



REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, November 21, 2024

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation

Pages

A. TERRITORIAL ACKNOWLEDGEMENT

B. INTRODUCTION OF LATE ITEMS

C. APPROVAL OF AGENDA

*D. CONSENT AGENDA

Proposals for the Consent Agenda:

- E.1.a.a - 1321 Yates Street: Amendment to Covenant No. FB004862 (Fernwood)
- E.1.a.b - 1542 Despard Avenue and 1551 Montgomery Avenue: Development Variance Permit Application No. 00285 (Rockland)
- E.1.a.c - 1535 and 1537 Despard Avenue: Development Variance Permit Application No. 00263 (Rockland)
- E.1.a.d - Post-Event Review for Touchdown Pacific 2024
- F.1 - Bylaw for 1885 Government Street: Heritage Designation Application No. 000209
- F.2 - Bylaw for 1601 Douglas Street: Heritage Designation Application No.000210

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the November 07, 2024 Committee of the Whole Meeting

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[Link to the November 07, 2024 Committee of the Whole Agenda](#)

E.1.a.a 1321 Yates Street: Amendment to Covenant No.

FB004862 (Fernwood)

- E.1.a.b 1542 Despard Avenue and 1551 Montgomery Avenue: Development Variance Permit Application No. 00285 (Rockland)
- E.1.a.c 1535 and 1537 Despard Avenue: Development Variance Permit Application No. 00263 (Rockland)
- E.1.a.d Post-Event Review for Touchdown Pacific 2024
- E.1.a.e Update on 2024-2025 Emergency Winter Weather Response and Planning
- E.1.a.f Council Member Motion: Downtown Businesses and Parking
- E.1.b Report from the November 21, 2024 Committee of the Whole Meeting

Placeholder for time-sensitive items pending approval at the November 21, 2024 Committee of the Whole meeting.

***F. BYLAWS**

- F.1 Bylaw for 1885 Government Street: Heritage Designation Application No. 000209 3

A report recommending:

- 1st and 2nd readings of:
 - Heritage Designation (1885 Government Street) Bylaw, No. 24-087

The application proposes to designate the exterior of the building located at 1885 Government Street to be protected heritage property.

- F.2 Bylaw for 1601 Douglas Street: Heritage Designation Application No.000210 11

A report recommending:

- 1st and 2nd readings of:
 - Heritage Designation (1601 Douglas Street) Bylaw, No. 24-079

The application proposes to designate the exterior of the building located at 1601 Douglas Street to be protected heritage property.

***F.3 Bylaw for 1276 and 1278 Gladstone Avenue: Update Report for Rezoning Application No. 00860 and Development Permit with Variances Application No. 00249**

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Addendum: Correspondence

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1347), No. 24-071

Update: The applicant has revised the proposal with revisions to the landscape plan, frontage design, and minor changes to the proposed setback and height variances.

The application proposes to rezone from the R-2-T Zone, Two Single Family Dwelling District, to a new site-specific zone to increase the density from 0.30:1 FSR to 1.52:1 FSR and allow for multiple dwellings and commercial uses at this location and recommending that the application proceed to bylaw readings.

***F.4 Bylaw for 515 and 519 Rithet Street: Rezoning Application No. 00868 and Development Permit with Variances Application No. 00267**

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Addendum: Correspondence

A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1351), No. 24-085

The application proposes to rezone from the R3-2 Zone, Multiple Dwelling District, to a new zone with higher density to construct a five-storey multi-unit strata residential building, and recommending that the application proceed to bylaw readings.

F.5 Bylaw for 2659 Douglas Street: Tax Incentive Program Application No. 000033

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A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Tax Exemption (2659 Douglas Street) Bylaw, No. 24-069

The application proposes to assist in the seismic upgrade and rehabilitation of the heritage building located at 2659 Douglas Street, by exempting a portion of the land from municipal property taxes for ten years.

F.6 Bylaw for 1314-1318 Wharf Street: Tax Incentive Program Application No. 00037

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A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Tax Exemption (1314/1318 Wharf Street) Bylaw, No. 24-070

The application proposes to assist in the seismic upgrade and rehabilitation of the heritage building located at 1314 /1318 Wharf Street, by exempting a portion of the land from municipal property taxes for ten years.

F.7 1050 Pandora Avenue: Tax Incentive Program Application No. 00032

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A report recommending:

- **1st, 2nd, and 3rd readings of:**
 - Tax Exemption (1050 Pandora Avenue) Bylaw, No. 24-068

The application proposes to assist in the seismic upgrade and rehabilitation of the heritage building located at 1050 Pandora Avenue, by exempting a portion of the land from municipal property taxes for 3 years.

G. NEW BUSINESS

G.1 Mayor's Report

Referred from the November 14, 2024 Council to Follow (COTW) meeting.

H. NOTICE OF MOTIONS

I. CLOSED MEETING

MOTION TO CLOSE THE NOVEMBER 21, 2024 COUNCIL MEETING TO THE PUBLIC

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

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

Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment; and

Section 90(2) A part of a council meeting must be closed to the public if the subject

matter being considered relates to one or more of the following:

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

J. APPROVAL OF CLOSED AGENDA

K. NEW BUSINESS

**K.1 Intergovernmental Relations and Law Enforcement – Community Charter
Sections 90(2)(b) and 90(1)(f)**

L. CONSIDERATION TO RISE & REPORT

M. ADJOURNMENT

**COMMITTEE OF THE WHOLE REPORT
FROM THE MEETING HELD November 07, 2024**

For the Council meeting of November 21, 2024, the Committee recommends the following:

F.1 1321 Yates Street: Amendment to Covenant No. FB004862 (Fernwood)

That Council authorize amendment of the covenant FB004862 related to 1321 Yates Street (the “**Lands**”), with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor to allow the 24-hour operation of the convenience store and gas bar, but not the carwash, on the Lands.

F.2 1542 Despard Avenue and 1551 Montgomery Avenue: Development Variance Permit Application No. 00285 (Rockland)

That Council authorize the issuance of Development Variance Permit Application No. 00285 for 1542 Despard Avenue & 1551 Montgomery Avenue (formerly 1540 Despard Avenue), in accordance with:

- a. Subdivision file SUB00412 (Subdivision of 1540 Despard Avenue).
- b. Offsite civil plans date stamped October 20, 2023.
- c. Development meeting all *Victoria Subdivision and Development Servicing Bylaw* requirements, except for the following variance:
 1. Remove the requirement to construct a portion of the required frontage improvements as described within the *Victoria Subdivision and Development Servicing Bylaw*.
- d. Provision of \$17,000 security equivalent to the costs of installing frontage improvements. The \$17,000 would be applied to sidewalk improvements on Despard Avenue and Montgomery Avenue, when capital projects for street improvements occur on these streets.
- e. The Development Variance Permit, if issued, expires two years from the date of this resolution.

F.3 1535 and 1537 Despard Avenue: Development Variance Permit Application No. 00263 (Rockland)

That Council authorize the issuance of Development Variance Permit Application No. 00263 for 1535 & 1537 Despard Avenue, in accordance with:

- a. Subdivision file SUB00418 (Subdivision of 1535/37 Despard Avenue).
- b. Offsite civil plans date stamped June 22, 2021.
- c. Development meeting all *Victoria Subdivision and Development Servicing Bylaw* requirements, except for the following variance:

1. Remove the requirement to construct the required frontage improvements as described within the *Victoria Subdivision and Development Servicing Bylaw*.
- d. Provision of \$17,285 security equivalent to the costs of installing frontage improvements. The \$17,285 would be applied to frontage improvements on Despard Avenue when capital projects for street improvements occur on these streets.
- e. The Development Variance Permit, if issued, expires two years from the date of this resolution.

G.1 Post-Event Review for Touchdown Pacific 2024

That the Post-Event Review for Touchdown Pacific 2024 report be received for information.

G.2 Update on 2024-2025 Emergency Winter Weather Response and Planning

That Council receive this report for information on the City of Victoria's 2024/25 Emergency Winter Weather Response Plan, what resources exist in other municipalities in the Capital Regional District (CRD), and the Emergency Plans of other municipalities with respect to cold weather events and emergency response; and that the Council directs the Mayor to write to the Mayor and Council of Saanich and request that the District of Saanich set up additional shelter spaces in the District of Saanich and take responsibility for unhoused residents in their own jurisdiction.

Motion arising:

That Council directs the mayor to write to all mayors and councils in Greater Victoria, to request they stand up their own Emergency Warming Centre for the unhoused during extreme weather events starting immediately.

I.1 Council Member Motion: Downtown Businesses and Parking

That Council direct staff to reach out to businesses within the Downtown Core Area to assess their parking and street use needs, and highlight current downtown initiatives.



Council Report

For the Meeting of November 21, 2024

To: Council **Date:** November 6, 2024
From: Curt Kingsley, City Clerk
Subject: 1885 Government Street: Heritage Designation Application No. 000209

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Heritage Designation (1885 Government Street) Bylaw, No. 24-087

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-087.

The issue came before Council on October 17, 2024 where the following resolution was approved:

1885 Government Street: Rezoning Application No. 00870, Development Permit with Variances Application No. 000641, and Heritage Designation Application No. 000209 (Downtown)

Rezoning Application

1. That Council instruct the Director of Planning and Development to prepare the necessary Zoning Bylaw 2018 amendment that would authorize the proposed development outlined in the staff report dated September 19, 2024 for 1885 Government Street
2. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the zoning regulation bylaw amendment be considered by Council
3. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Planning and Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:
 - a. provision of a Housing agreement to secure all residential units within the building as rental in perpetuity
 - b. provision of Transportation Demand Management (TDM) agreement to secure the following TDM measures:
 - i. one electric Modo vehicle plus 70 car-share memberships and \$100 driving credits, to be located on-site

- ii. *eight extra-large bike parking spaces for cargo bikes at grade*
- iii. *a single bike repair station*
- iv. *the equivalent of the BC Transit ECoPass value for four commercial retail units with one ECoPass per unit for five years at \$1000/pass*
- v. *transportation option information package for new residents*
- c. *provision of an access agreement over 610 Herald Street and 635 Chatham Street in favour of 1885 Government to provide access to the underground parking below 1885 Government Street for the purpose of a driveway, with the City as a party to ensure the agreement is not discharged without City approval*
- d. *provision of a public realm agreement to secure frontage improvements as illustrated on plans date stamped June 27, 2024*
- 4. *That subject to adoption of the zoning bylaw amendment, Council authorize the projecting encroachments over the City right of way on Government Street and Herald Street generally as shown on the plans submitted to the City and date stamped June 27, 2024 provided that the applicant enters into an encroachment agreement with contents satisfactory to the Director of Engineering and Public Works and form satisfactory to the City Solicitor at the time of building permit approval*
- 5. *That adoption of the zoning bylaw amendment will not take place until:*
 - a. *third reading of an associated heritage designation bylaw to designate the property known as 1885 Government Street, as described in the Statement of Significance attached as Attachment D, pursuant to Section 611 of the Local Government Act, to the satisfaction of the Director of Planning and Development*
 - b. *all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor*
- 6. *That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

Development Permit with Variance Application

That Council, after giving notice, consider the following motion:

- 1. *"That subject to the adoption of the necessary Zoning Bylaw 2018 amendment, Council authorize the issuance of Development Permit with Variances No. 000641 for 1885 Government Street, in accordance with plans submitted to the Planning and Development department and date stamped on June 27, 2024, subject to:*
 - a. *proposed development meeting all City zoning bylaw requirements, except for the following variances:*
 - i. *reduce the required number of vehicle parking stalls from 54 to thirteen*
 - ii. *increase the building height from 15m to 19.51m; and*
 - b. *plan changes to:*
 - i. *provide 50% of long-term bicycle parking stalls as horizontally mounted*
 - ii. *revise the proposed cargo bicycle stalls to have a minimum stall width of 0.9m, depth of 2.4m, and aisle width of at least 1.5m behind each stall*
 - iii. *revise the soil cells on the civil plan to match the layout and dimensions on the Landscape Plan*
 - iv. *add a note on the landscape plans identifying that the soil cells are to be irrigated and drained using an underdrain or an overflow, if required crossfall cannot be met*

- v. rectify the conflict between the proposed fire department connection location and the building access/ egress*
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”*

Heritage Designation Application

That Council:

- 1. Instruct staff to prepare a heritage designation bylaw to designate the property at 1885 Government Street, that first and second reading of the bylaw be considered by Council and that a Public Hearing date be set, and that the heritage designation bylaw provides for the following to the satisfaction of the Director of Planning and Development:*
 - a. designate the exterior of the historic property, known as the Sam Kee Laundry building, at 1885 Government Street, in its future state*
- 2. Approve the Statement of Significance for 1885 Government Street attached as Attachment D to this report recognizing the building exterior as the historic features of the property.*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-087

NO. 24-087

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 1885 Government Street to be protected heritage property.

Under its statutory powers, including Section 611 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

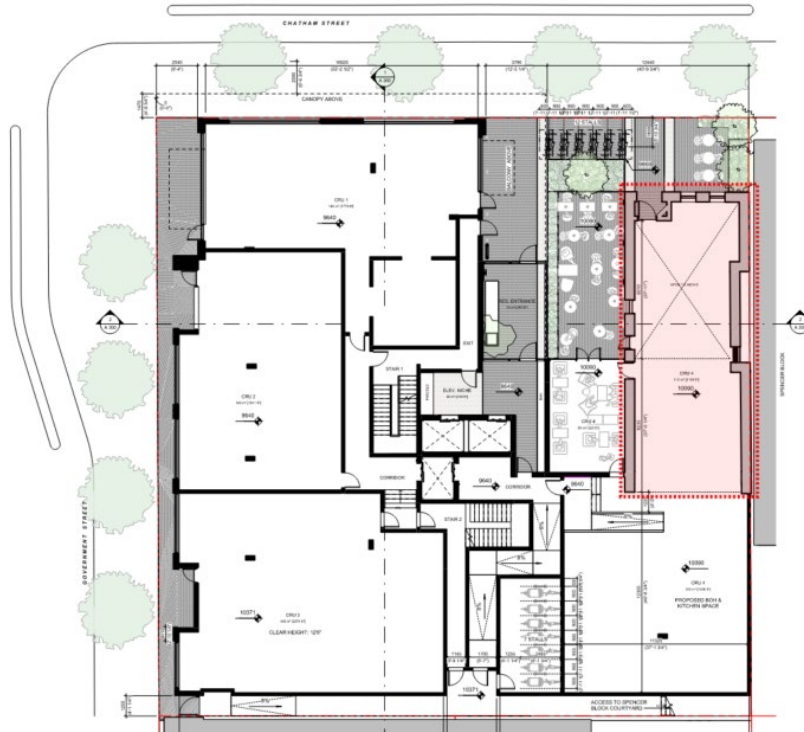
1. This Bylaw may be cited as the “HERITAGE DESIGNATION (1885 GOVERNMENT STREET) BYLAW”.
2. On the land known as 1885 Government Street, legally described as PID 008-491-283, Lot A of Lots 636 and 637 Victoria City Plan 45681, the exterior portions of the building, as indicated in bold outline on the diagrams in Schedule A and as described in the Statement of Significance attached to this Bylaw as Schedule B, are designated to be protected heritage property.

READ A FIRST TIME the	day of	2024
READ A SECOND TIME the	day of	2024
Public Hearing Held on the	day of	2024
READ A THIRD TIME the	day of	2024
ADOPTED on the	day of	2024

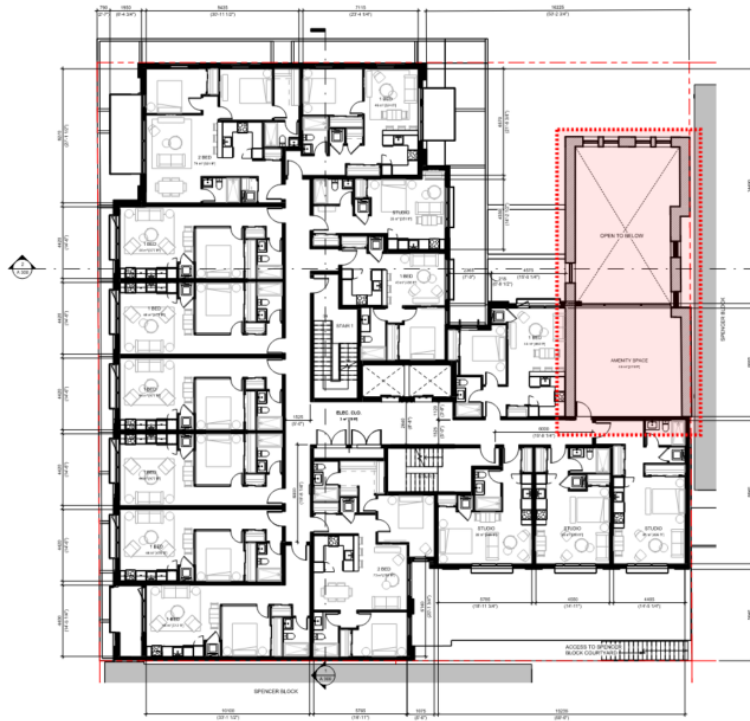
CITY CLERK

MAYOR

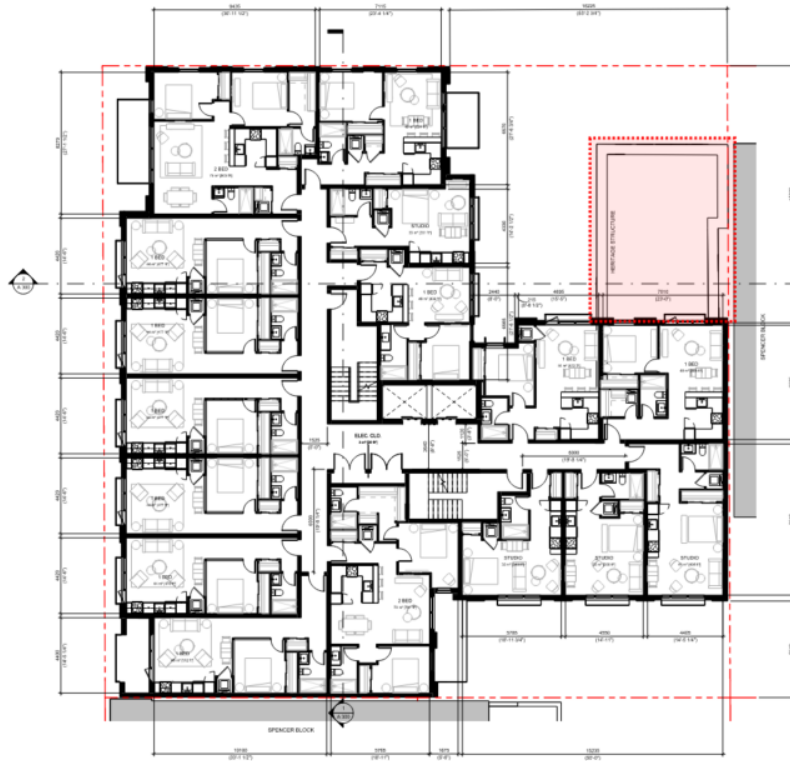
Schedule A



Ground Floor Plan



Second Floor Plan



Roof Plan



VIEW FROM CHATHAM STREET



COURTYARD VIEW 2

Schedule B

Statement of Significance

SAM KEE LAUNDRY, 1885 Government Street, Victoria, BC

Description of the Historic Place

The Sam Kee Laundry is a two-storey, Edwardian-era, masonry building located on the periphery of Victoria's historic Chinatown neighbourhood. The building is distinguishable by its flat roof with decorative dentil brick cornice, arched brick lintels, and recessed off-centre front entryway accessed by a Norman arch opening.

Heritage Value of Historic Place

Constructed in 1908, Sam Kee Laundry is valued as part of a grouping of early buildings that contribute to the historic character and urban pattern of Victoria's Chinatown, the seminal and oldest intact Chinatown in Canada. In 1858, the Fraser Gold Rush spurred the movement of Chinese people into Canada and Victoria became the primary point of entry into the country.

A prominent Chinatown was established in the city, centered around Fisgard Street. This property was originally home to a wood-frame structure that was destroyed in a devastating fire in 1907 that wiped out numerous city blocks in the vicinity. The subsequent year, original owner Peter Levelle commissioned the construction of this replacement building on Chatham Street. The building was originally used as a residence with eleven interior rooms. Levelle emigrated from

Scotland in the 1880s and worked locally as a carpenter, however he passed away just a year following the construction of the building. Owing to its location at the periphery of Chinatown, the building would subsequently house members of the Chinese Canadian community before its 1935 conversion to a laundry as part of the Sam Kee Company.

The Sam Kee Laundry is significant for its association with long-term tenant, the Sam Kee Company. Prominent businessman Chang Toy, known sometimes as Sam Kee due to the name of his well-known business, was born in 1857 in Cheong Pan Village, Panyu County, Guangdong Province, China. In 1874, Chang Toy came to Victoria before settling in New Westminster, where he worked in a sawmill. In the late 1870s, Chang Toy relocated to Vancouver where he started his first Sam Kee Laundry business, which would grow to multiple locations in several cities over time, including Victoria. In subsequent years, Chang Toy gradually expanded his business into imports and exports, retail sales, charcoal and fuel sales, labour contracting in the timber, fishing and sugar industries, steamship ticket sales, and real estate development.

The Sam Kee enterprises, including the Sam Kee Laundry, emerged as an important gathering place for Chinese immigrants who came to use the services, purchase goods, and look for work. Wealthier Chinese community members, like Chang Toy and those who came after him, provided essential services to their fellow emigrants and acted as critical links between the Chinese community and the often hostile and racist white community. Chang Toy died in 1921, but his businesses lived on well beyond this time. The Sam Kee Company converted this building to its needs for use as a laundry in 1935 and the company remained in the building for more than three

decades. In 1967, the laundry was converted to offices and a workshop, with two dwelling units above. The commercial use of the property continued through the turn of the twenty-first century.

The Sam Kee Laundry building is additionally valued as an example of Edwardian-era architecture within the cultural landscape of Victoria's Chinatown. The commercial façade displays Classical Edwardian details, such as its brick construction with flat roof with brick dentils and its arched brick lintels and openings. The building is also significant as an example of the work of the Parfitt Bros., who were active in Victoria through the early twentieth century. Aaron and Jim Parfitt founded Parfitt Bros. in 1907 and were soon joined by brothers Fred, Mark, and Albert. Though the firm had only been operating for one year when this building was constructed, they would go on to construct a number of prominent structures in Victoria, including the St. John's Church, the Bay Street Armoury, a wing of the Royal Jubilee Hospital, the James Bay Inn, the Memorial Hall and nave of the Christ Church Cathedral, as well as numerous other institutional, industrial, and commercial structures.

Character-Defining Elements

The elements that define the heritage character of the Sam Kee Laundry building are its:

- location as part of a Government Street site, fronting Chatham Street, in the historic Chinatown neighbourhood of Victoria;
- significant setbacks from both Government and Chatham Streets.
- continuous use since 1908;
- commercial form, scale and massing as expressed by its two-storey height, rectangular plan and flat roof;
- masonry construction with a combination of buff and red brick;
- Edwardian-era architectural features, including brick cornice with brick dentils, arched red brick lintels, and off-centre Norman arch red brick opening at grade; and
- fenestration, including original arched window openings.

Written by: Donald Luxton & Associates, April 2024, Conservation Plan



Council Report

For the Meeting of November 21, 2024

To: Council **Date:** November 6, 2024
From: Curt Kingsley, City Clerk
Subject: 1601 Douglas Street: Heritage Designation Application No. 000210

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Heritage Designation (1601 Douglas Street) Bylaw, No. 24-079

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-079.

The issue came before Council on September 26, 2024 where the following resolution was approved:

1601 Douglas: Heritage Designation Application No.000210 (Downtown)

That Council:

1. *approve the designation of the property located at 1601 Douglas Street pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site; and*
2. *direct staff to prepare the Heritage Designation Bylaw for introductory readings at a subsequent meeting and a Public Hearing date be set.*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-079

NO. 24-079

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 1601 Douglas Street to be protected heritage property.

Under its statutory powers, including Section 611 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

1. This Bylaw may be cited as the “HERITAGE DESIGNATION (1601 Douglas Street) BYLAW”.
2. The exterior of the building as described in the Statement of Significance attached to this bylaw as Schedule A, which is located at 1601 Douglas Street, legally described as PID 009-402-641, THE SOUTH 90 FEET OF LOTS 672 AND 673, VICTORIA CITY, is designated to be protected heritage property.

READ A FIRST TIME the	day of	2024
READ A SECOND TIME the	day of	2024
Public Hearing Held on the	day of	2024
READ A THIRD TIME the	day of	2024
ADOPTED on the	day of	2024

CITY CLERK

MAYOR

Schedule A

FAIRFIELD BLOCK

1601 Douglas Street, Victoria, British Columbia, Canada



DESCRIPTION OF HISTORIC PLACE

The Fairfield Block, locally known as Sally's, is a large, three storey Commercial Style tan and cream coloured brick building prominently located on the northeast corner of Douglas and Cormorant Streets in the commercial core of downtown Victoria.

HERITAGE VALUE

The Fairfield Block possesses aesthetic value as a solid example of the type of large-scale commercial building constructed in Victoria during the prosperous years prior to the First World War. Constructed in 1912 for local businessmen Mr. Grant and Arthur Lineham, who was the manager of the B.C. Light and Power Company and a city alderman, this building - which is one of the few surviving works of architect H.S. Griffith - is representative of the substantial real estate speculation associated with commercial wealth that occurred in Victoria during the boom period between 1908 and 1913, and therefore has historic value.

This building is valued for its handsome Edwardian detailing, articulated by tan brickwork and cream coloured terra cotta ornamentation, which reinforces the heritage character of the commercial streetscape of North Douglas Street. In partnership with nearby buildings of similar vintage such as the Hudson's Bay Company Department Store (1914) and Hotel Douglas (1911), it is a good representation of the larger scale commercial buildings which transformed the City from a Victorian supply town to a modern Edwardian urban centre.

The Fairfield Block also has social value as an example of the evolution of commercial and retail buildings as evidenced by the “SALLY’S” signs, remnants from a women’s clothing store that was located in the building in the mid-20th century.

CHARACTER-DEFINING ELEMENTS

The character defining elements of the Fairfield Block include:

- Its prominent corner location.
- Its bulk, and the size of its large floor plate.
- The relationship and sense of continuity with other historic commercial buildings in the area, such as the Hudson's Bay Company Department Store and the Hotel Douglas.
- The commercial use of the building, in particular the variety of storefronts at street level.
- The Commercial Style architectural elements relevant to its 1912 construction, including the brick cladding, terra cotta decorative elements, prominent cornice, and grid-like fenestration pattern.
- Paired double-hung wooden sash windows in the upper storeys.
- Interior elements which support the heritage character of its original design by architect Griffith.
- Construction methods used in its 1912 design.
- The integrity of the building envelope, which identifies it as a 1912 commercial building.
- The “SALLY’S” signs on the southern end of the Douglas Street façade and in the pavement of the entrance to the southernmost commercial unit.

VICTORIA HERITAGE THEMATIC FRAMEWORK

The Fairfield Block supports Theme 5.1 Architectural Expression as an intact example of Edwardian Commercial Style buildings. It also is part of Theme 2 Gateway Economy as an example of the changing economic and commercial landscape in Victoria over time.



Council Report

For the Meeting of November 21, 2024

To: Council

Date: November 7, 2024

From: Karen Hoese, Director, Planning and Development

Subject: Update report for Rezoning Application No. 00860 and Development Permit with Variances Application No. 00249 for 1276/1278 Gladstone Avenue

RECOMMENDATIONS

Rezoning Application

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1347), No. 24-071.

Development Permit with Variances

That Council, after giving notice, consider the following motion:

“1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00249 for 1276/1278 Gladstone Avenue, in accordance with plans submitted to the Planning and Development department and date stamped on **September 12, 2024**, subject to:

- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the minimum rear lot line setback from 6.00m to **3.90m** for the main face of the building and to 1.00m for the first storey and patio
 - ii. reduce the minimum side (east) lot line setback from 3.50m to 2.09m for the building, to **1.25m** for the balconies, and to **0.00m** for the steps
 - iii. reduce the minimum side (west) lot line setback from 3.50m to 2.08m for the main face of the building, to **1.20m** for the balconies, and to 0.00m for the first storey and patio
 - iv. reduce the number of residential parking spaces from 18 spaces to 0 spaces
 - v. reduce the number of commercial parking spaces from 8 spaces to 0 spaces
 - vi. reduce the number of visitor parking spaces from 2 spaces to 0 spaces
 - vii. reduce the number of accessible parking spaces from 1 space to 0 spaces

- viii. reduce the number of van accessible parking spaces from 1 space to 0 space
- ix. increase the maximum height of a building from 12m to **13.9m**
- x. increase the maximum number of storeys from four storeys to five storeys.

2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to bring forward introductory bylaw readings and to provide for Council’s consideration an updated motion related to the Development Permit with Variances Application for the property located at 1276/1278 Gladstone Avenue.

UPDATE

Council advanced Rezoning Application No. 00860 and the associated Development Permit with Variances Application No. 00249 at the Council meeting on July 4, 2024. The proposal is to facilitate the development of a new 19-unit mixed use apartment building consisting of 18 residential market rental units and one commercial unit on the subject property.

The applicant has since fulfilled the conditions set by Council by providing the following:

- Revisions to the landscape plan achieving the siting and soil volume requirements of the Tree Protection Bylaw for the proposed replacement tree in the front yard to the satisfaction of the Director of Parks, Recreation and Facilities.
- Revisions to the frontage design to include a ramp access as part of the proposed on-street loading zone design, to the satisfaction of the Director of Engineering and Public Works.

These changes are reflected on the proposed plans date stamped September 12, 2024, and are included as an attachment to this report.

Therefore, in accordance with Council’s resolution, Zoning Regulation Amendment Bylaw (No. 1347) to facilitate the proposed development has been prepared and brought forward to Council for review and consideration of first, second and third reading.

In addition, minor changes to the proposed setback and height variances are required to accommodate mechanical equipment throughout the building.

The proposed Zoning Regulation Amendment Bylaw, revised plans date stamped September 12, 2024, revised Letter to Mayor and Council dated October 10, 2024, the Committee of the Whole report dated June 20, 2024, and the CTFCOTW minutes from July 4, 2024, are attached for Council’s reference.

Variances

Minor revisions have been made to the proposed setbacks and height of the building to accommodate mechanical equipment throughout the building. The motion has been updated to include the updated

variance requirements which are highlighted in bold text and shown below in comparison to the variances presented at COTW:

- reduce the minimum rear lot line setback from 6.00m to ~~3.95m~~ **3.90m** for the main face of the building and to 1.00m for the first storey and patio
- reduce the minimum side (east) lot line setback from 3.50m to 2.09m for the building, to ~~1.44m~~ **1.25m** for the balconies, and to ~~0.06m~~ **0.00m** for the steps
- reduce the minimum side (west) lot line setback from 3.50m to 2.08m for the main face of the building, to ~~1.36m~~ **1.20m** for the balconies, and to 0.00m for the first storey and patio
- increase the maximum height of a building from 12m to ~~13.56m~~ **13.9m**.

These changes have little effect on the plans as previously presented to Council and are considered supportable.

CONCLUSION

The applicant has generally fulfilled the conditions set by Council. The updated recommendation provided for Council’s consideration contains the appropriate language to advance the Rezoning Application and consider approval of the Development Permit with Variances application subject to approval of the associated Rezoning Application.

Respectfully submitted,

Kasha Janota-Bzowska
Planner
Development Services Division

Karen Hoese, Director
Planning and Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Updated Plans date stamped September 12, 2024
- Attachment B: Updated Letter to Mayor and Council dated October 10, 2024
- Attachment C: Zoning Regulation Bylaw, Amendment Bylaw (No. 1347), No. 24-071
- Attachment D: Committee of the Whole Report dated June 20, 2024
- Attachment E: CTFCOTW Minutes dated July 4, 2024

1276 GLADSTONE | 1276 GLADSTONE AVE.

PROJECT NUMBER: 2303

REISSUED FOR REZONING AND DEVELOPMENT PERMIT - SEPTEMBER 5, 2024

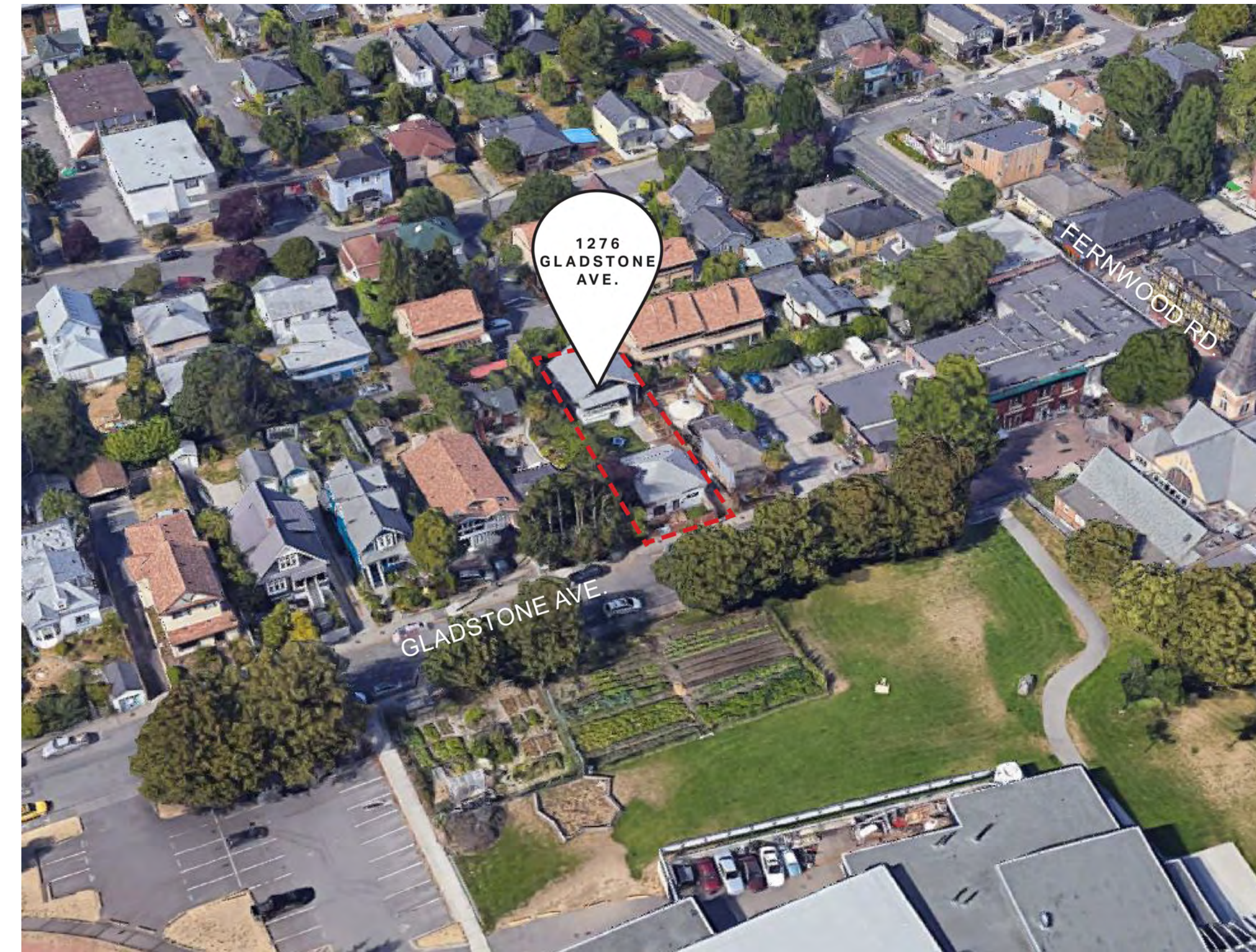
CONTACTS

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VICTORIA, BC, V8T 1G6
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501 FOUL BAY ROAD,
VICTORIA, BC, V8S 4G9
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EMAIL: charper@charch.ca
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VICTORIA, BC, V8T 5G4
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VICTORIA BC, V8T 1M5
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PO BOX 2203
SIDNEY, BC, V8L 3S8
CONT: MICHAEL BUTCHER
TEL: 250 893 9056
EMAIL: butcherlodi@aol.com

DRAWING LIST

- ARCHITECTURAL**
- A000 COVER
 - A001 CODE REVIEW
 - A002 AREA CALCULATIONS
 - A003 LIMITING DISTANCE
 - A005 SHADOW STUDY
 - A006 CONTEXT PLAN & STREETScape
 - A007 SIGHTLINE DIAGRAM
 - A101 EXISTING SITE PLAN
 - A102 PROPOSED SITE PLAN
 - A201 LEVEL 1 FLOOR PLAN
 - A202 LEVEL 2 FLOOR PLAN
 - A203 LEVEL 3 FLOOR PLAN
 - A204 LEVEL 4 FLOOR PLAN
 - A205 ROOF PLAN
 - A301 ELEVATIONS
 - A302 ELEVATIONS
 - A303 MATERIAL BOARD
 - A304 RENDERINGS
 - A401 SECTIONS
- CIVIL**
- C1 CONCEPTUAL SITE SERVICING PLAN
 - C2 CONCEPTUAL GRADING PLAN
- LANDSCAPE**
- L1 LANDSCAPE CONCEPT PLAN
 - L2 LANDSCAPE CONCEPT PLAN
 - L3 TREE MANAGEMENT PLAN

ATTACHMENT A



1 CONTEXT PLAN



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2024-09-06

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Revisions
Received Date: September 12, 2024

OWNER/CLIENT: TONNY KIPTOO
1252 GLADSTONE AVE,
VICTORIA, BC, V8T 1G6

NO.	REVISION	MDY
06	REISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/05/2024
05	REISSUED FOR REZONING AND DEVELOPMENT PERMIT	04/28/2024
04	REISSUED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
03	REISSUED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

PROJECT NAME

**1276 GLADSTONE
VICTORIA, BC**

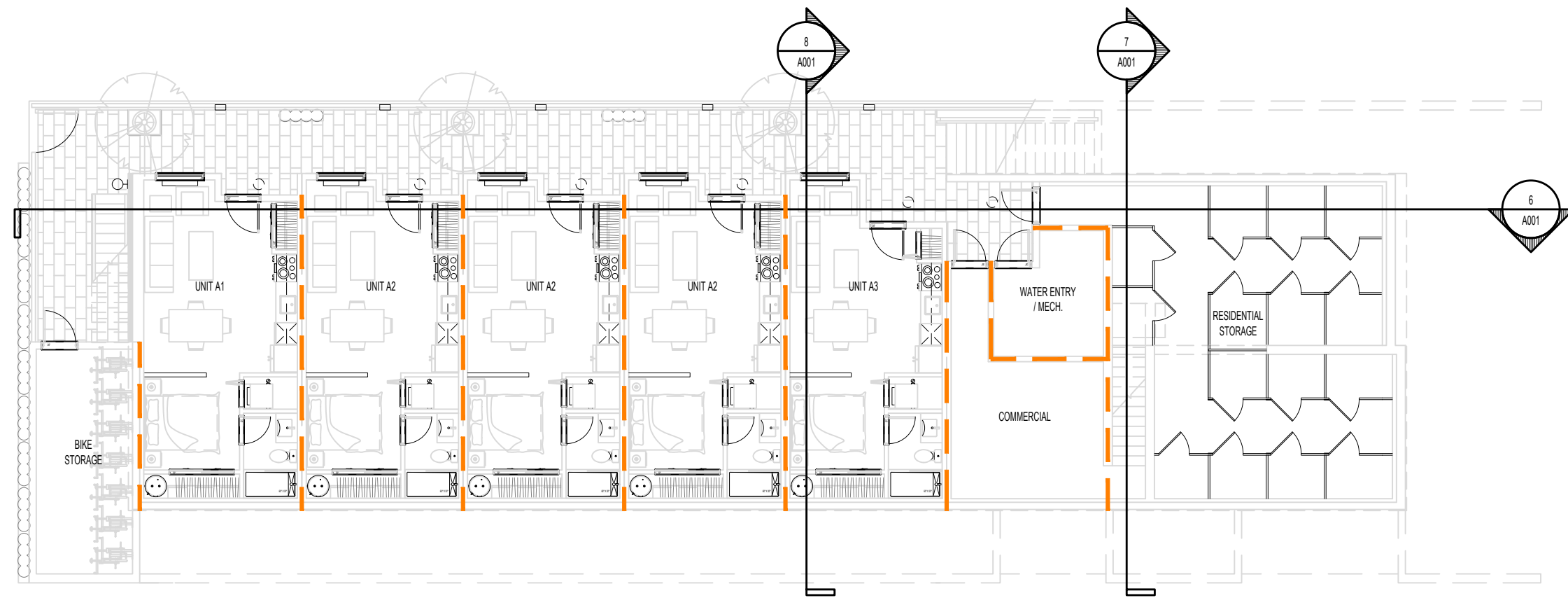
PROJECT ADDRESS:
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DRAWING TITLE

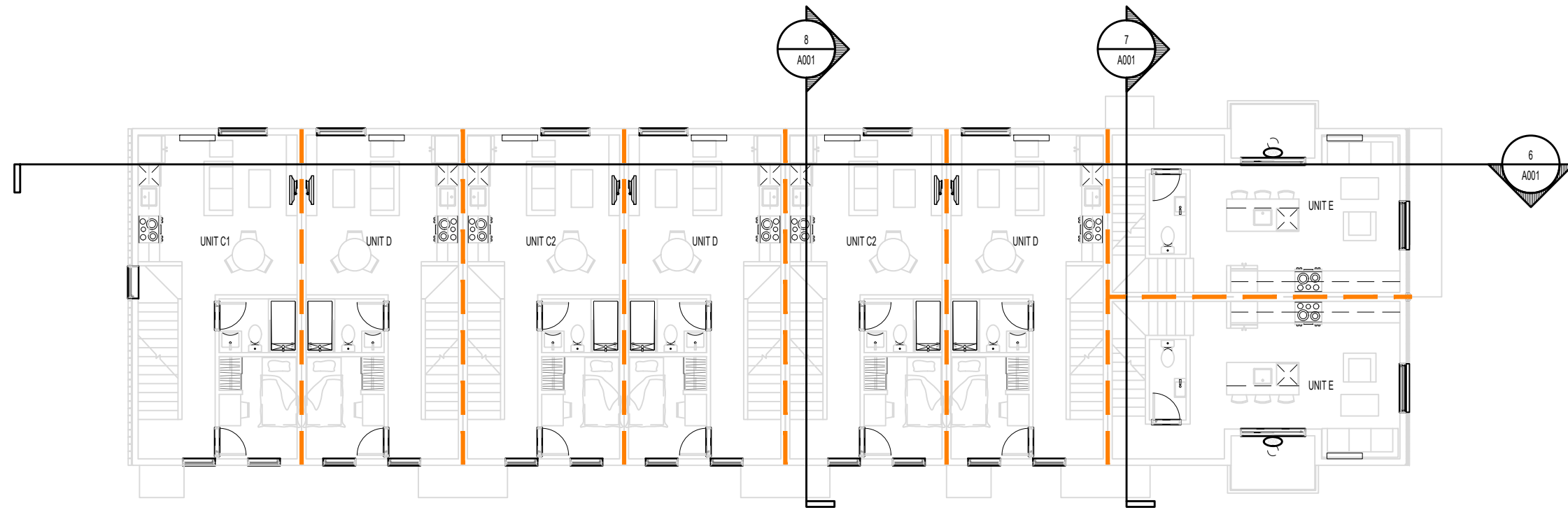
COVER PAGE

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	N/A	REVIEW BY:	CH
DRAWING NO:		A000	



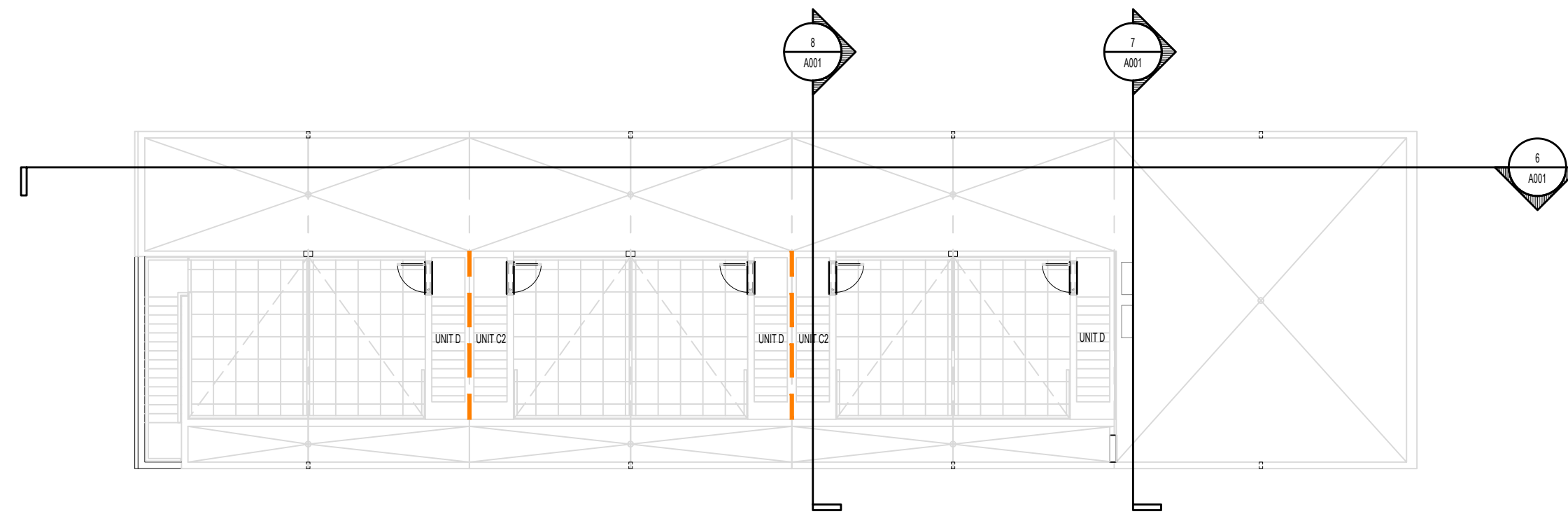
1 LEVEL 1 CODE PLAN

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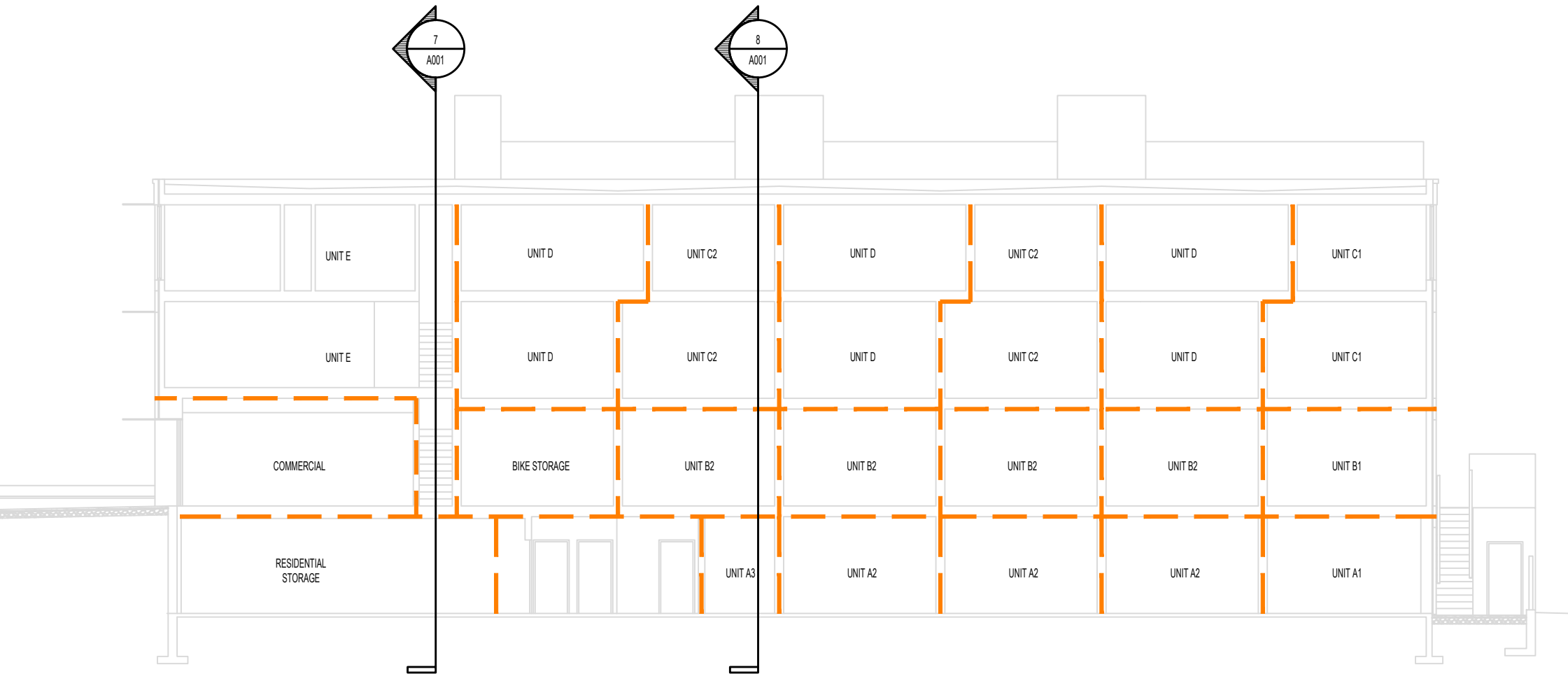
3 LEVEL 3 CODE PLAN

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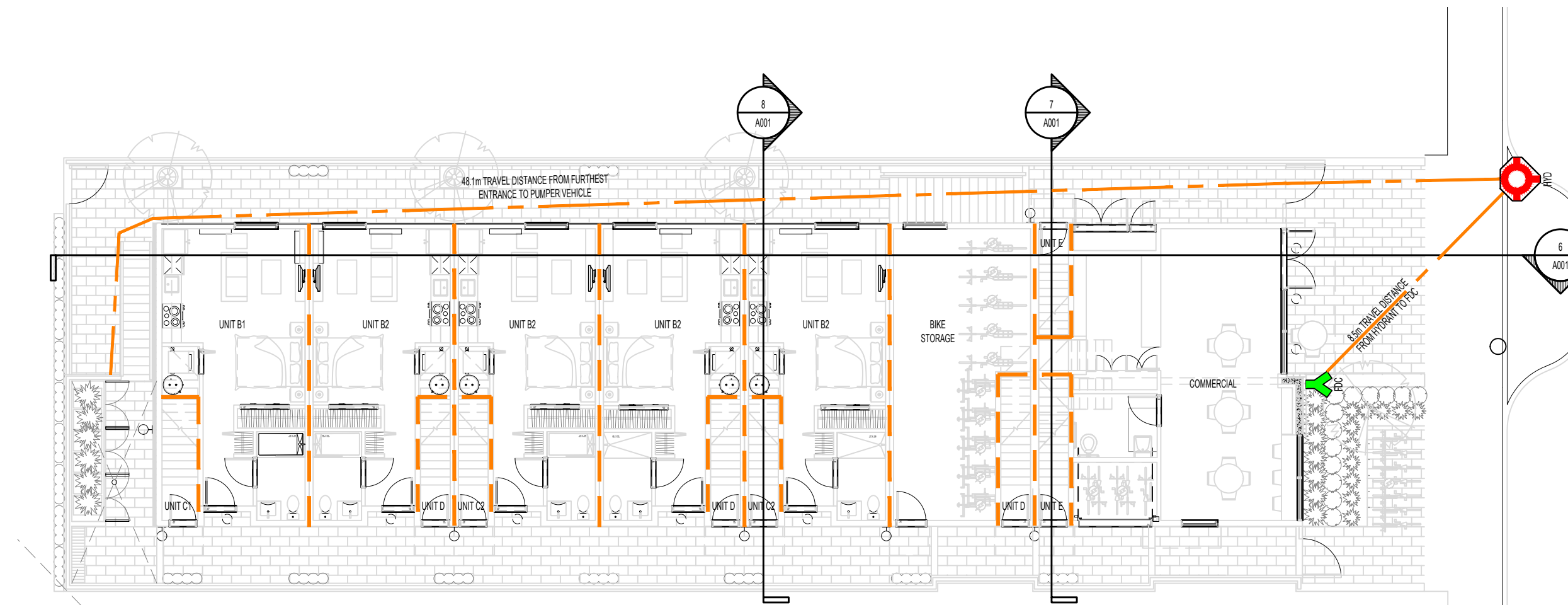
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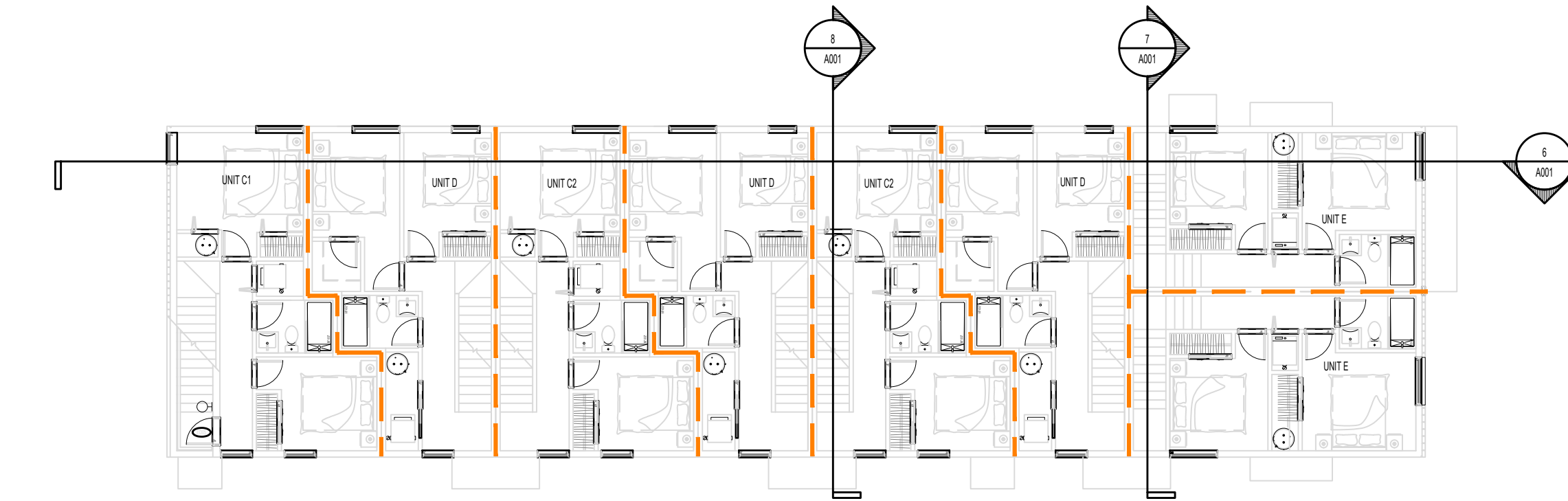
6 CODE SECTION A

