UNFINISHED BUSINESS

1. <u>Update Report for Development Permit with Variance Application No. 00064 for 785 Caledonia</u> <u>Avenue</u>

Council received a report providing an updated recommendation for Council's consideration.

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, 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 Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue in accordance with:

- 1. Plans date stamped November 23, 2017.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except reducing the sideyard setback from 4.5 metres to 0.
- 3. Registration of the lot line adjustment at the Land Title and Survey Authority Office to the satisfaction of staff.
- 4. The Development Permit with Variance lapsing two years from the date of this resolution."

Carried Unanimously



Council Report For the Meeting of January 25, 2018

To:	Council	Date:	January 12, 2018
From:	Jonathan Tinney, Director, Sustainable Pla	anning and	Community Development

Subject: Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue

RECOMMENDATION

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 Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue in accordance with:

- 1. Plans date stamped November 23, 2017.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, **except reducing the** sideyard setback from 4.5 metres to 0.
- 3. Registration of the lot line adjustment at the Land Title and Survey Authority Office to the satisfaction of staff.
- 4. The Development Permit with Variance lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to provide an updated motion for Council's consideration related to the Development Permit with Variance application for the property located at 785 Caledonia. On January 11, 2018, Council considered this matter, and although the report detailed the requested variance, the motion inadvertently did not identify it. Additionally, the direction related to giving notice regarding the variance was omitted. These two items are identified in bold text above.

With this updated direction from Council, the application would advance as originally planned to an opportunity for public comment on February 8, 2018. The Committee of the Whole Report dated January 11, 2018 is attached for Council's reference.

Respectfully submitted,

Alison Meyer Assistant Director Development Services

Jonathan Tinney, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager. Cell Cell Charles Charles 2018 Date

List of Attachments

Attachment A: Committee of the Whole Report, dated January 11, 2018. .



Committee of the Whole Report For the Meeting of January 11, 2018

То:	Committee of the Whole	Date:	December 21, 2017	
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development			
Subject:	Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue			

RECOMMENDATION

That Council authorize the issuance of Development Permit with Variance Application No. 00064 for 785 Caledonia Avenue in accordance with:

- 1. Plans date stamped November 23, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. Registration of the lot line adjustment at the Land Title and Survey Authority Office to the satisfaction of staff.
- 4. The Development Permit with Variance lapsing two years from the date of this resolution.

LEGISLATIVE AUTHORITY

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

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the property located at 785 Caledonia Avenue. The proposal is for changes to the exterior of the building and landscaping, and to enclose a portion of the patio in a previously approved mixed-use building. There is one variance related to a side yard associated with this proposal.

The following points were considered in assessing this application:

- the decreased side yard variance is considered supportable as adequate breathing space and carriage way are maintained across the site
- the proposal is generally consistent with the Downtown Core Area Plan, 2011
- the proposed changes from the previous proposal presented to, and approved by Council on November 26, 2015 (minutes attached), are considered to be minor in nature and consistent with the original intent of the previous proposal.

BACKGROUND

Description of Proposal

The proposal is for changes to the exterior of the building and landscaping, and to enclose a portion of the ground-level commercial retail unit patio in a previously approved mixed-use building, as part of Phase Two of the "Hudson Walk" development which is currently under construction. Phase Two includes a 16-storey, 106-unit tower with ground-floor townhouses fronting on Caledonia Avenue, as well as commercial floor area fronting on Blanshard Street. Underground vehicle parking and secure bicycle stalls are proposed for residential and commercial tenants and visitors. Outdoor amenity space is proposed with private space for residents, as well as open space for the public. Specific details include:

- building design and finishes similar and complementary to the design of the Phase One residential tower (completed in 2016)
- 106 suites ranging in size from 38m² to 95m²
- five ground-floor townhouses along Caledonia Avenue
- underground parking (75 stalls)
- 139 secure bicycle stalls and eight publicly accessible stalls.

Exterior building materials include:

- street walls of brick veneer
- painted architectural concrete with reveals
- clear glazing in prefinished aluminum frames
- aluminum guardrails and gates
- vertical spandrel glazing with autumn orange colour accents
- decorative metal screens for balcony enclosures.

The programming elements of the outdoor amenity space proposed as part of the original submission have been maintained. Landscaping features for the private area of the outdoor amenity space include:

- a dog run
- accessible bike parking
- flex space
- seating areas.

Landscaping features for the public area of the outdoor amenity space include:

- a children's play area
- interactive art
- a seating wall
- tables and benches.

Landscaping materials include:

- broom-finished concrete
- concrete unit pavers
- fiber surface for the children's play area
- birds eye gravel for the dog park
- a mix of coniferous and deciduous trees
- lawn, ground cover planting, bushes and shrubs.

Sustainability Features

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

Active Transportation Impacts

The application proposes a total of 139 secure bike racks, and eight publicly accessible racks, which supports active transportation.

Public Realm Improvements

No public realm improvements beyond City requirements are proposed in association with this Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The property was rezoned in 2009 to the site-specific CA-60 Zone, Radius District. Where amenities are not provided, the zone permits a base density of 3:1 FSR, under the regulations of the CA-4 Zone, Central Area Commercial Office District. However, if amenities are provided, as defined in the zone, then a maximum density of 4.85:1 FSR is permitted. The amenities defined in the Zone include the following:

- underground parking only, no surface parking permitted
- at least 330 parking spaces in excess of the zoning requirements
- at least 20% open site space
- a 3m wide carriageway secured by a Statutory Right-of-Way linking Herald Street and Caledonia Avenue
- at least 8800m² of floor area exclusively for residential use.

Phase One of the overall site development (755 Caledonia Avenue) was completed in 2016. With a lot line adjustment between Phase One and Two, the total development will not exceed the base density of 3:1 FSR for either phase. The lot line adjustment is currently in progress, and staff have included appropriate wording to ensure this is registered prior to issuing the development permit. While not necessary as the base density has not been exceeded, the amenities required at the maximum density are provided with the exception of the surplus parking and minimum residential floor area of 8800m².

Data Table

The following data table compares Phase Two with the regulations of the existing CA-60 Zone, Radius District, as well as the proposed CBD-1 Zone, Central Business District-1. A single asterisk is used to identify where the proposal is less stringent than the existing Zone and a double asterisk is used to identify where variances were approved through previous approvals.

Zoning Criteria	Phase Two Previous Proposal 2015	Phase Two Current Proposal	CA-60 Zone
Site area (m²) - minimum	2458.90	2533.00	N/A
Location of residential uses on ground floor	Permitted**	Permitted**	Not permitted
Density (Floor Space Ratio) - maximum	3.00:1	2.98:1	3:00:1
Height (m) – maximum	41.09	41.09	43.00
Storeys - maximum	15	15	N/A
Setbacks (m) - minimum	E		
Front (East) Blanshard St.	6:1 massing over 10m** 5:1 massing over 10m**	6:1 Permitted** (variance approved in Phase Two)	5:1 massing over 10m 5:1 massing over 10m
Side (North) Caledonia Ave.	9.61	9.61	4.5
Interior (South)	0.64	Nil*	Nil
Rear (West)	12.72	15.80	
Parking - minimum	122	122	74
Visitor parking - minimum	8	8**	8
Bicycle parking stalls – minimum (long-term)	142	139	108
Bicycle parking stalls – minimum (short-term)	8	8	8

Relevant History

The Development Permit for Phase One of "Hudson Walk" was approved by Council on December 18, 2014. The approval included a variance to permit 218m² of ground-floor residential use, including a number of townhouses on Caledonia Avenue. A further application to increase the amount of ground-floor residential use by another 435m² in Phase One was approved by Council on September 10, 2015.

A previous Development Permit with Variances application for Phase Two of "Hudson Walk" was approved by Council at the meeting of November 26, 2015 (minutes attached). A staff delegated Development Permit to partially enclose a portion of the patio in Phase Two was approved on February 10, 2016. The current proposal is very similar to the original design although the enclosed portion of the patio was extended, prompting a request to reduce the requirement of a 4.5 meter setback to nil.

The following minor changes have been made to the design:

- enclosure of a patio for the ground level commercial unit, for a total of 136.31m²
- lot line adjustment to ensure the additional floor area does not exceed the maximum

3.0:1 floor space ratio (FSR) density in the current CA-60 Zone, Radius District

- incorporation of a HW pattern in the metal screens, and removal of the illuminated 'Hudson' lettering for the exterior balconies on the corner of Blanshard Street and Caledonia Avenue
- reconfiguration of the landscaping of the outdoor amenity space, with the introduction of 'Hudson's Bay' themed public art.

A concurrent rezoning application for a brewpub and distillery was originally submitted with this appliction, but this is no longer being pursued by the applicant, at this time.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications, the application was referred for a 30-day comment period to the Downtown Residents Association CALUC. At the time of writing this report, a letter from the CALUC had not been received; any correspondence received prior to an opportunity for public comment, provided Council advances the application through the process, will be referred to Council for consideration.

ANALYSIS

The proposal is generally consistent with the design policies and guidelines contained within the *Official Community Plan*, 2012, and the *Downtown Core Area Plan*, 2011 and its appendices. Further analysis of the proposal's consistency with these guidelines is contained below. The requested reduction in the south side yard setback is recommended as supportable as the building, remains largely unchanged with adequate breathing room and the carriageway through the site maintained.

Development Permit Area and Design Guidelines

The Official Community Plan (OCP) identifies this property within Development Permit Area (DPA) 2 (Heritage Conservation) Core Business. The objectives of the designation are to conserve and enhance the character of the Downtown, realize the architectural potential of the area, and encourage revitalization of the area through design control of new infill buildings and landscaping. Design guidelines that apply to DPA 2 are the Advisory Design Guidelines for Buildings, Signs and Awnings and the Downtown Core Area Plan (DCAP), 2012.

Downtown Core Area Plan (2011)

The intent of the guidelines contained within the DCAP are to ensure new development is integrated into the existing neighborhood in a sensitive manner. The guidelines provide direction to animate the street frontage with landscaping and entrances to residential units that are easily identifiable. The proposed entrance to the apartment tower, as well as the entrances to the proposed townhouses on Caledonia Avenue, are in accord with these guidelines.

Design Guidelines for Buildings, Signs and Awnings (1981)

These guidelines state that an acceptable application will include consideration of an attractive streetscape and that the architecture and landscaping of the immediate area be identified and acknowledged. In evaluating a design, particular emphasis will be placed on these general aspects: design approach, relevancy of expression, context, pedestrian access, massing,

scale, roofline, street relationship and landscape plan. The Application is consistent with the Guidelines.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

CONCLUSIONS

The proposal is consistent with the design policies and guidelines contained within the *Downtown Core Area Plan*, 2011 and its appendices. The changes that have occurred since the original proposal's approval in 2015 are minor in nature and do not alter the integrity of the design. For this reason, staff recommend Council support the application.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00064 for the property located at 785 Caledonia Avenue.

Respectfully submitted,

Charlotte Wain Senior Planner – Urban Design Development Services Division

Jonathan Tinney, Director Sustainable Planning and Community Development Department

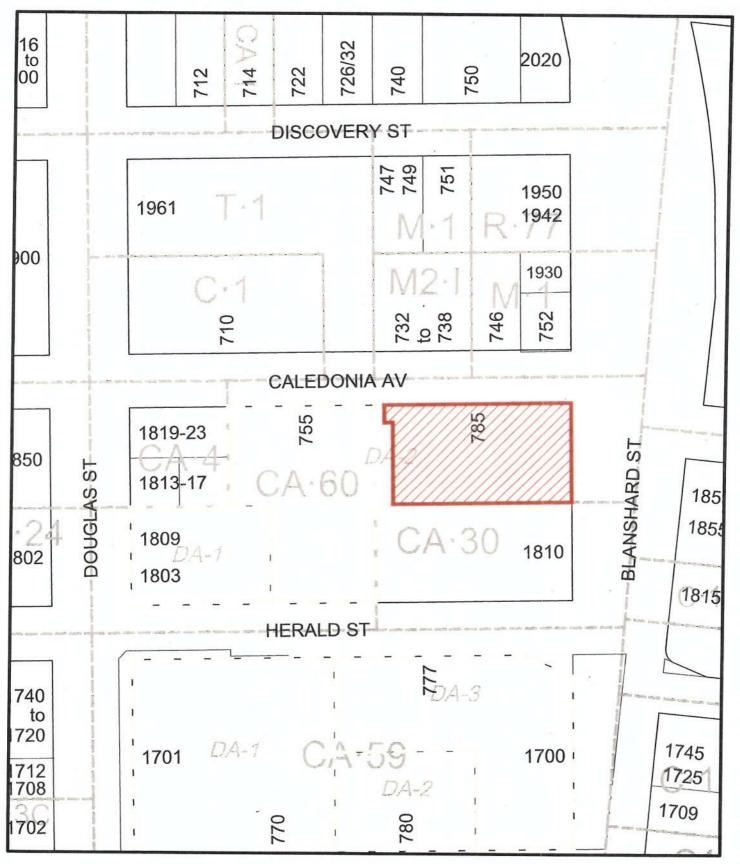
Report accepted and recommended by the City Manage

Date

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Letter from applicant to Mayor and Council dated December 28, 2017
- Attachment D: Plans date stamped November 23, 2017
- Attachment E: Minutes from Council meeting of November 26, 2015
- Attachment F: Correspondence.

ATTACHMENT A

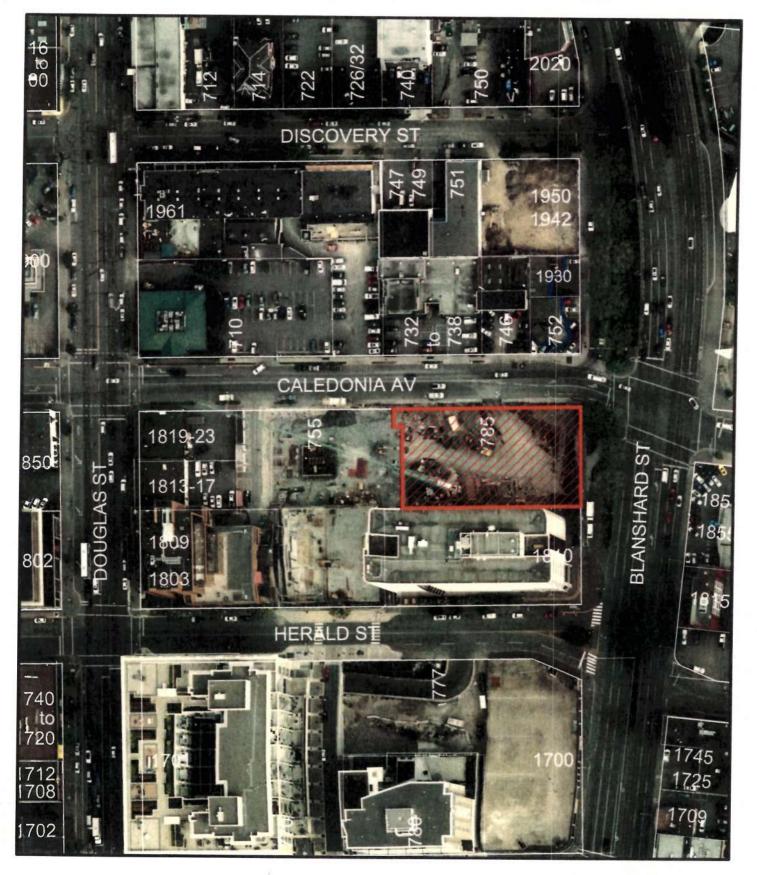




785 Caledonia Avenue Development Permit with Variance #00064



ATTACHMENT B





785 Caledonia Avenue Development Permit with Variance #00064





December 28, 2017 City of Victoria 1 Centennial Square Victoria, BC V8W, 1P6

Dear Mayor Helps and Council;

RE: Development Permit Amendment – 785 Caledonia Legal Description: Parcel Identifier: 000-059-897 LOT A, OF LOTS 699 TO 700 INCLUSIVE, AND OF LOTS 703 TO 707 INCLUSIVE, VICTORIA CITY, PLAN 13333, EXCEPT PART IN PLAN EPP3862

Townline is pleased to submit for a development permit amendment for our project, Hudson Walk Two, located at 785 Caledonia. The purposed of the permit amendment is to cover changes made to the building during construction which include: the outdoor landscape design; subtle exterior changes and a change to expand the floor space of the commercial space for the building. The building was completed in June 2017 and granted an "okay to occupy" based on the condition that the above noted changes would be finalized through both development permit and building permit amendments.

