



## Planning and Land Use Committee Report

### For the Meeting of October 29, 2015

---

**To:** Planning and Land Use Committee      **Date:** October 15, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit No. 00157 for 740 Hillside Avenue

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00157 for 740 Hillside Avenue, in accordance with:

1. Plans date stamped September 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Schedule "C", Section 16.C 5 – reduce parking requirement for 980m<sup>2</sup> of medical offices from 1 stall per 37.5m<sup>2</sup> to 1 stall per 68m<sup>2</sup>.
3. The Development Variance Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit 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 Development Variance Permit Application for the property located at 740 Hillside Avenue. The proposal is to reduce the overall required parking for the Mid-Town Place office building by nine stalls. The variance is related to reducing parking requirements for medical/dental offices.

The following points were considered in assessing this Application:

- The site is well served by public transit on Douglas Street and Hillside Avenue.
- The building includes 24 bike rack spaces at the building entrances and 40 secure bicycle parking stalls, as well as lockers, showers and change rooms.
- The inclusion of a specialized medical office within the building accounts for approximately 10% of the total building area. At this scale, a reduced parking standard for this use is unlikely to have any significant parking impacts on adjacent streets.
- Any additional medical/dental offices would require a further variance which would require staff review and Council's approval.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to reduce the overall required parking for the Mid-Town Place office building by nine stalls due to a accommodate a medical specialist office occupying one floor of the building. Specific details include:

- occupancy of 980m<sup>2</sup> on the third floor of the office building
- allocation of 14 parking stalls for the medical practice
- a combination of surface and underground parking totalling 111 stalls (existing)
- 40 secure bicycle parking stalls and 24 bike rack spaces at its two major entrances as well as showers and lockers for occupants (existing).

The proposed variances is related to a request for a nine-stall reduction in the overall parking required for the building.

### **Sustainability Features**

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

### **Active Transportation Impacts**

The applicant provided bike racks, showers and change rooms with the original development which support active transportation.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Development Variance Permit Application.

### **Relevant History**

A rezoning to permit the office/retail building was approved by Council on November 25, 2010. The site specific zone covering the property incorporated a reduced parking requirement for offices (one space per 68m<sup>2</sup> of office floor area rather than one space per 65m<sup>2</sup>) but not for medical/dental offices, which have a higher parking requirement (one space per 37.5m<sup>2</sup>). The building was completed in 2014.

The approval of the Building Permit and occupancy for this medical practice were incorrectly made before the increased parking required for medical/dental office use was identified. Consequently, a Business Licence was approved for the remainder of 2015 subject to the



applicant obtaining a parking variance prior to the issuance of the 2016 Business Licence renewal. Regardless of the sequence of events that have occurred in this instance, staff recommend Council approve this request. To minimize the potential for this type of mistake in the future, an expanded range of Building Permits are referred to Development Services for review.

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on September 15, 2015, the Application was referred for a 30-day comment period to the Burnside-Gorge CALUC. An email dated October 1, 2015, is attached to this report.

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

### ANALYSIS

The site is well served by public transit on Douglas Street and Hillside Avenue. In addition, the building includes 24 bike rack spaces at the building entrances and 40 secure bicycle parking stalls, as well as showers and change rooms. The inclusion of a specialized medical office within the building accounts for approximately 10% of the total building area. At this scale, a reduced parking standard for this use is unlikely to have any significant parking impacts on adjacent streets. However, any additional medical/dental offices would require a further variance with staff and Council's review.

### CONCLUSIONS

The request for a reduced overall parking requirement for the Mid-Town Place office building by nine stalls is recommended for Council's consideration as being supportable based on the proximity to public transit, the provision of secure bicycle parking, showers, change rooms and the amount of medical use in relation to general office use in the building.

### ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00157 for the property located at 740 Hillside Avenue.

Respectfully submitted,



Brian Sikstrom  
Senior Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

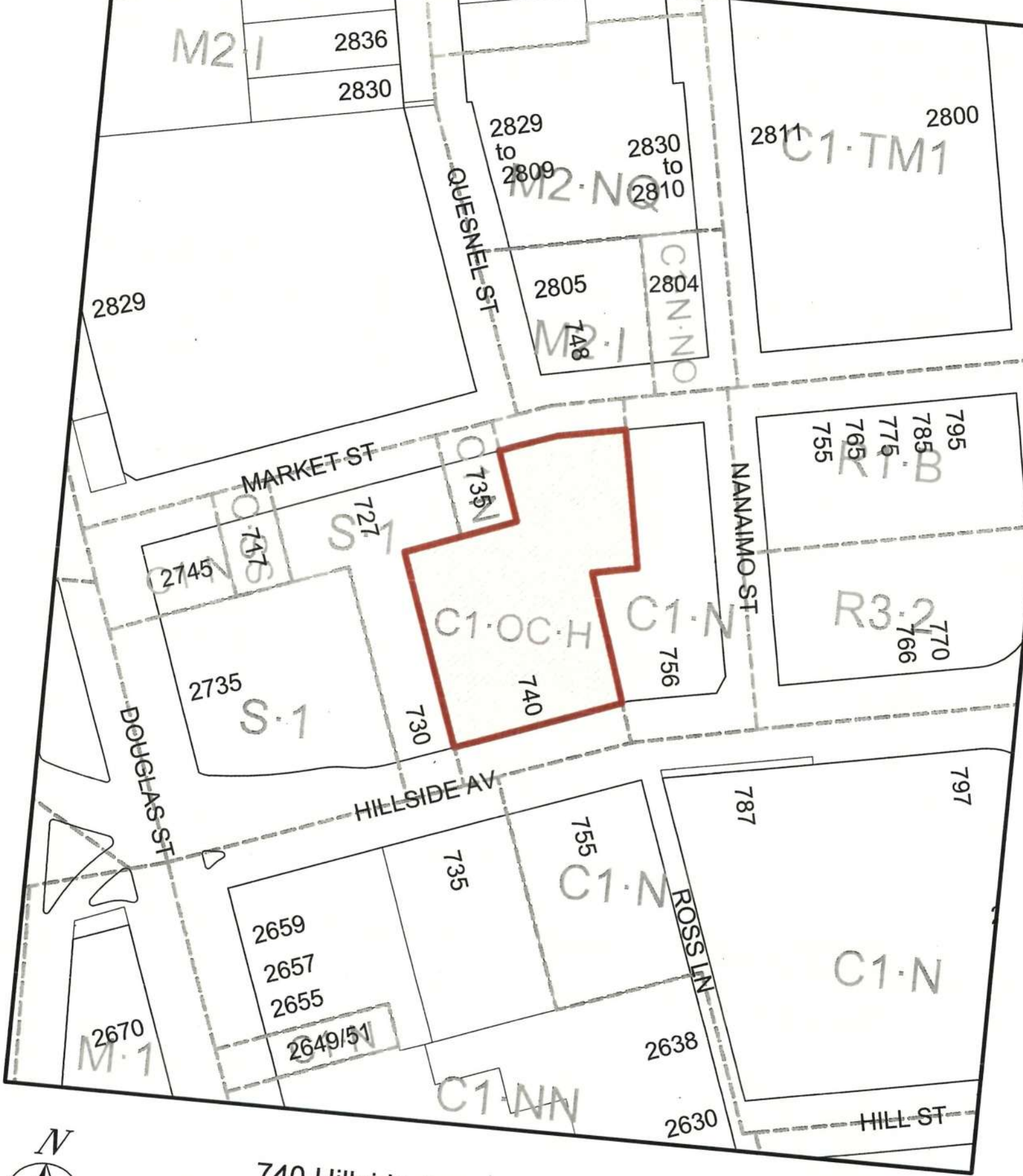
Report accepted and recommended by the City Manager:



Date: October 21, 2015

## List of Attachments

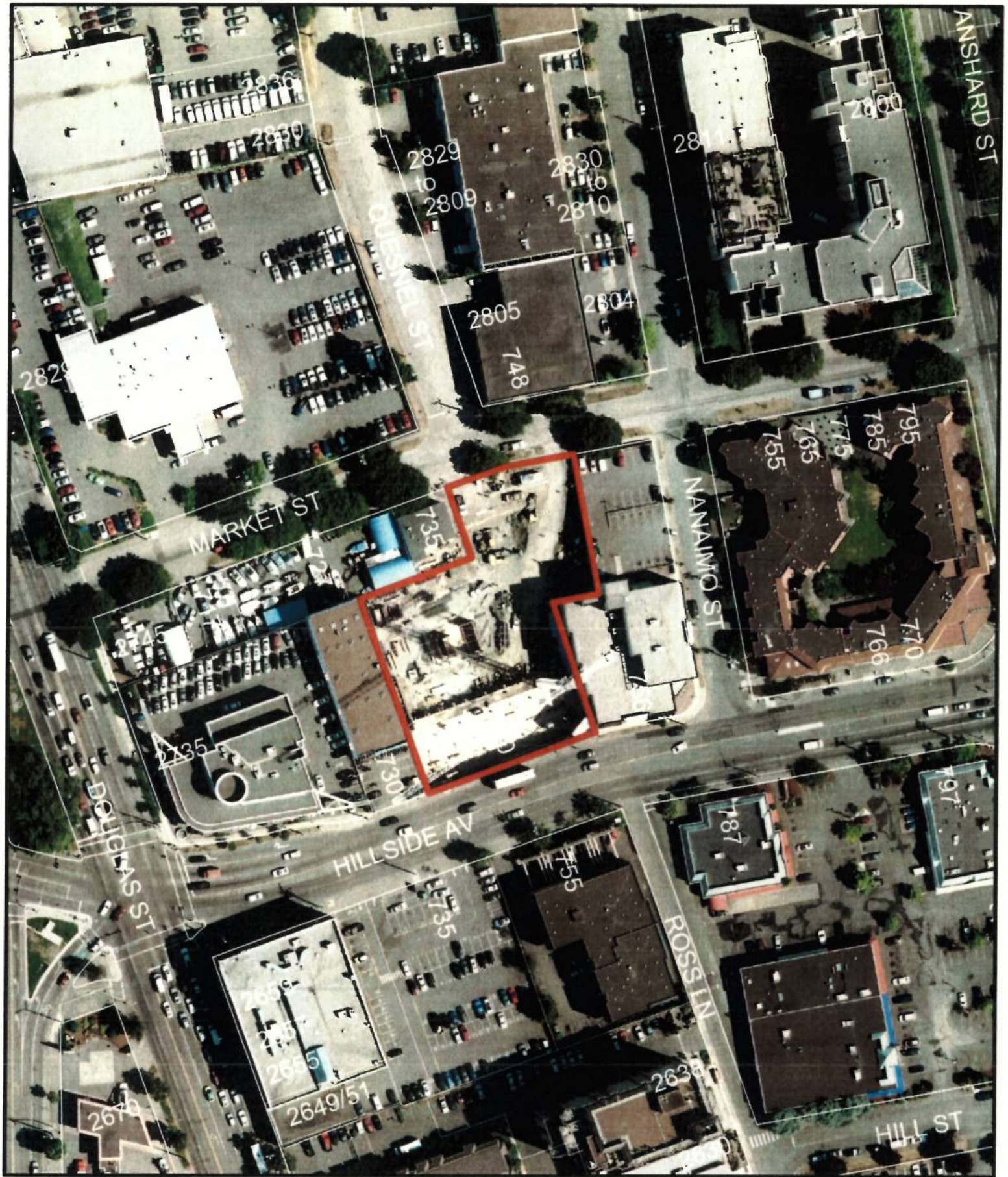
- Zoning map
- Aerial map
- Letter from applicant to Council dated August 28, 2015
- Email from Burnside Gorge Community Association dated October 1 , 2015
- Plans dated September 4, 2015.