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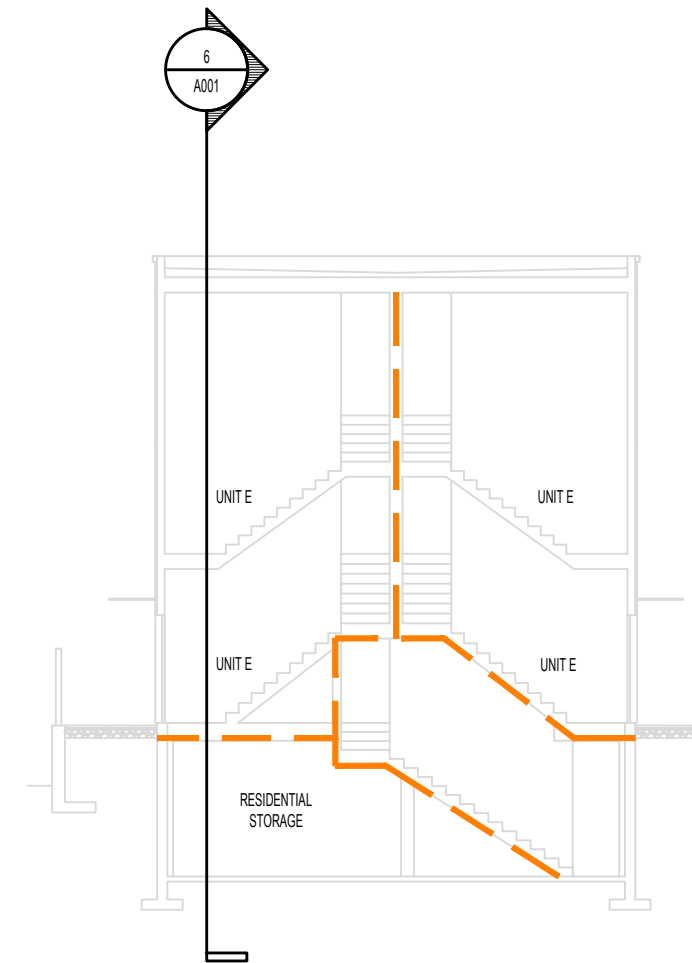
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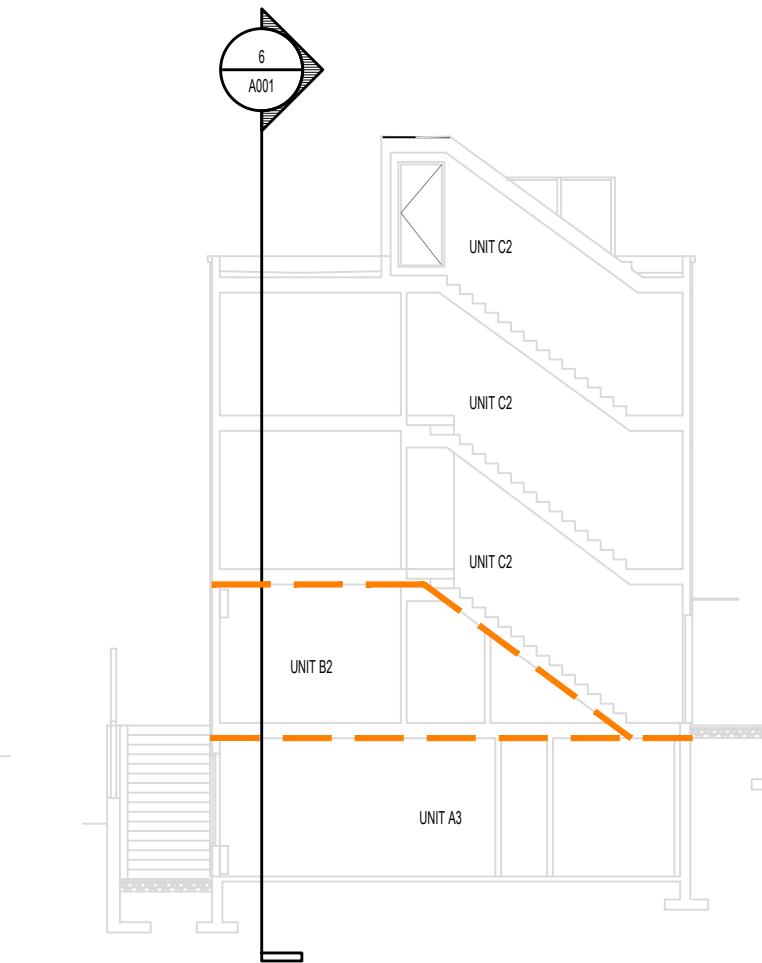
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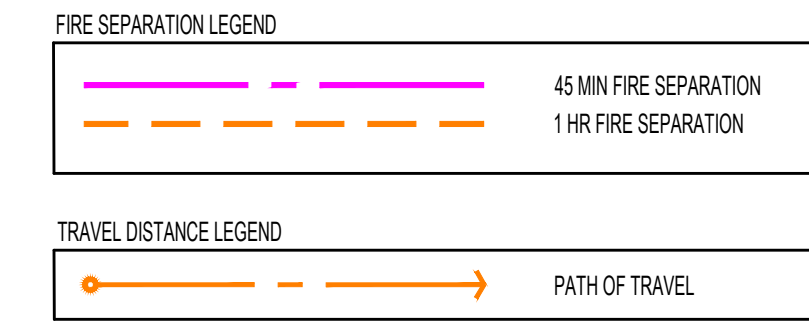
7 CODE SECTION B

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8 CODE SECTION C

1:150



CODE ANALYSIS BC BUILDING CODE 2018

PR. #: 2303
DATE: 05-Sep-24

PROJECT DESCRIPTION

4-STOREY BUILDING WITH WOOD FRAME COMBUSTIBLE CONSTRUCTION	NEW CONSTRUCTION
TYPE OF WORK	PART 3 PER 1.3.3.2.(1)(c)(ii)
BASIS FOR CODE ANALYSIS	

BUILDING SIZE AND CONSTRUCTION

GOVERNING ARTICLE	3.2.2.50 PER 3.2.2.50.(5)
MAJOR OCCUPANCIES	GROUP C AND GROUP A2
OCCUPANT LOAD	84 PER 3.1.1.17.1.(1)(b) AND 3.1.17.1.(1)(c)
BUILDING AREA	366.9 m ²
BUILDING HEIGHT (STOREYS)	4
SPRINKLERED	YES NFPA 13 - PER 3.2.2.50.(1)(a) & 3.2.5.12.(1)
FIRE ALARM AND DETECTION SYSTEM	YES PER 3.2.4.1.(1)
TYPE OF CONSTRUCTION PERMITTED	COMBUSTIBLE OR NONCOMBUSTIBLE

OTHER SAFETY REQUIREMENTS

STANDPIPE & HOSE SYSTEM	NO (REQUIRED PER 3.2.5.8.(1)(a). ALTERNATE SOLUTION PENDING)
LIMITING DISTANCE	UNPROTECTED OPENINGS ARE IN COMPLIANCE. SEE SHEET A002
FIREFIGHTING ACCESS ROUTES	8.5m TRAVEL DISTANCE FROM HYDRANT TO FDC (45m ALLOWED)
STORAGE ROOM SPRINKLERS	YES PER 3.3.4.3.(1)
LIGHTING AND EMERGENCY POWER SYSTEMS	YES PER 3.2.7.

REQUIRED FIRE SEPARATION / FIRE-RESISTANCE RATINGS

FRR OF FLOOR ASSEMBLIES	1 HR PER 3.2.2.50.(2)(a)
FRR OF ROOF ASSEMBLIES	1 HR PER 3.2.2.50.(2)(b)
FRR BETWEEN SUITES	1 HR PER 3.3.1.1.(1)
FRR BETWEEN COMMERCIAL AND RESIDENTIAL	1 HR PER 3.1.3.1.(1)
FRR BTW ELECTRICAL ROOM AND STORAGE ROOM / COMMERCIAL	1 HR PER 3.6.2.1.(6)
FRR BTW BIKE ROOM AND RESIDENTIAL	1 HR PER 3.3.4.3.(2)
FRR BTW STORAGE ROOM AND RESIDENTIAL	1 HR PER 3.3.4.3.(2)
FIRE SEPARATION OF FLOOR ENTIRELY CONTAINED WITHIN DWELLING UNITS HAVING MORE THAN ONE STOREY	N/A PER 3.2.2.50.(3)

ACCESSIBILITY REQUIREMENTS

APARTMENT DWELLING UNITS	N/A PER 3.8.2.1.(1)(b)
COMMERCIAL ACCESSIBILITY REQUIREMENTS	PER 3.8.2.1.(1)

NOTE: ACCESSIBLE DESIGN REQS. PROVIDED FOR PATRONS ONLY. WORK FUNCTIONS CANNOT REASONABLY BE EXPECTED TO BE PERFORMED BY PERSONS WITH DISABILITIES.

ENERGY EFFICIENCY

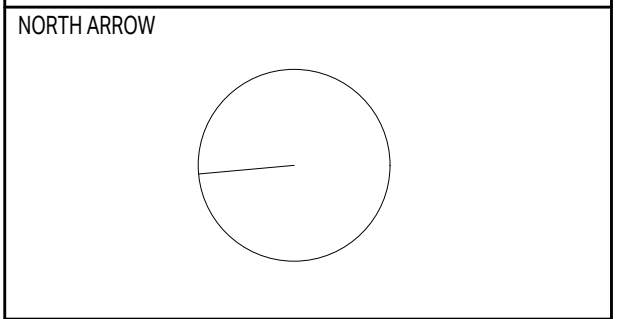
STEP CODE 3	PER CITY OF VICTORIA REQUIREMENTS
-------------	-----------------------------------

REQUIRED ALTERNATE SOLUTIONS

ARTICLE	MITIGATING FEATURE
EGRESS FROM DWELLING UNITS - PER 3.3.4.4.(3)	INCREASED SPRINKLER DENSITY AND WATER CURTAIN AT KITCHEN, TBC
EXIT EXPOSURE - PER 3.2.3.13.	WATER CURTAINS ABOVE ALL UNPROTECTED OPENINGS WITHIN 5m OF THE EXIT PATH
STANDPIPE SYSTEM - PER 3.2.5.8.	64mm HOSE CONNECTION(S) AT ENTRIES

*ALTERNATE SOLUTION REPORT TO BE PROVIDED BY BUILDING CODE CONSULTANTS AT BUILDING PERMIT

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01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

NO.	REVISION	MDY

PROJECT NAME
1276 GLADSTONE VICTORIA, BC

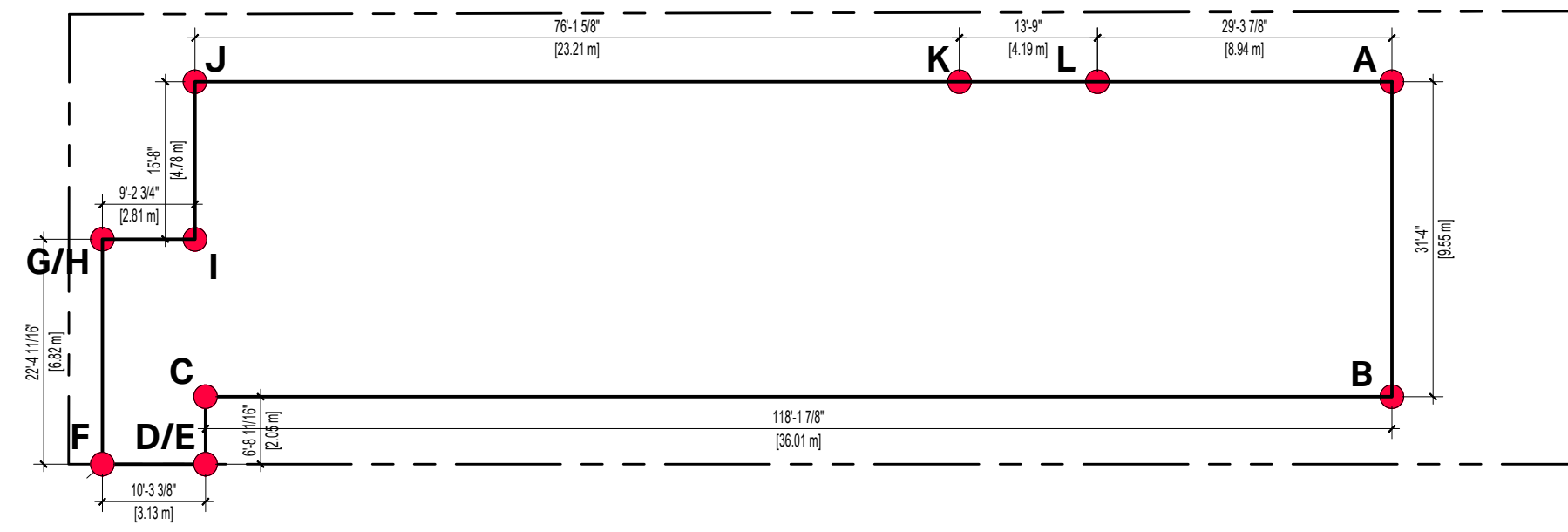
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DRAWING TITLE:
CODE REVIEW

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1:100	REVIEW BY:	CH

DRAWING NO: **A001**



1 AVERAGE GRADE CALCULATION

1:200

ZONING GRADE CALCULATION

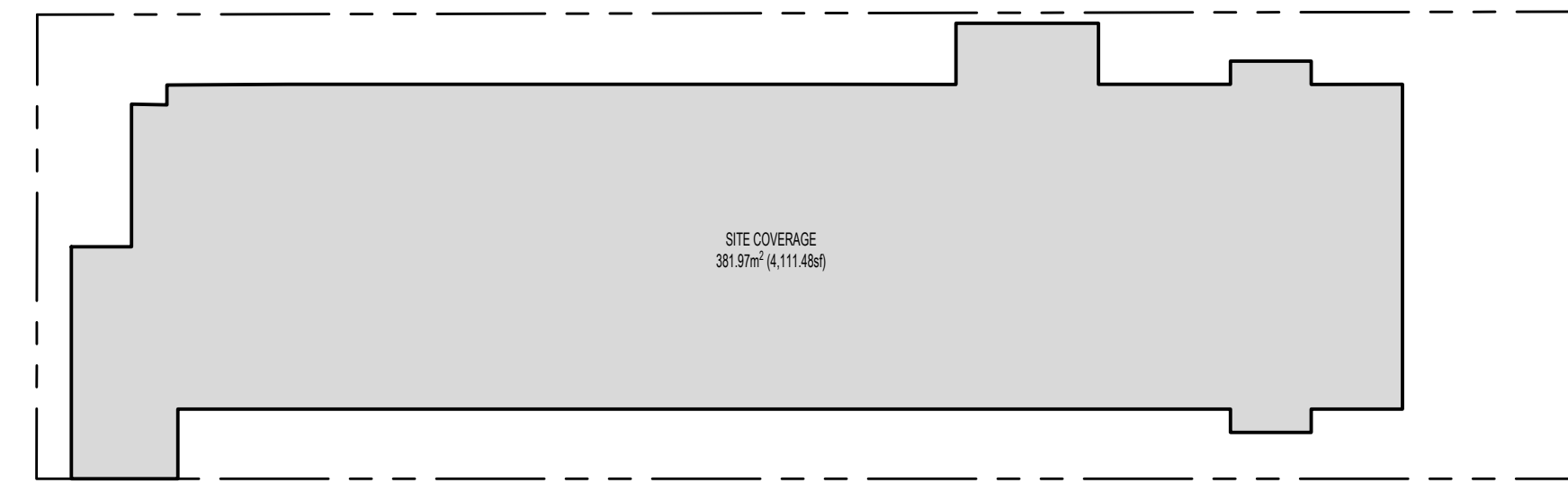
GRADE POINTS (m)	LENGTH (m)	GRADE CALCS	
A 31.03 B 31.50	9.55	$(31.03 + 31.5) \times 2 \times 9.55m =$	298.58
B 31.50 C 29.29	36.01	$(31.5 + 29.29) \times 2 \times 36.01m =$	1094.52
C 29.29 D 29.78	2.05	$(29.29 + 29.78) \times 2 \times 2.05m =$	60.55
E 29.78 F 29.59	3.13	$(29.78 + 29.59) \times 2 \times 3.13m =$	92.91
F 29.59 G 26.77	6.82	$(29.59 + 26.77) \times 2 \times 6.82m =$	199.01
H 26.77 I 28.65	2.81	$(26.77 + 28.65) \times 2 \times 2.81m =$	80.68
I 28.65 J 28.65	4.78	$(28.65 + 28.65) \times 2 \times 4.78m =$	136.95
J 28.65 K 28.65	23.21	$(28.65 + 28.65) \times 2 \times 23.21m =$	664.97
K 28.65 L 30.44	4.19	$(28.65 + 30.44) \times 2 \times 4.19m =$	123.79
L 30.44 A 31.03	8.94	$(30.44 + 31.03) \times 2 \times 8.94m =$	274.77
TOTALS	101.49		3026.73
AVERAGE GRADE			29.82

GRADES

Grade Points	Existing	Proposed	Grade
Point A	31.03	31.65	31.03
Point B	31.50	31.78	31.50
Point C	29.29	31.70	29.29
Point D	29.78	31.70	29.78
Point E	29.78	29.78	29.78
Point F	29.59	29.59	29.59
Point G	26.77	28.77	26.77
Point H	26.77	31.65	26.77
Point I	29.12	28.65	28.65
Point J	28.99	28.65	28.65
Point K	30.02	28.65	28.65
Point L	30.44	31.70	30.44

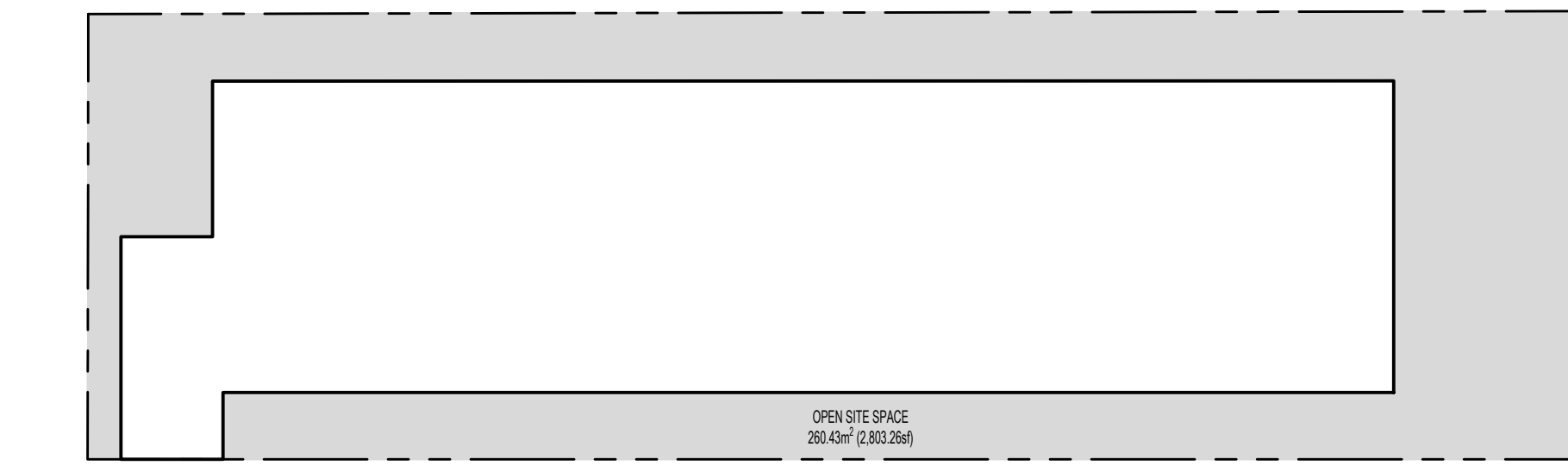
2 SITE COVERAGE

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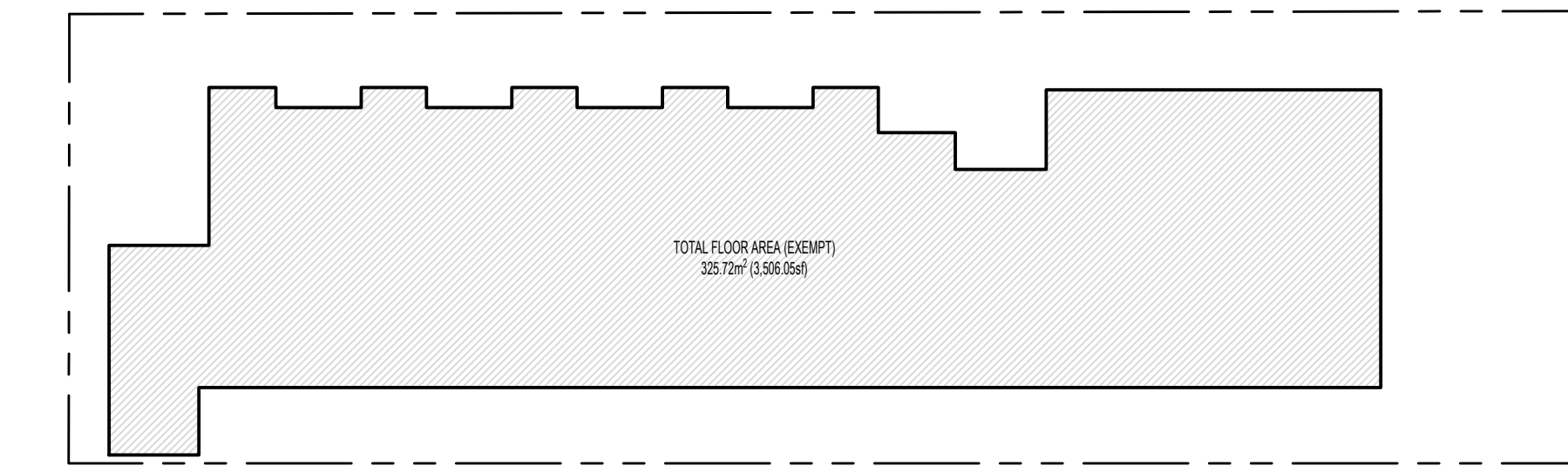
3 OPEN SITE SPACE

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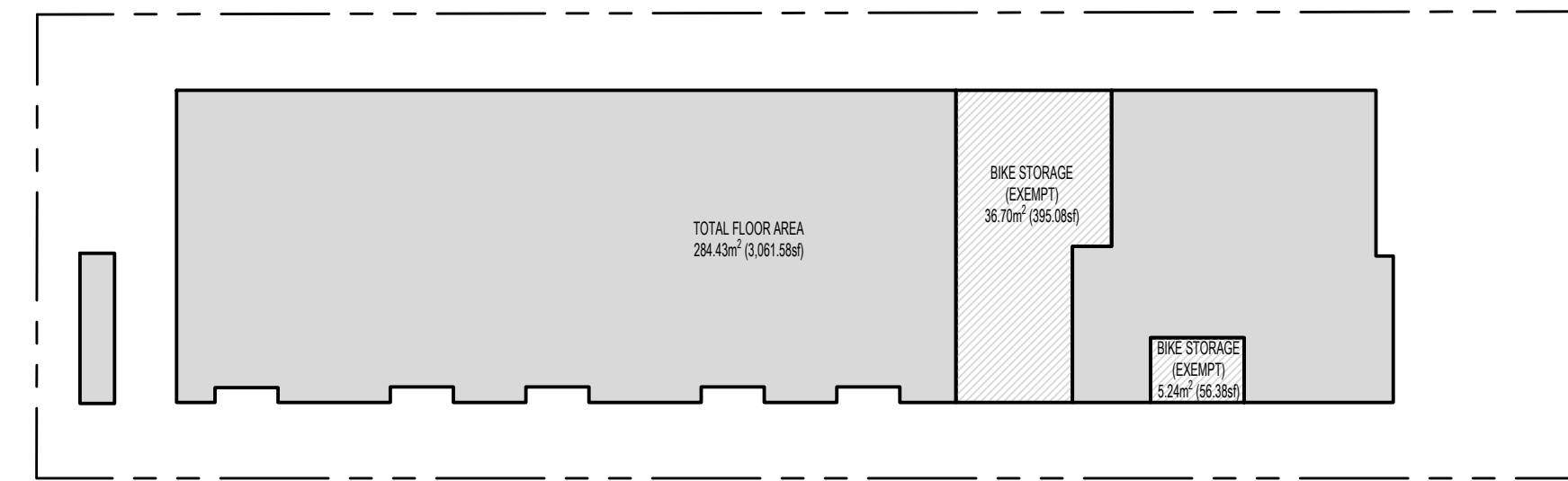
4 LEVEL 1 FLOOR AREA CALC

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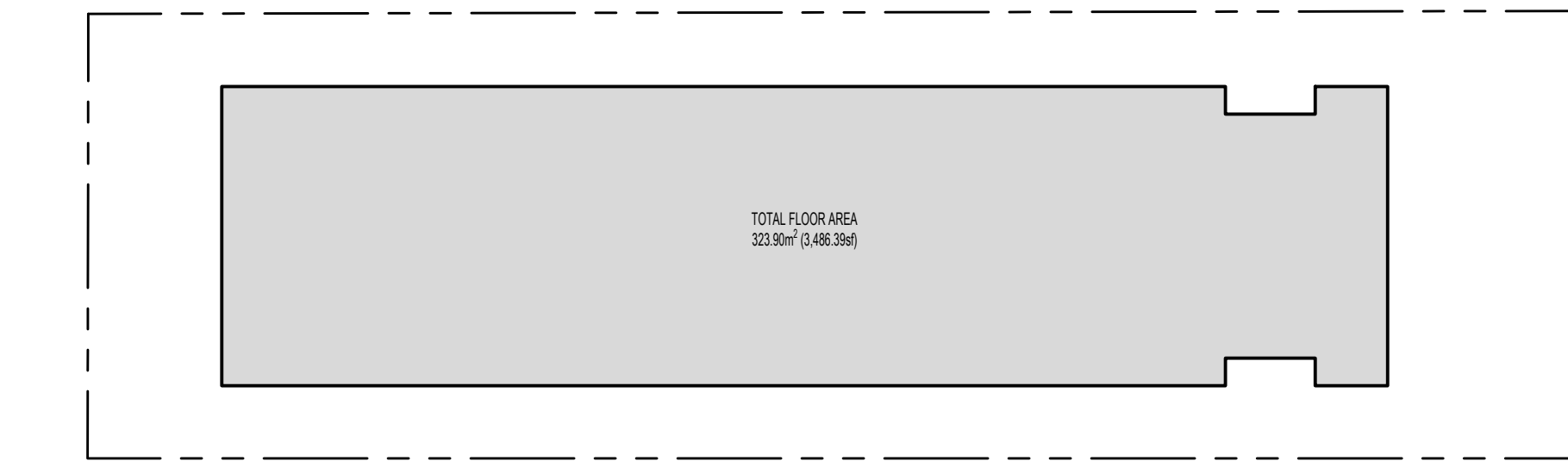
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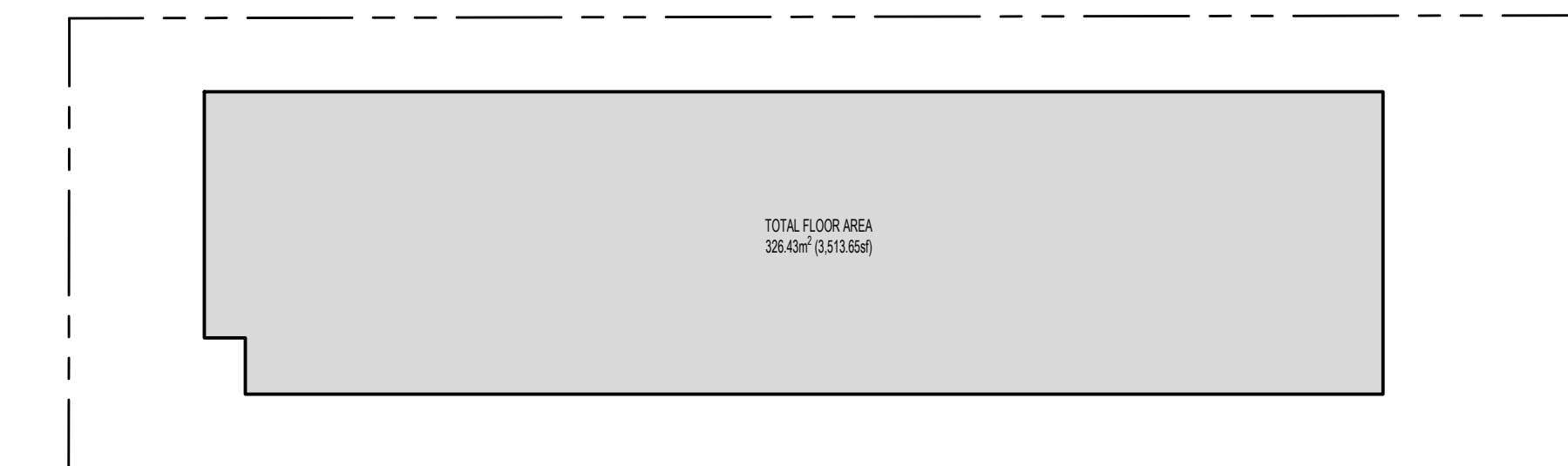
6 LEVEL 3 FLOOR AREA CALC

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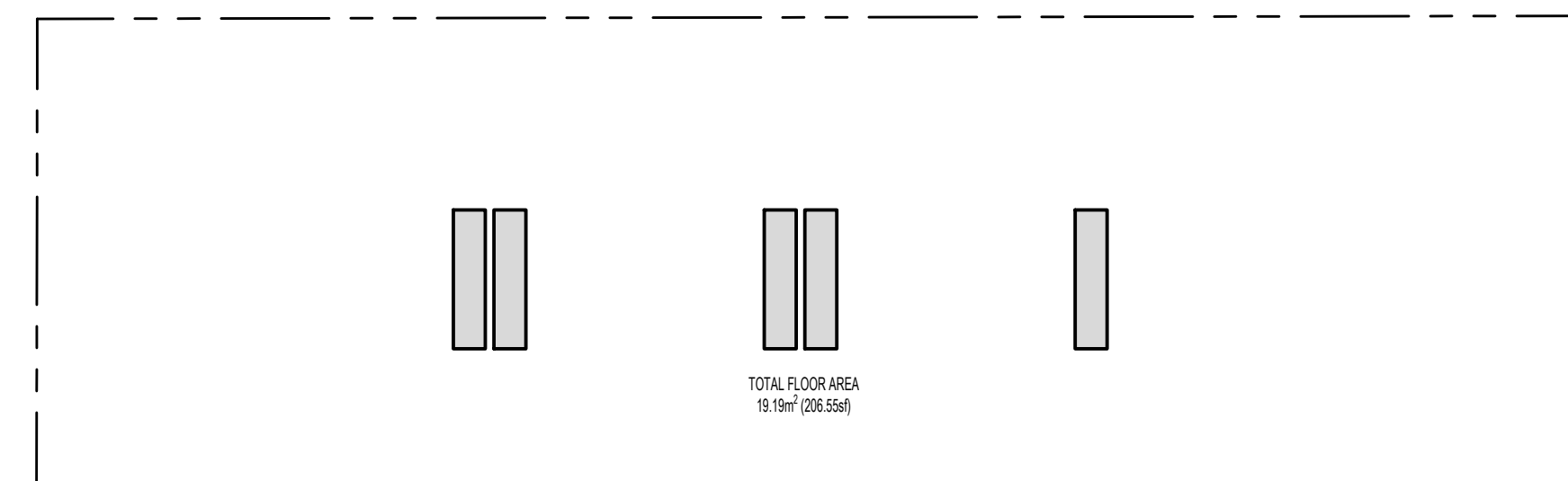
7 LEVEL 4 FLOOR AREA CALC

1:200



8 ROOF LEVEL FLOOR AREA CALC

1:200



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02	ISSUED FOR REVIEW	11/03/2023
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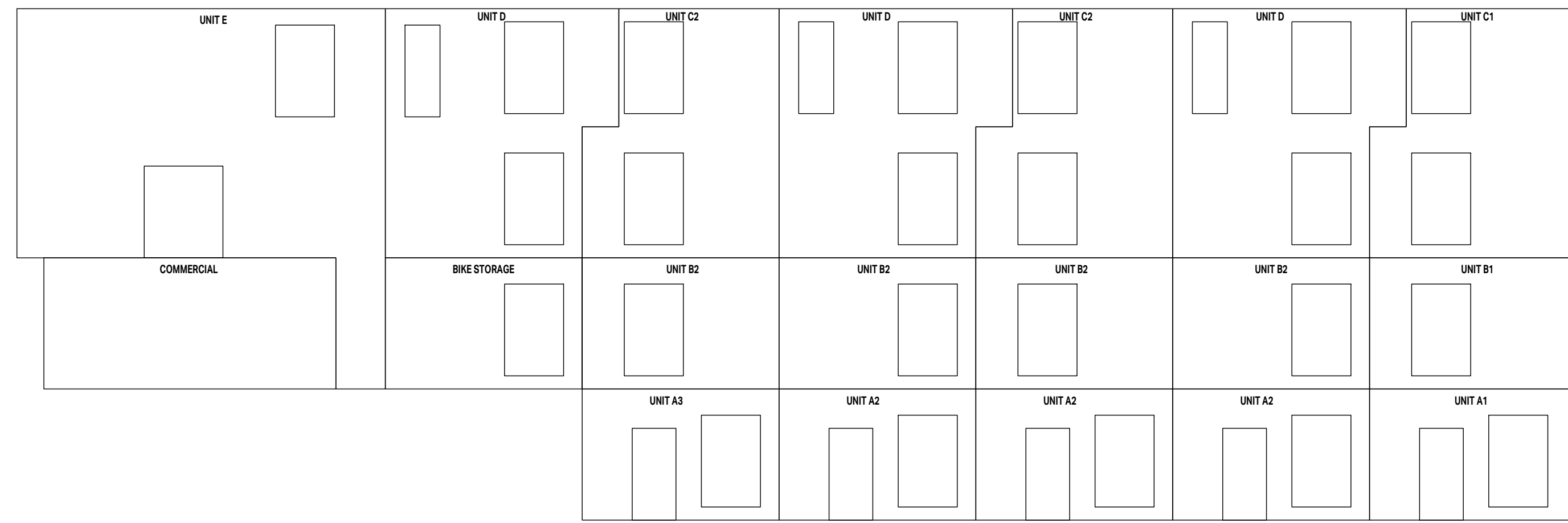
PROJECT NAME
1276 GLADSTONE VICTORIA, BC

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DRAWING TITLE:
AREA CALCULATIONS

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1:200	REVIEW BY:	CH
DRAWING NO:		A002	



UNIT E - EAST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	UNIT A1, A2 & A3 - EAST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	UNIT B1 & B2 & BIKE STORAGE - EAST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	UNIT C1 & C2 - EAST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	UNIT D - EAST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0
AREA OF EXPOSED BUILDING FACE: 53.0m ² (571.1sq ft)	AREA OF EXPOSED BUILDING FACE: 13.94m ² (150.0sq ft)	AREA OF EXPOSED BUILDING FACE: 13.94m ² (150.0sq ft)	AREA OF EXPOSED BUILDING FACE: 24.15m ² (259.9sq ft)	AREA OF EXPOSED BUILDING FACE: 28.81m ² (310.13sq ft)
LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)
ALLOWABLE OPENINGS: 21.3% (11.3m ² /52.1sq ft)	ALLOWABLE OPENINGS: 38.9% (5.4m ² /58.4sq ft)	ALLOWABLE OPENINGS: 38.9% (5.4m ² /58.4sq ft)	ALLOWABLE OPENINGS: 28.9% (7.0m ² /75.6sq ft)	ALLOWABLE OPENINGS: 26.4% (7.6m ² /81.9sq ft)
PROPOSED OPENINGS: 12.8% (6.8m ² /73.5sq ft)	PROPOSED OPENINGS: 36.5% (5.1m ² /54.8sq ft)	PROPOSED OPENINGS: 21.0% (2.9m ² /31.5sq ft)	PROPOSED OPENINGS: 24.2% (5.85m ² /63.0sq ft)	PROPOSED OPENINGS: 26.3% (7.59m ² /81.67sq ft)
FIRE RESISTANCE RATING PER 3.2.3.7: 1HR CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 45MIN CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 45MIN CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 45MIN CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 45MIN CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A

1 EAST ELEVATION

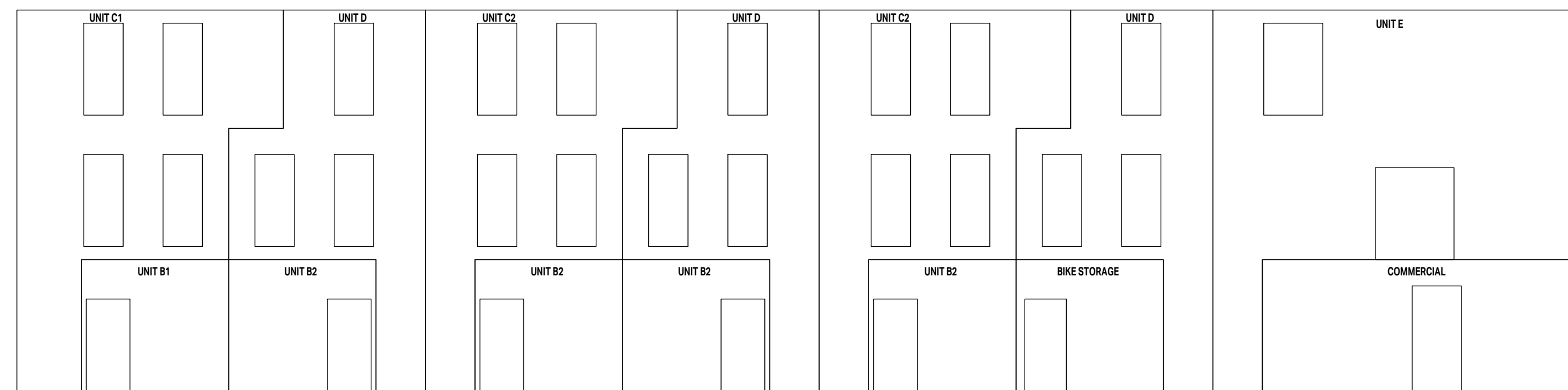
1:100

2 NORTH ELEVATION

1:100

3 SOUTH ELEVATION

1:100



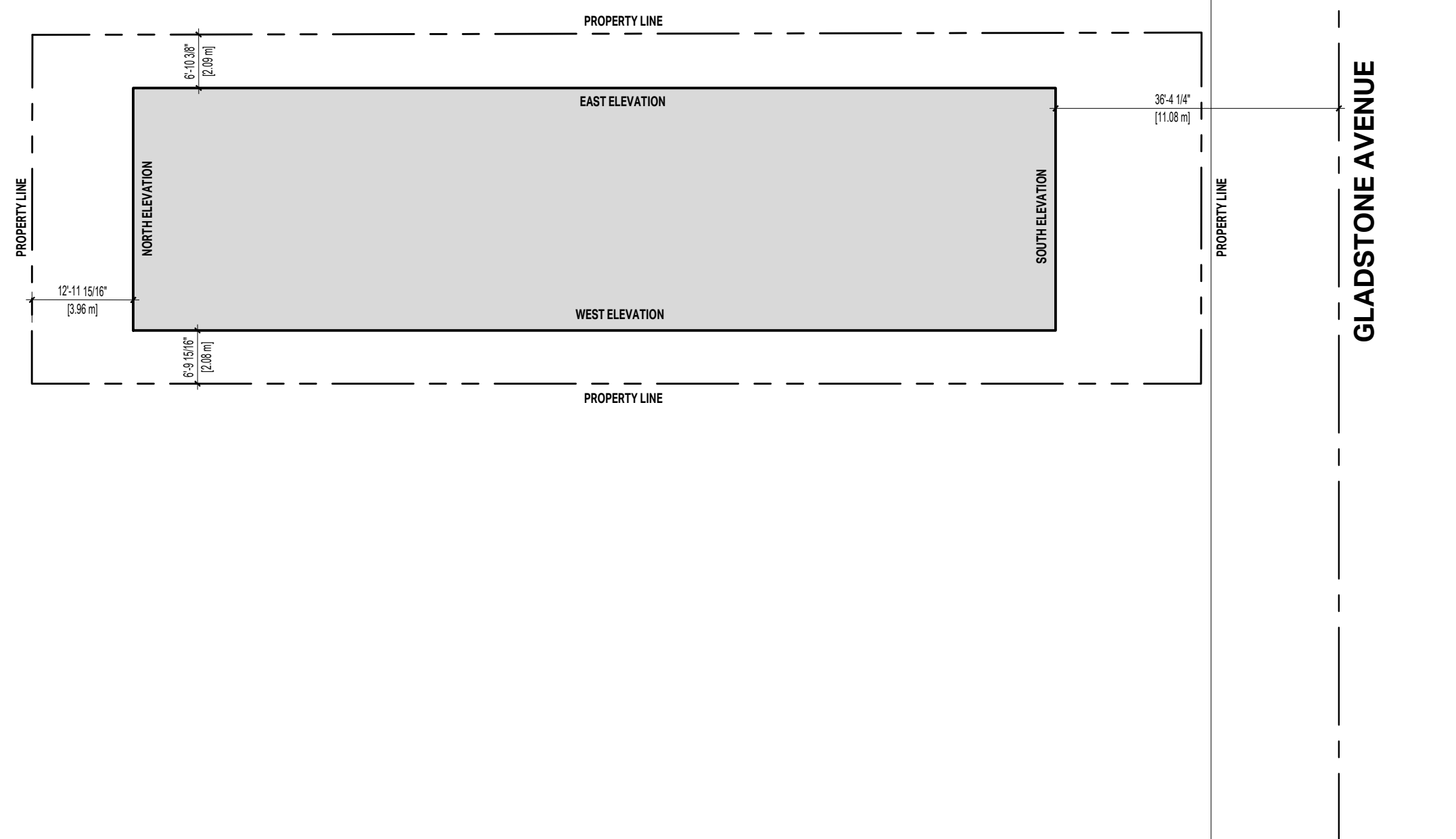
UNIT B1 & B2 & BIKE STORAGE - WEST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	UNIT C1 & C2 - WEST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	UNIT D - WEST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	UNIT E - WEST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0	COMMERCIAL - WEST ELEVATION SPATIAL SEPARATION CALCULATION BCC 2018 PART 3 TABLE 3.2.3.1.0
AREA OF EXPOSED BUILDING FACE: 10.43m ² (112.3sq ft)	AREA OF EXPOSED BUILDING FACE: 33.48m ² (360.2sq ft)	AREA OF EXPOSED BUILDING FACE: 26.50m ² (285.2sq ft)	AREA OF EXPOSED BUILDING FACE: 53.0m ² (571.1sq ft)	AREA OF EXPOSED BUILDING FACE: 22.6m ² (243.0sq ft)
LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)	LIMITING DISTANCE: 2.09m (6.8ft)
ALLOWABLE OPENINGS: 45.0% (4.7m ² /103.6sq ft)	ALLOWABLE OPENINGS: 24.8% (8.3m ² /89.3sq ft)	ALLOWABLE OPENINGS: 27.2% (7.2m ² /77.5sq ft)	ALLOWABLE OPENINGS: 21.3% (11.3m ² /121.9sq ft)	ALLOWABLE OPENINGS: 28.9% (6.3m ² /67.7sq ft)
PROPOSED OPENINGS: 20.1% (2.2m ² /23.9sq ft)	PROPOSED OPENINGS: 23.9% (7.9m ² /84.9sq ft)	PROPOSED OPENINGS: 22.1% (5.85m ² /63.0sq ft)	PROPOSED OPENINGS: 12.8% (6.8m ² /73.5sq ft)	PROPOSED OPENINGS: 12.9% (2.8m ² /30.0sq ft)
FIRE RESISTANCE RATING PER 3.2.3.7: 45MIN CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 1HR CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 45MIN CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 1HR CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A	FIRE RESISTANCE RATING PER 3.2.3.7: 45MIN CLADDING PER 3.2.3.7: NONCOMBUSTIBLE CONSTRUCTION PER 3.2.3.7: N/A

4 WEST ELEVATION

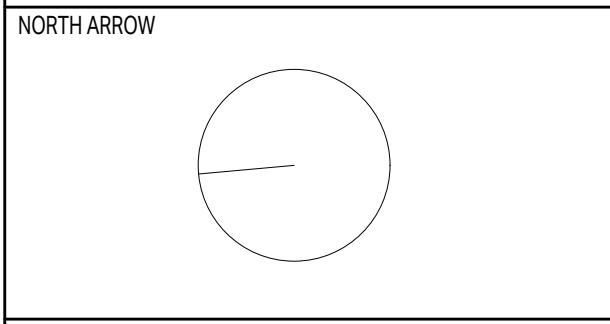
1:100

5 LIMITING DISTANCE KEY PLAN

1:200



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06	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	09/05/2024
05	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	04/28/2024
04	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
03	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

PROJECT NAME
**1276 GLADSTONE
VICTORIA, BC**

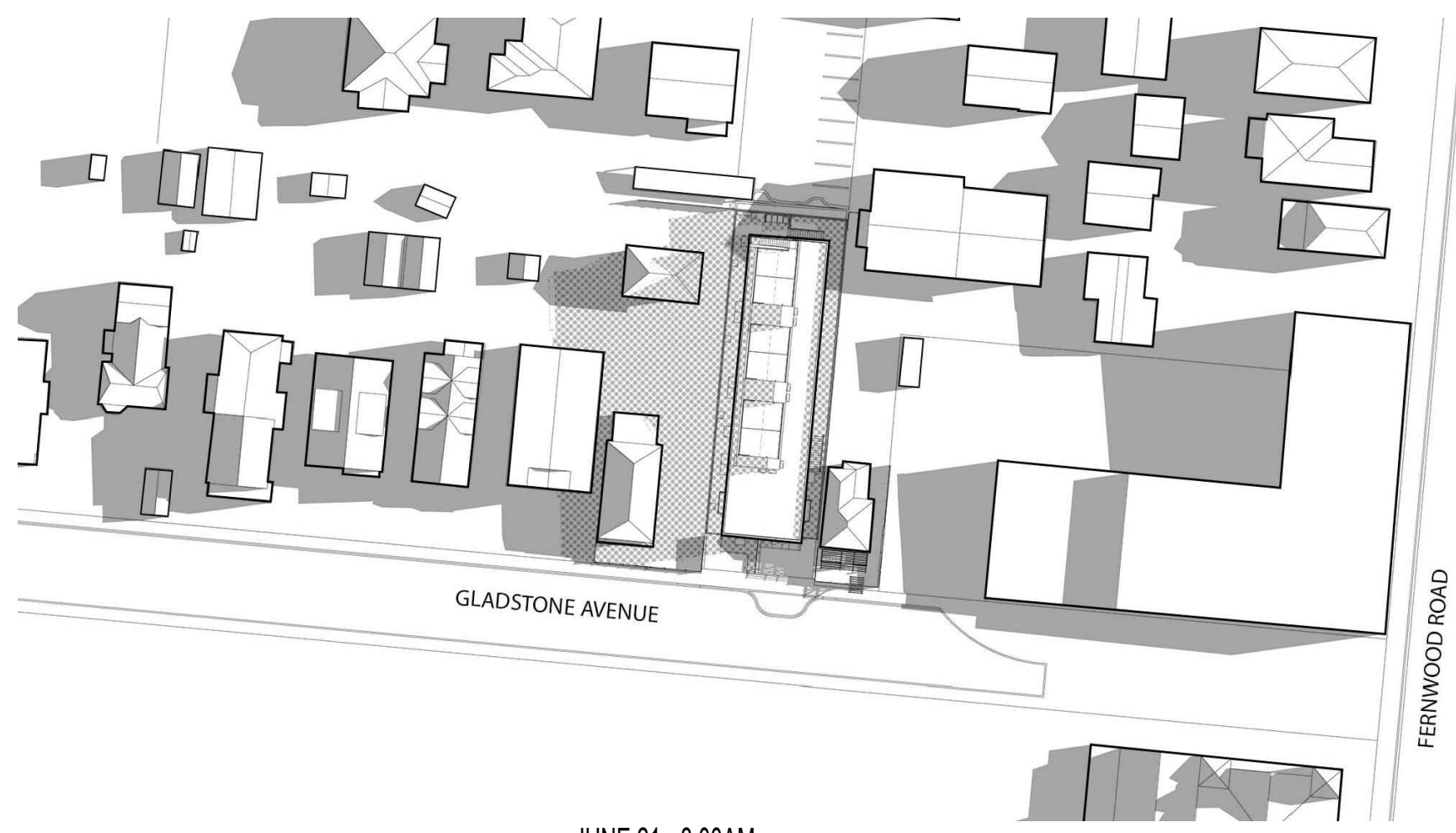
PROJECT ADDRESS:
1276 GLADSTONE AVE.
VICTORIA, BC, V8T 1G6



