

G. BYLAWS

G.3 Bylaws for 1025 Kings Road: Rezoning Application No. 00752 and Development Permit with Variances Application No. 00157

Moved By Councillor Isitt

Seconded By Councillor Alto

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1274) No. 22-035

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

1. Housing Agreement (1025 Kings Road) Bylaw (2022) No. 22-036

CARRIED UNANIMOUSLY



Council Report

For the Meeting of April 14, 2022

To: Council **Date:** April 1, 2022

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

Subject: **Update Report for Rezoning Application No. 00752 and Development Permit with Variances Application No. 00157 for 1025 Kings Road**

RECOMMENDATION

Rezoning Application No. 00752:

That Council give first and second reading to Zoning Regulation Bylaw Amendment (Bylaw No. 22-035) and that Council give first, second, and third reading to Bylaw No. 22-036 to authorize a Housing Agreement to secure the building as rental for the greater of 60 years or the life of the building, to secure the building as affordable as per the *Zoning Regulation Bylaw* definition at time of adoption and to secure a minimum of three one-bedrooms, one two-bedroom and two three-bedroom units as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Permit with Variances Application for the property located at 1025 Kings Road. The proposal is to rezone from the R3-2 Zone, Multiple Dwelling District, to a site-specific zone to construct a new six-storey residential rental building with approximately 56 housing units.

The necessary conditions that would authorize the approval of the Rezoning for the property located at 1025 Kings Road, in accordance with Council's motion of December 9, 2021, have been fulfilled. The Committee of the Whole (COTW) report dated December 9, 2021, together with the COTW meeting minutes, are attached to this report.

Kings Road Boulevard Trees

Staff have confirmed with the applicant's consultant that the existing and proposed servicing would not interfere with future boulevard tree planting along Kings Road. The applicant has performed an exploratory dig to determine the feasibility of preserving municipal tree #11614, a 51cm diameter at breast height hedge maple. Initial findings indicate there is a good opportunity to retain the tree, but further observation will be required during the construction of the future sidewalk. More information will be provided in an arborist memo, which will be provided to Council either as a late attachment to this report or prior to the Public Hearing.

Revised Plans

The applicant has submitted revised plans showing a visitor stall in the parkade, in accordance with Council's motion of December 9, 2021. The Development Permit with Variances motion therefore remains unchanged.

Secured Rental and Affordable Housing

As instructed by Council on December 9, 2021, a Housing Agreement has been executed that would:

- secure the building as rental for the greater of 60 years or the life of the building
- secure the building as affordable as per the *Zoning Regulation Bylaw* definition at time of adoption
- secure a minimum of three one-bedrooms, one two-bedroom and two three-bedroom units as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy.

The Housing Agreement will be registered on title following the adoption of Bylaw No. 22-036 to authorize the Housing Agreement if it is approved by Council.

In addition, a section 219 covenant has been registered to secure a minimum of two three-bedroom units.

Transportation Demand Management

The legal agreement has been registered which would secure car share memberships for each unit, one car share vehicle, one on-site parking stall for the car share vehicle, and access for the public to the car share stall. A provision has been added to the covenant, to which staff are amenable, to allow the car share vehicle to be parked on the public street, so long as an EV charging station is installed at the applicant's expense and the secured on-site parking stall is available for the car share vehicle should the City require the on-street space.

This fulfills the conditions from the Council motion on December 9, 2021.

Park Amenity

The proposed location for the park amenity at 2550, 2554 and 2560 Fifth Street is located on land that is owned by the City but is used and administered by School District 61 for educational purposes. This introduces complexities and potential delays as third-party approval and additional legal agreements may be required in achieving the park.

To address this, staff have written a density bonus in the zone. Rather than prescribing the location of the park at a particular address, this provides more flexibility as to the location. It also provides an option for the developer to contribute a cash-in-lieu amount of \$100,000 (adjusted in accordance with the annual percentage increase in the Consumer Price Index) to the local amenity reserve fund in the event the park cannot be constructed on these properties. Regardless of the approach taken, this amenity contribution will go towards park improvements in the Hillside-Quadra neighbourhood.

CONCLUSIONS

The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Committee of the Whole Reports dated December 9, 2021
- Attachment B: Minutes from Committee of the Whole Meeting dated December 9, 2021
- Attachment C: Bylaw No. 22-035
- Attachment D: Bylaw No. 22-036.



Committee of the Whole Report

For the Meeting of December 9, 2021

To: Committee of the Whole **Date:** November 25, 2021

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

Subject: Rezoning Application No. 00752 for 1025 Kings Road

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00752 for 1025 Kings Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Revised plans that identify the visitor parking stall, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Confirmation that third party servicing would not negatively impact the ability to replant new trees within the City boulevard, to the satisfaction of the Director of Parks, Recreation and Facilities.
3. Confirmation that municipal tree #11614, a 51cm DBH hedge maple will be protected and retained through development, to the satisfaction of the Director of Parks, Recreation and Facilities.
4. Preparation of the following legal agreements, executed by the applicant, in a form satisfactory to the City Solicitor to:
 - a. Secure the building as rental for the greater of 60 years or the life of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Secure the building as affordable as per the *Zoning Regulation Bylaw* definition at time of adoption, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Secure a minimum of three one-bedrooms, one two-bedroom and two three-bedroom units as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - d. Secure a monetary or equivalent contribution of \$100,000 to go towards park improvements at 2550-2560 Fifth Street, or an alternative location satisfactory to the Director of Parks, Recreation and Facilities.

- e. Secure car share memberships for each of the residential units and the provision of one car share vehicle.

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1025 Kings Road. The proposal is to rezone from the R3-2 Zone, Multiple Dwelling District to a site-specific zone in order to construct a new six-storey residential rental building with approximately 56 housing units.

The following points were considered in assessing this application:

- The proposal is generally consistent with the Large Urban Village land use designation in the *Official Community Plan, 2012 (OCP)*, which envisions low to mid-rise multi-unit residential buildings up to approximately six storeys.
- The proposal is inconsistent with the *Hillside-Quadra Neighbourhood Plan* designation of *Maintain Existing Zoning*, but is consistent with the goals to develop a new park at the Warehouse School property.
- The proposal is consistent with the Tenant Assistance Policy.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R3-2 Zone, Multiple Dwelling District, to a site-specific zone to construct a new six-storey residential rental building with approximately 56 housing units.

The following differences from the current zone are being proposed and would be accommodated in the new zone:

- increase the density from 1.20 floor space ratio (FSR) to 2.93 FSR
- increase the height from 18.5m to 21.24m
- decrease the front, rear and side yard setbacks to 5.0m
- increase the site coverage from 20% to 40%.

While staff believe this proposal has been designed to fit the site, maintain privacy and provide appropriate transitions to neighbouring buildings, staff do not recommend enshrining the proposed setbacks and parking within a new site-specific zone and instead recommend

addressing them as variances associated with the concurrent development permit application. This is to ensure that, should this proposal not be constructed, any new proposals must meet the setbacks or request variances from Council while demonstrating that the impact on the public realm and neighbouring properties is minimal. Therefore, the proposed building would require variances to the setbacks and to the vehicle parking requirements.

Affordable Housing

The applicant proposes the creation of 56 new residential units, which is a net increase of 41 units and would increase the overall supply of housing in the area.

A Housing Agreement would secure the building as rental for 60 years or the life of the building, whichever is greater. The Housing Agreement would also secure all units as affordable as per the *Zoning Regulation Bylaw* definition, which is defined as “housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household’s annual income”.

Finally, the Housing Agreement would secure 10% of the units to be affordable, for a minimum of ten years and allocated to median income households (or lower) as defined in the *Victoria Housing Strategy*. The unit breakdown of the affordable units would be secured as follows: three one-bedrooms, one two-bedroom and two three-bedrooms.

Tenant Assistance Policy

The proposal is to demolish an existing building, which would result in a loss of 15 existing residential rental units. Consistent with the Tenant Assistance Policy, the applicant has provided a Tenant Assistance Plan which is attached to this report. In summary, the Tenant Assistance Plan exceeds Policy expectations by offering all eligible tenants financial compensation above the amounts listed in the Policy for both rent and moving expenses. A Tenant Relocation Coordinator has been hired and all tenants have been informed about the process and their rights. Many tenants are currently paying below-market rents and will be receiving additional assistance applying for non-market housing and related programs. All eligible tenants have also been offered Right of First Refusal at 10% below market in the new development, as well as Right of First Refusal in an adjacent below-market rental housing complex within the applicant's portfolio.

Active Transportation

The application proposes the following features which support active transportation:

- 70 long term bicycle stalls, including eight cargo bicycle stalls
- 20% of the long-term bicycle stalls will be equipped with 110V outlets for electric bicycle charging
- six short term bicycle stalls located near the main lobby entrance and with ramp access
- a bicycle repair station located in the underground parkade.

Public Realm

The applicant is proposing a contribution to improve City-owned lands at 2550-2560 Fifth Street, or another suitable location. Council recently provided direction to engage School District 61 (SD61) to explore the feasibility of operating the municipally owned Fifth Street parcels as a park, on either an interim or permanent basis. While there have been initial discussions with

SD61, to date, representatives of the City and SD61 have not had an opportunity to thoroughly explore the potential use of the space as a public park due to other priorities. It is recommended that the City secure a monetary or equivalent contribution of \$100,000 to go towards future park improvements at 2550-2560 Fifth Street, or an alternative location satisfactory to the Director of Parks, Recreation and Facilities.

Land Use Context

The area is characterized by a mixture of commercial and residential uses. Mixed-use and commercial buildings are located to the west, a new multi-unit residential building is located to the south, and townhouses are proposed under an active application to the east.

Existing Site Development and Development Potential

The site is presently a three-storey rental building with 15 units. Under the current R3-2 Zone, the property could be developed as a multiple dwelling with heights up to 18.5m and densities up to 1.6 Floor Space Ratio (FSR) if completely compliant with the zone.

Data Table

The following data table compares the proposal with the existing R3-2 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing R3-2 Zone.

Zoning Criteria	Proposal	Existing R3-2 Zone	Proposed Zone	OCP Policy
Site area (m ²) – minimum	1203	N/A	N/A	
Density (Floor Space Ratio) – maximum	2.93*	1.2 (parking variance reduces max density from 1.6)	2.94	2.5
Total floor area (m ²) – maximum	3527.38	N/A		
Height (m) – maximum	21.24*	18.5	18.5	
Storeys – maximum	6	6 or more	6	6
Site coverage (%) – maximum	70*	20	40	
Open site space (%) – minimum	39	30	39	
Setbacks (m) – minimum				
Front (Fifth Street)	1.93*	13.5	5.0	
Rear (west)	2.68*	10.62	5.0	

Zoning Criteria	Proposal	Existing R3-2 Zone	Proposed Zone	OCP Policy
Side (Kings Road)	1.41*	13.5	5.0	
Side (south)	3.98*	10.62	5.0	
Parking – minimum				
Residential	20*	37	37	
Visitor	0*	6	6	
Bicycle parking stalls – minimum				
Short Term	6	6	6	
Long Term	70	67	67	

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on September 17, 2020. The minutes from that meeting and the Pre-Application Consultation Comment Forms are attached to this report. The applicant held a second Community Meeting on November 16, 2021. The 30-day Consultation Comments are also attached to this report.

ANALYSIS

Official Community Plan

The subject site is designated as Large Urban Village in the *Official Community Plan, 2012* (OCP), which envisions low to mid-rise multi-unit residential up to approximately six storeys and densities up to approximately 2.5 Floor Space Ratio (FSR). The place character features call for one- to three-storey building façades that define the street wall, buildings located close to the street frontage and off-street parking located underground or at the rear. Staff consider the proposal to be generally consistent with the OCP, even though the proposed density of 2.93 FSR is above the envisioned amount noted in the OCP. This is because the proposed building fits within the overall context and provides a transition to the five-storey building to the south. Furthermore, the proposal advances OCP goals related to the provision of rental housing, the provision of affordable housing and a contribution towards a new public park.

The OCP considers higher density redevelopment proposals on properties with existing rental units in buildings of four or more units only if, as a voluntary amenity, the same number of rental self-contained dwelling units is maintained on-site, and the general rent level identified, or an equivalent cash in-lieu contribution is made to the City's Housing Fund. The proposal would nearly quadruple the number of rental units and secure the rental tenure through a Housing Agreement. In addition, the applicant is proposing to secure 10% of the units, or six units, as affordable for a minimum of ten years and allocated to median income households (or lower) as

defined in the *Victoria Housing Strategy* and will contribute \$100,000 to improve the local public realm.

Hillside-Quadra Neighbourhood Plan

The subject site is designated as “Maintain Current Zoning” within the *Hillside-Quadra Neighbourhood Plan*. The application is technically inconsistent with this designation since the property is proposed to be rezoned; however, the height in the current R3-2 Zone does allow for buildings up to six storeys. The neighbourhood plan also notes that a playlot suitable for young children should be developed in the area south of Hillside Avenue and east of Quadra Street, and specifically names the area on the Fifth Street side of the Warehouse School. The applicant is proposing a \$100,000 monetary or equivalent contribution for the City to develop a park on this parcel.

Inclusionary Housing and Community Amenity Policy

The proposal is for a purpose-built rental project, which will be secured for 60 years or the life of the building through a legal agreement. Therefore, the proposal is exempt from the Inclusionary Housing and Community Amenity Policy and no amenity contributions are required. However, the applicant is also proposing to secure 10% of the units as affordable, for a minimum of ten years and allocated to median income households (or lower) as defined in the *Victoria Housing Strategy*. The applicant is also proposing a monetary contribution towards developing a new public park in the rear yard of the heritage registered Warehouse School property (2550-2560 Fifth Street), which has been included as a condition of the Council motion.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria’s urban forest and optimizing community benefits from the urban forest in all neighbourhoods. This application was received between October 24, 2019 and July 1, 2021, so Tree Preservation Bylaw No. 05-106 (consolidated November 22, 2019) applies.

Eight trees have been inventoried. Of these, only one 44 cm diameter, bylaw protected, Western Red Cedar is located on the subject lot. The other seven trees are municipal trees located on the Kings Road and the Fifth Street frontages.

Seven trees are proposed for removal, including six municipal trees. On the subject lot, Western Red Cedar NT1 is in direct conflict with the pad mounted transformer and will require removal. Municipal trees #11611, #11612 and #11613 on the Kings Street frontage will be impacted by excavation for the underground parkade and extensive canopy pruning would be required to accommodate the proposed building. Municipal trees #11637 and #11638 on the Fifth Street frontage will be impacted by construction activities and have been assessed in fair/poor health condition. Municipal tree #11636 also on the Fifth Street frontage will be impacted by installation of the pad mounted transformer and extensive canopy pruning would be required to accommodate the proposed building. These six municipal trees are proposed for removal. As a result, the new sidewalk is proposed to be constructed along the property line creating separated boulevards on both frontages.

The applicant is proposing to plant six new boulevard trees, three on the Kings Street frontage and three on the Fifth street frontage. Soil cells are proposed under the sidewalk on the Kings Street frontage to ensure adequate soil volume. The landscape plan shows nine new trees on the subject lot, including two replacement trees as required by the Tree Preservation Bylaw.

If it is determined that the location of third-party servicing would prevent boulevard tree planting, it is recommended that the application return to Council for further consideration as this may result in permanent loss of municipal trees in this location.

Tree Impact Summary Table

Tree Status	Total # of Trees	To be REMOVED	To be PLANTED	NET CHANGE
On-site trees, bylaw-protected	1	1	2	+1
On-site trees, not bylaw-protected	0	0	7	+7
Municipal trees	7	6	6	0
Neighbouring trees, bylaw-protected	0	0	0	0
Neighbouring trees, not bylaw-protected	0	0	0	0
Total	8	7	15	+8

CONCLUSIONS

The proposal is generally consistent with the height and general form of the Large Urban Village designation in the OCP. The proposal would create an increase in rental units in Hillside-Quadra, 10% of which would be secured as affordable for ten years. It also proposes a monetary contribution to a new park on the Warehouse School property. The *Hillside-Quadra Neighbourhood Plan* notes that the current zoning should be maintained; however, staff believe the proposed height and density are acceptable in this location, and the proposal has been designed to fit relatively well within the existing context. Therefore, it is recommended that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00752 for the property located at 1025 Kings Road.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoesel, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 7, 2021
- Attachment D: Letter from applicant to Mayor and Council dated August 31, 2021
- Attachment E: Community Association Land Use Committee Minutes from the September 17, 2020 meeting dated November 3, 2020
- Attachment F: Advisory Design Panel Minutes from the January 27, 2021 meeting
- Attachment G: Parking Variance Report dated August 31, 2021
- Attachment H: Construction Impact Assessment & Tree Preservation Plan dated August 6, 2020, and amended May 5, 2021 and August 27, 2021
- Attachment I: Pre-Application Consultation Comments from Online Feedback Form
- Attachment J: Correspondence (Letters received from residents).



Committee of the Whole Report

For the Meeting of December 9, 2021

To: Committee of the Whole **Date:** November 25, 2021

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

Subject: Development Permit with Variances Application No. 00157 for 1025 Kings Road

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00752, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00157 for 1025 Kings Road, in accordance with:

1. Plans date stamped September 7, 2021.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the height from 18.5m to 21.24m;
 - ii. decrease the front yard setback from 5.0m to 1.93m;
 - iii. decrease the rear yard setback from 5.0m to 2.68m;
 - iv. decrease the south side yard setback from 5.0m to 3.98m;
 - v. decrease the north side yard setback from 5.0m 1.41m;
 - vi. increase the site coverage from 40% to 70%;
 - vii. reduce the residential vehicle parking from 20 to 19; and,
 - viii. reduce the visitor vehicle parking from 6 to 1.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1025 Kings Road. The proposal is to construct a new six-storey residential rental building with approximately 56 housing units. The variances are related to reducing the residential and visitor vehicle parking, decreasing the setbacks, increasing the site coverage and increasing the height.

The following points were considered in assessing this application:

- the proposal is generally consistent with the place character features of the Large Urban Village designation in the *Official Community Plan, 2012 (OCP)*, which envisions six-storey buildings with one- to three-storey building façades that define the street wall, buildings located close to the street frontage and off-street parking located underground or at the rear
- the proposal is generally consistent with the *Quadra Village Design Guidelines* as the exterior form is reasonably compatible with the context and the proposal contributes to an attractive, safe and friendly environment
- the proposal is generally consistent with the *Hillside-Quadra Neighbourhood Plan*, which envisions exterior form and materials that are reasonably compatible with those of their neighbours and proposals that contribute to an attractive safe and friendly environment
- the variances to reduce the residential and visitor vehicle parking are supportable as the applicant is providing car share memberships for each of the units and a car share vehicle, and the subject site is near a frequent transit corridor
- the variances to reduce the front, rear and side yard setbacks, increase the height and increase the site coverage are considered supportable as the proposal has been designed to fit the site, maintain privacy and provide appropriate transitions to neighbouring buildings.

BACKGROUND

Description of Proposal

The proposal is to construct a new six-storey residential rental building with approximately 56 housing units. Specific details include:

- a six-storey building mass
- the main residential building lobby and 34 long term bicycle parking stalls are accessed off Kings Road
- common amenity space on the sixth storey, in the form of a south-facing patio
- one level of underground vehicle parking
- three ground floor residential units accessed off Fifth Street
- materials are primarily cementitious panel with brick and composite metal panel.

The proposed variances are related to:

- increasing the height from 18.5m to 21.24m
- decreasing the front yard setback from 5.0m to 1.93m
- decreasing the rear yard setback from 5.0m to 2.68m
- decreasing the south side yard setback from 5.0m to 3.98m
- decreasing the north side yard setback from 5.0m to 1.41m

- increasing the site coverage from 40% to 70%
- reducing the residential vehicle parking from 20 to 19
- reducing the visitor vehicle parking from 6 to 1.

Sustainability

The applicant has not identified any sustainability features beyond the City's requirement for the building to achieve BC Step Code 3.

Active Transportation

The application proposes the following features which support active transportation:

- 70 long term bicycle stalls, including eight cargo bicycle stalls
- 20% of the long term bicycle stalls will be equipped with 110V outlets for electric bicycle charging
- six short term bicycle stalls located near the main lobby entrance and with ramp access
- a bicycle repair station located in the underground parkade.

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*. The proposed elevated main entrance would have a ramp in addition to the stairs to improve accessibility to the building.

Data Table

The following data table compares the proposal with the existing R3-2 Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Existing R3-2 Zone	Proposed Zone	OCP Policy
Site area (m ²) – minimum	1203	N/A	N/A	
Density (Floor Space Ratio) – maximum	2.93*	1.2 (parking variance reduces max density from 1.6)	2.94	2.5
Total floor area (m ²) – maximum	3527.38	N/A		
Height (m) – maximum	21.24*	18.5	18.5	
Storeys – maximum	6	6 or more	6	6
Site coverage (%) – maximum	70*	20	40	
Open site space (%) – minimum	39	30	39	

Zoning Criteria	Proposal	Existing R3-2 Zone	Proposed Zone	OCP Policy
Setbacks (m) – minimum				
Front (Fifth Street)	1.93*	13.5	5.0	
Rear (west)	2.68*	10.62	5.0	
Side (Kings Road)	1.41*	13.5	5.0	
Side (south)	3.98*	10.62	5.0	
Parking – minimum				
Residential	20*	37	37	
Visitor	0*	6	6	
Bicycle parking stalls – minimum				
Short Term	6	6	6	
Long Term	70	67	67	

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on September 17, 2020. The minutes from that meeting and the Pre-Application Consultation Comments are attached to this report. The applicant held a second Community Meeting on November 16, 2021. The 30-day Consultation Comments are also attached to this report.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within DPA 5: Large Urban Villages. The objectives of DPA 5 are to revitalize areas of commercial use into complete Large Urban Villages to achieve a unique character and sense of place with consideration for potential new landmarks, and high-quality architecture, landscape and urban design to enhance the appearance of Large Urban Villages and identity villages as important neighbourhood centres.

Design Guidelines that apply to DPA 5 are the *Quadra Village Design Guidelines* (1998),

Advisory Design Guidelines for Buildings, Signs and Awnings (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

The proposal is generally consistent with the design policies contained within the OCP. For instance, the main entrance is given prominence through a change in grade and soft landscaping. Each of the ground floor units have individual entrances that connect to Fifth Street, which improves the interaction between the building and the street.

The proposal provides a good contextual fit within the area, which does not have a dominant architectural style. The step up from five storeys to six storeys at the south provides a sensitive transition to the existing five-storey buildings to the south. The materials have been softened from the original design to fit better within the primarily residential area.

Amenity space for the units is provided through balconies and patios, with common amenity space on a deck on the sixth level with a communal barbeque and seating.

Hillside-Quadra Neighbourhood Plan

The *Hillside-Quadra Neighbourhood Plan* notes that exterior form and materials should be reasonably compatible with those of their neighbours and that the front face of a project should contribute to making that portion of the street an attractive safe and friendly environment. The applicant has made positive materiality changes that are more in line with a residential building, and the two street frontages provide an active and interesting interface between the private and public realms.

Parking Variances

The proposal will require variances to both residential and visitor vehicle parking. Residential vehicle parking is requested to be reduced from 20 stalls to 19 stalls. Visitor vehicle parking is requested to be reduced from 6 stalls to 1 stall. The applicant proposes the following Transportation Demand Management measures to offset the vehicle parking variances:

- one car share vehicle
- car share memberships for each of the residential units.

Staff believe this Transportation Demand Management program will help offset the parking shortfall.

Setback and Site Coverage Variances

A new site-specific zone is recommended for this site, with minimum setbacks of 5.0m and maximum site coverage of 40%. While it is believed this proposal has been designed to fit the site, maintain privacy and provide appropriate transitions to neighbouring buildings, it is not recommended that the proposed setbacks and site coverage be enshrined within the zone. This is to ensure that, should this proposal not be constructed, any new proposals would either meet the setbacks or apply for variances and will need to again demonstrate that the impact on the public realm and neighbouring properties is minimal.

The proposal will therefore require the following setback and site coverage variances:

- decrease the front yard setback from 5.0m to 1.93m
- decrease the rear yard setback from 5.0m to 2.68m
- decrease the south side yard setback from 5.0m to 3.98m

- decrease the north side yard setback from 5.0m 1.41m
- increase the site coverage from 40% to 70%.

Height Variance

The proposal meets the number of storeys within the policy and existing zone but requires a variance to increase the height from 18.5m to 21.24m. Staff believe this variance is acceptable as it is relatively small and the sixth storey of the building steps down at the southern portion in order to transition to the neighbouring five-storey building.

Advisory Design Panel Review

The Advisory Design Panel (ADP) reviewed this application on January 27, 2021. A copy of the minutes from this meeting are attached. The ADP was asked to comment on the street wall and pedestrian scale, materiality and landscape and parkade screening. The ADP motion was as follows:

That Development Permit with Variance Application No. 00157 for 1025 Kings Road be approved with the following changes:

- *Addition of screen fencing to the parkade on the south and east elevations of the building*
- *Low fencing to private patios on the ground level for increased security*
- *Review the existing street trees on Fifth Street with the parks department in order to provide new trees where appropriate*
- *Consider additional landscaping on Fifth Street*
- *Maintaining the cladding reveal colour consistent with the cementitious panel wall colour and to confirm cladding details*
- *Confirm quality of the cladding details with planning department at building permit stage.*

Since ADP, the applicant has moved the parking from under-building and accessed from Fifth Street to underground and accessed from Kings Road, which staff believe has addressed many of ADP's comments. The Fifth Street frontage has now improved through additional ground floor units with improved landscaping and private patios with low fencing. Furthermore, minor changes have been made to the materiality to be more in line with a residential building.

CONCLUSIONS

The proposed development is generally consistent with the relevant Design Guidelines and represents an appropriate fit within the neighbourhood. The applicant has made revisions to address comments from staff and the Advisory Design Panel. Finally, the parking variances are mitigated through extensive TDM measures and the height, setbacks and site coverage variances are acceptable with this specific proposal. It is therefore recommended that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00157 for the property located at 1025 Kings Road.

Respectfully submitted,

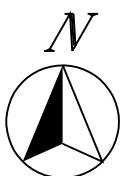
Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

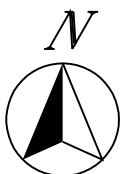
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 7, 2021
- Attachment D: Letter from applicant to Mayor and Council dated August 31, 2021
- Attachment E: Community Association Land Use Committee Minutes from the September 17, 2020 meeting dated November 3, 2020
- Attachment F: Advisory Design Panel Minutes from the January 27, 2021 meeting
- Attachment G: Parking Variance Report dated August 31, 2021
- Attachment H: Construction Impact Assessment & Tree Preservation Plan dated August 6, 2020, and amended May 5, 2021 and August 27, 2021
- Attachment I: Pre-Application Consultation Comments from Online Feedback Form
- Attachment J: Correspondence (Letters received from residents).



1025 Kings Road
Rezoning No.00752





1025 Kings Road
Rezoning No.00752



PROJECT STATISTICS

KINGS ROAD RESIDENTIAL

Project No.: 20019

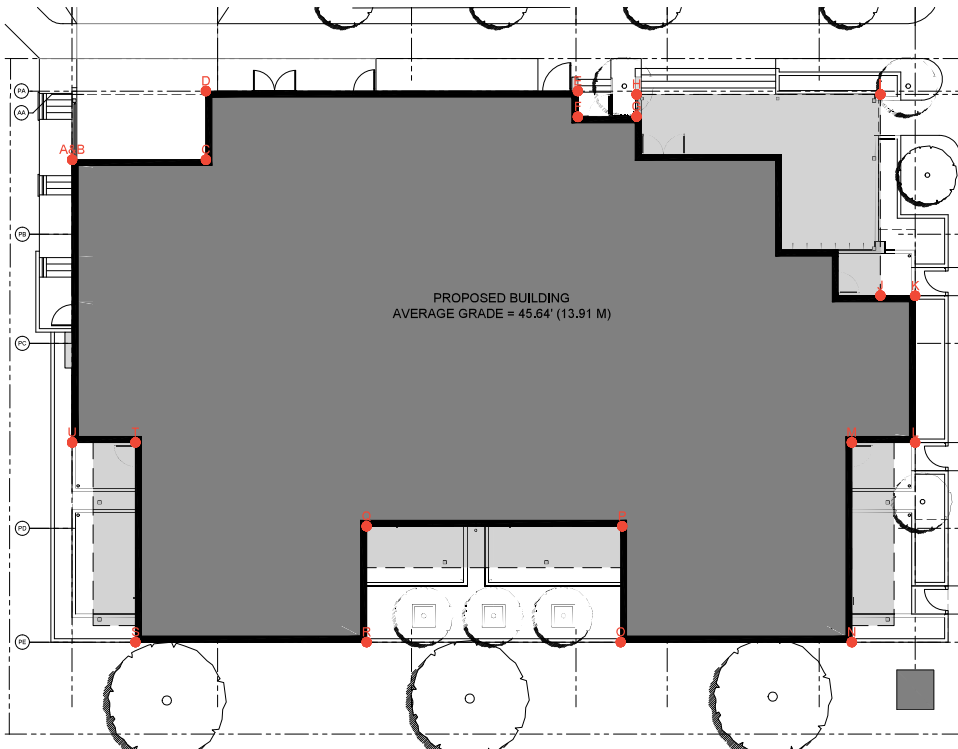
REVISION NO.3		DATE: 24-Aug-21		
SITE INFORMATION				
LEGAL DESCRIPTION		LOT 1, SECTION 4, VICTORIADISTRICT PLAN 30761		
CIVIC ADDRESS		1025 KINGS ROAD, VICTORIA, B.C.		
ZONE		EXISTING R3-2	PROPOSED CD	
SITE AREA (M²)			1,203.08	
LOT WIDTH - FIFTH STREET (M)			29.25	
GROSS FLOOR AREA (M²)			3,527.38	
FLOOR SPACE RATIO			2.93	
SITE COVERAGE (%)		840 M²	70%	
OPEN SITE SPACE (%)		467 M²	39%	
AVERAGE GRADE			45.64' (13.91M)	
BUILDING HEIGHT			69.69" (21.24M)	
SETBACKS			6.43' (1.95M)	
	FRONT (FIFTH STREET)		8.79' (2.68M)	
	REAR (WEST)		4.63' (1.41M)	
	SIDE (KINGS ROAD)		13.06' (3.98M)	
	SIDE (SOUTH)			
BUILDING DATA				
MULTIFAMILY UNITS	DESCRIPTION	AREA (M²)	# OF UNITS	TOTAL AREA (M²)
UNIT ST-1	STUDIO	36.43	5	182.14
UNIT 1B-1	1 BED	42.08	10	420.78
UNIT 1B-1A	1 BED	40.93	9	368.37
UNIT 1B-2	1 BED	43.26	5	216.28
UNIT 1B-3	1 BED	49.08	5	245.41
UNIT 1B-4	1 BED	48.55	5	242.76
UNIT 2B-1	2 BED	66.03	10	660.28
UNIT 2B-2	2 BED	67.43	4	269.72
UNIT 2B-3	2 BED	57.49	1	57.49
UNIT 3B-1	3 BED	82.20	2	164.41
		TOTAL	56	2,645.51
UNIT MIX (TOTAL 56)				
STUDIO	5	9%		
1 BED	34	61%		
2 BED	15	27%		
3 BED	2	4%		
BUILDING AREA FOR F.A.R. (M²)				
L1 GROSS FLOOR AREA		7 UNITS		524.22
L2 GROSS FLOOR AREA		11 UNITS		650.10
L3 GROSS FLOOR AREA		11 UNITS		650.10
L4 GROSS FLOOR AREA		11 UNITS		650.10
L5 GROSS FLOOR AREA		11 UNITS		650.10
L6 GROSS FLOOR AREA		5 UNITS		402.76
TOTAL GROSS FLOOR AREA				3,527.38
PROPOSED PARKING				
RESIDENTIAL				19
VISITOR				1
ACCESSIBLE (INCLUDED IN TOTAL)				1
TOTAL PROPOSED PARKING				20
REQUIRED PARKING				
TYPE	UNITS	RATE		REQUIRED STALLS
RESIDENTIAL				37 STALLS
UNIT <45 M²	29	0.6 STALLS / UNIT		17.4
UNIT 45-70M²	25	0.7 STALLS / UNIT		17.5
UNIT >70 M²	2	1.1 STALLS / UNIT		2.2
VISITOR	56	0.1 STALLS / UNIT		6 STALLS
TOTAL REQUIRED PARKING				43 STALLS
PROPOSED BICYCLE PARKING				
SHORT-TERM				6
LONG-TERM	42 GROUND ANCHORED =	67% OF REQ'D		70 (INCL 8 CARGO)
REQUIRED BYCYLE PARKING				
TYPE	UNITS	RATE		REQUIRED STALLS
RESIDENTIAL SHORT-TERM	56	0.1 STALLS / UNIT		6 SHORT-TERM
RESIDENTIAL LONG-TERM (MIN 50% GROUND ANCHORED)				63 LONG-TERM
UNIT <45 M²	29	1 STALLS / UNIT		29.0
UNIT >45 M²	27	1.25 STALLS / UNIT		34.0



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Made Personal.

