

**D. REPORTS OF COMMITTEES**

**D.1 Report from the September 3, 2020 COTW Meeting**

**D.1.f 43, 45 and 55 Gorge Road East and 2827, 2829, and 2831 Irma Street  
- Update on Rezoning Application No. 00720 (Burnside)**

**Moved By** Councillor Potts

**Seconded By** Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
  - i. a housing agreement to ensure the residential rental units remain rental in perpetuity;
  - ii. statutory right-of-ways of 4.82m on Gorge Street and 1.38m on Irma Street be registered on title to the satisfaction of the Director of Engineering and Public Works;
  - iii. construction of a public plaza on the corner of Gorge Road East and Irma Street to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works;
  - iv. purchase of two car share vehicles with assigned parking spaces on-site, 121 car share memberships for the life of the building along with \$100 usage credit for each membership and 6 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Community Planning and Sustainable Development; and
  - v. preparation of the appropriate legal agreement to ensure the appropriate construction methodology would not impact the health of the Garry Oak trees to be retained.
2. The applicant confirms that all the current tenants have reviewed the Tenant Assistance Plan and had an opportunity to identify their individual needs and that the applicant update the Tenant Assistance Plan accordingly to the satisfaction of the Director of Community Planning and Sustainable Development.
3. An amenity contribution of \$17,500.00 towards the Local Amenities Reserve Fund for the installation of traffic calming devices along Irma and Lotus Streets to the satisfaction of the Director of Engineering and Public Works is secured in the zone.

**CARRIED UNANIMOUSLY**

**F.2 43, 45 and 55 Gorge Road East and 2827, 2829, and 2831 Irma Street - Update on Rezoning Application No. 00720 (Burnside)**

Committee received a report dated August 20, 2020 from the Director of Sustainable Planning and Community Development providing an updated recommendation for the Rezoning Application for the property located at 43, 45, and 55 Gorge Road and 2827, 2829 and 2831 Irma Street requesting an amenity contribution for traffic calming devices along Irma and Lotus Streets.

Committee discussed:

- Reason that this came up after the initial rezoning application.

**Moved By** Mayor Helps  
**Seconded By** Councillor Alto

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
  - i. a housing agreement to ensure the residential rental units remain rental in perpetuity;
  - ii. statutory right-of-ways of 4.82m on Gorge Road and 1.38m on Irma Street be registered on title to the satisfaction of the Director of Engineering and Public Works;
  - iii. construction of a public plaza on the corner of Gorge Road East and Irma Street to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works;
  - iv. purchase of two car share vehicles with assigned parking spaces on-site, 121 car share memberships for the life of the building along with \$100 usage credit for each membership and 6 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Community Planning and Sustainable Development; and
  - v. preparation of the appropriate legal agreement to ensure the appropriate construction methodology would not impact the health of the Garry Oak trees to be retained.
2. The applicant confirms that all the current tenants have reviewed the Tenant Assistance Plan and had an opportunity to identify their individual needs and that the applicant update the Tenant Assistance Plan accordingly to the satisfaction of the Director of Community Planning and Sustainable Development.
3. An amenity contribution of \$17,500.00 towards the Local Amenities Reserve Fund for the installation of traffic calming devices along Irma and Lotus Streets to the satisfaction of the Director of Engineering and Public Works is secured in the zone.

**CARRIED UNANIMOUSLY**



## Committee of the Whole Report For the Meeting of September 3, 2020

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**To:** Committee of the Whole **Date:** August 20, 2020

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

**Subject:** Update on Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street

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### RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:
  - i. a housing agreement to ensure the residential rental units remain rental in perpetuity;
  - ii. statutory right-of-ways of 4.82m on Grant Street and 1.38m on Irma Street be registered on title to the satisfaction of the Director of Engineering and Public Works;
  - iii. construction of a public plaza on the corner of Gorge Road East and Irma Street to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works;
  - iv. purchase of two car share vehicles with assigned parking spaces on-site, 121 car share memberships for the life of the building along with \$100 usage credit for each membership and 6 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Community Planning and Sustainable Development; and
  - v. preparation of the appropriate legal agreement to ensure the appropriate construction methodology would not impact the health of the Garry Oak trees to be retained.
  