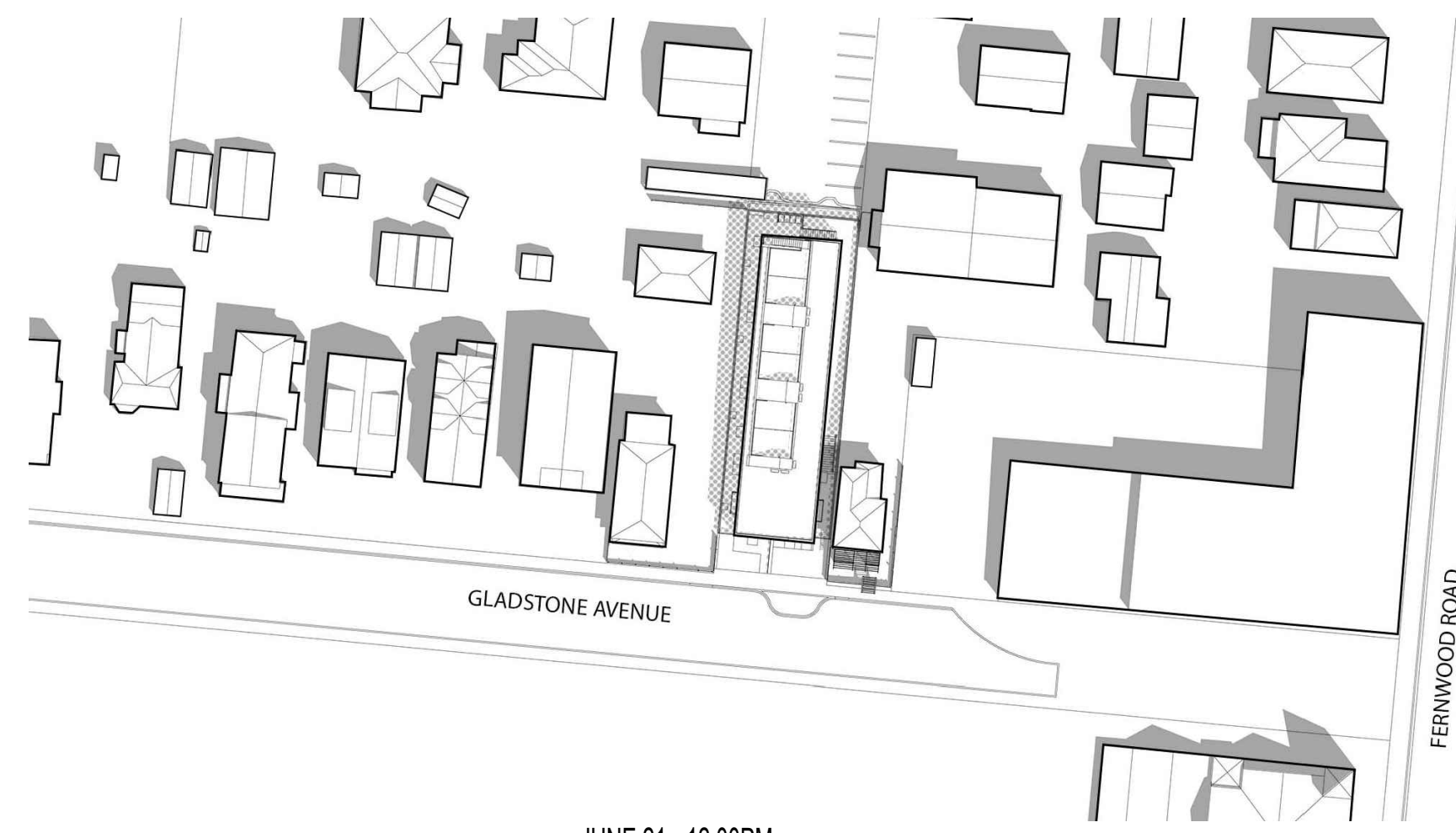
DRAWING TITLE
LIMITING DISTANCE

PROJECT NO:	2303	DRAWN BY:	KG
SCALE:	1:100	REVIEW BY:	CH

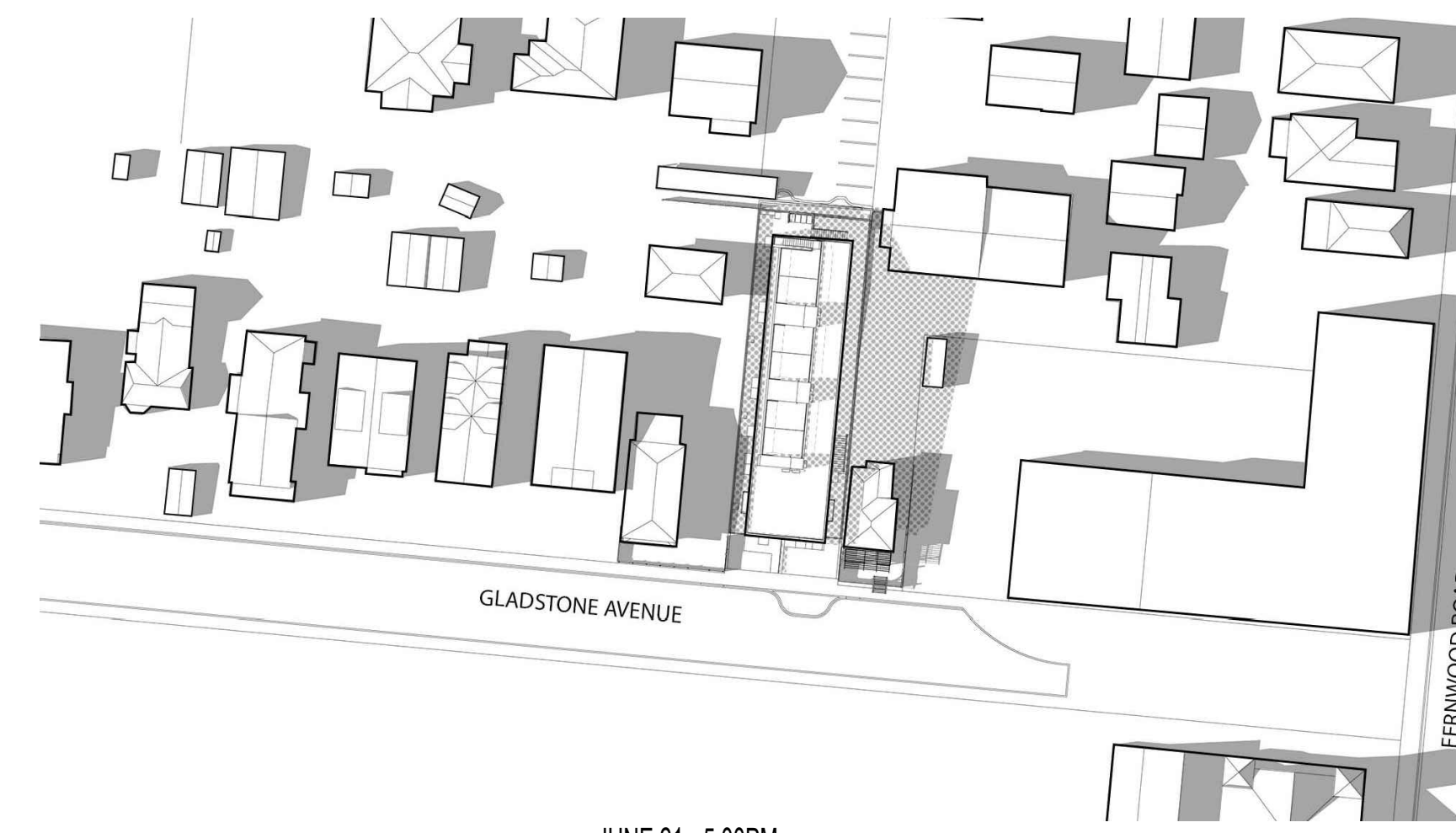
DRAWING NO: **A003**



JUNE 21 - 8:00AM



JUNE 21 - 12:00PM



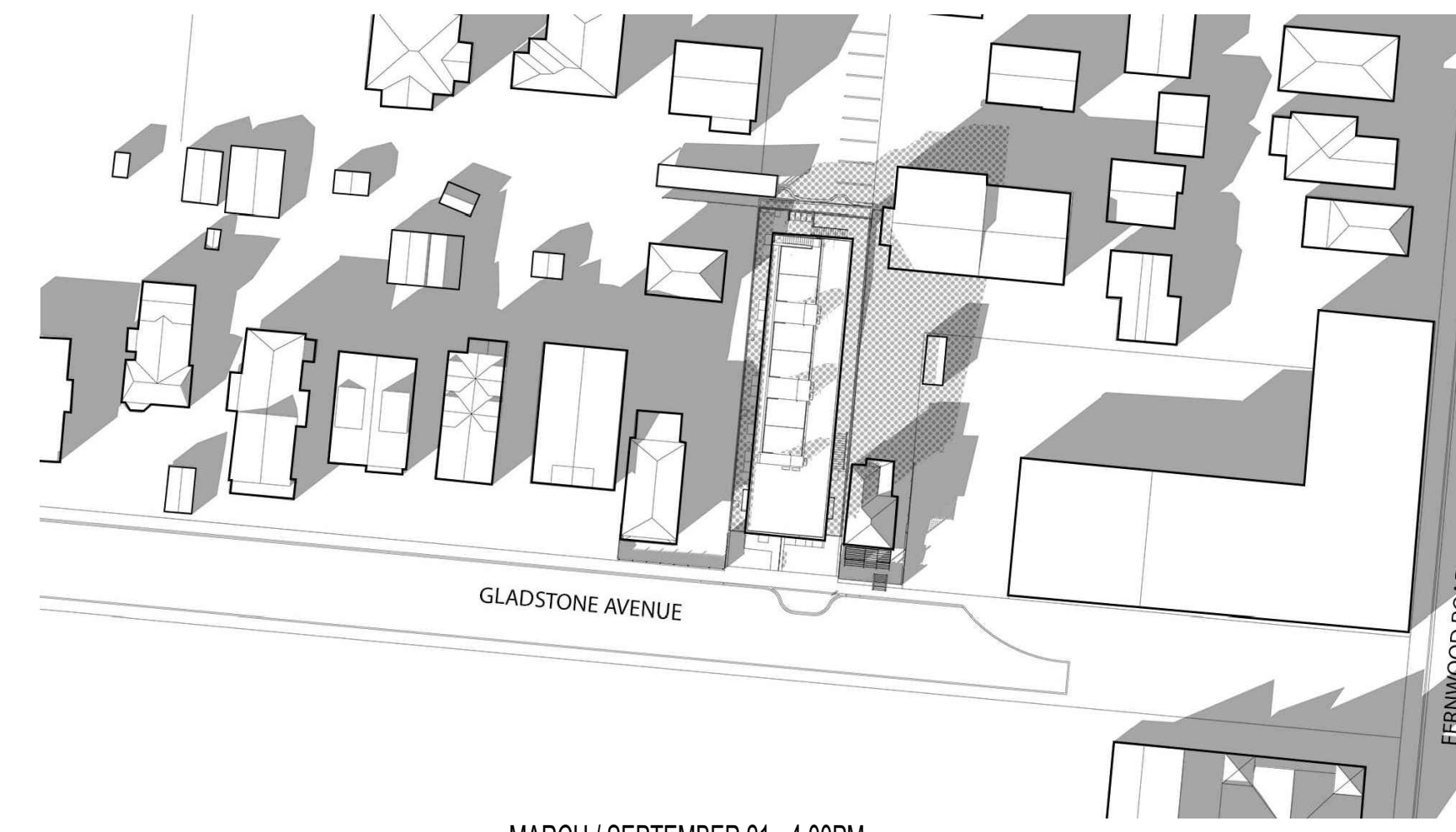
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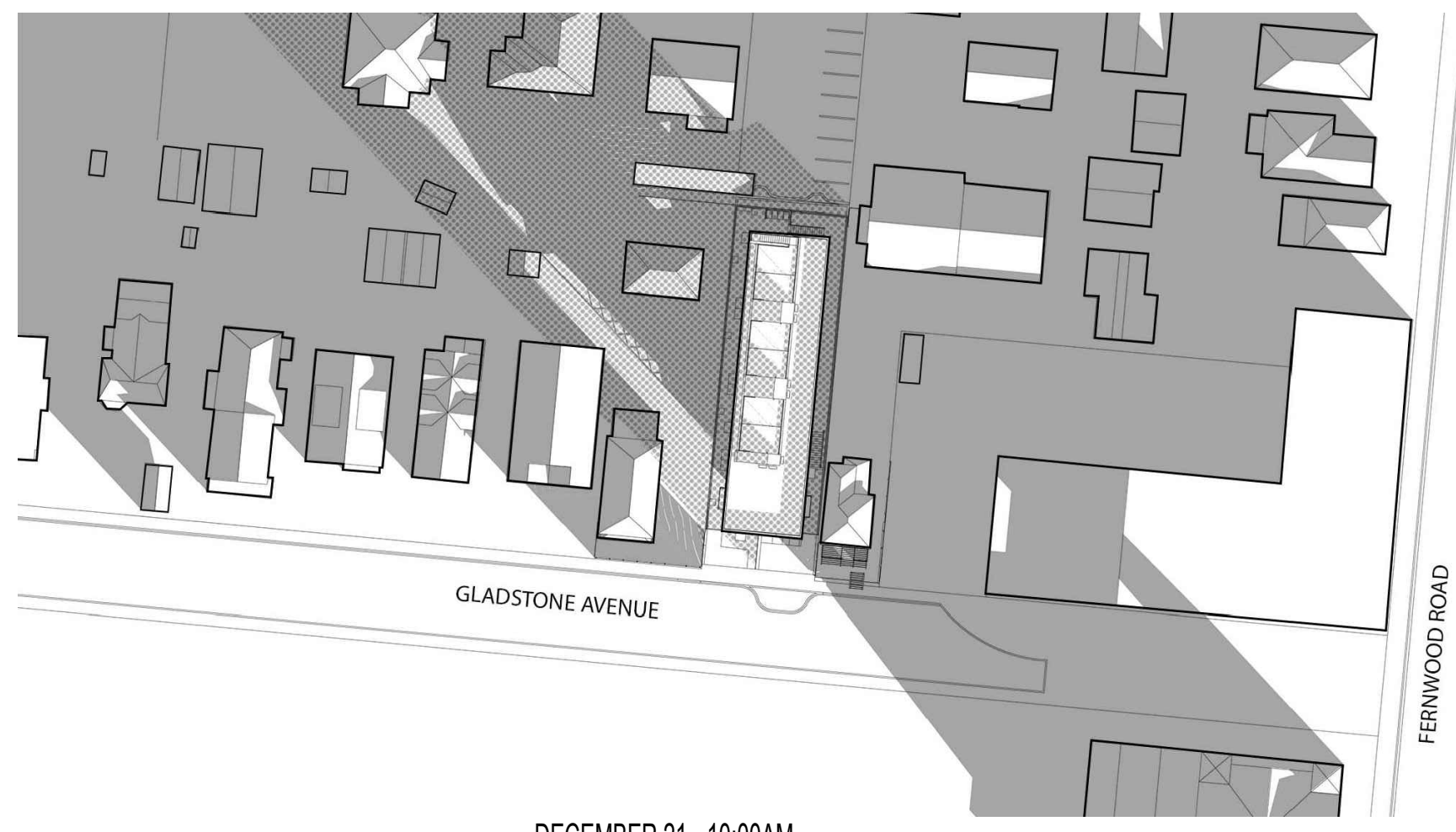
MARCH / SEPTEMBER 21 - 9:00AM



MARCH / SEPTEMBER 21 - 12:00PM



MARCH / SEPTEMBER 21 - 4:00PM



DECEMBER 21 - 10:00AM



DECEMBER 21 - 12:00PM



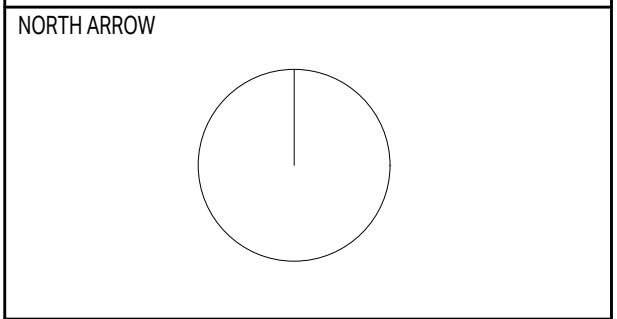
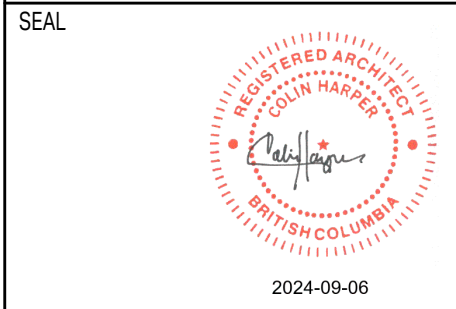
DECEMBER 21 - 3:00PM

1 SHADOW STUDY

- SHADOWS FROM EXISTING BUILDINGS
- SHADOWS FROM PROPOSED BUILDING
- SHADOW OVERLAY OF PROPOSED & EXISTING BUILDINGS

2 LEGEND

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05	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	04/26/2024
04	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
03	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

PROJECT NAME
**1276 GLADSTONE
VICTORIA, BC**

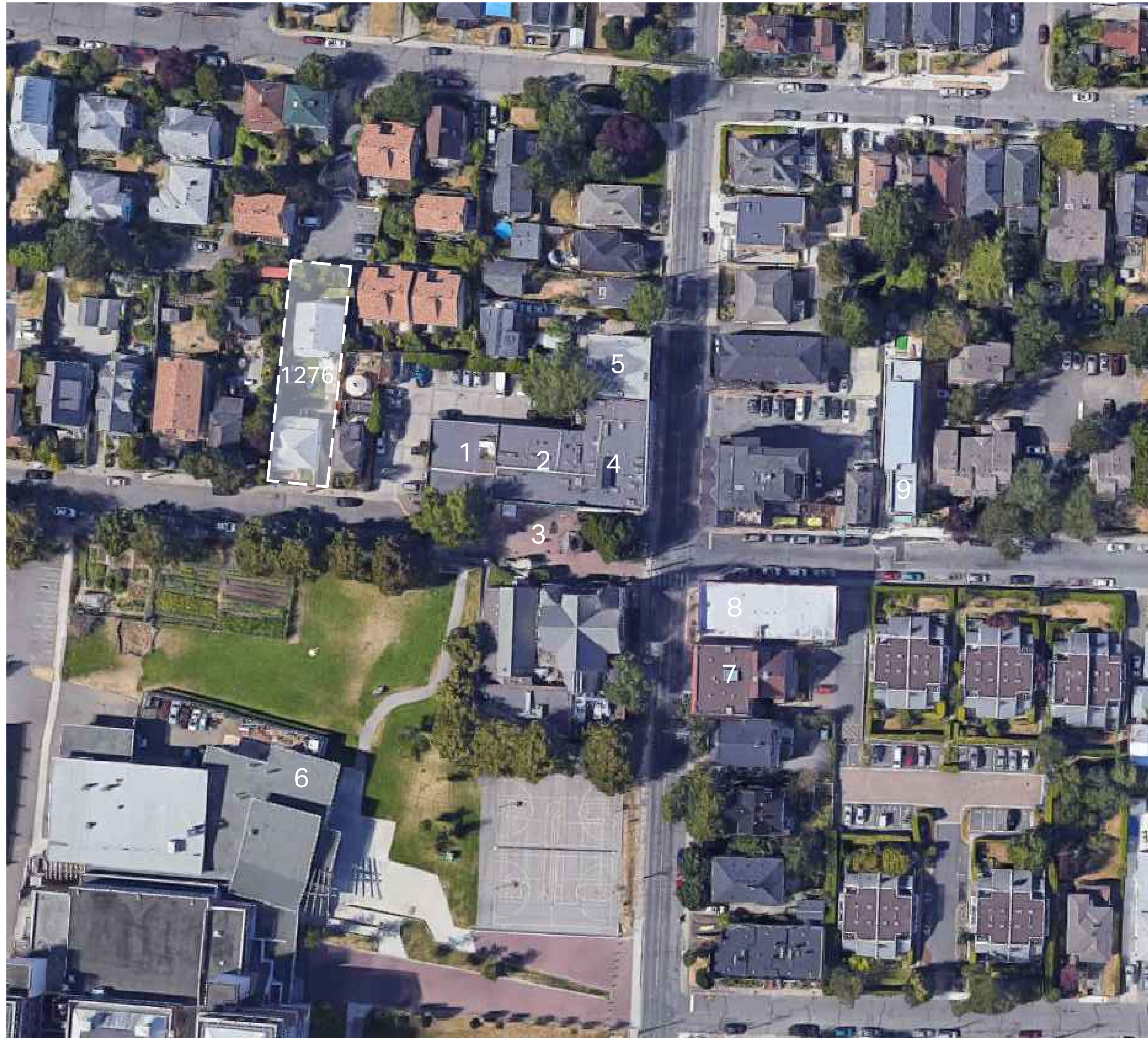
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DRAWING TITLE
SHADOW STUDY

PROJECT NO: 2303 DRAWN BY: HG
SCALE: N/A REVIEW BY: CH

DRAWING NO: **A005**



1 CONTEXT PLAN

N/A



1



2



3



4



5



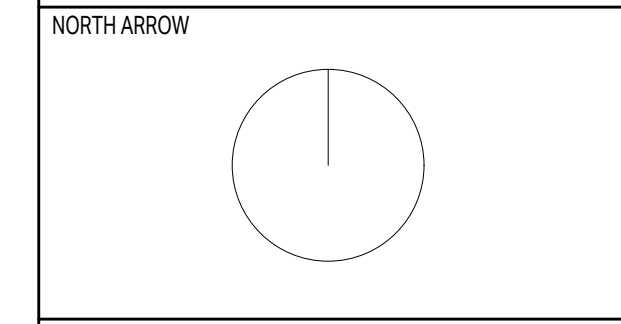
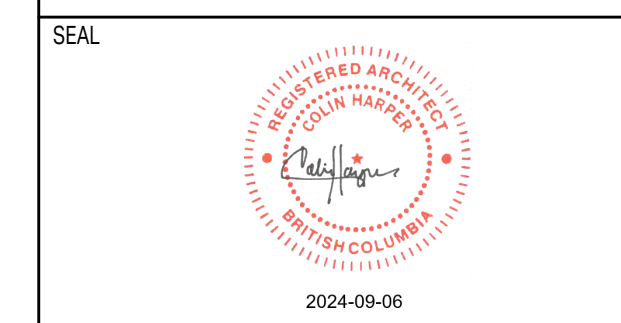
6



2 STREETSCAPE

N/A

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05	REISSUED FOR REZONING AND DEVELOPMENT PERMIT	04/28/2024
04	REISSUED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
03	REISSUED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023
NO.	REVISION	MDY

PROJECT NAME

**1276 GLADSTONE
VICTORIA, BC**

PROJECT ADDRESS:
1276 GLADSTONE AVE.
VICTORIA, BC, V8T 1G6

CHA

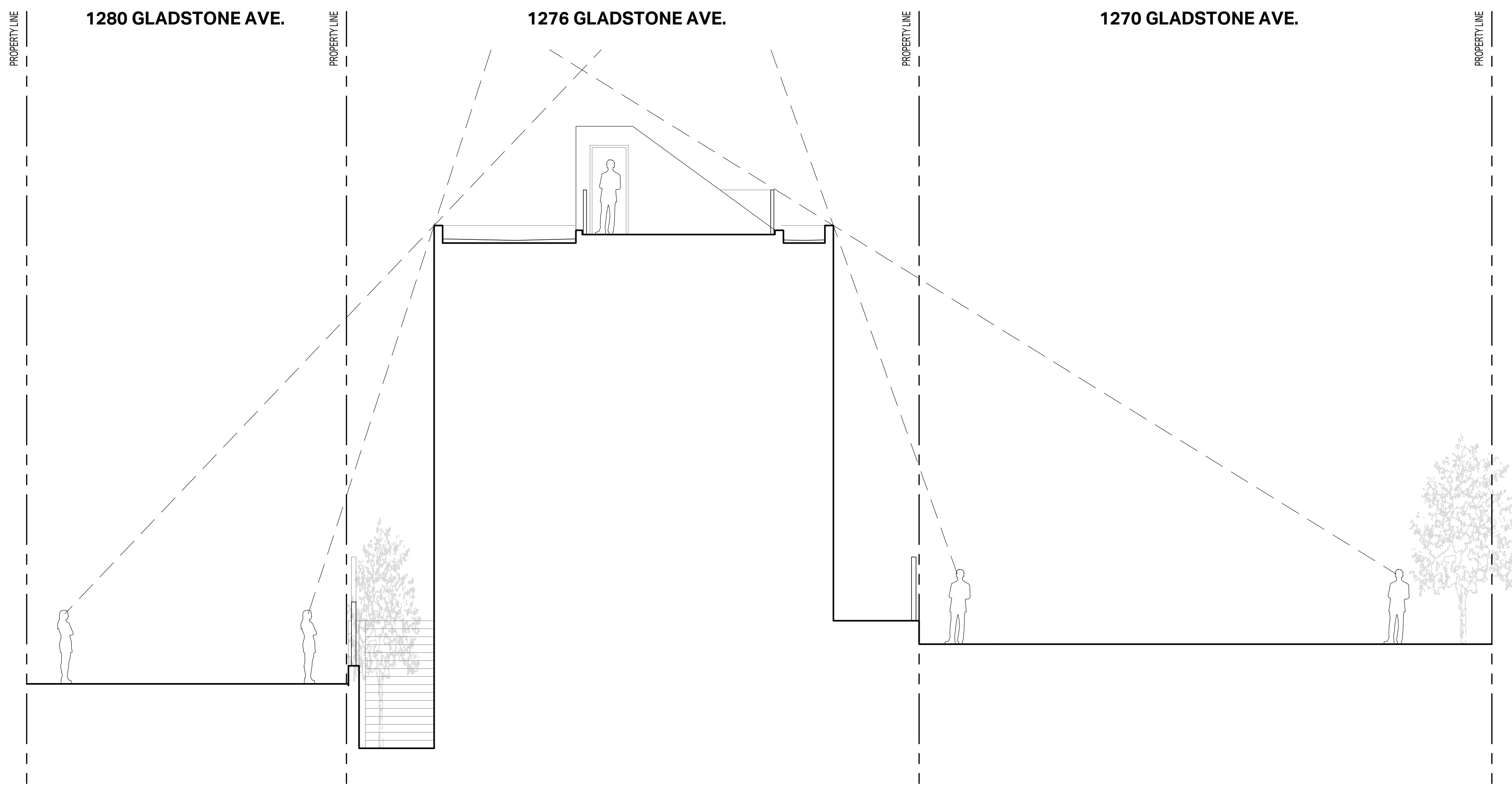
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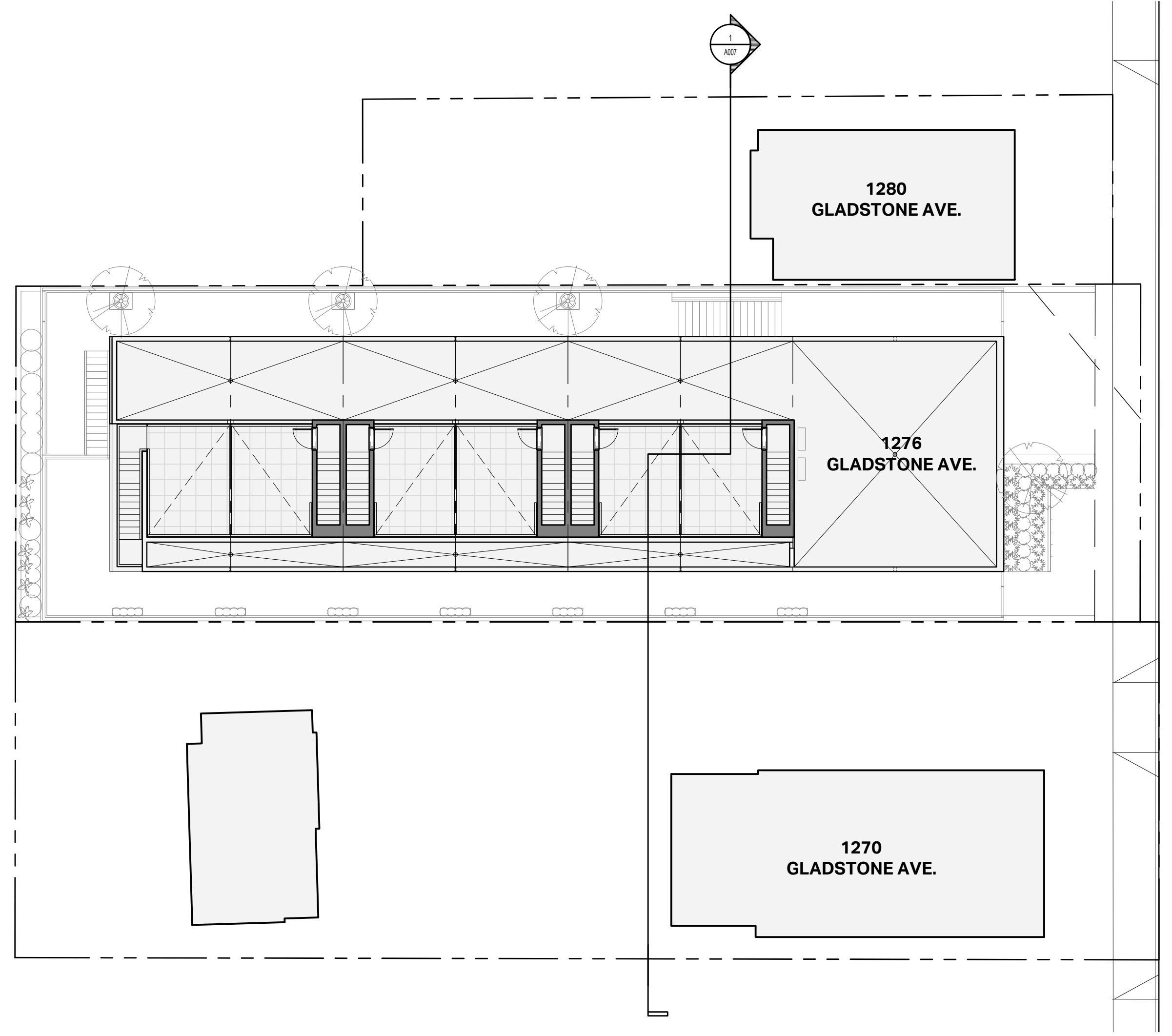
**CONTEXT PLAN
& STREETSCAPE**

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	N/A	REVIEW BY:	CH

DRAWING NO: **A006**



1 SIGHTLINE DIAGRAM
2/A007 1:75



2 SIGHTLINE DIAGRAM KEYPLAN
1:150



3 VIEW FROM STREET AT SOUTHWEST
N/A

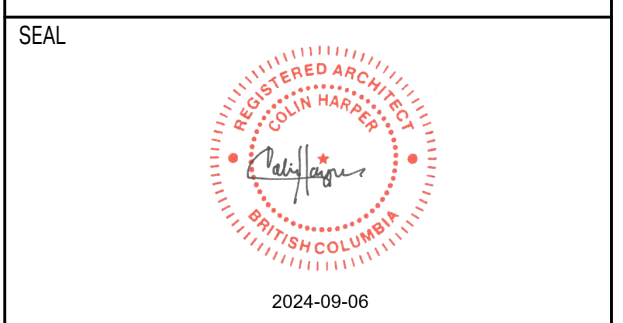


4 VIEW FROM STREET AT SOUTHEAST
N/A



5 VIEW FROM REAR YARD
N/A

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06	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	09/05/2024
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01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023
NO.	REVISION	MDY

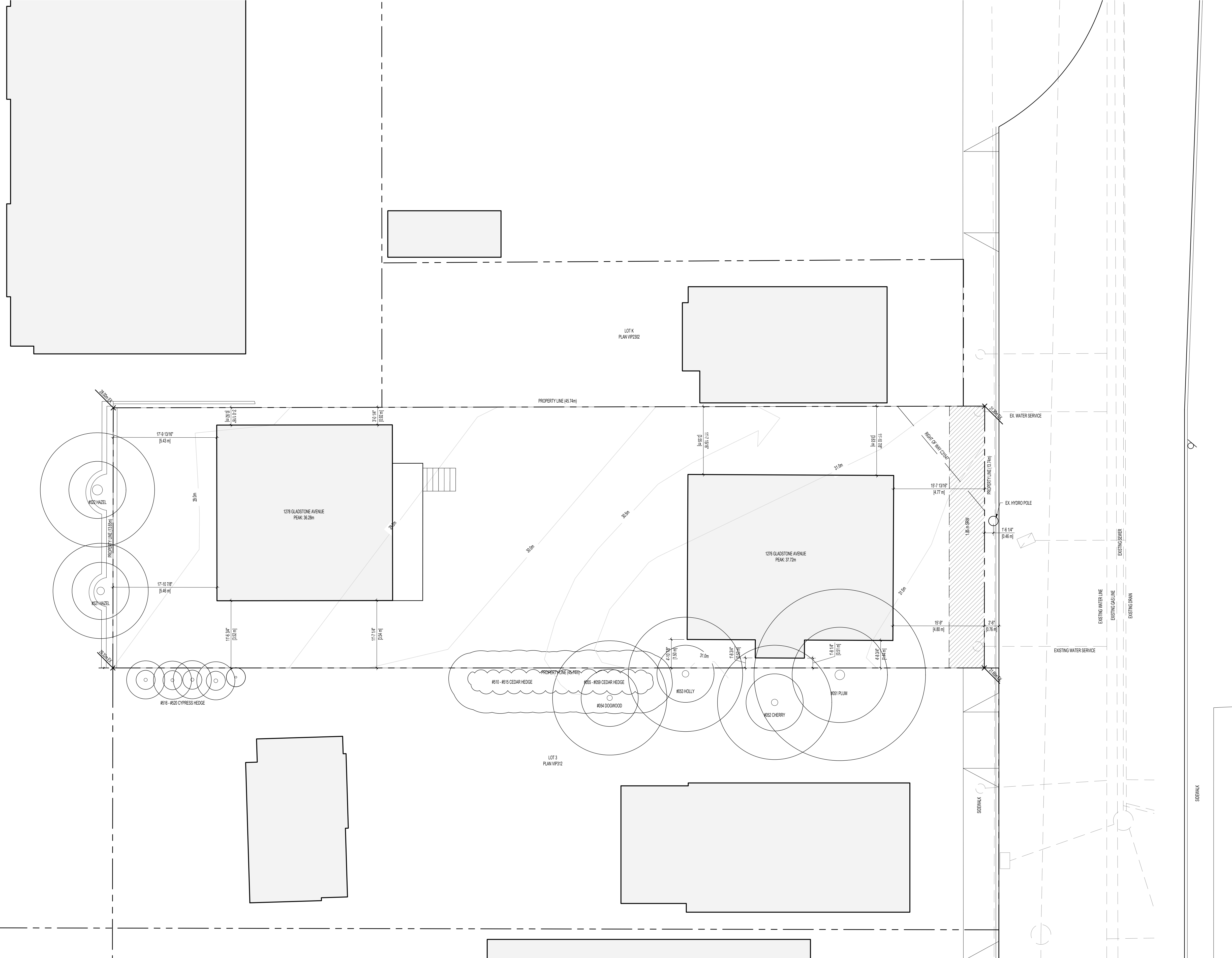
PROJECT NAME
**1276 GLADSTONE
VICTORIA, BC**

PROJECT ADDRESS:
**1276 GLADSTONE AVE.
VICTORIA, BC, V8T 1G6**



DRAWING TITLE
SIGHTLINE DIAGRAM

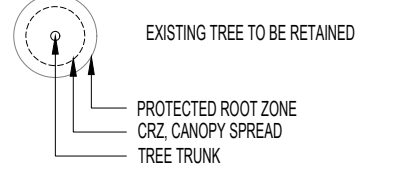
PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1:75	REVIEW BY:	CH
DRAWING NO:		A007	



1 EXISTING SITE PLAN

1:100

TREE LEGEND

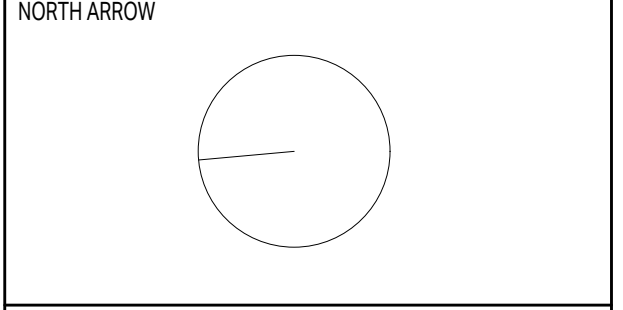


NOTE: SEE ARBORIST REPORT AND LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION ON CRZ AND RETENTION MEASURES.



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05	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	04/28/2024
04	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
03	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

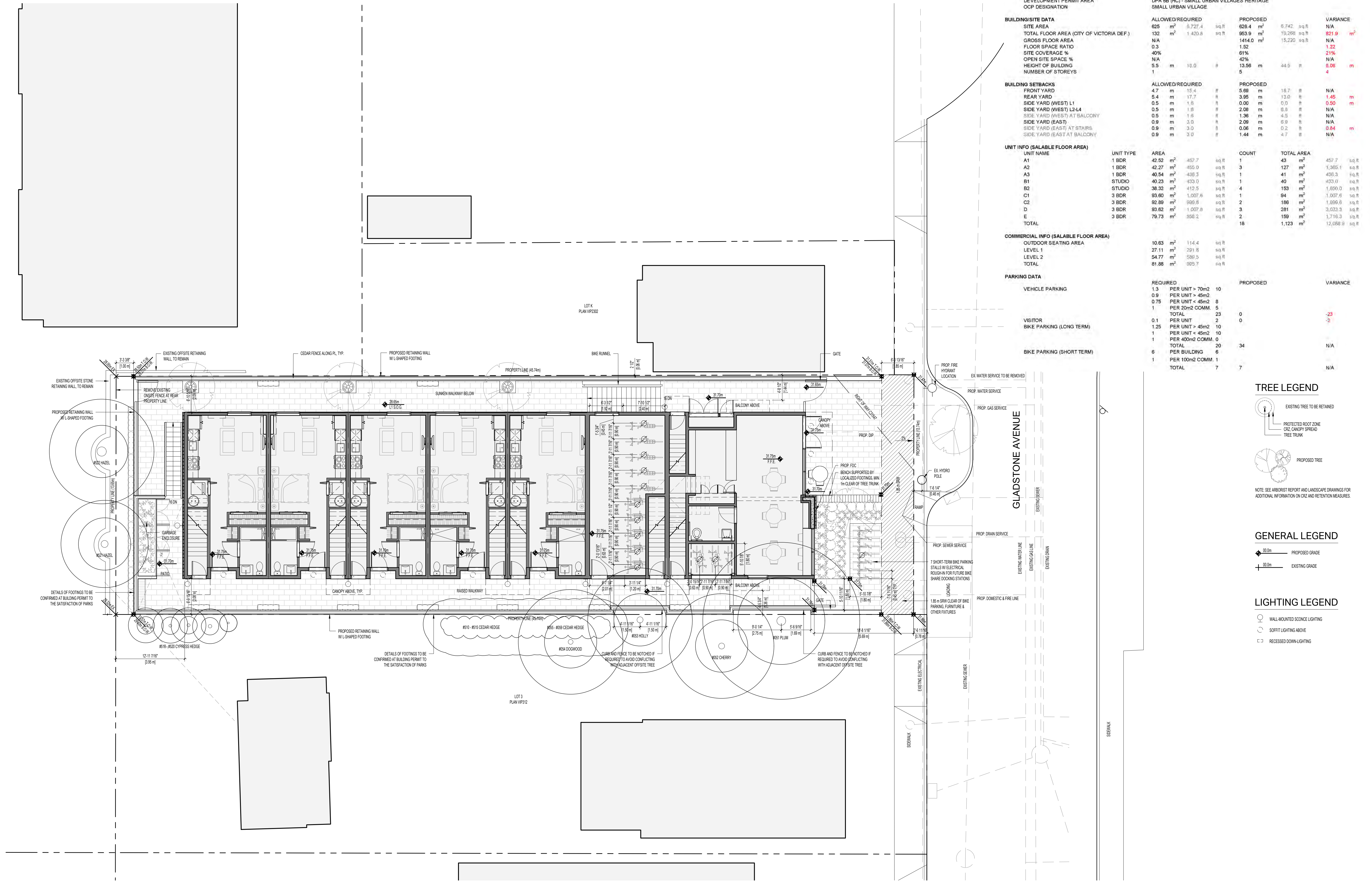
**1276 GLADSTONE
VICTORIA, BC**

PROJECT ADDRESS:
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DRAWING TITLE:
EXISTING SITE PLAN

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1:100	REVIEW BY:	CH
DRAWING NO:		A101	



PROJECT INFORMATION TABLE - 1276 GLADSTONE

PR. #: 2303
DATE: 30-Aug-24

PROPERTY INFORMATION
PROJECT ADDRESS: 1276 GLADSTONE AVE, VICTORIA BC
LEGAL DESCRIPTION: LOT 2 PLAN VP312
CURRENT ZONING: R2-T TWO SINGLE FAMILY DWELLINGS DISTRICT
DEVELOPMENT PERMIT AREA: DPA 6B (H2) - SMALL URBAN VILLAGES HERITAGE
OCP DESIGNATION: SMALL URBAN VILLAGE

BUILDING/SITE DATA		ALLOWED/REQUIRED	PROPOSED	VARIANCE	
SITE AREA	625 m ²	6,727.4 sq ft	625.4 m ²	6,742 sq ft	N/A
TOTAL FLOOR AREA (CITY OF VICTORIA DEF.)	132 m ²	1,420.8 sq ft	953.9 m ²	10,269 sq ft	821.9 m ²
GROSS FLOOR AREA	N/A	N/A	1414.0 m ²	15,220 sq ft	N/A
FLOOR SPACE RATIO	0.3	1.52			1.22
SITE COVERAGE %	40%	61%			21%
OPEN SITE SPACE %	N/A	42%			N/A
HEIGHT OF BUILDING	5.5 m	10.0 m	13.56 m	44.5 ft	8.06 m
NUMBER OF STOREYS	1		5		4

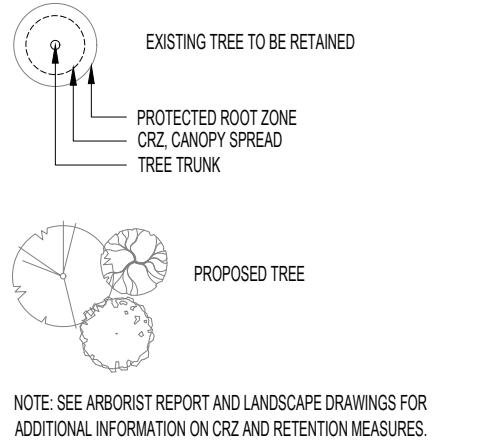
BUILDING SETBACKS		ALLOWED/REQUIRED	PROPOSED	VARIANCE	
FRONT YARD	4.7 m	15.4 m	5.68 m	18.7 ft	N/A
REAR YARD	5.4 m	17.7 m	3.95 m	13.0 ft	1.45 m
SIDE YARD (WEST) L1	0.5 m	1.6 m	0.00 m	0.0 ft	0.50 m
SIDE YARD (WEST) L2-L4	0.5 m	1.6 m	2.06 m	6.8 ft	N/A
SIDE YARD (WEST) AT BALCONY	0.5 m	1.6 m	1.36 m	4.5 ft	N/A
SIDE YARD (EAST)	0.9 m	3.0 m	2.09 m	6.9 ft	N/A
SIDE YARD (EAST) AT STAIRS	0.9 m	3.0 m	0.06 m	0.2 ft	0.84 m
SIDE YARD (EAST) AT BALCONY	0.9 m	3.0 m	1.44 m	4.7 ft	N/A

UNIT INFO (SALABLE FLOOR AREA)		UNIT NAME	UNIT TYPE	AREA	COUNT	TOTAL AREA
A1	1 BDR	A1	1 BDR	42.52 m ²	457.7 sq ft	457.7 sq ft
A2	1 BDR	A2	1 BDR	42.27 m ²	455.0 sq ft	1,27 m ²
A3	1 BDR	A3	1 BDR	40.54 m ²	435.3 sq ft	1,265.1 sq ft
B1	STUDIO	B1	STUDIO	40.23 m ²	433.0 sq ft	433.0 sq ft
B2	STUDIO	B2	STUDIO	38.32 m ²	412.5 sq ft	1,650.0 sq ft
C1	3 BDR	C1	3 BDR	93.60 m ²	1,007.6 sq ft	94 m ²
C2	3 BDR	C2	3 BDR	92.89 m ²	999.8 sq ft	186 m ²
D	3 BDR	D	3 BDR	93.82 m ²	1,007.8 sq ft	281 m ²
E	3 BDR	E	3 BDR	79.73 m ²	856.2 sq ft	159 m ²
TOTAL					18	1,123 m ²

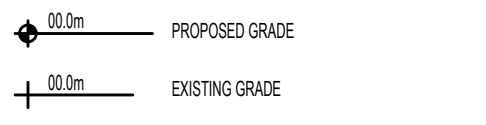
COMMERCIAL INFO (SALABLE FLOOR AREA)		AREA	UNIT TYPE
OUTDOOR SEATING AREA	LEVEL 1	10.63 m ²	114.4 sq ft
LEVEL 2	27.11 m ²	291.8 sq ft	
TOTAL	54.77 m ²	586.5 sq ft	
PARKING DATA	TOTAL	81.88 m ²	885.7 sq ft

PARKING DATA		REQUIRED	PROPOSED	VARIANCE
VEHICLE PARKING				
	1.3 PER UNIT > 70m2	10		
	0.9 PER UNIT > 45m2	8		
	0.75 PER UNIT < 45m2	8		
	1 PER 20m2 COMM	5		
	TOTAL	23	0	-23
VISITOR	0.1 PER UNIT	2	0	-2
BIKE PARKING (LONG TERM)	1.25 PER UNIT > 45m2	10		
	1 PER UNIT < 45m2	10		
	1 PER 400m2 COMM	0		
	TOTAL	20	34	N/A
BIKE PARKING (SHORT TERM)	6 PER BUILDING	6		
	1 PER 100m2 COMM	1		
	TOTAL	7	7	N/A

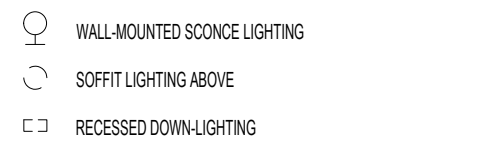
TREE LEGEND



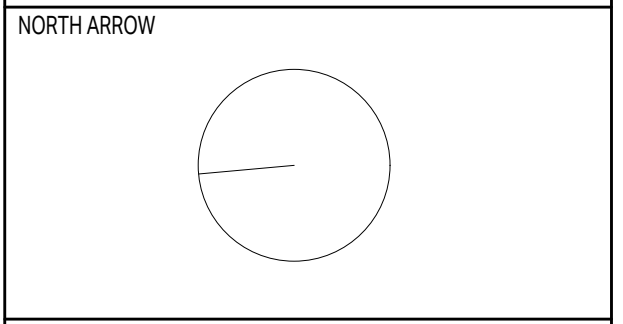
GENERAL LEGEND



LIGHTING LEGEND



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- ARBORIST SUPERVISION REQUIRED DURING EXCAVATION AND CONSTRUCTION WITHIN CRITICAL ROOT ZONES OF TREES #51 PLUM, #53 HOLLY, #521 HAZEL, AND #522 HAZEL.

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NO.	REVISION	MDY
09	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	09/05/2024
08	ISSUED FOR COORDINATION	08/16/2024
07	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	04/28/2024
06	ISSUED FOR REVIEW	04/23/2024
05	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
04	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
03	ISSUED FOR REVIEW	11/20/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

PROJECT NAME
**1276 GLADSTONE
VICTORIA, BC**

PROJECT ADDRESS:
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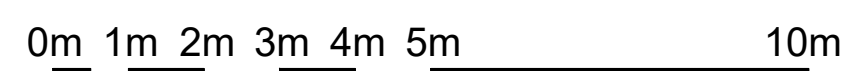
DRAWING TITLE
PROPOSED SITE PLAN

PROJECT NO.	2303	DRAWN BY:	IG
SCALE:	1:100	REVIEW BY:	CH

DRAWING NO. **A102**

1 PROPOSED SITE PLAN

1:100



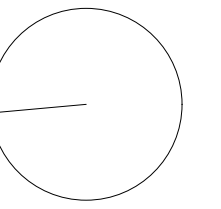
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2024-09-06

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07	ISSUED FOR COORDINATION	09/18/2024
06	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	04/28/2024
05	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
04	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
03	ISSUED FOR REVIEW	12/05/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

PROJECT NAME

**1276 GLADSTONE
VICTORIA, BC**

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VICTORIA, BC, V8T 1G6



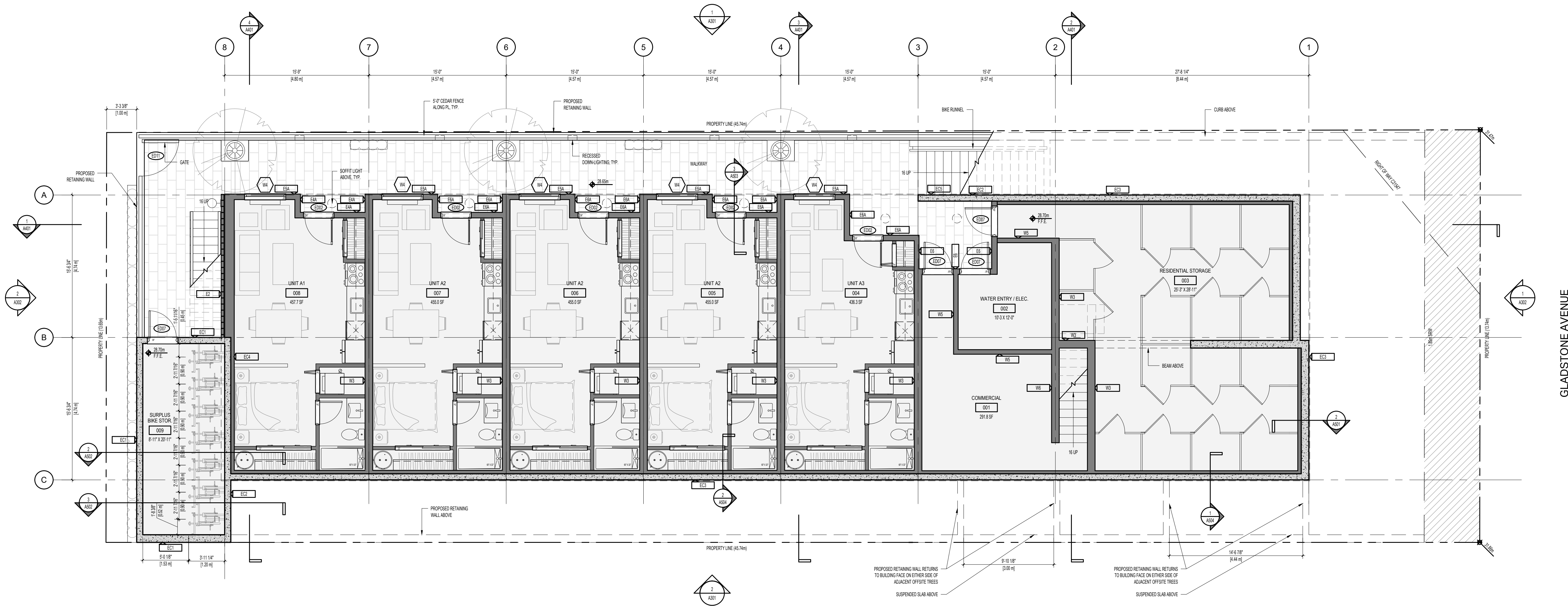
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DRAWING TITLE

LEVEL 1 PLAN

PROJECT NO.	2303	DRAWN BY:	HG
SCALE:	1/75	REVIEW BY:	CH

DRAWING NO. **A201**



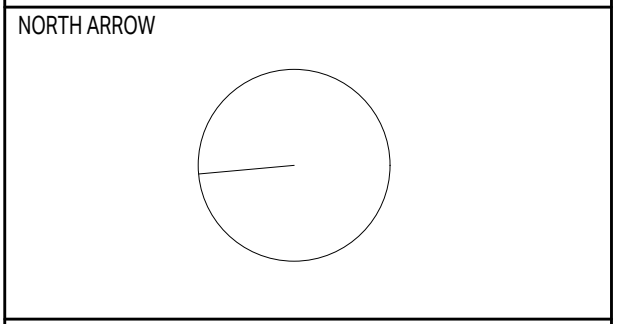
LIGHTING LEGEND

- WALL-MOUNTED SCONCE LIGHTING
- SOFFIT LIGHTING ABOVE
- RECESSED DOWN-LIGHTING

1 LEVEL 1 PLAN

1/75

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02	ISSUED FOR REVIEW	11/03/2023
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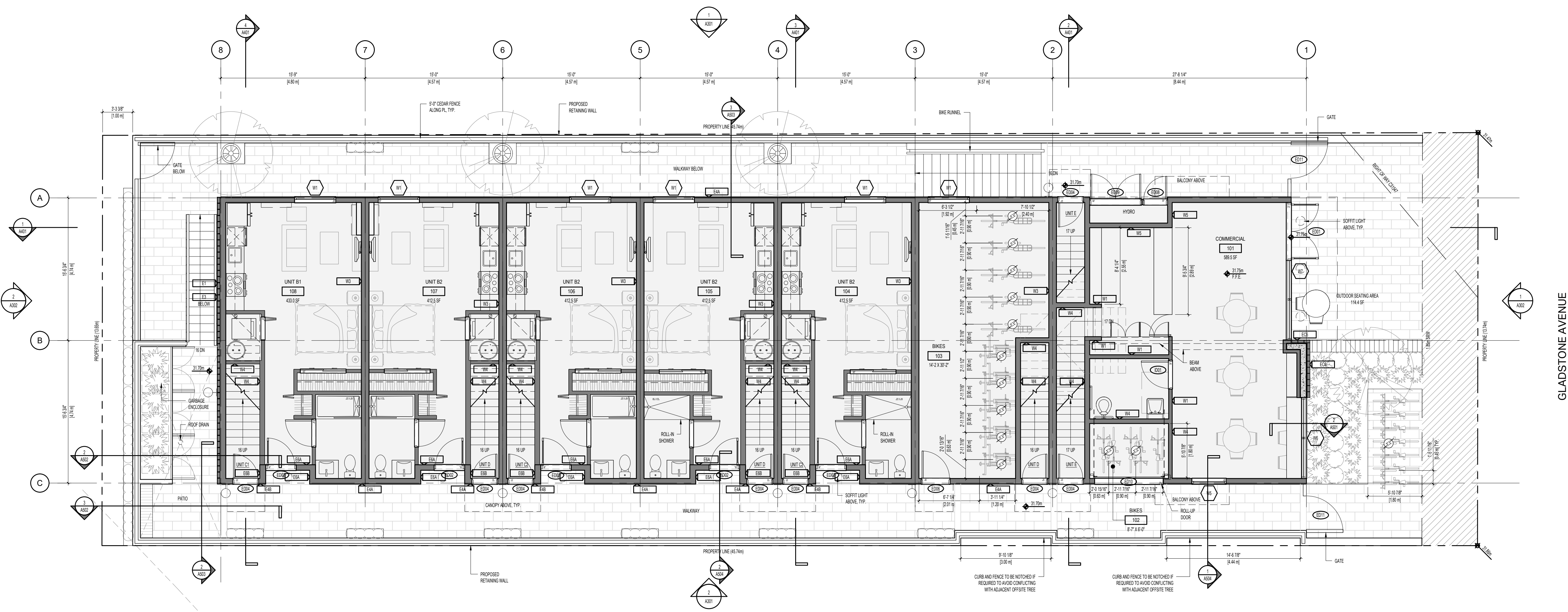
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DRAWING TITLE
LEVEL 2 PLAN

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1/75	REVIEW BY:	CH
DRAWING NO:		A202	

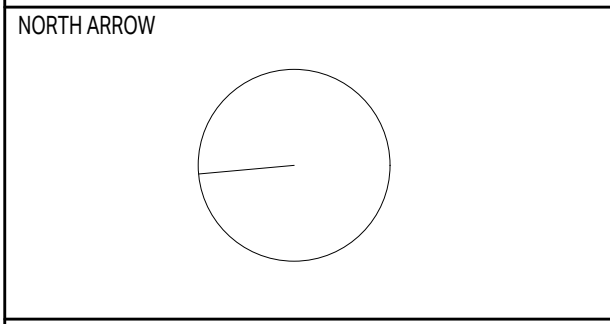


LIGHTING LEGEND

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- SOFFIT LIGHTING ABOVE
- RECESSED DOWN-LIGHTING

1 LEVEL 2 PLAN

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02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

