



UPDATED AMENDED AGENDA - VICTORIA CITY COUNCIL
MEETING OF THURSDAY, FEBRUARY 11, 2016, AT 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

Located on the traditional territory of the Esquimalt and Songhees People

Poetry Reading

Yvonne Blomer, Poet Laureate and Ann-Bernice Thomas, Youth Poet




A. APPROVAL OF AGENDA

B. READING OF MINUTES


1. **Late Item**: Minutes from the Regular Meeting held January 28, 2016



C. REQUESTS TO ADDRESS COUNCIL (Maximum 6)

1. Jason Pincombe: Proposal to Extend Liquor Service Hours at Saint Franks
2. ~~Heidi Burch: Proposed conversion of Mt. Edwards to Low Barrier Housing~~ -
Withdrawn
3. Kelly Newhook: Raise the Income Assistance Rates (BC Provincial Government)
4. Sean Murray: Ensure that we get Tertiary Treatment that Screens out Drugs
5. **Late Item**:
 Anna Gerrard: AVICC Resolution: Empowering Local Governments to Pursue Socially Responsible Investing
6. **Late Item**:
 Zoe Yunker: AVICC Resolution: Empowering Local Governments to Pursue Socially Responsible Investing
7. **Late Item**:
 Ellen Trottier: AVICC Motion and Future Climate Related Policy Amendments

D. PROCLAMATIONS

1. "Darwin Day" - February 12, 2016
2. "Bullying Stops Here - Pink Shirt Day" - February 26, 2016
 **Late Item**: Date revised
3. "Rare Disease Day" - February 29, 2016
4. "Health, Wellness & Sustainability Festival Day" - February 27, 2016
5. "Chamber of Commerce Week" - February 15, 2016 - February 19, 2016

E. PUBLIC AND STATUTORY HEARINGS

1. Rezoning Application No. 00488 for 59 Cook Street

Council is considering a rezoning application to subdivide the existing lot, remove the existing accessory building and construct a small lot single family dwelling.

a. Public Hearing



Zoning Regulation Bylaw, Amendment Bylaw, (No. 1061) - 16-016

To rezone the portion of the land known as 59 Cook Street, as shown on the attached map, from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit a new small lot house.

Late Item: Presentation & Correspondence

b. Development Variance Permit Application No. 00156

The Council of the City of Victoria will also consider issuing a development variance permit for the land known as 59 Cook Street, to vary the following requirements of the *Zoning Regulation Bylaw* for the existing house conversion:

- Reduce the rear yard setback from 7.55m to 4.6m
- Reduce the parking aisle width from 7m to 3.6m
- Reduce the rear yard landscaping from 33% to 24.5%
- Remove the rear lot line landscaping requirement for parking.

c. Development Permit Application No. 00488

The proposal is to create two lots, retaining the existing five-unit house conversion on the R1-B lot and construction of one new small lot house.

d. Heritage Designation

Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 59 Cook Street, legally described as Lot 2, Fairfield Farm Estate, Victoria City, Plan 9296, as protected heritage property, under Heritage Designation (59 Cook Street) Bylaw No. 16-015.

Close of Hearing - Consideration of Approval

e. Bylaw Approval: To consider approval of the application, a motion for Third Reading of the bylaws is in order:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1061) - 16-016

Heritage Designation (59 Cook Street) Bylaw - 16-015

f. Bylaw Approval: To consider final approval of the application, a motion to Adopt the bylaws is in order:


Zoning Regulation Bylaw, Amendment Bylaw (No. 1061) - 16-016

Heritage Designation (59 Cook Street) Bylaw - 16-015

- g. **Development Variance Permit Approval:** To approve the development variance permit, the following motion is in order:
That Council authorize the issuance of Development Variance Permit Application No. 00156 for 59 Cook Street, in accordance with:
1. Plans date stamped September 15, 2015.
 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing parcel remainder:
 - Part 1.2.5 (b): Reduce the rear yard setback from 7.55m to 4.6m;
 - Schedule "C" (9): Reduce the parking aisle width from 7m to 3.6m;
 - Schedule "G" (5)(a): Reduce the rear yard landscaping minimum from 33% to 24.5%;
 - Schedule "G"(5)(c): Reduce the rear lotline landscaping for unenclosed parking from 1.5m wide and 1.8m high to 0m for both.
 3. The Development Permit lapsing two years from the date of this resolution.
- h. **Development Permit Approval:** To approve the development permit with variances, the following motion is in order:
That Council authorize the issuance of Development Permit Application No. 00488 for 59 Cook Street, in accordance with:
1. Plans date stamped September 15, 2015.
 2. Development meeting all *Zoning Regulation Bylaw* requirements.
 3. The Development Permit lapsing two years from the date of this resolution."

2. Rezoning Application No. 00490 for 1845 Gonzales Avenue

Council is considering a rezoning application to allow the construction of a garden suite.

- a. **Public Hearing**
 **Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) - 16-006**
To rezone the land known as 1845 Gonzales Avenue from the R1-G Zone, Gonzales Single Family Dwelling District, to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, to permit a garden suite.

Late Item: Revised Letter & Additional Correspondence

- b. **Development Permit Application**
The Council of the City of Victoria will also consider issuing a development permit for the land known as 1845 Gonzales Avenue, in Development Permit Area 15E: Intensive Residential – Garden Suites for the purposes of approving the exterior design and finishes for the garden suite as well as landscaping.

Close of Hearing - Consideration of Approval


- c. **Bylaw Approval:** To consider approval of the application, a motion for Third Reading of the bylaw is in order:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) - 16-006

- d. **Bylaw Approval:** To consider final approval of the application, a motion to Adopt the bylaw is in order:
Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) - 16-006
- e. **Development Permit Approval:** To approve the development permit with variances, the following motion is in order:
That Council authorize the issuance of Development Permit Application No. 00490 for 1845 Gonzales Avenue in accordance with:
 - 1. Plans date stamped November 12, 2015.
 - 2. Development meeting all Zoning Regulation Bylaw requirements.
 - 3. The Development Permit lapsing two years from the date of this resolution.

3. Development Variance Permit Application No. 00166 1082 Richmond Avenue

Council is considering a proposal to change two of three required visitor parking stalls to be used solely by the residential units.

- a. **Hearing - Development Variance Permit Application No. 00166**
 The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 1082 Richmond Avenue for the purpose of varying the *Zoning Regulation Bylaw*, Schedule C, Off-Street Parking Requirements, by reducing the required amount of visitor parking from 3 stalls to 1 stall for the proposed multiple dwelling unit to be constructed on the property.

Late Item: Correspondence & Presentation

Close of Hearing - Consideration of Approval

- b. **Development Variance Permit Approval:** To approve the development variance permit, the following motion is in order:
That Council authorize the issuance of Development Variance Permit Application No. 00166 for 1082 Richmond Avenue, in accordance with:
 - 1. Plans date stamped November 13, 2015.
 - 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - visitor parking requirements reduced from no less than 10% of total parking stalls to 5% of total parking stalls.
 - 3. The Development Variance Permit lapsing two years from the date of this resolution.

4. Development Variance Permit Application No. 00158 for 950 Rockland Avenue

Council is considering an application for parking relaxation to convert upper floor amenity area to a suite.

a. **Hearing - Development Variance Permit No. 00158**

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as 950 Rockland Avenue for the purpose of varying the Zoning Regulation Bylaw, Schedule C, Off-Street Parking Requirements, by reducing the required additional vehicle parking stalls from 1 to 0 and the required additional bicycle storage spaces from 1 to 0 for the existing multiple dwelling unit on the property.

Close of Hearing - Consideration of Approval

b. **Development Variance Permit Approval:** To approve the development variance permit, the following motion is in order:

That Council authorize the issuance of Development Permit Application No. 000158 for 950 Rockland Avenue in accordance with:

1. Plans date stamped September 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. parking requirements reduced from 1.3 parking stalls per dwelling unit to 0.66 stalls per unit;
 - b. bicycle storage requirements reduced from 1 storage space per dwelling unit to 0.49 storage space per unit.
3. That Council authorize staff to register a Section 219 Covenant on title in a form satisfactory to staff.
4. The Development Permit lapsing two years from the date of this resolution.

5. **Development Permit Application with Variances No. 000426 for 951 Johnson Street**

Council is considering an application to authorize the design of a mixed-use building comprising of two towers of residential units with ground-floor retail.

a. **Hearing - Development Permit with Variances Application No. 000426**



The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 951 Johnson Street (and 989 Johnson Street), in Development Permit Area 3 (HC) Core Mixed-Use Residential, for purposes of allowing a 17 storey mixed-use building with ground floor commercial and residential above.

Late Item: Correspondence

Close of Hearing - Consideration of Approval

b. **Development Permit Approval:** To approve the development permit with variances, the following motion is in order:

That Council authorize the issuance of Development Permit with Variances Application No. 000426 for 951 Johnson Street, in accordance with:

1. Plans date stamped December 2, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except

for the following variances:

- a. Section 3.67.5(2) - increase the building height from 30m to 50m;
 - b. Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys.
3. Council authorizing staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff.
 4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
 5. The Development Permit lapsing two years from the date of this resolution.”

6. Development Permit with Variances Application No. 000377 for 613 Herald Street

Council is considering an application to authorize the design of a six-storey, commercial-residential building.

a. **Hearing - Development Permit with Variances No. 000377**



The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 613 Herald Street, in Development Permit Area 1 (HC) Historic Core, for the purposes of constructing a six storey building with commercial at ground level and residential above.

The Development Permit will vary the following requirements of the Zoning Regulation Bylaw:

- Section 6.6.1 - Increase the maximum building height from 15m to 18.73m
- Section 6.8.3(b) - Reduce the front yard setback above 10m from 1.75m to 0.40m
- Section 6.8.5 - Reduce the minimum side yard setback from 4.50m to nil.
- Section 6.8.6(ii) - Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (22 spaces) to 31% (10 spaces)

Late Item: Presentation

Close of Hearing - Consideration of Approval

- b. **Development Permit Approval**: To approve the Development Permit with Variances for the application, the following motion is in order:

That Council authorize the issuance of Development Permit Application No. 000377 with Variances for 613 Herald Street, in accordance with:

1. Plans date stamped November 19, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 6.6.1 – Increase the maximum building height from 15m to 18.73m
 - b. Section 6.8.3(b) – Reduce the front yard setback above 10m from

- 1.75m to 0.40m
- c. Section 6.8.5 – Reduce the minimum side yard setback from 4.5m to nil.
- d. Section 6.8.6(ii) – Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (22 spaces) to 31% (10 spaces)
3. Removal of the Section 219 Covenant requirement for a car share vehicle.
4. The applicant entering into a car share agreement with MODO to secure car share memberships for each unit.
5. That a Car Share Agreement is in place to the satisfaction of MODO that will secure the fulfilment of the agreement in accordance with the standard practice.
6. Council authorizing the City of Victoria staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m2 of exposed shored face during construction, in a form satisfactory to City staff.
7. Receipt of evidence that the Application is in compliance with the Ministry of Environment's *Environmental Management Act* as it pertains to potentially contaminated sites.
8. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
9. The Development Permit lapsing two years from the date of this resolution.

7. Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804 - 812 Broughton Street

Council is considering an application to permit exterior changes to an existing two-storey commercial building, upgrades to landscaping and pedestrian areas, construction of a new services building and pedestrian walkway.

a. Hearing - Development Permit with Variances No. 00002



The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 1001 Blanshard Street and 804-812 Broughton Street, in Development Permit Area 14: Cathedral Hill Precinct, for purposes of permitting exterior changes to an existing two-storey commercial building, upgrades to landscaping and pedestrian areas, construction of a new services building and pedestrian walkway.

Late Item: Correspondence & Presentation

Close of Hearing - Consideration of Approval

- b. Development Permit Approval:** To approve the Development Permit with Variances, the following motion is in order:
- That Council authorize the issuance of Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street, in accordance with:
1. Plans date stamped December 31, 2015.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

- a. Schedule C, Section 16.C.12: reduce the required number of parking spaces from 48 to 10;
 - b. Schedule C, Section 7.2(b): reduce the setback of parking spaces from the street from 1m to 0.62m.
3. The Development Permit lapsing two years from the date of this resolution.

8. Heritage Designation Application No. 000154 for 727 Yates Street

Council is considering the designation of the exterior of the building as protected heritage property.

a. **Public Hearing - Heritage Designation Application No. 000154**


Under the provisions of the Local Government Act, the City of Victoria intends to designate the exterior of the building located at 727 Yates Street, legally described as the westerly 30 feet of Lot 15, Victoria City, as protected heritage property, under Heritage Designation (727 Yates Street) Bylaw No. 16-005.

Close of Hearing - Consideration of Approval

- b. **Bylaw Approval:** To consider approval of the application, a motion for Third Reading of the bylaw is in order:
Heritage Designation (727 Yates Street) Bylaw, No. 16-005
- c. **Bylaw Approval:** To consider final approval of the application, a motion for Adoption of the bylaw is in order:
Heritage Designation (727 Yates Street) Bylaw, No. 16-005




F. REQUESTS TO ADDRESS COUNCIL

G. UNFINISHED BUSINESS

- 1. Application for a Liquor Primary Licence, Royal Canadian Legion Public Service Branch #127, 514 Government Street (James Bay Neighbourhood)
 **Late Item:** Report

H. REPORTS OF COMMITTEE

1. Committee of the Whole

- a. Report from the Regular Meeting of February 4, 2016
 **Late Item:** Report
- b. **Late Item:**
 Report from the Special Meeting of February 9, 2016
- c. **Late Item:**
 Report from the Regular Meeting of February 11, 2016

I. NOTICE OF MOTIONS


- 1. **To set the Public Hearings for the Council Meeting of February 25, 2016:**

- a. Rezoning Application No. 00496 for 1122 and 1124 Leonard Street
- b. Development Variance Permit No. 00164 for 2540 Quadra Street
- c. Development Variance Permit No. 00161 for 1000 Chamberlain Street

- 2.  AVICC Resolution: Empowering Local Governments to Pursue Socially Responsible Investing


Late Item: Revised Motion

- 3.  **Late Item:**
Motion: AVICC Resolution: Legislation and Action for a Barrier-Free BC

- 4.  **Late Item:**
Motion: Support for a Barrier-Free BC

J. BYLAWS

1. First Reading

- a. Bylaw Notice Adjudication Bylaw No. 16-017
A report recommending first, second and third readings of the Bylaw Notice Adjudication Bylaw No. 16-017
- b. Administration Fees Amendment Bylaw (No. 3) - 16-023
A report recommending first, second and third readings of the Administrative Fees Bylaw, Amendment Bylaw (No. 3)
- c.  Zoning Regulation Bylaw, Amendment Bylaw (No. 1062) - 16-024
A report recommending first and second reading of the bylaw for Rezoning Application No. 00496 for 1122 and 1124 Leonard Street.

Late Item: Bylaw 16-024

- d. Heritage Designation (226 Dallas Road) Bylaw, No. 16-022
 - 1. *A report recommending first and second reading of Bylaw No. 16-022 for Heritage Designation of 226 Dallas Road*
 - 2. *A bylaw proposing to designate the exterior of the building located at 226 Dallas Road to be protected heritage property.*
- e. Heritage Designation (222 Dallas Road) Bylaw, No. 16-021
 - 1. *A report recommending first and second reading of Bylaw No. 16-021 for Heritage Designation of 222 Dallas Road*
 - 2. *A bylaw proposing to designate the exterior of the building located at 222 Dallas Road to be protected heritage property.*
- f. Vehicles for Hire Amendment Bylaw (No. 14) - 16-026
A report recommending first, second and third readings of the Vehicles for Hire Bylaw, Amendment Bylaw (No. 14)

2. Second Reading

- a. Bylaw Notice Adjudication Bylaw No. 16-017
- b. Administration Fees Amendment Bylaw (No. 3) - 16-023
- c. Zoning Regulation Bylaw, Amendment Bylaw (No. 1062) - 16-024

- d. Heritage Designation (226 Dallas Road) Bylaw, No. 16-022
- e. Heritage Designation (222 Dallas Road) Bylaw, No. 16-021
- f. Vehicles for Hire Amendment Bylaw (No. 14) - 16-026

3. Third Reading

- a. Bylaw Notice Adjudication Bylaw No. 16-017
- b. Administration Fees Amendment Bylaw - 16-023 (No. 3)
- c. Vehicles for Hire Amendment Bylaw (No. 14) - 16-026

K. CORRESPONDENCE

- 1. Downloading of DNA Analysis Costs
--Mayor Henry Braun, City of Abbotsford

L. QUESTION PERIOD

M. NEW BUSINESS

N. ADJOURNMENT



MINUTES – VICTORIA CITY COUNCIL

MEETING OF THURSDAY, JANUARY 28, 2016, AT 7:00 P.M.

PLACE OF MEETING: Council Chambers, City Hall

PRESENT: Mayor Helps in the Chair, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, Thornton-Joe and Young

STAFF PRESENT: J. Johnson - City Manager; P. Bruce - Fire Chief; C. Coates - City Clerk; J. Jenkyns - Deputy City Manager; T. Soulliere - Director of Parks, Recreation and Facilities; S. Thompson - Director of Finance; J. Tinney - Director, Sustainable Planning and Community Development; F. Work – Director of Engineering & Public Works; A. Meyer – Assistant Director of Development Services; C. Mycroft - Executive Assistant to the City Manager; L. Taylor – Senior Planner; B. Frewer – Citizen Engagement Advisory; C. Havelka - Council Secretary.

APPROVAL OF AGENDA

The City Clerk outlined amendments to the agenda.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that the agenda be approved as amended.

Amendment:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Susan Abells be added to Request to Address Council.

On the Amendment:
Carried Unanimously

Amendment:

It was moved by Mayor Helps, seconded by Councillor Coleman, that Item # 4 be added to the Closed Agenda: *Intergovernmental Report - Verbal.*

On the Amendment:
Carried Unanimously

On the Main Motion as Amended:
Carried Unanimously

MINUTES

Motion

It was moved by Councillor Lucas, seconded by Councillor Loveday, that the Regular Council meeting minutes of January 14, 2016, be approved.

Councillor Thornton-Joe advised that a correction to the minutes is required on page 8, as follows:

Councillor Thornton-Joe spoke in support of the application noting there were concerns expressed by residents, but they met with the developer and this reflects those discussions. Height is a concern but ~~there is value in protecting one of the hidden courtyards~~ but courtyards are a feature of Chinatown that should also have consideration of protection.

On the minutes as corrected:
Carried Unanimously

PROCLAMATIONS

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following Proclamations be endorsed:

1. "Eating disorder Awareness Week" - February 1 to February 7, 2016
2. "Variety – The Children's Charity Week" - February 8 to February 14, 2016
3. "Black History Month 2016" – February 2016

Carried Unanimously

COMBINED DEVELOPMENT APPLICATIONS

1. 2972 Doncaster Drive

1. Public Hearing

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) – 16-007

The purpose of this bylaw is to rezone the land known as 2972 Doncaster Drive from the R1-B2 Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit the subdivision of one lot into two new small lots, which would enable the retention of the existing single family dwelling and construction of a new single family dwelling.

2. Development Permit Application

The Council of the City of Victoria will also consider issuing a development permit for the land known as 2972 Doncaster Drive, in Development Permit Area 15A: Intensive Residential – Small Lot for the purposes of approving the exterior design and finishes for the two small lot houses as well as landscaping, and to vary the following requirements of the Zoning Regulation Bylaw:

Existing House (Proposed Lot A)

- Reduce the front yard setback of the existing house from 6m to 5.54m
- Reduce the rear yard setback of the existing house from 6m to 1.63m
- Permit the proposed accessory building to be located in the side yard
- Reduce the front yard setback of the accessory building from 18m to 14.72m
- Permit parking to be located in the front yard

New House (Proposed Lot B)

- Reduce the front yard setback of the new house from 6m to 4.5m
- Reduce the front yard setback of the proposed accessory building from 18m to 14.72m

Leanne Taylor (Senior Planner): This is a proposal to rezone 2972 Doncaster Drive, to permit the subdivision of one lot to two small lots, to permit the retention of the single family dwelling, and add a new single family dwelling. There is a concurrent development permit application and the requested variances were described. Council is to consider the supportability of this application.

Mayor Helps opened the public hearing at 7:05 p.m.

Greg Chwelos (Property Owner): Outlined the location of the property and the rationale behind the variances that are requested for this project. Also described was the consultation process and how the design was mitigated in response to that input. He provided information about the preservation of the trees and the landscape plan.

Mayor Helps closed the public hearing at 7:25 p.m.

2. Bylaw Approval

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaw **be given third reading**:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) – 16-007

Councillor Isitt noted the applicant's supportable consultation process and that this is a model of appropriate infill in a neighbourhood.

Carried Unanimously

3. Bylaw Approval

It was moved by Councillor Alto, seconded by Councillor Loveday, that the following bylaw **be adopted**:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) – 16-007

Carried Unanimously

4. Development Permit Approval

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council authorize the Development Permit Application No. 00492 for 2972 Doncaster Drive, in accordance with:

1. Plans date stamped November 10, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - Existing House (Proposed Lot A)
 - i. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 5.54m.
 - ii. Part 1.23 (8)(b): Reduce the rear yard setback of the main structure from 6m to 1.63m.
 - iii. Part 1.23 (9): Permit accessory buildings to be located in the side yard.
 - iv. Part 1.23 (3)(a): Reduce the front yard setback of the accessory building from 18m to 14.72m.
 - v. Schedule "C" (3): Permit parking to be located between the building and the front lot line.
 - New House (Proposed Lot B)
 - vi. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 4.5m.
 - vii. Part 1.23 (13)(a): Reduce the front yard setback of the accessory building from 18m to 14.72m.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

DEVELOPMENT VARIANCE PERMIT APPLICATION

2. 1066 and 1070 Finlayson Street

1. Hearing

1. Development Variance Permit Application No. 00163

The City of Victoria will be considering the issuance of a Development Variance Permit for the land known as and 1070 Finlayson Street. The intent of this application is to reduce the rear yard setback of 1070 Finlayson Street in order to facilitate a subdivision with the property located at 1066 Finlayson Street to create a new lot.

The Development Variance Permit will vary the following requirements of the Zoning Regulation Bylaw R1-B, Single Family Dwelling District:

- Part 1.2, Section 1.2.5. b: reduce the rear yard setback from 8.98m to 4.67m.

Leanne Taylor (Senior Planner): Advised that this development variance permit application is to request a reduction in the rear yard setback to facilitate a subdivision with the adjacent property at 1066 Finlayson Street.

Mayor Helps opened the public hearing at 7:28 p.m.

Brad Cunnin (Consultant for the applicant): Advised that this proposal has been before Council previously, and he outlined the policy behind this as it relates to the OCP and local area plan. He described the size of the proposed lots, and noted that only one variance is requested.

Mayor Helps closed the public hearing at 7:31 p.m.

Mayor Helps asked how this application differs from the previous one.

Leanne Taylor: Advised that this time the new lot has no variances and it is seeking a smaller rear yard variance.

5. **Development Variance Permit Approval**

It was moved by Councillor Young, seconded by Councillor Lucas, that Council authorize the issuance of Development Variance Permit Application No. 00163 for 1066 and 1070 Finlayson Street, in accordance with:

1. Plans date stamped October 26, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - Reduce the rear yard setback of 1070 Finlayson Street from 8.98m to 4.67m.
3. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution.

Councillor Coleman noted the options that could have come forward for this project and that this proposal is supportable.

Councillor Isitt noted that there were some reservations regarding this proposal in the neighbourhood, but in the absence of opposition, he can support it moving forward.

Carried Unanimously

ZONING REGULATION BYLAW AMENDMENT APPLICATION

1. **Zoning Regulation Bylaw, Amendment Bylaw**

1. **Public Hearing**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1050) No. 16-004

The purpose of this bylaw is to amend the Zoning Regulation Bylaw:

- a. to add definitions for outdoor feature, finished grade and natural grade;
- b. to amend zones R1-A, R1-B, R1-G, R1-S, R1-S2, R1-S-G, R1-S1, R1-S2, RS-1, R1-25, R1-G2, R1-NH, R1-G6, R1-35, R1-S25, R1-39, R1-25, R2-38, and R-2-P to include the requirement that outdoor features are subject to site coverage, height and setback regulations;
- c. to amend general regulations to apply accessory building regulations to outdoor features in all other zones.

Leanne Taylor (Senior Planner): Outlined the purpose of this City-initiated zoning amendment and described the community consultation process, advising that the amendments under consideration tonight are a result of the community input.

Mayor Helps opened the public hearing at 7:37 p.m.

Mayor Helps closed the public hearing at 7:38 p.m.

2. **Bylaw Approval**

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following bylaw **be given third reading:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1050) 16-004

Councillor Madoff advised that this amendment was inspired by developments that impacted the Gonzales neighbourhood in the past and expressed hope that this amendment will prevent that from happening in the future.

Carried Unanimously

3. **Bylaw Approval:**

It was moved by Councillor Madoff, seconded by Councillor Alto that the following bylaw **be adopted:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1050) 16-004

Carried Unanimously

LIQUOR LICENCE APPLICATION

1. Liquor Primary Liquor Licence Application for the Royal Canadian Legion Public Service Branch 127, at 514 Government Street

This is an application to establish a new Liquor Primary Liquor Licence at the Royal Canadian Legion Branch 127, located at 514 Government Street.

- The proposed licensed person capacity (occupant load), including staff and patrons, is 100 persons.
- Requested hours are: 1100h (11:00am) – 2300h (11:00pm), seven days per week.
- Primarily open only on Fridays and the first Tuesday of the month, and special occasions.
- The Royal Canadian Legion Public Service Branch 127 is a social meeting place for local and out of town club members (veterans).

2. Hearing – Liquor Primary Liquor Licence

Chris Coates (City Clerk): Advised that the purpose of this hearing is to receive public input on the new liquor primary liquor licence, described the proposed capacity of the facility, and outlined the applicant's requested hours. Council's role in the process is to provide comment to the Liquor Control and Licensing Branch who have authority over liquor licences in B.C.

Mayor Helps opened the public hearing at 7:41 p.m.

Mayor Helps closed the public hearing at 7:42 p.m.

HEARINGS – REQUESTS TO ADDRESS COUNCIL

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the following speakers be permitted to address Council. **Carried Unanimously**

1. **Samantha Stone: Opposed to Cool Aids Proposal of Low Barrier Housing on Vancouver Street**
Spoke in support of Christ Church School and outlined concerns regarding Cool Aid's proposal for low barrier housing at the adjacent Mr. Edwards facility.
2. **Darwin Laninga: Passenger Pick Up fee at Ogden Point**
Outlined concerns regarding the pick-up fee imposed by the Greater Victoria Harbour Authority that is applied to specific group of service providers in the tourist industry.
3. **Domenico Trombetta: Tour Company / Western Stevedoring**
Expressed concerns regarding policy changes that have resulted in fees being applied to small service providers at cruise ships ports and how this impacts jobs in the tourism industry.
4. **Ron Malzon: Funding Cool Aid for the Purchase of Mt. Edwards**
Outlined concerns regarding the camp at the Court House and described issues that have impacted the neighbours. Also expressed were concerns regarding the low barrier housing that is proposed beside Christ Church Cathedral School.
5. **Wayne Hollohan: Development Proposals in the Community**
Outlined concerns regarding the density proposed for Cook Street Village and that important issues are not addressed during Council discussions on development proposals. Also outlined was the CALUC policy.
6. **Susan Abells: Against the Proposed VicPD Mental Health Pilot**
Spoke against a pilot project proposed by VicPD for a Mental Health project, and outlined issues related to addressing mental health matters.

UNFINISHED BUSINESS

1. Motion – Letter to CRD Mayors Regarding Parks Regulation Bylaw – Camping in Parks

Mayor Helps outlined for Council the purpose of the motion to consider an alternate motion to the motion Council approved November 12, 2015, to send a letter to CRD Mayors regarding the Parks Regulation Bylaw.

Councillor Young expressed concerns regarding the new motion as it doesn't address the intent of the original motion, which was to sensitize other municipalities to the effects and needs of the homeless, which the new motion doesn't address.

Mayor Helps asked the City Clerk regarding the mechanism for reconsideration of this motion.

Chris Coates (City Clerk): There are provisions to reconsider a motion, but the time for that has expired. As new information been received, this has allowed for a new item of business and is the mechanism for this motion to come forward.

Council discussed options for sending both motions to CRD Mayors.

Motion:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that in view of the Capital Regional District Board's unanimous approval for providing \$30,000,000 for funding Housing Projects in the Region, Council's November 12, 2015 motion to write to regional Mayors and the CRD be replaced with:

That the Mayor, on behalf of Council, write to the Mayors of all CRD municipalities and the Electoral Area Directors to acknowledge with appreciation, the unanimous approval of the significant funding for Housing with supports in the Region approved by the Capital Regional District Board.

Amendment:

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

That in view of the Capital Regional District Board's unanimous approval for providing \$30,000,000 for funding Housing Projects in the Region, Council's November 12, 2015 motion to write to regional Mayors and the CRD be replaced with:

*That the Mayor, on behalf of Council, write to the Mayors of all CRD municipalities and the Electoral Area Directors, **instead of writing the letter as discussed in original motion**, to acknowledge with appreciation, the unanimous approval of the significant funding for Housing with supports in the Region approved by the Capital Regional District Board.*

Postpone:

It was moved by Mayor Helps, seconded by Councillor Thornton-Joe, that Council postpone consideration of this matter until the Mayor provides a draft letter to Council.

Carried

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

2. **Correspondence for Information: Belleville Terminal Project**

It was moved by Councillor Lucas, seconded by Councillor Alto, that Council receive for information the letter dated January 6, 2016 from the Ministry of Transportation and Infrastructure regarding the Belleville Terminal Project.

Carried Unanimously**REPORTS OF THE COMMITTEES**1. **Governance and Priorities Committee – January 21, 2016**1. **Parking Stand Allocations Under the Vehicles for Hire Bylaw**

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council direct staff to:

1. Bring forward amendments to the Vehicles for Hire Bylaw for Council consideration that would:
 - a. extend the current motorized sightseeing vehicle parking stand allocations for Parking Stands 1, 2, and 4 to March 31, 2017
 - b. allow the City to displace stand users if required for capital improvements, and
 - c. require stand users to participate, upon request, in a possible City-led bus study, which could include the installation of GPS/data logging equipment on buses.
2. Conduct a competitive process for the allocation of Parking Stand 3 for a period starting April 1, 2016.
3. Continue to explore opportunities to reduce community sightseeing vehicle emissions through discussions with sightseeing business operators and other partners, including the Greater Victoria Harbour Authority.
4. Consider and report back on the costs and feasibility, as part of the capital budget, of installing electric charging stations at the four parking stands.
5. That the James Bay Neighbourhood Association, the Downtown Residents Association and the Downtown Victoria Business Association be engaged in the process.

Carried Unanimously2. **Parking Dispute Adjudication**

It was moved by Councillor Thornton-Joe, seconded by Councillor Isitt, that Council direct staff to prepare:

- Bylaw Notice Dispute Adjudication Bylaw,
 - Administration Fees Bylaw, Amendment Bylaw (No. 3)
- generally in accordance with draft bylaws attached as appendices B and C.

Carried Unanimously3. **Festival Investment Grant 2016 Allocations**

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council approve the Festival Investment Grant allocations as recommended in Appendix 1 and 2 for total cash grants of \$156,000 and in-kind grants of up to \$95,500.

And that Council direct staff to request the Dragon Boat Festival and India ME LA to submit their applications and that Council support in kind requests.

That Council consider an increase to the 2016 Festival Investment Grant budget during February 2016 budget discussions.

Carried Unanimously

4. Arts and Culture Master Plan Project Plan

It was moved by Councillor Madoff, seconded by Councillor Loveday, that Council approve the Project Plan for the Arts and Culture Master Plan.

Carried

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

Opposed: Councillor Young

5. Update on Pandora Avenue Two-Way Protected Bike Lane

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council receive this updated report dated January 14th, 2016, on the two-way Pandora Avenue protected bike lane.

Carried Unanimously**6. Biketoria Network – Public Engagement Update**

It was moved by Councillor Loveday, seconded by Councillor Coleman, that Council receive this report dated January 14th, 2016 for information.

Carried Unanimously**7. Improving Equity in Support for Neighbourhoods**

It was moved by Councillor Isitt, seconded by Councillor Lucas, that Council

1. Acknowledges that a funded operational capacity inequity exists between neighbourhood associations that have access to dedicated City facilities and neighbourhood associations that do not have access to City facilities, and extends to all neighbourhood associations the opportunity to submit operational plans and related funding needs for Council's consideration in the annual budgeting process;
2. Directs staff to meet with each of the following neighbourhood associations as soon as possible, to discuss their near-term operational plans and submit any immediate funding requests for Council's consideration: the Downtown Residents Association, James Bay Neighbourhood Association, North Jubilee Neighbourhood Association, North Park Neighbourhood Association, Rockland Neighbourhood Association and South Jubilee Neighbourhood Association.

Carried Unanimously**8. Conference Attendance Requests – Association of Vancouver Island and Coastal Communities Annual Conference**

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council authorizes:

1. The attendance and associated costs for Councillor Isitt to attend the AVICC conference to be held in Nanaimo, April 8 to 10, 2016.
2. The attendance and associated costs for Mayor Lisa Helps at the 2016 AVICC AGM and Convention.

Carried Unanimously**9. Conference Attendance Requests – Civic Governance Forum**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council authorize the attendance and associated costs for Councillor Isitt to the Civic Governance Forum in Harrison Hot Springs, April 1 and 2, 2016.

Carried Unanimously**REPORTS OF THE COMMITTEE****2. Planning and Land Use Committee – January 28, 2016****1. Update on Rezoning Application No. 00472 and Development Permit Application with Variances No. 000402 for 1041 Oliphant Avenue and 212 – 220 Cook Street**

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council postpone consideration of the Rezoning Application until receipt of the Advisory Design Panel recommendations.

(Rezoning Application)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00472 for 1041 Oliphant Avenue and 212-220 Cook Street, securing 75% of the value of the identified land lift to be contributed to and divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met (previous conditions that have been satisfied have been removed):

1. Registration of the following:
 - a. Housing Agreement to secure the rental of nine units for a minimum of 20 years at a minimum rental rate at least 10% below market rental, if not more, and that future strata bylaws cannot prohibit strata owners from renting residential strata units;
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;
 - d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- appropriateness of the commercial extension from Oliphant to Park Boulevard
- Cook Street guidelines and appropriateness of architecture expressions

Following this referral, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00472, if it is approved, that Council consider the following motion:

That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped September 28, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16.A.12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. The Development Permit lapsing two years from the date of this resolution.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m2 of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.

That Council refer the Development Permit Application to the Advisory Design Panel and have recommendations brought back to Council.

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Young, that Council amend the motion by deleting the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- ~~appropriateness of the commercial extension from Oliphant to Park Boulevard~~
- Cook Street guidelines and appropriateness of architecture expressions

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council amend the motion by clarifying the last bullet into two bullets, as follows:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- **Cook Street Village Guidelines and Local Area Plans**
- **Appropriateness of architecture expressions**

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council amend the motion by adding the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard

- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- Cook Street Village Guidelines and Local Area Plans
- Appropriateness of architecture expressions
- **Transition from Beacon Hill Park to Cook Street Village**

On the amendment:
Carried Unanimously

Councillor Isitt noted that this application needs more work so that there will be less conflict in Cook Street Village, with more massing and setbacks for a more sympathetic transition.

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council amend the motion by adding the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- **the pedestrian realm and its relationship to the building along Cook Street**
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- Cook Street Village Guidelines and Local Area Plans
- Appropriateness of architecture expressions
- Transition from Beacon Hill Park to Cook Street Village

On the amendment:
Carried Unanimously

Councillor Madoff said she can't support the main motion as there are land use issues with the application that cannot be addressed at ADP.

On the main motion as amended:
Carried

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

2. Rezoning Application No. 00485 for 2330 Richmond Road

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council postpone the Rezoning Application for two weeks for further discussion.

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00485 for 2330 Richmond Road by rezoning the subject parcel from the R1-B Zone, Single Family Dwelling District, to a site specific zone, and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following condition is met:

- Should sewage attenuation be required, a legal agreement to the satisfaction of staff would be required prior to Public Hearing.

Carried

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

Councillor Lucas withdrew from the meeting at 8:36 p.m. due to a potential pecuniary conflict of interest with the following item, as the subject property and the Hotel Rialto are owned by her employer.

3. Rezoning Application No. 00497 for 755 – 795 Market Street and 766 – 770 Hillside Avenue

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council:

- instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaws that would authorize the proposed development outlined in Rezoning Application No. 00497 for 755-795 Market Street and 766-770 Hillside Avenue;
- consider giving first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaws;
- set a Public Hearing date once a Housing Agreement has been registered on title for the life of the building to secure the rental tenure of apartments used for permanent residents when not used as transient accommodation.

Carried Unanimously

Councillor Lucas returned to the meeting at 8:37 p.m.

4. Development Permit Application No. 000454 for 1006 Wharf Street

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council authorize the issuance of Development Permit Application No. 000454 for 1006 Wharf Street in accordance with:

1. Plans date stamped December 14, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

5. Development Permit Application No. 000456 for 430, 468, and 470 Belleville Avenue

It was moved by Councillor Lucas, seconded by Councillor Coleman, that Council authorize the issuance of Development Permit Application No. 00456 for 430, 468, and 470 Belleville Street in accordance with:

1. Plans date stamped January 19, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

6. Development Variance Permit Application No. 00169 for 534 Pandora Avenue (Lum Sam and Look Den Building):

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, considers the following motion:

Authorize the issuance of Development Variance Permit Application No. 00169 for 534 Pandora Avenue, in accordance with:

1. Plans date stamped December 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
Part 6.7 - CA-3C Zone - Old Town District, 1 (e), to allow residential uses on the ground floor.
3. The Development Variance Permit lapsing two years from the date of this resolution.

Carried Unanimously

7. Development Permit with Variances No. 00002 for 1001 Blanshard Street and 804 – 812 Broughton Street

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

That Council authorize the issuance of Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street, in accordance with:

1. Plans date stamped December 31, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Section 16.C.12: reduce the required number of parking spaces from 48 to 10;
 - ii. Schedule C, Section 7.2(b): reduce the setback of parking spaces from the street from 1m to 0.62m.
3. The Development Permit lapsing two years from the date of this resolution.
4. That this application be forwarded to the Council meeting of January 28, 2016 to set a Hearing Date for February 11, 2016.

Carried Unanimously

8. Heritage Alteration Permit No. 00212 for 560 Johnson Street (Market Square)

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council authorize the issuance of Heritage Alteration Permit Application No. 00212 for the property at 560 Johnson Street, in accordance with:

1. Plans date stamped December 14, 2015
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.

That the applicant be encouraged on appropriate use of timbers, particularly in a heritage manner.

Carried Unanimously

9. Victoria Housing Reserve Fund Grant: Capital Region Housing Corporation

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council cancel a \$460,000 Victoria Housing Reserve Fund grant, which was approved on April 30, 2009, to assist the Capital Region Housing Corporation (CRHC) to create non-market rental housing at Dockside Green, as the grant is no longer needed.

Carried Unanimously

10. Review of Community Association Land Use Committee Procedures for Processing Rezoning and Variance Applications and Terms of Reference

It was moved by Councillor Madoff, seconded by Councillor Isitt, that Council direct staff to undertake further consultation with the Community Association Land Use Committee (CALUC) chairs (or their designates as assigned by the Community Association) and the Urban Development Institute regarding the CALUC Procedures for Processing Rezoning and Variance Applications as well as the CALUC Terms

of Reference on the topics outlined in this report and report back to Council with a summary of the consultation as well as recommendations for improvements by May 2016.

That Council direct staff to work with the Neighbourhood Associations, the Community Associations Land Use Committees and the Urban Development Institute and report back to Council with recommendations on potential improvements to the CALUC process, considering, but not limited to the following items (recognizing that more issues and ideas will arise during discussions):

1. Create a process to ensure that for large/complex/significant projects there is an opportunity for the developer to convene neighbourhood residents and business owners early in the process to canvas neighbourhood hopes, dreams and aspirations that might be included in the development.
2. Contemplate a role for City staff (from the Sustainable Planning and Community Development Department, the Neighbourhood Unit or both) as facilitators of the CALUC process for complex applications. The role of the facilitator is to convene the conversation as well as to provide pertinent, fact-based information relating to City policy as
3. it relates to the proposed development and/or surrounding land use context.
4. Create a cohesive, transparent process that each neighbourhood must follow in order to create ease and information sharing between neighbourhoods and predictability for the development community.
5. Ensure that each CALUC has a process for inviting neighbourhood residents on an annual basis to consider participating on the CALUC and a fair, transparent and inclusive for selecting members.
6. Review the current referrals to CALUC and then make clear and transparent which items, if any in addition to development applications, are required to be referred to a CALUC meeting and which are not.

Carried Unanimously

11. Update on Public Realm Concept Development and Engagement Materials for the Johnson Street Bridge

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council receive this report for information and direct staff to report out to the Charrette group for further input prior to proceeding with steps recommended in the staff report, and report back to Council.

Carried

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

Councillor Loveday withdrew from the meeting at 8:41 p.m.

MOTIONS

1. To Set Public Hearings for the Council Meeting of Thursday, February 11, 2016 for:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, FEBRUARY 11, 2016, at 6:30 p.m.:**

1. Rezoning Application No. 00488, Development Permit Application No. 00488, Development Variance Permit No. 00156 and Heritage Designation No. 00155 for 59 Cook Street.
2. Rezoning Application No. 00490 for 1845 Gonzales Avenue
3. Development Permit with Variances Application No. 000377 for 613 Herald Street
4. Development Permit with Variances Application No. 000426 for 951 Johnson Street
5. Development Variance Permit Application No. 000158 for 950 Rockland Avenue
6. Development Variance Permit Application No. 000166 for 1082 Richmond Street
7. Heritage Designation Application No. 00154 for 727 Yates Street
8. Development Permit with Variances No. 00002 for 1001 Blanshard Street and 804 – 812 Broughton Street

Carried Unanimously

BYLAWS

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) - 16-006 for 1845 Gonzales Avenue

Councillor Loveday returned to the meeting at 8:43 p.m.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council approve giving first and second reading to Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) No. 16-006 and set a Public Hearing date.

Carried Unanimously

FIRST READING

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaw **be given first reading:**

Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) No. 16-006

To amend the Zoning Regulation Bylaw to rezone the land known as 1845 Gonzales Avenue to permit a garden suite.

Carried Unanimously

2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1060), - 16-016 for 59 Cook Street

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council give first and second reading of the Zoning Regulation Bylaw Amendment (No. 1060) - 16-016 and set a Public Hearing date.

Carried Unanimously

FIRST READING

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaw be given first reading:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) - 16-016

To amend the Zoning Regulation Bylaw to rezone the land known as 59 Cook Street to permit a two-lot subdivision and allow construction of one new small lot house.

Carried Unanimously

3. **Heritage Designation (59 Cook Street) Bylaw – 16-015:**

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council consider first and second readings of Heritage Designation (59 Cook Street) Bylaw – 16-015.

Carried Unanimously

FIRST READING

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaw be given first reading:

Heritage Designation (59 Cook Street) Bylaw – 16-015.

To designate the exterior of the building located at 59 Cook Street to be protected heritage property.

Carried Unanimously

4. **FIRST READING**

Heritage Designation (727 Yates Street) Bylaw – 16-005

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaw be given first reading:

Heritage Designation (727 Yates Street) Bylaw – 16-005

To designate the exterior of the building located at 727 Yates Street to be protected heritage property.

Carried Unanimously

2. **SECOND READING**

It was moved by Councillor Coleman, seconded by Councillor Alto, that the following bylaws **be given second reading:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1059) No. 16-006
2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1060) - 16-016
3. Heritage Designation (59 Cook Street) Bylaw – 16-015.
4. Heritage Designation (727 Yates Street) Bylaw – 16-005

Carried Unanimously

3. **ADOPTION**

It was moved by Councillor Loveday, seconded by Councillor Isitt, that the following bylaws **be adopted:**

1. Temporary Borrowing Bylaw, 2016 – 16-008
2. Council Procedures Bylaw, - 16-011
3. Parks Regulation (Skateboarding) Amendment Bylaw, - 16-012
4. Streets and Traffic (Skateboarding) Amendment Bylaw, - 16-013
5. Ticket Bylaw, Amendment Bylaw, - 16-014

Carried Unanimously

QUESTION PERIOD

A question period was held.

NEW BUSINESS

1. **Access to Financial Services through Postal Banking**

Council received a report from Councillors Isitt and Loveday who provided information regarding access to financial services through postal banking.

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council direct staff to forward the following resolution to the Federation of Canadian Municipalities for consideration at the 2016 Annual Conference in Winnipeg, and that copies be sent to FCM member local governments requesting favourable consideration and resolutions of support, and that the resolution be forwarded to the Prime Minister of Canada:

Access to Financial Services through Postal Banking

WHEREAS many remote, indigenous and rural communities in Canada are not served by financial institutions;

AND WHEREAS nearly two million Canadians rely on payday lenders and would benefit from access to fair and affordable financial services;

AND WHEREAS jurisdictions around the world have introduced financial services in conjunction with postal services in order to expand access to financial services and promote social inclusion;

AND WHEREAS the federal government's review of Canada Post provides an opportunity to expand access to financial services for Canadians while modernizing the postal system.
AND THEREFORE BE IT RESOLVED THAT the City of Victoria supports the expansion of financial services for Canadians through the postal service, with a mandate of promoting social inclusion;
AND BE IT FURTHER RESOLVED THAT the City of Victoria calls on the federal government to include in its review of Canada Post an examination of how financial and banking services can be delivered in conjunction with the postal service.

Councillor Coleman advised that the process is for the resolution to go through the Board.

Amendment:

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

That Council direct staff to forward the following resolution to the **Board of the** Federation of Canadian Municipalities **requesting** ~~for~~ consideration at the 2016 Annual Conference in Winnipeg, and that copies be sent to FCM member local governments requesting favourable consideration and resolutions of support, and that the resolution be forwarded to the Prime Minister of Canada:

On the Amendment:
Carried Unanimously

On the Main Motion as Amended:
Carried Unanimously

CLOSED MEETING at 8:49 p.m.

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Council convene a closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw; namely:

- Section 12(3)(e)** *The acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.*
- Section 12(3)(i)** *The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*
- Section 12(4)(b)** *The consideration of information received and held in confidence relating to negotiations between the City and a Provincial government or the Federal government or both, or between a Provincial government or the Federal government or both and a third party.*

Carried Unanimously

ADJOURNMENT

It was moved by Councillor Alto, seconded by Councillor Loveday, that the Council meeting adjourn.
Time: 9:42 p.m.

Carried Unanimously

CERTIFIED CORRECT:

CITY CLERK

MAYOR OF THE CITY OF VICTORIA

Christine Havelka

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

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Monday, January 18, 2016 2:34 PM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Jason Pincombe **Date:** January 18, 2016

Address: 211-770 Fisgard St

I wish to appear at the following Council meeting: February 11, 2016

I represent: Saint Franks

Topic: Proposal to extend Liquor service hours at Saint Franks

Action you wish Council to take:

Support application to BC Liquor Board for extension of service hours with hopes of staying competitive with those whom already have the extensions put in place.

CONTACT INFO:

Contact Name: Jason Pincombe
Contact Address: 211-770 Fisgard st
Contact Phone Number:
Contact Email:

Christine Havelka

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

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Thursday, January 28, 2016 2:28 PM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Heidi Burch **Date:** January 28, 2016
Address: 1129 May St

I wish to appear at the following Council meeting: February 11, 2016

I represent: self

Topic: Proposed conversion of Mt Edwards to low-barrier housing

Action you wish Council to take:

To refuse to allocate funding to the project as currently proposed

CONTACT INFO:

Contact Name: heidiburch
Contact Address: 1129 May St, Victoria V8V 2S6
Contact Phone Number:
Contact Email:

Alicia Ferguson

From: Council Secretary
To: dperkins@islandnet.com
Subject: RE: Thank you for your submission - City of Victoria - Address Council Form

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Monday, February 01, 2016 4:00 PM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Kelly Newhook
Date: February 01, 2016

Address: c/o 303-1560 Hillside Ave

I wish to appear at the following Council meeting: February 11, 2016

I represent: Income Assistance Rates Coalition

Topic: Raise the Income Assistance Rates (BC Provincial Government)

Action you wish Council to take:

*getting Council's support/endorsement for raising the Income Assistance Rates provided by the Provincial Government

CONTACT INFO:

Contact Name: Dale Perkins
Contact Address: 303-1560 Hillside Ave. Victoria, B.C., V8T 5B8
Contact Phone Number:
Contact Email:



MAKING A PRESENTATION TO VICTORIA CITY COUNCIL

Complete and submit your request to address Council to Legislative Services by 11:00 a.m. on the Wednesday the day before the scheduled meeting. To ensure the Council receives your submission with their full agenda package, please submit it by 4:30 p.m. on the Monday two weeks before the Council meeting. Requests received after this time will be added to the Amended Agenda produced the Wednesday immediately prior to the Council meeting.

Presentations are a maximum of five (5) minutes in duration.

Name: Sean Murray Date: Feb. 2

Address: #209-801 Darwin ave.

I wish to appear at the following Council meeting: Feb. 11

I represent: Self

Topic: Sewage Treatment (Name of organization, if applicable)

Action you wish Council to take: Ensure that we get tertiary treatment that screens out drugs

Are you providing any supporting documentation (a letter or a PowerPoint presentation)?

Yes ☐ 10mb limit*

No ☒

*If you are providing supporting documentation the documentation **must** accompany this request or your letter. Placement on the agenda cannot be confirmed until supporting documentation has been received. Handouts will not be distributed at the meeting.*

**if presentation is larger, please bring into the Council Secretary on a thumb drive to allow downloading.*

Alternatively supporting documentation may be emailed to: councilsecretary@victoria.ca

Please note that all presentations are held at a public meeting, therefore, the first page of this form, along with the supporting documentation is added to the agenda, which is made available to the public and posted on the City of Victoria's website. The second page of this form, containing your contact information, does not form part of the agenda, but may be released pursuant to the provisions of the *Freedom of Information and Protection of Privacy Act*.

Please complete both sides of the form and submit to:

Council Secretary
Legislative Services Department
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6
T 250.361.0571
F 250.361.0348
Email: councilsecretary@victoria.ca



MAKING A PRESENTATION TO VICTORIA CITY COUNCIL

By resolution of the Victoria City Council, any individual or delegation wishing to address Council is permitted to do so, only where previous written application for such hearing has been made. Each speaker is required to submit this form or provide a letter clearly outlining the subject matter to be discussed and the action being requested of Council. Complete and submit your request to address Council to Legislative Services by 11:00 a.m. on the Wednesday the day before the scheduled meeting. To ensure the Council receives your submission with their full agenda package, please submit it by 4:30 p.m. on the Monday two weeks before the Council meeting. Requests received after this time will be added to the Amended Agenda produced the Wednesday immediately prior to the Council meeting.

Speakers or delegations are limited to a maximum of five (5) minutes to present their material. Speakers may speak on more than one topic within the allotted five (5) minute period. Your request will be placed under the HEARINGS section of the Council meeting. Council must pass a resolution to permit you to address the meeting. On a majority vote of Council, you will be invited to make your presentation. Please come forward to the podium when your name is announced.

The Council bylaw states Council must not permit a delegation to address a meeting of the Council regarding:

- a bylaw or permit in respect to which a public hearing has been held or has been scheduled for a future date; or
- the promotion of commercial goods or services.

AUDIO-VISUAL PRESENTATION GUIDELINES

N/A

- The Council Chamber is equipped with a laptop which projects images onto the screens in Council Chambers. The laptop is equipped with Microsoft Windows 7 and Windows Media Player, as well as VLS Media Player.
- Presentations must be received when the Request is submitted to allow staff to ensure the presentation will work on the City's equipment.
- It is recommended that presentations should be a minimum of 24 point type, preferably in Arial font, to maximize ease of viewing.
- The front page should indicate the subject matter, presenter's name, title and date of presentation.
- AV presentations should summarize the information being presented by the speaker.

Contact Person: Sean Murray

Mailing Address: #209-801 Darwin ave.
Victoria B.C. V8X 2X7

Telephone Number(s): 250-472-1669

Email Address: ~~SMurray@VCC~~ SMurray52@gmail.com

Christine Havelka

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

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Tuesday, February 09, 2016 8:18 PM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Anna Gerrard **Date:** February 09, 2016
Address: 2003 Quadra St

I wish to appear at the following Council meeting: February 11, 2016

I represent: Divest Victoria

Topic: AVICC Resolution: Empowering Local Governments to Pursue Socially Responsible Investing

Action you wish Council to take:

I would like to argue in favor of council proposing that AVICC and the UBCM ask the MFA to provide a fossil-fuel free investment option. This will effectively provide municipalities with the ability to manage their finances in socially responsible ways that align with their strategic planning priorities.

CONTACT INFO:

Contact Name: Anna Gerrard
Contact Address: 2003 Quadra St, V8T 4C3
Contact Phone Number:
Contact Email:

Christine Havelka

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

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Tuesday, February 09, 2016 8:35 PM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Zoe Yunker **Date:** February 09, 2016
Address: 1121 Kings rd

I wish to appear at the following Council meeting: February 11, 2016

I represent: Divest Victoria

Topic: AVICC Resolution: Empowering Local Governments to Pursue Socially
Responsible Investing

Action you wish Council to take:

I would like the Victoria City Council to propose that the Association of Vancouver and Coastal Communities (AVICC) and the Union of British Columbia Municipalities request that the Municipal Finance Authority create investment options available for municipalities that do not garner profit from the financing of fossil fuel corporations.

CONTACT INFO:

Contact Name: Zoe Yunker
Contact Address: 1121 Kings Rd
Contact Phone Number:
Contact Email:

Christine Havelka

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

From: webforms@victoria.ca [mailto:webforms@victoria.ca]
Sent: Wednesday, February 10, 2016 10:27 AM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Ellen Trottier **Date:** February 10, 2016
Address: 806 Linden Ave
I wish to appear at the following Council meeting: February 11, 2016
I represent: Divest UVic
Topic: AVICC motion and future climate related policy amendments
Action you wish Council to take:
AVICC motion and future climate related policy amendments

CONTACT INFO:

Contact Name: Bronwen
Contact Address: 1742 Denman
Contact Phone Number:
Contact Email:

“DARWIN DAY”

WHEREAS *Charles Darwin was born on February 12, 1809; and*

WHEREAS *from 1831-1836, he travelled in the southern hemisphere on the “HMS Beagle”, officially as the captain’s companion; and*

WHEREAS *his observations in natural history and on the adaptations of animals to their environments eventually led him to formulate his theory of evolution; and*

WHEREAS *he hypothesized that living things change over time, or evolve, in response to the selective pressures of their environment; and*

WHEREAS *the concept of evolution remains the unifying theory of biology.*

NOW, THEREFORE *I do hereby proclaim February 12th, 2016 as “DARWIN DAY” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS.*

IN WITNESS WHEREOF, *I hereunto set my hand this 11th day of February, Two Thousand and Sixteen.*

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

**Sponsored by:
Alan Wiseley
Activity Director
VictoriaSecular
Humanist Association**

“Bullying Stops Here – Pink Shirt Day ”

- WHEREAS** *reducing and eventually eliminating bullying in our Province is a priority of our City; and*
- WHEREAS** *the Government in partnership with school boards, parents, educators and the community provide information, training, and recourses to help schools and communities enhance awareness; and*
- WHEREAS** *a partnership of youth, parents, educators and other school employees, police, youth-serving organizations and community members have a role to play in highlighting the dangers of the bullying; and*
- WHEREAS** *it is important that we encourage everyone throughout our Province to be caring and respectful to one another so that all students can learn in a safe environment.*

NOW, THEREFORE I do hereby proclaim February 24th, 2016, as **“BULLYING STOPS HERE – PINK SHIRT DAY”** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE** of **BRITISH COLUMBIA**, the **TRADITIONAL TERRITORIES** of the **ESQUIMALT AND SONGHEES FIRST NATIONS**.

IN WITNESS WHEREOF, I hereunto set my hand this 11th day of February, Two Thousand and Sixteen.

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

**Sponsored by:
Sandra Doris
Mayfair Shopping Centre
#PinkShirtPromise**

“RARE DISEASE DAY ”

WHEREAS, *the Rare Disease Foundation and its Victoria Parent-2-Parent Network provides a forum for families in our community for mutual support, mentoring and knowledge sharing regardless of a child’s diagnosis; and*

WHEREAS, *the last day of February is recognized as Rare Disease Day internationally, with the purpose to bring about awareness of rare diseases and their impact on patients' lives amongst the general public and decision-makers; and*

WHEREAS, *on February 29th the Victoria Parent-2-Parent Network will collectively recognize and promote awareness of Rare Disease Day throughout the Greater Victoria region.*

NOW, THEREFORE I do hereby proclaim February 29th, 2016 as **“RARE DISEASE DAY”** in the **CITY OF VICTORIA, CAPITAL CITY** of the **PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES** of the **ESQUIMALT AND SONGHEES FIRST NATIONS.**

IN WITNESS WHEREOF, I hereunto set my hand this 11th day of February, Two Thousand and Sixteen.

**LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA**

**Sponsored by:
Allison Jones
Coordinator
Rare Disease Foundation**

“HEALTH, WELLNESS & SUSTAINABILITY FESTIVAL DAY”

WHEREAS *people of the 21st century are facing heretofore unprecedented levels of obesity, diabetes and health concerns, that directly affect longevity and quality of life, as a result of poor food choices, lack of education and a sedentary lifestyle; and*

WHEREAS *the effort to improve health and wellness is frequently a personal affair, in the form of year-end resolutions that routinely fall short. The cultivation of a community dedicated to reversal of the problem is important, as means of providing support, education and accountability; and*

WHEREAS *the Health, Wellness, & Sustainability Festival is committed to creating an exceptional forum of like minded health and culinary professionals, tourists and members of the community, to share in a fun and educational event, complete with wonderful food, and a symposium to be headlined by a highly sought after speaker on health; and*

WHEREAS *the Health, Wellness, & Sustainability Festival has contributed to the well-being of our community by donating the \$4,500 raised for the Growing Chef Foundation from the dinner held on November 14th, 2015, at the Atrium. This was a partnership between Camosun College’s Hospitality and Tourism program and the Island Chef Collaboration.*

NOW, THEREFORE *I do hereby proclaim the day of February 27th, 2016 as “HEALTH, WELLNESS & SUSTAINABILITY FESTIVAL DAY” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS.*

IN WITNESS WHEREOF, *I hereunto set my hand this month of February 11th, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored by:
Ari Hershberg
Event Producer
Victoria Health, Wellness
& Sustainability Festival

“CHAMBER OF COMMERCE WEEK”

WHEREAS *a strong local business community is a key driver of our local economic prosperity; and*

WHEREAS *a strong local business community creates jobs and opportunities for residents of Victoria and supports community growth; and*

WHEREAS *the Greater Victoria Chamber of Commerce is a business organization dedicated to strengthening Victoria’s business community and helping our community to thrive; and*

WHEREAS *every year, members of the Greater Victoria Chamber of Commerce dedicate countless volunteer hours in service to our region’s businesses and community.*

NOW, THEREFORE *I do hereby proclaim the week of February 15th to 19th, 2016 as “CHAMBER OF COMMERCE WEEK” in the CITY OF VICTORIA, CAPITAL CITY of the PROVINCE of BRITISH COLUMBIA, the TRADITIONAL TERRITORIES of the ESQUIMALT AND SONGHEES FIRST NATIONS.*

IN WITNESS WHEREOF, *I hereunto set my hand this 11th day of February, Two Thousand and Sixteen.*

LISA HELPS
MAYOR
CITY OF VICTORIA
BRITISH COLUMBIA

Sponsored By:
Peggy Kulmala
Manager
Policy and Public Affairs
Victoria Chamber of Commerce

REPORTS OF THE COMMITTEES

2. Planning and Land Use Committee – October 15, 2015

2. Rezoning Application No. 00488 for 59 Cook Street

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council instruct staff to prepare the necessary:

1. *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00488 for 59 Cook Street, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.
2. *Heritage Designation Bylaw* that would designate the property as a Municipal Heritage Property, that first and second reading of the *Heritage Designation Bylaw* be considered by Council and a Public Hearing date be set.

9. COMBINED APPLICATIONS

9.1 Rezoning Application No. 00488 for 59 Cook Street

Committee received a report regarding an application for 59 Cook Street. The proposal is to rezone the property in order to permit a two-lot subdivision and allow the construction of one new small lot house.

- Action:** It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that Council instruct staff to prepare the necessary:
1. *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00488 for 59 Cook Street, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.
 2. *Heritage Designation Bylaw* that would designate the property as a Municipal Heritage Property, that first and second reading of the *Heritage Designation Bylaw* be considered by Council and a Public Hearing date be set.

Committee discussed:

- Concerns regarding the density that is being created in stable neighbourhoods.

CARRIED UNANIMOUSLY 15/PLUC224



Planning and Land Use Committee Report

For the Meeting of October 15, 2015

To: Planning and Land Use Committee **Date:** October 1, 2015

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

Subject: Rezoning Application No. 00488 for 59 Cook Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary:

1. Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00488 for 59 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.
2. Heritage Designation Bylaw that would designate the property as a Municipal Heritage Property, that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) 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 59 Cook Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) Dwelling District, in order to permit a two-lot subdivision and construct one new small lot house.

The following points were considered in assessing this Application:

- The proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill in the *Official Community Plan, 2012 (OCP)*.

- The proposal is consistent with the policies and design guidelines specified in the *Small Lot House Rezoning Policy, 2002*.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone a portion of the subject property from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) Dwelling District. The proposal is to create two lots, retaining the existing five-unit house conversion on the R1-B lot and constructing one new small lot house. Variances related to the existing house would be required to facilitate this development and will be discussed in relation to the concurrent Development Variance Permit Application. The proposed new small lot property meets all the requirements of the R1-S2 Zone and does not need variances.

Heritage

The applicant has hired a heritage consultant to assess the existing house for heritage value and the resulting report indicates that it has sufficient value to warrant an application for heritage designation. The property is not currently heritage designated or registered. The applicant has voluntarily requested that the subject property be designated as a Municipal Heritage Property concurrent with a successful Rezoning Application

Sustainability Features

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

Active Transportation Impacts

The applicant will provide a six-stall bike rack for use by visitors to the multi-family residence. The existing building contains weather protected bike parking facilities for its tenants on the lower floor.

Public Realm Improvements

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

Land Use Context

The area is predominantly characterized by single family houses. Beacon Hill Park is across Cook Street and Cook Street Village is approximately 350m away.

Existing Site Development and Development Potential

The site is presently a multiple dwelling house conversion with five self-contained dwelling units. Under the current R1-B Zone, the property could be redeveloped with two single family dwellings each with a secondary suite.

Data Table

The following data table compares the proposed small lot house with the R1-S2 Zone:

Zoning Criteria	Proposal	Zone Standard R1-S2
Proposed Small Lot House		
Site area (m ²) - minimum	327.5	260
Density (Floor Space Ratio) - maximum	0.43	0.6 to 1
Total floor area (m ²) - maximum	141.99	190
Lot width (m) - minimum	10.88	10
Height (m) - maximum	6.9	7.5
Storeys - maximum	2	2
Site coverage % - maximum	34.33	40
Setbacks (m) - minimum		
Front	6	6
Rear (north)	11.61	6
Side (east)	1.5	1.5
Side (west) – non-habitable	1.5	1.5
Side (west) - habitable	2.4	2.4
Parking - minimum	1	1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield-Gonzales CALUC at a Community Meeting held on May 25, 2015. The minutes from this meeting are attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 100% support the Application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential – Small Lot. The proposal is consistent with the objectives of DPA 15A: to achieve new infill development that respects the established character in residential areas.

Small Lot House Rezoning Policy (2002)

The *Small Lot House Rezoning Policy* encourages sensitive infill development with an emphasis on ground-oriented housing that fits in with the existing character of a neighbourhood. The Policy refers to a "Small Lot House" with a minimum lot size of 260m² and a minimum lot width of 10m. The small lot meets the minimum lot size and lot width requirements in the R1-S2 Zone.

CONCLUSIONS

The proposal to rezone a portion of the subject property to the R1-S2 Zone, retain the existing five dwelling-unit house conversion and construct one new small lot house is consistent with the objectives in the OCP and the *Small Lot House Rezoning Policy* for sensitive infill development. Staff recommend that Council consider supporting this Application.

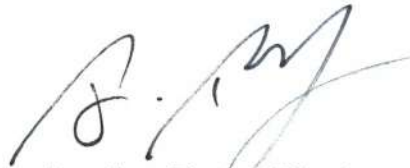
ALTERNATE MOTION

That Council decline Application No. 00488 for the property located at 59 Cook Street.

Respectfully submitted,



Rob Bateman
Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

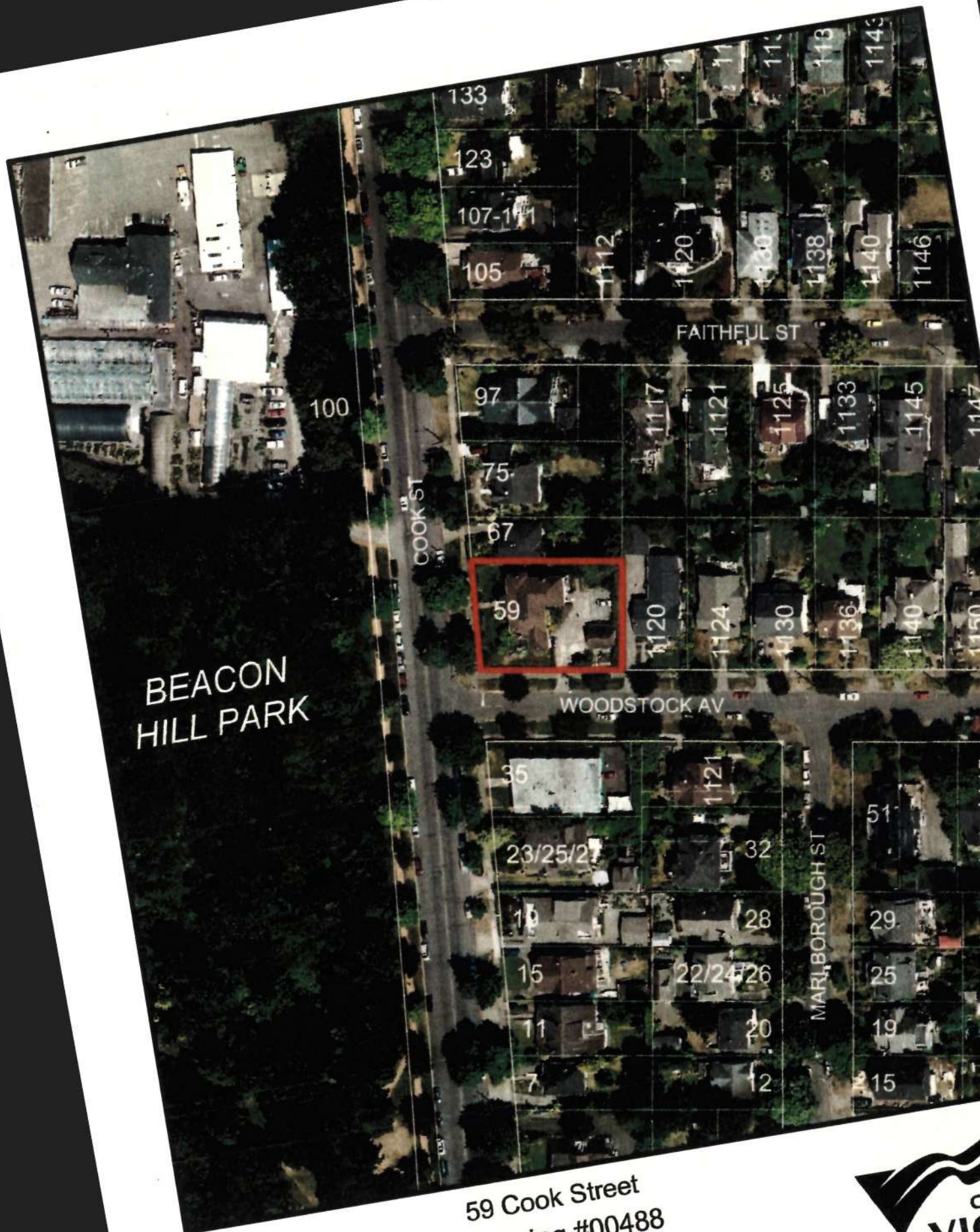
Report accepted and recommended by the City Manager:



Date: October 6, 2015

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated July 7, 2015
- Minutes from Fairfield-Gonzales Community Association meeting (May 25, 2015)
- Small Lot Housing Rezoning Petition
- Plans dated September 15, 2015.



BEACON
HILL PARK

COOK ST

FAITHFUL ST

WOODSTOCK AV

MARLBOROUGH ST

59 Cook Street
Rezoning #00488
Bylaw #



06 August 2015

59 Cook Street

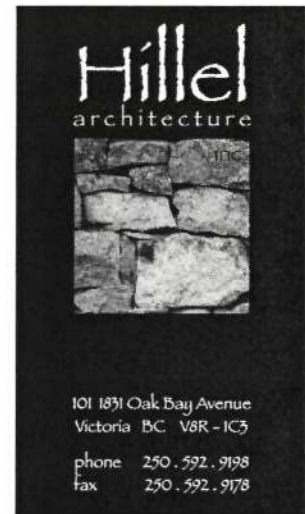
Submitted on behalf of Conrad Nyren

(Dennis Eric Nyren)

3 - 59 Cook Street

Victoria BC V8V 3W7

RE: 59 Cook Street Redevelopment
Victoria BC
Proposal For Small Lot Subdivision



Attention Mayor and council, City of Victoria

Please find enclosed with this cover letter, a submission for the division of the R1-B lands of 59 Cook Street. The proposal is for the creation of one new lot R1S2 zoning Bylaw and is therefore a rezoning. The Parcel Remainder would remain under its existing R1-B zoning, however both the existing building and its new conditions of placement on the parcel remainder requires a Development Variance Permit to ensure Council approval of those conditions, and correctly registering these items on title, should they prove acceptable.

Hillel Architecture developed a conceptual solution for discussion with immediate neighbours, which demonstrated the current 59 Cook Street multi-family residence on a portion of the existing lot, being left undisturbed, and a smaller portion of the rear lot area being subdivided, creating a small lot conforming to the R1S2 zoning. The drawings proposed a single family home compliant with the zoning in the location of the current 2 car garage building. This concept was introduced to the City Planning department similarly for initial commentary.

The enclosed submission has incorporated the commentary from 2 CALUC presentations, multiple meetings with direct neighbours, and update meetings with the planning department. The first CALUC meeting to the Neighbourhood Association membership was rewarding for owners and architect alike. A mostly complimentary evening, and concluding with a very limited list of concerns. The second CALUC meeting was rewarding by the lack of attendance, perhaps indicative of a lack of concern. This submission package also contains letters from directly affected neighbours, each stating that they are in support, some with complimentary additional comments. Throughout the process they state they have been involved and informed.

Design Outcome: The Site

The residence proposed complies with the small lot two storey zoning bylaw without requested variances. The proposal subdivides an original ± 1237 m² [$\pm 13,315$ ft²] property in to one 318.06 m² lot for the new residence conforming to R1S2, and one 918.86 m² Lot with its original R1-B zoning remaining with the existing home. The

severance of this lot from the rear yard area of the original home reduces the rear yard setback to less than that prescribed by that original zone and therefore a variance is stated in this proposal that requests the consideration of reducing the permitted rear yard setback from 7.5 m to 4.6m on the parcel remainder. It should be noted at this time that the parcel remainder is still a substantial lot and remains at almost twice the minimum lot sizes permitted, with its front yard on the opposing side being 11.92m to the building face, and over 9.5m to its substantial colonnade.

As the original stately main building maintains its generous front yard on Cook Street and side yard setback on Woodstock Avenue, its prominence on this street corner is therefore not lessened by this proposal. In addition, the new home was designed to occupy the same location as the existing hipped roof two car garage, and is no closer to the neighbouring properties than this structure currently is, as a benefit to the neighbourhood and as a sign that we wished to minimize the impact of this new work. In the enclosed drawing package the streetscape illustrates what appears a completely normal streetscape, with side yard setbacks no closer and no denser than any other view corridor would show from the neighbourhood.

This proposal, shares the existing driveway entry, preventing any affect on existing mature street trees, existing stone walls, or boulevard greenspace. This landscaping maturity that is present - remains. Both neighbours and the owners alike prefer the mature trees, the contributing character of the existing stone fence wall, and the matured hedging that also remains both sides of this shared driveway entry.

The History

The existing building was originally designed as a single family home, and formally converted in 1946 to a multi family dwelling / multi unit dwelling containing five suites, under a federal housing initiative.

Design character and materials;

The new home on Woodstock is a transition piece from the larger stately proportions of the 59 Cook Street original home, to the smaller cottage like qualities of neighbours. The design takes many design cues from neighbouring building volumes both beside and across the road, the desires of the owners, the mix of the casual cottage, and the crisp contemporary of the streetscape.

Interestingly, the original home contained a side entry in the form of a porte cochere. Today this Porte Cochere maintains its front porch like appearance on Woodstock Avenue. The immediate neighbour to the opposing side, also contains an attractive inviting front porch. The new building continues this tradition with a new entry gate, pathway, and porch facing the street. Similar to its cottage like neighbour, this porch is a social space, an attractive welcoming space that is also accessed from its prime living spaces inside, benefiting from the sun and views over the landscaped front yard.

Height and Setbacks

The proposed new residence is compliant with these zoning requirements.

Parking

The existing home, with its five legal suites requires to be serviced by a minimum of .8 stalls per dwelling according to Schedule C Parking Regulations. Therefore this existing multi-family residence requires 4 stalls. The new residence on its independent lot requires 1 stall as a single family residence. It was decided early on that the design would be developed to share the existing entry to the lot, and preserve the existing stone fence. Sharing a driveway entry allowed the parking to be concealed from the street and place these cars behind both buildings. By reciprocal easement agreements, registered on both properties, these two buildings share access to their independent parking facilities.

In sharing a driveway, the increase in green space over the current condition will lessen the impact of this parking area than exists at this time. One can notice in the original aerial photo of this existing site, a large area of exposed concrete paving. In the new design the bulk of this paving area is moved further back out of view, and in its place a narrow driveway permits a greater area of landscaping serving to enclose and conceal from view, the rear parking area. The streetscape benefits, the neighbours benefit. A little more greenery gets added to our perception of the neighbourhood. It is this sharing of an existing driveway opening in a stone fence wall that has created some of the variances listed herein for Council consideration. The access drive is shared between two residences, and both its width and its placement partially on each property defines a need for variance considerations, and reciprocal easements registered on both property titles.

Bicycle Parking

The proposal contains a 6 bike rack for use by the multi-family residence for guests, as required by the Bylaw. The original 59 Cook Street contains class A bike parking facilities for its tenants in the lower floor area formerly known as the "Chinaman's Suite".

Summary of Development Proposal

59 Cook Street R1-B Lot is subdivided under this proposal, and remains R1-B.

Item 1. Rezoning: the new lot, requested to be zoned R1S2 is accessed from Woodstock Avenue through its current driveway access. This rezoning submission requires a variance on the drive aisle behind its parking stall, as portions of its drive access lane is over the adjoining Lot.

Item 2. Development Variance Permit. The Parcel Remainder containing the existing main house, containing 5 units would remain on a Lot with a rear yard that by lot depth should equal 7.55m, and under this proposal is requested to be 4.6m. Variance 1.

Item 3. In addition, access to parking stall 5 is a requested variance. The existing parking stall, a Porte Cochere proven by transportation staff as accessible by vehicles because of its generous width, will not be serviced by a 7m access aisle and is accessed through a 3.6m driveway. An auto turn study was performed by staff, and templates provided to this firm to ensure all cars had means of manouvering. Related to this variance is a issue of access to stall 2 and 3 where their access aisle passes over the neighbouring property line. These drive aisle conditions are Variance 2.

The placement of these parking stalls, away from the streetscape, and in an existing fenced rear yard area, is the subject of Variance 3. The parking stalls are accessed over a shared driveaisle therefore each is not appropriately screened from each other, resulting in a request for a relaxation from rear yard screening from 1.5m to 0m, and the omission of a fence from 1.8m to 0m.

59 Cook Street R1-B Lot is subdivided, and a new R1S2 Lot is created.

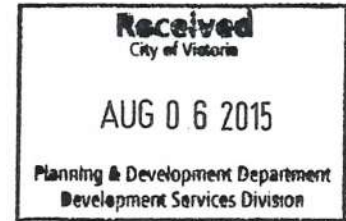
Item 1. Rezoning: the new lot, subdivided from an R1-B existing lot requested to be zoned R1S2, is accessed from Woodstock Avenue through its current driveway access. This rezoning submission requires a variance on the drive aisle width from 7.0m to 4.6m at stall 4, as portions of its drive access lane is over the adjoining Lot.

We trust the enclosed submission meets with submission requirements, and that through this process, eventually meets with acceptance of Council.

Yours sincerely,
HILLEL ARCHITECTURE INC.,
Karen Hillel MAIBC

**Minutes of Community Meeting
Planning and Zoning Committee
Fairfield-Gonzales Community Association (FGCA)
May 25, 2015**

Facilitators for the FGCA: George Zador (Chair)
Susan Snell
Ken Roueche



Subject property: 59 Cook St; small lot subdivision. (99 notices sent)
Proponent/ presenter Mr. Conrad Nyren
This project was presented previously in April 2014, but for personal reasons, the proponent did not proceed further at the time.

Attendance: 2 people, representing one neighbouring home.

Attendee Questions and Comments:

- Familiar with the project from the earlier submission.
- Asked for details of site coverage, parking, etc. Proponent gave thorough explanation.
- Would the new house be for market: no, proponent lives in the main house at present, wants to build the home for his own family. On-site parking is provided.
- Concern about parking for workers during construction phase. Proponent will control.
- No objection to this project, but feels that further similar subdivisions would increase density which is undesirable in this neighbour's view.

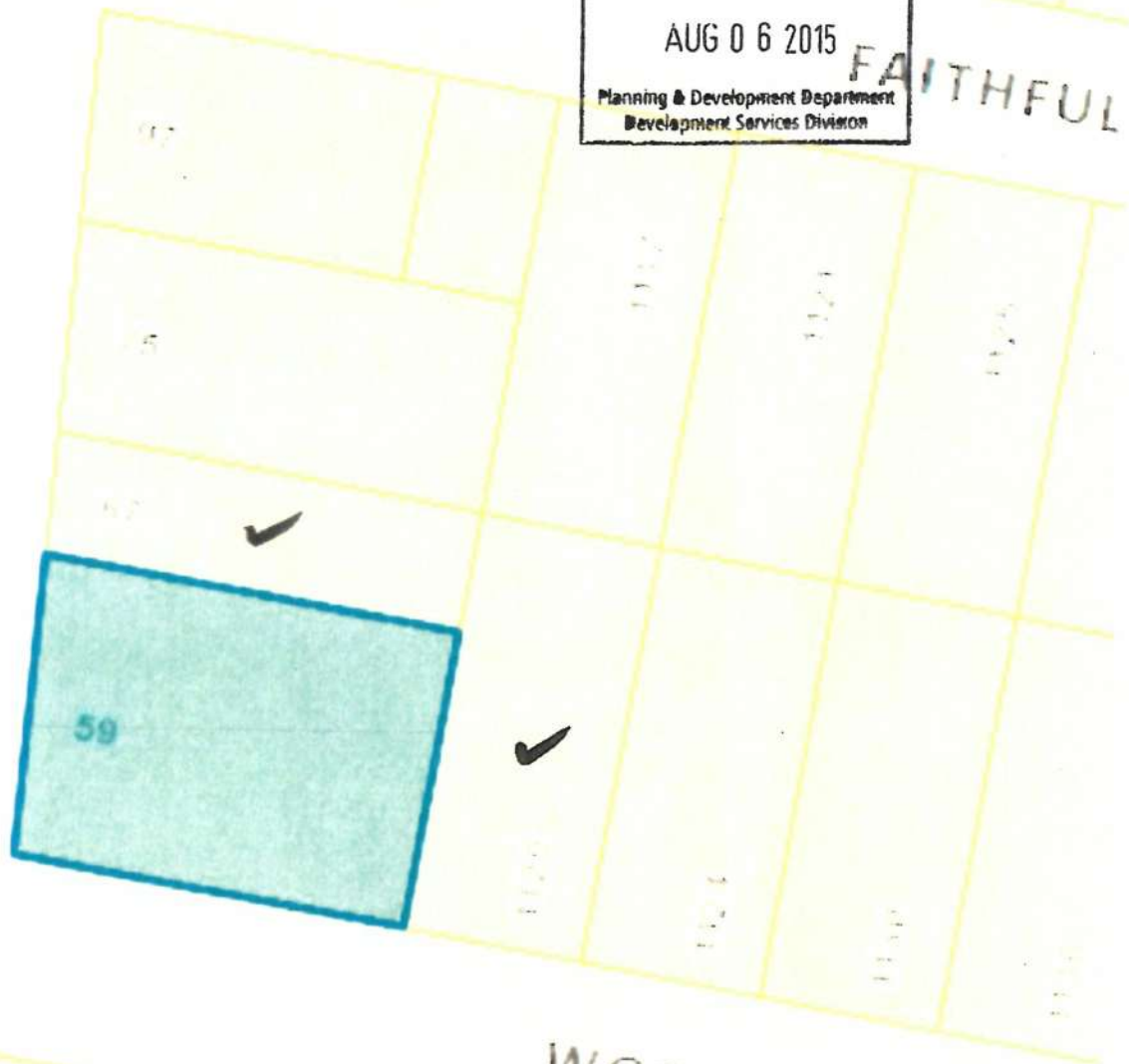
Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

FAITHFUL

COOK ST



WOODSTOCK AVE

MARLBOROUGH ST

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services DivisionSUMMARY
SMALL LOT HOUSE REZONING PETITIONI, CONRAD NYREN, have petitioned the adjacent neighbours* in compliance with
(applicant)the *Small Lot House Rezoning Policies* for a small lot house to be located at 59 COOK ST
(location of proposed house)_____ and the petitions submitted are those collected by JUNE 19, 2015.**
(date)

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
35 COOK ST	✓		
67 COOK ST	✓		
1120 WOODSTOCK	✓		
1121 WOODSTOCK	✓		
UNIT 1-35 COOK (TENANT)			✓
" 2-35 COOK "			✓
" 3-35 COOK "			✓
" 4-35 COOK "			✓
" 5-35 COOK "			✓
" 6-35 COOK "			✓
" 7-35 COOK "			✓
" 8-35 COOK "			✓
" 9-35 COOK "			✓

SUMMARY	Number	%
IN FAVOUR	4	100%
OPPOSED	0	
TOTAL RESPONSES		100%

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

**Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

property located at 59 COOK STREET.

to the following Small Lot Zone: R1S2

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) JOSHUA KALEF (see note above)

ADDRESS: 35 COOK ST. VICTORIA V8V 3W7

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

THIS DENSIFICATION IS APPROPRIATE FOR
OUR NEIGHBORHOOD AND VISUALLY A NICE
IMPROVEMENT.

April 10/2015
Date

[Signature]
Signature

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYLEN (print name), am conducting the petition requirements for the

property located at 59 Cook St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Anthony + Kathy Lavelle (see note above)

ADDRESS: 67 Cook St, Victoria, BC

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

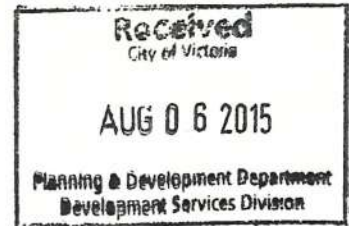
☐ I am opposed to the application.

Comments:

everything looks good.

June 18/15
Date

[Signature]
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Wendy Payne
(print name)

, am conducting the petition requirements for the

property located at 59 Cook St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Wendy Payne (see note above)

ADDRESS: 1120 Woodstock Ave

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

I am completely satisfied with this
plan. Conrad Nyren is a good neighbour
who has kept me informed about his plans.

June 4/15
Date

Wendy Payne
Signature

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 59 COOK STREET

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) SHARON AND MIKE ROMANINE (see note above)

ADDRESS: 1121 WOODSTOCK AVE.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

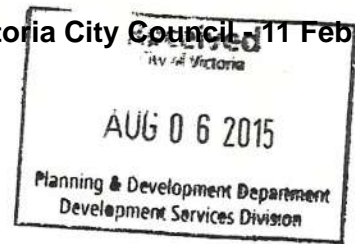
☐ I am opposed to the application.

Comments:

June 18/2015
Date

Sharon Romanine
Signature

REZONING AND DEVELOPMENT PROPOSAL FOR 59 COOK STREET



REQUEST TO MEET

Hello. my name is Conrad Nyren. I live right across Woodstock from you at 59 Cook Street at the corner of Woodstock and Cook.

I am in the process of making an application to the City of Victoria to rezone a portion of my property from R1B, single family zone, to R1S2, small lot two story zone, to permit a subdivision and construction of a new, smaller, single family home, located approximately where the existing garage is now located.

As part of my neighbourhood consultation process, I would greatly appreciate a few minutes of your time to familiarize you with the architectural and landscape plans and hear your comments. I attach a copy of the City's form "SMALL LOT REZONING PETITION"

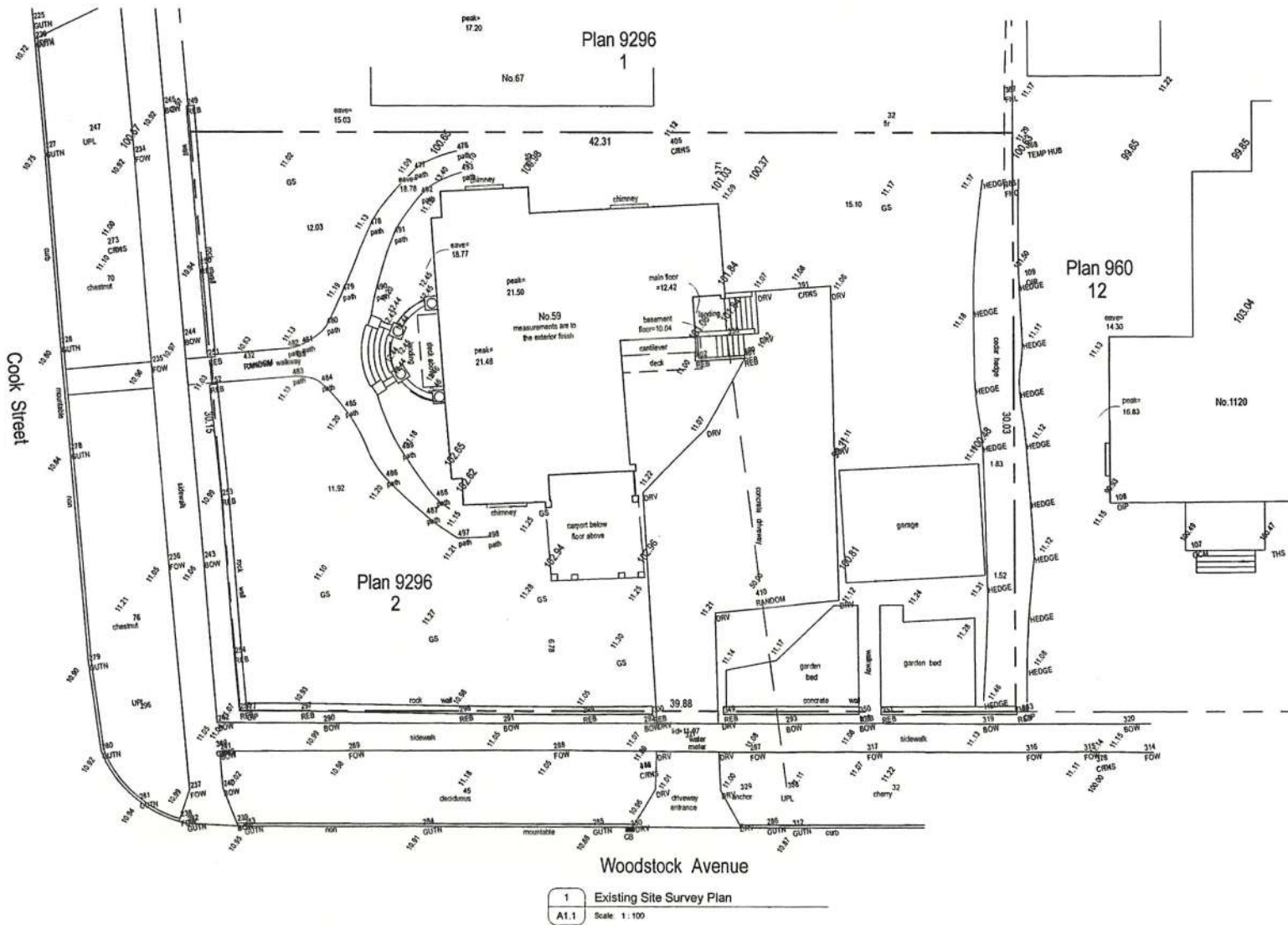
Please email or phone me to set up a time to meet, and thank you in advance for your time and consideration.

Conrad Nyren
59 Cook Street
April 10, 2015
email: conradnyren01@gmail.com
tel: 250 589 9520

DELIVERED BY HAND APRIL 10, 2015 TO:

35 COOK STREET UNITS 1 THRU 9

1157 WOODSTOCK UNITS 1 THRU 7



LEGAL DATA

CLIENT: Conrad Nyan
 59 Cook Street, Victoria BC V8V 3W7
 CIVIC ADDRESS: 59 Cook Street Victoria BC

LEGAL ADDRESS: Lot 2, Fairfield Farm Estate, Victoria, Plan 12395
 SURVEY INFORMATION: Based on legal survey by Powell & Associates B.C. Land Surveyors, file 9171 - 4



2 Context Site Plan
 A1.1 Not to Scale

Received
 City of Victoria
 AUG 06 2015
 Planning & Development Department
 Development Services Division





Cook Street - Subject Property Existing Residence



Woodstock Avenue - Adjacent Neighboring Properties Across Street



Woodstock Avenue - Subject Property Existing Residence



Woodstock Avenue - Subject Property & Project Area

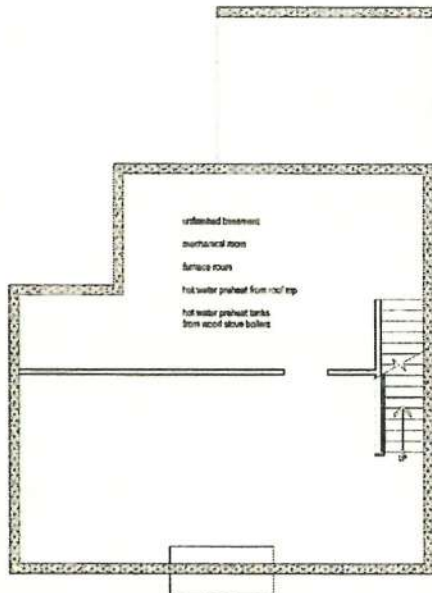


Woodstock Avenue - Adjacent Neighboring Properties



Woodstock Avenue - Neighboring Properties

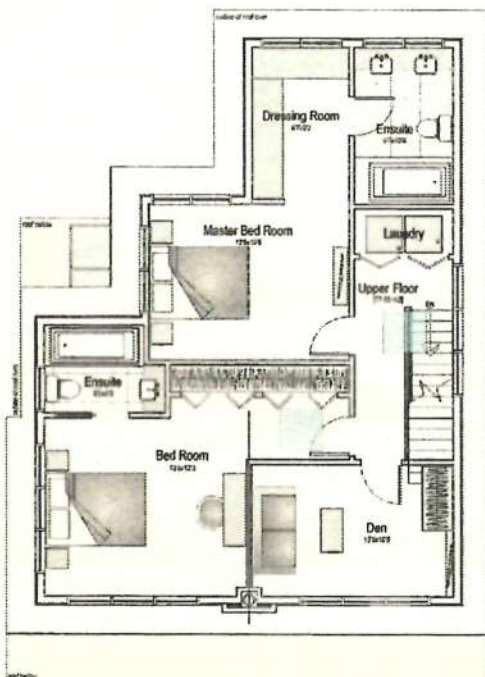




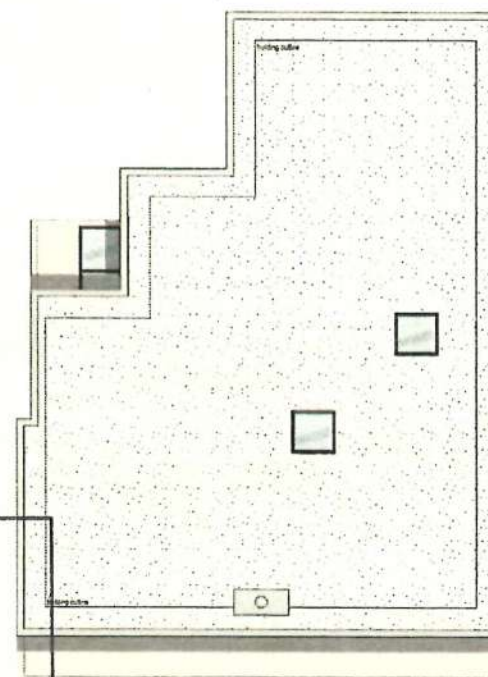
1 Basement Floor Plan
A2.1 Scale: 1:50



2 Main Floor Plan
A2.1 Scale: 1:50



3 Upper Floor Plan
A2.1 Scale: 1:50



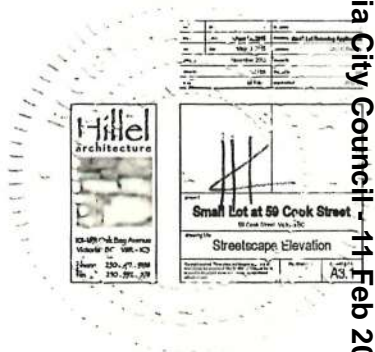
3 Roof Plan
A2.1 Scale: 1:50

Received
City of Victoria
AUG 06 2015
Planning & Development Department
Development Services Division





1 Streetscape Elevation - Woodstock Ave
A3.1 Scale: 1:75



ELEVATION FINISH LEGEND

List of finishes typical of all elevations

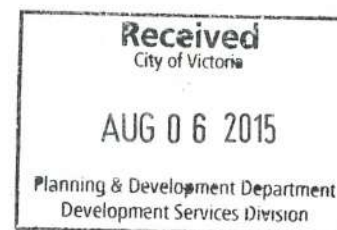
- 01 Pre-finished metallic gray steel finishing
- 02 Wood fascia boards - clear Sikkens Cetol finish
- 03 Exposed wood beams - clear Sikkens Cetol finish
- 04 Exposed cedar soffit - warm gray stain, clear prefinished metal perimeter work strip
- 05 Cement based stucco, smooth brown finish - light gray color
- 06 Cedar siding, 100mm exposure - warm charcoal gray stain color
- 07 Exposed board form concrete chimney - sealed finish
- 08 Wood window units & doors - clear glazing panels - clear Sikkens Cetol finish
- 09 Exposed board form concrete elements - sealed finish
- 10 Natural stone masonry walls to match existing - Arch spec colour
- 11 Building mounted down lighting & feature lighting
- 12 Cement based stucco, smooth brown finish - warm gray colour



1 Front Elevation (South)
A3.2 Scale: 1:50



2 Side Elevation - (West)
A3.2 Scale: 1:50



ELEVATION FINISH LEGEND

List of finishes typical of all elevations

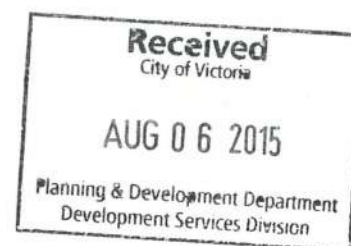
- (01) Pre-finished metallic gray steel flashing
- (02) Wood board boards - clear Silken Cedar finish
- (03) Exposed wood beams - clear Silken Cedar finish
- (04) Exposed cedar soffit - warm gray stain, clear prefinished metal perimeter vent cap
- (05) Cement board stucco, smooth board finish - light gray color
- (06) Cedar siding - 100mm exposure - warm charcoal gray stain colour
- (07) Exposed board-form concrete chimney - stained finish
- (08) Wood window units & doors w/ir glazing panels - clear Silken Cedar finish
- (09) Exposed board-form concrete masonry - stained finish
- (10) Natural stone retaining walls to match existing - Arch spot colour
- (11) Building mounted down lighting & feature lighting
- (12) Cement board stucco, smooth board finish - warm gray colour



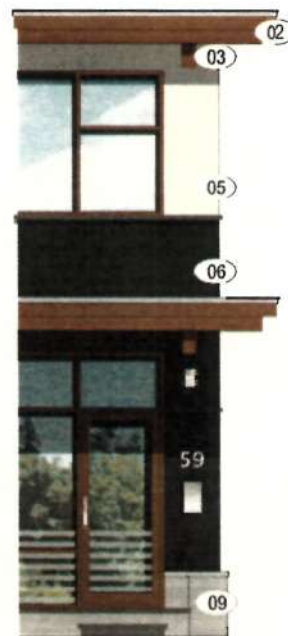
1 Rear Elevation (North)
A3.3 Scale: 1:50



2 Side Elevation - (East)
A3.3 Scale: 1:50



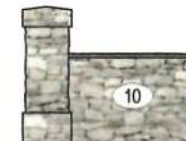
Colour And Materials Palette



ELEVATION FINISH LEGEND

List of finishes typical of all elevations

- 01 Pre-finished metallic gray steel flashing
- 02 Wood fascia boards - clear Sikksens Cetol finish
- 03 Exposed wood beams - clear Sikksens Cetol finish
- 04 Exposed cedar soffit - warm gray stain, c/w prefinished metal perimeter vent strip
- 05 Cement based stucco, smooth trowel finish - light gray colour
- 06 Cedar siding, 100mm exposure - warm charcoal gray stain colour
- 07 Exposed board-form concrete chimney - sealed finish
- 08 Wood window units & doors c/w glazing panels - clear Sikksens Cetol finish
- 09 Exposed board-form concrete elements - sealed finish
- 10 Natural stone retaining walls to match existing - Arch spec colour
- 11 Building mounted down lighting & feature lighting
- 12 Cement based stucco, smooth trowel finish - warm gray colour



DEVELOPMENT PERMIT APPLICATION SUBMISSION
SMALL LOT AT 59 COOK STREET
59 COOK STREET, VICTORIA BC

AUG 06 2015

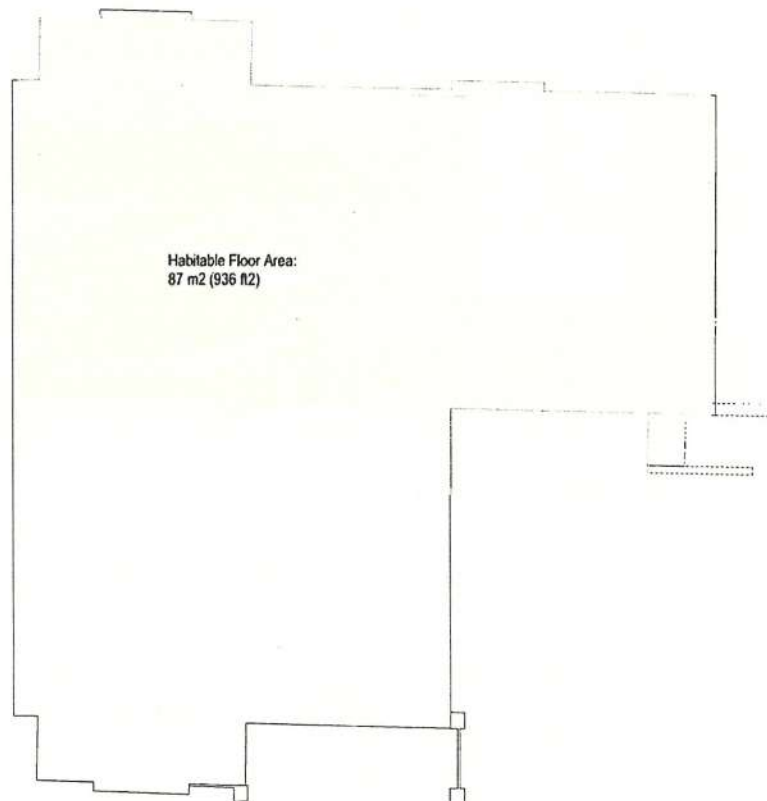
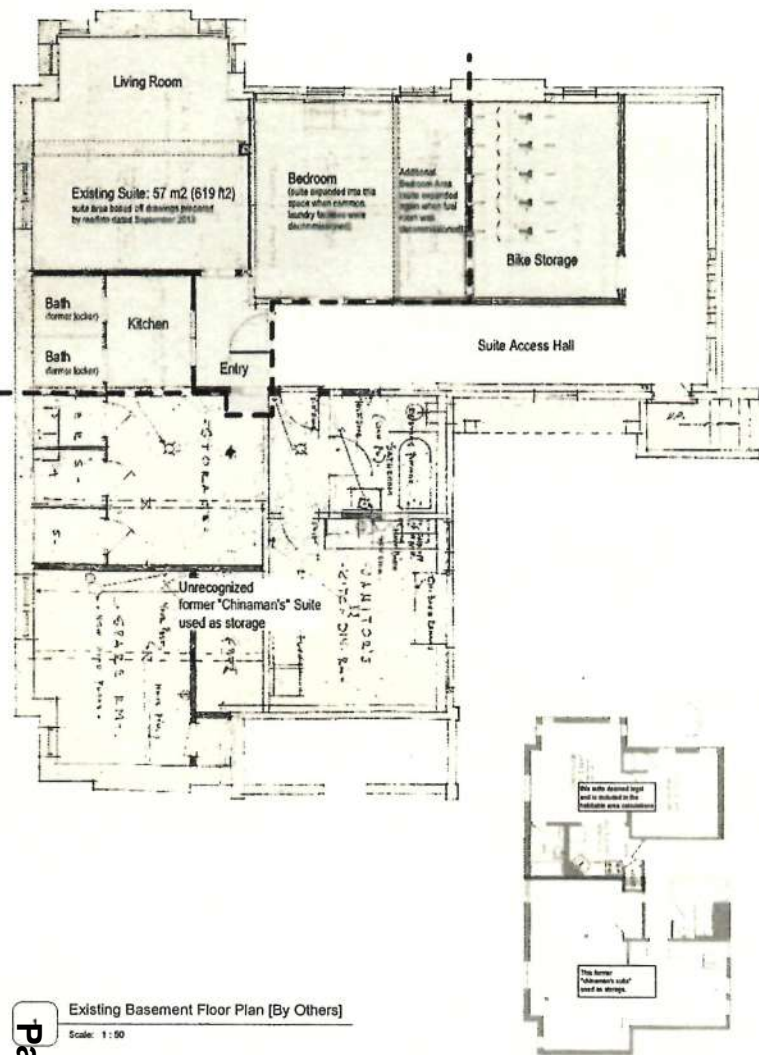
Planning & Development Department
Development Services Division

Victoria City Council - 11 Feb 2016



1 Building Section
A4.1 Scale: 1:50





LEGAL DATA

CLIENT
Corrad Myer
Unit 3 - 59 Cook Street, Victoria BC V8V 3W7

CIVIC ADDRESS
59 Cook Street, Victoria BC

LEGAL ADDRESS
Lot 2, Fairfield Farm Estate, Victoria, Plan 9296

SURVEY INFORMATION
based on legal survey by Powell & Associates
B.C. Land Surveyors, file 9171 - 4

PROJECT DATA - EXISTING PARCEL REMAINDER

	CURRENT ZONING	EXISTING PARCEL REMAINDER
ZONING	R1-0	R1-0
site area (m ²)	min 489 m ²	919 88 m ²
site coverage %	max. 40 %	± 25.27 % (± 222.21 m ² ending)
site width (m)	15m	33.15 m
open site space % (hardscaping)	n/a	-
total floor area (m ²)	max. 420 m ² for all floors (for lots greater than 600 m ²)	± 358 m ² existing unroofed
floor space ratio	n/a	-
height of building (m)	max. 7.6 m	existing unroofed
number of stories	2 stories	2 stories
parking stalls on site	80 per Schedule C: 6.8 stalls per dwelling ± 5 units = 4 spaces for 50 Cook	access to parking through a reciprocal easement
bicycle parking	1 per unit plus a 8-space rack	1 class A per unit in basement, plus a 8-space ground rack
SETBACKS		
front (east)	7.5 m	11.92 m (Cook St.) (existing unroofed)
rear (west)	7.5 m or 25% of lot depth (whichever is greater)	requested variance to decrease required 7.25m setback by 2.5m to equal a 5.0m rear yard setback
side (north)	1.5 m or 10% of the lot width (whichever is greater)	2.83 m (existing unroofed)
side (south)	2.5 m or 10% of the lot width (whichever is greater)	6.82 m (Stonewall Ave.) (existing unroofed)

SCHEDULE 'G' - HABITABLE AREA

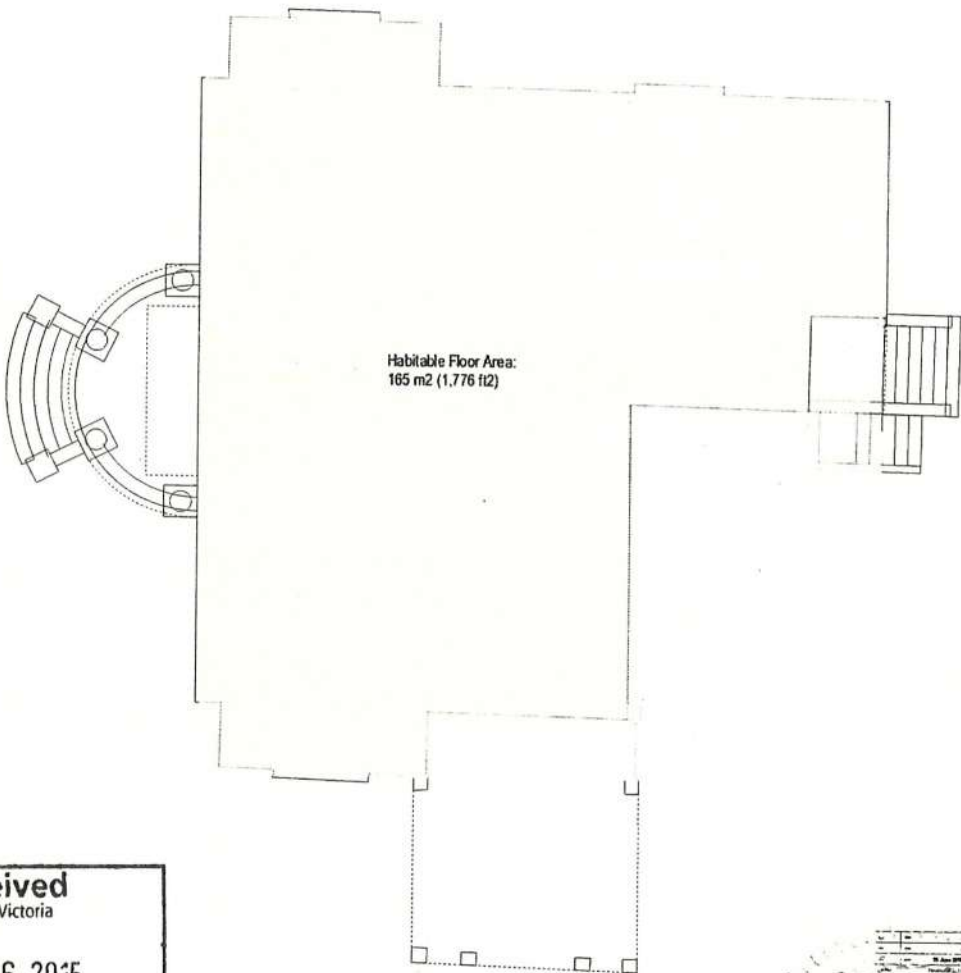
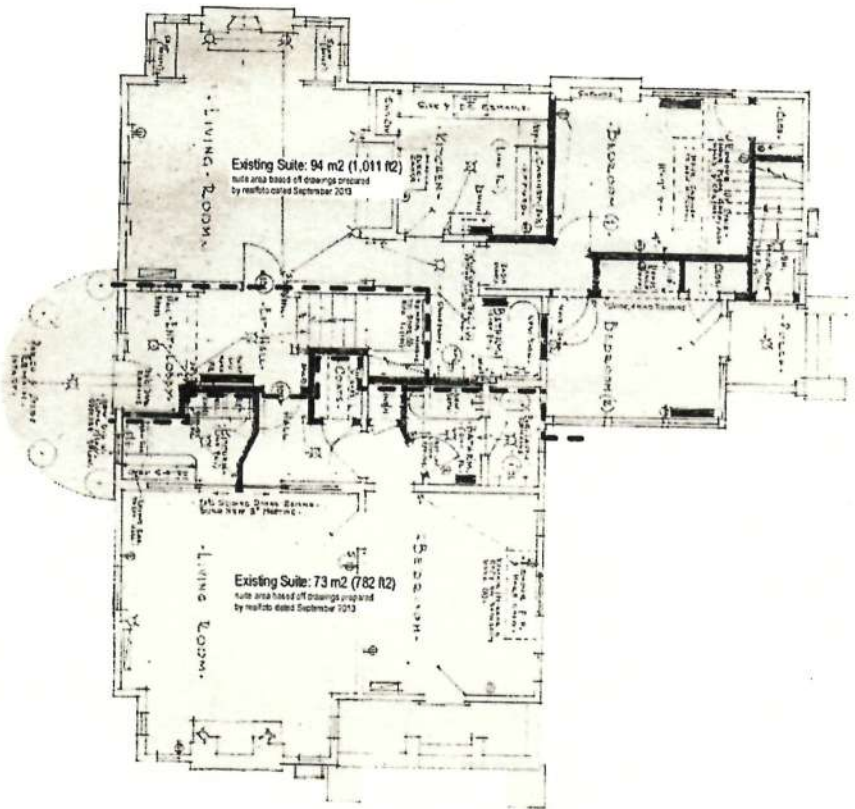
	CURRENT ZONING	EXISTING PARCEL
HABITABLE FLOOR AREA		
Basement	-	87 m ² (936 ft ²)
First Floor	-	165 m ² (1,775 ft ²)
Second Floor	-	192 m ² (2,077 ft ²)
Total	444m ² ± 5 dwelling units allowable per Schedule 'G'	444 m ² (4,788 ft ²) 5 existing dwelling units

Received
City of Victoria

SEP 15 2015

Planning & Development Department
Development Services Division





Habitable Floor Area:
165 m2 (1,776 ft2)

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

1 Existing First Floor Plan [By Others]
Scale: 1:50

2 Existing First Floor Area
Scale: 1:50

Hillel
architects

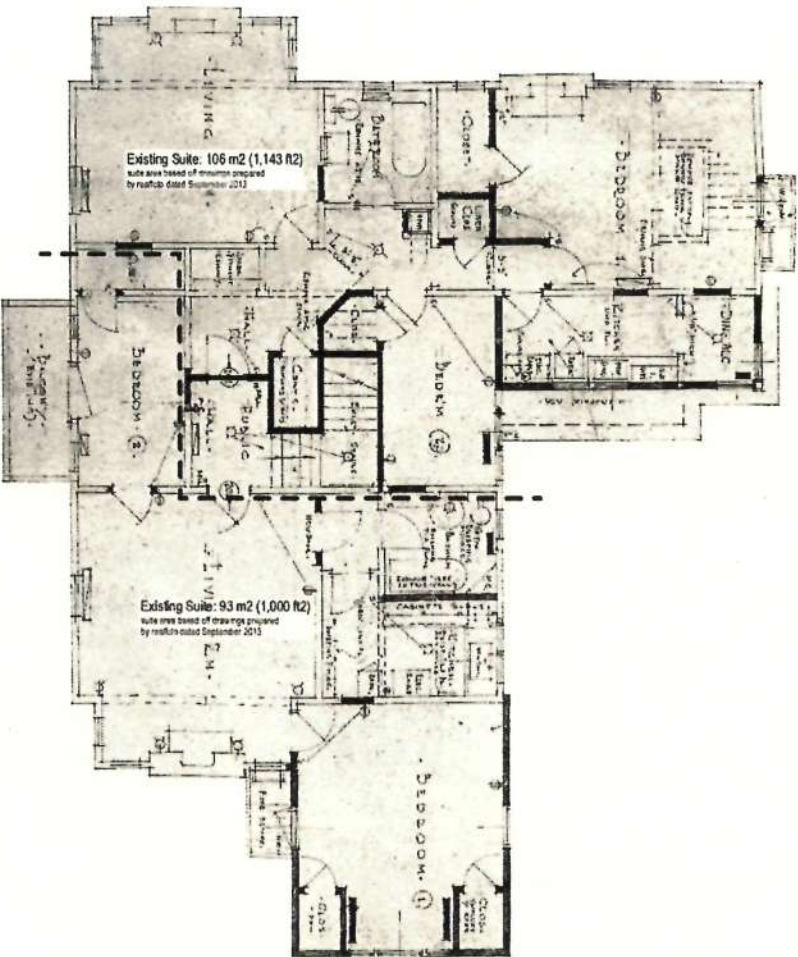
13-139 Oak Bay Avenue
Victoria BC V8M 1K3

phone 250.592.799
fax 250.592.373

Small Local Cook Street

Existing First Floor Plan

2 of 2

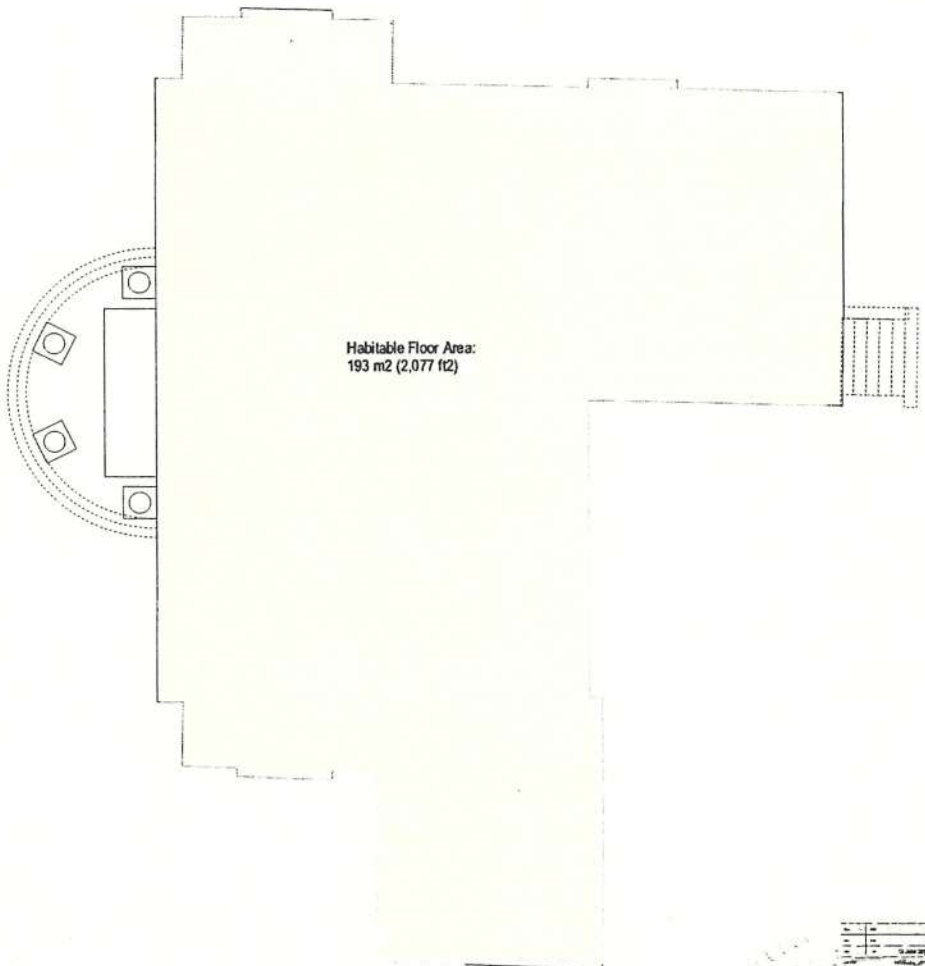


1 Existing Second Floor Plan [By Others]
Scale: 1:50

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division



2 Existing Second Floor Area
Scale: 1:50



PROPOSED PLANTING

PROPOSED PLANTING



PROPOSED GARDEN TREES



PROPOSED SPECIMEN SHEET



PROPOSED GROUND COVER



PROPOSED LAWN / SOD

PROPOSED HARD SURFACES



PERMEABLE PAVERS, such as 'Aquadrive' by Abbotsford Concrete Products

 CAST IN PLACE CONCRETE

CONCRETE UNIT PAVERS


BIKE RACK

NOTES:
• PROPOSED GRADES ARE APPROXIMATE,
CIVIL ENGINEER TO DESIGN RAIN WATER
COLLECTION & DRAINAGE SYSTEM.

* WITHIN THE DEVELOPMENT SITE THERE ARE NO "PROTECTED" TREES

2440



NEW GOOD NEIGHBOUR WOOD FENCE
ON EAST PROPERTY LINE OF SINGLE FAMILY HOME
AND WEST PROPERTY LINE
SCALE 1:50

Lumber: Western Red Cedar, Grade #2.
Finish: Sikkens Cetol or equal approved.
Colour: to match architectural selection.

PLANT SCHEDULE FOR SOFT LANDSCAPE AREAS SHOWN ON E1

[illegible]

LANDSCAPE STANDARDS
THE LANDSCAPE WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF THE LATEST EDITION OF THE BC LANDSCAPE STANDARD. LAWN & PLANTINGS SHALL BE IRRIGATED WITH AN AUTOMATED LOW VOLUME UNDERGROUND SYSTEM CONFORMING TO MUNICIPAL PLUMBING CODES.

SMALL & ROSSELL
LANDSCAPE ARCHITECTS INC.

3012 monzer road, south, b.c., vancouver
t 250-663-6967

design@mcneilandruss.com
www.mcneilandruss.com

- 8 September 2015
 - planting spot adjacent to parking null #3 added
 - null #4a/c - changed to flat road
- 7 July 2015
 - swept null 7 (garbage now known destroyed)
- 1 July 2015
 - property line identified to run east/west with architectural drawings
 - parking null gravel surface now required with gravel under and pavers.
- 19 May 2015
 - parking nulls reduced to 6
 - garbage storage area relocated
 - vegetable garden area noted
 - property lines adjusted to match architectural drawings
 - parking nulls to be brought outside to 6
- 10 June 2014
 - parking nulls reduced to 6
 - before parking location changed
 - driveway now required to be 6' wide
- 26 March 2014
 - location of nulls as per City of Victoria Planning Dept. request

- ☐ CONSTRUCTION
- ☐ FENDER
- ☐ DRAPERY/CURTAIN
- ☐ PLASTER/STUCCO

59 Cook Street
Victoria, BC.

Landscape
Concept Plan

Date	16/02/2014	Sheet	
Drawn	cat	L1	
Checked			
Scale	As shown		

Victoria City Council - 11 Feb 2016

Received
City of Victoria

SEP 15 2015

Planning & Development Department
Development Services Division

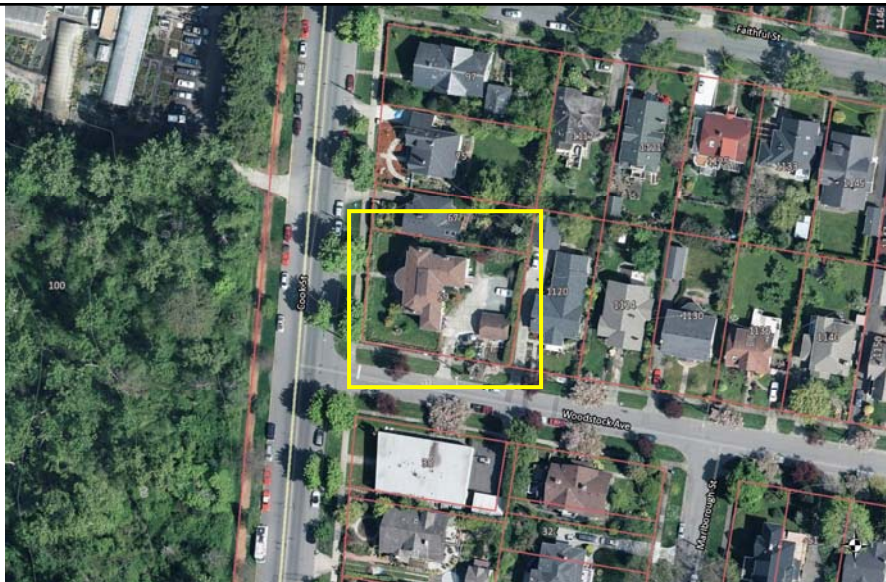
PLAN
SCALE 1:100

WOODSTOCK AVENUE

59 Cook Street

Small Lot Subdivision Request

Hillel Architecture Inc.



Neighbourhood context



Existing 59 Cook Street Site Conditions:
 1236.9m² / 13,314 ft² 9.5 m² to columns, 11.9m to bldg face 6.8m at Woodstock
 Rear yard: concrete finishes, surface deterioration, heat sink
 Note the location / size of 2 car garage, landscape buffer on the north side, street trees.

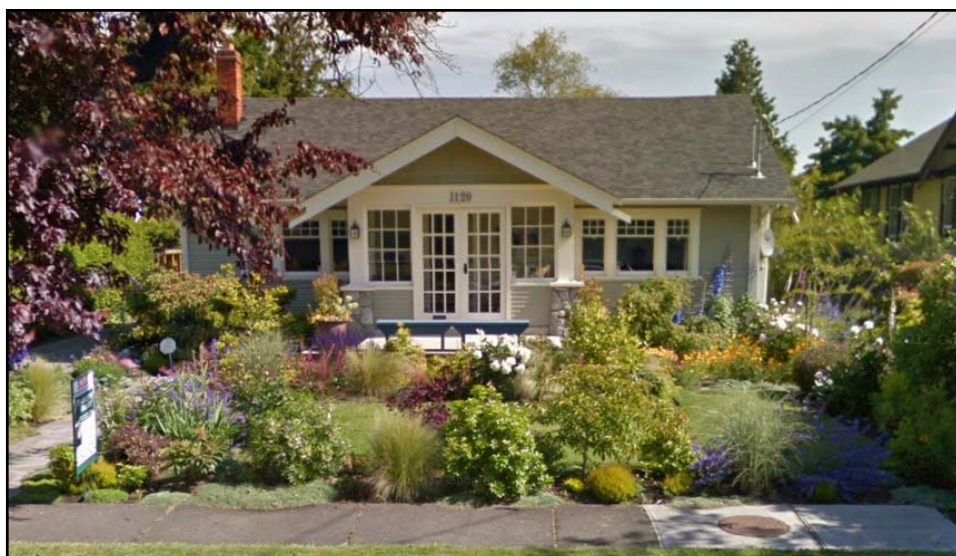


The Main House, 59 Cook Street, both substantial and imposing.
 5 existing suites recognized on title, where 6 were present.
 Taking an existing unit built for those of chinese descent & deserving of acceptance
 and takes it to a position of legal and equal recognition.

Woodstock Street frontage
Existing drive entry being
preserved



Woodstock Street frontage, with
existing garage.
Existing street tree being
preserved by sharing a
parking entry.



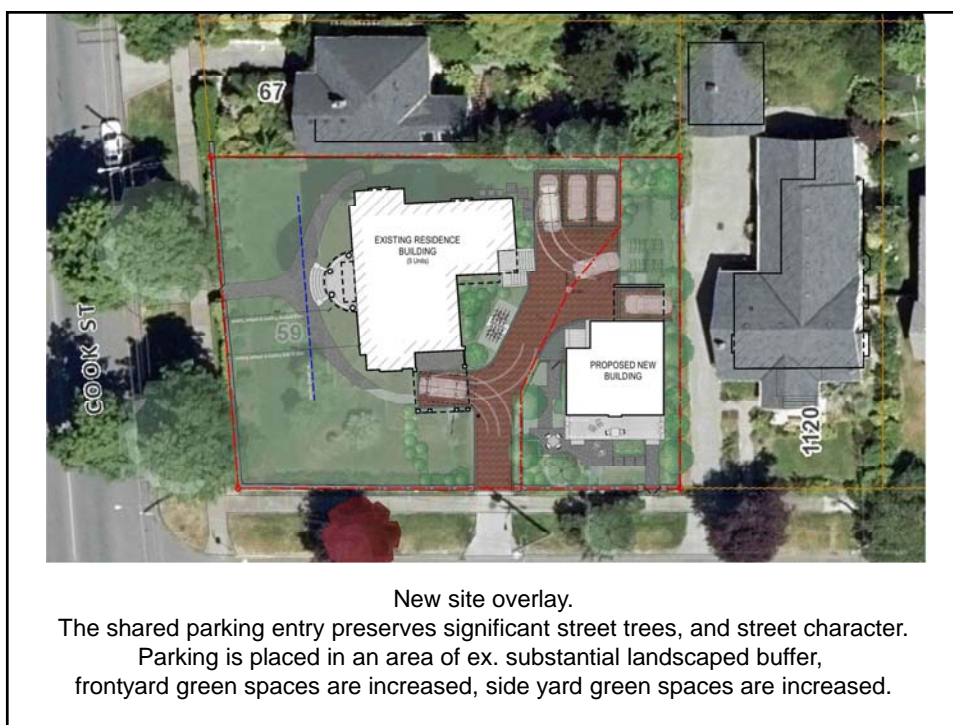
Neighbourhood context;
Woodstock street views reveal an array of building styles.