Outdoor Amenity Revisions

Townline revised the landscape design of the outdoor amenity area which connects the Hudson Walk towers after the start of construction of the second phase. The rationale for changing the design was to better integrate the outdoor program areas with a public art piece that was commissioned by Townline for the project. The revisions to the design retained the intent of satisfying the original program that was approved as part of the original development permit. This includes a dog run, extensive plants, shrubs and trees, a children's play area, seating areas, historic artifacts from the Hudson's Bay Building and a sculptural art piece designed by Mark Ashby and Kate Stefiuk entitled "Trade Blanket". The revisions to the space were made to integrate the art piece into the space which conveys the idea of laying a blanket out over the space.

The now completed amenity space is a vibrant and unique destination which is open to both Hudson District residents and the general public. We have received many compliments on the space and we are pleased that it has become such a successful component of the Hudson District and adds yet another interesting space to downtown Victoria

Building Exterior Changes

During the project Townline and its design team made slight revisions to the exterior design of the building including removal of some exterior brick on the north commercial façade which was done to provide continuity with Hudson Walk One. A revised design to the exterior decorative panels was also submitted, this change was made to marry the design to features in the amenity area. A picture of the decorative panels on the NE side of the building (i.e. Blanshard and Caledonia) is provided, these were

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proposed and approved as part of the original development permit application to provide visual interest to the building.

Expansion of Commercial Retail Area and Request for Side Yard Setback Variance

As you may be aware, Townline is working with a prospective tenant interested in operating a brew pub in the commercial space of Hudson Walk 2. While this proposal is contingent on the use being approved under the City's Downtown Bylaw update, the space was reconfigured during construction to allow for this potential use (i.e. increased slab thickness, rough in for freight elevator, etc...). The tenant also requested additional interior space in order to meet the seating requirements for the business plan and asked if an area that was previously approved as a covered outdoor patio could be enclosed to match the rest of the podium.

Townline representatives discussed this change with City staff understanding that development and building permit amendments would be required. At risk, Townline proceeded with enclosing the area while concurrently preparing the revised plans to submit to the City. However, upon further review with City staff, the matter was more complex beyond a delegated development permit amendment and resulted in the delay to obtaining final occupancy for the entire building. This includes the requirement for a side yard setback variance along the south property line from 4.5 to 0.68m as the commercial podium portion of the building was extended along the Blanshard elevation of the building which resulted in a improved façade for the building design.

To secure the commitment to resolve the matter, Townline register a clean hands covenant and provided a security deposit in favour of the City. The changes being requested through the development permit amendment will allow for Townline to finalize the outstanding permitting and finalize the project.

I trust the above outlines the changes being requested to amend our development permit, if you have any questions; please contact me directly at 250.383.2122 or at justin.filuk@townline.ca

Sincerely,

Justin Filuk Director of Development - Victoria

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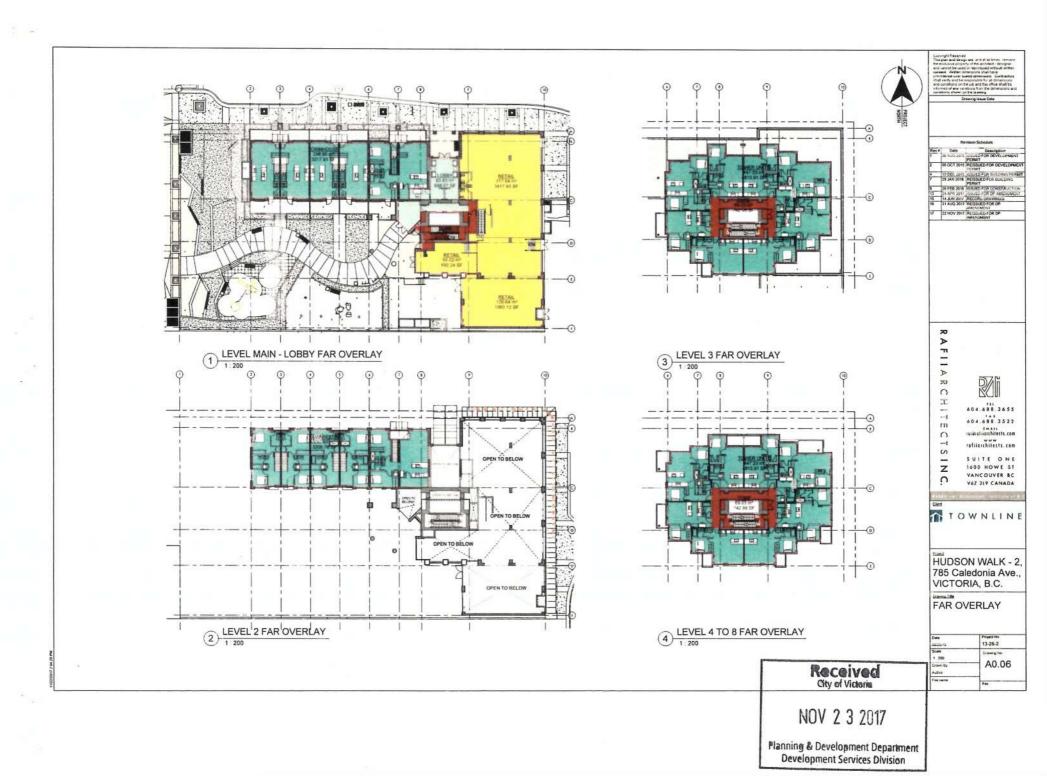


DAY AND NIGHT VIEW FROM CORNER OF BLANSHARD ST. AT CALEDONIA AVE.

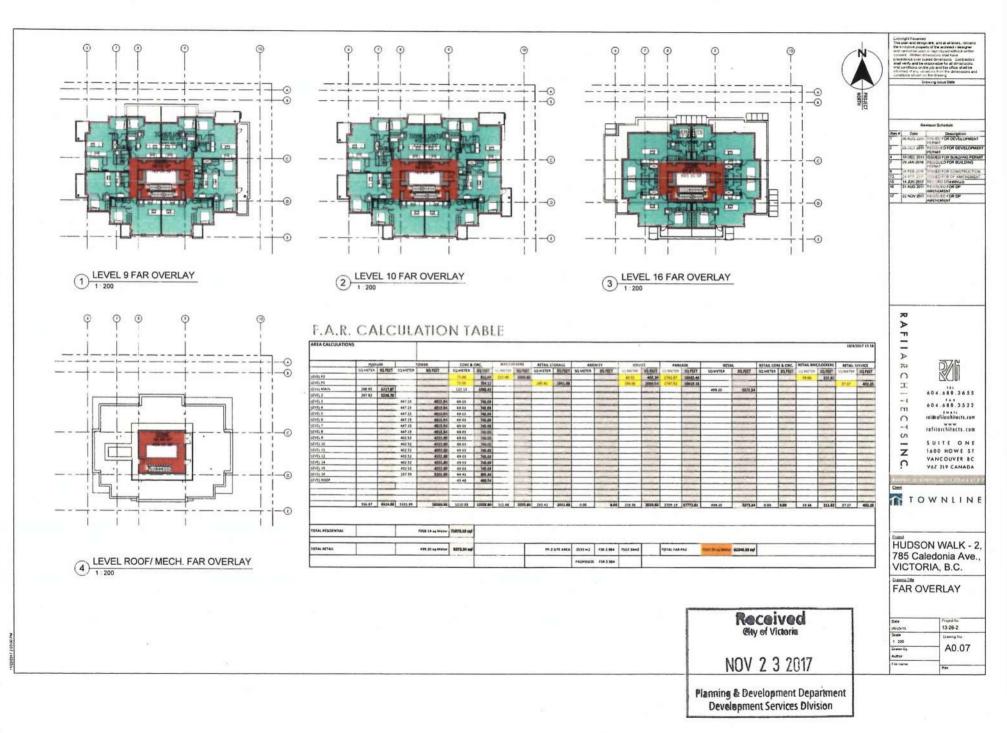


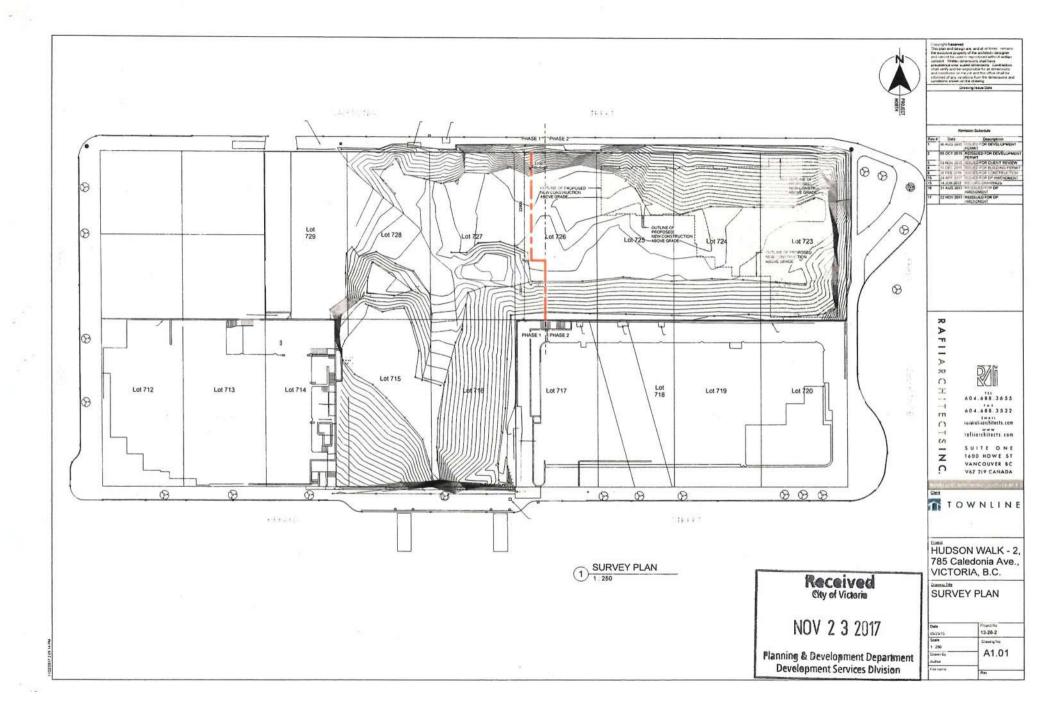
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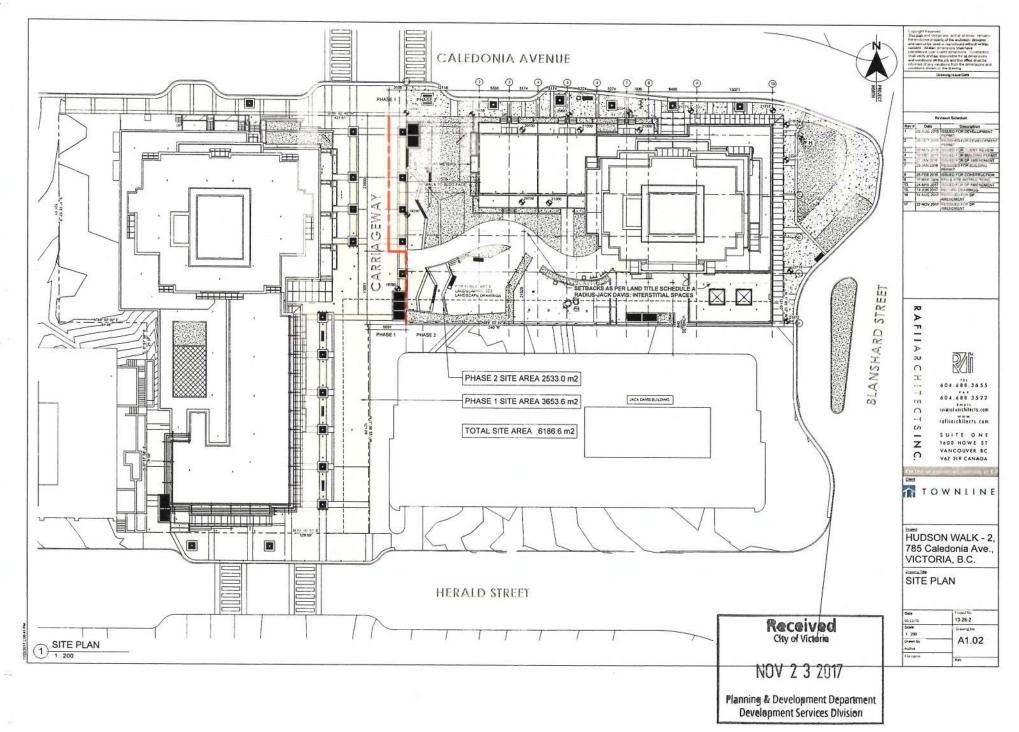
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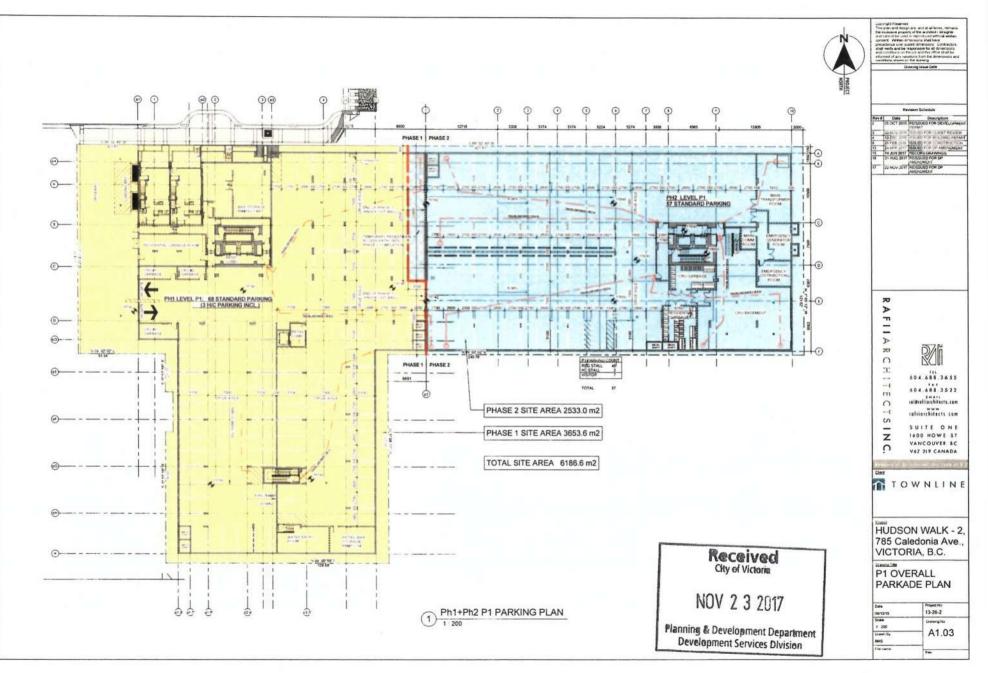
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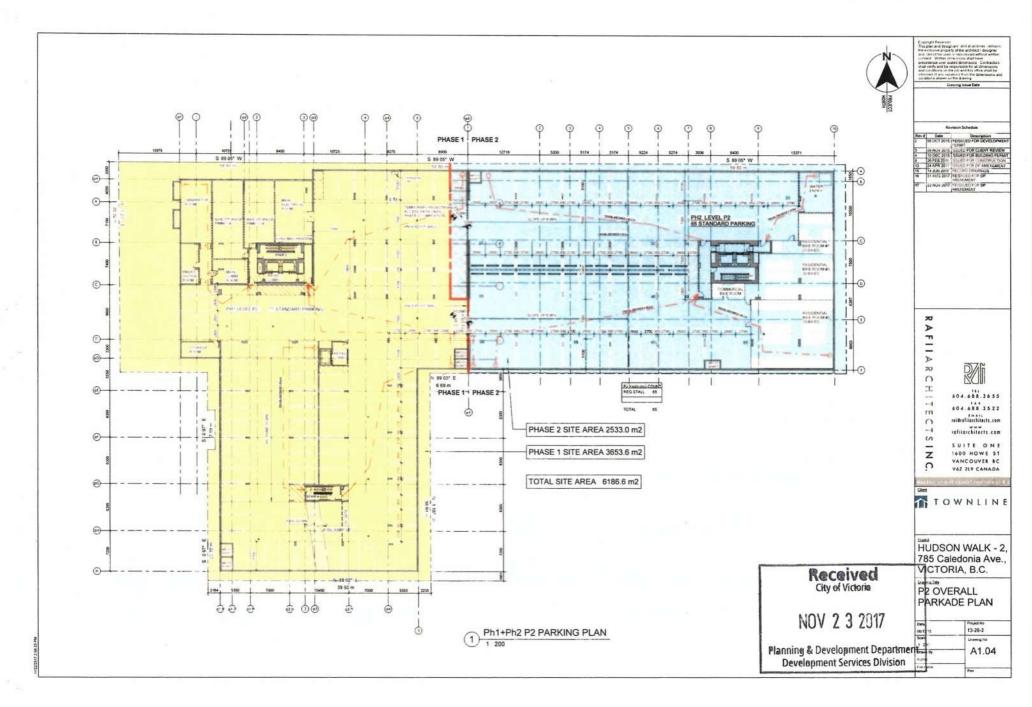


