

F.3 355 Catherine Street and 210 Kimta Road: Temporary Use Permit with Variances Application No. 00026

Temporary Use Permit with Variances Application No. 00026

The Council of the City of Victoria will consider issuing a Temporary Use Permit with Variances for the land known as 355 Catherine Street & 210 Kimta Road, in Development Permit Area 13: Core Songhees, for purposes of allowing a commercial exhibit within a large tent for a maximum period of 130 days.

F.3.a Opportunity for Public Comment & Consideration of Approval

Michael Angrove (Senior Planner): Advised that the application is to allow a commercial exhibit within a large tent for a maximum period of 130 days.

Mayor Alto opened the opportunity for public comment at 9:14 p.m.

Jennifer Mathieson (Applicant): Provided information regarding the application.

Council recessed from 9:18 p.m. until 9:23 p.m. to provide an opportunity for members of the public to call to speak live.

No persons called in to speak to the proposed application.

Mayor Alto closed the opportunity for public comment at 9:23 p.m.

Council discussed the following:

- *Opening dates for the exhibit*
- *Timing and length for the permit*

Moved By Councillor Coleman

Seconded By Councillor Dell

Temporary Use Permit with Variances Application No. 00026

1. That Council authorize the issuance of Temporary Use Permit Application 00026 for 355 Catherine Street and 210 Kimta Road, in accordance with:
 - a. Plans date stamped November 21, 2022.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the maximum floor area for non-residential uses within DA-4 from 1180m² to 2400m²;
 - ii. reduce the long term bicycle parking from 5 stalls to 0 stalls.
 - c. The Temporary Use Permit lapsing 130 days from the date of this resolution.
2. That Council authorize placement of a temporary structure, for a period of no more than 130 days, within the area of the Statutory Right-of-Way registered as CA3962388.

CARRIED UNANIMOUSLY

G.1.b.a 355 Catherine Street and 210 Kimta Road: Temporary Use Permit with Variances Application No. 00026 (Victoria West)

Moved By Councillor Coleman
Seconded By Councillor Gardiner

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion: "That Council authorize the issuance of Temporary Use Permit Application 00026 for 355 Catherine Street and 210 Kimta Road, in accordance with:
 1. Plans date stamped November 21, 2022.
 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 1. increase the maximum floor area for non-residential uses within DA-4 from 1180m² to 2400m²;
 2. reduce the long term bicycle parking from 5 stalls to 0 stalls.
 3. The Temporary Use Permit lapsing 130 days from the date of this resolution."
2. That Council authorize placement of a temporary structure, for a period of no more than 130 days, within the area of the Statutory Right-of-Way registered as CA3962388.

CARRIED UNANIMOUSLY

E.4 355 Catherine Street and 210 Kimta Road: Temporary Use Permit with Variances Application No. 00026 (Victoria West)

Council received a report dated December 19, 2022 from the Director of Sustainable Planning and Community Development regarding information, analysis and recommendations for a Temporary Use Permit Application for the property located at 355 Catherine Street and 210 Kimta Road in order to allow for a commercial Beyond Van Gogh arts exhibition within a large tent for a period of 130 days, and recommending that it proceed to an opportunity for public comment.

Moved By Councillor Dell

Seconded By Councillor Kim

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion: "That Council authorize the issuance of Temporary Use Permit Application 00026 for 355 Catherine Street and 210 Kimta Road, in accordance with:
 - a. Plans date stamped November 21, 2022.
 - b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the maximum floor area for non-residential uses within DA-4 from 1180m² to 2400m²;
 - ii. reduce the long term bicycle parking from 5 stalls to 0 stalls.
 - c. The Temporary Use Permit lapsing 130 days from the date of this resolution."
2. That Council authorize placement of a temporary structure, for a period of no more than 130 days, within the area of the Statutory Right-of-Way registered as CA3962388.
3. That Council ratify the decision at the daytime session immediately following the Committee of the Whole Meeting.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of January 19, 2022

To: Committee of the Whole **Date:** December 29, 2022

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

Subject: Temporary Use Permit with Variances Application No. 00026 for 355 Catherine Street and 210 Kimta Road

RECOMMENDATION

1. That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Temporary Use Permit Application 00026 for 355 Catherine Street and 210 Kimta Road, in accordance with:

 - a. Plans date stamped November 21, 2022.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. increase the maximum floor area for non-residential uses within DA-4 from 1180m² to 2400m²;
 - ii. reduce the long term bicycle parking from 5 stalls to 0 stalls.
 - c. The Temporary Use Permit lapsing 130 days from the date of this resolution.”
2. That Council authorize placement of a temporary structure, for a period of no more than 130 days, within the area of the Statutory Right-of-Way registered as CA3962388.
3. That Council ratify the decision at the daytime session immediately following the Committee of the Whole Meeting.

LEGISLATIVE AUTHORITY

In accordance with section 493 of the Local Government Act, Council may issue a Temporary Use Permit. A Temporary Use Permit may allow a use not permitted by zoning, may specify conditions under which the temporary use may be carried on, and may allow and regulate construction of buildings and structures in respect of the use of which the permit is issued.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Temporary Use 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.

In accordance with Section 498 of the *Local Government Act*, council may issue a Temporary Use Permit with Variances that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Temporary Use Permit Application for the property located at 355 Catherine Street and 210 Kimta Road. The proposal is to allow for a commercial exhibit within a large tent for a period of 130 days.

The following points were considered in assessing these applications:

- the short duration that the tent will be on-site would limit its visual impacts
- the proposal is generally consistent with the objectives in Development Permit Area (DPA) 13: Core Songhees to increase commercial vibrancy and vitality in former railyards and heavy industrial sites
- the proposal is generally consistent with the *Victoria West Neighbourhood Plan*, which envisions varied commercial uses in this area
- the variance to increase the floor area of non-commercial uses on Development Area 4 from 1180m² to 2400m² is supportable due to the short duration that the tent would be on the site
- the variance to reduce the long term bicycle parking from five stalls to zero stalls is supportable as the applicant is proposing the short term bicycle parking be operated as a bicycle valet, which in effect creates secure bicycle parking
- the proposed tent would be located over an existing water and sewer Statutory Right-of-Way. There are no concerns with this location due to the temporary nature of the structure and due to no ground penetration occurring.

BACKGROUND

Description of Proposal

The proposal is to allow for a commercial exhibit within a large tent for a period of 130 days. The tent is proposed to be primarily white with a graphic on the front displaying the show name and an image of the Starry Night painting.

There are two variances requested to increase the floor area for non-residential uses from 1180m² to 2400m² and to decrease the long term bicycle parking stalls from five to zero.

Sustainability

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

Sustainable Mobility

No sustainable mobility improvements beyond minimum City standards are proposed in association with this application.

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

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within DPA 13: Core Songhees, within which the *Roundhouse Design Guidelines 2008 (Revised 2015)* are applicable to this property. However, the guidelines specifically speak to the master planned community, and therefore relate directly to the design of residential towers. Therefore, these guidelines are generally not relevant to this application.

The application does contribute to the overall objective of DPA 13 to continue to revitalize former rail yards and heavy industrial sites into areas of commercial use to increase vibrancy and strengthen commercial viability.

Local Area Plans

The *Victoria West Neighbourhood Plan* identifies the property within Core Songhees, which envisions varied commercial uses. The property is also within the Roundhouse master planned area. However, as noted earlier, the planning for the future of the Roundhouse site is being undertaken in association with a separate Rezoning Application.

Statutory Right-of-Way

The tent is proposed to be located on a portion of the property that has a Statutory Right-of-Way (SRW) in favour of the City for water and sewer infrastructure. There are no concerns given the temporary nature of the structure and that no ground penetration will occur during the construction and removal of the tent. The recommended motion includes wording to permit the structure to be located over top of this SRW.

Regulatory Considerations

The proposal crosses three Development Areas within the CD-12 Zone, each of which has different regulations. There are two variances associated with the proposal. The first is to increase the floor area of non-commercial uses on Development Area 4 from 1180m² to 2400m². This variance is supportable due to the short duration that the tent would be on the site. The second variance is to reduce the long term bicycle parking from five stalls to zero stalls. This variance is supportable as the applicant is proposing the short term bicycle parking will be operated as a bicycle valet, which in effect creates secure bicycle parking.

Potential Impacts of Temporary Use

It is anticipated that the temporary use will generate an increased level of traffic and activity in the area; however this property is zoned for residential and commercial activity that would greatly exceed what is proposed as part of this Temporary Use Permit. As part of this application, there would be 40 vehicle parking stalls, including four accessible stalls, and 20 bicycle parking stalls in the form of a bike valet. There are also potential noise impacts resulting from sound levels, associated with the exhibit permeating through the tent material. To mitigate potential sound

disturbances, the applicant notes the hours of the exhibit will be from 10:00am to 9:00pm, and the sound is a very low calm audio track.

CONCLUSIONS

The proposal to allow for a commercial exhibit within a large tent for a period of 130 days is generally supportable as it is consistent with the OCP and *Victoria West Neighbourhood Plan* objectives to increase commercial vibrancy and strengthen commercial viability. Staff recommend for Council's consideration that the application be approved.

ALTERNATE MOTION

That Council decline Temporary Use Permit with Variances Application No. 00026 for the property located at 355 Catherine Street and 210 Kimta Road.

Respectfully submitted,

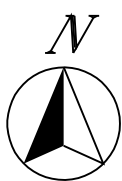
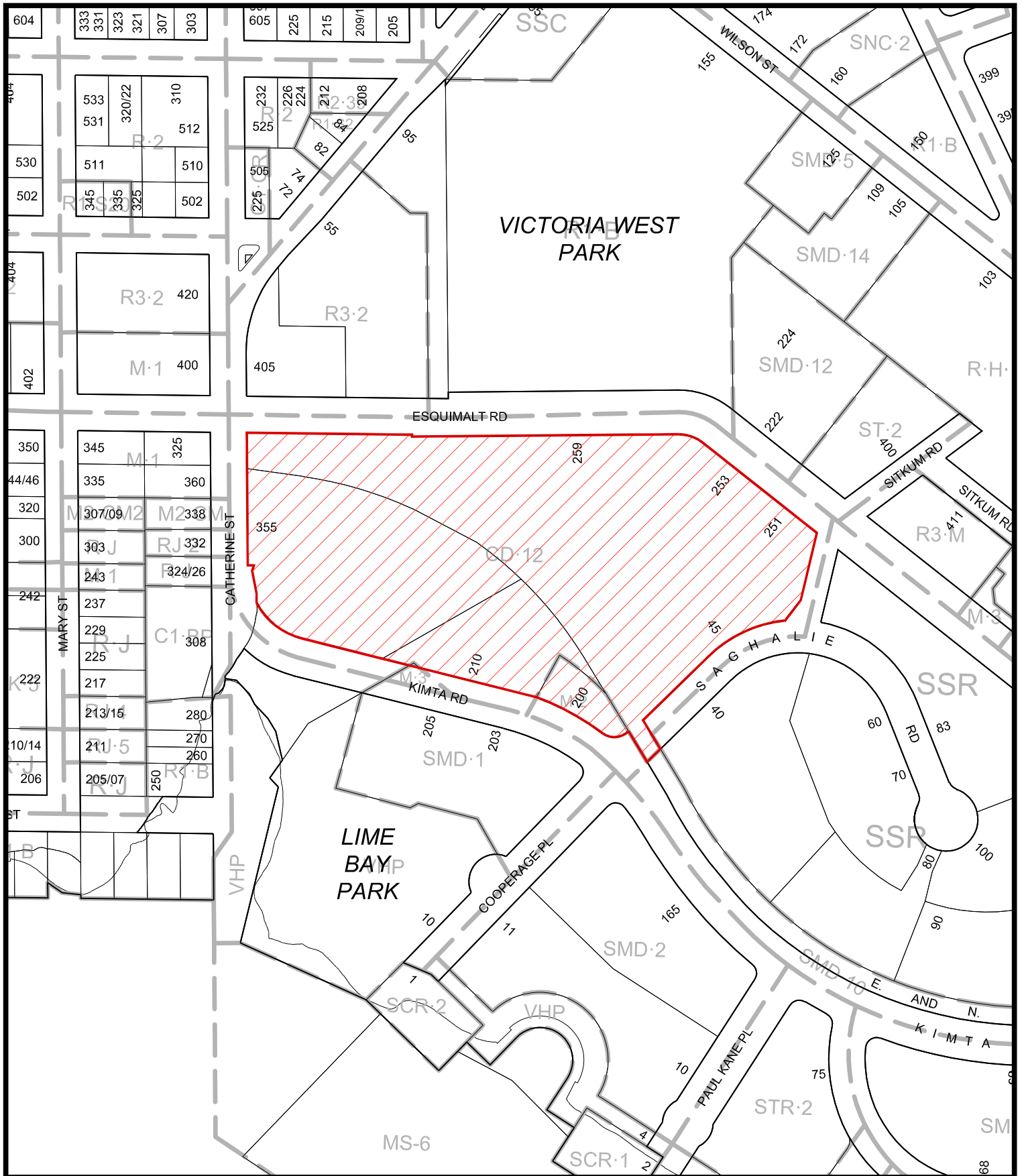
Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date Stamped November 21, 2022
- Attachment C: Applicant's letter to Mayor and Council dated November 21, 2022.