Neighbourhood context:
Building styles range from cottage in scale through to grand in scale.



Neighbourhood context:
Building styles include flat roofed contemporary multi-family buildings.







Wendy Payne
1120 Woodstock Ave.
Victoria, B.C.
February 10, 2016

Re: 59 Cook St rezoning application

Attention Victoria City Mayor and Council,

I live adjacent (directly east) to the property that has applied for a small lot rezoning. I am writing this letter to support this application,

My property shares a boundary with the new lot and house and so will be affected by this development more than any other neighbour.

The design of the house is pleasing and its scale in relationship to surrounding homes including mine is very acceptable. I think it will be a good addition to our neighbourhood. I feel it will add to the density in a way that enhances our street's appearance.

Mr. Nyren has consulted with me regarding the style and height of this new home, including fencing and landscaping. Any of my concerns have been satisfied.

I look forward to this new house being built. Please feel free to call me if you have any questions or concerns. [REDACTED])

Sincerely,

Wendy Payne
1120 Woodstock Ave.

REPORTS OF THE COMMITTEES

2. Planning and Land Use Committee – October 15, 2015

4. Development Variance Permit No. 00156 for 59 Cook Street

It was moved by Councillor Coleman, seconded by Councillor Alto, that after giving notice, allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00488, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00156 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing parcel remainder:
 - a. Part 1.2.5 (b): Reduce the rear yard setback from 7.55m to 4.6m;
 - b. Schedule "C" (9): Reduce the parking aisle width from 7m to 3.6m;
 - c. Schedule "G" (5)(a): Reduce the rear yard landscaping minimum from 33% to 24.5%;
 - d. Schedule "G" (5)(c): Reduce the rear lot line landscaping for unenclosed parking from 1.5m wide and 1.8m high to 0m for both.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

9.3 Development Variance Permit No. 00156 for 59 Cook Street

Committee received a report regarding an application for 59 Cook Street. The proposal is to create two lots, retaining the existing five-unit house conversion on the R1-B lot and construction of one new small lot house.

Action: It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that after giving notice, allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00488, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00156 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances for the existing parcel remainder:
 - a. Part 1.2.5 (b): Reduce the rear yard setback from 7.55m to 4.6m;
 - b. Schedule "C" (9): Reduce the parking aisle width from 7m to 3.6m;
 - c. Schedule "G" (5)(a): Reduce the rear yard landscaping minimum from 33% to 24.5%;
 - d. Schedule "G" (5)(c): Reduce the rear lot line landscaping for unenclosed parking from 1.5m wide and 1.8m high to 0m for both.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC226



Planning and Land Use Committee Report

For the Meeting of October 15, 2015

To: Planning and Land Use Committee **Date:** October 1, 2015

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

Subject: Development Variance Permit Application No. 00156 for 59 Cook Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice, allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00488, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00156 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances for the existing parcel remainder:
 - a. Part 1.2.5 (b): Reduce the rear yard setback from 7.55m to 4.6m;
 - b. Schedule "C" (9): Reduce the parking aisle width from 7m to 3.6m;
 - c. Schedule "G" (5)(a): Reduce the rear yard landscaping minimum from 33% to 24.5%;
 - d. Schedule "G" (5)(c): Reduce the rear lot line landscaping for unenclosed parking from 1.5m wide and 1.8m high to 0m for both.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 922 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 59 Cook Street. The proposal is create two lots, retaining the existing five-unit house conversion on the R1-B lot and constructing one new small lot house. The variances being requested to facilitate the two-lot subdivision are related to rear yard setbacks, parking aisle width, and rear yard landscaping.

The following points were considered in assessing this Application:

- The requested variances associated with the existing multiple dwelling house conversion are to reduce a rear yard setback (east side), reduce the parking aisle width and remove the rear yard lot line landscaping requirement.
- The proposed variances are required to facilitate the retention of the existing building and are a result of the introduction of a new property line and reconfigured parking and do not result in any changes to the actual building, which is proposed for heritage designation in conjunction with the Rezoning Application associated with this property.

BACKGROUND

Description of Proposal

The proposed variances are associated with the existing house conversion and are related to:

- reducing the rear yard (east) setback of the existing house
- reducing the parking aisle width (stall 5)
- reducing the rear yard landscaping area
- removing the screening requirement for parking along the rear lot line adjacent to the new small lot.

In addition, the following differences from the current R1-B Zone are existing non-conforming conditions:

- reduced side yard (north) setback from 3.03m to 2.83m
- reduced minimum floor area required for five units in a conversion from 445m² to 358m².

Sustainability Features

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

Active Transportation Impacts

The applicant will provide a six-stall bike rack for use by visitors to the multi-family residence. The existing building contains weather protected bike parking facilities for its tenants on the lower floor.

Public Realm Improvements

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

Existing Site Development and Development Potential

The site is currently in the R1-B Zone, Single Family Dwelling District.

Data Table

The following data table compares the proposed lot for the existing house conversion with the R1-B Zone. A single asterisk is used where a variance is being proposed. Two asterisks signify existing non-conforming conditions.

Zoning Criteria	Proposal	Zone Standard R1-B
Parcel Remainder (Existing House Conversion)		
Existing Site area (m ²) - minimum	1237	460
Proposed Site area (m ²) - minimum	909.5	460
Lot width (m) - minimum	30.03	15
Storeys - maximum	2	2
Site coverage % - maximum	25.53	40
Setbacks (m) - minimum		
Front (Cook St)	9.54	7.5
Rear (east)	4.6 *	7.55
Side (north)	2.83 **	30.3
Side on flanking street (Woodstock Ave)	6.82	3.5
Parking - minimum	4	4
Parking aisle width	3.6 (stall 5)*	7
Bicycle parking stalls – Class 1 (minimum)	5	5
Bicycle parking stalls – Class 2 (minimum)	8	6
Screening of surface parking - rear yard (minimum)	0 *	1.5 wide 1.8 high
Minimum floor area required for a five-unit conversion (m ²)	358 **	445
Minimum floor area for each unit (m ²)	57	33
Landscaping of total site (%)	51.6	30
Landscaping of rear yard (%)	24.5 *	33

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield-Gonzales CALUC at a Community Meeting held on May 25, 2015. The minutes from this meeting are 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

Rear Yard Setback Variance

The applicant is requesting to reduce the rear yard setback of the existing house conversion from 7.55m to 4.6m. This would allow a subdivision to create a new small lot while retaining the existing building. The location of the new house in relation to the existing building helps mitigate potential concern over privacy between the two buildings.

Parking Aisle Width Variance

The applicant is requesting a variance to reduce the required parking aisle width from 7m to 3.6m for stall 5. Staff recommend for Council's consideration that this is supportable because the car will still be able to pull out by backing into the driveway itself.

Rear Lot Line Landscaping Variance

The applicant is requesting a variance to reduce the rear lot line landscaping for unenclosed parking from 1.5m wide and 1.8m high to 0m for both. The rear lot line is located on the shared driveway access making it challenging to have landscaping without obstructing traffic.

Given that the impact of this variance will be on the new small lot house and not on an existing neighbour and that it will be mitigated with the introduction of landscaping on the small lot property, staff recommend for Council's consideration that this variance is supportable.

Rear Yard Landscaping Variance

The applicant is requesting a variance to reduce the rear yard landscaping from 33% to 24.5%. This is due to the shared driveway access, which is of a high quality. The overall site landscaping requirement for the lot would be exceeded (51.6% instead of 30%).

CONCLUSIONS

This proposal to construct a new small lot house requires variances associated with the existing house conversion. The variances will have a minor impact. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00156 for the property located at 59 Cook Street.

Respectfully submitted,



Rob Bateman
Planner
Development Services Division

am



Jonathan Tinney, Director
Sustainable Planning and Community
Development

Report accepted and recommended by the City Manager:



Date:

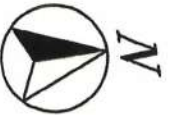
October 6, 2015

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter Mayor and Council dated July 7, 2015
- Minutes from Fairfield-Gonzales Community Association meeting (May 25, 2015)
- Small Lot Housing Rezoning Petition
- Plans dated September 15, 2015.



59 Cook Street
Rezoning #00488
Bylaw #

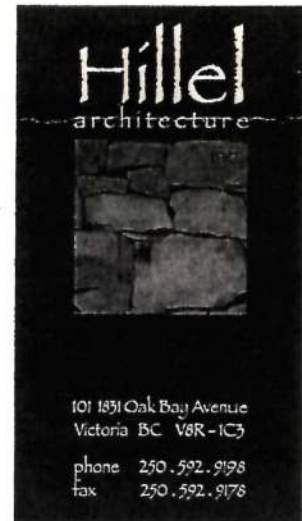
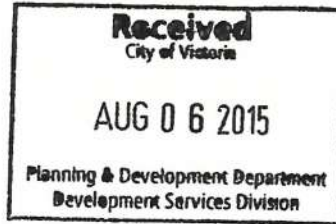




07 July 2015

59 Cook Street

Submitted on behalf of Conrad Nyren
(Dennis Eric Nyren)
3 - 59 Cook Street
Victoria BC V8V 3W7



RE: 59 Cook Street Redevelopment
Victoria BC
Proposal For Small Lot Subdivision

Attention Mayor and council, City of Victoria

Please find enclosed with this cover letter, a submission for the application of the small lot R1S2 zoning Bylaw to a subdivision of 59 Cook Street.

Hillel Architecture developed a conceptual solution for discussion with immediate neighbours, which demonstrated the current 59 Cook Street multi-family residence on a portion of the existing lot, being left undisturbed, and a smaller portion of the rear lot area being subdivided, creating a small lot conforming to the R1S2 zoning. The drawings proposed a single family home compliant with the zoning. This concept was introduced to the City Planning department similarly for initial commentary.

The enclosed submission has incorporated the commentary from 2 CALUC presentations, multiple meetings with direct neighbours, and update meetings with the planning department. The first CALUC meeting to the Neighbourhood Association membership was rewarding for owners and architect alike. A mostly complimentary evening, and concluding with a very limited list of concerns. The second CALUC meeting was rewarding by the lack of attendance, perhaps indicative of a lack of concern. This submission package also contains letters from directly affected neighbours, each stating that they are in support, some with complimentary additional comments. Throughout the process they state they have been involved and informed.

Design Outcome: The Site

The residence proposed complies with the small lot two storey zoning bylaw without requested variances. The proposal subdivides an original $\pm 1237 \text{ m}^2$ [$\pm 13,315 \text{ ft}^2$] property in to one 318.06 m^2 lot for the new residence conforming to R1S2, and one 918.86 m^2 Lot with its original R1-B zoning remaining with the existing home. The severance of this lot from the rear yard area of the original home reduces the rear yard setback to less than that prescribed by that original zone and therefore a variance is stated in this proposal that requests the consideration of reducing the permitted rear yard setback from 7.5 m to 4.6m on the parcel remainder. It should be noted at this time

Hillel Architecture Inc.

page 1 of 4

that the parcel remainder is still a substantial lot and remains at almost twice the minimum lot sizes permitted, with its front yard on the opposing side being 11.92m to the building face, and over 9.5m to its substantial colonnade.

As the original stately main building maintains its generous front yard and side yard setbacks on Woodstock Avenue, its prominence on this street corner is therefore not lessened by this proposal. In addition, the new home was designed to occupy the same location as the existing hipped roof two car garage, and is no closer to the neighbouring properties than this structure currently is, as a benefit to the neighbourhood and as a sign that we wished to minimize the impact of this new work. In the enclosed drawing package the streetscape illustrates what appears a completely normal streetscape, with side yard setbacks no closer and no denser than any other view corridor would show from the neighbourhood.

This proposal, by using the existing driveway entry, does not affect any current street trees, or boulevard greenspace. This landscaping maturity that is present - remains. Both neighbours and the owners alike prefer the mature trees, the existing stone fencing, and the matured hedging that remain both sides of this shared driveway entry.

The History

The existing building was originally designed as a multi-person / multy unit dwelling containing six residences (a brothel). These were five recognized legal suites for residents, and one "Chinaman" suite, whom was not recognized at that time as an equal . The "chinaman" (their term at the time, not ours) had a kitchen, a washroom, a living space and private sleeping quarters. All of us would recognize this as "another suite", another home, another dwelling. Each of us would refer to this building as containing six suites. At that time the City referred to it as five suites.

But the storey at 59 Cook Street has yet another twist on terminology. This building was renovated in 1944 to its current plans enclosed in this package. At that time the term "chinaman" was dropped, correctly, and the term "Janitors Suite" is shown on those drawings. It was therefore recognized as a five unit + janitors suite building. The "Janitor's " home still not recognized as equivalent to others in the building, but one step better, and the term no longer culturally discriminating, just discriminating in another manor. However, without recognizing the Janitor's suite as being equal to the others, the title remains listed as only 5 units.

Over time this Janitors suite became no longer rented to a resident janitor, and instead became rented to a resident. Occupied by six suites in this configuration, but on title being still recognized only as the five suites from the original brothel. These five legal units will be respected, and it is a pleasure to remove one last "discrimination" from this property title, although sadly not from recognizing it as equal, but from its removal.

Design Outcome – The proposal;

This proposal recognizes those units registered on title, and should this proposal be acceptable to council, this original six unit composition will return to its current legal entitlement of only five units in the main house, and

relocates an unrecognized sixth suite into the proposed new residence. A non-conforming six units becomes a conforming six units. No additional density is actually added to the neighbourhood, but the outcome becomes conforming, and in some ways, rights a past wrong doing, from another era long ago. *(Note: the outline above of the internal history is supported by documents, original drawings, and the subsequent 1944 renovation drawings.)*

Design character and materials;

The new home on Woodstock is a transition piece from the larger stately proportions of the 59 Cook Street original home, to the smaller cottage like qualities of neighbours. The design takes many design cues from neighbouring building volumes both beside and across the road, the desires of the owners, the mix of the casual cottage, and the crisp contemporary of the streetscape.

Interestingly, the original brothel contained a side entry in the form of a porte cochere so that gentlemen could be dropped off in a more discrete fashion. Today this Porte Cochere maintains its front porch like appearance on Woodstock Avenue. The immediate neighbour to the opposing side, also contains an attractive inviting front porch. The new building continues this tradition with a new entry gate, pathway, and porch facing the street. Similar to its cottage like neighbour, this porch is a social space, an attractive welcoming space that is also accessed from its prime living spaces inside, benefiting from the sun and views over the landscaped front yard.

Height and Setbacks

The proposed new residence is compliant with these zoning requirements.

Parking variance

The existing home, with its five legal suites requires to be serviced by a minimum of .8 stalls per dwelling according to Schedule C Parking Regulations. Therefore this existing multi-family residence requires 4 stalls. The new residence on its independent lot requires 1 stall as a single family residence. It was decided early on that the design would be developed to share the existing entry to the lot, and preserve the existing stone fence. Sharing a driveway entry allowed the parking to be concealed from the street and place these cars behind both buildings. By reciprocal easement agreements, registered on both properties, these two buildings share access to their independent parking facilities. In sharing a driveway, the increase in green space over the current condition will lessen the impact of this parking area than exists at this time. One can notice in the original ariel photo of this existing site, a large area of exposed concrete paving. In the new design the bulk of this paving area is moved further back out of view, and in its place a narrow driveway permits a greater area of landscaping serving to enclose and conceal from view, the rear parking area. The streetscape benefits, the neighbours benefit. A little more greenery gets added to our perception of the neighbourhood.

Bicycle Parking

The proposal contains a 6 bike rack for use by the multi-family residence for guests, as required by the Bylaw. The original 59 Cook Street contains class A bike parking facilities for its tenants in the lower floor area formerly the "Chinaman's Suite".

We trust the enclosed submission meets with submission requirements, and that through this process, eventually meets with acceptance of Council.

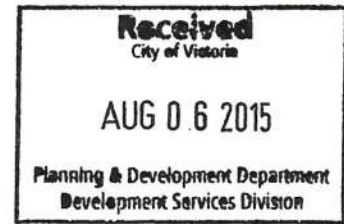
Yours sincerely,

HILLEL ARCHITECTURE INC.,

Karen Hillel MAIBC

**Minutes of Community Meeting
Planning and Zoning Committee
Fairfield-Gonzales Community Association (FGCA)
May 25, 2015**

Facilitators for the FGCA: George Zador (Chair)
Susan Snell
Ken Roueche

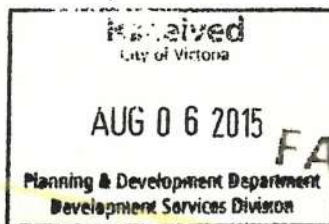


Subject property: 59 Cook St; small lot subdivision. (99 notices sent)
Proponent/ presenter Mr. Conrad Nyren
This project was presented previously in April 2014, but for personal reasons, the proponent did not proceed further at the time.

Attendance: 2 people, representing one neighbouring home.

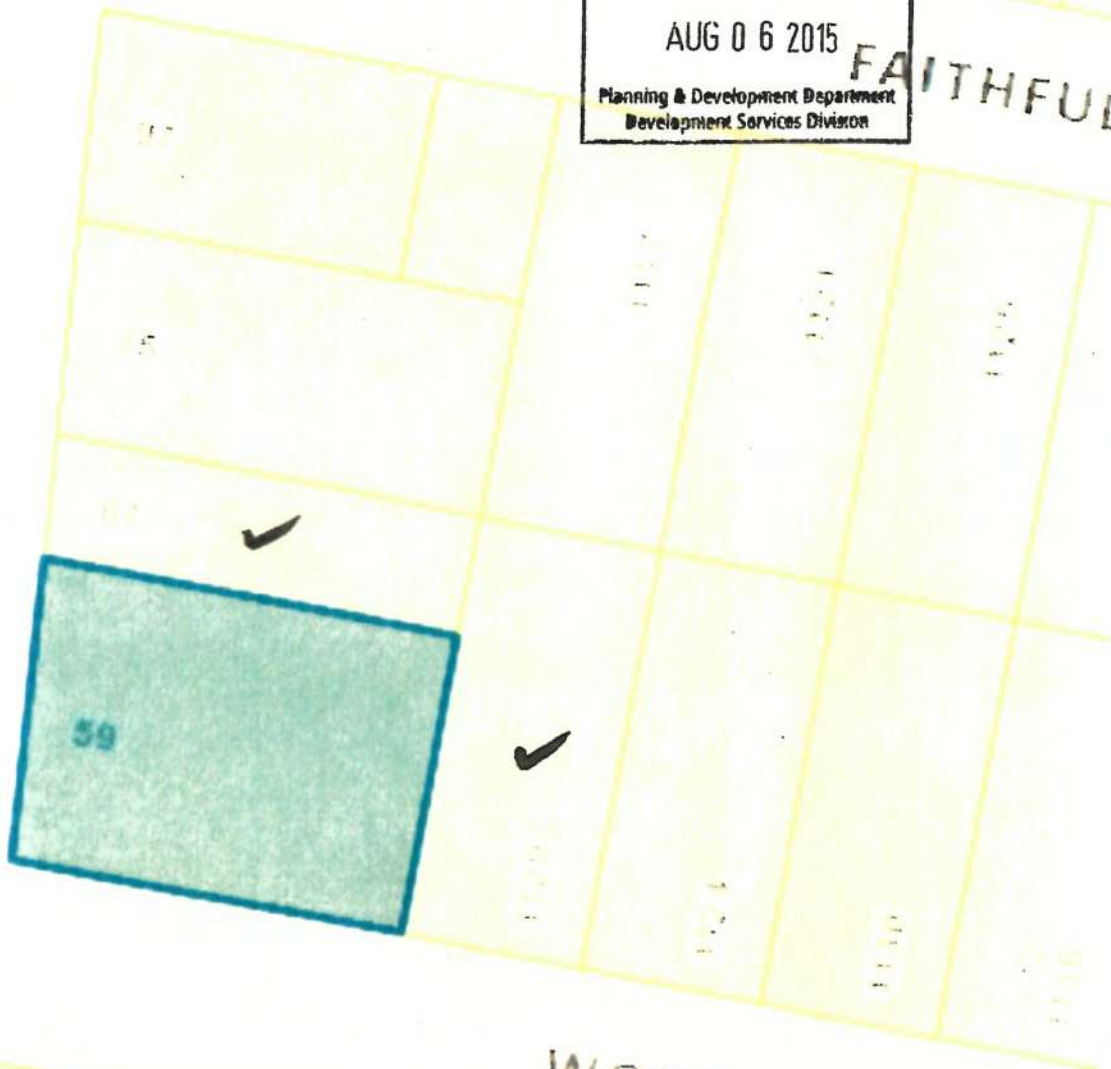
Attendee Questions and Comments:

- Familiar with the project from the earlier submission.
- Asked for details of site coverage, parking, etc. Proponent gave thorough explanation.
- Would the new house be for market: no, proponent lives in the main house at present, wants to build the home for his own family. On-site parking is provided.
- Concern about parking for workers during construction phase. Proponent will control.
- No objection to this project, but feels that further similar subdivisions would increase density which is undesirable in this neighbour's view.



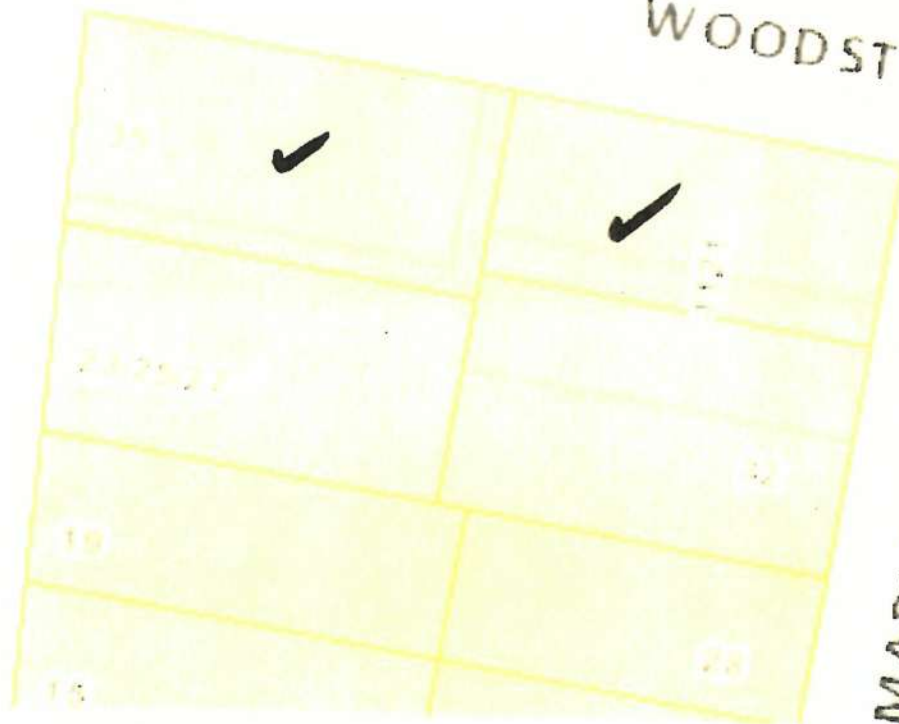
FAITHFUL

COOK ST



WOODSTOCK AVE

MARLBOROUGH ST



Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services DivisionSUMMARY
SMALL LOT HOUSE REZONING PETITIONI, CONRAD NYREN, have petitioned the adjacent neighbours* in compliance with
(applicant)the *Small Lot House Rezoning Policies* for a small lot house to be located at 59 COOK ST
(location of proposed house)and the petitions submitted are those collected by JUNE 19, 2015.**
(date)

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
35 COOK ST	✓		
67 COOK ST	✓		
1120 WOODSTOCK	✓		
1121 WOODSTOCK	✓		
UNIT 1-35 COOK (TENANT)			✓
" 2-35 COOK "			✓
" 3-35 COOK "			✓
" 4-35 COOK "			✓
" 5-35 COOK "			✓
" 6-35 COOK "			✓
" 7-35 COOK "			✓
" 8-35 COOK "			✓
" 9-35 COOK "			✓

SUMMARY	Number	%
IN FAVOUR	4	100%
OPPOSED	0	
TOTAL RESPONSES		100%

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

**Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 59 COOK STREET.

to the following Small Lot Zone: R1S2

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) JOSHUA KALEF (see note above)

ADDRESS: 35 COOK ST. VICTORIA V8V 3W7

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

THIS DENSIFICATION IS APPROPRIATE FOR
OUR NEIGHBORHOOD AND VISUALLY A NICE
IMPROVEMENT.

April 10/2015
Date

[Signature]
Signature

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN (print name), am conducting the petition requirements for the

property located at 59 Cook St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Anthony + Kathy Lavelle (see note above)

ADDRESS: 67 Cook St, Victoria, BC

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

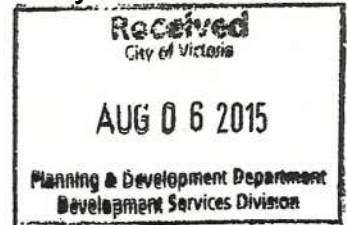
☐ I am opposed to the application.

Comments:

Everything looks good.

June 18/15
Date

Kathy Lavelle
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Wendy Payne
(print name)

, am conducting the petition requirements for the

property located at 59 Cook St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Wendy Payne (see note above)

ADDRESS: 1120 Woodstock Ave

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

I am completely satisfied with this
plan. Conrad Nyren is a good neighbour
who has kept me informed about his plans.

June 4/15
Date

Wendy Payne
Signature

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 59 COOK STREET

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) SHARON AND MIKE ROMANIE (see note above)

ADDRESS: 1121 WOODSTOCK AVE.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

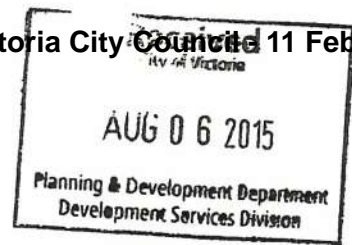
☐ I am opposed to the application.

Comments:

JUNE 18/2015
Date

Sharon Romani
Signature

REZONING AND DEVELOPMENT PROPOSAL FOR 59 COOK STREET



REQUEST TO MEET

Hello. my name is Conrad Nyren. I live right across Woodstock from you at 59 Cook Street at the corner of Woodstock and Cook.

I am in the process of making an application to the City of Victoria to rezone a portion of my property from R1B, single family zone, to RIS2, small lot two story zone, to permit a subdivision and construction of a new, smaller, single family home, located approximately where the existing garage is now located.

As part of my neighbourhood consultation process, I would greatly appreciate a few minutes of your time to familiarize you with the architectural and landscape plans and hear your comments. I attach a copy of the City's form "SMALL LOT REZONING PETITION"

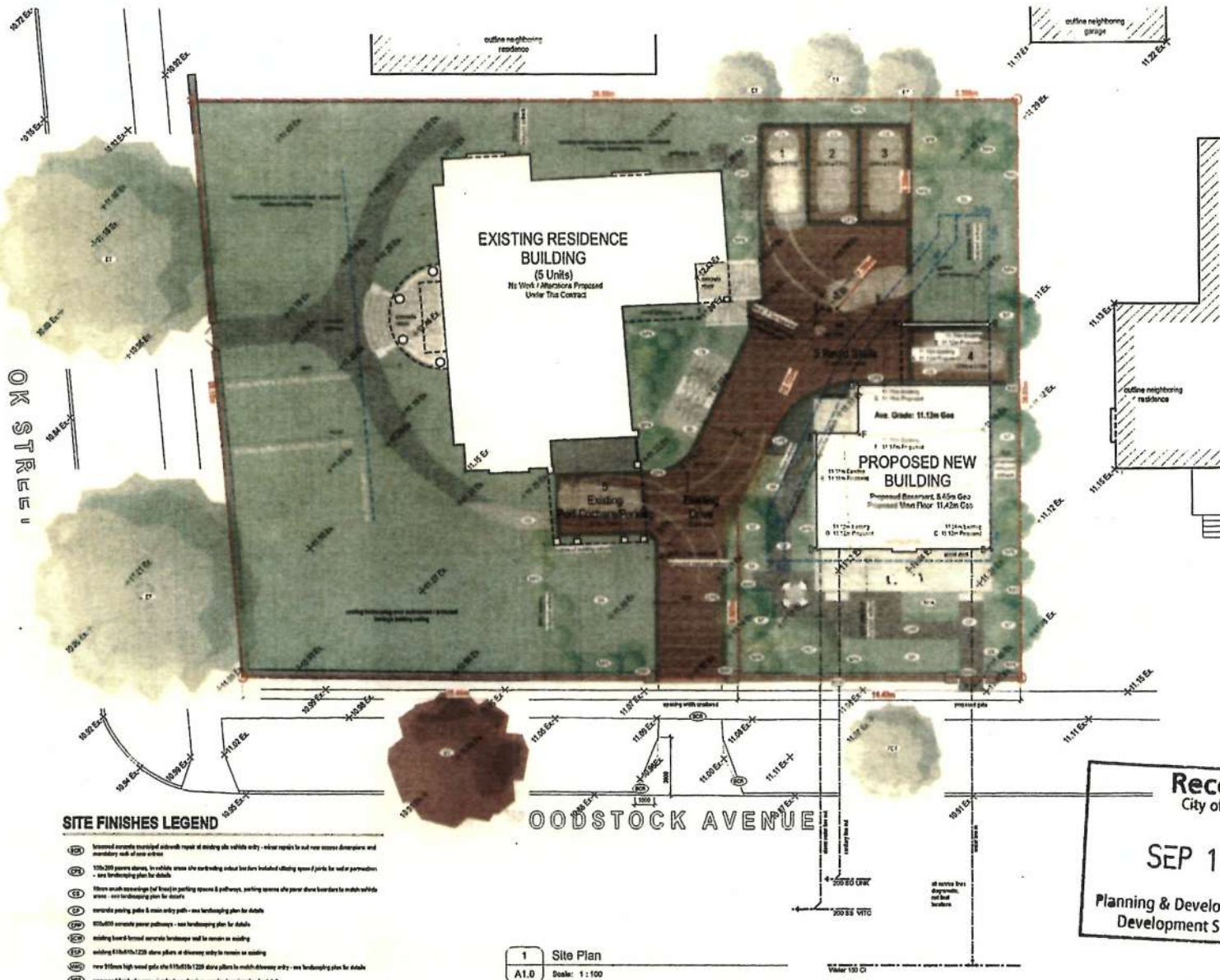
Please email or phone me to set up a time to meet, and thank you in advance for your time and consideration.

Conrad Nyren
59 Cook Street
April 10, 2015
email: conradnyren01@gmail.com
tel: 250 589 9520

DELIVERED BY HAND APRIL 10, 2015 TO:

35 COOK STREET UNITS 1 THRU 9

1157 WOODSTOCK UNITS 1 THRU 7



SITE FINISHES LEGEND

- (1) Proposed concrete municipal sidewalk repair at existing site vehicle entry - minor repairs to suit new access dimensions and secondary width of new entries
- (2) 150-200 percent slopes, to include areas where existing road bed has been included within space of grade for road or pedestrian - see landscaping plan for details
- (3) Storm water management (detention/parking spaces & pathways, parking spaces also provide storm water management to match site area - see landscaping plan for details
- (4) network parking, paths & main entry path - see landscaping plan for details
- (5) 800-1000 concrete paving pathways - see landscaping plan for details
- (6) existing formal landscape landscape will be retained as existing
- (7) existing 600-1000/1200 stone pillars at driveway entry to remain as existing
- (8) new 300mm high stone pillars at 600-1000/1200 stone pillars to match driveway entry - see landscaping plan for details
- (9) new wood finish stone retaining / driveway paving - see landscaping plan for details
- (10) 100-150mm stone 7-10mm like stone / 100-150mm stone 7-10mm like stone
- (11) existing trees to be maintained
- (12) existing trees to be removed to building and to be protected, grade to be maintained at base of tree - see landscaping plan for details
- (13) approximate location of new tree planting - see landscaping plan for details
- (14) approximate location of new groundcover / shrubbery planting area - see landscaping plan for details
- (15) overall or unlanded grass areas - see landscaping plan for details

1 Site Plan
A1.0 Scale: 1:100

LEGAL DATA

CLIENT
Conrad Flynn
Unit 3-59 Cook Street, Victoria BC V8V 3V7

LEGAL ADDRESS
Lot 2, Fairfield Farm Estate, Victoria Plan 9256

CIVIC ADDRESS
59 Cook Street, Victoria BC

SURVEY INFORMATION
based on legal survey by Powell & Associates
B.C. Land Surveyors Inc 9171-4

PROJECT DATA - PROPOSED SMALL LOT

REFERENCE ZONING	PROPOSED PROJECT	VARIANCES
ZONING	R1-52	R1-52
site area (m ²)	min. 300 m ²	319.04 m ²
site coverage %	max. 40 %	33.8 % (100m ²)
lot frontage at street (m)	min. 10 m	14.42 m
open site space % (hardscaping)	n/a	n/a
total floor area (m ²)	max. 100 m ²	141.29 m ² (84.11 m ² main & 57.18 m ² upper)
floor space ratio	0.80:1	0.42:1
height of building (m)	max. 7.5 m	8.9 m
number of stories	3 stories	3 stories
parking stalls on site	1 for new single family home as per Schedule C	access by proposed easement

SETBACKS	EXISTING	PROPOSED	VARIANCES
front (m)	5.0 m	5.0 m (Woodstock Ave.)	
rear (m)	5.0 m	11.81 m	
side (m)	1.5 m	1.5 m (front - no window)	
side (m)	2.0 m for any portion of a dwelling used for habitable space and has a window	2.0 m (side - window)	

PROJECT DATA - EXISTING PARCEL REMAINDER

CURRENT ZONING	EXISTING PARCEL REMAINDER	VARIANCES
ZONING	R1-8	R1-8
site area (m ²)	min. 400 m ²	910.68 m ²
site coverage %	max. 40 %	6.22 % (a 232.21 m ² existing)
lot width (m)	15m	30.15 m
open site space % (hardscaping)	n/a	-
total floor area (m ²)	max. 420 m ² for all floors (for lots greater than 600 m ²)	a 284 m ² existing unlanded
floor space ratio	n/a	-
height of building (m)	max. 7.5 m	existing unlanded
number of stories	3 stories	3 stories
parking stalls on site	as per Schedule C 0.6 stall per dwelling + 5 units + 4 spaces for 50 Cook	access to parking through a proposed easement

SETBACKS	EXISTING	PROPOSED	VARIANCES
front (m)	7.5 m	11.82 m (Cook St.)	(existing unlanded)
rear (m)	7.5 m or 20% of lot depth (whichever is greater)	reproposed variance to decrease required 7.5m setback by 2.5m to equal a 5.0m rear setback	
side (m)	1.5 m or 10% of the lot width (whichever is greater)	2.83 m (existing unlanded)	
side (m)	2.5m or 10% of the lot width (whichever is greater)	6.92 m (Woodstock Ave.)	(existing unlanded)

AVERAGE GRADE CALCULATIONS

SEQUENCE	Start	Finish	Average	Distance	Profile	Total Station	Profile	Average Grade
AB	11.92	11.92	11.92	4.00	198.40	471.72	471.72	11.92
BC	11.92	11.92	11.92	12.40	198.40	471.72	471.72	11.92
CD	11.92	11.92	11.92	0.81	97.87	471.72	471.72	11.92
DE	11.92	11.92	11.92	0.81	97.87	471.72	471.72	11.92
EF	11.92	11.92	11.92	2.98	249.92	471.72	471.72	11.92
FG	11.92	11.92	11.92	1.17	12.00	471.72	471.72	11.92
GA	11.92	11.92	11.92	0.42	35.14	471.72	471.72	11.92
TOTAL				42.52	472.72			11.92

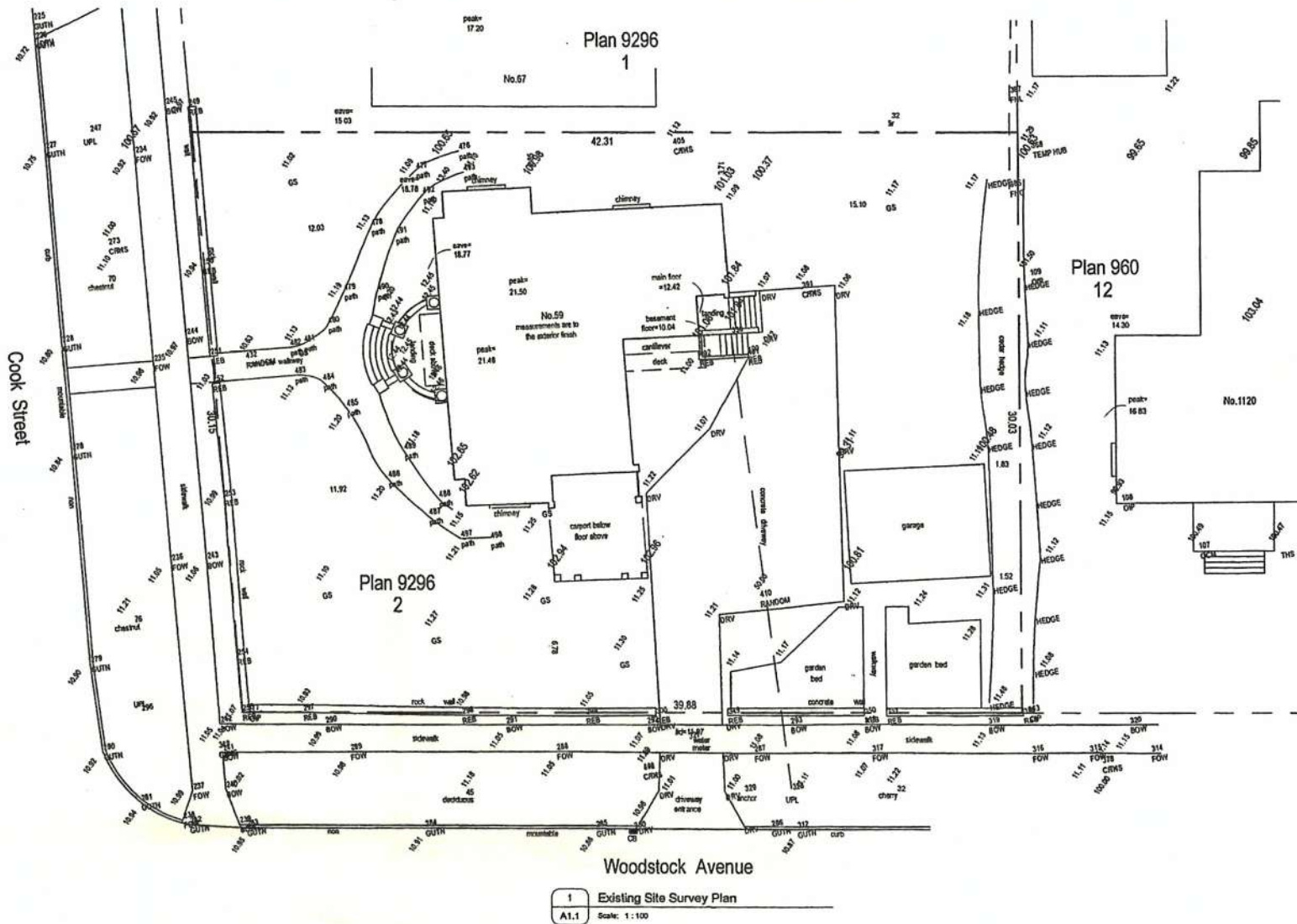
Received
City of Victoria
SEP 15 2015
Planning & Development Department
Development Services Division

Hillier architecture

Small Lot at 59 Cook Street

Project Data / Site Plan

11 Feb 2016



LEGAL DATA

CLIENT
Corral Signs
Unit 3 - 59 Cook Street, Victoria BC V8V 3W7

LEGAL ADDRESS
Lot 2, Fairford Farm Estate, Victoria, Plan 9296

CHRD ADDRESS
59 Cook Street, Victoria BC

SURVEY INFORMATION
based on legal survey by Powell & Associates
B.C. Land Surveyors, Inc. 9171 - 4



2 Context Site Plan
A1.1 Not to Scale

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City of Victoria
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Development Services Division





Cook Street - Subject Property Existing Residence



Woodstock Avenue - Adjacent Neighboring Properties Across Street



Woodstock Avenue - Subject Property Existing Residence



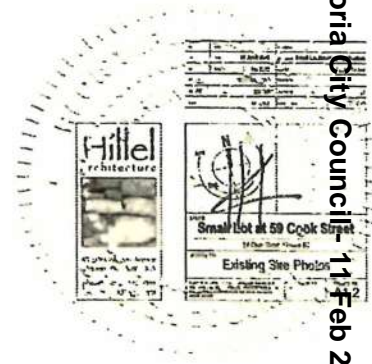
Woodstock Avenue - Subject Property & Project Area

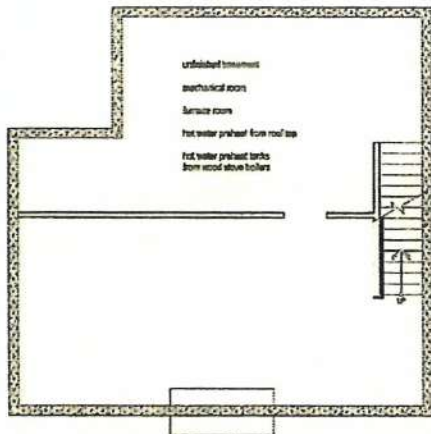


Woodstock Avenue - Adjacent Neighboring Properties

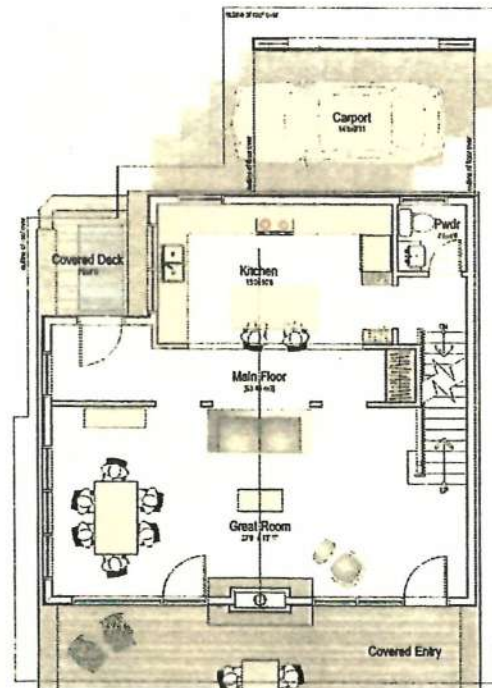


Woodstock Avenue - Neighboring Properties

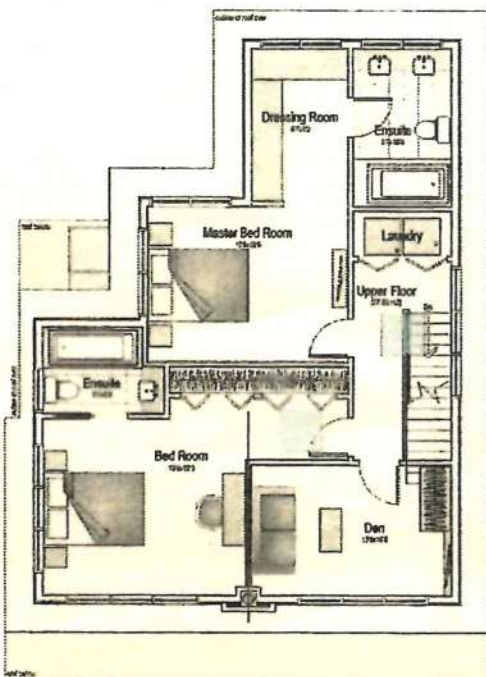




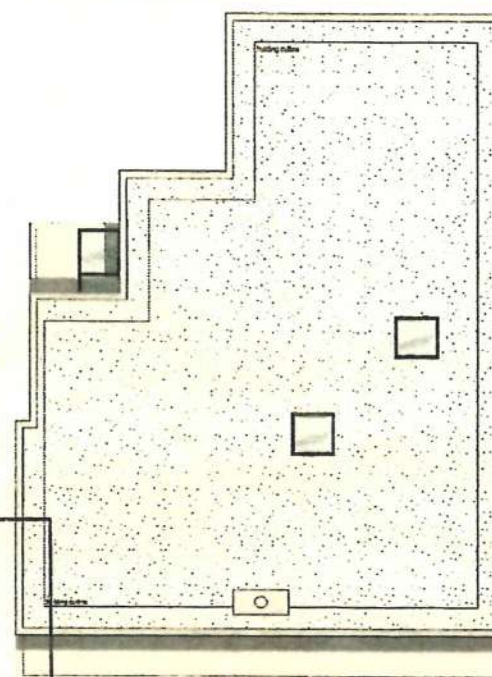
1 Basement Floor Plan
A2.1 Scale: 1:50



2 Main Floor Plan
A2.1 Scale: 1:50



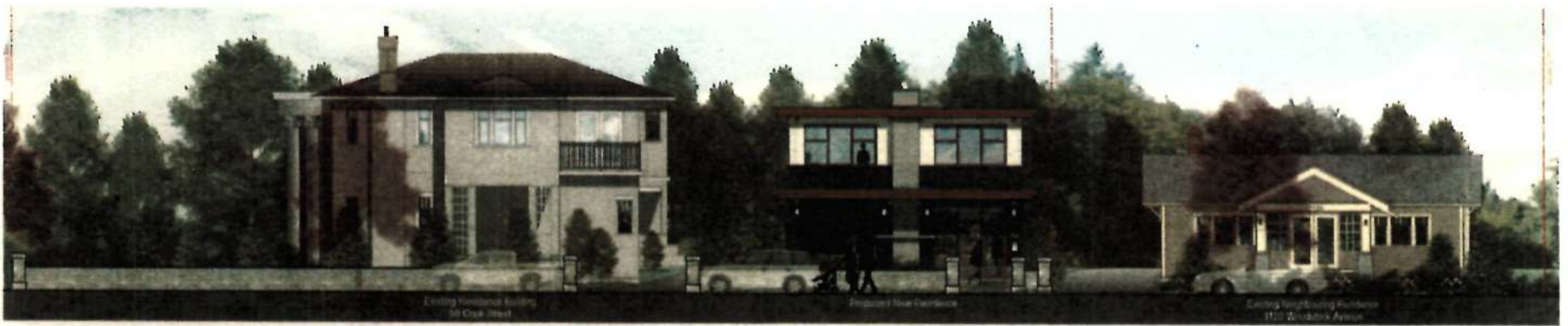
3 Upper Floor Plan
A2.1 Scale: 1:50



3 Roof Plan
A2.1 Scale: 1:50

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AUG 06 2015
Planning & Development Department
Development Services Division





1 Streetscape Elevation - Woodstock Ave
A3.1 Scale: 1:75

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City of Victoria
AUG 06 2015
Planning & Development Department
Development Services Division

Hillel Architecture
2245 Oak Bay Avenue
Victoria BC V8M 4K3
Phone: 250-377-7788
Fax: 250-391-1299

Small Lot at 59 Creek Street
Streetscape Elevation

Project: Small Lot at 59 Creek Street, 750
Drawing No: [blank]
Drawing Date: [blank]
Drawing Title: Streetscape Elevation
Drawing Scale: 1:75
Drawing Date: [blank]
Drawing Title: Streetscape Elevation
Drawing Scale: 1:75

ELEVATION FINISH LEGEND

List of finishes typical of all elevations

- (01) Pre-finished metallic gray steel finishing
- (02) Wood fence boards - clear Silbana Coat finish
- (03) Exposed wood beams - clear Silbana Coat finish
- (04) Exposed cedar soffit - warm gray stain, clear pre-finished metal perimeter vent strip
- (05) Cement based stucco, smooth finish - light gray colour
- (06) Cedar siding, 100mm exposure - warm charcoal gray stain color
- (07) Exposed board-form concrete chimney - sealed finish
- (08) Wood window units & doors - clear glass panels - clear Silbana Coat finish
- (09) Exposed board-form concrete elements - sealed finish
- (10) Minimal stone retaining walls to match existing - Arch spec colour
- (11) Building mounted down lighting & feature lighting
- (12) Cement based stucco, smooth finish - warm gray colour



1 Front Elevation (South)
A3.2 Scale: 1:50



2 Side Elevation - (West)
A3.2 Scale: 1:50



ELEVATION FINISH LEGEND

List of finishes typical of all elevations

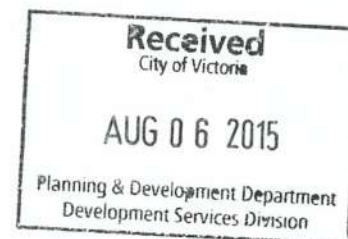
- (01) Pre-finished metallic gray steel flanking
- (02) Wood fascia boards - clear Silken's Catal finish
- (03) Exposed wood beams - clear Silken's Catal finish
- (04) Exposed cedar soffit - warm gray stain, clear pre-finished metal perimeter vent wrap
- (05) Cement based stucco, smooth bowl finish - light gray colour
- (06) Cedar siding, 100mm exposure - warm charcoal gray stain colour
- (07) Exposed board-form concrete chimney - stained finish
- (08) Wood window units & doors w/ glass panes - clear Silken's Catal finish
- (09) Exposed board-form concrete elements - stained finish
- (10) Natural stone retaining walls to match existing - Arch spec colour
- (11) Building mounted down lighting & feature lighting
- (12) Cement based stucco, smooth bowl finish - warm gray colour



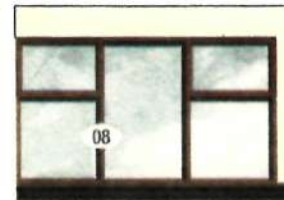
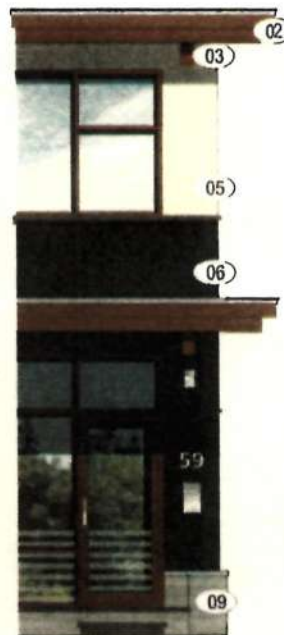
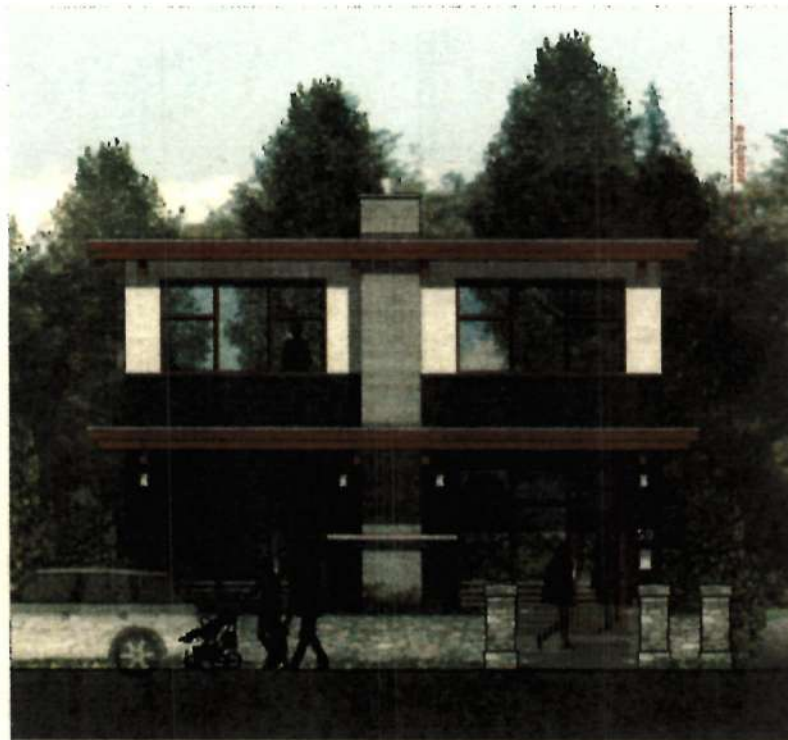
1 Rear Elevation (North)
A3.3 Scale: 1:50



2 Side Elevation - (East)
A3.3 Scale: 1:50



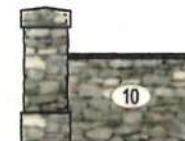
Colour And Materials Palette



ELEVATION FINISH LEGEND

List of finishes typical of all elevations

- 01 Pre-finished metallic gray steel flashing
- 02 Wood fascia boards - clear Sikken's Cetol finish
- 03 Exposed wood beams - clear Sikken's Cetol finish
- 04 Exposed cedar soffit - warm gray stain, c/w prefinished metal perimeter vent strip
- 05 Cement based stucco, smooth trowel finish - light gray colour
- 06 Cedar siding, 100mm exposure - warm charcoal gray stain colour
- 07 Exposed board-form concrete chimney - sealed finish
- 08 Wood window units & doors c/w glazing panels - clear Sikken's Cetol finish
- 09 Exposed board-form concrete elements - sealed finish
- 10 Natural stone retaining walls to match existing - Arch spec colour
- 11 Building mounted down lighting & feature lighting
- 12 Cement based stucco, smooth trowel finish - warm gray colour



DEVELOPMENT PERMIT APPLICATION SUBMISSION
SMALL LOT AT 59 COOK STREET
 59 COOK STREET, VICTORIA, BC

AUG 06 2015

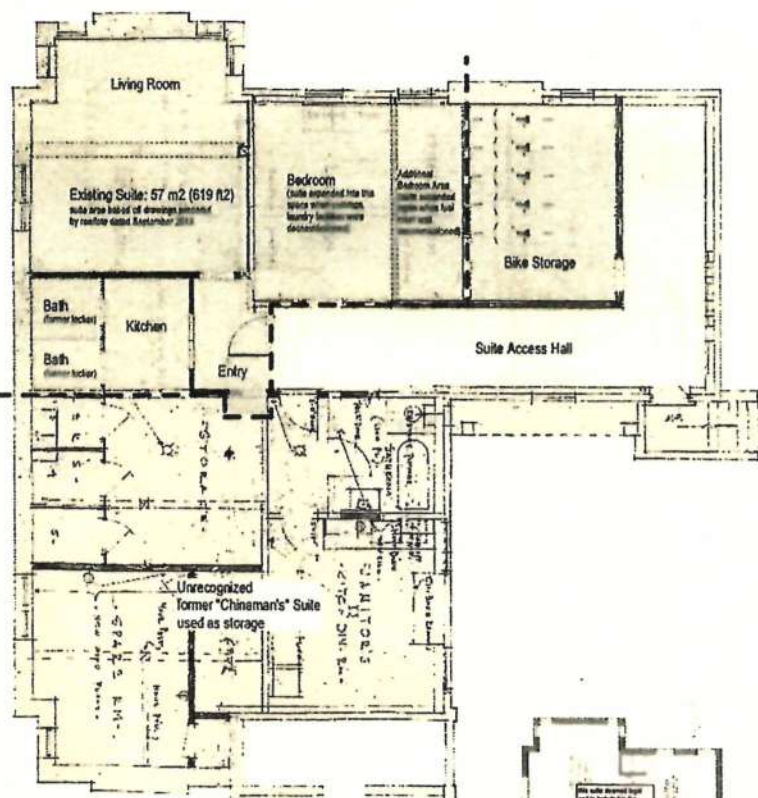
Planning & Development Department
 Development Services Division

Victoria City Council - 11 Feb 2016



1 Building Section
A4.1 Scale: 1:50





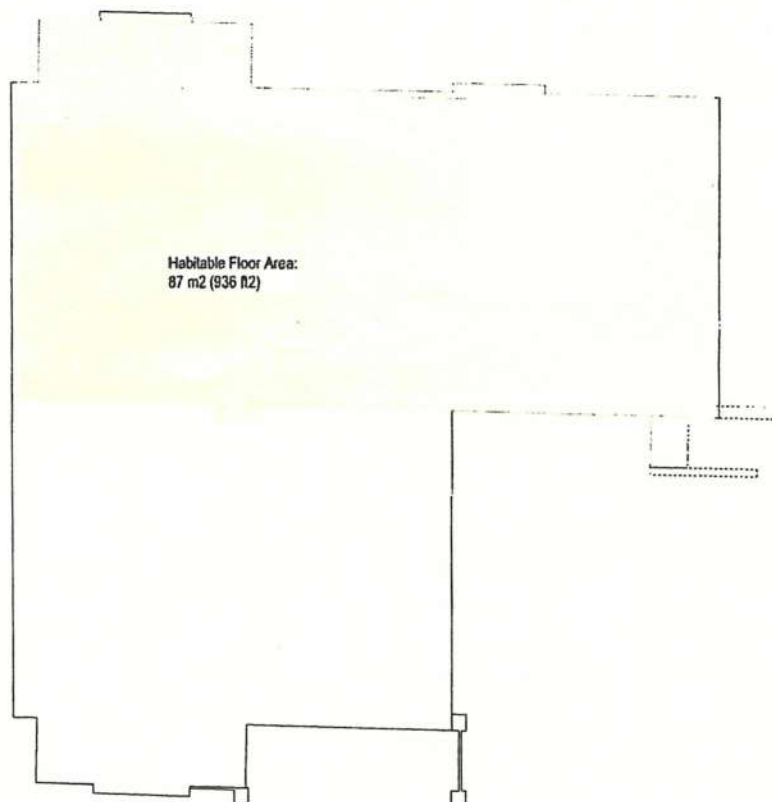
Existing Basement Floor Plan [By Others]

Scale: 1 : 50



Existing Basement Floor Area

Scale: 1:50



Habitable Floor Area:
87 m2 (936 ft2)

LEGAL DATA

CLIENT
Corrad Nyrén
unit 3 - 59 Cook Street, Victoria BC V8V 3W7

CRVC ADDRESS
59 Cook Street, Victoria BC

LEGAL ADDRESS
Lot 2, Fairfield Farm Estate, Victoria. Plan 9290

SURVEY INFORMATION
based on legal survey by Power & Associates
B.C. Land Surveyors file 9171-4

PROJECT DATA - EXISTING PARCEL REMAINDER

PROPOSED PROJECT DATA		EXISTING PROJECT DATA	
CURRENT ZONING		CURRENT ZONING	
20000000	R1-B	R1-B	
site area (±)	site: 480 ac	site: 65 ac	
site coverage %	max. 48 %	± 23.21 % (± 727 21 ac existing)	
site width (±)	15m	20.15 m	
open site open % (landscaping)	r/o	-	
total floor area (±)	max. 420 m ² for all floors (for lots greater than 100 ac)	± 250 m ² existing	
floor space rule	r/o		
height of building (±)	max. 7.5 m	existing: undated	
number of stories	2 stories	2 stories	
parking slots on site	as per Schedule C		
	8.5 slots per building ± 5 units		
	4 spaces for 50 Cook		
		increase to parking through a request of amendment	
bicycle parking	1 per unit plus a square rack	1 slot ± 5 per unit in basement, plus a 8 square ground rack	
SETBACKS:			
front (±)	7.5 m	11.32 m (Cook 21) (existing undated)	
rear (±)	7.5 m or 25% of lot depth (whichever is greater)	requested reduction for decrease required 7.5m setback by 15.5m to equal a 5.0m rearset setback	
side (±) (±)	1.5 m or 10% of the lot width (whichever is greater)	2.5 m	
side (±) (±)	3.0 m or 10% of the lot width (whichever is greater)	6.52 m (Stratford, Ave.)	

SCHEDULE 'G' - HABITABLE AREA

CURRENT ZONING		EXISTING PARCEL
HABITABLE FLOOR AREA:		
Basement	-	87 sq ft (338 sq ft)
First Floor	+	163 sq ft (1,778 sq ft)
Second Floor	-	133 sq ft (2,877 sq ft)
Total	445 sq ft = 5 dwelling units allowable per Schedule V	483 sq ft (5,793 sq ft) 5 existing dwelling units

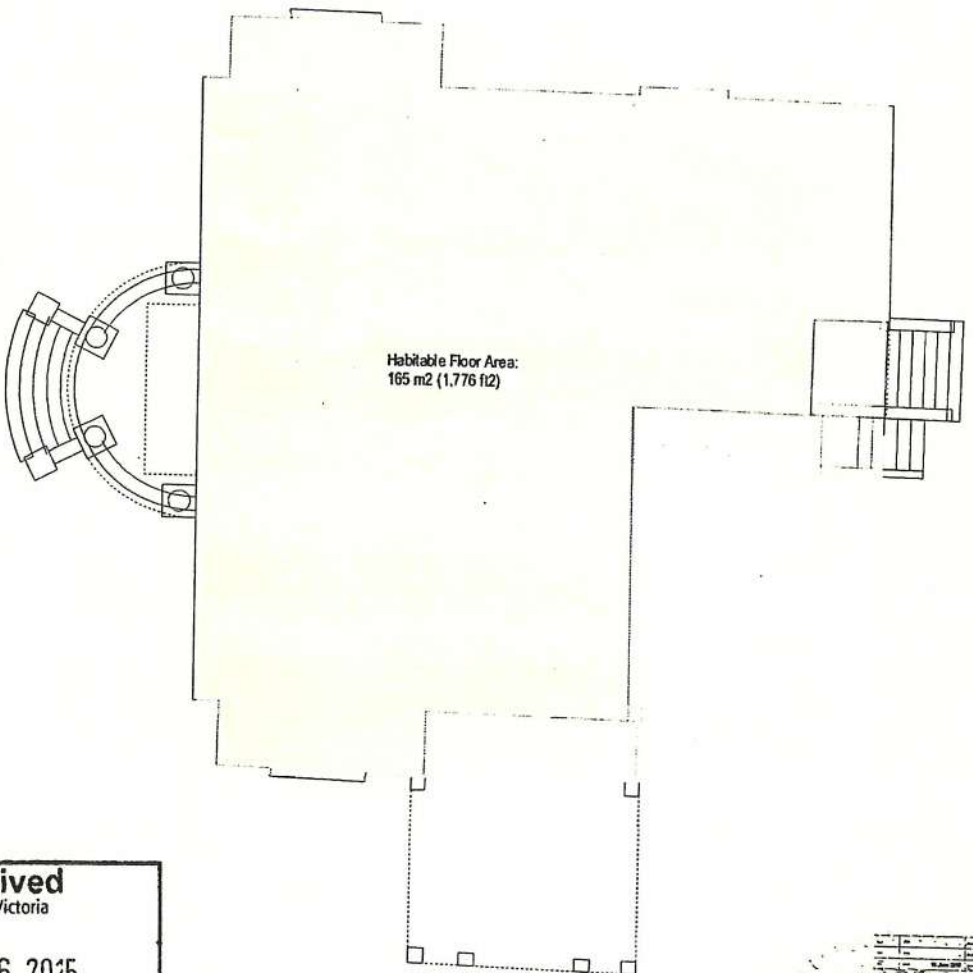
Victoria City Council 11 Feb 2016



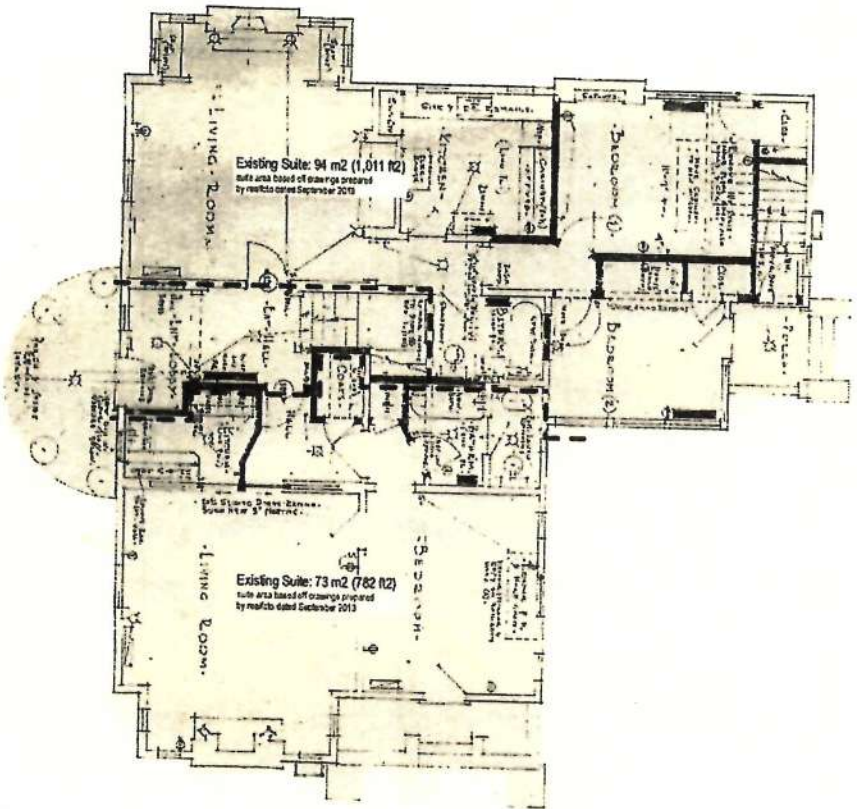
Received
City of Victoria

SEP 15 2015

Planning & Development Department
Development Services Division



2 Existing First Floor Area
Scale: 1:50

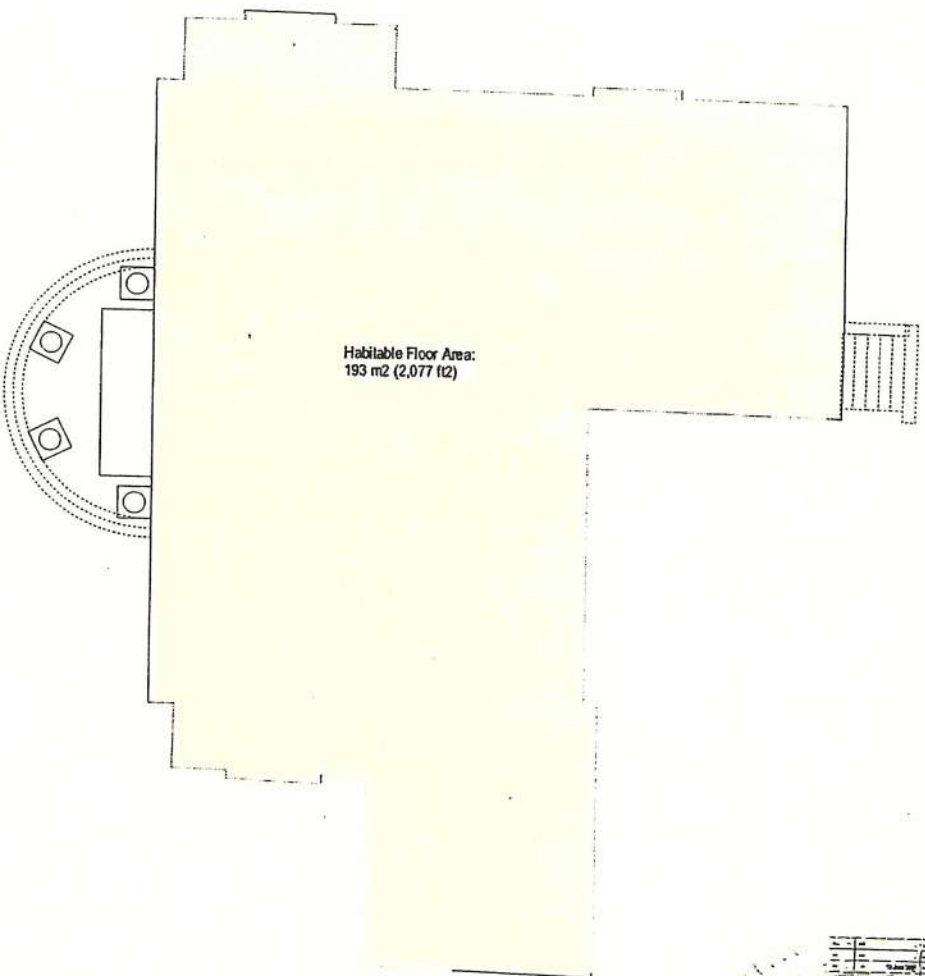


1 Existing First Floor Plan [By Others]
Scale: 1:50

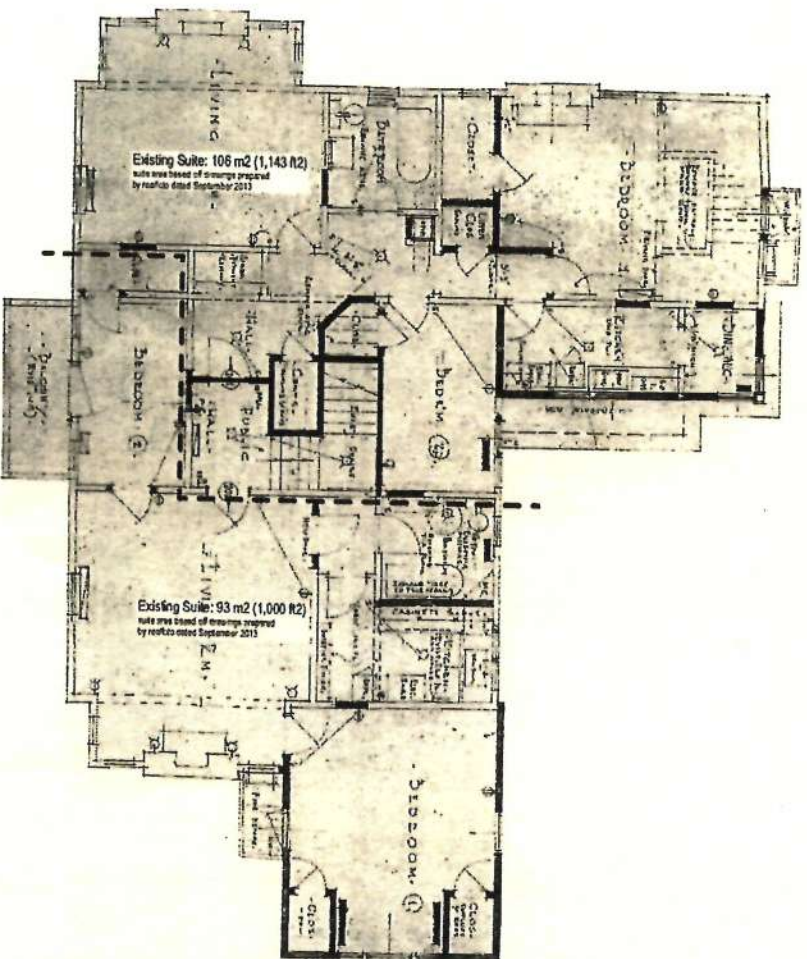
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City of Victoria

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2 Existing Second Floor Area
Scale: 1:50



1 Existing Second Floor Plan [By Others]
Scale: 1:50

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LEGEND

PROPOSED PLANTING



PROPOSED GARDEN TREES



PROPOSED GROUND COVERS



PROPOSED LAWN / SOO

PROPOSED HARD SURFACES

PERMEABLE PAVERS, such as "Axiapave" by Abbotsford Concrete Products

CAST IN PLACE CONCRETE

CONCRETE UNIT PAVERS

 BIKE RACK

NOTES:

NOTES:
• PROPOSED GRADES ARE APPROXIMATE,
CIVIL ENGINEER TO DESIGN RAIN WATER
COLLECTION & DRAINAGE SYSTEM.

* WITHIN THE DEVELOPMENT SITE THERE ARE NO "PROTECTED" TREES



NEW GOOD NEIGHBOUR WOOD FENCE
ON EAST PROPERTY LINE OF SINGLE FAMILY HOME
AND WEST PROPERTY LINE
SCALE 1:50

Lumber: Western Red Cedar, Grade #2.
Finish: Sikkens Catol or equal approved.
Colour to match as shown and selection.

[illegible]

LANDSCAPE STANDARDS
THE LANDSCAPE WORKS SHALL BE CARRIED OUT IN ACCORDANCE WITH THE PROVISIONS OF THE LATEST EDITION OF THE BC LANDSCAPE STANDARD. LAWN & PLANTINGS SHALL BE IRRIGATED WITH AN AUTOMATED LOW VOLUME UNDERGROUND SYSTEM CONFORMING TO MUNICIPAL PLUMBING CODES.



- September 2012
 - starting to adjust to parking w/ P3 added
 - road signs changed to flat road
- 7 July 2011
 - toilet long garbage and house drained
- 1 July 2011
 - property: Some advised to try and purchase another flat driveway
 - parking lot gravel surface was put in and will cost more than 100,000
- 19 May 2011
 - parking lot fully reduced to 4,
 - garbage storage area separated
 - vegetable garden area moved
 - property lines adjusted to match architectural
 - some of the house moved a bit to the S
- 13 June 2011
 - parking lot reduced to 6,
 - better parking location changed,
 - driveway increased to 16 ft.
- 25 March 2011
 - house was sold as per City of Victoria Planning Dept. report

ISSUE TYPE **DATE**

☐ CONSTRUCTION

☐ FEEDBACK

☐ DR APPLICATION

☒ CLOSURE REQUEST

12/16/2004

Received
City of Victoria

SEP 15 2015

**Planning & Development Department
Development Services Division**

PLAN
SCALE 1:100

Date	16/02/2014	Sheet	
Drawn	CAR		
Checked			
Scale	As shown		

REPORTS OF THE COMMITTEES

2. Planning and Land Use Committee – October 15, 2015

3. Development Permit Application No. 00488 for 59 Cook Street

It was moved by Councillor Coleman, seconded by Councillor Alto, that after the Public Hearing for Rezoning Application No. 00488, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00488 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

9.2 Development Permit Application No. 00488 for 59 Cook Street

Committee received a report regarding an application for 59 Cook Street. The proposal is to create two lots, retaining the existing five-unit house conversion on the R1-B lot and construction of one new small lot house.

Action: It was moved by Councillor Isitt, seconded by Councillor Alto, that Committee recommends that after the Public Hearing for Rezoning Application No. 00488, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00488 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC225



Planning and Land Use Committee Report For the Meeting of October 15, 2015

To: Planning and Land Use Committee **Date:** October 1, 2015

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

Subject: Development Permit Application No. 00488 for 59 Cook Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and, after the Public Hearing for Rezoning Application No. 00488, if it is approved, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00488 for 59 Cook Street, in accordance with:

1. Plans date stamped September 15, 2015.
2. 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 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 920 (8) of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 59 Cook Street. The proposal is to create two lots, retaining the existing five- unit house conversion on the R1-B lot and constructing one new small lot house.

The following point was considered in assessing this Development Permit Application associated with the small lot house:

- The proposal is consistent with the objectives and guidelines for sensitive infill contained in Development Permit Area 15A: Intensive Residential – Small Lot of the *Official Community Plan 2012* (OCP).

BACKGROUND

Description of Proposal

The proposal is for a small lot house. Specific details include:

- two-storey building
- contemporary design with elements such as horizontal lines, a flat roof, exposed wood beams and large windows facing the street
- exterior materials include cedar and stucco siding, wood fascia boards, beams and soffits
- parking would be provided between the existing and new houses with a shared access driveway
- new hard and soft landscaping would be introduced.

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 the small lot house proposal.

Public Realm Improvements

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

Existing Site Development and Development Potential

The site is currently in the R1-B Zone, Single Family Dwelling District.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield-Gonzales CALUC at a Community Meeting held on May 25, 2015. The minutes from this meeting are attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot. The proposed design of the new small lot house is consistent with the *Design Guidelines for Small Lot House* (2002).

The proposal is for a two-storey single family house. The small lot house has a contemporary design incorporating architectural elements such as horizontal lines, a flat roof, exposed wood beams and large windows facing the street. Windows are maximized on the front elevation and minimized at the rear and on the side facing the adjacent existing single family house.

The required number of parking stalls would be provided between the existing house conversion and the proposed small lot house with a shared access off Woodstock Avenue. The new small lot house would have one stall located in a car port under the second storey.

The applicant is proposing a mix of hard and soft landscaping in the front and rear yards of both properties. Permeable pavers are proposed for the driveway and parking stalls.

CONCLUSIONS

The proposal is to construct a new small lot house and is consistent with Development Permit Area 15A: Intensive Residential – Small Lot. The small lot house is a form of sensitive infill development and, despite not being of traditional style, fits in with the existing neighbourhood. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 00488 for the property located at 59 Cook Street.

Respectfully submitted,



Rob Bateman, Planner
Development Services Division

am



Jonathan Tinney, Director
Sustainable Planning and Community
Development



Report accepted and recommended by the City Manager:

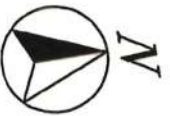
Date: October 6, 2015

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter Mayor and Council dated July 7, 2015
- Minutes from Fairfield-Gonzales Community Association meeting (May 25, 2015)
- Small Lot Housing Rezoning Petition
- Plans dated September 15, 2015.

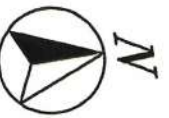


59 Cook Street
Rezoning #00488
Bylaw #





59 Cook Street
Rezoning #00488
Bylaw #





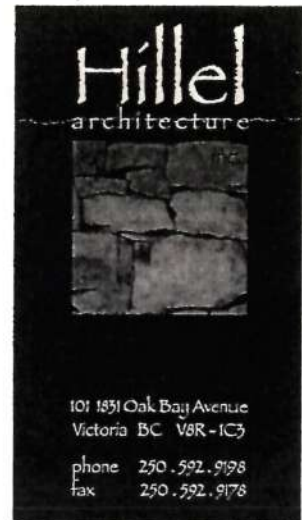
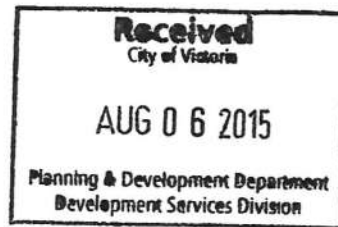
59 Cook Street
Rezoning #00488
Bylaw #



07 July 2015

59 Cook Street

Submitted on behalf of Conrad Nyren
(Dennis Eric Nyren)
3 - 59 Cook Street
Victoria BC V8V 3W7



RE: 59 Cook Street Redevelopment
Victoria BC
Proposal For Small Lot Subdivision

Attention Mayor and council, City of Victoria

Please find enclosed with this cover letter, a submission for the application of the small lot R1S2 zoning Bylaw to a subdivision of 59 Cook Street.

Hillel Architecture developed a conceptual solution for discussion with immediate neighbours, which demonstrated the current 59 Cook Street multi-family residence on a portion of the existing lot, being left undisturbed, and a smaller portion of the rear lot area being subdivided, creating a small lot conforming to the R1S2 zoning. The drawings proposed a single family home compliant with the zoning. This concept was introduced to the City Planning department similarly for initial commentary.

The enclosed submission has incorporated the commentary from 2 CALUC presentations, multiple meetings with direct neighbours, and update meetings with the planning department. The first CALUC meeting to the Neighbourhood Association membership was rewarding for owners and architect alike. A mostly complimentary evening, and concluding with a very limited list of concerns. The second CALUC meeting was rewarding by the lack of attendance, perhaps indicative of a lack of concern. This submission package also contains letters from directly affected neighbours, each stating that they are in support, some with complimentary additional comments. Throughout the process they state they have been involved and informed.

Design Outcome: The Site

The residence proposed complies with the small lot two storey zoning bylaw without requested variances. The proposal subdivides an original $\pm 1237 \text{ m}^2$ [$\pm 13,315 \text{ ft}^2$] property in to one 318.06 m^2 lot for the new residence conforming to R1S2, and one 918.86 m^2 Lot with its original R1-B zoning remaining with the existing home. The severance of this lot from the rear yard area of the original home reduces the rear yard setback to less than that prescribed by that original zone and therefore a variance is stated in this proposal that requests the consideration of reducing the permitted rear yard setback from 7.5 m to 4.6m on the parcel remainder. It should be noted at this time

Hillel Architecture Inc.

page 1 of 4

that the parcel remainder is still a substantial lot and remains at almost twice the minimum lot sizes permitted, with its front yard on the opposing side being 11.92m to the building face, and over 9.5m to its substantial colonnade.

As the original stately main building maintains its generous front yard and side yard setbacks on Woodstock Avenue, its prominence on this street corner is therefore not lessened by this proposal. In addition, the new home was designed to occupy the same location as the existing hipped roof two car garage, and is no closer to the neighbouring properties than this structure currently is, as a benefit to the neighbourhood and as a sign that we wished to minimize the impact of this new work. In the enclosed drawing package the streetscape illustrates what appears a completely normal streetscape, with side yard setbacks no closer and no denser than any other view corridor would show from the neighbourhood.

This proposal, by using the existing driveway entry, does not affect any current street trees, or boulevard greenspace. This landscaping maturity that is present - remains. Both neighbours and the owners alike prefer the mature trees, the existing stone fencing, and the matured hedging that remain both sides of this shared driveway entry.

The History

The existing building was originally designed as a multi-person / multy unit dwelling containing six residences (a brothel). These were five recognized legal suites for residents, and one "Chinaman" suite, whom was not recognized at that time as an equal . The "chinaman" (their term at the time, not ours) had a kitchen, a washroom, a living space and private sleeping quarters. All of us would recognize this as "another suite", another home, another dwelling. Each of us would refer to this building as containing six suites. At that time the City referred to it as five suites.

But the storey at 59 Cook Street has yet another twist on terminology. This building was renovated in 1944 to its current plans enclosed in this package. At that time the term "chinaman" was dropped, correctly, and the term "Janitors Suite" is shown on those drawings. It was therefore recognized as a five unit + janitors suite building. The "Janitor's " home still not recognized as equivalent to others in the building, but one step better, and the term no longer culturally discriminating, just discriminating in another manor. However, without recognizing the Janitor's suite as being equal to the others, the title remains listed as only 5 units.

Over time this Janitors suite became no longer rented to a resident janitor, and instead became rented to a resident. Occupied by six suites in this configuration, but on title being still recognized only as the five suites from the original brothel. These five legal units will be respected, and it is a pleasure to remove one last "discrimination" from this property title, although sadly not from recognizing it as equal, but from its removal.

Design Outcome – The proposal;

This proposal recognizes those units registered on title, and should this proposal be acceptable to council, this original six unit composition will return to its current legal entitlement of only five units in the main house, and

relocates an unrecognized sixth suite into the proposed new residence. A non-conforming six units becomes a conforming six units. No additional density is actually added to the neighbourhood, but the outcome becomes conforming, and in some ways, rights a past wrong doing, from another era long ago. *(Note: the outline above of the internal history is supported by documents, original drawings, and the subsequent 1944 renovation drawings.)*

Design character and materials;

The new home on Woodstock is a transition piece from the larger stately proportions of the 59 Cook Street original home, to the smaller cottage like qualities of neighbours. The design takes many design cues from neighbouring building volumes both beside and across the road, the desires of the owners, the mix of the casual cottage, and the crisp contemporary of the streetscape.

Interestingly, the original brothel contained a side entry in the form of a porte cochere so that gentlemen could be dropped off in a more discrete fashion. Today this Porte Cochere maintains its front porch like appearance on Woodstock Avenue. The immediate neighbour to the opposing side, also contains an attractive inviting front porch. The new building continues this tradition with a new entry gate, pathway, and porch facing the street. Similar to its cottage like neighbour, this porch is a social space, an attractive welcoming space that is also accessed from its prime living spaces inside, benefiting from the sun and views over the landscaped front yard.

Height and Setbacks

The proposed new residence is compliant with these zoning requirements.

Parking variance

The existing home, with its five legal suites requires to be serviced by a minimum of .8 stalls per dwelling according to Schedule C Parking Regulations. Therefore this existing multi-family residence requires 4 stalls. The new residence on its independent lot requires 1 stall as a single family residence. It was decided early on that the design would be developed to share the existing entry to the lot, and preserve the existing stone fence. Sharing a driveway entry allowed the parking to be concealed from the street and place these cars behind both buildings. By reciprocal easement agreements, registered on both properties, these two buildings share access to their independent parking facilities. In sharing a driveway, the increase in green space over the current condition will lessen the impact of this parking area than exists at this time. One can notice in the original ariel photo of this existing site, a large area of exposed concrete paving. In the new design the bulk of this paving area is moved further back out of view, and in its place a narrow driveway permits a greater area of landscaping serving to enclose and conceal from view, the rear parking area. The streetscape benefits, the neighbours benefit. A little more greenery gets added to our perception of the neighbourhood.

Bicycle Parking

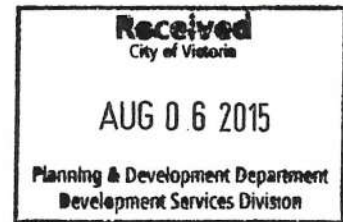
The proposal contains a 6 bike rack for use by the multi-family residence for guests, as required by the Bylaw. The original 59 Cook Street contains class A bike parking facilities for its tenants in the lower floor area formerly the "Chinaman's Suite".

We trust the enclosed submission meets with submission requirements, and that through this process, eventually meets with acceptance of Council.

Yours sincerely,
HILLEL ARCHITECTURE INC.,
Karen Hillel MAIBC

**Minutes of Community Meeting
Planning and Zoning Committee
Fairfield-Gonzales Community Association (FGCA)
May 25, 2015**

Facilitators for the FGCA: George Zador (Chair)
Susan Snell
Ken Roueche

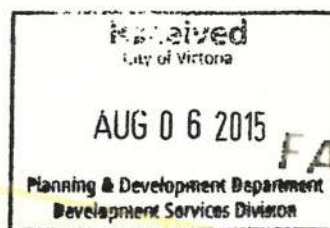


Subject property: 59 Cook St; small lot subdivision. (99 notices sent)
Proponent/ presenter Mr. Conrad Nyren
This project was presented previously in April 2014, but for personal reasons, the proponent did not proceed further at the time.

Attendance: 2 people, representing one neighbouring home.

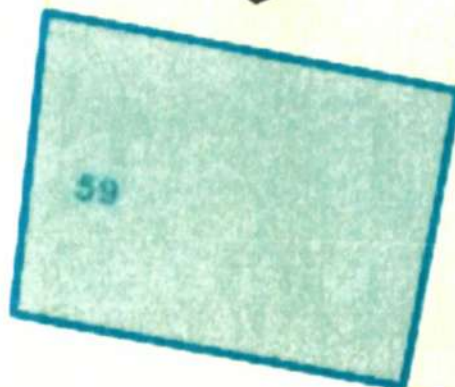
Attendee Questions and Comments:

- Familiar with the project from the earlier submission.
- Asked for details of site coverage, parking, etc. Proponent gave thorough explanation.
- Would the new house be for market: no, proponent lives in the main house at present, wants to build the home for his own family. On-site parking is provided.
- Concern about parking for workers during construction phase. Proponent will control.
- No objection to this project, but feels that further similar subdivisions would increase density which is undesirable in this neighbour's view.



FAITHFUL

COOK ST



WOODSTOCK AVE

MARLBOROUGH ST

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services DivisionSUMMARY
SMALL LOT HOUSE REZONING PETITIONI, CONRAD NYREN, have petitioned the adjacent neighbours* in compliance with
(applicant)the *Small Lot House Rezoning Policies* for a small lot house to be located at 59 COOK ST
(location of proposed house)and the petitions submitted are those collected by JUNE 19, 2015**
(date)

Address	In Favour ✓	Opposed ✓	Neutral (30-day time expired) ✓
35 COOK ST	✓		
67 COOK ST	✓		
1120 WOODSTOCK	✓		
1121 WOODSTOCK	✓		
UNIT 1-35 COOK (TENANT)			✓
" 2-35 COOK "			✓
" 3-35 COOK "			✓
" 4-35 COOK "			✓
" 5-35 COOK "			✓
" 6-35 COOK "			✓
" 7-35 COOK "			✓
" 8-35 COOK "			✓
" 9-35 COOK "			✓

SUMMARY	Number	%
IN FAVOUR	4	100%
OPPOSED	0	
TOTAL RESPONSES		100%

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

**Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name), am conducting the petition requirements for the

property located at 59 COOK STREET.

to the following Small Lot Zone: R1S2

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) JOSHUA KALEF (see note above)

ADDRESS: 35 COOK ST. VICTORIA V8V 3W7

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

THIS DENSIFICATION IS APPROPRIATE FOR
OUR NEIGHBORHOOD AND VISUALLY A NICE
IMPROVEMENT.

April 10/2015
Date

[Signature]
Signature

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 59 Cook St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Anthony + Kathy Lavelle (see note above)

ADDRESS: 67 Cook St, Victoria, BC

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

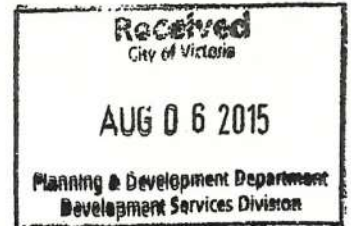
☐ I am opposed to the application.

Comments:

Everything looks good.

June 18/15
Date

[Signature]
Signature



SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Wendy Payne (print name), am conducting the petition requirements for the

property located at 59 Cook St.

to the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Wendy Payne (see note above)

ADDRESS: 1120 Woodstock Ave

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

I am completely satisfied with this
plan. Conrad Nyren is a good neighbour
who has kept me informed about his plans.

June 4/15
 Date

Wendy Payne
 Signature

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division

SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 59 COOK STREETto the following Small Lot Zone: R1S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) SHARON AND MIKE ROMANINE (see note above)ADDRESS: 1121 WOODSTOCK AVE.Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.☐ I am opposed to the application.

Comments:

June 18/2015
DateM. / Romanine
Sharon Romanine
Signature

REZONING AND DEVELOPMENT PROPOSAL FOR 59 COOK STREET



REQUEST TO MEET

Hello. my name is Conrad Nyren. I live right across Woodstock from you at 59 Cook Street at the corner of Woodstock and Cook.

I am in the process of making an application to the City of Victoria to rezone a portion of my property from R1B, single family zone, to R!S2, small lot two story zone, to permit a subdivision and construction of a new, smaller, single family home , located approximately where the existing garage is now located.

As part of my neighbourhood consultation process , I would greatly appreciate a few minutes of your time to familiarize you with the architectural and landscape plans and hear your comments. I attach a copy of the City's form "SMALL LOT REZONING PETITION"

Please email or phone me to set up a time to meet, and thank you in advance for your time and consideration.

Conrad Nyren
59 Cook Street
April 10, 2015
email: conradnyren01@gmail.com
tel: 250 589 9520

DELIVERED BY HAND APRIL 10, 2015 TO:

35 COOK STREET UNITS 1 THRU 9

1157 WOODSTOCK UNITS 1 THRU 7



Cook Street - Subject Property Existing Residence



Woodstock Avenue - Adjacent Neighboring Properties Across Street



Woodstock Avenue - Subject Property Existing Residence



Woodstock Avenue - Subject Property & Project Area

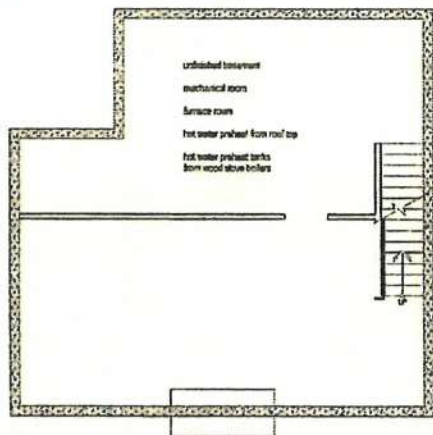


Woodstock Avenue - Adjacent Neighboring Properties

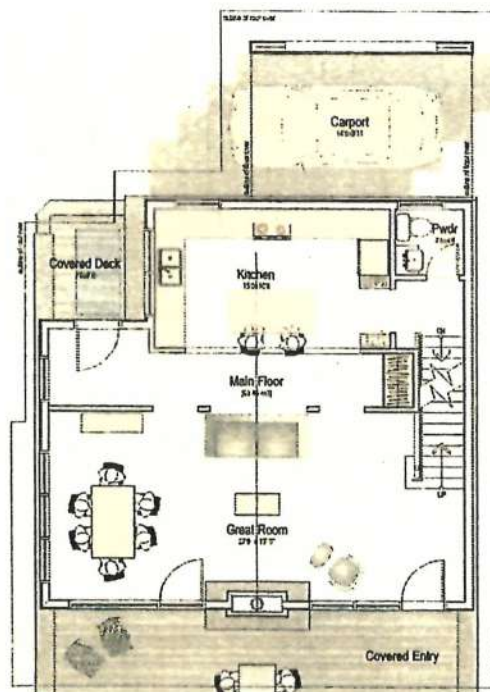


Woodstock Avenue - Neighboring Properties

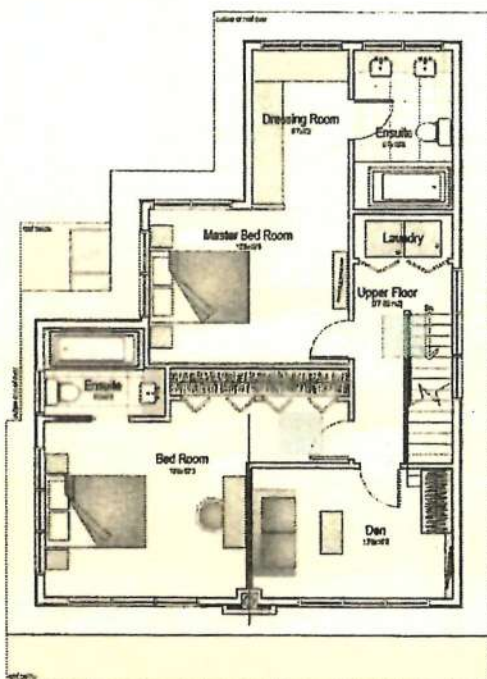




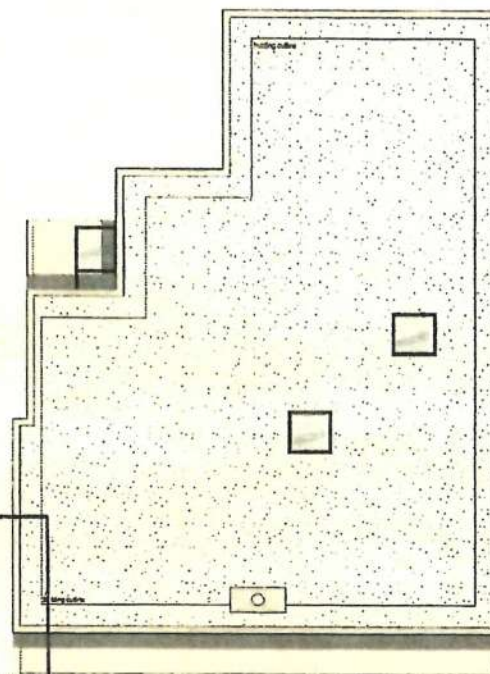
1 Basement Floor Plan
A2.1 Scale: 1:50



2 Main Floor Plan
A2.1 Scale: 1:50



3 Upper Floor Plan
A2.1 Scale: 1:50

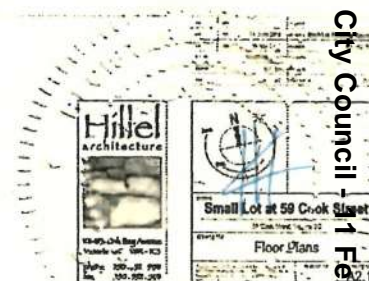


3 Roof Plan
A2.1 Scale: 1:50

Received
City of Victoria

AUG 06 2015

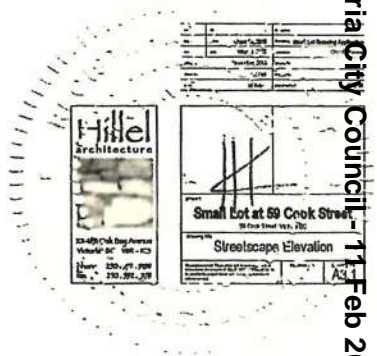
Planning & Development Department
Development Services Division





1 Streetscape Elevation - Woodstock Ave
 A3.1 Scale: 1:75

Received
 City of Victoria
 AUG 06 2015
 Planning & Development Department
 Development Services Division



ELEVATION FINISH LEGEND

List of finishes typical of all elevations

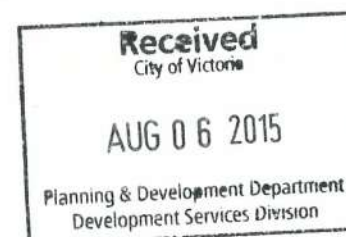
- (01) Pre-finished metallic gray steel roofing
- (02) Wood fascia boards - clear Sitka Spruce Cold Finish
- (03) Exposed wood beams - clear Sitka Spruce Cold Finish
- (04) Exposed cedar soffits - warm gray stain, clear prefinished metal perimeter vent strip
- (05) Cement based stucco, smooth trowel finish - light gray colour
- (06) Cedar siding, 100mm exposure - warm charcoal gray stain colour
- (07) Exposed board-form concrete chimney - stucco finish
- (08) Wood window units & doors - clear glazing panels - clear Sitka Spruce Cold Finish
- (09) Exposed board-form concrete elements - stucco finish
- (10) Mineral fibre insulation with a scratch rendering - Arch spire colour
- (11) Building mounted down lighting & feature lighting
- (12) Cement based stucco, smooth trowel finish - warm gray colour



1 Front Elevation (South)
A3.2 Scale: 1:50



2 Side Elevation - (West)
A3.2 Scale: 1:50



Victoria City Council 11 Feb 2016

ELEVATION FINISH LEGEND

List of features typical of all elevations

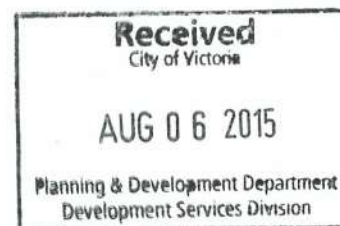
- (01) Pre-finished metallic gray steel flashing
- (02) Wood board boards - clear Silbana Cedar finish
- (03) Exposed wood beams - clear Silbana Cedar finish
- (04) Exposed cedar roof - warm gray stain, clear prefinished metal perimeter vent cap
- (05) Cement based stucco, smooth board finish - light gray color
- (06) Cedar siding, 100mm exposure - warm charcoal gray stain colour
- (07) Exposed board-form concrete chimney - stained finish
- (08) Wood window units & doors w/ir glazing panels - clear Silbana Cedar finish
- (09) Exposed board-form concrete stairways - stained finish
- (10) Natural stone retaining walls to match existing - Arch spec colour
- (11) Building mounted down lighting & feature lighting
- (12) Cement based stucco, smooth board finish - warm gray color



1 Rear Elevation (North)
A3.3 Scale: 1:50

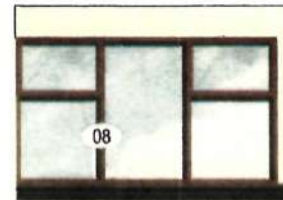
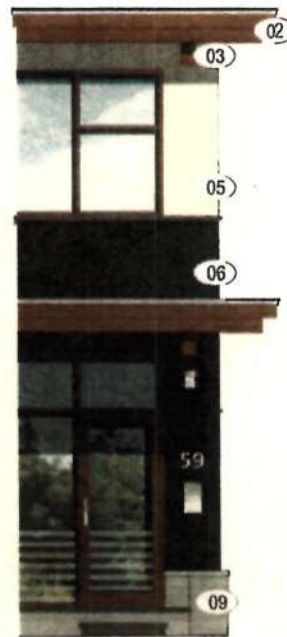
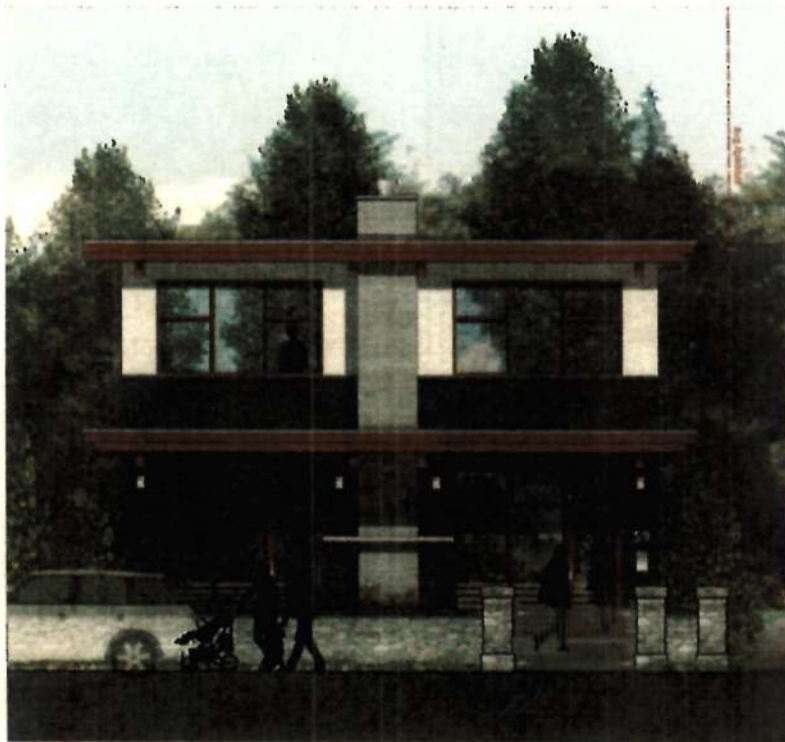


2 Side Elevation - (East)
A3.3 Scale: 1:50



Victoria City Council 11 Feb 2016

Colour And Materials Palette



ELEVATION FINISH LEGEND

List of finishes typical of all elevations

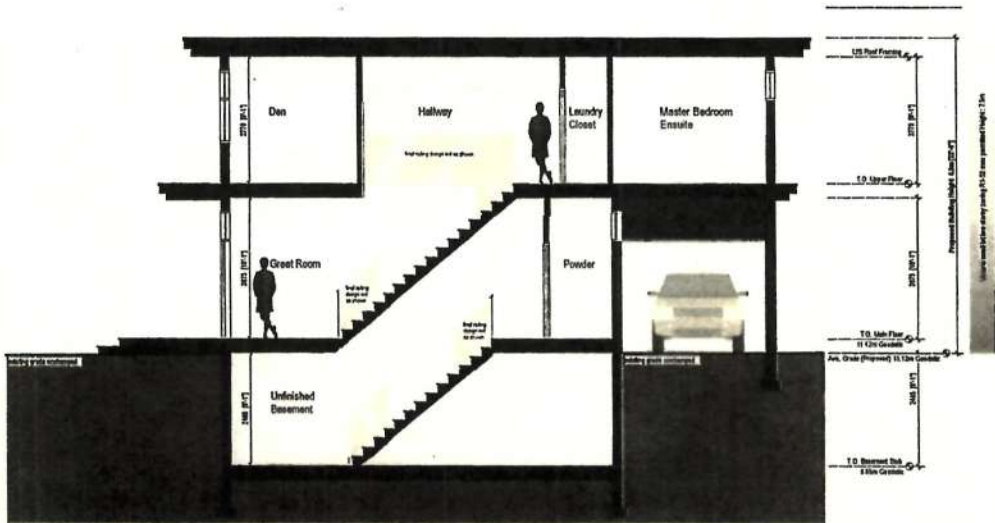
- 01 Pre-finished metallic gray steel flashing
- 02 Wood fascia boards - clear Siklens Cetol finish
- 03 Exposed wood beams - clear Siklens Cetol finish
- 04 Exposed cedar soffit - warm gray stain, c/w prefinished metal perimeter vent strip
- 05 Cement based stucco, smooth trowel finish - light gray colour
- 06 Cedar siding, 100mm exposure - warm charcoal gray stain colour
- 07 Exposed board-form concrete chimney - sealed finish
- 08 Wood window units & doors c/w glazing panels - clear Siklens Cetol finish
- 09 Exposed board-form concrete elements - sealed finish
- 10 Natural stone retaining walls to match existing - Arch spec colour
- 11 Building mounted down lighting & feature lighting
- 12 Cement based stucco, smooth trowel finish - warm gray colour



DEVELOPMENT PERMIT APPLICATION SUBMISSION
 SMALL LOT AT 59 COOK STREET
 59 COOK STREET, VICTORIA BC

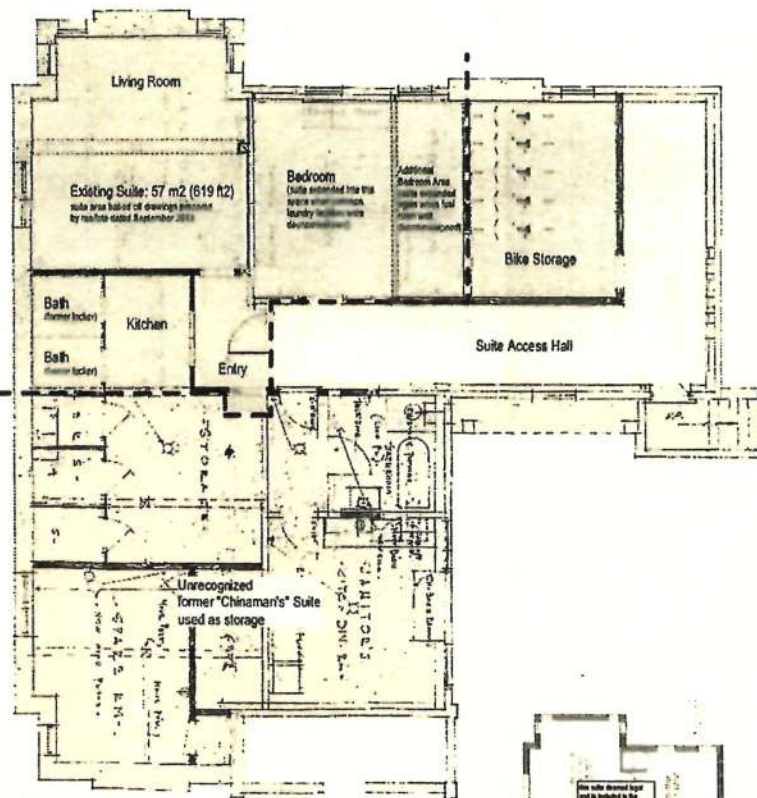
AUG 06 2015

Planning & Development Department
 Development Services Division



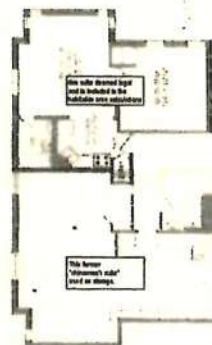
1 Building Section
A4.1 Scale 1:50





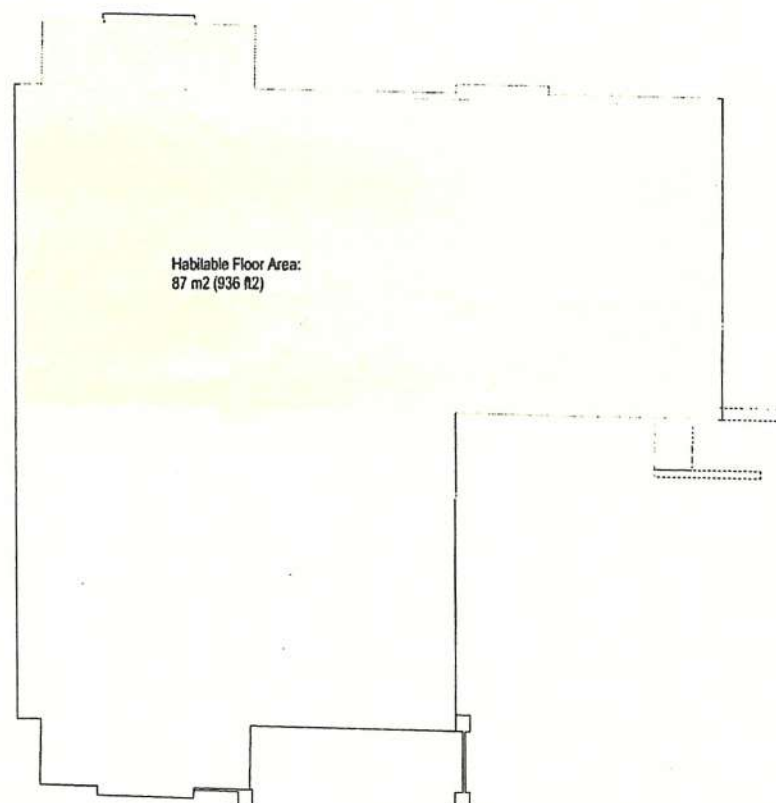
Existing Basement Floor Plan [By Others]

Scale: 1:50



Existing Basement Floor Area

2 Scale: 1:50



LEGAL DATA

CLIENT
Corrad Wylen
Unit 3-59 Cook Street, Victoria BC V8V 3W7

CIVIC ADDRESS
59 Cook Street, Victoria BC

LEGAL ADDRESS
Lot 2, Fairfield Farm Estate, Victoria, Plan 0206

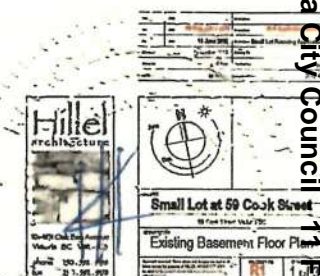
SURVEY INFORMATION
based on legal survey by Powell & Associates
B.C. Land Surveyors: No 9171 - 4

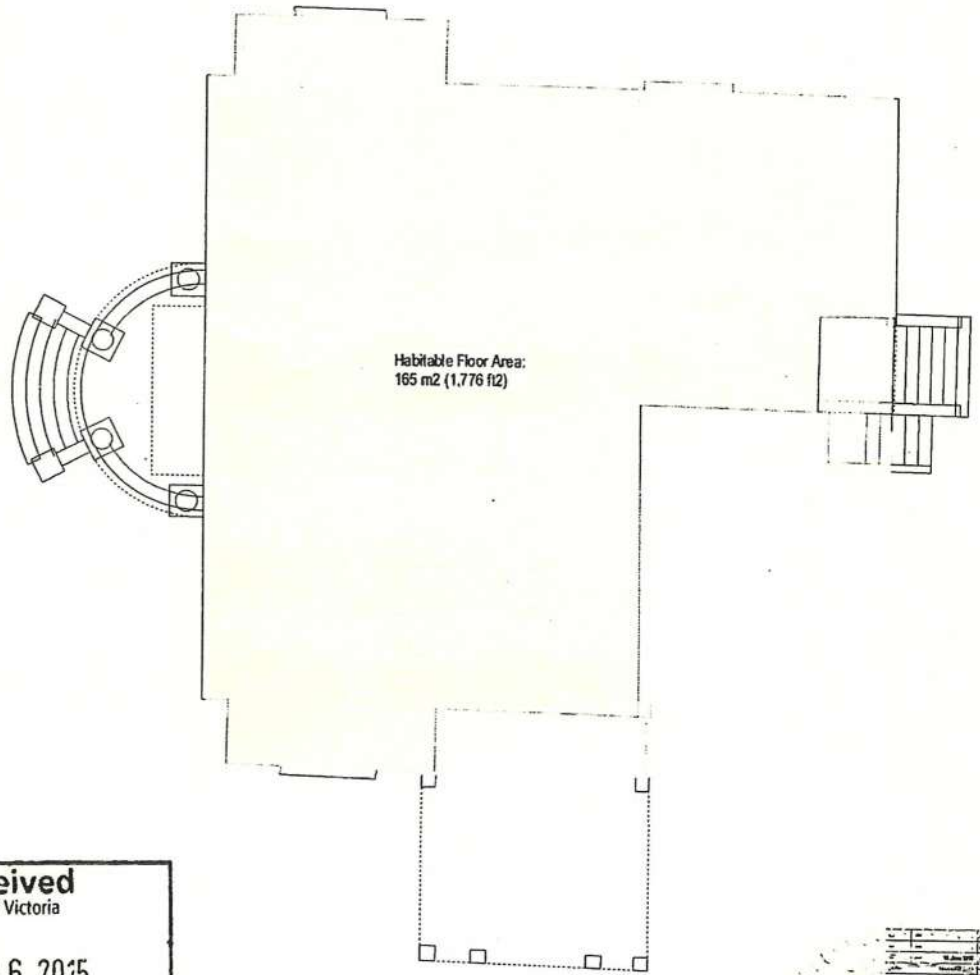
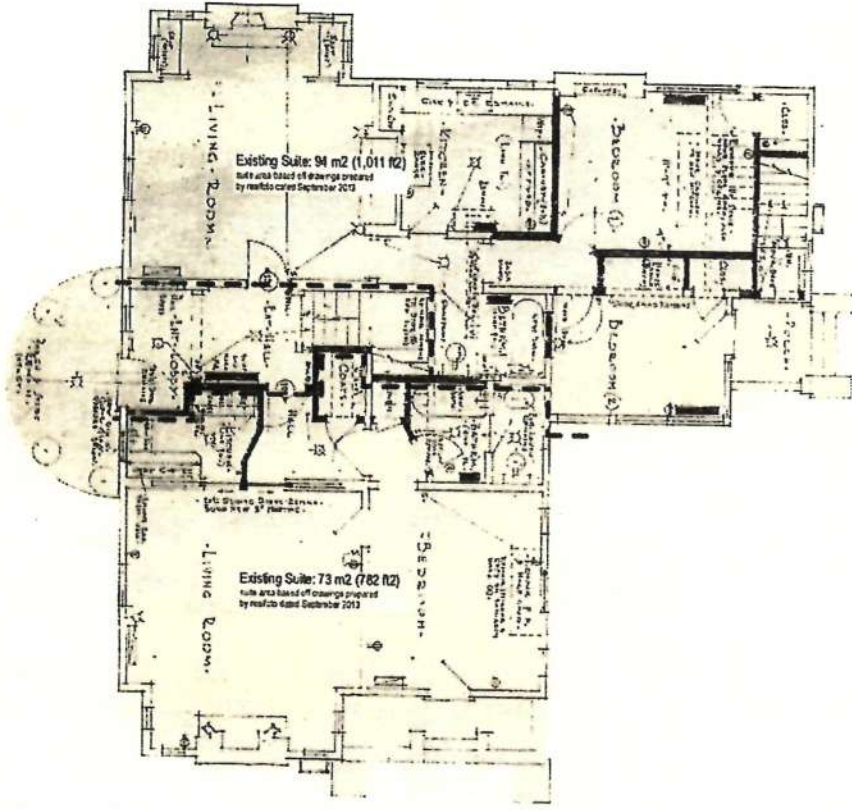
PROJECT DATA - EXISTING PARCEL REMAINDER

	CURRENT ZONING	EXISTING PARCEL REMAINDER	VARIANCES
ZONING	R1-B	R1-B	
site area (m ²)	min 688 m ²	919 m ² m ²	
site coverage %	max. 40 %	a 25.27 % (a 272 21 m ² existing)	
site width (m)	15m	30.15 m	
open site space % (undeveloped)	n/a	-	
total floor area (m ²)	max 420 m ² for all floors (for lots greater than 500 m ²)	a 353 m ² existing undeveloped	
floor space ratio	n/a	-	
height of building (m)	max 7.5 m	existing undeveloped	
number of stories	2 stories	2 stories	
parking stalls on site	as per Schedule C: 0.8 stall per dwelling + 5 units = 4 spaces for 59 Cook	access to parking through a reciprocal agreement	
bicycle parking	1 per unit plus a 4-space rack	1 space A per unit in basement, plus a 4-space post-rack	
SETBACKS:			
front (front)	7.5 m	11.82 m (Cook St.) (existing undeveloped)	
rear (rear)	7.5 m or 25% of lot depth (whichever is greater)	respected setbacks for decrease required 7.20m setback by 3.20m to equal a 3.9m rearward setback	
side (side)	1.5 m or 10% of lot width (whichever is greater)	2.82 m (existing undeveloped)	
side (side)	2.5 m or 10% of the lot width (whichever is greater)	8.82 m (Windward Area) (existing undeveloped)	

SCHEDULE 'G' - HABITABLE AREA

	CURRENT ZONING	EXISTING PARCEL
HABITABLE FLOOR AREA:		
Basement	-	87 m ² (936 R2)
First Floor	-	165 m ² (1,714 R2)
Second Floor	-	193 m ² (2,077 R2)
Total	455m ² + 5 dwelling units allowable as per Schedule 'G'	445 m ² (4,789 R2) 5 existing dwelling units





1 Existing First Floor Plan [By Others]
Scale: 1:50

Received
City of Victoria

AUG 06 2015

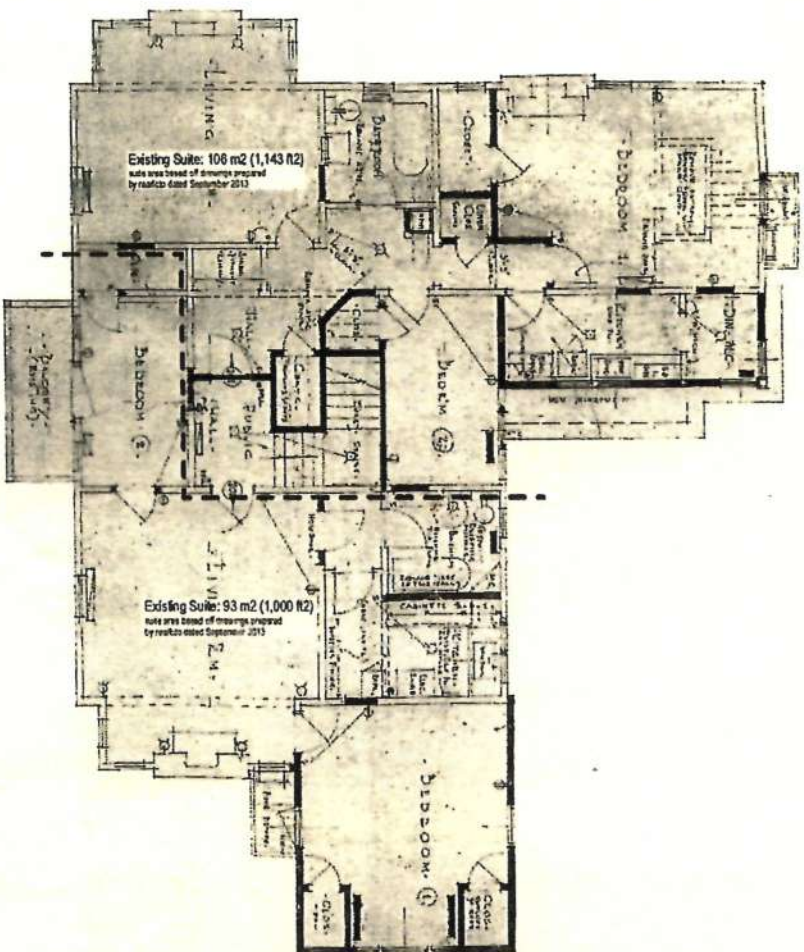
Planning & Development Department
Development Services Division

2 Existing First Floor Area
Scale: 1:50

Hille
architecture

123-4567 Oak Street
Victoria BC V8W 1A1
phone 250-382-7890
fax 250-382-7891

Small Lot at 50 Cook Street
B104 111-111-111
Existing First Floor Plan
2015

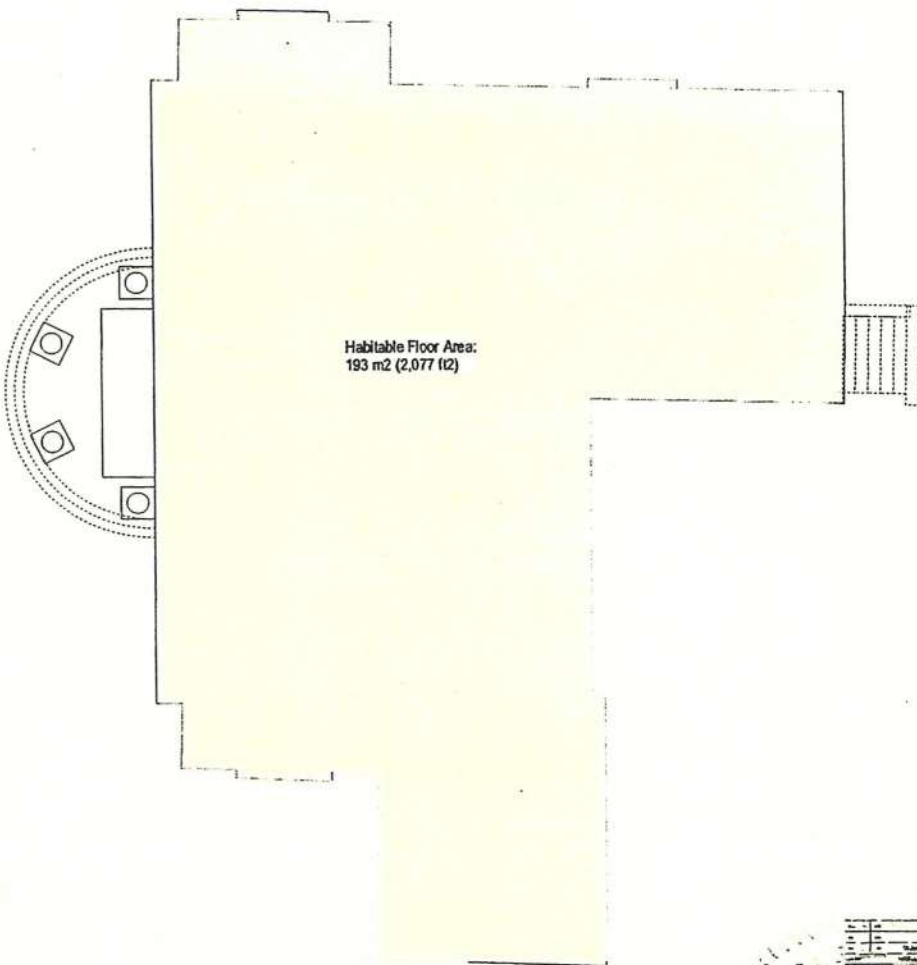


1 Existing Second Floor Plan [By Others]
Scale: 1:50

Received
City of Victoria

AUG 06 2015

Planning & Development Department
Development Services Division



2 Existing Second Floor Area
Scale: 1:50



REPORTS OF THE COMMITTEE

Planning and Land Use Committee – January 14, 2016

11. Heritage Designation Application No. 000155 for 59 Cook Street:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the designation of the property located at 59 Cook Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site.

Carried Unanimously

6.7 Heritage Designation Application No. 000155 for 59 Cook Street

Committee received a report dated December 18, 2015, regarding an application to designate 59 Cook Street as a Municipal Heritage Site.

Action: It was moved by Councillor Madoff, seconded by Councillor Coleman, that the Committee recommends that, after giving notice and allowing an opportunity for public comment at a meeting of Council:
That Council consider the designation of the property located at 59 Cook Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site.

CARRIED UNANIMOUSLY 16/PLUC020



Planning and Land Use Committee Report

For the Meeting of January 14, 2016

To: Planning and Land Use Committee **Date:** December 18, 2015
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Heritage Designation Application No. 000155 for 59 Cook Street

RECOMMENDATION(S)

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council consider the designation of the property located at 59 Cook Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site."

LEGISLATIVE AUTHORITY

In accordance with section 967 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the property located at 59 Cook Street.

The following points were considered in assessing this application:

- general consistency with the *Official Community Plan* (OCP)
- Statement of Significance.

The application was reviewed by the Heritage Advisory Panel at its December 8, 2015 meeting and was recommended for approval.

BACKGROUND

Description of Proposal

59 Cook Street is a Classic Revival architectural style home built in 1912. An application to designate the exterior of 59 Cook Street as a Municipal Heritage Site was received from the property owner Conrad Nyren on November 13, 2015.

Zoning/Land Use

The proposed designation is consistent with the R1-B: Single Family Dwelling District and surrounding land uses.

Condition/Economic Viability

The exterior of the building is in good condition. The windows, roof, chimney, and ionic columns all appear in good condition and have been well maintained. The exterior of the home has been stuccoed, which most likely occurred in 1945 during the war years when many of the finer building materials became scarce. A full building condition assessment is attached to this report.

