I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.b Report from the March 28, 2019 COTW Meeting

Councillor Alto withdrew from the meeting at 8:18 p.m. due to a nonpecuniary conflict of interest with the following item.

I.1.b.d 210 Gorge Road East - Rezoning Application No. 00620 and Development Permit with Variances Application No. 00076 (Burnside)

> Moved By Councillor Loveday Seconded By Councillor Collins

Rezoning Application No. 00620

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00620 for 210 Gorge Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Preparation and execution of the following legal agreements to the satisfaction of City Staff:
 - a. Statutory Right-of-Way of 4.91m on Gorge Road East
 - Housing Agreement to ensure that all residential dwelling units would remain as rental and affordable in perpetuity.

Development Permit with Variances Application No. 00076 Subject to the applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00076 for 210 Gorge Road East, in accordance with:

- 1. Plans date stamped March 11, 2019.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of visitor parking spaces from 7 to 4
 - ii. reduce the required number of commercial parking spaces from 1 to 0
 - iii. reduce the surface parking space setback from a street boundary from 7.50m to 2.68m
 - iv. locate a gazebo in the front yard

- v. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m.
- 3. The Development Permit lapsing two years from the date of this resolution."

FOR (7): Mayor Helps, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Councillor Alto returned to the meeting at 8:19 p.m.

E.2 <u>210 Gorge Road East - Rezoning Application No. 00620 and Development</u> Permit with Variances Application No. 00076 (Burnside)

Committee received a report dated March 14, 2019 from the Acting Director of Sustainable Planning and Community Development presenting Council with information proposing to rezone the subject property at 210 Gorge Road East to increase the density to allow for a five-storey, mixed-use building consisting of ground floor commercial and residential above.

Moved By Mayor Helps Seconded By Councillor Loveday

Rezoning Application No. 00620

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00620 for 210 Gorge Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Preparation and execution of the following legal agreements to the satisfaction of City Staff:
 - a. Statutory Right-of-Way of 4.91m on Gorge Road East
 - b. Housing Agreement to ensure that all residential dwelling units would remain as rental and affordable in perpetuity.

Development Permit with Variances Application No. 00076

Subject to the applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00076 for 210 Gorge Road East, in accordance with:

- 1. Plans date stamped March 11, 2019.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the required number of visitor parking spaces from 7 to 4
 - ii. reduce the required number of commercial parking spaces from 1 to 0
 - iii. reduce the surface parking space setback from a street boundary from 7.50m to 2.68m
 - iv. locate a gazebo in the front yard
 - v. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m.
- 3. The Development Permit lapsing two years from the date of this resolution."

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

OPPOSED (1): Councillor Young

CARRIED (5 to 1)

Councillors Alto and Collins returned to meeting at 9:58 a.m.

Committee of the Whole Minutes, March 28, 2019



Committee of the Whole Report For the Meeting of March 28, 2019

То:	Committee of the Whole	Date:	March 14, 2019						
From:	Andrea Hudson, Acting Director, Susta	ainable Planning and	d Community Development						
Subject:	Rezoning Application No. 00620 for 210 Gorge Road East								

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00620 for 210 Gorge Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Preparation and execution of the following legal agreements to the satisfaction of City Staff:
 - a. Statutory Right-of-Way of 4.91m on Gorge Road East
 - b. Housing Agreement to ensure that all residential dwelling units would remain as rental and affordable in perpetuity.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures. In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone, and the others to apply if certain conditions are met.

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 210 Gorge Road East. The applicant has revised the original proposal for a six-storey, multi-unit residential building in response to Council's direction at the October 4, 2018 Council meeting. Now, the applicant is proposing to rezone the subject property from the T-1 Zone, Limited Transient Accommodation District, to a

new zone in order to increase the density from 1.2:1 to 1.71:1 floor space ratio (FSR) to allow a five-storey, mixed-use building consisting of ground floor commercial and residential uses above.

At the October 4, 2018 Council meeting, Council passed the following motion:

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

In response to Council's motion above, the applicant revised the proposal as follows:

- reducing the density from 1.87:1 to 1.71:1 floor space ratio
- reducing the number of storeys from six to five
- reducing the number of rental dwelling units from 82 to 72
- introducing a small coffee shop on the ground level
- adding one additional parking space to increase the residential supply of on-site parking
- refining the overall design of the building, as further discussed in a concurrent Committee of the Whole report related to the Development Permit with Variances Application.

BACKGROUND

Description of Proposal

This Rezoning Application is to increase the density from 1.2:1 to 1.71:1 floor space ratio (FSR) to allow a five-storey, mixed-use building consisting of ground floor commercial and residential above.

The following differences from the existing T-1 Zone are related to increasing the FSR and site coverage, and reducing unit size, setback and parking requirements.

Affordable Housing Impacts

The applicant proposes the creation of 72 new residential units consisting of affordable rental housing for people based on a range of income levels that includes Income Assistance level units to near market rental rates. The proposal would increase the overall supply of housing in the area and provide a mix of unit types including studio, one bedroom and two bedroom units, including barrier-free units. A Housing Agreement is being proposed to ensure that the dwelling units will remain as rental and affordable in perpetuity. According to the applicant, the near market rental dwelling units would be rented at least 10% below the average rental rates in the region. These units would be offered to residents with household incomes between \$30,000 and \$48,000, which is based on current median household income levels. In all cases, the monthly rents would not exceed 30% of monthly household income. The applicant has applied for a grant through the Victoria Housing Reserve Fund Program for the affordable rental units.

Tenant Assistance Policy

The proposal is to demolish the existing buildings, which would result in a temporary loss of 21 existing residential rental units. Consistent with the Tenant Assistance Policy, the applicant has provided a Tenant Assistance Plan. Victoria Cool Aid Society assumes full responsibility for finding suitable alternate housing options for all tenants and the society has a budget for any

rent subsidy required to house the current tenants for the interim period during construction. The current tenants will be provided with the first right of refusal for a unit in the new development.

Sustainability Features

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

Active Transportation Impacts

The application proposes the following features which support active transportation:

- 84 long-term bicycle parking spaces
- 12 short-term bicycle parking spaces.

Public Realm Improvements

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

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. Twelve dwelling units in the building would be barrier-free.

Land Use Context

The area is characterized by low-rise, multi-unit residential buildings, townhouses, single-family dwellings and transient accommodation.

Existing Site Development and Development Potential

The site is presently occupied by two residential buildings containing a total of 21 supportive housing units.

Under the current T-1 Zone, the property could be developed as a single-family dwelling, housekeeping apartment building, boarding or rooming house, or transient accommodation up to seven storeys (a maximum height of 21.5m).

Data Table

The following data table compares the proposal with the existing T1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Current Zone T-1		
Site area (m²) – minimum	1981.40	1850.00		
Density (Floor Space Ratio) – maximum	1.71:1 *	1.2:1		
Total floor area (m ²) – maximum	3388.19 *	2377.56		

Zoning Criteria	Proposal	Current Zone T-1	
Height (m) – maximum	14.73	21.50	
Storeys – maximum	5	n/a	
Site coverage % – maximum	53.50 *	20	
Open site space % – minimum	35	30	
Parking – minimum	2		
Residential	21	19	
Commercial	0 *	1	
Visitor parking – minimum	4 *	7	
Bicycle parking stalls – minimum			
Long-term	84	76	
Short-term	12	7	
Setbacks – minimum			
Street Boundary – Carroll Street	4.34 *	7.50	
Rear (E)	1.53 *	7.50	
Side (N)	2.93 *	7.50	
Side (S)	5.84 *	7.50	
Accessory Building (Gazebo)	194 A. P.	a service and the	
Location	Front yard *	Rear yard	
Height (m) – maximum	2.98	3.50	
Setback (m) – minimum	ę '** •		
Rear	37.55	0.60	
Side	44.32	0.60	
Flanking Street (Gorge Road East)	20.19	3.50m or front setback of adjoining lot	

Zoning Criteria	Proposal	Current Zone T-1
Separation space from main building (m) – minimum	1.55 *	2.40

Relevant History

Council referred the original proposal for a six-storey, multi-unit residential building back to staff at the Public Hearing on October 4, 2018 to give the applicant an opportunity to revise the proposal by reducing the number of storeys to conform with the local area plan, possibly including ground-floor commercial, bringing the type of unit percentages more closely in alignment with the Regional Housing First program implementation plan, and considering an increase in parking (Committee of the Whole report dated May 31, 2018 attached). The bylaws associated with the previous proposal received first and second reading, a Statutory Right-of-Way was registered on title and the applicant entered a housing agreement. The previous proposal was also presented at the Advisory Design Panel on April 11, 2018.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Burnside Gorge CALUC regarding the changes to the development proposal and a CALUC letter dated March 15, 2019 is attached to the report.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP, 2012) Urban Place Designation for the subject property is Urban Residential, which supports low-rise and mid-rise multi-unit residential buildings up to approximately six storeys and a density of up to approximately 2:1 floor space ratio (FSR), provided that the architecture, landscape and urban design respond to the established place character of the neighbourhood.

The OCP also encourages an increase in the supply of affordable and permanent rental housing and a wide range of housing choice within neighbourhoods to support a diverse and inclusive community. In the new development, the Victoria Cool Aid Society would continue to provide support services including 24/7 staffing for those tenants returning to the building and any new tenants that may require support. The proposal further advances the affordable housing objectives in the OCP.

Local Area Plan

The land use designation of the subject property in *Burnside Gorge Neighbourhood Plan* (2017) is Urban Residential. This designation supports the development of multi-unit residential development along Gorge Road East and contains urban design policies to ensure that new development is a good fit within established residential neighbourhoods and is oriented positively towards the street to create a more attractive pedestrian environment. The Plan supports buildings up to five storeys at this location, provided that there is ground floor

commercial space and there is a sensitive transition to lower density areas to the north. If there is no ground floor commercial, the Plan supports up to four storeys.

The applicant has revised the proposal from six storeys to five storeys, which has resulted in a loss of rental units; however, the proposal now includes a small coffee shop on the ground floor, which would be operated as a social enterprise. These changes are more aligned with the policies outlined in the Plan. To maintain a commercial use at ground floor in accordance with the Plan, staff can include a restriction in the new zone requiring a minimum amount of ground floor commercial space in the building, which would be approximately 14m² and consistent with the proposed plans. In applying this zoning approach, the proposed coffee shop could not be converted to office space for building operations or another non-commercial use without Council approval in the future. However, like any commercial space, there is a potential risk that the building owner cannot find a business willing or able to operate a successful enterprise at this location.

Tree Preservation Bylaw and Urban Forest Master Plan

The applicant has provided a Tree Preservation Plan prepared by Talbot Mackenzie and Associates (attached). There is one tree on the subject property protected by the Tree Preservation Bylaw (the Horse chestnut located on the corner of Gorge Road and Carroll Street), and this tree would be retained. Clearance pruning would be required, and installing permeable surface treatment and a floating sidewalk around the tree may be required to protect this tree during and after construction. Further exploratory digging would be required to determine the location of the roots and any potential impacts that the construction of a proposed sidewalk may have on this tree.

The plan identifies one non-bylaw protected tree on the subject property to be removed (a smaller Horse chestnut tree). This tree has extensive decay in the lower trunk and is unsuitable to retain according to the arborist. There is one Hornbeam tree on Gorge Road East that is to be considered for retention at building permit stage as the installation of a hydro utility box may negatively impact the tree's health. There is also one municipal tree (Hawthorne tree) located on Carroll Street that would be impacted by this development as it would be located within one metre of the proposed driveway and within the footprint of the proposed sidewalk. The arborist also recommends the removal of this tree.

Net gain and loss of trees:

- one tree on the subject property would be removed
- one or two public trees would be removed
- three new public trees would be planted in the boulevard
- 23 new trees would be planted onsite.

Regulatory Considerations

Building Height

For comparison purposes, the maximum height of building permitted in the current T-1 Zone is 21.5m which equates to approximately seven storeys. The height of the proposed building has been reduced to approximately 14.73m, which is over six and a half metres lower than what would be permitted under the existing zone. The applicant has introduced some design elements to reduce the building mass on the north side and to transition to the lower density residential development to the north of the subject property.

Statutory Right-of-Way

A Statutory Right-of-Way (SRW) of 4.91m is required on Gorge Road East. Gorge Road East has been identified as a Greenway, All Ages and Abilities (AAA) cycling corridor, and part of the Frequent Transit Network (FTN), a SRW along this frontage is required to achieve the objectives outlined within these plans.

CONCLUSIONS

The proposal is consistent with the OCP from a use, height and density perspective. The application further advances the housing objectives in the OCP relating to affordable non-market rental housing. The proposal is also generally consistent with the *Burnside Gorge Neighbourhood Plan*. Staff recommend for Council's consideration that the application proceed to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00620 for the property located at 210 Gorge Road East.

Respectfully submitted,

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Leanne Taylor Senior Planner Development Services Division

Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 11, 2019
- Attachment D: Letter from applicant to Mayor and Council dated February 7, 2019
- Attachment E: Letter from the Burnside Gorge CALUC dated March 15, 2019
- Attachment F: Revised Arborist Report dated March 18, 2019
- Attachment G: Council's motion dated October 4, 2018
- Attachment H: Committee of the Whole report dated May 31, 2018
- Attachment I: Original plans dated February 14, 2018
- Attachment J: Tenant Assistance Plan
- Attachment K: Window overlay dated March 11, 2019.



Committee of the Whole Report For the Meeting of March 28, 2019

To: Committee of the Whole Date: March 14, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00076 for 210 Gorge Road East

RECOMMENDATION

Subject to the applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00076 for 210 Gorge Road East, in accordance with:

- 1. Plans date stamped March 11, 2019.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of visitor parking spaces from 7 to 4
 - ii. reduce the required number of commercial parking spaces from 1 to 0
 - iii. reduce the surface parking space setback from a street boundary from 7.50m to 2.68m
 - iv. locate a gazebo in the front yard
 - v. reduce the separation space between the gazebo and the principal building from 2.40m to 1.55m.
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 210 Gorge Road East. In response to Council's direction at the October 4, 2018 Council meeting, the applicant has revised the original proposal for a six-storey, multi-unit residential building to a five-storey, mixed-use building consisting of ground floor commercial and residential uses above. At the October 4, 2018 Council meeting, Council passed the following motion:

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

In response to Council's motion above, the applicant revised the proposal as follows:

- reducing the density from 1.87:1 to 1.71:1 floor space ratio
- reducing the number of storeys from six to five
- reducing the height of building from 17.28m to 14.73m
- reducing the number of rental dwelling units from 82 to 72
- introducing restaurant space on the ground level
- adding one additional parking space to increase the residential supply of on-site parking
- refining the overall design of the building in response to the above changes.

The following points were considered in assessing the revised application:

- The subject property is within Development Permit Area 7A: Corridors Gorge Road East, which encourages revitalization and a sensitive transition in built form and character to the lower density Traditional Residential neighbourhood to the north of the subject property. DPA 7A further recognizes Gorge Road East as a frequent transit corridor and encourages transit-oriented streetscaping.
- The design guidelines for *Multi-Unit Residential, Commercial and Industrial* (2012) and the *Revitalization Guidelines for Corridors, Villages and Town Centres* (2017) apply to the proposed development. The proposal is consistent with the design guidelines.
- The land use designation of the subject property in the new *Burnside Gorge Neighbourhood Plan* (2017) is Urban Residential, which supports the development of multi-unit residential development along Gorge Road East up to five storeys, provided that there is ground floor commercial space and there is a sensitive transition to lower density areas to the north. The applicant has introduced ground floor commercial and reduced the number of storeys from six to five, and now the proposal is more consistent with the Plan.
- The variance to reduce the required number of visitor parking spaces from 7 to 4 and the number of commercial parking spaces from one to nil are supportable. To offset this parking shortfall, the applicant is willing to provide 20 car share memberships and scooter parking. One additional parking space is being added, resulting in a surplus of residential parking on-site.
- The variance to reduce the surface parking space setback from a street boundary from 7.50m to 2.68m is supportable given the extensive landscaping and bike parking being proposed to buffer the parking stall from the street.
- The variances associated with the gazebo, including locating the structure in the front yard and reducing the separation distance between the proposed gazebo and principal building from 2.40m to 1.55m, are supportable as the gazebo forms part of the outdoor landscaping and patio area for the residents.

BACKGROUND

Description of Proposal

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

- contemporary architectural features, including a flat roofline, roofline soffit materials, and contemporary-style windows
- exterior building materials include cementitious fibre board (panel, horizontal and board & batten), brick, aluminium and glass guardrail system, metal roofline soffit material, wood trim, and concrete
- one residential entryway into the building fronting Gorge Road East
- restaurant space on the ground floor with access off of Gorge Road East
- canopy above the residential and commercial entryways
- Juliet balconies on the east and west elevations
- a large lounge, offices and common areas on the ground floor
- large private patio space and gazebo on the southwest corner of the building fronting Carroll Street
- garden plots and substantial landscaping along the Carroll frontage
- permeable surface treatment for all communal areas and exposed parking area
- substantial landscaping around the perimeter of the site
- 25 parking spaces located in a gated underground parking structure
- 84 long-term bicycle parking spaces on-site located in a secure, enclosed bicycle storage room in the underground parking structure and 12 Class 2 bicycle parking spaces located at the main entrance to the building.

The proposed variances are related to reducing the required number of visitor and commercial parking spaces, reducing the setback between a parking space and street boundary and the location of a proposed gazebo on-site.

Affordable Housing Impacts

The applicant proposes the creation of 72 new residential units consisting of affordable rental housing for people based on a range of income levels that includes Income Assistance level units to near market rental rates. The proposal would increase the overall supply of housing in the area and provide a mix of unit types including studio, one bedroom and two bedroom units, including barrier-free units. A Housing Agreement is being proposed to ensure that the dwelling units will remain as rental and affordable in perpetuity. According to the applicant, the near market rental dwelling units would be rented at least 10% below the average rental rates in the region. These units would be offered to residents with household incomes between \$30,000 and \$48,000, which is based on current median household income levels. In all cases, the monthly rents would not exceed 30% of monthly household income. The applicant has applied for a grant through the Victoria Housing Reserve Fund Program for the affordable rental units

Tenant Assistance Policy

The proposal is to demolish the existing buildings which would result in a temporary loss of 21 existing residential rental units. Consistent with the Tenant Assistance Policy, the applicant has provided a Tenant Assistance Plan. Victoria Cool Aid Society assumes full responsibility for finding suitable alternate housing options for all tenants, and the society has a budget for any rent subsidy required to house the current tenants for the interim period during construction.

The current tenants will be provided with the first right of refusal for a unit in the new development.

Sustainability Features

The following sustainability features are associated with this application:

- Step 1 Plus of the BC Energy Step Code
- storm water rain gardens and permeable surface treatment
- energy and water-efficient appliances and fixtures.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- 84 long-term bicycle parking spaces
- 12 short-term bicycle parking spaces.

Public Realm Improvements

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

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. Twelve dwelling units in the building would be barrier-free.

Land Use Context

The area is characterized by low-rise multi-unit residential buildings, townhouses, single-family dwellings and transient accommodation.

Existing Site Development and Development Potential

The site is presently occupied by two residential buildings containing a total of 21 supportive housing units.

Under the current T-1 Zone, the property could be developed as a single-family dwelling, housekeeping apartment building, boarding or rooming house, or transient accommodation up to seven storeys (a maximum height of 21.5m).

Data Table

The following data table compares the proposal with the existing T1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Current Zone T-1	
Site area (m²) – minimum	1981.40	1850.00	
Density (Floor Space Ratio) – maximum	1.71:1 *	1.2:1	

Zoning Criteria	Proposal	Current Zone T-1		
Total floor area (m²) – maximum	3388.19 *	2377.56		
Height (m) – maximum	14.73	21.50		
Storeys – maximum	5	n/a		
Site coverage % – maximum	53.50 *	20		
Open site space % – minimum	35	30		
Parking – minimum				
Residential	21	19		
Commercial	0 *	1		
Visitor parking – minimum	4 *	7		
Bicycle parking stalls – minimum				
Long-term	84	76		
Short-term	12	7		
Setbacks – minimum				
Street Boundary – Carroll Street	4.34 *	7.50		
Rear (E)	1.53 *	7.50		
Side (N)	2.93 *	7.50		
Side (S)	5.84 *	7.50		
Accessory Building (Gazebo)	····	- 6		
Location	Front yard *	Rear yard		
Height (m) – maximum	2.98	3.50		
Setback (m) – minimum				
Rear	37.55	0.60		
Side	44.32	0.60		
Flanking Street (Gorge Road East)	20.19	3.50m or front setback of adjoining lot		

Zoning Criteria	Proposal	Current Zone T-1		
Separation space from main building (m) – minimum	1.55 *	2.40		

Relevant History

Council referred the original proposal for a six-storey, multi-unit residential building back to staff at the Public Hearing on October 4, 2018 to give the applicant an opportunity to revise the proposal by reducing the number of storeys to conform with the local area plan, possibly including ground-floor commercial, bringing the type of unit percentages more closely in alignment with the Regional Housing First program implementation plan, and considering an increase in parking (Committee of the Whole report dated May 31, 2018 attached). The bylaws associated with the previous proposal received first and second reading, a Statutory Right-of-Way was registered on title and the applicant entered a housing agreement. The previous proposal was also presented at the Advisory Design Panel on April 11, 2018.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Burnside Gorge CALUC regarding the changes to the development proposal and a CALUC letter dated March 15, 2019 is attached to the report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property in Development Permit Area (DPA) 7A: Corridors. The objectives of this DPA are to ensure that development along corridors is compatible with adjacent and nearby lower density residential neighbourhoods, and encompasses human-scaled urban design and a sensitive transition in building form and place character. DPA 7A further recognizes Gorge Road East as a frequent transit corridor and encourages transit-oriented streetscaping.

