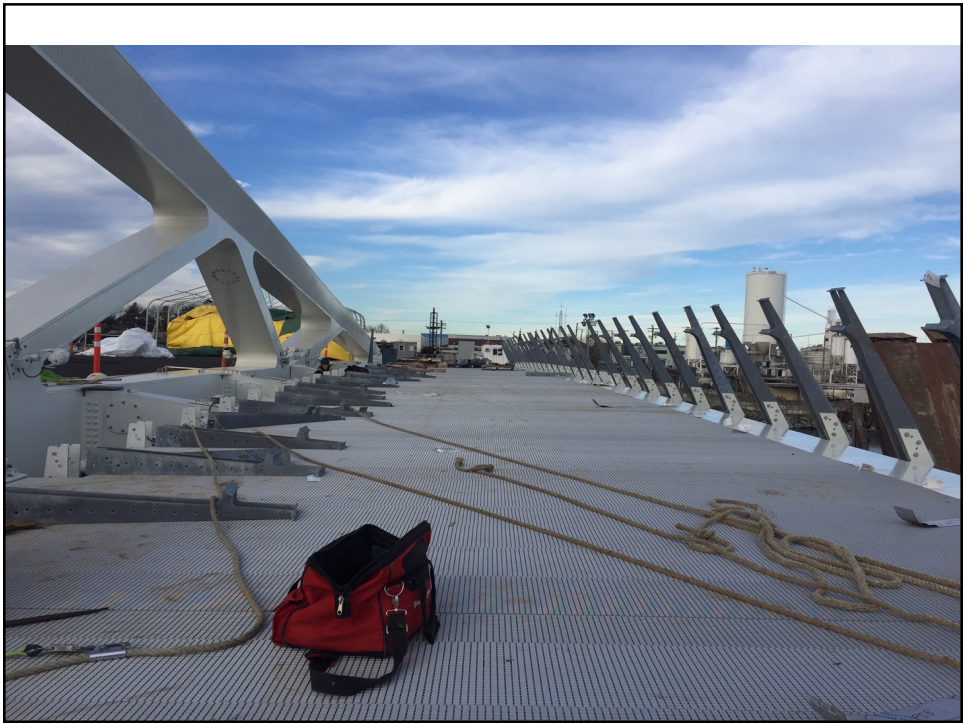
- Progress on the rings and lower counterweight (LCW)
- Progress on the bascule leaf
- Assembly of the completed steelwork
- Other site work
- Fendering
- Financial Update
- Other issues such as public realm, communications, etc.













Schedule Update

- Bascule will be lifted into place on January 27, exact time dependent on weather
- During February and March extensive testing of the bridge will be undertaken
- Bridge still scheduled to open to traffic by end of March 2018

Citizen Engagement Update

- Lifting and assembly of the various steel parts has been well documented
- Keen media interest including a TC weekend islander section
- Working with neighbours on noise and light issues
- Next major event is the lift of the bascule span
- Work on opening ceremony in progress.

Bridge Management

- Asset description;
- Bridge administration;
- Operational programs and procedures;
- Maintenance programs and procedures;
- Security and safety;
- Upgrade, reconfiguration/modification;
- Replacement and disposal plans.

Public Realm Update

- Council approved updated conceptual designs on December 14, 2017
- Includes a future waterfront park in Victoria West, a revised design for the Northern Junk plaza, and a revised landscape design for the triangle island to accommodate a public art installation
- Council approved a budget of \$650,000 for completion of the triangle island, as well as completion of landscaping at the Janion plaza, Johnson Street traffic median, and the Esquimalt and Harbour Road intersection
- Staff are working on final design for construction
- Interim connections will be established with PCL

Fendering

- South side and in-channel fendering complete
- Continuing to work on options for north side fendering
- Construction work unlikely to commence before March 2018 because of steel assembly work in the area
- Options and implications need to be finalized before details are made public

Financial Implications

- Approved budget \$105.06 million
- Total spent to December 31, 2017 is \$96.08 million
- Remaining unallocated contingency at December 31, 2017 is \$515,241



Next Steps

- Continue to monitor steel work assembly and painting;
- Monitor the proposed testing and commissioning procedures for the bridge to assure satisfactory operation;
- Develop options for the north side fendering design and bring a report to Council regarding next steps;
- Work with PCL to amend their demolition work related to the old bridge so that the removal of the abutments is consistent with the final plans for the public realm.

Recommendation

That City Council receive this report for information



Office of the Mayor

2760 Cameron Road, West Kelowna, British Columbia V1Z 2T6

Tel (778) 797.2210 Fax (778) 797.1001

December 13, 2017

Dear Local Governments of British Columbia,

With cannabis sales becoming legal in 2018, there must be a formal agreement that will divide the tax revenue on cannabis sales in a fair and equitable manner. Current discussions regarding revenue sharing involve the Federal and Provincial governments with no inclusion of local governments. Ultimately, the legalization will entail additional costs for local governments both in social and policing costs. A Federation of Canadian Municipalities (FCM) paper is stating that the impact may affect policing, fire services, building codes, city planning, municipal licensing and standards, public health, social services, communications, law, etc.

City of West Kelowna Mayor and Council is requesting your support, by writing to the Province to lobby them to agree to 50% of the provincial share of the cannabis tax sharing formula be provided to local governments. This is an adequate and equitable share to help support costs and services incurred by local governments.

Thank you for your consideration.

Sincerely, on behalf of Council,

A handwritten signature in black ink, appearing to read "Doug Findlater", is written over a light blue circular stamp.

Doug Findlater
Mayor



Committee of the Whole Report For the Meeting of January 25, 2018

To: Committee of the Whole **Date:** January 11, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No.00602 for 736 Princess Avenue and associated Official Community Plan Amendment

RECOMMENDATION

That Council decline Rezoning Application No. 00602 for the property located at 736 Princess Avenue.

LEGISLATIVE AUTHORITY

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

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

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 736 Princess Avenue. The proposal is to rezone from the M-1 Zone, Limited Light Industrial District, to a new zone in order to construct a six-storey, mixed-use building consisting of ground floor commercial and residential above with a floor space ratio of 4.51:1.

The following points were considered in assessing this application:

- the subject property is designated *Core Employment* in the Official Community Plan (OCP), which supports mixed-use buildings from eight to approximately fifteen storeys between Douglas Street and Blanshard Street, and envisions a density of up to 5:1 floor

space ratio (FSR) in which the residential density does not exceed an FSR of 3:1. The application proposes a residential FSR of 3.99:1, which triggers an OCP Amendment and is not consistent with the overall intent of the *Core Employment* Designation.

- the *Core Employment* Urban Place designation supports residential mixed-use, work/live, and commercial space including office, hotel and other visitor accommodation, located between Douglas Street and Blanshard Street. The application proposes a small coffee shop, communal space for restaurant patrons and the residents in the building, and a concierge service on the ground floor. Overall, there is limited commercial space being proposed onsite and the proposal will likely undermine the potential for this site to provide a higher degree of job opportunities.
- There are no OCP designations that would fit this proposal.
- The subject property is designated Residential Mixed-Use District in the *Downtown Core Area Plan* (DCAP). The DCAP supports mixed-use buildings up to approximately 15 storeys and a maximum FSR of 5:1, of which the residential portion does not exceed 3:1 FSR; therefore, similar to the inconsistencies with the OCP, the proposal is not consistent with the DCAP from a density perspective.
- The OCP encourages the logical assembly of development sites that enable the best realization of permitted development potential for the area. The site area of the subject property is 556m², which is a standard lot size for a single-family dwelling, and the adjoining lots have site areas between 470m² and 555m². Given the existing neighbourhood context and its redevelopment potential, land assembly with the adjacent properties is encouraged.
- The OCP does support a range of housing types, forms and tenures within neighbourhoods to meet the needs of residents at different life stages, and encourages innovative approaches of blending non-market housing with other housing types and uses. The applicant has indicated that the 75 rental housing units would be non-market housing and rented below market rents (workforce housing); however, details on the proposed rents have not been provided.
- The applicant is proposing no commercial or residential parking onsite. This proposal would require 115 parking spaces in accordance with the current Schedule C: Off-street Parking, or 53 parking spaces according to the new draft Schedule C. Given the lot area and size of the building, the required number of parking spaces could not physically fit onsite. The applicant is proposing to provide an electric vehicle car share program onsite for residents and the community; however, staff are concerned about the magnitude of the parking variance being proposed particularly in light of the City's recent off-street parking review and recommendations from parking consultants with respect to parking ratios for rental buildings. There is also the potential of parking spill-over onto local streets.

BACKGROUND

Description of Proposal

This Rezoning Application is to allow for a six-storey, mixed-use building consisting of ground floor commercial and residential above with a density of 4.51:1 floor space ratio (FSR).

The following differences from the existing zone are being proposed:

- increase the maximum FSR to 4.51:1
- allow a mixed-use building (commercial/residential)
- increase the height from 15.5m to 19.95m
- reduce the minimum rear and side yard setbacks.

The request to amend the *Official Community Plan, 2012 (OCP)* is necessary in order to increase the maximum residential density permitted under the *Core Employment Urban Place Designation* from 3:1 floor space ratio (FSR) to 3.99:1.

Affordable Housing Impacts

The applicant proposes the creation of 75 new residential units (micro units) which would increase the overall supply of housing in the area. A Housing Agreement is being proposed to ensure that all dwelling units in the building would remain as rental in perpetuity; however, no information or commitment has been made regarding the affordability.

Sustainability Features

As indicated in the applicant's letter dated November 17, 2017, the following sustainability features are associated with this application:

- meet Step 1 of the BC Energy Step Code and high-performance building envelope tightness system
- heat recovery ventilators
- low flow fixtures
- recycled materials
- onsite electric vehicle share program
- permeable surface treatment.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- 70 secure and enclosed bicycle parking spaces
- six electric vehicles
- twelve electric scooters (four would be covered)
- two electric bikes.

Public Realm Improvements

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

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed outdoor areas surrounding the proposed building are designed to be accessible. Five dwelling units would be accessible (one on each residential floor).

Land Use Context

The area is characterized by a mix of commercial and service commercial uses. There are two properties directly across the street that are in the M-1 Zone, Limited Light Industrial District; however, they are occupied by single-family dwellings (existing non-conforming).

Existing Site Development and Development Potential

The site is presently a parking lot.

Under the current M-1 Zone, the property could be developed as a five-storey commercial building consisting of a mix of commercial and light industrial uses. A mix of residential and commercial uses is not permitted under the existing zone.

Data Table

The following data table compares the proposal with the existing M-1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing Zone (M-1 Zone)
Site area (m ²) - minimum	556.00	n/a
Density (Floor Space Ratio) - maximum	4.51*	3.00:1
Total floor area (m ²) - maximum	2950.00*	1668.00
Height (m) - maximum	19.95*	15
Storeys - maximum	6	n/a
Site coverage % - maximum	85.8	n/a
Open site space % - minimum	10.6	n/a
Setbacks (m) – minimum:		
Front	0.48*	3 or 0
Rear	1.19*	3 or 0
Side (east)	0	3 or 0
Side (west)	0	3 or 0
Parking - minimum	0*	115 (existing Schedule C) 45 (draft new Schedule C)
Visitor parking (minimum) included in the overall units	0*	8 (existing Schedule C) 10 (draft new Schedule C)
Bicycle parking stalls (minimum)		
Class 1	70*	75(existing Schedule C)
Class 2	6	75(draft new Schedule C)

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on January 16, 2017. A letter dated January 29, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The subject property is designated *Core Employment* in the Official Community Plan, which supports mixed-use buildings from eight to approximately fifteen storeys between Douglas Street and Blanshard Street, and envisions a density up to 5:1 floor space ratio (FSR) in which the residential density must not exceed a 3:1 FSR. The proposed FSR is 4.51:1; however, the applicant is proposing a residential density of 3.99:1 FSR, which requires an OCP Amendment. The reason for limiting the residential density in this urban place designation is to ensure there is still an emphasis on preserving and encouraging commercial and light industrial uses on the ground level and increasing employment opportunities in this neighbourhood.

Amending the OCP designation to allow a higher residential density is not considered to be supportable for several reasons. Firstly, the immediate neighbourhood (east of Store Street, west of Dowler Place, south of Bay Street and north of Chatham Street) is designated either *Core Employment*, where residential densities are limited to 3:1, or *Light Industrial*, where residential uses are not supported. Secondly, allowing for a "one-off" OCP amendment mid-block to facilitate this development proposal deviates from the overall intent of *General Employment* designation.

Moreover, there are no OCP designations that would fit this proposal. Other OCP designations, such as *Core Business* and *Core Historic* (urban place designations of properties four to five blocks away), also limit the residential densities to 3:1 FSR, which further justifies the importance of retaining a strong commercial presence in this part of the city and limiting higher density residential to core residential areas. *Core Residential* is an OCP designation that supports residential densities above 3:1; however, the density policies outlined in this designation are very specific and vary depending on the neighbourhood. Amending the OCP designation of the subject property to *Core Residential* would result in a site specific OCP amendment and not meet the intent of the *Core Residential* designation. It is also not good legal practice as it would transform the purpose of the OCP from a broad land use categorization scheme to a site specific regulatory framework more akin to a Zoning Regulation Bylaw than an OCP.

If the proposal included adjoining properties then there would be more site area and it would be less likely that an OCP amendment would be required as the density would be spread out over a larger area. There would likely be an opportunity for more commercial space at the street level, which meets the policy direction in the OCP. The applicant is proposing a small coffee shop and a communal area available to coffee shop patrons and residents living in the building, but it does not generate employment. Creating a new urban place designation to support this proposal would result in similar challenges related to transforming the purpose of the OCP.

From a housing perspective, the applicant is proposing to provide 75 non-market rental housing units, which would increase the supply of housing for low to moderate income households and advance housing policy in the OCP.

Local Area Plan

The *Downtown Core Area Plan* (DCAP) designates the subject property as Residential Mixed-Use District. The DCAP supports mixed-use buildings up to approximately 15 storeys and a maximum FSR of 5:1, of which the residential portion does not exceed 3:1 FSR. The proposal is not consistent with the DCAP from a density perspective. The DCAP encourages residential

development that has active street-level uses, to provide commercial services and activities, and increase pedestrian activity within the public realm. The applicant is proposing a coffee shop and outdoor seating to enhance pedestrian activity and improve the streetscape.

Regulatory Considerations

Proposing a six-storey building consisting of approximately 75 micro-units on a lot with a site area of 556m² is tight and creates impacts on the site planning, with respect to accommodating sufficient onsite parking and the relationship with adjacent properties.

By comparison, the CA-1 Zone, Pandora Avenue Special Commercial District, permits heights and densities that may be slightly more suitable for this size of lot. This zone does not have a minimum site area requirement; however, the maximum height and density permitted in this zone are 15.5m (approximately five storeys) and 2:1 FSR. Under this standard zone, the maximum floor area that would be permitted on the site would be 1112m². In comparison, this proposal has a total floor area of 2950 m². Under the CA-1 Zone, a four or five storey building on a lot of this size with a density of 2:1 would have residential floor plates of approximately 222m². Staff is not suggesting that the site should be rezoned to CA-1 Zone; however, the proposed building is too big and dense for the site, which is impacting the building form, vehicle and bicycle parking supply, and circulation.

There are several aspects of the design that do meet the design guidelines and are discussed in a concurrent report. The subject property is suitable for some additional density in the form of mixed-use development, although, preferably through a land assembly with adjacent properties to enable the best realization of permitted development potential. Allowing the subject property to redevelop on its own would limit the redevelopment potential of adjacent lots in the future.

CONCLUSIONS

The proposal to construct a six-storey, mixed-use building consisting of ground floor commercial and residential above is not consistent with the OCP or DCAP with respect to the proposed residential densities. The subject property is suitable for some additional density in the form of mixed-use development, although, preferably through a land assembly with adjacent properties to enable the best realization of development potential. Alternatively, the applicant could reduce the amount of residential density being proposed and comply with the OCP. Staff recommend for Council's consideration that the application is declined.

ALTERNATE MOTION 1

That Council direct staff to work with the applicant on a proposal that complies with the land use and density policies in the Official Community Plan and Downtown Core Area Plan.

ALTERNATE MOTION 2

That Council direct staff to explore and report back on the feasibility of developing a new designation or mechanism to enable residential development in this location at densities above what is anticipated in the OCP.

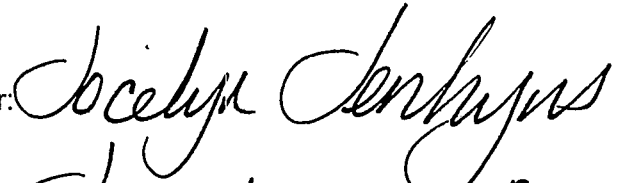
Respectfully submitted,


Leanne Taylor
Senior Planner
Development Services Division



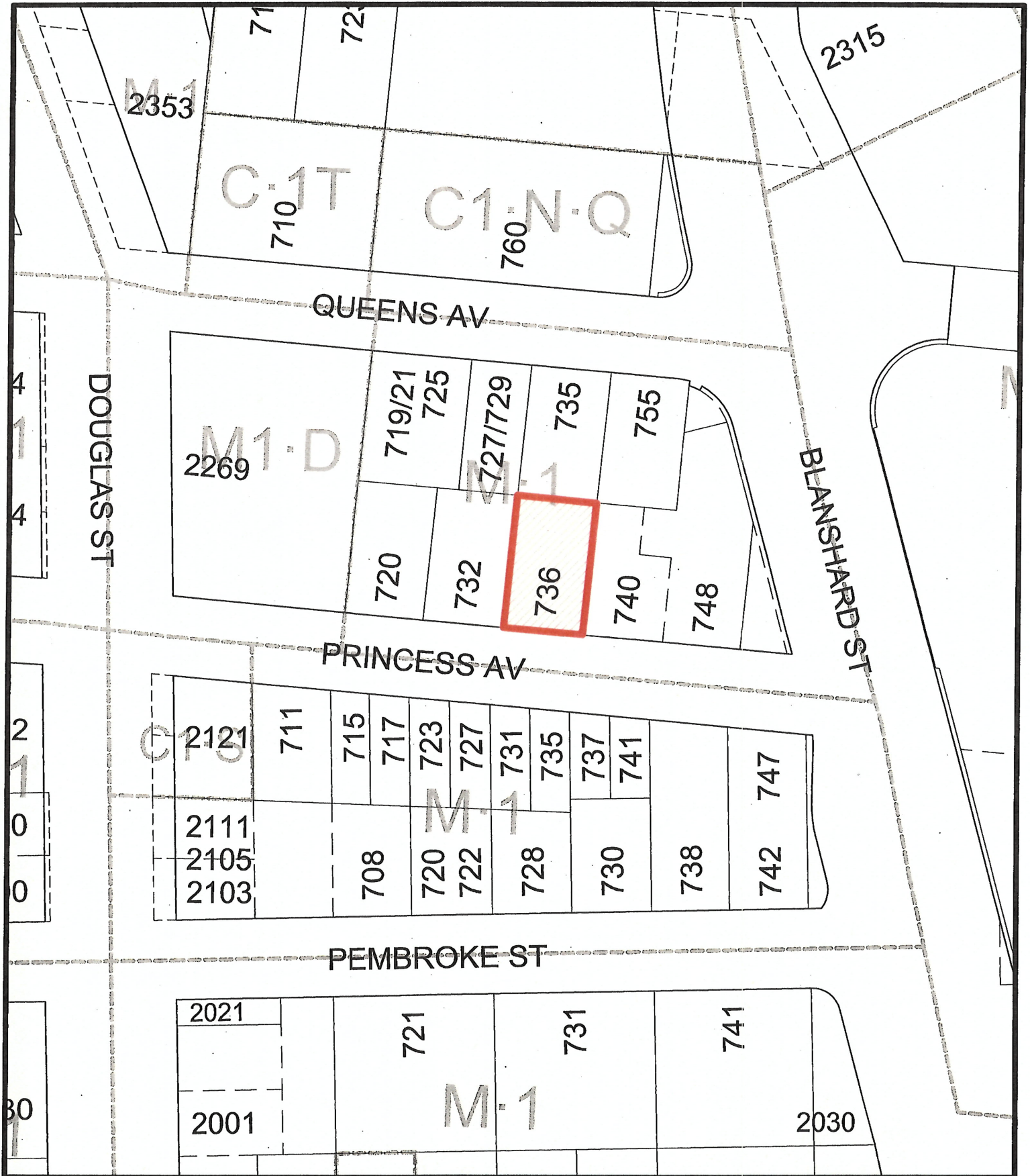

Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Jan 17, 2018

List of Attachments:

- Appendix A: Subject Map
- Appendix B: Aerial Map
- Appendix C: Plans date stamped November 23, 2017
- Appendix D: Letter from applicant to Mayor and Council dated July 21, 2017 and November 17, 2017
- Appendix E: Letter from First National Financial LLP dated October 20, 2017
- Appendix F: Community Association Land Use Committee Comments dated January 29, 2017.



736 Princess Avenue

Rezoning No.00602

Rezoning Application No. 00602 for 736 Princess Avenue (Rock Bay) and As...





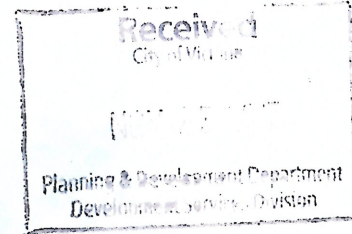
736 Princess Avenue

Rezoning No.00602

Rezoning Application No. 00602 for 736 Princess Avenue (Rock Bay) and As...



The Hive | 736 Princess Ave.



PROJECT:	The Hive
736 Princess Ave.	
CLIENT:	LARGENCO
LEAD DESIGN CONSULTANT:	Arcade Collective
ARCHITECTURAL CONSULTANT:	STELL R
INTERIOR DESIGN CONSULTANT:	J.C. SCOTT
LANDSCAPE CONSULTANT:	LASH
ISSUED FOR:	DATE:
Rezoning	20.07.17
Revised as per staff comments	17.11.17
PROJECT NO.:	
DRAWN BY:	
DATE:	17.11.17
SCALE:	as shown
DRAWING TITLE:	Title Sheet
DRAWING NUMBER:	A 0.0

Project Data 736 Princess Ave.

Civic Address	736 Princess Ave.
Legal Description	Lot 12, Block B, Section 3, Victoria, Plan 8
Zoning Existing	Existing: M-1, Limited Light Industrial District
Zoning Proposed	New Zone
Site Area	556 m2 (5,982 sq. ft.)
Floor Areas (Gross)	
Basement area:	442 m2 (4760 sq ft)
Level 1 area:	286 m2 (3084 sq ft)
Level 2 area:	439 m2 (4720 sq ft)
Level 3 area:	439 m2 (4720 sq ft)
Level 4 area:	448 m2 (4824 sq ft)
Level 5 area:	448 m2 (4824 sq ft)
Level 6 area:	448 m2 (4824 sq ft)
Total Gross Floor Area	2,950 m2 (31,756 sq ft)
Commercial Floor Area -Level 1	
Cafe	42.2 m2
Lounge Area	222 m2
Seating Capacity: Cafe-10	
Floor Space Ratio Allowed	3.00:1
Floor Space Ratio Proposed	4.51:1
Calculation	
Total floor area for calc. Levels 1-6: 2508 m2	
Lot Area: 556 m2	
2508 / 556 = 4.51:1	
Floor Space Ratio Residential Levels 2-6 2222 m2	3.99:1
2222 / 556 = 3.99:1	
Site Coverage (%)	85.8%
(477 sq. ft. / 556 m2) * 100	
Open site space (%)	10.6%
(Open space 58.8 m2 / 556 m2)	
Height of Building	
Proposed (from average grade)	20.74m (to top of parapet) 19.95m (to top of roof)
Number of Storeys	6
Parking	
Proposed - Residential	electric vehicle share program: 20 units of mixed type - 6 cars, 8 e -scooters, 4 e -scooters covered, & 2 e- bikes
Proposed - Commercial	0
Bicycle Parking	
Proposed Class 1	70
Proposed Class 2	6 stalls
Building Setbacks Required	None
Total Number of Units	75 (includes 5 accessible units)
Unit Type	Studios
Unit Size	19.5 m2 - 29.7 m2 (210 sq.ft. - 320 sq.ft.)
Total Residential Floor Area Levels 2-6	2222 m2 (23,917 sq.ft.)



1 Neighbourhood Context



2 Block Context

PROJECT:**The Hive****736 Princess Ave.****CLIENT:****LEAD DESIGN CONSULTANT**

Arca Collective
 820 MacCoun Street, Victoria, BC V8W 2P7
 Tel: 779 423 2022 email: arca@arca.co

ARCHITECTURAL CONSULTANT

STELL R.
 210-4213 Croftmore Drive
 Victoria BC V8C 1G5

INTERIOR DESIGN CONSULTANT

JC SCOTT
 10100 Park Road
 Mission, BC V2Y 2G9
 P: 250.377.7125
 F: 250.365.8975
 jcs@jcsdesign.com
 www.jcsdesign.com

LANDSCAPE CONSULTANT

LABIR
 LANDSCAPE ARCHITECTS

ISSUED FOR: DATE:
 Rezoning 20.07.17
 Revised as per staff comments 17.11.17

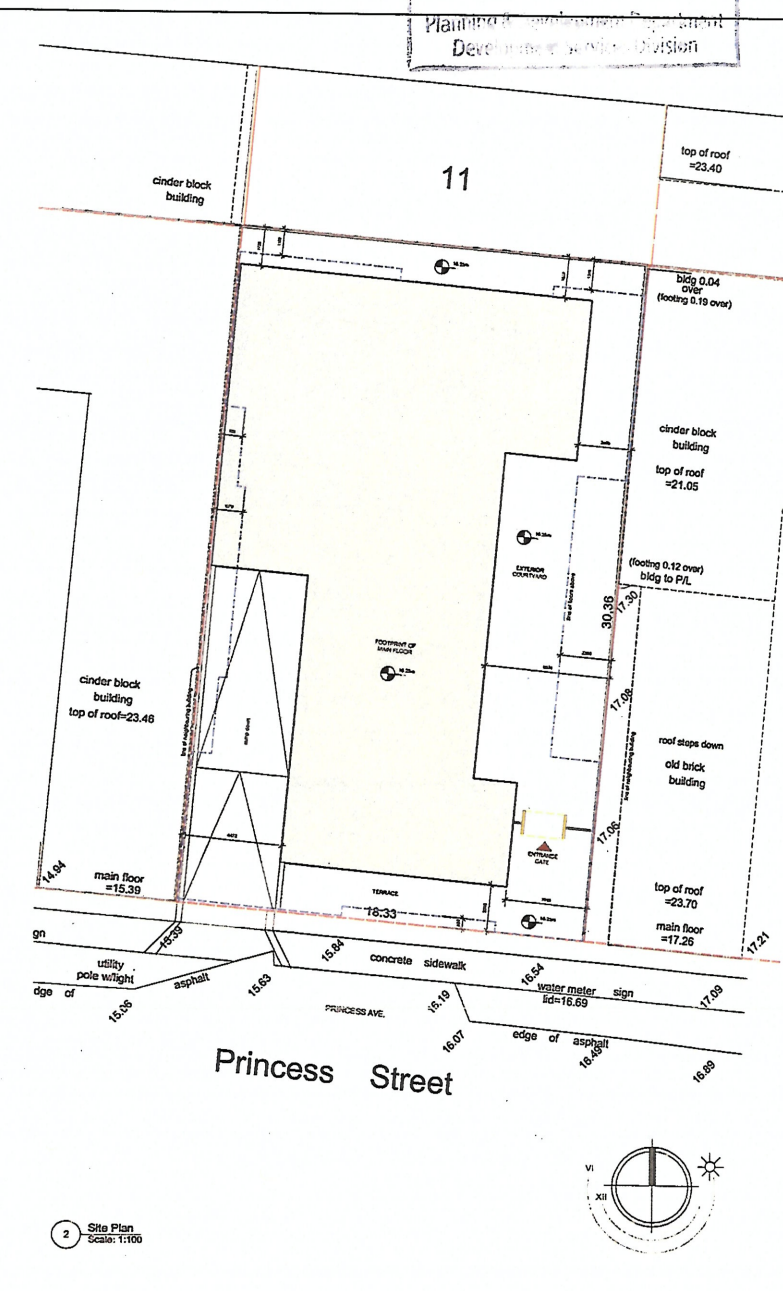
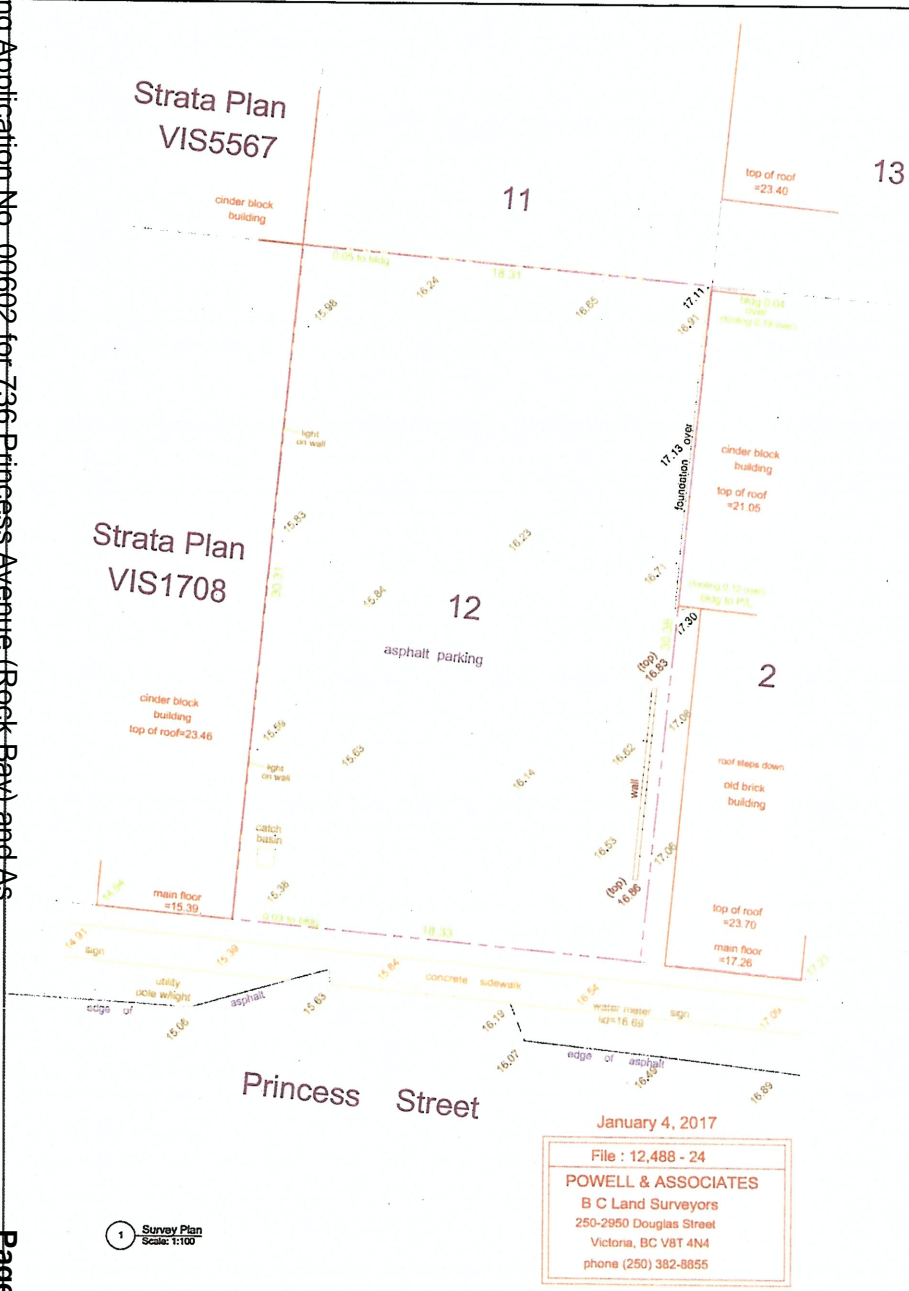
PROJECT NO.:**DRAWN BY:**

DATE:
 17.11.17

SCALE:
 as shown

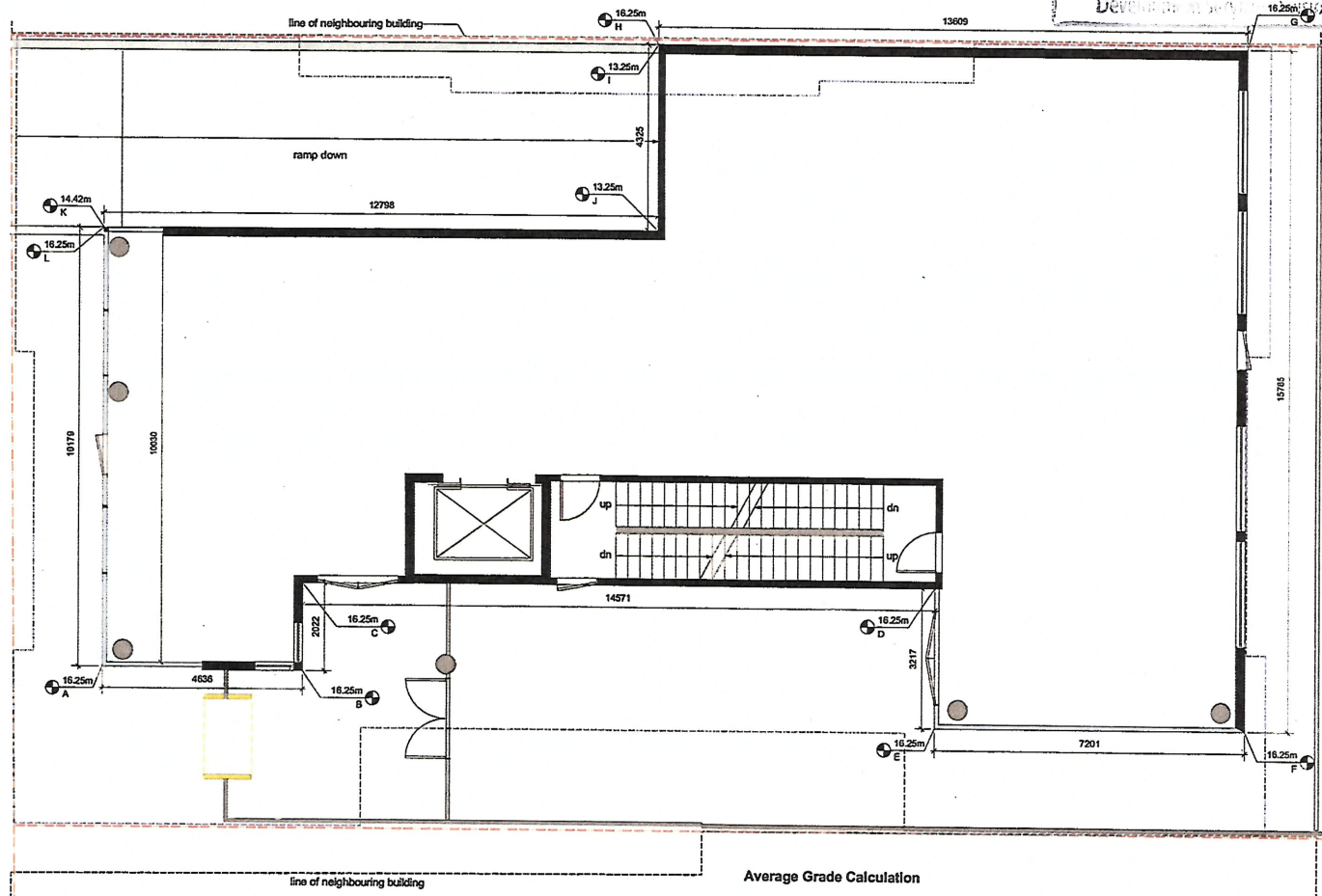
DRAWING TITLE:
 Project Data &
 Context Plan

DRAWING NUMBER:**A 0.1**



PROJECT: The Hive	
736 Princess Ave.	
CLIENT: 	
LEAD DESIGN CONSULTANT: 	
ARCHITECTURAL CONSULTANT: 	
INTERIOR DESIGN CONSULTANT: 	
LANDSCAPE CONSULTANT: 	
ISSUED FOR: DATE: Rezoning 20.07.17 Revised as per 17.11.17 staff comments	
PROJECT NO.:	
DRAWN BY:	
DATE: 17.11.17	
SCALE: as shown	
DRAWING TITLE: Survey Plan & Site Plan	
DRAWING NUMBER: A 0.2	

PRINCESS AVE.



1 Average Grade Calculation
Scale: 1:50

Average Grade Calculation

Grade Points	Average	Distance(m)	Totals
A & B	$((16.25 + 16.25) / 2)$	x 4.64	= 75.40
B & C	$((16.25 + 16.25) / 2)$	x 2.02	= 32.82
C & D	$((16.25 + 16.25) / 2)$	x 14.57	= 236.76
D & E	$((16.25 + 16.25) / 2)$	x 3.22	= 52.32
E & F	$((16.25 + 16.25) / 2)$	x 7.2	= 117.00
F & G	$((16.25 + 16.25) / 2)$	x 15.78	= 256.42
G & H	$((16.25 + 16.25) / 2)$	x 13.61	= 221.16
H & I	$((16.25 + 13.25) / 2)$	x 0	= 0.00
I & J	$((13.25 + 13.25) / 2)$	x 4.32	= 57.24
J & K	$((13.25 + 14.42) / 2)$	x 12.8	= 177.08
K & L	$((14.42 + 16.25) / 2)$	x 0	= 0.00
L & A	$((16.25 + 16.25) / 2)$	x 10.18	= 165.43

1,391.63

Building Perimeter

88.29 m

Average Grade $1391.63 / 88.29 = 15.76M$

PROJECT:

The Hive

736 Princess Ave.

CLIENT:



LEAD DESIGN CONSULTANT

ARCATE Collective
100-1000 Street, Suite 100, 100-1000
Tel: 774-430-5000, www.arcate.co

ARCHITECTURAL CONSULTANT

STELL R

215 - 4202 Columbia Road
Tel: 774-430-5000, www.stellr.ca

INTERIOR DESIGN CONSULTANT

JC SCOTT DESIGN
15-102 Park Ten Alley
Tel: 774-430-5000, www.jcscott.com

LANDSCAPE CONSULTANT

LAIR LANDSCAPE ARCHITECTS

ISSUED FOR: DATE:
Rezoning 20.07.17
Revised as per staff comments 17.11.17

PROJECT NO.:

DRAWN BY:

DATE:
17.11.17

SCALE:
as shown

DRAWING TITLE:
Average Grade Calculation

DRAWING NUMBER:

A 0.3

736 Princess Ave.

CLIENT:



LEAD DESIGN CONSULTANT

Arca Collective
 + integrated + open plan + transparent + pollution-free +
 804 McCloud Street, Victoria BC V6C 2G7
 Tel: 778.432.3640 www.arcacollective.com

ARCHITECTURAL CONSULTANT

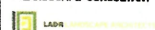
STELL R-22

219 - 4202 Commerce Court

INTERIOR DESIGN CONSULTANT

JC SCOTT
DESIGN
17-1/2 Fan Tan Alley
Victoria, BC V8Y 1G9
P. 250.217.7105
F. 250.385.0575
jcd@jcscott.com
www.jcscott.com

LANDSCAPE CONSULTANT



ISSUED FOR:	DATE:
Rezoning	20.07.17
Revised as per staff comments	17.11.17

PROJECT NO.:

DRAWN BY:

DATE: 17.11.17

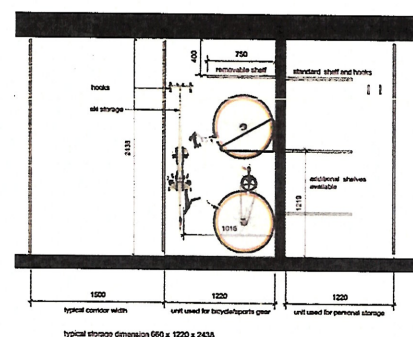
SCALE:
as shown

DRAWING TITLE:

Lower Level Plan

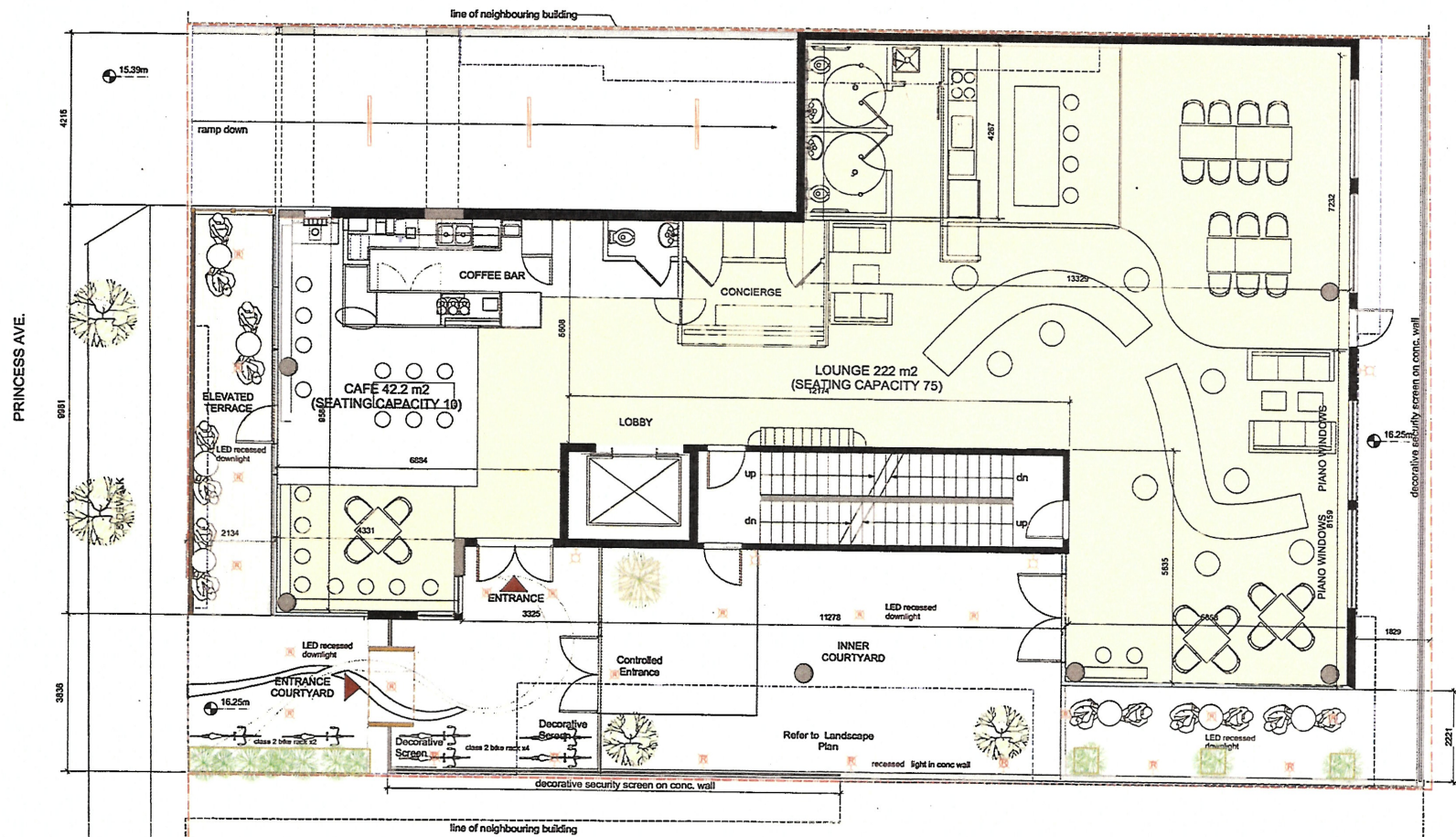
DRAWING NUMBER:

A 1.0



Typical Storage Section
Scale: 1:25

Planning & Development Department
Development Services Division



1 Main Level
Scale: 1:50

LIGHTING LEGEND

- ✕ recessed soffit fixture
- ✕ recessed wall fixture
- ✕ wall mounted fixture
- 4' LED strip lighting

PROJECT:

The Hive

736 Princess Ave.

CLIENT:



LEAD DESIGN CONSULTANT

Amante Collective
Architectural & Interior Design
100-1000 100th Ave. NW, Suite 100
Edmonton, Alberta T6E 1A1

ARCHITECTURAL CONSULTANT

STELL R
Architectural & Interior Design
210-423 Commercial Court
Vancouver, BC V6Z 1K2

INTERIOR DESIGN CONSULTANT

SCOTT DESIGN
11-12 Park-Tan Alley
Vancouver, BC V6Z 1K2
P: 202.277.1100
F: 202.277.1100
www.scottdesign.com

LANDSCAPE CONSULTANT

L&B
Landscape Architecture
www.landscape.com

ISSUED FOR: DATE:
Rezoning 20.07.17
Revised as per staff comments 17.11.17

PROJECT NO.:

DRAWN BY:

DATE: 17.11.17

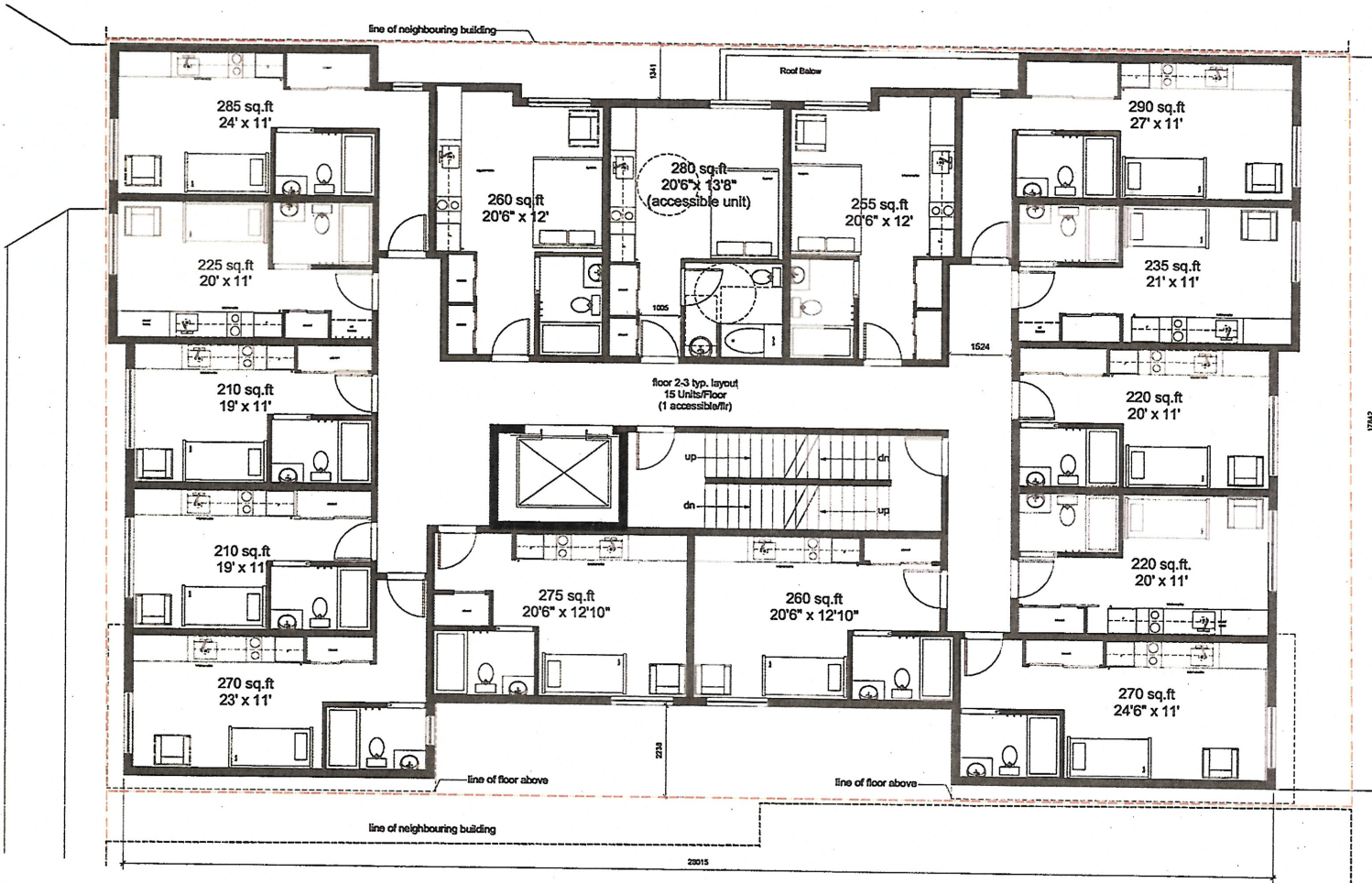
SCALE: as shown

DRAWING TITLE: Main Level Plan

DRAWING NUMBER:

A 1.1

Princess Ave.



1 Level 2-3 Typ. Plan
Scale: 1:50

Received
City of Victoria
Planning & Development Department
Development Services Division

PROJECT:
The Hive

736 Princess Ave.

CLIENT:
LARGE CO.
LARGE CO. 1977

LEAD DESIGN CONSULTANT
Arcata Collective
100 Victoria Street, Suite 100, Victoria, BC V8V 2E2
Tel: 778-330-2200 Email: info@arcatacollective.com

ARCHITECTURAL CONSULTANT
STELL R.
100-4012 Cassin Road, Suite 100, Victoria, BC V8L 4C2
Tel: 250-366-5275 Email: stell@stellr.ca

INTERIOR DESIGN CONSULTANT
J.C. SCOTT DESIGN
17-187 Fern Valley Road, Victoria, BC V8N 3Y9
Tel: 250-366-5275 Email: jcs@jcsdesign.com

LANDSCAPE CONSULTANT
LADP
LADP LANDSCAPE DESIGN

ISSUED FOR: DATE:
Rezoning 20.07.17
Revised as per staff comments 17.11.17

PROJECT NO.:

DRAWN BY:

DATE:
17.11.17

SCALE:
as shown

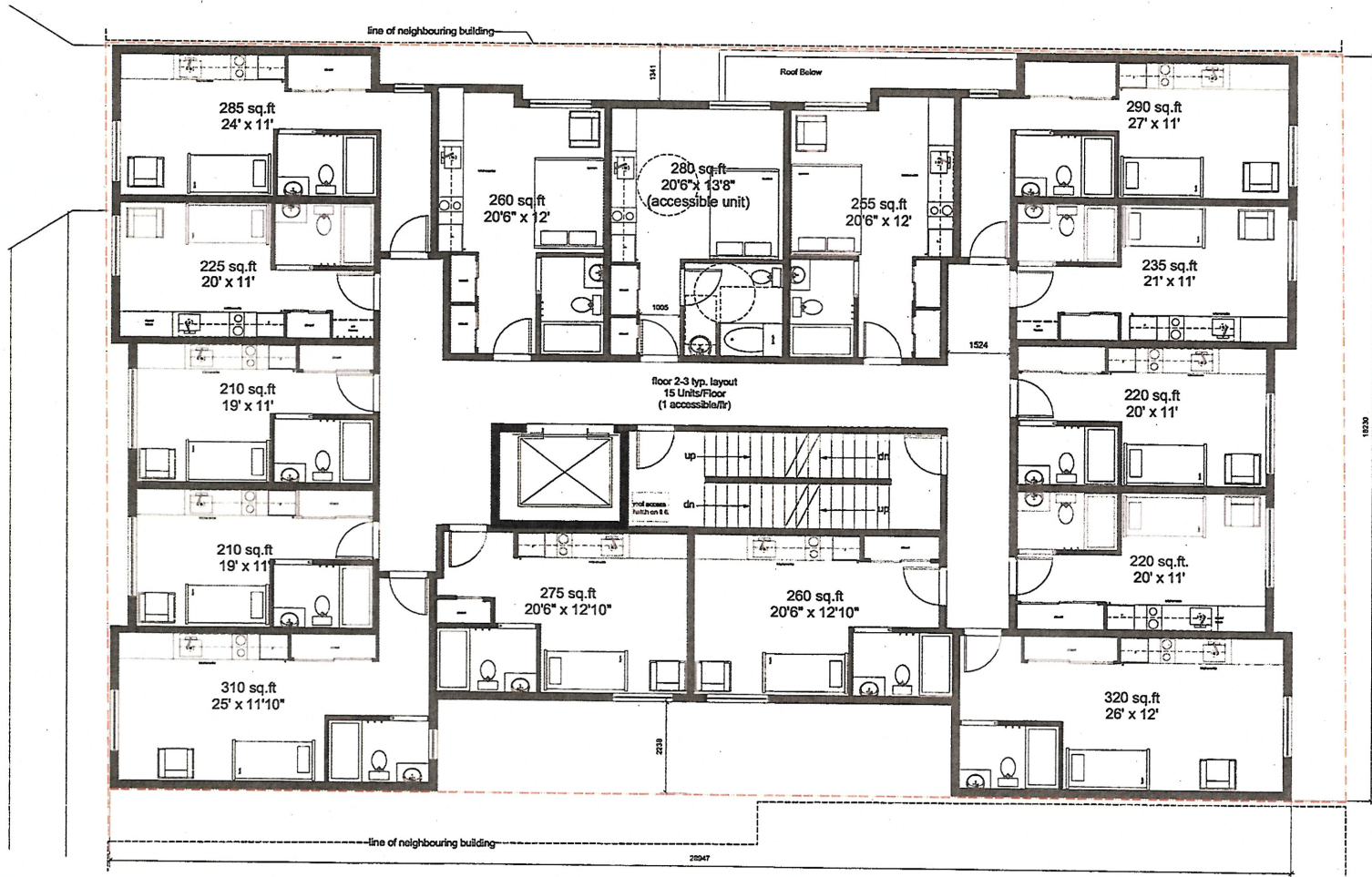
DRAWING TITLE:
Level 2-3

DRAWING NUMBER:
A 1.2

Received
City of Victoria

Planning & Development Services
Development Services Centre

Princess Ave.



① Level 4-6 Typ. Plan
Scale: 1:50

PROJECT:

The Hive

736 Princess Ave.

CLIENT:



LEAD DESIGN CONSULTANT

Arca Collective
100-1000 Street, Victoria, BC V8W 2E7
Tel: 250-383-8078

ARCHITECTURAL CONSULTANT

STELL R
215-4212 Commercial Court
Victoria, BC V8N 1J7

INTERIOR DESIGN CONSULTANT

JC SCOTT DESIGN
10-100 Park Street
Victoria, BC V8W 2E7
Tel: 250-383-8078
www.jcscott.com

LANDSCAPE CONSULTANT



ISSUED FOR: DATE:
Rezoning 20.07.17
Revised as per staff comments 17.11.17

PROJECT NO.:

DRAWN BY:

DATE: 17.11.17

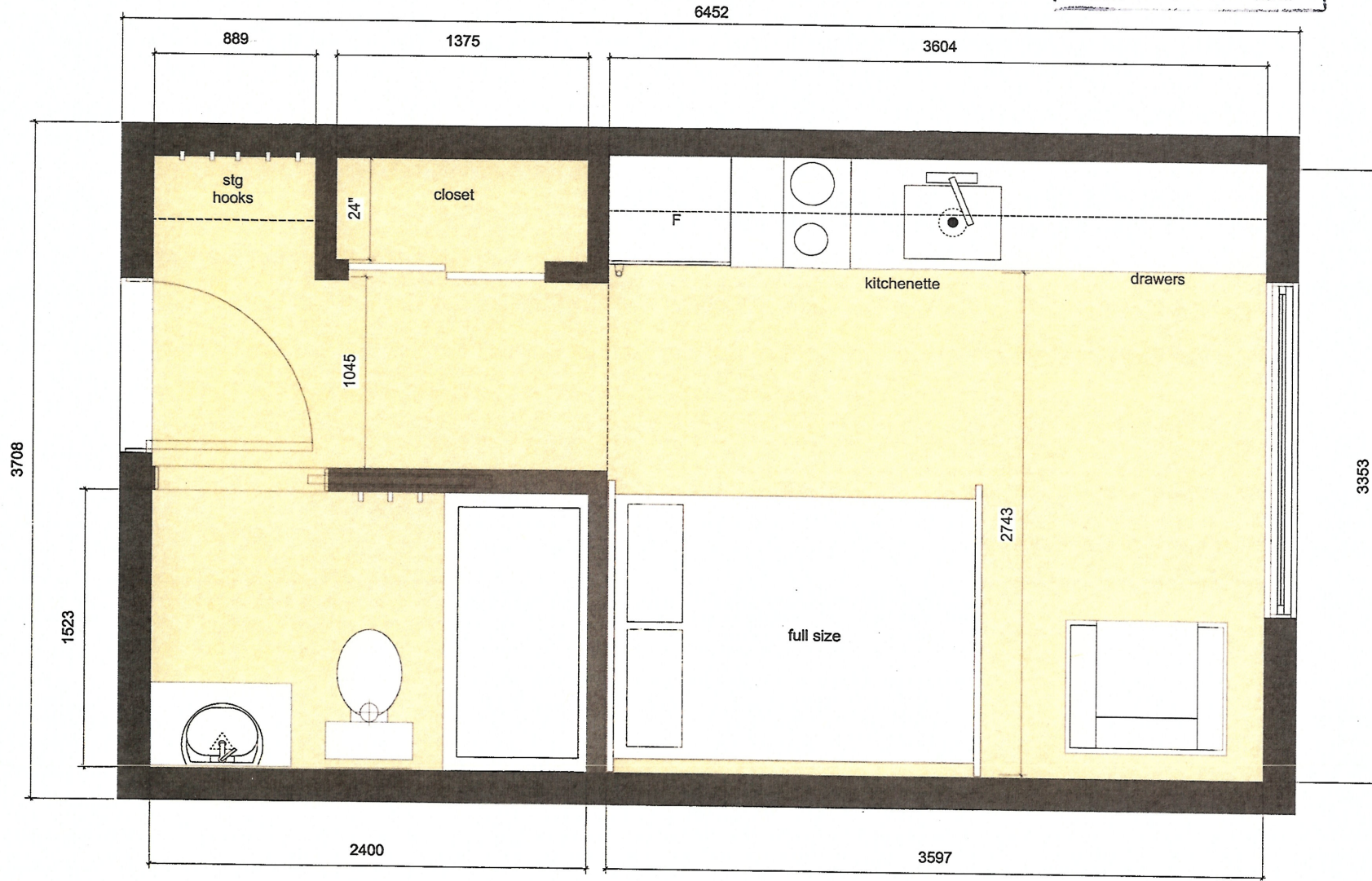
SCALE: as shown

DRAWING TITLE: Level 4-6

DRAWING NUMBER: A 1.3

Received
City of Victoria

Planning Department
Development Division

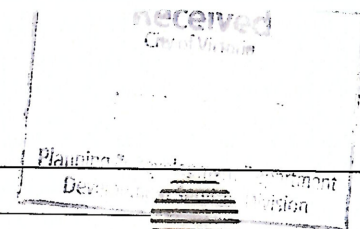
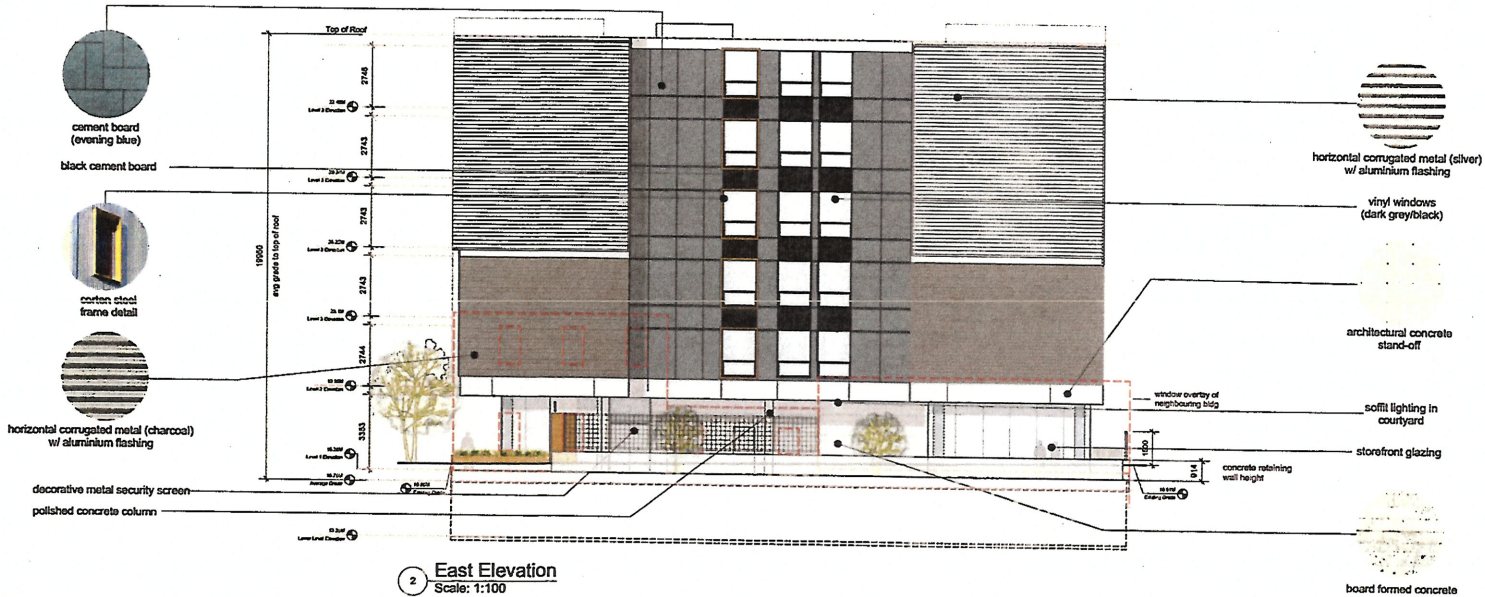
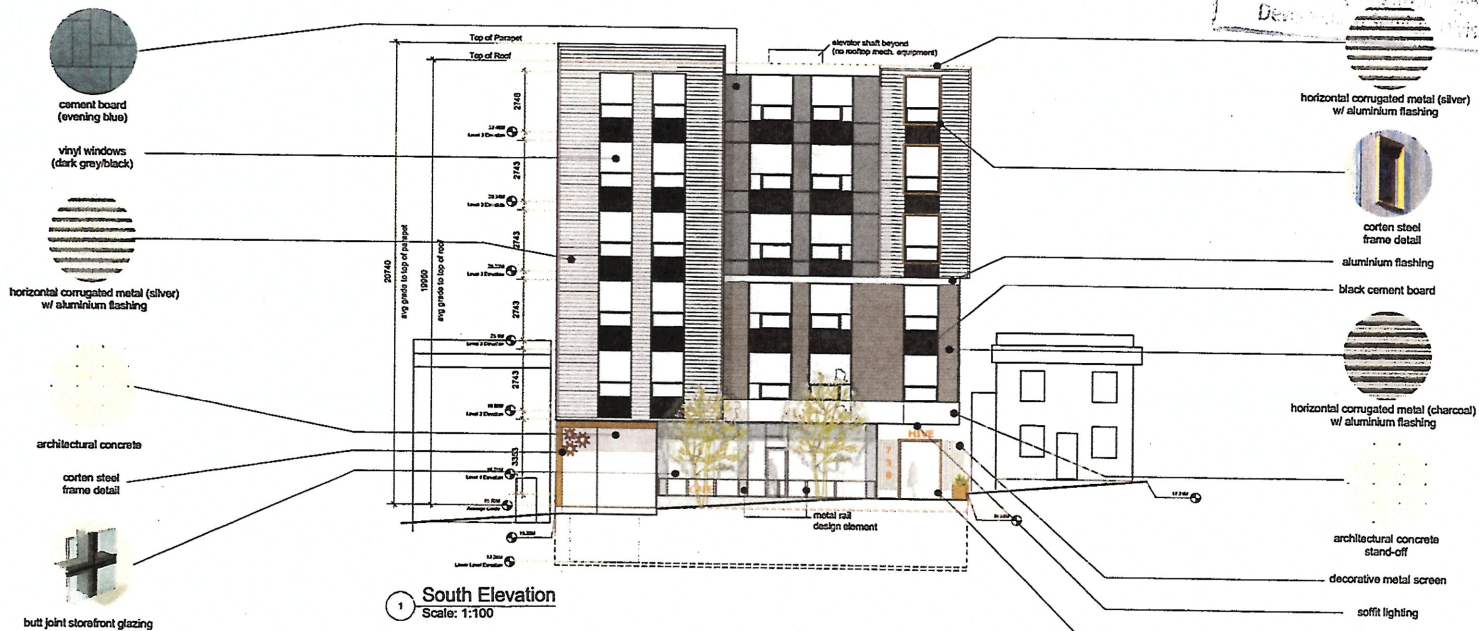


1 Typical Suite Layout
Scale: 1:10

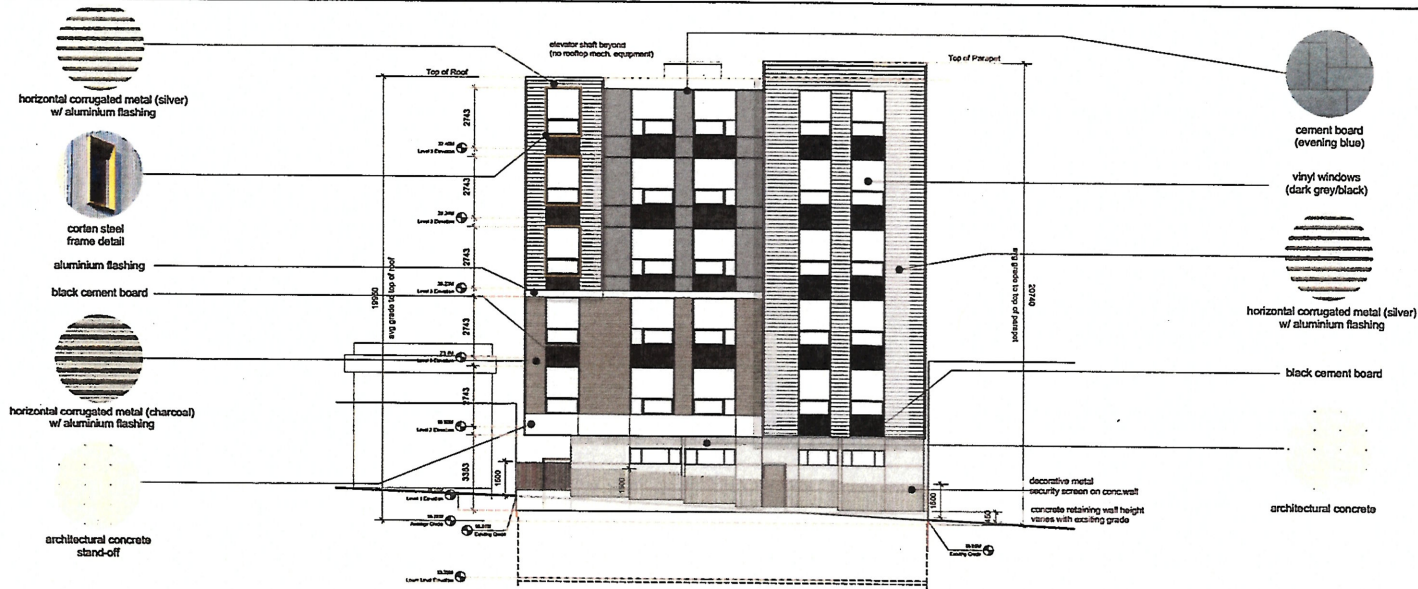
20.4 m2 (220 sq.ft 20' x 11')

PROJECT:	
The Hive	
736 Princess Ave.	
CLIENT:	
LEAD DESIGN CONSULTANT	
ARCHITECTURAL CONSULTANT	
STELL R <small>Architectural & Design Inc.</small> <small>245 - 4217 Fairview Court</small> <small>Victoria BC V8N 4J9</small>	
INTERIOR DESIGN CONSULTANT	
LANDSCAPE CONSULTANT	
ISSUED FOR: DATE:	
Rezoning	20.07.17
Revised as per staff comments	17.11.17
PROJECT NO.:	
DRAWN BY:	
DATE:	
17.11.17	
SCALE:	
as shown	
DRAWING TITLE:	
Typ. Suite Layout	
DRAWING NUMBER:	
A1.4	

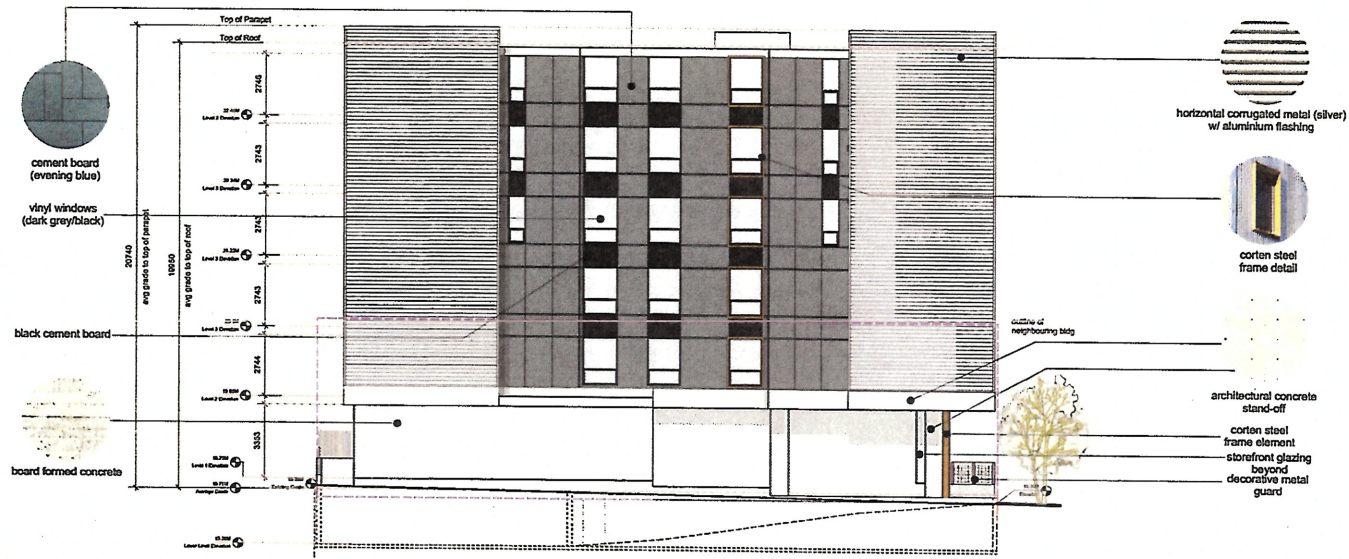
Materials




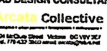

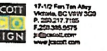

PROJECT:	
The Hive	
736 Princess Ave.	
CLIENT:	
LEAD DESIGN CONSULTANT	
ARCHITECTURAL CONSULTANT	
INTERIOR DESIGN CONSULTANT	
LANDSCAPE CONSULTANT	
ISSUED FOR:	
Rezoning	20.07.17
Revised as per staff comments	17.11.17
PROJECT NO.:	
DRAWN BY:	
DATE:	
17.11.17	
SCALE:	
as shown	
DRAWING TITLE:	
Elevations S-E	
DRAWING NUMBER:	
A 2.0	



1 North Elevation
Scale: 1:100



2 West Elevation
Scale: 1:100

PROJECT:	
The Hive	
736 Princess Ave.	
CLIENT:	
	
LEAD DESIGN CONSULTANT:	
	
ARCHITECTURAL CONSULTANT:	
	
INTERIOR DESIGN CONSULTANT:	
	
LANDSCAPE CONSULTANT:	
	
ISSUED FOR: DATE:	
Rezoning	20.07.17
Revised as per staff comments	17.11.17
PROJECT NO.:	
DRAWN BY:	
DATE:	
17.11.17	
SCALE:	
as shown	
DRAWING TITLE:	
Elevations N-W	
DRAWING NUMBER:	
A 2.1	



A 2.2

Received
City of Vancouver
Planning & Development Department
Development Services Division



Princess Ave. looking toward Blanshard St.