740 Hillside Avenue  
Development Variance Permit #00157







740 Hillside Avenue  
Development Variance Permit #00157





August 28, 2015



**VDA** | ARCHITECTURE  
LIMITED

To Mayor and Council  
City of Victoria  
#1 Centennial Square  
Victoria, British Columbia  
V8W 1P6



**RE: DEVELOPMENT VARIANCE PERMIT FOR 740 HILLSIDE AVENUE, VICTORIA, BRITISH COLUMBIA**

Dear Mayor Helps and Council,

Please find enclosed the background documents for a Development Variance Permit in regards to the development at 740 Hillside Avenue. This letter will summarize the variance requested and outline the reasons for the request.

The variance requested is in regards to the number of car parking stalls. At the time of the original rezoning, parking calculations were based on the office portion of the development classified as general commercial office space (defined as 'other offices' in City of Victoria Schedule C) which requires 1 space per 65 sq.m. of gross floor area. At that time, it wasn't anticipated there would be an occupancy by medical and dental offices in this development. The Schedule C requirements for medical and dental offices are 1 space per 37.5 sq.m. of gross floor area which is significantly greater than the requirement for general offices.

**Background:**

The successful rezoning and DP application for the initial development proposed a total of 108 car stalls. A variance to Schedule C requirements was granted, based on a significant increase in both Class 1 and Class 2 bike stalls provided on site, the provision of bicycle change room and shower areas, proximity to major transit routes and a parking study outlining the demand expected by the owner and major tenant, Andrew Sheret. During development of the construction documents, an additional 2 car stalls were added due to available space and during construction another stall was added bringing the total to 111 stalls, or 3 above the approved DP.

**Reason for Requested Parking Variance:**

As noted above, the original calculations for parking did not anticipate medical and dental offices. In March of this year, a Tenant Improvement Building Permit was applied for and granted for approximately 7,000 sq.ft. of office space on the 3<sup>rd</sup> floor to be occupied by Western Cardiology Associates (WCA). Construction was completed in early summer, an Occupancy Permit granted, and WCA relocated and are currently functioning out of this space. When WCA applied for a Business Licence, it was discovered by the City the additional parking requirements for medical and dental offices had not been met and therefore a Business Licence was issued on a temporary basis only. Should a variance not be granted, WCA will need to relocate at great expense to both WCA and the owner who contributed to the costs of the tenant improvements. The variance requested is for the entire 3<sup>rd</sup> floor as Western Cardio intends to eventually occupy that entire floor. In consideration of this variance request, it's worth noting that Western Cardio functions very differently than typical medical/dental practices, especially walk-in clinics. As this is a specialist medical practice, all patients have prearranged appointments and there are no walk-ins. Furthermore, there are only 4 doctors who practice full time from these offices. The remaining doctors only come in a couple of hours a week as they primarily practice within a hospital. For this reason, the average number in the clinic at any one time is 8 patients. Although the tenant would be classified as a medical/dental office in regards to the City zoning definitions, in terms of number of staff and visitors (patients) occupying the space, the practice functions much closer to that of a general office use.



**Amount of Variance Requested:**

The number of car stalls allocated for general office use on the 3<sup>rd</sup> floor is 14 stalls. The number of car stalls which would be required for medical/dental office use is 26 stalls, resulting in a shortage of 12 stalls. As noted above, 3 additional stalls were provided after the DP was approved. Therefore, the requested parking variance is for a total of 9 stalls.

The following calculations are provided to confirm the calculation of stalls:

**Parking as per approved DP:**

1 stall per 68 sq.m. for general office use of 980 sq.m. on the 3<sup>rd</sup> floor = 14 stalls

**Parking as per requested variance:**

1 stall per 37.5 sq.m. for medical/dental office use of 980 sq.m. on the 3<sup>rd</sup> floor = 26 stalls

We trust the above clearly outlines the difficult position the building owner and the tenant find themselves in and the importance of finding a resolution so that a permanent Business Licence can be granted. Based on how the tenant operates, that Western Cardio is not a typical medical/dental office, the variance would have no impact on the availability of parking for the overall building or the neighbourhood.

Sincerely,

VDA Architecture Limited

A handwritten signature in black ink, appearing to be 'K. Klippenstein', with a long, sweeping horizontal stroke extending to the right.

