

G.3 Bylaws for 822 Catherine Street: Rezoning Application No. 00782 and Development Permit with Variances Application No. 00173

Councillor Thornton-Joe withdrew from the meeting at 2:38 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 Potts
Seconded By Councillor Isitt

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

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1283) No. 22-070

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, and Councillor Potts

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

Moved By Councillor Loveday
Seconded By Councillor Isitt

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

1. Housing agreement (822 Catherine Street) Bylaw (2022) No. 22-071

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 7, 2022

To: Council **Date:** June 30, 2022

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

Subject: **Update Report for Rezoning Application No. 00782 and Development Permit with Variances Application No. 00173 for 822 Catherine Street**

RECOMMENDATION

That Council give first and second reading to Zoning Regulation Bylaw Amendment (Bylaw No. 22-070) and that Council give first, second, and third reading to Bylaw No. 22-071 to authorize a Housing Agreement to secure the building as rental in perpetuity, secure a minimum of two one-bedrooms and one studio unit as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy and secure the proposed Tenant Assistance Plan.

EXECUTIVE SUMMARY

Secured Rental and Affordable Housing

As instructed by Council, a Housing Agreement has been executed that would:

- secure the building as rental in perpetuity
- secure a minimum of two one-bedrooms and one studio unit as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy
- secure the proposed Tenant Assistance Plan, including Right of First Refusal in the new development for eligible tenants at 20% below market rate.

The Housing Agreement will be registered on title following the adoption of Bylaw No. 22-071 to authorize the Housing Agreement if it is approved by Council.

BACKGROUND

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:

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00782 for 822 Catherine Street, that first and second reading of the Zoning Regulation

Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- 1. Submission of revised plans to:
 - a. Clarify that only the Langford Street boulevard and one new tree on Catherine Street are irrigated from a City water source.**
- 2. Preparation of legal agreements executed by the applicant 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:
 - a. Secure the building as rental in perpetuity.*
 - b. Secure two one-bedroom units and one studio unit as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy, to the satisfaction of the Director of Sustainable Planning and Community Development.*
 - c. Secure the proposed Tenant Assistance Plan, including Right of First Refusal in the new development for eligible tenants at 20% below market.**
- 3. Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor:
 - a. Secure the purchase of one car share vehicle, one on-site parking stall for the car share vehicle and public access to the parking stall, car share memberships for each of the dwelling units, a minimum of 40 long-term bicycle stalls including three cargo bicycle stalls, 50% of which will be equipped with 110V outlets, a bicycle repair station and enrolment in the BC Transit EcoPass Program for a minimum of three years for the two commercial units and 21 of the residential units.*
 - b. Secure the construction of an east-west pedestrian crossing of Catherine Street at Langford Street.*
 - c. Secure the installation of an on-street electric vehicle charger capable of charging two vehicles.*
 - d. Secure a Statutory Right-of-Way of 0.84m on Bella Street.**
- 4. Determination from the project engineer of the extent of the excavation which will be required for the underground parking structure and sidewalk along the shared property lines with the west neighbours and for the Project Arborist to undertake exploratory excavation work to determine the impacts to the bylaw protected Leyland Cypress hedge and make recommendations on how to protect and retain them in good health through the project, to the satisfaction of the Director of Parks, Recreation and Facilities.*

Development Permit with Variances Application

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00782, if it is approved, consider the following motion:

1. *That Council authorize the issuance of Development Permit with Variances Application No. 00173 for 822 Catherine Street, in accordance with:*
 - a. *Plans date stamped February 14, 2022.*
 - b. *Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:*
 - i. *reduce the front yard setback from 3.0m to 1.5m on the first storey and 6.0m to 0m on the upper storeys*
 - ii. *reduce the rear yard setback from 6.0m to 2.3m*
 - iii. *increase the height from 3 storeys to 3.5 storeys*
 - iv. *reduce the residential vehicle parking from 30 stalls to 10 stalls*
 - v. *reduce the commercial vehicle parking from 6 stalls to 0 stalls.*
2. *That the Development Permit, if issued, lapses in two years from the date of this resolution.*

Revised Plans

The applicant has submitted revised plans to clarify only the Langford Street boulevard and one new tree on Catherine Street are irrigated from a City water source. The Development Permit with Variances motion therefore remains unchanged.

Public Realm

Legal agreements have been executed to secure the construction of an east-west pedestrian crossing on Catherine Street at Langford Street as well as a Statutory Right-of-Way of 0.84m on Bella Street.

Transportation Demand Management

The Covenant has been executed which would secure the following:

- the purchase of one car share vehicle
- one on-site parking stall for the car share vehicle and public access to the parking stall
- car share memberships for each of the dwelling units
- a minimum of 40 long-term bicycle stalls including three cargo bicycle stalls, 50% of which will be equipped with 110V outlets
- a bicycle repair station
- enrolment in the BC Transit EcoPass Program for a minimum of three years for the two commercial units and 21 of the residential units.

A provision has been added to the Covenant, to which staff are amenable, to allow the car share vehicle to be parked on the public street, so long as an EV charging station is installed at the applicant's expense and the secured on-site parking stall is available for the car share vehicle should the City require the on-street space.

CONCLUSIONS

The applicant has fulfilled the conditions from the Council motion on May 12, 2022. The recommendation provided for Council's consideration contains the appropriate language to advance this application to a Public Hearing.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Committee of the Whole Report dated April 14, 2022
- Attachment B: Minutes from Committee of the Whole Meeting dated April 28, 2022
- Attachment C: Bylaw No. 22-070
- Attachment D: Bylaw No. 22-071.



Committee of the Whole Report

For the Meeting of April 28, 2022

To: Committee of the Whole **Date:** April 14, 2022

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

Subject: Rezoning Application No. 00782 and Associated Official Community Plan Amendment and Development Permit with Variances Application No. 00173 for 822 Catherine Street

RECOMMENDATION

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00782 for 822 Catherine Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Submission of revised plans to:
 - a. Clarify that only the Langford Street boulevard and one new tree on Catherine Street are irrigated from a City water source.
2. Preparation of legal agreements executed by the applicant 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:
 - a. Secure the building as rental in perpetuity.
 - b. Secure two one-bedroom units and one studio unit as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Secure the proposed Tenant Assistance Plan, including Right of First Refusal in the new development for eligible tenants at 20% below market.
3. Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor:
 - a. Secure the purchase of one car share vehicle, one on-site parking stall for the car share vehicle and public access to the parking stall, car share memberships for each of the dwelling units, a minimum of 40 long-term bicycle stalls including three cargo

bicycle stalls, 50% of which will be equipped with 110V outlets, a bicycle repair station and enrolment in the BC Transit EcoPass Program for a minimum of three years for the two commercial units and 21 of the residential units.

- b. Secure the construction of an east-west pedestrian crossing of Catherine Street at Langford Street.
 - c. Secure the installation of an on-street electric vehicle charger capable of charging two vehicles.
 - d. Secure a Statutory Right-of-Way of 0.84m on Bella Street.
4. Determination from the project engineer of the extent of the excavation which will be required for the underground parking structure and sidewalk along the shared property lines with the west neighbours and for the Project Arborist to undertake exploratory excavation work to determine the impacts to the bylaw protected Leyland Cypress hedge and make recommendations on how to protect and retain them in good health through the project, to the satisfaction of the Director of Parks, Recreation and Facilities.

Development Permit with Variances Application

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00782, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00173 for 822 Catherine Street, in accordance with:
 - a. Plans date stamped February 14, 2022.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the front yard setback from 3.0m to 1.5m on the first storey and 6.0 to 0m on the upper storeys
 - ii. reduce the rear yard setback from 6.0m to 2.3m
 - iii. increase the height from 3 storeys to 3.5 storeys
 - iv. reduce the residential vehicle parking from 30 stalls to 10 stalls
 - v. reduce the commercial vehicle parking from 6 stalls to 0 stalls.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application and a concurrent Development Permit with Variances application. Relevant rezoning considerations include the proposal to increase the density and add new commercial uses while the relevant development permit with variances considerations relate to the application's consistency with design guidelines and the impact of the variances.

Enabling Legislation

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

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

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

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

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application and Development Permit with Variances Application for the property located at 822 Catherine Street. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District to a new zone in order to construct a three-and-a-half storey mixed-use building with two commercial units and approximately 31 residential rental units. There is a concurrent Development Permit with Variances Application pertaining to the proposed form, exterior design, finishes and landscaping and variances related to setbacks, height and parking.

The following points were considered in assessing the Rezoning Application:

- The proposal exceeds the envisioned densities within the *Official Community Plan* (OCP, 2012) and *Victoria West Neighbourhood Plan* Urban Place Designation of Traditional Residential, but on balance is consistent with the OCP as it meets further objectives regarding rental housing, unit typologies, transportation and mobility, economic development and urban design.
- The rezoning application to increase the density from 0.5 FSR to 1.81 FSR and increase the height from two storeys to three-and-one-half storeys is generally consistent with the Traditional Residential designation, which envisions buildings up to approximately three storeys and commercial mixed-use buildings in this area of Victoria West.
- The proposal is generally consistent with the Traditional Residential designation in the *Victoria West Neighbourhood Plan*, which envisions buildings up to approximately three storeys and commercial mixed-use buildings.
- The proposal is consistent with the *Tenant Assistance Policy*.

The following points were considered in assessing the Development Permit with Variances:

- The proposal is consistent with the applicable design guidelines as it creates a unique new landmark for both the Catherine Street at Edward Street Small Urban Village and the Victoria West neighbourhood, reduces in height as it transitions to the lower density neighbourhood to the west, and features extensive glazing on the ground floor with patios and entrances that would strengthen the commercial viability of the village.
- The proposal is consistent with the design guidelines for the Catherine Street at Edward

Street Small Urban Village within the *Victoria West Neighbourhood Plan*, which envisions commercial ground floor uses with storefront-type facades at or near the edge of the sidewalk, residential uses on the upper floors and buildings that transition to neighbouring lower-scale development.

- The variance to reduce the front yard setback from 3.0m to 1.5m on the first storey and 6.0 to 0m on the upper storeys is considered supportable as the minimal setback and overhang over the first storey creates an active and intimate relationship with the street while the upper storeys provide a form of weather protection.
- The variance to reduce the rear yard setback from 6.0m to 2.3m would be mitigated by perforated aluminum shingle that would screen the windows on the rear façade while still allowing light to permeate into the units. A six-foot fence along the western property line that is in addition to the existing cedar hedge on the neighbouring lots helps to mitigate potential privacy and overlook concerns on the lower levels.
- The variance to increase the height from three storeys to three and a half storeys is considered supportable as the building has been designed to mitigate the extra height through variation in the façade, a unique roofline and a reduction to three storeys at its western edge as it transitions to lower scale houses.
- The variance to reduce the residential vehicle parking from 30 stalls to 10 stalls and the commercial parking from six stalls to zero stalls is supportable due to the comprehensive Transportation Demand Management program. The applicant is also proposing that the residential visitor parking stalls will be shared with commercial vehicle parking given the different peak parking demands.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R-2 Zone, Two Family Dwelling District, to a new site-specific zone in order to increase the density to 1.81 FSR and add commercial uses on the ground floor.

The following differences from the standard CR-3 Zone, Commercial Residential Apartment District are being proposed and would be accommodated in a new site-specific zone:

- increase the density from 1.0 FSR to 1.81 FSR
- increase the height from 10.7m to 16m.

The associated Development Permit with Variances is for a three-and-one-half storey mixed-use building with approximately 31 residential units and two commercial units. Specific details include:

- a three and a half storey building with a sloped mansard roof
- private amenity space in the form of a central courtyard on the ground level and two rooftop patios stepped back from the western property line
- underground parking accessed off Langford Street.

Exterior materials include:

- aluminum shingle and aluminum panel on the main exterior building façade
- concrete at the base of the building
- hardie panel cladding on the interior building façade facing the courtyard.

Landscaping elements include:

- interior courtyard, featuring benches and planter boxes with paperbark maple trees
- ground-level patios with permeable pavers for the two commercial units
- benches and new plantings along Catherine Street.

The proposed variances are related to:

- reduce the front yard setback from 3.0m to 1.5m on the first storey and 6.0m to 0m on the upper storeys
- reduce the rear yard setback from 6.0m to 2.3m
- increase the height from three storeys to three and a half storeys
- reduce the residential vehicle parking from 30 stalls to 10 stalls
- reduce the commercial vehicle parking from six stalls to zero stalls.

Land Use Context

The area is characterized by residential uses, including single-family dwellings and multi-unit residential. Directly to the south is a grocery store, and industrial lands are located further east.



Existing Site Development and Development Potential

The site is presently used as a house conversion for a multi-unit residential rental building. Under the current R-2 Zone, Two Family Dwelling District, the property could be developed as a duplex.

Data Table

The following data table compares the proposal with the CR-3 Zone, which is a standard commercial-residential zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing zone. The relevant policy for Traditional Residential is included where applicable.

Zoning Criteria	Proposal	Zone Standard CR-3 Zone	OCP and Victoria West Neighbourhood Plan Policy
Site area (m ²) – minimum	1002.9	N/A	
Density (Floor Space Ratio) – maximum	1.81*	1.0	~1.5
Total floor area (m ²) – maximum	1809.97*	1002.9	
Height (m) – maximum	15.95*	10.7	
Storeys – maximum	3.5*	3	~3
Site coverage (%) – maximum	72.9	N/A	
Open site space (%) – minimum	27.1	N/A	
Setbacks (m) – minimum			
Front (Catherine Street)	1.5 (first storey)* 0 (upper storeys)*	3 (first storey) 6 (upper storeys)	
Rear (west)	2.3*	6	
Flanking street (Langford Street)	3.11	2.4	
Flanking street (Bella Street)	3.9	2.4	
Parking – minimum			
Residential	10*	30	
Commercial	0*	6	
Visitor	3	3	

Zoning Criteria	Proposal	Zone Standard CR-3 Zone	OCP and Victoria West Neighbourhood Plan Policy
Bicycle parking stalls – minimum			
Short Term	11	7	
Long Term	40	35	

Active Transportation

The application proposes the following features which support active transportation:

- 40 long term bicycle stalls, including three cargo bicycle stalls
- 50% of the long-term bicycle stalls will be equipped with 110V outlets for electric bicycle charging
- eleven short term bicycle stalls located near the main entrances
- a bicycle repair station located in the underground parkade.

Public Realm

Staff are recommending the construction of an east-west pedestrian crossing of Catherine Street at Langford Street be secured prior to a public hearing, which will help improve the pedestrian infrastructure in the Small Urban Village and to/from Victoria West Elementary School.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission, the application was posted on the Development Tracker along with an invitation to complete a comment form on March 26, 2021. Mailed notification was also sent to owners and occupiers of properties within 200m of the subject property advising that a consultation process was taking place and that information could be obtained and feedback provided through the Development Tracker. A sign was also posted on site, to notify those passing by of this consultative phase. Additionally, the applicant participated in an online meeting with the CALUC on April 13, 2021. A second online meeting was held with the CALUC and community on September 29, 2021, after submission of the application to the City, but was completed outside of the City's processes. The comment forms are attached to this report; however, a letter from the CALUC has not been received at the time of writing this report.

In response to the consultation, the applicant has revised the materials to a lighter colour and more textured cladding, added planter boxes to the windowsills, added trees in the courtyard, converted some residential vehicle parking stalls to visitor stalls, increased the long-term bicycle parking, added two cargo bicycle stalls and increased the short term bicycle parking.

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

ANALYSIS

Rezoning Application

Official Community Plan

The property is currently designated as Traditional Residential within the OCP, which envisions building forms that include commercial mixed-use buildings, heights up to approximately three storeys and densities of 1.5 Floor Space Ratio (FSR) in this area of Victoria West. The proposal would increase the density to 1.81 FSR and the height to three and a half storeys, both of which exceed the envisioned densities in the OCP. However, staff believe that on balance the application is consistent with the OCP as the proposal advances a number of other City objectives and an OCP amendment is not required.

For instance, the proposal would not only triple the number of rental units on the property but also secure the units as rental in perpetuity, which advances goals and objectives in Section 13: Housing and Homelessness. The extensive Transportation Demand Management program would encourage residents to utilize alternate modes of transportation, and the provision of a car share vehicle would benefit the broader community in a similar fashion, which achieves some of the goals and objectives in Section 7: Transportation and Mobility. The proposal would also add a pedestrian crosswalk at Langford Street crossing Catherine Street, which again advances goals expressed in Section 7 of the OCP.

In addition, the Catherine Street Small Urban Village currently consists of only two groups of properties, one of which is being redeveloped by BC Housing as a fully residential rental building with no commercial use. Adding commercial uses to the property located at 822 Catherine Street would improve the commercial viability of the village and advance goals and objectives found within Section 14: Economy. Finally, the proposed building would create a positive street relationship at ground level and as a whole would be a landmark building, which advances goals and objections within Section 8: Placemaking – Urban Design and Heritage.

Victoria West Neighbourhood Plan

The proposal is generally consistent with the *Victoria West Neighbourhood Plan*, which identifies the property within the Traditional Residential designation, Catherine at Edward and Craigflower Village Adjacent Sub-Area. Within this designation, small apartment buildings up to approximately three storeys and 1.5 FSR are envisioned. In addition, commercial mixed-use is also envisioned along Catherine Street.

Inclusionary Housing and Community Amenity Contribution Policy

The proposal is for a purpose-built rental project, which will be secured in perpetuity through a legal agreement. Therefore, the proposal is exempt from the *Inclusionary Housing and Community Amenity Policy* and no amenity contributions are required. However, the applicant is also proposing to secure two one-bedroom units and one studio unit as affordable, for a minimum of ten years and allocated to median income households (or lower) as defined in the *Victoria Housing Strategy*.

Housing

The application proposes 31 units of housing and, if approved, would add approximately 22 net new residential rental units, which would increase the overall supply of housing in the area and contribute to the targets set out in the *Victoria Housing Strategy*.

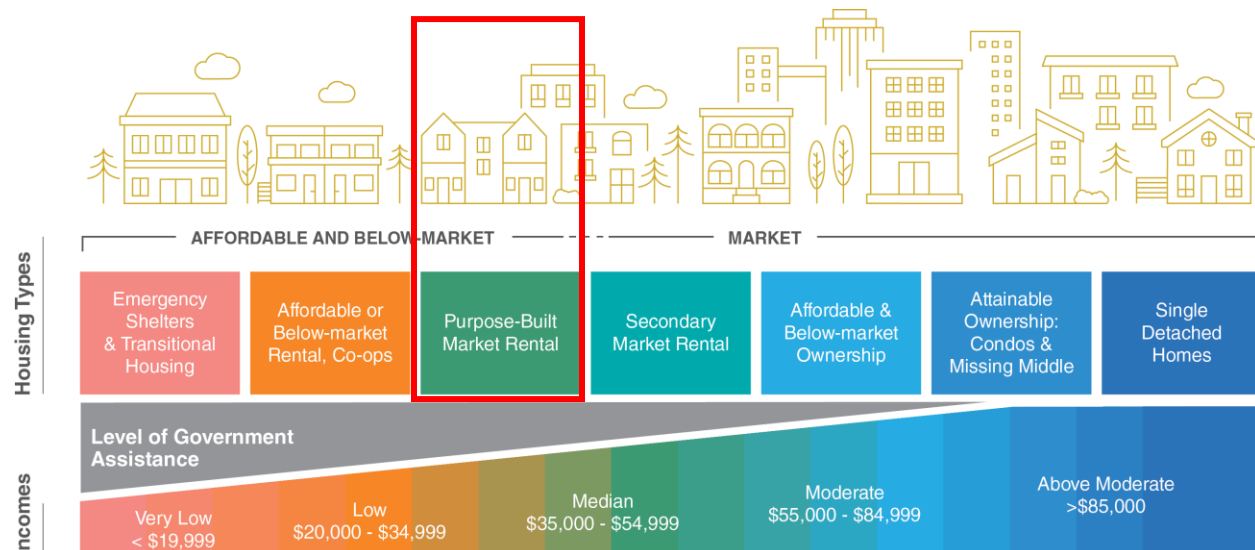


Figure 1. Housing Continuum

Affordability Targets

The proposal consists of 31 residential rental units at market rates. Within these units, two one-bedrooms and one studio will be affordable, for a minimum of ten years and allocated to median income households (or lower) as defined in the *Victoria Housing Strategy*.

Housing Mix

At present, there is no policy that provides targets regarding housing mix and unit type is not regulated or secured. However, the OCP identifies a mix of units as an objective and identifies the need for a diverse range of housing units including family housing. As submitted, this application proposes four studio, 12 one-bedroom and 15 two-bedroom units.

Security of Tenure

A Housing Agreement is being proposed which would secure the building as rental in perpetuity and the applicant is willing to have the property added to *Schedule N – Residential Rental Tenure*.

Existing Tenants

The proposal is to redevelop an existing building which would result in a loss of nine existing residential rental units. Consistent with the *Tenant Assistance Policy*, the applicant has provided a Tenant Assistance Plan which exceeds policy expectations and is attached to this report. In summary, all eligible tenants will be offered financial compensation above the amounts listed in the Policy for both rent and moving expenses. A Tenant Relocation Coordinator has been hired and all tenants have been informed about the process and their rights. Many tenants are currently

paying below-market rents and will be receiving additional assistance applying for non-market housing and related programs. All eligible tenants have also been offered Right of First Refusal at 20% below market in the new development. The relevant portions of the Tenant Assistance Plan would be secured through a Housing Agreement as per the recommended motion.

Statutory Right-of-Way

The applicant is amenable to providing a 0.84m Statutory Right-of-Way (SRW) along Bella Street. Bella Street will remain shared use, with the existing private lane and parking access removed and a new driveway crossing installed at the intersection of Bella Street and Catherine Street. Further street improvements along Bella Street will be evaluated when adjacent properties on the south side of Bella Street, which currently encroach into the public right of way, are redeveloped.

Development Permit with Variances Application

Official Community Plan: Design Guidelines

The subject site is designated Small Urban Village and would fall under DPA 6A: Small Urban Villages in the OCP. This DPA envisions low-rise mixed-use buildings with commercial and community services that reinforce the sidewalk, one to three storey building facades and variable landscaping, boulevard and street tree planting.

The applicable design guidelines within DPA 6A are the *Design Guidelines for: Multi-Unit Residential, Commercial and Industrial* (2012), revised 2019, *Revitalization Guidelines for Corridors, Villages and Town Centres* (2017), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010). The proposal complies with the guidelines as follows:

- the proposal would create a unique new landmark for both the Catherine Street at Edward Street Small Urban Village and the Victoria West neighbourhood
- the proposed building utilizes an interesting roofline and reduces its height as it transitions to the lower density neighbourhood to the west
- the new commercial units feature extensive glazing, are set close to the sidewalk, animate the street through patios and active entrances, and overall would strengthen the commercial viability of the village
- the pedestrian amenities would enhance the pedestrian and cycling experience in the area
- on-site parking is located underground.

Variances

Although a site-specific zone is sought, some variances are recommended (instead of inclusion in the new zone) for areas where the proposal is not consistent with the standard CR-3 Zone, Commercial Residential Apartment District, and the Off-Street Parking Regulations (Schedule C) of the *Zoning Regulation Bylaw*. This ensures that if this proposal is not built, any potential future redevelopment would require Council's consideration and approval for these specific aspects. The following sections discuss the proposed variances.

Setbacks

The proposal requires a variance to reduce the front yard setback from 3.0m to 1.5m on the first storey and 6.0m to 0m on the upper storeys. Generally, the intention is to step back buildings at the upper storeys. In this instance, the proposal creates an overhang over the first storey. This

allows the first storey to have an active and intimate relationship with the street while the upper storeys provide a form of weather protection. At three and a half storeys, the building is still relatively small, so it should not create an overbearing appearance.

A variance is requested to reduce the rear yard setback from 6.0m to 2.3m. To mitigate overlook concerns the applicant is proposing a perforated aluminum shingle on the windows of the rear façade that would provide screening while still allowing light to permeate into the units. A six-foot fence is proposed along the western property line that is in addition to the existing cedar hedge on the neighbouring lots which will help reduce potential concerns related to privacy.

Height

A variance is required to increase the height from three storeys to three and a half storeys. On Catherine Street the building is four storeys and reduces to three storeys at the rear. The extra height above the third storey is defined as a half storey in the *Zoning Regulation Bylaw* as it occupies less than 70% of the first storey area of the building. Although the policy generally recommends heights up to approximately three storeys, the building has been designed with variation in the façade and with a unique roofline to mitigate this extra height. In addition, the building reduces to three storeys at its western edge as it transitions to the lower density houses to the west.

Parking

A variance is requested to reduce the number of residential parking space from 30 stalls to 10 stalls and the commercial stalls from six stalls to zero. The applicant proposes that the residential visitor stalls would be shared with the commercial uses given the offset peak parking demands. The applicant has proposed the following substantial Transportation Demand Management program to mitigate the large shortfall in residential stalls:

- the purchase of one car share vehicle
- one on-site parking stall for the car share vehicle and public access to the parking stall
- car share memberships for each of the dwelling units
- a minimum of 40 long-term bicycle stalls including three cargo bicycle stalls and 20% of which will be equipped with 110V outlets
- a bicycle repair station for residents
- enrolment in the BC Transit EcoPass Program for a minimum of three years for the two commercial units and residential units without a vehicle parking stall (21 in total).

In addition, the property is located in a walkable area with frequent transit (the #14 bus) located nearby.

Accessibility

The applicant has identified the following accessibility features:

- residential lobby has been set to align with the public sidewalk elevations along Catherine Street
- elevator provides access to all floors including semi-private courtyard and roof top decks
- units have been designed to allow for accessible visitors as much as possible
- both commercial units have accessible entries off Catherine Street
- each commercial unit has an accessible patio.

Sustainability

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

Advisory Design Panel Review

The application was reviewed by the Advisory Design Panel on August 25, 2021. At that meeting, the following motion was passed:

“That Development Permit with Variance Application No. 00173 for 822 Catherine Street be approved with the following changes:

- Reconsider the density in keeping in line with the Small Urban Village total floor area and number of storeys*
- Reconsideration of materiality to better suit the Vic West neighbourhood context*
- Reconsideration of the screening method on the western façade*
- Improve day lighting into the suites*
- Reconsideration of the rear (west) setback*
- Consideration of adding a fourth tree onto Catherine Street.”*

The applicant provided the following rationale as to why no changes were made in response to ADP's motion, which is also provided as an attachment to this report:

- “The development is proposed as a three and a half storey building at 1.8 FSR. As Small Urban Village place designations encourage development up to approximately three storeys, or four storeys along arterials or secondary arterials, this height is suitable for the location. Catherine St is designated as a collector road, but within the neighbourhood context of Vic West it functions as an important connection between the Craighflower urban village to the north, Westside village to the east, and Esquimalt Rd to the south. The street’s status as a designated bikeway also reinforces its local significance and the viability of this multi-family rental building in this location. Finally, as the project is proposed as 100% affordable based on the City of Victoria’s guidelines, thereby helping to fulfill OCP and housing plan objectives, some flexibility is standard with regards to OCP-prescribed FSR.*
- We have arrived at the current proposed exterior cladding concept following extensive consultation with the neighbours and broader community, as well as thorough internal discussion. The aluminum shingles provide an elegant, practical, and modern approach while echoing the shingle and cedar shake siding of many buildings in the area.*
- The screening method of windows on the western facade of the building is a balance of ensuring privacy for neighbours to the west, daylighting into the suites themselves, and future maintenance and window cleaning. We believe the current solution addresses these criteria.*
- Each suite will have light entering from at least two directions, and the courtyard-centric concept for the building was partially derived from a strong desire to allow for appropriate daylighting into suites on what is a fairly compact, almost square lot, which can present challenges in providing adequate light to building interiors. We have addressed this not only through the courtyard design, but through thoughtful suite layouts which position high-traffic spaces such as bedrooms and sitting areas as close as possible to windows. Additionally, at 1.52 m x 1.52 m, the external windows are generously proportioned and have a sizeable operable section.*
- The setback at the west was determined by massing studies which prioritized the creation of rental housing while presenting a modest face to the public. This means stepping back from the street frontages on three sides and a very significant step back at*

the third floor on the west side to minimize overlook towards the single family homes in that direction. Additionally, we are proposing a 2 m tall fence along the west property line to reinforce the preexisting screening provided by the tall cypress hedge. With all these factors taken into account, the setback is appropriate.

- *At the outset of the development process, we intended to provide a fourth tree in the boulevard along Catherine Street. However, it has proven impossible due to BC Hydro design requirements related to an underground vault connected to the BC Housing development at 865 Catherine, in addition to tree spacing requirements.”*

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria’s urban forest and optimizing community benefits from the urban forest in all neighborhoods.

This application was received after October 24, 2019; therefore the Tree Preservation Bylaw No. 05-106 (consolidated November 22, 2019) applies, which protects trees larger than 30cm diameter at breast height (DBH). The Victoria West neighbourhood has a canopy cover of 19% which is considered low for urban residential areas.

A total of 12 trees have been inventoried: nine on subject property and three on the municipal boulevard. Of these, three trees on the subject lot are bylaw protected. There is also a hedge located on the neighbouring property near the west property line which is protected based on DBH.

All nine private trees are proposed for removal, including three bylaw protected trees due to the proposed construction impacts: a multi-stemmed 45cm DBH English holly, a multi-stemmed 45cm DBH European hawthorn and a multi-stemmed 33cm DBH Pyramidal cedar, all in fair condition. Of the nine trees being removed, seven are within the building footprint and two are impacted by the excavation of the underground parking.

The neighbouring bylaw protected Leyland Cypress hedge can be retained if the mitigation measures recommended in the Arborist Report are followed. The hedge contains 11 stems with DBH ranging from 30-45cm.

The three trees on the municipal frontage are all proposed for retention. One additional tree is proposed to be planted on the Catherine Street frontage. Staff and ADP requested additional boulevard trees on Catherine Street, but this was not feasible due to BC Hydro requirements.

Five replacement trees will be planted onsite, two dogwood and three stewartia. Additionally, four Paperbark maples will be planted in an interior courtyard, two of which are in small 1m³ planters and two in the lawn/planting bed. One of the trees in the lawn/planting bed may count towards a replacement tree, to be determined at the Building Permit stage. Six replacement trees are required through the bylaw; if the Paperbark maple does not meet replacement tree requirements, \$2,000 cash-in-lieu will be required.

Tree impact Summary Table

Tree Status	Total # of Trees	To be REMOVED	To be PLANTED	NET CHANGE
On-site trees, bylaw protected	3	3	5 (bylaw requires 6 trees at 2:1 replacement)	-1 (bylaw requires 6)
On-site trees, not bylaw protected	6	6	4	-2
Municipal trees	3	0	1	+1
Neighbouring trees, bylaw protected	11	0	0	0
Neighbouring trees, not bylaw protected	0	0	0	0
Total	23	-9	10	+1

Bylaw-protected trees being removed from subject property:

ID#	Species	DBH (cm)	Health Condition	Structural Condition	Reason for Removal/ Comments
NT#4	English holly	45	Fair	Fair, multistemmed	Construction of building
NT#5	European hawthorn	45	Fair	Fair, multistemmed	Construction of building
NT#8	Pyramidal cedar	33	Fair	Fair, multistemmed	Construction of building

Financial Implications

Summarized in the table below are the annual maintenance costs that would be incurred by the city following the planting of one new street tree.

Increased Inventory	Annual Maintenance Cost
One new municipal street tree	\$60

CONCLUSIONS

The proposal is generally consistent with the Traditional Residential designation and advances numerous goals and objectives in the OCP, including increasing the rental housing stock, encouraging alternative modes of transportation, increasing the commercial viability of the village and improving the placemaking and urban design of the area.

The proposed development is generally consistent with the relevant Design Guidelines, creates a landmark in the immediate and general context, and provides a transition from the village to the lower-density residences to the west. Therefore, staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00782 for the property located at 822 Catherine Street.

Respectfully submitted,

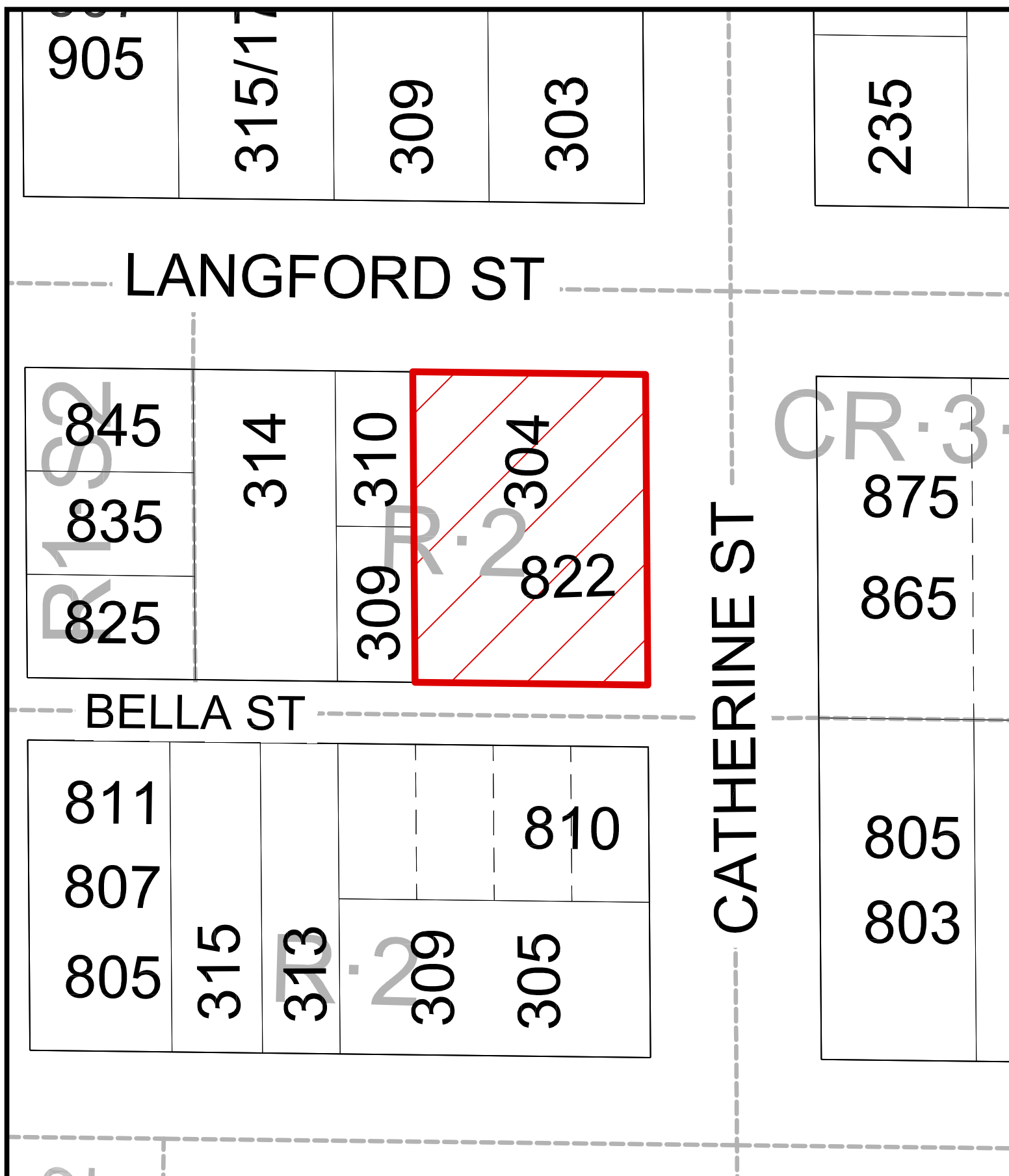
Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date stamped February 14, 2022
- Attachment C: Letter from applicant to Mayor and Council dated November 4, 2021
- Attachment D: Construction Impact Assessment & Tree Management Plan dated April 12, 2021 and amended November 4, 2021
- Attachment E: Response to ADP motion from applicant dated April 13, 2022
- Attachment F: Pre-Application Consultation Comments from Online Feedback Form
- Attachment G: Correspondence (Letters received from residents).