The applicant has reduced the height of building from six storeys to five storeys and stepped back the fifth storey by approximately three metres along Gorge Road East to break up the massing, reduce the building bulk and comply with the policies outlined in the Burnside Gorge Neighbourhood Plan. The applicant has further enhanced the ground floor by introducing additional transparent glazing to accommodate a coffee shop, which would encourage interactions between pedestrians and the interior space.

There have been some adjustments to the interior floor plans, which resulted in the following changes to site planning and window placement:

• a slight increase to site coverage from 52% to 53.5%;

- a shift of the east wall facing the courtyard by 3.293m, however, this wall is still setback over 12m from the east property line;
- a slight shift of the east wall along the upper storeys and at the south end of the building, however, a setback of 1.53m is still being maintained (no changes from original proposal); and
- additional windows added to the east elevation to enhance the liveability of these dwelling units.

With respect to the proposed window placement on the east elevation, the additional glazing does break up some of the blank wall that was shown on the original plans. The majority of new windows are offset from the neighbouring windows to the east. There would be some window overlap between the three new windows being proposed towards the northeast side of the building and the neighbouring building.

The proposed landscaping along the Gorge Road East and Carroll Street will improve the streetscape and pedestrian experience at the corner. The large Horse chestnut tree, a landmark tree at this corner, will be retained. The applicant proposes constructing garden plots and soft landscaping along the Carroll Street frontage, as well as, substantial landscaping along Gorge Road East. A Statutory Right-of-Way on Gorge Road East will be required as a condition of rezoning to allow for sidewalk realignment, additional boulevard and trees. Permeable surface treatment would be installed throughout the site.

Local Area Plans

The *Burnside Gorge Neighbourhood Plan* (2017) supports the development of multi-unit residential development along Gorge Road East and contains urban design policies to ensure that new development is a good fit within established residential neighbourhoods, and is oriented positively towards the street to create a more attractive pedestrian environment. The Plan supports buildings up to five storeys on the north side of Gorge Road East and east of Balfour Avenue, provided that there is ground floor commercial space and there is a sensitive transition to lower density areas to the north. If there is no ground floor commercial, the Plan supports up to four storeys.

In response to community concerns and Council's motion above, the applicant has reduced the building height from six to five storeys, which transitions to four storeys at the rear. The applicant is also proposing a small coffee shop on the ground floor; the plan is to operate it as a social enterprise in the building. However, like any commercial space, there is a potential risk that the building owner cannot find a business willing or able to operate a successful enterprise at this location.

Tree Preservation Bylaw and Urban Forest Master Plan

The applicant has provided a Tree Preservation Plan prepared by Talbot Mackenzie and Associates (attached). There is one tree on the subject property protected by the Tree Preservation Bylaw (the Horse chestnut located on the corner of Gorge Road and Carroll Street), and this tree would be retained. Clearance pruning would be required, and installing permeable surface treatment and a floating sidewalk around the tree may be required to protect this tree during and after construction. Further exploratory digging would be required to determine the location of the roots and any potential impacts that the construction of a proposed sidewalk may have on this tree.

The plan identifies one non-bylaw protected tree on the subject property to be removed (a smaller Horse chestnut tree). This tree has extensive decay in the lower trunk and is unsuitable to retain according to the arborist. There is one Hornbeam tree on Gorge Road East that is to be considered for retention at building permit stage as the installation of a hydro utility box may negatively impact the tree's health. There is also one municipal tree (Hawthorne tree) located on Carroll Street that would be impacted by this development as it would be located within one metre of the proposed driveway and within the footprint of the proposed sidewalk. The arborist also recommends the removal of this tree.

Net gain and loss of trees:

- one tree on the subject property would be removed
- one or two public trees would be removed
- three new public trees would be planted in the boulevard
- 23 new trees would be planted onsite.

Regulatory Considerations

The applicant is requesting a reduction in the required number of visitor parking spaces from seven to four and commercial parking spaces from one to nil. There would be a parking shortfall of three parking spaces on-site. There is no parking variance associated with the residential uses. Compared to the original proposal, the applicant has managed to add one additional parking space on-site, increasing the overall parking supply from 24 to 25. For this proposal, two parking spaces would be reserved for the 24/7 onsite staff and the remaining 23 parking spaces would be available to tenants and visitors.

To offset the parking shortfall, the applicant is willing to purchase 20 MODO car share memberships for the affordable rental units. MODO has offered to provide \$50 of driving credits to each occupant of the proposed development for joining MODO. Originally, the applicant was proposing to provide two bikes and bike-share parking spaces for a bike-share program onsite and a bike repair station. However, the applicant has indicated to staff that they would like to have the bike racks available for the coffee shop patrons, and there is a lack of space in the underground parkade for a bike repair station with the additional parking space and scooter parking. Given the proposed transportation demand management (TDM) measure, proximity to frequent transit service and cycling infrastructure, the parking variances are seen as supportable.

The applicant is also proposing to reduce the surface parking space setback from a street boundary from 7.50m to 2.68m. This proposed variance is supportable given the extensive landscaping and bike parking being proposed to buffer the parking stall from the street.

A gazebo is being proposed along the Caroll Street frontage, and there are two variances associated with the proposed gazebo:

- locating the proposed gazebo in the front yard
- reducing the separation distance between the proposed gazebo and principal building from 2.40m to 1.55m.

The gazebo would form part of the outdoor landscaping and patio area for the residents. Given the proposed location of the gazebo, it would likely have no impacts on the immediate neighbours and therefore, staff support the proposed variances.

CONCLUSIONS

The proposed five-storey, mixed-use building at 210 Gorge Road East is consistent with the relevant design guidelines associated with Development Permit Area 7A: Corridors – Gorge Road East. The proposed parking variances are supportable given the proposed car share memberships and the site's proximity to frequent transit services and cycling infrastructure. A reduction in surface parking setback from the street boundary is also supportable given the landscape treatment along Carroll Street that would help buffer the surface parking space. The variances associated with the gazebo are also supportable given how the structure fits with the overall building and patio design. Staff recommend for Council's consideration that the application proceed to an Opportunity for Public Comment.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00076 for the property located at 210 Gorge Road East.

Respectfully submitted,

Leanne Taylor Senior Planner Development Services Division

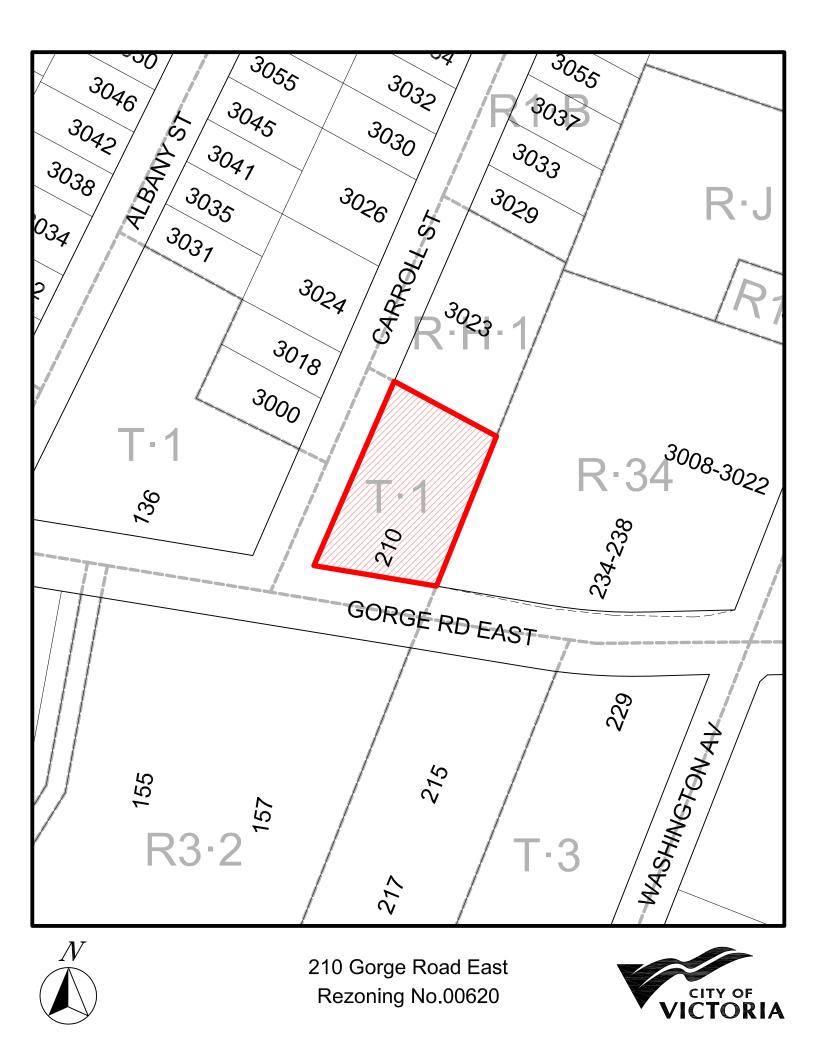
Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

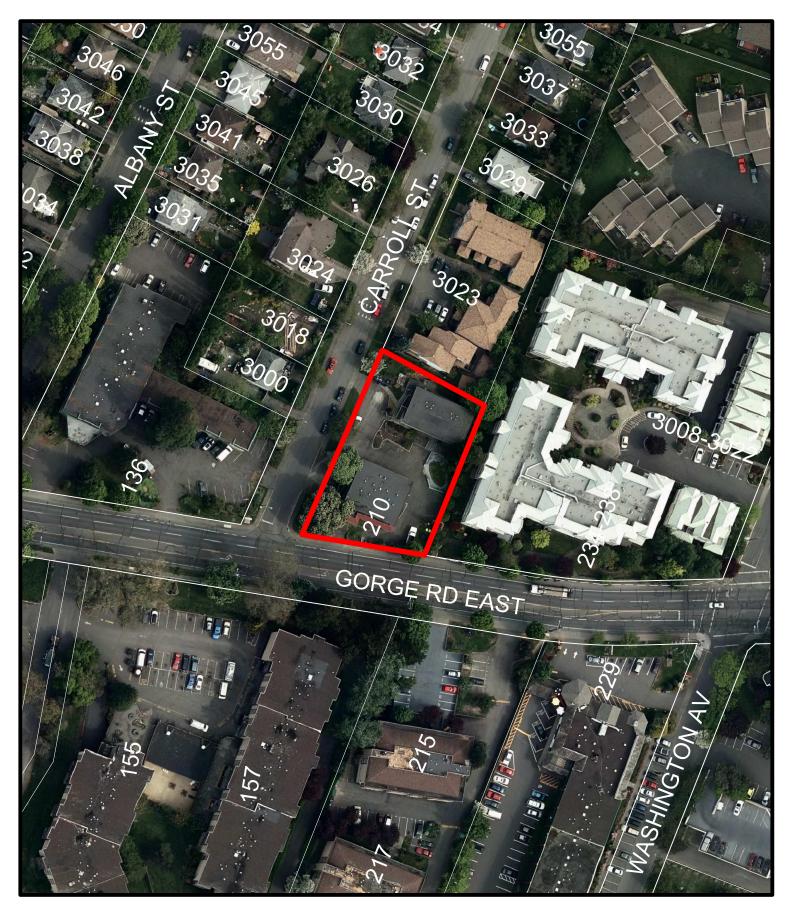
Report accepted and recommended by the City Manager

Date:

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 11, 2019
- Attachment D: Letter from applicant to Mayor and Council dated February 7, 2019
- Attachment E: Letter from the Burnside Gorge CALUC dated March 15, 2019
- Attachment F: Revised Arborist Report dated March 18, 2019
- Attachment G: Council's motion dated October 4, 2018
- Attachment H: Committee of the Whole report dated May 31, 2018
- Attachment I: Original plans dated February 14, 2018
- Attachment J: Tenant Assistance Plan
- Attachment K: Window overlay dated March 11, 2019.







210 Gorge Road East Rezoning No.00620

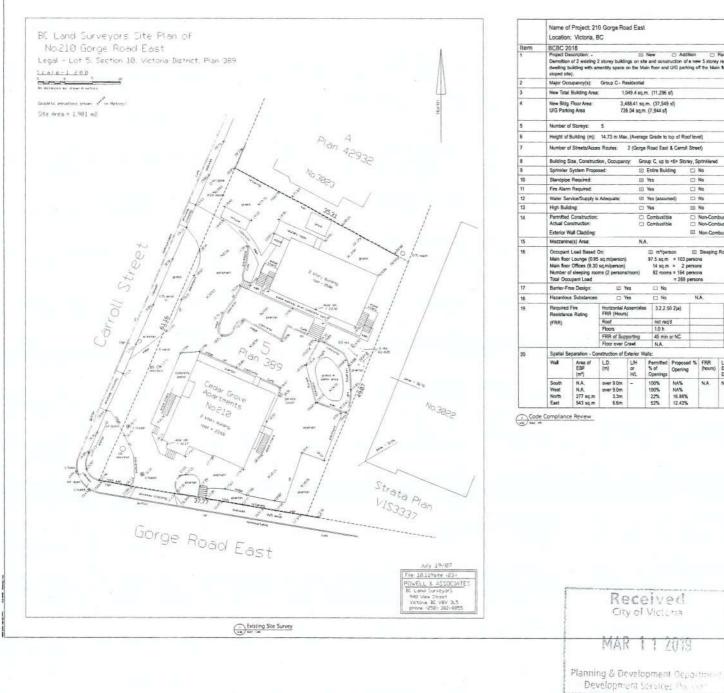


ATTACHMENT C





2. Si



	Location	Name of Project: 210 Gorge Road East Location: Victoria, BC BCRC 2018 Part									2017-10-18			
n	Project Description: — Sis New — Addition — Renovation Demotion of 2 existing 2 storey buildings on site and construction of a new 5 storey residential multi develop building with amenity space on the Main floor and U/G panking off the Main floor (set into a stoped site).										Reference	LAN MARA APPI		
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	Number o	I Storeys:	5							1.4.1.2	[A]: 3.2.1.1			
_	Height of	Building (m):	14.73 m Ma	x. (Averaç	e Grade to	top of Roof le	vel)							
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		-										Existing Site Survey and Code Compliar		

Received City of Victoria

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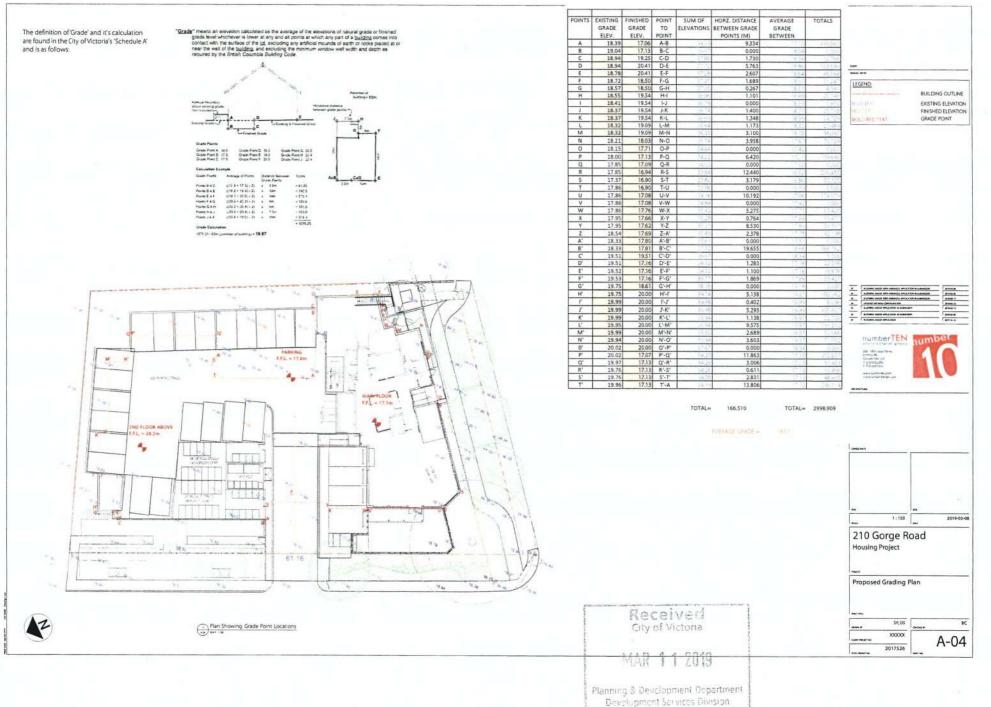
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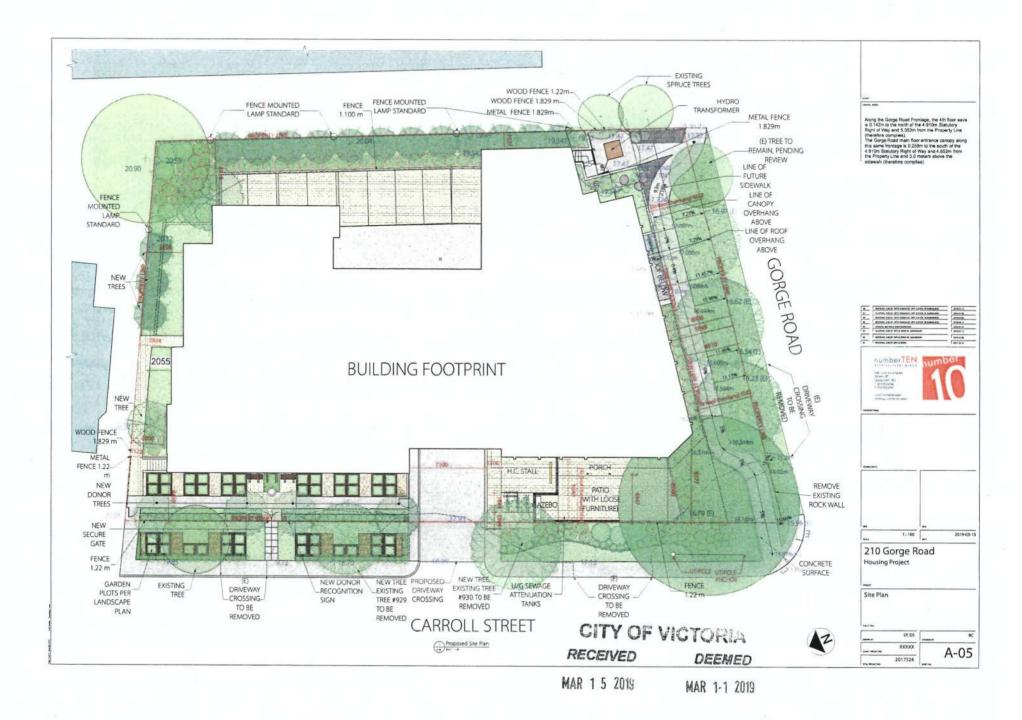
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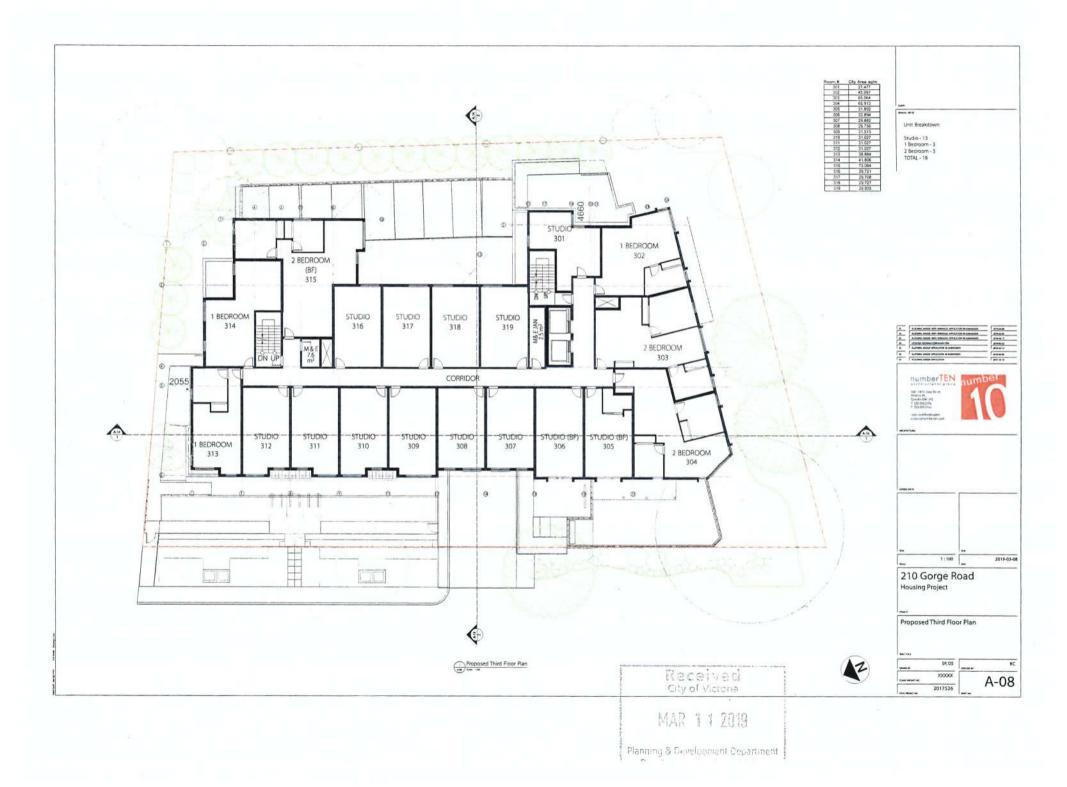