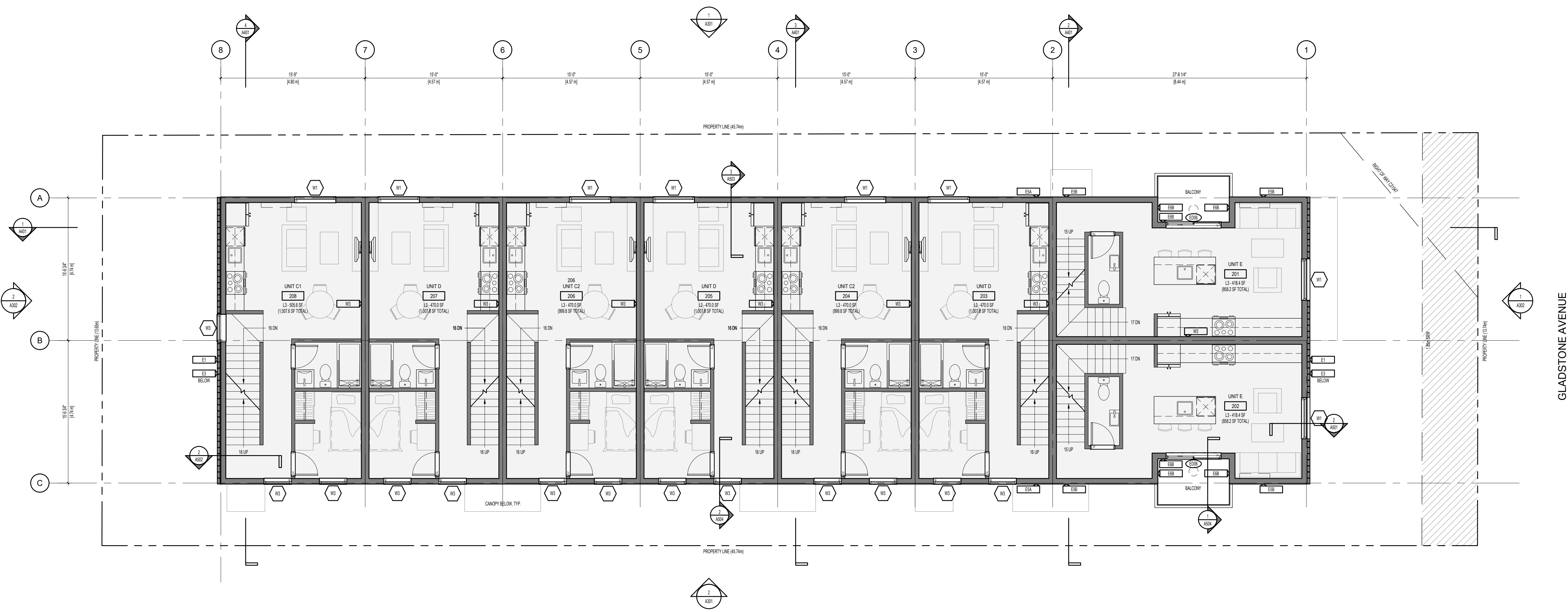
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DRAWING TITLE:
LEVEL 3 PLAN

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1/75	REVIEW BY:	CH
DRAWING NO:		A203	



LIGHTING LEGEND

	WALL-MOUNTED SCONCE LIGHTING
	SOFFIT LIGHTING ABOVE
	RECESSED DOWN-LIGHTING

1 LEVEL 3 PLAN

1/75

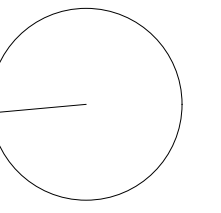
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2024-09-06

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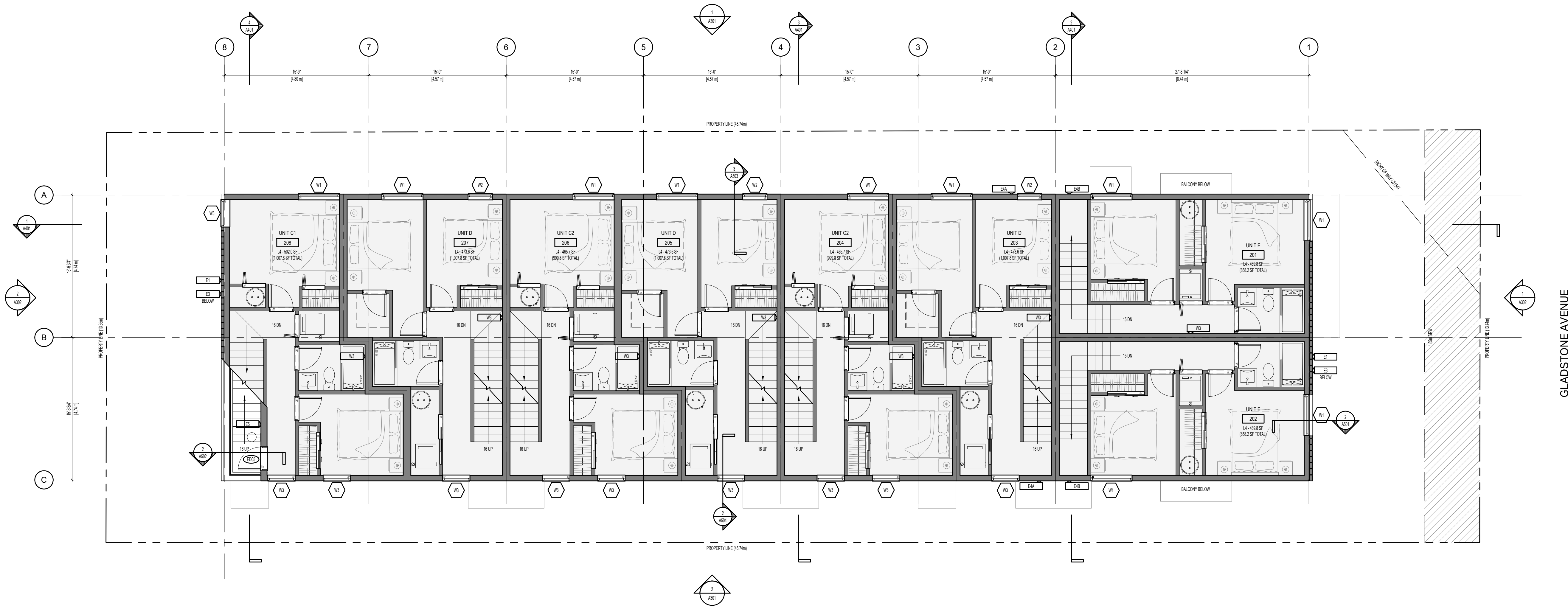
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DRAWING TITLE:

LEVEL 4 PLAN

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1/75	REVIEW BY:	CH

DRAWING NO: **A204**



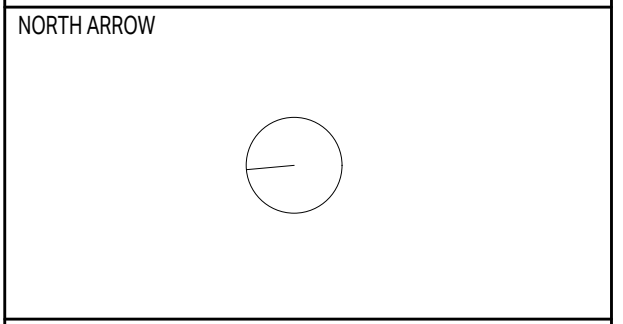
LIGHTING LEGEND

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- SOFFIT LIGHTING ABOVE
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1 LEVEL 4 PLAN

1/75

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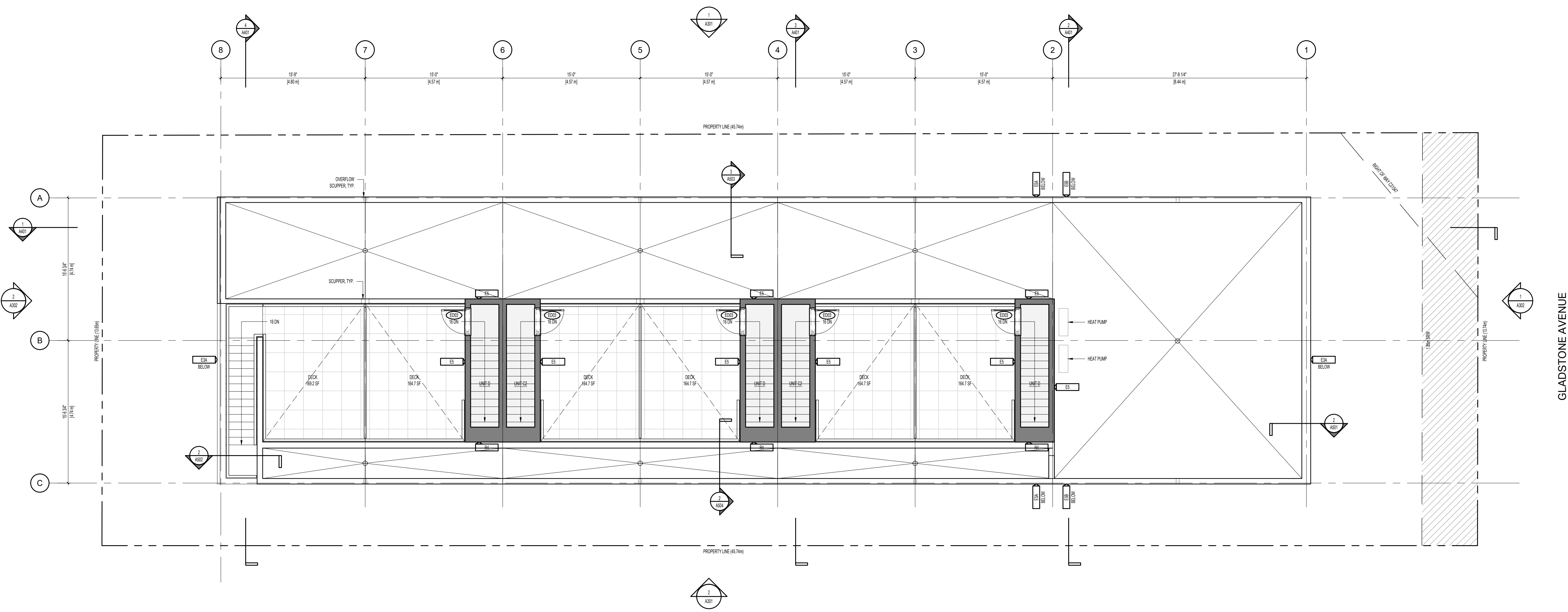
PROJECT NAME
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DRAWING TITLE
ROOF PLAN

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1/75	REVIEW BY:	CH
DRAWING NO:		A205	



GLADSTONE AVENUE

LIGHTING LEGEND

	WALL-MOUNTED SCONCE LIGHTING
	SOFFIT LIGHTING ABOVE
	RECESSED DOWN-LIGHTING

1 ROOF PLAN

1/75



1 EAST ELEVATION
1:75



2 WEST ELEVATION
1:75

LEGEND

MATERIAL	FINISH
1. REINFORCED CONCRETE	NA
2. METAL DECKING	NA
3. ARCHITECTURAL CONCRETE	CLEAR SEAL
4. 12" FIBRE CEMENT BOARD BATHEN BOARD	BLACK FACTORY FINISH
5. 12" FIBRE CEMENT BOARD BATHEN BOARD	BLACK FACTORY FINISH
6. 12" FIBRE CEMENT BOARD BATHEN BOARD	BLACK FACTORY FINISH
7. STONEFRONT SLABING	BLACK FACTORY FINISH
8. ALUMINUM CLADDING	BLACK FACTORY FINISH
9. WALL MOUNTED STAIRS	BLACK FACTORY FINISH
10. WALL MOUNTED STAIRS	BLACK FACTORY FINISH
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DRAWING TITLE:
ELEVATIONS

PROJECT NO.	2303	DRAWN BY:	HG
SCALE:	1:75	REVIEW BY:	CH
DRAWING NO.	A301		



1 NORTH ELEVATION
1:75



2 SOUTH ELEVATION
1:75

LEGEND	MATERIAL	FINISH
1	REINFORCED CONCRETE	NA
2	REINFORCED CONCRETE	NA
3	ARCHITECTURAL CONCRETE	CLEAR SEAL
4	2\"/>	

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ELEVATIONS

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SCALE:	1:75	REVIEW BY:	CH
DRAWING NO:	A302		

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PROJECT NAME
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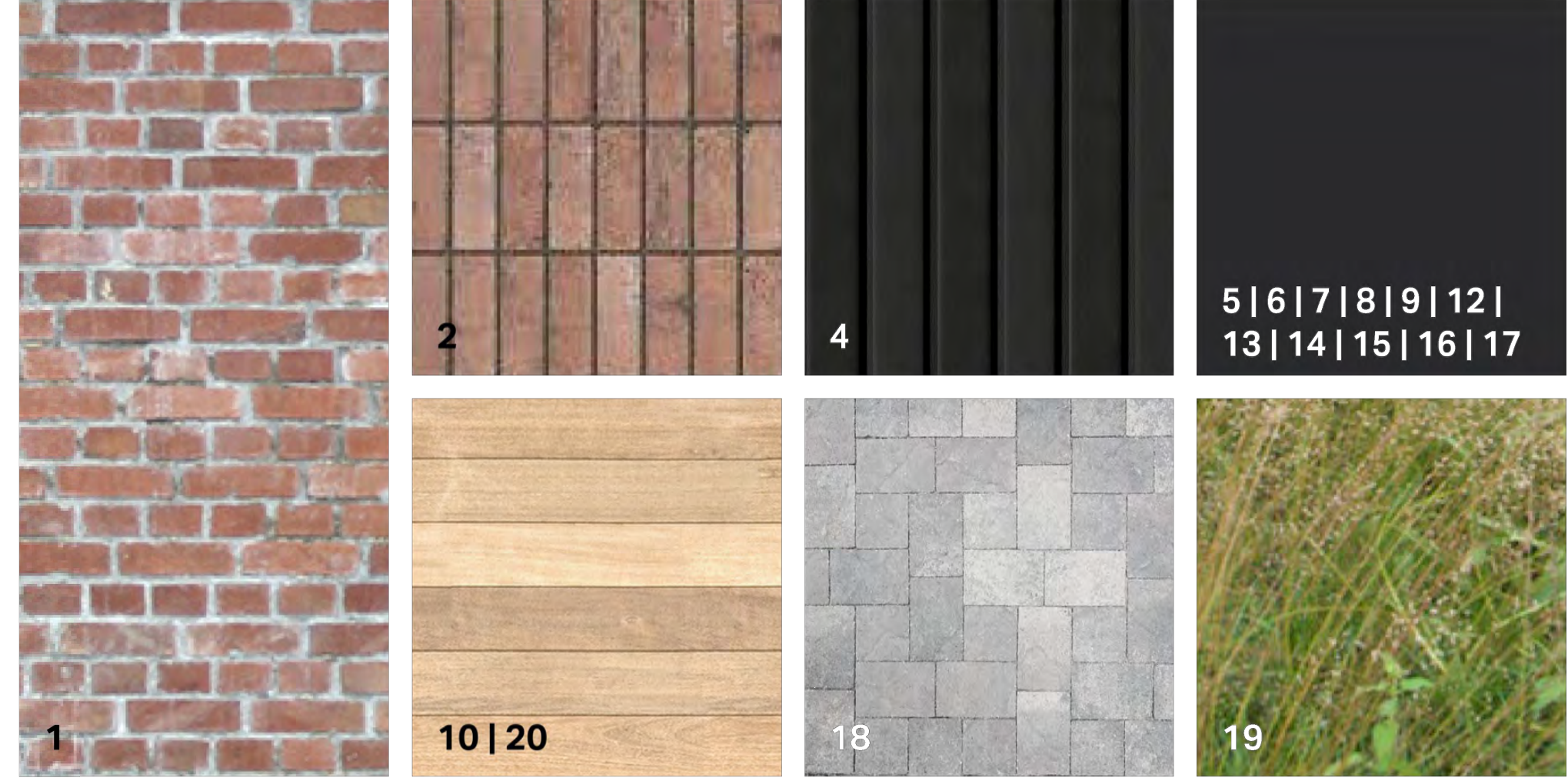
DRAWING TITLE:
MATERIAL BOARD

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	N/A	REVIEW BY:	CH
DRAWING NO:	A303		



1 MATERIAL KEY

N/A



LEGEND

MATERIAL	FINISH
1. RECCO BRICK	NA
2. VERTICAL FENCE BOARD	NA
3. IMPERFORATED CONCRETE	CLEAR FIN.
4. 1/2" PINE CHEST BOARD BATTEN SIDING	BLACK FACTORY FINISH
5. 1/2" PINE CHEST BOARD BATTEN SIDING	BLACK FACTORY FINISH
6. BRINE METAL GLAZING	BLACK FACTORY FINISH
7. STONEWARE GLAZING	BLACK FACTORY FINISH
8. ALUMINUM LARGE WINDOW	BLACK FACTORY FINISH
9. WALL MOUNTED TONGUE & GROOVE	BLACK FACTORY FINISH
10. WOOD DOOR	BLACK FACTORY FINISH
11. YELLOW CEDAR TRUSSEEDING	CLEAR FIN.
12. BRINE METAL	NA
13. METAL POCKET GUARDRAIL	BLACK POWDER COAT
14. BRINE METAL	BLACK POWDER COAT
15. METAL BRIDGE	BLACK POWDER COAT
16. IMPERFORATED METAL DECK	BLACK POWDER COAT
17. STEEL LATCH	BLACK POWDER COAT
18. IMPERFORATED	BLACK FINISH
19. PAVED	SEED
20. LANDSCAPE	SEED
21. YELLOW CEDAR TRUSSEEDING BOARD	CLEAR FIN.

2 MATERIAL BOARD

N/A



① SOUTHWEST CORNER
N/A



② FRONT ELEVATION
N/A



③ SOUTHEAST CORNER
N/A



④ REAR YARD ELEVATION
N/A

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SEAL



2024-09-06

NORTH ARROW

NOTES

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OWNER/CLIENT: TONY KIPTOO
1262 GLADSTONE AVE.
VICTORIA, BC, V8T 1G6

06	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	09/05/2024
05	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	04/28/2024
04	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
03	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

NO.	REVISION	MDY
-----	----------	-----

PROJECT NAME

**1276 GLADSTONE
VICTORIA, BC**

PROJECT ADDRESS:
**1276 GLADSTONE AVE.
VICTORIA, BC, V8T 1G6**



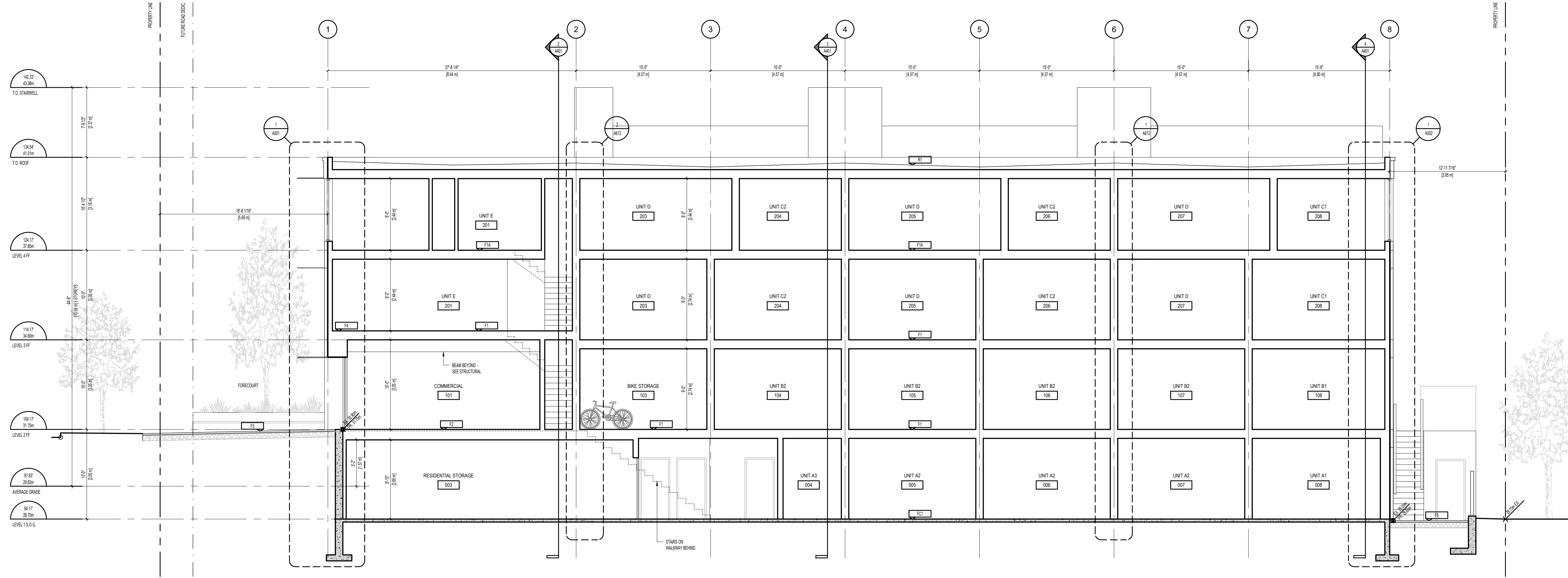
302-666 Cook Street, Victoria, BC, V8V 3Y7
778-584-0582 | info@charch.ca | charch.ca

DRAWING TITLE:

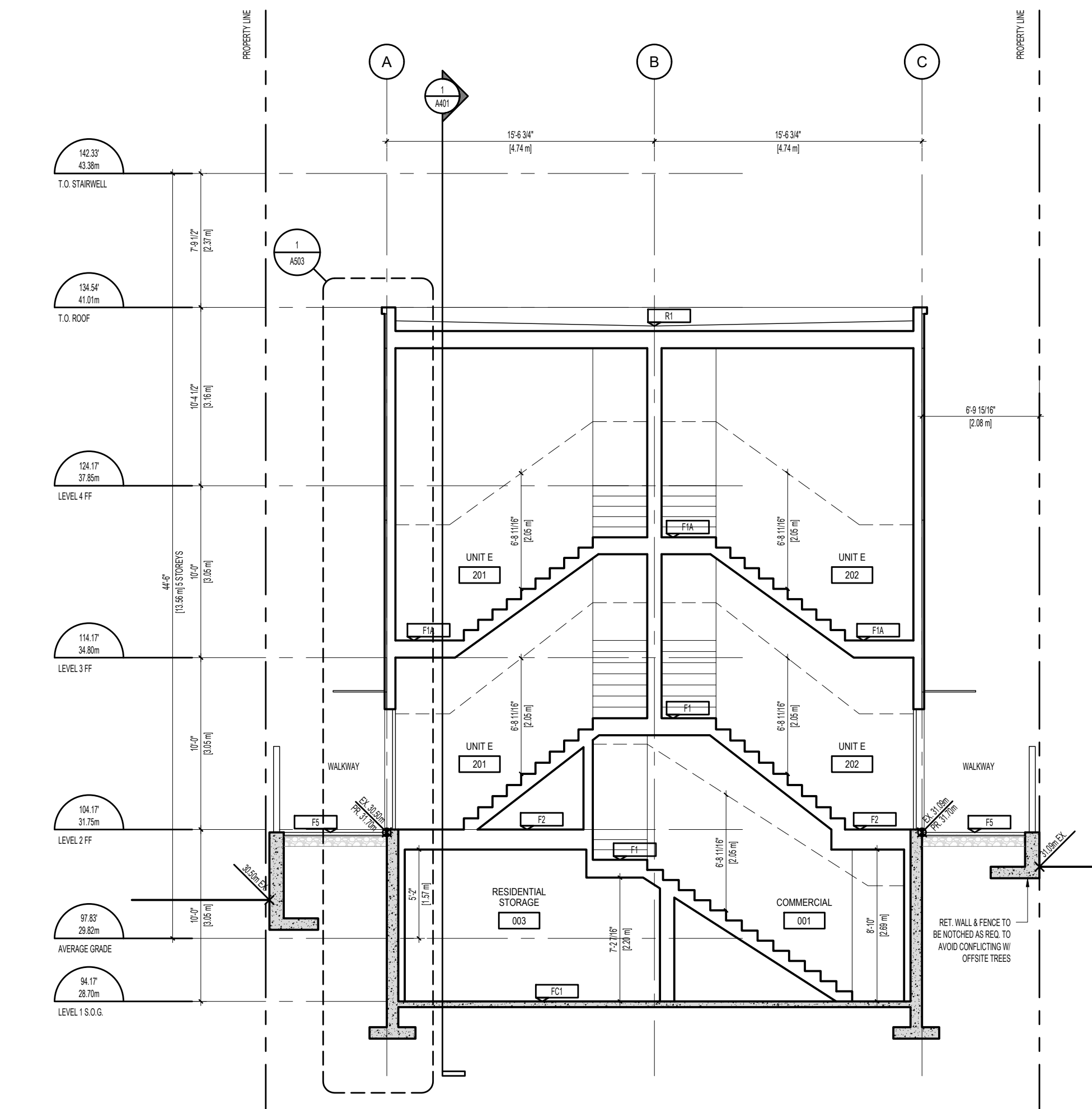
RENDERINGS

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	N/A	REVIEW BY:	CH

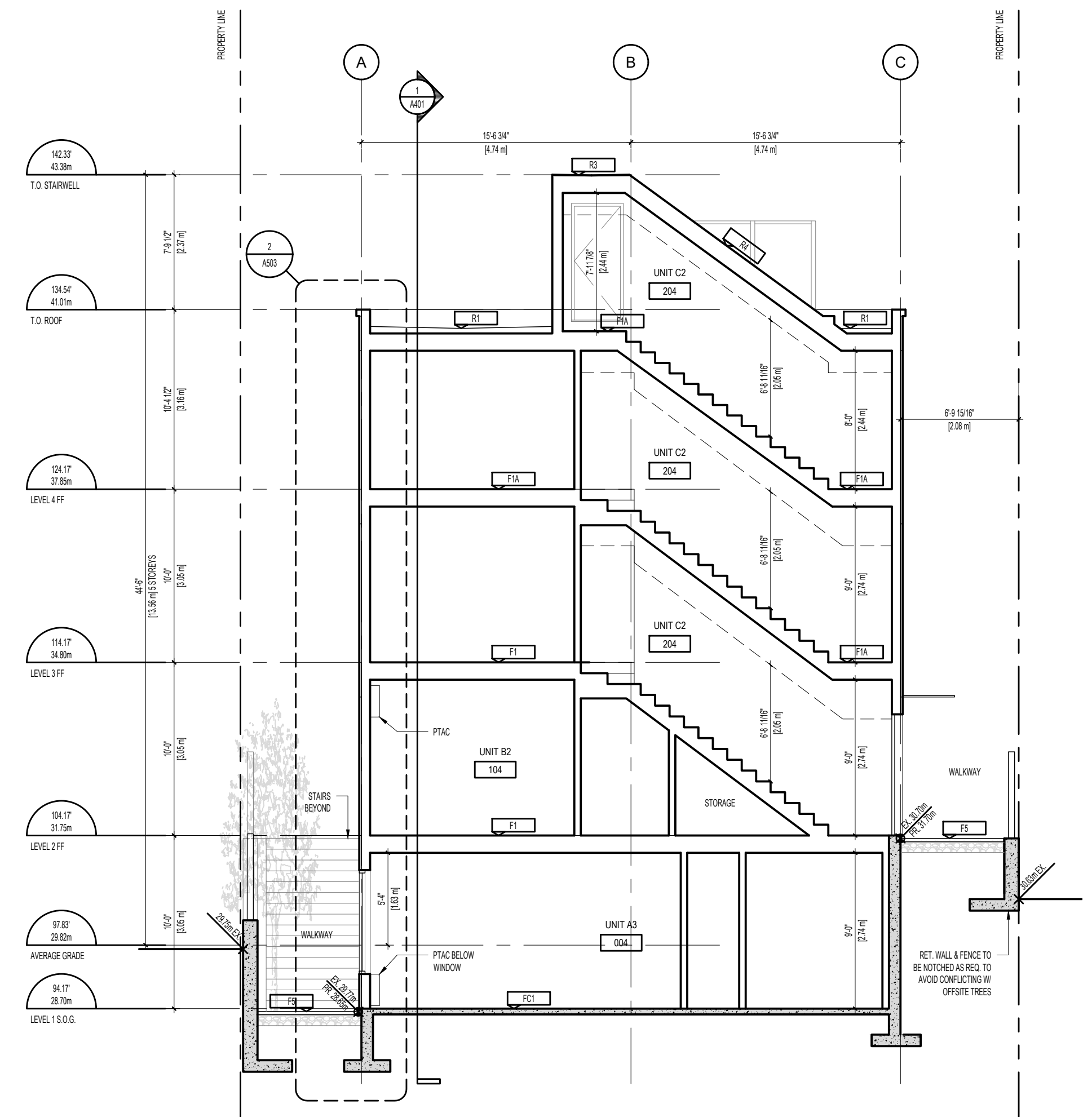
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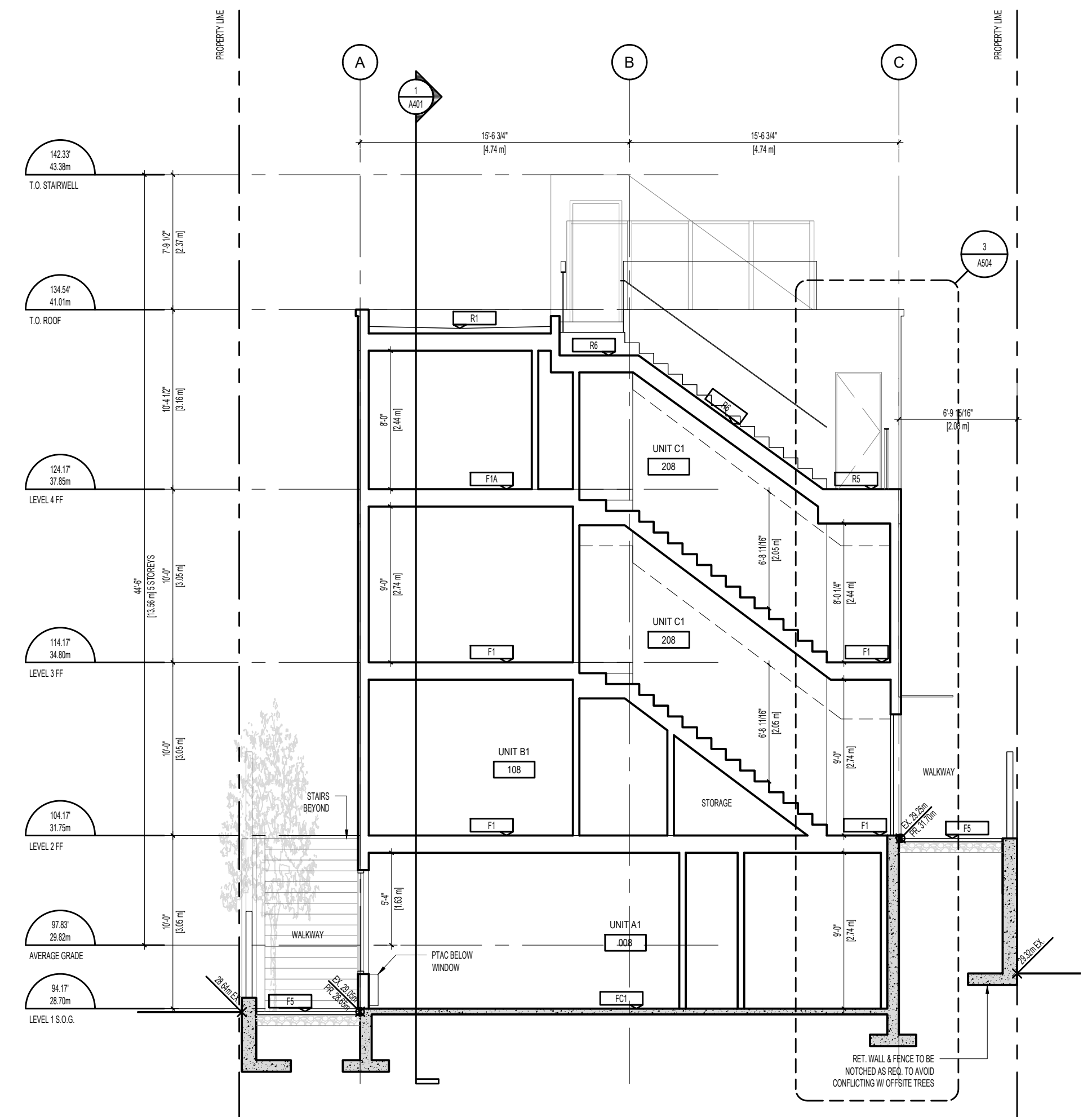
1 SECTION A
1/A/2022 1/75



2 SECTION B
1/A/2022 1/75



3 SECTION C
1/A/2022 1/75



4 SECTION D
1/A/2022 1/75

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SEAL

2024-09-06

NORTH ARROW

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OWNER/CLIENT: TONNY RIPTOO
1262 GLADSTONE AVE.
VICTORIA, BC, V8T 1G6

NO.	REVISION	MDY
07	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	09/05/2024
06	ISSUED FOR COORDINATION	06/16/2024
05	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	04/26/2024
04	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	02/08/2024
03	RESUBMITTED FOR REZONING AND DEVELOPMENT PERMIT	12/11/2023
02	ISSUED FOR REVIEW	11/03/2023
01	ISSUED FOR REZONING AND DEVELOPMENT PERMIT	09/15/2023

PROJECT NAME

**1276 GLADSTONE
VICTORIA, BC**

PROJECT ADDRESS:
**1276 GLADSTONE AVE.
VICTORIA, BC, V8T 1G6**

CHA

302-666 Cook Street, Victoria, BC, V8V 3Y7
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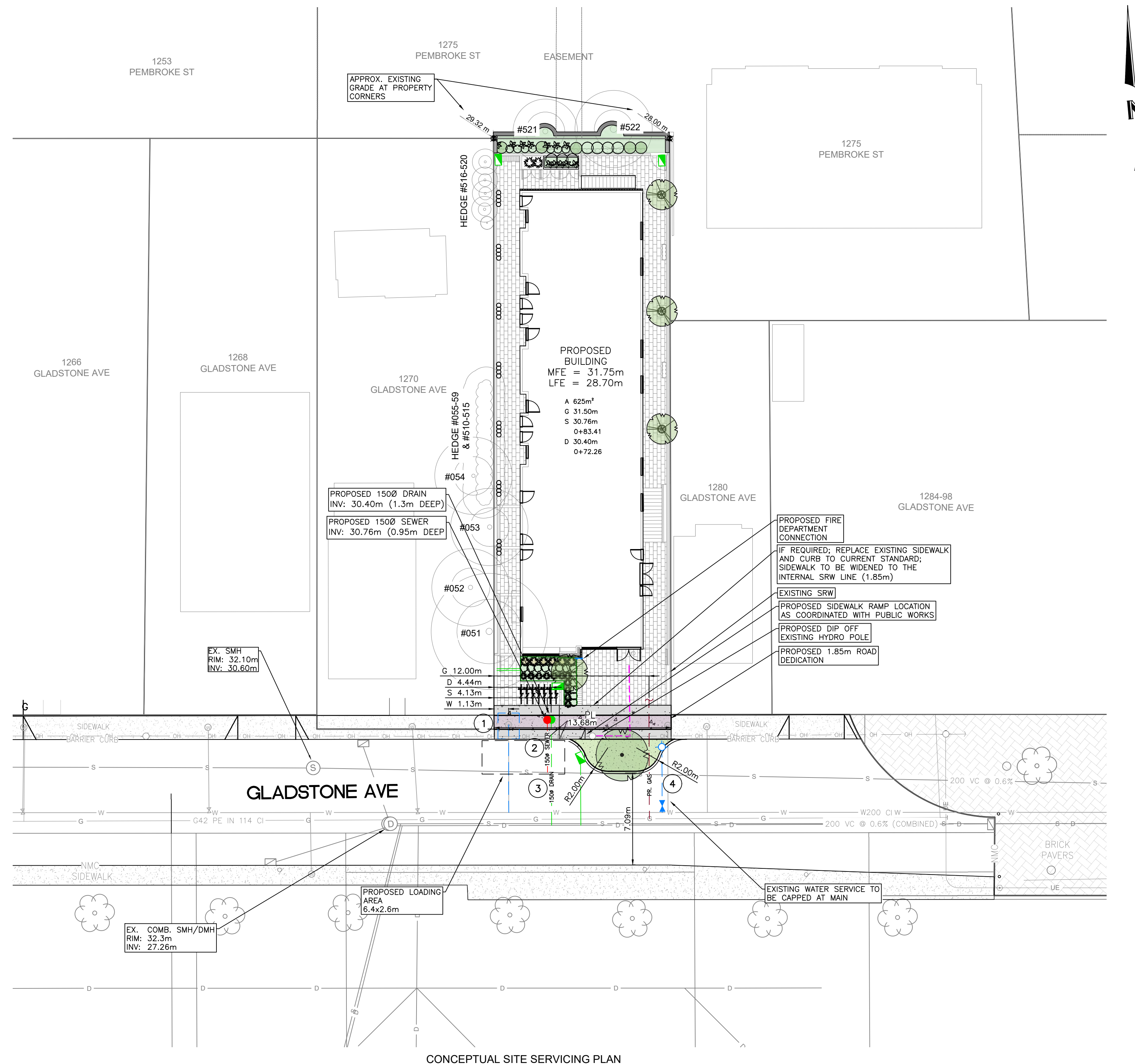
DRAWING TITLE:

SECTIONS

PROJECT NO:	2303	DRAWN BY:	HG
SCALE:	1/75	REVIEW BY:	CH

DRAWING NO: **A401**

1276 GLADESTONE MULTI FAMILY DEVELOPMENT



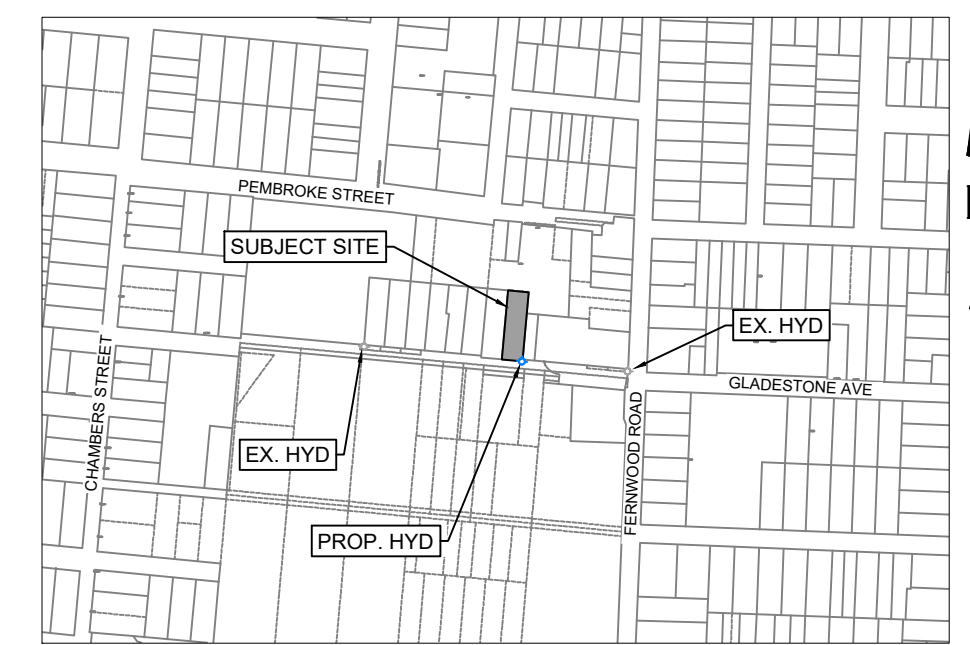
SERVICE SIZING SUMMARY

1276 GLADSTONE AVENUE
SITE AREA = 625m²
IMPERVIOUS AREA = 610.7m²

SANITARY	PROPOSED LOAD	SERVICE SIZE
SERVICE	280FU 150mm SERVICE	840FU MAXIMUM LOAD FOR 150mm @ 2.0% (PLUMBING CODE)
DRAIN		
SERVICE	AREA X 15min RAINFALL (PLUMBING CODE) 8.34 L/s	19.56 L/s MAXIMUM LOAD FOR 150mm @ 2.0% (PLUMBING CODE)
WATER		
AWWA	542 FIXTURE VALUE 50mm METER	50mm METER NORMAL OPERATING RANGE 0.5 GPM TO 200 GPM

NOTE: ALL FIXTURE VALUES TO BE CONFIRMED BY THE PROJECT MECHANICAL ENGINEER AT THE BUILDING PERMIT STAGE

NOTE: NEW FIRE HYDRANT REQUIRED, CITY OF VICTORIA TO REVIEW PROPOSED LOCATION



LEGAL: LOT 2, SECTION 61, SPRING RIDGE, VICTORIA CITY PLAN 312
CIVIC: 1276 GLADESTONE AVENUE

SERVICING NOTES

- PROPOSED 50mm DOMESTIC WATER LINE AND 100mm FIRE LINE TO BE INSTALLED GENERALLY CONFIGURED AS PER CITY OF VICTORIA (CoV) STD DRAWING SD W21 BY CITY FORCES AT DEVELOPER'S EXPENSE
- CoV FORCES TO INSTALL NEW 150Ø PVC SEWER SERVICE AT MIN. 2.0% TO PL c/w INSPECTION CHAMBER INSIDE APPROVED CONC. BOX AT DEVELOPER'S EXPENSE
- CoV FORCES TO INSTALL NEW 150Ø PVC DRAIN SERVICE AT MIN. 2.0% TO PL c/w INSPECTION CHAMBER INSIDE APPROVED CONC. BOX AT DEVELOPER'S EXPENSE
- CoV FORCES TO INSTALL NEW HYDRANT ASSEMBLY

LEGEND

- A XXX.Xm² - LOT AREA
- G XXX.Xm - APPROX. GROUND ELEVATION OF SERVICES AT PL
- S XXX.XXX - SEWER SERVICE INVERT AT R
- X+XXX.X - DISTANCE FROM DOWNSTREAM SEWER MANHOLE
- D XXX.XXX - DRAIN SERVICE INVERT AT R
- X+XXX.X - DISTANCE FROM DOWNSTREAM DRAIN MANHOLE

CONCRETE SURFACE

BC 1 CALL
1-800-474-6886

THE CONTRACTOR IS TO CALL B.C. ONE CALL AND HAVE EXISTING U/G SERVICES STAKED PRIOR TO ANY CONSTRUCTION.

CONFIRM UNDERGROUND LOCATIONS WITH UTILITY COMPANIES

THE LOCATION AND ELEVATION OF THE EXISTING UNDERGROUND INFRASTRUCTURE SHOWN ON THIS DRAWING MAY NOT BE ACCURATE OR COMPLETE. THE ACTUAL HORIZONTAL AND VERTICAL LOCATIONS MUST BE CONFIRMED PRIOR TO THE START OF ANY EXCAVATION.

LEGEND		REVISIONS	
Existing Municipal Infrastructure	Drain	Curb	Concrete Box
Proposed Municipal Infrastructure	Ditch	Sidewalk	Wood Box
Existing External U/G Utilities	Manhole	Catch Basin	Hydrant
Proposed External U/G Utilities	Cleanout	Culvert	Reducer
Street Lighting	Pole Mount	Standard Mount	Traffic Sign
Post Top	Pedestrian Signal	Traffic Signal	Ctrl Monument
			Traverse Hub
			Gas Valve
			Water Meter

REVISIONS		REVISIONS APPROVED			DESIGN APPROVED		
REVISION #	DATE	APPROVED	DATE	SIGNED	APPROVED	DATE	SIGNED
1							

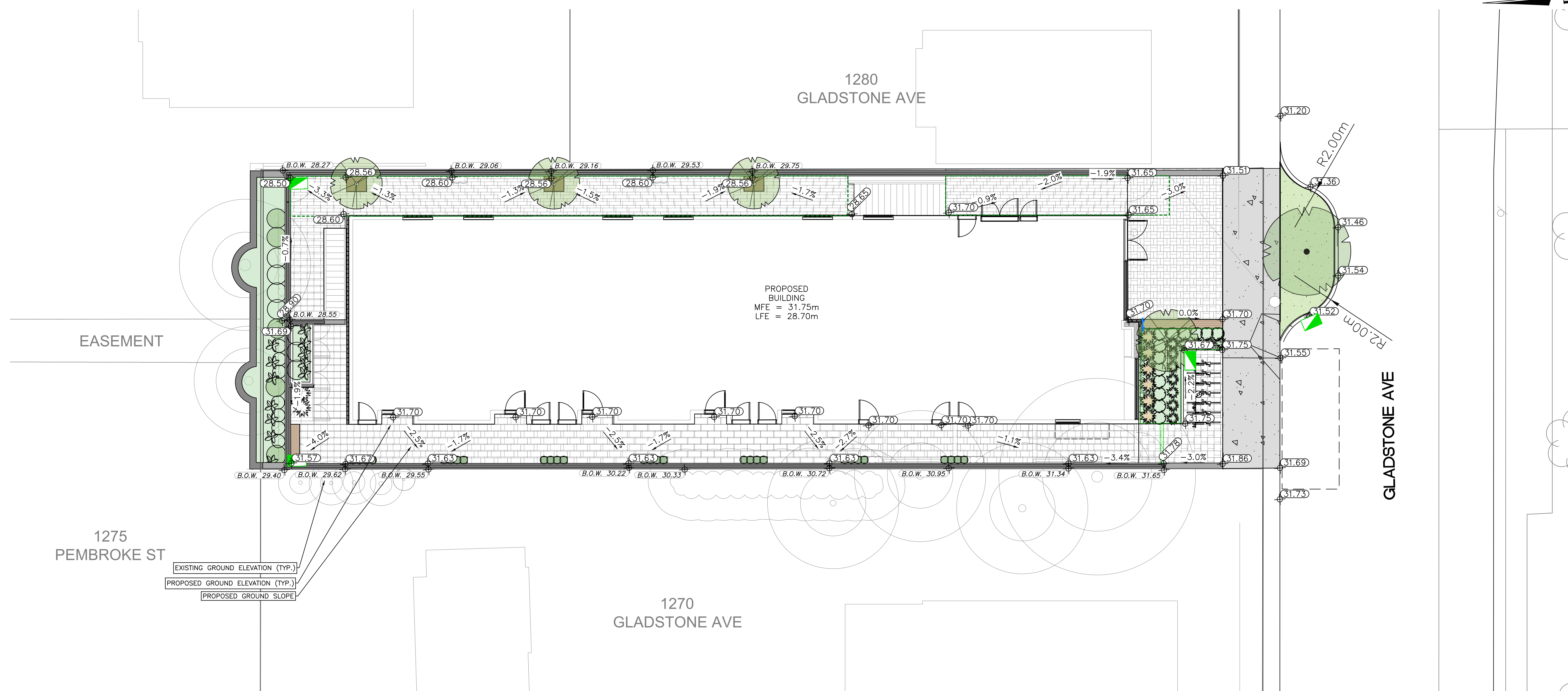
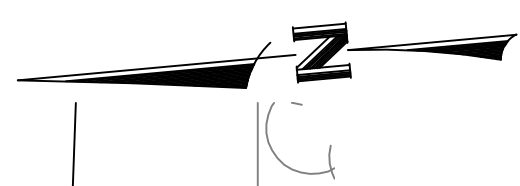
2024-08-16
SUBMITTED FOR REZONING / DEVELOPMENT PERMIT APPLICATION

ISLANDER ENGINEERING
623 DISCOVERY STREET
VICTORIA, B.C. V8T5G4
PHONE 250.580.1200
www.islanderengineering.com

CITY OF VICTORIA		ISLANDER FILE #	2842
1276 GLADSTONE AVENUE		MUNICIPAL DESIGN #	-
CONCEPTUAL SITE SERVICING PLAN		REV. #	-
B.M.:	-	Elev.:	-
Design: AF	Drawn: AF	Checked: JRCE	
Scale: Hor: 1:200	Vertical: -	Date: 2024-08-16	
		DRAWING #	C01
		SHEET #	1 OF 23

ISLANDER ENGINEERING August 16, 2024 / G:\shortcut-targets-by-id\08176\1276 Gladstone Ave\3 Drawings\2024-08-16 - 2842 - Gladstone_Ave_Design_Base.dwg

1276 GLADESTONE MULTI FAMILY DEVELOPMENT

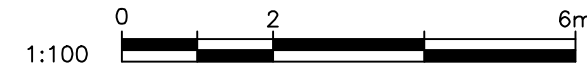


CONCEPTUAL GRADING PLAN
SCALE 1:100

ISLANDER ENGINEERING: August 16, 2024 / G:\shortcuts-targets-by-id\GBTR\W\unifdm\45P\Bdp\Fb\A\Civil\Projects\2842 - 1276 Gladstone Ave\3 Drawings\2024-08-16 - 2842 - Gladstone_Ave_Design_Base.dwg

BC
1
CALL
1-800-474-6886

THE CONTRACTOR IS TO CALL B.C. ONE CALL, AND HAVE EXISTING U/G SERVICES STAKED PRIOR TO ANY CONSTRUCTION.

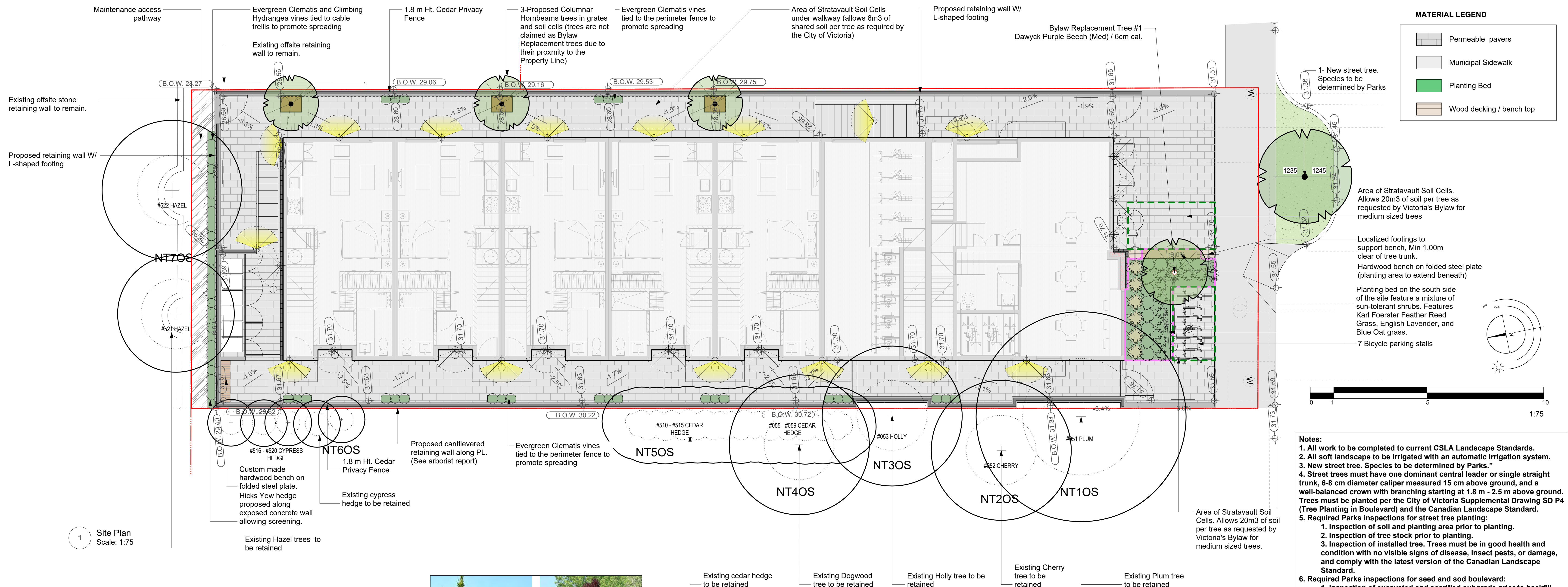


2024-08-16
**SUBMITTED FOR REZONING /
DEVELOPMENT PERMIT
APPLICATION**

ISLANDER
ENGINEERING

623 DISCOVERY STREET
VICTORIA, B.C. V8T5G4
PHONE 250.580.1200
www.islandereengineering.com

<p style="font-weight: bold; text-align: center;">CONFIRM UNDERGROUND LOCATIONS WITH UTILITY COMPANIES</p> <p style="font-size: 7px;">THE LOCATION AND ELEVATION OF THE EXISTING UNDERGROUND INFRASTRUCTURE SHOWN ON THIS DRAWING MAY NOT BE ACCURATE OR COMPLETE. THE ACTUAL HORIZONTAL AND VERTICAL LOCATIONS MUST BE CONFIRMED PRIOR TO THE START OF ANY EXCAVATION.</p>	LEGEND	REVISIONS	REVISIONS APPROVED	DESIGN APPROVED		CITY OF VICTORIA	ISLANDER FILE #	2842					
	Existing Municipal Infrastructure ——— Proposed Municipal Infrastructure ——— Existing External U/G Utilities ——— Proposed External U/G Utilities ——— Street Lighting Pole Mount ⚡ Street Lighting Standard Mount ⚡ Post Top ⚡ Pedestrian Signal ⚡ Traffic Signal ⚡ Ctrl Monument ⚡ Traverse Hub ⚡ Gas Valve ⚡ Water Meter ⚡	Drain —D— Ditch —D— Sewer —S— Water —W— Traffic Sign — Silt Trap — Cap / Plug — Air Valve — Water Meter —	Concrete Box — Wood Box — Catch Basin — Culvert — Manhole — Cleanout — Silt Trap — Cap / Plug — Air Valve — Water Meter —	REVISION # 1 Approved Date Signed Design Engineer Manager of Development Development Coordinator	REVISION # 2 Approved Date Signed Design Engineer Manager of Development Development Coordinator	REVISION # 3 Approved Date Signed Design Engineer Manager of Development Development Coordinator	Approved By Design Engineer Manager of Development Development Coordinator	Date Design Engineer Manager of Development Development Coordinator	Date Design Engineer Manager of Development Development Coordinator	Design: AF Scale: Hor: 1:200 Vertical: —	Elevation: — Checked: JRCE Date: 2024-08-16	MUNICIPAL DESIGN # REV. # DRAWING # SHEET #	— — C02 2 OF 2



MATERIAL LEGEND

- Permeable pavers
- Municipal Sidewalk
- Planting Bed
- Wood decking / bench top

- Notes:**
- All work to be completed to current CSLA Landscape Standards.
 - All soft landscape to be irrigated with an automatic irrigation system.
 - New street tree. Species to be determined by Parks.
 - Street trees must have one dominant central leader or single straight trunk, 6-8 cm diameter caliper measured 15 cm above ground, and a well-balanced crown with branching starting at 1.8 m - 2.5 m above ground. Trees must be planted per the City of Victoria Supplemental Drawing SD P4 (Tree Planting in Boulevard) and the Canadian Landscape Standard.
 - Required Parks inspections for street tree planting:
 - Inspection of soil and planting area prior to planting.
 - Inspection of tree stock prior to planting.
 - Inspection of installed tree. Trees must be in good health and condition with no visible signs of disease, insect pests, or damage, and comply with the latest version of the Canadian Landscape Standard.
 - Required Parks inspections for seed and sod boulevard:
 - Inspection of excavated and scarified subgrade prior to backfill.
 - Inspection of installed, rolled and prepared growing media prior to sodding.
 - Inspection when the installed turfgrass meets the conditions for total performance as required in the Current Edition of the Canadian Landscape Standard.
 - A soil test for the growing media, for each landscape application on City Property must be submitted to the City Parks treepermits@victoria.ca for review at least one week prior to soil placement. Growing media must meet the standards for each specific landscape application as required in the current edition of the Canadian Landscape Standard.
 - The Victoria Subdivision and Development Servicing Bylaw No. 12-042 and the associated Schedules can be found on the City of Victoria Bylaws webpage.