822 Catherine Street & 304 Langford Street
Rezoning No.00782





822 CATHERINE STREET + 304 LANGFORD STREET

VICTORIA, BC

11.02.2022 ISSUED FOR REZONING AND DEVELOPMENT PERMIT APPLICATION - REVIEW SUMMARY RESPONSE 03

ARYZE

ARYZE DEVELOPMENT
1839 Fairfield Road
Victoria, BC, V8S 1G9
P: 250.940.3568

5468796 ARCHITECTURE INC.
266 McDermot Avenue
Winnipeg, MB, R3B 0S8
P: 204.480.8421
E: info@5468796.ca

Revisions
Received Date:
February 14, 2022



RENDER 1. SIDEWALK PEDESTRIAN EXPERIENCE



RENDER 2. STREETVIEW - BELLA STREET



RENDER 3. STREETVIEW - LANGFORD STREET AND MARY STREET



RENDER 4. STREETVIEW - CATHERINE STREET

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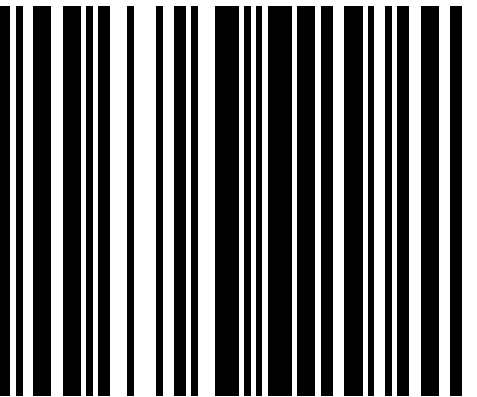
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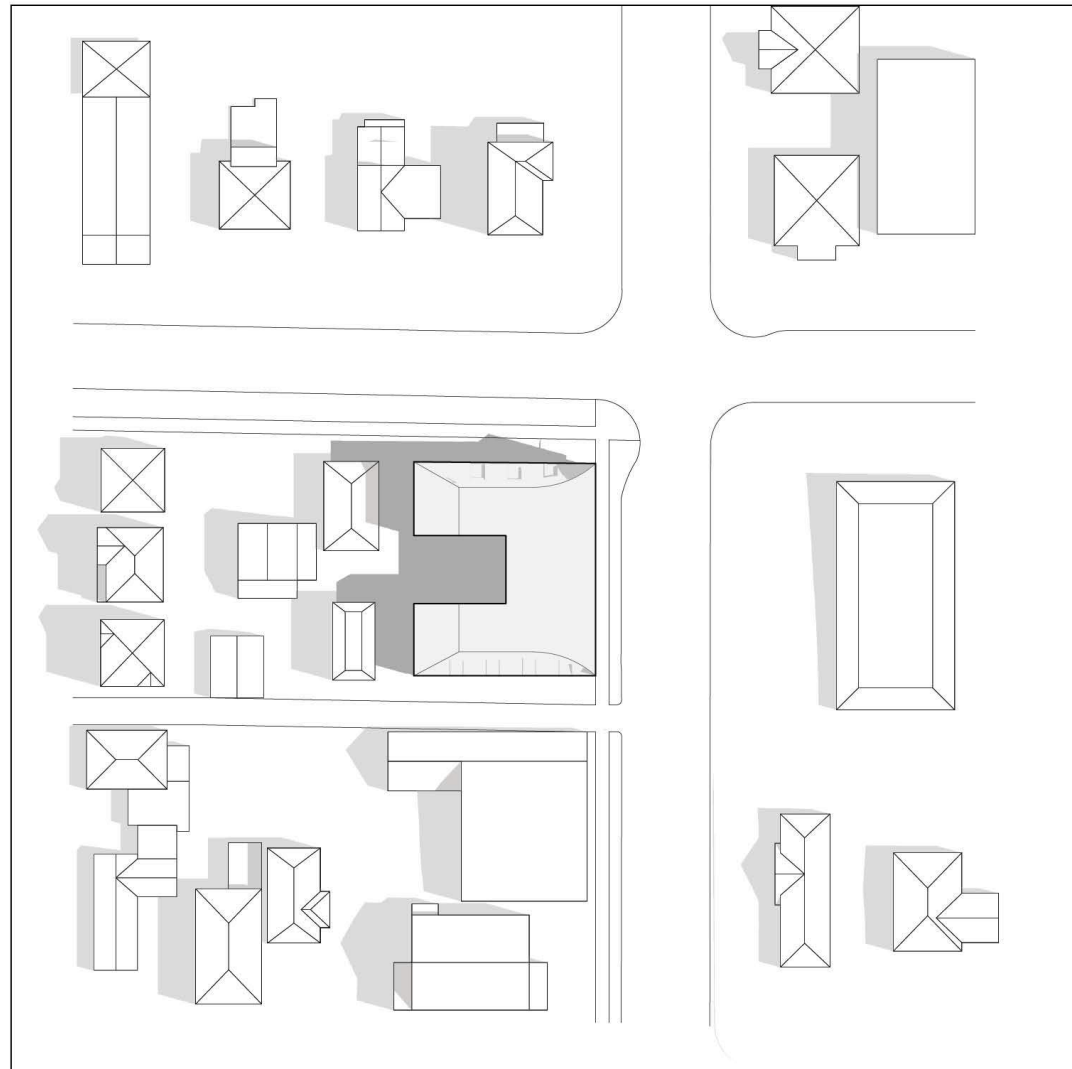
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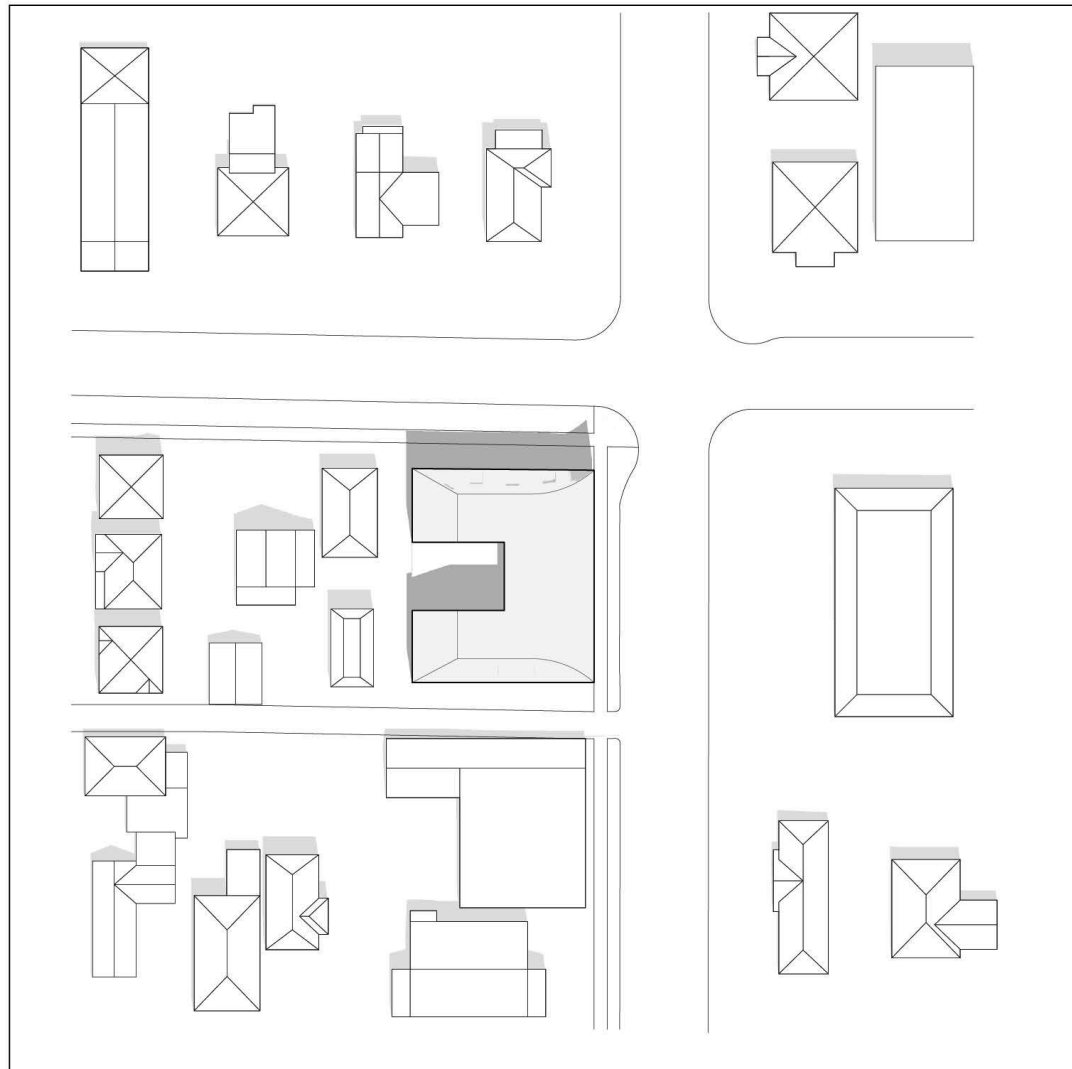
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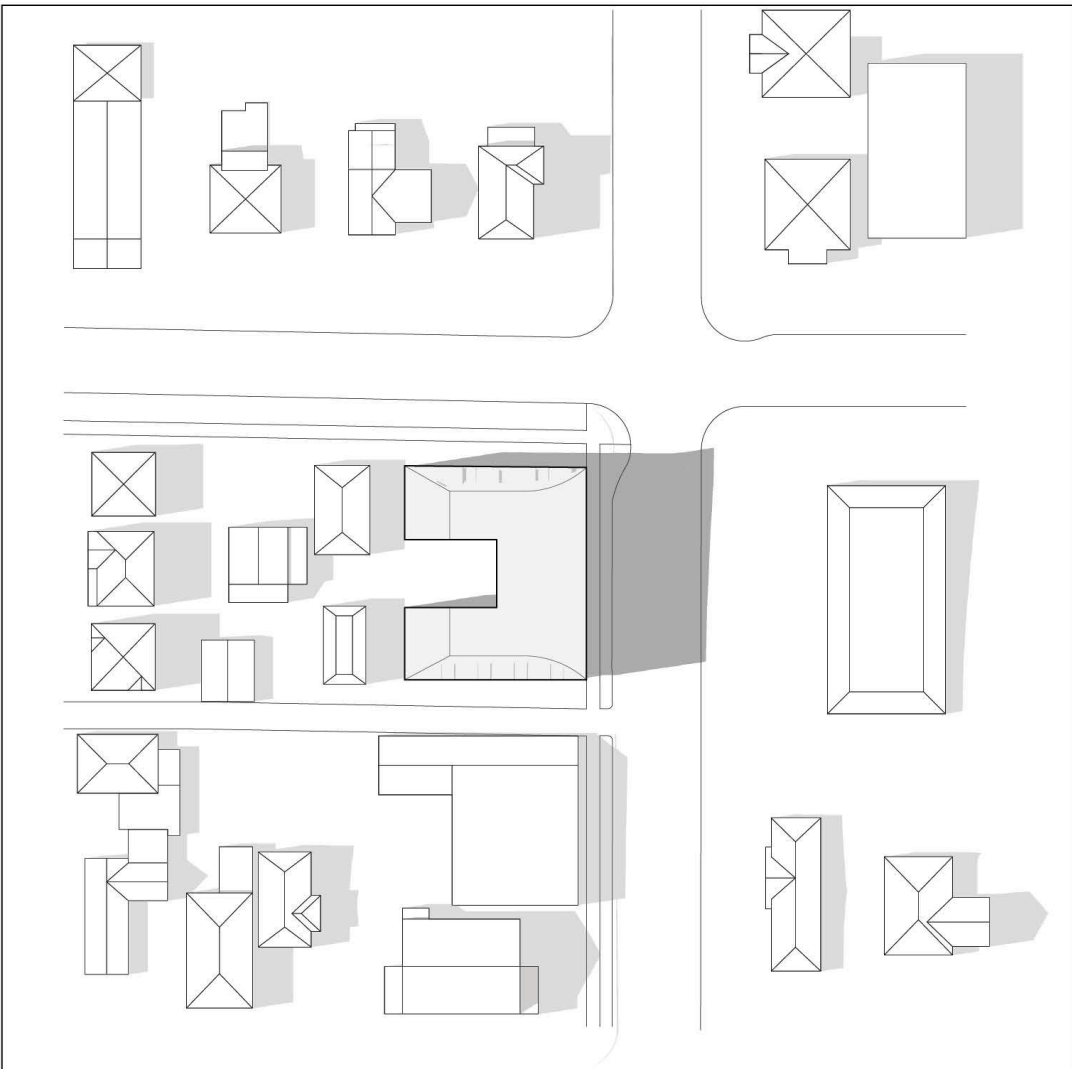
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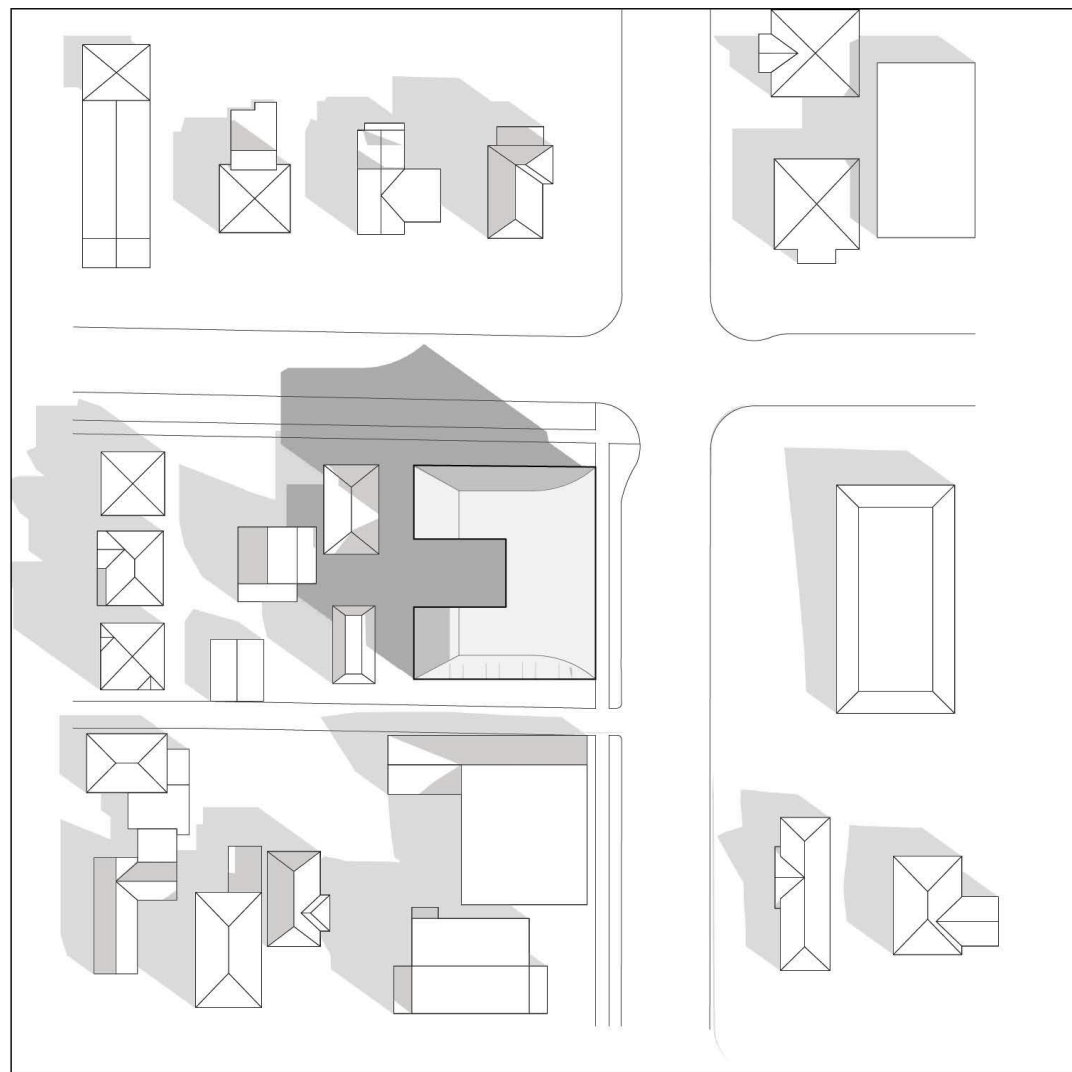
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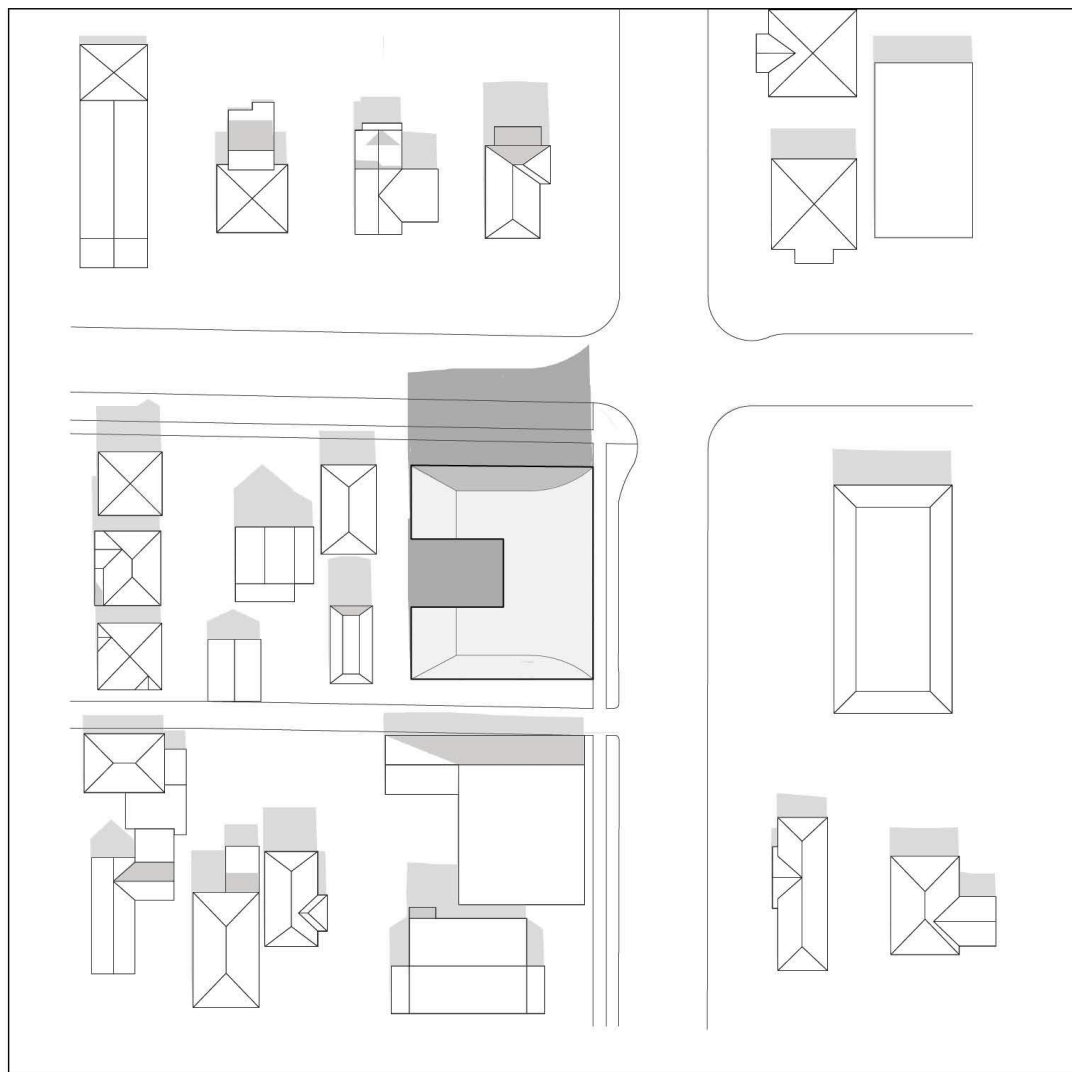
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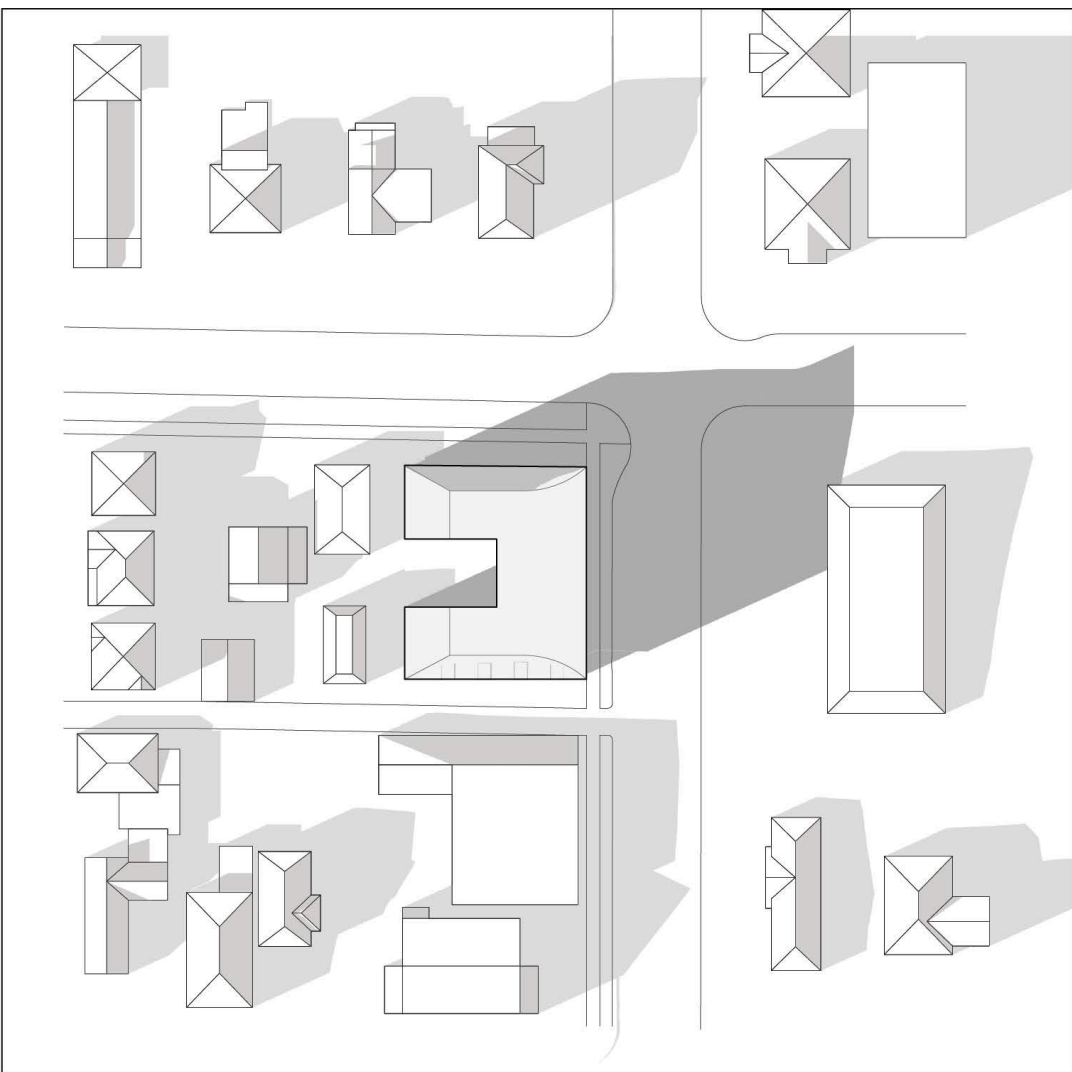
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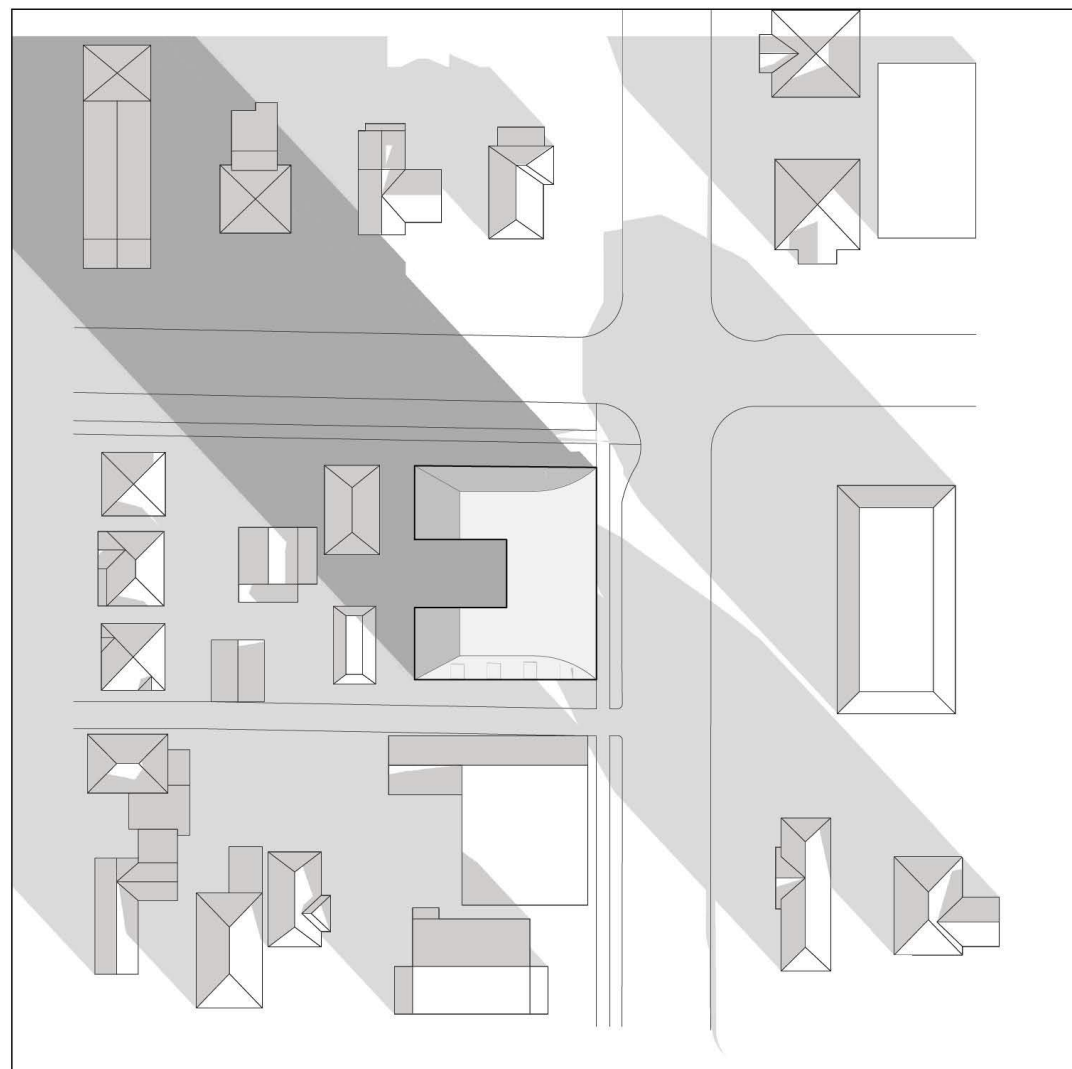
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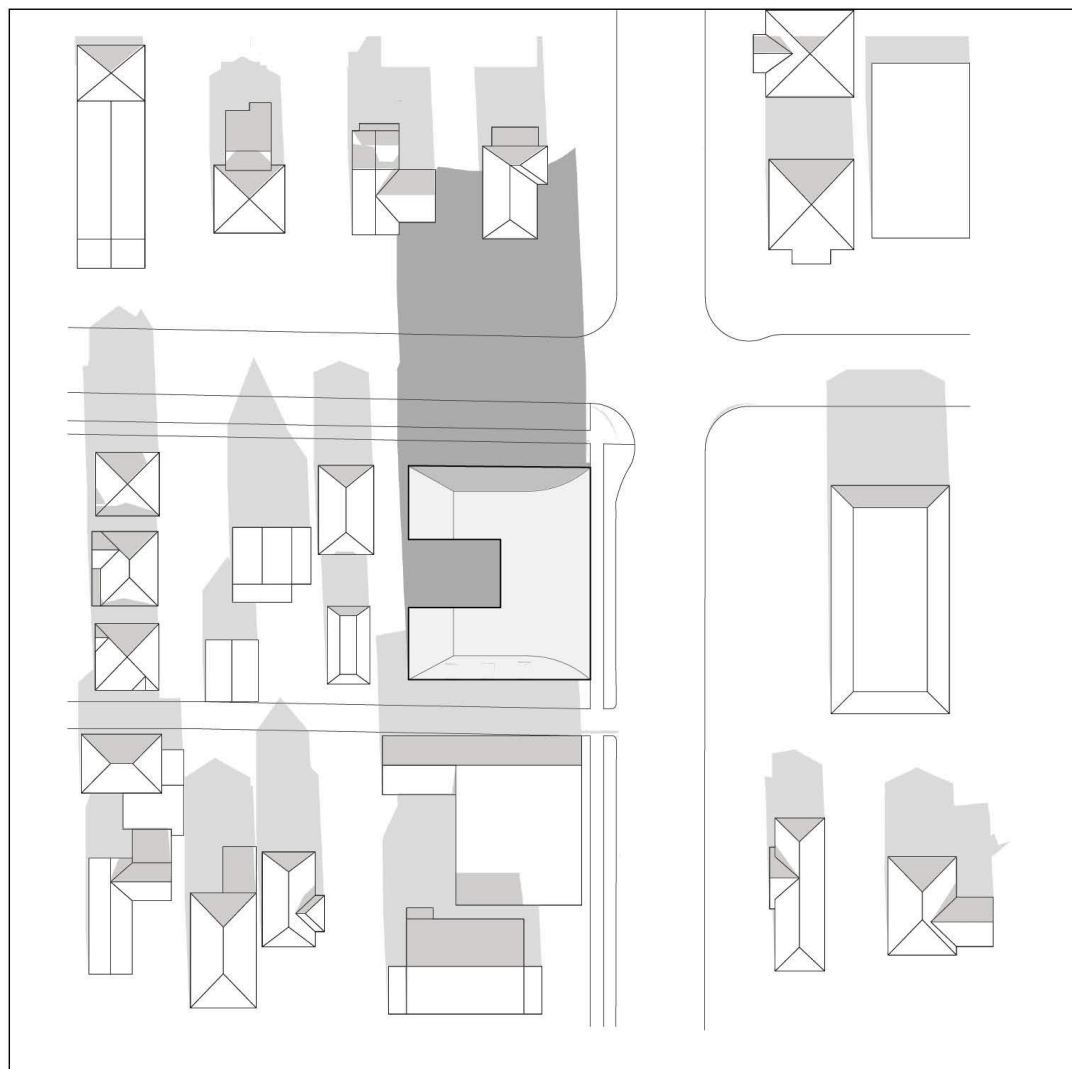
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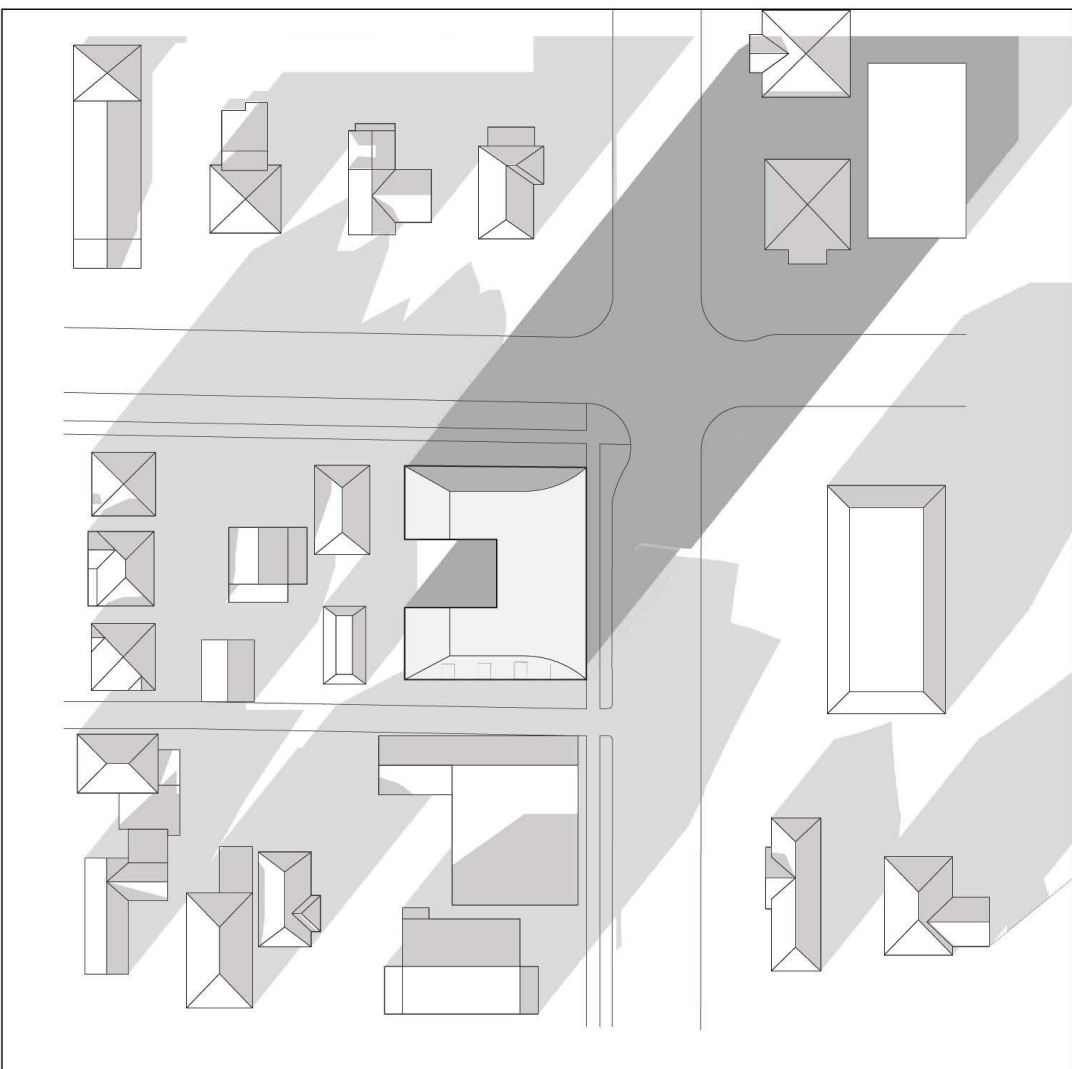
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DECEMBER 21 9:00 AM



DECEMBER 21 12:00 PM



DECEMBER 21 3:00 PM

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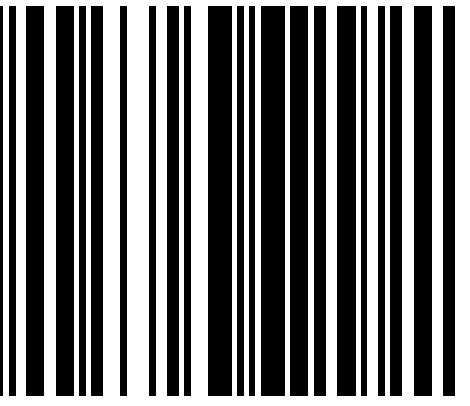
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This sketch does not constitute a redefinition of the legal boundaries hereon described and is not to be used in any matter which would assume same.

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Subject to charges, legal notations, and interests shown on: Title No. EL27581 (P.I.D. 000-500-879)

Underground servicing shown schematically and aquired from VICMAP GIS.

LEGEND

- Denotes Control Monument Found
- Denotes Traverse Station Placed
- Denotes Cleanout
- Denotes Coniferous Tree
- Dec. --- Denotes Deciduous Tree
- Denotes Hydrant
- Denotes Lamp Standard
- Denotes Sewer Manhole
- Denotes Street Sign
- Denotes Typical Spot Elevation
- Denotes Utility Pole
- Denotes Water Service
- Denotes Water Valve Box

The intended plot size of this plan is 432mm in width by 560mm in height, (C size), when plotted at a scale of 1:150.

Distances and elevations are in metres

Elevations are geodetic based on control monument 24-82

Elevations are at grade unless noted otherwise

Dimensions to property line are from siding

SITE PLAN

DIMMA PACIFIC PROPERTIES LTD

Lot C, (DD 3386541),
Block N, Section 31,
Esquimalt District, Plan 549

ADDRESS : 822 Catherine Street

PROJECT SURVEYOR : RPH

DRAWN BY : BAR DATE : SEPT 15/20

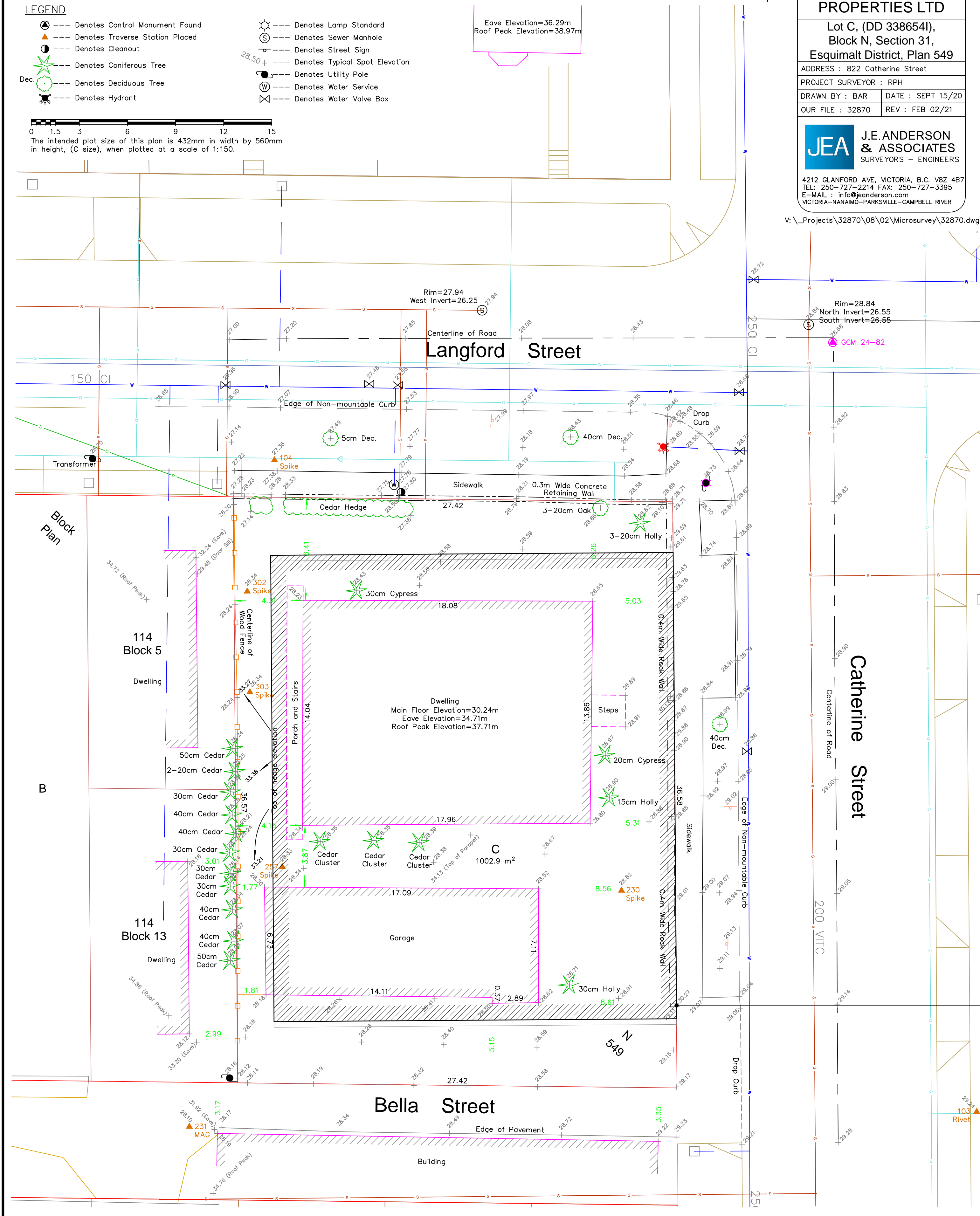
OUR FILE : 32870 REV : FEB 02/21

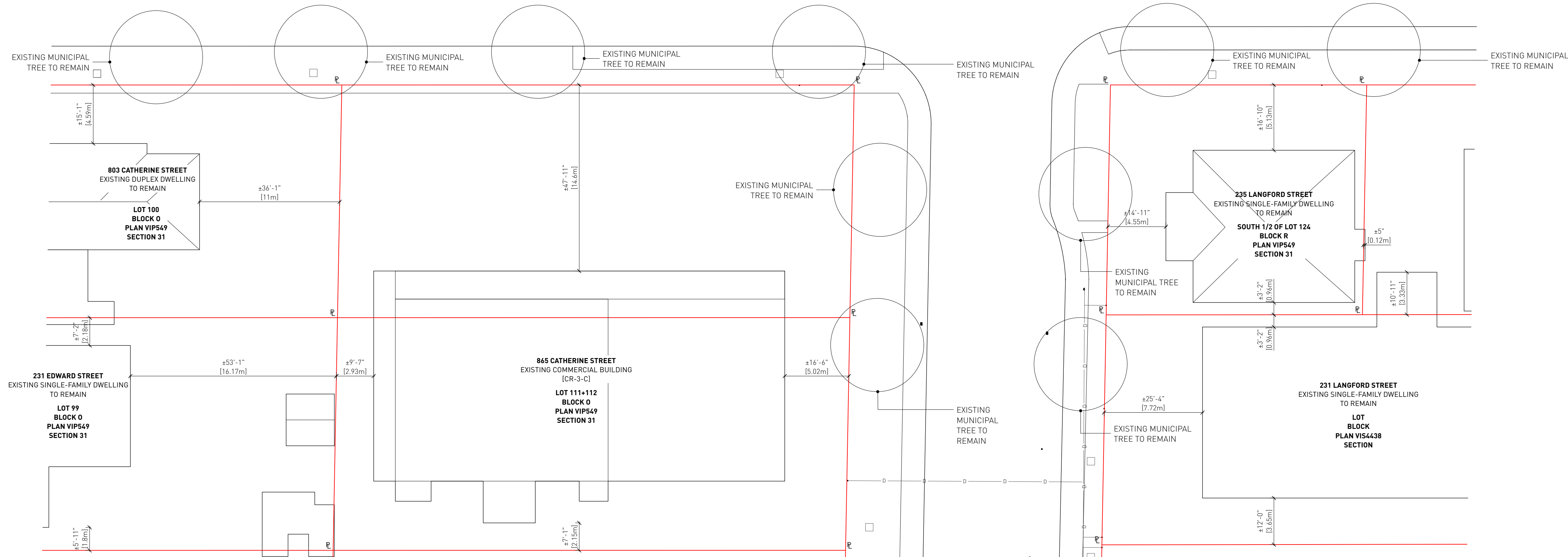
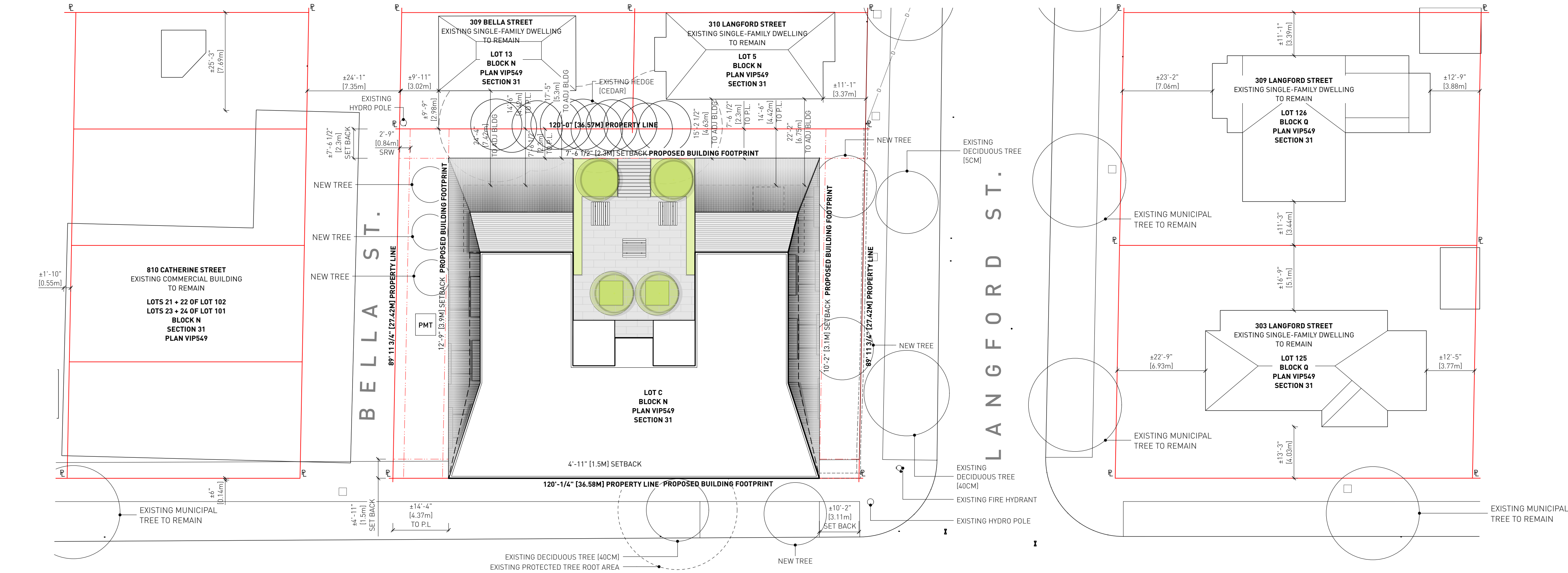


J.E. ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS

4212 GLANFORD AVE, VICTORIA, B.C. V8Z 4B7
TEL: 250-727-2214 FAX: 250-727-3395
E-MAIL : info@jeaanderson.com
VICTORIA-NANAIMO-PARKSVILLE-CAMPBELL RIVER

V:\Projects\32870\08\02\Microsurvey\32870.dwg





1 EXISTING CONTEXT SITE PLAN
AG.4 SCALE: 1:200

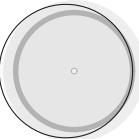
LEGEND:

PROPERTY LINE

SETBACK LINE

PROPOSED BUILDING

PROPOSED LANDSCAPE



TREE



EXISTING HYDRO POLE



EXISTING FIRE HYDRANT

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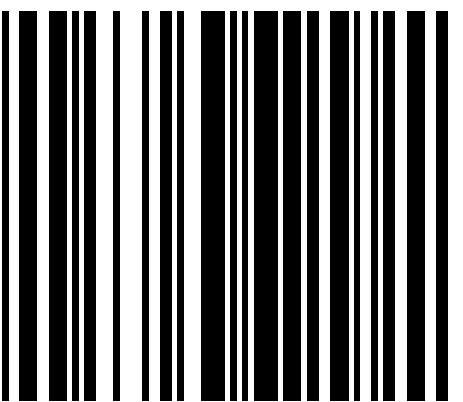
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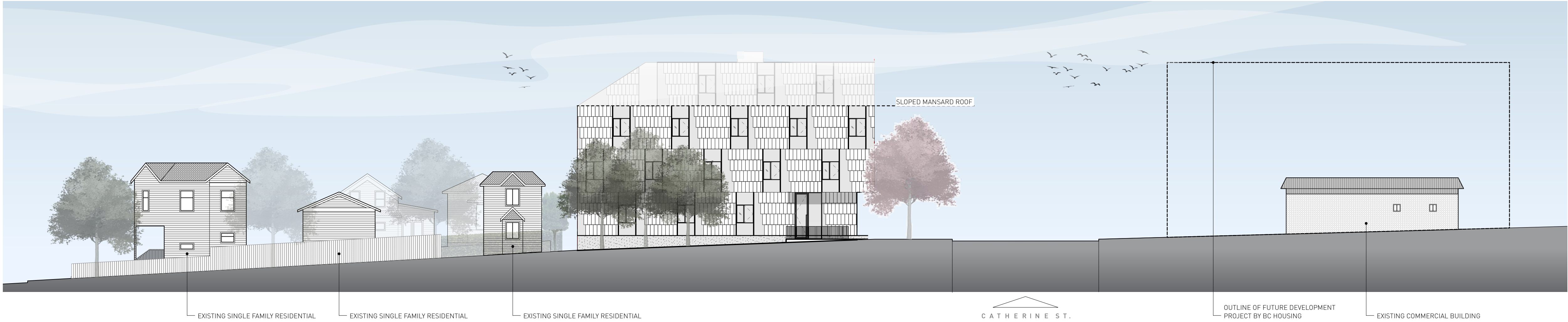
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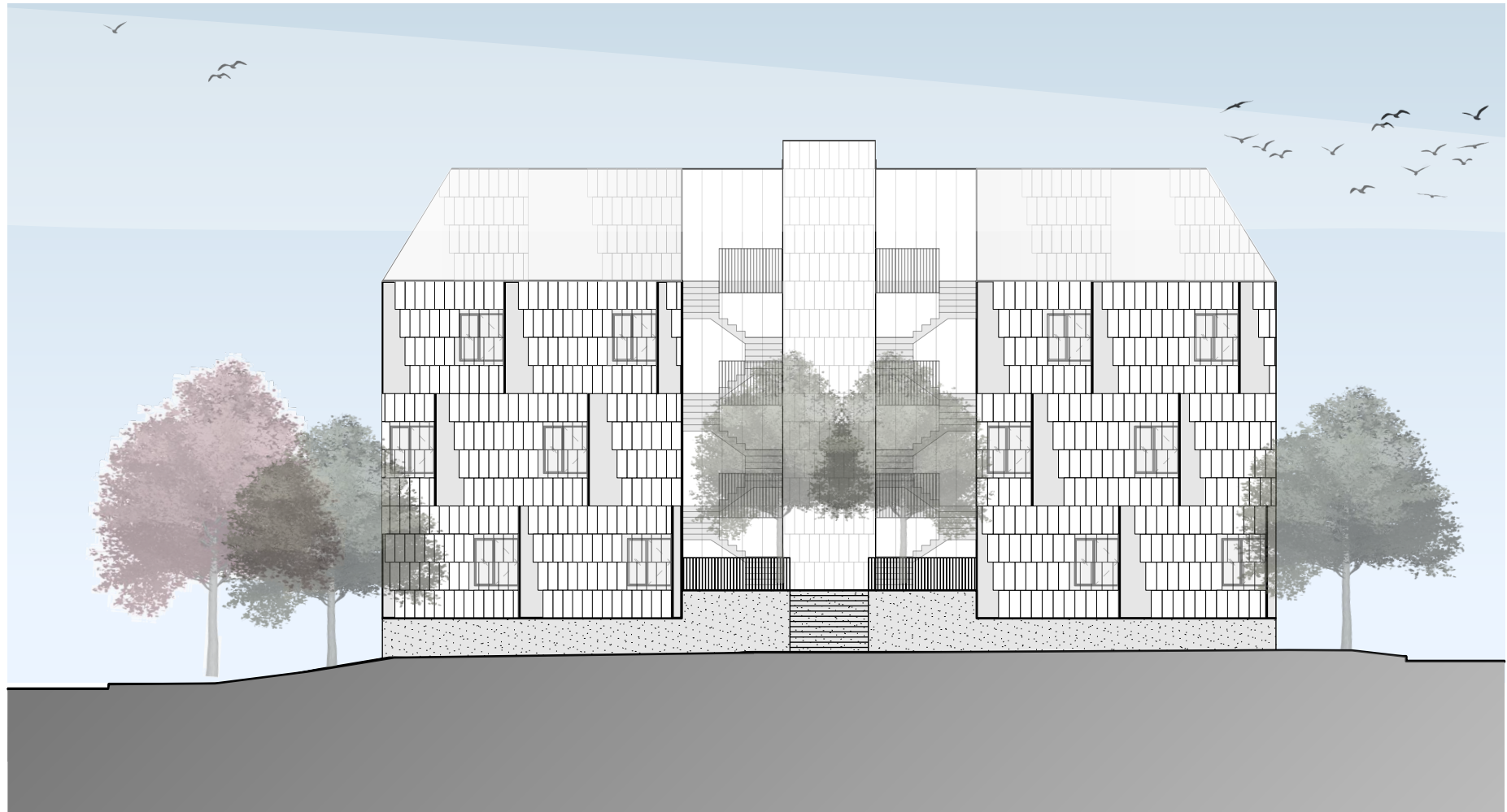
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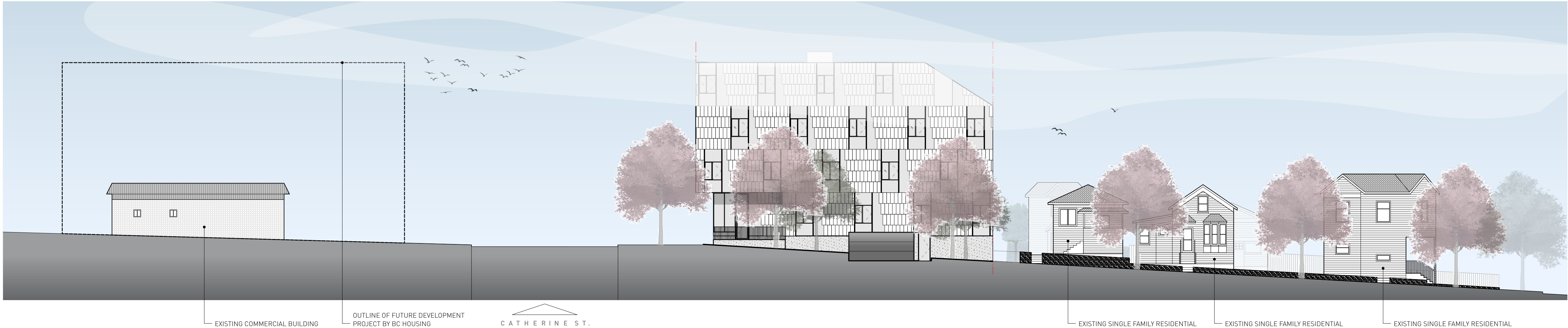
1 SOUTH ELEVATION (BELLA)
AG.5 SCALE: 1:200



2 EAST ELEVATION (CATHERINE)
AG.5 SCALE: 1:200



3 WEST ELEVATION (COURTYARD)
AG.5 SCALE: 1:200



4 NORTH ELEVATION (LANGFORD)
AG.5 SCALE: 1:200

- | | |
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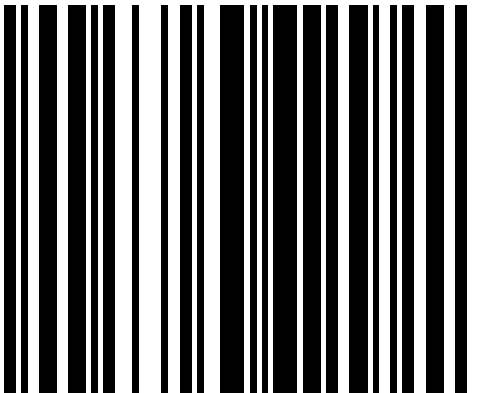
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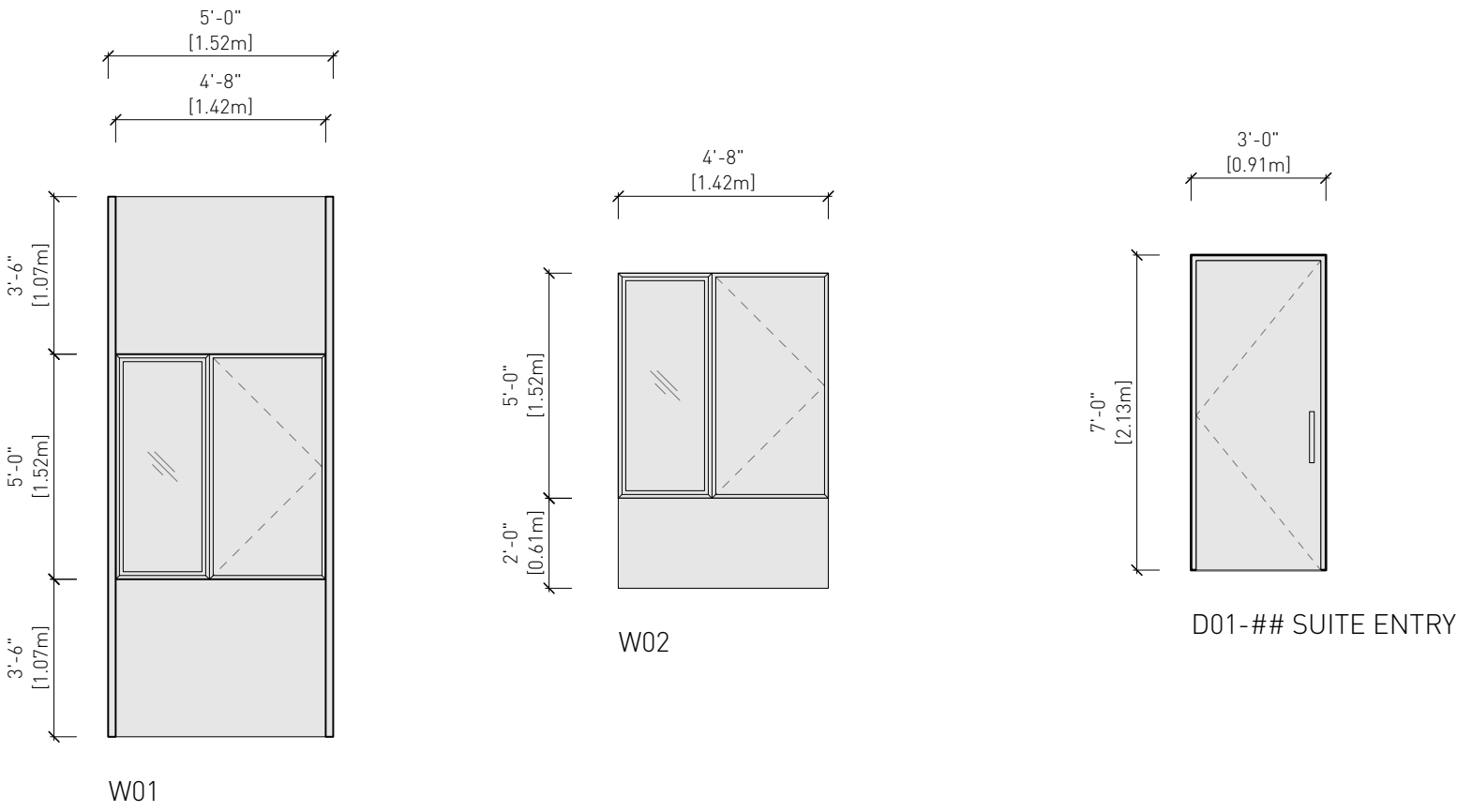
AG.5

RESIDENTIAL WINDOW & DOOR SCHEDULE

PICTURE / AWNING WINDOW
DESCRIPTION: PLYGEM, DESIGN ARCHITECTURAL SERIES, ALUMINUM CLAD VINYL

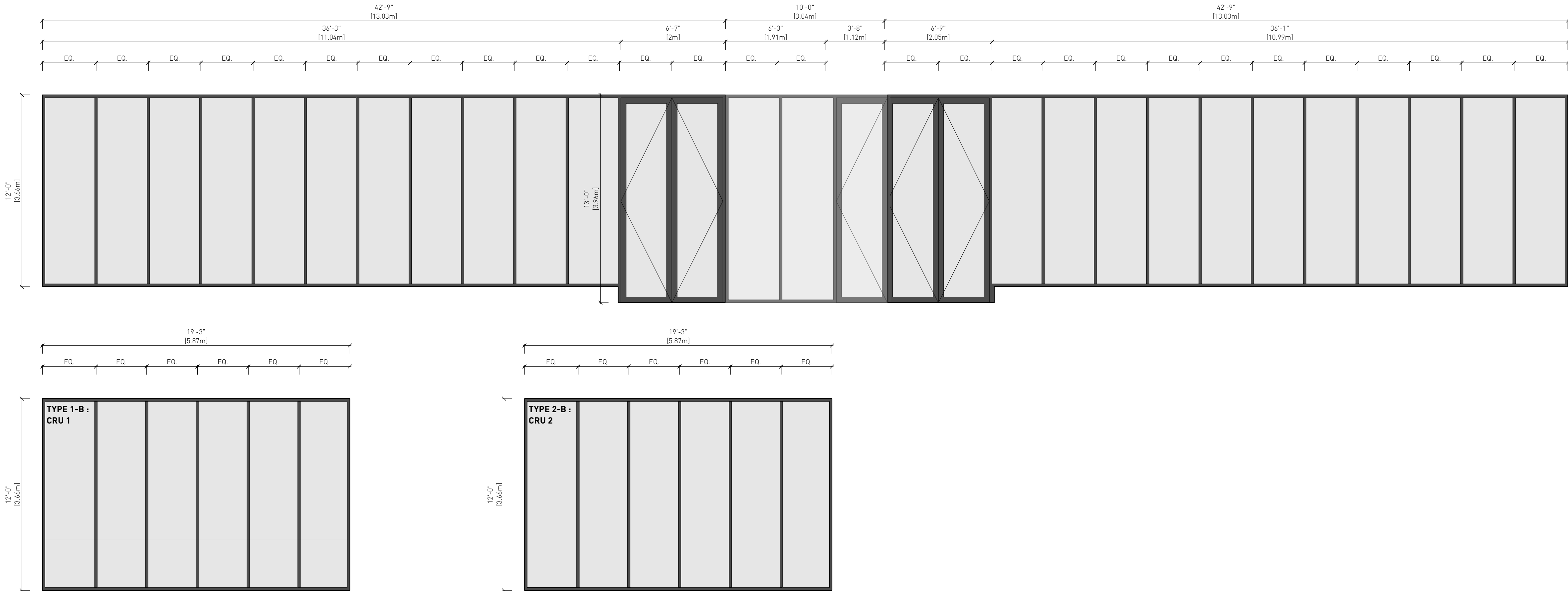
CASEMENT WINDOW
DESCRIPTION: PLYGEM, DESIGN ARCHITECTURAL SERIES, ALUMINUM CLAD VINYL