1 PROJECT STATISTICS



GRADE POINT	EXISTING NATURAL GRADE	FINISHED GRADE	DISTANCE TO NEXT POINT	CALCULATION	
A	44.29' (13.5M)	46.75' (14.2M)	0' (0M)	A-B	$((44.29' + 42.2') \div 2) \times 0'$ = 0 SF
B	44.29' (13.5M)	42.2' (12.9M)	19' (5.8M)	B-C	$((42.2' + 42.2') \div 2) \times 19'$ = 802 SF
C	50.03' (15.2M)	42.2' (12.9M)	9.75' (3M)	C-D	$((42.2' + 43.24') \div 2) \times 9.75'$ = 417 SF
D	49.5' (15.1M)	43.24' (13.2M)	52.83' (16.1M)	D-E	$((43.24' + 45.01') \div 2) \times 52.83'$ = 2331 SF
E	49.21' (15M)	45.01' (13.7M)	3.67' (1.1M)	E-F	$((45.01' + 44.56') \div 2) \times 3.67'$ = 164 SF
F	49.54' (15.1M)	44.56' (13.6M)	8.33' (2.5M)	F-G	$((44.56' + 45.06') \div 2) \times 8.33'$ = 373 SF
G	51.51' (15.7M)	45.06' (13.7M)	3.17' (1M)	G-H	$((45.06' + 46.06') \div 2) \times 3.17'$ = 144 SF
H	51.2' (15.6M)	46.06' (14M)	34.67' (10.6M)	H-I	$((46.06' + 48.5') \div 2) \times 34.67'$ = 1639 SF
I	48.56' (14.8M)	48.5' (14.8M)	28.58' (8.7M)	I-J	$((48.5' + 47.24') \div 2) \times 28.58'$ = 1368 SF
J	47.24' (14.4M)	48.5' (14.8M)	4.94' (1.5M)	J-K	$((47.24' + 48.29') \div 2) \times 4.94'$ = 236 SF
K	48.29' (14.7M)	48.83' (14.9M)	20.83' (6.3M)	K-L	$((48.29' + 48.22') \div 2) \times 20.83'$ = 1005 SF
L	48.22' (14.7M)	48.83' (14.9M)	9' (2.7M)	L-M	$((48.22' + 47.24') \div 2) \times 9'$ = 430 SF
M	47.24' (14.4M)	48.5' (14.8M)	28.38' (8.7M)	M-N	$((47.24' + 48.39') \div 2) \times 28.38'$ = 1357 SF
N	48.39' (14.7M)	49' (14.9M)	32.83' (10M)	N-O	$((48.39' + 46.1') \div 2) \times 32.83'$ = 1551 SF
O	46.1' (14.1M)	48.83' (14.9M)	16.46' (5M)	O-P	$((46.1' + 44.85') \div 2) \times 16.46'$ = 749 SF
P	44.85' (13.7M)	48.5' (14.8M)	36.29' (11.1M)	P-Q	$((44.85' + 44.49') \div 2) \times 36.29'$ = 1621 SF
Q	44.49' (13.6M)	48.5' (14.8M)	16.46' (5M)	Q-R	$((44.49' + 45.44') \div 2) \times 16.46'$ = 740 SF
R	45.44' (13.9M)	48.63' (14.8M)	32.83' (10M)	R-S	$((45.44' + 43.37') \div 2) \times 32.83'$ = 1458 SF
S	43.37' (13.2M)	48.37' (14.7M)	24.38' (7.4M)	S-T	$((43.37' + 45.67') \div 2) \times 24.38'$ = 1085 SF
T	45.67' (13.9M)	48.5' (14.8M)	9' (2.7M)	T-U	$((45.67' + 45.77') \div 2) \times 9'$ = 411 SF
U	45.77' (14M)	48.77' (14.9M)	30.17' (9.2M)	U-A	$((45.77' + 44.29') \div 2) \times 30.17'$ = 1359 SF
TOTAL DISTANCE			= 421.57' (128.5M)	CALCULATION SUBTOTAL = 19241 SF	
AVERAGE GRADE		= TOTAL DISTANCE + CALCULATION SUBTOTAL		= 19241 SF ÷ 421.57' =	
				45.64' (13.91M)	

2 AVERAGE GRADE CALCULATION

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NORTH ARROW

OWNER/CLIENT:

ARYZE

7	REISSUED FOR RZDP	2021/08/24
6	ISSUED FOR DD	2021/08/06
5	ISSUED FOR DD	2021/07/14
4	ISSUED FOR COORDINATION	2021/05/31
3	ISSUED FOR COORDINATION	2021/05/27
2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPMZ	2020/08/19
NO.	ISSUE	DATE
SEAL:		

CONSULTANT:



PROJECT NAME:
1025 KINGS
PROPOSED RENTAL
RESIDENTIAL

PROJECT ADDRESS:
1025 KINGS ROAD
VICTORIA, BC

DRAWING TITLE:
PROJECT DATA AND
AVERAGE GRADE CALC

PROJECT NO.: 20019 DRAWN BY: AS
SCALE: AS NOTED REVIEW BY: BW
DWG NO: A001



1 SOUTHEAST FIFTH ST LOOKING NORTH



2 EAST FIFTH ST LOOKING WEST



3 NORTHEAST FIFTH ST LOOKING WEST



6 CONTEXT VIEW KEY PLAN
R.S.



4 KINGS RD & FIFTH ST LOOKING SOUTHWEST



5 NORTH KINGS RD LOOKING EAST

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7	RE-ISSUED FOR RZDP	2021/08/24
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1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	DATE

SEAL:

CONSULTANT:

IWA ARCHITECTS

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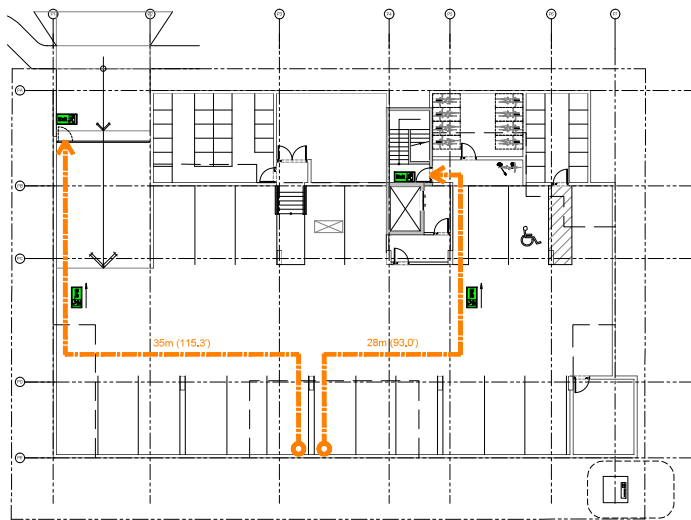
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**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

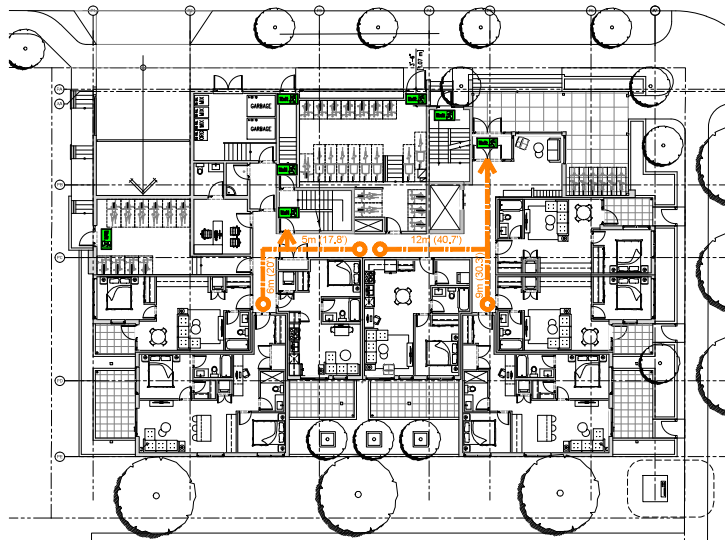
PROJECT ADDRESS
**1025 KINGS ROAD
VICTORIA, BC**

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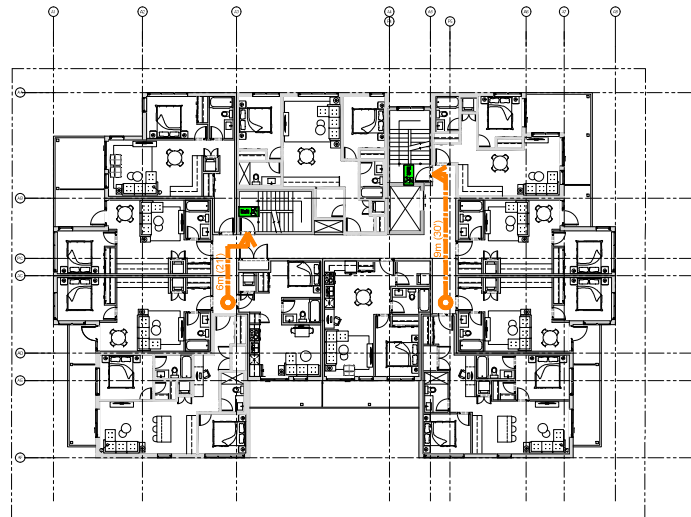
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SCALE: AS NOTED REVIEW BY: RW
DWG NO: **A002**



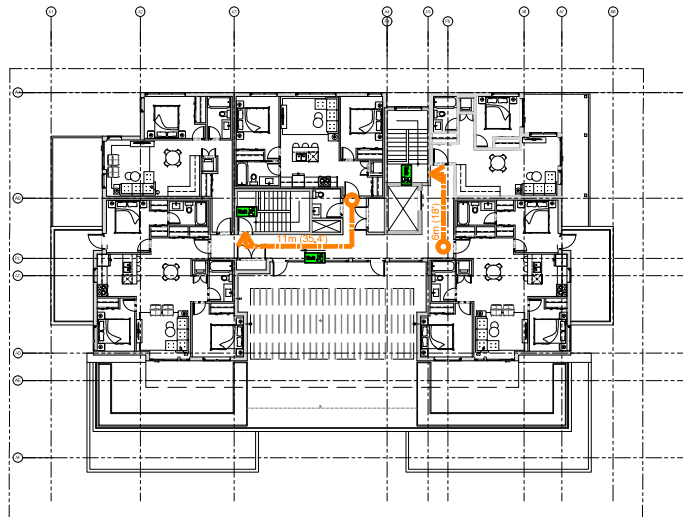
1 PARKING LEVEL CODE PLAN
1:150



2 LEVEL 1 CODE PLAN
1:150



3 LEVELS 2-5 CODE PLAN
1:150



4 LEVELS 6 CODE PLAN
1:150

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7	RE-ISSUED FOR RZDP	2021/08/24
6	ISSUED FOR DD	2021/08/06
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4	ISSUED FOR COORDINATION	2021/05/21
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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPMZ	2020/08/19
NO.	ISSUE	DATE

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PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS:

**1025 KINGS ROAD
VICTORIA, BC**

DRAWING TITLE:

CODE PLANS

PROJECT NO.: 2019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: RW

DWG NO.: **A003**

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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	DATE

SEAL:

CONSULTANT:

PROJECT NAME:

1025 KINGS
PROPOSED RENTAL
RESIDENTIAL

PROJECT ADDRESS
1025 KINGS ROAD
VICTORIA, BC

DRAWING TITLE

EXISTING SURVEY

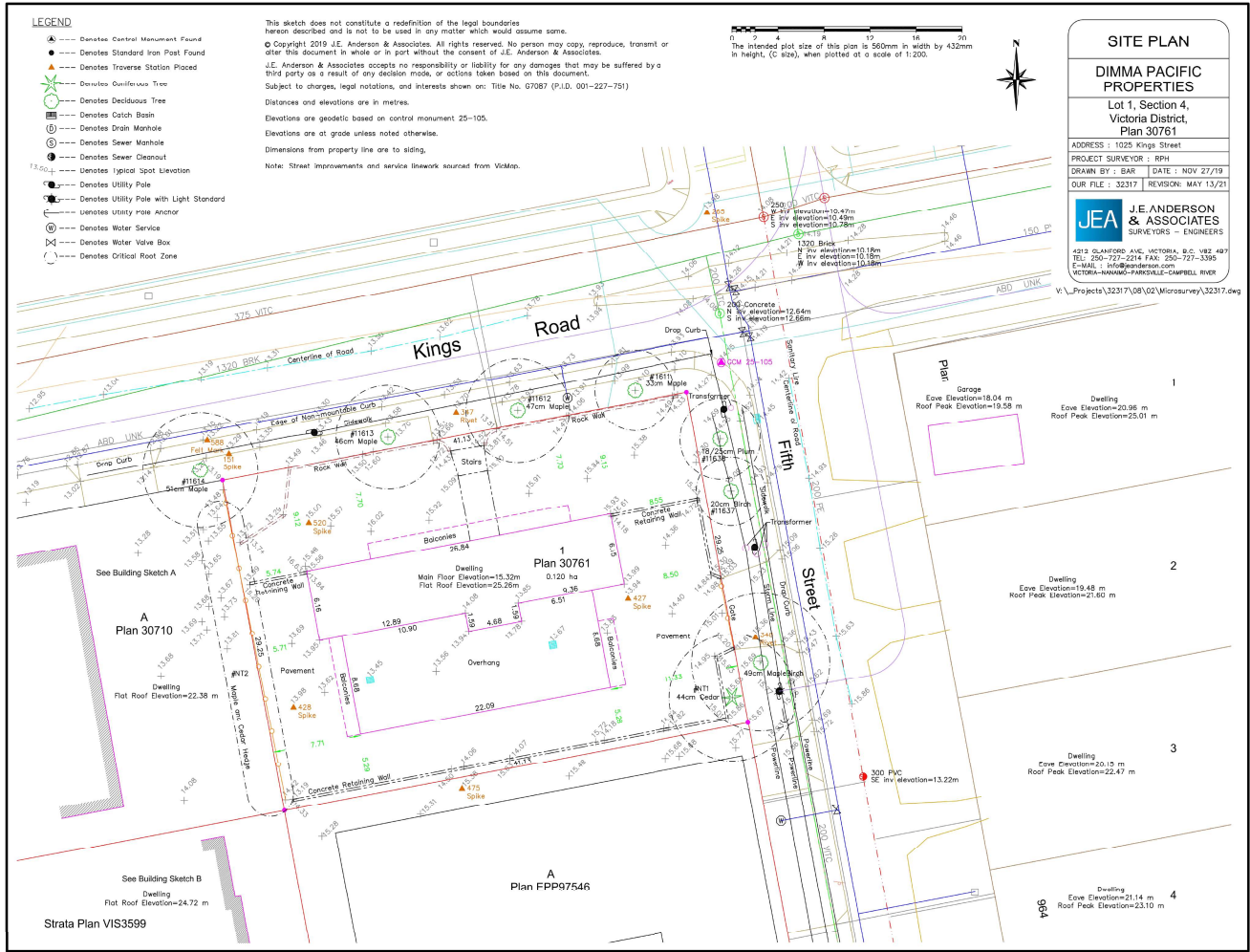
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SCALE: AS NOTED

REVIEW BY: RW

DWG NO:

A100



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7	RE-ISSUED FOR RZDP	2021/08/24
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1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	DATE

SEAL:

CONSULTANT:

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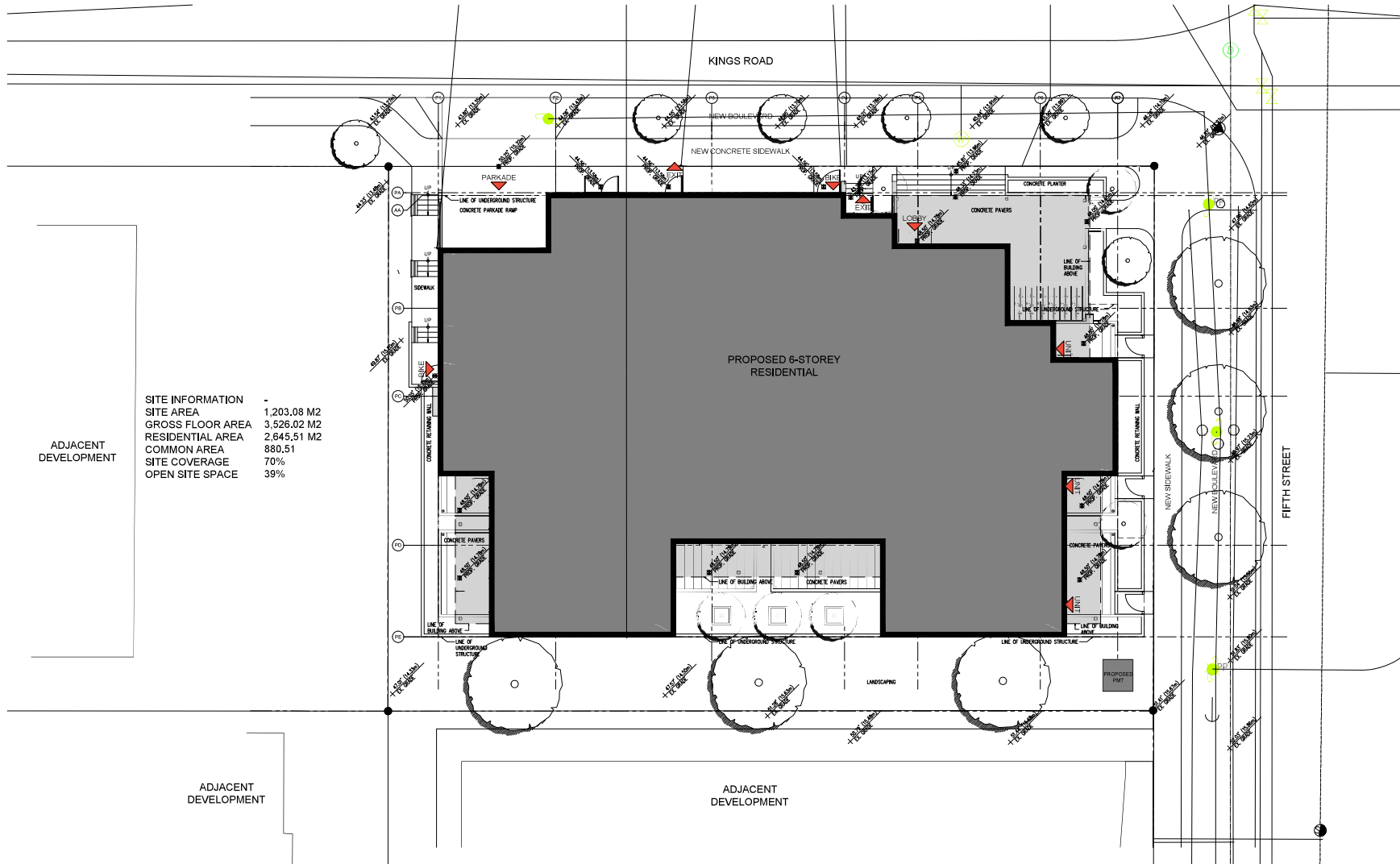
PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS
**1025 KINGS ROAD
VICTORIA, BC**

DRAWING TITLE
SITE PLAN

PROJECT NO.: 20019 DRAWN BY: AS
SCALE: AS NOTED REVIEW BY: BW
DWG NO.: **A101**



SITE INFORMATION

- SITE AREA 1,203.08 M²
- GROSS FLOOR AREA 3,526.02 M²
- RESIDENTIAL AREA 2,645.51 M²
- COMMON AREA 880.51
- SITE COVERAGE 70%
- OPEN SITE SPACE 39%

ADJACENT
DEVELOPMENT

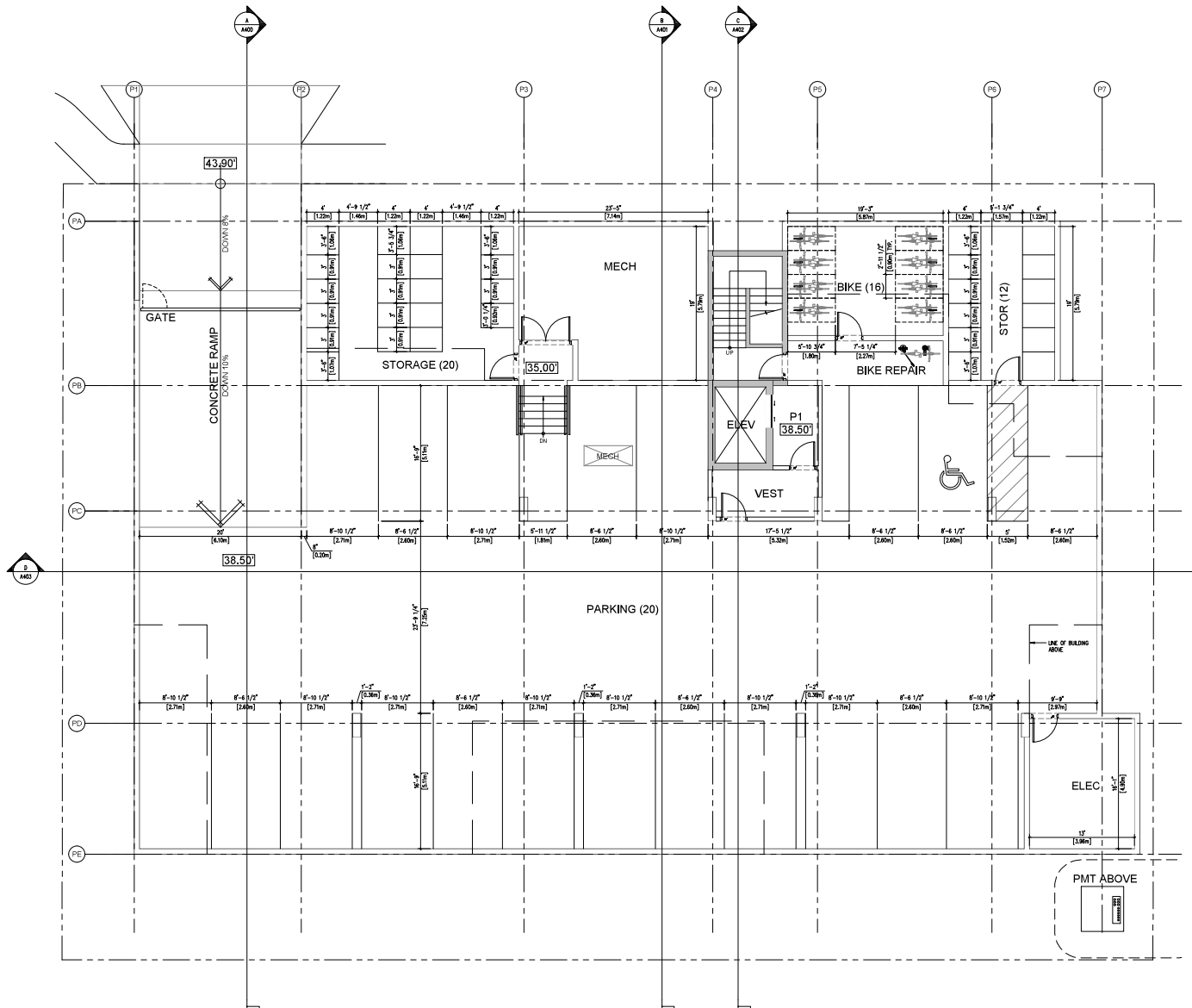
ADJACENT
DEVELOPMENT

ADJACENT
DEVELOPMENT

1 PROPOSED SITE PLAN
1/100



7	RE-ISSUED FOR RZDP	2021/08/24
6	ISSUED FOR DD	2021/08/06
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4	ISSUED FOR COORDINATION	2021/05/31
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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	DATE/NO.

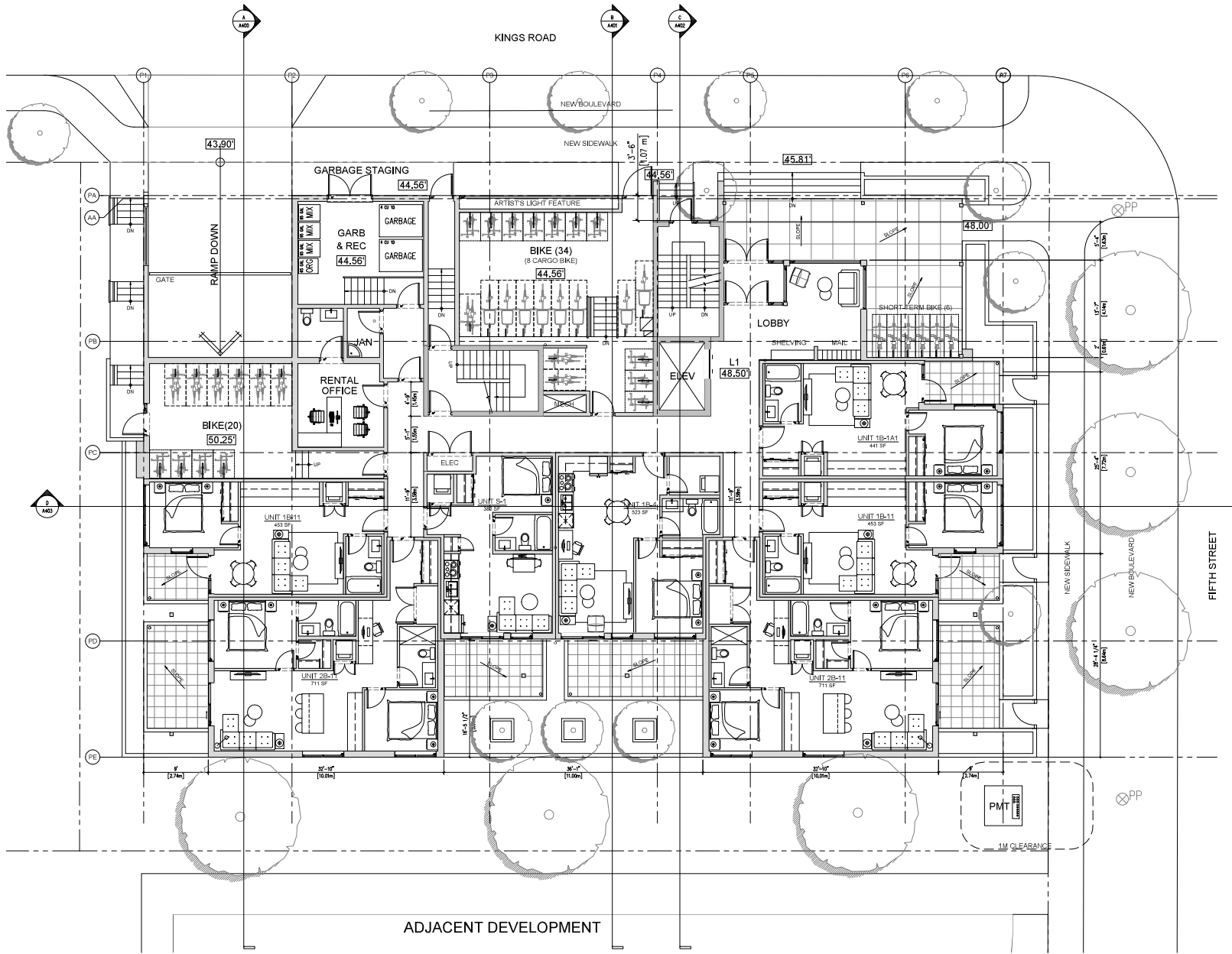


1 PARKING LEVEL FLOOR PLAN

1/75



7	RE-ISSUED FOR RZDP	2021/08/24
6	ISSUED FOR DD	2021/08/06
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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	DATE



1 LEVEL 1 FLOOR PLAN
1/19



OWNER/CLIENT:

ARYZE

[illegible]NO.
SEAL

CONSULTANT:

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VIC 194 - 3212 Jacklin Road Victoria, V8B 6J6
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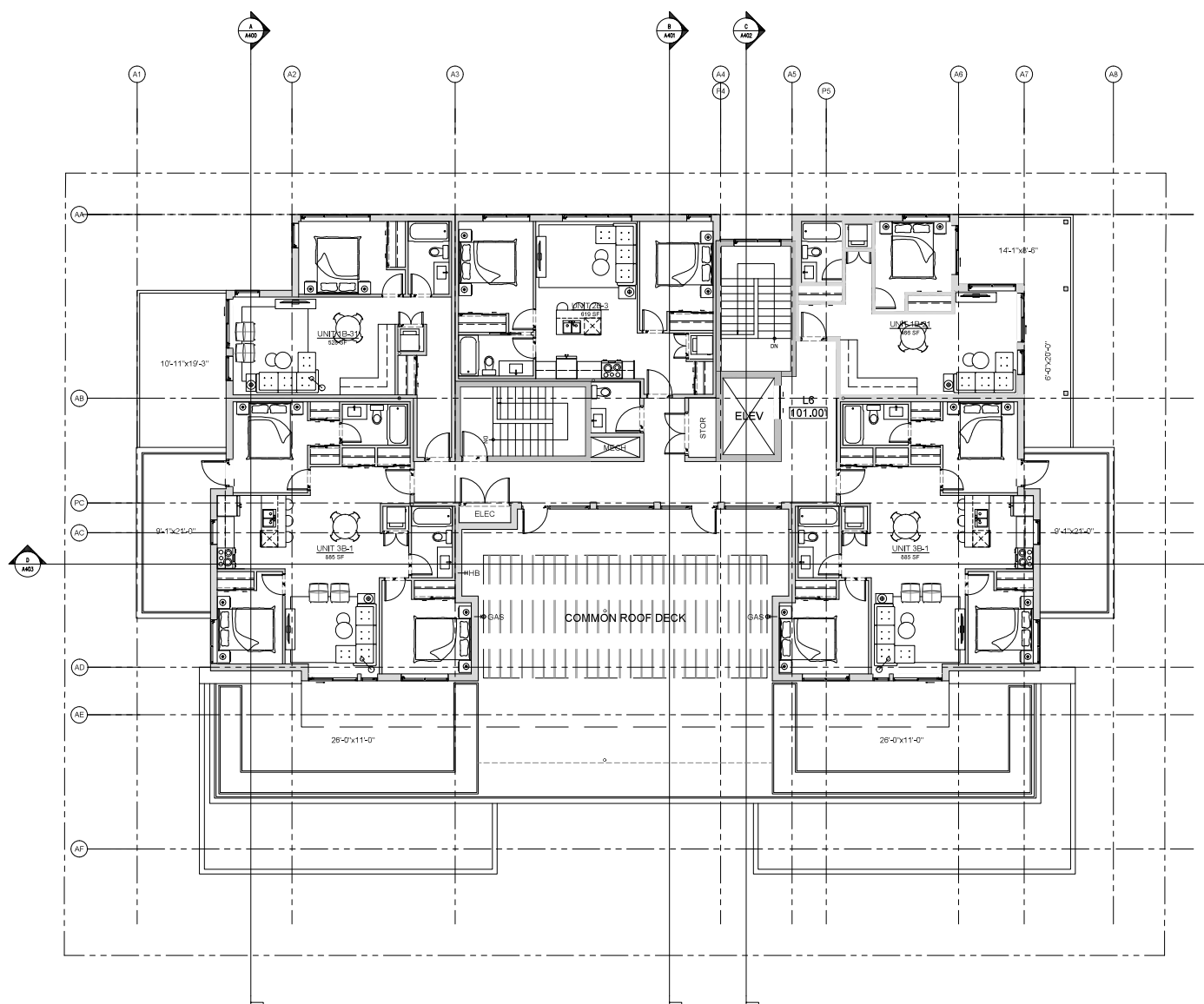
PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS
1025 KINGS ROAD
VICTORIA, BC

DRAWING TITLE:
LEVEL 6
FLOOR PLAN

PROJECT NO: 20019 DRAWN BY: AS
SCALE: AS NOTED REVIEW BY: BW
DWG NO: **A204**



1 LEVEL 6 FLOOR PLAN
1:75



OWNER/CLIENT:

ARYZE

7	RE-ISSUED FOR RZ/DP	2021/08/24
6	ISSUED FOR DD	2021/08/06
5	ISSUED FOR DD	2021/07/14
4	ISSUED FOR COORDINATION	2021/05/31
3	ISSUED FOR COORDINATION	2021/05/27
2	RE-ISSUED FOR RZ/DP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19
NO	ISSUE	YYMMDD

NO.	ISSUE	YY/MM/DD
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SEAL:

CONSULTANT:

WA ARCHITECTS

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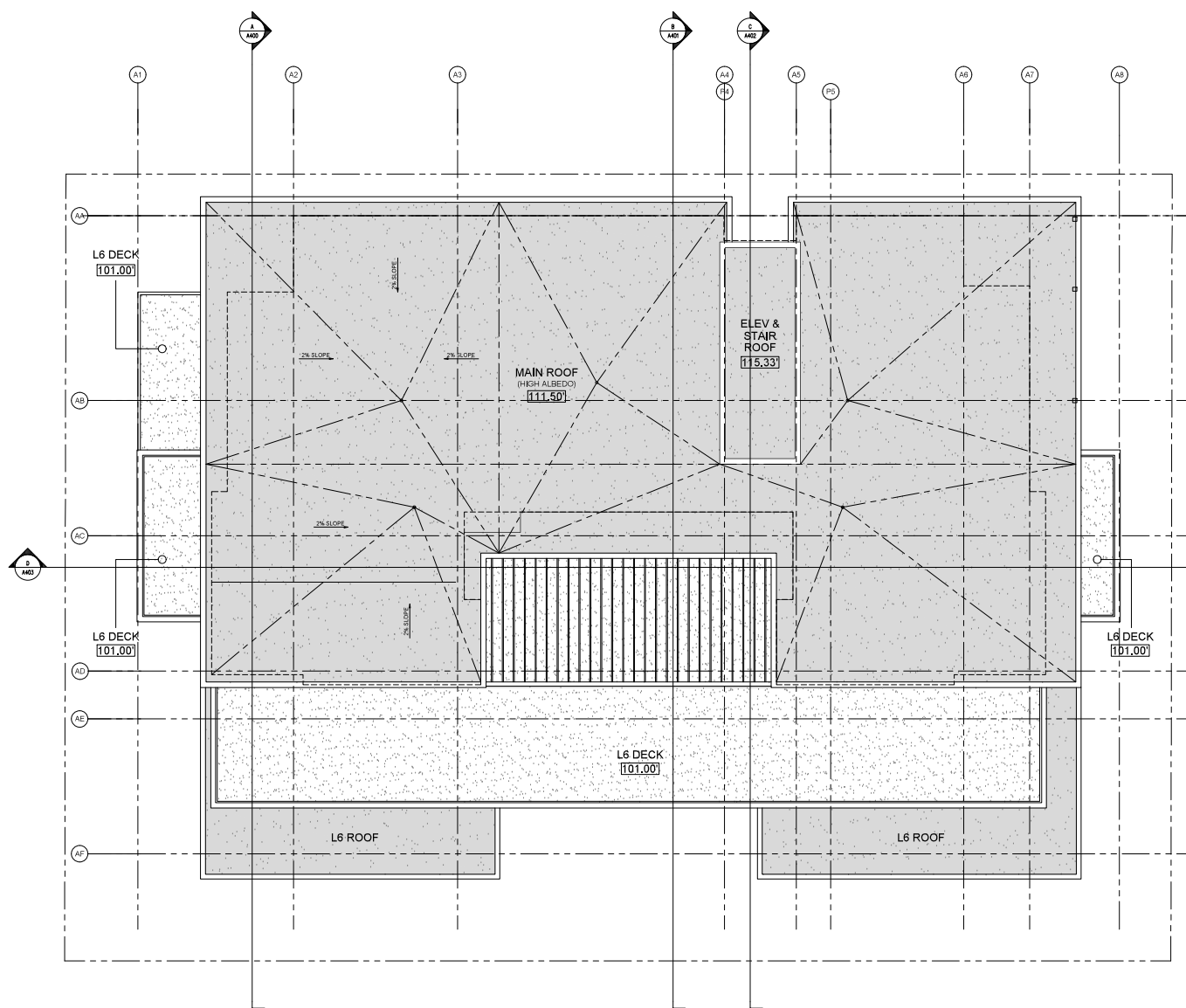
PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

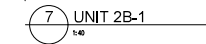
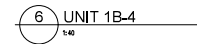
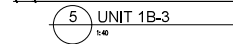
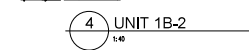
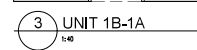
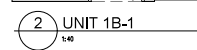
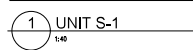
PROJECT ADDRESS:
1025 KINGS ROAD
VICTORIA, BC

DRAWING TITLE:
ROOF PLAN

PROJECT NO: 20019 DRAWN BY: AS
SCALE: AS NOTED REVIEW BY: BW
DWG NO: **A205**



1 ROOF PLAN
1:75

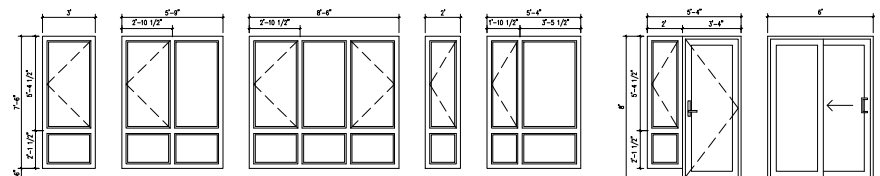
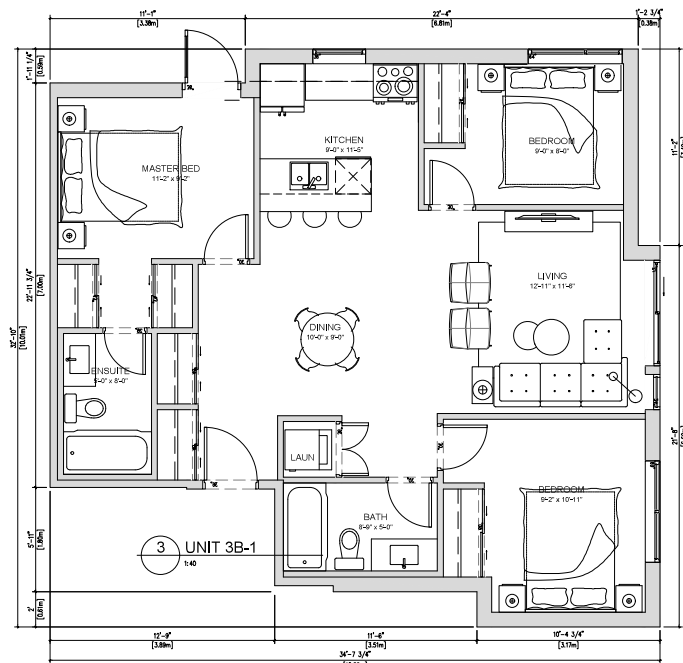
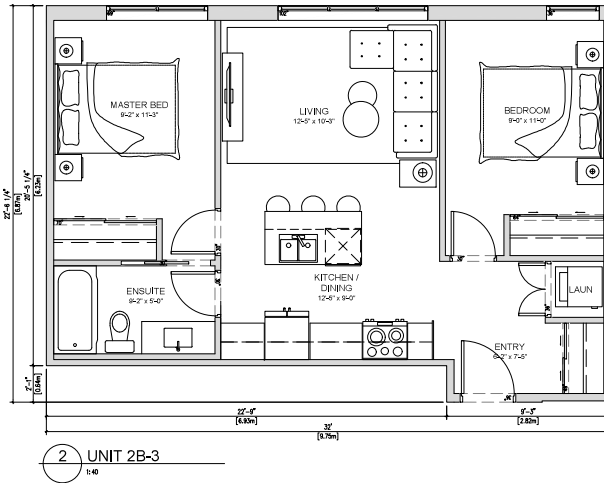
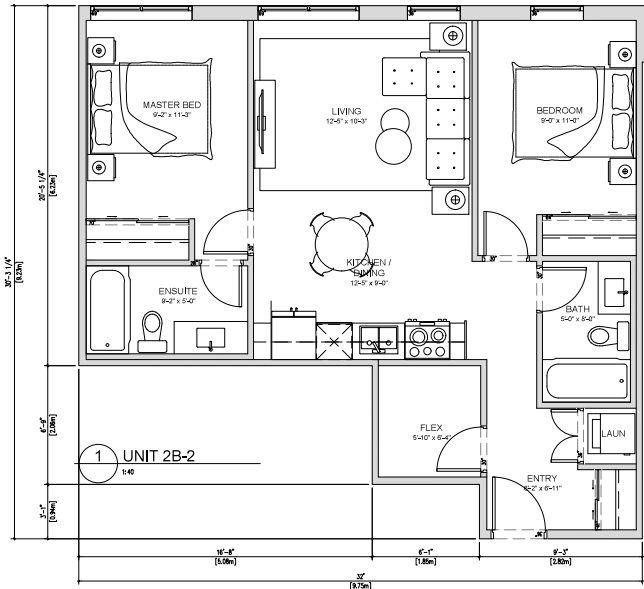


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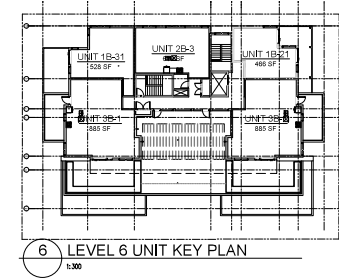
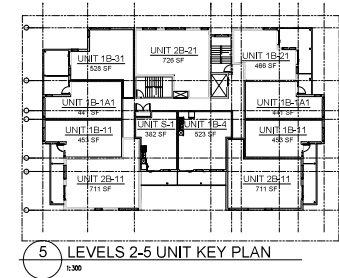
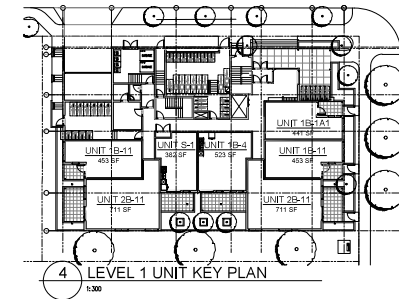
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ARCHITECTS

PROJECT NO: 20019	DRAWN BY: AS
SCALE: AS NOTED	REVIEW BY: BW
DWG NO:	A210



7 WINDOW ELEVATIONS
1:40

NOTE:
WINDOW LOCATIONS VARY BY FLOOR.
REFER TO FLOOR PLANS (A201-A206)
FOR ALTERNATE WINDOW LAYOUTS.