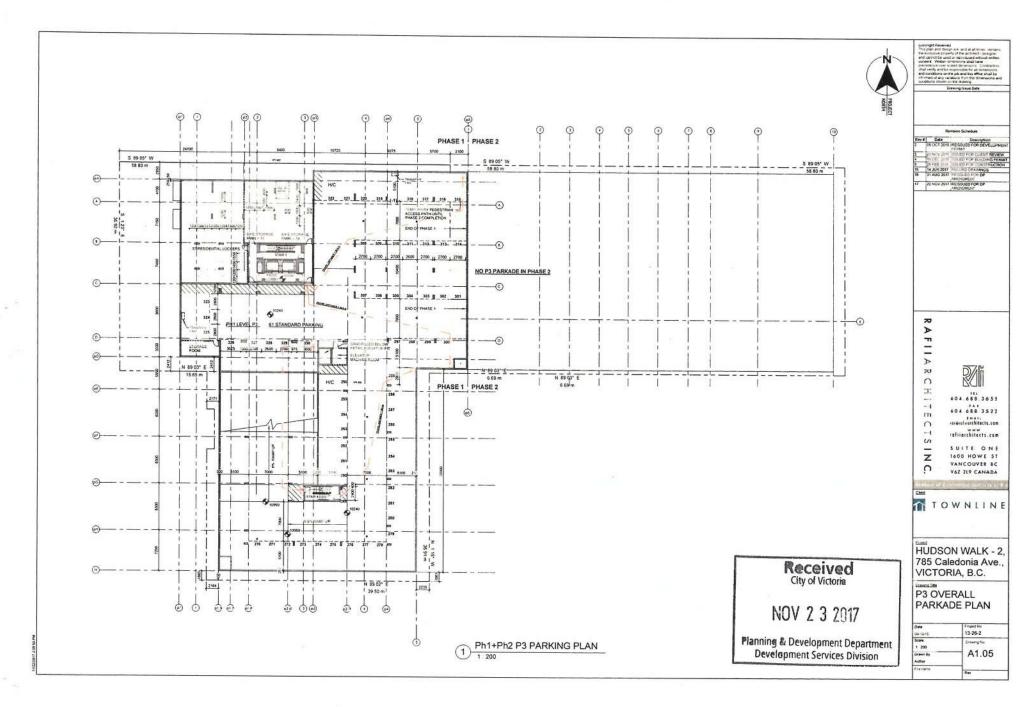
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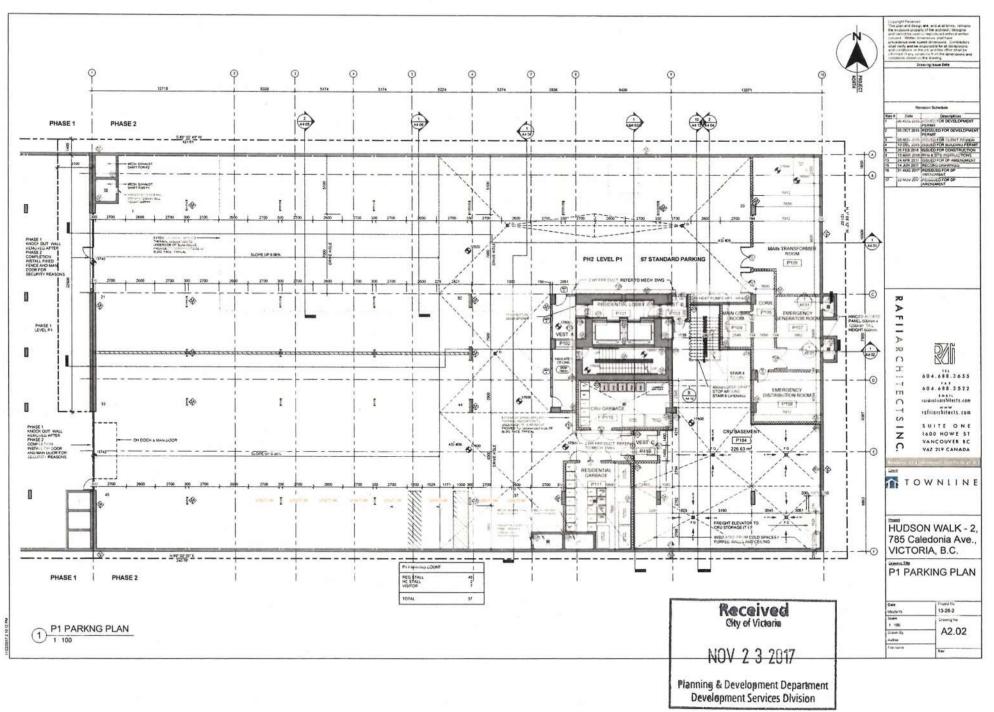
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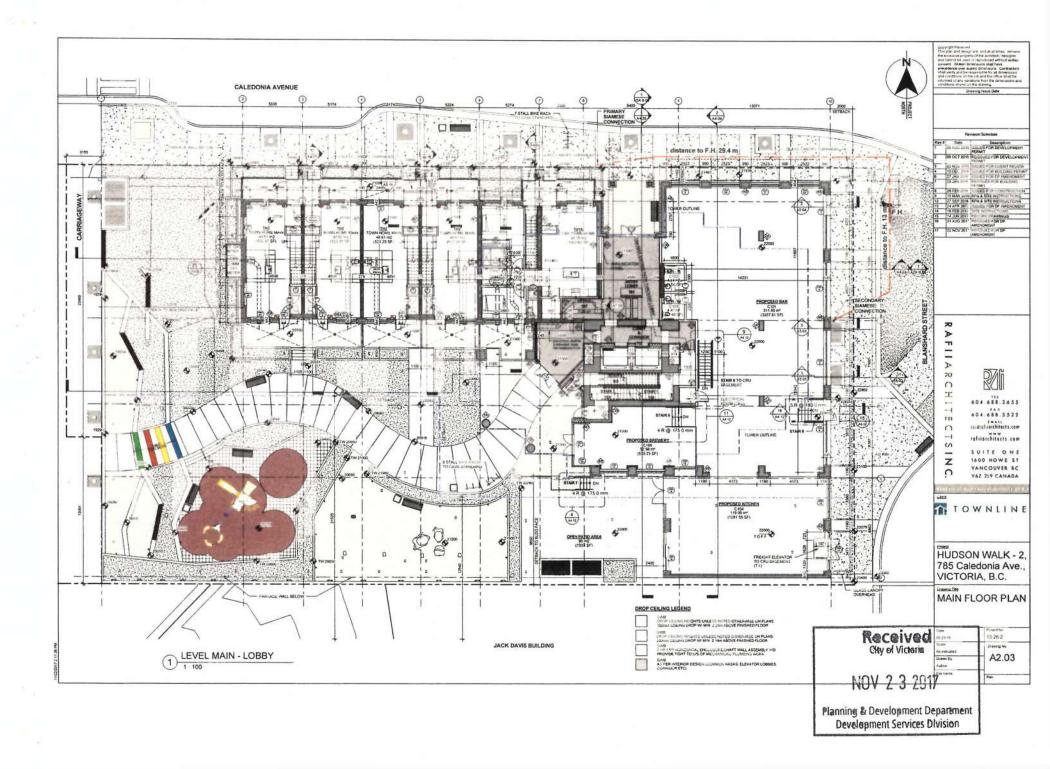


