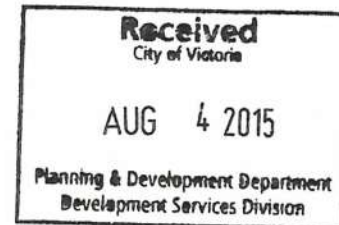


July 31st, 2015

City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6



Dear Mayor Helps and City of Victoria Council,

RE: Dockside Green 2015 Rezoning Application

Dockside Green Limited is pleased to be applying for a combined Rezoning, Official Community Plan (OCP) Amendment and Master Development Agreement (MDA) Amendment application to support the advancement of Dockside Green, an innovative, mixed-used sustainable neighbourhood in the City of Victoria. The changes we are proposing have been shaped and informed by hundreds of citizens – including the more than 300 residents for whom Dockside Green is home. The changes reflect new community-inspired thinking that builds upon the foundational principals of Dockside Green 2005, and captures the enthusiasm, needs and wishes of the evolving local community in 2015.

The letter is divided into eight main headings;

- 1.0 Introduction
- 2.0 Why a New Application
- 3.0 What Will Stay the Same
- 4.0 Key Components of the Updated Neighbourhood Plan
- 5.0 Proposed Amendments to Support the Advancement of Dockside Green
- 6.0 Community Support for the New Neighbourhood Plan
- 7.0 Delivering on Our Commitments
- 8.0 Conclusion.

1.0 Introduction

Council's leadership across the spectrum of community development opportunities and housing challenges has encouraged the development community to search for innovative solutions that promote healthy and inclusive social connection, vibrant local economies, and enduring neighbourhoods. The 2015 neighbourhood plan for Dockside Green builds upon the strengths of the original plan and achieves these mutual goals that are essential to the wellbeing of Dockside Green neighbourhood and the City of Victoria.

In May 2014, Dockside Green began a public engagement process - bringing together a team of architects, planners, and designers with residents, First Nations communities and citizens of Victoria to revisit the plan for the project with the ultimate goal of delivering a more relevant neighbourhood plan.

Through a series of presentations, workshops, and discussions, a refined community vision for the project began to emerge. While the project's physical structures began to reconfigure, Dockside Green remained committed to *building a well-loved, culturally-vital neighbourhood where the mix of people and environment fuels health and a vibrant local economy*. Community voices helped identify



four guiding values to drive the project: Sustainability, Respect for Local, Inclusivity, and Cultural and Creative Vitality.

A five-month comprehensive public engagement process informed an updated Neighbourhood Plan which included components for both short and long term community goals. This work was presented to the Vic West Community Land-Use Committee in September 2014. Our presentation was met with applause from the audience and positive and supportive feedback was offered to Dockside Green's design team. Following the meeting the Neighbourhood Plan details were completed and a comprehensive application package submitted to City of Victoria staff in January 2015.

Since January we have worked diligently with City of Victoria staff through the many interlinked facets of this complex project. Dockside Green is grateful for the level of attention and professionalism that has been afforded by staff, and our project team has worked to clarify, refine and improve our 2015 Neighbourhood Plan. We have also held follow-up meetings with Dockside Green residents and the Vic West Community Association. The Submission Booklet has been updated to reflect our understanding of the most appropriate approach to advance the Dockside Green 2015 Neighbourhood Plan.

2.0 Why a New Application

As an early adopter of sustainable development, Dockside Green has been recognized as one of the greenest communities in North America. We have, however, also experienced many challenges. Innovation means taking risks and learning from being at the leading edge of the "green building movement". Much has changed in the ten years since the project was first launched in 2005 and we needed to revisit some of the early thinking to test whether what was originally envisioned is still relevant today and reflects the needs and aspirations of the evolving local community in 2015 and beyond.

2.1 Dockside Green as a Neighbourhood Builder – To move forward in the new economy, Dockside Green has changed its previous business model to become a neighbourhood builder who will partner with 3rd party developers to develop individual land parcels. While we will not build residential or commercial buildings, we will create and manage the development of the neighbourhood. This includes taking responsibility for the construction of all public amenities such as roads, parks, public space, art, etc. There are benefits in this model for the City of Victoria and the Capital Region should the first affordable housing project move ahead as it would return approximately \$1.0 million that had been dedicated by the City of Victoria and the CRD to support the delivery of affordable housing at Dockside Green. Opportunities for innovation can be leveraged through partnerships that share common values and goals.

2.2 Buildings Too Large for the post 2008 Victoria Real Estate Market – To proceed with development, the Dockside Green Neighbourhood Plan has to be reconfigured to reduce the size of buildings presently permitted under the 2005 approved plan. Buildings of over 200,000 square feet will be replaced with land parcels with a development density of between 85,000 and 140,000 square feet. These newly created parcels are sized to respond to the local market, which makes them financeable for local developers. This allows the project to progress in a phased manner and have a built form that is efficient while allowing the potential for a variety of residential unit types. This approach was strongly supported during the public engagement exercises.