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7	RE-ISSUED FOR RZDP	2021/08/24
6	ISSUED FOR DD	2021/08/06
5	ISSUED FOR DD	2021/07/14
4	ISSUED FOR COORDINATION	2021/05/31
3	ISSUED FOR COORDINATION	2021/05/27
2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	BY/DATE

SEAL:

CONSULTANT:

IWA ARCHITECTS

1141 850 - 1500 N. Gough Street Vancouver, V6B 2Z8
110 124 - 2212 Laurier Road Victoria, V8B 2A4
804.985.5525 | office@iwa-arch.ca | iwa-arch.ca

PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS:

**1025 KINGS ROAD
VICTORIA, BC**

DRAWING TITLE:

UNIT PLANS

PROJECT NO: 2019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: BW

DWG NO: **A211**



1	CEMENTITIOUS PANEL	WHITE
2	COMPOSITE METAL PANEL	BLACK
3	BRICK	CHARCOAL
4	ALUMINUM CLAD VINYL WINDOW	BLACK
5	ALUMINUM PICKET GUARDRAIL	BLACK
6a	PAINTED SOFFIT	SW 6470 WATERSCAPE
6b	PAINTED SOFFIT	SW 6729 LACEWING
6c	PAINTED SOFFIT	SW 6652 FLAN
6d	PAINTED SOFFIT	SW 6628 OLEANDER
6e	PAINTED SOFFIT	SW 6289 ROSEBUD

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NORTH ARROW

OWNER/CLIENT:

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7	RE-ISSUED FOR RZDP	2021/08/24
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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	DATE

SEAL:

CONSULTANT:

IWA ARCHITECTS

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1/12 124 - 1212 JARVIS ROAD, VICTORIA, V8B 2J4
855.855.5525 | OFFICE@IWA-ARCH.COM | IWA-ARCH.COM

PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS

**1025 KINGS ROAD
VICTORIA, BC**

DRAWING TITLE

NORTH ELEVATION

PROJECT NO.: 20019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: B/W

DWG NO: **A300**



1	CEMENTITIOUS PANEL	WHITE
2	COMPOSITE METAL PANEL	BLACK
3	BRICK	CHARCOAL
4	ALUMINUM CLAD VINYL WINDOW	BLACK
5	ALUMINUM PICKET GUARDRAIL	BLACK
6a	PAINTED SOFFIT	SW 6470 WATERSCAPE
6b	PAINTED SOFFIT	SW 6729 LACEWING
6c	PAINTED SOFFIT	SW 6652 FLAN
6d	PAINTED SOFFIT	SW 6628 OLEANDER
6e	PAINTED SOFFIT	SW 6289 ROSEBUD

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NORTH ARROW

OWNER/CLIENT:

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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19

NO. ISSUE
SEAL:

CONSULTANT:

IWA
ARCHITECTS

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1/12 254 - 2512 JARDIN ROAD VICTORIA, V8B 2J4
855.855.5525 | OFFICE@IWA-ARCH.COM | IWA-ARCH.CA

PROJECT NAME:

1025 KINGS
PROPOSED RENTAL
RESIDENTIAL

PROJECT ADDRESS

1025 KINGS ROAD
VICTORIA, BC

DRAWING TITLE:

WEST ELEVATION

PROJECT NO.: 20019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: BW

DWG NO.: A301



1	CEMENTITIOUS PANEL	WHITE
2	COMPOSITE METAL PANEL	BLACK
3	BRICK	CHARCOAL
4	ALUMINUM CLAD VINYL WINDOW	BLACK
5	ALUMINUM PICKET GUARDRAIL	BLACK
6a	PAINTED SOFFIT	SW 6470 WATERSCAPE
6b	PAINTED SOFFIT	SW 6729 LACEWING
6c	PAINTED SOFFIT	SW 6652 FLAN
6d	PAINTED SOFFIT	SW 6603 OLEANDER
6e	PAINTED SOFFIT	SW 6288 ROSEBUD

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NORTH ARROW

OWNER/CLIENT:

ARYZE

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1	ISSUED FOR DPRZ	2020/08/19
NO.	ISSUE	DATE

SEAL:

CONSULTANT:

IWA ARCHITECTS

1/41 850 - 1500 N. GARDEN STREET, VICTORIA, V8B 2Z8
1/12 124 - 1212 JARDIN ROAD, VICTORIA, V8B 2J4
854.885.5525 | OFFICE@IWA-ARCH.COM | IWA-ARCH.COM

PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS

**1025 KINGS ROAD
VICTORIA, BC**

DRAWING TITLE

SOUTH ELEVATION

PROJECT NO.: 20019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: B/W

DWG NO: **A302**



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NORTH ARROW:

OWNER/CLIENT:

ARYZE

SEAL

CONSULTANT:

LWA ARCHITECTS

VAN 950 - 1500 W. Georgia Street Vancouver, V6G 2Z6
VIC 104 - 3212 Jacklin Road Victoria, V8B 6J5
804.885.3529 | office@wa-arch.ca | wa-arch.ca

PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS
1025 KINGS ROAD
VICTORIA, BC

DRAWING TITLE:
EAST ELEVATION

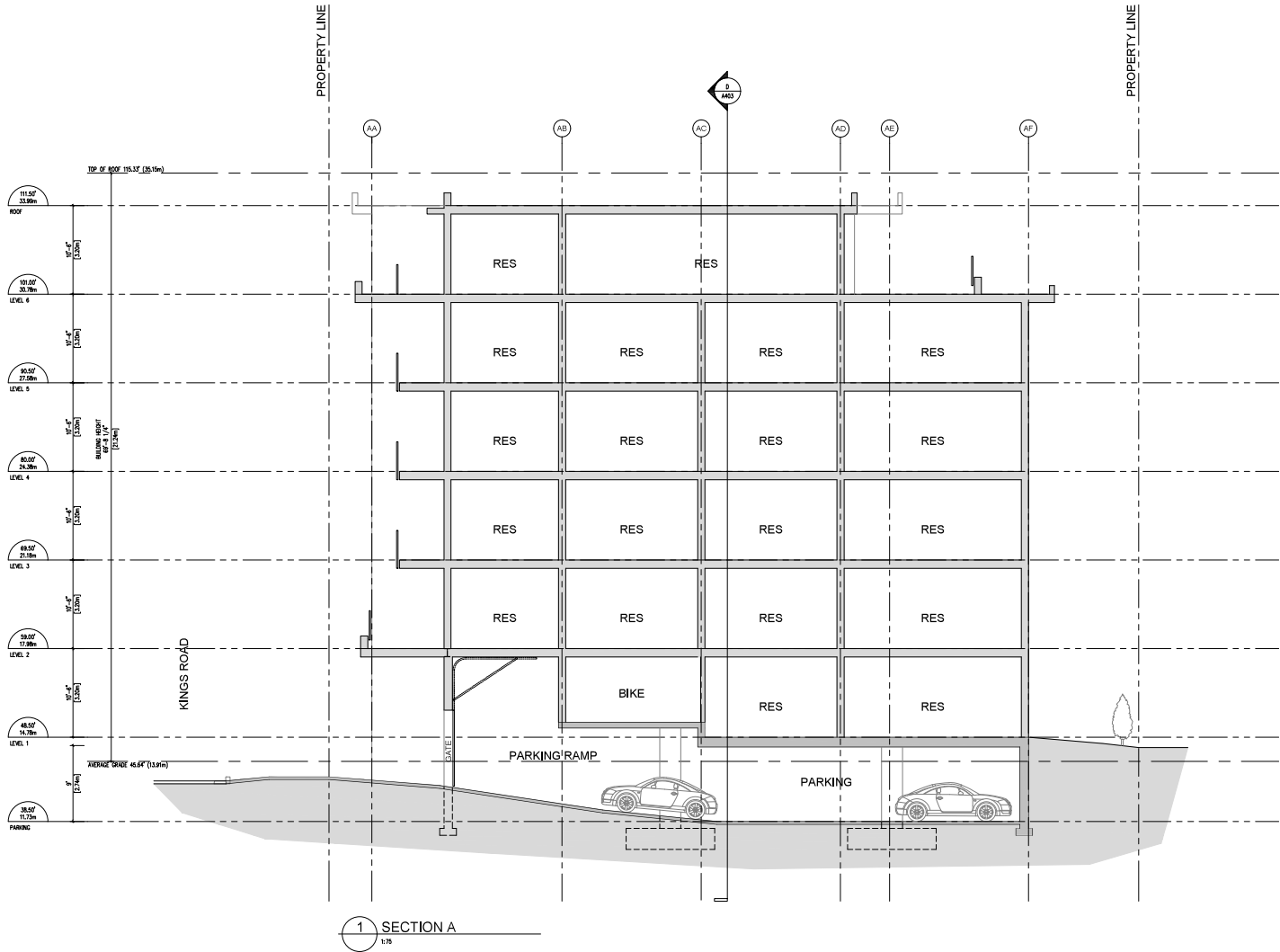
PROJECT NO: 20019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: BWA

DWG NO: **A303**

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6	ISSUED FOR DD	2021/08/06
5	ISSUED FOR DD	2021/07/14
4	ISSUED FOR COORDINATION	2021/05/31
3	ISSUED FOR COORDINATION	2021/05/27
2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19

NO. ISSUE BY/REVISED
SEAL:



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7	RE-ISSUED FOR RZDP	2021/08/24
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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19

NO. ISSUE
SEAL: (signature)

CONSULTANT:

IWA ARCHITECTS

1101 850 - 1500 W. GARDIN STREET VICTORIA, V8B 2Z8
1101 1504 - 1512 GARDIN STREET VICTORIA, V8B 2Z4
250.4.885.3525 | OFFICE@IWA-ARCH.COM | IWA-ARCH.COM

PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS:

**1025 KINGS ROAD
VICTORIA, BC**

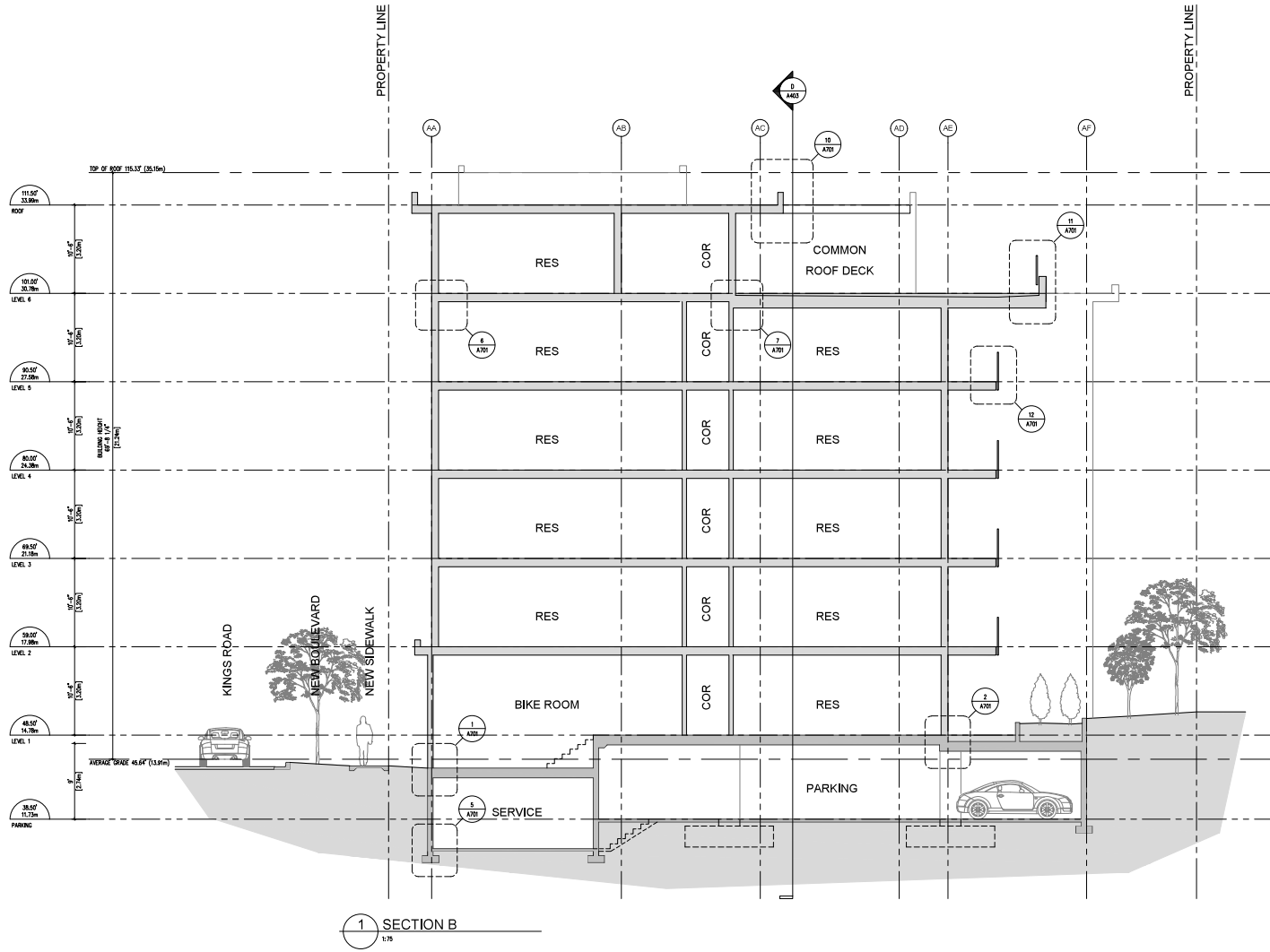
DRAWING TITLE:

BUILDING SECTION B

PROJECT NO.: 20019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: BW

DWG NO: **A401**



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NORTH ARROW

OWNER/CLIENT:

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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19

NO. ISSUE BY/REV

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CONSULTANT:

IWA ARCHITECTS

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1/12 124 - 1212 JARDIN ROAD VICTORIA, V8B 2J4
250.685.3525 | office@iwa-arch.ca | iwa-arch.ca

PROJECT NAME:

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS:

**1025 KINGS ROAD
VICTORIA, BC**

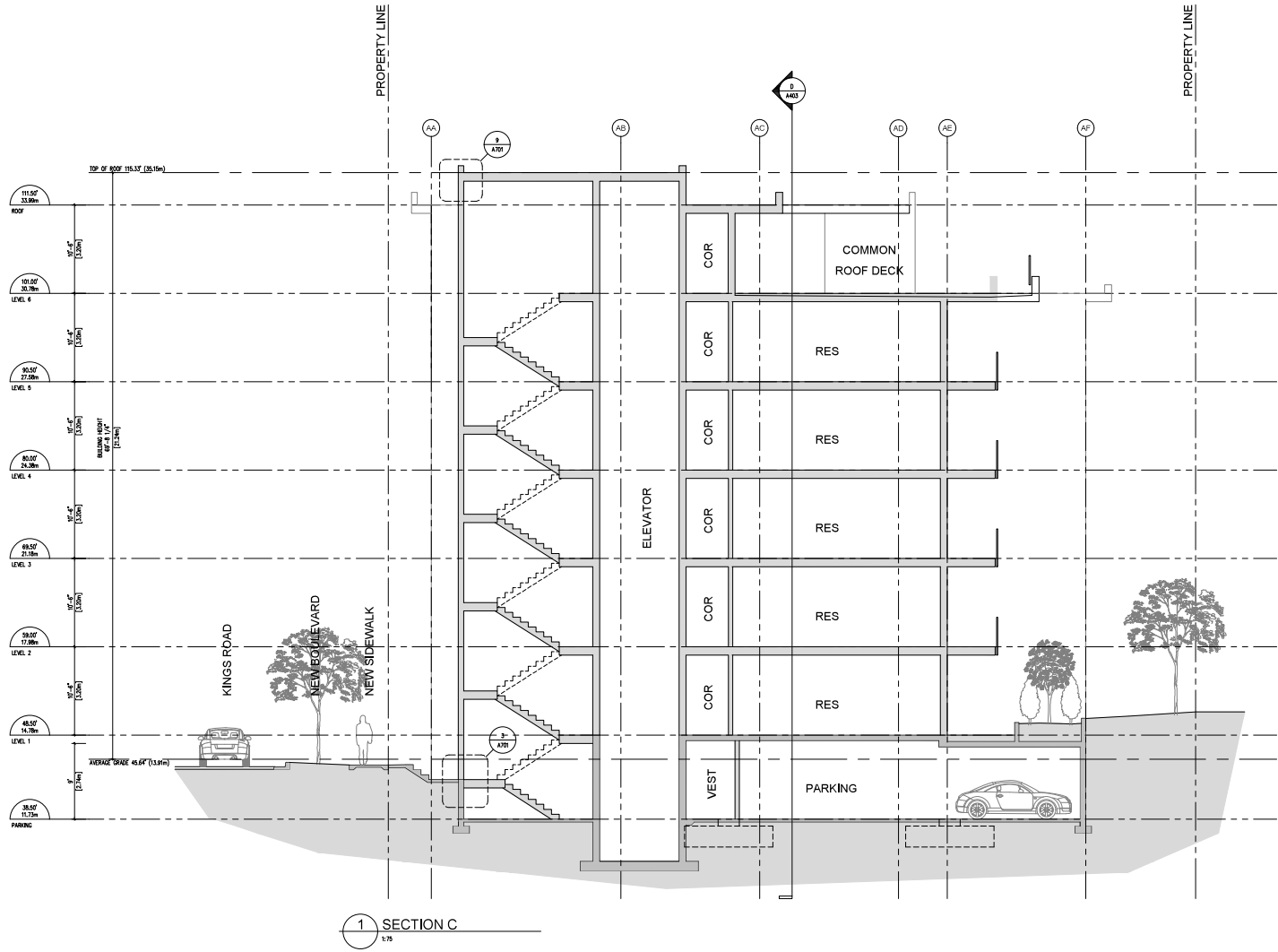
DRAWING TITLE:

BUILDING SECTION C

PROJECT NO.: 20019 DRAWN BY: AS

SCALE: AS NOTED REVIEW BY: RW

DWG NO: **A402**



NORTH ARROW

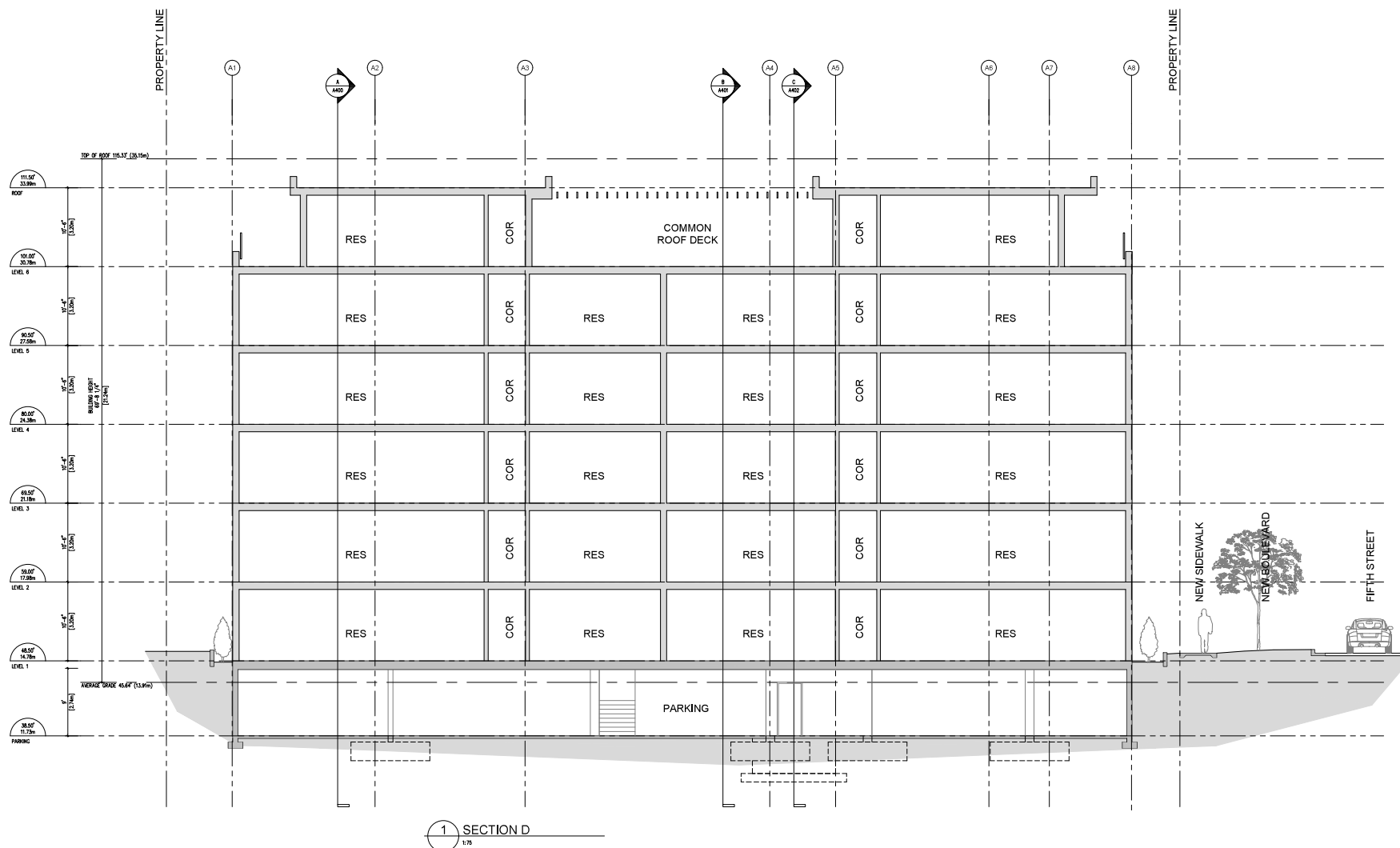
ARYZE

SEALWA
ARCHITECTS

**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

DRAWING TITLE:
BUILDING SECTION D

PROJECT NO: 20019 DRAWN BY: AS
SCALE: AS NOTED REVIEW BY: BW
DWG NO: **A403**





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NORTH ARROW

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7	RE-ISSUED FOR RZDP	2021/08/24
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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19

NO. ISSUE
SEAL: (signature)

CONSULTANT:

WA ARCHITECTS

VAN 850 - 1500 W. GARDIN STREET, VANCOUVER, V6B 2Z8
TEL: 778-4-3212 JARVIS ROAD, VICTORIA, V8B 2J4
804.885.5525 | OFFICE@WA-ARCH.COM | WA-ARCH.COM

PROJECT NAME:
**1025 KINGS
RESERVED RENTAL
RESIDENTIAL**

PROJECT ADDRESS:
**1025 KINGS ROAD
VICTORIA, BC**

DRAWING TITLE:
**FIFTH STREET
PERSPECTIVE**

PROJECT NO.: 20019 DRAWN BY: AS
SCALE: AS NOTED REVIEW BY: RW
DWG NO: **A500**



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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19

NO. ISSUE
SEAL: [Signature]

CONSULTANT:

WA
ARCHITECTS

1141 850 - 1500 W. Georgia Street Vancouver, V6B 2Z8
1171 124 - 1212 Jervis Road Victoria, V8B 2J4
604.685.5525 | office@wa-arch.ca | wa-arch.ca

PROJECT NAME:
**1025 KINGS
PROPOSED RENTAL
RESIDENTIAL**

PROJECT ADDRESS:
**1025 KINGS ROAD
VICTORIA, BC**

DRAWING TITLE:
**KINGS RD & FIFTH ST
PERSPECTIVE**

PROJECT NO.: 20019 DRAWN BY: AS
SCALE: AS NOTED REVIEW BY: BW
DWG NO: **A501**



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NORTH ARROW:

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2	RE-ISSUED FOR RZDP	2021/05/12
1	ISSUED FOR DPRZ	2020/08/19

NO. ISSUE BY/NAME/ID

SEAL:

CONSULTANT:

WA
ARCHITECTS

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1/10 124 - 1212 Jervis St. Victoria, V8B 2A4
604.685.5525 | office@wa-arch.ca | wa-arch.ca

PROJECT NAME:

1025 KINGS
PROPOSED RENTAL
RESIDENTIAL

PROJECT ADDRESS

1025 KINGS ROAD
VICTORIA, BC

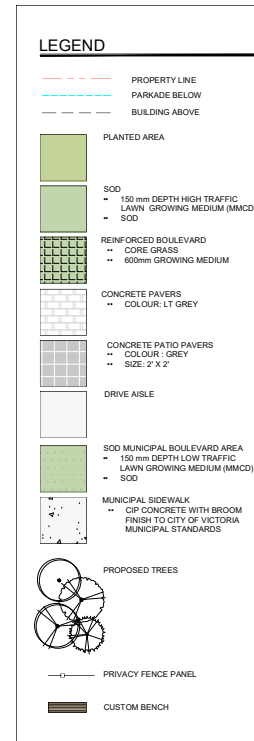
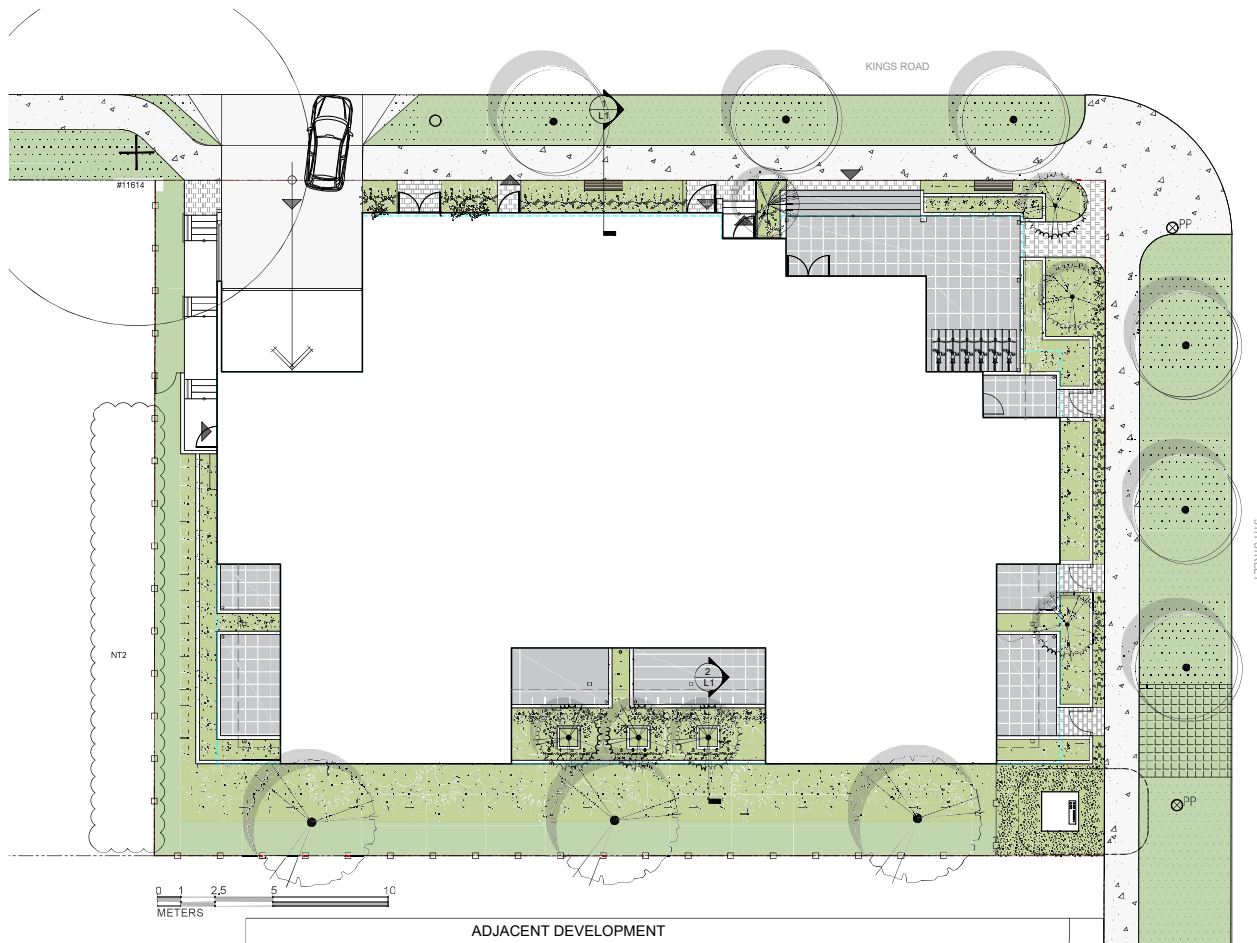
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KINGS ROAD
PERSPECTIVE

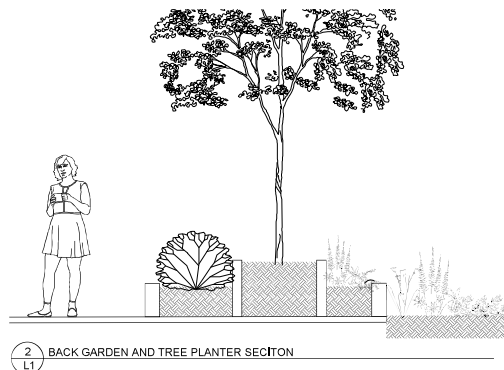
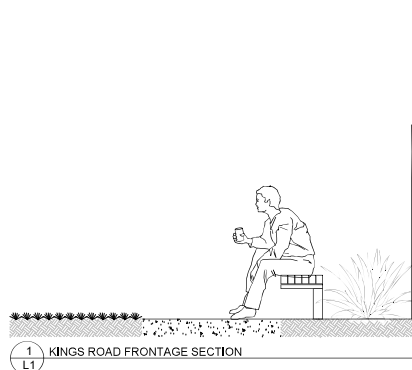
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SCALE: AS NOTED REVIEW BY: RW

DWG NO: A502



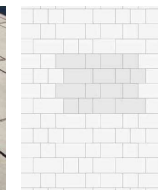
ONSITE PERMEABLE AREA: 208 m²
 ONSITE IMPERVIOUS AREA: 994
 PERMEABILITY RATIO: 23%



HARDSCAPE TREATMENT



PATIO PAVER



ENTRYWAY PAVER



BENCH DESIGN INSPIRATION



LEGEND

- EXISTING DRAIN
- EXISTING SEWER
- EXISTING WATER
- EXISTING GAS
- TELECOM
- EXISTING HYDRO
- PROPOSED DRAIN
- PROPOSED SEWER
- PROPOSED WATER

DESIGNATED REPLACEMENT TREE

TREE PLANTING RESTRICTIONS

- 1.0 m FROM PROPERTY LINE: NO TREES
- 5.0 m OFFSET FROM HYDRO OR LIGHT POLE
- 3 M SIGHT TRIANGLE: NO PLANTINGS OVER 1m

TREE REPLACEMENT

PROTECTED TREE ON SITE: 1
 PROTECTED TREE FOR REMOVAL: 1
 REPLACEMENT TREES REQUIRED: 2
 REPLACEMENT TREES PROPOSED: 2
 TOTAL NEW TREES PROPOSED: 10

PROPOSED BOULEVARD TREES

- TREE SPECIES TO BE COORDINATED WITH PARKS PRIOR TO PLANTING
- TREES MUST HAVE ONE DOMINANT CENTRAL LEADER OR SINGLE STRAIGHT TRUNK, 5-8 cm DIAMETER, CALIPER MEASURED 15 cm ABOVE GROUND, WELL-BALANCED CROWN WITH BRANCHING STARTING AT 1.8m-2.5m ABOVE GROUND
- TREES TO BE PLANTED AS PER PLANTING OF TREES, SHRUBS AND GROUND COVERS (32 93 01 MMCO 2009 AND CITY OF VICTORIA SUPPLEMENTAL DRAWINGS SD P3 AND SD P4)
- PARKS WILL REQUIRE 3 INSPECTIONS FOR TREE PLANTING: 1) INSPECTION OF SOIL AND PLANTING AREA, 2) INSPECTION OF STOCK UPON DELIVERY, 3) INSPECTION OF INSTALLED TREE WITH MULCH AND STAKING. TRUNK FLARE MUST BE VISIBLE AND PLANTED AT OR SLIGHTLY ABOVE GRADE UPON INSPECTION.
- THE APPLICANT MUST MAINTAIN THE TREE IN GOOD HEALTH AND STRUCTURAL CONDITION FOR 1 YEAR FROM THE SUBSTANTIAL COMPLETION TO BE ELIGIBLE FOR DEPOSIT RETURN.


BOULEVARD IRRIGATION

- SEE IRRIGATION PLAN
- MUNICIPAL BOULEVARD TO BE IRRIGATED BY A SEPARATE SYSTEM FROM A SEPARATE CITY SOURCE CONFORMING TO THE CITY OF VICTORIA SUPPLEMENTARY SPECIFICATIONS FOR STREET TREES AND IRRIGATION SCHEDULE C TO BYLAW 12-042, SUBDIVISION BYLAW.
- IRRIGATION DESIGN DRAWINGS MUST BE SENT TO PARKS FOR REVIEW 30 DAYS PRIOR TO INSTALLATION.
- DRAWINGS SHOULD INDICATE ALL COMPONENTS, MODELS AND MATERIALS FROM WATER SUPPLY TO IRRIGATION HEADS.
- THE CITY WILL REQUIRE 4 INSPECTIONS FOR IRRIGATION INSTALLATION: 1) SLEEVING, 2) OPEN TRENCH MAINLINE AND PRESSURE TEST, 3) OPEN TRENCH AND LATERAL LINE, 4) OPERATION AND COVERAGE, AND BACKFLOW PREVENTER ASSEMBLY TEST REPORT.