EXTERIOR DOOR
DESCRIPTION: WEATHER STRIPPING, 1 FLOOR STOP, 1 CONCEALED LEAF CONTINUOUS HINGE 1 BAR PULL, 1 CLOSER



COMMECIAL GLAZING SCHEDULE

CURTAIN WALL
DESCRIPTION: ALUMICOR, THERMALLY BROKEN ALUMINUM STOREFRONT
TEMPERED, DUAL PANE, LOW E COATING, ARGON FILL, LOW REFLECTIVITY COATING TO REDUCE INTERNAL GLARE
PRE-FINISHED ALUMINUM FLASHING AT HEADS AND SILLS



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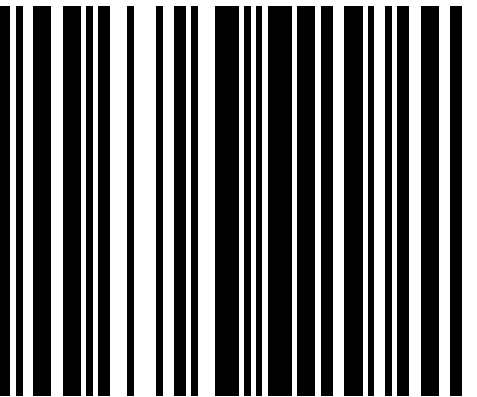
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CONCRETE



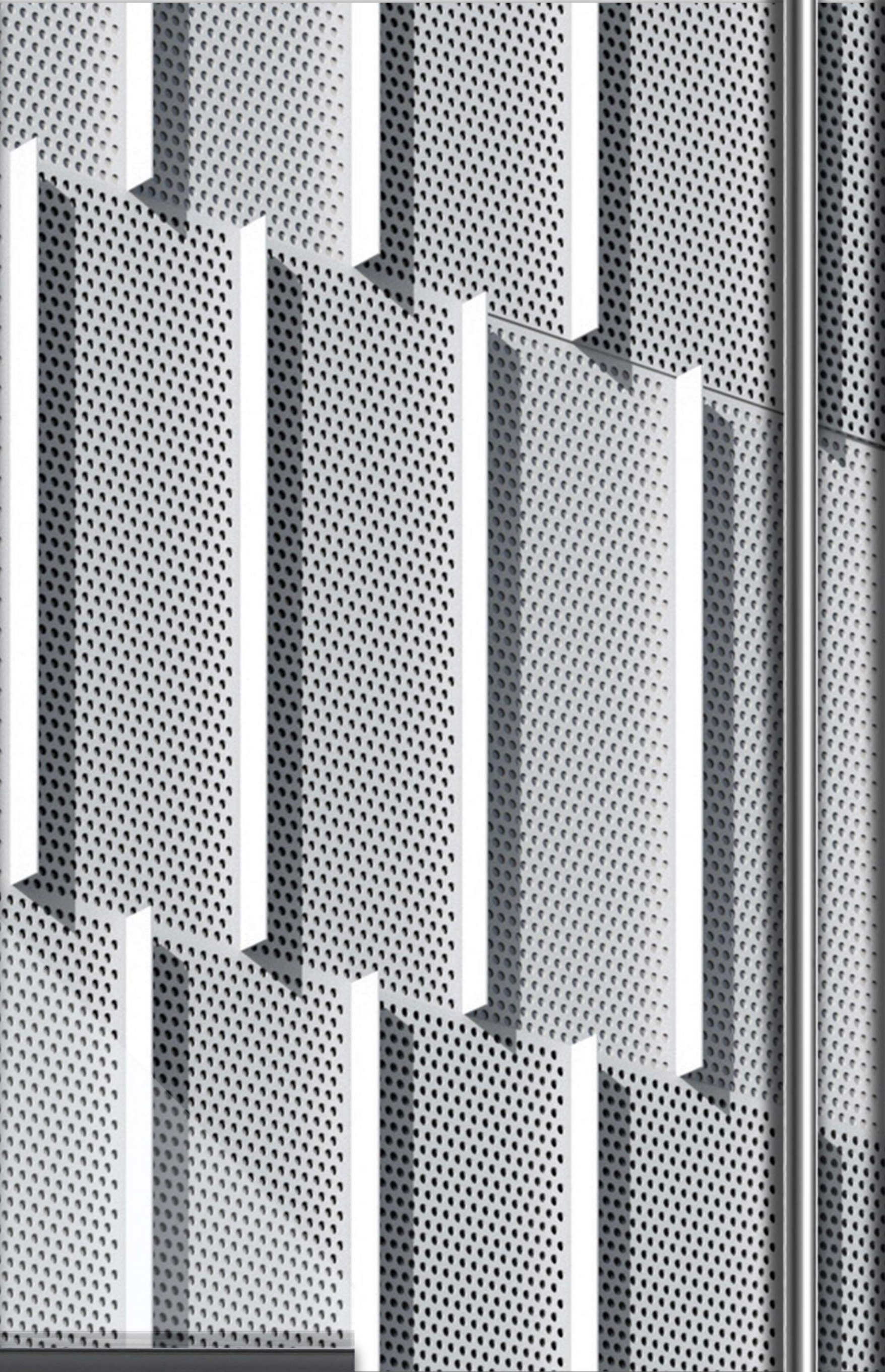
FLAT ANODIZED ALUMINUM PANEL



CUSTOM ALUMINUM SHINGLE



CUSTOM PERFORATED ALUMINUM SHINGLE



GLASS

METAL RAILING



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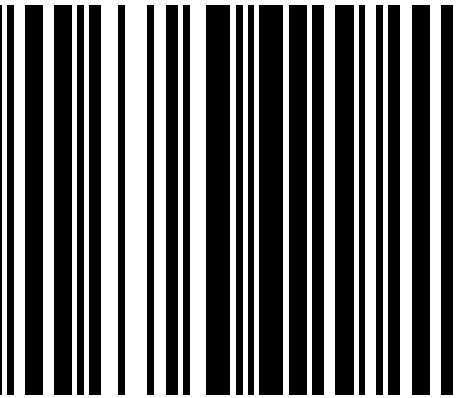
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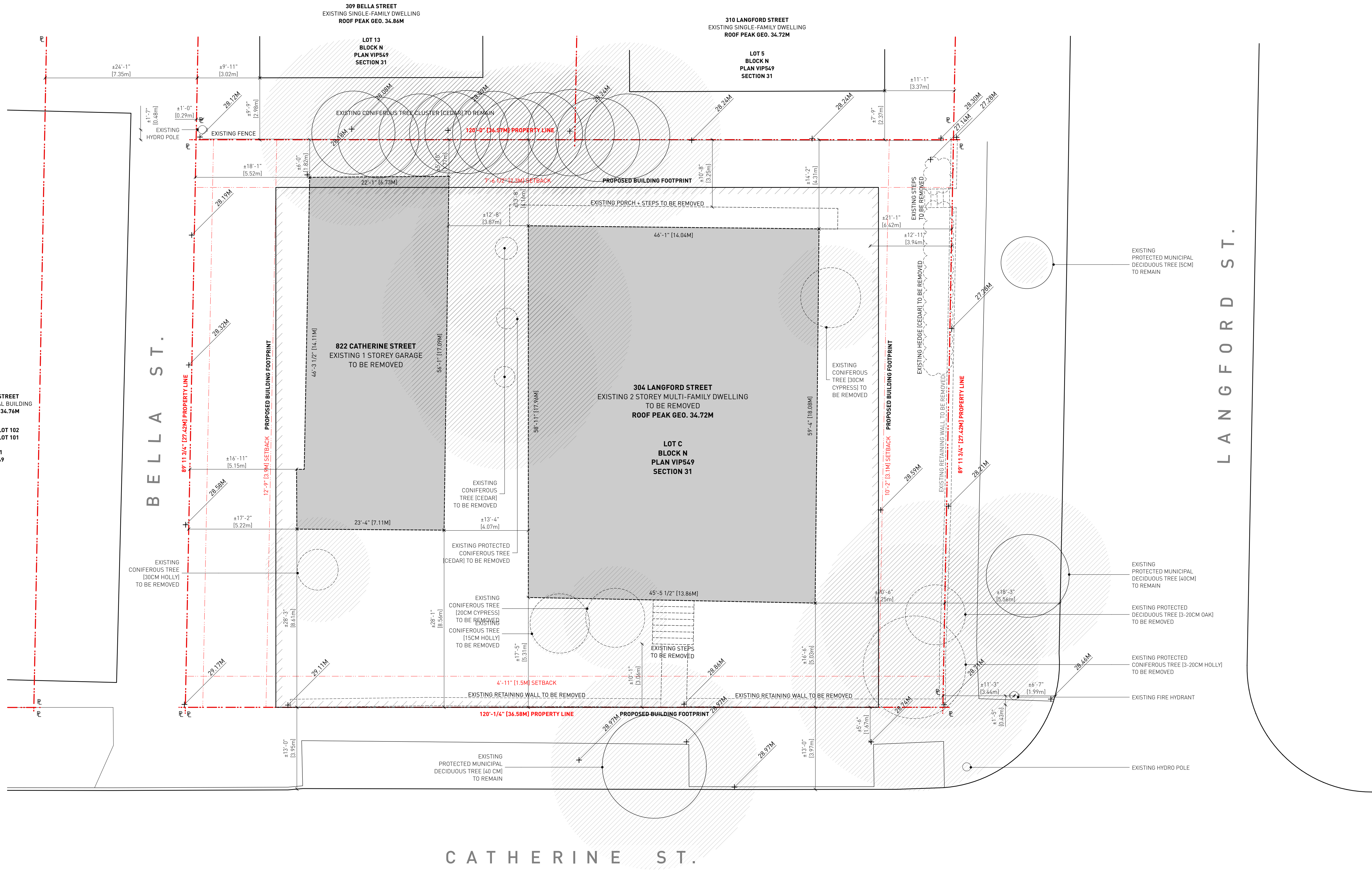
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AG.7



LEGEND:

PROPERTY LINE

SETBACK LINE

PROPOSED BUILDING

PROPOSED LANDSCAPE

EXISTING TREE (TO BE REMOVED)

EXISTING TREE (TO REMAIN)

EXISTING TREE ROOT AREA

EXISTING HYDRO POLE

EXISTING FIRE HYDRANT

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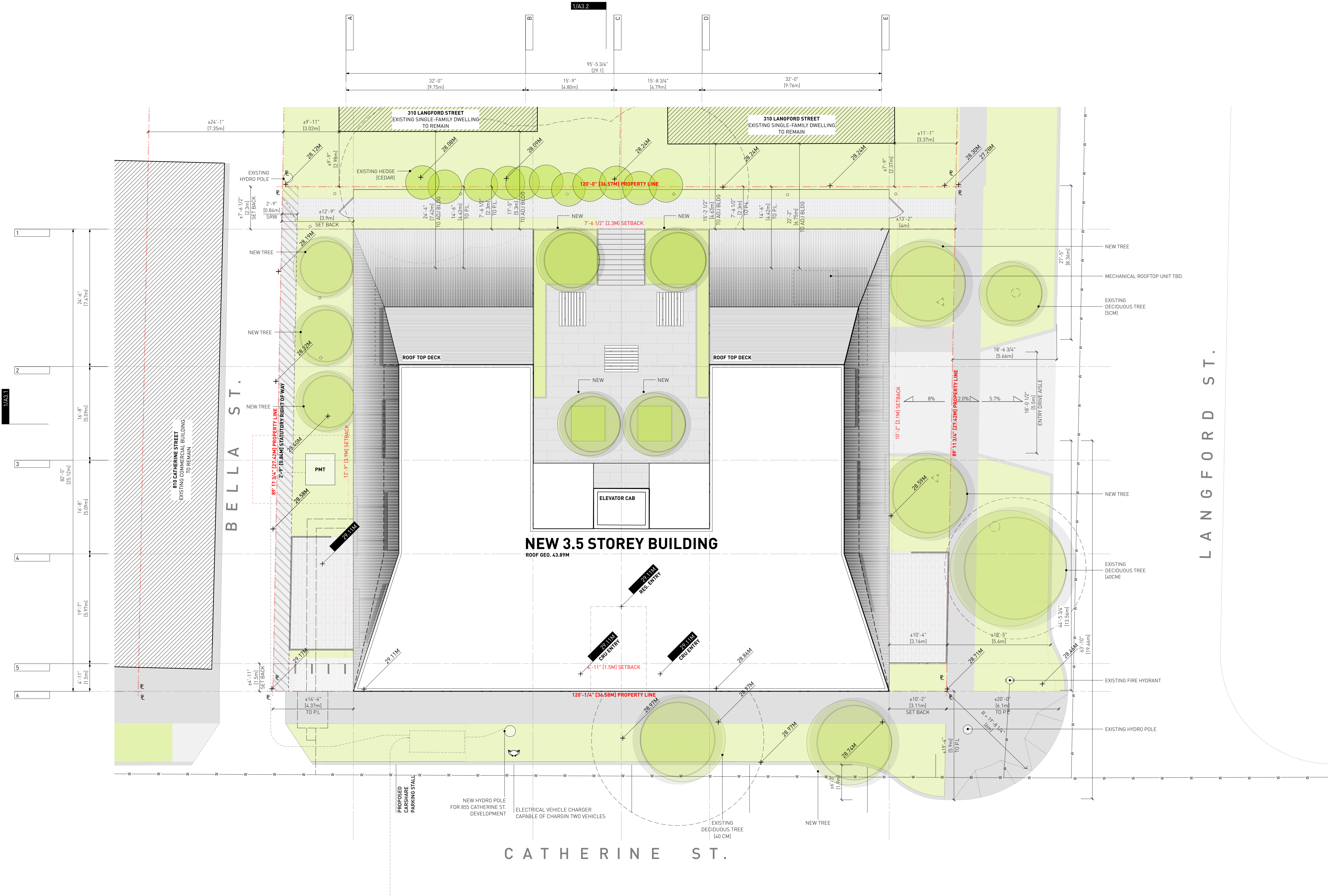
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1 PROPOSED SITE / ROOF PLAN
A0.2 SCALE: 1:100

LEGEND:

BELOW

ABOVE

PROPERTY LINE

EXISTING BUILDING

TREE

EXISTING HYDRO POLE

EXISTING FIRE HYDRANT

PROPOSED BENCH

SHORT TERM BIKE PARKING

5	Iss. for Review Summary Response 03	11.02.2022
4	Iss. for Review Summary Response 02	03.11.2021
3	Iss. for Review Summary Response 01	16.07.2021
2	Iss. for Rezoning & Dev. Permit	12.05.2021
1	Iss. for Rezoning & Dev. Permit App Community Review	17.03.2021
Drawn By: AR/JY		
Checked By: PB		
Printing Date: 03/11/2021		

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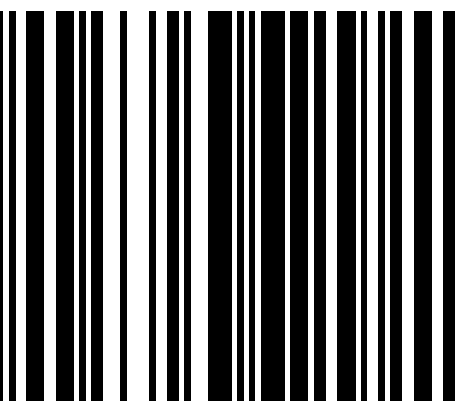
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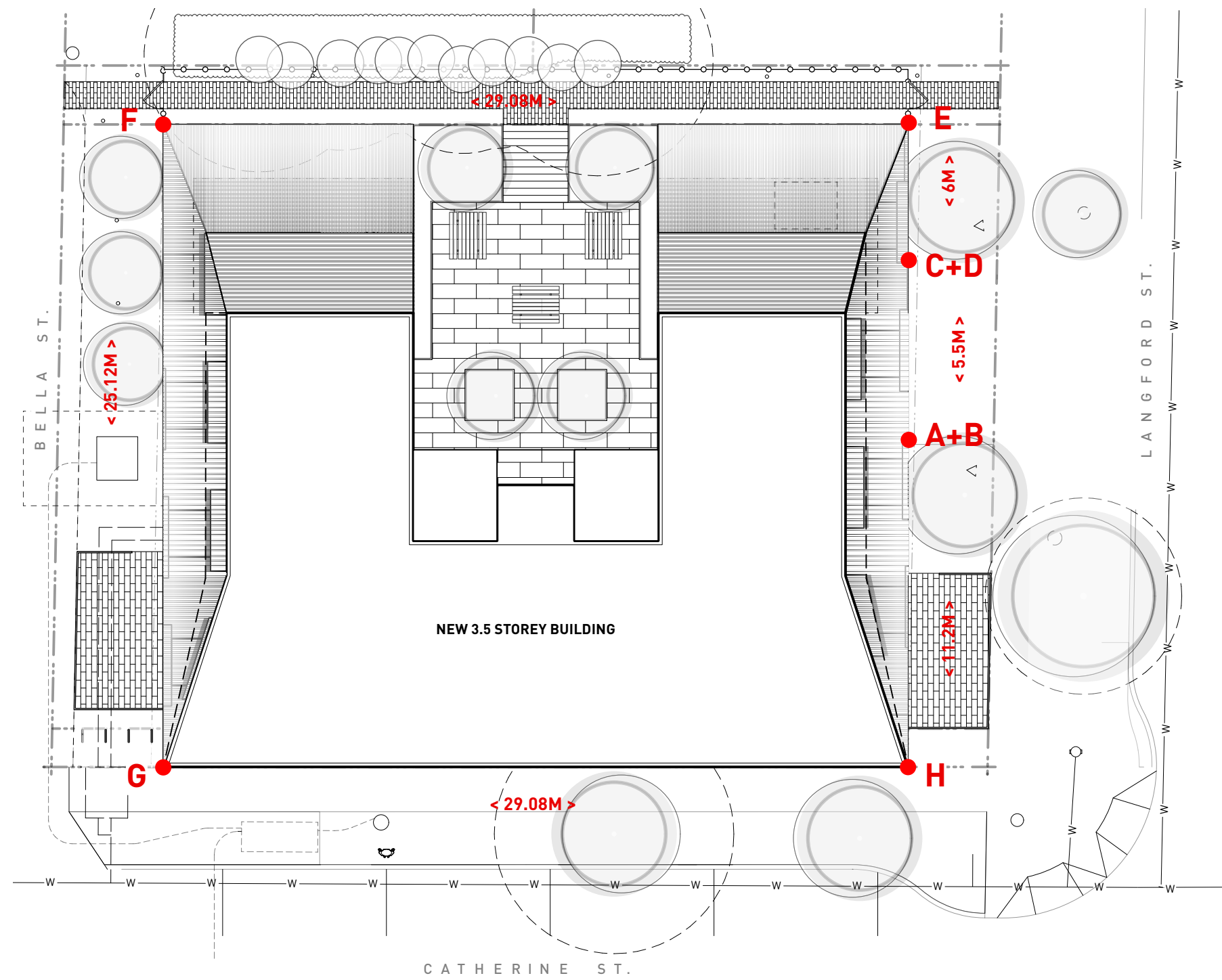


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VICTORIA, BC
PROPOSED SITE / ROOF
PLAN
Project
0646
Sheet

A0.2



1 AVERAGE GRADE
A0.3 SCALE: 1:200

GRADE POINTS:		BUILDING PERIMETER:	
A = 27.08M		108.4M	
B = 27.59M			
C = 27.32M			
D = 27.40M			
E = 28.24M			
F = 28.18M			
G = 29.11M			
H = 28.74M			
CALCULATION:			
GRADE POINTS	AVERAGES	DISTANCES	TOTALS
B + C	$[(27.59M + 27.40M) \div 2]$	X 5.5M	= 151.2M
D + E	$[(27.08M + 28.24M) \div 2]$	X 6.0M	= 166.0M
F + G	$[(28.24M + 28.18M) \div 2]$	X 29.08M	= 820.3M
G + H	$[(28.18M + 29.11M) \div 2]$	X 25.12M	= 719.6M
H + A	$[(29.11M + 28.74M) \div 2]$	X 29.08M	= 841.1M
	$[(28.74M + 27.08M) \div 2]$	X 11.2M	= 312.6M
			= 3,010.8M
AVERAGE GRADE:			
3,010.8M ÷ 108.4M = 27.77M			



2 AVERAGE GRADE
A0.3 SCALE: 1:100

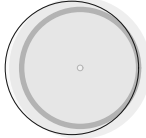
LEGEND:

PROPERTY LINE

SETBACK LINE

PROPOSED BUILDING

PROPOSED LANDSCAPE



TREE



EXISTING HYDRO POLE



EXISTING FIRE HYDRANT

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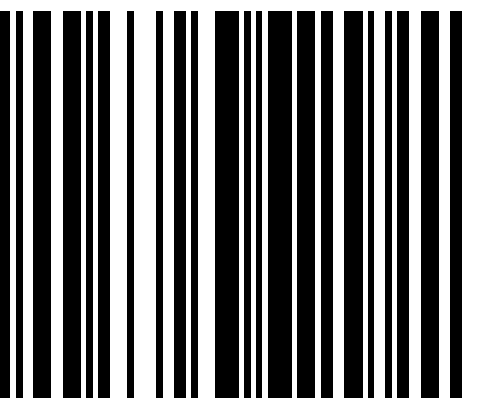
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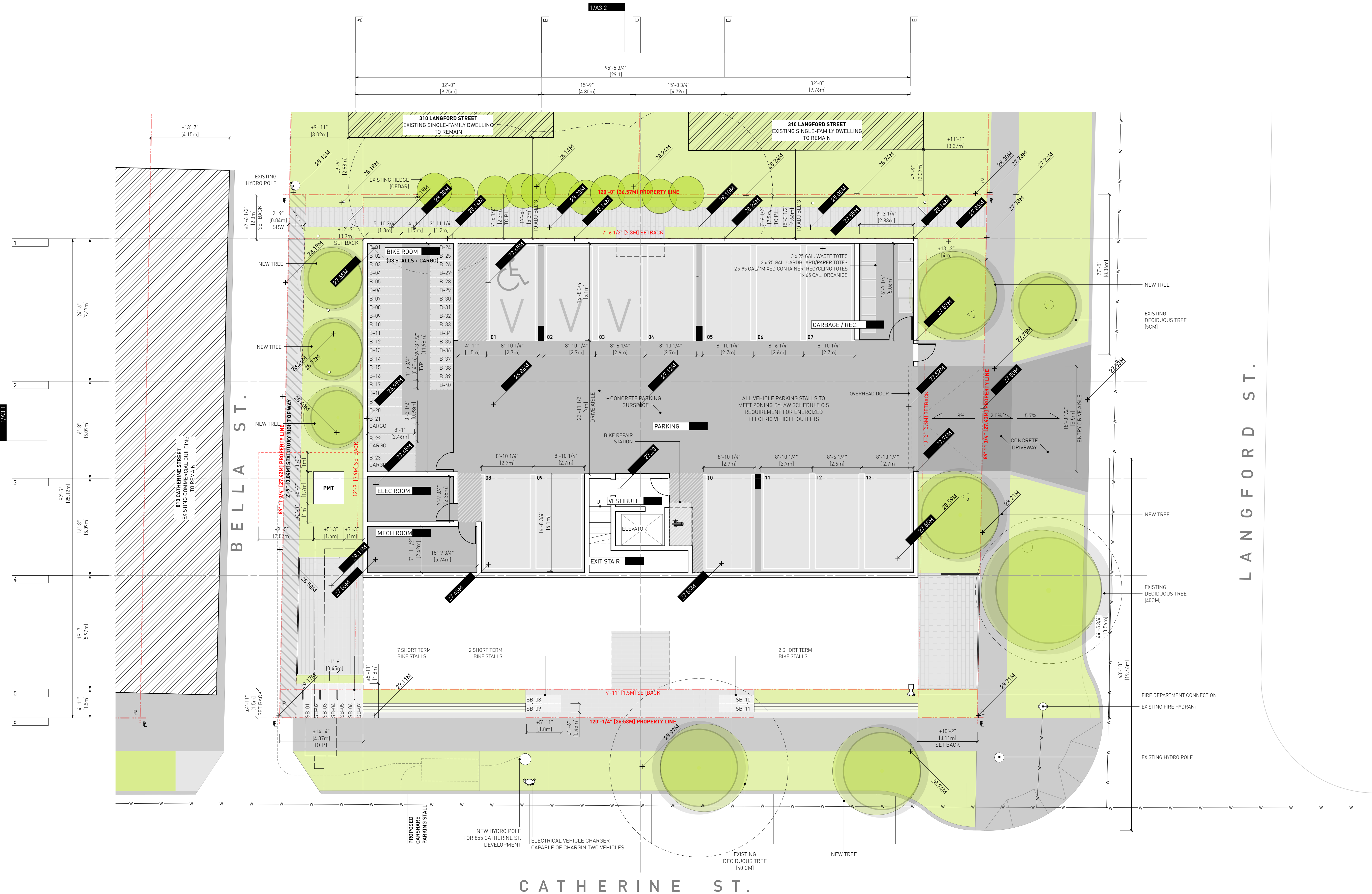
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AVERAGE GRADE
CALCULATION
Project
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A0.3



1 LEVEL 00 PLAN
A1.1 SCALE: 1:100

LEGEND:

BELOW

ABOVE

PROPERTY LINE

EXISTING BUILDING

TREE

EXISTING HYDRO POLE

EXISTING FIRE HYDRANT

PROPOSED BENCH

SHORT TERM BIKE PARKING

V VISITOR PARKING

C COMMERCIAL PARKING

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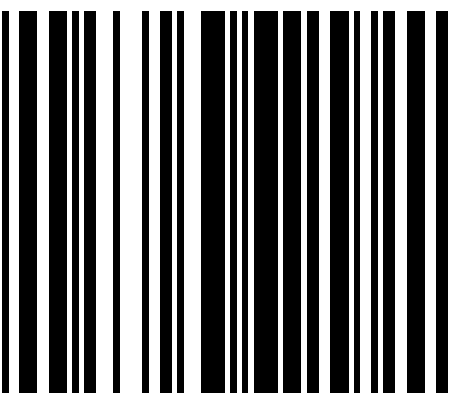
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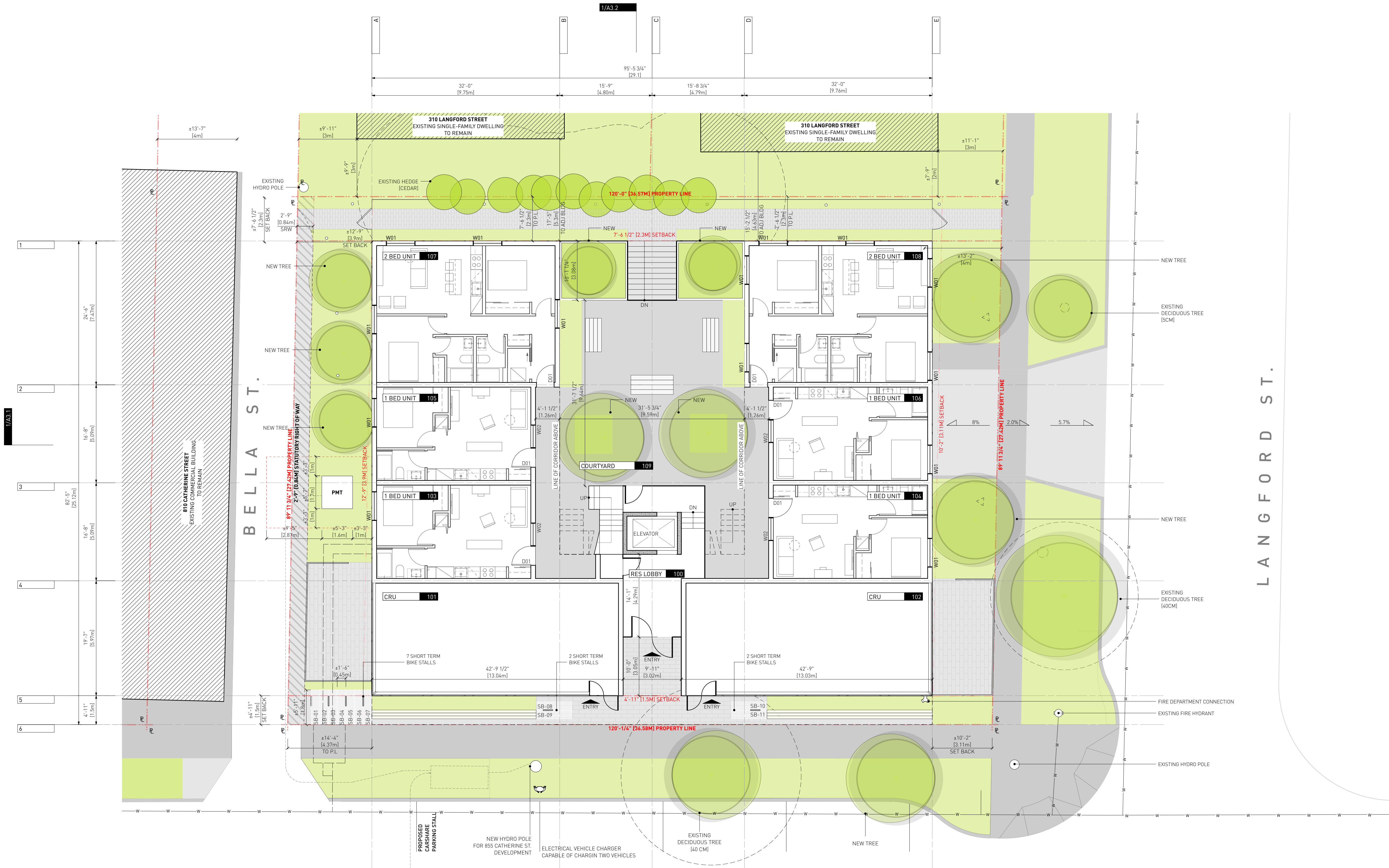
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A1.1



1 LEVEL 01 PLAN
A1.2 SCALE: 1:100

LEGEND:

BELOW

ABOVE

PROPERTY LINE

EXISTING BUILDING

TREE

EXISTING HYDRO POLE

EXISTING FIRE HYDRANT

PROPOSED BENCH

SHORT TERM BIKE PARKING

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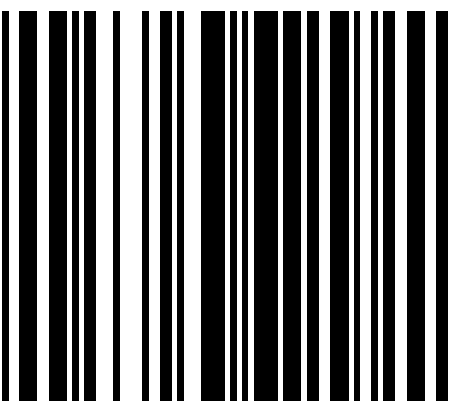
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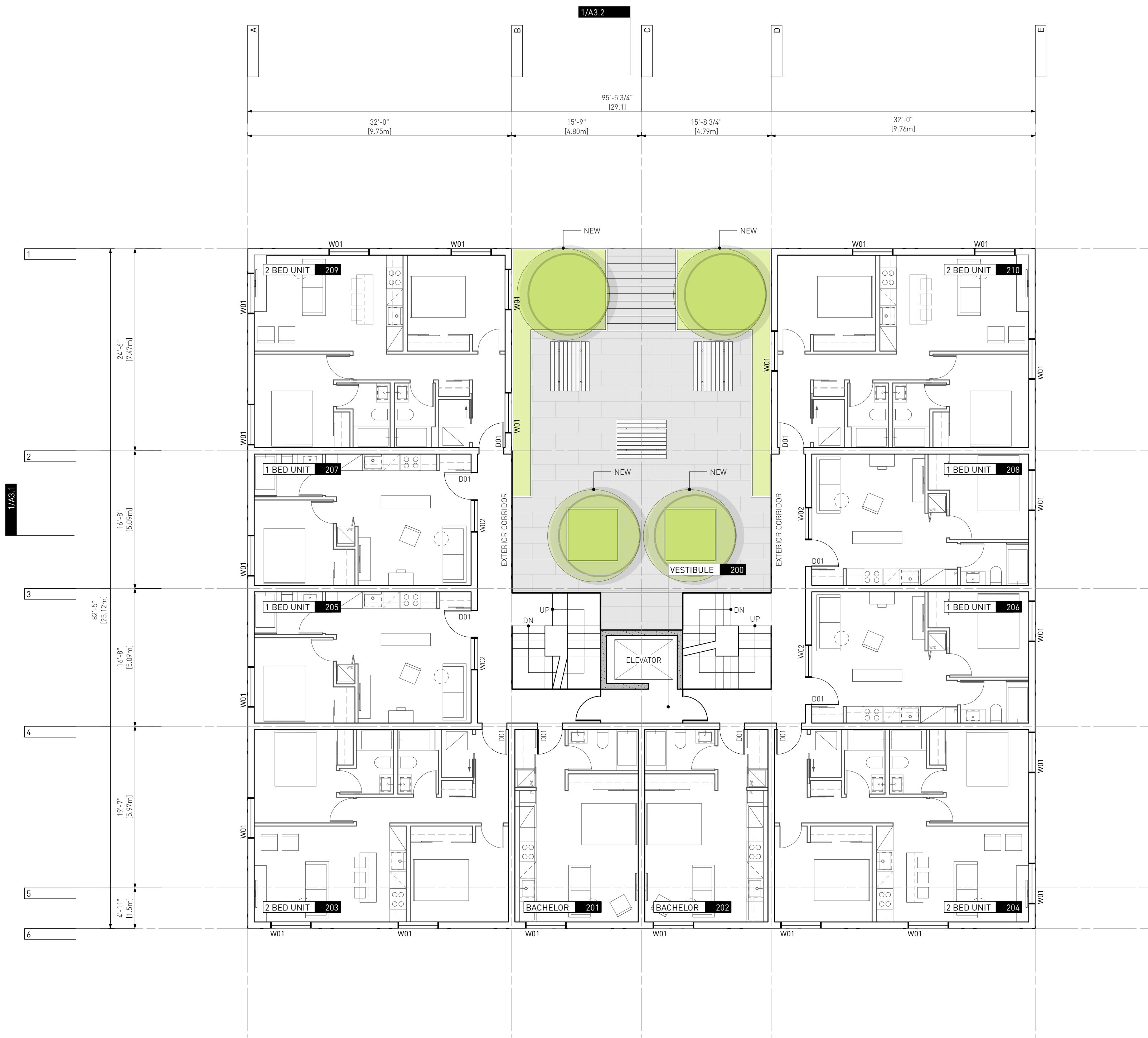
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A1.2



1 LEVEL 02 PLAN
A1.3 SCALE: 1:100

LEGEND:

BELOW

ABOVE

PROPERTY LINE

EXISTING BUILDING



TREE



EXISTING HYDRO POLE



EXISTING FIRE HYDRANT

PROPOSED BENCH

SHORT TERM BIKE PARKING

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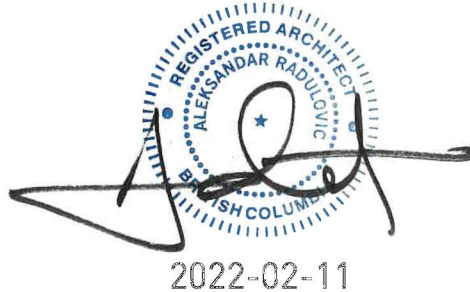
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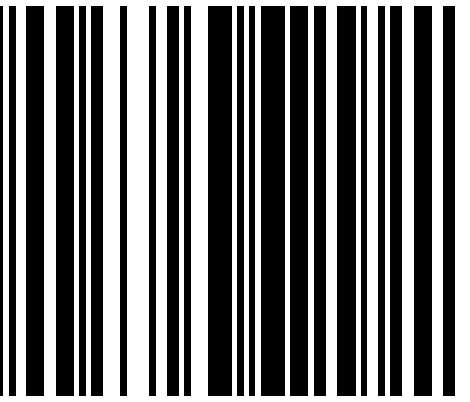
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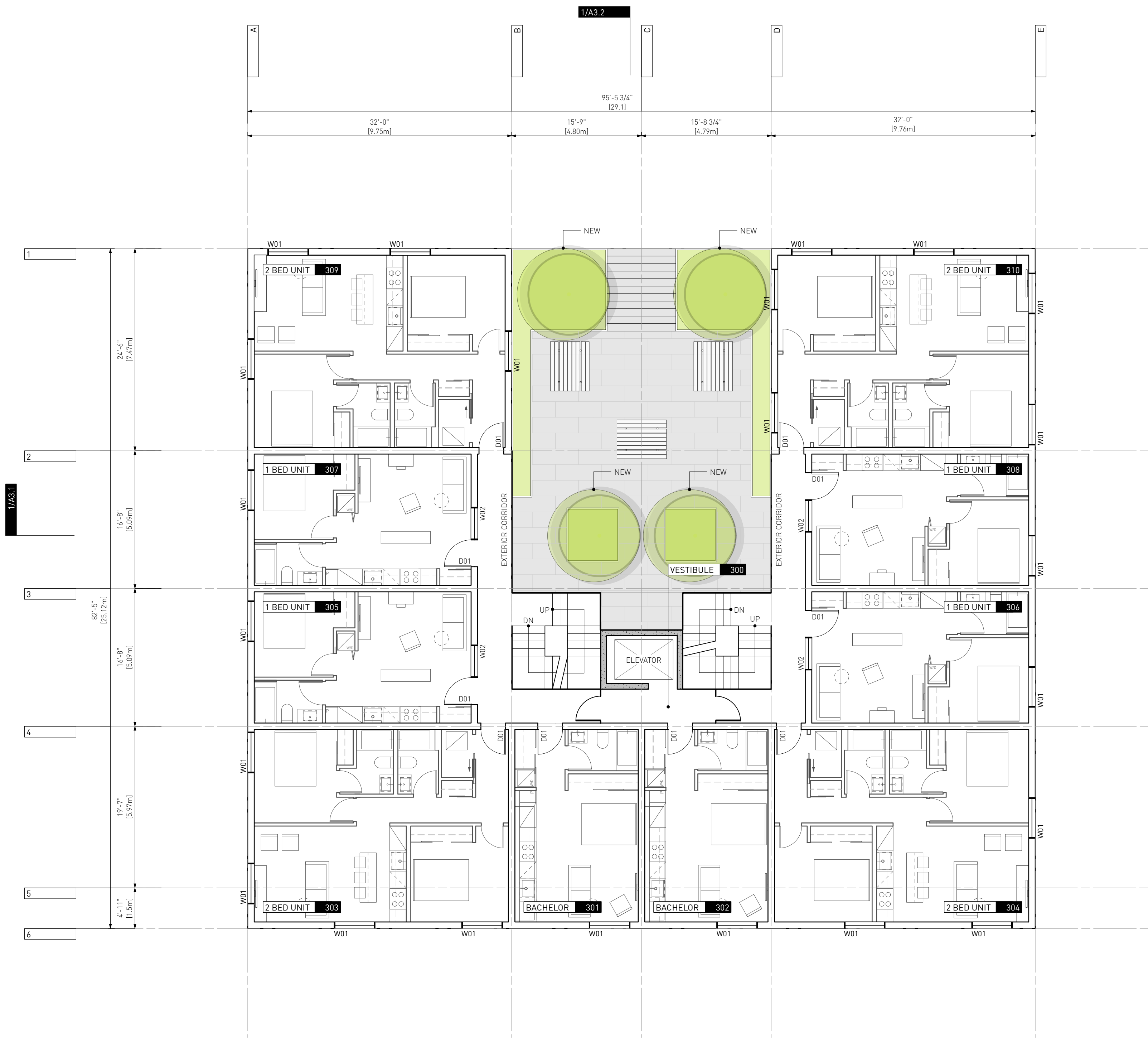
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A1.3



1 LEVEL 03 PLAN
A1.4 SCALE: 1:100

LEGEND:

BELOW

ABOVE

PROPERTY LINE

EXISTING BUILDING



TREE



EXISTING HYDRO POLE



EXISTING FIRE HYDRANT

PROPOSED BENCH

SHORT TERM BIKE PARKING

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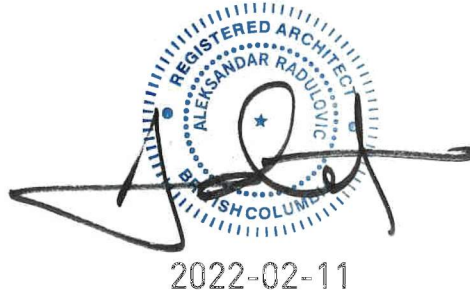
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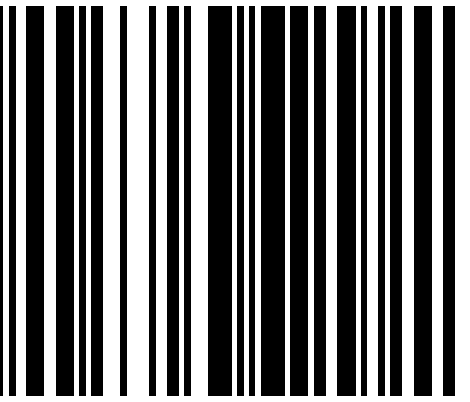
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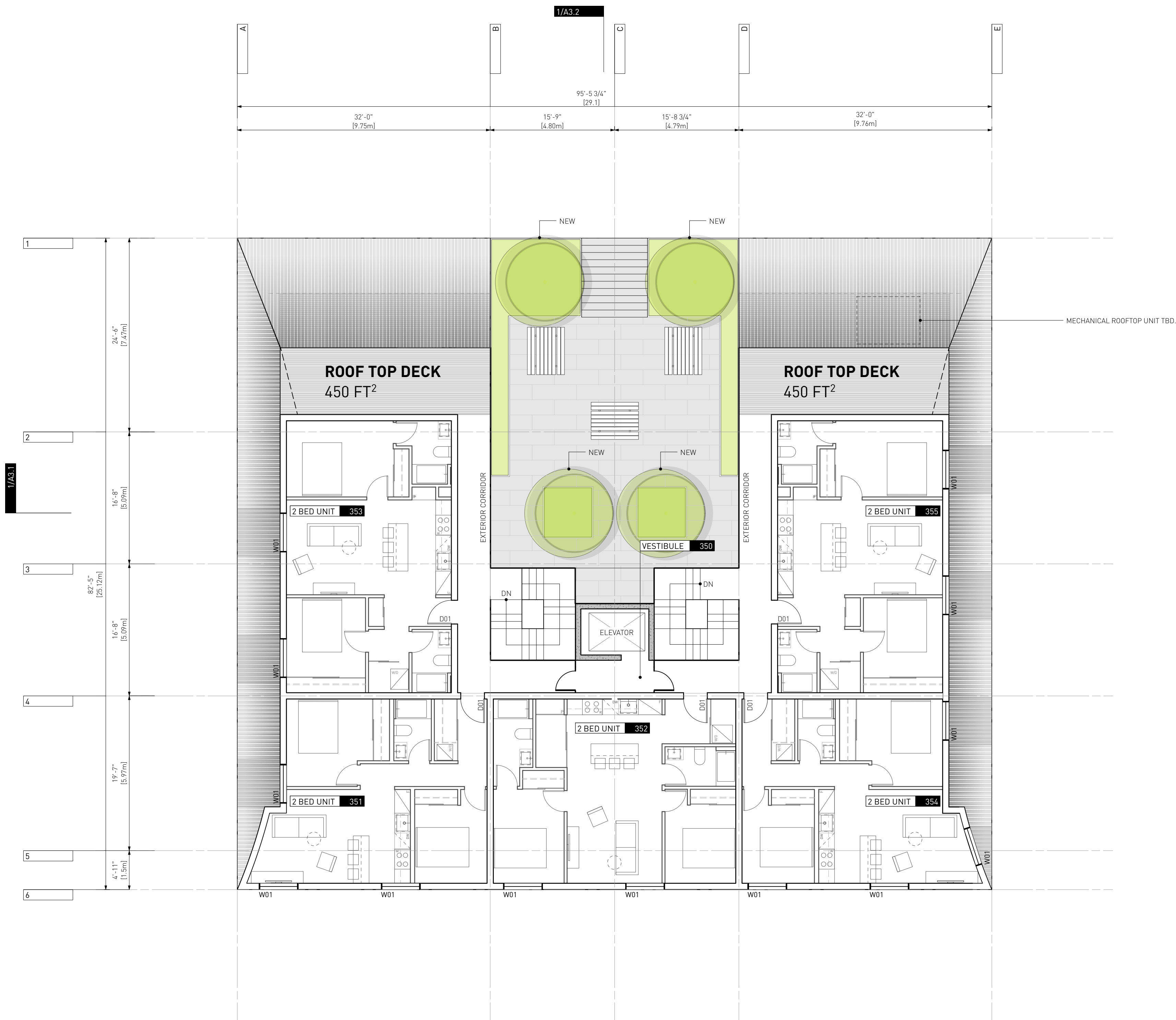
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A1.4



1 LEVEL 3.5 PLAN
A1.5 SCALE: 1:100

LEGEND:

BELOW

ABOVE

PROPERTY LINE

EXISTING BUILDING



TREE



EXISTING HYDRO POLE



EXISTING FIRE HYDRANT

PROPOSED BENCH

SHORT TERM BIKE PARKING

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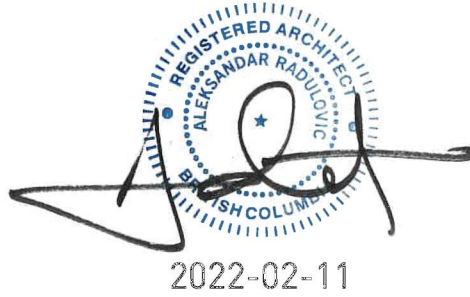
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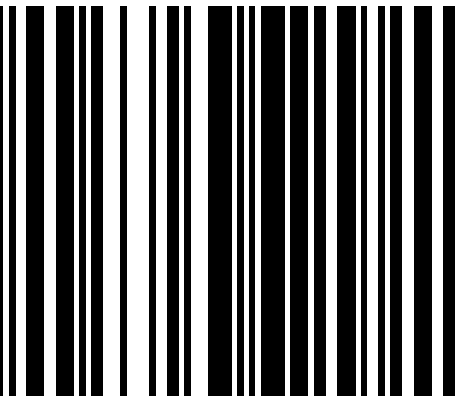
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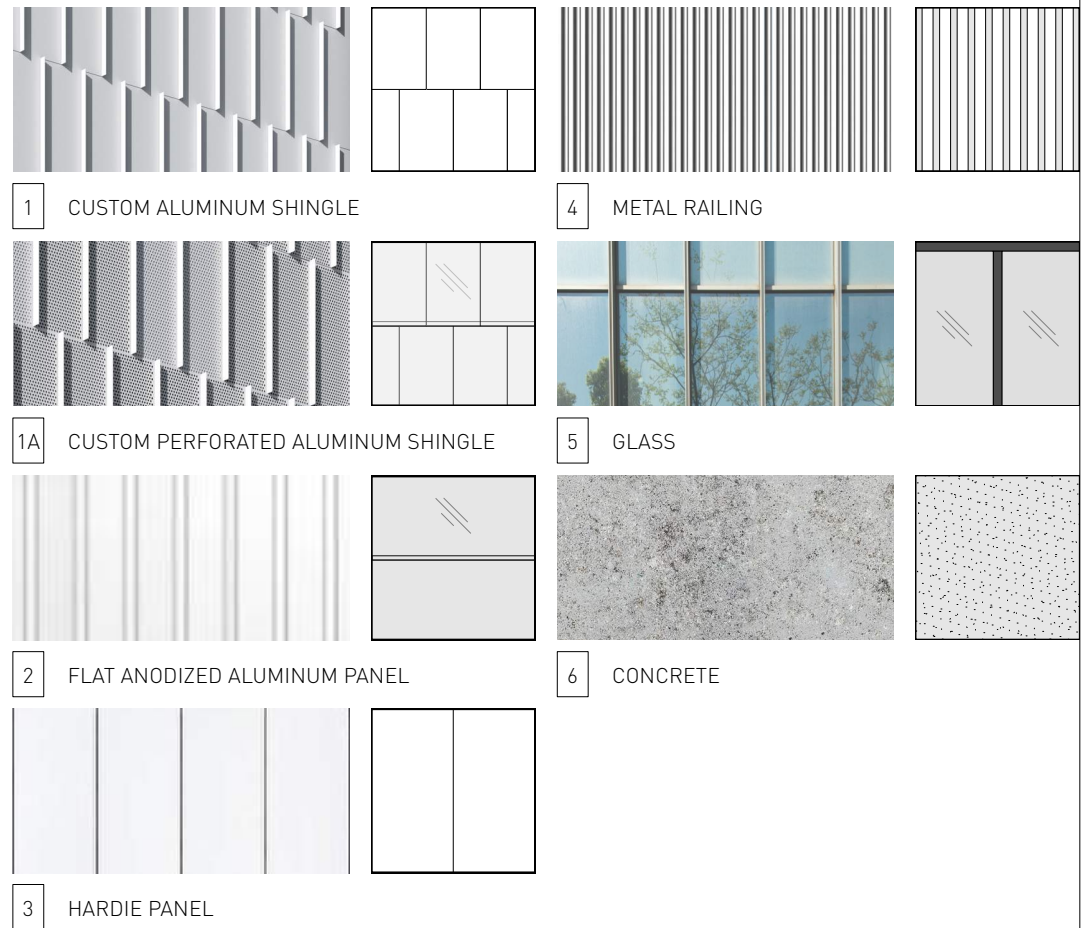
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A1.5