1 Site Plan Scale: 1:75

2 1.8M Ht. Wood Privacy Fence-Typical Elevation Scale: 1:25

Recommended Nursery Stock

Category	Botanical Name	Common Name	Size
Trees Total: 5	Carpinus betulus 'Frans Fontaine'	Columnar Hornbeam	6cm cal.
	Fagus sylvatica 'Dawyck Purple'	Dawyck Purple Beech	6cm cal.
	New Street Tree	Species to be determined by Parks	6 cm cal.
Small Shrubs Total: 55	Gaultheria shallon	Salal	#1 pot
	Lavandula officinalis	English Lavender	#1 pot
Perennials, Annuals and Ferns Total: 17	Calamagrostis x acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	#1 pot
	Helictotrichon sempervirens	Blue Oat Grass	#1 pot
	Clematis armandii	Evergreen Clematis	#5 pot
Vines Total: 18	Hydrangea anomala petiolaris	Climbing Hydrangea	#10 pot

PERCENTAGE OF ON-SITE PLANT SPECIES THAT ARE NATIVE AND/OR POLLINATORS: 78% (73 OF 94 TOTAL ONSITE PLANTS)



PLANT PALETTE

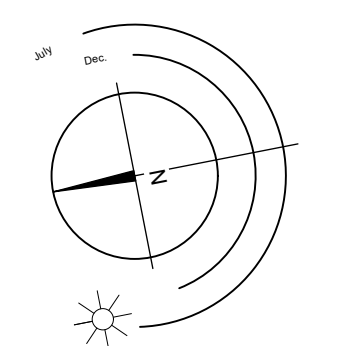
LIGHTING LEGEND

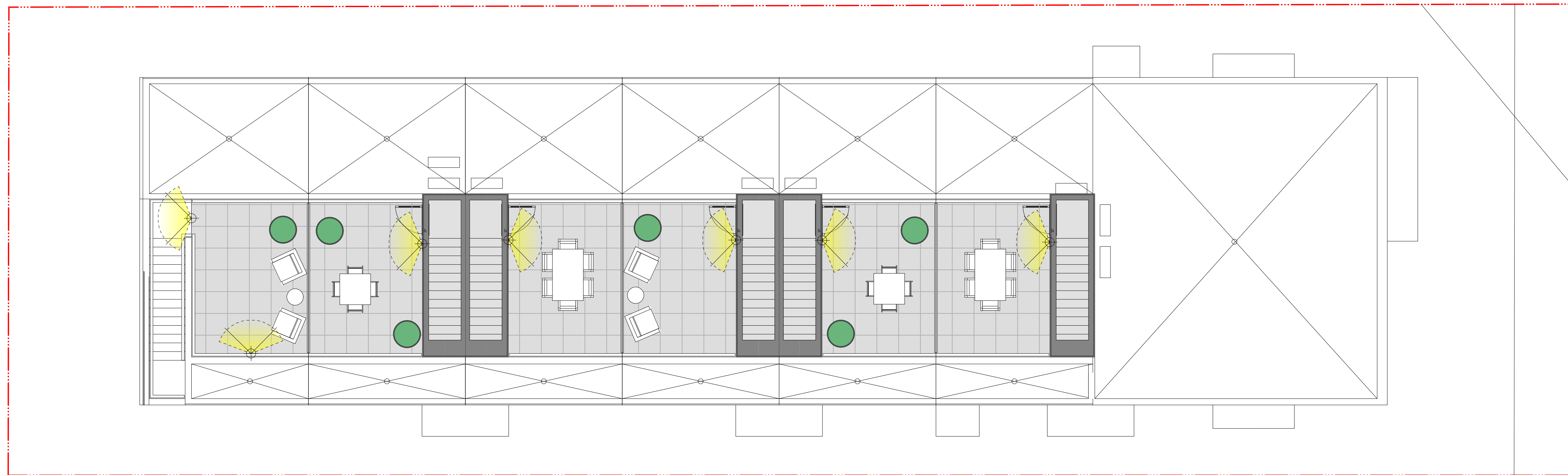
- Sofit Lighting (Refer to Electrical)
- Recess / Wall Mounted Lighting (Refer to Electrical)



Hardwood bench on folded steel plate.

1276 Gladstone | Landscape Concept Plan



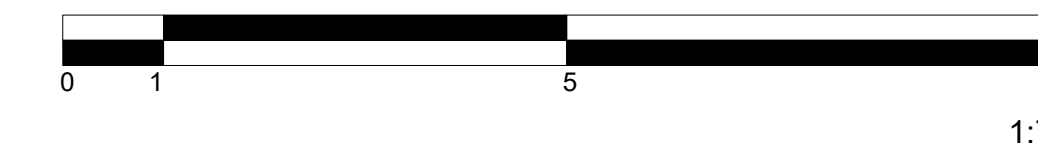
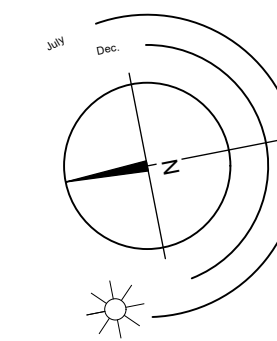


MATERIAL LEGEND

- Permeable pavers
- Municipal Sidewalk
- Planting Bed
- Timber decking
- 24" x 24" Pedestal pavers

LIGHTING LEGEND

- Soft Lighting (Refer to Electrical)
- Recess / Wall Mounted Lighting (Refer to Electrical)



2 Rooftop
Scale: 1:75

NOTES:
-ROOFTOP LAYOUT FOR CONCEPTUAL PURPOSES.
-OWNERS TO SUPPLY FURNITURE, FENCES AND PLANTERS

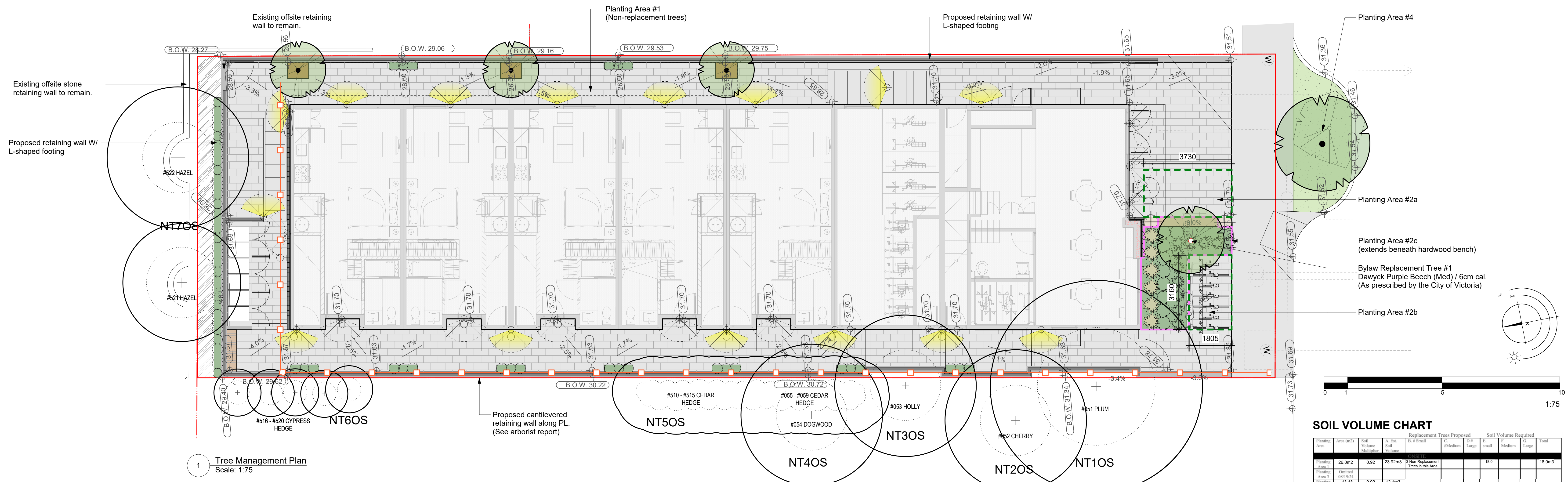
Appendix A - Plant Guideline Compliance

1726 Gladstone

February 6th, 2024

Species	Native	Food-Bearing	Pollinator Habitat	# of plants	Area of plant (m2)	Compliant Total area of species (m2)	Non-Compliant Total area of species (m2)
Trees							
Carpinus betulus 'Fans Fontaine'		x		3	4.2	12.6	
Fagus sylvatica 'Dawyck Purple'		x		1	6.8	6.8	
Liquidambar styraciflua 'Slender'		x		1	6.8	6.8	
Large Shrubs							
Mahonia aquifolium	x	x		5	1.1	5.4	
Taxus x media 'Hicksii'		x		7	0.2	1.4	
Small Shrubs							
Azalea japonica 'Herbert'			x	7	1.9	13.3	
Lavandula officinalis			x	13	6.8	88.1	
Perennials, Annuals and Ferns							
Calamagrostis x acutiflora 'Karl Foerster'				6	0.2		1.2
Blechnum spicant	x			12	0.1	1.2	
Helictotrichon sempervirens			x	11	0.1	1.1	
Vines							
Clematis armandii			x	28	0.2	5.6	
Total area of non compliant plants						1.2	0.2%
Total area of compliant plants						499.2	99.8%

1276 Gladstone | Landscape Concept Plan



1 Tree Management Plan
Scale: 1:75

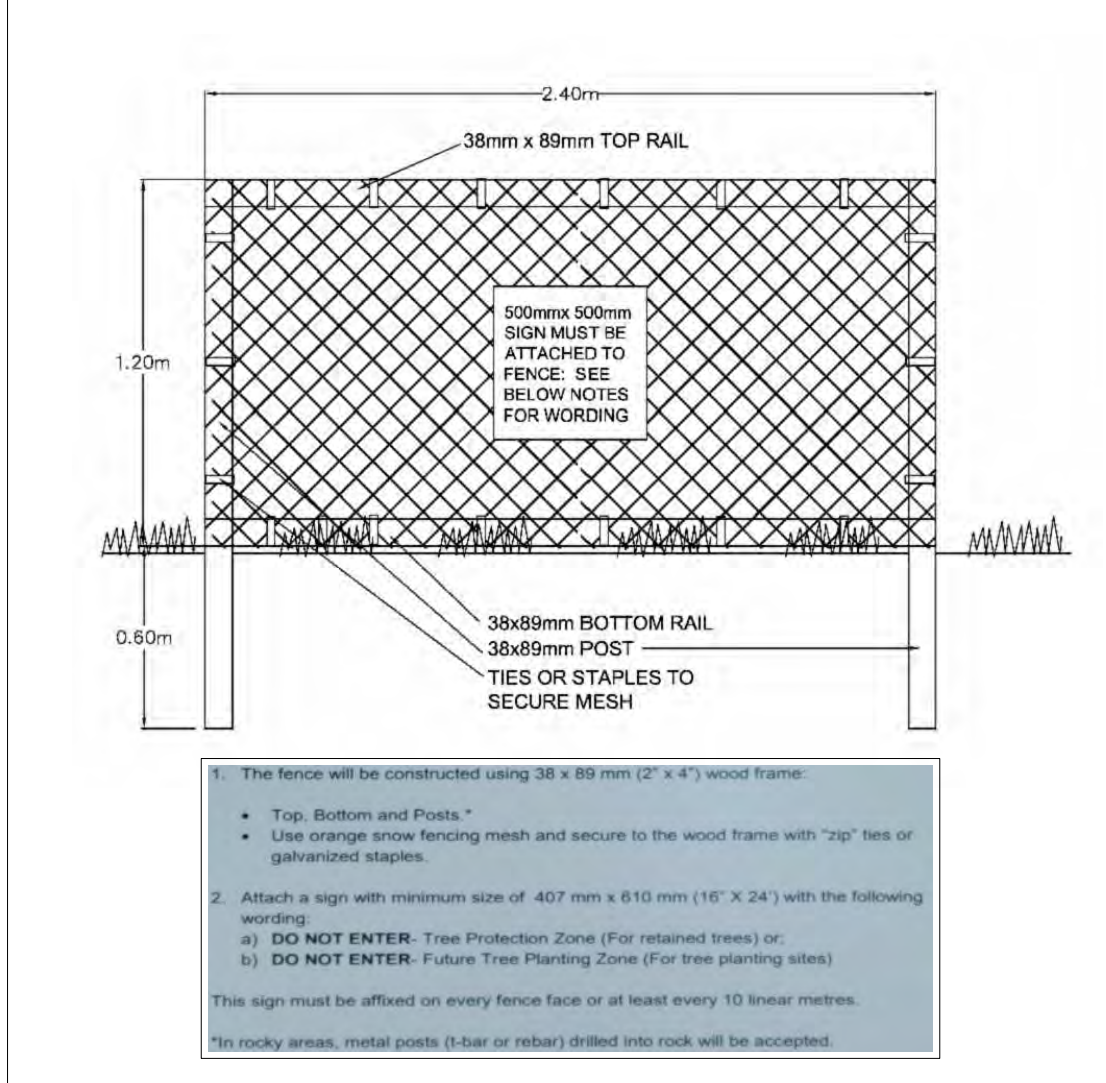
SOIL VOLUME CHART

Planting Area	Area (m ²)	Soil Volume Multiplier	Replacement Trees Proposed					Soil Volume Required			
			A. Small	B. Medium	C. Large	D. Small	E. Medium	F. Large	Total		
Planting Area 1	26.0m ²	0.92	23.92m ³								18.0m ³
Planting Area 2a	13.18	0.92	12.1m ³								20.0m ³
Planting Area 2b	11.92	0.92	10.9m ³								20.0m ³
Planting Area 2c	22.0m ²	0.92	20.25m ³								20.0m ³

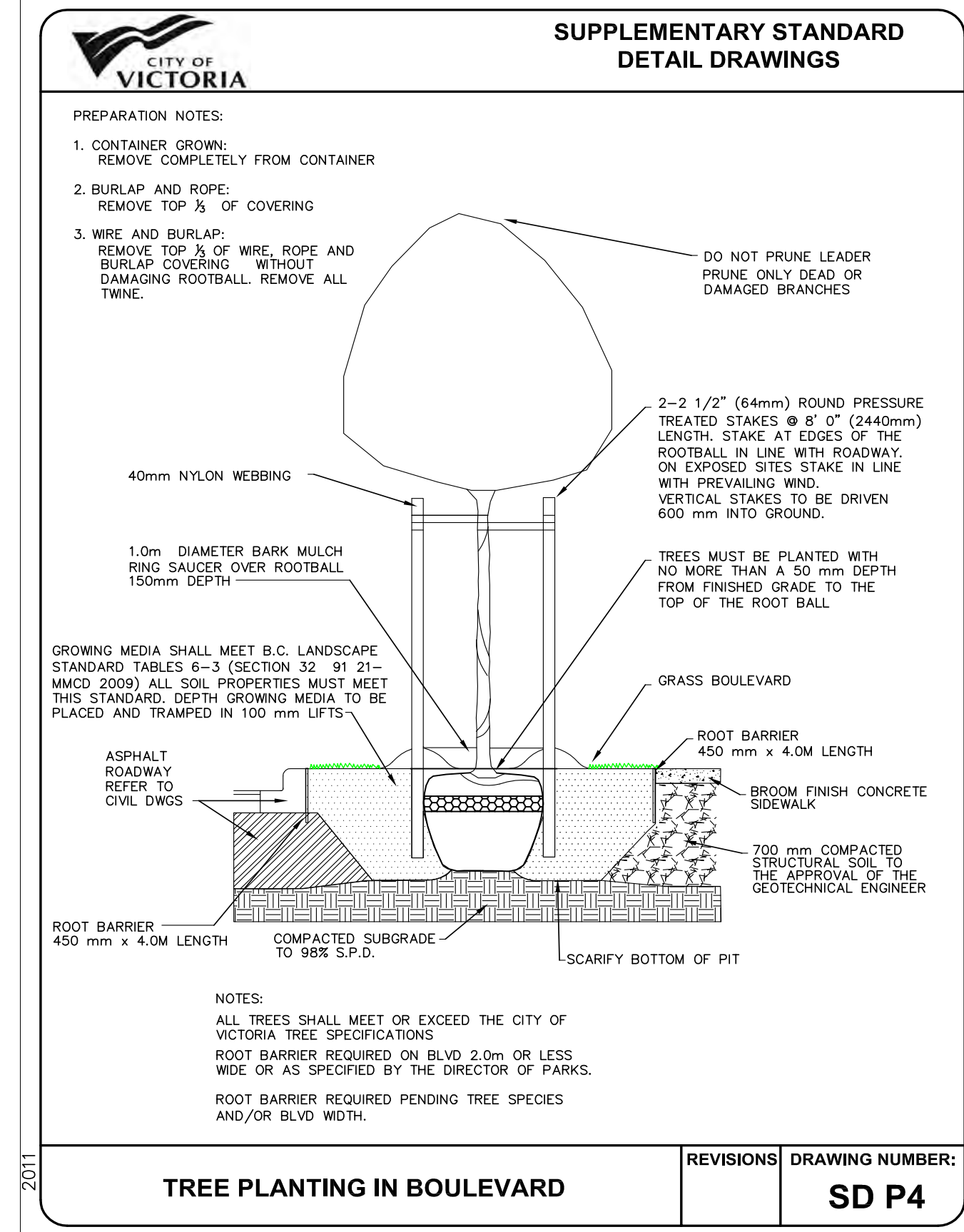
TREE PROTECTION NOTES

- INSTALL A 1.2m (4') METAL CONSTRUCTION FENCE FOR THE DURATION OF THE CONSTRUCTION PERIOD. THE CITY REPRESENTATIVE SHALL APPROVE THE PLACEMENT OF THE PROTECTION FENCE ON-SITE PRIOR TO START OF CONSTRUCTION.
- THE TEMPORARY FENCE MUST REMAIN IN PLACE AND IN THE CONDITION AS WAS APPROVED BY THE CITY REPRESENTATIVE FOR THE DURATION OF THE CONSTRUCTION PERIOD.
- THE FENCE SHOULD PROTECT THE TREE'S ROOT AREA TO THE EDGE OF THE DRIP LINE. IN CASES WHERE EXISTING SITE FEATURES DO NOT PERMIT THIS, THE FENCE SHALL PROTECT AS MUCH OF THE ROOT AREA AS POSSIBLE.
- ALTERNATE METHODS OF TREE PROTECTION WILL BE CONSIDERED. A WRITTEN REQUEST SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT PRIOR TO THE START OF CONSTRUCTION. ALTERNATE TREE PROTECTION METHODS TO APPROVED BY CITY PRIOR TO INSTALLATION.
- COMPLIANCE WITH ALL MUNICIPAL REGULATIONS WILL BE REQUIRED.

TREE PROTECTION FENCE (COV STD DETAIL)



SD P4 - TREE PLANTING IN BOULEVARD



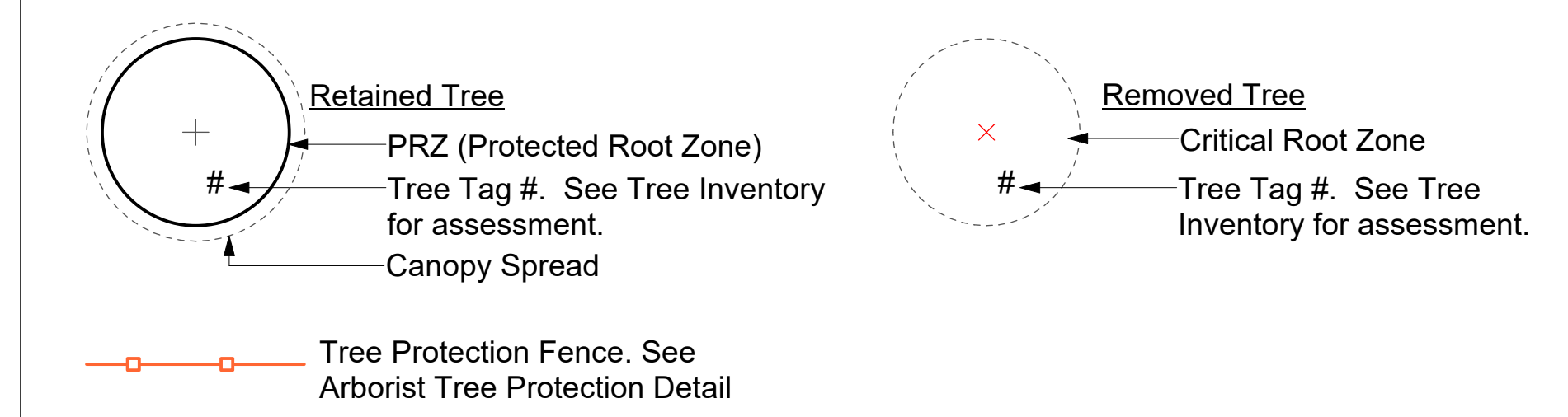
REPLACEMENT TREE TABLE

ONSITE Minimum Replacement Tree Requirement			
A. Protected trees removed	0	X 1	A. 0
B. Replacement proposed per schedule "E", Part 1	1	X 1	B. 1
C. Replacement trees proposed from Schedule "E", Part 2	0	X 0.5	C. 0
D. Replacement trees proposed per Schedule "E", Part 3	0	X 1	D. 0
E. Total replacement trees proposed (B+C+D) Rounded down - nearest whole #	1		E. 1
F. Onsite replacement tree deficit (A-E) Record 0 if negative number			F. 0
ONSITE Minimum trees per lot requirement (onsite trees)			
G. Tree Minimum on Lot*	3		G. 3
H. Protected trees retained (other than specimen tree)	0	X 1	H. 0
I. Specimen tree retained	0	X 3	I. 0
J. Trees per lot deficit (G-(B+C+H)) record 0 if negative #	(3-(1+0+0))		J. 2
OFFSITE Minimum replacement tree requirements (offsite trees)			
K. Protected Trees Removed	0	X 1	K. 0
L. Replacement Trees proposed per Schedule "E" - Part 1 or Part 3	0	X 1	L. 0
M. Replacement tree proposed from Schedule "E", Part 2	0	X 0.5	M. 0
N. Total replacement trees proposed (L+M) Round down to nearest whole #	0		N. 0
O. Offsite replacement tree deficit (K-N) Record 0 if negative #	0		O. 0
Cash-in-Lieu Requirement			
P. Onsite trees proposed for cash-in-lieu Enter F. or J. whichever is the greatest #	0		P. 2
Q. Offsite Trees proposed for cash-in-lieu. Enter Q	0		Q. 0
R. Cash-in-lieu proposed ((P+Q) x \$2,000.00)	0		R. \$4,000.00

TREE INVENTORY - PROPOSED IMPACT AREA

Tag #	Spec	DBH (cm)	HT (m)	PRZ (m)	CRZ (m)	Health P/F/G	Structure P/F/G	Impact L/M/H	Tolerance L/M/H	Bylaw Prot.	Retain	Position	Comments
051	P Plum	50	7	9	5	F	P	L/M	M	Bylaw	X	Off site	Positioned approximately 2.5m off building setback
052	Cherry	34	8	6	3	F	P	L	M	Bylaw	X	Off site	Positioned approximately 3.25m off building setback
053	Holly	35	7	6	3	F	F	L	M	Bylaw	X	Off site	Positioned approximately 3.0 m off building setback
054	K Dogwood	28	8	6	3	F	F	L	M	Non-Bylaw	X	Off site	Positioned approximately 3.0 m off building setback
055	E cedar	8	6	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
056	E cedar	14	6	2	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
057	E cedar	10	6	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
058	E cedar	7	6	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
059	E cedar	15	6	2	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
0510	E cedar	10	6	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
0511	E cedar	10	4	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
0512	E cedar	12	6	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
0513	E cedar	20	6	2	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
0514	E cedar	10	5	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
0515	E cedar	10	6	1	1	F	F	L/M	L	Non-Bylaw	X	Off site	Hedge at P/L - 2m off building setback
0516	cypress	10	7	1	1	F	P	L/M	M	Non-Bylaw	X	Off site	Hedge formation
0517	cypress	20	7	2	1	F	P	L/M	M	Non-Bylaw	X	Off site	Hedge formation
0518	cypress	18	7	2	1	F	P	L/M	M	Non-Bylaw	X	Off site	Hedge formation
0519	cypress	16	7	2	1	F	P	L/M	M	Non-Bylaw	X	Off site	Hedge formation
0520	cypress	19	7	2	1	F	P	L/M	M	Non-Bylaw	X	Off site	Hedge formation
0521	Hazel	40	6	5	3	F	P	L/M	M	Bylaw	X	Off site	5 x stem, 13,15,12 & 12m
0522	Hazel	53	6	6	3	F	P	L/M	M	Bylaw	X	Off site	4 x stem, 20,14,17 & 16cm

TREE MANAGEMENT LEGEND



1276 Gladstone | Tree Management Plan



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10 October 2024

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

Letter to Mayor and Council

Re: Rezoning and Development Permit Application, 1276 Gladstone Street

Dear Mayor and Councillors,

On behalf of the applicant, Tonny and Ashley Kiptoo, we wish to make an application for a site-specific rezoning and Development Permit for a mixed-use multi-family residential and commercial development at 1276 Gladstone Street.

Project Summary

The proposed development is for a four-storey (plus roof deck) mixed-use building containing a ground-oriented bakery, and rental housing. The building has a three-storey building façade along Gladstone Street. The proposed density is 1.52 FSR. The residential unit-mix is comprised of 5 studio units, 5 one-bedroom units, 2 two-bedroom units and 6 three-bedroom units. Common residential amenity space includes three bike storage rooms, garbage area, residential storage room, and common patio area. The bakery includes indoor seating and outdoor patio seating for public use.

Government Policies:

The Land Use Designation of the site per the OCP is Small Urban Village. The proposed form of development is congruent with the Small Urban Village-Urban Place Guidelines which allows multi-unit residential up to 4-storeys with ground-oriented commercial use and up to a three-storey building façade. The proposed development supports the Fernwood Neighbourhood Plans goals to “enhance Fernwood Village with additional local-servicing businesses, housing options and refreshed public spaces”.

Neighbourhood and Impact:

The proposed ground oriented commercial space and rental housing above (and behind) are typical of the adjacent Fernwood square and provide a natural and appropriate extension to Fernwood Village.

Project Benefits:

The project will add to Victoria’s Missing Middle housing stock, which accounts for just five per cent of new home construction, with apartments, condos and detached houses making up the other 95 per cent. The added density/housing proposed on the site provides additional housing options for those wishing to remain in the City, thereby supporting local economy and sustainability initiatives. Additionally, the rental tenure will help address the shortage of rental housing and the Cities corresponding initiatives. The





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10 October 2024

ground floor units are designed as adaptable dwelling units to provide inclusive housing options to those with disabilities.

Transportation and Infrastructure:

The site is adjacent to major transit, bike, and walking routes, and is within walking and biking distance to neighbourhood parks, open space, employment centers and amenities including Fernwood Village, Stadacona Park, and the Downtown Core. The proposal includes one 5-year transit pass per household. The project meets the required short-term and long-term bike parking requirements and includes two dedicated bike parking rooms, including spaces for cargo bicycles.

There is adequate public infrastructure available to meet the proposal, including sewer, water, sidewalks, and roads. The proposal respects a contemplated SRW along the front lot line. A site servicing plan and Sanitary Impact Assessment prepared by Island Engineering will be provided as part of the Rezoning/Development Permit application.

Design and development permit guidelines

The proposal is subject to the Fernwood Village Design Guidelines and Multi-Unit Residential, Commercial Guidelines. The building is designed with sensitivity to context, and builds upon without replication or mimicry, the character of Fernwood village through a contemporary application of brick and storefront glazing. Further, the proposed ground-oriented commercial space with residential use above is in character with the rest of Fernwood Square.

Details of the design addressing the Fernwood Village Design Guidelines and Multi-Unit Residential, Commercial Guidelines include but are not limited to the following:

- Highly transparent and articulated ground floor with recessed commercial entry.
- Use of high-quality and/or textured materials including brick, brick accents and metal canopies and signage at street façade.
- Brick banding as a form of contemporary ornamentation and detailing.
- Vertically proportioned punched residential window openings.
- Incorporation of outdoor patio seating areas that support animation of the street.
- Back-of-house features have been located at the lower floor level to maintain the integrity of the street frontage. Water entry and electrical room are located below the building, and adjacent to street to provide convenient access for BC Hydro and efficient tie-in to municipal services.
- Ground floor units are designed as adaptable dwelling units.
- Rooftop patios are setback with simple forms and minimal detailing and articulation.
- Native landscaping complements and balances the building's material palette. On site pavers mark a transition from the public sidewalk to the property. Trees and planting along the east and rear side yard and a fence along the side and rear yards provide a buffer and privacy to neighbouring sites.

Safety and Security

CPTED is addressed by avoiding blank, windowless walls, activity generators, clear sightlines, and appropriate site lighting.





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CALUC

The following revisions have been made in response to feedback received during the CALUC preliminary and pre-application meetings.

- To address concerns over building height and shade impact, the rooftop access stair closest to the rear yard has been removed and replaced with an exterior stair at L4, resulting in a stepped massing and reduced shade impact on neighbouring properties to the north.
- A cable trellis and climbing vines have been added to the rear yard landscape area to act as screening for the entirety of the exposed concrete wall and fencing.
- To address privacy and overlook concerns, the extents of the rooftop patios have been pulled back from the western roof edge. A sightline diagram has been provided as part of the Rezoning/DP application, taken at the highest points of the neighbouring sights where overlook would be most likely. The diagram demonstrates that rooftop access stairs and guards are not visible from either neighbouring property and that there is no potential for overlook, unless a person was standing directly at the west property line on 1270 Gladstone, which is unrealistic as there is landscaping in this location.
- To address environmental concerns over management of storm water drainage, site coverage has been reduced from 69% to 61% and permeable pavers have been added.
- Downcast sconce lighting and recessed soffit lighting has been proposed to minimize light pollution to neighbouring properties.
- To address concerns of a “monolithic” appearance at the rear yard elevation, brick banding has been added to match the street-facing elevation, additional windows have been provided and the façade has been broken up the introduction of an exterior stair.

The following items offer clarification pertaining to feedback received during the CALUC pre-application meetings.

- Although the building is five storeys tall including the roof deck, the street-oriented south façade is only three storeys tall and is in keeping with the character of the nearby Fernwood Square.
- An arborist report has been provided as part of the Rezoning/DP application to address concerns over impact to existing trees on the western and northern borders of the site. The most recent exploratory excavation conducted by the project arborist has determined that the existing trees will sustain insignificant to low root impacts as a result of the proposed retaining wall installation.
- A site servicing plan and Sanitary Impact Assessment prepared by Island Engineering has been provided as part of the Rezoning/DP application, demonstrating that there is adequate public infrastructure available to meet the proposal.
- The frequency of waste management pickups will be adjusted based on the needs of the development to ensure that the proposed garbage area is kept tidy and well-maintained.

ADP

The following revisions have been made in response to feedback received during the ADP meeting.

- The garbage area has been fully enclosed, including the addition of swing doors and a green roof to increase separation with adjacent building functions.





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10 October 2024

- The proposed trees along the west walkway have been relocated to the east walkway on L1 to accommodate a retaining wall design that will lessen the impact to neighbouring trees to the west of the property. In their place, shallow planting strips with climbing vines have been added to the west walkway to increase the overall amount of soft landscaping on the site.
- A new tree has been proposed in the front yard planting area.

Parks

The following measures have been taken in continued collaboration with the Parks Department.

- Additional exploratory digging was conducted on site with the Parks Department present.
- The proposed retaining wall design has been revised and explanatory notes added in collaboration with the Parks department to minimize the impact to neighbouring trees to the west of the property.

Updated Variances from Draft CR-FG Zone

The following updates have been made that affect the requested variances from the draft CR-FG zoning, in collaboration with the Planning Department.

- Reduce the minimum rear lot line setback at the main building face to 3.90m (previously 3.97m).
 - To accommodate the addition of exterior rigid insulation to meet our energy targets.
- Reduce the minimum side (east) lot line setback at the balcony to 1.25m (previously 1.44m) and the side (west) lot line setback at the balcony to 1.20m (previously 1.36m).
 - To account for measuring to the offset balcony guardrail, and the addition of exterior insulation to meet our energy targets while keeping the balcony depth the same.
- Reduce the minimum side (east) lot line setback at the stairs to 0.00m (previously 0.06m).
 - To provide construction tolerance on site at the east property line.
- Increase the maximum building height to 13.90m (previously 13.56m).
 - To accommodate bulkheads and drop ceilings for mechanical equipment on the top floor and keep the minimum clear ceiling height at 8ft.

Alternative Solutions

Celerity Engineering has been engaged to prepare compliant 2018 BCBC Alternative Solutions (AS) for a number of items for the project. Full AS reports will be prepared by Celerity for Building Permit Application. Below is a list of the code items requiring AS, and preliminary mitigating features.

Required Alternate Solutions	
Article	Mitigating Feature
BCBC 3.3.4.4.(3) Egress from Dwelling Units	Increased sprinkler density and water curtains and possible a water curtain at the kitchen to protect the egress path.
BCBC 3.2.3.13 – Exit Exposure	Water curtains over all unprotected openings within 5m of the exit path.





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10 October 2024

BCBC 3.2.5.8 – Standpipe system	64mm hose connections near entries
---------------------------------	------------------------------------

GREEN INDICATORS	
CATEGORY	GREEN ITEMS
Rating System	BC Energy Step Code 3
Site Selection and Design	<ul style="list-style-type: none"> • Thermally efficient building form and orientation • High performance windows • Appropriately sized windows for passive heating • Passive ventilation for summer months • Exterior Roof Insulation • Low window to wall ratio. • Canopies to reduce solar gain in summer month
Innovation and design	Solar Panel Ready, including: <ul style="list-style-type: none"> • Conduit to roof • Additional electrical panel size and space
Building Reuse	Use of salvaged brick
Transportation	<ul style="list-style-type: none"> • Omission of parking will reduce Green House gas emissions. • Dedicated bike parking room with repair area. • Walkable and biking distance to employment centers and amenities • Provision of car-share memberships and transit passes
Energy Efficiency	<ul style="list-style-type: none"> • Energy modeling and on-site testing to meet requirements of BCBC Step Code 3
Water	Water conservation initiatives, including: <ul style="list-style-type: none"> • Faucets with flow rate of 8L/min or less • Showerheads with flow rate of 8L/min or less • Dual flush toilets with ultra-low flow (4.5L per flush or less)
Landscaping and Urban Forest	<ul style="list-style-type: none"> • Only native and adapted vegetation • Drought tolerant vegetation.

Kind regards,

Colin Harper



NO. 24-071

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the CR-FG Zone, Fernwood Commercial Residential (Gladstone) District, and to rezone land known as 1276/1278 Gladstone Avenue from the R-2-T Zone, Two Single Family Dwelling District, to the CR-FG Zone, Fernwood Commercial Residential (Gladstone) District.

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 “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1347)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 4 – 4.111 by adding the following words:

“4.111 CR-FG Zone, Fernwood Commercial Residential (Gladstone) District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.110 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1276/1278 Gladstone Avenue, legally described as PID: 009-166-084 LOT 2 SECTION 61 SPRING RIDGE VICTORIA CITY PLAN 312 and shown hatched on the attached map, is removed from the R-2-T Zone, Two Single Family Dwelling District and placed in the CR-FG Zone, Fernwood Commercial Residential (Gladstone) District.

READ A FIRST TIME the	day of	2024
READ A SECOND TIME the	day of	2024
READ A THIRD TIME the	day of	2024
ADOPTED on the	day of	2024

CITY CLERK

MAYOR

PART 4.111 – CR-FG ZONE, FERNWOOD COMMERCIAL RESIDENTIAL (GLADSTONE) DISTRICT

4.111.1 Permitted Uses in this Zone

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

- a. Uses and regulations permitted in the R-2-T Zone
- b. Retail
- c. Bakery
- d. Restaurant
- e. Neighbourhood pub, restricted to 133 m²
- f. Personal services
- g. Self-contained dwelling units
- h. Commercial-residential buildings

4.111.2 General

If the primary use of a Lot is a use permitted in the R-2-T, Two Single Family Dwellings District:

- a. The regulations in the R-2-T, Two Single Family Dwellings District apply
- b. The regulations set out in sections 4.111.3-4.111.7 do not apply.

4.111.3 Lot Area

- | | |
|-------------------------------|---------------------------------|
| a. <u>Lot area</u> (minimum) | 627m ² |
| b. <u>Lot width</u> (minimum) | 13.74m average <u>lot</u> width |

4.111.4 Floor Area, Floor Space Ratio

- | | |
|---------------------------------------|-------------------|
| a. <u>Total floor area</u> (maximum) | 950m ² |
| b. <u>Floor space ratio</u> (maximum) | 1.52:1 |

4.111.5 Height, Storeys

- | | |
|---|-----|
| a. Principal <u>building height</u> (maximum) | 12m |
| b. <u>Storeys</u> (maximum) | 4 |

PART 4.111 – CR-FG ZONE, FERNWOOD COMMERCIAL RESIDENTIAL (GLADSTONE) DISTRICT

4.111.5 Setbacks

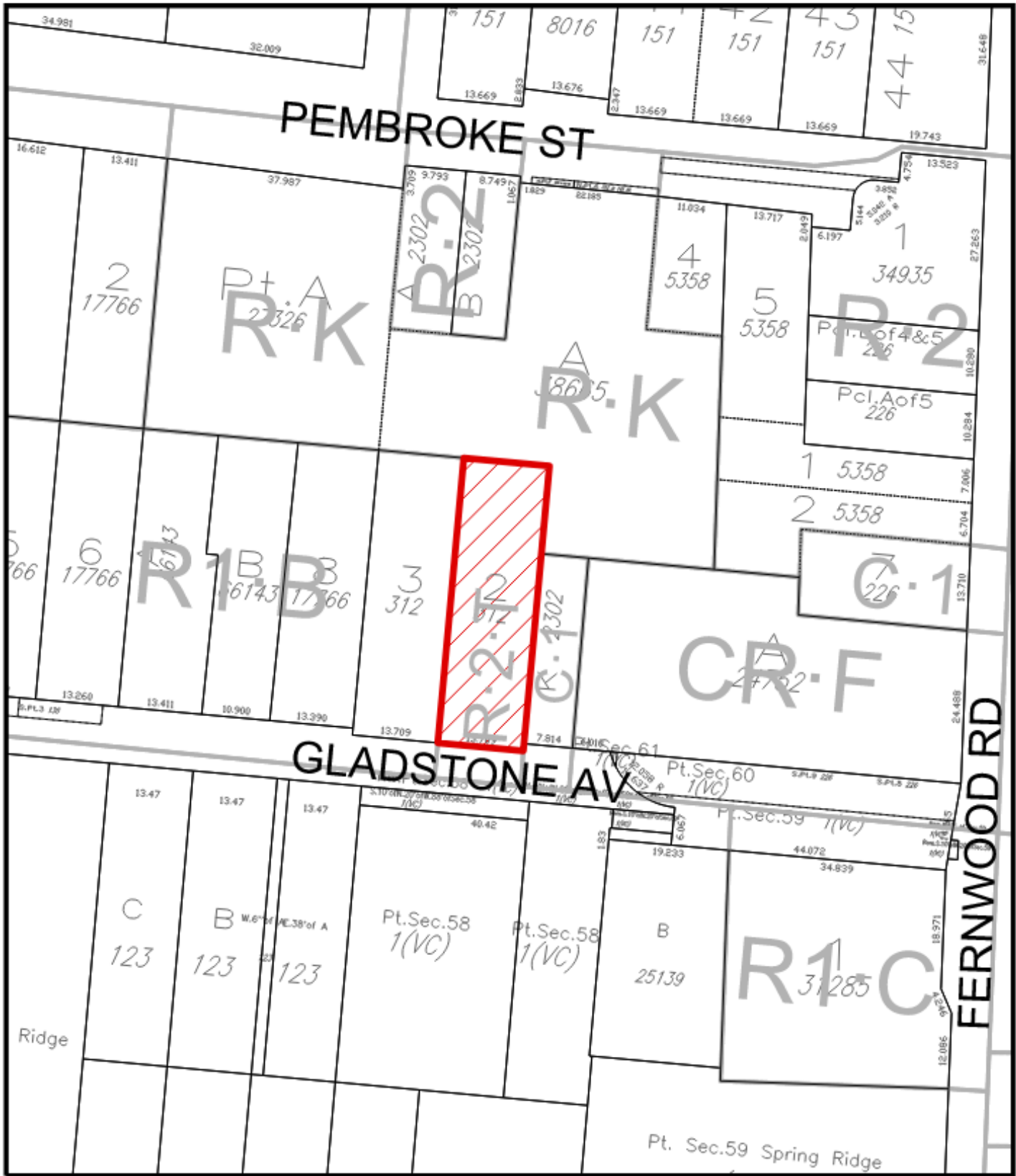
- a. Front yard setback (minimum) 5.70m
- b. Rear yard setback (minimum) 6.00m
- c. West side yard setback from the interior lot line (minimum) 3.50m
- d. East side yard setback from the interior lot line (minimum) 3.50m
- e. A building canopy which faces a street boundary may project into a setback (maximum) 2.00m

4.111.6 Site Coverage, Open Site Space

- a. Site Coverage (maximum) 61%

4.111.7 Vehicle and Bicycle Parking

- a. Vehicle parking (minimum) Subject to the regulations in Schedule “C” except as otherwise specified by the regulations in this Part
- b. Bicycle parking (minimum) Subject to the regulations in Schedule “C”



1276 & 1278 Gladstone Avenue
 Rezoning No.00860





Committee of the Whole Report

For the Meeting of June 20, 2024

To: Committee of the Whole **Date:** June 6, 2024

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

Subject: **Rezoning Application No. 00860 and Development Permit with Variances Application No. 00249 for 1276/1278 Gladstone Avenue**

RECOMMENDATIONS

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated June 6, 2024, for 1276/1278 Gladstone Avenue.
2. That, after publication of notification in accordance with section 467 of the *Local Government Act*, first, second and third reading of the Zoning Regulation Bylaw amendment be considered by Council once the following conditions are met:
 - a. Revisions to the landscape plan to consider achieving the siting and soil volume requirements of the *Tree Protection Bylaw* for the proposed replacement tree in the front yard to the satisfaction of the Director of Parks, Recreation and Facilities.
 - b. Revisions to the frontage design to include a ramp access as part of the proposed on-street loading zone design, to the satisfaction of the Director of Engineering and Public Works.
3. That following the third reading of the Zoning Regulation Bylaw amendment, the applicant prepare and execute legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development, the Director of Engineering and Public Works, and form satisfactory to the City Solicitor prior to adoption of the bylaw to secure the following:
 - a. To secure the 18 new residential dwelling units as rental in perpetuity.
 - b. To secure two two-bedroom units and six three-bedroom units within the building.
 - c. Provision of transportation demand measures including:
 - i. a \$55,000 contribution towards the purchase and operation of a shared home-based Electric Vehicle (EV)

- ii. a \$20,000 contribution towards the design and installation of an on-street dual head level 2 Electric Vehicle (EV) charger
 - iii. car share membership with a \$100.00 usage credit per dwelling unit
 - iv. BC Transit Eco Passes for 50 percent of the units for a three-year term.
- d. Authorization for the existing Statutory Right-of-way CA7437563 currently registered on Title (a 1.85m SRW for highway purposes) along Gladstone Avenue be rescinded and replaced with a new Statutory Right-of-way for the same area and purpose, with updated terms and conditions.
- e. Authorization for the City Solicitor to enter into a Statutory Right-of-way for the purpose of municipal infrastructure (a water vault) if it is determined to be required.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Development Permit with Variance Application

That Council, after giving notice, consider the following motion:

- “1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00249 for 1276/1278 Gladstone Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on April 26, 2024, subject to:
- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the minimum rear lot line setback from 6.00m to 3.95m for the main face of the building and to 1.00m for the first storey and patio
 - ii. reduce the minimum side (east) lot line setback from 3.50m to 2.09m for the building, to 1.44m for the balconies, and to 0.06m for the steps
 - iii. reduce the minimum side (west) lot line setback from 3.50m to 2.08m for the main face of the building, to 1.36m for the balconies, and to 0.00m for the first storey and patio
 - iv. reduce the number of residential parking spaces from 18 spaces to 0 spaces
 - v. reduce the number of commercial parking spaces from 8 spaces to 0 spaces
 - vi. reduce the number of visitor parking spaces from 2 spaces to 0 spaces
 - vii. reduce the number of accessible parking spaces from 1 space to 0 spaces
 - viii. reduce the number of van accessible parking spaces from 1 space to 0 spaces
 - ix. increase the maximum height of a building from 12m to 13.56m
 - x. increase the maximum number of storeys from four storeys to five storeys.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application and concurrent Development Permit with Variances Application. Relevant rezoning considerations included in the proposal are to change the use and increase the density, while the Development Permit considerations relate to the applications consistency with the relevant design guidelines and the impact of the variances.

Enabling Legislation

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

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

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

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

Pursuant to Section 491 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, 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 Rezoning Application and Development Permit with Variances (DPV) Application for the property located at 1276/1278 Gladstone Avenue. The proposal is for a 19-unit mixed use apartment building consisting of 18 residential rental units and one commercial unit.

The proposal is to rezone from the R-2-T Zone, Two Single Family Dwelling District, to a new site-specific zone to increase the density from 0.30:1 Floor Space Ratio (FSR) to 1.52:1 FSR and allow for multiple dwellings and commercial uses at this location. The existing single-family dwellings and accessory structures are proposed to be demolished.

The following points were considered in assessing the Rezoning application:

- The proposal is consistent with the Small Urban Village designation in the *Official Community Plan, 2012* (OCP), which envisions low rise, multi-unit, mixed use buildings with heights up to four storeys.
- The proposal is consistent with the housing objectives of the *Fernwood Neighbourhood Plan* (FNP) that encourages low-rise residential apartment buildings as rentals units.
- The proposal aligns with the mixed use and “commercial-desired” policies for properties located within the Fernwood Village as specified in the *Fernwood Neighbourhood Plan*.
- The proposal aligns with the Heritage Conservation Area policies for properties located within the Fernwood Village as specified in the *Fernwood Neighbourhood Plan*.
- Provision of a 1.85m wide SRW along Gladstone Avenue contributes towards achieving a standard right-of-way width to accommodate for wider sidewalks and boulevard spaces.
- The Tenant Assistance Plan meets the policy expectations with respect to rent compensation, moving costs, relocation support by a hired coordinator, and right of first refusal is being provided to the eligible tenants at 20% below market rental rates.

There is a concurrent Development Permit with Variance (DPV) application pertaining to the proposed form and character, exterior design, finishes, and landscaping. The following points were considered in assessing the Development Permit with Variance application:

- The proposal is consistent with the applicable design guidelines for mixed-use buildings based on the *Fernwood Village Design Guidelines (2022)*, the *Guidelines for Fences, Gates, and Shutters (2010)* as well as the guidelines found in the *Official Community Plan (2012)*, Development Permit Area 6B (HC) and the *Fernwood Neighbourhood Plan (2022)*.
- The proposal aligns with the Standards and Guidelines for the Conservation of Historic Places in Canada (A Federal, Provincial and Territorial Collaboration).
- The requested variances related to reducing setbacks and removing the requirement for parking, increasing height and number of storeys are all supportable as they offer a contextual response to the existing site conditions and existing neighbourhood character.

BACKGROUND

Description of Proposal

The proposal is to rezone from the R-2-T, Two Single Family Dwelling District, to a new site-specific zone in order to increase the density from 0.30:1 FSR to 1.52:1 FSR and facilitate the development of a new 19-unit mixed use apartment building consisting of 18 residential rental units and one commercial unit on the subject property.

It is recommended that a site-specific zone, be drafted should Council choose to advance the application. The zone will be based on a combination of the CR-F, Fernwood Commercial Residential District and CR-6, Commercial Residential Fernwood Village District zones, which is consistent with other mixed use development projects in the Fernwood Village Heritage Conservation Area. However, in a number of instances, variances are recommended (instead of inclusion into the new zone), to ensure that if this proposal is not built, the reduced siting criteria, increased height and reduced parking requirements are not permitted as of right in zoning, and any application proposing similar variances would require Council review and approval.

The concurrent DPV application addresses design guidelines as per the OCP’s DPA 6B (HC) – Small Urban Villages Heritage for projects in the Fernwood Village Heritage Conservation Area.

The following changes are proposed and would be accommodated into the new zone:

- changing the land use from two single-family dwellings to multi-family with commercial uses (bakery, restaurant, neighbourhood pub) on the ground floor
- permitting roof decks
- increasing the maximum floor space ratio (FSR) from 0.30:1 to 1.52:1
- increasing the maximum height of a building from 5.6m for the north building and 5.5m for the south building to 12m
- increasing the maximum number of storeys from one storey to four storeys
- increasing the maximum site coverage from 40% to 61%.

Multiple variances are required to facilitate the development, specifically:

- reducing the minimum rear lot line setback from 6.00m to 3.95m for the main face of the building and to 1.00m for the first storey and patio
- reducing the minimum side (east) lot line setback from 3.50m to 2.09m for the building, to 1.44m for the balconies, and to 0.06m for the steps
- reducing the minimum side (west) lot line setback from 3.50m to 2.08m for the main face of the building, to 1.36m for the balconies, and to 0.00m for the first storey and patio
- reducing the number of residential parking spaces from 18 spaces to 0 spaces
- reducing the number of commercial parking spaces from 8 spaces to 0 spaces
- reducing the number of visitor parking spaces from 2 spaces to 0 spaces
- reducing the number of accessible parking spaces from 1 space to 0 spaces
- reducing the number of van accessible parking spaces from 1 space to 0 spaces
- increasing the maximum height of a building from 12m to 13.56m
- increasing the maximum number of storeys from four storeys to five storeys.

Land Use Context

The area around the Fernwood Village is primarily characterized by a mix of single-family, two-family, and multi-family residential homes. Within the Village, there is a mix of ground-floor commercial and mixed-use buildings.

The Gladstone outdoor Mall, William Stevenson Memorial Park, Fernwood Community Centre, and newly renovated Victoria High School are all in close proximity to the subject property.

The adjacent properties are single-family and multi-family homes, and the Victoria High School is located on the opposite side of Gladstone Avenue.

Existing Site Development and Development Potential

Figure 1 shows the location of the subject site. The existing single-family dwellings and accessory structures are all proposed to be demolished.

Under the R-2-T Zone, Two Single-Family Dwelling District, the existing single-family homes can be demolished, and new homes built in their place.

