

G.2 Bylaws for 11 Chown Place: Rezoning Application No. 00797 and Associated Official Community Plan Amendment

Moved By Councillor Isitt

Seconded By Councillor Loveday

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1281) No. 22-068
2. Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 45) No. 22-067

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

OPPOSED (1): Councillor Young

CARRIED (8 to 1)

Councillor Thornton-Joe withdrew from the meeting at 2:36 p.m. due to a potential non-pecuniary conflict of interest with the following item, due to being on the Aboriginal Coalition to End Homelessness Board.

Moved By Councillor Alto

Seconded By Councillor Isitt

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

1. Housing Agreement (11 Chown Place) Bylaw (2022) No. 22-066

CARRIED UNANIMOUSLY

Councillor Thornton-Joe returned to the meeting at 2:37 p.m.

The previous motion was recalled to clarify the vote.

Moved By Councillor Alto

Seconded By Councillor Isitt

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

1. Housing Agreement (11 Chown Place) Bylaw (2022) No. 22-066

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 7, 2022

To: Council **Date:** June 24, 2022

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

Subject: Rezoning Application No. 00797 for 11 Chown Place and Associated Official Community Plan Amendment

RECOMMENDATION

1. That the following bylaws **be given introductory readings:**
 - i. Zoning Regulation Bylaw, Amendment Bylaw (No. 1281) No. 22-068
 - ii. Official Community Plan, Amendment Bylaw (No. 45) No. 22-067
 - iii. Housing Agreement (11 Chown Place) Bylaw (2022) No. 22-066.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning Application for the property located at 11 Chown Place. The proposal is to rezone from the R3-G-SC Zone, Garden Apartment (Senior Citizens) District, to a new residential rental tenure zone in order to increase the density and construct a phased residential development consisting of four new multi-unit residential buildings and three blocks of townhouses. An amendment to the *Official Community Plan*, 2012 (OCP) from Traditional Residential to Urban Residential is required to facilitate this development.

The application was considered by Council at the Committee of the Whole meeting on April 28, 2022, and it came before Council on May 12, 2022, where the following resolution was approved:

1. *That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00797 for 11 Chown Place, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.*
2. *The applicant prepare and execute legal agreements to secure the following with the form and contents to the satisfaction of the Director of Sustainable Planning and Community Development and the City Solicitor prior to final adoption of the bylaws:*
 - a. *all dwelling units (approximately 313) would remain affordable or below-market rental for 60 years, or the life of the building, whichever is greater, and authorize the City*

Solicitor to make any necessary amendments to the existing housing agreements on title

- b. a minimum of 20% of the total dwelling units on site are to be two- and three-bedroom units and at least 50% of the dwelling units are rented to and occupied by a senior*
 - c. all dwelling units are to be owned by a non-profit or government agency in perpetuity to guarantee that each phase of development will continue to provide non-market housing*
 - d. the protection, preservation, restoration and maintenance of an existing Garry Oak meadow with a site area of approximately 1862m² in accordance with the site plan and pathway design and construction through the Garry Oak meadow follows the recommendations in the arborist report dated March 30, 2021, and prepared by Concrete Jungle Forestry to minimize impacts on the protected Garry Oak trees*
 - e. construction and maintenance of and public access to east-west and north-south pedestrian pathways through the site linking Balfour Road and Harriet Road and Irma Street north and south in accordance with the site plan*
 - f. construction of a 295m² amenity building on site to use for social gatherings and recreational activities*
 - g. a minimum total site area of 1,270m² is dedicated towards community gardens for residents*
 - h. Master Plan Manual dated November 2021 revised April 6, 2022 prepared by Number 10 Architecture to be used to guide the redevelopment design of the site*
 - i. tenant assistance plans to be provided by the applicant, including the Right of First Refusal to the existing residents, with each development permit application for each phase of development, or a building demolition application, whichever application comes first.*
3. *That Council consider who is affected by the proposed changes to the Official Community Plan, and determine that the following persons, organizations and authorities will be affected:*
- a. those within a 200m radius of the subject property;*
 - b. Council of Saanich;*
 - c. the School District Board.*
4. *That Council provide an opportunity for consultation pursuant to section 475 of the Local Government Act, and direct the Director of Sustainable Planning and Community Development to:*
- a. mail a notice of the proposed OCP Amendment to the persons within a 200m radius of the subject property;*
 - b. post a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.*
5. *That Council consider that no consultation is necessary with the Capital Regional District Board; Councils of Oak Bay and Esquimalt; the Songhees and Esquimalt First Nations; or the provincial or federal governments or their agencies because the proposed OCP amendment does not affect them.*

6. *That Council request staff to report back on the OCP consultation at the same time as the bylaws for first and second readings are brought to Council for consideration.*

With respect to Part 2.d of Council's motion, the applicant confirmed that the site area of the Garry Oak meadow is approximately 1823m² in accordance with the arborist report.

The additional consultation associated with the proposed amendment to the *Official Community Plan, 2012* (OCP) was completed in accordance with Council's motion.

COMMENTS

Community Input on Official Community Plan Amendment

On May 12, 2022, Council directed staff to consult with property owners and occupants within 200m of the subject properties through a mail-out and public notices on the City's website. To date, the City has received correspondence from 27 members of the public (attached). Responses and feedback received during the community input process were mixed.

At the time of writing this report, staff have not yet received letters from the District of Saanich or the School District Board (SD61). Additional comments received prior to the Public Hearing will be included in the Council Agenda package at that time.

Garry Oak Meadow

The applicant confirmed that the site area of the Garry Oak meadow is approximately 1823m² in accordance with the arborist report. This is slightly less than the site area (approx. 1862m²) indicated in Council's motion and the COTW report.

Public Hearing Condition

With regard to the pre-conditions that Council set in relation to this application, the applicant was only required to execute a housing agreement to secure the following prior to Public Hearing:

- all residential rental dwelling units remain affordable or below-market for 60 years, or life of the building (whichever is greater)
- all dwelling units are owned by a non-profit or government agency in perpetuity
- the applicant provide Tenant Assistance Plans, including the Right of First Refusal to the existing residents, with each Development Permit application for each phase of development, or a building demolition application, whichever one comes first
- a minimum of 50% of the dwelling units must be rented to and occupied by a senior non-owner.

The applicant is currently working on the legal agreements to secure the other items listed in the above resolution. As such, although a Public Hearing can be scheduled and held, final adoption of the bylaws will be postponed until staff receives confirmation from the applicant that the legal agreements have been registered on title, in accordance with Council's motion.

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

Respectfully submitted,

Leanne Taylor
Senior Planner
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Correspondence regarding Official Community Plan amendment.

Dear Leanne,

I received notice of this proposal as I own a property nearby.

I fully support the proposed amendments to the OCP Bylaw to support this development.

thank you,

Nelson Collins

110A-105 Gorge Rd East

Hello,

We are writing to the Senior Planner to oppose the change to the OCP as noted in the May 13, 2022 letter we received on this subject. Density is increasing at a heightened rate in the area (e.g. Irma and Gorge E) and will impact traffic and noise levels. It will result in too many people for the infrastructure and over-crowding.

Thank you for your consideration.

Yours truly,

Lisa and Gary Booth

Hi Leanne Taylor, Senior Planner,

Thank you for your letter asking for feedback on proposed plan amendments.

My hope is that with increased density, you will consider using at least one of the vacant lots on Balfour Avenue as parks. There is a lot now used for kiddy playground. I'd like to see more community space, either as some kind of sports field or just visiting type space. Even, could use one for overnight camping. I've seen such a thing on a travel blog for lady hiking in Sweden. She set up tent on vacant field in evening and then waking in morning, the whole field was filled with tents. Why not here.

Stephen

Cell/Text [REDACTED]

Stephen Lentz

[REDACTED]

Dear Leanne,

My name is Gavin MacKay and I own the house at 2991 Qu'Appelle Street.

I appose the concept of buildings at 11 Chown Place being over four stories in height, to make an exception will open the gateway for buildings of greater height, as well as overburdening the existing infrastructure, sewage is my main concern.

Thank you, sincerely, Gavin MacKay

Dear Ms. Taylor,

I'm writing after our phone call of May 29, concerning the proposed developments at 11 Chown Place.

My name is Dragos Olariu and I have been a resident since 2011. When I moved in here I was lead to believe I could live a quiet and peaceful life into old age, after my second heart attack. The original mandate for the property was a low rise, inexpensive place for seniors, with green space and communal garden.

I am a devoted gardener and was a big part of our wonderful garden, sharing my knowledge and socializing with other gardeners. This is now destroyed to make way for the 4 storey 58 unit building currently being constructed.

Since last spring when construction started, this place has become a dust bowl, not only for the cars parked beside it, but for the people too.

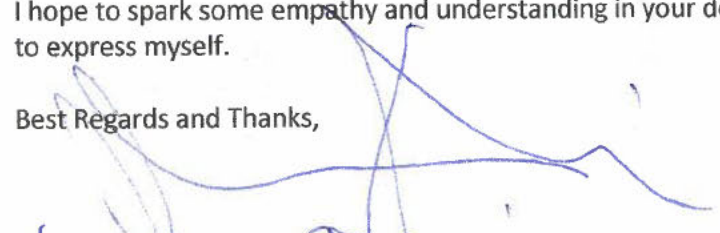

I was psychologically affected by the blasting, because in my youth I had to escape the communist regime in Eastern Europe. When I brought this to the attention of the management, I felt they just ignored me.

Now our space is being more and more restricted. I feel my standard of living is going down more and more and this is just the beginning. What will happen when this building is occupied, bringing in to our retirement community young families with children? We don't even know the consequences of this new population pressure, never mind the proposed addition of several 6, 5, and 4 storey buildings, increasing the population by a factor of sixfold, maybe tenfold????
We haven't even talked about parking yet!

You are playing with many peoples' well being. We don't want to age in a construction zone!

I hope to spark some empathy and understanding in your decision making process, with this opportunity to express myself.

Best Regards and Thanks,


Dragos OLARIU
17 Chown Pl


Hello, even though I voted for a council that I think would be supporting projects like this by-right, I still feel pressured to constantly email and speak and generally harass staff and council into supporting housing during our housing crisis. Not only should 11 Chown Place be quickly upzoned, a majority of our city should so we can avoid these lengthy and contentious spot rezonings. Any lot in the city that can not currently mathematically support projects that could realistically provide affordable units is clearly zoned too low and needs to be increased until we're at a place where every project can afford to add in an affordable unit or two. If that means allowing 6-plex apartments by-right as the minimum zoning in Fairfield, so be it. We're in a crisis, incredibly nebulous concepts like "neighbourhood character" should not even be discussed while people do not have shelter.

I wish you could keep this comment on file and apply it to every single rezoning that comes across city hall, but I know we always keep playing this ridiculous game where every single project requires coordinated pro and anti housing groups trying to bombard the public feedback out of the hopes of swaying the outcome. It's exhausting, and massively favours the entrenched landed wealthy with time on their hands vs the struggling renter, let alone the needs of people who don't even live here yet, local youth who will probably be forced out of the city once they need to form their own households one day. We so rarely think of them, we only listen to the biased concerns of existing residents and massively slant that feedback to the wealthy and retired.

I'm really sick of this. Just upzone and stop talking about it.

-Jarren Butterworth

Ms. Taylor,

I would like to express my support for the rezoning request made by Chown Place (REZ00797). This is a unique property in the Burnside neighbourhood where I have lived for 20 years. Chown Place has a large contiguous land footprint spanning Balfour & Harriet but very low density, so it is well suited to a phased redevelopment as a denser, multi-age residential property with several 3- to 6-storey buildings and much needed affordable rental units.

Your letter dated May 13 suggests that an amendment to the Official Community Plan (OCP) Bylaw is necessary to make the Chown redevelopment possible. If such an amendment would be akin to a variance or rezoning allowance *for this property alone*, I am in support. If such an amendment to the OCP Bylaw would extend the Urban Residential designation to other properties currently considered Traditional Residential, then I am not in support.

Thank you for considering my input.

Claire King

3038 Albany Street, V9A 1R5

(Homeowner since 2002)

Dear Leanne Taylor and City Council members,

I am writing to address my concerns over supporting the change in density for the 11 Chown Pl development to 2:1 ratio in our primarily single family home neighborhood.

Chown Place is currently surrounded entirely by single family homes. I live on the cul de sac on Irma St and share a fence line with Chown Place. Our street is currently quiet and as you would expect on a cul de sac, has little foot traffic. By building over 300 proposed units I am concerned that car/foot traffic, increased noise, lack of privacy and simply the outlook from our home will not fit with our residential urban neighborhood. We now have a 4 story building about 50 yards from our house, which is already a big change and adding approximately 240 additional units feels very inconsistent with the neighborhood.

My partner and I both fully support and see the large need for low income housing but feel like there needs to be balance and current homeowners/residents interests should strongly be taken into consideration. This plan lacks cohesion and sensitivity to current neighbours. I feel that Chown Place has the opportunity to update the aging buildings and add many needed homes for low income seniors and families at the current 3 Story zoning.

Please consider protecting the quality of neighboring residences by keeping the current 1:1 ratio.

Sincerely,

Genevieve Arnold

From: Dale [REDACTED]
Sent: June 2, 2022 9:33 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Fwd: 11 Chown Place

Leanne Taylor, Senior Planner

I would like to register my disapproval of the proposed Official Community Plan amendment for 11 Chown Place. The Plan is to provide 313 new residences but only

provides 154 parking spots and no place for bicycles. With this new amount of people moving into these new units, where do you think they will park their vehicles and

don't say you don't think they will have any vehicles, even if they have visitors they will need parking spots. I live on Irma Street where we have residential parking only

and with the construction being done now it is difficult to find a way out of my driveway onto the street. What will it be like when the new construction happens and

new residents move in. I think it is going to be too large a development for this residential area. Also I did not see anything on the Plan to ensure that the entrance from

Irma Street will remain closed.

Dale Jasper
3091 Irma St

Dear Ms. Chan,

Thank you for your email, questions and sharing your concerns with us. Please see my responses below.

Your email will be shared with Council for their consideration. If you have any additional questions, please do not hesitate to contact me.

Warm regards,

Leanne

Leanne Taylor, MCIP, RPP

Pronouns: she/her

Senior Planner

Sustainable Planning and Community Development

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0561



The City of Victoria is located on the homelands of the Songhees and Esquimalt People.

From: [REDACTED]

Sent: June 8, 2022 11:26 PM

To: Leanne Taylor <ltaylor@victoria.ca>

Cc: Nelson Chan [REDACTED]

Subject: 11 Chown Place Revised Rezoning Application

Hi Leanne,

My name is May Chan and I reside at 3065 Irma Street. I have a few issues, concerns and questions regarding this rezoning application, which I have listed below:

1) **Current Parking Situation** - The number of available parking stalls at Chown Place is a concern. Without taking into account the new 58 unit currently being built, I don't believe there is sufficient parking for the residents or their visitors. The existing site data shows there is 166 units with 79 parking stalls. Based on the parking calculations from **CHOWN PLACE Master Plan v1.102 [COTW Working Submission]** for affordable housing, there are a total of 79 parking stalls, of which 17 are for visitors. I do not believe the parking calculation for **Schedule C** takes into account

both the **affordable seniors housing** as well as the **new resident profile - affordable larger units suitable for households with children**.

Has a survey been done with the residents of Chown Place to confirm that onsite parking is not an issue or was **Schedule C: Zoning Bylaw (No. 80-159)** for affordable housing used, to calculate the number of parking stalls required without

talking to any of the residents? A lot of residents are seniors who have care workers that come to the unit to provide care. Visitors that can't find parking in Chown Place will park on Irma Street, which is designated as

residential parking only (not for visitors or residents of Chown Place). **The parking requirements for future phases will be subject to the parking ratios in Schedule C: Off-street Parking. The affordable housing parking ratio in Schedule C would apply, which is based on unit size (0.20 per dwelling unit that is less than 45m²; 0.50 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m²; and 0.75 spaces per dwelling unit that is more than 70).** For comparison, the parking requirement in the current R3-A-SC zone is 0.35 parking spaces per unit.

Since the start of construction of the 58 unit, the **bollards** (see picture below) at the end of Irma Street (by Chown Place) were removed. Prior to the **bollards** was a **fire gate** (see picture below), before it was damage by a resident of Chown Place

and replaced with the bollards. What used to be a dead end street, now has 2 way traffic between Irma Street to Harriet Road, via Chown Place and vice versa. Note that Irma Street (between Chown Place and Maddock Avenue), is

designated as "**Residential Parking Only**", and has signage indicating this (see bollard picture below).

During the week, the front of my house is congested with parked vehicles from the construction workers from Chown Place. Parking on the Irma Street from

~ 7am to 4:30 pm is next to impossible. Visibility while backing out of my driveway is obstructed due to all the parked vehicles. Residential parking zones are in place to ensure that Victoria residents have access to on-street parking on their block.

Picture of what the bollards looked like before they were removed for the construction of the 58 unit building.