Kevin Klippenstein, Architect AIBC, AAA, MRAIC  
Director





## Anita Walper

---

**From:** Carolyn Gisborne <landuse@burnsidegorge.ca>  
**Sent:** Thursday, Oct 1, 2015 12:42 AM  
**To:** caluc@victoria.ca  
**Subject:** DPA for 740 Hillside: CALUC comments  
**Attachments:** 740 Hillside - DPA - CofV Cover - Sept 2015.pdf; 740 Hillside - DPA - Sept 2015.pdf; 740 Hillside - DPA - Designs - Sept 2015.pdf

The Burnside Gorge Land Use Committee supports the proposed parking variance for 740 Hillside.

Best regards,  
Carolyn Gisborne, Burnside Gorge Land Use Committee Chair

---

# WESTERN CARDIOLOGY TENANT IMPROVEMENT VICTORIA, B.C. ISSUED FOR D.P. AMENDMENT SEPT. 4, 2015

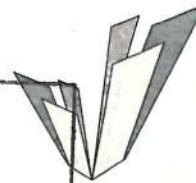
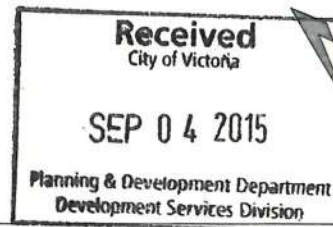
---

## ARCHITECT

VIC DAVIES ARCHITECT  
(2003) LTD.  
1581 Church Avenue  
Victoria, B.C. V8P 2H2  
Ph: 250-477-4255  
mail@vda.ca

---

- A1.01 WESTERN CARDIOLOGY / FLOOR PLAN, SCHEDULES,  
PLAN DETAILS
- A-7 PARKING LEVEL P-1 (AS PER D.P. SUBMISSION)
- A1.01 740 HILLSIDE / PARKING LEVEL PLAN - SOUTH  
(AS PER RECORD DRAWINGS @ COMPLETION OF  
CONSTRUCTION FOR BASE BUILDING)
- A0.00 740 HILLSIDE / SITE & LOCATION PLAN  
(AS PER RECORD DRAWINGS @ COMPLETION OF  
CONSTRUCTION FOR BASE BUILDING)