South side of Princess Ave. looking north



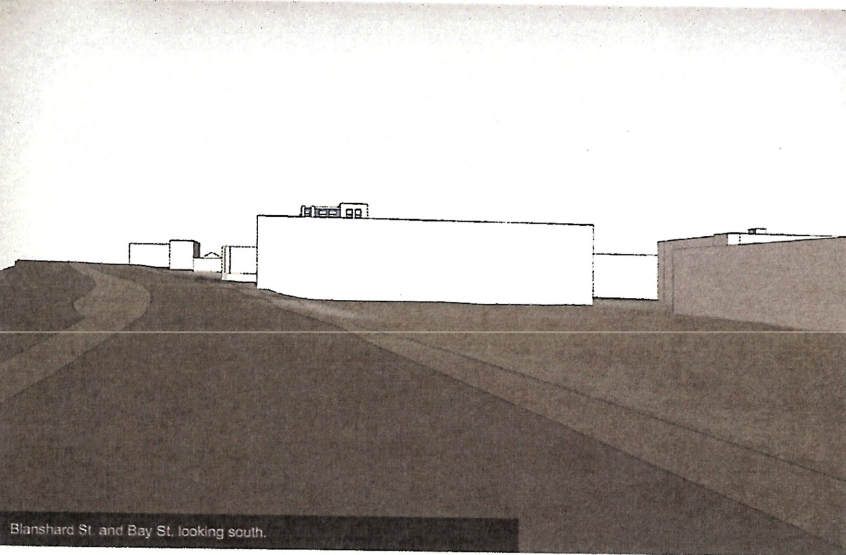
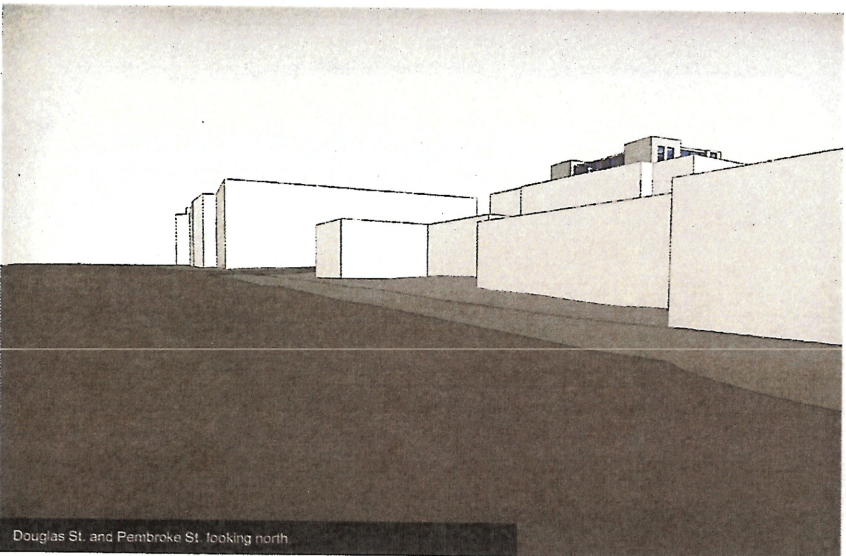
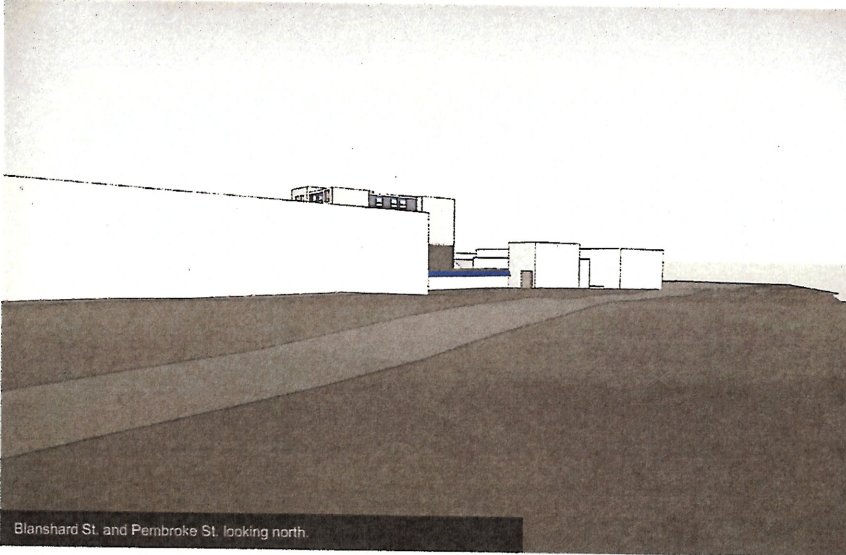
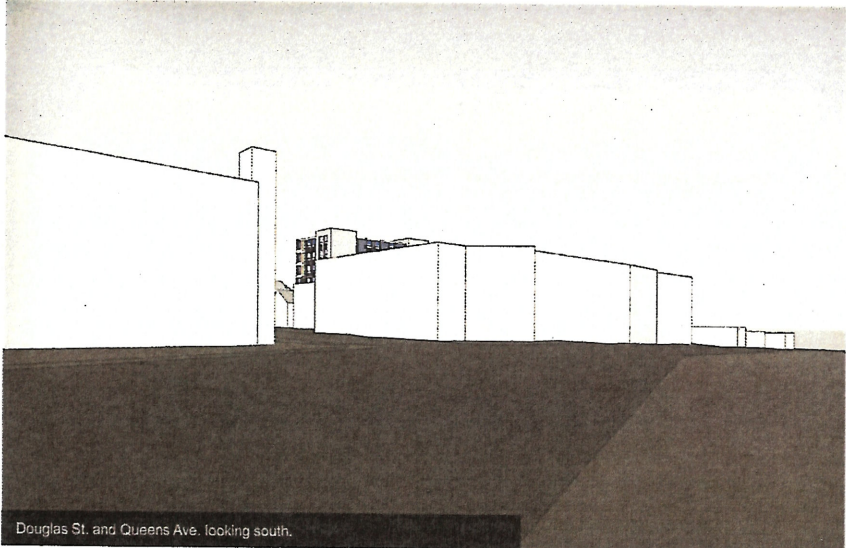
Princess Ave. looking toward Douglas St.



Entrance, street side patio, and transparent treatment along street edge.

PROJECT:	
The Hive	
736 Princess Ave.	
CLIENT:	
	
LEAD DESIGN CONSULTANT	
Collective <small>200-1000 Burrard Street, Suite 200, Vancouver, BC V6J 1A1 Tel: 604-681-1111</small>	
ARCHITECTURAL CONSULTANT	
STELL R <small>1111 Burrard Street, Suite 200, Vancouver, BC V6J 1A1 Tel: 604-681-1111</small>	
INTERIOR DESIGN CONSULTANT	
SCOTT <small>1111 Burrard Street, Suite 200, Vancouver, BC V6J 1A1 Tel: 604-681-1111</small>	
LANDSCAPE CONSULTANT	
	
ISSUED FOR: DATE:	
Rezoning	20.07.17
Revised as per staff comments	17.11.17
PROJECT NO.:	
DRAWN BY:	
DATE:	
17.11.17	
SCALE:	
as shown	
DRAWING TITLE:	
Perspectives	
DRAWING NUMBER:	
A 3.0	

Planning and Development Department
Development Services Division



PROJECT:	
The Hive	
736 Princess Ave.	
CLIENT:	
LEAD DESIGN CONSULTANT	
Arcate Collective <small>200-1000-1000 Street, Victoria, BC V8W 2E7 Tel: 779-433-2001 email: info@arcate.co</small>	
ARCHITECTURAL CONSULTANT	
STELL R <small>ARCHITECTS INC. 1100-1100 215 - 4212 Commercial Drive Victoria BC V8M 1G2</small>	
INTERIOR DESIGN CONSULTANT	
JC SCOTT <small>17-102 Park View Alley Victoria BC V8W 2G8 P: 250-271-1100 F: 250-305-5075 jscott@jcscott.com www.jcscott.com</small>	
LANDSCAPE CONSULTANT	
ISSUED FOR: DATE:	
Rezoning	20.07.17
Revised as per staff comments	17.11.17
PROJECT NO.:	
DRAWN BY:	
DATE:	
17.11.17	
SCALE:	
as shown	
DRAWING TITLE:	
Perspectives	
DRAWING NUMBER:	
A 3.1	



Summer Solstice: Morning



Summer Solstice: Noon



Summer Solstice: Evening



Equinox: Morning



Equinox: Noon



Equinox: Evening



Winter Solstice: Morning



Winter Solstice: Noon



Winter Solstice: Evening

Received
City of Prince George

Planning & Development Department
Development Services Division

PROJECT:

The Hive

736 Princess Ave.

CLIENT:



LEAD DESIGN CONSULTANT

Archi Collective
Architectural & Interior Design
100-1100 Street, Suite 100, Prince George, BC V2L 0C5

ARCHITECTURAL CONSULTANT

STELL R.
Architectural & Interior Design
215 - 42nd Community College
Prince George, BC V2L 0C5

INTERIOR DESIGN CONSULTANT

SCOTT DESIGN
11100 Park Ave. Suite 100
Vancouver, BC V6P 1A5
P: 604.271.2115
F: 604.271.2116
www.scottdesign.com

LANDSCAPE CONSULTANT



ISSUED FOR: DATE:
Rezoning 20.07.17
Revised as per staff comments 17.11.17

PROJECT NO.:

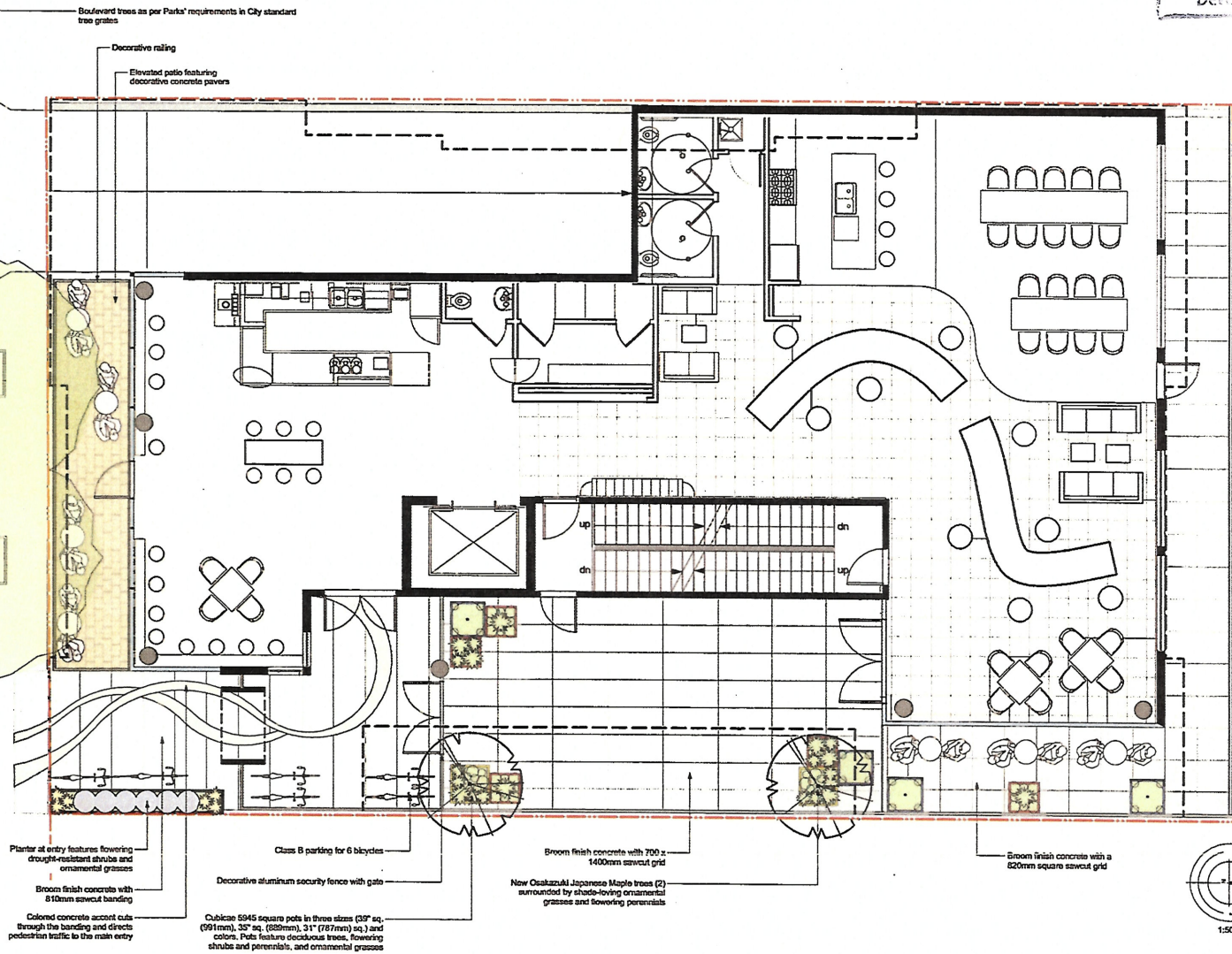
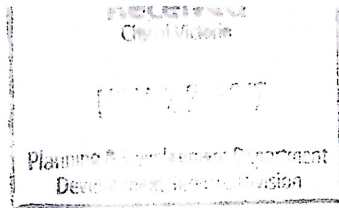
DRAWN BY:

DATE:
17.11.17

SCALE:
as shown

DRAWING TITLE:
Shadow Study

DRAWING NUMBER:
A 3.2



Recommended Nursery Stock

Trees Total: 4	Botanical Name <i>Acer palmatum 'Osaka-kuni'</i> Acer x freemontii 'Jefferson'	Common Name Osaka-kuni Japanese Maple Autumn Blaze Maple	Size 6cm cal 6cm cal
Medium Shrubs Total: 4	Botanical Name <i>Hydrangea macrophylla 'Lanarth White'</i>	Common Name Lanarth White Hydrangea	Size #5 pot
Small Shrubs Total: 15	Botanical Name <i>Leucadendron 'Orin Quetz'</i>	Common Name Spanish Lavender	Size #1 pot
Perennials, Annuals and Ferns Total: 116	Botanical Name <i>Alcea rosea</i> <i>Carex ostenhensis 'Evergold'</i> <i>Comelbaria myalis</i> <i>Holcus lanatus</i> <i>Stipa tenuissima</i>	Common Name Burglender Evergold Sedge Lily of the Valley Blue Oat Grass Mexican Feather Grass	Size #1 pot #1 pot #1 pot #1 pot #1 pot

Notes:

1. All work to be completed to current BCSLA Landscape Standards



'Osaka-kuni' Japanese Maple



'Sango Kaku' Japanese Maple



Lanarth White Hydrangea



Blue Oat Grass



Burglender



Lily of the Valley



Evergold Sedge

736 Princess Avenue | Landscape Plan | L1.0



LADR LANDSCAPE ARCHITECTS

Project No: 1821 Nov 23-16

28-495 Dupplin Rd., Victoria B.C. V8T 1B8
Phone: (250) 598-0105 Fax: (250) 412-0556

Public Realm Revised Nov 1-17
Jul 19-17



Rezoning and Development Permit Application 736 Princess

July 21, 2017

Her Worship Mayor Lisa Helps and Councillors
Corporation of the City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6



Introduction

The application before you is a unique proposal for 75 Workforce Housing rental units in the downtown area. We are proposing a new concept for Victoria - "work-live" units where tenants pay one monthly rent and have access to:

- Completely furnished, self contained professionally designed micro units with full bathroom, kitchen area, bed/sitting area, storage.
- Over 3000 sqft of amenities on the main floor – Full kitchen / entertainment area; TVs, games, quiet sitting areas; communal sitting areas; outdoor patio space with BBQ and more.
- Electric car and electric bike rental IN the building available to tenants – no need for car ownership!
- Full time operations staff to support the building and tenants.
- Coffee shop accessible to the public to promote community living.

The impetus for this plan comes from the City's need to provide 'affordable' living. This building combines housing, amenities and transportation needs and more than supports this demand. I look forward to presenting more details as the application is reviewed.

Community Consultation

Burnside Gorge Community Association

We have met three times with the executive and twice with the Community at large. Concerns raised at the initial meeting in January 2017 were addressed at an updated presentation July 17, 2017. Letters from the Chair have been submitted to the City.

Green Building Features

The project has been designed with a combination of active and passive energy principles:

- Provision of an electric car rental fleet on the lower floor for tenants, complete with electric charging stations.
- Provision of an electric bicycle rental fleet on the lower floor for tenants complete with electric charging stations.
- Building is oriented to take advantage of the south facing site to allow better penetration of natural daylight into the main level and inner courtyard.



Rezoning and Development Permit Application 736 Princess

- Construction will use a high-performance wood frame system.
- Storm water mitigation.
- Permeable paving on Coffee Bar patio.
- Heat Recovery Ventilation systems.
- Designed to the 2014 energy code.
- Constructed to Built Green standards

Summary

This is a wonderful opportunity to create new an innovative, community affordable living in the City. I look forward to sharing a detailed presentation.

Sincerely,

Kim Colpman
Large and Co.



The Hive – 736 Princess
Rezoning Application: 00602

November 17, 2017

Mayor and Council
Corporation of the City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6



To help navigate the information presented, a list of contents has been provided.

Contents

1	Description of Proposal	1
2	Government Policies	3
2.1	Regional Growth Strategy (RGS).....	3
2.2	Official Community Plan (OC).....	3
2.2.1	Land Management and Development.....	4
2.2.2	Transportation.....	4
2.2.3	Housing and the Housing Strategy	5
2.2.4	Climate Change and Energy.....	6
2.2.5	Placemaking - Urban Design / Community Well Being	6
2.3	Burnside Gorge Neighbourhood Plan.....	6
2.4	Downtown Area Core Plan (DACP).....	6
3	Neighbourhood	7
4	Impacts	7
5	Design and Development Permit Guidelines	8
6	Safety and Security	8
7	Green Building Features	9
8	Conclusion	10

Nov 17, 2017



The Hive – 736 Princess
Rezoning Application: 00602

1 Description of Proposal

The Hive, located at 736 Princess Avenue (currently a vacant parking lot), is a purpose-built Workforce Housing rental project that Large and Co. is proposing to build, own and operate. By partnering with CHMC, housing can be offered at below market rates, as defined by CMHC. A letter of intent for this partnership is included with this submission.

This is a 6-storey building – 1 floor of commercial and 5 residential floors. There are 75 micro-units ranging in size from 220 – 320^{sq}ft. Every unit has a window and are fully self-contained with full/queen size bed, a complete kitchen and full bathroom. Final design will consider maximizing personal storage and flexible living spaces. Of the 75 units, 5 are accessible – 1 on each residential floor. It is anticipated 5 units would be made available as needed for resident's out of town guests. There are 70 bike/personal storage lockers in the basement as well as laundry and garbage/recycling facilities.

Technically, that's what The Hive is. But practically, The Hive is a new way of living. It is a housing 'type' or concept not yet seen in Victoria! It offers a quality of life typically not provided in non-market rentals. In support of our residents, we have allocated the entire main floor (3,000^{sq}ft) as amenity space.



JC Scott Design, an expert in micro-unit and community space design, has created flexible, welcoming liveable spaces on the main floor where residents can convene, work, play games, cook for their friends or 'just be' - a space that becomes a focal point for The Hive community. It includes a full kitchen, harvest tables, quiet nooks for reading, TV monitors, gathering spaces and more. The entire building is wi-fi enabled and there is access to 2 outdoor patio areas.

Nov 17, 2017

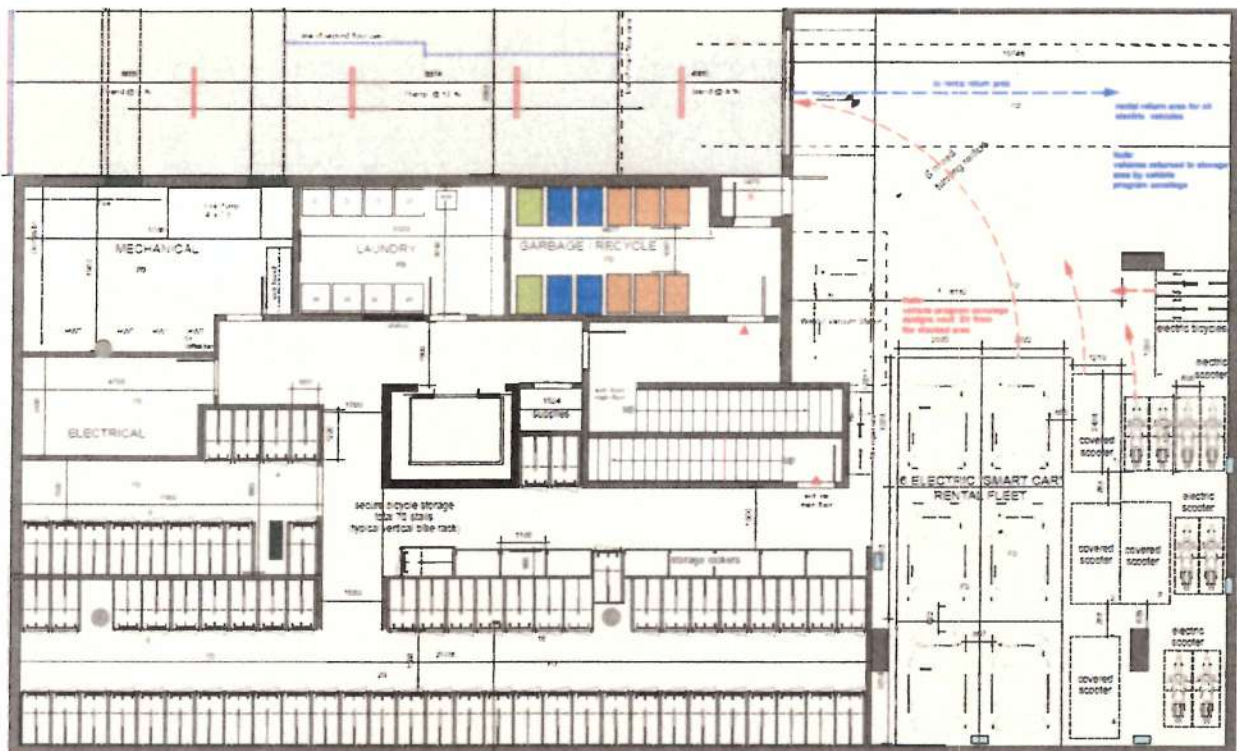
1



The Hive – 736 Princess
Rezoning Application: 00602

As well, there is a café at the front of the building that sits behind floor-to-ceiling glazing. This creates an indoor/outdoor appeal and 'eyes on the street'. The café is available to residents and the public, offering a welcome connection to the surrounding community. This area will operate like Café Fantastico at Parkside Hotel whereby café patrons may walk through and enjoy the lounge areas.

The other innovative, not yet been done concept of our proposal, is the on-site electric Vehicle Share Program (eVSP). This is a fleet of all electric vehicles (combination of eBike, eScooters, eCars) for rent on an as-needed basis.



Often people with low incomes cannot afford a vehicle, or simply don't want the burden/expense of car ownership. For this reason, and because The Hive is ideally located for walkability and transit, The Hive does not provide parking to its residents. What it does offer, is direct access to the eVSP. Vehicles are stored on-site, and are charged and maintained by the building owners – residents only pay when they use one. Access to a variety of transportation options and convenience are the keys to reducing car ownership. (See Section 2.2.2 Transportation for more details)

A full-time concierge will be employed to oversee the administration of the building, its residents and all the amenities/services. The main floor central desk area is a focal point and will be the 'face' of The Hive.

Nov 17, 2017

2



Providing this quality of living in non-market rental housing can be done. It does however require an understanding of the key affordability features for The Hive.

- 736 Princess Ave is a vacant parking lot just north of downtown, which has a lower land cost than central downtown.
- Increased density is needed to support its economic viability.

It is rare to find bare land in the Urban Core. This, combined with increased density provides an opportunity for Mayor and Council to support the affordability goals of the OCP and Housing Strategy for Victoria residents. The Hive will set the standard for micro-apartment living.

2 Government Policies

2.1 Regional Growth Strategy (RGS)

The following sections highlight how The Hive aligns with specific RGS objectives.

Keep Urban Settlement Compact

The Hive is ideally located in the City's Urban Core - an area expected to accept approximately 50% of Victoria's forecast growth to 2041, or a minimum of 10,000 new residents. RGS asks the City to support opportunities that accommodate this population growth.

Build Complete Communities

The RGS supports urban development contributing to greater community completeness - specifically within 500 metres of the Urban Core and within 400 metres of transit routes. The Hive is located *within* the Urban Core between both transit corridors of Douglas and Blanshard streets allowing residents to complete many daily activities close to home.

Improve Housing Affordability

Workforce non-market rental housing is the vision for The Hive. By offering 75 new units at below market rent, we are increasing much needed supply and reducing the number of low income renters in core housing need.

Increase Transportation Choice

Hive residents can conveniently cycle, walk or take public transit. They can also readily access our on-site, all electric Vehicle Share Program (eVSP). (See Section 2.2.2 Transportation for more details).

2.2 Official Community Plan (OC)

The following sections highlight how The Hive aligns with specific OCP objectives.

Nov 17, 2017

3



2.2.1 Land Management and Development

Building coherent, liveable places where a mix of uses and activities is the norm, with goods and services close by and where a range of housing types is available across the City. This is an OCP initiative and the objective of The Hive – to provide a liveable housing alternative with on-site activities and amenities in a walkable, transit oriented location.

The Downtown Core Area is meant to remain the primary economic, social, arts, cultural and entertainment centre. More people living in the Urban Core help to attain this goal and keep downtown vibrant and progressing.

The Hive is designated as a Core Employment area, which allows for buildings from 8-20 storeys of residential mixed-use, work/live or commercial between Douglas and Blanshard. Our building is 6 storeys, with main floor commercial and residential on 5 floors. The density FSR allowed is 3:1 – 5:1 with residential maximum at 3:1. Our proposal is 3.99:1. The increased density is necessary to a) include 3,000^{ft}² main floor amenity space which is crucial to the quality of life offered, and b) provide below market rent.

2.2.2 Transportation

Consideration may be given to reductions in parking requirements where:

- Geographic location, residential and employment density, housing type, transit accessibility, walkability, and other factors support non-auto mode choice or lower parking demand.
- Activities and circumstances of land uses, structures or buildings include the provision of a comprehensive suite of permanent on-site alternative travel supports.

As well, the Housing Strategy outlines a priority to reduce parking requirements and consider parking innovations that support affordable housing projects. It highlights how structured parking is a significant contributor to the cost of housing and the City is looking at ways for parking regulations to better support affordable housing.

These objectives are fully supported by the proposed on-site, all electric, Vehicle Share Program (eVSP) offered as a service to our residents and to the community at large. Watt Consulting Group has prepared a detailed report to fully explain this innovative TDM approach. The report is attached.

To summarize here, initially the eVSP would include a combination of 20 electric vehicles to offer diversity of trip purposes and to suit all budgets. Vehicle units at the outset are proposed to be:

- 6 electric cars
- 8 electric scooters
- 4 electric covered carts/scooters
- 2 electric bikes



2.2.4 Climate Change and Energy

The OCP embraces transportation options that reduce fossil fuel dependence, help conserve energy and produce low greenhouse gas emissions and other air contaminants.

The on-site electric Vehicle Share Program (eVSP) fully supports this initiative. Additionally, research tells us per capita emissions are significantly lower in compact urban neighbourhoods where multi-unit building forms are more energy efficient.

2.2.5 Placemaking - Urban Design / Community Well Being

According to the OCP, placemaking is the creation of place. It is the practice of building communities with a unique identity. To achieve community well-being, a sustainable community provides both the physical and social infrastructure. These values are at the core of The Hive vision.

Living at The Hive will be like renting a 3000f² home. Residents will have a private, fully contained unit plus a massive 'Living Room' on the main floor where they can hang out with friends or relax on their own without being alone. Community exists right in the building giving residents an chance to know their neighbours, connect with their community and take advantage of many opportunities for social interaction.

2.3 Burnside Gorge Neighbourhood Plan

Neighbourhood stakeholders have expressed a strong interest in supporting additional and diverse housing choices to accommodate new residents. Recognizing most land is already developed, there are few opportunities for new housing, and new multi-unit housing should be developed along transportation routes. Specific objectives for The Hive fall under the Downtown Area Core Plan.

2.4 Downtown Area Core Plan (DACP)

This plan was developed to advance the objectives of the OCP for the Downtown Area. Most of the objectives listed here have been addressed in detail under the OCP section. This section therefore, summarizes how the DCAP aligns with The Hive proposal.

The site at 736 Princess falls within the Rock Bay District (RBD) of the Downtown Core. RBD objectives support transforming this area into a key employment center. However, the plan also recognizes the City's desire to place people close to their employment and amenities, and as such has outlined an objective for residential and residential mixed-use development being supported primarily between Douglas and Blanshard streets.

Specifically, The Hive supports the following DCAP goals:



The combination and number of vehicle units would be adjusted as necessary to meet demand, with a goal to provide the appropriate mix based on need. There is sufficient space in the building to add vehicle units should the need arise. It is interesting to note, a 318-unit condominium in Toronto, located within 5 minutes of transit, has no resident parking and offers only 9 on-site cars in their share program. (*Details in Watt Consulting Group report*).

To maximize vehicle utilization and ensure program success, the vehicles would also be available to the surrounding community. Building residents would have priority, but during times when residents may not require a vehicle, utilization would be maximized by expanding the program offering. This would in turn, increase the potential for reduced car ownership in the neighbourhood.

Why not MODO? Because research shows that ‘convenience’ is the key to reducing car ownership. Having vehicles available on-site, maximizes this potential. It also creates the ‘complete community and amenity’ rental package we are offering at The Hive.

To provide the City with certainty, we will guarantee a minimum 10 electric vehicles (combination of eBike, eScooters and eCars) in the program for the first 5 years. This number supports the recommended number of vehicles outlined in Watt Consulting Group report.

2.2.3 Housing and the Housing Strategy

As mentioned previously, housing affordability is a key objective for the City. The OCP encourages new housing initiatives that create viable partnerships that help achieve new affordable housing. Large and Co. is currently working to partner with CMHC for this project. A letter of partnership intent is included in the submission.

The OCP is looking for a range of housing types to meet the needs of residents at different life stages. Residents of The Hive are likely to be millennials age 24-35 – the largest group seeking rentals in the Urban Core. The innovative housing concept of The Hive with a private unit, plus huge amenity space, a public coffee shop and access to eVSP, appeals to this demographic and offers a quality of life not seen in other Workforce rental buildings.

The Victoria Housing Strategy was developed to advance OCP initiatives. It aims to increase supply and diversity of non-market and market housing across the housing spectrum and throughout Victoria. Primarily, the Housing Strategy focus is on ‘affordability’. It describes purpose-built rental housing as the most stable source of rental housing as it becomes more affordable over time since rental rates rise more slowly than housing prices.



- Consider opportunities to reduce motor vehicle parking stalls in high density buildings in exchange for dedicated on-site car share. The eVSP fully supports this initiative.
- Explore development standards such as reduced parking requirements, to facilitate the provision of smaller dwelling units in multi-residential development.
- Support the redevelopment of vacant land, including surface parking lots, with more intensive uses that support the economic function of the Downtown Core Area.
- Encourage commuter options through sustainable transportation options, reduce greenhouse gas emissions and improve air quality.
- Ensure the Downtown Core Area has enough residential space available to keep up with short- and long-term growth forecasts (*additional 10,000 residents in Urban Core by 2041*).
- Concentrate higher density development along the Douglas Street/ Blanshard Street corridor to relieve development pressure within the historic Old Town Area, Chinatown and Victoria Harbour.
- Offer a variety of housing options within the Downtown Core Area.
- Support development of non-market housing as the Downtown Core Area grows.
- Encourage outdoor dining areas on public or private property, coupled with adjacent indoor spaces suitable for cafés and lounges.

3 Neighbourhood

Our proposal was originally located at 735 Queens. The owner of the commercial building at 755 Queens also owned the parking lot at 736 Queens. He approached us to do a land swap which resulted in the consolidation of 735/755 Queens and parking now adjacent his commercial building – a much more sensible land use allocation which was fully supported by Planning.

We are now proposing to construct on this vacant parking lot. The street is comprised of mixed uses such as autobody detailing, private car collection storage, office rentals and private residential homes. The Hive is yet another element of mixed-use architectural building that compliments the industrial nature of the area to modernize and refresh the streetscape. Its public café amenity creates a connection to community. The additional residents bring further vibrancy to the neighbourhood. When businesses are closed in the evening this street presence and vibrancy will remain.

4 Impacts

By its very definition 'change' comes with some impact both positive and negative. The positive aspects of our proposal have been underscored throughout this report. With respect to neighbours, they have expressed concern around disruptions during construction. This is no different than other developments in the City and we will communicate with our neighbours and strive to minimize inconveniences. They have also voiced concern about no on-site resident parking. Our innovative approach to transportation for this building, we believe, resolves this concern by eliminating the need for car ownership.



5 Design and Development Permit Guidelines

The following outlines how The Hive aligns with the Design and DP Guidelines:

- The building respects the neighbourhood character by incorporating building elements complementary to the industrial feel of the area. Material elements and design contribute to visual identity and quality of streetscape.
- The front glazing, public patio and café spaces create a strong relationship to the street with visual and physical connections.
- The building base is well designed with varied architectural materials, to enhance the street frontage.
- A prominent entrance with building name signage as well as colored concrete accents, directs pedestrians to the main entry.
- Perceived building mass is mitigated through architectural elements and building articulation creating a rhythm of visual interest.
- Exterior materials are high quality and durable and are used all on sides of the building.
- Open spaces (main floor, courtyard, front patio) are extremely liveable, attractive and well-integrated with the design of the building.
- A lighting plan has been reviewed by an Electrical Engineer to ensure appropriate and effective design.
- The building is designed to allow for easy access for disabled persons. As well the café patio is at grade from the entry pathway.
- Front glazing maximizes opportunities for casual surveillance and “eyes on the street”.
- The building is sited and oriented to overlook the street.
- Vehicle entry is at the opposite side of the building from the pedestrian entry.

6 Safety and Security

CPTED guidelines were reviewed and incorporated into our proposal.

- Full time concierge employed to monitor building activity.
- There are unobstructed views along the entire front of the building – front glazing; low, unobstructed view railing at front patio
- Mixed use development ensures presence of people more often.
- Coffee shop placed at front of building for ‘eyes on the street’
- Walkway to front entrance clearly defined through architecture and design
- Adequate lighting provided, reviewed by Electrical Engineer.



7 Green Building Features

Site Selection and Design

- Building is designed with passive energy principles with orientation taking advantage of south facing site. This allows better penetration of natural daylight into the main level and inner courtyard.
- Existing asphalt parking lot is repurposed for urban housing.

Innovation and Design

- Recycled materials are incorporated into the building envelope construction such as profiled metal cladding, and includes recycled steel into feature design elements.

Transportation

- On-site all electric Vehicle Share Program (eVSP) supports non-fossil fuel modes of transport.
- Personal bike storage available on-site for 70 bicycles.

Energy Efficiency

- Project will meet Step 1 of The BC Energy Step Code.
- Construction uses a high-performance building envelope tightness system.

Renewable Energy

- Project will incorporate HRV's (Heat Recovery Ventilators).

Water

- Project incorporates low flow fixtures.

Site permeability

- Permeable pavers on café patio.

Landscaping

- No net loss of any trees or vegetation.
- Additional trees planted.



8 Conclusion

The Hive is envisioned as ‘the place to be’. This much needed non-market rental housing in the Downtown Core is a concept that addresses more than basic shelter requirements. The Hive also embodies the physical and the social; it creates an environment of ‘place’ and community well-being for its future residents.

When someone lives at The Hive, they will pay a single monthly rent. This includes:

- Fully self-contained furnished unit (bed, built in furnishings)
- Utilities (heat, electricity, water, garbage)
- Wifi throughout the building
- Concierge services
- Access to all amenities on the main floor (TV, games, lounge areas, café)
- Ability to reserve kitchen for dinner parties
- Access to electric Vehicle Share Program (eVSP)
- Bike/personal storage locker
- Access to outdoor spaces

The only additional cost(s) would be laundry, purchases at the café and eVSP rental, should residents require it. People can move in feeling secure in their monthly expenses.

Freedom from the burden of car ownership falls directly into the wheelhouse of this demographic and low-income earners. The on-site eVSP is an affordable, convenient service to our residents and fully supports the transportation and affordability objectives of the OCP.

This is an exciting opportunity to be part of an innovative solution that not only supports the City’s objective to increase the supply of affordable housing in the Downtown Core, but does so in way that meets the physical, social and emotional needs of its future residents. We believe The Hive will set a new standard for non-market rental buildings.

Sincerely,

Kim Colpman,
Applicant

Nov 17, 2017

10



October 20, 2017

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



Dear Sirs / Mesdames:

**Re: Large & Company
Affordable Housing Project 736 Princess Avenue, Victoria BC
CMHC Insured First Mortgage Financing**

Please be advised that we have been working with Large & Company on the financing request for an affordable housing project to be constructed at 736 Princess Avenue. We understand that progress on this financing is of interest to the City as it relates to zoning and/or development permit approval.

A detailed application was submitted to CMHC on October 5, 2017 along with our recommendation for approval and the required CMHC application fee. CMHC has commenced their underwriting process and has provided a list of questions and additional information needed. The CMHC approval process typically takes 3 to 5 weeks.

First National Financial LP is the largest provider of CMHC rental apartment financing in Canada, funding over \$2 billion per year. We believe that the CMHC application for 736 Princess Avenue meets CMHC's criteria and has a strong probability of approval.

Yours truly,

A handwritten signature in blue ink, appearing to read "Russ Syme".

Russ Syme
Assistant Vice President
Commercial Financing

1090 Homer Street • Suite 200 • Vancouver, British Columbia Canada V6B 2W9
T: 778.327.5712 • F: 604.681.7200 • www.firstnational.ca

VANCOUVER • CALGARY • TORONTO • MONTREAL • HALIFAX



THE HIVE – 736 PRINCESS AVENUE

Parking Study

Prepared for: **Large & Co Developers**

Prepared by: **Watt Consulting Group**

Our File: **2259**

Date: **November 14, 2017**

TABLE OF CONTENTS

1.0	INTRODUCTION	1
1.1	Subject Site	1
1.2	Site Characteristics	2
1.3	City Planning Policy	4
2.0	PROPOSED DEVELOPMENT	5
2.1	Land Use	5
2.2	Parking Requirement	5
2.2.1	Current Requirement	5
2.2.2	Requirement Under Revised Schedule C	5
2.3	Proposed Parking Supply	6
3.0	PARKING REQUIREMENTS IN OTHER MUNICIPALITIES	6
3.1	Reduced Requirements by Unit Size	6
3.2	No Parking Requirements	7
4.0	EXPECTED PARKING DEMAND	7
4.1	The Impact of Providing No Parking	8
4.1.1	Canadian Examples	8
4.1.2	US Examples	11
4.2	Visitor Parking Demand	11
4.3	Café	12
4.4	Summary of Expected Parking Demand	12
5.0	ON-STREET PARKING	13
5.1	Parking Conditions, Study Area	13
5.2	Parking Conditions, Princess Avenue	13
5.3	Parking Management on Site Frontage	15
5.4	Options for Princess / Blanshard	15
6.0	ON-SITE VEHICLE SHARE PROGRAM	16
6.1	Carshare, Impact on Vehicle Ownership	16
6.2	Carshare, Management Program	17
6.2.1	How Many Vehicles Should Be Provided?	17
6.2.2	Electric Vehicle Share Program	18
7.0	DRIVE AISLE REVIEW	19
8.0	SUMMARY	19
8.1	Recommendations	20

Appendix A. On-street Parking Assessment

1.0 INTRODUCTION

Watt Consulting Group ("WATT") was retained by Large & Co to conduct a parking study for the proposed work force rental housing development and café at 736 Princess Avenue in the City of Victoria. The proposed development does not include any resident parking spaces and, as such, the purpose of this study is to determine whether [a] the provision of zero off-street parking spaces is appropriate and [b] outline how on-site parking management and transportation demand management options could meet the transportation needs of residents.

1.1 SUBJECT SITE

The proposed development site is located at 736 Princess Avenue in the City of Victoria. See Figure 1.

FIGURE 1 SUBJECT SITE



1.2 SITE CHARACTERISTICS

The following provides details regarding transportation options and services that are located in proximity to the site.



Services

The subject site is located in a light industrial area. Within a 5-minute walk, there are some amenities and services available including a car rental store, a car wash, auto repair shops, a fitness centre, cafés, restaurants, and a veterinary clinic.



Transit

The subject site has excellent access to frequent transit. There are two bus stops—located on Douglas Street between Discovery Street and Pembroke Street—within a 3-minute walk of the subject site. The bus stops are served by 16 bus routes that provide service to key employment hubs and destinations within the region including downtown Victoria, the University of Victoria, Camosun College, Swartz Bay, the West Shore (e.g., Colwood, Langford, and Metchosin), and Sidney. With access to a multiplicity of bus routes serving a variety of destinations, future residents can reliably use transit for both commuting and non-work trips.

Douglas Street also has transit and cycling priority lanes from Fisgard Street to Hillside Avenue Monday through Friday from 6am-9am (southbound) and 3pm-6pm (northbound). The lanes are designed to shorten travel times, increase reliability of public transit, and lower the number of vehicles on the road.¹

The Victoria Region Transit Future Plan² provides guidance on future transit networks in the Victoria Region. The subject site is approximately 100m (2-minute walk) from Douglas Street, which is identified as an exclusive corridor on the Rapid Transit Network (RTN). The RTN is intended to move high volumes of passengers between major regional destinations along key transportation corridors. The RTN will provide service frequency of 15 minutes or better between 7:00am to 10:00pm, 7 days a week. Moreover, to improve travel time and reliability, the RTN will have its own right-of-way to eliminate or significantly reduce the impact of general traffic on transit vehicles.³

¹ City of Victoria. (2014). Douglas Street Priority Transit & Cycling Lanes. Available online at: <http://www.victoria.ca/EN/main/residents/transportation/douglas-street-priority-transit-and-cycling-lanes.html>

² BC Transit. (2011). Transit Future Plan Victoria Region. Executive Summary. Available online at: <https://bctransit.com/servlet/documents/1403641054491>

³ Ibid.



Walking

The subject site can be described as very walkable with a walk score of 97, suggesting that daily errands do not require a vehicle.⁴ A sidewalk is available on the north side of Princess Avenue, which would directly serve both residents and customers walking to and from Douglas Street / Blanshard Street.



Cycling

As discussed above, Douglas Street has transit and cycling priority lanes from Fisgard Street to Tolmie Avenue Monday through Friday from 6am-9am (southbound) and 3pm-6pm (northbound). These priority lanes provide a viable cycling option for residents of the subject site, who may be looking to commute along the Douglas Street corridor.

According to the City of Victoria's long-term bike network ("Biketoria"), Bay Street / Haultain Street has been identified as an "All Ages and Abilities" bike corridor, which would include protected bike lanes on both sides of Bay / Haultain from Government Street (west) to Richmond Road (east) and connecting to critical north-south corridors including Cook Street.⁵ Bay Street is within a 2-minute bike ride from the subject site and the City's long-term bike network will enhance the cycling conditions (and safety) of nearby streets, which will directly benefit future residents / customers of the subject site.



Carsharing

The Modo Car Cooperative ("Modo") is the most popular carsharing service in Greater Victoria. In 2015, there were 23 cars and 800 members; as of August 2017, there were 57 Modo vehicles and 2,629 members across the Greater Victoria region⁶, suggesting that Modo is growing in popularity. There are currently two Modo vehicles located within a 5-minute walk of subject site: 1) Chatham Street and Government Street (approx. 530m from subject site), and 2) Fisdard Street and Douglas Street (approx. 650m from subject site).

⁴ More information about the site's walk score is available online at: <https://www.walkscore.com/score/736-princess-ave-victoria-bc-canada>

⁵ City of Victoria. (2016). Committee of the Whole Report: Enhanced Bike Network and Proposed Implementation. Available online at: <https://victoria.civicweb.net/FileStorage/BC8ECB37FA4447129938F0D1AF279711-Biketoria%20COTW%20final%20report%20April%202016%20-%20Final%20Apr.pdf>

⁶ Email correspondence with Modo Business Development Manager on August 31, 2017.

1.3 CITY PLANNING POLICY

The City of Victoria's Official Community Plan (OCP) provides policies and objectives to guide decisions on planning and land management. Updated in 2012, the OCP contains a number of 30-year goals in 17 distinct topic areas that give expression to Victoria's sustainability commitment and work toward the achievement of long-term sustainability goals.⁷

According to the OCP's 30-year growth management concept (Figure 3 of the OCP), the subject site is located within the "Urban Core" area, which consists of "the highest density and greatest mix of uses in the City, including civic and institutional facilities of regional and provincial importance, primary retail, entertainment, office, and other commercial uses, high-rise multi-unit residential apartment and office buildings, visitor accommodation and services, and intensive employment, marine-oriented industrial and transportation uses".⁸ The City's 30-year growth management goals are to concentrate 50% of the overall population growth in the Urban Core, resulting in approximately 10,000 new residents by 2041. Some of the key policy objectives pertaining to the Urban Core are as follows:

- Accommodating and fostering a greater range of housing options throughout the Downtown Core Area including non-market housing (6.10.4).
- Encouraging residential and employment growth to concentrate in the Urban Core, Large Urban Villages, Town Centres and Employment areas along rapid and frequent transit corridors (7.14.1).
- Where possible, locate new seniors' housing, transitional housing and non-market rental housing within close proximity to the Urban Core, Town Centres and Large Urban Villages to enable easy access to services and facilities necessary for daily living (13.15).
- Encourage job growth in community goods and services by increasing the residential densities in the Urban Core, Town Centres, Large Urban Villages, and along rapid and frequent transit corridors.

The Urban Core consists of six mixed-use sub-designations; according to Map 2 of the OCP, the subject site falls within the "Core Employment" urban place designation. Core Employment allows for buildings up to 10 storeys and specifically encourages residential mixed-use, work / live and commercial located between Douglas Street and Blanshard Street.⁹

⁷ City of Victoria. (2012). Official Community Plan. Available online at: http://www.victoria.ca/assets/Departments/Planning-Development/Community-Planning/OCP/OCP_Book.pdf

⁸ City of Victoria. (2012). Official Community Plan, pg. 35. Available online at: http://www.victoria.ca/assets/Departments/Planning-Development/Community-Planning/OCP/OCP_Book.pdf

⁹ Ibid, pg. 43.

2.0 PROPOSED DEVELOPMENT

2.1 LAND USE

The proposed development is to rezone 736 Princess Avenue to a site specific zone that would allow for a 6 storey work force rental housing building with 75 units, five of which are wheelchair accessible units. All units will be bachelor / studio with a unit size ranging from 220-290 sq. ft., meeting the Urban Land Institute's¹⁰ definition for a "Micro Unit" - a *small studio apartment, typically less than 350 square feet, with a full functioning kitchen and bathroom.*

The proposed development also includes a 42.2m² (42m² when rounded, or 452 sq. ft.) café on the ground floor with 10 seats. The lounge area on the ground floor includes 75 seats for customers, residents, and visitors to the building. It is anticipated that the ground-floor lounge area will function as living space for residents, given the limited floor area in each unit.

2.2 PARKING REQUIREMENT

2.2.1 CURRENT REQUIREMENT

Schedule C of the City's Zoning Regulation Bylaw determines the minimum parking supply requirement. Per Schedule C, the 'Rental Attached Dwelling' requirement—a rate of 1.4 spaces per unit—would apply to the multi-family use, resulting in a total of 105 parking spaces. No less than 10% of the total parking spaces (approx. 11 spaces) must be designated for visitors.

The "Eating and Drinking Establishments" use would apply to the proposed café requiring 1 space per 5 seats. With 10 seats proposed for the café, 2 spaces would be required per the Schedule C regulations. The total requirement for the site is 107 parking spaces.

2.2.2 REQUIREMENT UNDER REVISED SCHEDULE C

WATT has been working with the City of Victoria to review and update its off-street parking requirements (Schedule C) to align regulations with actual parking demand, current trends, and community planning objectives.¹¹ At the time of writing this parking study, the Schedule C off-street parking regulations are in draft stage.

According to the parking demand analysis that was completed as part of the review, average vehicle ownership among apartments in the Downtown Area was found to be approximately 40% less than the non-Downtown Area.¹² These findings support the draft parking supply rates for the "Core Area" in Schedule C, which is the area surrounding the downtown. Moreover, the

¹⁰ The Macro View on Micro Units, Urban Land Institute Multifamily Housing Council, 2015, pg. 4.
Available online at: http://uli.org/wp-content/uploads/ULI-Documents/MicroUnit_full_rev_2015.pdf

¹¹ A full draft of Schedule C is available online at: <http://www.victoria.ca/EN/main/residents/planning-development/off-street-parking-review.html>

¹² WATT Consulting Group. (2016). Review of Zoning Regulation Bylaw Off-Street Parking Requirements (Schedule C). Working Paper no.3: Parking Demand Assessment. Available online at: http://www.victoria.ca/assets/Departments/Planning-Development/Community-Planning/Documents/Victoria%20Schedule%20C%20Parking%20Review_Working%20Paper%20no3_FINAL_Sept23-16.pdf

findings are generally consistent with OCP policy direction, which looks to [a] consider reductions in the parking requirements to account for factors such as geographic location and [b] manage transportation infrastructure and services to give priority to the pedestrian, cycling, and transit modes and link the Urban Core with high capacity and frequent public transit service.¹³

As the subject site is located in the “Core Area”, the proposed residential units would constitute as “multi-dwelling, apartment”, and be required to provide 0.50 spaces per unit, based on their unit size and location in the Core Area. Therefore, the updated off-street parking regulations would require the site to provide 38 resident parking spaces, and 8 visitor parking spaces.¹⁴

The proposed café would constitute as a “restaurant”, which will require 1 space per 40m², or about 1 parking space. The total required parking spaces based on the updated Schedule C requirement is 47 spaces, about 56% less than the existing Schedule C requirements.

2.3 PROPOSED PARKING SUPPLY

The proposed development does not include off-street parking supply. As discussed in Section 1.2, the site’s transportation context is unique with access to multiple modes of transportation. Moreover, the proponent is proposing to operate an on-site electric Vehicle Share Program (eVSP) where a combination of electric cars, electric scooters and electric bicycles will be available to residents. Residents will have priority over the eVSP but members of the larger community will also be permitted to participate in the program. The proposal also includes 70 long-term (“Class 1”) bicycle parking spaces—one space per unit—along with 6 short-term (“Class 2”) visitor parking spaces.

3.0 PARKING REQUIREMENTS IN OTHER MUNICIPALITIES

3.1 REDUCED REQUIREMENTS BY UNIT SIZE

Both primary and secondary research have confirmed that smaller unit configurations (in terms of number of bedrooms) have lower parking demand.^{15,16} To confirm whether this is reflected in regulation, the off-street parking regulations from several BC municipalities were reviewed.

¹³ City of Victoria. (2012). Official Community Plan, pg. 51-56. Available online at:

http://www.victoria.ca/assets/Departments/Planning-Development/Community-Planning/OCP/OCP_Book.pdf

¹⁴ The updated Schedule C off-street parking regulations will require 0.1 visitor parking spaces per unit for all multiple dwelling uses.

¹⁵ The ‘Right Size Parking’ Study conducted by King County Metro, is available online at: <http://metro.kingcounty.gov/programs-projects/right-size-parking/>

¹⁶ WATT Consulting Group. (2016). Review of Zoning Regulation Bylaw Off-Street Parking Requirements (Schedule C). Working Paper no.5: Preliminary Recommendations. Available online at: http://www.victoria.ca/assets/Departments/Planning-Development/Community-Planning/Documents/Victoria%20Schedule%20C_Working%20Paper%20no5_Oct25-16_FINAL.pdf

Communities are now recognizing the need to set parking supply requirement rates for multi-family dwellings based on unit size because of the reduced parking demand associated with smaller units. Sample communities are as follows:

- The City of Hamilton requires 0.3 parking spaces for units less than 50m² GFA (538 sq. ft.).
- The City of Kitchener requires 0.165 spaces per unit for any unit under 51m² GFA (549 sq. ft.) in its downtown zone.¹⁷

3.2 NO PARKING REQUIREMENTS

Some Canadian municipalities do not have parking requirements for multi-family dwellings within their downtown areas or central business districts (CBDs). The planning rationale for waiving the parking requirements in these areas is because of reduced parking demand, land scarcity, and a desire to increase population growth, density, and sustainable modes of transportation.

Communities that do not have a parking requirement for multi-family uses in their downtowns / CBDs are as follows:

- **City of Ottawa's Central Area**¹⁸ – if a site is within 600m of a rapid transit station and West of the Rideau Canal, no parking is required.
- **City of Windsor's Central Business District**¹⁹ – no parking is required for the first six dwelling units and 1 is required for each additional dwelling unit.
- **City of Regina's Downtown (D) Zone**²⁰ – no parking required.

4.0 EXPECTED PARKING DEMAND

This section provides a summary of local data and secondary research that explore case studies where similar multi-family developments have been constructed without providing any resident parking. Where possible, examples from Greater Victoria have been included. The expected parking demand for residential visitors and the café is also discussed in this section.

¹⁷ The City of Kitchener's requirement of 0.165 spaces per unit only applies to multi-family buildings that have 100 or more units. In addition, this rate can only be applied to 40% of the building's dwelling units.

¹⁸ City of Ottawa. (2015). Part 4 – Parking, Queuing and Loading Provisions (Sections 100-114). Available online at: http://documents.ottawa.ca/sites/documents.ottawa.ca/files/documents/pt_04_en.pdf

¹⁹ City of Windsor. (2016). Zoning Bylaw. Available online at: <http://www.citywindsor.ca/cityhall/By-laws-Online/Documents/BL%208600%20REVISED%20AUG%2028%202017.pdf>

²⁰ City of Regina. (2016). Section 14: Parking and Loading Regulations. Available online at: <http://www.regina.ca/opencms/export/sites/regina.ca/media/pdf/misc/chapter-14.pdf>

4.1 THE IMPACT OF PROVIDING NO PARKING

4.1.1 CANADIAN EXAMPLES

This section reviews three multi-family buildings in Canada that were constructed without any resident parking supply. All three buildings are located in different cities and have distinct characteristics. **Table 1** presents three criteria to compare these sites. Contacts were identified for each respective building and follow-up interviews were held to learn more about the buildings and to specifically understand the impacts of providing no resident parking. To ensure a rigorous and consistent methodological approach, the following three questions were asked to the interviewees:

- 1 What has been the impact of not providing any resident parking on site?
- 2 What kinds of transportation demand management programs / strategies²¹ are in place that encourage residents to use sustainable transportation (e.g., bike parking, carsharing etc.)?
- 3 Are there carsharing vehicle(s) on-site?
 - a. If so, how many?
 - b. How does the carshare system work / how is it being managed?

TABLE 1. BUILDING / SITE CHARACTERISTICS OF CASE STUDY LOCATIONS

Site	Housing Tenure	Unit Type	WalkScore	On-Site Carshare
The Janion 456 Pandora Avenue, Victoria	Condominium	Mix 250 to 1,000 sq.ft	99	No
The N3 431 8 Ave SE, Calgary	Condominium	Studio – 445 sq. ft.	98	Yes
The Residences at RCMI 436 University Avenue, Toronto	Condominium	Mix 473 to 762 sq. ft.	99	Yes

Case Study no.1:

The Janion 2013

The most local example of a building that was developed without any resident parking is the *Janion*, a condominium building in downtown Victoria with 122 micro-loft units ranging from 250 sq.ft to over 1,000 sq.ft.²² With no resident parking on site, the Janion markets itself as “quality of location is quality of life”, highlighting its walkable surrounding with access to all the amenities an urban resident would need including grocery stores / farmer’s markets, cafés, restaurants,

²¹ The Federation of Canadian Municipalities defines transportation demand management (TDM) as policies, programs and services that influence whether, why, when, where and how people travel.²¹ TDM initiatives typically aim to reduce single-occupant vehicle (“SOV”) trips and encourage alternative travel options such as walking, cycling, public transit and shared rides. More information is available online at: https://fcm.ca/Documents/Tools/GMF/Improving_Travel_Options_with_Transportation_Demand_Management_EN.pdf

²² More information about the Janion is available online at: <http://www.janion2013.com/neighbourhood.html>

and more. Being located in the heart of downtown Victoria, both work and recreational trips are accessible by foot, bike, or transit.

When the building was first constructed, 11 parking spaces were available to the buyers of the larger two-bedroom units. The majority of the residents, however, do not have access to a parking space. Some residents use monthly parking at nearby lots while others purchased their units knowing that parking was not provided on-site. Overall, the impacts of no resident parking have been minimal as some residents already had a lifestyle that was conducive to not owning a vehicle, while others have adjusted using more sustainable forms of transportation including walking, cycling, and transit.²³

The Janion is limited in its TDM options. There are no carsharing vehicles available on-site and no immediate plans to bring about a carsharing program for residents. However, there is cycling infrastructure and amenities including a bike kitchen and a common room for bicycle parking with about 1 long-term bicycle space per unit.

Case Study no.2:

The N3 in Calgary's East Village

The N3 is a recently constructed 167 unit condominium building in Calgary's East Village neighbourhood with no resident parking.²⁴ Average unit size is approximately 445 sq. ft., which is larger than the proposed units at the subject site. The building was strongly supported by City of Calgary Council as it offered a viable homeownership option in the heart of the city for younger Calgarians. When the building was first proposed, the average cost of underground parking in downtown Calgary was \$70,000 per space. This high price point allowed the developer to articulate the benefits and cost savings associated with providing no resident parking.²⁵

The building is a 5-minute walk from Calgary's light-trail transit network and benefits from high walkability and proximity to a number of commercial amenities.

As part of purchasing a condo unit, residents obtain the following transportation benefits:

- Free Car2Go membership
- \$500 in Car2Go minute credits
- A Biria bicycle
- \$500 gift card from Bow Cycle – a bicycle store in downtown Calgary

²³ Ibid.

²⁴ More information about the N3 condo building is available online at:

<http://www.n3condo.ca/>
<http://www.evexperience.com/n-3/>

²⁵ Phone conversation held with Senior Vice-President of Strategy & Business Development at the Calgary Land and Municipal Corporation on September 15, 2017.

The building also contains a generous supply of long-term bicycle parking with 334 stalls in the underground parking area, or about 2 spaces per unit.²⁶ There are also two designated Car2Go parking spaces in the surface parking area on the ground level (Note: Car2Go does not currently operate in Greater Victoria).

When asked about the impact of no resident parking on-site, it was explained how there has not been any additional on-street parking pressure on surrounding streets since residents moved in on April 3rd, 2017.²⁷ There are about 20 parking spaces immediately adjacent the site; these spaces were close to 100% occupancy before the building was constructed and have remained full since, suggesting that on-street parking demand is being generated from retail customers in the area. Overall, residents are coping without access to parking and taking advantage of the sustainable transportation options available to them.

Case Study no.3:

The Residences at RCMI in the City of Toronto

The Residence at RCMI is a 318 unit condominium with no resident parking located in the heart of downtown Toronto.²⁸ Unit range from 473 sq. ft. to 762 sq. ft., which is larger than the units provided at the subject site. The building is within a 5-minute walk to transit including several bus routes and heavy rail transit (subway), helping reduce the need to own a vehicle. Many of the building's tenants are students who benefit from these alternative modes of transportation.²⁹

One of the TDM measures in place is the availability of on-site carsharing where nine vehicles can be used by residents. Furthermore, being located in the downtown core offers residents a multiplicity of carsharing options with access to hundreds of vehicles managed by Car2go, Zipcar, and other carsharing organizations. The building also provides long-term bicycle parking with 300 spaces, or about one space for each unit.

²⁶ Email correspondence with a Partner at Knightsbridge Architecture and Construction on Friday September 15, 2017.

²⁷ Phone conversation held with Senior Vice-President of Strategy & Business Development at the Calgary Land and Municipal Corporation on September 15, 2017.

²⁸ More information about the Residences at RCMI is available online at: <https://condos.ca/toronto/residences-at-rcmi-426-university-ave>

²⁹ Email correspondence with a Sales Representative at Property.ca Realty Inc. on October 25, 2017.

4.1.2 US EXAMPLES

City of Seattle

Since 2009, the City of Seattle has witnessed a declining number of parking spaces in new apartment buildings. In 2007, the City updated its parking regulations to lower the parking supply requirement for new apartments in the core part of the City with better access to frequent transit service. In 2004, apartments in Seattle had an average of 1.6 parking spaces per unit; in 2016, the number dropped to 0.6 spaces per unit.³⁰ The City of Seattle's data on apartments built near frequent transit service from 2012 to early 2016 show the following³¹:

- 386 buildings were constructed totaling 37,141 units
- 30 percent of the buildings have no parking
- Approximately 5,570 units (15%) of the apartment units are in buildings with no parking
- The median parking supply was 0.5 parking spaces per unit

Historically, parking requirements were higher in the city to accommodate tenant driving needs. However, in more recent years, parking has been oversupplied in some apartment buildings in the city. This trend has also been observed by WATT Consulting Group on a handful of parking studies completed in the City of Victoria. With changing travel behaviour and an increasing trend of decreased vehicle ownership, developers have had a stronger rationale to provide less parking in new apartment developments.³² Correspondence with a Seattle-based apartment research group confirmed that many new buildings in the city with small efficiency dwelling units (SEDUs)³³ contain little or no parking and this trend will continue as vehicle ownership continues to decline.

4.2 VISITOR PARKING DEMAND

Visitor parking demand rates have been demonstrated in the range of 0.05 to 0.07 vehicles per unit for multi-family sites in Victoria and Metro Vancouver.³⁴ More recent research recommends a visitor parking demand rate of 0.1 spaces per unit, based on observations conducted at 16 multi-family residential sites in proximity to downtown Victoria.³⁵ In addition, the proposed visitor parking supply rate for the updated Schedule C off-street parking regulations is 0.1 spaces per unit. A rate of 0.1 vehicles per unit results in a peak visitor parking demand of 8 vehicles.

³⁰ Rosenberg, M. (2016). Seattle builds lots of new apartments, but not so many parking spots. *The Seattle Times*, available online at: <http://www.seattletimes.com/business/real-estate/seattle-builds-lots-of-new-apartments-but-not-so-many-parking-spots/>

³¹ Ibid.

³² Ibid.

³³ According to the City of Seattle, a SEDU is a micro-housing unit that is a minimum of 150 square feet with a full kitchen or kitchenette. More information is available online at: <http://www.seattle.gov/dpd/codesrules/codes/efficiencydwellings/default.htm>

³⁴ Based on observations of visitor parking conducted in 2015 for two studies of multi-family residential sites (one adjacent to downtown Victoria, the other in Langford) and findings from the 2012 Metro Vancouver Apartment Parking Study (Table 31, pg50) available at: www.metrovancouver.org/services/regionalplanning/PlanningPublications/Apartment_Parking_Study_TechnicalReport.pdf

³⁵ More information about the study is available online at: http://www.victoria.ca/assets/Departments/Planning-Development/Community-Planning/Documents/Victoria%20Schedule%20C_Working%20Paper%20no5_Oct25-16_FINAL.pdf

In order to understand how visitor parking demand will function over the course of a typical weekday and weekend, a time-of-day assessment was completed using the Urban Land Institute's Shared Parking textbook.³⁶ The analysis found that, on average, visitor parking demand remains low for the majority of a weekday and weekend day at 20% of peak demand from 6am to 5pm. Demand increases slightly from 5-6pm and reaches 100% peak demand from 7-11pm. Therefore, from 6am to 4pm, about two visitors are expected to visit the subject site; however, from 5-6pm, this gradually increases to 5 visitors and reaches the peak (8 vehicles) by 7pm.

The results suggest that for most of the day, visitors to the subject site will be limited to a 2-hour parking time restriction on Princess Avenue. The 2-hour parking time restriction is no longer in effect at 6pm when visitor parking demand peaks. Therefore, it is anticipated that when the site experiences peak visitor parking demand, approximately 8 vehicles will seek parking on-street.

4.3 CAFE

The proposed development includes a 42m² (452 sq. ft.) café on the ground floor with 10 seats. Parking demand research has shown that café parking demand is similar to that of a restaurant.

Based on parking demand observations that occurred in March 2016 as part of WATT's review of the City of Victoria's off-street parking requirements (Schedule C), an appropriate demand rate for a restaurant / café use in the downtown area is 1 vehicle per 40m². Even though a café is expected to generate higher parking demand than other commercial / retail uses, the location of the subject site – within the downtown core – and its high walkability suggest that most customers could access the site without a vehicle. A rate of 1 vehicle per 40m² will result in 1 vehicle. It is anticipated that all café parking can be accommodated on-street.

4.4 SUMMARY OF EXPECTED PARKING DEMAND

Based on the research and data from three other buildings in Canada without any resident parking, there is a possibility that residents of the subject site can cope without a parking space, provided that they have other viable transportation options available to them. Data from the City of Seattle illustrates a growing trend of multi-family apartment buildings being constructed without any resident parking, especially among micro-unit buildings with good access to public transit. Moreover, evidence from three multi-family buildings in Canada that were constructed without any resident parking supply suggest residents are managing without a vehicle.

Local data and a time-of-day analysis found that all visitors to the subject site can be accommodated on-street, especially after 6pm when the parking restriction is no longer in effect. Customers of the café can similarly be accommodated on-street and therefore no parking spaces are required for these uses.

³⁶ Peak demand factors (%) based on recommended time-of-day factors from Urban Land Institute, Shared Parking, 2nd Edition, 2005, Page 16-19, Table 2-5 and 2-6.

5.0 ON-STREET PARKING

5.1 PARKING CONDITIONS, STUDY AREA

An on-street parking assessment was completed on several streets surrounding the site to determine overall parking supply and availability. Further, the on-street parking assessment was undertaken to understand the overall employment patterns of the area, which is predominately functioning as a light industrial and small scale business hub, mixed with hotel and residential.

Observations were conducted at two distinct time periods: [a] an weekday evening count (9:00pm, Thursday September 7th) to determine overall parking supply at the end of the work day; and [b] a weekday afternoon count (2pm, Monday September 11th) to observe parking during a typical workday.

Full results of the on-street parking assessment is included in **Appendix A**. A summary of key findings is provided below.

The weekday afternoon observation represents the busier of the two observation periods, when 48% of all on-street parking spaces (289 spaces) were observed occupied.

Parking occupancy for the streets immediately adjacent the subject site - Princess St, Blanshard St, Queens Ave, Douglas St, Pembroke St – was observed to be 55% during the weekday afternoon, with 66 parking spaces unoccupied. The majority of these streets are restricted to two-hour parking from 9:00am to 6:00pm, Monday to Saturday. **Appendix A** includes a map showing the on-street parking supply and restrictions.

5.2 PARKING CONDITIONS, PRINCESS AVENUE

On-street parking conditions have been considered specifically for the block of Princess Avenue between Douglas Street and Blanshard Street. There are 23 parking spaces available for public parking contained within the right-of-way. Peak occupancy of these spaces was observed during the weekday afternoon observation, when 78% of all spaces were occupied (18 vehicles). This suggests that during the peak period, the two vehicles expected from the café will be able to find a parking space. No vehicles were observed during the weekday evening count, suggesting that the 8 expected visitor vehicles will easily find a parking space on Princess Avenue.

It should be noted, however, that a large number of vehicles were observed parked perpendicularly adjacent private properties on the south side of Princess Avenue. Refer to the photos below. These spaces are not available to the public as they are primarily on private property, but they satisfy parking demand that would otherwise need to be recouped elsewhere. An estimated 15 to 20 additional vehicles park in these areas. Vehicles associated with adjacent automobile detailing businesses were also observed occupying the travel lanes (i.e., “double-parked”) while moving vehicles in/out of their facilities or while cleaning customer vehicles.

Conditions were much different during the evening observation, when 20% of available parking spaces were occupied and 28 spaces left unoccupied, suggesting that the evening on-street parking conditions are far less busy.



5.3 PARKING MANAGEMENT ON SITE FRONTAGE

The proposed development will include up to two on-street parking spaces on the site frontage. These spaces should be restricted to 2-hour (9am-6pm, Monday to Saturday) to accommodate café customer and visitor vehicles, deter resident parking, and for consistency with other on-street parking on the north side of Princess Avenue.

Loading zones have been identified on certain other blocks nearby to accommodate the need for loading associated with adjacent businesses. These are often located at the end of a block immediately adjacent a major road (i.e., Douglas Street, Government Street) where loading from the primary street is not practical. It is suggested that a dedicated loading zone is not necessary to serve the subject site and that this would not be the best use of the parking spaces on the site frontage.

5.4 OPTIONS FOR PRINCESS / BLANSHARD

The end of Princess Avenue at Blanshard Street was reviewed to determine if additional public parking could be accommodated. The right-of-way width is 18.0m the entire length of Princess Avenue, which is insufficient to replicate the current parking arrangement on the south side and provide sufficient turnaround space.

In considering redesign options and in conversations with the applicant, it was identified that allowing for right-in, right-out turn movements at Princess Avenue / Blanshard Street may benefit the subject site and the rest of the Princess Avenue properties, as follows:

- Reduce traffic volumes at the Douglas Street / Princess Avenue intersection, particularly beneficial to reduce the instance of westbound and southbound left turns;
- Create a consistent intersection function as other minor streets in the vicinity (i.e., Queens Avenue, Pembroke Street); and
- Provide cyclist access between the bike lanes on Blanshard Street and Princess Avenue, where currently cyclists must mount the barrier curb.

