

Council ReportFor the Meeting of July 9, 2020

To: Council Date: June 25, 2020

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

Subject: Update on Rezoning Application No. 00466 and Heritage Alteration Permit

with Variances Application No. 00214 for 913-929 Burdett Avenue and 914-

924 McClure Street

RECOMMENDATION

Rezoning Application No. 00466

That Council give first and second reading of the Zoning Regulation Bylaw Amendment No. 20-022 (Amendment No. 1217), and give first, second and third readings of Housing Agreement (913-929 Burdett & 914-924 McClure) Bylaw No. 20-023 and Heritage Revitalization Agreement (923 & 929 Burdett Avenue and 924 McClure Street) Repeal Bylaw No. 20-024.

Heritage Alteration Permit with Variances Application No. 00214

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. 00466, if it is approved, consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped October 7, 2019.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increasing the building height from 16.5m to 20.55m;
 - ii. reducing the front yard setback from 10.6m to 8.75m;
 - iii. reducing the rear yard setback from 5.4m to 4.7m;
 - iv. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - v. reducing the vehicle parking requirement from 59 stalls to 56 stalls.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.

- 4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
- 5. The Heritage Alteration Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Heritage Alteration Permit with Variances Applications for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. The proposal is to create a new site-specific zone that permits an increase in density and allows for construction of a senior's residence (plus 26 assisted living units) at the rear and side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be conserved and incorporated into the project.

PUBLIC HEARING CONDITIONS

In accordance with Council's motion of October 24, 2019 (see attached minutes), staff can report that the following conditions set by Council in relation to the Rezoning Application have been fulfilled:

- the applicant has increased the term of the proposed rental from 20 to 60 years and provided an executed Housing Agreement to secure the following:
 - 66 of the dwelling units (50% of the total units) as market rental units for a minimum of 60 years
 - 26 of the market rental units as assisted living units
 - o five additional dwelling units as affordable rental units for a minimum of 60 years
 - o to ensure that a future strata cannot restrict rental of dwelling units
- a Section 219 Covenant to secure design and construction of the building to Built Green Bronze Certification standards has been registered on title.

CONCLUSIONS

The recommendation provided for Council's consideration contains the appropriate language to advance these applications to a Public Hearing and an Opportunity for Public Comment.

Council Report

June 25, 2020

Respectfully submitted,

Alec Jønnston Senior Planner

Development Services Division

Karen Hoese, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date: June 25, 2020

List of Attachments

- Attachment A: Council minutes, dated October 24, 2019.
- Attachment B: Committee of the Whole report and attachments from the meeting of October 24, 2019

Council Report

June 25, 2020

I.1.b Report from the October 24, 2019 COTW Meeting

I.1.b.a 2019 External Audit Plan

Moved By Councillor Dubow **Seconded By** Councillor Thornton-Joe

That Council receive this report for information.

CARRIED UNANIMOUSLY

I.1.b.b 913-929 Burdett Avenue and 914-924 McClure Street - Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 (Fairfield)

Moved By Councillor Thornton-Joe **Seconded By** Councillor Loveday

- 1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council subject to the following conditions:
 - a. Preparation of a Housing Agreement Bylaw for the following:
 - i. to secure 50% of the total units as market rental for a minimum of 20 years;
 - ii. to secure a minimum of 26 units be used as assisted living for a minimum of 20 years;
 - iii. to secure a minimum of five affordable rental units for a minimum of 20 years;
 - iv. to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units; and
 - v. to repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. Preparation of a Section 219 Covenant to secure the sustainability features and construction achieving a minimum BUILT GREEN® Bronze Certification level.
 - c. That Council request the applicant change the protection of rentals to 60 years instead of 20 years.
 - d. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - e. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:

- f. 219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages;
- g. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property; and
- h. Heritage Revitalization Agreement dated February 14, 2008.
- i. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped October 7, 2019.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increasing the building height from 16.5m to 20.55m;
 - ii. reducing the front yard setback from 10.6m to 8.75m;
 - iii. reducing the rear yard setback from 5.4m to 4.7m;
 - iv. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - v. reducing the vehicle parking requirement from 59 stalls to 56 stalls.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- 4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
- 5. The Heritage Alteration Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young OPPOSED (2): Councillor Dubow, and Councillor Isitt

CARRIED (6 to 2)



Committee of the Whole Report For the Meeting of October 24, 2019

To:

Committee of the Whole

Date:

October 10, 2019

From:

Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject:

Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street

RECOMMENDATION

Committee of the Whole Report

- 1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council subject to the following conditions:
 - a. Preparation of a Housing Agreement Bylaw for the following:
 - to secure 50% of the total units as market rental for a minimum of 20 years;
 - ii. to secure a minimum of 26 units be used as assisted living for a minimum of 20 years;
 - iii. to secure a minimum of five affordable rental units for a minimum of 20 years;
 - iv. to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units; and
 - v. to repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. Preparation of a Section 219 Covenant to secure the sustainability features and construction achieving a minimum BUILT GREEN® Bronze Certification level.
- 2. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages;

- ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property; and
- iii. Heritage Revitalization Agreement dated February 14, 2008.
- b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped October 7, 2019.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m;
 - b. reducing the front yard setback from 10.6m to 8.75m;
 - c. reducing the rear yard setback from 5.4m to 4.7m;
 - d. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence; and
 - e. reducing the vehicle parking requirement from 59 stalls to 56 stalls.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- 4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
- 5. The Heritage Alteration Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a Rezoning Application and a Heritage Alteration Permit Application for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. At the meeting of June 8, 2017 (minutes attached), Council passed a motion to forward the applications to a public hearing, subject to the preparation of a Zoning Regulation Bylaw Amendment, Housing Agreement Bylaw and Section 219 Covenant for sewage attenuation.

The applicant is willing to fulfil the conditions set by Council; however, given that over two years has passed since Council provided the above direction, staff are bringing the application to Committee of the Whole for Council's consideration prior to referring the Rezoning Application and Heritage Alteration Permit Application for consideration at a Public Hearing.

BACKGROUND

Description of Proposal

The proposal is to amend the existing CD-10 Zone, Mount St. Angela District to create a new site-specific zone that permits an increase of the bonus density provision in exchange for the

heritage conservation measures to be applied to the heritage-designated buildings on the subject site. The applicant proposes to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be incorporated into the project. The Committee of the Whole reports for Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 presented at the Committee of the Whole (COTW) meetings of January 12, 2017 and June 8, 2017 are attached for additional information and reference. Other than additional off-street parking within the parkade level, no design changes are proposed since the meeting of June 8, 2017.

Regulatory Changes

New Zone

The following amendments from the current CD-10 (Mount St. Angela) District Zone are proposed and would be accommodated in the new zone:

- increase in floor space ratio (FSR) from 1.3:1 to a maximum of 1.96:1 FSR
- the following additional uses:
 - "seniors' housing assisted living" means a facility where regular care or supervision is given by a health care professional as well as assistance with the performance of the personal functions and activities necessary for daily living for persons such as the aged or chronically ill who are unable to perform them efficiently for themselves
 - o "seniors' housing independent living" means a residential building containing in any combination, two or more dwelling units, housekeeping units, or sleeping units for the accommodation of elderly persons, including the ancillary common areas and accessory personal service and convenience uses, for the exclusive use of residents and tenants of the building and their guests.
- amendment to the amenities in the zone to remove the requirement for a mid-block walkway and a heritage revitalization agreement (the latter being replaced by Heritage Alteration Permit No. 00214)
- additional building height from 13.6m to 16.5m.

Parking

The requirement for 60 vehicle parking stalls in the existing zone is based on a previous proposal for this site. In reviewing the current proposal against the requirements under Schedule C of the *Zoning Regulation Bylaw* (which was updated since the application was last brought to COTW), a total of 59 stalls are required (46 stalls for the residential units and 13 visitor parking stalls). A total of 56 stalls is being proposed; therefore, a three-stall parking variance has been added to the motion for Council's consideration. The variance is considered supportable given that the applicant is proposing long term bike parking in excess of the Schedule C requirements as well as change room facilities which help encourage cycling as a means of transportation.

Legal Agreements

Housing Agreement

With regard to the Housing Agreement Bylaw, the applicant proposes five units as affordable rental for a twenty-year period, with rent levels in accordance with the Inclusionary Housing and

Community Amenity Policy. The affordable units would be located on levels 1, 3 and 4 of the proposed development and would include:

- 1 studio unit
- 1 one bedroom unit
- 2 one bedroom plus den units
- 1 two bedroom unit.

In addition to the housing agreement, the applicant's letter indicates that a 34-unit building at 1046 and 1048 North Park Street to house existing residents of Mount Saint Angela in a purpose-built facility for the Vancouver Island Health Authority has received approvals. These units would not be secured through a housing agreement; however, the site's R-91 Zone, North Park Residential District, limits residential use to "rest homes". The applicant has also indicated that the 34 rental units would be low-income affordable units based on VIHA's housing mandate.

Section 219 Covenants

A report from Herold Engineering has been provided to confirm the flow rates the proposed development would have on existing infrastructure. Staff have reviewed this and confirm that sewage attenuation will not be required for this application. The recommendation has been updated to remove this requirement.

A number of sustainability features are proposed as part of the concurrent Heritage Alteration Permit. These features would be secured through a Section 219 covenant to ensure construction achieving a minimum of BUILT GREEN® "Gold" certification. The applicant is amenable to entering into this agreement. As part of the original recommendation, this was included as a condition of issuing the Heritage Alteration Permit. Normal practice is to prepare these in advance of the Public Hearing and revised wording is included for Council's consideration.

Land Lift Analysis

G.P. Rollo and Associates was engaged to provide an updated economic analysis of the project based on the proposed density and uses of the building and updated costs for heritage retention and seismic upgrading. The analysis determined that based on the increase in density from a floor space ratio of 1.3:1 to 1.96:1 and tenure of the building, the resulting land lift was approximately \$1.35 million. Previous analysis conducted in 2016 determined a land lift of \$3 million. The rehabilitation costs of the Heritage Registered building including seismic upgrading. are estimated by a professional quantity surveyor to be in excess of \$5.0 million, an increase of \$0.7 million from 2016. The analysis reaffirms that the costs of rehabilitating the heritage designated buildings is in excess of the projected lift in land value.

CONCLUSION

The proposed design of the development remains unaltered since Committee of the Whole last viewed the application. Revised terms for the Housing Agreement are proposed and staff are seeking direction from Council prior to advancing the applications for consideration at a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street.

Respectfully submitted,

Alec Johnston

Senior Planner – Urban Design Development Services Division Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

Andu Hade

John O'Reilly

Senior Heritage Planner

Development Services Division

Report accepted and recommended by the City Manager

Date:

Appendices

Conditions of Heritage Alteration Permit No. 00214:

- Appendix A: Mount St. Angela, 917-923 Burdett Avenue
- Appendix B: Cartreff Residence, 913 Burdett Avenue
- Appendix C: Temple Residence, 924 McClure Avenue.

List of Attachments

- Attachment A: Minutes from June 8, 2017 Council Meeting
- Attachment B: Minutes from June 8, 2017 Committee of the Whole Meeting
- Attachment C: Minutes from January 12, 2017 Council Meeting
- Attachment D: Minutes from January 12, 2017 Committee of the Whole Meeting
- Attachment E: Applicant's Letter to Mayor and Council, dated August 13, 2019
- Attachment F: Plans, dated October 7, 2019
- Attachment G: Updated Land Lift Analysis, dated April 25, 2019
- Attachment H: Committee of the Whole Report from the Meeting of June 8, 2017
- Attachment I: Committee of the Whole Reports from the Meeting of January 12, 2017.

APPENDIX A

Conditions of Heritage Alteration Permit No. 00214

Mount St. Angela

917-923 Burdett Avenue

The Heritage Alteration Permit No. 00214 subject to the following conditions specific to Mount St. Angela (917-923 Burdett Avenue):

- 1. The Applicant agrees to preserve, rehabilitate, and restore the 1866 appearance of Mount St. Angela College (917-923 Burdett Avenue) in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and as outlined in Section 4.0 of the Mount St. Angela Conservation Plan dated September 2010 by Don Luxton and Associates, and will not undertake any work that is contrary to the Conservation Plan.
- 2. The Applicant agrees to respect the hierarchy of heritage values in the preservation, rehabilitation, and restoration of Mount St. Angela as described in Section 3 of the Mount St. Angela Conservation Plan.
- 3. The Applicant agrees that all work required for the preservation, rehabilitation, restoration of Mount St. Angela will be in accordance with good engineering and heritage conservation practices.
- 4. The Applicant agrees that all work will be in accordance with the review of proposed interventions to Angela College as detailed in the Donald Luxton and Associates Heritage Review date stamped March 18, 2016, and in the plans, date stamped November 8, 2016.
- 5. The Applicant agrees to the **preservation and restoration of the exterior** of Angela College as detailed in Section 4.0 of the 2010 Conservation Plan, including:
 - i. maintain the building in its current location
 - ii. remove later intrusive alterations, including the Annex, porte-cochere, and rear additions to the structure that linked it to the Annex
 - iii. restore missing elements from the original construction period, such as replaced wooden-sash windows and the front oriel window, based on archival documentation and surviving building elements
 - iv. retain existing front entry door, as there is no clear evidence of the appearance of the original, and the door dates to an earlier intervention but is appropriate and matches interior detailing
 - v. preserve surviving original elements, including protection and stabilization
 - vi. repair exterior brickwork, rubble-stone foundation, fascia and woodwork
 - vii. repair and repaint existing wooden window sashes
 - viii. undertake seismic upgrade to current standards.
- 6. The Applicant agrees to the **preservation and rehabilitation of the interior** of Angela College as detailed in Section 4.0 of the 2010 Conservation Plan, that will make possible the building's new use for senior living, which provides interventions that:
 - i. preserve specific original features and features from later periods considered of heritage value
 - ii. rehabilitate interior spaces and services suitable for new use.
- 7. The Applicant agrees to undertake necessary seismic upgrading of the existing structure where necessary to ensure adequate and safe lateral support in the likelihood of a seismic event.

- 8. The Applicant agrees to engage a third-party "Certified Professional" architectural heritage consultant to oversee the work of contractors and tradespersons to ensure all preservation, rehabilitation, and restoration work is carried out in accordance with the 2010 Heritage Conservation Plan.
- 9. The Applicant will notify the City as soon as possible if the Certified Professional's engagement with the applicant is terminated for any reason.
- 10. The Applicant agrees, upon substantial completion of the work and prior to applying for an occupancy permit for Mount St. Angela, to provide written confirmation from the "Certified Professional" confirming that (1) all work identified in the Heritage Conservation Plan has been completed; and (2) the architectural, engineering and technical details and components of the work comply in all material respects with the requirements of the 2010 Mount St. Angela Conservation Plan.

APPENDIX B

Conditions of Heritage Alteration Permit No. 00214

Cartreff Residence

913 Burdett Avenue

The Heritage Alteration Permit No. 00214 subject to the following conditions specific to the Cartreff Residence (913 Burdett Avenue):

- 1. The Applicant agrees that they will preserve, rehabilitate, and restore the 1904-05 exterior appearance of the Cartreff Residence in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada and will not undertake any work that is contrary to the intentions of the September 2010 Mount St. Angela Conservation Plan by Don Luxton and Associates.
- 2. The Applicant agrees to respect the hierarchy of heritage values in the preservation, rehabilitation, and restoration of the Cartreff Residence as described in Section 3 of the Mount St. Angela Conservation Plan.
- 3. The Applicant agrees that all work required for the relocation, preservation, rehabilitation, and restoration of the Cartreff Residence will be in accordance with good engineering and heritage conservation practices.
- 4. The Applicant agrees to the **preservation**, **rehabilitation**, **and restoration of the exterior** of the Cartreff Residence meeting the intentions of the 2010 Conservation Plan, and that all work will be in accordance with the review of proposed interventions to Cartreff Residence as detailed in the Donald Luxton and Associates Heritage Review date stamped March 18, 2016, and in the plans, date stamped November 8, 2016, which will:
 - i. raise the historic structure 0.53m and relocate the structure 1.8 metres forward onto a new foundation within the existing property while retaining its same relative orientation to Burdett Avenue
 - ii. raise grade and landscaping to maintain its existing relationship to the historic structure and to the street
 - iii. preserve and restore the exterior facades, including repair and repaint of wood-frame windows,
 - iv. repair, replace and repaint cedar wall shingles
 - v. repair, replace, and paint wood trim
 - vi. reconstruct chimneys with existing brick after relocation
 - vii. install new aluminum gutters
 - viii. refinish exterior stucco pebble dash finish with colour consistent with recommended 2010 Conservation Plan colour historical palette, or evidence from on-site paint discoveries through paint layer scraping
 - ix. construct an addition that does not impair, and is sensitive to the function and context of, the original structure.
- 5. The Applicant agrees to engage a third-party "Certified Professional" architectural heritage consultant to oversee the work of contractors and tradespersons to ensure all preservation, rehabilitation, and restoration work is carried out in accordance with the 2010 Heritage Conservation Plan.
- 6. The Applicant will notify the City as soon as possible if the Certified Professional's engagement with the applicant is terminated for any reason.

7. The Applicant agrees, upon substantial completion of the work and prior to applying for an occupancy permit for the Cartreff Residence, to provide written confirmation from the "Certified Professional" confirming that (1) all work identified in the Heritage Conservation Plan has been completed; and (2) the architectural, engineering and technical details and components of the work comply in all material respects with the requirements of the 2010 Mount St. Angela Conservation Plan.

APPENDIX C

Conditions of Heritage Alteration Permit No. 00214

Temple Residence

924 McClure Avenue

The Heritage Alteration Permit No. 00214 subject to the following conditions specific to the Temple Residence (924 McClure Avenue):

- 1. The Applicant agrees to relocate, preserve, rehabilitate, and restore the 1906 appearance of Temple Residence in accordance with the *Standards and Guidelines for the Conservation of Historic Places in Canada* and as outlined in Section 6.0 of the Mount St. Angela Conservation Plan dated September 2010 by Don Luxton and Associates, and will not undertake any work that is contrary to the Conservation Plan.
- 2. The Applicant agrees to respect the hierarchy of heritage values in the preservation, rehabilitation, and restoration of the Temple Residence as described in Section 3 of the Mount St. Angela Conservation Plan.
- 3. The Applicant agrees that all work required for the relocation, preservation, rehabilitation, and restoration of the Temple Residence will be in accordance with good engineering and heritage conservation practices.
- 4. The Applicant agrees that all work will be in accordance with the review of proposed interventions to the Temple Residence as detailed in the Donald Luxton and Associates Heritage Review date stamped March 18, 2016, and in the plans, date stamped November 8, 2016.
- 5. The Applicant agrees to the **preservation**, **rehabilitation**, **and restoration of the exterior** of the Temple Residence as detailed in Section 6.0 of the 2010 Conservation Plan, including:
 - i. provide guidelines to relocate the historic structure onto a new foundation approximately 23m east within the existing property while retaining its same relative orientation to McClure Street
 - ii. recreate the front stone wall and stairs
 - iii. preserve and restore the exterior facades, including square but shingle wall finishes from grade level to soffit, eyebrow flares, board-and-batten finish in front gables
 - iv. retain and preserve original windows with stained glass and fixed lattice, wood trim and sills
 - v. replace aluminum sash window units with historically appropriate wood-sash windows
 - vi. retain and preserve verandah elements including square columns, capitals, wooden solid balustrade, and tongue-and-groove ceiling
 - vii. retain and preserve sleeping porch with tongue-and-groove ceiling and walls
 - viii. retain and preserve original bargeboards with decorative ends, finials, and brackets
 - ix. reconstruct the chimneys with existing brick after relocation
 - x. reinstate original exterior colour scheme
 - xi. and rehabilitate the interior
 - xii. construct an addition that does not impair the original structure.
- 6. The Applicant agrees to engage a third-party "Certified Professional" architectural heritage consultant to oversee the work of contractors and tradespersons to ensure all preservation.

- rehabilitation, and restoration work is carried out in accordance with the 2010 Heritage Conservation Plan.
- 7. The Applicant will notify the City as soon as possible if the Certified Professional's engagement with the applicant is terminated for any reason.
- 8. The Applicant agrees, upon substantial completion of the work and prior to applying for an occupancy permit for the Temple Residence, to provide written confirmation from the "Certified Professional" confirming that (1) all work identified in the Heritage Conservation Plan has been completed; and (2) the architectural, engineering and technical details and components of the work comply in all material respects with the requirements of the 2010 Mount St. Angela Conservation Plan.

4. Cycle Network Implementation Update - Fort Street Design

Motion:

It was moved by Mayor Helps, seconded by Councillor Loveday, that Council direct staff to:

- Approve the value-engineered, "complete streets" AAA Bicycle Facility in 2017/2018, and implement the three 800-1000 block crosswalk upgrades in future years;
- Amend the 2017 Financial Plan to allocate an additional \$270,000 from the Gas Tax Reserve to fund the Fort Street project, and authorize staff to proceed to tender a construction contract as outlined in this report;
- Amend the 2017 Financial Plan to allocate an additional \$110,000 from the Accessibility Capital Reserve for accessibility features for the Fort Street Bike Lane project; and
- 4. The 8 parking spots and taxi stand on 600 block of Fort Street be retained, that we fund the \$500,000 by borrowing from the infrastructure reserve and that we repay the infrastructure reserve, with interest, from revenues generated from those 8 parking meters until the amount is repaid.

Council discussed the following:

 Whether it would be beneficial to wait until an assessment of the in place design is received before major infrastructure is finished.

Carried Unanimously

Updated on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Motion:

It was moved by Councillor Lucas, seconded by Councillor Alto:

Rezoning Application No. 00466

- That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
- 2. That Council instruct staff:
 - a. To prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. That a portion of the units in the building be secured at below market rental.
- That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
- That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
 - Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped May 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. Reducing the rear yard setback from 5.4m to 4.7m
 - d. Reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
- Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.

5. Sustainability features and construction achieving the BUILT GREEN® Certification level.

The Heritage Alteration Permit lapsing two years from the date of this resolution."

Carried

For: Opposed: Mayor Helps, Councillors Alto, Isitt, Loveday, Lucas, and Young

Councillors Madoff

Application for a Permanent Change to Hours of Service for a Liquor Primary Licence (212046). D'arcy McGee's, 1127 Wharf Street (Downtown)

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council direct staff to provide the following response to the Liquor Licensing Agency:

 Council, after conducting a review with respect to noise and community impacts, does support the application of D'arcy McGee's, located at 1127 Wharf Street to extend closing hours from 1:00 am to 2:00 am on Fridays and Saturdays.

Providing the following comments on the prescribed considerations:

- a. The impact of noise on the community in the vicinity of the establishment has been considered in relation to the request to extend the hours to 2:00 am on Friday and Saturdays and is not expected be a significant issue.
- If the application is approved, the impact on the community is expected to be positive economically as the approval supports the request of the business.
- c. The views of residents were solicited via a mail out to neighbouring property owners and occupiers within 50 metres of the licensed location and a notice posted at the property. The City received one letter in support of the application and three letters opposed to the application which included a letter from the Victoria Downtown Residents Association. The letter from VDRA states a number of concerns related to densification of similar establishments with similar closing hours due the proximity of existing residential units.
- d. Council recommends the issuance of the license.

Carried Unanimously

7. 2016 Regional Growth Strategy - Dispute Resolution Process

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council advise the CRD of the City's interest in appointing a designated representative to participate in the RGS dispute resolution process.

Carried

For: Opposed: Mayor Helps, Councillors Isitt, Loveday, Lucas, and Madoff

Councillors Alto and Young

8. Lessons Learned Policy

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council receive this report for information.

Carried Unanimously

9. Public Engagement Roadmap

Motion:

It was moved by Mayor Helps, seconded by Councillor Alto, that Council endorse the Public Engagement Roadmap and direct staff to report back for final consideration after consultation.

Carried Unanimously

10. Correspondence Management Policy

Motion:

It was moved by Councillor Alto, seconded by Councillor Isitt, that Council approve the Correspondence Management Policy and include an amendment to Section D of the policy:

Correspondence received from the Federal or Provincial Government, Regional, Local and First Nations Governments within-the capital-Regional District, shall, where the subject matter warrants...

Carried Unanimously

BYLAWS

a. Bylaws for Land Use Contract Termination - Phase 1

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that the following bylaws be given first and second reading:

1. Land Use Contract Discharge (104 Dallas Road) Bylaw No. 17-055

6. LAND USE MATTERS

6.1 Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Committee received a report dated May 25, 2017 from the Director of Sustainable Planning and Community Development providing new information for the property located at 913-929 Burdett Ave and 914-924 McClure Street, also known as the Mt. St. Angela property, following the Joint Heritage Advisory Panel and the Advisory Design Panel which was held February 1, 2017.

Councillor Isitt returned to the meeting at 1:34 p.m.

Committee discussed:

- Whether a provision of low market housing will be included with a housing agreement.
- How staff are ensuring that adiverse range of housing options are available.

Motion:

It was moved by Councillor Alto, seconded by Councillor Young,

- That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
- 2. That Council instruct staff:
 - a. to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
- 3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
- 4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
 - b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped May 3, 2017.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. Reducing the rear yard setback from 5.4m to 4.7m
 - d. Reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- 4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
- 5. Sustainability features and construction achieving the BUILT GREEN® Certification level.
- 6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

<u>Amendment:</u> It was moved by Councillor Isitt, seconded by Mayor Helps, that the motion be amended as follows:

- That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
- 2. a. That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. That a portion of units in the building be secured at below market rental.
- 3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
- 4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to

discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:

- i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
- ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
- iii. Heritage Revitalization Agreement dated February 14, 2008.
- b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

On the amendment: CARRIED 17/COTW

For: Against: Mayor Helps, Councillors Alto, Isitt, and Loveday

Councillors Madoff and Young

Committee discussed:

- What may happen to the rental units and tenants following the expiration of the 20 year Housing Agreement.
- Amending the policy to require social housing and rental units for higher density projects.

Main motion as amended:

- 1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
 - 2. a. That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
 - b. That a portion of units in the building be secured at below market rental.
 - 3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
 - 4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property

- iii. Heritage Revitalization Agreement dated February 14, 2008.
- b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped May 3, 2017.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. Reducing the rear yard setback from 5.4m to 4.7m
 - d. Reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- 4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
- 5. Sustainability features and construction achieving the BUILT GREEN® Certification level.
- 6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

On the main motion as amended: CARRIED 17/COTW

<u>For:</u> Mayor Helps, Councillors Alto, Isitt, Loveday, and Young

Against: Councillors Madoff

Committee of the Whole Meeting - June 8, 2017

REPORTS OF COMMITTEES

3. Committee of the Whole – January 9, 2017

Councillor Coleman withdrew from the meeting at 8:34 p.m. due to a potential pecuniary conflict of interest with the following item, as his wife works for the Anglican Synod of the Diocese of BC.

7. Rezoning Application No. 00466 for 913-929 Burdett Avenue & 914-924 McClure Street (Fairfield) & Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Motion:

It was moved by Councillor Madoff, seconded by Mayor Helps, that a meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel be convened to consider the application for 913-929 Burdett Avenue and 914-924 McClure Street and that the report from the joint panel be included in the agenda when the application is considered by the Committee of the Whole.

That the panel be asked for comments on, but not limited to:

- 1. The relationship between the scale of the proposed development and the OCP policy that supports new additions that conserve and enhance heritage property.
- 2. Does the proposal appropriately respond to Standard 1 of the National Standards and Guidelines in respect to the removal of heritage designated elements/additions and the relocation of the Cartreff and Temple buildings
- 3. Does the proposal respond appropriately to Standard 11 of the National Standards and Guidelines in terms of new construction being physically and visually compatible with, subordinate to, yet distinguishable from, the historic place.
- 4. Does the Conservation Plan adequately address the National Standards and Guidelines and provide appropriate detail on how the proposal responds to the Guidelines
- 5. Has adequate information been provided by the applicant to support the claim that the level of Burdett Street has been raised over time and that this justifies the moving and raising of the Cartreff House.
- 6. Does the proposed landscape plan respect and retain historic landscaping appropriate to the 1860s Mt. St. Angela building and the 1905, Samuel Maclure designed, Cartreff House as outlined in the Standards and Guidelines.

<u>Amendment:</u>

It was moved by Councillor Isitt, seconded by Councillor Loveday, that the applicant be asked to reconsider the dedication of a midblock pathway between Burdett Avenue and McClure Street.

Council discussed the following:

- That the midblock pathway was not recommended by staff.
- That the heritage elements of this application should be the focus.

On the amendment: Defeated

For: Opposed:

Councillors Isitt, Loveday, and Young

Mayor Helps, Councillors Alto, Lucas, Madoff, and Thornton-Joe

On the motion: Carried Unanimously

Councillor Coleman returned to the meeting at 8:41 p.m.

7. LAND USE MATTERS

7.1 Rezoning Application No. 00466 for 913-929 Burdett Avenue & 914-924 McClure Street (Fairfield) & Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street (Fairfield)

Committee received a reports dated December 16, 2016 from the Director of Sustainable Planning and Community Development providing information and recommendations on the proposed rezoning and Heritage Alteration Permit for the property located at 913-929 Burdett and 914-924 McClure Street to amend the existing CD-10 Zone to create a new site specific zone to permit increased density and allow for the construction of a 106-unit senior's residence.

Councillor Isitt returned to the meeting at 10:37 a.m.

Councillor Loveday excused himself at 10:50 a.m. and returned at 10:51 a.m.