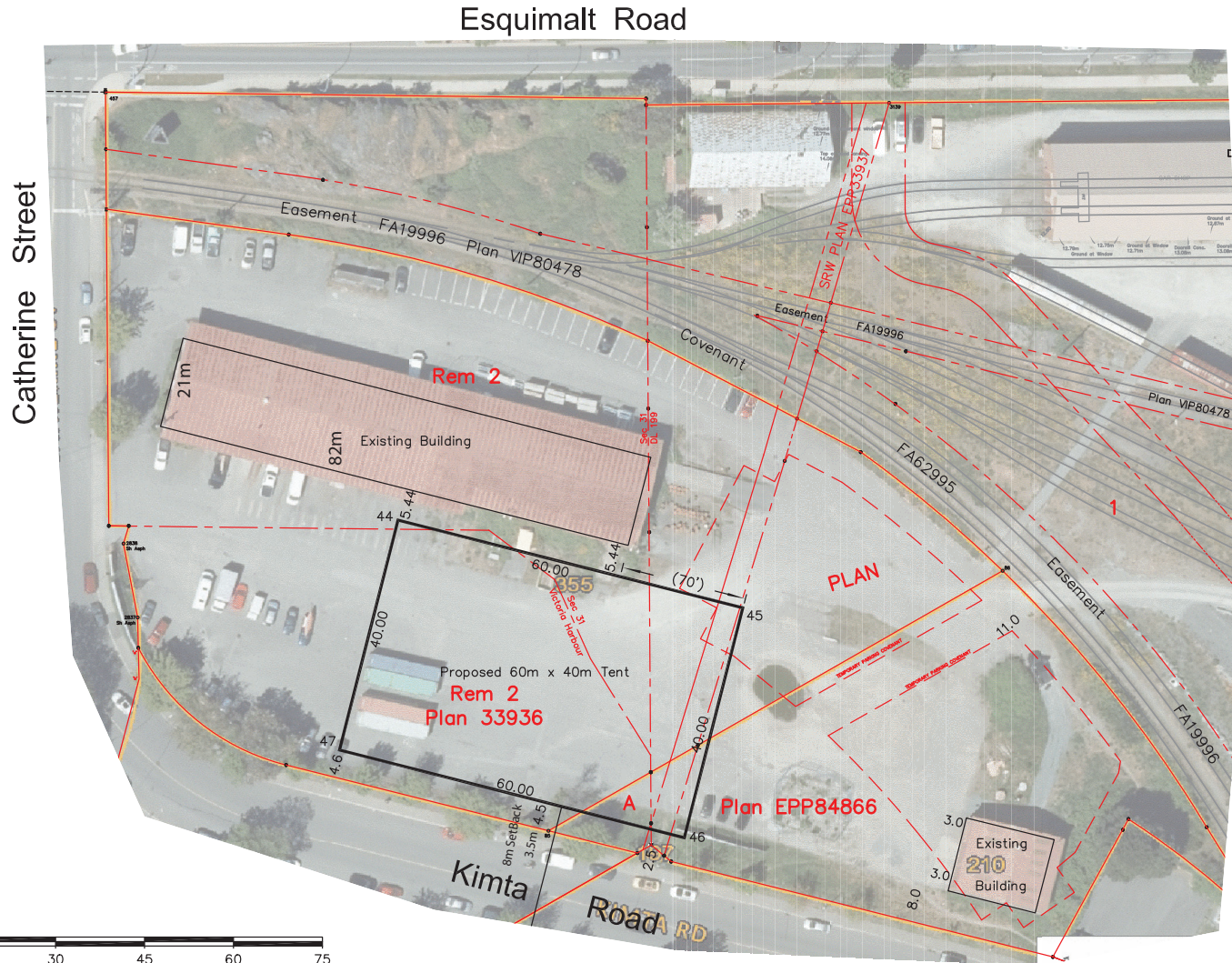


251-259 Esquimalt Road, 45 Saghalie Road,
 355 Catherine Street & 200-210 Kimta Road
 Rezoning No.00729



Proposed Tent Layout over Lot A, Plan EPP84866 and Remainder Lot 2, Plan EPP33936

PID's: Lot A [030-616-298] & Rem Lot 2 [029-397-090]



1:750



The intended plot size of this plan is 432mm in width by 280mm in height, B size, when plotted at a scale of 1:750.

Drafted: August 5, 2022. PJW

J.E. ANDERSON & ASSOCIATES
 B.C. Land Surveyors – Consulting Engineers
 Victoria, Nanaimo, Parksville, Campbell River, B.C.
 Phone 250-727-2214 Web: www.jeanderson.com
 File : 34206
 V:_Surveying\27591...\27591.dwg (34206 Bldg LO)

Proposed Tent Layout over Lot A, Plan EPP84866 and Remainder Lot 2, Plan EPP33936

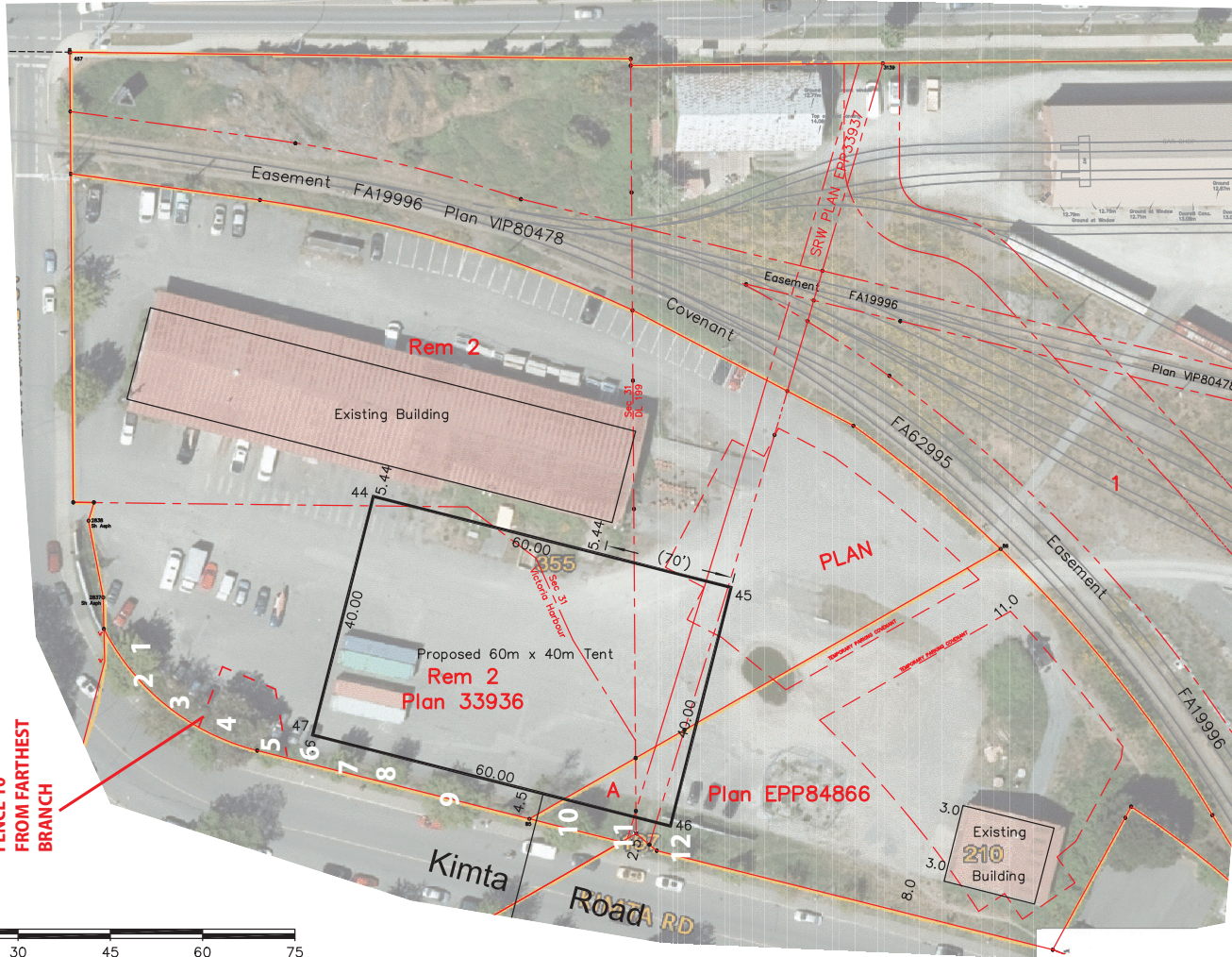
PID's: Lot A [030-616-298] & Rem Lot 2 [029-397-090]

Esquimalt Road

Catherine Street

**ALL TREES RETAINED
NO TREES ON PARKING LOT**

#4 - TREE PROTECTION
FENCE 10'
FROM FARTHEST
BRANCH



1:750



The intended plot size of this plan is 432mm in width by 280mm in height, B size, when plotted at a scale of 1:750.

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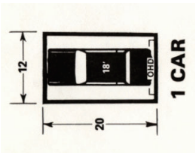
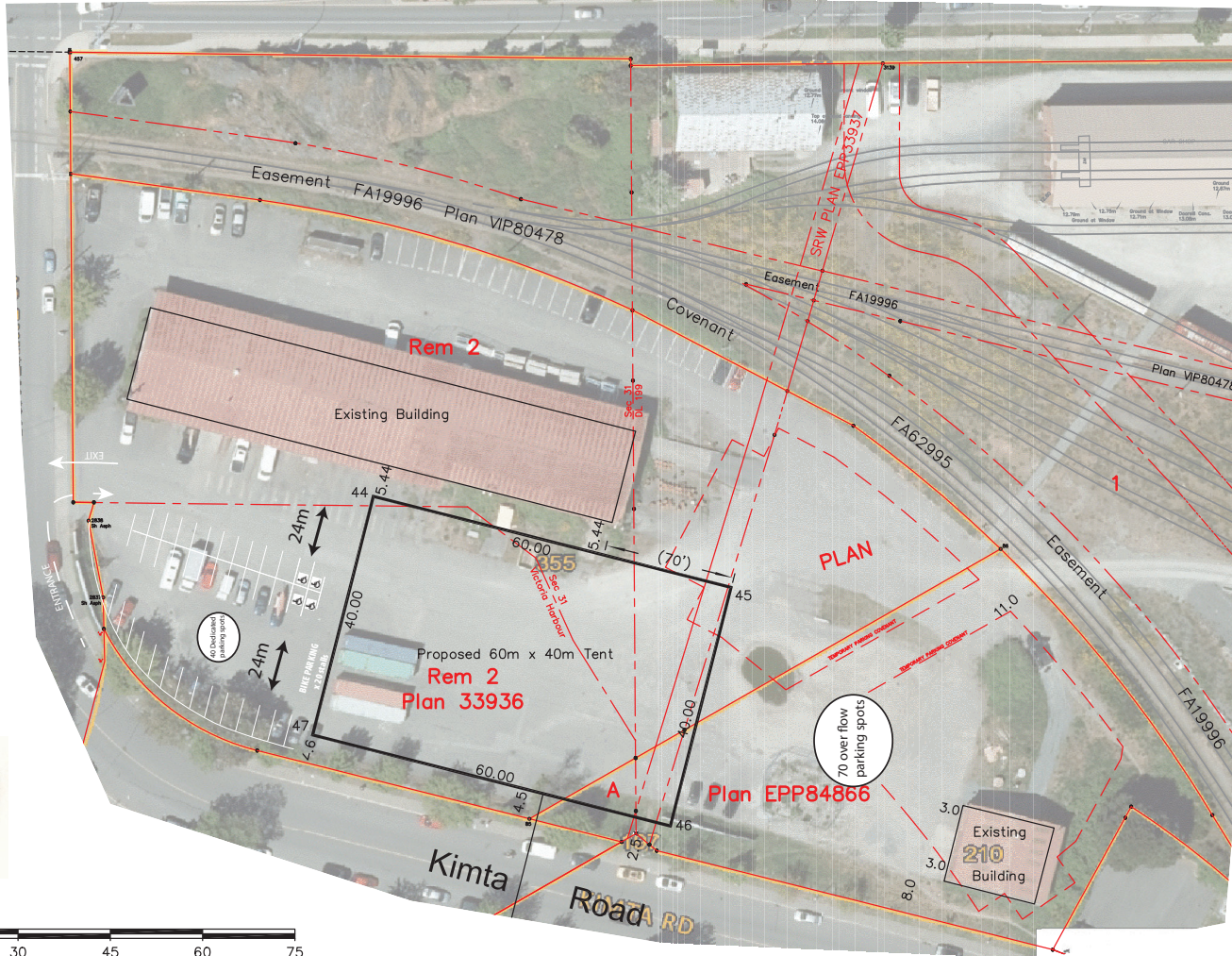
Proposed Tent Layout over Lot A, Plan EPP84866 and Remainder Lot 2, Plan EPP33936

PID's: Lot A [030-616-298] & Rem Lot 2 [029-397-090]

Proposed Parking Plan

Catherine Street

Esquimalt Road



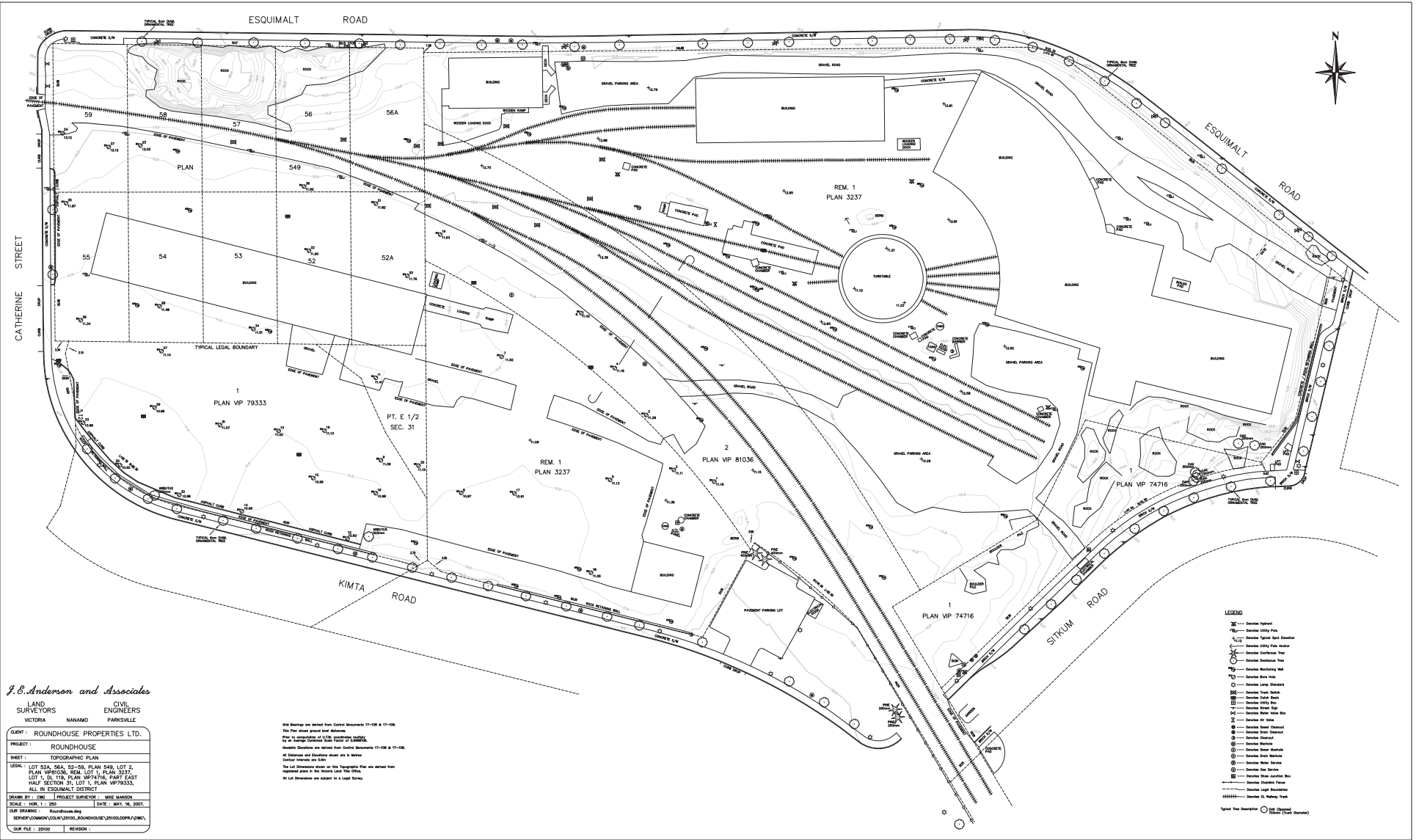
1:750



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J.B. Anderson and Associates
LAND SURVEYORS CIVIL ENGINEERS
VICTORIA NANAIMO PARKSVILLE