Picture of Fire Gate before it was damaged and had to be replaced with bollards



2) **Future Parking Situation and Traffic Flow** - Based on the [2022-04-11 - Updated Master Plan Manual.pdf](#), there will be a total of 313 rental dwelling units. This Master Plan states the following, “A combination of surface and underground parking will be utilized. Underground parking at the higher buildings on site and surface parking for townhouses and the 58 unit building in the middle”. I interpret that to mean that only the 6 floor units will have underground parking and the other units and town houses will be surface parking. The Chown Place Master Parking plan (see screenshot below), uses the **Victoria Schedule C** affordable dwelling units. As I asked above, does the parking calculation take into account both the **affordable senior housing** as well as **the new resident profile - affordable larger units suitable for households with children**? The Master Plan shows a **community centre** which is to be used by residents and the neighbourhood. **The parking requirements for future phases will be subject to the parking ratios in Schedule C: Off-street Parking. The affordable housing parking ratio in Schedule C would apply, which is based on the unit size (0.20 per dwelling unit that is less than 45m²; 0.50 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m²; and 0.75 spaces per dwelling unit that is more than 70).** Has additional visitor parking spots for this community centre been accounted for as well for visitors that plan to visit the **community centre**? **The “community centre” is an amenity space for residents (it would replace an existing indoor common area) and the Gorge View Society intends to make it available to the community for activities as well. The site will have visitor parking; however, when we receive a development permit application for the phase of development that includes the amenity space, we will calculate the parking accordingly based on the use.**

The Master Plan shows that Irma Street will be also be used as an exit only from Chown Place. With this increased traffic, reversing out of my driveway is going to even more challenging. I would like to see the **bollards** returned and Irma Street returned as a no through road again to vehicle traffic. Pedestrians, cyclists and mobility scooters will still be able to pass through. The **bollards** can easily be removed to allow emergency vehicles to pass though. The proposal to add signage on the Chown side as ‘Exit Only’ and signage on the other side as ‘No Entrance’ will not work. When the bollards/fire gate were in place, the signage currently on the Maddock Avenue said ‘No Exit’, but vehicles still went down Irma Street and ended up turning around. People are not going to follow signs are going to do as they please. The only thing that will work to reduce traffic on Irma street is to return it to a no through street again with the use of **bollards**.

Chown Place Master Parking Plan (2022-04-06)										
	45m2 units	0.2 Stalls	45-70m2 Units	0.5 Stalls	70m2 + Units	0.75 Stalls	Total Units	Total Res Stalls	Visitor Stalls 0.1	Total Stalls Req
DA-1	24	4.80	31	15.50	3	2.25	58	23	6	29
DA-2	61	12.20	6	3.00	3	2.25	70	17	7	24
DA-3	60	12.00	6	3.00	2	1.50	68	17	7	24
DA-4	0	0.00	9	4.50	9	6.75	18	11	2	13
DA-5	36	7.20	6	3.00	3	2.25	45	12	5	17
DA-6	36	7.20	6	3.00	3	2.25	45	12	5	17
DA-7	0	0.00	0	0.00	9	6.75	9	7	1	8
DA-7	For residents floor area (295m2)							0	0	0
Totals							313			132

Proposed Parking Supply	
Surface	54
Underground	82
Parking Total	136

Parking calculation for the Center Building
uses existing zoning parking ratio:
-0.35 resident stall per unit plus
-0.10 visitor stall per unit

Parking calculation for Phase 1-6 uses City of
Victoria Schedule C, affordable dwelling units
ratio:
-0.20 resident stall per unit less than 45m2
-0.50 resident stall per unit 45m2 - 70m2
-0.75 resident stall per unit more than 70m2
-0.10 visitor stall spaces per unit

3) **Timeline for building the other zones (DA-2 to DA-7)** – Once the 58 unit building for **DA-1** is completed, can you please indicate what the planned timeline is for building the other zones of the Master Plan? **The applicant has not applied for a development permit for any future phases of development; and therefore, staff do not know which phase would be next should Council approve the rezoning. I suggest following up with the Gorge View Society.**

Will the zones be built in order from (DA-2 to DA-7) or will multiple zones be built simultaneously? **The timing of each phase is not based on or follow the labelling of the development areas. The “DA” symbols are to inform the creation of a new zone for the site.** Will I be able to enjoy my retirement in peace or will I be hearing construction work the remaining years I have left?



ZONING PLAN CHECK for Proposed 7 Lots										
2022-04-06										
Address										
11 Chown Place										
Legal description										
Lot A Plan 11749										
Current use										
Zoning										
Seniors housing										
R3-GSC										
Proposed use										
Mixed housing	Existing	New	New	New	New	New	New	New	New	New
Zoning Criteria	DA-1 (CP)	DA-2 (SWP)	DA-3 (NWP)	DA-4 (NP)	DA-5 (NEP)	DA-6 (SEP)	DA-7 (CC)	DA-7 (East Th)	DA-7 (West Th)	Combined
Number of units	58	76	68	16	45	45	0	4	5	313
Site area (sq. m.)	3683.00	2333.00	2249.00	2271.00	3339.00	3801.00		4998.00		22374.00
Total floor area (sq. m.)	3683.00	4780.00	4650.00	1500.00	3240.00	3240.00		1280.00		22373.00
Floor space ratio (max.)	1.00	2.05	2.07	0.66	0.97	0.93		0.26		1.00
Average grade	29.4	28	28	29	29	29.5	31	31	30	
Height (m. max.)	12.60	20.50	20.50	9.00	14.00	14.00	9.00	9.00	9.00	
Storeys (max.)	4	6	6	3	4	4	2	3	3	
Basement	337	YES	YES	YES	YES	YES	YES	NO	NO	
Setbacks (m. min.)										
Front / Closest Street	71.92	6.75	6.75	5.63	12.25	52.83	43.41	32.56	36.66	
North	14.89	3.22	7.62	7.61	9.92	3.47	3.92	3.00	2.32	
East	12.90	2.80	1.60	13.48	12.90	16.64	5.58	55.10	77.22	
South	3.00	9.15	4.73	6.69	8.73	8.19	43.41	21.21	9.81	
West	9.72	6.75	6.75	8.79	14.41	9.94	73.74	27.73	7.65	
Site coverage (%) (max.)	27.18%	37.59%	39.50%	22.67%	26.87%	25.56%		16.13%		26.15%
Open site space (%) (min.)	35.93%	49.29%	56.43%	48.58%	61.66%	74.04%		83.17%		61.62%
Parking										
Vehicle parking provided (min.)	20	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C		Refer to Schedule C		
Visitor parking provided (min.)	6	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C		Refer to Schedule C		
Total parking provided (min.)	18	26	28	24	35	13		0		136
Required resident parking	23	17	17	11	12	12		7		97
Required visitor parking	6	7	7	2	6	5		1		33
Total required vehicle parking	29	24	24	13	17	17		8		132
Parking on/off adjacent site	-11	2	-4	11	18	-4		-8		4
Required parking calculations (affordable housing)	24 < 45m2 @ 2 plu 31 > 45m2 < 70m2 @ 5 plu 3 > 70m2 @ 75 plu	61 < 45m2 @ 2 plu 6 > 45m2 < 70m2 @ 5 plu 3 > 70m2 @ 75 plu	60 < 45m2 @ 2 plu 6 > 45m2 < 70m2 @ 5 plu 2 > 70m2 @ 75 plu	9 > 45m2 < 70m2 @ 5 plu 9 > 70m2 @ 75 plu	36 < 45m2 @ 2 plu 6 > 45m2 < 70m2 @ 5 plu 3 > 70m2 @ 75 plu	37 < 45m2 @ 2 plu 6 > 45m2 < 70m2 @ 5 plu 3 > 70m2 @ 75 plu	37 < 45m2 @ 2 plu 6 > 45m2 < 70m2 @ 5 plu 3 > 70m2 @ 75 plu			
Short Term Bicycle parking										
Required ST bicycle parking	6	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C		Refer to Schedule C		
Long Term Bicycle parking										
Required LT bicycle parking	68	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C		Refer to Schedule C		
Driveway/parking slope (%) (max.)	N/A	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C		Refer to Schedule C		
Driveway/parking material	asphalt	asphalt	asphalt	asphalt	asphalt	asphalt		asphalt		
Electrical vehicle readiness connections	0	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C	Refer to Schedule C		Refer to Schedule C		

4) **Return Irma Street (between Chown Place and Maddock Avenue) back to Residential Only Parking and enforcement.** The residents on Irma Street have been very accommodating about the parking situation on Irma Street (not having the Residential Only Parking enforced), as we realized the workers needed to park and work on the 58 unit building. We also have put up with all the construction noise, loss of bollards, increased traffic and parking challenges for over a year. There was a light at the end of the tunnel as the 58 unit building was nearing completion this year. However with the rezoning and new master plan, the light at the end of the tunnel suddenly disappeared. The residents of Irma Street were accommodating for the 58 unit building but we will not continue to be so accommodating going forward with the approval of the rezoning application without having the issues/concerns we have raised addressed.

5) **Parking for workers** - Going forward, there needs to be provision for onsite parking at Chown Place or have workers bused in from another location where adequate parking available. This needs to be addressed before zones DA-2 to DA-7 are started. There is no parking for the construction workers outside Chown Place as Irma Street, Maddock and Balfour are designated as Residential Only Parking.

6) **Urban Gardens** – I like the idea of having urban garden for growing vegetables or flowers but there is one key thing missing. I do not see any provision for composting or dealing with the garden waste. There needs to be a provision for composting and garden waste for each urban garden. If they are located too far away, then they will most likely not be utilized. Note the garden waste from the existing gardens are not always disposed of in the appropriate manner.

Regards,
May Chan

From: Colin Dunlop [REDACTED]
Sent: June 9, 2022 7:39 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: 11 Chown place

Ms Leanne Taylor,

I rent a basement suite on Irma street, about 50m from the new developments at Chown Place and have major concerns regarding the [development plans](#) for 11 Chown Place in the Gorge/Burnside area.

First off, the current and future proposed development plans will create an enormous parking shortage in the area which already struggles to provide parking for its current residents and their visitors. The Gorge View Society has gone ahead with a 4 story condo development within 11 Chown Place already with no provisions made for parking and they are now looking to add larger multi-story buildings on-site which will compound the problem exponentially. Not only will this completely take up the few remaining parking spaces in the area but where are the workers on these extended projects to park? Every time I get home from work I cannot find parking anywhere near my place due to nearby worker's vehicles and displaced Chown residents vehicles. It's simply not reasonable to expect people to forgo vehicle ownership, especially this far from the downtown core and certainly not the elderly who are highly unlikely to just hop on a bicycle.

This is a residential area consisting mainly of 2-level single-family dwellings. The introduction of 6 story condos to this area will drastically alter and/or block the skyline for nearby residences, not to mention the invasion of privacy for otherwise private backyards. The [Burnside Gorge Neighbourhood Plan](#) even states in section 12.9.3 concerning Chown PI Policies 'Consider a mix of townhomes, stacked townhomes or low-rise multi-unit buildings up to 3 storeys in height and up to 1.0 FSR to site'. Why are the developers pushing past these recommendations now for multiple 6 story developments that are simply too large for this neighborhood?

Also, this is not a central location that gives seniors, the primary low income tenants for 11 Chown PI, easy access to nearby resources they require nor is it on a bus route to provide them the necessary transportation to get there.

Lastly, the current residents had to endure months of blasting due to all the bedrock at Chown PI. So much so that many of them have put in insurance claims for damage to their residences. This proposed development would require an enormous amount of blasting which will cause even more damage to our homes and an excessive amount of noise and disruptions to a peaceful community.

The recent development project on the corner of Obed and Harriet, kitty-corner from Chown PI, required a higher ratio of parking spots to housing units than this proposal is requiring and as such limited their number of floors to 4. This was also to reduce the impact on the neighborhood. The Chown PI development should be taking a serious look at this as well.

It's agreed that we require more low cost housing in the greater Victoria area however the plans for 11 Chown place neither viably meet these needs nor is it the correct location for this drastically increased housing density amongst a single-family dwelling neighborhood.

I hope the City of Victoria will take these concerns seriously and limit this development to 2-3 stories at the most AND require this development to provide more parking spaces for the current and future tenants. It is simply not an option to say we will give priority to tenants without vehicles as they will acquire them and we must account for their friends, family and visitors.

Thanks for your time,
Colin Dunlop
3089 Irma Street
[REDACTED]

From: Carol Fuggle [REDACTED]
Sent: June 9, 2022 10:57 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Rezoning 00797

Hello Leanne,

I live at 3135 Irma Street and **disagree** with adding any more units as there is already a shortage of parking places in the area and it is busy enough!

Kindly,

Carol Fuggle

Confidentiality Notice: This email and any attachments may be privileged or confidential and are for the sole use of the intended recipient. Any disclosure, copying, distribution or use of the contents of this information is strictly prohibited. If you are not an intended recipient and/or have received this email in error, please contact the sender immediately and permanently destroy this email and all attachments. No employee or agent is authorized to conclude any binding agreement on behalf of Motion LP with another party by email without express written confirmation by a company officer.

From: jim weir [REDACTED]
Sent: June 9, 2022 3:43 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Rezoning Application 11 Chown Place Folder REZ00797

I am writing in opposition to the request to change the Official Community Plan for 11 Chown Place. Having resided in the neighborhood for 36 years I believe the request would have significant negative impacts to the community surrounding the project. In the time I have lived here I have seen the housing stock shift from exclusively single family housing to a significant portion of houses with secondary suites that has created pressures on traffic and on street parking.

The following outlines a number of my concerns with the requested amendment:

- **Scope** – The request would see the number of units increase from 110 currently occupying the site to 313 if approved. That is a massive increase to the number of residents to what is basically a low density “single family” neighbourhood. Given the Society indicates they were planning on government to subsidize construction there seems to be little financial rationale to over build the site to such an extent. There are already numerous projects either under construction or proposed within the local area that will help with affordable housing, we do not need to overload this one site.
- **Scale** – The request alludes to the impact to neighbours related to sun shadow effect that the 6 floor structures proposed fronting Harriet Road would have to adjacent homeowners on Dec 21st (and one month on either side of this date). What is not mentioned is that the height of the structures will effectively block the view of the sky at all times of the year from inside the homes, not to mention the loss of privacy in the backyards from the upper floors of the two towers. If the Society were to build to currently approved plan limits this would not be as significant an issue.
- **Parking** - The plan calls for 132 parking stalls in total with just over 100 being allocated to the tenants. This is not significantly more than existed before the current construction of the 4 floor tower commenced in the past year. While I support the desire of getting people to utilize other forms of transportation, the reality we have been experiencing in the neighborhood

is that street parking for visitors has disappeared due to residents of Chown Place taking over on street parking due to insufficient onsite parking being provided.


The proposal does not provide any information as to how the proponent will manage the on street parking issue if the project were to be approved. How would the Society manage the issue of say 200 residents requesting a parking spot? There certainly is no capacity in the neighborhood to accept the spillover impact of insufficient parking being provided.

The proposal also does not address the impact on the community in regards the construction of underground parking. With the current building under construction, the neighbourhood had to endure several months of daily blasting to build the first floor of the project with damage done to adjacent houses. The potential for damage to the adjacent properties over the duration of construction will be significant.

- Transportation – linked to the parking issue is that the subject property is located in the middle of a residential area with no close by access to transit or services. The closest bus stops are on either Gorge or Burnside with the closest stores more than a kilometre away on Tillicum Road. While a pleasant summertime stroll, I suspect most of the residents would not be walking down to the store in the winter and carrying a load of groceries back home. Harriet Road has become a major thoroughfare in the area and even adding a controlled access as mentioned in the request will not alter the traffic flow issues with people trying to enter or exit Chown Place against the flow of traffic.

In summary I do not believe this proposal does anything to enhance the quality of the existing neighborhood and even the inclusion of a “community center” would not be viewed as a positive for nearby residents as compared to the loss of sense of community and privacy that would be created by this massive project. I am requesting Council reject this request and ask the Society bring forward a

proposal that fits in with current guidelines for the area and to maintain a liveable community.

Jim Weir
3010 Harriet Road


Sent from [Mail](#) for Windows

From: [REDACTED]
Sent: June 9, 2022 5:22 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: major concerns regarding the development plans for 11 Chown Place

Ms Leanne Taylor,

I'm a homeowner on Harriet Rd where myself and many of the neighbors in this area have major concerns regarding the [development plans](#) for 11 Chown Place in the Gorge/Burnside area.

First off, the current and future proposed development plans will create an enormous parking shortage in the area which already struggles to provide parking for its current residents and their visitors. The Gorge View Society has gone ahead with a 4 story condo development within 11 Chown Place already with no provisions made for parking and they are now looking to add larger multi-story buildings on-site which will compound the problem exponentially. Not only will this completely take up the few remaining parking spaces in the area but where are the workers on these extended projects to park? Currently, my guests cannot find parking anywhere near my place due to nearby worker's vehicles and displaced Chown residents vehicles. It's simply not reasonable to expect people to forgo vehicle ownership, especially this far from the downtown core and certainly not the elderly who are highly unlikely to just hop on a bicycle.

This is a residential area consisting mainly of 2-level single-family dwellings. The introduction of 6 story condos to this area will drastically alter and/or block the skyline for nearby residences, not to mention the invasion of privacy for otherwise private backyards. The [Burnside Gorge Neighbourhood Plan](#) even states in section 12.9.3 concerning Chown PI Policies 'Consider a mix of townhomes, stacked townhomes or low-rise multi-unit buildings up to 3 storeys in height and up to 1.0 FSR to site'. Why are the developers pushing past these recommendations now for multiple 6 story developments that are simply too large for this neighborhood?

Also, this is not a central location that gives seniors, the primary low income tenants for 11 Chown PI, easy access to nearby resources they require nor is it on a bus route to provide them the necessary transportation to get there.

Lastly, the current residents had to endure months of blasting due to all the bedrock at Chown PI. So much so that many of them have put in insurance claims for damage to their residences. This proposed development would require an enormous amount of blasting which will cause even more damage to our homes and an excessive amount of noise and disruptions to a peaceful community.

The recent development project on the corner of Obed and Harriet, kitty-corner from Chown PI, required a higher ratio of parking spots to housing units than this proposal is requiring and as such limited their number of floors to 4. This was also to reduce the impact on the neighborhood. The Chown PI development should be taking a serious look at this as well.

It's agreed that we require more low cost housing in the greater Victoria area however the plans for 11 Chown place neither viably meet these needs nor is it the correct location for this drastically increased housing density amongst a single-family dwelling neighborhood.