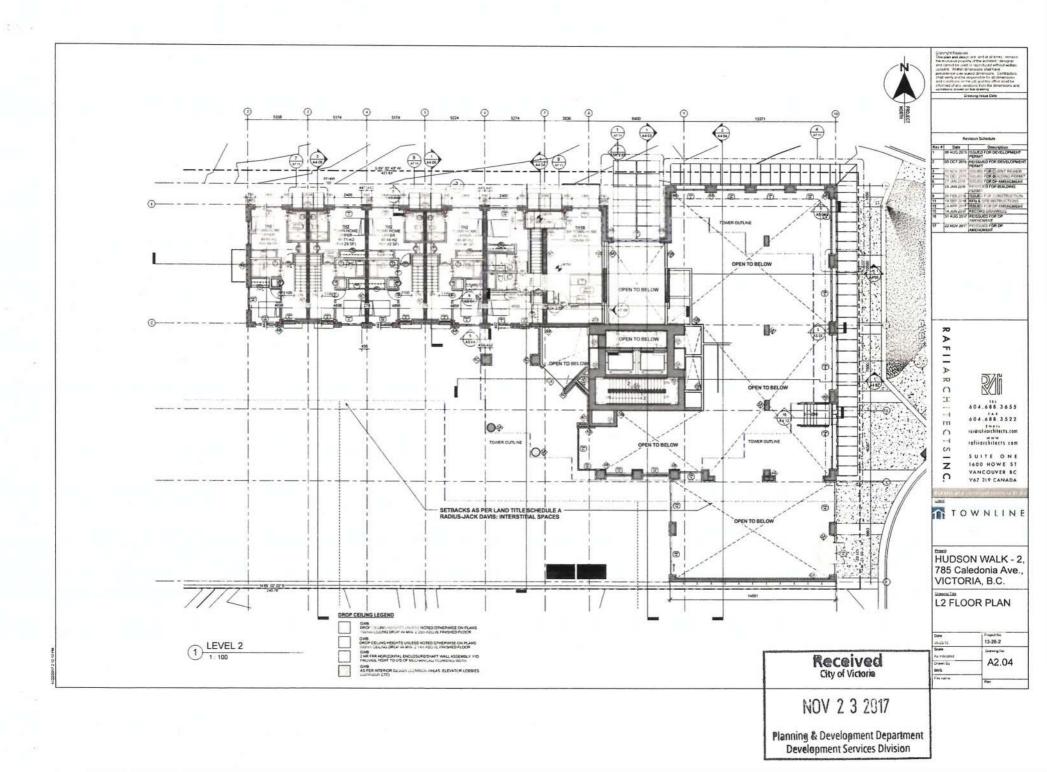


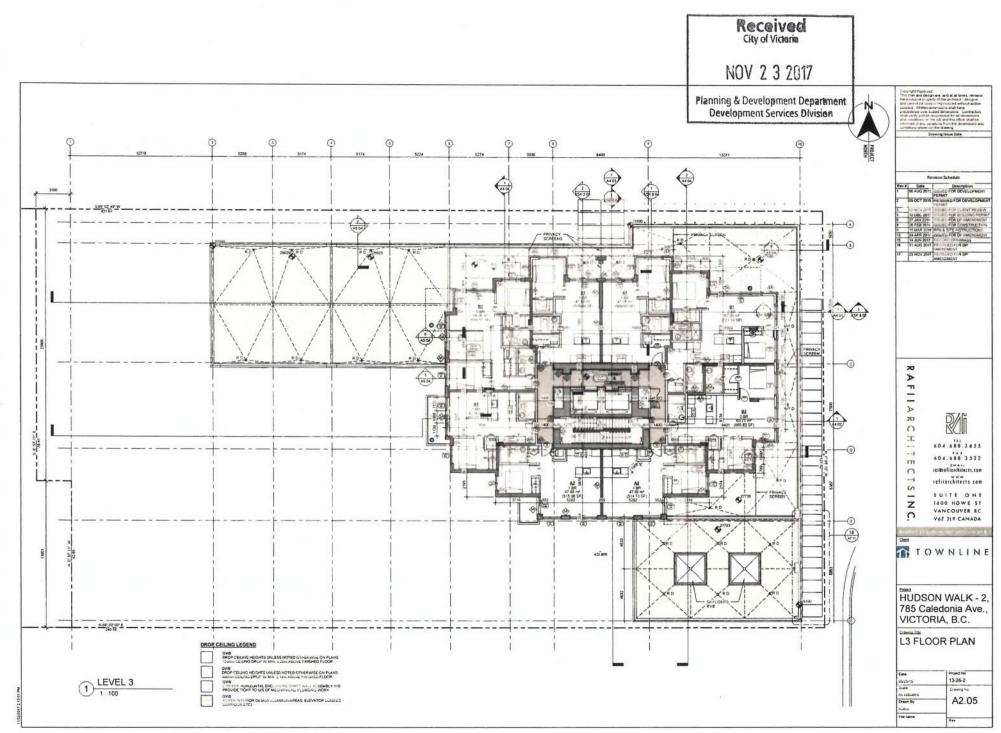
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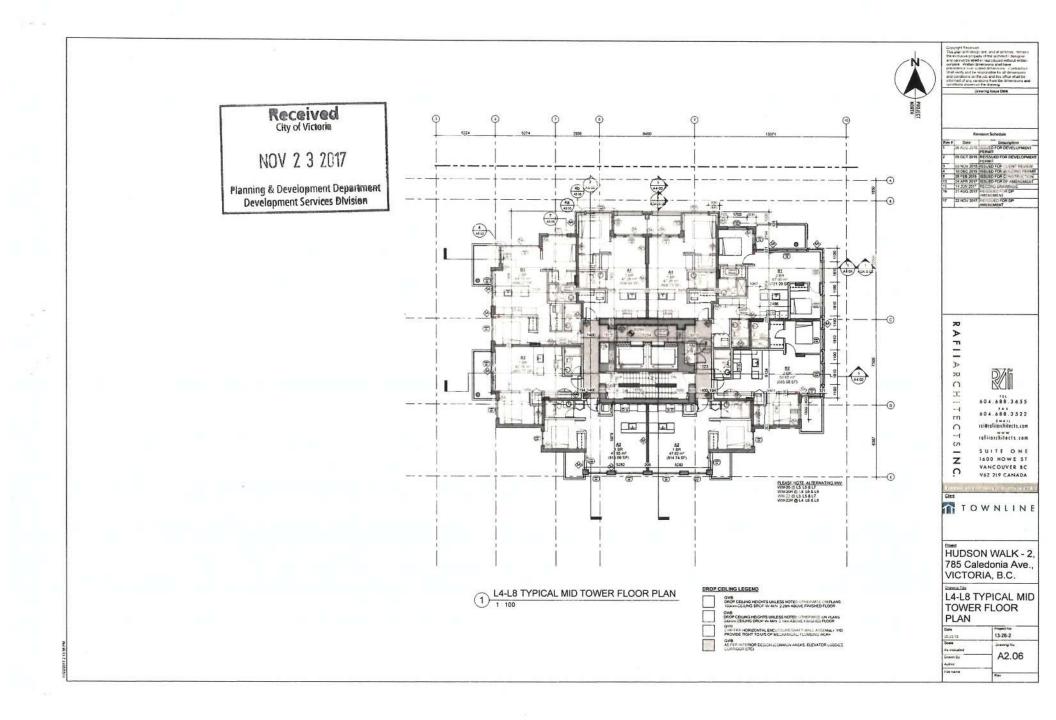


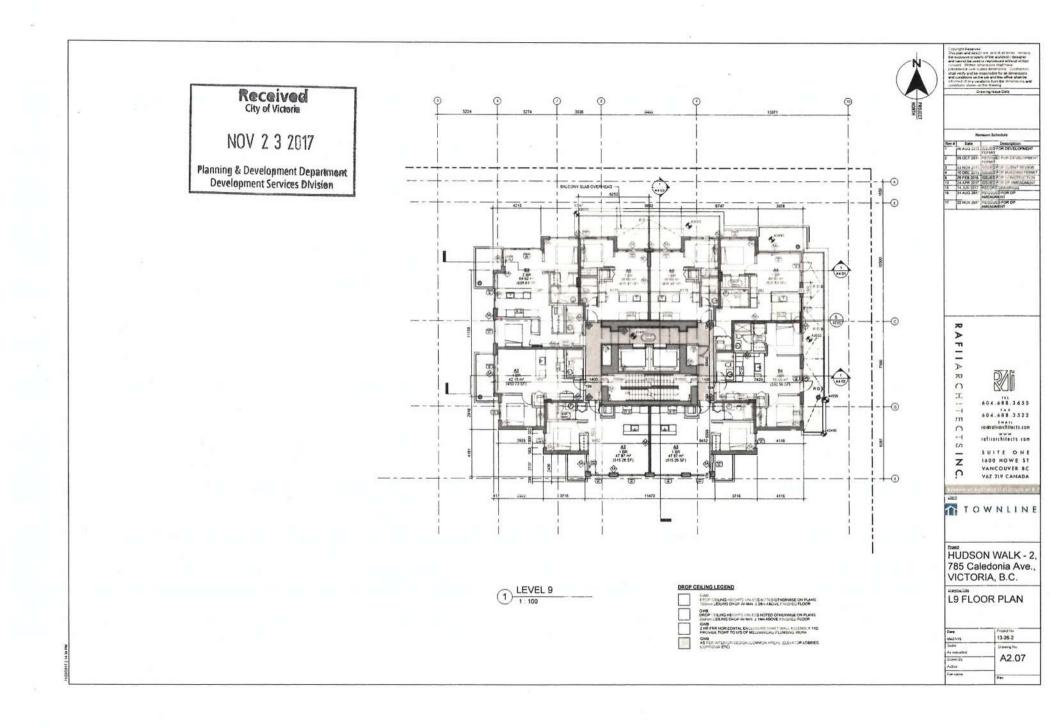
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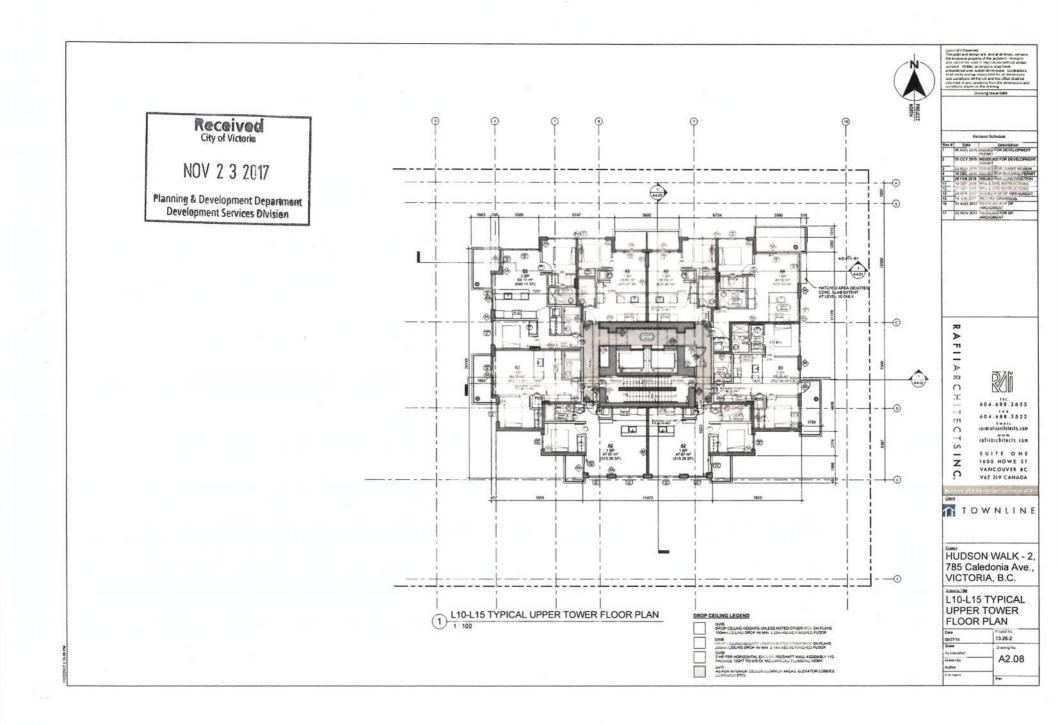