CLIENT: **ROUNDHOUSE PROPERTIES LTD.**
PROJECT: **ROUNDHOUSE**
SHEET: **TOPOGRAPHIC PLAN**

LEGAL: LOT 52A, 56A, 52-59, PLAN 549, LOT 2,
PLAN 549/20, 50-51, PLAN 3247,
LOT 1, 2L, 11-1, PLAN 487474, PART EAST
HALF SECTION 31, LOT 1, PLAN 487474,
ALL IN ESQUIMALT DISTRICT

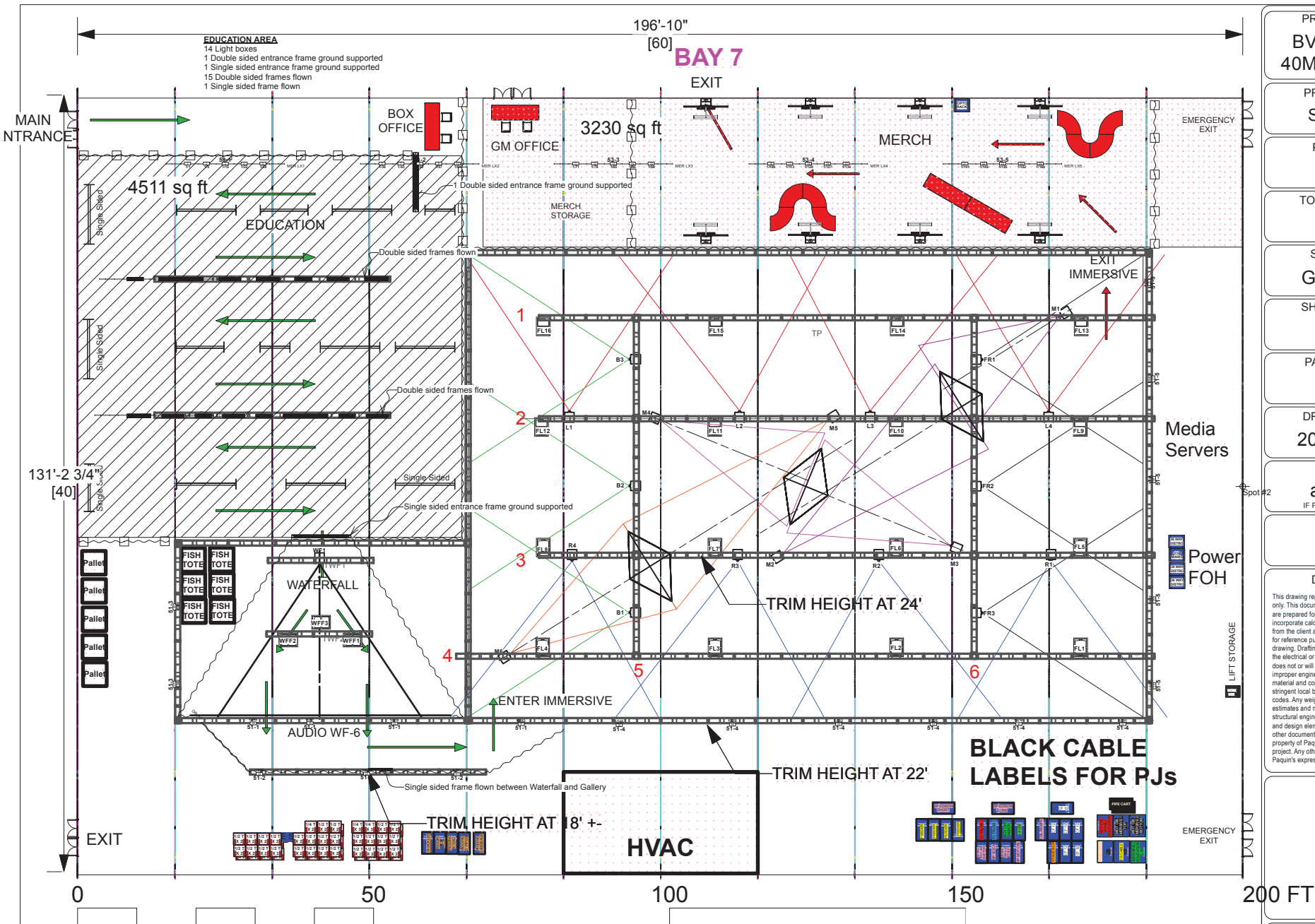
DRAWN BY: **DL** PROJECT NUMBER: **2000-0103** SHEET NUMBER:
SCALE: **HON. 1" = 200'** DATE: **MAY 16, 2005**

OUR DRAWING: **Roundhouse.dwg**
REVISION (COMMON/OWNER/DESIGNER/ENGINEER/SURVEYOR/AUTOCAD)

OUR FILE: **2050** REVISION:

Old Boundaries are marked from Control Monuments 17-108 & 17-109.
The First shown ground level Station.
This is a compilation of data, including boundary data,
by an Average Circular Curve Method of LINES.
Quantity Stations are shown from Control Monuments 17-108 & 17-109.
All Distances and Elevations shown are in Meters.
Control Monuments are 1/4".
The Lot Dimensions given on this Topographic Plan are derived from
surveyed data in the Sitkum Land Title Office.
All Lot Dimensions are subject to a Legal Survey.

- LEGEND**
- Dashed Line
 - Dashed Line with Dots
 - Dashed Line with Triangles
 - Dashed Line with Squares
 - Dashed Line with Circles
 - Dashed Line with Diamonds
 - Dashed Line with Stars
 - Dashed Line with Hashes
 - Dashed Line with Vertical Lines
 - Dashed Line with Horizontal Lines
 - Dashed Line with Diagonal Lines
 - Dashed Line with Curved Lines
 - Dashed Line with Zigzag Lines
 - Dashed Line with Wavy Lines
 - Dashed Line with Dotted Lines
 - Dashed Line with Long Dashes
 - Dashed Line with Short Dashes
 - Dashed Line with Mixed Dashes
 - Dashed Line with No Dashes
 - Dashed Line with Random Dashes
 - Dashed Line with Regular Dashes
 - Dashed Line with Irregular Dashes
 - Dashed Line with Uniform Dashes
 - Dashed Line with Non-uniform Dashes
 - Dashed Line with Consistent Dashes
 - Dashed Line with Inconsistent Dashes
 - Dashed Line with Similar Dashes
 - Dashed Line with Dissimilar Dashes
 - Dashed Line with Identical Dashes
 - Dashed Line with Non-identical Dashes
 - Dashed Line with Comparable Dashes
 - Dashed Line with Non-comparable Dashes
 - Dashed Line with Similar-looking Dashes
 - Dashed Line with Dissimilar-looking Dashes
 - Dashed Line with Identical-looking Dashes
 - Dashed Line with Non-identical-looking Dashes
 - Dashed Line with Comparable-looking Dashes
 - Dashed Line with Non-comparable-looking Dashes



PROJECT NAME
**BVG Victoria
 40M x 60M tent**

PROJECT DATE
SEP 2022

PROJECT ID
V 1.0

TOTAL # SHEETS
10

SHEET TITLE
GENERAL

SHEET NUMBER
1

PAGE NUMBER
1

DRAWING DATE
2022-08-05

SCALE
as noted
 IF PRINTED ON 8.5"x11"

REVISION

DISCLAIMER
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NOTES

1 TOP VIEW
 Scale: 1:275

**BEYOND
 Van Gogh**
 The Immersive Experience

PROJECT NAME
**BVG Victoria
 40M x 60M tent**

PROJECT DATE
SEP 2022

PROJECT ID
V 1.0

TOTAL # SHEETS
10

SHEET TITLE
WEIGHTS

SHEET NUMBER
2

PAGE NUMBER
2

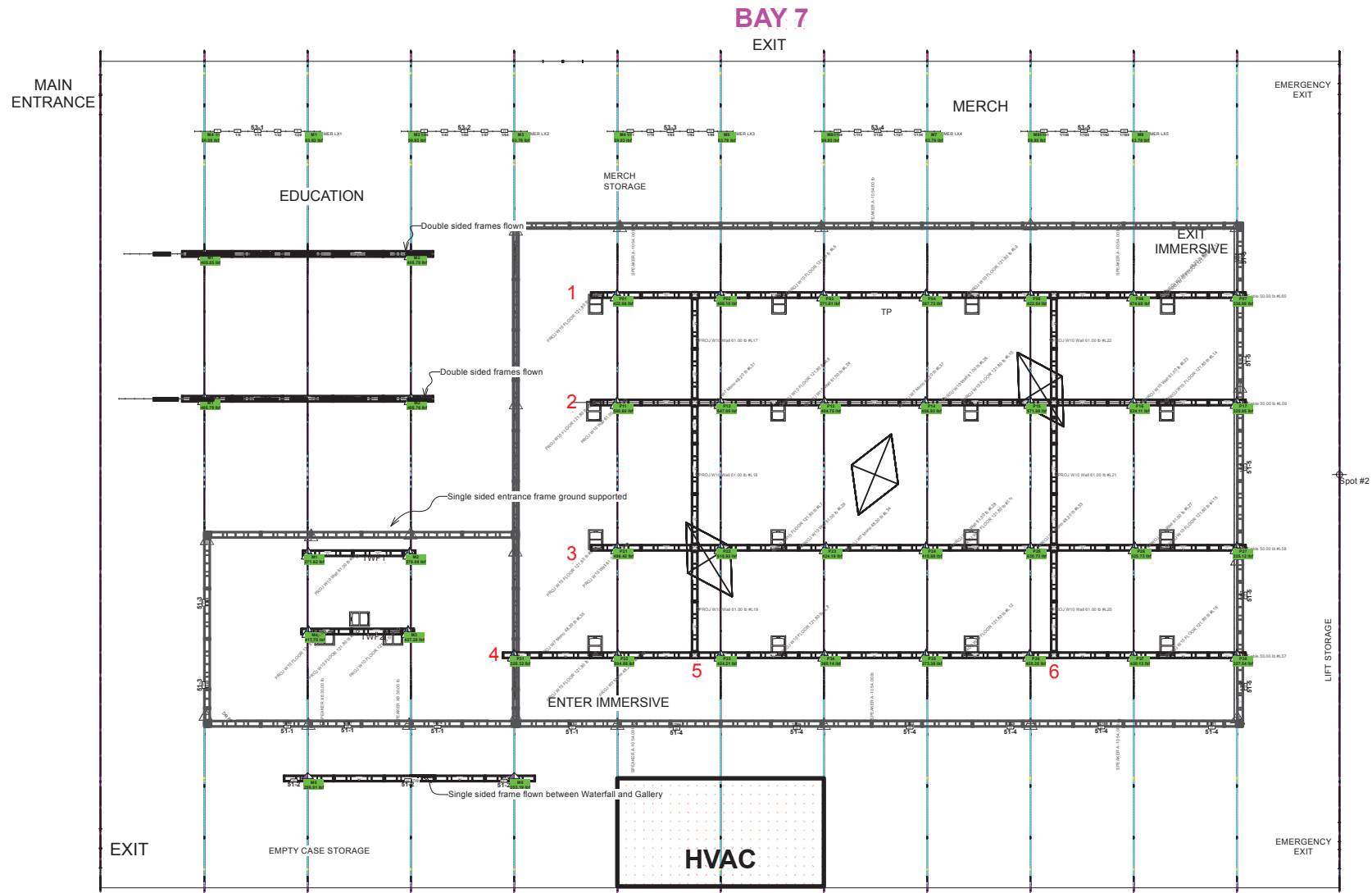
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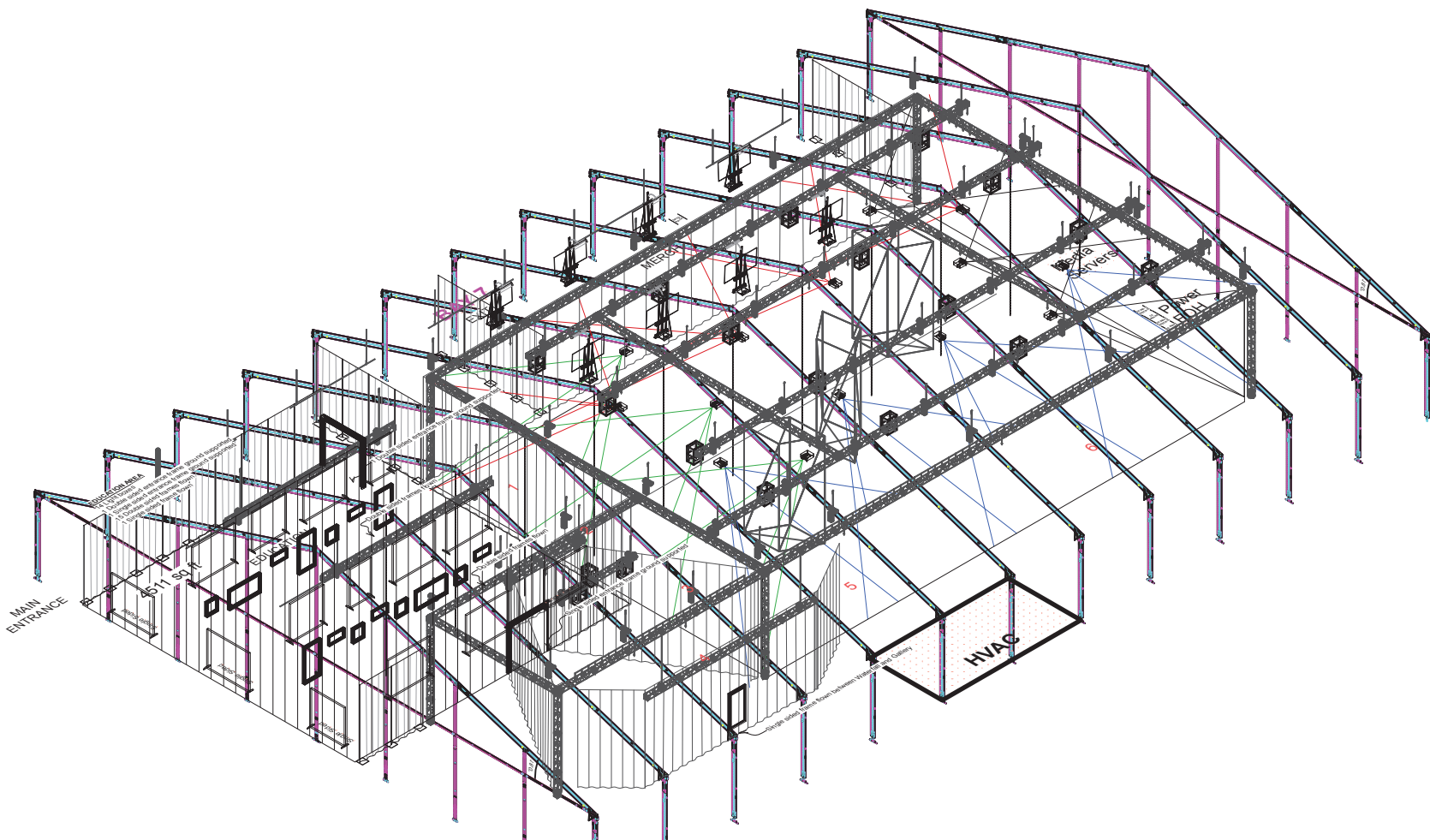
NOTES