I hope the City of Victoria will take these concerns seriously and limit this development to 2-3 stories at

the most AND require this development to provide more parking spaces for the current and future tenants. It is simply not an option to say we will give priority to tenants without vehicles as they will acquire them and we must account for their friends, family and visitors.

Respectfully,

Kirk Mercer (He/Him)

2985 Harriet rd

[REDACTED]

President CUPE 951, University of Victoria
CUPE BC Regional Vice President, Vancouver Island
CUPE BC Universities & Skilled Trades Committee Chair
United Way Greater Victoria Board of Directors
United Way Victoria Labour Committee Chair
Victoria Labour Council, Sergeant-at-Arms
CUPE Vancouver Island District Council, Member-at-Large, Duncan South Cell [REDACTED]

I acknowledge with respect the *Lək'wəŋən* peoples on whose traditional territory the university stands and the *(Songhees and Xwsepsum/Kosapsum [Esquimalt] and WSÁNEĆ (STÁUTW/Tsawout, WJOLELP/Tsartlip, BOKEĆEN/Pauquachin, WSIKEM/Tseycum)* peoples whose historical relationships with the land continue to this day. May we build strong working relationships with all local nations with trust, humility, kindness, respect and continue to walk softly on these ancestral lands.

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From: Mike [REDACTED]
Sent: June 11, 2022 10:19 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Concerns regarding 11 Chown Place Rezoning Application

Ms Leanne Taylor,

I'm a homeowner on Harriet Rd where myself and many of the neighbors in this area have major concerns regarding the [development plans](#) for 11 Chown Place in the Gorge/Burnside area.

First off, the current and future proposed development plans will create an enormous parking shortage in the area which already struggles to provide parking for its current residents and their visitors. The Gorge View Society has gone ahead with a 4 story condo development within 11 Chown Place already with no provisions made for parking and they are now looking to add larger multi-story buildings on-site which will compound the problem exponentially. Not only will this completely take up the few remaining parking spaces in the area but where are the workers on these extended projects to park? Currently, my guests cannot find parking anywhere near my place due to nearby worker's vehicles and displaced Chown residents vehicles. It's simply not reasonable to expect people to forgo vehicle ownership, especially this far from the downtown core and certainly not the elderly who are highly unlikely to just hop on a bicycle.

This is a residential area consisting mainly of 2-level single-family dwellings. The introduction of 6 story condos to this area will drastically alter and/or block the skyline for nearby residences, not to mention the invasion of privacy for otherwise private backyards. The [Burnside Gorge Neighbourhood Plan](#) even states in section 12.9.3 concerning Chown PI Policies 'Consider a mix of townhomes, stacked townhomes or low-rise multi-unit buildings up to 3 storeys in height and up to 1.0 FSR to site'. Why are the developers pushing past these recommendations now for multiple 6 story developments that are simply too large for this neighborhood?

Also, this is not a central location that gives seniors, the primary low income tenants for 11 Chown PI, easy access to nearby resources they require nor is it on a bus route to provide them the necessary transportation to get there.

Lastly, nearby residents, including the Chown residents themselves, have had to endure months of blasting due to all the bedrock at Chown PI. So much so that many of them have put in insurance claims for damage to their residences. Now many of whom are retired, sit at home and listen to hours of hammering and air tools in their otherwise peaceful community. This proposed development would require an enormous amount of blasting and years worth of construction which will cause even more damage to our homes and an excessive amount of noise and disruptions, on all days of the week, which nearby residents should not have to endure.

The recent development project on the corner of Obed and Harriet, kitty-corner from Chown PI, required a higher ratio of parking spots to housing units than this proposal is requiring and as such limited their number of floors to 4. This was also to reduce the impact on the neighborhood. The Chown PI development should be taking a serious look at this and doing something similar if this poorly planned development is to proceed at all.

It's agreed that we require more low cost housing in the greater Victoria area however the plans for 11 Chown place neither viably meet these needs nor is it the correct location for this drastically increased housing density amongst a single-family dwelling neighborhood.

I hope the City of Victoria will take these concerns seriously and limit this development to 2-3 stories at the most while requiring the development to provide more parking spaces for the current and future tenants. It is simply not an option to say we will give priority to tenants without vehicles as they will acquire them and we must account for their friends, family and visitors.

Respectfully,
Mike Cyr
2991 Harriet Rd



June 12, 2022

Dear Ms. Taylor,

Re: Proposed Official Community Plan Amendment for 11 Chown Place

As the owner and resident of 129 Maddock Ave East, the proposed Official Community Plan amendment for 11 Chown Place, directly impacts me. As a resident of the wider Burnside Gorge Community and a homeowner in the area, the proposed changes to the OPC Bylaw greatly concerns me.

Amending the OCP Bylaw and changing 11 Chown Place from Traditional Residential to Urban Residential is a significant change and will drastically change the dynamic of the entire community that surrounds it.

11 Chown Place is smack in the middle of single storey 1950 detached single family houses. Building multiple six-storey and four-storey apartments in the middle of 1950 single-storey family houses is not in line with the wider community which 11 Chown Place is within.

The drastic increase in the number of residents proposed to the development within 11 Chown Place is not supported by the current infrastructure within the community. Prior to the new appartement being built within 11 Chown Place the only entrance and exit to 11 Chown Place was Harriet. The 3000 block of Irma was not accessible due to bollards at the end of Irma. This meant that the only people driving on the 3000 block of Irma were residents and those individuals going to the residents. This is a street that has 11 houses and prior to the new development underway this was a quiet street. Now with the new development and the opening of the bollards the 3000 block of Irma is an extremely busy street and is being used as a rat run for people to access Harriet via 11 Chown Place as well as residents of 11 Chown Place to access Balfour. People are speeding down the 3000 block of Irma, the traffic has increased exponentially, and it is only a matter of time till there is a significant vehicular pedestrian accident. If you increase the population with 11 Chown Place to the level proposed in the new development, this will only be exacerbated.

Residents of the 3000 block of Irma and the surrounding streets would like to see the bollards that separate Irma and 11 Chown Place reinstated. This will reduce the through traffic through Irma as well as 11 Chown Place, while still allowing emergency vehicles access if necessary.

There is already not enough parking within 11 Chown Place, and this already causes tension within the wider community. It is not uncommon for Chown Place residents who do not want to pay the \$50 monthly parking fee Chown Place has as well as their guests to park on either the 3000 block of Irma or on Maddock Ave East between Irma and Harriet and then walk to Chown Place. This greatly impacts residents on both of these streets. While the residents of 3000 Irma can call parking services those individuals living on Maddock Ave East between Irma and Harriet have no assistance in trying to resolve the issue. Chown Place abdicate all responsibility as parking is a city issue, parking services can't help because it isn't a residential only parking block despite Maddock Ave East from Irma to Balfour being residential only parking (why the whole of Maddock Ave E is not residential parking only is a mystery and an issue that needs to be resolved). And the police non-emergency line won't help unless the vehicle is unregistered or causing a hazard. This means that residents of Maddock Ave East have

nowhere to park because residents of Chown Place are parking their car for weeks on end on Maddock Ave East without moving their vehicle causing residents to park their cars dangerously close to the corner or blocking driveways as there is nowhere else to park. Recently a vehicle coming south along Irma collided with a vehicle as it attempted to turn west onto Maddock Ave E. because the car on Maddock Ave E. was parked too close to the corner.

The proposed development and the significant increase in population is going to exacerbate the issue of parking on Irma and Maddock Ave East as the proposal does not have sufficient parking for the existing or new residents in the proposed complex. This means that the wider community that surrounds 11 Chown Place will be negatively impacted by the proposed development as they accommodate the overflow or those unwilling to pay.

Building 6 and 4 storey apartments in the middle of single storey family homes also has a negative impact on the privacy of those individuals living in the homes that surround 11 Chown Place. These single storey- homes go from having privacy to 4-6 Storey Buildings that can now look into the backyards of these houses. The single-family homes have no ability to control who is now able to view their back yards, no knowledge of who or when people are watching them. This is a public safety concern.

Chown Place is a community for seniors within a wider community. The new proposed changes to the bylaw drastically changes both 11 Chown Place as a community and the community that surrounds 11 Chown Place. Not everyone wants to live in high density urban living. Many people want to live in traditional residential housing and that is why they have chosen to live in this area and that's why the community plan identified this area as traditional residential. People want the quite residential environment that currently exists within the community.

The proposed changes to the bylaw are not in line with the wider community which 11 Chown Place is within and rather than trying to make 11 Chown Place an urban residential complex within a traditional residential designation, it would be better to continue to keep 11 Chown Place within the existing bylaw designation and work to improve the relationship of Chown Place with the wider community.

Kind regards

Jacqueline Davies

From: shirley [REDACTED]
Sent: June 12, 2022 12:22 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Fw: Letter to City of Victoria regarding Chown Place

I am a resident of Chown Place,,#35,,,I am in agreement of Mikes letter,,,,,,,,thankyou for Considering the negative Impact,,,this 8 story building will have on our Community,,And Neighbourhood,,,I have been praying for years for the Homeless,,I pray you will have Wisdom on how far to extend our Chown Place property,,,residency.....Shirley Slater

From: Mike [REDACTED]
Sent: June 11, 2022 10:23 AM
To: Shirley [REDACTED]
Subject: Letter to City of Victoria regarding Chown Place

Hi Shirley this is my letter to the City of Victoria opposing the new development plans at Chown Place. If you're able to forward this onto ltaylor@victoria.ca it's one more voice the City hears from that may have an effect on pressuring them into changing these plans.

Thanks,
Mike Cyr
[REDACTED]

Ms Leanne Taylor,

I'm a homeowner on Harriet Rd where myself and many of the neighbors in this area have major concerns regarding the [development plans](#) for 11 Chown Place in the Gorge/Burnside area.

First off, the current and future proposed development plans will create an enormous parking shortage in the area which already struggles to provide parking for its current residents and their visitors. The Gorge View Society has gone ahead with a 4 story condo development within 11 Chown Place already with no provisions made for parking and they are now looking to add larger multi-story buildings on-site which will compound the problem exponentially. Not only will this completely take up the few remaining parking spaces in the area but where are the workers on these extended projects to park? Currently, my guests cannot find parking anywhere near my place due to nearby worker's vehicles and displaced Chown residents vehicles. It's simply not reasonable to expect people to forgo vehicle ownership, especially this far from the downtown core and certainly not the elderly who are highly unlikely to just hop on a bicycle.

This is a residential area consisting mainly of 2-level single-family dwellings. The introduction of 6 story condos to this area will drastically alter and/or block the skyline for nearby residences, not to mention the invasion of privacy for otherwise private backyards. The [Burnside Gorge Neighbourhood Plan](#) even states in section 12.9.3 concerning Chown PI Policies 'Consider a mix of townhomes, stacked townhomes or low-rise multi-unit buildings up to 3 storeys in height and up to 1.0 FSR to site'. Why are

the developers pushing past these recommendations now for multiple 6 story developments that are simply too large for this neighborhood?


Also, this is not a central location that gives seniors, the primary low income tenants for 11 Chown Pl, easy access to nearby resources they require nor is it on a bus route to provide them the necessary transportation to get there.

Lastly, nearby residents, including the Chown residents themselves, have had to endure months of blasting due to all the bedrock at Chown Pl. So much so that many of them have put in insurance claims for damage to their residences. Now many of whom are retired, sit at home and listen to hours of hammering and air tools in their otherwise peaceful community. This proposed development would require an enormous amount of blasting and years worth of construction which will cause even more damage to our homes and an excessive amount of noise and disruptions, on all days of the week, which nearby residents should not have to endure.

The recent development project on the corner of Obed and Harriet, kitty-corner from Chown Pl, required a higher ratio of parking spots to housing units than this proposal is requiring and as such limited their number of floors to 4. This was also to reduce the impact on the neighborhood. The Chown Pl development should be taking a serious look at this and doing something similar if this poorly planned development is to proceed at all.

It's agreed that we require more low cost housing in the greater Victoria area however the plans for 11 Chown place neither viably meet these needs nor is it the correct location for this drastically increased housing density amongst a single-family dwelling neighborhood.

I hope the City of Victoria will take these concerns seriously and limit this development to 2-3 stories at the most while requiring the development to provide more parking spaces for the current and future tenants. It is simply not an option to say we will give priority to tenants without vehicles as they will acquire them and we must account for their friends, family and visitors.

Respectfully,
Mike Cyr
2991 Harriet Rd


From: Leanne Taylor
Sent: June 9, 2022 2:57 PM
To: Bill Tinney [REDACTED]
Subject: RE: 11 Chown Place

Dear Mr. Tinney,

Thank you for the correspondence and sharing your concerns with us. Attached are the responses to your questions. Please let me know if you would like the current letter to be attached to the Council report for Council's consideration.

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

kindest regards,

Leanne

Leanne Taylor, MCIP, RPP

Pronouns: she/her

Senior Planner

Sustainable Planning and Community Development

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0561



The City of Victoria is located on the homelands of the Songhees and Esquimalt People.

From: Bill Tinney [REDACTED]
Sent: June 6, 2022 9:18 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: 11 Chown Place

Good Morning Leanne,

Please find attached our questions, concerns and feedback regarding the proposed changes for 11 Chown Place in Victoria.

Please advise once a date for the public hearing has been set.
If you need clarification on any of our concerns, please email me at this address.
Please send a reply upon receipt of this email.

Sincerely,
Bill Tinney

Sarah and Bill Tinney
3060 Balfour Ave.
Victoria V9A 1R8

[REDACTED]

[REDACTED]

Attention: Leanne Taylor

Senior Planner, City of Victoria

June 3, 2022

Regarding: 11 Chown Place Redevelopment

My wife and I have lived at 3060 Balfour Avenue, adjacent to the north-east corner of 11 Chown Place, for 19 years. We have concerns about the size and position of the proposed additional buildings to be added, mainly in the NE corner of the proposed development.

1. **Height** - Although the NE building is proposed to have a stepped profile, even three floors will result in a loss of our privacy and views and create a walled in effect. Views of the Malahat and evening sunsets will be lost. All of the balcony's on the NE face of the building will be looking directly down into our backyard, sunroom and patio, wiping out our privacy. We ask that the building height not exceed three floors. Although the building is setback from the property line, it will still be looming just on the other side of our fence, even at three floors.
2. **Density** - Although the site was zoned for low-density years ago, we understand times and needs have changed. The increase to six stories will create a high density development with too many units on that property, resulting in increased traffic and certainly create more parking problems than we already have in this area. Once the units increase from retired singles to family suites, it is likely there will be multiple vehicles per unit needing parking.
3. **Disruption** – In the last two years we have endured blasting, hauling and general construction noise most days of the week from multiple developments in the area. This has significantly affected the quality of day-to-day life. I suspect the site is predominately rock, so more blasting will be required over the duration of the dig for each building. When are the proposed additional buildings slated to begin construction and in what order? **The applicant has not applied for a development permit for the next phase of development; and therefore, staff do not know which phase of development would be next should Council approve the rezoning. You may want to follow-up with the Gorge View Society.** What is the likely duration of the project until buildout is completed? **Each phase of development will be dependent on government funding according to Gorge View Society. The Society has indicated to staff that buildout could take decades.**
4. **Blasting Concerns** – With the close proximity of our two buildings (house and garage) to the property line and the likelihood of extensive blasting, we are concerned about damage and what type of assurances and or compensation will be in place prior to blasting? **Gorge View Society would be required to notify immediate neighbours of the blasting that may occur on site. Please reach out to them for more information on potential blasting.**
5. **Trees** – We have a large cedar tree in the back SW corner of our lot with the canopy hanging well over the property line into Chown Place. We are concerned that during construction of the parkade and underground parking ramp that the root system of that tree will be damaged resulting in the death of that tree and the loss of further privacy. Has the project arbourist taken this tree into consideration? **I reviewed the arborist report and it does not appear that the arborist considered this tree at this time. The arborist report would have to be amended to include this tree and its critical root zone at the development permit stage if there is indication that**

it may be impacted by development should Council approve the rezoning. If the diameter size of the tree is greater than 30cm (which I assume it is), the tree is protected under the City's Tree Protection Bylaw.

Sarah and Bill Tinney

3060 Balfour Ave.

Victoria V9A 1R8



From: Jean Oliver [REDACTED]
Sent: June 13, 2022 4:15 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Proposed Plan for 11 Chown Place

Dear Leanne,

While I understand this feedback request could be simply theatre, I want try and convince the city against going above three storeys on Chown Place.

This has been my home for seven years, and I thought I could retire in safety and quiet here.

BC Housing, the Board of Directors at the Gorge View Society, all the players in this project are seriously underestimating the effect on social, emergency, and management resources this high density plan in such a narrow area will have.

An additional block of the old buildings being demolished should be used for gardens, a common green space for gatherings, a place the neighbours in the streets around us would love to walk their dogs through. This would minimize issues these voters and tax payers will have with our growth.

Parking. We need enough to keep cars off the residential streets nearby.

This will also impact our management's job, one that's already stretched beyond available resources..

The negative effect on our residents will increase psychologically as the crowding stress increases. This will increase despair, isolation, and illness, as one poet famously referred to as "living a life of quiet desperation". You can already feel a sense of oppression with the fourth floor being added in the current phase, and all we have to look forward to is endless construction where there once was peaceful, retirement living.

The negative repercussions of high density/low-income are well documented. Especially in this plan of a large population in a small area, an independent (low resources on site, unmonitored public areas) residential complex. This is dangerous. You are building a kind of ghetto.

There will be more emergency calls, increases in petty crime, parental and family breakdown spill over, and anti-social behaviour. There will be stress the needs of teens will add to the residence area, and that our managers will have to navigate.

This is not the community I was promised when I agreed to move in here. This is a broken contract I have no resources or voice to fight back with. This is a renoviction. The idea that I should be grateful to have a sanitized box to move into, with no balcony, no light, no garden and increased traffic, distress, and noise is frankly discounting and offensive.