2. The applicant confirms that all the current tenants have reviewed the Tenant Assistance Plan and had an opportunity to identify their individual needs and that the applicant update the Tenant Assistance Plan accordingly to the satisfaction of the Director of Community Planning and Sustainable Development.

3. **An amenity contribution of \$17,500.00 towards the Local Amenities Reserve Fund for the installation of traffic calming devices along Irma and Lotus Streets to the satisfaction of the Director of Engineering and Public Works is secured in the zone.**

## **PURPOSE**

The purpose of this report is to present Council with an updated recommendation for the Rezoning Application for the properties located at 43, 45 and 55 Gorge Road and 2827, 2829 and 2831 Irma Streets that requests an amenity contribution for traffic calming devices along Irma and Lotus Streets to the satisfaction of the Director of Engineering and Public Works.

## **BACKGROUND**

The purpose of Rezoning Application for the properties located at 43, 45 and 55 Gorge Road and 2827, 2829 and 2831 Irma Street is to rezone from the R1-B Zone, Single Family Dwelling District Zone, to a new zone in order to increase the density and allow for a six-storey, mixed-use building consisting of commercial and residential uses. On July 9, 2020, Council approved the following motion:

*“That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00720 for 43, 45 and 55 Gorge Road East and 2827, 2829 and 2831 Irma Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and that a Public Hearing date be set once the following conditions are met:*

1. *Preparation and execution of the appropriate legal agreements executed by the applicant in order to secure the following:*
  - i. *a housing agreement to ensure the residential rental units remain rental in perpetuity*
  - ii. *Statutory Right-of-Ways of 4.82m on Grant Street and 1.38m on Irma Street be registered on title to the satisfaction of the Director of Engineering and Public Works*
  - iii. *construction of a public plaza on the corner of Gorge Road East and Irma Street to the satisfaction of the Director of Community Planning and Sustainable Development and Director of Engineering and Public Works.*
  - iv. *purchase of two car share vehicles with assigned parking spaces on-site, 121 car share memberships for the life of the building along with \$100 usage credit for each membership and 6 commercial parking spaces assigned to residential visitors after business hours and on weekends to the satisfaction of the Director of Community Planning and Sustainable Development.*
  - v. *preparation of the appropriate legal agreement to ensure the appropriate construction methodology would not impact the health of the Garry Oak trees to be retained.*
2. *The applicant confirms that all the current tenants have reviewed the Tenant Assistance Plan and had an opportunity to identify their individual needs and that the applicant update the Tenant Assistance Plan accordingly to the satisfaction of the Director of Community Planning and Sustainable Development.”*

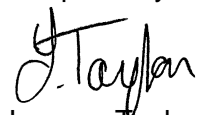
Staff carried out a brief Traffic Impact Assessment (TIA) to evaluate the potential traffic impacts of the proposed six-storey, multi-unit residential development on Irma and Lotus Street. The results of this TIA indicated that the proposed development would have minimal impacts on these streets. The intersection of Irma Street and Gorge Road East would continue to operate at an acceptable level of service with this proposed development.

However, in response to concerns raised by nearby residents related to potential traffic impacts, the applicant is willing to provide an amenity contribution of \$17,500 towards traffic calming devices on Irma and Lotus Streets to the satisfaction of the Director of Engineering and Public Works. The traffic calming devices would be constructed at the time the frontage works adjacent to the development are completed, should Council approve the Rezoning Application.


## CONCLUSIONS

The recommended motion would allow staff to secure an amenity contribution of \$17,500 in the Local Amenity Reserve Fund, towards the construction of traffic calming devices along Irma and Lotus Streets to the satisfaction of the Director of Engineering and Public Works. Therefore, staff recommend that Council consider supporting the recommendation.

Respectfully submitted,



Leanne Taylor  
Senior Planner  
Development Services Division



Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: August 24, 2020

## List of Attachments

- Attachment A: Letter from applicant dated August 13, 2020.



August 13, 2020

Leanne Taylor, Senior Planner  
Sustainable Planning and Community Development  
City of Victoria  
1 Centennial Square  
Victoria, BC V8W 1P6

**RE: Development Permit and Rezoning Application – 43-55 Gorge Road East and 2827-2831  
Irma Street, Victoria, BC**

Dear Leanne Taylor,

I am writing to you to confirm PC Urban's position regarding the traffic calming solution along Irma and Lotus Street.