2 **WEIGHTS**
 Scale: 1:300

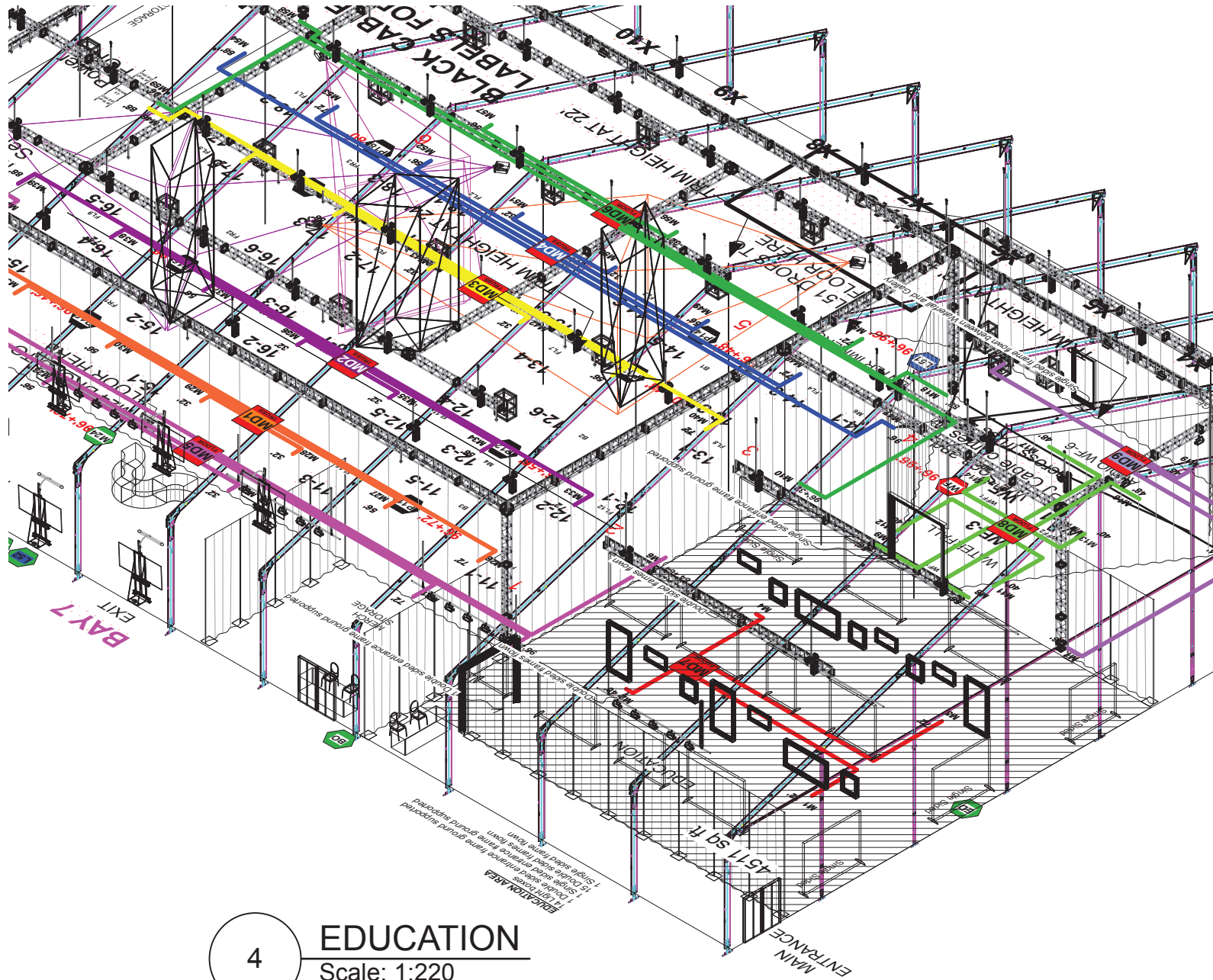
NOTE: Braceworks estimates shown in this and attached documents have been run in "usability" mode with a load factor of 1.0.

These estimates are intended solely to enable advance discussions, and do not replace the analysis of a qualified and licensed structural engineer.



3 ISO VIEW
Scale: 1:330

PROJECT NAME BVG Victoria 40M x 60M tent
PROJECT DATE SEP 2022
PROJECT ID V 1.0
TOTAL # SHEETS 10
SHEET TITLE RIGHT ISO
SHEET NUMBER 3
PAGE NUMBER 3
DRAWING DATE 2022-08-05
SCALE as noted IF PRINTED ON 8.5"X11"
REVISION
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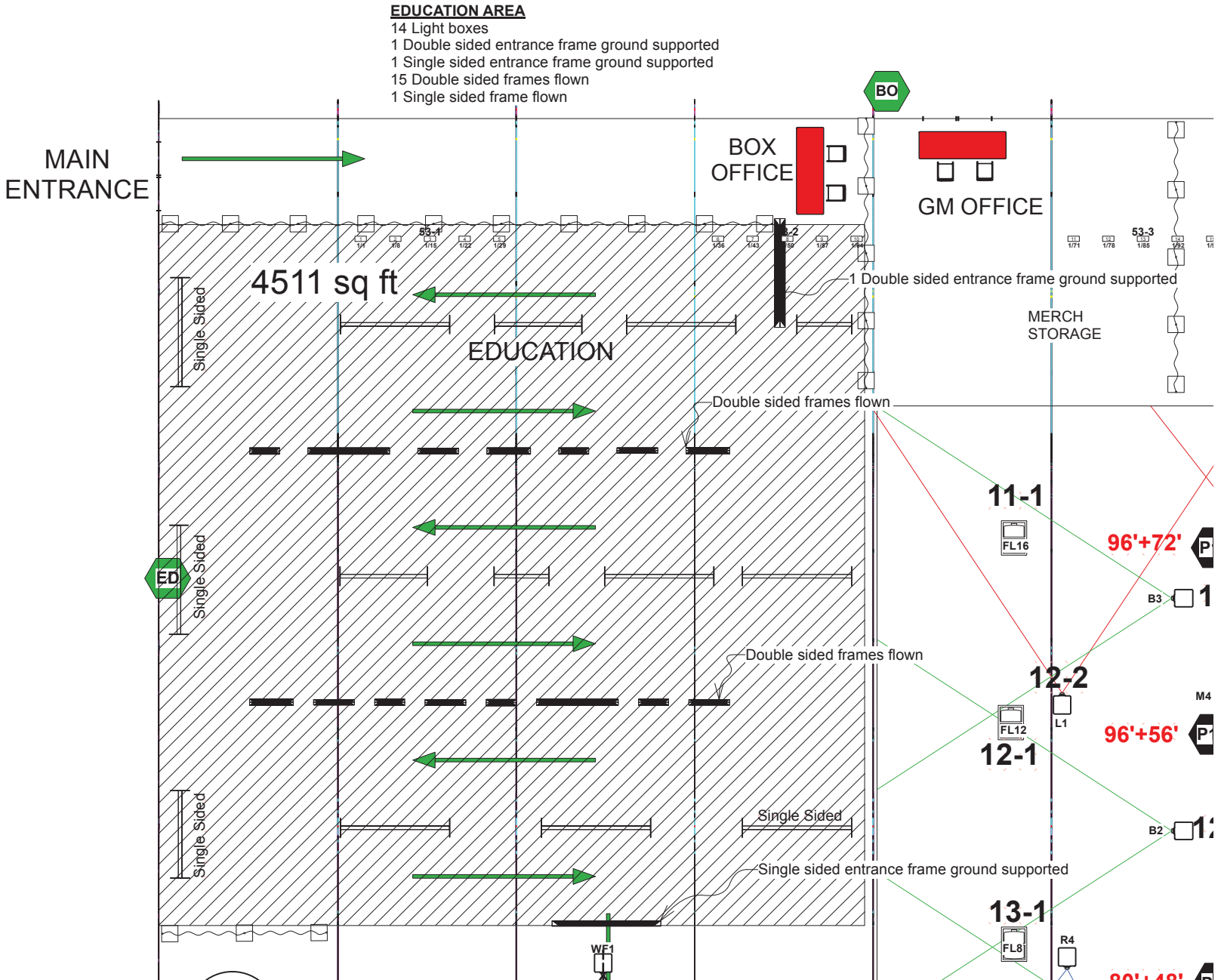
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EDUCATION

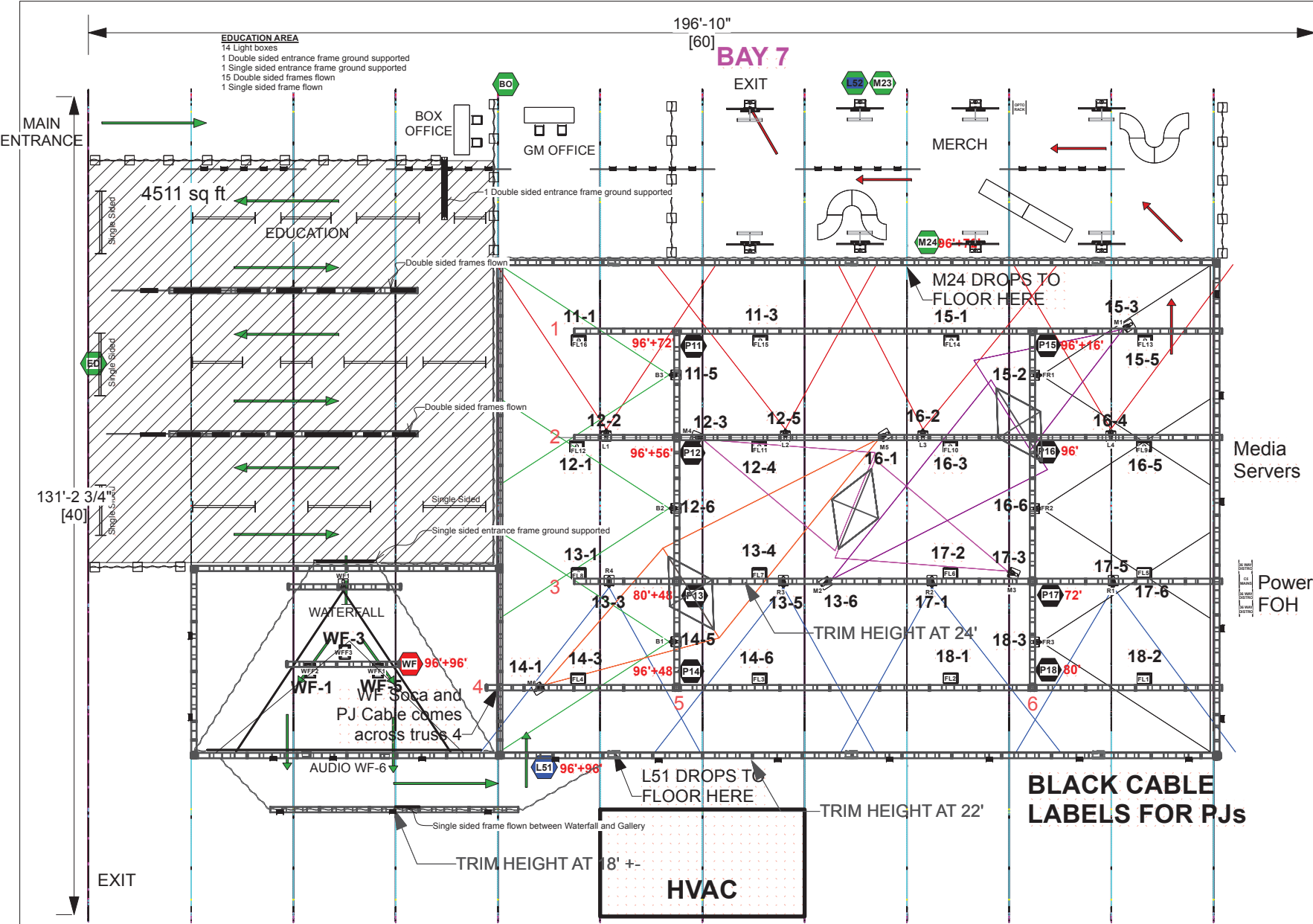
Scale: 1:220

PROJECT NAME BVG Victoria 40M x 60M tent
PROJECT DATE SEP 2022
PROJECT ID V 1.0
TOTAL # SHEETS 10
SHEET TITLE Education
SHEET NUMBER 4
PAGE NUMBER 4
DRAWING DATE 2022-08-05
SCALE as noted <small>IF PRINTED ON 8.5'X11"</small>
REVISION
<p style="text-align: center;">DISCLAIMER</p> <p style="font-size: 8px;">This drawing represents a design intent and concept only. This document and all associated documents are prepared for a specific site and event, and incorporate calculations and measurements available from the client at the time of drafting. This drawing is for reference purposes only. It is not an engineering drawing. Drafting tech is is unqualified to determine the electrical or structural validity of this design and does not or will not assume responsibility for improper engineering or construction or use. All material and construction must meet the most stringent local building, electrical, fire and safety codes. Any weight loads noted on drawing are strictly estimates and must be confirmed by appropriate structural engineering authority. All concepts, ideas and design elements shown on this drawing and any other documentation are the exclusive intellectual property of Paquin and may only be used for this project. Any other use is strictly prohibited without Paquin's expressed written approval.</p>
NOTES

PROJECT NAME BVG Victoria 40M x 60M tent
PROJECT DATE SEP 2022
PROJECT ID V 1.0
TOTAL # SHEETS 10
SHEET TITLE EDUCATION CLOSE
SHEET NUMBER 5
PAGE NUMBER 5
DRAWING DATE 2022-08-05
SCALE as noted IF PRINTED ON 8.5'x11"
REVISION
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NOTES



5 **EDUCATION CLOSE**
 Scale: 1:160



PROJECT NAME
**BVG Victoria
 40M x 60M tent**

PROJECT DATE
SEP 2022

PROJECT ID
V 1.0

TOTAL # SHEETS
10

SHEET TITLE
PROJECTION

SHEET NUMBER
6

PAGE NUMBER
6

DRAWING DATE
2022-08-05

SCALE
as noted
IF PRINTED ON 8.5"x11"