Committee discussed:

- Heritage buildings taking the centre stage as opposed to the new construction.
- The Advisory Design Panel and the Heritage Advisory Committee coming together for a joint meeting to discuss the proposal.
- The reasoning for not proceeding with the midblock walk way.

Motion:

It was moved by Councillor Madoff, seconded by Mayor Helps, that a meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel be convened to consider the application for 913-929 Burdett Avenue and 914-924 McClure Street and that the report from the joint panel be included in the agenda when the application is considered by the Committee of the Whole.

That the panel be asked for comments on, but not limited to:

- 1. The relationship between the scale of the proposed development and the OCP policy that supports new additions that conserve and enhance heritage property.
- 2. Does the proposal appropriately respond to Standard 1 of the National Standards and Guidelines in respect to the removal of heritage designated elements/additions and the relocation of the Cartreff and Temple buildings
- 3. Does the proposal respond appropriately to Standard 11 of the National Standards and Guidelines in terms of new construction being physically and visually compatible with, subordinate to, yet distinguishable from, the historic place.
- 4. Does the Conservation Plan adequately address the National Standards and Guidelines and provide appropriate detail on how the proposal responds to the Guidelines
- 5. Has adequate information been provided by the applicant to support the claim that the level of Burdett Street has been raised over time and that this justifies the moving and raising of the Cartreff House.

6. Does the proposed landscape plan respect and retain historic landscaping appropriate to the 1860s Mt. St. Angela building and the 1905, Samuel McClure designed, Cartreff House as outlined in the Standards and Guidelines.

Committee discussed:

- The proposed new elements having more prominence than the heritage elements.
- Concerns with the length of time this project has taken come before Committee
 of the Whole.
- The density of the property taking more priority than the heritage elements.
- Providing an invitation to all members of the Advisory Design Panel and the Heritage Advisory Committee to discuss these issues; the meeting taking place in the Ante-Chamber.

CARRIED UNANIMOUSLY 17/COTW



924 McClure St. Victoria, BC. V8V 3E7 c. 250.413.7307 o. 778-432-3550 e. arcata@telus.net

August 13, 2019

Mayor and Council, 1, Centennial Square Victoria, BC

Your Worship and Council

Re: Update on Committee of the Whole Report for the meeting June 08, 2017 Specifically rezoning application No.0046 for 913-929 Burdett Avenue and 914-924 McClure Street and Heritage Alteration Permit Application No.00214 for 913-929 Burdett Avenue and 914-924 McClure Street. (Fairfield)

We have made a number of further substantial changes to our proposed housing agreement to reflect Councils adopted Amendments to the housing agreement presented at the June 08 COTW.

"a That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.

b. That a portion of units in the building be secured at below market rental."

Inclusionary Zoning

We feel that our application includes inclusionary rezoning as part of the Mount St Angela rezoning.

The proponent has acquired property at 1046/1048 North Park to build a purpose designed building to house for 34 affordable units for people who suffer from mental illness currently housed in Mount St Angela This would be the first purpose built brand new building the VIHA program has seen and it is an important piece to the on going legacy of Mount St Angela

North Park

The Rezoning Application No. 00632 along Development Permit with Variances Application No. 00071 was approved by council at the public hearing on November 22, 2018.

The project is for 34 single room occupancy units purposed built for VIHA. This number represents 25% of the Mount St. Angela total unit count of 132.

A housing agreement would not be registered as the intended use and wording in the zoning bylaw would ensure compliance similar to a housing agreement. VIHA can only sign a 10 year lease as per their policy/mandate. The developer intends to offer VIHA or similar non profit provider similar renewal lease options in perpetuity.

The units would rent under the definition of affordable rent, affordable units, and low income threshold - based on VIHA's housing mandate.

Mount St Angela

With respect to this proposed development the developer intends to build a 132 unit strata.

The Developer will consent to the registration of a housing agreement.

The housing agreement would:

- a. Limit occupancy to seniors and their caregivers.
- b. Include 26 dedicated assisted living units, subject to a 20 year term.
- c. 50% of the units will be subject to a 20 year rental obligation and otherwise no rental restrictions will be permitted.
- d. 5 units would be dedicated for affordable rent.

This represents 5% of the remaining units and brings the total number of below market units for both projects to 39 or 30% of the total unit count.

The dedicated units are as follows:

- 1 studio unit located on Level 3 on the submitted plan (attached)
- 1 bedroom unit located on Level 4 on the submitted plan
- 1 bedroom + den unit located on Level 1 on the submitted plan
- 1 bedroom + den unit located on Level 4 on the submitted plan
- 2 bedroom unit located on Level 4 on the submitted plan

The above units would follow affordable rental units found in Schedule A of the City of Victoria's Inclusionary Housing Expectations 2019.

A revised land lift analysis reflecting the associated heritage revitalization costs & revised housing model based on the terms of reference was submitted to city staff by Rollo & Associates Land Economists in April 2019

We look forward to meeting with Council to answer any questions regarding our revised housing agreement.

Yours truly.

Larry Cecco, MRAIC, Ala Int.

on behalf of MI Ventures

MOUNT ST. ANGELA

Senior Living. Redefined.

LANDSCAPE.
SMALL & ROSSELL LANDSCAPE ARCHITECTS INC.
9012 MANAZER ROAD
90012 BG, VAZ CON
1529 (12.2867
From: (159) 61.24867
Email: design@emailandrossell.com



LI LANDSCAPELAN CONTROLLE
LI LANDSCAPELAN CONTROLLE
LI LANDSCAPELAN CONTROLLE
LI ACTIVITY ROOF GARBEN & GREEN ROOFS
LI PROPOSALS TO ALTEN HERTAGE GANDEN
WALL ON BUNDOETT REPONTAGE
LI PROPOSALS TO ALTEN HERTAGE GANDEN
WALL ON BUNDOETT REPONTAGE
LI PANTAGENER TO ALTEN HERTAGE GANDEN
WALL ON BUNDOETT REPONTAGE
LI PANTAGENER SAMPLES
PANTAGENER VIV.
REFORMER SAMPLES
PANTAGENER VIV.
REFORMER VIV.



CAZO CARTREFF - PHOTOGRAPHS

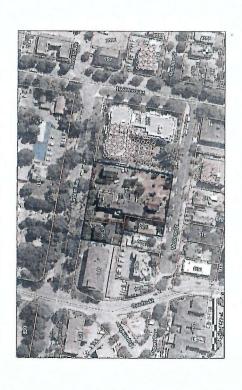
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ROURT St Angela
913-929 Burdett Ave.
Victoria B.C.

I culart
MI Culart
MI Culart
MI Culart
ANCHITECT - GRP
ARCHITECT - GRP
ARC

MOUNT ST. ANGELA
Senior Living. Redefined.

DRAWING LEGEND	J124 - LA10	A0.0	
DRAWIN	S NOTED	Out 07 2019	All surround



PARKING CALCULATIONS

901 NUMBER OF STANDARD UNITS: ASSISTED CARE UNITS 37.1 5.2 43 PARKING REQUIRED: slandard units 35 x 106 assisted care 26/5 Total unit stalls required Total unit stalls provided

Vistors parking
1.1 funit 11x 132
Total vistor stalls required
Total visitor stalls provided Total unit stalls required Total parking provided

NOTE: partiting not calculated for bistroicaria as it is part of seniors complex and not a public amenity

Parking breakdown underground for units underground for visions Sufface- vision surface- vision HC service vehicle for all parking provided BICYCLE PARKING

PARKING PROVIDED
dass 1 - secure underground
dass 2 - 1 Space rack at
entrance
TOTAL PROVIDED standard units 1 x 105
assisted care 26/15
class 2
TOTAL REQUIRED

OCP - Guidelines Site within 200 m of the designated Core Residenti

Built Form - Multi-unit residential Built Form - Buildings up to six storeys

Uses - Diversity of mixed housing types - meets community services

Keay architecture Itd.

CONSULTANT

Open Spacu- 38% 2048 m2 (22,052 sq. ft.)

Parking/McClura Stant Lavel - 356 mZ (3944 sq. ft.)
Lavel - 7252 mZ (725 552 sq. ft.)
Lavel - 7252 mZ (725 sq. ft.)
Lavel - 7252 mZ (1855 sq. ft.)
Lavel - 1753 mZ (1855 sq. ft.)
Lavel - 1759 mZ (1755 sq. ft.)
Lavel - 1759 mZ (1755 sq. ft.)
Lavel - 1759 mZ (1755 sq. ft.)
Lavel - 1759 mZ (1254 sq. ft.)

Total Floor Area - Proposed 10,638 m2 (114,504sq. it.)

Proposed Set Backer
Froposed Set Backer
From (Brownin; 81-5m
Reve (Norches); 4.7m building 8.3.3 m stains
See Yord (East); 3.6m Carteria
Side Yord (Ness); 1.7m Carteria sinf
3.0m building
Internor Yard (South; 3.1m

Residential Units

Minimum Unit Floor Area - 23 m2 (assisted living unit) Maximum Unit Floor Area - 84 m2

Senior Living. Redefined.

MOUNT ST. ANGELA

Parking - as per schedule c - refer to parking plan s required - 43 stalls — proposed - 13 stalls visitor required - 4 stalls —proposed - 4 stalls service vehicts proposed - 1 stalls

Bicycle - as per schedule c - refer to parking plan Class 1

PROJECT DATA

913-929 Burdett Ave. Victoria B.C. Mount St Angela

Project Address - \$13-929 Burdait Ava. 3, 914 McClure ST.
Legal Description - Lot 1, Christ Chart Trate Estable
Lot 2, Christ Churt Church Trate State
Victorio Chy, Pleav Pop 232
Lot 2, Christ Church Church Trate State
Victorio Chy, Viper234
Lot 22, Block 6, Plea 35, Section CCT, Victoria

& Norwood Group cuerr MI Ventures

ARCHITECT - CRP

Zone - CD-10, R-K

Site Area - 5429 m2 (58,437 sq. ft.) FSR - Allowed 2.1 Proposed 1.96

Site Coverage - existing 1354 m2 (14,574 sq. ft.) - 25 % - proposed 2667 m2 (28,922 sq. ft.)- 49.4% - allowed 43%

DArcata

COMMENTS

Floor Area -

Total Number of Stories Proposed -1 @ 8 Story Existing - Unchanged

Unit Gount - Parking McClure Street Level - 4 units Level - 75 units Level - 175 units Level - 17 units + 13 assisted Level - 15 units + 13 assisted Level - 10 units + 10

Total Number of Units - 132

Class 2 required - 7 proposed - 1 rack for 8 required - 107 stalls proposed - 108 stalls

CONTEXT PLAN PROJECT DATA

A1.0 AS NOTED BATE ACTUE Col. 97 2010 GALARI EV

Vancouver Street SURVEY PLAN

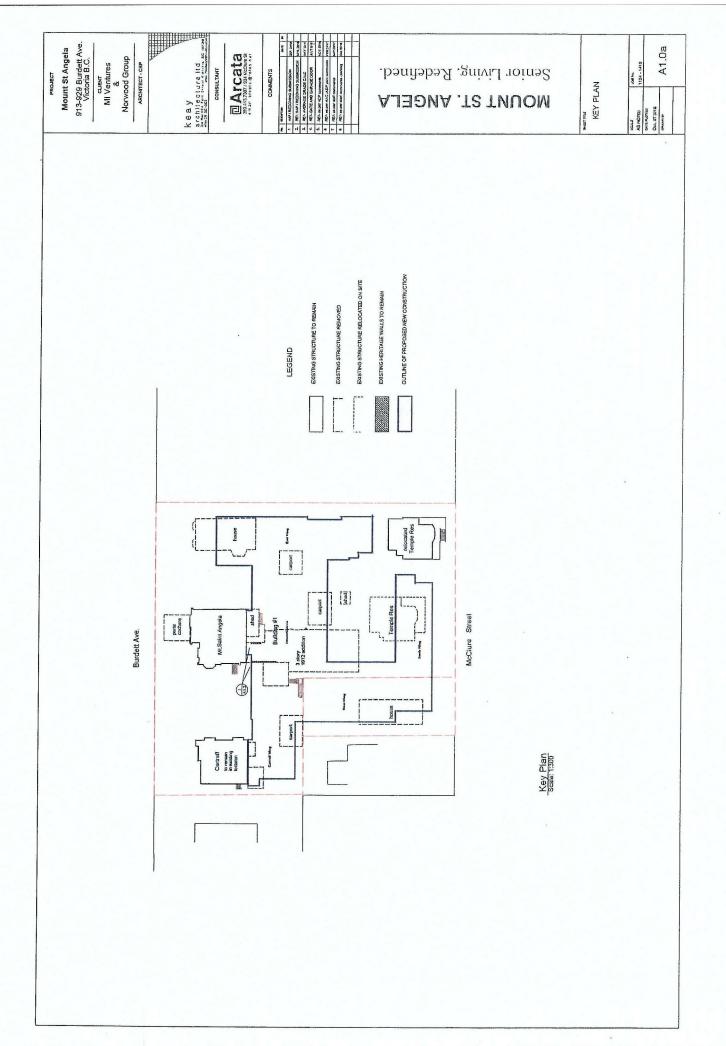
CONTEXT PLAN SCALENTS

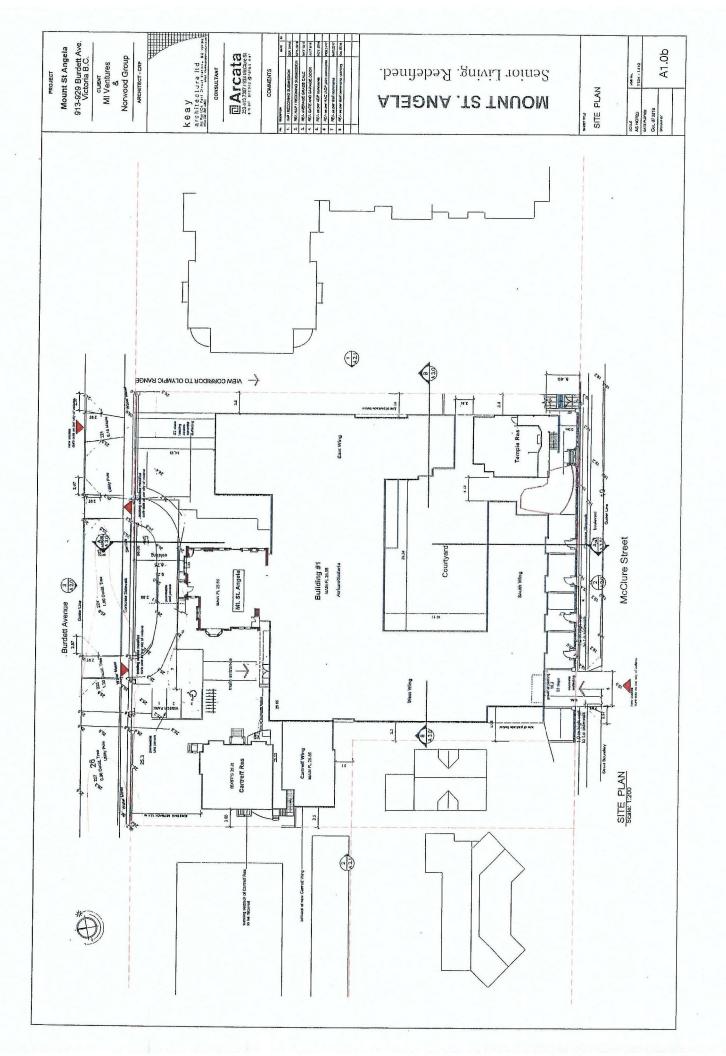
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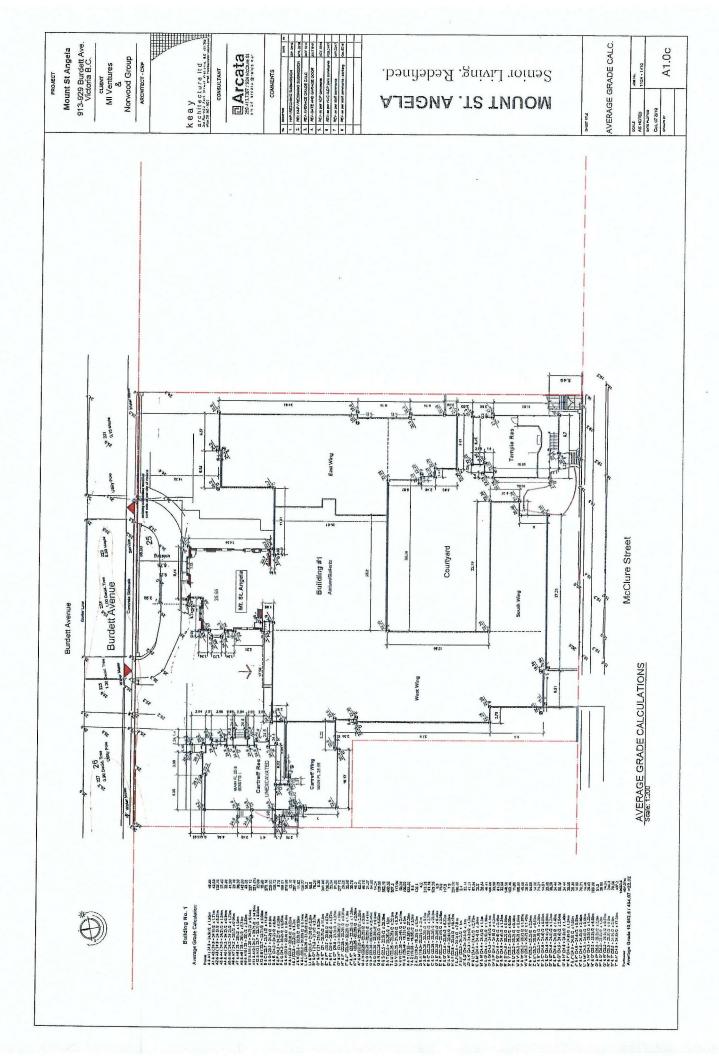
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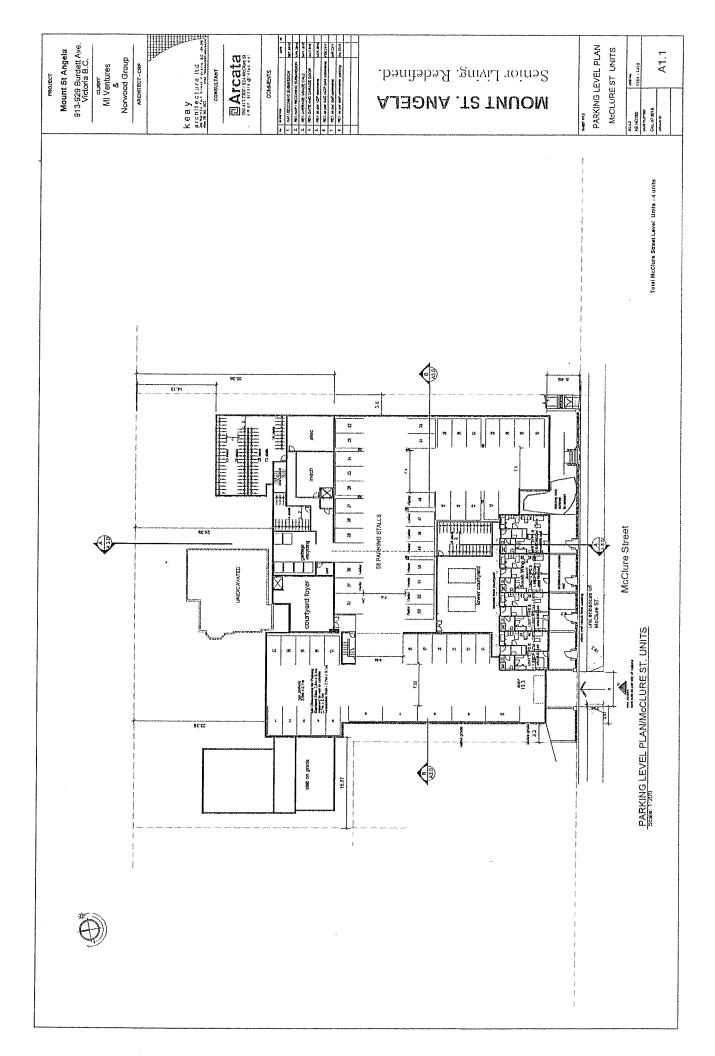
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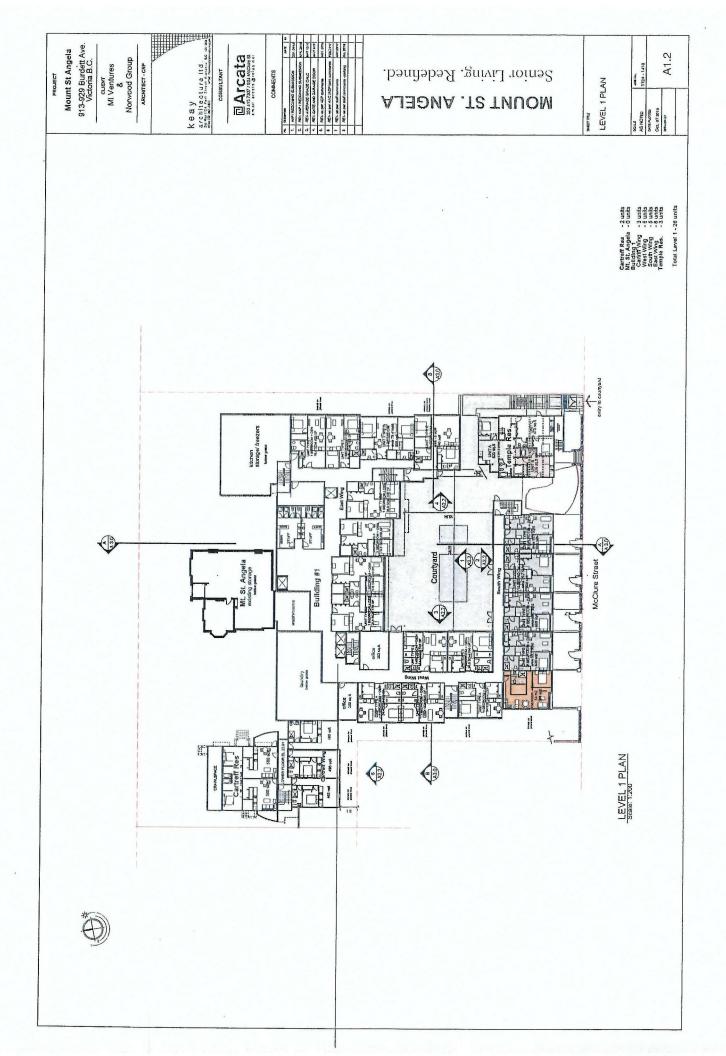
Total Control

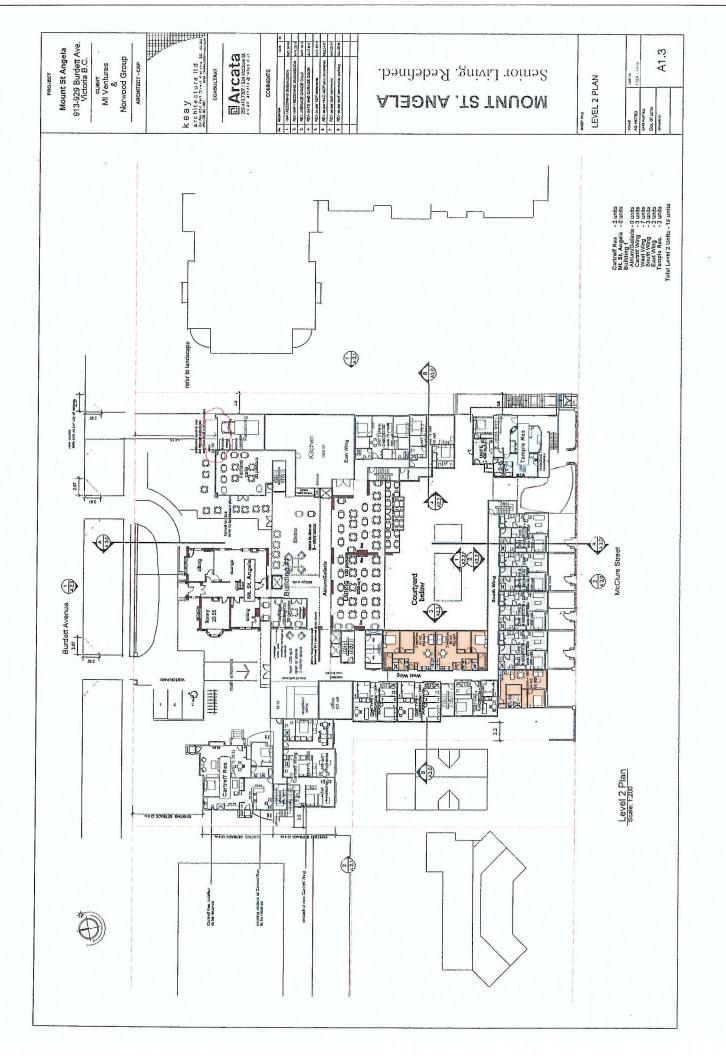


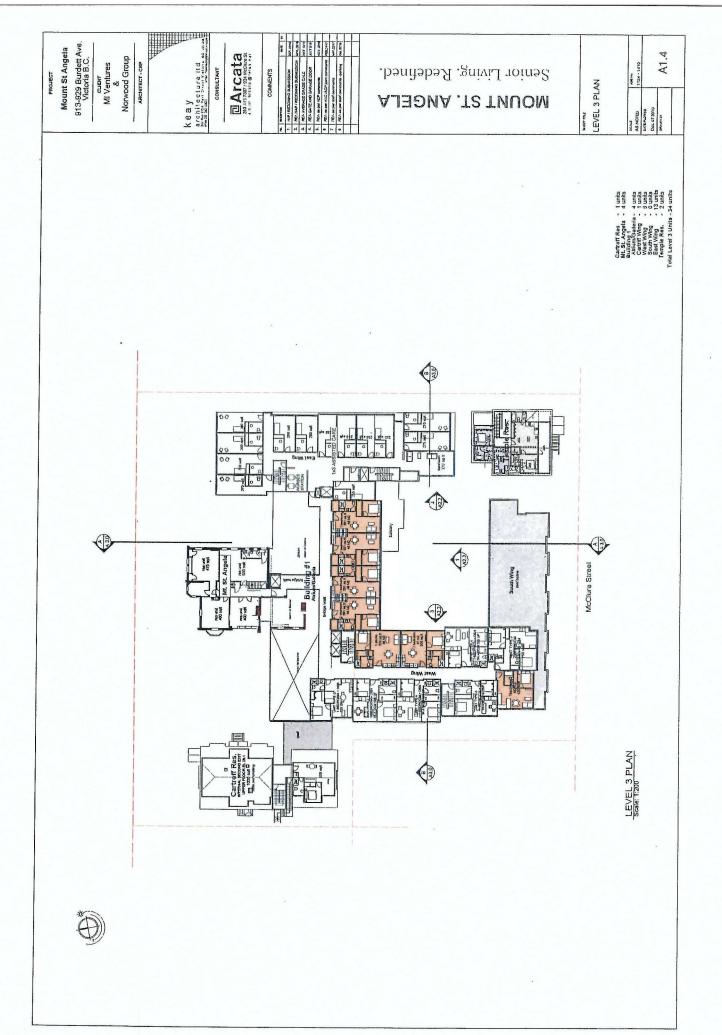


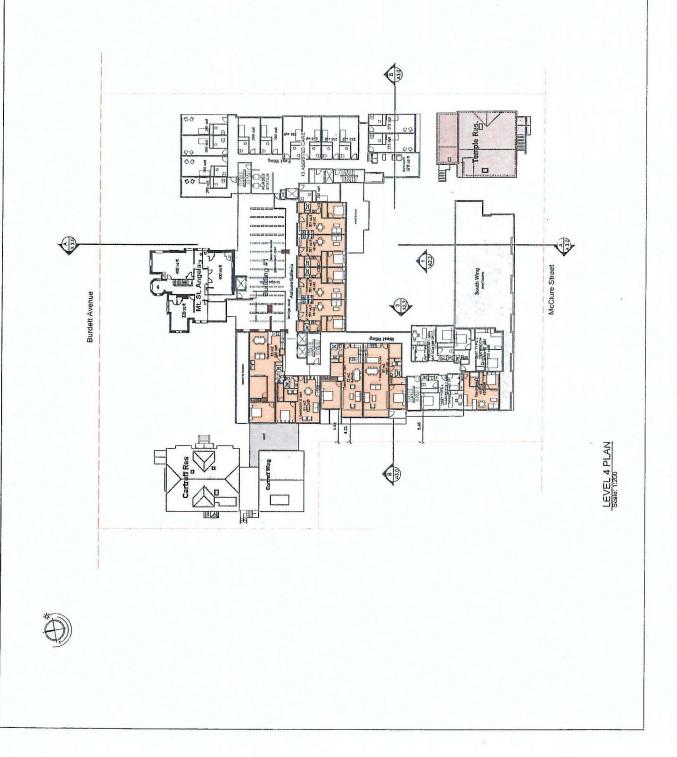












Mt. St. Angela - 3 units
Building 1
Aufun/Galleria - 4 units
West Wing - 8 units
East Wing - 13 units
Total Level 4 Units - 28 units