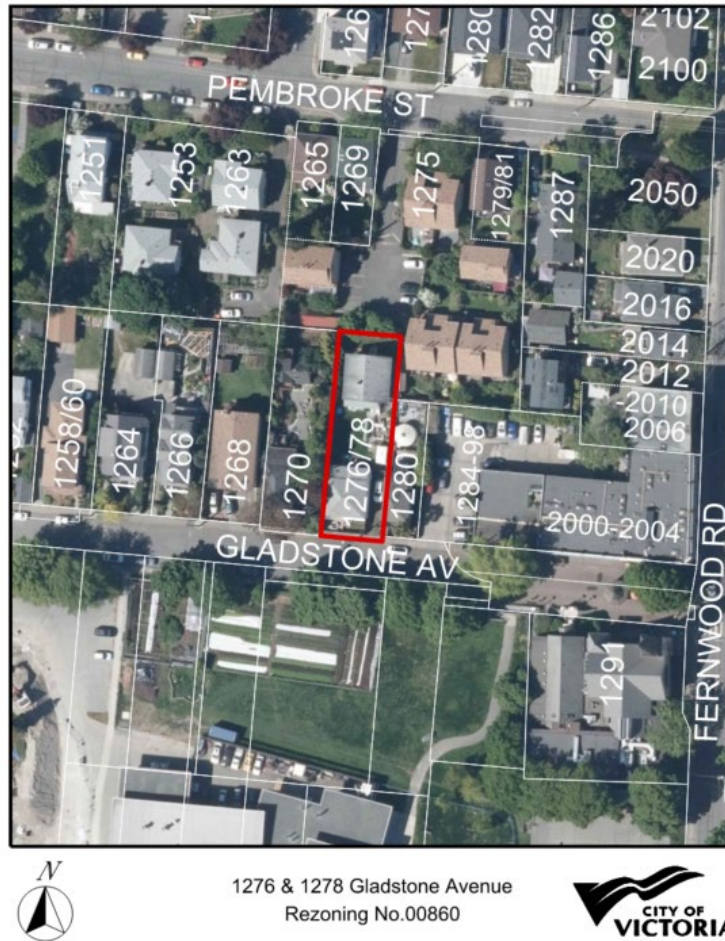


Figure 1. Aerial photo of subject site

Data Table

The following data table compares the proposal with the CR-F Zone, Fernwood Commercial Residential District, and CR-6 Zone, Commercial Residential Fernwood Village District, which is consistent with other mixed-use development projects in the Fernwood Village Heritage Conservation Area. An asterisk is used to identify where the current proposal does not meet the requirements of one or both of these zones.

Zoning Criteria	Proposal	CR-F Zone	CR-6 Zone
Site area (m ²) – minimum	626.40	N/A	N/A
Lot width (m) – minimum	13.70	N/A	N/A
Density (Floor Space Ratio) – maximum	1.52:1*	1.40:1	1.00:1
Total floor area (m ²) – maximum	949.46	N/A	N/A

Zoning Criteria	Proposal	CR-F Zone	CR-6 Zone
Combined floor area (m ²) – minimum	1319.17	N/A	N/A
Floor area of dwelling unit (m ²) – minimum	38.32	N/A	N/A
Height (m) – maximum	13.56*	12.00	10.60
Storeys – maximum	5 storeys* (4 storeys and a roof deck)	4 storeys	4 storeys
Roof deck	Yes	Permitted	Permitted
Site coverage (%) – maximum	60.98	59.00	63.00
Setbacks (m) – Front	5.69*	6.00	3.50
Setbacks (m) – Rear	3.95* – main face of building 1.00* – 1 st storey and patio	6.00	7.50
Setbacks (m) – Side (East)	2.09* – main face of building 1.44* – balconies 0.06* – steps	3.39	0.00
Setbacks (m) – Side (West)	2.08* – main face of building 0.00* – 1 st storey and patio 1.36* – balconies	3.39	1.50
Vehicle parking – minimum	0*	18 - Residential	18 - Residential
Commercial parking – minimum	0*	8 - Commercial	8 - Commercial
Visitor Vehicle Stalls (included in overall total)	0*	2 - Visitor	2 - Visitor
Accessible Vehicle Stalls (included in overall total)	0*	1 - Accessible 1 - Van Accessible 0 - Visitor Accessible 0 - Van Visitor Accessible	1 - Accessible 1 - Van Accessible 0 - Visitor Accessible 0 - Van Visitor Accessible
Long Term Bicycle Parking	34.00	20.00	20.00
Short Term Bicycle Parking	7.00	7.00	7.00

Mobility

The application proposes the following features which support multi-modal transportation:

- an additional 14 long-term bicycle parking spaces provided in excess of what is required as per Schedule C of the *Zoning Regulation Bylaw*
- a \$55,000 contribution towards the purchase and operation of a shared home-based

Electric Vehicle (EV)

- a \$20,000.00 contribution towards the design and installation of an on-street dual head level 2 Electric Vehicle (EV) charger
- Modo car share memberships with a \$100 usage credit per residential dwelling unit
- BC Transit Eco Passes for 50 percent of the units for a three-year term.

As part of the TDM package, the monetary contributions provided by the applicant will go towards purchasing a new electric Modo vehicle and EV charging station located on Gladstone Avenue.

The owner will provide a 1.85m Statutory Right-of-way along the Gladstone Avenue frontage. This contributes to a more standard road width and supports the City's public realm and mobility goals.

Accessibility

The proposal includes accessible design features for mobility considerations, including:

- a bike runnel for easy access to the level one long-term bicycle storage area
- an additional secured and weather protected long-term bicycle parking area accessible from the ground level to accommodate cargo bikes and mobility scooters.

As well, the applicant is proposing to construct five studio apartments located on the ground level as Adaptable Dwelling Units.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, it was posted on the Development Tracker along with an invitation to complete a comment form on June 26, 2023. Mailed notification was sent to owners and occupiers of property within 100m of the subject property advising that a consultation process was taking place, and that information could be obtained, and feedback provided through the Development Tracker. A sign was also posted on site, to notify those passing by of this consultative phase. Additionally, the applicant participated in a formal Official Community Meeting with the Fernwood CALUC on July 25, 2023.

A letter dated August 18, 2023, along with the comment forms are attached to this report.

In response to this consultation, the applicant implemented various privacy and screening measures, changed the exterior siding to a lighter material, re-designed the rooftop patio at the rear of the building, added more landscaped greenery, and enlarged the outdoor amenity space.

Pursuant to section 464(3) of the Local Government Act, Council is prohibited from holding a public hearing when a residential rezoning application is consistent with the OCP and comprises at least half of the gross floor area of all buildings and other structures proposed as part of the development. However, notice must still be sent to all owners and occupiers of adjacent properties prior to introductory readings of the bylaws.

The associated 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.

Advisory Design Panel

The application was reviewed by the Advisory Design Panel on Wednesday, January 24, 2024. At that meeting, the following motion was passed:

That the Advisory Design Panel recommend that Development Permit Application No. 00249 for 1276/1278 Gladstone Avenue be approved with the following changes:

- *Consideration for garbage and recycling to be enclosed.*
- *Consideration for more soft landscaping to the subject site.*

In response, the applicant enclosed the residential garbage and recycling area, and is providing more soft landscaping, specifically clematis armandii vines, on each side of the proposed building.

ANALYSIS

Rezoning Application

Official Community Plan, 2012

The *Official Community Plan* (OCP, 2012) Urban Place Designation for the subject property is Small Urban Village, which envisions low-rise multi-unit, mixed use, and freestanding commercial buildings with heights generally ranging to four storeys depending on the existing and envisioned context of the area. Taller buildings are generally envisioned to be located in mixed-use forms in areas that support the growth management concept of the plan.

Envisioned uses include multi-family residential and mixed use, commercial, home occupations, and live/work units. Low to medium density residential, mixed use, and freestanding commercial use is encouraged with a base density of 1.5:1 FSR. Additional density of up to 2:1 FSR may be considered where public benefit is provided consistent with neighbourhood plan objectives. The proposal is generally consistent with this urban place designation and the housing goals and objectives of the *Official Community Plan, 2012*.

Fernwood Neighbourhood Plan

The *Fernwood Neighbourhood Plan* (FNP, 2022) is consistent with the OCP and designates the subject property as Small Urban Village and located in the identified Heritage Conservation Area. Within Fernwood Village, the FNP encourages a mix of commercial and community services with low-rise apartment residential and mixed-use buildings at densities of approximately 1.5:1 to 2.0:1 FSR, with higher densities in this range considered where public benefits or affordable housing is provided. The identified Heritage Conservation Area is a tool used to protect, preserve, and enhance the heritage value or character of related properties with collective historical significance.

The FNP also designates the property as being in a “commercial-desired area” of the Fernwood Village, which calls for considering mixed-use development with publicly orientated, active ground floor uses that may include retail, community and public servicing spaces, or art spaces. Where the ground floor of a new building is not entirely occupied by a commercial space, the FNP encourages active residential-orientated uses in the remaining portion of the ground floor. Housing objectives in the FNP support the creation of multi-family development with varied tenure options including rental housing in the urban villages. Other guiding policies in the FNP speak to future mixed-use developments providing diverse mobility options and opportunities for people to choose car-light lifestyles and to aid in advancing the City’s heritage objectives. The proposal is consistent with the goals and objectives of the *Fernwood Neighbourhood Plan*.

Housing

This application for 18 dwelling units would result in approximately 16 net new residential rental units, which would increase the overall supply of housing in the area and contribute to the targets set out in the *Victoria Housing Strategy*.



Figure 2. Housing Continuum

Affordability Targets

The application indicates that all 18 residential dwelling units will be available for market rent.

Housing Mix

The proposed dwelling unit typologies consist of five studio units, five one-bedroom units, two two-bedroom units, and six three-bedroom units for a total of 18 residential rental dwelling units and 16 net new units. A legal agreement is proposed to secure the provision of at least two two-bedroom units and six three-bedroom units.

Security of Tenure

The applicant has offered to enter into a housing agreement in order to secure the 18 residential dwelling units as rental in perpetuity.

Existing Tenants

This proposal is to demolish two existing single-family dwellings and re-develop on the subject site, which would result in a loss of two existing residential rental units. Consistent with the *Tenant Assistance Policy*, the applicant has provided a Tenant Assistance Plan. This Tenant Assistance Plan meets policy expectations with respect to rent compensation, moving costs, and relocation support. The applicant has hired a relocation coordinator, with direct access to rental properties in the region, to assist the two eligible tenants with relocation. Right of first refusal is being provided to the eligible tenants at 20% below market rental rates.

Development Permit with Variance Application

The *Official Community Plan* (OCP, 2012) identifies this property as being within Development Permit Area 6B (HC): Small Urban Village Heritage and the associated design guidelines apply. The primary objectives for DPA 6B (HC) include accommodating Victoria's anticipated residential growth within Small Urban Villages, supporting future commercial through revitalizing an area of commercial use through infill.

Enhancing the heritage value and characteristics of the area and enhancing the area through infill with a high quality of architecture, landscape and urban design that responds to its heritage setting through sensitive and innovative interventions is also a goal of this DPA. The special features, characteristic and special conditions within DPA 6B (HC) include Small Urban Villages as nodes of commercial use that support adjacent land use areas with potential for revitalization through infill, building additions and heritage conservation. Small Urban Villages have capacity for mixed-use development with active commercial at the street level and multi-family residential above.

The Fernwood Village area of the City is a small commercial district with a majority of buildings that date back to both Victorian and Edwardian eras. Many of the buildings are listed on the City of Victoria Heritage Register, and some are protected heritage property. The proposal is consistent with the general design guidelines and heritage conservation area policies identified in the *Official Community Plan, 2012* for Development Permit Area 6B (HC).

Fernwood Village Design Guidelines

The Fernwood Village Design Guidelines encourage articulation of façades, especially for larger buildings, into a series of intervals, using vertically proportioned windows and bays, to reflect and fit within the established streetscape pattern. New development should seek to include a distinct roof line in the building design, through such measures as a simplified or contemporary cornice or parapet. Incorporating pedestrian-scale lighting along the length of the building face is key, as is locating and screening proposed rooftop structures so they are not visible from the public realm.

The Fernwood Village design guidelines also encourage the provision of varied roof lines across different buildings to create visual interest along the street, and to generally align floor heights, mid-cornice lines, windowsills, and top edges with those adjacent heritage buildings, and discourages blank walls along open spaces. The proposal is consistent with these guidelines.

Guidelines for Fences, Gates, and Shutters

The Guidelines for Fences, Gates and Shutters applies to properties in the Fernwood Village heritage conservation area. These guidelines recommend that fences, gates, and shutters integrate with building design, architectural finishes, and materials for a cohesive effect, and be constructed of high quality, durable materials that weather gracefully, and not be too dominating. The proposal aligns with these design guidelines.

Guidelines for the Conservation of Historic Places in Canada

The proposal aligns with the Guidelines for the Conservation of Historic Places in Canada as it relates to the exterior design and its relationship to the surrounding heritage in Fernwood Village. The use of reclaimed brick and vertical stack bond brick on the façade of the building aligns with character defining elements that historical buildings in the Fernwood Village seek to maintain. The exterior design contributes to the surrounding heritage value of neighbouring historic buildings. Overall, the proposal aligns with the guidelines for the conservation of historical places in Canada.

Regulatory Considerations

Setbacks

Variations are being requested to reduce the front, rear, and side yard setbacks. The Fernwood Village guidelines state that in the area adjacent to the established Fernwood Village (where new commercial and mixed-use development is envisioned) new buildings must be located and setback as to achieve a minimum of four metres from the curb to the face of the building. The design guidelines also advise incorporating small setbacks for portions of the façade at the street level to accommodate sidewalk cafes, patios, and other outdoor seating areas. The primary objectives of setbacks in the front, rear and sides of a property are to allow for the preservation of green spaces for trees, landscaping, and stormwater management, to provide an outdoor amenity space for residents and to avoid shading neighbouring properties.

The setbacks as proposed align with the Fernwood Village design guidelines and primary purpose of maintaining setbacks to adjacent buildings. The front yard setback reduction is minor, and adequate building separation remains for the rear and side yards. A zero setback for the first storey on the western side of the property does not present any impact to neighbours, as it is to accommodate the secure bicycle parking storage room. Support for the proposed setback variations is recommended.

Height and Massing

Variations are requested to increase the maximum building height and the number of storeys. The building is proposed to be 13.57 m in height, which is higher than the comparable CR-F Zone and CR-6 Zone in the Fernwood Village area (12.0m and 10.60m). To mitigate the impacts of increased height and massing, the applicant has made the following exterior design changes:

- removed the rooftop access stair closest to the rear yard and replaced it with an exterior stair at the fourth storey, resulting in a stepped massing and reduced shadowing impact
- brick banding has been added to match the street-facing elevation, additional windows have been provided and the façade has been broken up by the exterior stairs
- the cladding on the west and east façades have been changed from black standing metal seam siding to a wood style board and batten, with variation in the spacing of the boards on each level to differentiate the storeys and further break up the façade.

The building presents as three storeys along Gladstone Avenue, as four storeys at the back and along the sides, however, it is technically considered a five-storey building due to the rooftop access and the way height is measured relative to average grade in the *Zoning Regulation Bylaw*.

The Fernwood Village design guidelines advise that new rooftop additions be designed sensitively to enable conservation of the entire historic building, to use a less dominating colour or lighter shade of colour, and that rooftop additions should be stepped back from the primary façade a minimum 4m to preserve views of the Belfry Theatre's spire. While the guideline for preserving views of the Belfry Theatre spire is primarily for rooftop additions to existing buildings, the proposed building incorporates similar principals into the design to ensure the new building is sympathetic to the existing and celebrated Fernwood Village heritage context.

Given these considerations, allowing a variance for increased building height and number of storeys is considered supportable.

Parking

The applicant is proposing a zero-parking project, which requires variances to allow reduced parking from 18 residential parking spaces, eight commercial parking spaces, two visitor parking spaces, one accessible and one van accessible parking space to zero on-site parking.

To mitigate some of the potential impacts of a zero-parking project, the applicant is proposing 14 additional long-term bicycle parking stalls, monetary contributions totalling \$75,000 towards the purchase of a new home-based EV vehicle and new on-street dual head level 2 EV charger, Modo car share memberships with usage credits and BC Transit Eco Passes.

As well, the proposed frontage design includes an on-street loading zone parking stall, which is recommended to be modified to include a ramp in order to improve accessibility to the proposed development and the Fernwood Village. A plan revision for the current frontage design has been added to the recommendation for Council's consideration.

Allowing a zero-parking project development in this location is considered supportable based on these mitigations, as well as the property's proximity to frequent BC Transit routes, location in the heart of Fernwood Village and close to Downtown, and the continual expansion of the Gladstone outdoor mall and walkability that the design guidelines encourage for this area.

Urban Forest Master Plan and Tree Protection Bylaw

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods. The following points were considered in assessing the proposal:

- Eleven trees and one cedar hedge have been inventoried. Of these, there are five bylaw protected trees, all of which are on neighbouring lots. There are no trees located on the subject property and no municipal trees impacted by this application.
- All neighbours trees are proposed for retention throughout the development following mitigation measures outlined in the attached arborist report.
- The landscape plan shows four trees proposed along the western property line and one tree proposed in the front yard. All trees proposed on the subject lot do not currently meet the minimum siting and soil volume requirements outlined in the *Tree Protection Bylaw*.
- Cash-in-lieu for three replacement trees will be required. One municipal tree is proposed in a new grass bump-out along the Gladstone Avenue frontage.

Landscape Plan Revisions

It is recommended that the landscape plan be revised by shifting or notching the proposed front bench seat away from the proposed new tree in order to achieve the replacement tree siting and soil volumes requirements, as per the *Tree Protection Bylaw*.

The applicant has not been amenable to making these changes and expressed a desire to advance the application to the Committee of the Whole for review and consideration; however, the recommendation includes appropriate wording to direct these revisions to the plans.

Resource Impacts:

The table below summarizes the City of Victoria's municipal annual maintenance costs which would be incurred with this application:

Increased Inventory	Annual Maintenance
One net new municipal tree	\$60
14m ² new grass boulevard (bump out) on Gladstone Ave.	\$100

CONCLUSIONS

Rezoning the subject property to a new site-specific zone would permit the construction of a mixed-use building comprising of 18 market-rental residential dwelling units and one commercial unit (a bakery). The proposal aligns with policy objectives related to the City's overall housing targets for rental housing, providing much needed commercial business opportunities in Fernwood Village and expanding the pedestrian realm along Gladstone Avenue.

The proposal complies with the overall goals and objectives of the Small Urban Village urban place designation in the *Official Community Plan, 2012*, as well as the housing, commercial and heritage policies and design guidelines prescribed in the *Fernwood Neighbourhood Plan, 2022*.

The variances related to setbacks, height, number of stores are supportable, and the proposal for zero-parking is supportable based on the robust Transportation Demand Management measures.

Therefore, it is recommended that Council advance this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00860 and Development Permit with Variances Application No. 00249 for the property located at 1276/1278 Gladstone Avenue.

Respectfully submitted,

Kasha Janota-Bzowska
Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date stamped April 26, 2024
- Attachment C: Letter from Applicant to Mayor and Council dated April 26, 2024
- Attachment D: Arborist Report dated April 26, 2024
- Attachment E: Tenants Assistance Plan (TAP) approved on December 19, 2023
- Attachment F: Advisory Design Panel Minutes from the Meeting of January 24, 2024
- Attachment G: Fernwood Community Association Land Use Committee Comments dated August 18, 2023
- Attachment H: Pre-Application Consultation Comments from Online Feedback Form
- Attachment I: Correspondence (Letters received from residents)



MINUTES - VICTORIA CITY COUNCIL

July 4, 2024, 3:30 P.M.

COUNCIL CHAMBERS - 1 CENTENNIAL SQUARE, VICTORIA BC

To be held immediately following the Committee of the Whole Meeting

The City of Victoria is located on the homelands of the Songhees Nation and Xwsepsum Nation

PRESENT: Mayor Alto in the Chair, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond, Councillor Kim, Councillor Loughton, Councillor Thompson

STAFF PRESENT: J. Jenkyns - City Manager, S. Thompson - Deputy City Manager / Chief Financial Officer, C. Kingsley - City Clerk, C. Anderson - Deputy City Clerk, S. Johnson - Director of Communications and Engagement, T. Zworski - City Solicitor, P. Rantucci - Director of Strategic Real Estate, T. Soulliere - Deputy City Manager, K. Hoese - Director of Sustainable Planning and Community Development, G. Diamond - Senior Legislative Coordinator, A. Klus - Legislative Coordinator

A. TERRITORIAL ACKNOWLEDGEMENT

Council acknowledged that the City of Victoria is located on the homelands of the Songhees First Nation and Xwsepsum First Nation communities, and thanked them for allowing us to live, work and play on their lands.

C. APPROVAL OF AGENDA

Moved and Seconded:

That the agenda be approved.

CARRIED UNANIMOUSLY

D. UNFINISHED BUSINESS

D.1 Rise and Report

D.1.a From the June 27, 2024 Closed Council Meeting:

Rise and Report of Period 1 2024 Closed Resolutions

That Council rise and report the resolutions listed in Attachment 1 of Rise and Report of Period 1 2024 Closed Resolutions.

E. REPORTS OF COMMITTEE

E.1 Committee of the Whole

E.1.a Report from the June 20, 2024 COTW Meeting

E.1.a.a 1276 and 1278 Gladstone Avenue: Rezoning Application No. 00860 and Development Permit with Variances Application No. 00249 (Fernwood)

Councillor Kim recused herself at 3:36 p.m. due to a potential pecuniary conflict of interest.

Moved and Seconded:

Rezoning Application

1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated June 6, 2024, for 1276/1278 Gladstone Avenue.
2. That, after publication of notification in accordance with section 467 of the *Local Government Act*, first, second and third reading of the Zoning Regulation Bylaw amendment be considered by Council once the following conditions are met:
 - a. Revisions to the landscape plan to consider achieving the siting and soil volume requirements of the *Tree Protection Bylaw* for the proposed replacement tree in the front yard to the satisfaction of the Director of Parks, Recreation and Facilities.
 - b. Revisions to the frontage design to include a ramp access as part of the proposed on-street loading zone design, to the satisfaction of the Director of Engineering and Public Works.
3. That following the third reading of the Zoning Regulation Bylaw amendment, the applicant prepare and execute legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development, the Director of Engineering and Public Works, and form satisfactory to the City Solicitor prior to adoption of the bylaw to secure the following:
 - a. To secure the 18 new residential dwelling units as rental in perpetuity.
 - b. To secure two two-bedroom units and six three-bedroom units within the building.
 - c. Provision of transportation demand measures including:

- i. a \$55,000 contribution towards the purchase and operation of a shared home-based Electric Vehicle (EV)
 - ii. a \$20,000 contribution towards the design and installation of an on-street dual head level 2 Electric Vehicle (EV) charger
 - iii. car share membership with a \$100.00 usage credit per dwelling unit
 - iv. BC Transit Eco Passes for 50 percent of the units for a three-year term.
 - d. Authorization for the existing Statutory Right-of-way CA7437563 currently registered on Title (a 1.85m SRW for highway purposes) along Gladstone Avenue be rescinded and replaced with a new Statutory Right-of-way for the same area and purpose, with updated terms and conditions.
 - e. Authorization for the City Solicitor to enter into a Statutory Right-of-way for the purpose of municipal infrastructure (a water vault) if it is determined to be required.
4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
 5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

Development Permit with Variance Application

That Council, after giving notice, consider the following motion:

- “1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00249 for 1276/1278 Gladstone Avenue, in accordance with plans submitted to the Planning department and date stamped by Planning on April 26, 2024, subject to:
- a. Proposed development meeting all City zoning bylaw requirements, except for the following variances:
 - i. reduce the minimum rear lot line setback from 6.00m to 3.95m for the main face of the building and to 1.00m for the first storey and patio
 - ii. reduce the minimum side (east) lot line setback from 3.50m to 2.09m for the building, to 1.44m for the balconies, and to 0.06m for the steps
 - iii. reduce the minimum side (west) lot line setback from 3.50m to 2.08m for the main face of the

- building, to 1.36m for the balconies, and to 0.00m for the first storey and patio
- iv. reduce the number of residential parking spaces from 18 spaces to 0 spaces
 - v. reduce the number of commercial parking spaces from 8 spaces to 0 spaces
 - vi. reduce the number of visitor parking spaces from 2 spaces to 0 spaces
 - vii. reduce the number of accessible parking spaces from 1 space to 0 spaces
 - viii. reduce the number of van accessible parking spaces from 1 space to 0 spaces
 - ix. increase the maximum height of a building from 12m to 13.56m
 - x. increase the maximum number of storeys from four storeys to five storeys.
2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

OPPOSED (3): Councillor Coleman, Councillor Gardiner, and Councillor Hammond
 Conflict (1): Councillor Kim

CARRIED (5 to 3)

Councillor Kim rejoined the meeting at 3:37 p.m.

Moved and Seconded:

That the following items from the Committee of the Whole meeting held June 20, 2024 be approved:

E.1.a.b Development Cost Charges Review - Consultation Results

That Council direct staff to bring forward an amended Development Cost Charges bylaw for consideration of introductory readings.

E.1.a.c Victoria Housing Strategy Annual Review Report 2023

That Council receive the Victoria Housing Strategy Annual Review 2023 report for information.

E.1.a.d Council Member Motion: City of Victoria response to on-going antisemitic actions

That Council reaffirm direction to staff to respond promptly to communications from the public regarding discriminatory

or other actions intended to create hate and/or division in our community by:

1. assessing communications from the public which assert City funding support or otherwise links the City to organizations which advocate for discriminatory behaviour to
 - a. determine if any grant or other city funding is used directly or indirectly to support discriminatory activities, and
 - b. recommend continuing or altering City financial support for an organization involved with such discriminatory activities.
2. prioritizing the removal of graffiti which is likely to be offensive, abusive, hateful or threatening in nature by
 - a. removing such graffiti on City public property.
 - b. promptly notifying property owners of such graffiti on their property and their obligation to remove graffiti.

CARRIED UNANIMOUSLY

E.1.b Report from the July 04, 2024 COTW Meeting

Moved and Seconded:

That the following items from the Committee of the Whole meeting held July 04, 2024 be approved:

E.1.b.a Appointment of Bylaw Officers

That Council approve the appointment of Alyson Barnes and Kurn Koshal

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

E.1.b.b Council Member Motion: Support for the Victoria Hockey Legacy Society Bid for the 2025 U17 Hockey Challenge

1. That Council request the mayor write to the Victoria Hockey Legacy Society, indicating support for their bid to host the 2025 World Under-17 Hockey Challenge, indicating contributions of in-kind and/or financial aid up to a value of \$100,000 which may be derived from an application to the City's Major Community Initiatives and Events Grants program.

CARRIED UNANIMOUSLY

F. BYLAWS

F.1 Amendment Bylaw for Parks Regulation Bylaw

Moved and Seconded:

That the following bylaw **be adopted**:

1. Parks Regulation Bylaw, Amendment Bylaw (No. 19), No. 24-038

OPPOSED (3): Councillor Hammond, Councillor Kim, and Councillor Thompson

CARRIED (6 to 3)

G. CLOSED MEETING

Moved and Seconded:

MOTION TO CLOSE THE JULY 04, 2024 COUNCIL MEETING TO THE PUBLIC

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

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

Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90(1)(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and

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

CARRIED UNANIMOUSLY

The daytime Council meeting was closed to the public at 3:57 p.m.

H. APPROVAL OF CLOSED AGENDA

Moved and Seconded:

That the Closed agenda be approved.

CARRIED UNANIMOUSLY

I. NEW BUSINESS

I.1 Land, Service at Preliminary Stages, and Legal Advice - Community Charter Section 90(1)(e), 90(1)(k), and 90(1)(i)

Council discussed a Land, Service at Preliminary Stages, and Legal Advice matter. The discussion was recorded and kept confidential.

I.3 Appointment - Community Charter Section 90(1)(a)

Council discussed an appointment matter. The discussion was recorded and kept confidential.

K. ADJOURNMENT

Moved and Seconded:

That the Council Meeting be adjourned at 5:06 p.m.

CARRIED UNANIMOUSLY

CITY CLERK

MAYOR

From: Tony Sprackett, Spring Ridge Co-op Housing Assn.
Sent: November 15, 2024 1:11 PM
To: Legislative Services email
Subject: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071
Attachments: 1276GladstoneAvePublicFeedback.pdf

Importance: High

Please forgive the High Priority designation. I am using it because I was informed by Councillor Dave Thompson that our previous efforts to highlight the issues with this proposed development were NOT received, via the mayorandcouncil@victoria.ca email. That in itself is very disappointing, as we had one particularly impacted household that did significant work on highlighting the blatant flaws and contraventions of the proposal.

I will resend to each elected member individually accordingly this time, as this issue is too important and impacting to our housing co-operative to let it slide.

*Tony Sprackett
Spring Ridge Co-operative Housing Association
1263A Pembroke ST., Victoria, BC V8T 1J6*

Added in this version:

I must stress that the developers, who made ZERO effort to consult with our co-op, are being given “the keys to the city” with this and offering ZERO affordable housing in return.

We all understand the housing crisis, and we would be 100% supportive of a reasonable development. This proposal is anything but that.

From: Tony Sprackett, Spring Ridge Co-op Housing Assn.
Sent: Wednesday, August 9, 2023 7:56 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Concerns re Development: 1276 Gladstone

Dear Mayor & Council,

Members of Spring Ridge Co-operative Housing Association are very concerned about the scope of the proposed development.

The height and setback proposed would seriously diminish the quality of life for several of our units by shading gardens and greenspace and looking down into our existing outdoor spaces.

Spring Ridge member Kim Shortreed has done a thorough analysis that details our concerns very well.

I am attaching that for your reference.

Please do not approve the rezoning for this development as currently proposed.

Thanks for your consideration.

*Tony Sprckett
Spring Ridge Co-operative Housing Association*

To ►

- **Development Services**
 - **City of Victoria**
 - **The developers**
 - **CALUC**
-

Re: rezoning and development proposal for 1276 Gladstone Avenue

Folder #: CLC00414

Development tracker link:

<https://tender.victoria.ca/WebApps/OurCity/Prospero/Details.aspx?folderNumber=CLC00414>

Feedback submission date: August 8, 2023

PDF of this document available here.

PDF of **petition attached below**, or can be found [here](#).

Introduction

This is an appeal to reject zoning changes and the development proposal at 1276 & 1278 Gladstone Avenue (1276 Gladstone, hereafter). This appeal details why this proposal is not appropriate for a number of reasons, which include scale, housing equity, neighbourhood-planning compliance, and other considerations.

From the outset, I have to acknowledge that this is a long document; however, we are discussing a proposal that will affect dramatically the surrounding neighbourhood properties and many existing, longtime residents. So, it is my hope that this document is read as intended, which is to do the feedback process justice, an opportunity that one hopes has the capacity to provide a sober second thought during a critical development period in ləkʷəŋən Territory and Fernwood's history.

I will use examples from The City of Victoria's "Fernwood Village Design Guidelines" (FVDG), the "Fernwood Community Plan" (FCP), and other related documents to show the many ways in which the developers' (Tonny Kiptoo and Ashley Kiptoo) proposal fails to meet

many key criteria for maintaining “the character that led to the Village’s designation in the first place” (FDGV, 5).

The FVDG calls for “well designed new construction that is sensitive to the historic character, form and scale of the Village and its surroundings,” and understandably calls for any new developments “to *enhance* [my emphasis] what makes this place special” (5). For those living immediately around 1276 Gladstone, the developers’ proposal detracts from and diminishes the living and neighbourhood experiences of those around it.

Foremost among the proposal’s shortcomings is its failure to recognize the intrinsic connections between the appropriate design for the appropriate place. While the frontage of the proposal “is for a three-storey (plus roof deck)” (Colin Harper Architect, Letter to Mayor and Council, 1), the proposal has not accounted for the consequences for the adjacent properties to the northwest, north, northeast, and east. This design will in relative terms be in some cases closer to 5 storeys. This last point is particularly important because a salient reason this proposal has so many people against it (**see attached petition**) is its scale.

Impositions of scale and proximity

Simply put, this development is too big for the neighbouring buildings and surrounding properties. What the images in the development plans fail to show is that 1276 Gladstone is on a rise, especially relative to the properties immediately to the north and east of the lot. The “Rear Yard Elevation” rendering on page 27 of the “2023-07-25 - Plans_Revisions” document presents a distorted and disproportionate mockup of the space.

Here is the plan’s rendering of the rearward property’s view:

REAR YARD ELEVATION



1276 GLADSTONE

CHA

25 OF 29

This view is neither proportionally correct nor visually accurate. Granted, this is a mockup, but it goes without saying that these mockups are critical to non-experts being able to visualize as accurately as possible how a architects intend a design to blend into the surrounding area—to distort the visual is to distort the capacity for fulsome decision making, and therefore distort the capacity for fairness in the proposal-discussion process.

What is presented, next, is a height-adjusted mockup that uses the proposal's own images to show something closer to accuracy for what the development would look like for the properties to the northwest, north, and east. Note that the roofline caused by the vertical roof extensions, required for doorways to the roof, creates what is in effect, in terms of shading and sightlines, an additional storey.



Note that the image above also shows that 1276 Gladstone property is toward the top of a rise. Our co-op housing unit (which sits directly to the east, or left, in the above image) has a backyard that sits roughly 2-2.5m (6-8') below average grade on the 1276 Gladstone lot. The units to our east are also built into a depression, such that the last unit in our fourplex is another 2m down.



As proud as we are of our small gardens and food growing spaces, we already often joke that it's like trying to farm at the bottom of a well. A four storey building would look to us more like a 5 storey building, and the addition of the vertical extensions of the roof make this build visually closer to 6 storeys.



All of this loss of afternoon light would affect our capacity to continue to grow our own food, maintain carbon-capturing garden spaces, and transition to power independence through solar power, something our co-op has intended to do in the years ahead, with our fourplex as the intended test-case, as we have south-facing roofs.

The current design, for us and the surrounding neighbours, ignores a fundamental intent and objective of the FNP, which is to “Ensure homes of all types have sufficient access to sunlight, fresh air, privacy, open spaces, and other amenities that support livability” (64).

The development would also block for many neighbours a cherished and valuable siteline to the Belfry Theatre. The FDGV notes, in section “2.2 Character Defining Elements,” that one of the core “character-defining elements” governing the design guidelines is to acknowledge the importance for views of the Belfry, noting that “Views of the Belfry Theatre’s spire [serve] as a landmark, focal point and visual terminus” for the surrounding neighbourhood (FDGV, 7).

The development as proposed would terminate the Belfry view for a significant number of surrounding properties, as shown in the following diagram.

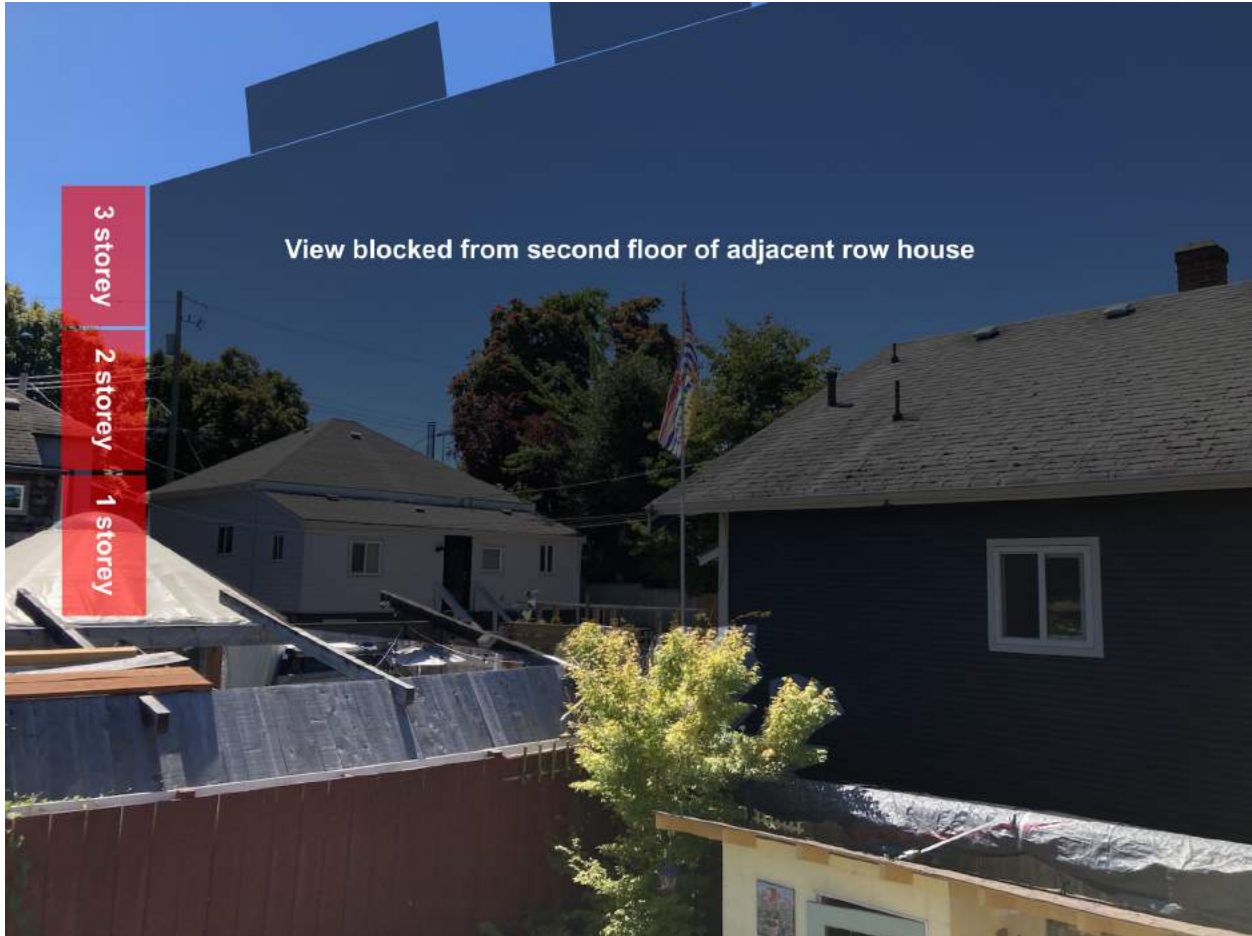


The close proximity of the development will have a dramatic effect on the immediate properties and people, altering fundamentally the look and feel of these existing spaces. These changes are particularly acute for all the nearby properties.

Our fourplex's western wall, for example, sits 2m from the lot line. The developers' plan, which proposes 1m side-lot setbacks narrows this already small gap to the adjacent building even further. Furthermore, these setbacks will be decreased toward the rear of the property line.



We already feel the lighting loss and presence of the current building, and an additional height, like that of the proposed development, will loom over us and our neighbour's properties.



Note, again, that the natural slope of the land is such that toward the rear of the property, the height increases significantly, relative to the surrounding properties, effectively blocking the view to the west entirely for many existing residents.



The developers state that the “building is designed with sensitivity to context, and builds upon, without replication or mimicry the character of Fernwood village, through a contemporary application of brick and storefront glazing;” however, the side-cladding of the building is shown as what one assumes is painted black corrugated steel, which is not in keeping with the designs called for in the FDGV. Moreover, the thermal collection from this material will increase the temperature of the surrounding area, which will affect growing conditions and comfort for the nearby residents.

Indeed, the Colin Harper Architech’s “Letter to Mayor and Council” includes a note about installing “Canopies to reduce solar gain in summer months,” presumably because this is a significant design concern. Put another way, the frontage gestures towards design compliance, but the majority of the building does not.

What is perhaps the most perplexing aspect of the plan’s scale is that the “2023-07-25 - Plans_Revisions.pdf” document contains guidelines intended specifically to manage appropriate scale.

OCP SMALL URBAN VILLAGE - URBAN PLACE GUIDELINES

Designation	Built Form	Place Character Features	Uses	Density
Small Urban Village	<p>Single and attached buildings up to two storeys.</p> <p>Low-rise multi-unit buildings up to approximately three storeys including rowhouses and apartments, freestanding commercial and mixed-use buildings.</p> <p>Mixed-use buildings up to approximately four storeys on arterial and secondary arterial roads.</p> <p>Buildings of four and five storeys may be considered at Fairfield Plaza Village and other Small Urban Villages as indicated in local area plans for the advancement of plan objectives, depending on site conditions and context.</p> <p>Buildings of up to four storeys may be considered at sites that front onto Fairfield Road within Five Points Village.</p>	<p>Ground-oriented commercial and community services reinforce the sidewalk.</p> <p>One to three storey building facades define the street wall.</p> <p>Variable landscaping, boulevard and street tree planting.</p> <p>Rear yard off-street parking.</p> <p>Public green space or square.</p> <p>For Fairfield Plaza Village, refer to place character features identified in the Fairfield Neighbourhood Plan.</p>	<p>Low-rise multi-unit residential and mixed-use.</p> <p>Commercial.</p> <p>Home occupations.</p> <p>Live/work.</p>	<p>Total floor space ratios ranging up to approximately 1.5:1.</p> <p>Total floor space ratios up to approximately 2:1 along arterial and secondary arterial roads.</p> <p>Total floor space ratio up to approximately 2:1 may be considered in Fairfield Plaza Village for advancement of plan objectives.</p> <p>Total floor space ratio up to 2:1 may be considered within Five Points Village, at sites that front onto Fairfield Road.</p>

Note that in the second column, the Guidelines specify “low-rise” buildings of “up to approximately three storeys.” This same column notes that “Buildings of four and five storeys may be considered [...] depending on site conditions and context,” and it is clear that the context for the developer’s plans need to be reconsidered in light of the fact that the majority of the building’s scale is dramatically disproportionate and overwhelming to the surrounding buildings and properties.

To underscore the necessity for developments to attend to matters of scale, page 19 of the FCP literally highlights that any new developments “provide diverse living options at neighbourly scales, including through the retention of character homes through conversion.”

This final quote also opens a window of opportunity, one which I will discuss more below, that the developers ignored either by intention or oversight: they could have proposed a lift the 1276 Gladstone house in order to add another storey, and to add infill housing in the form of a garden suite/carriage home, thus increasing housing density, retaining local character and sitelines, retaining green spaces, and keeping within an appropriate and reasonable neighbourly scale. However, what we are presented with is a design that appears to maximize rental density over liveable scale considerations.

Page 50 of the FNP encourages “housing that is designed to be livable and complement its surroundings,” and the developers’ design does not appropriately complement its surroundings, which are a mix of small scale and cluster homes, with green spaces between and around each residence.

As the following overlay image shows, the developers’ design is disproportionate to the surrounding properties. Its setbacks and height dominate the lot and its surroundings.



Moreover, its use of “stamped concrete” paths as a perimeter and its side and rear walls of black, corrugated steel do little to humanize its design, which appears in contrast to the property’s current character of unique homes as overtly industrial, something more in keeping with storing objects than housing people.

Environmental considerations

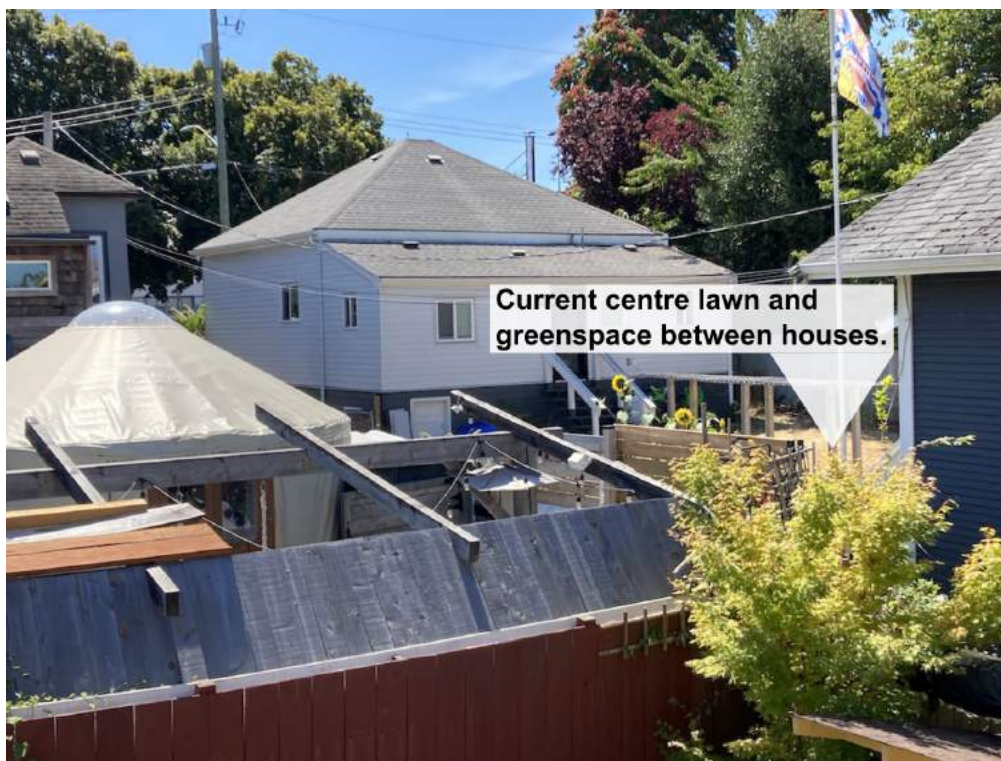
Dog feces and garbage

Another proximity concern arises with the design’s placement of the dog wash station and the garbage collection areas. As to the former, we have to consider a scenario in which 18 dogs (one per unit) are using a dogwash station multiple times per day, and dumping dog-feces bags into nearby garbage containers. This presents both noise (barking) and smell problems for the surrounding neighbours.

The same is true of garbage containers, which could (the “2023-07-25 - Plans_Revisions” does not define this) contain both residential garbage (roughly 25-40 people, depending on renter density) and commercial garbage (garbage from the proposed bakery). Consider, too, that both the dog wash station and the garbage area would sit directly across from a neighbouring unit’s bedroom windows. Further, longtime residents of this neighbourhood know that Fernwood has struggled with a rat problem for many years, and all three of the aforementioned features present vermin risks in their own right.

Carbon-capture loss

The Lawn Institute (yes, this organization actually exists), reports that “grasses can accumulate and deposit carbon into the soil by approximately one-half ton of carbon per acre year for 30 to 40 years,” and that even urban lawns can sequester “between 200 and 1,800 lbs of carbon per acre per year” (see <https://www.thelawninstitute.org/environmental-benefits/carbon-sequestration>). 1276 Gladstone would lose this sequestration capacity (and removing the lawn would release the captured carbon), as it has both a back lawn and lawn and garden spaces between the existing houses.

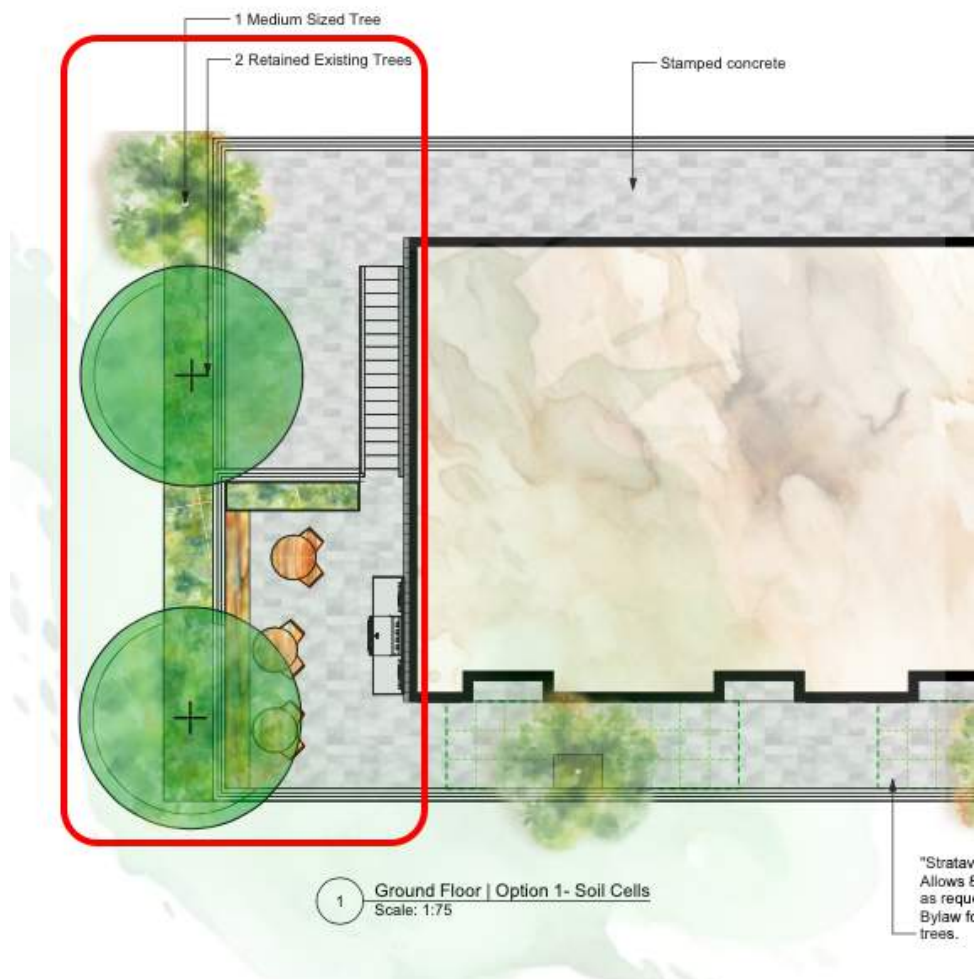




The design submitted by the developers does not list the tonnage of concrete required for the apartment building's foundation. Even popular media is beginning to understand more fully the environmental costs of concrete—a 2019 *Guardian* article went so far as to call it "the most destructive material on Earth" (see <https://www.theguardian.com/cities/2019/feb/25/concrete-the-most-destructive-material-on-earth>).

Page 31 of the design plan notes the inclusion of "4-Proposed Vine Maple trees," and the term *proposed* should be emphasized, as the property to the west already has established tall trees, and so any new trees would not grow in the location suggested due to both shade and root competition.

Page 31 of the design plan also indicates the retention of existing trees, suggesting that these trees are part of the development property, as seen in the following image:



This aspect of the plan is very troubling as it suggests that the retained trees would remain, at the developer's behest, as part of the overall design consideration. In other words, the developers are leveraging this aspect of the current space to create a narrative of green-space concern. However, this is a misrepresentation on two fronts.

First, the trees in the design are not on the 1276 Gladstone property: they are on the other side of the 1276 Gladstone property line (and fence) and are maintained and owned by Spring Ridge Coop (see image below). Second, the notion of "retaining" these trees fails to account for their gradual demise due to loss of light and the root disturbances caused by digging a foundation only 1m back from the lot line, as proposed.



Finally, and in a broader environmental context, the “Summary Letter” mentions “Only native and adapted vegetation,” and “Drought tolerant vegetation,” but given the scale of the building, relative to the lot line, these additions can hardly make up for the carbon-sequestration maintained by the existing greenspaces on the 1276 Gladstone lot.

It is laudable that the developers are considering the addition of vegetation, but what they present could be considered Wonder Bread logic because it expunges existing ecological nutrition already in place, adds a paucity of additives, and suggests this reduction has some kind of equivalency with the original.

At a time when the mantra of “reduce, reuse, recycle” is front of mind for many, it is more important than ever to marry design and sustainability. Consider that the developers will be removing two well-maintained and recently fully renovated homes, which is itself an environmental cost because these houses will have to either be demolished or shipped elsewhere.

Light pollution

A World Economic Forum report from 2022 relates that light pollution is a serious health concern for people and wildlife. The report sites studies that point to the negative health effects of artificial light, which include increased risks for “obesity, sleep disorders, depression, diabetes, breast cancer, and more” (see <https://www.weforum.org/agenda/2022/06/light-pollution-health-climate>). In the case of

the adjacent properties, the lightscape, including lights from residential windows, spot and path lighting, and other lights, would increase dramatically, especially since the building's height is more than double the height of the surrounding houses.

Lighting from this development, especially at night, will alter fundamentally the environment, comfort, and health of the people in the surrounding houses. Many buildings are using LED lights, for understandable reasons to do with power conservation and cost; however, these LED lights are often blue-spectrum lights, "which are thought to be the most disruptive" (weforum.org).

Woodsmoke and monoxide risk for new residents

In the 22 co-op units near 1276 Gladstone, the vast majority burn wood as their primary heat source. All the co-op wood stoves are professionally cleaned annually and well maintained, but they still produce smoke during the burning season, which generally begins in September and ends in early June, depending on seasonal variability.

Generally, the smoke is not a problem because the houses surrounding the co-op are all approximately the same height. I point this out as a concern because any windows above two storeys, especially given the proposed development's close proximity to nearby buildings, will inevitably experience consistent smoke pollution. It goes without saying that this is far from ideal for the health and well being of the building's residents.

We had planned to transition to solar assist heating, with the co-op row house to the east of the 1276 Gladstone property as a proof of concept, but the shade resulting from the proposed design would mean that peak sunlight in the summer would cease at roughly 3:00 PM and shoulder-season light would end at roughly 1:00 PM, making the installation both cost- and power-ineffective.

Design alternatives

The Summary Letter notes that the developers intend to supply "Victoria's Missing Middle housing stock," which the Housing Strategy Annual Review 2022 defines as those earning over \$85,000 annually. This same review defines Missing Middle Housing as follows in a footnote on page 7:

homes that are somewhere between a higher-density apartment and a single-family home, often missing from residential communities. Townhouses and houseplexes (duplexes, triplexes, etc.) are common forms of missing middle housing. House conversions and smaller apartment buildings can also be considered part of the missing middle, as well as secondary suites and garden suites when accessory to other missing middle housing forms.