----- IRRIGATION SLEEVE

DURA-FLO CRIP TREE RING @ 18GPH


SILVA CELL



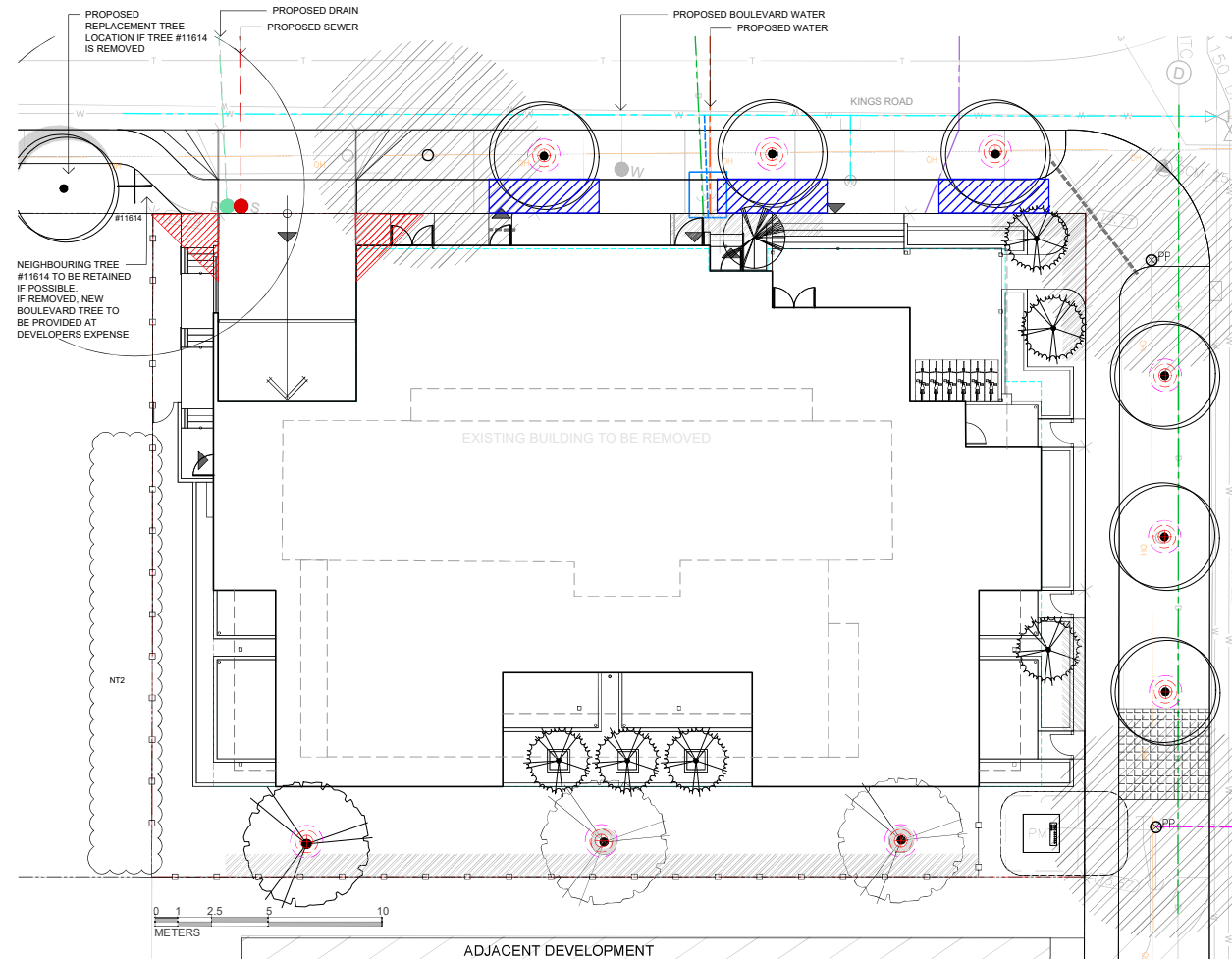
KATSURA TREE







PACIFIC FIRE MAPLE

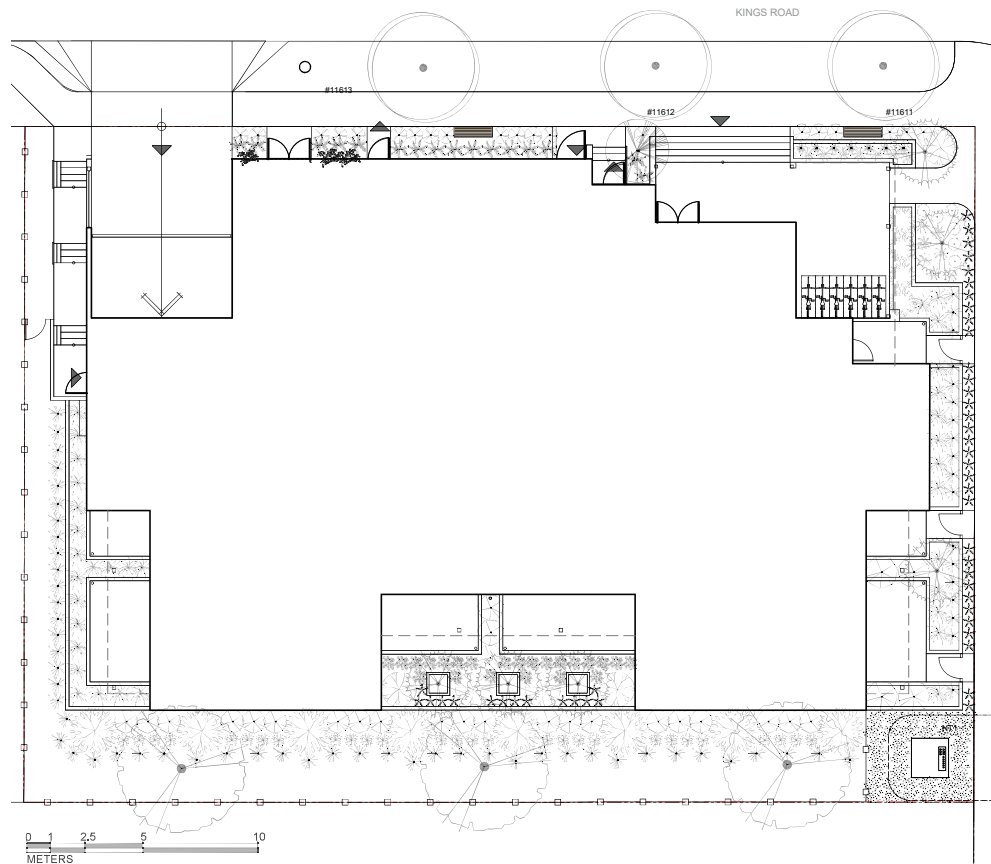


NOOTKA CYPRESS



TREE SCHEDULE										
Quantity	Symbol	Latin Name	Common Name	Category	Height at Maturity (m)	Spread at Maturity (m)	Caliper	Height	Native	
4		Acer circinatum 'Pacific Fire'	Pacific Fire Vine Maple	Tree	3m	3m	20cm		X	
3		Cercidiphyllum japonicum	Katsura Tree	Tree	15m	7m	50cm			
1		Chamaecyparis nootkatensis 'Pendula'	Nootka Cypress	Tree	6m	2.4m		4m		
6-7		Boulevard Tree (TBD by Parks at BP)					60cm			

NOTES:
 1. PLANTS IN PLANT LISTS ARE SPECIFIED ACCORDING TO THE CANADIAN NURSERY LANDSCAPE ASSOCIATION CANADIAN STANDARDS FOR NURSERY STOCK AND SECTION 12. CONTAINER GROWN PLANTS FROM THE BC LANDSCAPE STANDARD, CURRENT EDITION.



PLANT SCHEDULE

Quantity	Symbol	Latin Name	Common Name	Category	Height (m)	Spread (m)	Cont.	Pollinator	Native
69		Achillea 'Firefly Peach Sky'	Yarrow	Perennial	0,4m	0,4m	#1	X	
6		Aster chinensis 'Little Vision in Pink'	Chinese Aster	Perennial	0,6m	0,6m	#1	X	
28		Choisya ternata	Mexican Orange Blossom	Shrub	1,8m	1,5m	#3	X	
15		Hakonechloa macrochaeta	Hakone grass	Perennial	0,6m	0,6m	#1		
3		Hydrangea petiolaris	Climbing Hydrangea	Vine	9-12m	0,6m	#2	X	
5		Hydrangea macrophylla 'Nikko Blue'	Nikko Blue Hydrangea	Shrub	1,8m	1,8m	#1	X	
24		Lavandula angustifolia 'Blue Imp.'	Lavender	Perennial	0,5m	0,3m	#1	X	
8		Nandina domestica	Heavenly Bamboo	Shrub	2m	1m	#2		
47		Nepeta faassenii 'Purrsian Blue'	Catmint	Perennial	0,6m	0,9m	#1	X	
35		Heavy Metal Blue Switchgrass	Switchgrass	Grass	1,8m	0,9m	#2		
16		Polystichum munitum	Western sword fern	Fern	0,45-1,8m	0,9m	#2		X
4		Rhododendron x 'Cunningham's White'	Cunningham's White Rhododendron	Shrub	1,2m	1,2m	#5	X	
20		Sarcococca hookeriana var. humilis	Sweetbox	Shrub	0,6m	0,6m	#1	X	
8		Tiarella cordifolia	Heartleaf Foamflower	Perennial			#1		X
29		Veronica spicata 'Pink Damask'	Spike Speedwell	Perennial	0,9m	0,6m	#1	X	

NOTES:

1. PLANTS IN PLANT LISTS ARE SPECIFIED ACCORDING TO THE CANADIAN NURSERY LANDSCAPE ASSOCIATION CANADIAN STANDARDS FOR NURSERY STOCK AND SECTION 12, CONTAINER GROWN PLANTS FROM THE BC LANDSCAPE STANDARD, CURRENT EDITION.

SHADE PLANTING PALETTE



SUN PLANTING PALETTE



CLIENT NAME
 ARYZE

 PROJECT
 1025 Kings, Rd

 ADDRESS
 Victoria, BC

 DESIGNED BY
 Bianca Bodley

 DRAWN BY
 KH/ KT

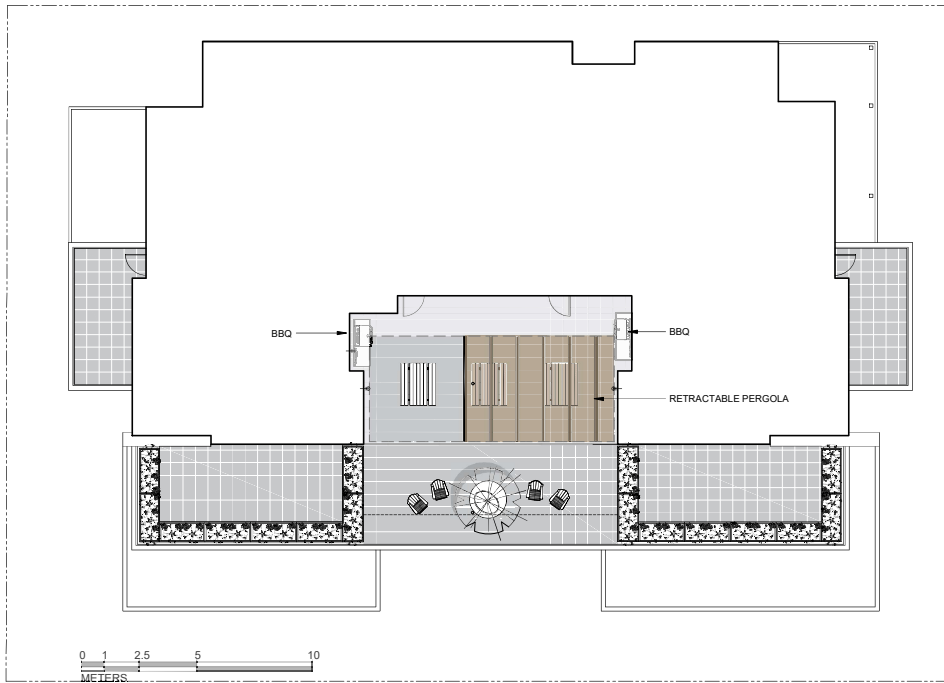
2021-05-12 ISSUED FOR DEVELOPMENT PERMIT

 RE-ISSUED FOR
 DEVELOPMENT PERMIT
 AUGUST 26, 2021

Scale: 1:100


L4 Rooftop Planting
 Plan

DATE: August 2021



RETRACTABLE CANVAS SHADE



CATMINT






DAISY BUSH

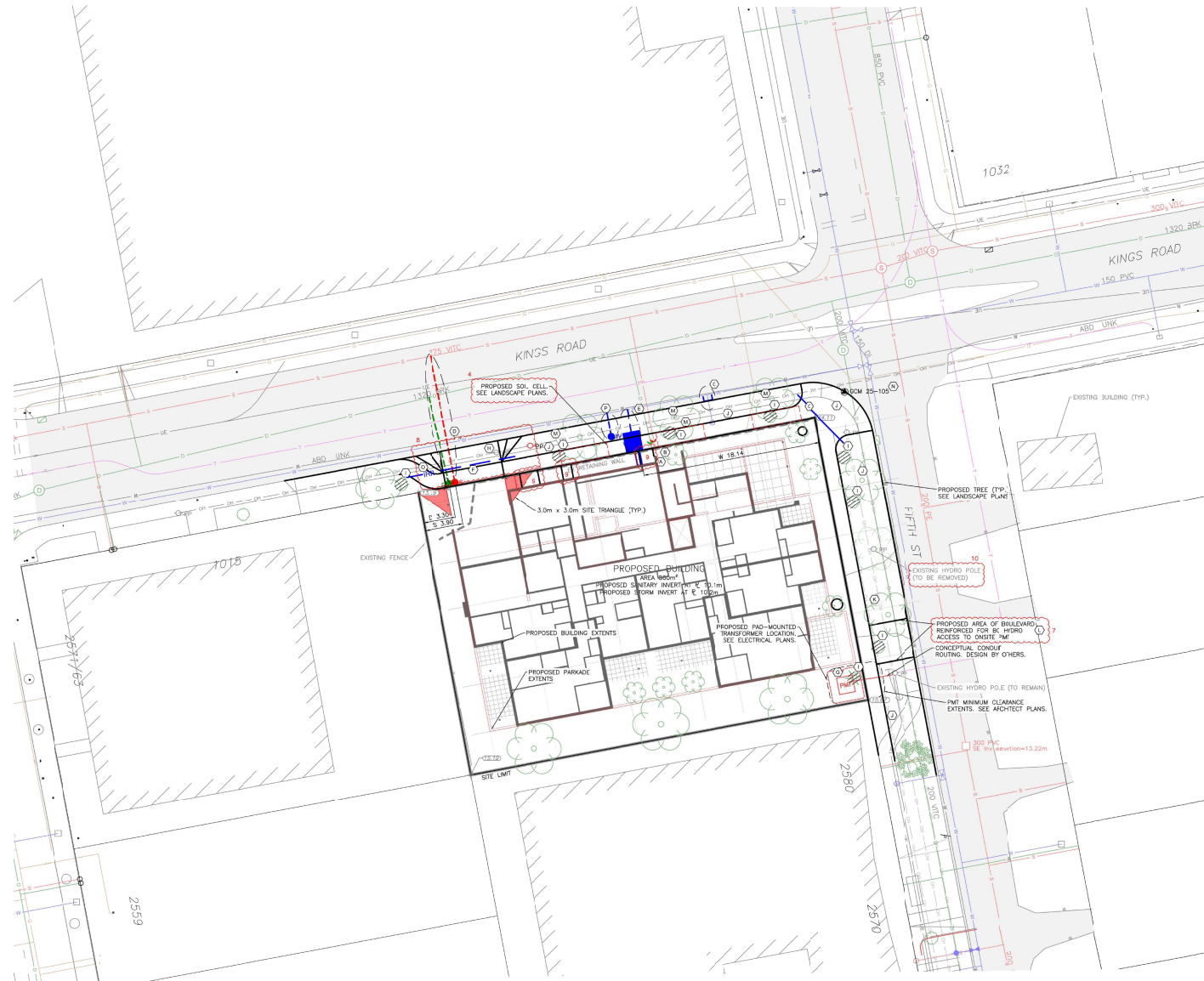


JAPANESE STEWARTIA

ROOFTOP PLANT SCHEDULE

Quantity	Symbol	Latin Name	Common Name	Category	Height (m)	Spread (m)	Container	Pollinator	Native
1		<i>Stewartia pseudocamellia</i>	Japanese Stewartia	Tree	15m	6m	B&B	Y	
41		<i>Olearia x haastii</i>	Daisy Bush	Shrub	1.5m	1.5m	#1	Y	
57		<i>Nepeta cataria</i>	Catmint	Perennial	0.5m	1m	#1	Y	

 NOTES:
 1. PLANTS IN PLANT LISTS ARE SPECIFIED ACCORDING TO THE CANADIAN NURSERY LANDSCAPE ASSOCIATION CANADIAN STANDARDS FOR NURSERY STOCK AND SECTION 12, CONTAINER GROWN PLANTS FROM THE BC LANDSCAPE STANDARD, CURRENT EDITION.



- SHEET NOTES:**
- CONTRACTOR TO CAP AND ABANDON EXISTING DRAIN SERVICE AT PROPERTY LINE.
 - CONTRACTOR TO CAP AND ABANDON EXISTING SEWER SERVICE AT PROPERTY LINE.
 - CITY OF VICTORIA TO CAP EXISTING WATER SERVICE AT DEVELOPER EXPENSE.
 - CITY OF VICTORIA CREWS TO INSTALL IRON AND SANITARY SERVICE TO PROPERTY LINE COMPLETE WITH INSPECTION CHAMBERS AT DEVELOPERS EXPENSE. SIZES TO BE CONFIRMED DURING BUILDING PERMIT.
 - CITY OF VICTORIA TO INSTALL WATER SERVICE TO PROPERTY LINE COMPLETE WITH METER AT DEVELOPERS EXPENSE. SIZES TO BE CONFIRMED DURING BUILDING PERMIT.
 - CONTRACTOR TO INSTALL NEW 8.0m WIDE DRIVEWAY TO CITY OF VICTORIA STANDARDS.
 - PROPOSED BC HYDRO TRANSFORMER LOCATION. BC HYDRO TO CONFIRM SERVING DESIGN DURING BUILDING PERMIT.
 - EXISTING UTILITY POLE TO BE RELOCATED DESIGN BY OTHERS DURING BUILDING PERMIT.
 - EXISTING TREE TO BE REMOVED. REFER TO LANDSCAPE PLANS.
 - CONTRACTOR TO REMOVE EXISTING SIDEWALK AND INSTALL SEPARATED 1.5m WIDE SIDEWALK ON PROPERTY LINE, CONNECTING TO EXISTING SIDEWALK ON ADJACENT PROPERTY TO THE SOUTH.
 - CONTRACTOR TO REMOVE EXISTING DRIVEWAY AND REINSTATE BOULEVARD.
 - PROPOSED CURB AND BOULEVARD TO BE DESIGNED TO FACILITATE BC HYDRO ACCESS TO P.M.T. DETAILED DESIGN TO BE DURING BUILDING PERMIT.
 - SOIL CELLS TO BE INSTALLED IN BOULEVARD AND SIDEWALK AS PER CITY OF VICTORIA STANDARDS. SEE LANDSCAPE PLANS FOR DETAILS AND SPECIFICATIONS.
 - CONTRACTOR TO PROTECT AND REPAIR EXISTING MONUMENT. IF MONUMENT IS DISTURBED OR DESTROYED, CITY OF VICTORIA SURVEY SECTION TO ADMINISTER THE REESTABLISHMENT OF THE MONUMENT AT THE DEVELOPERS EXPENSE.
 - CONTRACTOR TO INSTALL IRRIGATION SLEEVES.
 - CITY OF VICTORIA TO INSTALL 25 mm SERVICE AND METER WITH A COUPLER CHECK VALVE FOR IRRIGATION ONLY AT THE DEVELOPERS EXPENSE.



KEY PLAN
 NTS
 LEGAL DESCRIPTION: LOT 1, SECTION 4, VICTORIA DISTRICT, PLAN 30761
 BENCHMARK: MONUMENT CCM 25-105
 ELEV. 14.15m

**1025 KINGS STREET
 PRELIMINARY SITE
 SERVICING PLAN**

Scale
 horiz. 1:200
 Sheet 1 of 1
 Eng. Project No. 32738



JEA J E ANDERSON & ASSOCIATES
 SURVEYORS - ENGINEERS

VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER
 PHONE: 250-727-2214 info@jeanderson.com

ISSUED FOR DEVELOPMENT PERMIT

PLAN - ROAD A
 N 1:200

ATTACHMENT D

31 August 2021

1025 Kings Road Rezoning and Development Permit Application

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

Dear Mayor Helps, Council, and Staff:

Please accept this letter as part of our Rezoning and Development Permit Application for 1025 Kings Road, a proposed fifty-six unit, purpose-built, rental apartment. We are requesting to amend the property from the current R3-2 zoning to a new site-specific zoning.

History and Site Context

This is the land of the Lekwungen People, known today as the Esquimalt and Songhees Nations. As you travel through the city, you will find seven carvings that mark places of cultural significance. To seek out these markers is to learn about the land, its original culture, and the spirit of its people.

Within this traditional territory, in what is now called the Hillside | Quadra neighbourhood, sits the subject site at the junction of Kings Road and Fifth Street. Like other parts of the city, the Hillside | Quadra neighbourhood has passed from logging and agricultural land use stages to suburbanization to its current form, a mixed-use vibrant urban neighbourhood on the edge of downtown Victoria. Made up of mostly low density, single-family housing from the 1920's to the

1950's, the 1960's and 1970's saw the first series of apartment buildings built under the Federal multi-unit residential building (MURB) program that incentivized many of the rental apartments built in the neighborhood and represents the majority of homes in the area today.

Policy Context

The subject property is located within the Quadra Large Urban Village. In the Official Community Plan, Urban Villages are envisioned to absorb 40% of all population growth yet they only make up 3.5% of the City's land base. It is for this reason that we need to be careful about redevelopment to ensure these scarce lands are utilized appropriately. The housing forms characterizing these areas are low-rise and mid-rise multi-unit buildings up to six storeys including townhouses and apartments, freestanding commercial and mixed-use buildings.

At 2.93 FSR, our proposal does exceed the 2.5 FSR allowance outlined in the Official Community Plan. However, also outlined within the Official Community Plan are conditions that if met, allow 'bonus density' to be awarded to developments that advance certain plan objectives. Relevant plan objectives include purpose-built rental housing in perpetuity. To support this seventeen percent (17%) increase in density, we propose the following:

- Ten percent (10%) of the total number of units to be affordable as defined by the City of Victoria for a period of no less than ten (10) years, along with rental in perpetuity to be outlined in a Housing Agreement and secured by way of a registered covenant.
- One hundred percent (100%) of the units to be affordable as defined by BC Housing's Housing Hub program and secured by way of covenant with BC Housing.
- One hundred thousand dollar (\$100,000.00) amenity contribution towards the design and development of a new public park to be located at 2550 - 2560 Fifth Street.

This proposed development is supported by not only the current Official Community Plan but also by the Housing Strategy Phase 1 and 2, Go Victoria Mobility Plan, Climate Leadership Plan, upcoming Missing Middle Housing Study, and dozens of action items in the 2019-2022 Strategic Plan.

Neighbourhood Grain

This area of the Quadra Village neighbourhood includes a heterogeneous mix of commercial and residential uses, with a mix of single-family character homes and multi-family buildings along Fifth Street and a wide range of retail, commercial businesses, and services along Quadra Street. The subject site is also less than 500 metres from the north edge of Victoria's downtown core area.

The building grain peaks on Quadra Street and tapers as you move East off this main road which is a typical land use pattern for the City. The footprint of the existing building is symptomatic of its era with larger setbacks from the street which results in a fragmented urban design program. Modern design narratives seek to bring more intimacy to the street with tighter urban setbacks with the balance of the design program being driven by rental utility and energy efficiency.

This location is well supported by walking, cycling, transit, parks, schools, retail and service offerings which makes it a great place for incremental density.

Site Layout and Building Form

This proposal seeks to provide a more urban, street-oriented building that is compatible with the evolving neighbourhood. Positioned at the corner of Kings Road and Fifth Street, the bulk of the six storey massing has been deliberately pushed north onto Kings Road, stepping down to five stories as it meets the recently completed rental apartment building directly to the south at 2570 Fifth Street. Corner balconies in various depths help to further 'erode' the massing and visually increase the building setbacks.

Kings Road functions as the 'front door' to the building, providing access to the underground parkade, secure bicycle storage at grade, and the pedestrian building entrance. Intimate setbacks enhance the urban streetscape along Kings Road, in addition to the vibrant landscape design.

The building is set back along Fifth Street to align and maintain the continuity of the street frontage with 2570 Fifth Street. The introduction of patio units complements the transition to the neighbouring residential houses to the east and help to maintain the quiet residential character of the street.

Design Inspiration

The design of the building takes its cues from the colourful, dynamic, and vital neighbourhood that is Hillside-Quadra. As downtown slowly fades into Fernwood to the east and Burnside-Gorge to the west, Hillside-Quadra functions as the northern extension of the urban intensity of the core. This vibrancy is translated into eclectic architecture from all eras of Victoria's growth, a diverse population, and many beloved local businesses, both old and new. Following this spirit of regeneration and opportunity, 1025 Kings Road is a nod to the modernist apartment buildings of the 1960s, 1970s, and 1980s which are typical of the area, while also exhibiting a contemporary architectural expression and raising the standards of design within the neighbourhood.

Charcoal toned brick, black window frames, and playful pops of colour mark both the building entries and exterior balcony spaces, while the main palette of the building is unobtrusive with the use of white cementitious panels. A feature wall at the ground floor bicycle room entrance will introduce light and colour into the public realm via a custom light installation or mural visible through a wall of storefront glazing. The building is grounded by a vibrant planting materiality which extends into the public realm and creates a sense of place.

The corner of Kings Road and Fifth Street acts as a gateway to the Quadra Village. Playful pops of colour on each balcony, along with the vibrant planting materiality, and a spacious hardscaped building entrance animate this space, while working together to create a sense of place and arrival.

A common outdoor amenity space can be found nestled in the middle of the sixth floor and includes a covered pergola, with common BBQ units for year-round use by building residents, in addition to tables with seating, decorative landscape, and a large feature tree. The programming of the common outdoor amenity space is purposeful in its intention to create a space for connection and foster a sense of community between residents.

The proposed development is designed using Crime Prevention through Environmental Design (CTPED) principles to engage and promote safety and security for tenants and visitors. To minimize opportunities for concealment, the building footprint is uncomplicated, with minimal alcoves and recesses. Landscaping is similarly articulated with a combination of low ground cover and high crown plant species that provide clear sight lines into front, rear, and side yards eliminating blind spots. Appropriate levels of shielded lighting provide safe, well-lit pathways and garden areas around the building, specifically at entry and exit doors.

This building as proposed expresses - through form and materials - the vibrant context of the neighbourhood. We envision this building as an elevation of the 'rental building' stereotype, and an interesting addition to a dynamic neighbourhood.

Building Layout

Parkade

The parkade is accessed from the north west corner of the property along Kings Road and houses various building services, such as: vehicular parking, a bicycle repair station, secure bicycle storage, secure resident storage, and utility rooms. An elevator and stair connect this level to the entrance lobby and residential floors above.

Level 1

The ground floor layout is largely determined by entrances to the bicycle and car parking along the north side of the building, with the main building entrance located at the corner of Kings Road and Fifth Street. Along Kings Road, tenants will have access to ground floor storage for 50 bicycles, including 8 cargo bikes, allowing for direct passage to the elevator and staircase and from there to individual units. The garbage and recycling room, located directly adjacent to the parkade entrance at grade along Kings Road, provides ease of access for service providers and tenants.

Ground floor patio units compliment the residential character of Fifth Street, while providing 'eyes on the street' and animating the public realm. The internal layout is dictated by efficient access to the stair, elevator, and the secure bicycle storage rooms located at grade. Units on

the south and east of the building feature oversized patios that look out onto the vibrant landscaped grounds.

Levels 2 - 5

Levels two through five are a repeating floor plate, featuring a series of studio, one (1) bedroom, and two (2) bedroom units.

Level 6

The building program transitions at the top floor to include two (2) three-bedroom units. Each unit includes a generously sized private balcony or patio space.

The building steps back on the sixth floor, providing space for a common outdoor amenity area. Storage for users of the common outdoor amenity area, as well as a common washroom, can be found adjacent to the common building corridor.

Landscape Design

The landscape design creates a pedestrian friendly and engaging planted interface that complements the playful colour palette and expression of the contemporary architecture. The plant material selection has a strong native focus, as well as attractive flowering perennials to encourage pollination - and all plants are drought tolerant. The plant palette is sensitive to the local ecosystem and to the population that is engaging with it. The landscape design strives to envision an outdoor space that is engaging to its users, complimentary of the architecture, and provides an abundance of outdoor amenity space to encourage and foster community interaction. Benches set within the landscape on the corner of Kings Road and Fifth Street invite future building tenants and the public to stop, relax, and enjoy their surroundings. New boulevard trees will complement the new sidewalk along Kings Road and Fifth Street and enhance the pedestrian experience.

Why Rental?

Housing is a human right, and with homeownership increasingly out of step with local incomes, Purpose Built Rental (PBR) housing is the strongest form of tenure and represents a possible, and sometimes beneficial, alternative to homeownership. Common benefits to rental housing are the lack of maintenance or repair costs, increased access to amenities, no property taxes, more flexibility where you live, predictable monthly payments, and no requirement for a downpayment.

The 1960s and 1970s introduced the first series of apartment buildings built under the Federal multi-unit residential building (MURB) program that incentivized many of the rental apartments built throughout the Capital Region. As this program was phased out, only 604 purpose built rental homes were built between 1980 and 2011, however, the city's population grew by 20,018 residents. Herein lies the problem; population growth outnumbered rental housing construction by more than 20 to 1 creating a significant shortage of supply. If we are going to make urban progress in affordability, climate change, and social equity, we need to increase rental housing across the city in areas well connected to walk, bike, and transit corridors.

Sixty-one percent (61%) of households in Victoria rent their home; of these, almost half (48%) are one-person households. The building programming is reflective of these statistics with four (4) studio units, twelve (12) one bedroom units, and fifteen (15) two bedroom units.

All rental units have been designed to increase livability through the form and function of the unit and support long term tenancies.

Mobility Context

Multi-Modal Network

From the subject property's doorstep there are diverse cycle routes, bus routes, and walking options. The City of Victoria's twenty-five year transportation master plan places even more focus and investment in alternative transportation options with additional transit service and bike lanes planned for the area, including an All Ages and Abilities (AAA) shared-use bikeway along Kings Road planned for construction in 2021.

Street Network

Kings Road extends west and east, while Fifth Street extends north and south, both are a two-way streets and classified by the City of Victoria as a local road. The Fifth Street and Kings Road intersection to the north of the development site operates under stop control for Fifth Street. Fifth Street traffic is restricted to right-in and right-out only turn movements.

Quadra Street extending north and south is classified by the City of Victoria as an arterial road.

Trip Generation

The Institute of Transportation Engineers trip generation rates suggest a total of twenty-five two-way vehicle trips for mid-rise apartments during the weekday PM peak hour. Bunt & Associates Transportation Planners and Engineers anticipates actual trip generation of the subject site to be approximately half of this amount due to location, parking supply, and size of units. A conservative estimate of twenty-five total vehicle trips per peak hour equates to approximately one vehicle traveling into or out of the proposed development site every two to three minutes during peak periods. This level of vehicle generation is anticipated to have a negligible impact on the adjacent road network.

Active Transportation

Walking and Cycling

The subject site is within a walking distance of most everyday amenities and services, and all daily errands can be accomplished either on foot or on a bike. Walk Score is an online tool that assesses the walkability and bikeability of a location based on distances to a wide variety of amenities and services. The site scores a 86 for walkability which it defines as 'very walkable'.

Kings Road has sidewalks along each road edge, while Fifth Street has a sidewalk along the development's west edge. The majority of the nearby streets have sidewalks on both sides. There are crosswalks at all of the major intersections in the vicinity of the site.

The location receives a Bike Score of 89 out of 100, placing it in Walk Score's 'very bikeable' category. This already high score is expected to improve with the cycling upgrades performed over the next few years.

The nearest designated bike route is located on Graham Street, one block east of Fifth Street and less than 100m from the subject site. The City of Victoria is rapidly upgrading its network of All Ages and Abilities (AAA) cycling infrastructure and the Graham Street cycling route is part of the Vancouver Street AAA route which extends north/south connecting south to the Pandora AAA cycling route in Victoria's core downtown area, and north to the Finlayson Street bike lanes and onward into Saanich. With its large volume of bicycle parking, the proposed development at 1025 Kings Road is well-positioned to support the anticipated cycling demand.

Car Share

Modo is currently the only car share provider in Victoria with a fleet of over eighty-five vehicles. Across BritishColumbia, Modos has over eight hundred vehicles with car drops at BC Ferry terminals and other transit hubs, allowing for a true car-lite lifestyle. A study completed for the City of Toronto found that on average 21% of car share members were able to shed a vehicle while 45% were able to postpone the purchase of a vehicle. A University of California study found that on average each Modo vehicle removed up to eleven private vehicles due to users selling their vehicles or foregoing the purchase of a vehicle. The site has several Modo vehicles within a ten minute walk which is commonly regarded as walkable. One Modo vehicle is located 400m to the south near Quadra Street and Queens Avenue, and another is approximately 500m away from the development site near Quadra Street and Topaz Avenue. A third vehicle has recently been delivered with the completion of the neighbouring development at 2570 Fifth Street.

Transit

The subject site is well served by transit. The proposed development site is surrounded by five major transit corridors which includes seven routes all within 1000 metres - a five to ten minute walk. Buses along these routes are designed to accommodate wheelchairs, strollers, and mobility aids.

Transportation Demand Management (TDM)

The best TDM strategy is the location efficiency provided by building denser housing forms in compact, walkable/cyclable neighbourhoods such as Hillside Quadra.

This proposed development offers a wide range of Transportation Demand Management offerings such as:

- Seventy (70) long-term bicycle stalls within secure bicycle storage rooms - conveniently located within the parkade and at first floor levels of the building, in addition to one (1) bicycle repair station. This equates to a total of seven (7) more bicycle parking stalls than required per Schedule 'C' - a more than a 10% increase.
- Sixty percent (60%) of the total of long-term bicycle stalls will be ground anchored for easy accessibility.
- Eight (8) cargo bicycle parking stalls (2.4 metres x 0.75 metres) are included with direct and convenient access from Kings Road. The door from Kings Road into the bicycle storage room will be at minimum, forty-one inches (41") wide to accommodate any style of cargo bicycle.
- Six (6) short-term bicycle stalls are conveniently located directly to the East of the building entry. Covered for weather protection.
- Twenty percent (20%) of the total number of Long-Term bicycle stalls will be equipped with 110V outlets.
- Each unit will be entitled to BC Transit pass subsidies at the Senior | Youth rate (Current 2021 rate: \$45 a month.) for the first six (6) months of their tenancy and for each new tenancy for a five-year term.

- Each rental unit will also receive a Modo membership for the lifetime of the building.
- Funds will be provided to Modo for the purchase of a Car Share vehicle. The vehicle will be located at Modo's direction and preference.
- One hundred percent (100%) of the total number of residential parking stalls will be equipped with an energized electrical outlet capable of providing Level 2 (208 to 240 volts) charging for an electric vehicle.
- Four (4) residential parking stalls will be equipped with a Level 2 charging station.
- Residential parking stalls will be unbundled from the units and available at a cost. Parking is intentionally provided at lower than bylaw rates, attracting tenants who do not own private vehicles.
- A new sidewalk and boulevard space will be constructed along the frontage of the subject site, buffering pedestrians from moving traffic and improving the overall pedestrian experience.
- A pedestrian friendly interface will be constructed and will include amenities such as publicly accessible benches.
- Each tenant will receive a Transportation Information brochure and will be required to participate in an educational Information Session upon move-in.

We propose to secure our Transportation Demand Management Plan by way of a registered covenant.

Contributing to a Sustainable City

According to researchers, densification holds the key for cities' fight against climate change as reducing automobile trips is the most significant component of reducing greenhouse gas emissions. As outlined above, the central location of the subject site in relation to multiple local

amenities encourages a pedestrian and bicycle oriented lifestyle. The proposed development has been designed assuming walking, cycling and transit as primary transportation options for future residents.

The building will be designed and constructed to BC Step Code 3, in accordance with the City of Victoria's phased Step Code guidelines which were updated as of January 1st, 2020. Step Code 3 represents a 50% increase in efficiency. This includes designing the building systems in a way that will reach high levels of performance in Thermal Energy Demand Intensity (TEDI), Total Energy Use Intensity (TEUI), and airtightness.

This proposed development is intended to create the kind of sustainable middle density development, carefully positioned in relation to alternate modes of transit, that contributes to a vital, low carbon, sustainable future envisioned for the City of Victoria.

Community Consultation

Aryze Developments is committed to being good neighbours and having honest, open dialogues within the communities we do our work. We are available to discuss project details with stakeholders through a variety of channels to build trust and shared vision for the project all while maintaining a respectful and open conversation. Our goal is to create an atmosphere where people feel comfortable to share their ideas, hopes, and aspirations for the community and for them to ultimately see these values reflected in the end project.