Detailed study and design options for this location are beyond the scope of this study, and should be undertaken if the proponent, adjacent property owners, and the City elect to pursue this option.

6.0 ON-SITE VEHICLE SHARE PROGRAM

The proponent is proposing to operate and manage an on-site electric Vehicle Share Program (eVSP) where a combination of electric cars, electric scooters and electric bicycles would be available to residents, who would have priority, and then to the community at large. An electric Vehicle Sharing Program is a transportation demand management initiative. The Federation of Canadian Municipalities defines transportation demand management as policies, programs and services that influence whether, why, when, where and how people travel. TDM initiatives typically aim to reduce single-occupant vehicle trips and encourage alternative travel options such as walking, cycling, public transit and shared rides.³⁷

As discussed in **Section 4.0**, TDM programs / strategies are commonplace in multi-family residential buildings, especially those where limited or no resident parking is provided.

6.1 CARSHARE, IMPACT ON VEHICLE OWNERSHIP

Research has shown that carsharing programs have a significant impact on reducing vehicle ownership and thereby lowering parking demand. Below is a summary of key findings:

- One of the most comprehensive North American studies to date surveyed 6,281 households in carsharing organizations across the continent. The study found a statistically significant decrease in average vehicle ownership from 0.47 to 0.24 vehicles per household among households that joined carshare services, an approximately 50% reduction in vehicle ownership.³⁸
- A study of carshare programs in the City of Toronto found that vehicle ownership rates at condominium sites without carshare vehicles was 1.07 vehicles per unit, whereas buildings with one or more carshare vehicles had significantly lower rates at 0.53 vehicles per unit, which represents a 50% reduction in vehicle ownership rates.³⁹
- A 2013 study from the City of Toronto looked at the relationship between the presence of carsharing in a residential building and its impact on vehicle ownership. This was one of the first studies to examine this relationship at the building level as previous research explored impacts at the neighbourhood or city level. The study surveyed residents of buildings with and without dedicated carshare vehicles. According to the author's regression model, the presence of dedicated carshare vehicles had a statistically significant impact on reduced vehicle ownership and parking demand.⁴⁰

³⁷ Federation of Canadian Municipalities. (2008). Improving Travel Options with Transportation Demand Management (TDM). Available online at: https://fcm.ca/Documents/Tools/GMF/Improving_Travel_Options_with_Transportation_Demand_Management_EN.pdf

³⁸ Martin & Shaheen. (2011). The Impact of Carsharing on Household Vehicle Ownership. Access Magazine, Spring 2011. Available online at: http://slpark.org/wp-content/uploads/carshare/access38_carsharing_ownership.pdf

³⁹ City of Toronto. (2009). Parking Standards Review: Examination of Potential Options and Impacts of Car Share Programs on Parking Standards. Available online at: https://www1.toronto.ca/city_of_toronto/city_planning/zoning_environment/files/pdf/car_share_2009-04-02.pdf

⁴⁰ Engel-Yan, D., & D. Passmore. (2013). Carsharing and Car Ownership at the Building Scale. *Journal of the American Planning Association*, 79(1), 82-91.

- Two studies from Metro Vancouver explored the impact of carsharing on vehicle ownership. Over 3,400 carshare households participated in the study. The key findings are as follows:
 - On average, up to 3 private personal vehicles were shed per carshare vehicle.
 - A regression analysis found that those living in rental housing and in a smaller household size are statistically more likely to give up vehicle ownership compared to the reference case.⁴¹
 - The number of carshare vehicles within walking distance has a small but statistically significant relationship with apartment household vehicle holdings.⁴²

Overall, the research cited above confirms that immediate access to carsharing vehicles significantly reduces vehicle ownership and parking demand, and is therefore appropriate as a TDM measure for the subject site.

6.2 CARSHARE, MANAGEMENT PROGRAM

The following section presents the electric Vehicle Sharing Program including direction on the number of vehicles that should be provided.

6.2.1 HOW MANY VEHICLES SHOULD BE PROVIDED?

Research Findings

Available research is unclear on what the appropriate ratio is for the provision of carshare vehicles to residential units / residents. Moreover, there could be many contextual factors – from urban density, transit access, and walkability to socio-economic status – that may impact the ratio. As discussed, research from Toronto has found a correlation between on-site carsharing availability and vehicle ownership reduction⁴³; however, it is unclear how *many* vehicles are appropriate to have a measurable impact.

Research from Toronto and Vancouver suggests that each carshare vehicle on the road can replace between 6-12 individual vehicles, providing insight into the number of vehicles that could be realistically shared at the subject site.^{44,45} Applying this research to the 75 proposed units at the subject site, the proposed eVSP would require **6 – 12** vehicles on-site.

⁴¹ Ibid, pg. 54.

⁴² Metro Vancouver. (2014). The Metro Vancouver Car Share Study: Technical Report. Available online at: <http://www.metrovancouver.org/services/regional-planning/PlanningPublications/MetroVancouverCarShareStudyTechnicalReport.pdf>

⁴³ Engel-Yan, D., & D. Passmore. (2013). Carsharing and Car Ownership at the Building Scale. *Journal of the American Planning Association*, 79(1), 82-91.

⁴⁴ IBI Group. (2009). Parking Standards Review: Examination of Potential Options and Impacts of Car Share Programs on Parking Standards. Available online at: https://www1.toronto.ca/city_of_toronto/city_planning/zoning_environment/files/pdf/car_share_2009-04-02.pdf

⁴⁵ Phone conversation held with Modo Business Development Manager on July 21, 2016.

CRD Origin-Destination Travel Survey

As discussed in Section 1.2, the subject site's transportation characteristics can be described as diverse with good transit access and high walkability. With the site's proximity to the downtown, many residents will have access to jobs with walking distance. Further, the available transit options could allow residents to access almost all of the region's major employment hubs including the downtown, Saanich Peninsula, the University of Victoria, and the West Shore.

The 2011 CRD Origin-Destination Household Travel Survey provides insight into the travel characteristics of residents living in all parts of Greater Victoria.⁴⁶ For the survey's "Downtown Victoria" district, the data show that in 2011, there were 2.97 daily trips per person. Of these trips, approximately 47% were non-work trips including shopping and errands, visiting friends / family, going to a restaurant, and medical appointments, etc. With 75 proposed units, we can assume that there will be approximately 225 daily trips generated at the subject site of which 105 (47%) will be non-work trips where residents may use a carshare vehicle. If we assume that one carshare vehicle will be used up to 10 times for non-work trips over the course of the day, then 10 carshare vehicles at the site, or 1 vehicle per 7.5 units, should be a sufficient ratio to accommodate the estimated 105 daily trips from the subject site.

6.2.2 ELECTRIC VEHICLE SHARE PROGRAM

The proponent is proposing to own and operate the on-site electric Vehicle Share Program as a service to its residents. To maximize vehicle utilization and ensure program success, the vehicles would also be available to the surrounding community. Building residents would have priority, but during times when residents may not require a vehicle (i.e. during weekday work hours), utilization could be maximized by expanding the program offering to those living in the community. This would expand the potential for reduced car ownership in the neighbourhood.

Initially, a combination of 20 electric vehicles will be provided to offer diversity of trip purposes and to suit all budgets. Vehicle units at the outset are proposed to be:

- 6 electric cars
- 8 electric scooters
- 4 electric covered carts / scooters
- 2 electric bikes

The proponent has noted that the combination and number of vehicle units will be adjusted as necessary to meet demand, with a goal to provide the appropriate mix based on need. There is sufficient space in the building to add vehicle units should the need arise.

⁴⁶ Capital Regional District. (2011). 2011 CRD Origin-Destination Household Travel Survey Daily Travel Characteristics Report. Available online at: <https://www.crd.bc.ca/docs/default-source/regional-planning-pdf/transportation/crd-od-survey-dailytravelcharacteristicsreportfinal.pdf?sfvrsn=2>

To provide the municipality with certainty, the proponent will guarantee a minimum 10 vehicles in the program for the first 5 years. The provision of 10 vehicles is supported by the analysis that was completed using the 2011 CRD Origin-Destination Household Travel Survey data.

7.0 DRIVE AISLE REVIEW

The proponent is proposing a drive aisle to the underground parking that is 5.2m wide and intended to accommodate one direction vehicle traffic. One-way drive aisles are seen in some instances in the City of Victoria. A couple of examples are provided as follows:

1. A surface parking lot at 721 Fisgard Street next to the Golden City Restaurant. The lot has similar characteristics to the subject site as it is a small one-way lot with one access point with about nine parking spaces.
2. A surface parking lot at 211 Menzies Street in James Bay (James Bay Fish & Chips). There is a small one-way drive aisle to the surface parking lot behind the building where five parking spaces are available.

As discussed earlier, it is anticipated that approximately 105 non-work trips will be made daily using the eVSP. The ITE Trip Generation Manual⁴⁷ provides data on the PM peak hour for a variety of land uses. For the apartment use (land use 220), the peak hour rate is 10% of total daily trips, with 61% of vehicles entering the apartment and 39% exiting. Therefore, with 105 daily trips, about 11 trips will occur during the busiest hour (6 entering, 5 exiting) resulting in about 5 occurrences where there may be conflict. This amounts to one vehicle every 12 minutes (on average), which results in low volume of vehicles that would meet in opposing directions.

In addition, as the subject site is a resident building, residents could quickly learn about the possibility of a conflict while entering / exiting a building and adjust their driving behaviour accordingly.

8.0 SUMMARY

The proposed development at 736 Princess Avenue includes 75 work force rental housing units and a small café on the ground floor. The proposed development does not include any resident parking spaces. To accommodate the site's transportation needs, the proponent is committing to an electric Vehicle Sharing Program that includes a combination of electric vehicles, electric scooters, and e-bicycles along with space to accommodate 70 long-term bicycle parking spaces, about one space per unit.

This study provided examples of other buildings in Canada that have not included any resident parking. Interviews were conducted to learn about the impacts of no resident parking and the TDM programs available to residents. The results from the interviews and secondary research

⁴⁷ Institute of Transportation Engineers. (2012). Trip Generation, 9th Edition. Washington, D.C.

from Seattle suggest that providing no resident parking does not have an adverse impact on on-street parking conditions. Moreover, there is an increasing trend, especially in the City of Seattle, for micro-unit buildings to not provide any parking at all.

An on-street parking assessment was also conducted on streets surrounding the site and on Princess Avenue. The results showed that Princess Avenue experiences peak parking utilization on weekday afternoons at 78%, suggesting that the café patrons will be able to find a parking space on-street. No vehicles were observed during the weekday evening count, suggesting that the 8 expected visitor vehicles will find a parking space on Princess Avenue.

An electric Vehicle Sharing Program was also discussed in Section 6 outlining the appropriate number of vehicles for the site. The subject site's diverse transportation options, coupled with an on-site eVSP is expected to significantly reduce the need for a vehicle.

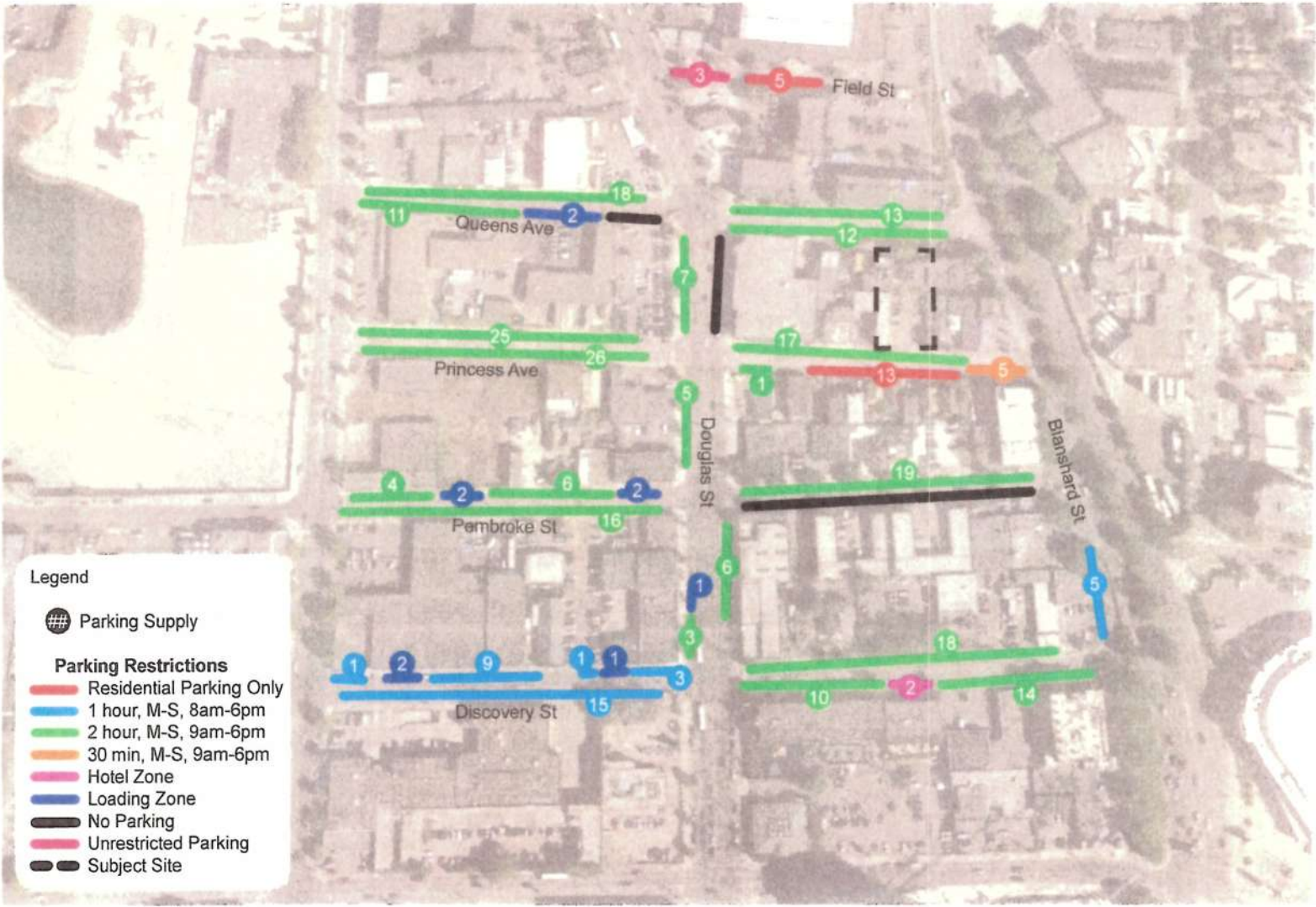
In summary, the site's transportation characteristics and proximity to downtown coupled with the electric Vehicle Sharing Program could allow the proponent to manage the building without any parking supply. There are risks associated with providing no parking; however, this study illustrated through research, observation, and analysis that actions could be taken to significantly reduce the need for owning a vehicle at 736 Princess Avenue. The specific actions are highlighted below.

8.1 RECOMMENDATIONS

The provision of zero off-street parking spaces is supported provided that:

1. Up to 10 shared vehicles are provided on-site and guaranteed for a minimum period of five years.
2. The shared vehicles are accessible to both building residents and non-building residents.
3. Vehicle utilization is monitored and new vehicles are provided as demand warrants.

APPENDIX A. ON-STREET PARKING ASSESSMENT



Summary of On-Street Parking Observations - 736 Princess Avenue

Block	Side	Supply	Times, Restrictions	Thursday, September 7, 2017		Monday, September 11, 2017 @ 2:30pm	
				Observed	% Allowed	Observed	% Allowed
Field St	N			No Parking Allowed			
Douglas St to Pat Bay Hwy	S	3	Unrestricted	3	100%	2	67%
	S	5	RPO	3	60%	5	100%
Queens Ave	N	13	2 HR 9am-6pm, Mon-Sat	4	31%	3	23%
	N	1	Hotel Zone	0	0%	0	0%
Douglas St to Pat Bay Hwy	S	12	2 HR 9am-6pm, Mon-Sat	1	8%	3	25%
	S	12	2 HR 9am-6pm, Mon-Sat	1	8%	3	25%
Queens Ave	N	18	2 HR 8am-6pm, Mon-Sat	2	11%	10	56%
	N	18	2 HR 8am-6pm, Mon-Sat	2	11%	10	56%
Government St to Douglas St	S	11	2 HR 8am-6pm, Mon-Sat	4	36%	2	18%
	S	11	2 HR 8am-6pm, Mon-Sat	4	36%	2	18%
Douglas St	E			No Parking Allowed			
Queens Ave to Princess Ave	W	7	2 HR 9am-6pm, Mon-Sat	0	0%	4	57%
	W	7	2 HR 9am-6pm, Mon-Sat	0	0%	4	57%
Princess Ave	N	17	2 HR 9am-6pm, Mon-Sat	0	0%	12	71%
	N	17	2 HR 9am-6pm, Mon-Sat	0	0%	12	71%
Douglas St to Pat Bay Hwy	S	5	30 MIN 9am-6pm, Mon-Sat	0	0%	5	100%
	S	5	30 MIN 9am-6pm, Mon-Sat	0	0%	5	100%
Princess Ave	S	13	RPO	7	54%	6	46%
	S	13	RPO	7	54%	6	46%
Government St to Douglas St	N	1	2 HR 8am-6pm, Mon-Sat	0	n/a	FULL	n/a
	N	1	2 HR 8am-6pm, Mon-Sat	0	n/a	FULL	n/a
Princess Ave	N	25	2 HR	1	4%	2	8%
	N	25	2 HR	1	4%	2	8%
Government St to Douglas St	S	26	9am-6pm, Mon-Sat	0	0%	5	19%
	S	26	9am-6pm, Mon-Sat	0	0%	5	19%
Douglas St	E			No Parking Allowed			
Princess Ave to Pembroke St	W	5	2 HR 9am-6pm, Mon-Sat	0	0%	1	20%
	W	5	2 HR 9am-6pm, Mon-Sat	0	0%	1	20%
Pembroke St	N	19	2 HR 9am-6pm, Mon-Sat	10	53%	16	84%
	N	19	2 HR 9am-6pm, Mon-Sat	10	53%	16	84%
Douglas St to Pat Bay Hwy	S			No Parking Allowed			
	S			No Parking Allowed			
Pembroke St	N	10	2 HR	1	10%	5	50%
	N	10	2 HR	1	10%	5	50%
Government St to Douglas St	S	16	8am-6pm, Mon-Sat	1	6%	8	50%
	S	16	8am-6pm, Mon-Sat	1	6%	8	50%
Douglas St	E	6	2 HR	1	17%	4	67%
	E	6	2 HR	1	17%	4	67%
Discovery to Pembroke St	W	3	9am-6pm, Mon-Sat	1	33%	2	67%
	W	3	9am-6pm, Mon-Sat	1	33%	2	67%
Princess Ave	N	18	2 HR 8am-6pm, Mon-Sat	10	56%	10	56%
	N	18	2 HR 8am-6pm, Mon-Sat	10	56%	10	56%
Discovery St	S	24	2 HR 8am-6pm, Mon-Sat	11	46%	9	38%
	S	24	2 HR 8am-6pm, Mon-Sat	11	46%	9	38%
Douglas St to Pat Bay Hwy	S	2	Hotel Zone	1	50%	0	0%
	S	2	Hotel Zone	1	50%	0	0%
Discovery St	N	14	1 HR	0	0%	9	64%
	N	14	1 HR	0	0%	9	64%
Government St to Douglas St	S	15	8am-6pm, Mon-Sat	7	47%	10	67%
	S	15	8am-6pm, Mon-Sat	7	47%	10	67%
Blanshard St	W	5	1 HR 8am-6pm, Mon-Sat	0	0%	5	100%
	W	5	1 HR 8am-6pm, Mon-Sat	0	0%	5	100%
Discovery St to Pembroke St	E			No Parking Allowed			
	E			No Parking Allowed			
Total		289		66	24%	138	48%

* Note: Parking supply does not include Loading Zones. Loading Zones in the study area are generally restricted to loading from 7:00am to 6:00pm from Monday to Saturday, after which time they are available as general parking. The overall parking supply increases by approximately 19 parking spaces (6 loading zones) after 7:00pm.

October 16, 2017

Mayor & Council
#1 Centennial Square
Victoria, BC

Dear Mayor and Council:

CALUC Community Meeting Rezoning Revised Application for 736 Princess Avenue Repeat Presentation

On Oct. 16, 2017, the Burnside Gorge Land Use Committee (BGLUC) hosted a CALUC community meeting that was advertised to discuss Large and Co's revised proposal to rezone 736 Princess Avenue from M1 - light Industrial to site-specific residential zoning. This repeat meeting was requested by the developer to address concerns of adjacent property owners over lack of notice for consultation. Larry Cecco with The Arcata Collective Ltd., Danny Ziegler with The Arcata Collective Ltd., Daniel Casey with Watt Consulting, and Kimberley Colpman with Large and Co. jointly presented.

The revised proposal is for micro-unit rental residential housing. The proposed building is 6 storeys, contains 75 units of 220sq. ft to 290 sq. ft. with 9 foot ceilings. 5 of the units are accessible. The proposal requires a relaxation of the allowed FSR from 3:1 to 4.06:1. The height of the building has not changed from the proposed 20m which requires a relaxation from the 15m allowed.

The change of use addresses the concerns voiced at the January 16, 2017 meeting regarding the now discarded supportive housing concept in association with the Victoria Cool Aid Society.

The revised proposal also attempts to address the January 16, 2017 meeting concerns over parking by incorporating a unique concept of a fleet of up to 17 electric cars available for rental by all tenants. These would be located in an underground parkade along with both electric and standard bicycle parking. There would be no parking other than the rental vehicles. The access ramp to the U/G parking can act as the loading zone.

The proposal incorporates a main floor coffee shop for use by residents and open for use by the public. The building facade has been opened up to be street friendly with glazing and a raised terrace.

Comments and questions from the attendees focused on the following:
Lack of on site parking both for residents and visitors. On street parking is limited and in demand.



How construction will affect access to other properties on Princess Avenue during construction.

The height of the proposed building relating to adjacent buildings.

Concern over allowing rezoning for residential in area marked as Industrial and general employment.

Positive comments on structure and concept, just not in this location.

Vote: As per the process of a BGCA rezoning community meeting, there was a straw poll. Of the 238 notices sent out there were 14 meeting attendees, 9 were opposed to the proposal as is, 0 in favour, with 3 abstaining.

Respectfully,

Avery Stetski

Avery Stetski

Land Use Committee Chair

Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department
Kimberley Colpman, Large and Co.

JAN 31/2017

Dear Mayor Lisa Helps,

We are writing to express our opposition to the proposed apartment development at 736 Princess Ave. There are several reasons for our concern:

1. The 700 block of Princess is a dead-end street with no access to Blanshard.
2. There are almost no sidewalks or curbs
3. There is already a parking issue on the street for the residents and businesses.
4. The proposed building has no provision for tenant car parking or a loading area.
5. Access will be difficult during construction.
6. The development is too large for this block.

We are in favour of the project on the originally proposed site at 735 Queens Ave. That site has the following advantages:

1. Queens Ave. is mostly residential.
2. There are good sidewalks and parking is available.
3. It is closer to controlled sidewalks on Blanshard and Douglas.
4. The surrounding buildings are a better fit for a tall residential building
5. There is good access to Douglas and Blanshard.

We feel the proposed building for 736 Princess is too high for the area and should provide parking for tenants and service vehicles.

Sincerely,



Jon Bell



Sherry Baird

Owners

Advance Collision Ltd.

741 PEMBROKE ST.

VICTORIA, B.C. V8T 1H7

250-388-4491

From: Jose Rodriguez [<mailto:manager@targetstorage.ca>]
Sent: December 18, 2017 10:59 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Development Proposal at 736 Princess Avenue Concerns

Jose Rodriguez
manager
Target storage Ltd
747 Princess Ave.
250-381-4747
Fax:250-381-4749

Dear Ms. Taylor,

Thank you for taking the time to read this e-mail.

We have two concerns with this proposal.

On street parking is already a problem since all the business on the street are vehicle dependent and the few residences have two cars or more.

There also issues with the arena event parking and delivery trucks in our facility.

The second concern is with street access during construction. Our section of Princess is a dead end street and since this oversized building is built right to the property lines the construction equipment could cut off our only access and shut down our business. We realize is a traffic problem, not an engineering problem but it is a planning problem.

Thank you and Merry Christmas from Jose Rodriguez



This email has been checked for viruses by Avast antivirus software.

www.avast.com

From: Tommy's Upholstery [<mailto:tommysup@shaw.ca>]
Sent: December 18, 2017 9:57 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: 736 Princess Ave.

Doug Thompson
Tommy's Upholstery Ltd
250-383-8941
Fax - 250-383-4188

Dear Ms. Taylor

Thanks for taking the time to talk to me on the phone regarding the development of 736 Princess Ave.

We operate an automotive upholstery shop at 748 Princess.

We have 2 major concerns with this proposal.

On street parking is already a problem since all the businesses on the street are vehicle dependant and the few residences have 2 cars or more. There are also issues with arena event parking and delivery trucks at the storage facility.

The second concern is with street access during construction. Our section of Princess is a dead end street and since this oversized building is built right to the property lines the construction equipment could cut off our only access and shut down our business. We realize that this is a traffic problem, not an engineering problem but it is a planning problem.

We have developed our property in compliance with the Rock Bay community plan and we incurred significant added expense for parking. We expect any new development to respect the same zoning and bylaws we did.

Thanks from Doug Thompson.



The Hive – 736 Princess
Rezoning Application: 00602
Development Permit w Variance Application: 00065

January 22, 2018

Mayor and Council
Corporation of the City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6

Good Day Mayor and Council,

This letter is a follow up to the detailed information I sent to Mayor and Council on November 17, 2017.

For 2 years we have met with Planning and the various City departments, and reached out to Mayor and Council to obtain input and feedback on our proposal for The Hive at 736 Princess. As a result, there was general agreement that this is a much-needed innovative approach to workforce housing and we were encouraged to explore and submit this application.

Planning's rationale and objections result in no affordable housing, with this level of amenities in the downtown core. Assembling land, reducing density and/or adding more commercial space, is simply not financially viable and would kill The Hive. It makes no sense to limit residential density to protect commercial space for increased employment at a time when a lack of affordable housing is making it extremely difficult to fill the already available jobs.

The Hive is a bold and innovative solution which will set a new standard for workforce housing and compel other developers to compete at this level. No more warehousing with diminished offerings, where amenities are eliminated, and livability is reduced to effect cost savings. Instead, we are providing our tenants more amenities than any other building in the City – even some of the more expensive rentals.

But, The Hive vision cannot be realized without the co-operation of Council and ourselves. For our part, we are:

- Contributing the land - low cost land ideally situated on the edge of town.
- Supporting the project financially by offering units below market (*See attached First National Letter regarding CMHC Loan*).
- Adding to the job market by creating employment opportunities through building management, The Café and the electric Vehicle Share Program (eVSP).

Probably the most significant contribution is coming from our Chairman of the Board who will ***personally guarantee*** the CMHC loan.

Large & Co., with its 50 years of accomplished business acumen, plans to build, own and operate The Hive. We have worked diligently to create a viable business model and to eliminate the obstacles that prevent its success. We ask Council to do the same.

January 22, 2018

1



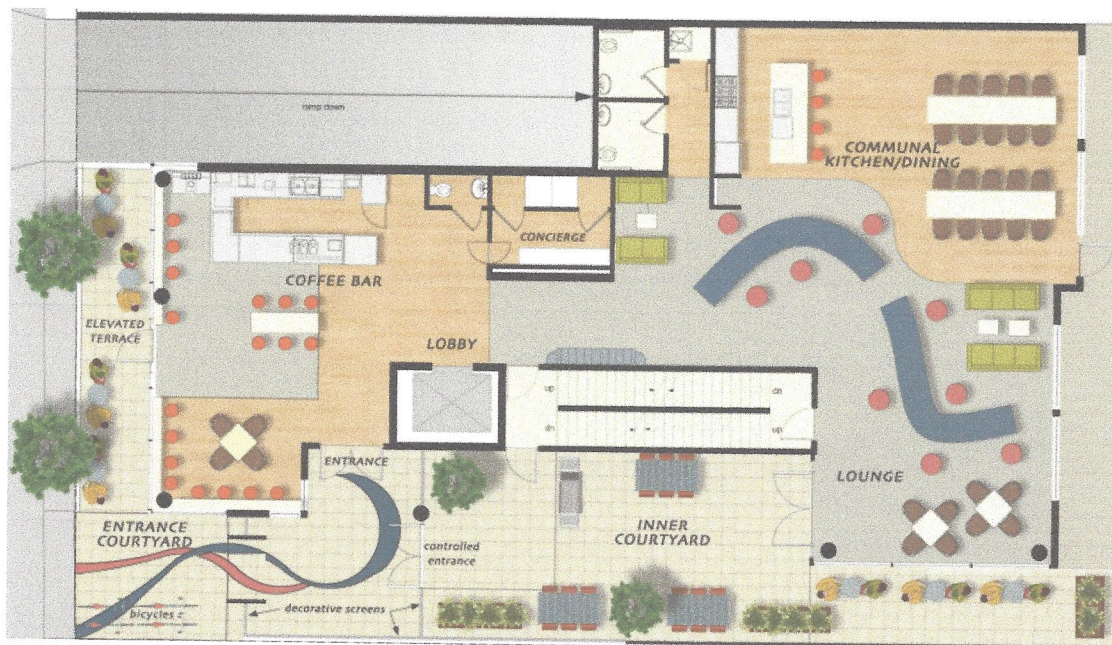
The Hive – 736 Princess

Rezoning Application: 00602

Development Permit w Variance Application: 00065

The City is continually expanding and changing to address the housing/affordability crisis. The Hive is the new norm; it is the right way forward for workforce housing. Yes, we need new zoning and an OCP amendment, but the OCP supports amendments for proposals like this. Our application is **not inconsistent** with the OCP and the City can contribute to The Hive's success by overcoming Planning's objections.

What makes The Hive special? It is a complete community for happy living. It is a downtown, below market, full service rental building with the entire main floor and outdoor spaces dedicated to amenities, **plus** a full service onsite eVSP. This constitutes almost 6000sqft of overhead in support of our tenants.



Main Floor Concept Model

Imagine for a moment . . . waking up in your new home at The Hive. You shower, dress for work and make your way through the shared community space toward the Café. On the way you notice a meeting in the private collaborative space; a neighbour reading *The Buzz* at the community board; and several others relaxing on their computers. You mention to the Concierge you are expecting a delivery and are assured it will be waiting when you return. In the Café you order your regular latte, grab a free newspaper and take a seat by the window before heading off to work.

You notice its raining and wonder if instead of walking today, whether you will take the bus or rent an e-vehicle. You decide on the e-vehicle and think how great it is to have 3 different types to choose from! What car owner has this choice? You head to the underground parking where the eVSP Manager assigns your vehicle.



The Hive – 736 Princess

Rezoning Application: 00602

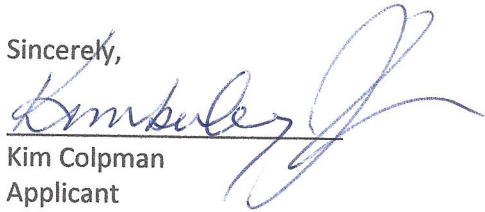
Development Permit w Variance Application: 00065

At the end of the day, the Manager washes, parks and recharges the vehicle. Bonus – no maintenance costs! You then stop by the Café to purchase a light snack and join your neighbour in the lounge area. Around 7pm you head up to your room and get ready for your friends who are popping by for movie night in the lounge.

Seventy-five new fully self-contained workforce housing units downtown; 5 of which are accessible; bike/personal storage; laundry facilities; access to a variety of 'pay for use' vehicles; other transportation at your doorstep; entire main floor and outdoor space(s) with amenities!

This is the vision of The Hive – affordable downtown living that is **more** than just shelter. The City has asked for innovative solutions and we have provided one. Together we can make The Hive a reality . . . and if we can, why wouldn't we?

Sincerely,



Kim Colpman
Applicant

The following addendum addresses concerns raised by Planning in their Report(s).

January 22, 2018

3



The Hive – 736 Princess

Rezoning Application: 00602

Development Permit w Variance Application: 00065

Addendum: Response to Main Comments from Planning Reports

1. Increased Density Triggers an OCP Amendment

The OCP indicates its intention to guide planning and growth in Victoria but to also be flexible and adapt to current situations. We are not asking for 'spot' or 'one-off' OCP designation. We are not trying to move the OCP away from its broad land use policy scheme. Quite the contrary - we are asking the OCP to be flexible enough to allow Council to approve proposals, like The Hive, that creatively address the issues of the day.

In consultation with John Alexander, Lawyer with expertise in Land Use Law, the City could add the following statement to the Core Employment section of the OCP under Density to satisfy this application (Section 6 Figure 8 of the OCP):

"Council may consider densities in excess of those set out above if the proposed development achieves other goals within the OCP."

The Hive is **not inconsistent** with OCP goals. In fact, our proposal is extraordinarily consistent in many areas and does further the overall objectives of the OCP (*e.g. Compact Urban Settlements; Build Complete Communities; Improve Housing Affordability; Increase Transportation Choice – see Nov 17, 2017 letter to Mayor and Council for more detail*). The OCP also outlines how Council can consider density bonus in exchange for the provision of affordable housing.

2. Encourage Commercial Uses for Increased Employment and Limit Residential Density

Planning has indicated The Hive does not generate employment, but that's not true. Our proposal includes increased employment – concierge staff, maintenance staff, café employees, eVSP manager. However more jobs are not the burning issue for Victoria. What we need is more workforce housing. In an article from DOUGLAS Magazine (Oct/Nov 2017 - 'No Where to Rent'), business owners indicate their inability to attract and retain employees due to a lack of affordable housing. The Hive increases employment AND addresses affordable housing.

3. Land Assembly to Decrease Density

This presumes that adjacent land is even available for purchase. It also presumes the City would allow demolition of the eastern building that Planning indicates has heritage value. Regardless, land assembly is not a solution. Purchasing adjacent land simply extends the same application over two sites. The density would still be needed to offset the additional land purchased at today's market price, and to offer the same below market rents, services and amenities.



The Hive – 736 Princess

Rezoning Application: 00602

Development Permit w Variance Application: 00065

4. Reduce Density of Existing Proposal

Any reduction in density kills The Hive. We have spent 2 years finding the right balance and a way to make The Hive a reality. In order to provide our tenants a quality life (6000sqft of amenity/service area) at below market rates we must construct this building as proposed with 75 units.

5. Transportation

The eVSP is a revolutionary concept for alternate transportation choices. It removes the burden of expensive car ownership but retains the convenience of vehicle access for all tenants. Using this model, we do have sufficient underground parking to satisfy the building and tenants needs.

Because this is a new concept, Watt Consulting conducted detailed research to see if Council could overcome the objections of Planning. What they found was success for zero-parking micro-unit buildings in locations like The Hive, the Janion being one. Their report recommends support of zero off-street parking if up to 10 shared vehicles are provided onsite. We are proposing to *start* with a mix of 20 vehicles and will guarantee a minimum of 10 vehicles for 5 years.

Planning indicated the Janion received zero parking as a bonus for its heritage restoration. The Hive could receive the same consideration given affordable housing is also an important City objective.

With respect to one lane driveway, there are examples throughout Victoria where this model is functioning successfully.



January 22, 2018

Large & Company
607 Vancouver Street
Victoria BC V8V 3T9

Attention: Kim Colpman

Dear Sirs / Mesdames:

**Re: Affordable Housing Project 736 Princess Avenue, Victoria BC
CMHC Insured First Mortgage Financing**

I attended a meeting with CMHC on January 9, 2018. We met with the underwriter for your loan and with CMHC's principal underwriter for the BC region.

I am pleased to report that the feedback to date has been positive. The local CMHC office has not fully completed their review but this is expected to be completed within the next few weeks. The principal underwriter indicated that the only exception to CMHC policy is for the size of the units but CMHC has approved similar sized micro-units in the past and he does not anticipate an issue here. Once the local CMHC office has completed their review, they are expected to recommend approval to CMHC's 11 person credit committee which meets weekly.

CMHC's affordable housing program requires that the total residential rental income of the property must be at least 10% below its potential residential rental income as supported by an appraisal report; and a minimum of 20% of the units must be affordable with rents at or below 30% of the median household income in the subject market. An appraisal was completed by a qualified appraiser and provided to CMHC who have indicated that the proposed rents appear to meet their criteria. Your company will be required to provide evidence to First National Financial LP that the actual rents being charged at initial lease-up comply with the approval and then provide annual evidence that the rents on the affordable units have not been increased at higher than the provincial allowable rate. Failure to comply with the affordable housing requirements shall, at CMHC's option, constitute a default under the mortgage.

1090 Homer Street • Suite 200 • Vancouver, British Columbia Canada V6B 2W9
T: 778.327.5712 • F: 604.681.7200 • www.firstnational.ca

VANCOUVER • CALGARY • TORONTO • MONTREAL • HALIFAX

First National Financial LP is the largest provider of CMHC rental apartment financing in Canada, funding over \$3 billion per year. We believe that the CMHC application for 736 Princess Avenue meets CMHC's criteria and has a strong probability of approval.

Yours truly,



Russ Syme
Assistant Vice President
Commercial Financing

1090 Homer Street • Suite 200 • Vancouver, British Columbia Canada V6B 2W9
T: 778.327.5712 • F: 604.681.7200 • www.firstnational.ca

VANCOUVER • CALGARY • TORONTO • MONTREAL • HALIFAX

January 22, 2018

Large & Company
607 Vancouver Street
Victoria BC V8V 3T9

Attention: Kim Colpman

Dear Sirs / Mesdames:

**Re: Affordable Housing Project 736 Princess Avenue, Victoria BC
CMHC Insured First Mortgage Financing**

I attended a meeting with CMHC on January 9, 2018. We met with the underwriter for your loan and with CMHC's principal underwriter for the BC region.

I am pleased to report that the feedback to date has been positive. The local CMHC office has not fully completed their review but this is expected to be completed within the next few weeks. The principal underwriter indicated that the only exception to CMHC policy is for the size of the units but CMHC has approved similar sized micro-units in the past and he does not anticipate an issue here. Once the local CMHC office has completed their review, they are expected to recommend approval to CMHC's 11 person credit committee which meets weekly.

CMHC's affordable housing program requires that the total residential rental income of the property must be at least 10% below its potential residential rental income as supported by an appraisal report; and a minimum of 20% of the units must be affordable with rents at or below 30% of the median household income in the subject market. An appraisal was completed by a qualified appraiser and provided to CMHC who have indicated that the proposed rents appear to meet their criteria. Your company will be required to provide evidence to First National Financial LP that the actual rents being charged at initial lease-up comply with the approval and then provide annual evidence that the rents on the affordable units have not been increased at higher than the provincial allowable rate. Failure to comply with the affordable housing requirements shall, at CMHC's option, constitute a default under the mortgage.

First National Financial LP is the largest provider of CMHC rental apartment financing in Canada, funding over \$3 billion per year. We believe that the CMHC application for 736 Princess Avenue meets CMHC's criteria and has a strong probability of approval.

Yours truly,



Russ Syme
Assistant Vice President
Commercial Financing

Rezoning Application No. 00602 for 736 Princess Avenue





Existing site – 736 Princess Avenue



Property to the north





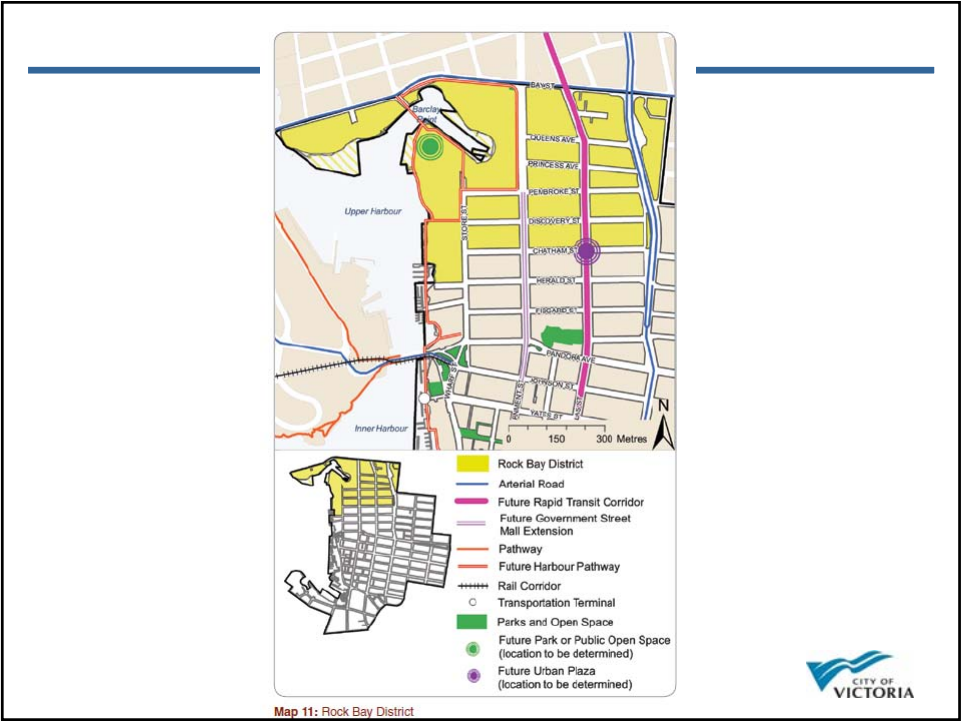
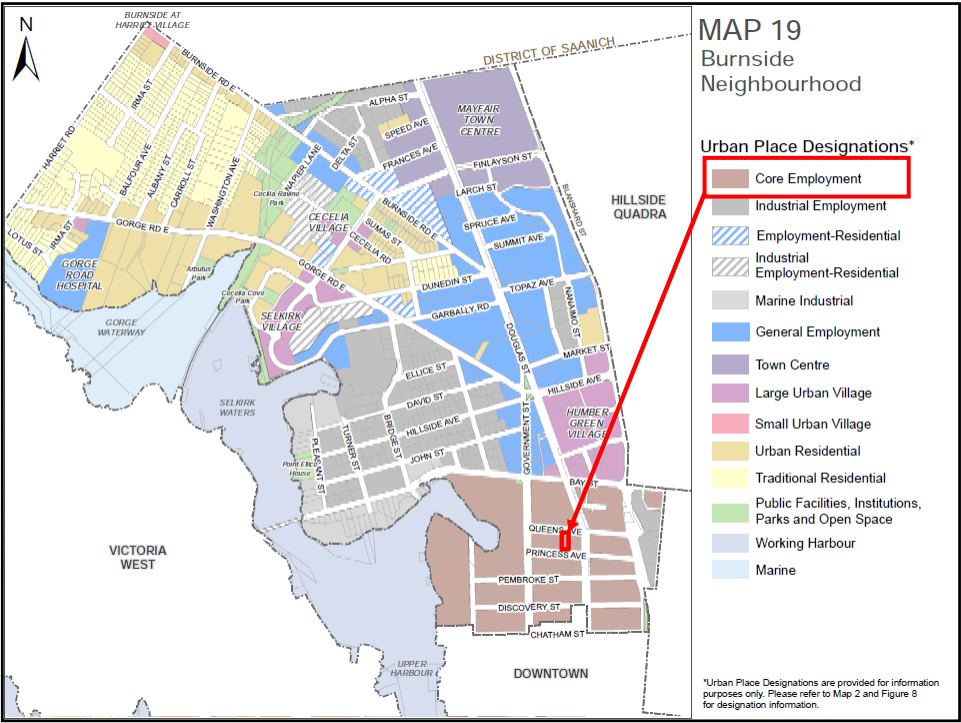
Properties to the south

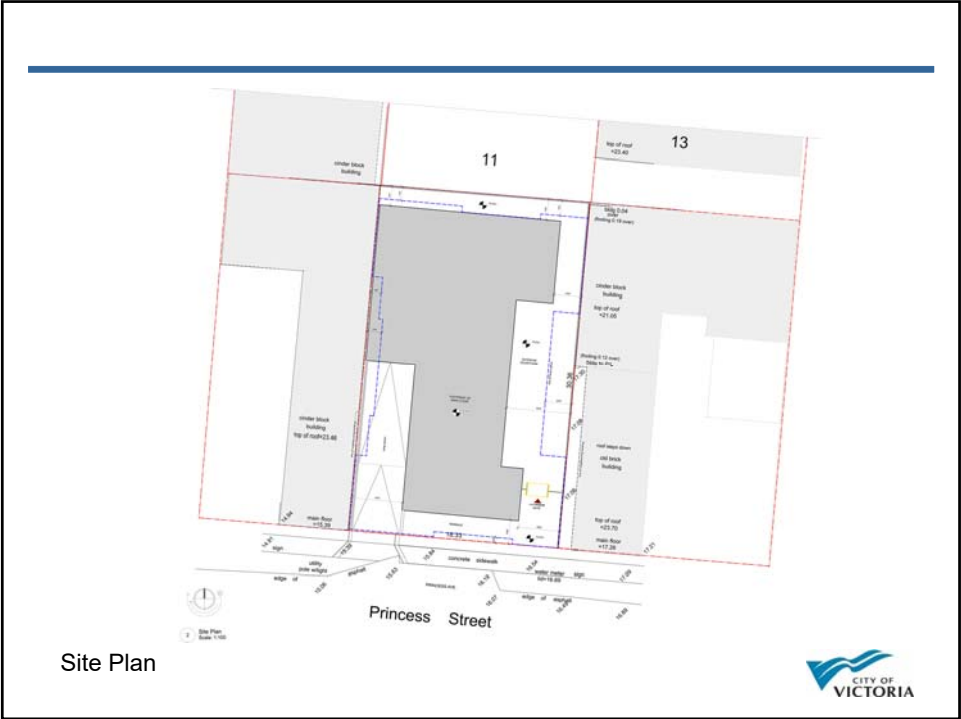


Property to the east



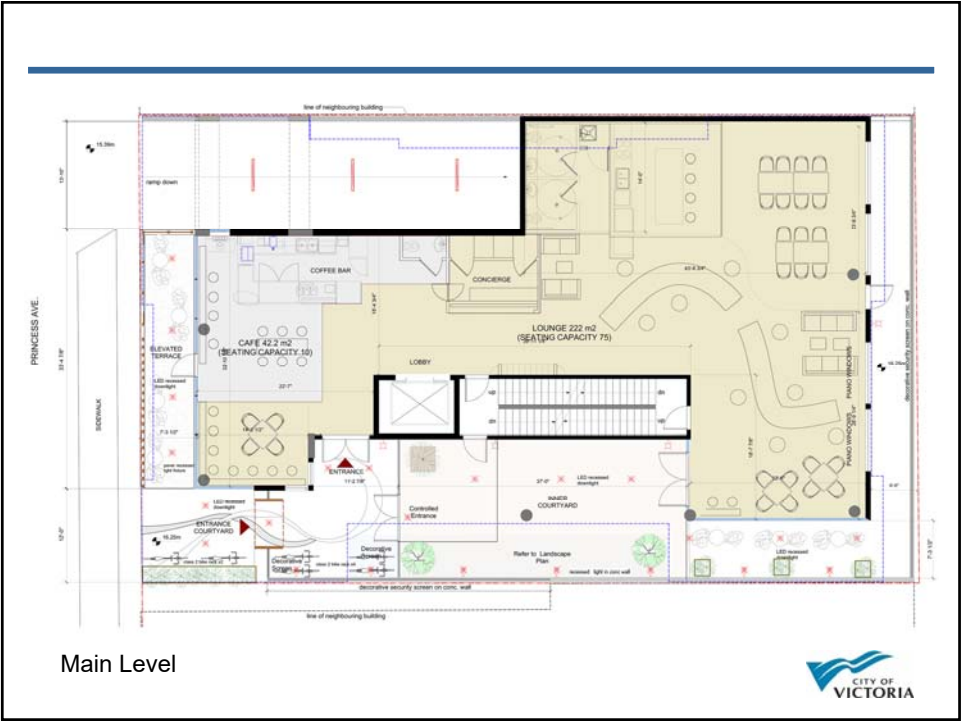
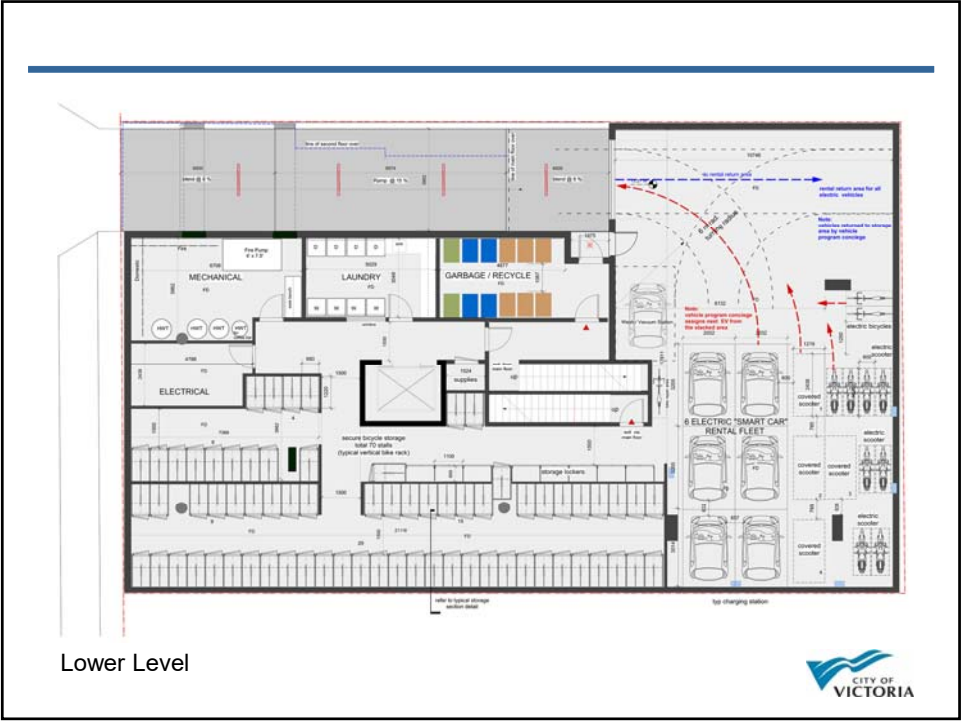


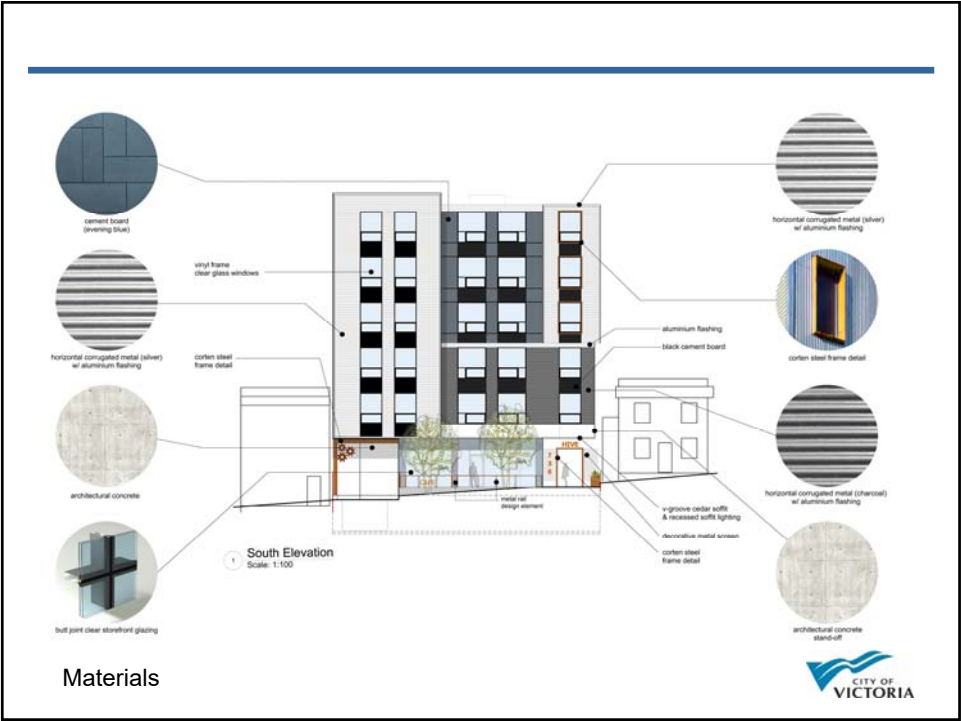


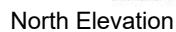
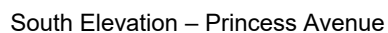


Development Permit with Variance
Application No. 00065
for
736 Princess Avenue

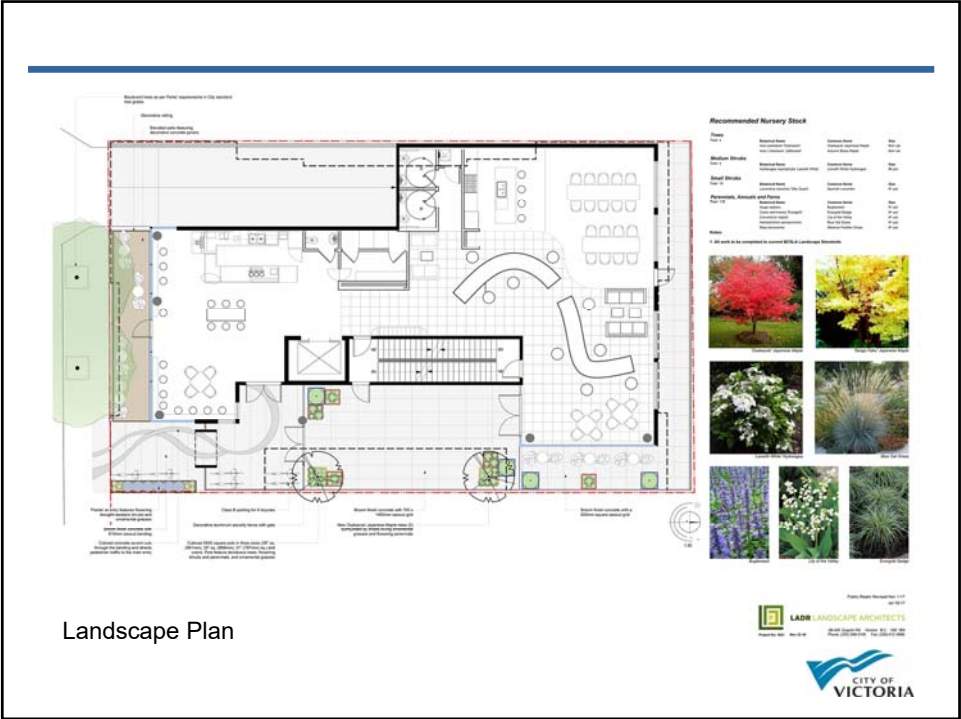












Landscape Plan

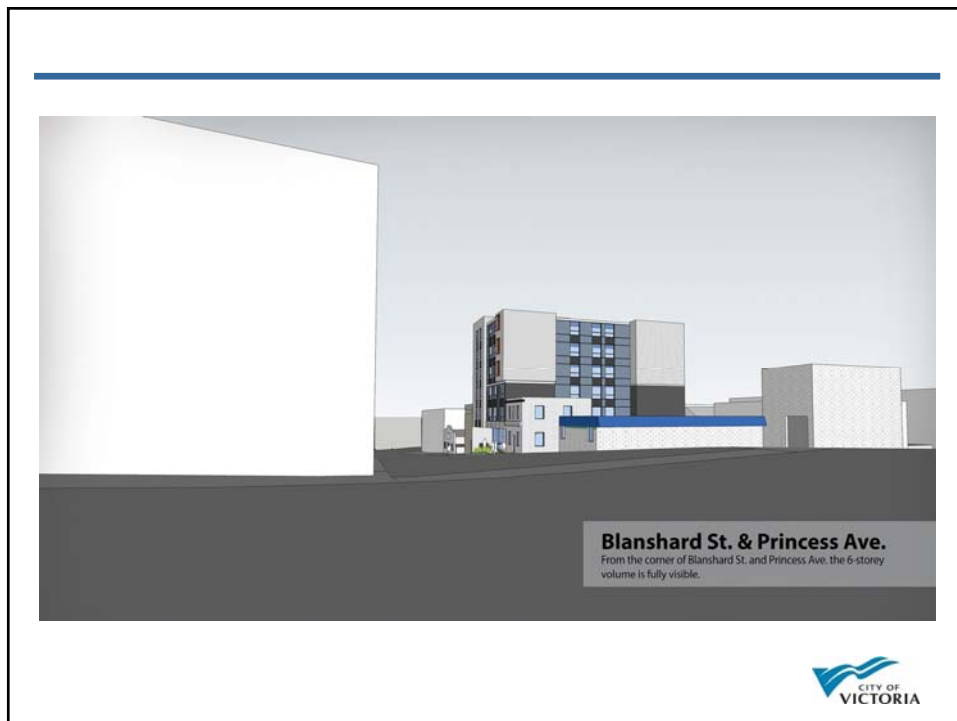
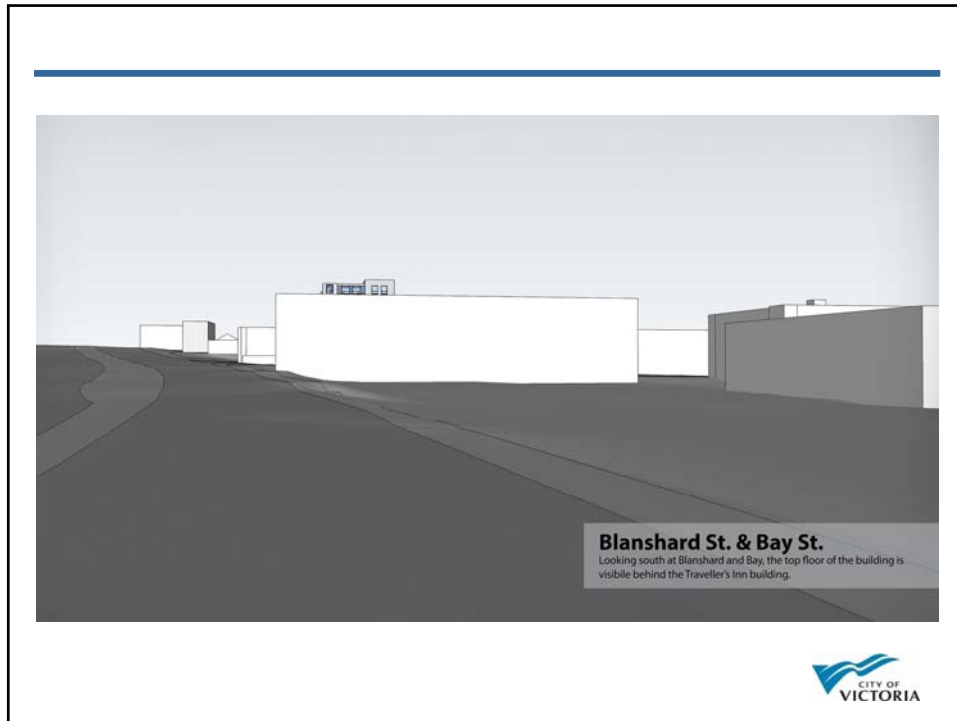


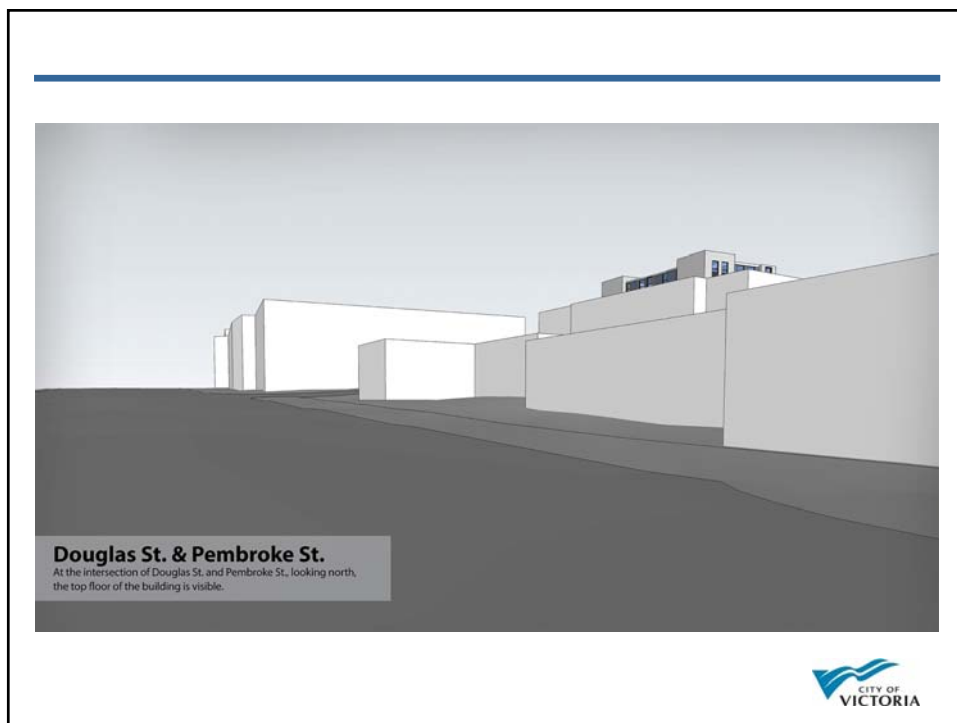
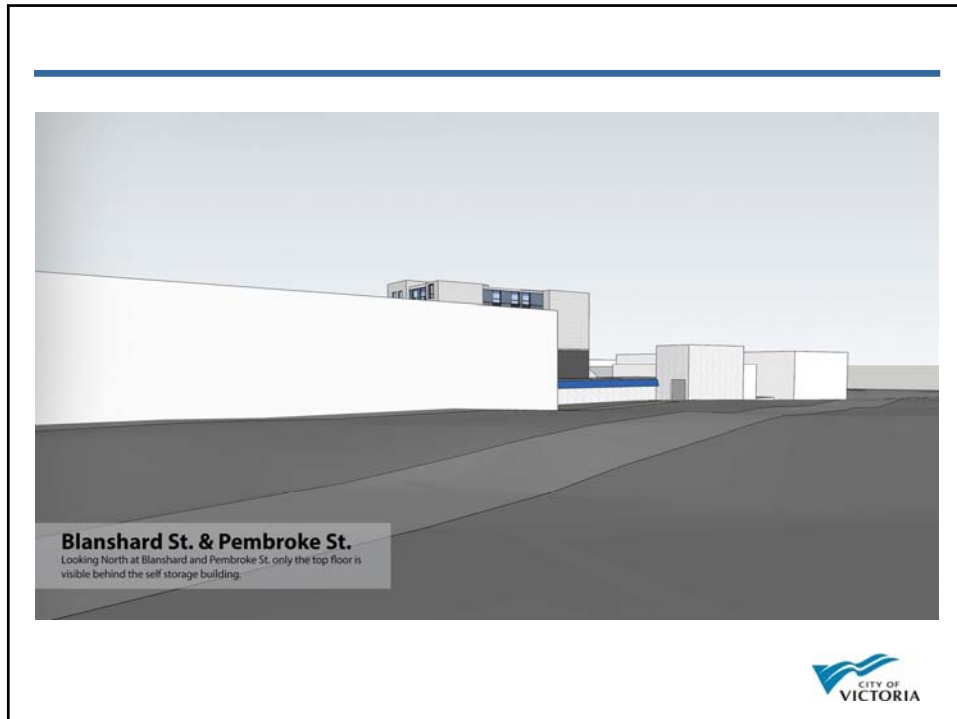


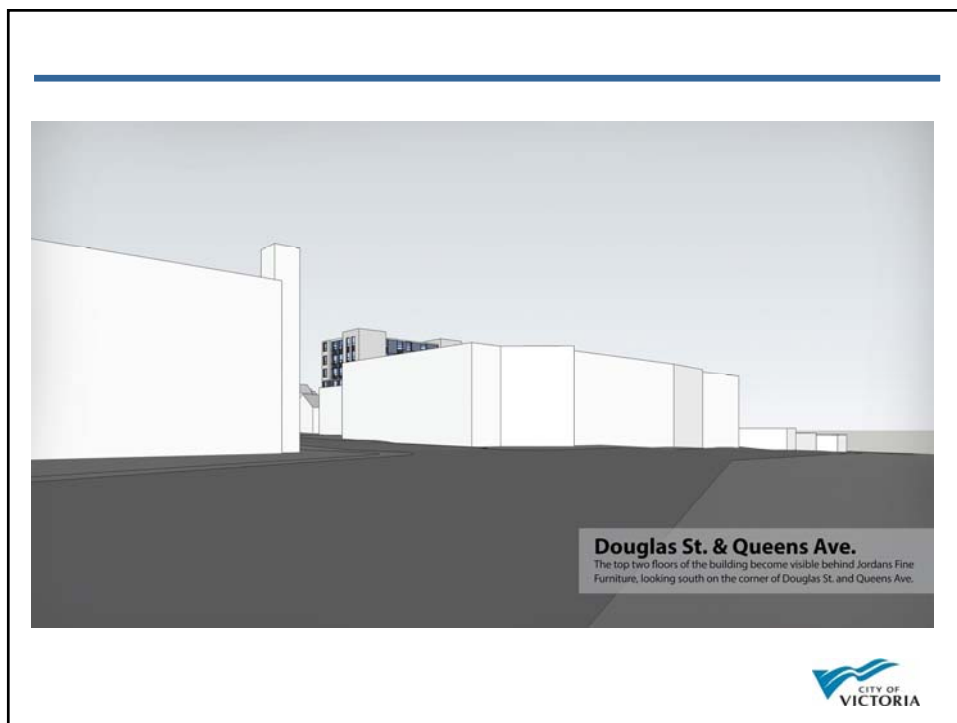
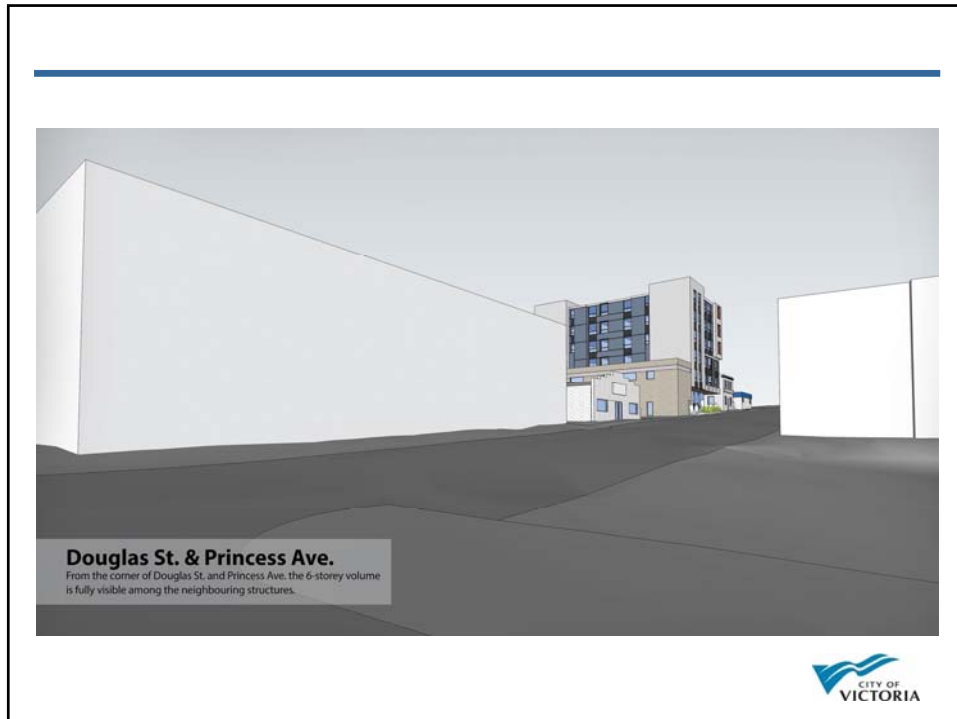
South Elevation Massing & Context





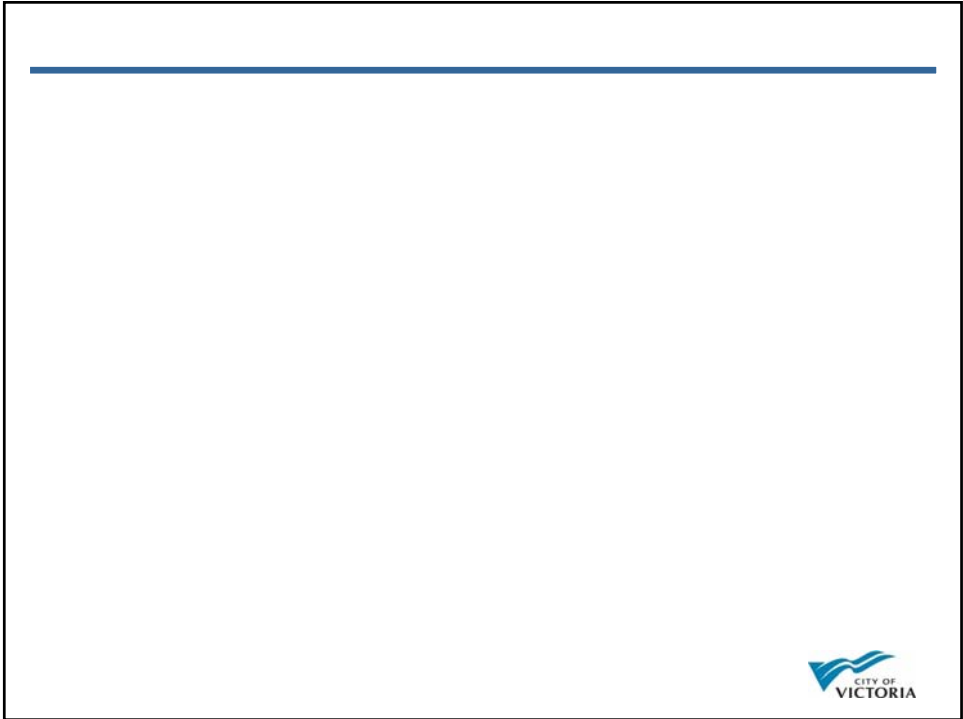


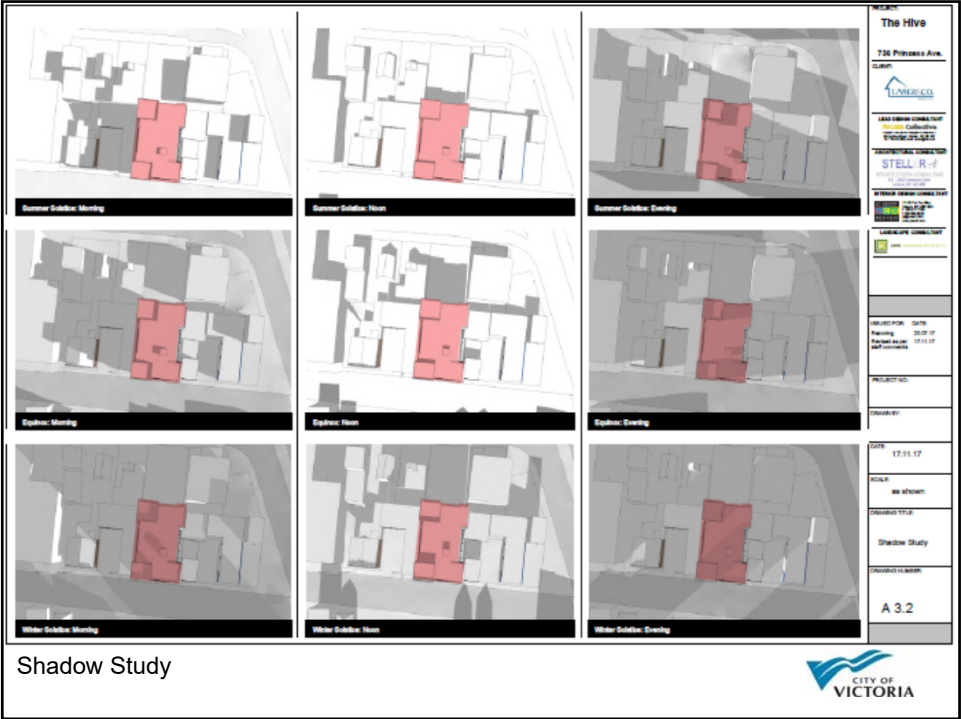






South Elevation Massing & Context







January 29, 2017

Mayor & Council
#1 Centennial Square
Victoria, BC

Dear Mayor and Council:

CALUC Community Meeting: Rezoning Application for 736 Princess Avenue

On January 16, 2017, the Burnside Gorge Land Use Committee (BGLUC) hosted a CALUC community meeting that was advertised to discuss Large and Co's proposal to rezone 736 Princess Avenue from commercial to site-specific residential zoning. The Province has provided funding for the project through its Investment in Housing Innovation program.

