

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the June 6, 2019 COTW Meeting

Councillor Collins withdrew from the meeting at 8:01 p.m. due to a pecuniary conflict of interest with items I.1.a.h and I.1.a.i, as she lives in close proximity to both applications.

I.1.a.h 589 Toronto Street - Rezoning Application No. 00661 (James Bay)

Moved By Councillor Loveday

Seconded By Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00661 for 589 Toronto Street, 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 a Housing Agreement to secure two units as rental for a period of five years, or the duration of the current ownership of the property, whichever is longer.
2. The preparation and execution of a statutory right of way of 2m along Toronto Street, to the satisfaction of the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY

Councillor Collins recused herself from the meeting for the next two items at 11:11 a.m. as she lives in close proximity of the properties.

F.4 589 Toronto Street - Rezoning Application No. 00661 (James Bay)

Committee received a report dated May 23, 2019 from the Acting Director of Sustainable Planning and Community Development presenting information on a proposal to rezone from the R-2 Two Family Dwelling District Zone to a new, site-specific zone in order to allow for a third residential unit in an existing heritage-designated building with two approved units for the property located at 589 Toronto Street.

Committee discussed:

- importance of securing Statutory Right of Ways
- future use of the SRWs
- possibility of removing parking on the street

Moved By Councillor Isitt

Seconded By Councillor Dubow

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00661 for 589 Toronto Street, 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 a Housing Agreement to secure two units as rental for a period of five years, or the duration of the current ownership of the property, whichever is longer.
2. The preparation and execution of a statutory right of way of 2m along Toronto Street, to the satisfaction of the Director of Engineering and Public Works.

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of June 6, 2019

To: Committee of the Whole **Date:** May 23, 2019

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

Subject: Rezoning Application No. 00661 for 589 Toronto Street

RECOMMENDATION

That Council decline Rezoning Application No. 00661 for the property located at 589 Toronto Street.

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 589 Toronto Street. The proposal is to rezone from the R-2 Two Family Dwelling District Zone to a new, site-specific zone in order to allow for a third residential unit in an existing heritage-designated building with two approved units.

The following points were considered in assessing this application:

- the proposal is consistent with the density and use ranges established for this area, which is designated Traditional Residential in the *Official Community Plan* (OCP, 2012)
- the proposal is consistent with the James Bay Strategic Directions in the OCP to enable

- adaptation of the existing housing stock to maintain a variety of housing types
- the provision of two rental units secured on a time limited basis generally supports housing diversity and market rental housing policies outlined in the OCP
- the proposal does not advance the objectives of the *Pedestrian Master Plan*, 2008, or the *Greenways Plan*, 2003, and related OCP policies. An increase in density of development creates additional demand on the City's transportation infrastructure, which is undesirable if the improvements contemplated under the City's *Greenways Plan* and *Pedestrian Master Plan* cannot be constructed due to the insufficient right-of-way width of the existing street.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R-2 Two Family Dwelling District Zone to a new, site-specific zone to allow for a third residential unit in an existing heritage-designated building. The proposal involves legalizing a previously unapproved dwelling unit and the previously unapproved conversion of attic space into habitable floor area. The proposal does not meet the existing R-2 Zone, Two Family Dwelling District, in terms of parking, number of units, floor space ratio (FSR), number of storeys, height and the use of a roof deck. The proposal also includes converting the crawlspace into a basement, which would not impact the FSR. The renovations required to legalize the previously unapproved work involve minor exterior changes, which are not included in the scope of this Rezoning Application. There is an associated Delegated Heritage Alteration Permit Application for the exterior changes, which will be processed if the Rezoning Application is approved.

The following changes from the current zone are being proposed and would be accommodated in the new zone, but would only apply to the existing building. New construction would be subject to the existing R-2 Zone:

- allow for three self-contained dwelling units within the building
- increase the maximum number of storeys from 2 to 2.5
- increase the maximum floor space ratio from 0.5:1 to 0.55 to 1
- allow for no parking on site for three units within the existing building
- increase the maximum height from 7.6m to 9.77m
- allow for a roof deck.

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit, which would increase the overall supply of housing in the area. A Housing Agreement is also proposed, which would secure two of the three units as rental for a period of five years or the duration of the current ownership, whichever is longer. This option is included in the alternate motion, should Council wish to consider it.

Sustainability Features

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

Active Transportation Impacts

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

Public Realm Improvements

Statutory Right-of-Way Request

The standard right-of-way for a secondary collector street is 20.0m; however, current and future transportation and greenway related needs on the corridor can be met with a right-of-way width of 14.0m. To achieve this minimum on this portion of Toronto Street, and in order to address the concern that additional density in the area is undesirable without the potential for future improvements to the adjoining street (as referred to below), staff requested that the applicant consider offering a 2.0m Statutory Right-of-Way (SRW) for public realm improvement purposes on a voluntary basis. The applicant is not prepared to offer an SRW in the City's standard terms and has proposed a condition for the terms of the SRW that staff are not prepared to recommend to Council.

Toronto Street has been identified by Council as part of the community greenway and bicycle networks in the *Greenways Plan* and *Bicycle Master Plan*. The *Pedestrian Master Plan* indicates minimum clear sidewalk widths of 1.5m for roads such as Toronto Street. An SRW would help achieve this minimum clear sidewalk width on Toronto Street, facilitating a sidewalk free of obstructions such as utility poles and sign posts to better serve pedestrians, including those with mobility challenges. Sidewalks separated from the curb by a boulevard would separate pedestrians from motor vehicle traffic and would create a more level surface by avoiding the sloped portion of driveway crossings. Boulevards with street trees support numerous community objectives and are also features currently missing on Toronto Street due to its current width. An SRW would support these objectives and standards along Toronto Street. This requested 2.0m SRW has been achieved on nearby properties and is necessary to ensure the minimum service level needs of the existing community and of future growth.

The Rezoning Application involves adding additional density to the site by adding floor area and one unit more than what is permitted in the existing zone. The proposed rezoning would confer an additional benefit to the site, which would in turn create higher service needs compared to zones with lower density. The fact the third unit and additional floor area are existing and unapproved does not change these factors.

For these reasons, staff recommend for Council's consideration that the application is not supportable.

Proposed Statutory Right-of-Way Conditions

If a Statutory Right-of-Way were secured along this frontage, public improvements would not likely occur unless and until a SRW had been secured on adjacent lots. The applicant has indicated that they would be willing to enter into a SRW agreement with the condition that the SRW not be utilized until the existing building on the site has been demolished or substantially destroyed, or until the City has obtained the same 2m right-of-way along all lots on the south side of Toronto Street within the same block. The proposed SRW does not encroach over the existing building and it may be possible to make right-of-way improvements to portions of Toronto Street as the opportunity becomes available and while the existing structure remains. For these reasons, staff recommend for Council's consideration that the applicant's proposed condition is not supportable.

Accessibility Impact Statement

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

Land Use Context

The area is characterized by a mix of single-detached dwellings, house conversions and duplexes. Immediately adjacent to the site is a hotel, and there are a number of low-rise multi-unit residential buildings on nearby streets. The James Bay Urban Village is one and a half blocks to the west.

Existing Site Development and Development Potential

The site is presently approved as a two dwelling unit building. The building was converted from a single family dwelling to a two-family dwelling in the 1920s. There is a third unit in the building that is unapproved.