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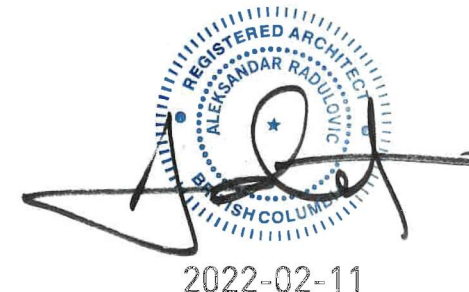
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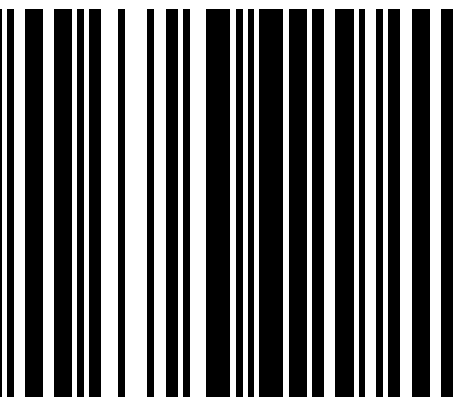
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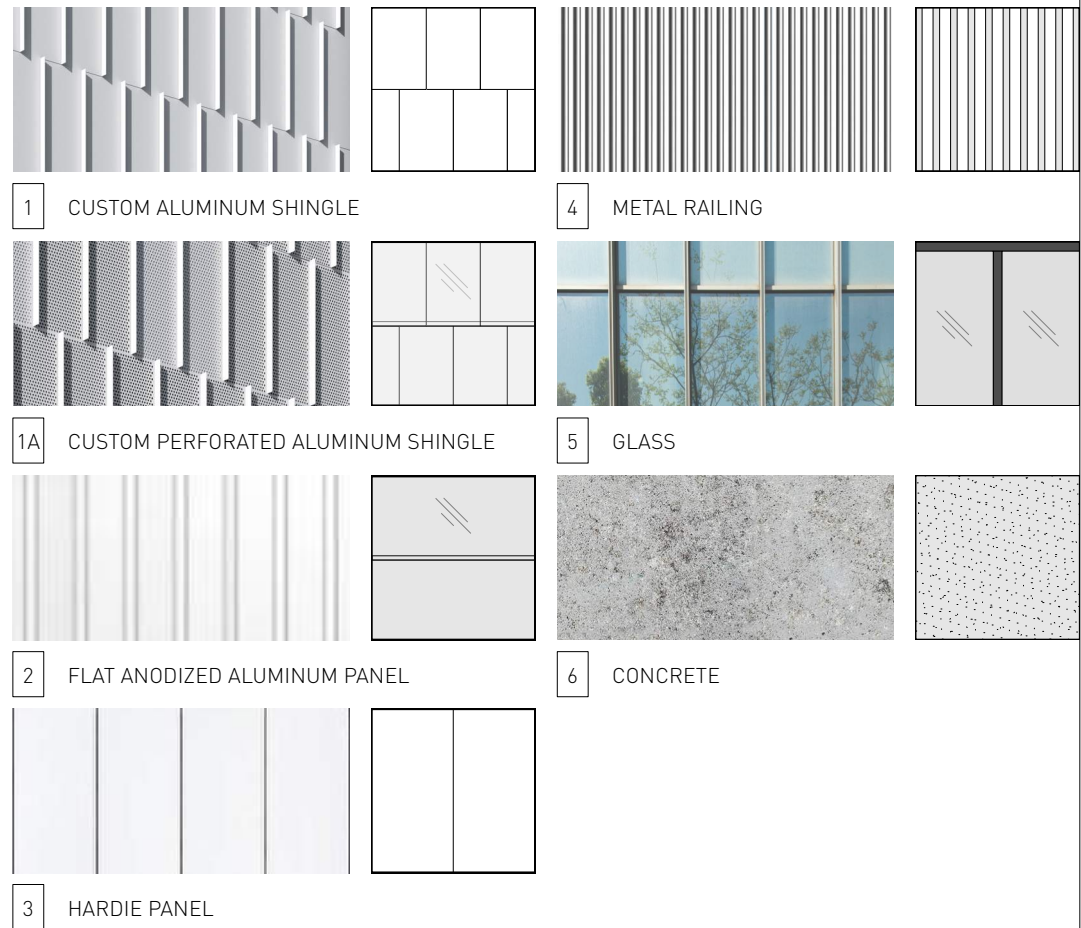


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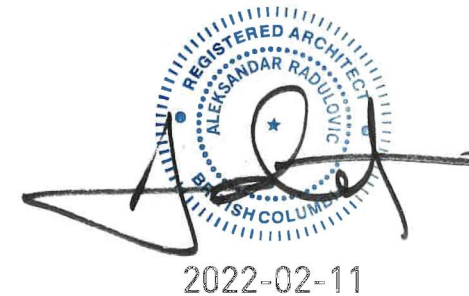
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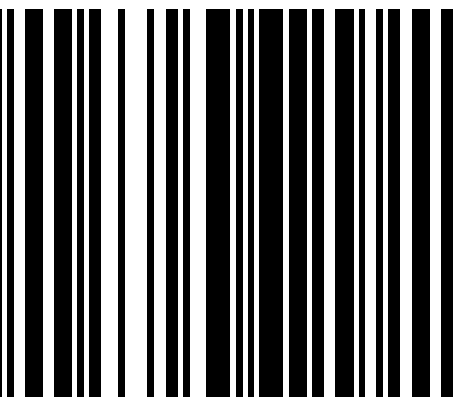
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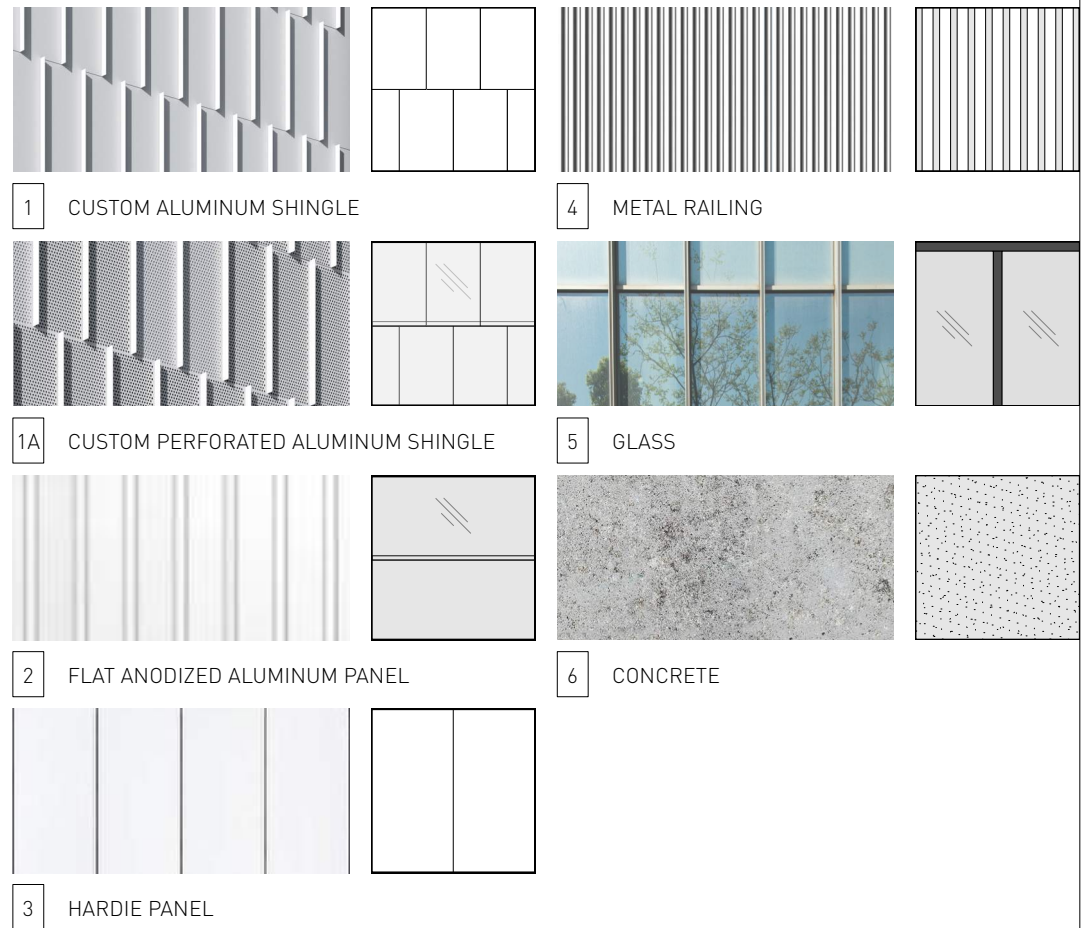


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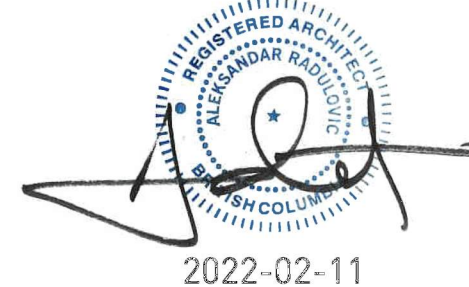
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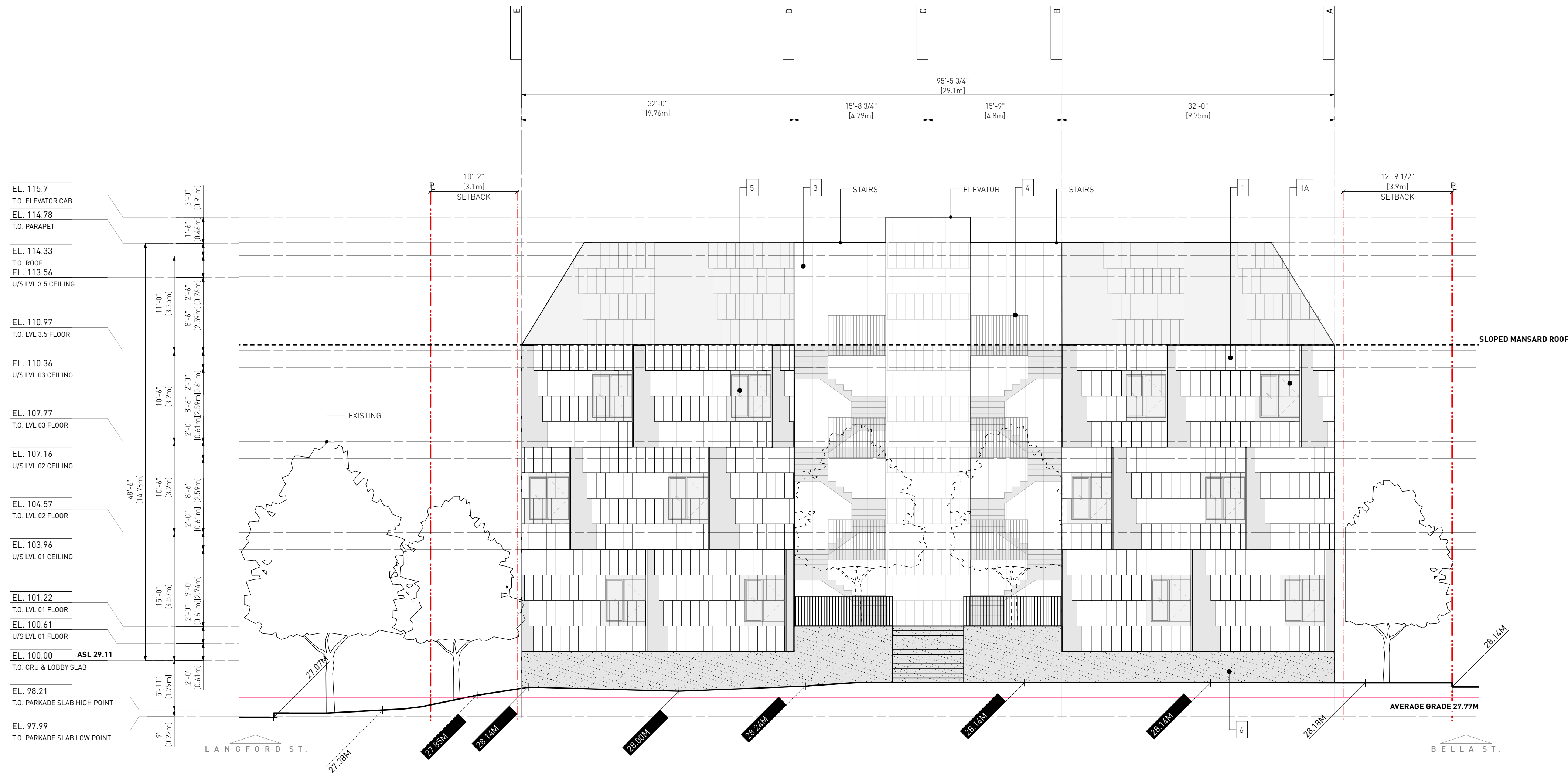
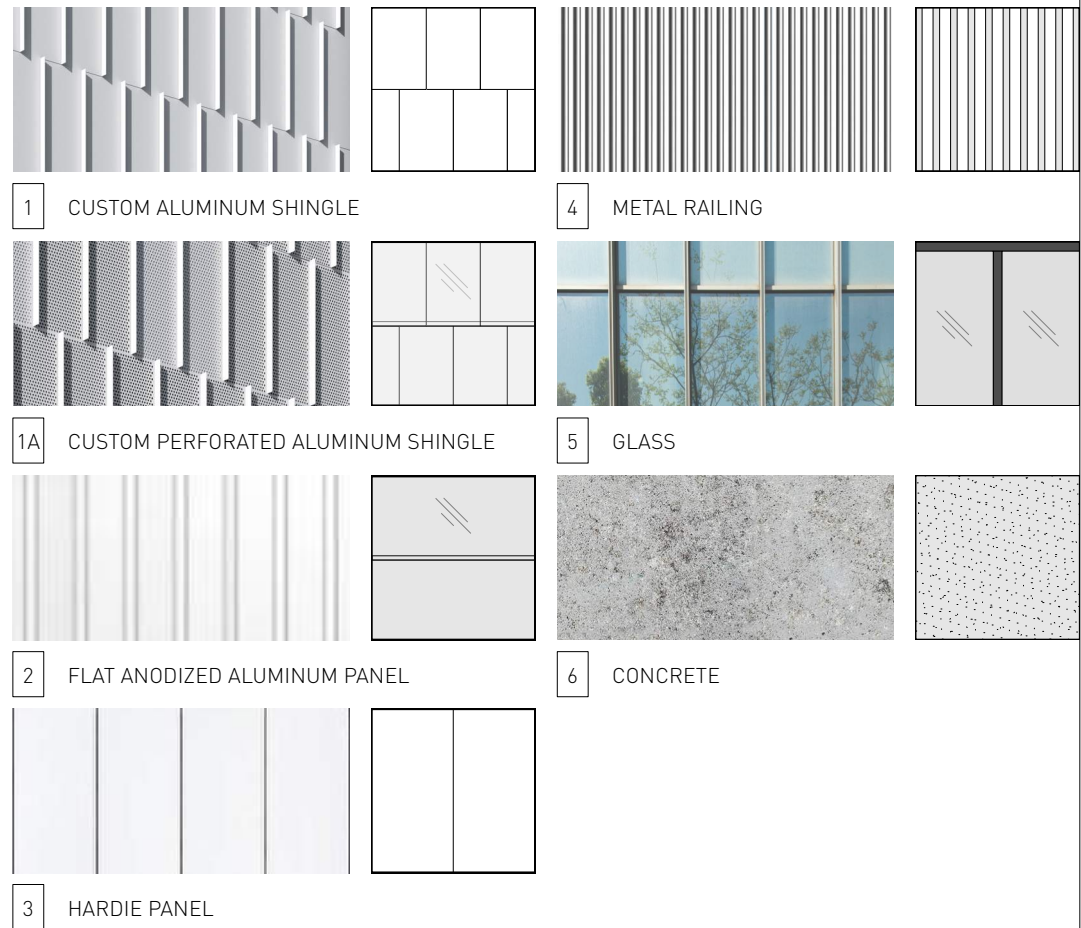
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LEGEND



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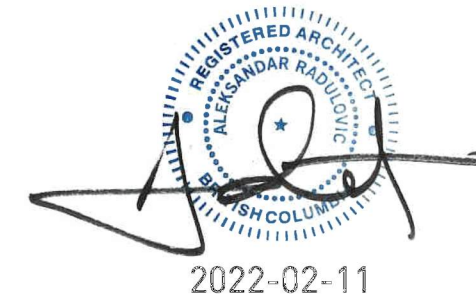
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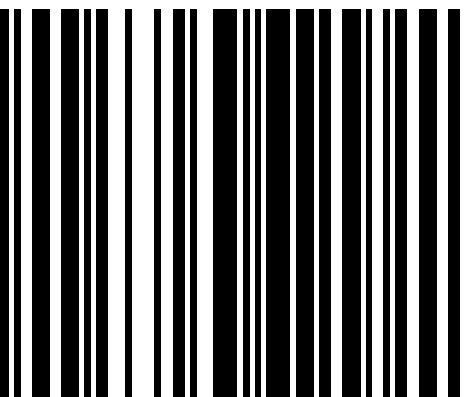
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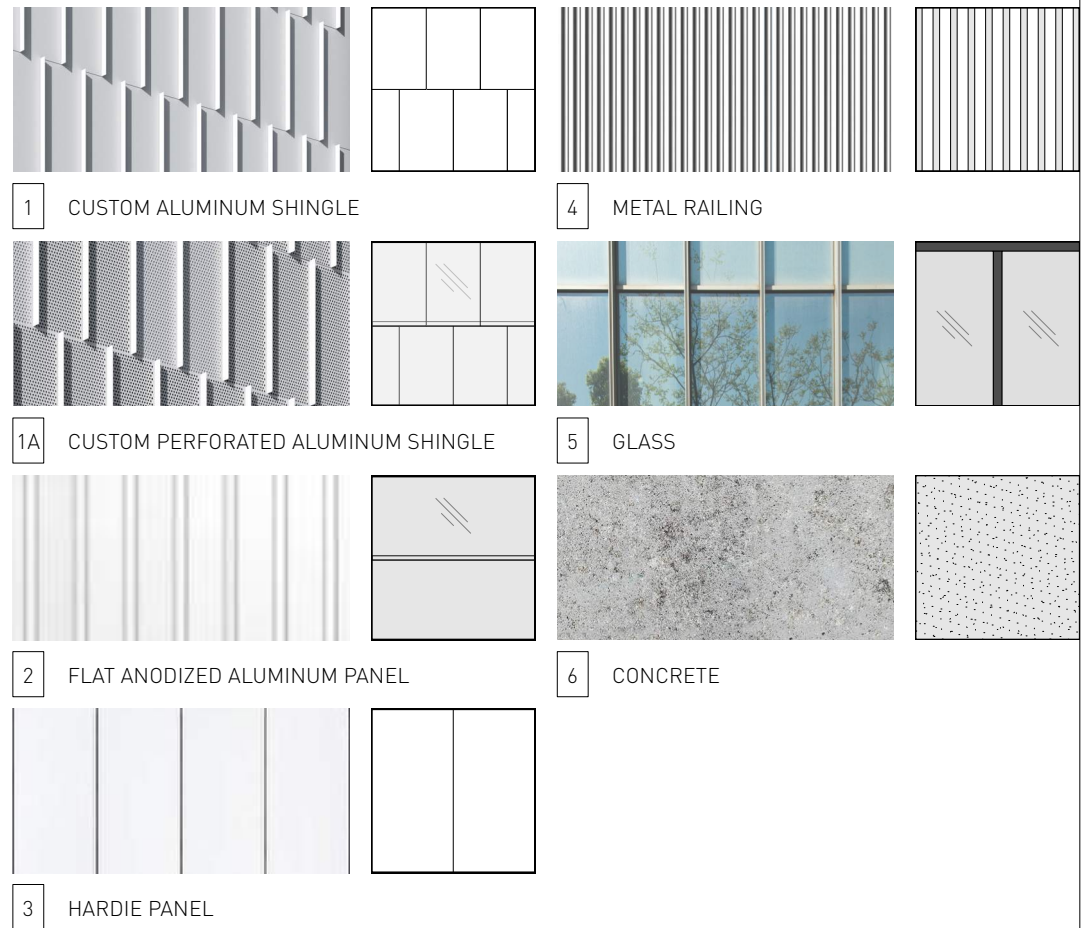
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A2.4

LEGEND



1 NORTH ELEVATION (COURTYARD)
A2.5 SCALE: 1:100

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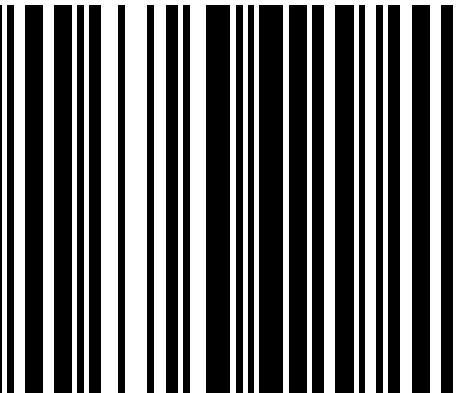
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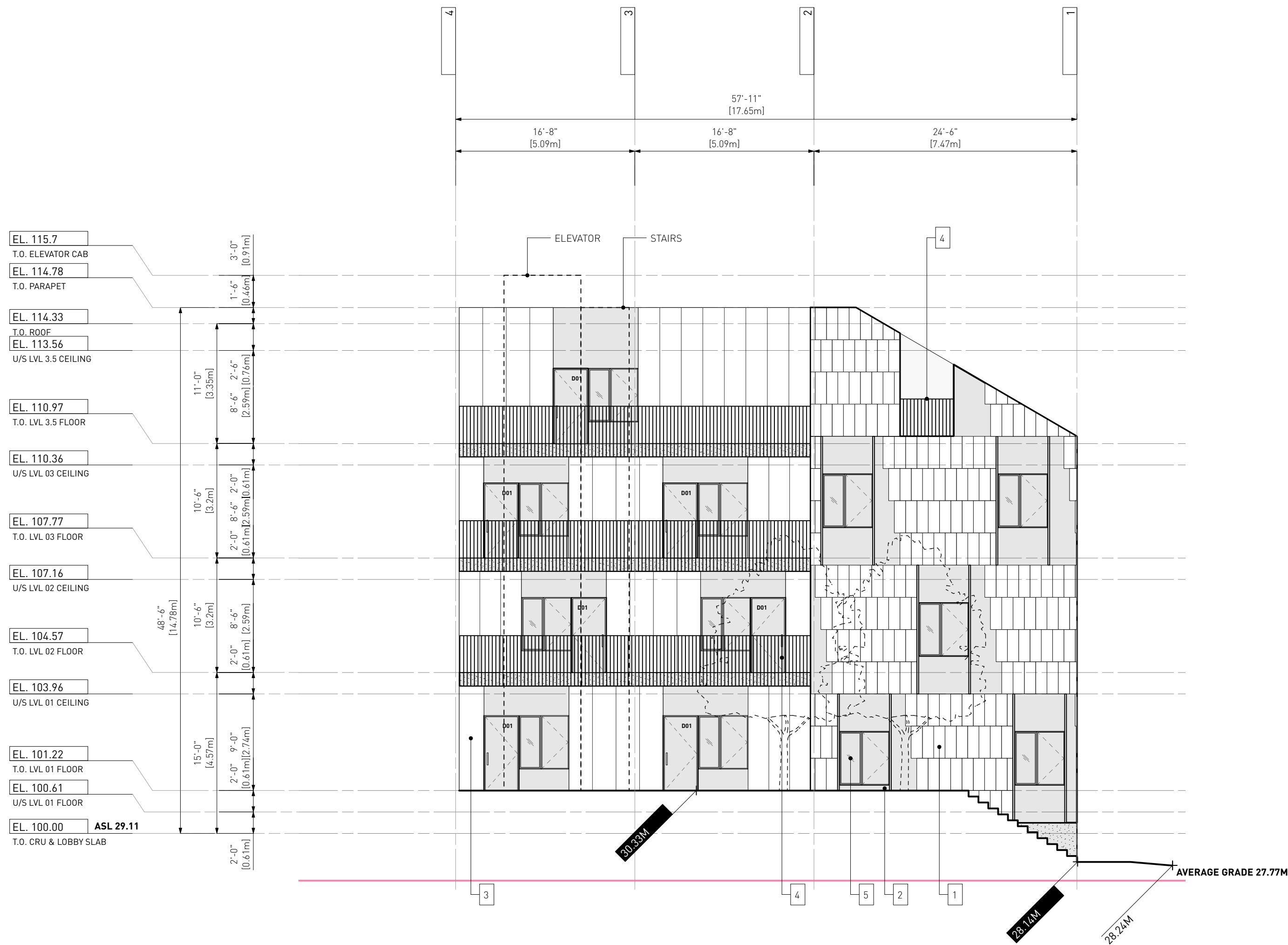
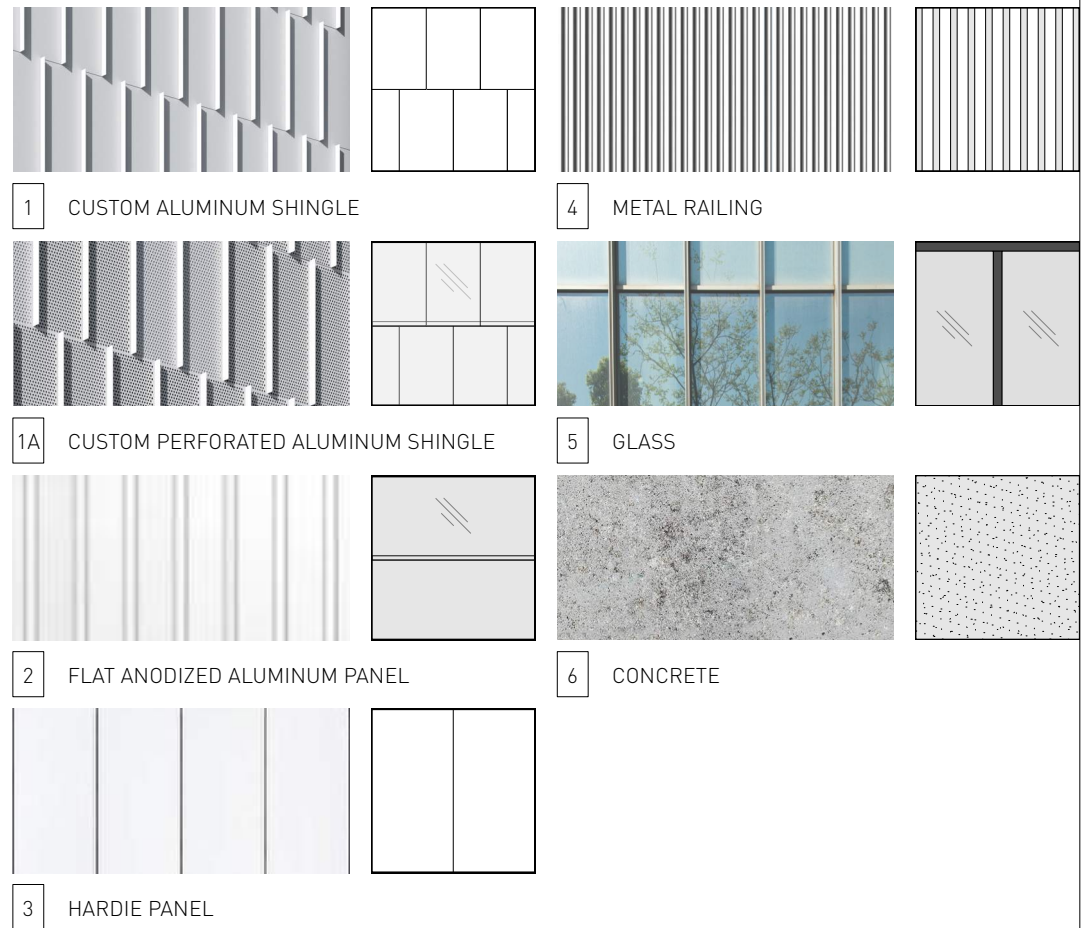


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BUILDING ELEVATION Project
0646
Sheet

LEGEND



1 SOUTH ELEVATION (COURTYARD)
A2.6 SCALE: 1:100

- 5 Iss. for Review Summary Response 03 11.02.2022
- 4 Iss. for Review Summary Response 02 03.11.2021
- 3 Iss. for Review Summary Response 01 16.07.2021
- 2 Iss. for Rezoning & Dev. Permit 12.05.2021
- 1 Iss. for Rezoning & Dev. Permit App Community Review 17.03.2021

Drawn By: AR/ JY
Checked By: PB
Printing Date: 03/11/2021

The Contractor shall verify all dimensions, datums and levels prior to commencement of work.

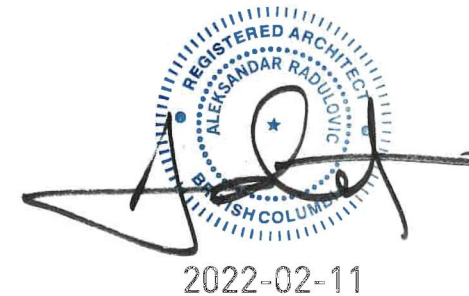
All errors and omissions to be reported to the Architect before proceeding.

This drawing must not be scaled.

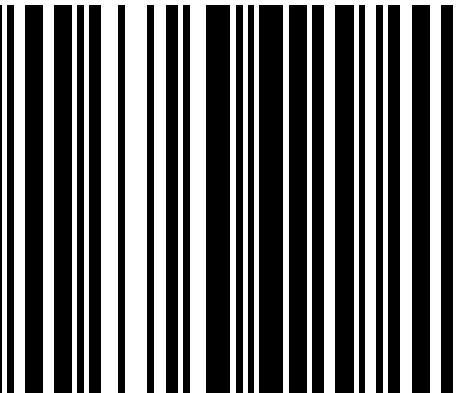
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NOT FOR
CONSTRUCTION



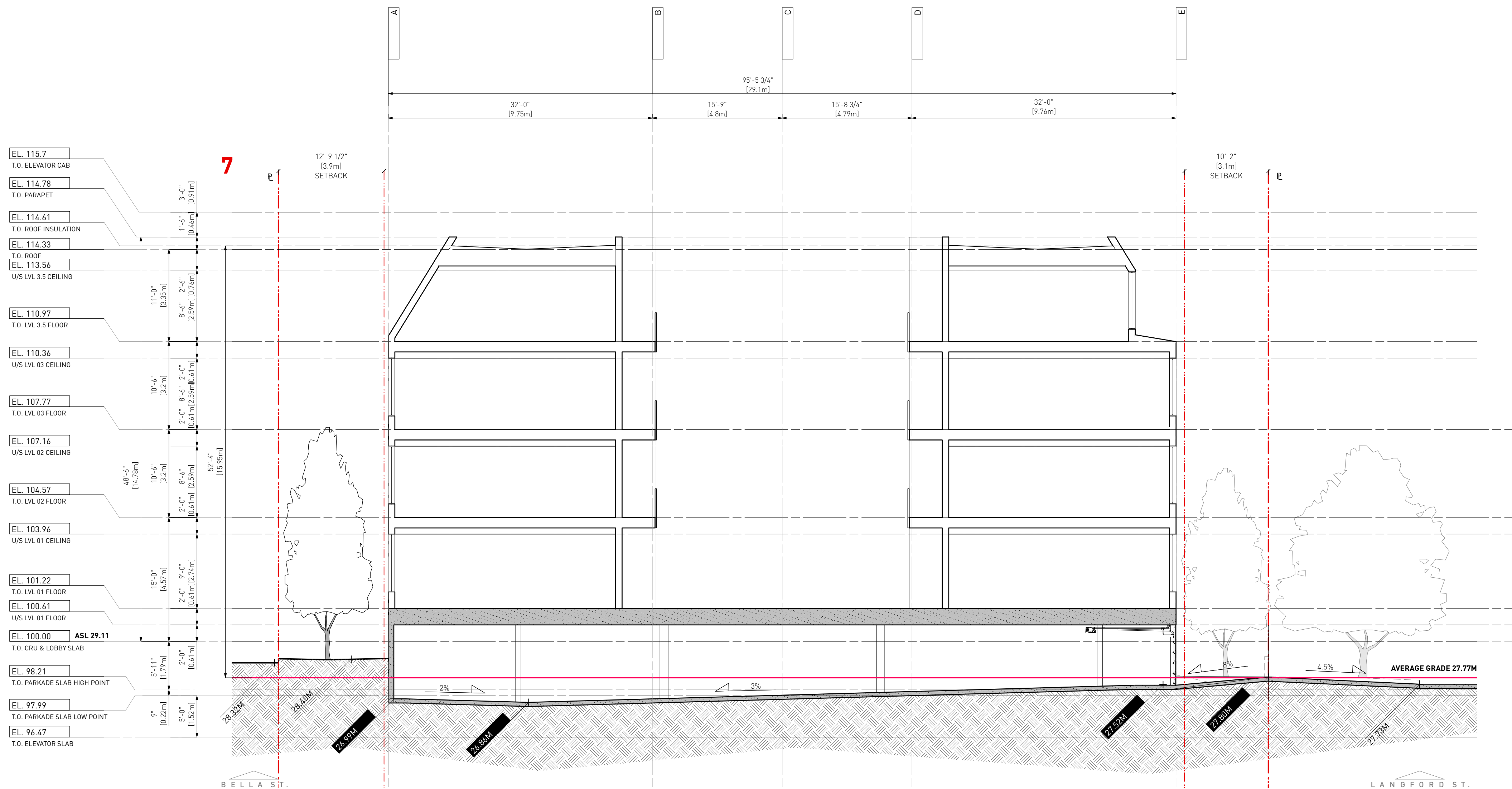
5 4 6 8 7 9 6
A R C H I T E C T U R E I N C
266 MCDERMOT AVE
Winnipeg MB R3B 0S8
P: 204.480.8421
F: 204.480.8876

822 CATHERINE STREET
+ 304 LANGFORD STREET

VICTORIA, BC

BUILDING ELEVATION Project
0646
Sheet

A2.6



1 SECTION @ PARKADE ENTRY
A3.1 SCALE: 1:100

- | | | |
|---|--|------------|
| 5 | Iss. for Review Summary Response 03 | 11.02.2022 |
| 4 | Iss. for Review Summary Response 02 | 03.11.2021 |
| 3 | Iss. for Review Summary Response 01 | 16.07.2021 |
| 2 | Iss. for Rezoning & Dev. Permit | 12.05.2021 |
| 1 | Iss. for Rezoning & Dev. Permit App Community Review | 17.03.2021 |

Drawn By: AR/JY
Checked By: PB
Printing Date: 03/11/2021

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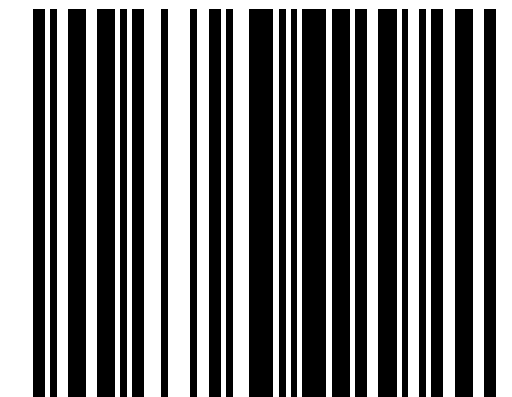
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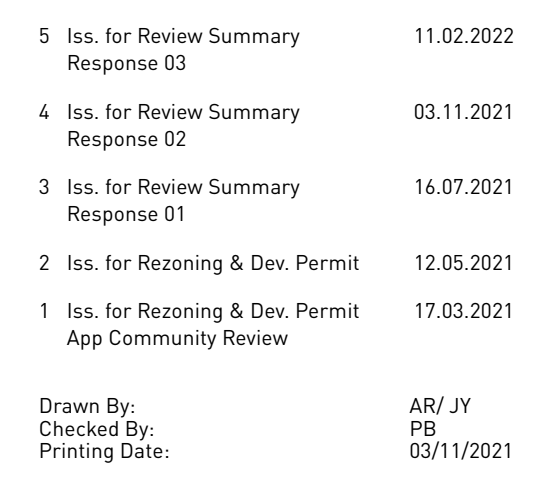
5 4 6 8 7 9 6
ARCHITECTURE INC
266 MCDERMOT AVE
Winnipeg MB R3B 0S8
P: 204.480.8421
F: 204.480.8876

822 CATHERINE STREET
+ 304 LANGFORD STREET

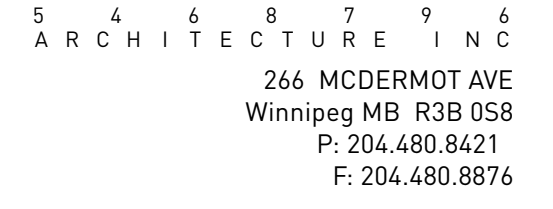
VICTORIA, BC

BUILDING SECTION
Project
0646
Sheet

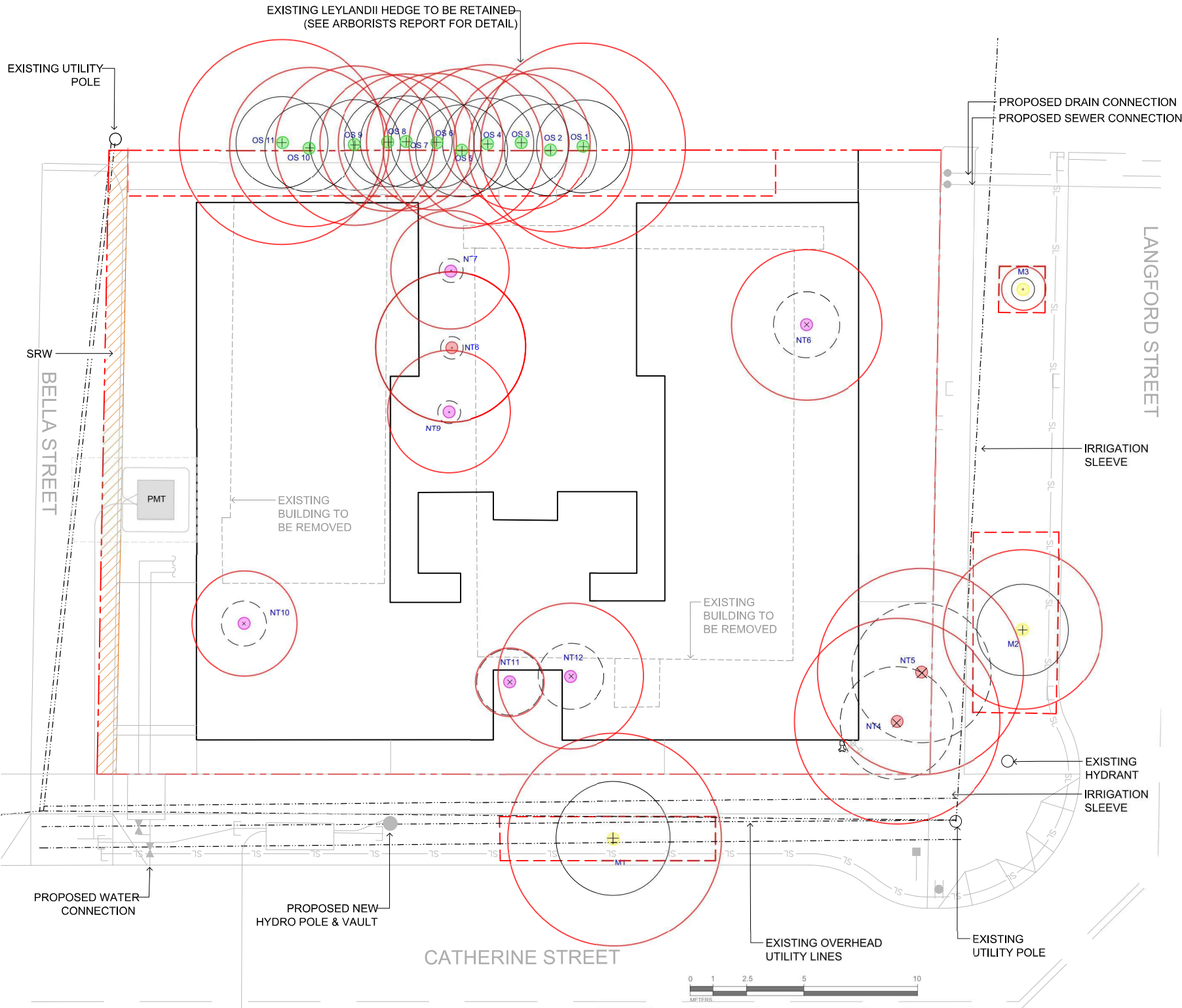
A3.1



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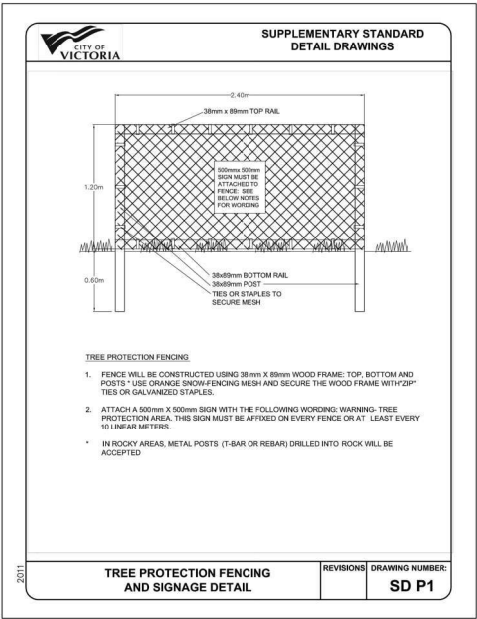
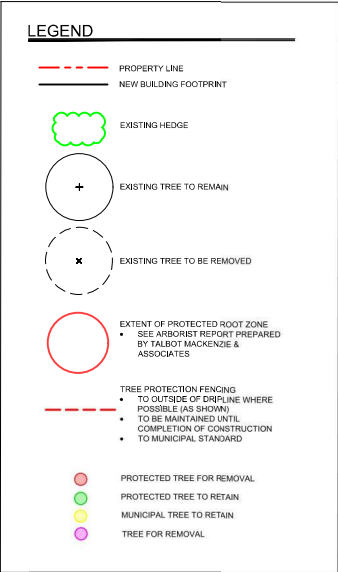


A3.2



TREE IMPACT SUMMARY TABLE					
TREE STATUS	TOTAL	To be RETAINED	To be REMOVED	REPLACEMENTS REQUIRED	To be PLANTED
ON-SITE TREES BYLAW PROTECTED	3		3	6	5
ON-SITE TREES, NOT BYLAW PROTECTED	6		6		
MUNICIPAL TREES	3	3			1
NEIGHBORING TREES, BYLAW PROTECTED	11	11			
NEIGHBORING TREES, NOT BYLAW PROTECTED					
PROPOSED NON REPLACEMENT TREES (ON-SITE TREES IN PLANTERS)					4
TOTAL	23	14	9	6	10

REPLACEMENT TREES REQUIRED	6
REPLACEMENT TREES PROPOSED	5
REPLACEMENT TREE SHORTFALL	1



Inventory date: September 17, 2020 | November 1, 2021

822 Catherine Street - Tree Resource Spreadsheet

1 of 2

Prev. Tag #	Tag ID #	Surveyed (Yes/No)	Location (On, Off, Shared, City)	Bylaw protected? (Yes/No)	Name	Common	Botanical	dbh (cm)	Critical root zone radius (m)	Drillpipe diameter (m)	Condition Health	Structure	Retention Suitability (on-site trees)	Relative Tolerance	General field observations/remarks	Tree retention / location comments	Retention status
NT1	M1	Yes	Municipal	Municipal	Cherry Plum	Prunus cerasifera		39	4.7	5	Fair-poor	Fair-poor		Moderate	Detachment, decay in 2 of 4 scaffold limbs.	May be impacted by sidewalk construction. Municipal ID# 32333.	Retain
NT2	M2	Yes	Municipal	Municipal	Cherry Plum	Prunus cerasifera		32	3.8	4	Fair	Fair		Moderate	Canopy competition with NT4.	Municipal ID# 32334.	Retain
NT3	M3	Yes	Municipal	Municipal	Cherry Plum	Prunus cerasifera		2	1	1	Fair	Fair		Moderate	Newly planted.	Municipal ID# 32335.	Retain
NT4		Yes	On-site	Yes	English Holly	Ilex aquifolium		21,21.1	9	4.5	5	Fair	Fair	Subtle	Fill and green waste in CRZ.	Conflict with building footprint.	X
NT5		Yes	On-site	Yes	European Hawthorn	Crataegus monogyna		~30.25	4.5	6	Fair	Fair	Subtle	Good	Pruning stubs, sapcracker damage.	Conflict with building footprint.	X
NT6		Yes	On-site	No	Chinese Juniper	Juniperus chinensis		22	3.3	4	Fair	Fair	Subtle	Poor	Colonialist leaders, sparse foliage. Close proximity to existing building.	Within building footprint.	X
NT7		Yes	On-site	No	Pyramidal Cedar	Thuja occidentalis		9.8, 8.7, 3.3	2.6	1	Fair	Fair	Subtle	Good	Maintained as shrub.	Within building footprint.	X
NT8		Yes	On-site	Yes	Pyramidal Cedar	Thuja occidentalis		11, 11.7, 7.6, 6	3.3	1	Fair	Fair	Subtle	Good	Maintained as shrub.	Within building footprint.	X
NT9		Yes	On-site	No	Pyramidal Cedar	Thuja occidentalis		12, 11.6, 4.4	2.7	1	Fair	Fair	Subtle	Good	Maintained as shrub.	Within building footprint.	X
NT10		Yes	On-site	No	English Holly	Ilex aquifolium		23	2.3	2	Fair-poor	Fair-poor	Subtle	Good	Pruning stubs, topped historically, new leaders.	Within building footprint.	X
NT11		Yes	On-site	No	English Holly	Ilex aquifolium		15	1.5	3	Fair	Fair	Subtle	Good	Deflected trunk, close proximity to existing building.	Within building footprint.	X
NT12		Yes	On-site	No	Chinese Juniper	Juniperus chinensis		21	3.2	3	Fair-poor	Fair-poor	Subtle	Poor	Multiple leaders, sparse foliage.	Within building footprint.	X

Prev. Tag #	Tag ID #	Surveyed (Yes/No)	Location (On, Off, Shared, City)	Bylaw protected? (Yes/No)	Name	Common	Botanical	dbh (cm)	Critical root zone radius (m)	Drillpipe diameter (m)	Condition Health	Structure	Retention Suitability (on-site trees)	Relative Tolerance	General field observations/remarks	Tree retention / location comments	Retention status
NT13	OS1	Yes	Off-site	Yes	Leyland Cypress	Cupressopsis leylandii		45	4.5	4	Good	Fair		Good	Part of hedge row located at 310 Langford St.	May be impacted by foundation excavations.	TBD
NT13	OS2	Yes	Off-site	Yes	Leyland Cypress	Cupressopsis leylandii		36	3.6	4	Good	Fair		Good	Part of hedge row located at 310 Langford St.	May be impacted by foundation excavations.	TBD
NT13	OS3	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS4	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS5	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS6	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS7	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS8	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS9	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS10	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS11	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cupressopsis leylandii		~45	4.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD

Prepared by:
Talbot Mackenzie and Associates
Box 48153 RPO Uptown
Victoria, BC V8Z 7H5
Ph: (250) 478-8733 - Fax: (250) 478-7050
Email: treeshelp@gmail.com



1608 Camosun Street, Victoria BC V8T 3E6
Info@biophilacollective.ca 250 590 1156

OWNER/CLIENT:
ARYZE

PROJECT NAME:
**822 CATHERINE STREET
+ 304 LANGFORD STREET**

PROJECT ADDRESS:
**822 CATHERINE ST.
VICTORIA, BC**

DESIGNED BY **BIANCA BODLEY**
DRAWN BY **KH**

ISSUED FOR REVIEW SUMMARY RESPONSE 02	22/02/11
ISSUED FOR REVIEW SUMMARY RESPONSE 02	21/11/03
ISSUED FOR TRD RESPONSE	21/07/14
ISSUED FOR RZ/DP	21/05/12
NO. ISSUE	YYMMDD

SEAL



NORTH ARROW

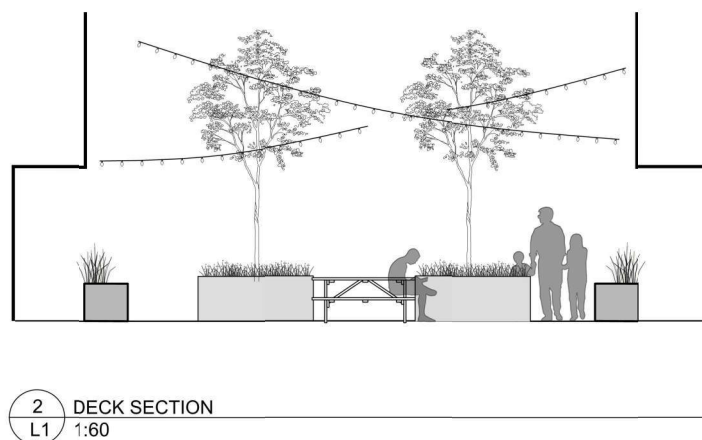
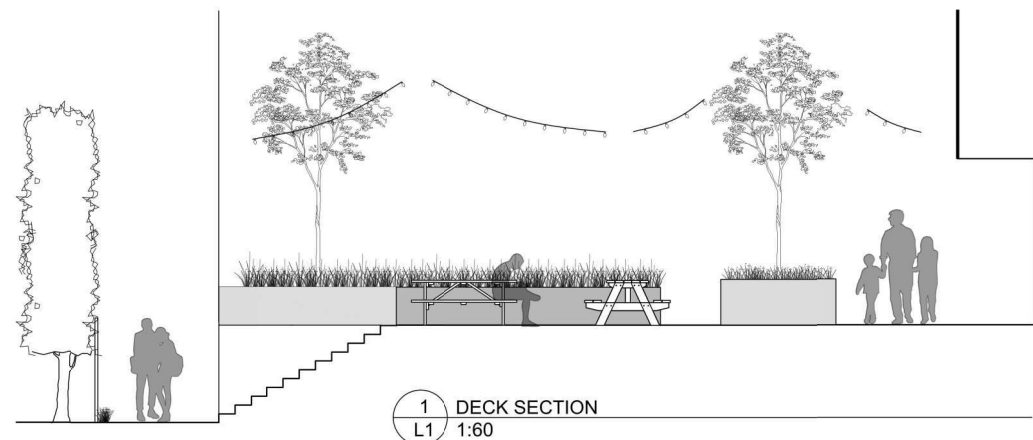


DRAWING TITLE:
TREE REMOVAL & PROTECTION

DWG NO:

SCALE: 1:100

L0



SITE PERMEABILITY	
TOTAL SITE IMPERVIOUS AREA FOR ENTIRE PRIVATE PROPERTY:	772 m2
TOTAL SITE PERVIOUS AREA FOR ENTIRE PRIVATE PROPERTY:	193 m2

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	22/02/11
	ISSUED FOR REVIEW SUMMARY RESPONSE 02	21/11/03
	ISSUED FOR TRD RESPONSE	21/07/14
	ISSUED FOR RZ/DP	21/05/12
NO.	ISSUE	YYMM/DD

DWG NO: 1

SCALE: 1:100

L1

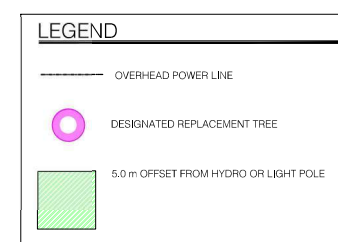


ARYZE





PROJECT NAME:
822 CATHERINE STREET
+ 304 LANGFORD STREET

PROJECT ADDRESS:
822 CATHERINE ST.
VICTORIA, BC

DESIGNED BY: **BIANCA BODLEY**
DRAWN BY: **KH**



REPLACEMENT TREES REQUIRED	6
REPLACEMENT TREES PROPOSED	5
REPLACEMENT TREE SHORTFALL	1

Tree Planting Schedule					
Quantity	Symbol	Latin Name	Common Name	Container	Caliper
4		Acer Griseum	Paperbark Maple	B&B	5 cm
3		Stewartia rostrata	Stewartia	B&B	5 cm
2		Cornus 'Eddie's White Wonder'	Eddie's White Wonder Dogwood	B&B	70 cm
1		BOULEVARD TREE TO BE DETERMINED BY PARKS AT BP		B&B	6 cm

PROPOSED BOULEVARD TREES

- TREE SPECIES TO BE COORDINATED WITH PARKS PRIOR TO PLANTING
- TREES MUST HAVE ONE DOMINANT CENTRAL LEADER OR SINGLE STRAIGHT TRUNK, 5-8 cm DIAMETER, CALIPER MEASURED 15 cm ABOVE GROUND, WELL BALANCED CROWN WITH BRANCHING STARTING AT 1.8m-2.5m ABOVE GROUND
- TREES TO BE PLANTED AS PER PLANTING OF TREES, SHRUBS AND GROUND COVERS (32.93 & 33.01 MCMC 2009 AND CITY OF VICTORIA SUPPLEMENTAL DRAWINGS SD P3 AND SD P4)
- PARKS WILL REQUIRE (3) INSPECTIONS FOR TREE PLANTING: 1) INSPECTION OF SOIL AND PLANTING AREA, 2) INSPECTION OF STOCK UPON DELIVERY, 3) INSPECTION OF INSTALLED TREES WITH MULCH AND STAKING. TRUNK LEAF MUST BE VISIBLE AND PLANTED AT OR SLIGHTLY ABOVE GRADE UPON INSPECTION.
- THE APPLICANT MUST MAINTAIN THE TREE IN GOOD HEALTH AND STRUCTURAL CONDITION FOR 1 YEAR FROM THE SUBSTANTIAL COMPLETION TO BE ELIGIBLE FOR DEPOSIT RETURN.