Everything Chown is experiencing now in the form of challenges will be amplified by each floor we add. This will spill out into the residential streets around us, and could potentially create a sense of living near a low income ghetto in the detached housing owners.

But all of this you know already, and still this is being considered. I have no voice, no power, and no future I want to live in here if this goes forward, but nowhere else to go.

Jean Oliver



Facebook: P Jean Oliver Artist and Writer

Studio: The House of All Sorts, Victoria, BC Canada

Gallery: Central Art Studio and Gallery, Victoria, BC Canada

From: Lynn McColl [REDACTED]
Sent: June 13, 2022 12:57 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: 11 Chown Place and OCP Requested Amendent

Leanne Taylor, Senior Planner

My husband, Dirk Stewart, and I, own a legal four-plex at 2909 Harriet Road, just down from 11 Chown Place. We have spent over \$150,000 over our ownership to upgrade and maintain this lovely old lady, a character home of about 90 years. Drive by and you will see a beautifully maintained building. I am also a member of the Land Use Committee of Burnside Gorge, but am writing today as a property owner.

We have watched apartment buildings developed on the south side of Gorge Road that are three stories. Unfortunately, the height now obscures our wonderful view of the Olympic mountains.

This area is URBAN RESIDENTIAL. The north side of the Gorge Road is TRADITIONAL RESIDENTIAL. That means single family dwellings, and if townhomes were to be ever built, they would be limited to three stories, as stated to me at a Council meeting several years ago.

I support the 11 Chown Project as it will supply many new lower cost homes for people.

What I do NOT support is changing its designation to URBAN RESIDENTIAL. Harriet Road, north of Gorge Road does not have this designation for a reason and the Neighbourhood Plan does NOT support this change.

"The Neighbourhood Plan helps guide future development by refining the OCP direction for appropriate density, form and design of new development and adjacent streetscapes. OCP is the City's guiding by-law for considering new development, and where conflicts arise, the OCP takes precedence."

PAGE 8 BURNSIDE GORGE NEIGHBOURHOOD PLAN

Please also consider that the change requests two buildings at Harriet Road entrance to be SIX stories, three more stories than the apartment buildings on Gorge near Harriet.

If the ground level is not considered a first floor, this means then that six stories is actually seven. Ground plus six.

These would be HUGE buildings right at the street in the middle of houses. There is no good fit here. They are monolithic.

An option if council approves the request, which I hope it does not, is to incorporate these six-seven story buildings in the middle of the property.

I fear the building plan is not changeable at this point of the project. So the developer is really putting pressure on you. That is not fair to the Council, nor all the people who live in homes around 11 Chown. Pocket amendments are also very problematic and encourage future requests for amendments.

Thank you for the opportunity to comment. I hope every member of Council has read my letter and does not do a slam dunk to this inappropriate request.

Best regards,
Lynn McColl

From: Michael Madrone [REDACTED]
Sent: June 13, 2022 2:33 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Rezoning

Regarding Rezoning No. 00797
11 Chown Place

This application should be completely rejected for two reasons:

First, Burnside Gorge has already hosted more than our share of various types of housing. Enough. These proposed units should go in another neighbourhood.

Secondly, the current construction being carried out right now is causing extreme stress to some residents. Blasting, diesel generator running hours on end. The current residents are collateral damage. To subject residents to this kind of stress for the next 20 years is unthinkable.

Ngakpa Jigdal Chopel
66 Chown Place
Victoria, B.C.

From: [REDACTED]
Sent: June 13, 2022 3:47 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Fwd: Chown place comments

Dear Ms. Taylor,

Re: Proposed Official Community Plan Amendment for 11 Chown Place

As an owner and resident of Maddock Ave East, the proposed Official Community Plan amendment for 11 Chown Place, directly impacts me. We have been resident in the Burnside Gorge area since 2018 and as the father of two young children, the proposed changes to the OPC Bylaw greatly concerns me.

Amending the OCP Bylaw and changing 11 Chown Place from Traditional Residential to Urban Residential is a significant change and will drastically change the dynamic of the entire community that surrounds it.

11 Chown Place is adjacent to a neighbourhood of detached single family houses and six-storey and four-storey apartments, while more common along Gorge Road, are not in line with the community which is on the other side.

The move to dramatically increase the number of residents within 11 Chown Place will place additional strain on our infrastructure and recreate harm that has been successfully mitigated.

The 3000 block of Irma which joins Chown place and Maddock Ave E has long been closed off to through traffic by bollards. In combination with the traffic restrictions where Maddock Ave E joins Harriet, these restrictions have forced southbound traffic either onto the traffic calmed roads of Balfour or its parallel streets or onto Harriet. By opening Chown Place to through traffic, even if through traffic is discouraged through signage, this will increase the use of Irma as a route from Burnside Road East to Gorge Road West. This use is already apparent from cars that were forced to turn around by the bollards or the traffic already using this route during construction. Compared to the traffic calming measures on Balfour, Irma will be treated as a race course.

As the population of Chown place is anticipated to increase significantly, even the increased residential population and their visitors will have a significant impact on the traffic using Irma. From the current restricted access, to open road, will change the feel of this quiet street significantly, as it already has during construction. With more young families living on 3000 Irma, the risk to these young families grows.

Residents of the 3000 block of Irma and the surrounding streets would like to see the bollards that separate Irma and 11 Chown Place reinstated. This will reduce the through traffic through Irma as well as 11 Chown Place, while still allowing emergency vehicles access if necessary.

Parking for Chown place residents is already a problem in the local streets. While there is no significant retail nearby, the streets around here are already predominately resident parking only except for Maddock Ave E between Irma and Harriet. The local community already deals with errant parking from

Chown place and increasing the population without providing sufficient additional parking will further exacerbate this problem.

It is not uncommon for Chown Place residents who do not want to pay the \$50 monthly parking fee to park in resident parking on Irma or unrestricted parking on Maddock Ave E or Harriet.

Residential parking is only enforced following a complaint so increasing the number of potential vehicles increases the demand on residents' time to act as parking enforcers. Already this happens on a daily basis with construction traffic and Chown place residents. Each day there are numerous offenders that are not proactively policed. In addition, the city must provide dispatchers and send parking services to issue tickets which is labour intensive, inefficient and does not remedy the situation for residents who encounter artificially congested or unavailable parking when they arrive home. In effect, the inability of Chown place to manage its own parking is being met by the tax dollars that pay for these city services and the time of the nearby residents who have to report it, in order for any enforcement activity to occur. The expansion of Chown place will only make it worse. This situation has created conflict between Chown place residents, construction traffic, and the residents of the houses under the resident parking restrictions resulting in shouted abuse at families and irate people knocking on residents' doors for calling parking services.

The residents living on Maddock Ave East between Irma and Harriet have no assistance in trying to resolve the issue. Chown Place abdicate all responsibility as parking is a city issue and parking is already so closely fought over that cars are parked in front of hydrants or close to corners causing accidents. Vehicles are left for weeks at a time causing congestion and additional hazards for pedestrians and cyclists.

Should the changes to Chown place to increase the number of residents increase, the city should increase their parking enforcement to include proactive patrols and more efficient mechanisms of identifying offenders than relying on residents to report unfamiliar vehicles.

I request that the city require that Chown place develop actual responses to the existing parking and traffic challenges, as well as mitigating the impacts of their actions so as to avoid creating more difficulties for local residents. I further ask that the city consider protecting and promoting the pedestrian and cyclist friendly neighbourhood of 3000 Irma in respect of the young people, families and elderly people that use it.

Oliver Jones

From: Ryan Pasta [REDACTED]
Sent: June 13, 2022 7:44 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Fw: Letter to City of Victoria Concerning 11 Chown Pl Development Plans

Hello Ms Leanne Taylor,

I had a chance to speak with my friend and neighbour, Mike Cyr and completely agree with his concerns regarding the the Chown Pl development plans. I am attaching his letter as reference. It does cause me concern on how we are going about doing this development and might there not be a better way in achieving the result?

Ms Leanne Taylor,

I'm a homeowner on Harriet Rd where myself and many of the neighbors in this area have major concerns regarding the [development plans](#) for 11 Chown Place in the Gorge/Burnside area.

First off, the current and future proposed development plans will create an enormous parking shortage in the area which already struggles to provide parking for its current residents and their visitors. The Gorge View Society has gone ahead with a 4 story condo development within 11 Chown Place already with no provisions made for parking and they are now looking to add larger multi-story buildings on-site which will compound the problem exponentially. Not only will this completely take up the few remaining parking spaces in the area but where are the workers on these extended projects to park? Currently, my guests cannot find parking anywhere near my place due to nearby worker's vehicles and displaced Chown residents vehicles. It's simply not reasonable to expect people to forgo vehicle ownership, especially this far from the downtown core and certainly not the elderly who are highly unlikely to just hop on a bicycle.

This is a residential area consisting mainly of 2-level single-family dwellings. The introduction of 6 story condos to this area will drastically alter and/or block the skyline for nearby residences, not to mention the invasion of privacy for otherwise private backyards. The [Burnside Gorge Neighbourhood Plan](#) even states in section 12.9.3 concerning Chown Pl Policies 'Consider a mix of townhomes, stacked townhomes or low-rise multi-unit buildings up to 3 storeys in height and up to 1.0 FSR to site'. Why are the developers pushing past these recommendations now for multiple 6 story developments that are simply too large for this neighborhood?

Also, this is not a central location that gives seniors, the primary low income tenants for 11 Chown Pl, easy access to nearby resources they require nor is it on a bus route to provide them the necessary transportation to get there.

Lastly, the current residents had to endure months of blasting due to all the bedrock at Chown Pl. So much so that many of them have put in insurance claims for damage to their residences. This proposed development would require an enormous amount of blasting which will cause even more damage to our homes and an excessive amount of noise and disruptions to a peaceful community.

The recent development project on the corner of Obed and Harriet, kitty-corner from Chown Pl, required a higher ratio of parking spots to housing units than this proposal is requiring and as such limited their number of floors to 4. This was also to reduce the impact on the neighborhood. The Chown Pl development should be taking a serious look at this as well.

It's agreed that we require more low cost housing in the greater Victoria area however the plans for 11 Chown place neither viably meet these needs nor is it the correct location for this drastically increased housing density amongst a single-family dwelling neighborhood.

I hope the City of Victoria will take these concerns seriously and limit this development to 2-3 stories at the most AND require this development to provide more parking spaces for the current and future tenants. It is simply not an option to say we will give priority to tenants without vehicles as they will acquire them and we must account for their friends, family and visitors.

Thank you,
Ryan Pasta
14 - 3060 Harriet Rd
[REDACTED]

It's Your Neighbourhood

May 13, 2022

The City of Victoria is seeking your input on the proposed Official Community Plan amendment for **11 Chown Place**. The proposal is for a phased residential development consisting of four new multi-unit residential buildings and three blocks of townhouses (including one block of stacked townhouses) ranging in heights from three to six storeys. The proposal is for an overall density of 1:1 floor space ratio (FSR).

The *Official Community Plan* (OCP, 2012) currently identifies the property within the Traditional Residential urban place designation, which supports multi-unit residential buildings of up to three storeys, including attached residential buildings and apartments, on secondary arterial roads (including Harriet Road) and ground-oriented buildings up to two storeys on lesser classified streets, such as a local road (including Irma Street). For this urban place designation, the OCP supports a density of up to 1:1 FSR.

The City is considering an application to amend the OCP Bylaw by changing the urban place designations from Traditional Residential to Urban Residential to facilitate this development. The proposal is consistent with the Urban Residential urban place designation, which supports multi-unit residential buildings up to six storeys and a density of generally up to 2:1 FSR along with the further advancement of other OCP objectives related to housing, parks and open space, urban design and placemaking, food security, community well-being and multi-generational neighbourhoods. It is important to note that this designation would not confer any additional development rights to the property beyond those included in the proposed zoning.

Detailed information on this proposal is available at www.victoria.ca/devtracker. Launch the tracker and search for the property by address (11 Chown Place).

Please provide your questions and feedback on this proposal by end of day, Monday, June 13, 2022 to:

Leanne Taylor, Senior Planner
P: 250.361.0561
E: ltaylor@victoria.ca

All input received will be shared with City Council for their consideration prior to the public hearing. Correspondence you submit will form part of the public record and will be published on the agenda when this matter is before Council. The City considers your address relevant to this matter and will disclose this personal information, as it informs Council's consideration of your opinion in relation to the subject property and is authorized under section 26(c) of FOIPPA Act. Your phone number and email will not be disclosed. For more information on the FOIPPA Act please email foi@victoria.ca.

Once a date for the public hearing has been set, notice will be posted at www.victoria.ca/publicnotices.

We look forward to hearing from you.

From: Wendy Anthony [REDACTED]
Sent: June 13, 2022 3:17 PM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: 11 Chown Place Development Proposal input - REZ00797

To Whom This May Concern:

I am writing to provide input to the 11 Chown Place Development Proposal, City of Victoria Rezoning Application folder REZ00797 ... I still oppose this proposal based on a number of factors, including those already mentioned in my first response/opinion to the original proposal, dated 2011-11-14, and which I am attaching.

All of these reasons continue to be my opinion ... this residential neighbourhood is not designed for 6 story buildings - the only regional buildings of this height are on busy industrial corridors, or in the down-town core with other buildings of similar size, this size of building is out of scale, and does NOT belong in a neighbourhood of mostly residential houses - other multiple unit building in the neighbourhood are a max of 3-4 stories, and even the new development proposal across the street in Saanich is not asking for such density ...

Chown / Gorge View Society has not been a responsible landlord or building contractor ... they continue to NOT fix problems in existing buildings, unless they have progressed to such a stage as to become an emergency situation (which then becomes the reason to build new buildings as they are NOT caretaking properly the ones they already operate) ... Chown / Gorge View Society is also NOT enforcing building bylaw

operating hours, even after multiple, almost weekly requests to do so since last summer ... I finally recently contacted the bylaw officer who indeed found the hours of construction contravening the noise bylaw, while also stating that everyone said they did not know - and all this while Chown / Gorge View Society continued to allow this contravention of noise to continue unabated for months and months after multiple requests to address this issue - It should not be up to current senior tenants to wade through this bureaucracy that should be dealt with by the developers at Chown/Gorge View Society, especially after multiple request ...

Chown / Gorge View Society contracted 100+ seniors to live here, and now has gone back on this agreement to encourage affordable (none of the current residents would actually be able to afford these new affordable suites), multi-family housing, ignoring the needs of so many low income seniors they originally invited to live here in a healthy pastoral setting, and who will now live out the rest of our ageing lives in the middle of an ongoing construction zone, with high decibel, hearing-damaging noise levels and no protection for our lungs from the constant dust, and our ageing joints and balance while dealing with all the loose gravel on walk and roadways, and then only to be displaced by buildings they will not be able to afford to live in ... in fact Chown / Gorge View Society applied for multi-family funding and permits before even changing their society records to reflect that they will no longer be serving seniors ... seniors are now even more at risk for becoming

homeless than many other age-groups, and this type of change will only further exaggerate the problem!

I do NOT believe it would be in the best interests of the neighbourhood, nor of any of the 100+ current senior-citizen Chown Place residents to allow for such high density, over-height buildings to be built in this location ... and with the air-borne nature of COVID still a health-issue, multiple-unit buildings MUST have proper ventilation and air cleaning capabilities, compounded even more with large-heights - I'm not even seeing this considered in any of the new design specs (only about energy efficiency, not actually clean air, especially if there is also underground parking with toxic fumes to consider) - more research is suggesting that multiple level buildings may not have healthy air supplies, and actually be conducive to the perpetuation of air-borne illness through the circulation of common air ...

Until Chown / Gorge View Society exhibits more responsibility for the work they currently have in progress, I do not believe the City of Victoria should entertain any further building permits, and especially ones that would require major rezoning ... e.g. The building foundations for the in-current-construction continued to be dug below the ground-water level, even after repeated flooding, and has been pumping out water into the sewer drains 24/7 since last summer - smelling of stale water, creating a mosquito population where none existed before, flooding the sidewalks, sewer drains, and road-ways (including very dangerous, unaddressed icing in the winter, and some of










this same silty water flowing through the taps in my building), and unsafe gravel and roadways continue to not be maintained, sidewalks unfinished, resulting in some seniors here injuring themselves in the unsafe conditions ... the peaceful enjoyment of our rental units has been severely impacted by the lack of action by Chown / Gorge View Society to ensure construction compliance with noise bylaws, as well as the constant dust and diesel fumes ...


I do not believe that Chown / Gorge View Society has shown themselves to be responsible developers in order for City of Victoria to consider such a proposal as has been submitted ... I hope you will take these things into consideration, and refuse to grant the request of Chown / Gorge View Society to rezone in order to develop their mega-sized, over-height project proposal. I do not trust Chown / Gorge View Society to follow-through with what they say, as they have repeatedly proven not to do so, in my experience over the last 8 years of my residency here ... I also fear being displaced, as these projects are now about family housing, and no longer about seniors, in one of the very few independent, low-income seniors residences that were available in the City of Victoria, and will no longer be ... this is a very sad day for healthy low-income seniors!

Thanx for your consideration,
Sincerely,
Wendy Anthony
22 Chown Place

(a resident at Chown Place since 2014)

https://engage.victoria.ca/11-chown-place/survey_tools/11-chown-place





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11 Chown Place

Voice your opinion here. Your comments will be provided to the applicant, CALUC, and City.

All fields marked with an asterisk (*) are required.