REVISION

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NOTES

6 **PROJECTION**
 Scale: 1:275

PROJECT NAME
**BVG Victoria
 40M x 60M tent**

PROJECT DATE
SEP 2022

PROJECT ID
V 1.0

TOTAL # SHEETS
10

SHEET TITLE
Motor Distro

SHEET NUMBER
7

PAGE NUMBER
7

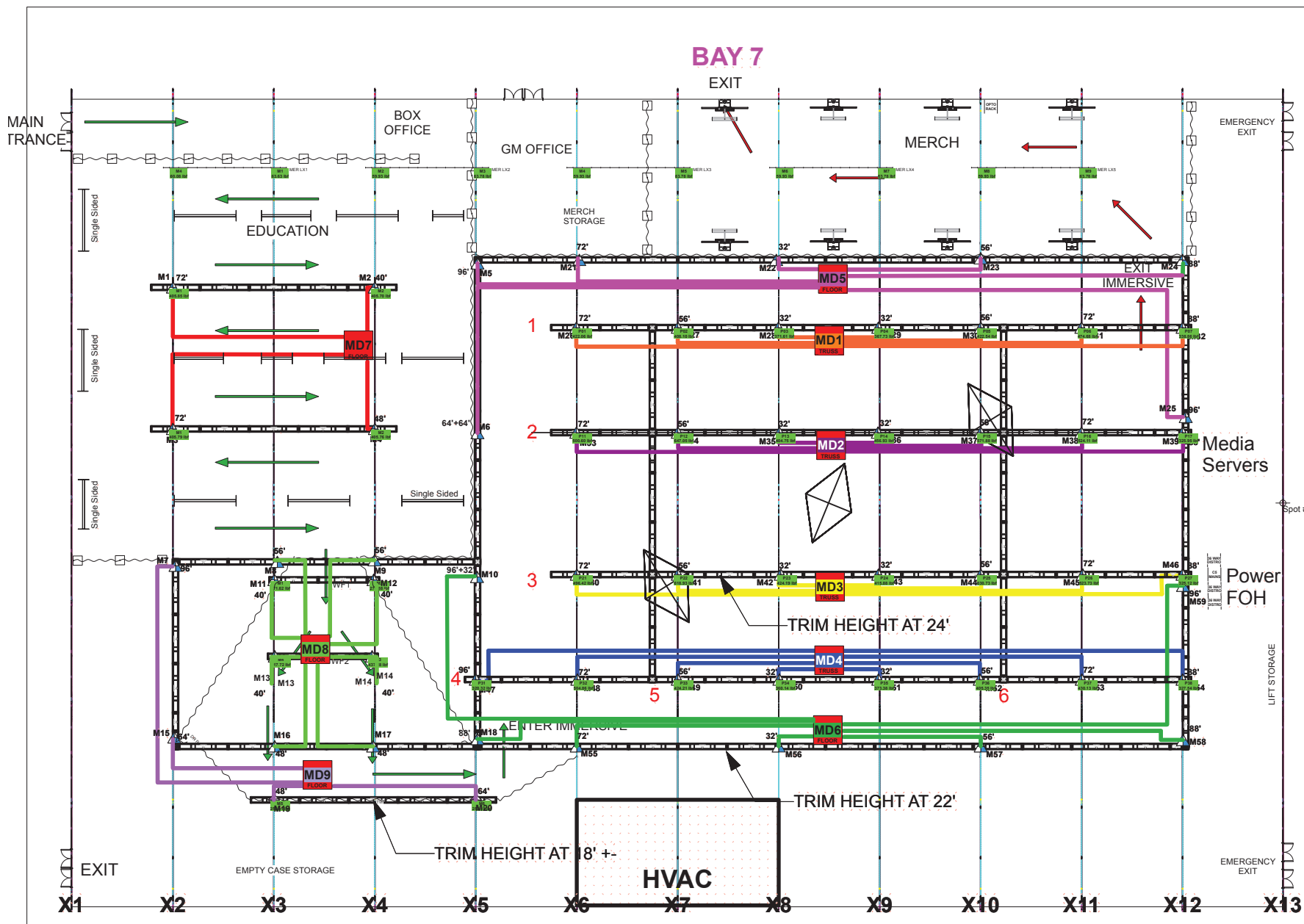
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NOTES



1 Motor Distro
 Scale: 1:275

EDUCATION AREA
 14 Light boxes
 1 Double sided entrance frame ground supported
 1 Single sided entrance frame ground supported
 15 Double sided frames flow
 1 Single sided frame flow

BAY 7

PROJECT NAME
BVG Victoria
40M x 60M tent

PROJECT DATE
SEP 2022

PROJECT ID
V 1.0

TOTAL # SHEETS
10

SHEET TITLE
Circuits

SHEET NUMBER
8

PAGE NUMBER
8

DRAWING DATE
2022-08-05

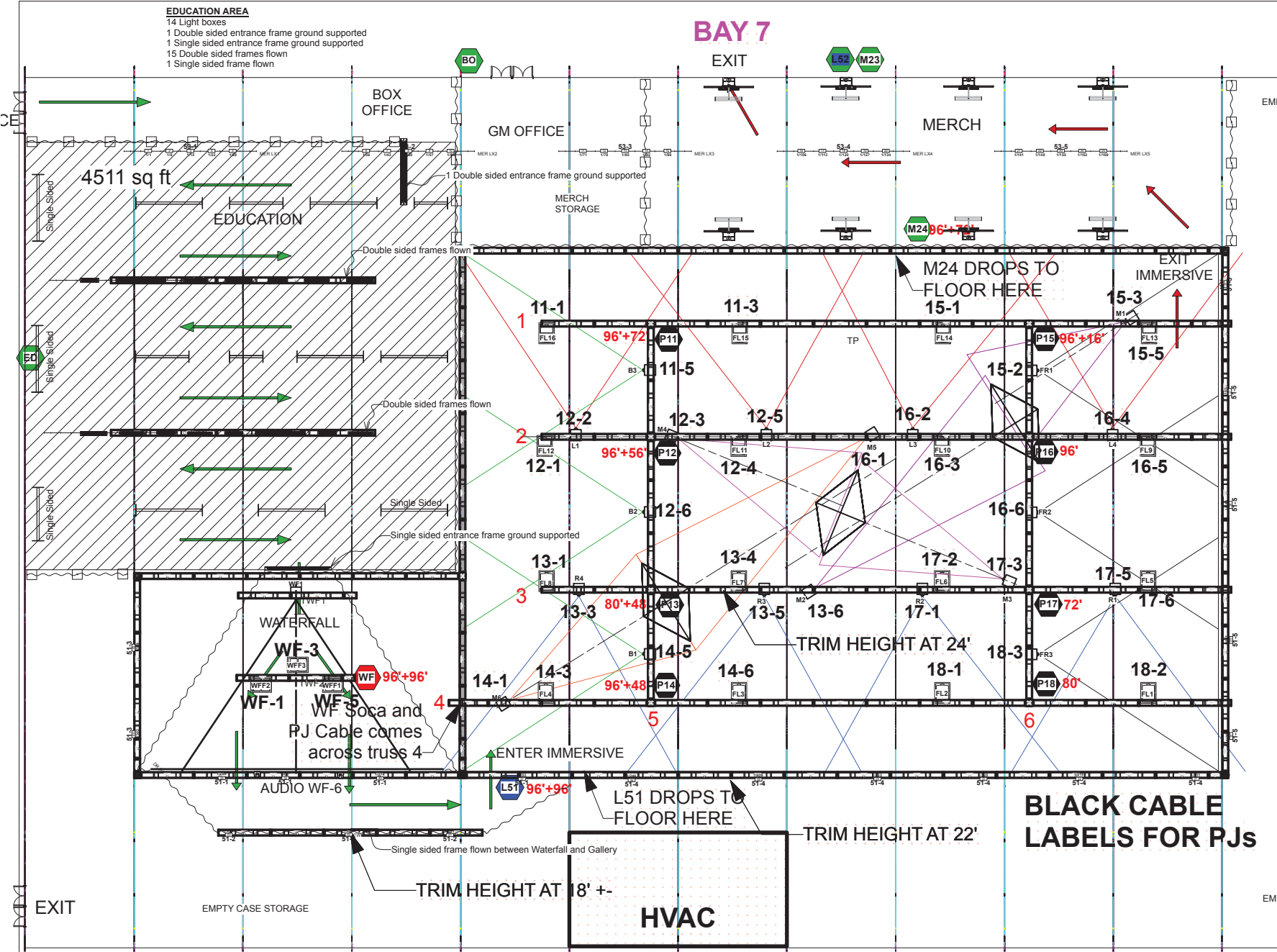
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 IF PRINTED ON 8.5"x11"

REVISION

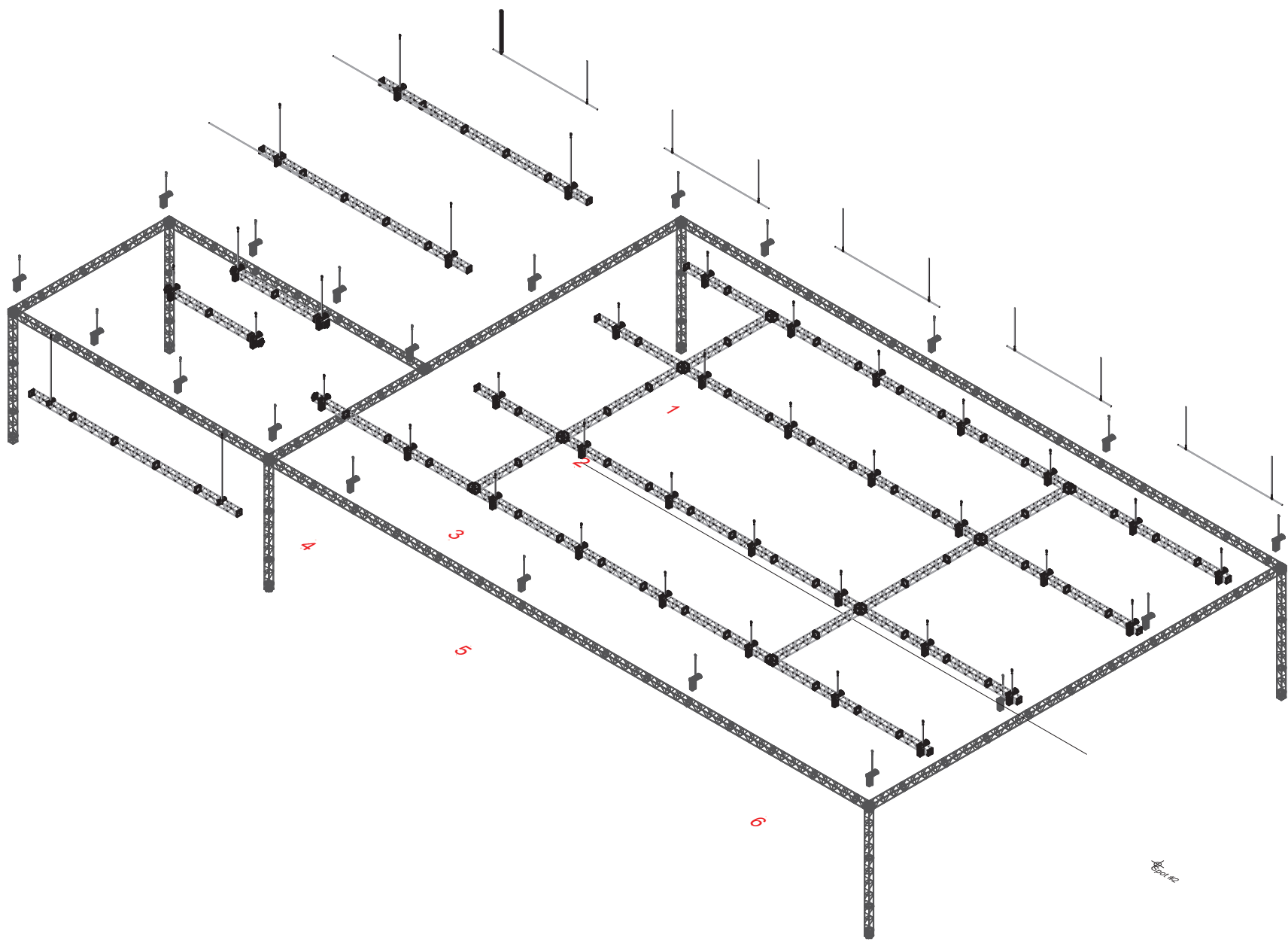
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NOTES



1 Circuits
 Scale: 1:250



PROJECT NAME
BVG Victoria
40M x 60M tent

PROJECT DATE
SEP 2022

PROJECT ID
V 1.0

TOTAL # SHEETS
10

SHEET TITLE
TRUSS PLAN

SHEET NUMBER
9

PAGE NUMBER
9

DRAWING DATE
2022-08-05

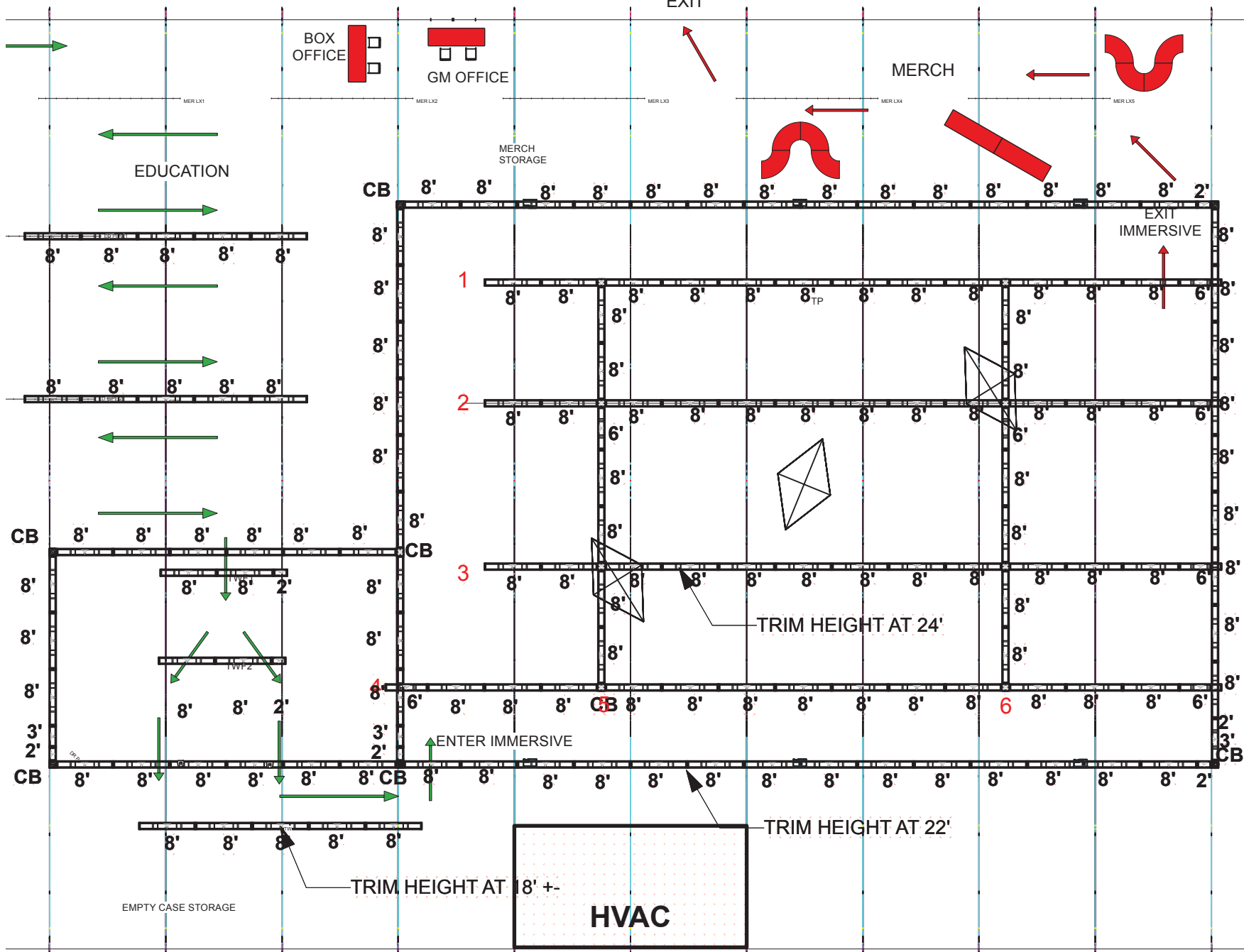
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REVISION