It would appear that the developers focused on the “smaller apartment buildings” aspect of these examples and, arguably, at the cost of viable alternative solutions. The developers can supply the Missing Middle Stock, build a neighbour-considerate design in terms of scale and proximity, minimize their environmental footprint, and still make for-profit housing if they lift the house at 1276 Gladstone and build a carriage home between the two existing buildings.

Page 64 of the FNP, under the heading of “Neighbourliness,” states that designers should “Ensure new buildings are good neighbours within streets and public spaces, and transition sensitively to existing and future buildings next door.”

Take the following, recent build, which is on the corner lot of Ridge Road and Pembroke Street. This lot is significantly smaller than the 1276 Gladstone property and yet the designers and builders found an innovative way to increase housing density, maintain look and feel, and minimize the skyline disruption by lifting the main house (fronting Pembroke St.) and building a carriage home toward the back of the lot.

Prior to this refresh, the building appeared to be in need of care, and neighbours observed over the course of months as the builders raised and renovated this existing home. This is an example of good development in that it sees existing housing as an *asset*, not landfill.



I entreat the developers to consider alternative approaches to working with what is already in place. This approach saves tremendous costs, environmentally and financially, and would encourage a unique design, something Fernwood has the fortune of encouraging by virtue of its quirky design and architectural history, and the City's expressed celebration of this aspect of Fernwood's character: "Its unique and human scaled heritage buildings and eclectic mix of restaurant patios, shops, arts and culture venues and organizations" (FVDG, 4)

In closing of this section, I would ask the City and the developers to consider this important passage in the FNP: "To encourage a variety of housing options throughout the community and consider small scale commercial on a case-by-case basis in appropriate locations." I

have shown some ways of many in which the developers' proposal is neither small scale nor appropriate in this particular case.

Please reject the developers' proposal. In overall terms, it is not in keeping with "Well designed new construction that is sensitive to the historic character, form and scale of the Village and its surroundings," and it does little to "enhance what makes this place special" (FVDG, 5).

Additional considerations

Thus far, this appeal has emphasized what I see as the salient reasons to reject the developers' plan, at least in its current form. I have also proposed alternative design options that could make for a better fit in a number of ways.

What follows is a list of concerns and considerations for the developers and the city to address. Each could produce its own fulsome analysis, but for the sake of brevity in an already long piece, I will provide them as a brief list.

Lack of parking and ableism?

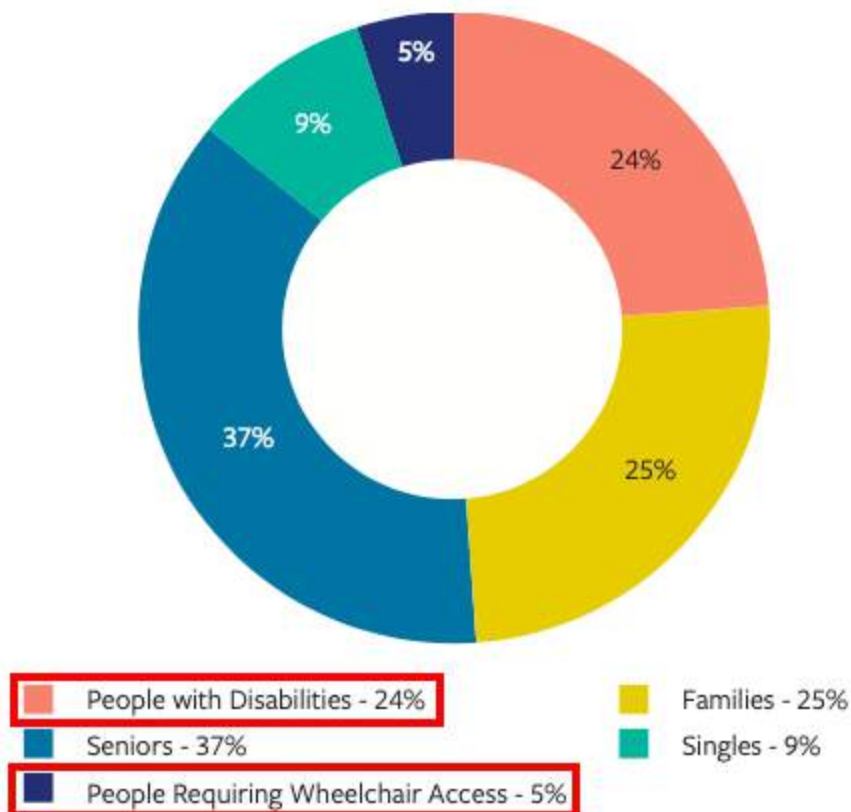
Parking is already an infamous problem in Fernwood. None of the developers' documents mention that Fernwood Square and the surrounding blocks are subject to regular and overwhelming parking pressure due to Belfry Theatre attendees and during the school year, when students, teachers, and staff at Vic High increase traffic and parking needs dramatically on Gladstone Avenue.

As a lifelong cyclist, I would appreciate the bike parking spaces in the design, but I have friends and family with disabilities and mobility issues, and they in turn have educated me on the need for timely emergency vehicle access, as well as the benefit of having close-proximity access to their residences. By removing underground and nearby parking for residents, this design could be seen as ableist.

I was pleased to see the acknowledgement of accessibility in the Summary Letter, which states that "ground floor units are designed as adaptable dwelling units to provide inclusive housing options to those with disabilities," but the design speaks only to the interiors of the units. The deep setbacks at the front of the property and the absence of parking diminish significantly the accessibility friendliness of this design.

I flag this ableism-in-design concern because page 25 of the City's own "Housing Strategy Annual Review 2022" notes numbers from BC Housing to indicate that, by proportion, the combination of people with disabilities and those who require wheelchair access in need of housing actually *outnumber* families.

FIGURE 11: Households on BC Housing Waitlist for Non-Market Housing in Victoria, December 2022



The developers' Summary Letter states that the current design is for a "residential unit-mix," comprising "6 studio units, 4 one-bedroom units, 2 two-bedroom units and 6 three-bedroom units." At the recent development proposal meeting, the developers noted the critical need for family housing, and while this is certainly true, and perhaps always has been for every growing city, there is arguably a more pressing need for *accessible* housing.

Please consider these accessibility needs in light of the alternative presented here, that is, for a garden suite, or similar solution. The City already acknowledges some advantages provided by garden suites, with respect to accessibility, noting that "These types of dwellings provide housing with a front door to easily access the street, access to green space and offer additional rental units that are not available in the primary rental market" (Housing Strategy Annual Review 2022, 48).

Finally, page 10 of the FNP places the following desire at the top of the list of its "Guiding Principles and Objectives:" "1. Advancing equity, diversity, and inclusion." The developers' design appears to miss the mark on this critical consideration.

Undue population burden?

The CRD's "Caledonia" development is well underway, and is roughly 200m away from 1276 Gladstone property.



The Caledonia development is for 158 units, which will increase Fernwood's population dramatically. It will also increase foot, bike, vehicle, commercial and other traffic in the area. We cannot know exactly what effects will result in this population increase in an already dense neighbourhood.

It seems reasonable, in light of imminent increase to population, to suggest that the city consider a temporary (5-10 years) construction moratorium on medium to large scale developments until the outcomes of this population increase can be absorbed and better understood. I acknowledge the need for housing, but housing stock is only one part of a longterm, healthy-neighbourhood housing strategy.

The FNP reports, under the "Community Make-up" heading, that Fernwood is currently "home to close to 10,000 residents in over 5,000 households," and that this "neighbourhood has the highest total number of family households, household types and age of residents is quite diverse – with a mix of families, seniors, youth, couples, and singles" (13). In light of this existing housing diversity, the mixed residency design proposed by the developers could be interpreted as the least needed type of housing Fernwood requires at this time.

Conversely, the City's Housing Strategy Annual Review 2022 notes that "unit affordability targets" are lagging behind at 31 percent for those earning \$55,000 median income (33). The proposed development is intended for incomes of \$85,000, which is arguably missing the mark for City's broader housing objectives.

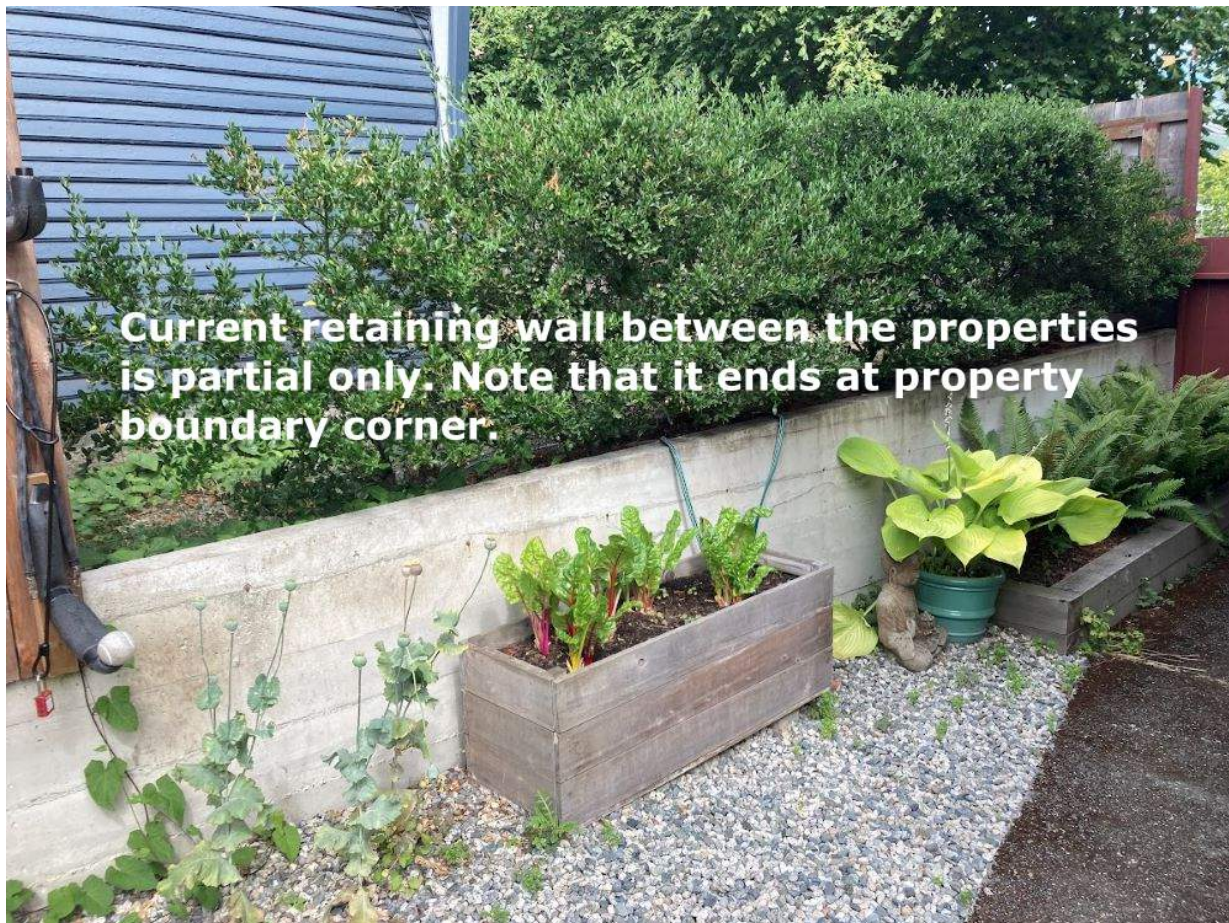
Is this Missing Middle design missing something?

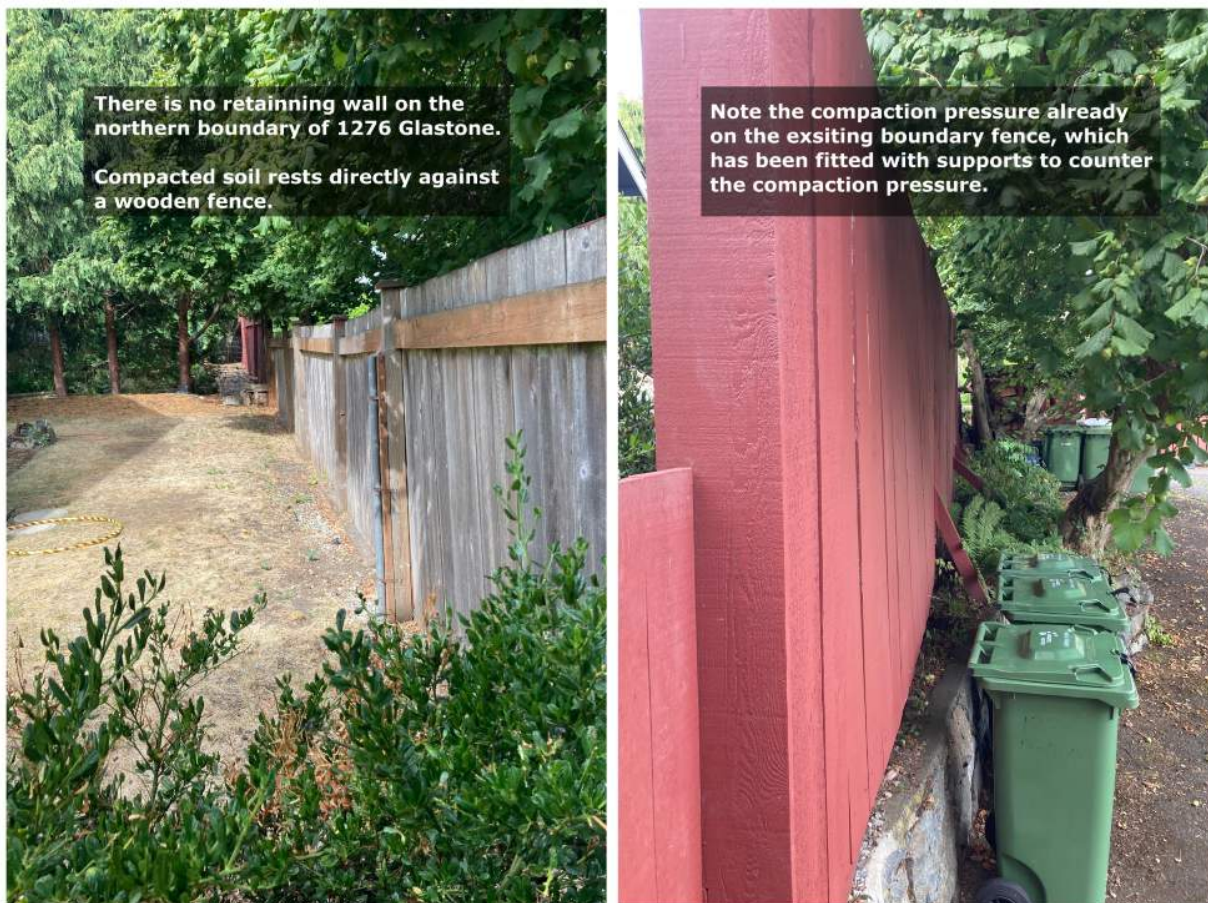
The FNP reports, under a heading of "Housing Choice," that a key objective for new housing is to "Create opportunities to add a mix of housing in and near the village that supports people of different incomes, lifestyles, and household types" (26). As it stands, this "rental housing" (Summary Letter) development would contribute to a housing target that is already exceeding expectations. The Housing Strategy Annual Review 2022 places market housing rental progress at 68 percent, while affordable rental housing targets lag "slower than we'd like" at 48 percent. Certainly, Missing Middle housing has a place in broader housing discussions, but affordable housing is simply a more pressing concern at this time in Fernwood.

People with the financial means (85K+/year) and mobility have the option to purchase and rent in multiple housing markets, which low-income people do not. The developers have an opportunity to make a mixed income building a reality, or to make a housing co-op (a well proven approach to housing and financial security for a broad range of incomes). Instead, the market rent housing they propose merely continues the rental category of the property's existing rental model.

Drainage and compaction?

To reiterate, 1276 Gladstone sits toward the top of a rise. Currently, the lawn and green spaces absorb a significant volume of rain run-off, minimizing downstream effects on soil erosion, soil compaction, and sewer run-off. The developers plan to install a concrete perimeter and will presumably have to dig to hardpan to lay the building's foundation. How will the extra weight of this building affect surrounding stability? Where will the increase in water run-off be directed? Is the current retaining wall between 1276 Gladstone and 1275 Pembroke capable of withstanding increased compaction loads?





These geostability issues are crucial to consider in a seismically active region.

Concluding considerations

Wholistic development takes into account sustainability and is guided by more than financial and housing trends: it accounts for equitable access to shade during a clearly changing climate; it accounts for sunlight for solar power potential and growing cycles for urban food production, and the greenhouse gas emissions in its construction. Wholistic design considers the health effects not just of a building's tenants but also the surrounding properties and existing people. Wholistic "development patterns are the key to sustainability" ([Steffen Lehmann and Gaëll Mainguy](#), 34).

This appeal is intended to encourage the developers to look more deeply into the nuances associated with their design and the dramatic outcomes it could have for the livability of the surrounding neighbours. Consider, first and foremost, the lived experience of an apartment building built right next to your current house, one that would significantly reduce light to gardens, increase noise and light pollution, and introduce barking dogs and garbage containers next to everyday living spaces. It is not nimbyism to want to see appropriate, considered, human-scale design, nor to protect a long-worked-for harmony in

one's permanent home and favourite neighbourhood. Nor is it nimbyism to have serious concerns about the geostabilization consequences of a development of this scale.

To the City, I encourage you to continue to examine narratives of inevitability around the housing question, to pause when needed to use approaches already codified in your development principles that "new development is dependent upon site size, orientation, and context," and notably that "Achievable densities may be limited by the ability to adhere to good urban design principles" (FNP, 27). I believe that the 1276 Gladstone rezoning and development is wanting in enough areas to be inappropriate urban design.

Please see the attached petition of signatures in support of rejecting the 1276 Gladstone proposal and development.

Thank you.

Kim Shortreed
Spring Ridge Co-op Housing Association

To the City of Victoria Council

We, the undersigned, declare our support for this petition:

To reject the proposal put forward by Ashley Kiptoo and Tonny Kiptoo to change the zoning of the subject property, 1276 & 1278 Gladstone Ave., for new mixed-use building with commercial retail and 18 new rental homes.

Dated 23rd day of July, 2023.

Petition prepared by Kim Shortreed [redacted] and Jillian Player, Spring Ridge Coop, 1275 Pembroke St, Victoria, V8T1J7

Date	First & last name	Address	Signature
July 23'23	Jillian Player	4-1275 Pembroke St	[redacted]
July 23/2023	Kim Shortreed	4-1275 Pembroke St.	[redacted]
July 23/2023	Leia Mango	5-1275 Pembroke	[redacted]
July 23/2023	Rob Carmichael	9/1275 Pembroke	[redacted]
July 23/2023	Shane Johnson	#8-1275 Pembroke St	[redacted]
July 23/2023	Angela Moran	#1-1275 Pembroke St	[redacted]
July 23/2023	Avleen Dhaliwal	#1278 Gladstone	[redacted]
July 23/2023	Shannon Craig	1270 Gladstone	[redacted]
July 24/23	Rana Miller	6-1275 Pembroke St	[redacted]

Date	First & last name	Address	Signature
July 25/23	Carolyn Boyce	#3 1275 Pembroke St Vie BC	
July 25/23	TONY SPRACKETT	1263A Pembrokes	
July 25/23	Megaa Hale	1263 Pembroke St	
July 25/23	Jesse McNelly	1255A Pembroke St.	
July 25/23	CORINNE MAH	1281 Pembroke St	
July 25/23	Arnie Lade	1275 Pembroke St Victoria BC	
July 25/23	Larissa Stendie	1275 Pembroke Victoria	
July 25/23	Genina Goster	1269 Pembroke	
July 25/23	Diane Lade	1275 Pembroke	
Aug 2/23	CRISTINA WOODS	1265 Pembrokes	
Aug 8/23	SHARON MAN	1253A Pembroke St	
Aug 8/23	TAMARA	1261A Pembroke St	
	Lowson		

From: Larissa Stendie
Sent: November 18, 2024 2:44 PM
To: Public Hearings;
Subject: Fwd: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071 - 1276 Gladstone

Dear Mayor and Councillors,

Please do not approve the rezoning for this development as currently proposed.

I am deeply disappointed that many of us who participated in this process and stand to be directly affected by the proposal 1276 Gladstone have not had our concerns considered, or from the sound of it, even reviewed. Rather than make a single change as suggested by concerned neighbours, the proponents have expanded and extended their project perimeters, well beyond the guidelines. We would like to see this design amended to be more reasonable scale and with affordable units.

I resubmit my earlier submission for your serious and careful consideration - main points include no affordable units, zero parking when parking is already a neighborhood issue, intense overshadowing of neighbours, too high and dense (40+ ppl) in a single lot, not cohesive in the neighbourhood aesthetic, poor choices for cladding, garbage/smell/noise interference in our enjoyment of our properties, and more.

As part of Spring Ridge Co-op, I reiterate that we cannot abide our quality of life being impacted to line the pockets of developers building more luxury rentals that keep people in precarity.

This is not the right size, right place, nor right time for this development as proposed.

We have not seen any of the suggested re-designs, which could include:

- A smaller, tiered/staggered design that is not a maximizing modern box designed to push to the furthest extent allowable.
- A creative design that considers what is reasonable, aesthetically appropriate to the neighbourhood, and reduces impacts to the neighbours.
- Rather than “solar-ready”, actually having solar or other high-performance efficiency and natural building aspects to off-set the expanded footprint and climate impacts while reducing operational costs.

- Green space, gardens, and other human centred design elements that foster community and quality of life (i.e. european co-housing), rather than maxing out the available square footage.

Thank you for your time and consideration. We look forward to seeing revised designs.
Larissa Stendie

Originally submitted Aug 9, 2023.

In medical interventions, a rule of thumb is ensuring the right dose of the right medicine at the right time. While arguably we are in desperate need of housing interventions in Victoria, a similar logic ought to apply - the right size development in the right location at the right time. The 18-Unit, 4-5 storey proposal for 1276 Gladstone meets none of those rationales in its present form, creating problems rather than solving them for the neighbourhood. Fernwood is not a high-density, modern urban area, but a historic residential neighbourhood where this development would stick out like a sore thumb for the block and village, and is a blatantly opportunistic effort to stretch the limits of the The Fernwood Development Guidelines, which clearly states “low-scale buildings ranging from one- to three-storeys in height”. Furthermore, while we welcome the large new affordable housing project beside the high school, it is about to bring an estimated 140 new residents to the area - perhaps we should see how that influx is integrated into the community before adding an additional 40+ residents. The proposal is inappropriately sized, designed, and timed.

As a person who has worked with numerous communities in urban, rural, and on reserve settings to develop efficient, affordable, high performance multi-unit residential buildings, often with a co-housing, community-oriented ethos, I am extremely disappointed to see the lack of imagination nor a basic respect for human dignity in this development - both for potential residents and existing neighbours.

As one of those neighbours (I am part of the Spring Ridge Co-op), I find it problematic and anti-social that the proponents brought character witnesses to the initial community conversation and lauded their own “engagement” done with the wider neighbours, but pointedly neglected to talk with those households beside and behind them who would be most impacted by their design. The claim to not know what the future rental costs will be is also disingenuous, as rental income is key to factoring loans and pro forma costs. Furthermore, the presentation’s complete erasure of our building and the errors in the depiction of the proposed building’s height relative to our property was a calculating miscalculation intended to minimize the sense of impact to us. Thus far, the lack of transparency and manipulations are troubling and do not engender trust.

The proponents have the right to build on their properties, but not to totally impede the neighbour's enjoyment of their own homes in order to make private gains. No consideration to our quality of life was given in the siting of garbage, set backs, green space, cladding, and challenges created by the volume of renters (+40 people in the site of a single family home).

In more detail, spillover effects of this project would include:

- Size - the proposed design is pushing to the extremity of the allowable set-backs of 1m to the property line for width and length, and proposed height of 3 storeys in front and 4-5 in back (+rooftop patios?) exceeds the Fernwood Development Guidelines by 2 storeys. The engineering required to make this development’s foundation both seismically stable and weight bearing are a concern with the pre-existing challenges of slope and rise hovering over our co-op properties. Furthermore, 40+ new renters in the space of 2 moderately sized family homes is excessive.

- Parking- Not reasonable to have zero parking planned for 18 units + business. The current parking spill-over effect onto Pembroke St (in front of our co-op) from the existing businesses and theatre on Gladstone will be exacerbated by the lack of parking in this proposal.

- Design - No apparent effort to conform to the clearly articulated Fernwood Development elements beyond a partial brick facade. Nor does brick cladding stand up to some seismic or emergency conditions, sloughing-off onto our very nearby homes and property in the event of an earthquake or fire. The use of black cladding on the sides will radiate heat to the neighbours - not climate friendly.

- Noise - from the ventilation/HVAC/heat pumps/restaurant operations and venting, as well as from renters and patrons.

-Light - for security there would inevitably be bright lights in the common spaces that would be on at all hours, as well as simply intrusive lights from the numerous units themselves.

-Re: natural light, the proposed build would completely cut off sunlight to our unit and our neighbour until almost noon, and for our other co-op neighbours most close to this project, from noon onward. We all have thriving gardens that include well established fruit and hazelnut trees, grape vines, food garden pots, and rare native plants - many of these would not survive this light restriction, nor the impacts on roots.

- Smell - the choice to site garbage collection from 40+ people plus a restaurant less than 2 m from an existing residence is deeply inconsiderate and inappropriate. The siting of this smacks of the piling on effect of environmental justice concerns, given there are already garbage bins backed onto the co-op's fence from the existing restaurants and apartments in the square. We also have several co-op members with allergies and sensitivities and so we restrict the use of fragrance for our laundry - 18 additional units doing laundry has the potential to create health concerns for our members.

- Privacy - beyond the general imposition of having multiple units looking down into our home and yards at close range, it is not unreasonable to expect there would be de facto encroachment from the accoutrements off of renter's balconies given the maximized footprint.

- That this would be a pet-friendly development for 18 units is absurd given the lack of green space in the design. Already there is an abundance of pets in the neighbourhood taxing the nearby parks, and this would exponentially aggravate noise, smell and conflict impacts.

The design is also concerning in terms of the quality of life for the rental tenants:

-the proposed basement suites are not designed with well-being of the residents in mind, with one small window

-small roof-top playpen areas would not suffice as reasonable outdoor space for 2 and 3 bedroom family-oriented units

-It is not realistic that there would be zero parking for this development. Even if renters were to conform to this (which is doubtful), is there to be no parking for guests, emergencies, people with disabilities, nor for patrons of the business?

-negligible green space

Having our co-op's real quality of life concerns dismissed out of hand by being characterised as NIMBY is as inaccurate as it is uncharitable - Spring Ridge co-operative has been part of the fabric of this community since the 1980s, and are collectively in favour of more affordable housing being built, as demonstrated by our support of the much larger project beside the high school. At present, despite being a fairly dense co-op (22 units across approx 6-7 lots), we maintain vibrant shared gardens and private spaces, while providing affordable and subsidized housing to many of our neighbours, many of whom are on fixed incomes or assistance. We had explored developing more density in our own property, and may still, with the aim of creating more housing security for others. But we cannot abide our quality of life being impacted to line the pockets of developers building more luxury rentals that keep people in precarity.

This is not the right size, right place, nor right time for this development as proposed.

Some re-designs could include:

- A smaller, tiered/staggered design that is not a maximizing modern box designed to push to the furthest extent allowable.
- A creative design that considers what is reasonable, aesthetically appropriate to the neighbourhood, and reduces impacts to the neighbours.
- Rather than "solar-ready", actually having solar or other high-performance efficiency and natural building aspects to off-set the expanded footprint and climate impacts while reducing operational costs.
- Green space, gardens, and other human centred design elements that foster community and quality of life (i.e. european co-housing), rather than maxing out the available square footage.

Thank you for your time and consideration. We look forward to seeing revised designs.

Larissa Stendie

Political Ecologist, Sustainability Researcher (M.Culture, Environment & Sustainability, U.Oslo) and Community Engagement (IAP2)

I acknowledge that I am a settler on the unceded territories of the Straits and Coast Salish Peoples (including WSÁNEĆ, Lkwungen, Wyomilth, and T'Sou-ke), and honour their history and strengths. My intent in acknowledging the territory is to recognize the myriad ways that our larger colonial communities are implicated in the ongoing impacts on First Nations and to work towards a more intersectional approach to challenging power and privilege.

Begin forwarded message:

From: "Tony Sprackett, Spring Ridge Co-op Housing Assn."

Subject: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071

Date: November 15, 2024 at 1:15:01 PM PST

Please forgive the High Priority designation. I am using it because I was informed by Councillor Dave Thompson that our previous efforts to highlight the issues with this proposed development were NOT received, via the mayorandcouncil@victoria.ca email. That in itself is very disappointing, as we had one particularly impacted household that did significant work on highlighting the blatant flaws and contraventions of the proposal.

I will resend to each elected member individually accordingly this time, as this issue is too important and impacting to our housing co-operative to let it slide.

Tony Sprackett

Spring Ridge Co-operative Housing Association

1263A Pembroke ST., Victoria, BC V8T 1J6

Added in this version:

I must stress that the developers, who made ZERO effort to consult with our co-op, are being given “the keys to the city” with this and offering ZERO affordable housing in return.

We all understand the housing crisis, and we would be 100% supportive of a reasonable development. This proposal is anything but that.

--
Larissa Stendie
Political Ecologist, Sustainability Researcher (M.Culture, Environment & Sustainability, U.Oslo) and Community Engagement (IAP2)

I acknowledge that I am a settler on the unceded territories of the Straits and Coast Salish Peoples (including WSÁNEĆ, Lkwungen, Wyomilth, and T'Sou-ke), and honour their history and strengths. My intent in acknowledging the territory is to recognize the myriad ways that our larger colonial communities are implicated in the ongoing impacts on First Nations and to work towards a more intersectional approach to challenging power and privilege.

From: MEGAN HALE
Sent: November 19, 2024 8:24 AM
To: Legislative Services email
Cc: c
Subject: Concerns and Comments RE: Development Permit with Variances Application No. 00216

Dear Council of the City of Victoria,

This email is sent in anticipation of the Development Permit with Variances Application No. 00216 you will be considering on Thursday, November 21, 2024, after the conclusion of the Committee of the Whole meeting beginning at 9:00 a.m. at Council Chambers, Victoria City Hall, 1 Centennial Square, Victoria, BC.

I am writing on behalf of my husband, Clayton Hale, and myself, who live at 1263 Pembroke Street in Spring Ridge Co-Operative Housing Association which is a direct neighbour of 1276/1278 Gladstone. While we do not speak for the co-op as a whole, we do feel that our sentiments are in line with the majority of the members of our co-op. A point of note, is that we are not opposed to densification. In fact, we believe quite the opposite; densification is an important humanitarian goal in this time of insufficient affordable housing. Currently, in our section of the co-op, we have eight units on the equivalent of three residential lots the size of the parcel being considered with the above-noted application. This has the potential to house at least 18 people with an occupancy of 1 person per bedroom. Our co-op has explored and will continue to explore the possibility of adding modest, affordable housing where possible.

We do, however, have issue with the variances that are being considered with the application to rezone 1276/1278 Gladstone from the R-2-T Zone, Two Single Family Dwelling District to the CR-FG Zone, Fernwood Commercial Residential (Gladstone) District. Approving a rezoning of this nature will cause undue stress to the neighbourhood and community.

The three main issues per the Public Notice are reducing setbacks, reducing parking spaces to zero and increased building height.

With regard to reduced setbacks, it is unfathomable why reducing easterly, westerly and rear setbacks would even be considered given the direct impact minimal setbacks will have on the immediate neighbours at this time. Reasonable setbacks provide better accessibility for services, better air flow, healthy access to natural light, reduced noise pollution between neighbours and maintains green space, all of which are important for the health and welfare of the residents.

We hope that an appeal to logic will factor into your consideration regarding reducing residential, commercial, accessible parking spaces AND van accessible parking spaces all to zero. While we understand that supporting cycling routes and walkability is important for the future, we still live in the present. It has become difficult in the last five years for people to come to visit who have to drive to see us. The developers cannot guarantee that any number of their tenants, paying full market value in rent, will not own a car (or two), will not have friends come to visit, will be healthy for the entire time they live there and never needing any sort of home care assistance or accessibility vehicles. It seems like madness to build that factor into our community and put further accessibility stress on the neighbourhood. Adding a commercial space with zero parking will also tax the limited parking availability that currently exists. Plus, a CR-FG zone also has off-street parking requirements, which is definitely more than zero spaces.

As for the height of the building, an increase of 2 metres in height will certainly block more light out from more gardens in which we grow food to feed our families. Over and above the important light-blocking factor is the fact that a building of the proposed height and density will tower over its neighbours like the green-space-swallowing behemoth it is. Regardless of the material used in the cladding, the proposed building will absolutely not enhance the village aesthetic. 1276/1278 Gladstone is not an appropriate place for a building of this nature.

We are disappointed to learn that our voices, concerns and comments about this development proposal have not been considered up until this point. As a part of the community who currently enjoy the benefits of existing bylaws, our concerns are relevant. Please see the correspondence submitted by Kim Shortreed regarding this development proposal for a detailed report of our concerns, which are over and above the setbacks, parking and building height.

We hope that you will make decisions regarding the above-noted variance application that support the well-being of the immediate and surrounding neighbours and community. To approve the variances set out on the Public Notice and the proposed development would only benefit the for-profit developer at the expense of the neighbours' quality of life.

As stated earlier in this letter of concern, we support densification; however, we support reasonable densification that does not stress the neighbours. What about a scale-appropriate building with neighbour-friendly setbacks, green space and appropriate off-street parking?

Thank you for your time.

Kind regards,
Megan Hale

From: Victoria Mayor and Council
Sent: November 19, 2024 2:50 PM
To: Legislative Services email
Subject: FW: URGENT FEEDBACK for 1276/78 Gladstone proposal
Attachments: 1276-78GladstoneProposalFeedback2024-01-10.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From:
Sent: November 18, 2024 9:09 PM
To: Councillors <Councillors@victoria.ca>; Stephen Hammond (Councillor) <shammond@victoria.ca>; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: URGENT FEEDBACK for 1276/78 Gladstone proposal

Hello.

This is one last attempt to get Council to reject outright, or at least amend, the scale of the 1276/78 Gladstone proposal. As detailed in the attached report and petition, which has been sent in twice before, this for-profit apartment complex violates the City's own Fernwood Community Plan in terms of height, by two stories.

Our co-op, as a whole, has felt disempowered and disenfranchised by the feedback process, which appears to already fall in the favour of the developers—how is this feedback process fair or even useful when councillors are quoted as praising this development prior to making final decisions about it (<https://www.timescolonist.com/local-news/victoria-advances-fernwood-mixed-use-project-despite-concerns-about-parking-and-size-9116022>) ? I have also learned though Councillors kind enough to share that our feedback did not even reach Council, previously, and when it did, it was last-minute, and in summary form. This feels a lot less like actual community engagement and more like its performance.

The developers could have proposed creative infill housing, keeping the recently renovated buildings (which will be landfill) and augmenting the site. Instead, they propose a maxed-lotline apartment building to maximize profit for developers who are literally millionaires already. The City has already surpassed its targets by "More than twice the number of homes needed to meet British Columbia's housing target" (<https://www.victoria.ca/city-government/news/victoria-well-its-way-meeting-provincial-housing-target#:~:text=The%20City%20exceeded%20B.C.'s,1%2C713%20new%20homes%20for%20rezoning.>), according to its own reports.

The housing crisis is real for the unhoused and for those who cannot afford any housing in Victoria, but this apartment building is not for those in a "crisis," it is for those deterred from the privilege of getting a rung on the profitable property ladder. Somehow, the rhetoric around the need for housing has conflated these distinctly different needs and is confusing rights with privileges.

Please put a pause on this plan until it can at least be scaled according to the City's own guidelines for the Fernwood neighbourhood.

Kim Shortreed

To Development Services, City of Victoria Mayor and Council, and Advisory Design Panel members

Re: rezoning and development proposal for 1276 Gladstone Avenue

Folder #: CLC00414

Development tracker link:

<https://tender.victoria.ca/WebApps/OurCity/Prospero/Details.aspx?folderNumber=R EZ00860>

Feedback submission date: January 10, 2024

PDF of **petition against this proposal** can be found [here](#).

Introduction

This is a second appeal (first appeal attached below) **to reject zoning changes and the development proposal at 1276 & 1278 Gladstone Avenue** (1276 Gladstone, hereafter).

This appeal is written following the [developers' revised plans](#), posted to the City of Victoria's Development Tracker website on 2023-12-13.

As with the first appeal, this document details why this proposal continues to be inappropriate for a number of reasons, some of which the revised plans address in language and minor design tweaks but fails ultimately to make substantive changes in keeping with The City of Victoria's "Fernwood Village Design Guidelines" (FVDG) for "well designed new construction that is sensitive to the historic character, form and scale of the Village and its surroundings" (5).

For those living immediately around 1276 Gladstone, the developers' proposal continues to detract from and diminish the living and neighbourhood experiences of those around it.

Continued impositions of scale and proximity

This development remains too big for the neighbouring buildings and surrounding properties. The City's own Urban Place Guidelines specify "low-rise" buildings of "up to approximately three storeys" [my emphasis]. Moreover, given the ways in which both development plans strategically employ mockups, it is difficult to gauge the in situ sense of

the development's scale relative to the adjacent properties and buildings. The mockups in both the first and second plans are distorted in different ways.

The reason accurate mockups are critical to examine as part of this process, as noted in the first appeal, is that mockups are critical for non-experts to be able to visualize as accurately as possible how developers intend a design to blend into the surrounding area—to distort the visual is to distort the capacity for fulsome and decision making, and therefore to distort the capacity for fairness in the proposal-discussion process.

Because the building is already over height—at 4 storeys plus roof features that push it to 5 storeys—it is to the developers' benefit to present mockups to council and decision makers that minimize the relative scale of the build. Put another way, the mockups the developers choose to provide create a visual fiction serving the developers' narrative of guideline compliance.

To recap, the first appeal includes the following image for consideration. Here is the first-round plan's rendering of the rearward property's view:

REAR YARD ELEVATION



1276 GLADSTONE

CHA

25 OF 29

Here is the revised plan's revised mockup, which has clearly attempted to increase the realism of the surrounding buildings, but is nevertheless an inadequate representation of proportions and scale.



4 REAR YARD ELEVATION

As with the first plan, the second mockup creates the illusion of relative decreased scale to the surrounding buildings, which are themselves distorted and misrepresented.

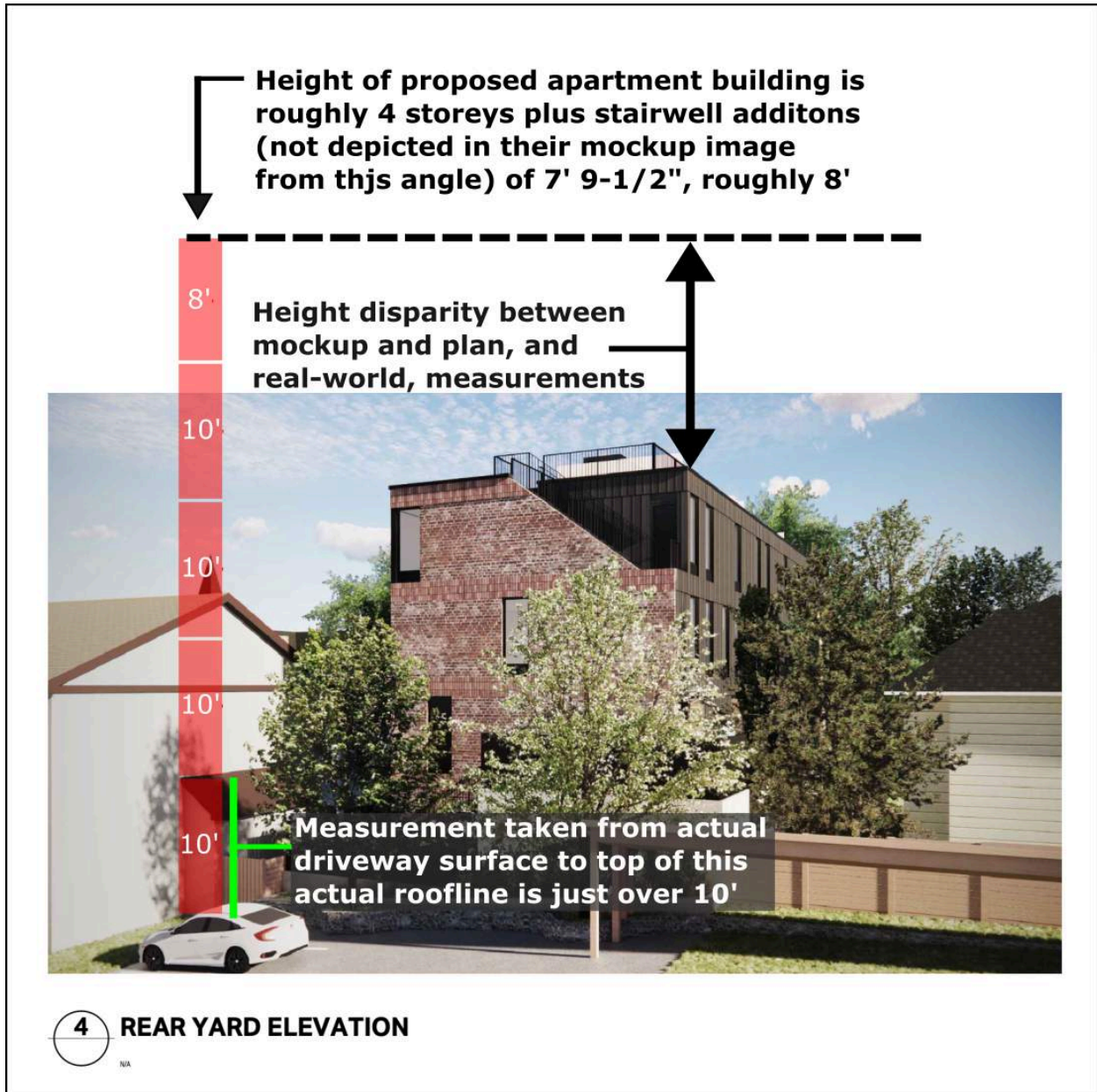
Neither proportionally correct nor visually accurate, this second mockup, as with the first, is either unintentionally inaccurate or intentionally distorted in order to reduce the incongruity of the building's scale within the surrounding landscape and buildings.

The first appeal presents a height-adjusted mockup that uses the proposal's own images to show something closer to accuracy for what the development would look like for the properties to the northwest, north, and east.



Note that the image above also shows that 1276 Gladstone property is toward the top of a rise. Our co-op housing unit (which sits directly to the east, or left, in the above image) has a backyard that sits roughly 2-2.5m (6-8') below average grade on the 1276 Gladstone lot.

Turning to the revised mockup of the same view, the height distortion in the mockup reduces drastically the relative peak of the roof height on the proposed development.



The development proposal's only face-on, north-side mockup image, "South Elevation" (2023-12-13 - Plans_Revisions.pdf, p, 16), is presented without any surrounding buildings, making it impossible to visualize its scale relative to the surrounding properties:



2 SOUTH ELEVATION
1:75

The “Front Elevation,” or south-side mockup (p. 18), however, does depict the building in context with the surrounding buildings. Showing this view in context makes sense from a persuasion perspective; after all, the front face of the building, at 3 storeys, looks relatively smaller than the south elevation image:



2 FRONT ELEVATION

Adjusting for the in-place scale of the northern property line, and using the measurements in the developers' plan, this is a more accurately scaled view of the South Elevation mockup:



Note that the opacity of the south elevation image is adjusted to show the existing house (1278 Gladstone), the roofline of which appears relatively short compared to the house to the east because the 1278 Gladstone sits closer to Gladstone than the proposed building, which pushes to within 1m of the northern property line.

Shown in context, it is clear that the proposed design is too large for the space. The Fernwood Community Plan—the City’s own guideline document for this area—calls for any new developments to “provide diverse living options at **neighbourly scales**, including through the retention of character homes through conversion” (19) [my emphasis].

As mentioned in the first feedback document, the scale of the design it is not in keeping with “Well designed new construction that is sensitive to the historic character, **form and scale** of the Village and its surroundings,” and by removing newly renovated homes with unique character, it does little to “enhance what makes this place special” (FVDG, 5) [my emphasis].

Responses to initial feedback-responses

The 2023-12-13 - Letter to Mayor and Council.pdf document, “made in response to feedback received during the CALUC preliminary and pre-application meetings,” attempts to address some of the concerns raised in the initial round of feedback.

By and large, the changes proposed by the developers leave a number of unanswered questions and raise a number of serious concerns.

Environmental bait-and-switch

Page 2 of the Letter to Mayor and Council states the following:

The project proposes to repurpose reclaimed brick from local “unbuilding” companies on the street and rear facades, true to Fernwood’s sustainable recycle culture and environmental consciousness.

In no way can these proposed material choices address the loss of GHG capture in the current lot. And, to suggest that choosing these materials is “sustainable” within the context of demolishing two recently renovated homes is a false equivalency, reflective more of a rhetorical desire to appear environmentally conscious than this development inevitably is.

Furthermore, what commitments are in place to ensure that the builders can find and use reclaimed materials? Will the existing houses be reused or demolished? In relative terms, these latter questions are more pressing environmentally than whether or not the developers choose to buy some reclaimed materials.

Page 4 of the same letter adds that “Omission of parking will reduce Green House gas emissions.” This is a universally applicable statement and does not account for the overall reduction of GHG carbon capture of the current greenspaces on the existing property, nor does this document, or any other submitted, account for the carbon emissions associated with the destruction of the current, renovated buildings, or the carbon emissions of the new build, especially the volume of concrete required in the build, something discussed in more detail in the first appeal.

Responses fail to address the problem of the building's overall scale

Under a heading entitled "Neighbourhood and Impact" (p. 3), the developers state the following:

The proposed building presents as a three-storey building on the Gladstone Avenue frontage with ground oriented commercial space and rental housing above (and behind), which is typical of the adjacent Fernwood square and provide a harmonious and appropriate extension to Fernwood Village.

The proposed building is four storeys, plus roof extensions, and presents as higher for the neighbours to the east, west, and north. From one view, the building might "present as" three stories, but the majority of the building is 4 storeys with roof additions of nearly 8'. The property grade sits higher than the adjacent properties, which only raises the relative height of the building further. Failure to include this in the "Neighbourhood and Impact" is very troubling, given the effects the scale of this building will have on the surrounding properties.

On page 3, the developers seem to be aware that the building, at four storeys, is not in keeping with the scale of the surrounding neighbourhood:

Although the building is four storeys tall, the street-oriented south façade is only three storeys tall and is in keeping with the character of the nearby Fernwood Square.

Another reading of the above quote is that, in fact, it is *only* the "street-oriented south façade" that is "in keeping with the character of the nearby Fernwood Square." Indeed, looking at the "East Elevation" image (p.15) of the revised plan, it is evident that the majority (roughly three quarters) of the building is *not* in "keeping with the character of the nearby Fernwood Square":



Further, Fernwood Square is only part of the surrounding neighbourhood's character—what of the existing homes affected by the majority of the building's footprint to the north, east and west? To privilege Fernwood Square as the touchstone for the design fails by definition to account for the diverse, aggregate influences and spatial character of the surrounding properties, which are also intrinsic to the Fernwood community.

Shaded by omission

On page four of the 2023-12-13 - Letter to Mayor and Council.pdf, the developers acknowledge “concerns over building height and shade impact” and make the following adjustment to the plan:

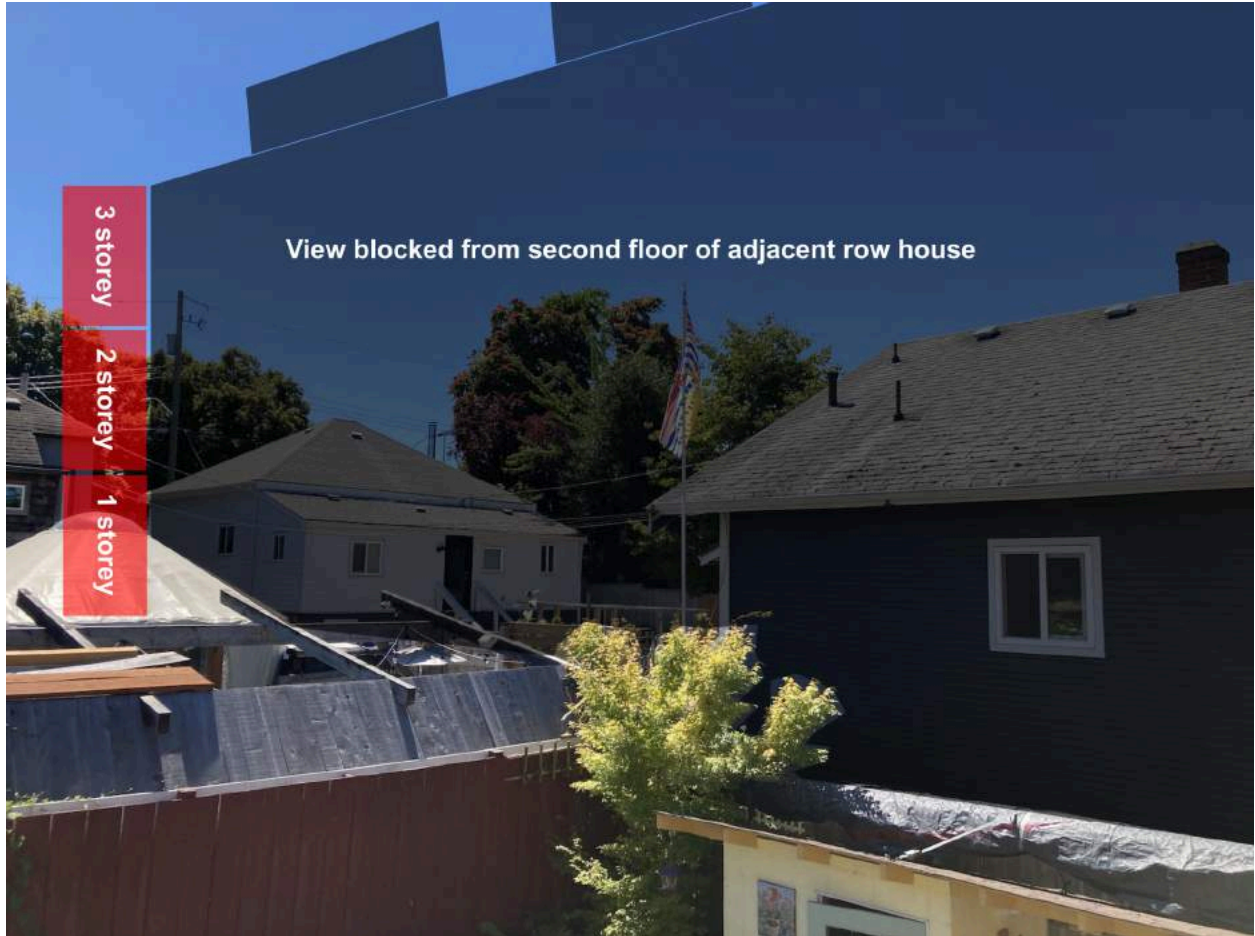
the rooftop access stair closest to the rear yard has been removed and replaced with an exterior stair at L4, resulting in a stepped massing and reduced shade impact on neighbouring properties to the north.

This change is hardly significant, and particularly ineffectual for the buildings to the east and west, those most affected by the shade and privacy impacts of the build. In other words, none of their design changes address the “shade impact” to the east and west.

Moreover, the area directly to the north of the 1276 Gladstone property is a parking lot and therefore has a relatively reduced concern for shade, with the exception of the productive hazelnut trees to the north of the adjacent property (discussed below).



The first appeal includes visualizations of the development's scale, as seen from the yard to the east:





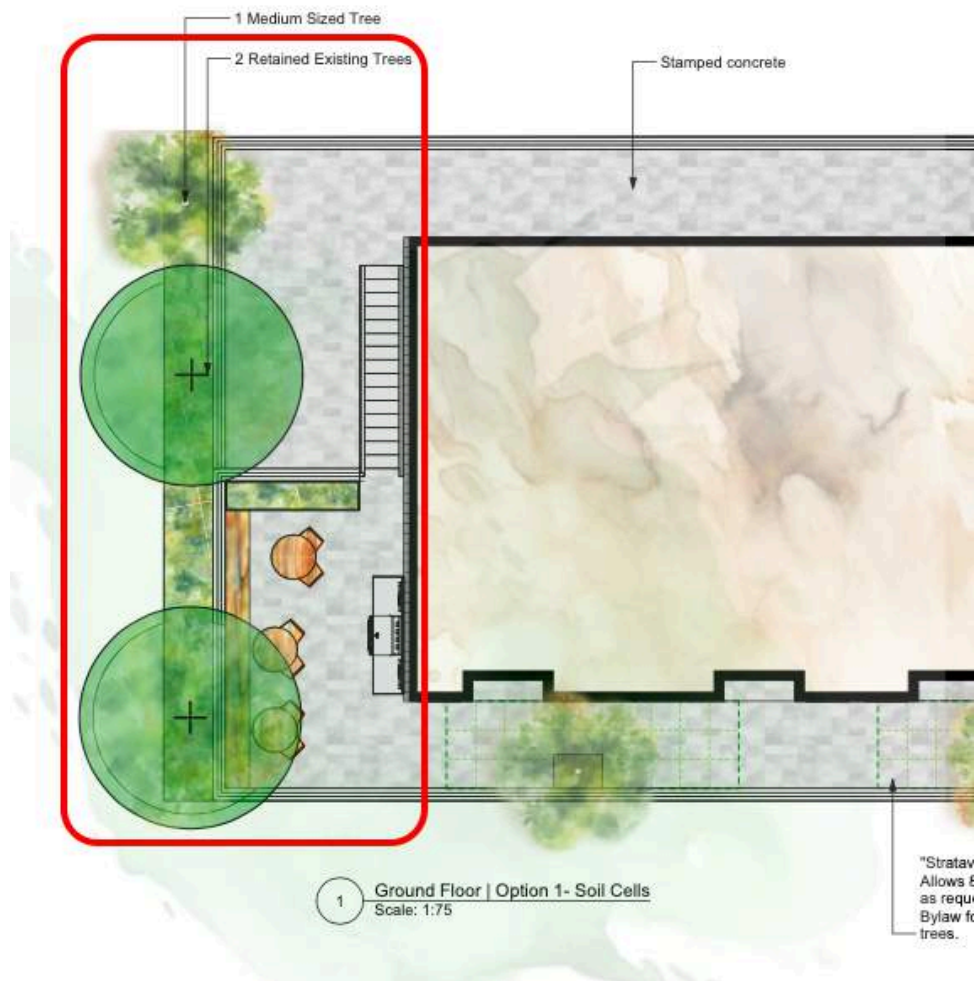
Encouragingly, page four of the 2023-12-13 - Letter to Mayor and Council.pdf attempts to address the imposing scale of the development, but again, only with considerations for the “rear yard”:

To address concerns of a ‘monolithic’ appearance at the rear yard elevation, brick banding has been added to match the street-facing elevation, additional windows have been provided and the façade has been broken up with the introduction of an exterior stair.