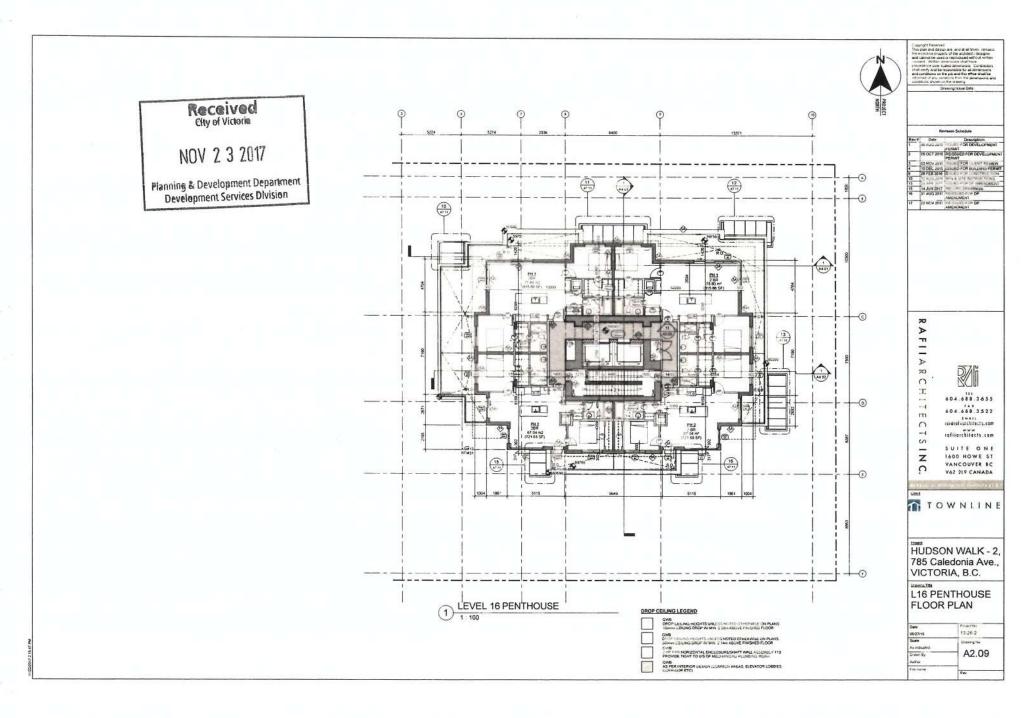


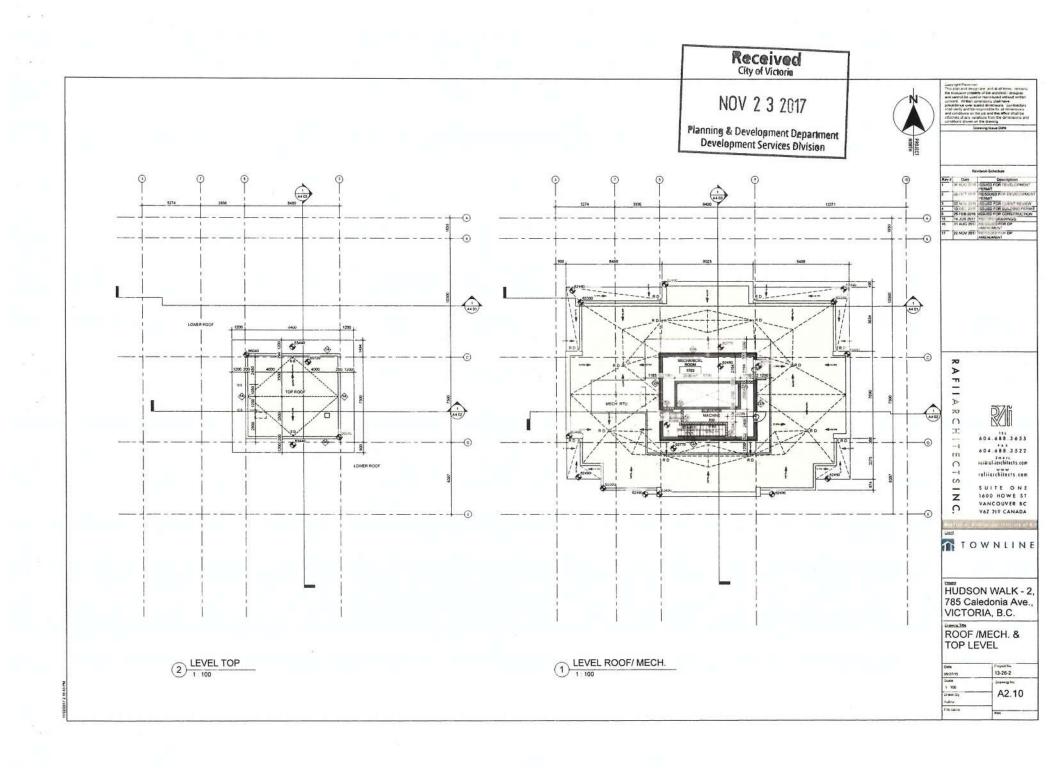


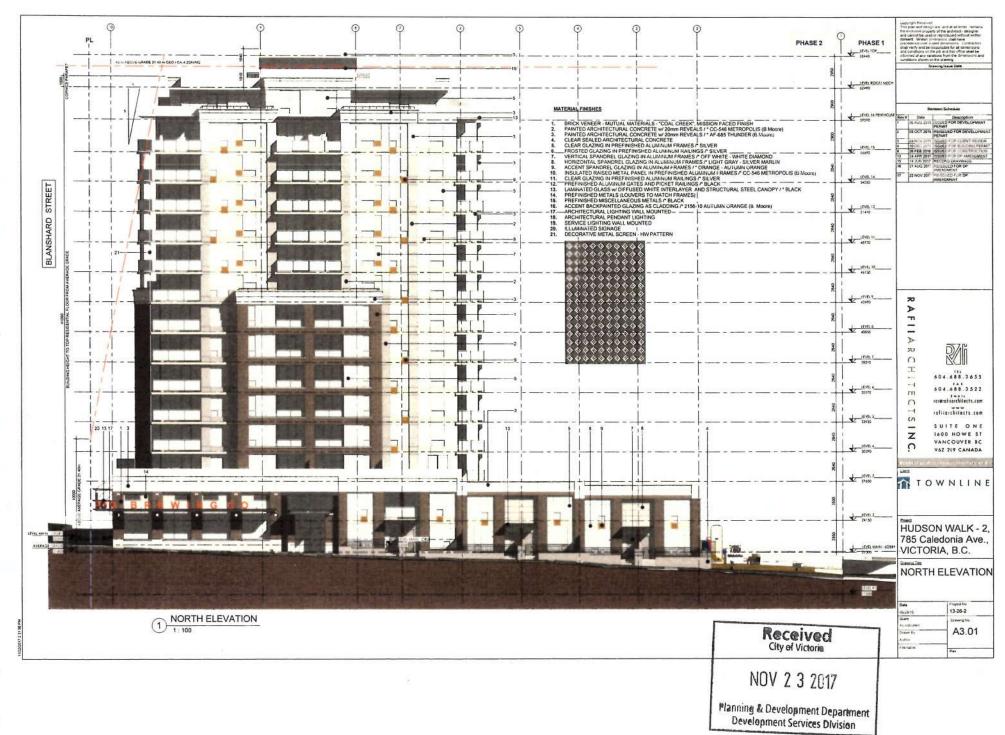




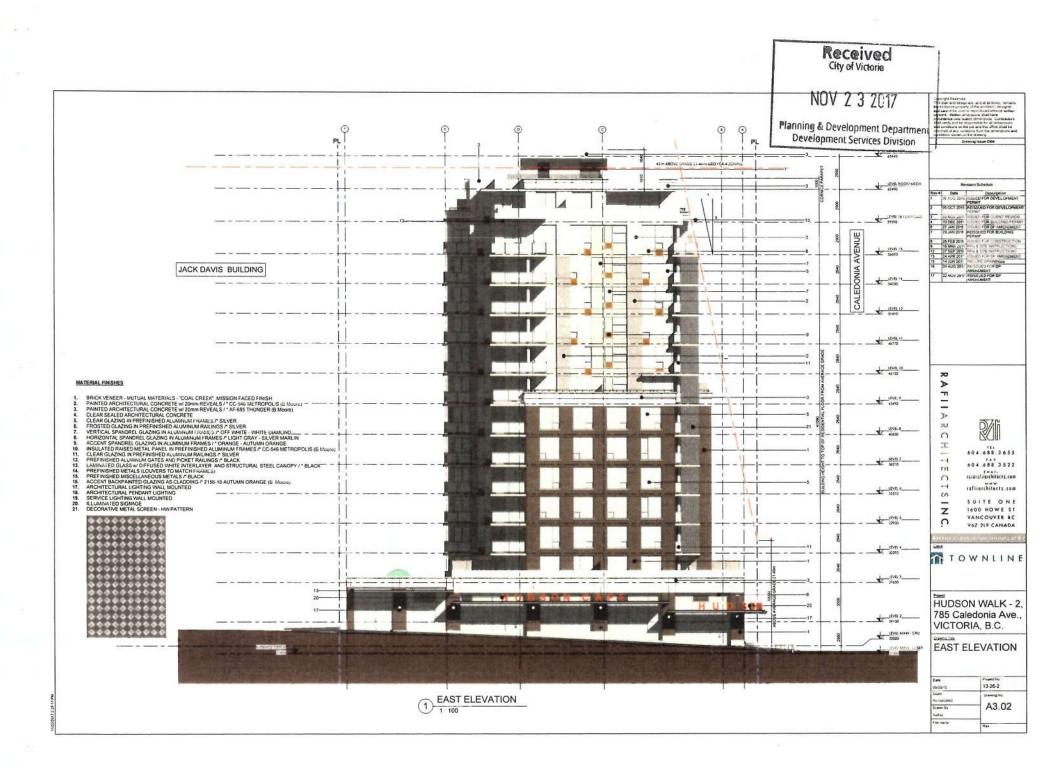


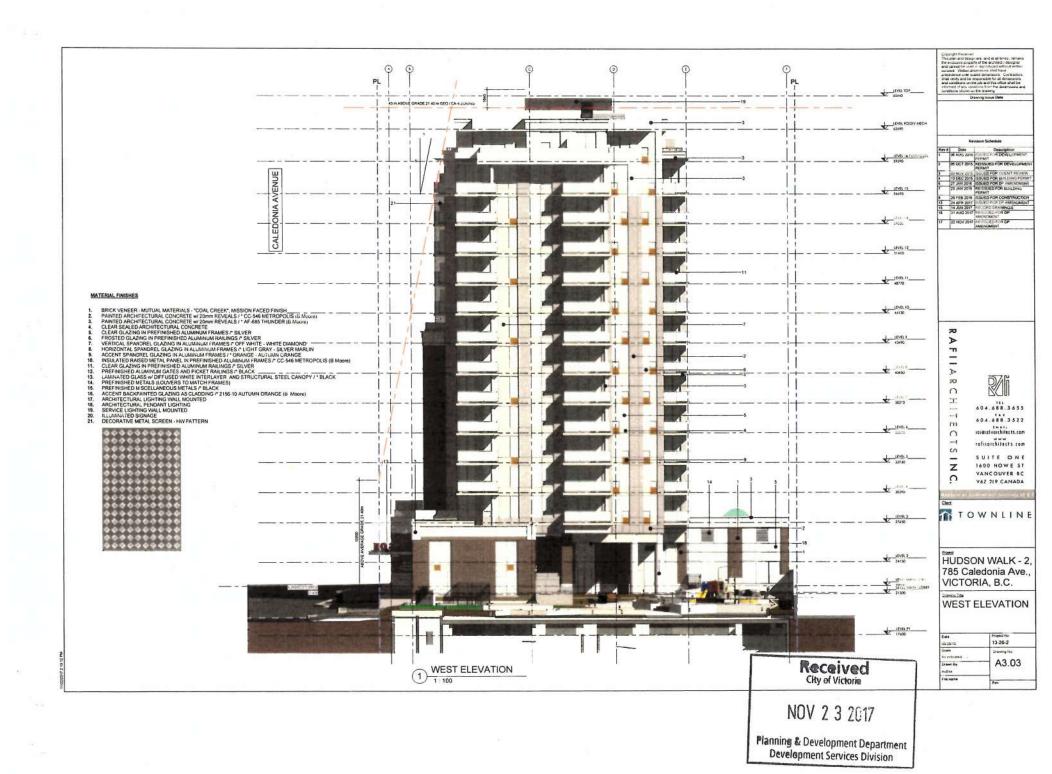


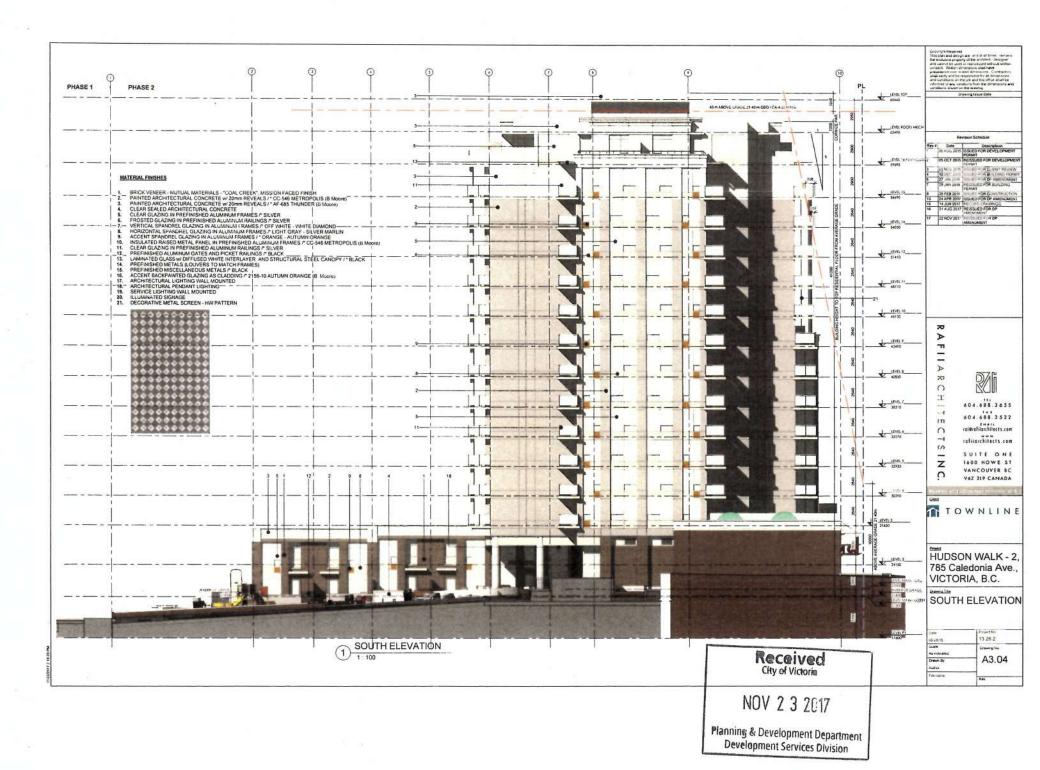


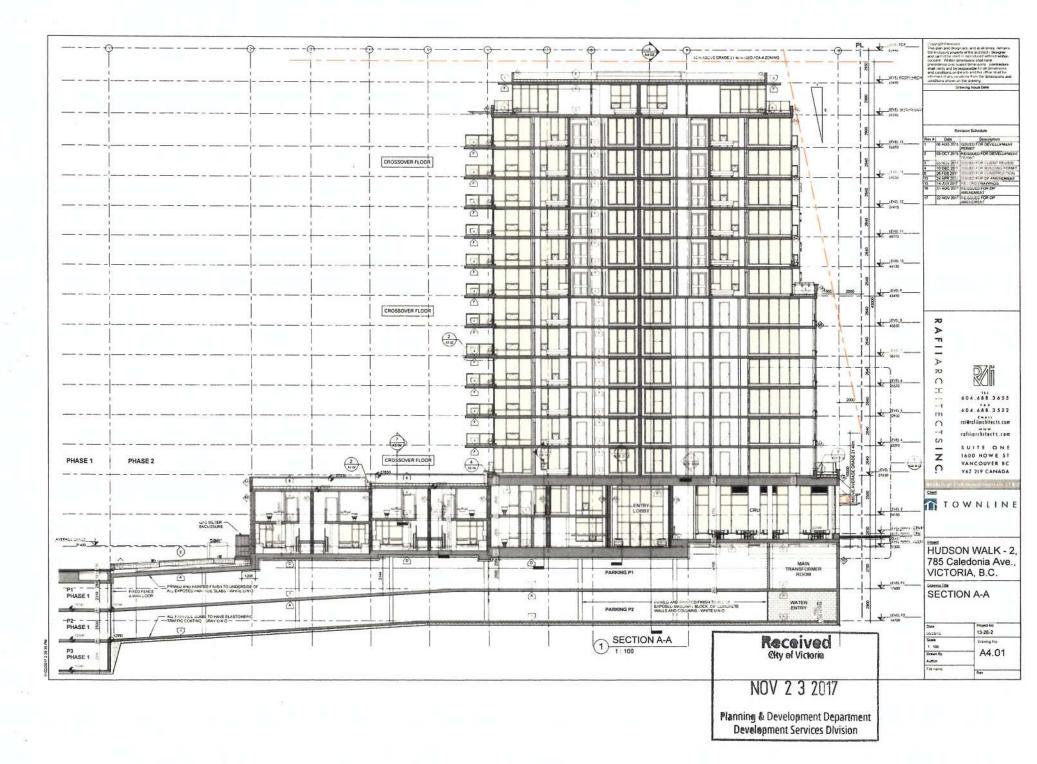


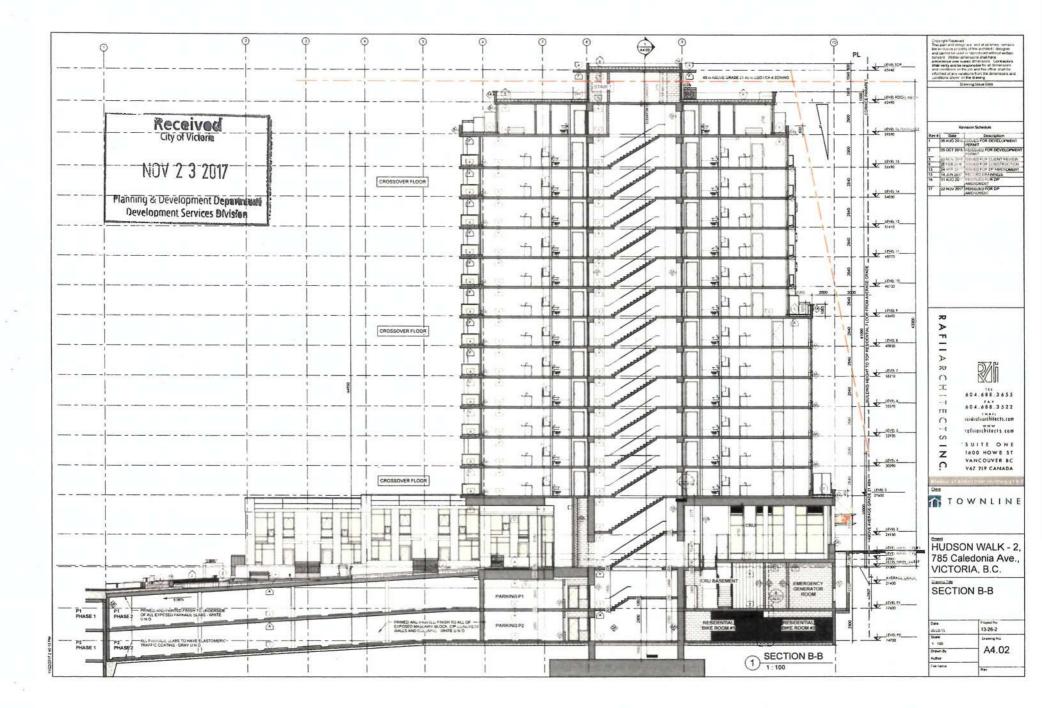
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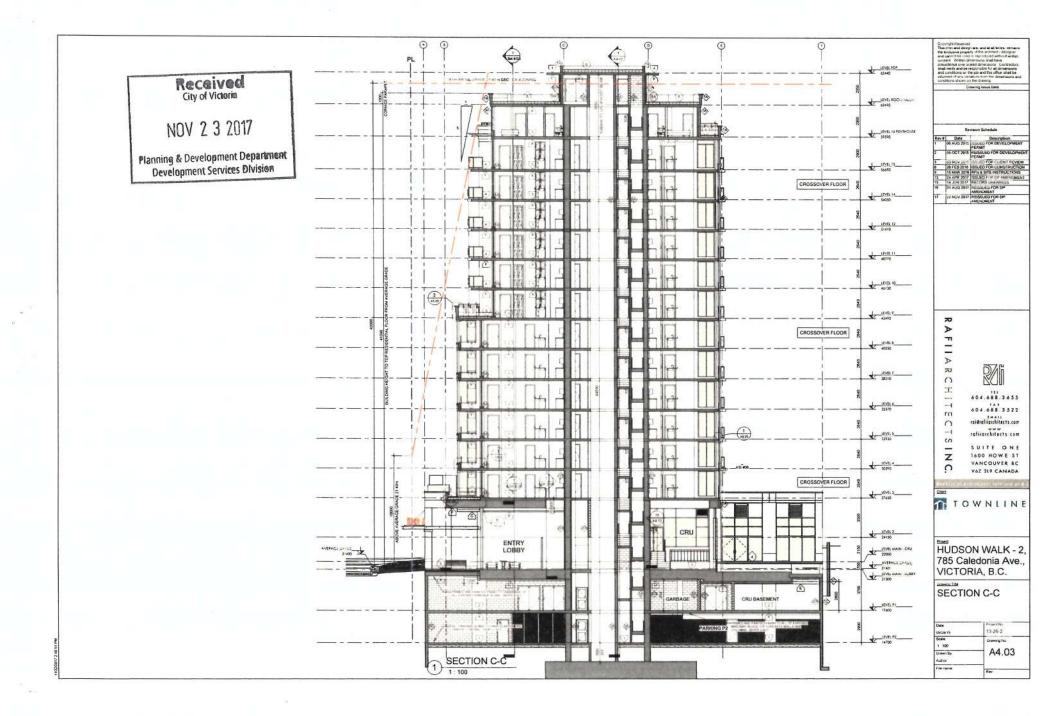