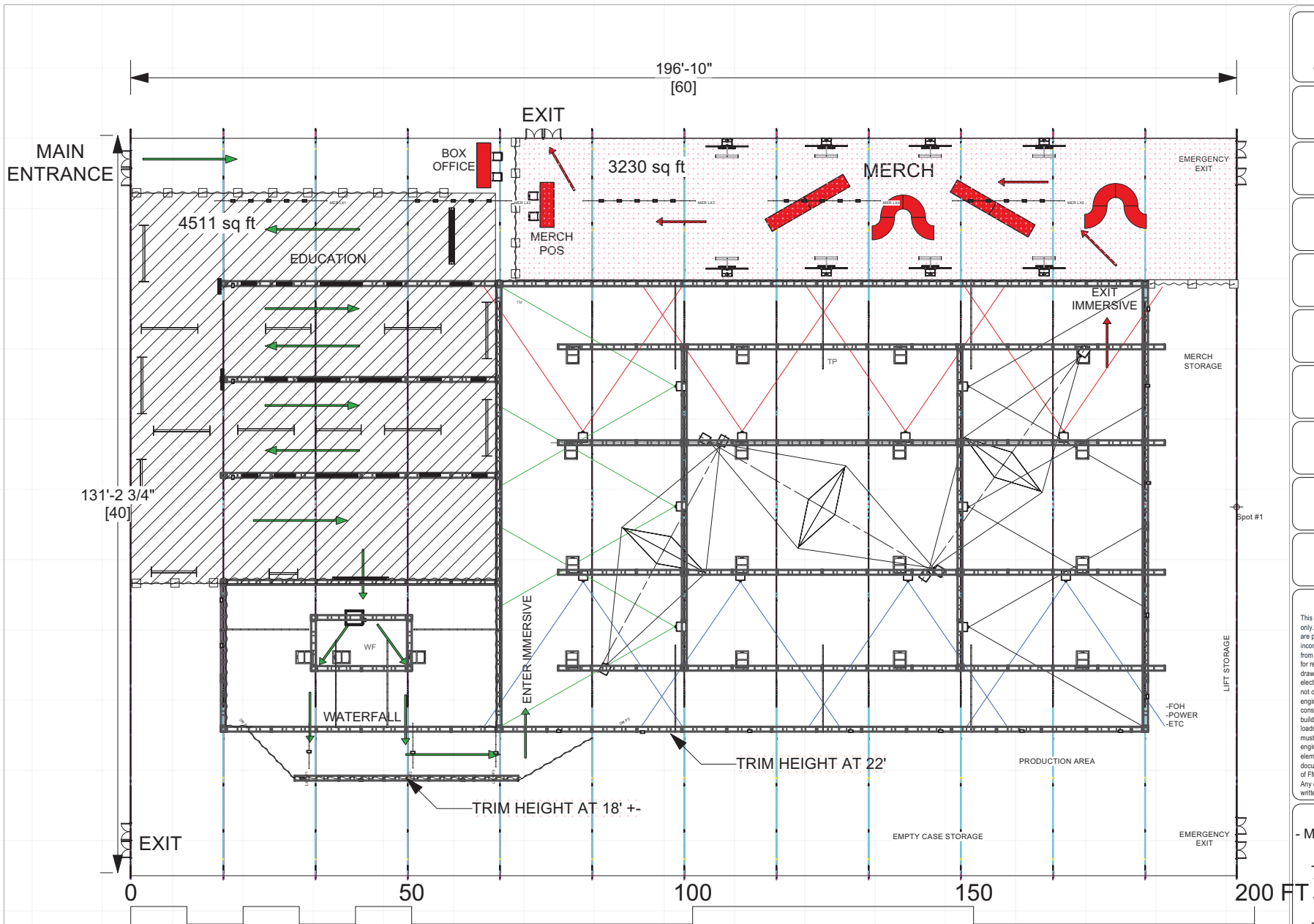
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NOTES

BAY 7



PROJECT NAME	BVG Victoria 40M x 60M tent
PROJECT DATE	SEP 2022
PROJECT ID	V 1.0
TOTAL # SHEETS	10
SHEET TITLE	Truss Labels
SHEET NUMBER	11
PAGE NUMBER	10
DRAWING DATE	2022-08-05
SCALE	as noted IF PRINTED ON 8.5"x11"
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DISCLAIMER	This drawing represents a design intent and concept only. This document and all associated documents are prepared for a specific site and event, and incorporate calculations and measurements available from the client at the time of drafting. This drawing is for reference purposes only. It is not an engineering drawing. Drafting tech is unqualified to determine the electrical or structural validity of this design and does not or will not assume responsibility for improper engineering or construction or use. All material and construction must meet the most stringent local building, electrical, fire and safety codes. Any weight loads noted on drawing are strictly estimates and must be confirmed by appropriate structural engineering authority. All concepts, ideas and design elements shown on this drawing and any other documentation are the exclusive intellectual property of Paquin and may only be used for this project. Any other use is strictly prohibited without Paquin's expressed written approval.
NOTES	



PROJECT NAME	VAN GOGH 40MX60M tent
PROJECT DATE	JUNE 2021
PROJECT ID	V 6.0
TOTAL # SHEETS	6
SHEET TITLE	GENERAL
SHEET NUMBER	1
PAGE NUMBER	1
DRAWING DATE	05/10/21
SCALE	as noted IF PRINTED ON 8.5"X11"
REVISION	

DISCLAIMER

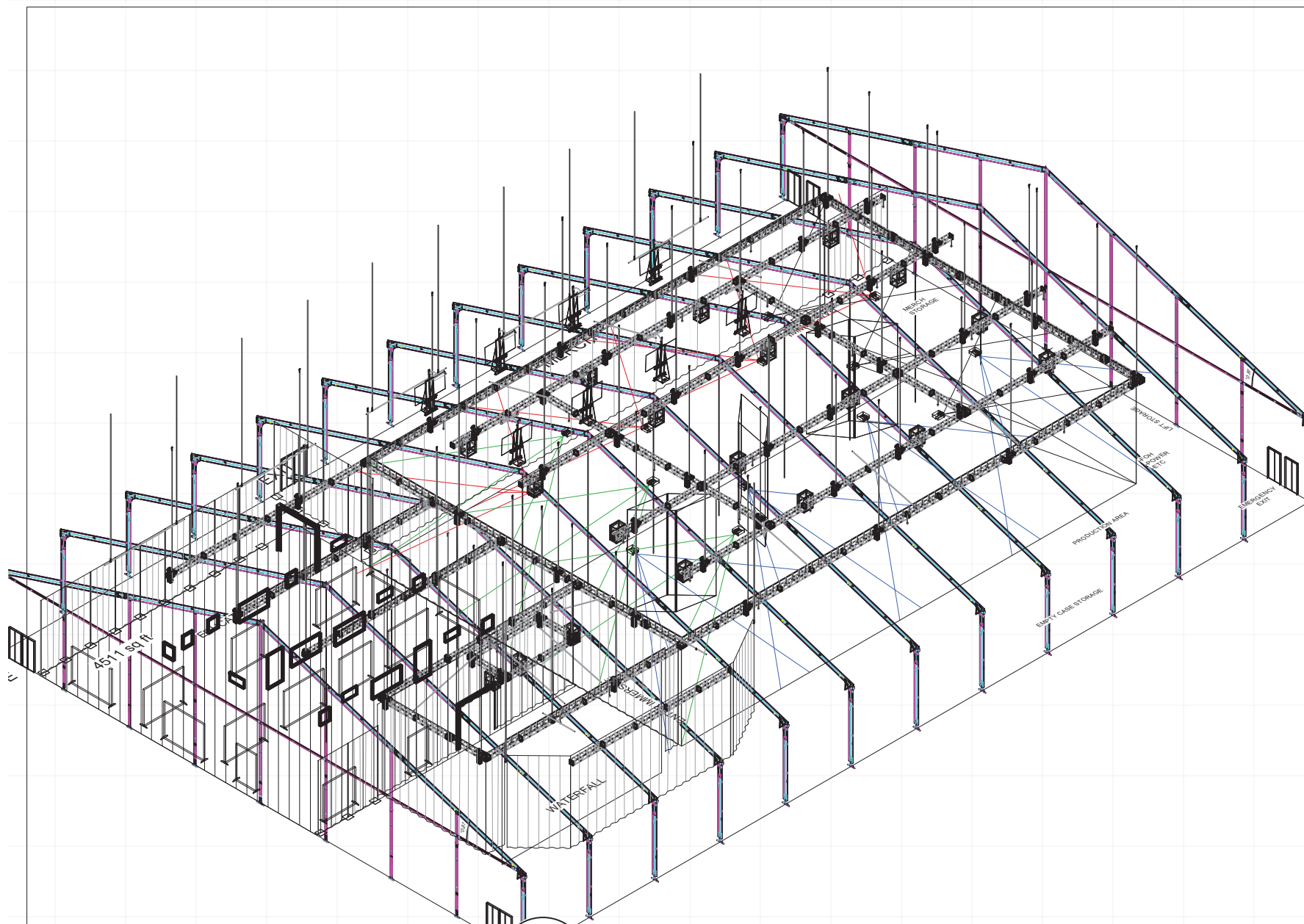
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- NOTES**
- Moved waterfall screen 8' down
 - Added new waterfall tunnel truss and pipe
 - Moved Exit doors in merch area
 - Changed entrance path with ground drape


1 TOP VIEW
Scale: 1:300

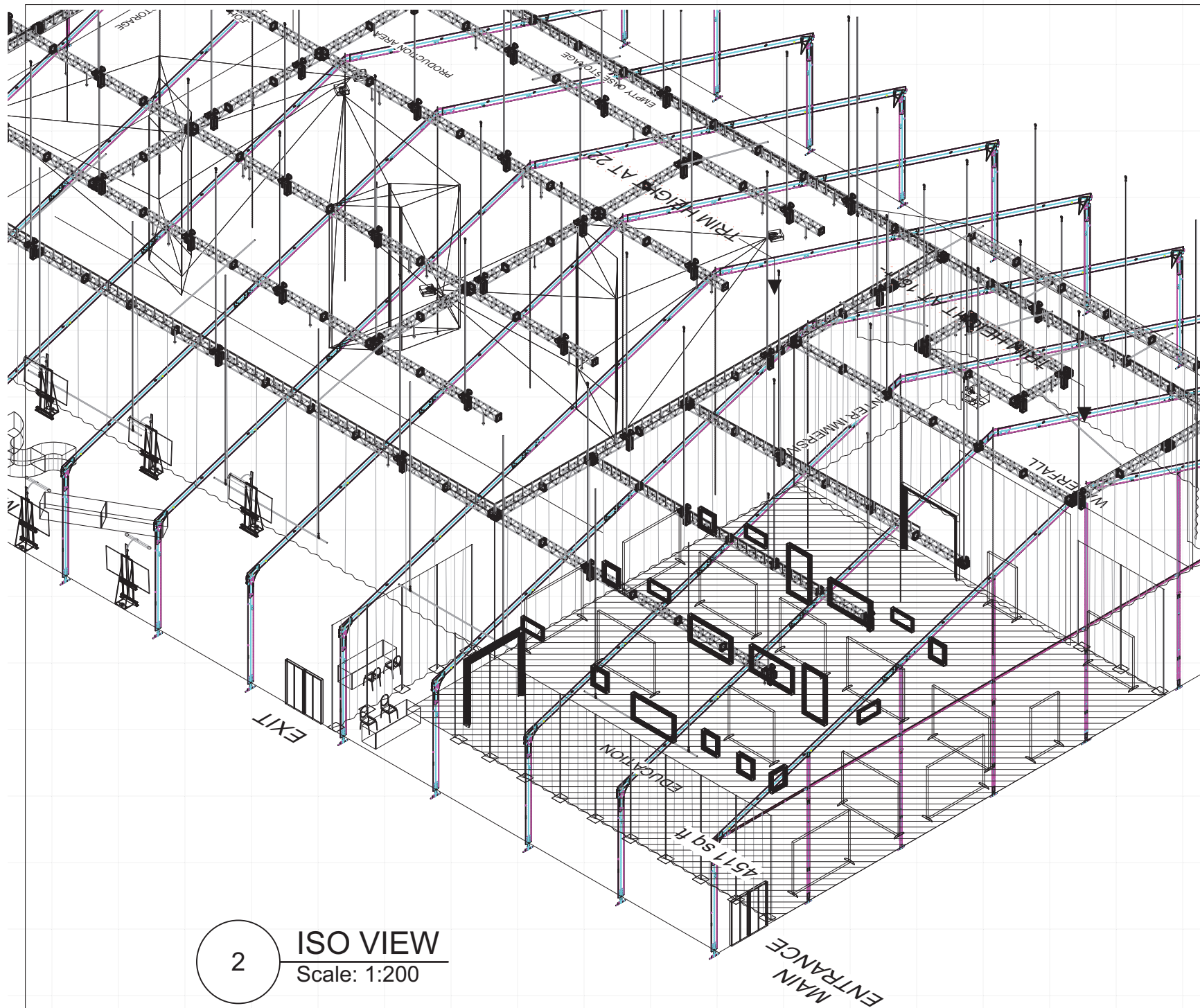
BEYOND
Van Gogh
The Immersive Experience