Under the current R-2 Two Family Dwelling District Zone, the property could be developed as a single-family dwelling. A new two-family dwelling would not be permitted as the property does not meet the minimum lot size.

Data Table

The following data table compares the proposal with the R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone; two asterisks identify where this is an existing condition.

Zoning Criteria	Proposal	Existing Zone R-2
Site area (m ²) – minimum	423.0 **	555.0
Lot width (m) – minimum	15.7	15.0
Number of units – maximum	3 *	2
Density (Floor Space Ratio) – maximum	0.55:1 *	0.5:1
Combined floor area (m ²) – maximum	348.0	380.0
First and second storey floor area (m ²) – maximum	188.0	280.0
Height (m) – maximum	9.77 *	7.6
Storeys – maximum	2.5 *	2
Site coverage (%) – maximum	36	40
Open site space (%) – minimum	64	30
Roof Deck	Yes *	Not Permitted
Basement	Yes	Permitted

Zoning Criteria	Proposal	Existing Zone R-2
Setbacks (m) – minimum		
Front	3.95 **	7.5
Rear	4.6 **	11.11
Side (West)	2.5	1.57
Side (East)	2.85 **	3.0
Combined side yards	5.35	3.0
Parking (stalls) – minimum		
Vehicle parking	0 *	3
Bicycle parking stalls – long term	0	0
Bicycle parking stalls – short term	0	0

Relevant History

The heritage-designated house was built in 1903 and was moved twice before moving to the current location on Toronto Street. The third unit, which is currently unapproved, has existed in the space for quite a few years. Records from the Victoria Heritage Foundation indicate that the house was converted to a four unit building in the 1940's, however there are no records of City approval for this conversion.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on August 12, 2018. A letter dated August 15, 2018 is attached to this report.

ANALYSIS

Official Community Plan

The proposal to convert the existing two-family dwelling building to three units at a density of 0.55:1 Floor Space Ratio (FSR) is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan (OCP)*, which envisions a density of up to approximately 1:1 FSR and includes conversions of the existing housing stock. The three dwellings units within the existing heritage-designated building is consistent with OCP policies to support a range of housing types, forms and tenures within neighbourhoods. Further, the proposal is consistent with the James Bay Strategic Direction to adopt and renew the existing building stock and maintain an interesting diversity of housing types and character areas.

Tenant Assistance Policy

The proposal is to renovate an existing building in order to legalize an existing, previously unapproved unit within the rental building. There is one tenant within the building, who occupies the unit proposed to be legalized. The Tenant Assistance Policy is not required in this case as the tenant has lived in the unit for less than a year before the rezoning application was opened. The tenant was made aware of the renovations since the beginning of their tenancy and has confirmed that the nature of the tenancy agreement was time limited based on the renovations related to the application.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application and there are no impacts to public trees with this application.

There are five existing privately-owned trees on site that will not be affected by the proposed additional suite: a 50cm horse chestnut, 40cm Flowering plum, 35cm hawthorn, 25cm Japanese maple, and 20cm holly.

Regulatory Considerations

Vehicle Parking

The application includes a three-stall vehicle parking shortfall. There has never been parking on site and there is no room on the relatively small lot to accommodate parking. The parking requirement is one stall per unit. The variance applies to the lack of parking for the two approved units as well as the existing unapproved unit. While the proposal technically involves an additional shortfall of one stall, in practice, all three units already exist on the property. While there is minimal parking available on the immediate street frontage, the site is located within walking distance to the James Bay Urban Village and Downtown. Further, Toronto Street is identified as part of the bicycle network in the Greenways Plan. No long or short term bike parking stalls are required and none are being provided; however, there is potential for long term bike parking in the new basement area. Given these considerations, staff recommend for Council's consideration that the parking shortfall is supportable.

Floor Space Ratio, Number of Storeys and Number of Units

The floor area is increasing because the attic space was previously excluded from the total floor area calculation. By converting the attic into a habitable space, it is now included in the total floor area. With the added floor area of the attic space, the floor space ratio exceeds what is permitted in the existing R-2 Zone, Two Family Dwelling District. Attic space is also not counted as a storey, so converting it to floor area results in an additional half storey.

The additional floor area and additional half-storey are all within the existing building envelope. Developing the attic space by legalizing the existing work does not have significant impacts on the building or neighbouring properties. An associated Delegated Heritage Permit is underway to address the minor exterior changes required for exiting from this storey.

The proposal also includes developing the existing crawlspace into a basement. The additional floor space resulting from the basement and the attic space does not exceed the maximum permitted in the existing R-2 Zone, Two Family Dwelling District. The basement area does not

count toward the FSR. In this way, adding the basement space does not cause any further contraventions with the existing zoning.

Given the minimal impact to neighbouring properties and the existing siting of the building, staff recommend for Council's consideration that the additional floor space ratio and additional half storey are supportable.

Roof Deck and Height

The proposal includes the creation of a roof deck, which is a deck above the second storey. In this case, the roof deck is located at the rear of the building on the third storey. The reason for this deck is to comply with BC Building Code exiting requirements for the portion of the unit on the third storey. To create the deck, an additional dormer was added. While the deck is relatively small, it could potentially have some level of privacy impact on the neighbouring property. Because of the additional dormer, the building height is increasing, despite the fact that the actual peak of the roof would remain the same height. This is due to the way that height is calculated: it is measured as the midpoint between the highest peak and the highest eave. The roof deck dormer is increasing the height of the highest eave. The building was already taller than the maximum of 7.6m permitted in the existing zone. The roof deck dormer is raising the height of the building by 0.97m for a new height of 9.77m. The heritage and design considerations of the exterior changes related to the dormer are being addressed through an associated Delegated Heritage Alteration Permit Application. Given the relatively small size of the roof deck, its utility in meeting BC building code existing requirements and the minor impacts of the change to height, allowing for the roof deck and increase to height are supportable.

Additional Differences from the Existing Zoning

In addition to the changes to the parking, FSR and number of storeys, there are a number of differences between the existing building and the current R-2 Zone, Two Family Dwelling District, that are not changing but would be incorporated into the new zone. These differences are:

- smaller site area compared to the minimum permitted for a two family dwelling
- reduced front, rear and East side yard setbacks
- reduced side and rear yard setbacks of existing shed and reduced separation space between shed and existing building
- reduced rear yard open space.

As with the parking, FSR and number of storeys, these differences would be incorporated into the new zone and would be limited to the existing building. If a new building were to be constructed, it would be subject to the same R-2 Zone, Two Family Dwelling District regulations that the property is currently subject to.

CONCLUSIONS

The proposed increase in density to legalize the existing residential unit within the heritage designated house is generally consistent with aspects of the OCP related to the Traditional Residential land use designation and the Local Neighbourhood Plan in terms of sensitive infill. However, the application would allow an increase in density which brings with it higher demands on the City's transportation services, and the adjoining street cannot accommodate increased demands in use without the potential for the City proceeding in the future with the improvements contemplated under the *Greenways Plan*, *Bicycle Master Plan* and the *Pedestrian Master Plan*. For this reason, staff recommend for Council's consideration that the application be declined.



An alternative motion is provided below should Council wish to advance it for consideration at a Public Hearing.

ALTERNATE MOTION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00661 for 589 Toronto Street, 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 a Housing Agreement to secure two units as rental for a period of five years, or the duration of the current ownership of the property, whichever is longer.