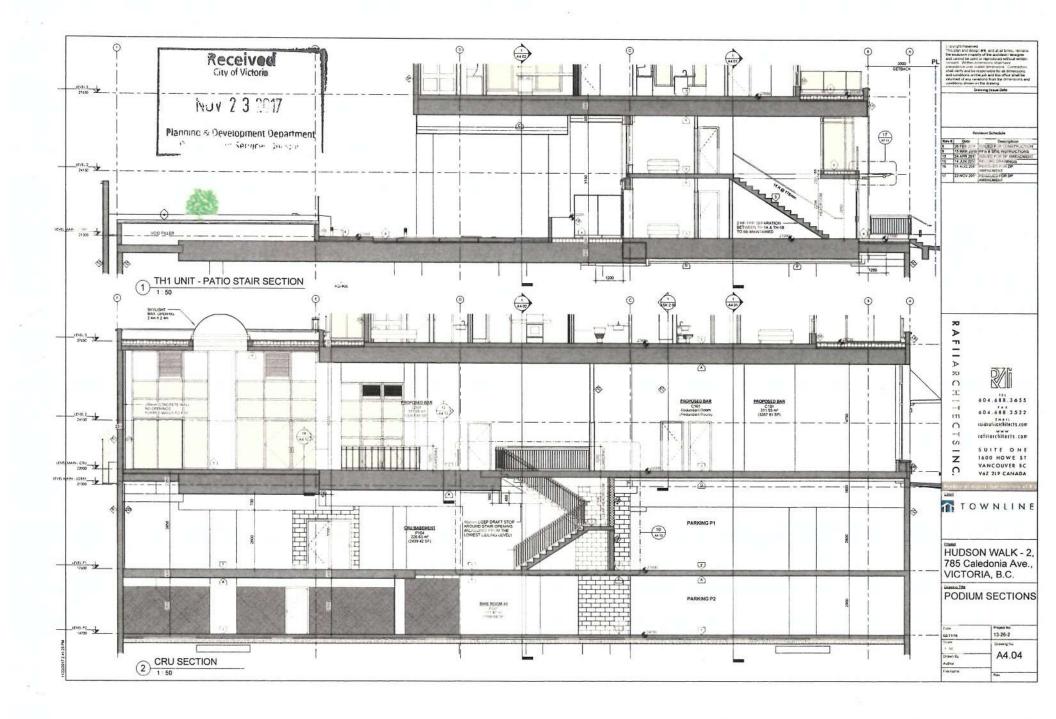


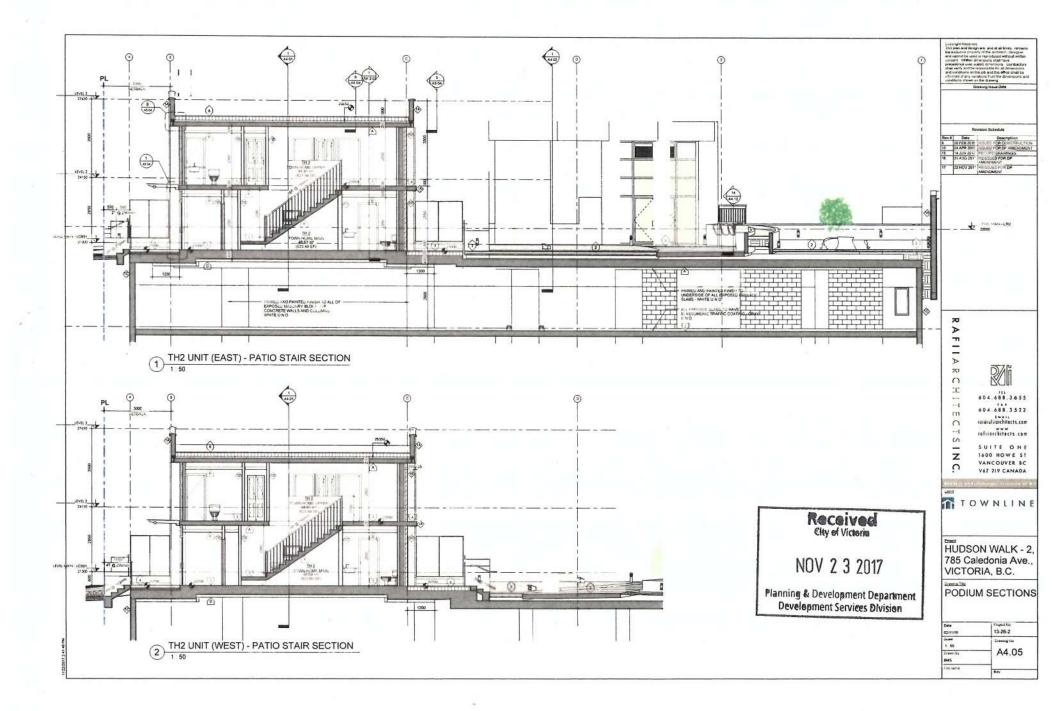


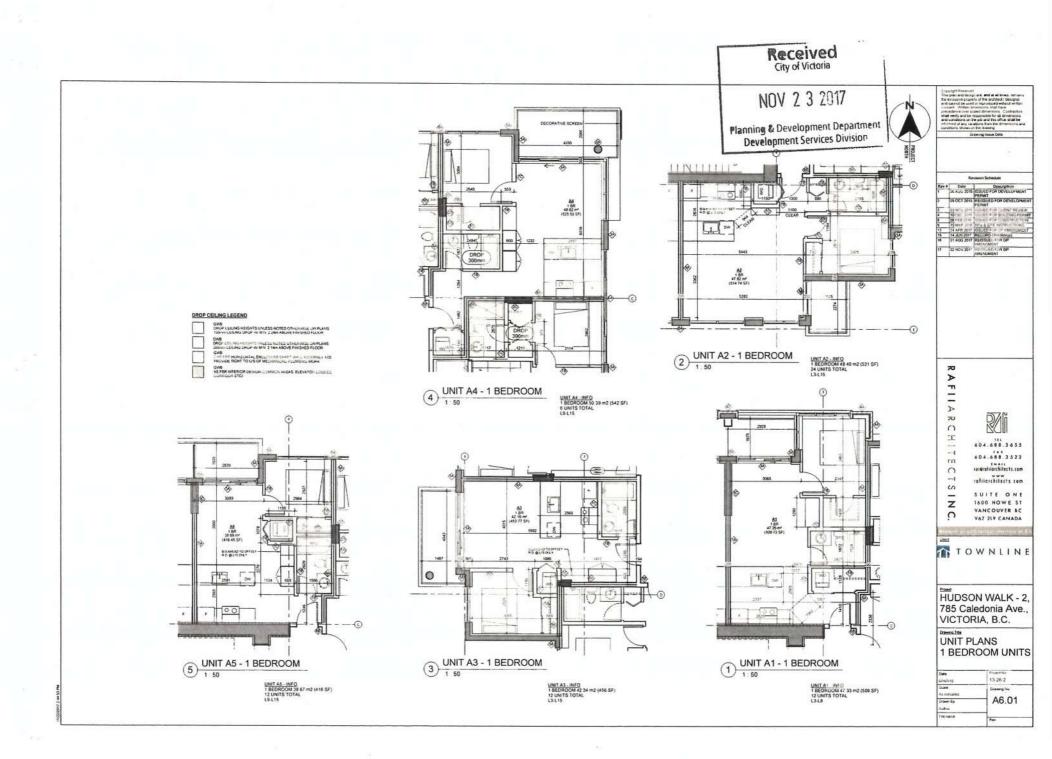


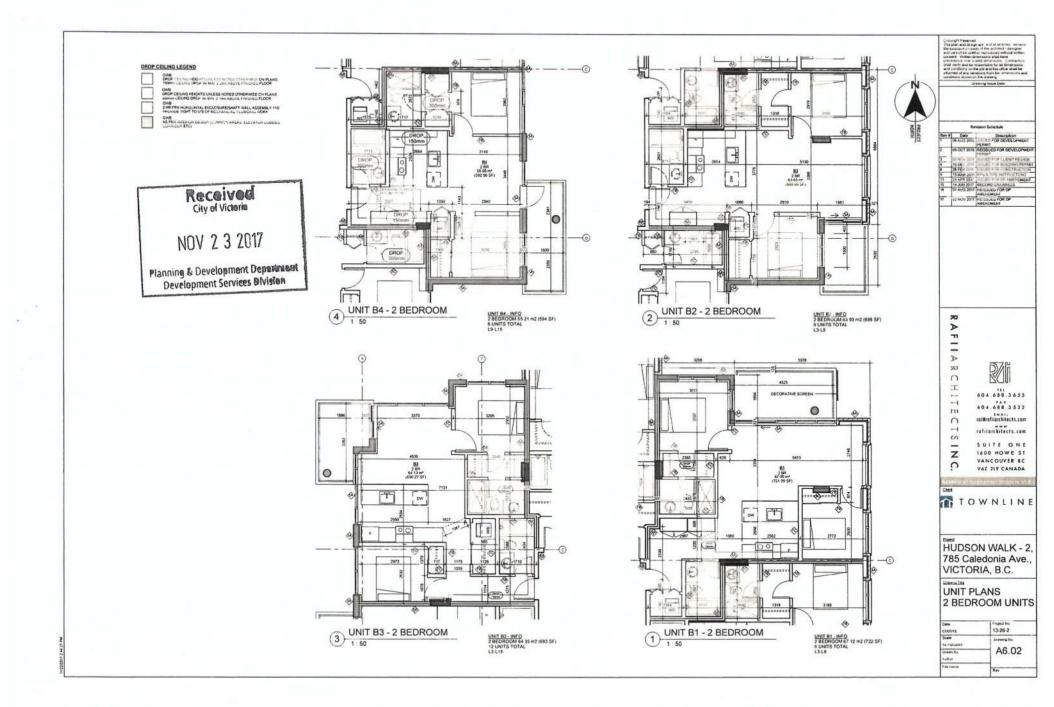


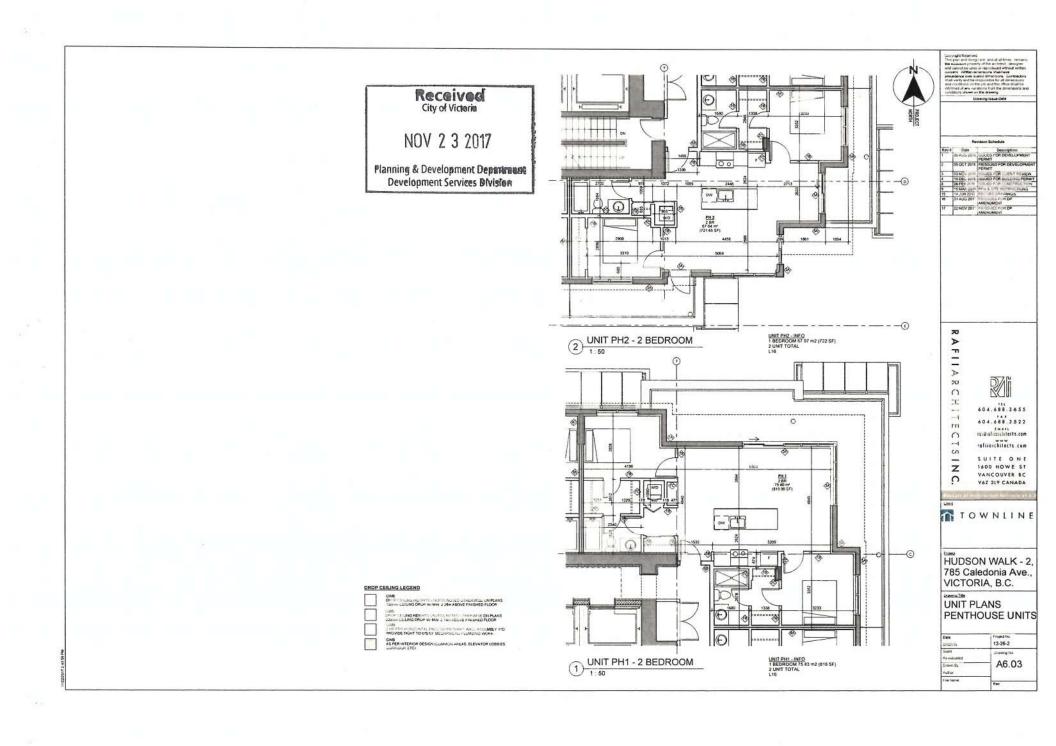


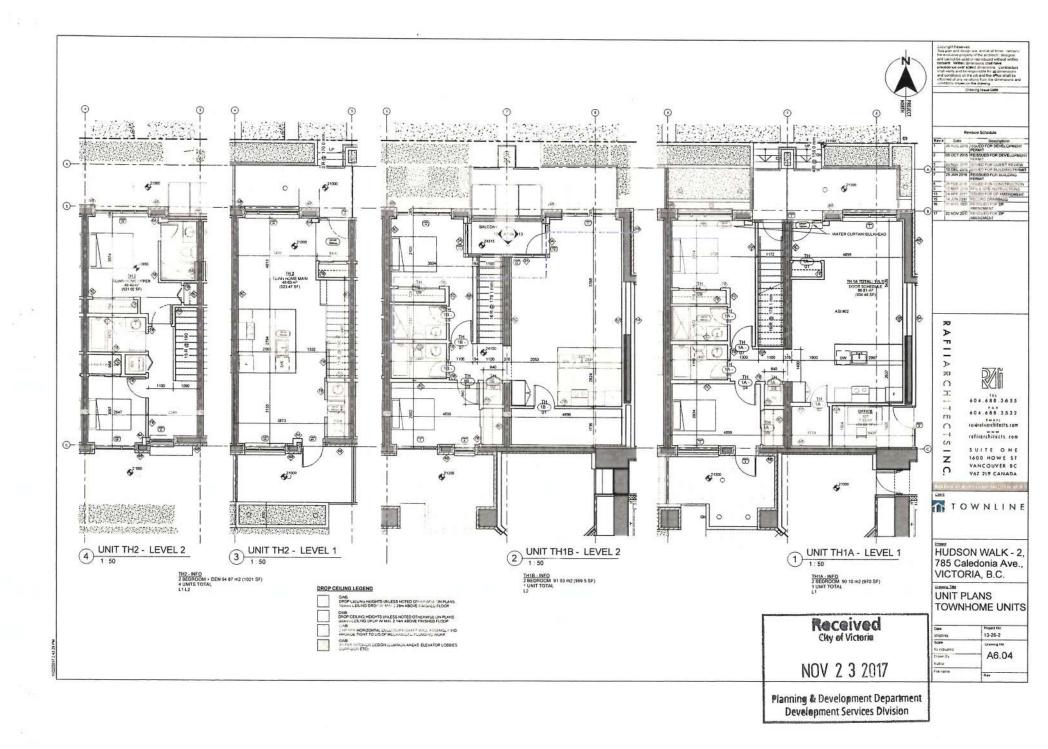












HUDSON WALK 2 - VICTORIA, BC

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725 Caledonia Ave. Victoria. BC