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Mount St	913-929 Burdett. Victoria B.C.	MI Ventures	Norwood Graup	ARCHITECT - CRP	Gay rchitecture ltd	CONSULTANT	DArcata	COMMENTS	GIOVIDA	HAR I RETOINING SUBMISSION	NEV. NAP / RETONING SUGARSSICH	אביו איפוע מב מעם באנב	REV. CATE AND CARACE DOOR	PC/Last per ACP connerts	AEV- se per rivid MDP joint comments	ICI. se per stalf commerce	AE/ as per start comments - serteng	The second second

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	LAN	-C4 No.	1124 - 1410			A1.5	
Section 2	LEVEL 4 PLAN	2000	AS NOTED	DATE HUTTED	Oct. 07 2010	December	



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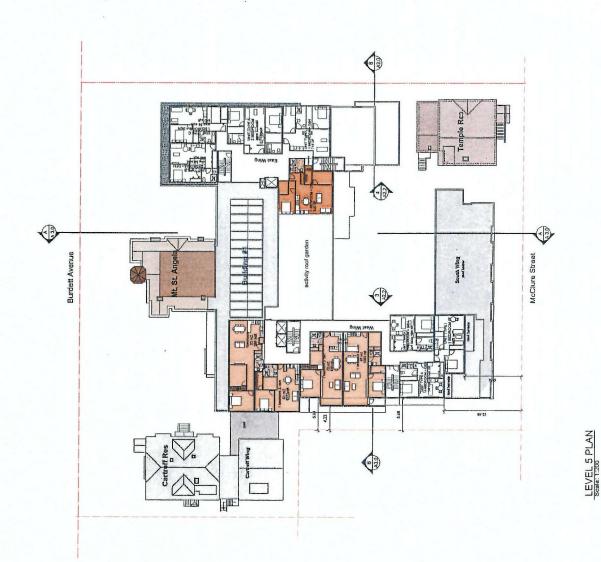
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913-929 Burdett Ave. Victoria B.C. Mount St Angela

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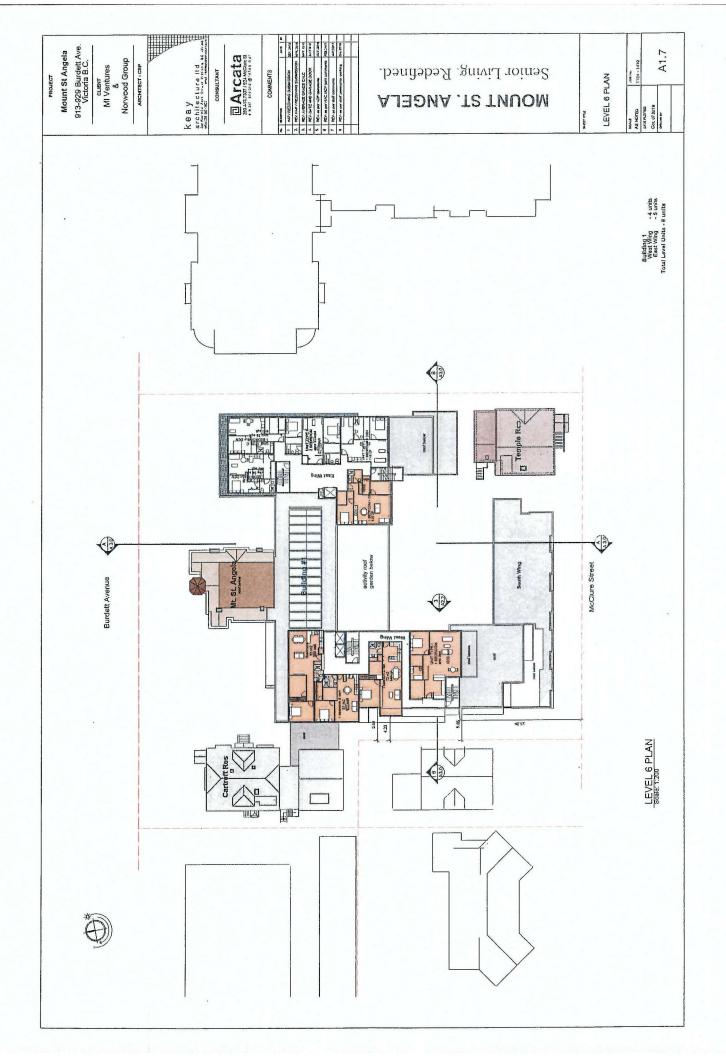


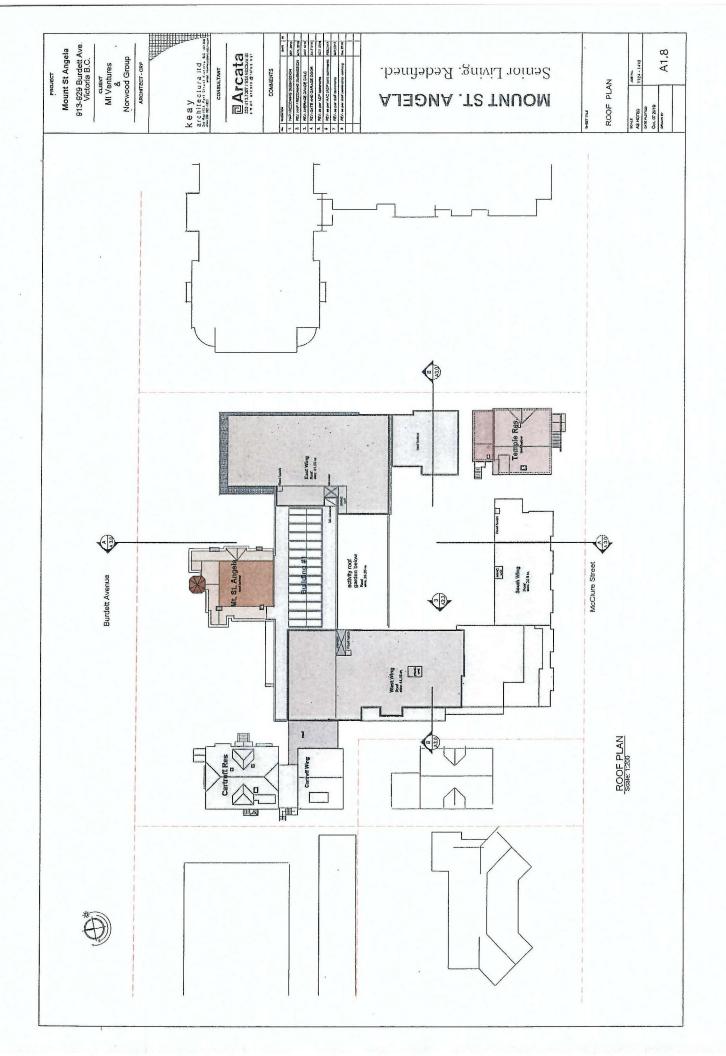
Building 1
West Wing -7 units
East Wing -5 units
Total Level 5 Units -12 units

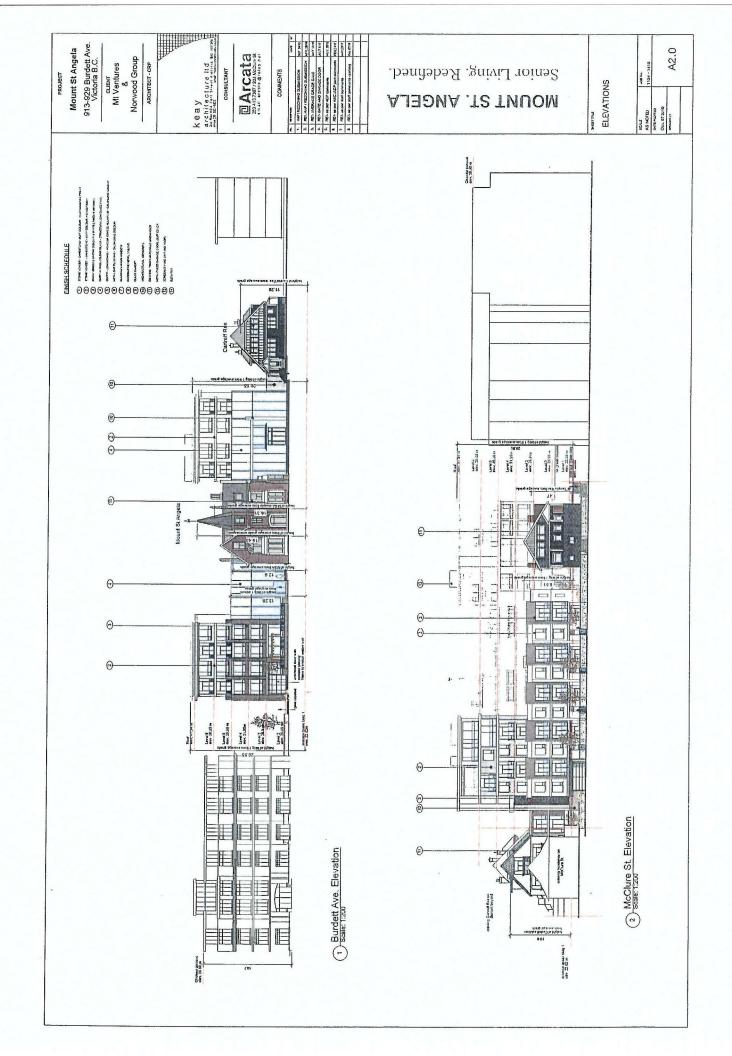
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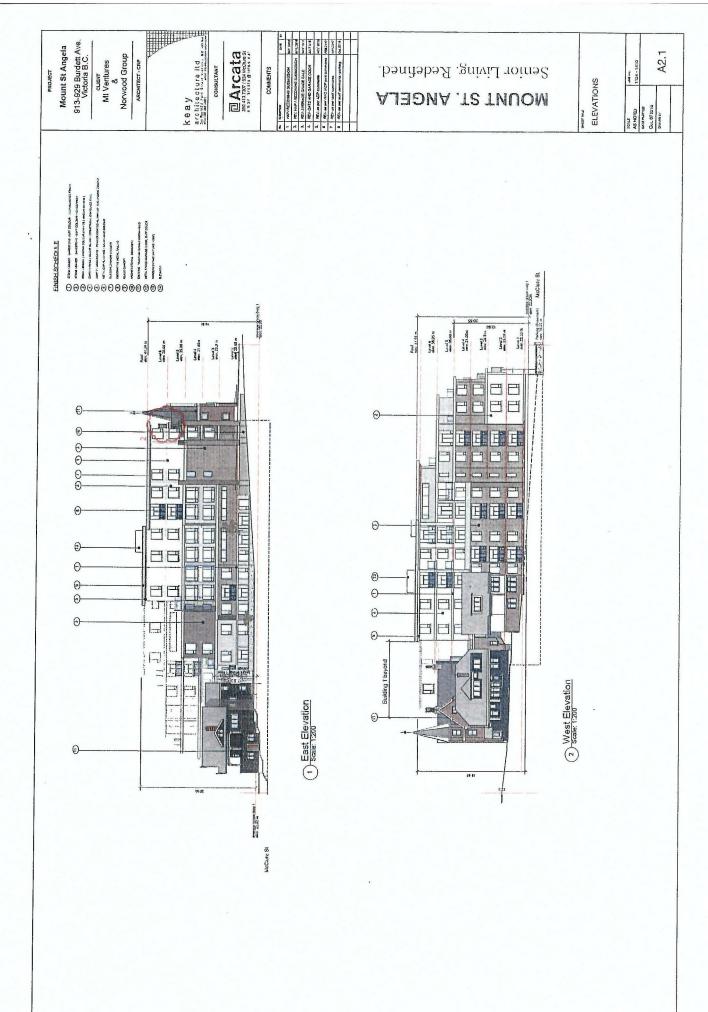
LEVEL 5 PLAN

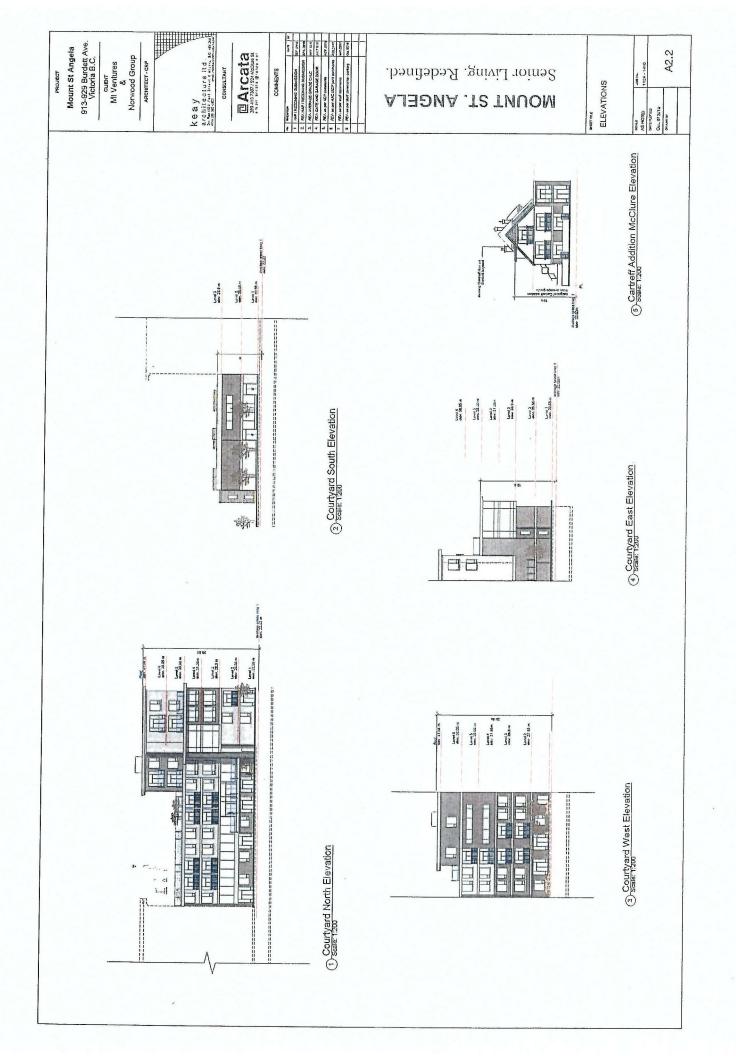
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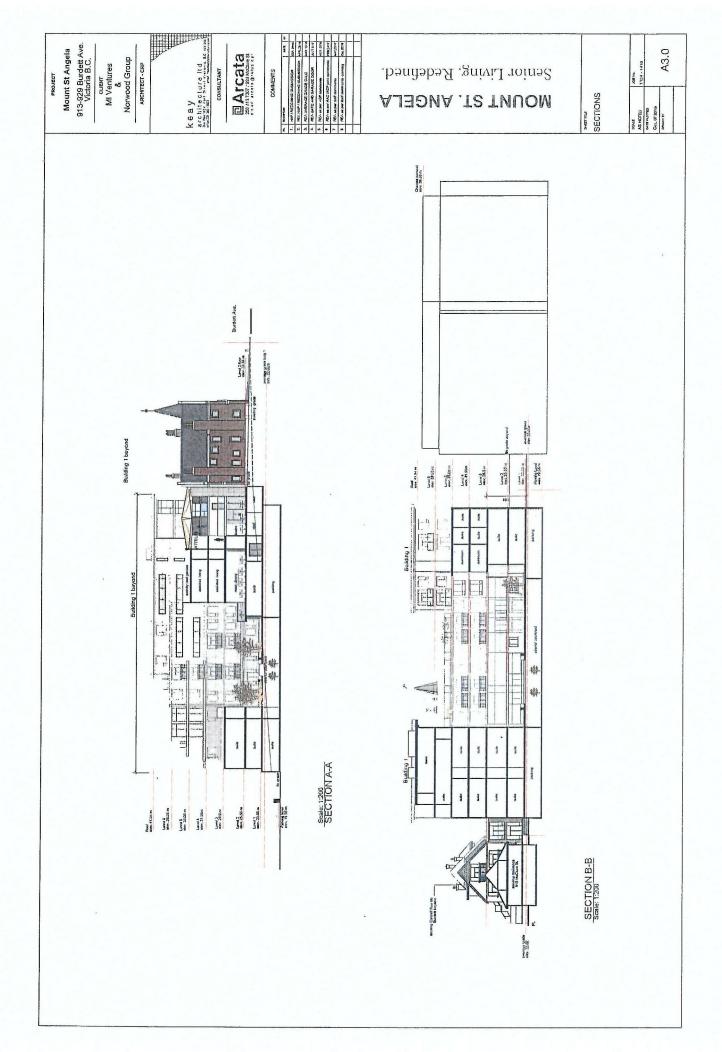


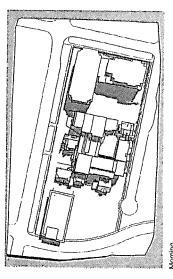




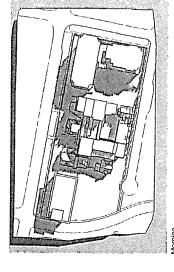


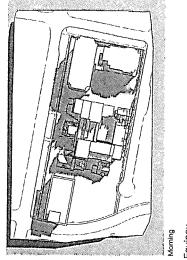




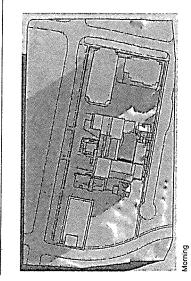


Summer Solstice

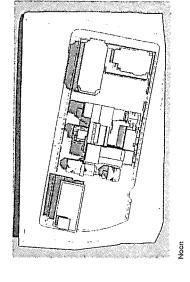




Equinox



Winter Solstice







Mount St Angela 913-929 Burdett Ave. Victoria B.C. cusm Michiters & Nowwood Group





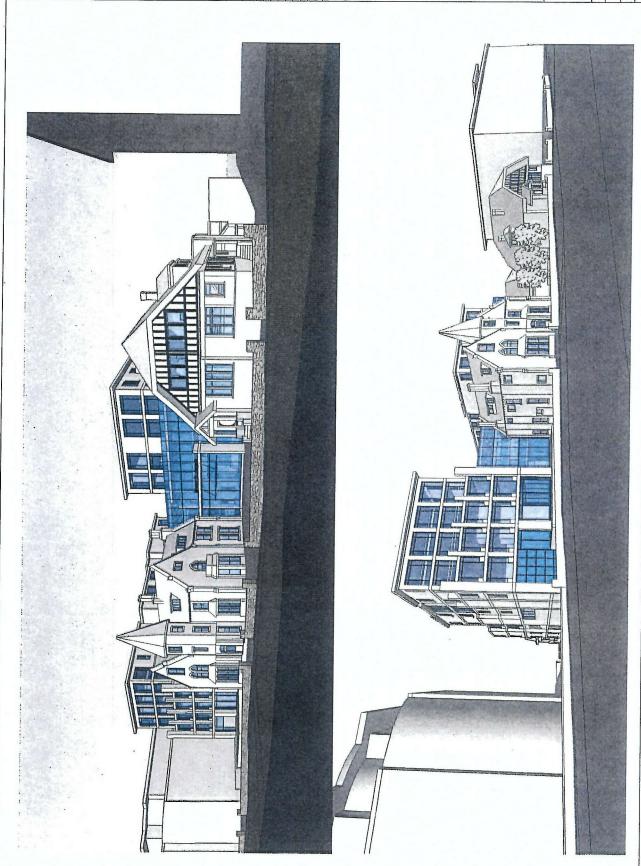
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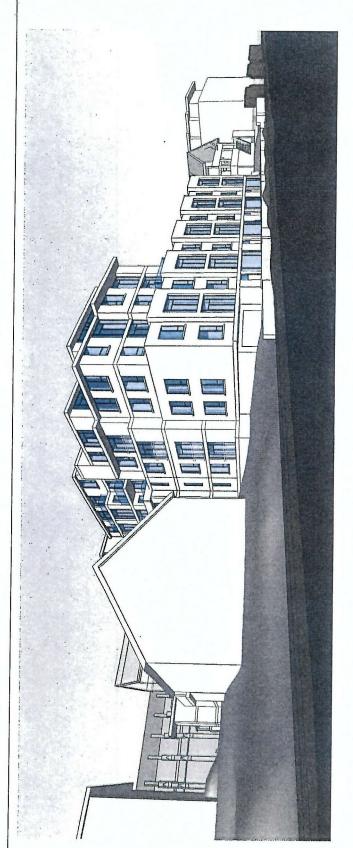
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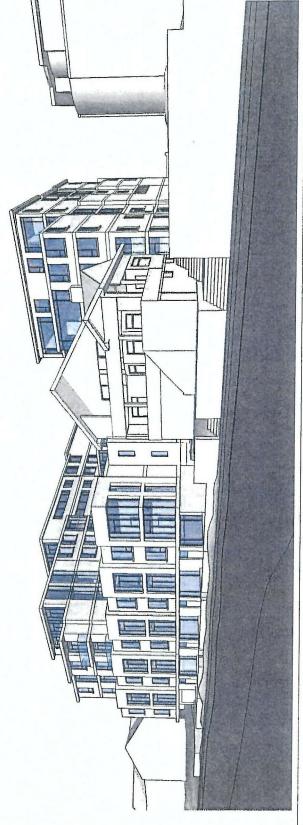
Mount St Angela 913-929 Burdett Ave. Victoria B.C.

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A 7.1 Perspectives

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Limited view of cathedral tower behind existing residence

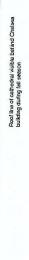
Current Conditions: McClure St. views looking north toward Christ Church Cathedral. (Photos taken from the south sidewalk on McClure St.)

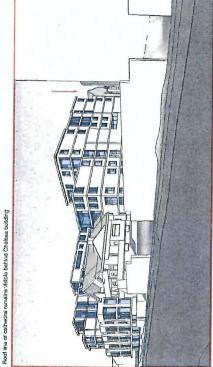


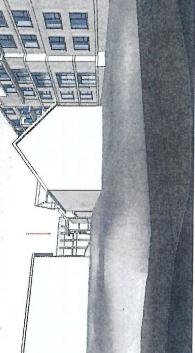
Limited view of cathedral tower trough trees during fall season











New Conditions: Views of Christ Church Cathedral will be maintained

Roof line of cathedral remains visible duning fall season

Keay architecture Itd 913-929 Burdett Ave. Victoria B.C. Mount St Angela DArcata & Norwood Graup MI Ventures ARCHITECT - CRP Senior Living, Redefined.

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Perspectives-Public views of Christ Church Cathedral from McClure St.	-06 Ms. 1124 - 1410		A 7.3	
Perspectives-Pul of Christ Church rom McClure St.	DOLLE AS NOTED	Oct 07 2019) a thread	



View at the corner of Sutlej St. and Vancouver St. looking north toward Christ Church Cathedral during fall season. Proposed project does not impinge on current view.



View at the corner of Collinson St. and Vancouver St. looking north toward Christ Church Cathedral during fall season. Roof and tower are visible here. The roof line of the proposed project does not impinge on current view.

1:1500 Sight Lines



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View at the corner of Humboldt St. and Vancouver St. looking north toward Christ Church Cathedral, no view from this location.

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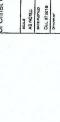
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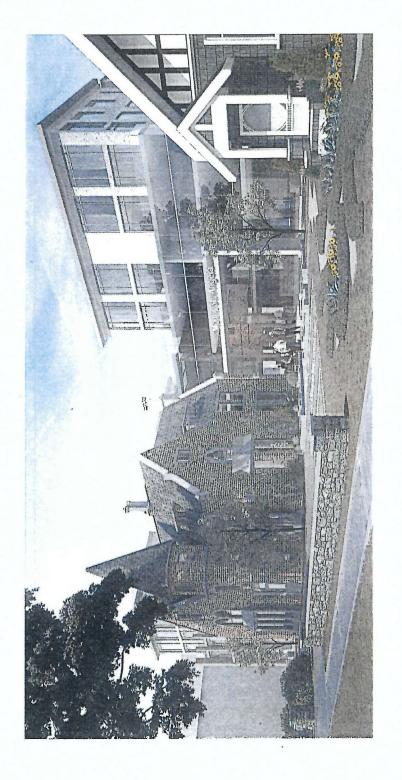


View at the corner of Quadra St. and Burdett Ave. looking south toward proposed project during fall season.



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View from Burdett Ave.

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View along Burdett Ave.

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View along McClure St.

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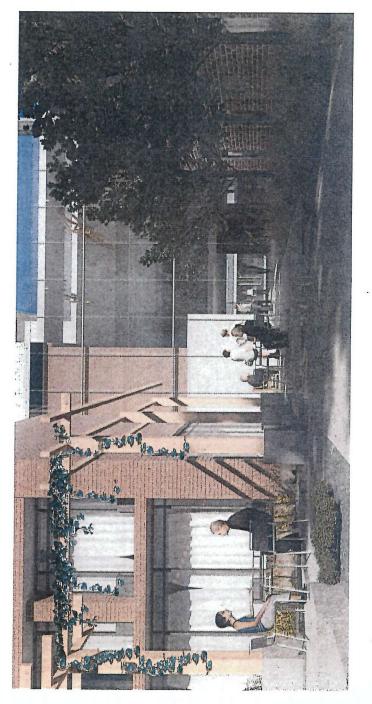
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View along McClure St.

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Courtyard entrance off Burdett Ave.