Heritage Advisory Panel

The Heritage Advisory Panel considered the applicant's request for heritage designation at its regular meeting on December 8, 2015, and recommended the following:

"That Council consider the designation of the property located at 59 Cook Street as a Municipal Heritage Site."

ANALYSIS

The following sections provide a summary of the application's consistency with the relevant City policies and guidelines.

Official Community Plan

This application is consistent with the OCP because it contributes to the identification of the heritage value of an individual property and its surrounding context, e.g. Beacon Hill Park. It contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources. The OCP encourages the consideration of tools available under legislation to protect heritage property such as heritage designation. The application is consistent with the OCP where it considers the heritage value of individual properties.

Statement of Significance

A statement of significance which describes the historic place and outlines its heritage value in terms of its relevance to the themes and subthemes of the City's Heritage Thematic Framework is attached to this report.

CONCLUSIONS

This application for the heritage designation of the property located at 59 Cook Street as a Municipal Heritage Site is for a building that is a good example of a Classic Revival style home from the early twentieth century. The house is also notable for its association with architect Thomas Hooper, who designed other notable buildings in Victoria such as Saint Anne's Academy and the Carnegie Library. The many windows on the front of the house, coupled with the large, columned entrance were designed to take advantage of the view to and from Beacon Hill Park just across Cook Street. The house exemplifies the residential and park relation of this area of the city before development expanded along Cook Street in the mid part of the twentieth century.

Staff therefore recommend that Council consider the designation of the property located at 59 Cook Street as a Municipal Heritage Site.

ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000155 for the property located at 59 Cook Street.

Respectfully submitted,



Adrian Brett
Heritage Planner
Community Planning



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

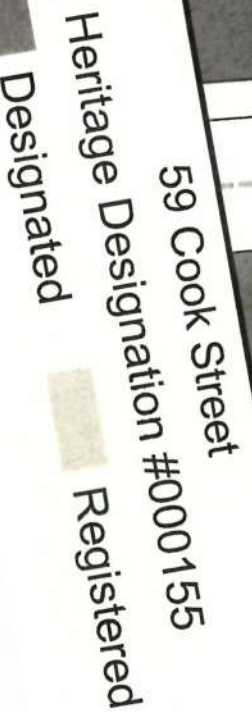
Report accepted and recommended by the City Manager:



Date: December 30, 2015

List of Attachments

- Subject map
- Aerial map
- Photographs
- Building Condition Report, date stamped November 25, 2015
- Statement of Significance
- Letter from the applicant, date stamped November 13, 2015.





BEACON
HILL PARK

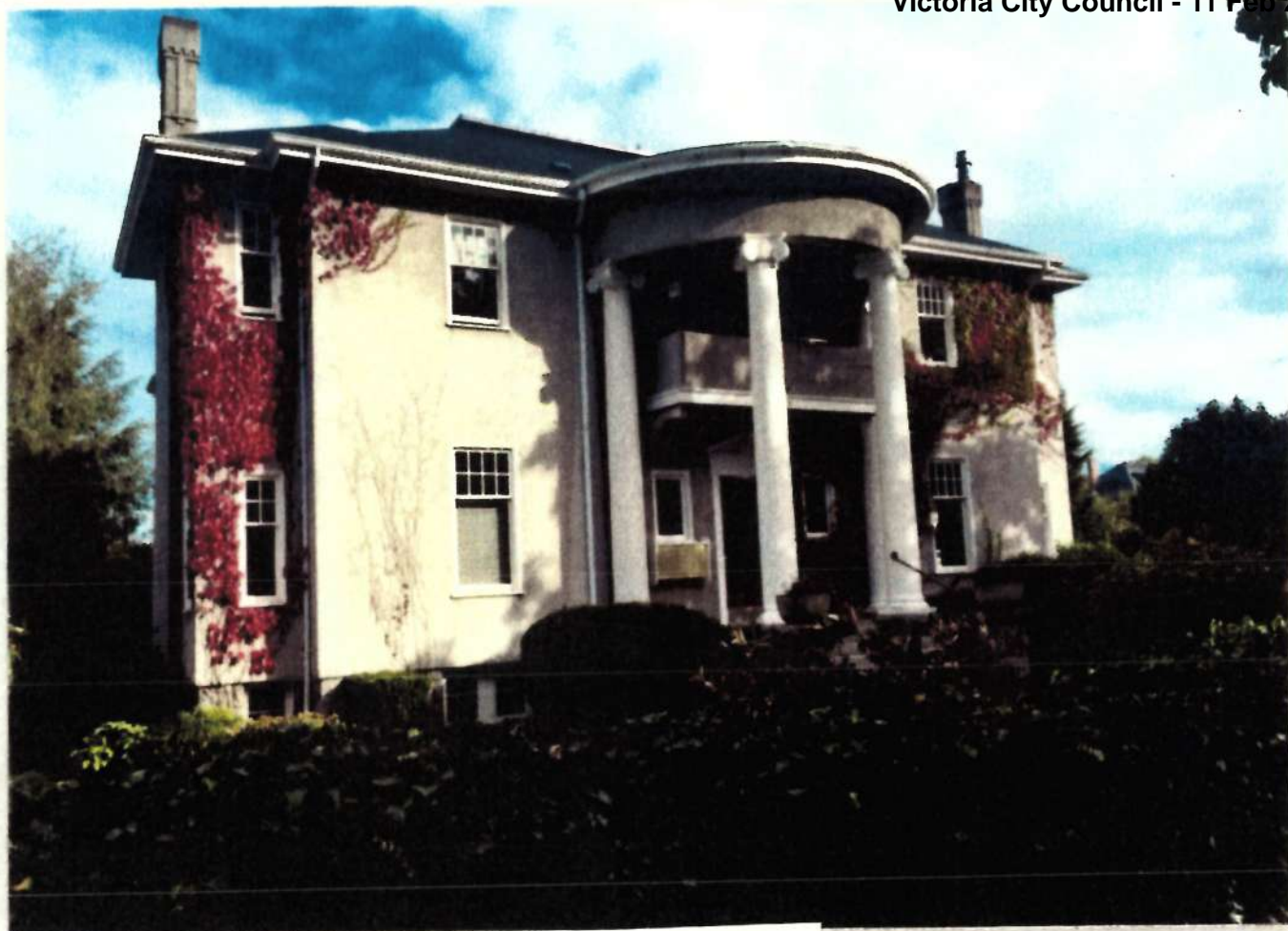
59 Cook Street

Heritage Designation #000155

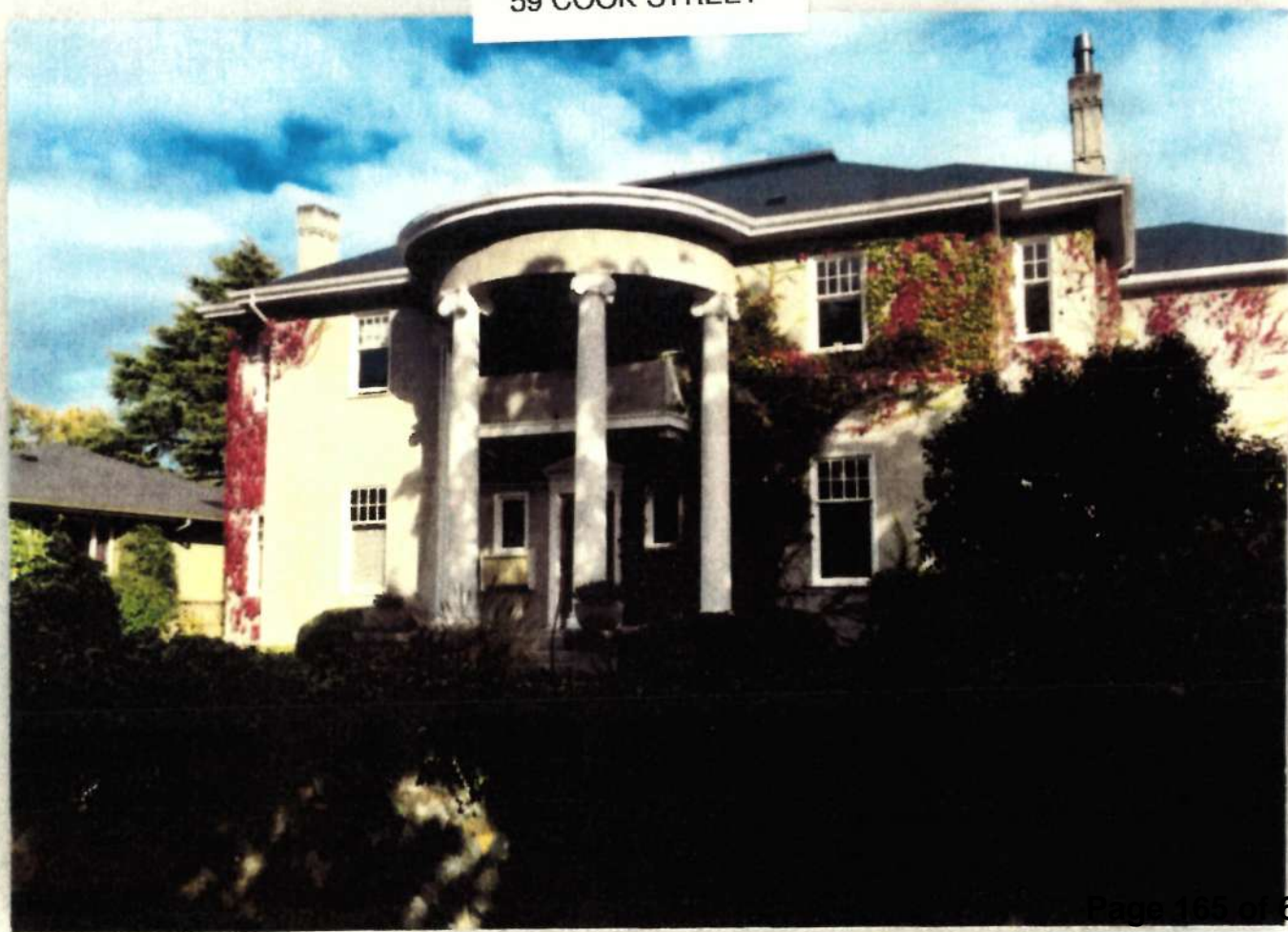


59 COOK STREET





59 COOK STREET



Condition Notes for:

59 Cook Street, Victoria BC

Owner: Conrad Nyren

Compiled By: Keith Thomas

Historical Elements:

- Exterior arrangement and footprint remains mostly intact
- Window placement matches original plans
- Chimneys appear original
- Small amount of leaded art glass windows remain
- Ionic columns and cement steps on Cook Street entry
- Granite retaining walls
- Roof has been maintained and in good condition
- Windows are wooden and appear in good condition
- Terrazzo floor in Porte Cochere

Major Changes:

- Converted to suites in 1945 (City Hall Permits)
- Driveway concrete added in 1955 (City Hall Permits)
- Porte Cochere door filled in 1956 (City Hall Permits)
- Balcony above Porte Cochere covered over, most likely in 1945 when converted to suites
- Terrazzo floor in front entrance has been removed/covered
- Exterior has been stuccoed, most likely in 1945 when converted to suites (see quote below)

"Scarce and substandard building materials during the war years may have further popularized the stucco finished look among the local contractors." *The Emergence of Modernism*

Condition Issues:

- Boston Ivy on exterior is regularly maintained and was chosen for its less invasive nature

Sources:

- Original 1912 Building Plans
- Current Site Photographs
- City Permits
- "The Emergence of Modernism" UVic Maltwood Gallery

Statement of Significance

59 Cook Street

Description of Historic Place

59 Cook Street is a two story house located in the Fairfield neighbourhood of Victoria, in close proximity to the historic Beacon Hill Park. Built in 1912, from plans drafted by renowned architect Thomas Hooper, this house is fine example of the Classic Revival style. The form, scale and massing remain intact including the impressive Ionic columns on the front entrance and some art glass and terrazzo flooring. The house has been well maintained and is a significant building in an established neighbourhood along a busy transportation corridor.

Heritage Value of the Historic Place

The heritage value of 59 Cook is summarized below in accordance with Victoria's Heritage Thematic Framework.

Theme 1: COSTAL SETTLEMENT

Subtheme 1.3: Pioneer Farms to First Suburbs

Development along the Cook Street corridor and of the Fairfield neighbourhood was a result of the subdivision of the original farms and houses such as 59 Cook Street are evidence of this residential expansion. The creation of a residential infrastructure during the post war period, with development along a strict rectilinear grid, similar to that in downtown Victoria, reminds us of speculative confidence in the early years of the twentieth century in the anticipated growth of the city population. A building permit was issued in 1912 for 59 Cook Street with a value of \$15,000, which reflects the development of the Fairfield neighbourhood and its relationship the historic downtown core.

Theme 4: COMMUNITY OF NEIGHBOURHOODS

Subtheme 4.5: Parks, Recreation and Sport

59 Cook Street is notable under this theme due to its very close proximity to Beacon Hill Park. The layout of the house on the property is evidence of the importance placed on park in designating the alignment of the house on the lot. The many windows on the front of the house, coupled with the large, columned entrance were designed to take advantage of the view to and from the park just across Cook Street. The location and permanence of the Beacon Hill Park influenced the construction of the surrounding neighbourhoods and the development of the transportation corridors which serviced them.

Theme 5: CULTURAL EXCHANGE

Subtheme 5.1: Architectural Expression

59 Cook Street is a four-square house built in the Classic Revival style featuring a semicircular front porch with double-storey classical columns, porte-cochere and two verandahs.

The house is notable for its association with Thomas Hooper, whose name appears on the plans but does not appear in his portfolio. Hooper arrived in Vancouver in 1886 and established a flourishing practice in that city in 1887. He established an office in Victoria in 1890 and proceeded to design such notable buildings as Saint-Annes Academy, E.A. Morris Tobacconists, the Carnegie Library and several substantial private residences.

59 Cook Street is also notable due to the personal history of the first owners. The house was originally built for Christina Haas who, after arriving from California in 1912, took over an establish brothel on Broughton Street and bought the two lots where 59 Cook Street stands and commissioned Thomas Hooper to build the house which was then used as another brothel. The house was then sold to John Day, a wealthy businessman, who owned the Esquimalt Hotel until it was taken over by the Navy in 1943, and later managed the Silver Springs Brewery and the Phoenix Brewery with his associates Harry Maynard and Phillip Crombie.

Character Defining Elements

Key elements that express the heritage value of 59 Cook Street include:

- Original design by Thomas Hooper
- Close proximity to Beacon Hill Park
- Location in the Fairfield neighbourhood along Cook Street

Key elements that define the heritage character of the building's exterior include:

- Semi-circular front porch with two-story Ionic columns and decorative capitals
- Two verandahs, one directly above the front entrance
- Double hung, half Georgian wooden sash windows
- Corbelled grey brick chimneys
- Decorative Georgian pediment and pilasters around front door
- Small amount of leaded art glass windows remain
- Granite retaining walls
- Cement steps on Cook Street entry
- Hipped roof with simple deep eaves
- Porte Cochere on West elevation with Terrazzo flooring

Author: Keith Thomas

Date: December 09, 2015



Conrad Nyren
3-59 Cook Street
Victoria BC V8V3W7

November 12, 2015

Mayor and Council - City of Victoria

Re: Request for Heritage Designation of 59 Cook Street, Victoria BC

Please accept this letter and application as my request to have the City of Victoria designate 59 Cook Street a heritage building.

I feel that the building, designed by the prolific British Columbian 19th century architect Thomas Hooper, should be given the designation "heritage", as suggested by the accompanying "Statement of Significance", and that this application is consistent with the City's Official Community Plan policies that give consideration to tools available under legislation to protect or conserve heritage property, including heritage designation.

Thank you for your consideration of this application.

Sincerely,

Conrad Nyren
cc. Murray Miller, City of Victoria Heritage Planner

NO. 16-016

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw by rezoning a portion of the land known as 59 Cook Street from the R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

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

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1061)".
- 2 The portion of the land known as 59 Cook Street, legally described as Lot 2, Fairfield Farm Estate, Victoria City, Plan 9296, and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

READ A FIRST TIME the **28th** day of **January** 2016

READ A SECOND TIME the **28th** day of **January** 2016

Public hearing held on the day of 2016

READ A THIRD TIME the day of 2016

ADOPTED on the day of 2016

CORPORATE ADMINISTRATOR

MAYOR

NO. 16-015

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 59 Cook Street to be protected heritage property.

Under its statutory powers, including Section 967 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the “HERITAGE DESIGNATION (59 COOK STREET) BYLAW”.
2. The exterior of the building located at 59 Cook Street, legally described as Lot 2, Fairfield Farm Estate, Victoria City, Plan 9296, is designated to be protected heritage property.

READ A FIRST TIME the **28th** day of **January** 2016.

READ A SECOND TIME the **28th** day of **January** 2016.

Public Hearing Held On the day of 2016.

READ A THIRD TIME the day of 2016.

ADOPTED on the day of 2016.

CORPORATE ADMINISTRATOR

MAYOR

REPORTS OF THE COMMITTEE

Planning and Land Use Committee – January 14, 2016

2. Rezoning Application No. 00490 for 1845 Gonzales Avenue:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that first and second reading of the attached Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried Unanimously

3. CONSENT AGENDA

3.1 Rezoning Application No. 00490 for 1845 Gonzales Avenue

Committee received a report dated December 18, 2015, regarding a rezoning application for 1845 Gonzales Avenue. The proposal is to construct a garden suite.

Action: It was moved by Councillor Coleman, seconded by Councillor Lucas, that the Committee recommends that first and second reading of the attached Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 16/PLUC003



Planning and Land Use Committee Report

For the Meeting of January 14, 2016

To: Planning and Land Use Committee **Date:** December 18, 2015

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

Subject: Rezoning Application No. 00490 for 1845 Gonzales Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that first and second reading of the attached Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) 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 1845 Gonzales Avenue. The proposal is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District, to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, in order to construct a garden suite.

The following points were considered in assessing this Application:

- The proposal is consistent with the Urban Place Designation in the *Official Community plan (OCP)* 2012.
- The proposal is consistent with the policies of the *Garden Suite Policy* (2011).

BACKGROUND

Description of Proposal

The proposal is to rezone the property from the R1-G Zone, Gonzales Single Family Dwelling District, to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District,

to allow the construction of a garden suite. Due to the property's larger size, the standard zone to accommodate a Garden Suite would be the R1-B-GS2 Zone.

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area.

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 Rezoning Application.

Land Use Context

The area is predominantly characterized by single family dwellings and is less than a block away from Pemberton Park.

Existing Site Development and Development Potential

The site is presently a single family dwelling. Under the current R1-G Zone, the property could be developed as a single family dwelling with a secondary suite. Should the rezoning proceed, a single family dwelling and garden suite will be permitted, thus precluding the use of the main dwelling for the inclusion of a secondary suite.

Data Table

The following data table compares the proposal with the proposed R1-B-GS2 Zone. The existing house and proposed garden suite meet all of the requirements of this Zone.

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"
Site area (m ²) - minimum	724.83	460
Lot width (m) - minimum	18.29	7.5
Total floor area (m ²) - maximum	191.94	420
Height (m) - maximum	5.46	7.6
Storeys - maximum	2	2
Site coverage % - maximum	23.9	40

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"
Setbacks (m) - minimum		
Front (Gonzales Ave)	8.22	7.5
Rear (south)	17.6	9.91
Side (east)	3.2	1.83
Side (west)	4.8	3
Combined side yards	8	4.5
Parking - minimum	1	1
Garden Suite		
Floor area (m ²) – maximum	55.51	56
Height (m) – maximum	4.66	5.5
Storeys - maximum	1	1.5
Rear yard setback (m) – minimum	1.22	0.6
Side yard setback (m) - minimum	1.22	0.6
Separation space between buildings (within the site) (m) - minimum	9.84	2.4
Rear yard site coverage (%) - maximum	18.98	25

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield Gonzales CALUC at a Community Meeting held on June 15, 2015. The minutes from this meeting are attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, garden suites are subject to DPA 15E: Intensive Residential –Garden Suites. The proposal is consistent with the objectives of DPA 15E to achieve new infill that respects the established character in residential areas.

Garden Suite Policy

The proposed development is consistent with the relevant land use policies of the *Garden Suite Policy* and all of the siting criteria are met.

CONCLUSIONS

This proposal to construct a garden suite is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The garden suite creates an opportunity for an alternative form of rental housing. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Application No. 00490 for the property located at 1845 Gonzales Avenue.

Respectfully submitted,



Rob Bateman
Planner
Development Services Division

am.



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: December 30, 2015

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated August 12, 2015
- Minutes from Fairfield Gonzales Community Association meeting dated June 15, 2015
- Plans dated November 12, 2015
- Zoning Regulation Bylaw Amendment



1845 Gonzales Avenue
Rezoning #00490
Bylaw #





August 12, 2015

Victoria City Council - 11 Feb 2016

Mayor Helps and Council
City of Victoria
c/o 1 Centennial Square,
Victoria, BC
V8W 1P6

Dear Mayor Helps and Council,


Re: 1845 Gonzales Avenue - Garden Suite Rezoning Application

We are requesting a land use/zoning change from **R1-G** to **R1-B-GS-2** to our home at 1845 Gonzales Avenue. This change will allow us to make application to build a single detached 'Garden Suite' in the rear corner of our lot. Once built the intent is to initially house our elderly mother, offering her a semi-independent lifestyle. After she ceases to inhabit this home, it will be adopted as a rental home offered to a cross section of potential renters. As neither my husband nor I have company pension plans, it may eventually act as our home, with the larger home being rented to augment our income.

Having reviewed the City's criterion for Garden Suite rezoning, we believe that we meet all of these. The property envelopes over 8,000 sq ft, of which we propose to utilize approximately 24% of the lot, well under the allowable 40%. The proposed site location of the Garden Suite has an extremely low impact to the adjoining neighbours as it will be surrounded by neighbouring green-space and not directly abutting or close to existing buildings or homes. Our proposed Garden Suite will offer 597 square feet of living space, as allowed by the City on a lot our size. The design and site location of the Garden Suite took into consideration all required City of Victoria guidelines. The Garden Suite entrance and walk way face the main street and will be self contained meeting all building and mechanical permit requirements. The architectural building design and finish materials will blend in and compliment the surrounds. Preservation of existing landscaping will be maintained as much as possible.

We believe this rezoning will add a long term benefit to our community by offering a rental option to individuals and families that may not have the ability to purchase. This benefit will carry on long after we cease to inhabit the property. This density and diversity will have a positive, long term effect on both neighborhoods and surrounding businesses and we applaud that and would like to participate in this initiative.

Yours truly,



Gale L. Penhall
Home Owner



**Minutes of Community Meeting
Planning and Zoning Committee
Fairfield-Gonzales Community Association (FGCA)
June 15, 2015**

Facilitators for the FGCA: George Zador (Chair)
Susan Snell
Ken Roueche

Subject property: 1845 Gonzales Ave ; garden suite application (66 notices sent)
Proponent/presenter: Gale Penhall, Max Maxie.

Attendance: 5 people.

Attendee Questions and Comments:

- Does it meet all setback requirements? Yes, more than minimum.
 - Length of construction? Using prefab components, very short time.
 - Type of exterior finish? Stained Hardie board and cedar roof.
 - Added landscaping? Yes, extensive coverage planned.
 - One neighbour extensively critical about the project: why not extend the existing home, or build basement suite instead of a separate structure that infringes on his privacy.
- Proponent responded that the garden suite is the most economically feasible way of providing separate accommodation and all efforts to ensure neighbour's privacy are demonstrated in the plans.

George Zador

Anita Walper

From: George Zador <planandzone@fairfieldcommunity.ca>
Sent: Friday, Jun 19, 2015 12:47 PM
To: caluc@victoria.ca
Cc: [REDACTED]
Re: FGCA Community Meeting minutes

Anita, would you please attach this note to the June 15th Minutes of the Meeting, 1845 Gonzales Ave Garden suite application.

The Minutes of the Meeting has omitted to mention a verbal detail on the assumption of it not being an issue of significance.

There was an inadvertent error in the Development Proposal notice sent to affected homes, describing the location of the project as "situated in the south-east corner" of the property.

The actual location is the south-west corner, clearly shown in the plans as submitted and shown at the meeting. Proponent Max Maxie had covered this error at the beginning of the meeting, and apologized for whatever confusion it may have caused..

George Zador

Planning and Zoning Chair
 Fairfield Gonzales Community Association
 1330 Fairfield Rd. Victoria, BC V8S 5J1
planandzone@fairfieldcommunity.ca
www.fairfieldcommunity.ca
 Facebook

From: caluc@victoria.ca
Sent: Friday, June 19, 2015 11:17 AM
To: George Zador
Subject: FGCA Community Meeting minutes

Thank you George
 Anita

Anita Walper
 Administrative Assistant
 Sustainable Planning and Community Development
 City of Victoria
 1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0212 F 250.361.0386



From: George Zador [<mailto:planandzone@fairfieldcommunity.ca>]

Sent: Friday, Jun 19, 2015 10:20 AM
To: caluc@victoria.ca
Cc: Chris Coleman (Councillor)
Subject: FGCA Community Meeting minutes

Attached please find Minutes of Community Meetings held at the FGCA on June 15th 2015.

Alicia Ferguson

From: George Zador <planandzone@fairfieldcommunity.ca>
Sent: Monday, Jun 29, 2015 3:30 PM
To: caluc@victoria.ca
Subject: Fw: 1845 Gonzales Development Proposal

Hi Anita.....forwarding yet another submission to be added to the subject file.

Thanks and regards

George Zador.

From: Jim Lauder
Sent: Monday, June 29, 2015 1:14 PM
To: planandzone@fairfieldcommunity.ca
Subject: 1845 Gonzales Development Proposal

Dear George Nador,

I was unable to attend the community meeting held on the 15th, however, I want to make it clear that my wife and I are **against** this development. We reside at 1730 Richardson St. and the proposed building would be in our view plane. I know that the neighbour who resides next door to 1845 is against the development, and also my neighbour is as well. My understanding is they both did not want to view their objection at the meeting. Most likely to avoid conflict. An open meeting can appear to be open, however, can also be a limited forum for those who are afraid to speak their truth for fear of creating conflict. I prefer to state my truth.

My objection to this proposal is based on what I have learned so far from the applicant, in person with her, and also based on information derived from my neighbour.

1. The applicant claims to make the application based on housing a relative who lives in Winnipeg. There is no evidence of that fact.
2. When I questioned the applicant, she said, that if the parent passed, then they would turn it into a public rental situation.
3. My neighbour discovered that the applicant lived in Oak Bay prior to purchasing the Gonzales home. Oak Bay allows rentals for in-laws and parents. So why did the applicant purchase in Victoria, or at least, purchase a home that could already accommodate this alleged parent? The applicant knew in advance what the bylaw currently allows!
4. There is no provision or intention to provide parking off street for this development, and I object to creating more parked cars on Gonzales. It is a narrow street that is already plagued with speeding car issues, that compromise the safety of young children who reside there. When I questioned the applicant on this issue, she stated that her mother doesn't own a car, and she argued that there was lots of parking on Gonzales and it wasn't crowded. The street in fact is crowded with cars! From a longer term perspective, when the applicant intends to rent the proposed suite out publicly, it is clear that they will not provide off street parking.

5. I moved into this area because of the beautiful environment, and the lack of development of building structures in this area. What are the environmental implications here? More sewer, less green space for birds and animals, valuable insects, drainage issues, more water cascading off a structure...etc. These are serious issues to be considered. Its time our community stood up and put a halt to development of this nature! The encroaching of our beautiful Fair Field Community must be stopped, and this is one project that needs to stopped.

In summary, the applicant knowingly has moved into this community with the expressed intention of creating a rental property that I suspect is pitched under the guise of accommodating an elderly parent who we don't even know exists! If the parent does exist, they surely could have accommodated them in another area of Victoria in a suite for them, that does not create more building in our community. The applicant was clear that she intended to rent out the proposed suite in the future.

As the Land Use Committee Chair, I thank you for your volunteer work on behalf of our beautiful Fairfield area, and I urge you to take our objection seriously and advocate for the beauty and non development of our community. Please advise what I can do as a further step to halt this development.

Sincerely,

Jim and Janine Lauder


Melanie Stewart/Graham Whitmarsh
1750 Richardson St.
Victoria BC V8S 1R7



June 12, 2015

To whom it may concern,

This letter is to provide formal support to our neighbours, Gale Penhall and Maxwell Maxey, in their garden suite application.

We have met with the applicants and reviewed their plans in detail and have no concerns whatsoever with their application.

Further to this, we believe that this is the sort of thing that our city should be encouraging and we congratulate Gale and Max on making this application.

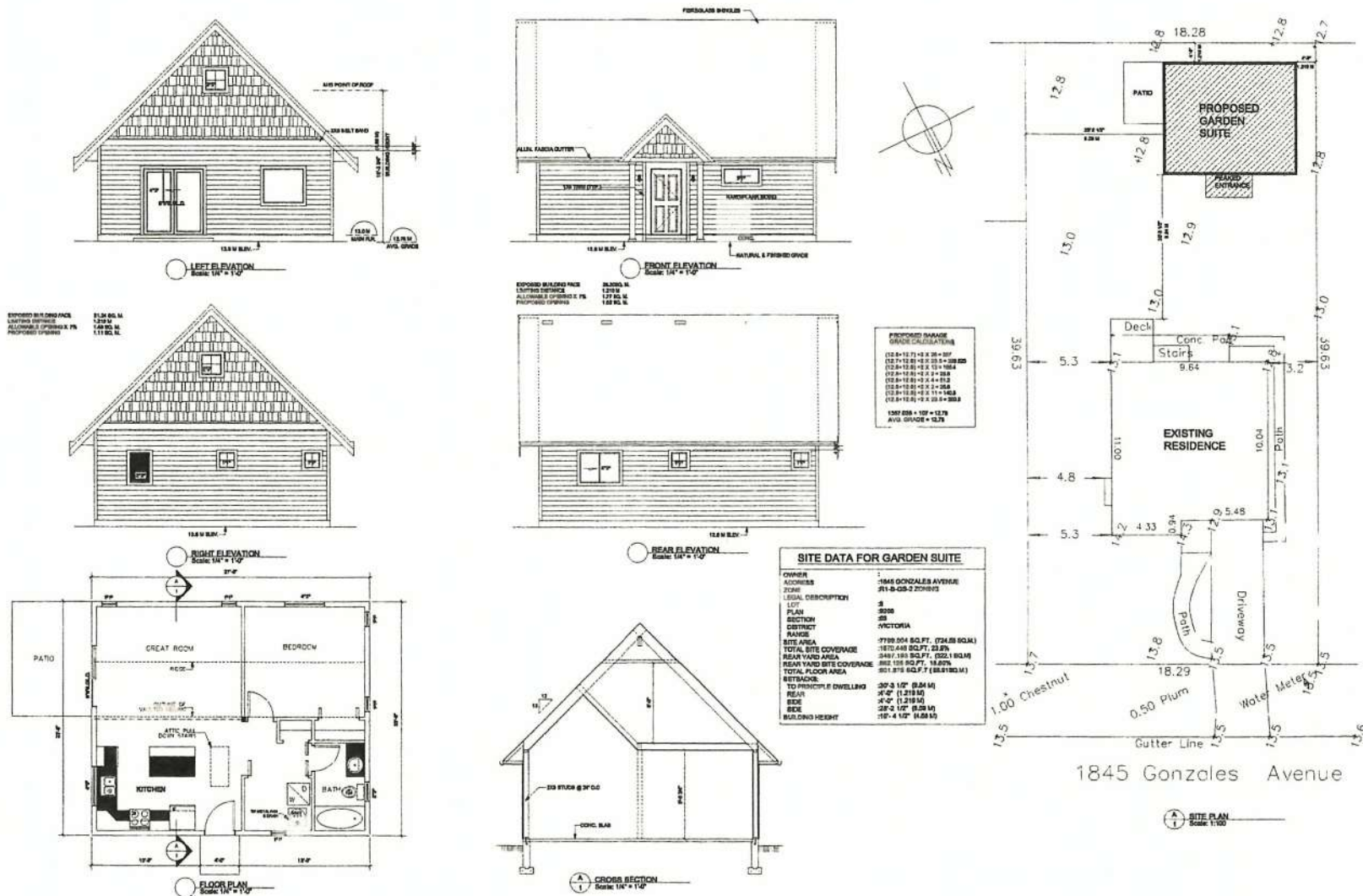
Please do not hesitate to contact us for any further information.

Sincerely,

A handwritten signature in dark ink, appearing to be "Melanie Stewart/Graham Whitmarsh", written over a horizontal line.

Melanie Stewart/Graham Whitmarsh
Owners, 1750 Richardson St., Victoria BC.





td Swansburg design studio
#304-409 Swift St.
Victoria, BC
V8W 1S2
T.250.384.3990
F.250.384.3944

PROJECT:
PROPOSED GARDEN
SUITE FOR 1845
GONZALES

DWG TITLE:
GONZALES GARDEN
SUITE

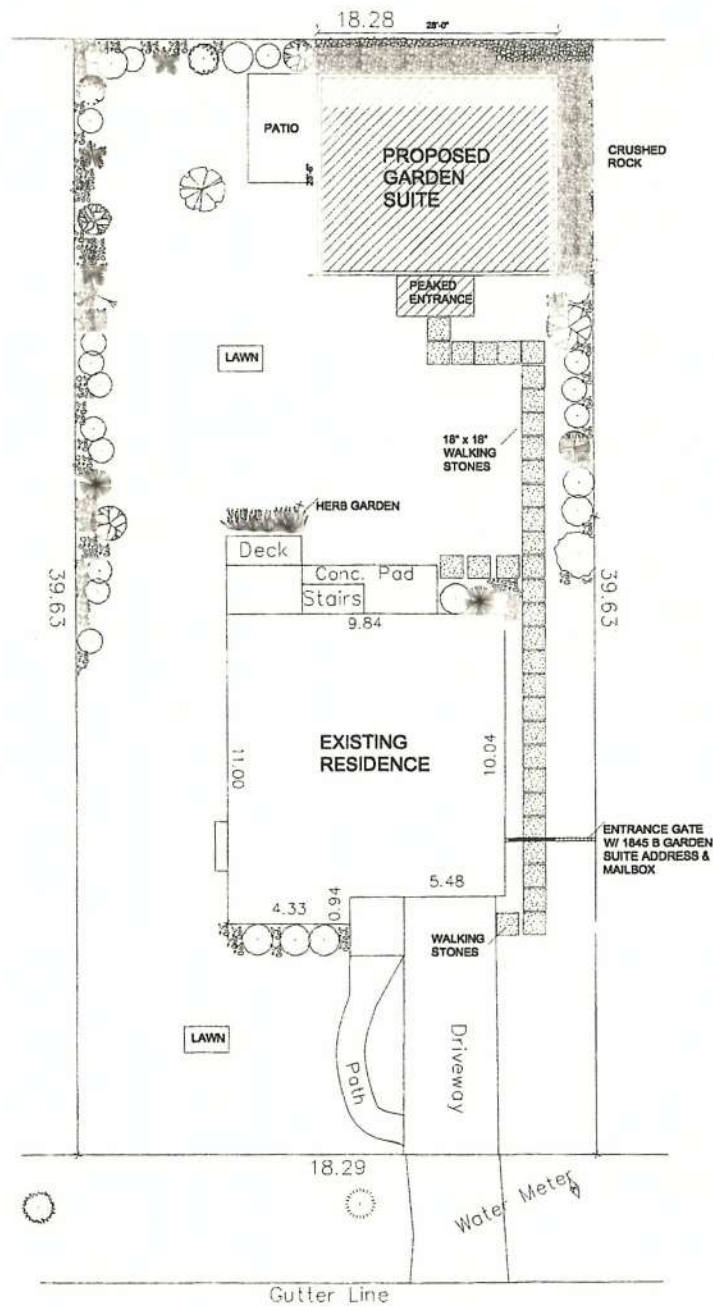
SCALE:
1/4" = 1'-0"

DWG. NO.:
R-5

DATE:
2015-NOV-12

DRAWING BY:
A. ROBINSON

CHECKED BY:
T. RYBACK



SITE PLAN LANDSCAPE PLAN
Scale: 1:100

Garden legend	
	Azalea
	Paranilectus
	Hazelnut
	Ratodendrons
	Bay Laurel
	Hydrannia
	California
	Weeping Willow
	Willow
	Urac
	Butterfly Bush
	Plum
	Chestnut

tdSwansburg design studio
#304-409 Swift St.
Victoria, BC
V8W 1S2
T.250.384.3990
F.250.384.3944

PROJECT:
PROPOSED GARDEN
SUITE FOR 1845
GONZALES

DWG TITLE:
GONZALES GARDEN
SUITE LANDSCAPE

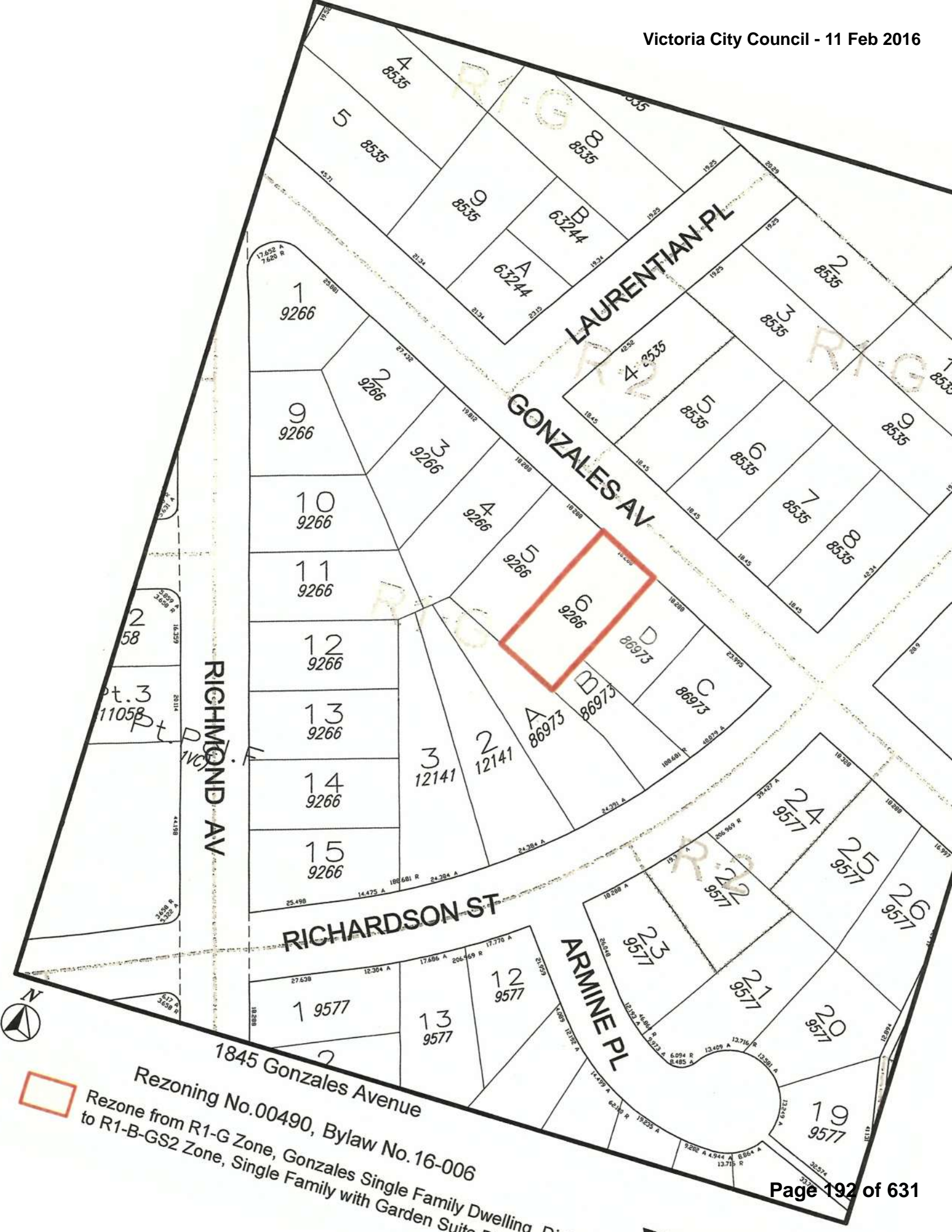
SCALE:
1/4" = 1'-0"

DWG. NO.:
R-5

DATE:
2015-NOV-12

DRAWING BY:
A. ROBINSON

CHECKED BY:
T. RYBACK



Rezoning No.00490, Bylaw No.16-006
Rezone from R1-G Zone, Gonzales Single Family Dwelling, D
to R1-B-GS2 Zone, Single Family with Garden Suite

Christine Havelka

From: Public Hearings
Subject: FW: Rezoning Application No. 00490 for 1845 Gonzales Avenue

From: Jim Lauder [mailto:
Sent: Thursday, January 21, 2016 12:10 PM
To: Public Hearings
Cc: George Zador
Subject: Rezoning Application No. 00490 for 1845 Gonzales Avenue

Victoria City Council & Fairfield Community Association

Opposition Letter

We reside at 1730 Richardson St. and the following outlines our objections to the rezoning application as listed.

1. The applicant initially approached us and stated that the intention was to create a garden suite for their elderly in law to reside in. At that time the applicant resided at 1845 Gonzales. Months have elapsed and currently the applicant **does not reside at this address**, but instead, has rented out the dwelling. I believe the applicant's intention is to simply use the dwellings for commercial gain and profit, and as such, would be an absent landlord. There are countless examples in our city where properties become exploited by renters who simply do not care for the state of the home nor their neighbours!

2. We moved into this particular area of Fairfield because of the beautiful environment, its 1950's charm and many mature trees, and specifically to our address because of the natural view planes not obstructed by buildings.

However, recently, the neighbour who resides at 1740 Richardson **removed four 35 foot mature healthy fir trees** located on the south south east property line! These beautiful trees offered very desirable privacy from my deck and rear and large windows. Because of the destruction of the trees, I face the awful prospect at staring at yet another building in the form of the proposed garden suite, which makes my protest even stronger and justified!

3. Furthermore, there is no provision or intention to provide parking off street for this development, and I object to creating more parked cars on Gonzales. It is likely that an **additional three cars** owned by tenants would crowd the street. I object to the current Garden suite guidelines that do not address this critical parking congestion issue! I do not want to live in an area where the city streets are crowded with cars. Density in the form of multiple rental properties with many more vehicles, creates safety issues for young children, blockage for city maintenance workers..etc.,not to mention the environmental impact.

Gonzales Avenue is a narrow street that is already plagued with speeding car issues, that compromise the safety of young children who reside there. When the applicant intends to rent the proposed suite out it is clear that they will not provide off street parking.

In conclusion, I am deeply disturbed and offended by the prospect of more density that destroys our local ecosystem that includes not only trees, but insect habitat as well. More sewer, less green space for birds and animals, valuable insects, drainage issues, more water cascading off a structure...etc. These are serious issues to be considered. Its time our community stood up and put a halt to development of this nature! It is a mere "thin edge of the wedge" that invites even more destruction of the charm of our Fairfield area for the sake of mere profit and commercial gain. The existing zoning protects our area and it was designed with intent to preserve the integrity of the community. The encroaching and rapid rate of development in our beautiful Fairfield Community must be stopped, and this is one project that needs to be stopped. Please do the right thing for the sake of our neighbourhood and to preserve green space, the environment, and animal habitats, as well.

Signed: Jim Lauder
January 21, 2016

cc:

Edward & Lavina Knight
1841 Gonzales Ave.
Victoria BC V8S 1T9

February 5, 2016

Mayor & Council
Victoria BC

**Re Proposed Re-Zone
1845 Gonzales Ave.**

We are the neighbours on the West side of 1845 Gonzales, and have resided at 1841 Gonzales since 1962.

This all began for us with a visit from the applicant to request that we support her application to have 1845 rezoned to permit a Garden Suite. In the discussion that followed, we explained that we were happy with the way things were and could not support the application.

Sometime later we learned that the application had been revised to request approval for a Garden Suite in the South-West corner of 1845, and this was confirmed in an "Oh by the way" comment during the community meeting on June 15, 2015. The purpose of that meeting was to create approval for a Garden Suite in the back yard, situated in the South-East corner of the lot.

With the change, we had to consider the of the implication of the directive that care should be taken to minimize the visual impact of adjacent properties. We are concerned that there is no way that directive can be followed if a Garden Suite is approved for construction in the South West corner of the 1845 backyard.

Our dining room, patio, bathroom and kitchen and bedrooms are all windowed to face East. A Garden Suite as proposed will dominate the view from those windows along the East side of 1841. This result after all we have invested over many years to make 1841 as pleasant a place to live in as can be.

It is for that reason that we are asking that the application should be disallowed.

Taking account of the changes that council has approved for the small corner of a district zoned as single family, that densification in this area has already gone about as far as it should go.

Sincerely,


Edward & Lavina Knight

Christine Havelka

From: Public Hearings
Subject: FW: Rezoning Application No. 00490

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

From: jay timothy [mailto:]
Sent: Wednesday, February 10, 2016 8:04 AM
To: Public Hearings
Subject: Rezoning Application No. 00490

Dear Council,

I would like it to be know that I'm apposed to this rezoning application.

I bought into this neighbourhood specifically because the homes had land and space. It is a quiet safe place for raising my children. The lots have enough size for lawns to play on and mature trees to provide an array of wonderful greenery, sound buffering, and visual privacy from the houses around me. My worry is in allowing this application will set the precedence for future applications, replacing lawns and mature trees with back yard house farms.

Density is a green buzz word but it is not greener than green space. We also need to acknowledge density is already happening, over the last years most houses have added secondary suites legal or not. It is an economic reality for new families to afford a home in this area. I know this application is being presented as a home for an aging mother but the reality is it will become a rental unit. With the addition of a garden suite there will most likely be two rental units at each single family residence.

With each rental unit comes the increase of a transient population within a family neighbourhood, bringing its own problems and potentially affecting the safeness. Parking also becomes an issue, the addition suites generally do not provide off street parking and street parking is certainly more congested that it was. My guests are not always able to park in front of my house due to the additional cars on the street from the suites near me. Only the city can comment on the infrastructure load and I can only guess there are systems that are near limits already.

Secondary suites are being added to the houses in this area, it is permitted and happening legal or not. It is increased density that can not be controlled. The addition of garden suites is additional density that will change the character of this neighbourhood. If one wants to live in a place where there are large amounts of buildings and little yard space there are many options within Victoria, this part of Fairfield does not need to be one.

I would hope this council will choose wisely and not allow this rezoning.

Jay Timothy
663 Richmond Ave

1750 Richardson Street
Victoria, BC
V8S1R7

11th February 2016

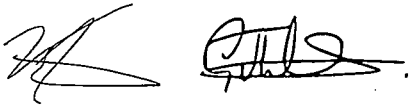
Re: Application to construct a Garden Suite at 1845 Gonzales Street, Victoria

I am writing concerning the application made by the owners of 1845 Gonzales Street to construct a garden suite on the property. I previously wrote a letter of support related to this application in June 2015. However, at that time I was confused as to the location of this property based on my conversation with Gale Penhall and didn't realize that it actually meant building a new structure extremely close to my small backyard. Unfortunately, now that we fully understand what is being proposed, my husband and I must withdraw our support.

If this application is approved, it is likely that the rear of my home will be closer to the proposed property than that of the applicants. If it situated directly at the rear of our property it will certainly interfere with the privacy or enjoyment of our backyard. The distance from the rear of our property will be I estimate 35-40 feet from the exterior wall of our house (it may in fact be closer). I also believe that this will affect the market value of our home.

It's also important to recognize that our home was itself built on a lot that was previously subdivided, so the density of the area is already higher than is the average.

Thank you for your consideration.

Two handwritten signatures in black ink. The first signature on the left is 'Melanie Stewart' and the second signature on the right is 'Graham Whitmarsh'.

Melanie Stewart and Graham Whitmarsh

REPORTS OF THE COMMITTEE

Planning and Land Use Committee – January 14, 2016

3. Development Permit Application No. 00490 for 1845 Gonzales Avenue:

It was moved by Councillor Coleman, seconded by Councillor Isitt, that Council consider the following the motion after the Public Hearing for Rezoning Application No. 00490, if it is approved:

"That Council authorize the issuance of Development Permit Application No. 00490 for 1845 Gonzales Avenue in accordance with:

1. Plans date stamped November 12, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3.2 Development Permit Application No. 00490 for 1845 Gonzales Avenue

Committee received a report dated December 18, 2015, regarding an application for 1845 Gonzales Avenue. The proposal is to construct a garden suite.

- Action:** It was moved by Councillor Coleman, seconded by Councillor Lucas, that the Committee recommends that Council consider the following motion after the Public Hearing for Rezoning Application No. 00490, if it is approved:
That Council authorize the issuance of Development Permit Application No. 00490 for 1845 Gonzales Avenue in accordance with:
1. Plans date stamped November 12, 2015.
 2. Development meeting all Zoning Regulation Bylaw requirements.
 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 16/PLUC004



Planning and Land Use Committee Report

For the Meeting of January 14, 2016

To: Planning and Land Use Committee **Date:** December 18, 2015

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

Subject: Development Permit Application No. 00490 for 1845 Gonzales Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion after the Public Hearing for Rezoning Application No. 00490, if it is approved:

"That Council authorize the issuance of Development Permit Application No. 00490 for 1845 Gonzales Avenue in accordance with:

1. Plans date stamped November 12, 2015.
2. 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 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 920 (8) of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1845 Gonzales Avenue. The proposal is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, in order to construct a garden suite.

The following points were considered in assessing this Application:

- The proposal is consistent with the objectives for sensitive infill in Development Permit Area 15E: Intensive Residential – Garden Suites of the *Official Community Plan 2012* (OCP).
- The proposal is generally consistent with the policies and design specifications of the *Garden Suite Policy* (2011).

BACKGROUND

Description of Proposal

The proposal is to construct a garden suite. Specific details include:

- the garden suite incorporates architectural elements from the existing residence
- the exterior materials include Hardiplank siding, Hardie shingle siding and fibreglass shingle roofing
- the unit would have a covered entry that would be oriented towards the street
- windows would be minimized on the sides facing adjacent properties
- a new patio and path to access the garden suite would be added.

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 Permit Application.

Existing Site Development and Development Potential

The site is presently a single family home.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield Gonzales CALUC at a Community Meeting held on June 15, 2015. The minutes from this meeting are attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

As supported in the *Garden Suite Design Guidelines*, the design of the building relates to the principal building on site and fits in with the traditional character of the neighbourhood. The garden suite has a covered front entry, a peaked roofline, exterior light fixtures and Hardie shingle siding. To address potential privacy concerns, the larger windows are located on the side facing the interior of the site. The windows on the sides facing adjacent properties are smaller and located to reduce privacy concerns.

The proposed garden suite would not be clearly visible from the street as encouraged in the *Garden Suite Design Guidelines*; however, a new entrance gate with an address sign would be added to help increase visibility from the street. The proposed landscaping blends with the existing landscaping with the addition of a path to the garden suite surfaced with walking stones and a patio located at the side entrance.

CONCLUSIONS

This proposal to construct a garden suite is generally consistent with Development Permit Area 15E: Intensive Residential – Garden Suites. The garden suite creates an opportunity for another form of rental housing and will have minimal infringement on the neighbouring dwellings. Staff recommend that Council consider supporting this Application.


ALTERNATE MOTION

That Council decline Development Permit Application No. 00490 for the property located at 1845 Gonzales Avenue.

Respectfully submitted,


Rob Bateman
Planner
Development Services Division

Am


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: December 30, 2015

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated August 12, 2015
- Minutes from Fairfield Gonzales Community Association meeting dated June 15, 2015
- Plans dated November 12, 2015.





**CITY OF
VICTORIA**
Page 207 of 631

August 12, 2015

Mayor Helps and Council
City of Victoria
c/o 1 Centennial Square,
Victoria, BC
V8W 1P6

Dear Mayor Helps and Council,


Re: 1845 Gonzales Avenue - Garden Suite Rezoning Application

We are requesting a land use/zoning change from **R1-G** to **R1-B-GS-2** to our home at 1845 Gonzales Avenue. This change will allow us to make application to build a single detached 'Garden Suite' in the rear corner of our lot. Once built the intent is to initially house our elderly mother, offering her a semi-independent lifestyle. After she ceases to inhabit this home, it will be adopted as a rental home offered to a cross section of potential renters. As neither my husband nor I have company pension plans, it may eventually act as our home, with the larger home being rented to augment our income.

Having reviewed the City's criterion for Garden Suite rezoning, we believe that we meet all of these. The property envelopes over 8,000 sq ft, of which we propose to utilize approximately 24% of the lot, well under the allowable 40%. The proposed site location of the Garden Suite has an extremely low impact to the adjoining neighbours as it will be surrounded by neighbouring green-space and not directly abutting or close to existing buildings or homes. Our proposed Garden Suite will offer 597 square feet of living space, as allowed by the City on a lot our size. The design and site location of the Garden Suite took into consideration all required City of Victoria guidelines. The Garden Suite entrance and walk way face the main street and will be self contained meeting all building and mechanical permit requirements. The architectural building design and finish materials will blend in and compliment the surrounds. Preservation of existing landscaping will be maintained as much as possible.

We believe this rezoning will add a long term benefit to our community by offering a rental option to individuals and families that may not have the ability to purchase. This benefit will carry on long after we cease to inhabit the property. This density and diversity will have a positive, long term effect on both neighborhoods and surrounding businesses and we applaud that and would like to participate in this initiative.

Yours truly,



Gale L. Penhall
Home Owner



**Minutes of Community Meeting
Planning and Zoning Committee
Fairfield-Gonzales Community Association (FGCA)
June 15, 2015**

Facilitators for the FGCA: George Zador (Chair)
Susan Snell
Ken Roueche

Subject property: 1845 Gonzales Ave ; garden suite application (66 notices sent)
Proponent/presenter: Gale Penhall, Max Maxie.

Attendance: 5 people.

Attendee Questions and Comments:

- Does it meet all setback requirements? Yes, more than minimum.
 - Length of construction? Using prefab components, very short time.
 - Type of exterior finish? Stained Hardie board and cedar roof.
 - Added landscaping? Yes, extensive coverage planned.
 - One neighbour extensively critical about the project: why not extend the existing home, or build basement suite instead of a separate structure that infringes on his privacy.
- Proponent responded that the garden suite is the most economically feasible way of providing separate accommodation and all efforts to ensure neighbour's privacy are demonstrated in the plans.

George Zador

Anita Walper

From: George Zador <planandzone@fairfieldcommunity.ca>
Sent: Friday, Jun 19, 2015 12:47 PM
To: caluc@victoria.ca
Cc: [REDACTED]
Subject: Re: FGCA Community Meeting minutes

Anita, would you please attach this note to the June 15th Minutes of the Meeting, 1845 Gonzales Ave Garden suite application.

The Minutes of the Meeting has omitted to mention a verbal detail on the assumption of it not being an issue of significance.

There was an inadvertent error in the Development Proposal notice sent to affected homes, describing the location of the project as "situated in the south-east corner" of the property.

The actual location is the south-west corner, clearly shown in the plans as submitted and shown at the meeting. Proponent Max Maxie had covered this error at the beginning of the meeting, and apologized for whatever confusion it may have caused..

George Zador

Planning and Zoning Chair
Fairfield Gonzales Community Association
1330 Fairfield Rd. Victoria, BC V8S 5J1
planandzone@fairfieldcommunity.ca
www.fairfieldcommunity.ca
Facebook

From: caluc@victoria.ca
Sent: Friday, June 19, 2015 11:17 AM
To: George Zador
Subject: FGCA Community Meeting minutes

Thank you George
Anita

Anita Walper
Administrative Assistant
Sustainable Planning and Community Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0212 F 250.361.0386



From: George Zador [<mailto:planandzone@fairfieldcommunity.ca>]

Sent: Friday, Jun 19, 2015 10:20 AM
To: caluc@victoria.ca
Cc: Chris Coleman (Councillor)
Subject: FGCA Community Meeting minutes

Attached please find Minutes of Community Meetings held at the FGCA on June 15th 2015.

Alicia Ferguson

From: George Zador <planandzone@fairfieldcommunity.ca>
Sent: Monday, Jun 29, 2015 3:30 PM
To: caluc@victoria.ca
Subject: Fw: 1845 Gonzales Development Proposal

Hi Anita.....forwarding yet another submission to be added to the subject file.

Thanks and regards

George Zador.

From: Jim Lauder
Sent: Monday, June 29, 2015 1:14 PM
To: planandzone@fairfieldcommunity.ca
Subject: 1845 Gonzales Development Proposal

Dear George Nador,

I was unable to attend the community meeting held on the 15th, however, I want to make it clear that my wife and I are **against** this development. We reside at 1730 Richardson St. and the proposed building would be in our view plane. I know that the neighbour who resides next door to 1845 is against the development, and also my neighbour is as well. My understanding is they both did not want to view their objection at the meeting. Most likely to avoid conflict. An open meeting can appear to be open, however, can also be a limited forum for those who are afraid to speak their truth for fear of creating conflict. I prefer to state my truth.

My objection to this proposal is based on what I have learned so far from the applicant, in person with her, and also based on information derived from my neighbour.

1. The applicant claims to make the application based on housing a relative who lives in Winnipeg. There is no evidence of that fact.
2. When I questioned the applicant, she said, that if the parent passed, then they would turn it into a public rental situation.
3. My neighbour discovered that the applicant lived in Oak Bay prior to purchasing the Gonzales home. Oak Bay allows rentals for in-laws and parents. So why did the applicant purchase in Victoria, or at least, purchase a home that could already accommodate this alleged parent? The applicant knew in advance what the bylaw currently allows!
4. There is no provision or intention to provide parking off street for this development, and I object to creating more parked cars on Gonzales. It is a narrow street that is already plagued with speeding car issues, that compromise the safety of young children who reside there. When I questioned the applicant on this issue, she stated that her mother doesn't own a car, and she argued that there was lots of parking on Gonzales and it wasn't crowded. The street in fact is crowded with cars! From a longer term perspective, when the applicant intends to rent the proposed suite out publicly, it is clear that they will not provide off street parking.

5. I moved into this area because of the beautiful environment, and the lack of development of building structures in this area. What are the environmental implications here? More sewer, less green space for birds and animals, valuable insects, drainage issues, more water cascading off a structure...etc. These are serious issues to be considered. Its time our community stood up and put a halt to development of this nature! The encroaching of our beautiful Fair Field Community must be stopped, and this is one project that needs to stopped.

In summary, the applicant knowingly has moved into this community with the expressed intention of creating a rental property that I suspect is pitched under the guise of accommodating an elderly parent who we don't even know exists! If the parent does exist, they surely could have accommodated them in another area of Victoria in a suite for them, that does not create more building in our community. The applicant was clear that she intended to rent out the proposed suite in the future.

As the Land Use Committee Chair, I thank you for your volunteer work on behalf of our beautiful Fairfield area, and I urge you to take our objection seriously and advocate for the beauty and non development of our community. Please advise what I can do as a further step to halt this development.

Sincerely,

Jim and Janine Lauder


Melanie Stewart/Graham Whitmarsh
1750 Richardson St.
Victoria BC V8S 1R7



June 12, 2015

To whom it may concern,

This letter is to provide formal support to our neighbours, Gale Penhall and Maxwell Maxey, in their garden suite application.

We have met with the applicants and reviewed their plans in detail and have no concerns whatsoever with their application.

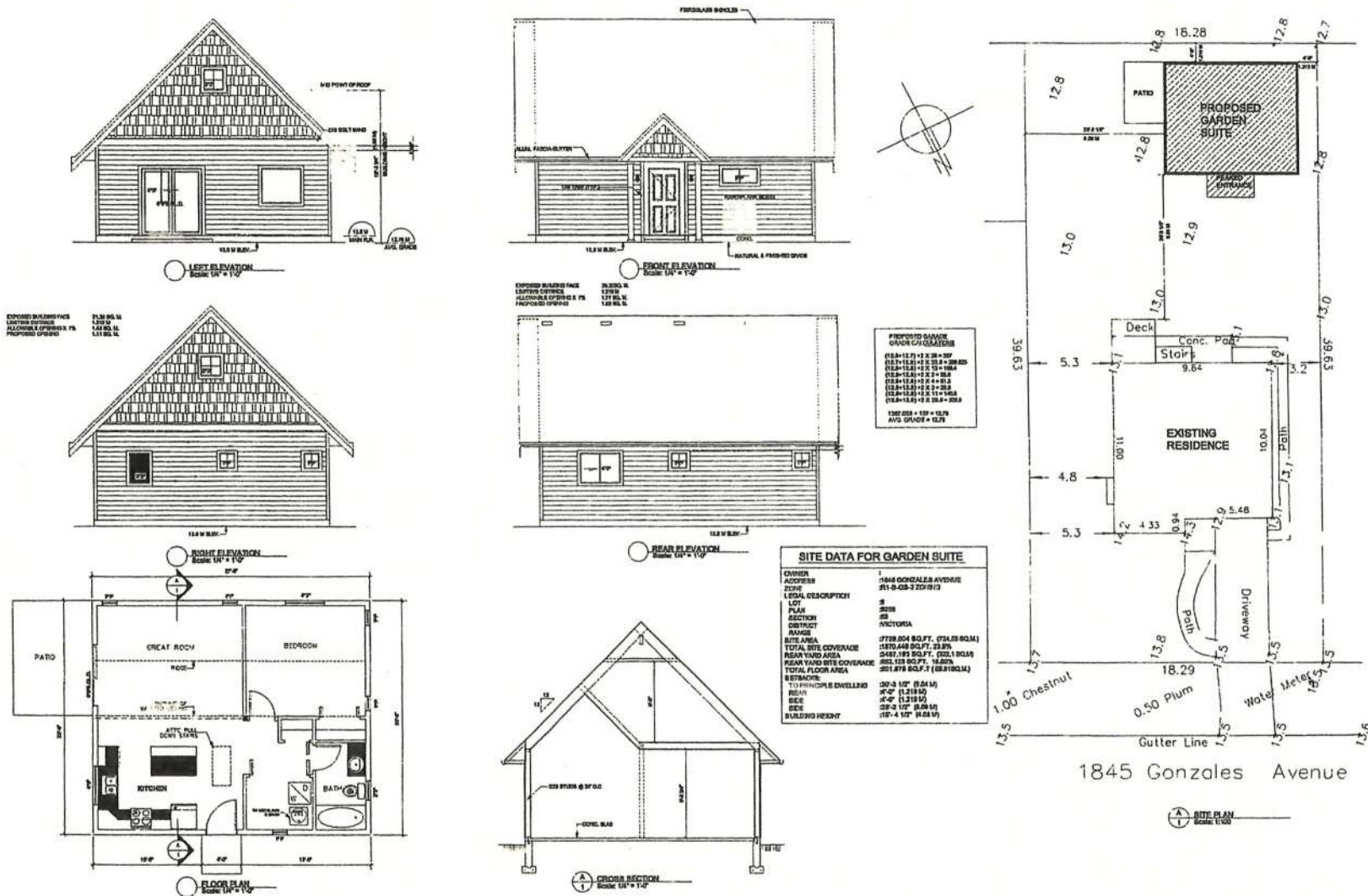
Further to this, we believe that this is the sort of thing that our city should be encouraging and we congratulate Gale and Max on making this application.

Please do not hesitate to contact us for any further information.

Sincerely,

A handwritten signature in dark ink, appearing to be a stylized "M" or "G" followed by a long horizontal stroke.

Melanie Stewart/Graham Whitmarsh
Owners, 1750 Richardson St., Victoria BC.
250-298-8399



#304-409 Swift St.
Victoria, BC
V8W 1S2
T.250.384.3990
F.250.384.3944

PROJECT:
PROPOSED GARDEN
SUITE FOR 1845
GONZALES

DWG TITLE:
GONZALES GARDEN
SUITE

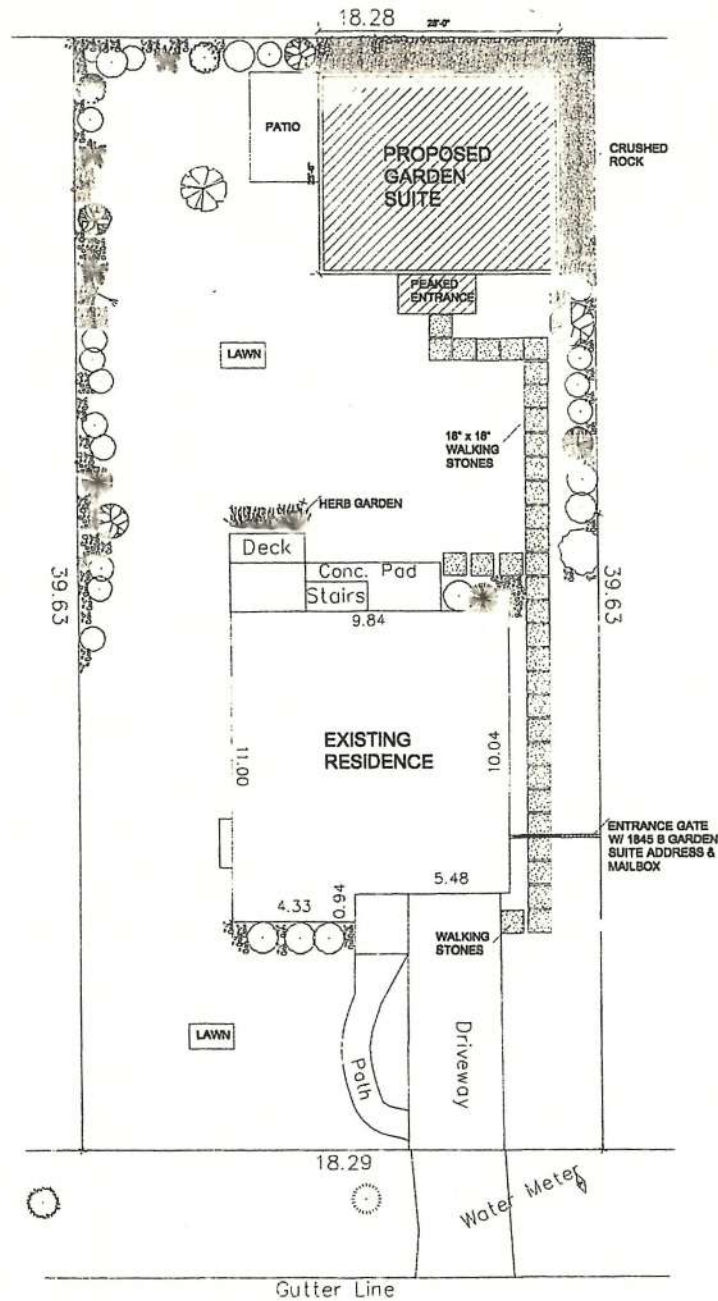
SCALE:
1/4" = 1'-0"

DWG. NO.:
R-5

DATE:
2015-NOV-12

DRAWING BY:
A. ROBINSON

CHECKED BY:
T. RYBACK



Garden legend	
	Azalea
	Pernettya
	Hazelnut
	Ratodendrum
	Bay Laurel
	Hydrangea
	Calluna
	Weeping Willow
	Willow
	Ulm
	Butterfly Bush
	Plum
	Chestnut

A
1 SITE PLAN LANDSCAPE PLAN
Scale: 1:100

td *landscape design studio*
#304-409 Swift St.
Victoria, BC
V8W 1S2
T.250.384.3990
F.250.384.3944

PROJECT:
PROPOSED GARDEN
SUITE FOR 1845
GONZALES

DWG TITLE:
GONZALES GARDEN
SUITE LANDSCAPE

SCALE:
1/4" = 1'-0"

DWG. NO.:
R-5

DATE:
2015-NOV-12

DRAWING BY:
A. ROBINSON

CHECKED BY:
T. RYBACK

NO. 16-006

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw to rezone land known as 1845 Gonzales Avenue from the R1-G Zone, Gonzales Single Family Dwelling District to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District.

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

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1059)”.
- 2 The land known as 1845 Gonzales Avenue, legally described as Lot 6, Section 68, Victoria District, Plan 9266 and shown hatched on the attached map, is removed from the R1-G Zone, Gonzales Single Family Dwelling District, and placed in the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District.

READ A FIRST TIME the **28th** day of **January** 2016

READ A SECOND TIME the **28th** day of **January** 2016

Public hearing held on the day of 2016

READ A THIRD TIME the day of 2016

ADOPTED on the day of 2016

CORPORATE ADMINISTRATOR

MAYOR

REPORTS OF THE COMMITTEE

Planning and Land Use Committee – January 14, 2016

10. Development Variance Permit Application No. 000166 for 1082 Richmond Street:

It was moved by Councillor Lucas, seconded by Councillor Coleman, after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion: That Council authorize the issuance of Development Variance Permit Application No. 000166 for 1082 Richmond Avenue, in accordance with:

1. Plans date stamped November 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - visitor parking requirements reduced from no less than 10% of total parking stalls to 5% of total parking stalls.
3. The Development Variance Permit lapsing two years from the date of this resolution.

Carried

For: Mayor Helps, Councillors Coleman, Isitt, Loveday, Lucas and Thornton-Joe
Against: Councillor Madoff

3.4 Development Variance Permit Application No. 000166 for 1082 Richmond Street

Committee received a report dated December 18, 2015, regarding a development variance application for 1082 Richmond Street. The proposal is to change two of the three required visitor parking stalls to be used solely by the residential units

Action: It was moved by Councillor Coleman, seconded by Councillor Lucas, that the Committee recommends that, after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

That Council authorize the issuance of Development Variance Permit Application No. 000166 for 1082 Richmond Avenue, in accordance with:

1. Plans date stamped November 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - visitor parking requirements reduced from no less than 10% of total parking stalls to 5% of total parking stalls.
3. The Development Variance Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 16/PLUC006



Planning and Land Use Committee Report For the Meeting of January 14

To: Planning and Land Use Committee **Date:** December 18, 2015
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit Application No. 000166 for 1082 Richmond Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 000166 for 1082 Richmond Avenue, in accordance with:

1. Plans date stamped November 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - visitor parking requirements reduced from no less than 10% of total parking stalls to 5% of total parking stalls.
3. The Development Variance Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 922 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 1082 Richmond Avenue. The proposal is to reduce the off-street visitor parking requirements from three parking stalls to one parking stall.

The following points were considered in assessing this Application:

- The Application is generally consistent with the *Official Community Plan*.
- The requested vehicle parking variance is minor in nature and will have minimal impact on on-street parking.

BACKGROUND

Description of Proposal

The proposal is to reduce the required visitor parking from three stalls to one. The existing parking configuration consists of three visitor parking stalls inside a secured parking structure. The applicant is seeking a variance to change two of the three secured parking stalls to resident stalls. One stall inside the secured parking structure will remain available as visitor parking.

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.

Existing Site Development and Development Potential

The site is approved to be developed as a four-storey multiple-dwelling apartment building with a standing height of 13.6m, however, construction has not yet commenced. The building as designed has a total of 22 residential units with 25 resident vehicle parking stalls, three visitor parking stalls and 22 bicycle storage stalls on site.

Data Table

The following data table compares the proposal with the existing R-76 Zone, Oak Bay Avenue Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R-76
Site area (m ²) - minimum	1087.0	1080.0
Site area per unit (m ²) - minimum	70.0	33.0
Number of units - maximum	22	-
Density (Floor Space Ratio) - maximum	2	2
Total floor area (m ²) - maximum	2182	2185
Lot width (m) - minimum	-	-
Height (m) - maximum	13.6	15.0
Storeys - maximum	4	4
Site coverage % - maximum	57.7%	58.0%
Open site space % - minimum	38.6%	35.0%

Zoning Criteria	Proposal	Zone Standard R-76
Setbacks (m) - minimum	2.85	2.85
Front – Richmond Ave (East)	4.25	4.25
Rear – (West)	3.8	3.8
Side – Oak Bay Ave (North)	3.65	3.65
Side (south)		
Parking - minimum	27	25
Visitor parking (minimum) included in the overall units	1*	3
Bicycle parking stalls (minimum)	22	22

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on December 9, 2015, the Application was referred for a 30-day comment period to the Rockland CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area (DPA) 7A: Corridors – Oak Bay Avenue

The *Official Community Plan (OCP)* identifies this property within DPA 7A, Oak Bay Avenue Corridor. The proposal is generally consistent with the objectives of the OCP. The applicant seeks to reduce the number of required on-site visitor parking from three stalls to two stalls. The visitor parking and resident parking spaces are all located behind a security gate within a parking structure below the building. The applicant proposes that two of the three visitor stalls be changed to parking for residents of the building. It is anticipated that the current existing two hour maximum parking zone along the front of the property on Richmond Avenue will provide adequate capacity to handle the additional parking demands generated by this proposal. However, it should be noted that the retention of the short term on-street parking cannot be guaranteed in perpetuity.

CONCLUSIONS

Overall, the requested reduction in visitor parking stalls is minor in nature and will have minimal impact on the existing on-street parking demands of the area. Given the minor nature of this requested variance and given that the overall parking supply remains unchanged, staff recommend that Council consider approving it.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 000166 for the property located at 1082 Richmond Avenue.

Respectfully submitted,

Adrian Brett
Heritage Planner
Community Planning


Jonathan Tinney, Director
Sustainable Planning and
Community Development

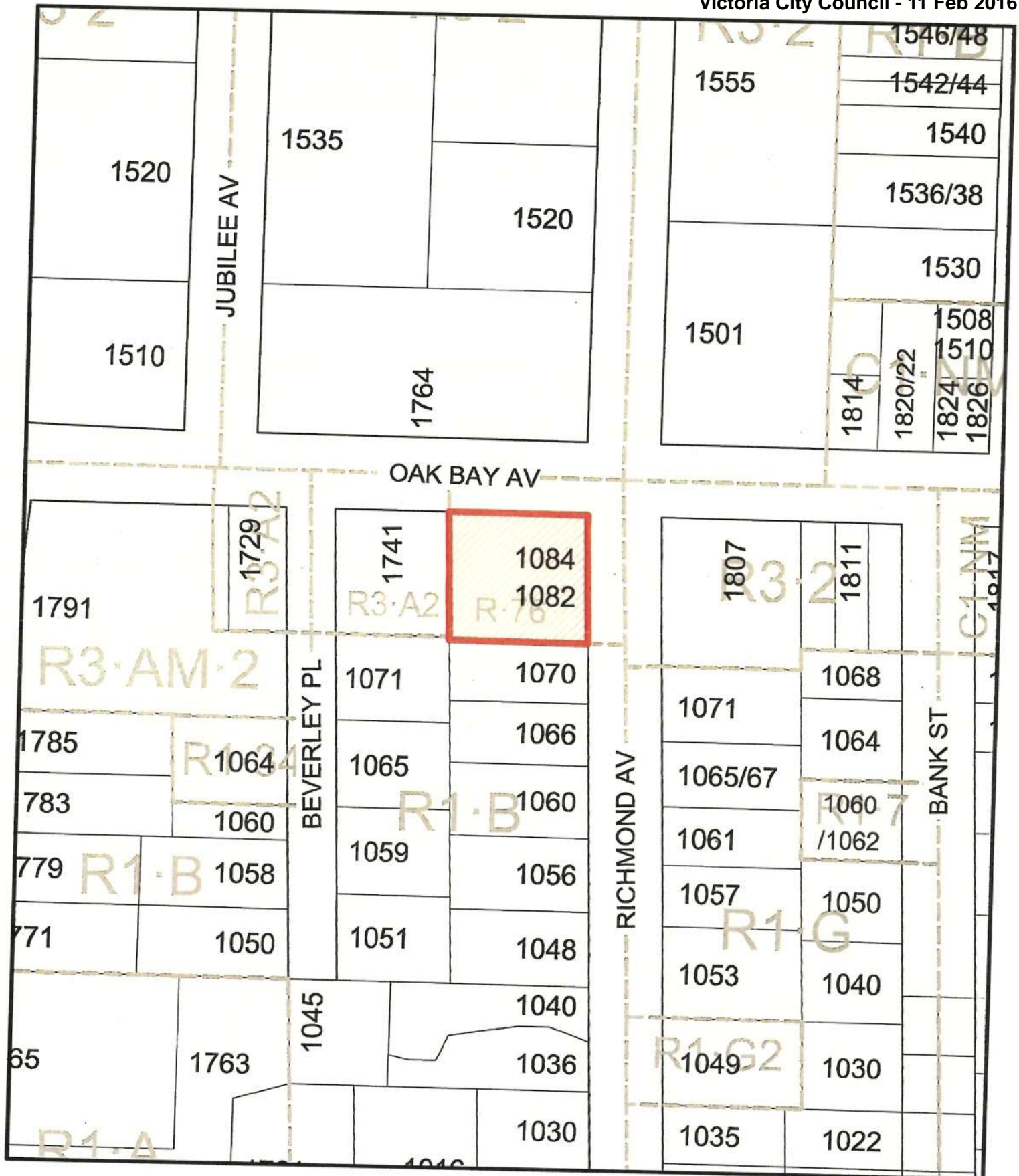
Report accepted and recommended by the City Manager:



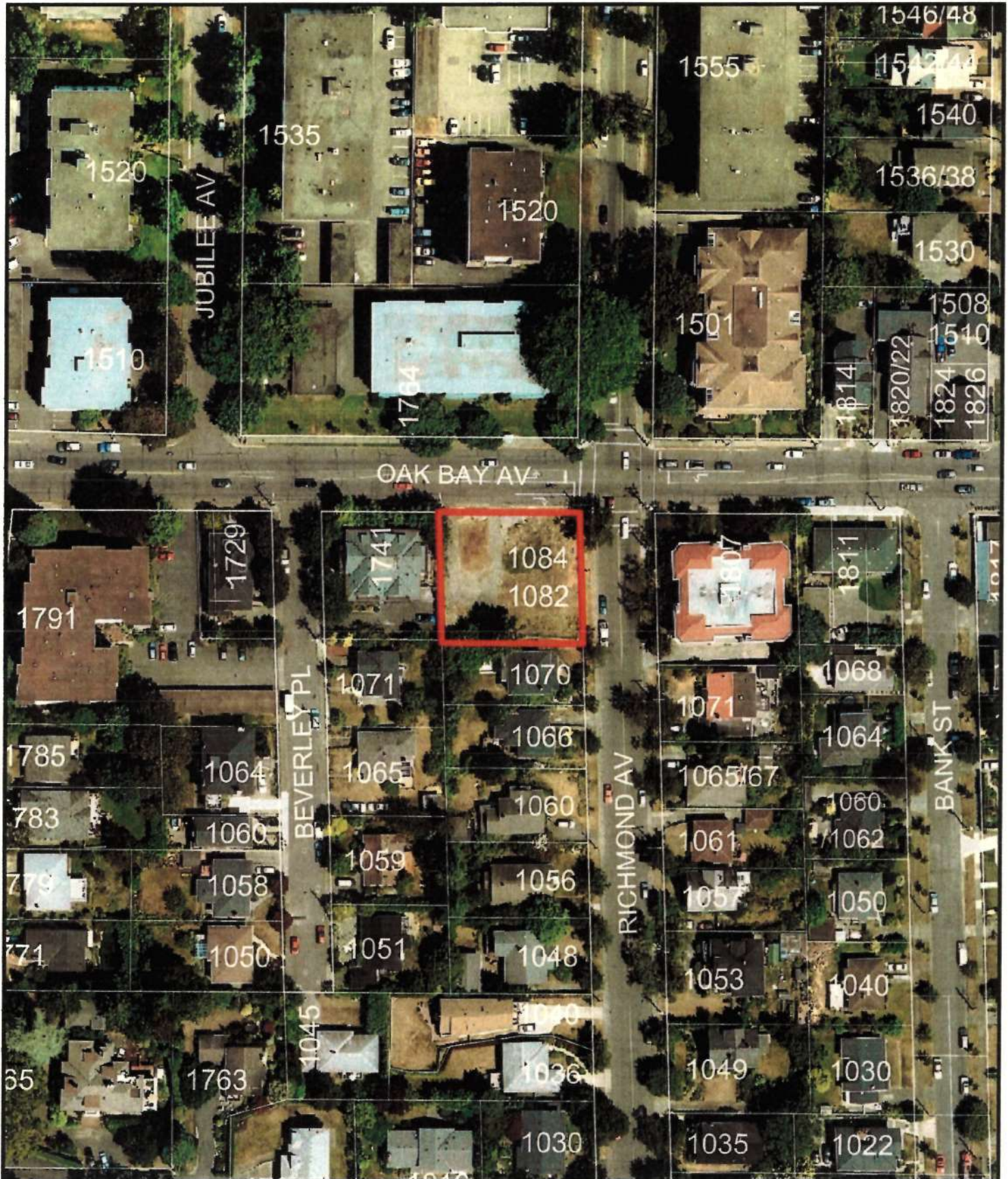
Date: December 29, 2015

List of Attachments

- Subject map
- Letter from applicant date-stamped November 13, 2015
- Plans date-stamped November 13, 2015.



1765 Oak Bay Avenue and
1082 Richmond Avenue
Development Variance Permit #00166



1765 Oak Bay Avenue and
1082 Richmond Avenue
Development Variance Permit #00166



P 250 883 5579 F 250 995 8611
www.abstractdevelopments.com

November 13, 2015

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

Attn: Lucina Baryluk, Senior Planner
Alison Meyer, Assistant Director – Development Services

Re: Development Variance Permit
1765 Oak Bay Avenue (1082 Richmond Avenue), Victoria, BC

Dear Lucina Baryluk and Alison Meyer,

This Development Variance Permit is to request a minor change to the visitor parking requirements for our current project underway at 1765 Oak Bay Avenue (1082 Richmond Avenue). We are requesting that the off street visitor parking requirement be reduced from three stalls to one stall. Our intention would be to reallocate the two stalls as additional residential parking for our project.

This variance is appropriate and necessary due to the inability to meaningfully separate the three visitor parking stalls from the rest of the residential stalls and due to the provision of new a new 2 hour maximum parking zone adjacent the project along Richmond Avenue. Since our project is a smaller multifamily building with an underground parkade there is a limited amount of space to arrange the parking, bicycle storage and other necessary facilities. Ideally visitor parking would not be located behind the main parkade gate due to accessibility, convenience and security concerns. Unfortunately it is unfeasible to arrange the gate and the three visitor parking stalls in any manner that would place the gate after the three visitor stalls. Due to convenience most visitors will choose to park on the street instead. In the case of the subject property, the parking along Richmond Avenue was formerly designated as all *Residential Only* parking and is being changed to a 2 hour maximum parking zone. This new designation works well as visitor parking since it is convenient and the time limit would prevent local residents from utilizing it as permanent parking.

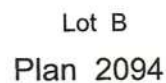
Since the three visitor parking stalls within the parkade would be used on a very limited basis, it makes sense for those parking stalls to be utilized to provide additional parking to any residents within the new development who do have multiple cars and would have otherwise had to utilize the residential on street parking within the area. In the case where a resident may have a visitor for an extended period of time or overnight, the visitor parking stall within the parkade is available. Based on the current market demands and the location of this project we believe that being able to provide more parking to our residents is an important factor for this project. We have decreased the number of proposed units on several occasions while keeping the same number of parking stalls in the parkade to increase our available parking ratio.

We feel this allocation and use of the underground parking stalls will better serve the building's residents, visitors, and the surrounding neighbourhood more effectively. If you have any additional questions regarding the requested variance, please do not hesitate to let us know.

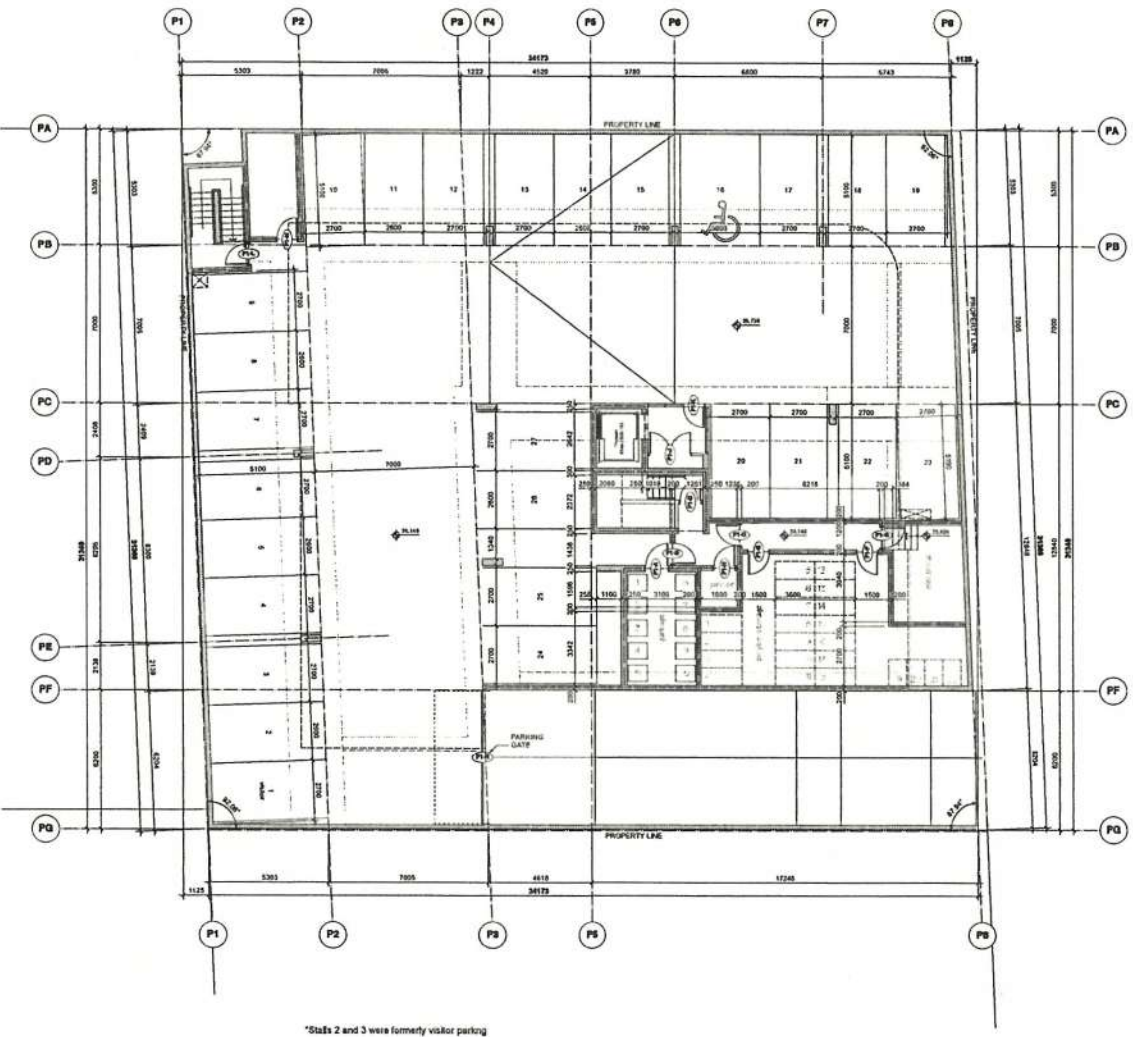
Korbin daSilva
Development Coordinator

T 250.883.5579 C 778.989.4160
E kdasilva@abstractdevelopments.com

Received Date:
November 13/15



 <p>de Hoog & Kerulf architects</p> <p>10000 100th Ave. S. Suite 100 Boulder, CO 80504 760-440-1000</p>	<p>The Maddison 1705 Oak Bay Avenue Victoria, BC</p>	<p>Site</p>
<p>ARCHITECT</p> <p>10000 100th Ave. S. Suite 100 Boulder, CO 80504 760-440-1000</p>	<p>ARCHITECT</p> <p>10000 100th Ave. S. Suite 100 Boulder, CO 80504 760-440-1000</p>	<p>ARCHITECT</p> <p>10000 100th Ave. S. Suite 100 Boulder, CO 80504 760-440-1000</p>
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*Stalls 2 and 3 were formerly visitor parking

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DEVELOPMENT VARIANCE PERMIT

1082 Richmond Avenue

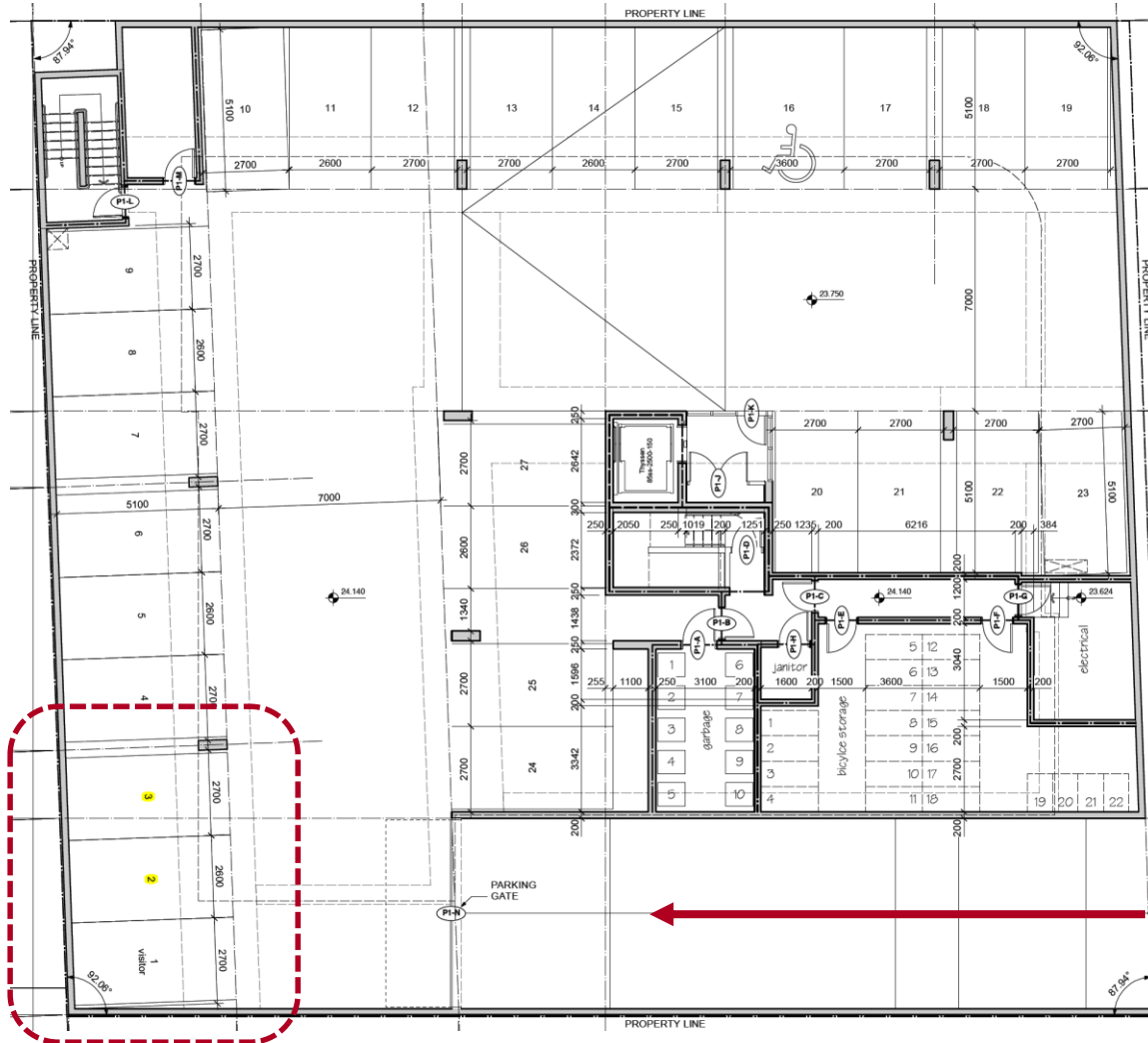
AERIAL VIEW



PARKING OVERVIEW

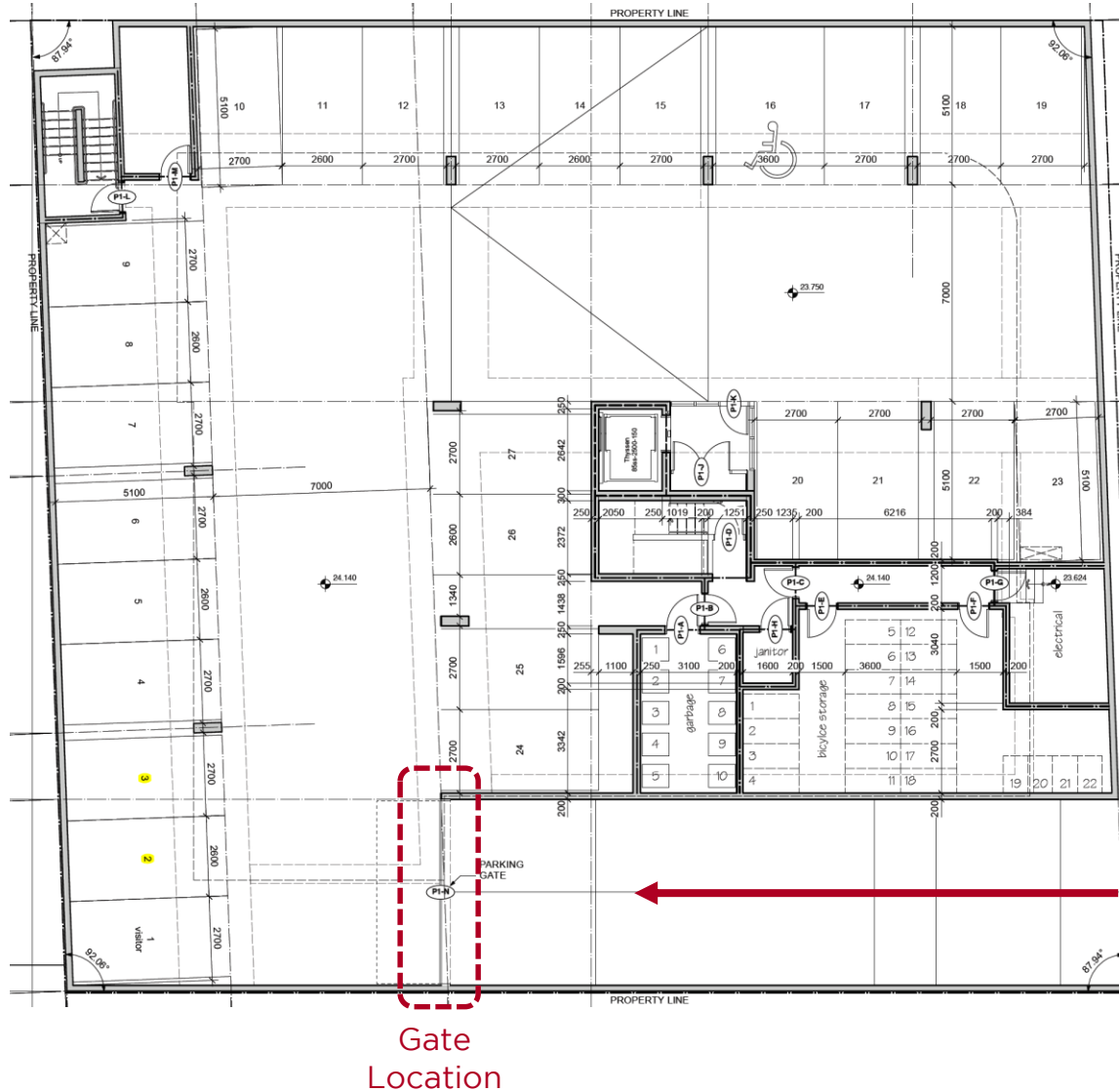
PROPOSAL	UNITS	PARKING	VISITOR
Original	27	27 (1.0 per unit)	3
Approved	24	27 (1.13 per unit)	3
Current	22	27 (1.23 per unit)	1 (proposed)

PARKADE PLAN



Ramp down from
Richmond Avenue

PARKADE PLAN



ON-STREET PARKING

- Currently “Residential Only” along Richmond Avenue
- Will be changed to a “2 Hour Maximum” zone



February 7, 2016

Re: Development Variance Permit Application No. 00166 for property known as 1082 Richmond Avenue

To Mayor and Council:

I am writing to express my opposition to this application to reduce the amount of off-street parking from three stalls to one stall. Parking on Richmond south of Oak Bay Avenue is already at a premium, especially considering there is no parking allowed on the east side within 50 metres of the intersection.

In my estimation, three stalls for a multiple dwelling development of 22 units is already inadequate. Many 16-unit condos in the neighbourhood provide four stalls for visitor parking, and often many of those are filled.

Visitor stalls aren't just for people visiting residents, either. Where will commercial trucks park when contractors or technicians come to the building to deliver their myriad of services including elevator maintenance, landscaping, building maintenance and other general upkeep? Where will movers' trucks park when residents are moving in and out of the units?

I encourage you to reject this application. It will only add more parking load onto Richmond Avenue and increase hazards along this already busy and congested stretch of road.

Thank you for considering my input as you make your decision.

Sincerely,
Lawrence Herzog
#403, 1807 Oak Bay Avenue

Christine Havelka

From: Public Hearings
Subject: FW: Development Variance Permit Application No. 00166

From: Ron_Vonda Derksen [mailto:
Sent: Sunday, February 07, 2016 4:07 PM
To: Public Hearings
Subject: Development Variance Permit Application No. 00166

February 7th, 2016

Re: Development Variance Permit Application No. 00166 for property known as 1082 Richmond Avenue

To: Mayor and Council:

We are opposed to the application to reduce the amount of off-street parking from three stalls to one stall.

1. Three stalls for a 22 suite building is inadequate so reducing it to one stall seems unreasonable.
2. Parking on Richmond South of Oak Bay Avenue is already at a premium and quite challenging at times.
3. Richmond is a busy through street so if moving trucks are unloading it would cause a disruption of traffic.
4. Service vehicles such as cleaners, landscapers, painters need a parking spot.
5. If any of the residents have more than one vehicle it will also reduce our street parking.

Thanking you in advance for considering our opinion.

Ron and Vonda Derksen
304 - 1807 Oak Bay Avenue

Christine Havelka

From: Public Hearings
Subject: FW: Development Variance Permit Application No. 00166 for 1082 Richmond Ave.

From: Marjorie [mailto:
Sent: Monday, February 08, 2016 2:05 PM
To: Public Hearings; Stewart's
Subject: Development Variance Permit Application No. 00166 for 1082 Richmond Ave.

Feb.8, 2016

Mayor and Council:

Re: Development Variance Permit Application No. 00166 for 1082 Richmond Ave.

I submit that the above Application be rejected for the following reasons:

1. On-site visitor parking stalls are used not just by visitors but by the many service vehicles that such a building attracts. Three such stalls are insufficient for a building of over 20 units; lowering that number to

just one stall would create huge challenges.

2. There is limited street parking now. Service vehicles forced to search for street parking would cause added congestion so close to a busy intersection and would further deplete the number of street

parking spaces.

I use Richmond St. south of Oak Bay Ave. and its intersection with the latter every day as a driver or a pedestrian. This area has gradually become busier and more hazardous.

I respectfully submit, in the strongest terms, that the safety of all drivers and pedestrians who use this area requires the rejection of this Application.

Yours,

Marjorie Stewart

#302-1807 Oak Bay Ave.

REPORTS OF THE COMMITTEE

Planning and Land Use Committee – January 14, 2016

9. Development Variance Permit No. 000158 for 950 Rockland Avenue:

It was moved by Councillor Madoff, seconded by Councillor Coleman, after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

That Council authorize the issuance of Development Permit Application No. 000158 for 950 Rockland Avenue in accordance with:

1. Plans date stamped September 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. parking requirements reduced from 1.3 parking stalls per dwelling unit to 0.66 stalls per unit;
 - ii. bicycle storage requirements reduced from 1 storage space per dwelling unit to 0.49 storage space per unit.
3. That Council authorize staff to register a Section 219 Covenant on title in a form satisfactory to staff.
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

3.3 Development Variance Permit No. 000158 for 950 Rockland Avenue

Committee received a report dated December 18, 2015, regarding a development variance application for 950 Rockland Avenue. The proposal is to construct a residential unit within the existing building.

- Action:** It was moved by Councillor Coleman, seconded by Councillor Lucas, that the Committee recommends that, after giving notice and allowing an opportunity for public comment, that Council consider the following motion:
That Council authorize the issuance of Development Permit Application No. 000158 for 950 Rockland Avenue in accordance with:
1. Plans date stamped September 18, 2015.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. parking requirements reduced from 1.3 parking stalls per dwelling unit to 0.66 stalls per unit;
 - ii. bicycle storage requirements reduced from 1 storage space per dwelling unit to 0.49 storage space per unit.
 3. That Council authorize staff to register a Section 219 Covenant on title in a form satisfactory to staff.
 4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 16/PLUC005



Planning and Land Use Committee Report

For the Meeting of January 14, 2016

To: Planning and Land Use Committee **Date:** December 18, 2015

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

Subject: Development Variance Permit No. 000158 for 950 Rockland Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000158 for 950 Rockland Avenue in accordance with:

1. Plans date stamped September 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. parking requirements reduced from 1.3 parking stalls per dwelling unit to 0.66 stalls per unit;
 - ii. bicycle storage requirements reduced from 1 storage space per dwelling unit to 0.49 storage space per unit.
3. That Council authorize staff to register a Section 219 Covenant on title in a form satisfactory to staff.
4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 922 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 recommendation for a Development Variance Permit Application for the property located at 950 Rockland Avenue. The proposal is to reduce the parking requirements from one required parking stall to zero following the transformation of a resident amenity space on the fifth floor of the building into a residential suite.

The following points were considered in assessing this Application:

- The Application is generally consistent with the Official Community Plan (OCP) Design Guidelines for Development Permit Area 14: Cathedral Hill Precinct.
- The requested vehicle and bike parking variance is minor in nature, will have minimal impact and is offset by the addition of a publicly accessible bicycle repair station.

BACKGROUND

Description of Proposal

The proposal is to reduce the parking requirements for the property so that one residential unit may be added within the existing building. The proposed variances are related to:

- Schedule C Section 16.A. 11(c) – parking requirements reduced from 1.3 parking stalls per dwelling unit to 0.66 stalls per unit
- Schedule C Section 17(2) – bicycle storage requirements reduced from 1 storage space per dwelling unit to 0.49 storage spaces per unit.

Sustainability Features

As indicated in the applicant's letter dated August 21, 2015, the following sustainability features are associated with this Application. To compensate for not adding an additional bicycle storage space, the applicant plans to provide a public bicycle repair station outside of the building. The applicant will supply the following items at the station:

- a bike mount
- eight repair tools attached to cables
- an air pump
- single bike rack.

The bicycle amenities are designed to be vandalism and theft resistant, would be located by the front entrance of the building and adjacent to the public sidewalk along Rockland Avenue. The location of 950 Rockland Avenue lends itself well to bike traffic and commuters entering and exiting the Downtown.

Existing Site Development and Development Potential

The site is presently developed as a four- storey multiple-dwelling apartment building with a standing height of 13.1m. The building has a total 40 residential units. There are 27 existing vehicle parking stalls and 20 bicycle stalls available on site.

Data Table

The following data table compares the proposal with the existing CHP-R3 Zone, Cathedral Hill Precinct. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to identify an existing non-conformity.

Zoning Criteria	Proposal	Zone Standard CHP-R3
Site area (m ²) - minimum	1,962.0	920.0
Site area per unit (m ²) - minimum	56.0	37.0
Number of units - maximum	41	-
Density (Floor Space Ratio) - maximum	1.5**	1.2 to 1.0
Total floor area (m ²) - maximum	2952.0**	2354.4
Lot width (m) - minimum	-	-
Height (m) - maximum	13.1	16.0
Storeys - maximum	4	5
Site coverage % - maximum	41%	24%
Open site space % - minimum	19%	30%
Number of dwellings units in an attached dwelling	-	-
Separation space between buildings (within the site) (m) - minimum	-	-
Setbacks (m) - minimum Front (Rockland Ave) Rear Side (north) Side (south)	7.6 12.6 5.5 4.0	9 - - -
Parking - minimum	27*	41
Visitor parking (minimum) included in the overall units	-	-
Bicycle parking stalls (minimum)	20*	21

Relevant History

The property located at 950 Rockland Avenue received a parking variance in 2012 to allow a relaxation of the required 1.3 parking spaces to 0.67 parking spaces per dwelling unit. This resulted in a reduction of 54 parking stalls to 27 stalls.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on October 5, 2015, the Application was

referred for a 30-day comment period to the Fairfield Gonzales CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area (DPA) 14: Cathedral Hill Precinct

The *Official Community Plan* (OCP) identifies this property within DPA 14, Cathedral Hill Precinct. The proposal is generally consistent with the objectives of the OCP and design guidelines of DPA 14 because it intensifies multi-unit residential growth within the confines of an existing building envelope. The proposal directs growth into an area close to the amenities of the Downtown. The building's location is in close walking proximity to numerous bus stations thus reducing the residents' reliance on personal vehicle transportation and lowering the demand for off-street parking. The proposal also assists in meeting the OCP objectives related to active transportation through the provision of a publicly-accessible bicycle repair station and bicycle rack.

Maintenance Covenant

It will be important that the public bike repair station is kept in good repair. Staff recommend that a Section 219 Covenant be registered on title requiring the property owner to maintain the equipment to ensure its functionality in perpetuity.

CONCLUSIONS

The proposed work to transform an existing amenity space into a residential suite at 950 Rockland Avenue is generally consistent with relevant City policies and guidelines. The layout of the existing parking stalls on site would not allow for the addition of another parking stall that could meet the current stall size requirements of the *Zoning Regulation Bylaw*. The applicant proposes to compensate for not adding one additional vehicle stall nor one additional bicycle storage space by building a publicly-accessible bicycle repair station outside of the building and installing a public bicycle rack that would accommodate one bicycle.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 000158 for the property located at 950 Rockland Avenue.

Respectfully submitted,



Adrian Brett
Heritage Planner
Community Planning



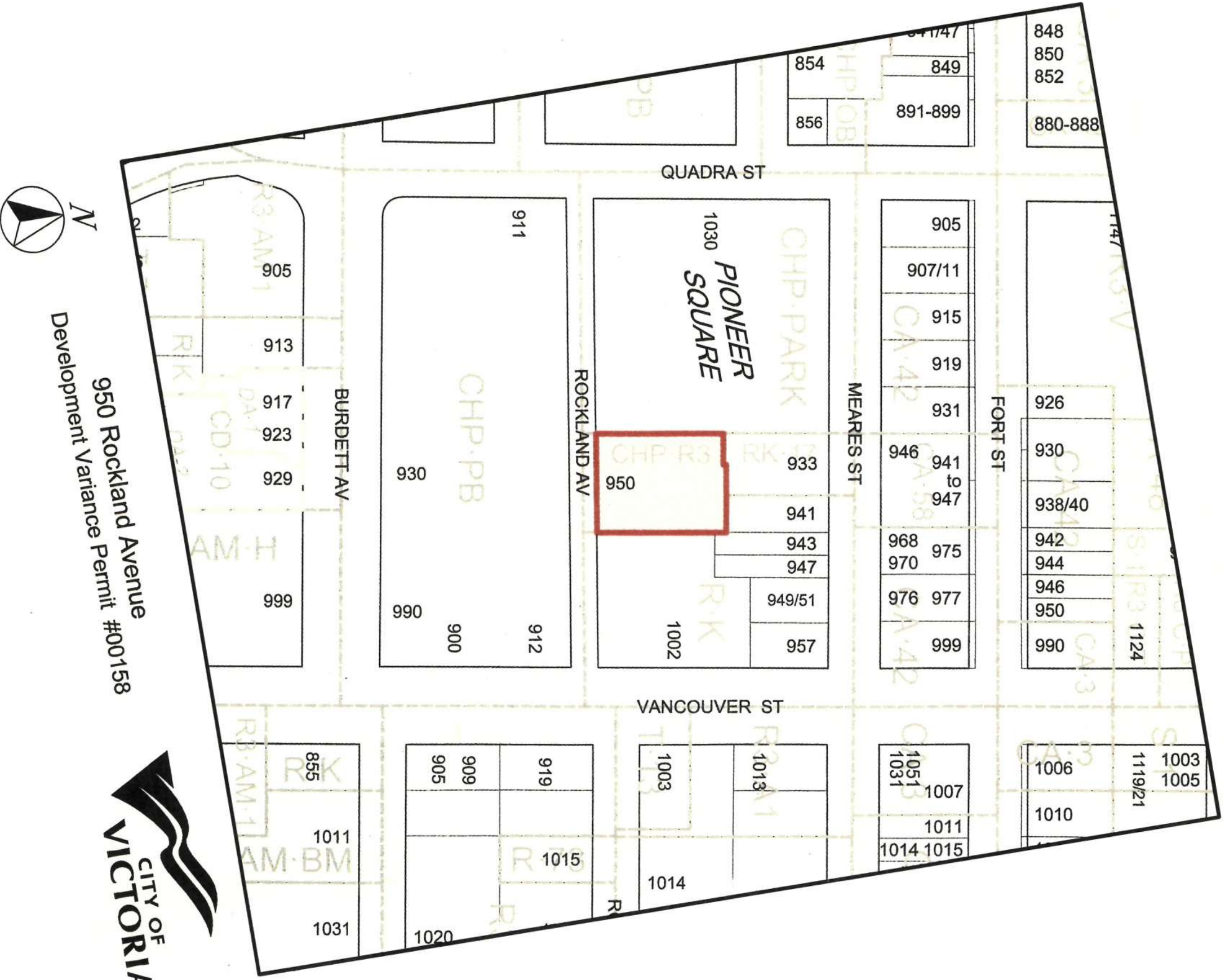

Jonathan Tinney, Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager:

Date:  December 30, 2015

List of Attachments

- Subject map
- Letter from applicant date-stamped September 18, 2015
- Consent letter regarding Section 219 Covenant date-stamped December 18, 2015
- Plans date-stamped December 18, 2015.



950 Rockland Avenue
Development Variance Permit #00158







August 21, 2015

Mayor and Council
City of Victoria – City Hall
1 Centennial Square
Victoria, British Columbia
V8W 1P6



Re : Request for Development Variance

To Mayor Fortin and Council,

The current owner of the multi-dwelling residential property at 950 Rockland Avenue in Victoria, British Columbia is applying for a development permit to relax the parking requirements to transform an amenity space on the 5th floor into a residential suite.

The building was built in 1964. The property is zoned for CHP-R3. The uses permitted in this zone include dwelling units and dwelling unit accessory uses. The Zoning By-Law (Part 3.3, art.2) requires that a residential unit be no smaller than 33m². The off-street parking requirement, as per Schedule C (art. 16.11.b), requires 1.3 parking stalls per residential unit.

The proposed unit is 56m². We are requesting a relaxation of the off-street parking requirements, outlined in Schedule C so as to not add any additional parking stalls on site. We are requesting this based on the following:

1. **Existing building:** the layout of the existing parking stalls on site does not allow for the addition of a parking stall that would meet all of the requirements of the current Schedule C in terms of stall size, clearance to adjacent structures and setbacks from the property lines. The addition of a stall on this site would not comply with the requirements of Schedule C.
2. **Previous parking/bike upgrades :** The original parking lot already received a relaxation from 1.3 spaces to 0.67 spaces per dwelling units in 2012, resulting in a reduction of 52 parking stalls to 27 stalls. This relaxation allowed us to convert 2 of the existing 29 stalls into a secure and covered bicycle parking (Class 1) area.

VANCOUVER

WINNIPEG

MONTREAL

460, rue Sainte-Catherine, O., bureau 606, Montréal, Québec, H3B 1A7

T. 514.276.9595

F.514 735.8476

www.goTAD.ca

2015-08-21 - 14:12

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Date : 20 August 2015

Reference : BC-1166

3. **Proximity to public transit:** there are numerous bus lines, with frequent buses, within a five (5) minute walking distance from the building. These bus lines include numbers 6, 11, 14, 24, and 25.
4. **Proximity to the downtown core:** the property is located within walking distance of the downtown core and the access to necessities are within a ten (10) minute walk in each direction. The need for a car in this location is not necessary.
5. **Rental property:** the dwelling units in the building are all rentals. None of the dwelling units are owned. The average occupancy of one of the dwelling units is 2 to 3 years. The turnaround of the tenants is quite frequent.

To make up for not adding a stall, we are proposing the following:

1. Build a public bike repair station. The reason we find this to be the best option is because the tenants of the building do not seem to require extra parking nor bike stalls. This observation was based on a questionnaire (see attached: Questionnaire) we sent to the owner.

The location of 950 Rockland lends itself well to a pit stop for incoming/outgoing bike traffic from Oak Bay, Cadboro Bay and even James Bay or for anyone in the neighborhood. It is a place where cyclists can fill up on air or tighten their bearings before they head home. The station is intended to promote a more sustainable form of transportation for the tenants as well as the public. It ensures a safe, convenient and attractive mode of transportation which can be enjoyed by everyone. The bike maintenance station would include the following:

- A bike mount to hoist and repair
- 8 tools attached to cables
- An air pump
- A single bike rack

The above mentioned items would be secured/mounted on a 4" thick concrete pad. They are vandalism and theft resistant and would be located by the front entrance adjacent to the sidewalk.

2. Install additional public rack for six bikes

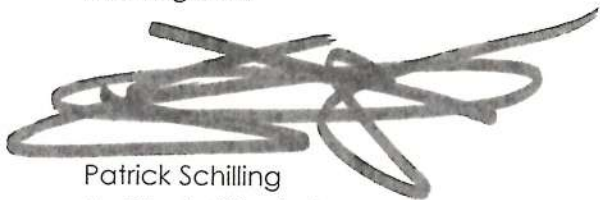
Based on the above noted information, we would like to request a minor variance to Schedule C, to allow for an additional dwelling unit without an additional parking stall. We would replace this parking stall with a public bike maintenance station.

Date : 20 August 2015

Reference : BC-1166

I am available at your convenience to discuss the above and respond to any comments of questions you may have.

Best regards,

A handwritten signature in dark ink, appearing to read 'Patrick Schilling', with a large, stylized flourish extending from the end.

Patrick Schilling

Architect + Principal

Architect AIBC AIA MRAIC LEED AP BD+C

Attachments:

1. Questions Submitted to Landlord/Property Manager

Date : 20 August 2015

Reference : BC-1166

Questionnaire Submitted to Property Manager, with answers:

- 1) What is the current demand for parking on the property?

The current parking demand has been low. There are currently 10 out of 28 parking stalls being used as most tenants here do not own cars.

- 2) How many vehicles are owned/used by residents of the property?

Out of the vehicles parking here, we have 9 vehicles owned by residents and one vehicle that is owned by someone who does not live at the building.

- 3) Is there demand for more bicycle parking?

There is not a need for additional bicycle parking.

- 4) How many bicycles are owned/used by residents of the building?

Only 7 of the 20 resident bicycle parking stalls are currently in use.

- 5) How many units will there be on the property?

There will be 41 units. In 2012 the council authorized a relaxation from 1.3 spaces to 0.67 spaces per dwelling, resulting in a reduction from 52 to 27 stalls.

- 6) What have been the comments from nearby properties regarding the additional requested variance?

Our neighbours include Christ Church Cathedral & School and the vacant building next door (formerly the senior's home) thus there has not been much response to the change.

Viscount Manor Holdings Ltd.
330-1639 West 2nd Ave.
Vancouver, BC
V6J 1H3

December 11, 2015

Re: BC-1166, 950 Rockland DP application

To: City Of Victoria,

Please accept this letter as commitment from the owner of the above property that, pending a successful development permit application, they will register a Section 219 Covenant on title that indicates the owner will maintain the Public Bike Repair Station equipment.

Regards,



Andrew Rennison

Director and signing officer

Viscount Manor Holdings Ltd. and Pacific Cove Island Properties Ltd.





950 ROCKLAND AVENUE

Victoria, British Columbia

Tenant Improvements (Rooftop Sunroom)

CODE:

THE LATEST VERSION OF THE BRITISH COLUMBIA BUILDING CODE APPLIES TO THIS PROJECT.

Context:

Group A2 Assembly Occupancy (Int. 3.1.2.1)

The building is an existing structure, built in 1964, not sprinkled and built of non-combustible materials. It is 4 stories high and 2,922m² (31,782sf) in area.

There is a fire separation between this space and the Group C (Restaurant) Occupancy below (Int. 3.1.3.1). This fire separation is required to have a 1 hour fire-resistance rating (Int. 3.1.3.1). Any penetration of this separation will need to be properly protected (Int. 3.1.8.1.2).

Area:

Total gross area of the Group A2 space (to exterior face of envelope): 33,563 (359sf)

Total net area of the Group A2 space (to interior face of envelope): 43,862 (464sf)

Occupant load (Int. 3.1.1.7.1)

Accessory Use: 33,562 (359sf)

Occupant load: 1.65 (one per person) (3.1.1.7.1) = 28 people

Proposed Use: 33,562 (359sf)

Proposed Occupant Load: 2 persons per sleeping unit = 2 people

(Int. 3.1.1.7.1)

8 hours per person (1800 hours working)

Single door provided = 500mm width: 100 persons

Door and corridor (Int. 3.1.1.8.1)

Minimum distance of door and corridor to be 5m.

Door width (Int. 3.1.1.11.1)

Doors that divide a corridor shall swing in the direction of traveling to exit

Exterior door (Int. 3.1.1.13.1)

At every door in an access to exit serving a specified use area is permitted to be replaced with a locking device that can be released either locally or remotely.

Exit signs (Int. 3.1.1.14.1)

Every exit door shall have an exit sign placed over or adjacent to the door.

Exit sign illumination (Int. 3.1.1.15.1)

The exit sign shall be visible from the exit approach, have highly reflecting for the word "exit" and be illuminated continuously while the building is occupied.

The intent is to comply to as many of the current 2000 requirements as possible. For consultation and feasibility reasons, some will not be followed.

CONTEXT PLAN

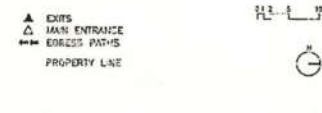


950 ROCKLAND AVENUE

SITE PLAN



EXITING/EGRESS PLAN



EXISTING PLAN



PROJECT DESCRIPTION:

TRANSFORMATION OF AN EXISTING PARTY SPACE, LOCATED ON THE ROOF, INTO A RESIDENTIAL UNIT, WITH THE EXISTING MULTI-UNIT BUILDING, WAS CONSTRUCTED IN 1964.

THE CURRENT USE OF THIS SPACE IS MULTIPLE-UNIT RESIDENTIAL USE.

THERE IS NO WORK PROPOSED ON THE EXTERIOR OR ENVELOPE OF THIS SPACE.