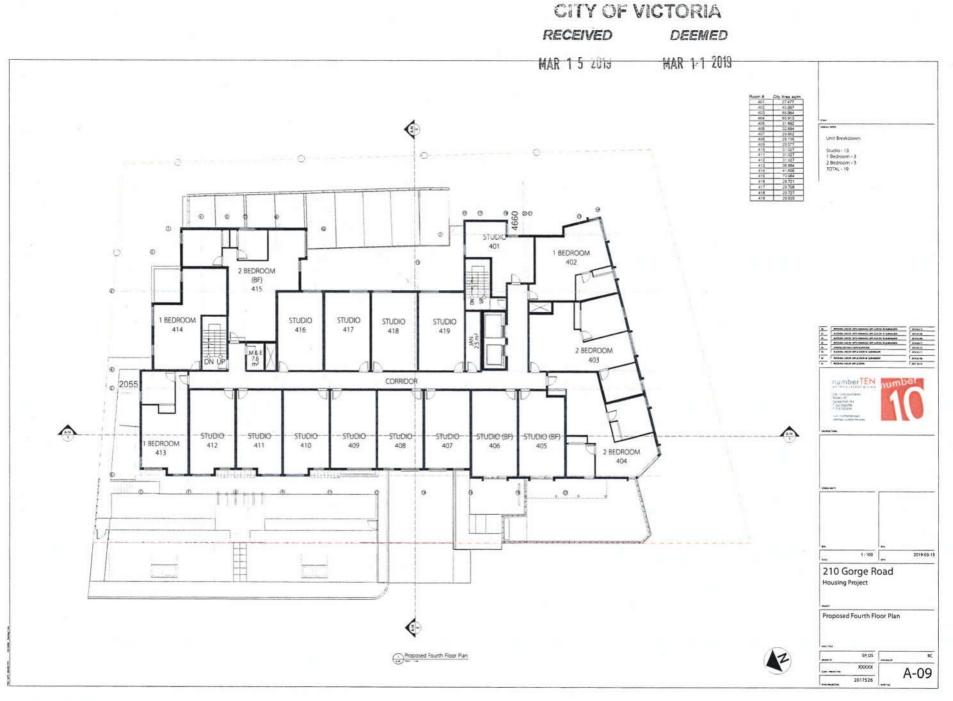


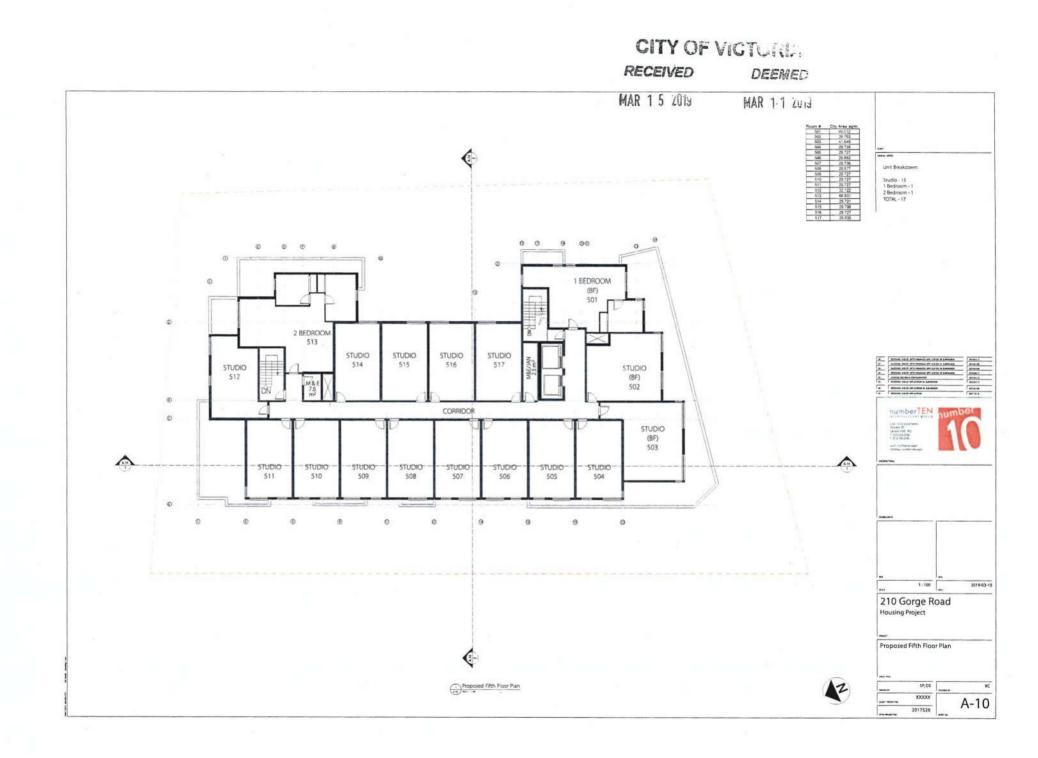


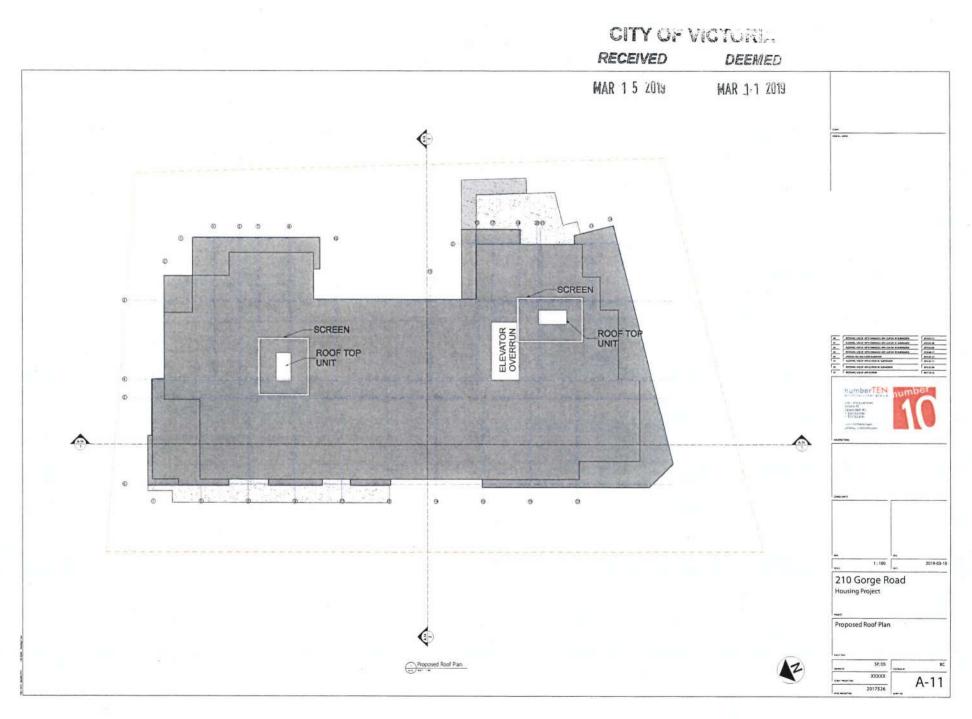




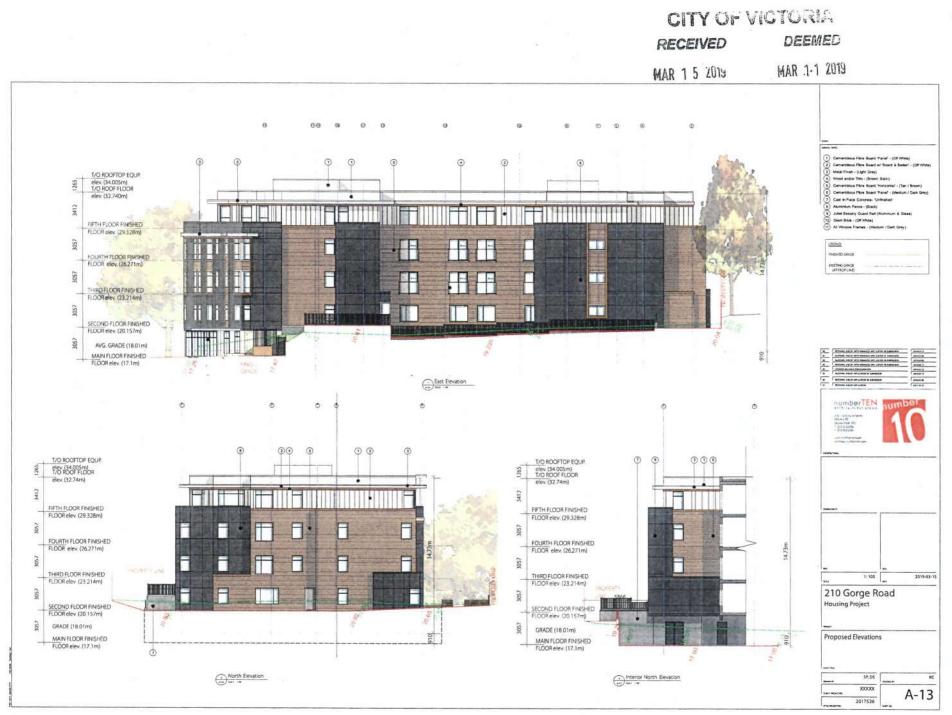


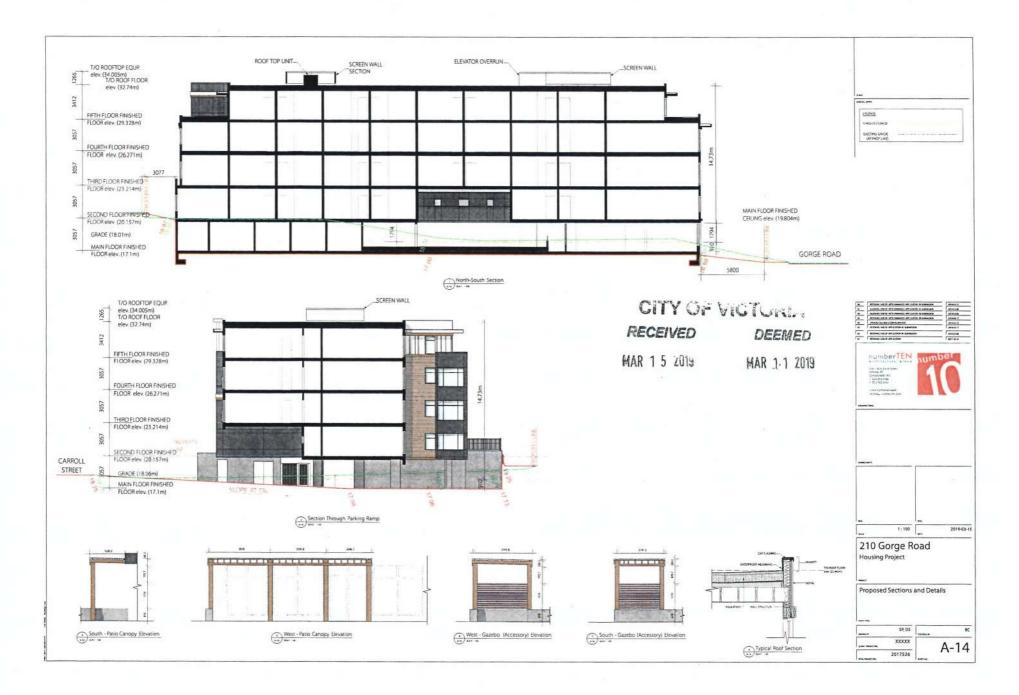
















Evolution of the Design Process

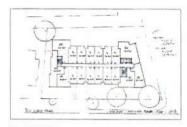
From the preliminary design stages to the city planning and CALUC meeting, the scheme has changed significantly. The changes not only reflect the progression of the scheme to make the building more efficient, more usable and more appealing to users, but also the vast amount of input from the general public and the City of Victoria. This input was gathered over many months, from many different meetings. Each meeting with the public, the neighbours or the City had an impact on the design of the building. There are three distinct design phases since the first meeting with the City in May 2017.

Schematic Design Phase One:

Schematic Design Phase Two:



May 24th 2017 Preliminary scheme presented to the City. With U/G parking, and stacked floors above.



May 30th 2017 Meeting with City: - Planning, Engineering, Traffic, Heritage and Parks Departments.

1212

_47700 - + ANDO - 10- 3-



June 2nd 2017 Building entry and patio adapted per feedback from the City.





June 13th 2017 Preliminary presentation to Burnside Gorge CALAC Feedback recommended setting 5th and 6th floor back from Gorge Rd.

Schematic Design Phase Three:

June 22nd 2017 Community Open House #1

July 4th 2017 Meeting with: Carrington Court Strata Council

August 2nd 2017 Presentation to: Carrington Court AGM

August 10th 2017 Community Open House #2

September 18th 2017 CALUC meeting



Context Site Plan Also showing proposed setbacks.

8.2

New 'U' Shaped plan presented to the CALUC for approval.

21 . Fis Let

September 18th 2017

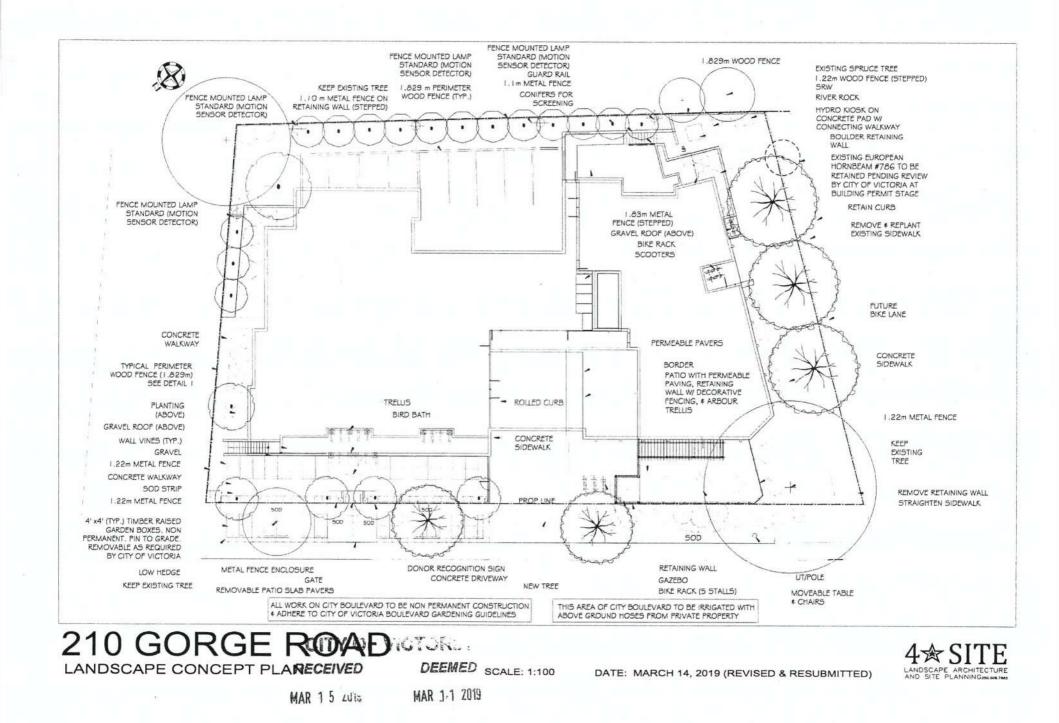


Sun-shadow diagram September 3pm: There are minimal to zero shadows cast onto neighbouring properties at peak times of the year.

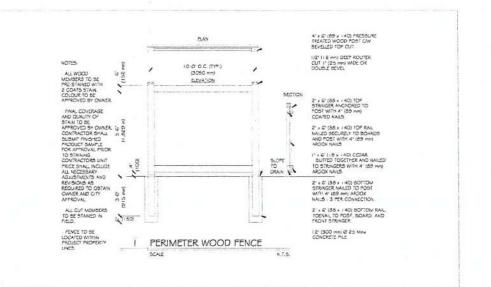




New 'U' Shaped plan as a result of public input: This scheme orients east-facing units to face each other as opposed to facing the nieghbouring building. This vastly reduces overlook.



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CITY OF VICTORIA RECEIVED DEEMED MAR 1 5 2013 MAR 1-1 2019

210 GORGE ROAD PLANT LIST & FENCE DETAIL SCALE: 1:100

DATE: MARCH 14, 2019 (REVISED & RESUBMITTED)







February 7, 2019

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

Received City of Victoria FEB 07 2019 Planning & Development Department Development Services Division

RE: Development Application Revisions Rezoning Application No. 00620 and Development Permit with Variances Application No. 00076 210 Gorge Road East, Victoria BC

Dear Mayor Helps & Council:

On October 4, 2018, Victoria Cool Aid Society (Cool Aid)_presented our development proposal to Council to create a new residential building at 210 Gorge Road East, including 82 units of affordable rental housing for tenants at a range of income levels. When we presented those plans, we heard various concerns expressed from the community, with a focus on both the height and density of our proposed design.

We were asked by Council in your motion dated October 4, 2018 to reconsider the following elements of our proposed development:

- 1. A reduction of storeys to conform with the local area plan
- 2. To possibly include ground-floor commercial
- 3. To consider an increase in parking
- 4. To bring the type of unit percentages more closely aligned to the Regional Housing First Program implementation plan

In response to the concerns raised by the Burnside Gorge Land Use Committee and our neighbours and to the direction provided by Council, we have worked with our design team to address these concerns, while still maintaining the design, unit mix (studio, one and two bedroom units) and landscaping features of our original proposal.

Changes to our development proposal for 210 Gorge

Cool Aid submits this letter to outline the revisions to our development proposal for your consideration.

#101 – 749 Pandora Avenue, Victoria, BC, V8W 1N9 Phone: (250) 383-1977 Fax: (250) 383-1639 CoolAid.org society@CoolAid.org Charitable Tax No. 12820 5069 RR0001



The key revisions to our proposal include:

- 1. A reduction in the number of storeys from six storeys to five storeys, to align with the Local Area Plan, and a reduction in the number of units from 82 homes to 72 homes, through the elimination of 10 studio units
- 2. Modifications to the main floor and sidewalk along Gorge Road to include a commercial space at grade which will be operated as a coffee outlet
- 3. Increase of one parking space in the underground parking

	Parking provided	Parking required	
Affordable dwelling units	19	19	
Staff parking	1		
Visitor parking	5	7	
Total Parking	25 spaces	26 spaces	
Resident Bicycle Parking	84 spaces	76 spaces	
Visitor Bicycle Parking	12 spaces	7 spaces	

- 4. Retention of a balanced mix of tenants able to pay rents at a range of income levels, including:
 - 30 units at income assistance rates (\$375/month) with support services available on site;
 - 8 units at affordable rental rates (\$750/month);
 - 34 units at moderate income rental rates (ranging from \$850 \$1500/month).

We acknowledge this unit mix differs from the suggested mix as set out Regional Housing First program; however, this project presents a unique challenge for us as housing providers, as our premise for the redevelopment has always been guided by the need to replace the 21 income assistance units we'll lose as part of the demolition and then create more supply in the redeveloped building. This unit mix has been well understood by our funders and formed the basis for our approval by the Regional Housing First Program and the CRD Board.

We know that our immediate neighbours and other community leaders have questions and concerns about how Cool Aid plans to manage and operate the building, and address any issues that may arise. To help respond to those concerns and increase confidence in our proposed approach, we have prepared an Operating Management Plan that outlines our vision and commitments for operating this new affordable rental housing in the Burnside Gorge community. We are sharing this document with neighbours and have posted it on our website.



Alignment with the Local Area Plan

Our revised plans respond to the following key objectives outlined in the Local Area Plan:

12.2.1 ii) a base density of 1.2 FSR and a maximum density of 2.0 FSR where amenities are provided to offset the impacts of additional density

And

12.6.2 Ensure new development along Burnside and Gorge Roads is oriented positively towards the street to create a more attractive and pedestrian friendly streetscape environment.

Our revised plans are at a density that comfortably falls with the Local Area Plan parameters, with an FSR of 1.7: 1. The amenities that we are offering to offset the impacts of the additional density proposed here include:

- Extensive boulevard gardens and landscaping to improve the pedestrian experience along Carroll Street and act as a medium for neighbourhood interaction;
- Preservation of a significant horse chestnut tree at the corner of Carrol and Gorge and the introduction of three new trees and extensive landscaping treatments to the Gorge frontage which will remarkably improve the pedestrian experience along a heavily trafficked corridor
- Introducing a coffee outlet at the street level for neighbours and commuters travelling along the future "all ages and abilities bicycle network" planned for Gorge Road

12.2.1 iii) Buildings on the north side of Gorge Road, east of Balfour Avenue, may be built to 5 storeys along the Gorge Road frontage, if they support plan objectives, including the creation of space for localserving commercial uses, with a sensitive transition to lower density areas to the north.

Our revised plans incorporate a coffee outlet on the ground level – one that we will operate as a social enterprise – that we are certain both our tenants and the surrounding community will love. The proposed design achieves a sensitive transition to our neighbours to the north by cutting back the fifth storey.