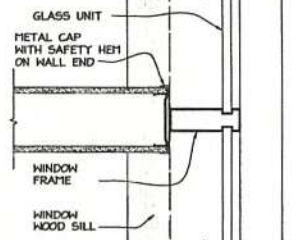
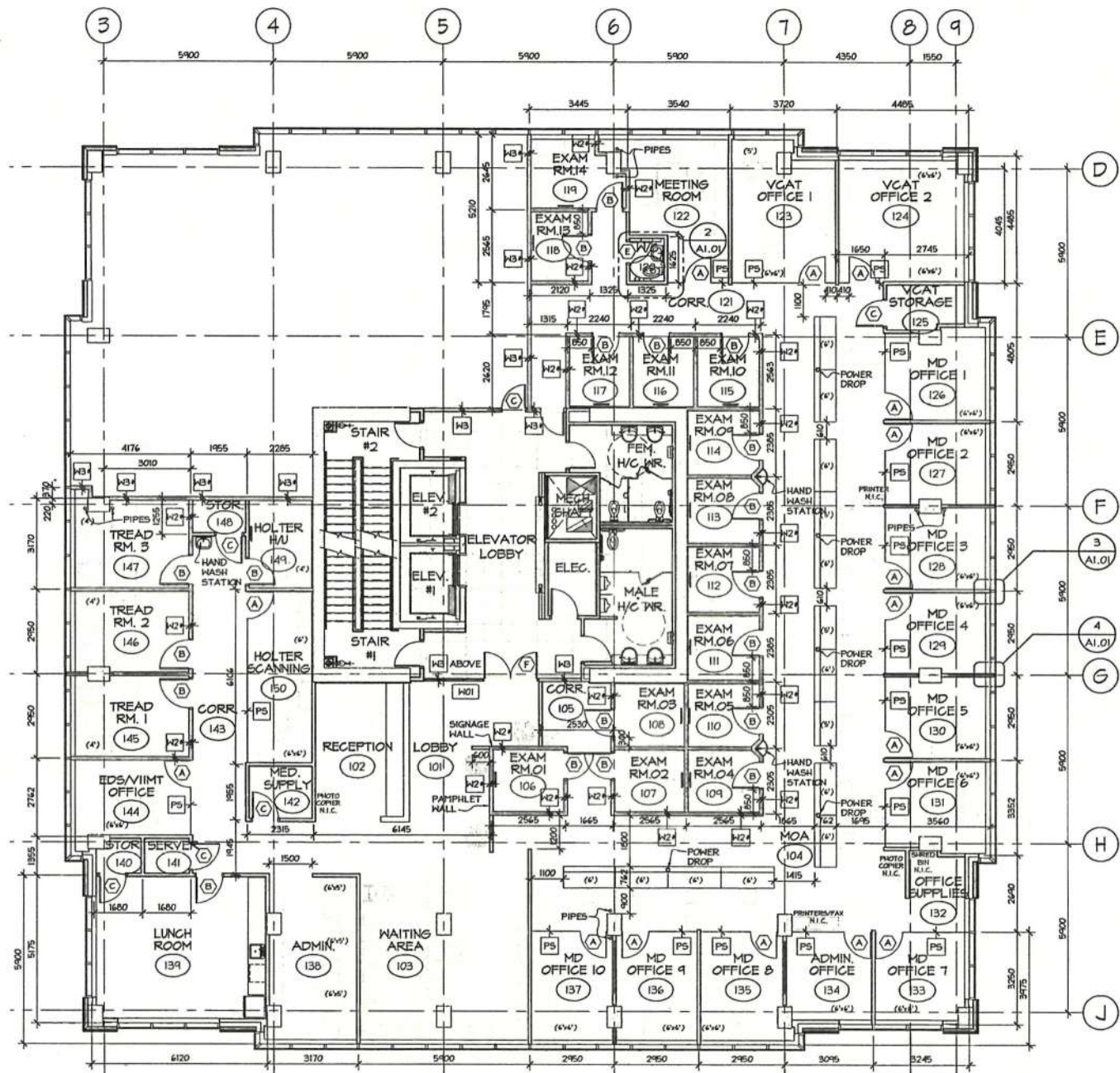


**VDA** | ARCHITECTURE  
LIMITED

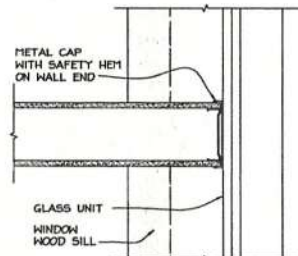
3388A Tennyson Avenue | Victoria, BC | V8Z 3P6  
T:250-477-4255 | mail@vda.ca | www.vda.ca

---





3 WALL END DETAIL  
SCALE: 1:10



4 WALL END DETAIL  
SCALE: 1:10

#### WALL TYPES LEGEND

UNLESS INDICATED OTHERWISE ON PLANS, INTERIOR WALL TYPES ARE H/W/H/H.

H/W/H/H INTERIOR WALL ASSEMBLY FLOOR TO U/S DROPPED CEILING  
FFR: N/A STC: N/A

- 16mm TYPE 'X' GHB - PAINTED
- 40mm STEEL STUD FRAMING
- 400mm O/C
- 16mm TYPE 'X' GHB - PAINTED

ASTERISK (\*) DENOTES ASSEMBLY WITH BLOW-IN CELLULOSE ACOUSTIC INSULATION APPROVED FOR USE IN NON-COMBUSTIBLE CONSTRUCTION AND TO ACHIEVE AN OVERALL ASSEMBLY SOUND RATING OF 52 STC.