PROJECT ADDRESS:

950 Rockland Avenue
Victoria, British Columbia
V8Y 3K6

LEGAL DESCRIPTION:

Marshall Street Loyalist

LOT 1 OF LOT 2055, VICTORIA, PLAN 17100

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LOT 1 OF LOT 2055, VICTORIA, PLAN 17100

IMAGES



PHOTO 1 - AMENITY ROOM



PHOTO 2 - OVERALL BUILDING VIEW



PHOTO 3 - BUILDING ENTRANCE

LIST OF DRAWINGS:

ARCHITECTURAL DRAWINGS	DATE	BY	CHECKED
AD01: COVER SHEET			
AD02: GENERAL NOTES			
AD03: MATERIAL NOTES			
AD04: SITE PLAN			
AD05: DEMOLITION, CONSTRUCTION & CEILING PLAN			

PROJECT TEAM

CLIENT	ARCHITECT
Pelican Investments 1600 W. 10th Avenue Vancouver, British Columbia V6J 1K1	Thaddeus Architecture & Design 1600 W. 10th Avenue Vancouver, British Columbia V6J 1K1
Project Manager: Dave Hagan T: 604.810.3587 E: dave.hagan@pelicaninvestments.com	Project Manager: Patrick Kelling T: 779.155.1135 ext. 2001 E: patrick.kelling@photos.ca

Received
City of Victoria

DEC 18 2015

Planning & Development Department
Development Services Division



Original
Submission
Received Date:
September 16/15

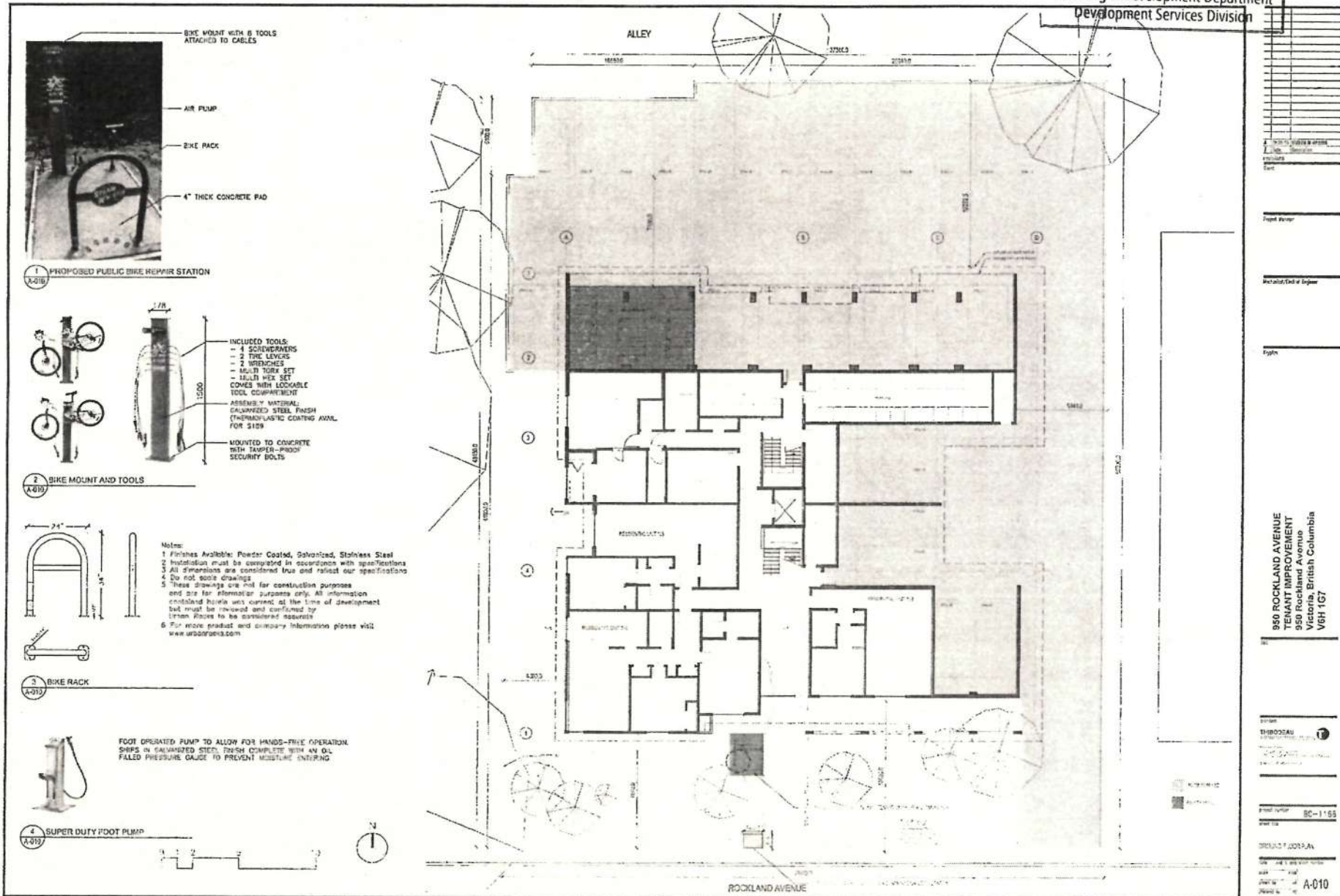
950 ROCKLAND AVENUE
TENANT IMPROVEMENT
950 Rockland Avenue
Victoria, British Columbia
V8Y 1G7

PROJECT NO: BC-1166
DATE: 09/16/15
DRAWN BY: [Name]
CHECKED BY: [Name]
APPROVED BY: [Name]
DATE: 09/16/15

Victoria City Council - 11 Feb 2016

DEC 18 2015

Manning & Development Department
Development Services Division



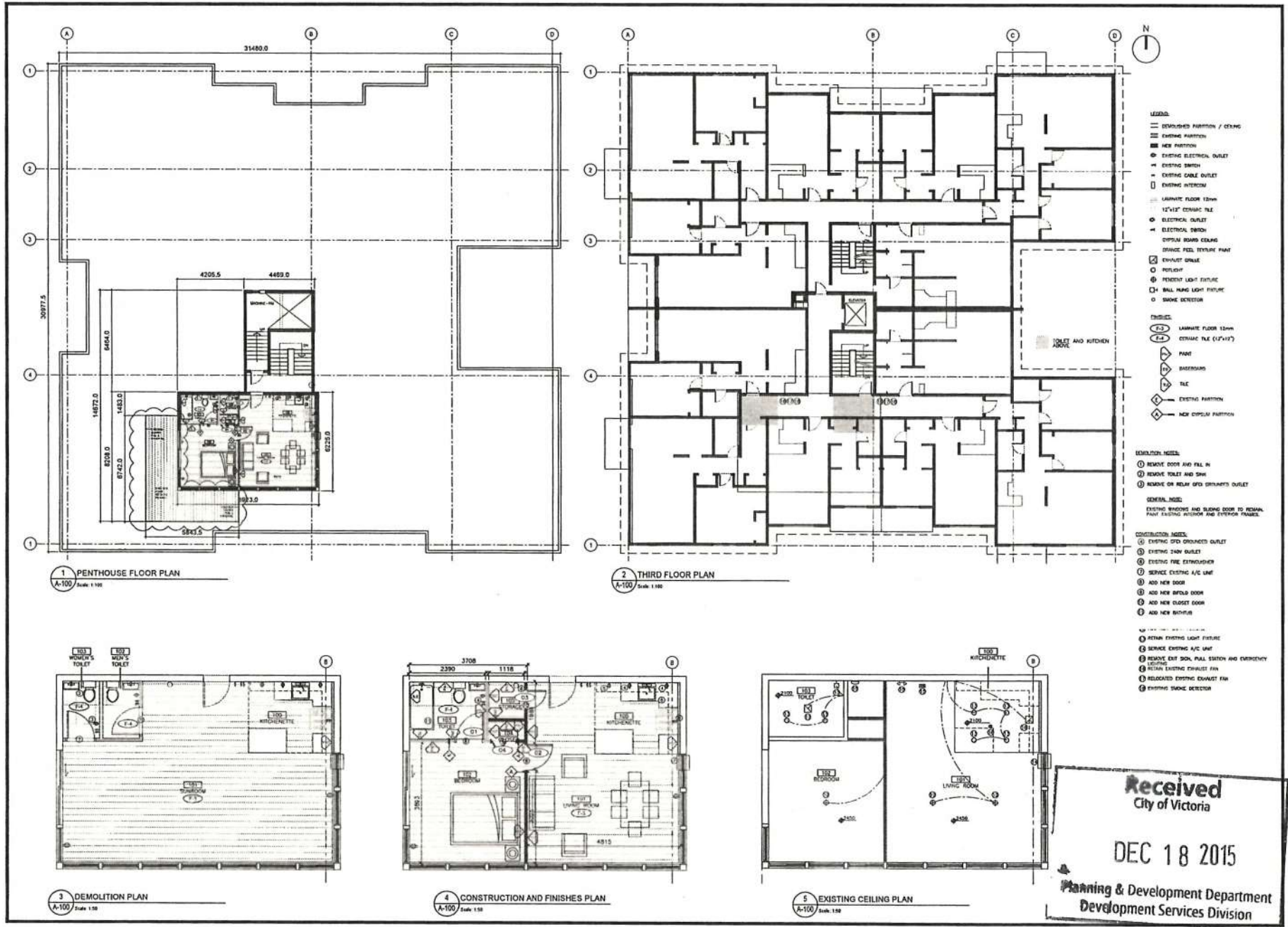
950 ROCKLAND AVENUE
TENANT IMPROVEMENT
950 Rockland Avenue
Victoria, British Columbia
V6H 1G7



BC-116

RESULTS & DISCUSSION

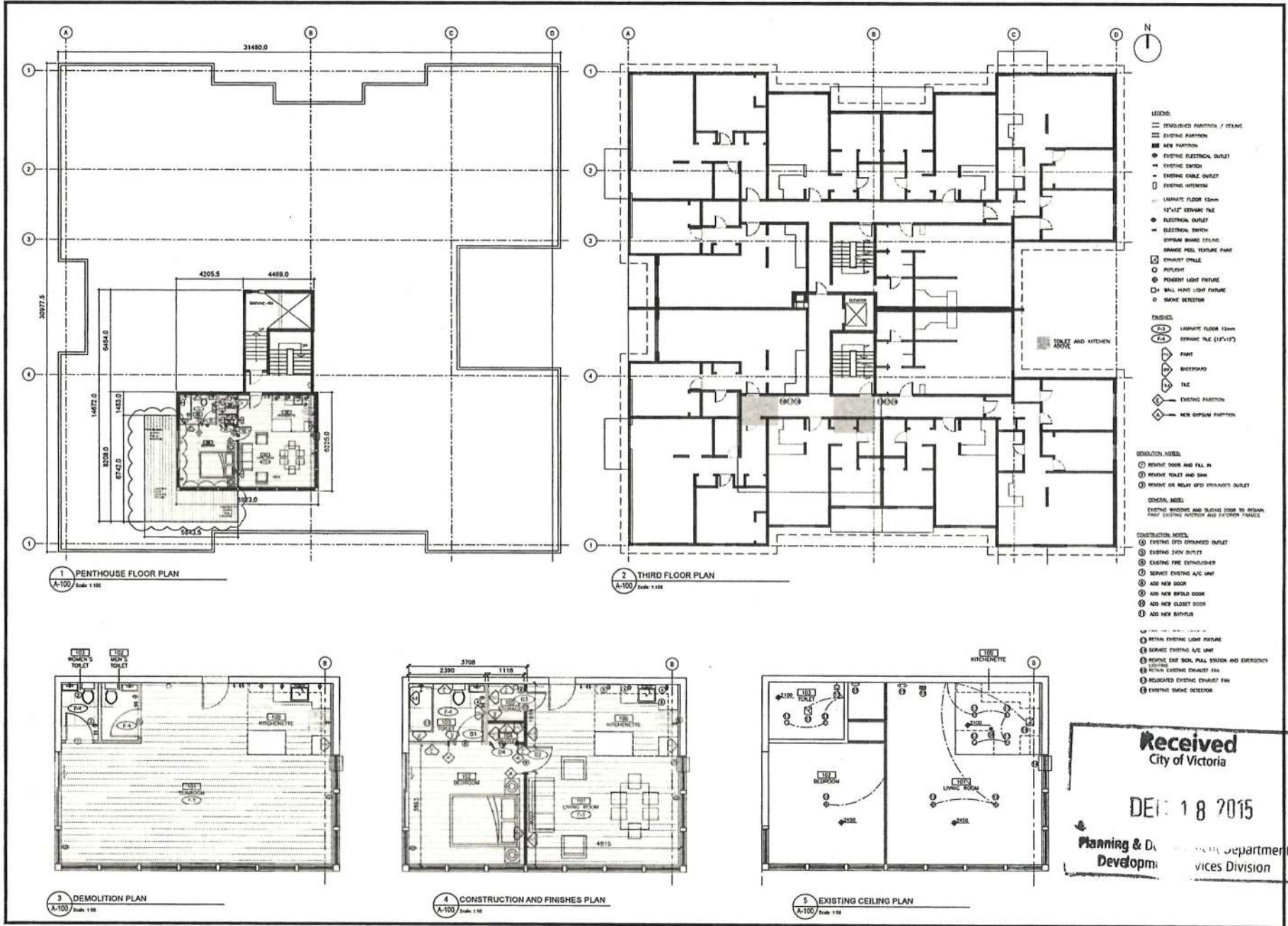
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950 ROCKLAND AVENUE
TENANT IMPROVEMENT
950 Rockland Avenue
Victoria, British Columbia
V6H 1G7

Victoria City Council - 11 Feb 2016

Received
City of Victoria
DEC 18 2015
Planning & Development Department
Development Services Division



950 ROCKLAND AVENUE
TENANT IMPROVEMENT
950 Rockland Avenue
Victoria, British Columbia
V6H 1G7

Victoria City Council - 11 Feb 2016

Received
City of Victoria
DEI: 18 2015
Planning & Development
City of Victoria
Department of Planning & Development
Construction & Finishes
CEILING PLAN

PROJECT
HIBBONDEAU
ARCHITECTURE/DESIGN
PROJECT NUMBER
BC-1
DATE
2015.02.18
DRAWN BY
JL
CHECKED BY
JL
SCALE
AS SHOWN
SHEET NO.
A-100

UNFINISHED BUSINESS

4. Update on Development Permit with Variances Application No. 000426 for 951 Johnson Street

Council received a report dated December 18, 2015 that provided an update on Development Permit with Variances Application for 951 Johnson Street.

Motion:

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council receive this report for information and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion which has been updated to remove preconditions that have been satisfied and provide specific details on the costs associated with the Encroachment Agreement:

"That Council authorize the issuance of Development Permit with Variances Application No. 000426 for 951 Johnson Street, in accordance with:

1. Plans date stamped December 2, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 3.67.5(2) - increase the building height from 30m to 50m;
 - b. Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys.
3. Council authorizing staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
5. The Development Permit lapsing two years from the date of this resolution."

Councillor Isitt asked about highway access off Vancouver Street which should be protected as a part of the bike corridor.

Fraser Work (Director of Engineering & Public Works): Said he will return to Council with the details on that issue.

Councillor said he cannot support this application as he is concerned about this policy direction regarding the highway access off Vancouver Street.

Carried

<u>For:</u>	Mayor Helps, Councillors Coleman, Loveday, Lucas, Madoff and Thornton-Joe
<u>Against:</u>	Councillor Isitt



Council Report

For the Meeting of January 14, 2015

To: Council **Date:** December 18, 2015
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Update on Development Permit with Variances Application No. 000426 for 951 Johnson Street

RECOMMENDATION

That Council receive this report for information and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion which has been updated to remove preconditions that have been satisfied and provide specific details on the costs associated with the Encroachment Agreement:

"That Council authorize the issuance of Development Permit with Variances Application No. 000426 for 951 Johnson Street, in accordance with:

1. Plans date stamped December 2, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 3.67.5(2) - increase the building height from 30m to 50m;
 - b. Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys.
3. Council authorizing staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
5. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of August 27, 2015 (minutes attached), the applicant has addressed the pre-conditions that Council set in relation to the Application, which included review by the Advisory Design Panel (ADP).

BACKGROUND

Advisory Design Panel Review

The Application was referred to the Advisory Design Panel on September 23, 2015, and the applicants' detailed response to the Panel's recommendations (dated December 1, 2015) are attached to this report. The applicant has responded to ADP's recommendations as follows:

- Revisions have been made to the central courtyard by replacing the central sculpture feature with a central sculptural bench. Additional bench seating around the perimeter of the planters has also been provided. A portion of the ground floor glazing for the commercial retail unit that faces the courtyard has also been replaced with bi-fold doors that open onto this space.
- CPTED concerns associated with the residential entrances have been addressed by including an illuminated sign and additional soffit lights at the entrance on Johnson Street. The metal security gates at the residential entrances have also been replaced with glass, which provides a more positive interface with the street.
- Additional perspective renderings have been provided in the submission package. Significant efforts have been made to provide additional detail at all entrances and to improve the frontage along Vancouver Street with the extension of the commercial frontage and reducing the width of the service and access area. Additional bike racks have also been included in this location.
- The revised proposal has not increased the height of the corner massing, as requested by staff and the ADP. Instead the proposal includes additional detailing at the corner retail unit with feature wood columns and a bi-fold glazed wall that opens onto the patio space, which helps to animate the corner of the building. In addition, the glass guardrail above the podium has been brought to the building face to improve the perceived height of this corner element.
- A wind study has not been included in the revised submission package. However, as this comment from the ADP related to the interior courtyard, not the impact on the public realm, it is not deemed an essential consideration.

Access

At the meeting of August 27, 2015, Council requested additional detail on the advisability of providing access and egress from Johnson Street rather than Vancouver Street.

Staff recommend the proposed driveway access to 951 Johnson Street be installed on the Vancouver Street frontage. Although Vancouver Street has been identified as a Shared Greenway, both pedestrian and cyclist volumes on Vancouver Street are less than those on Johnson Street. As a result, a driveway crossing on Vancouver Street rather than Johnson Street will result in fewer potential conflicts with vulnerable road users. Unlike Vancouver Street, the *Downtown Core Area Plan* also lists Johnson Street as a Key Pedestrian Street and pedestrians benefit from fewer driveway crossings on Key Pedestrian Streets.

In addition to higher traffic volumes on Johnson Street, Johnson Street is listed as a frequent transit route, is identified as an arterial roadway and is included on the truck network. Vancouver Street has approximately half the traffic volume than Johnson Street and is listed as a collector roadway. The addition of a proposed driveway crossing on Vancouver Street would have a minimal impact to traffic volumes on Vancouver Street. With the exception of the *Greenways Plan*, all the plans and bylaws reviewed indicate the driveway crossing for this property should be located on the Vancouver Street frontage.

In terms of construction, additional benefits related to a Vancouver Street access over a Johnson Street access include less internal ramping as the development can take advantage of the natural grades of the site and surrounding roadways which results in a more efficient building layout.

CONCLUSIONS

The applicant has addressed the majority of the recommendations made by the ADP and these are presented in the final plans attached to this report. The accompanying applicant letter dated December 2, 2015, details the changes that have been made along with a rationale for changes that have not been incorporated into the final plans.

The recommendation provided above contains the appropriate language to advance the Development Permit with Variances Application No. 000426 to allow an opportunity for public comment.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: December 29, 2015

List of Attachments

- PLUC Report dated August 13, 2015 (previous plans replaced with revised plans)
- PLUC Minutes dated August 27, 2015
- Council Minutes dated August 27, 2015
- Advisory Design Panel Minutes
- Letter from applicant dated August 13, 2015
- Revised plans dated December 2, 2015.

REPORTS OF THE COMMITTEES

2. Planning and Land Use Committee – August 27, 2015

10. Development Permit with Variances Application No. 000426 for 951 Johnson Street

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

1. That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:
 - The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
 - The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
 - Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
 - The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.
2. Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

 1. *Plans date stamped August 4, 2015.*
 2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 3.67.5(2) - increase the building height from 30m to 50m;*
 - b. *Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;*
 3. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.*
 4. *Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.*
 5. *Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.*
 6. *The Development Permit lapsing two years from the date of this resolution."*

Councillor Isitt asked why the access and egress is designated for Vancouver Street rather than Johnson Street.

Brad Dellebuur (Acting Assistant Director, Transportation & Parking Services): He believes it is because it is a lower classified street but he will review the file.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the Part 2 of motion be amended as follows:

That Council consider the following motion:

2. Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

 1. *Plans date stamped August 4, 2015.*
 2. ***That staff report back on the advisability of providing access and egress from Johnson Street, rather than Vancouver Street, to avoid contributing to increased motor-vehicle traffic volumes on the Vancouver Street greenway.***
 3. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 3.67.5(2) - increase the building height from 30m to 50m;*
 - b. *Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;*
 4. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.*

5. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.
6. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
7. The Development Permit lapsing two years from the date of this resolution."

On the amendment:

Carried Unanimously

On the main motion as amended:

Carried Unanimously

6.6 Development Permit with Variances Application No. 000426 for 951 Johnson Street

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development regarding a development application for 951 Johnson Street to authorize a design of a mixed-use building comprising two towers and a total of 209 residential units.

Action: It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Committee recommends that Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

- The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
- The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
- Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
- The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.

Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

1. Plans date stamped August 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 3.67.5(2) - increase the building height from 30m to 50m;
 - b. Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;
3. The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.
4. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.
5. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
6. The Development Permit lapsing two years from the date of this resolution."

Committee discussed the motion:

- Concentration of similar buildings being developed downtown.
- Having stronger variations in height between buildings downtown.
- The Downtown Residents Association expressed that the proposal would be a positive attribute and addition to the downtown and had few concerns.

CARRIED UNANIMOUSLY 15/PLUC/196



Planning and Land Use Committee Report

For the Meeting of August 27, 2015

To: Planning and Land Use Committee **Date:** August 13, 2015

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

Subject: Development Permit with Variances Application No. 000426 for 951 Johnson Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

- The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
- The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
- Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
- The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.

Following this referral, and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

1. Plans date stamped August 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 3.67.5(2) - increase the building height from 30m to 50m;
 - b. Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;
3. The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.

4. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.
5. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
6. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the bylaw.

Pursuant to Section 920(8) of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 951 Johnson Street. The proposal is to construct a mixed-use building comprising of two towers, one at 15 storeys and one at 17 storeys, with ground-floor retail fronting Vancouver Street and Johnson Street with residential above. The variances are related to an increase in the building height and number of storeys.

The following points were considered in assessing this Application:

- The proposed building is subject to regulation under Development Permit Area 3 (HC) and is generally consistent with the applicable Design Guidelines in the *Official Community Plan* (OCP) and the *Downtown Core Area Plan* (DCAP).
- Although the proposal is largely consistent with the relevant design guidelines, it would benefit from a review by the Advisory Design Panel with specific reference to the height of the street walls on Johnson Street and Vancouver Street, the height and massing of the podium corner, the primary residential entrance on Johnson Street, and the building separation distances on the west elevation as it relates to the adjacent building.
- The proposed increase in building height and number of storeys is considered to be appropriate as the theoretical density under the R-48 Zone (Harris Green District) is not being exceeded and the proposal is consistent with the height limits of the DCAP. In addition, the location of the proposed towers would be offset from other recently approved developments within the same neighbourhood block.

BACKGROUND

Description of Proposal

The proposal is to construct a mixed-use building comprised of two towers, one at 15 storeys and one at 17 storeys, with ground-floor retail fronting Vancouver Street and Johnson Street with residential above. The building has a floor space ratio (FSR) of 6.05:1, although the

current zone does not prescribe a maximum density. Specific details include:

- a total of 807m² for two commercial-retail units on the ground floor
- three residential units at grade, located behind the commercial retail unit on Johnson Street
- 209 residential units above the commercial retail units
- four levels of underground parking accessed off Vancouver Street
- a total of 214 bike storage lockers (210 residential and 4 commercial) comprised of:
 - 169 bicycle storage lockers located at Level 1 of the underground parkade
 - 7 bicycle storage lockers located at Level 2 of the underground parkade
 - 38 stalls for commuter bikes located on the ground floor, with provision of a work bench for bike maintenance
- a total of 12 publicly accessible bike racks located at the residential entrance on Johnson Street
- a total of 18 storage lockers located in the underground parkade
- streetscape improvements to the frontages adjacent to the property on Johnson Street and Vancouver Street consistent with the Harris Green standards and the proposed new separated cycling facilities
- replacement of the five street trees on Johnson Street and two street trees on Vancouver Street to meet City standards
- an interior courtyard consisting of hard and soft landscaping and raised yoga deck, as noted on the landscape plan
- exterior building materials consisting of:
 - a mixture of brick cladding, metal fascia and wood soffits for the podium level
 - aluminium windows with white and grey metal spandrel panels, accent colour panels in dark blue and fritted spandrel panels
 - glass guardrails
 - custom designed security gate for the main residential entrance on Johnson Street.

The proposed variances are related to:

- an increase in the building height from 30m to 50m
- an increase in the number of storeys from 10 to 17.

Sustainability Features

As indicated in the applicant's letter dated June 23, 2015, the following sustainability features are associated with this Application:

- building constructed using LEED standards as a guideline (certification will not be achieved)
- high-quality finishes for long-term durability and building lifecycle
- meeting or exceeding the EngerGuide80 rating or equivalent
- low flow plumbing fixtures

Active Transportation Impacts

The Application supports active transportation by the inclusion of bicycle storage facilities in the parkade and a bicycle commuter room with work bench at grade.

Public Realm Improvements

The Vancouver Street corridor has been identified as an All Ages and Ability (AAA) bike route which will require physically separated cycling facilities. Council has approved AAA projects on these corridors as a priority project to be completed within the next few years. Development of detailed concept plans is underway. Detailed drawings for Building Permit submission will need to reflect this future alignment and new facility. The applicant is financially responsible for frontage works adjacent the property and has indicated their commitment to working with the City to achieve these upgrades. The attached plans demonstrate sidewalk upgrades along Johnson and Vancouver Streets consistent with the Harris Green Standards.

Existing Site Development and Development Potential

The site is presently occupied by a surface parking lot currently used for the McCall Funeral Directors at 1400 Vancouver Street. There are no legal agreements requiring parking to be maintained on the subject property for the use of 1400 Vancouver Street, although it is subject to the parking regulations under Schedule C of the *Zoning Regulation Bylaw*. Any redevelopment of the subject property would result in 1400 Vancouver Street being non-compliant with parking provisions. The lease is due to expire in September 2016 and it is anticipated that the current tenant at 1400 Vancouver Street will vacate the building prior to the commencement of development on the subject property, should it be approved.

Under the current R-48 Zone (Harris Green District), the property could be developed at a height of 10 storeys to accommodate a range of uses, including but not limited to retail, office, restaurant, theatres or daycares. The current zone does not prescribe a maximum density.

Data Table

The following data table compares the proposal with the existing R-48 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R-48
Site area (m ²) - minimum	2761.00	n/a
Total floor area (m ²) - maximum	16,700.00	n/a
Height (m) - maximum	50*	30
Storeys - maximum	17*	10
Setbacks (m) - minimum		
Front (Vancouver Street)	0.50	0.50
Rear (west)	3.00	n/a
Side (north – Johnson Street)	0.00	n/a
Side (south)	0.00	n/a
Parking - minimum	202	n/a
Bicycle storage (Class 1) - minimum	214	213
Bicycle rack (Class 2) - minimum	12	9

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on June 24, 2015, the Application was referred for a 30-day comment period to the Downtown Residents Association CALUC. A letter dated July 25, 2015, is attached to this report.

A Development Permit Application does not require a meeting with the CALUC. However, the applicant exceeded consultation requirements and volunteered to arrange a CALUC meeting, which was held on March 18, 2015. The comments from the meeting are attached to this report in a letter from the CALUC dated July 25, 2015.

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 2012 (OCP)* Urban Place Designation for the subject property is Core Residential, which supports multi-unit residential, commercial and mixed-use buildings from three storeys up to approximately 20 storeys. The OCP also identifies this property in Development Permit Area 3 (HC) Core Mixed-Use Residential. The objectives of this DPA are to transform the form and character of the area through mid-to-high-rise residential mixed use and commercial buildings, with the greatest heights along Yates Street. Ensuring high quality architecture, landscape and urban design is also an important objective of this DPA. The proposed development at 951 Johnson Street is consistent with DPA 3 (HC) objectives for redevelopment and overall high-quality design.

Downtown Core Area Plan

With respect to local area plans, the *Downtown Core Area Plan, 2011 (DCAP)* applies to the subject site. Within the DCAP, the Residential Mixed District (RMD) includes the 900-block of Johnson Street, noted as a transitional zone from high-to-medium density, in the "Cross Town Concept" and where height transitions from high-rise to mid-rise buildings in the "Urban Amphitheatre Concept" with the concentration of tall buildings along Yates Street, east of Douglas Street. Although Yates Street is identified as the preferred location for taller buildings, the maximum height identified for Johnson Street is 50m, which is consistent with the maximum height for Yates Street within this neighbourhood block.

Multi-unit residential development is encouraged in the RMD with higher density focussed along Yates Street. The RMD encourages multi-residential development appropriate to the context, respecting the allowable building heights in the neighbourhood. Active commercial street-level uses are encouraged to help increase pedestrian activity. The current proposal is generally consistent with these objectives as it contributes new street-level commercial space in the RMD, which is further supported by residential uses above. Although a height variance is proposed from the current zone, the proposed 50m maximum building height is consistent with the building height limits within the guidelines.

The DCAP provides both broad urban design objectives for the Downtown Core and more detailed design guidelines for specific districts. The DCAP also includes policies related to the

design of buildings. Overall, the proposal is consistent with these policies, however, some inconsistencies with the design policies are discussed below.

Building Setbacks and Street Walls

DCAP contains policies for street wall heights and setbacks that are appropriate for the context of each street. The intent of these guidelines is to:

- minimize the effects of shading and wind
- maintain views to the open sky
- avoid the visual presence of bulky upper building mass.

Vancouver Street fits the category "wide street" in the DCAP, where the front setback should be less than 3m in order to create a sense of animation. The proposed site plan for the residential mixed-use development is consistent with this guideline, although minor deviations exist for other aspects of the building design.

The primary street wall on Vancouver Street ranges from 7.35m to 10.5m in height, which is slightly shorter than the recommended 15m to 20m range. The applicant has indicated in the supporting letter that the intention of this design response is to respond to the geometries and heights of adjacent buildings. In addition, the secondary street wall for the building is 43.5m, which is 15m taller than recommended in the guidelines. The design response to mitigating the taller secondary street wall is providing articulation at the roof of the building with complementary white metal panels within a cantilevered roof at Level 15 and Level 17 of the towers.

Similar deviations from the guidelines exist for the frontage along Johnson Street. There are modulations in the height of the primary street wall but, at its shortest location on the corner of the building (at the Johnson Street and Vancouver Street intersection), the street wall is only 8.1m high which is approximately 2m shorter than the recommended range of 10 to 15m. Given the prominent location of the building on a corner site, staff have expressed concern with the height of the glass podium on the corner of the building and note that a taller podium would help to balance out the overall mass of the 17-storey tower. In addition, the street wall to the west of Johnson Street is proposed at five storeys (16.3m). The applicant responded to staff comments by reducing the street wall by one storey, which helps to provide a more sensitive transition from the adjacent building.

For the reasons noted above, staff suggest the Application would benefit from a review by the Advisory Design Panel (ADP) on street walls, building separation and articulation of the upper storeys through exterior finishes and materials.

Building Separation

DCAP prescribes building separation guidelines based on the principle of increasing building separation in relation to increased building height. The intent of this is to enhance privacy and open up views in between buildings. The proposal is consistent with the tall building guidelines by offsetting the proposed two towers from the recently approved 18-storey building at 960-962 Yates Street, directly to the rear of the subject property. In addition, the proposal is generally consistent with the residential building separation guidelines, which provide minimum distances from property lines and between tall buildings located on the same parcel. The only aspect where the Application does not comply with the guidelines is on the west elevation, where five balconies from Levels 11 to 15 have a setback of 4.75m, instead of the recommended 5.5m

from the side property line (a projection of 0.75m). As these balconies are on the upper floors, the direct privacy impact on the adjacent building is considered to be minimal. In addition, at the request of staff, the applicant has revised the design to enhance the landscaping along this property line with the provision of a yew hedge which will enhance privacy for the residents on the lower floors of the adjacent building. Staff recommend that the ADP review this aspect of the design for any further refinement opportunities.

Additional clearances for windows are encouraged where feasible to enhance liveability for residential uses. The proposal is consistent with the guidelines for minimum separation distances between the two towers on the subject property. This distance ranges from 10m (at Level 10) to 14m (Levels 11 to 15) between balconies, which is in excess of the minimum requirements in the guidelines.

Building Design

Overall, the proposed form and massing is organized to demarcate the building base, body and top. Commercial units provide multiple entrances off the street with canopies giving weather protection for pedestrians. Staff have raised concerns regarding the recessed residential entrance on Johnson Street which could become a Crime Prevention Through Environmental Design (CPTED) challenge. The applicant has responded to this by stating that the area will be well lit and finished with high-quality materials, although no lighting strategy has been provided at this date. Staff recommend that the Application be forwarded to the Advisory Design Panel for consideration of this issue.

Building and Street Interface

In the DCAP Appendix 5 "Building and Street Interface Guidelines", this block of Johnson Street is identified as an "Avenue". In these locations, public realm improvements should be designed to relate to adjacent residential uses and the street's transportation function through the provision of comfortable, safe and animated pedestrian environments. The proposal includes commercial uses at grade and this would contribute to street animation through multiple entrances, extensive glazing and awnings for weather protection for pedestrians. Also, seven replacement street trees are proposed along with sidewalk improvements consistent with the Harris Green standards for both the Johnson Street and Vancouver Street frontages.

Advisory Design Guidelines for Buildings Signs and Awnings (1981)

These Guidelines state that an acceptable application will include consideration of an attractive streetscape and that the architecture and landscaping of the immediate area be identified and acknowledged. In evaluating a design, particular emphasis will be placed on the solution to these general aspects: comprehensive design approach, relevancy of expression, context, pedestrian access, massing, scale, roofline, detailing, street relationship, vistas, landscaping plan, colours and textures. The Application is consistent with these Guidelines.

Guidelines for Fences, Gates and Shutters (2010)

The objective of these Guidelines is to ensure that where fences, gates and shutters are required, they are designed well and complement their surroundings. The Application is consistent with these Guidelines and proposes to introduce high-quality custom security fencing, details of which are included in the Application package.

Proposed Variances

Three variances to the *Zoning Regulation Bylaw* are being proposed as part of this Application.

Height and Number of Storeys

An increase in the height from 30m to 50m and an increase in the number of storeys from 10 to 17 is being requested. The R-48 Zone does not prescribe a maximum density through a FSR calculation. In the case of a height variance in this Zone, standard practice is to determine the "theoretical" FSR based on the height and setback regulations as they relate to the subject property. This determines the building envelope that can be achieved. The theoretical density for the subject property is 7.4:1 FSR and the proposal is for a building within this limit at 6.05:1 FSR.

As the building complies with the recommended height guidelines in the DCAP and appropriate measures have been taken to offset the towers from adjacent buildings, staff recommend for Council's consideration that the height variance is supported.

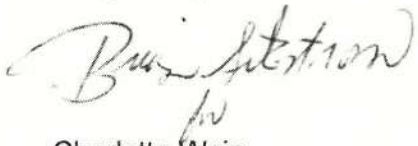
CONCLUSIONS

The proposed high-rise mixed-use development at 951 Johnson Street would support the planning objectives for the Downtown found in the OCP and the DCAP. The proposal is generally consistent with the design guidelines contained within the DCAP and includes high-quality building materials and landscape finishes. The proposed height and number of storeys variance is recommended for consideration given the consistency with guidelines and the design measures taken to integrate the buildings into the surrounding context. The front yard setback variance is recommended for consideration due to the relatively minor nature of the variance and the provision for additional measures to help animate the street frontage (outdoor patio). However, the Application would benefit from a review by the ADP in relation to the street walls and podium height at the corner of the building, potential CPTED concerns for the residential entrance and opportunities to refine the design on the west elevation as they relate to the building separation guidelines.

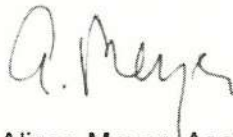
ALTERNATE MOTION

That Council decline DP Application No. 000426 for the property located at 951 Johnson Street.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services Division

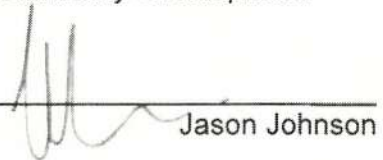


Alison Meyer, Assistant
Director, Development
Services Division



Jonathan Tinney, Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager:



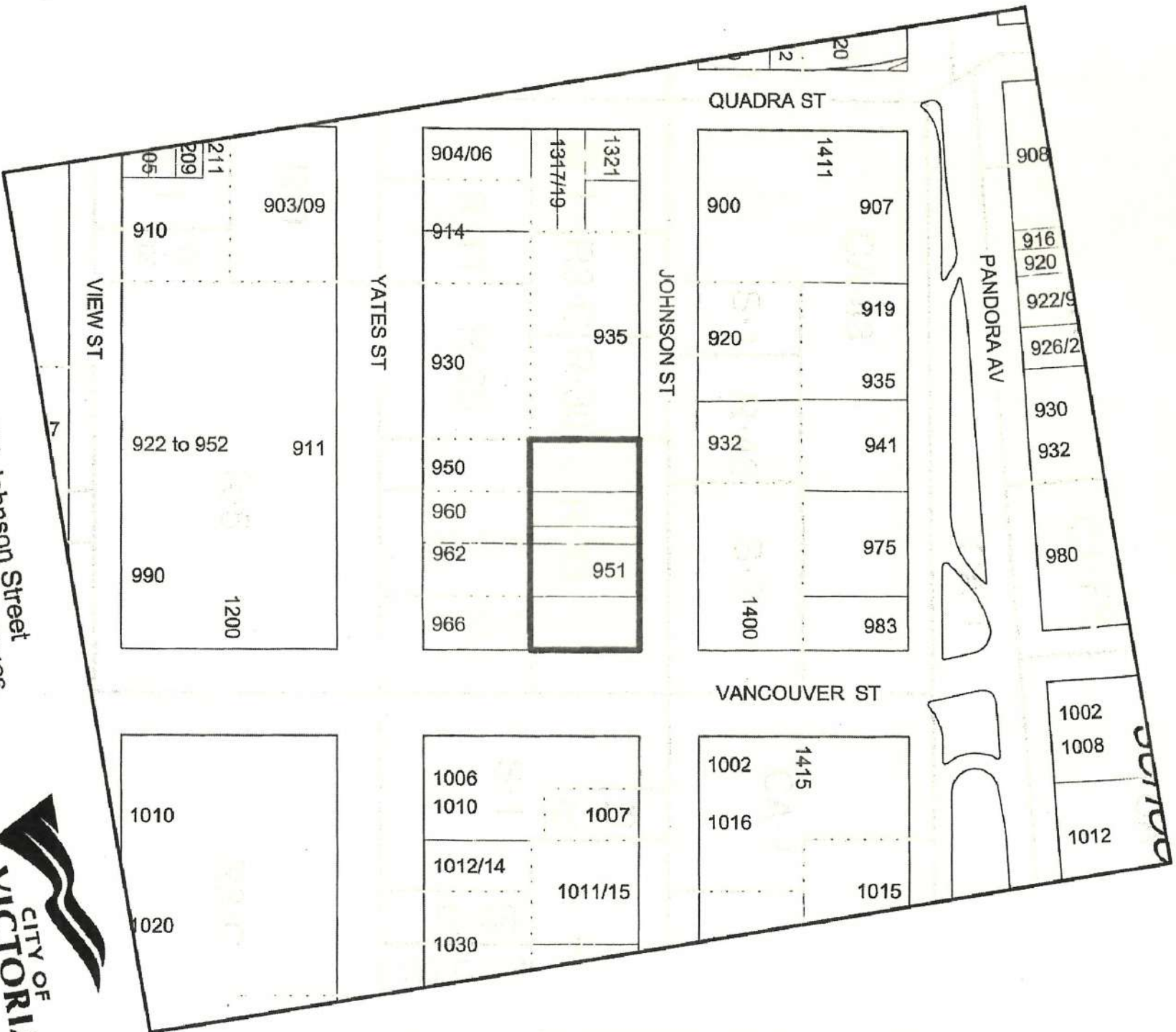
Jason Johnson

Date:

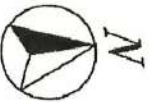
August 21, 2015

List of Attachments

- Zoning map
- Aerial photo
- Letter from applicant, dated July 30, 2015
- Letter from Downtown Residents Association, dated July 25, 2015
- Plans for Development Permit Application with Variances No. 000426 dated 4 August 2015.



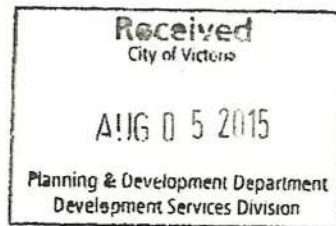
951 Johnson Street
Development Permit #000426





951 Johnson Street
Development Permit #000426

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



July 30th, 2015

Attention: **Mayor Helps and Councillors**

Re: **951 Johnson Street**

Dear Mr. Mayor and Councillors,

We are excited about the opportunity to continue to contribute to the growth of Victoria's Downtown Core, and are pleased to present this development at the corner of Johnson Street and Vancouver Street. As with every development site, we see both opportunities and challenges on this site, and are proudly offering a unique development, which will enhance Victoria's Downtown Core.

The redevelopment of the McCall's Funeral Home parking lot is a significant opportunity to help establish a vibrant community in Harris Green neighbourhood. Although the property has provided an important service for the past forty years as a parking lot for the funeral home service, the site has remained undeveloped for many decades. The neighbourhood has seen significant change over the past few years, and we've looked closely at how to contribute in a positive way to this growth.

The property is approximately 28,800 square feet, and zoned R-48, which has simple setback and height guidelines without limiting floor space ratio. Also, R-48 is the only zone that is specifically mentioned in the Downtown Core Area Plan where the allowable density will be unaffected. Since this zone is not based on floor space ratio, the only way to calculate the allowable density under this zoning is to determine and understand the maximum building envelope based on the setbacks and height. We established the allowable density with a massing model. This totaled over 212,000 square feet of buildable with a 7.4 FSR. (See attached.) However, after looking closely at both existing buildings and proposed developments in the area, it was more fitting that we applied the Downtown Core Area Plan design and height guidelines. We started manipulating the density and form of the building and established a new square footage number that was less than the ten-story scheme. This totaled over 195,000 square of building with an FSR of 6.78. (See attached.) Under this scheme, however, we seek a height variance that is within the allowable height guidelines of the Downtown Core Area Plan. This is also beneficial, as it helps maximizes separation distances, and is much more complimentary to the neighbourhood than what is permitted under the R-48 zone. This massing model became our new base which we then continued to sculpt and design the building to its current proposed gross floor area of 179,437 square feet, which reflects 85% of the density attainable under the current zoning and an FSR of just over 6.

Massing & Composition

The adjacent properties are a mixture of low-rise commercial as well as mid to high-rise residential. Particular care was taken to fit this development into the neighbouring context. In particular, it was important to maintain views from the recently approved 18-storey tower on the adjacent site fronting Yates street. The mass is primarily arranged in two towers, 15 and 17-storeys, located to permit views through the site from the adjacent tower. The towers have been sculpted and angled to maximize views through the site and from within the suites.

A key element of the DCAP design guidelines is the incorporation of a continuous street wall. This is a departure from how Harris Green traditionally developed with towers surrounded by green space. The lower floors have been carefully articulated and composed to respond to geometries and heights of adjacent buildings, which sets-up the two required street walls. The overall composition steps up from the corner, which will be a clean and bold glass volume for high retail exposure and a feature metal canopy. Along Johnson, the mass steps to 4 and 6 stories, and down to 5 stories adjacent to the neighbouring residential.

Considerable articulation is proposed within the building façade. The palette of building materials includes masonry at the base with both white, gray and midnight blue metal panels incorporated into the glazing system. A feature element is the incorporation of glass frit within the towers and some balcony dividers. Balconies have been playfully arranged along some of the facades. A playful approach to the overall composition gives a sense of vibrancy and vitality to the development and neighbourhood.

Building Details

The proposed development is approximately 180,000 square feet, which is 85% of the maximum allowable density and will consist of 209 strata titled units including 3 home occupation units on the ground floor and approximately 8700 square feet of commercial space. The building will have 219 parking stalls. Storage lockers will be provided for every unit and bike parking for every unit will also be provided.

The entry lobbies of the two residential towers are located off a shared south-facing courtyard. This entry is marked with feature entry gate, warmly lit wood soffit, and illuminated signage on a prominent brick pier. The gated entrance will be well lit in the evening and glazing will help activate the commercial units during the day. The shared courtyard is a major amenity to the residents and an opportunity for community building. Locating the elevator lobbies off this shared courtyard provides immediate access to all residents and promotes social interaction, a key element to developing 'happy' and livable cities. The two angled street wall components on Johnson gesture towards the main entrance, which is reinforced by paving patterns in the sidewalk along Johnson Street.

The commercial space will have 15-foot ceilings with storefronts activating both Johnson and Vancouver. The main commercial space will be prominent on the corner of Johnson and Vancouver and will feature double height glass and give any tenant an opportunity to have major exposure on a major corner. The second space will be featured under the West tower and will have a large outdoor amenity space. The exterior façade of the ground floor will have a robust masonry and glass finish.

Green Features

The Canada Green Building Council LEED rating system will guide the development of sustainable features within the building. To date, the design team has focused on incorporating features which provide long life cycle benefits for durability and efficiency, including a high performance envelope, finishes with 50+ year durability. We will be meeting or exceeding the EnerGuide 80 rating, or equivalent. In addition to all washers, dryers and dishwashers being EnerGuide rated, we will also incorporate low flow toilets and showerheads. We believe most residents will be able to walk to work or amenities due to the central downtown location. The building site is close to several bus routes and has been designed to encourage the use of bicycles. To promote cycling we have made it easy for bikers with the provision of a separate bike ramp directly off the street into the secure underground bike garage. A number of bike stalls will be provided in a secure enclosure at grade along with a bike repair workshop.

CEPTED

There are several locations where the development is accessible to the community during the day. The commercial base will enliven the sidewalk and encourage interaction within the community. Placement of the residential lobbies off the courtyard will provide 'eyes on the street' and a sense of ownership of this area, which reduces risk of crime. Elimination of blind spots and careful placement of lighting also helps in reducing unwanted activity.

Community Dialogue & Livability Design

A neighbourhood meeting was held in March of 2015. The overall reception of the development was positive and the residents, including the downtown residents association were in general support. Most residents felt the tall, narrow and well-articulated towers were a favourable solution, which kept buildings, separated and retained existing views.

The 'building separation' guidelines in the Downtown Core Area Plan was a starting point to establish separation distances between the two new towers as well as between existing buildings. The design goes above and beyond the minimum separation requirements in an effort to retain existing views as well as maximize views of the new units in this project. The distance between the two towers is 150% wider than the separation guidelines. In addition, the living areas are oriented away from the adjacent tower, with only bedrooms located facing each other. The two towers are positioned to permit views between from the proposed adjacent development at 960 Yates. This separation is further enhanced by flaring the walls toward the south for an even greater opening.

The building is setback 6.75m and 8.3m at the south property, which is greater than the 3m and 6m minimum, and steps back to 21m where the buildings are directly opposite each other.

Similarly, along the West property line we are setback 4.6m from the adjacent four-storey building [160% improvement over the 3.0m min]. Also, along this side of the building for the first 4 floors, most suites are oriented North or South, away from the adjacent building to the west. Bedroom windows from buildings may face each other but living areas do not. Additional landscape has also been introduced on the West property line to improve privacy.

The existing 'Manhattan' building at 930 Yates was also considered in the development of the form and massing. At our two closest points of buildings, we are separated by more than 21 meters.

Summary

Much dialogue with the neighbours and city staff is reflected in the design of this proposed development. Our design response ensures that views of neighbouring buildings are affected as little as possible, which is achieved by reducing overall mass and density but increasing height and setbacks. We believe the design closely reflects the Downtown Core Area Plan and is a positive step for the future development of the Harris Green neighbourhood.

Sincerely,



Daniel Cox



1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

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

July 25, 2015

Re: CALUC Meeting-951 Johnson Street

Dear Mayor Helps and Council,

The DRA LUC has reviewed the drawings and hosted a CALUC meeting on March 18th, 2015 for the above-mentioned application. The applicant proposed the meeting, as it was not a requirement of the CALUC process. The applicant should be commended for undertaking this higher level of public consultation. Twenty-nine people registered their attendance at the door.

Based on the information presented by the applicant, the purpose of the rezoning is to create two residential towers over a single four-storey podium, with ground floor commercial space fronting Johnson and Vancouver Streets. There will be 205 condominiums with the parking entry off Vancouver Street. The two buildings would share an underground parking structure. Units would range in size from <500 sq ft up to 1800 sq ft with the standard sizes of 600-800 sq ft.

The applicant outlined how they had responded to early DRA LUC concerns regarding the viability of marginal, interior ground floor commercial spaces and had adapted the design to convert those spaces to work/live units.

Comments and concerns raised at the CALUC meeting by the public are as follows;

- A range of comments were heard regarding the street wall configuration for the podium levels and the setbacks for the building at the sidewalk. There were both concerns and complements from various attendees as to the City policy of no setback from the street.
- Concerns were voiced regarding shadowing. The applicant provided shadow studies indicating the impacted areas to the north. It was pointed out that the applicant also owned much of the impacted property to the north.
- Attendees suggested that visitor parking would be beneficial but would need to be controlled and monitored.

- Attendees also expressed concerns that not enough parking was proposed. Other attendees pointed out that many downtown residents don't have cars.
- Concerns were voiced regarding that the eventual use proposed for the ground floor commercial space be compatible with the residential use above. For example, no late night pubs or restaurants.
- Several attendees commented that the proposed cladding materials were of a high quality and the articulation of the buildings provided visual interest

No attendees of the CALUC meeting voiced opposition to the proposal.

The DRA generally supports this proposal as it appears to be of very high quality, conforms to the OCP and will bring vitality to the Harris Green precinct.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Sutherland', with a stylized flourish at the end.

Ian Sutherland
Chair Land Use Committee
Downtown Residents Association

cc Planning and Development Department

6. DEVELOPMENT APPLICATION REPORTS

6.6 Development Permit with Variances Application No. 000426 for 951 Johnson Street

Committee received a report dated August 13, 2015 from Sustainable Planning & Community Development regarding a development application for 951 Johnson Street to authorize a design of a mixed-use building comprising two towers and a total of 209 residential units.

- Action:** It was moved by Councillor Lucas, seconded by Councillor Thornton-Joe, that Committee recommends that Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:
- The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
 - The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
 - Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
 - The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.

Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

1. Plans date stamped August 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 3.67.5(2) - increase the building height from 30m to 50m;
 - b. Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;
3. The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.
4. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.
5. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
6. The Development Permit lapsing two years from the date of this resolution."

Committee discussed the motion:

- Concentration of similar buildings being developed downtown.
- Having stronger variations in height between buildings downtown.
- The Downtown Residents Association expressed that the proposal would be a positive attribute and addition to the downtown and had few concerns.

CARRIED UNANIMOUSLY 15/PLUC/196

PLUC meeting
August 27, 2015

REPORTS OF THE COMMITTEES**2. Planning and Land Use Committee – August 27, 2015****10. Development Permit with Variances Application No. 000426 for 951 Johnson Street**

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

1. That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

- The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
- The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
- Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
- The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.

2. Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

1. *Plans date stamped August 4, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 3.67.5(2) - increase the building height from 30m to 50m;*
 - b. *Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;*
3. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.*
4. *Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.*
5. *Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.*
6. *The Development Permit lapsing two years from the date of this resolution."*

Councillor Isitt asked why the access and egress is designated for Vancouver Street rather than Johnson Street.

Brad Dellebuur (Acting Assistant Director, Transportation & Parking Services): He believes it is because it is a lower classified street but he will review the file.

Amendment:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the Part 2 of motion be amended as follows:

That Council consider the following motion:

2. Following this referral and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000426 with Variances for 951 Johnson Street, in accordance with:

1. *Plans date stamped August 4, 2015.*
2. ***That staff report back on the advisability of providing access and egress from Johnson Street, rather than Vancouver Street, to avoid contributing to increased motor-vehicle traffic volumes on the Vancouver Street greenway.***
3. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 3.67.5(2) - increase the building height from 30m to 50m;*

- b. *Section 3.67.5(2) - increase the number of storeys from 10 storeys to 17 storeys;*
- 4. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City staff.*
- 5. *Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City staff.*
- 6. *Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.*
- 7. *The Development Permit lapsing two years from the date of this resolution."*

On the amendment:

Carried Unanimously

On the main motion as amended:

Carried Unanimously

Council minute
August 27, 2015

3.1 Development Permit No. 000426 for 951 Johnson Street

The proposal is to construct a mixed-use building with 210 residential units.

Applicant Meeting attendees: Mr. Jim Aalders, HDR/CEI Architecture
Mr. Curtis Knichel, HDR/CEI Architecture
Ms. Bev Windjack, LADR Landscape Architects Inc.
Mr. Dan Cox, 989 Johnson Properties Ltd.
Mr. Steve Cox, 989 Johnson Properties Ltd.

Mr. Windjack recused himself from the meeting at 12:08 p.m. due to a pecuniary conflict of interest as his wife is the landscape architect for the proposal.

Ms. Wain provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- The appropriateness of the height of the street walls, with particular emphasis on the transition to the adjacent building to the west of Johnson Street.
- The height of the podium corner at the intersection of Johnson Street and Vancouver Street, with opportunities to increase the building mass in this location.
- Potential CPTED concerns associated with the primary residential entrance on Johnson Street.
- The appropriateness of the building separation distances between the proposed building and the adjacent four-storey residential building to the west.

Mr. Aalders then provided the Panel with a brief presentation on the site and context of the proposal.

Mr. Knichel provided the Panel with detailed presentation of the proposal.

Ms. Windjack then provided the Panel with a detailed presentation of the landscape proposal.

Panel Members discussed:

- The proposal seems like an asset to this part of the City.
- No objections in regards to the building separation.
- The proposal is well composed and well thought out; although further refinements could improve some aspects of the proposal.
 - Further consideration of the design of the residential entryway.
 - Support for the glazing proposed along the street frontage; however adding materials such as the fritted panels or varying the alignment of the glazing may add some visual excitement.
 - The break in massing is desirable; however, the siting of these massing changes could be reconsidered.
 - Desire for the podium corners of the building to be heightened while decreasing the height of the middle portion above the residential entrance, to further break up the massing and provide natural light above the entrance.
 - Preference for the street wall to be of human scale.
- Consideration of the feel of the building from inside the parking area for the residents arriving home by car.

- Preference for the replacement of the street trees to be greater than a ratio of one to one.
- Further incorporation of Green Strategies would have been desirable.
- Encouragement of a wind study to determine the potential effect on the plaza.
- Support for the variety of materials proposed on the street wall.
- Lack of natural light entering the courtyard and the atrium as the large buildings will block this. Although the courtyard will make for a great evening space.
- Preference for the courtyard to be accessible at certain hours, to the commercial retailers and the public to help liven up the space.
- Building security could be managed by the gate to limit public access to the courtyard between certain hours.
- CPTED concerns for the front entryway and sheltered vehicular access with the recessed gate. More attention should be given to this.
- Incorporating a metal arm rest in the middle of the bench, located in front of the building, to discourage people from sleeping there.
- Some members had concerns of dividing the large retail space to accommodate additional retailers and what the visual impacts would be from the street.
- Some members felt the large corner retail unit was a great opportunity for a business.

Action:

MOVED / SECONDED

It was moved by Mr. Lam, seconded by Mr. Forth, that the Advisory Design Panel recommend to Council that Development Permit Application No. 000426 for 951 Johnson Street be approved with changes recommended as follows:

- Reconsideration of the podium massing at the corner.
- Consideration of ways to enhance the activity in the courtyard.
- Consideration of CPTED issues with the front entrance and the parking entrance
- Provision of more detail on all of the entrances.

Panel Members discussed the motion:

- The building's asset to the street.
- Minor tweaks would improve the project.
- Strong reconsideration of the courtyard space as it is an important public face of the building.
- Commendable design especially considering the geographic and site challenges.
- Prompts an important discussion, on a larger scale, of the design consideration of how to move pedestrians from the public realm to a private realm. Also prompts discussion on consideration of design details for entering residences from below grade and how these spaces can be designed more welcoming and complimentary to the building.
- Support for the aesthetic, the detail, and the overall conception and form of the project; however, the ground floor, corner massing, retail and residential entry are not as optimum as they could be.
- Consideration of a wind study as it is important that a public space is liveable.
- Recognition that the application would not return to ADP for further review and the importance of addressing the Panel's comments to ensure full support of the proposal.

Amendment:

MOVED / SECONDED

It was moved by Mr. Cosgrave, seconded by Mr. Forth, that the motion be amended as follows:

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000426 for 951 Johnson Street be approved with changes recommended as follows:

- Reconsideration of the podium massing at the corner.
- Consideration of ways to enhance the activity in the courtyard.
- Consideration of CPTED issues with the front entrance and the parking entrance.
- Provision of more detail on all of the entrances.
- **Consideration of a wind study for the liveability of the plaza.**

On the main motion:
CARRIED UNANIMOUSLY

On the main motion as amended:
CARRIED UNANIMOUSLY

ADP Minutes-September 23, 2015

1 December 2015

Charlotte Wain, MCIP, RPP, MRTPI
Senior Planner - Urban Design Development Services Division
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6



Re: 989 Johnson Street • Development Permit Application Resubmittal

This correspondence is in support of the resubmission of the Development Permit Application for the Residential Mixed-use development at 989 Johnson Street. We are in receipt of the Design Panel Summary Comments received Oct. 30th from the City of Victoria. We have incorporated revisions to the design based on comments received, and have the following rationale to support the revisions;

PARTNERS

Jim Aalders
Arch. AIBC, MRAIC, LEED AP,
NCARB

Nick Bevanda
Arch. AIBC, MRAIC, NCARB, AIA

Mark Hentze
Arch. AIBC, NLAA, MRAIC, NCARB,
IAKS

William Locking
Arch. AIBC, AAA, FRAIC

Troy Ramsdell
Arch. AIBC, MBA

John Scott
Arch. AIBC, AAA, MRAIC, NCARB,
AIA

Rod Windjack
Arch. AIBC, MRAIC, LEED AP

PARTNER EMERITUS

Richard Bolus
Arch. AIBC, MRAIC, Assoc. AIA,
LEED AP

• *Reconsideration of Podium massing at the corner*

The 3-storey massing along Vancouver Street has been reinstated in the current scheme. As well, we have completed further development of the corner, including feature wood columns, an operable glazed wall to open the corner restaurant to the street. These elements help break down the visual dominance of the tower beyond. The guardrail on the roof of the entry podium has been brought flush with the exterior to further improve the perceived massing. The feature wood columns visually connect with the wood walls and soffits of the projecting street walls along Vancouver and Johnson. Similarly, double-height wood columns have been introduced at the penthouse level.

• *Consideration of ways to enhance the activity of the courtyard.*

Several elements have been added to the Courtyard to enhance activity and vibrancy. An outdoor seating opens directly off the main floor commercial, which is anticipated to be a restaurant. A series of low planters separate the seating area from the courtyard. A feature wood bench which reflects the geometry of the building will provide a place for residents to gather and socialize in the sunny courtyard.

• *Consideration of CPTED issues with the front entrance and parking entrance.*

The entry gates have been redesigned to appear more open and welcoming. The steel pickets have been replaced with glazing. Some light coloured metal framing will remain as glazing support, as well as within the vehicle gate. Additional lighting has been incorporated into the entrances. The pedestrian entry off Vancouver is has been widened considerably.

- *Provision of more detail on all of the entrances.*

Much consideration has been given to the Johnson Street entry. Previously designed as a service entrance, it is now a more gracious entry into the development which contributes to the public realm. Care has been taken to improve the paving pattern as well as soffit treatment, which will be wood. The commercial retail use has been extended adjacent to the entry to help enliven this entry and provide visual overlook. As well, adjacent walls which were previously concrete will be clad with masonry.

- *Provision of a wind study.*

In discussion with a consultant who prepared wind studies, we were advised that this scale of project and particular orientation is not typically subject to a wind study. In addition, the courtyard does not effect the public realm.

We trust these revisions and the accompanying response meets the design intent the city is looking for on the related building and landscape design elements. We look forward to continuing to work with staff on the success completion of this Development Permit.

Yours very truly,
cei Architecture Planning Interiors



Jim Aalders Architect AIBC MRAIC LEED AP



Architecture

2020-055 PAGE 4



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PROJECT LOCATION



PROJECT DATA

[illegible]

SUITE TYPE	NO. OF SUITES	RATE PER NIGHT	TOTAL REVENUE
HOME OCCUPATION	870	\$190	\$165,300
LOFT	130	\$190	\$24,700
STUDIO	470	\$190	\$89,300
1 BEDROOM	400	\$240	\$96,000
1 BEDROOM + DEN	500	\$240	\$120,000
2 BEDROOM	130	\$240	\$31,200
2 BEDROOM PENTHOUSE	130	\$240	\$31,200
TOTAL	2,600	Avg.	\$549,700

DRAWING LIST

- AR00 ARCHITECTURAL GLASSWORK
- AR01 COVER SHEET
- AR02 GLASS UNIT ASSEMBLY
- AR03 CONTEXT PLAN
- AR04 FLOOR PLAN LEVEL 01
- AR05 FLOOR PLAN LEVEL 02
- AR06 FLOOR PLAN LEVEL 03
- AR07 FLOOR PLAN LEVEL 04
- AR08 FLOOR PLAN LEVEL 05
- AR09 FLOOR PLAN LEVEL 06
- AR10 FLOOR PLAN LEVEL 07
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- AR14 FLOOR PLAN LEVEL 11
- AR15 FLOOR PLAN LEVEL 12
- AR16 ROOF PLAN
- AR17 SECTION 1 - SECTION
- AR18 SECTION 2 - SECTION
- AR19 SECTION 3 - SECTION
- AR20 SECTION 4 - SECTION
- AR21 SECTION 5 - SECTION
- AR22 SECTION 6 - SECTION
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- AR00 SECTION 84 - SECTION

PROJECT TEAM

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DAN COE
with **WILL DANCOE**
7:00a-7:30a
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ARCHITECT

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LANDSCAPE ARCHITECTURAL DRAWING
L1: CONCEPT AND 2D CONCEPT PLAN
L2: MATERIALS, LANDSCAPE AND REFERENCE IMAGE

LANDSCAPE ARCHITECT

LAWN LANDSCAPE ARCHITECTS
LAWRENCE K. W. WOODMAN
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DALLAS, TEXAS 75246

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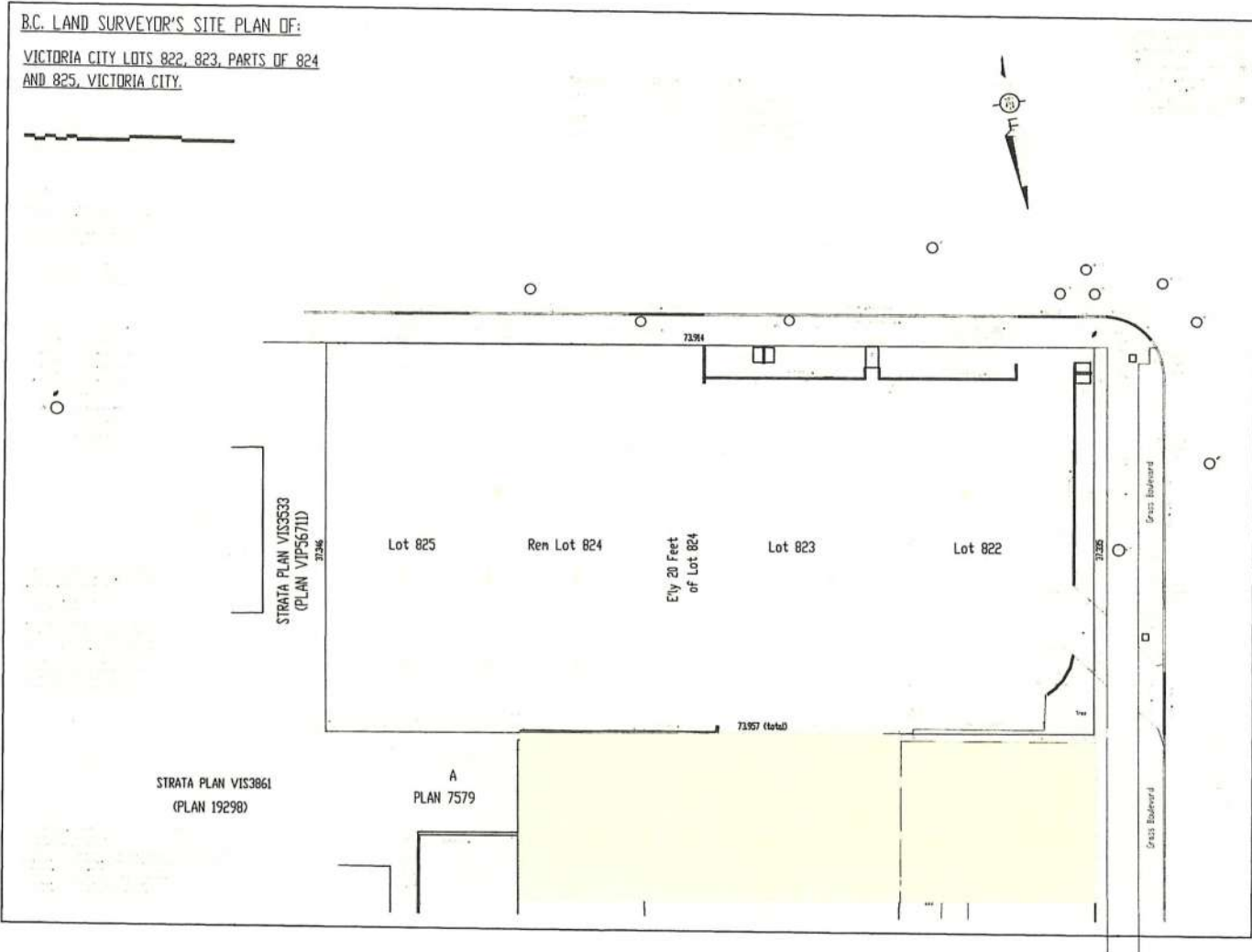
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PARKING

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FOR SITE PLAN

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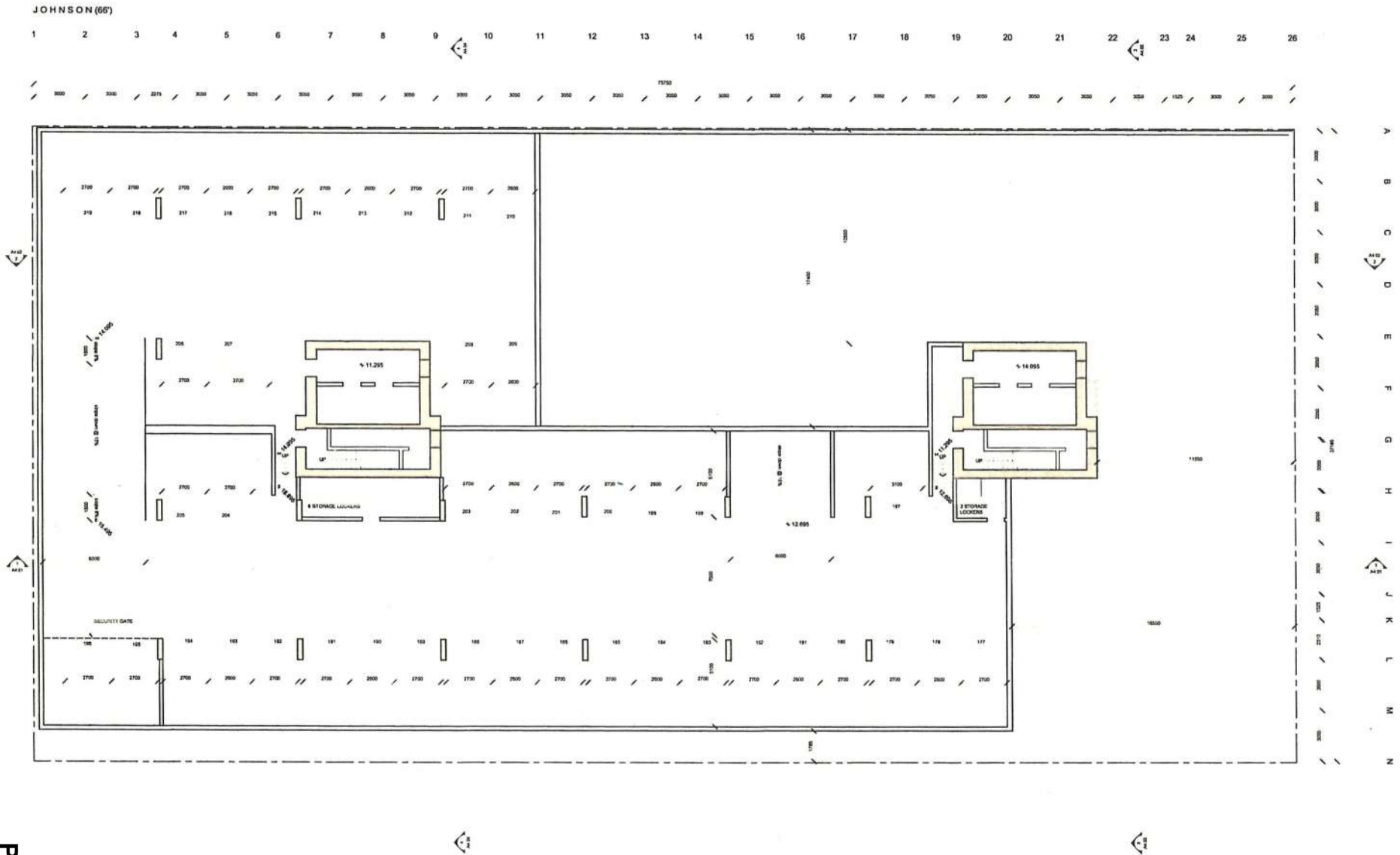
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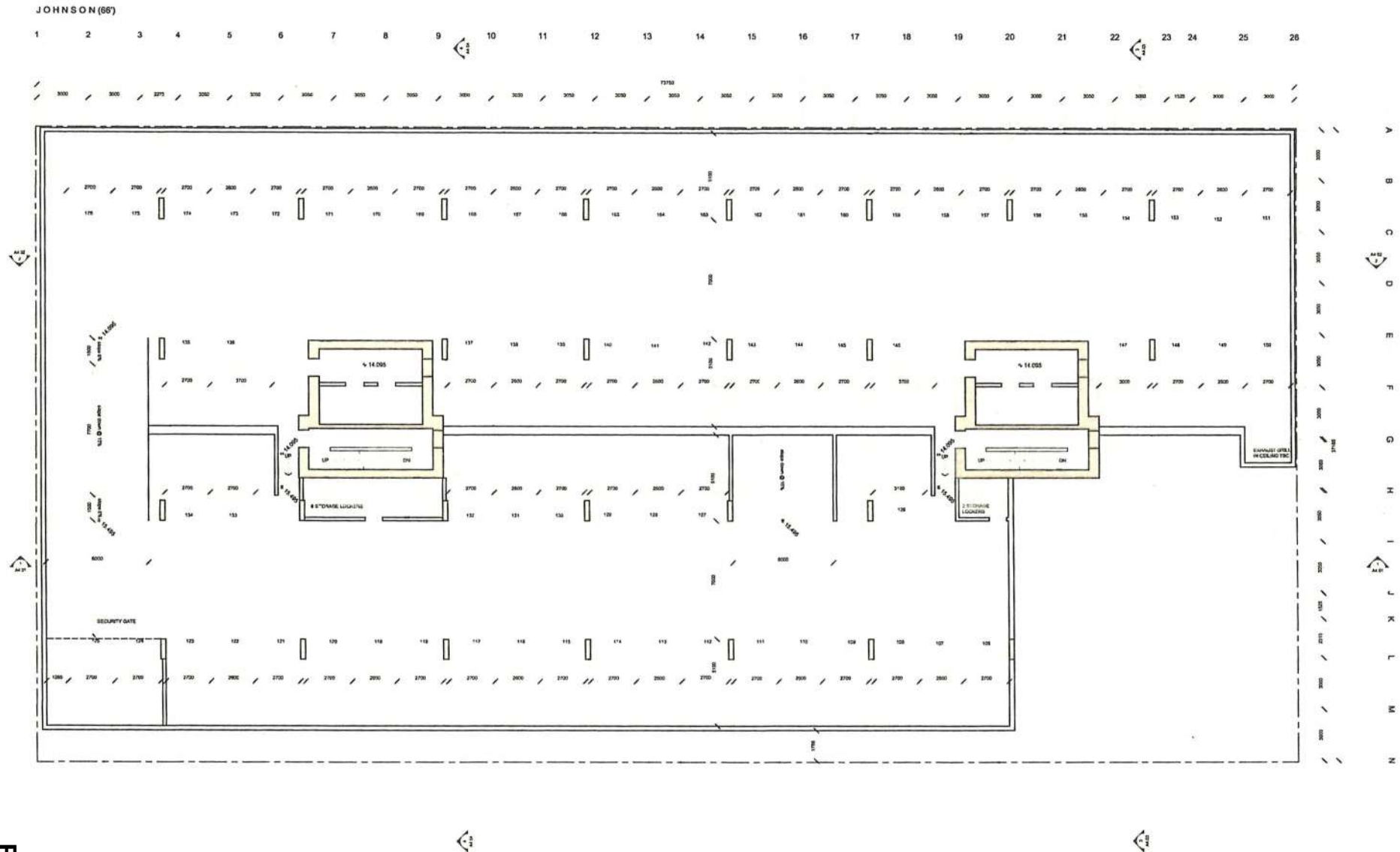
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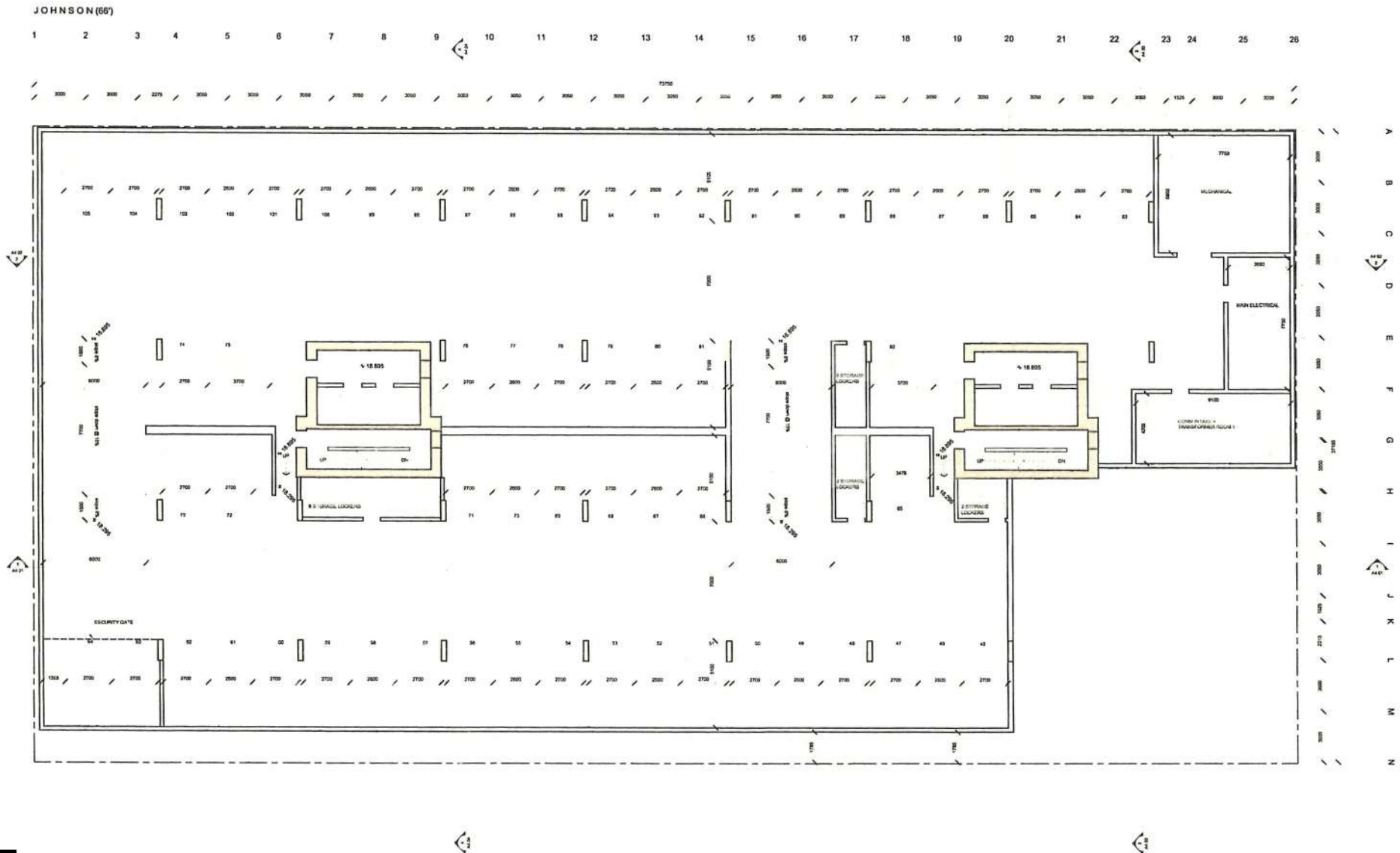
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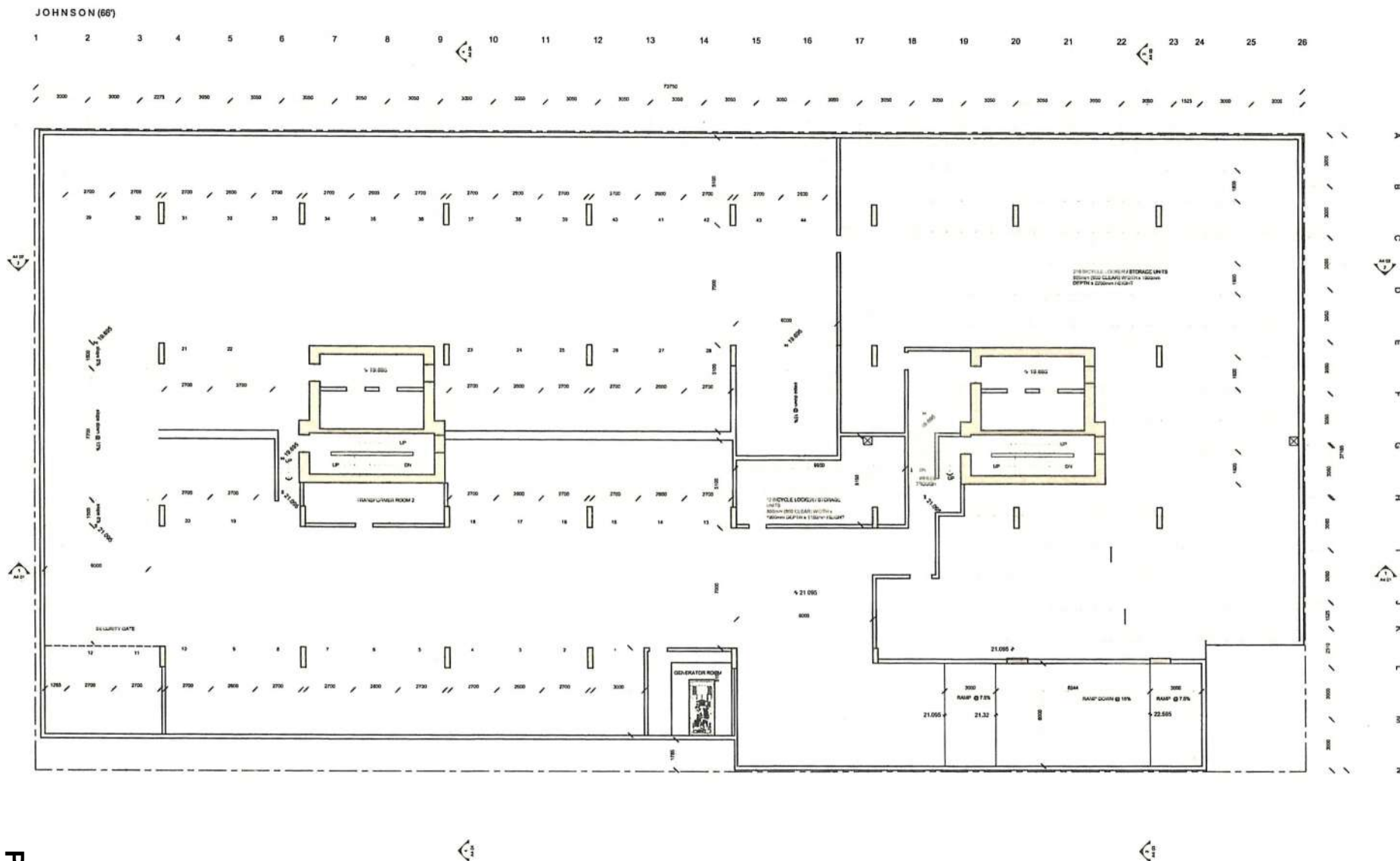
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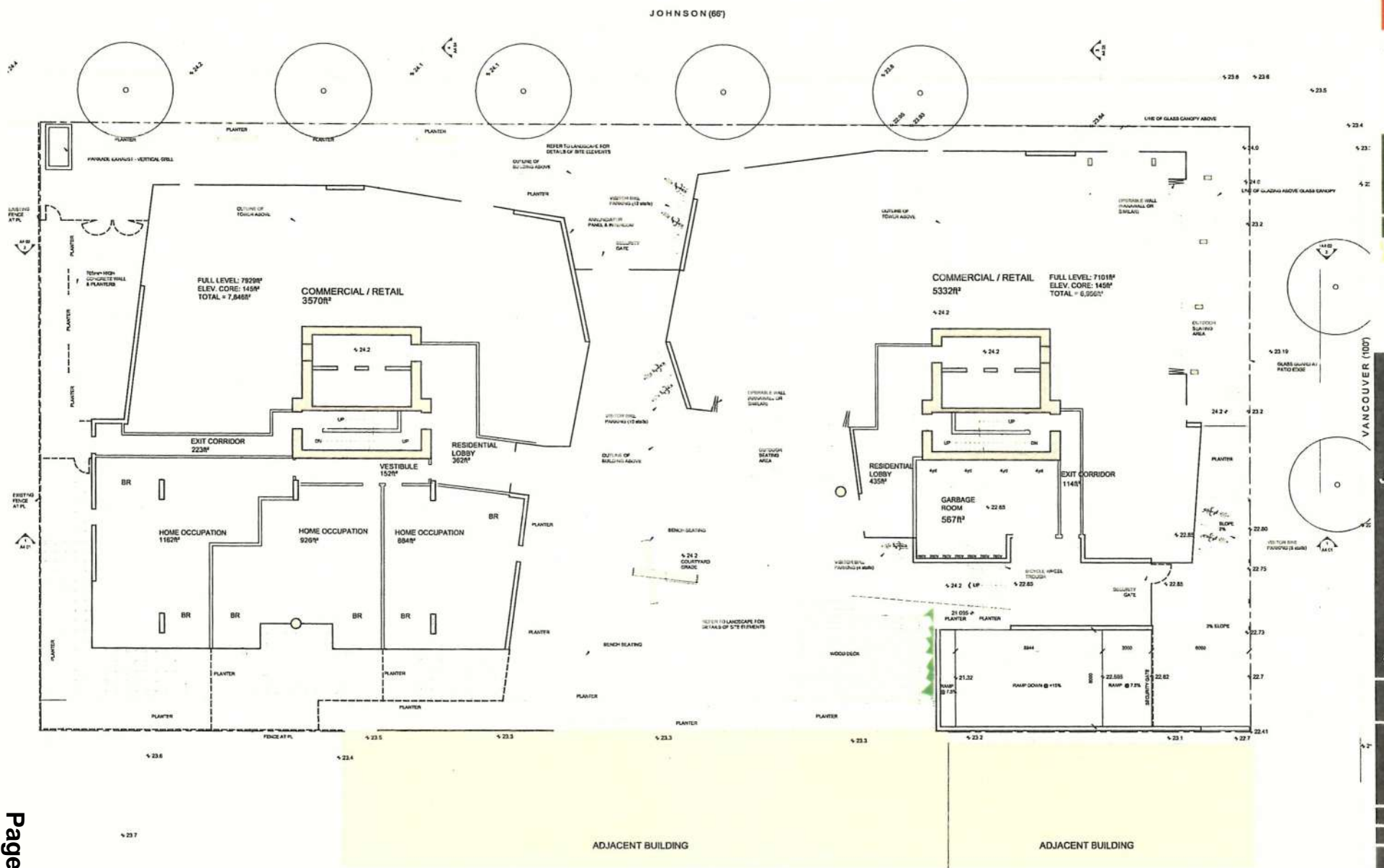
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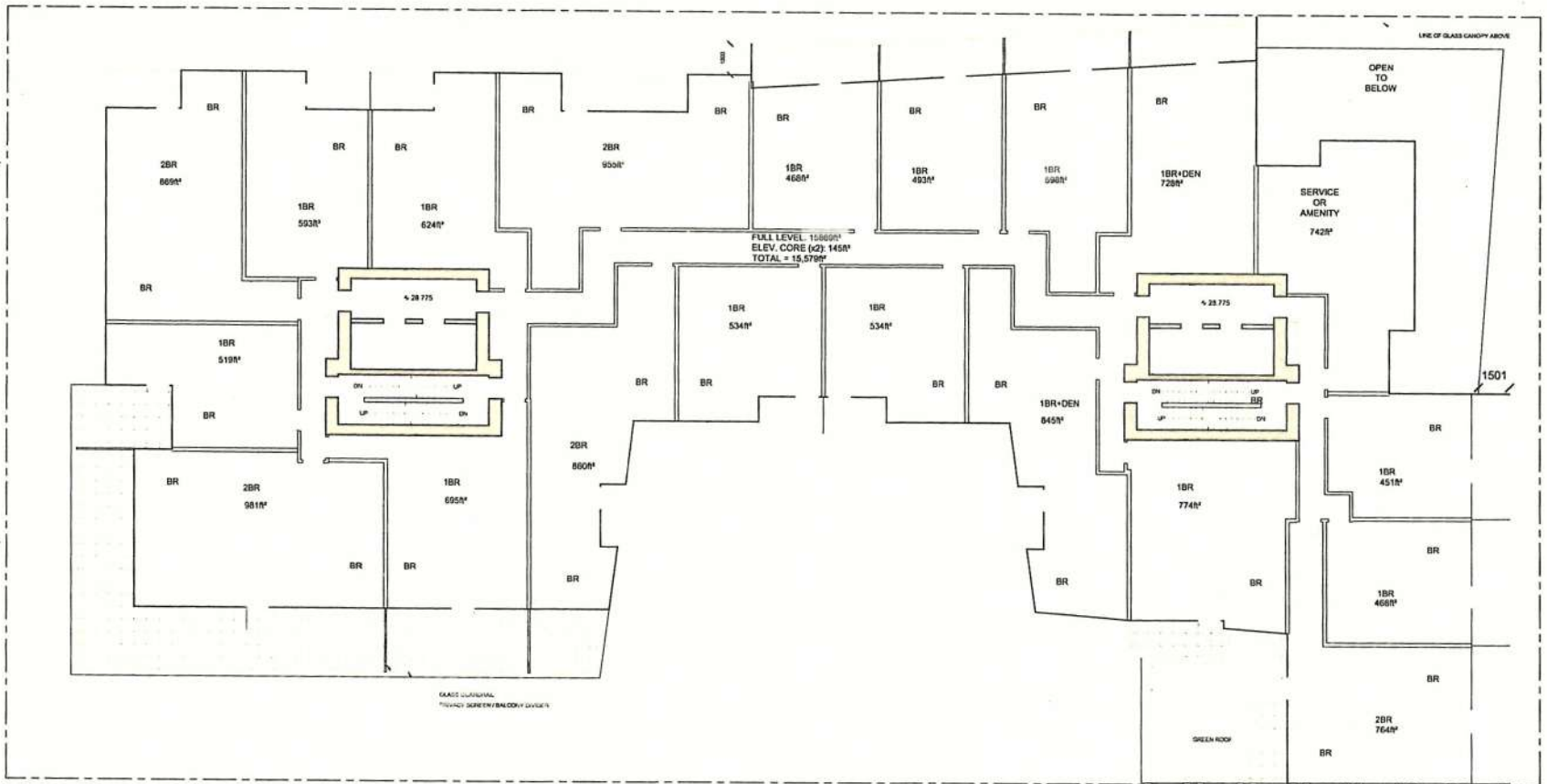
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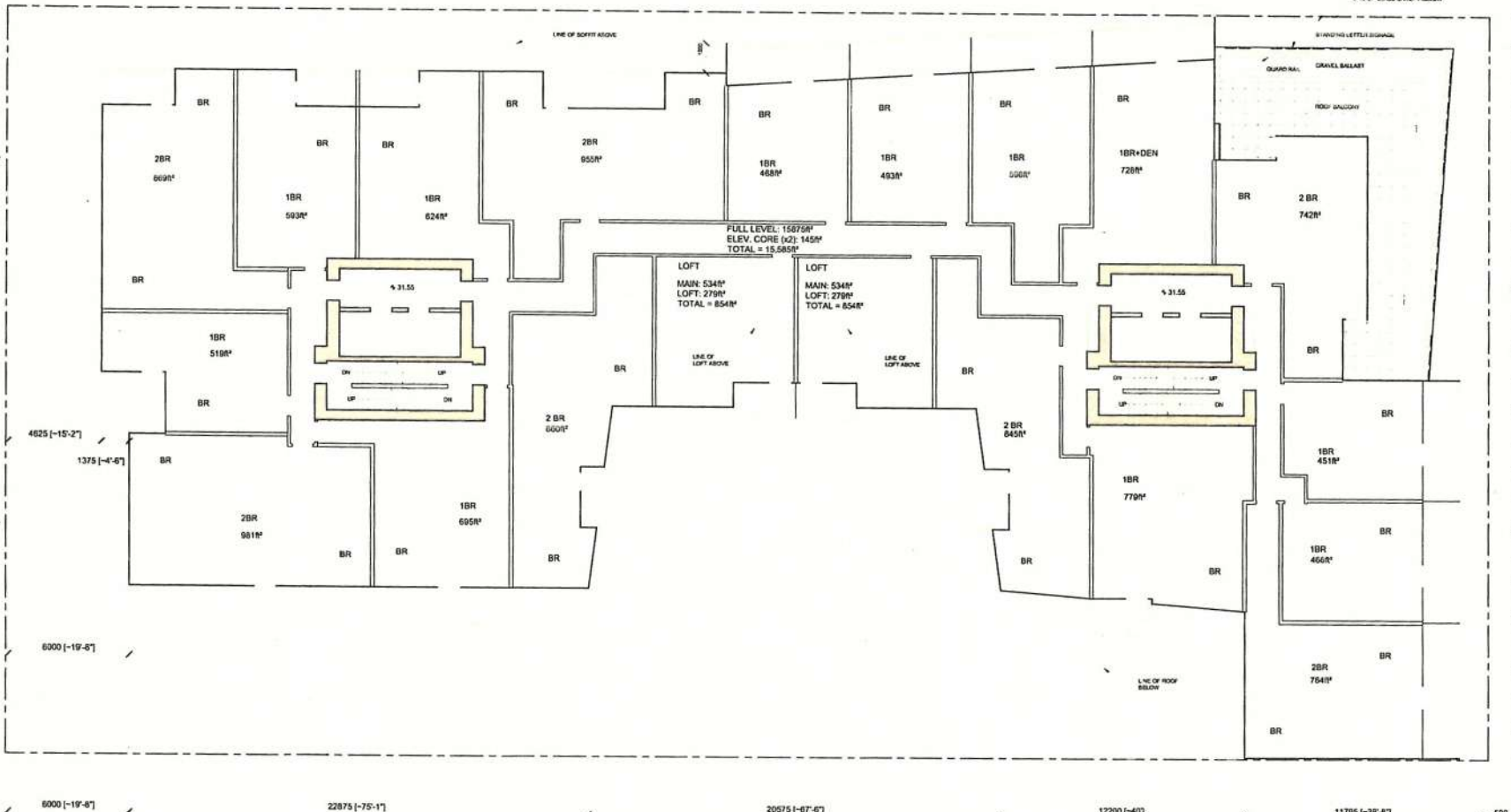
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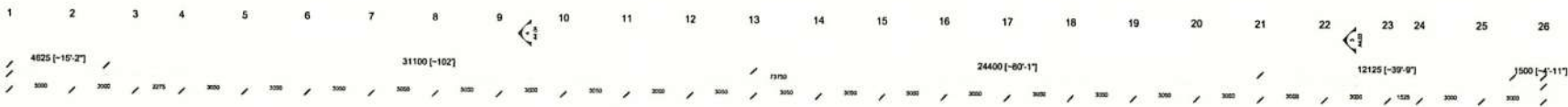
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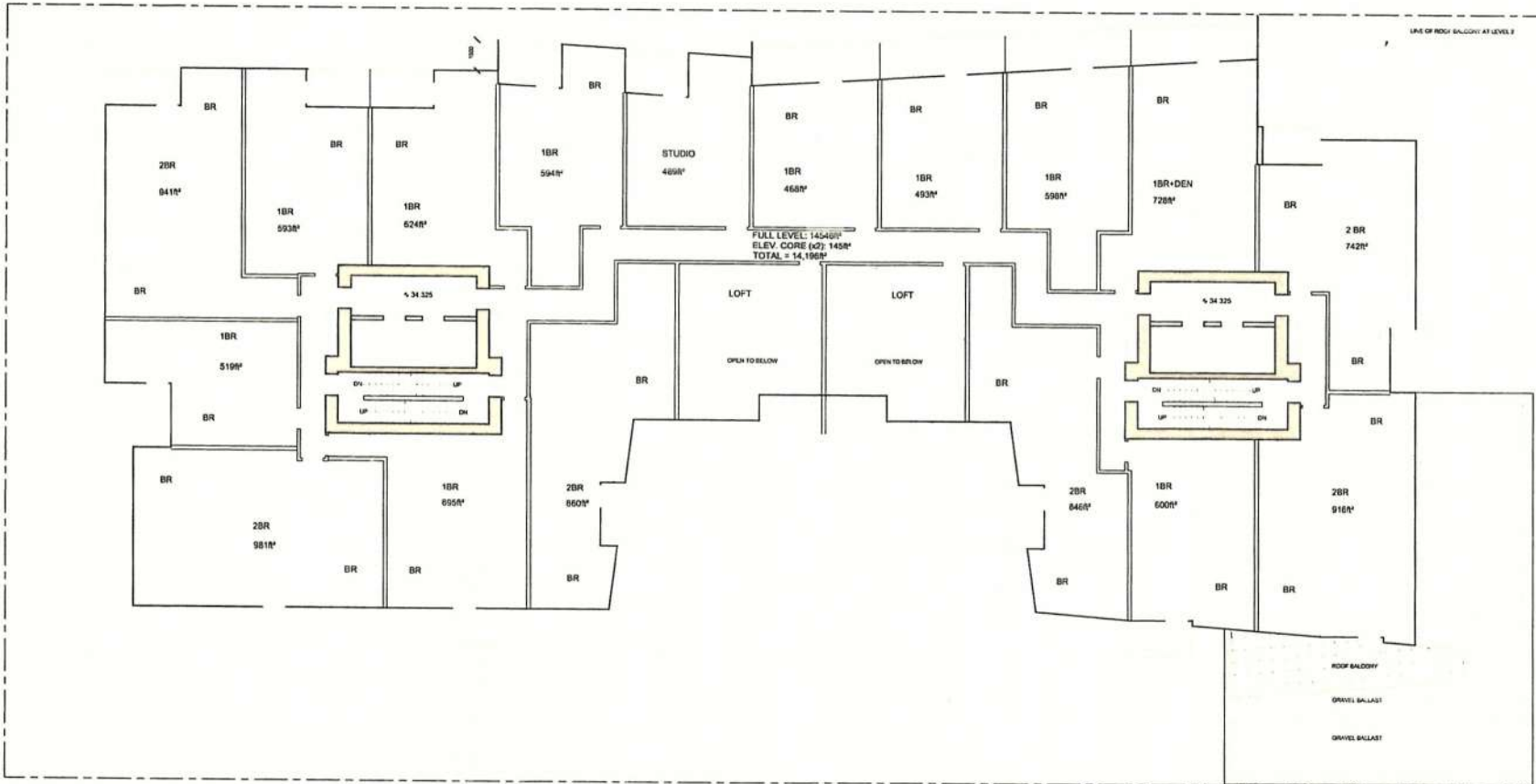
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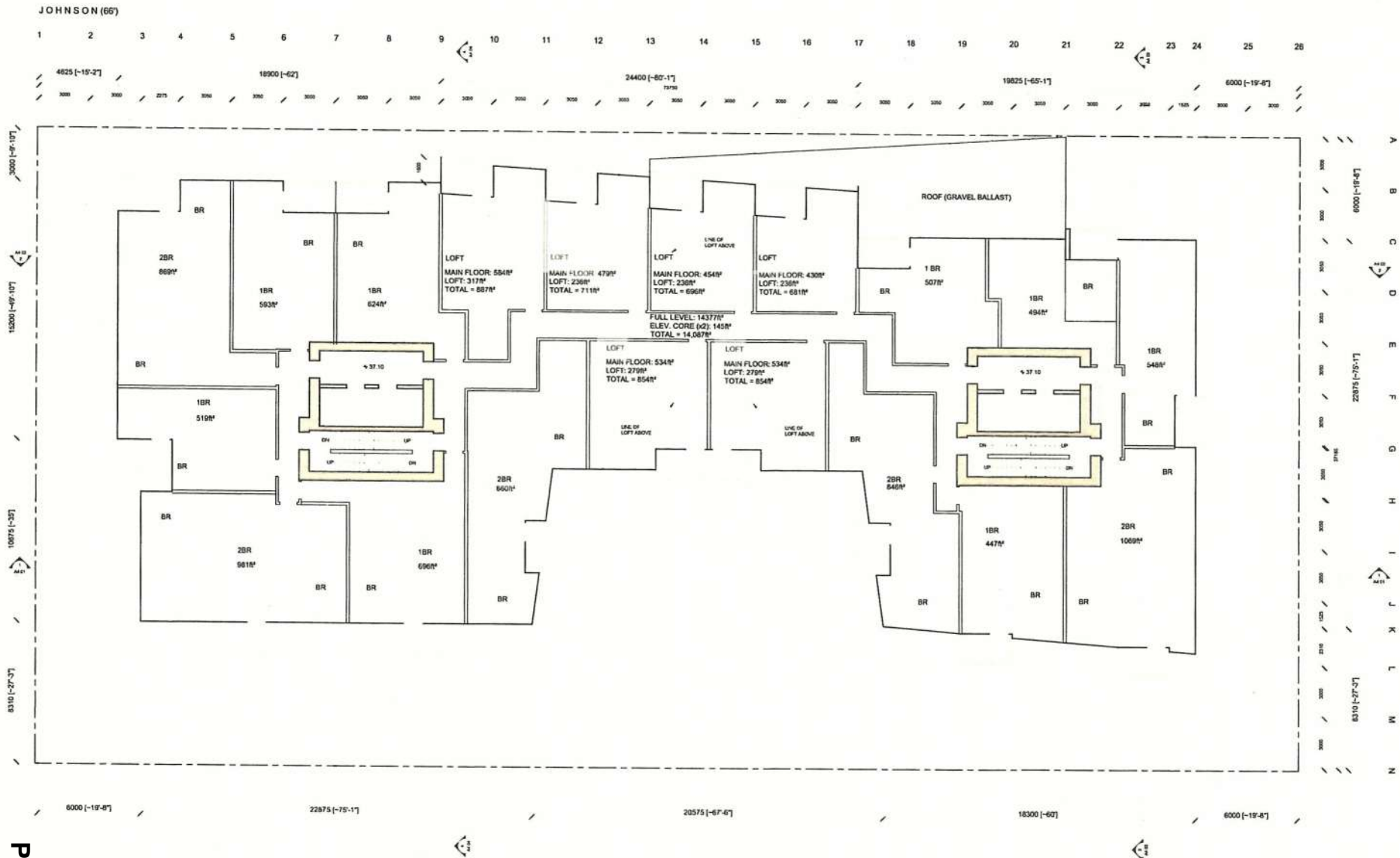
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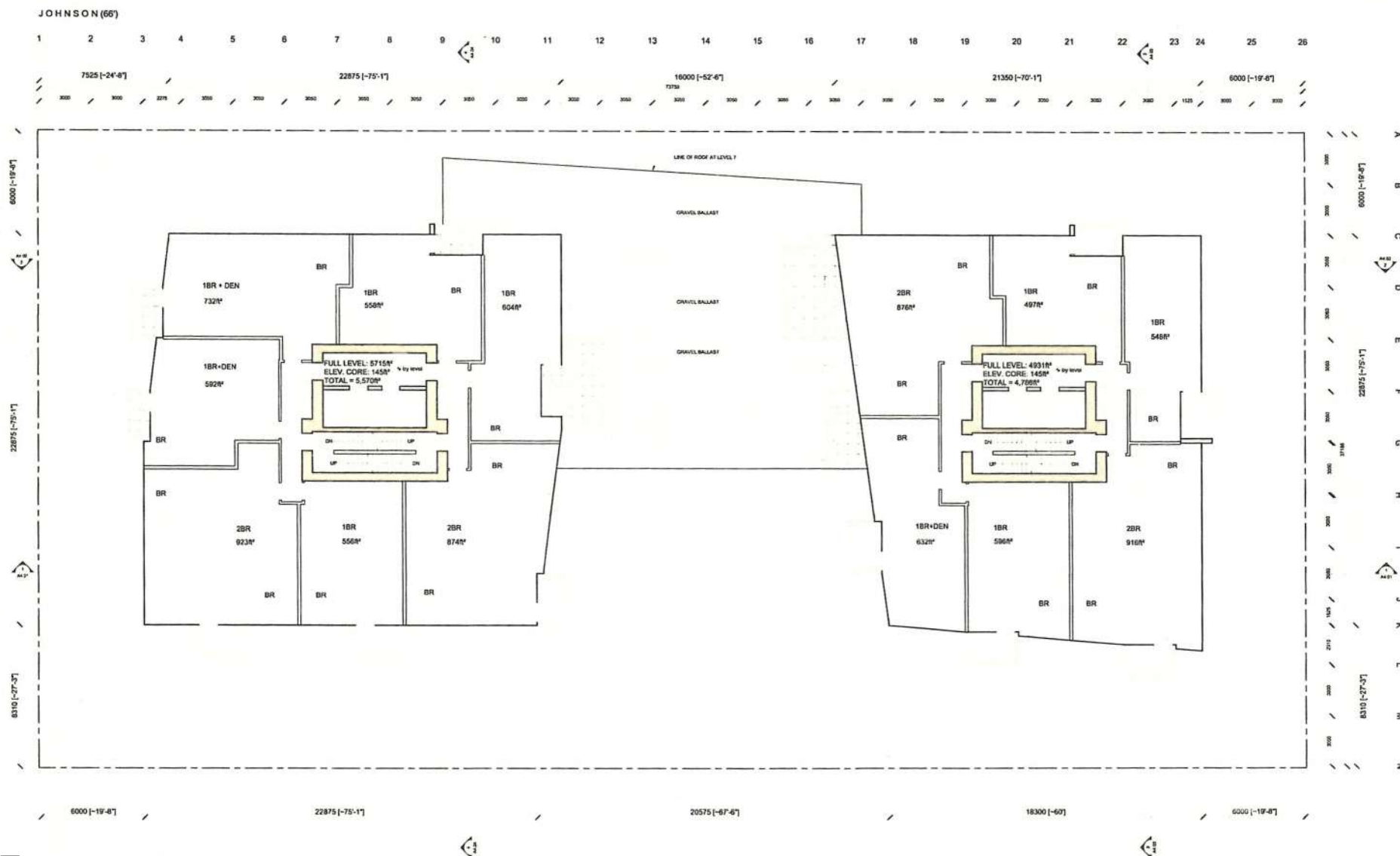
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8718 · J. Neurosci., September 24, 2008 · 28(39):8713–8724

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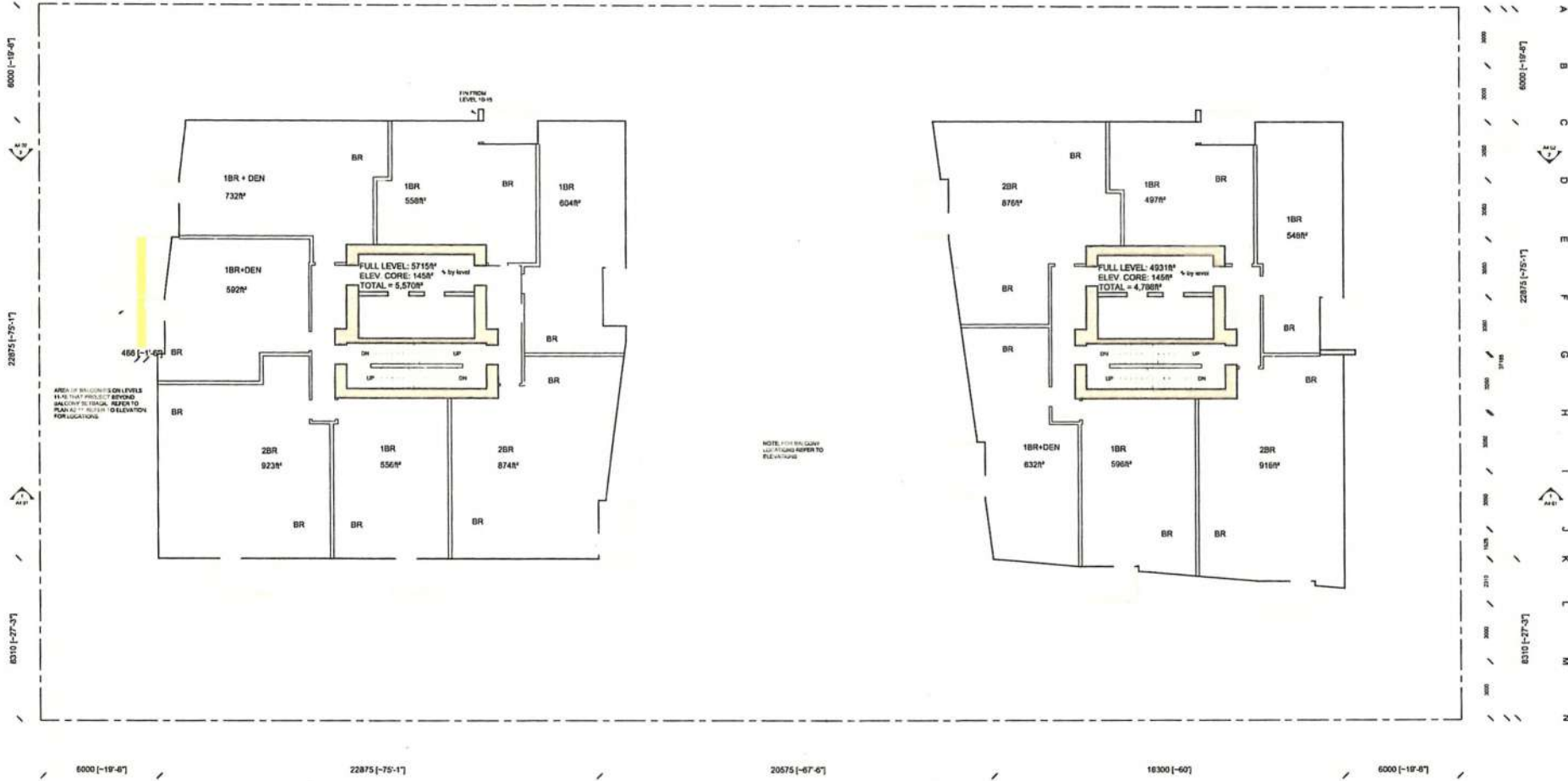
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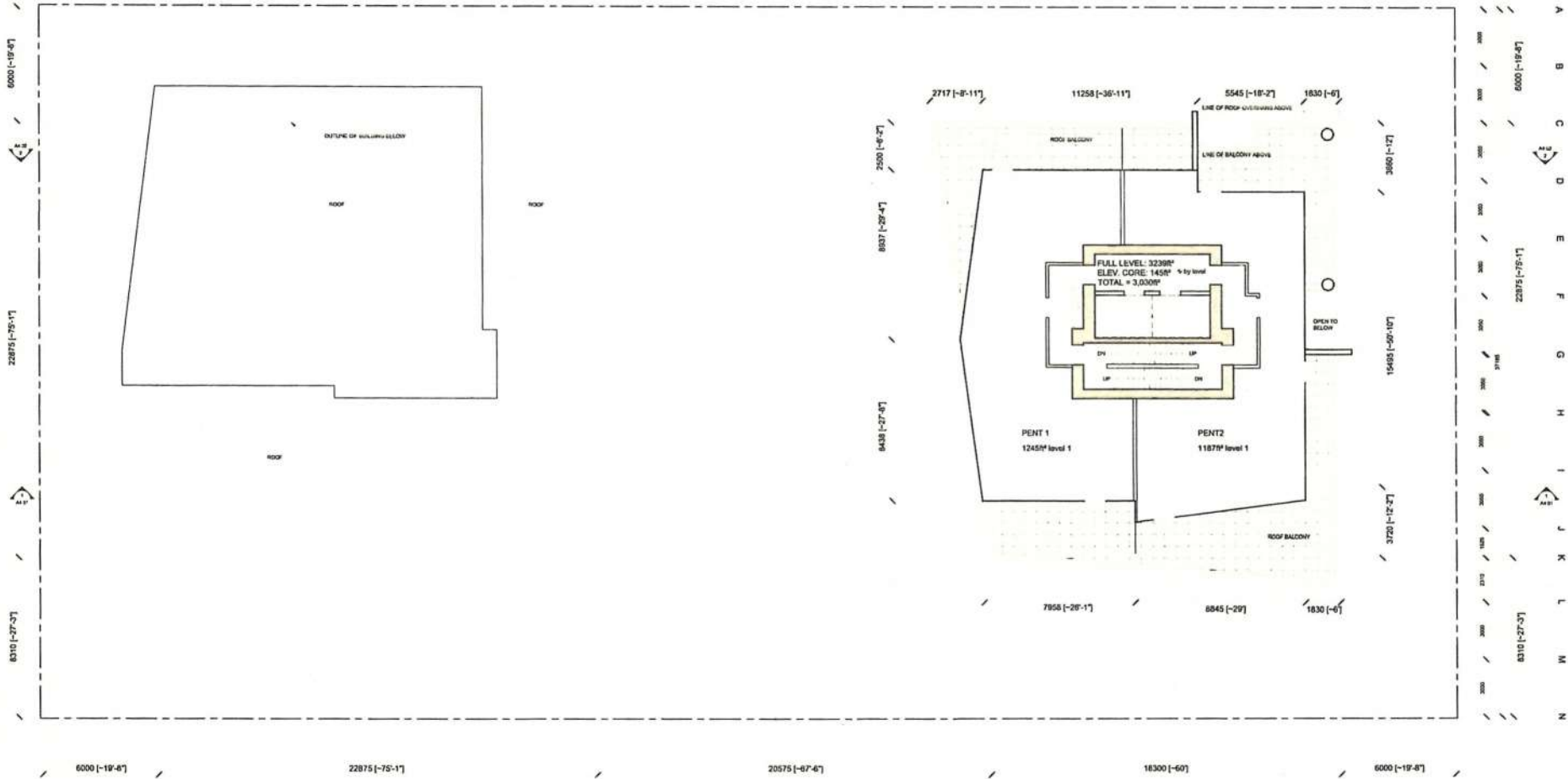
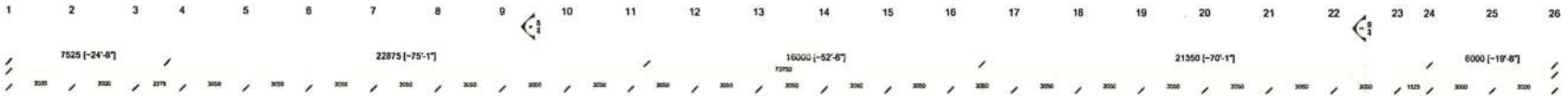
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21 485 TRISTE ROAD
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ROOF PLAN

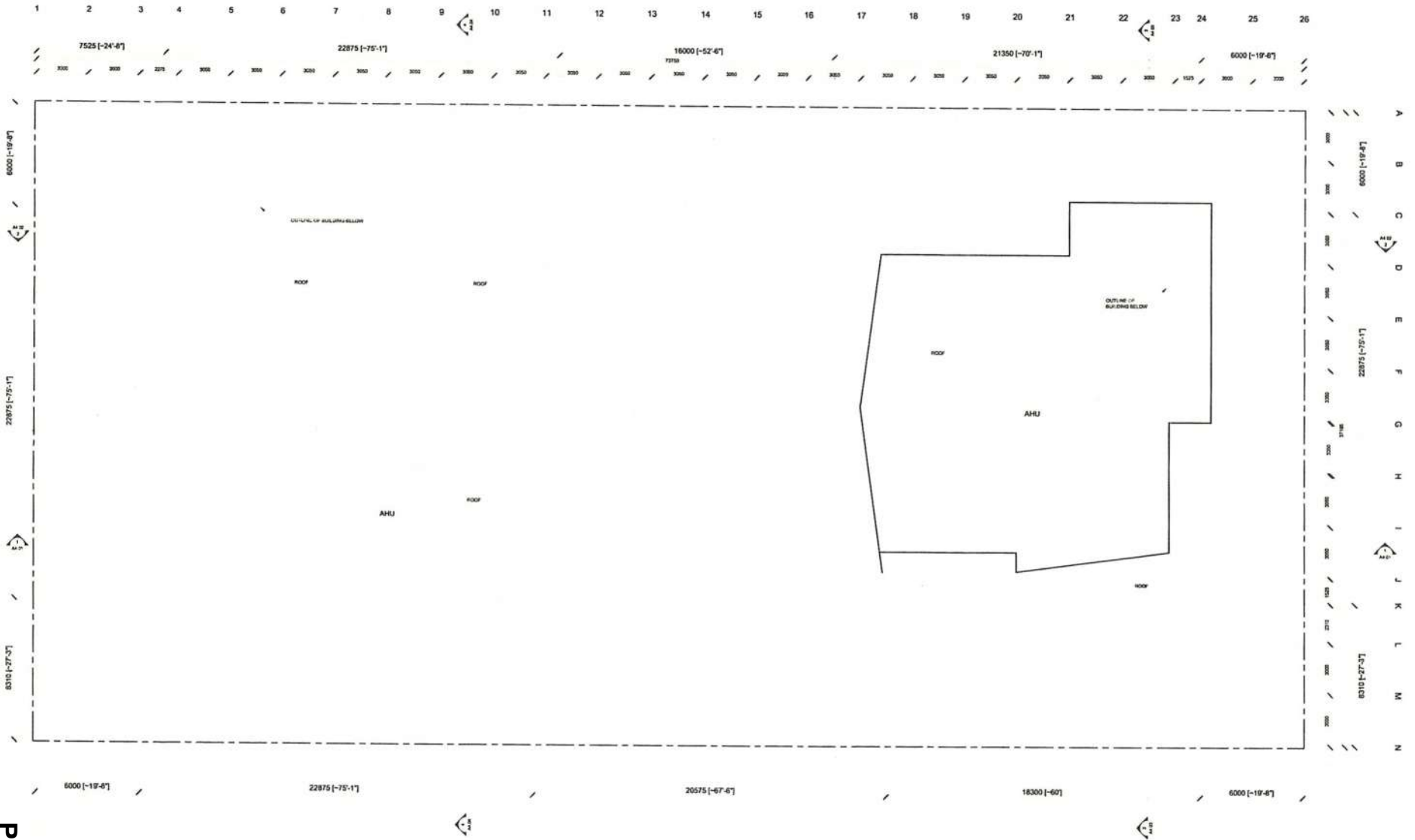
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Feb 2016

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KEYNOTE LEGEND

1 CLEAR GLASS IN ALUMINUM FRAME	7 BRICK	13 METAL SECURITY GATE
2 SPANDREL PANEL ACCENT COLOUR	8 CONCRETE FINISH	14 BUILDING SIGNAGE
3 SPANDREL PANEL GREY TONE 1	9 METAL FASCIA	15 METAL CANOPY
4 SPANDREL PANEL GREY TONE 2	10 WOOD SOFFIT / WALL FINISH	16 METAL PANEL / METAL FASCIA - WHITE
5 SPANDREL PANEL WHITE	11 BALCONY PRIVACY SCREENS	17 ROOF TOP AHU SCREEN - HORIZONTAL METAL LOUVRES, WHITE
6 SPANDREL PANEL FRIT PATTERN	12 GLASS QUADRANTS	18 CONCRETE CURB
		19 GLASS SECURITY GATE



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30 November 2016

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ELEVATION 1
NORTH

A3.01 - 11 Feb 2016



ELEVATION EAST 2 - EAST TOWER



ELEVATION EAST 1 - WEST TOWER

KEYNOTE LEGEND

1 CLEAR GLASS IN ALUMINUM FRAME	7 BRICK	13 METAL SECURITY GATE
2 SPANDREL PANEL ACCENT COLOUR	8 CONCRETE PAINTED	14 BUILDING SIGNAGE
3 SPANDREL PANEL GREY TONE 1	9 METAL FASCIA	15 METAL CANOPY
4 SPANDREL PANEL GREY TONE 2	10 WOOD SOFFIT / WALL FINISH	16 METAL PANEL / METAL FASCIA - WHITE
5 SPANDREL PANEL WHITE	11 BALCONY PRIVACY SCREENS	17 ROOF TOP AWAY SCREEN - HORIZONTAL METAL LOUVRES WHITE
6 SPANDREL PANEL FRUIT PATTERN	12 GLASS GUARDRAILS	18 CONCRETE CURB
		19 GLASS SECURITY GATE



KEYNOTE LEGEND

1 CLEAR GLASS IN ALUMINUM FRAME	7 BRICK	13 METAL SECURITY GATE
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3 SPANDREL PANEL GREY TONE 1	9 METAL FASCIA	15 METAL CANOPY
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5 SPANDREL PANEL WHITE	11 BALCONY PRIVACY SCREENS	17 ROOF TOP ARMY SCREEN - HORIZONTAL, METAL CANOPY - WHITE
6 SPANDREL PANEL FRIT PATTERN	12 GLASS GUARDRAILS	18 CONCRETE CURB
		19 GLASS SECURITY GATE



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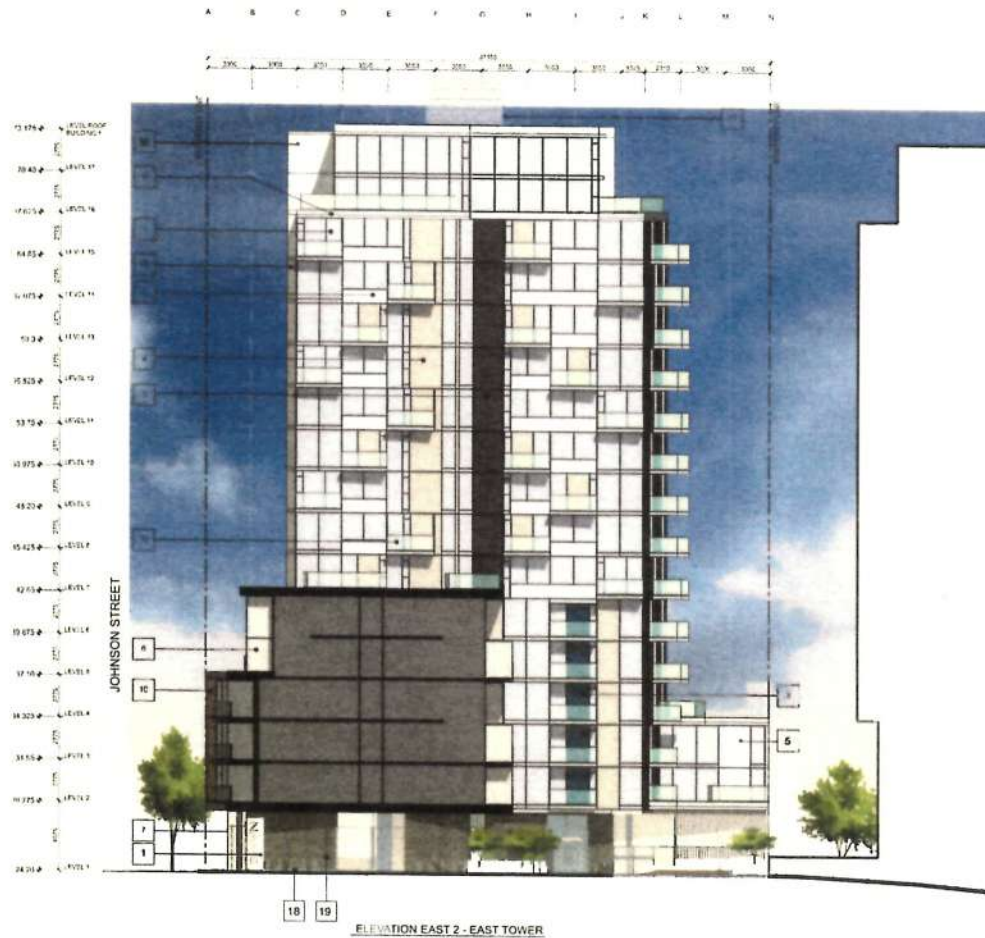
DP Re-Submittal
20 November 2015

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ELEVATION 3
SOUTH

A31

31 Feb 2016



KEYNOTE LEGEND

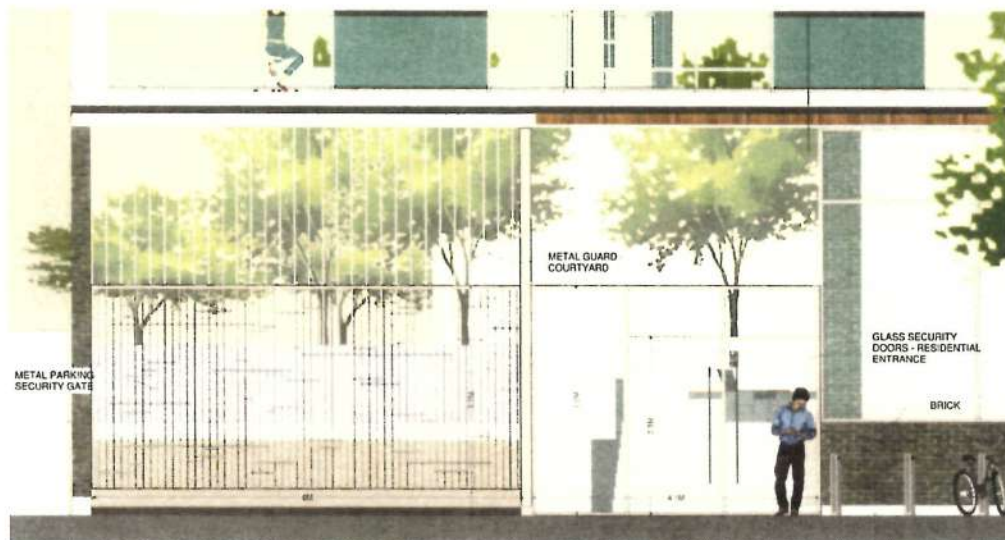
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5 SPANDREL PANEL WHITE	11 BALCONY PRIVACY SCREENS	17 ROOF TOP AHU SCREEN - HORIZONTAL METAL COLOURS, WHITE
6 SPANDREL PANEL FRIT PATTERN	12 GLASS GUARDRAILS	18 CONCRETE CURB
		19 GLASS SECURITY GATE



NORTH CONTEXT ELEVATION



EAST CONTEXT ELEVATION



ELEVATION - VANCOUVER STREET ENTRANCE PARKING AND SECURITY GATE



Architecture

205 HESPER ROAD
VICTORIA, BC V8N 1X7
T 250 385 1508 F 250 421 5476



28 HESPER ROAD
VICTORIA, BC V8N 1X7
T 250 385 1508 F 250 421 5476

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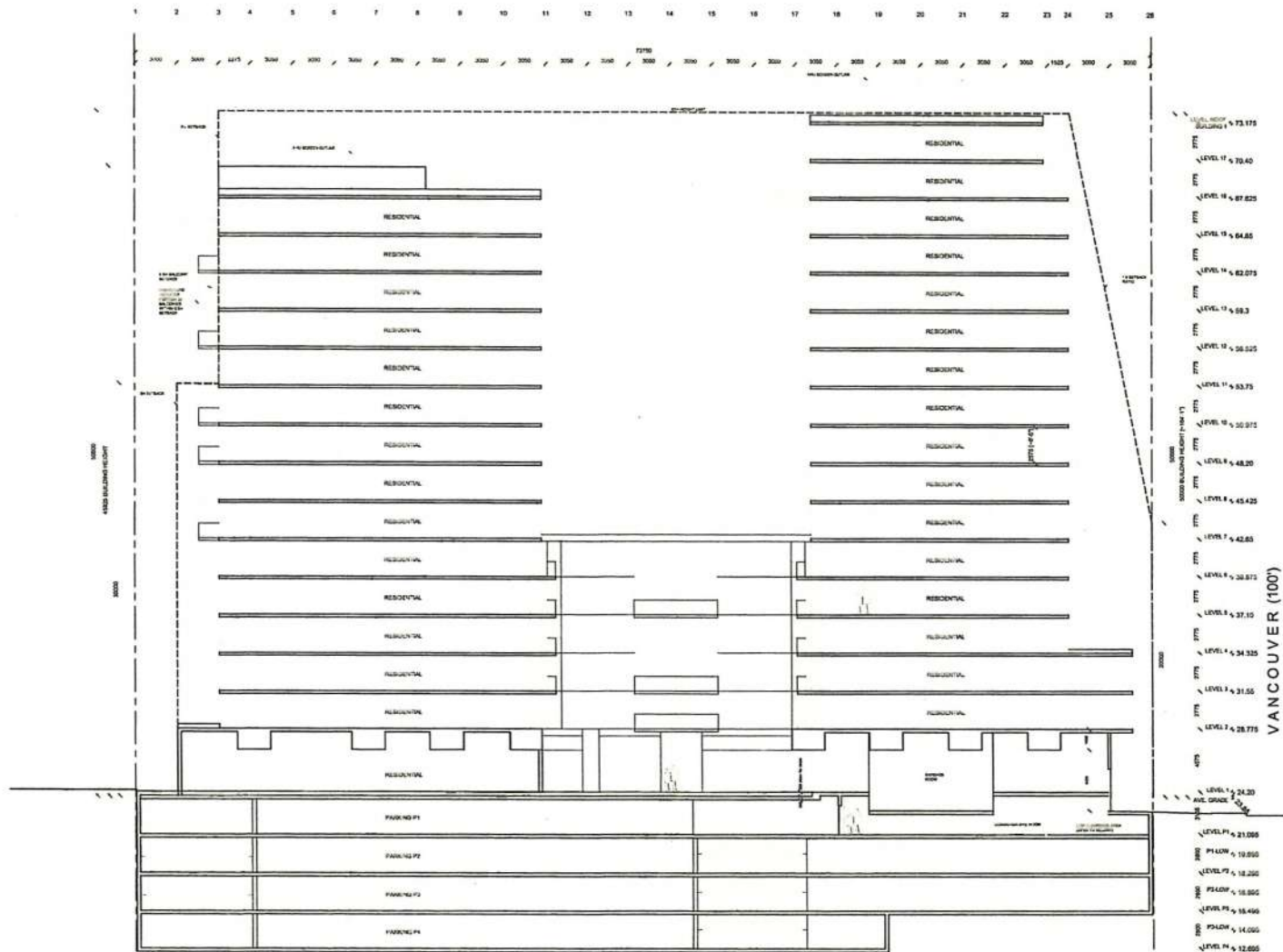
ELEVATION
DETAIL

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Feb 2016



Architecture

2015 - 2016 FUTURE PROJECTS
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T 250.606.0100 F 250.301.8418



20 - 400 DAVENPORT ROAD
VICTORIA, BC V8T 1H8
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SECTION 1

A4.01

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Architecture

101-103 THREE ROAD
VICTORIA, BC V8W 2K5
T 250 585 5858 F 250 581 5416



25 - 405 DUFFIN ROAD
VICTORIA, BC V8T 1B6
T 250 585 5858 F 250 581 5416

989
JOHNSON

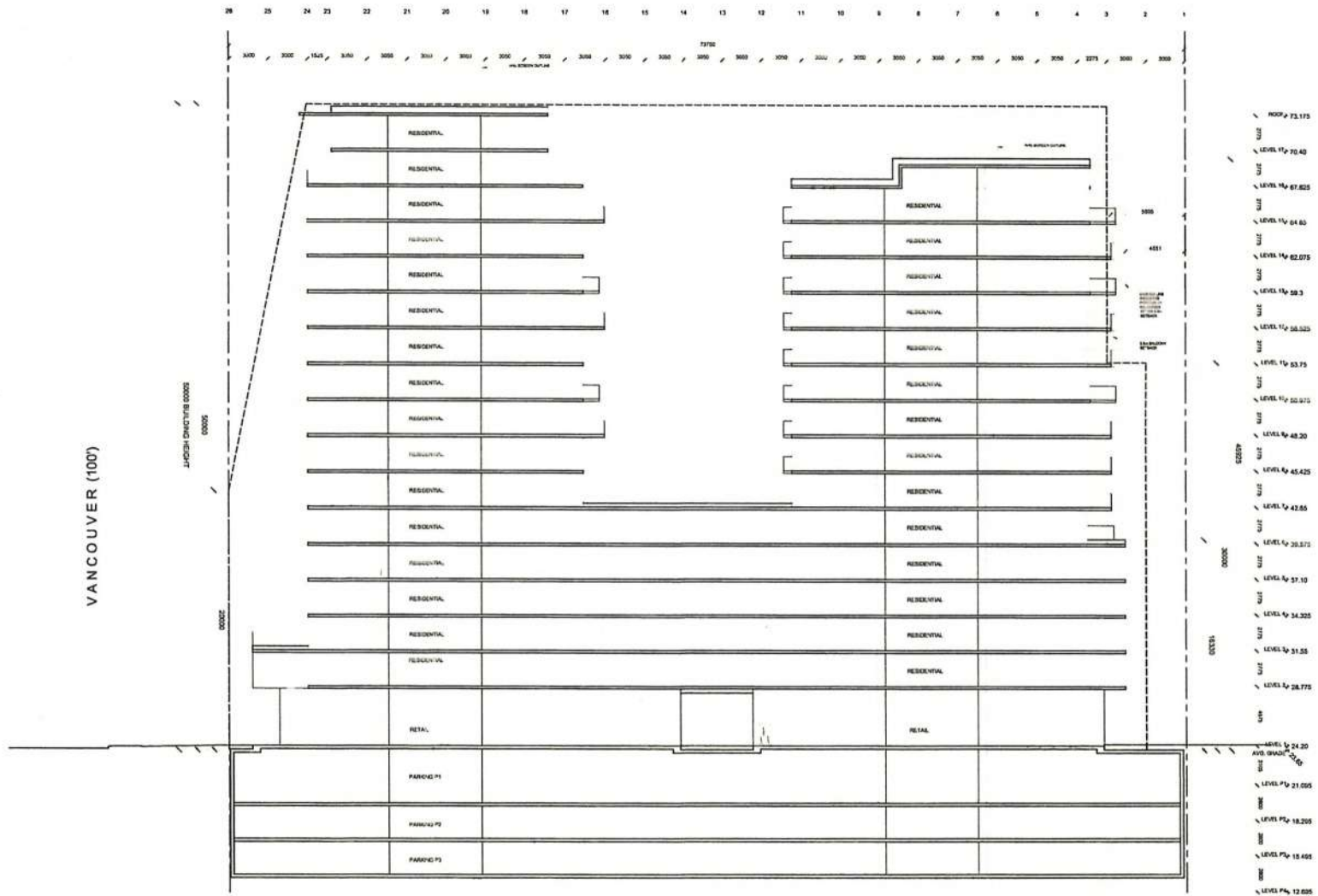
VICTORIA, BC
DP Re-Site Initial
30 November 2015