1 ISO VIEW
Scale: 1:300

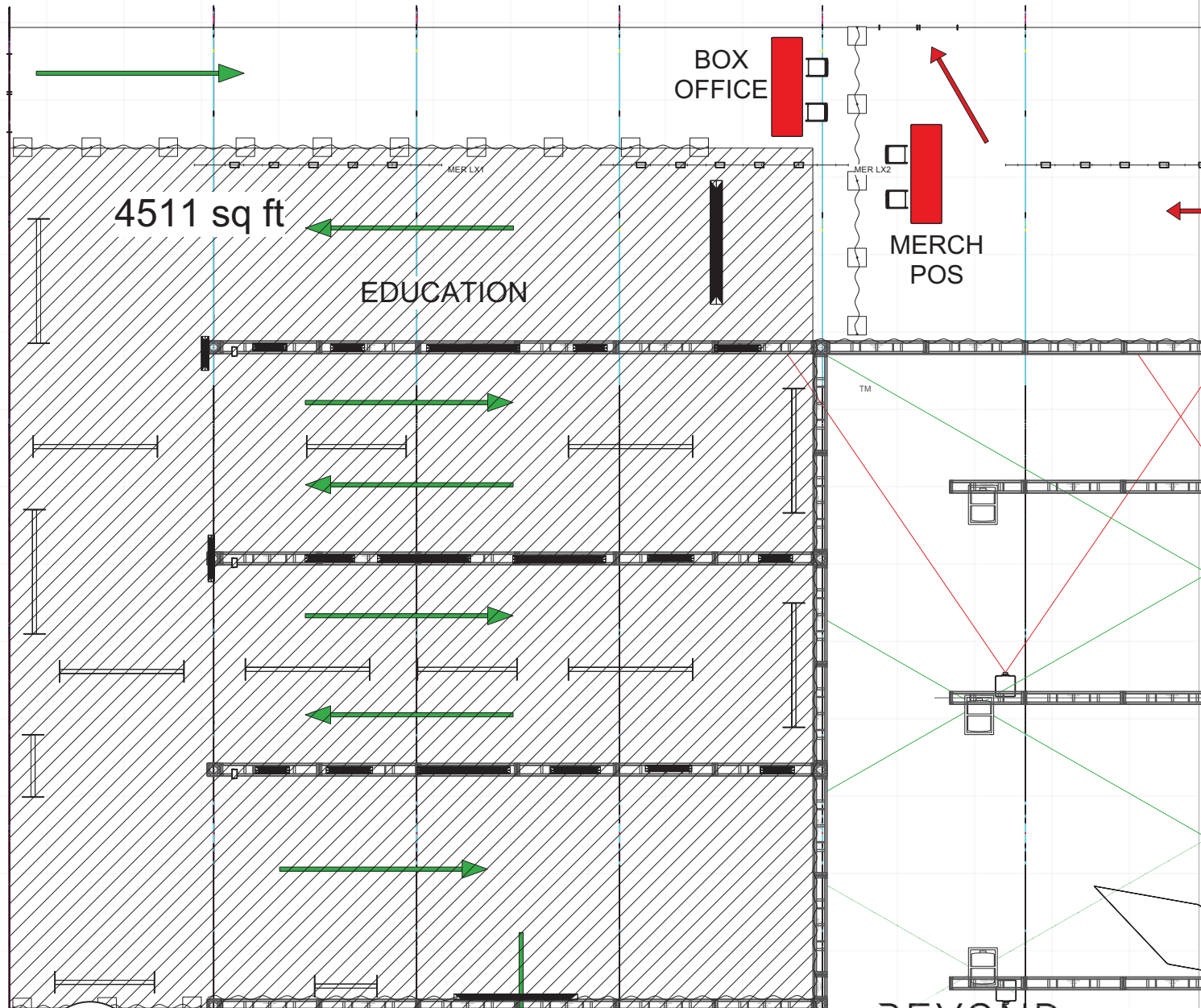
PROJECT NAME VAN GOGH 40MX60M tent
PROJECT DATE JUNE 2021
PROJECT ID V 6.0
TOTAL # SHEETS 6
SHEET TITLE RIGHT ISO
SHEET NUMBER 3
PAGE NUMBER 3
DRAWING DATE 05/10/21
SCALE as noted IF PRINTED ON 8.5"X11"
REVISION A
DISCLAIMER <small>This drawing represents a design intent and concept only. This document and all associated documents are prepared for a specific site and event, and incorporate calculations and measurements available from the client at the time of drafting. This drawing is for reference purposes only. It is not an engineering drawing. FM Systems is unqualified to determine the electrical or structural validity of this design and does not or will not assume responsibility for improper engineering or construction or use. All material and construction must meet the most stringent local building, electrical, fire and safety codes. Any weight loads written on drawing are strictly estimates and must be confirmed by appropriate structural engineering authority. All concepts, ideas and design elements shown on this drawing and any other documentation are the exclusive intellectual property of FM Systems and may only be used for this project. Any other use is strictly prohibited without expressed written approval from FM Systems.</small>
NOTES V 5.0
DRAWN BY  SYSTEMS FMSYSTEMS.NET



2 **ISO VIEW**
Scale: 1:200

PROJECT NAME VAN GOGH 40MX60M tent
PROJECT DATE JUNE 2021
PROJECT ID V 6.0
TOTAL # SHEETS 6
SHEET TITLE Education
SHEET NUMBER 4
PAGE NUMBER 4
DRAWING DATE 05/10/21
SCALE as noted <small>IF PRINTED ON 8.5"X11"</small>
REVISION A
DISCLAIMER <small>This drawing represents a design intent and concept only. This document and all associated documents are prepared for a specific site and event, and incorporate calculations and measurements available from the client at the time of drafting. This drawing is for reference purposes only. It is not an engineering drawing. FM Systems is unqualified to determine the electrical or structural validity of this design and does not or will not assume responsibility for improper engineering or construction or use. All material and construction must meet the most stringent local building, electrical, fire and safety codes. Any weight loads written on drawing are strictly estimates and must be confirmed by appropriate structural engineering authority. All concepts, ideas and design elements shown on this drawing and any other documentation are the exclusive intellectual property of FM Systems and may only be used for this project. Any other use is strictly prohibited without expressed written approval from FM Systems.</small>
NOTES V5.0
DRAWN BY  SYSTEMS FMSYSTEMS.NET

MAIN
ENTRANCE



2

TOP VIEW

Scale: 1:150

EXIT

BOX
OFFICE

MERCH
POS

4511 sq ft

EDUCATION

PROJECT NAME
VAN GOGH
40MX60M tent

PROJECT DATE
JUNE 2021

PROJECT ID
V 6.0

TOTAL # SHEETS
6

SHEET TITLE
EDUCATION
CLOSE
SHEET NUMBER

PAGE NUMBER
5

DRAWING DATE
05/10/21

SCALE
as noted
IF PRINTED ON 8.5"X11"

REVISION

DISCLAIMER

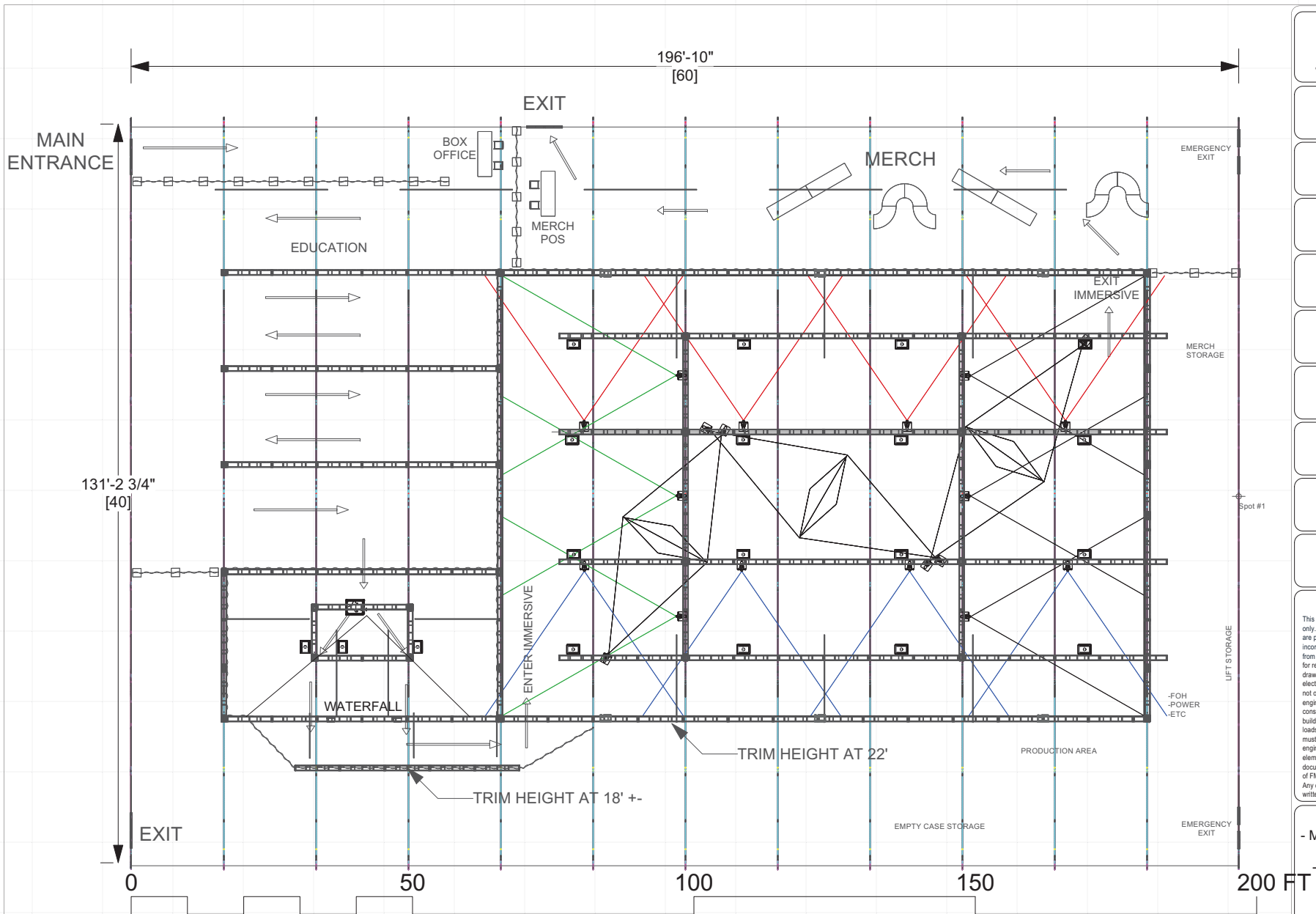
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NOTES

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BEYOND
Van Gogh
The Immersive Experience



PROJECT NAME	VAN GOGH 40MX60M tent
PROJECT DATE	JUNE 2021
PROJECT ID	V 6.0
TOTAL # SHEETS	6
SHEET TITLE	PROJECTION
SHEET NUMBER	6
PAGE NUMBER	6
DRAWING DATE	05/10/21
SCALE	as noted IF PRINTED ON 8.5'X11"
REVISION	

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- NOTES**
- Moved Main Entrance to SW corner
 - Increased Education space
 - Moved Light boxes
 - Added tables to Merch area

2 TOP VIEW
Scale: 1:300



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BEYOND
Van Gogh

The Immersive Experience

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The Immersive Experience

GOGH
THIS WAY

BEYOND
Van Gogh



VAN GOGH



November 21, 2022

Dear Mayor and Council,

Please accept this letter and accompanying Temporary Use Permit (TUP) application to facilitate the temporary Beyond Van Gogh visual and immersive arts exhibition at Bayview Place (355 Catherine Street). Included below is a summary of the exhibition and the proposal, with all supporting documentation attached. We anticipate opening the exhibition in Winter 2022/23 and appreciate every effort that Council and staff can make to help expedite the review and approvals process which will help us ensure we can bring this internationally acclaimed temporary, travelling exhibition to Victoria.

If there is anything that Council can do to expedite the approvals process, Paquin Entertainment Group can begin coordinating the logistics to bring this event to Victoria. We are requesting an expedited approval process for three key reasons.

1. Due to the travelling schedule of this exhibition, we need to open in Victoria in as soon as possible, otherwise we might not be able to secure a date until late 2023 for this show to return.
2. There are extremely limited options for sites in Victoria that could support this event. Several options were explored in 2021 and 2022, with this site being identified as the most favourable. Should the TUP not be successful, it is possible that no other site will be available for this event.
3. While the tent structure is larger than a normal special event tent, at approximately 2,400 sq. m. (60 x 40 m) one storey and 10.4m in height, it is temporary, and will be removed after 60 days at the end of the exhibition. This tent structure is unlike a regular building or a permanent construction and will not result in any ground or site disturbance, nuisances, or disturbances. At the end of the exhibition, the tent will be disassembled, and the site will be returned to the same condition as previously.
4. Lastly, the temporary tent structure conforms to the existing zoning regulations as per the DA 5 and DA 4 zoning under the Bayview Place CD 12 zone.

Proposal and Exhibition Summary

Paquin Entertainment Group/Paquin Artist Agency (“Paquin”) are a Winnipeg and Toronto based entertainment and artist agency who have been responsible for organizing several international touring visual and immersive art exhibitions in indoor and outdoor spaces, including Beyond Van Gogh, National Geographic’s Beyond King Tut and others. The Beyond Van Gogh exhibition has been exhibited in 29 cities in the U.S. and 6 cities across Canada, welcoming over 5 million visitors over the past two years.

We are proposing installing an outdoor, temporary one storey tent to house the exhibit, in a format that has been used previously in several cities across North America. The exhibition is planned for a period of 60 days and will be open to the public to provide an accessible and immersive experience of the artwork of Vincent Van Gogh through the use of large-scale projections. Over 15,000 pre-sale tickets have already been sold to date. This exhibition

EAST 206B - 219 Dufferin Street Toronto, ON M6K 3J1 **t** 416.962.8885 **f** 416.962.3331
WEST 468 Stradbrook Avenue Winnipeg, MB R3L 0J9 **t** 204.988.1120 **f** 204.988.1135

www.paquinentertainment.com



provides an exciting opportunity to draw tourists to Victoria from around Vancouver Island and BC. Additionally, the event will employ 30-40 people locally.

We are excited to bring this exhibition to Victoria and have secured an agreement with the owners of Bayview Place to use an outdoor/open flat and paved space at 355 Catherine Street to host this exhibition. The large 2,400 sq. m. tent has a standard occupancy capacity of 250 visitors utilizing an online time-based booking system. The entire one level/floor structure is barrier free and accessible.

The online time-based ticket entry system will also help us manage and mitigate traffic and parking concerns onsite and in adjacent areas. We will provide 40 dedicated vehicle parking stalls onsite for visitors, including 4 accessible stalls, which is beyond the current parking regulations for Arts and Culture spaces of the same size. In addition, we will also provide 20 secure bicycle parking stalls for visitors which will be overseen by site security as a bike valet service. There will be no sound disturbances from the event, as it is in an enclosed structure and the last entry will be before 9:00pm.

The exhibition will be open to the public for six days per week (closed on Mondays) between 10:00am – 9:00pm. The interior of the tent is divided into three separate zones, education, exhibition and merchandise so that visitors can follow a narrative journey to explore the famous Dutch Post-Impressionist painter Vincent Van Gogh’s iconic paintings. The exhibit includes ultra high-resolution images and projections of 300 paintings produced by Vincent Van Gogh spread across all interior surfaces of the tent.

Included in this application are tent structural and architectural drawings, fire and safety plans, parking plans, and all other documents required for the TUP. All structures are temporary and will not result in soil disturbance or permanent changes to the site.

Policy Alignment

While this exhibition represents only a temporary land use, it aligns with many City of Victoria policies, including the Official Community Plan, and Create Victoria, the City’s Arts and Culture master plan.

The Official Community Plan (OCP) contains a section on Arts and Culture, and speaks to the importance of arts and culture being central to “social sustainability and attributes of community well-being and quality of life”. Specific goals and policies that support this application include:

- Goal 16(A): Victoria is a place where artists are able to thrive and where people from all walks of life enjoy formal and informal opportunities to create and enjoy the arts, culture and entertainment activities.
- Broad Objectives 16(a): That Victoria is a creative and vibrant city
- Policy 16.21 Continue to permit festivals, celebrations and special events in public spaces, such as streets, parking lots, plazas, civic squares and other open space

The following Create Victoria Strategic Priorities support a special event such as this:

EAST 206B - 219 Dufferin Street Toronto, ON M6K 3J1 t 416.962.8885 f 416.962.3331
WEST 468 Stradbrook Avenue Winnipeg, MB R3L 0J9 t 204.988.1120 f 204.988.1135



1. Connect People and Spaces

Goal: Everyone feels welcome and able to access affordable spaces for creative participation, production and enjoyment.