REFER TO TAG INDICATION ON PLAN FOR THE FOLLOWING INTERIOR WALL TYPES:

H/W/H/H INTERIOR WALL ASSEMBLY FLOOR TO ABOVE DROPPED CEILING  
FFR: N/A STC: N/A

- ASSEMBLY SIMILAR TO H/W/H/H

H/W/H/H INTERIOR WALL ASSEMBLY FLOOR TO U/S SLAB  
FFR: N/A STC: N/A

- ASSEMBLY SIMILAR TO H/W/H/H

PS INTERIOR PARTITION SYSTEMS

#### WASHROOM ACCESSORIES LEGEND

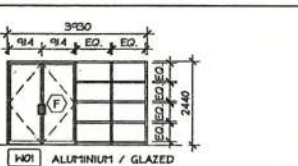
(A) TOILET PAPER DISPENSER  
(B) NAPKIN / TAMPON DISPOSAL  
(C) PAPER TOWEL DISPENSER  
(D) WALL MOUNTED SOAP DISPENSER  
(E) GLASS MIRROR  
(F) COAT / TOWEL HOOKS

#### DOOR SCHEDULE

TYPE	DOOR	MATERIAL	SIZE	CLOSER	HANDSET	DOORSTOP	COMMENTS
A	SOH-BCF	ALUMI 450	94x2440x45		LOCKSET	OVERHEAD	
B	SOH-BCF	ALUMI 450	94x2335x45		PASSAGE	OVERHEAD	
C	H1-PTD	PSF-PTD	94x2335x45		LOCKSET	OVERHEAD	
D	H1-PTD	PSF-PTD	94x2335x45		LOCKSET	OVERHEAD	
E	H1-PTD	PSF-PTD	162x2335x45		LOCKSET	OVERHEAD	
F	GL	ALUMI	3794x7725		LOCKSET	OVERHEAD	

SOH - SOLID CORE WOOD  
H1 - HOLLOW METAL  
ALUMI - ALUMINIUM  
BCF - BIRCH CLEAR FINISH  
PSF - PRESSED STEEL FRAME  
GL - GLAZED

#### WINDOWS TYPES



No.	DD/MM/YY	Description
REVISIONS		

1	13/03/15	I.F. BUILDING PERMIT
No.	DD/MM/YY	Issued for (I.F.)
ISSUES		

Received  
City of Victoria

SEP 04 2015

Planning & Development Department  
Development Services Division

Copyright Reserved. This drawing contains the exclusive property of the architect and may not be re-used or reproduced without their written consent.

**vda**  
Vic Davis Architect (2003) Ltd.  
1561 Church Avenue, Victoria, B.C.  
Canada, V8P 5V2  
Tel: (250) 477-4225  
Email: info@vda.ca Website: www.vda.ca

Project  
WESTERN CARDIOLOGY ASSOCIATES  
TENANT IMPROVEMENT  
VICTORIA, BC

Drawing  
FLOOR PLAN, SCHEDULES,  
PLAN DETAILS

Scale: AS NOTED Job No. 2015-02  
Date: FEB, 2015 Dwg. No. Rev.  
Drawn By: WAL AI.OI