Aryze Developments held a Community Information Session via Zoom on the evening of September 17th, 2020, wherein we welcomed members of the neighbourhood and community to learn more about the proposed development and to provide comments and feedback.

Aryze Developments Inc. is committed to assisting all current building tenants in their relocation as per the City of Victoria's Tenant Relocation Policy and has developed a Tenant Relocation Plan outlining this process. As per the policy, all residents of the current building have been notified of the proposed development and coordination continues to be ongoing.

We thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, reading "Carly Abrahams". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Carly Abrahams
Development Manager

By email to: Michael Angrove,
City of Victoria mangrove@victoria.ca

3 November 2020

Dear Michael Angrove:

Re: Community Meeting for 1025 Kings Road

Community Meeting Details

Date: 17 September 2020

Location of meeting: Online – Zoom format

Meeting facilitators: Hillside Quadra Neighbourhood Action Committee (NAC): 3 members

Attendance: 5: 0 in notification distance, 5 outside notification area, emailed questions; 2 proponents

Meeting Chair: Jon Munn

Note taker: John Hall; Zoom Host: Rowena Locklin

The chair noted technical difficulties. Several people had difficulty entering the online zoom meeting. After the meeting one person within the notification distance indicated they could not establish a link to participate. Participants questioned the viability of the zoom format. Some questions were raised regarding access to the development review discussion for those without computers or related knowledge to link via a phone. It was noted that the city notice form did not provide space to describe how to electronically communicate or any advice or encouragement by the city for the community to effectively communicate regarding the proposal.

Proposed Development Details

The proponents—Carly Abrahams, Development Manager at Aryze Developments Inc. and Luke Mari of the Purdey Group and Partner at Aryze presented the proposal and answered questions.

Currently there is a 15-unit three-storey apartment building at 1025 Kings Road at Fifth Street zoned R3-2 Multiple Family Dwelling District with an Urban Place Designation of Large Urban Village. The proponents are seeking a new comprehensive development zone in order to build a six-storey 57 unit apartment building with under-building parking similar to what exists. The density of the building is proposed at a floor space ratio (FSR) of 2.74

The proposed apartment units were described as:

- 4 ground floor townhouse style units along Kings Road; 1 studio, two 1 bedroom plus lofts.
- 12 studio units,
- 25 1-bedroom units,
- 5 1-bedroom plus den units,

- 13 2-bedrooms units and
- 2 3 -bedroom units.

A shadow study was presented to show shadows across Kings Road and the Fairways store to the north.

Traffic demand study to support 20 stall parking variance was presented. The applicant is proposing 22 car stalls, 0.39 stalls per unit. Alternatives to car use include 79 bike stalls (72 in secure bicycle room) and Modo car share membership with a \$500 driving credit for occupants.

Discussion

Issues

A number of issues were discussed.

Affordability

Questions were received by email about affordability and price. Luke replied that the intent was for a percentage of units to be affordable for 5-10 years to be implemented by a legal agreement. Part of the intent is to be 100% affordable by BC Housing definitions, regarding monthly rent: \$1300 for 1 – bedroom, \$1800—\$2000 for a 2-bedroom, and \$2100-2200 for a 3-bedroom. There were additional questions raised regarding how affordable that was for different family types. It was noted that there were very few units that could accommodate families with children.

Concerns were expressed about evictions or relocation of tenants that could be priced out of the new development. Carly noted that the longest tenancy is perhaps 19 years, with most less than 5 years; of the current 15 units, 11 units are tenants of a year or longer, the other 4 will turnover with the development. The proponent indicate they will follow and exceed the current tenant relocation plan as set out by the City of Victoria. They have engaged a property manager to assist relocation and moving costs. There will be amount of rent based on length of tenancy. One option is to relocate some tenants to the Fifth Street BC housing supplemented project, and [perhaps other options as builds complete in the neighbourhood.

Playground Amenity

There was a significant discussion regarding the connection of this development to a proposed day care playground on the nearby city-school district land formerly occupied by the Vancouver Island School of Art (VISA) at 2550-2560 Fifth Street. It was unclear how implementation of this proposal would take place and if it would officially be a part of a community amenity contribution. It was implied that the city could choose increased affordability or a contribution to a playground on city-owned land. Attendees commented that both would be good; affordability is a big concern. Two playgrounds are proposed, one for 0-3 aged children and the other for 3-5 year olds, plus garden boxes, and a pathway. This project would pay for the playground and the adjacent Aryze project under construction on Fifth Street would pay for the rest. The design is open for change.

Transportation/ Parking

Meeting participants questioned the viability of the parking variance. Residents of the adjacent proposal had expressed concern regarding availability of on-street parking and the lack of a resident parking permit system to help control parking demand. The concern that 22 parking spaces would not be adequate for the 57 units was discussed. Feedback received through the development tracker were concerned about too much density and the number of existing developments, as well as not enough parking.

Design – Building Form and Character

Some building design elements were discussed. The ground-oriented townhouse style units were indicated as a good addition to street life, but at-grade parking limited the size and functionality of the units—potentially good for families, but the at-grade under-building parking limited the benefit. The proponent indicated that “there was no design language” in the neighbourhood. There was some disagreement voiced, but no further discussion. The concrete cladding and colour was briefly discussed.

Sustainability Features

Energy efficiency was briefly discussed. The proponent noted that the building would meet Step 3 of the building code as required by the city.

It was noted several times that it was disappointing no one within the notification distance was in attendance, as there are likely some issues that are not being discussed. Community participation was seen as suffering under COVID-19 restrictions and lack of facilitation from the city. The main concerns expressed were about affordability, family housing and parking/ transportation.

Jon Munn
CALUC Co-Chair
Hillside Quadra Neighbourhood Action Committee

cc. Hillside Quadra NAC, Luke Mari

**MINUTES OF THE
ADVISORY DESIGN PANEL MEETING
HELD WEDNESDAY JANUARY 27, 2021**

1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:00 PM

Present: Marilyn Palmer (Chair), Devon Skinner, Sean Partlow, Ben Smith, Ruth Dollinger, Joseph Kardum, Brad Forth, Matty Jardine

Staff Present: Miko Betanzo – Senior Planner. Urban Design
Mike Angrove – Senior Planner
Alena Hickman – ADP Secretary

Motion:

It was moved by Marilyn Palmer, seconded by Joseph Kardum to approve the January 27, 2021 agenda as presented.

Carried Unanimously

2. MINUTES

Minutes from the Meeting held January 13, 2021

Motion:

It was moved by Ruth Dollinger seconded by Marilyn Palmer, that the minutes from the meeting held January 13, 2021 be adopted as amended.

Carried Unanimously

Matty Jardine recused himself from Development Permit with Variances Application No. 00157 for 1025 Kings Road.

3. APPLICATION

3.1 Development Permit with Variances Application No. 00157 for 1025 Kings Road

The City is considering the construction for a six-storey rental building on the southwest corner, at the intersection of Kings Road and Fifth Street, in the Hillside-Quadra neighbourhood.

Applicant meeting attendees:

LUKE MARI
BARRY WEIH
BIANCA BODLEY
NEIL BANICH
OLIVIA CHENG

ARYZE DEVELOPMENTS
WA ARCHITECTS
BIOPHILIA COLLECTIVE
WA ARCHITECTS
WA ARCHITECTS

Mike Angrove provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- street wall and pedestrian scale
- landscaping and parkade screening
- materiality
- any other aspects of the proposal on which the ADP chooses to comment.

Barry Weih provided the Panel with a detailed presentation of the site and context of the proposal. Bianca Bodley provided the panel with a detailed presentation of the landscaping plan.

The Panel asked the following questions of clarification:

- Is there any storage area provided for rental units?
 - There is no dedicated storage for individual units.
- How much clearance is there on the corner units for headroom on the loft level?
 - 8ft clearance on the underside.
- Did you do design studies on varying the materiality and if so what lead you to this materiality?
 - The intention was to create a modern expression. We are using the balconies and the articulation of corners, along with the contrast between both the bottom and the parapet to create interest. The dark window frames will also create dimension. We didn't want to add colour just for the sake of adding it.
- What is the division between the panels, will it be easy trim?
 - No, I don't think it will be easy trim, we haven't worked out the specific details. We want to create a clean articulation of those lines.
- Do you foresee it as being a colour that is consistent with the existing panel?
 - I don't see it as a contrasting colour.
- The horizontal band at the lower levels, are those the same materials?
 - Yes.
- Do we no longer have material boards?
 - Yes, we do virtually.
- What material is the black vertical siding?
 - There has been a lot of discussion about what that could be. It will likely be a cementitious product. The neighbouring property is mostly metal panelling. Our building should be complimentary to that building. We would like to bring quality to that front entrance and use it as a feature to the building.
- What is the material for the soffit details?
 - We are looking at a cementitious panel. We are looking at a vented version which provides a very clean aesthetic.

- Are you concerned that the trees you chose for the roof deck may grow too large or not have enough soil volume?
 - No, I think they will grow to the size they can within the soil volume they are planted in. These trees can handle the wind and have a nice form.
- Some of the trees on Fifth Street look to not be in the best condition. Have you talked to the Parks Department about the removal and replacement of those trees?
 - Our discussions with the Parks Department have been mostly about retaining the trees, besides the two that are in conflict. But that is something that we can consider. We are a limited with utilities but could replace with some smaller trees.
- Are you proposing replacement trees for the ones that you are taking up?
 - We could propose one.
- Are benches the only form of CPTED for the patios on the ground level
 - Yes, we could also consider fencing.
- You have exceeded the URMD guidelines in terms of site coverage, setbacks are not met nor are the height or FSR. Why did you stretch so far beyond those guidelines?
 - Our intent was to show that fundamentally this building still fit into the neighbourhood. We are trying to make most of this site for important housing. We understand that the Quadra village is in transition and we want to be thoughtful about density and that this building fits well. There is not much engagement along the street level so building setbacks were based on that.
- Why isn't the parkade fully screened in?
 - We understand that the drawings don't show that full enclosure. But we anticipate a full parking enclosure. We want to use some of the decorative screening that we have also designed for the bike parking where it will be highly visible.
- Is the decorative fencing widely spaced?
 - It is a larger dimensioned lumber, for aesthetics and security.

Panel members discussed:

- Pedestrian frontage materials
- Would appreciate some clarity of unknowns (vertical panelling, screening of the parkade)
- Desire for more detail
- Concern with massing on the north corner
- Appreciation that the building ties in contextually to the neighbourhood
- Appreciation for the building's articulation
- Appreciation for the idea of loft units and the unique form of housing
- Desire for more colour
- Concerns with landscaping
- Concerns with lack of fencing for lower levels patios

- Review of Fifth Street trees needing to be replaced.

Motion:

It was moved by Joseph Kardum, seconded by Marilyn Palmer, that Development Permit Application No. 00157 for 1025 Kings Road be approved with the following changes:

- Addition of screen fencing to the parkade on the south and east elevations of the building
- Low fencing to private patios on the ground level for increased security
- Review the existing street trees on Fifth Street with the parks department in order to provide new trees where appropriate
- Consider additional landscaping on Fifth Street
- Maintaining the cladding reveal colour consistent with the cementitious panel wall colour and to confirm cladding details
- Confirm quality of the cladding details with planning department at building permit stage.

Carried Unanimously



1025 Kings Road Parking Variance Report

Final Report

Prepared for

Aryze Developments Inc.

Date

August 31, 2021

Project No.

04-20-0240

August 31, 2021
04-20-0240

Carly Abrahams
Aryze Developments Inc.
1839 Fairfield Road
Victoria, BC

Dear Carly:

**Re: 1025 Kings Road Residential Development
Parking Variance Report – Final Report**

Bunt & Associates Engineering Ltd. (Bunt) has reviewed the proposed parking supply for the proposed 56-unit rental residential development at 1025 Kings Road in Victoria, BC.

To promote affordability just one level of vehicle parking is viable at the proposed site, resulting in 20 on-site parking spaces for 56 rental residential units. The proposed development requires a parking variance as the proposed on-site parking supply is below City of Victoria's bylaw requirements.

Our Parking Variance Report is provided herewith. Our report presents the development, its required parking variance, and discusses Transportation Demand Management (TDM) strategies that can support the proposed parking supply.

Bunt acknowledges Aryze Developments' offer of significant TDM initiatives. These initiatives, described herein, are anticipated to support the proposed parking supply, facilitate more affordable rental housing in Victoria, and encourage the use of more sustainable forms of transportation. The TDM section of this report may be used to inform a covenant to ensure TDM implementation.

Best regards,
Bunt & Associates



Jason Potter, M.Sc. PTP
Senior Transportation Planner, Associate

CORPORATE AUTHORIZATION

Prepared By: Jason Potter, PTP
Senior Transportation Planner

Bunt & Associates Engineering Ltd.
Suite 530 – 645 Fort Street
Victoria, BC V8W 1G2
Canada

Telephone: +1 250 592 6122

Date: 2021-08-31
Project No. 04-20-0240
Status: Final

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EXECUTIVE SUMMARY

Aryze Developments is proposing to develop 1025 Kings Road in Victoria, BC. The development is located just east of Quadra Street, and approximately one block south of Hillside Avenue. The property is currently occupied with a three-storey building with 15 residential rental units. The proposed six-storey development will result in 56 residential rental units.

The development includes 20 vehicle parking spaces which is 25 spaces below the City of Victoria's bylaw requirement. One of the 20 spaces will be an Accessible space for visitors.

The proposed total parking supply of 20 parking spaces is anticipated to meet resident and visitor peak period parking demand when considering existing demand profiles at comparable buildings, the size of the units which is intended to promote affordability, the rental tenure of the building, the location's walkability, transit access, and the substantial Transportation Demand Management (TDM) initiatives proposed by Aryze Developments.

Most importantly, future residents will understand that some units at this development will not have access to a parking space. If they require a parking space, then these residential units will simply not be for them. The neighbourhood's walkability, cycling routes, and frequent transit networks will attract tenants wishing to live a car-light or car-free lifestyle. We believe there are plenty of prospective tenants who do not require a parking space, making this development not only viable but also important for promoting more affordable housing in Victoria.

100% of all vehicle parking spaces will include an energized electrical outlet capable of providing future Level 2 (208 volts to 240 volts) charging for electric vehicles. Four (4) electric vehicle charging stations will be installed and accessible by tenants in the building.

Proposed TDM initiatives include Aryze Developments providing Modo car-share memberships to all units. The memberships will remain in title of the building and be transferable to future residents.

The development will exceed the long-term bicycle parking requirements (70 long-term spaces including eight cargo-bike spaces) by approximately 10% and exceed requirements for short-term spaces. Aryze is proposing 20% of bicycle parking spaces be provided with electrical outlets for e-bike charging, and a bicycle repair station will be located adjacent to a bike storage room. 60% of the long-term spaces will be ground anchored for easy accessibility which exceeds City requirements of 50%.

To help establish more sustainable forms of transportation while resident travel behaviour is most pliable, Aryze Developments will provide new residents with information that summarizes the location's wide range of transport options in printable and on-line forms. Aryze will also include an educational information session regarding local area transportation options as part of the tenant walkthrough.

1. INTRODUCTION

1.1 Report Scope and Objectives

Aryze Developments is proposing to develop 1025 Kings Road, Victoria BC. The location of the site is illustrated in **Exhibit 1.1**. The proposed development will be providing a total of 56 residential units.

The site currently contains a three-storey residential building.

The goal of this report is to develop and present a parking supply plan that ensures the proposed development's parking demand can be accommodated on-site. Specifically this study will:

- Review the transportation context of the development location (Section 2);
- Review the development's proposed vehicle parking supply in comparison with the bylaw requirements (Section 3);
- Forecast the development's parking demands based on various factors such as location, tenure, and unit types (Section 3);
- Provide a high-level vehicle trip generation estimate (Section 4); and,
- Present Transportation Demand Management (TDM) initiatives that can help support the proposed parking supply and potentially inform a covenant to ensure TDM implementation (Section 5).

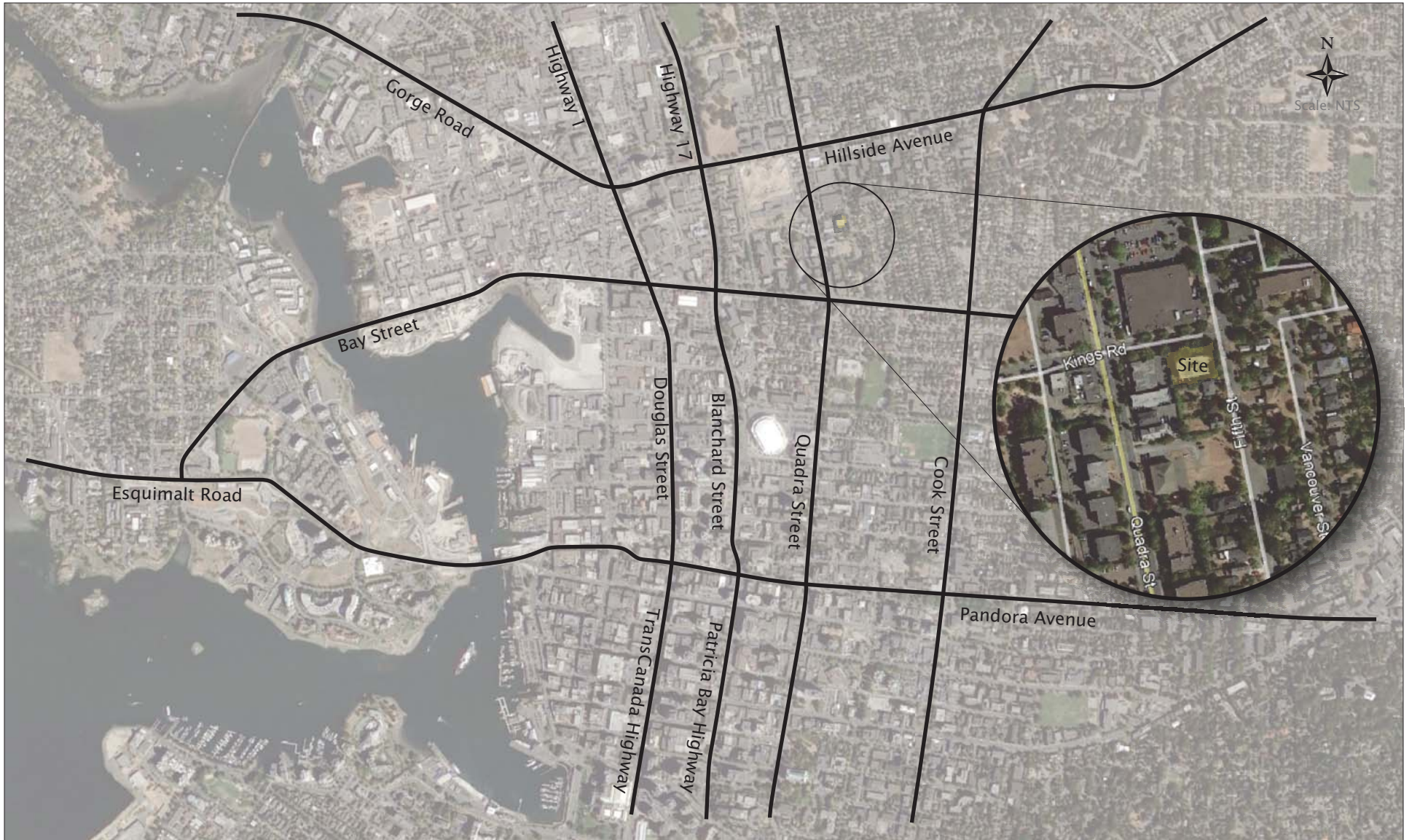


Exhibit 1.1 Site Context

1025 Kings Road Parking Variance Study
04-20-0240
July 2020

1.2 Development Details

The development will have a total of 56 residential units. The units range from studios to 3 bedroom units. The proposed development's unit breakdown is presented in **Table 1.1**. Each unit size is broken down into size ranges used to apply the City of Victoria's bylaw minimum vehicle parking rates. As shown, 54 of the 56 units (96%) are 726 square feet or less.

Table 1.1: Residential Unit Breakdown

	SF	M ²	# OF UNITS	<45 M ²	45-70 M ²	>70 M ²
Studio	392	36	5	5	-	-
1 bedroom	441-523	41-49	34	24	10	-
2 bedrooms	619-726	58-67	15	-	15	-
3 bedrooms	885	82	2	-	-	2
TOTALS			56	29	25	2

The residential units, with their modest size, are anticipated to have low person per unit occupancy.

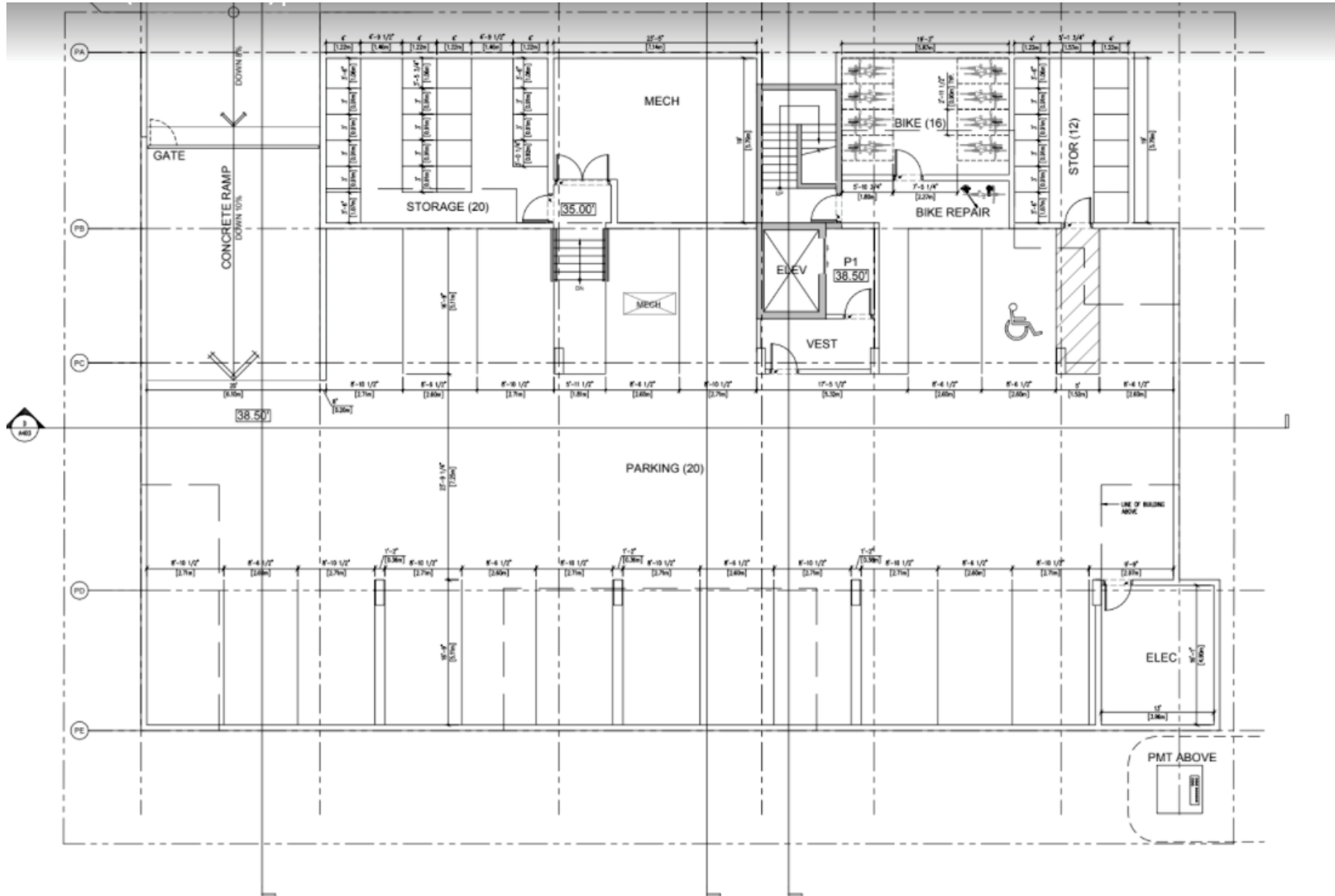
All units will be rental units.

100% of the unit's meet BC Housing's definition of "Affordable" where the rent maximum is 30% of household before-tax income.

10% of the units (6 units) are "Affordable" as defined by the City of Victoria. The difference from BC Housing's definition is that in Victoria, the 30% is calculated using the renter's median household income in Victoria (Victoria Housing Strategy Phase Two: 2019-2022).

The site plan is shown in **Exhibit 1.2**.

KINGS ROAD



1 PARKING LEVEL FLOOR PLAN
1/25

Exhibit 1.2 Site Plan

1025 Kings Road Parking Variance Study
04-20-0240 Scale: NTS August 2021



1.3 Bylaw Vehicle Parking Requirements and Proposed Parking Supply

City of Victoria's updated Schedule C: Off-Street Parking bylaw differentiates between affordable units – defined on Page 3 and secured in perpetuity through a legal agreement, and regular apartment units. At this time, six of the 56 units will be considered “affordable” units for perpetuity as per City of Victoria definition.

The development is in a Village/Centre area and therefore requirements were calculated using this residential unit type was applied to parking bylaw requirement calculations. The units are all rental units. The parking requirements were therefore calculated as a rental development, located in a “Village/ Centre” area, with six of the units provided affordable status. Parking Bylaw requirements are summarized in **Table 1.2** along with the proposed parking supply.

Table 1.2: Parking Requirement and Proposed Supply – Six Affordable Units

DEVELOPMENT COMPONENT	UNITS	BYLAW MINIMUMS		PROPOSED SUPPLY AMOUNT (RATE)
		RATE	AMOUNT	
Affordable	6 (assumed 3 of <45m ² and 3 of 45m ² to 70m ²)	0.35*	2.1	19 (0.34)
< 45 m ²	29 (-3 affordable)	0.60	17.4	
45 m ² to 70 m ²	25 (-3 affordable)	0.70	17.5	
>70 m ²	2	1.1	2.2	
Resident Sub-total	56	-	39.2 (39)	19
Visitor	56	0.1/ unit	5.6 (6)	1 Accessible (0.02/unit)
TOTALS	56	-	45	20

*Blended rate (of 0.2 and 0.5 spaces per unit) for each unit size.

As shown in Table 1.2, the bylaw requirement is 45 parking spaces. This represents a 25-space variance from the proposed on-site parking supply of 20 spaces.

The proposed vehicle parking supply of 20 spaces equates to a resident rate of 0.34 spaces per unit.

One (1) barrier-free accessible visitor parking stall is included in the total number of 20 parking stalls.

100% of all vehicle parking spaces will include an energized electrical outlet capable of providing future Level 2 (208 volts to 240 volts) charging for electric vehicles. Four (4) electric vehicle charging stations will be installed and accessible by tenants in the building.

2. LOCAL CONTEXT

The location of a development site dictates the extent of transportation options available to future residents. As described in the following sub-sections, the proposed development is accessible by foot, bicycle, transit, and car-share. While City of Victoria recognizes location factors by dividing the City into three categories, it is our opinion that location factors differentiate sites beyond these three categories.

2.1 Land Use

The site is within Quadra Village, with Quadra Village services and amenities within typical walking distance thresholds. Near the site on Fifth Street is a mix of single family and multi-family residential buildings. Also near the site, Quadra Street offers a wide range of retail, commercial businesses, and services.

The site is also less than 500 metres from the north edge of Victoria's downtown core area.

2.2 Street Network

Quadra Street extending north/south is classified by the City of Victoria as an arterial road. Fifth Street is classified as a local road. Kings Road along the north edge of the site is also classified as a local road.

The Fifth Street and Kings Road intersection to the north of the development site operates under stop control for Fifth Street. Fifth Street traffic is restricted to right-in and right-out only turn movements.

2.3 Walking and Cycling

Kings Road has sidewalks along each road edge. The majority of the nearby streets have sidewalks on both sides. There are crosswalks at all of the major intersections in the vicinity of the site.

Fifth Street has a sidewalk along the development frontage's west edge, while the east edge is unfinished with unregulated parking. The homes along the opposite east edge of Fifth Street face east, hence Fifth Street functions as a rear access to these lots.

Kings Road is planned to be converted into a shared-use bikeway in 2021 as per the City of Victoria's AAA bicycle network expansion.

The nearest designated bike route is located on Graham Street which is one block east of Fifth Street. Graham Street is classified as a Signed Bike Route which indicates it is a comfortable route for people cycling however it does not have any dedicated cycling infrastructure. The Graham Street cycling route is part of the Vancouver Street cycling route which extends north/south connecting south to the Pandora AAA cycling route in Victoria's core downtown area, and north to the Finlayson Street bike lanes and onward into Saanich. Victoria's existing cycling network is shown in **Exhibit 2.1**.



Exhibit 2.1 Cycling Network

1025 Kings Road Parking Variance Study
04-20-0240
May 2021

2.4 Transit

The site is well served by transit. The proposed development site is surrounded by five major transit corridors, all within a 5 to 10 minute walk. **Table 2.1** presents nearby transit routes and approximate distances from the development site to bus stops. Buses along these routes are designed to accommodate wheelchairs, strollers, and mobility aids.

Table 2.1: Nearby Transit Routes

STREET/ AVENUE	BUS ROUTE	TRAVEL DIRECTION	DISTANCE FROM SITE	NEAREST BUS STOP IS SHELTERED (Y/N)
Quadra Street	6	N/S	170 m	Y
Bay Street	10	E/W	220 m	N
Hillside Avenue	4	E/W	270 m	Y
Cook Street	24, 25	N/S	450 m	Y-SB, N-NB
Douglas Street	70, 72	N/S	1,000 m	Y

2.5 Car-Share

The site has four Modo vehicles within a 10-minute walk which is commonly regarded as walkable. One Modo vehicle is located directly next door at 2750 Fifth Street. Another is approximately 200m to the east on Kings Road, another is 400m to the south near Quadra Street and Queens Avenue, and another is approximately 500m away from the development site near Quadra Street and Topaz Avenue.

2.6 On-Street Parking

The development will face Kings Road, with vehicles accessing the site from Kings Road.

The Kings Road site frontage is currently regulated as 2-hour parking. There is space for approximately 4 vehicles along this site frontage after allowance for the driveway. It is anticipated that these four spaces will remain 2-hour parking spaces. On the north side of Kings Road there are no parking restrictions. There is area for approximately 10 vehicles along this north edge of Kings Road, which is at the back of the Fairway Market grocery store.

The development frontage on Fifth Street is approximately 30m in length.

Despite fronting the development site and a high likelihood of these on-street parking spaces being used by development visitors, they do not count towards the buildings parking supply. However, their presence is noted, as functionally these spaces are anticipated to be used by visitors.

Existing (July 2020) on-street parking regulations are illustrated on **Exhibit 2.2**.



Exhibit 2.2 On-Street Parking Regulations

1025 Kings Road Parking Variance Study
04-20-0240
July 2020

3. PARKING DEMAND ANALYSIS

3.1 Resident Parking

Many municipalities such as Victoria recognize variations in resident parking demands based on various factors. Variables we considered when forecasting resident auto ownership and corresponding parking demands include:

- **Unit size:** Parking requirements should be proportional to the dwelling size (square footage/ number of bedrooms). Unit size can also correlate with factors such as the number of working adults in the household, income level, and unit affordability.
- **Tenure type (rental or strata):** Parking requirements should be different for private ownership, market rental, and non-market rental units to reflect the different vehicle ownership rates of these tenure types.
- **Geographic area:** Parking requirements should be lowest in areas that are in close proximity to frequent and high quality transit and active mode infrastructure.
- **Transportation Demand Management (TDM):** TDM initiatives can have substantial impact in reducing vehicle dependency.

The City of Victoria's Zoning Bylaw Schedule C Off-Street Parking Regulations has three categories for unit sizes and recognizes rental versus strata tenure. For location the City's bylaw recognizes three locations:

- Core Area,
- Village/ Centre and
- Other.

While these three categories help differentiate between different locations within Victoria, we believe that the importance of location factors warrants further differentiation beyond these categories. Transit, bike and walkability scores for a particular location can help further evaluate a location in regard to its ability to be served by non-vehicle modes of transportation. Each of these factors is discussed below in the context of the proposed 1025 Kings Road residential development. Proposed TDM initiatives to support the proposed parking supply are presented in Section 5.

3.1.1 Unit Size & Affordability

The proposed unit sizes are particularly small in size. As shown in **Table 3.1**, 54 of the 56 units (96%) are less than 70 m².

Table 3.1: Residential Unit Sizes

UNIT SIZE	NUMBER OF UNITS
Less than 45m ²	29
45m ² or more, but less than 70m ²	25
More than 70m ²	2
	56

Many cities recognize the correlation between unit size and parking demand. The City of Victoria, with its recently updated Zoning Bylaw No. 80-159 Schedule C: Off-Street Parking Regulations has parking space requirements tailored to the location of the development and unit sizes. Parking requirements for units less than 45 m² are approximately 30% lower than rates applied to larger units in a common area. Parking requirements for units less than 70 m² are approximately 20% lower than rates applied to larger units in a common area.

Smaller residential unit sizes also correspond with affordability and resident income, as smaller unit sizes generally allow for reduced unit prices.

Bunt obtained parking supply and parking demand data of comparable Greater Victoria Housing Society (Table 3.2) affordable housing buildings operated by Capital Region Housing Corporation (Table 3.3). The buildings listed were selected as they share similar characteristics such as expected resident demographics, unit size, proximity to services, and that they are all non-downtown locations. As shown in Tables 3.2 and 3.3, the average parking demand is approximately 0.37 spaces per unit and no building had a parking demand greater than 0.59 spaces per unit.

Table 3.2: Vehicle Ownership Rates for Comparable Affordable Buildings in Greater Victoria

COMPLEX NAME	LOCATION	SUBSIDIZED	NUMBER OF UNITS	PARKING SPACES	PARKING SPACES OCCUPIED BY TENANT	PARKING DEMAND RATE
Colwood Lodge	85 Belmont Road Victoria	YES	50	37	24	0.48
Constance Court	1325 Esquimalt Road Esquimalt	YES	52	26	18	0.35
Grafton Lodge	506 Crofton Street Esquimalt	YES	29	20	17	0.59
Townley Lodge	1780 Townley Street Saanich	NO	39	16	13	0.33
Esquimalt Lions Lodge	874 Fleming Street Esquimalt	NO	77	23	21	0.27
WEIGHTED AVERAGE						0.37

Source: Greater Victoria Housing Society

The dataset (presented in Table 3.3) obtained from Capital Region Housing Corporation in 2017 of six “Affordable” housing buildings (either rental or strata) in the Greater Victoria area (with similar characteristics such as unit size, proximity to services, but mostly in less central locations) also shows that the average resident parking demand for affordable housing units was approximately 0.37 spaces per unit, and no building had a parking demand greater than 0.50 spaces per unit. These rates were realized with minimal to no support from TDM initiatives.

Table 3.3: Vehicle Ownership Rates for Comparable CRHC Buildings in Greater Victoria

COMPLEX NAME	LOCATION	SUBSIDIZED	NUMBER OF UNITS	PARKING SPACES OCCUPIED BY TENANT	PARKING DEMAND RATE
Amberlea	3330 Glasgow Avenue	YES	44	22	0.50
The Birches	1466 Hillside Avenue	YES	49	8	0.16
Leblond Place	390 Waterfront Crescent	YES	53	23	0.43
Rosewood	1827 McKenzie Avenue	YES	44	15	0.34
Springtide	270 Russell Street	YES	48	19	0.40
The Heathers	3169 Tillicum Road	YES	26	11	0.42
Viewmont Gardens	4450 Viewmount Avenue	YES	36	14	0.39
WEIGHTED AVERAGE					0.37

Source: Capital Region Housing Corporation

The Canada Mortgage and Housing Corporation (CMHC) (Research Highlight, Socio-Economic Series Issue 50- Revision 2) concluded that household income is the second best predictor of auto ownership. As income increases, auto ownership and use increase. A study reported in the Australia Transportation Forum (2007) also found a strong correlation between vehicle ownership and household income. A study published by Pushkar et al (TRB 2000) based on a survey of 115,000 households in Toronto indicated that higher income households had more vehicles. A study conducted by Bunt & Associates in the Vancouver area in the early 1990's and in Calgary area in 2003 also supported a positive, almost linear relationship between income and auto ownership.

3.1.2 Tenure

Rental apartments generally have lower vehicle ownership rates than owned apartments. Bunt has previously conducted analysis of out-of downtown market rental apartment buildings in Victoria in 2012. The data (presented in **Table 3.4**) was derived from three key sources of information:

- Vehicle ownership information acquired from ICBC;
- Data collected in the field during resident and visitor peak parking periods; and,

- Information gathered from building manager interviews.