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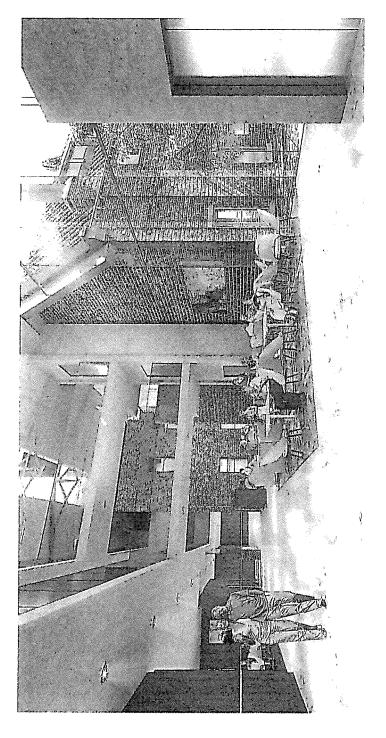
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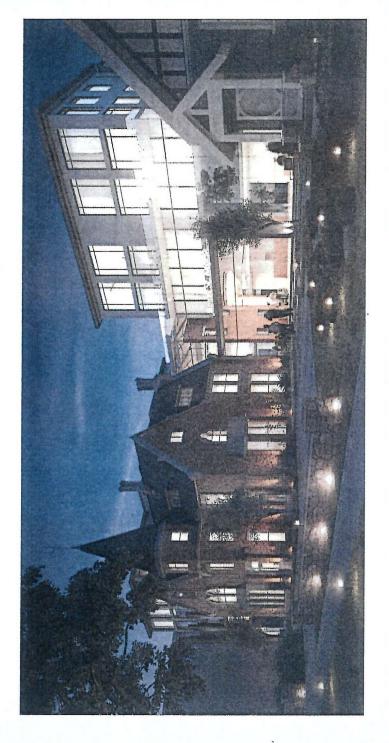
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Atrium View

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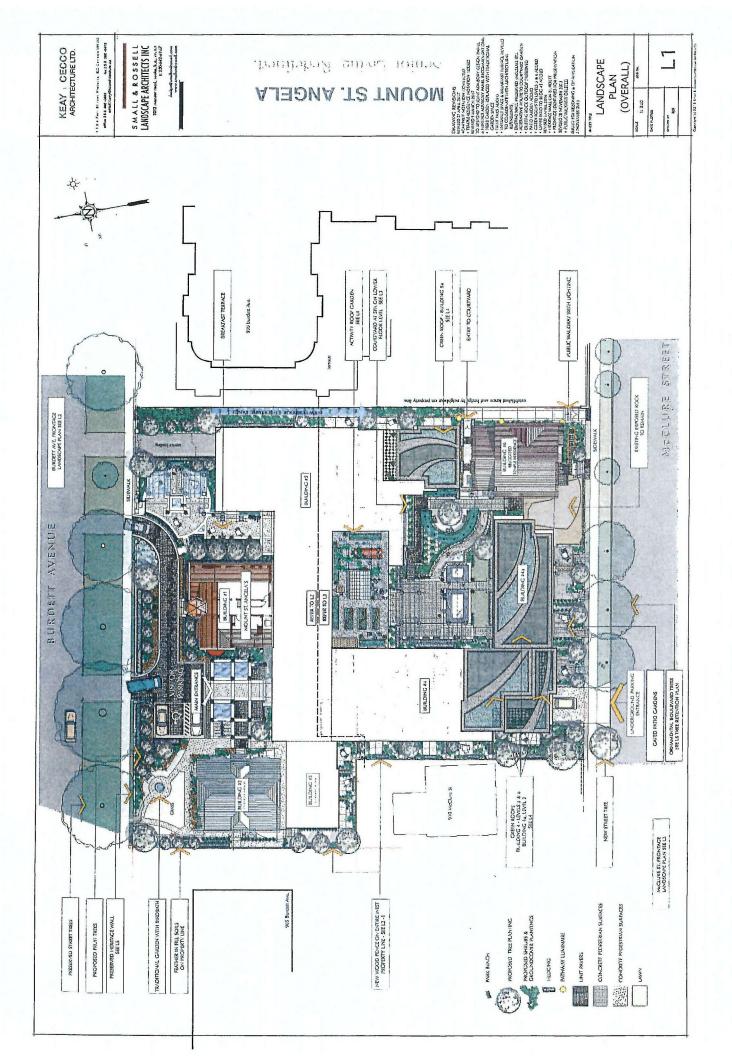
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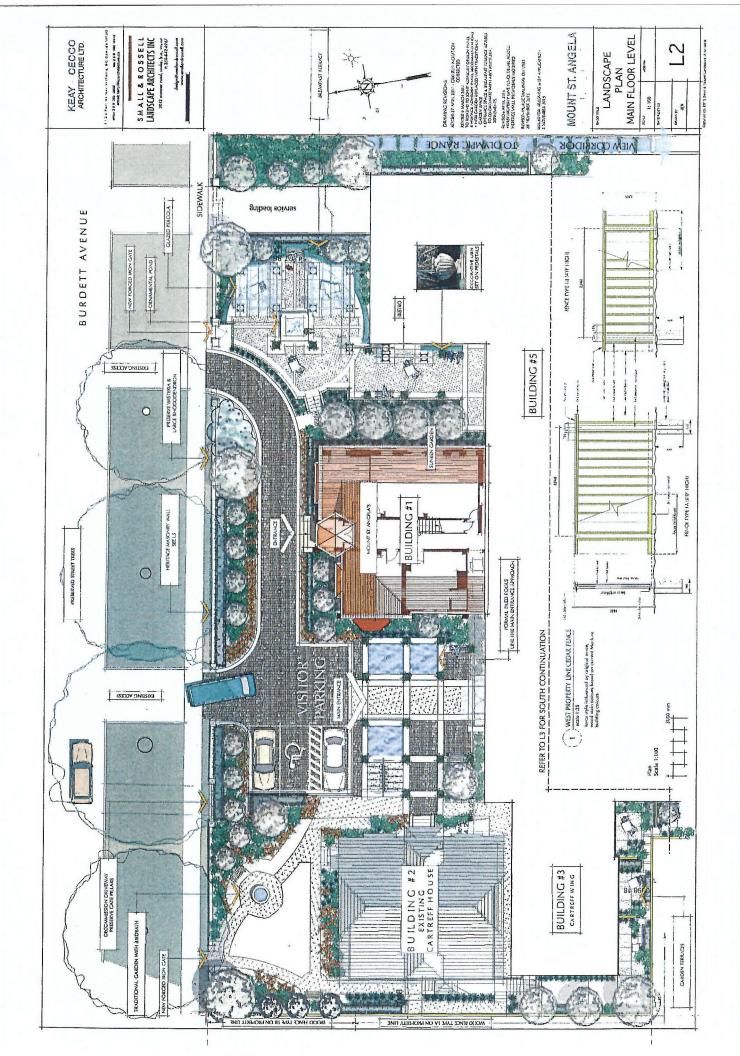


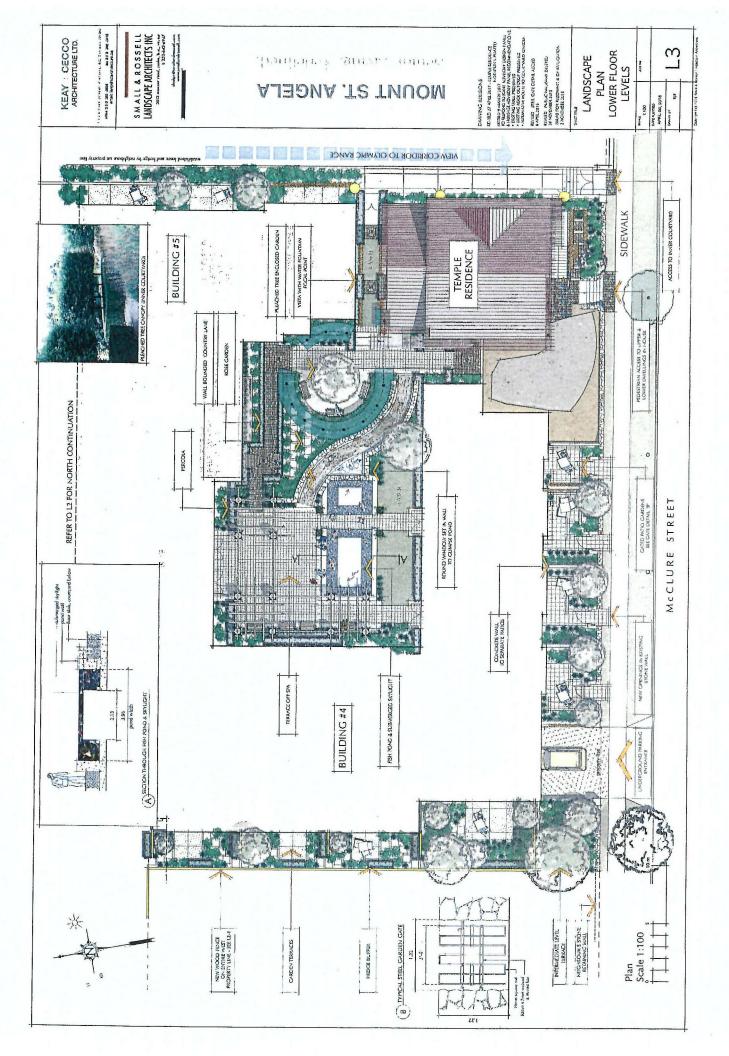
Entrance at night

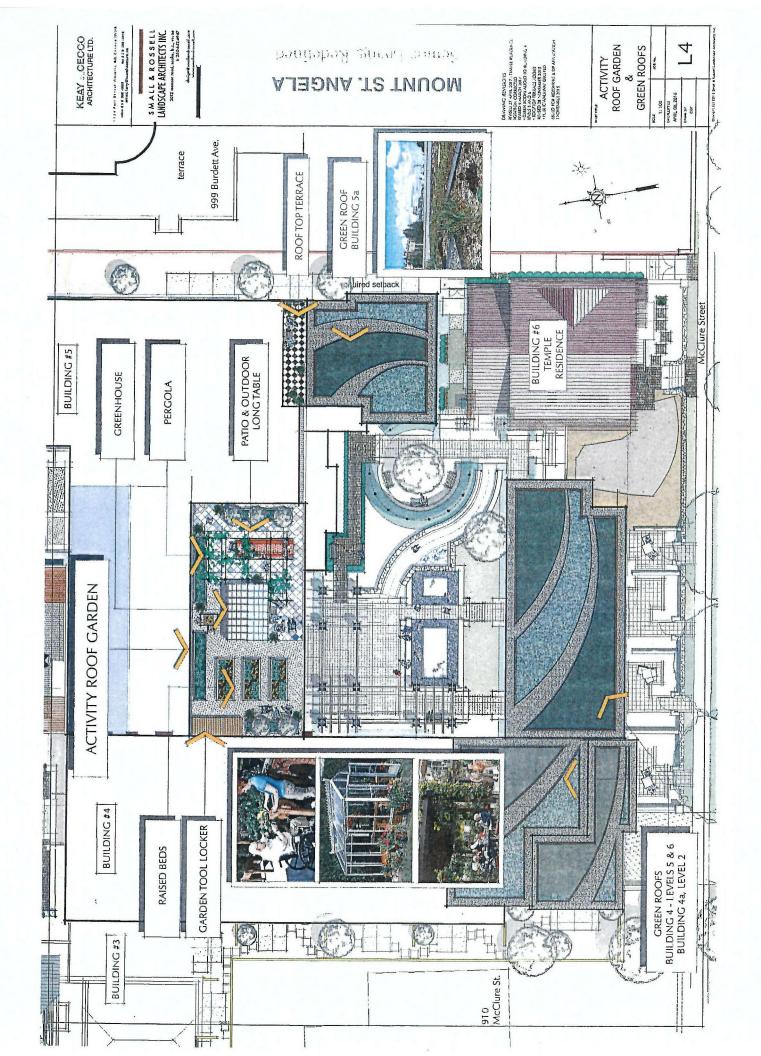
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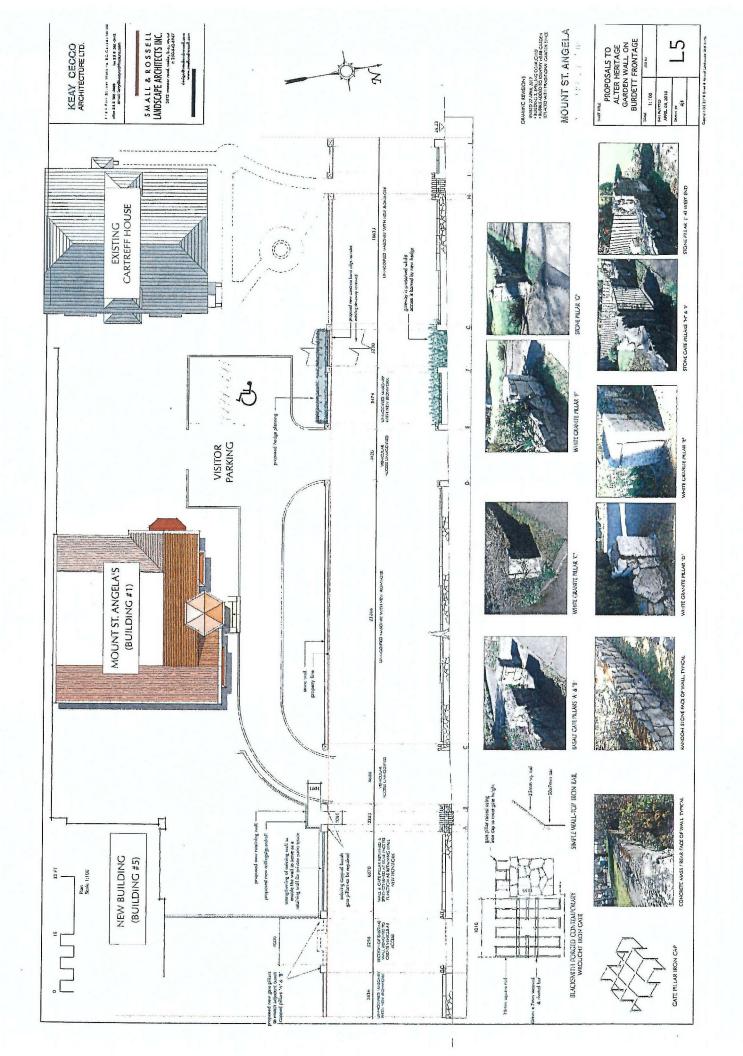
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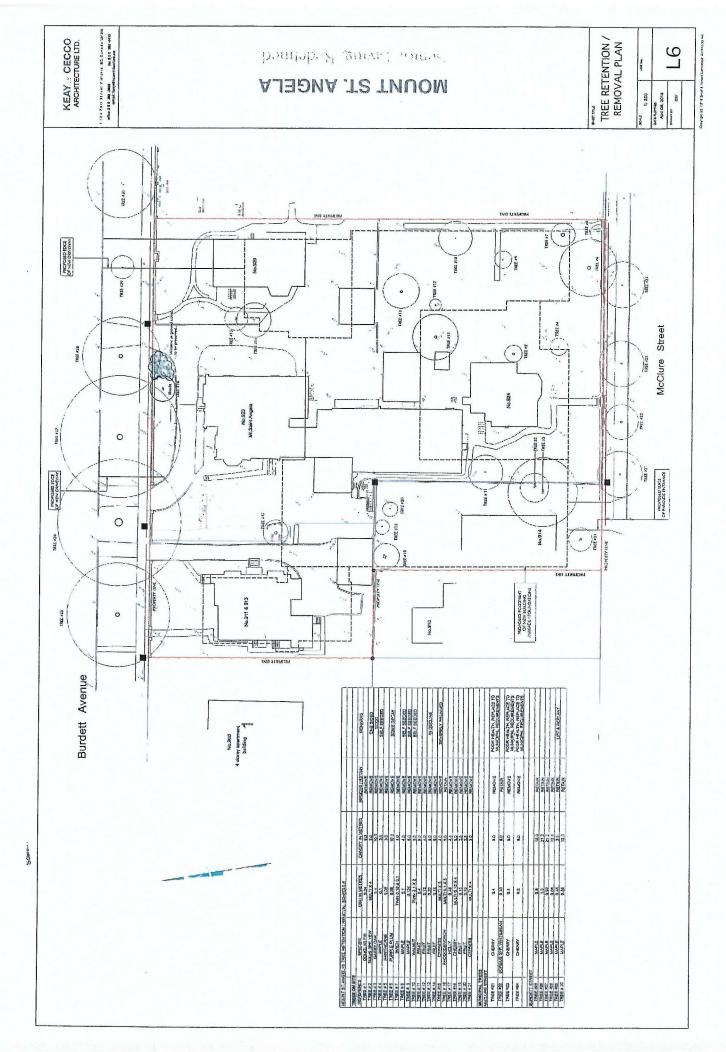


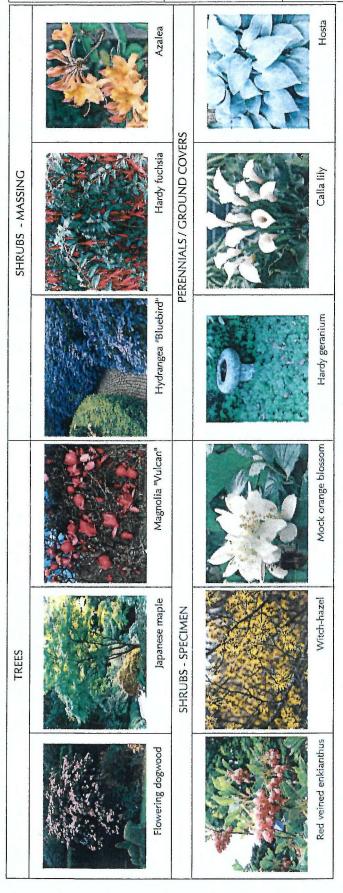












	TOTAL OCCUPATION OF THE STATE O	NUMBERS			PLANT SCHEDULE, INDICATES TYPICAL	PLANT SCHEDULE, INDICATES TYPICAL, SPECIES, PLANT SIZES AND APPROXIMATE NUMBERS	TE NUMBERS		
BOTANICAL NAME	COMMON NAME	23.5	CUANTITY	COMMENTS	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY	COMMENTS
REES			B		PERENNIALS / GROUND COVERS (40%, -481 sam @ 3 / sam = 1283 plants)	- 481 sam @ 3 / sam = 1283 plants!	#1 pots	1383	
ACER PALMATUM	JAPANESE MAPLES	#5 #15 pols		SPRING / AUTUMN COLOUR	ARCTOSTAPHYLOS UVA URSI	KINNIKINNIK			NATIVE SPP
CORNUS KOUSA "SATOMI"	PINK FL. DCGWOOD	ACM CALIPER		FLOWERS	GERANDM MACCHORHIZLIM	HARDY GERANDM			DROUGHT RESISTANT
CARPINUS BETULUS FASTIGIATA	HORNBEAM	SCM CALIPER		PLEACHED	HOSTA VARIETIES	PI ANTAIN LILY			FOLIAGE
WAGNOLIA VARIETIES	MACNOLIA, EVERGREEN & DECIDUOUS	4/5CM CALIPER		FLOWERS	LIGULARIA DENTATA	UGULARIA			FOX !AGE
STYRAX JAPONICA	BELL FLOWER TREE	SCM CALPER	200000	FLOWERS	POLYSTIC-UM MUNITUM	SWORD FERM			NATIVE SPP
FRUIT TREES	HERITAGE VARIETIES	45 - #10 pols	10	FRUIT L'HERITAGE VALUE	ZANTEDESCHIA ASTRIOPICA	CALLALICY			FLOWERS / FOLIAGE
BOULEVARD									
SPECIES AS REQUESTED BY CITY PARKS		SCM CALIPER		IN BOULE/ARD	GREEN ROOF 312 SQ M.	The second secon			
					SEEDUM MATS TO COVER 32 SO M & PLANT PLUGS	PLANT PLUGS			EVERGREEN
SHRUB PLANTING - TOTAL AREA 1153 SOM	3				PLANT PLUCS		10cm POTS	100	
SPECIMEN SHBIRS (10% - 115 som & 1 som a 15 niants)	/ some to a leader!	NA SAR BOLD	36		ALLIUM CERNUM	NODDING ONION	10cm		NATIVE BULB
		TA LOS COMPANIES	75	Take the factor of the factor of the	CALAMAGROSTIS STRICTA	MARROW LEAVED REED CRASS	10cm		FOUNCE
ARBUTUS UNEDO COMPACIA	STRAWBERRY TREE			FRUT	CERANAIM MACCRORHIZUM	CRANESBILL	10cm		POLIACE
AZALEA VARIETIES	AZALEAS, DECIDIOUS & EVERGREEN			SPRING COLOUR	HELICTOTRICHON SEMPERVIRENS	BELLIE DAT GRASS	10cm		DROUGHT TOLERANT
ENKIANTHUS CAMPANULATUS	ENKIANTHUS			FLOWERS	KNIPHOFIA BORDER BALLET	RED HOT POKER, DWARF.	10cm		BIRD ATTRACTOR
HAMEMELIS X INTERMEDIA	WITCHAZE.			SPRING FLS / FRAGRANCE	LAVANDULA STORCHAS	SPANISH LAVENDER	10cm		DROUGHT TOLERANT
HYDRANGEA VARIETIES	HYDRANGEAS			FLOWERS	PENSTEMON FRUITICOSUS	BUSH PENSTEMON	10cm		DROUGHT TOLERANT
PHILADELPHUS "BELLE ETOILE"	MOCK ORANGE BLOSSOM			SUMMER FLS I FRAGRANCE	SEDUM SPECTABILE "AUTUMN JOY"	SEDUM SPECTABILE	10cm		AUTUMN INTEREST
RHODODENDON SPP.	RHODO VARIETIES			SPRING COLOUR / EVERGREEN	STIPA TENINSSIMA	IMEXICAN FEATHER GRASS	10cm		FOLIACE
VIBURNUM X BODNANTENSE 10AWN1	WINTER FL, VIBURNUM			WINTER FRAGBANCE					
and the same of th					1. PLANT SCHEDULES.				
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AVENDULA ANGUSTIFOLIA "HIDCOTE"	ENGLISH LAVENDER			THE PERSON IN	WILL BE PROVIDED.				
ONICERA TIMIGGY	DWARF SHRUBBY HONESUCKLE			DROUGHT RESISTANT	2. LANDSCAPE STANDARDS				
ROSA VARIETIES	SHRUB ROSES			GOLDUR / FRAGRANCE	SOFT LANDSCAPE MODER STATE	SOFT I AND SCADE WOODER SHALL BE CARRIED OF IT IN ACCORDANCE MATERIAL THE GACARDAN OF THE PARTY.	NANTU TUE DO	O STACLIST	TO THE PATER
SARCOCCOA RUSCIFOLIA	FRAGRANT WINTER BOX			FRAGRANCE / DROUGHT RESISTANT	BC LANDSCAPE STANDARD. SOF	BC LANDSCAPE STANDARD. SOFT LANDSCAPE WORKS SHALL BE IRRICATED WITH AN AUTOMATED LOW VOLUME	ICATED WITH	AN AUTOM	NED LOW VOLUME
					UNDERGROUND IRRIGATION SY	UNDERGROUND IRRIGATION SYSTEM IN ACCORDANCE WITH APPLICABLE PLUMBING REGULATIONS. AND INSTALLED TO THE	ICABLE PLUMB	ING REGUL	ATIONS AND INSTALLED

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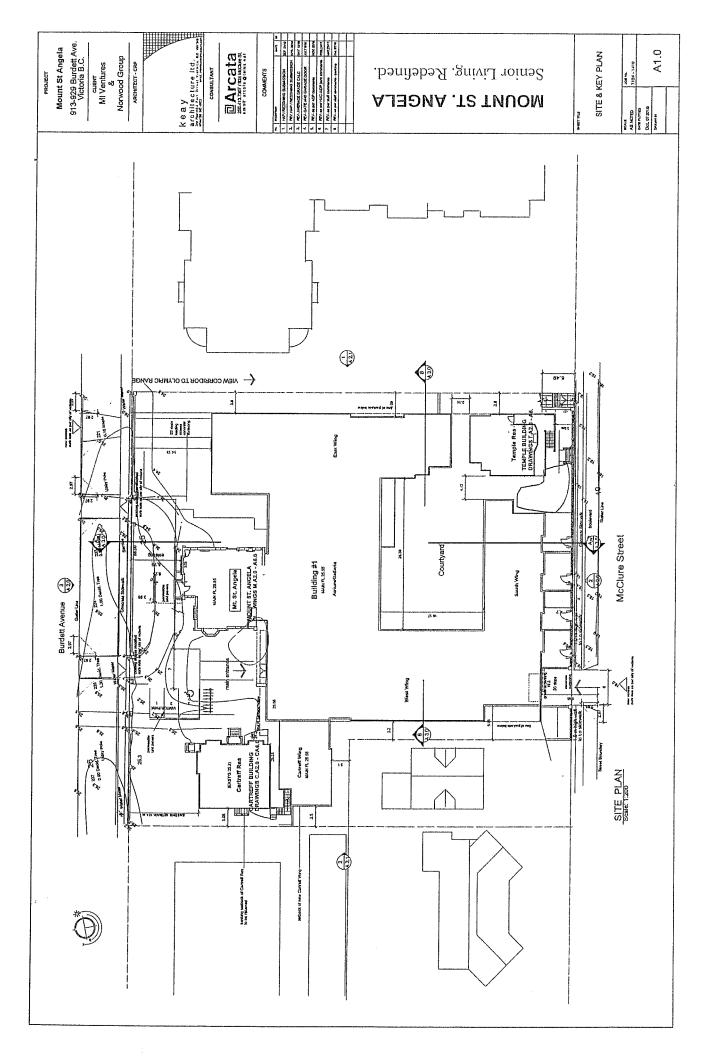
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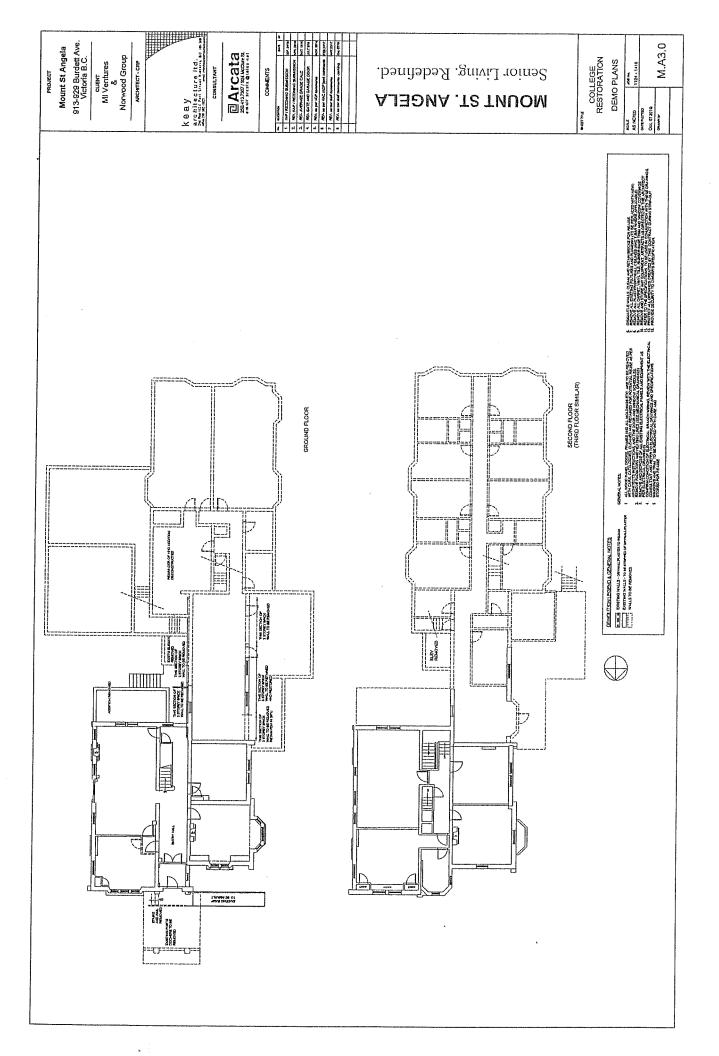
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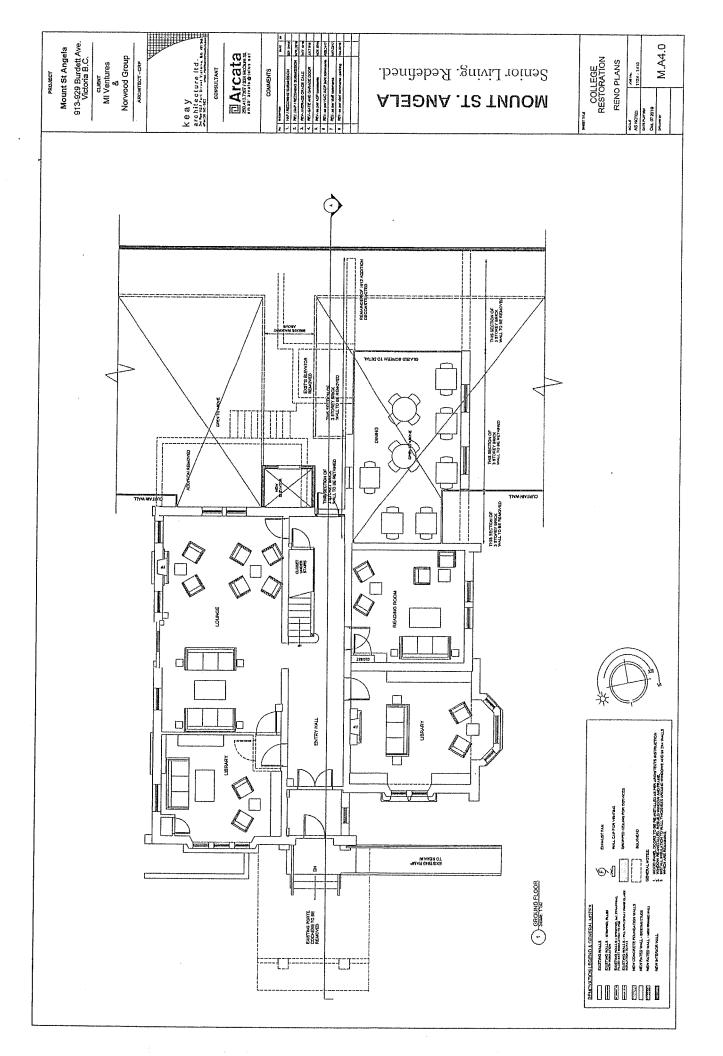
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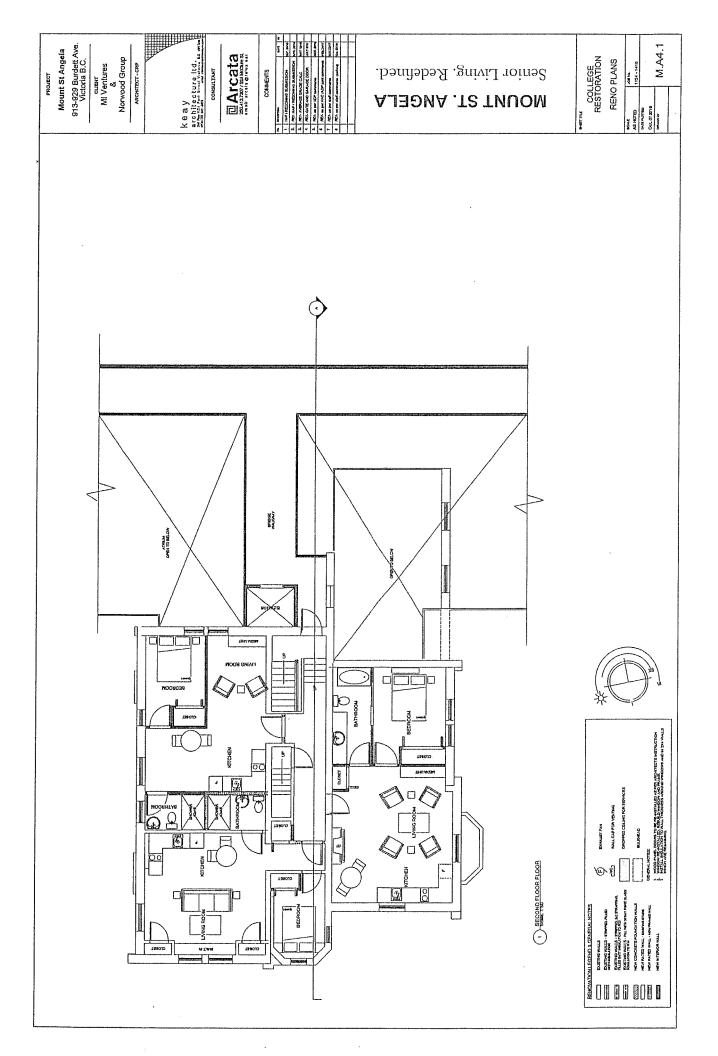
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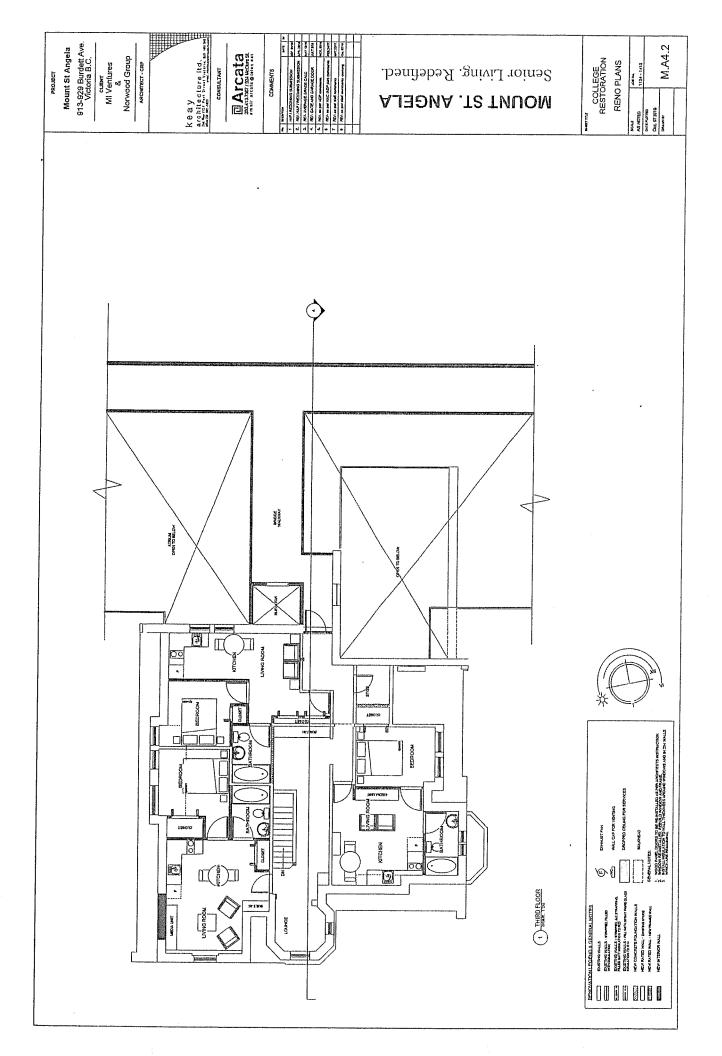
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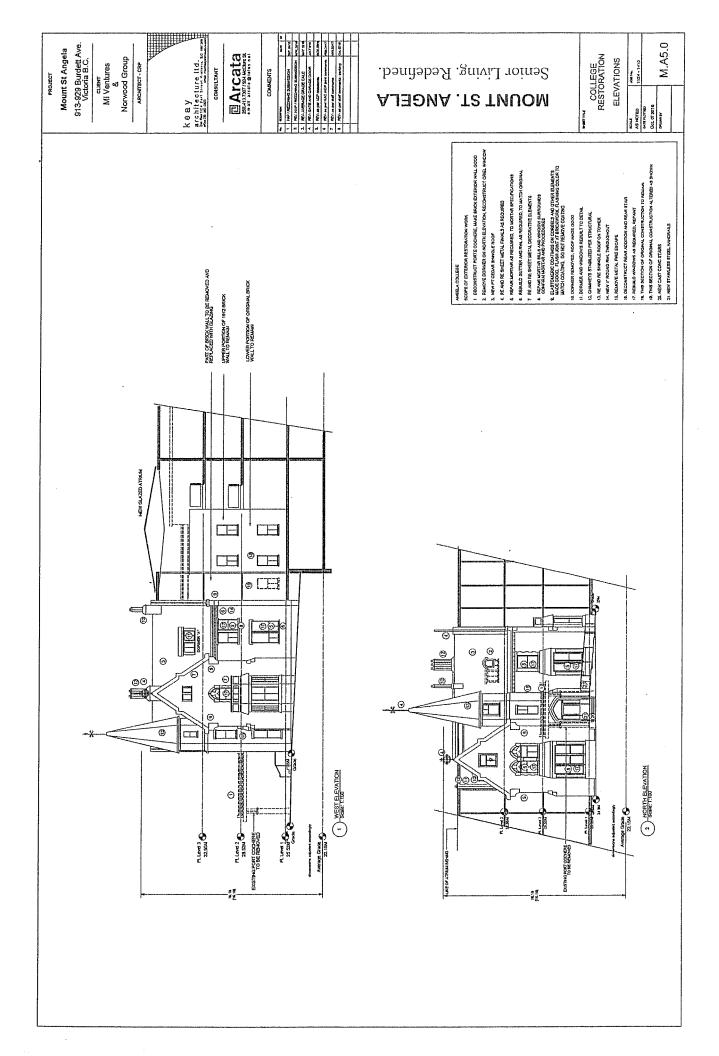