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Townline Homes	120 - 13575 Commerce Parkway	CLIENT	
	120 - 13575 Commerce Parkway Richmond, BC		

Dra	wing List	
LAND	SCAPE PLAN	
L-1.1	Overall Site Plan	
L-1.2	Planting Plan	
AND	SCAPE DETAILS	
L-2.1	Landscape Details	
L-2.2	Play Equipment Details	
	COADE RECTIONS	

L-2.3 Landscape Section A L-2.4 Landscape Section B L-2.5 Landscape Section C

Mate	Naterial Legend			Fum	ture Leger	re Legend		
Key	Graphic	Description	Defail Key	Key	Graphic	Description	Delai Ke	
0		CIP Concrete Paving Colour: Integral coloured Finish: Light Broom Pattern: Saw cut as shown un plan		Ø		Melal Bench To be chosen by owner		
•		Birds Eye Gravel - Dog Park		0	/	Custom Wooden Bench IPE Wood Mounted on Grade		
✨		Concrete Unit Pavers Ste: 24" X 12" X 2 Pattern: Stoggered running bond Suppler: Abbatkotd Concete	9	0		8 Stafl Nike Rack Model: Lancscope Forms Ring Mounting: Surface		
•		Concrete Unit Pavers Size 8 × 4 Colour Charcoal Pattern: Hemingbone 45 degrees Suppler: Abbotslaid Concete	۲	0	hund	7 Statt Blike Rock Model: EXPO 4580 Finish: Statiless steet Mounting: Surface Suppler: Cora		
•		Hydropressed Concrete Pavers Sze: 18' x 18' x 2' Colour: Natural Pattern As shown Suppler: Abbolsford Concrete	۲	0		Trash Receptacle To be chosen by unmer		
✨		Ribar Play Surface Depth to meet required fait protection per CSA. Suppler: RecTech inaustnes OR other	۲	Θ	0	Bisto lable Maarin Rt1200-RD-15-30 Finishi Stanless steel Maunting: Surface mauni Suppler: Magin		
0		Specially Paving Concrete cursuled poving bonds by others		0		Table and Benches Model: LAT: ML181050-W Mounting: Surface mount Suppler: Nagin	(
•		Exposed Aggregate Concrete Reld To City of Victoria Standard		0	"	Dog Drinking Fountain Model: M-PF5 Series Finish: Brown cast iron Maunting: Surface mount on 24 x 24 x 12" concrete	0	
•		CIP Concrete Bonds To City of Victoria Standard Colour: Natural				Suppler: Mindock Manuracturing		
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NOV 2 3 2017 General Notes Planning & Development Department **Development Services Division**

Received City of Victoria

rigation Notes

Notes

All 'Soft Landscape Areas' are to be irrigated with a high efficiency design/built irrigation system to IIABC Standards., complete with Rain and Wind Sensor

Refer to architectural drawings for all walls and stair layout and elevations, unless otherwise noted.

Refer to electrical drawings for all final landscape lighting layout and specifications Refer to architectural and mechanical drawings for all drain locations and rim elevations

- The inigation system design and installation shall be in accordance with the irrigation Industry of BC Standards and Guidelines.
- System design and installation shall take into account elevation differences, sun orientation and other factors affecting zoning and operation of the system to minimized evapotranspiration and wind lost.
- System design shall provide for uniform complete 'Head to Head' coverage of all lawns and planted areas.
- Contractor shall be responsible to provide SHOP DRAWINGS a minimum of 3 weeks prior to installation of any irrigation for review and approval.
- Should the contractor proceed without approval, any additional modifications to the irrigation systems, as directed by the Landscape Architect shall be at at contractors cost.
- Lawns shall be irrigated on separate zones from planted areas. Controller shall be located in mechanical room.
- PRIOR to Substantial Performance, contractor shall provide a maintenance data and Operation instruction manual containing operational information for all operating components. cleancing and lubrication schedules, overhaul/adjustment schedule.
- 10. Record Drawings: Submit with the operating and maintenance manuals a reproducible copy of the AS-BUILT condition of the system.
- Contractor shall instruct a designated representative of the Owner in the complete operating and maintenance procedures for the irrigation system, including winterizing for the fist time with the designated representative observing. 12. All piping shall be class 200.
- 13. Use GSR Schedule 40 PVC designed for solvent welding to PVC pipe except where valves, risers. etc. require threaded joints. 14. Provide sleeves under all hard surfaces and as required through walls. If under vehicular paving,
- cast iron piping required. 15. Solenoid valves shall be first quality, compatible with the controller selected
- 16. Valve boxes shall be reinforced plastic boxes manufactured specifically for landscape irrigation. complete with captive lock bolt cover, sized to suit valves and other components with adequate room for operation and maintenance.

Planting Notes

- All plants / planting to be per BCNTA and BCSLA standards
- Plant selection subject to availability at the time of planting. Contractor shall source specified plant material and only after area of search has been
- exhausted will substitutions be considered.
- All trees to be staked in accordance with BCNIA Standards All plants to be sourced from nurseries certified free of P. ramatum
- Plant sizes and related container classes are specified according to the B.C. Landscape Standards current edition. For container classes #3 and smaller, plant sizes that be as shown in the plant is and the standards: for all other plants, both plant size and container calt shall be as shown in the plant list. Specifically, when the plant list calls for #5 class containers, these shall be as defined in the BCNTA (ANSI) Standard.
- All trees to have minimum 10 cubic meters of growing medium unless otherwise specified.

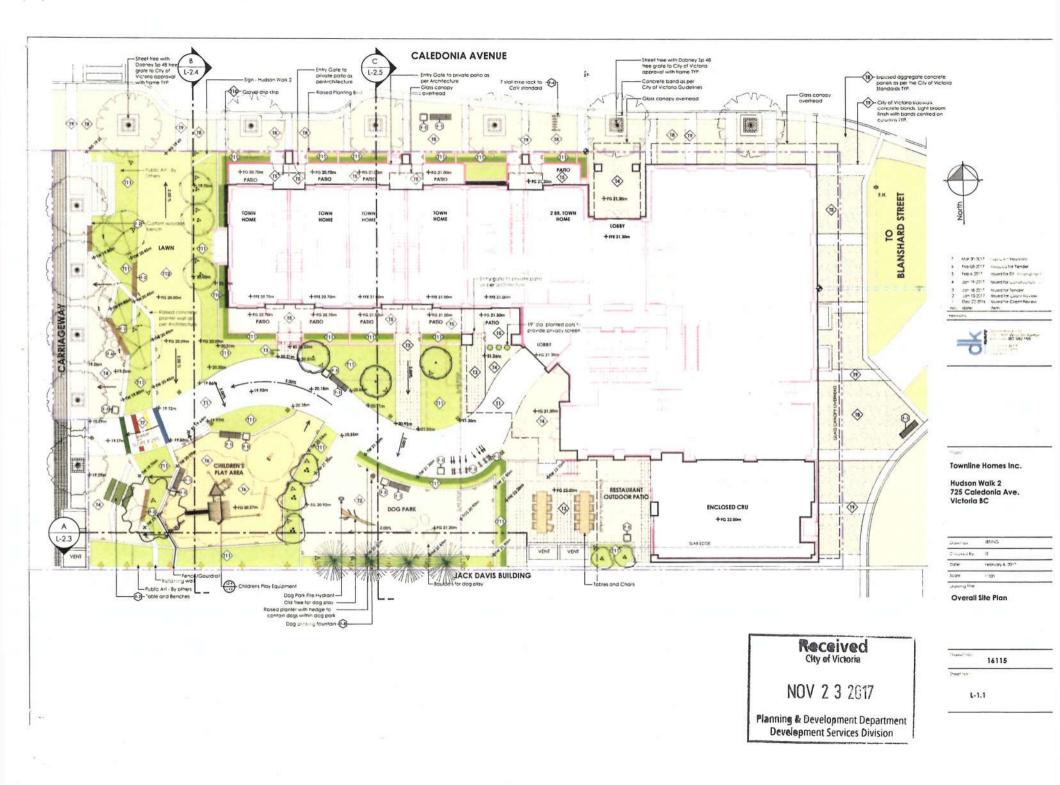
Soll Preparation and Placement Notes

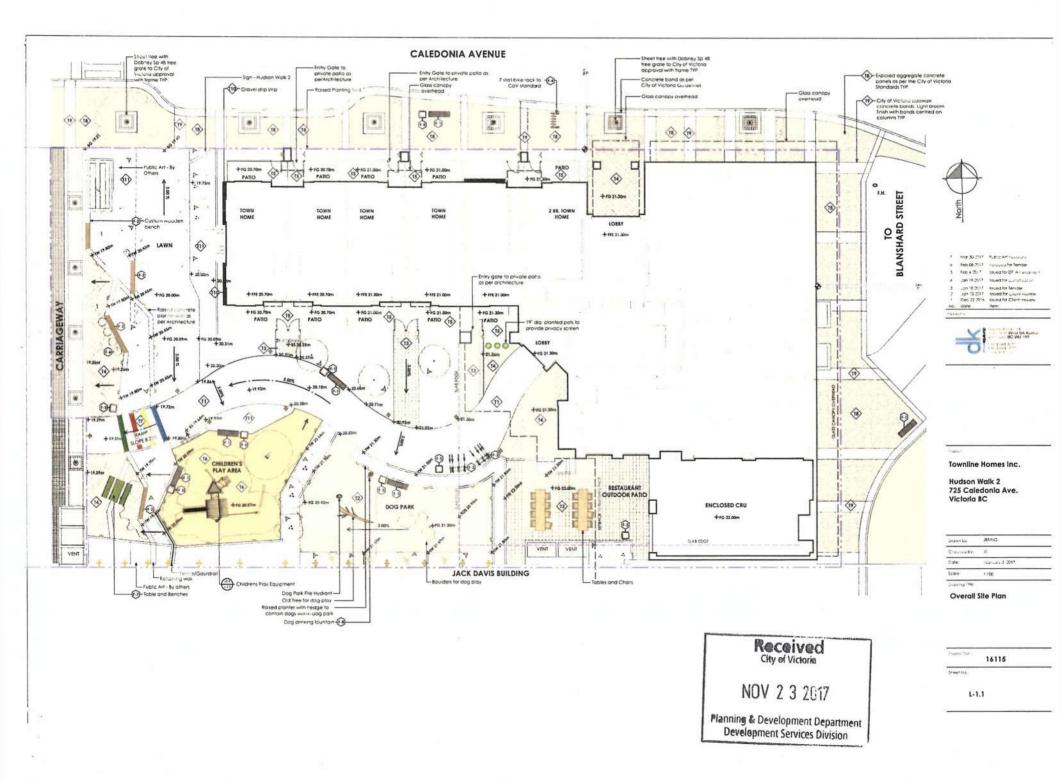
- All growing medium placed on project to meet or exceed BCNTA and B.C Landscape Standards latest edition.
- alters teamon.
 Submit sieve analysis by an approved independent soil testing laboratory for each type of growing medium being used on the project PRICR to placement for review and approved. Clearly identify source and type for each. Resubmit as required unit growing medium is approved. Provide one composite sample of each type of proposed growing medium for each different opplication within the project. minimum 1 life physical sample Submittals shall be made at least seven (7) days before
- 4. Contractor shall not move or work growing medium or additives when they are excessively wet. extremely dry, or frazen or in any manner which will adversely affect growing medium structure. Growing medium whose structure has been destroyed by handling under these conditions will be rejected. Growing medium shall not be handled in wet or frozen conditions. 5. Slab drainage shall be 19mm (3/4') diameter drain gravel free from any sill and clay as shown in
- details. Place growing medium, except structural to required finish grades and minimum depths as
- detailed, unless shown otherwise

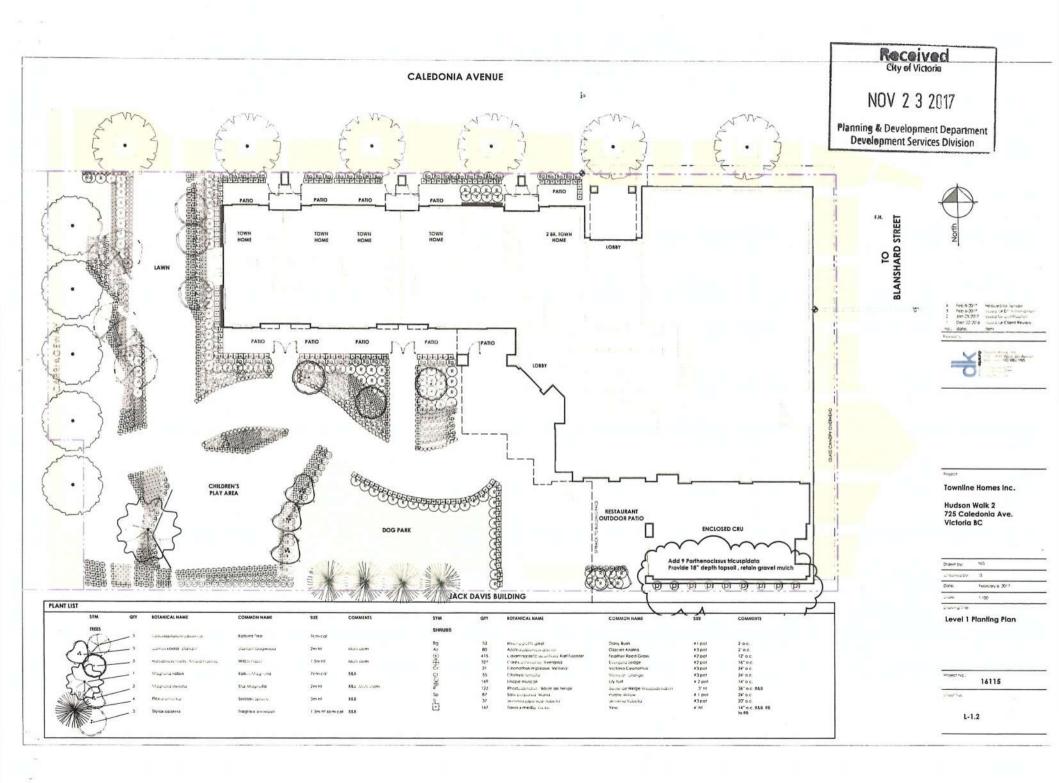
생 문 DURANTE #REUK .TD LANDSCAPE APCHITECTS 102 1637 West 5th Avenue, Vancouver, B.C., V62 115