BOULEVARD IRRIGATION

- SEE IRRIGATION PLAN
- ALL IRRIGATION WORK, INCLUDING REQUIRED INSPECTIONS, SHALL FOLLOW THE SUPPLEMENTARY SPECIFICATIONS FOR STREET TREES AND IRRIGATION, SCHEDULE C TO THE VICTORIA SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 12-042, AND COMPLY WITH THE IRRIGATION INDUSTRY ASSOCIATION OF BC STANDARDS.
- IRRIGATION DESIGN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO CITY OF VICTORIA PARKS NO LESS THAN 30 DAYS PRIOR TO SCHEDULED INSTALLATION.
- IRRIGATION INSPECTIONS ARE REQUIRED FOR ALL SLEEVING, OPEN TRENCH MAINLINE AND LATERAL LINES, SYSTEM OPERATION, CONTROLLER, AND BACKFLOW PREVENTER (INCL. INSPECTION TAG AND TESTING REPORT), CALL PARKS AT 250-361-0600 AT LEAST 2 DAYS IN ADVANCE TO ARRANGE FOR IRRIGATION INSPECTIONS.
- LANDSCAPE DESIGNING AND CONSTRUCTION OF IRRIGATION FRONTAGES WILL BE IRRIGATED FROM A CITY WATER SOURCE, PARKS SUPPORTS THE INSTALLATION OF THE IRRIGATION SYSTEM ON THE TAXED BOULEVARD ON LANGFORD STREET. THE CATHERINE UNTAXED BOULEVARD CAN BE IRRIGATED FROM A PRIVATE WATER SOURCE UNDER A PERMIT FROM THE CITY ENGINEERING DEPARTMENT. THE MAINTENANCE OF THE CATHERINE BOULEVARD IS THE RESPONSIBILITY OF THE PROPERTY OWNER AS WOULD BE THE PRIVATE IRRIGATION SYSTEM.

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	21/02/11
	ISSUED FOR REVIEW SUMMARY RESPONSE 02	21/11/103
	ISSUED FOR TRD RESPONSE	21/07/14
	ISSUED FOR RZ/DP	21/05/12
NO.	ISSUE	YYMMDD

NORTH ARROW



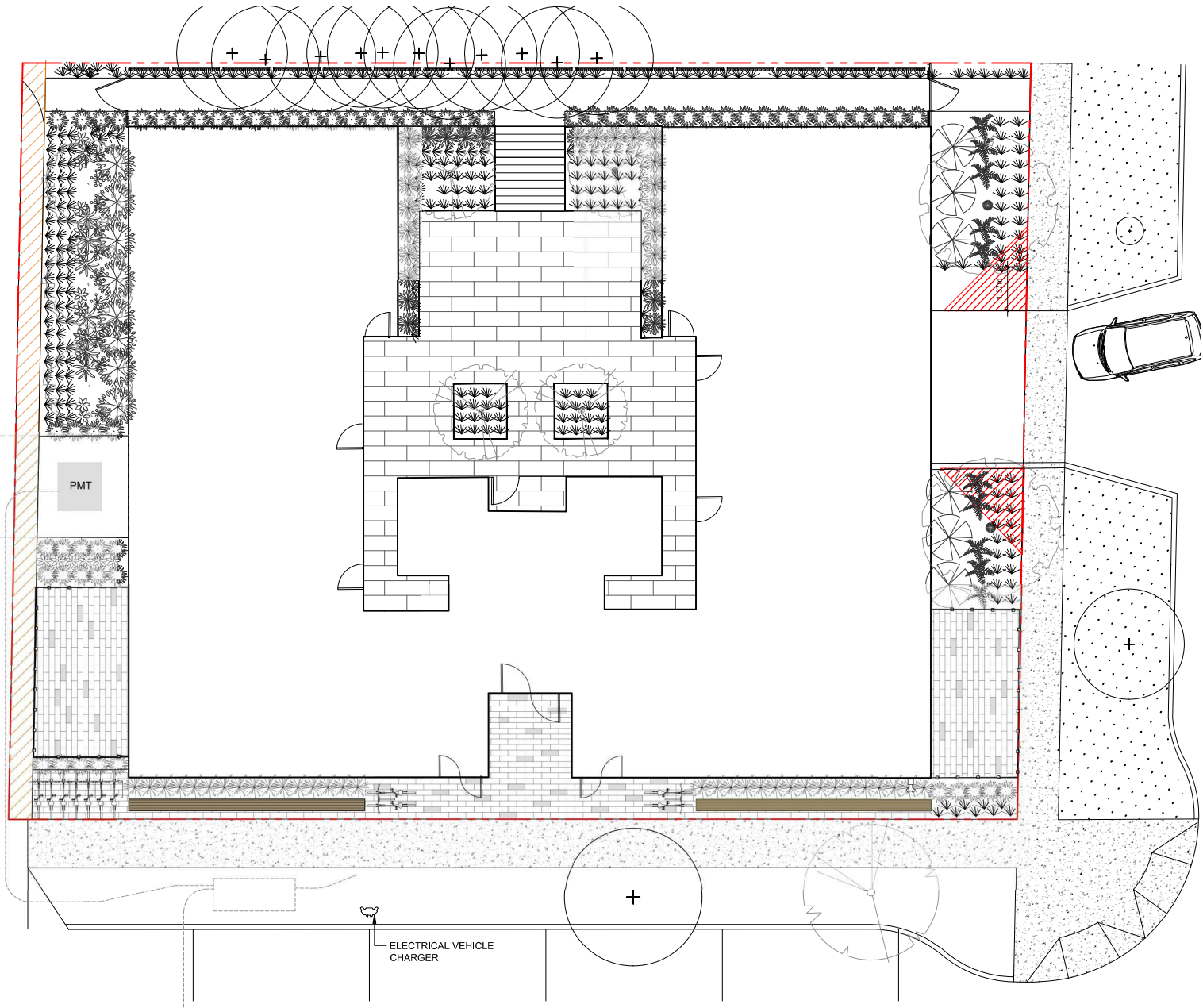
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TREE PLANTING PLAN

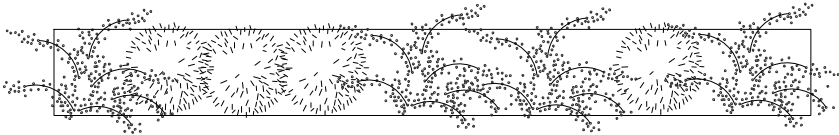
DWG NO:

SCALE: 1:100

L2



PLANT SCHEDULE						
Quantity	Symbol	Latin Name	Common Name	Container	Native	Pollinator
11		Anaphalis margaritacea	Pearly everlasting	#1	yes	
32		Seleria autumnalis	Autumn moor grass	#1		
65		Calamagrostis acutiflora 'Karl Forester'	Karl Forester feather reed grass	#2		
8		Choisya ternata	Mexican mock orange	#2		
11		Echinacea purpurea	Purple coneflower	#1		yes
		Hebe 'Green Gem'	Green Gem hebe			
10		Liriope muscari	Liriope	TRAY		
14		Liriope muscari 'Variegata'	Variegated Liriope	TRAY		
10		Ploystichum munitum	Western sword fern	#1	y	
30		Prostanthera cuneata	Australian mint	#1		
8		Rosmarinus officinalis 'Prostratus'	Creeping rosemary			
6		Vaccinium ovatum	Evergreen huckleberry		y	
8		Verbena bonariensis	Tall verbena	#1		yes
NOTES: 1. PLANTS IN PLANT LISTS ARE SPECIFIED ACCORDING TO THE CANADIAN NURSERY LANDSCAPE ASSOCIATION CANADIAN STANDARDS FOR NURSERY STOCK AND SECTION 12. CONTAINER GROWN PLANTS FROM THE BC LANDSCAPE STANDARD, CURRENT EDITION.						



1 L3 PLANTER PLANTING DESIGN



1608 Camosun Street, Victoria BC V8T 3E6
Info@biophiliacollective.ca 250 590 1156

OWNER/CLIENT:
ARYZE

PROJECT NAME:
822 CATHERINE STREET
+ 304 LANGFORD STREET

PROJECT ADDRESS:
822 CATHERINE ST.
VICTORIA, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: KH

ISSUED FOR REVIEW SUMMARY RESPONSE 02	22.02.11
ISSUED FOR REVIEW SUMMARY RESPONSE 02	21.11.03
ISSUED FOR TRD RESPONSE	21.07.14
ISSUED FOR RZ/DP	21.05.12
NO. ISSUE	YYMMDD

SEAL



NORTH ARROW

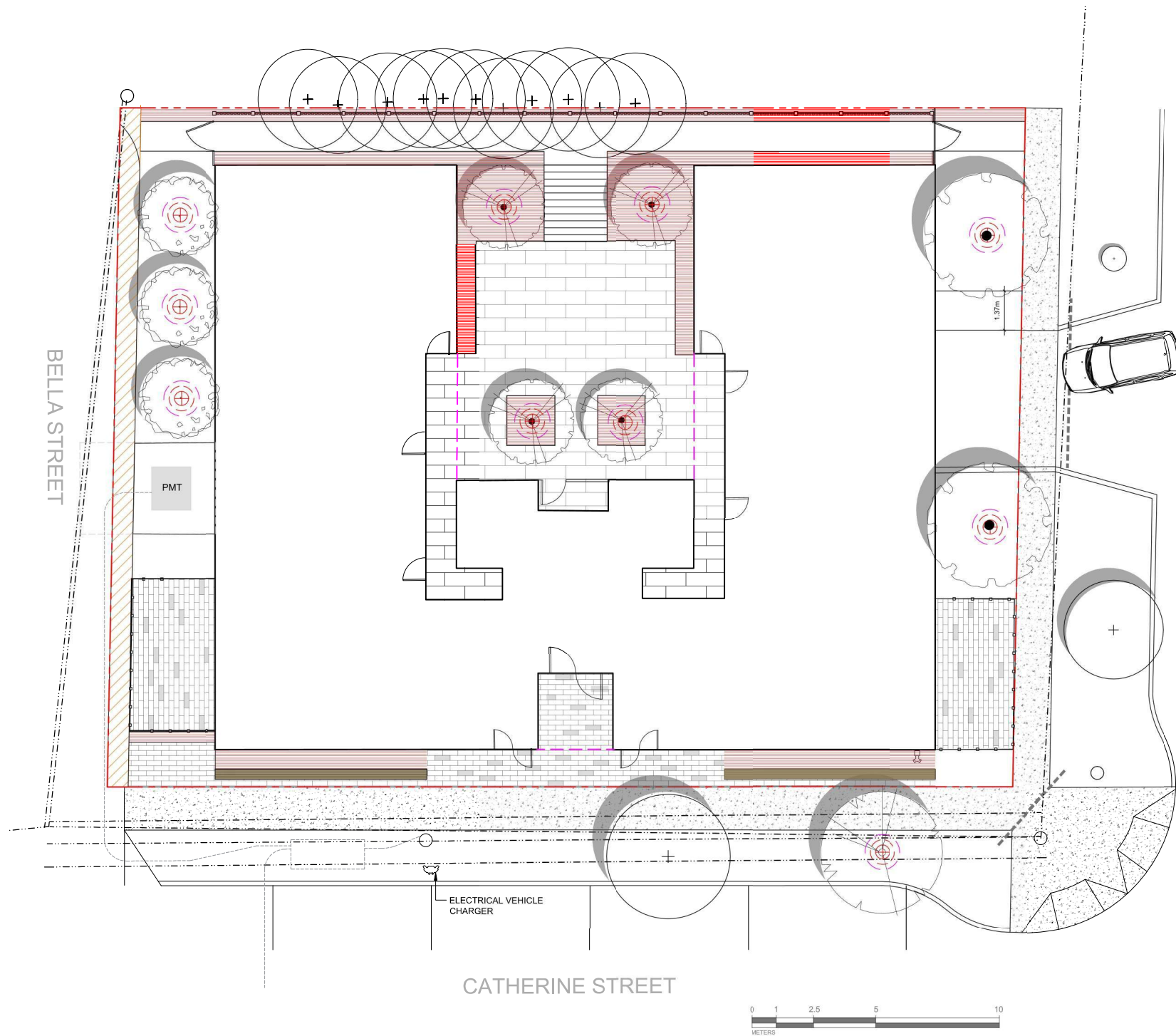


DRAWING TITLE:
PLANTING PLAN

DWG NO.

SCALE: 1:100

L3



LEGEND: OFF-SITE IRRIGATION

IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 3/4"

IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 1"

IRRIGATION MAINLINE: PVC SCHEDULE 40 1 1/2"

(TURF) RAIN BIRD 1804 12 SERIES MPR

(TURF) RAIN BIRD 1804 12 SERIES MPR

RAIN BIRD PGA GLOBE 25MM

RAIN BIRD 3-RC 20MM

WATTS 007 25MM

RAIN BIRD TB062-CM4

NETAFIM DF075-120 20MM

POINT OF CONNECTION 25MM

DURA-FLO DRIP TREE RING @ 18GPH

AREA TO RECEIVE DRIPLINE

IRRIGATION SLEEVE

- SEE IRRIGATION PLAN
- COORDINATE INSTALLATION WITH GENERAL CONTRACTOR

LEGEND: ON-SITE IRRIGATION

IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 3/4"

IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 1"

IRRIGATION MAINLINE: PVC SCHEDULE 40 1 1/2"

(TURF) RAIN BIRD 1804 12 SERIES MPR

(TURF) RAIN BIRD 1804 12 SERIES MPR

RAIN BIRD PGA GLOBE 25MM

RAIN BIRD 3-RC 20MM

WATTS 007 25MM

RAIN BIRD TB062-CM4

NETAFIM DF075-120 20MM

POINT OF CONNECTION 25MM

DURA-FLO DRIP TREE RING @ 18GPH

AREA TO RECEIVE DRIPLINE

IRRIGATION SLEEVE

- SEE IRRIGATION PLAN
- COORDINATE INSTALLATION WITH GENERAL CONTRACTOR



1608 Camosun Street, Victoria BC V8T 3E6
Info@biophiliacollective.ca 250.590.1156

OWNER/CLIENT:

ARYZE

PROJECT NAME:

822 CATHERINE STREET
+ 304 LANGFORD STREET

PROJECT ADDRESS:

822 CATHERINE ST.
VICTORIA, BC

DESIGNED BY: BIANCA BODLEY

DRAWN BY: KH

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	2202/11
	ISSUED FOR REVIEW SUMMARY RESPONSE 02	2111/03
	ISSUED FOR TRD RESPONSE	2107/14
	ISSUED FOR RZ/DP	2105/12
NO.	ISSUE	YYMM/DD

SEAL



NORTH ARROW



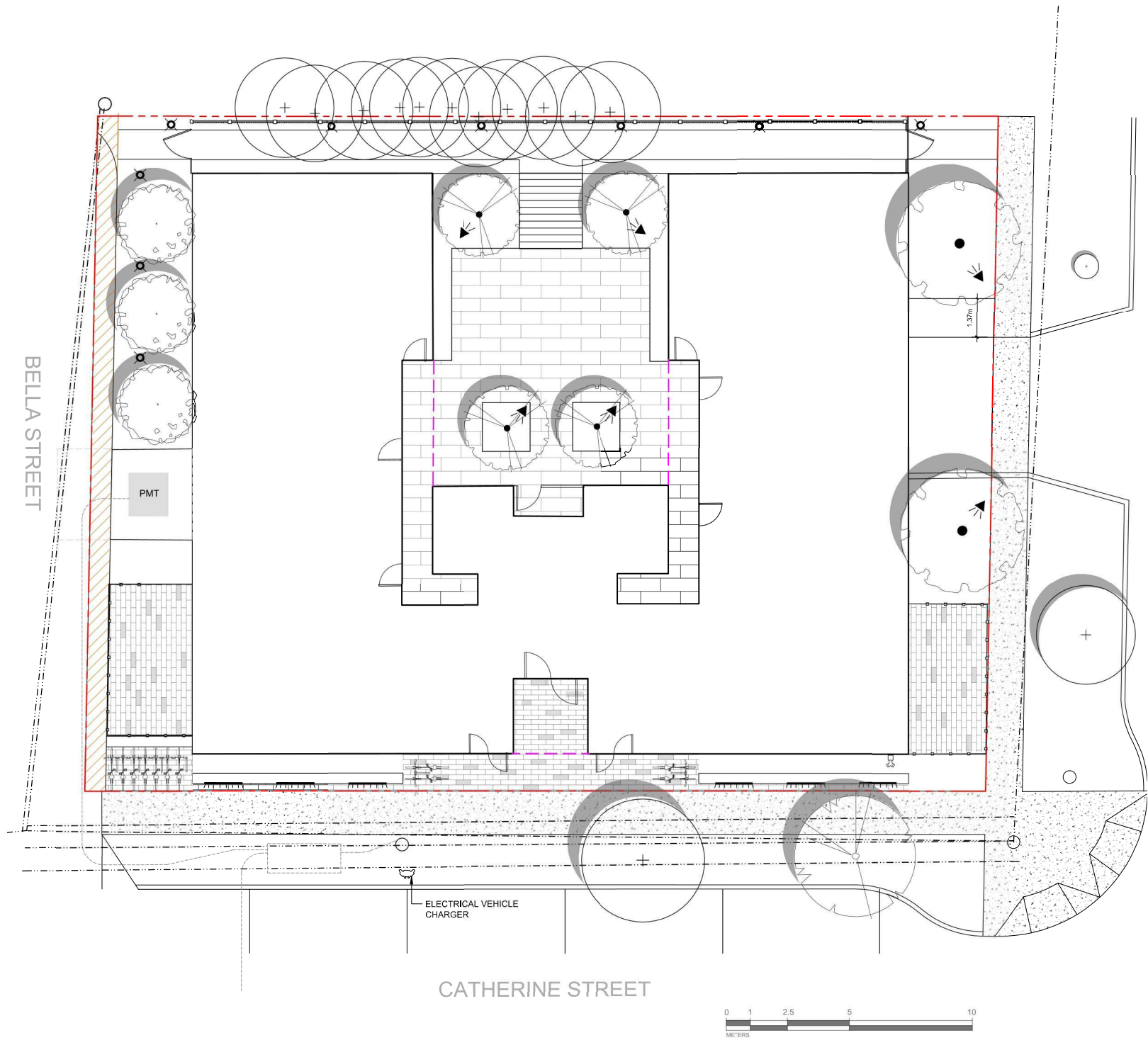
DRAWING TITLE:

IRRIGATION PLAN

DWG NO:

SCALE: 1:100

L4



LEGEND: LIGHTING	
---	PROPERTY LINE
⊗	BOLLARD LIGHTING (6) <ul style="list-style-type: none">• BRONZE FINISH• WARM WHITE LED
↗	UPLIGHT (TREES) (6) <ul style="list-style-type: none">• MATTE BRONZE FINISH• BRONZE FINISH• WARM WHITE LED
▬	HORIZONTAL STEP LIGHT (6) <ul style="list-style-type: none">• BRONZE FINISH• WARM WHITE LED
▬	STRIP LIGHT (6) <ul style="list-style-type: none">• TEXTURED BRONZE• WARM WHITE LED



15501 - Atlantis - 4W 1 LED Round Small Bollard - 2 Inches Wide by 20 Inches High by Hinkley Lighting

Specs	
Family/Collection:	Atlantis
Width/Diameter (in)	2.00"
Height:	20.00"
Design Style:	Modern
Voltage Rating:	12 V
Style and Option 1	
Style:	Bronze Finish with Etched Glass
Item #:	15501BZ
Price:	\$169.00
Style and Option 2	
Style:	Titanium Finish with Etched Glass
Item #:	15501TY
Price:	\$169.00



16501 - Hardy Island - Low Voltage 1 Light Small Spot Light - 1.75 Inches Wide by 2.5 Inches High by Hinkley Lighting

Specs	
Family/Collection:	Hardy Island
Length:	4.75"
Width/Diameter (in)	1.75"
Height:	2.50"
Weight:	2.00 lbs
Installation Sheet:	http://images.canadialightingexperts.com/supplier/Hinkley-Lighting/specsheets/16501-inst.pdf
# of Bulbs:	1
Standard Wattage:	35 Watts
Bulb Type:	MR11
Design Style:	Modern
Voltage Rating:	12 V
Low Voltage:	Yes
Material:	Cast Brass
Style and Option 1	
Style:	Matte Bronze Finish
Item #:	16501MB
Price:	\$159.00



15508 - Luna - 12V 3.8W LED Horizontal Step Light - 4.5 Inches Wide by 3 Inches High by Hinkley Lighting

Specs	
Family/Collection:	Luna
Length:	0.50"
Width/Diameter (in)	4.50"
Height:	3.00"
Depth/Extension:	0.50"
Weight:	0.75 lbs
# of Bulbs:	1
Standard Wattage:	3.8 Watts
Bulb Type:	LS-4
Lumens:	200
Color Temperature:	2700 Kelvin
Voltage Rating:	12 V
Low Voltage:	Yes
Material:	Zinc-Aluminum Alloy
ADA Approved:	Yes
Bulbs Included:	Yes
Style and Option 1	
Style:	Bronze Finish
Item #:	15508BZ
Price:	\$99.00



16103 - 2.7W 24 LED Hardscape Light 0.75 inches tall by 3 inches wide by Kichler Lighting

Specs	
Length:	18.50"
Width/Diameter (in)	3.00"
Height:	0.75"
Weight:	0.95 lbs
Installation Sheet:	http://images.canadialightingexperts.com/supplier/Kichler-Lighting/Canada/specsheets/16103-inst.pdf
# of Bulbs:	24
Standard Wattage:	2.7 Watts
Bulb Type:	LED
Voltage Rating:	12 V
Material:	Aluminum
Bulbs Included:	Yes
Style and Option 1	
Style:	Textured Architectural Bronze Finish
Item #:	16103AZT
Price:	\$179.99



1608 Camosun Street, Victoria BC V8T 3E6
Info@biophilacollective.ca 250 590 1156

OWNER/CLIENT:
ARYZE

PROJECT NAME:
822 CATHERINE STREET
+ 304 LANGFORD STREET

PROJECT ADDRESS:
822 CATHERINE ST.
VICTORIA, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: KH

	ISSUED FOR REVIEW SUMMARY RESPONSE 62	22/02/11
	ISSUED FOR REVIEW SUMMARY RESPONSE 62	21/11/03
	ISSUED FOR TRD RESPONSE	21/07/14
	ISSUED FOR RZ/DP	21/06/12
NO.	ISSUE	YYMMDD



DRAWING TITLE:
LIGHTING PLAN

DWG NO:
L5

SCALE: 1:100



1608 Camosun Street, Victoria BC V8T 3E6
Info@biophiliacollective.ca 250 590 1156

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DESIGNED BY: **BIANCA BODLEY**
DRAWN BY: **KH**

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	22/02/11
	ISSUED FOR REVIEW SUMMARY RESPONSE 02	21/11/03
	ISSUED FOR TRD RESPONSE	21/07/14
	ISSUED FOR RZ/DP	21/09/12
NO.	ISSUE	YYMMDD



DRAWING TITLE:
FENCING DETAILS

DWG NO:

SCALE: 1:100

L6

4 November 2021

822 Catherine Street 304 Langford Street - Rezoning and Development Permit Application

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

Dear Mayor Helps, Council, and Staff:

Please accept this letter as part of our Rezoning and Development Permit Application for 822 Catherine Street | 304 Langford Street, a proposed mixed-use development, including thirty-one (31) residential rental units and two (2) commercial units. We are requesting to amend the property from the current R-2 zoning to a new site-specific zoning. The project is proposed as 100% secured-in-perpetuity affordable rental housing as per the Zoning Bylaw.

History and Site Context

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

Victoria West, as it is known today, is of cultural and historical importance as it was once the site of the Songhees village. Canadian National Railways introduced rail service in 1922 and a further blossoming of industry followed as entrepreneurs took advantage of access to railyards,

steamship terminals, and a growing base of employment. Victoria West was crucial to the economic and industrial hub for early Victoria and in the years following, the area grew into a popular residential area. This was an early example of a modern mixed-use neighbourhood, with amenities and work situated within an easy commute from residential areas.

Policy Context

The subject property is located in the heart of Victoria West, directly bordering the Catherine at Edward Street Village. The Victoria West Neighbourhood Plan envisions this area as an opportunity for 'neighbourhood gathering, shops, and services'. The Neighbourhood Plan also identifies several 'big moves', the first of which is to 'Create Strong Village Hearts', which has guided the planning of this proposal. Another is to develop and construct more places to live near transit and amenities. Within a two-block radius you can find an elementary school, a local food market - popular not only with residents of Victoria West but citywide - as well as four bus stops that provide access to most, if not all of the major regional employment centres within a 25-minute ride.

In the Official Community Plan (OCP), urban villages are envisioned to absorb 40% of all population growth, yet they only make up 3.5% of the city's land base. As such, we need to be careful about redevelopment to ensure these scarce lands are utilized appropriately. Currently designated as Traditional Residential within the Official Community Plan, we are seeking an amendment to include the subject site within the Catherine at Edward Small Urban Village. The housing forms characterizing these areas are low-rise and mid-rise multi unit buildings including townhouses and apartments, freestanding commercial, and mixed-use buildings.

Our project, as proposed, lies just under 2.0 FSR at 1.86 FSR, which is above the Official Community Plan allowance designated for Small Urban Villages. There are provisions in the Official Community Plan to exceed the stated density for the advancement of certain plan objectives; in this case, the provision of rental housing in perpetuity and strengthening the 'village heart' through providing local employment and business opportunities through the commercial spaces on the ground floor.

The proposed development is supported by the Housing Strategy Phase 1 and 2, Go Victoria Mobility Plan, Climate Leadership Plan, Missing Middle Housing Study, and dozens of action items in the 2019 - 2022 Strategic Plan.

Neighbourhood Grain

This area of the Victoria West neighbourhood includes a heterogeneous mix of commercial and residential uses, from single-family residential buildings to multi-family apartment and condominium buildings. Neighbouring the subject site is a mix of single-family residential buildings located to the north and west, with commercial uses to the south and east. As per the Neighbourhood Plan, “A mix of historic older homes and new development in a greatly varied lot pattern is a characteristic of the neighbourhood.” These buildings include a range of building styles, composed mainly of stucco and painted wood cladding, with some brick accents.

The building grain peaks along Catherine Street and tapers as you move east and west which is a typical land use pattern for the city. The footprint of the existing building is symptomatic of its era, with larger setbacks from the street and underutilized density, resulting in a fragmented urban design program. Modern design narratives seek to bring more intimacy to the street with tighter urban setbacks with the balance of the design program being driven by the rental utility and the relationship to neighbouring residential properties.

As well as directly bordering the Catherine at Edward Small Urban Village, the subject site is less than 500 metres from the Westside Large Urban Village and 500 metres from the Craigflower Small Urban Village which offers a wide range of local retail, commercial businesses, and services. Opportunities for recreational activities exist within a short walking distance from the subject site and include Banfield Park, Vic West Elementary, Victoria West Park, Songhees Walkway, and the Galloping Goose Trail.

Site Layout and Building Form

This proposal seeks to provide a more urban, street-oriented building that is compatible with the evolving neighbourhood. The building will be positioned at the intersection of Catherine Street and Langford Street. The building is shaped as a three and a half storey building along Catherine Street stepping down to three stories as it meets the neighbouring single-family residential buildings. The building relates to the scale of adjacent single-family buildings with a mansard inspired roof design and a generous setback at the top floor. At three and a half storeys, the

proposed building is intended to provide an urban termination to the block and forms a threshold between the more quiet Langford Street and the busy Catherine Street, respecting the transition to the neighbouring residential buildings to the West. The building is set back 3.9 m along Bella Street and 3.1 m along Langford Street to align and maintain the continuity of the street frontage with neighbouring residences while allocating space for the future reconciliation of the street width along Bella Street.

Intended to be a landmark along the border of the Catherine at Edward Small Urban Village, the building mimics the neighbouring commercial properties with commercial units at grade along Catherine Street, enhancing the public realm and village heart. The adjacent patio spaces serve to enliven the streetscape, with additional boulevard planting, public seating, and eleven publicly accessible bicycle stalls.

A centrally located courtyard in the middle of the building aligns with the residential yards to the West and provides relief to the overall building massing.

Taking advantage of the existing topography, the building mass is set into the slope along Langford Street. The parkade entrance is 'tucked' underneath the first floor of residential use along Langford Street, the lowest point of the site. Two Dogwood trees will be added in addition to planting to mark either side of the parkade entrance.

Design Inspiration and Material Palette

Composed of pearlescent metal shingles, arrayed in an artfully detailed pattern and metal window frames with planting boxes, the building has been designed to mark the transition from the traditional residential form to a more urban building typology. Architectural concrete is present at grade and is balanced by a wood-panelled entrance to the residential lobby. The materials were chosen based on feedback received from the community and municipal staff, as well as a desire to be faithful to the architectural legacy of the area, while allowing a modern architectural form to express itself.

While the materials palette is restrained, the expression of the building has a subtle playfulness. Generously sized windows are arrayed in an attentive pattern that interacts with the cascading arrangement of the shingles. These shingles give way to warmer-toned metal panels that frame

each window, softening the facade and lending an organic undertone to the building appearance. The planting boxes are a node to the residential character of the neighbourhood.

Envisioned as an 'outdoor living room', the common courtyard is nestled in the center of the building. Picnic tables, seating, and planting will enhance this space, in addition to a vibrant lighting design which allows for year-round use by building residents. The programming of the common courtyard is purposeful in its intention to create a space for connection and foster a sense of community between residents.

Extending upwards from the common courtyard, the exterior corridors give residents access to their units and activate the exterior building form.

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

The Vic West Neighbourhood Plan emphasizes that the residents of the area value eclectic aesthetic. This building as proposed is seen as expressing, through form and materials, the local eclectic context of the neighbourhood. We envision this building as an elevation of the 'rental building' stereotype, and an interesting addition to the historic and dynamic neighbourhood which is Victoria West.

Building Layout

Parkade

The parkade is accessed from Langford Street and houses various building services, such as: vehicular parking, secure bicycle storage, waste and recycling collection, and utility rooms. An elevator and stair connect this level to the entrance lobby and residential floors above.

Level 1

The ground floor is split into two levels to accommodate the grades of the site and the parkade below. Along Catherine Street, the building steps in at the ground floor to broaden the pedestrian realm and highlight the commercial units with streetfront glazing. Patios at either building corners and enhanced landscaping further improve the public experience. From Catherine Street, building tenants can access the residential lobby, which is located between the two commercial units and serves to clearly delineate the residential realm from the commercial spaces. Directly to the rear of the lobby, the building opens onto the common courtyard which from here, ground floor residents can enter directly into one of six units and access is provided to upper floors via twin staircases flanking either side of the residential elevator.

Levels 2 - 3

Levels two and three are the 'typical' floors with identical floor plans of ten units each. The units are accessible via the exterior corridor, with views both towards the boarding streets and towards the common courtyard. This shared access reinforces the indoor-outdoor character of the building.

Level 4

Level four includes five two-bedroom units, all of which are oriented to provide views towards the street and the common courtyard. Defined by the sloped mansard roof line, the fourth floor of the building dissolves away from the neighbouring properties, giving the appearance of a three storey building. This design is an homage to the existing residential buildings throughout the neighbourhood and provides visual relief to the neighbouring residential properties. This level further steps down along the west elevation, reducing its impact to the neighbouring residential properties and creates space for two common patio areas for use by residential tenants.

Landscape Design

The landscape is designed to animate the streetscape, foster community interaction, and create a pedestrian friendly and safe environment for residents. The design is intended to compliment the expression of the contemporary architecture with a plant palette that is sensitive to the local ecosystem and to the population that is engaging with it. The plant material selection has a

strong native focus, with attractive flowering perennials to support pollinators. All plants are drought tolerant and suited to the site conditions.

Best efforts will be made to retain the two existing purple plum trees located on the boulevard along Langford Street, one of which is a more recent planting, while the other is an established tree. Along Catherine Street, a single purple plum tree will be retained with one tree added in the boulevard to the north.

Three Stewartia will be added along Bella Street, in addition to pedestrian level lighting which is intended to address Crime Prevention through Environmental Design (CPTED) concerns for residents and members of the community. As part of the exterior lighting design, we will minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light.

Along the West property line, future building tenants will have access to both Langford and Bella Street by way of a pathway that will be gated at either end with fob access for tenants only. A six foot solid wood fence, along with additional planting and complete screening of windows along the West property line provides a further buffer between the subject site and the neighbouring single-family residential buildings. The existing hedge along the adjoining property line is to remain or be replaced with a similar species but one requiring less maintenance if the current neighbour so requests.

Why Rental?

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

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

progress in affordability, climate change, and social equity, we need to increase rental housing across the city in areas well connected to walk, bike, and transit corridors.

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

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

Mobility Context

Multi-Modal Network

From the subject property's doorstep there are diverse cycle routes, bus routes, and walking options, including the Galloping Goose Trail, E&N Trail, and the Songhees Walkway. The City of Victoria's twenty-five year transportation masterplan places even more focus and investment in alternative transportation options with additional transit service and bike lanes planned. Catherine Street is also included as a part of plans for the expansion of Victoria's AAA bicycle route network, and this project includes proposed sidewalk and curb upgrades that will help to achieve this goal.

Street Network

Catherine Street is a two-way street extending north/south and is classified by the City of Victoria as a minor collector road. Langford Street and Bella Street both extend east/west and are classified as a local road.

Trip Generation

The anticipated vehicle trip generation is anticipated to be in the range of 10 to 20 two-way vehicle trips per peak hour period. This range of vehicle trip generation is typically considered negligible in terms of road capacity and intersection operations.

Active Transportation

Cycling and Pedestrian Networks

The site is well connected to both walking and cycling networks. Residents of the proposed development will be able to access most everyday amenities and services either on foot or by bicycle. The site is immediately adjacent to a local food market, and within a 5-minute walking distance of the Westside Village Shopping Centre, which contains a grocery store, pharmacy, and discount store, as well as several other shops and restaurants. Walk Score is an on-line tool that assesses the walkability and bikeability of a location based on distances to a wide variety of amenities and services. The site scores a 76 for walkability which it defines as 'very walkable'. The addition of two commercial rental units on the ground floor of the development is expected to further enhance the neighbourhood's walkability.

The location was awarded a Bike Score of 95 out of 100, placing it in Walk Score's 'biker's paradise' category. The site is an approximate ten minute bike ride from downtown Victoria via the Johnson Street Bridge. This recently completed bridge is part of the City of Victoria's All Ages and Abilities (AAA) cycling network, with a multi use path suitable for all cyclists, including families and children. Faster and more confident cyclists may also choose to use the bike lanes adjacent to traffic on Esquimalt Road. The site is a short bike ride from the Galloping Goose Regional Trail which connects to the Burnside Neighbourhood and Saanich via the Selkirk Trestle.

Planned All Ages and Abilities (AAA) cycling network expansions by the City of Victoria will connect the E&N Rail Trail to the Johnson Street bridge over the next few years. These cycling upgrades are expected to improve the neighbourhood's already high Bike Score. With its large volume of bike parking, the proposed development is well-positioned to support the anticipated cycling demand to and from the site.

The proposed development provides for forty (40) long-term bicycle parking spaces and eleven (11) short-term spaces, with cargo bicycle parking (three stalls), electric bicycle charging, and a bicycle repair station. This supply exceeds bylaw requirements and is expected to help promote cycling to and from the development.

Car Share

Modo is a two-way carsharing service; registered members can pick up the vehicle from a parking spot and must return it to the same spot when they are done. Vehicles range from compact cars and sedans to SUVs and minivans, all of which are present within 800m of the site.

Currently there are five Modco car share vehicles located within 800m of the subject site, the closest of which is located approximately 250m away on Alston Street near Raynor Avenue. Downtown Victoria has approximately twenty additional Modco vehicles, all of which are easily accessible by bike or transit.

As per section 3.9.1 of the Vic West Neighbourhood Plan to 'make at least one on-street location available for car sharing in or near each large and small urban village, and in new multi-unit buildings to reduce single vehicle dependency', we purpose to provide one new car share vehicle located at Catherine Street for easy accessibility. Each tenant will receive a Modco car membership for the length of their tenancy.

Transit

The site is well served by public transit, with five transit routes within 500m of the site - an approximate six-minute walk. Transit routes accessible include nos.: 10, 14, 15, 24, and 25.

Transportation Demand Management (TDM)

The best transportation demand management strategy is the location efficiency provided by building denser housing forms in compact, walkable/cyclable neighbourhoods with ample access to public transit such as Victoria West.

The proposed development offers a wide range of Transportation Demand Management (TDM) offerings such as:

- One car share vehicle in coordination with Modco to serve building tenants and the wider community.
- Significant bicycle parking is provided, along with a repair station and three cargo bicycle stalls, an increase from the previous submission.

- Modo memberships for each residential unit for the term of their tenancy, effective for the lifetime of the building.
- Thirteen parking spaces to be allocated as follows: 9 spaces available for residents to lease and four spaces for visitors.
- Electric vehicle charging stations.
- Twenty percent (20%) of the total number of Long-Term bicycle stalls will be equipped with 110V outlets.
- Significant upgrades to sidewalk and curbs on both east and west sides of Catherine Street, including curb bulb-outs for traffic calming and a new pedestrian crosswalk.

Contributing to a Sustainable City

According to researchers, densification holds the key for cities' fight against climate change as reducing automobile trips is the most significant component of reducing greenhouse gas emissions. As outlined above, the central location of the subject site in relation to multiple local amenities encourages a pedestrian and bicycle oriented lifestyle. The proposed development has been designed assuming walking, cycling and transit as primary transportation options for future residents, and as Catherine Street is included as part of the planned AAA bicycle network, this is an ideal location for such a project.

The building will be designed and constructed to BC Step Code 3, in accordance with the City of Victoria's phased Step Code guidelines which were updated as of January 1st, 2020. Step Code 3 represents a 20% increase in efficiency. This includes designing the building systems in a way that will reach high levels of performance in Thermal Energy Demand Intensity (TEDI), Total Energy Use Intensity (TEUI), and airtightness.

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

Community Consultation

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

Aryze Developments held a Community Information Session via Zoom on the evening of April 13th, 2021, wherein we welcomed members of the neighbourhood and community to learn more about the proposed development and to provide comments and feedback. A further meeting was held with the Vic West Land Use Committee April 20th, 2021, as well as a third community meeting on September 29th, 2021 to inform of building design updates.

Aryze Developments Inc. is committed to assisting all current building tenants in their relocation as per the City of Victoria's Tenant Relocation Policy and has developed a Tenant Relocation Plan outlining this process. As per the policy, all residents of the current building have been notified of the proposed development and coordination continues to be ongoing. Supports provided included enhanced rent compensation, additional moving cost assistance over and above required amounts, and an offer of first right of refusal with 10% below market rent in the new building when complete.

We thank you for your time and consideration.

Sincerely,

Leigh Stickle, Development Lead
leigh@aryze.ca
250-896-0404
Aryze.ca



Talbot Mackenzie & Associates
Consulting Arborists

822 Catherine Street | 304 Langford Street—Victoria, BC

Construction Impact Assessment & Tree Management Plan

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

Prepared By: Talbot, Mackenzie & Associates
Robert McRae
ISA Certified # PN-7125A
TRAQ – Qualified

Date of Issuance: April 12, 2021
Amended November 4, 2021

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



Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 822 Catherine Street/304 Langford Street; Victoria, BC

Date of Site Visit(s): September 17, 2020; November 1, 2021

Site Conditions: Two relatively flat residential lots with no ongoing construction activity.

SUMMARY

- The proposal includes demolition of the existing building and garage, followed by construction of a four-storey residential complex with underground parking, driveway, walkways, landscaping, and presumed underground services.
- Nine trees were inventoried on the subject property—three of these are bylaw protected (NT#4, 5, and 8); a further three trees on the municipal frontage were included in the inventory (M#1-3, municipal site IDs #32333-32335), as well as a hedge (OS#1) located on the neighbouring property at 310 Langford Street (near the west property line—11 stems, all bylaw protected according to DBH).
- Three bylaw protected trees (NT#4, 5, and 8) have been recommended for removal due to the proposed construction, as well as six undersized trees (NT#6-7, 9-12) not protected under bylaw.
- Leyland Cypress hedge OS#1-11 may be impacted by foundation excavations and walkway installation within its 4.5m radius CRZ, but can likely be retained if mitigation measures outlined in this report are followed.
- M#1-3 may be impacted if sidewalks within their CRZs are to be resurfaced or widened, as well as potential installation of benches and bike racks. These trees can be retained with adherence to mitigation measures outlined in this report.

SCOPE OF ASSIGNMENT

- Inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line.

- Review the proposal to demolish the existing building and garage, followed by construction of a four-storey residential complex with underground parking, driveway, walkways, landscaping, and presumed underground services.
- Comment on how construction activity may impact existing trees.
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts.

METHODOLOGY

- We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet.
- Due to the small number of protected trees on the subject property, no identification tags were used. Rather, they have been labeled “NT#” on the site plan. Neighbours’ trees were labeled “OS#,” and municipal trees labeled “M#.”
- Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory.
- The conclusions reached were based on the information provided within the attached site survey from J.E. Anderson & Associates (dated February 2, 2021), architectural plans from 5468796 Architecture Inc. (dated September 30, 2021), Landscape Plans from Biophilia (dated November 1, 2021), and Civil Plans from McElhanney (dated September 30, 2021).
- A Tree Protection Site Plan was created using the Site Plan provided.

LIMITATIONS

- No exploratory excavations have been conducted and thus the conclusions reached are based solely on critical root zone calculations, observations of site conditions, and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.
- The extent of impacts to some trees will largely depend on the cut-slope prescribed by the geotechnical engineer during excavation for the foundations. Therefore, the proximity of excavation to trees (without shoring) can only be estimated and may be closer or farther from trees than we estimate.

TREES TO BE REMOVED

- **Pyramidal Cedar (*Thuja occidentalis*) NT#8 (33cm DBH according to multi-stem calculation)** is within the proposed building footprint.
- The new building footprint is proposed within the CRZs of **Holly (*Ilex spp.*) NT#4 (45cm DBH according to multi-stem calculation)** and **European Hawthorn (*Crataegus***

monogyna) **NT#5 (45cm DBH according to multi-stem calculation)**. The architectural plans show the footprint approximately 2m from NT#4 and 3m from NT#5, and excavations for the foundations could result in significant health impacts. Furthermore, we anticipate that substantial over-excavation will be required to construct underground parking—the elevation plans show excavation to a depth of at least 3.49m—bringing the excavation even nearer to the trees and necessitating their removal.

- **NT#6-7, 9-12** are within the proposed building footprint. These trees are not bylaw protected.

POTENTIAL IMPACTS TO TREES AND MITIGATION MEASURES

BUILDING FOOTPRINT/DEMOLITION OF EXISTING BUILDING

- The west building footprint is proposed within the CRZ of **Leyland Cypress Hedge (*Cuprocyparis leylandii*) OS#1-11 (11 stems, ~30-45cm DBHs)**, located on the neighbouring properties at 310 Langford Street and 309 Bella Street.
 - The hedge grows just west of the property line at elevations indicated on the site survey as 28.25m—the new building footprint is proposed at a 2.3m setback, with the low point being 27.28m (as per architectural plans). It is anticipated that over-excavation will be required to construct the underground parking foundation—we recommend excavations be limited to within the building footprints to allow for minimal working room to construct the foundation wall. If over-excavation can be limited to 1m, we anticipate these trees can be retained.
 - Should a cut-slope be prescribed by a geotechnical engineer, shoring and other alternative construction techniques may be required to minimize over-excavation (and thus, impacts to the hedge).
 - We recommend that the project arborist be on site to supervise the demolition of existing structures and excavations for the new foundation and determine the final retention status of the hedge at the time of the latter.
 - A new walkway also appears to be proposed within the CRZ of OS#1. We recommend this be constructed above tree roots using permeable surface materials. See attached “Hard Surfaces Above Tree Roots.”
 - Protective barrier fencing should be erected and maintained as close to the existing building(s) demolition and new building excavation as possible. The fencing may be moved in order to construct the walkway—the project arborist should be contacted before any fencing is relocated.
 - The neighbours at 310 Langford Street and 309 Bella Street should be notified as to potential impacts to their hedge.