12.2.3 New development outside of the <u>Urban Village (planned for Gorge Road and Irma Street)</u> along Gorge Road, may include either ground-floor commercial or residential uses along Gorge Road.

The Local Area Plan recommends a height of four storeys for residential development and five storeys if a multi-unit residential building incorporates commercial amenities for the local neighbourhood. We trust that the addition of a coffee outlet to our proposal meets that standard.

Cool Aid has already taken a number of steps to share these revised plans with community advocates in Burnside Gorge, and over the next few weeks, will be reaching out directly to neighbourhood residents and our immediate neighbours near 210 Gorge to inform them of our proposed changes, receive their feedback, and answer any questions they have.

210 Gorge Road East Rezoning and Development Permit Application | February 2019

CoolAid

Conclusion

This revised proposal represents a compromise solution that:

- meets our goals of renewing an asset which has reached the end of its useful life;
- increases the supply of much needed new affordable rental housing in Victoria; and,
- acknowledges and addresses the needs of our neighbours and the surrounding community.

Cool Aid plans to be a part of the Burnside Gorge community for many years to come. Contributing positively to the community, developing long-term relationships, and being a good neighbour is very important to us. We're committed to doing the ongoing work with our neighbours to achieve these goals.

Thank you for your consideration. We look forward to discussing this revised proposal with you in the weeks ahead.

Sincerely,

Bhuh. Allinna

Deanna Bhandar, Director, Real Estate Development Victoria Cool Aid Society

cc: Kathy Stinson, CEO, Victoria Cool Aid Society

Page 4

210 Gorge Road East Rezoning and Development Permit Application | February 2019

ATTACHMENT E

Burnside Gorge Community Association

401 Eccela Kood, Vaciona, RC V81 414 E. 255 103 5253 (E. 256 336 5269 interchanosickyptycau) www.hums.degut.gc.org

March 15, 2019

Mayor & Council #1 Centennial Square Victoria, BC

RE: Revised plans for Rezoning Application for 210 Gorge Road East

Dear Mayor and Council:

In January members of the Burnside Gorge Land Use Committee (BGLUC) met with Victoria Cool Aid Society to review revised plans for 210 Gorge Road East. The BGLUC has had several meetings with Victoria Cool Aid Society to support them in developing a plan that meets Council's October 8, 2018 motion that the project align with the Burnside Gorge LAP zoning guidelines and the Regional Housing First Program.

The latest revision has reduced the building to 5 storeys and reduced the number of rental units by 10 for a total of 40 affordable rental units and 32 permanent supportive units. There is a small "Coffee Stop" space on the main floor proposed as the community commercial amenity that would allow for a 5 storey building. While the revisions have certainly improved the original proposal, it fails to meet Council's October 8th motion:

- Parking requirements
- Height the LAP can allow for relaxation of the height restrictions with the inclusion of a useful community amenity. The BGLUC does not feel that the "Coffee Stop" space offers adequate community benefit to offset the relaxations on height. As a gateway to both the neighbourhood and the City of Victoria, the Gorge corridor has high aesthetic value.
- Regional Housing First while better than earlier iterations, the mix of units in the revised plans does not meet the recommendations of 20% housing first units, 31% affordable and 49% nearmarket.

The BGLUC is committed to working with Victoria Cool Aid Society to find a solution. It has been suggested that there may be another site on Kings Road (provincially or municipally owned) that might be more accommodating with regards to zoning and would allow for the original 6 storey building. The BGLUC feel that the additional housing, better siting, and reduced impact to existing tenants would more than offset the delay in completion of this project if it could be successfully relocated.

Respectfully,

en Estate

Avery Stetski Land Use Committee Chair

cc: Sustainable Planning and Community Development Department Kathy Stinson - Victoria Cool Aid Society



<u>Talbot Mackenzie & Associates</u> Consulting Arborists

210 Gorge Road East, Victoria

Construction Impact Assessment &

Tree Preservation Plan

PREPARED FOR:

Victoria Cool Aid Society c/o CitySpaces Consulting Ltd. 5th floor, 844 Courtenay Street Victoria, BC V8W 1C4

PREPARED BY:

Talbot, Mackenzie & Associates

Michael Marcucci – Consulting Arborist ISA Certified # ON-1943A TRAQ – Qualified

DATE	OF	ISSUANCE :
		AMENDED:

February 7, 2018 June 4, 2018 March 18, 2019

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



Consulting Arborists

Jobsite Property:210 Gorge Road East, VictoriaDate of Site Visits:December 12, 2017 – May 31, 2018

Site Conditions: No construction activity present.

Summary: A municipal Hawthorn tree (#929, 39cm DBH) and a private non-bylaw protected Horsechestnut (60cm DBH) will require removal. Exploratory excavations were conducted around the neighbour's Big Leaf Maple #932 (78cm DBH) for the proposed foundation excavation and Horsechestnut #931 (90cm DBH) for the proposed sidewalk grading. We determined that neither tree will be significantly impacted by excavations if only one metre of working room is required within the maple's CRZ and 30cm of depth is required for the sidewalk grade. A large ~40cm diameter scaffold limb and a ~20cm diameter limb from Horsechestnut #931 will likely require removal for building clearance.

European Hornbeam #786 (34cm DBH), located in the municipal sidewalk, may be removed depending on the location of the water service and underground hydro service as well as whether it is destabilized by the removal of the sidewalk and retaining wall. The retention status of the municipal Hawthorn #928 will also depend on the location and size of the water service and the roots encountered.

Three small Spruce trees (NT#1-3, owned by neighbour) will be impacted by the proposed retaining wall adjacent to the hydro transformer and the south-east building foundation corner. If retention is desired, we recommend an arborist make the final determination as to their retention viability at the time of excavation. Parts of the neighbour's Western Red Cedar hedge (NT#4-7) may also be impacted.

Scope of Assignment: To inventory the existing bylaw protected trees and any trees on neighbouring properties that could be potentially impacted by construction or that are within 3 meters of the property line. Review the proposal to demolish the existing buildings and construct a six-storey housing complex. Comment on how construction activity may impact existing trees. Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts.

Methodology: We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet. Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk or root collar. Neighbours' trees were not tagged. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. This report is based upon building plans from Number Ten Architectural Group (dated 2019-03-15). The amended reports

210 Gorge Road East - Tree Preservation Plan

are based upon the updated sidewalk designs around Horsechestnut #931 and updated preliminary servicing designs attached (no date). The Landscape Design, dated March 14, 2019, has also been reviewed.

Summary of Tree Resource: 21 trees and shrubs were inventoried. Tree #932 is a 78cm DBH Big Leaf Maple owned by 3023 Carroll Street. There is one bylaw protected tree on the subject property: #931, a 90cm DBH Horsechestnut. There are three municipal trees fronting the property: two on the Carroll St. flank (two Hawthorns, #928 and 929) and one on the Gorge Road flank (European Hornbeam, #786). One non-bylaw protected tree was inventoried (#930).

Trees to be Removed:

- Horsechestnut #930 (60cm DBH): This private non-by-law protected tree has extensive decay in the lower trunk and is unsuitable to retain in our opinion.
- Hawthorn #929 (39cm DBH): This municipal tree will be within 1m of the proposed driveway and within the footprint of the proposed sidewalk.

Impacts on Trees to be Retained and Mitigation Measures

- Horsechestnut #931 (90cm DBH):
 - Clearance Pruning: The codominant main stems of this tree are heavily weighted and over-extended. One of these limbs extends into the area of the proposed building and will likely require removal for building clearance. If it is pruned back to the main trunk, this would result in a large 40cm pruning wound, which could potentially be a future site for decay. The limb should be pruned once framing for the second storey is in place so that the exact location of the necessary pruning cut is clear. If possible, the limb should be pruned back to a lateral branch. However, the remaining branch will likely be within a metre of the building if it is retained at all. A 20cm limb may also require removal for building clearance.
 - Sidewalk: An exploratory excavation (three photos below) was conducted to assess the impacts from the updated sidewalk design, which will not allow the sidewalk to be raised above the existing grade as originally planned due to sloping requirements. We hand dug a trench 4m south from the centre of the tree in the location of the proposed sidewalk edge. A depth of approximately 30cm was reached throughout most of the trench. We attempted to retain as many roots above 2cm as possible while smaller roots were pruned back to the edge of the trench to facilitate further excavation.

Roots of the following sizes were encountered throughout the length of the trench: two 3cm roots (retained), five 2cm roots (one required removal), and eight 1cm roots. A moderate density of small fibrous roots (smaller than 1cm in diameter) were severed. One 5cm root oriented vertically was observed at the edge of the trench.

Given the amount and size of roots observed, we do not anticipate the tree will be significantly impacted by the proposed sidewalk if the excavation required is restricted to 30cm in depth. There may still be roots underneath 30cm and therefore, if the sidewalk requires excavation to a greater depth, there may be additional impacts to the health of the tree. If significant root loss is to be avoided, this may mean decreasing the depth of the sub-base and/or retaining soil rich in organic matter (and containing roots) below the sidewalk. If a curb or retaining wall is desired at this edge of the sidewalk, its foundation should "bridge" above significant roots encountered (such as by using reinforced concrete).

The project arborist should supervise the excavation associated with the sidewalk, the removal of the retaining wall and the re-grading of the area.



210 Gorge Road East - Tree Preservation Plan



• Patio: The patio area covers a small portion of the critical root zone (15-20%) and there will be approximately 10-30cm of fill in different areas of the patio above existing grade. If our mitigation measures are followed, we do not believe this will have a significant impact on the overall health of the tree. The area of the patio is currently covered in asphalt, which is already affecting the accessibility of air and water to the roots. The area of fill covers a small portion of the CRZ in relation to the remaining exposed CRZ. If the patio requires a 10-20cm tall retaining wall, this wall should be constructed in such a way that excavation resulting in root loss is not necessary (for example, loose stacked rock).

To mitigate the impacts of the patio, we recommend that the patio surface be made of a permeable material, such as paving stones. The asphalt should be removed under arborist supervision and the area below the patio should not be excavated if roots are observed.

• **Removal of existing asphalt driveway:** The asphalt on the remaining portion of the existing driveway will eventually be removed which will allow more water and air penetration to the roots likely below the asphalt. This could be of significant benefit to the tree as a large portion of the CRZ is currently beneath this asphalt. This removal of asphalt should be done under arborist supervision to ensure roots are not damaged in the process and we recommend that there be no significant fill layer on the remaining portions of the CRZ.

We recommend this asphalt be retained during at least the demolition portion of the construction so that roots are not damaged by heavy machinery. If it is anticipated construction traffic or activity will have to encroach into this area during construction, we recommend the asphalt surface be left in place for as long as possible, preferably until the end of construction.

• **Building Foundation:** It is our understanding that the south-west corner of the building closest to this tree (indicated as the lounge room) will only have a crawlspace. Therefore, we assume that working room will be restricted to one metre outside the proposed building footprint. We do not anticipate significant root loss as a result of these excavations in relation to the remaining undisturbed portion of the root system.

• #932 Big Leaf Maple (78cm DBH)

Exploratory excavations were conducted adjacent to this tree to determine the impact of the excavations associated with the north-east corner of the building and parking lot. Based on these excavations, we determined that there will be very little impact to the tree's health as a result of the proposed construction. This is based on the understanding that the extent of excavation will be limited to one metre from the perimeter of the building foundation and parking lot retaining wall. Exploratory excavations were conducted by hand-digging two narrow trenches approximately 45cm in depth at these locations:

- 1) For the building corner foundation: 6.6m west of the east property line, from the existing building to 20cm from the property line. Roots observed and their sizes are as follows: two 2cm and three 1cm.
- 2) For the parking lot corner: 5.2m south of the north property line, from the existing building to 2m west of east property line. Roots observed and their sizes are as follows: one 3cm, two 2cm and one 1cm.

A hard pan clay layer of soil was encountered within the top 25cm of soil and no roots were observed below this point. We do not anticipate significant roots to be encountered below the depth excavated. It is our understanding that no grade change will take place in the remaining undisturbed portion of the CRZ. Very little to no clearance pruning will be required for the canopy of the tree.

• #786 European Hornbeam (34cm DBH, in municipal sidewalk)

It is our understanding that the city requires the existing sidewalk be removed and converted to turf. This footprint of the existing sidewalk will eventually be converted into a planned bike lane at an undetermined time in the future.

The retention of this tree will depend on the location of the proposed water service (Option #2 is approximately 2m from the tree) and the location of the underground hydro line to the transformer (line not shown on plans). Because the tree may have a confined root ball and may have roots that are braced against the sidewalk and retaining wall footing, there is the possibility that removing the sidewalk and wall footing may destabilize the tree.

If retention of the tree is to be attempted, the project arborist should supervise excavation for the new services, the removal of the sidewalk and retaining wall and the re-grading of the soil within the critical-root-zone of the tree. We also recommend that the existing curb be retained if possible.

210 Gorge Road East – Tree Preservation Plan

The amount of roots encountered in the area of the proposed sidewalk will depend on whether the footing of the wall and the amount of soil beyond the wall have restricted root growth in this direction.

#928 Hawthorn (23cm DBH, municipal)

The updated preliminary servicing drawing shows Option #1 for the water service line 2.5m from this tree. The extent of excavation and impacts to the tree will depend on the exact location, depth and size of the water meter box, which is not accurately shown to scale on the preliminary drawing attached.

We recommend the raised planter boxes in front of this tree be removed (the preferred option) or result in no more than 10cm of well-drained soil over the existing grade surrounding the tree.

Neighbour's Spruce trees NT #1-3

There are three Spruce trees (NT #1-3, 10-19cm DBH) on the neighbouring property to the east which are growing close to the property line (from directly beside the property line to 1.5m away). The retaining wall associated with the hydro transformer will run along the property line as will the excavation for the south-east corner of the building foundation. The stability and health of these trees may be impacted; this is especially likely for NT #2 and 3 which are growing close to the property line. We recommend that an arborist supervise the excavations to make the final determination as to the impacts and the trees' retention viability.

If any roots are retained from NT #3 and its structural stability is not compromised, the health of the tree will then be impacted by the one metre of fill soil above the existing grade (18.72 to 19.72 in this area).

• Neighbour's Western Red Cedar hedge (NT#4-7)

This hedge is made up of four Western Red Cedar trees (DBH of approximately 20cm each) that have been topped at four metres and are growing approximately one metre from the property line. Excavation for the south-east corner of the building foundation will likely be to the property line. There may not be significant root loss for trees #5-7 due to a 0.5m to 1m tall retaining wall that runs along the property line that may be restricting some root growth away from this area. The retaining wall appears to end between trees NT #4 and 5 and therefore there may be more roots cut around NT #4. There is, however, existing pavement over the area to be excavated and therefore there may not be as many roots in this area. If retention of the hedge is desired, we recommend the project arborist supervise the excavation to prune any roots encountered.

• Barrier fencing: The areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing to be erected must be

a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

• **Demolition of the existing building:** The demolition of the existing house and any services that must be removed or abandoned, must take the critical root zone of the trees to be retained into account. If any excavation or machine access is required within the critical root zones of trees to be retained, it must be completed under the supervision and direction of the project arborist. If temporarily removed for demolition, barrier fencing must be erected immediately after the supervised demolition.

In particular, the removal of the north-east corner of the existing building's foundation should be supervised by the project arborist to ensure roots from the Big Leaf Maple #932 are not unnecessarily damaged in the process.

- Arborist Supervision: All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. In particular, the following activities should be completed under the direction of the project arborist:
 - Removal of the north-east corner of the existing building's foundation within the CRZ of Big Leaf Maple #932
 - Excavation for the north-east building corner foundation and parking lot retaining wall within the CRZ of #932 Big Leaf Maple
 - Removal of the sidewalk and retaining wall, and any re-grading within the CRZ of #786 European Hornbeam and #931 Horsechestnut
 - Removal of the existing asphalt driveway within the CRZ of #931 Horsechestnut
 - Any excavation associated with constructing the new sidewalk within the CRZ of #931 Horsechestnut
 - Excavation for the hydro transformer retaining wall along the property line adjacent to trees NT#1-3
 - Excavation for the building foundation within the CRZs of trees NT#4-7
 - Excavation for the water service and underground hydro (depending on location of lines and trees retained)
 - Any excavation associated with constructing fencing within the CRZs of retained trees
- **Pruning Roots:** Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. Backfilling the excavated area around the roots should be done as soon as possible to keep the roots moist and aid in root regeneration. Exposed roots should be kept moist until the area is backfilled, especially if excavation occurs during a period of drought. This can be accomplished in a

number of ways, including wrapping the roots in burlap or installing a root curtain of wire mesh lined with burlap, and keeping the area moist throughout the construction process.

- Scaffolding: This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see "Minimizing Soil Compaction" section).
- Minimizing Soil Compaction: In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:
 - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
 - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
 - Placing two layers of 19mm plywood.
 - Placing steel plates.
- **Mulching**: Mulching is an important proactive step to maintaining the health of the trees to be retained and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. As much of the area within two times the dripline of the tree should be mulched, both inside and outside of the critical root zone. No mulch should be touching the trunk of the tree. See "methods to avoid soil compaction" if the area is to have heavy traffic.
- Landscaping and Irrigation Systems: The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.
- Blasting: Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.

- Arborist Role: It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - o Locating the barrier fencing
 - o Reviewing the report with the project foreman or site supervisor
 - o Locating work zones, where required
 - Supervising any excavation within the critical root zones of trees to be retained
 - o Reviewing and advising of any pruning requirements for machine clearances
- **Review and site meeting**: Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any demolition, site clearing or other construction activity occurs.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions.

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Michael Marcucci ISA Certified # ON-1943A TRAQ – Qualified

Talbot Mackenzie & Associates ISA Certified Consulting Arborists

Encl. 2-page tree resource spreadsheet, 1-page Tree Protection Plan (original survey with barrier fencing and tree protection details added), 3-page site plan and grading details, 1-page servicing drawing, 1-page Victoria tree fencing specifications

Disclosure Statement

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

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

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

210 Gorge Road East Tree Resource Spreadsheet

Tree ID		Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m) custom	Relative Tolerance	Health	Structure	Remarks and Recommendations	Retention Status X = Removal TBD = To Be Determined
786	European Hornbeam	Carpinus betulus	34.0	6.0	3.5	Moderate	Good	Fair	Municipal sidewalk tree. Codominant union at 1.5m	TBD
928	Carriere Hawthorn	Crataegus X lavallei carrierei	23	8.0	3.0	Moderate	Good	Good	Municipal. Aphid infestation. Common for this species. Located on the Carroll Street municipal frontage.	TBD
	Cockspur hawthorn	Crataegus crus- galli	39	10.0	4.0	Moderate	Good	Good	Municipal. Dense canopy will benefit from pruning. Low epicormic growth on trunk. Located on the Carroll Street municipal frontage.	
930	Horse chestnut	Aesculus hippocastanum	60	13.0	6.0	Good	Good	Poor	Not protected. Cavity with extensive lower trunk decay. Poor specimen to retain long term	x
931	Horse chestnut	Aesculus hippocastanum	90	16.0	8.0	Good	Good	Fair	Heavily weighted scaffold limbs. Would benefit from weight reduction pruning.	Retain
932	Big Leaf maple	Acer macrophyllum	78	16.0	6.0	Good	Good	Fair	Neighbour's (3023 Carroll St), less that 1.0 metre from the property boundary. Large surface roots extend up to the existing building footprint, 4.0 metres from the boundary. Canopy extends 6.0 metres over the property. <i>Ganoderma</i> fruiting bodies at base on east side.	Retain
NT 01	Spruce	Picea spp	~12	4.0	2.0	Moderate	Good	Good	Neighbour's, 1.5m from fence	TBD
NT 02	Serbian Spruce	Picea omorika	10.0	2.0	2.0	Moderate	Good	Good	Neighbour's, 0.5m from fence	TBD
NT 03	Serbian Spruce	Picea omorika	19.0	4.0	2.0	Moderate	Good	Good	Neighbour's, growing against fence. Branches overhang 1m.	TBD
NT 04	Western Red Cedar	Thuja plicata	~20	4.0	3.0	Poor	Good	Fair	Neighbour's, 4m tall, part of hedge. Topped. 1m from fence.	Retain
NT 05	Western Red Cedar	Thuja plicata	~20	4.0	3.0	Poor	Good	Fair	Neighbour's, 4m tall, part of hedge. Topped. 1m from fence.	Retain
NT 06	Western Red Cedar	Thuja plicata	~20	4.0	3.0	Poor	Good	Fair	Neighbour's, 4m tall, part of hedge. Topped. 1m from fence.	Retain
NT 07	Western Red Cedar	Thuja plicata	~20	4.0	3.0	Poor	Good	Fair	Neighbour's, 4m tall, part of hedge. Topped. 1m from fence.	Retain
NT 08	Рутатidal Cedar	<i>occidentalis</i> 'Pyramidalis'	~7	1.0	2.0	Poor	Good	Good	Neighbour's 30cm from fence	Retain
NT 09	Dogwood	Cornus spp	~8	4.0	2.0	Poor	Good	Good	Neighbour's 2m from fence	Retain
NT 10	Japanese Maple	Acer palmatum	~8, 8, 6, 6	5.0	2.0	Poor	Good	Good	Neighbour's 20cm from fence. Branches overhang 1.5m	Retain

Prepared by: Talbot Mackenzie & Associates ISA Certified and Consulting Arborists Phone: (250) 479-8733 Fax: (250) 479-7050 email: tmtreehelp@gmail.com December 12, 2017