Larry Cecco with Keay + Cecco Architecture Ltd., Kimberley Colpman with Large and Co., and Kathy Stinson from the Victoria Cool Aid Society jointly presented. The proposed building is 6 storeys, contains 75 units, and will target a mix of 1/3 shelter rate tenants and 2/3 affordable workforce housing tenants (whose rent will be approximately 80% of market rent). The units will be 220-290 square feet with 9 foot ceilings, an outdoor smoking area, bicycle storage in the basement, two staff members on site at all times, and shared recreation and cooking facilities on the first floor. The proposal includes a parking variance of 0, although staff and visitor parking will be allowed at Queens Manor on Queens Avenue, which Cool Aid also manages.

Approximately 60 residents attended the meeting; their questions and comments are summarized below. Kathy Stinson from Cool Aid and Kimberley from Large and Co. provided the answers listed below.

Q: I'm a resident of 737 Princess. Is there another example of mixing supportive with market housing?

A: No, this is a new approach. Cool Aid plans to select tenants with low to moderate levels of support needed, not the high needs of other Cool Aid properties.

Q: What about people with acute mental health issues?

A: Those tenants are not suitable for this building. The tenants at 736 will be different than at the Cool Aid property on Queens Ave.

Q: What will entrance security be?

A: There will be two staff members on site 24/7. They do walk-about and call police if needed.



crosswalks on Blanshard. This is a poor location for this type of building.

- I'm very concerned about the total lack of parking and the building height relative to existing structures.
- I'm concerned about increased police calls and a corresponding increase to taxes.
- I am a local resident and the street is hellish to park on during the day. The streetscape infrastructure is in terrible shape including narrow sidewalks, a crowded street and broken pavement.
- Current infrastructure on the street is poor; there is no parking available and the street didn't get ploughed during recent snowfall.
- The design has 12" shelves which will attract seagulls roosting.
- The building has no taxi zone and no space for emergency services or moving trucks. The design has not paid attention to the practicalities of residents' everyday needs. I totally disagree with lack of parking onsite and think it will create even more problems on the street.
- The building design is a shoebox. No parking spaces is a bad design.
- The street is dead end so construction and parking issues could close it off and isolate/strand other residents and businesses.
- I support this project but feel that it is being put into the wrong part of the neighbourhood, which is largely commercial.
- I am bipolar and this type of housing and support changed my life. This building could save people like me.

Vote: As per the process of a BGCA rezoning community meeting, there was a straw poll. Of the meeting attendees who chose to vote, 7 were generally in favour, 15 were opposed to the proposal as presented, and 19 people abstained from voting. While the straw poll is meant to indicate general support or opposition from community members, many attendees chose not to vote. Several attendees commented to the Chair after the meeting closed that they were not comfortable voicing support for the proposed project, given the hostile tone of the meeting.

Respectfully,

Carolyn Gisborne

Land Use Committee Chair
Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department
Kimberley Colpman, Large and Co.



Committee of the Whole Report

For the Meeting of January 25, 2018

To: Committee of the Whole **Date:** January 11, 2018

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

Subject: Development Permit with Variances Application No. 00065 for 736 Princess Avenue

RECOMMENDATION

That Council decline Development Permit with Variance Application No. 00065 for the property located at 736 Princess Avenue.

LEGISLATIVE AUTHORITY

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

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 Permit with Variance Application for the property located at 736 Princess Avenue. The proposal is to construct a six storey mixed use building consisting of ground floor commercial and residential above. The variance is related to parking.

The following points were considered in assessing this application:

- The subject property is within Development Permit Area 7A: Corridors – Douglas Street and Blanshard Street, and subject to the design guidelines contained in the *Downtown Core Area Plan (DCAP)*, *Advisory Design Guidelines for Buildings, Signs and Awnings (1981)* and *Guidelines for Fences, Gates and Shutters (2010)*. There are aspects of the design, such as the animated ground floor commercial space with floor to ceiling glazing, building articulation, materials and outdoor patio space that comply with the design guidelines.
- The DCAP designates the subject property as Residential Mixed-Use District, which supports mixed-use buildings and encourages visually articulated designs and quality

architectural materials, as well as, distinct building bases that enhance the visual interest for pedestrians.

- The neighbourhood has a mix of building types. The two-storey brick building to the east on the adjoining property may have heritage value and the proposed building is out of context in relation to this building.
- Vehicle and bicycle parking variances are required to facilitate this development. No vehicle parking is being proposed onsite for the residential units. Under the current Schedule C – Off-street Parking, 115 parking spaces are required for the residential and commercial uses, whereas under the new draft Schedule C, only 53 parking spaces would be required. Instead, the applicant is proposing to provide a privately-run electric vehicle share program which would include six electric cars, 12 scooters and two electric bikes for residents and the community and there is no guarantee that this program would operate for the life of the building.
- The applicant is also proposing to reduce the required number of Class 1 bicycle parking spaces from 75 to 70, and Class 2 bicycle parking spaces from eight to six.
- Both the vehicle and bicycle parking variances, and proposed one-vehicle driveway, are not supported by staff because of the on-street parking impacts that would likely result on the surrounding streets, impacting nearby businesses and residents; as well as the circulation impacts onsite.

BACKGROUND

Description of Proposal

The proposal is for a six-storey mixed-use building consisting of ground floor commercial and residential above. Specific details include:

- mid-rise building form containing contemporary-style design features, including a flat roofline, industrial-like materials and floor to ceiling glazing at the ground level
- one main entrance into the building and a controlled entrance into an inner courtyard area
- a lounge on the ground level for residents and coffee shop patrons including a kitchen and dining area for large groups
- unit sizes range from 20m² to 30m² (215ft² to 323ft²), fully self-contained and furnished with a complete kitchen and full bathroom
- five units would be accessible (one on each residential floor)
- exterior materials include horizontal corrugated metal with aluminium flashing, cement board, architectural concrete and corten steel
- tinted glazing on upper levels
- large outdoor patio with seating for coffee shop
- inner private courtyard for residents with outdoor seating and raised planter beds
- decorative and permeable surface treatment
- 70 Class 1 bicycle parking spaces and six Class two bicycle parking spaces
- six electric cars, 12 scooters and two electric bikes for residents and the community.

The proposed variances are related to:

- reducing the required number of parking spaces from 115 to 0.
- reducing the required number of Class 1 bicycle parking spaces from 75 to 70, and Class 2 bicycle parking spaces from eight to six.

Sustainability Features

As indicated in the applicant's letter dated November 17, 2017, the following sustainability features are associated with this Application:

- meet Step 1 of the BC Energy Step Code and high-performance building envelope tightness system
- heat recovery ventilators
- low flow fixtures
- recycled materials
- onsite electric vehicle share program
- permeable surface treatment.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- 70 secure and enclosed bicycle parking spaces
- six electric vehicles
- twelve electric scooters (four would be covered)
- two electric bikes.

Public Realm Improvements

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

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The proposed outdoor areas surrounding the proposed building and five dwelling units (one on each residential floor) are designed to be accessible.

Existing Site Development and Development Potential

The site is presently a surface parking lot.

Data Table

The following data table compares the proposal with the existing M-1 and CA-1 Zones. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing Zone (M-1 Zone)
Site area (m ²) - minimum	556.00	n/a
Density (Floor Space Ratio) - maximum	4.51*	3.00:1
Total floor area (m ²) - maximum	2950.00*	1668.00

Zoning Criteria	Proposal	Existing Zone (M-1 Zone)
Height (m) - maximum	19.95*	15
Storeys - maximum	6	n/a
Site coverage % - maximum	85.8	n/a
Open site space % - minimum	10.6	n/a
Setbacks (m) – minimum:		
Front	0.48*	3 or 0
Rear	1.19*	3 or 0
Side (east)	0	3 or 0
Side (west)	0	3 or 0
Parking - minimum	0*	115 (existing Schedule C) 45 (draft new Schedule C)
Visitor parking (minimum) included in the overall units	0*	8 (existing Schedule C) 8 (draft new Schedule C)
Internal ramp slope (%) – maximum	15	15
Bicycle parking stalls (minimum)		
Class 1	70*	75(existing Schedule C)
Class 2	6	75(draft new Schedule C)

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on September 28, 2017 the application was referred for a 30-day comment period to the Burnside Gorge CALUC. A letter dated January 29, 2017 is attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 7A: Corridors – Douglas Street and Blanshard Street. The OCP, *Downtown Core Area Plan (DCAP)*, and the relevant design guidelines support mixed-use buildings up to approximately 15 storeys that revitalize areas of commercial use along corridors through high-quality architecture,

landscape and urban design in order to enhance their appearance, achieve coherent design along corridors, strengthen commercial viability and encourage pedestrian use.

There are aspects of the design such as the animated ground floor commercial space with floor to ceiling glazing, building articulation, materials and outdoor patio space that comply with the design guidelines. The proposal would also help revitalize the neighbourhood; however, there are some concerns with the proposal from a site planning, circulation and design-perspective primarily due to the height and density being proposed for a 556m² lot (conventional size lot for a single-family dwelling).

Should Council support this application, staff recommend for Council's consideration that the proposal be reviewed by the Advisory Design Panel. Staff recommend that the Panel should pay particular attention to:

- the transition to the buildings along Princess Avenue, especially the brick building to the east
- overall massing, architectural elements and finishes to ensure integration with local neighbourhood
- type of glazing on the building.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Regulatory Considerations

Parking Variance

The applicant is requesting to reduce the required number of parking spaces from 115 to 0 (under the existing Schedule C – Off-street Parking Requirements), and proposing a one-vehicle driveway and aisle capacity.

In addition, the applicant is proposing to reduce the required number of Class 1 bicycle parking spaces from 75 to 70, and Class 2 bicycle parking spaces from eight to six. All bicycle parking spaces would be vertical, which is strongly discouraged. At least 50% of bicycle parking spaces should be horizontal and accessible for electric bike owners, disabled persons and the elderly, especially when there is a significant parking variance. Providing at least 50% horizontal bicycle parking spaces is being recommended in the new draft Schedule C.

To offset vehicle and bicycle parking variances the applicant is proposing a privately-run electric vehicle share program which would include six electric cars, 12 scooters and two electric bikes for residents and the community. There would be an employee onsite managing the car share program; however, there is no guarantee that a vehicle car share program would operate for the life of the building.

A Parking Study was prepared by WATT Consulting Group. The study concludes that *the site's transportation characteristics and proximity to downtown coupled with the electric Vehicle Sharing Program could allow the proponent to manage the building without any parking supply.* The study further acknowledges that there are risks associated with providing no parking; however, the study states that through research, observation and analysis that actions can be taken to significantly reduce the need for owning a vehicle at 736 Princess Avenue and this would be through providing a car sharing program onsite.

Under the new draft Schedule C, the recommended parking requirements for rental housing have been significantly reduced to 0.5 parking spaces per dwelling unit (from 1.3 parking spaces per dwelling unit), and the parking requirement would be reduced to 45 parking spaces. This recommended parking ratio is a result of substantial review and research associated with the City's Off-street Parking Review currently underway. Both the vehicle and bicycle parking variances and proposed one-vehicle driveway are not supported by staff because of the potential on-street parking impacts that would likely result on the surrounding streets and the circulation impacts onsite.

CONCLUSIONS

The proposed mixed-use building at 736 Princess Avenue complies with planning objectives for the Douglas and Blanshard Street corridor. The proposal is also consistent with the design guidelines pertaining to animated ground floor commercial space, building articulation, materials and outdoor patio space; however, staff have concerns with the overall built form on a small site, onsite circulation, and the magnitude of parking variances and the potential impact this could have on the nearby streets. Staff recommend for Council's consideration that this application is declined.

ALTERNATE MOTION 1

That Council direct staff to work with the applicant to revise the proposal to comply with the OCP and reduce the magnitude of the parking variance and refer the application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

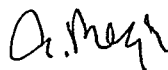
1. The transition to the buildings along Princess Avenue.
2. Overall massing, architectural elements and finishes to ensure the integration with the local neighbourhood.
3. Type of glazing on the building.


ALTERNATE MOTION 2

That Council direct staff to explore and report back on the feasibility of developing a new designation **or** mechanism to enable purpose built rental **and/or** affordable housing at densities above what is anticipated in the OCP.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division




Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


Jan 17, 2018

List of Attachments:

- Appendix A: Subject Map
- Appendix B: Aerial Map
- Appendix C: Plans date stamped November 23, 2017
- Appendix D: Letter from applicant to Mayor and Council dated July 21, 2017 and November 17, 2017
- Appendix E: Letter from First National Financial LLP dated October 20, 2017
- Appendix F: Community Association Land Use Committee Comments dated January 29, 2017
- Appendix G: Parking study prepared by WATT Consulting Group dated November 14, 2017.



Committee of the Whole Report For the Meeting of January 25, 2018

To: Committee of the Whole

Date: January 11, 2018

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

Subject: Rezoning Application No. 00608 for 323 Skinner Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

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 323 Skinner Street. The proposal is to rezone the subject property from the R1-B Zone, Single Family Dwelling District to a site specific zone to allow for a daycare that accommodates up to 32 children.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation as described in the *Official Community Plan, 2012* (OCP) and the proposed use represents a "community service" use which is considered an appropriate use in all Urban Place Designations
- the proposal is generally consistent with the *Victoria West Plan, Amended 2008* which contemplates "compatible" non-residential uses within traditional residential areas
- the proposal does not provide sufficient on-site parking to satisfy anticipated demand.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject property from the R1-B Zone, Single Family Dwelling District to a site specific zone to allow for a daycare that accommodates up to 32 children. An existing single-storey single-family dwelling would be raised and converted, creating an additional storey to facilitate the proposed use.

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

- daycare for up to 32 children would be added to the list of permitted uses
- required off-street parking would be reduced from 7 stalls to 1 stall
- rear setback would be reduced from 7.5m to 6.65m to accommodate a secure bicycle storage area attached to the rear of the building
- no landscaping strip would be provided along rear lot line (existing condition).

Issues relating to the proposed design will be reviewed in association with the concurrent Development Permit Application.

Sustainability Features

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

Active Transportation Impacts

The Application proposes the following features which support active transportation:

- secure parking for four bicycles
- parking for four visitor bicycles.

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The immediate area is predominantly characterized by single-family dwellings and duplexes.

Existing Site Development and Development Potential

The site is presently occupied by a single-storey single-family dwelling.

Under the current R1-B Zone, the property could be developed as a two-storey single-family dwelling with a secondary suite or a garden suite.

Data Table

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

Zoning Criteria	Proposal	Zone Standard R1-B Zone
Site area (m ²) - minimum	460	460
1 st and 2 nd storey floor area (m ²) - maximum	186	280
Combined floor area	186	300
Lot width (m) - minimum	18.28	15
Height (m) - maximum	5.84	7.6
Storeys - maximum	2	2
Site coverage % - maximum	20.2	40
Setbacks (m) – minimum		
Front (south)	8.15	7.5
Rear (north)	6.65*	7.5
Side – interior (east)	2.72	1.83
Side – flanking (west)	4.52	3.5
Combined side yards	7.24	4.5
Landscaping (rear lot line) (m) - minimum	no landscaping*	0.6m wide, 1.5m high
Parking - minimum	1*	7
Bicycle parking stalls – minimum		
Class 1	4	4
Class 2	4	3

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Victoria West CALUC at a Community Meeting held on August 22, 2017. A letter from the CALUC dated September 27, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The proposal is generally consistent with the Traditional Residential Urban Place Designation as described in the *Official Community Plan, 2012 (OCP)* and the proposed use represents a

“community service” use which is considered an appropriate use in all Urban Place Designations.

Local Area Plan

The proposal is generally consistent with the *Victoria West Plan Amended 2008* which contemplates “compatible” non-residential uses within traditional residential areas.

Parking

The proposed development would accommodate one motor vehicle parking stall. Schedule C of the *Zoning Regulation Bylaw* outlines off-street parking requirements and, in this case, requires a minimum of seven parking stalls in association with the daycare proposal. It should be noted that the emerging replacement Schedule C, if adopted by Council, would require a minimum of four parking stalls. Therefore, for the purpose of assessing this Application, staff consider that the provision of four parking stalls would likely satisfy parking demand and, therefore, the Application results in a shortfall of three parking stalls.

Based on the parking shortfall that has been identified, staff requested that the applicant provide a Parking Study and Transportation Demand Management (TDM) Plan from a qualified professional to support the proposal. The applicant has chosen not to provide this study and provided their own rationale for the proposed parking variance (included in applicant’s letter to Mayor and Council), which can be summarized as follows:

- based on the applicant’s observations at drop-off (8 – 8:30am) and pick-up (3-5pm), during a two-week period in September 2017, there were a minimum of 10 parking spaces available on Mary Street and multiple parking spaces on Raynor Avenue
- the daycare will have an enrollment of 32 children with approximately 40% of families arriving by foot or by bicycle, leaving 20 families that visit by car
- visits by car are staggered during a 30-minute period at drop-off and a two-hour period at pick-up
- one parking stall is provided on-site for the four teachers, therefore, three teachers will park on the street
- there are no parking restrictions on Mary Street or Raynor Avenue, therefore, parking can be shared with the community.

In summary, the proposal would result in a shortfall of three parking stalls and the development will have some impacts on parking availability in the vicinity of the subject site. However, on balance, given the extent of the variance being proposed and the policy support outlined in the OCP for this use, staff recommend that Council consider approving this Application.

An alternative motion has been provided should Council wish to require the applicant to provide a Parking Study to provide further rationale for the proposed parking shortfall and to identify additional TDM measures to mitigate potential on-street parking impacts.

Rear Setback and Landscaping

The Application seeks to relax the rear setback requirement from 7.5m to 6.65m to accommodate a relatively small secure bicycle parking area at the rear of the property. In addition, the Application seeks to relax the requirement for a 0.6m wide landscape strip at the rear property line. In this instance, the rear property line falls within a driveway that is shared (and secured by way of an easement) with 1011 Mary Street.

Staff recommend that Council consider supporting these requested variances from the standard R1-B Zone.

Tree Preservation Bylaw and Urban Forest Master Plan

There are five city-owned boulevard trees adjacent to the subject site, two of which are bylaw protected, in addition to six non-bylaw protected trees situated on the property. An Arborist Report has been submitted and concludes that, subject to tree protection measures, the trees would not be negatively impacted by the development. Recommended tree protection measures include tree protection fencing, root zone barriers, wood chip placement over tree root zones, and supervision of activities by the ISA project arborist whenever construction activities take place within the protected root zone of the trees.

Resource Impacts

There are no resource impacts identified with this project.

CONCLUSIONS

The proposed Application to raise and convert an existing single-family dwelling to a daycare for 32 children is consistent with City policy. The proposal would result in a shortfall of three parking stalls and the development will have some impacts on parking availability in the vicinity of the subject site. However, on balance, given the extent of the variance being proposed and the policy support outlined in the OCP for this use, staff recommend that Council consider approving this application.

ALTERNATE MOTIONS

Alternate Motion 1 (require a Parking Study)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set subject to the following condition being met:

1. Submission of a Parking Study and Transportation Demand Management Plan to the satisfaction of the Director of Engineering and Public Works.

Alternate Motion 2 (decline Application)

That Council decline Rezoning Application No. 00608 for the property located at 323 Skinner Street.

Respectfully submitted,


Jim Handy
Senior Planner – Development Agreements
Development Services Division


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

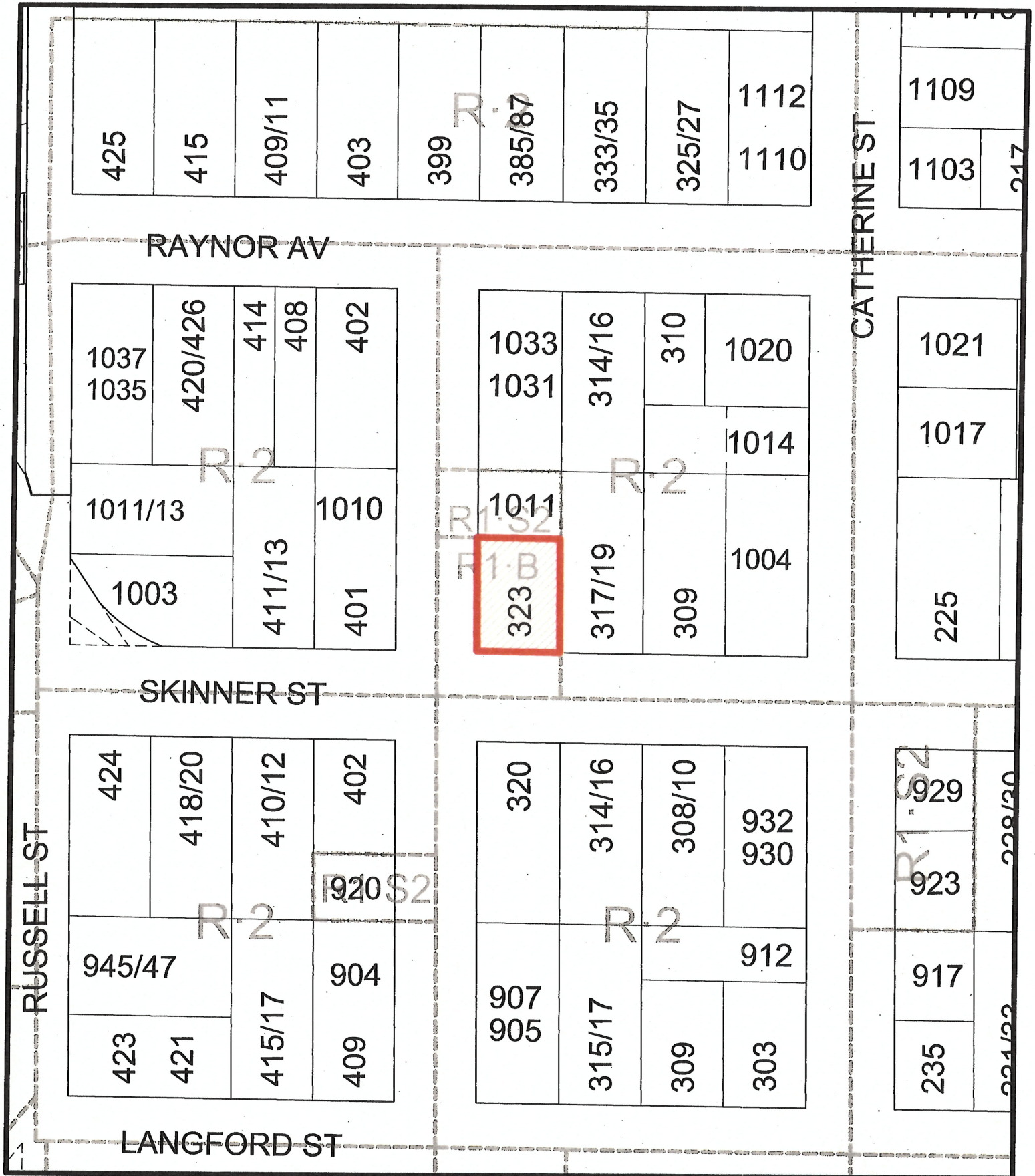
Joceelyn Senhupus

Date:

Jan 17, 2018

List of Attachments:

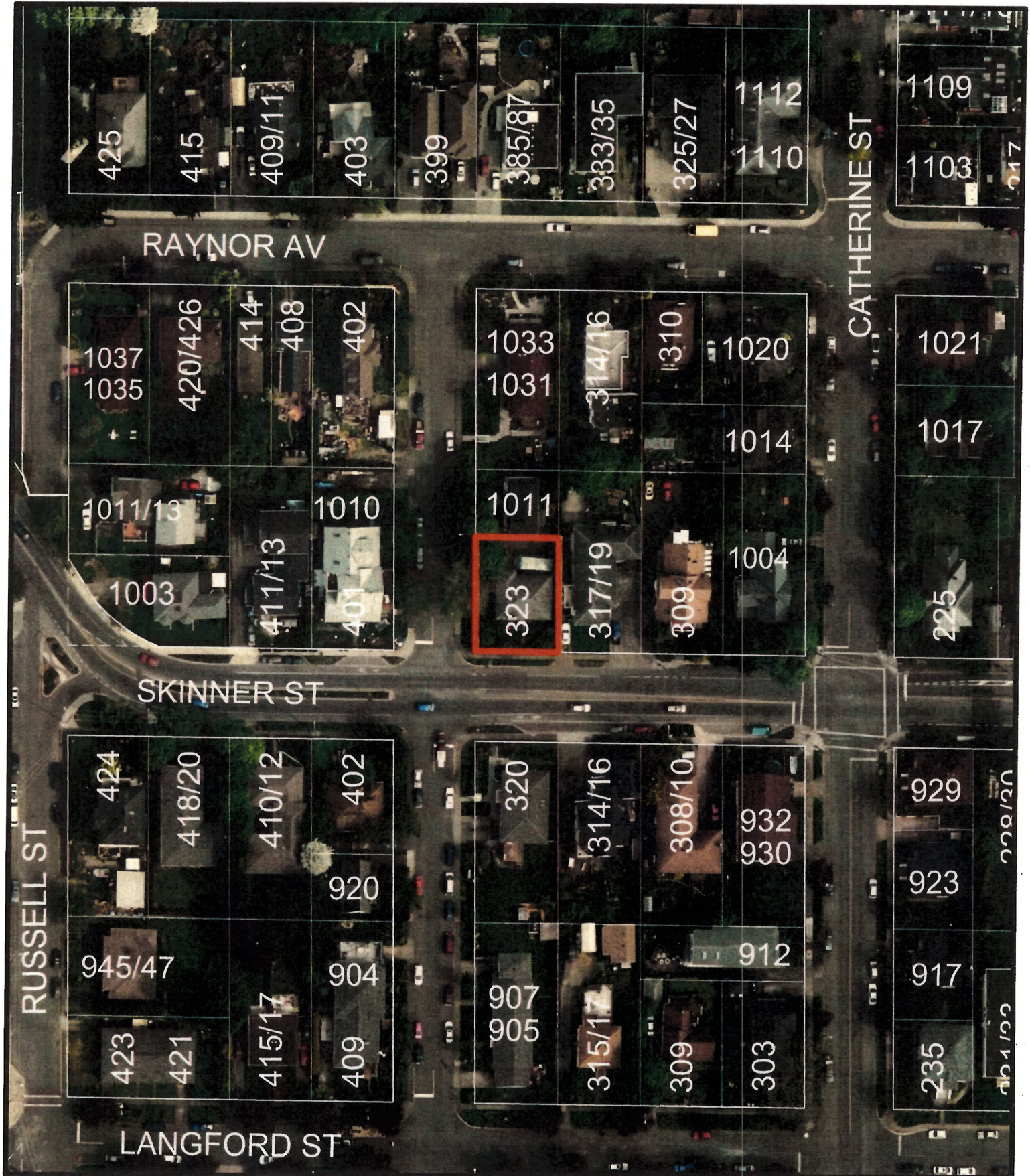
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped December 15, 2017
- Attachment D: Letter from applicant to Mayor and Council dated November 17, 2017
- Attachment E: Community Association Land Use Committee Comments dated September 27, 2017
- Attachment F: Arborist Report dated November 17, 2017
- Attachment G: Correspondence.



323 Skinner Street

Rezoning No.00608

Rezoning Application No. 00608 for 323 Skinner Street (Vic West) --J. Ti...



323 Skinner Street

Rezoning No.00608

Rezoning Application No. 00608 for 323 Skinner Street (Vic West) --J. Ti...

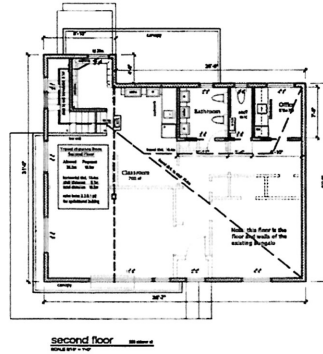
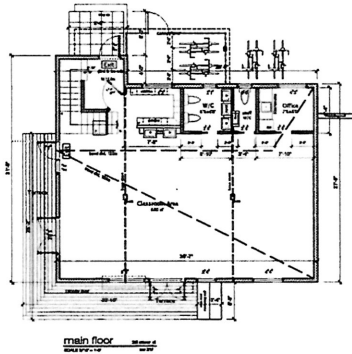
Received
City of Victoria

DEC 15 2017

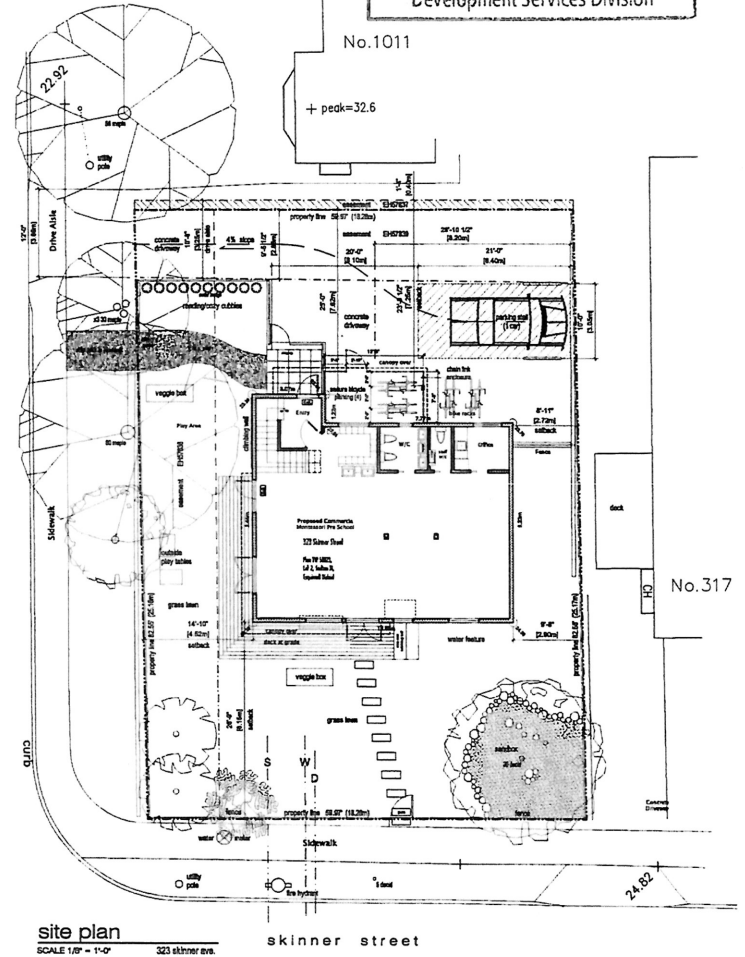
Planning & Development Department
Development Services Division

No.1011

+ peak=32.6



mary street



site plan
SCALE 1/8" = 1'-0"

323 skinner ave.

skinner street

No.317

PROPOSED REZONING

R1-B TO R1-Site Specific

323 SKINNER STREET

14.12.17 Site Plan and Floor Plans scale 1:100

A1

studio
ink
ph. 1 776 676 6041
a. studio@studioink.com.au

Received
City of Victoria

DEC 15 2017

Planning & Development Department
Development Services Division

site data 323 Skinner St

august 21 2017

1. LEGAL DESCRIPTION
LOT 2, SECTION 31,
Plan VPP 58622, Victoria District S7,
PID# 016-736-581

2. CIVIC ADDRESS
323 Skinner Street,
Victoria B.C. V8A 3B5

3. ZONING
also specific zone

4. LOT AREA
Required: 400 m² minimum site area
Existing: 400 m² (4651.4 sf)

5. LOT FRONTAGE
Required: 15 m minimum lot frontage
Existing: 60.07 (18.39 m)

6. SETBACKS

SETBACKS	PERMITTED	PROPOSED
FRONT: south	24.92' (7.5 m)	26.24' (8.0 m)
SIDE: west	8.94' (2.7 m)	14.17' (4.3 m)
SIDE: east	4.92' (1.5 m)	8.94' (2.7 m)
REAR: east	24.92' (7.5 m)	23.17' (7.0 m)

7. AVERAGE GRADE CALCULATION

Average Grade: 559.77
40.58' ± 23.86

8. HEIGHT

Existing: 2.0 Storey

Proposed: 2.0 Storey

BUILDING HEIGHT

Existing R1-B: 2.0 Storey

Proposed: R1-Site specific: 2.0 Storey

MAXIMUM R1-B EXISTING PROPOSED

24.92' (7.6m) 13.98' (4.23m) 18.17' (5.54m)

9. SITE COVERAGE

40% max.

Permitted: 40% x 4651.4 = 1860.6 sf (164.0 m²)

Proposed: 1000.0 sf (92.9 m²) x 20.2%

10. FLOOR AREAS

First Floor: 1000 sf (93.0 m²)

Second Floor: 1000 sf (93.0 m²)

Total (max 300 m²): 2002 sf (186.0 m²)

TOTAL FLOOR AREA

Permitted: 300 m² max. Proposed: 186.0 m²

11. Floor Space Ratio:

Existing: 1000 sf / 4651.4 sf = 0.2:1

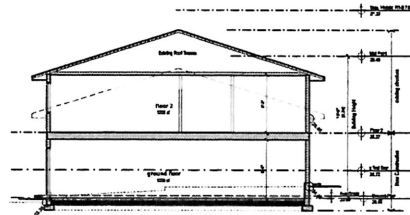
Proposed: 2000 sf / 4651.4 sf = 0.4:1

12. PARKING

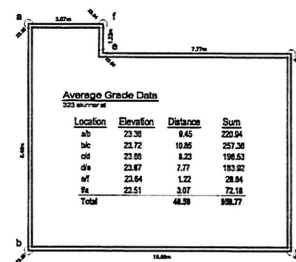
REQUIRED: 4 Stalls

PROPOSED: 1 stall

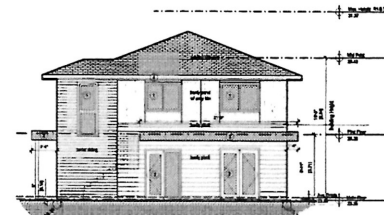
13. BICYCLE STORAGE - 4 Secure Stalls



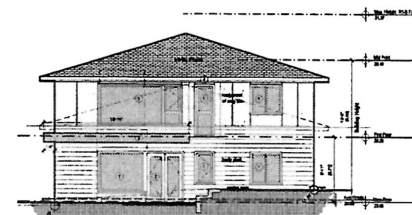
section
PROPOSED REZONING
R1-B TO R1-Site Specific 323 SKINNER STREET



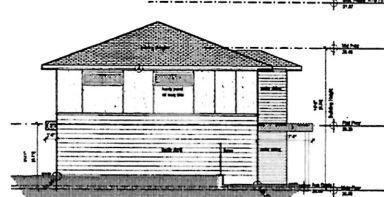
Average Grade Plan
SCALE: 1/8" = 1'-0"



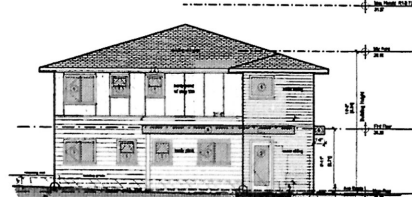
west elevation
SCALE: 1/8" = 1'-0"



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



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



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

EXTERIOR FINISHES
① WHITE VINYL SIDING
② WHITE VINYL DOORS
③ METAL FLASHING
④ STICK BIRD HOUSES
⑤ WOOD FURNACE AND OUTLET/PIPE

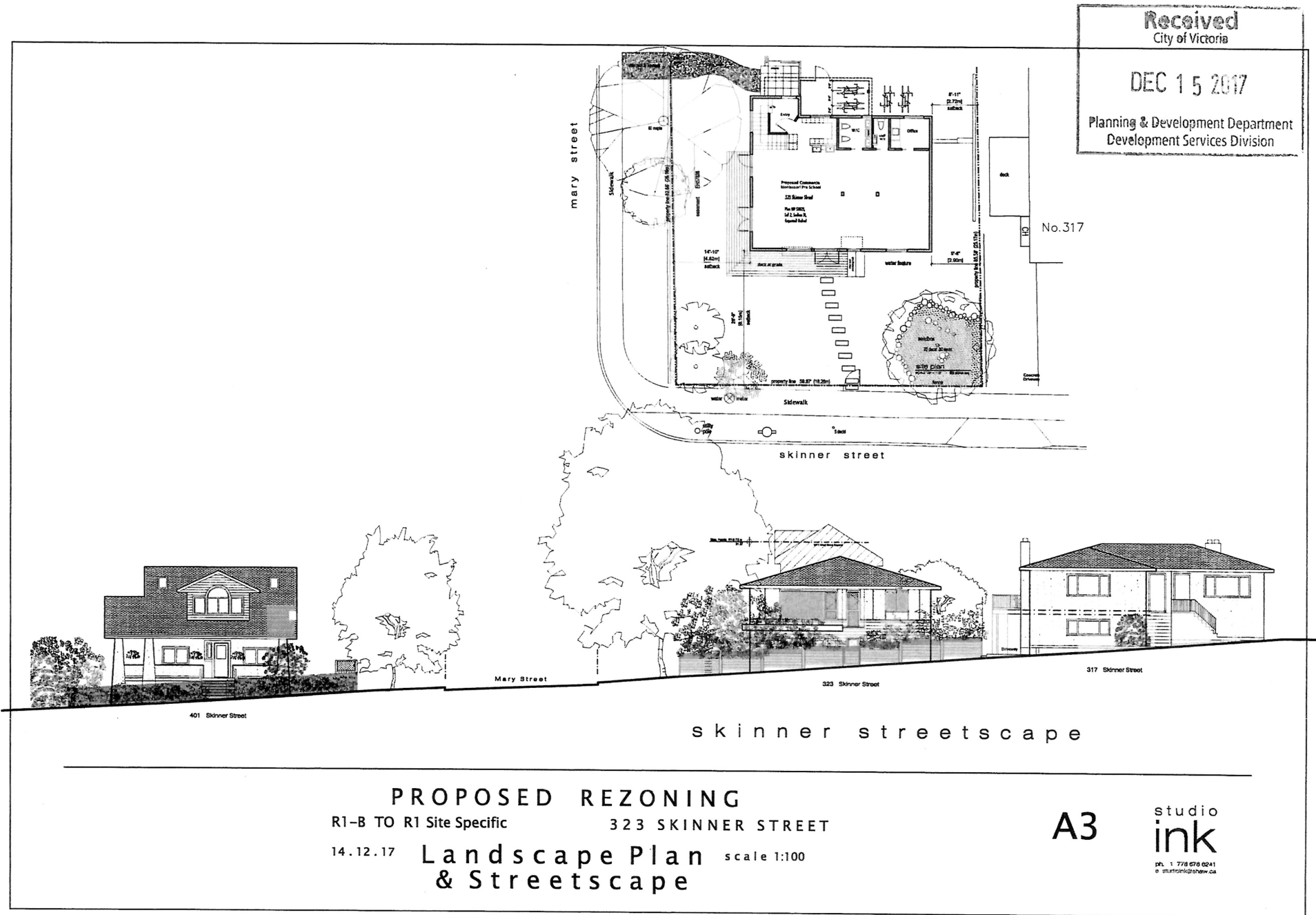
ELEVATIONS

PROPOSED REZONING
R1-B TO R1-Site Specific 323 SKINNER STREET

14.12.17 Section and Elevations
& Project Information

scale 1:100

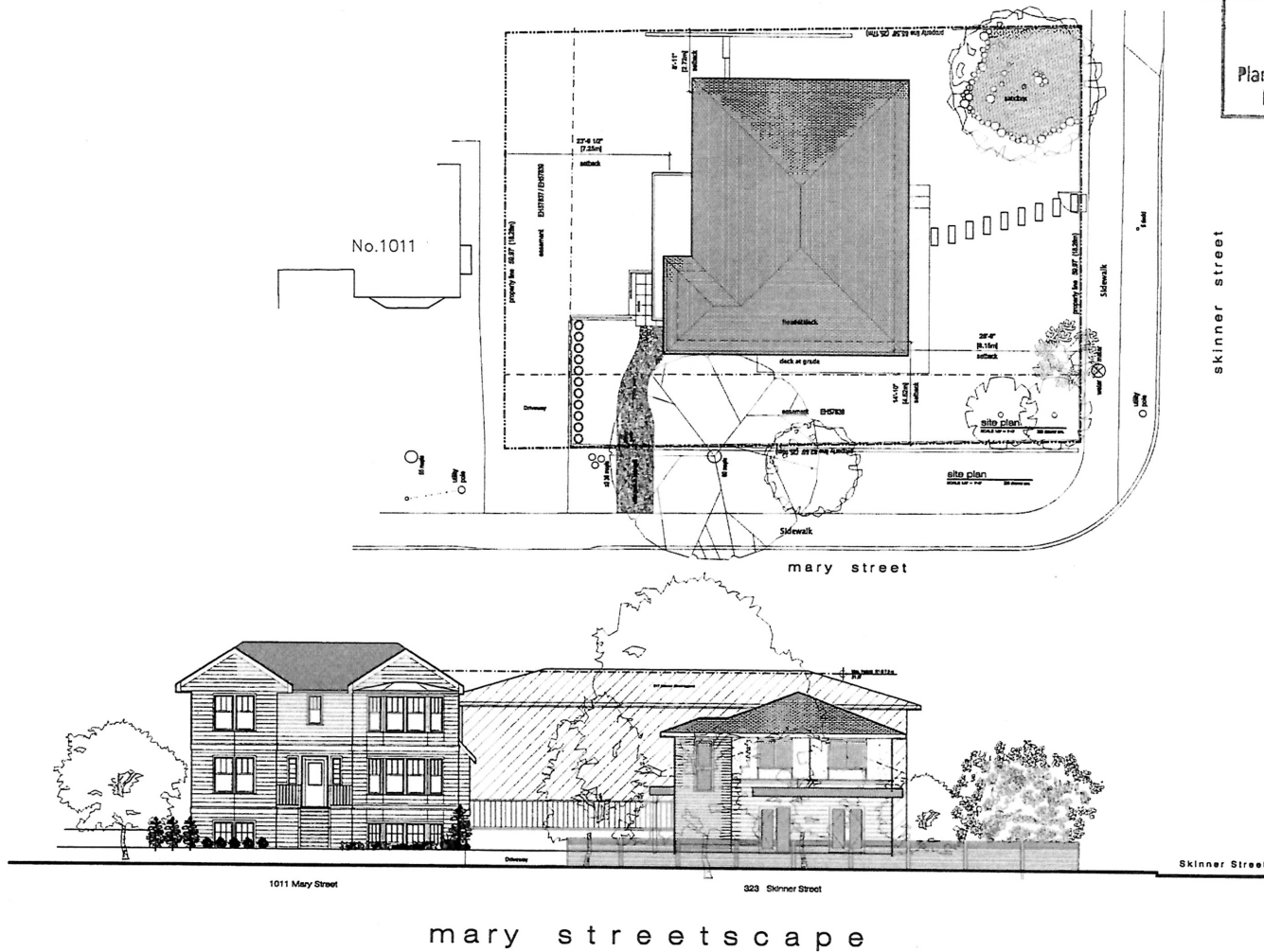
A2 studio
ink
ph. 1 778 676 0241
a. studio@studioink.ca



Received
City of Victoria

DEC 15 2017

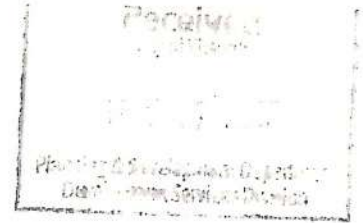
Planning & Development Department
Development Services Division



PROPOSED REZONING
R1-B TO R1-Site Specific 323 SKINNER STREET
14.12.17 Landscape Plan scale 1:100
& Streetscape

A4

studio
ink
ph. 1 778 678 6241
e. info@studioink.com.au



Victoria Montessori Preschool
1250 Highrock Ave.
Victoria, BC, V9A 4V7
250.380.0534
victoriamontessori@shaw.ca

October 17th, 2017

Dear Ms. Helps and Council

My name is Ivana Tunklova, and I am the Montessori teacher and the owner of Victoria Montessori Preschool and Childcare, the childcare centre which was located in the Annex adjacent to Vic West Elementary School, at 750 Front St.

On May 1st, 2017 we were informed by the School District that we had to vacate our beloved Annex to make room for the overflow from the Vic West Elementary School (due to the Supreme Court's decision).

We had been at our location for 14 years, and had cared for over 400 children. We were proud to service our neighbourhood of Vic West with high quality childcare. Our facility employed, and still employs five excellent, highly qualified teachers.

As you have probably heard, and read in our e-mails, we fought very hard to try to convince the School District to give us a transition year as we were fully enrolled. We had 30 families, that is 30 children, who were relying on us, depended on us - as on such short notice there was no way that these families would have been able to find care.

We were determined, and the School District found a classroom for us, not ideal (Rockheights Middle School), but we were thrilled that we had space for our families, even though the space is only available to us until June 2018.

We decided that we did not want our families, their children and our teachers to go through this very stressful situation again. Children need consistency and stability, and so do the parents and teachers.

We searched for a suitable place to either purchase or lease. We all know how difficult this task is - leases start at \$7,000.00/mth for the size we need to accommodate our families. On top of that we have to create a play area.

We did not despair, and a lovely property came up on the market - a house on Skinner St. (323 Skinner St.), very close to the Vic West Elementary School - an ideal location for parents dropping off their older children at Vic West Elementary and walking or biking with their toddlers to Skinner St. Also, the house is in close proximity to trails for nature walks, and Banfield Park.

The purchase of the house on Skinner St. was thoroughly thought out and researched. It is on the corner of Skinner and Mary St. Only 2 neighbours are adjacent to the property. It is easily accessible. There is space for parking on Mary Street and Raynor Avenue, both are not designated "Residential Parking Only".

The house presents a reasonably easy conversion into a two-storey house. This conversion would involve lifting and adding to the house. The footprint of the house will not change. This will preserve all trees and green canopy. The preservation of trees is part of the green features contained within the development of the property. There is a plum tree, and raised vegetable beds will be installed. Additional green features are: installation of one EV station and bike racks, installation of solar panels, hardy planks on the exterior, energy efficient windows, vinyl flooring with renewable cork backing, low VOC paint, water efficient plumbing fixtures and toilets.

At the Community Meeting on August 22, neighbours voiced concern in regards to traffic and noise level. We have assured the neighbours that the pick ups and drop offs are very quick, between five and ten minutes, and that parking on the street can be shared by the whole community. Also, pick ups are staggered between 8am and 8:30am, and drop offs between 3pm and 5pm; and let us not forget that we are a neighbourhood/community Montessori Childcare Centre which means that more than half of our families walk or bike.

As for the noise level, a Montessori School is not a loud school, and after 5pm, on weekends and during holidays the building is completely quite.

Parking patterns observed during a two week period in September 2017.

Parking patterns were observed from Monday to Friday during the following hours: from 8-8:30am which is the drop off period, and between 3pm and 5pm which is the pick up period. During these periods there were always at least 10 parking spots available on Mary Street. We also observed parking patterns on Raynor Avenue, specifically the two blocks between Catherine Street and Russell Street during the same drop off and pick up period. Raynor Avenue has multiple parking availabilities.

Victoria Montessori will have an enrolment of 32 children. As we are a neighbourhood childcare facility at least 40% of our families will be arriving by foot or bicycle. This has been the average for the last 14 years. This leaves approximately 20 families who will be arriving by car, staggered during a 30 minute period at drop off. These drop offs do not last more than 10 minutes. Pick ups are staggered between 3pm and 5pm, and also do not last more than 10 minutes.

In regards to parking for our 4 teachers, one parking spot is available on the property, and 3 cars can park in front of the building. A parking variance is requested.

Both Mary Street and Raynor Avenue are not designated "Residential Parking Only", therefore parking can be shared with the community.

The Vic West Community Plan that was just drafted outlines plans to change Land Use: more support for commercial uses at intersection of major roads, converting single detached houses to commercial or mixed use, maintaining green space therefore allowing for building multi unit houses up to three stories along Skinner St., connecting the Craigflower Village by adding small commercial businesses. But most importantly, one of the goals in the Neighbourhood Plan (Chapter 13, Point 2.2) is to "create more childcare options to support families with children living in Vic West. To support daycares as a use throughout the neighbourhood ... and to consider reduced parking requirements where requested."

A Montessori Childcare Centre fits right into this plan, a plan which was based on community input. We will create more childcare spaces/options - full time spaces, part time spaces and future infant/toddler spaces. Also, we will be creating additional employment opportunities.

The Neighbourhood Plan talks about "Neighbourhood Well-Being", fostering a safe community, an inclusive community. What better solution than adding a Montessori Childcare Centre. A centre completely devoted to nurturing children in their most important formative years - the early years - so that they can develop into healthy, resilient, caring, kind and well-educated citizens.

The City can not do it on its own, and needs the help of private individuals to take on the social responsibility. Our city is growing very rapidly, and we already have a shortage of childcare spaces. This is an opportunity to allow us to create a beautiful, quality childcare centre that will serve the Vic West neighbourhood for many years to come
Victoria Montessori will strengthen the community by bringing families together and supporting them.

We are including many support letters, and on behalf of all the wonderful children and families, that we so lovingly care for, we hope that you can help us to realize this very important project.

Sincerely,

Ivana Tunklova and her wonderful Montessori staff

521 Craigflower Rd. Victoria, BC V9A 6Z5

info@victoriawest.ca www.victoriawest.ca



September 19, 2017

RECEIVED

SEP 27 2017

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

Attention: Mayor and Council

Dear Mayor and Council.

Ivana Tunklova of Victoria Montessori School - Rezoning of 323 Skinner St. from R1-B Single-Family Residential, to a Site Specific Zoning for a Children's Daycare

The Victoria West Community Association, Land Use Committee, hosted a community meeting on Aug.22, 2017 to consider the above noted rezoning application by Ivana Tunklova of the Victoria Montessori School.

The meeting was very well attended. Ivana provided an extensive review of the history of the Victoria Montessori School. The school has been forced to relocate to a new location, for reasons beyond the school's control. Ivana has purchased the home and property at 323 Skinner St. with the intent to rezone the property, and to construct an additional floor level, to accommodate a Children's daycare/school. Ivana would like to keep the School in the same neighborhood and maintain a great relationship with the neighbors and patrons. Ivana mentioned that the building and property will no longer be used as a residence, and the property will be in use during business hours, only. The focus was on the rezoning proposal as compared to the current zoning of the dwelling. A few thoughts and concerns from citizens and L.U.C. members in attendance are:

Building Height Variance -

Ivana has requested a variance for the building height from 7.6 Meters, to 8.5 Meters. This variance has been requested in order for the existing home to be raised, for a new ground floor to be constructed below. The idea is to build upwards and increase the building height, rather than to expand the footprint further into the property setbacks. Ivana has expressed that the existing

vegetation will remain and will provide privacy from/for the neighboring properties. The proposed building will not exceed the height of the neighboring dwellings, and will reflect the neighborhood vernacular. The building height variance request was generally well received from those in attendance.

Parking & Traffic -

A few neighboring property owners in attendance heavily expressed concerns regarding parking and traffic along Mary St., which, travels along the Western edge of the property. On-street parking along the edge of the property are very often occupied and both Mary St. and Skinner St. are considered busy traffic routes. Neighbors have expressed concern that the addition of a Daycare/school may cause much more traffic and parking issues, in addition to the existing traffic and parking. Ivana is willing to cooperate with the neighbors. Many parents and children, and a few of the staff members at the school, walk or bike to the establishment. At the previous location, Parents and attendees of the daycare/school are given strict conditions for parking. One parent in attendance spoke regarding her child attending the school, and the parking conditions. She spoke of the parking efficiency and strict guidelines that the school has. Vehicles were limited to a "Drop-off" zone and were only present for shorter periods of time. Drop-off times are/were staggered into two separate groups and times, for attendees of the daycare/school. As a result, The Victoria Montessori School traffic and parking was not a concern to the neighboring dwellings, public, and other drivers. Ivana has mentioned that similar conditions will be applied to the new daycare/school's location, and that she is open to discussing parking concerns and solutions with the existing neighbors.

The general consensus in the meeting was the acceptance of the proposal, with concerns that parking concerns be addressed and maintained. The meeting concluded on a positive note and discussion continued with Vic West residents, as well as Ivana after the meeting. The community meeting was successful in updating Vic West on the proposed amendments to 323 Skinner St.

Sincerely,

Sean Dance, Chair
Vic West Land Use Committee



November 16, 2017

Re: Rezoning application REZ00608, DPV0052
 Subject Property: 323 Skinner Street, Victoria West.

Re-submission of rezoning application itemised list that addresses requirements received from City of Victoria plan check of drawings submitted on first re-zoning application.

Conditions to be met prior to the Committee of the Whole:

1. The building design has been reduced from the proposed 3 storey structure to a 2 storey structure to comply with the current OCP Traditional Urban Place Designation.
2. The site plan has been revised to show the provision for 1 parking spot including the dimensioned width of the drive aisle and the slope of the driveway. Also included is the provision of covered and secure bicycle storage adjacent to the car parking spot. In addition a Parking Study has been submitted documenting the current parking usage on the adjacent streets to support the allowance for an off-set to the parking requirements.
3. The building height issue has been addressed by reducing the building height from 3 storeys down to 2 storeys. The parking issues have been addressed in the parking study accompanying our re-zoning submission.
4. A canopy has been added that to the building elevations to better address both street frontages and help identify the front entrance and doorways facing Mary Street.
5. The labelling of the building materials has been shown on the revised elevations of the drawing submission.
6. Coloured plans and a material board has been included in our re-submission of our re-zoning application.
7. A building code review has been completed on the building design and additional information has been included on the drawings to address the code requirements including internal travel distances and exiting.
8. A revised letter to the Mayor and Council addressing the items listed has been included in our re-submission documents.
9. A study of the sewage flow rates has been conducted by a qualified engineer. A copy of the sewage flow rate study has been included in this zoning application re-submission.

November 15, 2017

Page 1

The revised rezoning application - Application: REZ No.00608 and DVP No.00052

- The property to be rezoned for a Montessori Childcare Centre is at 323 Skinner St., corner of Skinner St. and Mary St.
- Presently the house is a 1000sq feet rancher. It presents a reasonably easy conversion into a two storey house. This conversion would involve lifting the house. The footprint will not change. This will preserve all trees and green canopy. The first floor will be 1000 square feet and the second floor will be 1000 square feet. The required square footage by licensing will allow 16 children on the first floor, and 16 children on the second floor. Four teachers will be employed at Victoria Montessori. The operating hours are 8am to 5pm.

- **Practical and ideal location for many reasons:**

1) Only 2 neighbours are adjacent to the property. It is easily accessible, with the entrance on Mary St. Pick ups and drop offs of children are very quick, between five and ten minutes. Also, pick ups are staggered between 8am and 8:30am, and drop offs between 3pm and 5pm. As for the noise level, a Montessori School is not a loud school, and after 5pm, on weekends and during holidays the building is completely quite.

Presently 40% of our parents walk or bike to school as we are a neighbourhood school, (many new cyclists with the new bike lanes).

Teachers have 1 parking spot on the property, and three teachers can park on the street. In our previous location - the Annex beside Vic West - we had no parking at all, and it was never an issue for 14 years. **Find attached a study on parking patterns on Mary Street.**

2) It is a 5 minute walk from the Vic West Elementary - an ideal location for parents dropping off their older children at Vic West Elementary and walking or biking with their toddlers to Skinner St. Also, the house is in close proximity to trails for nature walks, and Banfield Park.

- **Building Design:**

1) Architecturally pleasing beam with canopy above doors will be created to enhance the transition from the street to the building entrances. See Elevation Plan (North, South and West) - a beam on the outside of the hardy planks(wood/metal flashing), canopy/awning will be attached

2) Building materials: Hardy Planks on the lower part of the building, the planks will go past the belly band so to minimize the appearance of the lift. Cedar Planks around main entrance to create an inviting entryway (see North Elevation), continuing around the corner (see West Elevation).

The upper part of the building will be Hardy Panels so to enhance the clean lines of the hardy planks and the cedar siding. The colour scheme is off white and grey which will compliment the neighbourhood and the natural surroundings.

- **Transportation Review:**

Find attached a study on parking patterns on Mary Street.

- **Underground Utilities:**

Mr. Bruce Crawshaw was hired to determine whether the proposed preschool will require sewer attenuation or not. Report will be submitted in the next week.

Bruce Crawshaw, P.Eng., LEED AP

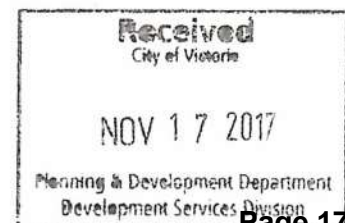
WESTBROOK CONSULTING LTD.

#115 - 866 Goldstream Avenue

Victoria, BC, V9B 0J3

Phone: (250) 391-8592 ext. #223

Fax: (250) 391-8593



- **Parks Division:**

Mr. Darryl Clark, consulting arborist from D Clark Arboriculture, was hired to provide an arborist report that the four publicly owned trees on the boulevard surrounding the proposed development, are reviewed and tree protection measures will be taken. Report will be submitted in the next week.

- **Permits and Inspections Division:**

1) The architect, who will be working on the proposed development is Mr. Alan Lowe from Alan Lowe Architect inc.
2) Travel distances are indicated on the Main Floor plan, and Second Floor plan. Exit is clearly marked on the First Floor. Exit is marked on the Second Floor.

- **Green items:**

The preservation of trees and planting of more trees are part of the green features contained within the development of the property - existing plum tree, raised vegetable beds, planting of cedars (see Landscaping Plan). Additional green features are: installation of one EV station, secured and protected bike racks, installation of solar panels, hardy planks on the exterior, energy efficient windows, vinyl flooring with renewable cork backing, low VOC paint, water efficient plumbing fixtures and toilets.

It takes a village to raise a child, and we need to create childcare spaces that are completely devoted to nurturing children in their most important formative years so that they can develop into healthy, resilient, caring, kind and well-educated citizens. The City can not do it on its own, and needs the help of private individuals to take on the social responsibility. Our city is growing very rapidly, and we already have a shortage of childcare spaces. This is an opportunity to allow us to create a beautiful, quality childcare centre that will serve the Vic West neighbourhood for many years to come.

- **The Vic West Community Plan Draft:**

1) Outlines plans to change Land Use: more support for commercial uses at intersection of major roads, converting single detached houses to commercial or mixed use, maintaining green space therefore allowing for building multi unit houses up to three stories along Skinner St., connecting the Craigflower Village by adding small commercial businesses.

2) Further, the goal in the Community Plan is to "create more childcare options to support families with children living in Vic West" (Chapter 13, Point 2 of the Plan)

We have presently 50 children on our waitlist for the 2018 school year.

Parking patterns on Mary Street:

Parking patterns observed during a two week period in September 2017.

Parking patterns were observed from Monday to Friday during the following hours: from 8-8:30am which is the drop off period, and between 3pm and 5pm which is the pick up period. During these periods there were always at least 10 parking spots available on Mary Street. We also observed parking patterns on Raynor Avenue, specifically the two blocks between Catherine Street and Russell Street during the same drop off and pick up period. Raynor Avenue has multiple parking availabilities.

Victoria Montessori will have an enrolment of 32 children. As we are a neighbourhood childcare facility at least 40% of our families will be arriving by foot or bicycle. This has been the average for the last 14 years. This leaves approximately 20 families who will be arriving by car, staggered during a 30 minute period at drop off. These drop offs do not last more than 10 minutes. Pick ups are staggered between 3pm and 5pm, and also do not last more than 10 minutes.

In regards to parking for our 4 teachers, one parking spot is available on the property, and 3 cars can park in front of the building. A parking variance is requested.

Both Mary Street and Raynor Avenue are not designated "Residential Parking Only", therefore parking can be shared with the community.



D. Clark Arboriculture
2741 The Rise Victoria B.C. V8T-3T4
(250)474-1552 (250)208-1568
clarkarbor@gmail.com
www.dclarkarboriculture.com
Certified Arborist PN-6523A
TRAQ Certified
ISA Tree Risk Assessor CTRA 459

Arborist Report for Development Purposes
Re: Proposed Construction

Site Location: 323 Skinner St., Victoria BC
Darryl Clark PN-6253A TRAQ Certified
November 17, 2017

November 17, 2017

Victoria Montessori Preschool and Childcare
1250 Highrock Ave. Victoria BC V9A 4V8

Re. Proposed Construction
323 Skinner St. Victoria BC V9A 3B5

Scope of Work

D. Clark Arboriculture has been retained by Victoria Montessori Preschool and Childcare to provide comments on trees impacted by a potential house raise, and a Tree Protection Plan for the property at 323 Skinner St. as per the requirements of the City of Victoria.

Summary

Construction on a building, specifically a house raise, at 323 Skinner St. will impact the Protected Root Zone of no bylaw protected trees on the property, 5 non-bylaw protected trees on the property and 4 city owned boulevard trees. The trees at 323 Skinner St. require tree protection measures for retention including tree protection fencing, root zone barriers and supervision of activities in the protected root zone of the trees. Construction can proceed following the recommendations in this report.

Introduction and Methodology

I (Darryl Clark) visited the site on Nov. 11, 2017 at 8:20 am to perform an assessment of trees on-property and off-property that could potentially be impacted by proposed development. Site conditions surrounding affected trees were favorable with a well maintained landscaped yard and clear and maintained city boulevard on the south and west sides. A design provided by our client indicates building changes including modifications to the existing height of the building as well as exterior and interior renovations. This report was completed on November 17, 2017.

Tasks performed include:

- An aerial site map was marked indicating tree locations
- visual inspection of (6) on-property and (5) off-property "protected" trees was performed, and notes were collected on health and structural condition
- Photos were taken to document the site and affected on-property and off-property trees
- Tree height was estimated to the nearest metre.
- A scaled survey map is included with tree protection overlaid for reference

Tree Inventory

Tree Inventory									
Tag #	Species	cm/DBH	Height/m	PRZ/m	Canopy/m	Structure	Health	Retain/Remove	Bylaw Protected
1	<i>Malus pumila</i>	3	2	0	1	Fair	Poor	Retain	No
2	<i>Malus pumila</i>	5	3	1	1	Fair	Poor	Retain	No
3	<i>Prunus domestica</i>	22	4	3	5	Good	Good	Retain	No

4	<i>Salix matsudana</i>	16	4	2	4	Fair	Good	Retain	No
5	<i>Prunus pissardii</i>	44	4	5	5	Good	Good	Retain	No
6	<i>Acer macrophyllum</i>	31	5	4	3	Fair	Good	Retain	No
29914	<i>Crataegus lavallei</i>	8	5	1	1	Good	Good	Retain	City Owned
29953	<i>Prunus serrulata</i>	27	5	3	6	Good	Good	Retain	City Owned
29952	<i>Acer Saccharinum</i>	85	9	10	12	Fair	Good	Retain	City Owned
29951	<i>Acer macrophyllum</i>	92	9	11	8	Fair	Good	Retain	City Owned
29950	<i>Acer macrophyllum</i>	55	9	7	9	Fair	Good	Retain	City Owned

DBH-Diameter at Breast Height. Measured at 1.4m from the point of germination. Where the tree is multi-stemmed at 1.4m, the DBH shall be considered 100% of the largest stem and 60% of the sum of the remaining stems, rounded to the nearest cm.

PRZ-Protected Root Zone. The PRZ shall be considered 12x the DBH, rounded to the nearest whole meter.



Impacts of Construction

The proposed construction is to clear the lot to make way for a new daycare/preschool. Construction is not expected to have an overall negative impact on any tree marked for retention, or its health and vitality.

Equipment traffic in and out of the site is expected to impact the root zone of all trees. Access to the site will be from the front of the property through the main gate off Skinner and the driveway off Mary. Additional paths for large beams may be required.

Excavation for capping of services has not yet been determined to impact protected trees.

Excavation for the removal of the existing foundation may impact the protected root zone of city owned trees #29950, 29951, 29952 and 29953.

New water sewer and potentially storm water services may require upgrades. Electrical service is expected to impact tree #29950 and 29951. Natural gas is not expected to be brought in to the building.

Tree Protection Plan

The Protected Root Zone (PRZ) of all protected trees recognized in this report shall be 12 times the diameter of the tree.¹

During construction protection fencing will be installed, the construction and location of which will be approved by the project arborist. Tree protection fencing must be anchored in the ground and made of 2x4 or similar material frame, paneled with securely affixed orange snow fence or plywood and clearly marked as TREE PROTECTION AREA- NO ENTRY (See appendix A for an example). The area inside the fence will be free of all traffic and storage of materials. Areas outside the tree protection fence but still within the protected root zone (PRZ) may be left open for access, as work areas and for storage of materials. These areas will be protected by vehicle traffic with either 3/4" plywood or a minimum 20cm of coarse wood chips (see Site Plan for suggested locations of each). Tree protection measures will not be amended in any way without approval from the project arborist. Any additional tree protection measures will be documented in a memo to Victoria and the developer.

Excavation inside the Protected Root Zone of any tree identified in this plan for any reason will take place under the supervision of the project arborist or their designate. Working radially inward toward the tree, the excavator will remove the soil incrementally with a non-toothed shovel allowing any exposed roots to be pruned to acceptable standard by the project arborist. Any excavation of the stump of a tree inside a PRZ must be supervised by the project arborist. As well, any excavation for underground services inside a PRZ will be supervised by the project arborist. Where applicable, a hydro-vac or Airspade® may be employed to expose critical roots and services.

Any pruning of protected trees will be performed by an ISA (International Society of Arboriculture) certified arborist, to internationally recognised best management practices.

Excavation will be occurring in the PRZ of protected trees. Any excavation within or adjacent to the PRZ at any depth for any reason must be supervised by the project arborist. This includes excavation for all underground services, driveways and sidewalks, and structural foundations and the removal of any stumps in the PRZ by an excavator or similar machine. Working radially inward toward the tree, the excavator will remove the soil incrementally with a non-toothed shovel allowing any exposed roots to be pruned to acceptable standard by the project arborist. Roots that have been pruned are to be covered with a layer of burlap and kept damp for the duration of the project.

All paved surfaces that are new and inside the PRZ of protected trees will employ alternative construction methods including loadbearing geotextile fabric or a geogrid/geocell system. A memo will be provided to the developer and the city after a construction method has been chosen to be approved before proceeding with construction of any paved surfaces.

Role of the Project Arborist

¹Best Management Practices (BMP) - Managing Trees During Construction, Second Edition By Kelby Fite and E. Thomas Smiley

No aspect of this Tree Protection Plan will be amended in whole or in part without the permission of the project arborist. Any amendments to the plan must be documented in memorandums to the municipality and the developer.

The project arborist must approve all tree protection measures before demolition and/or construction is to begin.

A site meeting including the project arborist, developer, project supervisor and any other related parties to review the tree protection plan will be held at the beginning of the project.

The developer may keep a copy of the tree protection plan on site to be reviewed and/or initialed by everyone working inside or around the PRZ of trees.

The project arborist is responsible for ensuring that all aspects of this plan, including violations, are documented in memorandums to the municipality and the developer.

Replacement Trees

Victoria requires two replacement trees be planted for every bylaw protected tree removed. Should any tree(s) require removal during this project, replacement tree locations will be determined when a landscape plan is finalized, and a map of those locations will be submitted to Victoria and the developer in a memo before the completion of the project. Should suitable locations not be available, the developer may seek to donate the trees to a location determined by the municipality.

Trees #2, 3 and 6 are not bylaw protected and should be considered for removal prior to construction. In the case of #2 and 3, their poor health warrants removal. In the case of #6, it is clearly a tree from seed or sucker that would not have been planted in this location. Its location and structure are likely to lead to issues with related to risk and infrastructure in the future. If these trees are to be removed it is recommended that no penalties be applied under this tree protection plan.

Thank you for the opportunity to comment on these trees.

Should any issues arise from this report, I am available to discuss them by phone, email or in person.

Regards,

Darryl Clark

Certified Arborist PN-6523A

TRAQ Certified

ISA Tree Risk Assessor CTRA 459

Disclosure Statement

An arborist uses their education, training and experience to assess trees and provide prescriptions that promote the health and wellbeing, and reduce the risk of trees.

The prescriptions set forth in this report are based on the documented indicators of risk and health noted at the time of the assessment and are not a guarantee against all potential symptoms and risks.