989 Johnson
Property Ltd.

SECTION 2

A4-12

Feb 2016





Architecture

200 - 808 THREE AVENUE
VICTORIA, BC V8W 2H1
T 250 586 0100 F 250 587 8718



20 - 400 CAMPBELL ROAD
VICTORIA, BC V8P 1R6
T 250 586 0100 F 250 412 3308

989
JOHNSON

VICTORIA, BC

DP Re-Submittal
30 November 2016

989 Johnson
Properties Ltd.

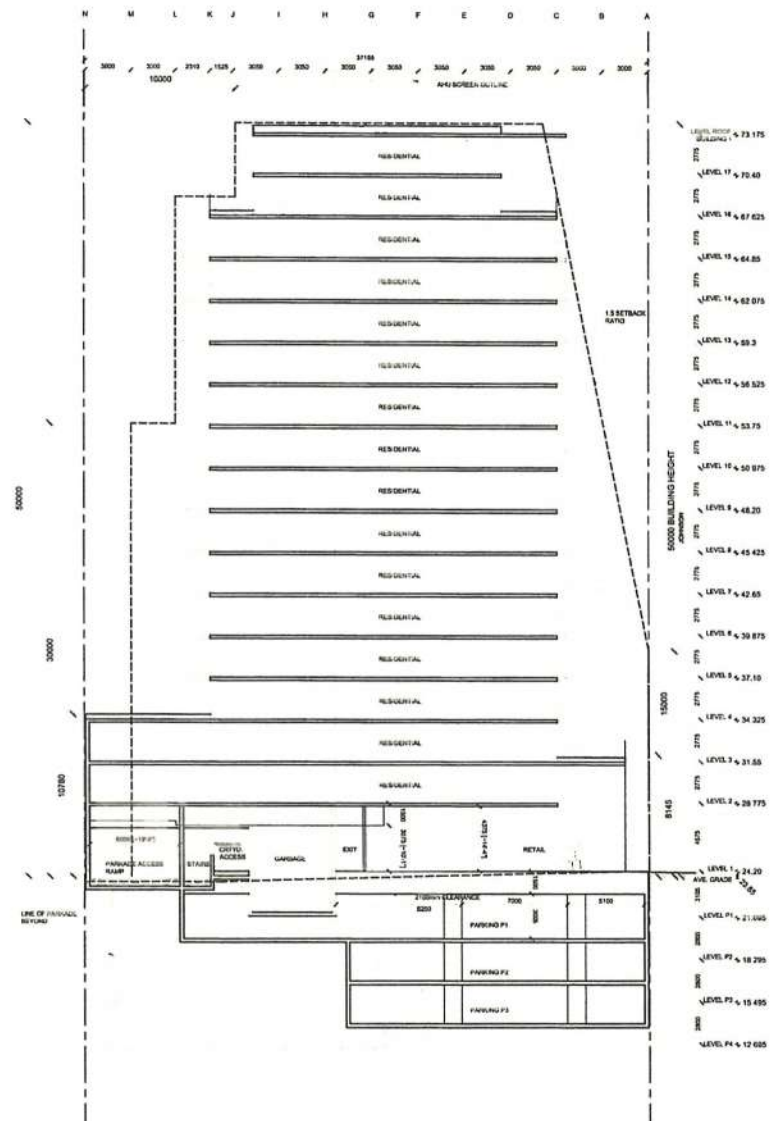
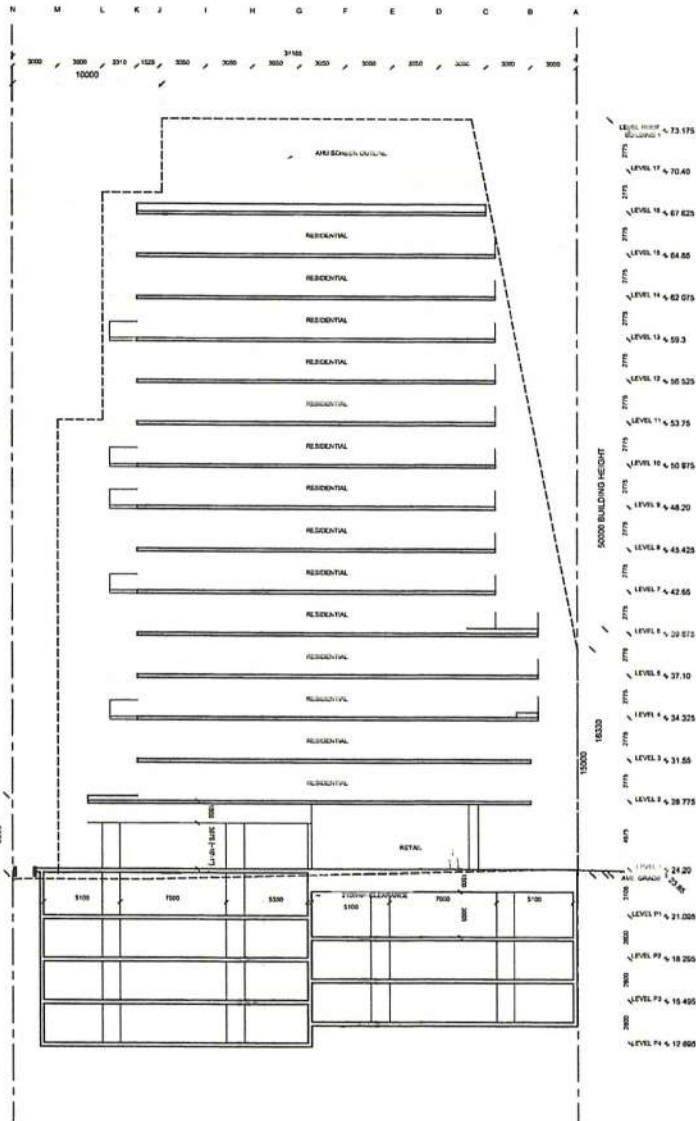
SECTION 3

1:10

2016

A4.03

Victoria City Council
1 Feb 2016





VIEW 1



VIEW 2



VIEW LOOKING WEST TOWARD COURTYARD ENTRY AND PARKADE



VIEW OF BREEZEWAY AT MAIN ENTRANCE



COURTYARD VIEW - LOOKING TOWARDS ENTRANCES



VIEW OF MAIN GATE AT MAIN ENTRANCE

SUMMER SOLSTICE

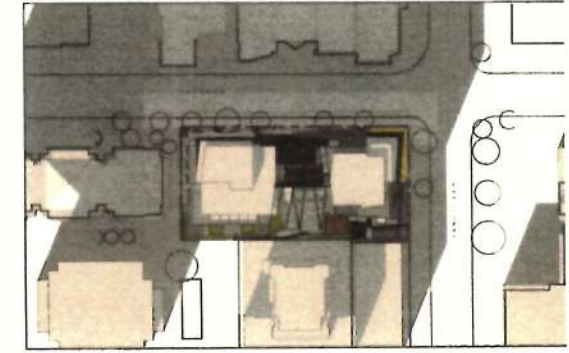
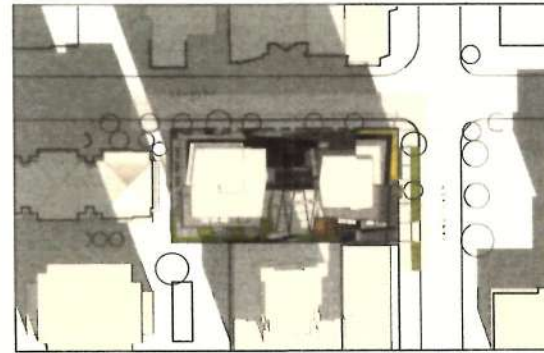
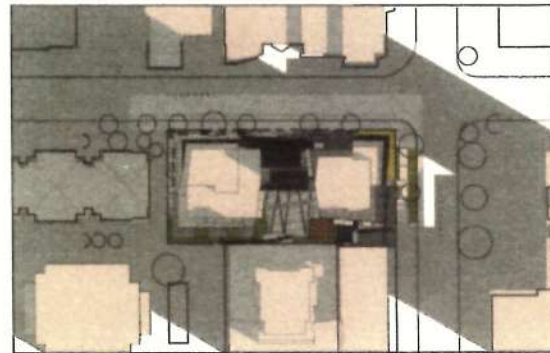
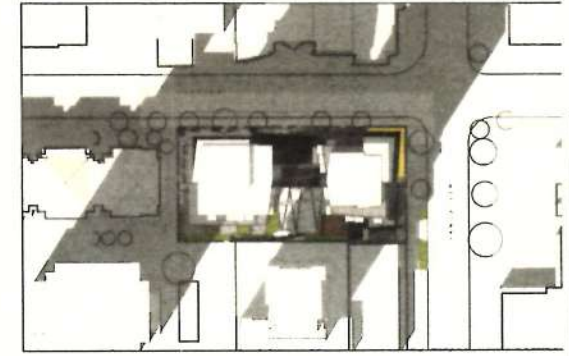
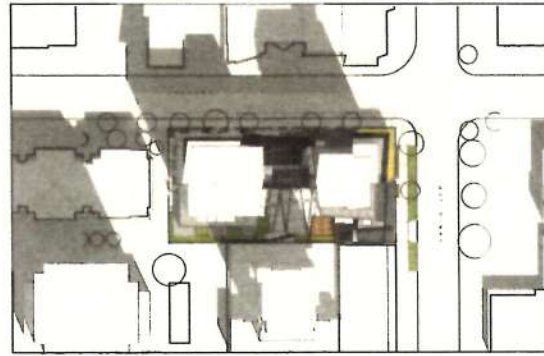
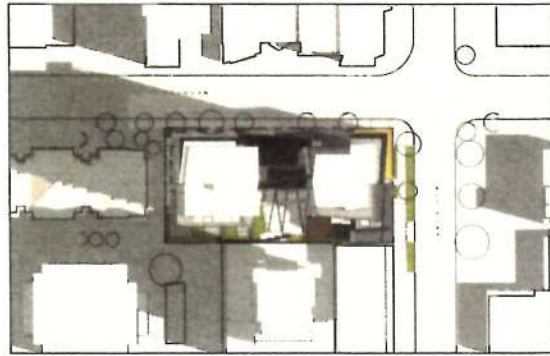
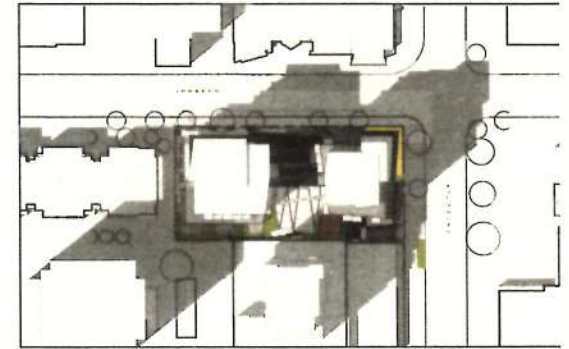
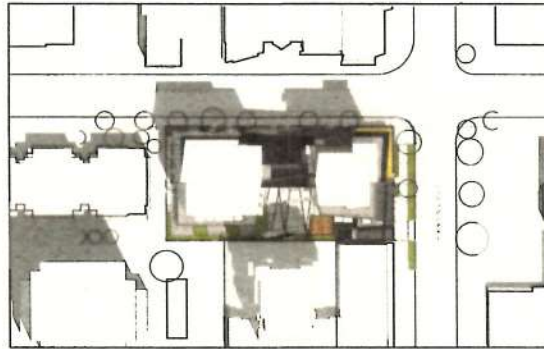
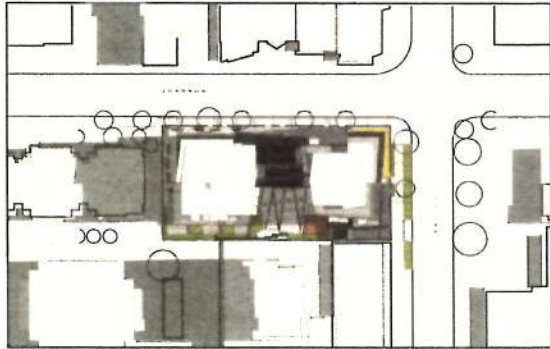
SPRING EQUINOX

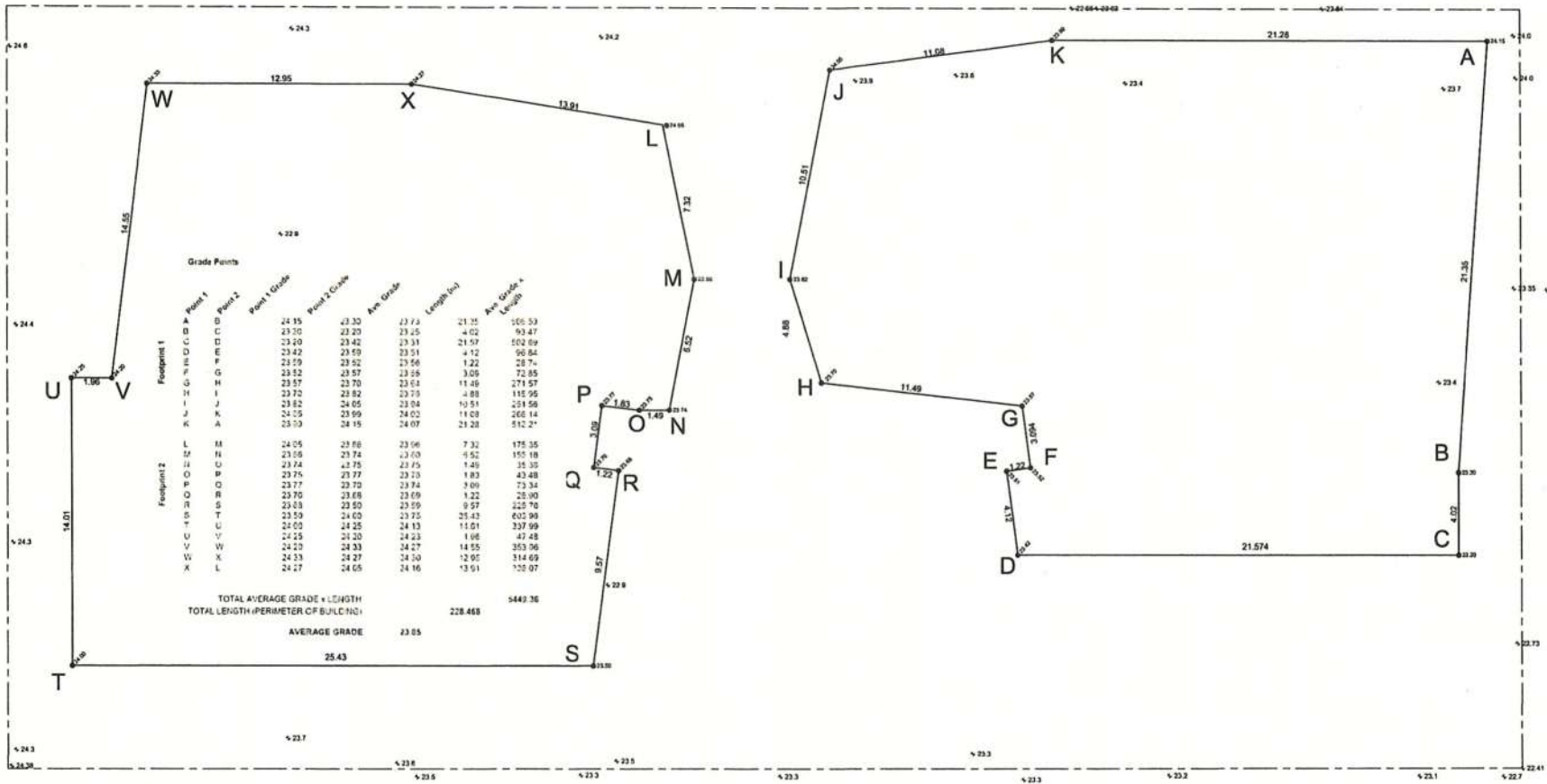
WINTER SOLSTICE

9:00

12:00

15:00





762mm H concrete planters with Dwarf bamboo
on Johnson terrace. 4 total - 2 with benches
Outline of building Above levels 2-7)

View hedge in 762mm H
Concrete planter - see
Arch for planter
Concrete walkway
Steel picket security
fence & gate. See Arch
Bamboo concrete

Eng Trees Removals (typ)

Limit of u/g parking

Autumn Blaze Maple street tree for tree as recommended by Parks

Glass security fence & gate to entrance of walk. See Arch

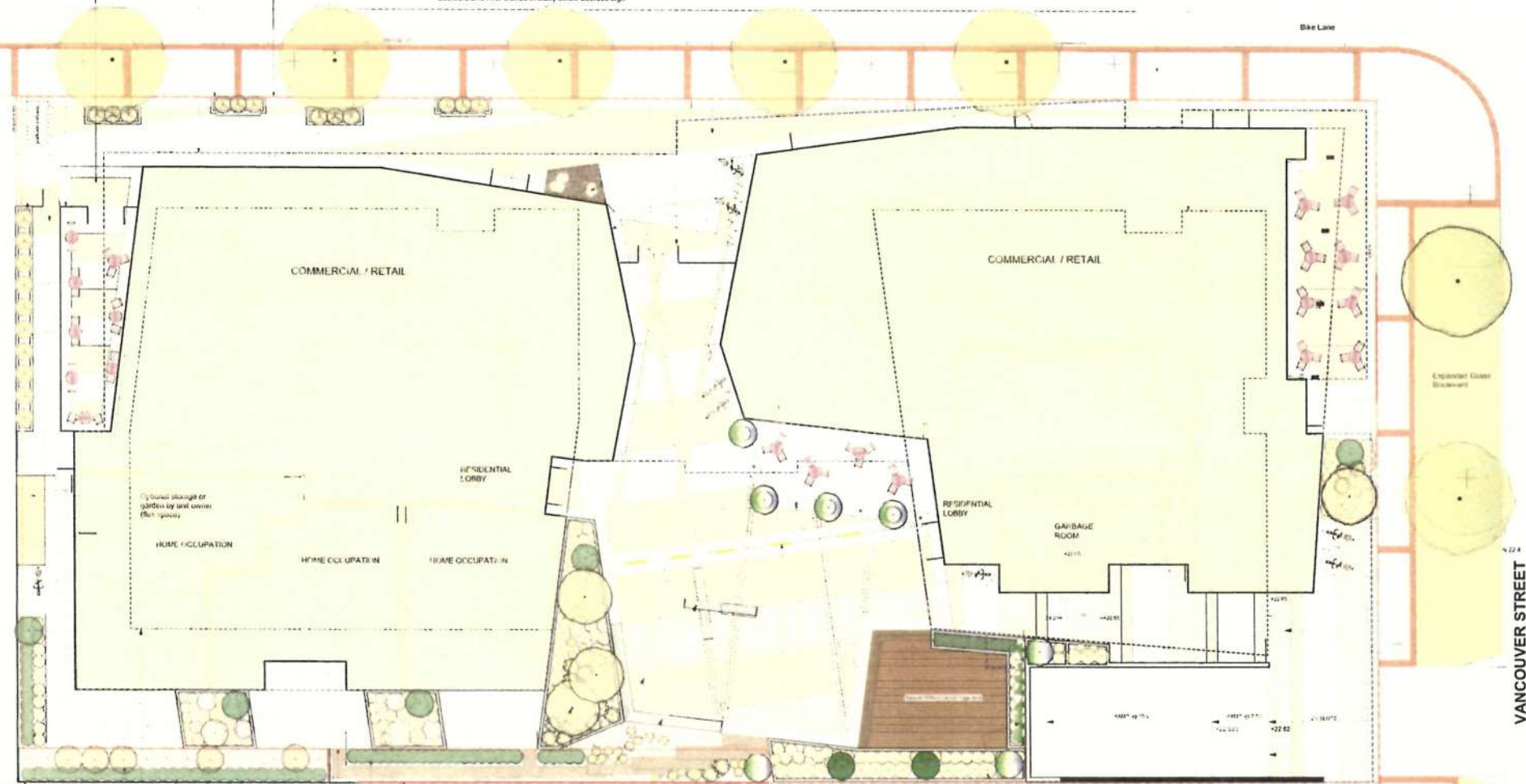
Annunciator panel & intercom equipment security gate
Entrances and rear entrance at luxury bicycle storage area

Concrete Plaza with benches &
circular concrete benches as shown
Visitor bike stalls (12) See Arch

Line of lower above (Levels 8-17)
Municipal sidewalk treatment as per Engineering -
modification to Hards Green standard: Standing
broken levels with colour concrete bands, colour to
match red standard concrete paver.

JOHNSON STREET

Bike Lane



Typical storage of
garden or land owner
(Not shown)

COMMERCIAL / RETAIL

RESIDENTIAL LOBBY

HOME OCCUPATION

HOME OCCUPATION

HOME OCCUPATION

COMMERCIAL / RETAIL

RESIDENTIAL LOBBY

GARAGE ROOM

VANCOUVER STREET

Off slab linear
planter - See Arch
762mm H concrete
planter - See Arch
Outline of Tower above
levels 8-15) (typ)

Eng fence retained
(black vinyl clad
chain link)

Access to middle Live/Work, walkway
Over stone bridge walkway
Bamboo hedge as suggested over
walkway (typical to 1.5 - 1.8m H)
Innovative metal screens
0.6m H planters with vine maples & shrubs
Coffered standard planters - originals with concrete
curved sides & 100mm glass concrete borders
within & around plaza
Forms & Surfaces bench: See Architecture
Custom extra long bench: See Architecture

Vine on cable system on west
side of ramp wall
Sweet Box, circular hanging, Potted plants
& low Oregon grape on north facing wall
Steel picket security fence & garage door. See Arch
Glass security fence & gate. See Arch

Burns and surrounding
planters mark the boundary
of the outdoor seating area,
while retaining permeability
between levels

Recommended Nursery Stock

Trees

ID	Quantity	Botanical Name	Common Name	Size
AC	4	Acer glabrum	White Maple	#15 pot
ACB	7	Acer glabrum (Jellybean)	White Maple	10m tall
TABP	10	Taxus canadensis	White Pine	#15 pot

Large Shrubs

ID	Quantity	Botanical Name	Common Name	Size
CS	5	Cornus alternifolia	Spicebush	#15 pot
CSH	4	Cornus alternifolia (Jellybean)	Spicebush	#15 pot
FAL	5	Fatsia japonica	Fatsia	#15 pot
HGS	7	Hieracium glabrum	Hieracium	#15 pot
HS	35	Hieracium glabrum	Hieracium	#15 pot

Medium Shrubs

ID	Quantity	Botanical Name	Common Name	Size
BSH	25	Berberis thunbergii	Berberis	#15 pot
HYBES	9	Hydrangea macrophylla	Hydrangea	#15 pot
HYBGS	5	Hydrangea macrophylla (Jellybean)	Hydrangea	#15 pot
PLP	1	Platanus occidentalis	Platanus	#15 pot
RHJ	1	Rhododendron	Rhododendron	#15 pot
SAR	41	Sargol	Sargol	#15 pot

Small Shrubs

ID	Quantity	Botanical Name	Common Name	Size
AGW	1	Agave	Agave	#15 pot
ME	15	Medicago	Medicago	#15 pot
MH	33	Medicago	Medicago	#15 pot
PLP	46	Platanus	Platanus	#15 pot
SH	6	Shrub	Shrub	#15 pot

Perennials, Annuals and Ferns

ID	Quantity	Botanical Name	Common Name	Size
BS	8	Berberis	Berberis	#15 pot
CSH	10	Cornus	Cornus	#15 pot
FAL	28	Fatsia	Fatsia	#15 pot
HS	17	Hieracium	Hieracium	#15 pot
PLP	12	Platanus	Platanus	#15 pot
SH	25	Shrub	Shrub	#15 pot

Vines

ID	Quantity	Botanical Name	Common Name	Size
AC	1	Acer	Acer	#15 pot
ACB	2	Acer	Acer	#15 pot
CA	2	Cornus	Cornus	#15 pot
CS	2	Cornus	Cornus	#15 pot
SMM	2	Sargol	Sargol	#15 pot

Notes:

1. All work to be completed to current BCSLA Landscape Standards
2. All soft landscape to be irrigated with an automatic irrigation system



Dwarf Bamboo (Fargesia)



Autumn Blaze Maple



Climbing Hydrangea



Evergreen Clematis



Prelude Pines



Karl Foerster Feather Reed Grass



Sweet Box



Soft Shield Fern

Reference Images



Decorative Metal Screens



Truwood & Grooved Concrete



Colour Banded & Sawcut Concrete



Sawcut Concrete



Colour Banded & Grooved Concrete



Inset Linear Lighting



Concrete Stepping Slabs in Stone & Planting



Glass Panels (potential art/focal point)



Vine Maple



Glass Panels (potential art/focal point)

Alicia Ferguson

From: Public Hearings
To: Josh Desjarlais
Subject: RE: 951/989 Johnon Development Permit with Variance

From: Josh Desjarlais
Sent: Monday, February 01, 2016 11:03 AM
To: Public Hearings
Subject: re: 951/989 Johnon Development Permit with Variance

Dear Mayor and Council,

I am a Victoria resident, and a business owner/operator in the Harris Green District.

Please accept this as showing support for the above-mentioned development.

New developments such as this one will continue to contribute to the growth of our downtown and help with the stability of downtown business.

Josh Desjarlais

Amplify Hair Studios

103-860 View Street

Pamela Martin

From: Dj Hennessy [REDACTED]
Sent: Wednesday, February 03, 2016 8:04 PM
To: Public Hearings
Subject: Re: 951 Johnson/ 989 Johnson Street

Dear Mayor and Council,

I am writing to express my support for the property located at 951 Johnson Street. As a Victoria resident and also someone who works Downtown. I am excited to see this City grow.

Adam Hennessy

Pamela Martin

From: Bijan Neyestani [REDACTED]
Sent: Thursday, February 04, 2016 2:22 PM
To: Public Hearings
Subject: 951 Johnson Street (and 989 Johnson Street)

Mayor & Council
City of Victoria
#1 Centennial Square
Victoria, BC

Re: Development Proposal at 951 Johnson Street (and 989 Johnson Street)

Your Worship & Members of Council:

As owners and developers of "Legato" now under construction at 960 Yates Street, and adjacent to the above noted address, we write to lend our support to the design of the building proposed for this site.

We have had an opportunity to review the application as it effects our building and generally as an appropriate design and planning of this important corner site in Downtown Victoria.

We understand that the applicant has requested a height variance in order to achieve greater setbacks between the proposed development and neighbouring buildings. A taller building with smaller floor plates will allow the developer to this.

Sincerely yours,
Alpha Project Developments Ltd.
Bijan Neyestani, President

----- End of Forwarded Message

Pamela Martin

From: Regan McGrath <regan@getmetrics.ca>
Sent: Thursday, February 04, 2016 3:09 PM
To: Public Hearings
Subject: Support for 951-989 Johnson Development, February 11, 2016 Permit Variance Hearing.

Dear Mayor Helps and Council,

This letter is to express our support for 951/989 Johnson Development for their upcoming permit variance hearing February 11, 2016.

As taxpayer residing in Victoria, and as a business owner in Victoria, I support the approval of the height variance application, and responsible development in Victoria on the whole. I have the pleasure of working with Dan Cox and related groups and would like to indicate my overall support for all of their development projects to Council.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Regan McGrath, CPA CA
CEO & Founder Metrics Chartered Accounting



www.getmetrics.ca

e. regan@getmetrics.ca
c. 250-896-8808

This e-mail may be confidential. Unauthorised use is prohibited. E-mail is inherently vulnerable and we will use alternate means upon request.

Christine Havelka

From: Public Hearings
Subject: FW: 951/989 Johnon Development Permit with Variance

From: Matthew Ludvigson [mailto:
Sent: Tuesday, February 02, 2016 11:33 AM
To: Public Hearings
Subject: 951/989 Johnon Development Permit with Variance

Dear Mayor and Council,

I am fully supportive of more building and density downtown. As we continue to develop our City, more housing is required to retain residents, and their tax income, who work in the area. This project can help meet the increasing demand for housing in our city, and increased height is certain as the city develops. There is substantial aesthetic appeal to having this new building in the area I have no issue with the request for increased height on this project.

Please accept this email as showing my full support for this development.

Matt Ludvigson
797 - Tyee Road

Christine Havelka

From: Public Hearings
Subject: FW: 951/989 Johnson

From: MoxiesVi [mailto:
Sent: Friday, February 05, 2016 6:06 PM
To: Public Hearings
Subject: 951/989 Johnson

To whom it may concern,

I am writing this letter to offer my support for the development at **951/989 Johnson**. Being a business owner in the Harris Green neighbourhood I feel Cox Developments will only add to the area. This corner will be nicely addressed for the needed revitalization and therefore can only help my business and give more people the opportunity to live in this beautiful area of Victoria!!!!

If you have any other questions please contact me.

Cheers,

Mr. Lindsey Wilson
Franchisee
Victoria BC
(250) 360-1660

MOXIE'S
GRILL & BAR

Christine Havelka

From: Public Hearings
Subject: FW: 951/989 Johnson Development Permit with Variance

From: Linda Allan
Sent: Saturday, February 06, 2016 3:42 PM
To: Public Hearings
Cc: Dan Cox
Subject: 951/989 Johnson Development Permit with Variance

February 6, 2016

Dear Mayor and Council,

Re: 952/989 Johnson DPV (former McCall's Funeral Parking Lot)

Once again, please accept this email as an expression from the owners, employees and customers of Fotoprint Ltd, 975 Pandora Avenue, regarding the development permit variance for the above-mentioned property.

There have been many changes to the Harris Green area in the past few years, not all of them good. This proposal will inject much-needed life into our area and help to re-create what once was a vibrant community.

We unanimously support this project for the future of Harris Green and Cit of Victoria.

We respectfully request that the above variance proposal be approved.

Thank you

Linda and Derek Allan

owners of 975 Pandora Ave and Fotoprint Ltd.

Fotoprint Ltd.
best to reach me: linda@fotoprint.ca
office 250.382.8218 enter 0 and ask for Linda

Christine Havelka

From: Public Hearings
Subject: FW: 951/989 Johnson

From: Dan Blackmore [mailto:]
Sent: Thursday, February 11, 2016 8:28 AM
To: Public Hearings
Subject: 951/989 Johnson

Hello,

As a resident and business owner in the Harris Green area I support the proposed development with variance.

Sincerely,
Dan Blackmore



Dan Blackmore
Owner/Operator

Downtown
180-911 Yates St.
Victoria, BC
(250) 590-4154

Westshore
102-716 Goldstream Ave
Langford, BC
(778) 265-5464

Saanich
3271 Maple St
Saanich, BC
(250) 590-6565

Christine Havelka

From: Public Hearings
Subject: FW: re development application no 000426 - 951 johnson street

From: Dickens, Rachel [mailto:]
Sent: Thursday, February 11, 2016 12:10 PM
To: Public Hearings
Subject: re development application no 000426 - 951 johnson street

If my concerns can be included in the hearing today that would be greatly appreciated
I worry that the skyline of Victoria is under threat. This historic city will lose its charm if more and more high rises are being allowed.
Please help preserve the character of Victoria, let's keep 951 Johnson Street at 10 stories maximum.
Thanking you for your consideration,

Rachel Dickens, RD, CDE
Registered Dietitian
Diabetes Education Centre, RJH Hospital, Clinic 7
1952 Bay Street, Victoria, V8R 1J8
Tel: 250-370-8111 (local 12230)
Fax: 250-370-8357
Email: rachel.dickens@viha.ca

Courage • Aspire • Respect • Empathy

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Council Report

For the Meeting of January 14, 2015

To: Council **Date:** December 18, 2015
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Update on Development Permit with Variances No. 000377 for 613 Herald Street

RECOMMENDATION

That Council receive this report for information and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion which has been updated to remove preconditions that have been satisfied, identify changes to proposed variances that reflect the revised proposal and provide specific details on the costs associated with the Encroachment Agreement.

"That Council authorize the issuance of Development Permit Application No. 000377 with Variances for 613 Herald Street, in accordance with:

1. Plans date stamped November 19, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 6.6.1 - Increase the maximum building height from 15m to 18.73m
 - b. Section 6.8.3(b) - Reduce the front yard setback above 10m from 1.75m to 0.40m
 - c. Section 6.8.5 - Reduce the minimum side yard setback from 4.50m to nil.
 - d. Section 6.8.6(ii) - Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (22 spaces) to 31% (10 spaces)
3. Removal of the Section 219 Covenant requirement for a car share vehicle.
4. The applicant entering into a car share agreement with MODO to secure car share memberships for each unit.
5. That a Car Share Agreement is in place to the satisfaction of MODO that will secure the fulfilment of the agreement in accordance with their standard practice.
6. Council authorizing City of Victoria staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to City staff.
7. Receipt of evidence that the Application is in compliance with the Ministry of Environment's *Environmental Management Act* as it pertains to potentially contaminated sites.
8. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
9. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of July 23, 2015 (minutes attached), the applicant has addressed the pre-conditions that council set in relation to the Application, which included review by the Advisory Design Panel (ADP). The minutes from the Council meeting are attached.

BACKGROUND

On July 23, 2015, the Planning and Land Use Committee (PLUC) considered the staff report related to Development Permit Application with Variances No. 000377. Council also referred the Application to the ADP.

At the PLUC meeting, Council had also requested information regarding the closest MODO vehicle, which at the time of writing this report, is located on Fisgard Street, approximately 100m to the rear of the subject property.

Since the PLUC meeting on July 23, 2015, the applicant has been liaising with both the neighbours at 601 Herald Street and the Downtown Residents Association to address concerns regarding the overshadowing of the adjacent communal garden, and the overall finishes and quality of the proposed building. Significant efforts were made to address these concerns prior to presenting the application to ADP and included the following design revisions:

- removal of two parking stalls and replacing these with 16 secure bicycle storage racks (2 of which have been relocated from the basement)
- reduction in the vehicle drive aisle from 5.5m width to 3.7m width, resulting in a narrower vehicle entrance and a wider commercial street frontage (by approximately 2m)
- reallocating a portion of the density by removing the two south west corner units from the fourth and fifth floors and adding a sixth storey
- including a landscaped area with pavers and planters on the roof of the third floor - serving fourth floor units. This landscaping is accessible from the internal corridor for landscaping maintenance only.
- provision of a landscaped area on the new sixth floor, set back from the building edge
- revisions to the exterior finishes including:
 - replacing the brick veneer with full 9cm brick veneer
 - the exposed concrete block previously proposed on the side elevations will be replaced will be finished surfaces consisting of smooth stucco panels between metal reveals divided as shown on the elevation drawings to approximate prefinished metal panels used on prime building faces of the front and rear facades
 - use of black balcony railings instead of red
 - use of anodized aluminum window products throughout (previously this was only proposed for the commercial units, with residential units being vinyl)
 - introduction of glass balconies on the third floor landscaped area and sixth floor residential balconies
 - provision of a wire trellis on the exposed west elevation for the tenants of 601 Herald Street to plant and maintain within their property.

The design revisions noted above were presented to the Advisory Design Panel (ADP) at a meeting on October 21, 2015 and the applicant's detailed response to the Panel's recommendations (letter dated November 19, 2015) is attached to this report. The applicant has responded to ADP's recommendations as follows:

- The brick lintel has been revised by increasing the depth of the brick projection to 30cm.
- The storefront framing has been amended by changing the colours and finishes to black.

As a result of the design revision a number of proposed variances have changed:

- Increase the maximum building height from 15m to 18.73m (previously 15.86m)
- Reduce the front yard setback above 10m from 1.75m to 0.40m (previously 1.07m to 0.10m)
- Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (22 spaces) to 31% (10 spaces) (previously 12 spaces or 40%).

The revised motion, provided for Council's consideration includes these new variance requests.

Additional correspondence has been received since the PLUC meeting in July and is attached for Council's consideration. However, it should be noted that some of this correspondence does not relate to the revised proposal.

ANALYSIS

The revised plans presented to Council include reallocating two units from the fourth and fifth floor to create a sixth storey. *The Old Town: New Buildings and Additions to Non-Heritage Buildings (2006)* encourage new development to respond to the Old Town character, which includes building heights up to five storeys. Although the revised proposal does include a sixth storey, this has been recessed from the building edge by approximately 7m on both the north and south sides. The applicant has included details illustrating the sight lines from both Herald Street and Figgard Street, which demonstrates that the additional storey will only be viewed from Figgard Street as a result of the adjacent surface parking lot. Staff therefore recommend for Council's consideration that the increased height variance be approved.

CONCLUSIONS

The applicant has addressed the recommendations made by the ADP and further responded to neighbourhood concerns and these are presented in the final plans attached to this report. The accompanying applicant letter dated November 18, 2015, details the changes that have been made along with a rationale for changes that have not been incorporated into the final plans.

The recommendation provided above contains the appropriate language to advance the Development Permit Application with Variances No. 000377 to allow an opportunity for public comment.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: December 29, 2015

List of Attachments

- PLUC Report dated July 9, 2015 and associated attachments
- PLUC Minutes dated July 23, 2015
- Council Minutes dated July 23, 2015
- Advisory Design Panel Report dated October 16, 2015
- Advisory Design Panel Minutes
- Letter from applicant date stamped November 19, 2015
- Updated letter from Downtown Residents Association dated September 29, 2015
- Revised plans dated November 19, 2015.

REPORTS OF THE COMMITTEES**2. Planning and Land Use Committee – July 23, 2015****8. Development Permit with Variances Application No. 000377 for 613 Herald Street**

It was moved by Councillor Young, seconded by Mayor Helps, that Council:

Refer Development Permit with Variances Application No. 000377 for 613 Herald Street for a complete review by the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.
3. The ground floor design, the brick lintel, and the issues identified by the Downtown Residents Association.

Following this referral, and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000377 for 613 Herald Street, in accordance with:

1. *Plans date stamped June 18, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 6.6.1 – Increase the maximum building height from 15m to 15.86m.*
 - b. *Section 6.8.3(b) – Reduce the front yard setback above 10m from 1.07m to 0.10m.*
 - c. *Section 6.8.5 – Reduce the minimum side yard setback from 4.50m to 0.*
 - d. *Section 6.8.6(ii) – Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (21 spaces) to 40% (12 spaces).*
3. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City Staff.*
4. *Removal of the Section 219 Covenant requirement for a car share vehicle.*
5. *The applicant entering into a car share agreement with MODO to secure car share memberships for each unit.*
6. *That a Car Share Agreement is in place to the satisfaction of MODO that will secure the fulfillment of the agreement in accordance with their standard practice.*
7. *Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.*
8. *Receipt of evidence that the Application is in compliance with the Ministry of Environment's Environmental Management Act as it pertains to potentially contaminated sites.*
9. *Final plans to be in accordance with the plans identified above to the satisfaction of City staff.*
10. *The Development Permit lapsing two years from the date of this resolution."*

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the referral to Advisory Design Panel part of the motion be amended as follows:

Refer Development Permit with Variances Application No. 000377 for 613 Herald Street for a complete review by the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.
3. The ground floor design, **as they relate to the pedestrian experience and the historical Chinatown** the brick lintel, and the issues identified by the Downtown Residents Association.

Carried

For:

***Mayor Helps, Councillors Alto, Coleman, Isitt,
Lucas, Loveday, Thornton-Joe and Young***

Against:

Councillor Madoff

5.2 Development Permit with Variances Application No. 000377 for 613 Herald Street

Committee received a report regarding an application for 613 Herald Street. The proposal is to authorize the design of a five-storey commercial / residential building.

Committee discussed:

- Concerns regarding the size of the driveway.
- The appropriateness of the building's design for Chinatown and the Downtown Residents Association's lack of support.
- The quality of the finishes.

Councillor Coleman withdrew from the meeting at 10:21 a.m. and returned at 10:25 a.m.

- The process by which Council will be advised on the Advisory Design Panel's comments.
 - An updated report will be forwarded to Council prior to a decision being made.
- Why the issues identified by staff and the Residents Association have not been addressed.
 - The applicant has made a number of revisions to the original plans. Staff felt that the Advisory Design Panel could provide valuable input to keep the application moving forward.
- The location of the nearest car share and the need to have this type of information included as part of the Transportation Demand Study.
 - A Car share is currently located in the Johnson Street parkade and negotiations are underway to have one located in the Centennial parkade.

Action: It was moved by Councillor Lucas, seconded by Councillor Young, that Committee recommends that Council:

Refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.

Following this referral, and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000377 for 613 Herald Street, in accordance with:

1. Plans date stamped June 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 6.6.1 – Increase the maximum building height from 15m to 15.86m.
 - b. Section 6.8.3(b) – Reduce the front yard setback above 10m from 1.07m to 1.10m.

- c. Section 6.8.5 – Reduce the minimum side yard setback from 4.50m to 0m.
- d. Section 6.8.6(ii) – Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (21 spaces) to 40% (12 spaces).
3. The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City Staff.
4. Removal of the Section 219 Covenant requirement for a car share vehicle.
5. The applicant entering into a car share agreement with MODO to secure car share memberships for each unit.
6. That a Car Share Agreement is in place to the satisfaction of MODO that will secure the fulfillment of the agreement in accordance with their standard practice.
7. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
8. Receipt of evidence that the Application is in compliance with the Ministry of Environment's *Environmental Management Act* as it pertains to potentially contaminated sites.
9. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
10. The Development Permit lapsing two years from the date of this resolution."

Amendment: It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the motion be amended as follows:

That Council refer Development Application No. 000377 for 613 Herald Street **for a complete review** by the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.
3. **The ground floor design, the brick lintel, and the issues identified by the Downtown Residents Association.**

Committee discussed the amendment:

- Concern that the Advisory Design Panel will be given clear direction to what areas they are to be reviewing.

CARRIED 15/PLUC179

For: Mayor Helps; Councillors Coleman, Loveday, Lucas, Thornton-Joe and Young

Against: Councillor Madoff



Planning and Land Use Committee Report

For the Meeting of July 23

To: Planning and Land Use Committee **Date:** July 9, 2015

From: Charlotte Wain, Senior Planner – Urban Design

Subject: Development Permit with Variances No. 000377 for 613 Herald Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

- the exterior finishes of the building as they relate to the Old Town Guidelines
- the opportunity to provide a greater articulation of the upper-portion of the building.

Following this referral, and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000377 for 613 Herald Street in accordance with:

1. Plans date stamped June 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Section 6.6.1 - Increase the maximum building height from 15m to 15.86m
 - ii. Section 6.8.3(b) - Reduce the front yard setback above 10m from 1.07m to 0.10m
 - iii. Section 6.8.5 - Reduce the minimum side yard setback from 4.50m to 0
 - iv. Section 6.8.6(ii) - Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (21 spaces) to 40% (12 spaces)
3. The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City Staff.
4. Removal of the Section 219 Covenant requirement for a car share vehicle.
5. The applicant entering into a car share agreement with MODO to secure car share memberships for each unit.
6. That a Car Share Agreement is in place to the satisfaction of MODO that will secure the fulfilment of the agreement in accordance with their standard practice.
7. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.

8. Receipt of evidence that the Application is in compliance with the Ministry of Environment's *Environmental Management Act* as it pertains to potentially contaminated sites.
9. Final plans to be in accordance with the plans identified above to the satisfaction of City Staff.
10. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 920(2) 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.

Pursuant to Section 920(8) of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 613 Herald Street. The proposal is to construct a five-storey, mixed-use building with ground-floor retail fronting Herald Street and residential uses above.

The following points were considered in assessing this Application:

- The proposal is generally consistent with the *Downtown Core Area Plan* (DCAP).
- The proposal is consistent with the *Old Town Design Guidelines* (2006).
- The proposal is consistent with the *Official Community Plan* (2012) policies, which support and encourage the provision of mixed-use buildings. A Transportation Study submitted with this Application provides adequate justification for the proposed parking variance and reduced drive aisle width.
- The proposed increase in building height is considered to be appropriate since it is in keeping with the adjacent buildings and will have minimal impacts on the surrounding area.
- The variance for a reduced side yard setback is considered to be acceptable since the proposal creates a continuous building frontage along the property, which enhances the experience for pedestrians along the street.
- The variance for a reduced front yard setback for the portion of the building above 10m in height is considered to be acceptable since the position of the building is consistent the adjoining building.
- The proposed parking variance is considered acceptable based on supporting evidence provided in the accompanying Parking and Access Study.

BACKGROUND

Description of Proposal

The Application is to construct a five-storey, mixed-use building with ground-floor retail fronting Herald Street and residential uses above. The building has a Floor Space Ratio (FSR) of 2.99:1 and a maximum height of 15.86m.

Specific details include:

- 32 units fronting Herald Street
- private balconies for all units
- a total of 91.46m² for two commercial retail units on the ground floor
- at-grade parking for 12 vehicles at a ratio of 0.38 per unit (which is below the minimum requirements under Schedule C of the *Zoning Regulation Bylaw*), located behind the commercial retail units, accessed via a ramp off Herald Street
- bicycle storage located at the basement level
- publicly accessible bicycle parking is available for six bicycles, located off the vehicle access ramp on the ground floor
- exterior light fixtures consistent with the Chinatown context
- streetscape improvements to Herald Street consistent with the Chinatown pattern
- exterior building materials consisting of:
 - a mixture of clay fired red and ebony brick veneer
 - smooth face cement panels with concealed fastenings and metal reveals along the front and rear elevations (north and south), which extend around a portion of the side elevations (east and west)
 - exposed concrete block painted in a brick red colour for the remainder of the side elevations (east and west)
 - vinyl residential windows and doors
 - pre-finished metal post rail system with decorative wrought iron pickets
 - clear anodized aluminium storefront windows with semi-translucent window graphics
 - laminated glass canopy.

The proposed variances are related to requests to:

- increase the building height from 15m to 15.86m
- reduce the front yard setback for portions of the building above 10m from 1.07m to 0.10m
- reduce the side yard setback from 4.5m to nil
- reduce the amount of residential parking from 22 spaces to 12.

Sustainability Features

As indicated in the applicant's letter dated July 2, 2015, the proposed sustainability features associated with this Application include a light well to lessen the need for artificial light, motion sensor LED light fixtures in the stairwells and bicycle storage areas in excess of the minimum requirements of Schedule C in the *Zoning Regulation Bylaw*.

Existing Site Development and Development Potential

The site has an area of 669.46m² and is occupied by a vacant gravel lot. The current CA-3 Zone, Central Area General Commercial District permits a variety of uses including offices, retail, restaurants and residential at a density of 3:1 Floor Space Ratio (FSR). The maximum height permitted under the current zone is 15m.

Data Table

The following data table compares the proposal with the existing CA-3 Zone (Central Area General Commercial District) Zone. An asterisk (*) is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard CA-3 and CA-4
Site area (m ²) – minimum	669.46	N/A
Total floor area (m ²) – maximum	1976.22	2008.38
Density (Floor Space Ratio) – maximum	2.99:1	3.00:1
Height (m) – maximum	15.86*	15
Site coverage (%) – maximum	79.50	N/A
Storeys – maximum	5	N/A
Setbacks (m) – minimum		
Front – Herald	0.10 below 10.00 m 0.10 above 10.00 m*	nil below 10.00 m 1.07 above 10.00 m
Rear – Fisgard	6.27	Nil
Side – East	Nil*	4.5
Side – West	Nil	Nil
Parking – minimum	12 (0.4 per unit)*	22 (0.7 per unit)
Visitor parking – minimum	Nil	Nil
Bicycle storage (Class 1) – minimum	34	31
Bicycle rack (Class 2) – minimum	7 (1 rack)	7

Relevant History

A previous Development Permit for 28 residential units and ground-floor retail was approved by Council on May 28, 2009. As part of this approval, the owner entered into a legal agreement to provide the following amenities:

- one vehicle parking space for an electric car
- the purchase of an electric car
- car share program for all occupants of the building.

These amenities are required if there are fewer than 20 off-street parking stalls within the development. The previously approved Development Permit has since been abandoned and is unrelated to the current Application before Committee.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the Application was referred for a 30-day comment period to the Downtown Residents Association CALUC, on June 18, 2015. A letter from the CALUC, dated July 8, 2015 is attached to the 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 DPA 1 (HC), Historic Core. The objectives of this designation are to conserve and enhance the heritage value of Downtown and encourage revitalization of the area through infill with high-quality architecture, landscape and urban design through sensitive and innovative interventions. Design Guidelines that apply to DPA 1 (HC) are discussed in the subsequent sections.

Downtown Core Area Plan (2011)

The subject property is within the Historic Commercial District as identified in the *Downtown Core Area Plan (DCAP)*. The objectives of this district are to ensure sensitive integration of new infill development, retention of the low-scale and small-lot character of the area and support for an increase in the local population base through residential uses on upper storeys. The proposal responds to the relevant guidelines as follows:

- a positive pedestrian environment would be created with the retail units on the ground floor and a reduced drive aisle for vehicle access off Herald Street
- weather protection would be provided through small canopies above the commercial entrances
- provision of parking would be behind the retail units on the ground floor.

Overall, the Application is considered to be in compliance with the applicable Design Guidelines within the DCAP. However, as the subject site is in a prominent location within a Heritage Conservation Area, special care and attention should be given to the architectural quality and finishes of the building. Staff have expressed concern regarding exterior finishes, in particular the exposed concrete finish on the side elevations, which is not considered to be of sufficient high-quality architectural material as recommended in the DCAP. It is therefore recommended to Council that the Application would benefit from review by the Advisory Design Panel, with particular emphasis on exterior finishes and materials.

Old Town: New Buildings and Additions to Non-Heritage Buildings (2006)

The subject property is located within the Chinatown District, which seeks to preserve heritage value by responding to the special characteristics of the District. The Guidelines encourage designs that are strongly contextual and visually interesting. They also encourage creative

developments that will contribute and respond to the Chinatown District characteristics to enrich the sense of place. The proposal complies with the Guidelines as follows:

- provision of shop frontages at street level
- utilisation of the entire lot width for the proposed building, creating a continuous building frontage
- provision of appropriate architectural detail for the Chinatown context, including recessed balconies, masonry, signage and paving patterns
- building height consistent with the predominantly four to five-storey context.

Advisory Design Guidelines for Buildings, Signs and Awnings (1981)

These Guidelines state that an acceptable application will include consideration of an attractive streetscape and that the architecture and landscaping of the immediate area be identified and acknowledged. New construction will complement neighbouring heritage buildings in areas where they predominate. There are no Heritage Registered or Designated buildings immediately adjacent to the subject site on Herald Street, although a number of Heritage buildings exist along Government Street and Figgard Street to the rear of the property. The proposal does incorporate certain materials such as brick veneer, which are commonly used throughout Chinatown and in the nearby Heritage buildings. The overall colour palette is also consistent with the Chinatown theme, using red and black as accent colours. In evaluating the proposal, staff recommend for Council's consideration that overall the Application is in keeping with the Guidelines and provides an appropriate response to the immediate context.

Guidelines for Fences, Gates and Shutters (2010)

The objective of these Guidelines is to ensure that where fences, gates and shutters are required, they are designed well and complement their surroundings. The Application is consistent with these Guidelines and proposes appropriate fencing along the surface parkade at the rear of the building, with security fencing and black metal trellis for climbing plants. This will be highly visible from the rear of the property at Figgard Street and the treatment along this boundary is of particular importance.

Proposed Variances

Four variances from the *Zoning Regulation Bylaw* are proposed as part of this Application.

Height

An increase in the height from 15m to 15.86m is being requested. The applicant has indicated in their letter that this height request is due to the ceiling height requirement for the commercial tenants on the ground floor. As the building does not exceed the height of the immediately adjacent buildings, which are also zoned CA-3 (Central Area General Commercial District), staff recommend that Council support the proposed height variance.

Side Yard Setback

Under the existing zone, there is a requirement for a 4.5m side yard setback. The intent of this regulation is to allow for access to the property, although the proposal includes an alternate vehicle access in the centre of the Herald Street elevation. Since the proposal creates a

continuous building along the upper floors, staff recommend that Council support the proposed side yard setback variance.

Front Setback

The current zone includes regulations on the front setback for any portions of a building that exceed 10m in height. This requires the building to comply with a 1:5 setback ratio for the upper portions of the building above 10m, which is intended to provide an appropriate scale and massing along the street. The proposal encroaches into this setback requirement by 0.97m on the fifth storey. Since the impact from this reduced setback is minimal, and the fact that the proposed upper floors have setbacks consistent with the immediately adjoining building at 601 Herald Street, Staff recommend for Council's consideration, that Council support this variance. However, Staff note that there are opportunities to provide greater articulation in the upper portion of the building, and have recommended for Council's consideration that this aspect of the design is referred to the Advisory Design Panel for review.

Parking

A parking variance is being proposed for both residential and visitor parking. This would reduce the amount of residential parking from 22 spaces (0.7 per unit) to 12 spaces (0.38 per unit). A transportation and parking study has been submitted, which provides justification for the proposed parking variances. It considers vehicle ownership data from comparable developments in the downtown area, along with statistics from the Insurance Corporation of British Columbia (ICBC). The study concludes that considering the target market and anticipated auto-ownership levels, the provision of 12 parking stalls (provided at a rate of 1 stall per 0.38 units) would be sufficient to meet the travel needs of this development provided that a successful Car Share Program is available.

The applicant proposes to amend the legal agreement for the property, to remove the provision of the electric vehicle, and the electric vehicle parking stall that were proposed as part of the previously approved Development Permit Application. The proposal will however maintain the membership to the Car Share Program for all residents within the building (32 memberships in total).

CONCLUSIONS

The Application would allow for a five-storey, mixed-used development on a vacant site within Old Town. The proposal is in keeping with the immediate context in terms of scale and massing. While there are opportunities for improvement in the quality of the exterior finishes and materials, Staff feel these can be addressed with a review by the Advisory Design Panel.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000377 for the property located at 613 Herald Street.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services

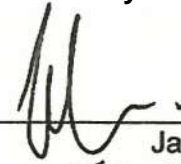


Alison Meyer
Assistant Director,
Development Services



Jonathan Tinney, Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager: _____



Jason Johnson

Date: _____

July 15, 2015

CW:af

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000377\DP DVP PLUC REPORT TEMPLATE2.DOC

List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated July 2, 2015
- Architectural Plans dated June 18, 2015
- Letter from Downtown Residents Association, dated July 8, 2015.

1950

530

6

1900

Victoria City Council - 11 Feb 2016

1901

650

CHATHAM ST

1885

611-623

629

635-641

1850

532

536/38

537

542 to 556

551/55

1826
to
1802

610

618

648-652

658-670

1802

HERALD ST

1725

613

655

681

1740
to
17201717
1715
1713

1701

612
614

622-626

636

638

640

646
6541712
1708

1702

GOVERNMENT ST

DOUGLAS ST

FISGARD ST

539-545

20

18

16

14

12

10

3

23

19

17

549-555

557-561

1628
1618 to

565

550-558

1600

588

1689

631

625

1696
to
1672

4 to 30 CENTENNIAL SQ

3 CENTENNIAL SQ

**CENTENNIAL
SQUARE**

613 Herald Street
Development Permit #000377



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613 Herald Street.
Development Permit #000377

02 July 2015

The Kunju Residences

Submitted on behalf of Conrad Nyren
Kunju Residences Ltd
Suite 160 – 4396 West Saanich Road
Victoria BC



RE: 613 Herald Street Redevelopment
Victoria BC

Proposal For Development Permit With (minor) Variances



For the attention of Mayor and Council, c/o Charlotte Wain, Area Planner, City of Victoria

Please find enclosed with this cover letter, a revised submission for the Kunju Residences proposed for 613 Herald Street, Development permit application #000377. This revised proposal provides two commercial spaces on the ground floor with a central porte cochere leading through to a surface parking facility beyond. Above 32 units are proposed in four residential floors.

As requested by City planning review the building has been relocated to its forward property line, to align with neighbouring new buildings, and to extend this street front pedestrian environment. This proposal seeks several variances outlined on drawing sheet A1.0. Some of those variances are required to suit the circumstances related to moving this building forward. The proposal remains lower than both its neighbouring properties but does seek a minor ht. variance. This proposal has moved the building forward, and its building face over its upper floors does align with its neighbour however, similar to its neighbour, it seeks a variance for a front yard setback that is initiated above 10m in ht. where zoning dictates that builds start to step back. In addition, and outlined later in this correspondence, is a request for a parking variance.

DESIGN OUTCOME

Consistent with building design respecting Chinese architectural heritage, this is a symmetrical building with an emphasis on the centre bay. On the ground floor two small commercial tenants (434 ft² and 572 ft²) flank each side of a center vehicle entry. The central parking entry serves as a "Porte Cochere" to the residences above, and is a drive through to open surface parking beyond. This porte cochere offers covered daytime guest bicycle parking to commercial and residential visitors alike.

The planning department wished that we maximize the width of street front glazing and minimize the vehicle entry in order to increase as much as is possible the sense of a continuous street front pedestrian shopping environment. The

Hillel Architecture Inc.

page 1 of 4

minimum dimension permitted was identified for the design team, through coordinating the reviews of planning, transportation and Bunt Transportation Planners and Engineers. The proposed design conforms to this required road width. In addition however, the design was modified to visually improve this outcome. Masonry details were moved to the outside corners of this street front, ensuring glazing extended as close as possible to the central lane. This serves to decrease the attention of the lane and broadens the appearance of this glazing.

DESIGN CHARACTER AND MATERIALS

The design responds to the Chinese community by using materials and surfaces common within this special area, and with a building volume also common:

- Symmetrical in nature, with an emphasis on the centre bay, in proportion, in ht., and in colour.
- Planning and the DRA each requested recessed balconies in the building volume rather than projecting balconies. This has been achieved.
- Planning and the DRA requested the building be moved forward and built at approximately the property boundary to continue the streetscape. This has been achieved.
- Materials drawn from the palette of Chinatown
- Signage in both English and traditional Chinese script

HEIGHT VARIANCE

The building's ground floor level is built at approximately the level of the municipal sidewalk permitting comfortable level entry to the commercial tenancies and to the recessed residential entry. The average grade calculated, and the height of the proposed building, defines a requested variance consideration of .86m. The building contains four floors of residences each with a floor to floor height inside of 9'0". The commercial suites of the ground floor are 11'0" in finished inside ht. This is modest for commercial units but as these are limited in area this is an acceptable outcome. Combined, these five floors add up to the building height proposed. No voluntary measures. No over height spaces. We believe this is a modest height variance and also ensures we are below the heights of both buildings flanking this site, yet tall enough to provide adequate ceiling heights for the commercial tenants of the ground floor.

PARKING VARIANCE

The program has 32 residential units and demonstrates 12 parking stalls. This is a requested variance of 11 stalls below the requirement of 23 stalls (32 units x 0.7) to service this building in accordance with Schedule C Parking Bylaw in this block. The transportation department had requested actual ICBC ownership data survey to support this parking variance, which is enclosed herein. As the owners, Planning Department, and transportation alike had hoped that actual statistics may reduce the parking further, as each party had an interest in making the vehicle entry width less than that shown. The parking research however verified this parking count as 12 stalls. 11 of those stalls will serve residents above, and 1 stall is dedicated to residential guest parking. This is secure guest parking as would be

preferred in urban locations for overnight use of these guests. It is also an oversized stall matching dimensions required of a HC accessible stall. The required minimum width of the entry aisle to the vehicle parking is therefore fixed at the dimensions shown, conforming to the regulations.

This parking variance has been studied both during the earlier phase of this submission, and now for the additional survey of the ownership data from ICBC. It is comforting to now have two different information sources confirming the needs for the parking being demonstrated, not more, and in this case, unfortunately not less than that demonstrated when several parties had a mutual interest in a reduced parking volume as this would trigger / permit a smaller vehicle entry into the property. These conclusions are recorded in the final Parking Study and Access Review report by BUNT and Associates, enclosed herein and dated June 15, 2015.

As an integral part of this parking study, it was determined that the original car share vehicle that would be dedicated to these users would be best serving this building by NOT being on site, but by these owners / tenants having access to the now greater number of car share vehicles in this downtown core area. This is referred to specifically in the traffic study. Under the original DP a covenant was registered on title, and under this new DP we are requesting this "hold over" from that previous submission be formally removed from the property title. We understand this is not a variance, but is a requested consideration. This removal is not requested without it being balanced by another measure, and in this case the measure suggested was car share memberships. Our traffic consultant recommended a minimum of car share memberships to offset those owners without parking privileges. Of the 32 residences, 11 are served with parking stalls leaving 21 car share memberships being available. In consideration of both the requested variance for parking, and the removal of the original car share vehicle being on site, it was determined that the project will provide all 32 units with car share memberships, therefore exceeding our traffic consultants recommendations.

BICYCLE PARKING

The proposal provides for storage of 32 residential and 2 commercial bikes in four independent locations as required by Bylaw. The proposal provides these bike parking facilities in four separate rooms to minimize the risk of shared facilities.

The building entry is serviced by the required 6 stall bike storage for residential guests, and an additional bike for commercial tenant guests.

URBAN SECURITY

The recessed Porte Cochere entry takes on a different and safer personality at night. At the street face of the building, in the evenings, the building proposal contains a second controlled entry grillage closing the residences at the side walk. The commercial tenancies have their exterior entries outside of this security grillage and therefore can operate on their own time schedules independent of the residences. Each resident would have remote access key that would permit opening the grillage located at the sidewalk, and the internal grillage which is closed at all times.

ENVIRONMENTAL CONSIDERATIONS

The project proposal includes several unique features to lessen our need for artificial light and the power required to run those fixtures over the duration of a project's life span. Integral to this design is the development of a light well down the center of the building and illuminating the central corridor, and each dwelling's entry area. In addition, this light well extends down to the ground floor where it illuminates the bike parking area for guest bikes and commercial patrons, and illuminates the vehicle entry in this vicinity for both safety of those cyclists and a welcoming light to aid vehicles traversing through the porte cochere to the open surface parking beyond. In a section of our City core, where heritage buildings still dominate, we are enclosing a feature common in these early urban buildings.

Each internal stairwell and underground spaces will also be served with LED light fixtures, on motion detectors, to provide the illumination required without power demands usually associated with these tasks. The project will utilize low VOC finishes and materials, obtain materials and finishes from the closest sources, and will develop specifications with a clarity of purpose in seeking out trades, companies, and suppliers who are providing to the market place the products demonstrating continuous advancement in environmental protection as is being requested of purchasers more often, and is the goal of this consulting team.

CONCLUSION AND SUMMARY

This proposal provides 32 units designed to suit persons of different ages, different cultures, and in very different phases of life, and to change with them through those changes in life which invariably occur. The proposal does so with a modest request for a height variance, and what we believe is an acceptable variance in parking, and a thoughtful outcome to bike storage for commuters and active bikers. The building responds too, and is proud of the cultural heritage of the neighbourhood in which is proposed. We believe the building closes a critical gap in Chinatown's streetwalk, and significantly aids in extending the perception of Chinatown.

Yours sincerely,

HILLEL ARCHITECTURE INC.,

Peter Hardcastle, Principal, Hillel Architecture Inc.



Handwritten signature/initials inside a circular stamp.

Project Name	
Project No.	
Project Date	
Project Status	
Project Location	



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The **KUNJU** Residences

613 HEDGECOCK STREET, CITY OF VICTORIA, BC

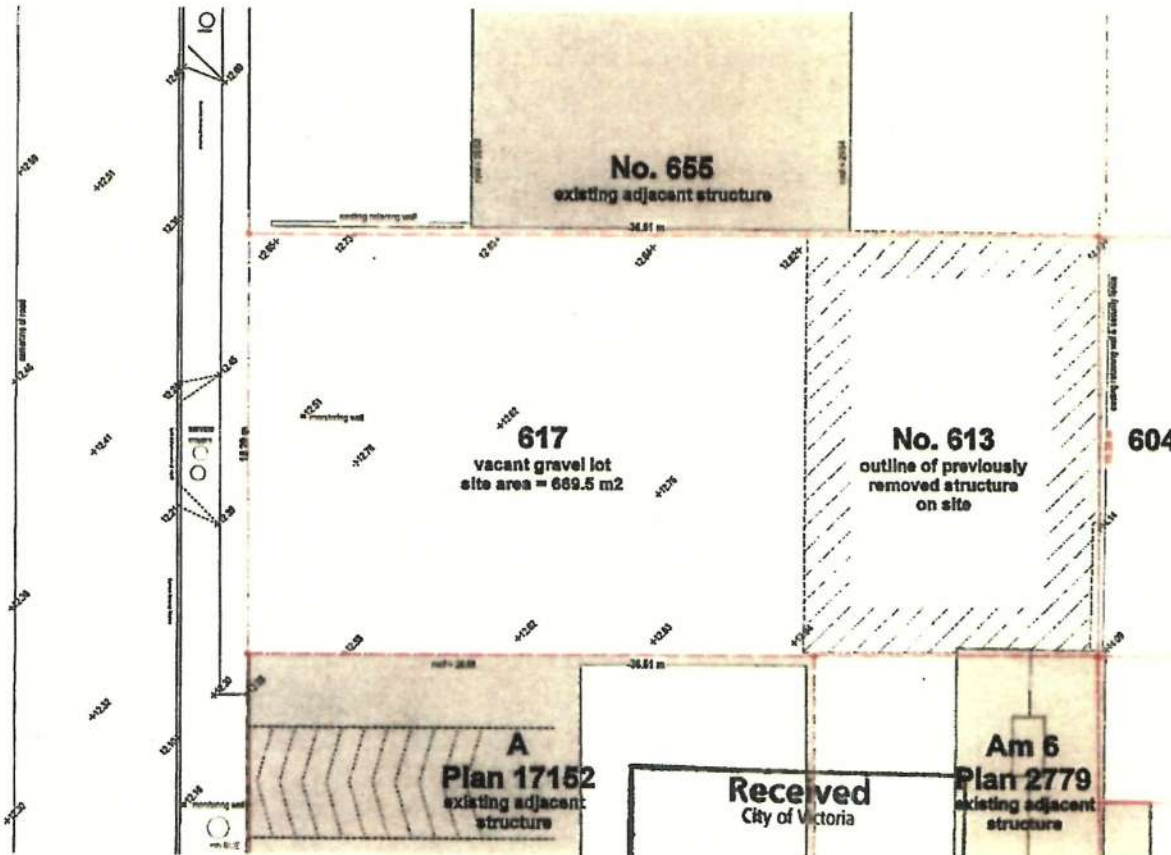
Received
City of Victoria

JUN 18 2015

Planning & Development Department
Development Services Division



2 Context Aerial Plan
A1.0 Not to Scale



1 Existing Survey Plan
A1.0 Scale 1:100

Received
City of Victoria
JUN 18 2015
Planning & Development Department
Development Services Division

PROJECT DATA

2799151 REQ	PROPOSED PROJECT
STREET	CA-3
Site area (m²)	669.45 m²
Site coverage %	100%
Net floor area	2028.4 m² (2028.4 m²)
Maximum floor area	700 m²
Over area ratio (m²/m²)	3.03:1
Height of building (m)	max. 15.0 m
Number of floors	5 floors

Submitted:	23.4 spaces for 22 units (number of spaces not less than 70% of the number of dwelling units)	17 spaces for 15 units (number of spaces not less than 70% of the number of dwelling units)
Single parking	1 per residential unit + 1 for up to 200 m² of commercial space + 6 guest bike stalls	22 "Class 1" stalls for residential + 2 "Class 1" stalls for commercial + 1 "Class 2" stall for commercial guests + 6 "Class 2" stalls for residential guests
Visitor parking	10% of parking area allocated to visitor spaces (51 spaces required)	none
Self-storage	40	none
Motor vehicle	CA 1025/2000 dedicated double vehicle + parking space + maintenance	32 car share Co-Op maintenance requested by City

SEWAGES	0.02 m	0.1 m
Base (depth)	0.02 m	0.1 m
Base (width)	0.02 m	0.1 m
Base (height)	0.02 m	0.1 m
Base (area)	4.00 m²	0.02 m²

MINIMUM USE DETAILS	40	32
1 bedroom units	40	32
2 bedroom units	40	32
ground allocated area	40	32
max. lot area (m²)	max. 25.0 m²	max. 45.0 m²

FLOOR AREA	91.45 m²	77.54 m²
ground (1st) floor commercial floor area	91.45 m²	77.54 m²
ground (1st) floor area commercial ground (1st) floor area	91.45 m²	77.54 m²
applied residential floor (2nd, 3rd, 4th & 5th floors)	439.0 m² ± 4	1056.0 m²
all-res. floors	1056.0 m²	1056.0 m²
total floor area (1st ground floor & 4 residential floors above)	2028.4 m² (2028.4 m²) permitted	

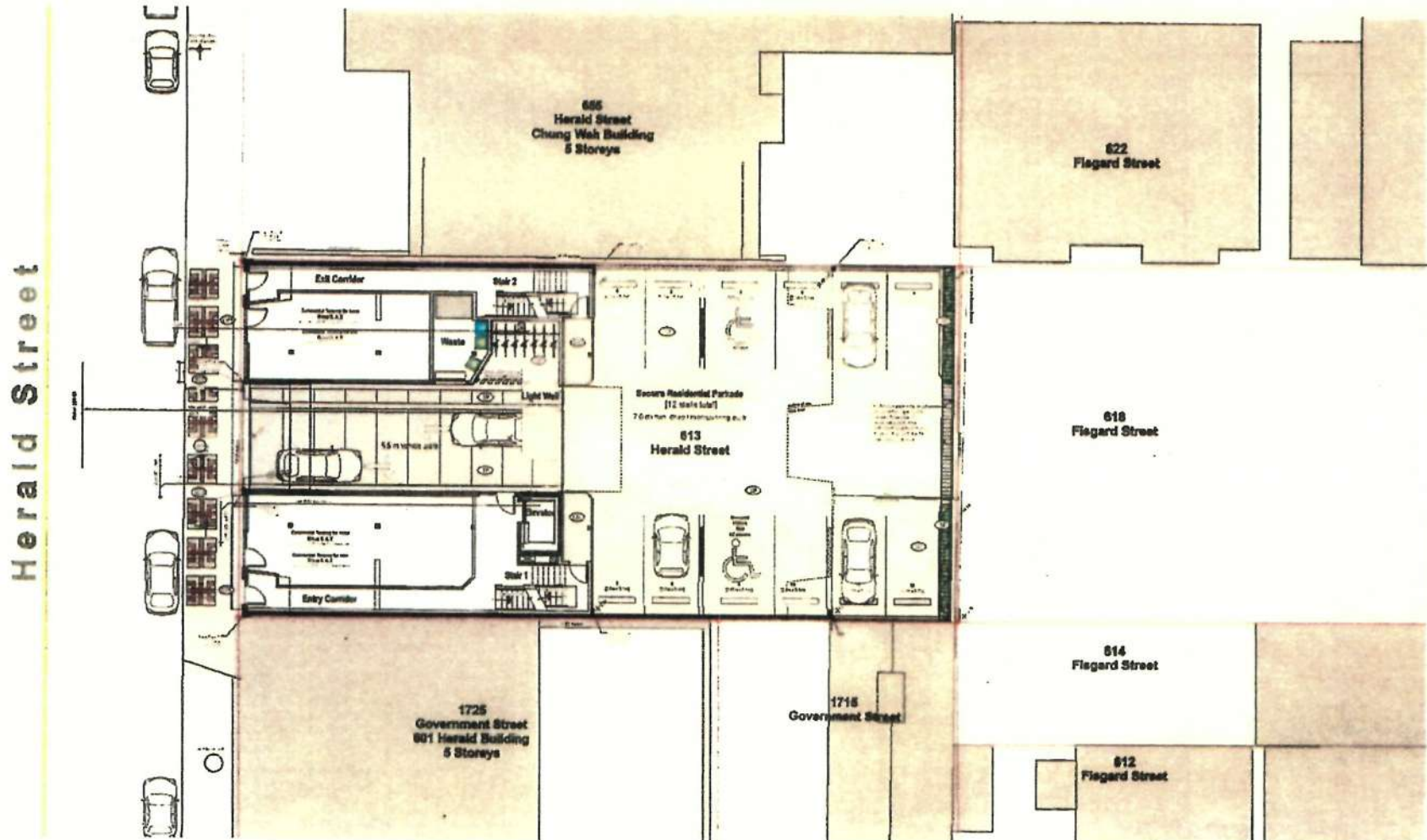
LEGAL DATA

BUILDING OWNER
Rajya Properties Ltd
400 Vancouver Street
100 - 4006 West Georgia Road
V6Z 3G3

LEGAL ADDRESS
Lot 617 Victoria District
Parcel Identifier: 028-375-088

SURVEY INFORMATION
Surveyed on: 1992 survey by Powell & Associates
BC Land Surveyors No. 10,219 s/s (17)





The KUNJU Residences

Victoria City Council - 11 Feb 2016

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AVERAGE GRADE CALCULATION

1.3 World Bank - Average Grade Calculations

Segment	From	To	Length	Distances	Station	Total Factors	Distance	Average grade (average of segment)
1	0+00	1+00	1.00	1.00	150.00	150.00	150.00	15.00
2	1+00	2+00	1.00	2.00	142.50	142.50	142.50	14.25
3	2+00	3+00	1.00	3.00	135.00	135.00	135.00	13.50
4	3+00	4+00	1.00	4.00	127.50	127.50	127.50	12.75
5	4+00	5+00	1.00	5.00	120.00	120.00	120.00	12.00
6	5+00	6+00	1.00	6.00	112.50	112.50	112.50	11.25
7	6+00	7+00	1.00	7.00	105.00	105.00	105.00	10.50
8	7+00	8+00	1.00	8.00	97.50	97.50	97.50	9.75
9	8+00	9+00	1.00	9.00	90.00	90.00	90.00	9.00
10	9+00	10+00	1.00	10.00	82.50	82.50	82.50	8.25
11	10+00	11+00	1.00	11.00	75.00	75.00	75.00	7.50
12	11+00	12+00	1.00	12.00	67.50	67.50	67.50	6.75
13	12+00	13+00	1.00	13.00	60.00	60.00	60.00	6.00
14	13+00	14+00	1.00	14.00	52.50	52.50	52.50	5.25
15	14+00	15+00	1.00	15.00	45.00	45.00	45.00	4.50
16	15+00	16+00	1.00	16.00	37.50	37.50	37.50	3.75
17	16+00	17+00	1.00	17.00	30.00	30.00	30.00	3.00
18	17+00	18+00	1.00	18.00	22.50	22.50	22.50	2.25
19	18+00	19+00	1.00	19.00	15.00	15.00	15.00	1.50
20	19+00	20+00	1.00	20.00	7.50	7.50	7.50	0.75
21	20+00	21+00	1.00	21.00	0.00	0.00	0.00	0.00
22	21+00	22+00	1.00	22.00	-7.50	-7.50	-7.50	-0.75
23	22+00	23+00	1.00	23.00	-15.00	-15.00	-15.00	-1.50
24	23+00	24+00	1.00	24.00	-22.50	-22.50	-22.50	-2.25
25	24+00	25+00	1.00	25.00	-30.00	-30.00	-30.00	-3.00
26	25+00	26+00	1.00	26.00	-37.50	-37.50	-37.50	-3.75
27	26+00	27+00	1.00	27.00	-45.00	-45.00	-45.00	-4.50
28	27+00	28+00	1.00	28.00	-52.50	-52.50	-52.50	-5.25
29	28+00	29+00	1.00	29.00	-60.00	-60.00	-60.00	-6.00
30	29+00	30+00	1.00	30.00	-67.50	-67.50	-67.50	-6.75
31	30+00	31+00	1.00	31.00	-75.00	-75.00	-75.00	-7.50
32	31+00	32+00	1.00	32.00	-82.50	-82.50	-82.50	-8.25
33	32+00	33+00	1.00	33.00	-90.00	-90.00	-90.00	-9.00
34	33+00	34+00	1.00	34.00	-97.50	-97.50	-97.50	-9.75
35	34+00	35+00	1.00	35.00	-105.00	-105.00	-105.00	-10.50
36	35+00	36+00	1.00	36.00	-112.50	-112.50	-112.50	-11.25
37	36+00	37+00	1.00	37.00	-120.00	-120.00	-120.00	-12.00
38	37+00	38+00	1.00	38.00	-127.50	-127.50	-127.50	-12.75
39	38+00	39+00	1.00	39.00	-135.00	-135.00	-135.00	-13.50
40	39+00	40+00	1.00	40.00	-142.50	-142.50	-142.50	-14.25
41	40+00	41+00	1.00	41.00	-150.00	-150.00	-150.00	-15.00
42	41+00	42+00	1.00	42.00	-157.50	-157.50	-157.50	-15.75
43	42+00	43+00	1.00	43.00	-165.00	-165.00	-165.00	-16.50
44	43+00	44+00	1.00	44.00	-172.50	-172.50	-172.50	-17.25
45	44+00	45+00	1.00	45.00	-180.00	-180.00	-180.00	-18.00
46	45+00	46+00	1.00	46.00	-187.50	-187.50	-187.50	-18.75
47	46+00	47+00	1.00	47.00	-195.00	-195.00	-195.00	-19.50
48	47+00	48+00	1.00	48.00	-202.50	-202.50	-202.50	-20.25
49	48+00	49+00	1.00	49.00	-210.00	-210.00	-210.00	-21.00
50	49+00	50+00	1.00	50.00	-217.50	-217.50	-217.50	-21.75
51	50+00	51+00	1.00	51.00	-225.00	-225.00	-225.00	-22.50
52	51+00	52+00	1.00	52.00	-232.50	-232.50	-232.50	-23.25
53	52+00	53+00	1.00	53.00	-240.00	-240.00	-240.00	-24.00
54	53+00	54+00	1.00	54.00	-247.50	-247.50	-247.50	-24.75
55	54+00	55+00	1.00	55.00	-255.00	-255.00	-255.00	-25.50
56	55+00	56+00	1.00	56.00	-262.50	-262.50	-262.50	-26.25
57	56+00	57+00	1.00	57.00	-270.00	-270.00	-270.00	-27.00
58	57+00	58+00	1.00	58.00	-277.50	-277.50	-277.50	-27.75
59	58+00	59+00	1.00	59.00	-285.00	-285.00	-285.00	-28.50
60	59+00	60+00	1.00	60.00	-292.50	-292.50	-292.50	-29.25
61	60+00	61+00	1.00	61.00	-300.00	-300.00	-300.00	-30.00
62	61+00	62+00	1.00	62.00	-307.50	-307.50	-307.50	-30.75
63	62+00	63+00	1.00	63.00	-315.00	-315.00	-315.00	-31.50
64	63+00	64+00	1.00	64.00	-322.50	-322.50	-322.50	-32.25
65	64+00	65+00	1.00	65.00	-330.00	-330.00	-330.00	-33.00
66	65+00	66+00	1.00	66.00	-337.50	-337.50	-337.50	-33.75
67	66+00	67+00	1.00	67.00	-345.00	-345.00	-345.00	-34.50
68	67+00	68+00	1.00	68.00	-352.50	-352.50	-352.50	-35.25
69	68+00	69+00	1.00	69.00	-360.00	-360.00	-360.00	-36.00
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71	70+00	71+00	1.00	71.00	-375.00	-375.00	-375.00	-37.50
72	71+00	72+00	1.00	72.00	-382.50	-382.50	-382.50	-38.25
73	72+00	73+00	1.00	73.00	-390.00	-390.00	-390.00	-39.00
74	73+00	74+00	1.00	74.00	-397.50	-397.50	-397.50	-39.75
75	74+00	75+00	1.00	75.00	-405.00	-405.00	-405.00	-40.50
76	75+00	76+00	1.00	76.00	-412.50	-412.50	-412.50	-41.25
77	76+00	77+00	1.00	77.00	-420.00	-420.00	-420.00	-42.00
78	77+00	78+00	1.00	78.00	-427.50	-427.50	-427.50	-42.75
79	78+00	79+00	1.00	79.00	-435.00	-435.00	-435.00	-43.50
80	79+00	80+00	1.00	80.00	-442.50	-442.50	-442.50	-44.25
81	80+00	81+00	1.00	81.00	-450.00	-450.00	-450.00	-45.00
82	81+00	82+00	1.00	82.00	-457.50	-457.50	-457.50	-45.75
83	82+00	83+00	1.00	83.00	-465.00	-465.00	-465.00	-46.50
84	83+00	84+00	1.00	84.00	-472.50	-472.50	-472.50	-47.25
85	84+00	85+00	1.00	85.00	-480.00	-480.00	-480.00	-48.00
86	85+00	86+00	1.00	86.00	-487.50	-487.50	-487.50	-48.75
87	86+00	87+00	1.00	87.00	-495.00	-495.00	-495.00	-49.50
88	87+00	88+00	1.00	88.00	-502.50	-502.50	-502.50	-50.25
89	88+00	89+00	1.00	89.00	-510.00	-510.00	-510.00	-51.00
90	89+00	90+00	1.00	90.00	-517.50	-517.50	-517.50	-51.75
91	90+00	91+00	1.00	91.00	-525.00	-525.00	-525.00	-52.50
92	91+00	92+00	1.00	92.00	-532.50	-532.50	-532.50	-53.25
93	92+00	93+00	1.00	93.00	-540.00	-540.00	-540.00	-54.00
94	93+00	94+00	1.00	94.00	-547.50	-547.50	-547.50	-54.75
95	94+00	95+00	1.00	95.00	-555.00	-555.00	-555.00	-55.50
96	95+00	96+00	1.00	96.00	-562.50	-562.50	-562.50	-56.25
97	96+00	97+00	1.00	97.00	-570.00	-570.00	-570.00	-57.00
98	97+00	98+00	1.00	98.00	-577.50	-577.50	-577.50	-57.75
99	98+00	99+00	1.00	99.00	-585.00	-585.00	-585.00	-58.50
100	99+00	100+00	1.00	100.00	-592.50	-592.50	-592.50	-59.25
101	100+00	101+00	1.00	101.00	-600.00	-600.00	-600.00	-60.00
102	101+00	102+00	1.00	102.00	-607.50	-607.50	-607.50	-60.75
103	102+00	103+00	1.00	103.00	-615.00	-615.00	-615.00	-61.50
104	103+00	104+00	1.00	104.00	-622.50	-622.50	-622.50	-62.25
105	104+00	105+00	1.00	105.00	-630.00	-630.00	-630.00	-63.00
106	105+00	106+00	1.00	106.00	-637.50	-637.50	-637.50	-63.75
107	106+00	107+00	1.00	107.00	-645.00	-645.00	-645.00	-64.50
108	107+00	108+00	1.00	108.00	-652.50	-652.50	-652.50	-65.25
109	108+00	109+00	1.00	109.00	-660.00	-660.00	-660.00	-66.00
110	109+00	110+00	1.00	110.00	-667.50	-667.50	-667.50	-66.75
111	110+00	111+00	1.00	111.00	-675.00	-675.00	-675.00	-67.50
112	111+00	112+00	1.00	112.00	-682.50	-682.50	-682.50	-68.25
113	112+00	113+00	1.00	113.00	-690.00	-690.00	-690.00	-69.00
114	113+00	114+00	1.00	114.00	-697.50	-697.50	-697.50	-69.75
115	114+00	115+00	1.00	115.00	-705.00	-705.00	-705.00	-70.50
116	115+00	116+00	1.00	116.00	-712.50	-712.50	-712.50	-71.25
117	116+00	117+00	1.00	117.00	-720.00	-720.00	-720.00	-72.00
118	117+00	118+00	1.00	118.00	-72			

- ## SITE FINISHES LEGEND
- ② finished edge and power vehicle area
 - ② concrete paving vehicle area
 - ② asphalt aggregate extreme paving driveway
 - ② percent Phoenix pattern subgrade treatment
 - ② border of low stanchion and dining plantings along south property line
 - ② immediate concrete driveway driveway and adjacent side vehicle area - stone repairs to east lawn around driveway and immediately east of driveway
 - ② grass bike drive 2 stanchion bike storage / vestibule / protected from customer in adjacent parking area accessible to public during business hours



Existing North Property Line - Herald Street



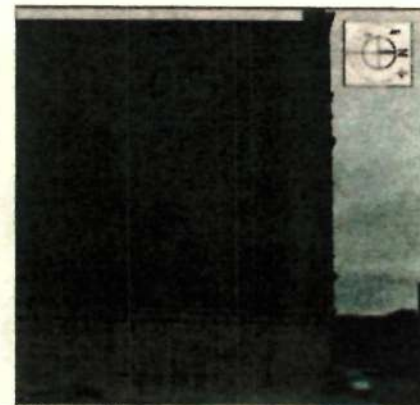
Existing South Property Line



Existing Neighbouring Chung Wah Building at East Property Line



Existing Neighbouring 601 Herald Building at West Property Line



1
A1.2

Overall Site Context Record Photos



Existing Streetscape of Neighbouring Buildings
across Herald Street

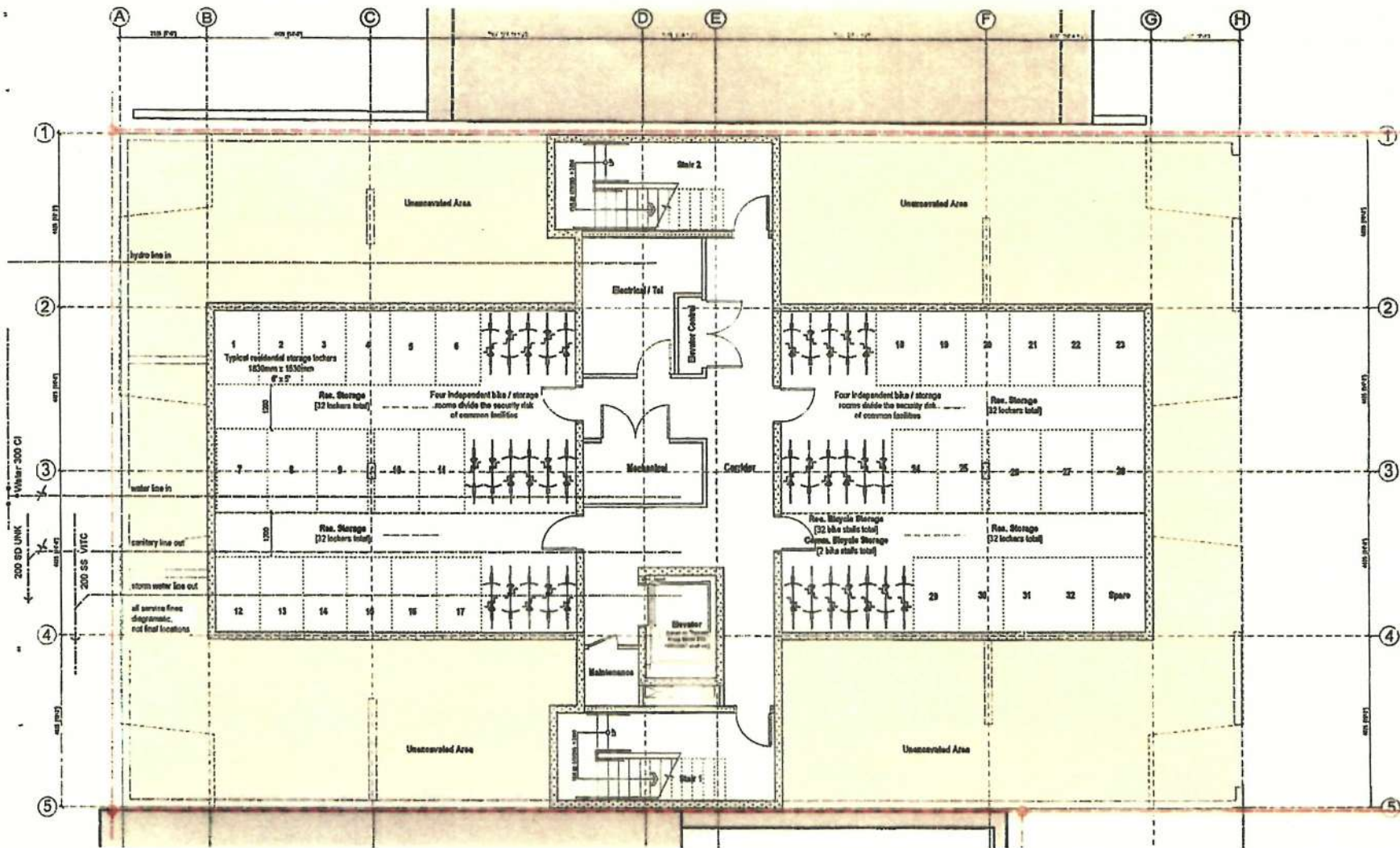


Existing Streetscape of Neighbouring Buildings



The KUNJU Residences

KUNJU Residences	
Existing Site Photos	
R2	A1.2



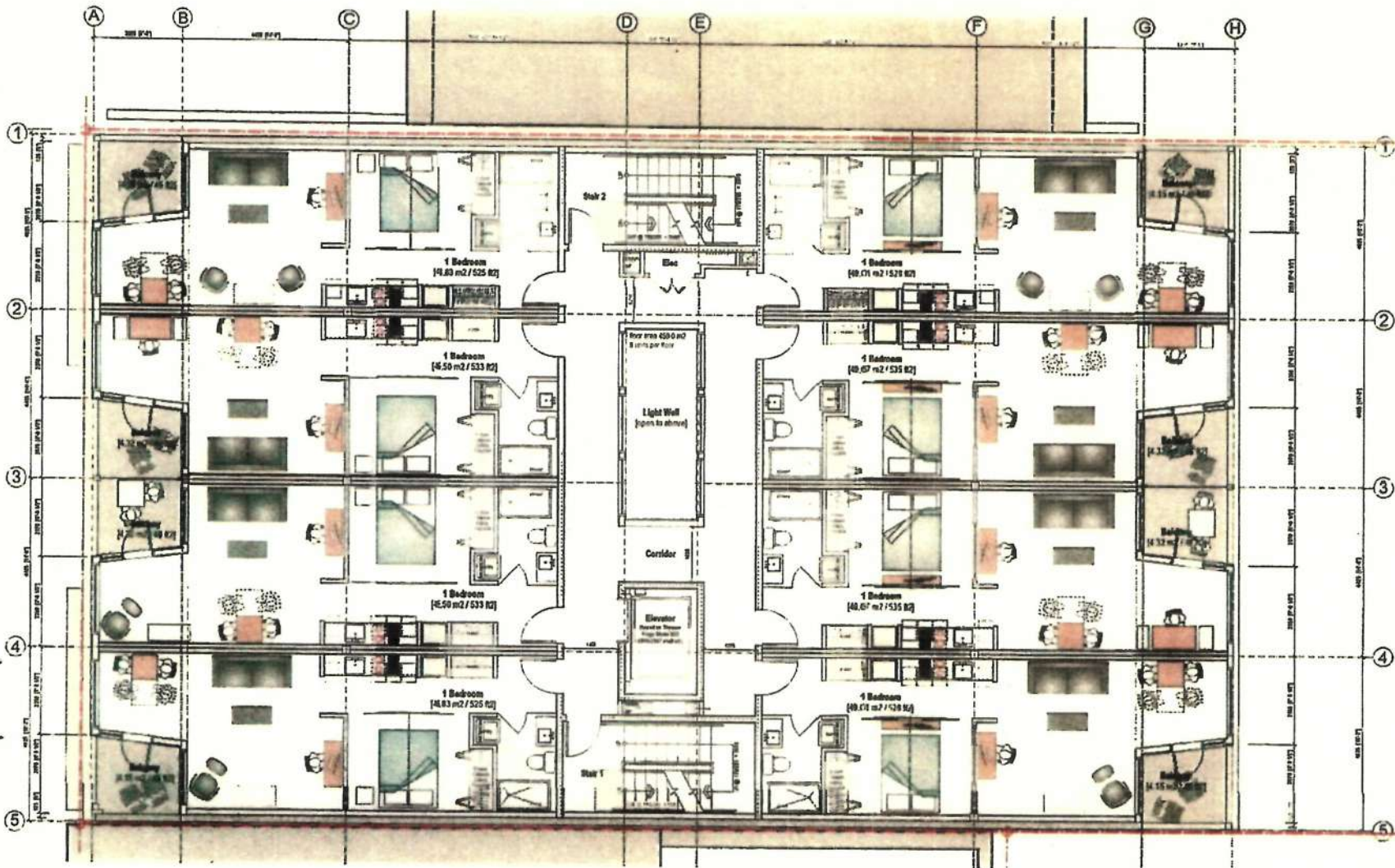
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The KUNJU Residences





1 2nd Floor Plan
A2.2 Scale: 1:50

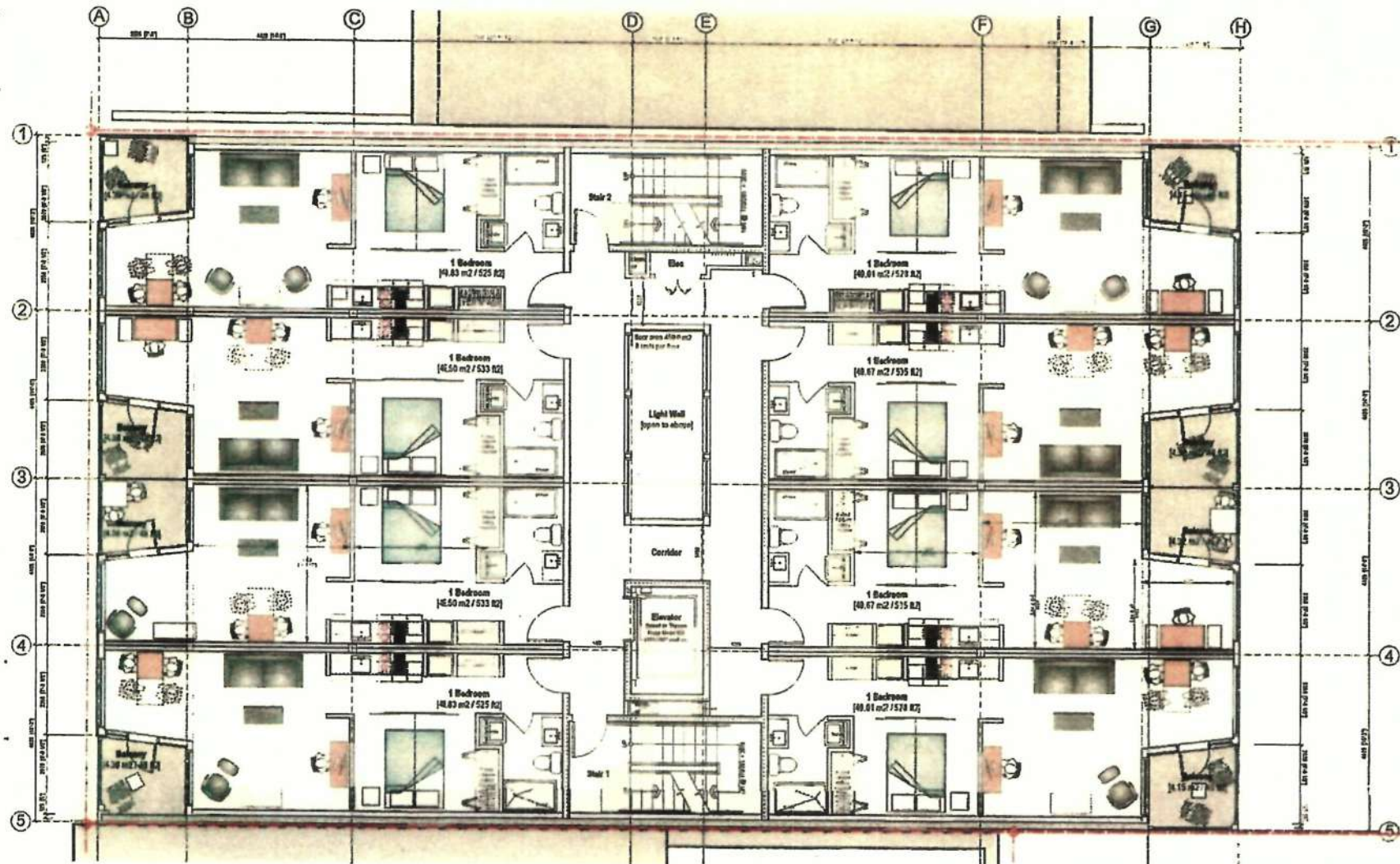
Received
City of Victoria
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Planning & Development Department
Development Services Division



The KUNJU Residences

Project Name	The KUNJU Residences
Project Number	123456789
Client	City of Victoria
Architect	Hillier Architects
Engineer	ABC Engineering
Interior Designer	XYZ Interiors
Structural Engineer	DEF Structural
MEP Engineer	GHI MEP
Fire Engineer	JKL Fire
Acoustic Engineer	MNO Acoustic
Lighting Designer	PQR Lighting
Landscaper	STU Landscaping
Other	





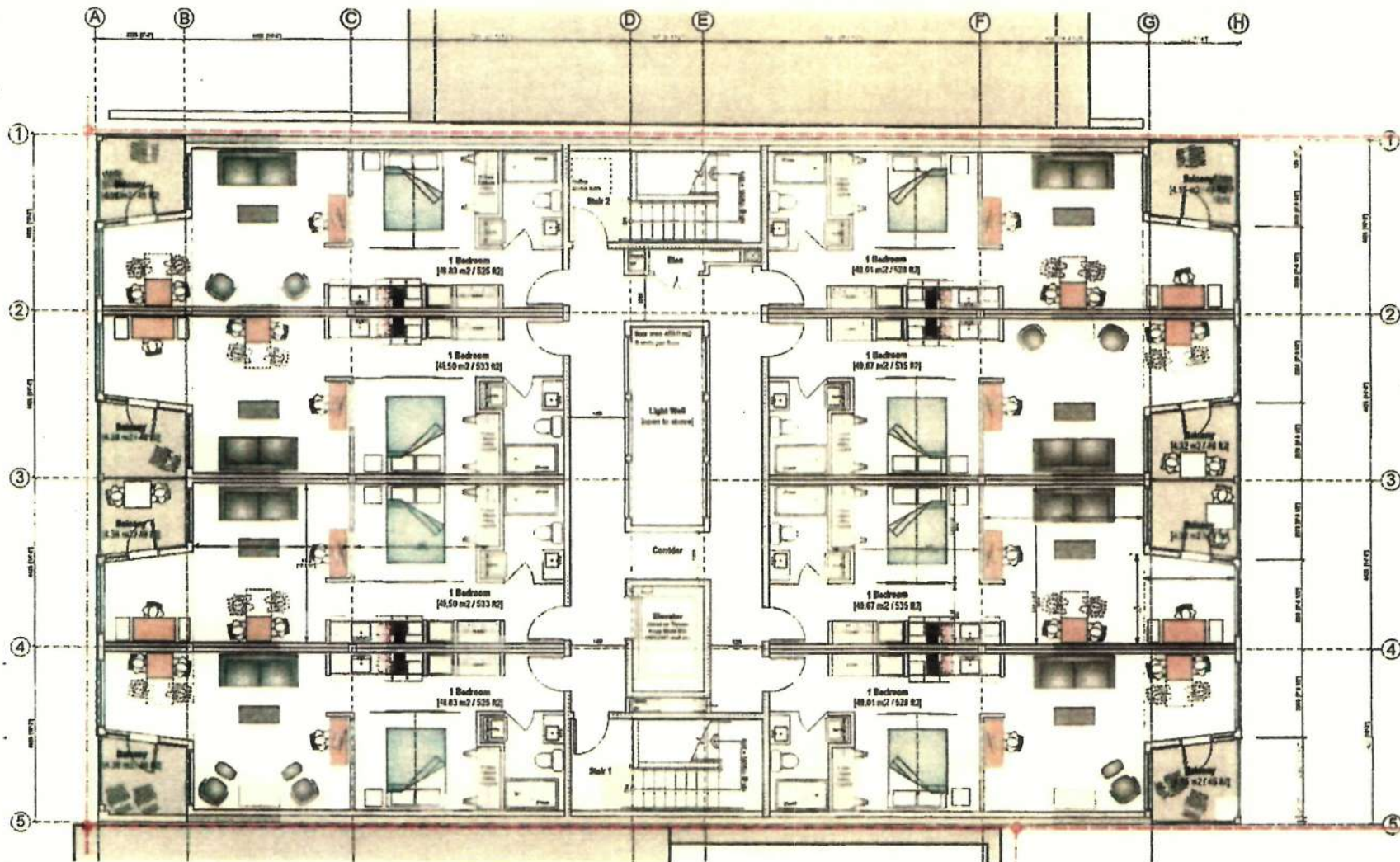
1 Typical 3rd, 4th Floor Plan
A2.3 Scale: 1:50

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Hillier
architects
The KUNJU Residences
11 Feb 2016



1 Typical 5th Floor Plan
A2.4 Scale: 1:50

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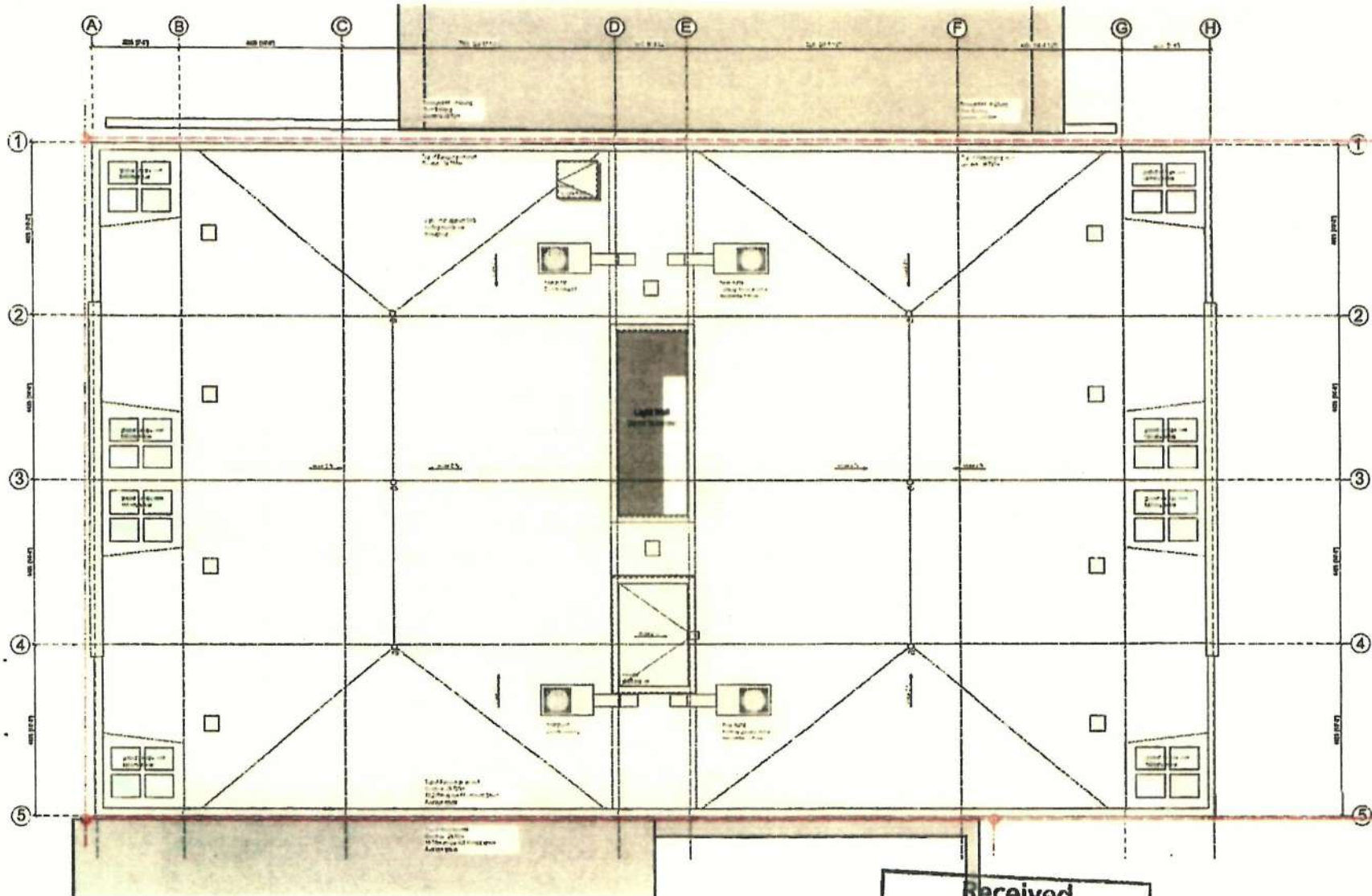
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The KUNJU Residences





1 Roof Plan
A2.5 Scale: 1:50

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The KUNJU Residences

Architectural drawing title block for 'The KUNJU Residences' Roof Plan. It includes a north arrow, a scale of 1:50, and a reference to sheet A2.5. There is a large handwritten 'X' over the title block.



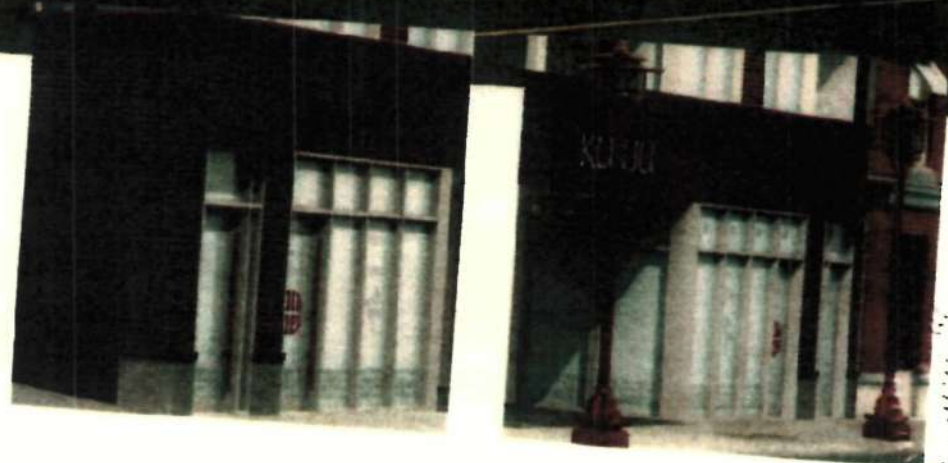
Notes: This view shows the proposed building design and its relationship to the surrounding context. It is not a photograph of an existing building. For more information, please refer to the project website.

The KUNJU Residences

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The KUNJU
3D Perspectives
R2 | A30



Exterior Finishes Legend

List of finishes legend of all elevations

- | | | |
|--|---|---|
| 01. Polished metal roof featuring 75 mm vertical face typical - Red | 07. Polished black metal security enclosure featuring w/ glass - Insulated three sides of perimeter parking area - polished black metal frames along with properly low for door swinging openings | 14. Polished ground floor entry surround also red brackets and top features, continuous wood base - Graphite corner |
| 02. Polished metal roof featuring 75 mm vertical face typical - Light grey | 08. Clear weathered aluminium window units on ground floor | 15. Polished and vent terminal glass canopy connected pattern building corner |
| 03. Applied clay brick this end with lower rear connection | 09. Clear polished aluminium glass entry door the custom door hardware on ground floor | 16. Cut aluminium plate building / hand storage |
| 04. Applied clay brick this end with lower rear connection | 10. Vinyl weathered windows & balcony doors w/ glass panels | 17. Exterior light fixture base connection |
| 05. Smooth face concrete finish inside the corner area's feature (Red oval) & polished metal reveals | 11. Clear polished aluminium weathered security door for residential units | |
| 06. a. Bright white colour
b. Red black colour
c. Graphite colour | 12. Residential balconies, continuous wood base & top support railing, gold finish | |
| 07. Exposed concrete block & architectural concrete components | 13. Polished metal and ceiling system the decorative wrought iron style posts | |
| 08. a. Bright white colour
b. Red black colour
c. Graphite colour | 14. Polished ground floor entry surround also red brackets and top features, continuous wood base - Graphite corner | |

1 | Rear Elevation (South)
A3.2 | Scale: 1:50

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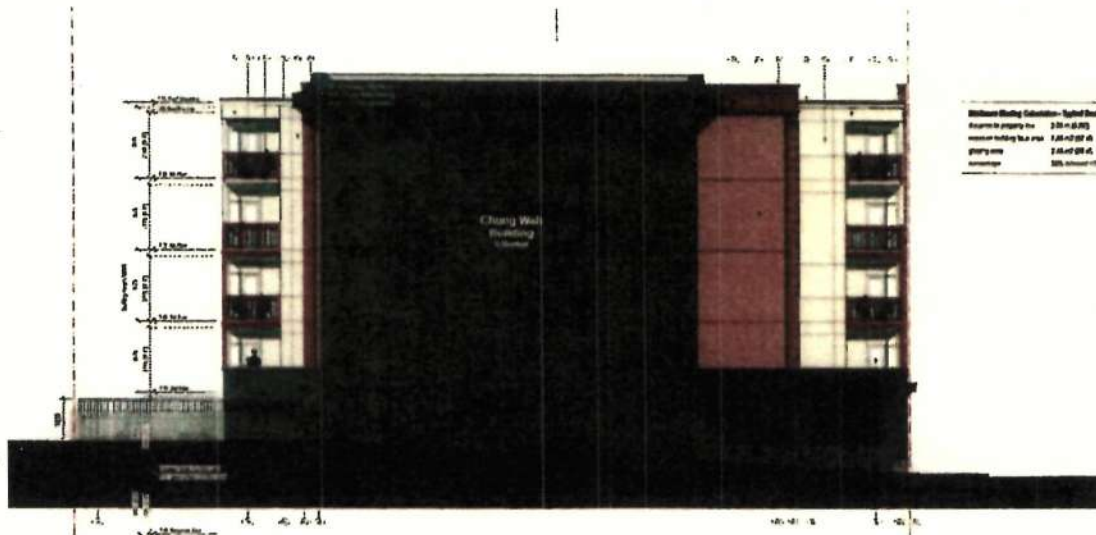
Planning & Development Department
Development Services Division



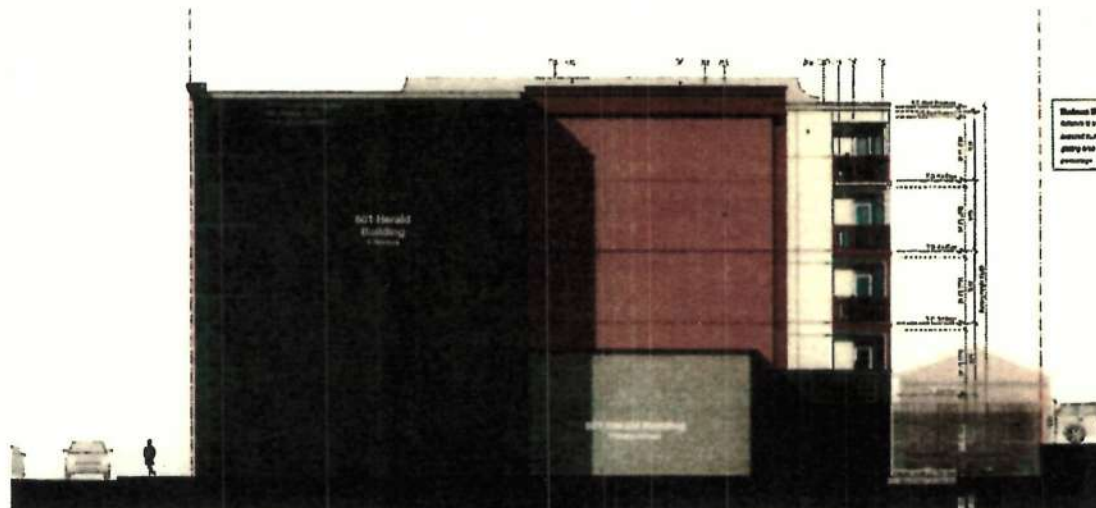
Exterior Finishes Legend

List of finishes "per" of all elevations

- 01 Prefinished metal roof cladding 75mm vertical line spaced - Red
- 02 Prefinished metal roof cladding, 75mm vertical line spaced - Light grey
- 03 Applied clay finish tiles red with white corner over eavesline
- 04 Applied clay finish tiles along brick veneer over eavesline
- 05 Smooth fibre cementitious panels over masonry walls. External (fitted over) & prefinished metal panels
 - A. Bright white colour
 - B. Red brick colour
 - C. Graphite colour
- 06 Prefinished concrete block & architectural concrete components, aluminium paint finish
 - A. Bright white colour
 - B. Red brick colour
 - C. Graphite colour
- 07 Prefinished black metal security entrance fitting of panels, installed three sides of perimeter parking area - prefinished black metal finish along south property line for rear driveway parking
- 08 Clear tempered aluminium window units on ground floor
- 09 Clear tempered aluminium glass entry door and entrance door hardware on ground floor
- 10 Vinyl reinforced windows & balcony doors over ground floor
- 11 Clear tempered aluminium overhead security door for residential units
- 12 Residential balconies, permanent metal balustrade & has support columns, painted black
- 13 Prefinished metal paint ceiling system over decorative concrete iron style pillars
- 14 Protected ground floor entry canopy over the north side and top footings, permanent metal finish - Graphite metal
- 15 Wooded and laminated glass canopy over the building entrance
- 16 Cut aluminium metal building facade signage
- 17 Exterior light fixtures (see schedule)



1 Side Elevation (East)
A3.3 Scale: 1:100



2 Side Elevation (West)
A3.3 Scale: 1:100

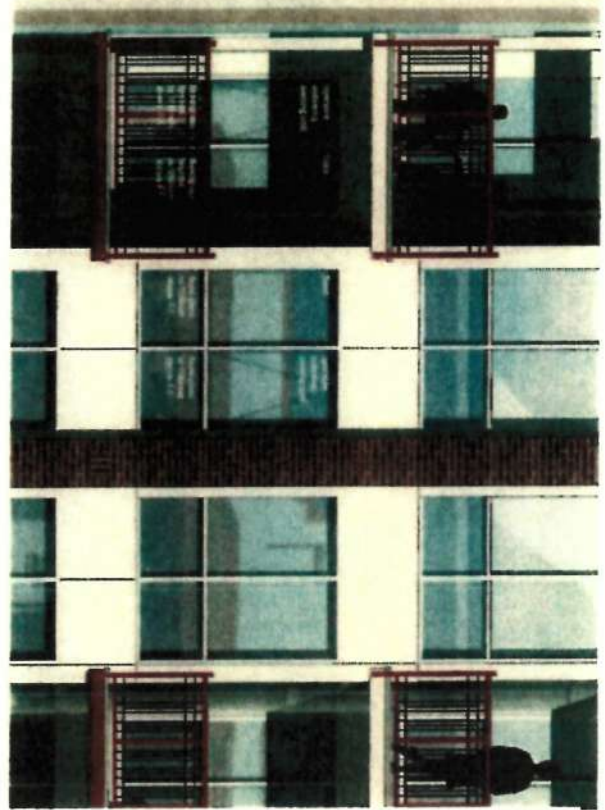
Received
City of Victoria

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Development Services Division

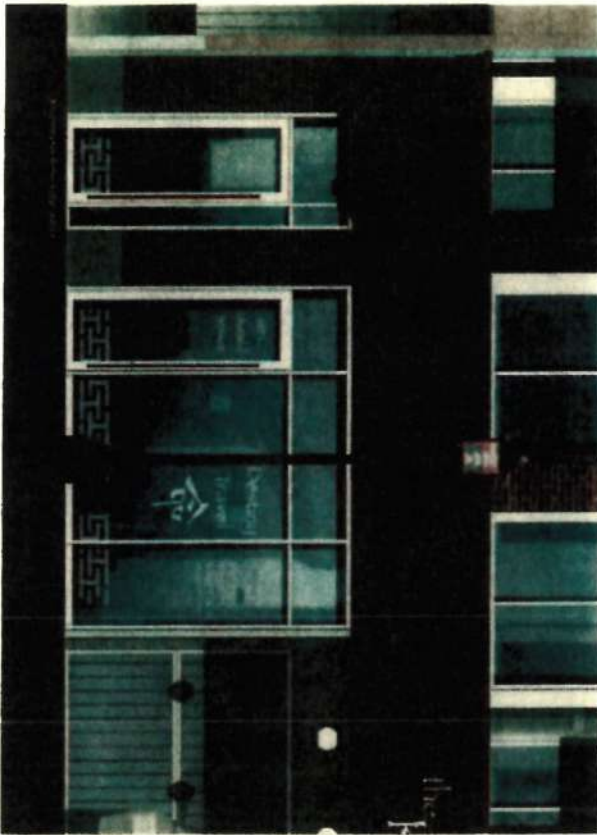
The KUNJU Residences

Side Elevations
A3.3
R2

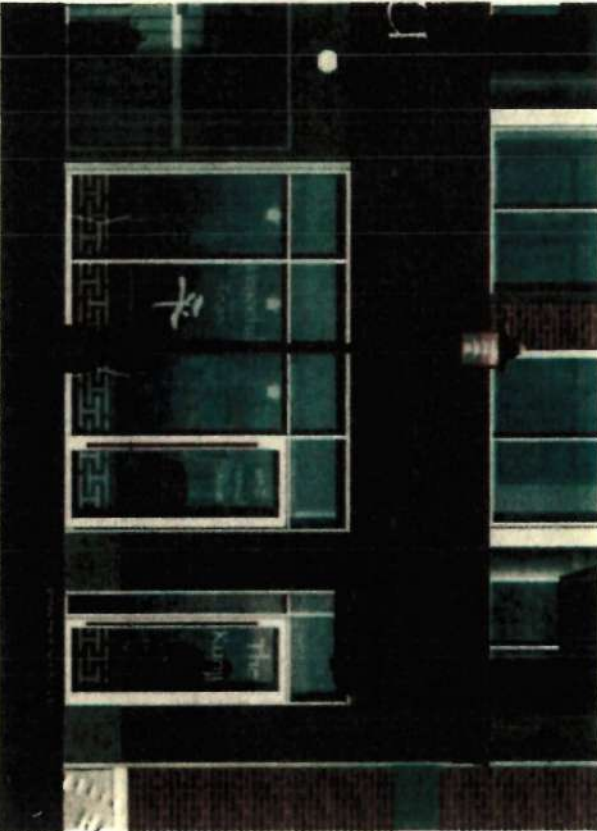


1 Typical operable window package
A14 Scale: 1:25

- ### Exterior Finishes Legend
- Use the number listed at the beginning of each item.
- 1. Redwood metal roof decking 75 mm thick 1000 x 1000 - Red
 - 2. Redwood metal roof decking 75 mm thick 1000 x 1000 - Light Grey
 - 3. Redwood metal roof decking 75 mm thick 1000 x 1000 - Dark Grey
 - 4. Redwood metal roof decking 75 mm thick 1000 x 1000 - White
 - 5. Redwood metal roof decking 75 mm thick 1000 x 1000 - Black
 - 6. Redwood metal roof decking 75 mm thick 1000 x 1000 - Brown
 - 7. Redwood metal roof decking 75 mm thick 1000 x 1000 - Green
 - 8. Redwood metal roof decking 75 mm thick 1000 x 1000 - Blue
 - 9. Redwood metal roof decking 75 mm thick 1000 x 1000 - Yellow
 - 10. Redwood metal roof decking 75 mm thick 1000 x 1000 - Orange
 - 11. Redwood metal roof decking 75 mm thick 1000 x 1000 - Purple
 - 12. Redwood metal roof decking 75 mm thick 1000 x 1000 - Pink
 - 13. Redwood metal roof decking 75 mm thick 1000 x 1000 - Silver
 - 14. Redwood metal roof decking 75 mm thick 1000 x 1000 - Gold
 - 15. Redwood metal roof decking 75 mm thick 1000 x 1000 - Bronze
 - 16. Redwood metal roof decking 75 mm thick 1000 x 1000 - Copper
 - 17. Redwood metal roof decking 75 mm thick 1000 x 1000 - Nickel
 - 18. Redwood metal roof decking 75 mm thick 1000 x 1000 - Chrome
 - 19. Redwood metal roof decking 75 mm thick 1000 x 1000 - Stainless Steel
 - 20. Redwood metal roof decking 75 mm thick 1000 x 1000 - Aluminum
 - 21. Redwood metal roof decking 75 mm thick 1000 x 1000 - Galvalume
 - 22. Redwood metal roof decking 75 mm thick 1000 x 1000 - Zinc Coated
 - 23. Redwood metal roof decking 75 mm thick 1000 x 1000 - Epoxy Coated
 - 24. Redwood metal roof decking 75 mm thick 1000 x 1000 - Polyurethane Coated
 - 25. Redwood metal roof decking 75 mm thick 1000 x 1000 - Acrylic Coated
 - 26. Redwood metal roof decking 75 mm thick 1000 x 1000 - Silicate Coated
 - 27. Redwood metal roof decking 75 mm thick 1000 x 1000 - Fluoropolymer Coated
 - 28. Redwood metal roof decking 75 mm thick 1000 x 1000 - Ceramic Coated
 - 29. Redwood metal roof decking 75 mm thick 1000 x 1000 - Glass Coated
 - 30. Redwood metal roof decking 75 mm thick 1000 x 1000 - Stone Coated
 - 31. Redwood metal roof decking 75 mm thick 1000 x 1000 - Brick Coated
 - 32. Redwood metal roof decking 75 mm thick 1000 x 1000 - Concrete Coated
 - 33. Redwood metal roof decking 75 mm thick 1000 x 1000 - Wood Coated
 - 34. Redwood metal roof decking 75 mm thick 1000 x 1000 - Fabric Coated
 - 35. Redwood metal roof decking 75 mm thick 1000 x 1000 - Paper Coated
 - 36. Redwood metal roof decking 75 mm thick 1000 x 1000 - Plastic Coated
 - 37. Redwood metal roof decking 75 mm thick 1000 x 1000 - Rubber Coated
 - 38. Redwood metal roof decking 75 mm thick 1000 x 1000 - Leather Coated
 - 39. Redwood metal roof decking 75 mm thick 1000 x 1000 - Metal Coated
 - 40. Redwood metal roof decking 75 mm thick 1000 x 1000 - Paint Coated
 - 41. Redwood metal roof decking 75 mm thick 1000 x 1000 - Stain Coated
 - 42. Redwood metal roof decking 75 mm thick 1000 x 1000 - Sealant Coated
 - 43. Redwood metal roof decking 75 mm thick 1000 x 1000 - Adhesive Coated
 - 44. Redwood metal roof decking 75 mm thick 1000 x 1000 - Glue Coated
 - 45. Redwood metal roof decking 75 mm thick 1000 x 1000 - Wax Coated
 - 46. Redwood metal roof decking 75 mm thick 1000 x 1000 - Oil Coated
 - 47. Redwood metal roof decking 75 mm thick 1000 x 1000 - Grease Coated
 - 48. Redwood metal roof decking 75 mm thick 1000 x 1000 - Dirt Coated
 - 49. Redwood metal roof decking 75 mm thick 1000 x 1000 - Mud Coated
 - 50. Redwood metal roof decking 75 mm thick 1000 x 1000 - Blood Coated
 - 51. Redwood metal roof decking 75 mm thick 1000 x 1000 - Sweat Coated
 - 52. Redwood metal roof decking 75 mm thick 1000 x 1000 - Tears Coated
 - 53. Redwood metal roof decking 75 mm thick 1000 x 1000 - Saliva Coated
 - 54. Redwood metal roof decking 75 mm thick 1000 x 1000 - Urine Coated
 - 55. Redwood metal roof decking 75 mm thick 1000 x 1000 - Feces Coated
 - 56. Redwood metal roof decking 75 mm thick 1000 x 1000 - Hair Coated
 - 57. Redwood metal roof decking 75 mm thick 1000 x 1000 - Skin Coated
 - 58. Redwood metal roof decking 75 mm thick 1000 x 1000 - Bone Coated
 - 59. Redwood metal roof decking 75 mm thick 1000 x 1000 - Muscle Coated
 - 60. Redwood metal roof decking 75 mm thick 1000 x 1000 - Blood Coated
 - 61. Redwood metal roof decking 75 mm thick 1000 x 1000 - Sweat Coated
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 - 64. Redwood metal roof decking 75 mm thick 1000 x 1000 - Urine Coated
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 - 66. Redwood metal roof decking 75 mm thick 1000 x 1000 - Hair Coated
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 - 68. Redwood metal roof decking 75 mm thick 1000 x 1000 - Bone Coated
 - 69. Redwood metal roof decking 75 mm thick 1000 x 1000 - Muscle Coated
 - 70. Redwood metal roof decking 75 mm thick 1000 x 1000 - Blood Coated
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 - 78. Redwood metal roof decking 75 mm thick 1000 x 1000 - Bone Coated
 - 79. Redwood metal roof decking 75 mm thick 1000 x 1000 - Muscle Coated
 - 80. Redwood metal roof decking 75 mm thick 1000 x 1000 - Blood Coated
 - 81. Redwood metal roof decking 75 mm thick 1000 x 1000 - Sweat Coated
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 - 84. Redwood metal roof decking 75 mm thick 1000 x 1000 - Urine Coated
 - 85. Redwood metal roof decking 75 mm thick 1000 x 1000 - Feces Coated
 - 86. Redwood metal roof decking 75 mm thick 1000 x 1000 - Hair Coated
 - 87. Redwood metal roof decking 75 mm thick 1000 x 1000 - Skin Coated
 - 88. Redwood metal roof decking 75 mm thick 1000 x 1000 - Bone Coated
 - 89. Redwood metal roof decking 75 mm thick 1000 x 1000 - Muscle Coated
 - 90. Redwood metal roof decking 75 mm thick 1000 x 1000 - Blood Coated
 - 91. Redwood metal roof decking 75 mm thick 1000 x 1000 - Sweat Coated
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 - 93. Redwood metal roof decking 75 mm thick 1000 x 1000 - Saliva Coated
 - 94. Redwood metal roof decking 75 mm thick 1000 x 1000 - Urine Coated
 - 95. Redwood metal roof decking 75 mm thick 1000 x 1000 - Feces Coated
 - 96. Redwood metal roof decking 75 mm thick 1000 x 1000 - Hair Coated
 - 97. Redwood metal roof decking 75 mm thick 1000 x 1000 - Skin Coated
 - 98. Redwood metal roof decking 75 mm thick 1000 x 1000 - Bone Coated
 - 99. Redwood metal roof decking 75 mm thick 1000 x 1000 - Muscle Coated
 - 100. Redwood metal roof decking 75 mm thick 1000 x 1000 - Blood Coated



Streetcape Elevation / Common Tenant 1, 2
A14 Scale: 1:25 A14



3 Streetcape Elevation / Common Tenant 2
A14 Scale: 1:25 A14

Planning & Development Department
Development Services Division
JUN 18 2015



Architectural elevation drawing of the 1000 Building, showing a multi-story structure with a modern facade. The drawing includes vertical dimension lines on the left and right, indicating floor levels and heights. Key features include:

- T.O. Roof Sheathing**: Top of roof sheathing.
- 5th Floor**: Maximum above-roof height of maximum building maximum over height 10m and above roof maximum height 10m.
- 4th Floor**: For each additional story of AC Building is to be added above an additional 10m. Ratio of 1:5.
- 3rd Floor**: Maximum height maximum 10m.
- 2nd Floor**: Maximum height maximum 10m.
- Ground Floor**: Maximum height maximum 10m.