To help address some of the concerns we've heard from nearby residents on Lotus and Irma, PC Urban is willing to provide a voluntary amenity contribution of \$17,500 towards traffic calming solutions as outlined by Mr. Steve Hutchinson, Transportation Planner in the Engineering and Public Works Department at the City of Victoria.

This proposal includes (5) speed bumps (at a cost of \$3,500 each) placed along Irma and Lotus Street at locations deemed best by the City of Victoria's Engineering Department, installed when PC Urban is undertaking the construction of the frontage works along Irma Street. The installation may be carried out by the contractor hired by PC Urban or by the City of Victoria, depending on timing. Any further costs for the traffic calming would be paid by the City of Victoria, as discussed with Mr. Hutchinson.

Should our project for the above noted address be granted the rezoning permit and development permit we are seeking, we would secure this amenity of \$17,500 prior to the issuance of the building permit.

Should you have any further questions please feel free to reach out to me to discuss.

Sincerely,

**PC Urban (Acquisition) Corp**

Chris Karu  
Development Manager

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**Rezoning Application No. 00720  
and  
Development Permit Application No. 00135  
for  
43, 45 and 55 Gorge Road East  
2827, 2829 and 2831 Irma Street**



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## Lisa Helps (Mayor)

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**From:** Chris Karu [REDACTED]  
**Sent:** June 30, 2020 7:03 PM  
**To:** Lisa Helps (Mayor)  
**Cc:** Robert Cadez  
**Subject:** Gorge + Irma - PC Urban Response to Staff Report  
**Attachments:** 20-06-30 -- Letter to Mayor and Council - Staff Requests.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Good Evening Mayor Helps,

We are excited to have our project at 43-55 Gorge Road East and 2827-2831 Irma Street on the Committee of the Whole agenda this Thursday July 2<sup>nd</sup>.

After months of work with Staff as well as engaging with the community, we feel that our project as presented offers an excellent opportunity to bring 153 condo-quality secured-market rental homes to the Burnside Gorge neighbourhood.

However, there remain 3 requests from Staff that would reduce the viability of our project, significantly delay the delivery of these homes and in our opinion do not enhance the project. I have outlined in greater detail our position in the attached letter for your review, but in short Staff are requesting that we:

1. Situate the building further away from the two bylaw-protected Garry oak trees;
  - Our certified arborist with over 30 years experience has a detailed plan to ensure the long-term health of these trees with the current building configuration. To redesign the building and lose floor area would not only delay our project but could put the viability of providing the 153 rental homes at risk.
2. Retain the Douglas-Fir tree on Irma;
  - The retention of this Douglas-Fir (which has been severely trimmed to allow for Hydro poles) will require a different location for the parkade ramp closer to the intersection at Gorge Road and Irma Street. This will negatively affect the building architecture, increase traffic conflicts at the intersection, reduce parking for the retail component, and cause the building to be built higher due to the steep grade change across the site.



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3. Increase the rear yard setback
  - The 2.93 metre setback to Gorge Road Hospital occurs at only one point on the site and there are other areas with a greater setback (at one point over 12 metres). Increasing the setback to 6 metres would compromise the central courtyard, result in lost floor area, and again significantly delay our project. We appreciate the need to be respectful of other buildings, which is why we have increased our setback to our neighbours at the south, but



the Vancouver Island Health Authority has told us they have no plans to redevelop the site anytime soon.

We have worked hard to incorporate all Staff comments over the last 12 months through multiple re-designs and numerous meetings. The project "as-is" provides the best balance in achieving multiple City of Victoria objectives including more rental housing, new neighbourhood retail and excellent urban design all while protecting 5 by-law protected trees, providing 34 new trees to be planted, and being respectful of neighbours in our design.

We believe that adjusting the building configuration for the Garry Oaks and rear setback while also retaining the Douglas-Fir would significantly compromise a building that ADP commented as one of the best rental buildings they have reviewed. **Thus we respectfully request that you consider approving the project "as-is" to ensure the delivery of 153 condo-quality, secured market rental homes are brought to the Burnside Gorge Community.**

PC Urban's Director of Development Robert Cadez will be available to answer any questions during COTW this Thursday.