The collected data indicated that the approximate vehicle ownership rate (i.e. residential parking demand) of the 13 rental apartment buildings was 0.66 vehicles per unit. These parking ownership rates are approximately 40% lower than bylaw minimum supply rates for “Other Area” locations. This data correlates with the field observation counts and building manager surveys. The data revealed a range of vehicle ownership rates as low as 0.52 and as high as 0.81 vehicles per unit. It also illustrates the impact of unit size as the highest vehicle occupant buildings have a higher proportion of two bedroom units.

All units at 1025 Kings Road will be rental units.

Table 3.4: Summary of Market Rental Apartments Included in 2012 Parking Study

NAME AND ADDRESS	TOTAL UNITS (OCCUPIED/ AVAILABLE)	# OF STUDIO UNITS	# OF 1 BDR UNITS	# OF 2 BDR UNITS	# OF ON-SITE RESIDENT PARKING STALLS	# OF ON-SITE VISITOR PARKING STALLS	PARKING STALL COST (MONTHLY)	VEHICLE OWNERSHIP RATE
805 Academy Close	9 / 10	0	10	0	0	0	N/A	0.7
360 Douglas Street, Goodacre Towers N. & S.	194 / 197	55	81	61	152	32	\$15 - \$20	0.68
240 Douglas Street, Beacon Tower Apartments	58/60	0	44	16	42	0	\$30	0.73
151 St. Andrews, Beacon Park Apartments	75/75	3	10	62	90	5	\$35	0.81
575 Marifield Ave, Kirkcauldy Apartments	43 / 43	7	28	8	28	3	\$20	0.53
562/566 Simcoe Street	104 / 108	6	78	24	75	12	\$20	0.54
576 Simcoe Street, Park Plaza	37 / 37	3	27	7	35	1	\$0	0.55
160 Government Street, Weybridge Manor	33/33	N/A	N/A	N/A	23	3	N/A	0.63
890 Academy Close	54 / 55	12	30	13	33	0	\$10-\$15	0.63
505 Quadra Street, Beacon Arms	34 / 34	2	21	11	26	1	\$15-\$30	0.68
955 Humbolt Street	43 / 43	0	37	6	40	3	\$45	0.72
976 Humbolt Street	23 / 23	6	13	4	15	0	\$45	0.52
TOTALS AND AVERAGES	98.5% OCCUPANCY	-	-	-	-	-	\$20	0.66

3.1.3 Geographical Area

Potential apartment owners who do not own a vehicle or would like to live without a private vehicle require other transportation options such as transit, car-share, or the ability to safely access common destinations by foot or bicycle. Proximity to high frequency transit, commercial areas, and recreational opportunities is a critical support for reduced parking rates.

As presented in Section 2, from a transportation perspective the site is in an excellent location as it is near a cycling route and is within a walkable range of various commercial services, amenities and transit routes.

The development is in a Village/ Centre area and is considered highly walkable. Grocery stores, pharmacies, restaurants, coffee shops, parks, schools, shopping and entertainment are all shown to be within a 500-meter distance (an approximate 5 to 10 minute walk). According to the Walk Score¹ website the 1025 Kings Road location has a Walk Score of 84 (out of 100) placing it in the “Very Walkable” category.

The 1025 Kings Road location also has a bike score of 89, which Walk Score defines as “Very Bikeable and a transit score of 68 which is defined as “Good Transit”.

3.2 Visitor Parking

Previous research conducted by Bunt has suggested that a visitor parking rate of 0.10 spaces per unit for residential buildings is suitable as it is anticipated to provide a buffer over peak demands. This is supported by Metro Vancouver’s comprehensive “*2012 Metro Vancouver Residential Apartment Parking Study*”² which suggests 0.10 spaces per residential unit can accommodate peak visitor parking demand. The study found peak visitor parking demand rates in the range of 0.05 to 0.07 vehicles per unit for multi-family residential. This is consistent with Bunt’s in-house database of peak visitor parking demand rates.

A visitor parking demand rate of 0.05 spaces per unit would translate to peak period demand of approximately three parking spaces for the proposed 56 units.

While not recognized through Bylaw, short-term visitors are anticipated to use the approximate four (4) two-hour on-street parking spaces which front the site on Kings Road, or the approximate 10 unregulated spaces on the north side of Kings Road, across from the development site.

¹ Walk Score is a method of evaluating a location’s walkability by using an algorithm that awards points based on the distance to amenities such as grocery stores, schools, shops, recreation opportunities, banks and restaurants. www.walkscore.com

² 2012 Metro Vancouver Apartment Parking Study available at: https://www.esquimalt.ca/sites/default/files/docs/municipal-hall/EVP/schedule_m_parking_study.pdf

The one accessible on-site parking space will be available to visitors with accessibility constraints.

3.3 Vehicle Parking Demand Summary

Smaller apartments have been shown to result in lower than average parking demand rates, regardless of tenure. Rental buildings also typically result in lower parking demands than strata ownership.

The location of the development offers a plenitude of transportation options. It is in a highly walkable area, surrounded by amenities. It has nearby transit, cycling routes, and car-share opportunities.

These factors of unit size, tenure, and location are all shown to result in lower vehicle ownership rates, when these factors are combined the impact is anticipated to be compounded.

In addition to the above factors, this proposed development is largely defined by its effort to promote affordability. While the development is not defined as being all affordable units by Victoria's current definition, the development's vehicle-lite parking strategy is anticipated to help provide more affordability.

Due to the likelihood that visitors will likely use on-street site-fronting parking spaces Bunt recommends that 19 of the 20 on-site parking spaces be reserved for resident use. This will allow for easier parking structure security and alleviate the need for two gates (one accessible for visitors and a second for residents). One space would be reserved as an accessible visitor space.

The 20 total spaces available to support the development's 56 units represents an overall parking ratio of 0.36 spaces per unit. While this may be achievable without additional management, we recommend the development prioritize parking spaces leasing by initially offering parking spaces to the larger sizes units. When parking spaces are all occupied the rental of further units would therefore be contingent on the renter not owning a vehicle.

With consideration of the factors discussed above and with the support of the proposed transportation demand management initiatives, it is Bunt's opinion that the proposed 20 on-site parking spaces can be anticipated to meet the parking demands of the proposed 56-unit rental residential development at 1025 Kings Road.

4. VEHICLE TRIP GENERATION

The Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition) was used to estimate the number of vehicle trips generated from the proposed building in the weekday PM peak hour (**Table 4.1**). The ITE trip rate for Mid-Rise Apartments was used. This trip rate likely overestimates the amount of traffic the building will generate because it is based on strata apartments rather than rental units and does not account for location factors of the site's lower than average vehicle parking supply.

Table 4.1: Trip Generation – 1025 Kings Road

LAND USE				PM PEAK HOUR TRAFFIC VOLUMES					
ITE LAND USE CODE	TITLE	VARIABLE	SIZE	TRIP RATE	% IN	% OUT	TRIPS IN	TRIPS OUT	TOTAL 2-WAY
221	Mid-Rise Apartment	units	56	0.44	61%	39%	15	10	25

As shown in Table 4.1 ITE trip generation rates suggest a total of 25 two-way vehicle trips during the weekday PM peak hour. Bunt anticipates actual trip generation of the site is likely to be approximately half of this amount due to location, unit sizes and associated parking supply.

The conservative estimate of 20 total vehicle trips per peak hour (12 inbound, 8 inbound) equates to approximately one vehicle traveling into or out of the development site every 3 minutes during peak periods. This level of vehicle generation is anticipated to have a negligible impact on the adjacent road network.

An estimated vehicle distribution based on existing vehicle distribution patterns of the conservatively calculated 20 total two-way weekday PM peak hour is presented below in **Figure 1**.

Figure 1: Estimated Weekday PM Peak Hour Development Generated Vehicle Volumes



5. TRANSPORTATION DEMAND MANAGEMENT

Transportation Demand Management (TDM) seeks to decrease private vehicle use by promoting other more sustainable modes of transportation. While important for all developments, TDM is especially important in projects such as 1025 King Road where it is anticipated to support the required vehicle parking space variance.

TDM initiatives are discussed below then summarized in **Table 5.1**, which includes items recommended by City staff and offerings by Aryze which attempt to address City recommendations by providing details that will lead to an effective and more efficiently administrative TDM program.

5.1 Information Sharing

TDM is about changing travel behaviour. New residents are considered a pliable demographic for transportation mode change as they have yet to establish travel patterns from their new address. Clear and simple messages along with practical information about local transit services and walking and cycling routes to and from the site can help encourage residents to use more sustainable transportation modes. Information should be distributed to tenants upon their move-in or made available through a website or webpage. The information provided in print or on-line should include:

- Map showing local transit routes (can be obtained from BC Transit - Victoria website);
- Map showing local area cycling routes (can be obtained from City website – Map of Victoria Bike Routes);
- Map showing amenities within a typical walking catchment of 800 metres (can be obtained from Walk Score website: www.walkscore.com).

5.2 Cycling Amenities

5.2.1 Bicycle Parking

City of Victoria's updated zoning bylaw requires 1.25 long-term bicycle space per residential unit greater than 45 m² and 1 space per unit less than 45 m², resulting in a requirement for 63 long-term bicycle spaces for the 56 residential units. Long-term bicycle parking spaces are defined as a secure, weather-protected bicycle parking facility used to accommodate long-term bicycle parking. The greater of 6 short-term bicycle spaces per building or 0.1 spaces per unit equates to a bylaw requirement for 6 short-term bicycle spaces.

The total bylaw requirement for the site is therefore 63 long-term bicycle spaces and 6 short-term bicycle spaces.

The development will exceed the long-term bicycle parking requirements by 10% with 70 long-term spaces, including eight cargo-bicycle-sized spaces (2.4 metres x 0.75 metres). 20% of the long-term bicycle parking spaces will have access to electrical outlets for e-bike charging.

60% of the long-term spaces will be ground anchored which is greater than the 50% bylaw requirement.

A short-term bicycle rack will be provided immediately adjacent to the building's main entry in a well lit and highly visible area. It will also be weather protected.

5.2.2 Bicycle Repair Station

To support resident cycling, the developer will provide a bicycle repair station within the parkade for easy accessibility by residents (example image of a bicycle repair station provided below in **Figure 5.1**).



Figure 5.1: Example of Bike Repair Station

5.3 Car Share

Car-sharing organizations have developed significantly in the last 5-10 years. They allow people to have access to a car in their area without having to buy or maintain their own vehicle. A “pay as you go” approach is adopted as members pay by the hour and/or kilometre when they use a vehicle. There is currently one car share organization in Victoria: Modo. Modo currently (August 2021) has a fleet of approximately 70 vehicles throughout Victoria, including four vehicles within 650 metres of the development site.

A Car Share vehicle provides an amenity to not only the offering development but also to the adjacent neighbourhood. Modo has expressed preference for vehicles to be placed at-grade, in publicly accessible locations that are visible from the street and sidewalk. They do not wish to have vehicles in parkade structures, this is to ensure the vehicle can be used by the wider community.

Aryze Developments is offering to purchase Modo memberships for each unit. The cost to Aryze Developments will be \$500 per unit for each unit. The memberships will remain property of the development and are transferable to new future tenants. Residents provided with memberships will pay for vehicle use by time or by kilometers traveled.

Some other municipalities such as Vancouver have equated varying degrees of car-share participation with a parking requirement reduction of five vehicle spaces. The true impact is likely dependent on various site specific factors such as location and resident demographics. It is our opinion that having access to shared vehicles will remove a common barrier for residents who may consider not owning a private vehicle, especially in the present context where car-share provides another viable transport option to an area that has other strong multi-modal transportation options.

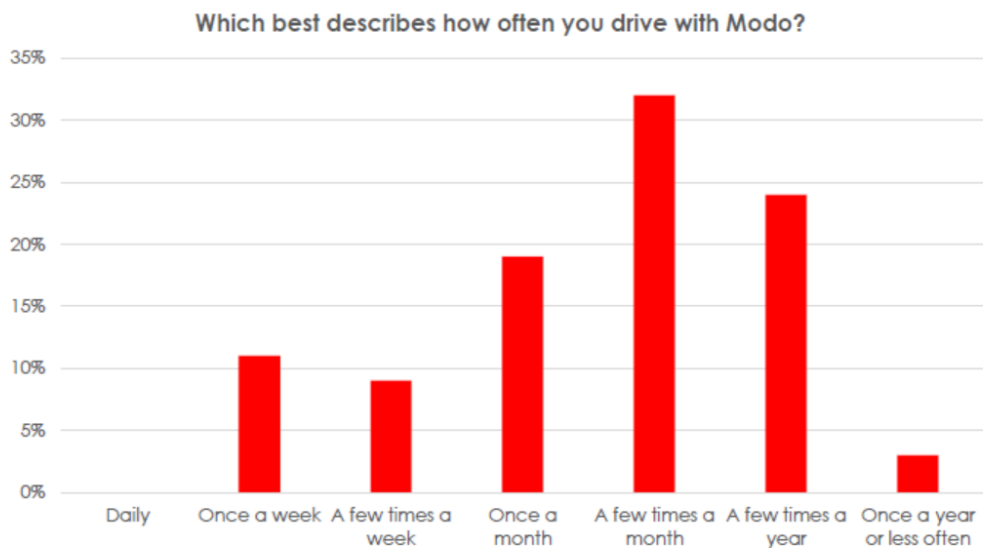
The Metro Vancouver Car Share Study (November 2014) suggests each car share vehicle equates to a reduction of 5 – 11 vehicles from the roadways.

Vehicle Reduction

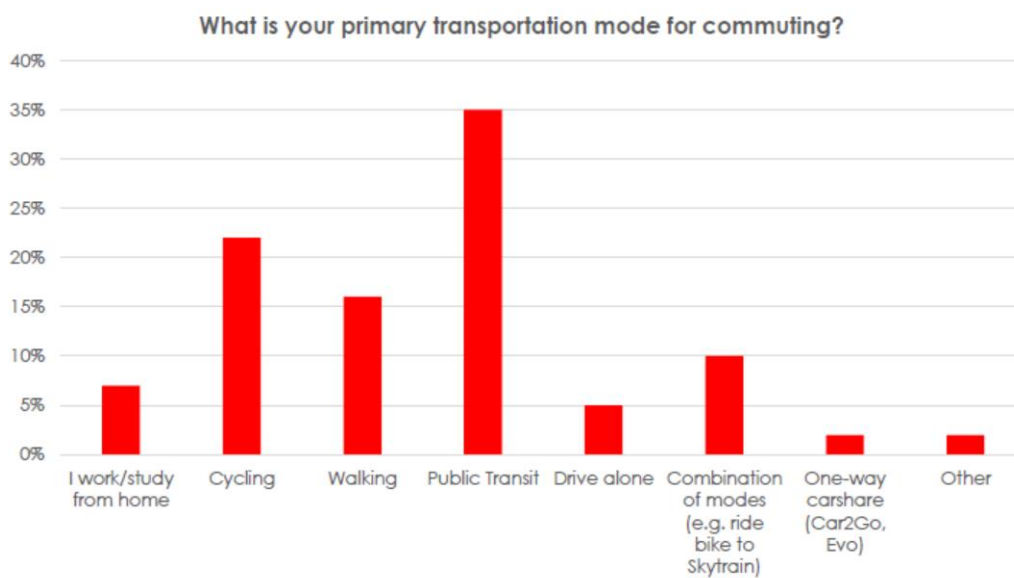
On average, up to three private vehicles were shed per car share vehicle. When the avoidance of acquiring private vehicles was included, then each car share vehicle is estimated to have removed 5-11 private vehicles from the use of current car share households. Unlike avoiding an additional vehicle, not all vehicles that were shed would have been taken off the road permanently, as some would have been sold or transferred to other owners in the region or elsewhere.

Source: Metrovancouver, November 2014, *The Metro Vancouver Car Share Study*

Car-share membership removes a major barrier for living a without a vehicle as it provides an option for the non-typical, non-commuting trip types where public transit or active modes become difficult such as trips out of town or errand trips that require hauling larger amounts of goods. Modo has provided Bunt with information about its members in Vancouver that we believe stresses this important role Car Share can have in filling a tenants need for irregular yet important, non-everyday commuting vehicle trips. Specifically, in the following page, two graphs indicate that Modo vehicles provide a specific transport role which complements other forms of transportation, allowing a member to use a vehicle for the small proportion of trips that are of distances beyond the reach of transit or active modes. The graphs indicate that Modo vehicles do not replace transit or active mode trips but rather Modo members are shown to use Car Share as a compliment to their use of transit and active modes.



Source: Annual Modo Survey Results — June 2016



Annual Modo Survey Results — June 2016



Other key findings from Modo obtained from a presentation Modo provided to Bunt on February 17, 2017 include:

- Modo members in Vancouver have just 0.36 vehicles per household compared to the 1.56 vehicles per household Metro Vancouver average.
- When people become Modo members their mean car ownership rates drop considerably. Round-trip members (park in place, such as Modo) start with 44% of mean car ownership, dropping to 22% after becoming a Modo member and one-way members (can park at other locations) are shown to have 70% of mean car ownership before membership which drops to 63% after becoming a Modo member (Namazu & Dowlatabadi 2017, Vehicle ownership reduction: A comparison of one-way and two-way carsharing systems).

5.4 Transit

Aryze Developments has inquired about enrollment in BC Transit's Eco-Pass Program. While the Eco-Pass Program has potential to encourage more transit use, Aryze and Bunt believe a more robust and focused initiative can better facilitate mode shift. Specifically, Aryze is offering to subsidize transit passes for each unit to the monthly Senior/ Youth rate (\$45/ month) applicable for the first 6-months of every new tenancy for a five-year period. The rationale of this initiative is that transit passes are more valued and more likely to be used when the tenant has contributed, in part, to the cost (although Seniors and Youth would be covered in full). The rationale for the subsidy being for the first 6-months of each tenancy is to introduce each new tenant to the transit system and to help establish this mode of transport for tenants. Receipts or proof of purchase for transit passes would be provided to building management to receive applicable deductions to rent payment balances. Further details are provided in Table 5.1.

5.5 Specialized Parking

The developer will provide future Level 2 (208 volts to 240 volts) electric charging abilities to 100% of the vehicle spaces. To ensure the electrical demand of the charging does not exceed the building's capacity, a building demand load management system will be installed. This system monitors the building's spare capacity and distributes that amount to each electric vehicle connected to a charging station.

Four Level 2 electric charging stations are also being offered by Aryze.

5.6 Lower Vehicle Parking Supply

Having a lower supply of vehicle parking is itself a TDM initiative as it disincentivizes vehicle ownership.

Lower parking supply also contributes to affordability of the building. Constructing a vehicle parking supply lower than bylaw will also result in considerable cost savings that will be passed on to future tenants. Additionally, enabling a car lite lifestyle serves to lower tenants' overall cost of living due to the high costs of vehicle ownership.

Table 5.1: TDM Strategy Summary

CATEGORY	POTENTIAL TDM INITIATIVE	CITY REQUEST	ARYZE FEEDBACK	ARYZE SOLUTION
Transit	Provide transit pass subsidies	Three years of BC Transit EcoPass program for each unit. Cost is \$1,000 for annual pass (on 56 units = \$168,000 value).	Preferred if tenants also contribute to cost of the transit pass due to: 1) higher anticipated transit use when passes are subsidized rather than given outright. 2) Applicable discounts for Youth and Seniors not recognized with EcoPass 3) Tenants may already have a transit pass as part of their post-secondary tuition from U-PASS program. 4) Less control over program may lead to more unintended resale of passes.	Subsidize each new tenancy with a 6-month subsidy to youth/senior rate (\$45/Month), for a 5-year period. If resident has a UPASS their subsidy will be deducted from their rent to ensure they also benefit from this transit incentive. Reimbursement processed at 6-month interval (full uptake value assuming new tenancy each year is \$75,600).
Car Share	Provide Car Share membership	One membership for each residential unit.	Nil	Aryze will provide
	Provide parking space for a car share vehicle	Provide one car share parking space in parkade.	Modo does not want a space in parkade.	Contribute for car-share vehicle purchase to be located at Modo discretion, ideally near site but at more publicly accessible location.
	Provide a car share vehicle	Provide one car share vehicle.	Nil	
Information Sharing/ Marketing & Promotion	Prepare marketing materials to attract residents to car-light lifestyle.	N/A	Nil	Aryze will provide
	Provide a Welcome Brochure, with an information package on local area transportation options.	N/A	Nil	Aryze will provide Information Package to all new residents at move-in and posted in a common area
Cycling	Provide a bicycle repair station	N/A	Nil	Aryze to provide
	Provide long-term secure and convenient bicycle storage for residents	Bylaw	Nil	Aryze will provide 62 long-term bicycle stalls and eight long-term cargo bicycle stalls within secure bicycle storage rooms at the parkade and at-grade. This is seven stalls (or 10% increase) over Bylaw.
	Provide short-term bicycle rack parking at building entrance (well lit and protected, within view of lobby)	Bylaw	Nil	Aryze will provide, it will be well lit, highly visible and also weather protected.
	Provision for Cargo Bikes	City requested 8	Nil	Aryze to provide 8
Pedestrian Amenities	Provide a sidewalk along site frontage with boulevard improvements to buffer pedestrians from moving traffic	City request	Nil	Aryze will provide
	Provide amenities such as benches on and/or along site frontage	N/A	Nil	Aryze will provide
Parking Management	Unbundle parking from unit leasing	N/A	Nil	Aryze will provide
	Require residents to pay for parking	N/A	Nil	Aryze will provide
	Restrict parking supply: provide lower than Bylaw supply rates	N/A	Nil	Aryze will provide
Electric Vehicle Charging	Provide electric charging ability to parking spaces.	City requests 100% of spaces be fitted with electric charging ability.	Nil	100% of vehicle spaces will include an energized electrical outlet. Four electric vehicle charging stations will be installed and accessible by tenants.

6. CONCLUSIONS

1. The proposed residential development at 1025 Kings Road proposes a total of 56 rental residential units.
2. The units are generally small in size with 54 of the 56 (or 96%) of the units being less than 70 m².
3. The site is very well serviced with transit and is within walking range to a wide variety of commercial and service amenities. The development's high walkability, cycling and transit ratings indicate it is in a nearly ideal location for vehicle-free tenants.
4. The current zoning bylaw requires a minimum of 45 parking spaces for this project. This is calculated with six of the 56 units being considered "Affordable" by the City's bylaw definition.
5. All 56 units would be considered "affordable" if BC Housing's definition of affordable was used. If all the units were considered to be affordable, the development would require 20 spaces for residents.
6. The development offers 20 on-site vehicle parking spaces which represents a 25-space variance from Bylaw requirements. Due to four available on-street spaces along the Kings Road site frontage, it is recommended that 19 of the 20 spaces be allocated to residents, recognizing that visitors are likely to use site-fronting on-street parking. The other on-site parking space will be an Accessible space for visitors. The total of 20 parking spaces serving 56 units equates to an overall parking ratio of 0.36 spaces per unit.
7. Our analysis of other comparable buildings suggests that the proposed 20 parking spaces can be anticipated to accommodate the building's resident parking demands. Similar affordable or small sized apartments are shown to have average parking demand rates of 0.37 spaces per unit regardless of tenure and without TDM initiatives. The rental tenure of the proposed units is also anticipated to lead to lower than average vehicle ownership rates. These factors of affordability, size, and tenure are further supported by the site's strong proximity to other transportation options and Aryze Developments' proposed TDM initiatives.
8. 100% of all vehicle parking spaces will include an energized electrical outlet capable of providing future Level 2 (208 volts to 240 volts) charging for electric vehicles. Four (4) electric vehicle charging stations will be installed and accessible by tenants in the building.
9. The development will exceed the long-term bicycle parking requirements with 70 long-term spaces including allowance for 8 cargo bikes and meet Bylaw requirements for short-term spaces. 60% of the long-term spaces will be ground anchored which is greater than the 50% bylaw requirement.
10. Aryze will provide electric charging ability for 20% of the long-term bicycle spaces.

11. Aryze will provide a bicycle repair station in a common area in the parkade accessible to all residents.
12. Aryze will provide a Welcome/ Transportation Information Brochure for future residents and provide an education information session to each tenant upon move-in..
13. Larger sized units first be offered to lease an unbundled vehicle parking space.
14. If or when all parking spaces are leased, new tenants to be notified that a parking space is not available, and priority be given to vehicle-less prospective tenants.
15. Bunt recommends that 19 of the 20 vehicle parkade parking spaces be reserved for resident use and one space be provided as an accessible visitor space. This recognizes the available four on-street spaces along the site's King Road frontage.
16. The proposed parking variance will be supported by the developer agreeing to purchase Modo car-share memberships for all units. The memberships would remain with the units and will be transferable to future tenants for the lifetime of the building.
17. Aryze will purchase one Car Share vehicle for Modo that will be located at Modo's direction and preference.
18. Aryze will provide BC Transit pass subsidies to all units at the Senior/ Youth rate (\$45/ month) for the first 6-months of each new tenancy for a five-year term.



Talbot Mackenzie & Associates

Consulting Arborists

1025 Kings Road, Victoria, BC

Construction Impact Assessment &

Tree Preservation Plan

Prepared For: Aryze Developments Inc
1839 Fairfield Road
Victoria, BC V8S 1G9

Prepared By: Talbot, Mackenzie & Associates
Graham Mackenzie
ISA Certified # PN-0428A
TRAQ – Qualified

Date of Issuance: August 6, 2020
Amended May 5, 2021
Amended August 27, 2021

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



Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 1025 Kings Road, Victoria, BC

Date of Site Visits: May 22, 2020 – July 30, 2020, August 20, 2021

Site Conditions: Existing multi unit building, no ongoing construction activity.

Summary: We inventoried 1 bylaw protected tree located on the subject property and 7 trees located on the municipal frontages of Kings Road and Fifth Street. Based in the plans provided and attached, we anticipate that all these trees except 1 will require removal to facilitate the proposed building and servicing concept. Municipal tree 11614, may be possible to retain, depending on the impacts from the proposed service and building footing excavation and the new sidewalk and driveway entrance configuration. The client would like to try to retain this tree and determine if that is possible at the time of building construction, providing replacement value for the tree to the City of Victoria, if required. We have included a strategy for retaining the tree in this report. The landscape plan provided shows 2 replacement trees on the subject property to compensate for the 1 that is being removed.

Scope of Assignment:

- Inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line.
- Review the proposal to demolish the existing building and construct a new multi unit building.
- Review the proposed new servicing details.
- Comment on how construction activity may impact existing trees.
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts.

Methodology:

- We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet.
- Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours' trees were not tagged.
- Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory.
- The conclusions reached were based on the information provided within the attached plans from WA Architect Ltd dated July 14, 2021.

- A Tree removal and replanting Plan was provided by Biophilia Design Collective Ltd dated August 26, 2021.
- A preliminary servicing plan was provided by J.E. Anderson & Associates dated April 28, 2021.

Limitations:

- No exploratory excavations have been conducted and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.

Summary of Tree Resource:

Trees to be Removed:

The following trees will require removal due to construction related impacts:

Western Red cedar Nt1: This tree is in direct conflict with the proposed pad mounted transformer location and will require removal.

Red maple 11636: This tree had been pruned for the overhead utility lines historically, resulting in an asymmetric form where most of the canopy extends onto the subject property. Due to the pruning that will be necessary to accommodate the proposed construction and the installation of the pad mounted transformer on the South side of the tree, this tree will require removal.

European Birch 11637: This tree will be impacted by the proposed sidewalk installation and given its present health and the pruning that has occurred due to the overhead utilities, the landscaping preference is to remove and replace with a more desirable species for this location.

Purple leaf Plum 11638: This tree will be impacted by the proposed sidewalk installation and given its present health and the pruning that has occurred due to the overhead utilities, the landscaping preference is to remove and replace with a more desirable species for this location.

Hedge maple 11611: The proposed sidewalk and offsite upgrade work proposed will require that this tree be removed.

Hedge maple 11612: The proposed sidewalk, offsite upgrade work and servicing proposed will require that this tree be removed.

Hedge maple 11613: The proposed sidewalk and offsite upgrade work proposed will require that this tree be removed.

Potential Impacts on Trees to be Retained and Mitigation Measures

Hedge maple 11614: It is hoped that this tree can be retained and based on the plans reviewed, we feel there is a reasonable chance of retaining the tree provided the impacts from the proposed footing, retaining wall and service excavations do not impact the critical root zone too heavily and the proposed sidewalk can be installed while minimizing the need for additional root pruning within the critical root zone of the tree. Rather than complete exploratory excavations at this time, it is our understanding that the client would prefer to put up a financial bond for the tree and then make all reasonable efforts to retain the tree, getting reimbursed if the tree is retained to the satisfaction of the City of Victoria.

In order to achieve this, we propose the following strategy:

- Fence the critical root zone of the tree with barrier fencing prior to any demolition or construction activity occurring on site.
- Complete the excavation for the proposed building and services and any other required excavations under the direction of the project arborist documenting any roots severed. It is our understanding that the sanitary and drain services are approximately 3 meters deep at the property line. It will likely be necessary to shore the trench in order to reduce the width of the required excavation.
- Provided the excavations for the proposed building and services has not impacted the tree too heavily, review the potential impacts from the proposed sidewalk and determine if it can be installed without having additional impacts to the tree or re-designed to minimize the impacts.

Neighbours trees:

Nt2: There is a row of volunteer hedge maple trees and pyramidal cedar trees along the West property line on the neighbour side that will likely have to be pruned back. If the retaining wall is going to be replaced in this area it may require that some of the trees be removed. As these are not bylaw protected trees, if they do have to be removed, it should be discussed with the neighbour and it may be beneficial to both properties to replace them with a more desirable screening choice.

Tree Protection Barrier: The areas, surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing (see *Appendix A* for municipal barrier specifications). Where possible, the fencing should be erected at the perimeter of the critical root zone. The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

Arborist Supervision: All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any severed or severely damaged roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. In particular, the following activities should be completed under the direction of the project arborist:

- Any excavation within the critical root zone of municipal tree 11614, including but not limited to: excavation for building or retaining wall footings, storm and sanitary services, new driveway curb and sidewalk configuration.

Methods to Avoid Soil Compaction: In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:

- Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
- Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
- Placing two layers of 19mm plywood.
- Placing steel plates.

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

Paved Surfaces Above Tree Roots:

If the new paved surfaces within the CRZ of tree to be retained require excavation down to bearing soil and roots are encountered in this area, this could impact their health and structural stability. If tree retention is desired, a raised and permeable paved surface should be constructed in the areas within the critical root zone of the trees. The “paved surfaces above root systems” diagram and specifications is attached.

The objective is to avoid root loss and to instead raise the paved surface and its base layer above the roots. This may result in the grade of the paved surface being raised above the existing grade (the amount depending on how close roots are to the surface and the depth of the paving material and base layers). Final grading plans should take this potential change into account. This may also result in soils which are high in organic content being left intact below the paved area.

To allow water to drain into the root systems below, we also recommend that the surface be made of a permeable material (instead of conventional asphalt or concrete) such as permeable asphalt, paving stones, or other porous paving materials and designs such as those utilized by Grasspave, Gravelpave, Grasscrete and open-grid systems.

Mulching: Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See “methods to avoid soil compaction” if the area is to have heavy traffic.

Blasting: Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.

Scaffolding: This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see “Minimizing Soil Compaction” section).

Landscaping and Irrigation Systems: The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.

Arborist Role: It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

- Locating the barrier fencing
- Reviewing the report with the project foreman or site supervisor
- Locating work zones, where required
- Supervising any excavation within the critical root zones of trees to be retained
- Reviewing and advising of any pruning requirements for machine clearances

Review and site meeting: Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

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

Thank you,



Graham Mackenzie
ISA Certified # PN-0428A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 1-page tree resource spreadsheet, 1-page Tree Management Plan, 1-page preliminary servicing plans, 2-page tree resource spreadsheet methodology and definitions.

Disclosure Statement

The tree inventory attached to the Tree Preservation Plan can be characterized as a limited visual assessment from the ground and should not be interpreted as a “risk assessment” of the trees included.

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

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

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

**Tree Resource Spreadsheet
1025 Kings Road**

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (diameter in metres)	CRZ (radius in metres)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Retention Status
Nt1	Western Red cedar	<i>Thuja plicata</i>	44.0	8.0	5.5	Moderate	Good	Good	Roots likely restricted by retaining wall on West side.	X
11636	Red Maple	<i>Acer rubrum</i> 'Armstrong'	49.0	13.0	6.0	Moderate	Fair	Fair	Boulevard tree, pruned for utilities, asymmetric canopy.	X
11637	European birch	<i>Betula pendula</i>	20.0	6.0	3.0	Moderate	Fair/poor	Fair	Boulevard tree, pruned for utilities, some dieback in crown.	X
11638	Purple leaf plum	<i>prunus cerasifera</i>	18, 25	7.0	3.5	Good	Fair	Fair	Boulevard tree, pruned for utilities, asymmetric canopy.	X
11611	Hedge maple	<i>Acer campestre</i>	33.0	8.0	3.5	Good	Fair	Fair	Boulevard tree, roots may be restricted by existing rock wall.	X
11612	Hedge maple	<i>Acer campestre</i>	47.0	12.0	4.5	Good	Fair/good	Fair	Boulevard tree, roots may be restricted by existing rock wall.	X
11613	Hedge maple	<i>Acer campestre</i>	46.0	13.0	4.5	Good	Fair/good	Fair	Boulevard tree, roots may be restricted by existing rock wall.	X
11614	Hedge maple	<i>Acer campestre</i>	51.0	15.0	5.0	Good	Fair/good	fair	Boulevard tree, on neighbouring properties frontage.	*Retain/TBD
NT2	Hege maple. Pyramidal cedar	<i>Hedgerow</i>	multi	3.0	2.0	Good	Fair	Fair	Row of volunteer hedge maple trees and pyramidal cedars located along West property line on neighbors side.	Retain

Tree Protection Notes

Tree protection barrier: The areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zone. The barrier fencing to be erected must be a minimum of 1200mm in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

Arborist supervision: All excavation occurring within the critical root zones of protected trees must be completed under the supervision of the project arborist. Any severed or severely damaged roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound.

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

Methods to avoid soil compaction: In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:

- Installing a layer of hog fuel or coarse wood chips at least 20cm in depth and maintaining it in good condition until construction is complete.
- Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15cm over top.
- Placing two layers of 19mm plywood.
- Placing steel plates.

Mulching: Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See "methods to avoid soil compaction" if the area is to have heavy traffic.

Pruning: We recommend that any pruning of bylaw-protected trees be performed to ANSI A300 standards and Best Management Practices.

Paved surfaces above tree roots: Where paved areas cannot avoid encroachment within critical root zones of trees to be retained, construction techniques, such as floating permeable paving, may be required. The "paved surfaces above tree roots" detail above offers a compromise to full depth excavation (which could impact the health or structural stability of the tree). The objective is to avoid root loss and to instead raise the paved surface above the existing grade (the amount depending on how close roots are to the surface and the depth of the paving material and base layers). Final grading plans should take this potential change into account. This may also result in soils which are high in organic content being left intact below the paved area. To allow water to drain into the root systems below, we also recommend that the surface be made of a permeable material (instead of conventional asphalt or concrete) such as permeable asphalt, paving stones, or other porous paving materials and designs such as those utilized by Grasspave, Gravelpave, Grasscrete and open-grid systems.

Blasting and rock removal: Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibrations and overall impact to the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.

Scaffolding: This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see "Minimizing Soil Compaction" section).