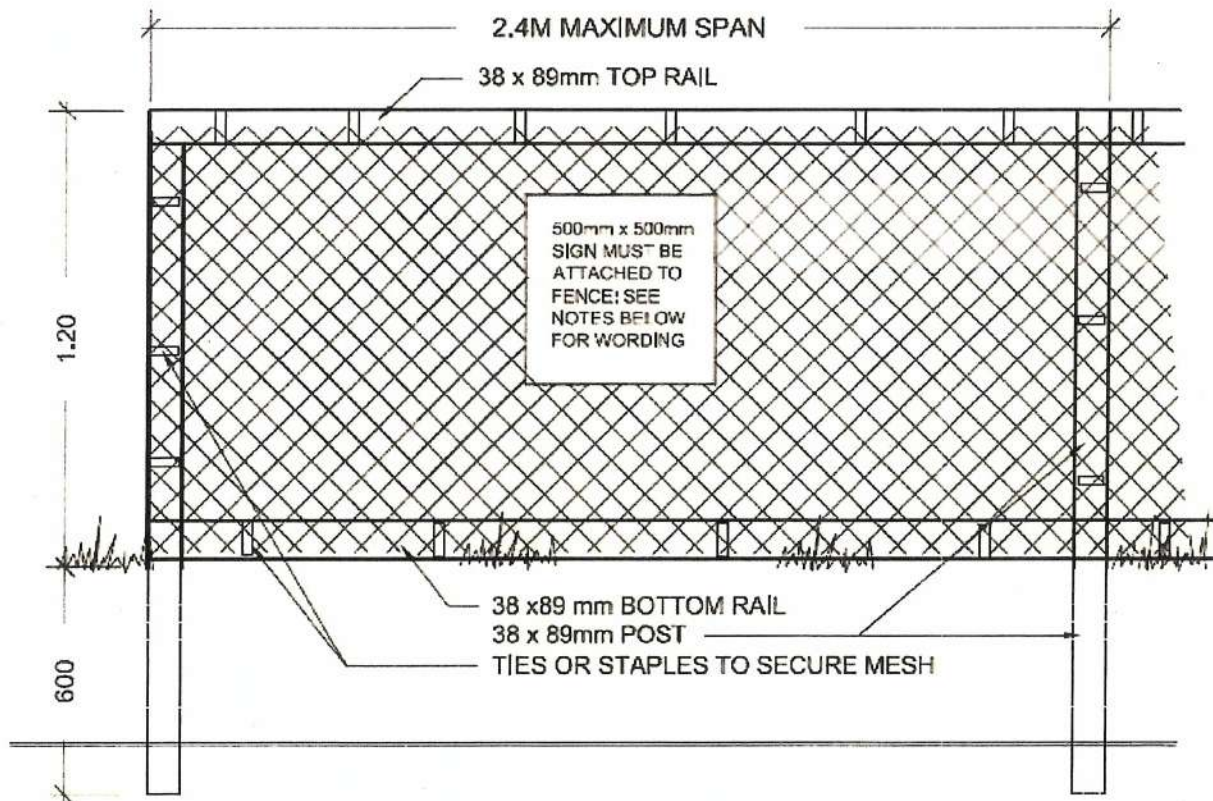
Trees are living organisms and subject to continual change from a variety of factors including but not limited to disease, weather and climate, and age. Disease and structural defects may be concealed in the tree or underground. It is impossible for an arborist to detect every flaw or condition that may result in failure, and an arborist cannot guarantee that a tree will remain healthy and free of risk.

To live near trees is to accept some degree of risk. The only way to eliminate the risks associated with trees is to eliminate all trees.

Assumptions and Limiting Conditions

- Altering this report in any way invalidates the entire report.
- The use of this report is intended solely for the addressed client and may not be used or reproduced for any reason without the consent of the author.
- The information in this report is limited to only the items that were examined and reported on and reflect only the visual conditions at the time of the assessment.
- The inspection is limited to a visual examination of the accessible components without dissection, excavation or probing, unless otherwise reported. There is no guarantee that problems or deficiencies may not arise in the future, or that they may have been present at the time of the assessment.
- Sketches, notes, diagrams, etc. included in this report are intended as visual aids, are not considered to scale except where noted and should not be considered surveys or architectural drawings.
- All information provided by owners and or managers of the property in question, or by agents acting on behalf of the aforementioned is assumed to be correct and submitted in good faith. The consultant cannot be responsible or guarantee the accuracy of information provided by others.
- It is assumed that the property is not in violation of any codes, covenants, ordinances or any other governmental regulations.
- The consultant shall not be required to attend court or give testimony unless subsequent contractual arrangements are made.
- The report and any values within are the opinion of the consultant, and fees collected are in no way contingent on the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, or any finding to be reported.

Appendix A

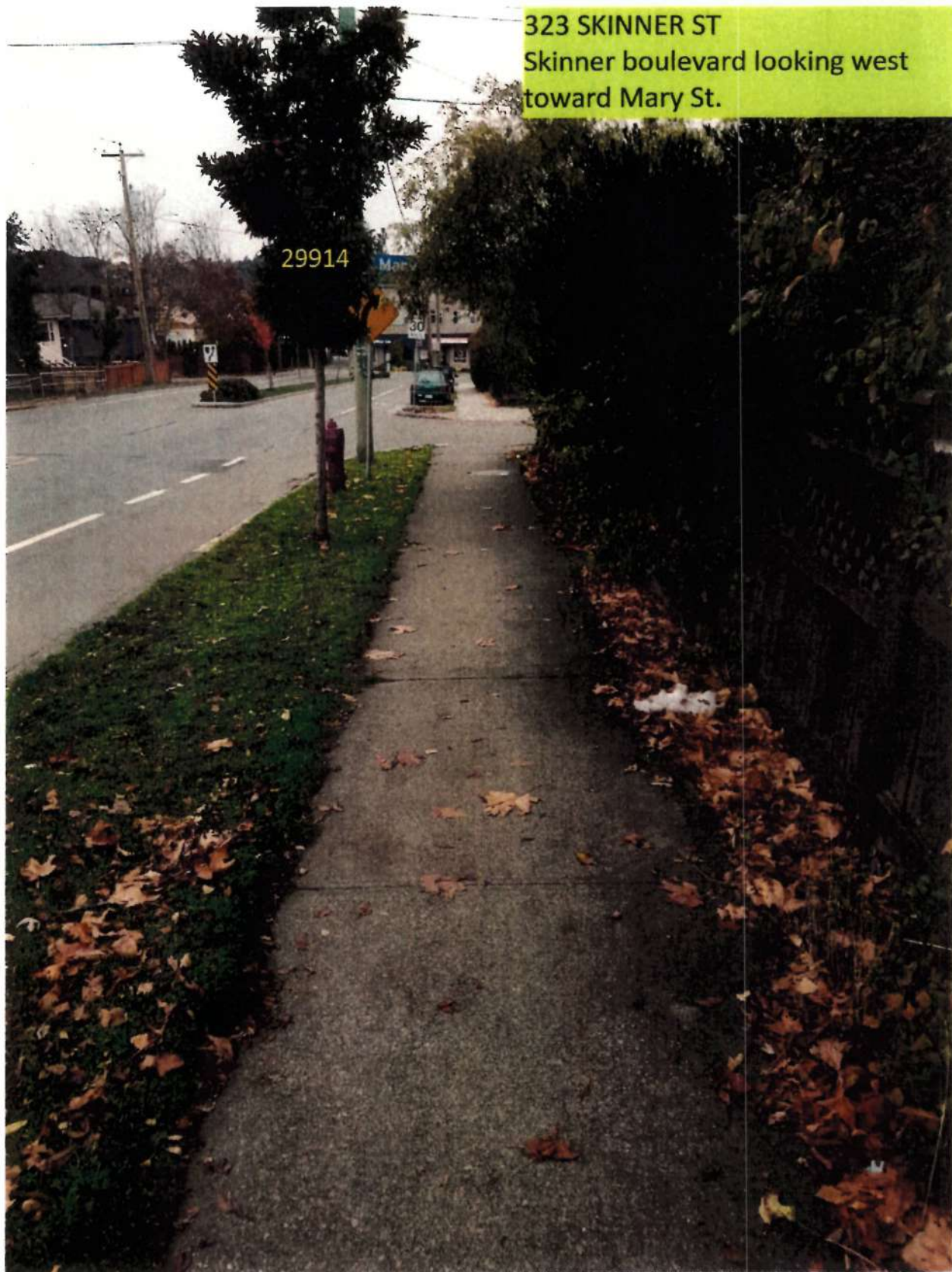
**TREE PROTECTION FENCING****Tree Protection Fencing Specifications:**

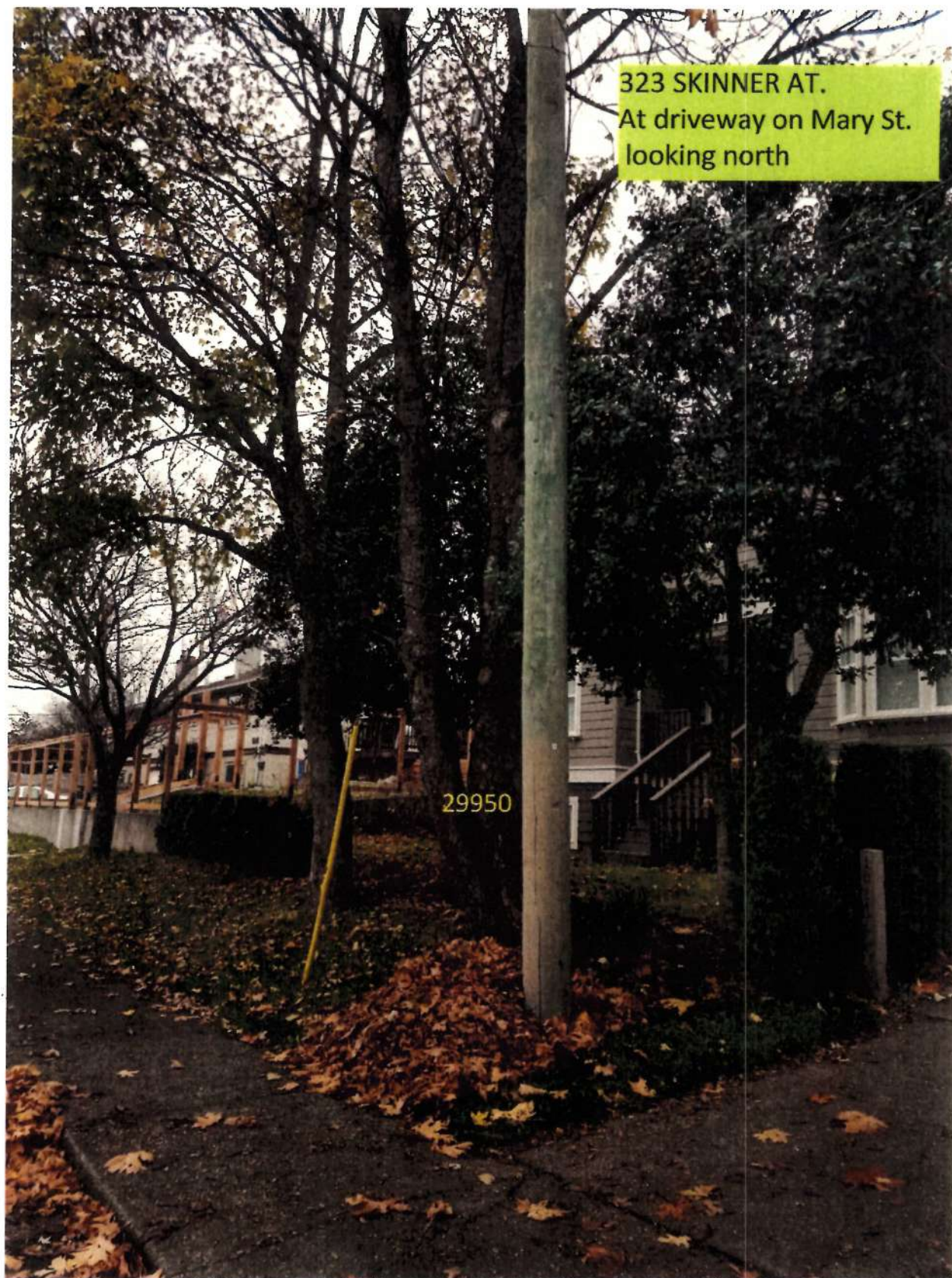
1. The fence will be constructed using 38 x 89 mm (2" x 4") wood frame:
 - Top, Bottom and Posts. In rocky areas, metal posts (t-bar or rebar) drilled into rock will be accepted
 - Use orange snow fencing mesh and secure to the wood frame with "zip" ties or galvanized staples. Painted plywood or galvanized fencing may be used in place of snow fence mesh
2. Attach a roughly 500 mm x 500 mm sign with the following wording: **TREE PROTECTION AREA-NO ENTRY**. This sign must be affixed on every fence face or at least every 10 linear metres.











Page 191 of 409

Jeannie Achuff
420 Raynor Ave
Victoria BC
V9A 3A6

September 1, 2017

To Whom It May Concern:

I have recently become aware of Ms. Ivana Tunklova's plans to relocate her preschool, Victoria Montessori, to a property around the corner from my house on Skinner Rd. I was very excited when I learned of this plan, as my son attended Victoria Montessori at the location it occupied for close to 15 years next to Vic West Elementary.

Vic West is growing and changing rapidly, and as single parent I value deeply what this neighbourhood has to offer as far as community, diversity of services, walkability, and family-friendly assets. Our family has been involved in the tradition of Montessori education for 3 generations and I can attest to the uniqueness of this approach to fostering growth and development for the youngest members of our community. I have come to know a number of families all within walking distance of the old school location, as well as this new proposed location, and I can safely say that the neighbourhood will be, overall, very pleased to keep this particular quality of school in our local community.

While there may be concerns about increased traffic and noise coming from the school, I know the patterns of this program and I know Ms Ivana's commitment to being a good neighbour, so I am confident that she will be an excellent addition to our particular neck of the woods and will work openly with neighbours to create a plan that feels good to everyone.

In summary, this letter is to express my full support and excitement to welcome Victoria Montessori to our little corner of Vic West. I hope that the city grants her requests for rezoning such that she may beautify the property as intended and bring another level of vitality to our locale.

With Kind Regards,



Jeannie Achuff

Hello!

When I recently found out - through a flyer that came in our mailbox - of the possibility of a Montessori School opening in our neighbourhood, I was immediately thrilled!

It will be exciting to see a new hub, devoted entirely to the nurturing of young minds in our community.

Overall I believe this opportunity will increase the familial and community values I want to be surrounded by, and that I see many other neighbourhoods benefit from.

Thank you for taking the time to hear these thoughts and if I can be of any further assistance, please do not hesitate to contact me.

Sincerely,
Carolyn Morris
415 Raynor Avenue, VicWest:)

[REDACTED]
[REDACTED]



Victoria Montessori Preschool
1250 Highrock Ave.
Victoria, BC, V9A 4V7
250.380.0534
victoriamontessori@shaw.ca

To Whom It May Concern:

I am a professional with two young children and I well know the challenges of finding quality, affordable daycare for my children.

I am writing to request that you work with School District 61 to delay the eviction of the Victoria Montessori preschool from its rented facility on the school grounds of Vic West Elementary until the 2018-19 school year (at which time the preschool will relocate to a private, local facility). I recognize that the recent ruling by the Supreme Court on class sizes necessitates the school board to make use of all available space, but in this case such expansion is at the expense of a beloved and desperately needed local childcare facility.

My family is one of 30 that would be directly affected by this eviction. The removal of the Victoria Montessori preschool from our neighbourhood would be a loss to the community and would send us all scrambling for local childcare. The proposed alternative locations for the 2017-18 are a considerable distance from its current location, and do not offer the same resources. This is a challenge for the majority of us who depend on local childcare accessible without a vehicle.

In the words of your party's leader John Horgan, the lack of affordable childcare in this province is a crisis. Evicting the Victoria Montessori preschool and **relocating it outside of the neighbourhood would remove one of the few preschools in our community**. Finding childcare is difficult and stressful, and I worked hard to find a preschool that was the right fit for my spirited preschooler. **The location of the Victoria Montessori Preschool and the excellent care and curriculum suit the needs of my child perfectly, and my child could not be happier. It would be a major disruption to my son and our family to have the Victoria Montessori preschool removed from our neighbourhood, even temporarily.**

Sincerely,
Sandy Allen

To Whom It May Concern

It has come to my attention that Victoria Montessori Preschool space is being affected by the recent Supreme Court's decision, threatening school's existence at the current location. Both my children are enrolled at Victoria Montessori and as such, this issue is of critical importance to me. I am writing in support of Ivana Tunklova and Victoria Montessori Preschool. **It is very difficult to find high quality early childhood education in Victoria that would be on par with Victoria Montessori.**

Thank you!
Sincerely,
Vanja Petrovic



Victoria Montessori Preschool
1250 Highrock Ave.
Victoria, BC, V9A 4V7
250.380.0534
victoriamontessori@shaw.ca

Committee of the Whole - 25 Jan 2018

To Whom It May Concern

We are greatly opposed to the idea of moving the Victoria Montessori Preschool from its present location. First and foremost of course is how this will affect our daughter. There are many reasons why we chose this school, and why she is so happy there, but **the location was a key factor.** The classroom is a very nice space with lots of natural light and a perfect fit for the number of students. The outside area is wonderful and as a parent I appreciate so much that my three year old has such a safe outside area to play in. Not every playground is that safe where children have the freedom to play without worry. Furthermore, our daughter took a very long time to adapt to attending school and I am concerned that a new location will make it all very difficult for her again.

It does not make sense to put a preschool classroom in a school with pre-teens. At such a vulnerable age, I do not want my daughter on a playground with 12 and 13 year olds. I have never before seen a mix of a preschool and a middle school - because it is a bad idea!

A change in location will also negatively affect our bike commute to and from work. It will take longer to get to the new proposed location from downtown on the bike and this will negatively impact my work schedule. I also am concerned about having a safe, covered place to lock the bike trailer. Bike trailers are targets for thieves and I appreciate that we can safely leave ours at the current location.

Perhaps if the appropriation announcement had been made earlier it would have been more acceptable, but this is extremely short notice for a very significant change. As a parent I have no option to find a new preschool if we do not like the new location. Daycare space is almost as difficult to find as a rental in Victoria, and we have already committed to next school year - in its current location!

Moving the school will cause our daughter and us a lot of difficulties. We ask you to please reconsider and leave the school where it is for just one more year.

Sincerely,
Nancy Wyeth and Cosme Esparza

To Whom It May Concern,

As you know, British Columbia -- particularly fast-developing areas like Victoria -- is suffering from a shortage of licensed childcare spaces. While parents of children at Victoria Montessori consider themselves lucky to have access to such high-quality care, this isn't a luxury for our families. We as parents all depend on this childcare so that we can work and sustain reliable employment. **Many of us have chosen Victoria Montessori not just for its excellent reputation, but also because of its location near our homes or workplaces. A change in location, if far from the centre's current site, would pose significant hardship for families who may be forced to find alternative care where there isn't much to spare in this city.**

Sincerely,
Sutton Eaves
150 Memorial Crescent
Victoria, BC



Victoria Montessori Preschool
1250 Highrock Ave.
Victoria, BC, V9A 4V7
250.380.0534
victoriamountessori@shaw.ca

To Whom It May Concern,

We are a family who would be impacted by the School District's recent decision regarding the space currently occupied by Victoria Montessori Preschool at Vic West Elementary. It is our understanding that the preschool has purchased a house in the area that will be hopefully ready in time for the 2018/2019 school year.

Our 4-year-old son currently attends Victoria Montessori Preschool, will be attending over the summer and is enrolled for the 2017/2018 school year. We are two working parents and also have a 20-month-old daughter who we are fortunate to have cared for by extended family. Finding a preschool that met the needs of our entire family (including extended family) was a challenging process, so we were thrilled and relieved to get a spot at Victoria Montessori when our son was 2.

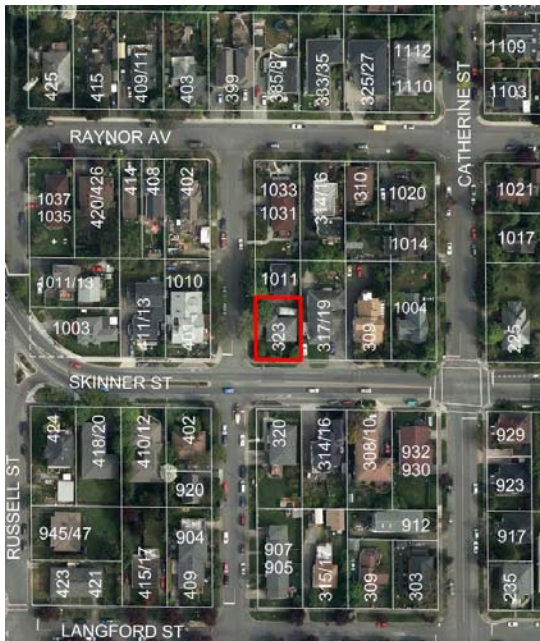
We chose Victoria Montessori because it had an excellent reputation, and the location was very convenient in relation to our workplaces and our daughters' caregivers, especially as we rely on assistance from extended family with respect to pick ups and drop offs. Another important consideration in choosing Victoria Montessori was its private classroom and fully enclosed and secure yard and playground for the children. Our son has flourished in his first year at this school and we are confident that this will continue in his second year. He had a long period of adjustment and anxiety when he first began attending out-of-home care and we are concerned that a move will cause more stress.

If you have any questions or wish to discuss this matter further, please do not hesitate to contact us at [REDACTED]

Sincerely,

Anne and Curtis Vogt

Rezoning Application for 323 Skinner Street



323 Skinner Street



1011 Mary Street (North)



401 Skinner Street (West)



317 Skinner Street (East)

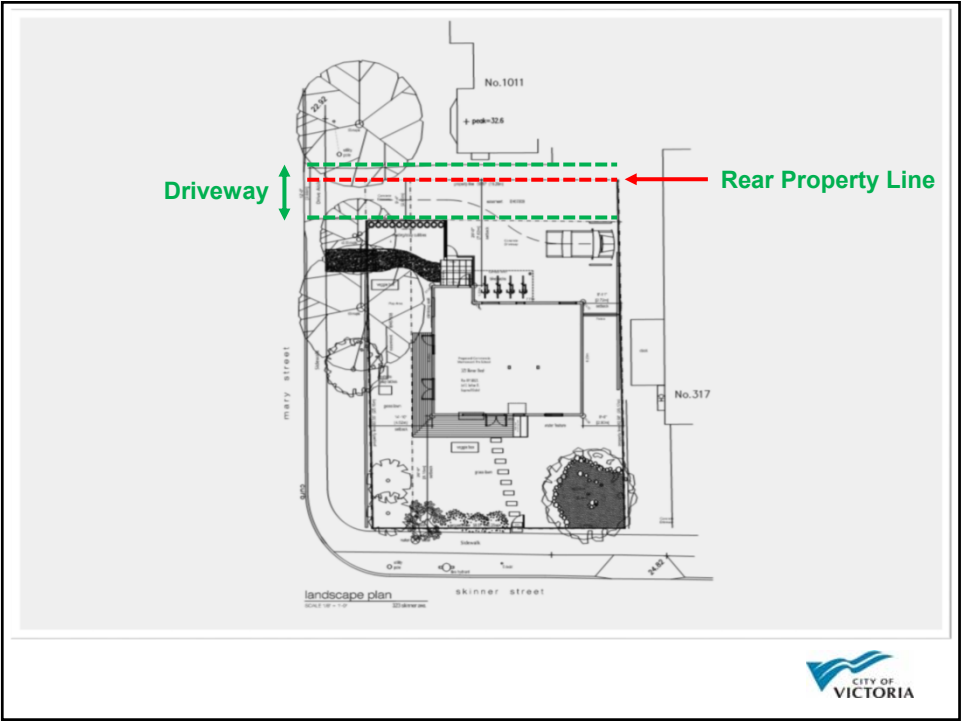
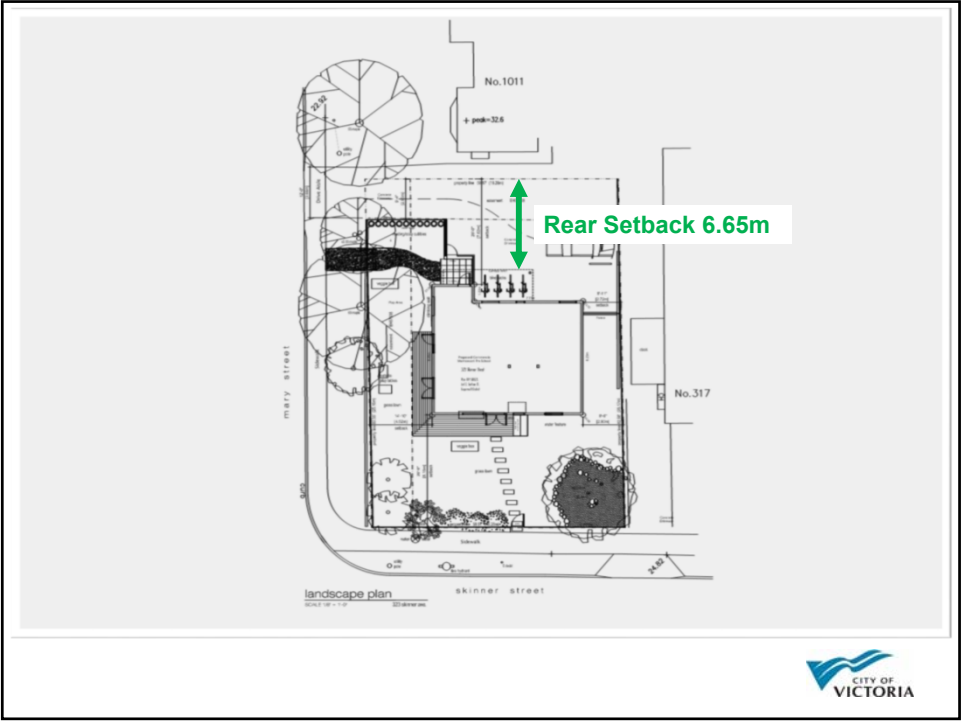


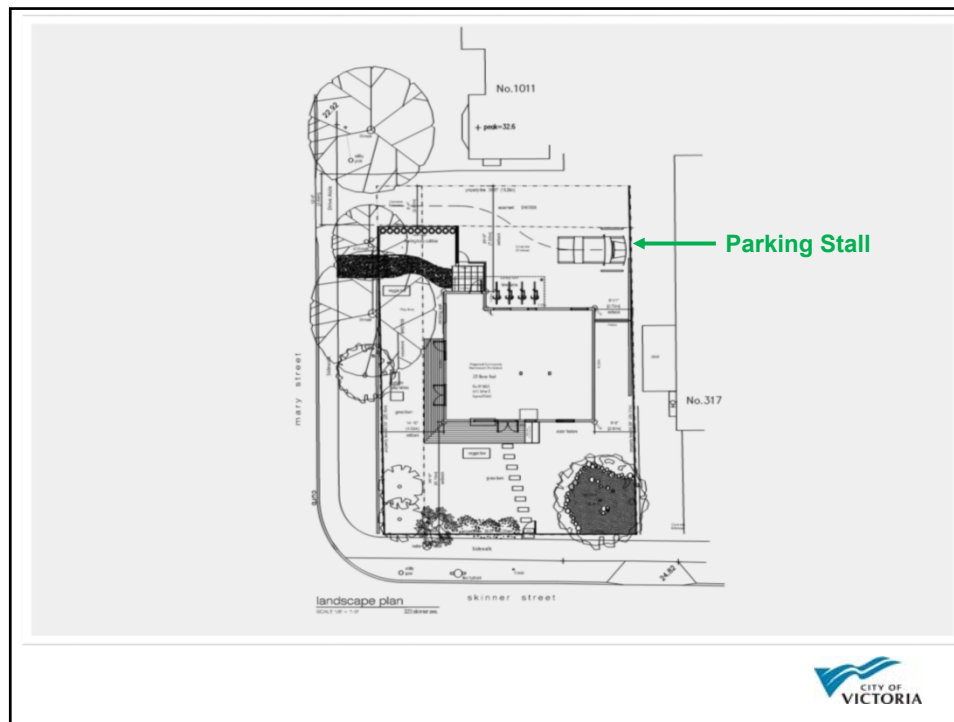
320 Skinner Street (South)



Building Elevations

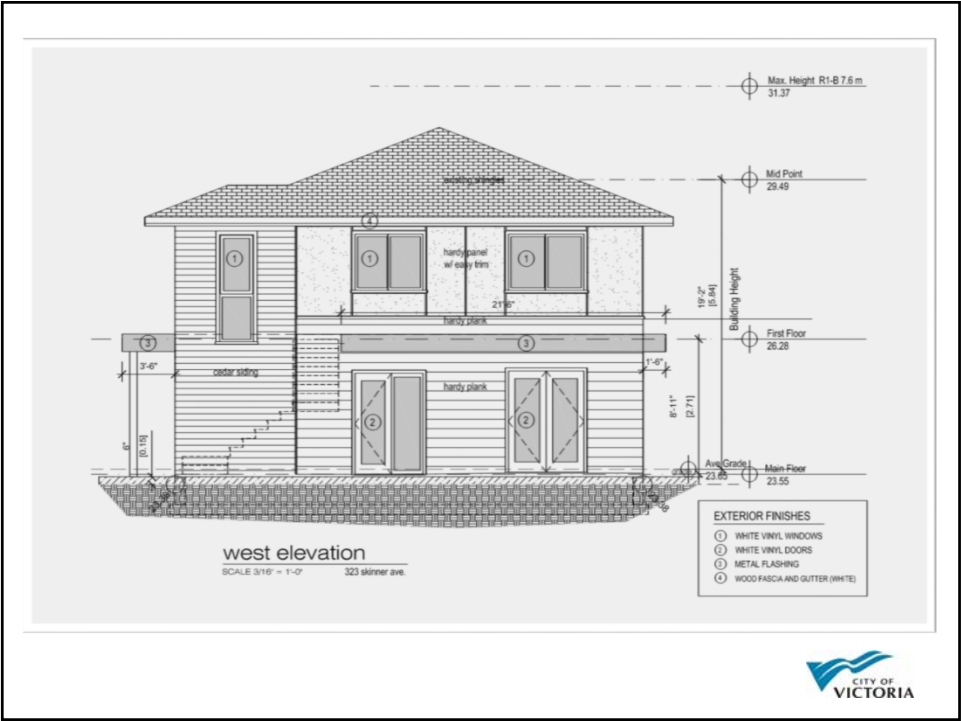
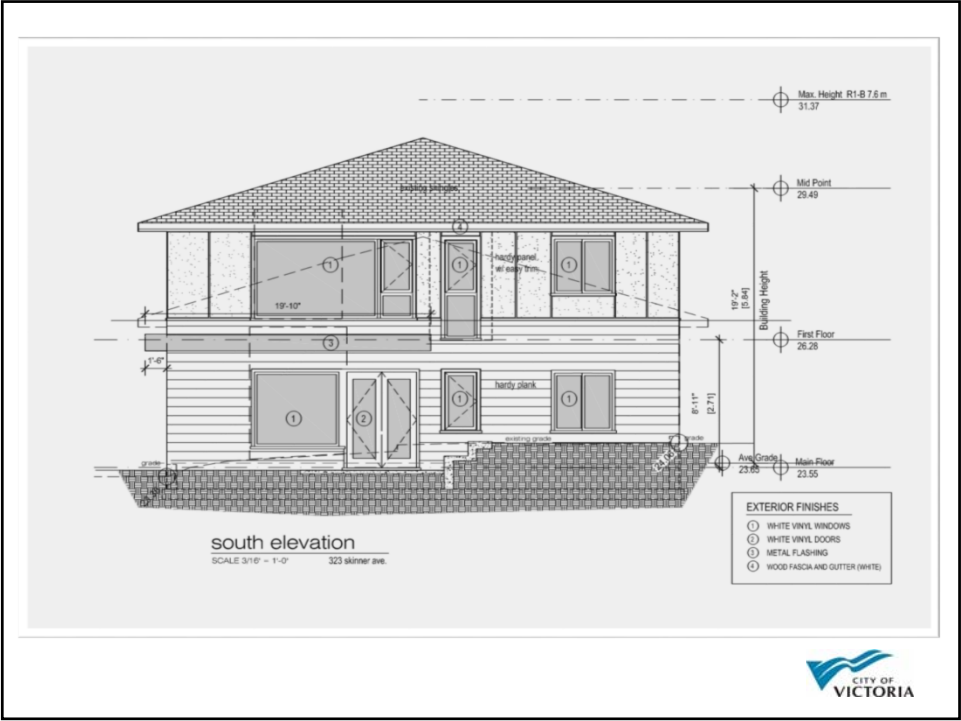


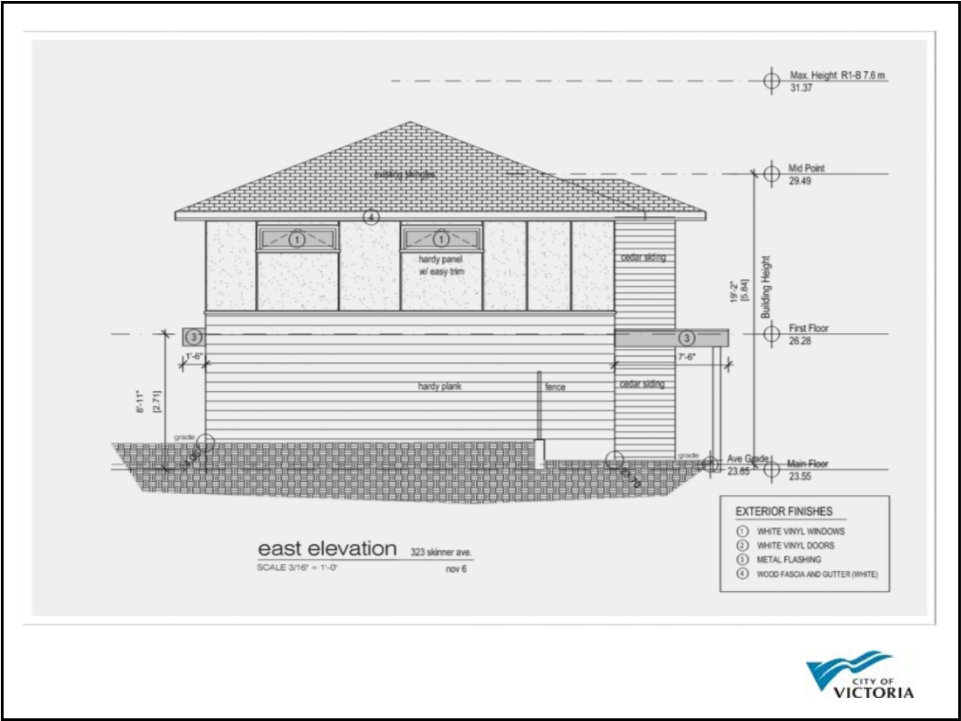
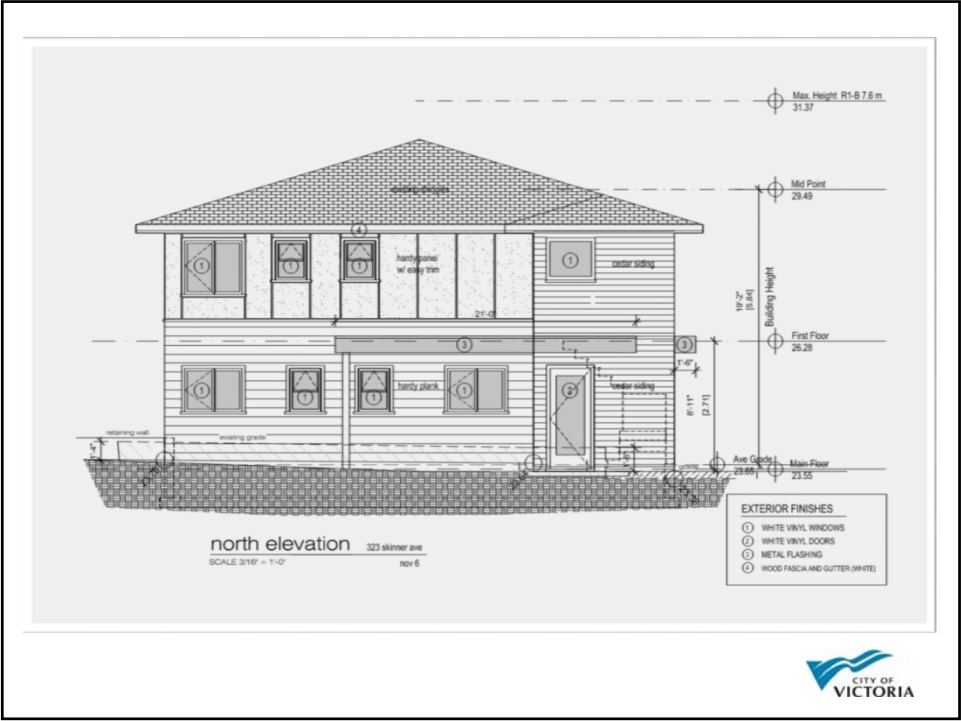


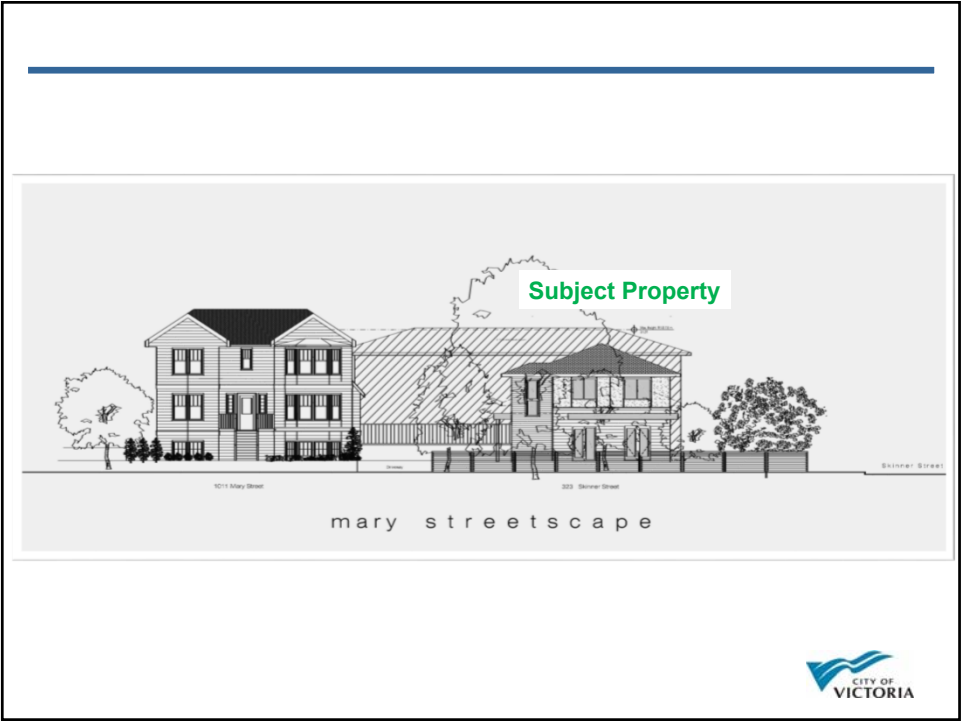


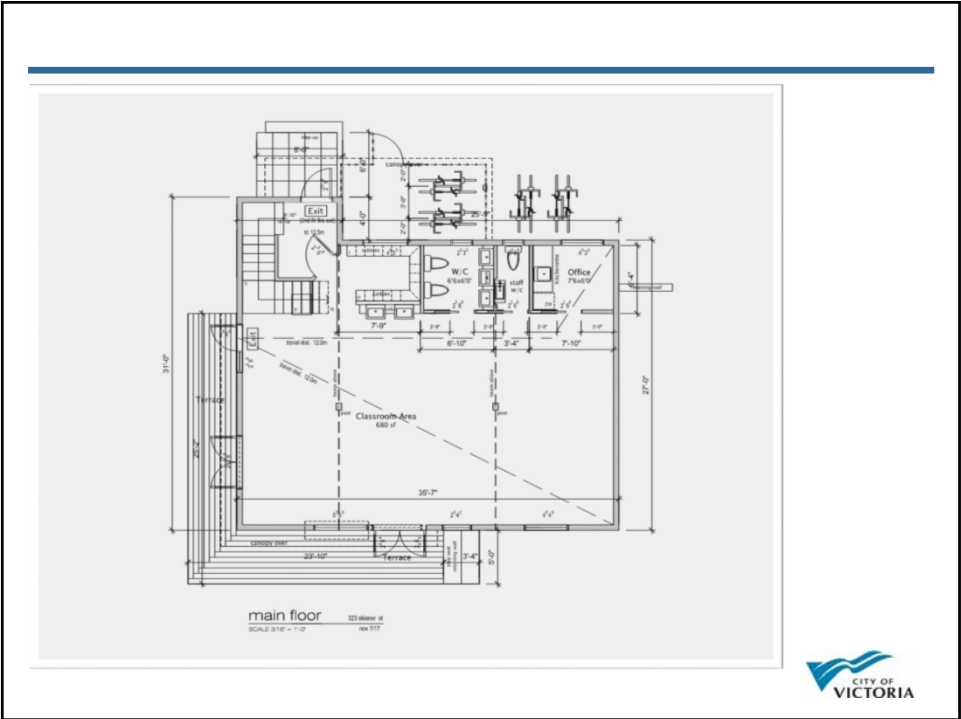
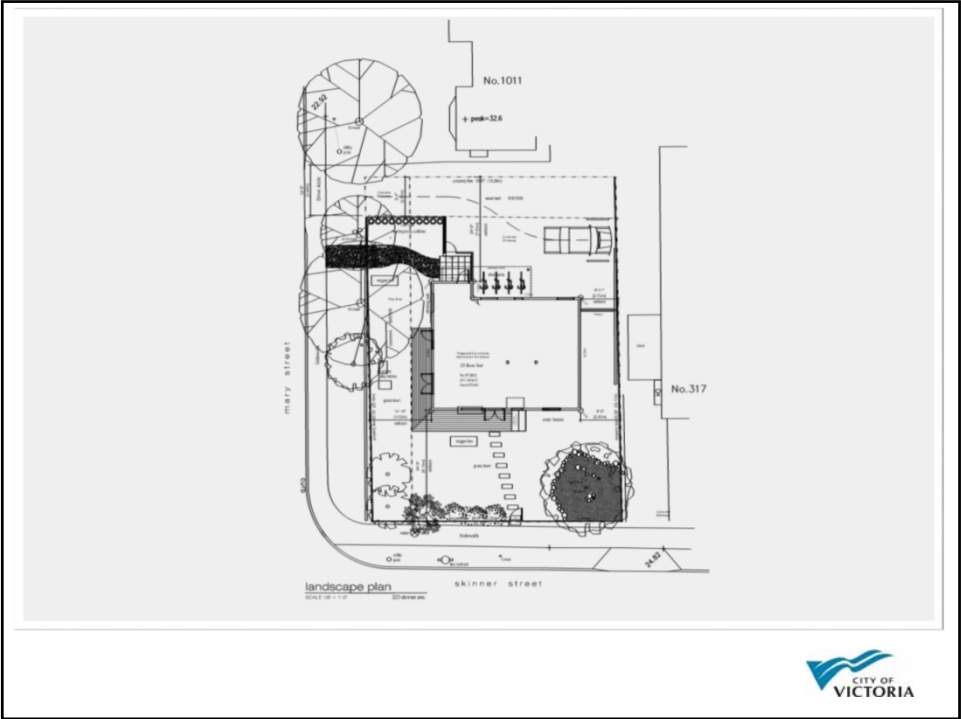
Development Permit Application for 323 Skinner Street

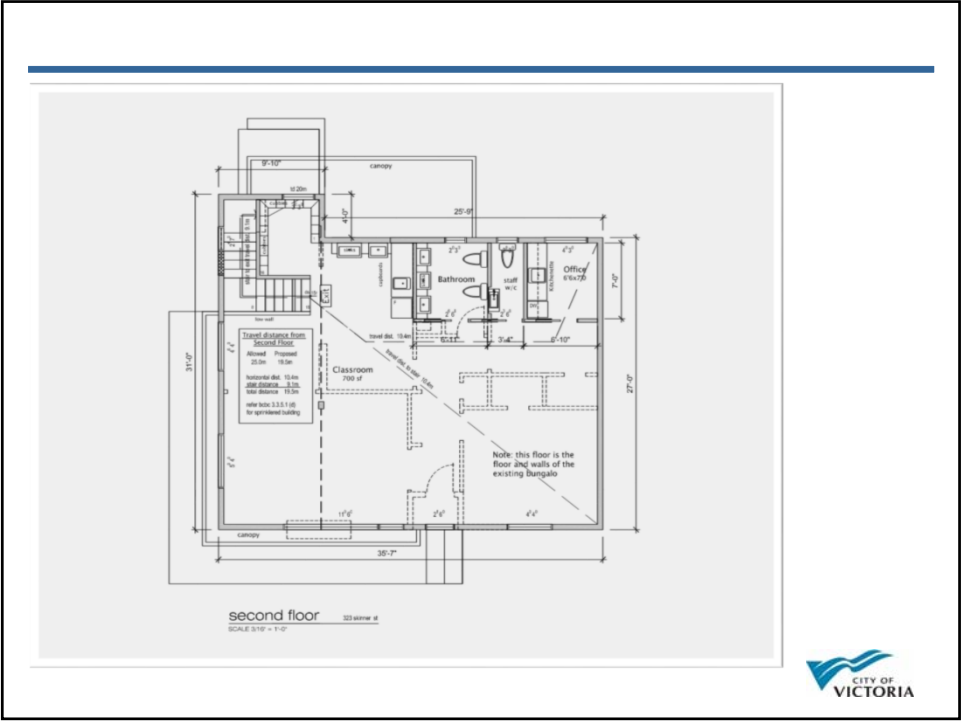
















Committee of the Whole Report

For the Meeting of January 25, 2018

To: Committee of the Whole **Date:** January 11, 2018

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

Subject: Development Permit Application No. 000523 for 323 Skinner Street

RECOMMENDATION

That Council, after the Public Hearing for Rezoning Application No. 00608, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000523 for 323 Skinner Street subject to submission of supplementary plans identifying the proposed sustainability features, to the satisfaction of the Director of Sustainable Planning and Community Development, in accordance with:

1. Plans date stamped December 15, 2017.
2. The development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 323 Skinner Street. The proposal is to raise and convert an existing single-storey single-family dwelling to create a daycare for up to 32 children.

The following points were considered in assessing this Application:

- the proposal is consistent with the *Design Guidelines for: Multi-Unit Residential, Commercial and Industrial, 2012*
- the applicant should provide supplementary plans identifying the proposed solar panels and electric vehicle charging station.

BACKGROUND

Description of Proposal

The proposal is to raise and convert an existing single-storey single-family dwelling to allow for a daycare that accommodates up to 32 children. Specific details include:

- the existing building would be retained and raised
- the height of the existing dwelling would be increased by a single storey, resulting in a two-storey building
- the building addition (i.e. new ground floor) would be finished with hardi-plank and cedar siding
- new canopies would be added to the exterior and finished with metal flashing.

Sustainability Features

As indicated in the applicant's letter dated November 17, 2017, the following sustainability features are associated with this Application:

- one electric vehicle station
- solar panels
- energy efficient windows
- low VOC paint
- water efficient plumbing fixtures and toilets.

The plans submitted do not indicate the solar panels on the exterior of the building or the location of the electric vehicle station. Staff recommend that Council require that the applicant provide supplementary plans, identifying these features, prior to issuance of the Development Permit to encourage their installation. Appropriate wording has been provided in the recommended motion.

Active Transportation Impacts

The Application proposes the following features which support active transportation:

- secure parking for four bicycles
- parking for four visitor bicycles.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently occupied by a single-storey single-family dwelling.

Under the current R1-B Zone, the property could be developed as a two-storey single-family dwelling with a secondary suite or a garden suite.

A data table comparing the proposal with the R1-B Zone is provided in the report accompanying the concurrent Rezoning Application for this property.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan, 2012* (OCP) identifies this property within Development Permit Area 16: General Form and Character and, therefore, the applicable design guidelines are *Design Guidelines for: Multi-Unit Residential, Commercial and Industrial, 2012*. The proposed development is consistent with the Design Guidelines as follows:

- the proposal to raise and convert the existing house results in a development that is sensitive to the traditional residential context
- trees will be protected during the development and will not be adversely impacted by construction
- the building is designed with building entrances, fenestration and canopies on elevations facing both Skinner Street and Mary Street
- the development provides direct pedestrian access to the public sidewalk
- a variety of building materials are proposed including hardi-plank siding, cedar siding and metal flashing
- parking is provided to the rear of the building
- a secure weather protected area is proposed to accommodate parking for four bicycles.

Tree Preservation Bylaw and Urban Forest Master Plan

Issues relating to trees are discussed in the report accompanying the concurrent Rezoning Application for this property.

Resource Impacts

There are no resource impacts identified with this project.

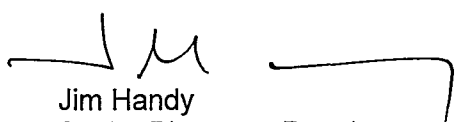
CONCLUSIONS

The proposal to raise and convert an existing single-storey single-family dwelling to create a two-storey daycare facility is consistent with the applicable Design Guidelines. Subject to approval of the concurrent Rezoning Application, staff recommend that Council consider approving the Development Permit Application.

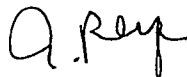
ALTERNATE MOTION

That Council decline Development Permit Application No. 000523 for the property located at 323 Skinner Street.

Respectfully submitted,



Jim Handy
Senior Planner – Development Agreements
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager

Date:

Cocelyn Tenby
Jan 17, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped December 15, 2017
- Attachment D: Letters and supporting information from applicant to Mayor and Council
- Attachment E: Community Association Land Use Committee Comments dated September 27, 2017
- Attachment F: Arborists Report dated November 17, 2017
- Attachment G: Correspondence.



Committee of the Whole Report

For the Meeting of January 25, 2018

To: Committee of the Whole **Date:** January 12, 2018

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

Subject: Development Variance Permit No. 00186 for 1322 Rockland Avenue

RECOMMENDATION

That Council decline Development Variance Permit Application No. 00186 for the property located at 1322 Rockland Avenue.

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 1322 Rockland Avenue. The proposal is to subdivide the lot into two lots to create one vacant lot while retaining the existing heritage protected building on the other lot. There is no development proposed for the vacant lot with this application. The variance is related to a reduced east setback for the existing building from the Royal Terrace property boundary.

The following points were considered in assessing this application:

- the proposal is inconsistent with the *Official Community Plan 2012 (OCP)*, which encourages maintenance of large lot character and conservation of historic architectural and landscape character in the Rockland neighbourhood
- the proposal is inconsistent with the *Rockland Neighbourhood Plan* with regards to maintaining the estate lot character and retaining public views to heritage buildings
- the proposed driveway access onto Royal Terrace may impact a large bylaw protected Garry Oak tree
- the existing building is on the City's heritage registry and protected under a heritage covenant registered on title
- a portion of the heritage building (the historic coach house) is non-conforming with regards to its setback from Royal Terrace. Road dedication along Royal Terrace would increase the non-conformity and a portion of the building would encroach into the road Right-of-Way. An encroachment agreement would be required at the time of subdivision.

BACKGROUND

Description of Proposal

The proposal is to subdivide the 8365.6m² lot to create one vacant lot (4727m²) while retaining the heritage protected building on the other lot (3205m²). There is no development associated with this application; however, the proposed subdivision triggers setback variances for the existing building.

Specific details include:

- the proposal includes road dedication along both Rockland Avenue and Royal Terrace. The road dedication along Royal Terrace triggers an east setback variance for the existing building on proposed Lot 1
- the proposed lot line between Lots 1 and 2 triggers a south setback variance for the existing building
- a second vehicle access onto Royal Terrace is proposed to provide access to existing parking stalls on the south side of the building. The location of the driveway may impact a bylaw protected Garry Oak tree.
- the OCP identifies the Pemberton Trail crossing the subject property connecting Royal Terrace and Rockland Avenue. The applicant proposes a 3.0m Statutory Right-of-Way (SRW) across both lots for the provision of a future public pathway.

Sustainability Features

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

Active Transportation Impacts

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

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The site is presently developed with a large heritage protected building which has been converted to 15 boarding rooms, 14 rooming house units and three housekeeping units. The House Conversion regulations under Schedule G of the *Zoning Regulation Bylaw* have since been revised to only permit one type of use in a building that has undergone a conversion; therefore, the current use of the building is considered legal non-conforming.

Under the current R-N-2 Zone, the existing building could be used as a nursing home or converted to approximately 12 self-contained dwelling units. All of the uses permitted in the R1-A Zone, Rockland Single Family Dwelling District, are also permitted in the R-N-2 Zone, therefore, the property could be developed with semi-attached or attached dwellings in addition to the existing building.

Data Table

The following data table compares the proposal with the existing R-N-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to identify existing non-conformities.

Zoning Criteria	Proposal		Existing Zone R-N-2
	Lot 1	Lot 2 (Vacant)	
Site area (m ²) - minimum	3205.00	4727.00	2800.00
Lot width (m) - minimum	57.00	72.07	24.00
Site coverage % - maximum	26.00	-	40.00
Open site space % - minimum	52.00	-	30.00
Setbacks (m) – minimum:			
North	8.7**	-	18.28
South	14.1*	-	15.24
East	0.00*	-	7.50
West	14.25	-	14.25 (Lot 1 rear yard) 3.00 (Lot 2 side yard)
Parking - minimum	20	-	18

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on February 14, 2017 the application was referred for a 30-day comment period to the Rockland Neighbourhood Association CALUC. A letter dated March 9, 2017, and an email dated November 26, 2017, are attached to this report. The Rockland Neighbourhood Association has requested a community meeting be required for this application.

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 proposal is inconsistent with the OCP, which encourages maintenance of large lot character and conservation of historic architectural and landscape character in the Rockland neighbourhood.

Rockland Neighbourhood Plan

The Rockland Neighbourhood Plan does not support subdivision of large estate lots, and encourages the retention of views towards heritage buildings. As an alternative to subdivision, the Plan encourages attached dwellings as a form of infill development that allows for sensitive site development that preserves heritage character and maintains public views to heritage buildings. This type of development is permitted in the R1-A Zone, Rockland Single Family Dwelling District as described below. In order to meet the Plan objective of securing public views, the applicant was asked to consider providing a voluntary covenant on the proposed Lot 2 to ensure the view of the heritage building was secured and future development could not encroach into the public view. The applicant has not provided a view corridor covenant with this proposal.

Tree Preservation Bylaw and Urban Forest Master Plan

The proposal includes additional driveway access onto Royal Terrace. The proposed location of the second access is in close proximity to a bylaw protected Garry Oak tree. The applicant has provided an arborist report that outlines mitigation measures to retain the Garry Oak; however, staff have concerns that the tree may not be retained and recommend that additional on-site analysis of the tree and the proposed driveway be completed to better understand the potential impacts to the tree. Alternatively, given the size of the site, there may be other options for providing access that would not impact any bylaw protected trees. To address this issue the appropriate wording has been added to the alternate motion, should Council choose to advance the application to an Opportunity for Public Comment.

There are also several bylaw protected trees located on the proposed Lot 2. Depending on a future development proposal, some of these trees may fall within the building envelope and be proposed for removal. Staff requested the applicant consider providing a voluntary tree protection covenant on Lot 2 to minimize the impact of future development on the mature trees; however, the applicant has not provided a tree protection covenant with this application. An arborist report would be required with any future development application on Lot 2.

Regulatory Considerations

The site is in the R-N-2 Zone, Rockland Residential Nursing Home District, a site specific zone that was established when the building was converted to a nursing home. The R-N-2 Zone allows for all of the uses permitted in the R1-A Zone, Rockland Single Family Dwelling District, which includes semi-attached or attached dwellings (i.e. townhomes). The low density townhomes are intended to be in the rear or side yard of existing mansions to preserve public views of the mansion.

Future development of the proposed Lot 2 could include semi-attached or attached dwellings, which would be subject to the regulations of the R-N-2 Zone with regards to setbacks and height, as well as, all other regulations from the R1-A Zone (e.g. maximum site coverage, parking, site area per unit, etc.). Development of semi-attached or attached dwellings would require a Development Permit under Development Permit Area 15C: Intensive Residential – Rockland. The R1-A Zone requires 835m² of site area for each self-contained dwelling unit; therefore, based on the proposed Lot 2 area, five attached dwellings could be developed on Lot 2 with 25% site coverage.

Alternatively, the site could be developed as a single-family dwelling (with a secondary suite or garden suite) with 40% site coverage. A development permit is not required for a single-family dwelling.

The applicant is requesting variances on the east and south setbacks for proposed Lot 1. The east setback variance is triggered by a 5.6m road dedication along Royal Terrace. With the road dedication, the heritage designated coach house would extend into the road Right-of-Way and an encroachment agreement would be required.

The portion of the building closest to Royal Terrace is non-conforming with regards to the south setback; however, the new proposed lot line between Lots 1 and 2 would trigger a south setback variance for the historic front entrance to the building.

Other Considerations

The proposal includes a Statutory Right-of-Way on both lots to provide for the future development of a portion of the Pemberton Trail. This trail is identified in the City's Greenways Plan and the Official Community Plan as an off-street pedestrian pathway connecting Royal Terrace to Rockland Avenue. Development of the pathway is not part of this application.

CONCLUSIONS

The OCP and Rockland Neighbourhood Plan policies do not support the subdivision of large estate lots, especially where public views of heritage buildings are not secured and a comprehensive site plan for future development is not provided. While staff encourage the provision of an SRW for the Pemberton Trail, the Development Variance Permit application is not considered supportable; therefore, staff recommend that Council decline the application.

ALTERNATE MOTION

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. 00186 for 1322 Rockland, in accordance with:


1. Plans date stamped January 10, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce east setback from 7.50m to 0.00m for Lot 1
 - ii. reduce the south setback from 15.24m to 14.10m for Lot 1
3. Provision of a tree protection plan for the Bylaw protected Garry Oak (#373) that identifies the location of the tree roots, the location of the proposed driveway in relation to the root system and the driveway construction methodology, or identification of an alternate access that does not impact any bylaw protected trees, to the satisfaction of City staff prior to the Opportunity for Public Comment.
4. The Development Permit lapsing two years from the date of this resolution.

Respectfully submitted,


Alec Johnston
Senior Planner
Development Services Division

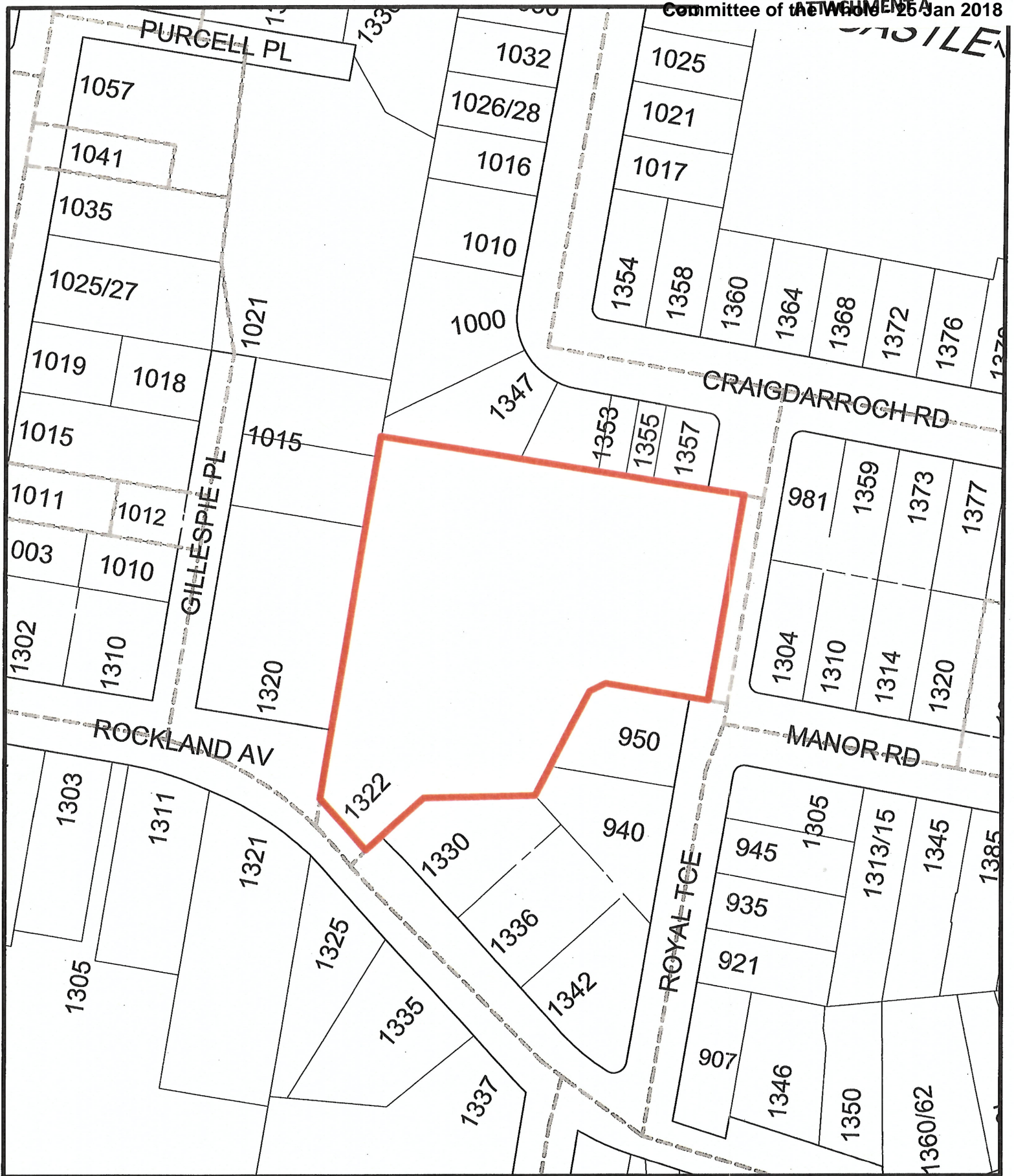

Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Jan 17, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 10, 2017
- Attachment D: Letter from applicant to Mayor and Council dated January 12, 2018
- Attachment E: Community Association Land Use Committee Comments dated March 6, 2017 and November 26, 2017
- Attachment F: Arborist Reports dated November 14, 2017 and January 10, 2018
- Attachment G: Correspondence



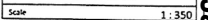
1322 Rockland Avenue

Development Variance Permit #00186

Development Variance Permit No. 00186 for 1322 Rockland Avenue (Rockland...



Planning & Development Department
Community Planning Division

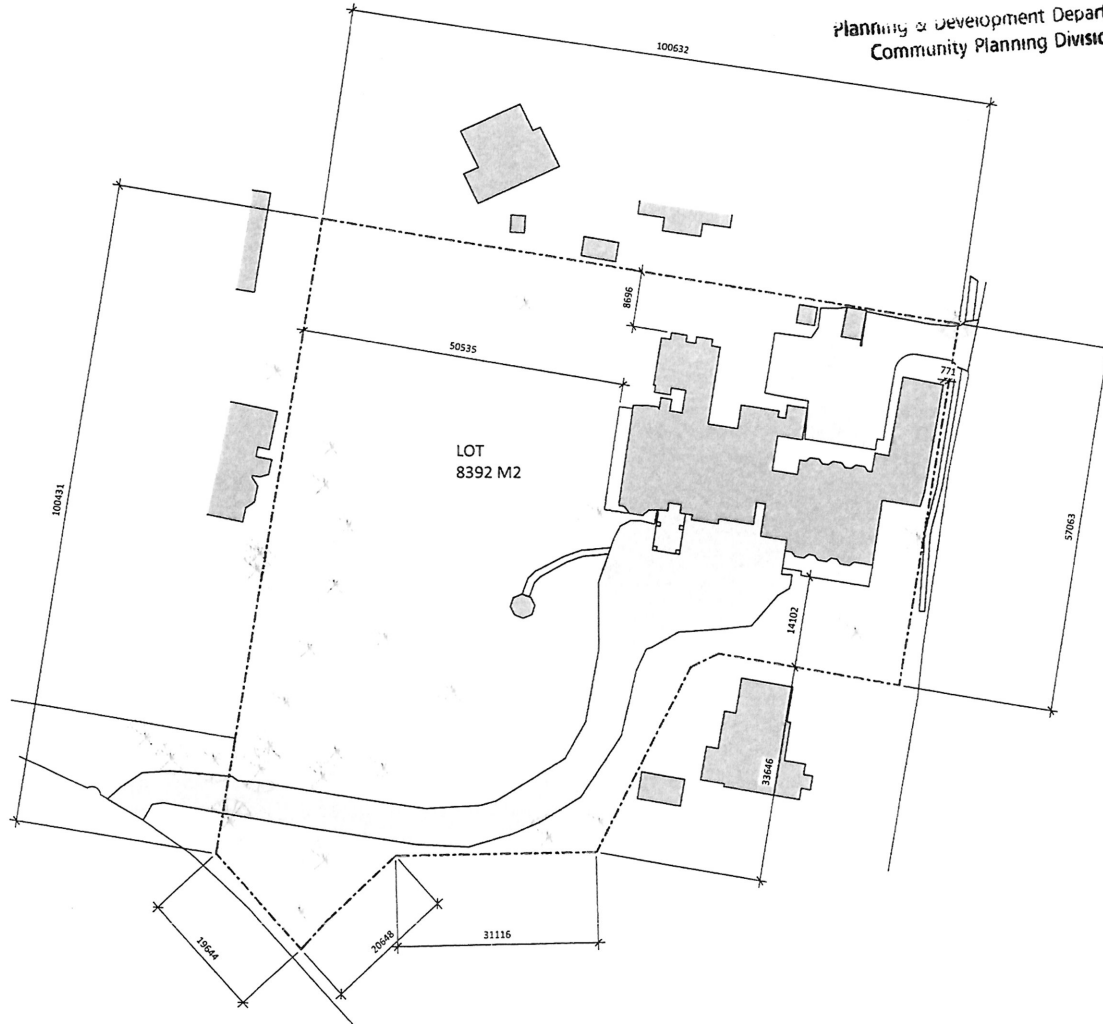


THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVEALED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.

Received
City of Victoria

JAN 10 2018

Planning & Development Department
Community Planning Division



CHRISTINE LINTOTT
ARCHITECT

Issue	Date: YYYY-MM-DD
Subdivision Application	Dec 22, 2016
DP Application	Jan 30, 2017
Review	Mar 9, 2017
Municipal Response	Mar 14, 2017
Resubmission	Oct 31, 2017
Municipal Response	Dec 18, 2017

Revision No.	Description	Date
--------------	-------------	------

Consultant

1322 Rockland Avenue

1322 Rockland Ave
Victoria, BC

Site Plan - Existing

Project number	CLA-16-31
Date	December 18, 2017
Drawn by	JMG
Checked by	Checker

A1.02

Scale 1:350

Received
City of Victoria

JAN 10 2018

Planning & Development Department
Community Planning Division

CHRISTINE
LINTOTT
ARCHITECT

Issue	Date: YYYY-MM-DD
Subdivision Application	Dec 22, 2016
DP Application	Jan 30, 2017
Review	Mar 9, 2017
Municipal Response	Mar 14, 2017
Resubmission	Oct 31, 2017
Municipal Response	Dec 18, 2017

Revision No.	Description	Date
--------------	-------------	------

Consultant

1322 Rockland Avenue

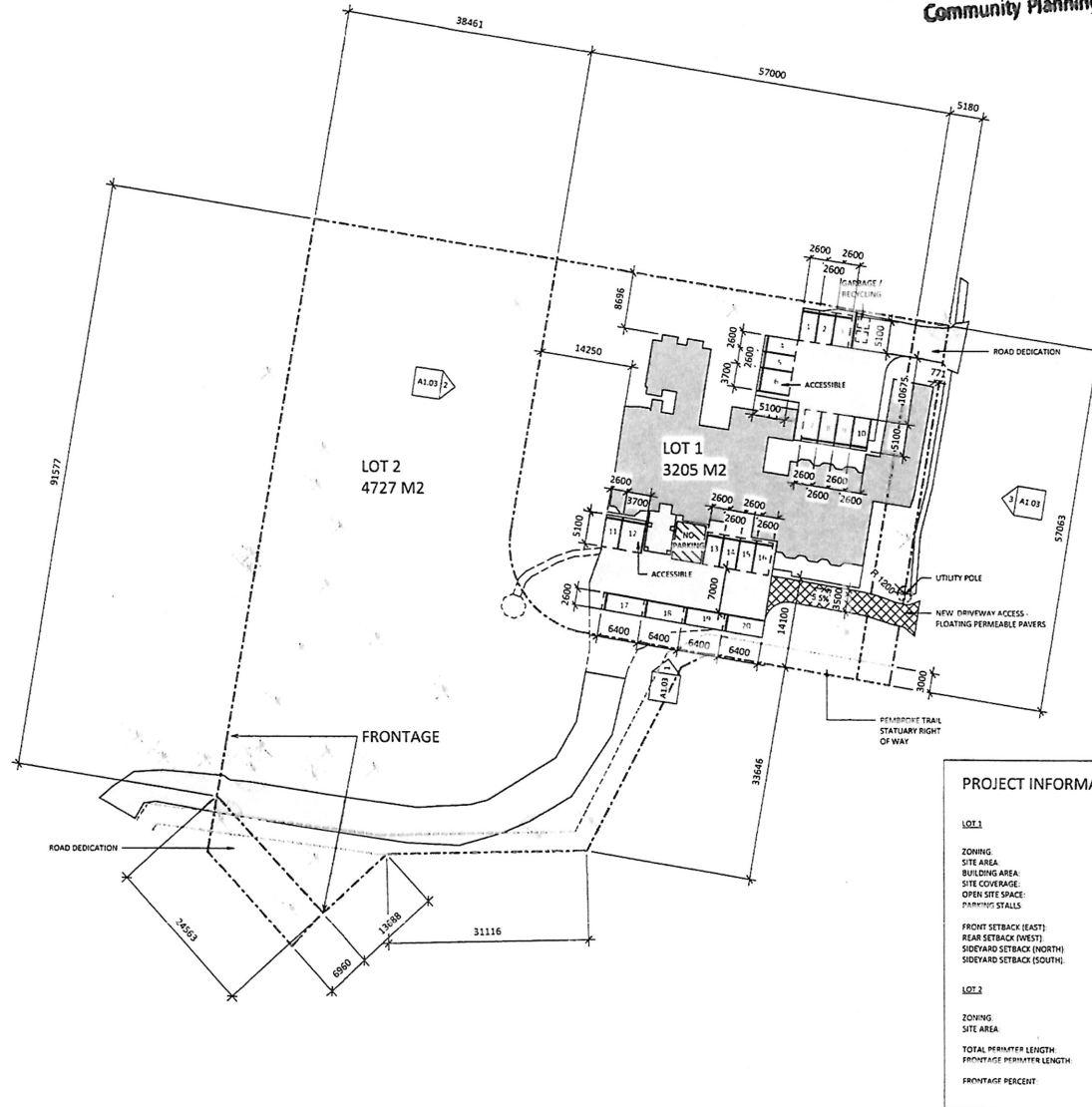
1322 Rockland Ave
Victoria, BC

Site Plan - Proposed

Project Number	CLA-16-31
Date	December 18, 2017
Drawn by	JMG
Checked by	Checker

A1.03

Scale 1:350



Received

Victoria

JAN 10 2018

City of Victoria
Community Planning Division



1 South Elevation - Composite



2 West Elevation - Composite



3 East Elevation - Composite

CLA CHRISTINE LINTOTT ARCHITECT

Issue	Date: YYYY-MM-DD
Subdivision Application	Dec 22, 2016
DP Application	Jan 30, 2017
Review	Mar 9, 2017
Municipal Response	Mar 14, 2017
Resubmission	Oct 31, 2017
Municipal Response	Dec 18, 2017

Revision No.	Description	Date
--------------	-------------	------

Consultant

1322 Rockland Avenue

1322 Rockland Ave
Victoria, BC

Context - Composite Elevations

Project number	CLA-16-31
Date	December 18, 2017
Drawn by	JMG
Checked by	Checker

A1.04

Scale	1:200
-------	-------

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.