Respectfully submitted,



Chloe Tunis
Planner
Development Services Division



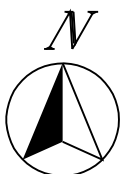
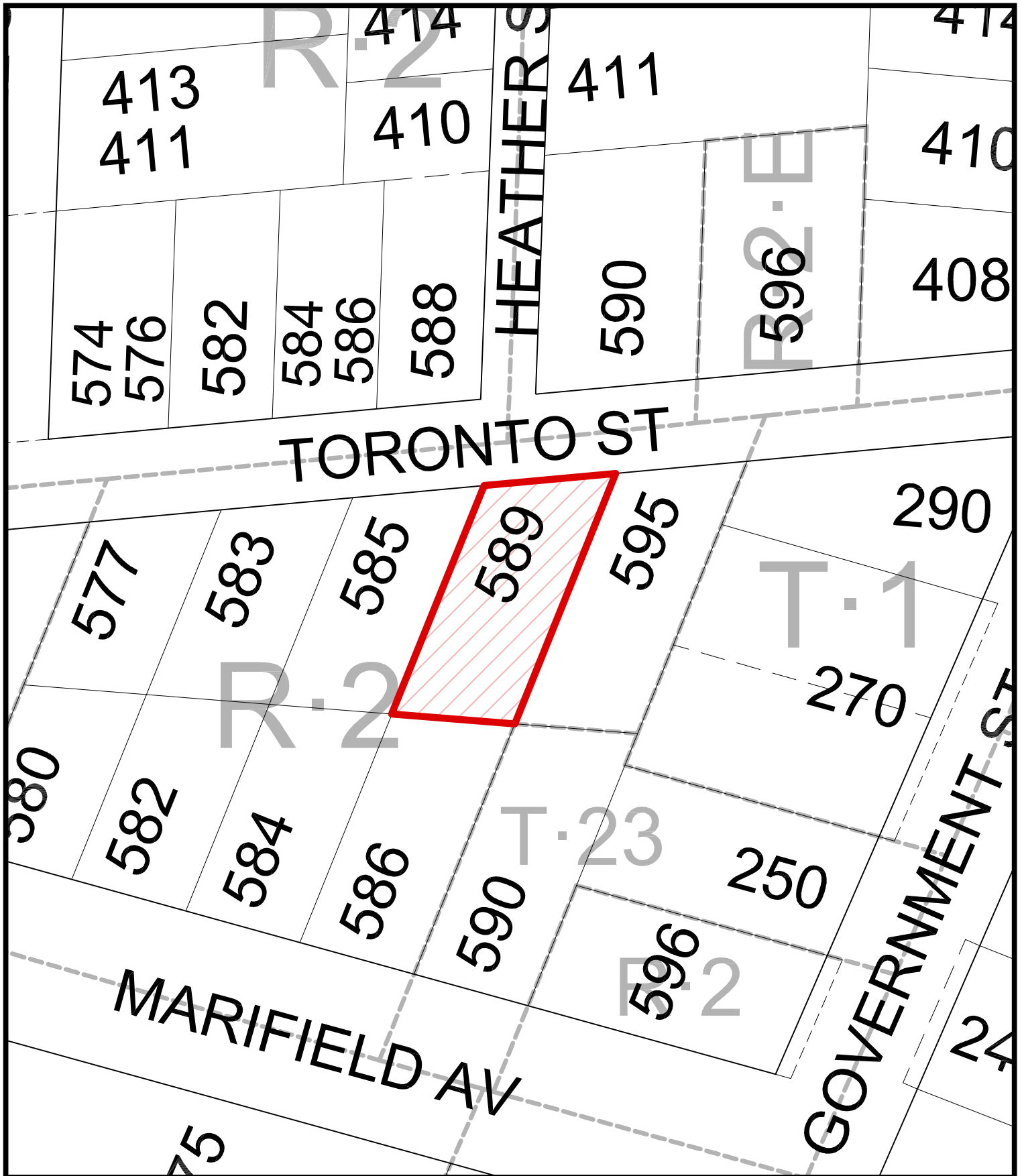
Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: May 28, 2019

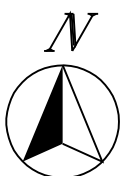
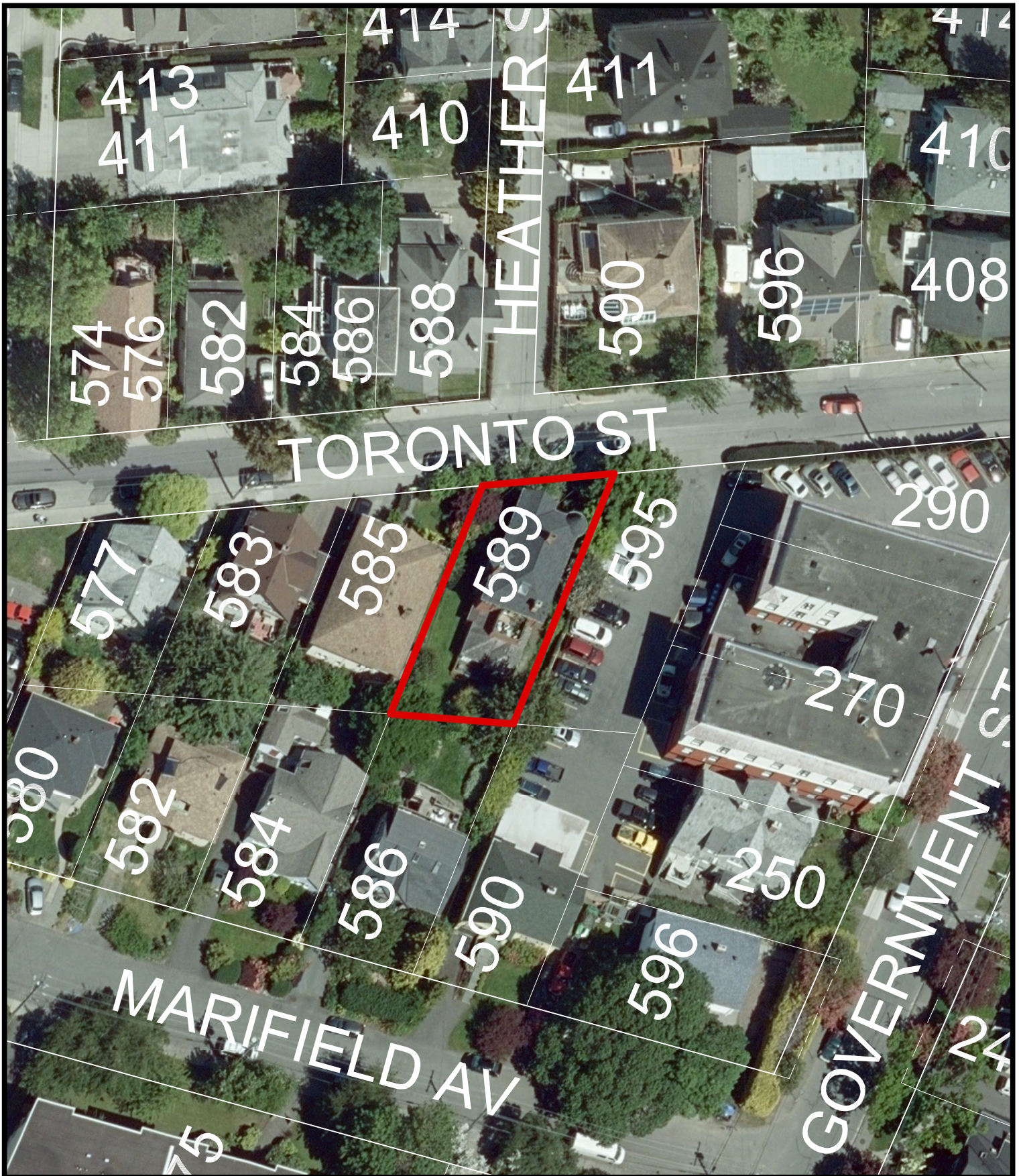
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 10, 2019
- Attachment D: Letter from applicant to Mayor and Council dated May 21, 2019
- Attachment E: Community Association Land Use Committee Comments dated August 15, 2018.