A person is shown at the bottom right for scale. The drawing is labeled "1000" and "1000 Building".

City of Victoria

JUN 18 2015

Planning & Development Department
Development Services Division

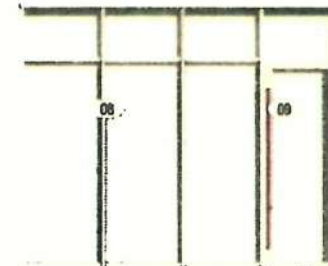
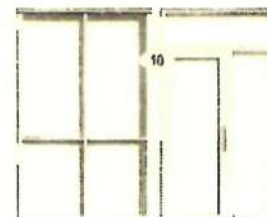
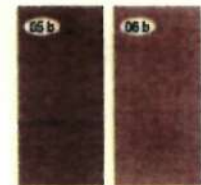
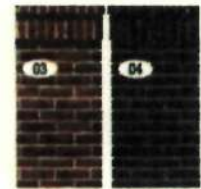
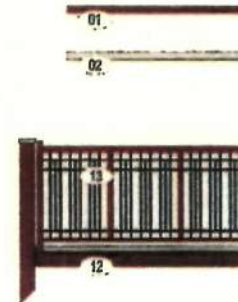
The KUNJU Residences

Victoria City Council - 11 Feb 2016

Colour And Materials Palette



- 01 Prefinished metal roof flashing, 75 mm vertical face typical - Red
- 02 Prefinished metal roof flashing, 75 mm vertical face typical - Light gray
- 03 Applied clay fired thin red brick veneer over rainscreen
- 04 Applied clay fired thin ebony brick veneer over rainscreen
- 05 Smooth face cementitious panels c/w counter-sunk fasteners (filled over) & prefinished metal reveals
 - a. Bright white colour
 - b. Red Brick colour
 - c. Graphite colour
- 06 Exposed concrete block & architectural concrete components, elastomeric paint finish
 - a. Bright white colour
 - b. Red Brick colour
 - c. Graphite colour
- 07 Prefinished black metal security enclosure fencing w/ pickets, installed three sides of residential parking area - prefinished black metal trellace along south property line for new climbing plantings
- 08 Clear anodized aluminum window units on ground floor
- 09 Clear anodized aluminum glazed entry door c/w custom door hardware on ground floor
- 10 Vinyl residential windows & balcony doors c/w glazing panels
- 11 Clear anodized aluminum overhead security door for residential units
- 12 Residential balconies, cementitious wood fascia & has support columns, paint finish
- 13 Prefinished metal post railing system c/w decorative wrought iron style pickets
- 14 Projected ground floor entry sunshade c/w red brackets and top flashings, cementitious wood fascia - Graphite colour
- 15 Residential unit laminated glass canopy concealed behind building cornice
- 16 Cut aluminum plate building / tenant signage
- 17 Exterior light fixture (see electrical)



The KUNJU Residences

JUN 10 2015

Planning & Development Department
Development Services Division



1715 Government Street
Victoria, BC
V8W 1Z4
250.386.5503

Ms Charlotte Wain, Planner
City of Victoria
No.1 Centennial Square
Victoria, BC
V8W 1P6

July 8, 2015

Re: 613 Herald Street

Dear Ms Wain,

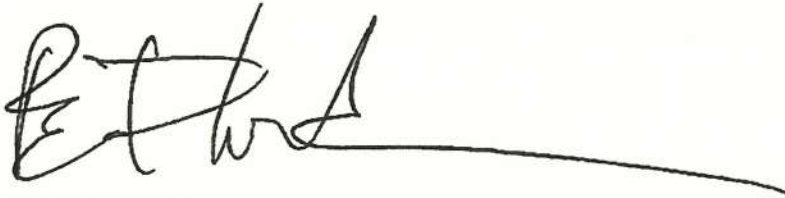
The Land Use Committee has reviewed the latest Drawings for the proposed development by Magellan Properties at 613 Herald Street and has found the proposal has undergone only minor amendments since our letter of March 19, 2015. We will reiterate our unaddressed concerns from our previous letter.

- The original design by D'Ambrosio Architecture was abandoned more than a year ago due to cost considerations. On 1 August 2014 we commented on the then current version and registered our disappointment that it did not retain the form and character of the façade from the D'Ambrosio design, and the current version has not materially improved.
- In fact, the March 2015 proposal (unchanged in the current version) is significantly worse than the August 2014 version as the cladding material has been downgraded from panelized float finish acrylic stucco to painted concrete block on the building sides and Fibre Cement Board on the front and rear facades. These material substitutions make up most of the exposed surface area of the building with large areas of exposed concrete block facing neighbouring residential units to the west and a large area clearly visible from the street to the east. The LUC's position on the use of such materials in "Old Town" is well known. They are simply not acceptable.
- The Brick lintel feature has been moved up an additional storey however it remains a sparse application of the only desirable cladding material proposed.
- The "green wall" adjacent to 601 Herald promised in the D'Ambrosio design has not been included in the Hillel version but if utilized might compensate for the exposed concrete block.

- Members are still concerned that the parking entry is unnecessarily wide to accommodate the parking access drive for just 12 vehicle spaces. It is understood that for up to 10 car spaces the access lane can be reduced to approximately 3.0m. Vehicle movements in downtown residential buildings that do not accommodate commercial parking are extremely limited. Members with experience in traffic engineering comment that it is quite defensible for this particular category of parking (residential) on a case by case basis to have an access drive as narrow as 3.0 m if movements are below 30 (in and out) per peak hour and the length of drive is under 30m. In this case there would likely be perhaps 6 movements in peak hours so there is no rationale for the proposed entry width which degrades the building ambience at street level.

The DRA cannot support this proposal unless the cladding materials are upgraded at least to the level of August 2014. It would help to mitigate the concrete block surfaces with an appropriate green wall. While we generally support increasing residential units in the Chinatown district, as it stands, this project is not appropriate for this important heritage area. We hope that this proposal is turned down.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Florida', followed by a long horizontal line extending to the right.

Robert Florida
Land Use Committee
Downtown Residents Association

Lauren Martin

From: yummy@truffles catering.net
Sent: Thursday, December 03, 2015 3:06 PM
To: Lauren Martin
Subject: Order Confirmation #31928 from Truffles Catering



Order No: **31928**
 Date: **Tue, Dec 08, 2015**
 Store Code: **0001**
 Store: **Truffles Catering**

CONFIRMATION**Billing/Client Information**

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

Billing Phone: (250) 361-0212
 Fax: (250) 361-0386
 Credit Card:
 MSTR(...3027)

Client: Lauren Martin
 Client Phone: (250) 361-0382

Delivery Information

Delivery Date: **12/08/2015**
 Serving Time: 11:15 - 11:45 AM

City of Victoria
Planning Department
 City Hall1 Centennial Square
 Victoria, BC V8W 1P6

Lauren Martin
 Phone: (250) 361-0382

Number of Guests: 11

Order Note: Please deliver to the Songhees Nation Meeting Room.

Order entered by: Online

Printed: 12/03/2015 03:05 PM PST

Qty	Description		Tax	Price	Extension
2	egg	Sandwiches & Wraps	S	7.75	15.50
1	chicken avocado club wrap	Sandwiches & Wraps	S	7.75	7.75
2	roast turkey sandwich	Sandwiches & Wraps	S	7.75	15.50
1	tandoori chicken wrap	Sandwiches & Wraps	S	7.75	7.75
1	rainbow wrap	Sandwiches & Wraps	S	7.75	7.75
1	old fashioned ham and cheddar	Sandwiches & Wraps	S	7.75	7.75
1	slow roasted beef	Sandwiches & Wraps	S	7.75	7.75
2	bc oceanwise salmon	Sandwiches & Wraps	S	7.75	15.50
11	assorted juices	cool beverage	S	2.50	27.50
5	sliced fruit platter	Treats and Pastries	S	4.00	20.00
6	traditional desserts	Treats and Pastries	S	4.00	24.00

Looking for a great venue for your holiday party, have a client event or want to have a turkey lunch at your office, contact one of Truffles' event planners or check out our great options at www.truffles catering.net.

Please submit payment to:

Truffles Catering
 1461 Benvenuto Avenue
 Victoria, B.C.,
 V8M 1J5

SubTotal: 156.75
Tax (5%): 7.84
Total: 164.59

2% interest, compounded monthly, on overdue accounts.
 GST# 896526159 PST#1007-9655

Powered by MonkeyMedia Software

4.1 Development Permit with Variances Application No. 000377 for 613 Herald Street

Committee received a report regarding an application for 613 Herald Street. The proposal is to authorize the design of a five-storey commercial / residential building.

Committee discussed:

- Concerns regarding the size of the driveway.
- The appropriateness of the building's design for Chinatown and the Downtown Residents Association's lack of support.
- The quality of the finishes.

Councillor Coleman withdrew from the meeting at 10:21 a.m. and returned at 10:25 a.m.

- The process by which Council will be advised on the Advisory Design Panel's comments.
 - An updated report will be forwarded to Council prior to a decision being made.
- Why the issues identified by staff and the Residents Association have not been addressed.
 - The applicant has made a number of revisions to the original plans. Staff felt that the Advisory Design Panel could provide valuable input to keep the application moving forward.
- The location of the nearest car share and the need to have this type of information included as part of the Transportation Demand Study.
 - A Car share is currently located in the Johnson Street parkade and negotiations are underway to have one located in the Centennial parkade.

Action: It was moved by Councillor Lucas, seconded by Councillor Young, that Committee recommends that Council:

Refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.

Following this referral, and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000377 for 613 Herald Street, in accordance with:

1. Plans date stamped June 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 6.6.1 – Increase the maximum building height from 15m to 15.86m.
 - b. Section 6.8.3(b) – Reduce the front yard setback above 10m from 1.07m to 1.10m.
 - c. Section 6.8.5 – Reduce the minimum side yard setback from 4.50m to 0m.
 - d. Section 6.8.6(ii) – Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (21 spaces) to 40% (12 spaces).

3. The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City Staff.
4. Removal of the Section 219 Covenant requirement for a car share vehicle.
5. The applicant entering into a car share agreement with MODO to secure car share memberships for each unit.
6. That a Car Share Agreement is in place to the satisfaction of MODO that will secure the fulfillment of the agreement in accordance with their standard practice.
7. Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
8. Receipt of evidence that the Application is in compliance with the Ministry of Environment's *Environmental Management Act* as it pertains to potentially contaminated sites.
9. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
10. The Development Permit lapsing two years from the date of this resolution."

Amendment: It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that the motion be amended as follows:

That Council refer Development Application No. 000377 for 613 Herald Street **for a complete review** by the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.
3. **The ground floor design, the brick lintel, and the issues identified by the Downtown Residents Association.**

Committee discussed the amendment:

- Concern that the Advisory Design Panel will be given clear direction to what areas they are to be reviewing.

CARRIED 15/PLUC179

PLUC meeting
July 23, 2015

2. Planning and Land Use Committee – July 23, 2015

8. Development Permit with Variances Application No. 000377 for 613 Herald Street

It was moved by Councillor Young, seconded by Mayor Helps, that Council:

Refer Development Permit with Variances Application No. 000377 for 613 Herald Street for a complete review by the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.
3. The ground floor design, the brick lintel, and the issues identified by the Downtown Residents Association.

Following this referral, and after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000377 for 613 Herald Street, in accordance with:

1. *Plans date stamped June 18, 2015.*
2. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - a. *Section 6.6.1 – Increase the maximum building height from 15m to 15.86m.*
 - b. *Section 6.8.3(b) – Reduce the front yard setback above 10m from 1.07m to 0.10m.*
 - c. *Section 6.8.5 – Reduce the minimum side yard setback from 4.50m to 0.*
 - d. *Section 6.8.6(ii) – Reduce the number of vehicle parking spaces from 70% of the number of dwelling units (21 spaces) to 40% (12 spaces).*
3. *The submission of revised plans that address comments from the Advisory Design Panel to the satisfaction of City Staff.*
4. *Removal of the Section 219 Covenant requirement for a car share vehicle.*
5. *The applicant entering into a car share agreement with MODO to secure car share memberships for each unit.*
6. *That a Car Share Agreement is in place to the satisfaction of MODO that will secure the fulfillment of the agreement in accordance with their standard practice.*
7. *Council authorizing anchor-pinning into the City right-of-way provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.*
8. *Receipt of evidence that the Application is in compliance with the Ministry of Environment's Environmental Management Act as it pertains to potentially contaminated sites.*
9. *Final plans to be in accordance with the plans identified above to the satisfaction of City staff.*
10. *The Development Permit lapsing two years from the date of this resolution."*

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that the referral to Advisory Design Panel part of the motion be amended as follows:

Refer Development Permit with Variances Application No. 000377 for 613 Herald Street for a complete review by the Advisory Design Panel, with a request that the Panel pay particular attention to the following:

1. The exterior finishes of the building as they relate to the Old Town Guidelines.
2. The opportunity to provide a greater articulation of the upper-portion of the building.
3. The ground floor design, **as they relate to the pedestrian experience and the historical Chinatown** the brick lintel, and the issues identified by the Downtown Residents Association.

Carried

For:

*Mayor Helps, Councillors Alto, Coleman, Isitt,
Lucas, Loveday, Thornton-Joe and Young*

Against:

Councillor Madoff

Council meeting
July 23, 2015



Advisory Design Panel Report For the Meeting of October 21, 2015

To: Advisory Design Panel **Date:** October 16, 2015
From: Charlotte Wain, Senior Planner – Urban Design
Subject: Development Permit Application No. 000377 for 613 Herald Street

RECOMMENDATION

Recommend to Council that Development Permit No. 000377 for 613 Herald Street be approved with changes recommended by the Advisory Design Panel (ADP).

EXECUTIVE SUMMARY

ADP is requested to review a Development Permit Application for 613 Herald Street and provide advice to Council.

The purpose of this report is to present the Advisory Design Panel with information, analysis and recommendations regarding a Development Permit Application for the property located at 613 Herald Street. The proposal is to construct a six-storey, mixed-use building containing 32 residential units and two ground-floor commercial units. Variances associated with the Application are related to parking, height and setbacks.

The following policy documents were considered in assessing this Application:

- *Official Community Plan (OCP, 2012)*
- *Downtown Core Area Plan (DCAP, 2011)*
- *Guidelines for Fences, Gates and Shutters (2010)*
- *Advisory Design Guidelines for Buildings, Signs and Awnings (2006)*
- *Old Town Design Guidelines (2006).*

COUNCIL DIRECTION

At the meeting of July 23, 2015, the Planning and Land Use Committee (PLUC) passed a motion to refer Development Permit No. 000377 for 613 Herald Street to the ADP for review. The direction was for the Panel to pay specific attention to the following:

- The exterior finishes of the building and the brick lintel as they relate to the Old Town Guidelines.
- The ground floor design, as it relates to the pedestrian experience and the historical Chinatown.
- The opportunity to provide a greater articulation of the upper-portion of the building.
- Other issues identified by the Downtown Residents Association.

BACKGROUND**Project Details**

Applicant:	Peter Hardcastle Hillel Architecture Inc.
Architect:	Karen Hillel Hillel Architecture Inc.
Legal Description:	Lot 617, Victoria City
Development Permit Area:	1, Historic Core
Heritage Status:	N/A

The following data table compares the proposal with existing CA-3 (Central Area General Commercial District) Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard CA-3 and CA-4
Site area (m ²) – minimum	669.46	N/A
Total floor area (m ²) – maximum	2005.00	2008.38
Density (Floor Space Ratio) – maximum	2.99:1	3.00:1
Height (m) – maximum	18.54*	15
Site coverage (%) – maximum	79.1	N/A
Storeys – maximum	6	N/A
Setbacks (m) – minimum		
Front – Herald	0.10 below 10.00 m 0.10 above 10.00 m*	nil below 10.00 m 1.07 above 10.00 m
Rear – Fisgard	7.27	Nil
Side – East	Nil*	4.5
Side – West	Nil	Nil
Parking – minimum	9 (0.3 per unit)*	22 (0.7 per unit)
Visitor parking – minimum	1	1 (10%)
Bicycle storage (Class 1) – minimum	48 (46 residential, 2 commercial)	31
Bicycle rack (Class 2) – minimum	8 (1 rack)	7

Relevant History

A previous Development Permit for 28 residential units and ground-floor retail was approved by Council on May 28, 2009. The previously approved Development Permit has lapsed and is unrelated to the current Application before the Panel.

Description of Proposal

The Application is to construct a five-storey, mixed-use building with ground-floor retail fronting Herald Street and residential uses above. The building has a Floor Space Ratio (FSR) of 2.99:1 and a maximum height of 18.54m.

The proposal includes the following components:

- a total of 32 residential units
- private balconies for all units
- a total of 91.55m² for two commercial retail units on the ground floor
- at-grade parking for 10 vehicles at a ratio of 0.31 per unit (which is below the minimum requirements under Schedule C of the *Zoning Regulation Bylaw*), located behind the commercial retail units, accessed via a ramp off Herald Street
- bicycle storage located at the basement level
- publicly accessible bicycle parking is available for eight bicycles, and secure storage for 16 bikes is located off the vehicle access ramp on the ground floor
- exterior light fixtures consistent with the Chinatown context
- streetscape improvements to Herald Street consistent with the Chinatown pattern.

Exterior building materials include:

- mixture of clay fired red and ebony brick
- smooth face cement panels with concealed fastenings and metal reveals along the front and rear elevations (north and south), which extend around a portion of the side elevations (east and west)
- cement based stucco finish, panellized with prefabricated metal reveals in a brick red colour for the remainder of the side elevations (east and west)
- aluminum residential windows and doors
- pre-finished metal post rail system with decorative wrought iron pickets
- clear anodized aluminium storefront windows with semi-translucent window graphics
- laminated glass canopy concealed behind the building cornice.

The proposed variances are related to requests to:

- increase the building height from 15m to 18.54m
- reduce the front yard setback for portions of the building above 10m from 1.07m to 0.10m
- reduce the side yard setback from 4.5m to nil
- reduce the amount of residential parking from 22 spaces to 10.

Design Revisions

Since the PLUC meeting on July 23, 2015, the applicant has been liaising with both the neighbours at 601 Herald Street and the Downtown Residents Association to address concerns regarding the overshadowing of the adjacent communal garden, and the overall finishes and quality of the proposed building. Significant efforts have been made to address these concerns and include the following design revisions:

- removal of two parking stalls and replacing these with 16 secure bicycle storage racks.(2 of which have been relocated from the basement)
- reduction in the vehicle drive aisle from 5.5m width to 3.7m width, resulting in a narrower vehicle entrance and a wider commercial street frontage (by approximately 2m)
- reallocating a portion of the density by removing the two south west corner units from the fourth and fifth floors and adding a sixth storey
- including a landscaped area with pavers and planters on the roof of the third floor - serving fourth floor units. This landscaping is accessible from the internal corridor for landscaping maintenance only.
- provision of a landscaped area on the new sixth floor, set back from the building edge
- revisions to the exterior finishes including:
 - replacing the brick veneer with full 90mm brick veneer
 - replacing finish on the east elevation
 - the exposed concrete block with stucco previously proposed on the side elevations will be replaced will be finished surfaces consisting of smooth stucco panels between metal reveals divided as shown on elevation to approximate prefinished metal panels used on prime building faces of the front and rear facades
 - use of black balcony railings instead of red
 - use of anodized aluminum window products throughout (previously this was only proposed for the commercial units, with residential units being vinyl)
 - introduction of glass balconies on the third floor landscaped area and sixth floor residential balconies
 - provision of a wire trellis on the exposed west elevation for the tenants of 601 Herald Street to plant and maintain within their property.

Sustainability Features

As indicated in the applicant's letter dated July 2, 2015, the proposed sustainability features associated with this Application include a light well to lessen the need for artificial light, motion sensor LED light fixtures in the stairwells and bicycle storage areas in excess of the minimum requirements of Schedule C in the *Zoning Regulation Bylaw*.

Consistency with Design Guidelines

The *Official Community Plan 2012* (OCP) identifies this property in Development Permit Area 1 (HC) Historic Commercial. The objectives of this designation are to conserve and enhance the heritage value of Downtown and encourage revitalization of the area through infill with high-quality architecture, landscape and urban design through sensitive and innovative interventions. Design guidelines that apply to Development Permit Area 1 are the *Downtown Core Area Plan, 2012* (DCAP), *Old Town, Victoria, BC: New Buildings and Additions to Non-Heritage Buildings* (2006), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and the *Guidelines for Fences, Gates and Shutters* (2010).

ISSUES

The issues associated with this project are:

- The exterior finishes of the building and the brick lintel as they relate to the Old Town Guidelines.
- The ground-floor design, as it relates to the pedestrian experience and the historical Chinatown.
- The opportunity to provide a greater articulation of the upper-portion of the building.
- The impact of the additional sixth storey on the context of Old Town.

ANALYSIS

Exterior Finishes

Overall, the Application is considered to be in compliance with the applicable Design Guidelines. However, as the subject site is in a prominent location within a Heritage Conservation Area, special care and attention should be given to the architectural quality and finishes of the building. The applicant has responded to staff, DRA and neighbour concerns and has made significant revisions to the proposed exterior finish, as listed above. ADP is invited to comment on the newly proposed exterior finishes and materials and if they are considered to be of sufficient high-quality architectural material as recommended in the DCAP and Old Town Design Guidelines. The brick lintel feature on the front elevation is now proposed to be full 90mm brick veneer, and ADP is invited to comment on any opportunities for refinement of this architectural feature.

Ground Floor Design

Staff originally raised concerns regarding the ground-level frontage, which was previously proposed as a two-way vehicle access to the parking area located at the rear of the commercial/retail units. The applicant has revised the design by reducing the amount of parking stalls by two (to a total of ten stalls), which allows provision of a single lane access, resulting in a wider commercial street presence. ADP is invited to comment on this design revision and if the result is an improved animation of the street frontage as encouraged by the applicable guidelines for Chinatown.

Articulation of the Upper Floors

Previous design submitted under this Application included a setback at the fifth floor to provide access to two penthouse roof top patios. Staff supported this element of the building design, although the applicant has revised the plans to include four units facing Herald Street at the fifth floor. This has resulted in four storeys of residential use that are repetitive in nature. The latest design revision includes for a sixth storey, which is setback from the building edge. The Brick lintel does provide some degree of termination of the building at the roof, and the recent addition of landscaping along the sixth storey does help provide more visual interest from the street. ADP is invited to comment on this element of the building design.

Sixth Storey

The response to neighbour concerns regarding massing of the building has resulted in a response that includes for an additional sixth storey and an overall height increase from 15.86m

to 18.54m, increasing the magnitude of the height variance. The Old Town Guidelines identifies the characteristics of buildings ranging from three to five storeys. Although the current proposal is not consistent with the five storey context, the applicant has included a section detailing sightlines of the sixth storey, demonstrating that it will have minimal impact when viewed from the street. It is recognised that the sixth storey will be visible from Fisgard Street to the south, since this lot is currently occupied by a surface parking lot. However, this lot may be redeveloped in the future and at this time, would obscure any view of the proposed sixth storey. ADP are invited to provide commentary on the proposed sixth storey.

OPTIONS

1. Recommend to Council that Development Permit Application No. 000377 for 613 Herald Street be approved as presented.
2. Recommend to Council that Development Permit Application No. 000377 for 613 Herald Street be approved with changes recommended by the Advisory Design Panel.
3. Recommend to Council that Development Permit Application No. 000377 for 613 Herald Street does not sufficiently meet the applicable design guidelines and policies and should be declined.

CONCLUSION

This Application is generally consistent with the applicable design guidelines prescribed within Development Permit Area 1. The Application can benefit from a review by ADP to provide comment on the recent design revisions and any opportunity areas for further design refinement.

ATTACHMENTS

- Zoning map
- Aerial photo
- Letter from Hillel Architecture Inc., dated July 2, 2015
- Letter from Downtown Residents Association, dated July 8, 2015
- Letter from Downtown Residents Association, dated September 29, 2015
- Email from residents at 601 Herald Street, dated September 8, 2015
- Plans for Development Permit Application No. 000377, dated October 15, 2015.

cc: Applicant

CW:af

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000377\ADP REPORT 613 HERALD.DOC

**MINUTES OF THE
ADVISORY DESIGN PANEL SPECIAL MEETING
HELD WEDNESDAY, OCTOBER 21, 2015, 12 P.M.**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:08 P.M.

Panel Members Present: Christopher Rowe (Chair); Barry Cosgrave; Brad Forth;
Cynthia Hildebrand; Ann Katherine Murphy; Mike Miller

Absent: Rod Windjack; Gerald Gongos; Mickey Lam

Staff Present: Charlotte Wain – Senior Planner-Urban Design
Quinn Anglin - Secretary

Observers: Councillor Pam Madoff

2. MINUTES

2.1 Minutes from the Meeting held September 23, 2015

Action:

MOVED / SECONDED

It was moved by Barry Cosgrave, seconded by Cynthia Hildebrand that the Minutes of the Advisory Design Panel held September 23, 2015 be approved.

CARRIED UNANIMOUSLY

3. APPLICATIONS

3.1 Development Permit No. 000377 for 613 Herald Street

The proposal is to construct a new six-storey, multiple dwelling building comprised of 32 dwelling units and two commercial units on the ground floor.

Applicant Meeting attendees: Mr. Peter Hardcastle, Hillel Architecture Inc.
Ms. Karen Hiller, Hillel Architecture
Conrad Nyren, Owner/Developer

Ms. Wain provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- The exterior finishes of the building and the brick lintel as they relate to the Old Town Guidelines.
- The ground floor design as it relates to the pedestrian experience and the historical Chinatown.
- The opportunity to provide a greater articulation of the upper portion of the building.
- The impact of the additional sixth storey on the context of Old Town.

Mr. Peter Hardcastle then provided the Panel with a brief presentation on the site and context of the proposal.

Panel Members discussed:

- Security of building in relation to parking
 - Internally near the back of the tower there is a permanent vertically travelling gate, and at opening at city sidewalk there is a secondary night gate that comes down, for residents and guests to come and go
- Do the two parking lots at rear connect?
 - No, they do not and there is a security enclosure
- The widths of entries and importance of making the throat as narrow as possible for making the street front as pedestrian friendly and shopping friendly as possible
- Turning glazing panels in so they are generously lit and able to see into neighbouring businesses
- Is there a landscape architect?
 - Yes, a landscape architect has been retained
- Are the planter containers fastened to building?
 - Yes and maintenance staff would have access to planters from interior of building to maintain these which is a mandatory part of the design.
- Is there a common amenity space for the building?
 - No, each one of the residences have their own private balcony so there is no public balcony or space
- The choice of ebony brick and how it relates to Chinatown
- Corner balconies, openness of them and concern of owners looking back to face of building with units close in proximity that don't have outdoor space
- All units look at each other, and this is an opportunity for natural surveillance
- Exterior finishing muted to pick up essences from both buildings on either side
- Street trees and lack thereof due to space constraints and shallow sidewalk
- Clear anodized aluminum storefronts in relation to Chinatown storefronts, works well in upper levels but concerns in lower levels, could some wood be considered
- Balconies and access doors from common corridors used for maintenance of landscaping and foliage to ensure that nothing falls to disrepair
- Color of dark brick on bottom is appropriate and lends itself to performing a backdrop function for this location
- Darker color of lintel may provide building face to have more prominence
- Fresh blend of contemporary and Chinese influence
- Proportions of pickets in balcony railings is important
- Applique of brick portal being too thin and weak
- Canopy treatment for walkway and bylaws or encroachment agreements that would apply if the canopy was part of the building structure
- This is a tight infill sight and its success will come down to how it is executed
- Dissatisfied per the applique of the brick facade piece
- Whether the applique should be there or not, its scale, depth and proportions
- Opportunities to enhance the use of red brick on the exposed side elevation

Action:

MOVED / SECONDED

It was moved by Brad Forth, seconded by Mike Miller, that the Advisory Design Panel recommend to Council that Development Permit Application No. 000377 for 613 Herald Street be approved with consideration of the following:

- The applicant further consider the lintel and ways of integrating it to the building, and to explore alternatives for the color and finishing of the storefront framing system.

CARRIED UNANIMOUSLY

4. ADJOURNMENT

The Advisory Design Panel special meeting of October 21, 2015 adjourned at 1:08 p.m.

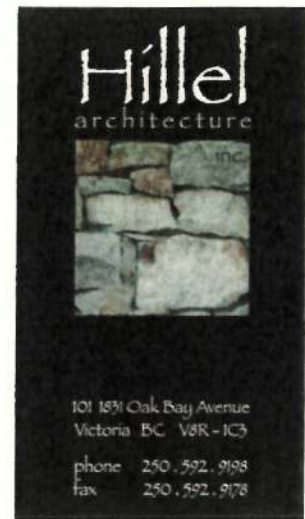
Christopher Rowe, Chair

DRAFT

18 November 2015

The Kunju Residences

Submitted on behalf of Conrad Nyren
Kunju Residences Ltd
Suite 160 – 4396 West Saanich Road
Victoria BC



RE: 613 Herald Street Redevelopment
Victoria BC
Development Permit With Variances

000377

For the attention of Mayor and Council,
c/o Charlotte Wain, Area Planner, City of Victoria

Please find enclosed an updated drawing set for 613 Herald Street. These drawings have been revised following consulting with and presentation to DRA, and the owners of 601 Herald Street. In addition, the enclosed drawing set was adjusted after presentation to, and hearing comments from, the Advisory Design Panel October 21st, 2015.

Summary of Design Revision Process

July 23rd, 2015 members of Planning and Land Use Committee identified items of concern which included but are not limited to; the quality of exterior materials and their relationship with Old Town, their relationship with historical Chinatown, the articulation of the upper most storey, and most importantly, attention to concerns of the direct neighbours at 601 Herald Street, shared by the downtown residents association .

Hillel Architecture met with DRA, & residents of 601 Herald Street to identify concerns. Neighbouring residents outlined their own issue of their roof top planted common space, used by all residents, but specifically for residents which do not have their own private outdoor spaces such as a balcony. This roof top common space therefore played a critical role for those residents.

Existing buildings on the opposing side of 601 Herald Street provide significant shade and enclosure by their location and their being of equivalent height to their own building (diagram on following page). The construction of *any* building at 613 Herald Street would "enclose" this rear façade and shade this important outdoor common space. Although the design by Hillel Architecture had increased rear yard setbacks, and provided higher quality wall finishes and appropriate colours than those previously proposed by others, the resultant "enclosure" was improved in only the most minor of ways compared to the need at hand.

Hillel Architecture Inc.

page 1 of 4

The 601 Herald Street owners required dramatic design changes to protect their quality of life. There was no intent to delay construction, nor to oppose a building design as prepared, however it required a dramatic gesture of change if it was to successfully protect their lifestyle, quality of life, garden access to sun, an equally, the residents sightlines looking outward; their access to sky.

In a shared discussion several realizations pointed to one solution which contained the necessary dramatic gesture required. The removal of two units from this shared property line – one from the 4th floor, and one from the 5th floor – and placing those two units on a new penthouse floor level. The proposal originated from the Downtown Residents Association members and was endorsed by residents of 601 Herald Street.



conceptual sketch of intended solution

In a subsequent meeting HA outlined a building design scheme in plan that did not trigger a rezoning. Careful reduction of unit areas and common corridors on all existing floors permitted the new common spaces of a penthouse floor. This permitted conceptually the removal of two units from lower floors and their placement on a new floor above providing these units were the same in area. These units would be held back from the building street faces to aid in concealing this penthouse level, and to honour their strict areas requirements. In addition, these new units were setback from 601 Herald Street sideyard on the rear façade, and on the opposing side at the Chung Mah building.

It is on the Herald Street front façade, on the opposing side, where the Chung Mah building had been designed well back of the street edge.



conceptual sketch of intended side elevation

A subsequent meeting outlined a full set of elevations. Both parties; the DRA and the residents at 601 Herald Street, endorsed the submission being advanced sufficient for presentation at ADP and eventually to the City. The elevation now facing residents of 601 Herald (above) shows a more social side, of occupied homes, windows, deck plants and furnishings, where previously only a blank face was possible. Below this new roof deck a single storey of adjacent wall remains, finished in quality materials, and provides hardware and wires at the owners expense, for residents of 601 Herald Street to use for a climbing wall for plants of their choice. It is understood that these plants are provided by those residents next door, that they will maintain those plants, which they are happy to do. Owners of this development at 613 Herald will grant permission on title to permit this on going maintenance / plant replacement over time.

The Advisory Design Panel held October 21, 2015 reviewed the designwork related to addressing neighbours concerns by relocating building density to a new floor. Only complimentary comments were received. ADP reviewed the design work prepared at the pedestrian level regarding the new reduced parking entry, and street front glazing as requested. ADP recommended design refinements to primary façade facing Herald Street to ensure the masonry frame received the visual weight it required to communicate the essence of masonry ($\pm 300\text{mm}$ proud of the building). That with this frame being increased in depth, that it was visually bearing on a similarly deep ebony brick masonry plinth of the main floor. This has been incorporated in to drawings submitted into this package.

ADP reviewed the meaning and value of the red brick frame and appreciated that it remain. ADP also reviewed the intent and meaning of the ebony brick components of the ground floor pedestrian level and understood its colour reference and cultural context. It was agreed that should a business infuse the ground floor with the culture of Chinatown that the building formed an appropriate backdrop to that expression. Similarly, should the streetscape evolve with contemporary new buildings over time, that this building as designed is equally suitable to play that role as well.

This submission package Dated November 16th, 2015 incorporates all design changes advocated by ADP, and is submitted with letters of support from 601 Herald Street residences, and from the Downtown Residents Association.

It is important to the DRA that it be understood that this penthouse floor has been added in response to a specific need, and is not indicative of their support of 6 stories elsewhere. That here, the developers and owners of 613 Herald are proposing a 6th floor in response to a request. That the proposal was generated in shared discussions with DRA, neighbours and owners, and this new floor level conceptually was proposed by the DRA. Multiple owners of 601 Herald are prepared to attend the Public Hearing in support of the enclosed design solution.

Summary of Design Revisions

- Removal of one unit from 4th floor, adjacent to 601 Herald street and creation of private roof top deck with planters
- Removal of one unit from 5th floor, adjacent to 601 Herald street.
- Addition of a Penthouse floor of two units deeply recessed to reduce its perception from two property boundaries.
- Creation of private roof top decks with planters to that penthouse floor, similar to the 4th floor below.

Exterior finishes:

- 4" fired clay brick work to front and rear elevations to locations shown in both red and ebony colour. As requested by ADP, these masonry contributions will now read visually with the weight of masonry, through to the ground floor pedestrian level.
- Exterior finishes to prime facades revised to aluminum wall panels, aluminum trim & closure panels to building edges and balcony facings consistent with quality building material needs of Old Town.
- Window system modified to suit new finishes of exterior wall panels / aluminum.
- Ground floor window colour modified as requested by ADP to a "black" finish.
- Exterior brick frame and ground floor plinth modified as requested by ADP to an exposed depth of $\pm 300\text{mm}$

Parking:

- 10 stall parking facility provided as requested for consideration by Council, & supported by Planning and Engineering.
- Reduction of vehicle entry width provided, and compliant with 10 stall parking facility.
- Provision of increase in width of two neighbouring commercial spaces in response to narrowed entry.
- Provision of ground floor accessible bike storage room for cycling commuters, additional to bike storage rooms.
- Increased guest parking for residential visitors and commercial tenants patrons

Please note that in the original traffic study that verified actual car ownership statistics, it stated its support for this outcome, and that consideration should be given to a 10 stall parking facility.

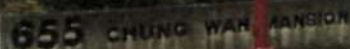


Sincerely

Peter Hardcastle

Hillel Architecture Inc.

A0.0	Cover Sheet
A1.0	Project Data & Existing Survey
A1.1	Existing Site Profile
A1.2	Site Plan
A1.3	Design Proposition
A2.1	Lower Floor Plans
A2.2	Upper Floor Plans
A3.0	3D Perspectives
A3.1	Ford & Rear Elevations
A3.2	Side Elevation
A4.1	Building Sections
	Material Board



Planning & Development Department
Development Services Division

Victoria City Council - 11 Feb 2016

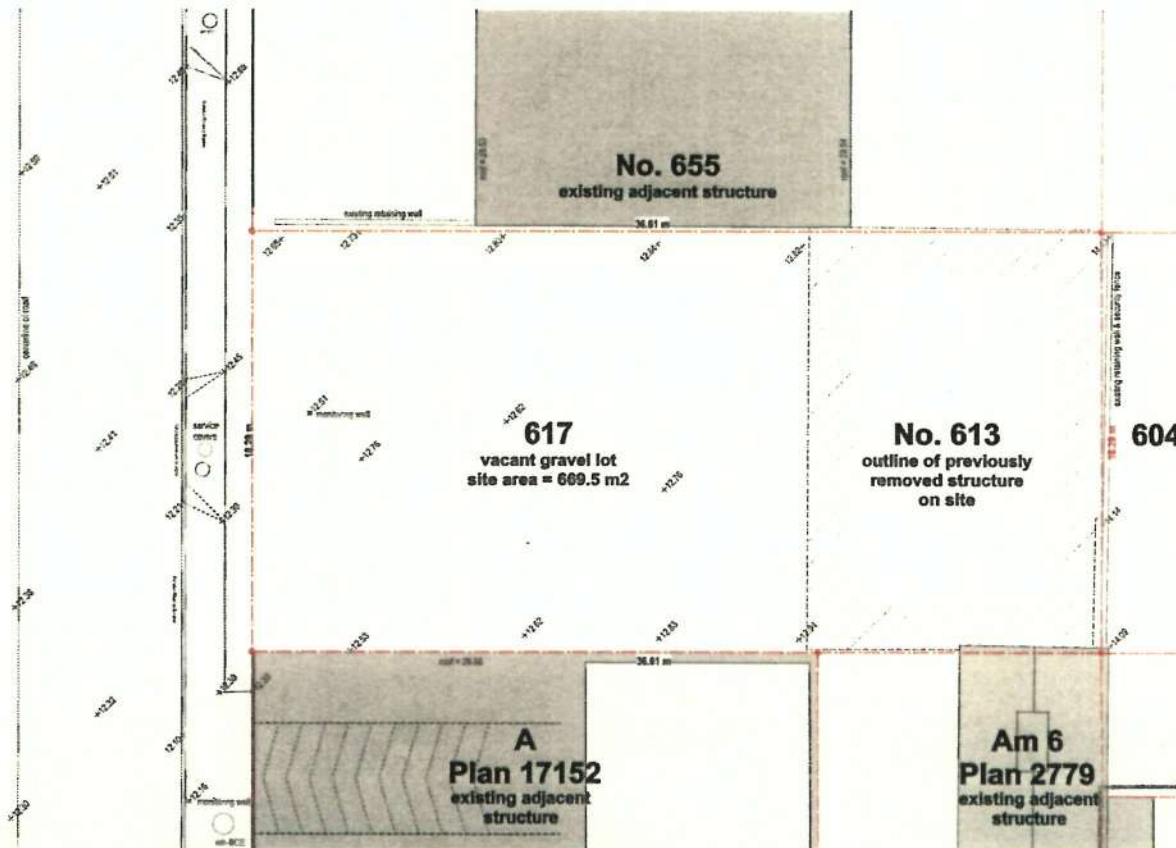


613 Herald Street

1945-91 Victoria BC



2 Context Aerial Plan
A1.0 Not to Scale



1 Existing Survey Plan
A1.0 Scale: 1:100

PROJECT DATA

ZONING REQ.	PROPOSED PROJECT	VARIANCES
ZONING: CA-3	CA-3	
site area (m2)	669.46 m2	
site coverage %	100 %	79.1 % (50.47 m2)
total floor area	2008.4 m2 permitted	2007.42 m2
commercial floor area	-	21.00 m2
floor space ratio (density)	3.09:1	2.99:1
height of building (m)	max. 15 m max. 12 m at street	18.73 m none beyond setback
number of stories	-	6 stories

PARKING			
parking stalls on site (for dwelling units)	22.4 spaces for 32 units (number of spaces not less than 75% of the number of dwelling units)	8 spaces for 32 units (number of spaces not less than 75% of the number of dwelling units)	14 spaces parking either in driveway or elsewhere
bicycle parking	1 per residential unit + 1 for up to 250 m2 of commercial space + 8 guest bike stalls	40 "Type 1" stalls for residential + 2 "Type 1" stalls for commercial + 2 "Type 2" stalls for commercial guests + 9 "Type 2" stalls for residential guests	
visitor car park	10% of parking area dedicated to visitor spaces (1 space reserved)	1 space	
off street loading	n/a	-	
electric vehicle	CA 1000 200 dedicated electric vehicle + parking space + memberships	32 car share Co-Op membership reserved by City	

SETBACKS:			
front (north)	0.00 m	0.5 m	0.5 m Dedicated setback: building projects 1.27m from setback above 15m SL.
rear (south)	0.00 m	7.00 m shown at balcony 8.40 m shown at building face	Variance of 1.27m into setback above 15m SL.
side (west)	0.00 m	0.00 m shown	
side (east)	4.50 m	6.00 m shown	4.50 m

RESIDENTIAL USE DETAILS:		
1 bed room units	n/a	32
2 bed room units	n/a	-
ground orientated suites	n/a	-
min. unit size (m2)	min. 33.0 m2	min. 44.56 m2

FLOOR AREAS:		
gross (1st) floor commercial floor area		91.55 m2
gross (1st) floor area remainder		94.44 m2
gross (1st) floor total		175.99 m2
typical lower residential floor (2nd & 3rd floor)		429.59 m2 +7
typical upper residential floor (4th & 5th floor)		309.87 m2 +2
penthouse residential floor		102.72 m2
attic floor		103.42 m2
total floor area (of ground floor & 5 residential floors above)		2007.42 m2 (2008.4 m2 permitted)

LEGAL DATA

BUILDING OWNER
Kunzi Residences Ltd.
c/o HomeWest Construction Ltd.
100 - 4200 West Saanich Road
V8Z 3C9
CRN ADDRESS
613 Herald Street, Victoria BC

LEGAL ADDRESS
Lot 617, "Kunzi" District
Parcel Identifier: 009-077-004
SURVEY REFERENCE
based on legal survey by Francis & Associates
2012 Land Survey "A" No. 19 219 616 (v1)

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NOV 19 2015

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Existing North Property Line - Herald Street



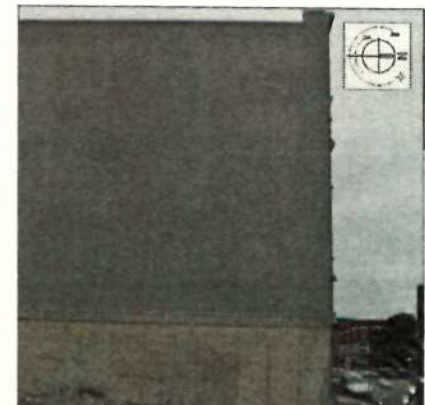
Existing South Property Line



Existing Neighbouring Chung Wah Building at East Property Line



Existing Neighbouring 601 Herald Building at West Property Line



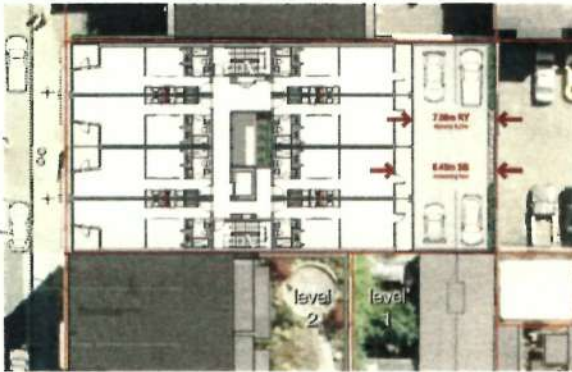
Existing Streetscape of Neighbouring Buildings Further up and Across Herald Street



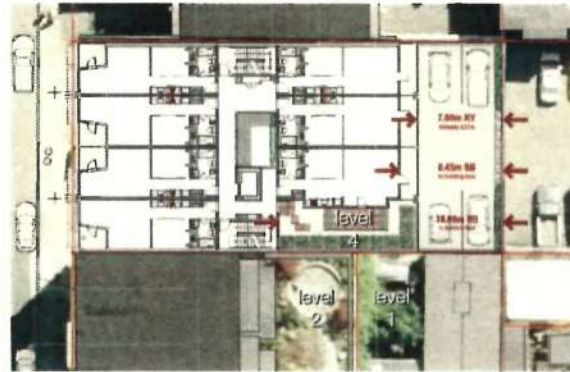
Existing Streetscape of Neighbouring Buildings



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1 2nd Floor Plan
A1.3 Scale: 1:200



2 4th Floor Plan
A1.3 Scale: 1:200



3 Penthouse Floor Plan
A1.3 Scale: 1:200

Summary of Design Revisions

Provision of a density relocation to suit neighbouring concerns, proposed by DRA, supported by residents of 601 Herald Street and Developer.
Removal of one unit from 4th floor, adjacent to 601 Herald street and creation of private roof top deck with planters.
Removal of one unit from 5th floor, adjacent to 601 Herald street.
Creation of new penthouse floor, with two units, each recessed from building faces, and recessed from alternate side yards.
Penthouse floor recessed from public view, to lessen perception of upper most floor level. Creation of private roof top deck with planters

Exterior finishes:

4" fired clay brick work to front and rear elevations to locations shown in both red and ebony colour.
Exterior finishes to prime facades revised to aluminum wall panels, aluminum trim & closure panels to building edges and balcony facings.
Window system modified to suit new finishes of exterior wall panels / aluminum
Exterior brick frame and ground floor plinth modified as requested by ADP to an exposed depth of 1300mm

Parking:

10 stall parking solution demonstrated as requested for consideration by Council, supported by Planning and Engineering.
Reduction of vehicle entry width compliant with 10 stall parking facility. Corresponding increase in width of two neighbouring commercial spaces.
Provision of ground floor accessible bike storage room for regular commuters, in addition to internal bike storage rooms required by bylaw.
Increased guest parking for residential visitors and commercial tenants patrons

Summary of Design Revision Process

July 23rd, 2015 PLUC / identification of concerns

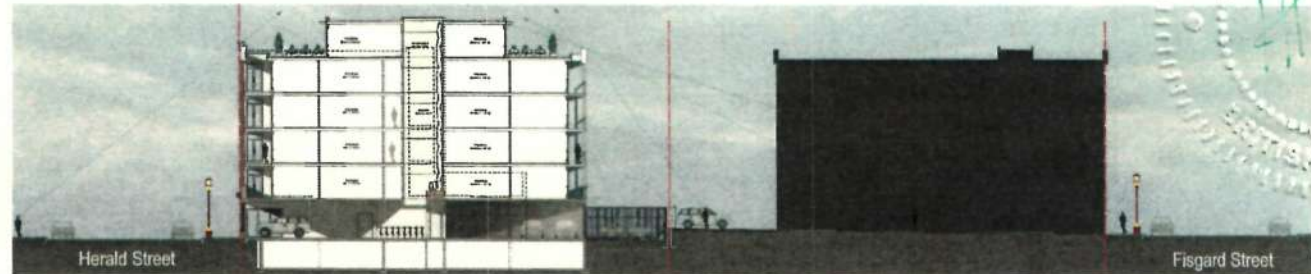
Mtg with DRA, & residents of 601 Herald Street / identifying concerns
Mtg with DRA, & residents of 601 Herald Street / plan resolution, permission to proceed
Mtg with DRA, & residents of 601 Herald Street / elevation resolution permission to submit

Presentation of solution to Planning Department / permission to submit to ADP
Advisory Design Panel October 21, 2015 / recommended design refinements

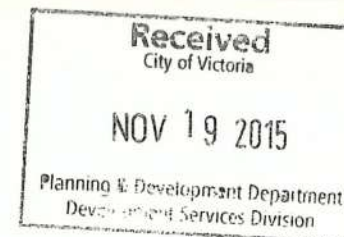
This submission package Dated November 16th, 2015



4 Isometric Diagram Showing Rear Corner Setbacks
A1.3 Not To Scale

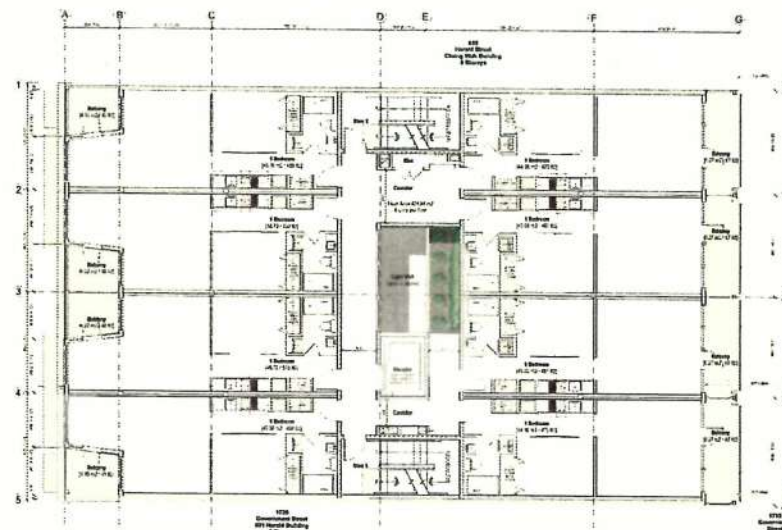


5 Street Sightline Section Showing Fisgard to Herald
A1.3 Scale: 1:200

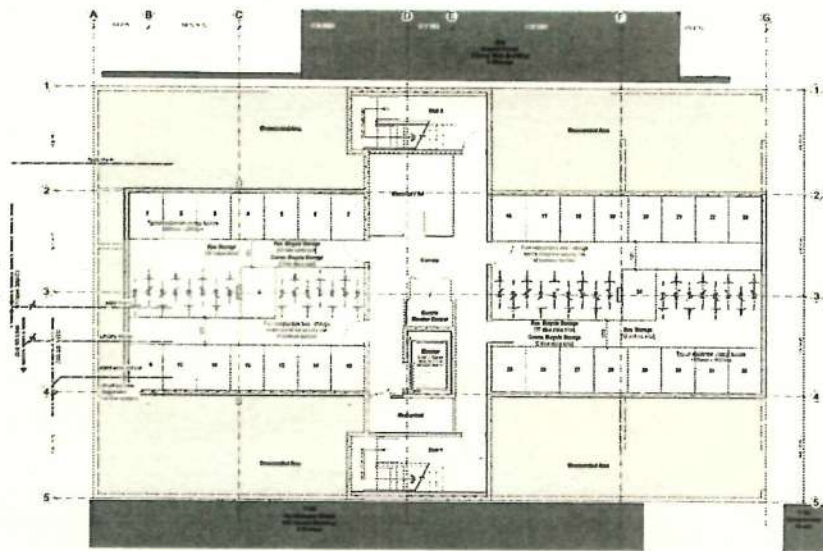


Similar to 2nd Floor Plan - See Drawing 3 / A2.1 This Sheet

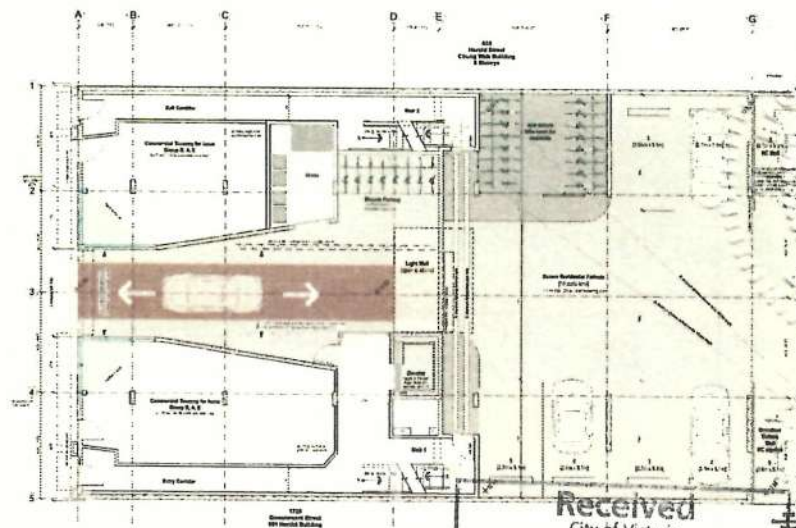
4 3rd Floor Plan
A2.1 Scale: 1:100



3 2nd Floor Plan
A2.1 Scale: 1:100



1 Basement Floor Plan
A2.1 Scale: 1:100

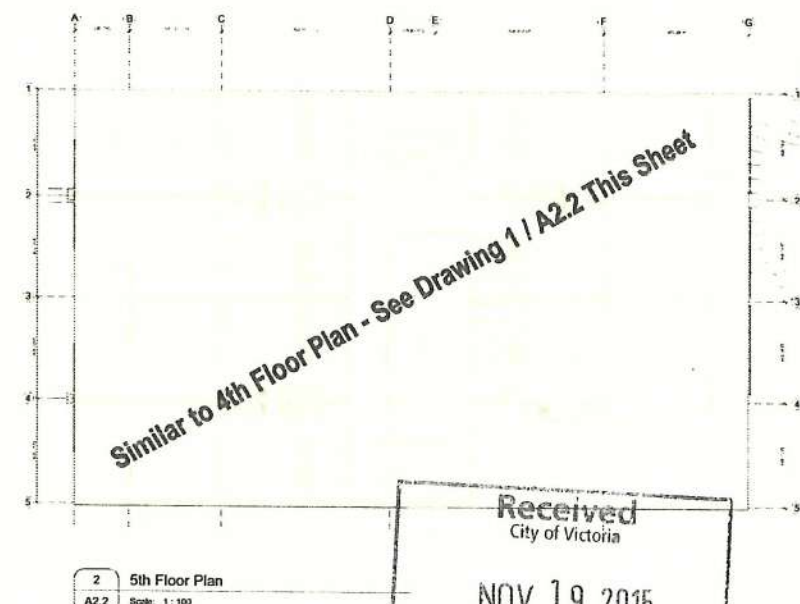
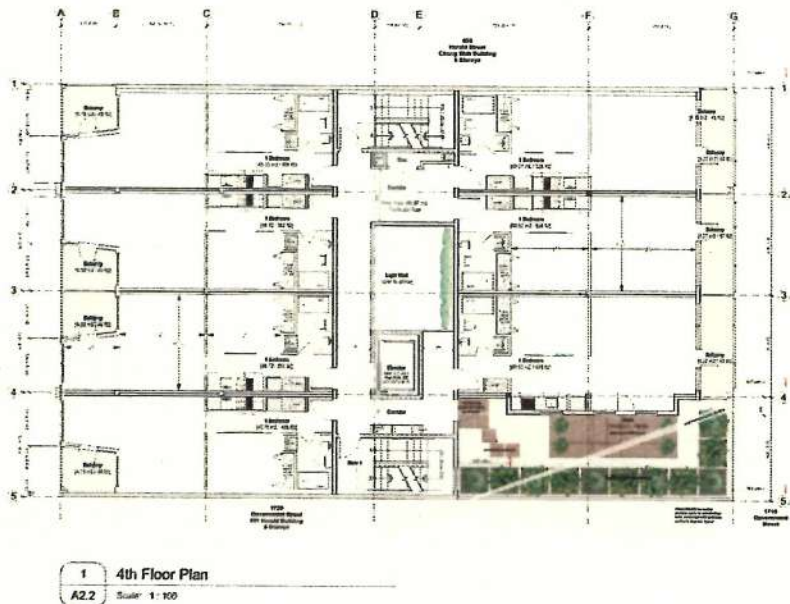
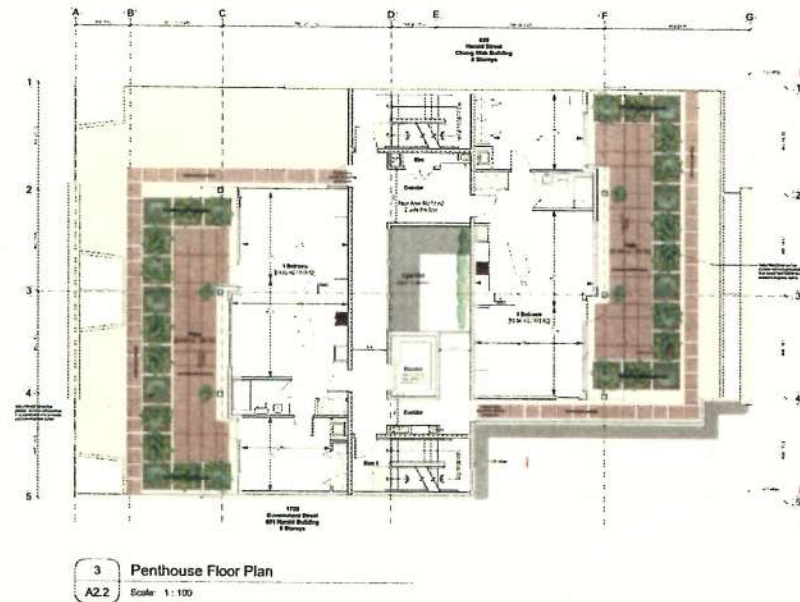
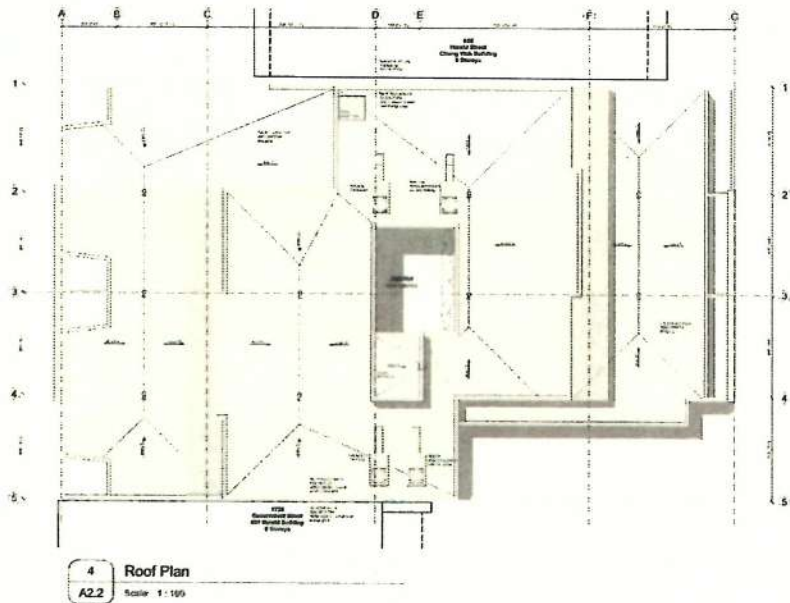


2 Ground Floor Plan
A2.1 Scale: 1:100

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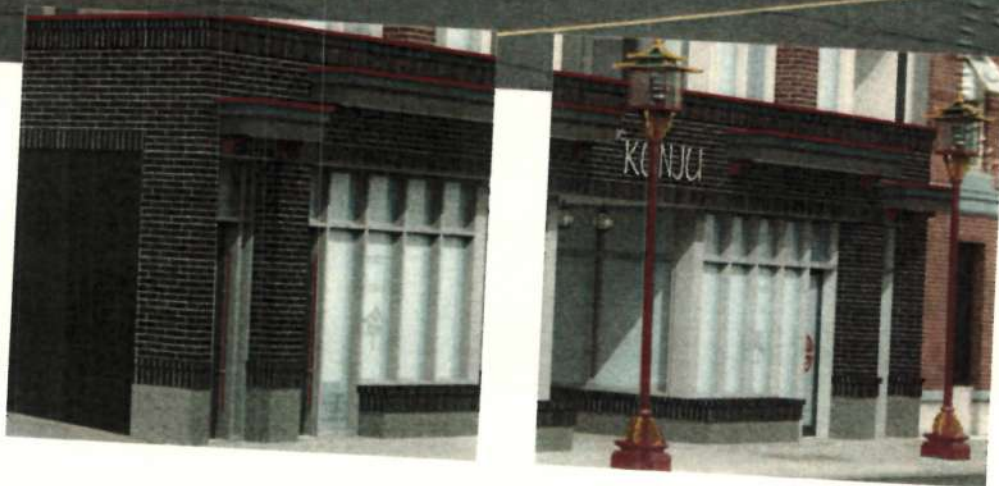
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Note: This sheet shows artistic renderings only. For dimensional elevations, and their relationship to neighboring buildings see elevation sheets A3.1 - A3.3



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NOV 19 2015

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Development Services Division

Hillier
Architecture

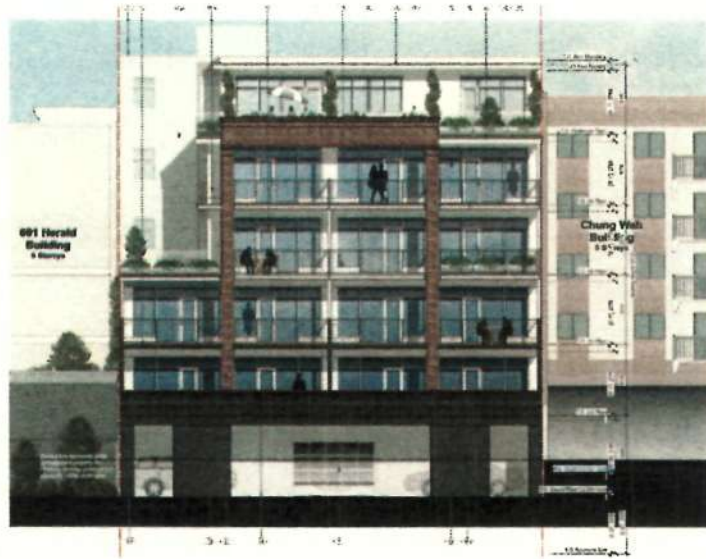
613 Herald Street
Victoria City Council - 11 Feb 2016

3D Perspectives

613 Herald Street

3D Perspectives

11 Feb 2016



2 Rear Elevation (South)
A3.1 Scale: 1:100

Exterior Finishes Legend

List of finishes legend of all elevations:

- 01 Prefinished metal roof flashing, 75 mm vertical face typical - Flat
- 02 Prefinished metal roof flashing, 75 mm vertical face typical - Gable
- 03 Brown red brick veneer over concrete
- 04 Brown clay brick veneer over concrete
- 05 Prefinished horizontal wood, concealed bottom, exterior building panels
 - a. Light white colour
 - b. Red brick colour
- 06 Cement board stone finish, simulated with prefinished metal veneer
 - a. Light white colour
 - b. Red brick colour
 - c. Granite colour
- 07 Prefinished black wood exterior enclosure, feeding w/ particle, installed floor sides of residential parking area - prefinished black metal bottom along main property line for new chimney chimneys
- 08 Black enameled aluminum shop front window systems to ground floor commercial area
- 09 Black enameled aluminum ground floor door the exterior area for future to ground floor
- 10 Clear anodized aluminum residential window & balcony doors
- 11 Clear anodized aluminum overhead security door for residential units
- 12 Prefinished metal enclosure, and chimney panels to factory finish and stainless
- 13 Prefinished metal panel siding system the decorative wrought iron style pickets
- 14 Prefinished ground floor entry canopy, residential wood finish - Granite colour
- 15 Prefinished metal panel siding system the horizontal glass panels
- 16 Light aluminum plate building / tenant signage (shown as example graphic only)
- 17 Exterior light fixture



6 4th Floor Rooftop Greenspace
A3.1 Scale: 1:50



1 Front Streetscape Elevation (North)
A3.1 Scale: 1:100



3 Typical Operable Window Package
A3.1 Scale: 1:50

Rolling Facade
The upper floors of the primary facades will respect the greater neighbourhood of "old town". And, respects the colours and materials as suggested in community design guidelines.

Prefinished Level Enclosure
The lowest floor, in respecting the more immediate neighbourhood context, as requested, and as influenced by the historic culture. These materials of this lower floor include stone, stone (brick) brick work, traditional red exterior existing cornice, building, stone, and recent stone veneers.



5 Streetscape Elevation / Comm. Tenant 1
A3.1 Scale: 1:50



4 Streetscape Elevation / Comm. Tenant 2
A3.1 Scale: 1:50

Hillier Associates Inc.

613 Herald Street
City of Victoria, BC

The Residents' Request

Victoria City Council 1 Feb 2016

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City of Victoria
NOV 19 2015
Planning & Development Department

Received December 10, 2015

613 Herald Street
Front & Rear Elevations
A3.1

Exterior Finishes Legend

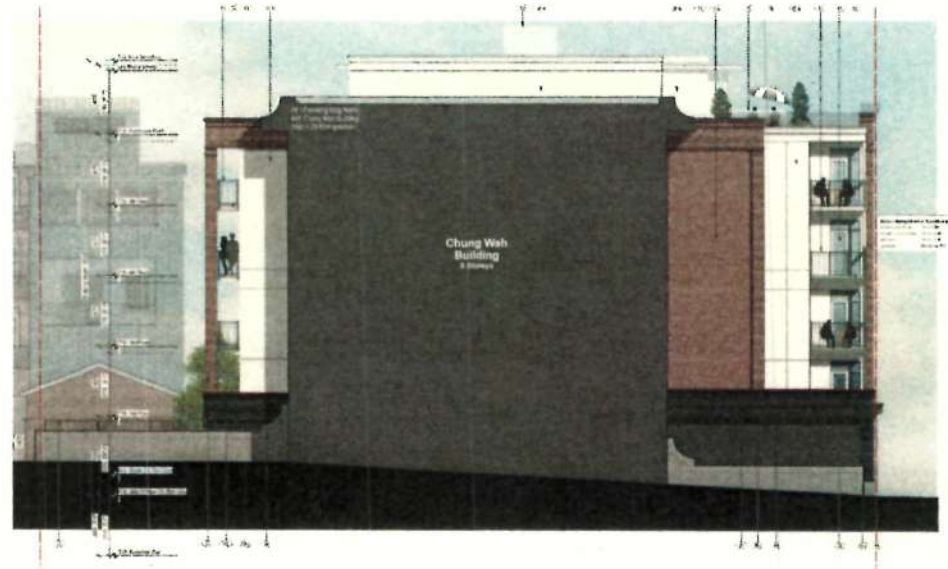
List of finishes typical of all elevations

- 01 Prefinished metal roof flashing, 75 mm vertical face typical - Red
- 02 Prefinished metal roof flashing, 75 mm vertical face typical - Gray
- 03 Mirror metal roof water and rainwater
- 04 Silver epoxy brick veneer over insulation
- 05 Prefinished horizontal metal, sunshaded features - exterior building panels
 - a. Single white colour
 - b. Red brick colour
- 06 Cement based stone finish, simulated with prefinished metal panels
 - a. Bright white colour
 - b. Red brick colour
 - c. Granite colour
- 07 Prefinished black metal security envelope, varying of pattern, installed three sides of exterior or parking area - prefinished black metal panels along south property line for east-facing buildings
- 08 Black anodized aluminum shop front window system to ground floor commercial units
- 09 Black anodized aluminum glazed entry door the custom door hardware to ground floor
- 10 Clear anodized aluminum residential windows & balcony doors
- 11 Clear anodized aluminum overhead security door for residential units
- 12 Prefinished metal awnings, and stone panels to balcony front and eaves
- 13 Prefinished metal post railing system or decorative wrought iron high panels
- 14 Prefinished ground floor entry canopy - commercial and house - Granite colour
- 15 Prefinished metal post railing system the finished glass panels
- 16 Cut aluminum glass building - house design houses as example system only
- 17 Exterior light fixtures



3 4th Floor Rooftop Greenspace
A3.2 Scale: 1:50

As part of this design proposal, the owner of 601 Herald Street will finish the wall surface in stone, and will additionally provide a steel support structure in a manner that permits anchorage of future plants (the wall consists of full stone and rigid masonry to which plants can be securely tied, or permitted to naturally climb). A provision will be made for the residents of 601 Herald Street to plant on their roof garden, with plants which can climb will be secured to 601 Herald Street. It will be regulated on site that they have permission to do so, to maintain those plants, and to change - replace them over time as maintenance would dictate.



1 Side Elevation (East)
A3.2 Scale: 1:100



2 Side Elevation (West)
A3.2 Scale: 1:100

Received
City of Victoria

NOV 19 2015

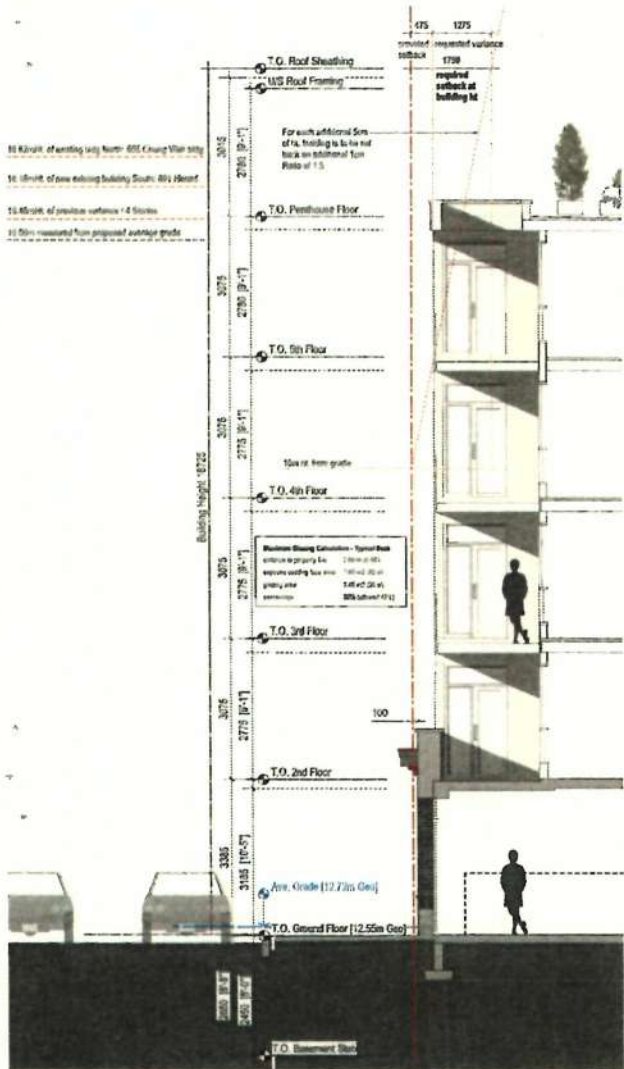
Planning & Development Department
Development Services Division



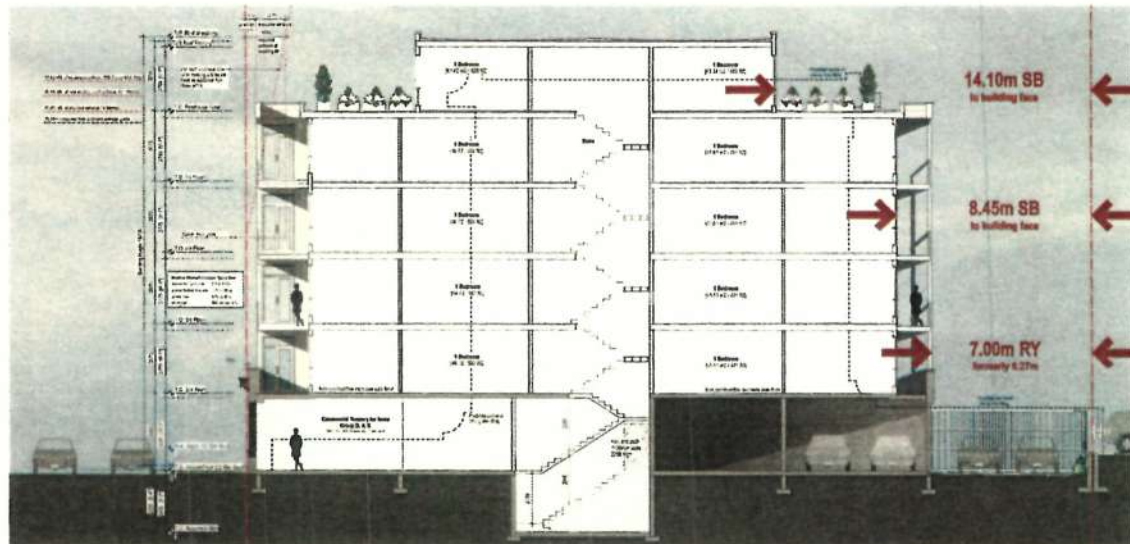
613 Herald Street
The Residences

Victoria City Council 11 Feb 2016

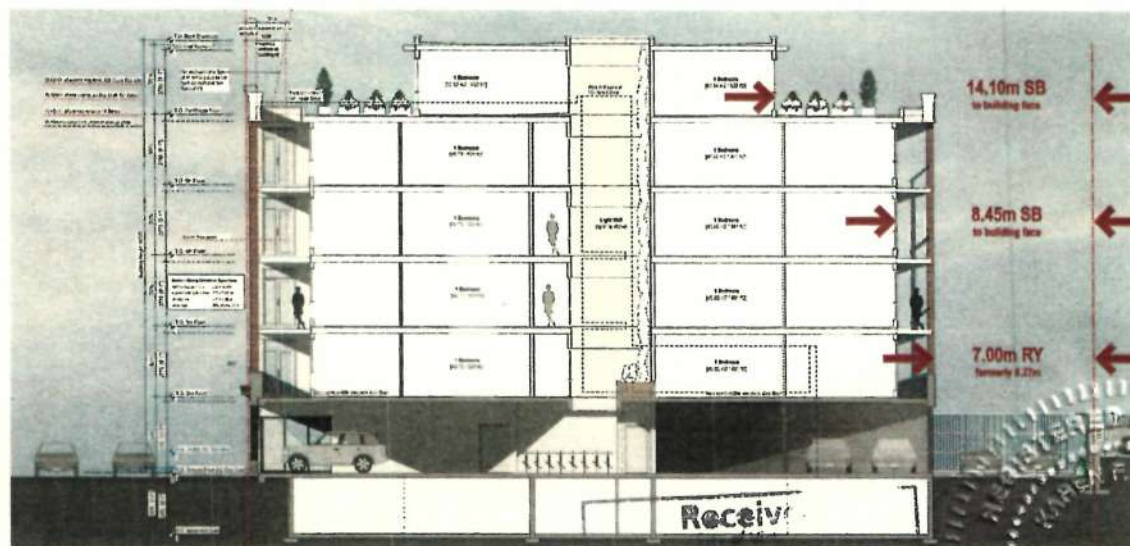
613 Herald Street
Side Elevation
A3.2



3 Building Section
A4.1 Scale: 1:50



1 Longitudinal Building Section
A4.1 Scale: 1:100



2 Longitudinal Building Section
A4.1 Scale: 1:100

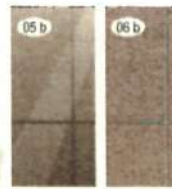
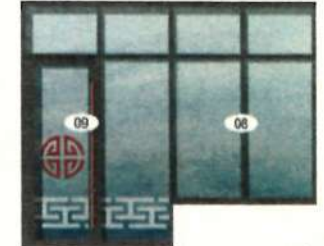
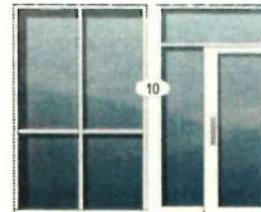
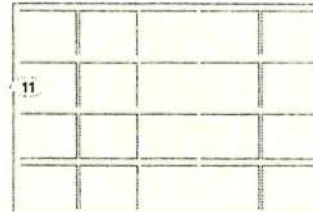
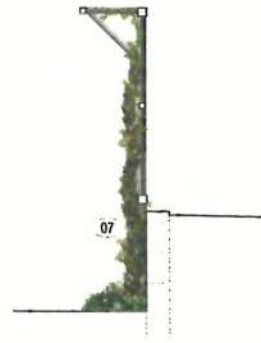
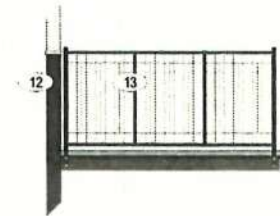
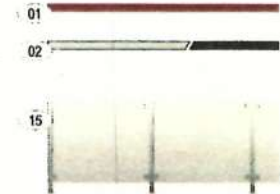
NOV 19
Planning & Development Services
Development Services

Colour And Materials Palette



- 01 Prefinished metal roof flashing, 75 mm vertical face typical - Red
- 02 Prefinished metal roof flashing, 75 mm vertical face typical - Gray (see elev for colour context)
- 03 90mm red brick veneer over rainscreen
- 04 90mm ebony brick veneer over rainscreen
- 05 Prefinished laminated metal, concealed fastener, exterior building panels
 - a. Bright white colour
 - b. Red Brick colour
- 06 Cement based stucco finish, panelized with prefabricated metal reveals
 - a. Bright white colour
 - b. Red Brick colour
 - c. Graphite colour
- 07 Prefinished black metal security enclosure fencing w/ pickets, installed three sides of residential parking area - prefinished black metal trellace along south property line for new climbing plantings
- 08 Black anodized aluminum shop front window system to ground floor commercial units
- 09 Black anodized aluminum glazed entry door c/w custom door hardware to ground floor
- 10 Clear anodized aluminum residential windows & balcony doors
- 11 Clear anodized aluminum overhead security door for residential units

- 12 Prefinished metal enclosure, and closure panels to balcony faces and columns
- 13 Prefinished metal post railing system c/w decorative wrought iron style pickets
- 14 Projecting ground floor entry cornice, cementitious wood fascia - Graphite colour
- 15 Prefinished metal post railing system c/w laminated glass panels
- 16 Cut aluminum plate building / tenant signage (shown as example graphic only)
- 17 Exterior light fixture





The Residences at

613 Herald Street

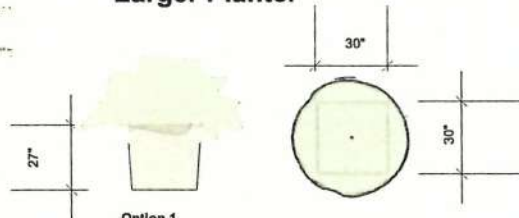
613 Herald Street, Victoria, BC

Approved
May 13 2015

Planning & Development Department
Development Services Division

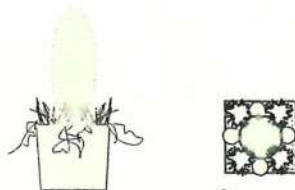
Victoria City Council - 11 Feb 2016

Larger Planter



Option 1

1 Evergreen Cavatine Pieris; cream flowers in March

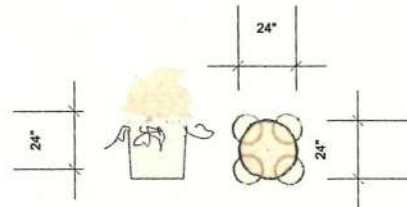


Option 2

1 Evergreen Columnar Holly with 4 Little Bunny Fountain Grass and 4 cascading Margarita Sweet Potato Vine

Note - could substitute holly for evergreen Dwarf Hinoki Cypress (same form; extremely slow growth)

Smaller Planter



1 Deciduous Dwarf Dogwood (red stems) with 4 Golden Creeping Jenny

Note - could substitute Dogwood for evergreen Gulf Stream Heavenly Bamboo (same form; colourful leaves)
OR
Deciduous Spirea 'Little Princess' (pale pink flowers) or Spirea 'Shirobana' (pink & white flowers)
OR
Deciduous or evergreen Azaleas (many selections)

Recommended Nursery Stock

Medium Shrubs

Quantity	Botanical Name	Common Name	Size
1	Ilex crenata 'Sky Pencil'	Sky Pencil Columnar Holly	#5 pot
1	Pieris japonica 'Cavatine'	Cavatine Pieris (evg)	#5 pot

Small Shrubs

Quantity	Botanical Name	Common Name	Size
1	Cornus sericea 'Kelsey'	Kelsey Dogwood (dwarf)	#3 pot

Perennials, Annuals and Ferns

Quantity	Botanical Name	Common Name	Size
4	Ipomea batatas 'Margarita'	Margarita Ipomea	#1 pot
4	Lysimachia nummularia 'Aurea'	Golden Creeping Jenny	#SP3 pot
4	Pennisetum alopecuroides 'Little Bunny'	Little Bunny Dwarf Fountain Grass	#1 pot

Notes:

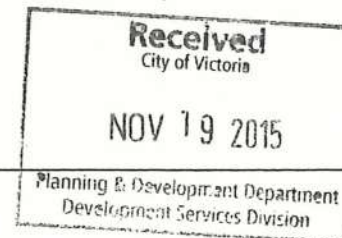
1. All work to be completed to current BCSLA Landscape Standards
2. All soft landscape to be irrigated with an automatic irrigation system

PROJECT: 613 Herald Street

DRAWING TITLE: Planters and Plant Selections for the 4th and 6th level Roof Decks

DRAWING #: SKL-01

DATE: Oct 20, 2015



28-496 Dogpelt Rd. Victoria, B.C. V8Z 1B9
Phone: (250) 588-0100 Fax: (250) 412-0009

Charlotte Wain

From: Heather Parsons <heather.d.parsons@gmail.com>
Sent: Monday, Aug 10, 2015 11:25 AM
To: Charlotte Wain; Brian Sikstrom
Cc: Lloyd Houghton
Subject: Fwd: feedback on Development Permit for 613 Herald Street
Attachments: 2014-09-02 19.46.57.jpg; 2014-09-02 19.46.45.jpg; 2015-08-04 12.07.32.jpg; 2015-08-04 12.06.33.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Charlotte & Brian

Charlotte I was given your name by Ian Sutherland (DRA), as the lead development planner on the 613 Herald project, however the city website lists Brian Sikstrom as the lead for downtown. Since you are away I have included Brian here just in case.

I sent the letter below last week to 2 members of council. It outlines concerns that I, and other residents of 601 Herald, have about the 613 Herald development. Please see below.

Lloyd Houghton (our Strata president) has been trying to reach you both, as he I would like to meet with you either at your office at City Hall or at our homes, about this proposed development -preferably this or next week, while it is still at this early stage.

Thank you for your consideration of these issues
Heather Parsons
#402-601 Herald St Victoria BC V8W1S8
c: 250 532 3976

Hello Counsellors Madoff and Thornton-Joe

I am not sure if you remember me, I met you both at the tanker-traffic public hearing last fall. I was impressed by your dedication to working on behalf of the the public interest, especially for downtown residents and businesses. Pam I also met again at the City of Victoria book prizes (I work in publishing and we have much in common).

My husband and I live in Chinatown at 601 Herald, in the east-end, top-floor unit right next to the proposed development site at 613 Herald. **My balcony literally will butt-up against the new building.** So I am writing because this has a great impact on me and my fellow Strata residents' living arrangements.

Thank you for the work you have already done, including raising concerns about inclusion of the DRA's recommendations. As well, I appreciate your care for the historic significance of the area and street view aesthetics.

In reviewing the recommendations, I found that **there are significant gaps in consideration particularly the impact on the back side** of the building, and resulting issues for residents. Concerns are outlined below.

invite other members of my Strata, including the president of our Strata col **Victoria City Council 11 Feb 2016**
DRA, whom I have cced here, if you prefer

Whether you can come or not, with this email I hope that you will consider these points in your recommendations to the Design Advisory before their meeting August 26.

Best regards
Heather Parsons
#402 -601 Herald St
V8W 1S8
250 381 8122

Brian Sikstrom

From: philip@saltspringair.com
Sent: Monday, August 17, 2015 10:02 PM
To: Brian Sikstrom
Subject: Fwd: Herald

17 August, 2015

Dear Sirs

Having reviewed the most recently proposed design for the development of the lot at 613 Herald St. (The "Kunju"), I wish to express my opposition to having this design approved by city council as it is.

My concerns are, in summary:

- A design that complements neither the neighbouring buildings, nor the context of the shared space in the block interior
- No apparent consideration of impact on sunlight and airflow effects on neighbouring 601 Herald St.
- Insufficient flawed proposal for parking

The use of exposed concrete block and fibre cement panels as cladding material for the majority of the visible surface of the building are not appropriate in Old Town.

This design does not meet the Chinatown design guidelines where "New construction will complement flanking buildings having either heritage qualities or special oriental motifs and detail". Nor does it come close to the quality of craftsmanship and longevity of our own building at 601 Herald, lauded for its quality of construction and encouragement of long term residency in the downtown.

Overall, I feel that this design does not meet Old Town Design Guidelines (2006) for "demonstrating a clear understanding of, and a sensitive response to the general and special characteristics of [the] surroundings." We simply cannot endorse this development as currently proposed, and sincerely hope that it will either be withdrawn for further revision, or else rejected by City Council.

Sincerely,

Philip Reece
601 Herald.

The Residents
601 Herald St,
V8W 1S8

17 August, 2015

Mr Nyren
C/- Hillel Architecture
1831 Oak Bay Ave,
Victoria BC, V8R 1C3

Victoria City Council - 11 Feb 2016



Dear Mr Nyren,

Having reviewed the most recently proposed design for the development of the lot at 613 Herald St. (The "Kunju"), the residents and owners of the adjacent building at 601 Herald St. wish to express that we are strongly opposed to having this design approved by city council as it is. While we fully support development of this lot and would be pleased to welcome new neighbours, we share similar concerns already expressed by the Downtown Residents Association that this design — significantly downgraded from the original proposal — is simply not acceptable for historic Chinatown. We are disappointed that we have not been contacted at any point in the design process to solicit feedback.

Our concerns are, in summary:

- A design that complements neither the neighbouring buildings, nor the context of the shared space in the block interior
- No apparent consideration of impact on sunlight and airflow effects on neighbouring 601 Herald St.
- An overall look of low quality architecture, using low quality materials
- A building not worthy of preservation by future generations
- A flawed proposal for parking

A more detailed description of our concerns follows:

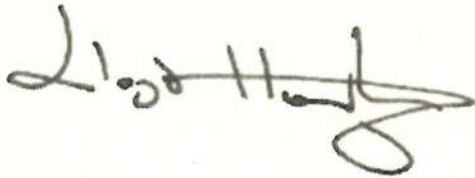
1. Our building features a rear courtyard with a Zen garden that is overlooked by 11 of our units, as well as several neighbouring buildings. Such courtyards are commonly found throughout Chinatown, and are a special characteristic of this neighbourhood. The current design for 613 Herald proposes construction of a 5 story unadorned concrete block wall at no setback from the property line immediately adjacent to this courtyard. We feel that this proposal is architecturally insensitive to the design of this shared space. The Chinatown Guidelines for Buildings states that applications should "incorporate landscape elements that extend and enhance the Chinatown network of walkways and walled courtyards" (emphasis added). The proposed design would accomplish the exact opposite.
2. It appears that this concrete wall will also severely impact the existing access to sunlight and air flow for up to 11 dwelling units, as well as the landscaped courtyard. A shadow study would clearly demonstrate impacts at the appropriate time of day and season. Such a study does not appear to have been conducted for this project.
3. The side-yard variance requested from 4.5 meters to 0 meters (while perhaps justified on the balance of the site) appears to significantly increase the impacts of reduced light and air movement adjacent to the courtyard and dwelling units at 601 Herald. While we are in favour of a 0m side setback at the front the of the building, we would urge you to consider a

4. The objective in Appendix A: Development Permit Areas And Heritage Conservation Areas is "to enhance the area through infill, building additions and open spaces with a high quality of architecture, landscape and urban design that responds to its historic setting through sensitive and innovative interventions." While there have been some attempts to use Chinese characters and design motifs, these are essentially superficial when applied to low quality exterior finishes. We do not believe that high quality architecture in the core historic area should be using flush mounted windows, cementitious panels, and stick-on-brick.
5. The use of exposed concrete block and fibre cement panels as cladding material for the majority of the visible surface of the building are not appropriate in Old Town.
6. This design does not meet the Chinatown design guidelines where "New construction will complement flanking buildings having either heritage qualities or special oriental motifs and detail". Nor does it come close to the quality of craftsmanship and longevity of our own building at 601 Herald, lauded for its quality of construction and encouragement of long term residency in the downtown.
7. The "Design Guidelines: Old Town" suggest that designers should "Consider whether your building and landscape might be worthy of preservation by future generations for their positive contribution to the character of Old Town?" If the Chinese characters and design motifs were removed, the proposed design could be anywhere in the city and we find it difficult to believe that future generations would fight to preserve it.
8. The proposed design features a 5.5m parking entryway that we think is unnecessarily wide for such low traffic (proposed 12 parking spaces), and will degrade the pedestrian experience and streetscape. This entryway should be reduced to 3m in width as suggested by the DRA.

Overall, we feel that this design does not meet Old Town Design Guidelines (2006) for "demonstrating a clear understanding of, and a sensitive response to the general and special characteristics of [the] surroundings." We simply cannot endorse this development as currently proposed, and sincerely hope that it will either be withdrawn for further revision, or else rejected by City Council.

Should you be willing to discuss possible solutions to these concerns in person that are amenable to both parties, we would be happy to set up a meeting at your convenience.

Sincerely,



Lloyd Houghton, on behalf of the residents and owners of 601 Herald St.

President, Strata Council

Brian Sikstrom

From: Brett Hayward <brett.hayward@shaw.ca>
Sent: Thursday, August 20, 2015 3:20 PM
To: Brian Sikstrom
Subject: 613 Herald comments
Attachments: Kunju changes.docx

Hello Mr Sikstrom,

Please find attached a one page letter addressing my concerns of the condo development at 613 Herald Street.
Thank you!

Brett Hayward BSc, DVM

Brett Hayward
1271 Mckenzie Street
Victoria BC V8V 2W6

RE: Kunju Condominium Development at 613 Herald Street

Dear ,

I own a condo unit (#307) at 601 Herald Street, which is right next door to the proposed Kunju condominium development at 613 Herald Street.

I am all for development and applauded the original proposal by architect Franc D'Ambrosio. I grew up in Vancouver and saw the run-down, industrial Yaletown become a designer district, loaded with young families. I noted four years ago when we were buying our condo at 601 Herald that most of the other buyers were also from out of town. This suggested to me that, possibly, the local Victoria people did not see the area as desirable or capable of becoming desirable. Us buyers, on the other hand, saw the area as the leading edge of another Yaletown, an up-and-coming designer district.

The thrust of this letter is to address quality of materials.

From the City of Victoria's Old Town Design Guidelines I read, "All of these approaches are valid as long as their design is skillfully executed.", "...the ability of their physical presence (the buildings) to remind us of their profound cultural importance. New construction has the potential to strengthen, as well as to erode this integrity.", "to understand what we value about this historic place...", "...to **understand what physical things, such as spaces, connections, materials, textures, colour, views and shapes, contribute to the special character there.**", and "**Consider whether your building and landscape might be worthy of preservation by future generations for their positive contribution to the character of Old Town.**" This last sentence is very powerful and reflects intelligent planning that not only preserves the special character of Chinatown but also creates an ongoing history worth maintaining.

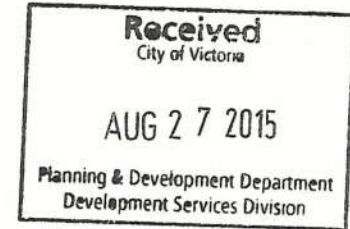
As I understand it when reading over the plans for 613 Herald, the quality of the origin design and materials has been significantly downgraded. This is not in the spirit and design of the existing neighbourhood. For example, instead of load-bearing red brick we see plans to have concrete painted brick red. Our lovely Zen garden (courtyard) is in danger of being walled off. There are few considerations for the street front of the building to contribute to the Chinatown theme in either design or quality, for example, the windows appear to be "nail on" as opposed to structurally built in, as are the windows at 601 Herald. For further concerns of the new proposal, one simply has to look at the original and compare it to the current one.

Thank you for your consideration.

Respectfully yours,

Brett Hayward.

Brett Hayward
1271 Mckenzie Street
Victoria BC V8V 2W6



RE: Kunju Condominium Development at 613 Herald Street

Hello,

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Thank you for your consideration.

Respectfully yours,

Brett Hayward.

Charlotte Wain

From: Lloyd Houghton <lloydhoughton54@gmail.com>
Sent: Tuesday, Sep 8, 2015 1:07 PM
To: Charlotte Wain
Cc: Heather Parsons; Charlayne Thornton-Joe (Councillor)
Subject: 613 Herald Street

On behalf of the residents at 601 Herald St. we are writing to show support for the revised proposal from Conrad Nyren for a new development on our neighbouring lot at 613 Herald St.

Several weeks ago we sent a letter to Mr. Nyren copying city staff and council, outlining concerns with the previous design including;

- a poor pedestrian experience, including a very wide driveway entry,
- reduced quality of materials and design inconsistent with Chinatown and Old Town Guidelines,
- the high, featureless rear wall, which would have blocked air and light at our 601 courtyard, resulting in a negative impact for neighbouring residents from all angles.

Since that time we have had several meetings with Mr. Nyren, his architect Peter Hardcastle, the DRA, and received some input from Charlayne Thornton-Joe. Together we have collaborated and co-created an alternative design that addresses all of our concerns and, in some cases, exceeds our expectations. This new design is a vast improvement for both neighbours, pedestrians and all current and future residents at the rear of Herald, Government, and Fisdard Streets.

The materials will be significantly upgraded as per our request, replacing 'stick-on brick' with real 4" brick and cementitious panels with factory coated steel panels. The pedestrian experience has been improved by narrowing the driveway and allowing for larger commercial space at pedestrian level.

As a means to increasing light and air at the back of the block, while maintaining density, we suggested the addition of a partial 6th story in exchange for moving the southwest portion to the top floor. It is our view that this partial extra storey will have negligible negative impact and is a good trade-off for the stepped back benefits of the fourth and fifth floors.

The new design features the removal of two suites from the 4th and 5th floors and inclusion of a 4th floor green space on the southwest corner. This now offers all residents of surrounding properties physical and viewable access to urban courtyard and green-spaces - a feature that enhances the downtown living experience.

The setback of the 6th floor from the Herald Street frontage in this new design does not effect the pedestrian experience any differently than a 5 story building. The street facing is only at the 5 stories, matching surrounding buildings. As well, this upper story would have no negative impact on light or air for any of the surrounding properties, including ours.

Mr Nyren's new design exceeds expectations for livability and pedestrian experience while maintaining the original density. It is a viable and high quality revision that is an outcome of a collaborative process which manages to satisfy diverse requirements.

The Residents
601 Herald St,
V8W 1S8

17 August, 2015

Mr Nyren
C/- Hillel Architecture
1831 Oak Bay Ave,
Victoria BC, V8R 1C3

Dear Mr Nyren,

Having reviewed the most recently proposed design for the development of the lot at 613 Herald St. (The "Kunju"), the residents and owners of the adjacent building at 601 Herald St. wish to express that we are strongly opposed to having this design approved by city council as it is. While we fully support development of this lot and would be pleased to welcome new neighbours, we share similar concerns already expressed by the Downtown Residents Association that this design — significantly downgraded from the original proposal — is simply not acceptable for historic Chinatown. We are disappointed that we have not been contacted at any point in the design process to solicit feedback.

Our concerns are, in summary:

- A design that complements neither the neighbouring buildings, nor the context of the shared space in the block interior
- No apparent consideration of impact on sunlight and airflow effects on neighbouring 601 Herald St.
- An overall look of low quality architecture, using low quality materials
- A building not worthy of preservation by future generations
- A flawed proposal for parking

A more detailed description of our concerns follows:

1. Our building features a rear courtyard with a Zen garden that is overlooked by 11 of our units, as well as several neighbouring buildings. Such courtyards are commonly found throughout Chinatown, and are a special characteristic of this neighbourhood. The current design for 613 Herald proposes construction of a 5 story unadorned concrete block wall at no setback from the property line immediately adjacent to this courtyard. We feel that this proposal is architecturally insensitive to the design of this shared space. The Chinatown Guidelines for Buildings states that applications should "incorporate landscape elements that extend and enhance the Chinatown network of walkways and walled courtyards" (emphasis added). The proposed design would accomplish the exact opposite.
2. It appears that this concrete wall will also severely impact the existing access to sunlight and air flow for up to 11 dwelling units, as well as the landscaped courtyard. A shadow study would clearly demonstrate impacts at the appropriate time of day and season. Such a study does not appear to have been conducted for this project.
3. The side-yard variance requested from 4.5 meters to 0 meters (while perhaps justified on the balance of the site) appears to significantly increase the impacts of reduced light and air movement adjacent to the courtyard and dwelling units at 601 Herald. While we are in favour of a 0m side setback at the front the of the building, we would urge you to consider a

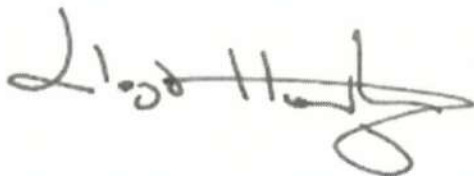
design that opens up the South Western portion of the building, ideally with a landscaped courtyard similar to our own, or by incorporating a terraced design.

4. The objective in Appendix A: Development Permit Areas And Heritage Conservation Areas is "to enhance the area through infill, building additions and open spaces with a high quality of architecture, landscape and urban design that responds to its historic setting through sensitive and innovative interventions." While there have been some attempts to use Chinese characters and design motifs, these are essentially superficial when applied to low quality exterior finishes. We do not believe that high quality architecture in the core historic area should be using flush mounted windows, cementitious panels, and stick-on-brick.
5. The use of exposed concrete block and fibre cement panels as cladding material for the majority of the visible surface of the building are not appropriate in Old Town.
6. This design does not meet the Chinatown design guidelines where "New construction will complement flanking buildings having either heritage qualities or special oriental motifs and detail". Nor does it come close to the quality of craftsmanship and longevity of our own building at 601 Herald, lauded for its quality of construction and encouragement of long term residency in the downtown.
7. The "Design Guidelines: Old Town" suggest that designers should "Consider whether your building and landscape might be worthy of preservation by future generations for their positive contribution to the character of Old Town?" If the Chinese characters and design motifs were removed, the proposed design could be anywhere in the city and we find it difficult to believe that future generations would fight to preserve it.
8. The proposed design features a 5.5m parking entryway that we think is unnecessarily wide for such low traffic (proposed 12 parking spaces), and will degrade the pedestrian experience and streetscape. This entryway should be reduced to 3m in width as suggested by the DRA.

Overall, we feel that this design does not meet Old Town Design Guidelines (2006) for "demonstrating a clear understanding of, and a sensitive response to the general and special characteristics of [the] surroundings." We simply cannot endorse this development as currently proposed, and sincerely hope that it will either be withdrawn for further revision, or else rejected by City Council.

Should you be willing to discuss possible solutions to these concerns in person that are amenable to both parties, we would be happy to set up a meeting at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lloyd Houghton', written in a cursive style.

Lloyd Houghton, on behalf of the residents and owners of 601 Herald St.

President, Strata Council

Janet Hawkins

From: Lisa Helps (Mayor)
Sent: Monday, Aug 24, 2015 9:52 PM
To: Public Hearings
Subject: Fwd: 613 Herald Development
Attachments: Kunju changes.docx; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: Brett Hayward <brett.hayward@shaw.ca>
Date: August 20, 2015 at 3:26:51 PM PDT
To: <mayor@victoria.ca>
Subject: 613 Herald Development

Hello Mayor Helps,

Please find attached a one page letter addressing some of my concerns for the proposed development at 613 Herald Street (Kunju).
I love Chinatown!

Kind regards,

Brett Hayward

Janet Hawkins

From: Charlotte Wain
Sent: Tuesday, Sep 8, 2015 1:22 PM
To: 'Lloyd Houghton'
Cc: Council Secretary
Subject: RE: 613 Herald Street

Thank you for your comments Mr. Houghton.

I have copied the Council Secretary in so that this may be kept on file.

Kind regards,
Charlotte

From: Lloyd Houghton [mailto:lloydhoughton54@gmail.com]
Sent: Tuesday, Sep 8, 2015 1:07 PM
To: Charlotte Wain
Cc: Heather Parsons; Charlayne Thornton-Joe (Councillor)
Subject: 613 Herald Street

On behalf of the residents at 601 Herald St. we are writing to show support for the revised proposal from Conrad Nyren for a new development on our neighbouring lot at 613 Herald St.

Several weeks ago we sent a letter to Mr. Nyren copying city staff and council, outlining concerns with the previous design including;

- a poor pedestrian experience, including a very wide driveway entry,
- reduced quality of materials and design inconsistent with Chinatown and Old Town Guidelines,
- the high, featureless rear wall, which would have blocked air and light at our 601 courtyard, resulting in a negative impact for neighbouring residents from all angles.

Since that time we have had several meetings with Mr. Nyren, his architect Peter Hardcastle, the DRA, and received some input from Charlayne Thornton-Joe. Together we have collaborated and co-created an alternative design that addresses all of our concerns and, in some cases, exceeds our expectations. This new design is a vast improvement for both neighbours, pedestrians and all current and future residents at the rear of Herald, Government, and Fisgard Streets.

The materials will be significantly upgraded as per our request, replacing 'stick-on brick' with real 4" brick and cementitious panels with factory coated steel panels. The pedestrian experience has been improved by narrowing the driveway and allowing for larger commercial space at pedestrian level.

As a means to increasing light and air at the back of the block, while maintaining density, we suggested the addition of a partial 6th story in exchange for moving the southwest portion to the top floor. It is our view that this partial extra storey will have negligible negative impact and is a good trade-off for the stepped back benefits of the fourth and fifth floors.

The new design features the removal of two suites from the 4th and 5th floors and inclusion of a 4th floor green space on the southwest corner. This now offers all residents of surrounding properties physical and viewable access to urban courtyard and green-spaces - a feature that enhances the downtown living experience.

The setback of the 6th floor from the Herald Street frontage in this new design does not effect the pedestrian experience any differently than a 5 story building. The street facing is only at the 5 stories, matching surrounding buildings. As well, this upper story would have no negative impact on light or air for any of the surrounding properties, including ours.

Mr Nyren's new design exceeds expectations for livability and pedestrian experience while maintaining the original density. It is a viable and high quality revision that is an outcome of a collaborative process which manages to satisfy diverse requirements.

We do hope that you will favourably consider this new and much-improved design.

Lloyd Houghton and Heather Parsons

On behalf of 601 Owners.

Brett Hayward
1271 Mckenzie Street
Victoria BC V8V 2W6

RE: Kunju Condominium Development at 613 Herald Street

Dear ,

I own a condo unit (#307) at 601 Herald Street, which is right next door to the proposed Kunju condominium development at 613 Herald Street.

I am all for development and applauded the original proposal by architect Franc D'Ambrosio. I grew up in Vancouver and saw the run-down, industrial Yaletown become a designer district, loaded with young families. I noted four years ago when we were buying our condo at 601 Herald that most of the other buyers were also from out of town. This suggested to me that, possibly, the local Victoria people did not see the area as desirable or capable of becoming desirable. Us buyers, on the other hand, saw the area as the leading edge of another Yaletown, an up-and-coming designer district.

The thrust of this letter is to address quality of materials.

From the City of Victoria's Old Town Design Guidelines I read, "All of these approaches are valid as long as their design is skillfully executed.", "...the ability of their physical presence (the buildings) to remind us of their profound cultural importance. New construction has the potential to strengthen, as well as to erode this integrity.", "to understand what we value about this historic place...", "...to **understand what physical things, such as spaces, connections, materials, textures, colour, views and shapes, contribute to the special character there.**", and "**Consider whether your building and landscape might be worthy of preservation by future generations for their positive contribution to the character of Old Town.**" This last sentence is very powerful and reflects intelligent planning that not only preserves the special character of Chinatown but also creates an ongoing history worth maintaining.

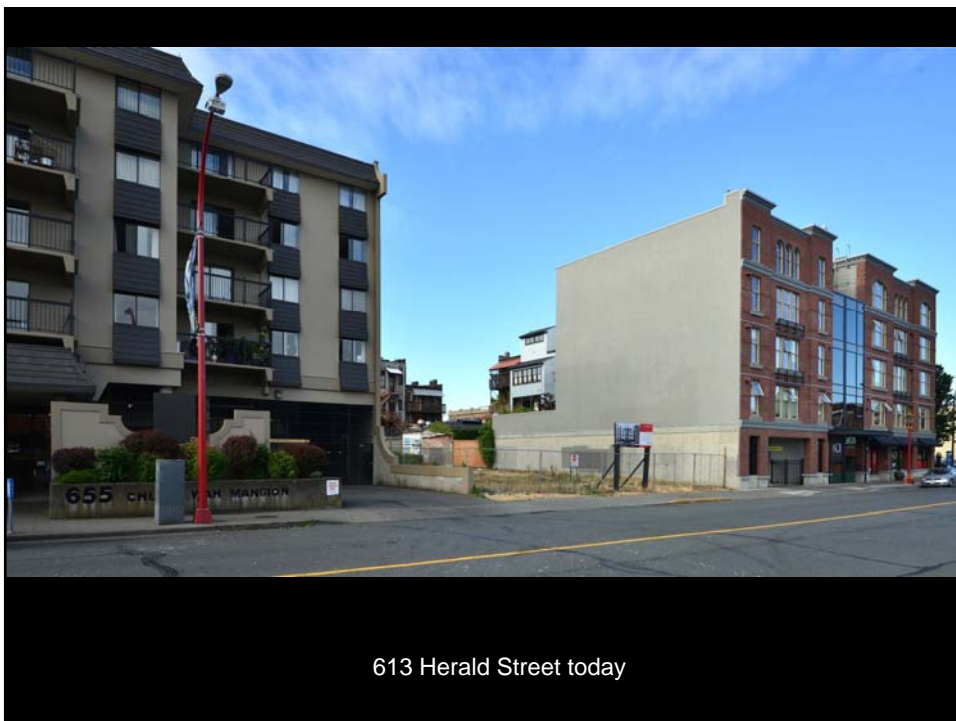
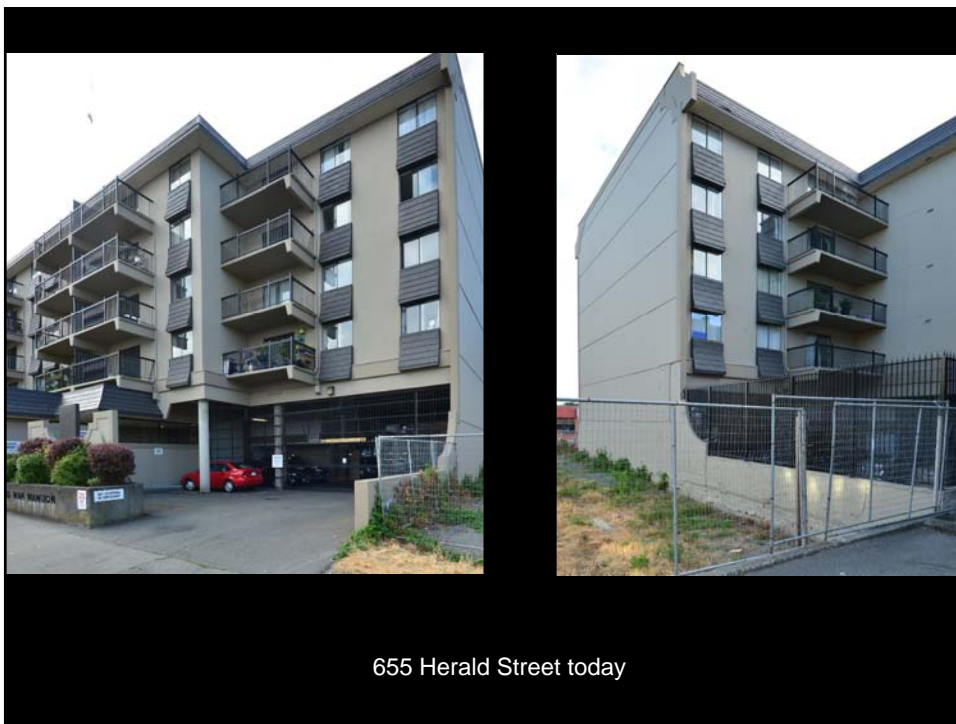
As I understand it when reading over the plans for 613 Herald, the quality of the origin design and materials has been significantly downgraded. This is not in the spirit and design of the existing neighbourhood. For example, instead of load-bearing red brick we see plans to have concrete painted brick red. Our lovely Zen garden (courtyard) is in danger of being walled off. There are few considerations for the street front of the building to contribute to the Chinatown theme in either design or quality, for example, the windows appear to be "nail on" as opposed to structurally built in, as are the windows at 601 Herald. For further concerns of the new proposal, one simply has to look at the original and compare it to the current one.

Thank you for your consideration.

Respectfully yours,

Brett Hayward.







601 Herald Street today

613 Herald Street Advisory Design Panel Review

1. **Outline of new Finishes**
2. Outline of new design initiatives
3. Old Town vs Chinatown
4. The Pedestrian Experience



613 Herald Street

Streetscape Setting: bridging scale, masonry, colour



613 Herald Street
Outline of Finishes

Upper Floor Finishes
suitable for Old Town

Brick veneer

Metal panels

Aluminum Windows

Black railing details

Lower Floor Finishes
respectful of Chinese
Community

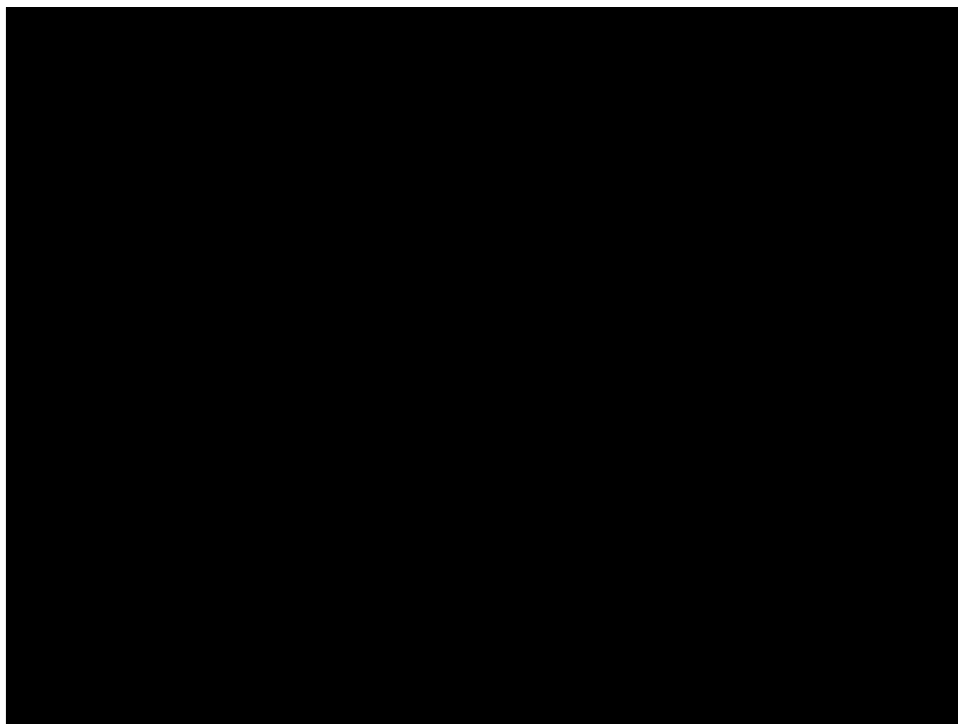
Ebony Brick

Red building details



613 Herald Street Advisory Design Panel Review

1. Outline of new Finishes
- 2. Outline of new design initiatives**
3. Old Town vs Chinatown
4. The Pedestrian Experience



Outline of design initiatives: neighbourliness
Earlier setback considerations: 5.025m previous DP became 6.27m former DP
The real needs were substantially different.
Setbacks grew: 7.5m colonade & 8.25m to building face

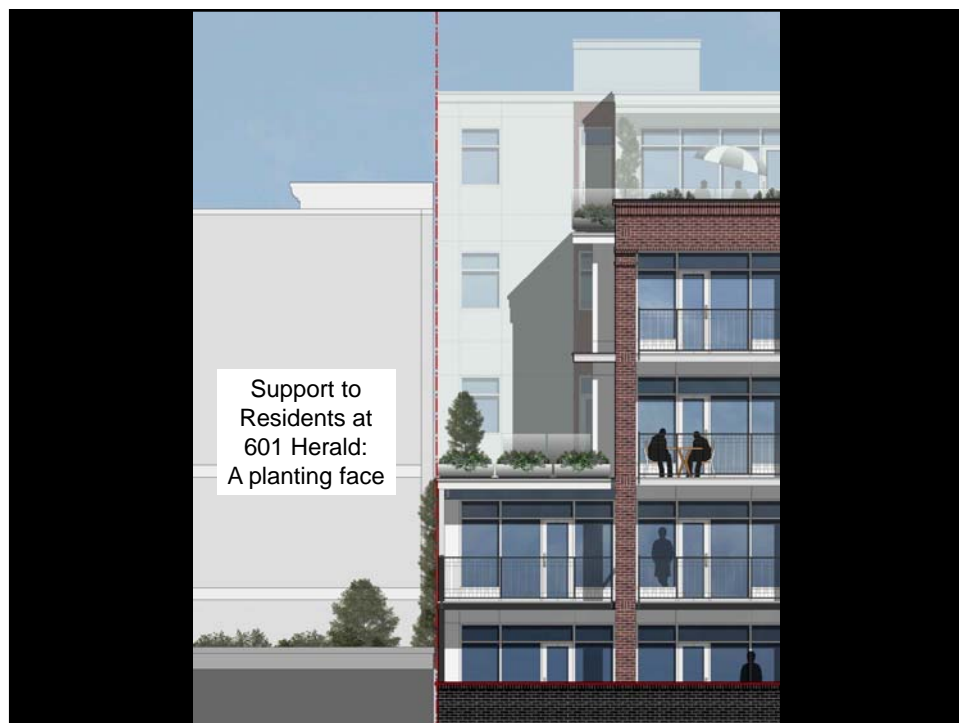


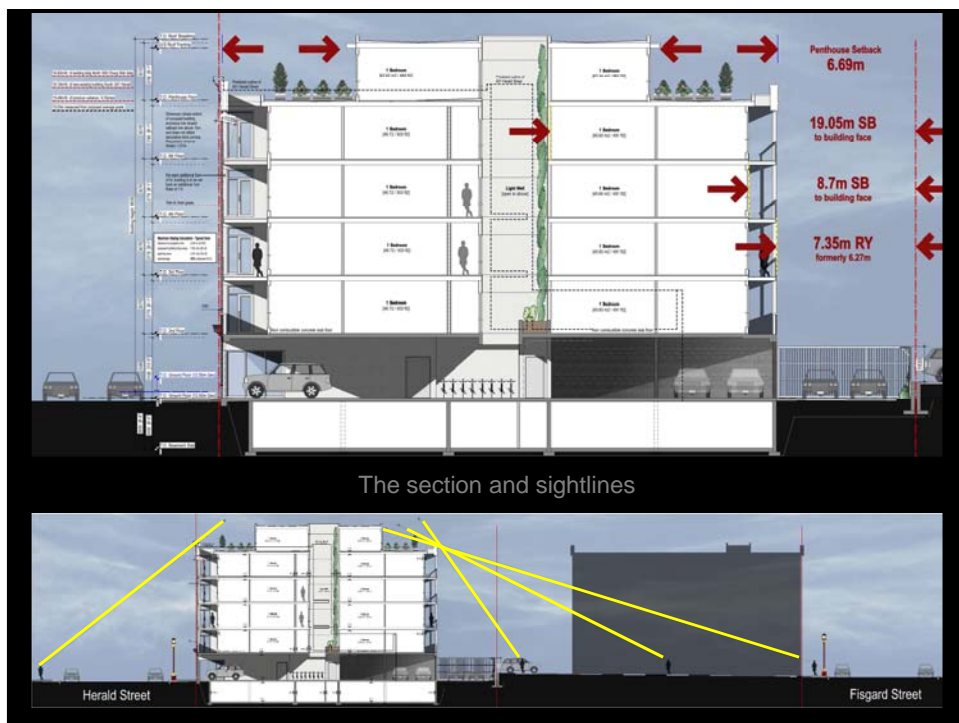
The big change,
the only real way to affect the required change:
Density relocation concept
The original sketch presented with plan revisions



Refinement of the density relocation
Original sketch presented with new elevations





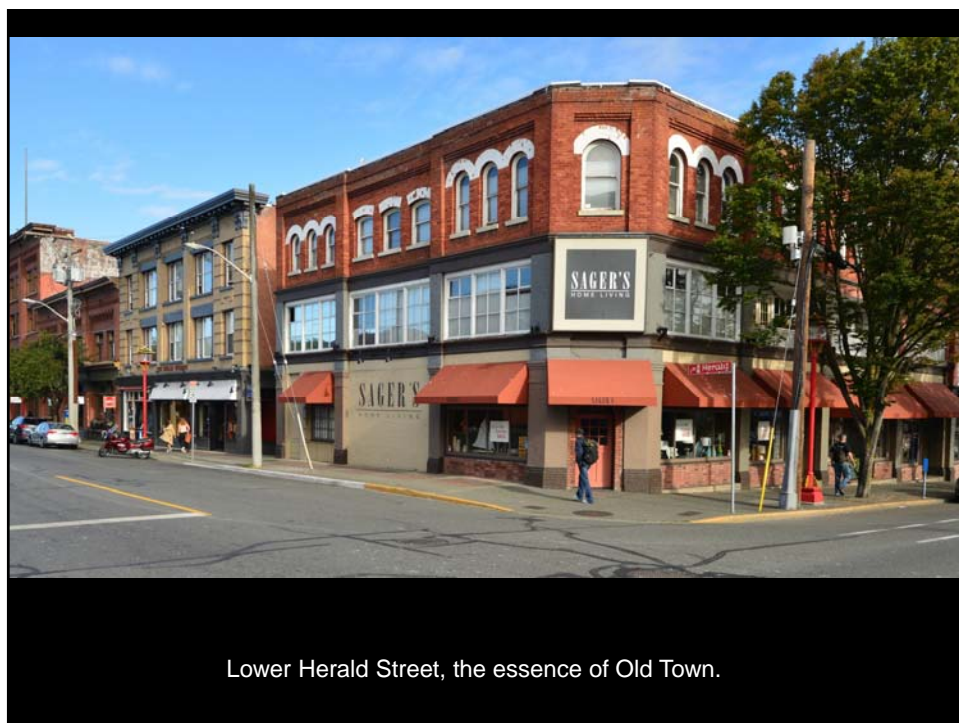
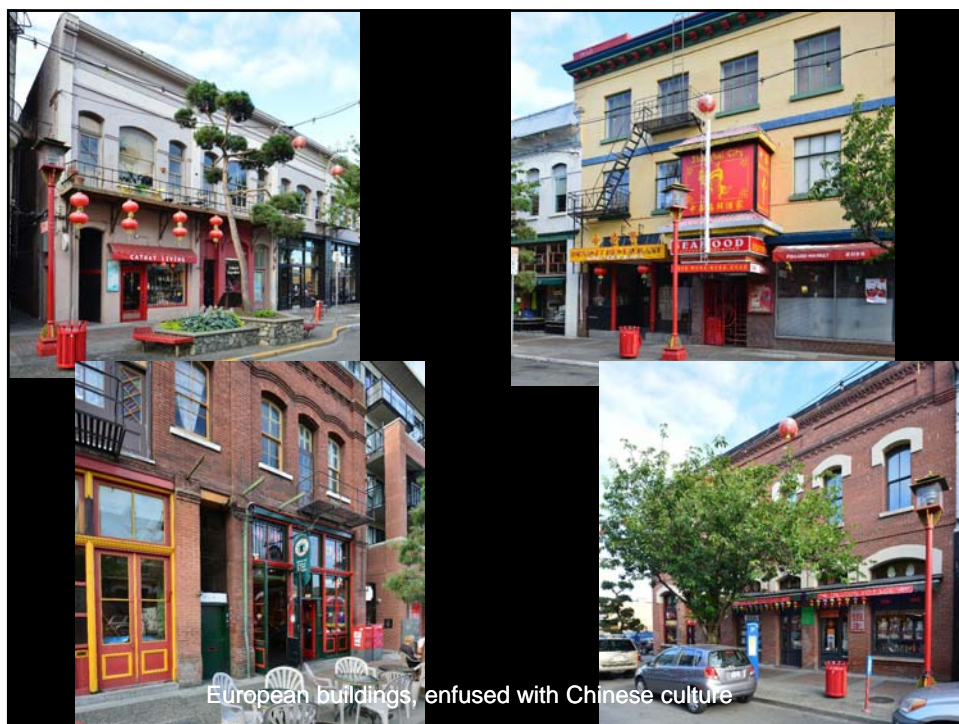


613 Herald Street Advisory Design Panel Review

1. Outline of new Finishes
2. Outline of new design initiatives
- 3. Old Town vs Chinatown**
4. The Pedestrian Experience



Lower Fisgard Street, the essence of Chinatown.



Lower Herald Street, the essence of Old Town.



Old Town and Chinatown

Drawing a distinction

Upper Fisgard St.