HARD SURFACES/SITE SERVICING

- The architectural plans show sidewalks, benches, and bike racks proposed within the CRZs of **municipal Cherry Plums (*Prunus cerasifera*) M#1-3 (39, 32, 2cm DBHs, respectively)**. We recommend any excavation below existing grade (including removal of existing concrete or turf) should be supervised by the project arborist.
- We do not anticipate any additional tree impacts from site servicing based on the civil plans reviewed.
- Protective barrier fencing should be erected and maintained over as much of the CRZs of M#1-3 as possible, to the sidewalk and curb edges.

MITIGATION MEASURES (FOR REFERENCE)

ARBORIST SUPERVISION

- All excavation occurring within the critical root zones of protected trees should be completed under the direction or supervision of the project arborist. This includes (but is not limited to) the following activities within CRZs:
 - Excavation for foundations and sidewalks within the CRZ of OS#1-11.
 - Excavation for driveway and sidewalks or underground servicing installation within the CRZs of M#1-3.

PRUNING ROOTS

- Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. Backfilling the excavated area around the roots should be done as soon as possible to keep the roots moist and aid in root regeneration. Ideally, the area surrounding exposed roots should be watered; this is particularly important if excavation occurs or the roots are exposed during a period of drought. This can be accomplished in a number of ways, including wrapping the roots in burlap or installing a root curtain of wire mesh lined with burlap, and watering the area periodically throughout the construction process.

BARRIER FENCING

- The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones.

The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

MINIMIZING SOIL COMPACTION

- In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one or a combination of the following methods (depending on the size of machinery and the frequency of use):
 - Placing a layer of geogrid (such as Combigrid 30/30) over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top or a layer of hog fuel or coarse wood chips at least 30 cm in depth and maintaining it in good condition until construction is complete.
 - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
 - Placing two layers of 19mm plywood.
 - Placing steel plates

DEMOLITION OF THE EXISTING BUILDING

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

PAVED SURFACES ABOVE TREE ROOTS

- If the new paved surfaces within the CRZs of retained trees require excavation down to bearing soil and significant roots are encountered in this area, this could impact the health or stability of the retained trees. If tree retention is desired, the following recommendations should be followed.

The objective of “no-dig” construction techniques is to avoid root loss and to instead raise the paved surface and/or its base material above the root systems of trees. This may result in the finished grade of the paved surface being raised above existing grade (the amount depending

on how close roots are to the surface and the depth of the paving material and base layers). Final grading plans should take this potential change into account (e.g. the resulting slope, grades of surrounding patios, etc.). Contractors should be informed that soils which are high in organic content will likely be left intact below the paved area.

Within the CRZs, the project arborist should supervise any excavation associated with constructing these hard surfaces, including the removal of the existing paving or turf. If significant roots are encountered, excavation should be stopped.

Depending on the amount of the critical root zone covered by the paved surface, the condition of the sub-grade and the amount of roots observed, it may be recommended that the paved surface be made permeable and that a geogrid material (such as CombiGrid 30/30 or similar) be used. The function of the geogrid is to reduce compaction and to disperse weight over soils high in organics and roots. The base material for the paving should be placed above this geogrid and should be clear washed gravels (3/4" clear) in order to inhibit future root growth and potential damage to paving as well as to ensure a well-draining aeration layer. An additional layer of filter cloth or geotextile fabric may be recommended to separate coarse and fine layers (if a finer material is required directly underneath the paving).

To allow water to drain into the root systems below, the project arborist may recommend that the surface be made of a permeable material (instead of conventional asphalt or concrete) such as permeable asphalt, paving stones, or other porous paving materials and designs such as those utilized by Grasspave, Gravelpave, Grasscrete and open-grid systems. If the paved surface is a driveway, it may be possible to construct a "ribbon driveway" with an unpaved area between the two strips of paving.

Ultimately, a geotechnical engineer may be consulted and in consultation with the project arborist, may specify their own materials and methods that are specific to the site's grading, soil conditions and requirements, while also avoiding root loss, reducing compaction to the sub-grade and ensuring the most long-term aeration and permeability.

MULCHING

- Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces (not dyed) and be 5-8cm deep. No mulch should be touching the trunk of the tree. See "methods to avoid soil compaction" if the area is to have heavy traffic.

BLASTING

- Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce

fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.

SCAFFOLDING

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

LANDSCAPING AND IRRIGATION SYSTEMS

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

ARBORIST ROLE


- It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - Locating the barrier fencing
 - Reviewing the report with the project foreman or site supervisor
 - Locating work zones, where required
 - Supervising any excavation within the critical root zones of trees to be retained
 - Reviewing and advising of any pruning requirements for machine clearances

REVIEW AND SITE MEETING

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

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

Thank you,



Robert McRae
ISA Certified # PN-7125A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Attached:

- 2-page tree resource spreadsheet
- 4-page landscape plan including “Tree Removal & Preservation Plan”
- 1-page architectural site plan
- 1-page site survey
- 1-page Hard Surfaces Above Tree Roots Diagram
- 2-page tree resource spreadsheet methodology and definitions

Disclosure Statement

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

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

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

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

Prev. Tag #	Tag or ID #	Surveyed ? (Yes/No)	Location (On, Off, Shared, City)	Bylaw protected ? (Yes/No)	Name		dbh (cm)	Critical root zone radius (m)	Dripline diameter (m)	Condition		Retention Suitability (onsite trees)	Relative tolerance	General field observations/remarks	Tree retention / location comments	Retention status
					Common	Botanical				Health	Structural					
NT1	M1	Yes	Municipal	Municipal	Cherry Plum	<i>Prunus cerasifera</i>	39	4.7	5	Fair-poor	Fair-poor		Moderate	Dieback, decay in 2 of 4 scaffold limbs.	May be impacted by sidewalk construction. Municipal ID# 32333.	Retain
NT2	M2	Yes	Municipal	Municipal	Cherry Plum	<i>Prunus cerasifera</i>	32	3.8	4	Fair	Fair		Moderate	Canopy competition with NT4.	Municipal ID# 32334.	Retain
NT3	M3	Yes	Municipal	Municipal	Cherry Plum	<i>Prunus cerasifera</i>	2	1	1	Fair	Fair		Moderate	Newly planted.	Municipal ID# 32335.	Retain
	NT4	Yes	On-site	Yes	English Holly	<i>Ilex aquifolium</i>	21,21,19	4.5	5	Fair	Fair	Suitable	Good	Fill and green waste in CRZ.	Conflict with building footprint.	X
	NT5	Yes	On-site	Yes	European Hawthorn	<i>Crataegus monogyna</i>	~30,25	4.5	6	Fair	Fair	Suitable	Good	Pruning stubs, sapsucker damage.	Conflict with building footprint.	X
	NT6	Yes	On-site	No	Chinese Juniper	<i>Juniperus chinensis</i>	22	3.3	4	Fair	Fair	Suitable	Poor	Codominant leaders, sparse foliage. Close proximity to existing building.	Within building footprint.	X
	NT7	Yes	On-site	No	Pyramidal Cedar	<i>Thuja occidentalis</i>	9,8,8,7,3,3	2.6	1	Fair	Fair	Suitable	Good	Maintained as shrub.	Within building footprint.	X
	NT8	Yes	On-site	Yes	Pyramidal Cedar	<i>Thuja occidentalis</i>	11,11,7,7,6,6	3.3	1	Fair	Fair	Suitable	Good	Maintained as shrub.	Within building footprint.	X
	NT9	Yes	On-site	No	Pyramidal Cedar	<i>Thuja occidentalis</i>	12,11,6,4,4	2.7	1	Fair	Fair	Suitable	Good	Maintained as shrub.	Within building footprint.	X
	NT10	Yes	On-site	No	English Holly	<i>Ilex aquifolium</i>	23	2.3	2	Fair-poor	Fair-poor	Suitable	Good	Pruning stubs, topped historically, new leaders.	Within building footprint.	X
	NT11	Yes	On-site	No	English Holly	<i>Ilex aquifolium</i>	15	1.5	3	Fair	Fair	Suitable	Good	Deflected trunk, close proximity to existing building.	Within building footprint.	X
	NT12	Yes	On-site	No	Chinese Juniper	<i>Juniperus chinensis</i>	21	3.2	3	Fair-poor	Fair-poor	Suitable	Poor	Multiple leaders, sparse foliage.	Within building footprint.	X

Prev. Tag #	Tag or ID #	Surveyed ? (Yes/No)	Location (On, Off, Shared, City)	Bylaw protected ? (Yes/No)	Name		dbh (cm)	Critical root zone radius (m)	Dripline diameter (m)	Condition		Retention Suitability (onsite trees)	Relative tolerance	General field observations/remarks	Tree retention / location comments	Retention status
					Common	Botanical				Health	Structural					
NT13	OS1	Yes	Off-site	Yes	Leyland Cypress	<i>Cuprocyparis leylandii</i>	45	4.5	4	Good	Fair		Good	Part of hedge row located at 310 Langford St.	May be impacted by foundation excavations.	TBD
NT13	OS2	Yes	Off-site	Yes	Leyland Cypress	<i>Cuprocyparis leylandii</i>	36	3.6	4	Good	Fair		Good	Part of hedge row located at 310 Langford St.	May be impacted by foundation excavations.	TBD
NT13	OS3	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS4	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS5	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS6	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS7	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS8	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~30	3	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS9	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS10	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~35	3.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS11	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	<i>Cuprocyparis leylandii</i>	~45	4.5	4	Good	Fair		Good	Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD

REPLACEMENT TREES REQUIRED	6
REPLACEMENT TREES PROPOSED	5
REPLACEMENT TREE SHORTFALL	1

Pre-Test ID	Tag ID	Surveyed? (Yes/No)	Location (On, Off, Shared, City)	Bylaw protected? (Yes/No)	Name	Common	Botanical	Shb (mm)	Critical root zone radius (m)	Drillpipe diameter (m)	Condition	Health	Structure	Retention Suitability (Sustainable trees)	Relative Tolerance	General field observations/remarks	Tree retention / location comments	Retention status
NT13	OS1	Yes	Off-site	Yes	Leyland Cypress	Cuprocyparis leylandii		45	4.5	4	Good	Fair		Good		Part of hedge row located at 310 Langford St.	May be impacted by foundation excavations.	TBD
NT13	OS2	Yes	Off-site	Yes	Leyland Cypress	Cuprocyparis leylandii		36	3.6	4	Good	Fair		Good		Part of hedge row located at 310 Langford St.	May be impacted by foundation excavations.	TBD
NT13	OS3	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~30	3	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS4	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~35	3.5	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS5	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~35	3.5	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS6	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~30	3	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS7	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~30	3	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS8	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~30	3	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS9	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~35	3.5	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS10	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~35	3.5	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD
NT13	OS11	Yes	Off-site	Yes (if estimate is correct)	Leyland Cypress	Cuprocyparis leylandii		~45	4.5	4	Good	Fair		Good		Part of hedge row located at 309 Bella St.	May be impacted by foundation excavations.	TBD

Prepared by:
Talbot Mackenzie and Associates
Box 48153 RPO Uptown
Victoria, BC V8Z 7H8
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: tmrhelp@gmail.com

DRAWN BY: KH

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	21/11/03
	ISSUED FOR TRD RESPONSE	21/07/14
	ISSUED FOR RZ/DP	21/05/12
NO.	ISSUE	YY/MM/DD

SEAL

DWG NO:

SCALE: 1:100

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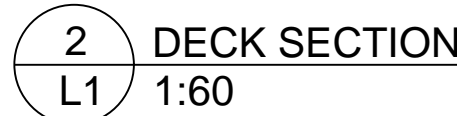
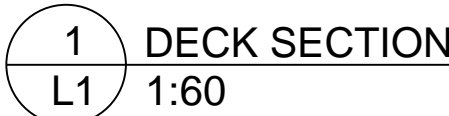
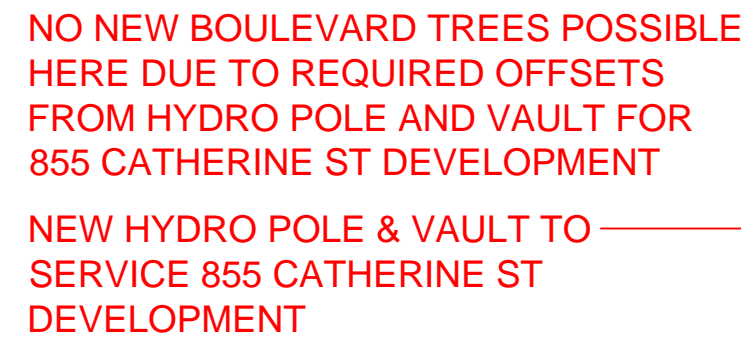


ANALYZE





















PROJECT NAME: 822 CATHERINE STREET
+ 304 LANGFORD STREET

PROJECT ADDRESS:
822 CATHERINE ST.
VICTORIA, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: KH



PROPERTY LINE
OVERHANG

- | | |
|---|---|
|  | <p>SOD</p> <ul style="list-style-type: none"> 150 mm DEPTH LOW TRAFFIC LAWN GROWING MEDIUM (MMCD) SOD TO CITY OF VICTORIA MUNICIPAL STANDARDS |
|  | <p>ON-SITE LANDSCAPE AREA</p> <ul style="list-style-type: none"> 450 - 600 mm DEPTH 1L GROWING MEDIUM (BCL5) 50 mm DEPTH MULCH |
|  | <p>RAISED PLANTER</p> <ul style="list-style-type: none"> 450 mm DEPTH PLANTER GROWING MEDIUM 50 mm DEPTH MULCH |
|  | <p>ENHANCED PAVING</p> <ul style="list-style-type: none"> CONCRETE PAVERS COLOUR: MULTI GREY |
|  | <p>PAVERS ON PEDESTALS</p> <ul style="list-style-type: none"> CERAMIC PAVERS ON PEDESTALS COLOUR: CHARCOAL |
|  | <p>BARKMAN BOARDWALK PERMEABLE PAVERS</p> <ul style="list-style-type: none"> COLOUR GREY ROMEX PERMEABLE GROUT |
|  | <p>ASPHALT DRIVE AISLE</p> |
|  | <p>MUNICIPAL SIDEWALK</p> <ul style="list-style-type: none"> CIP CONCRETE WITH BRUSH FINISH TO CITY OF VICTORIA STANDARDS |
|  | <p>BENCH</p> <ul style="list-style-type: none"> CONCRETE BASE WITH WOOD SEAT COLOUR: BLACK WOOD STAIN |
|  | <p>BIKE RACK</p> <ul style="list-style-type: none"> 2 X SURFACE MOUNT ON EMBEDDED CONCRETE POST |
|  | <p>LITTER/RECYCLING STATION</p> |
|  | <p>BOLLARD LIGHT</p> <ul style="list-style-type: none"> LED LOW LEVEL LIGHT |
|  | <p>TREE UP-LIGHT</p> |
|  | <p>BISTRO LIGHTS</p> <ul style="list-style-type: none"> EXTERIOR RATED LED |
|  | <p>LANDSCAPE BOULDER</p> <ul style="list-style-type: none"> VANCOUVER ISLAND GRANITE OR BASALT |
|  | <p>FENCE</p> <ul style="list-style-type: none"> 6 FT SOLID WOOD FENCE COLOUR: BLACK WOOD STAIN 6" INSIDE PROPERTY LINE |
|  | <p>FENCE</p> <ul style="list-style-type: none"> TBD |
|  | <p>GATE</p> <ul style="list-style-type: none"> SELF LOCKING FOB OPERATED BLACK POWDERCOAT METAL |
|  | <p>EXISTING TREE TO BE RETAINED</p> |
|  | <p>PROPOSED TREES</p> |

TOTAL SITE IMPERVIOUS AREA FOR ENTIRE PRIVATE PROPERTY:	772 m ²
TOTAL SITE PERVIOUS AREA FOR ENTIRE PRIVATE PROPERTY:	193 m ²

PROPOSED BOULEVARD TREES

- * TREE SPECIES TO BE COORDINATED WITH PARKS PRIOR TO PLANTING
- * TREES MUST HAVE ONE DOMINANT CENTRAL LEADER OR SINGLE STRAIGHT TRUNK, 5-8 cm DIAMETER, CALIPER MEASURED 15 cm ABOVE GROUND, WELL-BALANCED GROWN WITH BRANCHING STARTING AT 1.8m-2.5m ABOVE GROUND
- * TREES TO BE PLANTED AS PER PLANTING OF TREES, SHRUBS AND GROUND COVERS (CS 293 01 MMCD 2009 AND CITY OF VICTORIA SUPPLEMENTAL DRAWINGS SD P3 AND SD P4)
- * PARKS WILL REQUIRE (3) INSPECTIONS FOR TREE PLANTING: 1) INSPECTION OF SOIL AND PLANTING AREA, 2) INSPECTION OF STOCK UPON DELIVERY, 3) INSPECTION OF INSTALLED TREE WITH MULCH AND STAKING. TRUNK FLARE MUST BE VISIBLE AND PLANTED AT OR SLIGHTLY ABOVE GRADE UPON INSPECTION.
- * THE APPLICANT MUST MAINTAIN THE TREE IN GOOD HEALTH AND STRUCTURAL CONDITION FOR 1 YEAR FROM THE SUBSTANTIAL COMPLETION TO BE ELIGIBLE FOR DEPOSIT RETURN.

BOULEVARD IRRIGATION

- * SEE IRRIGATION PLAN
- * ALL IRRIGATION WORK, INCLUDING REQUIRED INSPECTIONS, SHALL FOLLOW THE SUPPLEMENTARY SPECIFICATIONS FOR STREET TREES AND IRRIGATION, SCHEDULE C TO THE VICTORIA SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 12-042, AND COMPLY WITH THE IRRIGATION INDUSTRY ASSOCIATION OF BC STANDARDS.
- * IRRIGATION DESIGN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO CITY OF VICTORIA PARKS NO LESS THAN 30 DAYS PRIOR TO SCHEDULED INSTALLATION
- * INSPECTIONS REQUIRED FOR ALL SLEEVING, OPEN TRENCH MAINLINE AND LATERAL LINES, SYSTEM OPERATION CONTROLLER, AND BACKFLOW PREVENTER (INCL. INSPECTION TAG AND TESTING REPORT). CALL PARKS AT 250-361-0600 AT LEAST 2 DAYS IN ADVANCE TO ARRANGE FOR IRRIGATION INSPECTIONS.

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	211111/03
	ISSUED FOR TRD RESPONSE	211071/14
	ISSUED FOR RZ/DP	211051/12
NO.	ISSUE	YYMMDD

SEAI

NORTH ARROW



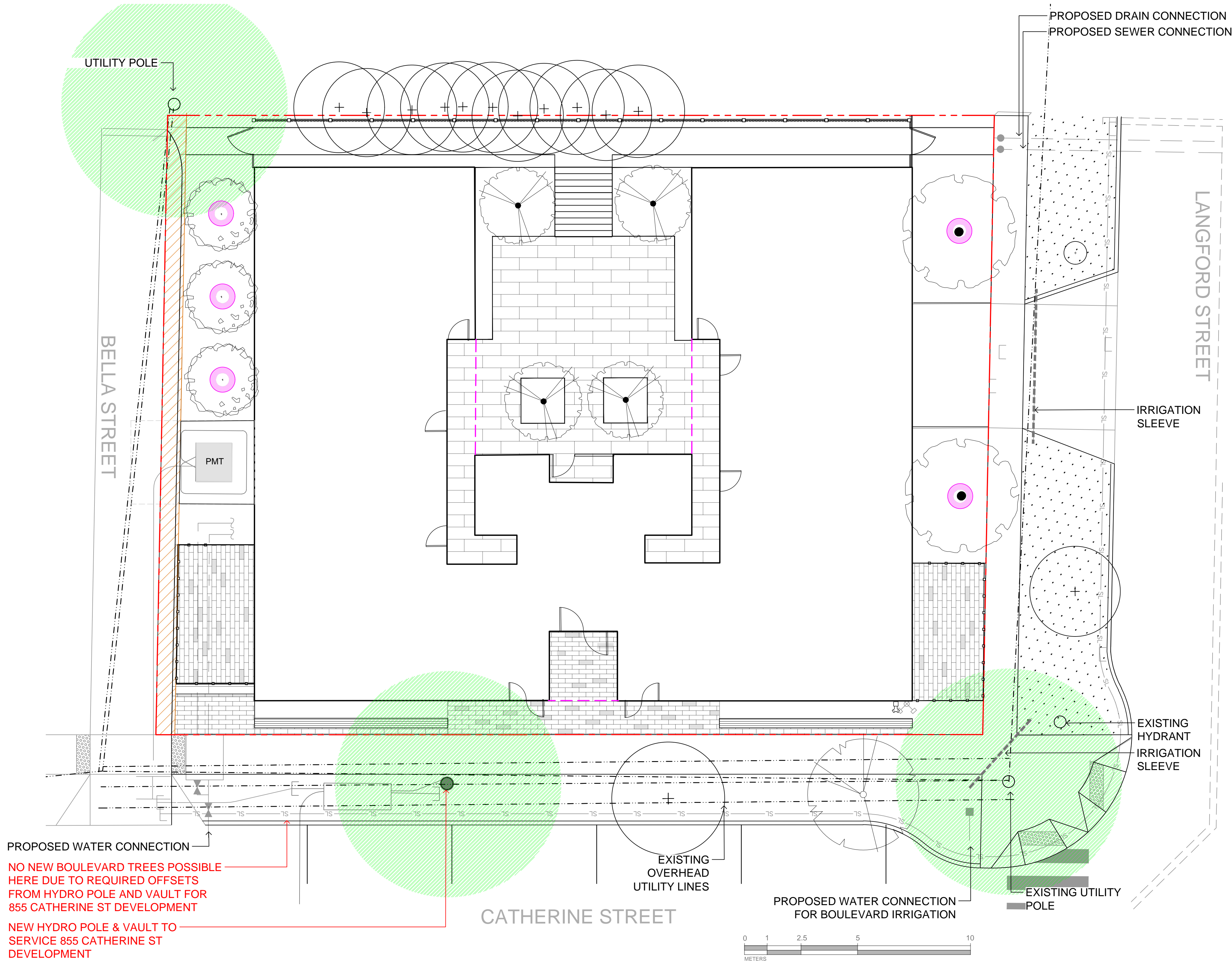
DRAWING TITLE:

LANDSCAPE SITE PLAN

DWG NO:

SCALE: 1:100

L1



LEGEND

OVERHEAD POWER LINE

DESIGNATED REPLACEMENT TREE

5.0 m OFFSET FROM HYDRO OR LIGHT POLE

REPLACEMENT TREES REQUIRED	6
REPLACEMENT TREES PROPOSED	5
REPLACEMENT TREE SHORTFALL	1

TREE SCHEDULE							
ID	Quantity	Symbol	Latin Name	Common Name	Container	Caliper	Size
	4		Acer Griseum	Paperbark Maple	B&B		
	3		Stewartia rostrata	Stewartia	B&B		
	2		Cornus 'Eddie's White Wonder'	Eddie's White Wonder Dogwood	B&B		
	2		BOULEVARD TREE TO BE DETERMINED BY PARKS AT BP				

LANDSCAPE NOTES

PROPOSED BOULEVARD TREES

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

BOULEVARD IRRIGATION

- SEE IRRIGATION PLAN
- ALL IRRIGATION WORK, INCLUDING REQUIRED INSPECTIONS, SHALL FOLLOW THE SUPPLEMENTARY SPECIFICATIONS FOR STREET TREES AND IRRIGATION, SCHEDULE C TO THE VICTORIA SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 12-042, AND COMPLY WITH THE IRRIGATION INDUSTRY ASSOCIATION OF BC STANDARDS.
- IRRIGATION DESIGN SHALL BE SUBMITTED FOR REVIEW AND APPROVAL TO CITY OF VICTORIA PARKS NO LESS THAN 30 DAYS PRIOR TO SCHEDULED INSTALLATION.
- IRRIGATION INSPECTIONS REQUIRED FOR ALL SLEEVING, OPEN TRENCH MAINLINE AND LATERAL LINES, SYSTEM OPERATION, CONTROLLER, AND BACKFLOW PREVENTER (INCL INSPECTION TAG AND TESTING REPORT). CALL PARKS AT 250-361-0600 AT LEAST 2 DAYS IN ADVANCE TO ARRANGE FOR IRRIGATION INSPECTIONS.



1608 Camosun Street, Victoria BC V8T 3E6
Info@biophiliacollective.ca 250 590 1156

OWNER/CLIENT:
ARYZE

PROJECT NAME:
822 CATHERINE STREET
+ 304 LANGFORD STREET

PROJECT ADDRESS:
822 CATHERINE ST.
VICTORIA, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: KH

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	21/11/03
	ISSUED FOR TRD RESPONSE	21/07/14
	ISSUED FOR RZ/DP	21/05/12
NO.	ISSUE	YY/MM/DD

SEAL

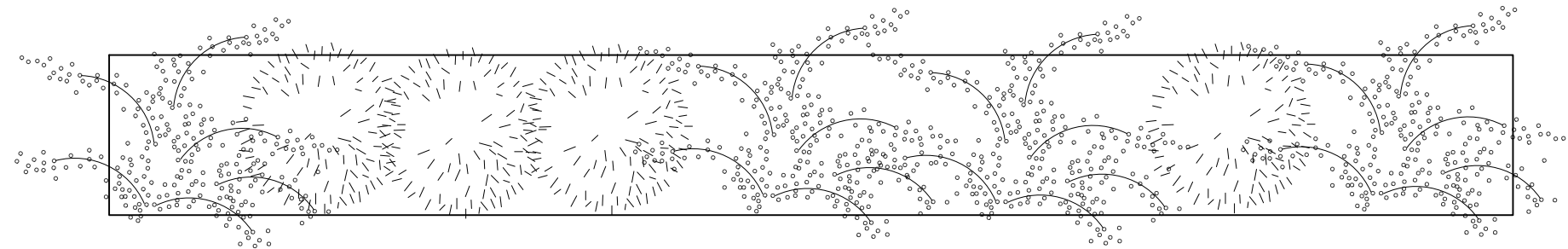
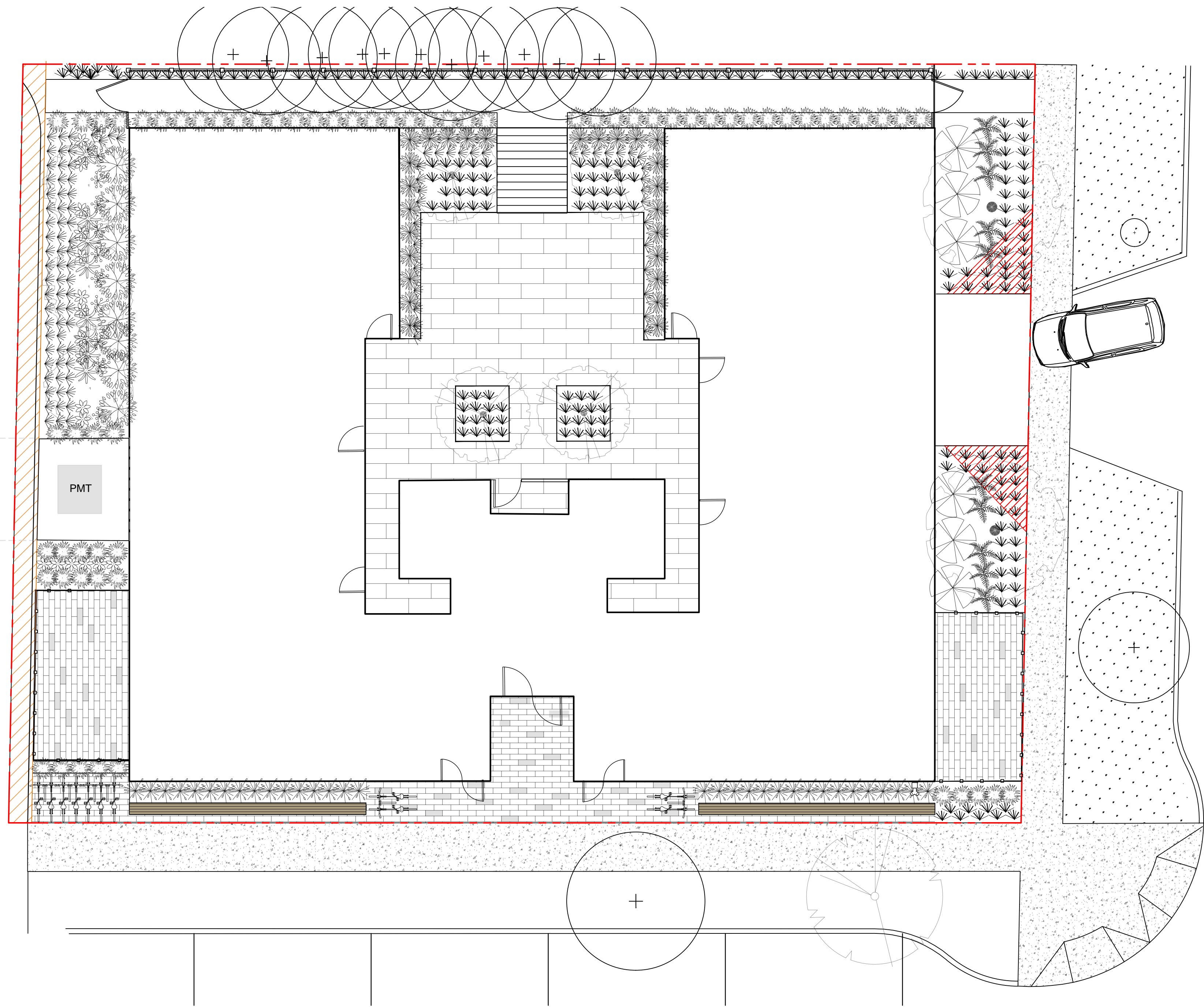
NORTH ARROW

DRAWING TITLE:
TREE PLANTING PLAN

DWG NO:

SCALE: 1:100

L2



1
L3

PLANTER PLANTING DESIGN

PLANT SCHEDULE						
Quantity	Symbol	Latin Name	Common Name	Container	Native	Pollinator
11		Anaphalis margaritacea	Pearly everlasting	#1	yes	
32		Sesleria autumnalis	Autumn moor grass	#1		
65		Calamagrostis acutiflora 'Karl Forester'	Karl Forester feather reed grass	#2		
8		Choisya ternata	Mexican mock orange	#2		
11		Echinacea purpurea	Purple coneflower	#1		yes
		Hebe 'Green Gem'	Green Gem hebe			
10		Liriope muscari	Liriope	TRAY		
14		Liriope muscari 'Variegata'	Variegated liriope	TRAY		
10		Ploystichum munitum	Western sword fern	#1	y	
30		Prostanthera cuneata	Australian mint	#1		
8		Rosmarinus officinalis 'Prostratus'	Creeping rosemary			
6		Vaccinium ovatum	Evergreen huckleberry		y	
8		Verbena bonariensis	Tall verbena	#1		yes
NOTES: 1. PLANTS IN PLANT LISTS ARE SPECIFIED ACCORDING TO THE CANADIAN NURSERY LANDSCAPE ASSOCIATION CANADIAN STANDARDS FOR NURSERY STOCK AND SECTION 12, CONTAINER GROWN PLANTS FROM THE BC LANDSCAPE STANDARD, CURRENT EDITION.						



1608 Camosun Street, Victoria BC V8T 3E6
Info@biophilacollective.ca 250 590 1156

OWNER/CLIENT:
ARYZE

PROJECT NAME:
822 CATHERINE STREET
+ 304 LANGFORD STREET

PROJECT ADDRESS:
822 CATHERINE ST.
VICTORIA, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: KH

	ISSUED FOR REVIEW SUMMARY RESPONSE 02	2111103
	ISSUED FOR TRD RESPONSE	2110714
	ISSUED FOR RZ/DP	2110512
NO.	ISSUE	YYMMDD

SEAL

NORTH ARROW

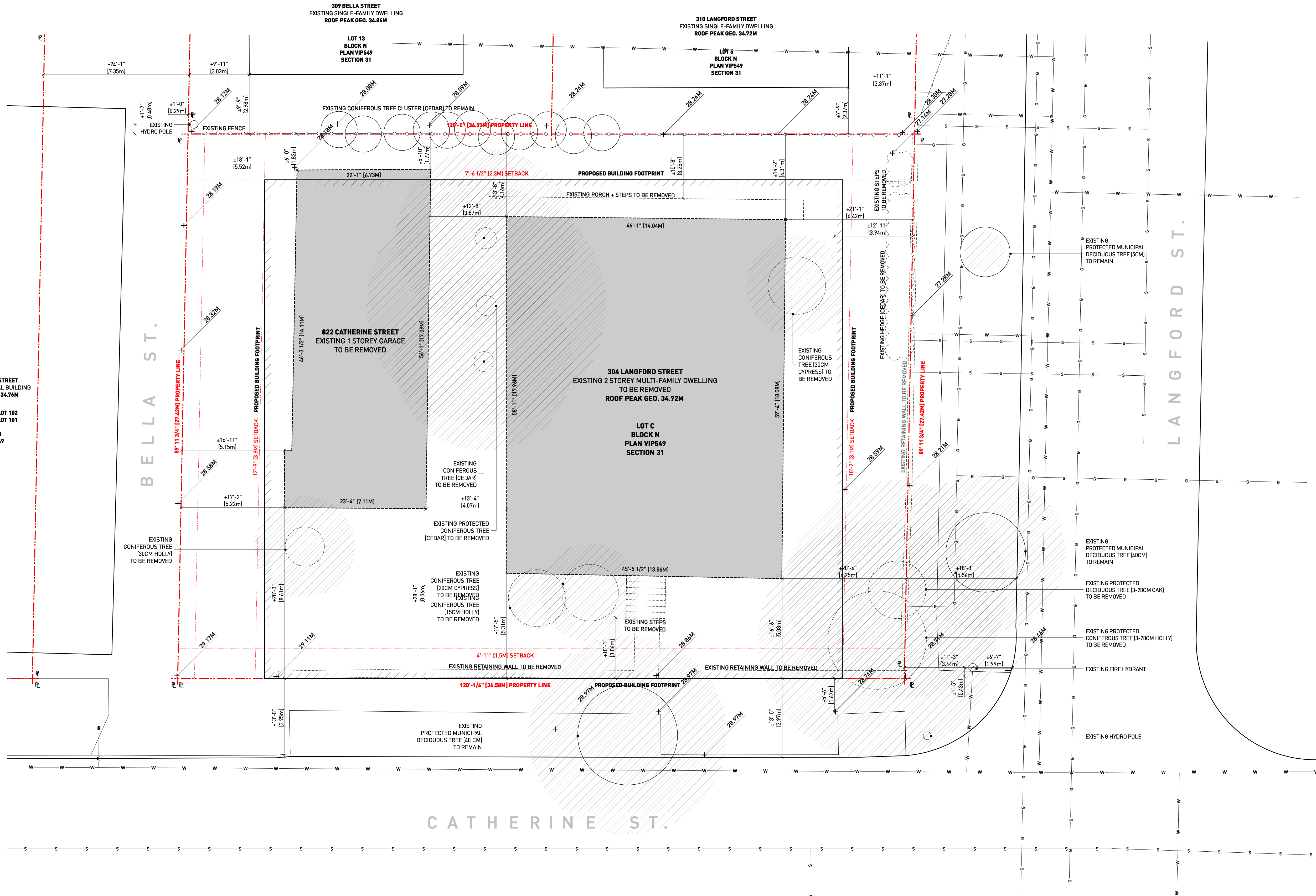


DRAWING TITLE:
PLANTING PLAN

DWG NO:

SCALE: 1:100

L3



LEGEND:

PROPERTY LINE

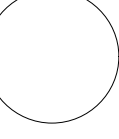
SETBACK LINE

PROPOSED BUILDING

PROPOSED LANDSCAPE



EXISTING TREE (TO BE REMOVED)



EXISTING TREE (TO REMAIN)



EXISTING TREE ROOT AREA



EXISTING HYDRO POLE



EXISTING FIRE HYDRANT

5	Iss. for Class 'C' Costing	30.09.2021
4	Iss. for Prelim DD Coordination	10.09.2021
3	Iss. for Review Summary Response 01	16.07.2021
Drawn By:		ARJ/JY
Checked By:		PS
Printing Date:		30/09/2021

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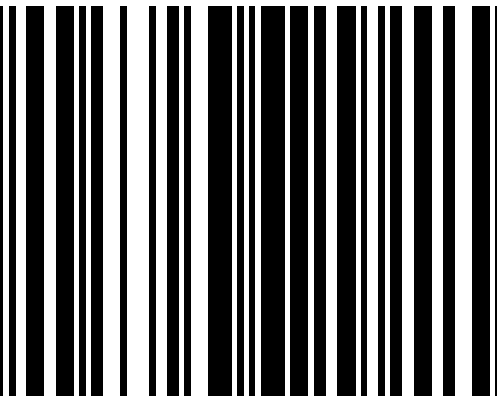
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5 4 6 8 7 9 4
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F: 204.480.8876

822 CATHERINE STREET
+ 304 LANGFORD STREET

VICTORIA, BC

EXISTING SITE PLAN

Project
0646
Sheet

A0.1

This sketch does not constitute a redefinition of the legal boundaries hereon described and is not to be used in any matter which would assume same.

J.E. Anderson & Associates accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decision made, or actions taken based on this document.

Subject to charges, legal notations, and interests shown on: Title No. EL27581 (P.I.D. 000-500-879)

Underground servicing shown schematically and aquired from VICMAP GIS.

- LEGEND
- Denotes Control Monument Found
 - Denotes Traverse Station Placed
 - Denotes Cleanout
 - Denotes Coniferous Tree
 - Dec. Denotes Deciduous Tree
 - Denotes Hydrant
 - Denotes Lamp Standard
 - Denotes Sewer Manhole
 - Denotes Street Sign
 - Denotes Typical Spot Elevation
 - Denotes Utility Pole
 - Denotes Water Service
 - Denotes Water Valve Box

The intended plot size of this plan is 432mm in width by 560mm in height, (C size), when plotted at a scale of 1:150.

Distances and elevations are in metres

Elevations are geodetic based on control monument 24-82

Elevations are at grade unless noted otherwise

Dimensions to property line are from siding



SITE PLAN

DIMMA PACIFIC PROPERTIES LTD

Lot C, (DD 3386541),
Block N, Section 31,
Esquimalt District, Plan 549

ADDRESS : 822 Catherine Street

PROJECT SURVEYOR : RPH

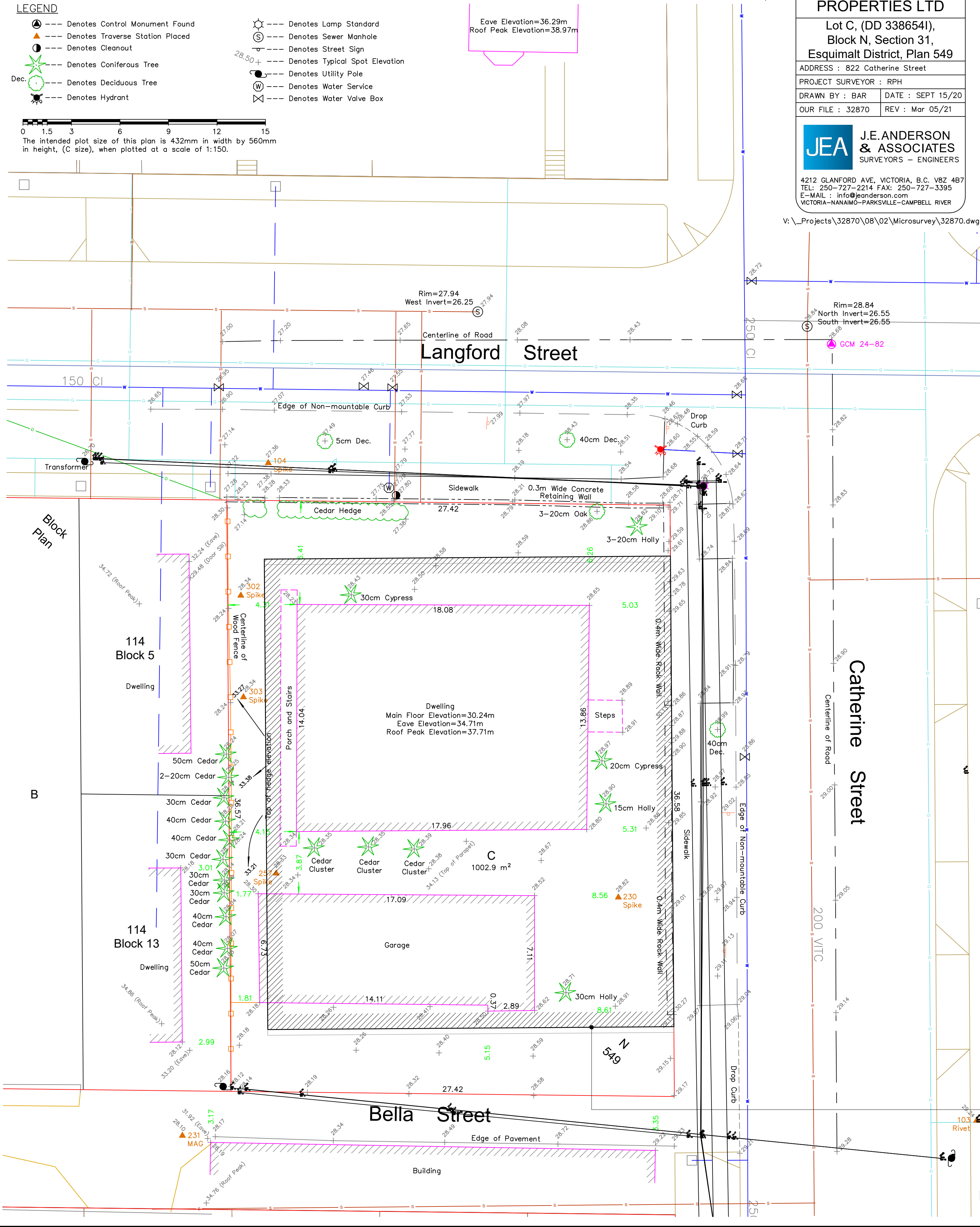
DRAWN BY : BAR DATE : SEPT 15/20

OUR FILE : 32870 REV : Mar 05/21

JEA J.E. ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS

4212 GLANFORD AVE, VICTORIA, B.C. V8Z 4B7
TEL: 250-727-2214 FAX: 250-727-3395
E-MAIL : info@janderson.com
VICTORIA-NANAIMO-PARKSVILLE-CAMPBELL RIVER

V:_Projects\32870\08\02\Microsurvey\32870.dwg



PROJECT STATS

REVISION NO.7September 28, 2021			
SITE INFORMATION			
LEGAL DESCRIPTION	LOT C, (DD 3386541), BLOCK N, SECTION 31, ESQUIMALT DISTRICT, PLAN 549		
CIVIC ADDRESS	822 CATHERINE STREET, VICTORIA BC		
ZONING	CURRENT (R-2, TWO FAMILY DWELLING)	PROPOSED (CR-3C, COMMERCIAL RESIDENTIAL (CATHERINE ST))	822 CATHERINE 304 LANGFORD PROJECT STATS
SITE AREA (m²)			1002.9
GROSS FLOOR AREA (m²)			1842.00
FLOOR SPACE RATIO	0.5	1.00	1.84
SITE COVERAGE (%)			72.9%
OPEN SITE SPACE (%)			27.1%
AVERAGE GRADE			27.77 m
BUILDING HEIGHT	TWO-FAMILY DWELLING: 7.0m; 2 STOREYS IF DWELLING DOES NOT HAVE BASEMENT, 1.5 IF IT DOES PUBLIC BUILDING: (non-commercial): 11m OR THE WIDTH OF THE LOT (WHICHEVER IS LESSER) AND 3.5 STOREYS	10.7m or 3 STOREYS	3.5 STOREYS (16.12 m)
SETBACKS			
FRONT	7.5m	3.0m (FIRST STOREY); 4.0m (UPPER STOREYS)	0.0m (1.5m AT GROUND FLOOR)
SIDE	1.5m OR 10% OF LOT DEPTH (WHICHEVER IS GREATER)	ADJACENT TO RESIDENTIAL: 1/4 BUILDING HEIGHT OR 2.5m (WHICHEVER IS GREATER); ADJACENT TO NON-RESIDENTIAL: 2.4m OR GREATER, OR ZERO.	N/A
COMBINED SIDE YARD	4.5m	N/A	N/A
SIDE YARD, CORNER LOT (PLANNING ST)	3.5m OR 10% OF LOT WIDTH (WHICHEVER IS GREATER)	N/A	3.1m (AT LANGFORD ST), 3.9m (AT BELLA ST)
REAR	10.7m OR 30% OF LOT DEPTH (WHICHEVER IS GREATER)	4.0m	2.3m

BUILDING DATA			
UNIT TYPES	AREA (M²)	UNIT COUNT	TOTAL AREA (M²)
COMMERCIAL UNIT	77	2	154
BACHELOR	32.4	4	130.4
1 BEDROOM UNIT	63.2	12	518.4
2 BEDROOM UNIT	58.65	2	117.3
	47.03	1	47.03
	47.31	2	94.62
	47.39	10	473.9
TOTAL		31	
TOTAL RENTABLE AREA			1792.6

RESIDENTIAL UNIT MIX	UNIT COUNT	%
BACHELOR	4	13%
1 BEDROOM UNIT	12	39%
2 BEDROOM UNIT	15	48%

SITE DATA	
	AREA (m²)
LEVEL 00	46.36
LEVEL 01	444.31
LEVEL 02	503.14
LEVEL 03	505.09
LEVEL 03.5	323.1
TOTAL GROSS FLOOR AREA	1842.00
BUILDING FOOTPRINT	731

REQUIRED VEHICULAR PARKING			
	UNIT COUNT	RATE	REQUIRED STALLS
RESIDENTIAL			
	UNIT < 45 M²	16	0.85 STALLS / UNIT
	UNIT 45-70 M²	5	1.0 STALLS / UNIT
	UNIT > 70 M²	10	1.45 STALLS / UNIT
VISITOR	31	0.1 STALLS / UNIT	3
COMMERCIAL			
	RESTAURANT	77 m²	1.0 STALLS / 200m²
	RETAIL	77 m²	1.0 STALLS / 37.5m²
TOTAL REQUIRED			42
TOTAL PROPOSED			14

REQUIRED BIKE PARKING			
	UNIT COUNT	RATE	REQUIRED STALLS
LONG TERM			
	UNIT < 45 M²	16	1.0 STALLS / UNIT
	UNIT > 45 M²	15	1.25 STALLS / UNIT
	RESTAURANT	77 m²	1.0 STALLS / 400m²
RETAIL	77 m²	1.0 STALLS / 200m²	1
TOTAL REQUIRED			37
TOTAL PROPOSED			40 (Includes 3 cargo bike)
SHORT TERM			
	RESIDENTIAL	31	0.1 STALLS / UNIT
	RESTAURANT	77 m²	1.0 STALLS / 100m²
	RETAIL	77 m²	1.0 STALLS / 200m²
TOTAL REQUIRED			5
TOTAL PROPOSED			4

- 5 Iss. for Class 'C' Costing 30.09.2021
- 4 Iss. for Prelim DD Coordination 10.09.2021
- 3 Iss. for Review Summary Response 01 16.07.2021
- Drawn By: AR/ JY
Checked By: PB
Printing Date: 30/09/2021

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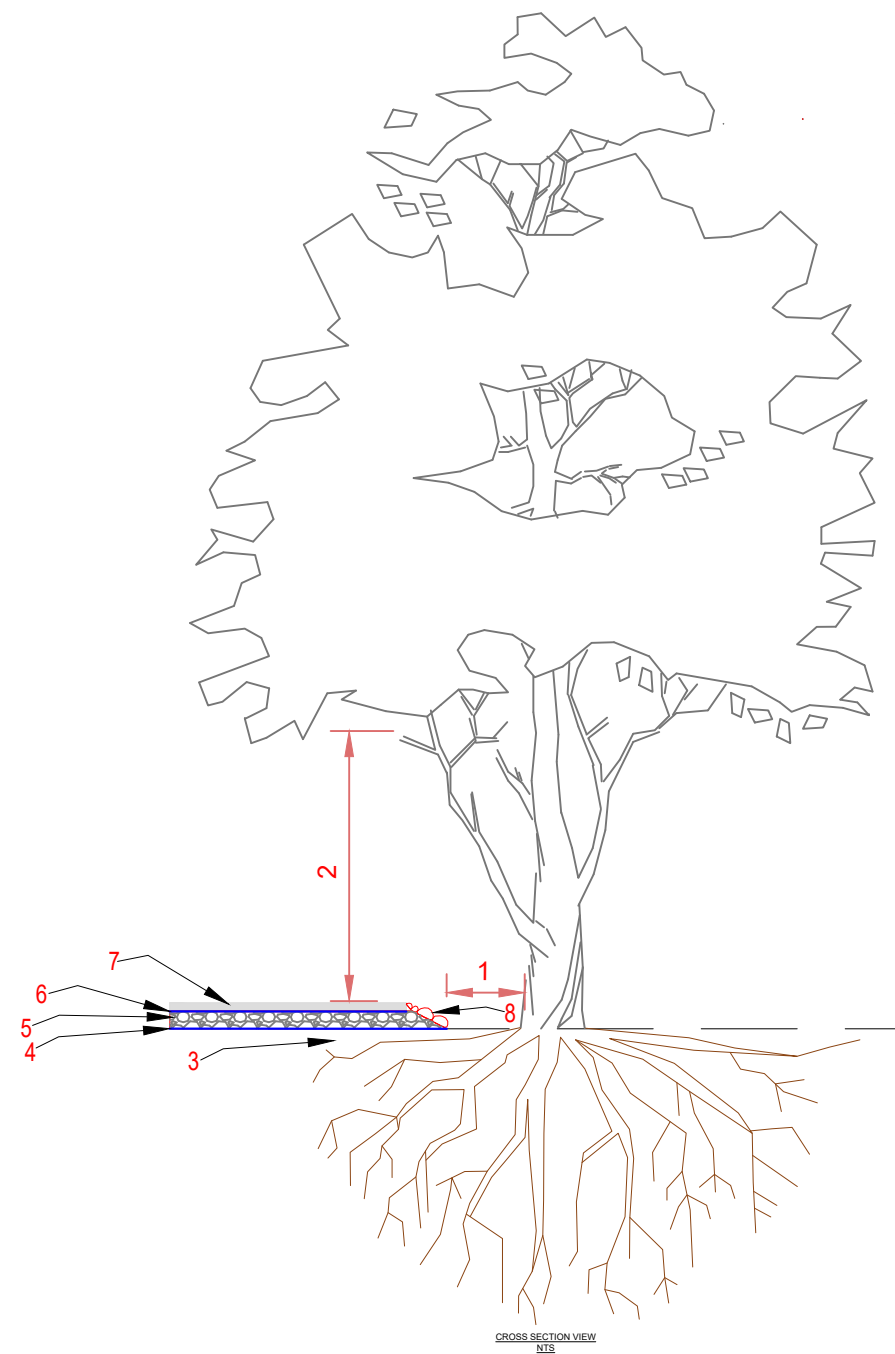
822 CATHERINE STREET
+ 304 LANGFORD STREET

VICTORIA, BC

SITE SURVEY Project
0646
Sheet

AG.1

HARD SURFACE ABOVE TREE ROOTS DETAIL



HARD SURFACE ABOVE TREE ROOTS NOTES

1. Maintain as large a setback between the fill encroachment and the root collar of the tree as possible.
2. Review any canopy clearance pruning requirements to accommodate vehicle or pedestrian clearances (Pruning to be performed to ANSI A300 standards).
3. Excavate the new footprint of the driveway or sidewalk under the supervision of the project arborist. Excavation will be limited to the removal of the existing sod layer. Excavation around root structures must be performed by hand, airspade, or hydroexcavation.
4. Install a two-dimensional (such as Combigrid $\frac{30}{30}$) or Three-dimensional geogrid reinforcement.
5. Install a 150mm depth layer of clear crushed gravel (no fines) using 20mm and/or 75mm diameter material or approved equivalent. *Note - the depth may be less than 150mm in some situations (dependant on grading constraints).
6. Install meduim weight geotextile fabric (such as Nilex 4535 or similar) over the clear crushed gravel layer to prevent fine particles of sand from infiltrating this layer.
7. The bedding or base layer and new driveway or sidewalk surface can be installed directly on top of the felted filter fabric.
8. Fill slopes - where possible install loose stacked boulders to reduce the footprint of the fill slopes that encroach within the critical root zone. Fill slope materials must be permeable to air and water. Do not pile fill material directly against the trunk of a tree.