589 Toronto Street
Rezoning No.00661





589 Toronto Street
Rezoning No.00661



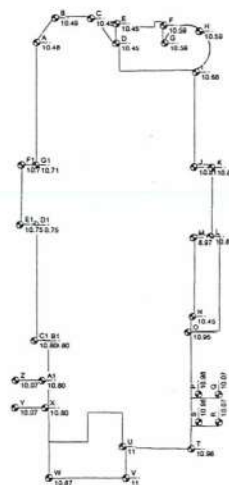


3 STREETScape
Scale: NTS



2 CONTEXT SITE PLAN
Scale: NTS

CITY OF VICTORIA
RECEIVED DEEMED
MAY 21 2019 MAY 10 2019



DATA TABLE			
CHW ADDRESS: 505 TORONTO STREET			
LEGAL DESCRIPTION: LOT 1 PARKVIEW LANE DISTRICT 53 PROPOSED FARM			
PLOT AREA: 4.21 ACRES			
LOT INFORMATION	REQUIRED	EXISTING	PROPOSED
ZONE:		R-2	SITE SPECIFIC
LOT AREA:	55842	42342	UNCHANGED
LOT AREA PER LOT:	10.3139	7.85	UNCHANGED
LOT AREA RATIO TO EX ACCESSORY:	1.0:5	1:0.44	10:55
OPEN SPACE %:	15.0	15.0	UNCHANGED
OPEN SPACE AC:	8.38	6.35	UNCHANGED
PARKING:	0	7%	UNCHANGED
SEWERING:	0	SEWERING 0.22	UNCHANGED
SETBACKS UNDEVELOPED:			
FRONT LOT LINE:	7.50	3.95M	UNCHANGED
INTERIOR SIDE LOT LINE (WEST):	1.50	3.25M	2.85M
INTERIOR SIDE LOT LINE (EAST):	1.50	3.25M	2.85M
TOTAL SIDE LOT LINE:	4.5M	5.75M	5.35M
REAR LOT LINE:	10.07 OR 30%	4.94M	UNCHANGED
SETBACKS ACCESSORY BUILDING:			
INTERIOR SIDE LOT LINE (WEST):	8.00	3.95M	UNCHANGED
INTERIOR SIDE LOT LINE (EAST):	8.00	3.95M	UNCHANGED
TOTAL SIDE LOT LINE:	1.2M	3.73M	UNCHANGED
REAR LOT LINE:	8.00M	3.95M	UNCHANGED
DISTANCE FROM DWELLING:	2.4M	1.7M	UNCHANGED
HEIGHT:			
AVERAGE AROUND:	10.7	10.67M	10.7M
BUILDING HEIGHT:	7.842	8.84	8.84
NUMBER OF STOREYS:	2	2	2
GROUND FLOOR AREA:	30492	20174	34462
FIRST FLOOR AREA:	11042	11042	UNCHANGED
SECOND FLOOR:	19450	7842	UNCHANGED
BASEMENT FLOOR:	10402	11042	UNCHANGED
TOTAL NUMBER OF UNITS:	ACROSS 1500 SQ FT NOT IN CITIES+SPR: 3	15742	3
NUMBER OF UNITS:			UNCHANGED
NUMBER OF UNITS:			UNCHANGED
GROUND OBTAINED UNDER 1 UNITS:		25.842	UNCHANGED
TOTAL RESIDENTIAL FLOOR AREA:		18842	22542

2nd Floor, 1124 Fort Street, Victoria, BC, V8W 3K8
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[illegible]

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DRAWING LEGEND

- A1.0 - SITE PLAN AND DATA TABLE
A2.0 - PHOTO SHEET
A3.0 - FLOOR PLANS
A3.1 - FLOOR PLAN AND ENSUITE
A4.0 - SECTION AND DETAILS
A5.0 - ELEVATIONS

PROJECT
ALTERATIONS
TO THE
MULHOLLAND HOUSE
589 TORONTO STREET
VICTORIA B.C.

WORK TITLE

SITE PLAN
AVERAGE GRADE CALCULATION
SURVEY
DATA TABLE
STREET SCAPE

SCALE AS SHOWN	JOB No. 1615 A1.0
DATE PLOTTED MAY 21, 2019	
DRAWN BY NPLJK	

A1.0



NORTH FACE



FRONT PORCH



WEST FOUNDATION



AREA OF PROPOSED BASEMENT
STAIR



TORONTO STREET SCAPE



REAR SOUTH FACE

key
architecture ltd.

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COMMENTS		
NO.	DESCRIPTION	DATE BY
1.	Issued to Development Services	11/08/18 JA

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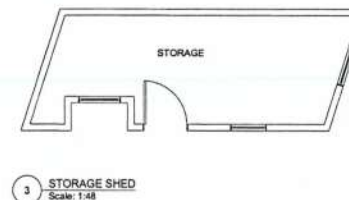
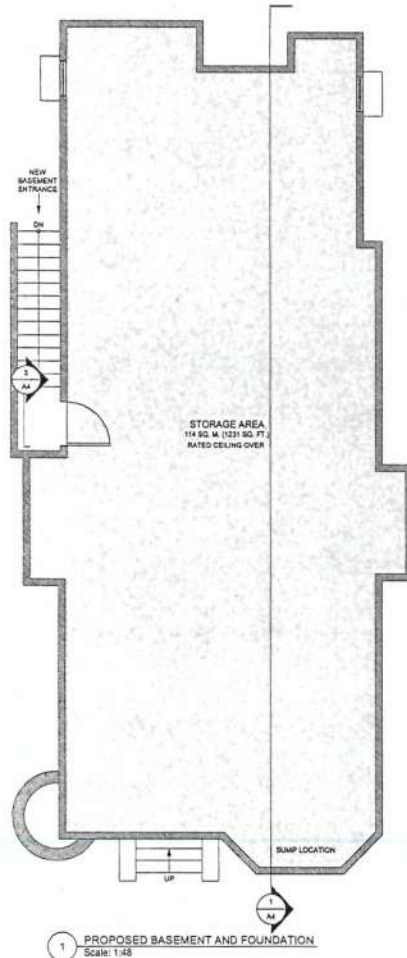
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Received
Crystal
MAY 10 2019
589 TORONTO STREET
TORONTO, ONTARIO M5T 1A5

PROJECT
ALTERATIONS
TO THE
MULHOLLAND HOUSE
589 TORONTO STREET
VICTORIA B.C.

SHEET TITLE
PHOTOGRAPHS

SCALE	N/A	NO. 1618
DATE PLOTTED	August 17, 2018	
DRAWN BY	NP/UA	A2.0



FLOOR AREAS:
BASEMENT - 114 SQ. M.
MAIN - 110 SQ. M.
SECOND - 78 SQ. M.
THIRD - 46 SQ. M.