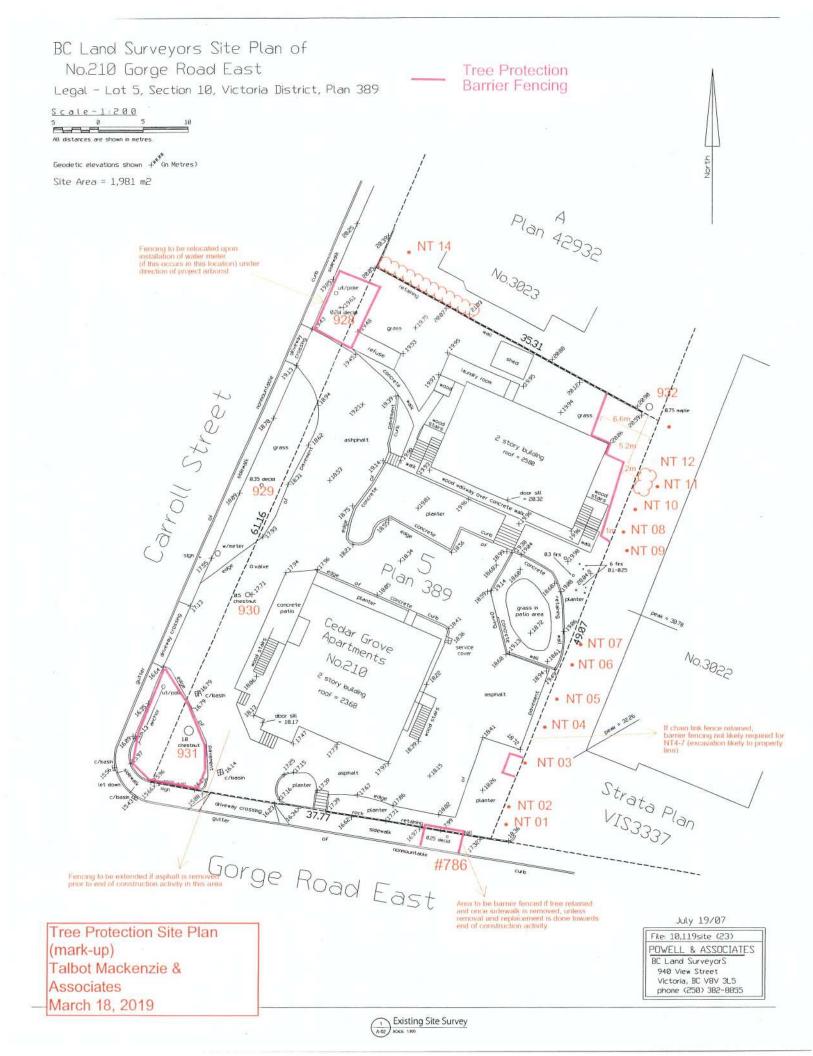
210 Gorge Road East Tree Resource Spreadsheet

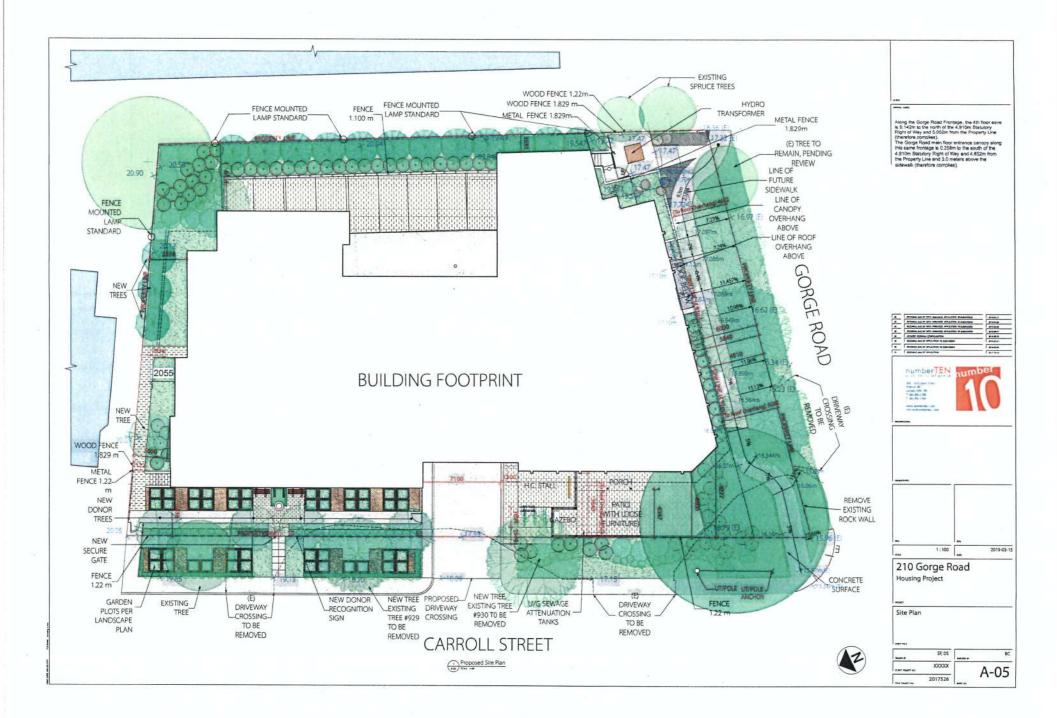
Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m) custom	Relative Tolerance	Health	Structure	Remarks and Recommendations	Retention Status X = Removal TBD = To Be Determined
NT 11	Japanese Maple	Acer palmatum	~7	2	1.5	Poor	Good	Good	Neighbour's 2m from fence	Retain
	Hedge (multiple species)		Multistem	3	2.0	Poor	Good	Fair	Neighbour's shrubs growing against fence, some overhanging 2m with most of canopy on subject property. 4 plants including 2 pyramidal Cedars (~5cm DBH)	Retain
NT 13	Japanese Maple	Acer palmatum	3	2	1.5	Poor	Good	Good	Neighbour's 0.5m from fence	Retain
NT 14	Colorado Blue Spruce	Picea pungens	36	4	4.5	Moderate	Good	Good	Neighbour's 3m from fence	Retain
	1975 1975 1975 1975 1975 1975 1975 1975	occidentalis 'Pyramidalis'	Multistem	1	1.5	Poor	Good	Good	Neighbour's hedge against fence.	Retain

Prepared by: Talbot Mackenzie & Associates ISA Certified and Consulting Arborists Phone: (250) 479-8733 Fax: (250) 479-7050 email: tmtreehelp@gmail.com

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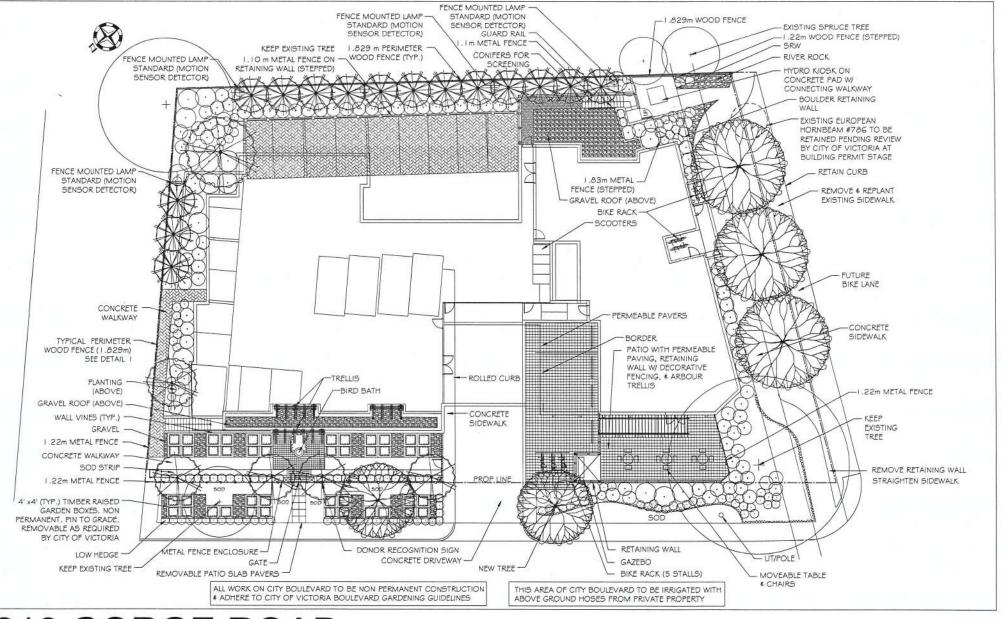
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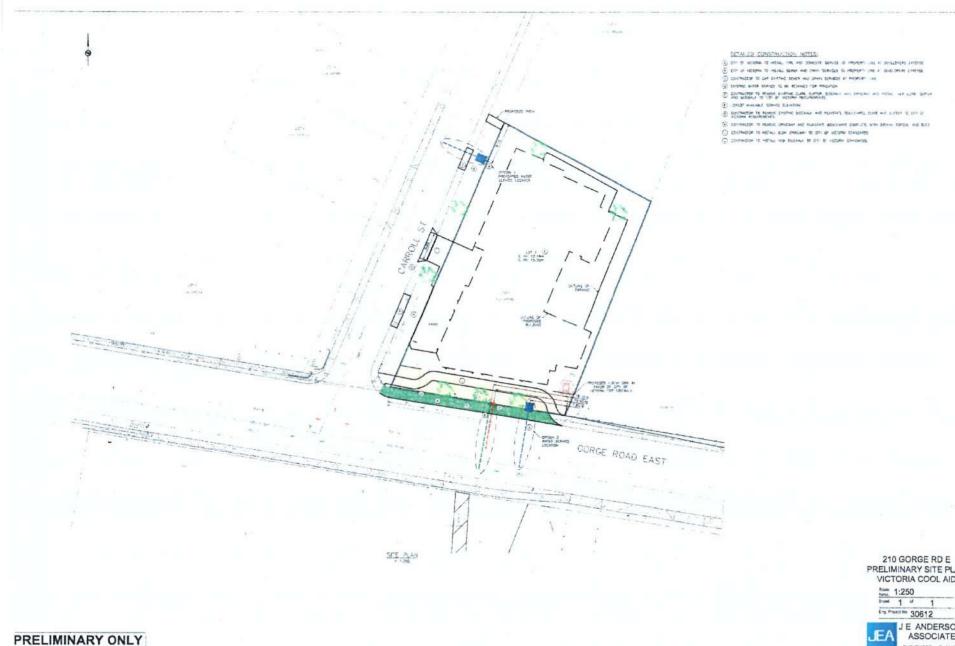


210 GORGE ROAD

SCALE: 1:100

DATE: MARCH 14, 2019 (REVISED & RESUBMITTED)

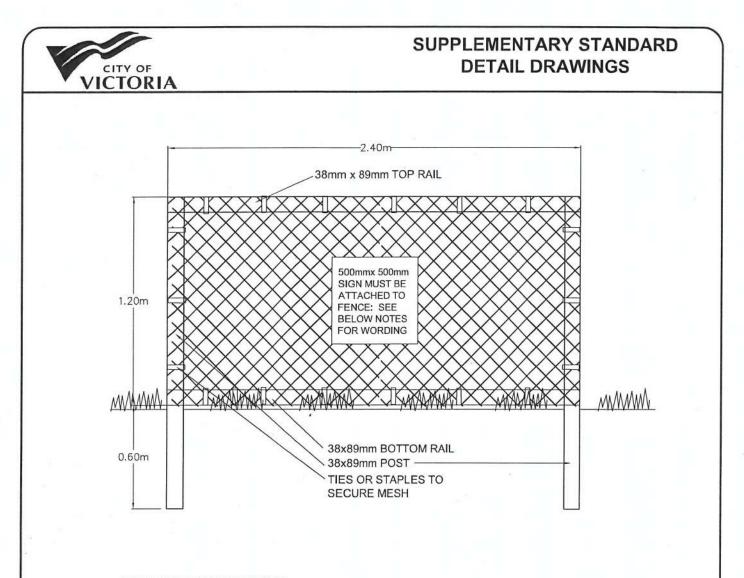




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PRELIMINARY SITE PLAN VICTORIA COOL AID 500 1:250 500 1 d 1 -Em Prettine 30612

JE ANDERSON & ASSOCIATES SURVEYORS ENGINEERS PHONE 200-121-2214 140.200-121-228 WEIDER



TREE PROTECTION FENCING

- FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS * USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH"ZIP" TIES OR GALVANIZED STAPLES.
- 2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.
- * IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

TREE PROTECTION FENCING AND SIGNAGE DETAIL

REVISIONS DRAWING NUMBER:

Rezoning Application No. 00620 and Development Permit with Variances Application No. 00076 for 210 Gorge Road East

Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095:

To rezone the land known as 210 Gorge Road from the T-1 Zone, Limited Transient Accommodation District, to the R-89 Zone, Gorge Road Multiple Dwelling District, to permit a multi-unit residential building.

Development Permit:

The Council of the City of Victoria will also consider issuing a development permit for the land known as 210 Gorge Road, in Development Permit Area 7A (Corridors) for the purposes of approving the exterior design and finishes for the multi-unit residential building, as well as landscaping.

G.5.a Public Hearing & Consideration of Approval

<u>Leanne Taylor (Senior Planner)</u>: Advised that the application is to construct a six-storey, multiple dwelling consisting of rental units and supportive housing units.

Mayor Helps opened the public hearing at 8:56 p.m.

Kathy Stinson (Applicant): Provided information regarding the application.

Council discussed the following:

The breakdown of mixed income housing that will be provided.

<u>Wendy Balls (Washington Avenue)</u>: Expressed concerns with the application, due to the proposed height of the building as well as safety concerns.

<u>Houston (Resident)</u>: Expressed concerns with the application, due to safety concerns and the concentration of supportive housing in the neighbourhood.

<u>Robert Houston (Resident):</u> Expressed concerns with the application, due to safety concerns and the negative affect on the neighbourhood.

<u>John Hurcock (Resident)</u>: Expressed concerns with the application, due to safety concerns and the negative affect on the neighbourhood.

<u>Carl Eldritch (East Gorge Road)</u>: Expressed concerns with the application, as a balance is required in the neighbourhood in order to create an urban village.

Katy Cousen (Belfor Avenue): Expressed concerns with the application, due to safety and parking concerns and due to the inconsistencies with the neighbourhood plan.

<u>Dory Lithstrum (Caroll Street)</u>: Expressed concerns with the application, due to the concentration of supportive housing in this neighbourhood.

<u>Gene Ronalds (Caroll Street)</u>: Expressed concerns with the application, due to safety concerns and the concentration of supportive housing in this neighbourhood.

<u>Vicky Jackson (Gorge Road East)</u>: Expressed concerns with the application, due to the inconsistencies with the neighbourhood plan.

<u>Keith Harris (Gorge Road East)</u>: Expressed concerns with the application, due to safety and traffic concerns and the concentration of supportive housing in this neighbourhood.

<u>Don Evans (Pandora Avenue)</u>: Expressed support for the application and the mixed income housing model, due to the need for supportive housing in the City.

<u>Kristina Comley (Caroll Street)</u>: Expressed concerns with the application, due to safety issues and the negative affect on the neighbourhood.

<u>Avery Stetski (President of the Burnside Gorge Neighbourhood Association):</u> Expressed concerns with the application, due to the inconsistencies with the neighbourhood plan.

<u>Claire King (Albany Street)</u>: Expressed concerns with the application, as the proposal is inconsistent with the Regional Housing First mixed community housing model.

<u>Kathleen Perkin (Harriet Road):</u> Expressed support for the application, due to the need for supportive housing and as the building will address affordable housing issues

Hugh Hughson (Belford Avenue): Expressed concerns with the application, due to the size of the proposed building and potential negative impact on the neighbourhood.

<u>Michelle Peterson (Irma Street)</u>: Expressed concerns with the application, due to the poor integration of supportive housing into the neighbouring community and lack of community amenities.

<u>Elizabeth Cull (Waterfront Street)</u>: Expressed concerns with the application, due to the inconsistencies with the neighbourhood plan and the potential negative affect it will have on the neighbourhood.

<u>Nigel (Resident)</u>: Expressed concerns with the application and the mixed community housing model.

<u>Don Elliot (Director of the Greater Victoria Coalition to End Homelessness)</u>: Expressed support for the application, due to the need for supportive housing.

<u>Ron Rice (Harold Street)</u>: Expressed support for the application, due to the need for supportive housing.

Mayor Helps closed the public hearing at 10:15 p.m.

Moved By Councillor Isitt Seconded By Councillor Loveday

That the following bylaw be given third reading:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1167) No. 18-095

Council discussed the following:

• The need for supportive housing in the City during a housing crisis.

- The disproportionate burden of shelter beds and supportive housing in the Burnside Gorge neighbourhood.
- The inconsistencies of the application with the neighbourhood plan.

Motion to refer:

Moved By Councillor Thornton-Joe Seconded By Councillor Madoff

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

Council discussed the following:

 Whether changes to the application will allow it to integrate better with the neighbourhood.

Amendment:

Moved By Mayor Helps Seconded By Councillor Loveday

That the motion be amended as follows:

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

FOR (4): Mayor Helps, Councillor Isitt, Councillor Loveday, and Councillor Madoff OPPOSED (4): Councillor Coleman, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young

DEFEATED (4 to 4)

On the motion to refer:

Council discussed the following:

That commercial stores would allow for a better integration within the community.

Moved By Councillor Coleman Seconded By Councillor Madoff

That Mayor Helps be allowed to speak a second time.

CARRIED UNANIMOUSLY

Council discussed the following:

• That the motion to refer will allow the the application to build supportive housing while still respecting local area plans.

Amendment:

Moved By Councillor Isitt Seconded By Mayor Helps

That the motion be amended as follows:

Refer this back to staff to see a reduction of storeys to conform with the local area plan, to possibly include ground-floor commercial, to consider an increase in parking, and to bring the type of unit percentages more closely aligned to the Regional Housing First program implementation plan.

Council discussed the following:

• The mix of supportive housing in the application.

FOR (3): Mayor Helps, Councillor Isitt, and Councillor Loveday OPPOSED (5): Councillor Coleman, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young

DEFEATED (3 to 5)

Moved By Councillor Isitt Seconded By Councillor Loveday

That the meeting be extended to 11:30 p.m.

CARRIED UNANIMOUSLY

On the motion to refer:

Council discussed the following:

The need for work on supportive services, supportive housing, and affordable housing in the City.

FOR (7): Mayor Helps, Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor Madoff, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Isitt

CARRIED (7 to 1)



Committee of the Whole Report For the Meeting of June 14, 2018

To:	Committee of the Whole	Date:	May 31, 2018
From:	Jonathan Tinney, Director, Sustainable Planni	ng and Con	nmunity Development
Subject:	Rezoning Application No. 00620 for 210 Go	rge Road I	East

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00620 for 210 Gorge Road East, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Preparation and execution of the following legal agreements to the satisfaction of City Staff:
 - a. Statutory Right-of-Way of 4.91m on Gorge Road East
 - b. Housing Agreement to ensure that the residential dwelling units would remain as rental and affordable for in perpetuity.
- Following consideration of Rezoning Application No. 00620, and if approved that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City staff.
- 3. The applicant complete exploratory digging around the Horse chestnut tree at the south west corner of the site to the satisfaction of City Staff in order to determine the location of the roots and potential impacts the construction of a proposed sidewalk may have on this tree.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures. In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone, and the others to apply if certain conditions are met.

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 210 Gorge Road East. The proposal is to rezone from the T-1 Zone, Limited Transient Accommodation District, to a new in order to increase the density from 1.2:1 to 1.87:1 floor space ratio (FSR) to allow a six-storey multi-unit residential building.

The following points were considered in assessing this application:

- the subject property is designated Urban Residential in the Official Community Plan, 2012 (OCP), which supports low and mid-rise multi-unit residential buildings up to approximately six-storeys and a density of up to approximately 2:1 FSR.
- the land use designation in the *Burnside Gorge Neighbourhood Plan* is Urban Residential, which supports multi-unit residential development up to four-storeys, and five-storeys if the building contains ground floor commercial on the north side of Gorge Road. A density of up to 2:1 FSR is supportable.
- expanding the supply of affordable and permanent rental housing and providing a wide range of housing choices within neighbourhoods to support a diverse and inclusive community is encouraged in the OCP. The applicant is proposing to provide 50 affordable rental housing units and 32 self-contained supportive housing units (a total of 82 dwelling units).
- the affordable rental dwelling units would be rented at least 10% below the average rental rates in the region. These units would be offered to residents with household incomes between \$30,000 and \$48,000, which is based on current median household income levels. The applicant has applied for a grant through the Victoria Housing Reserve Fund Program for the affordable rental units.
- the 32 self-contained supportive housing units would provide permanent housing that is subsidized, and have on-site supports including 24/7 staffing. There is no time limit on how long an individual can access this supportive housing. The rents for the supportive housing units would be based on the monthly income assistance shelter allowance of \$375 and these units would be fully funded through the Regional Housing First Program.

BACKGROUND

Description of Proposal

This Rezoning Application is to increase the density from 1.2:1 to 1.87:1 floor space ratio (FSR) to allow a six-storey multi-unit residential building.

The following differences from the existing T-1 Zone are related to increasing the FSR and site coverage, and reducing unit size, setback and parking requirements.