Objective 1.3: Serve a range of ongoing creative space needs for artistic and creative production, display, enjoyment and participation.

Action 7: Create a suite of tools and actions within the regulatory environment to ‘reduce the red tape’, and address space needs through zoning and bylaw review and amendments, and other regulatory mechanisms including but not limited to:

2. Building Cultural Leadership

Goal: The City demonstrates cultural leadership by collaborating with partners, and supporting and guiding creative initiatives.

Objective 2.1: The Arts, Culture and Events (ACE) Office is the “One-Stop Shop” and first point of contact at City Hall for creative and cultural development requests and assistance. It acts as a “Go To” resource for the community.

Action 1: Similar to the Business Hub at City Hall, the Arts, Culture and Events Office will serve as the City’s one-stop shop for:

- a. Facilitate Arts, Culture and Events related requests.
- b. Navigating City Hall and liaising with other departments (e.g. permitting, licensing, zoning/planning).

Zoning and TUP

Bayview Place is currently zoned CD-12: Roundhouse District. The zone is split into several Development Areas (DAs); the proposed special event temporary tent structure spans both DA 4 and DA 5. Below is a table of concordance indicating where the proposal conforms with the zoning and DPA 13 and where variances are requested.



Table 1: Table of Concordance

<i>Zone</i>	Zoning Requirement	Proposed	Notes/Rationale
	CD-12	N/A – no change in zoning	Requesting a TUP
<i>Use</i>	DA-4: attached dwellings; multiple dwellings; offices; professional services; pubs and lounges; recreational facilities; restaurants; retail; senior citizens’ residence; tourist facilities DA-5: attached dwellings; live/work; multiple dwellings; senior citizens’ residence	Commercial Exhibits	Requires the TUP Commercial exhibits are allowed in DA-1 within this zone.
<i>Max Floor Area</i>	DA-4: 1,180m2 for non-residential use DA-5: 17,000m2	2,400m2	Requires TUP While non-residential, the floor area is significantly less than the overall max for the site; it is also a temporary structure.
<i>Height</i>	DA-4: 66m DA-5: 52m	<52m	Meets bylaw
<i>FSR</i>	Entire site: 2.5	<2.5	Meets bylaw
<i>Site coverage %</i>		Less than regulations	Meets bylaw
<i>Setbacks</i>	Entire site: 2m from any street or park	>2m on all surrounding sides	Meets bylaw
<i>Parking</i>	As per Schedule C: Arts and Culture: 1 space per 80m2 of floor area GFA: 2400m2 Parking required: 30 stalls	40 dedicated vehicle parking stalls 70 overflow parking stalls	Meets and exceeds bylaw
<i>Bicycle Parking</i>	Long term: 1 space per 450m2 = 5 Short term: 1 space per 130m2 = 18	20 stalls	No long-term bicycle parking is provided; however, visits are estimated to be approximately 2 hours; security on site will also provide added security for short-term stalls.

Conclusion

Beyond Van Gogh is an exciting and innovative international immersive visual arts exhibition that has attracted over 5 million visitors in over 29 cities across Canada and the U.S. We are honoured and excited to be able to bring this exhibition to Victoria to support arts and culture activities in the local community and benefit the local cultural and creative economy through employment and tax revenue. The proposed land use requires a TUP but will have minimal

paquin

impacts on the site and neighbourhood. We hope that the information provided allows Council to make an informed decision and facilitate rapid approval of the required permitting to ensure this event can be made possible given the time constraints.

Thank you and please do not hesitate to reach out if you have any questions.

Regards,



Jennifer Mathieson
Paquin Entertainment

Dear Mr Gray

I am writing to inquire if the permit for the above exhibit is going to be approved. There is talk that Paquun Entertainment simply applied for the wrong permit, in which case I cannot imagine their frustration. They are obviously not building a permanent structure so what could possibly be the issue.

This exhibit has been viewed in many cities in North America and yet arrives in Victoria and cannot get the City of Victoria's approval. I understand that there is a large tent sitting waiting to be used?

I have purchased tickets for my family and would certainly like to know if this event is going to be held. I cannot imagine when this city like most of Canada is struggling to recover from so many setbacks in the past 2years, that you would set entertainment back once again without dire cause.

Anxiously awaiting a response.

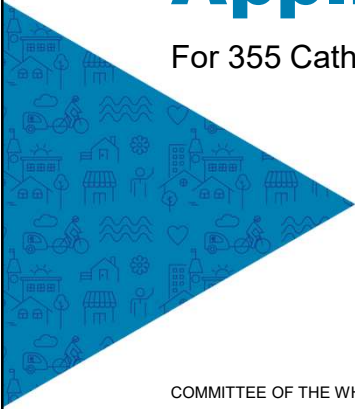
Heather McIntosh

2023

CITY OF VICTORIA | Sustainable Planning & Community Development

Temporary Use Permit Application

For 355 Catherine Street & 210 Kimta Road



COMMITTEE OF THE WHOLE | JANUARY 19, 2023



1



Aerial Photo



2



Subject Property



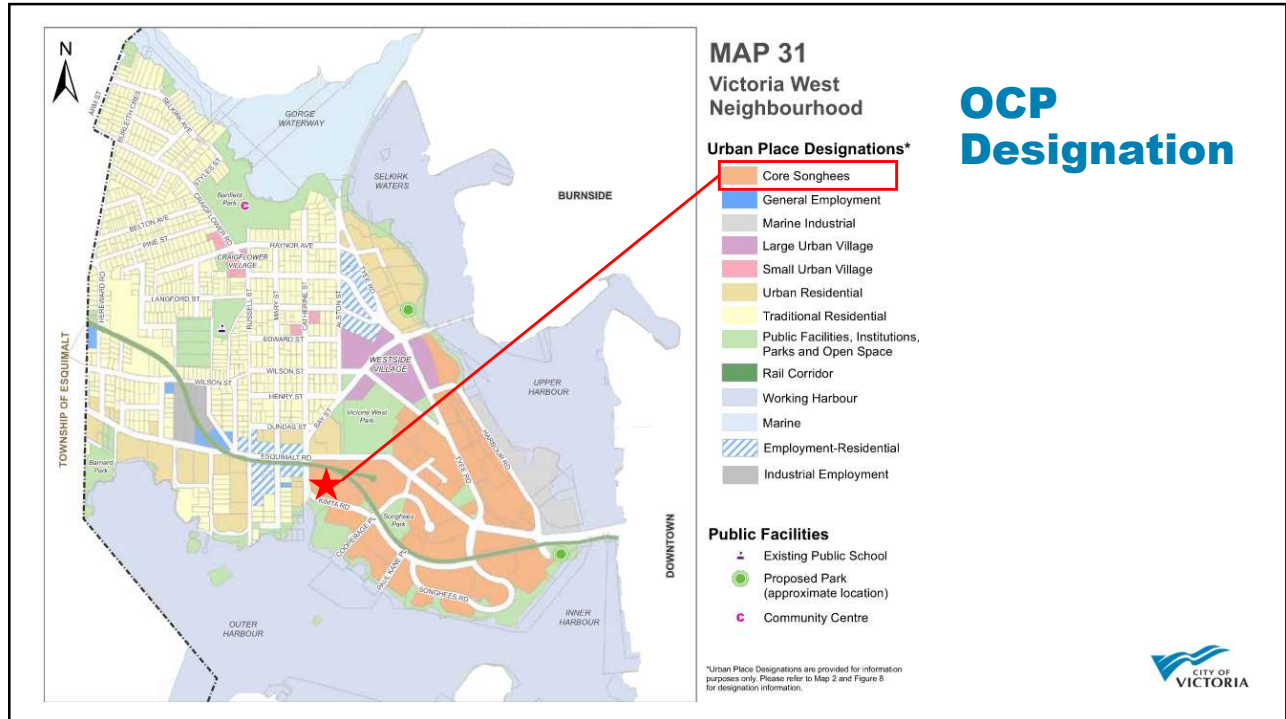
3



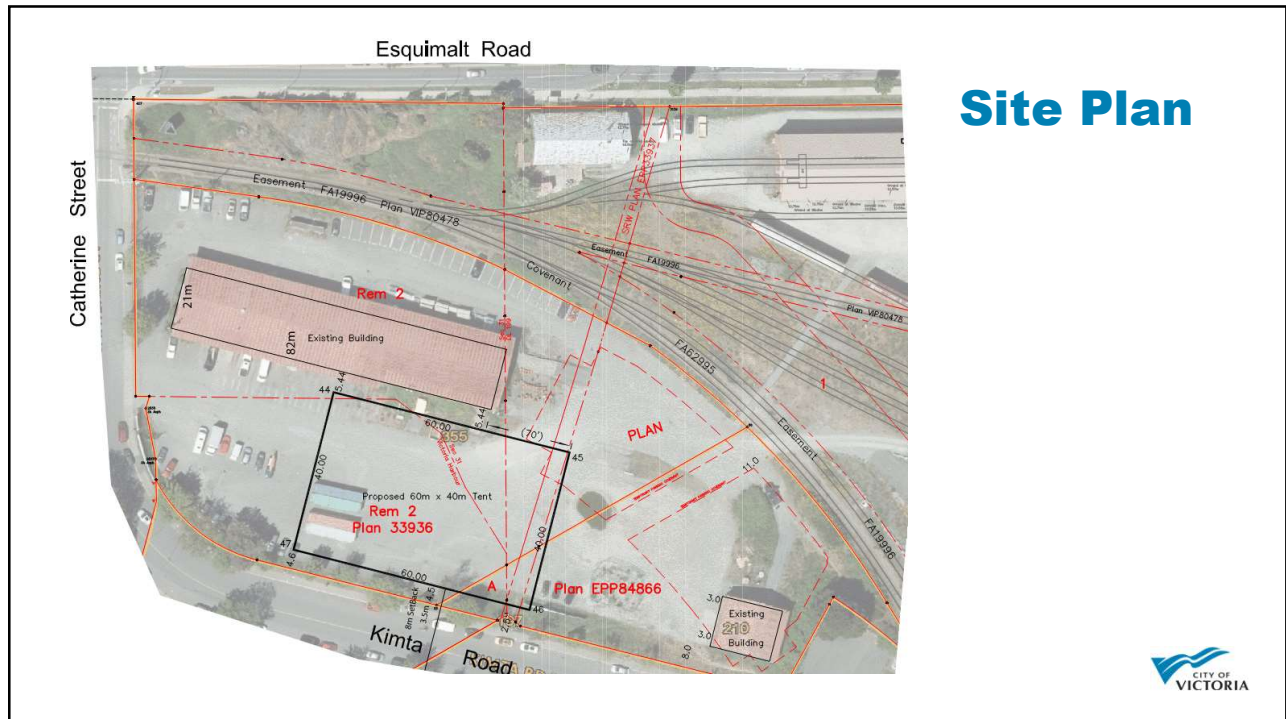
Neighbouring Properties



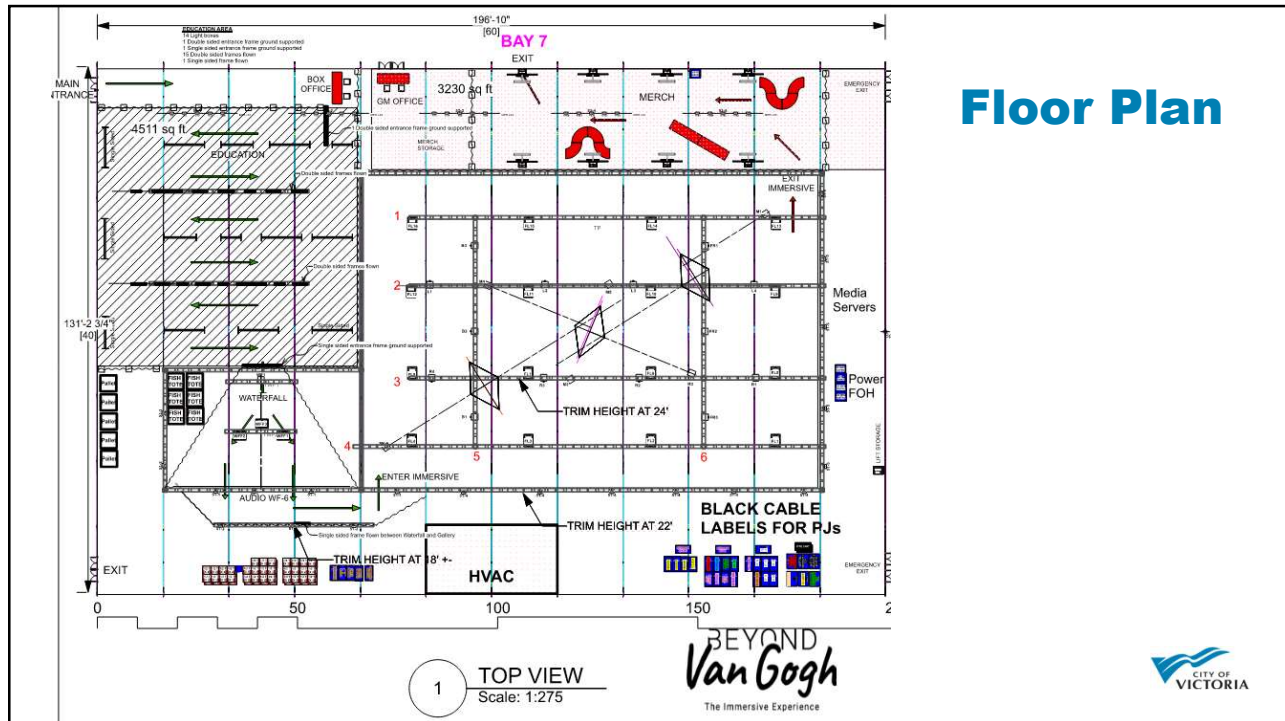
4



5



6



7



8

[REDACTED]

From: Elizabeth Patrick [REDACTED]
Sent: April 19, 2023 3:01 PM
To: Public Hearings
Subject: Variances application no. 00026

To whom it may concern,

I am an owner of an apartment on Kimta Road across from this project. I have been looking forward to the development of this area and the contributions it will add to the neighbourhood. The original plan was big but it seemed acceptable and I felt like it would not overpower the area. I am not against development and looked forward to the parks and services that would come with the original project. However, the new proposal is huge and imposing and I completely disagree with the scale of the project. It will forever change the beauty and skyline of the area.

Having watched the discussions and debates regarding the new request for the increased density, I see no real justification for the massive increase and oppose it strongly.

As for the commercial exhibit and the temporary permit, I do not know what it is for and therefore do not oppose the use of the land temporarily. If it is to sell the new project at the new much larger scale then on principal alone I do not agree with it therefore do not agree with the use of the land to sell a project that I do not want built at the larger scale.

I appreciate the opportunity to submit my thoughts and thank the council for taking into account how the neighbourhood feels about this.

Elizabeth Patrick