The monolithic appearance of the building has more to do with the development’s scale as a whole, not just the building’s aesthetics. And, these proposed changes introduce further concerns for the retention of the existing hazelnut trees on the 175 Pembroke property, as well as structural and engineering challenges.

Misleading hazelnut tree retention

The first appeal noted that page 31 of the first submitted design plan indicates the retention of existing hazelnut trees, suggesting that these trees are part of the development property, as seen in the following image:



As mentioned in the first appeal, these trees shown in the design are not on the 1276 Gladstone property: they are on the other side of the 1275 Pembroke property, as can be seen in the following image:



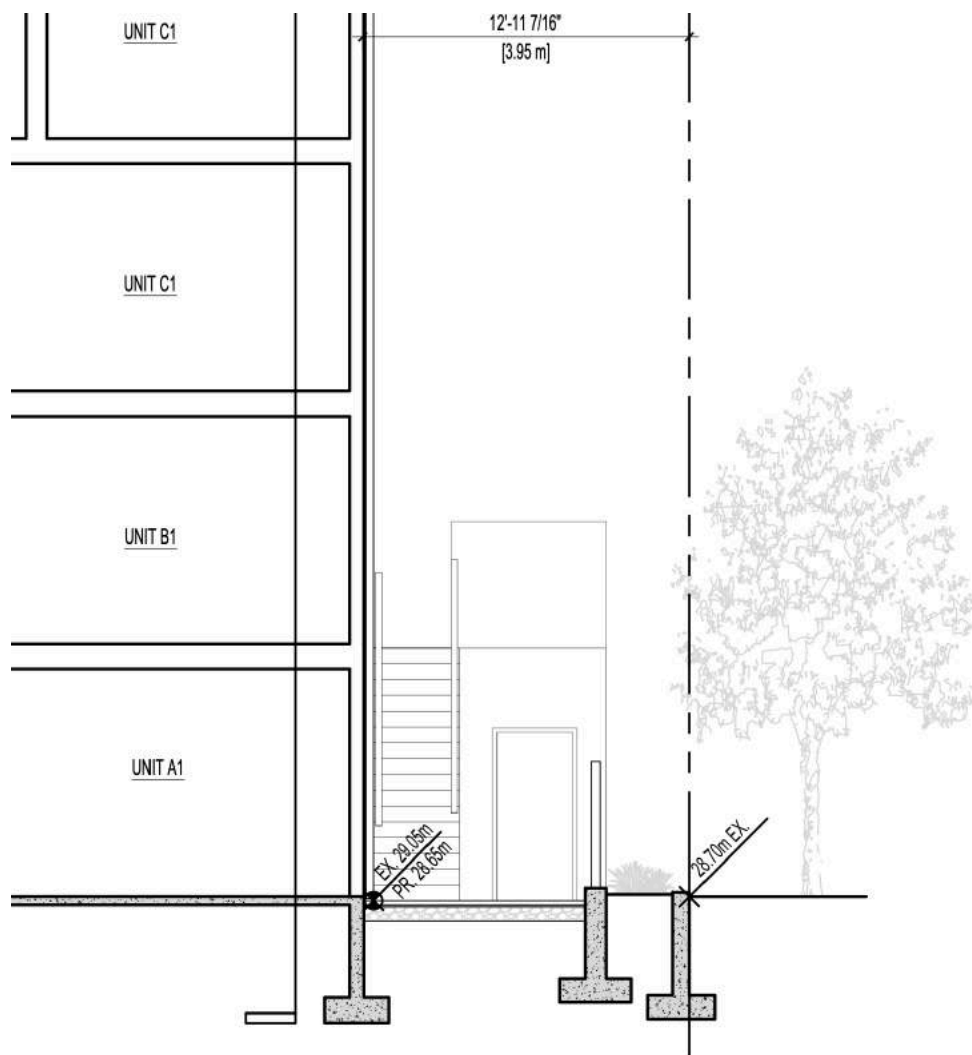
The first appeal noted concerns the building’s foundations would affect the roots of these hazelnut trees. The revised design threatens these trees all the more. The concrete walls proposed for the north end of the 1276 Gladstone property will require digging down to hardpan in order to be engineering compliant—as a result of this digging, the roots of the hazelnut trees will be irreparably damaged and the trees will likely die.



4 REAR YARD ELEVATION

Page four of the 2023-12-13 - Letter to Mayor and Council.pdf relates that “An arborist report has been provided as part of the Rezoning/DP application to address concerns over impact to existing trees on the western and northern borders of the site.” But it is unclear as to whether this report occurred prior to the plan’s revisions. Given the changes to the design, a new arborist’s report should be required.

Looking at the architectural drawings, note the proximity of the retaining wall and footings to the symbolic hazelnut tree in the following image:

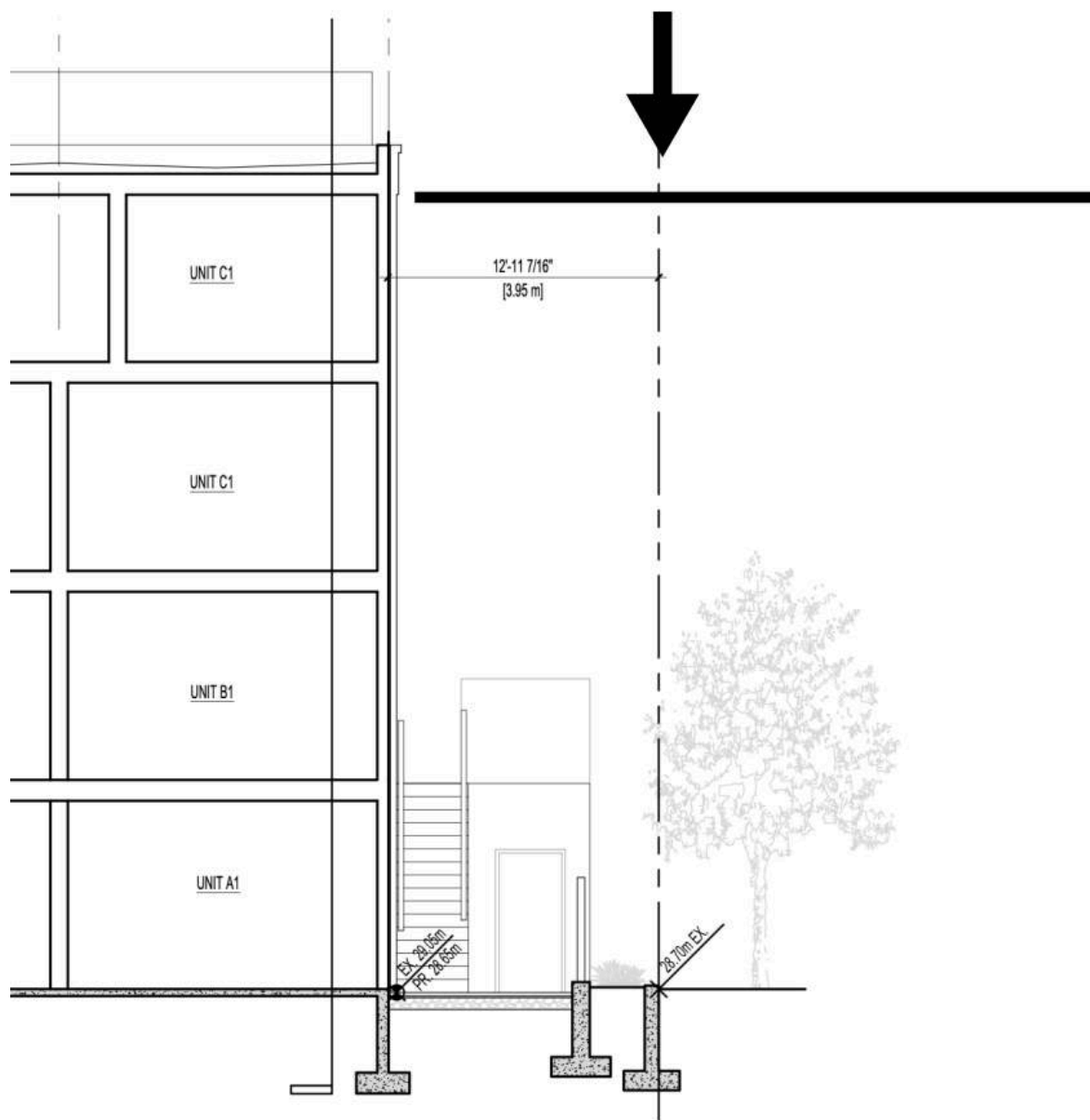


This rendering is concerning, also, because it misrepresents the scale of the trees (there are two, not just one) and their proximity to the northern property line. This is easy enough to correct for with an image of the architectural depiction:



Height-adjusted, the hazelnut tree reaches roughly the fourth floor of the proposed apartment building:

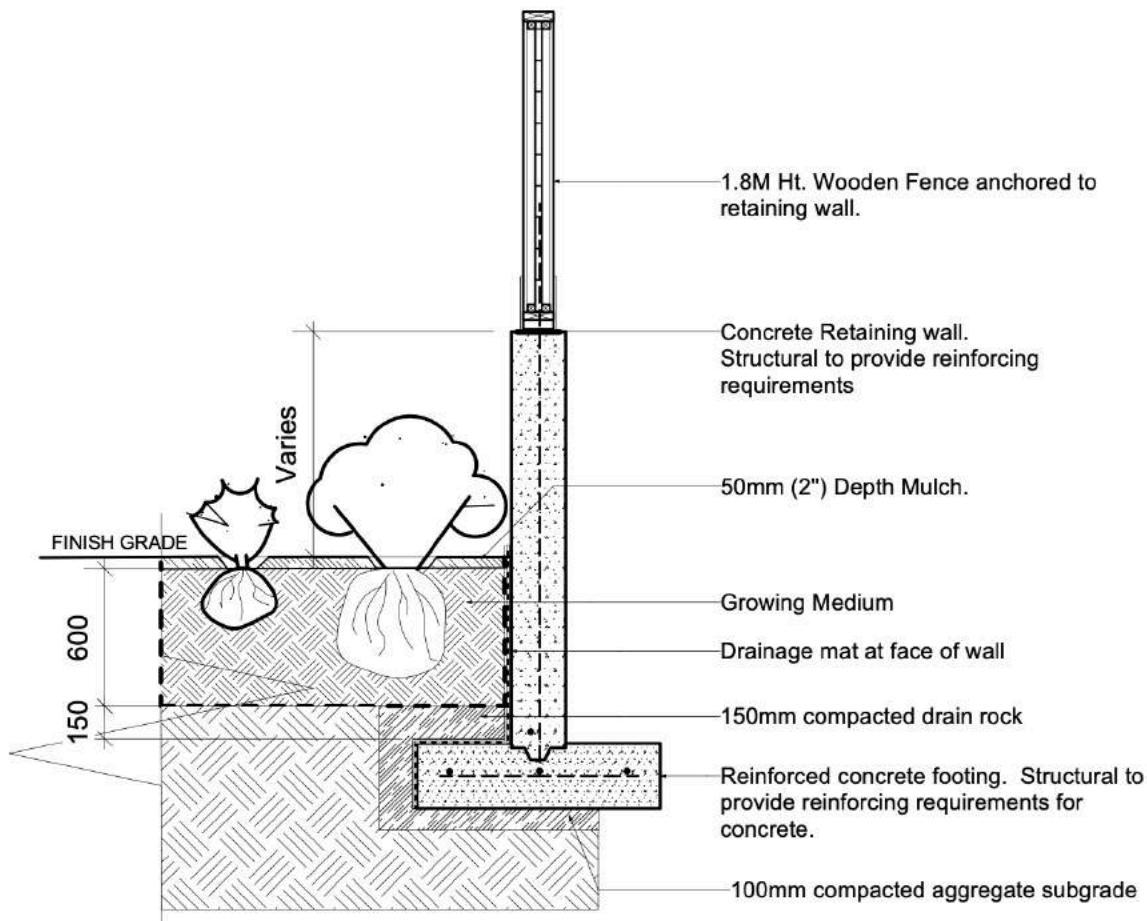
Approximate tree height line relative to proposed apartment building



From looking more closely at the site, it appears that it is not possible to build the retaining walls without disturbing the tree roots and ultimately destroying these trees. These trees are a living and thriving community asset, and so another arborist's report should be undertaken in light of the design changes.

Dealing with retaining walls

Page 20 of 2023-12-13 - Plans_Revisions.pdf indicates a "1.8 m Ht. Cedar Privacy Fence" along the east edge of the property line. This same page shows a design schematic that includes a retaining wall, to which the cedar fence is affixed.



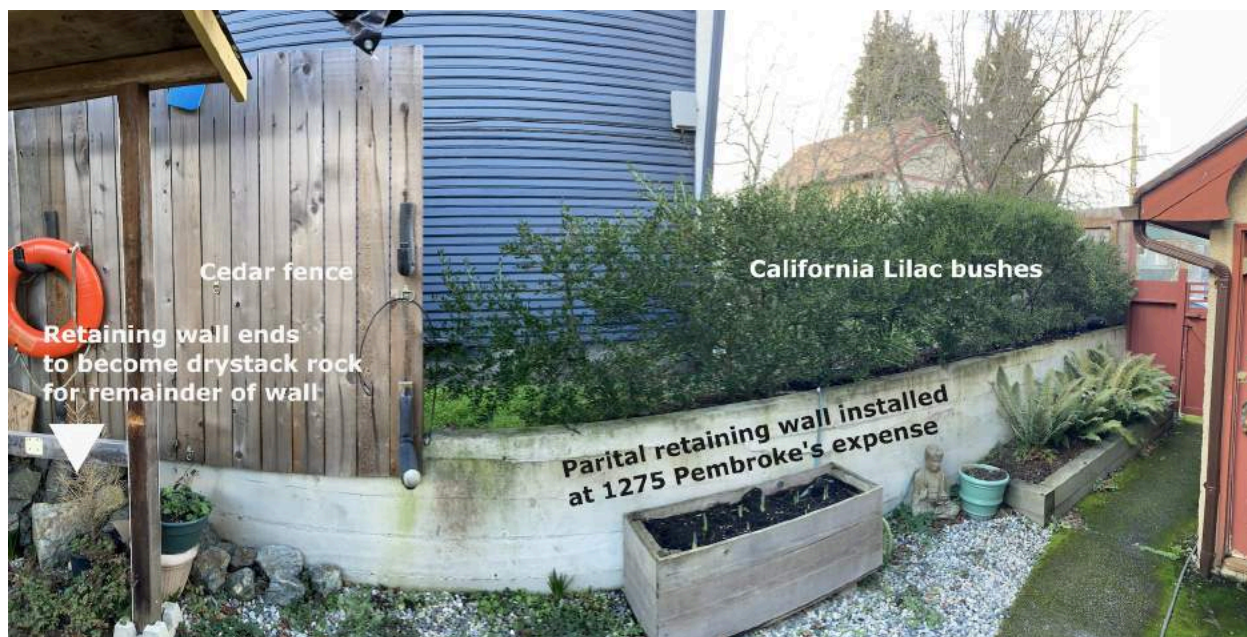
3 Retaining Wall | 1.8 M Ht. Wooden Fence
Scale: 1:30

What the plans fail to show is that the eastern run of the property line already has a partial retaining wall and an existing fence, along with California Lilac hedges grown from seedlings over that last four years.

Here is an image of what the eastern run of the property looks like from above:



Here is a closer look at the retaining wall area:



Neither the developers' plans nor the letter to Council indicate what will happen to existing infrastructure. The Spring Ridge Co-op (at unit 4, 1275 Pembroke) paid for this wall to be installed and would need to be consulted were any changes to occur, especially given the destructive nature of the construction required to install a footed retaining wall and fence along the eastern property line of 1276 Gladstone.

Concluding considerations

It is my sincere hope that Council will read the first appeal and this second appeal document closely in their entirety and consider particularly the natures of the persuasive elements of the developers' 2023-12-13 - Plans_Revisions.pdf and 2023-12-13 - Letter to Mayor and Council.pdf documents. These documents convey facts, but I have tried to show some of the ways in which these documents convey a narrative—a narrative that ultimately serves the developers' financial wealth.

As much as I am grateful to have some channel of feedback about the 1276 Gladstone development, there is also a sense of disempowerment to creating these documents. Given the multi-level governmental mandate to produce more housing stock, developers appear to possess a disproportionate socioeconomic sway and benefit. It is a developer's vocation to produce documents, plans, and petitions to have their buildings built for their financial profit and livelihood, whereas citizens questioning and critiquing developments gain neither of these benefits.

Certainly, we all have civic responsibilities, rights, and privileges, but what is particularly unsettling is when developers consider themselves as "community builders." Let's not forget in this conversation that the proposal for the 1276/1278 Gladstone development requires two perfectly good houses to be demolished, the tenants displaced, greenspaces paved over, sitelines blocked, gardens shaded, and trees destroyed—from this perspective, it appears more like community destruction than building.

The developers are not proposing co-op, mixed-income, or alternative housing, nor are they considering creative alternatives that use the existing housing stock in novel and interesting ways, something addressed in the first appeal document. They are proposing an apartment building that maximizes rental profit for the size of the lot(s).

It is my hope that the City will reject this application, or, at the very least, see that reducing the scale of the building to a true 3 storeys will strike a balance between developer profits and community consequences.

As before, I point you to the attached petition of signatures in support of rejecting the 1276 Gladstone proposal and development.

Thank you.

Kim Shortreed
Spring Ridge Co-op Housing Association

[Petition link.](#)

To the City of Victoria Council

We, the undersigned, declare our support for this petition:

To reject the proposal put forward by Ashley Kiptoo and Tonny Kiptoo to change the zoning of the subject property, 1276 & 1278 Gladstone Ave., for new mixed-use building with commercial retail and 18 new rental homes.

Dated 23rd day of July, 2023.

Petition prepared by Kim Shortreed [redacted] and Jillian Player, Spring Ridge Coop, 1275 Pembroke St, Victoria, V8T1J7

Date	First & last name	Address	Signature
July 23'23	Jillian Player	4-1275 Pembroke St	[redacted]
July 23/2023	Kim Shortreed	4-1275 Pembroke St.	[redacted]
July 23/2023	Leia Mango	5-1275 Pembroke	[redacted]
July 23/2023	Rob Carmichael	9/1275 Pembroke	[redacted]
July 23/2023	Shane Johnson	#8-1275 Pembroke St	[redacted]
July 23/2023	Angela Moran	#1-1275 Pembroke St	[redacted]
July 23/2023	Avleen Dhaliwal	#1278 Gladstone	[redacted]
July 23/2023	Shannon Craig	1270 Gladstone	[redacted]
July 24/23	Rana Miller	6-1275 Pembroke St	[redacted]

Date	First & last name	Address	Signature
July 25/23	Carolyn Boyce	#3 1275 Pembroke St Vie BC	
July 25/23	TONY SPRACKETT	1263A Pembrokes	
July 25/23	Megaa Hale	1263 Pembroke St	
July 25/23	Jesse McNelly	1255A Pembroke St.	
July 25/23	CORINNE MAH	1281 Pembroke St	
July 25/23	Arnie Lade	1275 Pembroke St Victoria BC	
July 25/23	Larissa Stendie	1275 Pembroke Victoria	
July 25/23	Gerrit Goster	1269 Pembroke	
July 25/23	Diane Lade	1275 Pembroke	
Aug 2/23	CRISTINA WOODS	1265 Pembroke St	
Aug 8/23	SHARON MAN	1253A Pembroke St	
Aug 8/23	JAMARIA Lowson	1261A Pembroke St	

From: Victoria Mayor and Council
Sent: November 19, 2024 2:50 PM
To: Legislative Services email
Subject: FW: Zoning Regulation Bylaw, Amendment Bylaw (No.1347)

Follow Up Flag: Follow up
Flag Status: Flagged

From: Mona Braschuk
Sent: November 18, 2024 10:50 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Zoning Regulation Bylaw, Amendment Bylaw (No.1347)

City of Victoria,
Mayor and Council
Attn: Chris Coleman (Fernwood liaison); Marg Gardner, Susan Kim, Dave Thompson

Re: 1276 Gladstone Ave., Victoria; redevelopment proposal

I am writing, again, to express my concerns and total opposition to the proposal for redevelopment of the property at 1276 Gladston Ave.

I have lived at 1253 Pembroke St. for 48 years and have seen many positive changes to the neighbourhood over that time.

On many streets, the creation of new units by lifting houses and building ground-level suites has provided additional, and much needed, rental accommodation in our neighbourhood. These properties are examples of appropriate, human-scale and compatible housing for the Fernwood neighbourhood.

However, the current proposal for 1276 Gladstone is totally unacceptable. It is completely out of scale with the rest of the surrounding neighbourhood and would destroy the quality of life of the residents in the adjacent homes. Increasing the number of people residing on a single-family sized lot to 40+ people plus a commercial business is totally inappropriate.

The housing currently being consturcted on the west side of Vic High School will result in a big increase in population and create even more traffic congestion on the small residential streets of Chambers and Gladstone. Adding another project with no parking and more people will only exacerbate this problem.

***A major reduction in the size of the proposed development, the provision of some truly affordable units and the inclusion of parking for residents would be much more appropriate for the size of the lot and a better fit for the small residential street and surrounding neighbourhood.

Thank you for your attention to this urgent matter,
Sincerely,
Mona Braschuk
1253 Pembroke Street.

From: Victoria Mayor and Council
Sent: November 19, 2024 2:51 PM
To: Legislative Services email
Subject: FW: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071

Follow Up Flag: Follow up
Flag Status: Flagged

From: J P
Sent: November 19, 2024 9:07 AM
To: Dave Thompson (Councillor) <dave.thompson@victoria.ca>; Councillors <Councillors@victoria.ca>; Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Re: CONCERNS: RE Zoning Reg Bylaw, Amendment (No. 1347), No. 24-071

I am hoping I can get this email through as I have just found out about the deadline.

It has been so disappointing trying to deal with this council. As a supposedly "open to opinions" and "we want to hear from you" council, our experience has been quite the opposite.

Our concerns regarding the 1276/1278 Gladstone proposal have unfortunately fallen on deaf ears. We have been made to look like NIMBYs which is opposite from the truth.

The proposal for 18 units will do nothing for the so-called housing crisis, that your own council said you have gone above and beyond the mandatory development.

I agree there is an affordable housing crisis which this development does nothing to address. So why pat yourselves on the back for it?

As of right now there are over 200 rental listings in the Fernwood/Victoria downtown area alone on Facebook marketplace.

Why would you want to ruin so many people's quality of life and ruin the environment for the sake of a few apartments?

Jillian Player
1275 Pembroke St



Council Report

For the Meeting of November 21, 2024

To: Council **Date:** November 1, 2024
From: Curt Kingsley, City Clerk
Subject: 515 and 519 Rithet Street: Rezoning Application No. 00868 and Development Permit with Variances Application No. 00267

RECOMMENDATION

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1351), No. 24-085

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-085.

The issue came before Council on August 1, 2024 where the following resolution was approved:

515 and 519 Rithet Street: Rezoning Application No. 00868 and Development Permit with Variances Application No. 00267 (James Bay)

Rezoning Application

1. *That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated July 11, 2024 for 515 and 519 Rithet Street.*
2. *That, after publication of notification in accordance with section 467 of the Local Government Act, first, second and third reading of the Zoning Regulation Bylaw amendment be considered by Council.*
3. *That following the third reading of the Zoning Regulation Bylaw amendment, the applicant prepare and execute the following legal agreements, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw:*
 - a. *Provision of a cash contribution of \$31,100.00 towards the City's Housing Reserve Fund, to be provided at the time of building permit issuance.*
 - b. *Provision of transportation demand management measures including:*
 - i. *two secure cargo bicycle parking spaces*
 - ii. *ten percent of bicycle parking dedicated to cargo bikes and fifty percent of all bicycle parking with access to an electric outlet*

- iii. *a car share membership for all residential units*
 - iv. *one electric cargo bicycle purchased by the developer for residents' use.*
- 4. *That adoption of the Zoning Regulation Bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.*
- 5. *That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

Development Permit with Variance Application

That Council, after giving notice, consider the following motion:

1. *“That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00267 for 515 and 519 Rithet Street, in accordance with plans submitted to the Planning department and date stamped by Planning on May 31, 2024, subject to:*
 - a. *Proposed development meeting all City zoning bylaw requirements, except for the following variances:*
 - i. *reduce the required rear-yard setback from 8.0m to 3.73m*
 - ii. *reduce the east side yard setback from 3.0m to 2.21m*
 - iii. *reduce the required number of vehicle parking stalls from twenty-four to ten.*
 - b. *Plan changes to identify the on-site visitor vehicle parking stall.*
 - c. *Plan changes to the bicycle parking area to include a bicycle and mobility scooter maintenance and wash area, space for the shared bicycle, and*
 - d. *Plan changes to provide for a greater proportion of horizontal bicycle parking stalls.*
2. *That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.”*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-085

NO. 24-085

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-5 Storey Zone, Five Storey District, and to rezone land known as 515 and 519 Rithet Street from the R3-2 Zone, Multiple Dwelling District to the R-515 Zone, Rithet District.

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 “ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1351)”.

2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 3.159 – MULTIPLE DWELLING ZONES by adding the following words:

“3.159-R-515 Zone, Rithet District”

3 The Zoning Regulation Bylaw is also amended by adding to Schedule” B” after Part 3.159 the provisions contained in Schedule 1 of this Bylaw.

4. The land known as 515 and 519 Rithet Street, legally described as follows, and shown hatched on the attached map, is removed from the R3-2 Zone, Multiple Dwelling District, and placed in the R-515 Zone, Rithet District:

(a) PID: 009-212-329, The West 20 feet of Lot 28, Beckley Farm, Victoria City, Plan 237;

(b) PID: 000-236-811, The Westerly 40 Feet of Lot 29, Beckley Farm, Victoria City, Plan 237;
and

(c) PID: 009-212-370, The East 20 feet of Lot 29, Beckley Farm, Victoria City, Plan 237.

READ A FIRST TIME the day of 2024

READ A SECOND TIME the day of 2024

READ A THIRD TIME the day of 2024

ADOPTED on the day of 2024

CITY CLERK

MAYOR

PART 3.159 – R-515 ZONE, RITHET DISTRICT**3.159.1 Permitted Uses in this Zone**

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

- a. Accessory Buildings subject to the regulations in Schedule “F”
- b. Multiple dwelling
- c. Attached Dwelling

3.159.2 Floor Area, Floor Space Ratio

- a. Floor space ratio (maximum) 1.75:1

3.159.3 Height, Storeys

- a. Principal building height (maximum) 16.5m

3.159.4 Setbacks, Projections

- a. Front yard setback (minimum) 4.0m

Except for the following maximum projections into the setback:

- Steps less than 1.7m in height 1.0m
 - porch 0.6m
- b. Rear yard setback (minimum) 8.0m
 - c. Side yard setback from interior lot lines (minimum) 3.0m
 - d. Side yard setback on a flanking street for a corner lot (minimum) 3.0m
 - e. Any balcony or deck that faces a street boundary may project into a setback (maximum) 0.6m

3.159.5 Site Coverage, Open Site Space

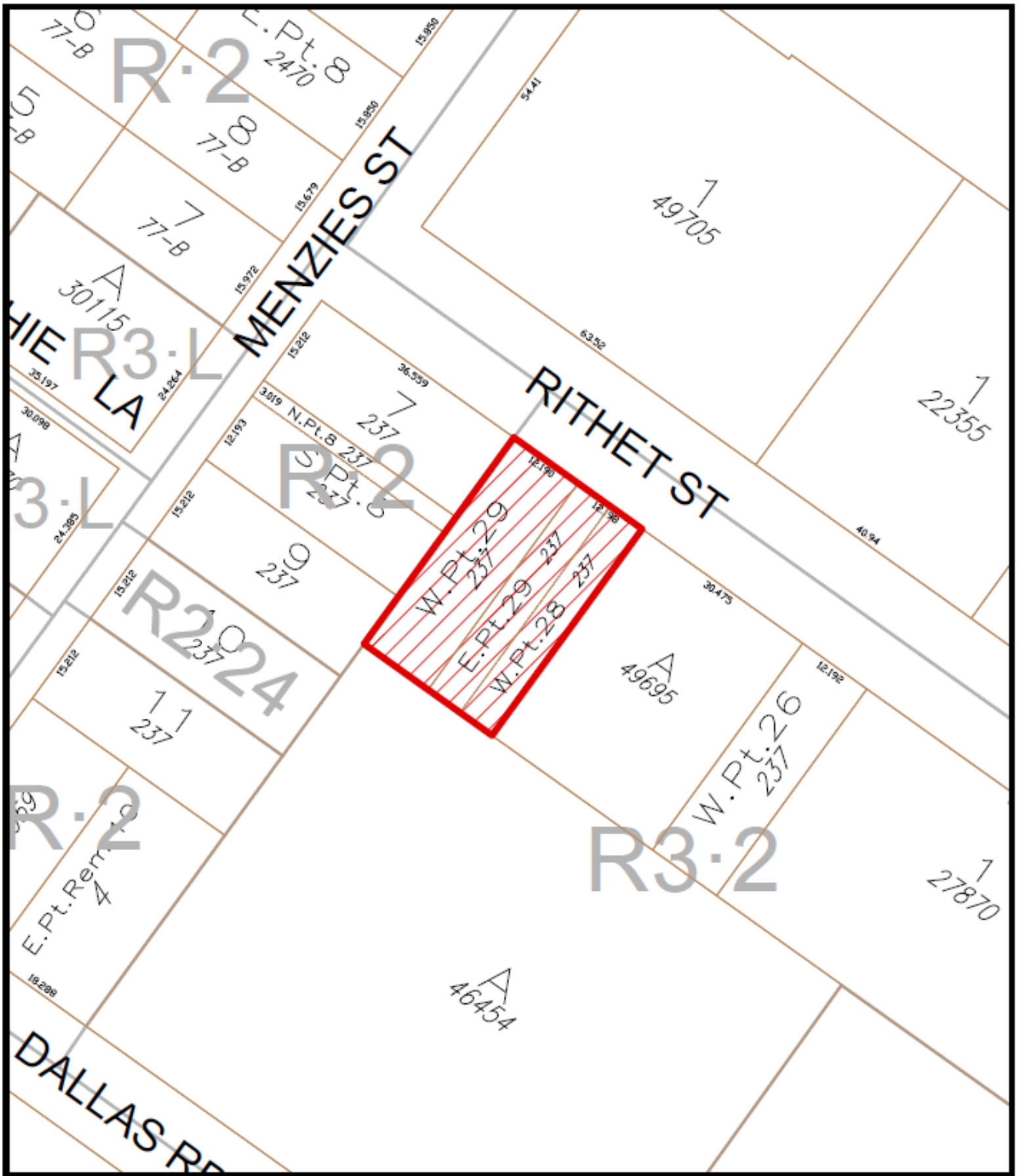
- a. Site Coverage (maximum) 55%
- b. Open site space (minimum) 25%

PART 3.159 – R-515 ZONE, RITHET DISTRICT

3.159.6 Vehicle and Bicycle Parking

a. Vehicle and bicycle parking (minimum)

Subject to the regulations in
Schedule “C”



515 & 519 Rithet Street
 Rezoning No.00868



From: Kelly Low
Sent: November 12, 2024 9:38 PM
To: Legislative Services email
Subject: Proposed new zone: R-515 Zone, Rithet District

To the City of Victoria:

Re: First reading of the Bylaw, Thursday, November 21, 2024, and concerns re proposal

The stated Development Permit will vary the following requirements of the Zoning Regulation Bylaw by reducing the required minimum rear-yard setback; reducing the east side yard minimum setback; and reducing the minimum required number of vehicle parking stalls from 24 to 10.

I am particularly concerned by the proposed reduction in required parking stalls, which would likely impact the number of cars seeking street parking or other parking. In my opinion, allowing such a reduction in the required number of vehicle parking stalls would impact negatively on the neighborhood.

The neighborhood is already a popular area for tourists which stretches the capacity of street parking available so that persons often park in lots that are private. Thus the reduction in allocated vehicle parking stalls for the Rithet street development would likely place further stress on parking, vehicle (including bicycle) congestion and impact the walkability of the area.

I hope that this concern is taken into due consideration by the Council.

All the best,

Kelly Low
(A concerned citizen living in the neighborhood)

From: Marg Rose
Sent: November 12, 2024 8:46 PM
To: Legislative Services email
Subject: Rithet construction

Thanks for the notice of the development plans for a five story multi family building. A welcome addition to housing density in our city—but planned on one of the already densest streets in James Bay. That raises an issue of noise pollution.

There is active construction on several other projects in a few block radius. Eg replacement of the Townhouses on Menzies is a block away. I was told bylaw cannot enforce this and it is up to our building managers. They don't seem to coordinate from building to building so it is a daily growl we have to put up with.

We recently endured a ridiculous "rain garden" installation on that street too that has resulted in a loss of parking spots (and a pile of black earth still without any plants on the east corner of Rithet and South Turner).

Looks like the traffic calming indented blips (were they really needed within a one block dead end street?) are right in front of the planned site. Waste of \$\$?

An empty lot at the east end of Rithet is awaiting purchase for more construction. We are going to boxed in with hammering and blasting activity. There is an echo chamber here with many apartments and condos on that one block strip.

Can you ensure that noise levels are monitored? Gas leaf blowers for that echo chamber block are already disturbing daily peace and use fossil fuels. Quiet construction hours till at least 8 am and after 5 pm would help calm the stretched nerves for about 500 of us who are living along the "strip" and enduring the cacophony. A caveat on the permit along this unique street would be much appreciated.

Thanks for your consideration.

Marg Rose
548 Dallas Rd

From: Janice Graham
Sent: November 14, 2024 11:01 AM
To: Legislative Services email
Subject: Zoning Regulation Bylaw Amendment Bylaw (No.1351), No. 24-085

RE: Zoning Regulation Bylaw Amendment Bylaw (No.1351), No. 24-085

I am writing with regard to the rezoning and development proposal for 515 and 519 Rithet Street, Victoria, BC

I am a neighbour who has lived for ten years at 562 Rithet Street.

I am familiar with the two houses and the properties on which they stand. I am aware that there was a development proposal made several years ago that has not been carried out. I have concern and objections to this current proposal.

Building Size Proposed

The five storey building proposed is too large and high for the site. With the setback variances requested the building would be too close and crowded to the neighbouring buildings and does not conform to the current average spacing of buildings on the street. At five storeys the proposed building will exceed the height of other buildings in the near vicinity.

Parking Proposal

Furthermore, the request to offer only ten parking stalls is insufficient likely for the needs of the tenants and the residents and visitors will seek parking in the street. Rithet is a one-block street that already is usually near or at capacity for street parking, night and day. Furthermore, last year several of the street parking spots were removed for the installment of the rain gardens. Rithet Street has done its share to improve the neighbourhood environment and water management in its part of the James Bay Neighbourhood. Please do not permit excessive infill on a street that currently has only one small heritage house remaining.

Over-development and densification concerns

James Bay neighbourhoods generally are seeing more in-fill projects than they can comfortably and aesthetically bear. The local streets are full of parked cars day and night making driving more difficult and reducing safety for our walking and cycling residents. Rithet has done more than its share to address housing needs for Victoria

Please bear seriously in mind my observations and objection when Bylaw Amendment meeting is held.

Yours sincerely,

Janice A. Graham, Ph.D.

304-562 Rithet Street
Victoria, BC V8B 1E2

From: steve sproston
Sent: November 15, 2024 11:02 AM
To: Legislative Services email
Subject: Public Notice re: changes to 515 and 519 Rithet street.

Hi.

I object to point iii. of the proposed variance to zoning regulation bylaws: “the reduction of the minimum required number of parking stalls from twenty-four to ten.”

The variance would put further pressure on the extremely limited number of parking spaces available on Rithet St., South Turner St. and Dallas Rd., and cause problems for the current residents that use them.

Thanks,
Steve Sproston

From: Tom Goodchild
Sent: November 15, 2024 2:10 PM
To: Legislative Services email
Subject: Concerns on Proposed Changes to 515 and 519 Rithet Street

My first concern is the fact that the proposed development is for a five-story building. Rithet Street currently has six multi-family buildings, all of which are four stories. I see this proposal as something which I would consider as “developers height creep”, something which is seen time and time again. I believe that this is something that should be avoided, particularly as development gets close to the water. There was a period of time when high became commonplace. However, my understanding is that the city came to the realization that this should be avoided and, for the past 50 years or so, it has been. Four stories should be adequate.

My other concern is the proposal that the minimum vehicle parking stalls be reduced from twenty-four to ten. Rithet Street is one which has always had a shortage of parking. Recently, the city has reduced this further by installing “rain gardens” on the street. Also, because the city has approved so many other streets to be designated as “residential parking only”, this leaves few options for many people. This new building should be required to provide the current minimum number of parking stalls for the size of building.

Thanking you in advance for strongly considering my concerns.

Tom Goodchild
306 – 562 Rithet St.
Victoria, BC
V8V 1E2

From:
To: [Legislative Services email](#)
Subject: Proposed changes at 515 and 519 Rithet Street, Victoria, B.C. V8V1E3
Date: November 19, 2024 9:20:56 AM

Heather Hestler

500 Rithet Street
Apt. 201,
Victoria, B.C. V8V1E3

November 16, 2024

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

Attention: **City of Victoria Council:** Further to the Public Notice issued with regard to Proposed Changes to 515 and 519 Rithet Street, Victoria, B.C. V8V 1E3

As a resident of Rithet St., I wish to make the following observations:

Although Rithet Street was historically created as a wider road to accommodate Victoria bus turnaround and parking, it's width was decreased this year by the creation of water features on the street, thus reducing street parking for deliveries and visitors to the area.

The suggestion that: "The Development Permit will vary the Zoning Regulations Bylaw by reducing the minimum required number of vehicle parking stalls " when construction of the proposed five-storey building is created on the site of 515 and 519 Rithet, will not exactly serve the needs of this community! Parking is already difficult in this area and will become more so. The reduction from 24 parking stalls to ten (shared stalls) means any overflow will be accommodated on Rithet Street or lower Menzies. The latter being a one-way street from Niagara to Dallas with limited parking on only one side.

Complicating matters, the current construction of a 147 unit apartment building at the corner of Menzies at Niagara Streets - a short block away due to open in 2026 - only provides 95 parking stalls for residents, 10 for guests and 250 for bikes. Any overflow will automatically be on already congested and narrow public streets.

I wish to remind Council that mature trees were cut down on site to accommodate this building, plus the ten flowering Cherry trees that lined Menzies to the yearly delight of many residents of this area, was another great loss.

Of further consideration at this crucial time, is the proposed demolition of small houses at 131, 135 and 139 Menzies to accommodate the construction of a 43 rental unit apartment building. A reduced number of parking stalls will be offered - and those to be on a shared basis. Naturally, any and all overflow is to be accommodated on local streets!

Further, this proposed building will be located almost directly across from Thrifty's parking lot at the junction of Menzies and Simcoe - presently a hugely inadequate parking space for hundreds of daily shoppers. Naturally, those who cannot find a parking space will automatically look for one on Menzies, Simcoe or Croft Streets. Others will endeavour to find parking across the street at the junction with Menzies. Here in the small, over-crowded parking lot that serves the Simcoe Street businesses of PharmaSave, The Dollar Store, Hairdressers, Dentist, Restaurant and Podiatrist etc. are all small businesses struggling for survival.

I wish to further remind Council that James Bay has, for the past seven years, lacked a functioning Service Station. Now we have no local Bank as of 2023. The nearest Bank in Fairfield is now due to close as of March 2025.

With all due respect for the needs of adequate housing within Victoria, I protest against the pressure for densification in this part of James Bay without due consideration for its small streets and quiet neighbourhood. All new buildings must provide adequate parking for their residents needs. To do otherwise is detrimental to the common good of all who live here.

Sincerely yours,

Heather Hestler

From: Sarah Weaver
Sent: November 18, 2024 9:42 AM
To: Legislative Services email
Subject: 515 and 519 Rithet Street

To the Mayor and Members of Council:

I am a resident of Rithet Street. I have two comments on the above proposal.

1) The proposed building should **be a maximum of four storeys**. It should not exceed the height of the other four storey buildings on this street. A five storey building will stand out too much. (I know there is a six storey building at South Turner / Rithet but it is an ugly and unfortunate anomaly).

2) I note the proposed relaxation of the east side yard minimum setback to 2.21m from 3.0m. Given the proximity of the four storey building on the east, and the number of its windows facing west, I **oppose this relaxation of the setback**.

Thank you

Sarah Weaver
#407 500 Rithet St
Victoria V8V 1E3

From: Cynthia Campbell
Sent: November 19, 2024 1:47 PM
To: Legislative Services email
Subject: 515-519 Rithet St Development Proposal

Good afternoon,

I am writing with regard to the changes proposed for the development at 515-519 Rithet St ahead of the meeting scheduled for November 21, 2024. I live at 525 Rithet St.

I am not sure how many versions of this development have now been put forward for consideration over the years but it seems that each time, the setback requirements face more and more erosion. It is of utmost importance to keep some sort of physical buffer on the west side of our building at 525 Rithet and the new building to the east of our driveway. To reduce the east side yard minimum to 2.21 m is simply not good enough.

Is the Casman strategy just to continually keep asking for setback reductions until everyone around is simply too exhausted to fight about it anymore? I think most of us are at a point where we would like to see things get started. The house at 519 Rithet is self demolishing as is, with a lot of its roof finding its way into our driveway with every windy day. It has been an eyesore, a haven for rats, and at times there have been issues with garbage piling up at that site and an unkept lawn. We are ready to see it torn down. But we also want to see a thoughtful project go into those two lots after all this time.

The reduction of parking spaces also causes a lot of concern. We have no parking to spare on Rithet St. It has historically been a problem. Now there is added pressure as 520 Rithet has started charging for parking in their lot, so residents are choosing to street park instead. The recently installed rain gardens have also taken much needed parking spaces away

from residents. To think that because we have a walkable neighbourhood, people don't need cars, is extremely short sighted. Not everyone can walk or ride a bicycle. Or is the message that only if you are physically fit and able bodied do you belong here.

We all want to see something happen with these two properties but development for development sake is not the answer. We need a neighbourhood with housing that works for everyone, while maintaining healthy boundaries between neighbours.

Thank you for your consideration.

Cynthia Campbell



Council Report

For the Meeting of November 21, 2024

To: Council **Date:** November 1, 2024
From: Curt Kingsley, City Clerk
Subject: 2659 Douglas Street: Tax Incentive Program Application No. 000033

RECOMMENDATION

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

1. Tax Exemption (2659 Douglas Street) Bylaw, No. 24-069

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-069.

The issue came before Council on August 1, 2024 where the following resolution was approved:

2659 Douglas Street: Tax Incentive Program Application No. 000033 (Burnside)

That Council approve Tax Incentive Program Application No. 000033 for 2659 Douglas Street.

1. *That Council instruct the Director of Sustainable Planning and Community Development to prepare a heritage tax exemption bylaw to exempt 665.89 square meters (7,168 square feet) of residential area on the second story and exempt 665.89 square meters (7,168 square feet) of residential area on the third storey of the assessed value of the property at 2659 Douglas Street for a period of ten years.*
2. *That, first, second and third readings of the heritage tax exemption bylaw be considered by Council.*
3. *That subject to approval of first three readings, the applicant execute an exemption agreement with contents to the satisfaction of the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw that contains the following conditions:*
 - a. *the final costs of seismic upgrading must be verified by a third-party consultant to the satisfaction of the Director of Sustainable Planning and Community Development; and*
 - b. *the tax exemption does not apply in a calendar year during any part of which any residential dwelling unit is not used for residential purposes.*
4. *That the above recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its*

officials, and any expenditure of funds is at the risk of the person making the expenditure.

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-069

TAX EXEMPTION (2659 DOUGLAS STREET) BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to assist in the seismic upgrade and rehabilitation of the heritage building located at 2659 Douglas Street, by exempting a portion of the land from municipal property taxes for ten years.

Contents

- 1 Title
- 2 Definitions
- 3 Tax exemption
- 4 Effective Date

Under its statutory powers, including Section 225 of the *Community Charter*, the Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1. This Bylaw may be cited as the "TAX EXEMPTION (2659 DOUGLAS STREET) BYLAW".

Definitions

- 2. In this Bylaw,

"Building"

means the heritage designated building on the Land commonly known as the "Scott Building";

"Land"

means the land, including the Building, located at civic address 2659 Douglas Street in Victoria, British Columbia and legally described as:

PID: 031-319-521

LOT 1, Section 4, VICTORIA DISTRICT PLAN EPP102394.

Tax exemption

- 3. (1) If the conditions of the tax exemption agreement #24-069 are fulfilled, the assessed value of the following portions of the Land are exempt from property taxes imposed under section 197(1)(a) of the *Community Charter* for the period detailed in subsection (2):

- (a) 665.89 square meters (7,168 square feet) of residential area on the second storey level of the Building; and
 - (b) 665.89 square meters (7,168 square feet) of residential area on the third storey level of the Building.
- (2) The tax exemption in subsection (1) is for a period of ten (10) consecutive calendar years, the first year of which is determined as follows:
- (a) if the Bylaw comes into force on or before October 31 in any year, the first year of the tax exemption is the following calendar year; or
 - (b) if the Bylaw comes into force after October 31 in any year, the first year of the tax exemption is the second calendar year afterwards.
- (3) Notwithstanding subsection (1), the tax exemption does not apply in a calendar year during any part of which any residential dwelling unit in the Building above the ground floor is not used for residential purposes.

Effective Date

- 4. This Bylaw comes into force on the day the City issues an occupancy permit for the residential portion of the Building.

READ A FIRST TIME the	day of	2024
READ A SECOND TIME the	day of	2024
READ A THIRD TIME the	day of	2024
ADOPTED by at least 2/3 of all members of the Council on the	day of	2024

CITY CLERK

MAYOR



Council Report

For the Meeting of November 21, 2024

To: Council **Date:** November 1, 2024
From: Curt Kingsley, City Clerk
Subject: 1314-1318 Wharf Street: Tax Incentive Program Application No. 00037

RECOMMENDATION

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

1. Tax Exemption (1314/1318 Wharf Street) Bylaw, No. 24-070

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-070.

The issue came before Council on August 1, 2024 where the following resolution was approved:

1314-1318 Wharf Street: Tax Incentive Program Application No. 00037 (Downtown)

1. *That Council instruct the Director of Sustainable Planning and Community Development to prepare a heritage tax exemption bylaw to exempt 957.2 square meters (10,303 SF) of retail space on the main and lower levels of the assessed value of the property at 1314-1318 Wharf Street for a period of ten years if the conditions of the tax exemption are fulfilled.*
2. *That Council authorize an exemption agreement with contents to the satisfaction of the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor that contains the following conditions:*
 - a. *the final costs of seismic upgrading must be verified by a third-party consultant to the satisfaction of the Director of Sustainable Planning and Community Development; and*
3. *That the above recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-070

TAX EXEMPTION (1314 /1318 WHARF STREET) BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to assist in the seismic upgrade and rehabilitation of the heritage building located at 1314 /1318 Wharf Street, by exempting a portion of the land from municipal property taxes for ten years.

Contents

- 1 Title
- 2 Definitions
- 3 Tax exemption
- 4 Effective Date

Under its statutory powers, including Section 225 of the *Community Charter*, the Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1. This Bylaw may be cited as the “TAX EXEMPTION (1314 /1318 WHARF STREET) BYLAW”.

Definitions

- 2. In this Bylaw,

“Building”

Means the heritage building on the Land designated by Heritage Designation Bylaw (No. 6), 1974.

“Land”

Means the land, including the Building, located at 1314 /1318 Wharf Street in Victoria, British Columbia and legally described as:

PID: 031-303-153
LOT A OF LOT 182-F VICTORIA CITY PLAN EPP107260

Tax exemption

- 3. If the conditions of the tax exemption agreement #24-070 are fulfilled, the assessed value of the portion of the Land are exempt from property taxes imposed under section 197(1)a of the *Community Charter* for the period specified in section 4:

- a. 957.2 square meters (10,303 square feet) of commercial area on the main and lower levels of the Building.
- 4. The tax exemption in section 3 is for a period of ten years, beginning either:
 - a. in the calendar year following the year this Bylaw comes into force on or before October 31; or
 - b. in the second calendar year following the year this Bylaw comes into force after October 31.

Effective Date

- 5. The Bylaw comes into force on the day the City issues an occupancy permit for the commercial portion of the Building.

READ A FIRST TIME the _____ day of _____ 2024

READ A SECOND TIME the _____ day of _____ 2024

READ A THIRD TIME the _____ day of _____ 2024

ADOPTED by at least 2/3 of all members of the Council on the _____ day of _____ 2024

CITY CLERK

MAYOR



Council Report

For the Meeting of November 21, 2024

To: Council **Date:** November 1, 2024
From: Curt Kingsley, City Clerk
Subject: 1050 Pandora Avenue: Tax Incentive Program Application No. 00032

RECOMMENDATION

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

1. Tax Exemption (1050 Pandora Avenue) Bylaw, No. 24-068

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 24-068.

The issue came before Council on April 18, 2024 where the following resolution was approved:

1050 Pandora Avenue: Tax Incentive Program Application No. 00032 (North Park)

1. *That Council instruct the Director of Sustainable Planning and Community Development to prepare a heritage tax exemption bylaw to exempt 433.29 square metres (4,664sf) of retail space and seven residential units on the second story of the assessed value of the property at 1050 Pandora Avenue for a period of three years.*
2. *That, after public notice, first second and third reading of the heritage tax exemption bylaw be considered by Council.*
3. *That subject to approval of first three readings, the applicant execute an exemption agreement with contents to the satisfaction of the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor prior to adoption of the bylaw that contains the following conditions:*
 - a. *the final costs of seismic upgrading must be verified by a third-party consultant to the satisfaction of the Director of Sustainable Planning and Community Development; and*
 - b. *the tax exemption does not apply in a calendar year during any part of which any residential dwelling unit is not used for residential purposes.*
4. *That the above recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.*

Respectfully submitted,

Curt Kingsley
City Clerk

Report accepted and recommended by the City Manager

List of Attachments:

- Bylaw No. 24-068

TAX EXEMPTION (1050 PANDORA AVENUE) BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to assist in the seismic upgrade and rehabilitation of the heritage building located at 1050 Pandora Avenue, by exempting a portion of the land from municipal property taxes for 3 years.

Contents

- 1 Title
- 2 Definitions
- 3 Tax exemption
- 4 Effective Date

Under its statutory powers, including Section 225 of the *Community Charter*, the Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

Title

- 1. This Bylaw may be cited as the “Tax Exemption (1050 Pandora Avenue) Bylaw”.

Definitions

- 2. In this Bylaw,

“Building”

Means the heritage building on the Land designated by Heritage Designation (1050-1058 Pandora Avenue and 1508, 1514 and 1516 Cook Street) Bylaw No. 20-007.

“Land”

Means the land, including the Building, located at civic address 1050 Pandora Avenue in Victoria, British Columbia and legally described as:

PID: 031-328-741
LOT A, SUBURBAN LOT 15, VICTORIA CITY, EPP102395

Tax exemption

- 3. If the conditions of the tax exemption agreement #24-068 are fulfilled, the assessed value of the following portions of the Land are exempt from property taxes imposed under section 197(1)(a) of the *Community Charter* for the period specified in section 4:

- a. 433.29 square meters (4,664 square feet) of commercial space on the ground level of the Building; and
 - b. seven residential units on the second storey of the Building.
4. The tax exemption in section 3 is for a period of three years, beginning either:
- a. in the calendar year following the year this Bylaw comes into force on or before October 31; or
 - b. in the second calendar year following the year this Bylaw comes into force after October 31.

Effective Date

- 5. The Bylaw comes into force on the day the City issues an occupancy permit for the residential portion of the Building.

READ A FIRST TIME the day of 2024

READ A SECOND TIME the day of 2024

READ A THIRD TIME the day of 2024

ADOPTED by at least 2/3 of all members of the Council on the day of 2024

CITY CLERK

MAYOR