Affordable Housing Impacts

The applicant proposes the creation of 82 new residential units consisting of 50 affordable rental housing units and 32 self-contained supportive housing units, which would increase the overall supply of housing in the area. A Housing Agreement is being proposed to ensure that the dwelling units will remain as rental and affordable for in perpetuity. According to the applicant, the affordable rental dwelling units would be rented at least 10% below the average rental rates in the region. These units would be offered to residents with household incomes between \$30,000 and \$48,000, which is based on current median household income levels. The applicant has applied for a grant through the Victoria Housing Reserve Fund Program for the affordable rental units.

The 32 self-contained supportive housing units would provide permanent housing that is subsidized, and have on-site supports, including 24/7 staffing. There is no time limit on how long an individual can access this supportive housing. Support services are generally designed around an individual resident's needs related to physical or mental health, developmental disabilities, or substance use. According to the applicant, these would be permanent housing units, and there would be no time limit on how long an individual can access this supportive housing units would be based on the monthly income assistance shelter allowance of \$375 and these units would be fully funded through the Regional Housing First Program. Victoria Cool Aid Society assumes full responsibility for finding suitable alternate housing options for all tenants and the society has a budget for any rent subsidy required to house the current tenants for the interim period during construction.

Sustainability Features

As indicated in the applicant's letter dated February 13, 2018 the following sustainability features are associated with this application:

- Step 1 Plus of the BC Energy Step Code
- storm water rain gardens and permeable surface treatment
- energy and water-efficient appliances and fixtures.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- 90 Class 1 bicycle parking spaces
- 12 Class 2 bicycle parking spaces
- two bikes and bike share parking spaces for an onsite bike share program
- bike repair area and air pump.

Public Realm Improvements

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

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. Eight dwelling units in the building would be barrier-free.

Land Use Context

The area is characterized by low-rise multi-unit residential buildings, townhouses, single-family dwellings and transient accommodation.

Existing Site Development and Development Potential

The site is presently occupied by two residential buildings containing a total of 21 supportive housing units.

Under the current T-1 Zone, the property could be developed as a single-family dwelling, housekeeping apartment building, boarding or rooming house, or transient accommodation up to seven storeys (a maximum height of 21.5m).

Data Table

The following data table compares the proposal with the existing T1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Current Zone T-1
Site area (m²) – minimum	1981.40	1850.00
Density (Floor Space Ratio) – maximum	1.87:1*	1.2:1
Total floor area (m ²) – maximum	3700.10*	2377.56
Height (m) – maximum	17.28	21.50
Storeys – maximum	6	n/a
Site coverage % – maximum	52*	20
Open site space % – minimum	33*	30
Parking – minimum Existing Schedule C Proposed Schedule C	24* 24*	90 30
Visitor parking – minimum included in the overall units Proposed Schedule C	4*	8
Bicycle parking stalls – minimum Class 1 Class 2	90 12	82 12
Setbacks – minimum Street Boundary – Carroll Street Rear (E) Side (N) Side (S)	4.25* 1.53* 3.00* 5.84	7.50 7.50 7.50 7.50 7.50
Accessory Building (Gazebo)		
Location	Front yard*	Rear yard
Height (m) – maximum	2.94	3.50
Setback (m) – minimum Rear Side Flanking Street (Gorge Road East)	39.65 44.32 23.13	0.60 0.60 3.50m or front setback of adjoining lot
Separation space from main building (m) – minimum	1.55	2.40

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on October 18, 2017. A letter dated November 30, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The Official Community Plan, (2012) (OCP) Urban Place Designation for the subject property is Urban Residential, which supports low-rise and mid-rise multi-unit residential buildings up to approximately six-storeys and a density of up to approximately 2:1 floor space ratio (FSR), provided that the architecture, landscape and urban design respond to the established place character of the neighbourhood.

The OCP also encourages an increase in the supply of affordable and permanent rental housing and a wide range of housing choice within neighbourhoods to support a diverse and inclusive community is encouraged in the OCP. The proposal further advances the affordable housing objectives in the OCP.

Local Area Plan

Burnside Gorge Neighbourhood Plan

The land use designation of the subject property in new *Burnside Gorge Neighbourhood Plan* (2017) Urban Residential. This designation supports the development of multi-unit residential development along Gorge Road East and contains urban design policies to ensure that new development is a good fit within established residential neighbourhoods and is oriented positively towards the street to create a more attractive pedestrian environment. The Plan supports buildings up to five-storeys at this location, provided that there is ground floor commercial space and there is a sensitive transition to lower density areas to the north. If there is no ground floor commercial, the Plan supports up to four-storeys.

The proposal is for a six-storey building along Gorge Road East, which then transitions to fivestoreys at the rear due to significant grade changes on the site. There are no ground floor residential units. Providing ground floor commercial space in this building is not feasible from an operations perspective, and considering that this building is 100% rental (operated by a nonprofit housing provider), obtaining the maximum number of units is crucial from a financial perspective. The applicant has programmed the building so that all the offices and communal areas are located on the ground floor, so to some degree, the intention of providing commercial uses at grade as a way of encouraging an active street frontage has been advanced.

For comparison, the maximum height of building permitted in the current T-1 Zone is 21.5m which equates to approximately seven storeys. The height of the proposed building is approximately 17.28m, which is over four metres lower than what would be permitted under the existing zone. The applicant has introduced some design elements to reduce building mass on the north side and considers the transition to the lower density residential development to the north.

Tree Preservation Bylaw and Urban Forest Master Plan

The applicant has provided a Tree Preservation Plan prepared by Talbot Mackenzie and Associates. There is one tree (Horse chestnut located on the corner of Gorge Road and Carroll Street) protected by the Tree Preservation Bylaw on the subject property, and this tree would be retained. Clearance pruning would be required, and installing permeable surface treatment and a floating sidewalk around the tree may be required to protect this tree during and after construction; however, further exploratory digging would be required to determine the location of the roots and potential impacts the construction of a proposed sidewalk may have on this tree.

The plan identifies one non-bylaw protected tree (Horse chestnut tree) on the subject property to be removed. This tree has extensive decay in the lower truck and is unsuitable to retain according to the arborist. There is also one municipal tree (Hawthorne tree) located on Carroll Street that would be impacted by this application as it would be located within one metre of the proposed driveway and within the footprint of the proposed sidewalk. The arborist also recommends the removal of this tree.

Net gain and loss of trees:

- one tree on the subject property would be removed
- one public tree would be removed
- three new public trees would be planted in the boulevard
- 23 new trees would be planted onsite.

Regulatory Considerations

Statutory Right-of-Way

A Statutory Right-of-Way (SRW) of 4.91m is required on Gorge Road East. Gorge Road has been identified as a Greenway, All Ages and Abilities (AAA) cycling corridor, and part of the Frequent Transit Network (FTN), a SRW along this frontage is required to achieve the objectives outlined within these plans.

Encroachment Agreement for Underpinning

With any project of this scale that has small setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the public Right-of-Way. The resulting material (typically rock anchors) present no concerns to the public interest and does not impact the underground infrastructure; however, an Encroachment Agreement between the City and the developer is required. Staff recommend for Council's consideration to include direction to allow staff to enter into such an agreement, if the Rezoning Application is approved by Council, and if it is deemed necessary to facilitate the construction of the project.

CONCLUSIONS

The proposal is consistent with the OCP from of use, height and density perspective. The application further advances the housing objectives in the OCP relating to affordable non-market rental housing. Although the proposal is not consistent with the *Burnside Gorge Neighbourhood Plan* from a height-perspective, the existing T-1 Zone does permit a building up to approximately seven-storeys which has been taken into consideration when reviewing the proposal for a six-storey building at this location. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00620 for the property located at 210 Gorge Road.

Respectfully submitted,

Leanne Taylor Senior Planner Development Services Division

Jonathan Tinney, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager Date:

List of Attachments:

- Appendix A: Subject Map
- Appendix B: Aerial Map
- Appendix C: Plans dated/date stamped February 14, 2018
- . Appendix D: Letter from applicant to Mayor and Council dated March 8, 2018
- Appendix E: Community Association Land Use Committee Comments dated July 22, 2018 and November 30, 2017
- Appendix F: Tree Preservation Plan dated February 7, 2018.



Committee of the Whole Report For the Meeting of June 14, 2018

То:	Committee of the Whole	Date:	May 31, 2018
From:	Jonathan Tinney, Director, Sustainable F	Planning and Con	nmunity Development
Subject:	Development Permit with Variances Road East	Application No	. 00076 for 210 Gorge

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00620, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00076 for 210 Gorge Road East, in accordance with:

- 1. Plans date stamped February 14, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces from 90 to 24.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. The applicant entering into an agreement with a local car share company to secure 20 car share memberships to the satisfaction of City Staff.
- 5. The applicant provide two bikes and bike share parking spaces onsite to the satisfaction of City Staff."

LEGISLATIVE AUTHORITY

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

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the property located at 210 Gorge Road East. The proposal is to construct a six-storey, multi-unit residential building. The variance is related to reducing the required number of parking spaces from 90 to 24.

The following points were considered in assessing this application:

- the subject property is within Development Permit Area 7A: Corridors Gorge Road East, which encourages revitalization and a sensitive transition in built form and character to the lower density Traditional Residential neighbourhood to the north of the subject property. DPA 7A further recognizes Gorge Road East as a frequent transit corridor and encourages transit-oriented streetscaping.
- the design guidelines for *Multi-Unit Residential, Commercial and Industrial (2012)* and the *Revitalization Guidelines for Corridors, Villages and Town Centres (2017)* apply to the proposed development. Overall, the proposal is consistent with the design guidelines.
- the land use designation of the subject property in the new *Burnside Gorge Neighbourhood Plan* (2017) is Urban Residential, which supports the development of multi-unit residential development along Gorge Road East up to five storeys, provided that there is ground floor commercial space and there is a sensitive transition to lower density areas to the north. If there is no ground floor commercial, the Plan supports up to four storeys.
- the maximum height of a building permitted in the current T-1 Zone, Limited Transient Accommodation District, is 21.5m which equates to approximately seven storeys. The height of the proposed building is approximately 17.28m, which is over four metres lower than what would be permitted under the existing zone.
- the variance to reduce the required number of parking spaces from 90 to 24 is supportable. Under the new draft Schedule C – Off-Street Parking, 30 parking spaces would be required for affordable dwelling units secured in perpetuity through a legal agreement. Based on this comparison, the proposal would only have a shortfall of six parking spaces and to offset this parking shortfall, the applicant is willing to provide 20 car share memberships, two bikes and bike share parking spaces onsite, and a bike repair station.

BACKGROUND

Description of Proposal

The proposal is for a six-storey, multi-unit residential building consisting of 86 dwelling units. Specific details include:

- contemporary architectural features, including a flat roofline, roofline soffit materials, and contemporary-style windows
- exterior building materials include cementitious fibre board (panel, horizontal and board & batten), brick, aluminium and glass guardrail system, metal roofline soffit material, wood trim, and concrete
- one residential entryway into the building fronting Gorge Road East
- Juliet balconies on the west elevation
- a large lounge, offices and common areas on the ground floor
- large private patio space and gazebo on the south west corner of the building fronting Carroll Street
- garden plots and substantial landscaping along the Carroll frontage

- permeable surface treatment for all communal areas and exposed parking area
- · substantial landscaping around the perimeter of the site
- 24 parking spaces located in a gated underground parking structure
- 90 Class 1 bicycle parking spaces on-site located in a secure, enclosed bicycle storage room in the underground parking structure and 12 Class 2 bicycle parking spaces located at the main entrance to the building
- bicycle kitchen (bicycle repair area and air pump) located in the bike storage area.

The proposed variance is related to reducing the required number of parking spaces from 90 to 24.

Sustainability Features

As indicated in the applicant's letter dated February 13, 2018, the following sustainability features are associated with this application:

- Step 1 Plus of the BC Energy Step Code
- storm water rain gardens and permeable surface treatment
- energy and water-efficient appliances and fixtures.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- 90 Class 1 bicycle parking spaces
- 12 Class 2 bicycle parking spaces
- two bikes and bike share parking spaces for an onsite bike share program
- bike repair area and air pump.

Public Realm Improvements

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

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. Eight dwelling units in the building would be barrier-free.

Existing Site Development and Development Potential

The site is presently two rental apartment buildings operated by Victoria Cool Aid Society.

Data Table

The following data table compares the proposal with the existing T1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Current Zone T-1
Site area (m²) – minimum	1981.40	1850.00
Density (Floor Space Ratio) – maximum	1.87:1*	1.2:1

Zoning Criteria	Proposal	Current Zone T-1
Total floor area (m²) – maximum	3700.10*	2377.56
Height (m) – maximum	17.28	21.50
Storeys – maximum	6	n/a
Site coverage % – maximum	52*	20
Open site space % – minimum	33*	30
Parking – minimum Existing Schedule C Proposed Schedule C	24* 24*	90 30 (affordable dwelling units)
Visitor parking – minimum included in the overall units Proposed Schedule C	4*	8
Bicycle parking stalls – minimum Class 1 Class 2	90 12	82 12
Setbacks – minimum Street Boundary – Carroll Street Rear (E) Side (N) Side (S)	4.25* 1.53* 3.00* 5.84	7.50 7.50 7.50 7.50
Accessory Building (Gazebo)		
Location	Front yard*	Rear yard
Height (m) – maximum	2.94	3.50
Setback (m) – minimum Rear Side Flanking Street (Gorge Road East)	39.65 44.32 23.13	0.60 0.60 3.50m or front setback of adjoining lot
Separation space from main building (m) – minimum	1.55	2.40

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on October 18, 2017. A letter dated November 30, 2017 is attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property in Development Permit Area (DPA) 7A: Corridors. The objectives of this DPA are to ensure that development along corridors is compatible with adjacent and nearby lower density residential neighbourhoods, and encompasses human-scaled urban design and a sensitive transition in building form and place character. DPA 7A further recognizes Gorge Road East as a frequent transit corridor and encourages transit-oriented streetscaping.

To visually break up the building into human-scaled portions, and address transition to the lower density residential areas to the north, the building is set back at the fifth and sixth storeys on the south elevation, and at the fourth and fifth storeys on the north elevation.

To minimize privacy impacts on the four-storey, multi-unit residential building to the east, the applicant is minimizing the amount of glazing on the east elevation, and the portion of this side elevation with windows setback approximately 15.5m from the east property line. The east elevation is predominantly a blank wall; to soften its appearance, the applicant is proposing different applications of cementitious fibre board, a mixed colour palette, roof elements and building articulation.

The proposed landscaping along the Gorge Road East and Carroll Street will improve the streetscape and pedestrian experience at the corner. The large Horse chestnut tree, a landmark tree at this corner, will be retained. The applicant proposes constructing garden plots and soft landscaping along the Carroll Street frontage, as well as, substantial landscaping along Gorge Road East. A Statutory Right-of-Way on Gorge Road East will be required as a condition of rezoning to allow for sidewalk realignment, additional boulevard and trees. Permeable surface treatment would be installed throughout the site.

Local Area Plans

The new *Burnside Gorge Neighbourhood Plan* (2017) supports the development of multi-unit residential development along Gorge Road East and contains urban design policies to ensure that new development is a good fit within established residential neighbourhoods, and is oriented positively towards the street to create a more attractive pedestrian environment. The Plan supports buildings up to five storeys on the north side of Gorge Road East and east of Balfour Avenue, provided that there is ground floor commercial space and there is a sensitive transition to lower density areas to the north. If there is no ground floor commercial, the Plan supports up to four storeys.

Providing ground floor commercial space in this building is not feasible from an operations perspective, and considering that this building is 100% rental (operated by a non-profit housing provider), obtaining the maximum number of units is crucial from a financial perspective. The applicant has programmed the building so that all the offices and communal areas are located on the ground floor (i.e. no dwelling units are located on the ground floor), so to some degree, the intention of providing commercial uses at grade as a way of encouraging an active street frontage has been advanced. The building does transition to five-storeys at the rear due to significant grade changes on the site and the applicant has introduced some design elements to reduce building mass on the north side and considers the transition to the lower density residential development to the north.

Tree Preservation Bylaw and Urban Forest Master Plan

The applicant has provided a Tree Preservation Plan prepared by Talbot Mackenzie and Associates. There is one tree (Horse chestnut tree located on the corner of Gorge Road and Carroll Street) protected by the Tree Preservation Bylaw on the subject property, and this tree would be retained. Clearance pruning would be required, and installing permeable surface treatment and a floating sidewalk around the tree, would be required to protect this tree during and after construction; however, further exploratory digging would be required to determine the location of the roots and potential impacts the construction of a proposed sidewalk may have on this tree.

The Plan identifies one non-bylaw protected tree (Horse chestnut tree) on the subject property to be removed. This tree has extensive decay in the lower truck and is unsuitable to retain according to the arborist. There is also one municipal tree (Hawthorne tree) located on Carroll Street that would be impacted by this application as it would be located within one metre of the proposed driveway and within the footprint of the proposed sidewalk. The arborist also recommends the removal of this tree.

Net gain and loss of trees:

- one tree on the subject property would be removed
- one public tree would be removed
- three new public trees would be planted in the boulevard
- 23 new trees would be planted onsite.

Regulatory Considerations

The applicant is requesting a reduction in the required number of parking spaces from 90 to 24. Under the new draft Schedule C: Off-Street Parking, only 30 parking spaces would be required for affordable dwelling units secured in perpetuity through a legal agreement, a significant reduction from the current Schedule C. The applicant provided a Parking Demand Analysis (attached), which includes a summary of the current number of parking spaces available at all of Cool Aid's thirteen buildings in Greater Victoria and the number of tenants in each building who have vehicles. There are a total of 65 parking spaces and only five are occupied with vehicles. Based on these numbers, the parking demand in the existing buildings is 0.1 spaces per building. Most parking is occupied by Cool Aid employees and visitors. For this proposal, two parking spaces would be reserved for the 24/7 onsite staff and the remaining 22 parking spaces would be available to tenants and visitors.

To offset the parking shortfall, the applicant is willing to purchase 20 MODO car share memberships for the affordable rental units. MODO has offered to provide \$50 of driving credits to each occupant of the proposed development for joining MODO. The applicant will also provide two bikes and bike-share parking spaces for a bike-share program onsite, as well as a bike repair station.

Given the results of the parking analysis, the proposed transportation demand management (TDM) measures, and the new parking ratios specified in draft Schedule C, the parking variance is seen as supportable.

Other Considerations

The Advisory Design Panel (ADP) reviewed the proposal at the meeting of April 11, 2018. The minutes from the meeting are attached for reference and the following motion was carried (unanimous):

It was moved by Justin Gammon, seconded by Jesse Garlick, that the Advisory Design Panel recommend to Council that Rezoning Application No. 00620 and Development Permit with Variance Application No. 000076 for 210 Gorge Road East be approved with the following considerations:

- Explore opportunities to introduce glazing on the east façade
- Review gazebo placement to eliminate CPTED concerns
- Consider access and/or landscaping opportunities on the southeast corner mechanical and electrical room roof
- Consider enhancing the parkade and pedestrian entrance treatments and increasing the prominence of the front entrance.

The applicant has provided a letter dated May 7, 2018 (attached) addressing each consideration provided by the ADP. The applicant has not carried out any changes to the proposal at this time.

CONCLUSIONS

The proposed six-storey building at 210 Gorge Road is generally consistent with the relevant design guidelines associated with Development Permit Area 7A: Corridors – Gorge Road East. A six-storey building at this location is not supported in the *Burnside Gorge Neighbourhood Plan;* however, the applicant has incorporated some design features and landscaping to reduce the impact along the streetscape and on the immediate neighbours. It should also be reiterated that the existing zoning would allow buildings up to approximately seven storeys. The proposed parking variance is also supportable given the results of the parking analysis, the proposed TDM measures, and the new parking ratios for affordable rental housing in the new draft Schedule C. Staff recommend for Council's consideration that the application proceed to an Opportunity for Public Comment.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00076 for the property located at 210 Gorge Road East.

Respectfully submitted,

Leanne Taylor Senior Planner Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager

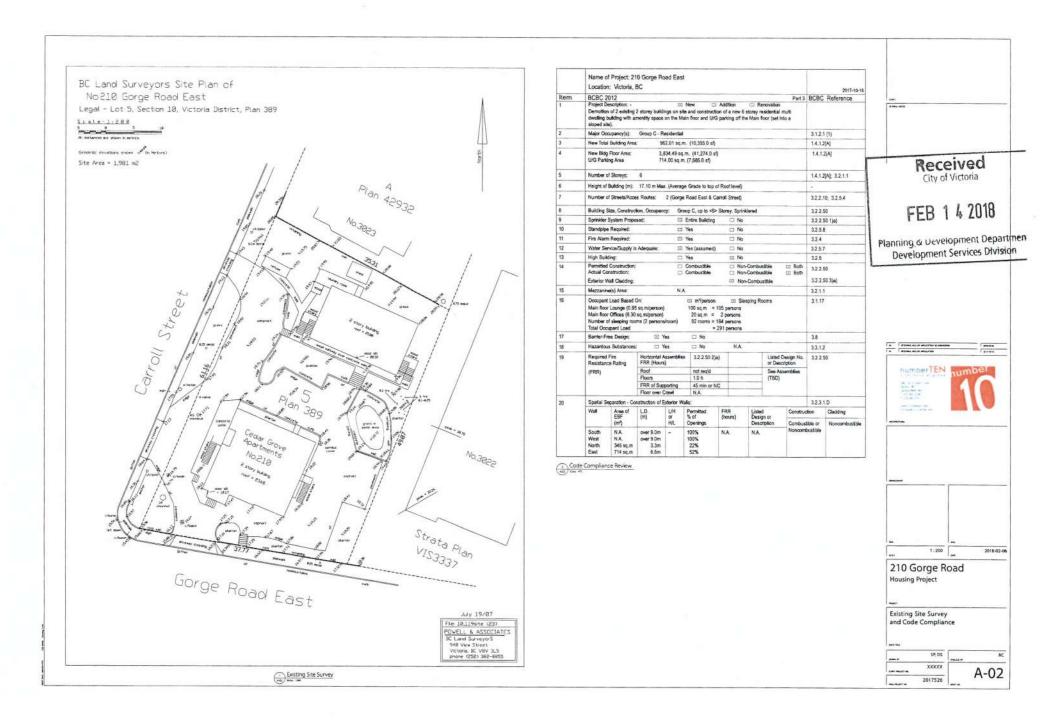
List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped February 14, 2018
- Attachment D: Letter from applicant to Mayor and Council dated March 8, 2018
- Attachment E: Community Association Land Use Committee Comments dated July 22, 2018 and November 30, 2017
- Attachment F: Tree Preservation Plan dated February 7, 2018
- Attachment G: Advisory Design Panel Report dated April 3, 2018
- Attachment H: Minutes from Advisory Design Panel dated April 11,2018
- Attachment I: Letter from applicant dated May 16, 2018 re: Advisory Design Panel motion
- Attachment J: Parking Analysis dated February 14, 2018
- Attachment K: Letter from MODO Car Share dated May 25, 2018
- Attachment L: Letter from TapBike Solutions dated May 25, 2018.