TALBOT MACKENZIE & ASSOCIATES
CONSULTING ARBORISTS
BOX 48153
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TEL: 250-479-8733
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www.treehelp.ca



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Tree Resource Spreadsheet Methodology and Definitions

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

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

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

* Measured over ivy

~ Approximate due to inaccessibility or on neighbouring property

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

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

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

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

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

Health Condition:

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

Structural Condition:

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

Retention Status:

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



Aryze Developments
1839 Fairfield Road
Victoria, BC V8S 1G9
P: (250) 940-3568
E: info@aryze.ca

13 April 2022

Mike Angrove
Senior Planner
City of Vancouver
By email: mangrove@victoria.ca

RE: Detailed responses for 822 Catherine St ADP Motion

Dear Mike,

Thanks for reaching out regarding 822 Catherine Street. I've provided further summary of our ADP response below:

Reconsider the density in keeping in the Small Urban Village, total floor area and number of storeys

The development is proposed as a 3.5 storey building at 1.8 FSR. As Small Urban Village place designations encourage development up to approximately three storeys, or four storeys along arterials or secondary arterials, this height is suitable for the location. Catherine St is designated as a collector road, but within the neighbourhood context of Vic West it functions as an important connection between the Craigflower urban village to the north, Westside village to the east, and Esquimalt Rd to the south. The street's status as a designated bikeway also reinforces its local significance and the viability of this multi-family rental building in this location. Finally, as the project is proposed as 100% affordable based on the City of Victoria's guidelines, thereby helping to fulfill OCP and housing plan objectives, some flexibility is standard with regards to OCP-prescribed FSR.

Reconsideration of the materiality to better suit the Vic West neighbourhood context

We have arrived at the current proposed exterior cladding concept following extensive consultation with the neighbours and broader community, as well as thorough internal discussion. The aluminum shingles provide an elegant, practical, and modern approach while echoing the shingle and cedar shake siding of many buildings in the area.

Reconsideration of screening method the western facade

The screening method of windows on the western facade of the building is a balance of ensuring privacy for neighbours to the west, daylighting into the suites themselves, and future maintenance and window cleaning. We believe the current solution addresses these criteria.

Improve day lighting into the suites

Each suite will have light entering from at least two directions, and the courtyard-centric concept for the building was partially derived from a strong desire to allow for appropriate daylighting into suites on what is a fairly compact, almost square lot, which can present challenges in providing adequate light to building interiors. We have addressed this not only through the courtyard design, but through thoughtful suite layouts which position high-traffic spaces such as bedrooms and sitting areas as close as possible to windows. Additionally, at 1.52 m x 1.52 m, the external windows are generously proportioned and have a sizeable operable section.

Reconsideration of the rear west setback

The setback at the west was determined by massing studies which prioritized the creation of rental housing while presenting a modest face to the public. This means stepping back from the street frontages on three sides and a very significant step back at the third floor on the west side to minimize overlook towards the single family homes in that direction. Additionally, we are proposing a 2 m tall fence along the west property line to reinforce the preexisting screening provided by the tall cypress hedge. With all these factors taken into account, the setback is appropriate.

Consideration of the added 4th tree onto Catherine Street

At the outset of the development process, we intended to provide a fourth tree in the boulevard along Catherine Street. However, it has proven impossible due to BC Hydro design requirements related to an underground vault connected to the BC Housing development at 865 Catherine, in addition to tree spacing requirements.

If you require any further information or clarification please let me know.

A handwritten signature in black ink, appearing to read 'C. Quigley', with a stylized, flowing script.

Chris Quigley
Director of Development
Aryze Developments

Survey Responses

16 September 2020 - 02 May 2021

822 Catherine Street and 304 Langford Street Feedback

Have Your Say

Project: 822 Catherine Street and 304 Langford Street



VISITORS

36

CONTRIBUTORS

28

RESPONSES

30

1

Registered

0

Unverified

27

Anonymous

1

Registered

0

Unverified

29

Anonymous



Respondent No: 1

Login: Anonymous

Email: n/a

Responded At: Mar 29, 2021 12:04:55 pm

Last Seen: Mar 29, 2021 12:04:55 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

Development needs to fit into existing feel of neighborhood - 31 residential units seems very large, and 4 storeys is twice the size of neighbourhood buildings. Proposal needs to be 'right sized' for Vic West - suggest 3 storey max, leaving some green space around building, and ensuring architectural design is both interesting (NOT just a big box) and details fit into existing neighbourhood aesthetic (e.g., sloped roofs). Additionally, on-street parking is already atrocious in Vic West. Any development CANNOT increase or rely on on-street parking - there must be enough parking spots for newcomers (e.g., proposed 14 stalls is NOT enough for 31 residential units and 2 commercial units). I welcome the proposed mix of commercial and residential use.

Q2. Comments (optional)

see above

Q3. Your Full Name

Jennifer MacMillan

Q4. Your Street Address

786 Russell St, Victoria, BC



Respondent No: 2

Login: Anonymous

Email: n/a

Responded At: Mar 29, 2021 12:43:58 pm

Last Seen: Mar 29, 2021 12:43:58 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

In addition to my earlier comments, this proposal - combined with the new BC housing proposal for 45 new homes directly across the street - has the potential to significantly and abruptly change the face of Vic West. This development needs to factor in the additional change that the BC Housing development will pose - from construction through to leasing.

Q2. Comments (optional)

not answered

Q3. Your Full Name

Jennifer MacMillan

Q4. Your Street Address

786 Russell St, Victoria, BC

**Respondent No:** 3**Login:** Anonymous**Email:** n/a**Responded At:** Mar 29, 2021 15:37:24 pm**Last Seen:** Mar 29, 2021 15:37:24 pm**IP Address:** n/a

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

Q2. **Comments (optional)**

I live 1.5 blocks from 822 Catherine Street. I support the OCP designation and vision for this block as a "Small Urban Village" with human-scale, ground-oriented commercial. I hope that the ground floor commercial of this development will be active and street-oriented and be complementary to The Market Garden grocery store next door. In light of BC Housing's recently announced plans to build a 45-unit supportive housing complex at 865 Catherine Street by Spring 2022, I believe it is important that any further development of this area move toward fulfilling the OCP vision. Given the size of these two proposed developments, they will have large and long-lasting impacts on our small community. I hope that BC Housing and Aryze might coordinate and communicate to the extent possible so that their respective developments achieve a coherent design and meet the following tenets of the OCP: > ensure built form and place character are appropriate to a node punctuating a surrounding residential area. > achieve a high quality of architecture, landscape and urban design in all Small Urban Villages to enhance their appearance and to identify villages as neighbourhood nodes. > achieve a unique character and sense of place in the design of each Small Urban Village, with consideration for potential new landmarks. > ensure Small Urban Villages are compatible with adjacent residential neighbourhoods through human-scaled urban design, a sensitive transition in building massing, siting and form, and consideration for traffic calming measures. > design Small Urban Villages in a manner that encourages pedestrian and cycling use and enhances the experience of pedestrians and cyclists. I understand that zoning variances are required for the floor space ratio, but I hope that the following guidelines are otherwise followed for this development: >Design Guidelines for: Multi-Unit Residential, Commercial and Industrial (2012), revised 2019. > Revitalization Guidelines for Corridors, Villages and Town Centres (2017). I note that there is a proposal for 14 parking stalls for a 31 unit building. There is already very high use of on-street parking in our area. The City may need to designate certain residential streets as "resident only" parking to ensure spots remain available for adjacent residents. Spillover parking from high-density residential developments might otherwise cause issues in the community. Thank you kindly for your consideration, Josh Krusell

Q3. **Your Full Name** Josh Krusell

Q4. **Your Street Address** 409 Edward Street, Victoria, BC V9A 3E8



Respondent No: 4

Login: Anonymous

Email: n/a

Responded At: Mar 29, 2021 18:30:46 pm

Last Seen: Mar 29, 2021 18:30:46 pm

IP Address: n/a

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

Q2. **Comments (optional)**

I fully support this application as someone that was sent development notice due to being in close proximity (200m) from the development proposal. I want to see more of this kind of mixed-use housing in the neighbourhood. I find the development is an excellent fit and provides an interesting focal point to the typically boring/suburban architecture that is being built in other parts of Vic West (Rail Yards etc). The height/density is more than appropriate, although I'd like to see less parking spots. Not everyone drives or has cars here, lots of people bike and walk. I do hope council doesn't water down or degrade the proposal, last thing I want is to see something boring and suburban.

Q3. **Your Full Name** Francisco Arellano

Q4. **Your Street Address** 408 Wilson St.

**Respondent No:** 5**Login:** Anonymous**Email:** n/a**Responded At:** Mar 31, 2021 09:19:19 am**Last Seen:** Mar 31, 2021 09:19:19 am**IP Address:** n/a**Q1. What is your position on this proposal?**

Support

Q2. Comments (optional)

I generally support this proposal as is. The BC Housing development across the street was supposed to be a "village heart" under the recent neighbourhood plan. Now, it will be an insular building. This will replace the ground floor commercial that was supposed to be there. My constructive feedback is as follows. I like the look of the development, but cannot tell from the renderings whether there is unnecessary vertical flair along Catherine Street. I believe that the design should be kept at the lowest height possible for the four stories, given that it is at the top of the hill and surrounded mostly by single family-style housing. The proposal says that the developer will make best efforts to avoid losing any boulevard trees. I wonder if it is possible to have a stronger commitment. Langford between Catherine and Vic West Elementary is sneaky one of the best cherry blossom streets in town. Would be a shame to lose any of it. I also believe that the City needs to look at traffic patterns while this and BC Housing are under construction. I believe that the City needs to address pedestrian traffic crossing Catherine both at Edward and Langford. Especially at Edward, the slope of Catherine means that cars coming from the south have a restricted view and do not necessarily expect pedestrians because there is no crosswalk. But, it is a very common jaywalking spot for those walking to Westside Village or downtown, as well as students going to and from school. Between this and BC Housing, there will be around 100 new residents on this block. They will jaywalk too. The City should also consider taking this opportunity to address other traffic patterns on Catherine. It is a wide street, which is part of the reason I think people drive too fast. Painted bike lanes between car lanes and street parking would create a feeling of constraint for drivers, which would alert them that they are in a residential village and hopefully cause them to slow down. Catherine would also help connect the Goose and the bike lane on Skinner with the new bike lane at the end of Bay and the E&N south of Esquimalt. This is especially true since the developer says that it will be a "car light" development that encourages, among other things, cycling as a mode of transportation. In summary, if this is going to be a small village, it needs to reorient away from cars and have calmer traffic.

Q3. Your Full Name

Eric Regehr

Q4. Your Street Address

224 Edward Street



Respondent No: 6

Login: Anonymous

Email: n/a

Responded At: Apr 01, 2021 19:34:52 pm

Last Seen: Apr 01, 2021 19:34:52 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

mostly indifferent except for the height and the character

Q2. Comments (optional)

I'm surprised the form and character is so urban. I think that the façade should compliment the residential nature of the surrounding residences. There is a heavy heritage element to Vic West, even across the street from the proposed development. The current façade looks more suited to the Capital Iron area or the Harbour Road area. Also, the OCP says three storeys. Let's stick with that. Lastly, I'm ok with reduced parking stalls. But we need to amend the "residential only" parking policy city-wide. In all cases it should be "residential only or 1hr."

Q3. Your Full Name

Jarrett Hutchinson

Q4. Your Street Address

309 Edward Street



Respondent No: 7

Login: Anonymous

Email: n/a

Responded At: Apr 04, 2021 10:27:29 am

Last Seen: Apr 04, 2021 10:27:29 am

IP Address: n/a

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

Q2. **Comments (optional)**

Much to tall for the location and property size, neighbouring properties will be greatly overshadowed. Industrial (corrugated metal) exterior does not suit the neighbourhood. 31 units with 2 commercial units *vastly* exceeds density for the existing zoning and the location within the neighbourhood. I support a 2.5 storey structure with similar density to the Wilson commons. Parking should accomodate most units, as street parking is already in heavy use.

Q3. **Your Full Name** Daniel DuFeu

Q4. **Your Street Address** 810 Mary St



Respondent No: 8

Login: Anonymous

Email: n/a

Responded At: Apr 05, 2021 22:45:57 pm

Last Seen: Apr 05, 2021 22:45:57 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

I might support it with modifications.

Q2. Comments (optional)

The current building height limit in the neighborhood is 3 stories, not 4. Not 4, "with the appearance of 3." My understanding is that lot is not designated in the community plan to have commercial/business use on the ground floor, but is meant to be residential only. 14 car parking stalls isn't nearly enough parking for 31 units. There would need to be at least one per residential unit. Edward Street would need to be designated residential parking only, as there is already parking challenges on Edward, as the local Market Garden Store becomes more popular. When the house at the corner of Edward and Mary became multi-unit instead of a single dwelling, the number of cars on that block of Edward Street doubled. The owner also claimed the tenants would ride their bicycles/take the bus. They may have, on occasion. But they also had vehicles. I don't think you can compel them not to. The neighboring streets cannot absorb 17 extra resident vehicles. Let alone the vehicles from the staff and clientele of the proposed ground floor businesses . f

Q3. Your Full Name

Kim Carver

Q4. Your Street Address

313 EDWARD ST



Respondent No: 9

Login: Anonymous

Email: n/a

Responded At: Apr 05, 2021 23:03:12 pm

Last Seen: Apr 05, 2021 23:03:12 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

I might support the plan with some modifications.

Q2. Comments (optional)

- The community plan allows for 3 storey max, not 4 - 14 car parking stalls aren't nearly enough for 31 units. There would need to be 31 stalls. And if there were going to be ground floor commercial businesses, there would need to be parking for the staff and clientele, as well. - But that lot isn't zoned for commercial – it was taken out of the community plan as such, and is supposed to be residential only. - Also that Edward would need to be signed a residential parking only.

Q3. Your Full Name

Mike Brosselard

Q4. Your Street Address

313 Edward St



Respondent No: 10

Login: Anonymous

Email: n/a

Responded At: Apr 06, 2021 00:01:30 am

Last Seen: Apr 06, 2021 00:01:30 am

IP Address: n/a

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

Oppose

Q2. **Comments (optional)**

I live near here. This neighbourhood is being gentrified very rapidly. I'm not sure what they mean by the "eclectic nature" of this predominantly white, middle class neighbourhood. I am pretty sure I'm one of maybe five low income people in the area. This is, once again, going to push us out, which, to be fair, is part of the appeal of this insane, dystopian, Disney-villain apartment complex, isn't it? Where is the pollinator garden (for native pollinators), y'know, to replace all the plants that will be ripped out, the gardens that will be shaded out, or any flowering plants at all - rather than the default, low-maintenance evergreen and bedding plants. Not only that, but how is this going to affect traffic to the school, which is already congested? A school where the kids within TWO BLOCKS are on a waiting list. Maybe the brochure should also advertise that the school is one of the worst-funded, but if we let them build, the influx of wealthy folks will incentivize funding finally.

Q3. **Your Full Name**

Killoran Gordon

Q4. **Your Street Address**

313 Edward St



Respondent No: 11

Login: Anonymous

Email: n/a

Responded At: Apr 06, 2021 10:51:29 am

Last Seen: Apr 06, 2021 10:51:29 am

IP Address: n/a

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

Q2. **Comments (optional)**

While I'm strongly in favor of more rentals/increased housing density in the neighbourhood, I have to say, I've never seen a corrugated metal building that didn't look horrendously tacky. But, hey -- you win some, you lose some!

Q3. **Your Full Name** Adam C. Moore

Q4. **Your Street Address** 313 Edward St.



Respondent No: 12

Login: Anonymous

Email: n/a

Responded At: Apr 06, 2021 17:09:03 pm

Last Seen: Apr 06, 2021 17:09:03 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

I'm currently evaluating the proposal and have a few initial questions

Q2. Comments (optional)

I note that this proposal allocates 14 parking stalls for 31 rental units. As a nearby resident, I'm concerned about street parking for existing residents and their visitors. How does this work?

Q3. Your Full Name

Holly Pattison

Q4. Your Street Address

411 Skinner Street



Respondent No: 13

Login: Anonymous

Email: n/a

Responded At: Apr 12, 2021 13:39:09 pm

Last Seen: Apr 12, 2021 13:39:09 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

I am concerned with scale and lack of parking. I am surrounded by young families and, with no exception have 1,2 or 3 vehicles.

Personally, I have never used a car for school or work but unrealistic to expect only 10 cars with so many units. Parking is already an issue in the area.

Q2. Comments (optional)

I have read nicely presented proposal and plan and feel the building is too heavy for the area. In addition, 45 new rentals will be built by bc housing across the street. Too much density in this small corner. I don't have a problem with either project but believe way too many units in too little space. On an esthetic note, the materials, while consistent with rail yards development is not appropriate for this section of Vic West consisting of historic and heritage buildings of one or two stories. I also question who are the potential renters as the proposal states that the point is not to provide affordable housing, I am sorry but unfortunately, income still implies car ownership. We are not yet in our ideal world.

Q3. Your Full Name

Andree Chenier

Q4. Your Street Address

316 Raynor avenue

**Respondent No:** 14**Login:** Anonymous**Email:** n/a**Responded At:** Apr 13, 2021 11:20:03 am**Last Seen:** Apr 13, 2021 11:20:03 am**IP Address:** n/a**Q1. What is your position on this proposal?**

Oppose

Q2. Comments (optional)

I disapprove of this development as proposed for these reasons: 1. The displacement of current residents, who at present pay affordable rents, will have few if no possibility of finding new accommodations. Personally, I have been on the BC Housing wait-list for over 10 years. 2. This new development is asking for variances in height and use. The Vic West neighbourhood association spent many years to develop a neighbourhood plan. This project ignores the plan by wanting to build higher and put in retail, which is NOT what the neighbourhood agreed upon. As well, the height of this building will leave its neighbours in shadow. 3. The proposed metal and concrete architecture, although somewhat interesting, does not fit into the area. Most of the buildings here are single dwellings of wood, stucco, and brick some of distinct heritage, in fact the stone fence in front of 822 Catherine is heritage but the new development has chosen to ignore the heritage of this address and the area. The landlord here in fact advertises for new renters to come and live in a heritage building. 4. Although we must all start to reconsider the frequent use of gas powered automobiles, we cannot forget that electric powered cars and alternatives will still need a place to park. This development has greatly under-planned this need. Currently, there are 9 apartments at 822 Catherine/304 Langford. All park on the street as there is no parking provided. The proposed development has 31 apartments, with only 14 parking stalls. This means the stress on on-street parking will rise due to residents and the need for retail parking. The neighbourhood in general has few drive-ways and many people use on street parking for multiple reasons. The crush will be disastrous. 5. Because there has been no major development in this area, city wildlife has found a home here. As a resident, I spend time watching the squirrels, birds and even raccoons in the tree outside my window of 304 Langford. This development will fell this tree and displace the wildlife here. There is nothing in this proposal that reflects wildlife or the trees on this property, or area or even that there is any awareness or consideration given to the natural environment. In summary, this development does not fit the needs of the community in design, parking, adhering to the neighbourhood plan or adding to the natural environment. It may add to the city's rental stock but for who and at what price? For these reasons, I am fervently against this project. Perhaps with a redesigned version it may be more palatable.

Q3. Your Full Name

Linda Bundrant

Q4. Your Street Address

9-304 Langford St



Respondent No: 15

Login: Anonymous

Email: n/a

Responded At: Apr 15, 2021 09:43:18 am

Last Seen: Apr 15, 2021 09:43:18 am

IP Address: n/a

Q1. What is your position on this proposal?

Support

Q2. Comments (optional)

This seems like a great proposal. There are lots of things I like - density in the right location (I'd be fine with more density, but I get that a balance is being struck with the NIMBY attitudes I'm seeing throughout the neighbourhood), the minimal setbacks, an FSR of nearly 2, the reduced parking spots, and the commercial units. I don't love everything about it - personally, I'm not a fan of the cladding, I think it needs more than one cargo bike spot, and I don't see the need for the mansard like roof, and I think it should strive to go higher than Step 3 of the BC Energy Step Code. My opinion is that this building will very likely bring a lot of benefit to the community while providing more missing middle homes. I strongly encourage the City and the proponent to work together to introduce traffic calming measures to improve the pedestrian and cycling experience near the building, and to make it a pleasant location for the commercial units (e.g. if there will be a cafe, a quieted street will make that a more pleasant place to be). I live a block away from this building and I look forward to seeing this built.

Q3. Your Full Name

Adrian Mohareb

Q4. Your Street Address

409 Langford St., Victoria, V9A 3C3



Respondent No: 16

Login: Anonymous

Email: n/a

Responded At: Apr 15, 2021 09:52:31 am

Last Seen: Apr 15, 2021 09:52:31 am

IP Address: n/a

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

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name** Kelly Seagram

Q4. **Your Street Address** 1021 Catherine Street



Respondent No: 17

Login: VW

Email:

Responded At: Apr 15, 2021 13:23:13 pm

Last Seen: Apr 12, 2021 17:00:05 pm

IP Address: 64.114.18.188

Q1. What is your position on this proposal?

Other (please specify)

Could support with some changes

Q2. Comments (optional)

Positives - Strongly support the active commercial uses. - Support proposed reduced parking provisions to help encourage active transportation and lower project costs - Support provision of rental housing - Support the unit layout and think this will provide quality, livable units Concerns -Primary concern is about the scale and massing of the development in the context (current and future) of this area. Scale of development is not consistent with what was envisioned in recently adopted neighbourhood plan - In my opinion, significant uptick in density beyond zoning/policy is not justified at this point with no amenity contributions or compelling rationale - Concern about the transition to the property to the west and impacts on livability for neighbours - Will result in the displacement of affordable units in existing building. Newly constructed units will almost certainly not be available at similar price points. Other comments - Given the form of development, I generally support the unit mix (and appreciate the inclusion of a healthy number of 2 bedroom units). However, these units will largely not be suitable for families given the unit sizes / price points. This is unfortunate given the close proximity of the Elementary School and family friendly amenities. A more ground-oriented housing form would be ideal, but I understand the trade-off required in providing commercial uses.

Q3. Your Full Name

Cameron Scott

Q4. Your Street Address

1010 Mary St.



Respondent No: 18

Login: Anonymous

Email: n/a

Responded At: Apr 15, 2021 17:43:36 pm

Last Seen: Apr 15, 2021 17:43:36 pm

IP Address: n/a

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

Oppose

Q2. **Comments (optional)**

It's too big: too tall for the surrounding houses, and too close to them. Mass and materials will overwhelm the streetscape. Please see the rendering on p. 11 of the prospectus. It dominates the surroundings. Design wise it is out of place. It doesn't relate to existing architecture. It displaces low income renters. It ignores the fact that renters own cars. Current 9 apartments park 7 or 8 of them on the street. The zoning & code variances needed will set dangerous precedents. Too much Too Fast: With BC Housing, it's 100 new people in one block in a year or 2. Westside & Craigflower Villages serve us well. They are a 5 minute walk away. No need for more commercial here. Westside is yet to achieve 100% occupancy even with mass parking and onsite security. With BC Housing, Catherine St will be all residential from Banfield Park to Bay St except for a small market, a church and a small heritage office building. Catherine St is not a 'mixed use corridor'. The proposed building is much more Urban than Urban Small Village.

Q3. **Your Full Name**

Charles Croft

Q4. **Your Street Address**

310 Langford St



Respondent No: 19

Login: Anonymous

Email: n/a

Responded At: Apr 18, 2021 11:56:11 am

Last Seen: Apr 18, 2021 11:56:11 am

IP Address: n/a

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

Q2. **Comments (optional)**

I think it's too big, and I don't like the look of it.

Q3. **Your Full Name** Simone Treacy-Croft

Q4. **Your Street Address** 310 Langford St



Respondent No: 20

Login: Anonymous

Email: n/a

Responded At: Apr 20, 2021 09:40:30 am

Last Seen: Apr 20, 2021 09:40:30 am

IP Address: n/a

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

Q2. **Comments (optional)**

The proposed new structure does not respect the Official Community Plan. The height is beyond what is stated in the OCP. In addition, while I appreciate innovative design, the proposed design is better suited to a more urban setting. It does not "fit" with the neighbourhood. Most importantly, is the displacement of low income housing for residents in the current building. It is our collective duty to ensure we maintain affordable housing for people of all income levels. Forcing the current residents out of their homes puts at a potential for more people living on the street.

Q3. **Your Full Name** Eve Gaudet

Q4. **Your Street Address** 706 Pine Street



Respondent No: 21

Login: Anonymous

Email: n/a

Responded At: Apr 21, 2021 14:45:20 pm

Last Seen: Apr 21, 2021 14:45:20 pm

IP Address: n/a

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

Q2. **Comments (optional)**

I support this development in principle, but am concerned it might be one story too high for location.

Q3. **Your Full Name** Heather McAsh

Q4. **Your Street Address** 350 Wilson St.



Respondent No: 22

Login: Anonymous

Email: n/a

Responded At: Apr 27, 2021 13:56:50 pm

Last Seen: Apr 27, 2021 13:56:50 pm

IP Address: n/a

Q1. What is your position on this proposal?

Other (please specify)

Support with changes

Q2. Comments (optional)

I support a new building on this site. I support 4 floors. I support rental. However, this building needs more green space around it especially on Catherine St. As I look at the plans, I see along Catherine St a rather narrow sidewalk that passes by some bike parking and a bench and then there is the lobby. I go on a daily walk on this sidewalk and find it is too narrow now. There is congestion in front of The Market Garden as people go in and out and stop cars and lock up bikes and tie up dogs. Do not recreate more congested frontage. I suggest an open space with a roof. 1) The Catherine St sidewalk should be made as an extra wide walking pathway with a garden or greenspace for the use of the residents but also for use of people who are walking past and need to pause. For example, a walkway like that in front of the Horizon part of The Railyards off Tyee behind the bus stop. Not a narrow sidewalk. This is a main walking route to the Songhees Waterfront Trail. 2) This building needs to match up somehow to make sense with the proposed BC Housing Site across the street in style and landscaping at the ground level. We don't yet know what this plan is. Or does anyone? 3) The flowering trees on Langford are a joy. They will need to be replaced and in the same massing- not just spread out around the building- in order to keep the impact.

Q3. Your Full Name

Rosemary Mueller

Q4. Your Street Address

202 Raynor Ave



Respondent No: 23

Login: Anonymous

Email: n/a

Responded At: Apr 28, 2021 11:10:50 am

Last Seen: Apr 28, 2021 11:10:50 am

IP Address: n/a

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

Q2. **Comments (optional)**

Why tear down an interesting and historic building? Fix it up like we do with many buildings in Victoria to keep the city's history and appeal. We should be thinking of conserving and reusing and fixing up rather than tearing down and filling our landfills and putting up ugly square boxes. Incorporate the new building into the old and keep the character. Too many units which doesn't go with the neighbourhood plan. Keep within the allowable plan. Not enough parking. Everyone has at least one car if not two. There should be at minimum one parking spot per unit if not two.

Q3. **Your Full Name** Janet Noden

Q4. **Your Street Address** 306 Edward St.



Respondent No: 24

Login: Anonymous

Email: n/a

Responded At: Apr 29, 2021 01:14:01 am

Last Seen: Apr 29, 2021 01:14:01 am

IP Address: n/a

Q1. What is your position on this proposal?

Oppose

Q2. Comments (optional)

I am responding on behalf of my family (my mother who owns the house and my brother and I who live in the house). We live right across the street from this property and have been here since 2004. Our front door faces the Langford side of the building. This proposed development will have a significant impact on us and our property. Fundamentally, we support the idea of a purpose built rental. But at this time we cannot support this proposal because of the reasons noted below which are amplified with the uncertainty, impact, and dominance of the BC Housing supportive housing facility going in across the street. The dynamics of the neighbourhood and our lifestyle are going to be severely impacted. Because BC Housing does not have to go through the normal process and information is lacking, the community cannot be expected to make informed or good choices until that is settled.

1. Height. We do not support a four story building. Four stories would be very out of character for the area.

- o A lot of time and effort went into the engagement and development of the Vic West neighbourhood plan and should be honoured.
- o Currently the OCP allows for two stories, the neighbourhood plan's small urban village would allow for three stories. We would most likely support a three-story building due to its closeness to other future designated properties, dependent on how other concerns are addressed - eg. number of units, parking.
- o If BC Housing doesn't honour the neighbourhood plan, it should not be allowed to set a precedent for other properties as the community has no say in what they are doing.

o Personal impact.

1) this would put our house in shade for three winter months when we most want the sun and one of the reasons we bought this house, and 2) the significant increase in number of windows facing our house would be uncomfortable and reduce our privacy.

2. Parking garage access - egress on Langford Street. We do not support this. The impact is significant. Langford is already a busy street with awkward blind spots at the Catherine/ Langford intersection with many close calls occurring each day. It also requires the elimination of street parking which is already near capacity.

- o Consider moving the egress to Bella Street if Catherine is not an option. Bella would be ideal as it would not remove any existing spots, the street is not heavily utilized, and would face the blank wall of the Market. As this is a narrow street, it would probably require a set-back of the building to accommodate.

o Personal impact. The egress will face our front door, bedrooms & home office.

1) There will be a significant increase in noise and air pollution limiting our use and enjoyment of our yard and the ability to leave windows open for fresh air.

2) As people leave, headlights will be shining into our home 24/7 which is unacceptable.

3. Parking in general. Street parking in the area is already near capacity. The number of parking spots in the garage based on number of units is not enough. Regardless of what is allowed and the theory that people living this close to downtown will not need a car, it is not an accurate reflection of reality. While people may walk or use public transit, they still have a car. The current renters are a perfect example with at least 80% of the units having a vehicle which has been consistent the 17 years we've been here. As for the rest of the neighbourhood, there are 1-1.5 cars parked on the street for every house. If adequate parking is not provided in the building, it doesn't mean they won't come with a car, they will simply park on the street.

- o These units will also increase the number of visitors and retail customers to the block.
- o BC Housing's supportive housing will add an additional stressor.
- o If the egress remains on Langford, it will eliminate 3-5 spots on Langford alone, where we have maybe 1-2 empty spots on a good day. With those (plus more) often taken up for short periods by customers and visitors of the Market, Tai Chi building, and residents. A few years ago, the city had to put up resident only parking signs as we were already struggling to park near our homes.
- o What does the shortage look like? 9-15 spots minimum. The current building has around 10 units and averages 8 vehicles. With the increase in larger units, and aligning with other parking usage in the neighbourhood, it would be safe to assume an average of 1 vehicle/unit, for a total of 31 spots. There will be 14 in the garage + 8 current street parking spots = 22 available spots, meaning there will be a shortage of 9 residential + ? removed for new development/egress + ? additional visitors and retail customers.

4. Material palette. We would like to see a more sympathetic look and feel. It does not reflect the immediate neighbourhood which is nearly all homes, many with a heritage or storied history. It should also work with the material & structure of the BC Housing facility which will be very dominant. A mish mash of building styles and materials is not aesthetically pleasing.

- o Consider waiting until the BC Housing facility

material & structure is approved. o Consider looking into the possibility of working with BC Housing to jointly engage with the community and a plan that would work for all. 5. Density. We do not support the significant increase in number of people at this intersection. It changes the community and lifestyle we want for ourselves. This is a quiet & clean residential neighbourhood with a fair amount of privacy. Street traffic has gotten busier but it does quiet down in the evenings, weekends, and summer making it tolerable. Over the years we have struggled with vandalism and theft. Between 822 and 865 Catherine, we can expect an increase of 100+ people living here plus their visitors, customers, and employees. It is too much for this community to absorb right now. o Consider decreasing the number of units. We would support a slight increase in the number of units, but unlikely to support as high as double the current amount. o The city needs to address and accommodate for traffic management, policing, and repairs/maintenance. o Personal impact. 1) This is not the community or lifestyle we bought into. Due to BC Housing matters we have lost our ability to have a say how our community evolves. 2) We appreciate that needs change over time, but the amount of change being thrown at us right now is too much, too fast. This has already caused us a significant hit to our financial and emotional well-being.

Q3. Your Full Name	Kim Zinke
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Q4. Your Street Address	303 Langford Street
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**Respondent No:** 25**Login:** Anonymous**Email:** n/a**Responded At:** Apr 29, 2021 21:38:35 pm**Last Seen:** Apr 29, 2021 21:38:35 pm**IP Address:** n/a**Q1. What is your position on this proposal?**

Oppose

Q2. Comments (optional)

We have lived at 314 Langford Street since 2011, and are incredibly proud to call this vibrant family-oriented neighbourhood home. We appreciate the balance of proximity to downtown and local businesses, while still maintaining a residential feel. We have serious concerns about the proposed development at 822 Catherine Street/304 Langford Street, both for the impact it would have on the neighbourhood and for the precedent it would set for future development. In its current design, we are opposed to the project and ask that the City of Victoria not approve an amendment to the Official Community Plan that would see the property changed from Traditional Residential to Small Urban Village. We fully support the continued use of this property as rental units and we appreciate the care Aryze has taken to design units that are liveable unlike many of the micro-units being added to the city. Having a local company leading the project is important to us and we appreciate staff's connection to the area. We also appreciate the time that Aryze staff have made available to us to ask questions. We would support a project that was better aligned with the Vic West Neighbourhood Plan, including being smaller in scale, reasonable setbacks from the neighbouring residential properties, no more than three stories and with more green space. Aryze's proposal is pushing all of the limits and guidelines outlined in the Vic West Neighbourhood Plan, approved by the City of Victoria in 2018. As the first development in this area under this plan, we feel strongly that this proposal needs to better align with the vision for our community rather than rewrite it. While separate, and not within the City of Victoria's control, it is important to consider this development in context with BC Housing's plan for a purpose-built 45-unit supportive housing complex at 865 Catherine Street. These two developments could add upwards of 100 residents to one block of Catherine Street, in an area of predominantly single-family homes. We ask that the City Of Victoria respect the work of the Vic West Neighbourhood Plan and limit the density on this block by requiring this project to reduce in size. We have detailed our concerns further within a letter that we have emailed Mayor and Council, Aryze and the Vic West Community Association. We understand that many of the decisions made by Aryze on behalf of its client were to make the project economically viable and beneficial for the landowner. We feel strongly that over densifying this part of the neighbourhood for the financial gain of one property owner is not appropriate. If the proposed development is not viable within the guidelines of the neighbourhood plan, it is not viable for the site and needs to be reimaged. Thank you for your time and consideration.

Q3. Your Full Name

Amy Dove and Mike Dahlke

Q4. Your Street Address

314 Langford Street



Respondent No: 26

Login: Anonymous

Email: n/a

Responded At: Apr 30, 2021 17:03:15 pm

Last Seen: Apr 30, 2021 17:03:15 pm

IP Address: n/a

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

Oppose

Q2. **Comments (optional)**

lack of community involvement. development on too quick of time frame. other areas of Victoria not sharing burden of care for less fortunate.

Q3. **Your Full Name**

charlie garrett-jones

Q4. **Your Street Address**

1131 Catherine Street



Respondent No: 27

Login: Anonymous

Email: n/a

Responded At: Apr 30, 2021 18:41:44 pm

Last Seen: Apr 30, 2021 18:41:44 pm

IP Address: n/a

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

Q2. **Comments (optional)**

The BC Housing development across the street has ripped the heart out of the 'neighborhood village' that this area is supposed to be, as per the Vic West OCP. The development by Aryze is a great way to get the neighborhood village feel back, while provided much needed residential rentals. Plus the building is stunning in design.

Q3. **Your Full Name** Daniel Strzelecki

Q4. **Your Street Address** 914 Alston Street



Respondent No: 28

Login: Anonymous

Email: n/a

Responded At: Apr 30, 2021 23:13:36 pm

Last Seen: Apr 30, 2021 23:13:36 pm

IP Address: n/a

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

Oppose

Q2. **Comments (optional)**

I do not support the design, it needs to have more organic, feel like the new Wilson street development, they say the designer walked the neighbourhood and was inspired, yet they have a similar design already built in Winnipeg. I don't believe that this design is the fit for our neighborhood. The height does not conform to community plan 4 stories on the front is not 3 stories. I already have a hard time parking, the developers feedback to my concerns was not realistic. I don't want this property to move forward with the development process until BC housing project is complete across the street, and we have an idea of how the new traffic, people, services effect our neighbourhood corner. I don't oppose the BC housing project but I want to see what comes of that project. I don't want any further development in my neighborhood until BC housing is all finalized. I don't like the developer's decision for 14 parking stalls, with the notion they can discriminate against tenants who have cars to control the volume and parking congestion. I understand the movement towards using less cars but their traffic management plan is poor. Right now commercial space in the Vic west plaza has not been occupied 100% so now adding commercial units that have no parking options will have people parking in front of my house.....Market Garden customers already overflow into my street every weekend.

Q3. **Your Full Name**

Emily Parsons

Q4. **Your Street Address**

309 Langford



Respondent No: 29

Login: Anonymous

Email: n/a

Responded At: Apr 30, 2021 23:16:09 pm

Last Seen: Apr 30, 2021 23:16:09 pm

IP Address: n/a

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

Q2. **Comments (optional)**

Lack of parking is a deal breaker for me Height does not conform to community plan Current design is an eyesore and I don't want to live across the street from that

Q3. **Your Full Name** Richard Watts

Q4. **Your Street Address** 309 Langford street



Respondent No: 30

Login: Anonymous

Email: n/a

Responded At: May 02, 2021 13:58:30 pm

Last Seen: May 02, 2021 13:58:30 pm

IP Address: n/a

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

Q2. **Comments (optional)**

My opposition is related to lack of parking for residents and parking for resident's guests. I want to see at least 20 spaces and 5 guest spaces. I have no problem with the design, it is similar to the railyards,. Let them dig one floor lower and have another floor of parking garage. If approved with this few spaces the rest of the neighbourhood will be filled with their cars, and/or their partners or guests cars (however car free they claim to be, just to get a hard to find rental apartment, there is a very strong motive for them to mislead).

Q3. **Your Full Name** Graham Hayes

Q4. **Your Street Address** 612 wilson st victoria bc

Dear Mayor and Council Members,

As someone who has resided in Vic West for the past 15 years I have witnessed a lot of changes and new developments, some good, some not so good. From what I have seen, the redevelopment proposed for 822 Catherine deserves our unreserved support for two main reasons: density and aesthetics.

The current use on the site (unremarkable houses) represents a lost opportunity to increase density right where its most needed, in Victoria's inner city within close walking distance of workplaces and services. Real estate, like any market commodity, responds to supply and demand. Increased supply at all levels has the net effect of stabilizing housing prices, which is beneficial in a notoriously expensive city. The bottom line is that we can't increase housing affordability by restricting supply.

In terms of aesthetics, the bold modernist design proposed is a welcome departure from the reactionary faux historicism so prevalent in many new developments in Victoria. There is no good reason to try to make new buildings look like something they are not. Historically significant buildings do not suffer from the addition of new ones true to their time, rather they benefit from the contrast in styles that reinforces their uniqueness and value.

I hope that this development has the chance to shape the urban fabric in our neighbourhood moving forward without having its dynamism sacrificed in a misguided attempt to compromise with elements who would likely resist any change to the neighbourhood, no matter how necessary or beneficial.

Kind regards,
Sasha Kvakic

9-103 Wilson St
Victoria BC

April 29, 2021

Amy Dove and Mike Dahlke
314 Langford Street, Victoria, B.C. V9A 3C2

Attn: Mayor and Council
1 Centennial Square, Victoria, B.C.
V8W 1P6

Dear Mayor Helps and City of Victoria Council,

Opposition to the Proposed Development at 822 Catherine Street/304 Langford Street

We have lived at 314 Langford Street since 2011, and are incredibly proud to call this vibrant family-oriented neighbourhood home. We appreciate the balance of proximity to downtown and local businesses, while still maintaining a residential feel.

We have serious concerns about the proposed development at 822 Catherine Street/304 Langford Street, both for the impact it would have on the neighbourhood and for the precedent it would set for future development. **In its current design, we are opposed to the project and ask that the City of Victoria not approve an amendment to the Official Community Plan that would see the property changed from Traditional Residential to Small Urban Village.**

We fully support the continued use of this property as rental units and we appreciate the care Aryze has taken to design units that are liveable unlike many of the micro-units being added to the city. Having a local company leading the project is important to us and we appreciate staff's connection to the area. We also appreciate the time that Aryze staff have made available to us to ask questions. We would support a project that was better aligned with the Vic West Neighbourhood Plan, including being smaller in scale, reasonable setbacks from the neighbouring residential properties, no more than three stories and with more green space.

Aryze's proposal is pushing all of the limits and guidelines outlined in the Vic West Neighbourhood Plan, approved by the City of Victoria in 2018. As the first development in this area under this plan, we feel strongly that this proposal needs to better align with the vision for our community rather than rewrite it. While separate, and not within the City of Victoria's control, it is important to consider this development in context with BC Housing's plan for a purpose-built 45-unit supportive housing complex at 865 Catherine Street. These two developments could add upwards of 100 residents to one block of Catherine Street, in an area of predominantly single-family homes.

We ask that the City Of Victoria respect the work of the Vic West Neighbourhood Plan and limit the density on this block by requiring this project to reduce in size.

We have detailed our concerns within this letter for your consideration. We understand that many of the decisions made by Aryze on behalf of its client were to make the project economically viable and beneficial for the landowner. We feel strongly that over densifying this part of the neighbourhood for the financial gain of one property owner is not appropriate. If the proposed development is not viable within the guidelines of the neighbourhood plan, it is not viable for the site and needs to be reimaged.

Thank you for your time.

A handwritten signature in dark ink, appearing to read 'ADove' followed by a stylized flourish or second signature.

Amy Dove and Mike Dahlke

Summary of primary concerns re: Proposed Development at 822 Catherine Street/304 Langford Street

Alignment With Neighbourhood Plan

The proposed development does not adhere to the Vic West Neighbourhood Plan (2018) which designates these properties as Traditional Residential. The current designation allows for three storeys max, with building structures described as “ground oriented residential buildings.” It does not include commercial or the scale of the building being proposed.

We are concerned that approval of the requested OCP amendment will:

- Set a precedent for denser development in a residential area than was envisioned and approved.
- Erode public trust in the neighbourhood planning process. These properties were specifically left out of the Small Urban Village designation by request of the community in 2018.

Massing and Size of the Building

From the street, the building appears to have 100 percent lot coverage – which is not true of any other structures in our neighbourhood. This building will tower over the residential streetscape. The internal courtyard offers relief for the future residents of this building; however, it is hardscaped and is not visible from the street.

5468796 Architecture, the Winnipeg-based architecture firm that designed the proposed building, is recycling a project that was designed for an industrial part of Winnipeg. This is not a made-for-Victoria innovative design, and it is not appropriate for this residential neighbourhood. This city has its own history and character, and that should be reflected in the look and feel of our built landscape.



90 Alexander – Winnipeg



822 Catherine Street – proposed

We are concerned that the proposed massing will:

- Tower over the properties to the west as the grade of the building is based on Catherine Street, the highest point in the area. This means that the first floor will start approximately seven feet above the sidewalk on Langford Street.

Parking

We appreciate the proposed bike parking provided and the addition of a MODO car on Catherine Street for those who can effectively use these forms of transportation, however, the proposed vehicle parking is not adequate for the density being requested. Aryze is proposing 38% of the required parking as defined by *Zoning Bylaw No. 80-159 Schedule C: Off-Street Parking Regulations*.

Zoning Bylaw No. 80-159 Schedule C: Off-Street Parking Regulations (page 5) states that this proposed development should be providing approximately 33 parking spaces (based on bachelor units will be approximately 400 square feet, with the two-bedrooms being approximately 850 square feet).

With 31 homes, with a potential of 46 residents based on single occupancy by bedrooms, including visitors means that 14 parking spaces is woefully inadequate. Add to that the two commercial spaces and the residential streets will be beyond maxed out.

It should be further noted, that at Aryze's proposed development at 480 Esquimalt, the project is suggesting 56 parking stalls is appropriate for 47 residential units and two commercial spaces. This site allows for two levels of underground parking, making the scope and scale of the proposal appropriate to the site.

We are concerned that inadequate parking provided for the proposed residential and commercial spaces will:

- Lead to parking congestion on Langford and surrounding streets. It should be noted that the City recently designated Langford Street as residential parking only due to the congestion of people visiting local business or parking here to walk downtown. The City also removed approximately 20 parking spaces on Langford (between Alston and Tyee streets) to add a pedestrian walkway and nearby Alston Street, which was supposed to be a planted boulevard is used as a parking lot every day.
- Not be representative of pre-Covid-19 traffic patterns in our neighbourhood if it was based on a traffic and parking study done recently. We have requested the date of the traffic study and a copy of it, however, neither has been provided to date.

Privacy and Noise

The massing, scale and close proximity of this building to neighbouring properties means it will tower over the two-storey residential houses to the west. There will be a lasting impact on the privacy and quiet enjoyed in this neighbourhood.

We are concerned the proposed design will:

- Create a sound funnel to the residential neighbours, with 31 front doors opening to external hallways over an open hardscaped courtyard. We are very concerned about the proposed rooftop decks that would face the residential neighbours.
- Not provide adequate privacy screening along the west side of the property. The proposed six-foot fence is appropriate to screen the proposed pathway, but it is not adequate for privacy and sound mitigation related to the internal courtyard or open hallways above. Due to the grade of the proposed building, the courtyard would be roughly five feet higher than the base of the fence. Anyone standing in that courtyard will be able to see over the fence into neighbouring properties.
 - Related to the above concern, Aryze has noted it intends to maintain an existing two-story privacy hedge along the west side of the property. This hedge is currently the only thing that provides noise and privacy screening in this location. It should be noted that this hedge is on a neighbour's private property and Aryze has no authority on whether it remains there.