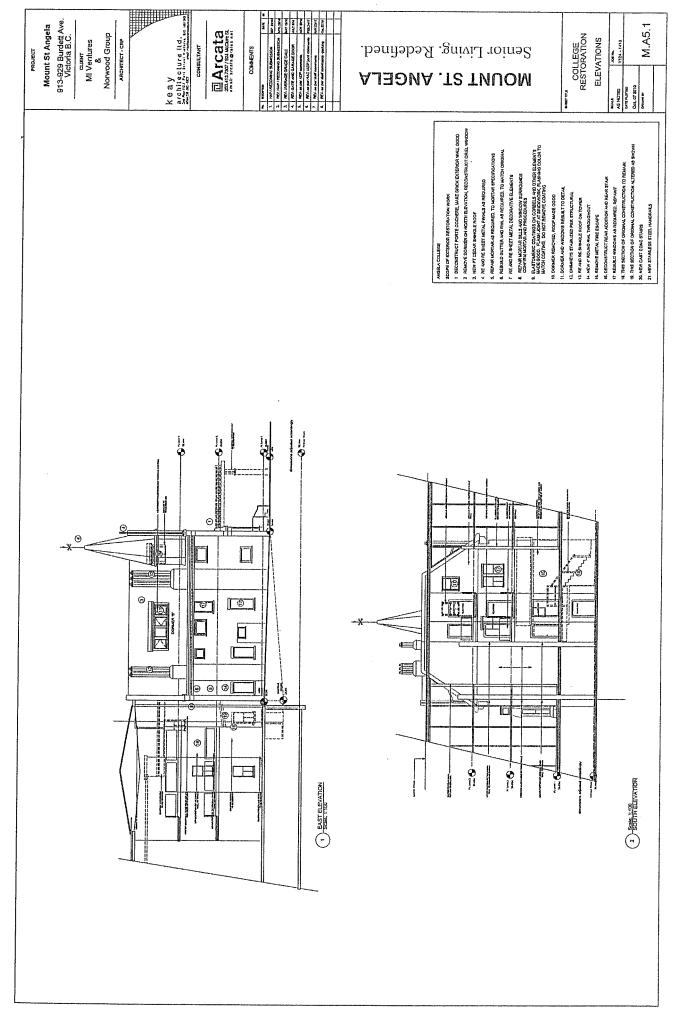


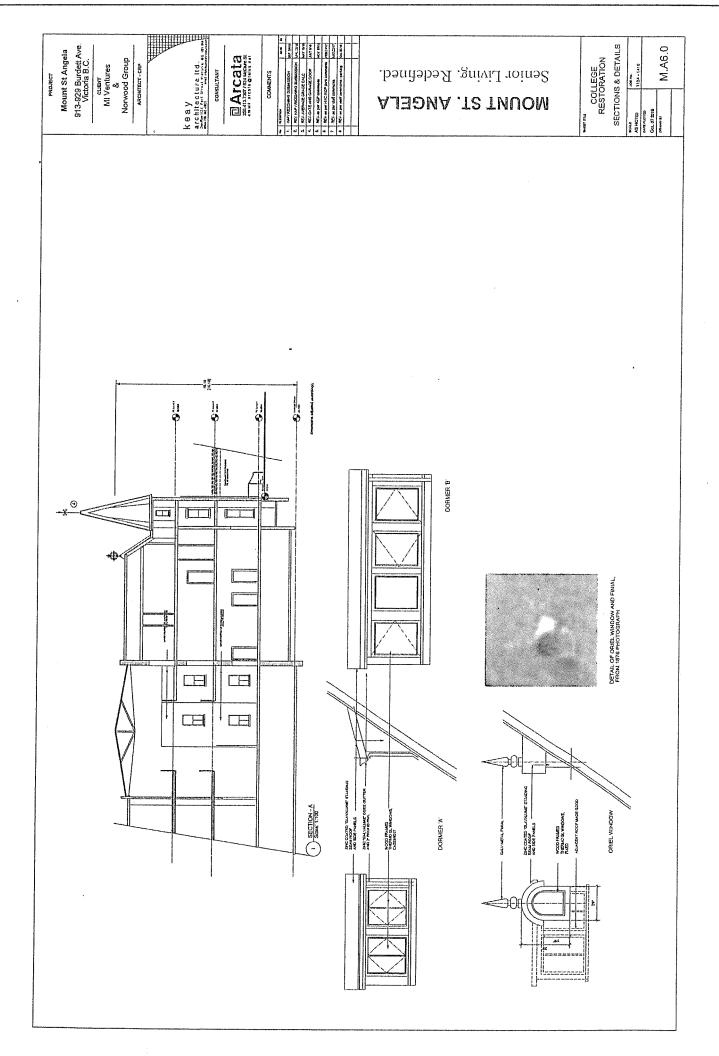


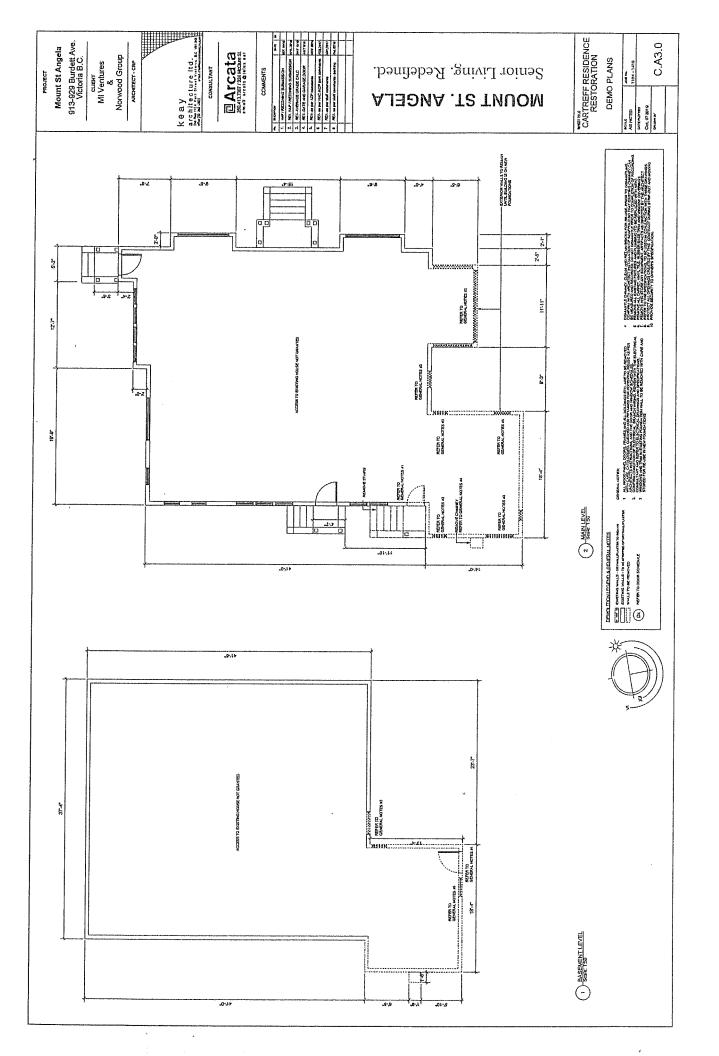


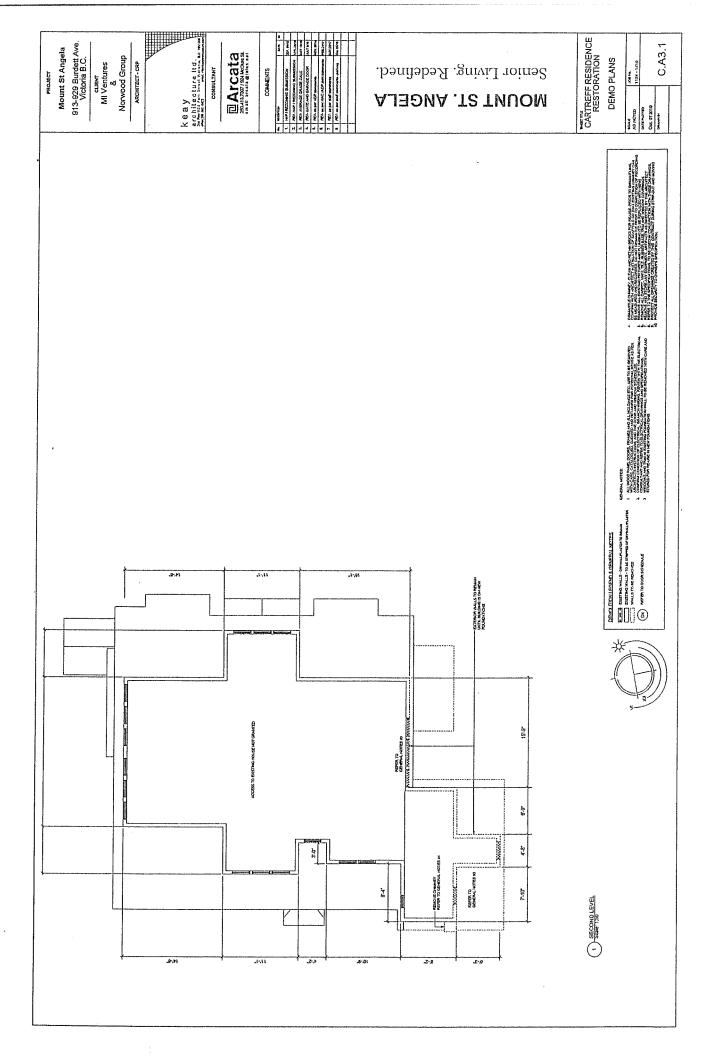


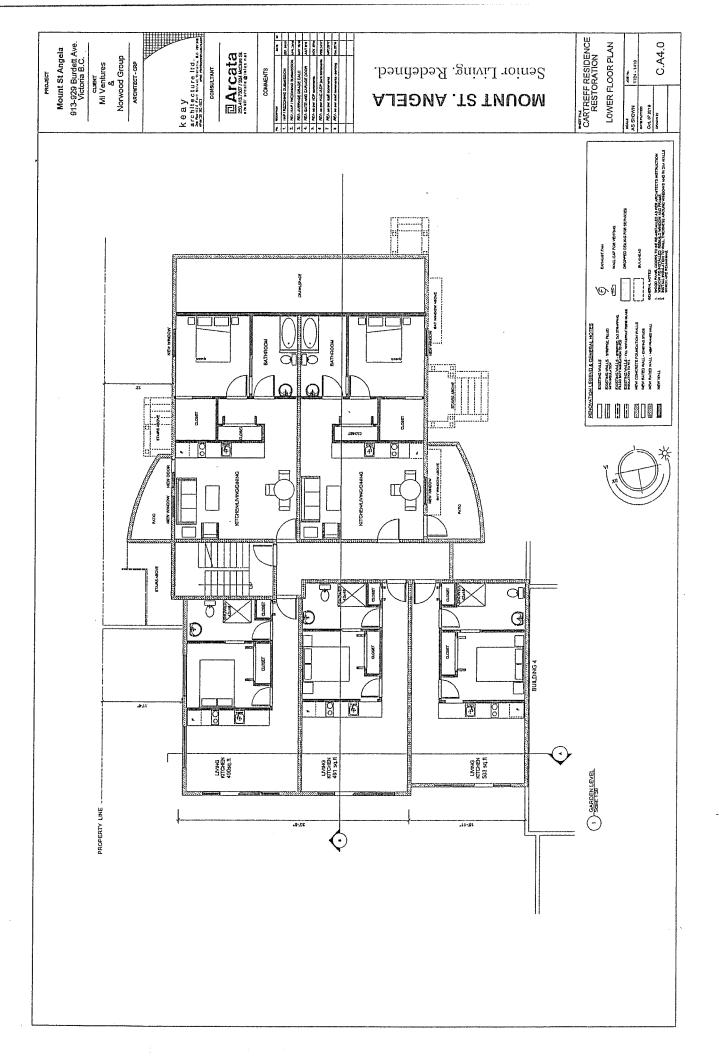


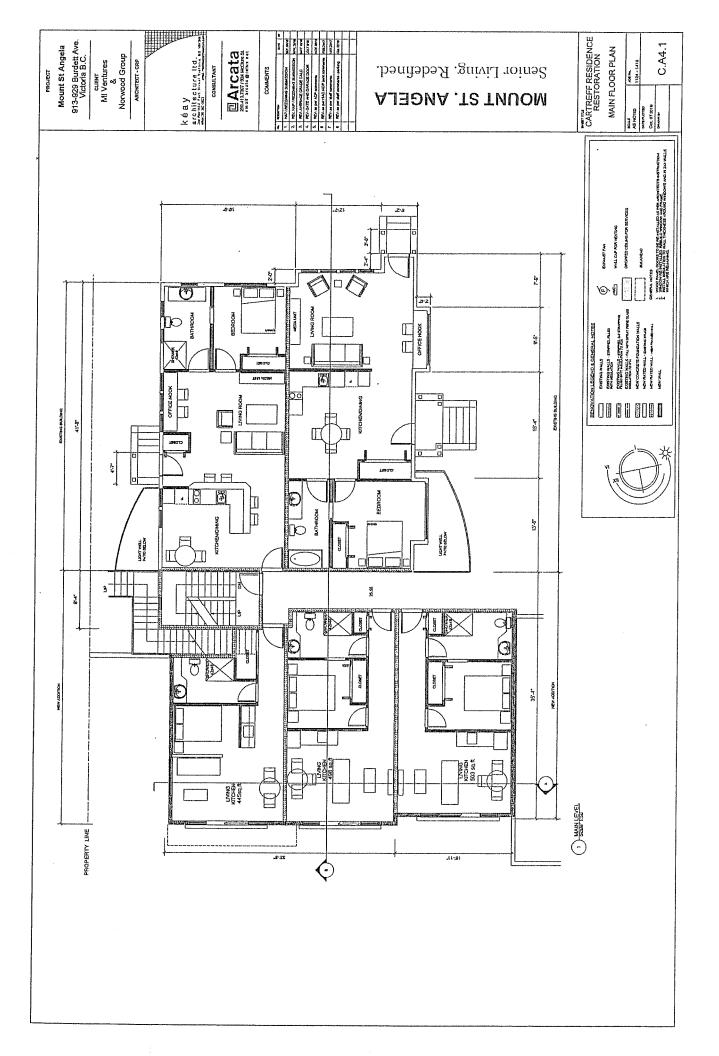


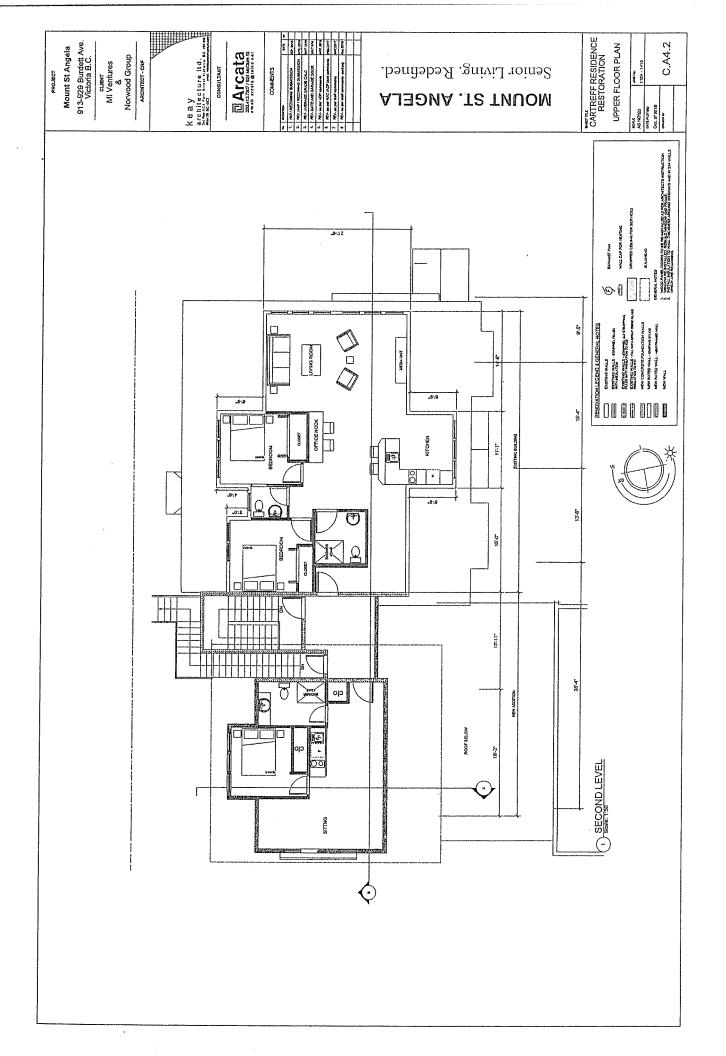


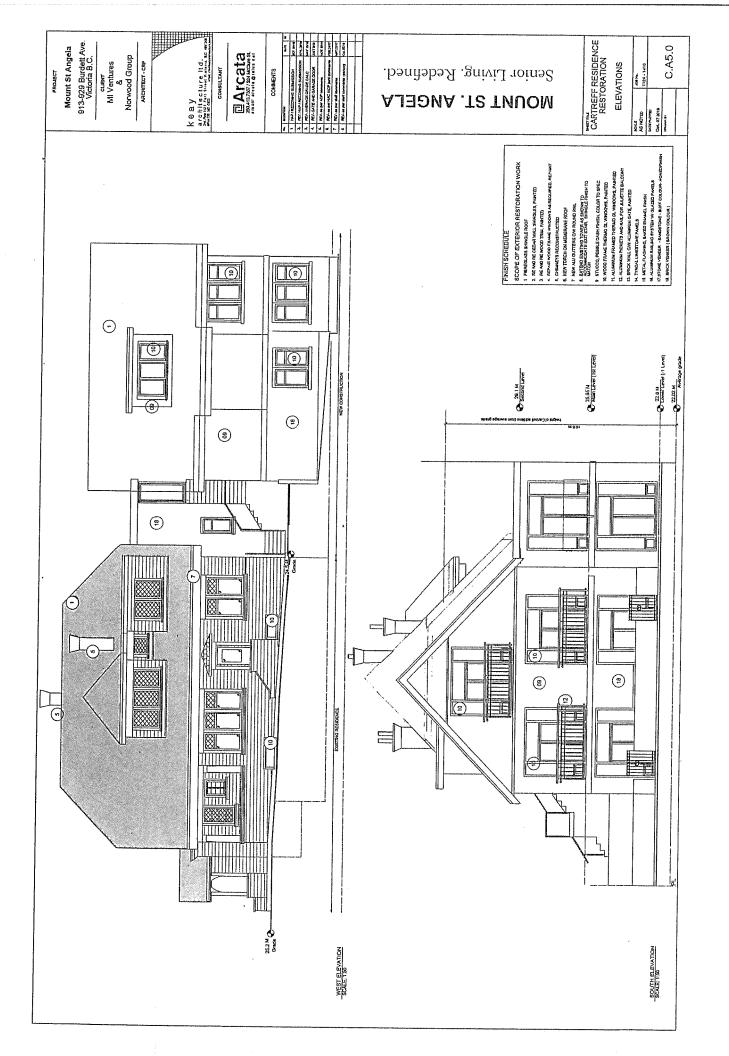


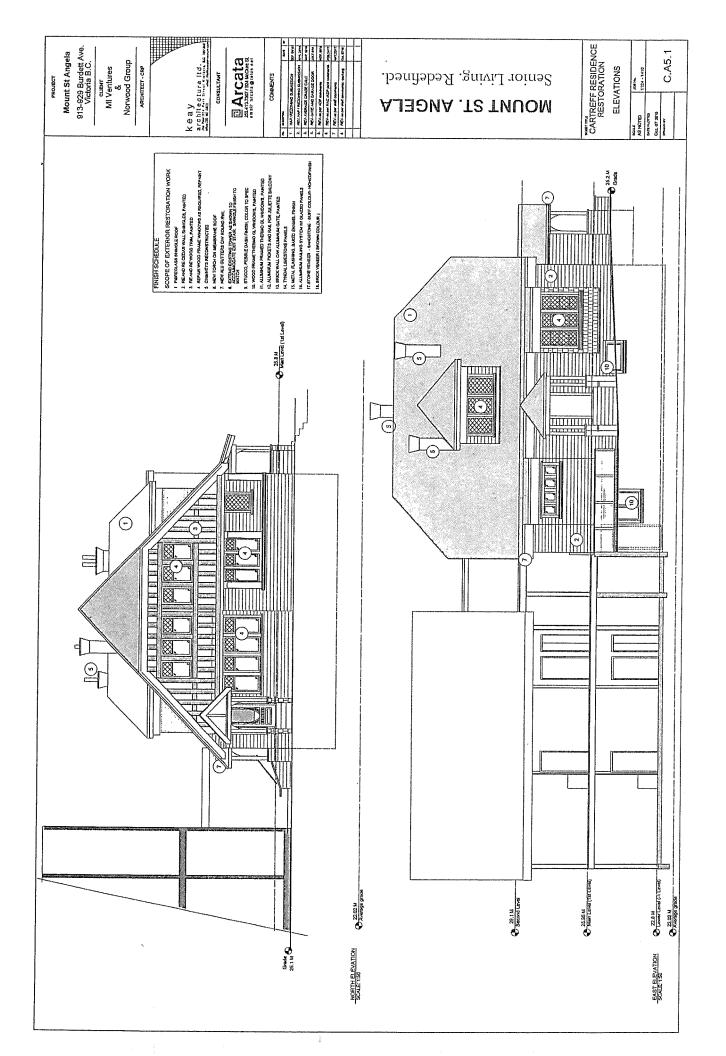


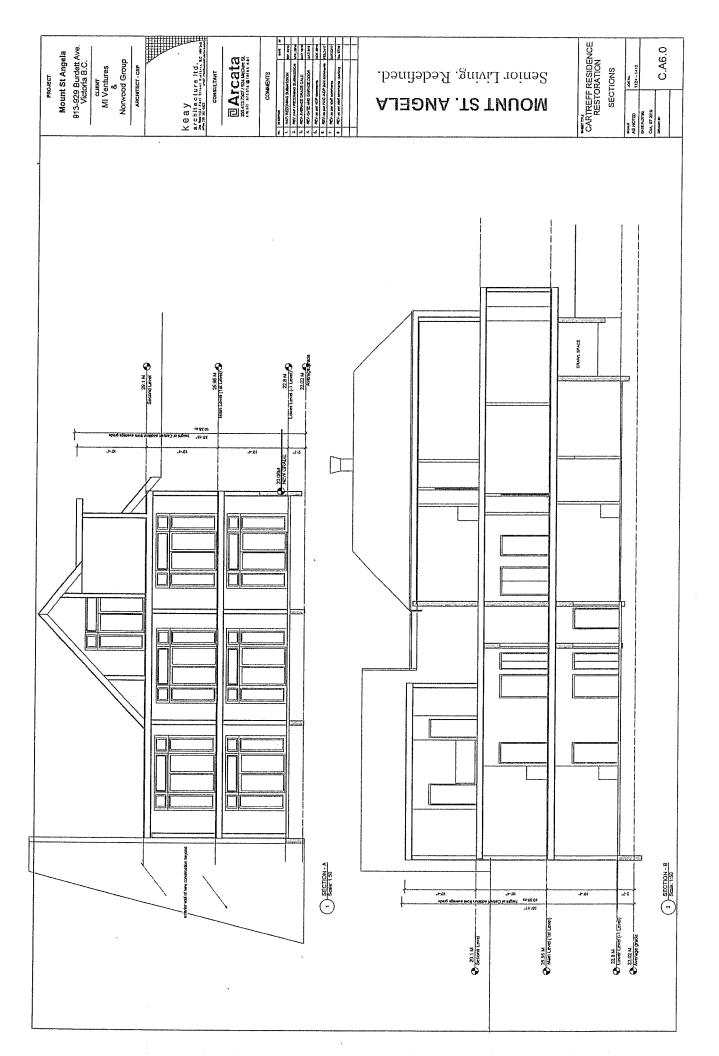


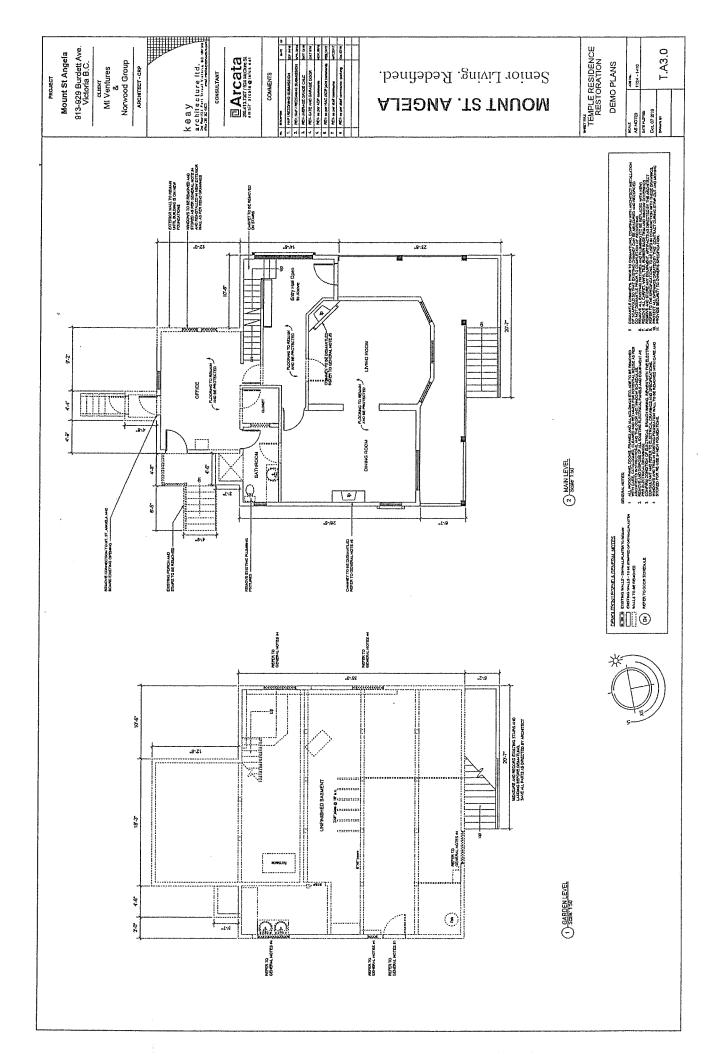


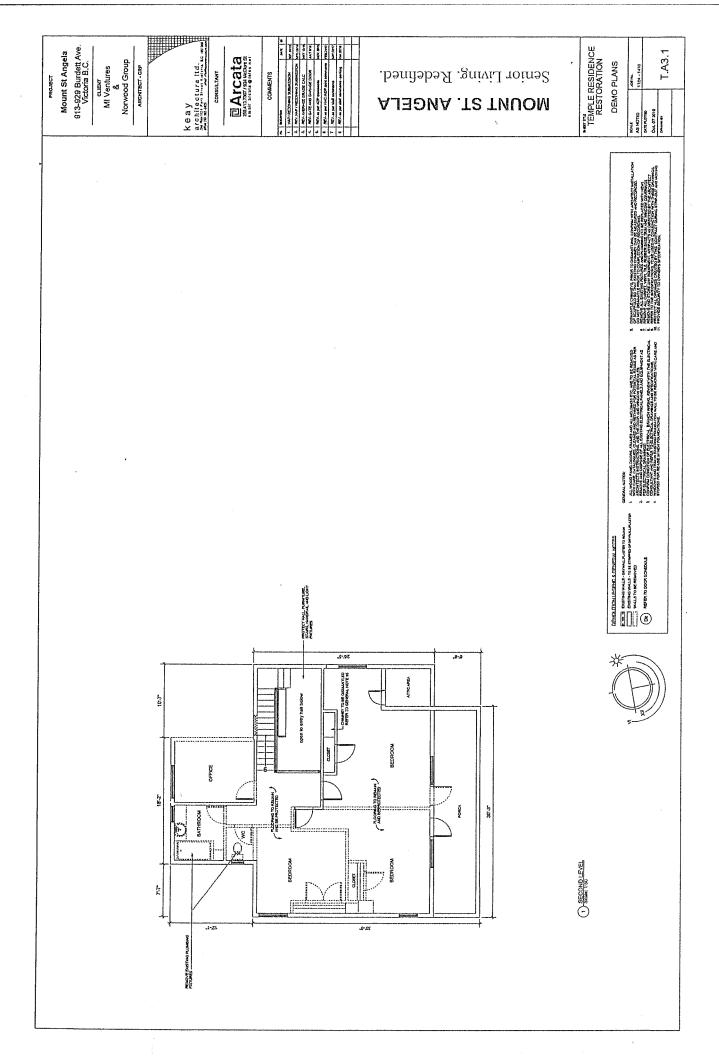


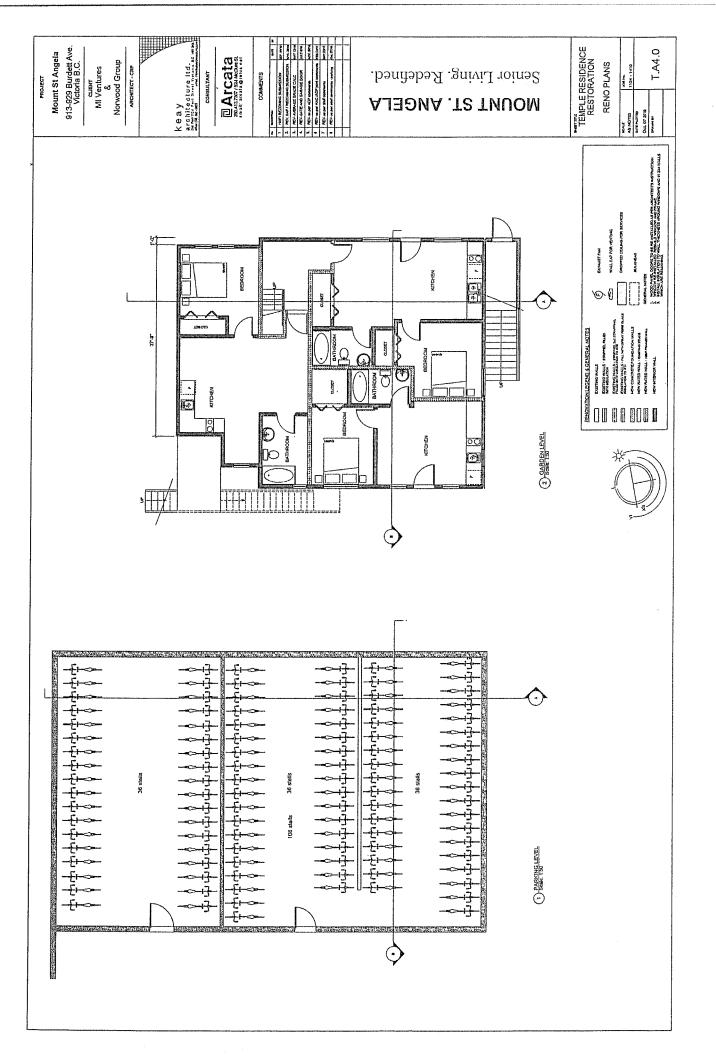


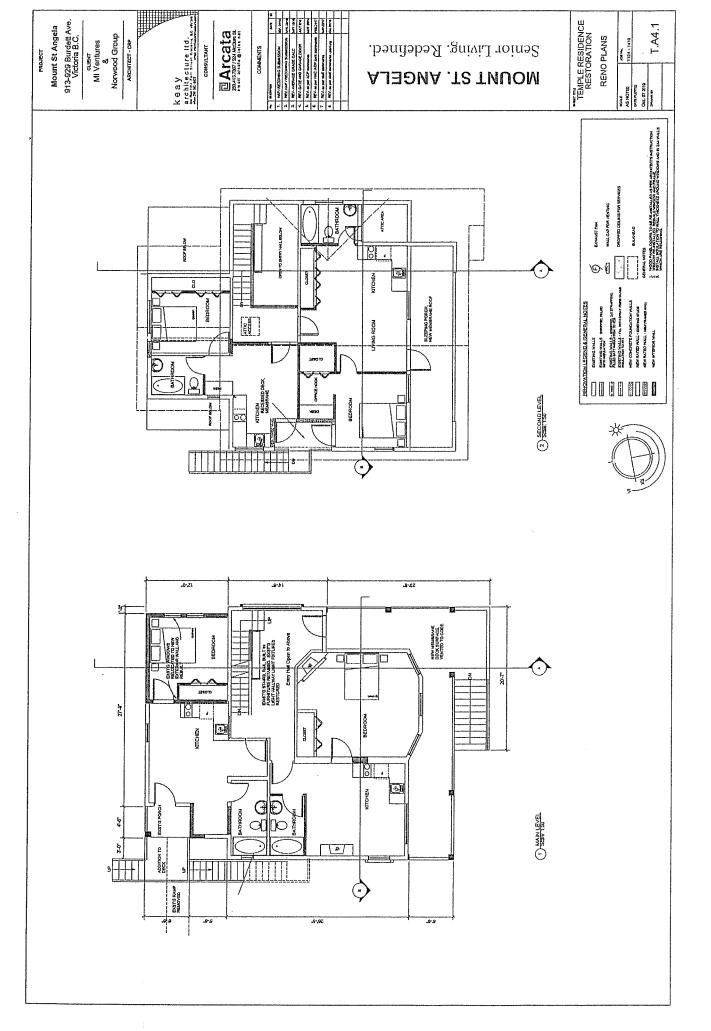


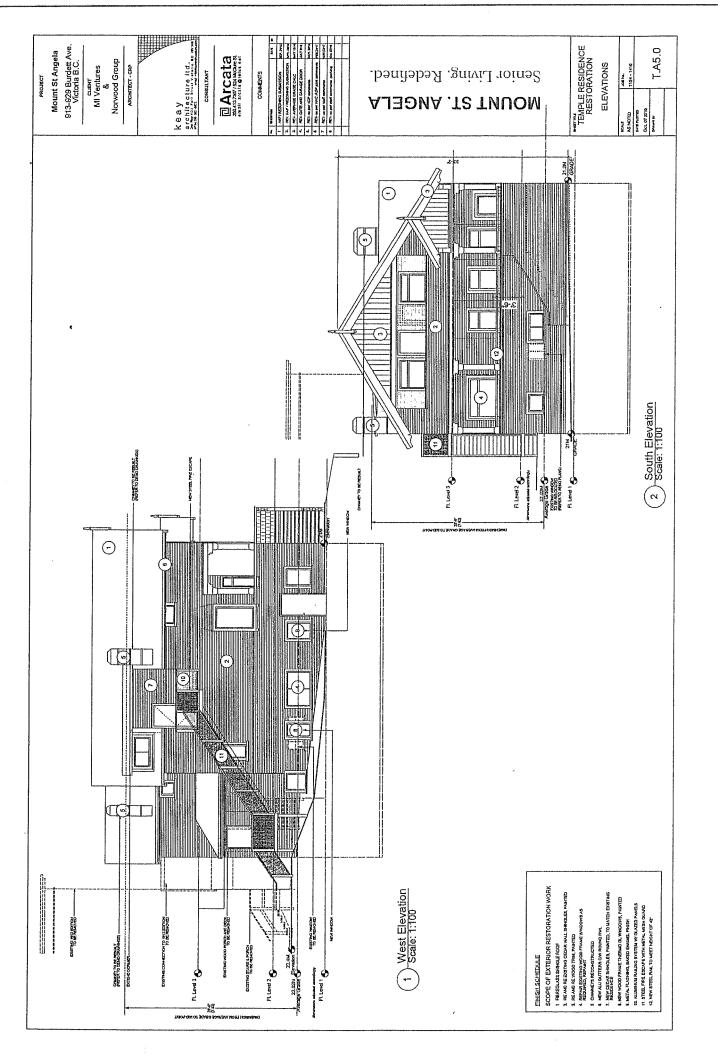


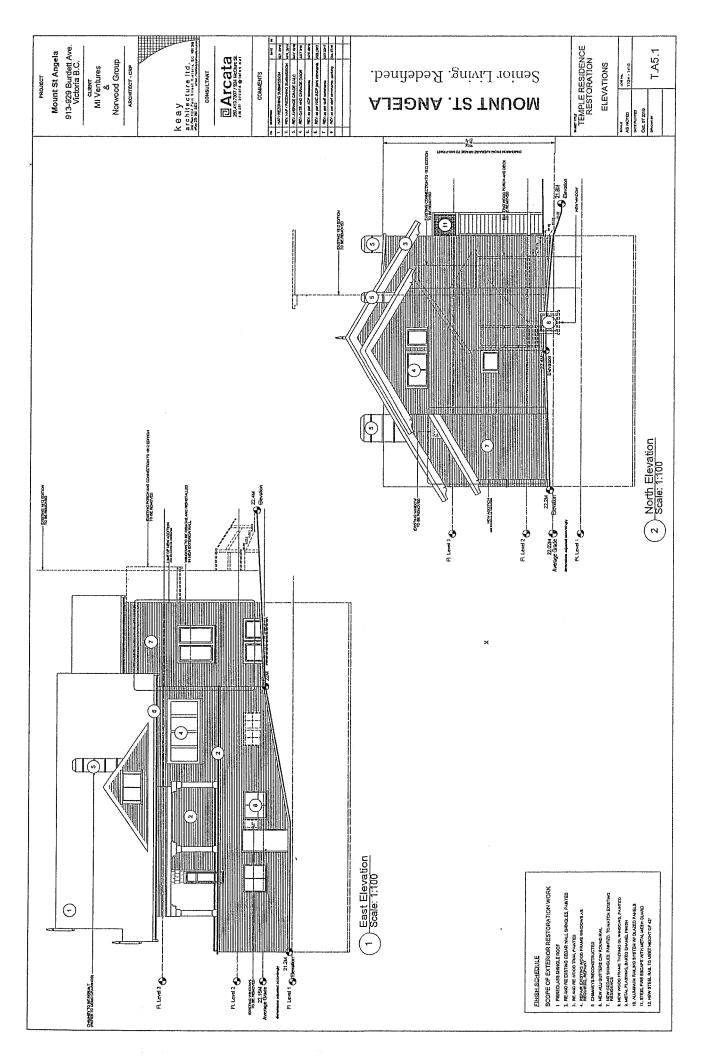


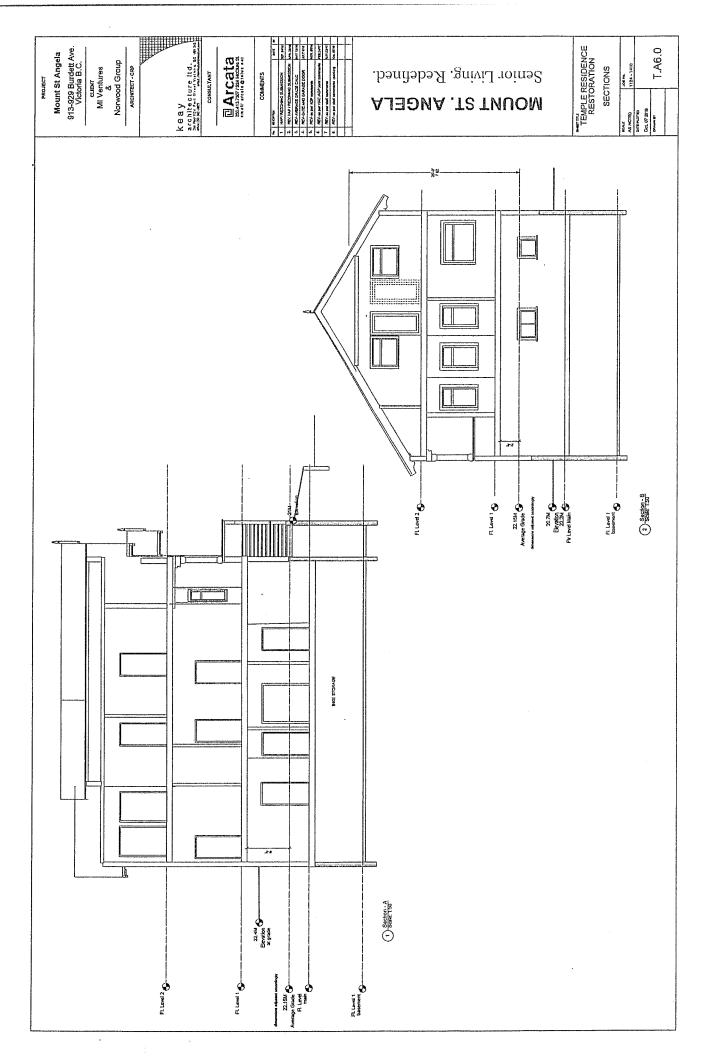














April 25, 2019

Alec Johnston City of Victoria 1 Centennial Square Victoria, BC, V8W 1P6

Re: Mount St Angela Seniors Development Land Lift and Amenity Contribution Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete land lift and amenity contribution analysis for the proposed rezoning of 913-929 Burdett Avenue and 914-924 McClure Street Victoria (the Site) from CD-10 Zone, Mount St. Angela District to a new zone with an increase in density from 1.2:1 FSR multiple dwelling to a proposed density of 1.96:1 FSR seniors residential project on the Site. This lift is expected to finance the costs of rehabilitation, restoration and seismic upgrading of the heritage buildings on the Site.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the site if developed under current zoning at 1.2:1 FSR as well as the land value supported by the proposed change in density to the proposed 1.96:1 FSR. GPRA used standard developer proformas for each case to model the economics of a seniors development project assuming it already had the zoning for a density of 1.96:1 FSR. The 'Lift' is then calculated as the difference in residual land values under both current zoning and the proposed new zoning.

METHODOLOGY & ASSUMPTIONS

The Site is 5,429 square metres in area and can be developed under current zoning under the CD-10 zone at a density up to 1.2:1 FSR with 6,515 square metres in gross floor area of residential (net saleable/rentable area of 5,537 square metres). Parking at the base density would be in an underground parking structure. Under the proposed new zoning the additional 0.76 FSR would add approximately 4,126 square metres of gross area to the building, with a proposed mix of rental independent and assisted living units for seniors, with 5 units to be secured as below market rentals, as well as 26 independent living units and 50% of the remaining units to be secured as rental for a 20 year term through a housing agreement.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.



For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For the analyses GPRA has determined the residual value for the residential strata based on the developer achieving an acceptable profit of 15% on total strata project costs (calculated as a representative portion of overall project costs for the proposed development). The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

It is often the case that a developer cannot achieve a profit on the sale of a rental or commercial project immediately after completion and instead takes a long term perspective looking at value as an ongoing income stream with a potential disposition at some point in the future. As such, for the residual value of the project utilized for seniors rental GPRA has instead looked at the developer achieving an acceptable return on their investment measured as an Internal Rate of Return (IRR) and the maximum supported land value that would allow a developer to achieve a target IRR.

The residual land values determined from this analysis of the property developed as proposed under the rezoned density of 1.96:1 FSR as seniors rental is then compared to the residual land value of the Site if developed under current zoning at 1.2:1 FSR as residential strata to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning and not from development under current zoning would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of wood frame and of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which would likely be developed on the Site under current planning. Seniors rental rates were derived from a review of seniors developments offering a similar scope of supportive services in the Victoria region. Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.



CONCLUSIONS & RECOMMENDATIONS

GPRA Estimates the lift from rezoning the Site from 1.2:1 FSR to 1.96:1 FSR with the uses discussed herein would be roughly \$1.35 million, with the City's 75% share totaling \$1.013 million.

However, as the purpose of this exercise is in part to determine whether the lift is sufficient to offset the cost of the heritage retention, it must be noted that the proponent has estimates for the refurbishment of the heritage building and seismic upgrades at a cost well in excess of \$5 million according to an estimate provided by Beacon Construction Consultants Inc. This would indicate that there is still a substantial shortfall between the increase in land value from the additional density and the cost of the heritage retention. As such, GPRA does not recommend the City seek any amenity contribution from the rezoning of the Site as proposed.

I trust that our work will be of use in the City's decision on the rezoning of 913-929 Burdett Avenue and 914-924 McClure Street Victoria. I am available to discuss this further at your convenience.

Gerry Mulholland | Vice President

G.P. Rollo & Associates Ltd., Land Economists

T 604 275 4848 | M 778 772 8872 |

E gerry@rolloassociates.com | W www.rolloassociates.com

Attachment H. Item F. 1



LATE ITEM COTW

OCT 2 4 2019

ITEM # ←.)

Committee of the Whole Report For the Meeting of June 8, 2017

To:

Committee of the Whole

Date:

May 25, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Update on Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street

RECOMMENDATION

Rezoning Application No. 00466

- That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street; and that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council.
- 2. That Council instruct staff to prepare a Housing Agreement Bylaw to secure a minimum of 50% of the total units as market rental for a minimum of 20 years, plus a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and repeal the formerly adopted Housing Agreement from a past development proposal.
- 3. That the introductory readings of these Bylaws be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. preparation of a Section 219 Covenant for sewage attenuation as required, and executed by the applicant to the satisfaction of the Director of Engineering and Public Works.
- 4. That Council give authorization for the following, if the Housing Agreement and Rezoning Bylaws are adopted:
 - a. Mayor and City Clerk to execute the documents required in order to discharge or terminate the following legal documents related to a past development proposal, which are not applicable to the current development proposal:
 - i. S.219 Covenant relating to the provision of full frontage works along the Burdett Avenue and McClure Street frontages
 - ii. Statutory Right-of-Way for the provision of a 1.2m public walkway along the east of the property
 - iii. Heritage Revitalization Agreement dated February 14, 2008.
 - b. Introduction of a bylaw to repeal the February 14, 2008 Heritage Revitalization Agreement, as required.

Heritage Alteration Permit No. 00214

Following consideration of Rezoning Application No. 00466, staff recommend that Council consider this updated motion with respect to Heritage Alteration Permit with Variances No. 00214:

"That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:

- 1. Plans date stamped May 3, 2017.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.55m
 - b. reducing the front yard setback from 10.6m to 8.75m
 - c. reducing the rear yard setback from 5.4m to 4.7m
 - d. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 3.05m for the Cartreff Residence.
- 3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
- 4. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
- 5. Sustainability features and construction achieving the BUILT GREEN® Certification level.
- 6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a Rezoning Application and a Heritage Alteration Permit Application for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. At the Council meeting of January 12, 2017, Council passed a motion to forward the applications to the Joint Heritage Advisory Panel and the Advisory Design Panel with comments included in the follow-up staff report.

A meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel held on February 1, 2017, led to a recommendation to Council for the approval of the application with recommendations for the refinements to the proposal that are detailed later in this report. The applicant has made design revisions in response to the Panel and staff feedback.

Given that the applicant has satisfied the conditions related to this application, staff are recommending for Council's consideration that the Rezoning Application and Heritage Alteration Permit Application proceed for consideration at a Public Hearing.

BACKGROUND

Description of Proposal