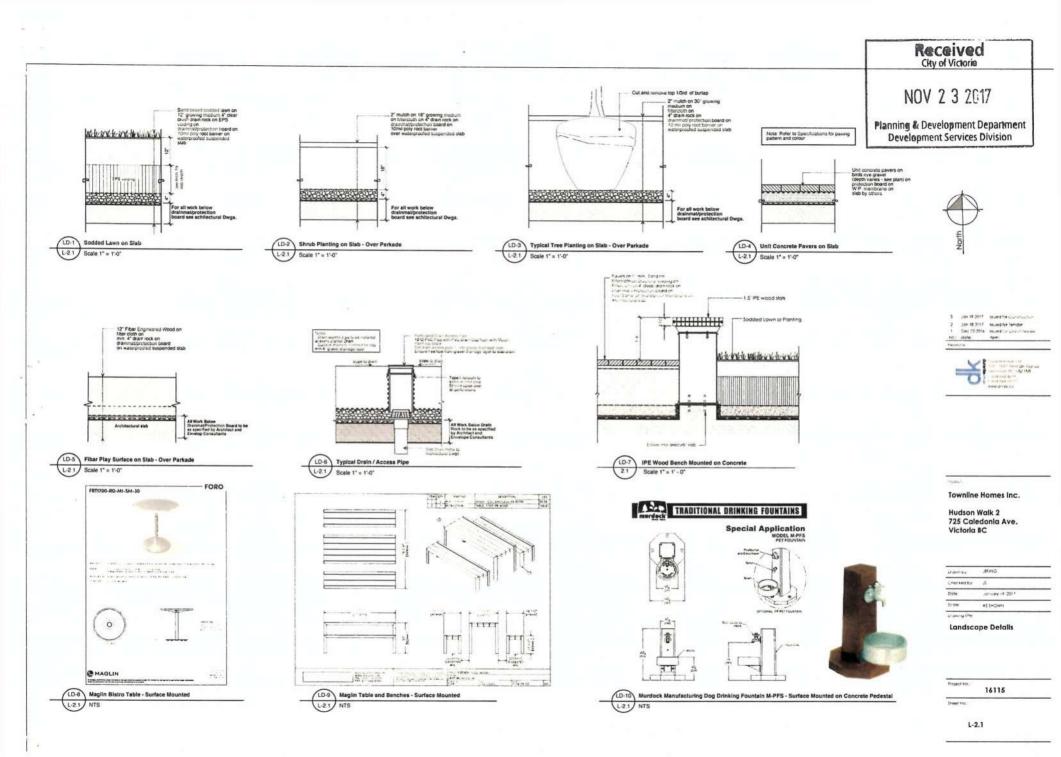
LANDSCAPE DRAWINGS - REISSUED FOR TENDER

February 8, 2017









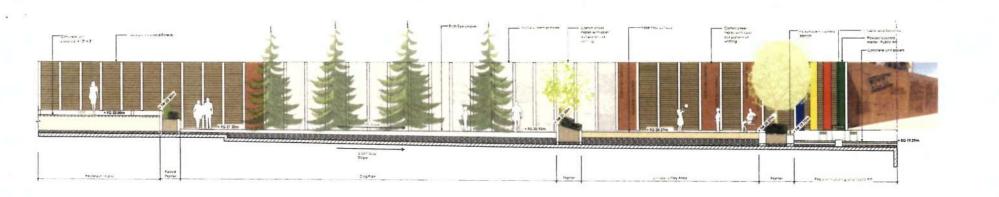


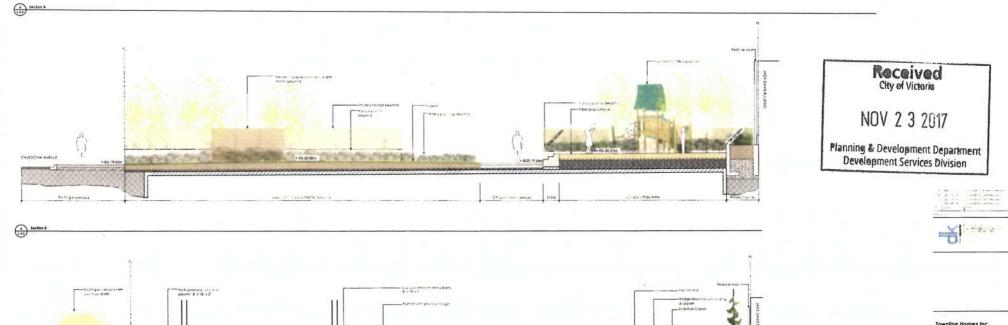
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Project No.

Planning & Development Department Development Services Division





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16115

Landscape Sections

Hudson Walk 2 725 Caledonia Ave. Victoria BC

1. <u>755 Caledonia Avenue</u>

1. Hearing - Development Permit with Variances Application No. 00437

The Council of the City of Victoria will consider issuing a Development Permit with Variances for the land known as 755 Caledonia Avenue, in Development Permit Area 2, (Heritage Conservation) Core Business, for purposes of constructing a 16-storey mixed-use building and varying the following requirements of the *Zoning Regulation Bylaw* namely:

- Allowing residential use on the first storey
- Permitting minor intrusions of balconies in the upper floor massing setbacks.

<u>Alison Meyer:</u> This is a Development Permit with Variances application for 755 Caledonia Avenue, phase 2 of Hudson Walk; a 15 storey residential tower. Two variances are being requested to permit ground floor residential and minor intrusions into the upper floor balconies.

Mayor Helps opened the public hearing at 7:36 p.m.

<u>Justin Filuk (Townline Group)</u>: Provided information about the Hudson Walk Phase 2 application, which will be a purpose-built rental building and will complement the Phase 1 building. The proposal includes ground floor residential units and the presentation showed how these units will appear. Also described was the public space and the children's play area.

Mayor Helps asked about the changes proposed for the play area.

<u>Justin Filuk:</u> Described the previous play area and how this new opportunity allowed them to develop a larger play area.

Councillor Madoff asked about the process used to select the art.

<u>Justin Filuk:</u> The art was selected through a private process, not through the City, as the art piece is on private property.

Councillor Madoff advised there is an option to work with the City and noted that, in the past, the City has created art that is a play item.

Councillor Thornton-Joe asked about the dog run and if it is open to the public.

Justin Filuk: The proposal is for the dog run to be used for Hudson Walk residents.

Rick (Pandora Avenue): Commented that he was disappointed with the first development.

Councillor Thornton-Joe asked about the letter from the Downtown Residents Association who suggested the deck panels be replaced.

<u>Justin Filuk:</u> Provided information about other projects where they've used frosted deck panels and how that changes the use of the decks. As well they'd like to make the two buildings have a similar look.

Mayor Helps closed the public hearing at 7:51 p.m.

2. Development Permit with Variances Approval:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, "That Council authorize the issuance of Development Permit Application No. 000437 for 755 Caledonia Avenue in accordance with:

- 1. Plans date stamped October 5, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - a. Section 6.8.1(e) Variance to permit residential use on the first storey.
 - Section 6.8.3(b) Variance to permit a massing setback ratio from 5:1 to 6:1 on Blanshard Street and from 5:1 to 5.2:1 on Caledonia Avenue.

ATTACHMENT E

3. The Development Permit lapsing two years from the date or this resolution.

Councillor Isitt spoke in support of the proposal though he believes this is the limit in terms of building height.

Carried Unanimously

Council meeting November 26, 2015

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June 2017

Dear Mrs Wain:

I am writing to you (cc: Marianne Alto, Chris Coleman, Ben Isitt, Jeremy Loveday, Margaret Lucas, Pamela Madoff, Charlayne Thornton-Joe and Geoff Young), to give my concerns on the new Townline rezoning proposal at 785 Caledonia Street to allow on site brewing and distillery and to increase in site coverage for a proposed restaurant bar, seeking to amend from CA-4 to CA-4 amended, use of land or buildings and site coverage (%).

My name is Olimpia Cisneros, I am a Mexican woman and recently a proud new Canadian citizen. I do apologize in advance for any grammatical mistake I may have.

I am a double Townline tenant: one as a resident at the Hudson Mews and another as a tenant of the Victoria Public Market. My restaurant is called "mamà Oli", maybe you have visited my kitchen.

I first forwarded my concerns to Mr Sutherland this January 2017. I met him at the CALUC meeting were Townline representative Mr Filuk, was presenting the proposal to the community.

As a tenant of the Mews, I am aware of the noise we get every time a private event takes place at the VPM; and also, I am very aware of the difficulty for us, tenants, to rent a parking spot within our condominium. Parking is difficult for our visiting friends and family, too.

We have a parking crisis here and is hard on us.

To give up parking spots for a distillery and a restaurant, is not an attractive option for me; even if Townline representative, Justin Filuk, says this will not affect us, I doubt it. This is downtown. We already have a parking crisis and it can be worst if a brew pub distillery and a massive 300 restaurant seat are added to this zone.

I believe noise and lack of parking will be also the everyday companion of residents at the Hudson Walk II as it is to me on a daily basis.

As a tenant of the Victoria Public Market, I am reaching out to you out of sadness and depression. To see the things that happen in the market, to see the way I am treated for speaking up, for defending our work space, as I denounced pollution at the market with Work Safe BC.

Present management at the VPM, Quay properties from Vancouver, has tried to evict me (without success) just because I dare to speak up of all the problems and abuses I have been witness and suffered during almost 4 years of stressful work.

I am one of the few remaining original tenants of the failed Downtown Victoria Farmers Market were we were let down by Townline and the Downtown Victoria Public Market Society.

Soon after we opened the Farmers market, the plan was dismantled and left us, tenants, solely in the hands of an abusive lease with no more vendor association and no input into the management of the market as it was promised by Townline.

To date, under the indifference of Townline managers, 6 business have close due to lack of sales or conflict of interest: Cowichan Bay Seafood, Salt Spring Island Cheese, The Grocer, Flowers at the Hudson, Island Spice Trade BC and Damn Fine Cake; plus, an extra one, this fine restaurant, Smoken Bones, outside the market, in the corner of the old Hudson building, Douglas Street and Herald, now a Townline office. All lost and gone, all this business closed.

These are big loses to the City of Victoria and Victorians, were so much positive presence, investment and knowledge has been lost.

These wonderful vendors quietly disappeared from the Victoria Public Market, nobody to speak out for them. I will now.

As per my e-mails to owner of Townline, Rick Ilich, I am sure he has been always aware of our struggles and did nothing to help us.

Townline proposal to the City of Victoria were to support and promote a Farmer's Market, a premium venue to support local food initiatives and to provide economic opportunity for small, artisan business like mine. City Hall supported Townline's ideas and Townline failed to follow through on their promises. There is no provision on place from City Hall to make Townline to live up to their promises.

As crisis is mounting at the VPM for lack of foot traffic and sales except for some lucky days and a lunch rush (if lucky), for all the many and mostly restaurants at this unique venue, wrongly and permanently advertised as a farmers market, I know my days are numbered here; but not before bringing to your attention of at least this one and big problem we have been suffering at the VPM for almost four years, seemingly under the indifference of Townline, and now, the reason of my opposition to a distillery and to a site coverage (%) extension.

For Townline to propose a 300 seat restaurant means for us, restaurateurs at the VPM, the same fate as Smoken Bones, Cowichan Bay Seafood, Salt Spring Island Cheese, The Grocer, Flowers at the Hudson, Island Spice Trade BC and Damn Fine Cake, closed for lack of enough customers and support. A 300 seat restaurant, a mere few steps away from the Victoria Public Market, most probably will signify our own demise. Are we disposable? Does this loses matter to the City?

I oppose to a new distillery on the Hudson Walk II because I don't believe on the proposal of a not noisy, clean and non smelly industrial facility as it is a distillery. I also believe, if problems arise, we tenants, will be bullied and harassed to silence, as my experience is here.

But most important of all, please note, distilleries belong to in an industrial zone and not to a urban area like downtown; in fact, the cost of apartment insurance raise when there is a fire hazard below your property like a restaurant and/or a distillery; but that decision is yours, I only present the facts for my opposition.

As a tenant of the Victoria Public Market, I have found myself (and all workers, too) working in a contaminated space since its inception.

Roast Sandwich Shop owner, Maryanne Carmack, our first manager and one of the creators of the Farmers Market idea, has been steadily polluting the market with the potentially dangerous grease laden vapours emanating from her restaurant since 2013, the year we opened; and it was not until this past May 18th, a few days ago, and forced by WSBC that finally, Roast Sandwich Shop installed a proper hood in their facilities. Rick Ilich, as per all my e-mails sent to him, was aware of the situation and the only response I got from him was from his lawyer, Mr Virgin saying: Do not send him anymore e-mails; and as per that communication, I am warned, I can not walk into the market except to go to the washroom and the loading bay area to throw away the thrash. That is humiliating and that is what you get from Townline and Townline managers if you dare to speak up of troubles that need to be solved but for unknown reasons, they are not.

Another stressful problem at the VPM was a disturbing whining noise coming from the HAVC system that I repeatedly denounced to Quay property and Townline and after their indifference, I informed Work Safe BC.

The HVAC System is an enormous apparatus located just right above my kitchen, imposed on me after signing the lease and that services the whole ventilation system of the market.

This terrible noise continued for more than 270 days and was very annoying to my customers and the staff of the market. It was only after many WSBC interventions that this problem was solved.

The records from Work Safe BC attached will explain better the situation to you.

I inform you of this because it clearly demonstrates how Townline does not take health and safety of its tenants and employees seriously

From my managers, I have suffered verbal abuses, racial slurs, bullying and harassment, eviction letters, ostracism, false accusations and all that just because I dared to criticize their failure to act adequately in stopping pollution and attending important needs of the market. Proof of these accusations is is available upon request.

I believe the same is going to happen to any other worker or anybody who dare to speak up about problems in the new facilities Townline wants to open. I'm opposing to a potential case like the one I live every single day of my work here.

As Townline is running free, nobody to supervise them, they are not accountable. As I said before, there is not a provision in place form City Hall to follow up with their

promises to the City of Victoria and its residents. Townline give promises and later, they do as they please, with no obligations at all. That is my sad experience here.

Townline failed to correctly address pollution at the Victoria Public Market for almost 4 years and was found in default of their obligations with Work Safe BC and in contravention of the Health and Safety Act for pollution and still is with other items outstanding. Nothing makes me think they will take care of problems if they arise.

Enclosed are copies of the records from WSBC, an SD card with videos of the steady pollution suffered for almost 4 years and one recording of the punishing noise I was forced to live with for such long and unexplained length of time at the VPM. Lies from management to Work Safe BC can easily be spotted on these pages. Please take a look and judge by yourself.

I also want to ask for, to be given the opportunity to speak up on the public meeting, yet to come.

If you have any question or need more information, please feel free to contact me at my e-mail below.

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I do thank you for your time

Sincerely, Olimpia Cisneros

or, follow this link to videos of pollution at the VPM: <u>https://drive.google.com/file/d/0B-</u> gdl8OOUiJ4NE1GTmQ1bl9LVWs/view?usp=drive_web