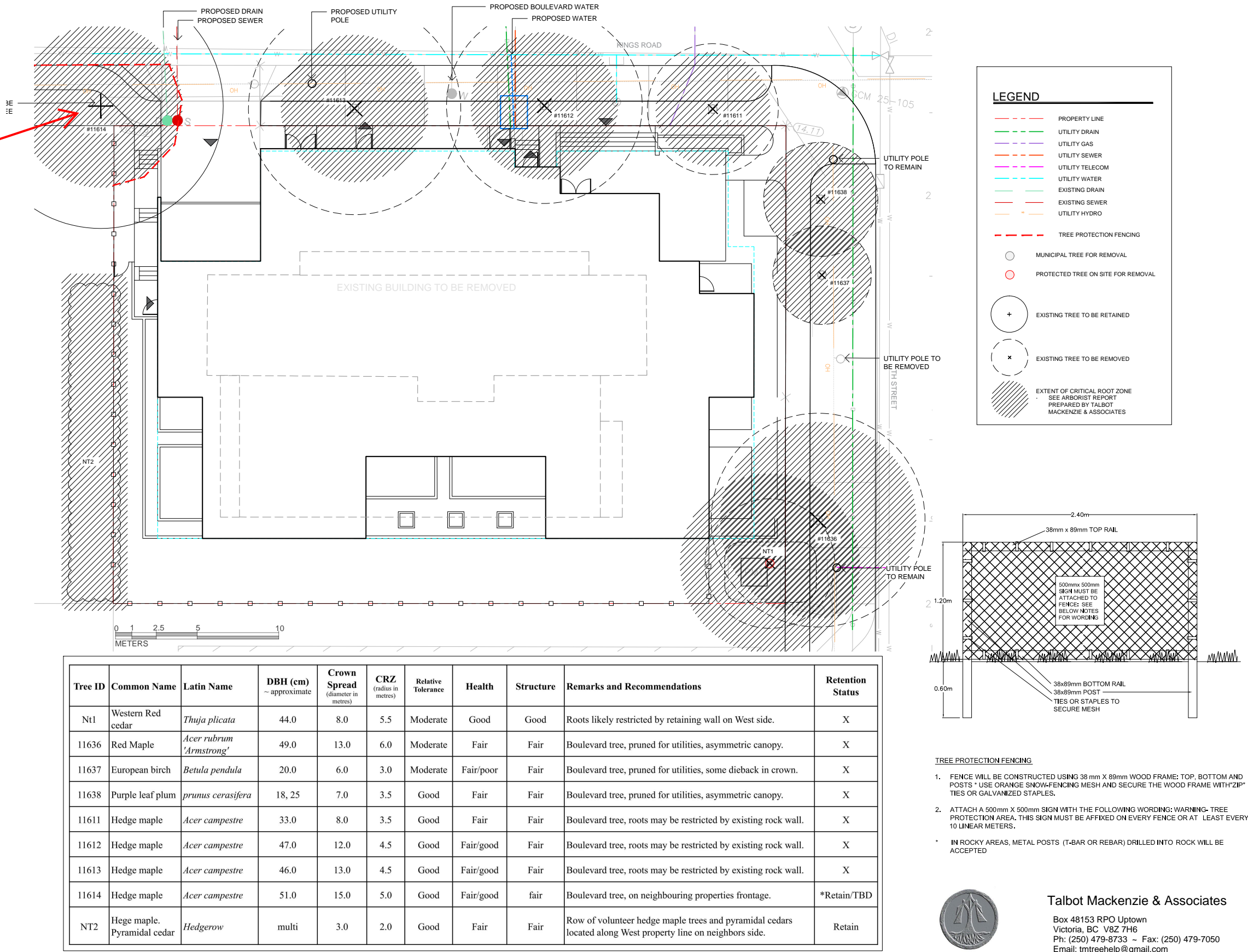
Landscaping and irrigation systems: The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technical consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on the tree health and can lead to root and trunk decay.

Arborists role: It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

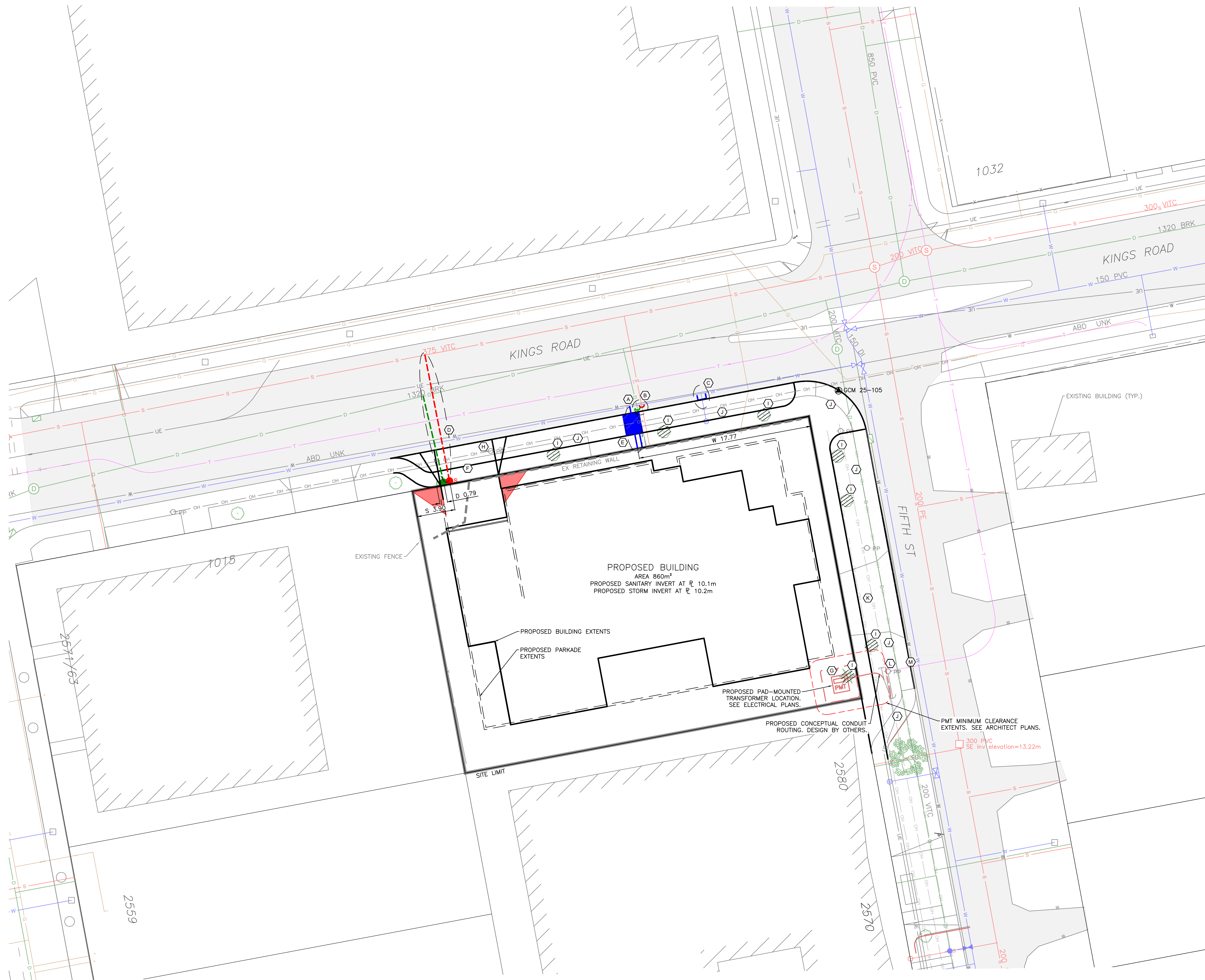
- Locating the barrier fencing.
- Reviewing the report with the project foreman or site supervisor.
- Locating work zones and machine access corridors where required.
- Supervising excavation for any areas within the critical root zones of trees to be retained including any proposed retaining wall footings and review any proposed fill areas near trees to be retained.

Municipal Hedge maple #11614 - retention to be determined at the time of excavation. Retention will depend on the ability to minimize the impacts from the excavation associated with the building footings, new service installations and sidewalk configuration. Project arborist to supervise and document any excavation within critical root zone of tree during excavation for building and servicing. Provided the tree isn't too heavily impacted by this excavation work, proposed sidewalk configuration to be reviewed on site and determined if it can be designed around remaining critical root zone of tree.

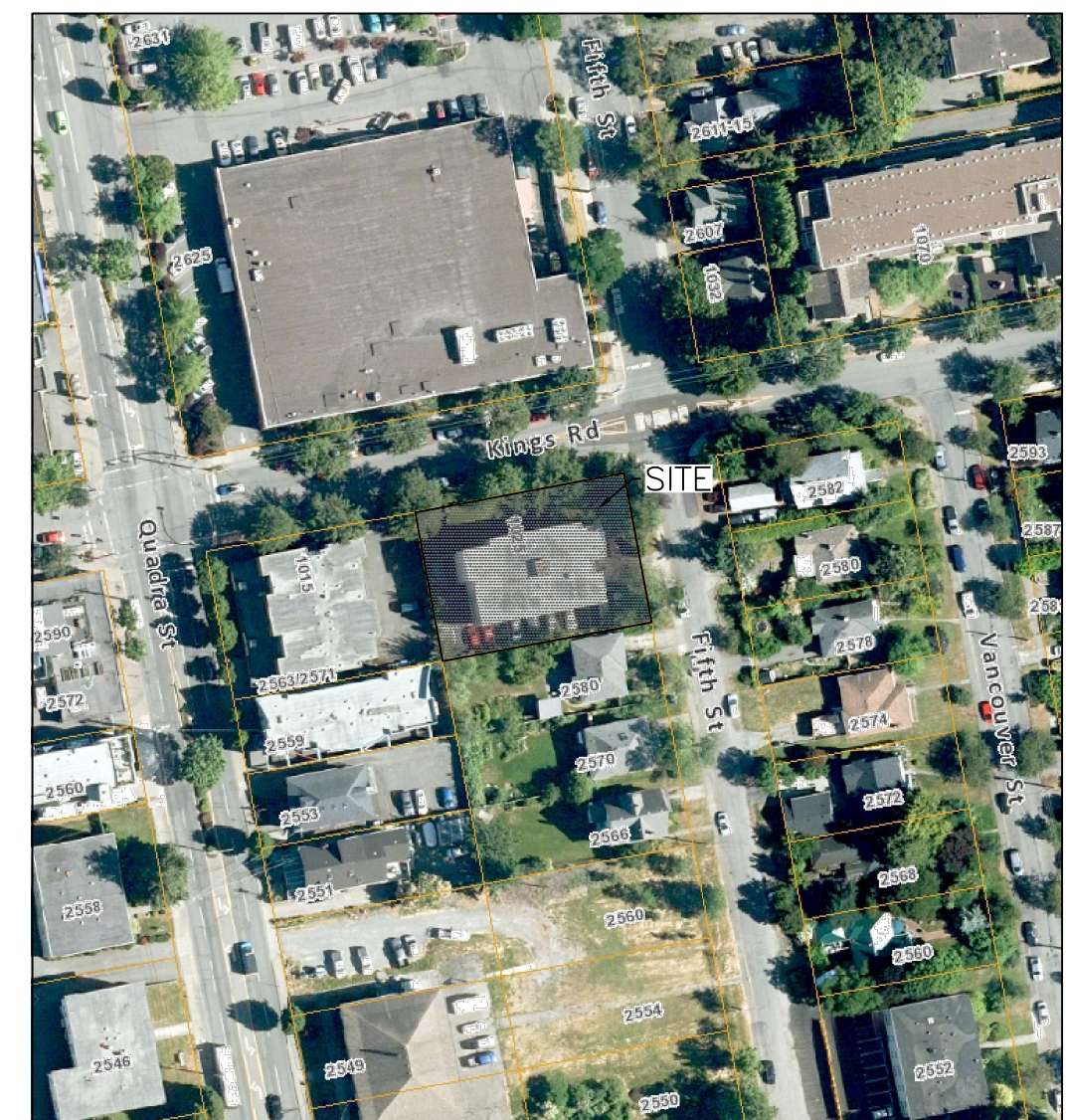
1025 Kings Road, Tree Management Plan, 08.27.21



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



- SHEET NOTES:**
- (A) CITY OF VICTORIA CREWS TO CAP EXISTING DRAIN SERVICE AT DEVELOPERS EXPENSE.
 - (B) CITY OF VICTORIA CREWS TO CAP EXISTING SANITARY SERVICE AT DEVELOPERS EXPENSE.
 - (C) CITY OF VICTORIA TO CAP EXISTING WATER SERVICE AT DEVELOPER EXPENSE.
 - (D) CITY OF VICTORIA CREWS TO INSTALL DRAIN AND SANITARY SERVICE TO PROPERTY LINE COMPLETE WITH INSPECTION CHAMBERS AT DEVELOPERS EXPENSE. SIZES TO BE CONFIRMED DURING BUILDING PERMIT.
 - (E) CITY OF VICTORIA TO INSTALL WATER SERVICE TO PROPERTY LINE COMPLETE WITH METER AT DEVELOPERS EXPENSE. SIZES TO BE CONFIRMED DURING BUILDING PERMIT.
 - (F) CONTRACTOR TO INSTALL NEW 6.0m WIDE DRIVEWAY TO CITY OF VICTORIA STANDARDS.
 - (G) PROPOSED BC HYDRO TRANSFORMER LOCATION. BC HYDRO TO CONFIRM SERVICING DESIGN DURING BUILDING PERMIT.
 - (H) EXISTING UTILITY POLE TO BE RELOCATED. DESIGN BY OTHERS DURING BUILDING PERMIT.
 - (I) EXISTING TREE TO BE REMOVED. REFER TO LANDSCAPE PLANS.
 - (J) CONTRACTOR TO REMOVE EXISTING SIDEWALK AND INSTALL SEPARATED 1.5m WIDE SIDEWALK ON PROPERTY LINE.
 - (K) CONTRACTOR TO REMOVE EXISTING DRIVEWAY AND REINSTATE BOULEVARD.
 - (L) EXISTING UTILITY POLE TO BE RELOCATED AS REQUIRED TO FACILITATE BC HYDRO ACCESS TO PROPOSED PMT. TELUS DUCTS TO BE MODIFIED AS REQUIRED. DESIGN BY OTHERS DURING BUILDING PERMIT.
 - (M) PROPOSED CURB TO BE DESIGNED TO FACILITATE BC HYDRO ACCESS TO PMT. DETAILED DESIGN TO BE DURING BUILDING PERMIT.



KEY PLAN
NTS

LEGAL DESCRIPTION: LOT 1, SECTION 4, VICTORIA DISTRICT, PLAN 30761
BENCHMARK: MONUMENT GCM 25-105
ELEV. 14.13m

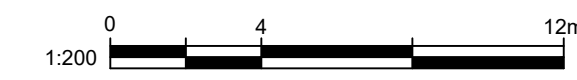
1025 KINGS STREET
PRELIMINARY SITE
SERVICING PLAN

Scale
horiz. 1:200
Sheet 1 of 1
Eng. Project No. 32738

J E ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS
VICTORIA NANAIMO PARKSVILLE CAMPBELL RIVER
PHONE: 250-727-2214 info@jeanderson.com

ISSUED FOR DEVELOPMENT PERMIT

PLAN - ROAD A
H 1:200





Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6

Ph: (250) 479-8733

Fax: (250) 479-7050

Email: tmtreehelp@gmail.com

Tree Resource Spreadsheet Methodology and Definitions

Tag: Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

DBH: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.

* Measured over ivy

~ Approximate due to inaccessibility or on neighbouring property

Crown Spread: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Relative Tolerance Rating: Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

Critical Root Zone: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean).

Health Condition:

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

Structural Condition:

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

Retention Status:

- X - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain * - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns

1025 Kings Road (Hillside Quadra)

All feedback received from the Development Tracker online comment form

Name	Position	Comments	Address	Date
Susan Thomas	Oppose	Already a 6 storey building being built next door and a proposed 5 storey one block away. Too much density. Not enough parking spots. Opposed to removing protected tree	2527 Quadra Street	2020-09-04 21:20
Iva Oelrich	Oppose	In my opinion, this street/area is already fairly overpopulated, so I feel six full stories of new residents would be a poor choice to make. On a daily basis, I see traffic issues due to on street parking availability, and knowing how many cars would then be introduced into our area is another big concern of mine; I feel 22 spots in the proposed parking lot is an inadequate size, therefore I predict the high plausibility of more cars being parked on the street. The building I live in is primarily home to young children, families and elderly folk, so I presume that such an invasive demolition and construction project would be extremely invasive and detrimental to our usually quiet and peaceful area. In my opinion, such a big development would be better suited in a more likeminded part of the city.	2639 Fifth street	2020-09-08 5:04
Daniel Mari	Support		3338 Whittier Ave	2020-09-10 23:39
David Berry	Support	Should be taller with more units	1607 Chandler Ave	2020-09-10 23:44
Loryn Anderson	Oppose	We have lived in this community for 10 years, and live directly across from the development that is the first building to go up (ross terrace) . We followed along and attended every meeting possible, gathering concerned neighbours together, writing letters, voicing our concerns etc. The main concern was the height of the building, and the extreme lack of parking spaces - which everybody knows will fall onto the plate of bylaw and neighbours once complete. (22 spaces for 65 units - up to 300 people and an art school) We were looking for something, anything, from the developer, to rectify this pressing concern. Instead, we watched at the last hearing with council, as the developer lied to everyone, saying that that all the concerns from the community were cleared up, and literally not one councillor batted an eye. It was so crushing to see how little our voices were heard.	2567 Vancouver st	2020-09-23 16:27
Since the development has progressed, there have been so many complaints to bylaw logged, for misconduct on the workplace, and other infractions. We spend our days listening to the rudest, loudest construction workers, screaming and swearing at each other starting from 6:30am (yes we know, 7am				

Name	Position	Comments	Address	Date
		<p>is the earliest they are allowed to begin - but guess what - nobody from bylaw cares!)</p> <p>This new proposal is as flawed as the first. Six stories is too high! Please please please understand the density in this neighbourhood has grown so much already and there are other developments on the way too all within a few blocks of this one. The infrastructure can not handle the density, I can't even find a place to park on residential parking in my area as it is! The amount of parking is once again a huge concern - would it really be that crazy to insist the developers actually put some underground parking in? I know, they told us last time outright, it is just so expensive, but guess what - they have the money.</p> <p>I know that developers are in the pocket of council, I get it. I wouldn't be the slightest bit surprised if they all went out for beers and golf together. It is clear when you watch the council meetings how much control developers have, and how very very little say the neighbours and current taxpayers have. But for the love of all that once was in this city, please stop for a minute and consider the other developments that have been jammed through and make the developer take it down one story at least to match the other building and BUILD MORE PARKING!</p>		

Survey Responses

1025 Kings Road

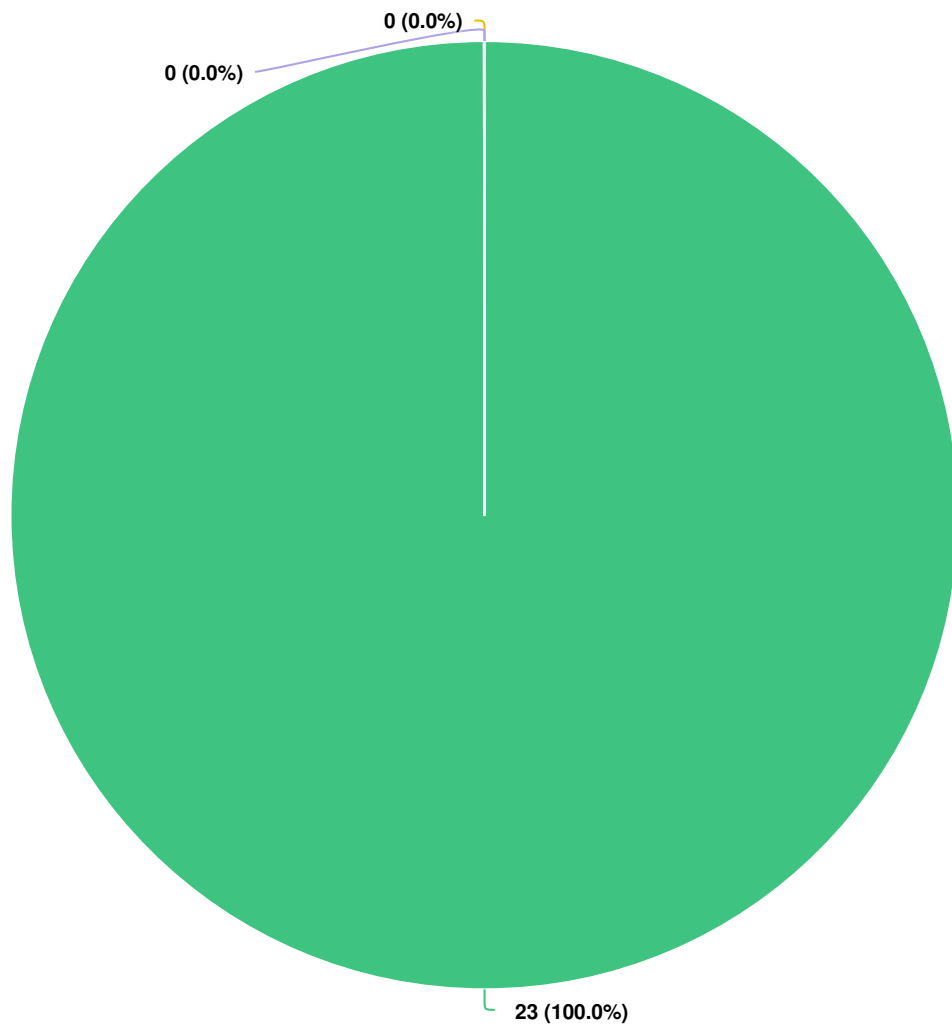
Have Your Say

Project: 1025 Kings Road



VISITORS					
28					
CONTRIBUTORS			RESPONSES		
23			23		
2	0	21	2	0	21
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous

Q1 What is your position on this proposal?



Question options

☒ Support ☐ Oppose ☐ Other (please specify)

Mandatory Question (23 response(s))
Note: Participants may submit multiple responses. See detailed feedback in the following pages.



Respondent No: 1

Login: Anonymous

Responded At: Nov 05, 2021 13:17:30 pm

Last Seen: Nov 05, 2021 13:17:30 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

My Quadra Village neighbourhood appears to be able to support a higher population density, which is necessary if people are to settle in this city. The proposed variances to established guidelines are very reasonable, and the aim of achieving Victoria's strategic goals for transportation and affordability of housing meet with my satisfaction. Please approve this development.

Q3. **Your Full Name** Thomas G. Parsons

Q4. **Your Street Address** 2527 Quadra St. #501 Victoria, BC, V8T4E1

Q5. **Your email address (optional)**



Respondent No: 2

Login: Anonymous

Responded At: Nov 05, 2021 14:12:18 pm

Last Seen: Nov 05, 2021 14:12:18 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name** Owen ORourke

Q4. **Your Street Address** 353 Windermere Place

Q5. **Your email address (optional)**



Respondent No: 3

Login: Anonymous

Responded At: Nov 05, 2021 14:22:07 pm

Last Seen: Nov 05, 2021 14:22:07 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

Affordable rentals for families (3 bedrooms) are greatly needed. Mainly for working families and not the just the unhoused.
There needs more help for working people (affordable options).

Q3. **Your Full Name** Douglas Annala

Q4. **Your Street Address** 1732 Douglas street

Q5. **Your email address (optional)**



Respondent No: 4

Login: Anonymous

Responded At: Nov 05, 2021 14:25:14 pm

Last Seen: Nov 05, 2021 14:25:14 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

I support the development of new rental housing in Victoria. This sort of density is needed in areas well serviced by transit and amenities so that residents can live low carbon lifestyles.

Q3. **Your Full Name** Robyn Webb

Q4. **Your Street Address** 607-770 Fisgard St

Q5. **Your email address (optional)**



Respondent No: 5

Login: Anonymous

Responded At: Nov 05, 2021 15:06:21 pm

Last Seen: Nov 05, 2021 15:06:21 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

This is a much-needed housing development that doesn't sit right on a busy arterial. The only issue I have with it is it should be 4 storeys taller

Q3. **Your Full Name** David Berry

Q4. **Your Street Address** 1607 chandler ave

Q5. **Your email address (optional)**



Respondent No: 6

Login: Anonymous

Responded At: Nov 05, 2021 15:07:31 pm

Last Seen: Nov 05, 2021 15:07:31 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

I think this would be a great fit in the neighbourhood and provide some much needed housing. Strongly in support.

Q3. **Your Full Name** Mark Stephenson

Q4. **Your Street Address** 303-1500 Elford Street, Victoria BC

Q5. **Your email address (optional)**



Respondent No: 7

Login: Anonymous

Responded At: Nov 05, 2021 15:07:51 pm

Last Seen: Nov 05, 2021 15:07:51 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

We need more housing

Q3. **Your Full Name** David Grypma

Q4. **Your Street Address** 602, 1034 Johnson Street, Victoria, BC

Q5. **Your email address (optional)**



Respondent No: 8

Login: Registered

Responded At: Nov 05, 2021 15:08:04 pm

Last Seen: Dec 05, 2021 20:09:31 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

We need so much more housing. We need 100 of these, we need 1,000 of these. Quadra Village is a great little walkable node and this is the exact sort of place we should be allowing much more housing by-right. Stop with the endless rezonings and public feedback and just allow projects like this with minimal red tape.

Q3. **Your Full Name** Jarren Butterworth

Q4. **Your Street Address** 315 Linden Ave

Q5. **Your email address (optional)**



Respondent No: 9

Login: Anonymous

Responded At: Nov 05, 2021 15:33:42 pm

Last Seen: Nov 05, 2021 15:33:42 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name** Ryan Lance

Q4. **Your Street Address** 1610 Jubilee Ave

Q5. **Your email address (optional)**



Respondent No: 10

Login: Anonymous

Responded At: Nov 05, 2021 16:24:02 pm

Last Seen: Nov 05, 2021 16:24:02 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

I support this proposal, the city needs much more of this type of housing option for current and future residents. One thing that I would like to see is more 3 bedroom units. Our community needs so many more units that have enough bedrooms that are suitable for families and so many new developments have few units of this size. I do support the proposal as-is but would appreciate consideration of my feedback.

Q3. **Your Full Name** Brian Vatne

Q4. **Your Street Address** 957 Cowichan St

Q5. **Your email address (optional)**



Respondent No: 11

Login: Anonymous

Responded At: Nov 05, 2021 16:45:23 pm

Last Seen: Nov 05, 2021 16:45:23 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

excellent upgrade to the building it will replace. Close to services and larger rentals are a good addition to the community.

Q3. **Your Full Name** Peter Nicholas Van Giesen

Q4. **Your Street Address** 2540 Blackwood Street

Q5. **Your email address (optional)**



Respondent No: 12

Login: Anonymous

Responded At: Nov 05, 2021 18:46:44 pm

Last Seen: Nov 05, 2021 18:46:44 pm

Q1. **What is your position on this proposal?**

Support

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name**

Johnny MacDonald

Q4. **Your Street Address**

2570 fifth st

Q5. **Your email address (optional)**



Respondent No: 13

Login: Anonymous

Responded At: Nov 05, 2021 18:49:01 pm

Last Seen: Nov 05, 2021 18:49:01 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

This would be a fantastic addition to the neighborhood. Much needed housing and the esthetics would greatly improve the neighborhood.

Q3. **Your Full Name** Paola Moore

Q4. **Your Street Address** 2570 Fifth Street

Q5. **Your email address (optional)**



Respondent No: 14

Login: Anonymous

Responded At: Nov 05, 2021 20:31:35 pm

Last Seen: Nov 05, 2021 20:31:35 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

Shift the garage access to Fifth Street as Kings is a bike route. Add more 3 bedroom units.

Q3. **Your Full Name** Matthew Sallee

Q4. **Your Street Address** 2534 Scott Street

Q5. **Your email address (optional)**



Respondent No: 15

Login: Anonymous

Responded At: Nov 06, 2021 07:31:29 am

Last Seen: Nov 06, 2021 07:31:29 am

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

A great upgrade to the neighborhood!!

Q3. **Your Full Name** Hannah MacDonald

Q4. **Your Street Address** 2570 fifth street

Q5. **Your email address (optional)**



Respondent No: 16

Login: Registered

Responded At: Nov 06, 2021 11:16:51 am

Last Seen: Nov 09, 2021 17:57:05 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

Our area could definitely use the housing. That said, it would be nice to see more family friendly 3 bedroom units as the reality is that the 2 bedrooms are not enough for for anything but single child families. Also, current tenants should get priority and for renting out suites in the new building and at their current rent.

Q3. **Your Full Name** Ron Brogden

Q4. **Your Street Address** 1136 Empress Avenue

Q5. **Your email address (optional)**



Respondent No: 17

Login: Anonymous

Responded At: Nov 06, 2021 19:02:19 pm

Last Seen: Nov 06, 2021 19:02:19 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name** Ruby Galanida

Q4. **Your Street Address** 1237 Rudlin St

Q5. **Your email address (optional)**



Respondent No: 18

Login: Anonymous

Responded At: Nov 07, 2021 00:30:33 am

Last Seen: Nov 07, 2021 00:30:33 am

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

Great need more rentals

Q3. **Your Full Name** Diane Willis

Q4. **Your Street Address** #305 826 North Park Street

Q5. **Your email address (optional)**



Respondent No: 19

Login: Anonymous

Responded At: Nov 07, 2021 11:03:56 am

Last Seen: Nov 07, 2021 11:03:56 am

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

I strongly support this project and think it would be a perfect fit for the neighbourhood.

Q3. **Your Full Name** Quinn MacDonald

Q4. **Your Street Address** 305-1030 Cook St

Q5. **Your email address (optional)**



Respondent No: 20

Login: Anonymous

Responded At: Nov 07, 2021 18:20:52 pm

Last Seen: Nov 07, 2021 18:20:52 pm

Q1. **What is your position on this proposal?**

Support

Q2. **Comments (optional)**

More market rental in the area is supported.

Q3. **Your Full Name**

Jeffrey W. Lougheed

Q4. **Your Street Address**

2607 Fifth Street

Q5. **Your email address (optional)**



Respondent No: 21

Login: Anonymous

Responded At: Nov 14, 2021 14:25:44 pm

Last Seen: Nov 14, 2021 14:25:44 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

The city desperately needs more rentals. Clear yes.

Q3. **Your Full Name** Mackenzie Farmer

Q4. **Your Street Address** 2103 Fernwood Rd

Q5. **Your email address (optional)**



Respondent No: 22

Login: Anonymous

Responded At: Nov 18, 2021 13:14:16 pm

Last Seen: Nov 18, 2021 13:14:16 pm

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name** Stacey Krafta

Q4. **Your Street Address** 5014 Laguna Way

Q5. **Your email address (optional)**



Respondent No: 23

Login: Anonymous

Responded At: Nov 19, 2021 00:25:59 am

Last Seen: Nov 19, 2021 00:25:59 am

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name** Phil Denhoff

Q4. **Your Street Address** #1604 785 Caledonia Avenue

Q5. **Your email address (optional)**

Hello

I am not keen on the proposed development.

Currently there is an apartment building on the land and in order to build this new 6 storey rental building, the apartment building will have to be demolished.

The current renters in this apartment building will be evicted and I am not in favour of this.

The new 6 storey rental building will have 57 suites for rent and 22 parking stalls.

I think that 22 parking stalls is not enough.

If this building is going ahead, I think that there should be at least a minimum of 30 parking stalls.

Yours truly, Connie Low

Madam mayor Councillors

The apartment complex at 1025 Kings road is slated for demolition to make space for a new ARYZE development.

I started paying rent on apartment 204 on December 15, 2020. Attempts to rid the place of airborne contaminants from black mould and rancid grease have proved futile. The apartment is unlivable and is making me sick.

I have started the slow process of dispute resolution under the guidance of the office of Rob Fleming MLA.

However, the situation remains the same. Under covid recommendations we are asked to stay home and isolate. Difficult under the best of circumstances but when your home is contaminated it becomes a nightmare. An even more bizarre twist is that exposure to black mould produces symptoms similar to covid-19.

Can you offer any recommendations that may improve my circumstances for the near future?

What role will the city of Victoria play in assuring that tenants will be treated fairly in the coming transition?

Will you contact Mr. Cris Travis of Bradshaw property management [REDACTED] and request that he take every step to insure that residents at 1025 Kings road are safe from airborne toxicity?

Thank you

Ron Zakreski

City of Victoria Mayor and Councillors, I am writing to express my support for 1025 Kings Road. I welcome the proposed development to Quadra Village because I believe it will: Provide purpose-built rental housing designed to support long-term tenancy, bolster the vision and evolution of Quadra Village and enliven the street and pedestrian experience • I believe this condo building will refresh dated rental stock in the area, and support a car lite lifestyle.

Thank you for your consideration.

Sincerely,

Carol Halligan

Nearby resident

City of Victoria Mayor and Councillors,

I am writing to express my support for 1025 Kings Road. I welcome the proposed development to Quadra Village because I believe it will:

• Provide purpose-built rental housing designed to support long-term tenancy
• Bolster the vision and evolution of Quadra Village
• Enliven the street and pedestrian experience
• Refresh dated rental stock in the area
• Support a car lite lifestyle

Thank you for your consideration.

Sincerely,
[NAME]
[Victoria Resident] OR [Interested Stakeholder]

Kit Filan

I am a senior on a fixed income of only CPP and OAS with a limited savings. How will the rents accommodate me?

T Picard

City of Victoria Mayor and Councillors,

I am writing to express my support for 1025 Kings Road. I welcome the proposed development to Quadra Village because I believe it will:

- Provide purpose-built rental housing designed to support long-term tenancy
- Bolster the vision and evolution of Quadra Village
- Enliven the street and pedestrian experience
- Refresh dated rental stock in the area
- Support a car lite lifestyle

Thank you for your consideration.

Sincerely,

[NAME]

[Victoria Resident] OR [Interested Stakeholder]

City of Victoria Mayor and Councillors,

I am writing to express my support for 1025 Kings Road. I welcome the proposed development to Quadra Village because I believe it will:

• Provide purpose-built rental housing designed to support long-term tenancy
• Bolster the vision and evolution of Quadra Village
• Enliven the street and pedestrian experience
• Refresh dated rental stock in the area
• Support a car lite lifestyle

Thank you for your consideration.

Sincerely,
[NAME]
[Victoria Resident] OR [Interested Stakeholder]

Also I would like to add that as an idea of car lite is great in theory but I see 20 parking stalls for 56 homes which will lead to 36 homes and family's parking on the street around the neighborhood. I believe this project need much more parking.

Sarah Mandefro

Dear City Council,

A brief note to share my support for the building proposed at 1025 Kings Road, in Quadra Village.

I've lived here for six years and come to know the community well, including shop owners and other residents.

Our neighborhood has changed in just my small window of time here, and for the better. Often times, that seems to be spurred by new stores opening, and modern living spaces being built.

I've wrote to you all once before, endorsing a similar project by Aryze, which was successful built just behind my home. I think this new project would be of similar value to a growing neighborhood.

A few thoughts from a resident in the community :)

All the best,
Derek Pym

City of Victoria Mayor and Councillors,

I am writing to express my support for 1025 Kings Road. I am personally very excited about this project, and welcome the proposed development to Quadra Village, because I believe it will:

- Provide purpose-built rental housing designed to support long-term tenancy
- Bolster the vision and evolution of Quadra Village
- Enliven and expand on the street and pedestrian experience
- Refresh dated rental stock in the area
- Support a car lite lifestyle

Thank you for your consideration in this project. I look forward to the great things it will bring to our community.

Ken Tran
Victoria resident
2582 Vancouver street



Note for Internal Use Only: This form contains confidential information and should be submitted directly to housing policy staff (housing@victoria.ca). Do not upload to Tempest.

Tenant Assistance Plan

The Tenant Assistance Plan and appendices must be submitted at the time of your rezoning application, and should be submitted directly to housing@victoria.ca. Please contact your Development Services Planner with questions or concerns.

Date of submission of Tenant Assistance Plan to Housing Policy staff: November 23 2021

Current Site Information

Site Address:	1025 Kings Road
Owner Name:	Fifth Kings Apartments LTD., INC. NO. 168,348
Applicant Name and Contact Info:	Carly Abrahams, Aryze Developments (250) 940-3568; leigh@aryze.ca
Tenant Relocation Coordinator (Name, Position, Organization and Contact Info):	Taylor Kipp, Tenant Relocation Coordinator, Devon Properties.

Existing Rental Units

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor	3	875.67
1 BR	9	885.83
2 BR	3	1153.20
3 BR		
3 BR+		
Total		

Current Building Type (check all that apply):

- ☒ Purpose-built rental building
☐ Non-market rental housing
☐ Condominium building
☐ Single family home(s), with or without secondary suites
☐ Other, please specify:

Rights and Responsibilities of Landlords and Tenants

The rights and responsibilities of landlords and tenants are regulated by the Province and is set out in the [Residential Tenancy Act](#).

The City of Victoria's [Tenant Assistance Policy](#) is intended to supplement the Residential Tenancy Act and offer additional support for tenants in buildings that are being considered for redevelopment. To review the full Tenant Assistance Policy and supporting documents, please refer to the City of Victoria's [website](#).

POLICY APPLICATION

If your plans to redevelop this property will result in a loss of residential rental units AND will require tenants to relocate out of the existing building(s), please submit a Tenant Assistance Plan with your application.

Do you have tenant(s) who have been residing in the building for more than one year, at the time when application is submitted?

☒ Yes ☐ No

If yes, tenants are eligible for support. Please complete the full form.

If no, please skip to and complete Appendix A: Occupant Information and Rent Roll.