1. What is your position on this proposal? *

☐ Support

☒ Oppose

☐ Other (please specify)

2. Comments (optional)

Too dense; 6 stories is too high, and will tower over the street level of a residential neighbourhood; parking will be an issue: as a disabled senior I need a parking space wide enough to open car doors, necessary for my independence - new design adds more parking spaces from the original spaces, so that each parking stall will now just be much narrower; construction for 20-50 years will be totally disruptive to current seniors-only residents - e.g. current construction is being allowed to operate 7 days a week, INCLUDING HOLIDAYS i.e. Thanksgiving and Remembrance Day (before 7 am, as well as today, Sunday Nov 14, starting continually hammering metal before 9am), often starting daily well before 7 am, never giving residents a break, even after numerous complaints, thus continually breaking City of Victoria noise bylaws; Gorge View Society didn't follow through on the promised accessible gardens, which are absolutely NOT accessible, as one cannot walk between plots so close together - I don't trust that they will do what they plan! Current buildings were not maintained properly, and fixed only in emergencies, contributing to the deterioration of their lifespan.

3. Your Full Name *

Wendy Anthony

13/255

4. Your Street Address *

22 Chown Place

ATTN: Leanne Taylor, Senior Planner

RE: Rezoning Application - REZ00797

DATE & TIME SUBMITTED: Monday, June 13th - 2:30 p.m.

As you are probably aware, the building under construction was made possible in part with government funding. Presently, Chown Place is subsidized housing for over 55. When the Gorgeview Society first told us of their plans to build a four storey building, we submitted three videos with our concerns. I believe there were also petitions submitted and some individual letters. Council questioned the Gorgeview Society presenters, but it seemed obvious that the proposal for the height variance was a done deal long before it was ever brought to the council meeting.

Moving forward

The new building that has been under construction for the past ten months will be jointly run by BC Housing and the Gorgeview Society. It will now house families as well as 55 and over residents. Originally, we were told there would be six family units, now it is rumoured that has increased to nine family units. Also, we were told that there would be under market priced units as well as subsidized.

We have been shown a 30 year plan for twice as much housing at Chown Place. And now a variance application to build six storeys has been presented to Victoria City Council.

Here are my concerns:

FUNDING

My main concern has to do with funding. When the Society applied to BC Housing to fund the four storey they also applied for funding for one of the six storeys that is part of the 30 year plan. They continue to assure us that all these future plans are a long time coming and may not happen for many years. But, if they applied for funding already, it makes me think that it is not that far in the future. In fact, if they would have got the funding, construction would probably have begun right after the four storey was finished.

We have been told that the income from the new building will barely bring in enough to service the loan. The income from the existing units barely cover the existing cost. If government funding is not available and loans are unlikely, where else could the society find funding? Philanthropy is unlikely, so the only other possibility is from developers. With developers involved some or maybe most of the units will be rented at market value. The Gorge View Society has assured us over and over that Chown Place will always provide subsidized housing, but already they are manipulating the cost of units when new tenants move in.

CONSTRUCTION

The reality of how high a six storey building will be is becoming a reality as we see how high the four storey is. If this variance is allowed many houses in the area will be demolished to make room for more six storey buildings.

The construction of the four storey has caused so much disruption to all the residents; weeks of blasting, big equipment noise, parking issues, blocked entrances, constant pounding etc. have caused anxiety to many residents. Underground parking will be required to accommodate parking for residents in a six storey building. Chown Place is built on a rock which required a lot of very disruptive blasting. Imagine blasting a hole deep enough to accommodate underground parking.

While I do not condone the “not in my backyard,” attitude, I think consideration has to be taken to the strength of a community when providing houses. It is not good enough to put up a box that has been divided into a bunch of smaller boxes and call that housing.

The housing problem in Canada and BC has been created because of mismanagement on all levels of government. The provincial government has to take a lot of the blame for the existing problem. Why were restrictions not put on owners and property management that evict people for renovations and then are allowed to raise the rents any amount? The NDP with support from the Greens and with a majority should have been able to get something passed to change this.

City councils have also been slow to act which has helped to create this problem. Affordable housing is what is needed, not more housing that will put more money into the pockets of the developers and property managers.

While I respect the Gorgeview Society's desire to provide housing to seniors and families, I can't help feeling that this 30 year plan is way too ambitious and in the end will benefit very few low income people. Also, I can't help thinking that in the future there may be a need to sell this property to service the enormous debt that the society will incur.

I would like the Victoria City Council to reject this variance proposal. I would like to see the Gorgeview Society rethink their future housing plans.

I suggest construction of row or townhouse units that can accommodate one vehicle per household. And, if possible I suggest that the Gorgeview Society consider moving to a Co-op housing strategy.

Sincerely,
Wendy L. Wenaus

Address: 33 Chown Place

Phone: [REDACTED]

Email: [REDACTED]

From: Douglas Laird [REDACTED]
Sent: June 16, 2022 10:09 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: Re: REZ00797 Chown Place

Dear Leanne Taylor,

Thank you for reviewing my concerns.

Lately I have not had access to MS Word. Sorry for the inconvenience. Could you please forward my email to council. I'd also work to being there to present my concern in person.

Since I am not familiar with the process, could you please advise if I should do anything further?

My kind thanks Leanne.

Douglas Laird
14 Chown Place

On Monday, June 13, 2022, 09:51:28 a.m. PDT, Leanne Taylor <ltaylor@victoria.ca> wrote:

Dear Mr. Laird,

Thank you for your correspondence and sharing your concerns with us. Would you like your email to be attached to a Council report for Council's consideration?

Kind regards,
Leanne

Leanne Taylor, MCIP, RPP

Pronouns: she/her

Senior Planner

Sustainable Planning and Community Development

City of Victoria

1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0561



The City of Victoria is located on the homelands of the Songhees and Esquimalt People.

From: Douglas Laird [REDACTED]
Sent: June 13, 2022 9:41 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: REZ00797 Chown Place

Dear Leanne,

I want to respond to this zoning application but I am not sure if my issue will be relevant to the application. How should I go about this? This computer does not have MS Word so an attachment would have to come later when I can get to another computer.

Here, I'll just write out my complaint and see what you think from there.

I'd like to present my concerns in person, but here is my statement in any case.

REA007997
CHOWN PLACE

My name is Douglas Laird and I have been a resident of Chown Place for 6 or 7 years.

I am with disability. When I moved in my rent was on par with the PWD designation. Since then it has gone up to over \$500. PWD rates are close to \$1,000.

Let me get right to my objection to these quickly changing mandates.

My issue has been raised in planning meetings, and that is for the addition of "a new resident profile- affordable larger units suitable for households with children".

Initially, since I love children and people in general, my issue is the loss of capacity for seniors- who should be grandfathered into all the development plans- that concerns me. The housing demand is extremely high for the desperately impoverished, and now with COVID, we have an increased demand on seniors with long term disabilities who are at higher threat to their economic well being, especially now from something called long COVID.

I've had a syndrome related to long COVID for over twenty years. It's called ME/CFS, and sometimes fibromyalgia. It has been ignored by medicine, in large, so there has been no way to diagnose it and no way to treat it. As far as qualifying for PWD status as a result of economic ruin from it, it is nearly impossible.

Recently there have been two people I know of who have taken advantage of MAiD because it is simpler to die than it is to be part of the rising number of seniors who have become homeless. It is hard enough to lose the capability to gain meaningful work, but to live without the economic capacity to leave the house to shake off depression due to affordability, this choice does not surprise me in the least.

Back to the rezoning issues at hand.

In the new building the family units were snuck in at a low percentage and then, once the foot was in the door, later increased in number. These units are larger so they reduce the capacity for single senior units, lowering the number of units. This puts a disproportionate demand on our designated senior housing capacity for those seniors on a very long waiting list.

This is a mandate that is being pushed on to the management by the Gorge Neighbourhood Association (GNA) and BC Housing (BCH), both agencies run by housed upper class people, a class that supports pushing the homeless out of the area. It is a disproportionate demand targeted within a senior housing project because they don't have any other solution to house the 'missing middle'.

In the Master Plan Manual Introduction, under the redevelopment principles, it states "appropriate non-profit housing providers will be considered to manage aspects of its operations".

This is very vague. Who are these other agencies?

Let's step back and consider the 11 units in the new building designated for 'single parent families'. I've asked our management to consider supportive housing for these units by designating them for shared residents, a senior and a worker such as university students who have the passion, or the need to make such a contribution (and a need for housing), for a role in such social support. If the 'appropriate non-profit housing providers' are agencies who could support this capacity, then I am in support.

However, this is not the intention of the redevelopment principle by the way it reads under item 2, which specifies mixed demographic "including families". Again, there is a loss of housing to the 'missing middle' which is moving away from a model of increased need for senior housing. Furthermore, the need for specific housing for seniors is projected to grow over the next twenty years. To have the units currently under construction is at worst devious as it reduces the capacity of support for seniors in desperate poverty. At best the motive could be worth considering, if it was for increased senior housing supports, that of supportive living design that COULD be managed by another agency.

In summary, to see BC Housing and Gorge Neighbourhood Association move in to a project that is designated to support less fortunate seniors is infuriating. My plea is for

the CRD to push back against this purpose as the burden for single family dwellings should be put onto the 'missing middle' initiative, and not on original grandfathered intentions of supportive housing for seniors.

Other than my stated concern, I am very proud of Gorgeview Society and management for this proposal.

Thank you for your time and considerations.

Douglas Laird

14 Chown Place

From: Jenni Woodcock [REDACTED]
Sent: June 17, 2022 9:26 AM
To: Leanne Taylor <ltaylor@victoria.ca>
Subject: 11 Chown Place Revised Rezoning Application

Hi Leanne,

I understand that the deadline for submitting community input about this has passed, however, I still wanted to share my support for the concerns raised by Cathy at 3092 Irma Street.

I do not believe that the Irma Street at Chown Place should be opened to through traffic. I would like the fire gate to remain.

Thank you in advance for adding my name to the list of concerned neighbours.

Jenni Woodcock
3085 Irma Street

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

1 This Bylaw may be cited as the "HOUSING AGREEMENT (11 CHOWN PLACE) BYLAW
(2022)".

2 The Director of Sustainable Planning and Community Development is authorized to execute the Housing Agreement:

- (a) substantially in the form attached to this Bylaw as Schedule A;
- (b) between the City and The Gorge View Society, Inc. No. 0004996 or other registered owners from time to time of the lands described in subsection (c); and
- (c) that applies to the lands known as 11 Chown Place, Victoria, BC, legally described as:
PID: 005-066-999 Lot A (DD 270373I), Section 10 and 11, Victoria District, Plan 11749

ADOPTED on the _____ day of _____ 2022

MAYOR

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:

THE GORGE VIEW SOCIETY

S0004996
11 Chown Place
Victoria, B.C. V9A 1H5

(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 11 Chown Place, Victoria, B.C. and legally described as:

PID: 005-066-999
LOT A (DD 270373I), SECTION 10 AND 11, VICTORIA DISTRICT, PLAN 11749

(collectively, the "**Lands**").
- D. The Owner has applied to the City for a rezoning and Official Community Plan bylaw amendments to authorize the development of four new multi-unit residential buildings and three blocks of townhouses phased over the next several decades, and has agreed to enter into this housing agreement with the City to secure the Dwelling Units as below-market or affordable rental units;
- E. The Existing Buildings currently house tenants and are slated to be demolished over a period of time and replaced with the New Buildings, and the Owner has agreed to offer a right of first refusal to the existing tenants to allow the tenants to move into the New Buildings;

- F. In 2020 and 2021, the Owner entered into two housing agreements with the City in respect of the 2022 Building which also applies to any Dwelling Unit to be developed on the Lands in the future (the "**2020/2021 Housing Agreements**");
- G. The Owner intends to subdivide the Lands to create a standalone parcel for the 2022 Building and seek a release of the 2020/2021 Housing Agreements from the remainder of the Lands;
- H. 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 that all Dwelling Units within the Development will be used and held only as affordable or below-market rental housing.

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 Units" means a rent level that does not exceed 30% of the respective HILs for studio, one, two, or three bedroom Dwelling Units;

"Appraised Market Rent" means the rent (as determined by a professional appraiser acceptable to the City in the City's sole and absolute discretion) that a willing tenant would pay to a willing landlord to rent the Dwelling Unit in question pursuant to a Tenancy Agreement, on the open market in Victoria, British Columbia, having regard to any utility or other services or amenities available to the tenant or provided by the Owner as landlord;

"BC Housing" means the British Columbia Housing Management Commission;

"Below-Market Rent" means a rent level higher than Affordable rent but below Appraised Market Rent;

"2022 Building" means the four-storey residential building consisting of approximately 58 affordable rental dwelling units approved by Development Permit with Variances No. 00132 and shown on the proposed site plan at Schedule "A" with the label "Existing 4 storey – 58 units";

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

"CMHC" means the Canada Mortgage and Housing Corporation;

"Development" means the New Buildings to be constructed on the Lands, and excludes the 2022 Building;

"Director" means the City's Director of Sustainable Planning and Community Development or their designate;

"Dwelling Units" means any or all, as the context may require, of the approximately 255 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, and **"Dwelling Unit"** means any of such residential dwelling units located on the Lands;

"Effective Date" means the date as of which the City executes this Agreement;

"Eligible Tenants" means the tenants who are listed as residents in the Tenant Assistance Plan, in any of the Existing Buildings that will be demolished if the Development proceeds and are identified in the Tenant Assistance Plan as eligible for the benefits set out therein, and **"Eligible Tenant"** means any of them;

"Existing Buildings" means the existing residential rental buildings on the Lands as shown in the "Existing Site Plan" at Schedule B and excludes the 2022 Building, and **"Existing Building"** means any of them;

"HILs" means the annual Housing Income Limits that are determined from time to time by BC Housing and that apply to a particular Affordable Unit depending on the number of bedrooms in the Affordable Unit. The parties agree that for 2021, the HILs for Victoria are: 1 bedroom or less = \$47,500, 2 bedroom = \$61,000, 3 bedroom = \$79,000 and 4+ bedroom = \$84,500;

"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;

"New Buildings" means the proposed residential rental buildings on the Lands to be constructed as shown in the "Proposed Site Plan" at Schedule A and excludes the 2022 Building, and **"New Building"** means any of them;

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

"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 12.3;

"Personal Information" has the same meaning ascribed to the term under the *Freedom of Information and Protection of Privacy Act* (BC);

"Public Housing Body" means a non-profit society, non-profit municipal housing corporation, BC Housing, or Capital Region Housing Corporation;

"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

"Senior" means a person aged 55 years or older;

"Strata Plan" means a strata plan filed in respect of the Lands or any subdivision thereof pursuant to the *Strata Property Act*;

"Subdivided Parcel" has the meaning ascribed to that term in section 8.3;

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

"Tenant Assistance Plan" means a tenant assistance plan prepared by the Owner in accordance with the City's prevailing Tenant Assistance Policy or successor in function;

"Tenant Assistance Policy" means the City's Tenant Assistance Policy dated February 10, 2022 attached at Schedule C, or its successor in function;

"Unit Type" refers to the total number of bedrooms contained in the Dwelling Unit.

2.0 TERM

2.1 Subject to section 2.2, the term of this Agreement shall begin from the Effective Date and continue in perpetuity.

2.2 The obligations in section 3.1 shall begin on the date the City issues an occupancy permit for each New Building and continue for a term of 60 years or the life of the respective New Building, whichever is greater.

3.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS AFFORDABLE OR BELOW-MARKET RENTAL UNITS

3.1 The Owner covenants and agrees that:

- (a) the Dwelling Units shall only be used as rental housing, 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;
- (b) a minimum of 50% of the Dwelling Units shall be rented to and occupied by a Senior Non-owner; and
- (c) the Dwelling Units shall only be rented at Affordable Rent levels or Below-Market Rent levels.

4.0 OWNERSHIP OF DWELLING UNITS

- 4.1** The Owner further covenants and agrees that the Dwelling Units shall be owned by a Public Housing Body.

5.0 RIGHT OF FIRST REFUSAL FOR EXISTING TENANTS

- 5.1** The Owner covenants and agrees to submit a Tenant Assistance Plan to the City with each development permit application for a New Building or a demolition permit application for an Existing Building, whichever comes first.

- 5.2** The Owner covenants and agrees to provide each Eligible Tenant with a right of first refusal to occupy a Dwelling Unit in the Development following issuance of the occupancy permit and use reasonable efforts to minimize tenant displacement by offering each Eligible Tenant a unit in the New Building or 2022 Building of comparable Unit Type to the Eligible Tenant's occupied unit in the Existing Building.

- 5.3** Subject to section 5.4, the Owner covenants and agrees to provide all Eligible Tenants with the communication, relocation assistance, moving costs and assistance, and other benefits set out in the Tenant Assistance Plan, and to otherwise comply with and fulfill the terms and conditions set out in such Tenant Assistance Plan.

- 5.4** Financial assistance, compensation or benefits are not required to exceed the guidelines in the current Tenant Assistance Policy at Schedule C.

6.0 RIGHT OF FIRST REFUSAL FOR EXISTING TENANTS - PROCESS

- 6.1** The Owner covenants and agrees with the City as follows:

- (a) Within ninety (90) days of submitting a Tenant Assistance Plan to the City, the Owner will provide all Eligible Tenants with a copy of the Tenant Assistance Plan with Personal Information redacted, and provide them with written notification:
 - (i) of the Owner's anticipated date of applying for an occupancy permit; and
 - (ii) that Eligible Tenants who are interested in exercising their right of first refusal must respond to the Owner by a specified date, which shall not be less than forty-five (45) days from receipt of the notification, to provide their contact information.
- (b) No less than six (6) months prior to applying for any occupancy permit for a New Building, the Owner will provide written notification to all Eligible Tenants who provided their contact information in accordance with subsection (a)(ii), and advise them of the Owner's anticipated date of applying for an occupancy permit.
- (c) No less than ninety (90) days prior to applying for any occupancy permit, the Owner will contact in writing all Eligible Tenants who provided their contact information in accordance with subsection (a)(ii), and
 - (i) provide the Eligible Tenant with a Tenancy Agreement for a Dwelling Unit, and
 - (ii) advise the Eligible Tenant:

- (A) of the Unit Type of their Dwelling Unit;
- (B) of the location of their Dwelling Unit within the Development;
- (C) of the rent for their Dwelling Unit;
- (D) of the availability date for their Dwelling Unit;
- (E) that the Eligible Tenant has no less than forty-five (45) days from receipt of the notification to provide the Owner with the signed Tenancy Agreement, if they wish to accept the Dwelling Unit.