The proposal is to amend the existing CD-10 (Mount St. Angela) Zoning Regulation Bylaw to create a new site-specific zone that permits the increase of the bonus density provision in exchange for the heritage conservation measures to be applied to the heritage-designated buildings on the subject site. The applicant proposes to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be incorporated into the project. The Committee of the Whole reports for Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 dated December 16, 2017, and presented at the Committee of the Whole (COTW) meeting of January 12, 2017, are attached for additional information and reference.

On January 12, 2017, Council passed the following motion:

"It was moved by Councillor Madoff, seconded by Mayor Helps, that a meeting of the Joint Heritage Advisory Panel and the Advisory Design Panel be convened to consider the application for 913-929 Burdett Avenue and 914-924 McClure Street and that the report from the joint panel be included in the agenda when the application is considered by the Committee of the Whole.

That the panel be asked for comments on, but not limited to:

- The relationship between the scale of the proposed development and the OCP policy that supports new additions that conserve and enhance heritage property.
- 2. Does the proposal appropriately respond to Standard 1 of the National Standards and Guidelines in respect to the removal of heritage designated elements/additions and the relocation of the Cartreff and Temple buildings.
- 3. Does the proposal respond appropriately to Standard 11 of the National Standards and Guidelines in terms of new construction being physically and visually compatible with, subordinate to, yet distinguishable from, the historic place.
- 4. Does the Conservation Plan adequately address the National Standards and Guidelines and provide appropriate detail on how the proposal responds to the Guidelines.
- 5. Has adequate information been provided by the applicant to support the claim that the level of Burdett Street has been raised over time and that this justifies the moving and raising of the Cartreff house.
- 6. Does the proposed landscape plan respect and retain historic landscaping appropriate to the 1860s Mt. St. Angela building and the 1905, Samuel McClure designed, Cartreff House as outlined in the Standards and Guidelines."

Issues and Analysis

Further information and analysis are provided in this report on the following items associated with this application:

- Joint Heritage Advisory Panel and Advisory Design Panel meeting
- revisions resulting from the Joint Panel's comments

- revisions resulting from staff feedback
- regulatory considerations

Summary of Joint Heritage Advisory Panel and Advisory Design Panel Report

The Application was referred to the Joint Heritage Advisory Panel (HAPI) and the Advisory Design Panel (ADP) on February 1, 2017 (draft minutes attached). The majority of the Panel agreed that the:

- scale of the development in relation to OCP had been addressed satisfactorily
- proposal appropriately responds to Standard 1 of the National Standards and Guidelines and agreed with the removal of the hotel addition and the porte cochere
- proposal appropriately responds to Standard 11 of the National Standards and Guidelines; however, modifications to the addition of the Cartreff house should be less imitative, particularly the roofline
- Conservation Plan and design detail of the Temple residence pay particular attention to sensitive restoration and reconstruction of the staircase, front wall and gate and resolve the discrepancy in the front elevation of the building itself
- moving and lifting of the Cartreff residence is no longer part of the proposal
- front garden of the Cartreff residence be reconsidered to be more in line with an Edwardian bordered garden and distinct from the rest of the frontage. It was also recommended that the applicant consider the use of the fruit trees as part of the landscape given their historical presence on site
- project be reclassified as a rehabilitation, not as preservation.

Revisions Resulting from Joint Panel Comments

Cartreff Residence

The applicant is proposing to retain the Cartreff residence in its existing location and at its existing height. Roof articulation now reflects existing conditions and reconstructed chimneys are included on all roof plans, elevations, and three-dimensional views. The south wing addition is less imitative with a simple gable roofline, a shed roofed dormer on the west side, and a change of exterior colour that complements the Cartreff while transitioning to the darker foundation. Windows of the addition are more compatible and have been minimized on the west side to increase privacy.

Temple Residence

The applicant is proposing to reconstruct the design details of the staircase, front wall and gate as recommended in the Conservation Plan, and all reconstructed chimneys are on all roof plans, elevations, and three-dimensional views.

St. Angela College

Fenestration openings in the remnant west brick wall are consistent with existing conditions, and the intricate reconstructed chimneys are included on all roof plans, elevations, and three-dimensional views.

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Landscaping

The applicant proposes a traditional formalized garden in front of the Cartreff residence distinct from the rest of the frontage. Existing stone gate pillars will be preserved and a new forged gate will be installed. A Plant Schedule and examples are included in the application package and details the proposed tree species, specimen and massing shrubs, as well as, perennials and ground cover.

Revisions Resulting from Staff Comments

The applicant has also responded to staff comments and have included the following revisions:

- an additional visitor parking stall has been allocated in the underground parkade to eliminate a parking variance
- detail has been provided for the overhead door on Burdett Avenue which includes translucent glazing and a mullion pattern to match the surrounding glazing. The assembly is also set back within the structure by 0.4m
- the east corner of the south wing elevation has been revised with the addition of corner glazing and refined architectural details to eliminate the blank wall
- inconsistencies related to bicycle stall calculation and setbacks have been addressed.

Regulatory Requirements

The following data table has been included for clarity and includes updated information related to building height, setbacks and parking that have arisen from the revised design. The building height has increased from 20.53m to 20.55m as a result of updated average grade calculations. Typographical and rounding errors on the plans have been corrected for the front and rear yard setbacks and are detailed in the table. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal		Standard D-10
Site area (m²) - minimum	5429.00	397	78.00
Number of dwelling units - maximum	106	N	I/A
Density (Floor Space Ratio) - maximum	1.96:1*	1.	3:1
Total floor area (m²) - maximum	10,638.00*	497	6.00
Height (m) - maximum	20.55* (previously 20.53)	13	.60
Storeys - maximum	6*		4
Site coverage % - maximum	49.4*	37	.91
Open site space % - minimum	38*	46	.56
Setbacks (m) – minimum			
Front (Burdett Avenue)	8.75* (previously 8.8)	10	.60

Zoning Criteria	Proposal	Zone Standard CD-10	
Rear (McClure Street)	4.70* (building) (previously 4.20) 3.30* (stairs) (previously 3.70)	5.40	
Side (east)	3.60	3.60	
Side (west)	3.05 (Cartreff residence) 3.20* (building)	3.60	
Parking - minimum	46*	60 (number of parking stalls specified in existing zone is attributed to previous proposal)	
Visitor parking (minimum) included in the overall units	4 (previously 3*)	4	
Class 1 secure bicycle parking stalls (minimum)	108	107	
Class 2 publicly accessible bicycle parking stalls (minimum)	8 (previously 6*)	7	

Zoning Regulation Bylaw

In accordance with Rezoning Application No. 00466, staff recommend that Council consider a site-specific zone to accommodate the proposed development. The Applicant proposes a building height of 20.55m; given the prominence of this site to the Mount St. Angela building, staff are recommending that Council consider a lower height limit of 16.5m to be included in the new zone, which is the height of the Mount St. Angela building (measured to half the height of the steeple). This approach is recommended to ensure that the higher height does not become an entitlement entrenched in the zone, allowing future proposals to come forward and achieve a height of 20.55m as a right, rather than benefiting from a Council review process.

In addition, this Application is proposing reduced setbacks when compared to the current zone:

- from 10.6m to 8.75m for the front yard
- from 5.4m to 4.7m for the rear yard
- from 3.6m to 3.2m for the west yard for the new building, 3.05m for the Cartreff Residence building, and 1.06m for the Cartreff stairs (a projection allowance is proposed to be incorporated into the new zone).

Staff similarly recommend that Council consider issuing variances for the proposed setbacks to ensure a re-evaluation, if this project is for some reason never built. Appropriate wording has been included in the recommendation provided for Council's consideration.

CONCLUSION

Given the results of the Joint Heritage Advisory Panel and Advisory Design Panel, as well as revisions undertaken by the applicant to address the recommendations by the Panel and staff feedback, it is recommended for Council's consideration that the Application move forward to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00466 and Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street.