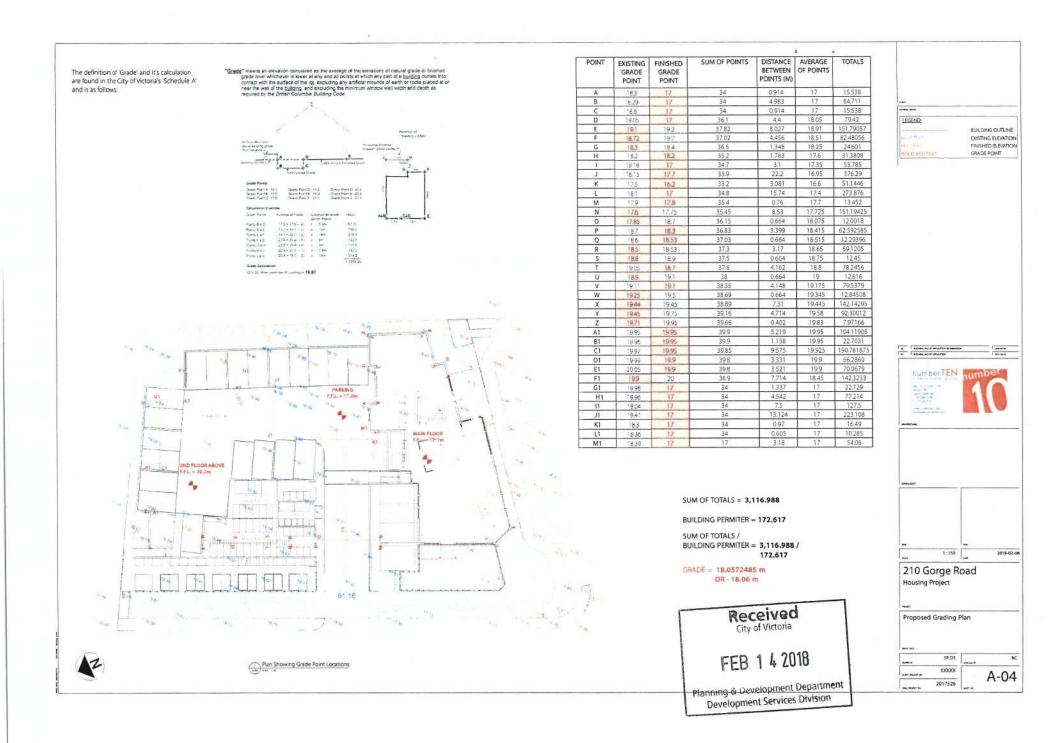
ATTACHMENT I

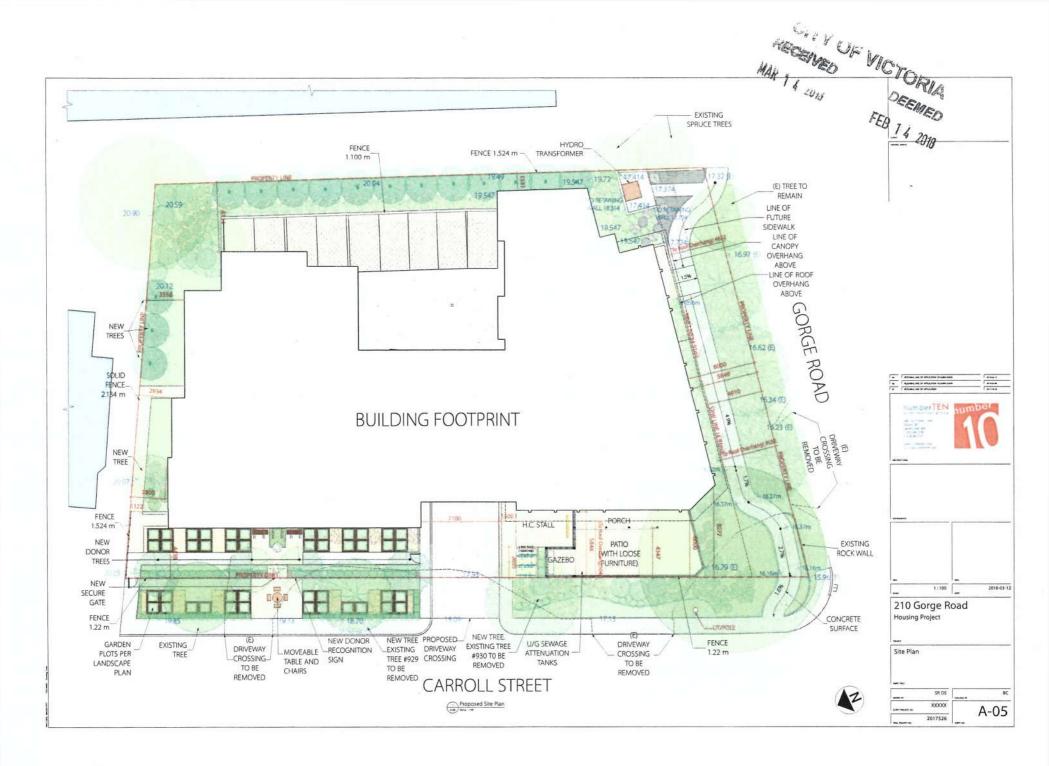






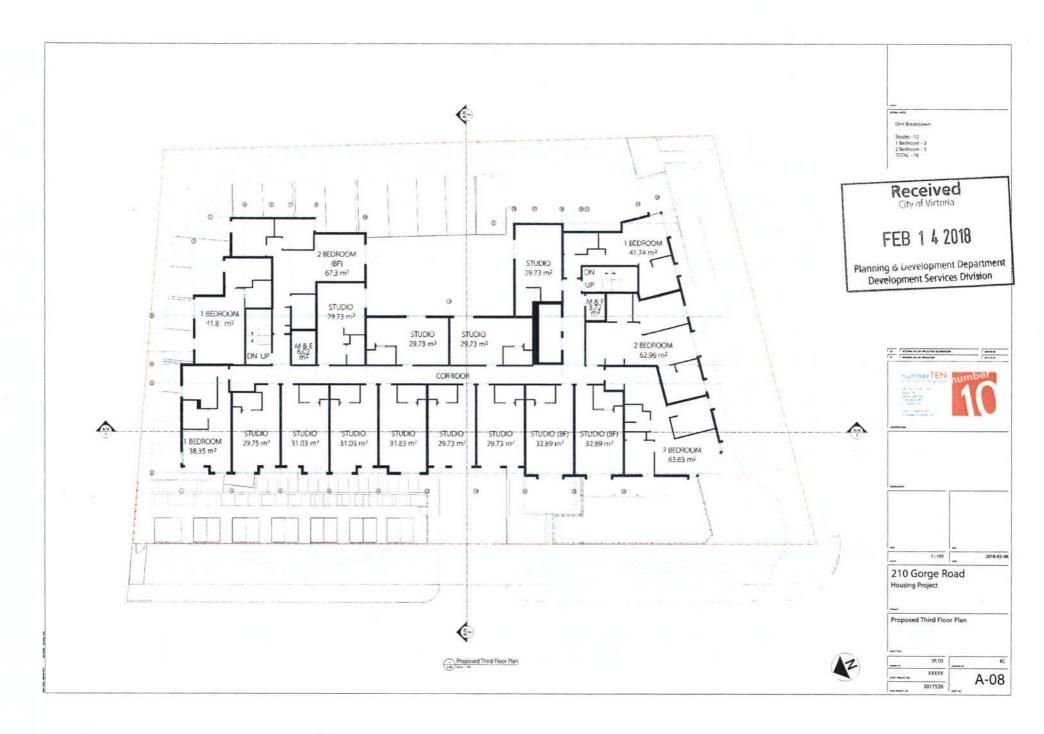


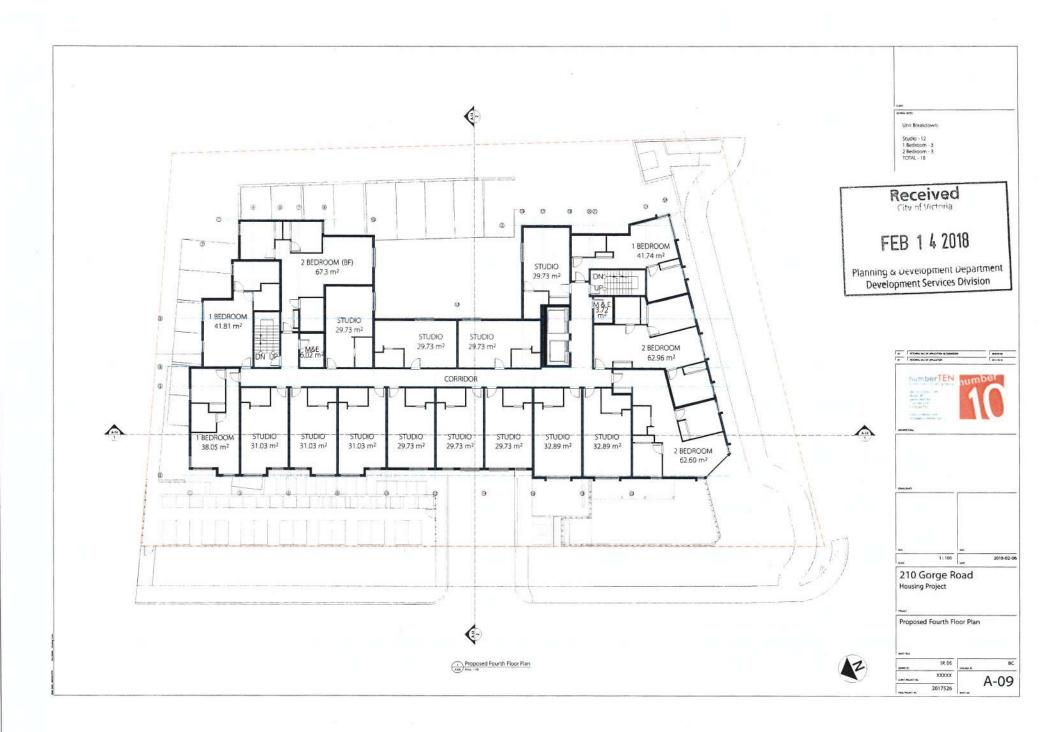


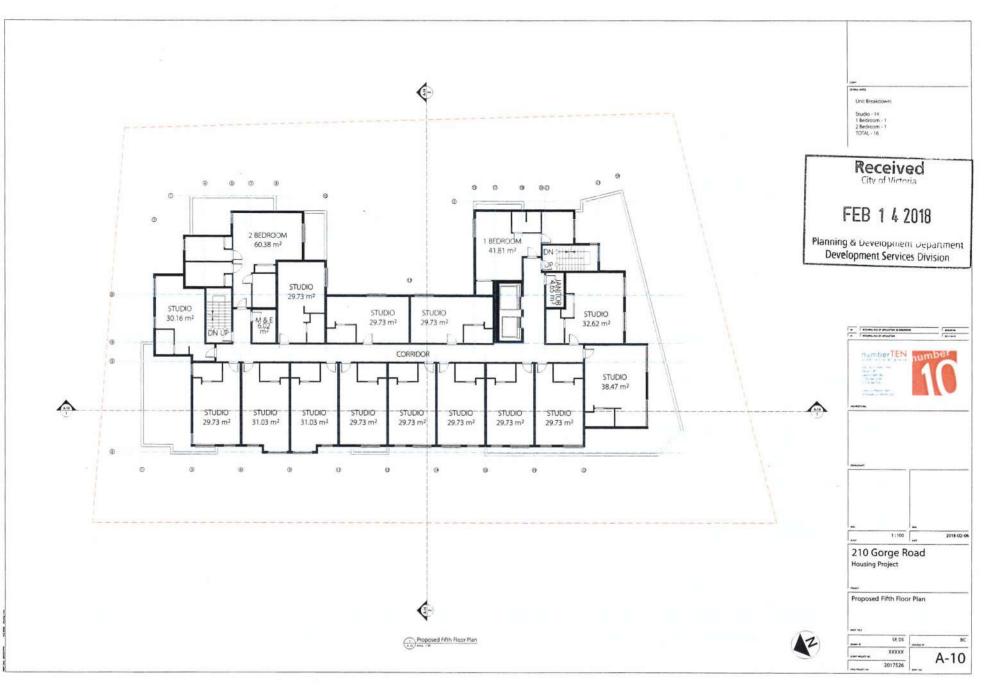


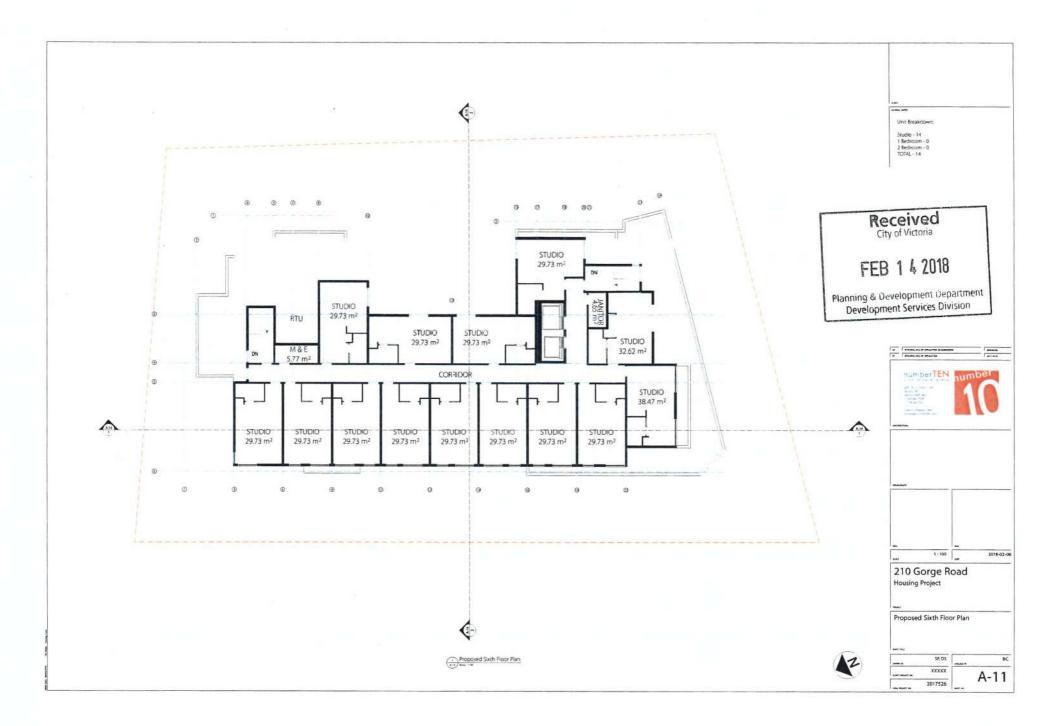






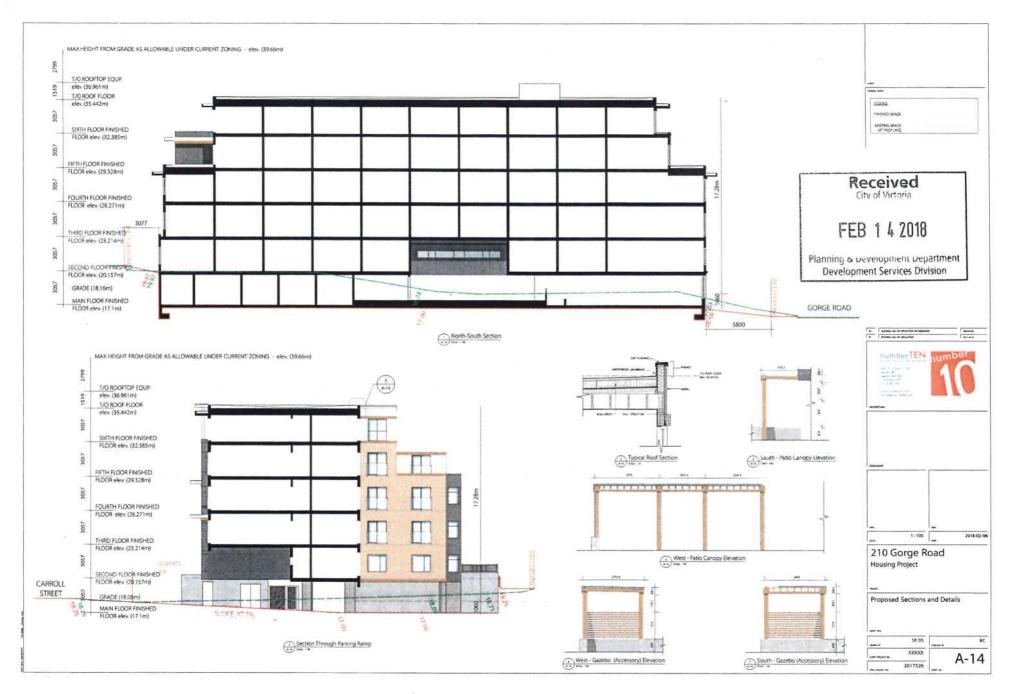




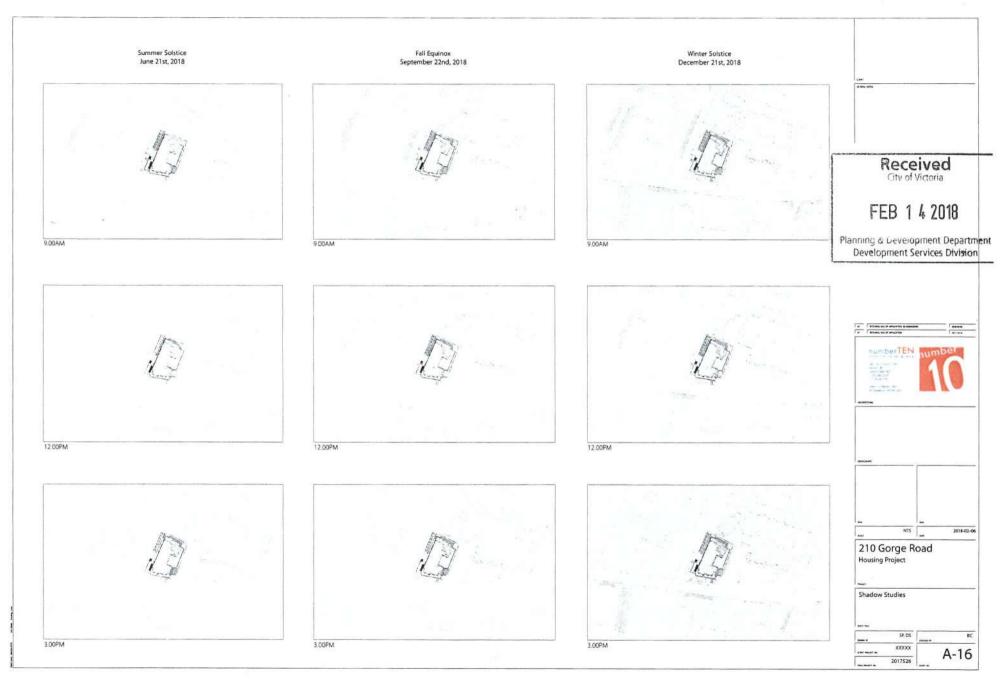












Evolution of the Design Process

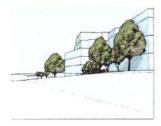
From the preliminary design stages to the city planning and CALUC meeting, the scheme has changed significantly. The changes not only reflect the progression of the scheme to make the building more efficient, more usable and more appealing to users, but also the vast amount of input from the general public and the City of Victoria. This input was gathered over many months, from many different meetings. Each meeting with the public, the neighbours or the City and impact on the design of the building. There are three distinct design phases since the first meeting with the City in May 2017.

Schematic Design Phase One:



May 24th 2017 Preliminary scheme presented to the City With U/G parking, and stacked floors above.

Schematic Design Phase Two:



June 13th 2017 Preliminary presentation to Burnside Gorge CALAC. Feedback recommended setting 5th and 6th floor back from Gorge Rd.