7.0 RENT ADJUSTMENTS

- 7.1** 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.

8.0 SUBDIVISION

- 8.1 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, subject to section 8.2:

- (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.

- 8.2 Subdivision by Strata Plan.** If the Lands, or any portion thereof, are subdivided by a Strata Plan:

- (a) the existence of this Agreement and the City bylaw authorizing and enacting it will be noted on the title of each individual strata lot and noted on the common property sheet;
- (b) the Owner will cause the strata corporation or the strata corporations created by the deposit of a Strata Plan to be obliged to perform and observe the Owner's applicable covenants in this Agreement, solely at the expense of the strata lot owners; and
- (c) the liability of each strata lot owner for the performance and observance of the Owner's covenants herein will be in proportion to the unit entitlement of his, her or its strata lot as established by the Strata Plan,

provided that, if the Lands are first subdivided by air space plan and then one or more of these parcels are further subdivided by Strata Plan, the easements and covenants registered concurrently with the air space plan may designate the air space parcel or the remainder, and therefore each strata lot owner and/or the strata corporation, responsible

to perform and observe the Owner's covenants in this Agreement.

- 8.3 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**"), the owner of such Subdivided Parcel may apply to the City to release the Notice (as defined in section 8.1) from title to the Subdivided Parcel. 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; and (c) the City will have a reasonable time within which to execute such release and return the same to the Owner for registration.

9.0 REPORTING

- 9.1** The Owner covenants and agrees to provide to the Director, within thirty (30) days of the Director's written request, a report in writing confirming that:

- (a) all Dwelling Units are being rented to Non-Owners and Senior Non-owners in accordance with this Agreement or are vacant;
- (b) rent levels for the Dwelling Units are either at Affordable Rent or Below-Market Rent levels; and
- (c) all other requirements of this Agreement are being complied with, along with such other information as may be reasonably requested by the Director from time to time.

- 9.2** The Owner covenants and agrees to provide to the Director, prior to issuance of any occupancy permit for a New Building, a solemn declaration sworn before a lawyer or notary including the following information, to the satisfaction of the Director:

- (d) the names of all Eligible Tenants who have exercised their right of first refusal,
- (e) each Eligible Tenant's Unit Type in the Development,
- (f) the total number of occupants of each Dwelling Unit occupied by Eligible Tenants,
- (g) each Eligible Tenant's rent for their Dwelling Unit, and
- (h) any final tenant assistance reports required pursuant to the Tenant Assistance Plan.

- 9.3** The Owner hereby authorizes the City to make such inquiries as it considers reasonably necessary in order to confirm that the Owner is complying with this Agreement.

- 9.4 Appraised Market Rent.** The Owners will determine, and inform the City of, the Appraised Market Rent for each Dwelling Unit on any of the Lands owned by that Owner:

- (a) prior to the City issuing a final occupancy permit for each building in the Development; and
- (b) thereafter, at any other time that the City may reasonably request.

10.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

- 10.1** 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.

11.0 LIABILITY

- 11.1** The Owner agrees to indemnify and saves 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.
- 11.2** 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.

12.0 GENERAL PROVISIONS

- 12.1 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
Email: khoese@victoria.ca
Fax: 250-361-0386

in the case of the Owner, addressed to:

Gorge View Society
 11 Chown Place
 Victoria, B.C., V9A 1H5

Attention: Operations Manager
 Email: gorgeview@shaw.ca

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.

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

12.3 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.

12.4 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.

12.5 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.

12.6 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.

12.7 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.

12.8 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.

- 12.9 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.
- 12.10 ENTIRE AGREEMENT.** This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 12.11 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.
- 12.12 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.
- 12.13 LAW APPLICABLE.** This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 12.14 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.
- 12.15 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.
- 12.16 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.
- 12.17 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.
- 12.18 EFFECTIVE DATE.** This Agreement is effective as of the date of the signature of the last party to sign.
- 13.0 PRIORITY AGREEMENT**
- 13.1** BC Housing, as the registered holder of financial charges by way of two Mortgages and Assignment of Rents against the Lands, which said charges are registered in the Land

Title Office at Victoria, British Columbia, under numbers CA9142392, CA9142393, CA9142394, respectively, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

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: _____

THE GORGE VIEW SOCIETY (S0004996)
by its authorized signatories:

James Keefe, Vice Chair

Gary Hall, Treasurer

Date signed: June 23 2022

AS TO PRIORITY:
**BRITISH COLUMBIA HOUSING
 MANAGEMENT COMMISSION**
 by its authorized signatory(ies):

Print Name: _____

Print Name: _____

Date signed: _____

Title Office at Victoria, British Columbia, under numbers CA9142392, CA9142393, CA9142394, respectively, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to section 483(5) of the *Local Government Act*, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

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: _____)

THE GORGE VIEW SOCIETY (S0004996)
by its authorized signatories:)

James Keefe, Vice Chair)

Gary Hall, Treasurer)

Date signed: _____)

AS TO PRIORITY:
BRITISH COLUMBIA HOUSING
MANAGEMENT COMMISSION
by its authorized signatory(ies):)

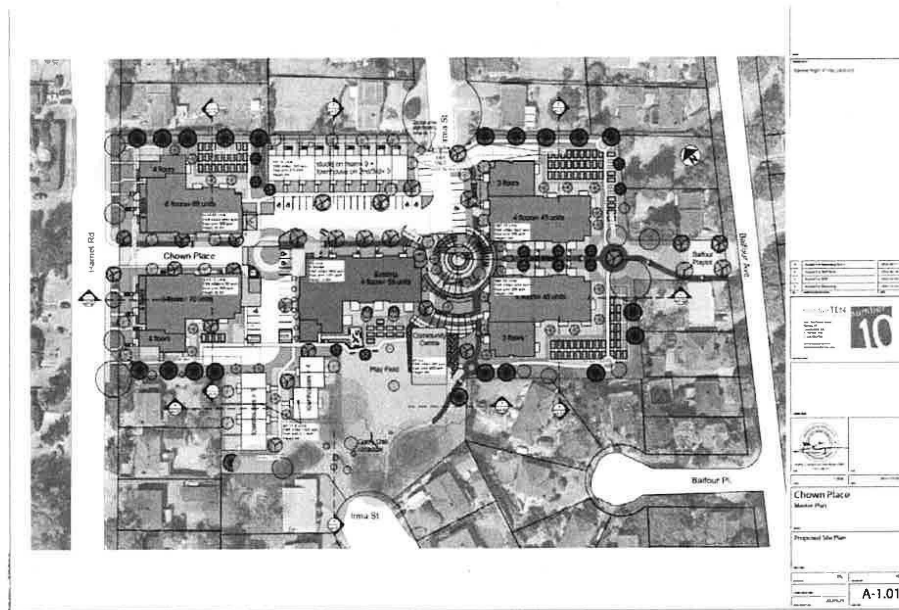
Vincent Tong
Vice President
Development & Asset Strategies)

Print Name: _____)

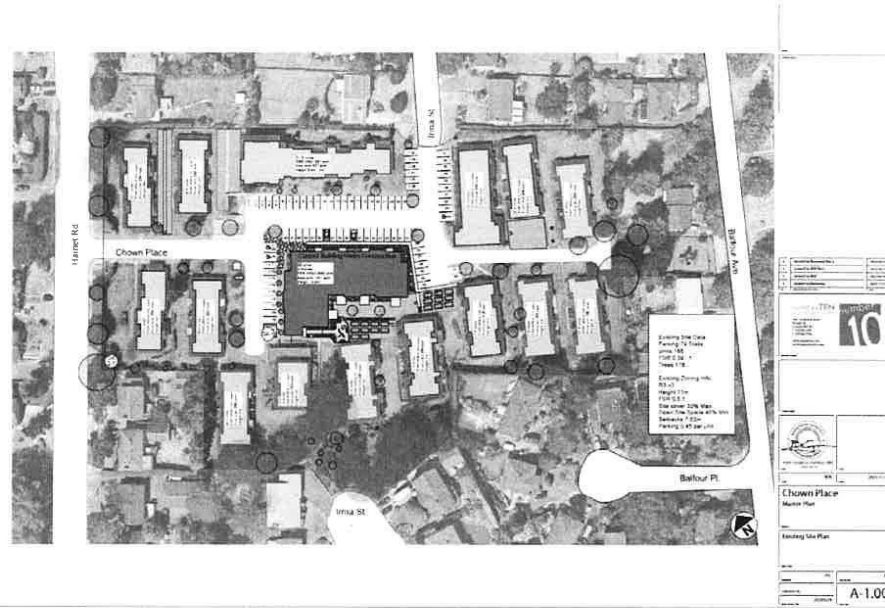
MICHAEL PISTON A/P- Asset Strategies)

Date signed: JUN 22, 2022. _____)

Schedule A
Proposed Site Plan



**Schedule B
Existing Site Plan**



Schedule C
Tenant Assistance Policy
(begins on following page)



Tenant Assistance Policy

Victoria Housing Strategy 2016 – 2025

1.0 Introduction

1.1 Victoria Renters

Renters account for a significant portion of the City of Victoria's population and are an important part of the City's social fabric.

Many of the renters live in older and lower-density rental stock, where over 80% of which were built in the 1960s and 1970s¹. With a proportionally high percentage of renters in the City (61% of the total population)² for the past several years, this rental stock is a vital component of the City's overall supply of rental housing, with rental rates that are often lower than market average.

Renting also allows for median income households to live in Victoria. The median annual income of renters is \$44,165, significantly lower than that of homeowners (\$80,986)³.

1.2 Rental Housing Challenges

A healthy vacancy rate is considered to be between three to seven percent. With Victoria's growing population, demand for rental housing, and low vacancy rate (1.1%)⁴, combined with limited increases in income and limited new supply of purpose-built rental housing in recent decades, the cost of housing for renters has significantly increased. Not only has the cost of rental increased but there has been an increase in home ownership costs that have been creating challenges for many households to purchase a home. The impact of increasing home ownership costs is that households that would have previously been seeking to buy a home are now opting to rent, putting additional pressure on the rental market. While renters of all incomes have experienced a dramatic increase in rents over the past number of years, the impact has been felt acutely by those on fixed or low incomes and single persons households, such as seniors, low income families, single parents, and low wage workers alongside others.

The demolition and replacement of rental buildings results in the displacement of tenants, an issue that is exacerbated by significantly higher rents in new buildings. Lack of affordable housing, especially affordable rental stock, is a significant factor that contributes to relatively high levels of homelessness in the city, with significant social and economic costs and impacts. Any loss of rental stock and displacement of existing tenants, especially tenants with additional assistance, is a serious challenge.

¹ Market Rental Revitalization Report 2018

² Statistics Canada Census 2016

³ Statistics Canada Census 2016

⁴ CMHC Rental Market Report 2018

1.3 Policy Intent

The Tenant Assistance Policy has been developed to help mitigate the potential impacts of displacement on tenants by providing guidelines for developers and property owners to provide additional supports for tenants who are displaced as a result of major renovations or development.

2.0 Role of British Columbia Residential Tenancy Act

British Columbia's Residential Tenancy Act (RTA) regulates all tenancy agreements in residential units across the province. The Tenant Assistance Policy and Guidelines are intended to augment the RTA and address challenges unique to Victoria. While these Guidelines outline some of the requirements for tenant support included in the RTA, they are not a comprehensive nor complete guide. In some instances, the RTA outlines penalties for non-compliance for items both included in these guidelines and omitted. It is important that both landlords and tenants understand their rights and responsibilities under the RTA.

For more information on Residential Tenancy Policy and guidelines, please refer to [Residential Tenancy Policy Guideline 2](#).

2.1 Notice to End Tenancies

The RTA sets out minimum notice that a landlord must give tenants to move out in case of renovations to or demolition of an existing building. A landlord may issue a *Notice to End Tenancy* only after all necessary permits have been issued by the City. In addition, landlords must give four months' notice to end tenancies for renovation, demolition, and conversions. Tenants have 30 days to dispute the notice.

For more information, please refer to the [Landlord Notice to End Tenancy](#).

2.2 Renovations and Repairs

Under the RTA, renovations and repairs must be so extensive that they require the unit to be empty in order for them to take place, and the only way to achieve the necessary emptiness or vacancy is by terminating a tenancy. The RTA and associated guidelines provide specific guidance pertaining to whether a landlord may end a tenancy in order to undertake renovations or repairs to a rental unit.

For more information, please refer to [Ending a Tenancy for Landlord's use of Property](#).

2.3 Right of First Refusal

In instances of renovations or repairs requiring vacancy, the RTA requires tenants be offered the right of first refusal to enter into a new tenancy agreement at a rent determined by the landlord. This right of first refusal applies only to a rental unit in a residential property containing 5 or more units, and there are financial penalties for non-compliance.

For more information, please refer to [Tenant Notice: Exercising Right of First Refusal](#).

3.0 Policy Target

The application of the Tenant Assistance Policy are as follows:

- The Tenant Assistance Policy is applicable to rezoning applications to redevelop or demolish any building that will result in loss of existing residential rental units.
- This policy offers best practice guidelines that can also be used by all applicants who are seeking to renovate or redevelop existing residential rental units.
- This policy is intended to guide applicants and City staff as part of the application process but it is not intended to fetter Council's discretion when dealing with individual applications, each of which will be evaluated on its own merits.

3.1 Applicable Housing Types

The applicable housing types are as follows:

- *Market Rental Housing* – private rental housing with rent determined by the market
- *Non-Market or Social Housing* – housing that is rented at a price that is not set by market forces but set and controlled over time by some other means

3.2 Eligible Tenants

Eligible Tenants are tenants who should be included in the Tenant Assistance Plan and includes all tenants who have resided in the building for one year or more at the time a rezoning application is submitted.

A tenant who has not resided in the property long enough to be an eligible tenant, including a tenant that moves into the property after the rezoning or development permit application is submitted to the City, is not required to be included in the Tenant Assistance Plan (but may be included at the applicant's discretion).

In cases where an eligible tenant moves out prior to receiving a Notice to End Tenancy from the landlord, they are still entitled to full financial compensation and the additional support they are eligible for under the Tenant Assistance Policy.

3.3 Developing a Tenant Assistance Plan

For any renovation or redevelopment that requires relocation of existing tenants, the property owner must create a Tenant Assistance Plan that addresses the following issues:

- Early communication with the tenants
- Appropriate compensation
- Relocation assistance
- Moving costs and assistance
- Right of First Refusal.

The City has developed a Tenant Assistance Plan template that is available for applicant use. The template includes the required FOIPPA section 27(2) privacy notification which should be identified for tenants.

3.4 Communication with Tenants

Applicants should communicate their intention to renovate or redevelop with tenants throughout the process prior to submitting any application to the City and continue to communicate throughout the process. The Tenant Assistance Plan should be developed with input from tenants and once finalized, the full plan should be communicated to tenants. Communication with tenants could include:

- A written letter or email sent by the applicants to all tenants outlining the proposed project and expected timeline
- Providing a primary point of contact for tenants
- Providing the City's *Frequently Asked Questions (FAQ)* handout sheet
- Providing a *Request for Tenant Assistance Form* to tenants to identify tenant assistance needs
- Informing tenants about the City's Tenant Assistance webpage and the Residential Tenancy Branch webpage
- Ongoing communication regarding the process of the development and tenant assistance process at each stage of the process (prior, during, and at the conclusion of the project) in the form of a meeting, letter, email, etc.

4.0 Tenant Assistance Plan for Market Rental Housing Development

The guidelines in this section are intended to be used for renovation or redevelopment in Market Rental Housing developments, as defined in section 3.1 Applicable Housing Types.

4.1 Compensation

Compensation should be given to displaced tenants. Compensation may take the form of free rent, a lump sum payment, or a combination of both.

For market rental housing, compensation is recommended to be based on length of tenancy at either:

- (1) The higher of CMHC average rent for the City of Victoria (as identified in CMHC's Annual Rental Market Report, adjusted annually and identified in Table 1 – Rental Compensation below) or the tenant's existing rent; or
- (2) Free rent in a different building

Table 1 - Rental Compensation

CMHC Average Rent ⁵	Length of Tenancy
<ul style="list-style-type: none"> • Bachelor: \$935 • 1BR: \$1,086 • 2BR: \$1,438 • 3BR+: \$1,766 	<ul style="list-style-type: none"> • Up to 5 years: 3 months' rent • 5 to 9 years: 4 months' rent • 10-19 years: 5 months' rent • 20+ years: 6 months' rent

⁵ CMHC Rental Market Report 2018

For tenants receiving government or rental assistance where program eligibility is based on taxable income, such as BC Housing's Rental Assistance Program (RAP), Shelter Aid for Elderly Renters (SAFER), Income Assistance, Disability Assistance, etc., compensation in the form of free rent in a different building is preferable.

4.2 Moving Expenses and Assistance

One of two options should be provided to displaced tenants, at the discretion of the landlord:

- (1) An insured moving company may be hired by the applicant, with all arrangements and costs covered within Greater Victoria; or
- (2) Flat rate compensation (based on unit size) provided to the tenant at the rate of:
 - \$500 for bachelor and one bedroom households
 - \$750 for two bedroom households
 - \$1,000 for three or more bedroom households

When a tenant is exercising the Right of First Refusal (Section 4.4), moving expenses should be provided for both the move out and return to the building.