Thank you,



**Chris Karu**  
Development Manager  
Suite 880, 1090 West Georgia Street  
Vancouver, BC V6E 3V7

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[www.pcurban.ca](http://www.pcurban.ca)

Please consider the environment before printing this email

June 30, 2020

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

**RE: Development Permit and Rezoning Application – 43-55 Gorge Road East and 2827-2831 Irma Street, Victoria, BC**

Dear Mayor Helps, Council and Staff,

We would like to thank the City of Victoria Planning Department for their continued assistance and guidance in helping shape our project and bring forward for your review of what we think is an excellent proposal for 153 condo-quality rental homes – with 50% family-sized homes, all secured in perpetuity.

We are excited that our proposal is on the Committee of the Whole agenda this Thursday July 2<sup>nd</sup> after tireless efforts from Staff and our design team. Together with Staff we have created a building that not only provides much needed rental housing and neighbourhood retail, but does so through a street-enhancing architectural design.

However, we understand from the Staff report that concerns remain regarding 3 items:

- 1) Situating the building further away from the two bylaw-protected Garry oak trees;
- 2) Retaining the Douglas-Fir tree on Irma; and
- 3) Increase the rear yard setback.

We have outlined below why we believe that addressing these concerns have their own issues, but ultimately, we are respectfully requesting that Council advance the application “as-is”. We have been working with Staff since June of 2019 to refine this project with over 10 re-designs addressing these concerns (and others) which have continually jeopardized the viability of this project. Revisiting these issues will result in a further reduction in building massing (as well as costly delays and design costs) which will further threaten the feasibility of providing 153 rental homes which the City of Victoria is in dire need of.

### **Protecting the Two Garry Oak Trees**

PC Urban has retained Julian Dunster of Dunster and Associates as the project arborist. Mr. Dunster is a Registered Consulting Arborist, a Registered Professional Forester, and a Registered Professional Planner, and in addition to two degrees in forestry, he holds a Doctorate in Regional Planning and Resource Development. Mr. Dunster has over thirty years of hands on experience from assignments all over the world.

After numerous discussions with Mr. Dunster and our design team, it was determined that the two Garry Oak trees can be retained in good health with the pruning that has been suggested in the arborist report. There are detailed instructions from the arborist on how the building configuration and construction can succeed while also maintaining the long-term health of the Garry Oak trees, which is the stated goal of Staff.

Scaling the building back to accommodate the full canopy of the trees would not only delay the delivery of these rental homes, but it could further jeopardize the economic viability of this project. As mentioned

earlier, we have worked with Staff for over 12 months on various configurations of the building and after previous reductions in building area the project is currently at it's smallest area where it makes financial sense to provide rental homes (instead of strata market housing.)

To maintain the full canopies of the two Garry Oak trees would come at the expense of a reduced building area and further delays. We are confident in our arborist's assessment that pruning the backside of the trees to allow the current building configuration will allow for the long-term health of the trees, and accordingly urge council to review Mr. Dunster's report.

### **Retention of the Irma Street Douglas-Fir**

The retention of the Douglas-Fir (tree #16 in the arborist report) on Irma street (pictured below) which was described by the certified arborist as "Overall good condition but the west face is severely cut back to allow for hydro wire clearance".



This tree was initially proposed to be retained in a previous design. However, Staff requested that the location of the parkade entry ramp be moved further away from Gorge Road East to allow for a more accessible entry to the parkade that would not impede traffic at the intersection.

As such PC Urban redesigned the building moving the ramp to the current location which has led to an enhanced overall building design for the following reasons:

- The 3 metre grade change on the site from north to south limits the options to have a functional parkade ramp that maintains the required distance from the street to the parkade without raising the building height
- By locating the ramp further from the intersection traffic congestion from this entry point is eased, which is a community concern that we have heard
- With the ramp further south, a consistent townhome expression has been designed along Irma Street which provides an enhanced pedestrian experience and architecture that assists the transition to the single-family homes further along Irma Street

- Allows the building lobby to be located closer to the corner of Gorge Road East and Irma Street, which was another request from Staff to further animate the corner and provide a better access point for the building
- The current parkade design is the most efficient with the ramp in its current location, allowing for the number of parking stalls currently provided (121)

Retaining this severely compromised tree would further complicate the project in a number of ways:

- The parkade ramp would have to be located closer to the intersection which would create traffic concerns
- The parkade would have to be redesigned to accommodate the root protection zone of the tree resulting in a loss of parking stalls and a higher construction cost which further jeopardizes the viability of this project
- The townhome expression along Irma Street would be altered and would create an inconsistent rhythm, which we believe to be of lower urban design value
- A redesign of the building would further delay the delivery of 153 rental homes for the neighbourhood.
- Moving the parkade ramp closer to Gorge would result in the parkade protruding from the ground more and an increase in building height.