Collective Impact

This proposal is asking for too many allowances outside the scope of the neighbourhood plan. Looked at in isolation it is easy to overlook the impact, however, when considered together it is clear this proposal is too large for the space it would take up. Increased density and height, limited setbacks to the sidewalks and neighbours, and a lack of services in the form of parking will make this residential neighbourhood feel more like downtown. That was not the intent of designating this part of Catherine Street as a Small Urban Village, and purposely excluding this property from that designation.

Vic West is changing quickly, and we ask that the City of Victoria honour the plans that were informed by its residents and written in good faith.

To: Mayor and City Council of Victoria

RE: Aryze Proposal for 822 Catherine St and 304 Langford St.

We have lived at 310 Langford St since 1994. We enjoy living here very much and hope to continue for the duration. It is a quiet working-class neighbourhood with several newly arrived young families. We take full advantage of all the amenities our village has to offer, within easy walking distance of our home. When we first moved in, Westside Village was a parking lot, and The Railyards and Dockside Green were abandoned railyards in fact. We visit Cafe Fantastico and Foi Epi on Harbour Rd regularly. We love the way things have evolved here over the years.

But we are very concerned about the new direction this evolution is taking. With the Aryze proposal at 822 Catherine and the BC Housing transitional facility across the street, we are to accept some 100 additional people in this single block over the course of a year or two. This is an overwhelming increase in density at a frightening pace. We know of 2 long time residents on our block who don't want to deal with that, and are selling their homes.

We feel that the proposed apartment block at 822 Catherine St is inappropriate. We think it would set some very dangerous precedents that will certainly be used by future developers to justify further erosions of the neighbourhood character.

Size and Design:

Put simply, it's too big: too big a footprint for the lot and too tall for the surrounding heritage houses. The size, style and materials will overwhelm the streetscape. This is very apparent in the rendering on page 11 of the Aryze prospectus. We know of no other building with this kind of mass and materials on the west side of the bridges. Even Songhees, Dockside Green and the Railyards have wider set-backs, more green space, and show more sensitivity to their surroundings. And unlike those developments, this building is set in the midst of traditional housing.

We're very concerned, as I'm sure anyone would be, with the idea of a 35 foot high steel wall being built the length of our little house and just 15 feet away. This will kill the morning sun in our front yard in spring and summer. It will also greatly decrease the amount of open sky for everyone near it.

No clear view of the new building relative to our house next-door is shown. There are no views of the south or west facades. All we have are a few carefully composed renderings. The proposal is unclear on how the new street-level ground plane will transition to our higher lot. We can only guess what the west facing courtyard might look like.

We fear Bela street is in danger of becoming little more than a walled off driveway. The plantings are a welcome addition of course, but we don't think the project will do as much for village atmosphere as Aryze says it will.

The proposed building is more Big Urban Industrial than Small Urban Village.

Please note that in the 2018 VicWest Neighbourhood Plan, 822 Catherine St is not designated Small Urban Village, as used over and over again in the Aryze prospectus. The Catherine at Edward Small Urban Village begins on the other side of Bella St where Garden Market now stands.

When the time comes for Aryze to ask for re-zoning, we respectfully ask that the guidelines set out in the Neighbourhood Plan be vigorously upheld.

Parking:

The one thing that isn't too big is the proposed parking. The prospectus mentions a 'car-lite' lifestyle. Having commuted to work over the Selkirk Trestle since the day it opened, I believe I'm something of an expert. It's a beautiful ideal that all of us in VicWest are working towards.

Cars are a reality however, and the reality is that the current building has 9 apartments with about 7 or 8 cars parked on the street by tenants. Building 31 units with 46 beds, plus 2 store fronts, and only 14 parking spots on site would say we can expect some 20 to 30 cars on the street with visitors. This proposal will eliminate at least 4 street parking places, making the situation worse. Langford street is already overcrowded at times. And not all houses here have driveways, so we may be talking about several trips to a car over a block away for groceries, vacations and so on. Not a huge problem for us now, but at ages 67 and 70 it's bound to become one sooner than later.

On April 13th Aryze said tenants would be screened for car ownership. How will this be enforced if a lease-holder decides to get a car? Will enforcement be at the discretion of the management company? Is it legal to discriminate against car ownership in view of a right to housing?

Privacy:

We strongly object to roof-top decks this close to neighbouring houses and yards. Also, the idea of windows so close to our house and directly in line with our dining room, living room and kitchen is unpleasant. Aryze says these windows will be obscured by some sort of screen, but you can easily see into the apartments on the west side in the renderings from Bella Street.

Affordable Housing:

On the flip side of the Proposed Development Notice from the city, it is stated that the existing house will be demolished because it is 'past it's effective life'. We'd like to point out it's currently very effective in providing affordable rent to 12 people who can't afford market rates. One resident is a dear friend who's been our neighbour for about 10 years. She is over 70, on fixed income and has been on the low-income rental waiting list for a very long time. She's been looking for a new apartment for months, but hasn't been able to find anything she can afford. It seems unlikely she will. Our dark little joke is that maybe she'll end up across the street at BC Supportive Housing and we can remain neighbours.

We believe that what the city needs is more affordable housing, not more market rate apartments. Lack of affordable housing is at the very crux of the current homelessness crisis.

Commercial Space:

The prospectus describes Catherine St as a mixed use corridor. We'd like to point out that it's all residential from Banfield Park to Bay St, except for a market, a church and a small heritage office building. What used to be a Tai Chi centre is slated for more residential. We'd also like to say that to those of us who live here it is much more than a 'corridor'. It is home.

Given the realities of the BC Housing going in across the street, filling these commercial store-fronts may prove harder than Aryze would hope. Westside Village, for example, has only recently achieved anything close to full occupancy, even with massive free parking and onsite security. The prospect of vacant storefronts on Catherine is not appealing.

Urban Forestry:

We have 2 trees on our property that are part of the larger hedge. We are concerned about the long-term viability of these trees if the wall is built along their full length, more than 10 feet higher and only 8 feet away. We are also concerned about possible damage during construction. These trees are protected by city bylaw due to their trunk diameter. They are valued neighbours as well!

Community Engagement Process:

On April 13th we attended the Aryze online info session. We found it to be more of a carefully curated marketing event than an open public hearing. We don't know how many attendees were present or who they were. The presenters had the opportunity to choose the questions they wanted to respond to, and ignore ones they didn't. Our questions about zoning and code variances went unanswered.

We hope that the post-Covid mechanism the City has in place is as robust as the the old town-hall style meetings we attended in the past. Zoom is a very weak substitute. Some people don't use computers, and many that do have never used Zoom. We feel that a decision as consequential as this must be on hold until a true public forum is possible.

Finally, we'd like to say we are not blindly opposed to progress and change. We've lived in some of the larger cities in N. America and understand that cities must adapt and evolve. We simply feel that this proposal for development is wrong-headed, and will ultimately result in harm to the neighbourhood we love, respect, and hope to stay in for decades to come.

Sincerely,
Charles & Simone Croft
Proud VicWest Residents.

Dear Mayor and Council,

I am perturbed by the proposed development as the density is so high among other reasons.

Why tear down an interesting and historic character building? Fix it up like we do with many buildings in Victoria to keep the city's history and appeal. We should be thinking of conserving and reusing and fixing up rather than tearing down and filling our landfills and putting up ugly square boxes. Incorporate the new building into the old and keep the character. Too many units which doesn't go with the neighbourhood plan. Keep within the allowable plan. Not enough parking. Everyone has at least one car if not two. There should be at minimum one parking spot per unit if not two.

We have been hit in this neighbourhood already with an emergency shelter and yet another low cost building project. Please don't allow another project that does not go with the community plan and is not within the zoning. The new development along Wilson street is ugly and does not have nearly enough parking or green space.

Green space keeps our city beautiful, cleaner and better air.

Please don't let this project go ahead.

Sincerely, Janet Noden 306 Edward St.

Hello,

I reside at 825 Mary St, within steps of Aryze Development's proposed plans for 822 Catherine St.

I attended the zoom meeting on Tuesday the 13th with an open mind and many concerns for the development, some of which were addressed in the presentation or followup questions.

I know that apartments for rent are needed and I have no objections to a modified 3 story structure without having to rezone the property to urban but after mulling on this proposal I feel that Vic West's identity will be lost with the forbidding big metal box of the vision presented. We are a residential area and if a designation to urban is made on this lot, this will set a precedence for residential lots further being rezoned to accommodate larger structures.

The presented vision does not fit in the residential area. Besides being too tall, the cladding on the building is too industrial looking for this residential area of older houses. Mansard lines or no mansard lines four floors are still one too many.

Our streets are already crowded with cars parking in the daytime: with staff from Vic West Elementary, workers who park here and walk to other work areas and resident parking, sometimes 2 and 3 cars per house.

Do you realize that if this proposed building is built as designed that there will be about 65 residents in 31 suites along with the 45 residents to reside in BC Housing's SRO across the street totalling about 100 new residents within the corner of Catherine and Langford streets in a residential area within the next 3 years?

This plan must be rethought and Vic West residents have a right to have a say in the future of our neighbourhood.

Cordially,

Virginia Bryce

Dear Mayor Helps and Councillors,

I am writing to comment on the proposed Aryze development of rental housing and retail space at the corner of Catherine and Langford Streets in Vic West. I own and live in a house within 200 metres of the site and so received a proposed development notice.

This proposal seems to me to be generally acceptable in the context of the increased densification desired by the City and approved in the Neighbourhood Plan. The inclusion of retail space will be a plus for the neighbourhood, though I am a bit worried about the effects on parking on the adjacent streets, since the proposal includes a request for a variance in the amount of parking to be included on-site. While on-street parking in our area of Vic West is still adequate, adding 31 units and two retail spaces might stretch our parking resources. I am aware that some neighbours are unhappy about the proposed addition of a fourth storey to the three storeys envisaged by the N.P., I would not mind if I had a sense that there would be adequate parking for all the tenants and retail customers, or — alternatively — if it were made clear to tenants that they would not receive residential parking passes for the neighbourhood beyond whatever parking was included with their unit (the condo development at 646 Michigan St. in James Bay has this proviso).

I urge you to approve this development of much-needed rental space, but to ensure that it does not impose an undue burden on the immediate neighbourhood in the form of excessive pressure on parking.

Sincerely,

Andrew Gow
350 Wilson/701 Mary St.
Victoria

Hello. This is Kim Carver, at 313 Edward, very close to this proposed development.

I am not in favour of this proposal in its current form.

These are my concerns:

My understanding is the current height limit is 3 stories, not 4. And not 4 "with the appearance of 3".

My understanding is that the community plan designates that lot for residential only, NOT a mix of residential and commercial.

14 stalls of parking is not enough for 31 rental units.

Although Aryze suggests the tenants will ride their bikes and take city transit, and they may do on occasion, they will still also likely have vehicles, and I don't think Aryze can compel them not to.

When the house at the corner of Edward and Mary became multi-unit rather than a single family dwelling, the number of cars on that block of Edward doubled. The owner also intimated that the tenants would ride their bicycles/take transit. That has not been the case.

There are already parking challenges in the area.

The neighboring streets could not absorb 17 extra cars.

Let alone the vehicles of the staff and clientele of the 2 businesses proposed for the ground floor.

Edward would definitely need to be designated residential parking only, as it is already becoming more challenging for residents to find parking on their street.

And that Bella Street is a non-parking alley would need to be emphasized, as there are already challenges with that already as well.

Sincerely,

Kim Carver

To: Mayor and City Council of Victoria

RE: Aryze Proposal for 822 Catherine St and 304 Langford St.

We recently attended the second community information zoom meeting hosted by Aryze to present their 'new' proposal. They have done nothing substantive to address our concerns. It is the same building. We have attached the letter we sent on April 27th outlining our issues in detail for reference.

In short we would simply say that the building is too big and dense, and that the design does not belong in our neighbourhood. We invite you to walk any block between Bay St and Banfield Park west of Alston. You will not see a building of this size or with similar materials until you reach the industrial areas east of Lampson.

We would submit that if Aryze is unable to bring an economically feasible proposal to our block that follows the 2018 VicWest Neighbourhood Plan, then let them build elsewhere. Somewhere where an urban design such as this will blend rather than dominate.

We'd like to put a finer point on something touched on in our first letter: we moved to VicWest, and we voted for Lisa in large part because we are all for a more vibrant, walkable and sustainable city. We understand the need for densification to achieve that. We also appreciate and enjoy good modern architecture. But we feel this proposal goes several steps too far for this particular location.

This is not a last chance, take it or leave it situation. There will be other proposals for this property in the future. Let's hold the developers and architects to a higher standard.

Sincerely,
Charles & Simone Croft
Proud VicWest Residents
310 Langford St

Dear Micheal Angrove,

I wanted to start off by saying that I appreciate what you have done for the City. This last year has probably been one of the most challenging years from COVID to the housing crisis.

I am reaching out today to express my appreciation for the work you have done, but also, unfortunately, to also request that the development proposed by Aryze on 822 Catherine Street be reconsidered.

The development does not follow the Neighbourhood Plan in a number of ways:

- It doesn't respect the heritage of the house, which is over 100 years old. Yes the house isn't a certified "Heritage Home" but it's still part of the community's history.
- The proposed building is one story higher than the limit in the Plan defined as amicable.
- It encroaches on the neighbours in privacy (I believe the rooftop patio would be especially daunting to those who live next door), and in the space it takes up.
- The density increase is not matched by a plan for the increase in potential parking.
- It does not attempt to "knit together" the old and new structures as the Plan's vision for the community would have it.
- Each development sets a precedent for future developments, and I would hope that this street would have a better community minded foundation than what is proposed for this street.

Thank you for your time and consideration,

Simeon Goa
Victoria West Resident

April 27, 2021

To: Mayor and City Council of Victoria

RE: Aryze Proposal for 822 Catherine St and 304 Langford St.

We have lived at 310 Langford St since 1994. We enjoy living here very much and hope to continue for the duration. It is a quiet working-class neighbourhood with several newly arrived young families. We take full advantage of all the amenities our village has to offer, within easy walking distance of our home. When we first moved in, Westside Village was a parking lot, and The Railyards and Dockside Green were abandoned railyards in fact. We visit Cafe Fantastico and Foi Epi on Harbour Rd regularly. We love the way things have evolved here over the years.

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Finally, we'd like to say we are not blindly opposed to progress and change. We've lived in some of the larger cities in N. America and understand that cities must adapt and evolve. We simply feel that this proposal for development is wrong-headed, and will ultimately result in harm to the neighbourhood we love, respect, and hope to stay in for decades to come.

Sincerely,
Charles & Simone Croft
Proud VicWest Residents.

I have very strong issues to be taken with the development proposed for 822 Catherine. I am upset with this covid world that makes it seem that companies are engaging the community getting our input hearing and addressing our concerns when in reality that is not the case.

When zoom meetings can't be attended I work evenings, they aren't recorded and I don't get the Q and A's that came out of these meetings. OR the one I did attend and ask my question the proposed "solution" is not a real world option. So here we go

PARKING

The attached photo is at 9pm when everyone seems to be home for the evening. Market garden is closed and on Langford street the 300 block, if adjustments are currently made 6 more Vehicles can be squished into current conditions. HOWEVER this is not including the upstairs rental neighbour to the west of us (those renters moved out and new ones are on their way) I am not sure if they do/do not have vehicle that also impacts our street.

I understand the importance of encouraging less vehicles on our roads, and I am fully aware that is the narrative. HOWEVER when I raise my concern about parking and the number of provided spaces it doesn't make real world sense.

Number of parking spots provided 16

Number of units 31

Number of street front businesses 3 +market garden

Number of Moro stalls *1

When I had asked about where the Moto stall would be Azure stated most likely in the Catherine front street leaving approx 2 other in front of 822 Catherine so realistically a total of 18 total spaces to service 31 units

You WILL have drivers ascend on market garden because it is the only speciality grocery store in the area and that has people not just from the neighborhood and when you attend over the weekends it is very busy with vehicles often we have their patrons parking on Langford st.

So again I ask Azure for the parking plan and their response was they plan to work with the manager of the new building and cater to those with/without cars. So doing ongoing inventory of renters who have and do not have cars.....this is also not a realistic plan. People's jobs change, life situations changes. Sure I'm renting the two bedroom and I don't need a car now, but if you honestly think that I will not get a vehicle when my life situation changes and let my landlord know even though there is no parking in my neighborhood.

A GREAT example of Vic west parking failure is on Wilson street between bay and tyee chalk full of vehicles for renters, so when events happen at Vic west the DaVinci center or in the summer with baseball I can't get parking at the dog park for an hour at times it's seems quite ridiculous

I want a realistic answer to the problem that WILL be parking in my neighborhood. Where I pay 3500 yearly property taxes, my last quarterly water bill was \$900, we own our property and I want realistic honest answers.

Realistic answer A- the best we can offer is like in fern wood we paint and allocate parking for the homes so that assigned parking will not be taken from this new building or patrons of the store frontages.

Realistic answer B - there is no money in adding parking so we are offering 16 permanent spots and that's how it is. Don't feed me PR crap of we will vet the renters, you can't discriminate against renters with vehicles.

PARKING GARAGE ACCESS

It was explained to me the reason why Bella is not being used, however Langford is such a busy street people constantly drive too fast up the one block and down the one block that I want speed bumps added to the traffic calming plan on the 300-400 block. They are on the 500-600 block and I feel they need to be extended

Thanks for listening my entire Rant.

I am opposed to the TERRIBLE design however I have voiced this directly to Aryze directly, I love how they try to tell me that an architect walked our neighborhood, they may have but they sure didn't get the design inspiration from our hood as they say or we would have ended up with a bit more of the feel as the new development on Wilson. The brick property across from the tin can "sure suits the neighborhood".

I am okay if the property is developed, it's just terrible that it's an eyesore, and will contribute to parking issues in the future. The idealism of a car free Victoria is not going to happen no matter how close you are to Amenities. I work on Dupplin st and car on the regular to Langford for my groceries hell I drive to the neighborhood dog park once a week on average.

Okay I think I am done my rant. Sorry it's not short and to the point it seems my frustration has been building for a while.

Emily Parsons
309 Langford Street

Langford St.
200





Mayor and Council,

As a resident at 420 Catherine St., I object to the proposed development at 822 Catherine. I often walk my dog past that corner site which currently has a modified two storey house providing affordable residential rental units in scale and character with this neighbourhood.

The proposed large scale, metal, industrial aesthetic proposed is completely inappropriate at this location whereas it might be appropriate in the industrial portions of Vic West. Directly across Langford St. is a delicately detailed brick Victorian heritage house, the most prominent building in an area of one and two storey houses. The 'cute' architectural trick of trying to reduce the apparent fourth storey is also aesthetically inappropriate and is derived from its previous use in an industrial context. The pretensions of the developers and architect need to be set aside in favour of an appropriately scaled, modern residential design.

I hope you will direct the proponents to revise the proposal in line with my comments.

Thank You!

Richard Bremer

Good morning ,I am contacting you regarding the proposed development at 822 Catherine street In Vic West.

I would request that this development is stopped .It is not suited for this area. It goes against the Vic west community plan, displaces 12 long term residents, destroys a beautiful home full of character.

The development company Aryze completely disregarded ANY community consultation and has pushed beyond limits with height variances as well as destroying our vision of “our Vic west”.

Once again this modern monster is not suited or welcomed in this area. Aryze simply needs to please seek another area/ location for “their vision”.

I also do not expect these will be affordable housing options for people as they say. Please don't allow this based on Aryze saying they are creating housing options in Victoria.

Please let me know what is the next step in this processes.

Thank you ,Sarah

January 20, 2022

Re: CALUC Comments on 822 Catherine Street

The Victoria West Community Association Land Use Committee would like to provide feedback on the plans for 480 Esquimalt Road. We want to thank you for participating in the community meeting your presentation and explaining your new design for the property. We appreciate your team's participation in answering questions from our community. The Committee would like to note that the neighbourhood is divided on their support of this proposal and would summarize the key comments and responses raised during the presentation and via email for your records and ours:

Comments supportive of the Proposal:

- The addition of new commercial space is appreciated particularly since the commercial space in 865 Catherine Street has been removed with the redevelopment of that property. This proposal has the potential of replacing that lost commercial space and urban village in the area.
- The community has noted that they are supportive of ARYZE dedicating units to the purpose built rentals.

Comments Opposed to the Proposal:

- This proposal does not fit within the current Vic West Neighborhood Plan, the plan that was developed by residents purposefully left the property out of the Catherine Street Small Urban village to allow for transition between residential and commercial properties and to ensure that the area is not overbuilt. This proposal does not meet the needs/wants of the community per the Neighborhood Plan
- Concerns were raised by residents of the area regarding 2 main aspects of the design:
 - a. The massing of the building - due to the design of the building having an internal courtyard, this pushes the exterior of the building out towards the property line, this has created a concern that the building will look out of place and it will also decrease privacy, in particular for those living on the adjoining properties on the west-side
 - b. The height of the building - The building proposal is above the height outlined in the OCP/Neighborhood plan and is much higher than the surrounding buildings.

This height and massing does not allow for a smooth transition from SFHs to the Small urban village.

- Concern was that with the low number of parking stalls, there is little space for visitor parking that will cause on-street parking shortages in the surrounding neighborhood. Parking is particularly hard to find on the 300-block of Langford which this proposal will frustrate.

I would like to thank you for including us in this process. We enjoy collaborating with developers to create a vibrant and connected community. We'd also be more than happy to facilitate a more extensive community conversation, should you wish.

Sincerely,

VWCA Land Use Committee Chair

James Aitken

landuse@victoriawest.ca

Dear Mayor and Council,

Please accept the staff recommendation and advance the proposed development at 822 Catherine Street. It's a good project.

I live in Vic West, and do most of my grocery shopping by walking or cycling to the Market Garden, which is next door to the proposed development. I've been watching the development of the area with interest, and some concern, as the new supportive housing that the Aboriginal Coalition to End Homelessness will be running at 865 Catherine reflects a significant change to the small urban village envisioned by the Neighbourhood Plan.

The Neighbourhood Plan envisioned that the building that now houses the Market Garden at 810 Catherine, and the building that used to house the Taoist Tai Chi Center at 865 Catherine would, over time, be developed to include residential apartments and ground floor retail. The idea is to create a viable, small scale, commercial hub to support the neighbouring residential areas. I believe that 865 Catherine was a suitable site for the new supportive housing, and, at the same time, I am concerned that changing the use of 865 Catherine has cut the size of the Catherine Street Small Urban Village in half, which is just too small to succeed. The proposed development at 822 Catherine effectively rescues the small urban village concept.

In addition, this part of Vic West is an extremely walkable and bikeable area, and I am extremely pleased that the 822 Catherine Street proposal recognizes this, and is taking the opportunity to substantially reduce costs by eliminating unnecessary, expensive, underground parking. 822 Catherine is a twenty minute walk, and an eight or nine minute bike ride from Market Square. More importantly, there are two extremely safe and pleasant rolling routes from that location to downtown. The first route is to take Catherine to Kimta, which will capitalize on the new extension of the E&N trail. The second route, which is how I cycle to the Market Garden, is to take Catherine to Raynor to Regatta Landing and the Galloping Goose. The second route is prettier, but has a short steep section, and so benefits from an e-bike. Luckily, half of the bicycle parking will have outlets, so e-bikes will be a convenient option for longer commutes and for people who need some pedal assistance.

Finally, I think the building will fit right into the area. The next building to the south is the commercial Market Garden. The building across the street will be a four story apartment building. The single detached homes behind the proposed project will be accommodated by the sloping roof. The courtyard, the proximity to shopping, schools, and parks, and the generous number of two bedroom units make this a family friendly development that looks like it would be a joy to live in.

It deserves your support.

Thank you.
Jim Mayer

Dear Mayor and Council

This letter is in support of the proposed development at 822 Catherine St.

I live in Vic West, and am a member of the VicWest Community Association Land Use Committee, so I've attended several neighborhood meetings about this development, reviewed the plans, and heard my neighbours' feedback.

I strongly believe that this building will increase the stock of accessibly-priced rentals in Vic West. Its size and mixed-use format is in keeping with the spirit (not the letter) of the Neighborhood Plan, which calls for a small urban village at this location. And, although I was not a fan of the original design, dubbed "tin rhino" by a creative critic, the developer listened to our concerns and made changes, and the new design is attractive and will enhance the block.

Several neighbours would prefer that the existing traditionally styled house, which contains about 6 apartments, remain unchanged. But that isn't one of the options. The owner has engaged a development firm, so clearly they want to do something with this property. If a rezoning application isn't approved, then the only thing they can do by right is a single family or maybe a duplex - which will be a lot less homes, at much higher prices, and probably not rentals at all. The developer is sensitive to the issue of displacement and has a good plan for relocating the current tenants,

I've also heard neighbours say that this development is not aligned to the Neighborhood Plan. In spirit, I think that it is. The plan calls for a small urban village at this corner, and always envisioned that that would consist of more than just the Market Garden. Since the much-needed supportive housing is now going on the old Tai Chi Center site, that leaves 822 Catherine, next door to the Market Garden, as the logical place to add a mixed use building.

I urge you to support this development.

Thank you
Irene Allen
Vic West

Tenant Assistance Plan

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

Date of submission of Tenant Assistance Plan to Housing Policy staff:

Current Site Information

Site Address:	822 Catherine Street & 304 Langford Street
Owner Name:	Dimma Pacific Properties LTD, INC.NO. 459190
Applicant Name and Contact Info:	Carly Abrahams, Development Manager, Aryze Developments. (250) 940-3568 Ext.348; carly@ 
Tenant Relocation Coordinator (Name, Position, Organization and Contact Info):	Taylor Kipp, Tenant Relocation Coordinator. Email: taylorlipp@gmail.com

Existing Rental Units

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor		
1 BR	9	869.26
2 BR		
3 BR		
3 BR+		
Total		

Current Building Type (check all that apply):

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

Rights and Responsibilities of Landlords and Tenants

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

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

POLICY APPLICATION

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

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

☒ Yes ☐ No

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

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

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

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

APPLICANT:

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

How and when did you inform tenants of the rezoning or development application? (Please refer to Policy Section 3.4)	Tenants were notified of the redevelopment by mail in September 2020, followed by a more detailed letter outlining the Tenant Assistance Policy in June 2021.
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)? (Please refer to Policy Section 3.4)	Communication will continue to be made through official notice through mail, email, and phone.
What kind of resources will you be communicating to your tenants and how will you facilitate tenants in accessing these resources? (Please see the City's website for a list of resources)	<p>BC Housing, Greater Victoria Housing Society, Seniors Serving Senior, Together Against Poverty Society (TAPS), and Victoria Cool Aid Society. Communications shared website link as well as a description of the service each group provides. Additional help was offered upon request.</p> <p>Tenants also received multiple rental options alongside websites for further rental inquiries: Brown Brothers, Devon Properties, Permberton Holmes, Cornerstone Properties and Craigslist. Additional help was offered upon request.</p>

Other comments (if needed):

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

Application reviewed by Amanda Blick McStravick (City Staff) on Dec 9, 2021 (Date)

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

Staff comments on
final plan:

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

Councillor Thornton-Joe recused herself from the meeting due to a non-pecuniary conflict of interest at 10:43 a.m.

F.2 822 Catherine Street - Rezoning Application No. 00782, Development Permit with Variances Application No. 00173 and Associated Official Community Plan Amendment (Vic West)

Council received a report dated April 14, 2022 from the Director of Sustainable Planning and Community Development regarding an application to construct a three-and-a-half storey mixed-use building with two commercial units and approximately 31 residential rental units.

Committee discussed the following:

- *Proposed tenant assistance plan*
- *Use of electric vehicles in the car share agreement*
- *Loss of affordable units as a result of the application*
- *Aesthetic fit with the neighbourhood*
- *Additional precautions which may be implemented to assist existing tenants*
- *Commercial opportunities for residents on the first floor*

Moved By Mayor Helps

Seconded By Councillor Potts

Rezoning Application

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00782 for 822 Catherine Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Submission of revised plans to:
 - a. Clarify that only the Langford Street boulevard and one new tree on Catherine Street are irrigated from a City water source.
2. Preparation of legal agreements executed by the applicant 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:
 - a. Secure the building as rental in perpetuity.
 - b. Secure two one-bedroom units and one studio unit as affordable for a minimum of ten years and allocated to median income households (or lower) as defined in the Victoria Housing Strategy, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Secure the proposed Tenant Assistance Plan, including Right of First Refusal in the new development for eligible tenants at 20% below market.

3. Preparation of legal agreements executed by the applicant to secure the following with the form and contents to the satisfaction of the Director of Engineering and Public Works and the City Solicitor:
 - a. Secure the purchase of one car share vehicle, one on-site parking stall for the car share vehicle and public access to the parking stall, car share memberships for each of the dwelling units, a minimum of 40 long-term bicycle stalls including three cargo bicycle stalls, 50% of which will be equipped with 110V outlets, a bicycle repair station and enrolment in the BC Transit EcoPass Program for a minimum of three years for the two commercial units and 21 of the residential units.
 - b. Secure the construction of an east-west pedestrian crossing of Catherine Street at Langford Street.
 - c. Secure the installation of an on-street electric vehicle charger capable of charging two vehicles.
 - d. Secure a Statutory Right-of-Way of 0.84m on Bella Street.
4. Determination from the project engineer of the extent of the excavation which will be required for the underground parking structure and sidewalk along the shared property lines with the west neighbours and for the Project Arborist to undertake exploratory excavation work to determine the impacts to the bylaw protected Leyland Cypress hedge and make recommendations on how to protect and retain them in good health through the project, to the satisfaction of the Director of Parks, Recreation and Facilities.

Development Permit with Variances Application

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00782, if it is approved, consider the following motion:

1. That Council authorize the issuance of Development Permit with Variances Application No. 00173 for 822 Catherine Street, in accordance with:
 - a. Plans date stamped February 14, 2022.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the front yard setback from 3.0m to 1.5m on the first storey and 6.0m to 0m on the upper storeys
 - ii. reduce the rear yard setback from 6.0m to 2.3m
 - iii. increase the height from 3 storeys to 3.5 storeys
 - iv. reduce the residential vehicle parking from 30 stalls to 10 stalls
 - v. reduce the commercial vehicle parking from 6 stalls to 0 stalls.
2. That the Development Permit, if issued, lapses in two years from the date of this resolution.

Amendment:

Moved By Councillor Andrew

That the applicant ensure that the car-share vehicle is zero emissions or electric.

Failed to proceed due to no seconder

On the motion:

FOR (7): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts

OPPOSED (1): Councillor Young

CARRIED (7 to 1)

NO. 22-070

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-C3 Zone, Catherine Commercial District, and to rezone land known as 822 Catherine Street and 304 Langford Street from the R-2 Zone, Two Family Dwelling District to the C1-C3 Zone, Catherine Commercial District.

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 “ZONING REGULATION BYLAW, AMENDMENT BYLAW
(NO. 1283)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 4 – GENERAL COMMERCIAL ZONES by adding
the following words:

“4.109 C1-C3, Catherine Commercial District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.108
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 822 Catherine Street and 304 Langford Street, legally described as
PID: 000-500-879, Lot C (DD 338654I), Block N, Section 31, Esquimalt District, Plan 549,
and shown hatched on the attached map, is removed from the R-2 Zone, Two Family
Dwelling District, and placed in the C1-C3 Zone, Catherine Commercial District.
- 5 The Zoning Regulation Bylaw is further amended by adding to Schedule N – Residential
Rental Tenure Properties, the lands 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 4.109 – C1-C3 ZONE, CATHERINE COMMERCIAL DISTRICT**4.109.1 Permitted Uses in this Zone**

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

- a. Uses permitted in the R-2 Zone, Two Family Dwelling District, subject to the regulations set out in Part 2.1 of the Zoning Regulation Bylaw
- b. Multiple dwelling
- c. Retail sales
- d. Restaurant
- e. Bakeries, if all the products baked or prepared therein are sold or intended to be sold by retail therein or therefrom
- f. Professional businesses

4.109.2 Location and Siting of Permitted Uses

- a. Commercial uses must be located on the first storey in those parts of a building that are located within 8m from Catherine Street.
- b. Residential uses are not permitted on the first storey in those parts of a building that are located within 7m from Catherine Street.

4.109.3 Lot Area

- a. Lot area (minimum) 1000m²

4.109.4 Floor Area, Floor Space Ratio

- a. Total floor area (maximum) 1810m²
- b. Floor space ratio (maximum) 1.81:1

4.109.5 Height, Storeys

- a. Commercial-residential building height (maximum) 16m
- b. Storeys (maximum) 3

PART 4.109 – C1-C3 ZONE, CATHERINE COMMERCIAL DISTRICT**4.109.6 Setbacks, Projections**

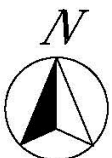
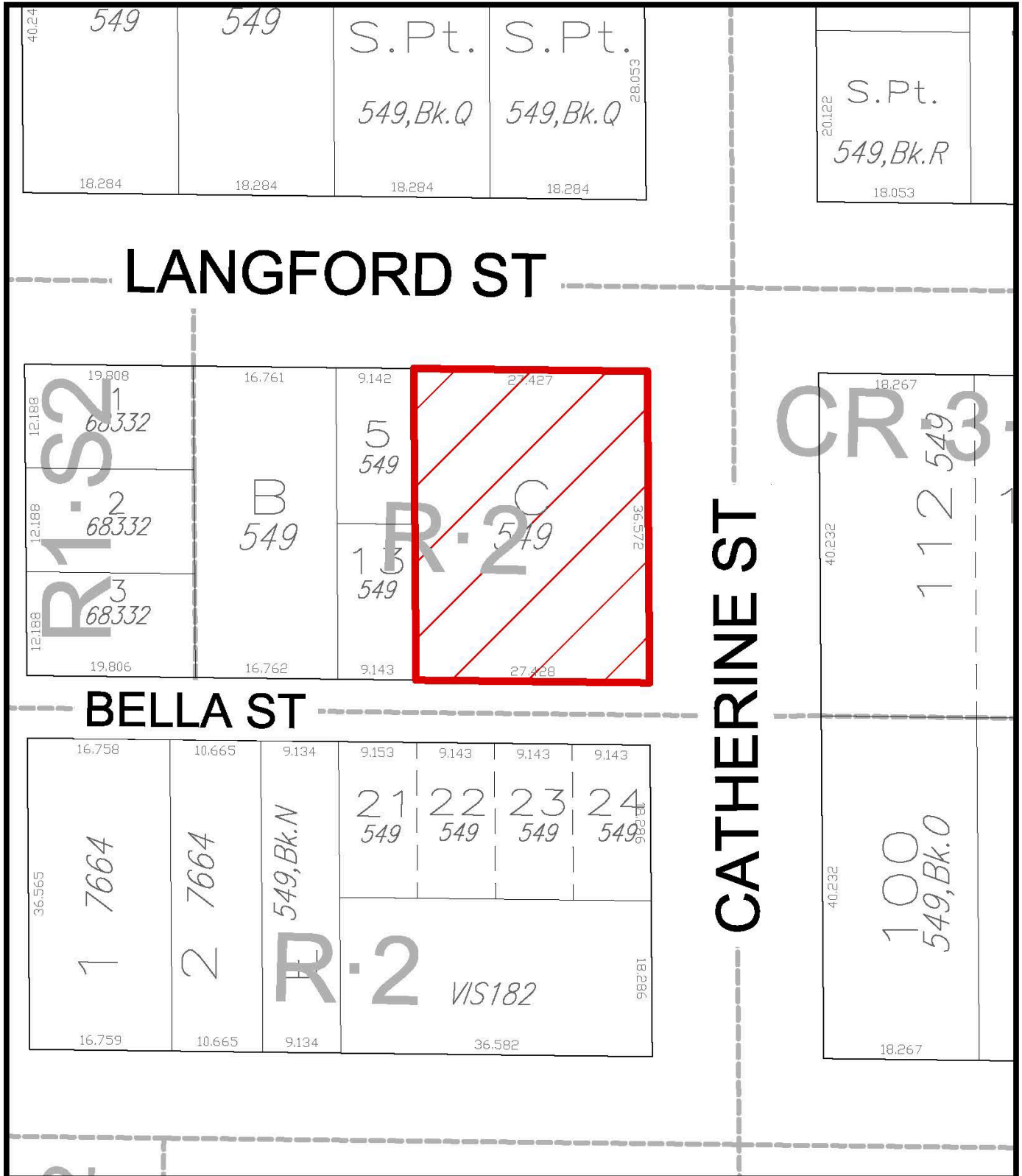
- | | |
|--|------|
| a. <u>Front yard setback</u> (minimum) | |
| • <u>First storey</u> | 3.0m |
| • Above the first <u>storey</u> | 6.0m |
| b. <u>Rear yard setback</u> (minimum) | 6.0m |
| c. <u>Side yard setback</u> on a flanking street for a <u>corner lot</u> (minimum) | 2.4m |

4.109.7 Site Coverage, Open Site Space

- | | |
|-------------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 73% |
| b. <u>Open site space</u> (minimum) | 27% |

4.109.8 Vehicle and Bicycle Parking

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



822 Catherine Street & 304 Langford Street
Rezoning No.00782



HOUSING AGREEMENT (822 CATHERINE STREET) BYLAW

A BYLAW OF THE CITY OF VICTORIA

MAYOR

Schedule "A"



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

Tenant Assistance Plan

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Date of submission of Tenant Assistance Plan to Housing Policy staff:

Current Site Information

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Applicant Name and Contact Info:	Carly Abrahams, Development Manager, Aryze Developments. (250) 940-3568 Ext.348; carly@
Tenant Relocation Coordinator (Name, Position, Organization and Contact Info):	Taylor Kipp, Tenant Relocation Coordinator. Email: taylorlipp@gmail.com

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3 BR+		
Total		

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Compensation Please indicate how you will be compensating the tenant(s). Please specify whether option 1 or 2 will be provided, and whether at existing rents or CMHC average rates. (See Policy Section 4.1 or 5.1)	Option 1: Aryze will provide CMHC average rent for Victoria for the number of months stipulated in Policy Section 4.1, plus one extra month (as per Aryze internal policy) for all applicants eligible under the City of Victoria Tenant Assistance Policy. Through this Plan, all eligible tenants will receive additional financial assistance over and above that which is stipulated by the Tenant Assistance Policy.	Yes <input type="checkbox"/> No <input type="checkbox"/>
Moving Expenses Please indicate how the tenant(s) will receive moving expenses and assistance. Please specify whether option 1 or 2 will be offered. (See Policy Section 4.2)	Aryze will provide Option 2: Flat-rate compensation based on unit size as prescribed in Policy Section 4.2, plus \$250 per unit (as per Aryze internal policy), for a total of \$750.00 per studio or one bedroom and \$1000.00 per two-bedroom.	Yes <input type="checkbox"/> No <input type="checkbox"/>
Relocation Assistance Please indicate how the tenant(s) will receive relocation assistance, including the staff responsible or whether a third-party will be involved. (See Policy Section 4.3 or 5.3)	We have engaged the services of a third-party Tenant Relocation Coordinator (details provided above) to assist in the relocation process.	Yes <input type="checkbox"/> No <input type="checkbox"/>
Right of First Refusal Please indicate whether the applicant is offering right of first refusal to the tenant(s). Please indicate your reasoning. (See Policy Section 4.4 or 5.5).	All eligible tenants have been offered Right of First Refusal for the new development project, at 10% below market rent. All eligible tenants have been informed of this right, including those who have chosen to move out prior to approval of this Rezoning Application. Information on pricing for the apartments in the new development will be provided to tenants once it is available.	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Tenants Requesting Additional Assistance Please indicate whether tenant(s) have requested additional assistance above policy expectations, and specify what additional assistance will be provided. (See Policy Section 6.0)	Tenants have requested addition assistance with direction towards external housing group in Victoria as well as rental options within Victoria.	Yes <input type="checkbox"/> No <input type="checkbox"/>

APPLICANT:

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

How and when did you inform tenants of the rezoning or development application? (Please refer to Policy Section 3.4)	Tenants were notified of the redevelopment by mail in September 2020, followed by a more detailed letter outlining the Tenant Assistance Policy in June 2021.
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)? (Please refer to Policy Section 3.4)	Communication will continue to be made through official notice through mail, email, and phone.
What kind of resources will you be communicating to your tenants and how will you facilitate tenants in accessing these resources? (Please see the City's website for a list of resources)	BC Housing, Greater Victoria Housing Society, Seniors Serving Senior, Together Against Poverty Society (TAPS), and Victoria Cool Aid Society. Communications shared website link as well as a description of the service each group provides. Additional help was offered upon request. Tenants also received multiple rental options alongside websites for further rental inquiries: Brown Brothers, Devon Properties, Permberton Holmes, Cornerstone Properties and Craigslist. Additional help was offered upon request.

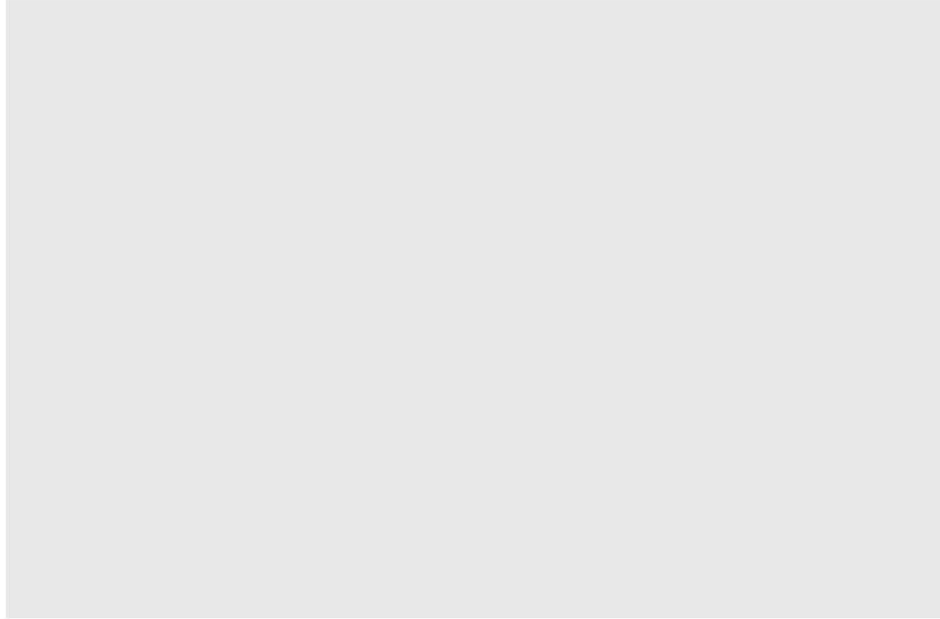
Other comments (if needed):

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

Application reviewed by _____ (City Staff) on _____ (Date)

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

Staff comments on
final plan:

A large, empty gray rectangular box intended for staff to provide comments on the final plan.

[Appendices containing personal information redacted pursuant to s. 33, Freedom of Information and Protection of Privacy Act]

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:

DIMMA PACIFIC PROPERTIES LTD. (Incorporation No. 0459190)
7th Floor, 1175 Douglas Street
Victoria, BC V8W 2E1

(the "Owner")

WHEREAS:

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

822 Catherine Street
PID: 000-500-879
LOT C (DD 338654I), BLOCK N, SECTION 31, ESQUIMALT DISTRICT, PLAN 549

(the "Lands");
- D. The Owner has applied to the City to rezone the Lands to permit 31 housing units within the Development in rezoning application No. 00782 (the "Rezoning"), in accordance with this Agreement; and
- E. The City and the Owner wish to enter into this Agreement, as a housing agreement pursuant to section 483 of the *Local Government Act*.

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:

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

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

"CMHC" means the Canada Mortgage and Housing Corporation;

"Development" means the new 31-unit building consisting of residential housing and related facilities on the Lands that is proposed as part of the Rezoning;

"Director" means the person employed by the City as the Director of Sustainable Planning and Community Development Department and their successors in function and anyone acting under their respective authority;

"Dwelling Units" means any or all, as the context may require, of the approximately 31 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and **"Dwelling Unit"** means any of such residential dwelling units located on the Lands;

"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 units 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;

"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;

"Lands" has the meaning ascribed in recital C;

"Market Rent" means CMHC's average rent for the City of Victoria for the same Unit Type, as identified in CMHC's most recent annual "Rental Market Report" prior to the Effective Date;

"Median Household Income Limit" means the annual maximum Income threshold for median income affordability targets that are determined from time to time by the City and published in the Victoria Housing Reserve Fund Guidelines. The parties agree that for 2022, the Median Household Income Limit is \$54,999;

"Median Income Term" has the meaning ascribed in section 2.2;

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

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

"Notice" has the meaning ascribed in section 8.1;

"Occupancy Permit" means a permit issued by the City authorizing the use and occupation of any building, development or partial development on the Lands;

"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;

"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

"Rezoning" has the meaning ascribed in recital D;

"Subdivided Parcel" has the meaning ascribed in section 10.2;

"Suitable Unit" means a Dwelling Unit of a suitable Unit Type for all residents of the Dwelling Unit pursuant to the "Housing Suitability and the National Occupancy Standard" developed by CMHC;

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

"Tenant Assistance Plan" means the Owner's Tenant Assistance Plan submitted as part of the Rezoning, a copy of which is attached as Schedule "A";

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

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

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

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

2.0 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 part 4.0 shall be for a period of ten years beginning from the date the City issues an Occupancy Permit for the Development (the **"Median Income Term"**).

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

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

4.0 MEDIAN INCOME HOUSING

- 4.1** The Owner covenants and agrees that during the Median Income Term:

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

5.0 RENT ADJUSTMENTS

- 5.1** During the term of the tenancy, the monthly rent payable by the Non-owner(s) of the

Dwelling Units may be increased only by the amount permitted under the *Residential Tenancy Act* and any other applicable legislation.

6.0 RIGHT OF FIRST REFUSAL FOR EXISTING TENANTS

- 6.1** The Owner covenants and agrees to provide each Eligible Tenant with a right of first refusal to occupy a Suitable Unit in the Development following issuance of the Occupancy Permit, such offer to remain open for acceptance by Eligible Tenants for a period of no less than forty-five (45) days from the date of receipt of such offer by the Eligible Tenants, and with a starting rent no greater than the higher of:

- (a) twenty percent (20%) below the Market Rent, and
- (b) the Eligible Tenant's rent for the last month of their tenancy on the Lands prior to moving out to enable the construction of the Development,

such rent thereafter subject to the provisions of the *Residential Tenancy Act* as to rent increases.

- 6.2** For clarity, the below Market Rent stipulated in section 6.1 is not in accordance with the rent stipulated in the Tenant Assistance Plan, and this Agreement takes precedence notwithstanding the rent stated in the Tenant Assistance Plan.

- 6.3** The Owner covenants and agrees to provide all Eligible Tenants with the communication, compensation, 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.

7.0 RIGHT OF FIRST REFUSAL FOR EXISTING TENANTS - PROCESS

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

- (a) Within ninety (90) days of the Effective Date, the Owner will provide all Eligible Tenants with a copy of the Tenant Assistance Plan with Appendix A redacted, and provide them with written notification:
 - (i) of their right of first refusal to occupy a Suitable Unit at the greater of twenty percent (20%) below the Market Rent and the Eligible Tenant's rent prior to construction of the Development, as specified in the Tenant Assistance Plan;
 - (ii) of the Owner's anticipated date of applying for an Occupancy Permit; and
 - (iii) 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) Within the time frame of six (6) to eight (8) months prior to applying for any Occupancy Permit, the Owner will provide written notification to all Eligible Tenants who provided their contact information in accordance with subsection (a)(iii), 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)(iii), 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.

8.0 REPORTING

- 8.1** The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Community Development, within thirty (30) days of the Director's written request, a report in writing confirming the following:
 - (a) all Dwelling Units are being rented to Non-owners;
 - (b) all Dwelling Units are being rented in accordance with this Agreement;
 - (c) such other information as may be reasonably requested by the Director from time to time.
- 8.2** The Owner covenants and agrees to provide to the Director, prior to issuance of any Occupancy Permit, 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) the final tenant assistance report required pursuant to the Tenant Assistance Plan,
 along with such other information as may be requested by the Director from time to time.
- 8.3** The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.

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

9.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

- 9.1** Notice of this Agreement (the "Notice") will be registered in the Land Title Office by the City 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.

10.0 SUBDIVISION

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

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

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

11.0 LIABILITY

- 11.1** The Owner agrees to indemnify and save harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement, or otherwise that would not have arisen "but for" this Agreement.
- 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
Fax: 250-361-0386
Email: khoese@victoria.ca

and in the case of the Owner, addressed to:

DIMMA PACIFIC PROPERTIES LTD.
7th Floor, 1175 Douglas Street
Victoria, BC V8W 2E1

Attention: Christopher Travis
Email: ctravis@pacificcoast.net

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under this Agreement.

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

- 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.

- 12.17 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.

Date signed: _____

Date signed: June 21, 2022