SUITE AREAS:
SUITE 1 - 86 SQ. M.
SUITE 2 - 128 SQ. M.
SUITE 3 - 38.5 SQ. M.

DRAWING LEGEND	
EXISTING WALL	
NEW RATED WALL	
NEW FOUNDATION WALL	
NEW RATED CEILING	
TO BE REMOVED	

CITY OF VICTORIA
RECEIVED **DEEMED**
MAY 21 2019 **MAY 10 2019**

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COMMENTS			
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	07/10/17	NP
2	REZONING APPLICATION	10/01/18	NP
3	ONAP APPLICATION	10/01/18	JA
4	REZONING REVIEW COMMENTS	05/01/19	JA
5	ISSUED FOR DORMER REVIEW	05/01/19	JA
6	ISSUED FOR ONAP REVISIONS	05/01/19	JA

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PROJECT
ALTERATIONS
TO THE
MULHOLLAND HOUSE
589 TORONTO STREET
VICTORIA B.C.

SHEET TITLE
FLOOR PLANS

SCALE AS SHOWN	DATE PLOTTED MAY 21, 2019	DATE 1618
DRAWN BY NP/JK	A3.0	

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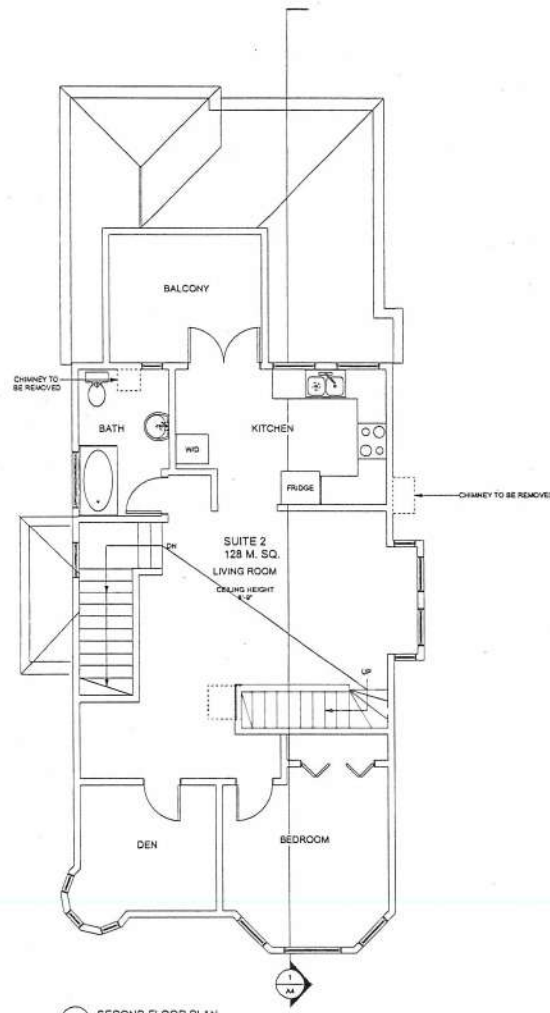
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COMMENTS

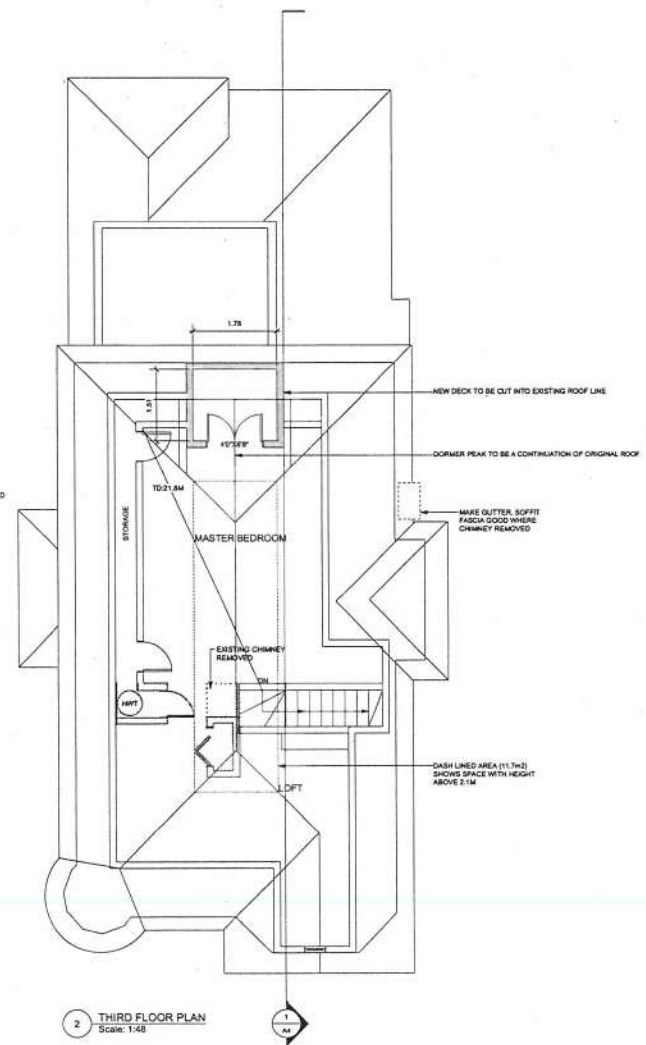
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	07/11/17	MP
2	REZONING APPLICATION	18/09/18	MP
3	DHAP APPLICATION	10/09/18	JA
4	REZONING REVIEW COMMENTS	05/10/18	JA
5	ISSUED FOR DORMER REVIEW	05/10/18	JA
6	ISSUED FOR DHAP REVISIONS	05/10/18	JA

GENERAL NOTES

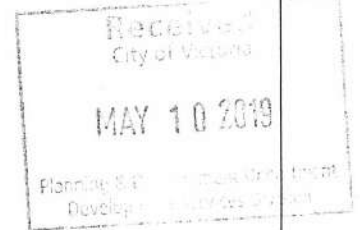
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1 SECOND FLOOR PLAN
Scale: 1:48



2 THIRD FLOOR PLAN
Scale: 1:48



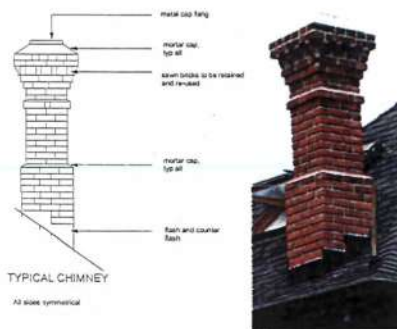
DRAWING LEGEND	
EXISTING WALL	
NEW RATED WALL	
NEW FOUNDATION WALL	
NEW RATED CEILING	
TO BE REMOVED	

PROJECT:
ALTERATIONS
TO THE
MULHOLLAND HOUSE
589 TORONTO STREET
VICTORIA B.C.