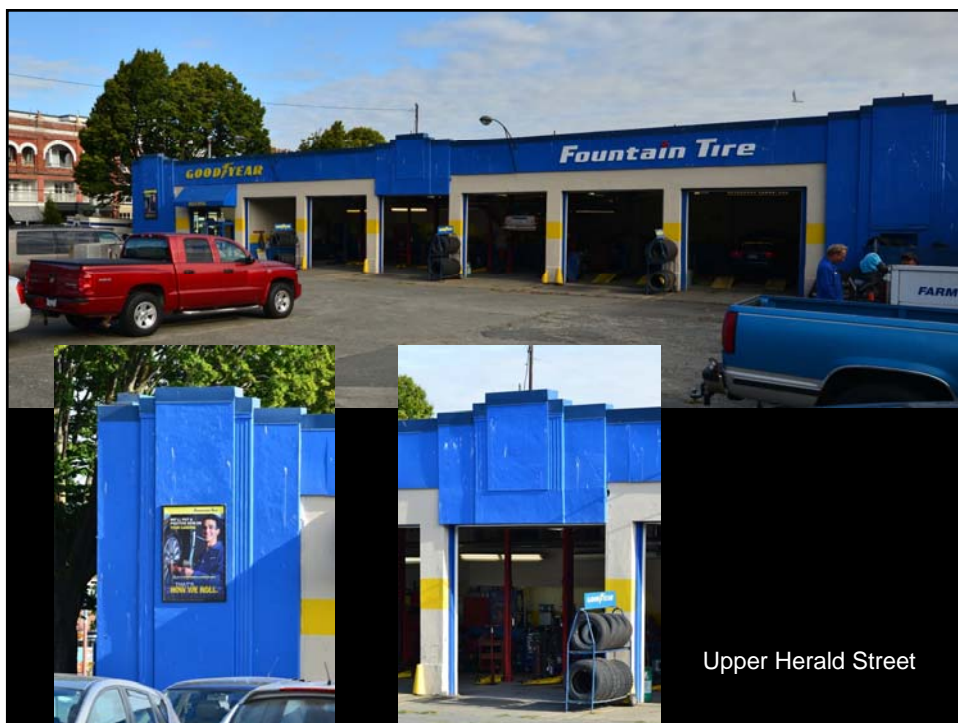
& Upper Herald St.



Upper Fisgard Street



Upper Herald Street





Thursday, May 16th, 1895, 12 o'clock noon

Upper Herald Street

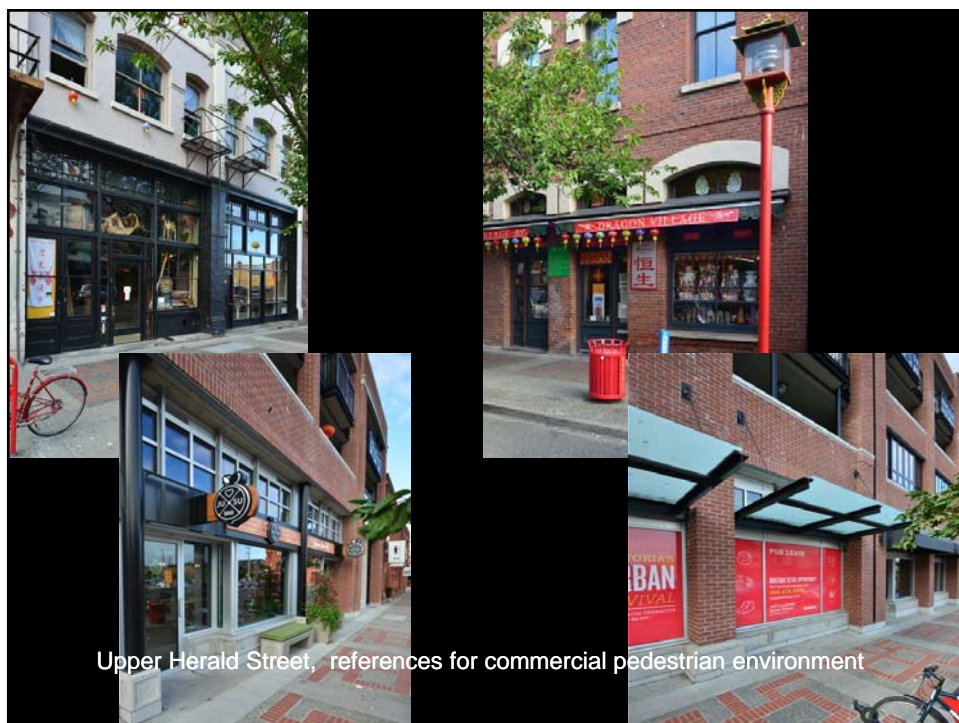


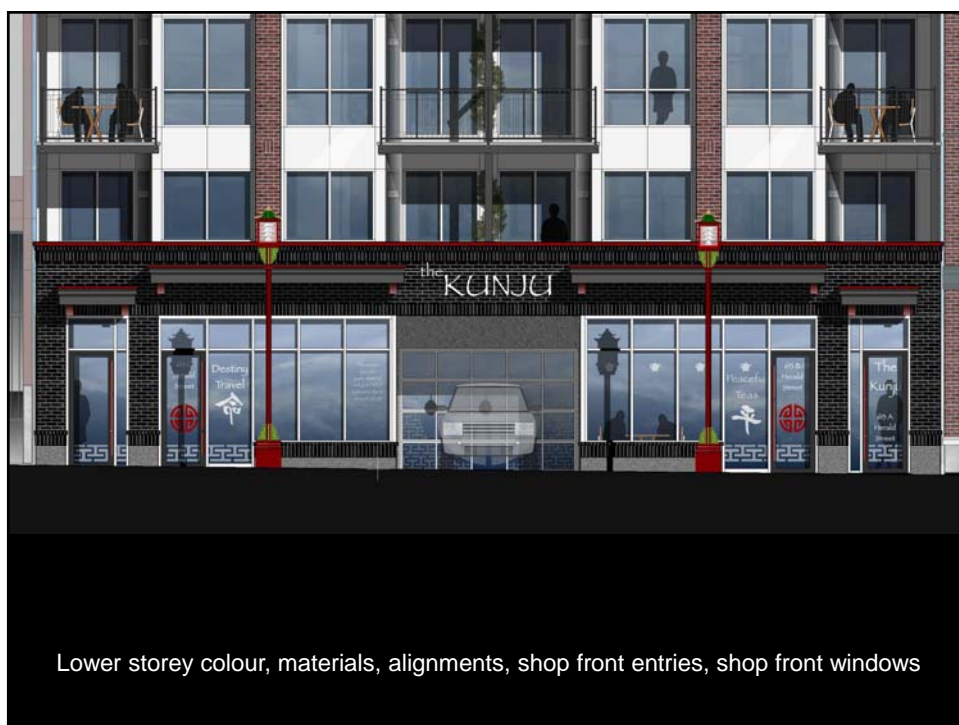
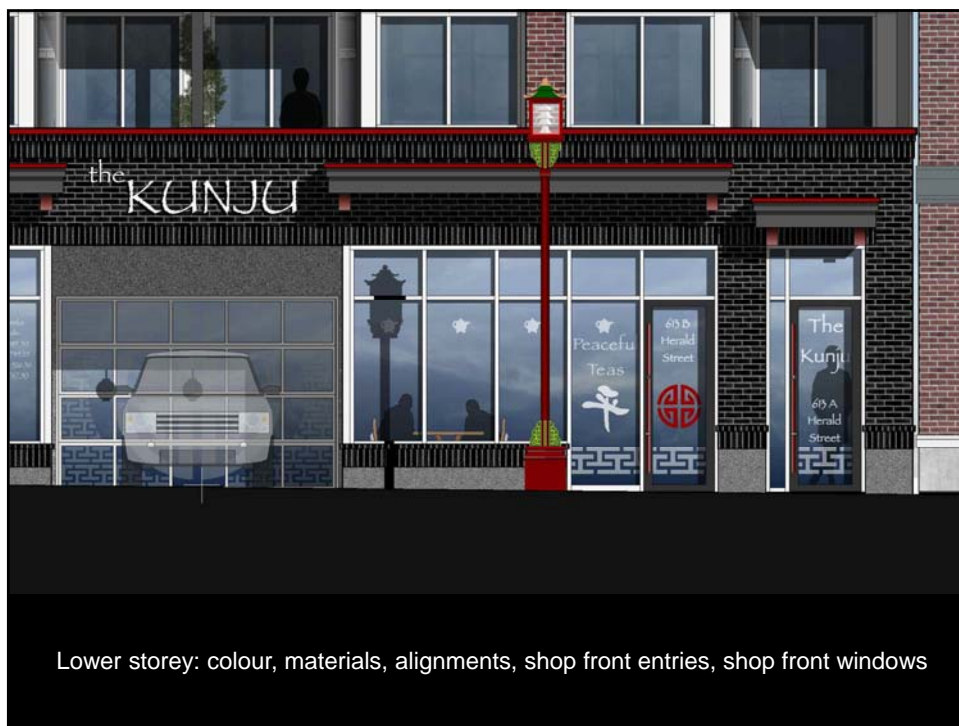
Thursday, May 16th, 1895, 12 o'clock noon

Upper Herald Street

613 Herald Street Advisory Design Panel Review

1. Outline of new Finishes
2. Outline of new design initiatives
3. Old Town vs Chinatown
- 4. The Pedestrian Experience**







Thank You

Christine Havelka

From: Public Hearings
Subject: FW: Development Permit with Variances Application No. 000377 613 Herald Street
Attachments: IMG_5589.JPG; ATT00001.txt

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

From: Peter Leitz [mailto:]
Sent: Tuesday, February 09, 2016 8:12 PM
To: Public Hearings
Subject: Development Permit with Variances Application No. 000377 613 Herald Street

I wish to express my support for the above-noted application. The variances are proposed to enhance the aesthetic appeal of the building and allow construction to be more in keeping with the historical and cultural values of the neighbourhood. They will also enable the developer to construct the building in manner that provides for a brighter and more open common garden space important to residents at 601 Herald Street.

Peter Leitz
Owner 408 - 601 Herald Street, Victoria

>

The Residents
601 Herald St.,
V8W 1S8

17 February, 2016

Development Permit for 613 Herald Street.

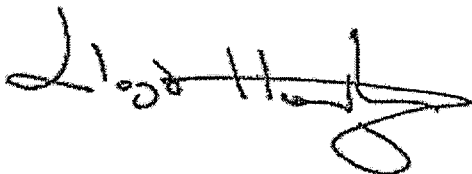
Following our letter of 17 August 2015 to the developer and Development Services expressing our concerns with the latest proposed development, we were invited to meet with the developer and his project architect, along with DRA representatives. Both parties, as discussed at the end of the meeting, were going into the meeting thinking that it was likely going to be a hard arm wrestle. Notwithstanding this, the development team were polite and listened willingly to the suggestions proposed by ourselves and the DRA.

Once the development team grasped the opportunity our suggestions enabled, their design response was quick and enthusiastic. They fully understood the logic of our concerns and presented us with a preliminary new design that fully embraced our suggestions within a few days. This design was more than a token gesture. We found it to respond to all of the concerns expressed in our letter. The design received nothing but positive response from us at 601.

The setback of the rear upper floors adjacent to 601 Herald St is now architecturally sensitive to our courtyard Zen garden and significantly reduces the negative impact on sunlight and airflow of the 11 suites that face the garden.

The amended design presents us with a more appealing streetscape, one that is now much more in keeping with the Heritage Conservation Area and would be worthy of preservation by and for future generations.

We fully support the current application for a Development Permit with Variances in order for the construction of this new building at 613 Herald Street.

A handwritten signature in black ink, appearing to read 'Lloyd Houghton', with a stylized flourish at the end.

Lloyd Houghton, on behalf of residents and owners at 601 Herald St.,
President, Strata Council

From the Planning and Land Use Committee meeting of January 28, 2016:

9.1 Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street

Committee received a report dated January 14, 2016, regarding an application to demolish a portion of the existing building and add a second storey to the remaining portion and construct a new attached single storey building.

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

That Council authorize the issuance of Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street, in accordance with:

1. Plans date stamped December 31, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Section 16.C.12: reduce the required number of parking spaces from 48 to 10;
 - ii. Schedule C, Section 7.2(b): reduce the setback of parking spaces from the street from 1m to 0.62m.
3. The Development Permit lapsing two years from the date of this resolution.
4. That this application be forwarded to the Council meeting of January 28, 2016 to set a Hearing Date for February 11, 2016.

CARRIED UNANIMOUSLY 16/PLUC

From the Council meeting of January 28, 2016:

1. Development Permit with Variances No. 00002 for 1001 Blanshard Street and 804 – 812 Broughton Street

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

That Council authorize the issuance of Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street, in accordance with:

1. Plans date stamped December 31, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Section 16.C.12: reduce the required number of parking spaces from 48 to 10;
 - ii. Schedule C, Section 7.2(b): reduce the setback of parking spaces from the street from 1m to 0.62m.
3. The Development Permit lapsing two years from the date of this resolution.
4. That this application be forwarded to the Council meeting of January 28, 2016 to set a Hearing Date for February 11, 2016.

Carried Unanimously



Planning and Land Use Committee Report For the Meeting of January 28, 2016

To: Planning and Land Use Committee **Date:** January 14, 2016

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

Subject: Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street

RECOMMENDATION

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

"That Council authorize the issuance of Development Permit with Variances Application No. 00002 for 1001 Blanshard Street and 804-812 Broughton Street, in accordance with:

1. Plans date stamped December 31, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule C, Section 16.C.12: reduce the required number of parking spaces from 48 to 10;
 - ii. Schedule C, Section 7.2(b): reduce the setback of parking spaces from the street from 1m to 0.62m.
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 with Variances Application for the property located at 1001 Blanshard Street and 804-812 Broughton Street. The proposal is to permit exterior changes to an existing two-storey commercial building, upgrades to landscaping and pedestrian areas, construction of

a new services building and pedestrian walkway. The variances are related to reducing the required number of parking spaces and the setback of off-street parking spaces from the street.

The following points were considered in assessing this Application:

- The proposal is generally consistent with the *Downtown Core Area Plan*.
- The proposal is consistent with the *Cathedral Hill Precinct Plan*.
- The upgrades being proposed would allow for a new restaurant to operate on the second storey and commercial businesses to operate on the main level.
- The variances are related to reducing the required number of parking spaces and the setback from an off-street parking space from the street.
- The results of the parking study, location and existing conditions of the site, and the proposed onsite bicycle facilities justify the proposed parking variances.

BACKGROUND

Description of Proposal

The proposal is to permit exterior changes to an existing two-storey commercial building, upgrades to landscaping and pedestrian areas, and construction of a new services building.

Specific details include:

- the existing building along the eastern edge of the site (812 Broughton Street) would be demolished to accommodate a new services building and pedestrian walkway to a common area located on the adjacent property to the north
- the walkway would be open during courtyard business hours and closed overnight by a rolling wood-clad gate located at its entrance off Broughton Street
- the new services building would be constructed of concrete block and finished with solid wood slats that form a trellis above the pedestrian walkway
- lighting and landscaping would be integrated into the trellis structure
- new glass and steel exterior stairs with a canopy lead up to the second floor restaurant and upper-storey patio
- the existing brick exterior walls would be stained a charcoal colour to retain the brick texture and the stucco fascia would be painted to match
- a glass guardrail in the style of the canopy would enclose the rooftop patio of the restaurant
- a south-facing outdoor patio with rain gardens and raised planters would be installed
- the parking area would incorporate decorative permeable pavers and perimeter landscaping.

The proposed variances are related to:

- reducing the required number of parking spaces from 48 to 10
- reducing the setback parking spaces from the street from 1m to 0.62m.

Sustainability Features

As indicated in the applicant's letter dated December 27, 2015, onsite stormwater management infrastructure, such as rain gardens and permeable surface treatments, would be incorporated

into the landscaping of the site. Adaptive reuse of the existing building by maintaining the structural brick walls and timber roof structure, and increasing the insulation for improving energy performance are also being proposed.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- fourteen Class 1 bicycle parking spaces to be provided in a secure and enclosed bicycle room
- four Class 2 bicycle parking spaces by installing two inverted U bike racks onsite at the corner of Blanshard Street and Broughton Street
- four Class 2 bicycle parking spaces on the sidewalk.

Public Realm Improvements

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

Existing Site Development and Development Potential

The site is presently a two-storey commercial building, which is currently vacant and a stand-alone single-storey building.

Under the current C1-BB Zone, Blanshard and Broughton Street District, the property could be developed at a density of 2:1 Floor Space Ratio (FSR) and with the uses proposed or into a multi-unit residential, commercial or mixed-use building up to approximately seven storeys in height.

Data Table

The following data table compares the proposal with the existing C1-BB Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. The term "n/a" is used to indicate that the requirements are not applicable in the zone.

Zoning Criteria	Proposal	Zone Standard C1-BB Zone, Blanshard and Broughton Street District
Density (Floor Space Ratio) - maximum	0.66:1	2.00:1
Height (m) - maximum	7.49m	22.50m
Setbacks (m) - minimum		
Front (Shelbourne Street)	0.00	n/a
Rear	0.00	n/a
Side (north)	0.25	0.00
Side (south)	4.10	n/a
Parking - minimum	10*	48

Zoning Criteria	Proposal	Zone Standard C1-BB Zone, Blanshard and Broughton Street District
Setback of off-street parking space	0.62m*	1m
Bicycle parking stalls (minimum)		
Class 1	14	3
Class 2	4	3

Relevant History

In February 2015, Council approved a rezoning of the subject property to the C1-BB Zone to bring the property's zoning more in line with the objectives of the *Official Community Plan* (OCP) by allowing a broader range of uses than what was currently permitted in the original zone.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on December 21, 2015, the application was referred for a 30-day comment period to the Fairfield Gonzales Community Association. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

The OCP identifies this property within Development Permit Area 14: Cathedral Hill Precinct. The site is subject to the design guidelines outlined in the *Downtown Core Area Plan* (DCAP) and *Cathedral Hill Precinct Plan* (CHPP).

The proposed retrofits to the existing building, landscaping and pedestrian areas would result in attractive, identifiable and welcoming space and streetscape. The new services building located along the eastern property boundary would be constructed of concrete block and finished with solid wood slats that form a trellis above the pedestrian walkway, which would complement the exterior finishes of the main building. This building will accommodate a garbage and recycling room, bicycle storage and public washrooms. A roll-up door is being proposed on the east elevation to provide access to the garbage and recycling room.

The proposed pedestrian walkway through the property to the courtyard area (the Common) on the adjacent property would incorporate pedestrian-scale lighting. The entrance to the walkway is setback from Broughton Street and would not be easily identifiable from the street level. However, the applicant is proposing decorative permeable unit pavers in the parking area and landscaping to demarcate the pedestrian walkway between the two buildings. The walkway would be open during courtyard business hours (of the Common) and closed overnight by a rolling wood-clad gate at its entrance off Broughton Street.

Regulatory Considerations

The applicant is proposing to reduce the required number of parking spaces from 48 to 10. There are currently eight surface parking spaces onsite, however, an additional two parking spaces will be gained from the removal of the 812 Broughton Street building. This would appear to be a significant parking variance, however there are currently only eight stalls and there is on-street parking and parking facilities within walking distance to the site as well as major transit stops. To offset a reduction in parking, the applicant is also proposing to provide 14 Class 1 bicycle parking spaces in the new services building. Another point to consider is while the Application site is located within the Fairfield neighbourhood, it borders the Downtown Core Area where the zoning of adjacent properties do not require parking for commercial uses.

A parking study prepared by Boulevard Transportation is attached to this report. The parking study suggests that the parking demand would be as low as 20 parking spaces and up to 38 parking spaces depending on the types of businesses that would occupy the building. Restaurants typically have a higher parking demand, however, there will likely be a mix of office/retail/restaurant businesses on the main level.

Given the walkability of the neighbourhood, alternative transportation options in the vicinity and the results of the parking study, staff recommend that Council consider supporting this parking variance.

The applicant is also requesting a variance to reduce the setback of parking spaces from a street from 1m to 0.62m. There is no change to the existing surface parking onsite, except for the additional two parking spaces being provided. Landscaping will be installed adjacent to the parking spaces flanking the street. Staff recommend that Council consider supporting this setback variance.

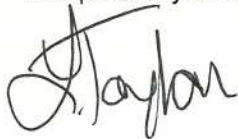
CONCLUSIONS

The Application to permit some minor exterior changes to the main building and the construction of a new services building, as well as landscaping improvements and upgrades to the pedestrian areas onsite, are consistent with the design guidelines outlined in DCAP and *Cathedral Hill Precinct Plan*. The parking variances are also recommended as being supportable given the results of the parking study, location and existing conditions of the site, and the bicycle facilities being proposed. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00002 for the property located at 1001 Blanshard Street and 804-812 Broughton Street.

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: January 13, 2016

List of Attachments

- Zoning map
- Aerial map
- Letter to Mayor and Council dated December 27, 2015
- Parking Study dated December 3, 2015
- Plans dated December 31, 2015.



CITY OF
VICTORIA





Development Permit with Variance #00002



CASCADIA ARCHITECTS

DAMANT + JOHANNKNECHT

24 November 2015

Updated 27 December 2015

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

**Attn.: Mayor & Council****Re: 1001 Blanshard Street Development Permit Application**

Fort Properties is making application to the City of Victoria for a Development Permit for 1001 Blanshard Street. Although the site is located downtown, opposite the Royal Theater at the corner of Broughton Street, a quirk of zoning and neighbourhood boundaries means the project is considered part of Fairfield and requires parking in conformance with Schedule C, whereas adjacent properties to the north do not. As a result the proposal, which involves relatively minor exterior changes to the existing building, will require **two parking variances** based on the limited availability of parking on the site. The existing building was formerly a bank branch and is currently vacant. **The application is for a new restaurant located at the building second floor and, in order to avoid the necessity to apply for separate Development Permits with each new tenant, this proposal also seeks to include possible future uses for the ground floor within the scope of the parking relaxation. Based on the parking study forming part of this application, the projected maximum number of parking vehicles that will be generated by business uses permitted on the site is 40. The site can accommodate a maximum of 10 parking stalls. The parking study further concludes that the projected *maximum* shortfall of 30 vehicles can be adequately accommodated by the surrounding surface lots and street parking. This study, and the site's location downtown, where off-street parking is typically not a zoning requirement form the basis of the variance request.**

Neighbourhood Context

1001 Blanshard Street is located downtown, on the northeast corner of Blanshard and Broughton Streets, at the south side of the revitalized Fort-Blanshard retail and restaurant district. The district serves the residents of Victoria's downtown and the adjacent neighbourhoods of Fairfield, James Bay, and Rockland.

In 2012 Fort Properties began working with Cascadia Architects to develop a comprehensive improvement plan for its properties at the corner of Blanshard and Fort Streets. This improvement plan is based on Fort Realty's Triple Bottom Line approach, encompassing people, planet, and prosperity. The plan's primary objective is to create a pedestrian-friendly environment that fosters a healthy commercial setting, and contributes to the diversity of the urban fabric of Victoria's downtown community.



1060 Meares Street
Victoria BC V8V 3J6
Canada

T 250 590 3223
F 250 590 3226

www.cascadiaarchitects.ca
office@cascadiaarchitects.ca

A Corporate Partnership

Principals

GREGORY DAMANT
Architect AIBC, LEED AP

PETER JOHANNKNECHT
Architect AIBC, LEED AP,
Interior Architect AKNW Germany

Project Details

As the next step in this comprehensive plan for the block, the proposed scheme for 1001 Blanshard is consistent and complementary with the other rejuvenated properties on the block. Within the limitations of the existing building structure, which is being adapted for a new second floor restaurant tenant, the proposal seeks to achieve a more ambitious vision for a comprehensive site activation that will literally open the door to what is intended to become a commercial and cultural precinct centered around the adjacent Royal Theater and Fort Common courtyard.

The proposed scheme will contribute an additional pedestrian thoroughfare connection to the Common, completing a through-block connection between Blanshard Street and Broughton Street. This pedestrian lane, along with a new services building, is accomplished by the demolition of the small 812 Broughton building along the eastern edge of the site. Other than the removal of this building, the overall massing of the existing site remains essentially unchanged by this proposal.

The new lane engages with Broughton Street via a new multi-function plaza space, which serves primarily as a parking area to provide a portion of the parking required for the site under Schedule C. In order to achieve space for 10 parking stalls on site a relaxation of the 1m parking setback from a street required by Schedule C to 0.62m is requested. Additionally, the parking area incorporates decorative paving, landscaping and is level with the adjacent patio and walkway to the courtyard so that it appears more like an extension of plaza space and can play a more valuable role in the hosting of community events, festivals, and open air markets. The southern edge of the site is further activated with new patio seating space at the SW corner, raingardens, and a glass sheltered entry and stair leading to the second floor restaurant. All of these spaces are designed to allow opportunities for synergy with events at the Royal Theatre on the adjacent corner of Broughton and potentially the programs of the nearby Library and YM/YMCA.

Architectural alterations to the 1001 Blanshard building are minor, and retain the building's stylistic references to mid-century 'prairie-style' architecture while giving it a contemporary update. The primary new feature is a glass and steel exterior stair and canopy leading to the second floor restaurant and patio. The minimalist rectangular forms of the glass canopy defer to the lines of the existing building but are intended to glow with light in the evening, creating an attractive 'front door' for the restaurant that is visible from Blanshard Street and compliments the cultural evening atmosphere of the Royal's lighted historic façade. Other alterations are limited to new painting, landscaping and the pedestrian walkway. The 1001 building existing brick exterior walls will be stained a charcoal colour to keep the brick texture while updating the colour. Likewise the stucco fascias will be painted to match. A glass guardrail in the style of the canopy will enclose the rooftop patio of the restaurant. Landscaping at the SE corner patio will treat rainwater run-off in conjunction with the new parking area and provide an attractive natural feature at the corner of Blanshard and Broughton and climbing vines will be integrated in the narrow window openings of the building as a natural screen to soften the overall appearance. The new service building will be constructed of concrete block but ornamented with wood battens that form trellis on both sides and overhead of the pedestrian walkway. Lighting and landscape elements are integrated in the trellis structure. It is intended to create a light dappled and inviting passage from the street to the courtyard while screening an otherwise utilitarian building. The walkway will be open during hours of the courtyard businesses and closed overnight by a rolling wood-clad gate at its entrance. Emergency egress from the courtyard will be provided via a person-door in the gate in the same fashion as the existing courtyard gate on Blanshard Street.

In addition to creating the laneway connection to the courtyard, demolition of the 812 Broughton building will permit onsite parking to be increased from 8 spots to 10. The proposal will also create one extra on-street parking space as a by-product of the driveway adjustment. Even so, a variance will be needed for the parking requirement. As the ground floor uses have not been confirmed at this time, the number of this variance is not fixed. Parking implications of different uses has been described in a detailed parking study conducted by Boulevard Transportation Group, which has indicated that based on utilization rates of nearby on-street and off-street surface parking stalls, adequate parking (additional to the 10 stall proposed on site) is available in the local vicinity to address the intent of Schedule C for the full range of uses. For this reason **the proposal seeks to have the full range of zoning permitted uses approved for the building under this DP application, in terms of the parking variance. This will allow tenancing of the ground floor without requirement for an additional DP and parking variance for each and every tenant improvement.**

In support of the requested variance, the project will oversupply both Class A and Class B bicycle parking on site. Fourteen (14) Class 1 bicycle parking spaces are provided in the new services building that replace the 812 Broughton building. Four (4) Class 2 spaces are provided on the property's street level patio area at the corner of Blanshard and Broughton street, and 4 more are proposed for the sidewalk ROWs, for a total of 22 spaces. This is well in excess of the 6 (3 Class 1 and 3 Class 2) required by Schedule C.

Green Building Features & Community Benefits

The proposed project seeks to adaptively reuse as much existing building fabric as possible, maintaining many of the existing structural brick walls and timber roof structure, while strategically increasing seismic reinforcing and insulation for improved safety and energy performance.

Special attention is being played to onsite storm water management. The water collected from the main roof will flow directly into the feature raingardens fronting the Broughton Street sidewalk, while rain water landing on the parking / courtyard surface will be directed and absorbed through an area of permeable pavers.

The project also includes seismic upgrading of the building and the provision of handicapped access to the second floor, which was previously missing.

In preparing this application Fort Properties has consulted with local stakeholders including the YM/YWCA, the Greater Victoria Public Library, the Royal Theater, the Escher development team, and the adjacent restaurants and businesses. The resulting scheme as presented makes a significant contribution to the area in terms of creating accessible, lively uses and spaces that foster a sense of community, and extend the City's network of pedestrian links while lending character and identity to the neighbourhood. We look forward to presenting the project to Council. If you have any questions or require further clarification of any part of this application please do not hesitate to contact our office.

Sincerely,
CASCADIA ARCHITECTS INC.



Peter Johannknecht, Architect AIBC, LEED AP
Principal



Gregory Damant, Architect AIBC LEED AP
Principal



1001 BLANSHARD STREET PARKING STUDY

Prepared for: **Cascadia Architects Inc.**

Prepared by: **Boulevard Transportation, a division of Watt Consulting Group**

Our File: **1908**

Date: **December 03 2015**

GREAT!

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Appendix A. **Summary of Customer Travel Survey**

Appendix B. **Summary of On-Street Parking Observations**

Appendix C. **Summary of Off-Street Parking Observations**

1.0 INTRODUCTION

Boulevard Transportation, a division of Watt Consulting Group was retained by Cascadia Architects to undertake a parking study for the proposed project at the existing building at 1001 Blanshard Street in the City of Victoria. The purpose of this study is to determine if the proposed parking supply will accommodate site parking demand and assess any impacts on nearby parking supplies.

1.1 LOCATION

The site is located at 1001 Blanshard Street in the City of Victoria. See **Figure 1**.

FIGURE 1. SUBJECT SITE



1.2 CURRENT LAND USE

The site is zoned C1-BB, Blanshard and Broughton Street District. The subject building is currently vacant.

1.3 PROPOSED PROJECT

The proposal is to occupy the existing two-storey building with commercial land uses. The tenant(s) for the first floor (5,386 sqft interior, 748 sqft patio) is unknown; a restaurant has been confirmed for the second floor (1,879 sqft interior, 846 sqft patio) with capacity for 95 seats. The restaurant will be upscale and operate during late afternoon and evening hours.

1.3.1 Proposed Parking Supply

The proposal includes 10 parking spaces accessed from Broughton Street. There is potential for more parking in the site's courtyard, but the proponent would prefer this remain open space.

2.0 PARKING REQUIREMENT

The City of Victoria's Zoning Bylaw, "Schedule C" defines required parking supply rates. See **Table 1**. Low, medium, and high scenarios have been developed that consider the range of potential uses for the first floor. The requirement could range from 28 spaces if office land uses on the first floor to 48 spaces if restaurant. All scenarios exceed the proposed parking supply.

TABLE 1. SITE PARKING REQUIREMENT (HIGH, MEDIUM, LOW SCENARIOS)

Land Use Classification		Required Parking Rate	Proposed Land Use	Total Requirement
High Scenario				
Eating and Drinking Establishments	First Floor	1 / 5 seats	145 seats ¹	29
	Second Floor		95 seats	19
	Total		48	
Medium Scenario				
Eating and Drinking Establishments	First Floor	1 / 5 seats	100 seats ¹	20
Other Offices		1 / 65m ²	185.8m ²	3
Eating and Drinking Establishments	Second Floor	1 / 5 seats	95 seats	19
Total				42
Low Scenario				
Other Offices	First Floor	1 / 65m ²	569.9m ²	9
Eating and Drinking Establishments	Second Floor	1 / 5 seats	95 seats	19
Total				28

It should be acknowledged that properties immediately north of the subject site (Starbucks, Be Love, etc) and the west side of Blanshard Street are subject to CA-4 zoning and not required to provide off-street parking. See *Section 5.0*.

¹ Estimate provided by client/architect

3.0 PARKING DEMAND

Expected parking demand is considered for all possible site land uses in the following section based on observations at similar sites, customer surveys, and previous studies.

3.1 RESTAURANT

The second storey will be occupied by an upscale / wine bar restaurant. There is also potential for a restaurant or eating establishment to occupy a portion or all of the first floor space.

3.1.1 Customer Travel Survey, nearby restaurants

A customer travel survey was administered November 19 – 24 among existing restaurants on the Blanshard Street / Fort Street block – Be Love, Chorizo & Co, Fish Hook, La Taquista. The survey was administered by restaurant staff and included three questions designed to understand customer parking demand. A total of 96 customers were surveyed between the four restaurants. The survey and full results are included in **Appendix A**.

Results suggest that average parking demand is one vehicle per 6.25 customers² among existing restaurants. The parking demand rate increases slightly when sorted to exclude morning and lunchtime responses (2pm onward) to more closely reflect the operating hours of the proposed second-floor restaurant. Results also suggests that approximately two-thirds of customer vehicles are parked on-street, rather than in parkades or surface lots.

TABLE 2. SUMMARY OF SURVEY RESULTS AT NEARBY RESTAURANTS

	Customer Responses	Q1. Did the customer drive themselves in their own car?		Q2. If "yes", is this their only destination while downtown?		Q3. If the customer drove, where did they park their car?		
		Yes	No	Yes	No	On-Street	Surface Lot	Parkade
Be Love 1019 Blanshard St	20	9	11	5	4	7	0	2
Chorizo & Co 907 Fort St	20	1	19	0	1	0	0	1
Fish Hook 805 Fort St	17	7	10	2	5	3	0	4
La Taquista 1017 Blanshard St	39	5	34	2	3	4	0	1
Total	96	22 (23%)	74 (77%)	9 (41%)	13 (59%)	14 (64%)	0 (0%)	8 (36%)

² Calculated as 0.23 vehicles per customer for those that indicated this is their only destination while downtown (41%) and 0.115 vehicles per customer (i.e. half) for those that indicated this is not their only destination (this represents 13.6% of all surveys)

3.1.2 Customer Travel Survey, existing location

A survey of customers at the existing Fernwood restaurant / winebar location was conducted on Saturday October 25 2015 from 6:00pm to 9:00pm to establish a parking demand rate. A total of 93 restaurant patrons were surveyed and indicated a total parking demand for 30 vehicles, a rate of 0.32 vehicles per customer or approximately one vehicle per three customers.

The site observed is the same business as is proposed for the second floor, but approximately 1.5km from downtown with poorer access to public transit and less central to the concentration of employment and entertainment. As such, this is expected to over-estimate expected parking demand.

3.1.3 Observations

Observations were conducted at three restaurant sites (Christie's Pub, White Spot, McRae's Bistro) on Saturday October 24 2015 at approximately 6:30pm. Sites were selected that represent the subject site as best as possible, but where vehicles associated with the restaurant can clearly be differentiated from non-restaurant vehicles (which eliminates downtown sites).

Results concluded an average parking demand rate of one vehicles per five seats. See **Table 3**. Sites observed are expected to have a higher parking demand than the subject site due to their location outside the downtown area.

TABLE 3. SUMMARY OF OBSERVED PARKING DEMAND AT SIMILAR RESTAURANTS

Restaurant	Parking Supply	Observed Vehicles	# of seats	Parking Demand
Christie's Pub 1739 Fort St	30	16	85	1 / 5 seats
White Spot 1871 Fort St	24	22	104	1 / 5 seats
McRae's Bistro 1652 McRae Ave	22	15	90	1 / 6 seats
Average		53	279	1 / 5 seats

3.1.4 Seasonal Variation

Approximately 18% of the possible restaurant capacity (both floors) may be accommodated in outdoor patio space that is assumed to be utilized only during good weather (primarily between May and October). Parking demand rates presented above (Section 3.1.1, 3.1.2, 3.1.3) are based entirely on indoor seating and should be considered representative of peak parking demand at the subject site only when outdoor seating is at full capacity.

Parking demand rates developed in Section 3.1.1 and 3.1.2 are based on surveys completed in late-October and November, when weather is less favorable than in summer months and customers are less likely to walk to access transit and, in particular, less likely to bicycle³. Using non-summer parking demand rates to account for the summertime peak period (when outdoor seating may be at capacity) suggests these are conservative demand rates and that realized parking demand may be less.

3.1.5 Summary of Restaurant Parking Demand

The parking demand rate developed from the survey of customers at adjacent restaurants is considered the most accurate representation of the subject site given the proximity to downtown employment and entertainment, and access to public transit. Other observations/surveys are based on similar restaurant uses, but in locations believed to lead to higher parking demand. As such, a parking demand rate of one vehicle per 6.25 customers is considered appropriate.

3.2 OFFICE

A parking study was completed for a mixed-use site with affordable housing and office land uses on Blanshard Street in Victoria in 2013. Observations were conducted at six sites consisting of primarily office land uses. Peak demand was observed during the mid-day weekday, which yielded a peak demand rate of one vehicle per 53m². Observed office sites are located outside of the downtown core, and therefore likely have a higher parking demand than the subject site. The City's requirement of one vehicle per 65m² is considered appropriate⁴.

It should be noted that parking demand associated with office land uses is primarily experienced during conventional business hours (i.e. 8am to 5pm). Under scenarios where the site will contain office and restaurant uses, the office parking demand is assumed to be conservatively reduced by 50% during restaurant peak periods. A similar reduction could be applied if commercial-retail uses were combined with restaurant uses.

3.3 SUMMARY OF EXPECTED DEMAND

Expected parking demand ranges from 24 (low scenario) to 38 vehicles (high scenario) based on the demand rates identified above. See **Table 4**. Any scenario with a mix of office (or retail) and restaurant uses would experience lower peak parking demand resulting from off-setting time-of-day demand characteristics, bringing the low scenario to an estimated 20 vehicles during peak period.

³ Property owner has witnessed significant seasonal variation in bike parking utilization on the site

⁴ Refer to Zoning Bylaw, Schedule C

TABLE 4. EXPECTED PARKING DEMAND (HIGH, MEDIUM, LOW SCENARIOS)

Land Use		Demand Rate	Proposed	Parking Demand
High Scenario				
Eating and Drinking Establishments	First Floor	1 / 6.25 seats	145 seats	23
	Second Floor		95 seats	15
	Total			38
Medium Scenario				
Eating and Drinking Establishments	First Floor	1 / 6.25 seats	100 seats ²	16
Office		1 / 65m ²	185.8m ²	3*
Eating and Drinking Establishments	Second Floor	1 / 6.25 seats	95 seats	15
Total			34	
Low Scenario				
Office	First Floor	1 / 65m ²	569.9m ²	9*
Restaurant	Second Floor	1 / 6.25 seats	95 seats	15
Total			24	

* Office parking demand would be reduced by a minimum of 50% during restaurant peak period

4.0 OFF-SITE PARKING

4.1 ON-STREET PARKING

4.1.1 Inventory

On-street parking observations were conducted in the vicinity of the subject site - View Street (north), Courtney Street (south), Quadra Street (east), Douglas Street (west). See **Figure 2**. All parking is priced (\$2.00 to \$3.50 per hour) and time restricted for between 90 minutes and four hours. Parking is free in the evenings after 6:00pm and on Sundays and holidays.

FIGURE 2. ON-STREET PARKING SUPPLY



Legend

- 2 hours max (\$2.50/hour)
- 90 minute max (\$3.50/hour)
- 3 hours max. (\$2/hour)
- 4 hours max (\$2.50/hour)
- Passenger Loading Zone
- Taxi Loading Zone
- Commercial Loading Zone

Parking directly adjacent the site on Broughton Street (Blanshard Street to Quadra Street) consists of 26 spaces, and Blanshard Street (Fort Street to Broughton Street) consist of 12 spaces. These areas are assumed to be the first locations customers would seek on-street parking site customers will seek on-street parking, however the study area includes over 300 on-street parking spaces easily accessible within a 5-minute walk.

4.1.2 Observations

Observations were conducted during six time periods, as follows:

1. Thursday October 15 at 2:45pm
2. Saturday October 17 at 8:15pm (Royal Theatre event night)
3. Sunday October 18 at 2:00pm
4. Monday October 19 at 8:00pm
5. Wednesday October 21 at 8:30pm (Royal Theatre event night)
6. Saturday October 24 at 8:15pm

Parking conditions are considered in the following sections under typical conditions (i.e. not event at Royal Theatre) and on evenings with an event at the Royal Theatre. Full results are contained in **Appendix B**.

4.1.3 Typical Parking Conditions

Peak occupancy on a typical observation period was seen on Saturday October 24 at 8:15pm with 75% of on-street spaces occupied (78 spaces available). This is the same time period the site is expected to experience peak parking demand. Weekday daytime, weekday evening and weekend daytime counts found consistent occupancy rates in the range of 67% to 70% overall.

On-street parking occupancy for the two blocks immediately adjacent the site - Broughton Street from Quadra St to Blanshard St and Blanshard Street from Fort St to Broughton St - experience 72% occupancy during the peak observation period with 12 spaces unoccupied between the two blocks. This is assumed to be the area customers would seek parking first. An additional 12 unoccupied spaces (68% occupancy) were observed on Broughton Street (Blanshard St to Douglas St) and Blanshard Street (Broughton St to Courtney St), assumed to be the next location customers would seek parking. An additional 54 vacant on-street parking spaces were observed, all within a 5-minute walk of the site.

4.1.4 Special Event Parking Demand

The Royal Theater is directly across Broughton Street from the subject site and hosts events (typically evenings). The site contains limited parking supply and contributes vehicle to on-street parking, making on-street parking in the area more constrained during events.

Two observations were conducted during events at the Theatre – Saturday, October 17 at 8:15pm and Wednesday, October 21 at 8:30pm. Peak on-street parking occupancy was experienced during the Saturday observation when 86% of on-street parking spaces in the study area were observed occupied (35 more vehicles than other Saturday observation). The two blocks immediately adjacent the subject site - Broughton Street from Quadra St to Blanshard St and Blanshard Street from Fort St to Broughton St – were observed with four unoccupied spaces (91% occupancy). An additional six unoccupied spaces (84% occupancy) were observed on Broughton Street (Blanshard St to Douglas St) and Blanshard Street (Broughton St to Courtney St).

It is assumed that 25% of restaurant parking demand on a Theatre event evening will be associated with Theatre patrons⁵. These vehicles are assumed to be accounted for in event parking observations, effectively reducing site parking demand by approximately 10 vehicles in the “high scenario”.

4.2 OFF-STREET PARKING LOTS (Public)

There are off-street public parking areas nearby the site managed by the City of Victoria or Robbins Parking. See **Table 5** and **Figure 3**.

TABLE 5. PUBLIC PARKING LOTS AND RESTRICTIONS

Location	Restrictions	Parking Supply
A 814 Broughton Street	Reserved at all times	16
B 835 Broughton Street	Reserved during daytime (5am to 5pm); metered parking during the evening and weekends	33
C 850 Broughton Street	Reserved during daytime (5am to 5pm); metered parking during the evening and weekends	44
D 745 Broughton Street	City parkade – pay parking is in effect Monday to Saturday from 8am-6pm. Parking is available 24/7	544
E 820 Courtney Street	Pay parking at all times, hourly and daily (5 day max) options. Parking is available 24/7	36
F 743 View Street	City parkade – pay parking is in effect Monday to Saturday from 8am-6pm. Parking is available 24/7	531
G 744 Broughton Street	Hourly, daily, evening, and monthly parking available. Parking is available 24/7	65
H 846 View Street	Reserved during daytime (6am-6pm); metered parking weekends and holidays	45

⁵ The business for the second floor has a name targeting theatre patrons and has considered this heavily in seeking this location

FIGURE 3. PUBLIC PARKING LOT LOCATIONS



Parking lot A, immediately east of the subject site, is reserved at all times and unavailable to staff and customers. Lot B, on the south side of Broughton Street, is available to the public on weekdays after 5:00pm and on weekends. Other parking lots on Broughton Street, Courtney Street, and the Broughton Street and View Street parkades are available to the public also.

4.2.1 Observations

Observations were conducted on two off-street lots nearest the subject site. Full results are included in **Appendix C**.

Lot A is immediately east of the subject site and consists of 16 spaces, reserved at all times. The lot was observed at 100% occupancy (16 of 16) during weekday daytime observations, but much lower during weekday evening and weekend observations (likely a result of spaces rented by downtown employees with daytime employment), when no less than nine spaces were vacant. Consideration may be given to work with Robbins Parking and/or the property owner to modify the current parking restrictions to allow some (or all) spaces to be metred and available to the public after 6:00pm to help accommodate parking demand from the adjacent site.

Lot B is on the south side of Broughton Street adjacent the YMCA. It consists of 33 parking spaces that area reserved from 5:00am to 5:00pm and available to the public in the evenings and on weekends (metred). Highest occupancy observed was 94% on a weekday daytime. Occupancy was lower during the weekend or evening with no less than 6 spaces available. Customers and staff should be encouraged to use this parking.



Parking Sign at Parking Lot A



Parking Sign at Parking Lot B

4.3 SUMMARY OF OFF-SITE PARKING

Estimates from *Section 3.0* suggest that peak parking demand will be between 20 and 38 vehicles. It is assumed that the first ten vehicles would utilize on-site parking, reducing the number of vehicles seeking parking off-site to between 10 and 28 vehicles.

A summary of the assumed parking distribution is provided in **Table 6** that assumes 90% utilization of on-street parking and 95% utilization of public off-street lots. Results suggest that all site parking will be contained to the immediately adjacent on-street parking supply under the "low scenario". The "high scenario" would result in a small number of customers seeking beyond one-block from the site (maintaining 90% occupancy within one-block of this site).

It should be reiterated that these scenarios present a “worst case”, when all possible outdoor seating associated with restaurant uses is at full capacity. When outdoor seating is vacant, approximately 15 vehicles are expected to seek off-site parking under the “high scenario” (down from 28 vehicles).

TABLE 6. ASSUMED PARKING DISTRIBUTION

	Land Use Scenario		
	Low	Medium	High
Peak Parking Demand	20	33	38
On-Site Parking Lot (100% occupied)	10	10	10
On-Street Parking, immediately adjacent site (Up to 90% occupancy)	10	11	11
Off-Street Parking, Lot B - Broughton St, south side (Up to 95% occupancy)	-	5	5
On-Street Parking, one block from site (Up to 90% occupancy)	-	7	11
On-Street Parking, elsewhere in study area	-	-	1
Other parking lots, parkades (1,200+ spaces)	-	-	-

5.0 PARKING MANAGEMENT

Staff should be restricted from using on-site parking so that it is available to customers that may be less familiar with parking options in the area. With experience, employees will learn to park in parkades or other off-site parking areas. The inability to access on-site, free parking will also encourage commuting by alternative modes (i.e. walking, cycling, transit).

On-site parking will be available to customers and will function on a first-come, first-serve basis. A sign should be placed at the parking lot entrance indicating that the spaces are to be used by customers of the on-site business only.

6.0 ZONING

The site is located in the zone C1-BB Blanshard & Broughton Street District, which requires per the Zoning Bylaw, Schedule "C" (see *Section 2.0*). This zone indicates specific requirements for floor area / floor space ratio and building height, however all other regulations are subject to the CA-4 zone.

The CA-4 zone is the "Central Area Commercial Office District" and is applied to properties immediately north and west of the subject site. See **Figure 4**. Properties with CA-4 zoning are not required to provide off-street parking. The restaurants on Blanshard Street adjacent the subject site (Starbucks, Be Love, La Taquiza) exhibit similar characteristics to the subject site, as do the concentration of restaurants on the west side of Blanshard Street. Any redevelopment of these properties would not be required to include off-street parking. Customers and employees of these businesses would (presumably) rely on on-street and public off-street parking in the area.

It is suggested that the subject site represents a similar land use and location as those nearby properties with CA-4 zoning and, as such, should be considered an appropriate candidate for reduced parking supply.

FIGURE 4. AREAS WITHOUT REQUIRED PARKING



7.0 TRANSPORTATION DEMAND MANAGEMENT

Transportation demand management (TDM) is the application of strategies and policies to influence individual travel choice, most commonly to reduce single-occupant vehicle travel. Demand management is made challenging among restaurant customers because of the infrequency of their trips, however employees may be targeted, as follows:

- Bike Parking. The site plan indicates 14 Class I and 6 Class II bike parking spaces are proposed. This exceeds the required supply – four spaces – per the Zoning Bylaw.
- Information. Information should be provided to employees via orientation packages, and to customers via the tenant website. Transportation options should be indicated including closest bus stops, bus routes, cycling infrastructure and available parking surrounding the site.

8.0 SUMMARY

The proposal is to occupy the existing two-storey building with commercial land uses. The tenant(s) for the first floor (5,386 sqft interior, 748 sqft patio) is unknown; a restaurant has been confirmed for the second floor (1,879 sqft interior, 846 sqft patio) with capacity for 95 seats. The site includes an off-street parking area with ten spaces.

High, medium, and low parking demand scenarios were developed, as first floor uses are unknown. The “high demand” scenario assumes the entire first floor is occupied by restaurant uses. Peak parking demand is expected to be 38 vehicles, with ten vehicles utilizing the on-site parking area and up to 28 vehicles seeking parking off-site. Peak demand may be reduced by up to seven vehicles outside summer months when outdoor patio seating is not at capacity. Parking demand would be less under “medium demand” or “low demand” scenarios where the first floor is occupied partially or entirely by office uses, particularly when factoring for complimentary demand characteristics of office (daytime) and restaurants (evening, weekend).

Public parking supplies nearby the site were reviewed to determine the impact of up to 28 vehicles during peak periods. It was determined that peak parking demand could be met by utilizing on-street parking within one block of the site on Broughton Street (Quadra St – Douglas St) and Blanshard Street (Fort St – Courtney St) - while retaining 90% occupancy on those blocks (i.e. 10% of spaces unoccupied) – and utilizing unoccupied spaces in the public parking lot on the south side of Broughton Street (adjacent the YMCA) available evenings and weekends. Additional on-street parking and parkades are available within a 5-minute walk.

Increases in public parking utilization resulting from Royal Theatre events was considered and it was determined that they would be off-set by a decrease in parking demand resulting from Theatre patrons also visiting the restaurants on event nights.

Public parking lots were also assessed for their proximity to the subject site, restrictions, parking supply, and observed occupancy. There are two parking lots in close proximity to the site that are managed by Robbins Parking and have at least nine and six spaces still available. This is subject to modifying parking restrictions for the 16-space lot adjacent the site (Lot A). Other parking lots were considered, but no observations were conducted, however, there are approximately 1,300 parking spaces surrounding the site and available to customers.

Lastly, the site is directly adjacent properties with CA-4 zoning and no off-street parking requirement. These properties are occupied by many similar restaurant uses. Parking demand generated by the subject site will be less than would be experienced elsewhere in Victoria (a result of its downtown location) and will have access to the shared downtown public parking resources, both consistent with the intent of the zero parking requirement in the CA-4 zone. It is therefore reasonable to consider the reduced parking supply being proposed, as the site is directly adjacent to and will function similarly to nearby properties where no parking is required.

8.1 Recommendation

1. Up to 28 vehicles are expected to seek parking in on-street parking or off-street public parking during peak periods and can be accommodated within one block of the site.

Appendix A.

SUMMARY OF CUSTOMER TRAVEL SURVEY

Summary of Restaurant Customer Survey

1001 Blanshard Street Parking Study

Location	Day	Time	Q1. Did the customer drive themselves in their own car?		Q2. If "yes", is this their only destination while downtown?		Q3. If the customer drove, where did they parking their car?		
			Yes	No	Yes	No	On-Street	Surface Lot	Parkade
Chorizo & Co 807 Fort St	Thursday, November 19	11:40am		X					
		11:53am		X					
		3:23pm		X					
	Friday, November 20	11:31am		X					
		11:36am		X					
		11:40am		X					
		11:45am		X					
		11:47am	X			X			X
		12:00pm		X					
		12:05pm		X					
		12:10pm		X					
		12:10pm		X					
		12:12pm		X					
		1:02pm		X					
		1:25pm		X					
		2:17pm		X					
		2:20pm		X					
		2:45pm		X					
		3:07pm		X					
		3:40pm		X					
			1	19	0	1	0	0	1
Fish Hook 805 Fort St	Thursday, November 19	8:55am		X					
		9:10am		X					
		9:15am	X			X			X
		9:55am		X					
		10:20am	X		X		X		
		10:45am		X					
		10:45am	X			X	X		
		11:30am		X					
		11:30am	X			X			X
		1:15pm		X					
	Friday, November 20	2:30pm	X			X			X
		2:00pm		X					
		2:15pm		X					
		2:15pm	X			X			X
		2:20pm		X					
		2:35pm		X					
		2:55pm	X		X		X		
			7	10	2	5	3	0	4

1001 Blanshard Street Parking Study

Victoria City Council - 11 Feb 2016

Summary of Restaurant Customer Survey

1001 Blanshard Street Parking Study

Location	Day	Time	Q1. Did the customer drive themselves in their own car?		Q2. If "yes", is this their only destination while downtown?		Q3. If the customer drove, where did they parking their car?		
			Yes	No	Yes	No	On-Street	Surface Lot	Parkade
Be Love 1019 Blanshard St	Saturday, November 21	6:30pm	X		X		X		
		6:30pm		X					
		6:30pm		X					
		6:30pm	X		X		X		
		6:30pm		X					
	Monday, November 23	6:30pm	X			X	X		
		5:13pm	X			X			X
		5:25pm	X			X	X		
		5:25pm		X					
	Tuesday, November 24	12:30pm		X					
		12:42pm		X					
		12:42pm	X			X			X
		1:00pm	X		X		X		
		1:02pm	X		X		X		
		1:02pm		X					
		1:04pm		X					
		1:04pm		X					
		1:10pm		X					
		1:12pm		X					
		1:15pm	X		X		X		
			9	11	5	4	7	0	2
803 Folk 803 Fort St (retail store, not included in restaurant summary)	Thursday, November 19	10:00am		X		X			
		11:00am		X		X			
		4:00pm		X		X			
		4:45pm		X		X			
		5:00pm		X		X			
		5:15pm		X		X			
		5:27pm		X		X			
		5:30pm		X		X			
		5:45pm		X		X			
		5:45pm		X		X			
	Friday, November 20	10:25am		X		X			
		1:15pm		X		X			
		1:35pm	X			X			
		4:00pm		X		X			
		4:20pm		X	X				
			1	14	1	14			

CUSTOMER TRAVEL SURVEY

This survey is being conducted to understand customer travel habits and parking demand among downtown businesses as part of a study for the 1001 Blanshard Street site. Your assistance administering the following survey to your customers is greatly appreciated.

Any questions about the survey, please call Boulevard Transportation at 250 388 9877 and ask for Dan Casey or Mairi Bosomworth. Completed survey forms can be scanned and emailed to mbosomworth@blvdgroup.ca or pick-up can be arranged.

	Day / Time (approx.)	Question 1: Did the customer drive themselves in their own car?		Question 2: If "yes", is this their only destination while downtown?		Question 3: If the customer drove, where did they park their car?		
		Yes	No	Yes	No	On-Street	Surface Lot	Parkade
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Appendix B.

SUMMARY OF ON-STREET PARKING OBSERVATIONS

On-Street Parking Observations
1001 Blanshard Street Parking Study

Section	Side	Restrictions	No. Parking Stalls	Thursday October 15, 2:45pm		Saturday October 17, 8:15pm		Sunday October 18, 2:00pm	
				Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate
View Street, Douglas to Blanshard	N	90 minute max (\$3.50/hour)	6	2	33%	5	83%	3	50%
		Commercial Loading Zone	2	2	100%	0	0%	1	50%
	S	90 minute max (\$3.50/hour)	10	6	60%	8	80%	6	60%
		Commercial Loading Zone	2	1	50%	0	0%	0	0%
View Street, Blanshard to Quadra	N	2 Hours max (\$2.50/hour)	17	14	82%	15	88%	13	76%
		Commercial Loading Zone	16	13	81%	15	94%	14	88%
	S	Commercial Loading Zone	1	0	0%	0	0%	0	0%
		90 minute max (\$3.50/hour)	19	16	84%	16	84%	13	68%
Fort Street, Douglas to Blanshard	N	Passenger Loading Zone	1	1	100%	1	100%	1	100%
		Commercial Loading Zone	1	1	100%	0	0%	1	100%
	S	90 minute max (\$3.50/hour)	11	7	64%	9	82%	8	73%
		Taxi Loading Zone	1	1	100%	1	100%	1	100%
Fort Street, Blanshard to Quadra	N	Commercial Loading Zone	1	1	100%	0	0%	0	0%
		2 Hours max (\$2.50/hour)	22	14	64%	19	86%	15	68%
	S	Commercial Loading Zone	1	0	0%	0	0%	0	0%
		2 Hours max (\$2.50/hour)	13	11	85%	12	92%	8	62%
Broughton Street, Douglas to Blanshard	N	Commercial Loading Zone	2	1	50%	1	50%	1	50%
		90 minute max (\$3.50/hour)	11	10	91%	10	91%	6	55%
	S	90 minute max (\$3.50/hour)	9	6	67%	7	78%	5	56%
		Commercial Loading Zone	1	0	0%	0	0%	1	100%
Broughton Street, Blanshard to Quadra	N	2 Hours max (\$2.50/hour)	10	8	80%	9	90%	8	80%
		Commercial Loading Zone	16	9	56%	15	94%	11	69%
	S	Passenger Loading Zone	3	2	67%	3	100%	2	67%
		2 Hours max (\$2.50/hour)	14	7	50%	13	93%	8	57%
Courtney Street, Blanshard to Quadra	N	2 Hours max (\$2.50/hour)	10	5	50%	9	90%	6	60%
		3 hours max (\$2/hour)	9	5	56%	8	89%	6	67%
	S	Passenger Loading Zone	1	1	100%	0	0%	1	100%
		3 hours max (\$2/hour)	20	8	40%	18	90%	14	70%
Blanshard Street, View to Fort	E	2 Hours max (\$2.50/hour)	10	9	90%	9	90%	8	80%
		Commercial Loading Zone	8	6	75%	7	88%	7	88%
	W	2 Hours max (\$2.50/hour)	6	5	83%	5	83%	4	67%
		Commercial Loading Zone	6	4	67%	6	100%	4	67%
Blanshard Street, Fort to Broughton	E	Commercial Loading Zone	2	0	0%	1	50%	1	50%
		2 Hours max (\$2.50/hour)	9	6	67%	8	89%	5	56%
	W	Commercial Loading Zone	7	5	71%	6	86%	4	57%
		Commercial Loading Zone	1	1	100%	1	100%	1	100%
Quadra Street, Fort to Broughton	E	2 Hours max (\$2.50/hour)	7	5	71%	6	86%	4	57%
		Commercial Loading Zone	7	5	71%	6	86%	5	71%
	W	2 Hours max (\$2.50/hour)	6	4	67%	6	100%	4	67%
		Commercial Loading Zone	7	5	71%	6	86%	5	71%
Quadra Street, Broughton to Courtney	E	2 Hours max (\$2.50/hour)	6	4	67%	6	100%	4	67%
		Commercial Loading Zone	7	5	71%	6	86%	5	71%
	W	2 Hours max (\$2.50/hour)	7	5	71%	6	86%	5	71%
		Commercial Loading Zone	7	5	71%	6	86%	5	71%
Total Occupancy			306	207	68%	263	86%	204	67%

On-Street Parking Observations
1001 Blanshard Street Parking Study

Section	Side	Restrictions	No. Parking Stalls	Monday October 19, 8:00pm		Wednesday October 21, 8:30 pm		Saturday October 24, 8:15pm	
				Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate
View Street, Douglas to Blanshard	N	90 minute max (\$3.50/hour)	6	5	83%	6	100%	4	67%
		Commercial Loading Zone	2	2	100%	0	0%	1	50%
	S	90 minute max (\$3.50/hour)	10	8	80%	10	100%	9	90%
		Commercial Loading Zone	2	1	50%	0	0%	1	50%
View Street, Blanshard to Quadra	N	2 Hours max (\$2.50/hour)	17	12	71%	14	82%	13	76%
		Commercial Loading Zone	16	5	31%	16	100%	14	88%
	S	Commercial Loading Zone	1	0	0%	0	0%	0	0%
		90 minute max (\$3.50/hour)	19	14	74%	13	68%	15	79%
Fort Street, Douglas to Blanshard	N	Passenger Loading Zone	1	0	0%	0	0%	1	100%
		Commercial Loading Zone	1	0	0%	0	0%	1	100%
	S	90 minute max (\$3.50/hour)	11	6	55%	11	100%	10	91%
		Taxi Loading Zone	1	0	0%	0	0%	1	100%
Fort Street, Blanshard to Quadra	N	Commercial Loading Zone	1	0	0%	0	0%	0	0%
		2 Hours max (\$2.50/hour)	22	14	64%	15	68%	16	73%
	S	Commercial Loading Zone	1	0	0%	0	0%	0	0%
		2 Hours max (\$2.50/hour)	13	10	77%	9	69%	11	85%
Broughton Street, Douglas to Blanshard	N	Commercial Loading Zone	2	0	0%	0	0%	0	0%
		90 minute max (\$3.50/hour)	11	7	64%	8	73%	7	64%
	S	90 minute max (\$3.50/hour)	9	6	67%	9	100%	6	67%
		Commercial Loading Zone	1	1	100%	0	0%	0	0%
Broughton Street, Blanshard to Quadra	N	2 Hours max (\$2.50/hour)	10	8	80%	9	90%	7	70%
		Commercial Loading Zone	16	13	81%	15	94%	12	75%
	S	Passenger Loading Zone	3	0	0%	0	0%	0	0%
		2 Hours max (\$2.50/hour)	14	11	79%	12	86%	12	86%
Courtney Street, Blanshard to Quadra	N	2 Hours max (\$2.50/hour)	10	9	90%	8	80%	7	70%
		3 hours max (\$2/hour)	9	8	89%	9	100%	7	78%
	S	Passenger Loading Zone	1	1	100%	0	0%	0	0%
		3 hours max (\$2/hour)	20	16	80%	19	95%	16	80%
Blanshard Street, View to Fort	E	2 Hours max (\$2.50/hour)	10	8	80%	7	70%	6	60%
		Commercial Loading Zone	8	7	88%	7	88%	5	63%
	W	2 Hours max (\$2.50/hour)	6	5	83%	5	83%	5	83%
		Commercial Loading Zone	6	4	67%	6	100%	5	83%
Blanshard Street, Fort to Broughton	E	2 Hours max (\$2.50/hour)	2	1	50%	2	100%	2	100%
		Commercial Loading Zone	9	7	78%	9	100%	7	78%
	W	2 Hours max (\$2.50/hour)	7	5	71%	5	71%	6	86%
		Commercial Loading Zone	1	1	100%	0	0%	0	0%
Quadra Street, Fort to Broughton	E	2 Hours max (\$2.50/hour)	7	5	71%	6	86%	6	86%
		Commercial Loading Zone	7	4	57%	7	100%	4	57%
	W	4 hours max (\$2.50/hour)	6	6	100%	6	100%	6	100%
		Commercial Loading Zone	7	5	71%	6	86%	5	71%
Total Occupancy			306	215	70%	249	81%	228	75%

Appendix C.

SUMMARY OF OFF-STREET PARKING OBSERVATIONS

Off-Street Parking Observations
1001 Blanshard Street Parking Study

	Restrictions	No. Parking Stalls	Thursday October 15, 2:45pm		Saturday October 17, 8:15pm		Sunday October 18, 2:00pm	
			Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate
Lot A	Reserved 24 Hours a Day	16	16	100%	6	38%	7	44%
Lot B	Reserved during the day, metered parking at night	33	31	94%	25	76%	22	67%

	Restrictions	No. Parking Stalls	Monday October 19, 8:00pm		Wednesday October 21, 8:30 pm		Saturday October 24, 8:15pm	
			Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate	Observed Vehicles	Occupancy Rate
Lot A	Reserved 24 Hours a Day	16	6	38%	-	-	7	44%
Lot B	Reserved during the day, metered parking at night	33	23	70%	-	-	27	82%

Sheet No. Sheet Title

- 2-A00 COVER
- 2-A002 SURVEY & DEMO PLAN
- 2-A100 SITE PLAN & CODE
- 2-A200 MAIN LEVEL PLAN
- 2-A201 SECOND LEVEL PLAN
- 2-A300 ELEVATIONS
- 2-A301 ELEVATIONS
- 2-A302 ELEVATIONS
- 2-A400 SECTIONS
- 2-A500 STAIRS & NORTH ELEVATION

LANDSCAPE PLAN
MATERIALS BOARD



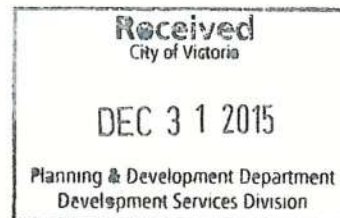
PROJECT IMAGE: PERSPECTIVE FROM BROUGHTON STREET



PROJECT LOCATION PLAN 1:2000



PROJECT IMAGE: PERSPECTIVE FROM BLANSHARD STREET



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cplatt@rjc.ca

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Applied Engineering Solutions
300-1815 Blanshard Street
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Canada V8T 5A4
250.381.6121

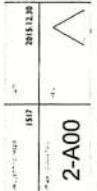
Contact:
Bal Klear
Bal.Klear@AESengr.com

MECHANICAL ENGINEER

Avalon Mechanical
300 - 1245 Esquimalt Rd.
Victoria, B.C.
V8A 3P2
Ph. 250.384.4128

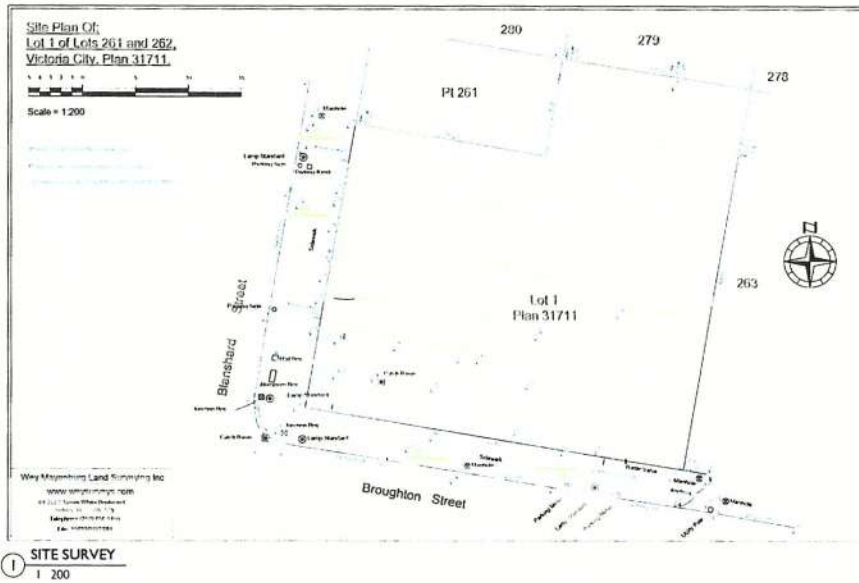
Contact:
Mirek Demidow
mirek@avalonmechanical.com
ex.102

FORT PROPERTIES LTD.
1001 Blanshard Street
DEVELOPMENT PERMIT REVISIONS - 2015.12.30



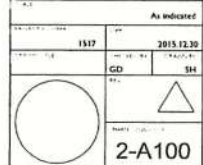
CASCADIA ARCHITECTS INC.
1060 Meares Street
Victoria BC V8W 3J6 Canada
T: 250.590.3223 F: 250.590.3224
W: www.cascadiaarchitects.ca



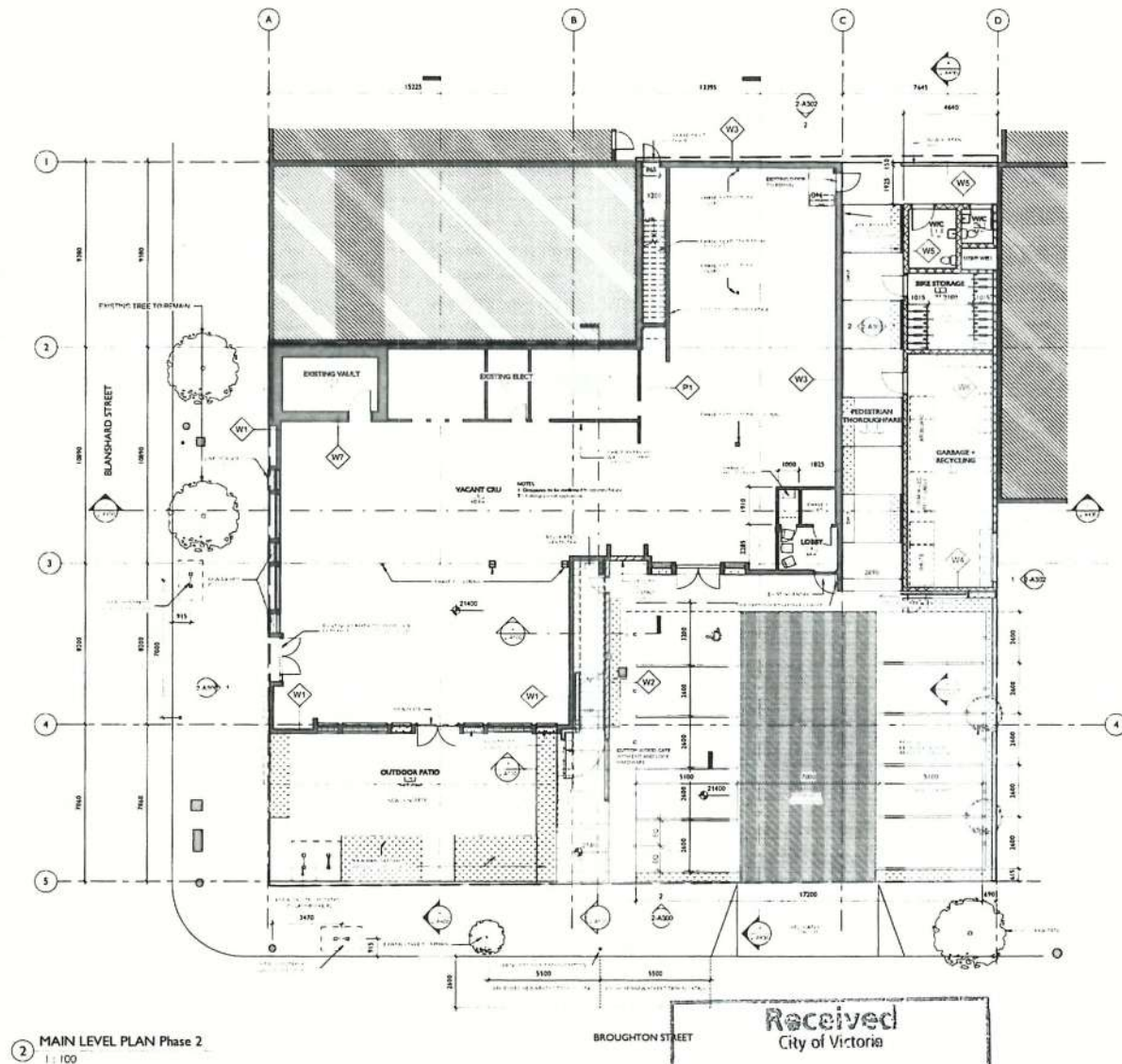


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Planning & Development Department
Development Services Division



EXISTING WALL ANNOTATIONS	INTERIOR WALL ANNOTATIONS
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② MAIN LEVEL PLAN Phase 2
1:100

Received
City of Victoria
DEC 31 2015
Planning & Development Department
Development Services Division

CASCADIA ARCHITECTS INC.
1508 Murray Street
Victoria BC V8W 2P6 Canada
T: 250 590 3231 cell: 250 590 3232
F: 250 591 3226 www.cascadiaarchitects.ca

NO DESCRIPTION DATE

MAIN LEVEL PLAN

1001 Blanshard Street

FORT PROPERTIES LTD.
1001 BLANSHARD STREET VICTORIA BC

As indicated

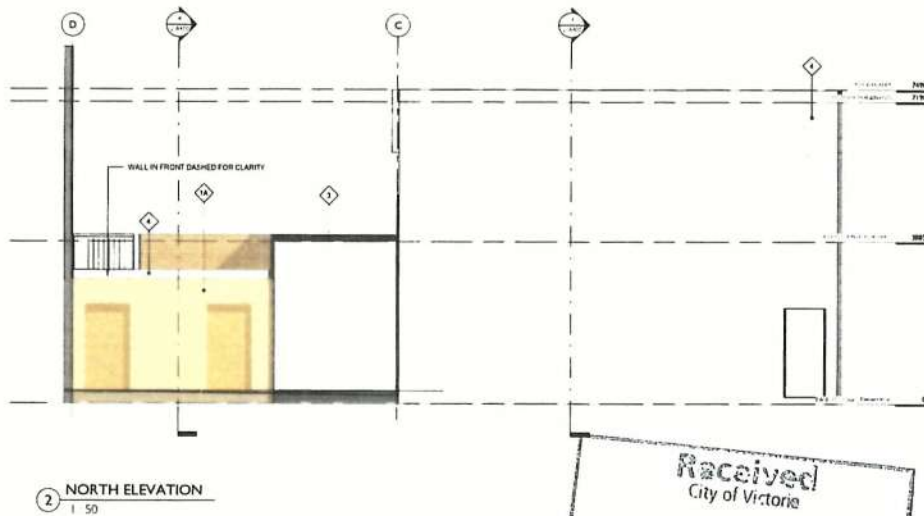
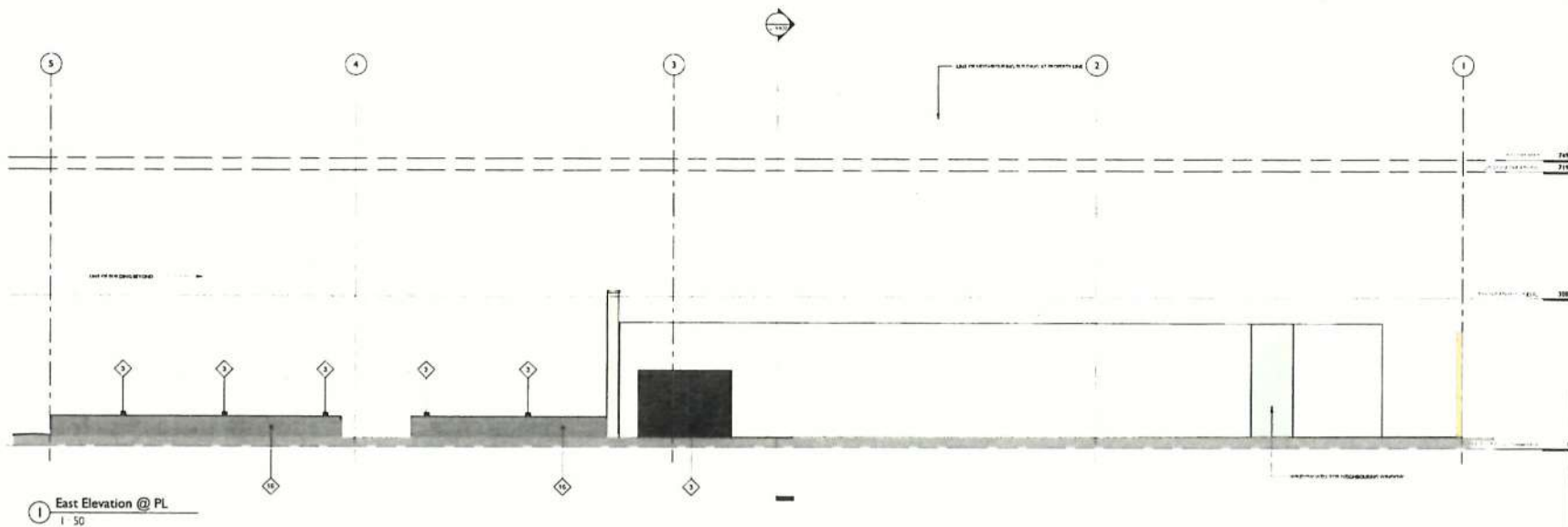
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GD SH

2-A200

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GD	SP
	
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City of Victoria
DEC 31 2015
Planning & Development Department
Development Services Division



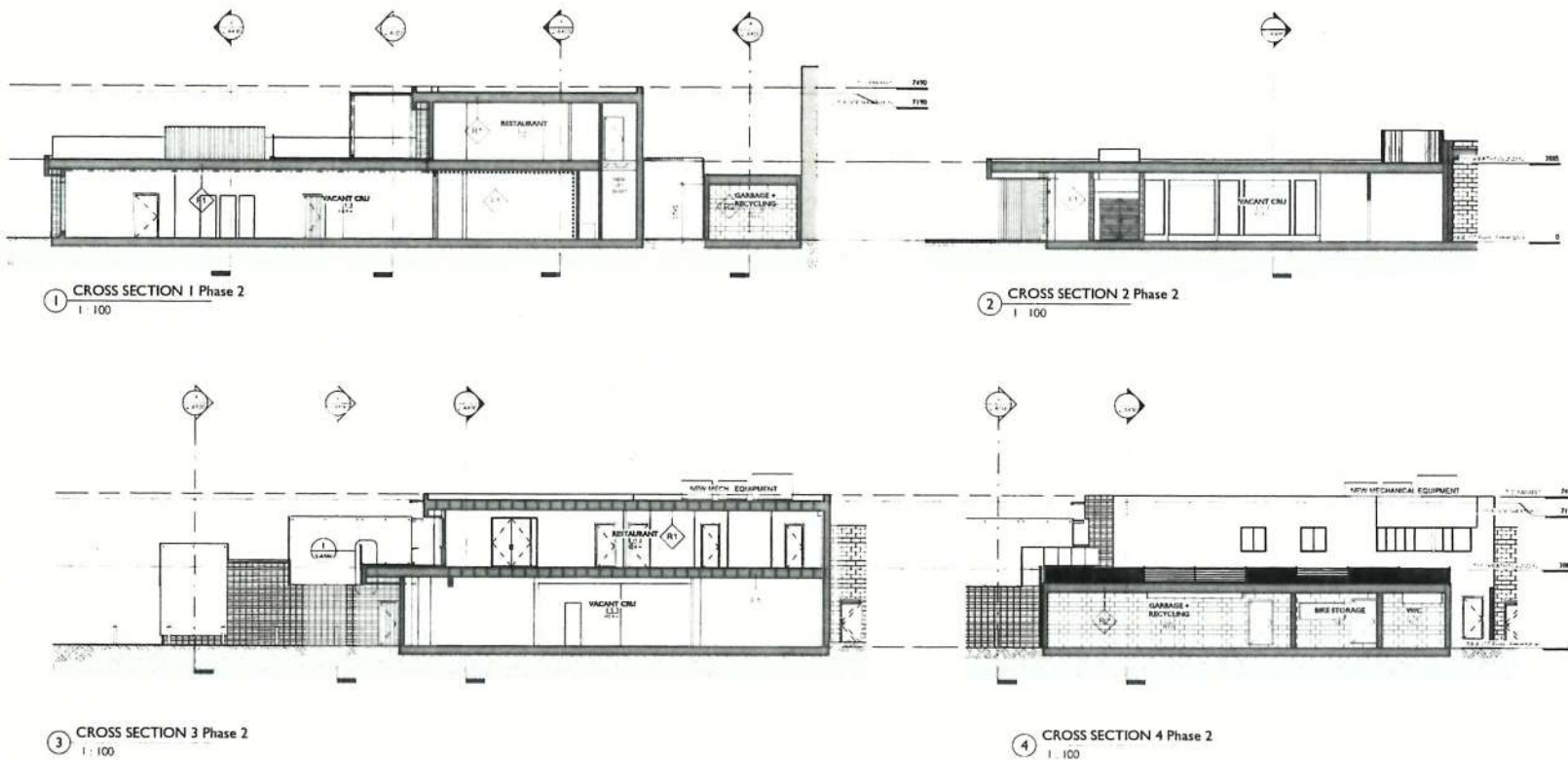
CASCADIA ARCHITECTS INC
 1010 Main Street
 Victoria BC V8W 1B6 Canada
 T 250 593 3223 cell 250 593 3224
 F 250 593 3224 www.cascadiaarchitects.ca

Exterior Material Legend

- 1A Solid Wood Slat Natural
- 1B Solid Wood Slat PTD Channel
- 2 T&G Wood Slat
- 3 Black PTD Metal
- 4 CMU
- 5 Stainless Steel Cable
- 6 Existing Brick Stained Channel
- 7 New Brick Stained Channel
- 8 Clear Glass
- 9 Existing Stained PTD Channel
- 10 New Glazed Facade over Existing Stained PTD Channel
- 11 Fiber Reinforced White Concrete
- 12 New Glass Guard
- 13 Concrete Wall
- 14 Solid Wood Floor

NO	DESCRIPTION	DATE
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1001 Blanshard Street		
FORT PROPERTIES LTD		
1001 BLANSHARD STREET VICTORIA BC		
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DATE	BY	2015.12.30
12/17	GD	AG
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Received
 City of Victoria
 DEC 31 2015
 Planning & Development Department
 Development Services Division



CASCADIA ARCHITECTS INC.
1848 Weyburn Street
Victoria BC V8W 3H6 Canada
T 250 390 3225 F 250 391 3224 www.cascadiaarchitects.ca

NO DESCRIPTION DATE

SECTIONS

1001 Blanshard Street

FORT PROPERTIES LTD.
1001 BLANSARD STREET VICTORIA BC

1:100

1517 2015.12.18

GD SH

2-A400



Exterior Material Legend

- 1A Solid Wood Slat Natural
- 1B Solid Wood Slat PTD Charcoal
- 2 T&G Wood Slat
- 3 Black PTD Metal
- 4 CMU
- 8 Stainless Steel Cable
- 9 Existing Brick Stained Charcoal
- 10 New Brick Stained Charcoal
- 11 Clear Glass
- 12 Existing Stucco PTD Charcoal
- 13 New Glazed Facia over Existing stucco PTD charcoal
- 14 Fibre Reinforced White Concrete
- 15 New Glass Guard
- 16 Concrete Wall
- 17 Solid Wood Door



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FORT PROPERTIES LTD
1001 BLANSHARD STREET VICTORIA BC


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DATE OF ISSUE :	Page :

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	2-A500
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Planning & Development Department
Development Services Division

1001 Blanshard St | Landscape Plan 1:100



Recommended Plant List

Trees				
Quantity	Botanical Name	Common Name	Size	
4	<i>Acer glabrum</i>	Panhandle Maple	10m x 10m	
1	<i>Acer rubrum</i>	Striped Maple	10m x 10m	
3	<i>Rubus idaeus</i>	Strawberry Bush	10m x 10m	
2	<i>Rubus idaeus</i>	Strawberry Bush	10m x 10m	
2	<i>Camellia japonica</i>	Kalmia	10m x 10m	
Shrubs				
Quantity	Botanical Name	Common Name	Size	
8	<i>Rosa rugosa</i>	Rose	2m x 2m	
7	<i>Rosa rugosa</i>	Rose	2m x 2m	
Perennials				
Quantity	Botanical Name	Common Name	Size	
7	<i>Phlox subulata</i>	Phlox	4' x 4'	
20	<i>Phlox subulata</i>	Phlox	4' x 4'	
Groundcovers				
Quantity	Botanical Name	Common Name	Size	
10	<i>Phlox subulata</i>	Phlox	4' x 4'	
Ornamental Grasses				
Quantity	Botanical Name	Common Name	Size	
53	<i>Phlox subulata</i>	Phlox	4' x 4'	
21	<i>Phlox subulata</i>	Phlox	4' x 4'	
33	<i>Phlox subulata</i>	Phlox	4' x 4'	
35	<i>Phlox subulata</i>	Phlox	4' x 4'	
15	<i>Phlox subulata</i>	Phlox	4' x 4'	
Vines				
Quantity	Botanical Name	Common Name	Size	
1	<i>Phlox subulata</i>	Phlox	4' x 4'	
2	<i>Phlox subulata</i>	Phlox	4' x 4'	

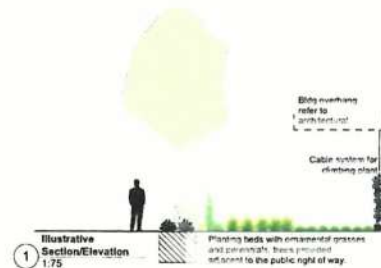
Existing Trees

- E01 - To be removed, replacement tree provided
- E02 - To remain
- E03 - To remain
- E04 - To remain

*Existing trees to remain what be protected during construction as required

Notes

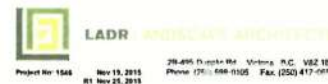
- All work to be completed to BCSLA 1 landscape standards
- All new and landscape to be completed with an automatic irrigation system

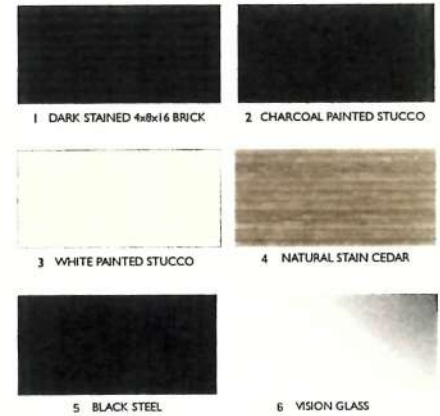


Character precedent images

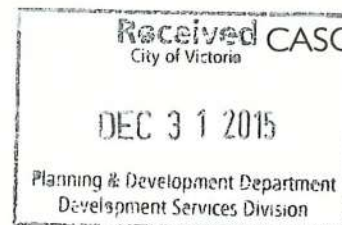


Example images of the planting provided in the recommended plant list





Exterior Materials 1001 Blanshard Street Fort Properties Ltd



CASCADIA ARCHITECTS
DAMANT JOHANNKNECHT

Pamela Martin

Attachments: Letter of Support from Pacific Opera Victoria-DP Application-Parking Variance-1001
Blanshard.pdf

From: Maureen Woodall [<mailto:mwoodall@pov.bc.ca>]
Sent: Wednesday, January 27, 2016 1:27 PM
To: Leanne Taylor
Cc: [REDACTED]
Subject: Letter of Support re 1001 Blanshard St and 804 & 812 Broughton St, DPV00002 -

Planning & Land Use Standing Committee
JAN 28 2016
Late Item# <u>10</u>
Page# <u> </u>

Dear Ms. Taylor:

Please find attached a letter of support from Pacific Opera Victoria regarding the development permit application for 1001 Blanshard Street.

Sincerely,
Maureen Woodall
Executive Associate, Pacific Opera Victoria

On behalf of Patrick Corrigan, Executive Director.

mwoodall@pov.bc.ca
Phone: 250-382-1641
Fax: 250-382-4944
Box Office: 250-385-0222
www.pov.bc.ca

NEW OFFICE ADDRESS

925 Balmoral Rd | Victoria, BC | V8T 1A7

MAINSTAGE PERFORMANCES

The Royal Theatre | 805 Broughton Street | Victoria



Atomique Productions • 1280 Douglas St., Victoria, BC • V8W 2E5 Canada • Office: 778.433.4743

January 26, 2016
City of Victoria
No 1 Centennial Square
Victoria, B.C. V8W 1P6

Attn.: Mayor and Council
Re: 1001 Blanshard Street Development Permit Application

Dear Mayor and Council:

I am writing to express my support for the development permit application of 1001 Blanshard. This site is located downtown across from the Royal Theatre, but we understand that from a zoning standpoint, it is considered part of Fairfield and thus is subject to suburban parking requirements. In our opinion, this site should conform to the norms of other downtown zones rather than those of Fairfield, and in this spirit we support the applicant's request for a parking variance. Unlike many suburban neighborhoods, our downtown is well serviced by buses, parkades, street parking and soon, by bike lanes. Visitors to downtown Victoria will increasingly have many transportation options, and urban centers do not thrive when planned around stringent parking requirements.

Having had the pleasure of utilizing the adjoining Fort Common Courtyard several times now, we can speak first hand on its importance within our downtown community. What was once an overlooked parking lot has been transformed into a unique gathering place, capable of hosting relevant and leading community events. With upgrades to the existing building façade, landscaping, increased bike parking, piazza-like patio areas, and a new pedestrian walkway into the Fort Common Courtyard, bringing the 1001 space to completion would amplify the potential for continued vibrancy in this district of town. This type of development is positioned to improve urban walkability, vibrancy and the potential for "20 minutes living" valued by so many people today.

The variance requested in this DP Application will bring the use of this prominent corner location in line with the City of Victoria's strategic vision for an urban core characterized by urban villages, enlivened spaces, citizen-led place making initiatives, and excellence in home grown entrepreneurship.

Sincerely,
Nick Blasko

Founder, Director
Atomique Productions Ltd.

925 BALMORAL ROAD
VICTORIA, BC V8T 1A7

ADMINISTRATION 250.382.1641
FAX 250.382.4944
BOX OFFICE 250.385.0222

WWW.POV.BC.CA



January 26, 2016

City of Victoria
No 1 Centennial Square
Victoria, B.C. V8W 1P6

Attn.: Mayor and Council
Re: 1001 Blanshard Street Development Permit Application

Dear Mayor and Council:

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The Royal Theatre and its surroundings are such a superb opportunity for developing vitality and engagement with the City of Victoria and its excellent performing arts organizations. We at Pacific Opera Victoria feel that these plans would be beneficial to this endeavor.

We also feel strongly that this significant downtown corner has been vacant for long enough, and we look forward to seeing it occupied by vibrant local businesses capable of making a dynamic contribution to the downtown residential community and the Royal Theatre District. We also welcome the upgrades to the existing building in terms of façade treatment, landscaping, increased bike parking, piazza-like patio areas, and a new pedestrian walkway into the Fort Common Courtyard. This type of development is positioned to improve urban walkability, vibrancy and the potential for "20 minutes living" valued by so many people today.

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Sincerely,

A handwritten signature in cursive script that reads "Patrick Corrigan".

Patrick Corrigan
Executive Director



February 3, 2016

City of Victoria
No 1 Centennial Square
Victoria, B.C. V8W 1P6

Attn.: Mayor and Council
Re: 1001 Blanshard Street Development Permit Application

Dear Mayor and Council:

I am writing to support the development permit application of 1001 Blanshard Street. As a neighbour and property owner at 818 & 838 Broughton Street, we would look forward to seeing commercial vibrancy at this important intersection. The applicant has done a wonderful job with the revitalization and merchandizing of their property to the North and we are very supportive to see this property enhanced for this sector of the downtown. In our opinion, this site should conform to the norms of other downtown zones rather than those of Fairfield, and in this spirit we support the applicant's request for a parking variance. Unlike many suburban neighbourhoods, our downtown is well serviced by buses, parkades, street parking and soon, by bike lanes. Visitors to downtown Victoria will increasingly have many transportation options. We would suggest that urban centers do not thrive when planned around stringent parking requirements.

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Please support this application, especially for an applicant that has already done so much to return life and vibrancy to this block of downtown Victoria.

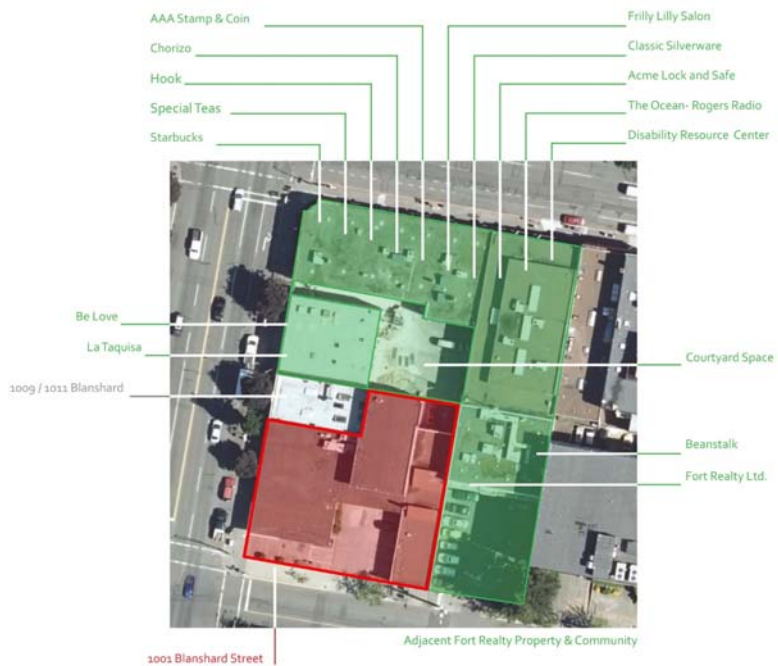
Sincerely
CHARD DEVELOPMENT LTD.

A handwritten signature in black ink, appearing to read "David Chard", is written over the typed name.

David Chard



Development Permit Application | 1001 Blanshard Street



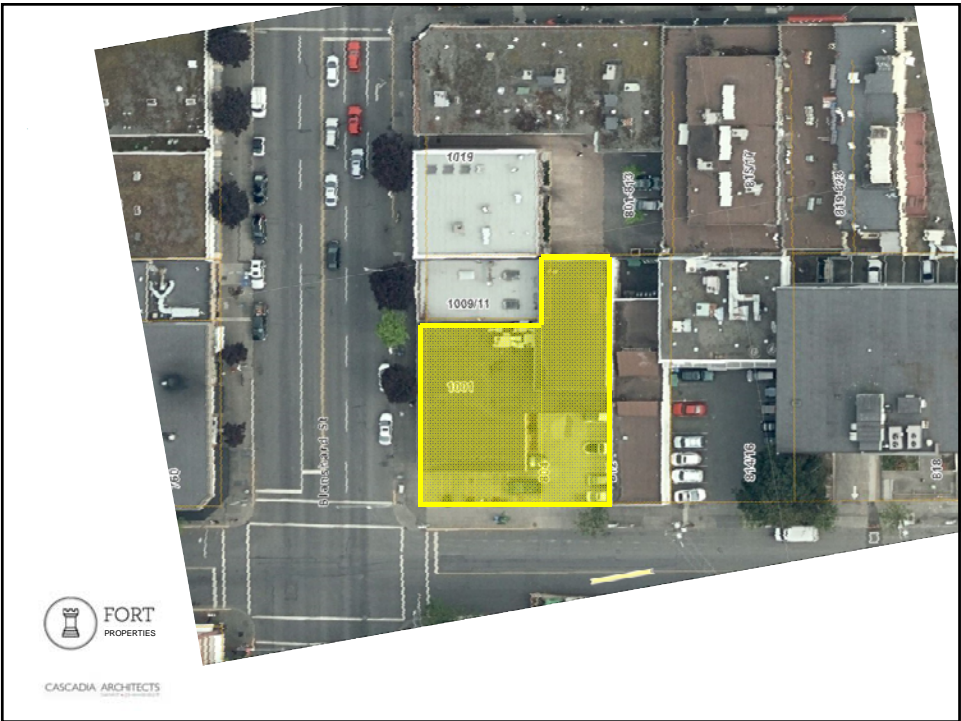
The shared courtyard being used by adjacent businesses and for community events



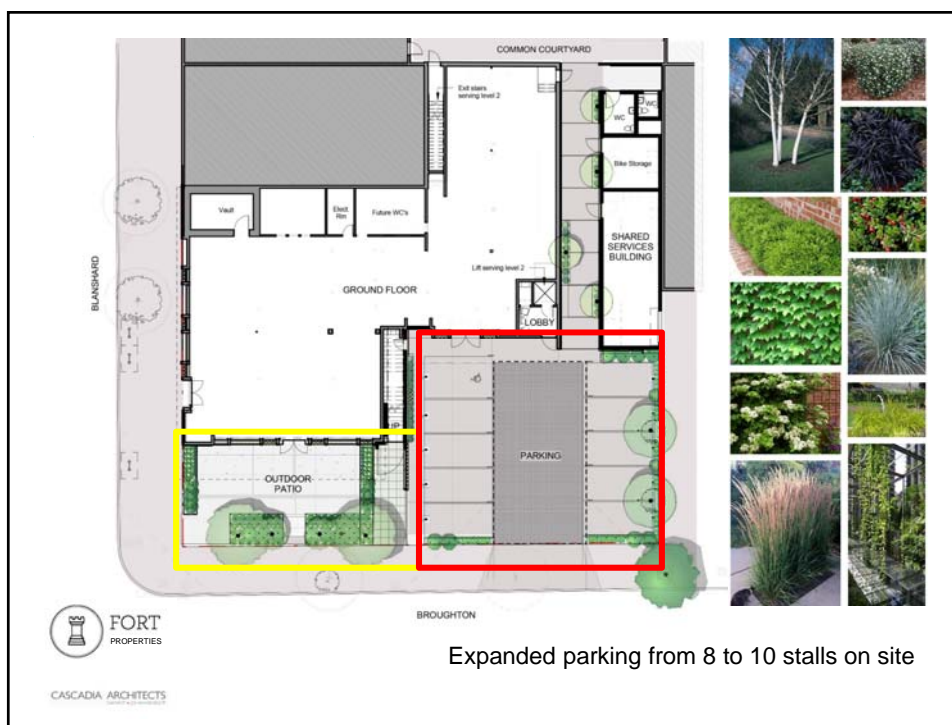
LaffLandia 2014 BeLove Restaurant Classic Silverware Chorizo Spanish Deli

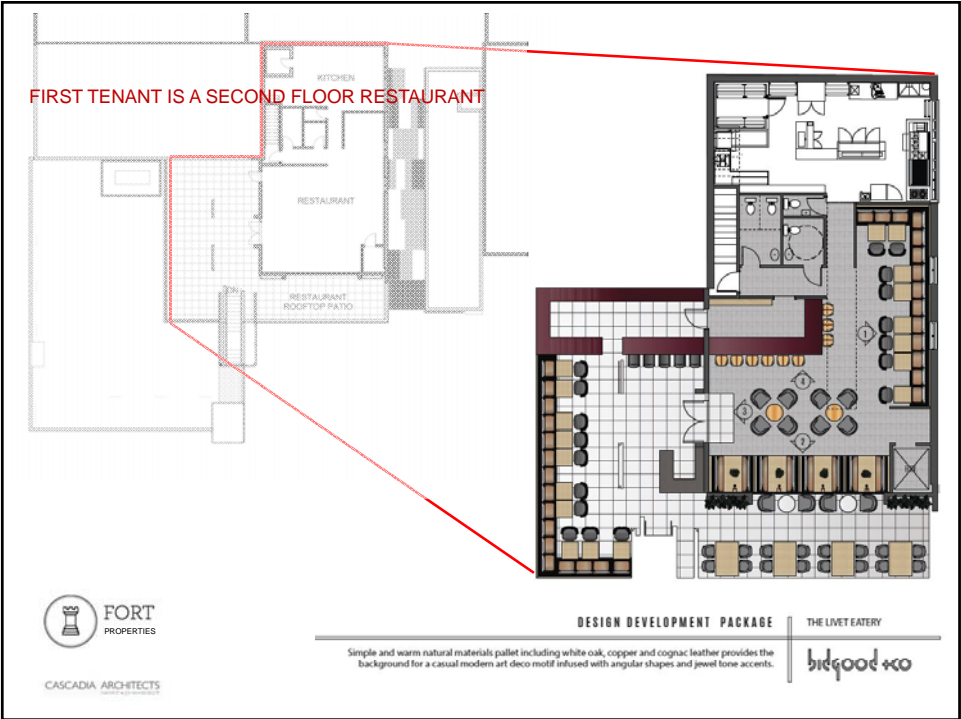
 FORT PROPERTIES

 CASCADIA ARCHITECTS










FIRST TENANT IS A SECOND FLOOR RESTAURANT

IN ORDER TO AVOID A DP FOR EACH NEW TENANT
FORT PROPERTIES HAS WORKED WITH PLANNING /
ENGINEERING STAFF TO CREATE A
COMPREHENSIVE VARIANCE FOR ALL USES ON
BOTH FLOORS BASED ON RESULTS OF PARKING
STUDY CONDUCTED BY BOULEVARD
TRANSPORTATION.

THE STUDY IDENTIFIES THAT THERE IS ADEQUATE
CAPACITY ON THE STREET AND IN ADJACENT LOTS
AND PARKADES TO ACCOMMODATE ANY SHORTFALL
ON SITE



DESIGN DEVELOPMENT PACKAGE | THE LIVET EATERY

Single and warm natural materials pallet including white oak, copper and cognac leather provides the background for a casual modern art deco motif infused with angular shapes and jewel tone accents.

bidgood + co

FORT PROPERTIES

CASCADIA ARCHITECTS



View of 1001 Blanshard from the south side of Broughton looking north



PROPOSED View of 1001 Blanshard from the south side of Broughton looking north



View of 812 Broughton from the south side of Broughton looking west





View of proposed parking forecourt with restaurant access stair and pedestrian lane to courtyard



FORT
PROPERTIES

CASCADIA ARCHITECTS
CREATING A BETTER WORLD

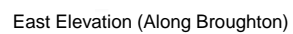


Detail of pedestrian lane



FORT
PROPERTIES

CASCADIA ARCHITECTS
CREATING A BETTER WORLD







**DANCE
VICTORIA**
THE WORLD'S BEST DANCE

111-2750 Quadra Street,
Victoria BC Canada V8T 4E8

DanceVictoria.com

info@dancevictoria.com
250-595-1829

February 5, 2016

City of Victoria
No 1 Centennial Square
Victoria, B.C. V8W 1P6

Attn.: Mayor and Council
Re: 1001 Blanshard Street Development Permit Application

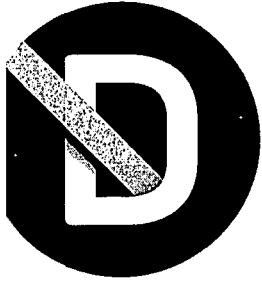
Dear Ms Helps and Council:

I am writing in my capacity as the Executive Producer of Dance Victoria. The Royal Theatre is the home of our annual season of dance performances that draws a total audience of about 18,000.

In recent years we have been thrilled by the enhancements made to the Fort Properties holdings on Blanshard and Fort Streets. The area has been revitalized with cafes and restaurants that are a perfect compliment to what the Opera, Symphony and Dance Victoria bring to the Royal Theatre. As an organization we have enjoyed the support of individual restaurants like Chorizo, be love and La Tasquista that have either catered or hosted receptions for our patrons. We're very excited about the developments proposed for 1001 Blanshard, a terrific anchor property across from the Royal Theatre.

I am writing to support the development permit application of 1001 Blanshard. This site is located downtown across from the Royal Theatre, but we understand that from a zoning standpoint, it is considered part of Fairfield and thus is subject to suburban parking requirements. In our opinion, this site should conform to the norms of other downtown zones rather than those of Fairfield, and in this spirit we support the applicant's request for a parking variance. Unlike many suburban neighborhoods, our downtown is well serviced by buses, parkades, street parking and soon, by bike lanes. Visitors to downtown Victoria will increasingly have many transportation options, and urban centers do not thrive when planned around stringent parking requirements.

We also feel strongly that this significant downtown corner has been vacant for long enough, and we look forward to seeing it occupied by vibrant local businesses capable of making a dynamic contribution to the downtown residential community and the Royal Theatre District. We also welcome the upgrades to the existing building in terms of façade treatment, landscaping, increased bike parking, piazza-like patio areas, and a new pedestrian walkway into the Fort Common Courtyard. This type of development is positioned to improve urban walkability, vibrancy and the potential for "20 minutes living" valued by so many people today.



**DANCE
VICTORIA**
THE WORLD'S BEST DANCE

111-2750 Quadra Street,
Victoria BC Canada V8T 4E8

DanceVictoria.com

info@dancevictoria.com
250-595-1829

The variance requested in this DP Application will bring the use of this prominent corner location in line with the City of Victoria's strategic vision for an urban core characterized by urban villages, enlivened spaces, citizen-led place making initiatives, and excellence in home grown entrepreneurship.

Sincerely,

Stephen White,
Executive Producer



February 3, 2016

City of Victoria
No 1 Centennial Square
Victoria, B.C. V8W 1P6

Attn.: Mayor and Council
Re: 1001 Blanshard Street Development Permit Application

Dear Mayor and Council:

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Sincerely
CHARD DEVELOPMENT LTD.

A handwritten signature in black ink, appearing to read "David Chard", written over a horizontal line.

David Chard

January 26, 2016

City of Victoria
No 1 Centennial Square
Victoria, B.C. V8W 1P6

Attn.: Mayor and Council
Re: 1001 Blanshard Street Development Permit Application

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I am writing to support the development permit application of 1001 Blanshard. This site is located downtown across from the Royal Theatre, but we understand that from a zoning standpoint, it is considered part of Fairfield and thus is subject to suburban parking requirements. In our opinion, this site should conform to the norms of other downtown zones rather than those of Fairfield, and in this spirit we support the applicant's request for a parking variance. Unlike many suburban neighborhoods, our downtown is well serviced by buses, parkades, street parking and soon, by bike lanes. Visitors to downtown Victoria will increasingly have many transportation options, and urban centers do not thrive when planned around stringent parking requirements.

We also feel strongly that this significant downtown corner has been vacant for long enough, and we look forward to seeing it occupied by vibrant local businesses capable of making a dynamic contribution to the downtown residential community and the Royal Theatre District. We also welcome the upgrades to the existing building in terms of façade treatment, landscaping, increased bike parking, piazza-like patio areas, and a new pedestrian walkway into the Fort Common Courtyard. This type of development is positioned to improve urban walkability, vibrancy and the potential for "20 minutes living" valued by so many people today.

The variance requested in this DP Application will bring the use of this prominent corner location in line with the City of Victoria's strategic vision for an urban core characterized by urban villages, enlivened spaces, citizen-led place making initiatives, and excellence in home grown entrepreneurship.

I would like to add to this another benefit of a patio area in this location. I served as a volunteer as VP of the Victoria Symphony for many years. One of the challenges the Victoria Symphony and the Victoria Opera has is locations for older patrons to visit pre and post performances. This location is ideal, as many of the patrons have mobility issues. In other great cities theatre districts with surrounding places to sit, have a bite or a drink pre and post performances are commonplace and well loved and utilized. This project will directly benefit the Victoria Symphony and Opera with increased attendance and improved experience.

Mayor and Council

[Date]

Page 2

I have also been involved in the restaurant industry in Victoria as a former restaurant owner and understand the challenges that it faces. The applicant here has an outstanding reputation in the industry, and we are fortunate as a community to benefit from his participation in the vibrant growth of our city, providing responsible economic growth, in addition to job opportunities and social growth

Sincerely,

Daniel Sharp

CEO

Western Allergy

12-810 Humboldt Street

Victoria BC V8V 5B1



February 9, 2016

City of Victoria: #1 Centennial Square

Victoria, BC V8W 1P6

Attention: Mayor Lisa Helps, Councillors of City of Victoria

Re: 1001 Blanshard St Development Permit Application

Dear Mayor Helps and Council:

As a business owner, (Victoria Arts Marketing, 818 Broughton St), I am very pleased with the many upgrades to properties in this neighbourhood. I do considerable business with the arts community and their rental of the Royal Theatre. Thus any additional enhancement to this district is met with great enthusiasm on my part.

I am currently very interested in the proposed development of the Blanshard/Broughton corner. Hence, I am writing to support the permit application of 1001 Blanshard. This corner, when completed, will further enhance the bustling atmosphere that so enriches downtown Victoria.

I want to be on the record as a supporter of this development and thus support the applicant's request for parking variance. Visitors to the Royal Theatre, neighbouring restaurants, businesses, and library are well-served by city transit, parkades and street parking. Also, with increased residential density, patrons are walking.

It is in the best interests of the City of Victoria, and local business, to make our Downtown as attractive as possible for visitors to this region. The variance requested in this application will further enhance the City of Victoria's strategic vision in regards to urban core liveability.

I encourage you all to support this initiative and allow this corner to become a Victoria gem.

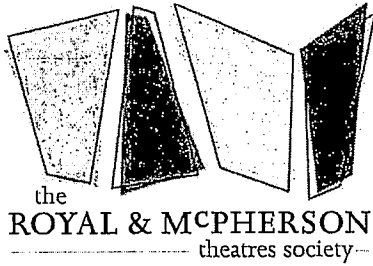
Respectfully submitted,

A handwritten signature in dark ink that reads "Philomena Hanson".

Philomena Hanson

Publisher, Victoria Arts Marketing

818 Broughton St. 250- 480-3206



February 9, 2016

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

Attn.: Mayor and Council:

Re: 1001 Blanshard Street Development Permit Application

Dear Mayor and Council:

I am writing to support the development permit application of 1001 Blanshard Street. This site is located downtown across from the front door of our larger theatre, but we understand that from a zoning standpoint, it is considered part of Fairfield and thus is subject to suburban parking requirements. In our opinion, this site could conform to the norms of other downtown zones rather than those of Fairfield, as there are no homes or residences immediately adjacent, and in this spirit we support the applicant's request for a parking variance. Unlike many suburban neighborhoods, our downtown is well serviced by buses, parkades, street parking and soon, by bike lanes. Visitors to downtown Victoria will increasingly have many transportation options, and urban centers do not thrive when planned around stringent parking requirements.

We also feel strongly that this significant downtown corner has been vacant for long enough, and we look forward to seeing it occupied by vibrant local businesses capable of making a dynamic contribution to the downtown residential community and the Royal Theatre District. We also welcome the upgrades to the existing building in terms of façade treatment, landscaping, increased bike parking, piazza-like patio areas, and a new pedestrian walkway into the Fort Common Courtyard. This site is a key component in the future success of the Royal Theatre. Going to theatre is about the quality of the experience. As more restaurants and coffee shops open near the theatre the two elements of the theatrical experience and neighbourhood vibrancy begin to work in a complimentary manner and all the businesses in the area thrive.

625 Fisgard Street
P.O. Box 1000
Victoria, B.C. V8W 2S6

tel: (250) 361-0800
fax: (250) 361-0805

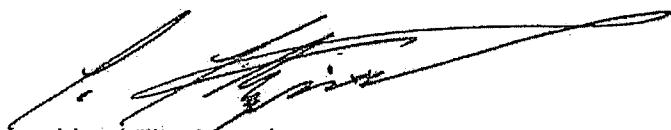
box office: (250) 386-6121
toll free: 1-888-717-6121

email: marketing@rmuts.bc.ca
web: www.rmuts.bc.ca

Letter to Mayor and Council
February 9, 2016
Page 2 of 2

The variance requested in this DP Application will bring the use of this prominent corner location in line with the City of Victoria's strategic vision for an urban core characterized by urban villages, enlivened spaces, citizen-led place making initiatives, and excellence in home grown entrepreneurship.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lloyd Fitzsimonds', written over a horizontal line.

Lloyd Fitzsimonds
Executive Director

925 BALMORAL ROAD
VICTORIA, BC V8T 1A7

ADMINISTRATION 250.382.1641
FAX 250.382.4944
BOX OFFICE 250.385.0222

WWW.POV.BC.CA



January 26, 2016

City of Victoria
No 1 Centennial Square
Victoria, B.C. V8W 1P6

Attn.: Mayor and Council
Re: 1001 Blanshard Street Development Permit Application

Dear Mayor and Council:

I am writing to support the development permit application of 1001 Blanshard. This site is located downtown across from the Royal Theatre, but we understand that from a zoning standpoint, it is considered part of Fairfield and thus is subject to suburban parking requirements. In our opinion, this site should conform to the norms of other downtown zones rather than those of Fairfield, and in this spirit we support the applicant's request for a parking variance. Unlike many suburban neighborhoods, our downtown is well serviced by buses, parkades, street parking and soon, by bike lanes. Visitors to downtown Victoria will increasingly have many transportation options, and urban centres do not thrive when planned around stringent parking requirements.

The Royal Theatre and its surroundings are such a superb opportunity for developing vitality and engagement with the City of Victoria and its excellent performing arts organizations. We at Pacific Opera Victoria feel that these plans would be beneficial to this endeavor.

We also feel strongly that this significant downtown corner has been vacant for long enough, and we look forward to seeing it occupied by vibrant local businesses capable of making a dynamic contribution to the downtown residential community and the Royal Theatre District. We also welcome the upgrades to the existing building in terms of façade treatment, landscaping, increased bike parking, piazza-like patio areas, and a new pedestrian walkway into the Fort Common Courtyard. This type of development is positioned to improve urban walkability, vibrancy and the potential for "20 minutes living" valued by so many people today.

The variance requested in this DP Application will bring the use of this prominent corner location in line with the City of Victoria's strategic vision for an urban core characterized by urban villages, enlivened spaces, citizen-led place making initiatives, and excellence in home grown entrepreneurship.

Sincerely,



Patrick Corrigan
Executive Director

Christine Havelka

From: Public Hearings
Subject: FW: Attn.: Mayor and Council - Re 1001 Blanshard Street Development Permit Application

From: Ned Boniface [mailto:n]
Sent: Friday, February 05, 2016 8:55 PM
To: Leanne Taylor
Subject: Attn.: Mayor and Council - Re 1001 Blanshard Street Development Permit Application

Dear Mayor and Council:

I am writing to support the development permit application of 1001 Blanshard. This site is located downtown across from the Royal Theatre, but I understand that from a zoning standpoint, it is considered part of Fairfield and thus is subject to suburban parking requirements. In my opinion, this site should conform to the norms of other downtown zones rather than those of Fairfield, and in this spirit I support the applicant's request for a parking variance. Unlike many suburban neighborhoods, our downtown is well serviced by buses, parkades, street parking and soon, by bike lanes. Visitors to downtown Victoria will increasingly have many transportation options, and urban centers do not thrive when planned around stringent parking requirements.

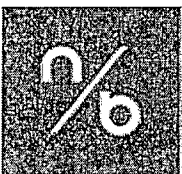
We also feel strongly that this significant downtown corner has been vacant for long enough, and we look forward to seeing it occupied by vibrant local businesses capable of making a dynamic contribution to the downtown residential community and the Royal Theatre District. We also welcome the upgrades to the existing building in terms of façade treatment, landscaping, increased bike parking, piazza-like patio areas, and a new pedestrian walkway into the Fort Common Courtyard. This type of development is positioned to improve urban walkability, vibrancy and the potential for "20 minutes living" valued by so many people today.

The variance requested in this DP Application will bring the use of this prominent corner location in line with the City of Victoria's strategic vision for an urban core characterized by urban villages, enlivened spaces, citizen-led place making initiatives, and excellence in home grown entrepreneurship.

I have been a proud supporter of Graham Meckling and his efforts at Stage Wine Bar and know that he will bring a well run, high level, and positive business to the community.

Sincerely,

Ned Boniface



NED BONIFACE
MORTGAGE BROKER

Ned Boniface
MORTGAGE BROKER

REPORTS OF THE COMMITTEE

3. Planning and Land Use Committee – December 10, 2015

9. Heritage Designation Application No. 000154 for 727 Yates Street

It was moved by Councillor Madoff, seconded by Councillor Thornton-Joe, that Council approve the following motion:

"That Council consider the designation of the property located at 727 Yates Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site."

Carried Unanimously

3.5 Heritage Designation Application No. 000154 for 727 Yates Street

Committee received a report regarding an application for 727 Yates Street to designate the exterior of the 1897 heritage-registered property located at 727 Yates Street as a Municipal Heritage Site.

Action: It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends that Council consider the following motion:

“That Council consider the designation of the property located at 727 Yates Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage site.”

CARRIED UNANIMOUSLY 15/PLUC310



Planning and Land Use Committee Report For the Meeting of December 10, 2015

To: Planning and Land Use Committee **Date:** November 17, 2015
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Heritage Designation Application No. 000154 for 727 Yates Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council consider the designation of the property located at 727 Yates Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site."

LEGISLATIVE AUTHORITY

In accordance with section 967 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the heritage-registered property located at 727 Yates Street.

The following points were considered in assessing this application:

- general consistency with the *Official Community Plan* (OCP)
- Statement of Significance.

The application was reviewed by the Heritage Advisory Panel at its November 10, 2015 meeting and was recommended for approval.

This report fulfils the requirements of Section 968(5) of the *Local Government Act*.

BACKGROUND

The heritage status of the subject property was formally recognized on January 1, 1995.

Description of Proposal

An application to designate the exterior of the 1897 heritage-registered property located at 727 Yates Street as a Municipal Heritage Site was received from Duck Hyun (Noah) Jung and Jung Ok (Hannah) Jung, Hindol Enterprises, on October 13, 2015.

Zoning/Land Use

The proposed designation is consistent with the CA-4: Central Area Commercial Office District and surrounding land uses.

Condition/Economic Viability

The exterior fabric appears to be in sound condition. The viability of the property will be strengthened by the owner's intention to seismically upgrade the building.

Heritage Advisory Panel Recommendation

The Heritage Advisory Panel considered the applicant's request for heritage designation at its regular meeting on November 10, 2015, and recommended the following:

"That Council consider the designation of the property located at 727 Yates Street as a Municipal Heritage Site."

ANALYSIS

The following sections provide a summary of the application's consistency with the relevant City policies and guidelines.

Official Community Plan

This application is consistent with the OCP because it contributes to the identification of the heritage value of districts and individual properties, it contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources, and in accordance with a key strategic direction of the Downtown, aims to conserve the historic character of Old Town and Chinatown.

The OCP encourages the consideration of tools available under legislation to protect heritage property such as heritage designation. The application is consistent with the OCP where it considers the heritage value of individual properties.

Statement of Significance

A Statement of Significance, describing the historic place, outlining its heritage value and identifying its character-defining elements, is attached to this report.

Resource Impacts

The applicant has indicated their intention to seek financial assistance through the Tax Incentive Program to seismically strengthen the building.

CONCLUSIONS

This application for the designation of the property located at 727 Yates Street as a Municipal Heritage Site is for a building that is a good example of the type of modest commercial building erected in the late nineteenth century. It was designed by architect John Teague, one of the City's most prolific architects of the nineteenth century, who is best remembered for his design of Victoria City Hall. The subject building is one of the oldest surviving structures on this block of Yates Street and it is important to Victoria's commercial downtown. It exemplifies the heritage character of the City before the turn of the twentieth century, making it a significant contributor to the integrity of the historic streetscape in this area.

Staff therefore recommend that Council consider the designation of the property located at 727 Yates Street as a Municipal Heritage Site.

ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000154 for the property located at 727 Yates Street.

Respectfully submitted,

A stylized, cursive signature in black ink, appearing to read 'M. G. Miller'.

Murray G. Miller
Senior Heritage Planner
Community Planning

A stylized, cursive signature in black ink, appearing to read 'J. Tinney'.

Jonathan Tinney
Director
Sustainable Planning and Community
Development

Report accepted and recommended by the City Manager:

A stylized, cursive signature in black ink, appearing to read 'C. Manager'.

Date: December 3, 2015

List of Attachments

- Subject map
- Aerial map
- Photographs
- Applicant's letter, date stamped October 13, 2015
- Statement of Significance.

Staff therefore recommend that Council consider the designation of the property located at 727 Yates Street as a Municipal Heritage Site.

ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000154 for the property located at 727 Yates Street.

Respectfully submitted,



Murray G. Miller
Senior Heritage Planner
Community Planning



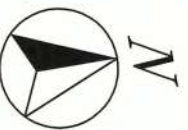
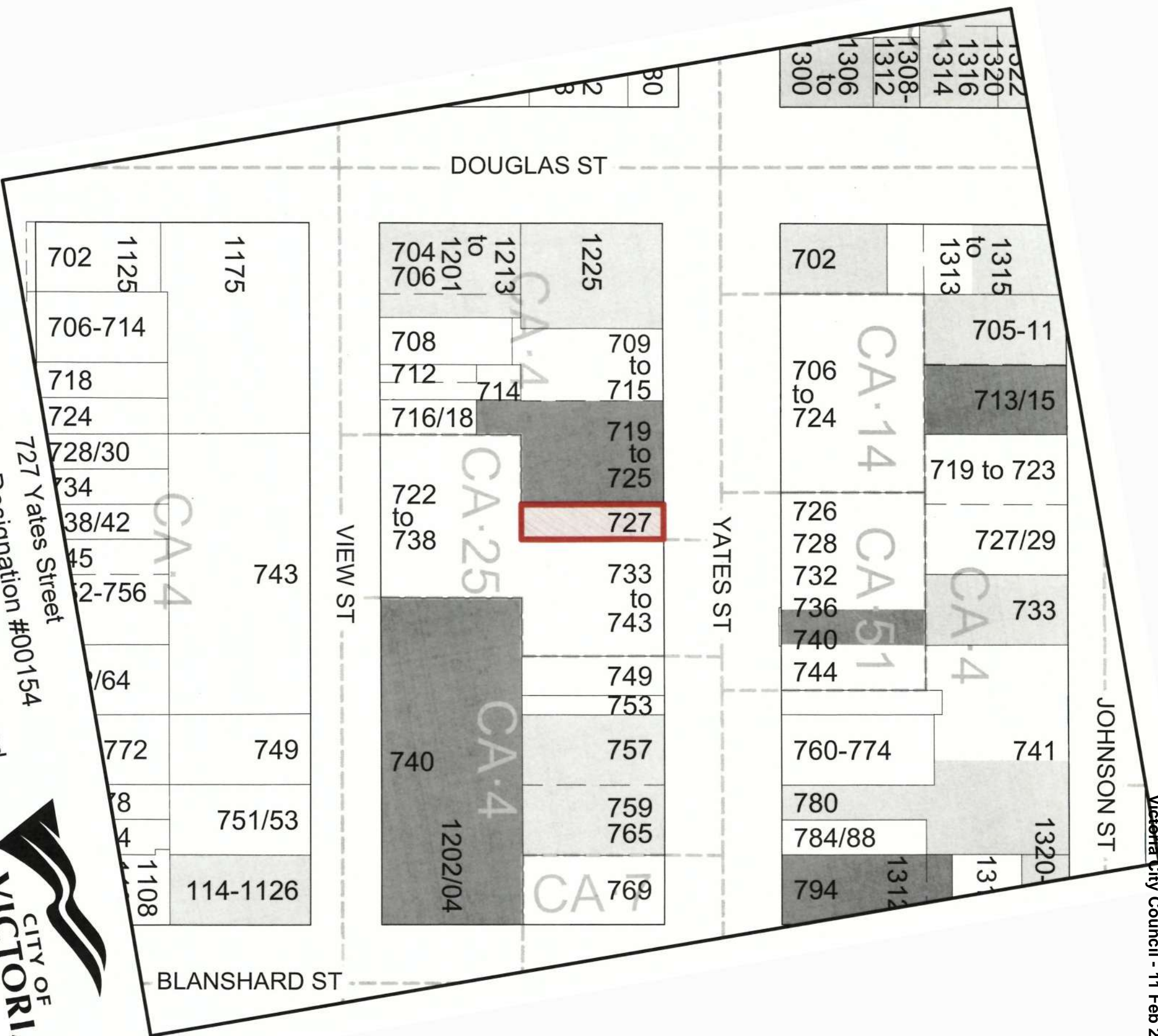
Jonathan Tinney
Director
Sustainable Planning and Community
Development

Report accepted and recommended by the City Manager:

Date: _____

List of Attachments

- Subject map
- Aerial map
- Photographs
- Applicant's letter, date stamped October 13, 2015
- Statement of Significance.



Heritage Designation #00154
 Designated
 Registered





727 Yates Street
Heritage Designation #00154



727 Yates Street



727 Yates Street



October 12th, 2015

Mayor Lisa Helps and Victoria City Council
1 Centennial Square
Victoria, BC Canada
V8W 1P6



Re: Heritage Designation of 727 Yates Street Building

Dear Mayor and Council,

My name is Duck Hyun (Noah) Jung and along with my wife, Jung Ok (Hannah) Jung, we are the owners of Hindol Enterprises that owns the registered heritage building at 727 Yates Street. I am writing this letter to request for a heritage designation of the 727 Yates Street building. The reason for requesting heritage designation is so that the building would be eligible for the incentive programs that the city offers. We hope to make use of these incentive programs for the sake of seismic strengthening and improving the earthquake resistance of the 727 Yates Street building in order that this heritage building in the Downtown Core Area may be preserved.

Thank you for your time and consideration.

Sincerely,

Duck Hyun (Noah) Jung

A handwritten signature in black ink, appearing to be "Duck Hyun (Noah) Jung". The signature is written in a cursive, flowing style.

Jung Ok (Hannah) Jung

A handwritten signature in black ink, appearing to be "Jung Ok (Hannah) Jung". The signature is written in a cursive, flowing style.

727-729 Yates Street

Statement of Significance

Description of Historic Place

This historic place is a small, two-storey brick commercial building located on the south side of Yates Street. It is articulated by two decorative cornice panels, and an arched central upper-storey window.

Heritage Value

727-729 Yates Street is valued as a good example of the type of modest commercial building erected in the late nineteenth century as the city grew steadily eastward, away from the waterfront. Designed by architect John Teague and built in 1897 for local developer Dr. F. W. Hall, this small yet decorative 1897 building is one of the oldest surviving structures on this block of Yates Street. It is important to Victoria's commercial downtown because it exemplifies the heritage character of the City before the turn of the twentieth century, making it a significant contributor to the integrity of the historic streetscape in this area.