Schematic Design Phase Three:

June 22nd 2017 Community Open House #1 July 4th 2017

Meeting with: Carrington Court Strata Council

August 2nd 2017 Presentation to: Carrington Court AGM

August 10th 2017 Community Open House #2

September 18th 2017 CALUC meeting



May 30th 2017 Meeting with City: - Planning, Engineering, Traffic, Heritage and Parks Departments.



June 2nd 2017 Building entry and patio adapted per feedback from the City.

Sth 6th Floor set back per preliminary

CALUC input: to reduce the on street view and massing of the building.







Context Site Plan Also showing proposed setbacks

September 18th 2017

New 'U' Shaped plan presented to the CALUC for approval



Sun-shadow diagram September 3pm: There are minimal to zero shadows cast onto neighbouring properties at peak times of the year.

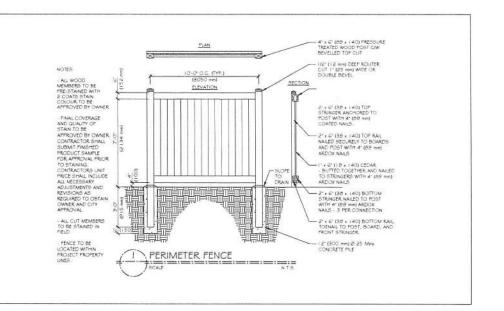


New 'U' Shaped plan as a result of public input: This scheme orients east-facing units to face each other as opposed to facing the nieghbouring building. This vastly reduces overlook.

Ste OTAT

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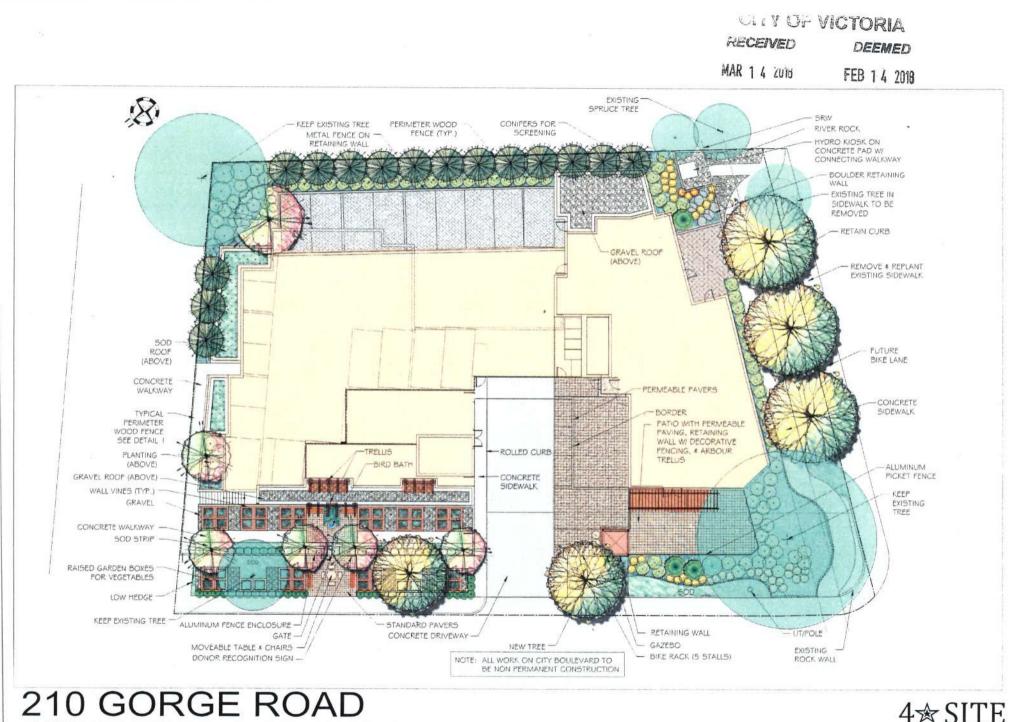


210 GORGE ROAD PLANT LIST & FENCE DETAIL

SCALE: 1:100

DATE: FEBRUARY 2, 2018





ALTERNATIVE BOULEVARD GARDEN OPTION

SCALE: 1:100

DATE: FEBRUARY 2, 2018

AND SITE PLANNING ON NOR THE



CEDAR GROVE TENANT TRANSITION PLAN

The redevelopment of Cedar Grove, a repurposed motel located at 210 Gorge Road E will require the relocation of 21 tenants with moderate to high support needs, many of whom are struggling with addiction.

Commitment

Cool Aid has committed to work with residents to ensure they are suitably housed during the redevelopment; and that all will have the opportunity to return to the redeveloped building. It should be noted that while some of the existing units are designated as one bedroom, the units available in the repurposed building will all be studio units.

Timeline

Our expectation at this point in time is that residents will not need to move before March of 2019.

Best case Solution

Cool Aid is diligently pursuing opportunities to block lease a group of units at an existing market motel / transitional housing facility in Victoria where we could move all residents (who are interested) as a group. This would also require moving our staffing model with the residents and utilizing one of the leased units as a staff office. This scenario would also require that our support funding from Island health remain intact. Other considerations would include:

- Operating cost of the lease
- Ensuring that our health and safety procedures could be maintained
- Developing some shared protocols with the block lessor
- Minor capital improvements might be required, such as installing some cameras or modifying any existing systems to allow Cool Aid access

We are confident though our conversations with BC Housing that there would be funding available to cover these potential expenses.

We have presented this idea to a few motel operators. Only one so far has professed any interest and we will continue to work with them until we have a definitive answer.

Alternative Solutions

BC Housing is actively seeking sites on which to build modular housing and Cool Aid responded to the EOI call last fall to operate modular housing. If a modular housing site could be acquired in a centrally located area to be operated by Cool Aid, a block of those units could be reserved for Cedar Grove residents.



It is our understanding that both BC Housing and the Capital Regional District are actively seeking opportunities to purchase buildings under development and nearing completion. If a suitable building was purchased within the right timeframe, we are hopeful that an operating agreement could be reached such that the necessary units required for the relocation of our Cedar Grove tenants could be arranged for the duration of the redevelopment project.

Other Considerations

Some tenants may not like any of the solutions proposed above. We will work with them individually to ensure that they are rehoused in other Cool Aid housing or housing operated by our partners.

Victoria Cool Aid Society acknowledges the Lekwungen and WSÁNEĆ peoples of the Songhees and Esquimalt Nations, on whose traditional territories we build homes, lives, and community. HÍSWKE

TENANT ASSISTANCE APPLICATION FORM

This form must be submitted with your rezoning or development application

Step 1:	BACKGROUND: Understand your rights and responsibilities as a landlord. Please review the documents in the background section pertaining to relocating tenants and the City's rental replacement policies
Step 2:	TENANT ASSISTANCE PLAN: Complete application form and all requirements
Step 3:	SUBMIT: Save and return the completed form to City Staff for Feedback by email to housing@victoria.ca

STEP 1: BACKGROUND: Rights and Responsibilities of Landlords and Tenants

The rights and responsibilities of landlords and tenants are regulated by the Province and is set out in the <u>Residential Tenancy Act</u>

Please refer to the Tenant Assistance Policy for more information regarding the City of Victoria's rental housing policies.

STEP 2: TENANT ASSISTANCE PLAN

a. SITE INFORMATION

SITE ADDRESS:	210 Gorge Rd., Victoria, BC, V9A 1L5				
OWNER NAME:	Victoria Cool Aid Society				
COMPANY NAME:					
TOTAL RENTAL UNITS:	21				

b. CURRENT OCCUPANT INFORMATION & RENT ROLLS

Please attach the current tenant information and rent rolls as Appendix A. At this stage, please identify existing vulnerable* tenants which will determine requirements within the Tenant Assistance Plan.

*Vulnerable tenants may include:

- Long-term tenants who may be paying significantly below market-rent, and for whom entering the current market may present financial challenges
- Tenants with specific housing needs due to a disability
- · Seniors, who may be long-term tenants and living on a fixed income
- · Families with young children, who may have difficulty finding appropriate units



c. TENANT ASSISTANCE PLAN

Tenant Assistance Plan Components		Draft Tenant Assistance Plan (to be completed with Rezoning application)		City Staff Comments (to be completed during application review)		Final/Revised Tenant Assistance Plan (to be completed before Rezoning Application submission)	
		Date:	28-09-2018	Date:	01-10-2018	Date:	01-10-2018
Compensation by tenancy length: • Up to 5 years: 3 months' rent • 5 to 9 years: 4 months' rent • 10-19 years: 5 months' rent • 20+ years: 6 months' rent				The Tenant Assistance Plans guidelines will be flexible for non-market and social housing developments, where tenants are relocated to alternative buildings within the portfolio.		No compensation as we are re-locating tenants to a new location with no moving costs or requirements of a new Security Deposit.	
 Notification: A minimum of 4 months notice to end tenancy 		Yes		Meets Policy		Yes	
•	An insured moving company may be hired by the applicant, with all arrangements and costs covered Flat rates of \$500 bachelor or 1 BR or \$750 for 2+ BR	Last Minute Movers has agreed to assist. The Ministry of Social Development has agreed that they have funding to cover moving costs at the request of the tenant. If the tenant is not support through MSD, BC Housing has confirmed they have a budget to assist		they have funding to moving costs at the of the tenant. If the not support through BC Housing has con		to assist. inistry of Social pment has agreed that we funding to cover g costs at the request enant. If the tenant is	
Re •	location Assistance: Tenant Relocation Coordinator provided Three options provided comparable in size, location and rent amount (min. of one option in same neighbourhood)	Manage working a CSW	a's Property ement Team will be g in conjunction with to ensure this is a transition.	Meets I	Policy	Manag workin a CSW	a's Property ement Team will be g in conjunction with to ensure this is a transition.
 Right of First Refusal: Offer to return to the building, with rent rates discounted by 10% of starting rates 		Yes, all current tenants will be offered the opportunity to move back to 210 Gorge. Their rental rates will remain at the same subsidized level.		Meets I	Policy	be offe move b Their r	I current tenants will ared the opportunity to back to 210 Gorge. Tental rates will remain same subsidized level
vu •	Inerable Tenants: Please identify additional assistance offered to vulnerable tenants	moving of boxe PM tea	nce with packing and a swell as provision and packing tape. m will be available tenant concerns.	Meets I	Policy	moving of box PM tea	ance with packing and g as well as provision es and packing tape. am will be available t tenant concerns.

STEP 3: SUBMIT: Please save and return the completed form to City Staff for Feedback by email to

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housing@victoria.ca



210 Gorge Road Post P.H. | Window Overlay



Monica Dhawan

From:
Sent:
To:
Subject:

Sara Maya Bhandar < Saturday, October 06, 2018 8:16 AM Victoria Mayor and Council 210 Gorge Road East

I am writing to you today to voice my support for the development at 210 Gorge Road and for future supportive housing developments in Victoria.

>

I am a resident of Burnside-Gorge who lives directly across from the old Tally-ho (my bedroom window faces the building). The supportive housing there has been an amazing addition to our neighbourhood. I have never had any issues with noise or disturbances. In fact, I find with the increase in residents in a traditionally more commercial area, passing cars have been more respectful of pedestrians. Especially with the increased traffic caused by the Mayfair construction and bus lane updates this summer. In the past, around rush hours I would not leave my house for walks as the cars would act aggressively and ignore pedestrians. This summer the cars seemed more aware of pedestrians and I felt safer walking in my neighbourhood than I have in the past 5 years. Overall, the supportive housing has had many benefits for the people living there and also benefits that I feel I have personally felt as a neighbour.

I was surprised that the plan developed by city planners for the Cool Aid site at 210 Gorge Road was not approved. I think it would be an amazing addition to the neighbourhood, and is desperately necessary in this current housing crisis. I was a member of the advisory committee when the Burnside-Road community plan was being developed. In drafting the plan we tried to anticipate where growth would take place and what areas would leave to more commercial development or residential. Well planning does not always match what actually happens. My street was designated to more towards a more commercial focus as we anticipated that no one would want to develop fore residential units considering how noisy the area already is. Well, we were wrong, as the Tally -Ho moved forward as a residential complex. And I could not be happier. I love the mix of residential and commercial in my neighbourhood. I caution you away from using the guidelines of the community plan as barrier to new construction. City council needs to recognize that increasing the number of affordable housing options in necessary in these times.

As a neighbour, I encourage you to do all you can to ensure more affordable housing developments are approved in Victoria.

If you have more questions do not hesitate to reach out, Sara Maya Bhandar 563 Burnside Road East

From: Jeff Nelson <	>		
Sent: February 27, 2019	4:42 PM		
To: Kathy Stinson	>; Deann	a Bhandar <	>
Cc: Victoria Mayor and C	Council < <u>mayorandcouncil</u>	@victoria.ca>; 'Stewart R	amsey'
<	>; 'John Reilly' <	>; Leanne Taylor <	< <u>ltaylor@victoria.ca</u> >
Subject: RE: 210 Gorge:	Redevelopment Plan revis	sions	

Dear Ms. Stinson,

This is extremely disappointing. In my view the compromise was made at the October public hearing by council's decision to allow Cool Aid to rework its proposal vs. an outright rejection. The direction provided at the hearing was crystal clear and Cool Aid have failed to deliver what council directed and against what the community favours. This project is supposed to be a shining example following Housing First guidelines so that other communities in Victoria can see its success and open their neighbourhoods. That's the standard we understood we would get.

- The coffee shop is not a meaningful community amenity to warrant the 5th floor.
- The unit mix increases the supportive component to 44% vs. the Housing First guidelines of 20%. I fail to understand how this mix will work in a practical sense.

Mayor and council: I am respectfully counting on you to hold firmly the position that was communicated in October to the public and to Cool Aid. Can someone please confirm?

Funders: BC Housing and CRD. In my conversations with Cool Aid they conveyed that the issue with not conforming to the Housing First model is the funding doesn't work. That is counterintuitive to me when looking at the rental price points (vs. Housing First model/mix of assumed price points) but I take their statement at face value. Money is not a good enough reason for our community to accept a project that is less than envisioned. Please reconsider.

Thank you.

Jeff Nelson, resident 141 Gorge Rd. East

From: Kathy Stinson < Section > Sent: February 7, 2019 2:58 PM To: Deanna Bhandar < Section > Subject: FW: 210 Gorge: Redevelopment Plan revisions

Dear Burnside Gorge Neighbours,

I am writing to reach out and let you know that Cool Aid has revised our development plans for our property located at 210 Gorge. We've listened to and heard the community's concerns regarding our initial proposed plan, and in response, we have made some significant changes we'd like you to know about.

The highlights are:

- We've reduced the height of the building from six storeys to five, and have reduced the number of units from 82 homes to 72 homes, by eliminating 10 studio suites from the design. The project now has 52 studio suites, 10 one-bedroom suites and 10 two bedroom suites.
- In terms of affordability, we have maintained a balanced mix of tenants who are able to pay rents at a range of income levels. Thirty (30) units will be offered at income assistance rates (\$375/month), with support services on site including health and social services for these tenants; eight (8) units will be offered at affordable rental rates (\$750/month); and, 34 units will be offered to moderateincome tenants at near-market rental rates (ranging from \$850 to \$1500/month).
- Our current design also includes a coffee outlet one that we'll operate as a social enterprise that we're sure both our tenants and your neighbourhood will love.

You can learn more details about our revised plans and find further information on our website at <u>210 Gorge</u> <u>Redevelopment</u>.

Our next steps will include visiting the neighbourhood in person to share these plans with our immediate neighbours, and to answer any questions you have. We will also be formally resubmitting these revised plans to the City this week.

On a personal note, I would like to thank the community for working with us through this process of revision and compromise - we know it hasn't been easy. Cool Aid will be a part of the Burnside Gorge community for many years to come, and contributing positively to the community, developing long-term relationships, and being a good neighbour is very important to us. We're committed to doing the ongoing work with you that's necessary to achieve these goals.

As always, if you would like to connect with Cool Aid directly to ask questions or provide about our revised plans, I would like to invite you to contact me or Deanna Bhandar, Director of Real Estate, at your convenience.

Yours sincerely, Kathy

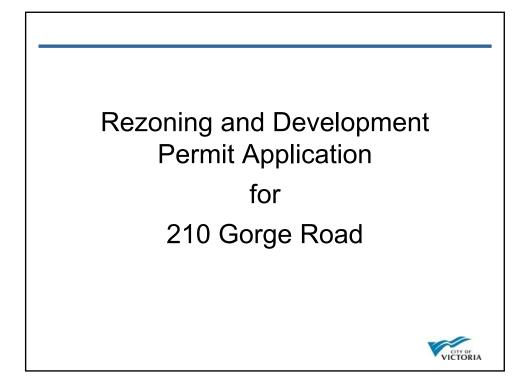
Kathy Stinson CPA, CMA, CIHCM Chief Executive Officer



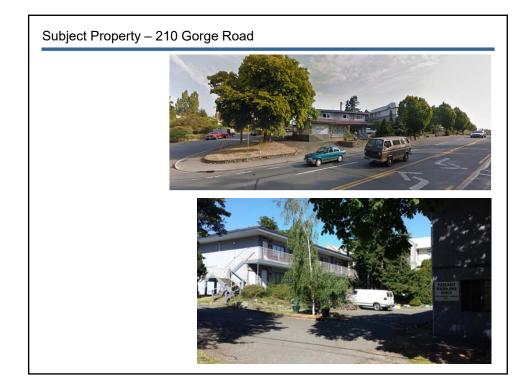
Victoria Cool Aid Society (250) 414-4792 101-749 Pandora Avenue Victoria, BC V8W 1N9

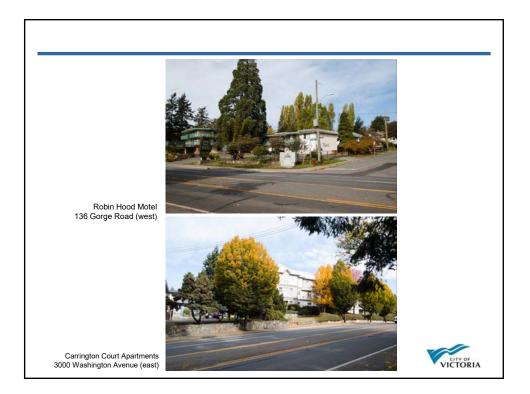
www.CoolAid.org

Together we will end homelessness.

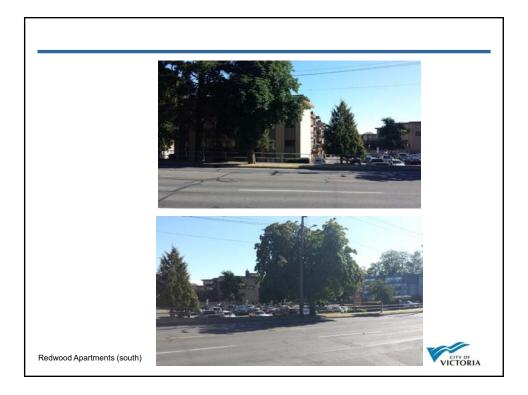


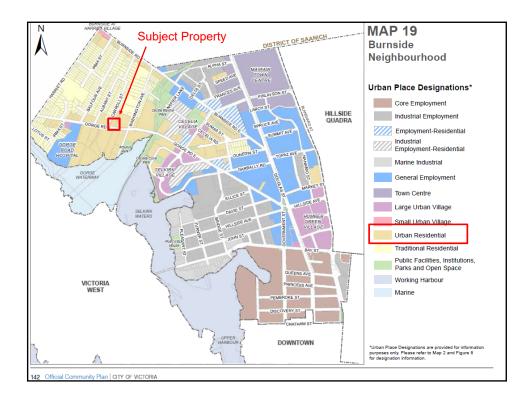


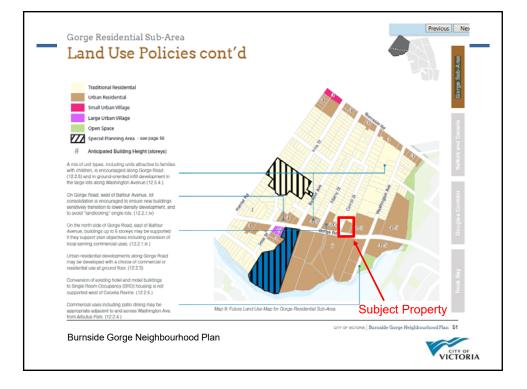


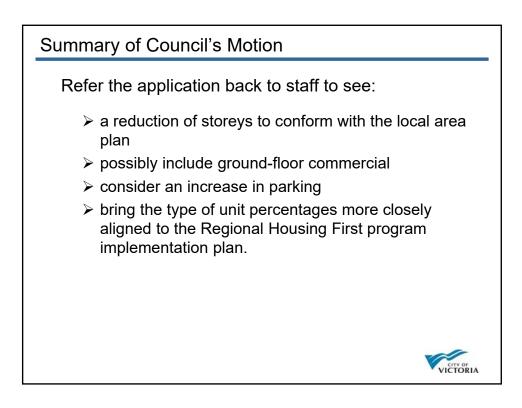














CITY OF



- reducing the density from 1.87:1 to 1.71:1 floor space ratio
- · reducing the number of storeys from six to five
- reducing the number of rental dwelling units from 82 to 72
- introducing a small coffee shop on the ground level
- adding one additional parking space to increase the residential supply of on-site parking
- · refining the overall design of the building