Respectfully submitted,

Merinda Conley

Senior Heritage Planner

Development Services Division

Jonathan Tinney

Director

Sustainable Planning and Community

Development Department

C.R. Wain

Charlotte Wain

Senior Planner – Urban Design Development Services Division

Report accepted and recommended by the City Manager:

ager:

Date:

May 31,20 17

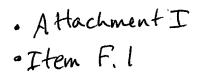
Appendices:

Conditions of Heritage Alteration Permit No. 00214:

- Appendix A, Mount St. Angela, 917-923 Burdett Avenue
- Appendix B, Cartreff Residence, 913 Burdett Avenue
- Appendix C, Temple Residence, 924 McClure Avenue

List of Attachments:

- Minutes from January 12, 2017 Committee of the Whole meeting
- Minutes from January 12, 2017 Council Meeting
- Letter from Larry Cecco, Keay Cecco Architecture Ltd., date stamped May 3, 2017
- Plans, dated May 3, 2017
- Staff report to Joint Advisory Design and Heritage Advisory Panel Report, dated January 19, 2017
- Minutes of February 1, 2017, Joint Advisory Design and Heritage Advisory Panel meeting





OCT 2 4 2019
ITEM# F.]

Committee of the Whole Report For the Meeting of January 12, 2017

To:

Committee of the Whole

Date:

December 16, 2016

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Heritage Alteration Permit Application No. 00214 for 913-929 Burdett

Avenue and 914-924 McClure Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00466, if it is approved, consider the following motion:

- 1. "That Council authorize the issuance of the Heritage Alteration Permit No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street in accordance with:
 - i. Plans date stamped November 8, 2016.
 - ii. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. increasing the building height from 16.5m to 20.6m
 - b. reducing the front yard setback from 10.6m to 8.8m
 - c. reducing the rear yard setback from 5.4m to 4.2m
 - d. reducing the west yard setback from 3.6m to 3.2m for the principal building and from 3.6m to 1.7m for the Cartreff Residence.
 - iii. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
 - iv. The Heritage Alteration Permit is subject to the conditions for Mount St. Angela (917-923 Burdett Avenue), the Cartreff Residence (913 Burdett Avenue), and the Temple Residence (924 McClure Street), detailed in Appendix A, Appendix B, and Appendix C attached to this report.
 - v. Sustainability features and construction achieving the BUILT GREEN® Certification level.
 - vi. The Heritage Alteration Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

A heritage-designated property, pursuant to Section 611(3) of the *Local Government Act*, requires a Heritage Alteration Permit for the occurrence of an alteration, a structural change, a relocation, removal, or damage to an interior feature or fixture, or a landscape feature. In accordance with Section 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the

heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration of action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

EXECUTIVE SUMMARY

WICOMPINI

The purpose of this report is to present Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the properties located at 913-929 Burdett Avenue and 914-924 McClure Street. The Application is being considered concurrent with Rezoning Application No. 00466 to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also proposed to be incorporated into the project.

A Heritage Revitalization Agreement was adopted by Council on February 14, 2008, in relation to a previous application when the property was rezoned to the current CD-10 (Mount St. Angela) District Zone in February 2008. A Development Permit and Heritage Alteration Permit were approved in March 2010 for the alternative design. These permits have since expired and are unrelated to the current application, and it is being recommended to Council in the concurrent rezoning report that all legal documents not attributable to the current proposal be discharged, which includes the Heritage Revitalization Agreement.

Staff is recommending for Council's consideration that utilizing a Heritage Alteration Permit process rather than a Heritage Revitalization Agreement to specify the conditions for the preservation, rehabilitation, and restoration of the three heritage properties provides a more direct, enforceable and elegant approach ensuring all measures are in place to respect heritage values and meet appropriate conservation standards.

The following points were considered in assessing this Application:

- The Application is consistent with the Official Community Plan (OCP), 2012, that supports new additions that conserve and enhance heritage property.
- The Application is generally consistent with the Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development.
- The Application is consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.

BACKGROUND

Description of Proposal

The proposal is to to construct a 106-unit senior's residence (plus 26 assisted living units) to the rear and the side of the existing heritage-designated Mount St. Angela building at 917-923 Burdett Avenue. The building is proposed at six storeys. Since the ground level along Burdett Avenue is defined as a basement under the *Zoning Regulation Bylaw*, it does not count as a storey. Existing heritage-designated houses at 913 Burdett Avenue (Cartreff Residence) and at 924 McClure Street (Temple Residence) are also incorporated into the project. The proposal is to remove the existing 1912 addition at the rear of the 1866 Angela College building, the rear annex, the porte-cochere and the third-floor link. Portions of the existing north, west and east

brick walls of the 1912 addition are proposed for retention as features in the interior atrium/galleria containing the main dining area for the residents. The exterior of Angela College would be restored in accordance with the September 2010 Mount St. Angela Conservation Plan.

The Cartreff Residence at 913 Burdett Avenue will be incorporated as part of the complex through a rear addition linking it to the main building. The residence will retain its current duplex configuration and will be moved forward 1.8m, raised by 0.53m, and placed on a new foundation which will return it to its proximate original relationship to the street and sidewalk. The brick chimneys will be measured during deconstruction to form an accurate record, which will then be used as a guide when they are rebuilt using the existing brick.

The Temple Residence at 924 McClure Street is proposed for relocation to the southeast end of the site to allow for a parking garage entrance. The interior will be reconfigured to contain seven suites, but will retain the designated interior features. The exterior finishes will be restored, and a small sympathetic one-storey addition will be located on the northeast corner. New exterior window openings and one door opening are proposed on the garden level to accommodate the new interior layout. Two windows in the northeast corner of the main level will be reused for the small northeast addition, and positioned to match the existing configuration. One window on the second level will be removed to accommodate the new interior layout. A new metal fire escape is proposed for the west elevation. The existing brick chimneys will be reconstructed using the existing brick.

The Mount St. Angela Conservation Plan for the site was prepared by a heritage consultant in March 2007 as part of a previous rezoning application. The Conservation Plan was updated in September 2010 and issued again as a separate document. The same consultant reviewed the previous plan alongside the 2010 Conservation Plan and provided an updated review of the plan in the context of the current proposed development (see attached letter, dated stamped March 18, 2016).

Sustainability Features

As noted in the Applicant's letter, date stamped November 8, 2016, the following sustainability features are proposed as part of this Application:

- building orientation to take advantage of solar gain
- high performance wood frame system
- retention of three existing buildings
- recycling of building materials from the structures to be removed from the property
- solar collectors for hot water pre-heating
- rainwater harvesting for irrigation
- permeable paving to reduce storm water runoff
- heat recovery ventilation systems
- geothermal heating/cooling
- construction to BUILT GREEN® "Gold" standard.

Active Transportation Impacts

The Application proposes the following features which support active transportation:

- 108 secure bicycle racks located in the underground parkade
- 6 publicly accessible bicycle racks located outside the main entrance on Burdett Avenue
- showers and changing facilities for staff located on level one.

Advisory Design Panel Referral

This Application was referred to the Advisory Design Panel (ADP) on July 27, 2016. The Panel were asked to comment on the following aspects of the proposal:

- massing, height and transition in relation to the context
- interface on the west elevation
- loss of the mid-block walkway
- proposed finishes and materials.

The minutes from the meeting are attached for reference and the following motion was carried (unanimous):

That the Advisory Design Panel recommend to Council that Rezoning Application # 00466 and Heritage Application # 00214 for 913-929 Burdett Avenue and 914-924 McClure Street be approved with recommendations as follows:

- to reconsider the 6-storey massing at the southwest corner
- to reconsider the 3-storey massing on the McClure elevation
- to reconsider the variety of window sizes and types
- resolution of structure, window glazing and materials of the window wall in the atrium to reflect the consideration that has gone into the rest of the project.

The architect's detailed response to the Panel's recommendations (date stamped November 8, 2016) is attached to this report. The Applicant has responded to ADP's recommendations as follows:

- the proposed density decreased from 1.98:1 to 1.96:1 floor space ratio (FSR)
- the massing on the south west corner has been reduced by increasing the setback from McClure Street at the fifth storey by 1m and removing a unit on the sixth storey. This density was relocated to the south portion of the east wing on the third storey.
- the units along McClure Street have been revised to provide a unified expression for the first three storeys with modulations in the south elevation and the creation of bay windows
- additional windows have been included on the east elevation
- overall the number of window types has been reduced from 22 to 10
- additional detail for the glass atrium has been provided including structural glass fins
- the application of exterior finishes and materials has been refined.

The changes to the massing and proportion of the building in the south west corner are an improvement, and the refinement of the McClure Street frontage provides a sensitive response to the immediate context. The supporting perspective views demonstrate an articulation of the south elevation that respond well to the street with additional entrances to the ground floor units, and modulation in the façade that suggests a townhouse built form, despite the upper units being configured internally as apartments. The floor plans are not consistent with the perspective views and do not represent the same articulation of the façade, and staff therefore recommend for Council's consideration, revisions to the plans to be consistent with the architectural intent along this frontage. Appropriate wording has been included in the concurrent rezoning report to capture this requirement as a condition of setting the Public Hearing.

Heritage Advisory Panel Referral

The Heritage Advisory Panel met on July 12, 2016, (minutes attached) to review the Application. The following motion was carried (unanimously):

That the Panel recommend to Council that Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street be declined.

In summary, the Heritage Advisory Panel felt the proposed development's use is inappropriate in terms of scale and its attention to the natural landscape, existing outbuildings, adjacent heritage properties and view corridors. However, staff respectfully disagrees with this assessment as the Application does meet the Official Community Plan (OCP) policy in terms of supporting new additions that conserve and enhance heritage property, as well as general standards of the Standards and Guidelines for the Conservation of Historic Places in Canada in particular, the relocation of an historic place within its current context maintains its heritage value, and the development is physically and visually compatible with, subordinate to, and distinguishable from the historic place. The 'Analysis' section of this report provides further information on the evaluation of the Application's consistency with City policy.

ANALYSIS

Official Community Plan

The Application is supported by Official Community Plan policies which state:

8.49 Continue to support new additions that conserve and enhance heritage property, as consistent with the National Standards and Guidelines for the Conservation of Historic Places in Canada.

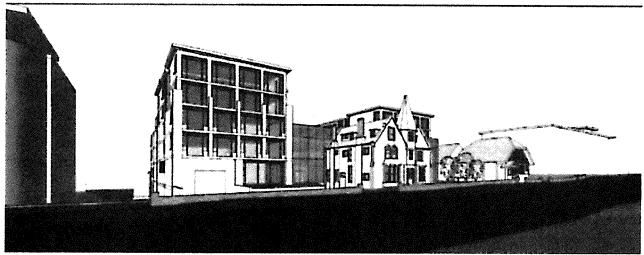
The subject property is within Development Permit Area (DPA) 16 of the Official Community Plan which seeks to integrate commercial, industrial and multi-unit residential buildings in a manner that is complementary to the established place character in the neighbourhood, including heritage character. Enhancing the character of the streetscape through high quality architecture, landscape and urban design, as well as creating human-scaled design, quality of open spaces, and safety and accessibility are also key objectives of this DPA.

Multi-Unit Residential, Commercial and Industrial Guidelines

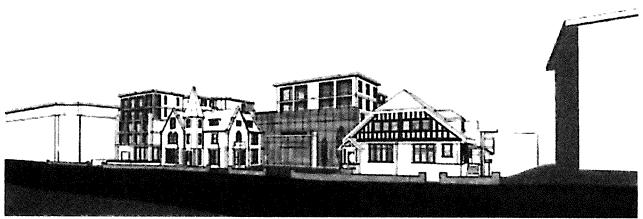
The Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development are applicable and the proposal generally complies with the Guidelines as follows:

Height of Building in Relation to Context

The height of the rooftop of the proposed main east and west wings is 20.53m as measured from the site's average grade. This is approximately 1m higher than the adjacent multi-unit residential project to the east on Burdett Avenue known as the Chelsea so this is considered a reasonable fit with the context. The lower height of the Cartreff Residence provides a transition in scale to the four-storey apartment building to the west along Burdett Avenue with an approximate difference in height of 2.6m.

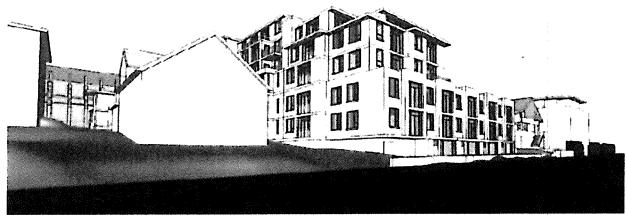


SW view along Burdett Avenue

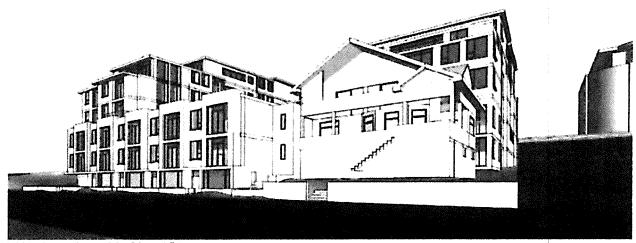


SE view along Burdett Avenue

On McClure Street, there is a single-family dwelling located at 910 McClure Street (used as a legal duplex) immediately to the west, followed by a three and a half storey heritage-registered building known as Abigail's Hotel at 906 McClure Street. The bulk of the west wing of the proposed development does impact the adjacent house in terms of its height. Staff previously expressed concern with the south west portion of the building and the Applicant responded to comments from staff and ADP by increasing the setback at the fifth storey and removing a unit on the sixth storey as described earlier in this report. The supporting 3D views from street level along McClure Street demonstrate (provided on page 7 of this report) the effect on the overall massing, which now reads as a six storey building, consistent with the policy contained within the OCP.



NE view along McClure Street



NW view along McClure Street

Transition

The guidelines encourage new development to be compatible through sensitive design. The proposed development utilizes a transparent glass connection which provides a transitional backdrop that pronounces Mount St. Angela and the Cartreff Residence along Burdett Avenue. The darker brick veneer on the lower levels of the east and west elevations lessen the overall scale of the development by grounding the structure and creating a more solid transition to each of the three designated structures. At the same time, additional lighter-finished upper levels tend to be emphasized less with the selection of lighter material colours and glass. The proposal has created a more sensitive transition to the adjacent lot by aligning the parkade structure with the building above. This area is proposed to be landscaped with patio seating, paving, plants and shrubs as noted on the landscape plan.

Relationship to the Street

The proposed development respects the dense vegetation and tree canopy of Burdett Avenue by setting back the new portions of the building, and maintaining the existing spatial relationships of the heritage buildings with the street. The landscape treatment of the Burdett Avenue frontage and retention of the stone wall further reinforces this relationship.

On McClure Street, the project proposes a lower scale rhythm of façade elements reminiscent of the exterior colour pattern of the 1912 addition, and is set apart from, and not exceeding the height of, the relocated Temple Residence. The stone wall abutting the south property line will be retained with modifications for vehicle and pedestrian entrances as well as ground-oriented units on the south wing and the relocated Temple Residence.

Human Scale, Massing, Height and Architectural Features

The Guidelines encourage human scale in the design of buildings and public space that enhances local area distinctiveness with features that contribute to a sense of place. The building massing is visually broken down by utilizing varying heights, different materials (stone, brick and glazed curtain wall), horizontal overhangs, and stepping back of upper floors.

Although the building may be perceived as seven storeys from some perspectives along McClure Street, the structure is a six-storey building as the lowest storey meets the definition of basement under the *Zoning Regulation Bylaw* and is excluded from the storey calculations. The mechanical penthouse is also excluded from the storey calculation as it does not contain a roof. The proposed two-storey portion on the south wing contains ground-oriented units that are visually broken into human-scaled proportions through form, surface treatment and colour. It relates well to the relocated Temple Residence, and provides a good transition to the adjacent Chelsea building. Private alcove recesses along McClure Street make a transition from the private realm of the residences to the public realm of the street.

The stepping back of upper floors, mentioned previously, helps to mitigate the perception of the height from McClure Street.

Exterior Finishes

The primary exterior building materials are a combination of buff stone and brown and white brick veneers, glass curtain walls with structural glass fins, glass canopy, and decorative metal railings. Exterior finishes of Mount St. Angela, the Cartreff Residence and the Temple Residence will be fully restored.

Open Spaces and Landscaping

The open spaces of the project are enhanced through the landscape treatment, including ornamental ponds, glazed pergolas, a community herb garden and landscaped courtyards. The roofscape is enhanced by the proposed green roofs on the south wing on McClure Street and a portion of the east wing. Although staff have raised concerns regarding the impact of the west elevation with the adjacent building at 910 McClure Street, this portion of the proposal would be extensively landscaped with trees, shrubs and seating areas, which will assist in softening the building edge on this elevation. The proposal also benefits from some reductions in massing and increasing the stepping back portion of the upper levels on this side.

2010 Conservation Plan

The September 2010 Conservation Plan (updated from the previous March 2007 Conservation Plan) prepared by Donald Luxton and Associates provides a comprehensive plan for the conservation and rehabilitation of the heritage buildings on the site. This latest proposal plan has been reviewed by this consultant and found to be in conformance with the 2010 Conservation Plan (see attached letter, date stamped March 18, 2016).

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Heritage Context

The proposal includes the demolition of the rear 1912 addition to Angela College to permit the new development on the site. This rear wing was previously approved for removal as part of the rezoning for the site approved by Council on February 14, 2008. Portions of the west and east brick exterior walls will be retained as features in the interior atrium/galleria containing the main dining area for the senior's residence.

The most significant aspect of the Application is the design of the new building and its relationship to the existing heritage buildings on the site. The concept is for a three-storey glazed curtain wall which will link the south wall of the 1866 Angela College building to the south end of a new addition to the Cartreff Residence at 913 Burdett Avenue. It will also link to a six-storey wing on the east end of the complex that steps down to four storeys adjacent to the Temple Residence, thereby providing a transparent, neutral backdrop to the prominent heritage buildings. The siting will also retain the existing spatial relationship between Angela College and the Cartreff Residence in a landscaped setting respecting the character of the 900 block of Burdett Avenue which has large trees on the boulevard and adjacent properties. The front elevation of the east wing is designed with a combination of a brick base, sandstone veneer on the upper floors, and glazed window walls to relate to the materials of Angela College. The massing of the project is concentrated in the centre of the block to allow for lower portions adjacent to the two or three-storey heritage buildings.

Standards and Guidelines for the Conservation of Historic Places in Canada

Relevant guidelines from the Standards and Guidelines for the Conservation of Historic Places in Canada include the following:

4.3.1 - Exterior Form

Recommended:

- 6 Retaining the exterior form by maintaining proportions, colour, and massing and the spatial relationships with adjacent buildings.
- 10 Reinstating the exterior form by recreating missing, or revealing obscured parts to reestablish character-defining proportions and massing.
- 13 Selecting the location of a new addition that ensures that the heritage value of the place is maintained.
- 14 Designing a new addition in a manner that draws a clear distinction between what is historic and what is new.
- 15 Designing an addition that is compatible in terms of materials and massing with the exterior form of the historic building and its setting.

With respect to the preservation and restoration approach to Angela College:

- 24 Reinstating the building's exterior form from the restoration period, based on documentary and physical evidence.
- 25 Removing a non character-defining feature of the building's exterior form, such as an addition built after the restoration period.
- 26 Recreating missing features of the exterior form that existed during the restoration period, based on physical or documentary evidence.

4.5.1 - All Materials

Recommended:

14 Repairing or replacing materials to match the original as closely as possible, both visually and physically.

4.5.2 - Wood and Wood Products

Recommended:

- 14 Retaining all sound and repairable wood that contributes to the heritage value of the historic place.
- 17 Replacing in kind extensively deteriorated or missing parts of wood elements, based on documentary and physical evidence.
- 20 Replacing in-kind an irreparable wood element, based on documentary and physical evidence.

The concept respects the above recommendations contained in the Standards and Guidelines for the Conservation of Historic Places in Canada. The proposed new building complex links to the two heritage-designated buildings on Burdett Avenue through the rear elevation in both cases, thus minimizing the loss of historic features. The design of the new building repeats some of the primary materials of the original Angela College such as brick and Tyndall limestone, while still designed with a contemporary expression, thus providing a compatible but differentiated addition that preserves the historic character of the original.

The Temple Residence has several additional window and door openings on the lower level which are not original to the structure. The Applicant proposes to retain, repair and reuse existing wood frame windows, and new window openings and new window types will be reflective of the era and style of the house.

The changes proposed for the heritage-designated stone wall at the front of the property along Burdett Avenue are required as detailed on the new landscape plan, and will conserve and integrate the original materials and gateposts.

Regulatory Requirements

Zoning Regulation Bylaw

In accordance with Rezoning Application No. 00466, staff recommend that Council consider a site specific zone to accommodate the proposed development. The Applicant proposes a building height of 20.53m. Given the prominence of this site to the Mount St. Angela building, staff are recommending that Council consider a lower height limit of 16.5m to be included in the new zone, which is the height of the Mount St. Angela building (measured to half the height of the steeple). This approach is recommended to ensure that the higher height does not become an entitlement entrenched in the zone, allowing future proposals to come forward and achieve a height of 20.53m as a right, rather than benefiting from a Council review process.

In addition, this Application is proposing reduced setbacks when compared to the current zone:

- from 10.6m to 8.8m for the front yard
- from 5.4m to 4.2m for the rear yard
- from 3.6m to 3.2m for the west yard for the new building and 1.7m for the Cartreff Residence.

Staff similarly recommend that Council consider issuing variances for the proposed setbacks to ensure a re-evaluation, if this project is for some reason never built. Appropriate wording has been included in the recommendation for Council's consideration.

Tree Preservation Bylaw

The proposal would result in the loss of three trees along McClure Street and the relocation of one along Burdett Avenue. The proposal is to replace these with three street trees consistent with City standards along Burdett Avenue. An arborist report will be required at the same time as a building permit application, which will outline the construction impact mitigation measures to successfully retain the existing trees along the Burdett Avenue street frontage. One Garry Oak tree would be removed as part of the proposed development, since it is located within the proposed building envelope. This is the only bylaw protected tree within the subject site and would be replaced at a ratio of 2:1 as per the requirements of the *Tree Preservation Bylaw*.

CONCLUSION

Staff recommend that the overall concept of the Application, including the relocation of the heritage houses to allow a more efficient use of the site, has merit and that the concept of linking heritage structures by glazed additions has been successfully used in other jurisdictions. Careful attention to detail will be critical to success. Given the scope and complexity of the project, staff also recommend that a "Certified Professional" architectural heritage consultant be commissioned by the Applicant to oversee all heritage conservation work to ensure consistency with the Heritage Revitalization Agreement and Standards and Guidelines for the Conservation of Historic Places in Canada.

ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00214 for 913-929 Burdett Avenue and 914-924 McClure Street.

Respectfully submitted,

Merinda Conley

Senior Heritage Planner

Development Services Division

Jonathan Tinney

Director

Sustainable Planking and Community

Development Devartment

Report accepted and recommended by the City Manager:

Date:

December 30,2016

Appendices

Conditions of Heritage Alteration Permit No. 00214

- Appendix A, Mount St. Angela, 917-923 Burdett Avenue
- Appendix B, Cartreff Residence, 913 Burdett Avenue
- Appendix C, Temple Residence, 924 McClure Avenue

List of Attachments

- Aerial Map
- Zoning Map
- Letter from John Keay, Keay Cecco Architecture Ltd., date stamped December 15, 2016
- Letter from Larry Cecco, Keay Cecco Architecture Ltd., date stamped November 8, 2016
- Background documentation, dated November 15, 2016
- Letter from Safe Design Council, received February 12, 2016
- Design Rationale, dated November 8, 2016
- Mount St. Angela Conservation Plan, Donald Luxton and Associates, September 2010
- Letter from Donald Luxton, date stamped March 18, 2016
- Plans, dated November 8, 2016
- Land lift analysis, dated October 27, 2016
- Staff report to Heritage Advisory Panel, dated July 5, 2016.
- Minutes of July 12, 2016, Heritage Advisory Panel meeting
- Staff report to Advisory Design Panel, dated July 27, 2016
- Minutes of July 27, 2016, Advisory Design Panel meeting.



Committee of the Whole Report For the Meeting of January 12, 2017

To:

Committee of the Whole

Date:

December 16, 2016

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No.00466 for 913-929 Burdett Avenue and 914-924

McClure Street

RECOMMENDATION

"That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00466 for 913-929 Burdett Avenue and 914-924 McClure Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and direct staff to set a Public Hearing date once the following conditions are met:

- 1. Plan revisions to allocate an additional parking stall for visitor use;
- 2. Plan revisions to demonstrate articulation of the south elevation and any other changes required to ensure accuracy and consistency with plans to the satisfaction of City staff;
- 3. Discharge of all legal documents from past development proposals not attributable to the current proposal to the satisfaction of City staff including the following:
 - a. S.219 Covenant relating to the provision of full frontage works;
 - b. Statutory Right-of-Way for the provision of a 1.2m public walkway;
- 4. Introduction of bylaws to repeal the formerly adopted bylaws from past development proposals, including a bylaw pursuant to a Heritage Revitalization Agreement and a bylaw pursuant to a Housing Agreement, as required;
- 5. Preparation of the following documents, executed by the applicant to the satisfaction of City staff:
 - a. Housing Agreement to secure a minimum of 50% of the units as market rental and a minimum of 26 units be used as assisted living for a minimum of 20 years, and that future strata bylaws cannot prohibit strata owners from renting residential strata units, and that the former Housing Agreement be repealed and terminated;
 - b. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of City staff;
 - c. Agreement to terminate Heritage Revitalization Agreement related to past development proposal."

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 or 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 913-929 Burdett Avenue and 914-924 McClure Street. The proposal is to amend the existing CD-10 (Mount St. Angela) Zone to increase the bonus density provision in exchange for the heritage conservation measures to be applied to the heritage-designated buildings on the subject site.

The following points were considered in assessing this application:

- the application is consistent with the OCP Urban Residential urban place designation, which envisions density up to 1.2:1 floor space ratio (FSR) with potential bonus density up to a total of approximately 2:1 FSR in strategic locations for the advancement of plan objectives
- the application meets the objectives of the Placemaking policy, Economy policy and Density Bonus policy in the Official Community Plan (OCP) which directs continued support for heritage conservation. A detailed analysis of the Heritage Alteration Permit is provided in a separate report, along with conditions to secure the rehabilitation and seismic upgrading of the heritage-designated building
- a third party economic analysis of the project was completed which states that the
 proposed increase in density is required in order to off-set the costs of retaining and
 rehabilitating the heritage-designated building. The analysis determined that the cost of
 retaining and rehabilitating the Heritage Registered façades was in excess of the
 projected value of the land lift associated with the project
- a Housing Agreement is recommended to ensure a minimum of 50% of the units are retained as market rental and a minimum of 26 units be used as assisted living for a minimum period of 20 years and to ensure that future strata bylaws cannot prohibit strata owners from renting residential strata units.

BACKGROUND

Description of Proposal

This Rezoning Application is to amend the Zoning Regulation Bylaw to create a new site specific zone that permits increased density.

The following amendments from the current CD-10 (Mount St. Angela) District Zone are proposed and would be accommodated in the new zone:

- increase in floor space ratio (FSR) from 1.3:1 to a maximum of 1.96:1 FSR
- amendment to the amenities in the zone to remove the requirement for a mid-block walkway along the eastern edge of the property

additional building height from 13.6m to 16.5m.

Affordable Housing Impacts

The applicant proposes the creation of 106 new residential units plus 26 assisted living units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would ensure that a minimum of 50% of the units are retained as market rental for a minimum period of 20 years and that future Strata Bylaws could not prohibit the rental of units.

Sustainability Features

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

Active Transportation Impacts

The applicant has identified a number of active transportation features which will be reviewed in association with the concurrent Heritage Alteration Permit Application for this property.

Public Realm Improvements

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

Land Use Context

The area is characterized by a mixture of four and five storey multi-residential buildings along Burdett Avenue and lower scale residential along McClure Street. Christ Church Cathedral is situated opposite the subject site and contains four heritage-designated buildings.

Existing Site Development and Development Potential

The site is presently occupied by three heritage-designated buildings: Mount St. Angela College and the Cartreff residence along Burdett Avenue, and the Temple residence at 924 McClure Street. Two non-heritage-designated two-storey buildings are located at 929 Burdett Avenue and 914 McClure Street, which would be removed to accommodate the development.

Under the current CD-10 (Mount St. Angela) District Zone, the property could be developed as a four-storey multiple-dwelling with a maximum density of 1.3:1 FSR.

Data Table

The following data table compares the proposal with the existing CD-10 (Mount St. Angela) District Zone. The current zone is divided into two development areas; for the purpose of this comparison, these development areas have been combined. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard CD-10
Site area (m²) - minimum	5429.00	3978.00

Zoning Criteria	Proposal	Zone Standard CD-10
Number of dwelling units - maximum	106	N/A
Density (Floor Space Ratio) - maximum	1.96:1*	1.3:1
Total floor area (m²) - maximum	10,630.00	4976.00
Height (m) - maximum	20.53*	13.60
Storeys - maximum	6*	4
Site coverage % - maximum	49.4*	37.91
Open site space % - minimum	38*	46.56
Setbacks (m) – minimum	.*	
Front (Burdett Avenue)	8.80*	10.60
Rear (McClure Street)	4.20* (building) 3.70* (stairs)	5.40
Side (east)	3.60	3.60
Side (west)	1.70* (Cartreff residence) 3.20* (building)	3.60
Parking - minimum	46*	60 (number of parking stalls specified in existing zone is attributed to previous proposal)
Visitor parking (minimum) included in the overall units	3*	4
Class 1 secure bicycle parking stalls (minimum)	108	107
Class 2 publicly accessible bicycle parking stalls (minimum)	6	6

Relevant History

The property was rezoned to the current CD-10 (Mount St. Angela) District Zone on February 14, 2008. A Development Permit and Heritage Alteration Permit were approved on March 25, 2010 for an alternative design. These permits have since expired and are unrelated to the current application.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Fairfield Gonzales Community Association CALUC at a Community Meeting held on June 15, 2015. A letter date stamped June 19, 2015 is attached to this report.