Character-Defining Elements

The character-defining elements of 727-729 Yates Street include:

- two-storey stature.
- architectural elements relevant to its 1897 design by architect Teague, including its finely articulated brick and stone facade, upper-storey double-hung wooden sash windows, and decorative cornice.
- its contribution to the continuity of the urban fabric of the street wall, seen in lack of front and side setbacks.
- interior elements relevant to its 1897 design.
- the integrity of the 1897 building envelope.

NO. 16-005

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 727 Yates Street to be protected heritage property.

Under its statutory powers, including section 967 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

- 1. This Bylaw may be cited as the “HERITAGE DESIGNATION (727 YATES STREET) BYLAW”.
- 2. The exterior of the building located at 727 Yates Street, legally described as the westerly 30 feet of Lot 15, Victoria City, is designated to be protected heritage property.

READ A FIRST TIME the	28th	day of	January	2016.
READ A SECOND TIME the	28th	day of	January	2016.
Public Hearing held on the		day of		2016.
READ A THIRD TIME the		day of		2016.
ADOPTED on the		day of		2016.

CORPORATE ADMINISTRATOR

MAYOR



Council Report

For the Meeting of February 11, 2016

To: Council **Date:** February 4, 2016

From: Chris Coates, City Clerk

Subject: Application for a Liquor Primary Licence, Royal Canadian Legion Public Service Branch #127, 514 Government Street (James Bay Neighbourhood)

RECOMMENDATION

That Council, after conducting a review of the staff assessment respecting noise and community impacts on the application for a Liquor Primary Liquor Licence for the Royal Canadian Legion Public Service Branch #127, located at 514 Government Street, and receiving public input in accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy

1. Does support the application as described in the application summary dated October 1, 2015 and the letter from the applicant dated November 24, 2015 subject to a successful rezoning to permit the intended use and a business licence acquired.
2. Provides comments to the Liquor Control and Licensing Branch on the prescribed considerations as follows:
 - a. *The location of the establishment*
 - The Royal Canadian Legion Public Service Branch 127 is located at 514 Government Street, which is in the area of the Parliament Buildings, tourist attractions, some residential and very little retail.
 - The property is within the Inner Harbour District of the Downtown Core Area Plan, which supports maintaining and strengthening the area as a focus for tourism as well as Provincial Government office and business activities.
 - Mixed-use development with residential above active commercial uses at street level is supported. In addition, the location, design and siting of residential development should ensure that any potentially negative effects on the general operation and function of employment activities is mitigated.
 - The site is Zone CD-2 and is located within the LP-2E sub area, the Legislature Comprehensive District. The permitted uses in this area are:
 - Public buildings
 - Offices
 - Fitness clubs
 - Residential
 - Surface parking

- The proposed use as a clubhouse and restaurant/pub is not consistent with existing zone. As a result, a Rezoning Application and approval from Council is required to permit the proposed use.

b. The proximity of the establishment to other social or recreational facilities and public buildings

- There are no apparent conflicts with nearby social, recreational and public buildings.
- The Queen's Printer building (directly to the north) is the large building on the southwest corner of Superior and Government.
- There is a small lot of green space directly to the south of 514 Government; most nearby properties (outlined in next section) are residential. The applicant outlined in the application there should be no disturbances or any problems as a result of this licence because most of their members are social drinkers and most members depart by 8:30 pm.

c. The person capacity and hours of liquor service of the establishment

- This legion is a social meeting place for local and out of town club members, and a few guests of veterans. The maximum proposed hours of liquor service would be from 11:00h (11:00AM) to 23:00h (11:00PM) seven days per week. The occupant load proposed is 100 persons (all inside the building). Snacks and beverages will be provided to guests.
- There are no apparent conflicts with nearby social, recreational and public buildings.

d. The number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location

- Within a 300 metre radius, (which is the same radius as the public consultation mail-out for this new application), there are 4 other Liquor Primary Licensed establishments with a total patron capacity of up to 4,057 seats, but the majority of these seats are for special events (Royal BC Museum).

e. The impact on the community in the immediate vicinity of the establishment

- On-street parking is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc.)
- It is noted that this is a new licence for 100 seats with a relatively early closing time (11pm), there are no outdoor patios at this location and the premises are open to members only.
- Because of the existence of residences across the street, office workers present during the day immediately adjacent to the premises, on-street parking on both sides of Government Street and the location being in James Bay adjacent to the downtown and outside the entertainment district, there is a concern about possible noise disturbance to the neighbours and lack of parking.
- However, given that it is a private club and the Legion is an organization with sensitivities to the interests of the public, there are not likely to be (unmanageable) disturbance problems.
- Larger events with the given number of licensed seats could impact the neighbourhood in terms of parking and activity. Overall, the likelihood of this would be moderate.

- There are no other concerns with this application regarding negative impacts of the immediate vicinity of the establishment
- f. The impact on the community if the application is approved*
- There have been no significant concerns raised that would impact negatively on the community.
- g. The City consulted the public on this application by*
- Connecting the applicant to the James Bay Neighbourhood Association (JBNA), early on in the process. The applicant attended a JBNA meeting, spoke to the application, and the City received the input from the JBNA (Appendix A). As well, the public hearing date was postponed from original scheduling (January 14, 2016) so that the JBNA had time to get input into the City, prior to the public hearing, but proceeding the JBNA monthly meeting.
 - Sending out written notice to all property owners and residents within 300 metres of the Legion inviting comment on the application and notifying them of a public hearing to be held on January 28, 2016
 - Having the Legion post a notice at the access point to the business for a period of 30 days inviting the public to provide written comment and/or attend the public hearing; and
 - Holding a public hearing on January 28, 2016 to receive public input on this proposal.

Two (2) responses were received from residents and businesses. One letter was received from the James Bay Neighbourhood Association providing comment after the applicant presented their proposal at a community meeting. The JBNA is supportive of the application. All correspondence is in Appendix A.

Of the two responses, one was in favour (the Heritage House located at 507 Government) and the other expressed concerns about availability of parking especially with development in the immediate vicinity. As mentioned, the JBNA supports the application.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution regarding an application by the Royal Canadian Legion Public Service Branch #127 located at 514 Government Street to obtain a Liquor Public Liquor Licence. This is a new licence application and Council is to provide input to the Liquor Control and Licensing Branch (LCLB) in accordance with the prescribed criteria either in support of, or objecting to, the issuance of the Liquor Licence by the LCLB.

The proposed hours of liquor service are 11:00 am to 11:00 pm, seven days per week. However, as the applicant outlines in Appendix B, the hours and amount of days per month will be much fewer. The proposed licensed person capacity (occupant load), inclusive of patrons and staff, is 100 persons.

Council received a staff technical review of the application (see Appendix C), and subsequently initiated a public input process for the application. Input was sought through a notice requesting written submissions on the application (over a 30 day period) and by convening a Liquor Licence Hearing at the January 28, 2016 Council meeting. Written input was received from the James Bay Neighbourhood Association and two residents and businesses. No one spoke at the public hearing.

The staff technical review of the application concluded that although the establishment poses no negative impact to the community, the establishment is not zoned properly and requires a business licence to operate. The applicant is going through a rezoning process and is applying for a business licence at present. The public input received indicates there are no significant concerns with the proposed liquor primary licence application.

PURPOSE

The purpose of this report is to seek a Council resolution regarding an application by the Royal Canadian Legion Public Service Branch #127 located at 514 Government Street to obtain a Liquor Primary Liquor Licence.

BACKGROUND

This is a new application requesting the ability to provide liquor service as part of a clubhouse style business. The maximum proposed hours of liquor service would be from 11:00 am to 11:00PM, seven days per week. The proposed occupant load is 100 persons.

The proposed business is located at an existing building at 514 Government Street. The General Manager of the provincial Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the Liquor Control and Licensing Act and regulations. Local government's role is to provide comments and recommendations to the LCLB on all new liquor primary licence applications including an assessment of the following criteria:

- a) The location of the establishment ;
- b) The proximity of the establishment to other social or recreational facilities and public buildings;
- c) The person capacity and hours of liquor service of the establishment;
- d) The number and market focus or clientele of liquor-primary licensed establishments within a reasonable distance of the proposed location;
- e) The impact of noise on the community in the immediate vicinity of the establishment; and
- f) The impact on the community if the application is approved.
- g) The recommendation in this report has been drafted to comply with the LCLB requirements.

Public Engagement and Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all owners and occupiers of property within 300 metres of the applicant's location were solicited by mail to provide input regarding this application and invited to attend the Liquor Licence Hearing which was held on January 28, 2016. In addition, newspaper ads were published advising of the Liquor Licence Hearing and the opportunity to speak to the application, and the establishment displayed posters at the access point for 30 days. The posters invited the public to provide input to the City with respect to this application and to attend the Liquor Licence Hearing. As a result the City received submissions from residents and businesses. One was supportive and one had concerns about the availability of parking due to other development in the area. One letter was received from the James Bay Neighbourhood Association providing comment after the applicant presented their proposal at a community meeting. The JBNA is supportive of the application.

ISSUES & ANALYSIS

This application was reviewed by Police, Bylaw and Licensing Services, Sustainable Planning and Community Development, Citizen Engagement and Strategic Planning, Engineering and Public Works and some concerns were expressed regarding the zoning and potential parking impacts (which were partially addressed by the applicant in the letter in Appendix B).

The Sustainable Planning and Community Department does not have any concerns regarding potential noise impacts.

- *The zoning review will likely identify a parking shortfall. A parking study should be completed to confirm if the parking demand will be met on-site, or if it will result in patrons/employees seeking parking on the surrounding streets. If spill over on to the streets will occur, the extent to which it will impact surrounding businesses and residents should be determined.*
- *The parking requirements for pubs is 1 space per 5 seats. One hundred seats are proposed; a parking variance may also be required if the 20 stalls are not accommodated on site.*
- *The applicant has partially addressed parking concerns, explaining that most patrons live in the immediate neighbourhood of the legion. Any on-street parking that is available is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc.). When available, it is only for 60 or 90 minutes until after 6:00 pm and patrons are aware of the time they are in a space as this area is monitored regularly.*
- *The proposed use as a clubhouse and restaurant/pub is not consistent with existing zone. As a result, a Rezoning Application and approval from Council is required to permit the proposed use.*

OPTIONS & IMPACTS

Official Community Plan

The proposed use of the property is consistent with the Official Community Plan objectives for this neighbourhood, the Downtown Core Area Plan, and the 9 (HC) Inner Harbour District.

Strategic Plan 2015 – 2018

The applicant's proposed business model is consistent with Strategic Plan Objective #7 – *Facilitate Social Inclusion and Community Wellness*.

2015 – 2018 Financial Plan

There is no expenditure impact on the Financial Plan.

CONCLUSIONS

As required under the City's bylaws and policy, a staff review of this application has been completed (see Appendix C for full report to GPC on December 3, 2015), public consultation completed. A final Report to Council has been prepared and submitted summarizing the results of the Liquor Licence Hearing and public input. This report has provided a draft resolution for submission to the Liquor Control and Licensing Branch for Council's consideration.

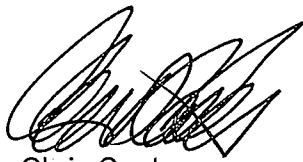
The staff technical review of the application concluded that although the establishment poses no negative impact to the community, the establishment is not zoned properly and requires a business licence to operate. The applicant is going through a rezoning process and is applying for a business

licence at present. The public input received indicates there are no significant concerns with the proposed liquor primary licence application.

Respectfully submitted,



Mary Chudley
Policy Analyst
Legislative and Regulatory Services

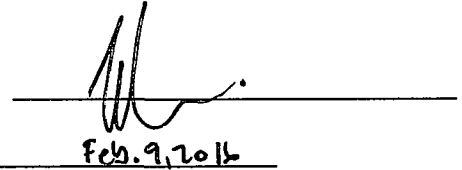


Chris Coates
City Clerk



Jocelyn Jenkins
Deputy City Manager

Report accepted and recommended by the City Manager:


Feb. 9, 2016

Date:

List of Attachments

- Appendix A – Letters from Two Residents/Businesses and the James Bay Neighbourhood Association (JBNA)
- Appendix B – Letter from Applicant responding to early concerns re: parking and hours/noise
- Appendix C – GPC Report (Staff Technical Assessment) for the meeting of December 3, 2015

APPENDIX A



James Bay Neighbourhood Association

jbna@vcn.bc.ca
Victoria, B.C., Canada

www.jbna.org

January 19th, 2016

Mayor & Council,
City of Victoria,

Re: CALUC Community Meeting - 514 Government Street, Legion Liquor Licence

The community meeting to consider revisions to the **Legion Liquor Licence** for the property at 514 Government Street first was held January 13th (109 present).

There were no objections to the licencing proposal.

Following please find an excerpt from the minutes of the January 13th meeting.

5. Legion Liquor Licence: 514 Government Street

Bal Sekha, Public Service Branch 127 Secretary
Royal Canadian Legion

Marg Gardiner introduced Bal and reviewed their pre-meeting discussion about the need to present to the community and the recognition of the value of the legion and the long-standing activities at the legion facility on Superior and currently on Government Street.

License has not been requested prior to move to 514 Government. Insurance required valid liquor license. Application in process, but consultation with neighbourhood association is required. 125 Legion members. Open Friday only from 4:00 to 7:00 pm; meetings on 2 Tuesdays a week and one Saturday dinner from 4:00 to 8:00 pm. Usually fewer than 40 people at any one time. No complaints from neighbourhood about activity or noise at Legion.

Public hearing January 28/15. No questions from the neighbourhood. Bal Sekha was thanked for her presentation.

Sincerely,

Marg Gardiner
Co-Chair, JBNA CALUC

From:
Sent:
To:
Cc:
Subject:

Thank you Mr. Davis. We appreciate hearing your input. I will include these comments as a part of the public input on this liquor application.

Kind regards,

Mary Chudley
Policy Analyst
Legislative and Regulatory Services
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0529



From: Peter Davis [mailto:pb-davis@shaw.ca]
Sent: Friday, January 08, 2016 2:30 PM
To: Liquor Licence Email
Cc: Pam Madoff (Councillor); Janice Schmidt
Subject: Re: Proposed Liquor Licence at 514 Government St.

Dear Ms Chudley,

Thank you for the timely and detailed response to my questions regarding the proposed liquor licence at 514 Government Street.

I appreciate the applicant's suggestions that parking demand will be minimal as a result of the application approval. However, that is purely conjectural. I remain concerned that with the Capital Park development underway in the same block, and the associated ground floor commercial spaces there, that demand for on the street parking will increase substantially, especially with a public drinking establishment added to the mix. And since it appears that the Capital Park development will not be providing public parking, there will be additional pressure for use of the extremely limited on-street parking in the area where I reside.

As a long-time resident of James Bay, I appreciate appropriate development in the community. However it should not come at the expense of residents in the area. As I mentioned, as demand for on-site parking is increasing with this and other area developments, the supply of parking is concurrently being dramatically reduced. There is a need for more public parking so that guests and visitors can meet and visit with local residents.

Thank you for your time and response.

Yours truly,

Peter Davis
#1506, 647 Michigan Street
Victoria, BC, V8V1S9

On Jan 8, 2016, at 11:27 AM, Liquor Licence Email <LiquorLicence@victoria.ca> wrote:

Good morning Mr. Davis,

Thank you for your email. I want to preface this by saying I am sorry for its length, but I wanted to ensure I answer your question as best I can.

Firstly, to answer your question: ***Does the new development immediately south of the Legislative Building provide any public parking?***

I do not know the answer to that question, but if after you have reviewed the following information you still need that answer, I can try to find an answer for you.

The City's role in this process is to provide comments on the application to the Liquor Control and Licensing Branch. City Council does not approve or deny the application. We circulate the application to departments here that may have issues that pertain to the application. Here are a few comments that have come from City Staff, as outlined in a report that went to Council on December 10 (and was a public document):

- The zoning review will likely identify a parking shortfall. A parking study should be completed to confirm if the parking demand will be met on-site, or if it will result in patrons/employees seeking parking on the surrounding streets. If spill over on to the streets will occur, the extent to which it will impact surrounding businesses and residents should be determined.
- Because of the existence of residences across the street, office workers present during the day immediately adjacent to the premises, on-street parking on both sides of Government Street and the location being in James Bay adjacent to the downtown and outside the entertainment district, there is a concern about possible noise disturbance to the neighbours and lack of parking.
- However, given that it is a private club and the Legion is an organization with sensitivities to the interests of the public, there are not likely to be (unmanageable) disturbance problems.
- Larger events with the given number of licensed seats could impact the neighbourhood in terms of parking and activity. Overall, the likelihood of this would be moderate.

Mr. Davis: with the above information from City departments, I shared these concerns with the applicant (The Legion).

The applicant provided the following information to augment the report that went to Council in December:

- The applicant has partially addressed parking concerns, explaining that most patrons live in the immediate neighbourhood of the legion.
- Though the application requested a permit for 100 only to cover our Remembrance Day reception which takes place after the Cenotaph Service, from noon to 3:00 pm. For the past two years and since we moved to this location, we have a verbal understanding with Robbins Parking that our guests may park in the Government Parking Lot at Menzies and Kingston Sts and they

will not monitor that lot all day. Our members are told via email and our newsletter that they can park there.

- Our regular attendance ranges between 20-25 at our Friday Socials during Standard Time and 35-40 in the summer months. Because our members are aware of the public service parking situation, many with vehicles come between 4:45-5:00 pm. Ones who walk over come around 4:15.
- In the winter months, the club usually closes before 7:00; in the summer, by 7:30 or 8:00. There is the odd occasion when someone may be celebrating an event and stays until 10:00. We have asked for the closing time to be 11:00 pm just to cover the odd exception.
- Events where we expect a large number of attendees like an AGM or an Open House are scheduled on a Sunday afternoon so that people can walk over and go home in daylight or use metered parking on Superior St.
- Attendance at meetings ranges from 11-15 and is on the first Tuesday of the month at 7:00 pm so does not interfere with others requiring parking during daytime. If it would help, we could change our meetings to Sundays as well. We subsidize 3 members to provide rides for those who do not want to drive or are disabled. We also have a couple of members who use scooters. The scooters are parked on the property or in the hall.
- Parking on Government St between Michigan and Superior Sts in front has been adequate for our normal needs but there is the odd occasion where a couple of spots on Michigan St have been used. With people staggering their time for coming in, the parking situation has worked so far.
- Several people leave around 6:15 or 6:30 to go to dinner at the James Bay Inn and drive their vehicles to it, leaving spaces for others to use.

After the public has a chance for input, and the City has a public hearing (addressed in that same letter you received), we put all of that information together and make a recommendation to Council, who then makes their recommendation to the LCLB.

I hope this helps shed more light on your concerns.

Have a good weekend and kind regards,

Mary Chudley
Policy Analyst
Legislative and Regulatory Services
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0529

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

From: Peter Davis [<mailto:pb-davis@shaw.ca>]

Sent: Thursday, January 07, 2016 3:34 PM

To: Liquor Licence Email

Cc: Pam Madoff (Councillor)

Subject: Proposed Liquor Licence at 514 Government St.

Dear Madam/Sir,

I have received a letter from the City of Victoria dated January 4, 2016 regarding a proposed Royal Canadian Legion Branch 127 at 514 Government Street.

Can you please provide information on the plans for parking for the subject proposal? Since the public parking lots on blocks 640-650 Michigan Street were recently lost to development, on-street parking in the area has been at a premium, especially for guests of residents in the area. Without new parking provided by the subject proposal, parking will become even more difficult to find.

Does the new development immediately south of the Legislative Building provide any public parking?

Thank you for your consideration.

Peter Davis
#1506, 647 Michigan Street
Victoria, BC, V8V1S9

From:
Sent:
To:
Cc:
Subject:

The Board of Directors of Heritage House, 507 Government Street, does support the new liquor licence application of the Royal Canadian Legion Branch 127.

Pierre Blondeau
Chair Board of Directors
Heritage House

APPENDIX B



Royal Canadian Legion #127
 Public Service Branch
 c/o Parliament Buildings
 Victoria, BC V8V 1X4
 Tel: (250) 386-3325
 Email: rcl127@shaw.ca
 Website: <http://www.br127.ca>

November 24, 2015

Mary Chudley
 Policy Analyst
 Legislative and Regulatory Services
 City of Victoria
 1 Centennial Square
 Victoria BC V8W 1P6

Dear Mary Chudley:

Re: Royal Canadian Legion Branch 127, 514 Government St – Liquor Licence Review Concerns

This is to confirm my earlier email response to the concerns raised by City Staff to our application.

Parking spaces for 100 guests/attendees:

- Our application requested a permit for 100 only to cover our Remembrance Day reception which takes place after the Cenotaph Service, from noon to 3:00 pm. For the past two years and since we moved to this location, we have a verbal understanding with Robbins Parking that our guests may park in the Government Parking Lot at Menzies and Kingston Sts and they will not monitor that lot all day. Our members are told via email and our newsletter that they can park there.
- Our regular attendance ranges between 20-25 at our Friday Socials during Standard Time and 35-40 in the summer months. Because our members are aware of the public service parking situation, many with vehicles come between 4:45-5:00 pm. Ones who walk over come around 4:15.
- In the winter months, the club usually closes before 7:00; in the summer, by 7:30 or 8:00. There is the odd occasion when someone may be celebrating an event and stays until 10:00. We have asked for the closing time to be 11:00 pm just to cover the odd exception.
- Events where we expect a large number of attendees like an AGM or an Open House are scheduled on a Sunday afternoon so that people can walk over and go home in daylight or use metered parking on Superior St.
- Attendance at meetings ranges from 11-15 and is on the first Tuesday of the month at 7:00 pm so does not interfere with others requiring parking during daytime. If it would help, we could change our meetings to Sundays as well.

Cont'd /2

- We subsidize 3 members to provide rides for those who do not want to drive or are disabled. We also have a couple of members who use scooters. The scooters are parked on the property or in the hall.
- Parking on Government St between Michigan and Superior Sts in front has been adequate for our normal needs but there is the odd occasion where a couple of spots on Michigan St have been used. With people staggering their time for coming in, the parking situation has worked so far. Several people leave around 6:15 or 6:30 to go to dinner at the James Bay Inn and drive their vehicles to it, leaving spaces for others to use.

Rezoning

Public Service Branch 127 of the Royal Canadian Legion has existed as a private club with the Province of BC as its landlord and in this precinct since 1934. Originally, to be a member of this branch, the member had to be a veteran and a civil servant. As a result of these conditions, premises were made available to the Branch in the precinct since 1934. Its first home was at 539 Superior, then at 521 Superior and for the past 2 years at 514 Government St. We still have several members with over 55 year memberships who joined with these requirements.

Since we do not own the property, we cannot apply for the rezoning.

You might be interested to know that this building housed Crown Publications several years ago and sold books as well as gifts so there was retail activity taking place openly. Also, the Legislative Dining Room is a popular restaurant that serves the public and there is also a gift shop in the Legislative Building. If their zoning covers these activities, maybe the existing one will cover this branch too.

James Bay Neighbourhood Association/James Bay Inn

We are aware of the James Bay Neighbourhood Association and will contact them before the public consultation gets underway. They are one of the local organizations we donate to annually.

Several of our members go to the James Bay Inn for dinner after they leave our premises on Fridays. We are not competing with them and often we have to wait for some time before they are able to find space to serve us.

Noise

So far, we have not been approached by any neighbours regarding noise and disruptive activities. As mentioned in the Letter of Intent, we do have some members who are retired policemen and they are there should they be needed.

If you have any other concerns or would like further explanation, please contact us.

Sincerely,
Bal Sekha
Branch Secretary



APPENDIX C

Governance and Priorities Committee Report

For the December 3, 2015 Meeting

To: Governance and Priorities Committee **Date:** November 20, 2015

From: Chris Coates, City Clerk

Subject: Application for a Liquor Primary Licence, **Royal Canadian Legion Public Service Branch 127**, 514 Government Street (James Bay Neighbourhood)

RECOMMENDATION

That Council, after conducting a review of the staff assessment of the application for a Liquor Primary Licence for **the Royal Canadian Legion Public Service Branch 127**, located at 514 Government Street, and in accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, approves:

1. The scheduling of a Liquor Licence Hearing (suggested date: Thursday January 14) before Council to receive written and oral submissions from residents, property owners and the public with respect to this application; and
2. Based upon the results of the public input received through the Liquor Licence hearing process, approve a resolution (with comments on the relevant factors) either supporting the licence application or not supporting the licence application. The appropriate resolution will be brought to Council at the earliest opportunity after completion of the Liquor Licence hearing.

EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution regarding an application by Royal Canadian Legion Public Service Branch 127, located at 514 Government Street, for a Liquor Primary Licence. This is a new licence application and will require Council to receive input from the Public through a Liquor Licence hearing as set out in the Liquor Licensing Fee Bylaw and the City's Liquor Licensing Policy and Process.

The proposed hours of liquor service would be from 11:00h (11:00AM) to 23:00h (11:00PM) seven days per week. The occupant load proposed is 100 persons (all inside the building).

PURPOSE

The purpose of this report is to seek Council direction regarding a new Liquor Primary Liquor Licence application by Royal Canadian Legion Public Service Branch 127, located at 514 Government Street.

BACKGROUND

This is a **new application** requesting the ability to provide liquor service on the part of an organization that serves and supports veterans. The Royal Canadian Legion Public Service Branch 127 is located at 514 Government Street, which is in the area of the Parliament Buildings, tourist attractions, some residential and very little retail. This legion is a social meeting place for local and out of town club members, and a few guests of veterans. The maximum proposed hours of liquor service would be from 11:00h (11:00AM) to 23:00h (11:00PM) seven days per week. The occupant load proposed is 100 persons (all inside the building). Snacks and beverages will be provided to guests.

A Letter of Intent from the business owner, submitted in May 2015 to the Liquor Control and Licensing Branch (LCLB) when the request was initiated, is attached in the Appendix to this Report, along with the Application Summary prepared by the LCLB.

There have been no previous applications for a liquor licence at this location.

Location

Official Community Plan:

- The urban place designation is "Core Inner Harbour/Legislative". Commercial uses are envisioned within this land use designation.

Downtown Core Area Plan:

- The property is within the Inner Harbour District of the Downtown Core Area Plan, which supports maintaining and strengthening the area as a focus for tourism as well as Provincial Government office and business activities.
- Mixed-use development with residential above active commercial uses at street level is supported. In addition, the location, design and siting of residential development should ensure that any potentially negative effects on the general operation and function of employment activities is mitigated.

Zoning and Designations:

- The site is Zone CD-2 and is located within the LP-2E sub area, the Legislature Comprehensive District. The permitted uses in this area are:
 - Public buildings
 - Offices
 - Fitness clubs
 - Residential
 - Surface parking

Existing Building and Neighbourhood Compatibility:

- The existing building is on the Heritage Register. Any alterations to the exterior of the building require a Heritage Alteration Permit approval.
- The Royal Canadian Legion Public Service Branch 127, at 514 Government Street, is located between Michigan and Superior Streets.
- The Queen's Printer building (directly to the north) is the large building on the southwest corner of Superior and Government.
- There is a small lot of green space directly to the south of 514 Government; most nearby properties (outlined in next section) are residential. The applicant outlined in the application there should be no disturbances or any problems as a result of this licence because most of their members are social drinkers and most members depart by 8:30 pm.

- On-street parking is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc.)
- Younger veterans are also joining the Legion as they move into the neighbourhood. If these members transfer from other Legion branches, they have expectations that alcoholic beverages will be provided as in their former branches.

Liquor Control and Licensing Branch

The General Manager of the provincial Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. Local government is to provide comments and recommendations to the LCLB on all new liquor-primary licence applications regarding the following criteria:

- a) The location of the establishment;
- b) The proximity of the establishment to other social or recreational facilities and Public buildings;
- c) The person capacity and hours of liquor service of the establishment;
- d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location;
- e) The impact of noise on the community in the immediate vicinity of the establishment; and
- f) The impact on the community if the application is approved.

Relevant City Policy / Bylaw

- a) Liquor Licensing Policy;
- b) Liquor Licensing Fee Bylaw.

ISSUES AND ANALYSIS

As stipulated in the *Liquor Control and Licensing Act*, Council has been requested to provide input to the LCLB with respect to this application. Under the City's Liquor Licensing Fee Bylaw and the City's Liquor Licensing Policy, Council is required to hold a Liquor Licence hearing to receive input on new applications for a Liquor Primary Licence, such as this application.

Under the rules established by the Liquor Control and Licensing Branch, Council can choose to "opt out" of providing comment on this application. As proceeding to opt out is contrary to the City's Policy on Liquor Licensing, that option has not been further explored in this report.

Operating Hours, Noise, Community Impact:

Closest residential uses are:

Address	Permitted Uses
501 Government St.	Mixed Use: corner store and residential unit
505 Government St.	bed and breakfast
640 Michigan St.	90 unit multiple dwelling
647 Michigan St.	multiple dwelling
605 Michigan St.	duplex dwelling
595 Michigan St.	bed and breakfast

Within a 300 metre radius, (which is the same radius as the public consultation mail-out for this new application), there are 4 other Liquor Primary Licenced establishments with a total patron capacity of up to 4,057 seats, but the majority of these seats are for special events.

VENUE	HOURS	SUNDAY HOURS	SEATING	TYPE
James Bay Inn Ltd. 270 Government Street	11am -11pm	11am -11pm	125	Pub/Hotel
Empress Hotel 721 Government Street	11am – 1am	11am – midnight	166	Hotel
Hotel Grand Pacific 463 Belleville Street	6:30am – 10 pm	6:30am – 10 pm	966	Hotel
Royal BC Museum Corp. 675 Belleville Street	10am – midnight	10am – midnight	2,800	Cultural Centre/Special Event Venue

Bylaw Enforcement

The Bylaw and Licensing Services Division has no concerns with this application.

Engineering & Public Works Department

The Engineering & Public Works Department has no specific concerns with this application.

Sustainable Planning and Community Development Department

- The Sustainable Planning and Community Department does not have any concerns regarding potential noise impacts.
- The zoning review will likely identify a parking shortfall. A parking study should be completed to confirm if the parking demand will be met on-site, or if it will result in patrons/employees seeking parking on the surrounding streets. If spill over on to the streets will occur, the extent to which it will impact surrounding businesses and residents should be determined.
- The parking requirements for pubs is 1 space per 5 seats. One hundred seats are proposed; a parking variance may also be required if the 20 stalls are not accommodated on site.
- The applicant has partially addressed parking concerns, explaining that most patrons live in the immediate neighbourhood of the legion. Any on-street parking that is available is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc.). When available, it is only for 60 or 90 minutes until after 6:00 pm and patrons are aware of the time they are in a space as this area is monitored regularly.
- The proposed use as a clubhouse and restaurant/pub is not consistent with existing zone. As a result, a Rezoning Application and approval from Council is required to permit the proposed use.

Citizen Engagement and Strategic Planning

The Community Development Coordinator has provided the following comments in support of the new licence:

- It is noted that this is a new licence for 100 seats with a relatively early closing time (11pm), there are no outdoor patios at this location and the premises are open to members only.
- Because of the existence of residences across the street, office workers present during the day immediately adjacent to the premises, on-street parking on both sides of Government Street and the location being in James Bay adjacent to the downtown and outside the entertainment district, there is a concern about possible noise disturbance to the neighbours and lack of parking.
- However, given that it is a private club and the Legion is an organization with sensitivities to the interests of the public, there are not likely to be (unmanageable) disturbance problems.

- Larger events with the given number of licensed seats could impact the neighbourhood in terms of parking and activity. Overall, the likelihood of this would be moderate.
- There are no other concerns with this application.

Police

- The Victoria Police Department has no major objections other than the predictable conflict that arises when licensed premises are in close proximity to residential areas.
- Generally the police do not have problems with the Legions; if there are larger events at the Legion and numerous people are exiting later in the night then there could be conflict and cause for concern for the police.

As required under the City's bylaws and policy, a staff review has been completed. No barriers were identified to this application proceeding to the next step – public consultation through a Liquor Licence Hearing before Council. A copy of this report will be provided to the applicant for review prior to the December 3rd, 2015 Governance and Priorities Committee meeting.

As noted above, the proposed use as a clubhouse and restaurant/pub is not consistent with the existing zoning. The applicant is aware that a Rezoning Application must be submitted and approved by Council to permit the proposed use before the LCLB will issue a liquor licence. This process can be initiated while the liquor licence application process is underway. In addition, the applicant has been advised of the requirement to obtain a Business Licence.

Public Engagement and Consultation

If Council endorses the recommendations in this Report, in accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy for the Intermediate District (according to the City of Victoria's Noise District Map) owners and occupiers of property within **300 metres** of the applicant's location will be solicited by mail to provide input regarding this application and invited to attend the Liquor Licence Hearing. In addition, the business will be required to display posters at the access points to their proposed business location for a minimum 3 week period, which will also invite the Public to provide input to the City with respect to this application and to attend the Liquor Licence Hearing.

Official Community Plan

The proposed use of the property is consistent with the *Official Community Plan* objectives for this neighbourhood, the Downtown Core Area Plan, and the 9 (HC) Inner Harbour District.

Strategic Plan 2015 – 2018

The applicant's proposed business model is consistent with Strategic Plan Objective #7 – *Facilitate Social Inclusion and Community Wellness*.

2015 – 2018 Financial Plan

There is no expenditure impact on the Financial Plan.

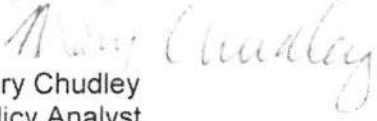
CONCLUSIONS

As required under the City's bylaws and policy, a staff review of this application has been completed. No barriers were identified to the application proceeding to the public consultation stage.

If the recommendations are approved, staff will arrange to receive public input through a Liquor Licence hearing, in accordance with City policy, within 30 days. A final Report to Council would

be prepared and submitted summarizing the results of the Liquor Licence Hearing. This report will also provide a draft Resolution for submission to the Liquor Control and Licensing Branch for Council's consideration.

Respectfully submitted,


Mary Chudley
Policy Analyst
Legislative and Regulatory Services

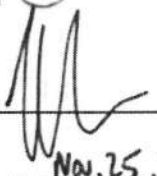

Janice Schmidt
Manager
Legislative Services


Chris Coates
City Clerk


Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:

Date:


Nov. 25, 2015

List of Attachments

- Appendix A – Aerial photograph (map) of the property and surrounding area
- Appendix B – Application Summary prepared by LCLB (which includes letter of intent from applicant)



Legend

Victoria Parcels

1: 2,000



Notes

102 0 51 102 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 MAP IS NOT TO BE USED FOR NAVIGATION



APPLICATION SUMMARY

For Applicant and Local Government/First Nations

Date: October 1, 2015

Job # 26313644-1

Re: Application for a new Liquor Primary (LP) Club Licence
Applicant: Royal Canadian Legion Public Service Branch #127
Proposed Establishment Name: Public Service Branch #127
Proposed Site: 514 Government Street, Victoria

1. APPLICATION INFORMATION

Date application deemed complete:	September 24, 2015
Local Government Jurisdiction:	City of Victoria
Primary Business Focus:	Food and Beverage
Total Person Capacity (patrons plus staff):	100 Persons (Interior)

Proposed Hours of Operation:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM	11:00 PM

Proposed Terms and Conditions:

A private club is eligible for the term and condition for flexible use (green lined area), pursuant to section 27(b) of the *Liquor Control and Licensing Act*. The licensee has the option of providing or not providing liquor service in areas covered by section 27(b)(i). When a green lined area is not being used for liquor service, the rules governing a licensed area no longer apply. The practical result of this designation is that when liquor is not being served these areas are unlicensed. The licensee does not need to apply to temporarily de-license the area.

Minors are permitted in green lined areas on the official floor plan during noted licensed hours when liquor is not being sold or consumed and all liquor is securely stored. No minors permitted in the liquor service area when the licence is in effect (liquor is being served) unless otherwise authorized by the L.C.L.B.

2. APPLICANT SUITABILITY INFORMATION (Fit and Proper)

The applicant has met the eligibility and suitability requirements relative to the above noted liquor licence, as required in the *Liquor Control and Licensing Act*.

3. LOCATION/SITE FACTORS

The legal description of the proposed site is: PID 029-274-478, Lot 1 of Lots 1718, 1719, 1720, 1743, 1744 and 1745, Victoria City Plan EPP38872. The proposed liquor primary establishment will operate as a social meeting place for local and out of town club members only. There is an occasional dinner party however there is no paid entertainment offered.

See the attached Applicant's Letter of Intent for details of the proposed Liquor Primary establishment, including the following details:

- a) Business Focus or Purpose
- b) Target Market
- c) Composition of the Neighbourhood and Reasonable Distance Measure
- c) Benefits to the Community
- d) Noise in the Community
- f) Impact on the Community
- g) Other impacts, comments or requests

Please note that the applicant's letter of intent is enclosed as an attachment to this report for reference purposes. The information or statements included in the letter of intent have not been confirmed unless otherwise stated in this report.

4. CONTRAVENTION STATISTICS

The Liquor Control and Licensing Branch provide contravention statistics for liquor primary and liquor primary club establishments near the subject location upon request.

5. POPULATION AND SOCIO-ECONOMIC INFORMATION

- Circle population statistics for 2001 and 2006 are available from BC Stats by emailing your request to BC.Stats@gov.bc.ca
- BC Stats Community Facts includes the BC Benefits recipient and EI Beneficiary statistics and is available at <http://www.bcstats.gov.bc.ca/data/dd/facsheet/facsheet.asp>
- Statistics Canada Population breakdown by categories is available at: <http://www12.statcan.ca/census-recensement/2006/dp-pd/prof/92-591/index.cfm?Lang=E>

6. PUBLIC INTEREST

In providing its resolution for the proposed Liquor Primary application, local government must consider and comment on each of the regulatory criteria indicated below. The written comments must be provided to the general manager by way of a resolution within 90 days after the local government receives notice of the application, or any further period authorized by the general manager in writing.

Regulatory Criteria local government or First Nation must consider and comment on:

- a) The location of the establishment;
- b) The proximity of the establishment to other social or recreational facilities and public buildings;
- c) The person capacity and hours of liquor service of the establishment;
- d) The number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location;
- e) The impact of noise on the community in the immediate vicinity of the establishment; and
- f) The impact on the community if the application is approved.

The local government or first nation must gather the views of residents in accordance with section 11.1 (2) (c) of the Act and include in their resolution:

- (i) the views of the residents,
- (ii) the method used to gather the views of the residents, and
- (iii) its comments and recommendations respecting the views of the residents;

A sample resolution template and comments are enclosed as attachments 2 and 3 to this report for reference purposes.

For use by Liquor Control and Licensing Branch:

5. REGULATORY and POLICY CONSIDERATIONS

Liquor Control and Licensing Act, Sections: 11, 16 and 18

Liquor Control and Licensing Regulations, Sections: 4, 5, 6, 8, 10

Liquor Licensing Policy Manual, Sections: 3.2, 3.3 and 3.4



Public Service Branch 127
Royal Canadian Legion
c/o Parliament Buildings
Victoria, BC V8V 1X4

Tel: (250) 386-3325
email: rcl127@shaw.ca

Web Site: <http://www.br127.ca>

May 31, 2015

Liquor Control and Licensing Branch
Ministry of Justice
4th Floor, 3350 Douglas St
Victoria, BC V8Z 3L1

RE: Letter of Intent – Liquor Primary Club Licence
– Royal Canadian Legion Public Service Branch 127

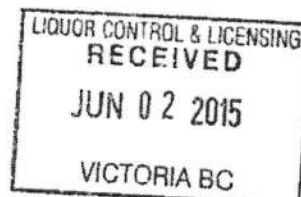
Please find attached Royal Canadian Canadian Legion, Public Service Branch 127's application for a new Liquor Primary Club Licence and required documents.

The Branch's main function is to serve and support veterans and provide a safe and comfortable environment for them to socialize and share their experiences. Our patrons are veteran members, non-veteran members and a limited number of guests. The activities are mainly conversational. There is no paid entertainment of any type and the building is not big enough for structured games, only quizzes should there be an occasional dinner or party.

The target market is veterans belonging to this or other branches and seniors who are members and live in the James Bay area. We are a very low key branch and do not advertise for patrons or take away patrons from other commercial establishments. Members join as a result of their friends who are members.

Most of our patrons are within walking distance as we have no designated customer parking. Any on-street parking that is available is used by public servants, those attending meetings or appointments in government offices or tourists visiting nearby attractions (Parliament Buildings, Royal British Columbia Museum, Inner Harbour, Beacon Hill Park, etc). When available, it is only for 60 or 90 minutes until after 6:00 pm and patrons are very aware of the time they are in a space as this area is monitored regularly.

The immediate neighborhood surrounding this Legion branch is mostly government offices, the Parliament Buildings, tourist attractions, some residential and very little retail.



Cont'd ... /2

... Cont'd

We are one of the few Legion branches that are experiencing membership growth. This is primarily from Legion members moving to this area and transferring to this branch or people liking being within walking distance or from branches that might be closing. Younger veterans are also joining if they move to this area. If they transfer from other Legion branches, they have expectations that alcoholic beverages will be provided as in their former branches. If the block's proposed redevelopment takes place, we expect this trend to continue.

Although on the application the hours of operation are extensive, the actual hours are quite restricted. The branch is normally open only on Fridays and customers clear out by 7:30. Occasionally a handful of people may stay until 8:30 or 9:00 but no one stays beyond 10:30. When calling cabs, patrons normally stay within the building until the driver comes in to pick them up. Those not needing cabs often just walk home. When some leave, they regularly go to a restaurant 2 blocks away and provide business for them.

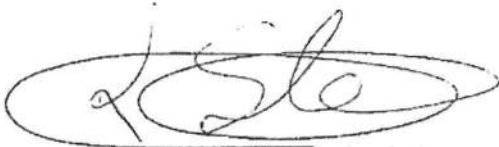
We do not expect to have disturbances or any problems as a result of this licence because most of our members are quite disciplined and are social drinkers only. We also have several policemen, retired and active, as members who can help should their assistance be required. This building does not stand out as a Legion so we don't often get drop-ins unless they are Legion members visiting Victoria. In fact, unless a member tells them, neighbours or public servants in the area are not aware of a Legion being in their midst.

We have been told by guests, as well as our own members who drop in at other branches, that we're the only Legion branch they have been to that provides free snacks (chips, cheesies, pretzels, etc) which we are happy to do to keep our patrons safe and sober.

We believe our branch is an important gathering place for our members, especially veterans, who like to drop in before going out for the evening for meals, entertainment and sports events.

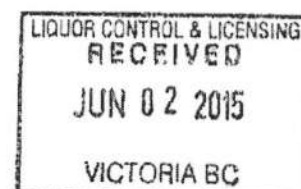
If you need more information, please do not hesitate to contact us.

Yours very truly,



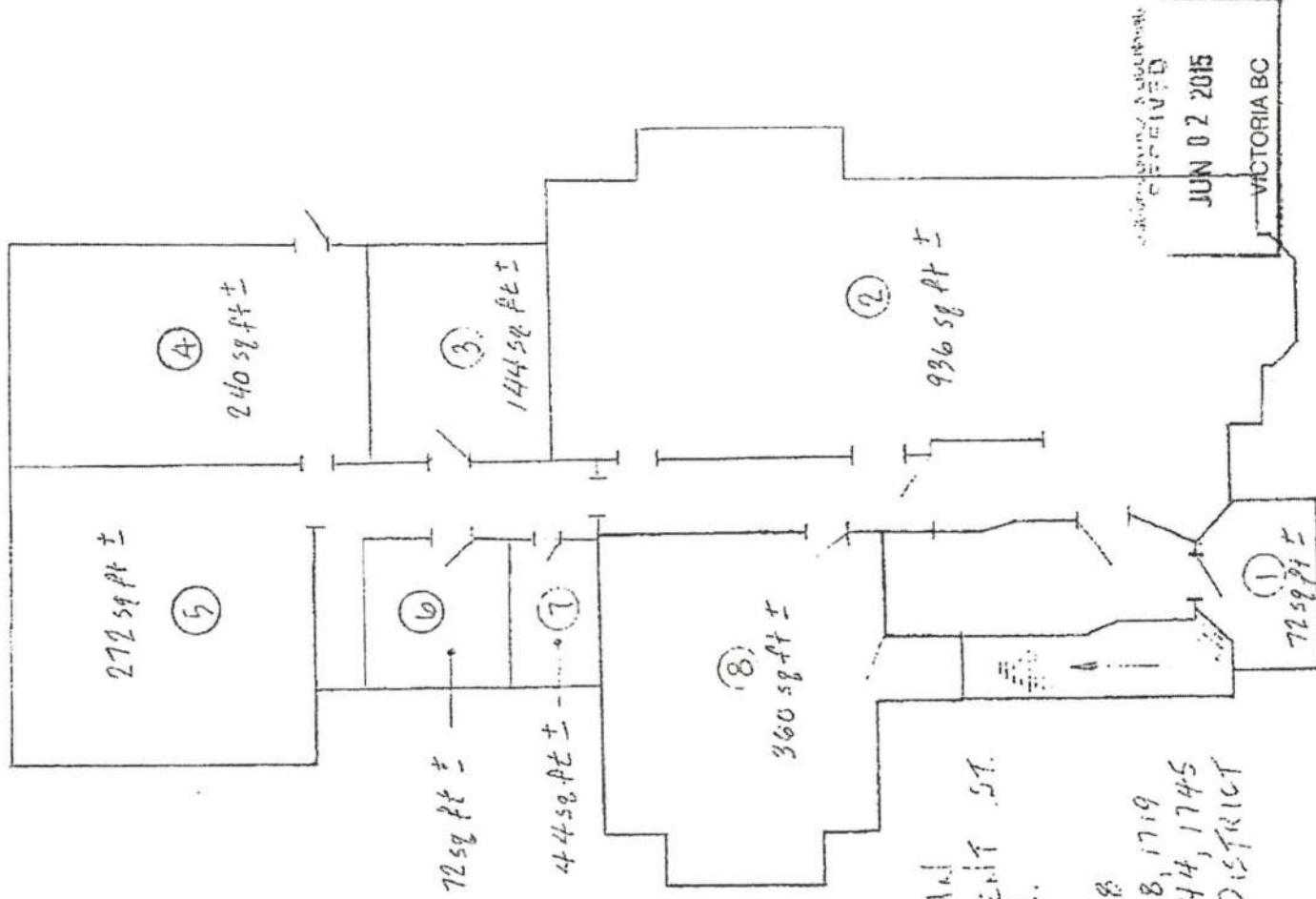
Richard Steele
Branch President

bks



1. FOYER
2. LOUNGE AREA
3. BAR AREA
4. OFFICE
5. KITCHEN
6. WOMAN'S
7. MEN'S
8. GAMES / LIBRARY

City of Victoria			
* Reviewed for Occupant Load Only			
Maximum Occupant Load is:		Fire Prevention Officer:	
Main Floor:	150	Persons	Brad Sifert
Mezzanine:	1	Persons	Signature: [Signature]
Patio/Deck:	1	Persons	Date: Aug 13/15
Total:	152	Persons	



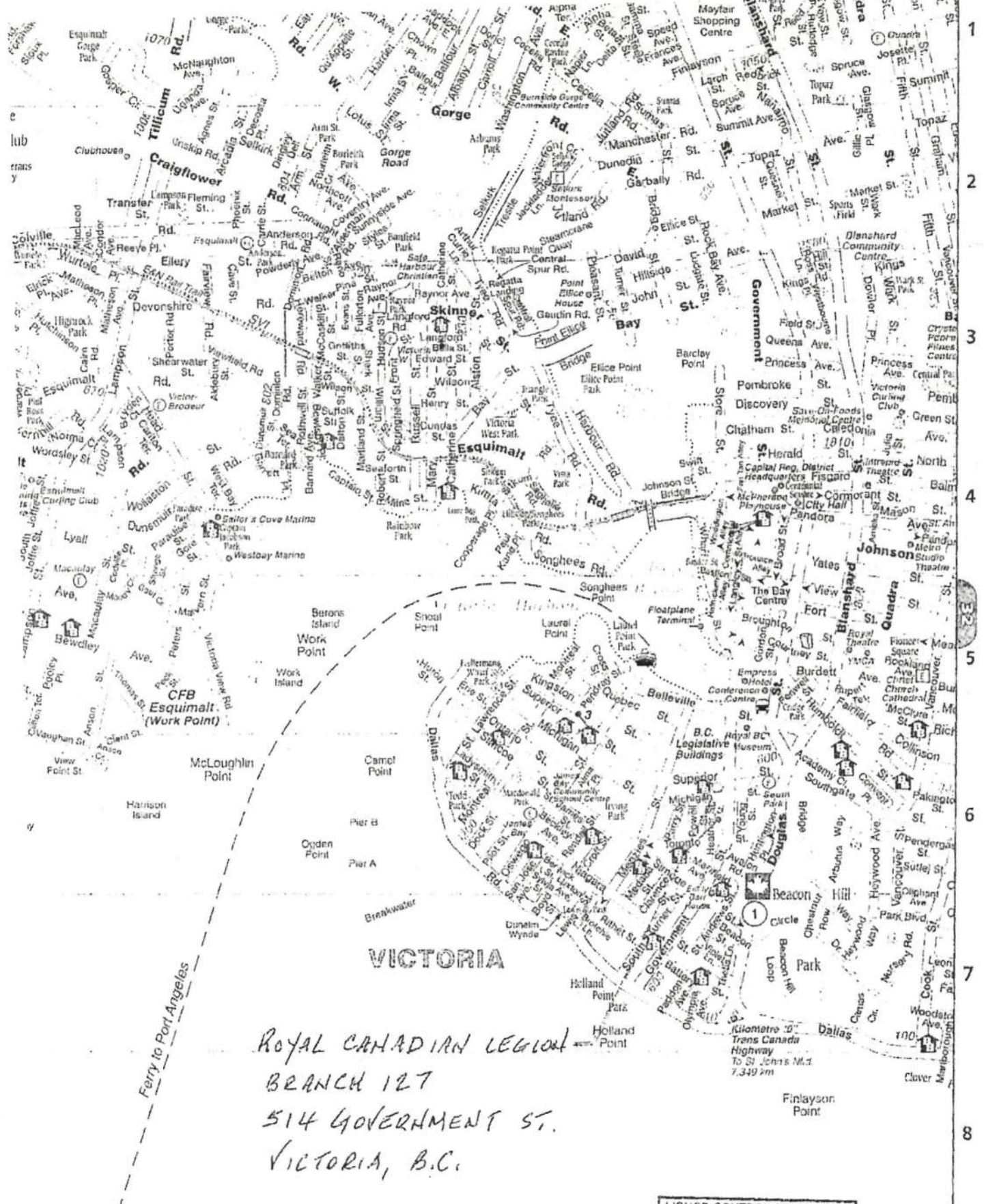
1ST FLOOR PLAN
514 GOVERNMENT ST.
VICTORIA, B.C.

PID: 029-274-1178
LOT 1 OF LOTS 1718, 1719
1719, 1720, 1743, 1744, 1745
VICTORIA, CITY DISTRICT
PLAN EPP38872

REVIS -
REVISED APRIL 2014

GOVERNMENT ST.

APPROVED
JUN 02 2015
VICTORIA BC



LIQUOR CONTROL & LICENSING
 RECEIVED
 JUN 02 2015
 VICTORIA BC

ATTACHMENT 2Sample Resolution Template for a Liquor-Primary or Liquor-Primary Club Licence Application

To: General Manager, Liquor Control and Licensing Branch

RE: Application for a liquor-primary licence at: (address of proposed establishment)

At the (council/board) meeting held on (date), Council passed the following resolution with respect to the application for the above named liquor licence:

1. The (council/board) (recommends/does not recommend) the issuance of the licence for the following reasons: (detail and explain reasons for recommendation)
2. The (council's/board's) comments on the prescribed considerations are as follows: *(a comment on each criteria must be included in the resolution or the resolution must reference the staff report if a staff report addresses the criteria. The resolution must clearly state that Council endorses the comments in the report.)*
 - (a) The location of the establishment: *(provide comments)*
 - (b) The proximity of the establishment to other social or recreational facilities and public buildings: *(provide comments)*
 - (c) The person capacity and hours of liquor service of the establishment: *(provide comments)*
 - (d) The number and market focus or clientele of liquor primary licence establishments within a reasonable distance of the proposed location: *(provide comments)*
 - (e) The impact of noise on the community in the immediate vicinity of the establishment: *(provide comments)*; and
 - (f) The impact on the community if the application is approved: *(provide comments)*.
3. The (council's/board's) comments on the views of residents are as follows: (describe the views of residents, the method used to gather the views and provide comments and recommendations with respect to the views. If the views of residents were not gathered, provide reasons).

The undersigned hereby certifies the above resolution to be a true copy of the resolution passed by the (council/board) of (local government/First Nation) on (date).

Sincerely,

(signature)
(name and title of official)
(local government/First Nation)

Note:

- All of the items outlined above in points 1, 2(a) through (f), and 3 must be addressed in the resolution in order for the resolution to comply with *Section 10 of the Liquor Control and Licensing Regulation*.
- Any report presented by an advisory body or sub-committee to the council or board may be attached to the resolution.

ATTACHMENT 3

The following are examples that illustrate the type of comments that local government and First Nations may provide to demonstrate they have taken into consideration each of the regulatory criteria for their final recommendation. Comments may be a mix of positive, negative and neutral observations relevant to each criterion. The final recommendation is the result of balancing these 'pros and cons'.

The list is not intended to illustrate every possible comment as the variations are endless, given the wide range of applications and local circumstances.

Local government or First Nation staff may wish to contact the Liquor Control and Licensing Branch for assistance on drafting the content of a resolution before it is presented to local government or First Nation to avoid resolutions that do not comply with the regulations.

Sample Resolution Comments for a Liquor Primary Licence Application

- (a) The location of the establishment: *The location is in a commercial area that is removed from nearby residences and is suitable for a late night entertainment venue where some street noise at closing time can be anticipated.*
- (b) The proximity of the establishment to other social or recreational facilities and public buildings: *The only nearby social, recreational and public buildings do not conflict with the operation of a late night entertainment venue.*
 – or –
The proposed location is across a lane from a church with an attached retirement facility and church hall routinely used for youth group gatherings. The proximity of the proposed establishment is not considered compatible with the existing facilities.
- (c) The person capacity and hours of liquor service of the proposed establishment: *The maximum person capacity of 250 with closing hours of 2:00 a.m. Tuesday through Saturday and midnight on Sunday is acceptable. A larger capacity or later hours is not supported given the few number of police on duty at that time.*
- (d) The number and market focus or clientele of liquor-primary licence establishments within a reasonable distance of the proposed location: *The existing establishments are large public house establishments that focus on exotic entertainment or are nightclubs that attract patrons 19 to 25 years of age. The proposed establishment is a small local pub style facility with an extensive menu and is designed to appeal to couples wanting a quiet adult venue for socializing in their community. There are no other (or few other) facilities with a similar focus.*
- (e) The impact of noise on the community in the immediate vicinity of the establishment: *Noise is not expected to be an issue because [of the small size and early hours] – or – [the applicant has agreed to various noise baffling strategies to ensure the neighbours are not disturbed by late night music].*
- (f) The impact on the community if the application is approved: *If the application is approved, the impact is expected to be positive in that it will support the growth in tourism and offer a new social venue for residents. The applicant has met the requirements of the zoning bylaw with regard to road access and parking.*

The Council's comments on the views of residents are as follows:

The views of residents within a half mile* of the proposed establishment were gathered* by way of written comments that were received in response to a public notice posted at the site and newspaper advertisements placed in two consecutive editions of the local newspaper [provide name and dates]. Residents were given 30 days from the date of the first newspaper advertisement to provide their written views.

A total of 63 responses were received from businesses and residents. Of the responses received, 21 were in support of the application and 42 letters were received in opposition to the application. The primary reason cited by those in opposition was the proposed closing hours of 4 am. A number of business residents in the area also cited the lack of parking as an area of concern.

The following three examples illustrate ways Council may complete their comments on the views of residents based upon the preceding comments.

1. Council agrees that a 4 am closing time for this establishment would not be appropriate and therefore recommends that the establishment have a closing time of 2 am to be consistent with the other licensed establishments in the area. Council does not agree with the parking concerns raised by some of the local businesses as the proposed establishment's peak operating hours will be after the surrounding businesses have closed.

Council believes that the majority of residents in the area support the issuance of the licence provided the closing hours are no later than 2 am. The establishment will create new jobs and provide a new entertainment venue for this neighbourhood.

– or –

2. There are 6450 residents within the half mile radius of the proposed establishment. Council is of the view that the 42 residents who are in opposition to this application, represent a small proportion of the overall population that may be affected by this establishment. Council also notes that residents who oppose a proposal are the ones who generally respond therefore Council is of the view that the majority of the residents are not opposed to the issuance of a liquor licence for this establishment.

Council recommends that a liquor licence be issued with hours of operation ceasing at 4 am. Council believes that the majority of residents in the area support the issuance of the licence. The establishment will create new jobs and provide a new entertainment venue that is needed in this area.

– or –

3. Based upon the input received by residents within a half mile of the proposed establishment, there is a two to one ratio of opposed residents to residents that support the application. The opposition to this establishment comes from both homeowners and businesses. Council is of the view that with both the residential and business opposition to this proposed establishment is that the issuance of a licence for this establishment would be contrary to the community standard for this area.

Despite the potential creation of additional jobs and a new entertainment venue for the area, Council is unable to support the issuance of a liquor licence for this establishment. Council recommends that a liquor licence not be issued to this applicant.

***The local government or First Nation determines the appropriate area to be included and the method for gathering those views**

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD FEBRUARY 4, 2016

For the Council Meeting of February 11, 2016, the Committee recommends the following:

1. **Update on Housing Reserve Fund Grant for Rosalie's Village - 4351 West Saanich Road (District of Saanich)**
 That Council receive this update on the status of a previously approved Victoria Housing Reserve Fund grant for the Rosalie's Village supportive affordable housing project located at 4351 West Saanich Road (District of Saanich).
2. **Emergency Management Act - Response to Province of BC Request for Input**
 1. That Council direct staff to provide an initial fundamental submission to the Minister of State for Emergency Preparedness in response to the request for submissions from stakeholders, received through email on January 11, 2016 as outlined in this report; and,
 2. The Mayor write the Honourable Naomi Yamamoto, Minister of State for Emergency Preparedness to request an extension to the stakeholder submission deadline of February 19, 2016 to enable a more fulsome stakeholder engagement and consultation process.
3. **Resolution for Consideration at Association of Vancouver Island Coastal Communities (AVICC) Annual Convention**
 That Council direct staff to:
 1. Forward the attached motion to the Association of Vancouver Island Coastal Communities for consideration at their annual convention in April 2016.
 2. Forward this resolution to the February 11th, 2016 Council meeting for approval.
4. **Update on Development Summit Action Plan Implementation**
 That Council receive this Development Summit Action Plan status report for information, that staff continue to implement the short-term and mid-term items identified within the Plan, and proceed with planning the next annual Development Summit for June 2016.
5. **Encroachment Agreement - 70 Saghalie Road (Bayview Lot 5)**
 That Council direct City Staff to prepare and enter into an Encroachment Agreement, to the satisfaction of the Director of Engineering, prior to the issuance of a building permit. To allow for the excavation of a portion of the right of way during construction and allow the soil anchors to remain in the right-of-way after completion of the project, for a fee of \$750 plus \$25 per area of exposed soil anchors during construction.
6. **Proposed Procurement Process for Victoria Fire Headquarters**
 That Council:
 1. Approve a multi-stage procurement strategy and direct staff to issue a Request for Qualification (RFQ) for the replacement of Fire Department Headquarters, with the intent of providing a multi-use facility that minimizes the cost to the taxpayer.
 2. Approve in principle using up to \$30 million from the City's Debt Reduction Reserve for the procurement of a new Fire Department Headquarters to be located either at the existing site or a new site that may be identified through the RFQ process.
 3. Include the Strategic Real Estate Function principles.
 4. Deliver the service such that earned value outweighs service costs.
 5. Link land requirements with long range plans of other departments and services.

6. Integrate real estate services into capital project design to reduce risk and further leverage land.
7. Pursue highest and best use of City lands while balancing civic priorities and operational requirements.
8. Operate in a clear policy framework.
9. Develop metrics for performance measurement.
10. Lead all real estate activity experience.

BE IT RESOLVED that staff report back to Council in camera with a working copy of lessons learned regarding procurement from the Johnson Street Bridge Project, as soon as possible.

7. **Summary of Public Input on 2016 Draft Financial Plan**

That Council receive this report for information.

8. **Proposed Adjustments to the Draft 2016-2020 Financial Plan**

That Council receive this report for information.

9. **Proposed Amendments to the Strategic Plan and Plan Implementation**

That Council:

1. Amend the Strategic Plan Implementation Plan as outlined in Appendix A – strikethrough text to be deleted, underlined text to be added.
2. That Council consider the proposed changes to the 2015-2018 Strategic Plan at its February 9th and or 11th budget deliberation meetings.

10. **Council Member Motion - Letter to Minister Philpott Regarding Supervised Consumption Services**

That the Mayor, on behalf of Council, write to federal Health Minister Jane Philpott, asking her to clearly set out what evidence, actions, and/or materials she requires to enable her positive consideration of an application to establish supervised consumption services in Victoria.

11. **Councillor Sharing - Chinese Canadian Historic Places in the City**

That Council write a letter of thanks to Heritage B.C.

COMMITTEE OF THE WHOLE REPORT
FROM THE SPECIAL MEETING HELD FEBRUARY 9, 2016

For the Council Meeting of February 11, 2016, the Committee recommends the following:

1. Proposed Adjustments to the Draft 2016-2020 Financial Plan:

That Council:

1. Provide direction regarding funding needs for items identified by the public or through responses to Council's motions passed during budget discussions.
2. Approve the following ongoing allocation of assessment growth property tax revenue:
 - a. Reduce the already approved \$500,000 allocation to the Buildings and Infrastructure Reserve to fit within the assessment growth property tax revenue available once finalized by BC Assessment
3. Approve the following one-time allocation of the 2015 surplus:
 - a. Any one-time funding needs identified by the public or through responses to Council's motions during budget discussions, as determined by Council.
 - b. Supplementary Requests for the year 2016 only:
 - i. Cultural Plan \$116,000
 - ii. Sidewalk power-washing \$15,000
 - iii. Traffic and parking improvements \$8,000
 - iv. Broad Street Mall repairs \$15,000
 - v. Parks overnight sheltering support and clean-up \$313,000
 - vi. Senior Parks Planner \$103,000
 - vii. Arboriculture \$128,500
 - viii. Real estate function consulting support \$100,000
 - c. The remainder to the Buildings and Infrastructure Reserve
4. Allocate \$785,000 to the David Foster Harbour Pathway budget in 2017 from the City's Gas Tax Reserve
5. Direct staff to bring forward the Five Year Financial Plan Bylaw, 2016, as amended, to the April 14, 2016 Council meeting.
6. Allocate an additional \$200,000 from 2015 surplus to Crosswalk projects.
7. Add an additional \$6,000 from 2015 Surplus for the City of Victoria Youth Council budget.
8. Direct staff to ask the India Mela and the Dragon Boat Society to submit their late Festival Investment Grant request and if found to qualify, to provide out of the supplementary budget 80% of the amount that they would have received in 2015.
9. Direct staff to allocate \$250,000 of 2015 Surplus to the Building and Infrastructure Reserve specifically for accessibility purposes.

2. Supplementary Financial Plan Recommendations

1. Direct staff to undertake a review of the City's parkade model in 2017.
2. Direct staff to report back on incorporating options for the Douglas Corridor Charrette into the Capital Plan.
3. Direct staff to engage the North Jubilee Neighbourhood Association, the Fernwood Community Association and the South Jubilee Neighbourhood Association on an initiative to name the new park at Begbie and Pembroke.
4. Direct staff to develop a reserve fund policy for accessibility use including options for annual funding of \$250,000.
5. Direct staff to increase the festival investment grant to \$169,000 starting in 2017 with provision for inflationary increases in future years.

6. Direct staff to explore partnership opportunities in the region for joint fire dispatch including a governance model that is based on partnership in the service and report back on any financial or operation implications of the current model of service delivery.
7. Direct staff to plant 20 trees in downtown in “vacant tree sites” in the fall of 2016, using funding available and identified in staff responses to Council motion as outlined in Appendix B.
8. Direct staff to report back on budget implications of the motion for 20 trees.
9. Direct staff to negotiate a lease for up to a 7,000 ft² library branch at Capital Park and to bring forward options for funding. (To be included in the 2017 budget and the 2017-2021 Five Year Financial Plan)
10. Direct staff to review the Building Plan Search fee as part of the work already ongoing on the Building Bylaw.
11. Direct staff to develop a plan for the installation of a kid friendly, public space enhancing structure in Centennial Square as part of the 2017 capital budget.
12. Direct staff to flag for consideration in the 2017 Capital Budget undertaking detailed design of Phase One of the David Foster Harbour Pathway as outlined in the response to Council's query on the topic in Appendix B.

3. Proposed Amendments to the Strategic Plan and Plan Implementation:

2. Engage and Empower the Community

1. That Council direct staff to add the following as a 2016 Action: Create a Public Engagement Road Map to accompany 2015-2018 Strategic Plan Action Items.

3. Excellence in Planning and Landuse

1. That Council direct staff to add the following as a 2016 Action: Initiate Local Area Planning Processes in Fairfield/Gonzales and Vic West neighbourhoods.
2. That Council direct staff to add the following as a 2016 Action: Review Community Association Landuse Process.
3. That Council direct staff to move the following action from the 2015 plan to the 2016 plan: Establish predictable flat rate fee for bonus density.

4. Financial Capacity of Organization

1. That Council direct staff to move the following action from the 2015 plan to the 2016 plan: Complete and implement Municipal Property Acquisition and Management Strategy.

5. Prosperity Through Economic Development

1. That Council direct staff to direct city staff develop a living wage policy for the City, including an analysis of the costs resulting from the policy's application to city employees and contractors.

2. That Council direct staff to add the following as a 2016 Action: Advocate for policies to ensure residents have sufficient income and supports to live with dignity and participate in the local economy.
3. That Council direct staff to add the following as a 2016 Action: Implement *Making Victoria: Unleashing Potential* including Year One and Ongoing Actions for Business Hub, and Actions where City is lead or supporting agency in Six Economic Engines.
4. That Council direct staff to add the following as a 2016 Action: Work with Tourism Victoria to modernize relationship between the City of Victoria and Tourism Victoria including removing the grandfathered status of Tourism Victoria with regards to the destination marketing tax.
5. That Council direct staff to add the following as a 2016 Action: Create Mayor's Task Force on Social Enterprise, as outlined in *Making Victoria: Unleashing Potential*.
6. That Council direct staff to add the following as a 2016-2018 Action: Work in Partnership with Downtown Victoria Business Association to identify marketing initiatives and infrastructure improvements to support the vitality of downtown.
7. That Council direct staff to change the 2016 Action to a 2017-2018 Action: Create and implement a plan to revitalize and brand Douglas Street as our "Main Street".
8. That Council direct staff to change the 2016 Action as follows: That the City strike a Canada 150 working group to which other community leaders would be invited to plan Victoria activities to recognize Canada's Sesquicentennial in 2017.

6. Make Victoria More Affordable

1. That Council direct staff to add the following as a 2016 Action: Develop Municipal Housing Action Plan.
2. That Council direct staff to move and change the 2016 Action to a 2017 Action: Work with CRD partners to implement a Housing First Initiative.

7. Facilitate Social Inclusion and Community Wellness

1. That Council direct staff to move the following from a 2015 Action to a 2016 Action: Develop public engagement plan for Crystal Pool and Fitness Centre, to be implemented in early 2016.
2. That Council direct staff to move the following from a 2015 Action to a 2016 Action: Initiate discussions with the YMCA to explore possibility of a common downtown pool and recreation facility delivering many programs.
3. That Council direct staff to move the following from a 2015 Action to Ongoing Action: Continue to keep subsidized housing units a focus and work with partners to create/identify new opportunities (2015).

4. That Council direct staff to add the following as a 2016 Action: Continue sheltering solutions work including storage of belongings and alternatives to sheltering in the parks.
5. That Council direct staff to add the following as a 2016 Action: Work towards implementation of Municipal Truth and Reconciliation Recommendations as laid out in Appendix C.
6. That Council direct staff to move the following from a 2017 Outcome to a 2016 Outcome: Accessible health services are available for Victoria's most marginalized people.

8. Enhance and Steward Public Spaces, Green Spaces and Food Systems

1. That Council direct staff to move the following item from a 2015 Action to a 2016 Action: Initiate and complete Parks Master Planning Process.
2. That Council direct staff to modify the 2016 Action as follows: Hold a placemaking activity at Ships Point to advance a site plan from Harbour Dialogues. Consult public on specific design and allocate money in 2018 capital budget to complete. Addition: Identify pilot or 'pop-up' placemaking and/or projects small scale enterprises that can be undertaken in 2016.
3. That Council direct staff to modify the following 2016 Outcome as follows: Monitor the efforts in neighbouring municipalities and create a report regarding a solution to the urban deer problem.

9. Complete a Multi-Modal and Active Transportation Network

1. That Council direct staff to move the following item from a 2015 Action to a 2016 Action: Designate location for E and N station as close as possible to the new bridge.
2. That Council direct staff to add the following as a 2016 Action (comes from 2015 Action): "Start an Active Transportation Advisory Committee".
3. That Council direct staff to move the following from a 2015 Action to a 2016 Action as follows: Sign pedestrian-only lanes just as prominently as streets. Distinguish between 'no exit' and 'no exit for motor vehicles'.
4. That Council direct staff to move the following from a 2015 Action to a 2016 Action as follows: Move from 2015 to 2016 Action: Review policy for desired right of way widths for road dedications and statutory right of ways.
5. That Council direct staff to move the 2016 Action to a 2017 or 2018 Action; not in the capital budget as follows: Based on report funded through 2015 budget allocation to Island Transformations, repair rail crossings in City of Victoria.
6. That Council direct staff to change the following 2018 Outcome: Pedestrian travel is safe comfortable and enjoyable for all ages and abilities.

11. Steward Water Systems and Waste Streams Responsibly

1. That Council direct staff to move the following from a 2015 Action to an Ongoing Action: Continue discussions on sewage treatment options.
2. That Council direct staff to move the following from a 2015 Action to a 2016 Action: Communicate to CRD desire to see single stream collection of recyclables in closed wheeled tows. Make garbage disposal less convenient than recycling.
3. That Council direct staff to add the following as a 2016 Action: Create and enact bylaw to phase in the ban on the use of single use plastic bags.

12. Plan for Emergencies Including Climate Change

1. That Council direct staff to add the following as a 2016 Action: Continue to explore options for fossil fuel free investments and financial services.

13. Demonstrate Regional Leadership

1. That Council direct staff to change 2015-2018 Action as follows: Support and work with the Provincial government in the study of more effective regional governance in the capital region, including the possibility of amalgamation.

COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD FEBRUARY 11, 2016

For the Council Meeting of February 11, 2016, the Committee recommends the following:

1. Heritage Alteration Permit Application No. 00215 for 902 Foul Bay Road:

1. That Council authorize the issuance of the Heritage Alteration Permit Application No. 00215 for 902 Foul Bay Road to authorize the demolition of the Heritage Designated house in accordance with the owner's letter and engineer's report dated February 2, 2016.
2. That this recommendation be advanced directly to the February 11, 2016 Council meeting, in view of the public hazard.
3. That regular inspections take place to ensure that protected elements of the designated landscape are retained.
4. That if feasible from a safety point of view, the stone material is retained and reused on site.

2. Heritage Designation Application No. 000152 for 1728 Denman Street:

That Council consider the designation of the exterior and interior (entry hall, dining room and parlour) of the property located at 1728 Denman Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site.

3. Terms of Reference for the Truth and Reconciliation Commission's Calls to Action Task Force:

That Council direct *staff* to consult with the Esquimalt and Songhees Nations, through the Mayor's *Office* with assistance from Protocol *staff*, regarding their interest in participating in a Truth and Reconciliation task force and for any comments on the draft Terms of Reference.

That Council approve an amendment to the Terms of Reference to have two Council Liaisons appointed to the task force.

That Council consult with the First Nations and receive their advice and recommendations regarding the Truth and Reconciliation report, and then deliver a packaged report to the Capital Regional District, all Capital Regional District municipalities, and the Electoral Areas for their consideration.

4. Cities Reducing Poverty: When Mayors Lead Conference to be held in Edmonton, Alberta, from April 5-7, 2016:

That Council authorizes the attendance and associated costs for Councillor Alto to the Tamarack Institute's Cities Reducing Poverty: When Mayors Lead Conference to be held in Edmonton, Alberta from April 5 – 7, 2016.

The approximate cost for attending is:

Travel	\$ 374.06
Registration	\$ 695.00
Accommodation	\$ 321.00
Incidentals	\$ 60.00
Cost per person	\$1,450.06



**Council Member Motion
For the Council Meeting of February 11, 2016**

Date: February 9, 2016

From: Councillors Loveday and Isitt

Subject: AVICC Resolution: Empowering Local Governments to Pursue Socially Responsible Investing

Background:

In July 2015, Victoria City Council adopted a resolution calling on the Municipal Finance Authority and the Provincial government to provide local governments with the choice of investing municipal funds in a way that align with priorities and policies relating to climate action and socially responsible investing.

The City of Victoria's Investment Policy (2006) identifies the objective of Socially Responsible Investing, defined as "selecting investments in a portfolio based on social and/or environmental criteria with the objective of excluding companies that have a negative social and/or environmental impact, and selecting companies that make positive contributions to society and/or the environment."

The City's Strategic Plan includes Objective #12, Plan for Emergencies Including Climate Change Short and Long-Term. One of the strongest strategies for climate change mitigation is the reduction of emissions into the atmosphere arising from the consumption of fossil fuels, which includes divesting from fossil fuels and reinvesting in renewable sources of energy, employment and income.

In addition, the Strategic Plan includes Objective #4, Build the Financial Capacity of the Organization. Shifting toward fossil-fuel-free investments has the advantage of protecting the City's financial resources from volatility in the fossil-fuel sector, since much of the current and future fossil fuel reserves cannot be burned, and these unburnable fossil fuel reserves are stranded assets that will drive large valuation reductions of fossil fuel firms.

The current investment portfolio of the Municipal Finance Authority and the legislative provisions in the Municipal Financial Authority Act currently prevent the City of Victoria from implementing the Socially Responsible Investment provision of the Investment Policy and investing in a manner that aligns with the Strategic Plan.

It is therefore recommended that Victoria City Council propose that the Association of Vancouver Island and Coastal Communities (AVICC) and the Union of British Columbia Municipalities (UBCM) request that the Municipal Finance Authority create a fossil-fuel free investment fund, to provide local governments with the choice of investing in a way that aligns with the priorities of climate action and socially responsible investing.

Recommendation:

That Council forward the following resolution to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at the 2016 annual meeting of the association, and that the resolution also be sent to AVICC member local governments encouraging favourable consideration and resolutions of support:

Resolution: Empowering Local Governments to Pursue Socially Responsible Investing

WHEREAS many local governments have committed to climate action and socially responsible investing;

AND WHEREAS a central strategy for climate change mitigation is to reduce emissions into the atmosphere relating to the consumption of fossil fuels, which includes divesting from fossil fuels and reinvesting in renewable sources of energy, employment and revenue;

AND WHEREAS local governments are empowered in provincial legislation to invest through the Municipal Finance Authority, and the current investment portfolio offered by the Municipal Finance Authority does not include a fossil-fuel free investment option;

THEREFORE BE IT RESOLVED THAT the Association of Vancouver Island and Coastal Communities calls on the Municipal Finance Authority to create a fossil-fuel-free investment fund to provide local governments with an investment choice that aligns with priorities for climate action and social responsibility.

Respectfully submitted,



Councillor Loveday



Councillor Isitt



**Council Member Motion
For the Council Meeting of February 11, 2016**

Date: February 9, 2016

From: Councillors Loveday and Isitt

Subject: AVICC Resolution: Legislation and Action for a Barrier-Free BC

Recommendation:

That Council forward the following resolution to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at the 2016 annual meeting of the association, and that the resolution also be sent to AVICC member local governments encouraging favourable consideration and resolutions of support:

Resolution: Legislation and Action for a Barrier-Free BC

WHEREAS British Columbians with disabilities encounter a variety of physical, sensory and technological barriers as well as ones related to communication, education, employment, attitudes and many others on a daily basis;

AND WHEREAS The Government of British Columbia launched a non-mandatory, non-legislated initiative entitled "Accessibility 2024" in 2014 with the goal of making BC the most progressive province in Canada for people with disabilities by the year 2024;

AND WHEREAS both the Province of Ontario and the Province of Manitoba have enacted disability legislation with the Province of Nova Scotia working toward the introduction and enactment of disability legislation in 2016;

THEREFORE BE IT RESOLVED THAT the Association of Vancouver Island and Coastal Communities believes it is important to achieve a barrier-free province for all persons with disabilities and calls upon BC's Legislative Assembly to enact a strong and effective British Columbians with Disabilities Act.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Loveday".

Councillor Loveday

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

Councillor Isitt



**Council Member Motion
For the Council Meeting of February 11, 2016**

Date: February 9, 2016

From: Councillors Loveday and Isitt

Subject: Support for a Barrier-Free BC

Recommendation:

That Council adopt the following resolution and direct staff to forward a copy to the Premier of BC:

WHEREAS British Columbians with disabilities encounter a variety of physical, sensory and technological barriers as well as ones related to communication, education, employment, attitudes and many others on a daily basis;

AND WHEREAS the Federal Government of Canada is working toward the goal of enacting a Canadians with Disabilities Act which will require goods, services and facilities which come under their jurisdiction to be accessible to all persons with disabilities;

AND WHEREAS a Canadians with Disabilities Act will only apply to goods, services and facilities made available through Federal Ministries and federally funded programs with no ability to apply a similar requirement on goods, services or facilities made available through provincial governments or provincially regulated businesses;

AND WHEREAS the Government of British Columbia launched a non-mandatory; non-legislated initiative entitled "Accessibility 2024" on June 16 2014 with the goal of making BC the most progressive province in Canada for people with disabilities by the year 2024;

AND WHEREAS Both the Province of Ontario and the Province of Manitoba have enacted disability legislation with the Province of Nova Scotia working toward the introduction and enactment of disability legislation in 2016;

AND WHEREAS our organization endorses the thirteen principles upon which a British Columbians with Disabilities Act should be based as we believe it is important to achieve a barrier-free province for all persons with disabilities;

THEREFORE BE IT RESOLVED THAT the City of Victoria formally supports the Barrier-Free BC movement that is calling upon BC's Legislative Assembly to enact a strong and effective British Columbians with Disabilities Act.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Loveday".

Councillor Loveday

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

Councillor Isitt

Attachment: Principles for a Barrier-Free BC

Barrier-Free BC – 13 Principles for a British Columbians with Disabilities Act**Date: 28 November 2015****1. The Act SETS A TIMELINE:**

The purpose of the British Columbians with Disabilities Act is to achieve a Barrier-Free British Columbia for persons with disabilities by a deadline that the Act will set, and that will be within as short a time as is reasonably possible, with implementation to begin immediately upon proclamation, to effectively ensure to all persons with disabilities in British Columbia the equal opportunity to fully and meaningfully participate in all aspects of life in British Columbia based on their individual merit.

2. The Act APPLIES TO ALL:

The British Columbians with Disabilities Act should apply to all persons with disabilities whether they have a physical, mental, sensory, communication, learning and/or intellectual disability or mental health condition, or are regarded as having one, and whether their disability is visible or invisible to others. It should apply to all accessibility barriers, for example physical, legal, bureaucratic, information, communication, attitudinal, technological, policy or other barriers. It should apply to the British Columbia Legislature as well as to all British Columbia government entities, British Columbia-owned public premises and facilities, companies and organizations within British Columbia or which British Columbia can regulate, recipients of British Columbia grants, subsidies, loans or other funds, and any other persons or organizations to which the British Columbia Government can apply it.

3. The Act SETS THE BAR:

The British Columbians with Disabilities Act's requirements should supersede all other legislation, regulations or policies which provide lesser protections and entitlements to persons with disabilities. The Act and regulations made under it should not take away any rights that British Columbians with disabilities now enjoy;

4. The Act REMOVES BARRIERS:

The British Columbians with Disabilities Act should require British Columbia, including organizations to which it applies, to be made fully accessible to all persons with disabilities through the removal of existing barriers and the prevention of the creation of new barriers, within strict time frames to be prescribed in the legislation or regulations;

5. The Act CHAMPIONS BARRIER-FREE GOODS, SERVICES & FACILITIES:

The British Columbians with Disabilities Act should require providers of goods, services and facilities to which the Act applies to ensure that their goods, services and facilities are fully usable by persons with disabilities, and that they are designed based on principles of universal design, to accommodate the needs of persons with disabilities. Providers of these goods, services and facilities should be required to devise and implement detailed plans to remove existing barriers and to prevent new barriers within legislated timetables;

6. The Act CHAMPIONS BARRIER-FREE WORKPLACES & EMPLOYMENT

The British Columbians with Disabilities Act should require organizations to which it applies to take proactive steps to achieve barrier-free workplaces and employment within prescribed time limits. Among other things, those employers should be required to identify existing employment and workplace barriers which impede persons with disabilities, and then to devise and implement plans for the removal of these barriers, and for the prevention of new workplace and employment barriers;

7. The Act CHARGES GOVERNMENT TO LEAD, EDUCATE, TRAIN, INFORM & REVIEW

The British Columbians with Disabilities Act should require the British Columbia Government to lead British Columbia to achieving the Act's goals. It should specify actions the British Columbia Government will take to fulfil this mandate. Among other things, it should require the British Columbia Government to provide education and other information resources to organizations, individuals and groups who need to comply with the Act. It should also require the British Columbia Government to appoint an independent person to periodically review and publicly report on progress towards full accessibility, and to make recommendations on any actions needed to achieve the Act's goals;

8. The Act IS ENFORCEABLE:

The British Columbians with Disabilities Act should provide for a prompt, independent and effective process for enforcement, and should require that the Act be effectively enforced. This should include, among other things, an effective avenue for persons with disabilities to raise with enforcement officials violations of the Act that they have encountered. It should not simply incorporate the existing procedures for filing discrimination complaints with the British Columbia Human Rights Tribunal or under the Canadian Charter of Rights and Freedoms, as these are too slow and cumbersome, and can yield inadequate remedies;

9. The Act IS MADE REAL THROUGH REGULATIONS:

As part of its requirement that the British Columbia Government lead British Columbia to the goal of full accessibility for British Columbians with disabilities, the Act should require the British Columbia Government to make regulations needed to define, with clarity, the steps required for compliance with the British Columbians with Disabilities Act. It should be open for such regulations to be made on an industry-by-industry or sector-by-sector basis. This should include a requirement that input be obtained from affected groups such as persons with disabilities and obligated organizations, before those regulations are enacted. It should also provide persons with disabilities with the opportunity to apply to have regulations made in specific sectors of the economy to which the Act can apply. The Act should require the British Columbia Government to make all the accessibility standards regulations needed to ensure that its goals are achieved, and that these regulations be independently reviewed for sufficiency every four years after they were enacted;

10. The Act ENSURES PUBLIC MONIES DO NOT CREATE OR PERPETUATE BARRIERS:

The British Columbians with Disabilities Act should require that the British Columbia Government ensure that no public money is used to create or perpetuate barriers against persons with disabilities. For example, all British Columbia Government departments, agencies, and crown corporations should be required to make it a strict condition of funding any program, or any capital or other infrastructure project, or of any transfer payment, subsidy, loan, grant (such as research grants) or other payment of public funds, that no such funds may be used to create or perpetuate barriers against persons with disabilities. They should also be required to make it a condition of any procurement of any services, goods or facilities, that these be designed to be fully accessible to and usable by persons with disabilities. Any grant (including for example, research grant), loan, subsidy, contract or other such payment which does not so provide is void and unenforceable by the grant-recipient or contractor with the department, agency, or crown corporation in question. The British Columbia Government should be required to monitor and enforce these requirements and to periodically report to the public on compliance.

11. The Act IS A LENS THROUGH WHICH TO VET LEGISLATION:

The British Columbians with Disabilities Act should require the British Columbia Government to review all British Columbia legislation and regulations to identify possible accessibility barriers that they may impose or permit, and to propose omnibus legislation within a specified time to address these barriers. It should require the British Columbia Government to review all future proposed legislation and regulations, before they are enacted, to certify and ensure that they do not create, perpetuate or allow for accessibility barriers in them or in activity or programs operated under them. As an immediate priority under these activities, the British Columbia Government should get input from voters with disabilities on accessibility barriers in provincial and municipal election campaigns and the voting process, and should develop reforms to remove and prevent such barriers.

12. The Act SETS POLICY:

The British Columbians with Disabilities Act should set as a provincial policy the fostering of international and inter-provincial trade aimed at better meeting the market of up to one billion persons with disabilities around the world.

13. The Act HAS REAL FORCE & REAL EFFECT:

The British Columbians with Disabilities Act must be more than mere window dressing. It should contribute meaningfully to the improvement of the position of persons with disabilities in British Columbia. It must have real force, effect and teeth.



Council Report
For the Meeting of February 11, 2016

To: Council **Date:** January 29, 2016
From: C. Coates, City Clerk
Subject: Bylaw Notice Adjudication Bylaw – 16-017

RECOMMENDATION

That Council consider first, second and third readings of Bylaw No. 16-017

BACKGROUND

Attached for Council's initial consideration is a copy of the proposal Bylaw No. 16-017

The issue came before Council on January 14, 2016 when Council passed the following motion:


Parking Dispute Adjudication

That Council direct staff to prepare:

- Bylaw Notice Dispute Adjudication Bylaw,
- Administration Fees Bylaw, Amendment Bylaw (No. 3)

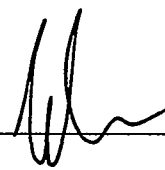
generally in accordance with draft bylaws attached as appendices B and C.

Respectfully submitted,


Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

Date:


Feb. 1, 2016

NO. 16-017

BYLAW NOTICE ADJUDICATION BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish a bylaw notice dispute adjudication system and designate bylaw contraventions that are to be enforced by bylaw notice under the *Local Government Bylaw Notice Enforcement Act*.

Under its statutory powers, including sections 2, 4 and 14 of the *Local Government Bylaw Notice Enforcement Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Contents

- | | |
|----|---|
| 1 | Title |
| 2 | Definitions |
| 3 | Schedules |
| 4 | Bylaw contraventions |
| 5 | Penalty |
| 6 | Paying or disputing notice |
| 7 | Bylaw notice dispute adjudication system and notice dispute fee |
| 8 | Screening officers |
| 9 | Severability |
| 10 | Effective date |

Schedule A - Designated Bylaws, Bylaw Contraventions and Penalties

Title

- 1 This Bylaw may be cited as the "Bylaw Notice Adjudication Bylaw."

Definitions

- 2 In this Bylaw:

"Act"

means the *Local Government Bylaw Notice Enforcement Act*;

"bylaw notice"

means a bylaw notice referred to in section 4 of the Act and issued under this Bylaw;

"City"

means the Corporation of the City of Victoria;

“Council”

means the Council of the Corporation of the City of Victoria;

“screening officer”

means a person designated and appointed under section 8 of this Bylaw to act as a Screening Officer I or Screening Officer II.

Schedules

3 The schedule attached to this Bylaw forms part of this Bylaw.

Bylaw contraventions

4 The bylaws and bylaw contraventions designated in Schedule A may be enforced by bylaw notice.

Penalty

- 5 (1) Subject to subsection (2), the penalty for a contravention referred to in section 4 is the penalty amount set out in column A of Schedule A.
- (2) If payment is received by the City within 14 days of the person receiving or being presumed to have received the bylaw notice, the penalty set out in column A is reduced by the discount amount set out in column B of Schedule A.

Paying or disputing notice

- 6 (1) A bylaw notice may be delivered
- (a) in person to the named person,
 - (b) by mailing a copy of the bylaw notice
 - (i) if the bylaw notice is in respect of a contravention involving a vehicle, to the address for each registered owner of the vehicle involved,
 - (ii) to the actual or last known address of the named person, or
 - (iii) if the named person is a corporation or a business, to the registered office or head office, or
 - (c) if the bylaw notice is in respect of a parking contravention, by leaving the bylaw notice on the vehicle involved.
- (2) A bylaw notice delivered under subsection (1)(b) is presumed to have been received by the person to whom it is addressed on the 7th day after mailing.

- (3) A bylaw notice delivered under subsection (1)(c) is presumed to have been received by each registered owner of the vehicle on the day it is left on the vehicle.
- (4) A person who receives a bylaw notice, or their authorized agent, must, within 14 days of the date on which the person received or is presumed to have received the bylaw notice
 - (a) pay the penalty, or
 - (b) request dispute adjudication
 by following the appropriate instructions on the bylaw notice.
- (5) A person may pay the indicated penalty after 14 days of receiving a bylaw notice, but no person may dispute a bylaw notice after 14 days of receiving the bylaw notice.

Bylaw notice dispute adjudication system and notice dispute fee

- 7 (1) A bylaw notice dispute adjudication system in accordance with Part 3 of the Act is hereby established in order to resolve disputes in relation to bylaw notices.
- (2) Every person who is unsuccessful in a dispute adjudication in relation to a bylaw notice under the dispute adjudication system established under this section shall pay an administrative fee of \$25.00, in addition to any other penalty amount imposed under this Bylaw.

Screening officers

- 8 (1) The positions of Screening Officer I and Screening Officer II are hereby established.
- (2) Council hereby designates all persons employed by the City as a Customer Service Ambassador, Public Service Centre Representative, Parking Services Clerk, and Parking Ambassador, as persons that may be appointed as a Screening Officer I, and hereby appoints them as Screening Officers I.
- (3) Council hereby designates all persons employed by the City as a Manager-Parking Services, Supervisor – Parking Services, Manager-Revenue, Director of Finance, and Director of Citizen Engagement and Strategic Planning, and Parking Review Representative as persons that may be appointed as Screening Officer II, and hereby appoints them as Screening Officers II.
- (4) Every Screening Officer I and Screening Officer II has the power to review disputed bylaw notices, including the power to cancel a bylaw notice if in the opinion of the screening officer
 - (a) the contravention did not occur as alleged,
 - (b) the bylaw notice does not comply with section 4(4) of the Act, or

- (c) cancellation is otherwise in accordance with the City's policies and procedures established from time to time by the Manager of Parking Services with respect to the cancellation of a bylaw notice.

Severability

- 9 If any provision of this Bylaw is found to be invalid by a Court of competent jurisdiction it may be severed from the Bylaw and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

Effective date

- 10 This Bylaw comes into force on March 1, 2016.

READ A FIRST TIME the	day of	2016
READ A SECOND TIME the	day of	2016
READ A THIRD TIME the	day of	2016
ADOPTED on the	day of	2016

CORPORATE ADMINISTRATOR

MAYOR

SCHEDULE A**DESIGNATED BYLAWS, BYLAW CONTRAVENTIONS AND PENALTIES**

Bylaw and Bylaw Section	Description	A Penalty	B Discount
Streets and Traffic Bylaw No. 09-079			
48	Stopping where prohibited	60	30
49	Parking where prohibited	40	20
50	Parking in City lane	40	20
51	Parking in limited time zone	40	20
53	Parking in a residential zone	60	30
54	Parking without a residential permit	60	30
55	Parking in a truck loading zone	60	30
56	Parking in a hotel zone	40	20
57	Parking in a general loading zone	40	20
58	Parking in school loading zone	40	20
59	Parking in a church loading zone	40	20
60	Parking in a handicapped persons loading zone	150	75
61	Parking in a taxi stand	40	20
62	Parking in a bus zone	80	40
63	Parking in a shuttle bus zone	40	20
65	Parking in a safety zone	60	30
66	Improper parking in an angle parking zone	40	20
67	Parking in a reserved parking area	40	20
68	Parking in a special parking zone	40	20

69	Parking in a compact parking spot	40	20
70	Parking in a passenger zone	40	20
71	Parking in a metered zone	40	20
75	Trailer parking in metered zone	40	20
76	Parking in a temporarily reserved zone	40	20
77	Improper objects inserted in pay station	350	175
78	Parking in ticket controlled parking zone	40	20
79	Parking in a sightseeing stand	100	50
80	Parking in horsedrawn sightseeing stand	100	50
81	Parking in a tourist parking zone	40	20
82	Unloading merchandize or freight	40	20
83	Prohibited parking at night	60	30
84	Sleeping in a parked vehicle overnight	40	20
85	Parking with inadequate space between vehicles	40	20
86	Parking on a one way street	40	20
87(2)(b), (c), (e) to (k), (n), (o)	Miscellaneous stopping, standing and parking prohibitions	40	20
87(2)(d),(l), (m)	Miscellaneous stopping, standing and parking prohibitions	60	30
88	Parking in relation to a curb	40	20
90	Parking adjacent to yellow curb lines	60	30
95	Parking commercial vehicles in residential zones	40	20
96	Parking trailer left on street	40	20
102(1)	Prohibited items on street and sidewalk	102.50	51.25
110	Parking, stopping, standing on sidewalk	60	30
117	Chalk on vehicle	102.50	51.25



Council Report
For the Meeting of February 11, 2016

To: Council **Date:** January 29, 2016
From: C. Coates, City Clerk
Subject: Administration Fee Admendment Bylaw, 16-023

RECOMMENDATION

That Council consider first, second and third readings of Bylaw No. 16-023

BACKGROUND

Attached for Council's initial consideration is a copy of the proposal Bylaw No. 16-023

The issue came before Council on January 14, 2016 when Council passed the following motion:

Parking Dispute Adjudication

That Council direct staff to prepare:

- Bylaw Notice Dispute Adjudication Bylaw,
- Administration Fees Bylaw, Amendment Bylaw (No. 3)

generally in accordance with draft bylaws attached as appendices B and C.

Respectfully submitted,

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

Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

Date:

A handwritten signature in black ink, appearing to be a stylized "M".

Feb. 1, 2016

NO. 16-023

ADMINISTRATION FEES BYLAW, AMENDMENT BYLAW (NO. 3)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend Schedule A of the Administration Fees Bylaw to include a fee for turning over unpaid accounts to a collection agency.

Under its statutory powers, including section 194 of the *Community Charter*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

- 1 This Bylaw may be cited as the "Administration Fees Bylaw, Amendment Bylaw (No. 3)."
- 2 Bylaw No. 04-040, the Administration Fees Bylaw, is amended by repealing Schedule A and substituting the Schedule A attached to this Bylaw as Schedule 1.

READ A FIRST TIME the	day of	2016
READ A SECOND TIME the	day of	2016
READ A THIRD TIME the	day of	2016
ADOPTED on the	day of	2016

CORPORATE ADMINISTRATOR

MAYOR

Schedule 1**Schedule A****Administration Fees**

Matter to which fee applies	Administration Fee
- processing information requested by mortgagee in relation to property that is subject to a a mortgage held by that person	\$10.00 per folio
- request for special utility billing of a fee or charge under the Waterworks Bylaw, the Sanitary Sewer and Stormwater Utilities Bylaw, or the Solid Waste Bylaw	\$30.00 per request
- returned cheque or dishonoured credit card in respect of the payment of a fine, penalty, fee, or charge prescribed by or under a City bylaw or the <i>Community Charter</i>	\$25.00 per returned item
- Account turned over to a Collection Agency	Additional 50% of amount outstanding prior to being turned over to a Collection Agency
- Bylaw Notice issued under the Bylaw Notice Adjudication Bylaw turned over to a Collection Agency.	Additional 50% of amount outstanding prior to being turned over to a Collection Agency



Council Report
For the Meeting of February 11, 2016

To: Council **Date:** January 29, 2016
From: C. Coates, City Clerk
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1062) for 1122 and 1124 Leonard Street

RECOMMENDATION

That Council consider first and second readings of Bylaw No. 16-024

BACKGROUND

Attached for Council's initial consideration is a copy of the proposal Bylaw No. 16-024

The issue came before Council on January 14, 2016 when Council passed the following motion:

Rezoning Application No. 00496 for 1122 and 1124 Leonard Street:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00496 for 1122 and 1124 Leonard Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

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

Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

Date:

A handwritten signature in black ink, appearing to be a stylized "M".

Feb. 10, 2016

NO. 16-024

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R2-52 Zone, Two Family Dwelling (Leonard Street) District, and to rezone land known as 1122 and 1124 Leonard Street from the R1-B Zone, Single Family Dwelling District to the R2-52 Zone, Two Family Dwelling (Leonard Street) District.

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

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1062)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 2 – ATTACHED DWELLING ZONES by adding the following words:

"2.141 R2-52 Zone, Two Family Dwelling (Leonard Street)".
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 2.140 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1122 and 1124 Leonard Street, legally described as Lot 4, Fairfield Farm Estate, Victoria City, Plan 1215 and shown hatched on the map attached to and forming part of this Bylaw as Appendix 1, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R2-52 Zone, Two Family Dwelling (Leonard Street) District.

READ A FIRST TIME the	day of	2016
READ A SECOND TIME the	day of	2016
Public hearing held on the	day of	2016
READ A THIRD TIME the	day of	2016
ADOPTED on the	day of	2016

CORPORATE ADMINISTRATOR

MAYOR

2.141.1 Permitted Uses

- a. Two family dwelling
- b. Uses permitted in the R1-B Zone, Single Family Dwelling District

2.141.2 General

- a. If a lot is not used as a two family dwelling:
 - i. The regulations in the R1-B Zone, Single Family Dwelling District apply
 - ii. The regulations set out in sections 2.141.3 – 2.141.7 do not apply
- b. Home occupation is subject to the regulations in Schedule "D"
- c. Accessory buildings are subject to the regulations in Schedule "F"

2.141.3 Site Area, Lot Width

- a. Site area (minimum) 540m²
- b. Site area for each dwelling unit (minimum) 270m²
- c. Lot width (minimum average) 14.25m

2.141.4 Floor Area of the Principal Building

- a. Floor space ratio (maximum) 0.51 to 1
- b. Floor area per dwelling unit (minimum) 46m²
- c. Floor area, for the first storey and second storey combined (maximum) 280m²
- d. Floor area, of all floor levels combined (maximum) 380m²

2.141.5 Height, Storeys, Roof Decks

- a. Two family dwelling building (maximum) 7.6m in height and 2 storeys if the building does not have a basement
7.6m in height and 1½ storeys if the building has a basement
- b. Roof deck Not permitted

Words that are underlined see definitions in Schedule "A" of the Zoning Regulation Bylaw

PART 2.141 - R2-52 ZONE, TWO FAMILY DWELLING (LEONARD STREET) DISTRICT

2.141.6 Setbacks and Projections

- | | |
|--|--|
| a. <u>Front yard setback</u> (minimum)
except for the following maximum projections into the <u>setback</u> : | The lesser of 7.5m and the average of the actual <u>setbacks</u> of the <u>buildings</u> on the <u>lots</u> abutting the sides of the <u>lot</u> |
| o steps and <u>porch</u> (maximum) | 3.5m |
| o bay windows (maximum) | 0.6m |
| b. <u>Rear yard setback</u> (minimum) | 10.7m or 35% of <u>lot depth</u> whichever is greater |
| c. <u>Side yard setbacks</u> from interior <u>lot lines</u> (minimum) | 1.5m or 10% of the <u>lot</u> width whichever is greater
3.0m for one <u>side yard</u> when the lot is not serviced by a rear lane |
| d. Combined <u>side yard setbacks</u> (minimum) | 4.5m |
| e. <u>Side yard setbacks</u> on a flanking street for a <u>corner lot</u> (minimum) | 3.5m or 10% of the <u>lot</u> width whichever is greater |
| f. Eave projections into <u>setbacks</u> (maximum) | 0.75m |

2.141.7 Site Coverage, Open Site Space, Parking

- | | |
|-------------------------------------|--|
| a. <u>Site coverage</u> (maximum) | 40% |
| b. <u>Open site space</u> (minimum) | 30% of the <u>area</u> of the <u>lot</u> and 33% of the <u>rear yard</u> |
| c. Parking | Subject to the regulations in Schedule "C" |



Council Report

For the Meeting of February 11, 2016

To: Council **Date:** February 2, 2016
From: C. Coates, City Clerk
Subject: Heritage Designation Bylaw No. 16-022 for 226 Dallas Road

RECOMMENDATION

That Council consider first and second readings of Heritage Designation Bylaw No. 16-022.

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Heritage Designation Bylaw No. 16-022.

The heritage designation issue came before Council on November 12, 2015, where the following resolution was approved:

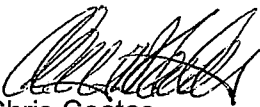
Heritage Alteration Permit Application No. 00205 for 226 Dallas Road

That Council authorize the issuance of Heritage Alteration Permit Application No. 00205 for 226 Dallas Road, subject to the completion of the following prior to the issuance of a Building Permit and in accordance with:

1. Revised plans date stamped August 18, 2015.
2. The provision of:
 - a. Plan, elevation and section details for the front porch;
 - b. A post-relocation condition assessment of the existing wood siding/shingles, woodwork, roof, exterior doors and windows;
 - c. Rehabilitation details confirming the scope of work arising from the condition of the historic fabric; and
 - d. An exterior door and window rehabilitation schedule.
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 1.2.4.a - Height relaxed from 7.6m to 8.8m;
 - b. Section 1.2.5.a - Front setback relaxed from 7.5m to 6.15m for main building, from 5.0m to 4.83m for stairs;
 - c. Section 1.2.5.c - Side yard setback (east) relaxed from 3.0m to 1.20m and side yard setback (west) relaxed from 1.5m to 1.04m; and
 - d. Section 1.2.5.d - Combined side yard setbacks relaxed from 4.5m to 2.24m.
4. The Heritage Alteration Permit lapsing two years from the date of this resolution.
5. Final plans to be generally in accordance with the plans identified above as amended to the satisfaction of the Director of Sustainable Planning and Community Development.


The proposed bylaw is the final step to heritage protection of the dwelling, and is able to be considered at this time, as the dwelling has been relocated to its new location on Dallas Road.

Respectfully submitted,


Chris Coates
City Clerk


Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:



Date: Feb. 4, 2016

NO. 16-022

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 226 Dallas Road to be protected heritage property.

Under its statutory powers, including Section 967 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "HERITAGE DESIGNATION (226 DALLAS ROAD) BYLAW".
2. The exterior of the building to be relocated to 226 Dallas Road, legally described as Lot 23, Block 5, Section 26, Beckley Farm, Victoria City, Plan 1941, is designated to be protected heritage property.

READ A FIRST TIME the day of 2016.

READ A SECOND TIME the _____ day of _____ 2016.

Public Hearing held on the _____ day of _____ 2016.

READ A THIRD TIME the _____ day of _____ 2016.

ADOPTED on the _____ day of _____, 2016.

CITY CLERK

MAYOR



Council Report

For the Meeting of February 11, 2016

To: Council **Date:** February 2, 2016
From: C. Coates, City Clerk
Subject: Heritage Designation Bylaw No. 16-021 for 222 Dallas Road

RECOMMENDATION

That Council consider first and second readings of Heritage Designation Bylaw No. 16-021.

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Heritage Designation Bylaw No. 16-021.

The heritage designation issue came before Council on November 12, 2015, where the following resolution was approved:


Heritage Alteration Permit Application No. 00206 for 222 Dallas Road

That Council authorize the issuance of Heritage Alteration Permit Application No. 00206 for 222 Dallas Road, subject to the completion of the following prior to the issuance of a Building Permit and in accordance with:

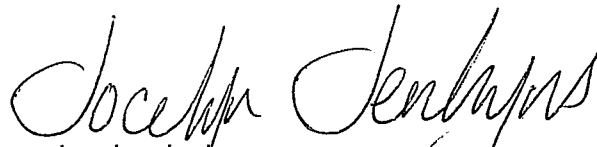
1. Revised plans date stamped August 18, 2015.
2. The provision of:
 - a. Plan, elevation and section details for the front porch;
 - b. A post-relocation condition assessment of the existing wood siding/shingles, woodwork, roof, exterior doors and windows;
 - c. Rehabilitation details confirming the scope of work arising from the condition of the historic fabric;
 - d. An exterior door and window rehabilitation schedule.
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 1.2.4.a - Height relaxed from 7.6m to 9.9m and number of storeys from 2 to 2.5;
 - b. Section 1.2.5.a - Front setback relaxed from 7.5m to 6.45m for main building, from 5.9m to 4.94m for porch, from 5.0m to 3.91m for stairs;
 - c. Section 1.2.5.c - Side yard setback (east) relaxed from 1.5m to 1.36m;
 - d. Section 1.2.5.d - Combined side yard setbacks relaxed from 4.5m to 2.68m; and
 - e. Section 1.2.5.e - Flanking street (Dock) setback relaxed from 3.5m to 1.32m.
4. The Heritage Alteration Permit lapsing two years from the date of this resolution.
5. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Director of Sustainable Planning and Community Development.

The proposed bylaw is the final step to heritage protection of the dwelling, and is able to be considered at this time, as the dwelling has been relocated to its new location on Dallas Road.

Respectfully submitted,

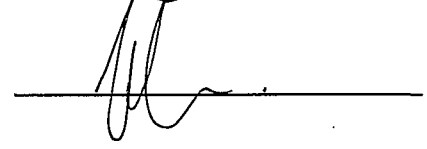


Chris Coates
City Clerk



Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:



Date:

Feb 4, 2016



Council Report
For the Meeting of February 11, 2016

To: Council **Date:** February 4, 2016
From: Chris Coates, City Clerk
Subject: Vehicles for Hire Bylaw, Amendment Bylaw (No. 14)

RECOMMENDATION

That Council give three readings to the Vehicles for Hire Bylaw, Amendment Bylaw (No. 14) attached to this report, with final adoption to follow on February 25, 2016.

EXECUTIVE SUMMARY

On January 28, 2016 Council directed staff to undertake a variety of actions related to the City's four exclusive motorized parking stands, including:

1. Bring forward amendments to the Vehicles for Hire Bylaw for Council consideration that would:
 - a) extend the current motorized sightseeing vehicle parking stand allocations for Parking Stands 1, 2 and 4 to March 31, 2017

The proposed bylaw attached to this report would bring this Council direction into effect.

Respectfully submitted,

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

Shannon Craig
Policy Analyst
Legislative and Regulatory Services

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

Chris Coates
City Clerk
Legislative and Regulatory Services

Report accepted and recommended by the City Manager:

Date:

A handwritten signature in black ink, appearing to be a stylized 'M' or 'H' followed by a horizontal line.
Feb. 4, 2016

NO. 16-026

VEHICLES FOR HIRE BYLAW, AMENDMENT BYLAW (NO. 14)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Vehicles for Hire Bylaw to extend the allocations of motorized parking stands 1, 2 and 4 to March 31, 2017.

Under its statutory powers, including sections 8 and 36 of the *Community Charter*, section 3 of the 1907 *Act relating to the City of Victoria*, section 18 of the *Victoria City Act, 1919*, and section 9 of the *Victoria City Act, 1934*, the Council of the Corporation of the City of Victoria, in open meeting assembled, enacts the following provisions:

- 1 This Bylaw may be cited as the "Vehicles for Hire Bylaw, Amendment Bylaw (No. 14)."
- 2 Bylaw No. 03-60, the Vehicles for Hire Bylaw, is amended by repealing Schedule D and substituting the new Schedule D attached to this Bylaw as Schedule 1.

READ A FIRST TIME the	day of	2016
READ A SECOND TIME the	day of	2016
READ A THIRD TIME the	day of	2016
ADOPTED on the	day of	2016

CORPORATE ADMINISTRATOR

MAYOR

Schedule 1

Schedule D

Motor Sightseeing Vehicle Parking Stands

<u>Licensee</u>	<u>Parking Stand Allocation</u>	<u>Allocation Period</u>	<u>Monthly Rental Fee (including applicable taxes)</u>
CVS Cruise Victoria Ltd. (Incorporation No. BC0782440)	Parking Stand 1 The east side of Government Street, a distance of 21.4 m measured northerly from a point 68.4 m north of the north property line of Belleville Street	April 1, 2013 to March 31, 2017	\$1,755.00
Wilson's Transportation Ltd. (Incorporation No. BC0221816)	Parking Stand 2 The east side of Government Street, a distance of 21.4 m measured northerly from a point 39.5 m north of the north property line of Belleville Street	April 1, 2013 to March 31, 2017	\$1,755.00
Wilson's Transportation Ltd. (Incorporation No. BC0221816)	Parking Stand 4 The north side of Belleville Street, a distance of 14 m measured westerly from a point 63.5 m west of the northerly lateral extension of the west property line of Menzies Street	April 1, 2013 to March 31, 2017	\$1,170.00

Councillors

Les Barkman
Sandy Blue
Kelly Chahal
Brenda Falk



CITY OF ABBOTSFORD

Mayor, Henry Braun

Councillors

Moe Gill
Dave Loewen
Patricia Ross
Ross Siemens

February 2, 2016

File: 7550-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC, V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, the City of Abbotsford only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities that require these services.

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. A copy of staff report CM 001-2016 including background information is attached. The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force.

The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs. The shift in this responsibility, and costs, continues to add to the continuum of downloading to municipalities from senior levels of government, of which the tax burden is passed on to the taxpayer.

The City of Abbotsford supports the position of the District of Kent (copy of its letter attached to the above referenced staff report) requesting that the Province consider its position on this matter, the detrimental effects to municipalities, and an affordable resolution to DNA Analysis program.

Yours truly,

Henry Braun
Mayor

Attachment

- c. Premier Christy Clark
 - Honourable Michael de Jong, Minister of Finance, MLA, Abbotsford-West
 - Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
 - Simon Gibson, MLA, Abbotsford-Mission
 - Darryl Plecas, MLA, Abbotsford South
 - UBCM Member Municipalities
 - Fraser Valley Regional District
 - Council Members
 - George Murray, City Manager



COUNCIL REPORT

Report No. CM 001-2016

EXECUTIVE COMMITTEE

Date: January 18, 2016

File No: 0400-30-20

To: Mayor and Council
From: George M. Murray, City Manager
Subject: Downloading of DNA Analysis

RECOMMENDATION

THAT the Mayor send a letter to the Honourable Suzanne Anton, Minister of Justice and Attorney General to share the City's concerns regarding the downloading of DNA analysis costs to municipalities.

SUMMARY OF THE ISSUE

At its Regular meeting of Council on January 11, 2016, Council received a copy of correspondence dated December 2, 2015, from the District of Kent to the Honourable Suzanne Anton, Minister of Justice and Attorney General, which outlined their concerns regarding the introduction of a "user pay" model for the costs of DNA analysis services (**Attachment A**). In their letter, the District of Kent states the following:

"This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula municipalities with a population less than 5,000 are not billed or factored into the formula."

Council referred this matter to staff for a report.

BACKGROUND

The costs of delivering Police services continues to rise for most British Columbian municipalities, regardless if the municipalities employ the Royal Canadian Mounted Police or have opted for a Municipal Police force. The Provincial and Federal Governments continue to struggle with the same costs pressures as municipalities, with the only exception that they can allocate costs to local government where municipalities have no option but to increase costs.

The Province signed an "Agreement Respecting Biology Casework Analysis" in January 2015; however, we only recently learned that the Province has decided to limit its contribution to the historical \$1.36 million contribution, regardless of demand. Instead of the Province increasing its contribution, as is specifically contemplated in the agreement, the significant funding gap between \$1.36 million and the Province's 54% commitment of approximately \$4 Million will be downloaded to individual municipalities.

DISCUSSION

In 2015, the Abbotsford Police Department (APD) and the City were informed about this change in policy by the Organized Crime Agency of British Columbia (OCABC) regarding DNA Testing. Currently, it is estimated that the increased costs to the City (through the APD budget) is \$86,000.

The District of Kent goes to great extent to reference the increased costs are detrimental to small/smaller municipalities. Regardless of the size of municipalities receiving these additional costs, this shift in policy will once again create yet another "downloading" of costs from one of the senior levels of government.

The Federation of Independent Business releases a report annually criticizing municipalities for passing tax increases which exceed the rate of "inflation and population growth". Cities continue to have costs downloaded as well as are being asked to provide services beyond their original mandate (e.g. Homelessness) and as such are having a difficult time keeping their budget increases within inflationary and population increase.

Based on the foregoing, staff recommend that the Mayor write to the Honourable Suzanne Anton, Minister of Justice and Attorney General, and reinforce the District of Kent's concerns regarding the continuing downloading of costs without additional grants and/or offsetting revenues.

FINANCIAL PLAN IMPLICATION

Downloading of costs makes it difficult for municipalities to support their spending on services and programs provided to the residents. The redistribution of responsibilities without the ability to set program standards and control costs, places a lot burden on the municipality without the mechanism for the municipality to procure an alternative service provider. The financial implications related to a "user pay" model for DNA analysis has not been included in the 2016-2020 Financial Plan.



Lisa Pleadwell, Chief Financial Officer

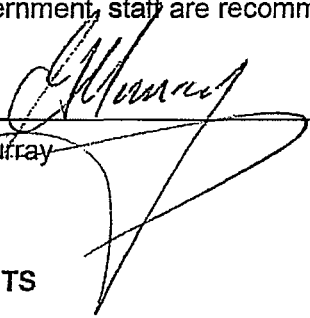
IMPACTS ON COUNCIL POLICIES, STRATEGIC PLAN AND/OR COUNCIL DIRECTION

The increase in costs, or service requirements, downloaded from senior levels of government continues to put pressure on Council's Strategic Cornerstone "Fiscal Discipline" without sacrificing one of the City's other objectives.

SUBSTANTIATION OF RECOMMENDATION

This report supports the District of Kent's position that the downloading of the costs associated with DNA testing needs to be reconsidered by the Provincial Government. As municipalities are

fairly consistently experiencing the downloading of costs and/or additional services from senior levels of Government, staff are recommending support be provided for Kent's position.



George M. Murray
City Manager

ATTACHMENTS

Attachment "A": Correspondence from the District of Kent to the Honourable Suzanne Anton regarding Downloading of DNA Analysis Costs.

Attachment A



7170 Cheam Avenue
RD, Box 70
Agassiz, British Columbia
Canada V0M 1A0

Tel: (604) 796-2235
Fax: (604) 796-9854
Web: www.district.kent.bc.ca

December 2, 2015



File: 0400-20
7400-01

The Honourable Suzanne Anton
Minister of Justice and Attorney General
PO Box 9044 Stn Prov Govt
Victoria, BC V8W 9E2

Dear Minister Anton:

Re: Downloading of DNA Analysis Costs

We are in receipt of the letter dated October 31, 2015 from the *Organized Crime Agency of British Columbia* (OCABC) regarding Cost Recovery on DNA analysis services (attached as Appendix 'A'). Specifically, a new *Agreement Respecting Biology Casework Analysis 2014-2024* (BCAA) has been endorsed by the Provincial Minister of Justice and Attorney General, and the Federal Minister of Public Safety and Emergency Preparedness, introducing a "user pay" model for the costs of DNA analysis services.

Our Council has now had the opportunity to review the letter from the OCABC, along with the DNA Analysis Fact Sheet, prepared by the Ministry of Justice and we have some serious concerns.

When signing the updated Municipal Police Unit Agreement in 2012, the District of Kent Council expressed our concerns regarding rising policing costs, hidden costs and financial uncertainty affecting the District's budget. As we predicted at that time, policing costs have risen substantially every year since, resulting in significant tax increases for our community. Every year we are presented with additional costs and new expenditures, of which we have little or no control. The downloading of the DNA analysis services is just the latest example of costs that have been shifted to our municipality.

Local governments in British Columbia (with a population over 5,000) have begun to receive invoices for DNA analysis services. This new charge to local governments follows the agreement between the Province of BC and the Government of Canada with regard to Biological Casework (DNA) analysis. Although DNA analysis services are not funded through the RCMP contract, and are now being billed to the municipalities, calculated by a user-pay formula,

The Honourable Suzanne Anton
Minister of Justice and Attorney General

Page 2

municipalities with a population less than 5,000 are not billed or factored into the formula. Further, the October 31st letter from OCABC advises that our total invoice amounts include costs resulting from partnering in an Integrated Team where DNA costs have been identified. As a municipality with a population between 5,000 and 15,000, our integrated team costs are billed to the municipality at 70%. Therefore, although we are totally opposed to further downloading; at the very least, we would not expect to be billed for than our normal 70% share of all but accommodation costs.

With respect, we remind you, as we did in 2012, that our Council entered into the policing agreement in 2009 under protest with the Province incorporating 470 (federal) prisoners from the Kent/Mountain Institutions. We are a relatively small town and continuing increases to the Policing budget has an adversarial effect on our operating budget and tax rates.

We ask you, Honorable Minister Anton, to review our concerns and reconsider the funding of the DNA costs to determine a solution affordable to communities such as ours.

Sincerely yours,



John Van Laerhoven
Mayor

Pc: Clayton Pecknold, Assistant Deputy Minister and Director of Police Services
Premier Christy Clark
Laurie Throness, MLA
UBCM Member Municipalities



ORGANIZED
CRIME
AGENCY
of
BRITISH COLUMBIA

APPENDIX 'A'

Mailing Address:
Mailstop #408/409
14200 Green Timbers Way
Surrey, B.C., V3T 6P3
(778) 290-2040

October 31, 2015

District of Kent
C/O – Cpl. Darren Rennie
Kent Detachment
6869 Lougheed Hwy
Agassiz, BC
V0M 1A0

Dear Cpl. Darren Rennie,

Re: Cost Recovery on DNA Analysis Services

A new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been endorsed by the Provincial Minister of Justice, Attorney General and the Federal Minister of Public Safety and Emergency Preparedness. While the Province of British Columbia will continue to contribute the historical annual amount of \$1.366 million dollars and Public Safety Canada will pay 46% of ongoing costs; a "user pay" model has been introduced.

Police Services has created a cost sharing model calculated on the total cost for DNA analysis in British Columbia, minus the provincial contribution, distributed proportionally based on your agency's two year average usage compared to the usage of other law enforcement agencies in British Columbia.

The Organized Crime Agency of British Columbia's (OCABC) mandate has been expanded by the Minister of Justice. As a result, OCABC will now act in the capacity of Financial Administrator for the new Biology Casework Analysis Agreement (BCAA). OCABC is providing all users of the DNA Analysis Services, including the RCMP and Municipal Police Agencies, an invoice detailing the apportioned costs for the last quarter of the 2015/16 Federal Government Fiscal year. Full payment can be made to OCABC prior to * February 28, 2016.

Moving forward OCABC will be providing all users of the DNA Analysis Services an annual invoice. This annual process will start on April 1, 2016. Payment will be due by June 30 of each year also starting in 2016.

.../2

☒ GAG ☐ Civ. Eng. ☐ Building ☐ PEP ☐ Agenda Date _____
☐ Corp S. ☒ Dir. Fin. ☐ Dylaw ☐ RCMP ☒ In Camera Date Dec. 14/2015
☐ Dev S. ☐ Dep. Fin. ☐ GIS/HR ☐ FIRE ☐ Agenda Place "A"
☐ MAYOR ☐ Council ☐ Dir. Rec. ☐ Other _____

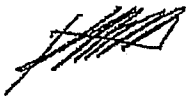
-2-

In addition, please be advised that should your Department or Detachment be involved/partnered in an Integrated Team where DNA costs have been identified, these costs have been included in your total invoice amounts.

You will find three attachments: an OCABC invoice for your last quarterly use of DNA Analysis for the 2015/16 year, a BC Police Services DNA Fact Sheet, and a Billing Calculations explanation sheet.

Should you have any questions about your invoice or this new process, please contact Superintendent John Grywinski at 778-290-3003 for further information.

Yours truly,



Kevin Hackett, C/Supt.
Chief Officer

Attachments

Billing Calculation for Agencies

The first three years of the Biology Casework Analysis Agreement include an escalation period which uses fixed costs to gra to British Columbia from the historical payment amount of \$1.366 million to paying 54% of actual costs. The Federal Gove the costs for British Columbia's DNA analysis each year after the escalation period. The remaining 54% of the costs will be c the contribution and formulas outlined below.

Escalation Period

2014/2015 (Year 1 Fixed Amount \$2.5M)

The Province paid the bill for all Agencies for the first year of the escalation period.

2015/2016 (Year 2 Fixed Amount \$3.6M)

The Province will pay its historical contribution of \$1.366 million plus (75%) three quarters of the bill (i.e. April to December) in the second year.

Agency's cost is =

Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia.

X

[(Fixed cost of \$3.6M) – (Historical Contribution

Province's cost is \$ x = $(\$3.6M - 1.366M) \times 75\%$

2016/2017 (Year 3 Fixed Amount \$4.9M)

The Province will pay its historical contribution (\$1.366 million). The rest of the cost to British Columbia will be invoiced to e their proportionate two year average usage compared to the two year average usage for British Columbia as a whole.

Agency's cost will be \$x =

Your Agency's two year average usage compared to the usage of other Law Enforcement Agencies in British Columbia.

X

[(Fixed cost of \$4.9M) – (Historical Contribution of

Integrated Teams

Partner Agencies involved in an Integrated Team where DNA costs have been identified; these costs are included in your tot Splits are based on the respective MOU split formula and applied pro-rata to participating agencies.

Integrated Detachments

Usage and cost split is based on Member Establishment for Integrated Detachments.

RCMP Municipal Establishment is based on Annex Letters.

RCMP Provincial Establishment is based on RCMP HRMIS system.



DNA Analysis Fact Sheet

Background:

- Biological Casework Analysis (DNA) for police agencies in British Columbia is provided by the RCMP Forensic Sciences and Identification Services (FS&IS) lab under the National Police Services (NPS).
- NPS is a federally funded program operated under the stewardship of the RCMP. It provides services (such as the FS&IS Lab, the Canadian Firearms Program, the Violent Crime Linkage Analysis System, the National Sex Offender Registry, etc.) directly to police agencies across Canada.
- In 2004, provinces and territories agreed to contribute to Biological Casework Analysis and entered into Contribution Agreements with Canada.
- Historically, the Province of BC has contributed \$1.366 million for the RCMP FS&IS lab to provide DNA analysis services to police agencies in BC.
- In 2013, the Federal Government advised that it would no longer continue to provide BCAA services at the historical flat rate contribution and would require reimbursement based on actual costs.
- The new *Agreement Respecting Biology Casework Analysis 2014-2024 (BCAA)* has been negotiated as a result.
- After negotiations between the Province and Public Safety Canada (PSC) regarding the provision of DNA analysis services to police agencies in British Columbia, the new agreement was endorsed by both the Provincial Minister of Justice and the Federal Minister of Public Safety and Emergency Preparedness. The PSC billing for fiscal years 2014/15, 2015/16 and 2016/17 are fixed amounts per the agreement. After the three-year escalation period, Canada will contribute 46% of the total costs.
- Under the new BCAA, after a three-year escalation period (which began in fiscal 2014/15), DNA analysis services will be charged based on a calculation that reflects two-year average actual usage. As per s. 15 (1) of the *Police Act*, in British Columbia, police agencies are responsible for bearing expenses necessary to maintain law and order, to adequately enforce criminal law, and to provide adequate equipment and supplies for the operations of and use by the police.
- DNA analysis is not a service provided under the Provincial (or Municipal) Police Service Agreement.
- In order to allow police agencies time to transition the Province is paying the full cost of the new BCAA from April 1, 2014 to December 31, 2015 of the escalation period.
- All police agencies will be responsible for their actual use of the service as of January 1, 2016.

New Process:

Ministry of Justice

Policing and Security Branch

Mailing Address:

PO Box 9285 Stn Prov Govt
Victoria BC V8W 9J7

Telephone: 250 356-7926

Facsimile: 250 356-7747

Website: www.gov.bc.ca/pssg

- The Organized Crime Agency of British Columbia (OCABC) will function as the administrator for the new BCAA.
- OCABC will invoice police agencies in October 2015 for their January 1, 2016 to March 31, 2016 BCAA services. Payment of this invoice will be due by February 29, 2016.
- Annually OCABC will invoice police agencies in April starting in 2016 for BCAA services for the period April 1 to March 31. Payment of this invoice will be due by June 30 of each year also starting in 2016 (i.e. approximately 60 days from invoice date).
- Starting in fiscal year 2017/18 when the charges from PSC are no longer fixed, OCABC will invoice police agencies based on an estimate. Any difference between this estimate and actual PSC invoice, which is received later in the year, will be adjusted in the following year's invoice to police agencies.

Billing Calculation:

- The method of calculation for determining the total cost for DNA analysis in Provinces and Territories each year is set out in the new BCAA.
- The Province of British Columbia will continue to contribute the historical amount of \$1.366 million.
- The amount of the total cost for DNA analysis in the province that remains after the Province has paid its contribution of \$1.366 million will be distributed proportionally among police agencies based on each agency's two year average usage compared to the total usage of all law enforcement agencies in British Columbia.