1 FLOOR PLAN  
SCALE: 1:100

2 W/R 120  
ENLARGED PLAN  
SCALE: 1:50



ANDREW SHERET LIMITED HILLSIDE BUILDING  
740 HILLSIDE AVENUE, VICTORIA, B.C.  
PARKING LEVEL P-1

Received APRIL 18, 2011  
City of Victoria  
SCALE - 1:200

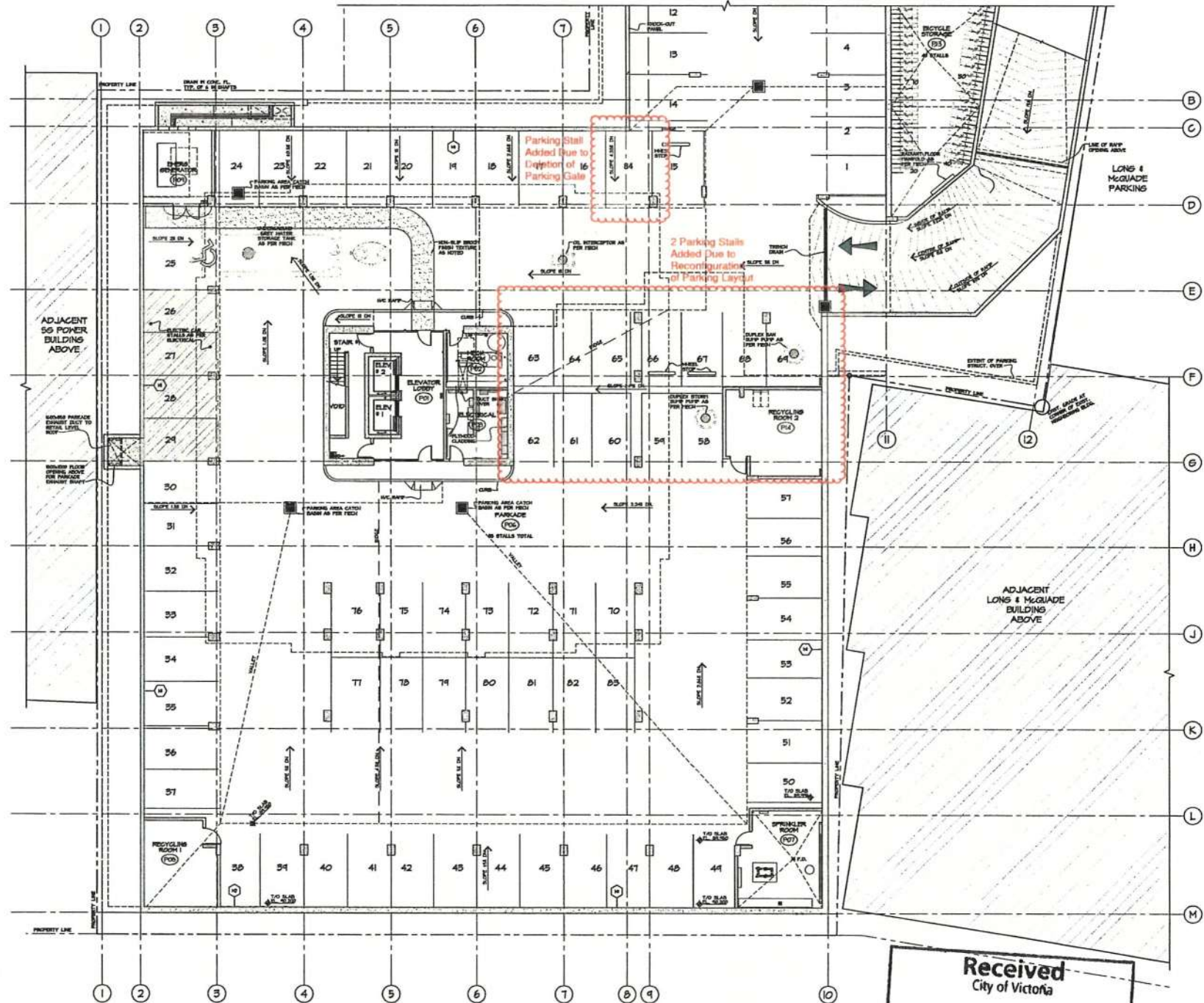
SEP 04 2015 A-7

Planning & Development Department  
Development Services Division

**vda**  
The Davies Architectural Ltd.  
1181 Church Avenue Victoria, B.C.  
Canada V8P 2G2  
Tel: (250) 477-4255  
Fax: (250) 477-9411  
Email: mair@vda.ca Website: www.vdavis.com



SEE DRAWING AI.02 FOR CONTINUATION



No.	Date/Rev	Description
1	20/04/12	REVISED

4	20/04/14	1.F. RECORD DRAWINGS
3	20/04/13	1.F. CONSTRUCTION
2	20/04/12	1.F. TENDER
1	20/04/12	1.F. BUILDING PERMIT

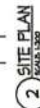


Project: ANDREW SHERET LIMITED  
240 HILLSIDE AVE. VICTORIA  
Drawing: PARKING LEVEL  
PLAN - SOUTH

Scale:	1:100	Job No.	2009-22
Date:	APRIL 2012	Dwg. No.	Rev.
Drawn By:	SH-01	AI.01	

Received  
City of Victoria  
  
SEP 04 2015  
  
Planning & Development Department  
Development Services Division



[illegible]

**Received**  
City of Victoria

5:07 70 dss

Planning & Development Department  
Development Services Division