SHEET TITLE:

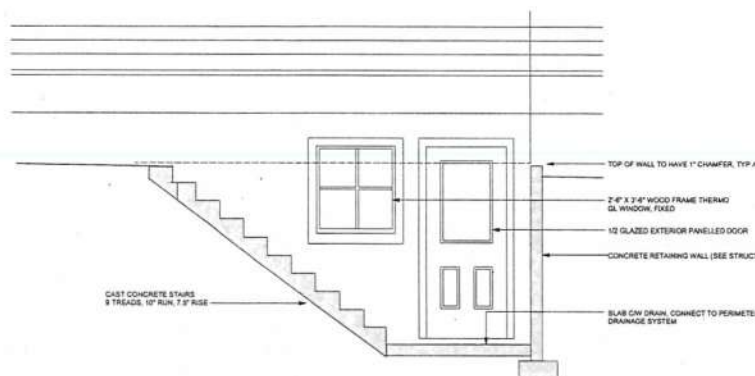
3RD FLOOR

SCALE AS SHOWN	JOB No. 1618
DATE NOTIFIED MAY 9, 2019	A3.1
DRAWN BY INDJK	



2 CHIMNEY DETAILS
Scale: 1/2" = 1'-0"

NOTE:
1. top brick size 8 1/2" x 4 1/2" x 8 1/2"
2. brick removed on wind frame, see structural
Confirm dimensions of chimney prior to
demolition, refer to the measured drawings
3. when rebuilding chimney, do not have burnt
bricks facing out

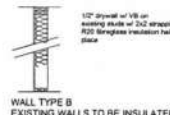


3 BASEMENT STAIR
Scale: 1/2" = 1'-0"

5 NEW NON-RATED PARTITIONS
Scale: NTS

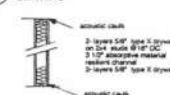


WALL TYPE A
NEW NON RATED PARTITIONS

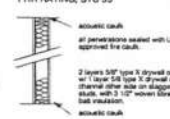


WALL TYPE B
EXISTING WALLS TO BE INSULATED

6 NEW RATED PARTITIONS
Scale: NTS

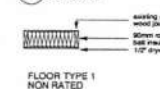


WALL TYPE H
UPGRADED EXISTING RATED PARTITIONS
ASSEMBLY W66
1 HR RATING, STC 55



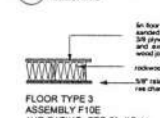
WALL TYPE D
NEW RATED PARTITIONS
ASSEMBLY W5A
45 MIN RATING, STC 51

7 NON RATED FLOORS
Scale: NTS



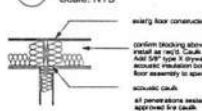
FLOOR TYPE 1
NON RATED

8 RATED FLOORS
Scale: NTS



FLOOR TYPE 3
ASSEMBLY F10E
1HR RATING, STC 53, IIC 44

9 TYPICAL FLOOR BLOCKING
Scale: NTS



Typical Floor Blocking



Typical Floor Blocking

Typical Floor Blocking

Typical Floor Blocking

Typical Floor Blocking

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Typical Floor Blocking

key
architecture ltd.

2nd Floor, 1124 Fort Street, Victoria, BC, V8W 2K6
p. 250-382-3823 e. info@keyarchitecture.com

COMMENTS

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	01/11/17	MP
2	REVISION APPLICATION	18/09/18	MP
3	CHAP APPLICATION	10/09/18	JH
4	REVISION REVIEW COMMENTS	09/09/18	JH
5	ISSUED FOR CORNER REVIEW	09/09/18	JH
6	ISSUED FOR CHAP REVISIONS	05/10/18	JH

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PROJECT
ALTERATIONS
TO THE
MULHOLLAND HOUSE
569 TORONTO STREET
VICTORIA B.C.

SHEET TITLE

SECTION AND DETAILS

SCALE
AS SHOWN

DATE
MAY 9, 2019

DRAWN BY
NPUK

DATE
MAY 9, 2019

SCALE
1/8" = 1'-0"

DATE
MAY 9, 2019

DRAWN BY
NPUK

DATE
MAY 9, 2019

SCALE
1/8" = 1'-0"

DATE
MAY 9, 2019

DRAWN BY
NPUK

DATE
MAY 9, 2019

SCALE
1/8" = 1'-0"

DATE
MAY 9, 2019

DRAWN BY
NPUK

DATE
MAY 9, 2019

SCALE
1/8" = 1'-0"

DATE
MAY 9, 2019

DRAWN BY
NPUK

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architecture ltd.

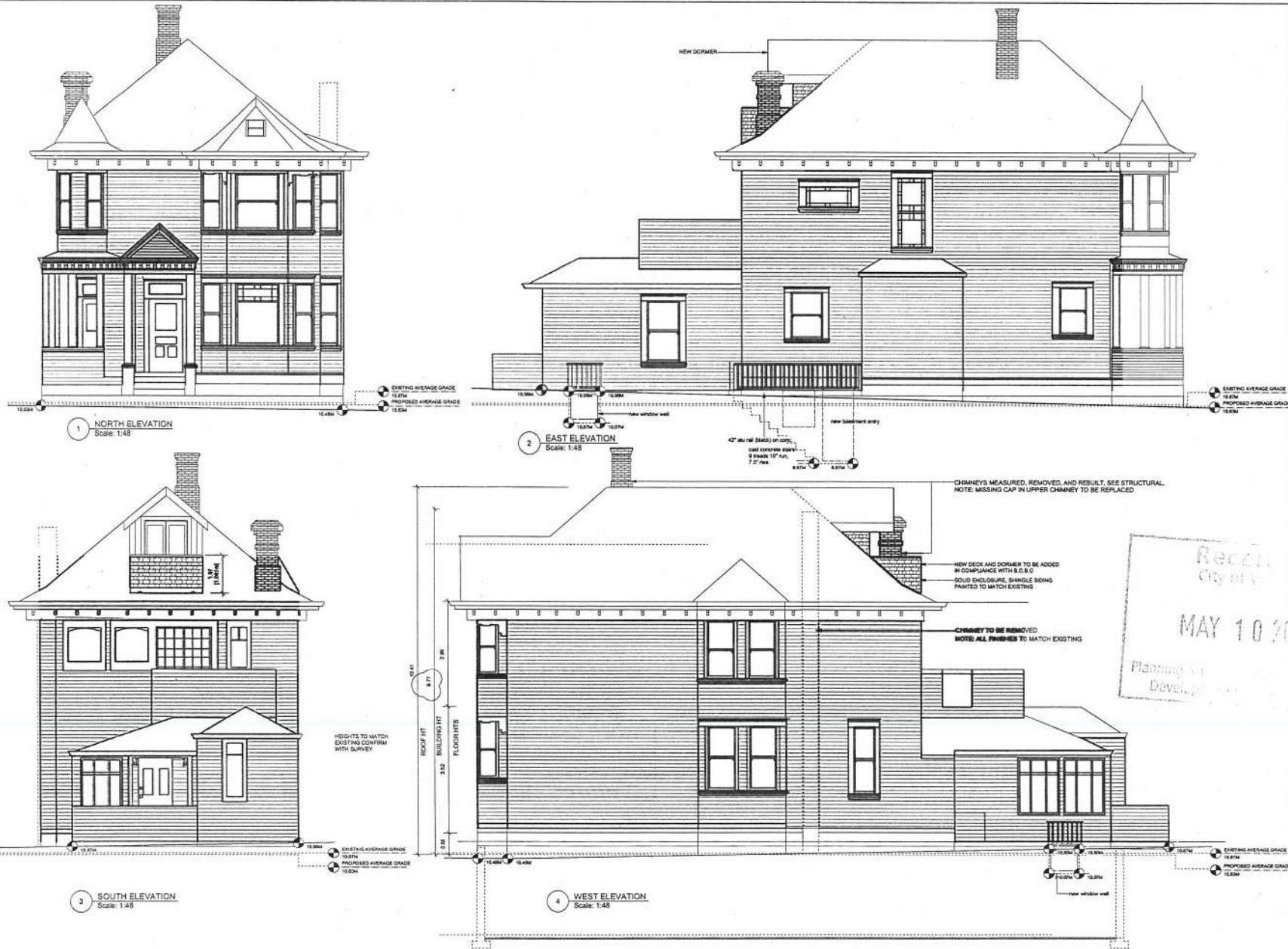
2nd Floor, 1124 Port Street, Victoria, BC, V8W 3K8
250-382-3823 e: info@keyarchitecture.com