When completing this form, please refer to the Tenant Assistance Policy guidelines for Market Rental and Non-Market Rental Housing Development. Please note that the form includes the required FOIPPA section 27(2) privacy notification which should be communicated to tenants.

APPLICANT: Please complete the following sections to confirm the details of the Tenant Assistance Plan:		CITY STAFF: Did applicant meet policy?
Compensation Please indicate how you will be compensating the tenant(s). Please specify whether option 1 or 2 will be provided, and whether at existing rents or CMHC average rates. (See Policy Section 4.1 or 5.1)	Option 1: Aryze will provide CMHC average rent for Victoria for the number of months stipulated in Policy Section 4.1, plus one extra month (as per Aryze internal policy) for all applicants eligible under the City of Victoria Tenant Assistance Policy. This will ensure that all TAP-eligible tenants, regardless of need or request for additional financial assistance, will receive compensation over and above what is prescribed. The intention is to relieve financial pressure faced by tenants, and allow for flexibility when they make the decision to vacate their unit.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Moving Expenses Please indicate how the tenant(s) will receive moving expenses and assistance. Please specify whether option 1 or 2 will be offered. (See Policy Section 4.2)	Aryze will provide Option 2: Flat-rate compensation based on unit size as prescribed in Policy Section 4.2, plus \$250 per unit, for a total of \$750.00 per studio or one bedroom and \$1000.00 per two-bedroom. Aryze is providing all TAP-eligible tenants more compensation than what is prescribed in the policy to ensure that a minimum of financial challenges are met throughout the moving process.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Relocation Assistance Please indicate how the tenant(s) will receive relocation assistance, including the staff responsible or whether a third-party will be involved. (See Policy Section 4.3 or 5.3)	We have engaged the services of a third-party Tenant Relocation Coordinator (details provided above) to assist in the relocation process.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Right of First Refusal Please indicate whether the applicant is offering right of first refusal to the tenant(s). Please indicate your reasoning. (See Policy Section 4.4 or 5.5).	All eligible tenants have been offered Right of First Refusal for the new development project, at 10% below market rent. All eligible tenants have been informed of this right, including those who have chosen to move out prior to approval of this Rezoning Application. Information on pricing for the apartments in the new development will be provided to tenants once it is available. Additionally, eligible tenants have been offered first right of refusal in a below market unit at the recently completed rental project directly adjacent at 2570 Fifth St.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Tenants Requesting Additional Assistance Please indicate whether tenant(s) have requested additional assistance above policy expectations, and specify what additional assistance will be provided. (See Policy Section 6.0)	Tenants have requested addition assistance with direction towards external housing group in Victoria as well as rental options within Victoria.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

APPLICANT:

Please complete the following sections to confirm the details of the Tenant Assistance Plan:

How and when did you inform tenants of the rezoning or development application? (Please refer to Policy Section 3.4)	Tenants were notified of the redevelopment by mail in April 2020, followed by a more detail letter outlining the Tenant Assistance Policy in September 2020.
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)? (Please refer to Policy Section 3.4)	Communication will continue to be made through official notice through mail, email, and phone.
What kind of resources will you be communicating to your tenants and how will you facilitate tenants in accessing these resources? (Please see the City's website for a list of resources)	<p>BC Housing, Greater Victoria Housing Society, Seniors Serving Senior, Together Against Poverty Society (TAPS), and Victoria Cool Aid Society. Communications shared website link as well as a description of the service each group provides. Additional help was offered upon request.</p> <p>Tenants also received multiple rental options alongside websites for further rental inquiries: Brown Brothers, Devon Properties, Permberton Holmes, Cornerstone Properties and Craigslist. Additional help was offered upon request.</p>

Other comments (if needed):

FINAL Tenant Assistance Plan Review - [For City Staff to complete]

Application reviewed by Amanda Blick McStravick (City Staff) on November 23, 2021 (Date)

Did the applicant meet TAP policy? Yes ☒ No ☐ N/A ☐

Staff comments on
final plan:

This Tenant Assistance Plan exceeds Policy expectations, by offering all eligible tenants financial compensation above the amounts listed in the Policy for both rent and moving expenses. A Tenant Relocation Coordinator has been hired and all tenants have been well informed about the process and their rights. Many tenants are currently paying below-market rents, and will be receiving additional assistance applying for non-market housing and related programs. All eligible tenants have also been offered Right of First Refusal at 10% below market in the new development, as well as Right of First Refusal in an adjacent below-market rental housing complex within the Applicant's portfolio.

Hillside-Quadra Neighbourhood Action Committee
c/o 901 Kings Road
Victoria, BC V8T 1W5

7 December 2021

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

Re: Proposed Development of 1025 Kings Road

I am writing on behalf of the Hillside-Quadra Neighbourhood Action Committee (NAC) to provide neighbourhood input regarding the above proposed development.

Community Meeting Details

Date: 16 November 2021

Location of meeting: Online – Zoom format

Attending Hillside Quadra Neighbourhood Action Committee (NAC): 4 members

Keith Davis (Meeting facilitator), Jenny Fraser (Note Taker, CALUC Co-Chair), Rowena Locklin (Zoom Host), Jon Munn (CALUC Co-Chair)

Attending Proponents (Aryze Developments): 4

General Attendance: 5 in notification distance, 1 emailed question/ comments

Community Consultation Process

The proponent, Aryze Developments, held a first formal Community Meeting under the Community Association Land Use Committee (CALUC) process on 17 September 2020. After that meeting Aryze made a number of major design changes, which NAC understands were made at the request of the City of Victoria. These design changes include: the loss of one rental unit and one parking stall; increased space for bicycle parking to accommodate up to eight cargo bikes; balconies set back further from the street, the loss of commercial space; and parking access from Kings Road rather than Fifth Street.

Upon learning of the multiple design changes, NAC members enquired if a second formal CALUC Meeting would be required and the local area planner replied that a meeting was necessary. No notice was sent to NAC regarding the need for a second meeting. The second CALUC meeting was held 16 November 2021 (see meeting attendance details above).

Project Overview

A 15-unit rental building currently occupies the site. This building was constructed in the 1950s or 60s and Aryze staff indicated verbally that it needs maintenance and remediation. A public hearing will be required because the proposed density of 2.98 floor space ratio (FSR) is above the Official Community Plan (OCP) limit of 2.5 FSR. The previous proposal had a density of 2.74 FSR. The project will provide secure affordable rental housing, which is considered an amenity to permit additional density. The project

aligns with three of the five applicable objectives of the OCP Large Urban Village designation by providing units for increased population in a mid-rise building, three ground-oriented units (human scaled buildings), and encourages pedestrian and cycling use by providing few amenities for cars and more amenities for bicycles.

A new zone is proposed to replace the existing R3-2 Zone, as the proposal goes beyond many of the existing requirements. The following information (table) was provided by Aryze.

	R3-2 Zone Requirements	Proposed Zone
FSR Maximum	1.6	2.98
Height (storeys)	(6) 22m	(6) 21.24m
Setback [lot line]		
- North/ front	7.5m	1.41m
- South/ rear	7.5m	3.98m
- East/ side	7.5m	1.95m
- West/ side	7.5m	2.68m

The R3-2 Zone indicates a minimum of 30% open space. Aryze indicated that the existing building has a lot coverage of about 70% and the proposed coverage is 81%.

The proponent seeks to replace the existing building with a 56-unit, purpose-built 100 percent rental building. Most of the units (34) would be one-bedroom units designed to meet the needs of single-person households. The building would also include larger two-bedroom (15) and three-bedroom (2) units. Ten percent of the units would rent for below market rates, while the others would rent at rates consistent with the City of Victoria guidelines for affordability.

The proponent identified the project benefits as: secure long-term tenure for renters; the evolution of Quadra Village as a *destination neighbourhood* (unclear definition); an enlivened street and pedestrian experience; and replenishment of dated rental stock. The location of the building close to transit and the AAA (all ages and abilities) cycling route would support a *car-light* (20 motor vehicle parking spots for 56 units) lifestyle.

Building Design

The proposed new development would be a six-storey, wood frame building in a *classic modernist urban* style. One meeting participant suggested that the modern style of the building doesn't reflect the local architectural heritage. He expressed concern that the large white building surfaces would discolour over time due to algal buildup. The proponent indicated that this will not be an issue as exterior materials are smooth; in addition there is an overhang from the roof.

In response to questions from the NAC the proponents provided the following additional information related to the proposed development:

- The estimated population of the project is about 75 people.
- 32 storage units will be provided for the 56 units. It was unclear how storage would be related to units, perhaps rented separately.
- Density. The floor space approaches twice the existing, and there will be nearly four times the number of units.

- A shadow study shows increased shadow cast to the north.
- The open space landscape and usable space will be substantially reduced with reduced setbacks (see above). While there will be limited outdoor space on the site for the use of residents, they will have access to a 2,000 square foot rooftop deck. This south-facing deck will be somewhat intrusive for neighbours as it will open towards downtown and the interior courtyard of adjacent Ross Terrace (2750 Fifth Street).
- All suites will have private balconies of 200 square feet or larger, with top floor balconies in the larger family oriented suites of about 286 square feet (~11' x 26').
- A donation for a local park play space was noted. How this fit as part of an amenity legal agreement was not clear.

Motor Vehicle Parking

The proponent stated that the proposed building would include 20 vehicle parking stalls (including two stalls for disability and car share) for the 56-unit building. As an alternative to private vehicle ownership, building tenants would be offered to a Modo (car share) vehicle parked onsite, as well as a Modo membership for each unit. Tenants would also have access to nearby transit — including the rapid bus lane along Douglas Street (800m/ 12min+ walk) — and the AAA bike network. The 20 parking stalls would be rented on a first come first serve basis, although there would be a process where those living in the larger units would have priority access. Marketing for the building would encourage renters without vehicles. The proponent noted that the relaxation of parking requirements is consistent with the trend — particularly among younger renters — towards reduced vehicle ownership. In addition, the cost of building an underground parkade is not compatible with building affordable rental units.

Meeting participants expressed concern that the proposed development includes 56 units and only 20 motor vehicle parking stalls. Tenants at Ross Terrace, an adjacent Aryze development, 20-30 cars park on the street because the building lacks adequate parking, and this has created tension in the neighbourhood. Neighbours are concerned that the proposed new building at 1025 Kings will generate additional on-street parking competition and discord.

One participant was concerned that the location of the disability parking space would be awkward for access to the elevator.

Electric vehicle charging was briefly discussed. Four plugs for chargers are proposed and other spaces will be *ready* with wiring in place.

The proponent acknowledged the current problems of on-street parking and suggested that over time, as private vehicle ownership decreases, these problems are expected to diminish. NAC representatives recalled previous suggestions that the City of Victoria consider on-street permit parking, an idea that has been rejected.

Bicycle Parking

The proponent indicated that the proposal will include 68 interior bicycle parking spaces for the projected 75 residents, including eight stalls for cargo bikes — as the latter are becoming more widely used. Tenants will have access to bicycle parking through an exterior side door and staircase including runnels for bike wheels.

Meeting participants complained that the adjacent Aryze development at Ross Terrace does not contain adequate bicycle parking; as a result, some tenants are parking their bicycles in stairways or outside the

building. There was discussion regarding the Ross Terrace conversion of many bicycle parking spaces into storage unit space. Meeting participants were concerned that bicycle parking will be similarly inadequate at 1025 Kings Road, as at adjacent 2750 Fifth Street.

One meeting participant noted that more than one person will likely live in some of the units; the building will include 75 bedrooms (including studio apartments). It would therefore be more realistic to base the number of bicycle parking spaces on the number of people in the building (likely more than 75) rather than the number of units.

Landscaping

The landscape design for the building includes trees along the Fifth Street side and plantings that will echo the rainbow highlights on the white and black building. The intent is that plantings will include native species, and plants that are drought-tolerant and attract pollinators. No planting list or plant names were provided. One meeting participant asked which native plants would be used; Aryze promised to provide a list by email, but such information was not provided before this letter was written. The City of Victoria has approved the plant list and selected trees.

The front of the building will present a ‘soft edge’ including benches and bike stands that will provide opportunities for residents to interact with the neighbourhood. Meeting participants asked whether landscaping could include permeable pavers or constructed soil to accommodate foot traffic and trees; the City of Victoria, however, has indicated a preference for planted trees rather than pavers.

Three units in the building will open to the street; other ground floor units will be fenced, based on an assumption of increased security. The building design includes a feature wall that would support art. NAC has suggested that art related to the buried Rock Bay Creek — which used to flow near the site — would be appropriate. The City of Victoria has identified recognition of the creek as desirable.

One meeting participant noted that the landscape plan shows green space directly between the garbage staging area for the building and the street. There is a good chance this green space will be damaged during garbage loading. It might be more effective to create a walkway or permeable paving between the staging area and the street.

One meeting participant suggested that the proposed front setback of 1.41 m along Kings Road would be narrow. This is not consistent with the alleged City of Victoria desire to active and expand public space. In addition with many mobility scooters and pedestrians in Quadra Village it would be desirable to build wider sidewalks. The proponent indicated that the new sidewalk would be closer to the building with a wider boulevard than at present — increasing public space. Aryze indicated the sidewalk will be ~1.5 metres wide and built to City of Victoria design. Concern was expressed that 1.5m is too narrow for a more active street.

Affordability

Meeting participants asked for details with respect to building affordability. The proponent indicated that approximately 90 percent of the units will be ‘affordable’ based on City of Victoria guidelines, and 10 percent would rent for below market rates. Aryze indicated that at this early stage exact rents cannot be established. The building owner would be required to sign a permanent agreement with the City of Victoria regarding rents.

Welfare of Existing Tenants of 1025 Kings Road

Meeting participants expressed concern about the impacts of the proposed development on tenants living in the existing building. The proponents explained in detail their tenant relocation and assistance program. They indicated that tenants in eight out of fifteen units in the existing building have already been rehoused.

Accessibility

The proponents indicated that none of the units will be built to a full disability standard. Aryze staff were unsure if units will be able to be visited by people with disabilities. Aryze said that it is not feasible to build suites that conform to accessibility design guidelines and are also affordable.

General Comments

The concerns raised at the CALUC Meeting included the following, roughly by order of importance: lack of vehicle and bicycle parking (and trust if that proposed would be retained) and resulting conflict between neighbours, density mismatch to services/ design, allocation of parking stalls and storage units, access for people with disabilities, how affordability and amenities are determined and retained over time (type of legal agreement), diminished amount of landscaping/ greenspace, narrow sidewalks, coordination between waste access and landscape, and fit of architectural style.

Sincerely,

Jon Munn
Co-Chair, Community Association Land Use Committee
Hillside Quadra

E.3 1025 Kings Road: Rezoning Application No. 00752 and Development Permit with Variances Application No. 00157 (Hillside/Quadra)

Committee received reports dated November 25, 2021 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application and Development Permit with Variances Application in order to construct a new six-storey residential rental building with approximately 56 housing units and recommending that it move forward to a Public Hearing.

Moved By Councillor Isitt

Seconded By Councillor Loveday

Rezoning Application No. 00752 for 1025 Kings Road

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00752 for 1025 Kings Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Revised plans that identify the visitor parking stall, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Confirmation that third party servicing would not negatively impact the ability to replant new trees within the City boulevard, to the satisfaction of the Director of Parks, Recreation and Facilities.
3. Confirmation that municipal tree #11614, a 51cm DBH hedge maple will be protected and retained through development, to the satisfaction of the Director of Parks, Recreation and Facilities.
4. Preparation of the following legal agreements, executed by the applicant, in a form satisfactory to the City Solicitor to:
 - a. Secure the building as rental for the greater of 60 years or the life of the building, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - b. Secure the building as affordable as per the Zoning Regulation Bylaw definition at time of adoption, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Secure a minimum of three one-bedrooms, one two-bedroom and two three-bedroom units as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - d. Secure a monetary or equivalent contribution of \$100,000 to go towards park improvements at 2550-2560 Fifth Street, or an alternative location satisfactory to the Director of Parks, Recreation and Facilities.
 - e. Secure car share memberships for each of the residential units and the provision of one car share vehicle.

Development Permit with Variances Application No. 00157 for 1025 Kings Road

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. 00752, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00157 for 1025 Kings Road, in accordance with:

1. Plans date stamped September 7, 2021.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 1. increase the height from 18.5m to 21.24m;
 2. decrease the front yard setback from 5.0m to 1.93m;
 3. decrease the rear yard setback from 5.0m to 2.68m;
 4. decrease the south side yard setback from 5.0m to 3.98m;
 5. decrease the north side yard setback from 5.0m 1.41m;
 6. increase the site coverage from 40% to 70%;
 7. reduce the residential vehicle parking from 20 to 19; and,
 8. reduce the visitor vehicle parking from 6 to 1.
3. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed the following:

- *That the proposed improvements to the Fifth Street Park are very supportable*
- *That an attractive frontage on Kings Road would be a significant improvement to the greenway*
- *The street has a mix of parking restrictions including time limited parking. Staff have not heard of a change in parking demand.*
- *That this project goes beyond the current tenant protection policy*

Amendment:

Moved By Councillor Isitt

Seconded By Councillor Thornton-Joe

That the applicant be requested to consider providing existing tenants the right of first refusal at current rents while allowing Rental Tenancy Act increases between the move out date and occupancy.

FOR (4): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Thornton-Joe

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Potts, Councillor Young

DEFEATED (4 to 5)

Moved By Councillor Isitt

That 4.b. be struck from the motion.

Failed to proceed due to no seconder.

Moved By Councillor Loveday

Seconded By Councillor Isitt

That Council request further information about the affordability provision at the public hearing.

CARRIED UNANIMOUSLY

On the main motion as amended except 4.b:

CARRIED UNANIMOUSLY

On the number 4.b:

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young
OPPOSED (1): Councillor Isitt

CARRIED (8 to 1)

Committee recessed at 10:16 a.m. and reconvened at 10:22 a.m.



Talbot Mackenzie & Associates

Consulting Arborists

Page 1 of 5

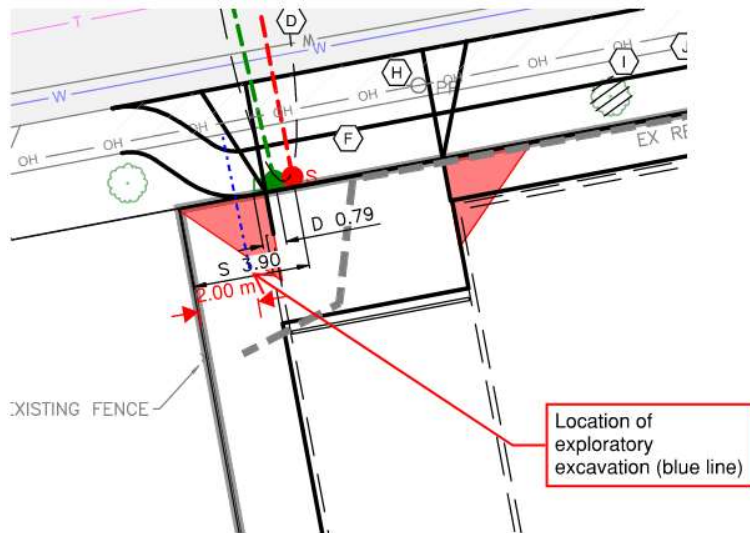
SITE ADDRESS: 1025 Kings Road		PREPARED FOR: Aryze Developments
MUNICIPALITY: City of Victoria		REFERENCE DOCUMENT(S): August 27, 2021 - Tree Inventory and Management Report
IN ATTENDANCE		DATE SUBMITTED: 22.04.08
DATE(S) ONSITE (YYYY/MM/DD) 2022/04/07	TIME(S) ONSITE 11:30 – 12:30	WEATHER Clear and Sunny

ARBORIST EXPLORATORY EXCAVATION REPORT

PURPOSE OF SITE VISIT

Talbot Mackenzie & Associates was engaged by Aryze developments to conduct an exploratory excavation within the critical root zone of boulevard Hedge maple #11614. The purpose of the excavation was to try and determined the potential impacts from the proposed installation of the sewer and drain services and sidewalk within the trees critical root zone and whether we feel the tree can be retained given the impacts.

The site plan below shows the proposed sewer and drain location as well as the new sidewalk configuration in relation to the tree. Given the depth of the proposed services at the property line (approximately 3 meters deep), we have assumed that a shoring cage will be used and there will be no need for any cut slope beyond where the exploratory excavation was conducted (approximately 2 meters from the property line.)



Disclosure Statement

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

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

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



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Consulting Arborists

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DEFINITIONS

- dbh = diameter (Ø) at breast height (1.4 meters above the highest point of the natural grade) in centimeters.
- Critical root zone (CRZ) = Refer to August 27, 2021 tree inventory and management report for calculated critical root zones for the subject trees.
- Dripline = Indicates the radius of the crown spread measured in metres to the dripline of the longest limbs.

Following are observations made by the project arborist for the April 7, 2022 arborist supervision.

OBSERVATIONS

- The subject tree was in relatively good health at the time of our site visit.
- The exploratory excavation was conducted approximately 2 meters from the property line and found the following:
 - A portion of the excavation encountered an asphalt layer approximately 20 cm down that inhibited any further excavation without damaging roots.
 - In the areas that could be excavated, the 2 largest roots encountered were approximately 4 cm in diameter, followed by 5 approximately 2 cm in diameter and a dense layer of smaller fibrous roots.
 - The largest roots encountered were in the top 20 cm of soil and the tree appears to be surface rooted.
- A limited excavation was conducted near the base of the tree next to the existing sidewalk, where a dense mat of fibrous roots was encountered near the surface. No further digging took place in this location to avoid unnecessary root damage.

FINDINGS

- If the excavation for the proposed service can be completed without encroaching any closer than 2 meters from the property line, where the exploratory excavation was completed, we feel that the impacts to the tree can be minimized and do not anticipate any significant impacts to either the trees health or stability.
- If the sidewalk is going to be installed in the area shown on the plans provided it is unlikely it can be installed to match the present sidewalk grade to municipal specifications without negatively impacting the tree. If the sidewalk is going to be located in the area as shown, it will have to be constructed in such a way that it can be floated over the existing roots with only minimal excavation to remove the sod layer.

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PHOTOGRAPHS



Location of exploratory excavation in relation to the tree, with closeup of one of the larger roots encountered.

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View from the street with closeup showing the numerous small fibrous roots encountered.

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SUMMARY OF FINDINGS

Based on the exploratory excavation completed, we feel that, providing the excavation for service can be limited to 2 meters from the property line using shoring techniques, it is unlikely have a significant impact on the health or stability of the tree. The excavation will have to be supervised by the project arborist and any roots encountered must be pruned back to sound tissue to encourage new root growth. The proposed sidewalk location is likely to encounter significant roots and it is unlikely that it will be able to be installed in the areas shown to match the existing sidewalk grade and be installed using municipal specifications for depth of base material. If the tree is going to be retained, the proposed sidewalk will have to be installed above the trees root system using floating techniques and the exact profile will have to be determined once the existing sidewalk is lifted.

Prepared by

Graham Mackenzie

ISA Certified Arborist (PN-0428A)
Tree Risk Assessment Qualified

Signature

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

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-106 Zone, Multiple Dwelling (Kings Road) District, and to rezone land known as 1025 Kings Road from the R3-2 Zone, Multiple Dwelling District to the R-106 Zone, Multiple Dwelling (Kings Road) District.

The Council of The Corporation of the City of Victoria in an open meeting assembled enacts the following provisions:

- 1 This Bylaw may be cited as the “ZONING REGULATION BYLAW, AMENDMENT
BYLAW (NO. 1274)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 3 – MULTIPLE DWELLING ZONES by adding the
following words:

“3.141 R-106, Multiple Dwelling (Kings Road) District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.140
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1025 Kings Road, legally described as PID: 001-227-751, Lot 1,
Section 4, Victoria District, Plan 30761, and shown hatched on the attached map, is
removed from the R3-2 Zone, Multiple Dwelling District, and placed in the R-106 Zone,
Multiple Dwelling (Kings Road) District.

READ A FIRST TIME the _____ day of _____ 2022

READ A SECOND TIME the _____ day of _____ 2022

Public hearing held on the _____ day of _____ 2022

READ A THIRD TIME the _____ day of _____ 2022

ADOPTED on the _____ day of _____ 2022

CITY CLERK

MAYOR

PART 3.141 – R-106 ZONE, MULTIPLE DWELLING (KINGS ROAD) DISTRICT**3.141.1 Permitted Uses in this Zone**

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

- a. Multiple dwelling
- b. Home occupation subject to the regulations in Schedule “D”
- c. Accessory Buildings subject to the regulations in Schedule “F”

3.141.2 Lot Area

- a. Lot area (minimum) 1200m²

3.141.3 Community Amenities

- a. As a condition of additional density pursuant to Part 3.141.4, the following amenity contribution must be provided:
 - i. prior to the issuance of an occupancy, construct park improvements valued at no less than \$100,000 in the Hillside-Quadra area with the location and design subject to the approval of the Director of Parks, Recreation and Facilities, with such design submitted prior to the issuance of a building permit; or
 - ii. prior to the issuance of a building permit, contribute \$100,000, as adjusted pursuant to subsection (b), towards the Local Amenity Reserve Fund for park improvements in the Hillside-Quadra area.
- b. Until the amenity contribution identified in Part 3.141.3 a. is paid in full, it shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #22-035 is adopted and each year thereafter, by adding to the base contribution amount in Part 3.141.3 a. an amount calculated by multiplying that base contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.
- c. For the purposes of this Part 3.141.3 “CPI” means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

3.141.4 Floor Space Ratio

- a. Floor space ratio where the amenity has not been provided 1.6:1
pursuant to Part 3.141.3 (maximum)
- b. Floor space ratio where the amenity has been provided 2.93:1
pursuant to Part 3.141.3 (maximum)

PART 3.141 – R-106 ZONE, MULTIPLE DWELLING (KINGS ROAD) DISTRICT**3.141.5 Height, Storeys**

- | | |
|---|-------|
| a. Principal <u>building height</u> (maximum) | 18.5m |
| b. <u>Storeys</u> (maximum) | 6 |

3.141.6 Setbacks

No building closer than 5.0m from any property line.

3.141.7 Site Coverage, Open Site Space

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 40% |
| b. <u>Open site space</u> (minimum) | 30% |

3.141.8 Vehicle and Bicycle Parking

- | | |
|-------------------------------------|--|
| a. <u>Vehicle parking</u> (minimum) | Subject to the regulations in Schedule "C" |
| b. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |



Approved as to content: Michael Angrove, March 23, 2022
Approved as to form: Crystal Anderson, April 5, 2022

Schedule A

HOUSING AGREEMENT

(Pursuant to section 483 of the *Local Government Act*)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA

#1 Centennial Square
Victoria, B.C. V8W 1P6

(the "City")

AND:

FIFTH KINGS APARTMENTS LTD. (INC. NO. BC0168348)

7th Floor, 1175 Douglas Street
Victoria, B.C. V8W 2E1

(the "Owner")

WHEREAS:

- A. Capitalized terms used herein will have the respective meanings ascribed to them in section 1.1 of this Agreement, unless the context otherwise clearly requires or they are elsewhere defined herein.
- B. Under section 483 of the *Local Government Act* the City may, by bylaw, enter into a housing agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the *Local Government Act*.
- C. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 1025 Kings Road, Victoria, B.C. and legally described as:

PID: 001-227-751
LOT 1, SECTION 4, VICTORIA DISTRICT, PLAN 30761

(the "Lands").
- D. The Owner has applied to the City to rezone the Lands to permit the development of a six-storey residential rental building consisting of 56 dwelling units (the "Development").
- E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*, to secure the agreement of the Owner to provide median income rental housing for a period of 10 years, and that all Dwelling Units within the Development on the Lands will be used and held only as rental housing with rental rates not to exceed 30% of household income.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"Affordable" means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income;

"Affordable Unit" means a Dwelling Unit that meets the definition of Affordable herein and is designated as an Affordable Unit in accordance with Article 3.0;

"Business Day" means Monday to Friday, other than any such day which is a statutory holiday in Victoria, British Columbia;

"CPI" means the All-items Consumer Price Index for Victoria, B.C. published from time to time by Statistics Canada, or its successor in function;

"Development" means the new six storey, 56-unit building consisting of residential rental housing and related facilities on the Lands;

"Dwelling Units" means any or all, as the context may require, of the 56 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and **"Dwelling Unit"** means any of such residential dwelling units located on the Lands;

"Immediate Family" includes a person's spouse, child, grandchild, parent, grandparent, sibling, niece and nephew, and includes the Immediate Family of the person's spouse;

"Income" means the total income before tax from all sources for each Non-owner;

"Median Household Income Limit" means the annual maximum Income threshold for median income affordability targets that are determined from time to time by the City and published in the Victoria Housing Reserve Fund Guidelines. The parties agree that for 2021, the Median Household Income Limit is \$54,999;

"Median Income Term" has the meaning ascribed in section 4.1(a);

"Median Income Unit" means a Dwelling Unit that is designated as a median income unit in accordance with Article 4.0 of this Agreement;

"Non-owner" means a person other than a Related Person or the Owner;

"Notice" has the meaning ascribed in section 8.1;

"Owner" includes a person who acquires an interest in the Lands or any part of the Lands or the Development and is thereby bound by this Agreement, as referred to in section 8.3;

"Related Person" includes, where the registered or beneficial owner of the Lands or Dwelling Unit, as applicable, is:

- (a) a corporation or society:
 - (i) an officer, director, shareholder, or member of such corporation or society, or of another entity which is a shareholder or member of such corporation or society; or
 - (ii) an Immediate Family of a person to whom paragraph (i) applies, or
- (b) an individual, an Immediate Family of the registered or beneficial owner; and

"Subdivided Parcel" has the meaning ascribed in section 6.2;

"Tenancy Agreement" means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.

"Term" means 60 years or the life of the Development (whichever is greater), beginning from the date the City issues an occupancy permit for the Development;

"Victoria Housing Reserve Fund" means the fund established by the City to fund housing projects;

"Victoria Housing Reserve Fund Guidelines" means the income and rental guidelines for affordable housing projects published by the City, as amended from time to time; and

"Victoria Housing Strategy" means the Victoria Housing Strategy 2016-2025 published by the City, as amended and replaced from time to time.

2.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

- 2.1** The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing for the Term and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

3.0 DWELLING UNITS TO BE AFFORDABLE

- 3.1** The Owner covenants and agrees with the following:
 - (a) subject to section 3.2, all of the Dwelling Units shall be designated as Affordable Units and shall only be occupied and used as Affordable Units for the Term;
 - (b) each of the Affordable Units shall only be occupied by a Non-owner or Non-owners.
- 3.2** Section 3.1 applies during the Term to all of the Dwelling Units except the Median Income

Units. After the Median Income Term expires, section 3.1 applies to all of the Dwelling Units.

4.0 MEDIAN INCOME HOUSING

4.1 The Owner covenants and agrees with the following:

- (a) a total of three x 1 bedroom, one x 2 bedroom and two x 3 bedroom Dwelling Units shall be designated as Median Income Units and shall only be occupied and used as Median Income Units for a period of ten years beginning from the date the City issues an occupancy permit for the Development (the "**Median Income Term**");
- (b) the combined annual household Income for the occupants of each Median Income Unit shall be no greater than the Median Household Income Limit. In the event that the City ceases to determine a maximum Income threshold for median income affordability targets in the Victoria Housing Reserve Fund Guidelines, and such determination is not replaced by a similar publication, then the Income limit with respect to a Median Income Unit shall be determined by reference to the last published maximum income threshold for median income affordability targets which shall be increased annually by an amount equal to the increase in the CPI commencing January 1 following the year the City ceased determining such target;
- (c) each of the Median Income Units shall only be occupied by a Non-owner or Non-owners;
- (d) subject to Article 5.0, monthly rent for each Median Income Unit shall not exceed:
 - (i) \$1,050 for one-bedroom units,
 - (ii) \$1,300 for two-bedroom units, or
 - (iii) \$1,750 for three-bedroom units.

5.0 RENT ADJUSTMENTS

5.1 During the term of the tenancy, the monthly rent payable by the Non-owner(s) of the Dwelling Units may be increased only by the amount permitted under the *Residential Tenancy Act* and any other applicable legislation.

6.0 SUBDIVISION

6.1 Subdivision Generally. If the Lands are subdivided at any time hereafter either under the provisions of the *Land Title Act* or under the *Strata Property Act*, or under other similar legislation enacted from time to time, then upon the deposit of a plan of subdivision, a strata plan, or similar plan as the case may be:

- (a) the rights and benefits of this Agreement herein granted will be annexed to and run with each of the new parcels, lots or other subdivided parcels and areas so created; and
- (b) the burdens, obligations, agreements and covenants contained in this Agreement will continue to be noted on each of the new parcels, lots or other subdivided

parcels and areas so created.

- 6.2 Release of Notice.** For certainty, if the portion of the Lands containing the Development is subdivided and any of the parcels created as a result of such subdivision do not contain any of the Dwelling Units (the "**Subdivided Parcel**"), then the Owner of such Subdivided Parcel may apply to the City to release the Notice from title to the Subdivided Parcel and the City agrees to execute and deliver a release of this Housing Agreement from title to the Subdivided Parcel, provided however that: (a) the City will have no obligation to execute any such release until a written request therefor from the owner of the Subdivided Parcel has been received by the City, which request will include the form of release in registerable form; (b) the cost of preparation of such release and the cost of registration of same in the Land Title Office will be paid by the Owner requesting the release; and (c) the City will have a reasonable time within which to execute such release and return the same to the Owner or Owners for registration.

7.0 REPORTING

- 7.1** The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Community Development, within thirty (30) days of the Director's written request, a report in writing confirming the following:

- (a) all Dwelling Units are being rented to Non-owners;
- (b) all Dwelling Units are being rented in accordance with this Agreement; and
- (c) such other information as may be reasonably requested by the Director from time to time.

- 7.2** The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

8.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

- 8.1** Notice of this Agreement (the "**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the *Local Government Act*, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

9.0 LIABILITY

- 9.1** The Owner agrees to indemnify and save harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.
- 9.2** The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with

respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement, or otherwise that would not have arisen "but for" this Agreement.

10.0 GENERAL PROVISIONS

10.1 NOTICE. If sent as follows, notice under this Agreement is considered to be received:

- (a) upon confirmation of delivery by Canada Post if sent by registered mail,
- (b) on the next Business Day if sent by facsimile or email with no notice of failure to deliver being received back by the sender, and
- (c) on the date of delivery if hand-delivered, and

in the case of the City, addressed to:

City of Victoria
#1 Centennial Square
Victoria, BC V8W 1P6

Attention: Director of Sustainable Planning and
Community Development
Fax: 250-361-0386
Email: khoese@victoria.ca

and in the case of the Owner, addressed to:

Fifth Kings Apartments Ltd.
7th Floor, 1175 Douglas Street
Victoria, BC V8W 2E1

Attention: Christopher Travis
Email: ctravis@pacificcoast.net

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail, email or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- (d) notice sent by the impaired service is considered to be received on the date of delivery, and
- (e) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.

10.2 TIME. Time is of the essence of this Agreement.

10.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and

permitted assignees. In accordance with section 483(6) of the *Local Government Act*, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.

- 10.4 WAIVER.** The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 10.5 HEADINGS.** The division of this Agreement into articles and sections and the insertion of headings are for the convenience of reference only and will not affect the construction or interpretation of this Agreement.
- 10.6 LANGUAGE.** Words importing the singular number only will include the plural and vice versa, words importing the masculine gender will include the feminine and neuter genders and vice versa, and words importing persons will include individuals, partnerships, associations, trusts, unincorporated organizations and corporations and vice versa.
- 10.7 LEGISLATION.** Reference to any enactment includes any regulations, orders or directives made under the authority of that enactment, and is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.
- 10.8 EQUITABLE REMEDIES.** The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 10.9 CUMULATIVE REMEDIES.** No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 10.10 ENTIRE AGREEMENT.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 10.11 FURTHER ASSURANCES.** Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 10.12 AMENDMENT.** This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 10.13 LAW APPLICABLE.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 10.14 NO DEROGATION FROM STATUTORY AUTHORITY.** Nothing in this Agreement shall:
 - (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to

statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or

- (b) relieve the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

10.15 SEVERABILITY. If any section, term or provision of this Agreement is found to be partially or wholly illegal or unenforceable, then such sections or parts will be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement, as the case may be, will be unaffected thereby and will remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections had never been included in this Agreement.

10.16 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.

10.17 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.

10.18 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CITY OF)
VICTORIA by its authorized signatory:)

_____)
Karen Hoese, Director of Sustainable)
Planning and Community Development)

Date signed: _____)

FIFTH KINGS APARTMENTS LTD.)
by its authorized signatory:)


_____)
Christopher Travis)

Date signed: MARCH 2, 2022)