Jan. 12, 2018

Dear Mayor and Council:

Re: Development Variance Permit #00186 – 1322 Rockland Ave

I am applying for subdivision of 1322 Rockland Ave into 2 parcels: existing buildings being Lot 1; bare land Lot 2.

This site is 2.1 acre and zoned as R-N-2 Rockland Nursing Home. Currently the 17,000 sf 4 attachment buildings are used as 14 Rooming House Unites and 15 Boarding House Units and 3 Housekeeping Units.

About 25% residents are on social assistance; more than a half of the residents are working in the hospitality industry, all of them are of low income. The rent ranges \$500- 675 per month including utilities, television, internet and phone. All units are furnished. Inside buildings are kept in an immaculate condition at all times.

The buildings are clustered at the north-east side of the property. A vast majority of bare land on the north and the west side is waiting for development.

The revised subdivision application conforms to the relevant rules and regulation except for 2 variances: the east side where the Coach House situated is due to Road Dedication and the south side due to the existence of Porte Cochere (car port) which is part of the heritage building and designed by Samuel Maclure. The Coach House is an integral part of the Heritage mansion, which went through a major renovation in 2008. Currently there are 10 low-income tenants reside there. These two variances are unavoidable because of over 120 years existence and part of heritage. They create no negative impact on surrounding neighbors. On the country, it benefits a greater public!

I am repeatedly requested by city staff as a condition for the approval: To retain the public view of the heritage protected house from Rockland, and register a Section 219 covenant on title prohibit construction within a defined area of Lot 2 to preserve the view. This request has major flaws:

- 1, This application is subdivision with variance and NOT a rezoning application. Our zoning R-N-2 and related zoning R1-A bylaw do not require to retain a view from one lot to another. As we all know that in the conflict of Bylaw regulations and Rockland Neighborhood Plan, Bylaws supersede.
2. The view of the mansion is blocked by 5 houses in front of Rockland Ave. A little area that remains is filled with Garry Oaks and other vegetation – the view to the mansion is non-existence!

3. Even if the entire frontage was eviscerated of vegetation, angle and elevation of the lot provides nothing more than a partial and passing glimpse of the mansion from Rockland Ave. One would have to trespass on the property and climb the initial step elevation, about 12 feet or more in from the road, in order to have any reasonable view of the mansion.

4. The requirement of covenant on title to prohibit construction within a defined area of Lot 2 literally takes off more than 1/3 buildable land, which blatantly violates my property rights!

Our application starts more than a year half ago. In order to cooperate with the city staff in good faith we worked diligently. The staff wanted to see the development plans on Lot 2 , I consecutively retained: Linttot Architect, Zebra Design and #10 Architect . Between these 3 groups, there are more than 15 plans for the staff consideration. All the plans strictly followed R1-A zoning regulations in attempt to create a win-win situation. However, the harder we worked the harder it got. We decide to go strictly to the subdivision application only.

The city attorney got involved and confirm that the view is desirable , but not required. I really hope the Mayor and council would see the benefits of the development and approve our proposal.

Submitted respectfully,

Wei Tu



A-00
2018-01-12
1:500
2017531

numberTEN
Architectural Group
220-1000-0000
Vancouver, BC
Canada
info@number10.ca
www.number10.ca

number



VIEW OF MANSION FROM ROCKLAND AVE IS BLOCKED BY 5 NEIGHBORING HOUSES



View from intersection of
Rockland Ave & Gillespie Pl



View from 1322 Rockland driveway



View towards property at
1322 Rockland Ave



View towards property at
1330 Rockland Ave



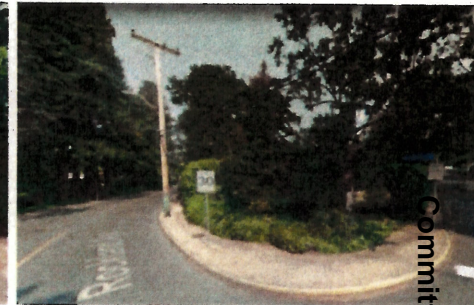
View towards property at
1330 Rockland Ave



View towards property at
1336 Rockland Ave



View towards property at
1342 Rockland Ave



View from intersection of
Rockland Ave & Royal Terrace

1322 Rockland Subdivision | Developable Area Under RN2

**ROCKLAND NEIGHBOURHOOD ASSOCIATION**

6th March, 2017

To: City of Victoria Mayor and Council

Re: 1322 Rockland Avenue: Subdivision Application

We have been advised that an application has been made to subdivide the property at 1322 Rockland Avenue into two lots, and that two Zoning Regulation Bylaw variances will be needed for this. We have been in touch with Gene Miller (the applicant) about this, and he tells us that the proposed subdivision is just to keep options open, and there are no plans for immediate development.

We are opposed to allowing a subdivision at this time because of the serious implications of severing a portion of the property. 1322 Rockland is a heritage property that is important to the Rockland neighbourhood, and any new development in its immediate environs should take into account its impact on the designated property; this would be much less likely to happen if there are two separate properties. There would, however, be great planning advantages to considering the site as a whole if there are proposals for new development in due course. To create two separate lots would negate this opportunity for developing the site in a comprehensive manner, and would enable a new owner to build something that might be quite an inappropriate neighbour to the heritage designated property. We would, therefore, lose a valuable opportunity for excellent planning if the subdivision goes ahead.

The OCP states that Rockland is "an area of notable historic architectural and landscape character" (21.23) and recommends that "the maintenance of existing dwellings and large lot character" be supported "through sensitive infill that preserves green space and estate features" (21.24). The Rockland Neighbourhood Association agrees with this policy, and one of its stated goals is "to preserve and maintain the unique urban environment of Rockland." Therefore, we strongly recommend that no subdivision be allowed until there are specific proposals for development, and that any such proposal be, at that time, carefully planned with the heritage property in mind.

Thank you for your consideration.

Janet Simpson, President
Rockland Neighbourhood Association

Alec Johnston

To: Jonathan Tinney
Subject: RE: 1322 Rockland Avenue

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

From: Janet Simpson [mailto: [REDACTED]]
Sent: November 26, 2017 11:18 AM
To: Pam Madoff (Councillor) <pmadoff@victoria.ca>; Jonathan Tinney <JTinney@victoria.ca>; Jocelyn Jenkyns <JJenkyns@victoria.ca>
Subject: 1322 Rockland Avenue

Hello,

The Rockland Neighbourhood Association is requesting an official Community Meeting for the Development Variance Permit to reduce the east yard setback to allow for subdivision.

Any development must deal with the property as a whole. Granting a permit such as this would pave the way for a subdivision which would violate the 1985 Covenant between the City and the Anglican Church Women, a covenant that sets clear restrictions on development of the lot in order to preserve sight lines to the house as well as protect it.

Inappropriate development on this heritage site will be extremely contentious. Therefore, it is imperative that the neighbours be given a chance to learn about the proposal, ask questions, and provide feedback.

As with 515 Foul Bay Road, subdivision along with variances can permit a way around rezoning that removes a development from community consultation and review. In that application process, the developer was ultimately required to participate in an official Community Meeting.

We would like a similar requirement for 1322 Rockland Avenue.

Sincerely,

Janet



Talbot Mackenzie & Associates

Consulting Arborists

November 14, 2017

Wei Tu
1322 Rockland Avenue
Victoria, BC V8S 1V6

Re: Proposed subdivision at 1322 Rockland Avenue.

Assignment: Using the recently updated tree inventory of 1322 Rockland Avenue, review the proposed subdivision plans and identify the trees that will likely have to be removed and those trees that have the potential to be retained given the potential impacts from the proposal. Comment on the proposed new driveway to the existing residence on proposed Lot 1.

Methodology: We previously reviewed the inventory for the property in March 2017 and updated the tree resource spreadsheet. Information such as tree species, size (DBH), crown spread, critical root zone (CRZ), health and structural condition, relative tolerance to construction impacts, and general remarks and recommendations was recorded in the attached tree resource spreadsheet. The plans provided show the proposed subdivision layout but there is no potential building envelope for proposed Lot 2 and there are no house designs or servicing details available at this time.

Proposed New Driveway off Royal Terrace: On the plans provided, the driveway is shown within the critical root zone of Gary Oak number 373 and it may be necessary to remove the tree. If the tree is to be retained the driveway will have to be constructed using floating permeable techniques. Once more details are made available and we have a better understanding of the fill that will be necessary, we can provide a potential design that will allow for air and water exchange to the critical root zone of the tree.

Tree retention: At this time there is no proposed building envelope, house design or services shown on the plans provided. The ability to retain trees on proposed Lot 2 will depend on the house designs, the amount of necessary blasting, the servicing details and in some cases the existing health and structure of the trees. Once more detailed plans are available, we can further comment on the ability to retain these trees and provide a comprehensive tree retention and construction damage mitigation plan for the project.

.../2

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: treehelp@telus.net

November 14, 2017

1322 Rockland Avenue

Page 2

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

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists
Encl. 1-page site plan with proposed subdivision, 3-pages tree resource spreadsheet

Disclosure Statement

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

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

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

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: treehelp@telus.net

November 14, 2017

TREE RESOURCE
for
1322 Rockland Ave.

1 of 3

Tree #	d.b.h. (cm)	CRZ	Species	Crown spread	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
372	83	8.3	Garry oak	10	Fair	Fair	Good	Asymmetric form, grows close to the existing building, large deadwood, old flush cut wounds.
373	142	14.2	Garry oak	14	Fair	Fair/Poor	Good	Mature tree, large limb failure, swelling at base, stunted form, some epicormic growth.
374	132	13.2	Garry oak	18	Fair	Fair	Good	Mature tree, large historic limb failure, large historic pruning wounds, likely impacted by servicing and sidewalk construction historically, some deadwood.
375	65	6.5	Garry oak	14	Fair	Fair	Good	Historic flush cut wounds, small deadwood, rooted in rock. Neighbours tree.
376	83	8.3	Garry oak	16	Fair	Fair	Good	Asymmetric form, large pruning wounds, history of large limb failure. Possible sulphur fungus in old wound.
no tag 1	80	8	Garry oak	14	Fair/poor	Fair	Good	Located on neighbouring property at 1353 Craigdarroch Road. Asymmetric form, historic pruning wounds, epicormic growth, health stress, poor annual shoot elongation.
no tag 2	64	6.4	Garry oak	14	Fair	Fair	Good	Located on neighbouring property at 1353 Craigdarroch Road. Clothesline reel embedded in trunk, pruning wounds.
377	91	9.1	Garry oak	16	Fair	Fair	Good	Large deadwood, history of large limb failure, co-dominant above 1.4 metres, some epicormic growth.
378	82	8.2	Garry oak	16	Fair	Fair/poor	Good	Large burl at base, some health stress, epicormic growth, history of large limb failure. Closer examination recommended if retained.
379	58	5.8	Garry oak	14	Fair	Fair	Good	Large deadwood, epicormic growth, rooted in rock.
380	60	6	Ponderosa Pine	9	Fair	Fair	Good	Some deadwood
381	80	8	Pine	15	Fair	Fair	Good	Some deadwood
382	110	11	Incense cedar	9	Good	Fair	Moderate	Multiple stems, no visible weakness at stem unions.

Prepared by:
Talbot Mackenzie & Associates
ISA Certified, and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: Treehelp@telus.net

November 14, 2017

**TREE RESOURCE
for
1322 Rockland Ave.**

2 of 3

Tree #	d.b.h. (cm)	CRZ	Species	Crown spread	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
383	38	3.8	Norway Maple	10	Fair	Fair	Moderate	Asymmetric crown.
384	60	6	Ponderosa Pine	11	Fair	Fair	Good	Co-dominant at approximately 12 metres, weak union, sparse foliage.
385	76	7.6	Garry oak	16	Fair	Fair/poor	Good	Large deadwood, large historic pruning wounds, asymmetric form, history of large limb failure.
386	95, 31	13.6	Incense cedar	8	Fair	Poor	Moderate	Previous top failure, short tree.
387	17, 10	2	Elm	4	Good	Fair	Moderate	Co-dominant tree.
388	23	2	Elm	6	Good	Good	Moderate	Asymmetric form. Neighbour's tree has uprooted and is leaning on this tree.
389	17	2	Elm	6	Good	Fair	Moderate	Previously topped, asymmetric form.
390	74	7.4	Maple	7	Fair	Poor	Moderate	History of large stem failure, non-by-law protected size, large basal cavity. Hazard evaluation recommended if retained.
391	29	3	Ash	6	Poor	Poor	Moderate	Functionally dead.
982	33, 30	5.1	Garry oak	12	Fair	Fair	Good	Co-dominant.
981	43	4.3	Garry oak	12	Fair/poor	Fair	Good	Health stress, rooted in rock.
980	38	3.8	Garry oak	16	Fair	Fair	Good	Rooted in rock, surface rooted, large deadwood.
983	54	6	Garry oak	10	Fair	Fair	Good	Large deadwood, rubbing adjacent tree, leaning.

Prepared by:
Talbot Mackenzie & Associates
ISA Certified, and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: Treehelp@telus.net

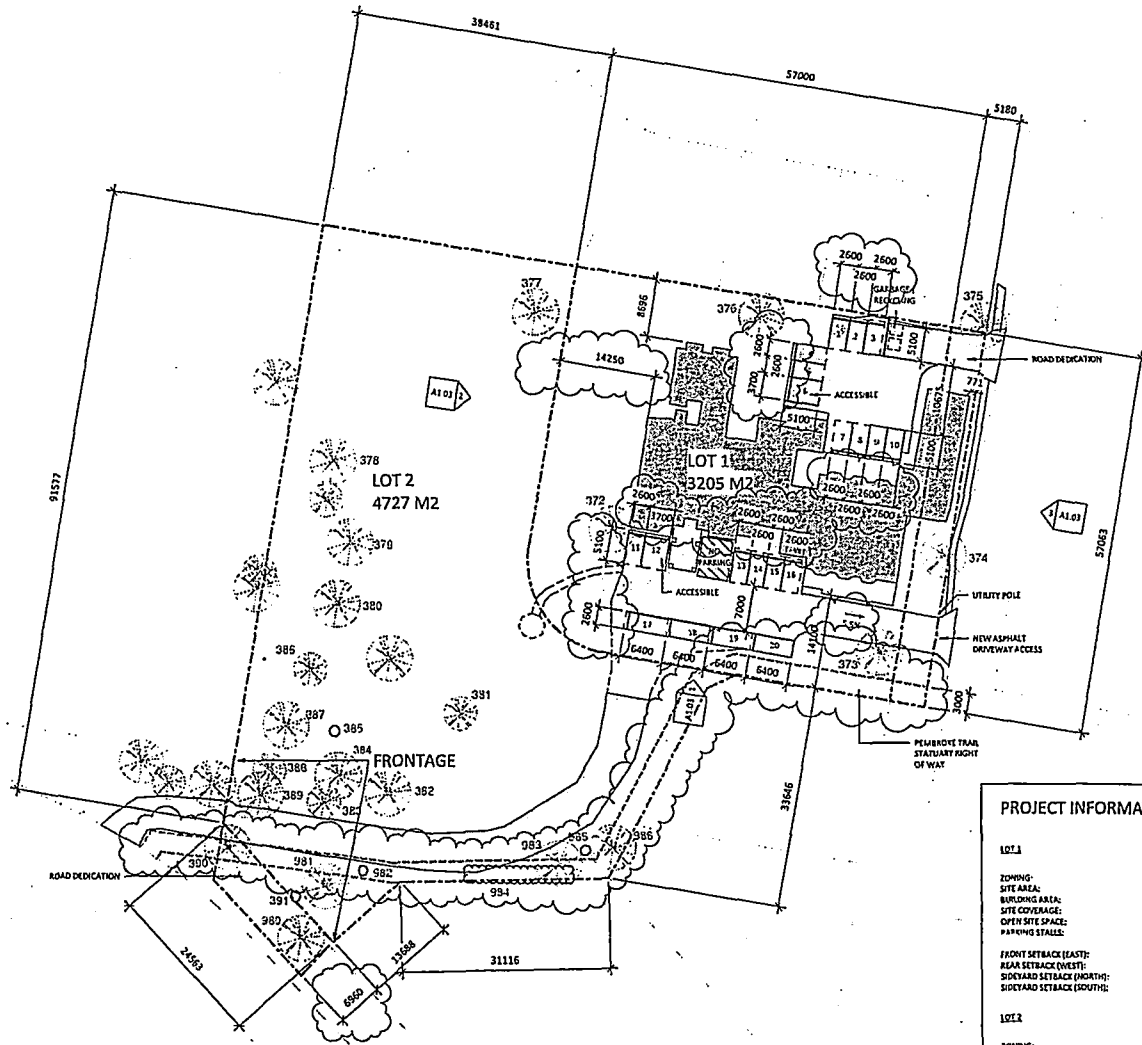
November 14, 2017

**TREE RESOURCE
for
1322 Rockland Ave.**

3 of 3

<i>Tree #</i>	<i>d.b.h. (cm)</i>	<i>CRZ</i>	<i>Species</i>	<i>Crown spread</i>	<i>Condition Health</i>	<i>Condition Structure</i>	<i>Relative Tolerance</i>	<i>Remarks / Recommendations</i>
984	39,34	8	Big Leaf Maple	13	Fair	Fair	Moderate	Co-dominant, large deadwood.
985	33	6	Big Leaf Maple	9	Fair	Fair	Moderate	Suppressed by adjacent tree, asymmetric.
986	42	5	Ash	14	Fair	Fair	Moderate	One stem declining, epicormic growth.

Prepared by:
Talbot Mackenzie & Associates
ISA Certified, and Consulting Arborists
Phone: (250) 479-8733
Fax: (250) 479-7050
email: Treehelp@telus.net



PROJECT INFORMATION	
LOT 1	
ZONING:	RN-2
SITE AREA:	3205m ²
BUILDING AREA:	560m ²
SITE COVERAGE:	26%
OPEN SITE SPACE:	52%
PARKING STALLS:	20
FRONT SETBACK (EAST):	0.77m
REAR SETBACK (WEST):	14.25m
SIDEYARD SETBACK (NORTH):	6.70m
SIDEYARD SETBACK (SOUTH):	14.10m
LOT 2	
ZONING:	RN-2
SITE AREA:	4727m ²
TOTAL PERIMETER LENGTH:	310.65m
FRONTAGE PERIMETER LENGTH:	33.33m
FRONTAGE PERCENT:	10.6%



2-22-A George St. Victoria, BC V8T 2A5
Tel: 250-582-5029
www.christinelintott.com
Christine is a P.E.T. and a P.L.A. (P.L.A. = Professional Landscape Architect)

Issue	Date: YYYY-MM-DD
Subdivision Application	Dec 22, 2016
DP Application	Jan 30, 2017
Review	Mar 9, 2017
Municipal Response	Mar 14, 2017

Revision No.	Description	Date
1	Municipal Response	Mar 14, 2017

Consultant

1322 Rockland Avenue

1322 Rockland Ave
Victoria, BC

Site Plan - Proposed

Project number	CL-1322-17
Date	March 9, 2017
Drawn by	JMG
Checked by	CJG
Scale	A1.03



Talbot Mackenzie & Associates

Consulting Arborists

January 10, 2018

Wei Tu
1322 Rockland Avenue
Victoria, BC V8S 1V6

Re: Proposed subdivision at 1322 Rockland Avenue.

Assignment: To review the location of the proposed new driveway off Royal Terrace (see attached site plan) and provide recommendations for mitigating any potential impacts to Garry oak number 373.

Methodology: Using the plans provided, we visited the site and measured from existing structures to approximate the location of the proposed new driveway. It is our understanding that the existing parking elevations will not change and the proposed new driveway will enter from the existing road grades to reach the grades of the parking area. There are no servicing upgrades or proposed new sidewalks in this area shown on the plans provided.

Observations: The majority of the proposed driveway will be located within an area that has had a retaining wall installed, fill soil added and a laurel hedge planted (see attached sketch 1). There will be a portion of the driveway nearest the road that will be installed where there is no existing retaining wall.

Although no exploratory excavations were completed behind the retaining wall, we anticipate the wall was likely installed due to shallow soils and existing rock as a means to provide a suitable planting area for the hedge. Due to the previous soil disturbance and retaining wall installation in this area, we do not anticipate the proposed new driveway will have any negative impact on the health or stability of the tree beyond the impacts that may have already occurred historically providing the driveway is installed using the following specifications.

Recommendations: We recommend that any excavation for the proposed driveway be completed under the direction of the project arborist and may involve a combination of digging by hand and small machine excavation. This will include the removal of any portions of rock wall that must be removed and the removal of the existing laurel hedge. If any roots from Garry oak 373 are encountered during the excavation the proposed new driveway must be designed to retain them.

The amount of fill soil that can be removed without encountering roots from the oak tree will dictate the final design of the new driveway. We recommend using the following floating driveway specifications to minimize any impacts the proposed new driveway may have on Garry oak 373. We do not anticipate that any significant roots will be encountered from Garry oak 374.

.../2

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6

Ph: (250) 479-8733 ~ Fax: (250) 479-7050

January 10, 2018

1322 Rockland Avenue

Page 2

There is a portion of the proposed new driveway that will be constructed on municipal property in the road dedication area. If during the excavation, significant roots are encountered that cannot be pruned without negatively impacting the tree, we recommend that floating permeable construction techniques be incorporated, if permitted by the City.

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

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists

Encl. site sketch 1, site plan showing proposed driveway location, floating driveway specifications

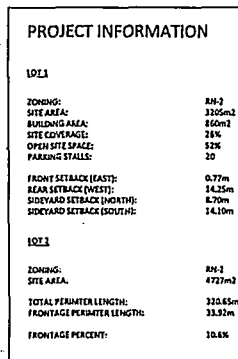
Disclosure Statement

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

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

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

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



THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.

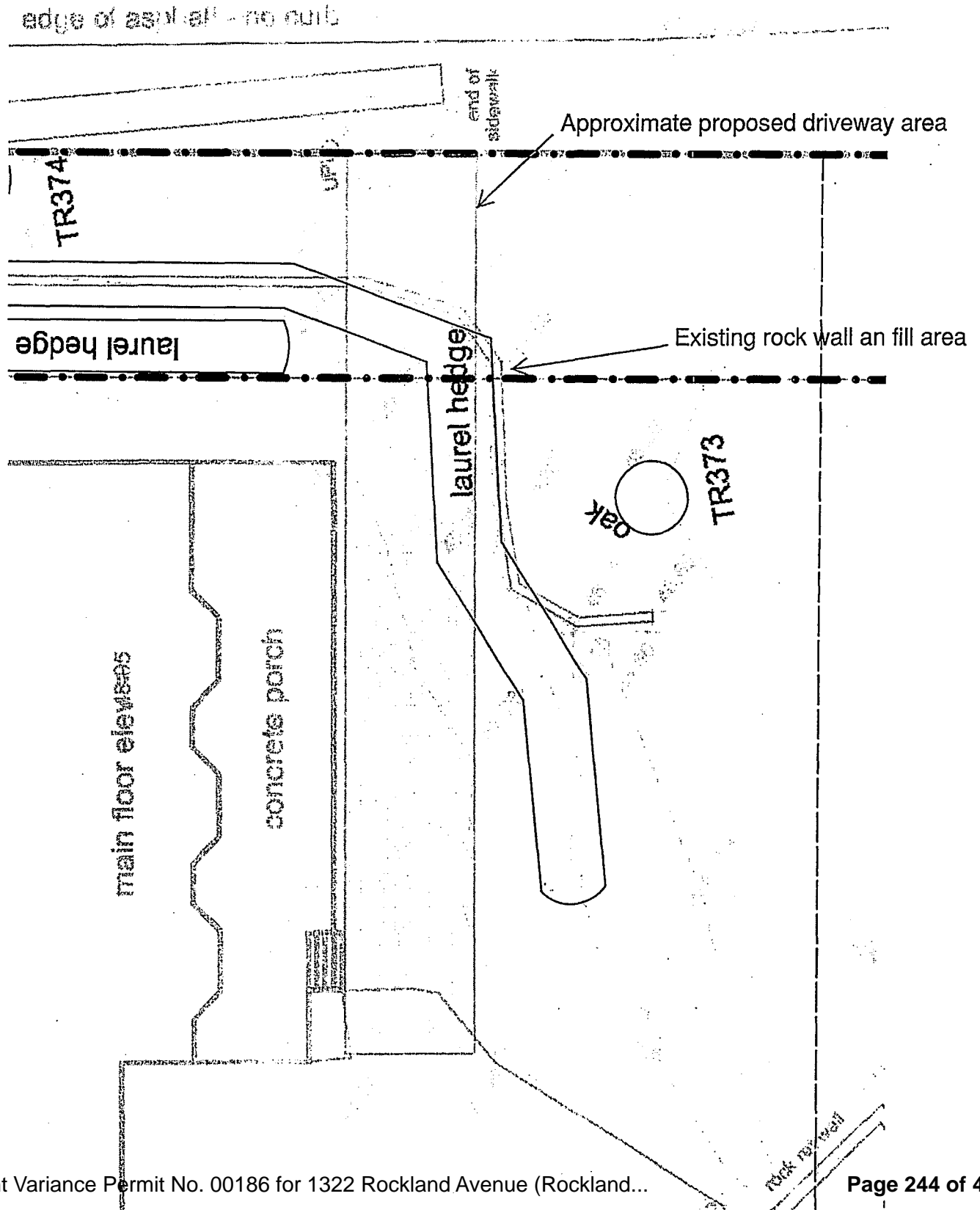
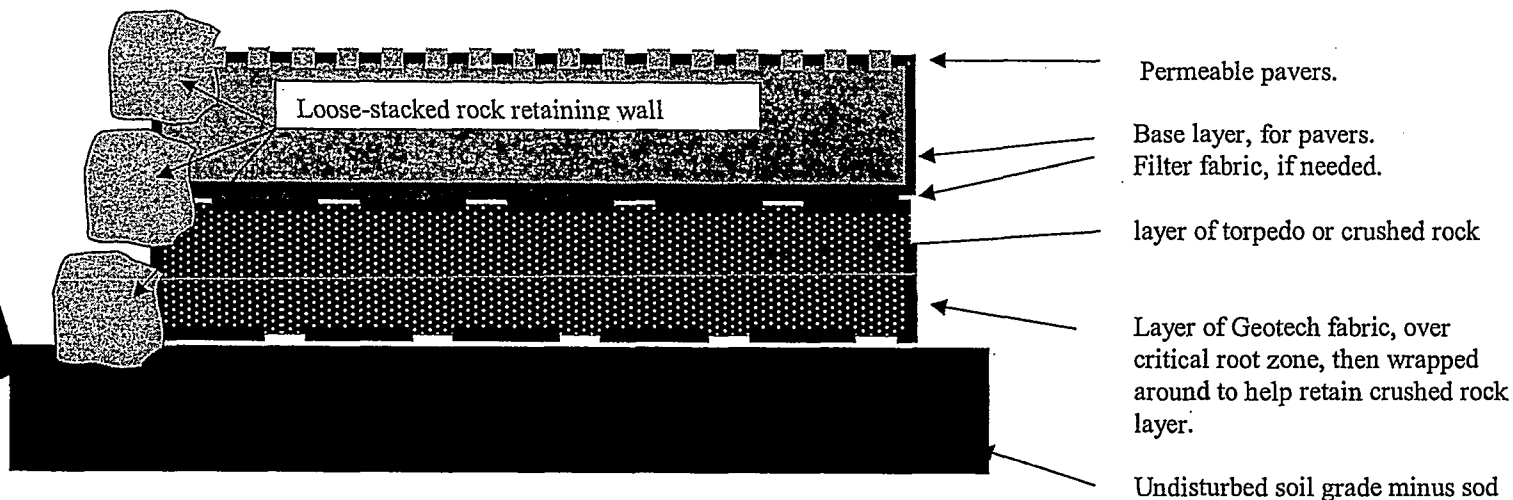


Diagram - aeration layer beneath permeable driveway over critical root zone of trees to be retained



Specifications for boulder retained floating driveway.

1. Excavation for driveway area must remove only the sod layer, where the driveway bisects the critical root zones of the protected trees.
2. A layer of geotech fabric installed over the existing soils with enough extra material extending from the sides of the driveway to wrap around and retain the next aeration fill layer.
3. An aeration layer of 10cms of torpedo rock, or 20-mm clean crushed drain rock, or larger material in bigger fill situations.
4. Wrap the geotech fabric around the sides of the fill layer, with material ends overlapping at the top of the aeration fill layer.
5. A layer of felted filter fabric can then be installed over the aeration layer to prevent fine particles of sand and soil from infiltrating this layer if necessary.
6. The permeable paver base layer can be installed directly on top of this aeration layer and the pavers installed over top.
7. Suitable edging material such as a loose-stacked rock wall is required to retain the fill away from the trunks of the trees.
8. It should be noted that if installed correctly the geotech fabric will help to displace weight and reduce driveway settling over the organic layer, but in some situations settling may still occur over time. If any driveway settling cannot be tolerated you may wish to consult with a geotechnical engineer.

Prepared by:

Talbot Mackenzie & Associates

ISA Certified, and Consulting Arborists

Phone: (250) 479-8733

Fax: (250) 479-7050

email: Treehelp@telus.net

Dear Mayor Helps and City Councilors:

Re: 1322 Rockland Street (Macklen House) Variance application and Subdivision Proposal

I am writing to express my strong concern regarding the request for a variance on the frontage of 1322 Rockland (Schu-huum, or the Macklin House), and the related proposal for subdivision of this property.

This property is an estate of significant historical value and unique character. When it was designated as a heritage site in 1985, the consequent re-zoning included specific setbacks that were as unique as the RN-2 zoning itself. These setbacks relate specifically to the placement of the house and drive on the estate, and preserve original access and sight-lines. This makes it abundantly clear that any development must deal with the estate as a whole, without subdivision.

A subdivision of 1322 Rockland also runs counter to the vision and strategic directions Victoria's Official Community Plan (OCP). The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

The proposal to subdivide the property provides no benefit to the Rockland community or to Victoria. I support development of this property, but it must be developed as a whole. Consideration should be given to an alternative use for public or cultural purposes.

I am also concerned, more generally, with the proliferation of site-specific zoning in the City of Victoria, an issue that extends beyond Rockland and into many neighbourhoods. The City of Victoria, based on extensive research and consultation, has articulated a vision for development of the city in a manner reflecting its diverse needs. Site-specific zoning undermines this vision and coherent planning for the future.

I urge that this variance not be granted and that no subdivision of 1322 Rockland be approved.

Sincerely

Sonia and Peter Engstad
941 Joan Cr. Victoria BC V8S 3L3

Katie Lauriston

From: Phil Calvert [REDACTED]
Sent: Tuesday, February 28, 2017 8:28 PM
To: Lisa Helps (Mayor)
Cc: Pam Madoff (Councillor)
Subject: 1322 Rockland Street (Macklin House) Variance application and Subdivision Proposal

Mayor Lisa Helps

City of Victoria

Dear Mayor Helps:

Re: 1322 Rockland Street (Macklin House) Variance application and Subdivision Proposal

I am writing to express my strong concern regarding the request for a variance on the frontage of 1322 Rockland (Schu-huum, or the Macklin House), and the related proposal for subdivision of this property.

This property is an estate of significant historical value and unique character. When it was designated as a heritage site in 1985, the consequent re-zoning included specific setbacks that were as unique as the RN-2 zoning itself. These setbacks relate specifically to the placement of the house and drive on the estate, and preserve original access and sight-lines. This makes it abundantly clear that any development must deal with the estate as a whole, without subdivision.

A subdivision of 1322 Rockland also runs counter to the vision and strategic directions Victoria's Official Community Plan (OCP). The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

The proposal to subdivide the property provides no benefit to the Rockland community or to Victoria. I support development of this property, but it must be developed as a whole. Consideration should be given to an alternative use for public or cultural purposes.

I am also concerned, more generally, with the proliferation of site-specific zoning in the City of Victoria, an issue that extends beyond Rockland and into many neighbourhoods. The City of Victoria, based on extensive

research and consultation, has articulated a vision for development of the city in a manner reflecting its diverse needs. Site-specific zoning undermines this vision and coherent planning for the future.

Mayor Helps, I urge that this variance not be granted and that no subdivision of 1322 Rockland be approved. I would be grateful for a reply at your earliest convenience

Sincerely

Phil Calvert

1347 Craigdaroch.

[REDACTED]

Katie Lauriston

From: Jane Wheatley [REDACTED]
Sent: Thursday, March 02, 2017 2:23 PM
To: Lisa Helps (Mayor)
Subject: Hello Lisa

Hello Mayor Lisa Helps,

Thank you for serving as mayor of Victoria!

We are writing with regards to 1322 Rockland Street (Macklen House) frontage variance and subdivision.

Macklen house is a **heritage** home of historical value and character and a “**covenant**” was placed on the property with setbacks to help preserve it.

Presently, the property does not meet these setbacks on the north, east and south sides of the lot as there is a very large parking lot and numerous outbuildings to the east and north of the mansion. This, before any new proposal is even considered!

Victoria Tourism states: "The city's British colonial past shows in its Victorian architecture, including stately mansions."

We purchase homes and responsibly pay our taxes, taking reassurance in the current zoning of a neighbourhood. The address in question is not along an OCP corridor, it is in a quiet, residential area.

If you would please respond to our letter before 14 March we would greatly appreciate it.

Cheers,

Jane and Kenneth Wheatley

1340 Manor Road – 5 houses from the proposed subdivision

March 4, 2017

Mayor Helps,
Councillors' Alto, Lucas, Loveday, Issit, Coleman, Thorton-Joe, Coleman, Young and Madoff

Re: Development Variance Application No. 00186

I am writing to express my concern of the DVA and the proposed subdivision of 1322 Rockland, Schuuum; a building prominent in the City of Victoria Register of Heritage Property for its Heritage Covenant. Few in the Heritage Registry have a Heritage Covenant registered and this indicates the effort past owners made to have the home and location protected in perpetuity.

This DVA and subdivision cannot go ahead. It is critical the property be maintained in one contiguous piece to ensure proper and sensitive development of the property as a whole and to support the heritage covenant. The rezoning of the property to RN-2 set specific setbacks to protect the access and street view of Schuuum, making it clear development must deal with the property as a whole, not piecemeal.

That property may well support addition density reflecting the R1-A surrounding property and the current RN-2 zoning. However, any such addition must be done with responsible oversight to ensure the prominence of the original residence. That oversight is provided in the vehicle of a single lot development, not two separate lots with the possibility of expedient rezoning.

Additionally, DVP and the proposed realignment of the current building/buildings to make Royal Terrace the front of Lot 1 of the proposed subdivision is bizarre. This is the historical site 1322 Rockland, not 900 something Royal Terrace. How would anyone think that turning the rear yard and stables into the front is rational? Our city bylaws are clear that the original front entrance of historical buildings is The Front Entrance and is to be given prominence.

Bob June
1310 Manor Road

Katie Lauriston

From: rusty ritenour [REDACTED]
Sent: Saturday, March 04, 2017 7:16 PM
To: Lisa Helps (Mayor)
Cc: Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Jonathan Tinney
Subject: No to subdivision of 1322 Rockland Ave

March 4, 2017

Dear Mayor Helps and City Councilors:

Re: 1322 Rockland Street (Macklem House) Variance application and Subdivision Proposal

I am a local physician who moved to Victoria from Halifax, Nova Scotia four years ago with my family. I have two active boys, one at Central Middle School and one at Oak Bay High. We have a black lab. We chose Rockland and the City of Victoria over surrounding neighbourhoods and cities for the green space, the wonderful feel when walking around, its proximity to downtown and the Royal Jubilee Hospital, and the historic nature of the area. It has been wonderful having Craigdarroch Castle and Government House as neighbours. We walk in this area every day. Our kids know every nook and cranny from biking, exploring, and skateboarding all the twists and turns. It shares a lot in common with the historic neighbourhood we enjoyed in Halifax.

I have been here long enough to see smart development and the opposite. I have seen immediate neighbouring lots developed by blasting, cutting down all trees and maximizing lot space. I have seen beautiful high-density developments unfold downtown and along the Fort Street corridors—developments that blend in and have lasting value. We live in a beautiful place; preserving this is worth doing. I think we can insist development be well done, both to preserve the beauty and the value of our neighbourhoods.

With this in mind, I am writing to express my strong opposition regarding the request for a variance on the frontage of 1322 Rockland (the Historic Macklem House), and the related proposal for subdivision of this property. This property is an estate of significant historical value and unique character, the kind that makes Rockland the neighbourhood that it is. Any development must deal with the estate as a whole, without subdivision. To do otherwise is taking a shortcut as a developer to maximize the property rather than proposing a complete, quality project. Personally, it would deeply sadden me to see the historic setbacks disappear with subdivision, and along with this see the wonderful trees, green spaces and walking lanes vanish forever.

I am also concerned, more generally, with the proliferation of site-specific zoning in the City of Victoria, an issue that extends beyond Rockland and into many neighbourhoods. The City of Victoria, based on extensive research and consultation, has articulated a vision for development of the city in a manner reflecting its diverse needs: environment, culture, business, etc. Site-specific zoning undermines this vision and coherent planning for the future.

I urge that this variance not be granted and that no subdivision of 1322 Rockland be approved.

Thank you for your time and consideration. I would kindly ask for the favour of a reply.

Sincerely,

Rusty J. Ritenour
Eye Surgeon - Island Health
Resident and Member Rockland Neighbourhood Association

Katie Lauriston

From: susan simpson [REDACTED]
Sent: Saturday, March 04, 2017 1:23 PM
To: Lisa Helps (Mayor)
Subject: Proposed variance and subdivision-1322 Rockland

Dear Mayor Helps,

As a resident of the Rockland area of Victoria, I was disappointed to learn of the proposed variance and subdivision of the property at 1322 Rockland.

When I was deciding where to live in Victoria, I chose the Rockland neighbourhood because it is established and stable, with beautiful heritage homes on lovely properties surrounded by mature trees, many of which are part of the endangered Garry oak ecosystem.

The Official Community Plan (OCP) clearly underscores the need for heritage values to be considered in land management and for the conservation of heritage property as resources for the present and for the future. In particular, for the Rockland neighbourhood it dictates conservation of historic architectural and landscape character, preservation of green space and estate features (existing dwellings and large lot character) while encouraging a diversity of population and housing.

In the seven years I have been here, I have seen old properties and homes be divided up, torn down and blasted away and protected trees cut down for no apparent reason. All that makes Rockland unique and special to Victoria as a whole is being slowly destroyed. There is no other area of the city quite like the Rockland neighbourhood and I am at a loss to understand why the city does not appreciate it for what it offers to residents and visitors alike.

Each neighbourhood within Victoria has its own unique character and charm. Why would you want to destroy these gems that contribute to the diversity that make this city so special? Do you want the city to be one massive development of barren, treeless plots of land and high rise buildings? That is what Victoria is becoming and will continue to become unless you start to recognize what each neighbourhood offers and take steps to protect the diversity that makes this city special. Do you want your legacy to be that of a government that destroyed green space and developed without regard to heritage and character? I would hope not.

I urge you to take a stand for your city, for heritage, for character and for diversity and vote against the proposed variance and subdivision of 1322 Rockland. The Rockland neighbourhood is special – let's keep it that way.

I look forward to your timely response.

Most sincerely,

Susan Simpson

981 Royal Terrace

[REDACTED]

TO : THE CITY OF VICTORIA MAYOR AND COUNCIL
11, 2017

MARCH

FROM : SHIRLEE AND DARYL PLATER 960 JOAN CRESCENT, VICTORIA

RE : 1322 ROCKLAND AVENUE: SUBDIVISION APPLICATION

As recent home owners in the Rockland area of Victoria, we would like to register our opposition to the application recently made to subdivide the property at 1322 Rockland Avenue.

As former and now permanent residents of Victoria, with family dating back to the Norman Morrison voyage arriving in Victoria in 1854, we feel we have a special bond to Victoria but most especially to the Fairfield and Rockland areas. This is indeed one of those very special places in the world.

After careers in the arts and architecture, we were drawn to the Rockland area which is characterized in the OCP as "an area of notable historic architectural and landscape character" and recommends that "the maintenance of existing dwellings and large lot character" be supported "through sensitive infill that preserves green space and estate features. Shirlee and I agree with this policy and the goal "to preserve and maintain the unique urban environment of Rockland".

The concern with this particular subdivision proposal is that by severing a portion of this heritage property from the Macklen House can more easily lead to a future development on the subdivided portion of the property which is totally inappropriate to it's heritage neighbour. To create two separate lots would negate the opportunity for developing the total site in a comprehensive manner which takes into consideration that 1322 Rockland is a Heritage designated property.

In conclusion, we agree with the Rockland Neighbourhood Association that no subdivision and/or development be considered or allowed unless there are specific proposals for such development and that any proposal be carefully planned and considered with the heritage aspect of the property kept foremost in mind.

Thank you for your consideration,

Shirlee and Daryl Plater

Cell [REDACTED] cell [REDACTED]

Katie Lauriston

From: DOREEN MUELLER [REDACTED]
Sent: Monday, March 13, 2017 3:54 PM
To: Lisa Helps (Mayor)
Cc: Pam Madoff (Councillor)
Subject: 1322 rockland subdivision

Mayor Helps.

I moved to 1301 Rockland Ave. in 1991. We selected the area because of its historical background, the trees, vegetation and rock outcrops. In addition the area had a Rockland Neighbourhood Plan. The plan was established in the late 1980's and therefore did not look outdated.

We appreciated the neighbourhood's foresight. The citizens of Rockland had considered densification. The manor houses had been divided into rental properties as well as condos. The historical value of the manor houses was retained by insisting that the homes remain visible from streets.

We today have a good representation of renters as well as homeowners in the neighbourhood. The neighbourhood today contains religious organizations, day cares, nursing homes, condos and an Art Gallery. Our backyard runs into the Seward Estate on Moss st., a Community of 10 townhouses, taste fully integrated into the neighborhood. It can hardly be said that we are a NIMBY neighbourhood.

We cherish our green spaces. Our trees, vegetation and rock outcrops are important to us. They are important because there are no parks. Green spaces therefore are not just important to immediate neighbours, they are important to the entire neighbourhood and they are important to maintain the historical nature of the neighbourhood.

we oppose the request for the subdivision of 1322 Rockland Ave. We have been through numerous attempts for 1322 Rockland to diminish the historical value of the property. Should you grant the subdivision of 1322 Rockland Ave., it will set into motion requests for other manor houses in the neighbourhood. Your decisions on the two properties in front of you right now that is the truth centre and 1322 Rockland will set the trend for the future. It is in your hands to preserve the historical value of the neighbourhood or destroy it.

Thank you for your patience and attention and I look forward to your reply.

Katie Lauriston

From: Patricia Kidd [REDACTED]
Sent: Monday, March 13, 2017 9:52 PM
To: Lisa Helps (Mayor)
Subject: 1322 Rockland Ave.

Dear Mayor Helps and City Councillors:

Re: 1322 Rockland Street (Macklin House) Variance application and Subdivision Proposal

I am writing to express my strong concern regarding the request for a variance on the frontage of 1322 Rockland (Schu-huum, or the Macklin House), and the related proposal for subdivision of this property.

Much of Victoria's economy is built on tourism. People flock here not just for the climate, but because the city has a variety of architecture which reflects both its history and its various cultures. Because of its proximity to the downtown area, the array of available transport to bring tourists to this area, and the several attractions of the area, ensure that visitors are numerous all year round. As a regular walker in the area, I meet and chat with many of these people, and it's the heritage architecture of the area that most comment upon. At present, a significant amount of new housing in the Rockland area reflects contemporary architectural style. Too many heritage properties are disappearing, and the city is beginning to look like any other urban centre. Since the city's charm is its main selling point, we destroy this at our peril!

The property at 1322 also includes a large and vital green space. This area is the 'lungs' of the city! Green space cleans the air for everyone who lives here. Subdivision will allow building density which will seriously damage this crucial green space, and the flora and fauna which depend upon it.

This property is an estate of significant historical value and unique character. When it was designated as a heritage site in 1985, the consequent re-zoning included specific setbacks that were as unique as the RN-2 zoning itself. These setbacks relate specifically to the placement of the house and drive on the estate, and preserve original access and sight-lines. This makes it abundantly clear that any development must deal with the estate as a whole, without subdivision.

The proposal to subdivide the property provides no benefit to the Rockland community or to Victoria. I support development of this property, but it must be developed as a whole. Consideration should be given to an alternative use for public or cultural purposes.

I am also concerned, more generally, with the proliferation of site-specific zoning in the City of Victoria, an issue that extends beyond Rockland and into many neighbourhoods. The City of Victoria, based on extensive research and consultation, has articulated a vision for development of the city in a manner reflecting its diverse needs. Site-specific zoning undermines this vision and coherent planning for the future.

I urge that this variance not be granted and that no subdivision of 1322 Rockland be approved.

Sincerely

Patricia C. Kidd

Patricia Kidd, M.A., Cultural Historian
Doctoral Candidate, History, UVic
(home) 1025 Moss Street
Victoria B.C. Canada
V8V 4P2
[REDACTED]

Katie Lauriston

From: Charis Burke [REDACTED]
Sent: Friday, March 17, 2017 4:47 PM
To: Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor)
Subject: Concern regarding 1322 Rockland Street (Macklin House) Variance application and Subdivision Proposal

Dear Mayor Helps and City Councillors:

Re: 1322 Rockland Street (Macklin House) Variance application and Subdivision Proposal

I am writing to express my strong concern regarding the request for a variance on the frontage of 1322 Rockland (Schu-huum, or the Macklin House), and the related proposal for subdivision of this property.

This property is an estate of significant historical value and unique character. When it was designated as a heritage site in 1985, the consequent re-zoning included specific setbacks that were as unique as the RN-2 zoning itself. These setbacks relate specifically to the placement of the house and drive on the estate, and preserve original access and sight-lines. This makes it abundantly clear that any development must deal with the estate as a whole, without subdivision.

A subdivision of 1322 Rockland also runs counter to the vision and strategic directions Victoria's Official Community Plan (OCP). The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

The proposal to subdivide the property provides no benefit to the Rockland community or to Victoria. I support development of this property, but it must be developed as a whole. Consideration should be given to an alternative use for public or cultural purposes.

I am also concerned, more generally, with the proliferation of site-specific zoning in the City of Victoria, an issue that extends beyond Rockland and into many neighbourhoods. The City of Victoria, based on extensive research and consultation, has articulated a vision for development of the city in a manner reflecting its diverse needs. Site-specific zoning undermines this vision and coherent planning for the future.

I urge that this variance not be granted and that no subdivision of 1322 Rockland be approved.

Sincerely,

Charis

Charis Burke
1509 Rockland Avenue
Victoria, BC V8S 1W3

RECEIVED
~~SEP 08 2017~~
Mar 22 2017

Mayor Lisa Helps,

When we moved to Victoria, we chose the Rockland neighbourhood because it is established and stable. It has beautiful heritage homes that are surrounded by mature trees, many of which make up the endangered Garry oak ecosystem.

During the 10 years we have been here, properties have been divided up, torn down and the rock that our neighbourhood has been named after, has been blasted. Roots from trees that we thought were protected have been damaged by the blasting and other trees felled as they were in the building envelope of the new development. Rockland is slowly being destroyed.

Each area of the city is unique and we can't comprehend why the city does not appreciate their diversity. What will our city become if it is devoid of trees and filled with densification projects? Over 70 percent of Rockland's current population lives in suites or apartments. Why do we need more densification!

We thought our civic government valued green space, trees, heritage, character and neighbourhood diversity.

Please stop the proposed variance and subdivision of 1322 Rockland.

Please decrease the density of the proposal at 1201 Fort Street so the streetscape along Pentrelew does not resemble a wall of townhouses.

Rockland residents,

Jane and Ken Wheatley

Lacey Maxwell

From: Jenny Jaeckel [REDACTED]
Sent: June 7, 2017 9:17 AM
To: Lisa Helps (Mayor)
Subject: proposed development at 1322 Rockland Ave. Victoria

Dear Mayor Helps,

I am writing to express my opposition to the proposed development at 1322 Rockland Ave.

My family and I are long term renters at 1320 Rockland Ave. We chose this place to live because it is a calm and quiet location and has a lovely yard where our child can play. I myself am a writer and work at home, and also have a neurological condition that makes it extremely hard for me to tolerate noise. If I am in a noisy environment during the day I have seizures at night.

The proposed development would create a massive amount of noise for a very extended period of time and would make our home unliveable for us. We do not wish to move, nor would we be able to move to a new home in the foreseeable future. We are a middle-low-income family and as you know there is quite a housing crisis in the city.

Further, our (12 years of age) child has a respiratory issue, and the exhaust, dust and debris from extended construction would greatly and adversely impact the health of our child.

Thank you for hearing our concerns.

Sincerely,
Jenny Jaeckel

Lacey Maxwell

From: Sylvia Mitbrodt [REDACTED]
Sent: November 9, 2017 4:27 PM
To: Victoria Mayor and Council
Subject: Re: 1322 Rockland Avenue

To Mayor and Council,

As owners of 1320 Rockland Avenue, which is the property next door to 1322 Rockland Avenue, we would like to have our names on the record that we oppose the application to subdivide by Wei Tu. We feel that 1322 Rockland Avenue with its land in tact, is a significant and integral part of the historic estate and must be preserved. The house is large and stately and would be greatly diminished by subdivision.

Sincerely,
Jurgen and Sylvia Mitbrodt

Lacey Maxwell

From: Chantal Meagher [REDACTED]
Sent: November 15, 2017 9:29 AM
To: Alec Johnston
Cc: Jonathan Tinney; Pam Madoff (Councillor) [REDACTED]; Phil Calvert; Lisa MacIntosh; Victoria Mayor and Council
Subject: 1322 Rockland application for variance and subdivision - voicing concerns
Attachments: history of 1322 development efforts.pages

Dear Alec --

I am forwarding to you a letter I sent to Jonathan Tinney several months ago regarding the proposed subdivision of 1322 Rockland Avenue.

I see that you are now preparing recommendations with respect to this application, and wish to remind you both of the concerns voiced in my earlier letter, as well as those raised in our telcon last week:

First, with respect to the assessment of the property at 1322 Rockland as a **panhandle** lot, I'd refer you to the letter of 4 January from Thom Pembrokat to Ian Phillips, in which they advise that the existing property would indeed be classified as a panhandle. I would urge you to revisit your assessment in light of this.

Second, I would like to direct your attention to the correspondence of 6 and 8 April 2011 between Brad Dellebur, Brian Sikstrom, and Ian Phillips relating to the requirement of the City for a road dedication on Rockland and Royal Terrace - including for the property on which the Carriage House now stands. At that time, the City was adamant in **requiring a road dedication** (rather than the statutory right of way that Wei's representative was proposing) in the event of subdivision. I trust that, should the City be entertaining the idea of this application moving to the COW, it would again insist on a road dedication.

Third, in the letter of 20 May 2011 from Jeff Mitton to Ian Phillips, he stated that **"Any subdivision proposal needs to address the issue of the current use and how it complies with the provision of parking on site. Please provide confirmation that the use of the building and the number of required parking spaces complies with the bylaw."** As you are aware, there are currently 35 rental units in the existing buildings. I am not, at this time, suggesting that this must be reduced, but I do have concerns about the owner 'locking in' any non-conforming use along with non-conforming setbacks, and then proceeding to exhibit the same cavalier disregard of rules and regulations with respect to the remaining portion of the property.

Finally, I attach a summary of past development proposals for this property. I have no objection to reasonable, appropriate and sensitive development of this property, consistent with the current site specific zoning and covenant. However, as you can see from the attached summary, none of the past proposals put forward by the owner thus far would satisfy any of these criterion. There is no good reason for subdivision of this property in the absence of a concrete development plan for the 'vacant' portion of the lot. I urge you to **prevent the applicant from achieving indirectly what she has been unable to achieve directly.**

These successive unreasonable development proposals do nothing more than creating stress within the community, while wasting both your time and taxpayer resources.

Best,

Chantal Meagher
1347 Craigdarroch Road

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

From: Chantal Meagher [REDACTED]
Date: 1 March 2017 at 15:50
Subject: 1322 Rockland application for variance and subdivision - voicing concerns
To: jtinney@victoria.ca
Cc: pmadoff@victoria.ca, landuse@rockland.bc.ca

Dear Mr. Tinney:

I am writing to express my strong objection to the application for a variance on the frontage of historic 1322 Rockland (also known as Schu-huum, or the Macklin House), and the related proposal for subdivision of this property.

This property is an estate of **significant historical value and unique character**. When it was designated as a heritage site in 1985, the consequent re-zoning specified setbacks that were as unique as the RN-2 zoning itself. These setbacks relate specifically to the placement of the house and drive on the estate, and preserve original access and sight-lines. This makes it abundantly clear that any development must deal with the estate as a whole unless the eventual development is not to make a mockery of historical preservation.

A subdivision of 1322 Rockland also **runs counter to the vision and strategic directions Victoria's Official Community Plan (OCP)**. The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

The proposal to subdivide the property **provides no benefit to the Rockland community or to Victoria**. I support development of this property, but it must be developed as a whole, and in a manner consistent with the historic nature of both the property and the neighbourhood.

I also understand the **desire to increase density** close to the core of the city. However, more homes does not necessarily translate to greater density, and may - in some cases - eventually lead to a decrease in affordable housing. Rockland already boasts considerable diversity of accommodation options, and significant density already. Indeed, without even moving from my present seat at our kitchen island, I have direct sight lines to four large homes that have all been divided into dozens of apartments.

The last development application for this property proposed upwards of 40 new units, in addition to the existing historical buildings, which would be converted from rooming house style accommodation to single family accommodation. In the absence of a development proposal to accompany this current application for subdivision, and considering that the ownership of the property has not changed since that last application, it is not unreasonable to expect that any future effort to develop the lot would bear considerable resemblance to past applications. In such a case, this would **not only significantly reduce affordable housing in the heart of Rockland, but would place the desires of one owner and developer over the good of the community** and the interests of the many other residents who call this place home.

If this property -- in close proximity to a number of sites of Victoria's historic and cultural importance - is not developed in an appropriate and sensitive manner, there is no going back. I therefore urge that this variance not be granted and that no subdivision of 1322 Rockland be approved in the absence of a comprehensive development proposal.

I look forward to your early response.

Sincerely,

Chantal Meagher
1347 Craigdarroch Road

cc: P. Madoff
cc: Rockland Neighbourhood Association

--

Chantal Meagher

Lacey Maxwell

From: webforms@victoria.ca
Sent: November 16, 2017 3:05 PM
To: Victoria Mayor and Council
Subject: Mayor and Council email

Categories: Planning

From: Deborah Hartwick

Email: [REDACTED]

Reference : <http://www.victoria.ca/EN/main/city/mayor-council-committees/councillors.html>

Daytime Phone : [REDACTED]

Dear Mayor and Councillors,

As the development of 1322 Rockland proceeds we would like you to go stand on Royal Terrace and imagine what having an undetermined amount of cars going up and down as well as extra parking on Royal and Manor would be like. The left turn from Royal onto Rockland is already dangerous. There is also one of Victoria's oldest and grandest Garry Oak trees that will have to come down. There are other ways to accommodate a driveway which must be considered. We look forward to hearing what the rationale behind allowing the placement of said driveway!

Thank you for your careful consideration.

Regards,

Deborah Hartwick

IMPORTANT NOTICE: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify The City of Victoria immediately by email at publicservice@victoria.ca. Thank you.

IP Address: [REDACTED]

Katie Lauriston

From: Jonathan Tinney
Sent: Tuesday, December 05, 2017 12:58 PM
To: Janet Simpson; Pam Madoff (Councillor); Jocelyn Jenkyns
Cc: Alec Johnston
Subject: RE: 1322 Rockland Avenue

Janet,

Thanks for your note. By way of cc I will ask Alec (who is the planner on this file) to add your letter below to the correspondence for this file for Council's consideration at such time as this file reaches Committee of the Whole. Based on your request, Council has the option of directing the application to undertake a formal CALUC meeting at that time.

Regards,

Jonathan

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

From: Janet Simpson [mailto: [REDACTED]]
Sent: November 26, 2017 11:18 AM
To: Pam Madoff (Councillor) <pmadoff@victoria.ca>; Jonathan Tinney <JTinney@victoria.ca>; Jocelyn Jenkyns <JJenkyns@victoria.ca>
Subject: 1322 Rockland Avenue

Hello,

The Rockland Neighbourhood Association is requesting an official Community Meeting for the Development Variance Permit to reduce the east yard setback to allow for subdivision.

Any development must deal with the property as a whole. Granting a permit such as this would pave the way for a subdivision which would violate the 1985 Covenant between the City and the Anglican Church Women, a covenant that sets clear restrictions on development of the lot in order to preserve sight lines to the house as well as protect it.

Inappropriate development on this heritage site will be extremely contentious. Therefore, it is imperative that the neighbours be given a chance to learn about the proposal, ask questions, and provide feedback.

As with 515 Foul Bay Road, subdivision along with variances can permit a way around rezoning that removes a development from community consultation and review. In that application process, the developer was ultimately required to participate in an official Community Meeting.

We would like a similar requirement for 1322 Rockland Avenue.

Sincerely,

Janet

Lacey Maxwell

From: Chantal Meagher [REDACTED]
Sent: December 19, 2017 1:33 PM
To: Victoria Mayor and Council
Subject: Re: Email to Mayor and Council RE: 1322 Rockland application for variance and subdivision - voicing concerns

Hi Lacey --

The problem with Macs!!!

I've pasted the content of the attachment below.

Thanks for following up, and Merry Christmas!

Chantal

Recent history of 1322 Rockland Avenue

- **Purchased 2003:** 1.9 million (2 lots)
- **Assessed value almost tripled by 2016:** 5.531 million (3.79 million + 1.741 million)
 - note: assessment of the property containing the manor house shows 14 beds, 11 baths, but there are 35 rental units in the existing building, with monthly income estimated to be in excess of \$20,000

Past development efforts (all are in addition to the existing manor house and carriage house, which now contain 35 rental units):

2004:

- two different proposals (in addition to the existing buildings):
 - 60 units (details not available, but would be in City's files)
- 11 apartment units, plus 11 attached housing units

2005:

- another two proposals:
 - January: 48 units: 37 apartments and 9 townhouses
- August: 29 townhouses, each of at least 2000 SF, resulting in density of well over the 25% allowed

2006:

- February: proposed changing to CD zoning, requesting 4 development zones
 - 22 apartments in 2 buildings, and 6 townhomes
 - 13.65 M high

2009:

- discussions with VIHA to turn the manor house and carriage house into 35 bed transitional housing. This venture did not move forward, but the buildings have been updated (date unknown) to provide 35 separate rental units.

2010:

- October: subdivision application to sever the larger lot into 2: one with manor house, and second, vacant lot.

2011:

- new house (5307sf) built on smaller of 2 lots (currently assessed at 1.741 million)
- City advised the property owner (8 April) that a road dedication would be a condition of subdivision of the larger lot. The subdivision was not granted.

2017:

- January: new application for subdivision submitted by owner. Report of planner is now in preparation.

On 19 December 2017 at 10:56, Victoria Mayor and Council <mayorandcouncil@victoria.ca> wrote:

Dear Chantal,

Thank you for your email regarding 1322 Rockland Avenue. Your email has been shared with Mayor and Council, attached to the correspondence file for this address, and will be shared with Council again when they consider this application at a future Committee of the Whole meeting at a date that is yet to be determined.

Unfortunately, I am unable to open the attachment. If you would like to resend it, I will be happy to add it to the correspondence file as well.

Thank you very much for taking the time to share your thoughts with Mayor and Council and the City of Victoria.

Sincerely,

Lacey Maxwell
Correspondence Coordinator
Mayor / City Manager's Office
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6



From: Chantal Meagher [mailto: [REDACTED]]
Sent: November 15, 2017 9:29 AM
To: Alec Johnston <ajohnston@victoria.ca>
Cc: Jonathan Tinney <JTinney@victoria.ca>; Pam Madoff (Councillor) <pmadoff@victoria.ca>; [REDACTED] Phil Calvert [REDACTED]; Lisa MacIntosh [REDACTED]; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 1322 Rockland application for variance and subdivision - voicing concerns

Dear Alec --

I am forwarding to you a letter I sent to Jonathan Tinney several months ago regarding the proposed subdivision of 1322 Rockland Avenue.

I see that you are now preparing recommendations with respect to this application, and wish to remind you both of the concerns voiced in my earlier letter, as well as those raised in our telcon last week:

First, with respect to the assessment of the property at 1322 Rockland as a **panhandle** lot, I'd refer you to the letter of 4 January from Thom Pemberton to Ian Phillips, in which they advise that the existing property would indeed be classified as a panhandle. I would urge you to revisit your assessment in light of this.

Second, I would like to direct your attention to the correspondence of 6 and 8 April 2011 between Brad Dellebur, Brian Sikstrom, and Ian Phillips relating to the requirement of the City for a road dedication on Rockland and Royal Terrace - including for the property on which the Carriage House now stands. At that time, the City was adamant in **requiring a road dedication** (rather than the statutory right of way that Wei's representative was proposing) in the event of subdivision. I trust that, should the City be entertaining the idea of this application moving to the COW, it would again insist on a road dedication.

Third, in the letter of 20 May 2011 from Jeff Mitton to Ian Phillips, he stated that **"Any subdivision proposal needs to address the issue of the current use and how it complies with the provision of parking on site. Please provide confirmation that the use of the building and the number of required parking spaces complies with the bylaw."** As you are aware, there are currently 35 rental units in the existing buildings. I am not, at this time, suggesting that this must be reduced, but I do have concerns about the owner 'locking in' any non-conforming use along with non-conforming setbacks, and then proceeding to exhibit the same cavalier disregard of rules and regulations with respect to the remaining portion of the property.

Finally, I attach a summary of past development proposals for this property. I have no objection to reasonable, appropriate and sensitive development of this property, consistent with the current site specific zoning and covenant. However, as you can see from the attached summary, none of the past proposals put forward by the owner thus far would satisfy any of these criterion. There is no good reason for subdivision of this property in the absence of a concrete development plan for the 'vacant' portion of the lot. I urge you to **prevent the applicant from achieving indirectly what she has been unable to achieve directly.**

These successive unreasonable development proposals do nothing more than creating stress within the community, while wasting both your time and taxpayer resources.

Best,

Chantal Meagher

1347 Craigdarroch Road

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

From: Chantal Meagher [REDACTED]

Date: 1 March 2017 at 15:50

Subject: 1322 Rockland application for variance and subdivision - voicing concerns

To: jtinney@victoria.ca

Cc: pmadoff@victoria.ca, landuse@rockland.bc.ca

Dear Mr. Tinney:

I am writing to express my strong objection to the application for a variance on the frontage of historic 1322 Rockland (also known as Schu-huum, or the Macklin House), and the related proposal for subdivision of this property.

This property is an estate of **significant historical value and unique character**. When it was designated as a heritage site in 1985, the consequent re-zoning specified setbacks that were as unique as the RN-2 zoning itself. These setbacks relate specifically to the placement of the house and drive on the estate, and preserve original access and sight-lines. This makes it abundantly clear that any development must deal with the estate as a whole unless the eventual development is not to make a mockery of historical preservation.

A subdivision of 1322 Rockland also **runs counter to the vision and strategic directions Victoria's Official Community Plan (OCP)**. The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

The proposal to subdivide the property **provides no benefit to the Rockland community or to Victoria**. I support development of this property, but it must be developed as a whole, and in a manner consistent with the historic nature of both the property and the neighbourhood.

I also understand the **desire to increase density** close to the core of the city. However, more homes does not necessarily translate to greater density, and may - in some cases - eventually lead to a decrease in affordable housing. Rockland already boasts considerable diversity of accommodation options, and significant density already. Indeed, without even moving from my present seat at our kitchen island, I have direct sight lines to four large homes that have all been divided into dozens of apartments.

The last development application for this property proposed upwards of 40 new units, in addition to the existing historical buildings, which would be converted from rooming house style accommodation to single family accommodation. In the absence of a development proposal to accompany this current application for subdivision, and considering that the ownership of the property has not changed since that last application, it is not unreasonable to expect that any future effort to develop the lot would bear considerable resemblance to past applications. In such a case, this would **not only significantly reduce affordable housing in the heart of Rockland, but would place the desires of one owner and developer over the good of the community** and the interests of the many other residents who call this place home.

If this property -- in close proximity to a number of sites of Victoria's historic and cultural importance - is not developed in an appropriate and sensitive manner, there is no going back. I therefore urge that this variance not be granted and that no subdivision of 1322 Rockland be approved in the absence of a comprehensive development proposal.

I look forward to your early response.

Sincerely,

Chantal Meagher

1347 Craigdarroch Road

cc: P. Madoff

cc: Rockland Neighbourhood Association

--

Chantal Meagher

--

Chantal Meagher

Lucas De Amaral

From: Phil Calvert [REDACTED]
Sent: Tuesday, January 02, 2018 2:53 PM
To: Victoria Mayor and Council
Cc: Jonathan Tinney; Alec Johnston; Merinda Conley
Subject: Fwd: Proposed Subdivision of 1322 Rockland

Dear Mayor and Council--

A slight correction--I meant to say that the proposal for subdivision of Rockland was being reviewed by the City's Planning Department, not Housing.

Phil Calvert

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

From: Phil Calvert [REDACTED]
Date: 2 January 2018 at 14:49
Subject: Proposed Subdivision of 1322 Rockland
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: jtinney@victoria.ca, mconley@victoria.ca, ajohnston@victoria.ca

Dear Mayor Helps and Councillors

I am writing to express my strong objection to the proposed subdivision of 1322 Rockland. This proposal is currently being reviewed by the City of Victoria's Housing department, and will be presented to Council in the near future.

The house at 1322 Rockland is older than the Legislative Buildings. Its historic value lies not just in the building, but in the estate as a whole, which is one of the few remaining of its kind in Victoria. When it was designated as a heritage site in 1985, the consequent re-zoning included specific, unique setbacks related specifically to the placement of the house and drive on the estate, thus preserving original access and sight-lines. In order to preserve the estate nature of the property, the property must be dealt with as a whole, and not subdivided.

Subdivision of 1322 would open the door to loosening the protections in the 1985 covenant by creating one lot containing just the existing buildings and parking lots and another, vacant lot. In 2011, the city planner at the time confirmed this property as a panhandle lot. Subdividing the lot could open the door to classification of the second - vacant - lot as a non-panhandle lot, allowing development inconsistent with both the original estate nature of the lot, and the intention of the heritage covenant.

However, it would be a grave mistake to create this 'vacant' lot, as this proposed second lot is an inextricable part of the manor, and the reason why the non-conforming setbacks were allowed. At the time the property was designated as a heritage site, the Advisory Planning Commission's letter recommending approval to the Mayor and Council stated: "Because of the property's unusually large size, the current building is *lawfully* non-conforming in north and east setbacks." (italics added).

A subdivision of 1322 Rockland also runs counter to the vision and strategic directions of Victoria's current Official Community Plan (OCP). The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

In addition, consultations on the Rockland section of the new Official Community Plan, originally slated and announced for August 2017, have yet to start. It does not make sense to make such a significant decision about an estate of historic value without the context of an updated plan.

1322 Rockland is an important part of Victoria's heritage. Subdivision of the property provides no benefit to the Rockland community or to Victoria. Given the many attempts by the current owner to put in place very intensive development at the expense of the traditional historic character of the estate, and against the expressed wishes of the neighbourhood, I urge you to reject this proposal for subdivision, and to confirm that the property only may be developed as a whole and in a manner appropriate for the community. I would also urge you to give strong consideration to an alternative use of this important piece of Victoria's heritage for public or cultural purposes.

Sincerely

Phil Calvert

Alicia Ferguson

Subject: RE: 1322 Rockland Street Application for Variance and Subdivision Proposal

From: Chantal Meagher

Sent: March 1, 2017 2:31 PM

To: Lisa Helps (Mayor) <mayor@victoria.ca>

Cc: landuse@rockland.bc.ca; Pam Madoff (Councillor) <pmadoff@victoria.ca>

Subject: 1322 Rockland Street Application for Variance and Subdivision Proposal

Dear Mayor Helps:

I am writing to express my strong objection to the application for a variance on the frontage of historic 1322 Rockland (also known as Schu-huum, or the Macklin House), and the related proposal for subdivision of this property.

This property is an estate of **significant historical value and unique character**. When it was designated as a heritage site in 1985, the consequent re-zoning specified setbacks that were as unique as the RN-2 zoning itself. These setbacks relate specifically to the placement of the house and drive on the estate, and preserve original access and sight-lines. This makes it abundantly clear that any development must deal with the estate as a whole unless the eventual development is not to make a mockery of historical preservation.

A subdivision of 1322 Rockland also **runs counter to the vision and strategic directions Victoria's Official Community Plan (OCP)**. The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

The proposal to subdivide the property **provides no benefit to the Rockland community or to Victoria**. I support development of this property, but it must be developed as a whole, and in a manner consistent with the historic nature of both the property and the neighbourhood.

I also understand the **desire to increase density** close to the core of the city. However, more homes does not necessarily translate to greater density, and may - in some cases - eventually lead to a decrease in affordable housing. Rockland already boasts considerable diversity of accommodation options, and significant density already. Indeed, without even moving from my present seat at our kitchen island, I have direct sight lines to four large homes that have all been divided into dozens of apartments.

The last development application for this property proposed upwards of 40 new units, in addition to the existing historical buildings, which would be converted from rooming house style accommodation to single family

accommodation. In the absence of a development proposal to accompany this current application for subdivision, and considering that the ownership of the property has not changed since that last application, it is not unreasonable to expect that any future effort to develop the lot would bear considerable resemblance to past applications. In such a case, this would **not only significantly reduce affordable housing in the heart of Rockland, but would place the desires of one owner and developer over the good of the community** and the interests of the many other residents who call this place home.

If this property -- in close proximity to a number of sites of Victoria's historic and cultural importance - is not developed in an appropriate and sensitive manner, there is no going back. I therefore urge that this variance not be granted and that no subdivision of 1322 Rockland be approved in the absence of a comprehensive development proposal.

I look forward to your early response.