### **Increasing the Rear Setback**

When initially designing the building PC Urban explored the largest setbacks possible for the site, per Staff requests. Delivering rental housing with the large neighbourhood-serving retail provided in the current proposal has been a challenge given construction costs, land price, asymmetrical site layout, and continual redesigns and delays.

However, PC Urban has worked with Staff to further reduce the setbacks to the southern neighbour which already has a building in place to respect and design around. The rear setback however is in contemplation for the Gorge Road Hospital as a Special Planning Area. PC Urban has reached out to senior management at the Vancouver Island Health Authority to discuss our project and it's impacts on their site. No concerns were identified with our proposal and when asked about potential timelines for the development of their site, VIHA noted they are years away from considering redeveloping their lands.

Finally, the 2.93 metre setback currently proposed is only at one corner of the building and in other areas is as large as 12 metres.

Referring our application back to Staff to address a rear setback of a corner (where other areas have a much larger setback) with a redesign to accommodate a building that has not even been contemplated will further delay our project and will incur additional design costs. As such we respectfully request that Council not send back our project to Staff for this request.

### **Conclusion**

This project has already been designed to accommodate as many Bylaw protected trees as possible, including the large Garry Oak on Gorge Road East, another Garry Oak and Maple Tree at the eastern corner of the site, and a Holly Oak and Douglas-Fir on the neighboring property to the south. In addition, we are proposing 34 new trees to be planted including 16 replacement trees, ten small-canopy Japanese maples, and eight new street trees. We have also revised our design over 10 times since June 2019 to accommodate Staff concerns regarding the Garry Oak trees and setbacks.

We believe that the retention of the trees we've committed to, the significant number of new trees that will be planted on site, and the overall benefits of our project to the community and neighbourhood in the form of 153 rental homes significantly outweigh the greater community benefits of retaining the Douglas-Fir on Irma Street, further reducing the massing of the building to further accommodate the Garry Oaks and increasing the rear setback.

As such, we kindly request that Council strongly consider advancing the project application “as-is” to ensure that the delivery of these secured rental homes is not further delayed and this project can address the broader City objective of delivering family housing in the Burnside Gorge Neighbourhood Plan and OCP.

Sincerely,

**PC Urban (Acquisition) Corp**

A handwritten signature in black ink, appearing to be 'Chris Karu', with a long horizontal stroke extending to the right.

Chris Karu  
Development Manager



**From:** Yahoo Mail [REDACTED]  
**Sent:** August 7, 2020 3:53 AM  
**To:** Leanne Taylor <[ltaylor@victoria.ca](mailto:ltaylor@victoria.ca)>  
**Subject:** Re: re application no. 00135

This development is completely insane and destructive to any and all natural life

On Thursday, August 6, 2020, 1:06:47 p.m. PDT, Leanne Taylor <[ltaylor@victoria.ca](mailto:ltaylor@victoria.ca)> wrote:

Hello Mr. Shebib,

Here is a [link](#) to the rezoning application on the City's Development Tracker, which includes the most recent plans.

If you have any other questions, please do not hesitate to contact me.

Thanks,

Leanne

**Leanne Taylor, MCIP, RPP**  
Senior Planner  
Sustainable Planning and Community Development  
City of Victoria  
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0561 F 250.361.0386



**From:** Yahoo Mail [REDACTED]  
**Sent:** August 6, 2020 12:13 PM  
**To:** Leanne Taylor <[ltaylor@victoria.ca](mailto:ltaylor@victoria.ca)>  
**Subject:** re application no. 00135

Could I please have plans re this development dated May 22 2020

David shebib 2831 irma st. [REDACTED]