Tenants may request moving compensation different than that proposed by the Landlord per item 6.0: Tenants Requiring Additional Assistance.

4.3 Relocation Assistance

Tenant Relocation Coordinator

An experienced Tenant Relocation Coordinator should be hired or appointed by property owner or landlord to assist tenants with finding alternative rental housing options. A roster of local Tenant Relocation Coordinators can be found on the City's webpage.

Once in place, the Tenant Relocation Coordinator's contact information should be posted within the building in a conspicuous location, and they should be contactable at regular and consistent hours.

Alternate Housing Options

At least three housing options should be presented to the tenant(s). The units should be:

- Comparable in terms of size, location, and rent amount (unless otherwise agreed to by tenant)
- Located in the Capital Regional District, with at least one in the same neighbourhood (unless the tenant has indicated preference for another location)
- Rent at no more than the Canadian Mortgage and Housing Corporation (CMHC) average rents for the City of Victoria, or at a rate comparable to the tenant's current rate if current rent is higher than CMHC average
- Tailored to the tenant wherever possible (e.g. pet friendly, accessible, smoke-free, etc.)

4.4 Right of First Refusal

Tenants should be offered the Right of First Refusal, which is the right for the tenant being displaced to return to the building once renovations or redevelopment is complete. Returning tenants should be offered rents at 20% below starting market rents for the new units, with the following considerations:

- If a tenant's current rent is higher than the proposed 20% below market rent level, the right of first refusal can be offered at the tenant's current rental rate
- Tenants should be offered to be moved back to the building with moving expenses covered per Section 4.2

5.0 Tenant Assistance Plan for Non-Market Rental Housing Development

The guidelines in this section are intended to be used for renovation or redevelopment in Non-Market Rental Housing developments, as defined in section 3.1 Applicable Housing Types.

5.1 Compensation

Compensation should be given to displaced tenants. Compensation may take the form of free rent, lump sum payment, or a combination of both.

Compensation is recommended to be based on length of tenancy:

- Up to 5 years: 3 months' rent
- 5 to 9 years: 4 months' rent
- 10 to 19 years: 5 months' rent
- 20+ years: 6 months' rent

In the case that compensation in the form of a lump sum payment may affect the tenants' eligibility for housing, then compensation in free rent in a different building is preferred.

These guidelines may be flexible for non-market or social housing developments, where negotiating for reduced compensation for tenants may be possible (for example when tenants are relocated in comparable accommodation within an organization's existing portfolio of affordable housing).

5.3 Moving Expenses and Assistance

Refer to Section 4.2.

5.4 Relocation Assistance

Tenant Relocation Coordinator

An experienced Tenant Relocation Coordinator should be hired or appointed by the property owner or landlord to assist tenants with finding alternative rental housing options. A roster of Tenant Relocation Coordinators can be found on the City's webpage.

Once in place, the Tenant Relocation Coordinator's contact information should be posted within the building in a conspicuous location and they should be contactable at regular and consistent hours.

Alternate Housing Options

At least three housing options should be presented to the tenant(s), where securing housing for the tenant(s) is recommended. The alternate units should be:

- Comparable in unit size and type (unless otherwise agreed by the tenant)
- Located in the Capital Regional District, with at least one in the same municipality
- For tenants paying Rent-Geared-to-Income, rents are to be no higher than what the tenant is eligible for under the current subsidy program
- For all other tenants, rents are to be no more than the higher of either 30% of household gross income or the tenant's current rent at the time of development application
- Tailored to the tenant wherever possible (e.g. pet friendly, accessible, smoke-free, etc.)

Preference should be given at the tenant's discretion to (in priority sequence):

- Phased renovations or redevelopment where tenants can be relocated in stages to other properties on the site without ending tenancies
- A unit within the non-profit's existing portfolio
- A unit within another non-profit's portfolio
- Other forms of subsidized housing (e.g. a portable rental supplement)

5.5 Right of First Refusal

Tenants should be offered the Right of First Refusal, which is the right for the tenant being displaced to return to the building once renovations or redevelopment is complete.

- Applicants should provide all residents with the right of first refusal to return to the new development at rents described in section 5.4
- Tenants offered to move back to the building should have moving expenses covered at rates described in Section 4.3
- Projects proposing new social housing, or in instances where rental units are replaced with social housing, returning tenants must meet eligibility requirements for the new social housing units and any criteria described in a Council-approved Housing Agreement

6.0 Tenants Requiring Additional Assistance

This policy is particularly targeted towards tenants requiring additional assistance, for whom the impact of displacement may be more acute. Tenants requiring additional assistance may include (but not limited to):

- Long-term tenants who may be paying significantly below market-rent, and for whom entering the current market may present financial challenges
- Tenants with specific housing needs due to a disability (physical and/or mental health issues)
- Seniors, who may be long-term tenants and living on a fixed income
- Families with young children, who may have difficulty finding appropriate units
- Newcomers (recent immigrants and refugees)
- Households with very low (<\$19,999) to low (\$20,000 - \$34,999) income

- Self-reporting of additional assistance required by tenants (disclosure to the applicant on the reason for requiring assistance is NOT required)

The City may, at its discretion, request that additional financial compensation or support be provided to tenants requiring additional assistance. Additional supports could include:

- Providing additional compensation in the form of free rent, lump sum payments or a combination of both
- Hiring a Tenant Relocation Coordinator to assist individual tenants
- Providing professional movers (costs and arrangements covered) and additional funds for moving expenses
- Working with non-profit agencies to offer alternative accommodation
- Prioritizing rent-geared-to-income tenants for relocation assistance
- Continued support for housing search options above the relocation assistance requirements
- Identifying an alternative housing option that is within 10% of the tenant's current rent, if the tenant has a low income and is paying significantly lower than CMHC average rent for the area
- Offering right of first refusal rents at 20% below starting market rents for the new units
- For tenants in subsidized housing, right of first refusal units offered at existing rents in the new building

7.0 Vacant Units

Special requirements apply where the rental building is vacant at the time of a rezoning application as a consequence of:

- A vacant possession having been a condition of property purchase; or
- A Notice to Vacate issued without proper permits and necessary approvals in place.

In these cases, the rezoning application will need to be supplemented with additional information as requested by the City, which may include on request supporting documents and legal notices delivered to the tenants, so as to afford the City the ability to confirm and verify that the process by which the building was vacated was, to the best of their knowledge, carried out in compliance with this Policy and the RTA.

8.0 Procedure for Implementation, Documentation, and Final Report

Once the Tenant Assistance Plan has been approved by City staff and Council in a rezoning application, the applicant is responsible for communicating the plan to tenants, and for implementing the plan as described in this policy.

Throughout implementation, landlords should keep good records of communication with tenants, including housing options provided and offers and acceptances of alternate housing provided, and be able to produce these records to the City on request.

A final Tenant Assistance Report should be submitted prior to the issuance of an occupancy permit. The City has developed a Final Tenant Assistance Report template that is available for applicant use. At minimum, the report should include:

- Names of tenants eligible for the Tenant Assistance Plan
- A summary of the financial compensation and assistance given to each tenant (e.g. moving costs, rent, etc.)
- Outcome of their search for accommodation
- Tenants who have exercised the right of first refusal

9.0 Freedom of Information and Protection of Privacy Act

This policy recognizes that for the Tenant Assistance Plan to operate effectively, tenants' personal information will need to be collected, used and disclosed. Therefore, every tenant assistance plan will be administered in compliance with the following privacy requirements contained in the *Freedom of Information and Protection of Privacy Act*:

- Personal information can only be collected, used and disclosed for the purposes described in this policy
- Personal information must be protected at all times from unauthorized collection, use, access and disclosure
- Tenants must be made aware that providing their personal information is voluntary and non-disclosure does not prevent them from participating in the Tenant Assistance Plan
- Tenants have the right to know how their personal information is being used
- Tenants have the right to access their personal information and to request corrections of it where applicable
- Tenants will not be asked to provide any personal information that is not necessary to assist them under the Tenant Assistance Plan
- Tenants' personal information will not be retained longer than is necessary to assist them under the Tenant Assistance Plan
- Tenant Assistance Plans should not be forwarded to anyone, City staff or otherwise, not directly involved in the completion, participation in, or evaluation of the plan.

NO. 22-067

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Official Community Plan to change the urban place designation for 11 Chown Place from Traditional Residential to Urban Residential.

Under its statutory powers, including Division 4 of the *Local Government Act*, the Council of the Corporation of the City of Victoria in an open meeting enacts the following provisions:

- 1 This Bylaw may be cited as the “OFFICIAL COMMUNITY PLAN BYLAW, 2012,
AMENDMENT BYLAW (NO. 45)”.
- 2 Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended in connection
with the land known as 11 Chown Place, legally described as PID: 005-066-999 Lot A
(DD 270373I), Section 10 and 11, Victoria District, Plan 11749, by:
 - (a) changing its urban place designation from Traditional Residential to Urban
Residential;
 - (b) repealing Map 2 of section 6 and replacing it with the Map 2 attached to this
bylaw as Schedule “A”; and
 - (c) repealing Map 19 of section 21 and replacing it with the Map 19 attached to this
bylaw as Schedule “B”.

READ A FIRST TIME the day of 2022

READ A SECOND TIME the _____ day of _____ 2022

Public hearing held on the _____ day of _____ 2022

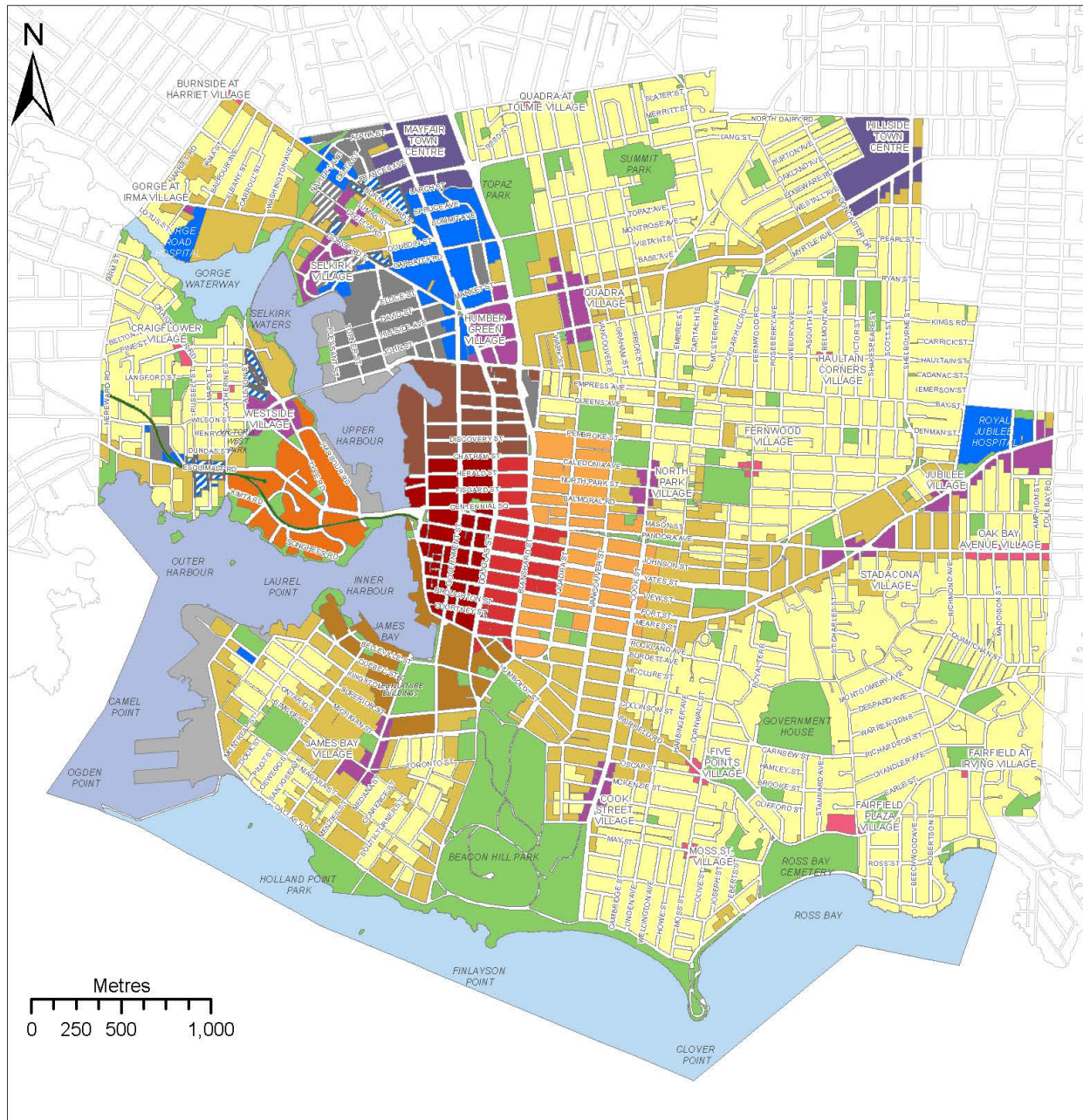
READ A THIRD TIME the _____ day of _____ 2022

ADOPTED on the _____ day of _____ 2022

CITY CLERK

MAYOR

Schedule A

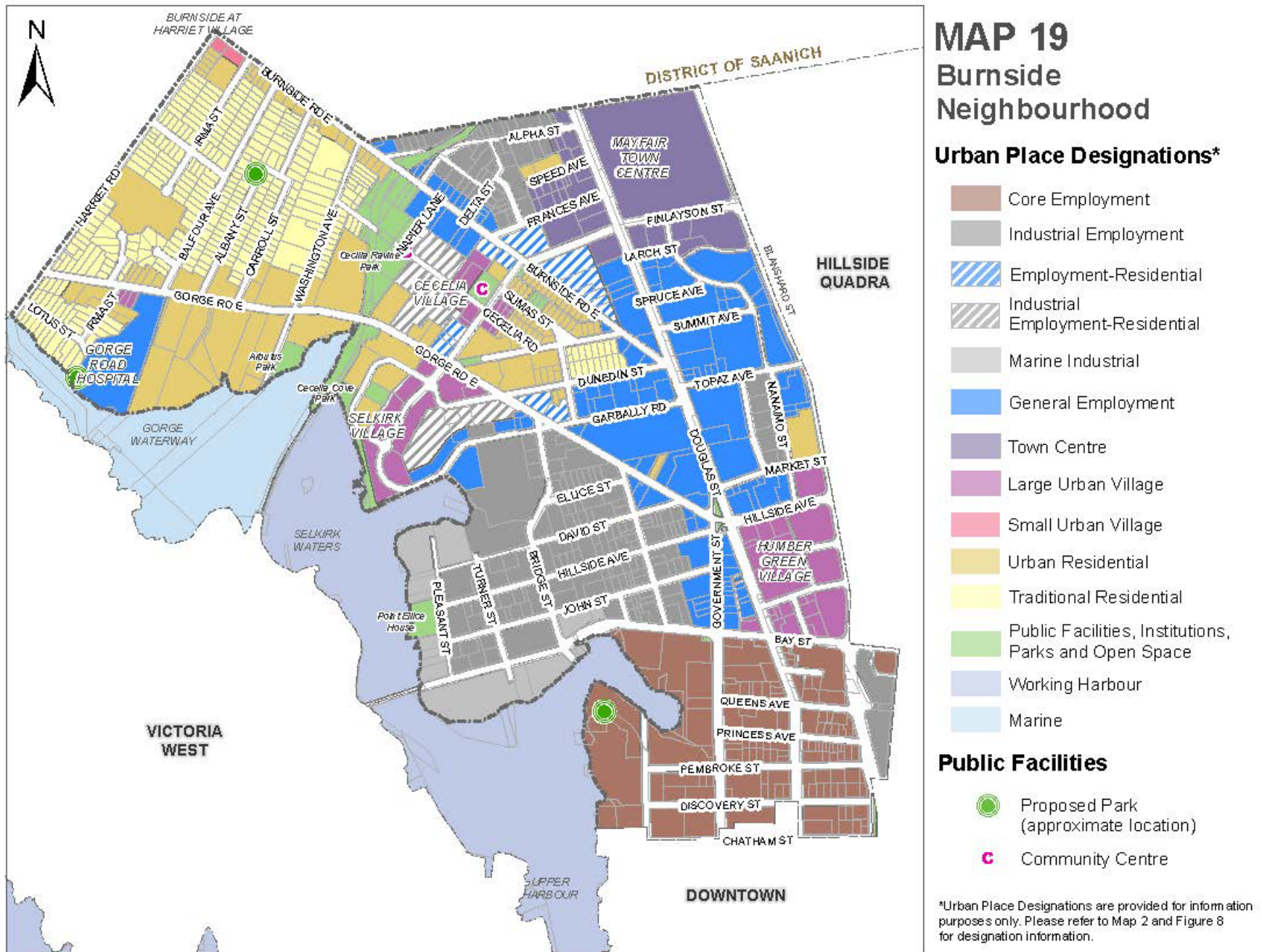


MAP 2
Urban Place
Designations

- Core Historic
- Core Business
- Core Employment
- Core Inner Harbour/Legislative
- Core Songhees
- Core Residential
- General Employment
- Employment-Residential
- Industrial Employment
- Industrial Employment-Residential
- Marine Industrial
- Town Centre
- Large Urban Village
- Small Urban Village
- Urban Residential
- Traditional Residential
- Public Facilities, Institutions, Parks and Open Space
- Rail Corridor
- Working Harbour
- Marine

Urban Place Designations extend to the centerlines of adjacent streets.