Sincerely,

Chantal Meagher
1347 Craigdarroch Road

cc: P. Madoff

cc: Rockland Neighbourhood Association

Lacey Maxwell

From: Chantal Meagher [REDACTED]
Sent: January 18, 2018 10:21 AM
To: Victoria Mayor and Council; Geoff Young (Councillor); Ben Isitt (Councillor); Chris Coleman (Councillor); Charlayne Thornton-Joe (Councillor); Jeremy Loveday (Councillor); Marianne Alto (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Public Hearings; Merinda Conley
Cc: Alec Johnston; Jonathan Tinney
Subject: Fwd: 1322 Rockland subdivision -- CALUC public meeting
Attachments: 1322 development efforts jan18.docx

Dear Mayor and Council:

I am writing to ask that the City move forward immediately with an official Community Association Land Use Committee (CALUC) public meeting to allow for meaningful consultation regarding the proposed subdivision and consequent development of the property at 1322 Rockland. The Rockland Community Association has already made this request of the City, which myself and the neighbours listed below strongly support.

You will see from the letter forwarded, below, that I have written to the owner of the property with the same request. However, I strongly believe that the most responsible way forward is for the City to order an official CALUC. You will also see from the attached outline of development efforts that considerable resources have already been expended by the city in the course of numerous development efforts. It is time to bring the community into the picture at the beginning of this latest effort.

A CALUC meeting at this point would serve many purposes: In addition to providing transparency, it would provide the community with insight into both the owner's short and long term plans for development, and an opportunity for the neighbours to provide feedback at an early stage in the development. This information could then be employed in the planning process, potentially avoiding costly and frustrating delays as the project moves forward.

I am confident that it is possible - through transparency and consultation - to find a way forward with a development that is sensitive to the community, and protects the considerable heritage and ecological value of the property. The undersigned neighbours believe that early community engagement is an important element in the process of developing a site of this size and significance.

I look forward to hearing from you.

Best,
Chantal Meagher
1347 Craigdarroch Road

This letter also sent on behalf of:

Ken Wheatley
Jane Wheatley
Gordon Wheatley
1340 Manor Road

Patricia Kidd
1025 Moss Street

Kam Lidder
1252 Wils Spencer Place

Peter and Sonia Engstad
941 Joan Crescent

Susan Simpson
981 Royal Terrace

Rick Styles
Lana Quinn
1376 Craigdarroch Road

Jurgen and Sylvia Mitbrodt
1320 Rockland Avenue

Deborah and Clark Hartwick
1372 Craigdarroch Road

Lisa Macintosh
Susanne Vogt
1000 Craigdarroch Road

Bob and Elizabeth June
1310 Manor Road

Phil and Jessye Calvert
1347 Craigdarroch Road

Susan Bartol-Drinker
1330 Rockland Avenue

Anne Underwood on behalf of
Dorothy Underwood
1353 Craigdarroch Road

Brenda Moysey
737 Pemberton Road

Rusty Ritenour
940 Royal Terrace

Vanessa Dingley
12-949 Pemberton Road

Rockland Neighbourhood Association
(per Janet Simpson)

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

From: **Chantal Meagher** [REDACTED]
Date: 18 January 2018 at 09:43
Subject: 1322 Rockland subdivision -- CALUC public meeting
To: Wei Tu [REDACTED]

Dear Wei Tu -

Happy New Year! I hope you've had a lovely holiday season.

Last April, we met to discuss your plans for development of your property at 1322 Rockland. At that time, you expressed a desire to develop it in a manner that was in keeping with the neighbourhood, and taking into account concerns of the neighbours. While you advised that you didn't yet have concrete plans, you shared your intention to build five single family homes.

Since that date, you have applied for subdivision of the property, but the neighbourhood has not been advised of your longer term development plans. Development of this property will be complex and will have a significant impact on your many neighbours - it will undoubtedly need to be evaluated against the Historic Registration and Heritage Covenant. I am writing to ask that you request the City to move forward immediately with an official Community Association Land Use Committee (CALUC) public meeting to allow for meaningful consultation with your neighbours.

A CALUC meeting at this point would serve many purposes: In addition to providing the transparency that you so value, it would provide the community with insight into both your short and long term plans for development, and an opportunity for your neighbours to provide feedback at an early stage in the development of your plans. You would then be able to have your consultants use this relevant and useful feedback in the planning process, potentially avoiding costly and frustrating delays as you move forward.

This request comes not just from myself, but also from neighbours whose names appear below -- many of whom live directly adjacent to your property at 1322 Rockland.

This process has been used with positive effect in other proposed developments in the area. I am confident that it is possible - through transparency and consultation - to find a way forward with a development that is sensitive to the community, and protects the considerable heritage and ecological value of the property. Your neighbours believe that early community engagement is an important element in the process of developing a site of this size and significance.

I look forward to hearing from you.

Best,
Chantal Meagher
1347 Craigdarroch Road

This letter also sent on behalf of:

Ken Wheatley
Jane Wheatley
Gordon Wheatley
1340 Manor Road

Patricia Kidd
1025 Moss Street

Kam Lidder
1252 Wils Spencer Place

Peter and Sonia Engstad
941 Joan Crescent

Susan Simpson
981 Royal Terrace

Rick Styles
Lana Quinn
1376 Craigdarroch Road

Jurgen and Sylvia Mitbrodt
1320 Rockland Avenue

Deborah and Clark Hartwick
1372 Craigdarroch Road

Lisa Macintosh
Susanne Vogt
1000 Craigdarroch Road

Bob and Elizabeth June
1310 Manor Road

Phil and Jessye Calvert
1347 Craigdarroch Road

Susan Bartol-Drinker
1330 Rockland Avenue

Anne Underwood on behalf of
Dorothy Underwood
1353 Craigdarroch Road

Brenda Moysey
737 Pemberton Road

Rusty Ritenour
940 Royal Terrace

Vanessa Dingley
12-949 Pemberton Road

Rockland Neighbourhood Association
(per Janet Simpson)

Recent history of 1322 Rockland Avenue

- **Purchased** 2003: 1.9 million (2 lots)
- **Assessed value** more than tripled by 2017: 6.088 million (3.939 million + 2.149 million)
 - note: assessment of the property containing the manor house shows 14 beds, 11 baths, but there are 35 rental units in the existing building, with monthly income estimated to be well in excess of \$20,000

Past development efforts (all are in addition to the existing manor house and carriage house, which now contain 35 rental units):

2004:

- two different proposals (in addition to the existing buildings):
 - 60 units (details not available, but would be in City's files)
 - 11 apartment units, plus 11 attached housing units

2005:

- another two proposals:
 - January: 48 units: 37 apartments and 9 townhouses
 - August: 29 townhouses, each of at least 2000 SF, resulting in density of well over the 25% allowed

2006:

- February: proposed changing to CD zoning, requesting 4 development zones
 - 22 apartments in 2 buildings, and 6 townhomes
 - 13.65 M high

2009:

- discussions with VIHA to turn the manor house and carriage house into 35 bed transitional housing. This venture did not move forward, but the buildings have been updated (date unknown) to provide 35 separate rental units.

2010:

- October: subdivision application to sever the larger lot into 2: one with manor house, and second, vacant lot.

2011:

- new house (5307sf) built on smaller of 2 lots (currently assessed at 1.741 million)
- City advised the property owner (8 April) that a road dedication would be a condition of subdivision of the larger lot. The subdivision was not granted.

2017:

- January: new application for subdivision submitted by owner. Report of planner is now in preparation.

From: Bob June [REDACTED]
Sent: January 15, 2018 1:05 PM
To: Marianne Alto (Councillor) <MAalto@victoria.ca>; Ben Isitt (Councillor) <BIsitt@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; Pam Madoff (Councillor) <pmadoff@victoria.ca>; Margaret Lucas (Councillor) <mlucas@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthorton-joe@victoria.ca>; Lisa Helps (Mayor) <mayor@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>
Cc: Alec Johnston <ajohnston@victoria.ca>; Merinda Conley <mconley@victoria.ca>
Subject: re: DPV00186 - 1322 Rockland Variances and Subdivision

Dear Mayor and Council:

I am writing to voice my opposition to the proposed variances and subdivision of this property, 1322 Rockland, the Carolyn Macklin/ Schuhuum Residence, without any comprehensive civic consultation nor a plan presented for the proposed subdivision.

As a member of council has stated "The implications, in terms of severing a portion of the property are significant. Any development proposed for the property, as it is currently configured, would need to take into consideration the impact on the designated building, in terms of siting, views, architecture, etc. If the property was to be subdivided those considerations would no longer be relevant.

We have been through a number of proposals for this property, over the years, and there were tremendous advantages to being able to consider the site, as a whole."

This Heritage Registered and Heritage Covenanted property deserves a comprehensive plan; not as a fragmented piecemeal breakup with no overarching concept of development presented.

The property may present potential for development, but that development must be done reflecting the current restrictions of the covenant and the historic values of the Macklin Residence engenders. Development potential should not be severed and potentially allowed in isolation of those values.

Bob June
1310 Manor Road

Lacey Maxwell

From: Sylvia Mitbrodt [REDACTED]
Sent: January 10, 2018 10:42 AM
To: Victoria Mayor and Council
Subject: Re: 1322 Rockland ave

Dear Mayor Helps and Councillors

I am writing to express my strong objection to the proposed subdivision of 1322 Rockland. This proposal is currently being reviewed by the City of Victoria's Housing department, and will be presented to Council in the near future.

The house at 1322 Rockland is older than the Legislative Buildings. Its historic value lies not just in the building, but in the estate as a whole, which is one of the few remaining of its kind in Victoria. When it was designated as a heritage site in 1985, the consequent re-zoning included specific, unique setbacks related specifically to the placement of the house and drive on the estate, thus preserving original access and sight-lines. In order to preserve the estate nature of the property, the property must be dealt with as a whole, and not subdivided.

Subdivision of 1322 would open the door to loosening the protections in the 1985 covenant by creating one lot containing just the existing buildings and parking lots and another, vacant lot. In 2011, the city planner at the time confirmed this property as a panhandle lot. Subdividing the lot could open the door to classification of the second - vacant - lot as a non-panhandle lot, allowing development inconsistent with both the original estate nature of the lot, and the intention of the heritage covenant.

However, it would be a grave mistake to create this 'vacant' lot, as this proposed second lot is an inextricable part of the manor, and the reason why the non-conforming setbacks were allowed. At the time the property was designated as a heritage site, the Advisory Planning Commission's letter recommending approval to the Mayor and Council stated: "Because of the property's unusually large size, the current building is *lawfully* non-conforming in north and east setbacks." (*italics added*).

A subdivision of 1322 Rockland also runs counter to the vision and strategic directions of Victoria's current Official Community Plan (OCP). The strategic directions of the Rockland neighbourhood section of the OCP include the following:

- Conserve Rockland's historic architectural and landscape character (21.24.4)
- Support maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features (21.24.6)
- Take into consideration the neighbourhood's heritage and estate character while encouraging a diversity of population and housing (21.24.1)

Moreover, the broad policy directions of the OCP refer to the need for heritage values to be considered in land management "at every scale, from sites to local areas" (8i), and for the conservation of heritage property "as resources with value for present and future generations." (8j)

In addition, consultations on the Rockland section of the new Official Community Plan, originally slated and announced for August 2017, have yet to start. It does not make sense to make such a significant decision about an estate of historic value without the context of an updated plan.

1322 Rockland is an important part of Victoria's heritage. Subdivision of the property provides no benefit to the Rockland community or to Victoria. Given the many attempts by the current owner to put in place very intensive development at the expense of the traditional historic character of the estate, and against the expressed wishes of the neighbourhood, I urge you to reject this proposal for subdivision, and to confirm that the property only may be developed as a whole and in a manner appropriate for the community. I would also urge you to give strong consideration to an alternative use of this important piece of Victoria's heritage for public or cultural purposes.

Sincerely

Jurgen Mitbrodt

Owner of 1320 Rockland Avenue

RECEIVED
~~SEP 08 2023~~
Mar 22 2017

Mayor Lisa Helps,

When we moved to Victoria, we chose the Rockland neighbourhood because it is established and stable. It has beautiful heritage homes that are surrounded by mature trees, many of which make up the endangered Garry oak ecosystem.

During the 10 years we have been here, properties have been divided up, torn down and the rock that our neighbourhood has been named after, has been blasted. Roots from trees that we thought were protected have been damaged by the blasting and other trees felled as they were in the building envelope of the new development. Rockland is slowly being destroyed.

Each area of the city is unique and we can't comprehend why the city does not appreciate their diversity. What will our city become if it is devoid of trees and filled with densification projects? Over 70 percent of Rockland's current population lives in suites or apartments. Why do we need more densification!

We thought our civic government valued green space, trees, heritage, character and neighbourhood diversity.

Please stop the proposed variance and subdivision of 1322 Rockland.

Please decrease the density of the proposal at 1201 Fort Street so the streetscape along Pentrelew does not resemble a wall of townhouses.

Rockland residents,

Jane and Ken Wheatley



Talbot Mackenzie & Associates

Consulting Arborists

January 22, 2018

Wei Tu
1322 Rockland Avenue
Victoria, BC V8S 1V6

Re: Proposed subdivision at 1322 Rockland Avenue.

Assignment: To review the location of the proposed new driveway off Royal Terrace (see attached site plan) and provide recommendations for mitigating any potential impacts to Garry oak number 373.

Methodology: Using the plans provided, we visited the site and measured from existing structures to approximate the location of the proposed new driveway. It is our understanding that the existing parking elevations will not change, and the proposed new driveway will enter from the existing road grades to reach the grades of the parking area. There are no servicing upgrades or proposed new sidewalks in this area shown on the plans provided. On Tuesday January 16, 2018 we conducted localised exploratory excavations to determine the depth of the existing retaining wall and the type of footing that it is built on.

Observations: The majority of the proposed driveway will be located within an area that has had a retaining wall installed, fill soil added, and a laurel hedge planted (see attached sketch 1). There will be a portion of the driveway nearest the road on municipal property that will be installed where there is no existing retaining wall.

Exploratory excavations carried out on January 16, 2018 found that the retaining wall does not have a poured concrete footing and appears to be constructed at a depth of approximately 20 cm below existing grades. Excavation below the footing found bearing soils at approximately 30-40 cm, the only Oak roots encountered were less than 3 cm in diameter. We anticipate the wall was likely installed due to shallow soils and existing rock to level the area to the higher grade and provide a suitable planting area for the hedge. Due to the previous soil disturbance, retaining wall installation and fill soils in this area, we do not anticipate the proposed new driveway will have any negative impact on the health or stability of the tree beyond the impacts that may have already occurred historically, providing the driveway is installed in the fill area, using the following specifications.

Recommendations: We recommend that any excavation for the proposed driveway be completed under the direction of the project arborist and may involve a combination of digging by hand and small machine excavation. This will include the removal of any portions of rock wall that must be removed and the removal of the existing laurel hedge. If any roots from Garry oak 373 are encountered during the excavation the proposed new driveway must be designed to retain them.

.../2

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6

Ph: (250) 479-8733 ~ Fax: (250) 479-7050

Email: tim@tmacorp.com

January 22, 20181322 Rockland AvenuePage 2

The amount of fill soil that can be removed without encountering roots from the oak tree will dictate the final design of the new driveway and may require input from a Geotechnical engineer. We recommend using the following floating, permeable driveway specifications or a similar design to minimize any impacts the proposed new driveway may have on Garry oak 373. We do not anticipate that any significant roots will be encountered from Garry oak 374.

There is a portion of the proposed new driveway that will be constructed on municipal property in the road dedication area where we do not anticipate encountering significant roots. If during the excavation, roots are encountered that cannot be pruned without negatively impacting the tree, we recommend that floating permeable construction techniques be incorporated, if permitted by the City.

We anticipate that one low sweeping branch approximately 15-20 cm in diameter will have to be pruned to accommodate the new driveway for vehicle clearance, we recommend that the pruning be completed by an ISA certified arborist and do not feel the pruning will have a significant impact on the health of the tree.

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

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists

Encl. site sketch 1, site plan showing proposed driveway location, floating driveway specifications

Disclosure Statement

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

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

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

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6

Ph: (250) 479-8733 ~ Fax: (250) 479-7050

Email: tm@treehelp.com



Issue	Date: YYYY-MM-DD
Subdivision Application	Dec 22, 2016
DP Application	Jan 30, 2017
Review	Mar 9, 2017
Municipal Response	Mar 14, 2017
Resubmission	Oct 31, 2017
Municipal Response	Dec 18, 2017

Revision No.	Description	Date
1	Revised Driveway	Dec 18, 2017

Consultant

1322 Rockland Avenue

1322 Rockland Ave
Victoria, BC

Site Plan - Proposed

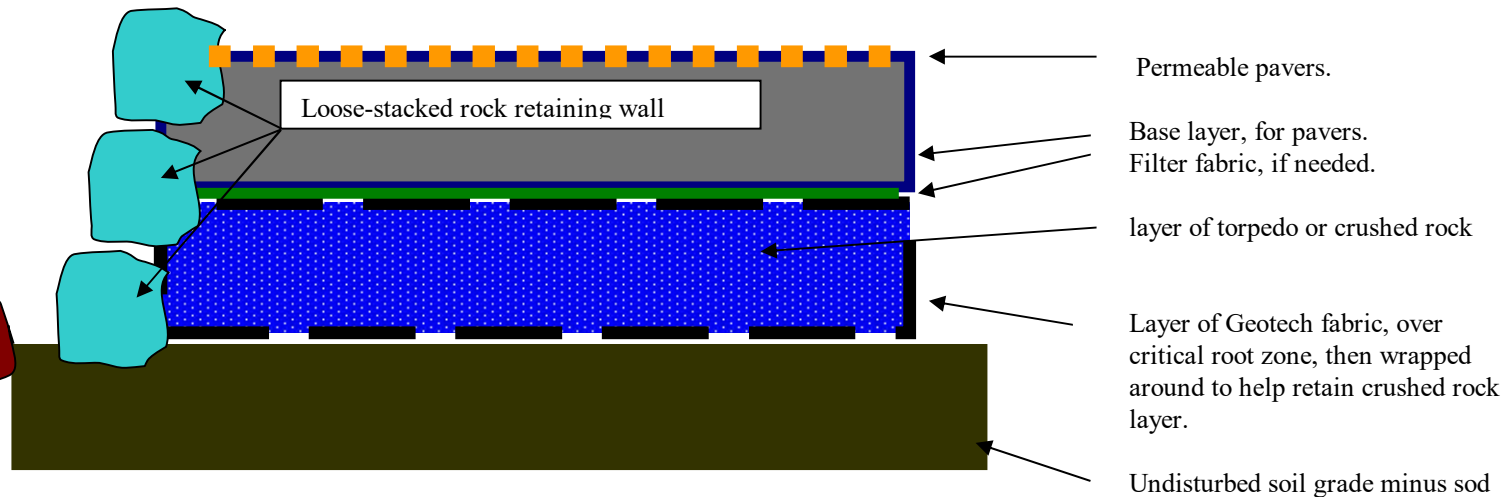
Project number	CLA- 16-31
Date	December 18, 2017
Drawn by	JMG
Checked by	Checker

A1.03

Scale	1 : 350
-------	---------



Diagram - aeration layer beneath permeable driveway over critical root zone of trees to be retained



Specifications for boulder retained floating driveway.

1. Excavation for driveway area must remove only the sod layer, where the driveway bisects the critical root zones of the protected trees.
2. A layer of geotech fabric installed over the existing soils with enough extra material extending from the sides of the driveway to wrap around and retain the next aeration fill layer.
3. An aeration layer of 10cms of torpedo rock, or 20-mm clean crushed drain rock, or larger material in bigger fill situations.
4. Wrap the geotech fabric around the sides of the fill layer, with material ends overlapping at the top of the aeration fill layer.
5. A layer of felted filter fabric can then be installed over the aeration layer to prevent fine particles of sand and soil from infiltrating this layer if necessary.
6. The permeable paver base layer can be installed directly on top of this aeration layer and the pavers installed over top.
7. Suitable edging material such as a loose-stacked rock wall is required to retain the fill away from the trunks of the trees.
8. It should be noted that if installed correctly the geotech fabric will help to displace weight and reduce driveway settling over the organic layer, but in some situations settling may still occur over time. If any driveway settling cannot be tolerated you may wish to consult with a geotechnical engineer.

Prepared by:
 Talbot Mackenzie & Associates
 ISA Certified, and Consulting Arborists
 Phone: (250) 479-8733
 Fax: (250) 479-7050
 email: Treehelp@telus.net

Jan.24 , 2018

Dear Mayor and Council:

Re: Development Variance Permit #00186 – 1322 Rockland Ave

My response to the staff EXECUTIVE SUMMARY:

Question: 1. What guardlines are employed in the subdivision application?
Zoning Regulation Bylaws or OCP and Rockland Neighborhood Plan?

Question: 2: If there is a conflict, which one supersedes?

Zoning Regulation Bylaw requires: 2,800 square meters for the existing buildings, we give 3,205 square meters!

Where does the Zoning Regulation Bylaw require to create the view corridor towards the mansion in LOT 1 from LOT2? This will result in take away 1/3 my building land!

Even if the OCP and Rockland Neighborhood Plan were applied, only the two variances should be evaluated against. Our 2 variances are exactly what the OCP and Rockland Neighborhood Plan are wanted: Protect Heritage Value and Character. Demolishing the coach house and the car port will demolish the historical value and character!

Registry of Heritage house does not take away owners the subdivision right according to Land Title Act and Local Government Act!

Regarding Driveway and Garry Oak tree report, we were only given a couple of days to come up with the report. And the final report was done today!

Please stop this highly prejudicial practice in the City of Victoria. We are living in the law and order society!

Submitted respectfully,

Wei Tu

Lacey Maxwell

From: Chantal Meagher [REDACTED]
Sent: January 23, 2018 8:19 PM
To: Victoria Mayor and Council
Cc: Ben Isitt (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Chris Coleman (Councillor); Jeremy Loveday (Councillor); Marianne Alto (Councillor); Margaret Lucas (Councillor); Jonathan Tinney
Subject: 1322 Rockland -- Committee of the Whole 25 January 18

Dear Mayor and Council --

I am writing to express my strong support for the recommendation of Jonathan Tinney that the application for Variance and subdivision of the property at 1322 Rockland be declined, and to urge the Mayor and Council to adopt this recommendation.

As stated in Mr. Tinney's report, the proposal is inconsistent with the OCP as well as the Rockland Neighbourhood Plan. He also makes reference to the potential impact upon one large protected Garry Oak tree. In fact, there are at least 14 more significant Garry Oak trees on the property that could be endangered if the property is not developed as a whole.

Many of my concerns have been expressed in earlier correspondence, so I will not reiterate them here, nor will I restate the remaining rationale for refusal of the application as set out in Mr. Tinney's detailed report.

I do, though, wish to clarify the requirements for community consultation as set out on page 3 of Mr. Tinney's report. In that section he makes reference to the requirement under the *Land Use Procedures Bylaw* to provide notice, sign posting and a meeting of Council to consider the variances. While Thursday's meeting will satisfy the third requirement, and the first would seem to have been satisfied by notice to the RNA, there has been no sign posting on the property. Therefore, members of the community who are not carefully following this application through the Development Tracker would have no way of knowing that this application is making its way through the system -- even the more than 30 tenants who live on the property.

In view of the many complicating factors relating to this property, Mr. Tinney's recommendation to decline the application makes sense, and I would - again - urge you to adopt it.

Respectfully,
Chantal Meagher

Lacey Maxwell

From: Phil Calvert [REDACTED]
Sent: January 24, 2018 9:08 AM
To: Victoria Mayor and Council
Cc: Ben Isitt (Councillor); Charlayne Thornton-Joe (Councillor); Pam Madoff (Councillor); Geoff Young (Councillor); Chris Coleman (Councillor); Jeremy Loveday (Councillor); Marianne Alto (Councillor); Margaret Lucas (Councillor); Jonathan Tinney
Subject: 1322 Rockland Committee of the Whole Meeting, 25 January 2018

Dear Mayor and Council,

I am writing to express my strong support for the recommendation of Jonathan Tinney that the application for variance and subdivision of the property at 1322 Rockland be declined, and to urge the Mayor and Council to adopt this recommendation.

Mr. Tinney's recommendation makes sense. As stated in his report, and in line with many concerns that have been expressed by neighbours, the proposal is inconsistent with the OCP as well as the Rockland Neighbourhood Plan, and would have a significant impact upon one large protected Garry Oak tree. His report sets out in detail other factors behind his recommendation, and all should be taken into consideration.

In addition, it does not appear that the applicant has followed all the necessary consultation procedures for this application. According to the report, the *Land Use Procedures Bylaw* requires notice, sign posting and a meeting of Council to consider the variances. While Thursday's meeting will satisfy the third requirement, and the first would seem to have been satisfied by notice to the RNA, there has been no sign posting on the property. Therefore, members of the community who may not be carefully following this application on the City website, including the more than 30 tenants who live on the property, would have no way of knowing that this application is making its way through the system

I urge Council to accept the recommendation.

Sincerely

Phil Calvert

Lacey Maxwell

From: Anna Cal [REDACTED]
Sent: January 24, 2018 8:30 AM
To: Victoria Mayor and Council
Subject: 1322 Rockland subdivision

Dear Mayor and Councils,
I'm against this proposal.

I heard about this property for several years now. My understanding is, that the owner plans to increase the density beyond the established zoning.

The Rockland Neighbourhood Plan does not support subdivision of large estate lots, and encourages the retention of views towards heritage buildings. The applicant has not provided a view corridor.

I'm concerned about preserving the trees. The ridiculously small penalty for destroying the protected tree has no meaning.

On a general note, Rockland used to be beautiful, established and stable. Heritage homes were surrounded by mature trees, many of which were endangered Garry oaks .

For quite a while now properties have been divided up, torn down , the rock, that our neighbourhood has been named after, has been blasted. Protected and unprotected trees and the roots of the trees have been damaged by the blasting. Rezoning and variances for new developments are robbing us of setbacks, Rockland's most important feature.

Rockland is being destroyed.

Over 70 percent of Rockland's current population lives in suites or apartments.

The City of Victoria has created OCP, a vision for development that reflects Victoria's diverse needs: densification, green spaces, environment, culture, business, etc. Site-specific zoning undermines this vision.

Anna Cal

Lacey Maxwell

From: Don Cal [REDACTED]
Sent: January 23, 2018 10:27 PM
To: Victoria Mayor and Council
Subject: 1322 Rockland Avenue Subdivision

Mayor and Council

1 Centennial Square

Victoria, B.C.

January 23, 2018

1322 Rockland Avenue Application for Subdivision

Dear Mayor and Council,

I believe that this proposal is inconsistent with the Official Community Plan that encourages maintenance of the character of large lots and conservation of historic landscape in the Rockland neighbourhood.

The proposal is also inconsistent with the Rockland Neighbourhood Plan in not maintaining the estate lot character of this large, unique property and retaining public views to the heritage building.

There are several bylaw protected trees located on the property that will become the proposed Lot 2. Undoubtedly, if this subdivision is approved, many of these mature trees will be cut down to make way for more buildings when this new subdivision is presented for development.

It is apparent, from the history of the various development proposals put forward by this owner for the property over the years, that the intention is to somehow circumvent the established zoning of this unique historical property and increase the FSR well beyond the established norm.

This request for subdivision is nothing more than a clever end-run to circumvent the community aspirations envisioned and established by the broader Rockland community through the regularly updated Official Community Plan.

Please decline this application.

Thank you,

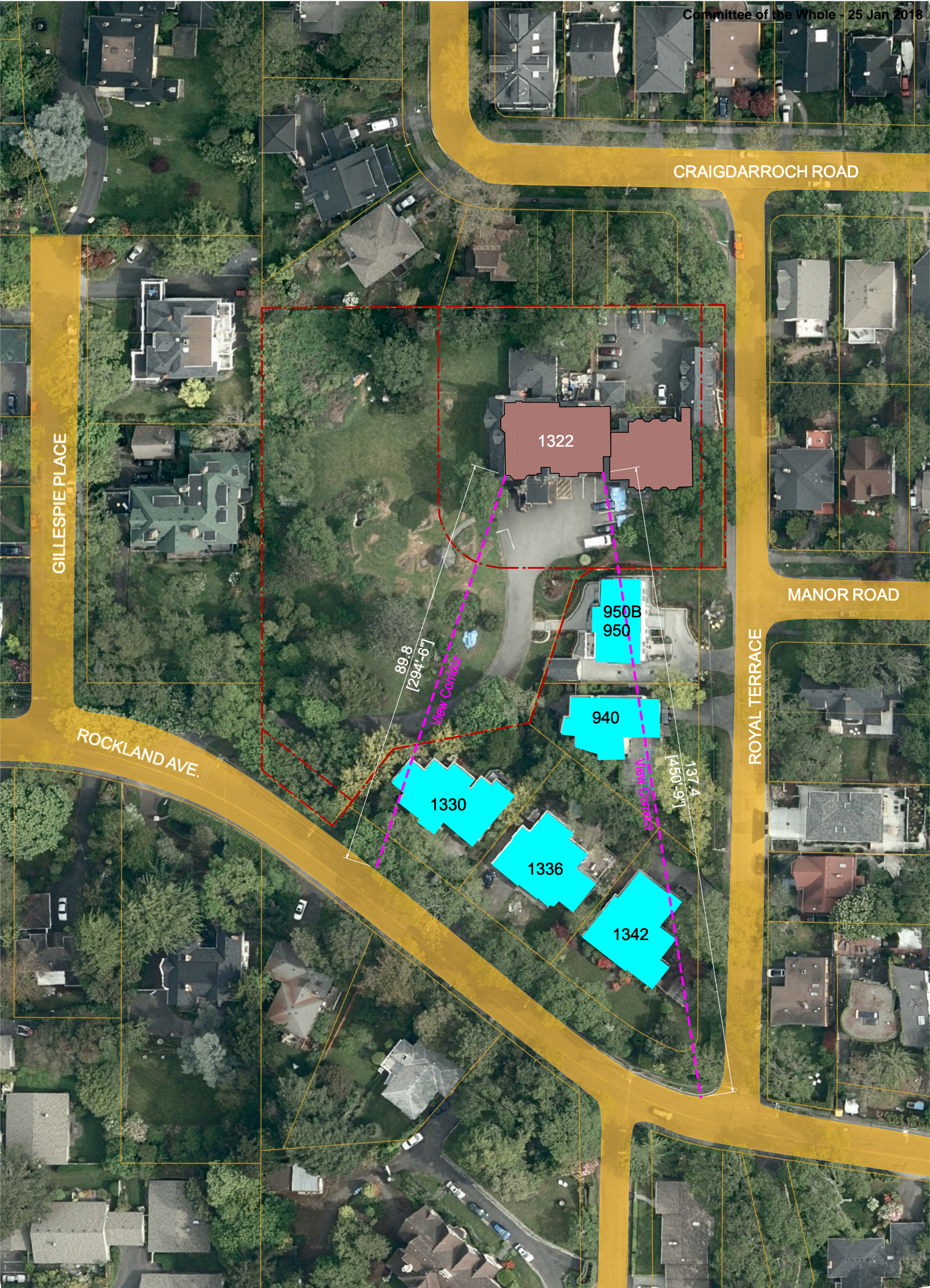
Don Cal

1059 Pentrelew Place

Victoria, B.C.

V8W 3N2

250-383-6211



VIEW OF MANSION FROM ROCKLAND AVE IS BLOCKED BY 5 NEIGHBORING HOUSES



View from intersection of
Rockland Ave & Gillespie Pl



View from 1322 Rockland driveway



View towards property at
1322 Rockland Ave



View towards property at
1330 Rockland Ave



View towards property at
1330 Rockland Ave



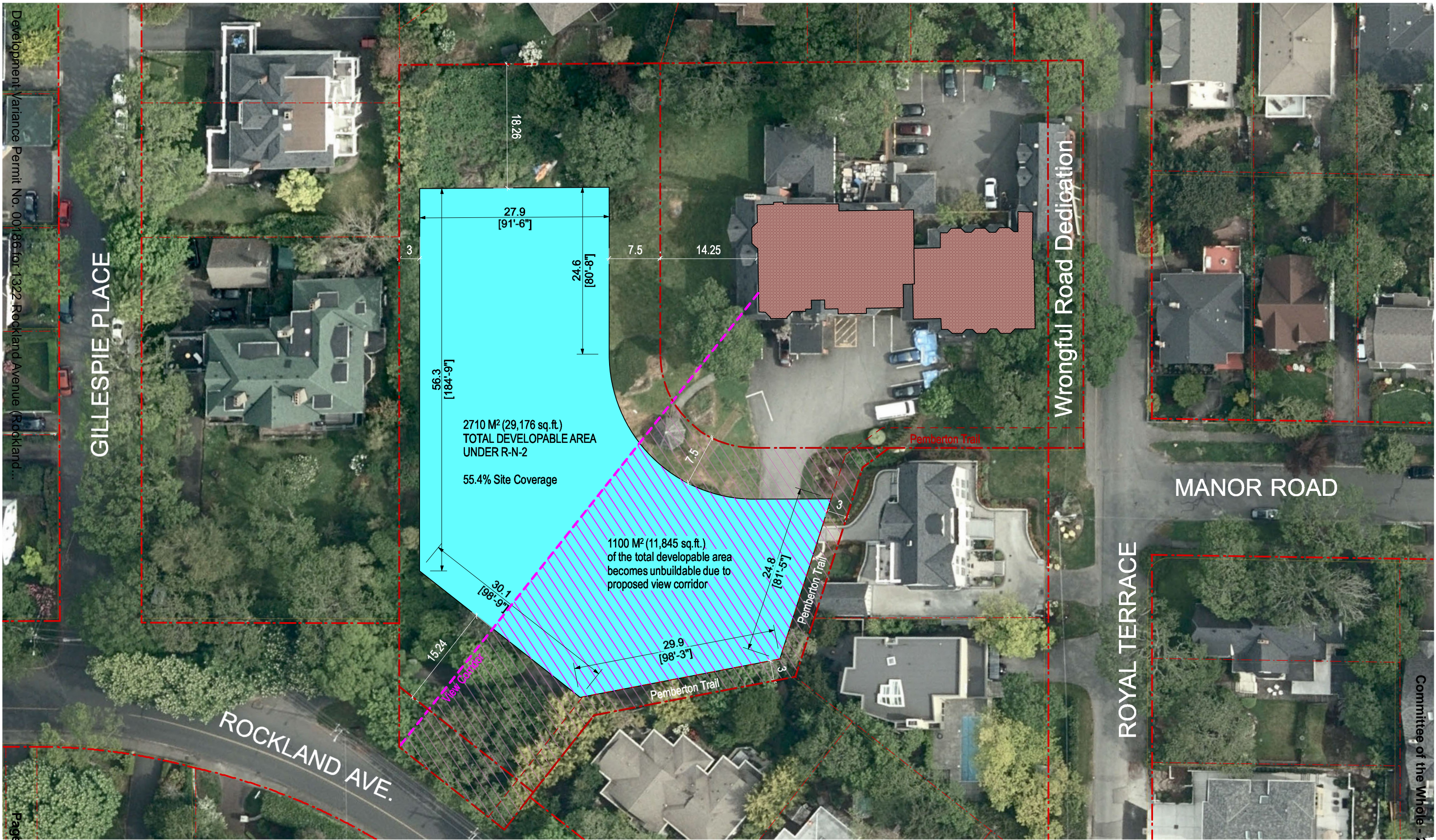
View towards property at
1336 Rockland Ave



View towards property at
1342 Rockland Ave



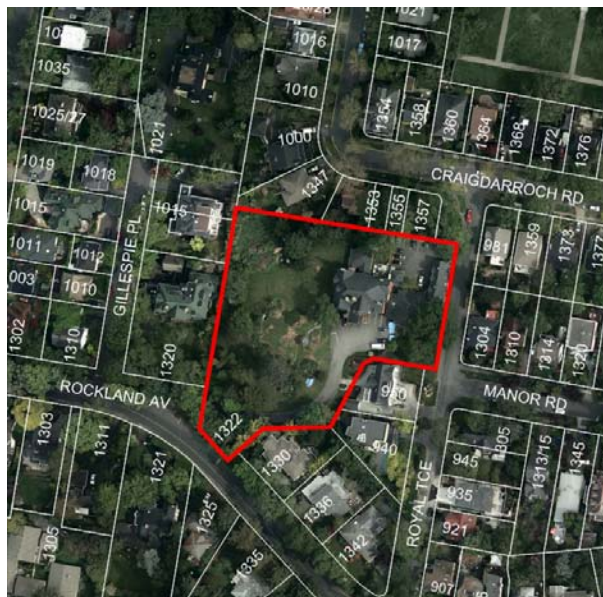
View from intersection of
Rockland Ave & Royal Terrace



Development Variance Permit No. 00186 for 1322 Rockland Avenue (Rockland...

1322 Rockland Subdivision | Developable Area Under RN2

Development Variance Application for 1322 Rockland Avenue

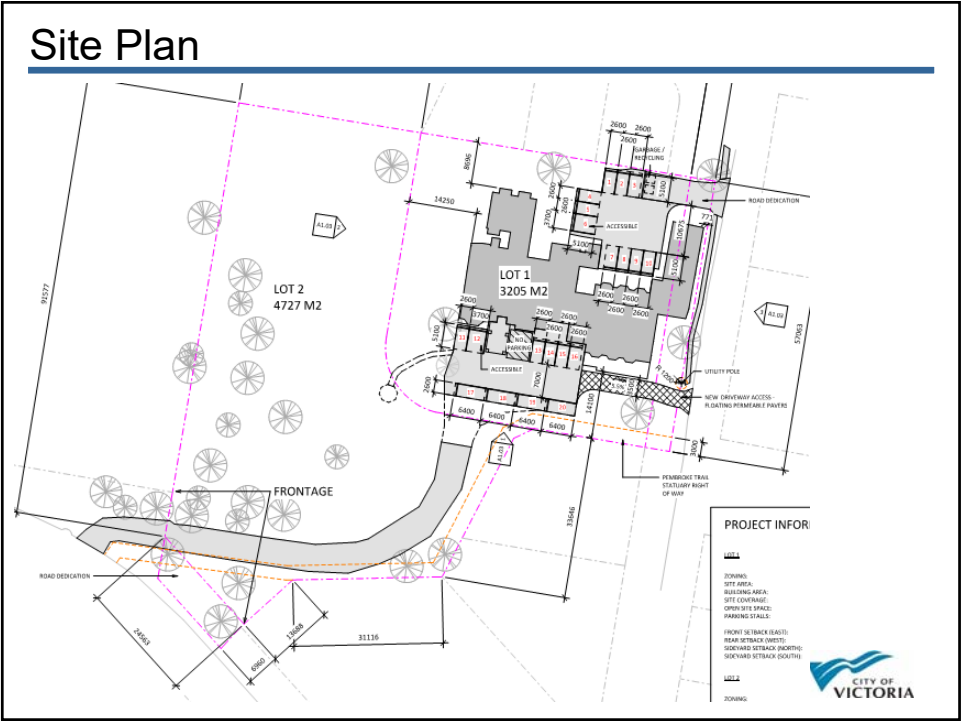


Subject Site



View from Royal Terrace







Alicia Ferguson

Subject: RE: 1322 ROCKLAND COMMITTEE OF THE WHOLE JAN 25 2018

From: 1 h

Date: January 24, 2018 at 1:42:26 PM PST

To: <mayorandcouncil@victoria.ca>

Cc: <bisitt@victoria.ca>, <pmadoff@victoria.ca>, <jtinney@victoria.ca>, <cth Thornton-joe@victoria.ca>, <gyoung@victoria.ca>, <ccoleman@victoria.ca>, <jloveday@victoria.ca>, <malto@victoria.ca>, <mlucas@victoria.ca>

Subject: 1322 ROCKLAND COMMITTEE OF THE WHOLE JAN 25 2018

Dear Mayor and Council --

I am writing to express my strong support for the recommendation of Jonathan Tinney that the application for Variance and subdivision of the property at 1322 Rockland be declined, and to urge the Mayor and Council to adopt this recommendation.

Sincerely,

Lisa Howell
1010 Craigdarroch Road
Victoria BC V8S2A4

Lacey Maxwell

From: Lana QUINN [REDACTED]
Sent: January 24, 2018 3:20 PM
To: Victoria Mayor and Council
Cc: Jonathan Tinney
Subject: Application for Variance & Subdivision - 1322 Rockland

Dear Mayor and Council --

I understand that tomorrow, an application for variance and subdivision of the property at 1322 Rockland will go in front of the committee of the whole. Jonathan Tinney's report recommends that the application be declined. As a Rockland resident and neighbour, we hope you will adopt his recommendation and decline the application.

thank you,
Rick Styles
Lana Quinn
1376 Craigdarroch Rd.
Victoria V8S2A7

Lacey Maxwell

From: Bindon Kinghorn [REDACTED]
Sent: January 24, 2018 1:56 PM
To: Victoria Mayor and Council
Cc: Ben Isitt (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Chris Coleman (Councillor); Jeremy Loveday (Councillor); Marianne Alto (Councillor); Margaret Lucas (Councillor); Jonathan Tinney
Subject: Fwd: 1322 Rockland -- Committee of the Whole 25 January 18

Dear Mayor and Council --

I too am writing to express my strong support for the recommendation of Jonathan Tinney that the application for Variance and subdivision of the property at 1322 Rockland be declined, and to urge the Mayor and Council to adopt this recommendation.

As stated in Mr. Tinney's report, the proposal is inconsistent with the OCP as well as the Rockland Neighbourhood Plan. He also makes reference to the potential impact upon one large protected Garry Oak tree. In fact, there are at least 14 more significant Garry Oak trees on the property that could be endangered if the property is not developed as a whole.

Many of Mr. Tinney's concerns have been expressed in earlier correspondence and I fully concur with them all especially the requirement under the *Land Use Procedures Bylaw* to provide notice, sign posting and a meeting of Council to consider the variances. While Thursday's meeting will satisfy the third requirement, and the first would seem to have been satisfied by notice to the RNA, there has been no sign posting on the property. Therefore, members of the community who are not carefully following this application through the Development Tracker would have no way of knowing that this application is making its way through the system -- even the more than 30 tenants who live on the property.

In view of the many complicating factors relating to this property, Mr. Tinney's recommendation to decline the application makes sense, and I would - again - urge you to adopt it.

Respectfully,

Bindon Kinghorn
1345 Manor Road, Victoria.

Ps Sadly I cannot attend Thursday's Committee of the whole meeting as I shall

Lacey Maxwell

From: I h [REDACTED]
Sent: January 24, 2018 1:42 PM
To: Victoria Mayor and Council
Cc: Ben Isitt (Councillor); Pam Madoff (Councillor); Jonathan Tinney; Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Chris Coleman (Councillor); Jeremy Loveday (Councillor); Marianne Alto (Councillor); Margaret Lucas (Councillor)
Subject: 1322 ROCKLAND COMMITTEE OF THE WHOLE JAN 25 2018

Dear Mayor and Council --

I am writing to express my strong support for the recommendation of Jonathan Tinney that the application for Variance and subdivision of the property at 1322 Rockland be declined, and to urge the Mayor and Council to adopt this recommendation.

Sincerely,

Lisa Howell
1010 Craigdarroch Road
Victoria BC V8S2A4
[REDACTED]



Committee of the Whole Report

For the Meeting of January 25, 2018

To: Committee of the Whole **Date:** December 22, 2017

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

Subject: Application for a Structural Change to increase the occupant load for a Liquor Primary License (300068), Upstairs Cabaret, 15 Bastion Square.

RECOMMENDATION

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

1. Council, after conducting a review with respect to noise and community impacts, does support the application of Upstairs Cabaret, located at 15 Bastion Square for a structural change to increase the occupant load from 300 to 500 persons.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered. The consideration of noise related to the Upstairs Cabaret recognized that noise is partly due to the sound system as a constant which is not substantially impacted by occupant load. The impacts of the increased occupant load were also considered and are consistent with uses contemplated for the area and therefore supportable.
- b. If the application is approved, the net impact on the community is expected to be positive economically as the approval supports the request of the business and presumably their long term viability as a local entertainment destination and as a local employer.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 100 metres of the licensed location and a notice posted at the property. The City received 39 letters in support of the application and 5 letters opposed to the application. The letters of opposition describe issues resulting from patrons leaving the establishment which include, noise, loud use of profanities, vomiting and the overall impact this has on the occupants and business of the Victoria Regent Hotel.

Letters of support commonly noted the proposed capacity is needed to support local talent with adequately sized venues. Respondents also supported the application for the impact it would have on reducing queue times and improved atmosphere, both to the benefit of patrons.

- d. Council recommends the issuance of the license.

PURPOSE

The purpose of this report is to seek Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act* (the Act), regarding an application by Upstairs Cabaret at 15 Bastion Square for a structural change to increase the occupant load from 300 to 500 persons.

BACKGROUND

The Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. Local governments are asked to provide comments and recommendations to the LCLB on all liquor-primary licence applications regarding:

1. the potential for noise
2. impact on the community if the application is approved

A map of the subject property and the immediate area is attached to this report (Appendix A).

As noted above, this application is for a structural change to increase the occupant load from 300 to 500 persons. The Liquor Control and Licensing Branch is requesting a resolution from the City of Victoria regarding the application and the review criteria noted above.

ISSUES & ANALYSIS

The following sections will identify the key issues and provide analysis for Council's consideration:

City Liquor Licensing Policy

The City's Liquor Licensing Policy is that it consider applications for Liquor Primaries having hours of operation not later than 2:00 am.

*The limitations for opening and closing hours adopted by Council only refers to the sale of liquor and not the other aspects of the business. The applicable Council Policy is attached to this report (Appendix B).

The hours of licensed service proposed in the application are existing and within parameters of the policy.

City Referrals

An inter-departmental review of the project has been undertaken by City staff. The inter-departmental review includes circulation to Police, Bylaw, Planning, Community Development and Engineering. That review has resulted in the following feedback:

- The property is zoned appropriately for the use and the majority of adjacent buildings are occupied by commercial tenants. The potential for impacts related to the increased occupant load and associated noise is minimized by the significant distance between the establishment and residential occupancies.
- Increased occupant loads would, in relation to transportation and taxi services, create potential for additional noise and congestion as patrons queue for service or travel elsewhere.
- Police note the general vicinity as source for numerous noise complaints and street disorder issues and do not support the application.

- Bylaw Services share a general concern for increased issues from increased noise and congestion related to the increase.

Community Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all property owners and occupiers within 100 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, Upstairs Cabaret displayed a notice poster at its entrance for 30 days which invited people to provide input to the City with respect to this application.

39 letters were received in support of the application and 5 letters were received opposing the application to increase the occupant load.

The letters of concern listed common issues associated with the negative behaviours of patrons exiting drinking establishments and also the audibility of the Upstairs Cabaret, regardless of occupants, as amplified music permeates the Regent Hotel. The proximity of the hotel to this establishment and others in the area is claimed to result in lost revenue due to the disruption to guests and is a persistent issue.

The Victoria Downtown Resident Association submitted a letter stating neutrality on the application and provided additional comment on the technical requirements of Provincial Building and Fire Codes. The Fire Department provides approvals to LCLB confirming applications meet the technical requirements of applicable codes as they apply to occupant loads and the BC Building Act prevents municipalities from regulating matters regulated by the Building Code.

The 39 letters of support focus on a number of reasons to support the application and examples include; lack of suitably sized venues to support local talent; unnecessary queues as maximum capacity does not fill the space; and, the owners being responsible business operators;

All letters are available in Appendix C.

Applicant Response

As is standard practice as a part of the liquor licence process, after City staff give input, the applicant has a chance to review the information (and this report) and respond prior to the report being forwarded to Council. After the applicant reviewed City staff comments, the applicant submitted a letter in response which can be found in Appendix E.

IMPACTS

Strategic Plan 2015 – 2018

The recommendation to support the application is likely to increase the business viability of the club, which is consistent with Strategic Plan Objective #5 - *Create Prosperity Through Economic Development*.

Impacts to Financial Plan

None

Official Community Plan

The existing and proposed uses of the liquor primary license are consistent with the *Official Community Plan* objectives for this neighbourhood.

CONCLUSIONS

In summary, after conducting a review with respect to noise and community impacts and soliciting community views regarding Upstairs Cabaret's application for a structural change to increase the occupant load from 300 to 500 persons, it is considered that the proposal is consistent with current City policy.

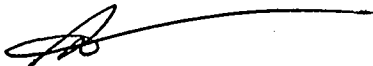
While there were letters of opposition, the establishment has a long history of responsible operation and noise and issues related to consumption of alcohol are known to be existing issues for the nearby residential tenancies. While concern exists, the application is supportable based on existing policy.

Therefore, staff recommend that Council consider directing staff to notify the Liquor Licensing Agency that Council supports the application for the structural change increasing the occupant load to 500 persons.

ALTERNATE MOTION (No Support)

That Council, after conducting a review with respect to noise and community impacts regarding the application for a structural change to increase the occupant load from 300 to 500 persons, at Upstairs Cabaret, 15 Bastion Square, does not support the application for the structural change.

Respectfully submitted,



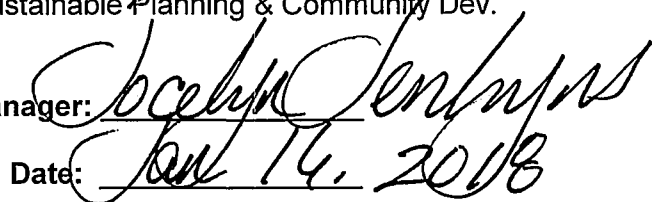
Ryan Morhart
Manager
Permits & Inspections



Jonathan Tinney
Director
Sustainable Planning & Community Dev.

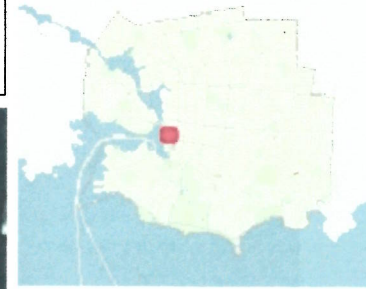
Report accepted and recommended by the City Manager:

Date:



List of Attachments

- Appendix A: Aerial photograph (map) of the establishment and surrounding area.
- Appendix B: Council Minute from May 24, 2007
- Appendix C: Letters from the public
- Appendix D: Provincial Liquor License Types
- Appendix E: Response from Applicant regarding Committee of the Whole report



Legend

 Victoria Parcels



THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 834

Notes


42 0 21 42 Meters

NAD_1983_CSRS_UTM_Zone_10N

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

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This plan should be field confirmed by the user prior to beginning construction. BC Hydro, Fortis Gas, Telus, and Fibre Optics locations must be confirmed with the appropriate utility. For internal use only. Do not distribute.

Appendix B

	Liquor Licencing Policy	
	Page 1 of 2	
SUBJECT:	Liquor Licencing Policy	
PREPARED BY:	Sustainable Planning and Community Development	
AUTHORIZED BY:	City Council	
EFFECTIVE DATE:	October 12, 2017	
REVIEW FREQUENCY:	Every three years	
	REVISION DATE:	

A. PURPOSE

The purpose of the City of Victoria's Liquor Licensing Policy is to provide direction to the following parties:

1. Liquor licence applicants on the process and fees associated with City of Victoria review of applications;
2. Liquor Control and Licencing Board (LCBC) on the types of applications that the City will opt-out of providing comment on; and
3. City staff on application review and public notification criteria for those types of liquor licence applications that require review by Council and opportunity for the public to comment.

B. POLICY STATEMENTS

1. This policy applies to liquor license applications in the City of Victoria.:
2. The city will opt out of the review and comment requirements for the following types of applications;
 - a. Liquor Primary with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - b. Manufacturer with Lounge Endorsement, Special Event Area, or Picnic Area with licensed service up to 10:00 pm and having an occupant load less than 31 persons.
 - c. A temporary extension to hours of licensed service for all licence types up to 3:00 am on New Year's Eve.
 - d. The addition of an Entertainment Endorsement to any Food Primary with licensed service up to 12:00 am.
3. The City of Victoria generally does not approve the extension of liquor service past 2:00 am, with the exception of New Year's Eve, which allows for service up to 3:00 am. In extraordinary cases, the City may consider short term or one time provisions for allowing liquor service between 2:00 am and 9:00 am to accommodate international sporting or significant cultural events.

	Council Policy Liquor Licencing	Page 2 of 2
---	---	-------------

C. PROCEDURES

A business engaging in the manufacture, sale or service of liquor must have a City of Victoria Business License to lawfully conduct its businesses.

The provincial government, through the Liquor Control and Licencing Branch, is the first and last point of contact for businesses interested in applying for a liquor licence.

The application process and related fees will be made available to any business or member of the public through the internet or by request.

For any liquor applications where the City of Victoria has not opted out of providing comment, the following provisions apply:

1. Public notification for comment will be placed at the site for a period no less than 30 days.
2. The City will provide public notification through mailed notice to all residents and businesses within a 100 metre radius.
3. The City will provide notification to the applicable community association.
4. When providing comment on an application, the City will include comments on those aspects within the parameters set by LCLB which currently include:
 - a. Noise impacts in the immediate vicinity of the establishment;
 - b. Impact on the community if approved (including the location of the establishment and person capacity and hour of liquor service of the establishment)
 - c. Confirm that the establishment is being operated in a manner that is consistent with its primary purpose (only for food primary)

D. ENFORCEMENT POLICY

Businesses that have a history of non-compliance with local and provincial government bylaws and legislation or re-occurring nuisance issues may be subject to a Good Neighbour Agreement that will be reviewed along with the annual renewal of a business licence. Lack of adherence to this agreement may result in a business licence being revoked. This will be assessed by staff on a case by case basis.

E. REFERENCES

Business License Bylaw (89-071)
Land Use Procedures Bylaw (16-028)
Noise Bylaw (03-012)
Liquor Licensing Fee Bylaw (01-06)

F. REVISION HISTORY

None



1715 Government Street
Victoria, BC
V8W 1Z4

Mayor Lisa Helps and Council
City of Victoria
c/o Mr. Ryan Morhart – Manager, Permits and Inspections
No.1 Centennial Square
Victoria, BC
V8W 1P6

December 18, 2017

Re: Application to Amend Liquor Licence – Increase Occupancy from 300 to 500 – Upstairs Cabaret

Dear Mayor Helps and Council,

The DRA Land Use Committee has reviewed the application to amend the Liquor Licence for Upstairs Cabaret. It is our understanding that the scope of changes is to extend the occupancy capacity from 300 persons to 500 persons. Feedback from the committee is as follows:

- The occupant load is proposed to be increased by 66% with the floor area per person at approximately 0.5 m² which satisfies code requirements of 0.4m² per person for standing space.
- Presumably for public safety reasons, other jurisdictions differentiate for licensed establishments and have higher area minimums per person for drinking establishments that are set by bylaw rather than Building or Fire Code. Vancouver has a minimum of 1.2 m² per person and Nanaimo has a limit of 0.95 m²

While the DRALUC reached no consensus on this application as it meets current code and Bylaw statutes for the proposed occupancy load for Victoria, it has been pointed out that it appears higher than adjacent jurisdictions permit. The City of Victoria may wish to explore the rationale for bylaws that reduce occupancy code maximums for licensed establishments adopted by other jurisdictions, for future applications.

Sincerely,

Ian Sutherland Chair, Land Use Committee, Downtown Residents Association

Ryan Morhart

From: Alex Campbell <alex@flyingsquirrelsports.ca>
Sent: Tuesday, December 12, 2017 4:50 PM
To: Ryan Morhart
Subject: Capacity Change For Upstairs Cabaret

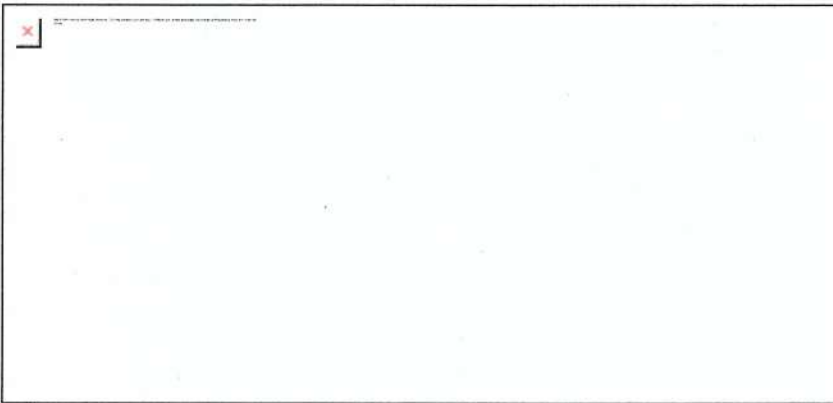
Hi Ryan,

I just thought I would drop you a line about the proposed changes to Upstairs Cabarets capacity. As a former operator of Tommy Africas Nightclub in Whisler B.C. and a former part time Upstairs staff member I would like to shed some light on this topic.

I believe that the Proposal should be approved for the following reasons;

- Upstairs Cabaret has the most professional security team I have ever worked with. People are safer under their qualified supervision
- Upstairs Cabaret will be able to book bigger and more exciting Bands, Groups and Dj's. This will help to increase the draw of Victoria's nightlife to tourists and locals. In my opinion this is one thing that the area could use a lot more promotion to its culture. (I was very pleased to Sugar become the Capital Ballroom.
- With the opportunity to have more guests they will be able to provide more jobs and increase the reach of their already amazing corporate culture.

I hope this email helps to illustrate my point and is considered in your decision. Have a great day.

**Alex Campbell**

Owner/Operations Manager

Flying Squirrel Victoria B.C

604-902-

1820 | Alex@flyingsquirrelsports.ca | www.flyingsquirrelsports.ca

Viewfield Rd. Esquimalt B.C V9A 4V1



C

Ryan Morhart

From: Alex - vivid [REDACTED]
Sent: Monday, December 4, 2017 11:32 AM
To: Ryan Morhart
Subject: Upstairs

To whom it may concern,

I have lived in Victoria for some time now and have partaken in my share of nights out on the town over the years. I have frequented many of the nightclubs around town but have found that I have my favorite. Upstairs, is not only the most fun club in town but it has been the place that I have gravitated to and chosen to go to time and time again.

I was there this weekend and noticed the sign on the door and figured I would put my opinion out there. Upstairs is hands down the best club in town. Obviously, it is a great time to party and drink. However, I feel that what really separates this nightclub from the rest is the way that it is run. The management there is hands on, talking to people, helping out to keep the place running smoothly. I have seen one of the managers with a stack of glasses and picking up ice or limes from the floor. I have never seen a mess for more than a couple of minutes before someone is there to clean it up with help from one of the security team making sure that it is done quickly and efficiently, thus ensure the best experience for there customers.

Which brings me to my next point, the doormen. Over the years I have seen all sorts of stuff going on from the doormen at other places. At upstairs they are always attentive, calm and clear the to ensure that everyone is safe and is having a good time. They take their job seriously and seem to all be on top of everything that is going on at all times. The head doormen have a tough job and take their responsibility seriously, yet still make sure their team is respectful and the club is safe. With an increase in capacity upstairs will be able to allow more people to enjoy the best cub in town. The security is tight and can handle it I'm sure. The management is already on top of it all and can also handle the increase easily with the doormen to back them up. Over and above that an increase in capacity will get more people off the streets late at night where it is colder and they have could get up to mischief or hurt themselves, and into a safe fun environment. More people in the club means more business for the club, which is better for the Economy of Victoria. Having a great, well-run club where people can get in to right away and not have to be wandering the streets will draw more people to downtown. Also with an increase in capacity, I believe they may be able to get better artists coming in, that could also help drive more tourism and money to Victoria.

All in all, Upstairs is the place I choose to spend my weekends above anywhere else in the city. I write in because I want more of my friends and people in Victoria to get to enjoy this wonderful club, be safe and have fun every weekend.

I hope you take my opinion into consideration when you are making your decisions.

Thank you,

Alex Castello | Sales Support

VIVID AT THE YATES

Presentation Centre Open Daily From noon to 5pm

EMAIL Alex@vividattheyates.com
WEBSITE www.vividattheyates.com
CELL [250.891.7413](tel:250.891.7413)

CHARDDEVELOPMENT.COM

This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

5

Ryan Morhart

From: Andrew Sherry [REDACTED]
Sent: Tuesday, November 28, 2017 12:28 PM
To: Ryan Morhart
Subject: Upstairs Venue Capacity Increase Victoria BC

Hello, City of Victoria!

I was attending a show over the weekend at Upstairs Cabaret in Bastion Square with my fiancé, her sister, and boyfriend. We noticed an application on the door for increased venue capacity, and I wanted to send in my thoughts.

We typically like to go out for dinner on weekends at local restaurants, then catch a live show at one of the local venues if anything catches our interest. These days we've found ourselves visiting Upstairs more often than our other options for a few reasons:

- First and most important to me: It is the safest environment vs other venues we've visited in downtown Victoria. I'm now 30 years old and want to be around mature people who are there to enjoy a good evening whether it be a dance, drink, or conversation. It's also the one place my Fiance and her sister feel they can go and dance without feeling objectified - It's rare they don't have a night out somewhere else without a pinch or comment from some a young man. There's no shortage of engaged, friendly door-men and find myself greeted with a smile when thanking them at the end of my night.
- It's a very clean venue: There's a constant stream of staff moving around, bussing glasses and wiping tables/chairs for the next group of people to take a seat. It doesn't smell like a bar, and I like the idea of not having to worry about slipping on a spilled drink or broken glass. It was nice to see (who I'm assuming was) the manager take a moment and work right beside his employees and bussing some glassware with them before welcoming a group into the VIP area.
- The live acts, and DJ cater to many different ages & demographics: This likely has nothing to do with the capacity increase, but It's nice to be able to go out and have a conversation with the person beside you, and still be able to hear yourself. The DJ seems to pay more attention to the crowd and transition between all genres of music so everyone can have a good time. The live acts that perform are great for us old guys and bring in people from other cities. I attended a Tom Petty tribute night with some friends from Vancouver and Comox Valley; It was fantastic. I would assume Upstairs wants to be a good neighbor as I noticed they have someone monitor their dB levels in and outside of the bar.

This probably attributes to why they're so busy.

Now, I do support increasing the capacity. The number one reason - Inside the bar is a safe, controlled environment versus potentially being exposed in bastion square - This might help alleviate stress from the local police force?

Having successful local businesses in the heart of downtown Victoria is a huge contributing factor to our growth in tourism, in a small radius that was once bustling, it's nice to see some of these businesses pushing to grow, and support their community.

I appreciate your time reading this, and hope City Council sees the benefit in supporting a professional

establishment like Upstairs Cabaret.

Andrew & Sarah,

--

Andrew Sherry

Ryan Morhart

From: Brayden Klein <bklein@sothebysrealty.ca>
Sent: Saturday, December 2, 2017 8:13 PM
To: Ryan Morhart
Subject: Upstairs Cabaret: Liquor License Capacity Increase

In regards to the public notice requesting comment posted at Upstairs Cabaret:

Let the record show my support of Upstairs Cabaret's application to increase their liquor license capacity.

I have long frequented the downtown core for both business and pleasure, and am an enthusiastic participant in this city's vibrant nightlife.

Over the years, Upstairs Cabaret has proven to be one of the most professional and enjoyable establishments Victoria has to offer. It is always one of the first places I recommend musically inclined clients and tourists visit.

As it stands, the capacity at Upstairs should certainly be increased.

Too many nights I have experienced Bastion Square crowded with people waiting in line, making noise, and obstructing foot traffic, only to find the club inside less than full.

I have found the Upstairs security team to be one of the most effective and professional in the business and am sure that ensuring these crowds are inside and supervised by the Upstairs team, as opposed to disturbing the public would be a great improvement both in terms of general safety, and comfort of both local residents, and concert attendees.

Upstairs has a long history of showcasing fantastic local and international musical talent on their stage. An increased capacity can only be a positive move for Victoria's tourism industry, and arts communities as it is sure to incentivise bigger, more popular acts to make the effort to travel to Victoria to perform.

In summary, an increased capacity at Upstairs Cabaret is sure to be a positive change for tourism, the public, and Victoria's nightlife in general.

For your information, my home address is:

1711 Kings road
 Victoria, BC
 V8R2N9

Regards,

--
Brayden Klein
 Realty Assistant



Sotheby's International Realty Canada
752 Douglas Street, Victoria BC V8W 3M6
c [250.588.2466](tel:250.588.2466) | o [250.380.3933](tel:250.380.3933) | f [250.380.3939](tel:250.380.3939)
bklein@sothebysrealty.ca
sothebysrealty.ca

Notice of confidentiality: This transmission contains information that may be confidential and that may also be proprietary; unless you are the intended recipient of the message (or authorized to receive it for the intended recipient), you may not copy, forward, or otherwise use it, or disclose its contents to anyone else. If you have received this transmission in error, please notify us immediately and delete it from your system. Sotheby's International Realty Canada, Brokerage. Independently Owned and Operated.

12

Ryan Morhart

From: Brian B [REDACTED]
Sent: Wednesday, December 13, 2017 2:19 AM
To: Ryan Morhart
Subject: Upstairs Cabaret occupancy increase

To whom it May Concern

I am writing this Email to offer my support for the occupancy increase application at Upstairs Cabaret (15 Bastion Square). I support this increase for several reasons. The first reason being that I frequent this venue and feel that it's capacity is too small. It is annoying to have to wait in line because the venue is at capacity but when I finally get in there is ample room for more people. I would much rather be inside having fun and spending money than standing outside in the rain and wasting my time for no good reason. The second reason is that Victoria now only has two major nightclubs (one of them being Upstairs Cabaret) and this has placed more demand on them. That means more people are going to Upstairs Cabaret and having to wait outside to get in even though there is space inside. The third reason I support this is because I support a vibrant Victoria nightlife where there are more entertainment options, not limited ones. I think this is good for both Victorians and Tourism in general because it brings more people downtown, which in turn generates tax dollars.

Thank you,

Brian Bassendowski

Ryan Morhart

From: Cameron Franceschini [REDACTED]
Sent: Sunday, December 3, 2017 8:09 PM
To: Ryan Morhart
Subject: Upstairs Cabaret Capacity Increase Request

To Whom it may Concern,

I have been a concert promoter and very active member of the Victoria music scene for the last 8 years and recently attended the Lil Windex show at Upstairs Cabaret and saw the notice posted on their door about their capacity increase request and would like to offer my opinion, and support for them.

I have worked with many venues, and many security teams in both Victoria and Vancouver and all of them pale in comparison to what Upstairs Cabaret has to offer. Their security is aware of everything going on in the room and constantly in communication to stop any problems that might arise before they do, and if they do, they are handled in a calm and collected manor. If any security team could handle more patrons, it would be Upstairs Cabaret's.

In addition an increase of capacity would mean they would be able to bring in bigger acts, which will help benefit tourism, as well as help the local music scene grow. There are unfortunately few venues in Victoria that are able to cater to higher mid-level bands and performers. Bands that would otherwise love to come to Victoria or the island are unable to because they are too successful to be playing in a community center gym, but not big enough to be able to play Save on Foods Memorial Center. Upstairs Cabaret has already housed some amazing shows and acts ranging from French-Canadian folk, to hip-hop, to metal, and with a capacity increase they would be able to bring in more talented, diverse events that will introduce many new people to new music and art.

It would also be beneficial because it would mean there would be more people inside the building, than outside in line in Bastion Square. Some of the acts they are currently bringing in are drawing big crowds that sell out the venue, but unfortunately once you get past the line and into the venue it appears to be

half full at best. It seems odd to be attending a sold out show in a half empty room, with a line up through the square.

In my opinion there are many reasons why a capacity increase would be beneficial. It would bring more patrons to surrounding businesses, bring bigger and better acts to the city, as well as help the nightlife/music scene thrive.

Thank you for your time,

Cameron Franceschini



December 1, 2017

Manager – Permits and Inspections
1 Centennial Square
Victoria, BC

via email: rmorhart@victoria.ca

RE: Seating Capacity increase – Upstairs Cabaret

I am writing *in support* of the proposed increased capacity for Upstairs Cabaret in Bastion Square.

- As someone that enjoys live entertainment in the city, increased capacity would make it more viable to bring in Acts/Entertainers that are more costly. The increased capacity would allow the sale of more tickets and therefore ensure costs are covered for the operator. My husband and I (late 50's and 60's), as well as our friends, have enjoyed shows at Upstairs, such as their Comedy series, Blues and Jazz.
- Well managed venues in Victoria add to the offerings in entertainment to our visitors. As a city we have many wonderful activities for the tourist/ visitor to Victoria to enjoy during the day. I would suspect that currently most patrons at Upstairs are locals, so having more capacity would allow Upstairs to market some of their live shows to our visitors and ensuring that they could get in and not sold out when there is still space inside.
- Long lines outside of Upstairs are a regular occurrence. The potential for issues outside of the club are larger than inside the club, as the security on staff for Upstairs maintains safety for their patrons when inside. It is confusing for people that do not work in the industry to understand that they have to line up outside while there is still space inside, only because the magic capacity number has been reached. This can cause tension.
- And my personal peeve as a resident of Victoria (proper, not other municipalities) and a business owner downtown, is people urinating in the streets. Sadly this happens when people are forced to wait in line to get into a club.

Having worked in the hospitality industry in my first career, I fully understand that all safety and appropriate operational processes have to be in place and adhered to. I feel comfortable sending this letter of support because from everything that I have heard and observed, Upstairs Cabaret is a company that is well managed, cares about their patrons and offering a safe and fun entertainment venue.

Sincerely

Christine Willow, CMC RPR
Partner/Owner Chemistry Consulting Group & GT Hiring Solutions Inc.



Ryan Morhart

From: Cohen Nagel [REDACTED]
Sent: Tuesday, December 5, 2017 11:16 AM
To: Ryan Morhart
Subject: Upstairs Cabaret

Hello,

After seeing the sign on Upstairs' door about increasing capacity, I believe this would be a great idea that would benefit everybody.

Upstairs has very fair doormen who handle every situation professionally but it is annoying when they have to hold the door and not allow more people in because they say they're at capacity. Once you finally make it into the club the room doesn't even seem that full. There is plenty of room for more people instead of having them wait outside in the cold. On top of that I've been to "sold out" shows at Upstairs and my friends couldn't get in but there was still clearly room for more people to see the concert. By increasing their capacity both the staff and customers would benefit.

Like me, plenty of students would like to see this change, but it would also be beneficial to the large amounts of tourists that visit this city. Upstairs is a very popular late night destination, and people visiting from out of town are eager to make the most of their time. Waiting in line for a long time is not ideal.

Thank you for your time,

Cohen Nagel

3

Ryan Morhart

From: Courtney Campbell [REDACTED]
Sent: Wednesday, December 13, 2017 2:37 PM
To: Ryan Morhart
Subject: Upstairs Cabaret

Hello,

I am writing this email in support of Upstairs Cabaret increasing their guest capacity. As a resident of Victoria, I value the nightlife options that a venue like Upstairs provides. It is great to have an entertaining and safe venue, that can accommodate locals and tourists for late night events. We frequent Upstairs Cabaret, and we love to bring our out of town guests their to have a taste of Victoria nightlife!