ANALYSIS

Official Community Plan

The OCP identifies the subject property as being located in the "Urban Residential" designation which envisions floor space ratios generally up to 1.2:1 FSR with increased density up to approximately 2:1 FSR. Policy 6.23 of the OCP notes that applications seeking density towards the upper-end of the scale will generally be supported where proposals significantly advance Plan objectives and are located within 200m of the Urban Core. Although the proposal falls just outside the Urban Core at 220m, it does advance other objectives in the OCP such as the retention and seismic upgrades of the heritage designated buildings. The OCP notes that within each designation, decisions about density and building scale for individual sites will be based on site-specific evaluations in relation to the site, block and local area context, and will include consideration of consistency with all relevant policies within the OCP and local area plans (in this case, the *Humboldt Valley Precinct Plan*).

While the applicant is proposing density and height above the base density envisioned for the Urban Residential designation, the Placemaking Policy (8.52) in the OCP directs continued support for heritage conservation through incentives and allowances including property tax reductions, bonus density provisions and zoning variances.

The proposal is consistent with the place-character features envisioned for the Urban Residential designation through the provision of variable yard setbacks, with primary doorways facing the street. It is also consistent with other Placemaking policies that require new development to give careful consideration to maintain the views of identified heritage landmark buildings. The proposal includes view perspectives towards Christ Church Cathedral and has identified that there will be minimal impact on these views during the fall season. The dense tree canopy would obscure some views during the summer months.

The OCP encourages a range of housing types, forms and tenures across the City. The applicant is willing to include, as a voluntary amenity, the rental of at least 50% of the units (a minimum of 53 units) at market rate secured through a Housing Agreement. The Housing Agreement would also ensure that future strata bylaws could not prohibit strata owners from renting residential strata units.

Humboldt Valley Precinct Plan

The Applications are not consistent with the policies in the Humboldt Valley Precinct Plan which designate the subject property for institutional use up to four storeys. The properties at 914 and 924 McClure Street are identified for residential use up to three storeys, although the Plan does also recognise 914 McClure Street specifically as being a potential site for redevelopment.

The proposal is for a six-storey building, which is greater than the building heights envisioned in the Plan (four storeys along Burdett Avenue and three stories along McClure Avenue). Although technically the proposal is not consistent with this policy, it should be noted that the OCP provides the most current policy direction as it relates to density and building heights. The Plan encourages new development to respect the scale and massing of the surrounding area and this was an item identified for review by the Advisory Design Panel. Further details are provided in the concurrent Heritage Alteration Permit report.

Mid-Block Walkway

Previous versions of the proposal included a mid-block walkway connecting Burdett Avenue with McClure Street along the eastern property boundary, consistent with the Humboldt Valley Precinct Plan and current zoning; however, as noted in the applicant's letter, feedback from the community indicated this was not a desirable amenity. As a result, the mid-block walkway is not included in the current proposal. The applicant has also included a letter from the Safe Design Council, which concludes that a mid-block walkway would result in an increased perception of crime. Staff recommend for Council's consideration that this requirement be removed.

Third Party Economic Analysis

Paul Rollo and Associates was engaged to undertake an economic analysis of the project in order to justify that the proposed increase in density was required in order to off-set the costs of retaining and rehabilitating the Heritage Registered building façades. The analysis determined that based on the increase in density from a floor space ratio of 1.3:1 to 1.96:1 the resulting land lift was approximately \$3 million; however, the applicant proposes the rehabilitation of the Heritage Registered building including seismic upgrading. Based on a construction cost estimate provided by a professional quantity surveyor, the cost associated with this work is estimated at \$4.3 million.

In accordance with City Policy, bonus density incentives may be considered where heritage conservation is proposed. As a result, if Council is supportive of the Application moving forward for consideration at a Public Hearing, staff recommend that Council consider requiring specific conditions in association with the Heritage Alteration Permit to secure the retention and rehabilitation of the Heritage Registered building in lieu of monetary contributions to the City's Public Realm Improvement Fund and Heritage Building's Seismic Upgrade Fund, which would normally be based on top of the lift.

Sewage Attenuation

Sewage attenuation may be required for infrastructure improvements to support the proposed increase in density from the 1.3:1 FSR maximum for multiple dwellings in the existing zoning entitlement, to the proposed density of 1.96:1 FSR. The applicant has confirmed that a report from a qualified engineer will be submitted in order to evaluate the need for sewage attenuation. Should any amount of attenuation be necessary, a Section 219 covenant will be required to secure this commitment. Preparation of the S.219 covenant is required prior to a Public Hearing addressing this issue.

Legal Agreements

A number of legal agreements exist pertaining to the previous proposal. This includes a Heritage Revitalization Agreement (HRA) for the heritage buildings on the property, as well as a S.219 covenant for frontage works and a Statutory Right-of-Way (SRW) for a 1.2m mid-block walkway from Burdett Avenue to McClure Street. These documents are no longer attributable to the current proposal, therefore staff recommend for Council's consideration that these documents be rescinded. Further analysis of the HRA is included in the concurrent Heritage Alteration Permit No. 00214 report.

Staff recommend that Council consider requiring a new Housing Agreement, as authorised by Section 483 of the *Local Government Act*, to secure a minimum of 50% of the market seniors

rental units (at least 53 units) and that 26 of the units be used as assisted living for a minimum period of 20 years.

Regulatory Considerations

Building Height and Setbacks

The applicant proposes the new zone to include a maximum building height of 20.53m. Given the importance of the relationship of the new buildings to the Mount St. Angela building, staff are recommending that Council consider a lower height limit of 16.5m to be included in the new zone, which is the height of the Mount St. Angela building (measured to half the height of the steeple). This would allow Council to consider issuing a Heritage Alteration Permit with Variances for the new structure, as proposed in Heritage Alteration Permit Application No. 00214. This also ensures that the additional height could only be achieved through a variance process and not become an entitlement entrenched in the zoning, becoming a right for any future proposal that may be advanced if this proposal is not built. Similarly, a number of setback variances are proposed when compared to the current zone as outlined in the data table. Staff have provided further review of these in the concurrent Heritage Alteration Permit report.

In accordance with City Policy, zoning variances (including building height and setbacks) may be considered where heritage conservation is proposed. Staff have provided more detailed comment on the proposed height variance in the Heritage Alteration Permit report.

The floor plans associated with Heritage Alteration Permit Application No. 00214 do not accurately reflect the architectural intent to provide articulation along this façade. Normal practice is for minor design revisions to take place prior to issuance of a Heritage Alteration Permit, but in this circumstance the amendment may affect the setback variance along McClure Street. Staff therefore recommend for Council's consideration that this be corrected prior to setting a Public Hearing.

Parking

The requirement for 60 stalls in the existing zoning is based on the previous proposal. In reviewing the current proposal against the requirements under Schedule C of the *Zoning Regulation Bylaw*, a total of 42 stalls are required (37 stalls for seniors residential and 5 stalls for assisted living/community care). A total of 46 stalls is being proposed and three of these stalls are identified as visitor parking, which is one fewer than the requirements (based on 10% of 37 stalls); however, reallocating one of the underground stalls for visitor use would eliminate the visitor stall parking variance. Appropriate wording has been included in the staff recommendation for Council's consideration to revise the plans accordingly.

CONCLUSIONS

Although the Application is not consistent with the Humboldt Valley Precinct Plan as it relates to density, it does further the goals and objectives noted in the OCP and the DCAP regarding heritage conservation and place making. As the applicant is proposing to include a minimum of 50% of the dwelling units as market rental for a minimum period of 20 years and the upgrades to the heritage designated buildings will be secured through the Heritage Alteration Permit, the proposed increase in density is considered appropriate in this location. It is recommended for Council's consideration that the Application move forward for a Public Hearing subject to the conditions provided in the staff recommendation.

ALTERNATE MOTION

That Council decline Application No. 00466 for the property located at 913-929 Burdett Avenue and 914-924 McClure Street.

Respectfully submitted,

C. K. Wain

Charlotte Wain

Senior Planner, Urban Design

Jonathan/Tinney, Director

Sustainable Planging and Community

Development Department

Report accepted and recommended by the City Manager:

Date: December

December 30,2016

List of Attachments

- Aerial Map
- Zoning Map
- Letter from John Keay, Keay Cecco Architecture Ltd., date stamped December 15, 2016
- Letter from Larry Cecco, Keay Cecco Architecture Ltd., date stamped November 8, 2016
- Background Documentation, dated December 15, 2016
- Letter from Safe Design Council, received February 12, 2016
- Design Rationale, dated November 8, 2016
- Mount St. Angela Conservation Plan, Donald Luxton and Associates, September 2010
- Letter from Donald Luxton, date stamped March 18, 2016
- Plans dated November 8, 2016
- Land lift analysis dated October 27, 2016
- Staff report to Heritage Advisory Panel, dated July 5, 2016
- Minutes of July 12, 2016, Heritage Advisory Panel meeting
- Staff report to Advisory Design Panel, dated July 27, 2016
- Minutes of July 27, 2016, Design Advisory Panel meeting.

Heather McIntyre

From: Alieda Blandford

Sent: October 22, 2019 10:16 AM **To:** Victoria Mayor and Council

Cc:Riga Godron; Yuka Kurokawa; Leslie Robinson; Amy WhiteSubject:913-929 Burdett Avenue and 914-924 McClure Street

Dear Mayor and Council,

I wish to express my support of the proposed development at 913-929 Burdett Avenue and 914-924 McClure Street as outlined in Thursday's agenda (p.51). (I am also in favour of the development proposed at 1046 North Park St, for adults living with mental illness.)

I am pleased that the Mount St. Angela's development makes considerations for the needs and desires of Victoria's residents. The character of the building will be retained, and more importantly, this development will deliver several affordable rental units for seniors, as well as assisted living facilities. Our residents are very sorely in need of purposebuilt rentals; affordable units and assisted living facilities are also in high demand.

With that said, I am disappointed that only half of the units in this proposal will be designated as rentals, and then only for 20 years. The five affordable units and the 26 assisted living units will also only be available for 20 years. I would ask the City to push for a better deal for Victoria's senior residents: more rental units, more affordable units, and/or for a longer period of time: at least 25 or 30, and ideally a minimum of 50 years.

Otherwise, seniors who begin tenure in these affordable and assisted-living rental units in the near future will quickly face housing insecurity and rising rents at a time when they should be comfortable, safe, and cared for.

Thank you for your consideration. I know you will do all you can to secure the best deal possible for our senior citizens.

With warm regards,

Alieda Blandford Renters' Advisory Committee Member

Heather McIntyre

From: Victoria E. Adams

Sent: October 22, 2019 5:11 PM **To:** Victoria Mayor and Council

Subject: Land Use Matters - 913-929 Burdett Ave., 914-924 McLure Street

City Council City of Victoria

I cannot support this residential development project as a senior, a tenant, and a taxpayer in the City of Victoria.

There are several problems with this proposed housing development.

- 1. Why is the city approving even more site-specific zoning, when no other municipality in BC is doing do? The City of Victoria has more than 770 site specific zones! Far from simplifying the zoning categories for Victoria, the City is simply perpetuating a system of one-off zoning requests to perpetuate land value appreciation for owners in an already unaffordable real estate market. Why doesn't the R-91 (North Park District Residential Zoning) apply to this residential project?
- 2. This **development has no net public benefit** in spite of the fact that it is a 106-unit residential development. The land lift analysis points out that although the owner will benefit from increased density from 1:3:1 to 1:96:1 FSR, the land lift value was reduced to \$1.3 million, while the owner's heritage preservation and seismic upgrading cost would exceed \$5 million. There will be no public benefit since the owner's costs will exceed the value of the land lift. What has not been revealed is whether the properties within the complex designated "heritage" have received any civic grants or tax exemptions to maintain or upgrade the properties.
- 3. Parking requirements for 60 spaces (46 for residents and 13 for visitors) are based on the previous proposal. The new proposal reduces the total number of parking spaces to 56 and replaces the space with cycling storage and change room facilities. The real question is, if affordability, accessibility, social equity, reduction of GHGs are to be considered a public benefit, why not eliminate private parking for residents by including a limited number of car-share spaces for residents, and limited parking for visitors. This would align with the city's Active Transportation/Mobility strategy, climate action plan, and reduce the per unit housing costs.
- 4. **Covenants for the property have been removed**. In spite of the increased density, engineering reports there is no impact on the existing sewage infrastructure from this project. Where is the evidence? What staff have not considered is how new development in this area will impacted by or limited by the carrying capacity or loads whether for potable water, sewage, storm drainage, waste removal, as well as road capacity due to increased volume of traffic.
- 5. In the absence of an evidence-based, consistent and Housing Agreements policy, individual housing agreements appear to be entirely discretionary based primarily on the interests and needs of the owner/investors. Where is the public benefit ensured in the city's housing agreement policy and, how are the most vulnerable occupants, i.e. tenants, modest-income seniors protected? Why is housing tenure protected

for 20 years, but not 50 years, or in perpetuity? Furthermore, there are no limitations on the conversions to strata, or the conditions of the unit sales. What does "affordable" housing mean? If five units are designated "affordable" (according to the City's "Inclusionary Housing and Community Amenity Policy", how much will seniors be expected to pay for these strata units or rental units? While 34 units at 1046 and 1048 North Park (to be built for VIHA to house existing Mount Angela residents) will be designated "low-income affordable units", what will seniors be expected to pay for these units? And, is the City's definition of "affordability" the same as VIHA's definition of "low-income affordable units"?

Furthermore, the 34-unit VIHA purpose-built seniors rental facility (McLure Street) will not be secured through a housing agreement. Why not? Apparently, VIHA can only sign 20-year lease agreements. This means there is no low-income rental housing security related to the development of this property. And, if the site's R-91 zone (N. Park Residential District) limits residential use to rest-homes, then why is the owner is asking for a spot rezoning of the 913 Burdett property when it could be part of the R-91 zone?

Summary:

In spite of the city's adoption of new "inclusive" "affordable" housing policies, in this 106-unit development: Less than 30% of the units will be affordable many senior tenant households in the city.

- 22 units will be strata title residential units (presumably the going rate of more than \$500,000 per unit depending on the size)
- 53 units (50% of the total number of units will be "market rental") based on the maximum rent that can be garnered in a Victoria's high-rental market.
- 5 units will available as "affordable market rental" (but only for 20 years).
- 26 units will be designated assisted living units (but only for 20 years).

Sincerely,

Victoria Adams Victoria, BC

References:

Staff Report Oct. 10/19 – Rezoning Application No. 00466 and Heritage Alteration Permit Application No.00214 for 913-929 Burdett Avenue and 914-924 McLure Street https://pub-victoria.escribemeetings.com/filestream.ashx?DocumentId=45809

Nicole Crescenzi, "City of Victoria considers proposed senior rental development", VicNews, 21 October 2019. https://www.vicnews.com/news/city-of-victoria-considers-proposed-senior-rental-development/

Bill Cleverley, "Design and heritage panels tussle over Mount St. Angela overhaul", Times Colonist, January 13, 2017.

https://www.timescolonist.com/news/local/design-and-heritage-panels-tussle-over-mount-st-angela-overhaul-1.7235612

Rezoning & Heritage Alteration Permit with Variances Application

913-929 Burdett Avenue & 914-924 McClure Mount St. Angela Street



















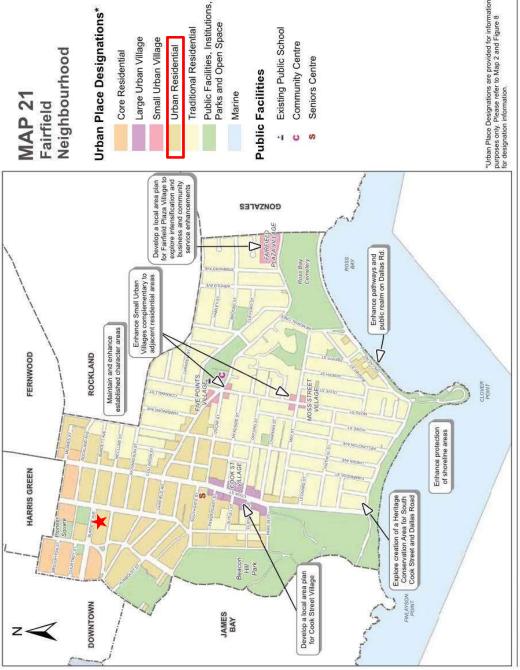




OCP

Fairfield Strategic Direction

SECTION 21: NEIGHBOURHOOD DIRECTIONS

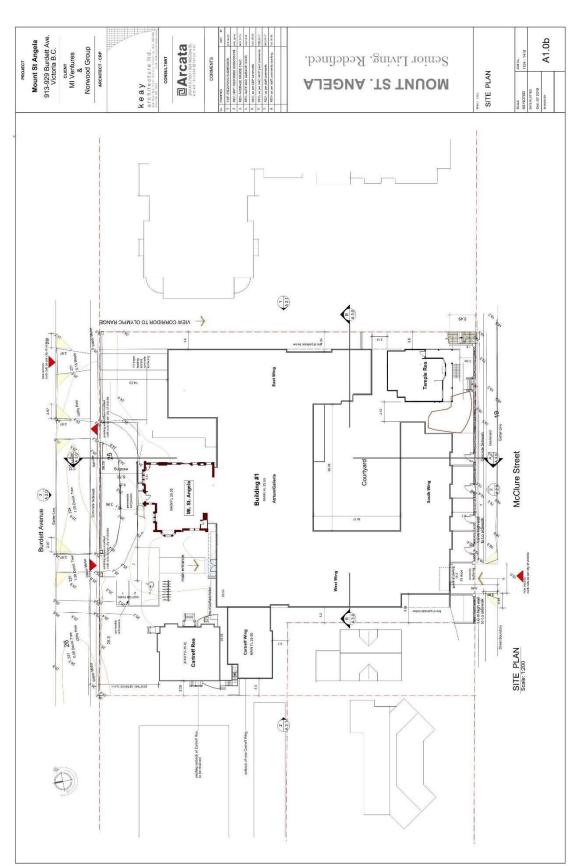


"Urban Place Designations are provided for information purposes only, Please refer to Map 2 and Figure 8 for designation information.

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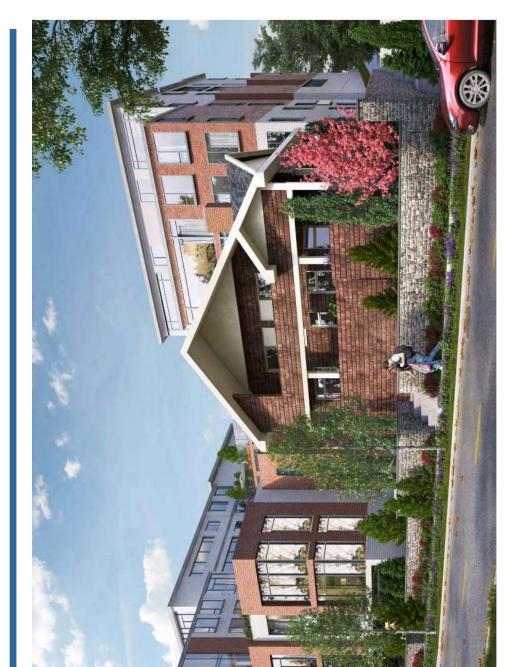
Site Plan



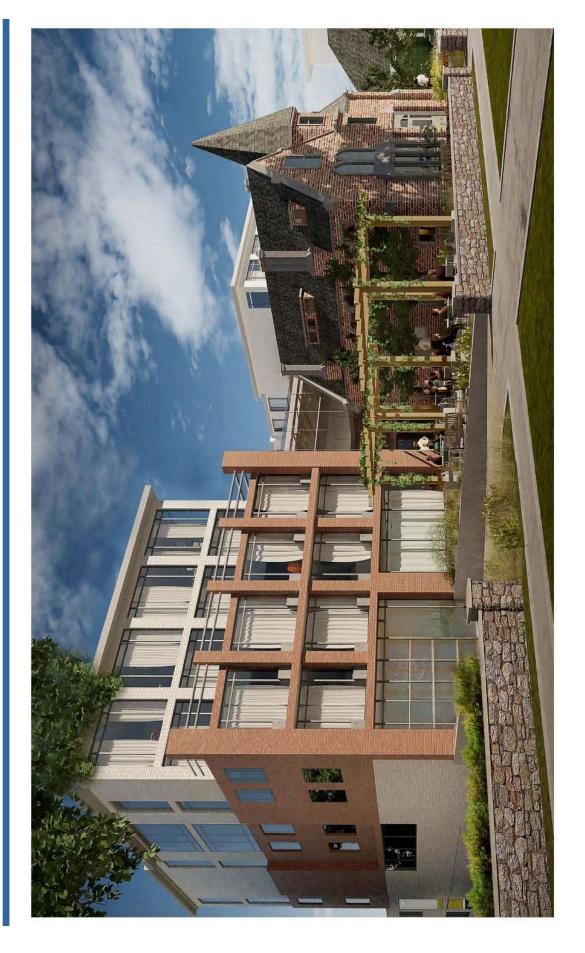










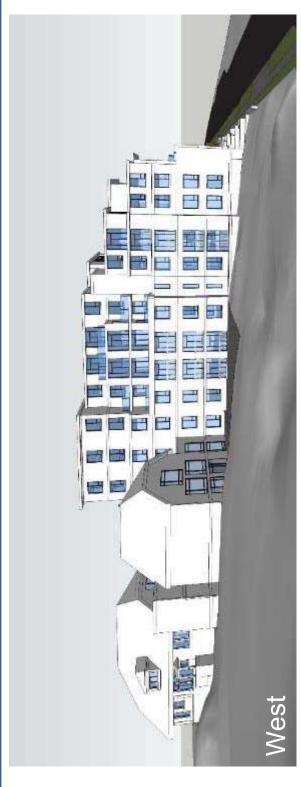


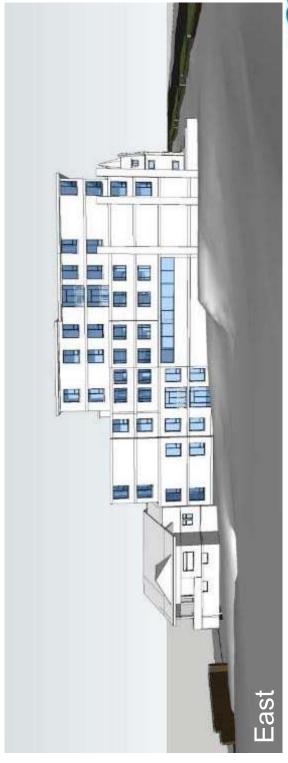




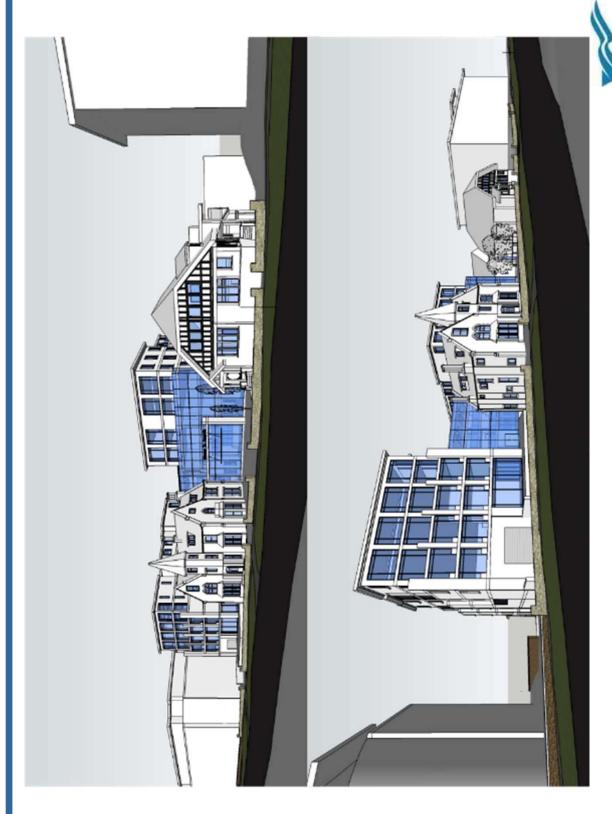


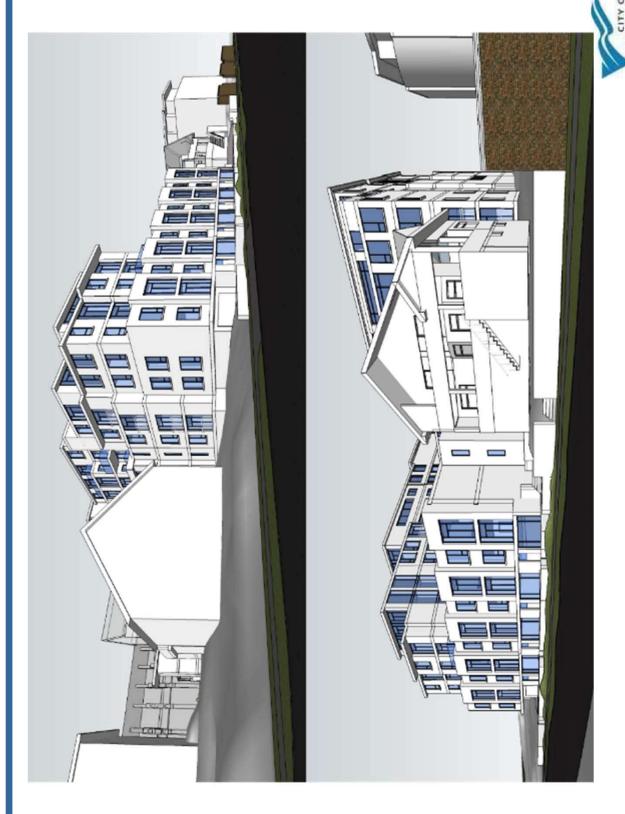


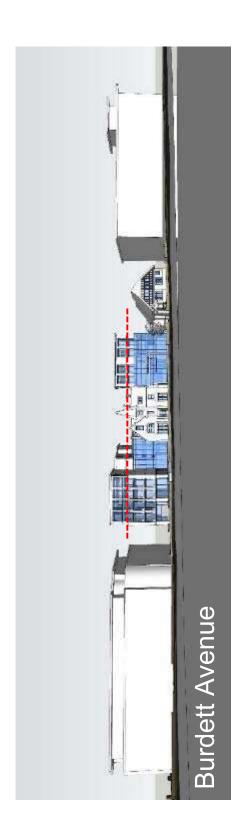




VICTORIA





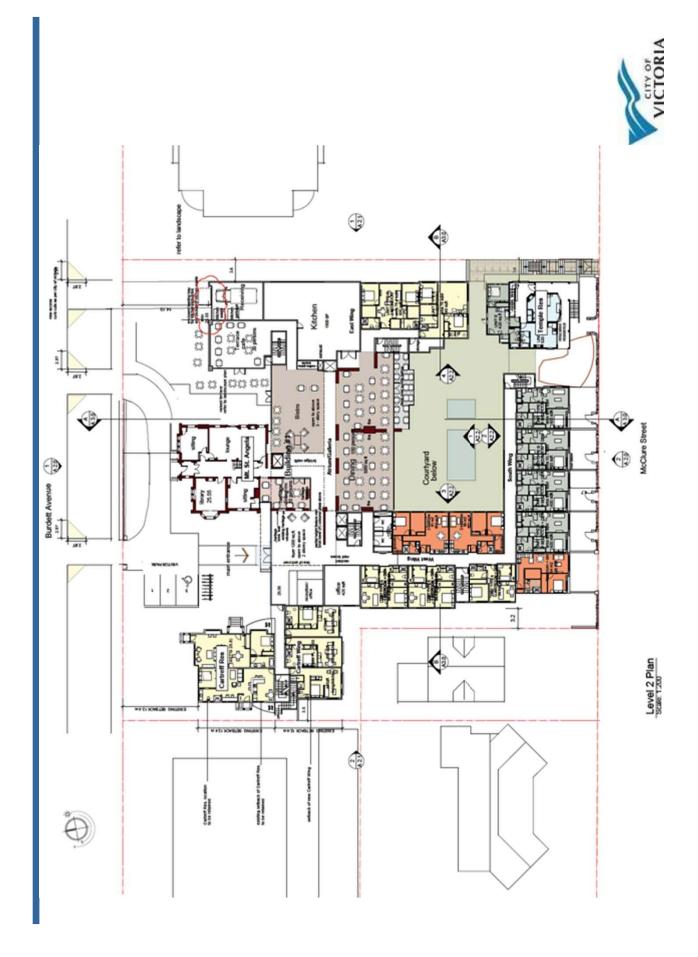
















LEVEL 3 PLAN





LEVEL 4 PLAN Scale: 1200













LEVEL 6 PLAN Scale: 1.200