Schedule B



NO. 22-068

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the CD-8 Zone, Chown Place Comprehensive Development District, and to rezone land known as 11 Chown Place from the R3-G-SC Zone, Garden Apartment (Senior Citizen) District to the CD-8 Zone, Chown Place Comprehensive Development 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. 1281)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 12 – Comprehensive Development Zones by adding
the following words:

“12.8 CD-8, Chown Place Comprehensive Development District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 12.7 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 11 Chown Place, legally described as PID: 005-066-999 Lot A (DD 2703731), Section 10 and 11, Victoria District, Plan 11749 and shown hatched on the attached map, is removed from the R3-G-SC Zone, Garden Apartment (Senior Citizen) District, and placed in the CD-8 Zone, Chown Place Comprehensive Development District.
- 5 The Zoning Regulation Bylaw is further amended by adding to the Schedule N – Residential Rental Tenure Property, the land described in section 4.

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 12.8 – CD-8 ZONE, CHOWN PLACE COMPREHENSIVE DEVELOPMENT DISTRICT

12.8.1 Regulations in the CD-8 Zone

The following regulations and Part 12.8.2 and 12.8.3 apply to the entire CD-8 Zone:

- a. This Zone is divided into Development Areas 1, 2, 3, 4, 5, 6 and 7, as shown on the map attached as Appendix 1.
- b. Notwithstanding Section 14(3) of the General Regulations, the regulations in this Zone apply to panhandle lots.
- c. Notwithstanding Section 19 of the General Regulations:
 - i. more than one building is permitted on a lot subject to the regulations in this Zone; and
 - ii. a building may be located partly on one lot and partly on another.
- d. Notwithstanding Section 27 of the General Regulations, setbacks for irregular lots and panhandle lots shall be interpreted from the north, south, east and west boundaries of each Development Area.
- e. Vehicle parking for a building located within one Development Area may be located in a different Development Area within this Zone.
- f. Shared drive aisles between Development Areas are permitted.
- g. Vehicle and bicycle parking subject to the regulations in Schedule C – Off-street Parking, except as otherwise provided for in Part 12.8.10.

12.8.2 Community Amenities

As a condition of additional density pursuant to Part 12.8.3, the following community amenities must be provided:

- a. all dwelling units must be secured through a legal agreement as affordable or below-market rental for 60 years, or the life of the building, whichever is greater
- b. all dwelling units must be secured through a legal agreement as owned by a non-profit or government agency in perpetuity.
- c. the protection, preservation, restoration and maintenance of an existing Garry Oak meadow with a site area of approximately 1823m².
- d. construction and maintenance of and public access to east-west and north-south pedestrian pathways through the site linking Balfour Road and Harriet Road and Irma Street north and south.

12.8.3 Floor Space Ratio

- | | |
|--|-------|
| a. Floor space ratio for all Development Areas combined (maximum) | 0.5:1 |
| b. <u>Floor space ratio</u> for all Development Areas combined, where the amenities have been provided pursuant to Part 12.8.2 (maximum) | 1:1 |

PART 12.8 – CD-8 ZONE, CHOWN PLACE COMPREHENSIVE DEVELOPMENT DISTRICT

12.8.4 Development Area 1 (DA-1)

The regulations in Part 12.8.5 to 12.8.10 apply to Development Area 1 (DA-1) only.

12.8.5 Uses (DA-1)

The following use is the only use permitted in this Development Area:

- a. Multiple dwelling

12.8.6 Lot Area (DA-1)

- a. Lot area (minimum) 3680m²

12.8.7 Height (DA-1)

- a. Principal building height (maximum) 12.6m

12.8.8 Setbacks (DA-1)

- a. North (minimum) 14.5m
- b. South (minimum) 3m
- c. East (minimum) 12.5m
- d. West (minimum) 9.5m

12.8.9 Site Coverage, Open Site Space (DA-1)

- a. Site coverage (maximum) 28%
- b. Open site space (minimum) 35%

12.8.10 Vehicle Parking (DA-1)

- a. Multiple dwelling 0.35 spaces per dwelling unit

12.8.11 Development Area 2 (DA-2)

The regulations in Part 12.8.12 to 12.8.16 apply to Development Area 2 (DA-2) only.

PART 12.8 – CD-8 ZONE, CHOWN PLACE COMPREHENSIVE DEVELOPMENT DISTRICT

12.8.12 Uses (DA-2)

The following use is the only use permitted in this Development Area:

- a. Multiple dwelling

12.8.13 Lot Area (DA-2)

- a. Lot area (minimum) 2330m²

12.8.14 Height (DA-2)

- a. Principal building height (maximum) 20.5m

12.8.15 Setbacks (DA-2)

- a. North (minimum) 3m
- b. South (minimum) 9m
- c. East (minimum) 2m
- d. Setback from the street (west) (minimum) 6.5m

12.8.16 Site Coverage, Open Site Space (DA-2)

- a. Site Coverage (maximum) 38%
- b. Open Site Space (minimum) 49%

12.8.17 Development Area 3 (DA-3)

The regulations in Part 12.8.18 to 12.8.22 apply to Development Area 3 (DA-3) only.

12.8.18 Uses (DA-3)

The following use is the only use permitted in this Development Area:

- a. Multiple Dwelling

12.8.19 Lot Area (DA-3)

- a. Lot area (minimum) 2245m²

PART 12.8 – CD-8 ZONE, CHOWN PLACE COMPREHENSIVE DEVELOPMENT DISTRICT

12.8.20 Height (DA-3)

- | | |
|---|-------|
| a. Principal <u>building height</u> (maximum) | 20.5m |
|---|-------|

12.8.21 Setbacks (DA-3)

- | | |
|---|------|
| a. North (minimum) | 7.5m |
| b. South (minimum) | 4.5m |
| c. East (minimum) | 1.5m |
| d. Setback from the street (west) (minimum) | 6.5m |

12.8.22 Site Coverage, Open Site Space (DA-3)

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 39% |
| b. <u>Open Site Space</u> (minimum) | 56% |

12.8.23 Development Area 4 (DA-4)

The regulations in Part 12.8.24 to 12.8.28 apply to Development Area 4 (DA-4) only.

12.8.24 Uses (DA-4)

The following uses are the only uses permitted in this Development Area:

- a. Multiple dwelling
- b. Attached dwelling

12.8.25 Lot Area (DA-4)

- | | |
|------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 2270m ² |
|------------------------------|--------------------|

12.8.26 Height (DA-4)

- | | |
|---|----|
| a. Principal <u>building height</u> (maximum) | 9m |
|---|----|

PART 12.8 – CD-8 ZONE, CHOWN PLACE COMPREHENSIVE DEVELOPMENT DISTRICT

12.8.27 Setbacks (DA-4)

- | | |
|---|------|
| a. North (minimum) | 7.5m |
| Except for the following maximum projection into the <u>setback</u> : | |
| i. Deck | 3.5m |
| b. South (minimum) | 6.5m |
| c. East (minimum) | 13m |
| d. West (minimum) | 8.5m |
| e. Setback closest to the street (minimum) | 5.5m |

12.8.28 Site Coverage, Open Site Space (DA-4)

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 23% |
| b. <u>Open Site Space</u> (minimum) | 48% |

12.8.29 Development Area 5 (DA-5)

The regulations in Part 12.8.30 to 12.8.34 apply to Development Area 5 (DA-5) only.

12.8.30 Uses (DA-5)

The following use is the only use permitted in this Development Area:

- a. Multiple dwelling

12.8.31 Lot Area (DA-5)

- | | |
|------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 3335m ² |
|------------------------------|--------------------|

12.8.32 Height (DA-5)

- | | |
|---|-----|
| a. Principal <u>building height</u> (maximum) | 14m |
|---|-----|

PART 12.8 – CD-8 ZONE, CHOWN PLACE COMPREHENSIVE DEVELOPMENT DISTRICT

12.8.33 Setbacks (DA-5)

- | | |
|--|-------|
| a. North (minimum) | 9.5m |
| b. South (minimum) | 8.5m |
| c. East (minimum) | 12.5m |
| d. West (minimum) | 14m |
| e. Setback closest to a street (minimum) | 12m |

12.8.34 Site Coverage, Open Site Space (DA-5)

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 27% |
| b. <u>Open site space</u> (minimum) | 61% |

12.8.35 Development Area 6 (DA-6)

The regulations in Part 12.8.36 to 12.8.40 apply to Development Area 6 (DA-6) only.

12.8.36 Uses (DA-6)

The following use is the only use permitted in this Development Area:

- a. Multiple dwelling

12.8.37 Lot Area (DA-6)

- | | |
|------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 3500m ² |
|------------------------------|--------------------|

12.8.38 Height (DA-6)

- | | |
|---|-----|
| a. Principal <u>building height</u> (maximum) | 14m |
|---|-----|

12.8.39 Setbacks (DA-6)

- | | |
|--------------------|-------|
| a. North (minimum) | 3m |
| b. South (minimum) | 8m |
| c. East (minimum) | 16.5m |
| d. West (minimum) | 9.5m |

PART 12.8 – CD-8 ZONE, CHOWN PLACE COMPREHENSIVE DEVELOPMENT DISTRICT

12.8.40 Site Coverage, Open Site Space (DA-6)

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 26% |
| b. <u>Open site space</u> (minimum) | 74% |

12.8.41 Development Area 7 (DA-7)

The regulations in Part 12.8.42 to 12.8.46 apply to Development Area 7 (DA-7) only.

12.8.42 Uses (DA-7)

The following uses are the only uses permitted in this Development Area:

- a. Attached dwelling
- b. Public building

12.8.43 Lot Area (DA-7)

- | | |
|------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 4998m ² |
|------------------------------|--------------------|

12.8.44 Height (DA-7)

- | | |
|---|----|
| a. Principal <u>building height</u> (maximum) | 9m |
|---|----|

12.8.45 Setbacks (DA-7)

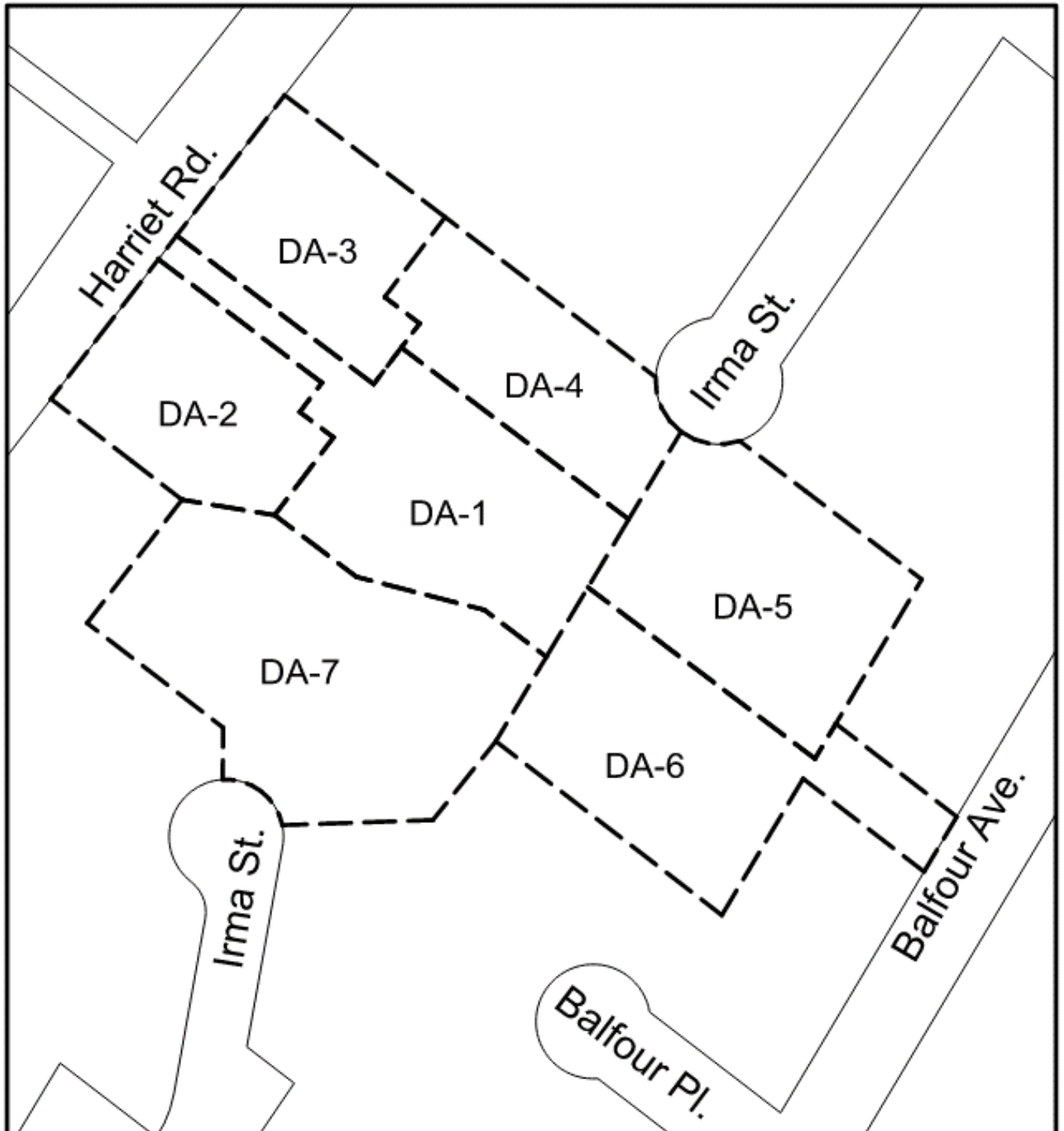
- | | |
|--------------------|------|
| a. North (minimum) | 2m |
| b. South (minimum) | 9m |
| c. East (minimum) | 5.5m |
| d. West (minimum) | 7.5m |

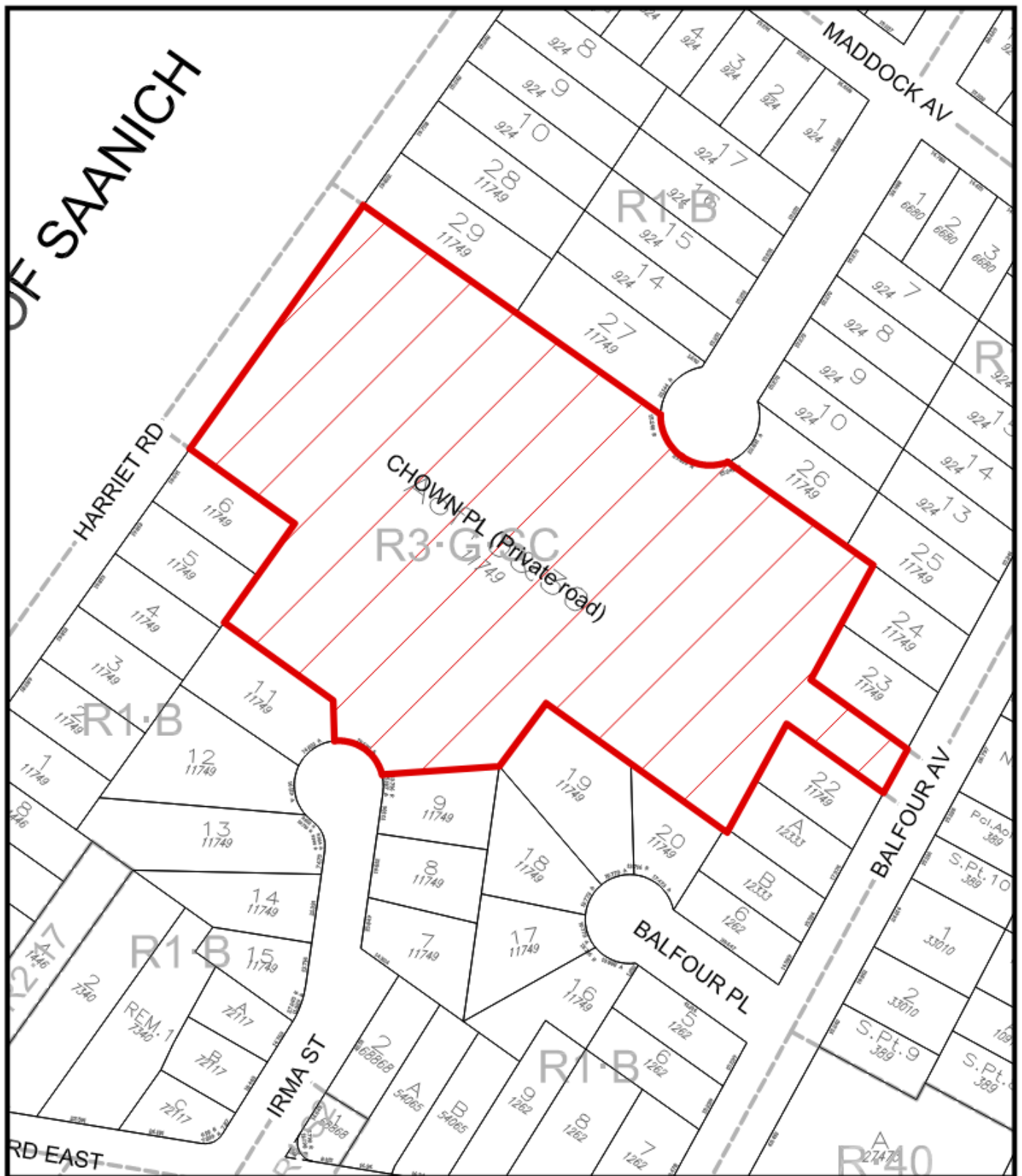
12.8.46 Site Coverage, Open Site Space (DA-7)

- | | |
|-------------------------------------|-----|
| a. <u>Site coverage</u> (maximum) | 17% |
| b. <u>Open site space</u> (minimum) | 83% |

[NOTE: Property located in this zone is subject to residential rental tenure – see Section 45 of the General Regulations and Schedule N.]

Appendix 1





11 Chown Place
Rezoning No.00797