Thank you,
Courtney Campbell



[REDACTED]

C4

Ryan Morhart

From: David Bain <david@cheeseandmeatfestival.com>
Sent: Thursday, November 30, 2017 1:47 PM
To: Ryan Morhart
Subject: Upstairs Cabaret - Notice

Hi,

I have been informed that Upstairs Cabaret is looking to increase their capacity. I wanted to send in a note and show my support for this application. The Victoria region desperately needs more venue options that are attractive to the music industry. Victoria is seen as a secondary market and has to fight to be able to take part in touring acts. If Upstairs received a larger capacity it could be a huge economic driver of the local and international music scene. There is no other venue like it on Vancouver Island. Our larger capacity venues are horrible and leave the inability to give an experience like Upstairs Cabaret offers. Please use this email as a letter of my support.

Thank you,
Dave

--

David Bain
Director of Operations

Cheese and Meat Festival - 2018 Dates: Seattle April 28th | Victoria May 19th
www.cheeseandmeatfestival.com

E: David@cheeseandmeatfestival.com
T: At Request

Social: [Facebook](#) | [Instagram](#)

The Cheese and Meat Festival is a division of Surge Business Productions Inc.

This e-mail and any attachments are for the use of the intended recipient only and must not be distributed, disclosed, used or copied by or to anyone else. This e-mail and any attachments may be confidential, privileged and/or subject to the Freedom of Information and Protection of Privacy Act. If you receive this message in error, please delete all copies and contact the sender.

6

Ryan Morhart

From: Dorothy Hawes [REDACTED]
Sent: Wednesday, December 13, 2017 2:18 PM
To: Ryan Morhart
Subject: Upstairs Cabaret

Hello there,

I am a long-time resident in Victoria and have been made aware of the application to allow greater capacity at Upstairs Cabaret. Given how well this establishment is run and the fine reputation it has in Victoria, I believe that council should be in support of this application. Often there are long lineups which create congestion in Bastion Square, so allowing increased capacity is a good solution.

A supportive resident,
Dorothy

G

Ryan Morhart

From: Earl Wilde <ewilde@victoriaregent.com>
Sent: Thursday, November 30, 2017 11:56 AM
To: Ryan Morhart
Subject: Upstairs Cabaret Application

Dear Sir or Madam:

We are in receipt of Notice of Application to increase allowable occupancy at the Upstairs Cabaret, 15 Bastion Square, from the current 300 persons to 500 persons.

Please be advised that the Victoria Regent Hotel and the residents of Strata Corporation VIS 962 vehemently oppose this application. For the past 20 years, our front desk personnel and the management team have fielded literally hundreds of complaints from guests and residents related to the excessive bass and loud music emanating from the Upstairs Cabaret until 2:00 or 3:00 in the morning, thereby depriving these guests and residents of their right to quiet enjoyment. Despite numerous calls to the establishment management and to Police and Bylaw, the situation persists year after year.

There is little doubt that, if more people are allowed into the premises, the music volume will increase. Of course, we would also have to endure 200 more inebriated, rowdy patrons spilling out onto an already raucous Wharf Street in the middle of the night. This must surely raise alarm bells with the Victoria Police Department and is simply a bad idea.

We have been fighting this insanity for decades. Enough is enough.

Sincerely,

Earl Wilde, General Manager

Direct: 250-412-8101

Toll Free: 1-800-663-7472

Fax: 250-386-2622

E-mail: ewilde@victoriaregent.com

Website: www.victoriaregent.com



Ryan Morhart

From: Emma Sauer [REDACTED]
Sent: Wednesday, December 13, 2017 12:53 PM
To: Ryan Morhart
Subject: Upstairs Cabaret

Hello,

I moved to Victoria nearly three years ago for university and Upstairs Cabaret has been my favourite place to go out ever since. The staff is amazing, always welcoming and truly care about their guests, I feel much safer there than any other club venue in town. I have heard they are hoping to increase their capacity and I hope they are given approval. I always take friends visiting from out of town to Upstairs, either for a night of dancing or to watch one of the great shows they put on. Upstairs is Victoria's nightclub, it is one of a kind and instantly makes you feel like you're in the right place. Thank you for taking the time to read this and considering my words when making your decision.

Best,

--

Emma Fitzpatrick-Sauer

14

Ryan Morhart

From: Forrester Whitney [REDACTED]
Sent: Monday, December 4, 2017 12:15 PM
To: Ryan Morhart
Subject: Upstairs Cabaret : Occupancy Increase

Dear Victoria City Council,

I am writing in response to the Upstairs Cabaret occupancy increase notice. I would like to pass along my support as it will undoubtedly have a positive impact on current and future downtown businesses, as well as my personal enjoyment of one of Victoria's premium bars.

From my personal experiences and sharing experiences with my peers, a common issue I run into in Victoria is the lack of quality night life. Having a venue that can accommodate a larger event will attract bigger, better, and more performances/shows. This will bring more people downtown - more people that will tour the local bars, restaurants, and retail stores - driving the local economy.

I can appreciate that with an increase in their occupancy, I will spend less time outside in a crowded line up and more time inside enjoying my night. Additionally, the atmosphere of the venue will also improve as more people can attend shows.

As a long time Victoria resident and downtown patron, I have a deep appreciation for the professionalism and hospitality of the Upstairs Cabaret staff, especially the management and security team. I look forward to seeing growth in the city that I love, and having more fun on my nights out!

Thank you for your time.

Forrester Whitney

19

To Whom it may concern;

Hello, My name is Freddy Mazereeuw and I am a long time patron of many business's in Bastion Square. I saw that Upstairs Cabaret has a notice on their door about increasing their capacity from 300-500 persons. I think this is a GREAT idea. Having been in the venue for many types of events and having the room not be "full", I questioned the staff there on why so many people are being left outside in the cold, for them to answer that it's a legal capacity issue. Upstairs has incredible staff and security teams and do an amazing job of controlling and keeping their venue a safe place for locals and tourists a like to catch all types of events. From concerts, to comedy to dancing.

I believe you would have a lot less issues with public problems such as noise, urination, fights etc in the area if the city allowed them to put patrons inside, rather than left outside. Let the people in, where they can be monitored and controlled and SAFE.

There has been many closures of nightlife venues in the city over the last few years, due to a number of factors. Upstairs Cabaret has, and continues to be, a well run and safe establishment for people of all ages. It would be a shame to see yet another company close in our city, that offers such amazing experiences for the community and the tourists that flock to the area in summer.

Thanks for taking the time to read my input, and chalk me up in the "in favour" column of the notice.

Thank You,
Freddy Mazereeuw

G.F. Hauck

1650 Wascana Highlands

Regina, Sask., S4V 2K7.

City of Victoria: To whom it may concern.

I am one of the owners of the Victoria Regent Hotel at 1234 Wharf St., V8W 3H9.

I am totally and completely opposed to the "Notice of Application" submitted by Upstairs Cabaret for an increase from 300 to 500 persons.

Our management team has worked very hard and at great expense to promote our hotel as an upscale destination of visitors to Victoria. Unfortunately we are having extreme difficulty retaining repeat customers. Singularly the most consistent and negative feedback we receive from our guests is the amount of noise pollution they experience. They cannot get to sleep.

This problem exists not only in the early and late evening but extends in the early hours of the following morning. (2:00 to 3:00 AM)

I cannot exaggerate or overstate the volume, extent and duration of this ongoing problem to the wellbeing of our guests, our resident owners and our hotel operations.

Con't Page 2

(2)

In terms of lost revenues and added promotional expense to acquire new clientele over the years, we have suffered losses in six figures.

Despite our best efforts in confronting the Owners and management of Upstairs Cabaret and trying to get the City Police to enforce the bylaws, nothing changes. We continue to be subjected to this unjust situation.

We have been grappling with this as long as I have been an owner.

To increase an already intolerable level of noise by this establishment is unfair, unjustifiable and totally wrong.

Please, I urge you in the strongest possible terms to reject this application in its entirety. To allow even 1 more patron is too many.

Anything but a complete rejection of this application is acceptable to myself.

Thank you for the opportunity to make you aware of how negatively this application will impact the Victoria Regent Hotel and its owners.

Yours truly,

G.F. Hauck

14

Ryan Morhart

From: Jay Forbes [REDACTED]
Sent: Tuesday, November 21, 2017 3:23 PM
To: Ryan Morhart
Subject: Upstairs Cabaret capacity

Greetings. My name is Jay Forbes and I have been a frequent patron of Upstairs Cabaret for over 10 years and have performed there as a musician on many occasions. It's posted on the door that they are applying for an increase in capacity from 300 persons to 500 persons and that anyone who would like to express an opinion is invited to send comments to this email so that's exactly what I'm doing.

I think increasing Upstairs occupancy would have nothing but positive results.

I'm saying this as a patron of that business because it would result in not having to wait in line for long periods of time. The line up can be cold during the winter and frustrating when there is a show you want to see or an event you wish to participate in and you cannot get into the venue because it is at capacity. I've been in Upstairs during sold out events while my friends are waiting to get in and it seems that there is lots of room for more people but no one can enter because the legal limit is 300.

As a performer it is always my goal to get as many people out to a show as possible and more people allowed into the venue means more people to support local musicians. It also gives us as musicians the potential to make more money based on ticket sales.

And finally as simply a Victoria resident I believe allowing more people into the venue would relieve the congestion that occurs in Bastion Square during events at Upstairs Cabaret. More people would be in the venue under security supervision which is in the interests of public safety, more money will be spent which is in the interest of Victoria's economy and there will be fewer people in the streets to potentially fight, vandalize or urinate in public areas.

Thank you for allowing the public to have a say in this and taking the time to read my comments.

Jay Forbes

24

2216 Tarn Place
Duncan, BC V9L 5K4

November 20, 2017

Manager, Permits & Inspections
Sustainable Planning and Community Development Department
1 Centennial Square
VICTORIA, BC V8W 1P6

**RE: Notice of Application for Structural Change to a Liquor Primary Liquor Licence:
Request an increased occupant from 300 to 500 persons.**

Dear Sir or Madam:

I am the owner of Suite 600 in Strata VIS 962 the Victoria Regent. My unit is currently in the rental pool comprising the Victoria Regent Hotel.

I write to **oppose** the increased occupancy at 15 Bastion Square (Upstairs Cabaret) from 300 to 500 for the following reasons:

- Increasing the number of persons under the influence of alcohol in the Bastion Square/Wharf Street area at closing time is ill advised. Victoria City Police and Bylaw Enforcement Officers are not able to **successfully** enforce the City ordinances at the current occupant level of 300. Increasing to 500 persons will only exacerbate the problem.
- Approving this application will add to policing and maintenance costs for the City with the resultant burden for the property taxpayer.
- The City has worked diligently to increase residency in the downtown area. Increasing the number of inebriated patrons after hours does nothing to further the downtown ambiance or residential experience. Enough is enough.
- The City has invested heavily to attract visitors to the area and expand the tourism industry. The Victoria Regent Hotel has one of the highest occupancy rates in the City. The hotel has received and reported to the City numerous complaints from hotel guests about patron noise and pounding bass. In addition to not providing the visitor experience Victoria is striving for this senselessly wastes the time of both City and Hotel staff. Again, enough is enough.

I hope to one day make my Victoria Regent unit my home. I respectfully request the City decline this application and retain the residential and tourism value of the Wharf Street/Bastion Square area.

Thank you.

Jo Bodard
Owner, Unit 600, Strata VIS 962
Victoria Regent Hotel Rental Pool Participant
Taxpayer

23

Ryan Morhart

From: Josh Noble [REDACTED]
Sent: Wednesday, November 29, 2017 2:43 PM
To: Ryan Morhart
Subject: Upstairs Capacity Increase

I am writing in hopes to help persuade the increase in capacity at Upstairs Cabaret. I saw a posting on their door after waiting to get in for almost 40 minutes only to find the place seemingly not full. As a music fan I think the increase could also bring bigger musical performers to their stage and would be better for Victoria's music scene.

Thank you for your time,

Cheers

Josh

10

Ryan Morhart

From: Justin Sparks [REDACTED]
Sent: Wednesday, December 13, 2017 10:30 AM
To: Ryan Morhart
Subject: Upstairs Cabaret - Occupancy Increase

To Whom It May Concern,

I frequently visit Upstairs Cabaret on weekends and live music shows (Michael Bennard Fitzgerald just this past Sunday) and was notified they have submitted a request for an occupancy increase. I strongly support their request to increase occupancy numbers. Increasing their occupancy will not only reduce long wait times in line-ups but also allow more people to enjoy some of the amazing sold out concerts this venue consistently hosts.

Justin Sparks
119-643 Granderson Rd.
Victoria, B.C.
V9B 0J6

Ryan Morhart

17

From: katie marciniak [REDACTED] >
Sent: Monday, December 4, 2017 2:46 PM
To: Ryan Morhart
Subject: Increase of capacity @ upstairs

To whom this may concern:

Hi there! Hopefully I am in the right place and sending this to the right person!

I saw a notice posted that Upstairs Cabaret is trying to expand their capacity and that it was up to you guys to decide whether or not that was going to happen..

I frequently go to the many restaurants in the area as well as the venue and have noticed over the years that upstairs has always had extremely long lines flowing out into bastion square mainly because they are at full capacity.. believe me when I say I have stood in that line for a good hour before, waiting to get in.. I'm sure that if they had a larger capacity it would mean that there would be less line ups outside, which would mean more people inside getting to experience a part of Victoria's vibrant nightlife and less people standing around loitering in the square..

My boyfriend and I have gone there 2 weekends in a row now and we watched the staff handle any situation that arose very professionally and I applaud them for it.. it isn't always easy working in the nightlife industry but their staff always seem to go above and beyond.. they are hard working and definitely deserve to have more people in their venue..

I am also in the service industry and anytime a group of people from out of town comes to one of my tables and asks where the best place to go out is, I always recommend Upstairs or Darcys as I feel like they would really enjoy the experience they would have there ..

I hope this email gets to the right place and helps them out!

Happy Monday!
Katie M

J. Michael Hutchison, Q.C.
1218A Wharf Street
Victoria, B.C.
V8W 1T8

December 11, 2017

The Mayor and Council
City of Victoria,
1 Centennial Square
Victoria, B.C.,

Dear Madam Mayor and Members of Council:

**Re: Application to Increase the Permitted Occupancy of the
Upstairs Cabaret – Wharf Street**

My wife and I write to you to oppose the application to increase the permitted occupancy of the Upstairs Cabaret located on Wharf Street.

We live less than a block from the Cabaret, with our front door opening onto Wharf Street and our bedroom windows opening to the street. We moved to this location out of a genuine desire to enjoy the vibrancy of downtown Victoria, and, by and large, our expectations in that regard have been met.

In the four years that we have lived downtown, apart from a regrettable inadequacy in parking availability, essentially we are happy with our choice.

The Cabaret has been a source of some disruptions, particularly at 2 o'clock in the morning when the business closes and the large group of its patrons emerge onto the street. The current level of crowds of voluble young people (understandable since they have been in the party atmosphere inside the Cabaret for some time) do tend to gather at the late night food vendors directly across the road from our residence. Occasionally, and it is occasionally, there will be a disturbance likely caused by some overindulgence, but by and large it

is simply a matter of noise and it lasts for a relatively short time, perhaps half an hour.

We accept that noise and the presence of these young people as part of the vibrancy we were looking for when we moved downtown. By and large, the Cabaret seems to do a relatively good job of controlling noise and disturbance immediately surrounding the Cabaret, but of course when its patrons move away down the block they are out of that control.

One unpleasant aspect of the presence of large groups massing after the Cabaret closes, is the not infrequent occasions that we find that our doorway entrance to our condominium has been used for urination or vomiting. That does not occur every night, but often enough that it is not just an unpleasant rarity. Once again, we have accepted that as an aspect of living in the proximity of lively night time businesses.

However, the idea of increasing the number of patrons as proposed in the application you are considering leaves us concerned. There is already an inadequate supply of parking in this area, and we understand that the City intends to proceed with the installation of a bike lane along our side of Wharf Street that will eliminate the existing parking (which is an entirely separate problem, particularly for us as it will deny parking access for service vehicles and delivery services that we use).

The inevitable effect of increasing the numbers of patrons will be to increase the numbers of inebriated young people on the street, likely to mill around the food outlets across the road from us (they themselves have not posed a problem for us, and it is probably advisable that there be some access to food at that time of night) and the increased numbers will lead inevitably to more confrontation, noise and disruption immediately below our bedroom windows. We also expect that such an increase in numbers will significantly increase the incidence of urination and vomiting in our home's doorway.

It will also increase the need for police services, which will increase the frequency of sirens on the street, not to mention the costs to the City.

Another consideration for us is the fact that my law firm offices are located at the Harbour Level of the Hartwig Court building. My clients

frequently access my office through the building from Wharf Street. Again, the entranceway to the building, like the doorway to our residence, is not infrequently used for urination and vomiting. Along with the issue of detritus that is left on the street after the crowds are gone, which is largely controlled by early morning street cleaning at its current level, the prospect of increasing amounts causes us to have significant concern that our clients will face an unpleasant entry more significantly than to date. Given the intention to remove the limited parking that currently exists, they will have to walk along that portion of the street from other locations where they are able, if they are lucky, to find parking.

We must respectfully request that you decline the increase sought by the Upstairs Cabaret. We have no desire to see the business cease, as it is part of the vibrant downtown scene which we moved to participate in, but cannot support its increase in size.

Thank you for your consideration.

Yours truly,



J. Michael Hutchison, Q.C



Kathryn C. Hutchison

Ryan Morhart

From: kyla kirby [REDACTED]
Sent: Tuesday, December 5, 2017 2:51 PM
To: Ryan Morhart
Subject: Upstairs Cabaret: increase of capacity

Good afternoon,

While I was out over the weekend at Upstairs Cabaret I noticed a sign posted on front door regarding increased capacity.

I frequent a number of establishments around town for live concerts and Upstairs Cabaret has to be one of my favorite venues for concerts. It would be great for a venue like Upstairs Cabaret to be able to house larger acts. With an increase to the capacity it would also drive more musical talent to the island. I have experienced a number of times disappointed friends and colleagues that would have enjoyed shows but because they are "sold out" and are unable to purchase tickets because the room is too full. When you look around at sold out events at Upstairs the room never feels sold out. I have had conversations with some of the door staff asking why there are no more tickets and as they explain that this is what a full capacity looks and feels like. Empty rooms and disappointed customers is discouraging. It would be great to see the availability of tickets increase and bring more fans into one space.

Being a young female born and raised in Victoria our city's tourism continues all year round. Having more musical talent can bring success to our local businesses. I think it would be great to have Upstairs Cabaret be able to open the doors to more patrons at all their events.

Thank you for your time and I hope you will consider my opinion when making a decision.

Warm regards,

Kyla Kirby

15

Ryan Morhart

From: Lauren Barnes [REDACTED]
Sent: Friday, December 1, 2017 7:11 PM
To: Ryan Morhart
Subject: Upstairs Cabaret Capacity

To whom it may concern,

I have lived in Victoria for about 3 years, and I've always been a part of the downtown nightlife. I often find myself in Bastion square for entry to Darcy's Pub and Upstairs Cabaret. There have been countless times where I've tried to get into Upstairs, but the line is massive. The nights that I do get to the front of the line, I find it only looks half full in the venue, yet they were holding the line because they were at capacity. I love going into Upstairs; the staff is fantastic, efficient, and professional. From what I've seen, I think they would be able to handle more people with ease.

It seems like the current capacity limit for upstairs is just creating wasted space, when it could be flourishing from tourism.

Respectfully,

Lauren Barnes

25

Ryan Morhart

From: Lexus [REDACTED]
Sent: Tuesday, December 12, 2017 3:39 PM
To: Ryan Morhart
Subject: Upstairs capacity!

Hello,

I'm writing you on behalf of the capacity change at upstairs cabaret. I think you should up the capacity to 500 to keep the victoria night life population happy, as well as keeping the cold people that wait outside the club for hours in! This way there won't be as many altercations outside that the doormen can't do anything about as it is public property and it's pretty disturbing watching fights break out, especially fights that could be avoided over people "jumping in line" if there was no line it wouldn't be an issue. This is coming from a cold customer who has stood outside in line for far to long!!!! Please change it.

Thank you!
Lexus Bird

26

Ryan Morhart

From: DJ LOW [REDACTED]
Sent: Tuesday, November 28, 2017 11:49 AM
To: Ryan Morhart
Subject: Upstairs Cabaret

Good morning,

I am writing in support of the application for capacity increase to Upstairs Cabaret.

Upstairs, and it's current location, has always been a vital venue for Victoria's live music scene. It is a safe, professional, and fun place in the heart of the city.

An increased capacity would only allow for more people to enjoy this cultural hub.

Thank you for your consideration,

- Liam Orr

To Whom It May Concern:

I am a Victoria resident, here while I complete my studies and I wish to stay here once I graduate. I am a very studious person, but enjoy a good night out downtown. One of my favourite places to go dancing at is Upstairs Cabaret. However, it really puts a damper on the night when we arrive fairly early just to be stuck in a massive queue. Now one might be excited about the massive queue, thinking that the venue would be full, but once my friends and I finally get ushered in, the venue is half empty. This is confusing and disappointing to both the locals and visitors in town. I am writing you this letter to make a formal request to have the capacity of Upstairs Cabaret expanded. This will open up the area of Bastion Square to be more accessible to visitors, while increasing the number of patrons who will be accepted into the venue to have a great night.

Please take my request into consideration.

Thank you for your time.

Marissa Young

Ryan Morhart

From: Matt Love [REDACTED]
Sent: Tuesday, December 5, 2017 2:02 PM
To: Ryan Morhart
Subject: Upstairs Cabaret Capacity

To whom it may concern,

My name is Matt, and I am a local photographer and frequent club-goer. I spend a lot of time at different locations around town, but I spend most of my time at Upstairs. Whether I'm shooting an event for a production company, or just going out with friends, I've always found Upstairs has the best atmosphere, the best team of hard working (and friendly!) individuals, and the best overall experience that me or my friends could ever ask for. Recently I noticed the sign posted outside and personally wanted to reach out to give my opinion. Upstairs is by far the most professionally run place in town. The management, the bouncers, everyone handles everything there in a very impressive and professional manor, and with great efficiency. If there's ever a problem, it is solved faster than anywhere else I've been (not just in Victoria, but everywhere). It's like watching a well-oiled machine with all the working parts doing exactly what they need to do and it truly blows me away. I have never had a bad experience inside of Upstairs, and I have never heard of anyone else having one either.

I want to encourage that Upstairs have an increase in capacity, as I know for a fact that the team there can handle it with ease. I would love to see this already successful club do even better. Like I said, this place is extremely professional and they're doing a great job currently. They deserve to have more people having fun inside, and not waiting for so long outside. They consistently have LONG lineups every night, and I feel like all those people deserve to have their wait time cut, or eliminated all together. This will drive more sales, which will build even bigger shows and more success to a place that really, truly deserves it.

Thank you so much for your time and your consideration. Have a wonderful day.

- Matt

Ryan Morhart

From: Meghan Moric [REDACTED]
Sent: Wednesday, December 6, 2017 9:43 AM
To: Ryan Morhart
Subject: Upstairs cabaret

Hi there

I was just emailing my opinion about increasing the capacity of upstairs. I saw the note on the door since I attend shows and events at this establishment. I believe that increasing the capacity will cut back on the long lines that occur at upstairs.

I also believe that when they have shows they can't necessarily fill the room and it looks like the show isn't popular when in reality it is. If they can fill the room And these shows it will increase tourists coming to Victoria for them.

Just my opinion! Thank you for your time

Meghan
Sent from my iPhone

29

Ryan Morhart

From: Earl Wilde <ewilde@victoriaregent.com>
Sent: Thursday, November 30, 2017 1:30 PM
To: Ryan Morhart
Subject: FW: Notice of Application for Upstairs Cabaret

Another letter from one of our owners

Earl Wilde, General Manager

Direct: 250-412-8101

Toll Free: 1-800-663-7472

Fax: 250-386-2622

E-mail: ewilde@victoriaregent.com

Website: www.victoriaregent.com



From: mercedes moffat [REDACTED]
Sent: Thursday, November 30, 2017 1:20 PM
To: Earl Wilde <ewilde@victoriaregent.com>
Subject: Re: Notice of Application for Upstairs Cabaret

Dear Mr. Wilde:

As a condo owner at the Victoria Regent Hotel, I would like to register my opposition to the application presented to increase the allowable occupancy of 300 persons to 500 persons at the Upstairs Cabaret located at 15 Bastion Square.

The purpose of a hotel is actually to sell sleep. This being the case, cabaret noise, which currently penetrates the Victoria Regent Hotel, is already more than sufficiently annoying to guests and to staff who must deal with noise complaints.

I respectfully request that this application by the Upstairs Cabaret be declined.

Sincerely,

Mercedes C. Moffat

31

To whom it may concern,

I am writing this letter in support of the current proposed capacity expansion for Upstairs Cabaret.

I have lived in the downtown area of Victoria for 15 years over which time I have seen it's night life atmosphere change drastically. When I first moved here the options for a night on the town seemed almost endless. Slowly over the years I have witnessed the majority of Victoria's night life venues close their doors and for many of these venues this was the final result after many name changes and what I'm sure we're expensive renovations.

I can think of many good reasons to allow this capacity expansion from being able bring in larger more well known bands, to not having a square flooded with people waiting outside when they could be inside getting service in controlled environment but I think the most thing we need to keep at the forefront of this is we need to support our local businesses.

Upstairs Cabaret has been a corner stone of the Victoria nightlife scene for many years now and with no immediate residential impact I would see no reason to speak against this expansion what so ever.

Thank you for your time and I look forward to seeing the result of this attempted amendment.

Michael Donovan.

28

Ryan Morhart

From: Nevil Meyer <[REDACTED]>
Sent: Tuesday, December 5, 2017 12:38 AM
To: Ryan Morhart
Subject: Upstairs Capacity.

As somebody who hates long lines and loves to frequent Upstairs I highly encourage and support upping the capacity. It's good for tourism, it's good for business, it's good for lowering public urination and that's just great for Victoria, British Columbia and Canada as a whole.

Cheers.

Ryan Morhart

From: Quincy Leachman <[REDACTED]>
Sent: Wednesday, November 22, 2017 12:17 PM
To: Ryan Morhart
Subject: Upstairs Cabaret Occupancy Increase

Hi there,

I've noticed that Upstairs Cabaret is currently applying to increase its capacity from 300 to 500 persons. As someone who frequents downtown Victoria, and Bastion Square in particular, I think that this increase would be extremely beneficial for the area.

Currently the lineups outside of Upstairs are so excessive that they are filling much of Bastion Square, starting as early as 9PM. While this may not seem like much of an issue, it does pose a few problems. Fights, public urination, and noise pollution all occur when individuals, particularly those who have had a few drinks, are forced to wait outside due to capacity limits. If we could get these individuals out of Bastion Square and into Upstairs, they would have both restrooms and the supervision of Upstairs' security team, making the area safer and more enjoyable for everyone.

One of the other bonuses to having this capacity increase is that it would allow Upstairs to book more prominent acts. Many more popular performers won't perform at venues that can't hold 500 people. Increasing Upstairs' occupancy would allow those bigger performers to have these shows, thus drawing tourists and locals alike downtown.

Thank you for your time and considering my opinion on the matter.

Quincy Leachman

36

Ryan Morhart

From: Rebecka Hollstein [REDACTED]
Sent: Tuesday, December 12, 2017 5:59 PM
To: Ryan Morhart
Subject: Upstairs Cabaret Capacity Increase

Hello,

I recently visited Upstairs on the weekend and noticed the posting mentioning their hope to increase capacity.

I frequently visit Upstairs and other venues in the city for their live music. Upstairs however, is a standout favourite. They hands down have the friendliest staff who treat everyone with the upmost respect for everyone who visits their establishment. You can see that it's everyone's common goal to make sure everyone who comes through their doors has a great time while feeling safe.

With that, Upstairs is also known for their line-ups. While no one likes to wait in line-ups, the safety factor of having upwards of 30-40 people outside in an uncontrolled environment certainly warrants for a capacity increase. Upstairs is a controlled, safe, professional, and thriving business in the heart of downtown Victoria. They handle any situation that comes up with a high sense of urgency always with their guests safety in mind. An increase in their capacity would allow this local business to grow as well as increase the safety of those guests outside their doors. Everyone deserves to have a good time on the weekend. It's a win-win.

Rebecka Hollstein

Ryan Morhart

From: ron jackson <[REDACTED]>
Sent: Thursday, December 7, 2017 6:30 PM
To: Ryan Morhart
Subject: Upstairs Cabaret Liquor Extension

Greetings

My name is Ron Jackson and I'm a resident of Victoria and an occasional purveyor of the late night scene in Victoria. I was out last weekend saw the notice regarding the capacity increase of the Upstairs Cabaret. As a person who goes to this establishment every so often I felt compelled to write on their behalf. I like attending this particular venue mostly for the professional way it is run. It's a rarity with these kinds of places I find. They tend to operate more like a professional establishment and we feel safe going there. One thing we are often subject to although is a lineup outside and I must say after going inside and seeing few people actually inside the club I have complained a few times as I have felt they were leaving us outside in order to make the venue appear "desired". After seeing this notice I saw that I was wrong to have accused them of that and thought I could make it right with a quick letter on their behalf. There's a great place located in what appears to be a non-residential area and seem like the right choice for this kind of increase and we sure wouldn't complain about spending less time out in the cold outside of what always seems to be a half empty room inside.

Just my two cents. Thanks for reading

Ron Jackson

3132 Glasgow st. Victoria B.C

Ryan Morhart

From: Samantha Partington [REDACTED]
Sent: Saturday, December 2, 2017 3:52 PM
To: Ryan Morhart
Subject: Increase Capacity at Upstairs Cabaret

Good Afternoon,

I noticed a posting at Upstairs Cabaret and thought I would express my opinion and support for them.

I have been going to Upstairs since I was 19 years old (now 28) and have always been treated with the upmost respect and kindness from the security team and the bar team. Over the years I have noticed that the line up to get into Upstairs gets bigger and bigger yet the club does not seem full once inside even tho they are at capacity. During shows they seem to be "sold out" but again once you are inside the club seems only half full. It would be great for tourism to have a larger capacity so that more people from out of town or even locals can enjoy a night on the town at one of the most respectful and fun clubs in Victoria and more people can support these great artists that Upstairs hosts!

With this being said I support Upstairs and their amazing staff and do hope they are granted this capacity increase.

Regards,

Samantha Partington

34

Hello, I am responding to the posting on the door of Upstairs Cabaret.

I am a Victoria native and am very fortunate to be so. People come from all over to take in this city and why wouldn't they? It has so much to offer!

Lately I have noticed that the lineups outside of nightlife establishments have increased but the rooms themselves seem far from capacity. This leaves people irritated outside without supervision instead of inside under the watchful eyes of a competent security team. Upstairs Cabaret handles the room very well and I've never felt unsafe there. The aftermath from crowds loitering in the square over the weekend leaves the grounds in a state that I can't help but notice on my walk to work in the mornings. I've also witnessed "sold out" shows with holes in the crowd which is discouraging both for the artist and the ticket holders.

Victoria is a growing hotspot for tourism and sometimes change is required to keep up. I am confident that Upstairs Cabaret will continue to provide outstanding service with an increased capacity. All my support for the team!

Thank you for your time and consideration,

Sarah

Ryan Morhart

From: Shane Stoneman
Sent: Tuesday, November 28, 2017 12:22 PM
To: Ryan Morhart
Subject: Upstairs Cabaret

Hello,

I just saw the sign posted on the door of Upstairs Cabaret and I thought I would take a moment to share my thoughts.

I'm 30 years old and have lived in Victoria for some time. Over the years I've had the chance to frequent all the evening entertainment that Victoria has to offer, and I can honestly say that the team and Upstairs does it better than everyone else. Their security is topnotch. The security at other places feels like an afterthought. Things get messy at those places, but I have never experienced that at Upstairs. Whoever runs their security team runs a tight ship both inside and outside the club.

To me it makes sense to have more people inside the space, than outside the space. Plus an increase in their capacity would do a lot to drive business. I'm a development banker by trade, and I think it would be better for them, for tourism, and for Victoria as a whole because a larger capacity means more tickets sold at a reasonable price point which means they can attract better acts/talent. Also attending a "sold out" show and walking into a room that is half full really ruins the atmosphere.

In conclusion, I want to express my support for Upstairs Cabaret. They seem to have a great team in place and this would drive business development which I am all for.

Thanks for your time,

Shane Stoneman
Business Development Bank of Canada

30

Ryan Morhart

From: Sophie <secretary@simair-law.com>
Sent: Friday, December 1, 2017 3:28 PM
To: Ryan Morhart
Subject: Upstairs Cabaret - Bastion Square Victoria

To Whom It May Concern,

Hello,

My name is Sophie and I am the legal assistant of #204 – 26 Bastion Square. I work for five lawyers who are all sole practitioner. The lawyers in this office practice mainly, but not exclusively, in criminal and family law.

I am writing to express my support of the capacity increase at Upstairs Cabaret.

I frequently visit Upstairs Cabaret and Darcy's in Bastion Square. I have the understanding that they are owned by the same owners. For me and all my friends, it is 'the places to be'.

Last time I was at Upstairs Cabaret, I noticed a sign on their door regarding the capacity increase. Since this is, in my opinion, the busiest night club venue in Victoria, it wasn't surprising to me that they have requested an increase in their capacity. My belief is that the reason this is the busiest night club is due to their amazing staff members. To be specific, the management team and the security staff. They always do a great job in trying to secure the safety of their patrons while allowing a fun and lively atmosphere.

I sincerely believe that a increase incapacity will only have positive results. There have numerous times where the venue will feel only half full while there are hundreds of people in line outside. This in my experience results in frustrated unhappy patrons that are left waiting in a massive line. Usually the patrons in line are intoxicated from prior alcoholic beverages and being left to wait outside leads to problems the staff of Upstairs can't handle. Since the staff of Upstairs can only supervise the patrons inside, it would be a safe environment for more of the people waiting outside to be inside the venue. Under the safe watchful eyes of the security team, more patrons can have positive experience at Upstairs. This will also clear up Bastion Square for other people that are just using it as a pathway. I believe it will lead to less altercations in Bastion Square.

For these reasons, I am in complete support of the capacity increase at Upstairs Cabaret.

Respectfully,

Sophie

Legal Assistant to Geoffrey D. Simair, Michael J. Munro, Jeffrey B. Johnston, Andrew Uhlman & Christopher S.T. Mackie
204 -26 Bastion Square
Victoria, BC V8W 1H9
Phone: 250-385-4500
Fax: 250-385-4506

Ryan Morhart

From: Cam & Tanya Heartwell [REDACTED]
Sent: Thursday, November 30, 2017 3:12 PM
To: Ryan Morhart
Subject: Upstairs Capacity Increase

To whom it may concern,

I visited Upstairs Cabaret recently with my husband to attend a live show and noticed the sign on the front door to increase their capacity. I think this is a fantastic idea. It was a sold out show therefore the line to get in was long when we arrive. We waited in line, outside while they checked everyone's identification and took tickets. However, once we were in the venue it didn't look that full at all. We had some friends that wished to join us but were unable to pre purchase tickets online as the show was marked as 'sold out.' I found the manager and ask him if there were tickets available at the door, as the room didn't seem very full. He told me unfortunately not as they were only allowed to sell as many tickets as their capacity, which he said they were at. I found this strange, as the room seemed to only be half full. He then explained to me how this restricts what size of show's and live music they can have as they can only sell so many tickets. This is the reason their ticket price must also be much higher than they would like. I find this disappointing as Victoria is already lacking in establishments where you can spend a fun night out while feeling safe and well taken care of. From our first interaction with the security at the front door, to the lovely girl at coat check, the friendly bartender and the hard working bussers, we felt they were all their to ensure a safe and fun evening for everyone attending the show.

I think Upstairs having the ability to book larger shows and bigger artist would be great for Victoria's tourism. Victoria's nightlife has already shrunk exponentially over the past five or so years. It really hurts us to continually lose shows to Vancouver. Older demographics are traveling to Vancouver and spending their money there, as our young student population is forced to miss out, as they cannot afford traveling to Vancouver for the night. Let's bring these shows to Victoria and start to take some nightlife from Vancouver.

Upstairs is a well run, safe, friendly and fun environment. I would love to see them be able to bring over larger shows that more people can attend. Downtown Victoria use to be the place to be. As there are fewer places to go out these days I think people will eventually opt to stay in, instead of having to stand in line for hours to enter half full establishments.

Thank you for taking the time to read my thoughts on this topic. I look forward to entering a buzzing, full Upstairs the next time I am out.

Kind Regards,

Tanya Heartwell

27

Ryan Morhart

From: Teresa Brown [REDACTED]
Sent: Tuesday, December 12, 2017 6:25 PM
To: Ryan Morhart
Subject: Upstairs

Hello,

Thank you for considering upstairs cabaret for an increased capacity. I moved to downtown Victoria from Vancouver 3 years ago and enjoy nightlife. It would be great to see upstairs have the opportunity to be as "packed" as a Vancouver night club - one thing I really miss about the night life there. Upstairs is a really cool place, hope this increase goes through!

Ryan Morhart

From: Terrilyn Hindle [REDACTED]
Sent: Thursday, November 30, 2017 6:51 PM
To: Ryan Morhart
Subject: Capacity Upstairs Cabaret

Hello,

I am emailing in reference to the capacity at the night club Upstairs. I've attended events with friends where we have had to wait outside of a show that was sold out and when we went inside it looked empty. I discovered it was a capacity issue. More people could've enjoyed the show as well as not having to wait outside in the cold. I would like sent in my two cents to say an increase in capacity would help to solve this problem from occurring.

Thank you,

Terrilyn Hindle

212

Ryan Morhart

From: Thomas Doyle <[REDACTED]>
Sent: Friday, December 1, 2017 11:09 AM
To: Ryan Morhart
Subject: Upstairs Cabaret Capacity increase

Hello,

It has come to my attention that Upstairs Cabaret has applied for an increase in capacity at their venue. As someone who visits upstairs relatively frequently I can testify that an increase in capacity at the venue would be beneficial to the patrons of the bar as well as the downtown area. In my opinion the long line ups that can occur at venues with undersized capacity can be off putting for people who wish to visit downtown Victoria for a night out, an increase in capacity at upstairs would allow more of its patrons to be moved off the cold street and into a safer more controlled environment. The staff at upstairs are very friendly and professional and have always handled any issue or conflict in a competent and passive manor. I have been visiting upstairs for a number of years now, and it is my top choice venue for live music or night out in Victoria, due to its great location, cleanliness, and reassuring staff. I believe the staff as well as the venue itself are well equipped to handle this larger capacity, and that it would be highly beneficial to Victoria's entertainment and music scene.

Regards,

Thomas Doyle

43

Ryan Morhart

From: Tj Trifoli <[REDACTED]>
Sent: Sunday, December 3, 2017 11:18 AM
To: Ryan Morhart
Subject: Upstairs Cabaret Capacity Increase

Hi there,

I happened to be out and about exploring downtown Victoria the other day and noticed the posting on Upstairs Cabaret's front doors for an increase in capacity, so I thought I would take some time to express my opinion on the subject!

I moved to Victoria from Toronto almost 3 years ago now and I've spent a lot of time in bars and clubs in downtown Victoria. They all have many positive's and of course there are areas that could use some work.

When it comes to Upstairs Cabaret, there isn't much to say other than they are the best in town. From the great location, to awesome shows like live bands, rap artists and supporting local talent, Upstairs covers it all. I've never been to a club where the staff makes you feel so welcomed and comfortable. The bartenders take time to learn your name and ask about your life, the support staff are always so friendly and the security team, well, from keeping their occupants safe to handling situations before they escalate, they always do the best job in town.

I believe increasing the capacity at Upstairs Cabaret would enhance the overall experience for it's guest because it would allow more people to be inside the club enjoying their night, instead of waiting outside in a line for people to leave. There has been times when I attend a show that is "sold out" but the club never feels as full as it could be. With a fuller club, it creates a more lively, energetic crowd for those artists and performers! Better crowds means better artists!

To wrap this up, Upstairs Cabaret is the place to be in town. Best team around and I think the increase in capacity would only be beneficial for the business' around and for the city itself!

Thank you.

[REDACTED]

Types of Liquor Licences Issued in the Province of British Columbia

Last updated: October 5, 2017

The Liquor Control and Licensing Branch (LCLB) supervises over 10,200 licensed establishments and over 25,000 temporary special events per year in B.C.

The purpose of this document is to give a broad understanding of the types of liquor licences issued in B.C. Visit the LCLB's website at www.gov.bc.ca/liquorregulationandlicensing and the hyperlinks below for the most up to date information.

Licences:

Agent – for independent liquor agents who market products from liquor manufacturers outside of B.C.

Catering – for catering companies who wish to serve liquor in addition to food, with food service as the primary purpose.

Food Primary – for businesses where the primary purpose is to serve food (such as restaurants).

A Patron Participation Endorsement is an additional term and condition on a food primary licence that permits the active involvement of patrons in entertainment or results in patrons leaving their seats, such as dancing or karaoke. An application for this endorsement requires additional considerations beyond the routine assessment of an initial application. To ensure that community concerns about noise, nuisance and other impacts are considered, input from local government or First Nation authorities is required before patron participation entertainment will be approved for a food primary establishment.

Liquor Primary – for businesses where the primary purpose is to sell liquor (such as bars, pubs, and nightclubs, as well as stadiums, theatres, aircraft, etc.). Liquor primary licences are also for businesses that wish to serve liquor as an additional service to their primary business (such as spas, salons, art galleries, etc.)

Liquor Primary Club – a sub-class of the liquor primary licence for private clubs. To be eligible to apply, the club must be a society registered under the provincial Societies Act or a non-profit or veterans organization incorporated by special act of parliament. LP Clubs must have at least 50 members who pay annual fees. The service area of an LP Club is restricted to members and guests only.

Manufacturer – for businesses making wine, cider, beer (this includes brew pubs), or spirits (known as wineries, breweries, and distilleries). Manufacturers can also apply to add a lounge, special event area, and/or picnic area endorsement to their manufacturer licence.

UBrew/UVin (Ferment-on-Premises) – for businesses that sell ingredients, equipment and provide advice for customers to make their own beer, wine, cider or coolers.

Licensee Retail Store* – for selling liquor by the bottle at retail stores (often called private liquor stores).

[Wine Store*](#) – for wine stores including winery-operated stores, independent wine stores, VQA stores and tourist wine stores.

[Special Wine Store](#) – available to eligible grocery stores only, the special wine store licence permits the sale of 100% BC wine on grocery store shelves.

**No new licences are available at this time.*

Permits:

[Special Event Permit](#) – for individuals and groups holding special events (such as community celebrations, weddings or banquets).

[Ethyl Alcohol Purchase Permit](#) – for purchasing ethyl alcohol for commercial and industrial use.

[Charitable Auction Permit](#) – for registered charities and non-profit organizations that wish to hold liquor auctions to raise funds for a charitable purpose.

What is the difference between a food primary and a liquor primary licence?

A food primary licence is issued when the primary purpose of the business is the service of food (such as restaurants and cafes). A liquor primary licence is issued when the primary purpose of the business is the service of liquor, hospitality or entertainment (such as bars, pubs, spas, and art galleries).

The approval process is different for both types of licences, with the process for liquor primaries being more involved. Minors are generally prohibited from liquor primary establishments, unless the licence specifically allows them.

Additional Resources:

[Forms](#) – access to all LCLB forms, including application forms and licence change forms.

[Frequently Asked Questions](#) – answers to common liquor-related questions.

[Licensed Establishment Locations](#) – a list of all licensed establishments in B.C.

[Publications & Resources](#) – access to the licensee terms and conditions handbooks, public consultations, and the Local Government/First Nations Guide page and more.

UPSTAIRS CABARET (2009) LTD.

**15 Bastion Square
Victoria, BC
V8W 1T7**

Telephone 250-385-9525

December 22, 2017

MAYOR LISA HELPS AND COUNCIL

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

**Attention: Mr. Ryan Morhart
Manager & Chief Building Official
Permits & Inspections
Sustainable Planning and Community Development Department**

Dear Ryan,

RE: UPSTAIRS CABARET INCREASED OCCUPANCY APPLICATION.

As noted in your Committee of the Whole Report dated December 22, 2017, we have made application to increase our occupancy (structural change) to 500 persons.

There are a number of concerning factors leading us to this application:

- Our customers and staff have observed for some time the room is underutilized, especially when compared to other similar establishments. Many of our customers comment the room lacks energy given the large space.
- On any given night, we have an extraordinary long lineup of customers backed up in Bastion Square, many not making it inside the venue at all.
- Disruption and disturbances seldom arise within the venue, but most always in the lineup outside in Bastion Square.
- Our management team is not able to book/secure the better known bands, as the benchmark for many agents have a minimum 500 person venue.
- With the steadily increasing costs of operation, the ability to run the business at its current occupancy is simply not sustainable.

We believe mitigation measures can be achieved by:

- Increasing the allowable persons into the venue, whereby creating an environment that is expected of a music venue such at Upstairs.
- Decreasing, and on many nights eliminating a lineup of waiting patrons, allowing our security team to better manage and monitor our customers inside the venue.

... /2

- 2 -

- Having worked closely with Vic.PD's bar-watch and LCLB's officers, we know they are in favour of moving people out of the square and into the venue, where they can be better observed.
- Enabling Upstairs to book well known/popular bands, allowing Victorians to enjoy these artists here in our city, rather, in many cases traveling to Vancouver.

In November of 2016 we engaged the services of Stellar Architectural Consultants, to review and establish, the allowable/correct occupancy for Upstairs Cabaret, the findings were:

- based on room size, building and fire code the allowable occupancy is 703 persons.
- based on standing, fixed and non-fixed seating the allowable occupancy is 675 persons.
- based on washroom facilities the allowable occupancy was 300 persons.

Based on this understanding we proceeded to make application to the City of Victoria's Building Department for the approval to increase our washroom facilities to an allowable occupancy of 500 persons. In March of 2017 we were issued a Building Permit (BP053556), to proceed with the required work. This work involved the relocation of the men's washroom, expanding the current women's washroom, and the development of a gender-neutral, mobility-friendly washroom. This was completed at a cost in excess of \$85,000. and an occupancy/completion permit was issued by the City of Victoria in June of 2017.

At this same time the project architect issued sealed as-built drawings, verifying that the facility now met all applicable code requirements for an allowable loading of 500 persons.

As prudent and responsible operators of Upstairs Cabaret, Darcy's Pub, and The Duke Saloon, we have always striven to be good neighbours and corporate citizens in order to promote a healthy, safe and vibrant downtown Victoria. Our company has at any given time, in excess of 35 persons making up its licensed security team. The mandate of this security team is not only to maintain lawful and orderly conduct, but also to ensure all our customers have a safe and enjoyable experience. Our security team, stay well after Upstairs has closed, providing a strong presence, ensuring our patrons are leaving orderly and safely. Given that Upstairs Cabaret and Darcy's Pub have a strong presence in Bastion Square, our security team provides and builds a positive and safe environment to the larger square, and often come to the assistance of the general public, whether it be providing medical assistance, security to those in peril, or simply providing directions or assistance in hailing a cab.

We are aware and respectful to those that have expressed opposition to this application, however, we believe it prudent to kindly address those concerns herein, as there are important observations to be made;

- the resident at 1218A Wharf Street raises concerns of late night noise. Granted, many of our patrons can be boisterous on their departure from our venue, however, it must be

... /3

- 3 -

pointed out that this resident is directly across the road from The Joint Pizzeria at 1219 Wharf Street, that is open to 3:00am (or later) on Friday and Saturday nights, and provides excellent food to those enjoying a late night downtown. The Joint Pizzeria is a go-to destination, not just from patrons of the venues on Government Street, lower Yates Street, and Wharf Street, but many from the greater downtown area congregate there, as finding any other food establishment at that hour is almost non-existent.

As well, three residents, along with the general manager from the Regent Hotel, expressed concern of noise. After careful observation it has been noted that there is a large building on the west side of Wharf Street that blocks Upstairs Cabaret and the Regent Hotel; this certainly mitigates the transmission of sound. Again, like the resident at 1218A, we are not suggesting our venue has zero impact on the Regent Hotel, however, we would respectfully point out, that the late night venues on lower Yates Street are in a far closer proximity to the hotel and also that of the late night food establishment on Wharf Street.

The matter of public urination has long been a concern; unfortunately this is not a problem just in our area, but is a problem in the larger downtown area. From our late night observations, there are a number of attributable factors, from the marginalized, the homeless, general citizenry, to those exiting late night venues. Currently we participate financially with the city's initiative of public washrooms, not unlike the stationary unit on Langley Street, in the middle of Bastion Square. As dedicated downtown operators, we are committed to keeping Victoria healthy and clean, and will continue to financially participate in the existing, and additional programs that serve to improve this situation.

We believe our location of lower Bastion Square is positioned well in the entertainment district of Victoria. It has the lowest residential population, yet, is an easy walk, or taxi ride from the city's more populated areas. Additionally, we are central and easy to find for tourists visiting our city.

We are pleased that City of Victoria staff are supportive of this application and are recommending approval.

Thank you for your consideration. If I can provide further information, or if you require additional clarification, please do not hesitate to contact me anytime at 250-380-8625.

Yours sincerely,

UPSTAIRS CABARET (2009) LTD.



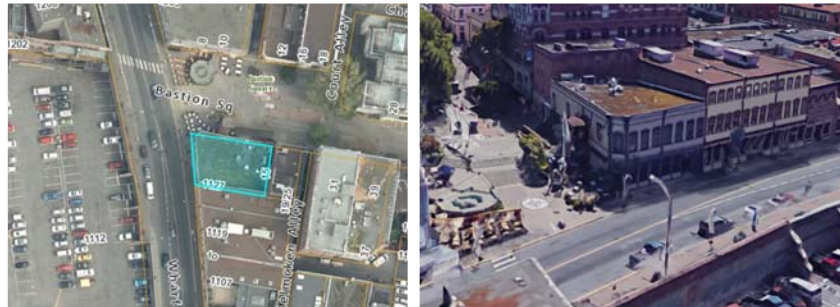
Mark R. Hawes, Director.

cc. Ron Hampton, Rene Spielman, Frontier Group Ownership.

LCLB Application

Structural Change: Liquor Primary, Occupant Load Increase

Upstairs Cabaret, 15 Bastion Square



Liquor Control and Licensing Branch (LCLB)

- Restaurants
- Bars
- Pubs Retailers
- Manufacturers and
- Special Events.



Liquor Licencing

- Criminal Background Checks
- First Nation / Local Government
 - Municipal Input : potential for noise
 - Public Input : potential for impact on the community
- Occupant Load Approvals



First Nation / Local Government

- Staff Review:
 - Police, Bylaw, Planning, Community Development and Engineering
 - Zoning regulation, liquor policy and the Liquor Licencing Fee Bylaw
- Public Notification and Comment:
 - Notice Posted at entrance to establishment
 - Mailed Notice to within 100m of establishment
 - 30 days to provide comment

Local Government provides a resolution with comment on:

- Potential for Noise
- Potential for Impact on the Community



Recommendation

That Council direct staff to:

1. Notify the Liquor Licensing Agency that Council supports the application for the structural change increasing the occupant load to 500 persons.





Committee of the Whole Report

For the Meeting of January 25, 2017

To: Mayor and Council **Date:** January 10, 2018
From: Fraser Work, Director, Engineering and Public Works
Subject: 816 Government Street (Customs House) - Road Dedication

RECOMMENDATION

That Council authorize the Mayor and the City Clerk to execute legal documents to the satisfaction of the City Solicitor, allowing for the following at 816 Government Street:

- the dedication as road of 12.5 square metres of land; and
- the discharge of existing SRW CA4632179

PURPOSE

The purpose of this report is to gain Council's authorization to accept the property owner's voluntary dedication as road of 12.5 square metres of land where sidewalk is over private property. Currently, there is a Statutory Right of Way (SRW) in place, allowing the public to use this portion of the sidewalk located adjacent to 816 Government Street, at the corner of Courtney Street and Wharf Street. Council authority is necessary to proceed with executing the legal documents that will accompany the lot consolidation plan that dedicates the road, because the City is the owner of the SRW over the property. This is not currently delegated to staff, though approval of road dedications is a decision made by the Approving Officer.

BACKGROUND

The property at 816 Government Street went through a successful rezoning process in 2016, and is now at Building Permit stage. A lot consolidation must occur so the development can proceed through the Building Permit process (currently there are six lots at this location, being consolidated into one lot). To consolidate land, the owner would typically apply to the BC Land Title Office, and the approval of City staff, Council or the Approving Officer would not be required. However, in this instance there is a very small corner of one of the lots that is being dedicated as road right-of-way. This will formalize the existing condition at the southeast corner of the Wharf Street/Courtney Street intersection, where the sidewalk currently runs over private property.

During the staff technical review of the rezoning application for this property in 2015, the need for an SRW was identified, to address the small portion of sidewalk that crossed private property. The SRW was created and registered on the property title during the rezoning approval process, allowing the general public to use this portion of sidewalk located over private property (see Appendix A). The owner is now offering to dedicate this portion of land as road, eliminating the need for the SRW. Road dedication is beneficial to the City, as it allows the City to control the area as it does any other dedicated road.

CONCLUSIONS

Staff recommend Council authorize executing the legal documents allowing for road dedication as part of a lot consolidation at 816 Government Street, as it is beneficial to the City to secure the public right of way.

Respectfully submitted,




Brad Dellebuur, Assistant Director
Transportation



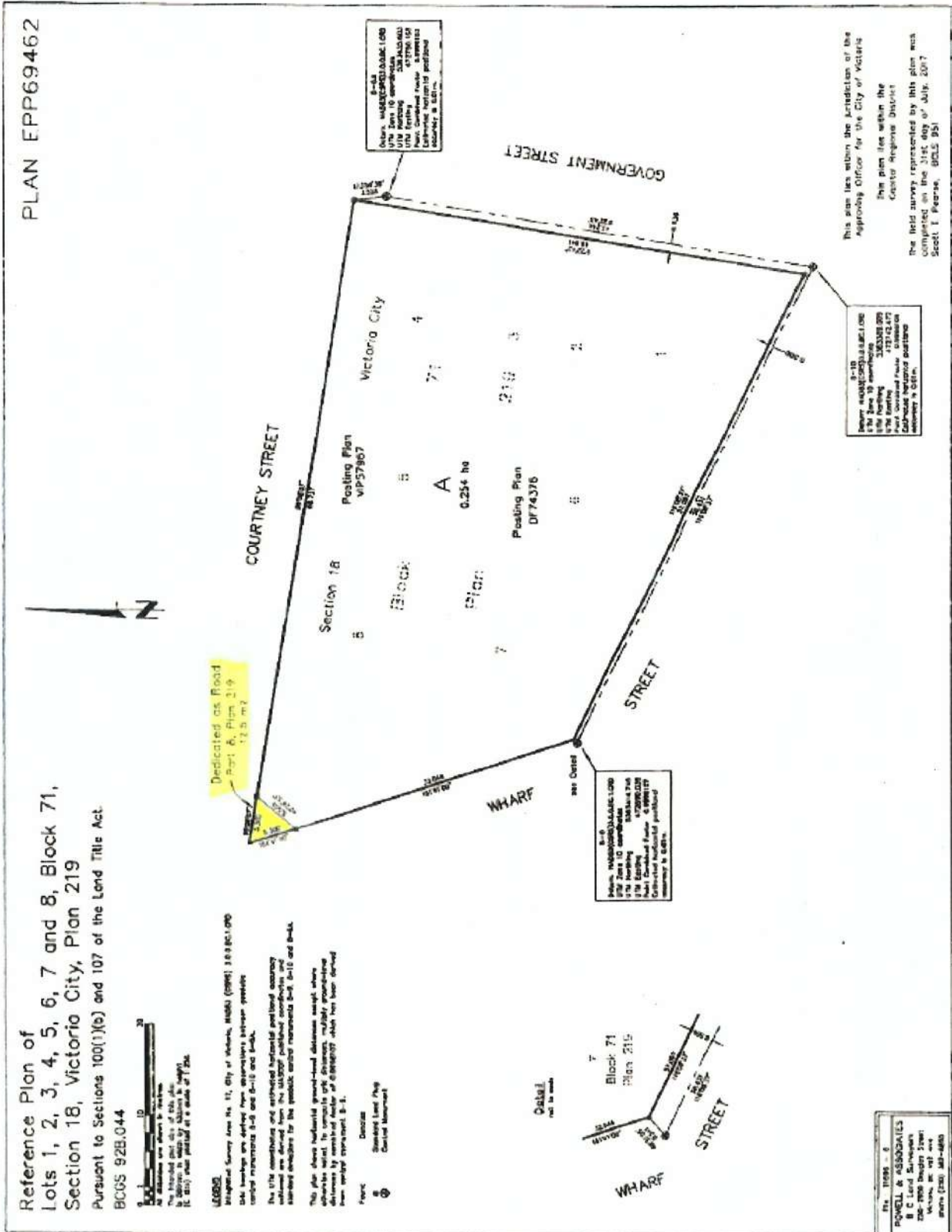
Fraser Work, Director
Engineering and Public Works

Report accepted and recommended by the City Manager:


Date: Jan 17, 2018

List of Attachments

Appendix A: Location Plan





Committee of the Whole Report For the Meeting of January 25, 2018

To: Committee of the Whole **Date:** January 12, 2018
From: Paul Bruce, Fire Chief
Subject: Council Resolution for Emergency Operations Centre exercise Grant Application

RECOMMENDATION

That Council:

1. Authorize staff to apply for a \$25,000 grant through the Community Emergency Preparedness Fund for Emergency Operations Centre (EOC) training and exercise development and delivery.
2. Authorize the Mayor and City Clerk to execute any agreements related to a successful grant application.

EXECUTIVE SUMMARY

This report seeks a Council resolution to support a City of Victoria application to the Union of BC Municipalities (UBCM) Community Emergency Preparedness Fund (CEPF) for \$25,000 towards Emergency Operations Centre (EOC) training and exercise development and delivery for City Staff.

The Community Emergency Preparedness Fund is a suite of funding programs administered by UBCM and is intended to enhance the resiliency of local governments and their residents in responding to emergencies. The Emergency Operations Centres & Training stream is intended to support the purchase of equipment and supplies required to maintain or improve Emergency Operations Centres (EOC) and to enhance EOC capacity through training and exercises.

The local Authority Emergency Management regulation in the Emergency Program Act legislates that:

A local authority must, as part of the local emergency plan prepared by it under section 6 (2) of the Act, establish and maintain for all emergency response staff to whom responsibilities are assigned in the plan, a program of emergency response exercises, and a training program

PURPOSE

The purpose of this report is to seek a Council resolution to support a City of Victoria application to UBCM for emergency operations centre training and exercise development and delivery for City staff.

BACKGROUND

Emergency Operations Centres (EOC) are normally activated at the request of an Incident Commander or senior municipal official to provide overall jurisdictional direction and control, coordination and resource support during an emergency or disaster.

The EOC is the municipal facility activated prior to, or during, a major emergency or disaster when coordination and resource requirements at the site level cannot be managed through routine procedures. The EOC is largely staffed by municipal personnel representing City of Victoria Departments, and representatives from other agencies and trained volunteers. The EOC supports all response activities at the site and provides overall policy direction to the responders. Specifically, it centralizes information about the emergency; coordinates emergency response among municipal departments and agencies; identifies critical needs, and establishes emergency response priorities. In addition, the EOC provides timely information to the public concerning the major emergency or disaster.

The City of Victoria has recently entered an agreement with the Capital Regional District at 625 Fisgard Street for the use of their building space as an Emergency Operations Centre for City of Victoria staff. With the updates to the Emergency Program, the addition of new City staff, the new EOC space at the CRD, and updated IT resources for our Emergency Operations Centre, staff recognize the need for updated training and exercises which will provide staff with the necessary knowledge and skills to staff the Emergency Operations Centre in the event of an emergency or disaster.

The Community Emergency Preparedness Fund (CEPF) is a suite of funding programs intended to enhance the resiliency of local governments and their residents in responding to emergencies. Funding is provided by the Province of BC and is administered by the Union of British Columbia Municipalities. CEPF was announced as part of an \$80 million announcement from the Ministry of Transportation & Infrastructure.

ISSUES & ANALYSIS

The proposed project will consist of the development of Emergency Operations Centre training for all City staff who may have a role in the EOC in an emergency or disaster and will culminate in an EOC exercise that all EOC staff will participate in.

The training and exercise would be designed by a consultant who would work with the City of Victoria's Emergency Management division ensuring consistency with Emergency Management BC's (EMBC) and our regional partners.

OPTIONS & IMPACTS

Option 1: Support the City of Victoria's application for \$25,000 in grant funds through the Community Emergency Preparedness Fund (Recommended).

Option 2: That Council decline the endorsement of the Community Emergency Preparedness Fund application.

2015 – 2018 Strategic Plan

Objectives are consistent with and compliment the 2015 – 2018 Strategic Plan objectives, specifically to:

- Innovate and lead through internal city planning as well as community programs;

- engage and empower the community through our neighbourhood, volunteer, and education programs;
- Facilitate social inclusion and community wellness by consulting with key stakeholders such as the Disability Alliance of BC (DABC) and using the functional needs framework for activities that promote community resilience; and
- Plan for emergencies including climate change short and long-term, by taking an all-hazards approach.

Impacts to Financial Plan

The current financial plan allocates funding for the emergency program, which includes the Emergency Operation Centre. This project is eligible for up to \$25,000 of grant funding from UBCM, which will assist us in developing knowledgeable and skilled staff for our Emergency Operations Centre who will strengthen our capacity to respond to emergencies and disasters in the City of Victoria. If successful, this \$25,000 would be added to the budget with offsetting funding from this grant.

Official Community Plan Consistency Statement

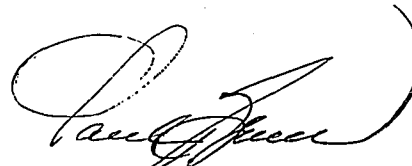
Emergency Management activities align with the Official Community Plan goals outlined in Section 18 – Emergency Management:

- Victoria is prepared to deal with known hazards and emerging threats, to limit the adverse impacts of events, and effectively manage emergencies;
- Victoria is able to respond rapidly and effectively to all emergencies, including events with long-term impacts and recovery times; and
- Victorians can rely on significant local sources for food, energy and materials to meet daily needs under emergency conditions.

Respectfully submitted,

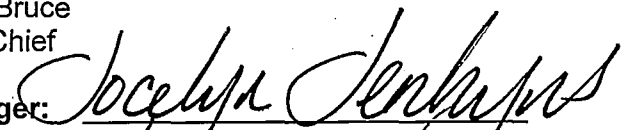


Tanya Patterson
Emergency Program Coordinator



Paul Bruce
Fire Chief

Report accepted and recommended by the City Manager:



Date: Jan 17, 2018

List of Attachments

Appendix A – 2018 EOC Program & Application Guide



Community Emergency Preparedness Fund Emergency Operations Centres & Training

2018 Program & Application Guide

1. Introduction

The [Community Emergency Preparedness Fund](#) (CEPF) is a suite of funding programs intended to enhance the resiliency of local governments and their residents in responding to emergencies. Funding is provided by the Province of BC and is administered by Union of BC Municipalities (UBCM).

The funding streams include:

- Emergency operations centres and training
- Emergency social services
- Evacuation route planning
- Flood risk assessment, flood mapping and flood mitigation planning
- Structural flood mitigation

Background

An Emergency Operations Centre is a physical location where representatives come together during an emergency to coordinate response and recovery actions and resources, support emergency response personnel in the field, and coordinate all official communications regarding the emergency.

Under the *Emergency Program Act*, municipalities, First Nation communities and regional districts are responsible for responding to emergencies in their area.

Emergency Operations Centres & Training Program

The intent of this funding stream is to support the purchase of equipment and supplies required to maintain or improve Emergency Operations Centres (EOC) and to enhance EOC capacity through training and exercises. Ongoing operational costs are not eligible.

2. Eligible Applicants

All local authorities (as defined by the *Emergency Program Act*) and Treaty First Nations (as defined by the *Interpretation Act*) in BC are eligible to apply.

Eligible applicants can submit one application per funding stream per intake.

3. Eligible Projects

In order to qualify for funding, applications must demonstrate the extent to which proposed projects will maintain or improve EOCs and/or enhance EOC capacity.

In addition, to qualify for funding, projects must be:

- A new project (retroactive funding is not available)
- Capable of completion by the applicant within one year from the date of grant approval
- In alignment with [Emergency Operations Centre Operational Guidelines \(2nd Edition\)](#)

4. Eligible & Ineligible Costs & Activities

Eligible Activities & Expenditures

Eligible costs are direct costs that are approved by the CEPF Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted.

Eligible activities must be cost-effective and may include:

- Purchase of equipment and supplies to maintain or improve EOCs (e.g. information technology, communication systems, generators, etc.)
- Training and exercises to increase EOC capacity
- Establishing public emergency communications systems or programs

The following expenditures are also eligible provided they relate directly to the eligible activities identified above:

- Consultant costs
- Applicant staff and administration costs
- Public information costs

Ineligible Activities & Expenditures

Any activity that is not outlined above or is not directly connected to activities approved in the application by the CEPF Evaluation Committee is not eligible for grant funding. This includes:

- Routine or ongoing operating costs
- Use of an EOC during an emergency

5. Grant Maximum

The Emergency Operations Centres & Training program can contribute a maximum of 100% of the cost of eligible activities to a maximum of \$25,000.00.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant.

6. Application Requirements & Process

Application Deadlines

Funding permitting, two application intakes are planned for the Emergency Operations Centres & Training program.

The first application deadline will be February 2, 2018. The second application deadline will be confirmed at a later date.

Applicants will be advised of the status of their application within 60 days of the application deadline.

Required Application Contents

- Completed Application Form
- Local government Council or Board resolution, or First Nation Band Council resolution, indicating support for the current proposed activities and willingness to provide overall grant management

Submission of Applications

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

All applications (from local authorities and Treaty First Nations) should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: cepf@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

Review of Applications

UBCM will perform a preliminary review of applications to ensure the required application elements (identified above) have been submitted and to ensure that basic eligibility criteria have been met. Only complete application packages will be reviewed.

Following this, the Evaluation Committee will assess and score all eligible applications based on the funding priorities. Higher application review scores will be given to applications that:

- Clearly demonstrate how EOCs will be maintained or improved and/or demonstrate that EOC capacity will be enhanced
- Consider mass care scenarios
- Support recommendations or requirements identified in the local Emergency Plan
- Demonstrate transferability to other local governments and Treaty First Nations in BC
- Include in-kind or cash contributions to the project from the eligible applicant, community partners or other grant funding
- Are cost-effective

The Evaluation Committee will also consider the location of each application in order to ensure a balanced representation of projects across the province.

All application materials will be shared with the Province of BC.

7. Grant Management & Applicant Responsibilities

Please note that grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

Notice of Funding Decision & Payment

All applicants will receive written notice of funding decisions, which will include the terms and conditions of any grant that is awarded.

Grants under the Emergency Operations Centres & Training program are paid at the completion of the project and only when the final report requirements have been met.

Changes to Approved Projects

Approved grants are specific to the project as identified in the application, and grant funds are not transferable to other projects. Approval from the CEPF Evaluation Committee will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- Revised application package, including an updated Council, Board or Band Council resolution
- Written rationale for proposed changes to activities and/or expenditures

The revised application package will be reviewed by the CEPF Evaluation Committee at the next scheduled meeting.

Extensions to Project End Date

All approved activities are required to be completed within one year of approval and all extensions beyond this date must be requested in writing and be approved by UBCM.

8. Final Report Requirements & Process

All funded activities are required to take place within one year of notification of funding approval and the final report will be due within 30 days of project completion.

Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed Final Report Form
- Copies of any training or capacity building materials that were produced with grant funding
- *Optional:* photos and/or media directly related to the funded project

Submission of Final Reports

All final reports (from local authorities and Treaty First Nations) should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: cepf@ubcm.ca

Mail: 525 Government Street, Victoria, BC, V8V 0A8

All final report materials will be shared with the Province of BC.

9. Additional Information

For enquiries about the application process or general enquiries about the program, please contact:

Union of BC Municipalities
525 Government Street
Victoria, BC, V8V 0A8

E-mail: cepf@ubcm.ca

Phone: 250 387-4470

To: Committee of the Whole **Date:** January 12, 2018
From: Councillor Alto
Subject: Attendance at the Board Meeting of the Canadian Capital Cities Organization,
 February 7 & 8, 2018

Page 401 of 409

To: Committee of the Whole **Date:** January 15, 2018
From: Mayor Helps
Subject: Attendance at the FCM Sustainable Communities Conference , Feb. 6-8, 2018

Page 403 of 409



Council Member Motion
For the Committee of the Whole Meeting of January 25, 2018

Date: January 19, 2018

From: Councillor Ben Isitt and Councillor Jeremy Loveday

Subject: Contribution toward meeting costs for Victoria Community Association Network

Recommendation:

That Council direct staff to:

- (1) Make provision for the following expenditures in the 2018 Financial Plan Bylaw, funded from new assessed revenue:
 - a. in-kind funding to cover security costs relating to meetings of the Victoria Community Association Network at Victoria City Hall, with annual expenditures for this purpose not to exceed \$800;
 - b. a monetary contribution of \$100 toward insurance costs for meetings of the Victoria Community Association Network;
- (2) Include these expenditures adjusted for the rate of inflation in the draft Financial Plan for 2019 and subsequent years, until such time as Council adopts a different policy with respect to support for meetings of this network.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Ben Isitt'.

Councillor Isitt

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

Councillor Loveday

Attachment 1: Letter from Victoria Community Association Network

To the City Council of Victoria:

The Victoria Community Association Network (VCAN) is appreciative of Councillors Ben Isitt and Jeremy Loveday's motion that VCAN be granted \$700 annually to cover the costs of the commissionaires during our monthly meetings at City Hall and our annual liability insurance requirement. The VCAN's costs are as follows:

- Commissionaire charge per hour: \$30 x 2 hours = \$60
- Occasionally the VCAN goes over time resulting in overage charge= \$20
- Average cost of each meeting (\$75) X 8 meetings yearly = \$600
- Yearly requirement of Insurance= \$90
- **Total requested= \$700**

The annual funding request is simply to avoid requesting this same amount next year, however, we reserve the right to request an increase in the amount if meeting costs require it. We hope that Council will support this motion.

The VCAN is an important part of the neighbourhood associations in Victoria as it gives us a chance to discuss issues that affect all associations, have conversations with City staff and Council, and share best practices between our associations.

The VCAN appreciates and acknowledges the City's past support and looks forward to continued cooperation.

Signed by:

North Park Neighbourhood Association
Burnside Gorge Community Association
Fairfield Gonzalez Community Association
James Bay Neighbourhood Association
Rockland Neighbourhood Association
North Jubilee Neighbourhood Association
Oaklands Community Association
Victoria West Community Association
Downtown Blanshard Advisory Committee
Fernwood Community Association

To: Committee of the Whole **Date:** January 24, 2018
From: Councillor Loveday
Subject: Local Government Leadership Academy Attendance Request

Page 409 of 409