COMMENTS

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR REVIEW	05/11/17	MP
2	RECONING APPLICATION	10/01/18	MP
3	CHAP APPLICATION	10/01/18	JA
4	RECONING REVIEW COMMENTS	05/11/19	JA
5	ISSUED FOR DORMER REVIEW	05/11/19	JA
6	ISSUED FOR CHAP REVISIONS	05/11/19	JA

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PROJECT
ALTERATIONS
TO THE
MULHOLLAND HOUSE
569 TORONTO STREET
VICTORIA B.C.

SHEET TITLE

ELEVATIONS

SCALE AS SHOWN	DATE/PLOTTED MAY 9, 2019	DATE/ISSUED MAY 9, 2019	AS.0
DRAWN BY NPUK			

CHARMAINE and STEPHEN HAYWARD
248 Superior Street
Victoria, British Columbia
V3V 1T3
Email: sands.hayward@gmail.com

DELIVERED BY EMAIL

May 21, 2019

City of Victoria
1 Centennial Square
Victoria, British Columbia
V8W 1P6

Attention: Mayor Helps and Councillors

Dear Mayor and Councillors,

RE: Rezoning Application for 589 Toronto Street

As the owners of 589 Toronto Street we are requesting a rezoning of the property from R-2 to a new site-specific zone that will enable us to install a completely new foundation, seismically and environmentally upgrade the building, add a new full height basement and keep the existing floor area on the top floor and third suite.

589 Toronto was originally built in 1903 for John and Jessie Mulholland and was located at 28 Birdcage walk (renumbered to 623 Government Street in 1907). It was moved to 290 Government Street in 1909 and then on to its final location at 589 Toronto Street in 1927. The building was heritage-designated in 1980. We purchased it in May of 2015.

The house is zoned as a Two-Family Dwelling but contains three suites, only one of which is currently tenanted. The building has 2.5 storeys with an existing dirt-floored crawlspace. There are two 1-bedroom suites on the main floor and one 2-bedroom plus den unit that occupies the second and top floor. The City's building department records do not show that a permit was taken out for the additional floor area on the top floor. The building is located on a 423 sq. m. lot with 36% site coverage and has a total of 239 sq. m. floor area. We would be asking to legalize the floor area on the top floor of 51 sq. m. and add floor area in the basement of 114 sq. m for a total floor area of 353 sq. m.

We would like to legalize the third suite to ensure additional housing is maintained in Victoria's current housing crisis. The building is currently legal non-conforming with no parking stalls onsite. We will be asking for a variance of one parking stall for the additional dwelling unit. The property does have two street parking permits registered to the property and is located in a very walkable/bikeable area which allows tenants to live without a vehicle. James Bay Village is a block away which includes Thrifty Foods, restaurants, pharmacy, liquor store and miscellaneous personal services. Downtown is also an easy walk or bike away.

Among Council's stated municipal objectives that would be furthered if our application is approved, subject to the limitations we are requesting, are the following:

1. Heritage preservation;
2. Seismic upgrading;
3. Upgrading of rental accommodation;
4. Furtherance of Climate Leadership Plan;
5. Preservation and enhancement of the natural environment and urban forest; and
6. Significant contribution to the local economy.

Status Quo

This rezoning, if approved, will not change anything about this property in practice regarding usage. It will continue to have the same number of suites, tenants, and parking spaces as has been the case since 1994. All that will in fact change is the formal zoning status, and more importantly, the quality and assured longevity of this unique residence.

Heritage Preservation

Due to its age and the fact that it was moved twice and has since 1927 sat over a damp dirt floored crawl space, the foundations have deteriorated, and there is evidence of moisture and bug penetration in some of the posts and floor beams and joists. A structural engineering has been retained, and while the building is not unsafe as is, a new foundation, concrete floored basement and some new ground level posts and beams are recommended. This will result in seismic upgrading to current standards.

Please refer to the following link for a description of this property:

<https://victoriaheritagefoundation.ca/HReg/JamesB/Toronto589.html>.

Rental Accommodation/Housing Agreement

We intend to occupy the upper 2-bedroom plus den unit after it has been renovated, and to thereafter rent out the two 1-bedroom main floor units. However, a future owner, in the next 100 years of this restored home's history, may quite rightfully wish to do otherwise and that should be left open as a legitimate option. We are therefore prepared to enter into a Housing Agreement with the City securing two of the units as rental, provided that it is time limited, which we request will be for 5 years or for the duration of our ownership of this house, whichever is longer. To restrict the uses and occupancy of this house beyond that will limit its salability and diminish its value unfairly. Totally different considerations should and do apply to new purpose-built rental accommodation (such as requiring a Housing Agreement to apply "in perpetuity"), than to family residences such as this which contain secondary suites.

Tenant Assistance

There is only one tenant residing in the house at this time as two of the three units are now vacant due to the anticipated renovations. The former tenants left of their volition after having found suitable alternate accommodation. We are very keen to finish this project as soon as possible so the home can be once again be fully occupied.

The current tenant began a month-to-month tenancy on June 1, 2018, so the City's Tenant Assistance Policy does not apply here. This suite is fully furnished and equipped because we knew the tenancy there would not be permanent, and fully informed the tenant of that fact before occupancy. We have continued to keep the tenant fully apprised of developments in our rezoning application since then. This tenant has a very good full-time job with the Provincial Government and will receive a very complimentary reference from us, so we do not feel that any compensation or relocation assistance is warranted. We will, however, of

course give the notice required by, and otherwise fully comply with, the *Residential Tenancy Act*.

Environmental Benefits

Our renovations will include a number of upgrades that will achieve improved energy efficiency and the consequent reduction of green house gases. Any hazardous building materials located during the process will of course be safely removed and properly remediated or destroyed. New materials, building systems, fixtures and appliances used will all be of the highest quality and meet the best environmental standards applicable.

Landscaping

This property contains four healthy mature trees, which we will do everything we can to retain during and after the lift. We will thereafter likely plant several more, as we note that two large trees were removed (with only the stumps left behind) before we took ownership.

Economic Value

We are passionate supporters of the local economy. All tradespersons and apprentices hired and materials and equipment purchased will be locally sourced.

Statutory Right of Way

City staff have requested a 2-metre statutory right of way along the property's Toronto Street frontage. We will agree to that, but we would like it to be subject to the proviso that the City will not exercise its rights to use that area to install a grass boulevard or new sidewalk until the City has acquired similar statutory rights of way from the other property owners on the south side of the 500 block of Toronto Street.

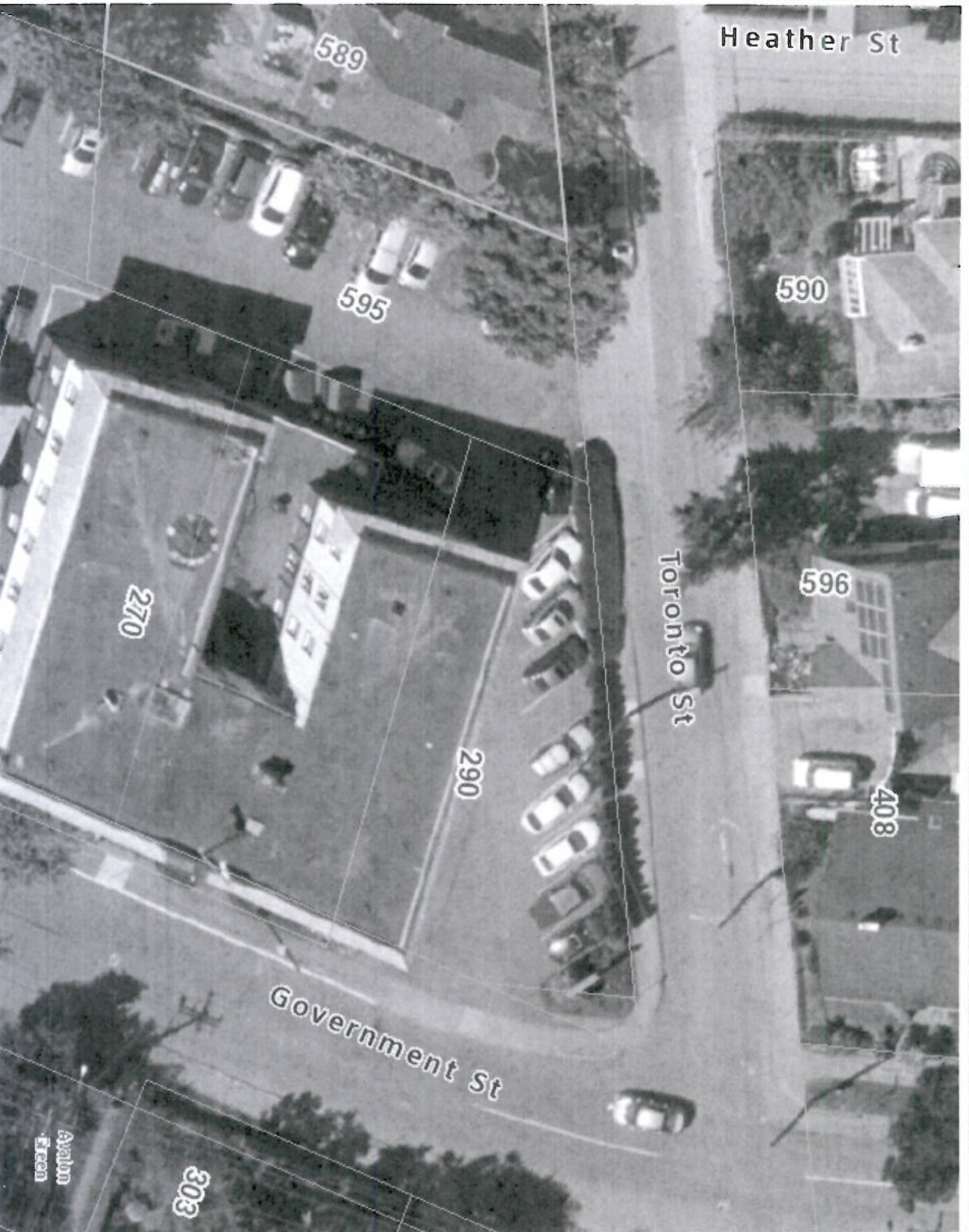
An aerial view of this block on VicMap (see printed copies attached) shows how close to the existing sidewalk the houses on both sides of this block are, making widening of the City's right of way there entirely impractical while most of those houses and the James Bay Inn remain in place. And, all of the owners appear to be renovating and rehabilitating those homes to further prolong their lives, making an expanded boulevard or sidewalk an even more distant possibility. Also, virtually all of the off-street residential parking in this block, as well as a significant number of the James Bay Inn's guest parking spots, would be lost if the City in fact widened the right of way there by 2 metres on each side. In other words, when/if it ever becomes practically appropriate to make this street a "secondary collector street", as the OCP identifies it, it will likely be 50 to 100 years from now. In the meantime, if this block is left as is but the City has the future right to widen it, where is the disadvantage to the City?

Staff have offered as one justification for this request that "Boulevards with street trees enhance our public spaces and enhance community objectives, and are also features currently missing on Toronto Street due to its current width." Ironically, within this 2-metre strip on each side of the 500 block of Toronto Street are eight mature healthy trees, all of which would presumably have to be removed to accommodate any redesigned sidewalk and boulevard.

Thank you for your time and consideration of the above.

Yours sincerely,

Charmaine and Stephen Hayward



Legend

☐ Victoria Parcels

1: 365



Notes

NAD_1983_CSRS_UTM_Zone_10N
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19 0 9 19 Meters

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



19

0

9

19 Meters

NAD_1983_CSRS_UTM_Zone_10N
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Legend

☐ Victoria Parcels

1: 365



Notes

THIS MAP IS NOT TO BE USED FOR NAVIGATION



James Bay Neighbourhood Association

jbna@vcn.bc.ca
Victoria, B.C., Canada

www.jbna.org

August 15, 2018

Mayor and Council
City of Victoria

Dear Mayor and Council,

The community meeting to consider the rezoning proposal at 589 Toronto Street was held on August 12, 2018, with 43 in attendance. Attached please find an excerpt of the General Meeting minutes regarding the proposal as well as questions and comments from residents which were submitted before, during and after the meeting. (Attachment "A").

Generally speaking, the proposal garnered favourable comments from residents. The owners of the property at 588 Toronto Street wrote to Mayor and Council, with a copy to the JBNA, regarding concerns about noise and disruption during construction. This resident attended our community meeting and was assured that the construction would adhere to City of Victoria bylaws.

Questions were raised about parking which the proponents addressed as indicated in the comments attached as Attachment A.

Most comments were positive, indicating that the density of 589 Toronto Street is not changing and therefore rezoning to bring the property into compliance is not adding anything that does not already exist. The property owners were commended for retaining and respecting the heritage aspects of this heritage designated property.

For your consideration,

Sincerely

Vice President, James Bay Neighbourhood Association
jbna@vcn.bc.ca

copy: JBNA Board
Miko Betanzo, City of Victoria Senior Planner
Nicole Parker, Keay Architecture

A – Not an option. Parking hasn't been an issue as 2 parking permits exist. In addition there have been 3 suites in the house for more than 20 years and there is no intent to add density, so rezoning does not add to parking.

Q – Are there brick chimneys?

A – There are 3 chimneys. Two will be reconstructed from the roof up to retain appearance. The 3rd will be dismantled entirely due to safety issues.

Q – Landscaping is very nice. Will it be retained?

A – Can't address at this time, however, owners have every intention to retain the existing landscaping as much as possible.

Q – What kind of environmental applications are you planning, such as insulation?

A – Will be adding insulation to walls, ceilings, and will upgrade lighting. Baseboard heating will be main source of heating.

C – Very much support the efforts of the owners to retain the heritage building. They are not asking for anything that doesn't currently exist.

C – Another speaker echo's the previous speaker. Is pleased house is being brought up to current standards.