2.3 Poor Connections to its Edges – The 2005 Dockside Green Neighbourhood plan was originally developed at a time when this part of Victoria looked much different than it does



today. In the past 10 years the surrounding community has evolved with new businesses established and new residents both at Dockside Green and Vic West moved in. With a new bridge nearing completion and a new park to be built, and Point Hope Maritime planning for expansion, we needed to consider how to better integrate Dockside Green into the surrounding community to remain relevant in 2015 and beyond. Our new design reflects an improved and collaborative relationship with our industrial neighbour and mitigates zoning conflicts that have challenged Dockside Green, Point Hope Maritime and the City of Victoria in the past.

2.4 Timelines for Delivery of Amenities – To date, Dockside Green has completed over 75% of all its amenity obligations with only 22% of the project completed. The remaining amenities such as public plazas and parks under the existing MDA are to be delivered by certain dates with no recognition to the timing of buildings that neighbour them. This delivery method, along with the cost and relevancy of specific amenities in 2015 needed to be reviewed and updated. It is unworkable and creates an unnecessary risk to the advancement of the project.

2.5 LEED – In 2005, Dockside Green set a goal of achieving the highest level of certification under the newly introduced LEED NC New (building) Construction program and LEED ND (Neighbourhood Development). While the MDA focused on LEED NC Platinum certification as Dockside Green's standard, Dockside Green also sought to achieve LEED ND Platinum certification. The MDA permits the shift in rating systems from LEED NC to LEED ND and as a Neighbourhood Builder we have re-affirmed our focus to LEED ND Platinum, which emphasizes sustainability at the neighbourhood level. It is critical to the financial viability of Dockside Green to shift from LEED NC to LEED ND.

2.6 The Evolution of Sustainability – The concept of sustainability has evolved in the past decade from when Dockside Green was first conceived. The two other legs of the stool, social and economic, have evolved to become as equally important. While Dockside Green has recognized the environmental leg of the triple bottom line approach we needed to better integrate the social and economic legs to truly be sustainable.

3.0 What Will Stay the Same

The values of Dockside Green reflected in our original response to the City's RFP continue to drive the project. Based on the triple-bottom line approach, our ongoing commitment to sustainability and delivery of housing for a mix of incomes, ages and family make-up continue to underpin the guiding principles of Dockside Green.

While the Dockside Green Neighbourhood Plan requires updates to move forward, it is important to note that many of the core aspects of the original 2005 Dockside Green Neighbourhood Plan remain the same in our new plan.

- Same overall density.
- The design and massing responds to light and shadows while maintaining and expanding on public sightlines.
- No increase in the maximum height of the tallest building.
- As in the original plan, the tallest buildings are located at the extreme north and south ends of the neighbourhood with building heights that step down toward the middle and eastern edge of the site.
- A mixed-use neighbourhood with retail, office, commercial and light-industrial components.



- A central north-south ecological greenway.
- Residential uses focused along Tyee Road and Esquimalt Road with office and commercial focused along Harbour Road.
- A housing mix that satisfies a broad range of ages and stages of life, as well as income brackets offering both rental and ownership options.
- Urban design strategy that is reflective of its neighbourhood context and is better connected to its industrial, residential, office and retail setting.
- Recognition and integration with the business activities at Point Hope Maritime.
- A broad set of public amenities, public spaces and infrastructure improvements.
- A transportation demand management strategy focused on multimodal options.
- Full remediation of the contaminated lands.
- A commitment to LEED Platinum certification.
- A commitment to affordable housing.
- Noise mitigation building strategies to reduce conflicts with adjacent industrial land uses.
- Adaptable housing.
- On-site waste water treatment system, storm water management and grey water re-use.
- District Energy System.

4.0 Key Components of the Updated Neighbourhood Plan

Through our work with community, the updated Dockside Green Neighbourhood Plan envisions an on-going sustainable and complete neighbourhood. The plan aims to reflect and respect the influences and principles of the original vision while appropriately updating the urban design, architecture and landscape design to respond to current conditions. The following new elements comprise the components of the updated Dockside Green Neighbourhood Plan.

4.1 Redistribution of Buildings – The updated plan includes 12 buildings that form part of this application. The buildings establish the distribution of the remaining density of the site and work together in different precincts to continue the character and vibrancy of the neighbourhood.

4.2 Updated Main Plaza now located along Harbour Road – Now referred to as "Dockside Landing", this public space will serve as the primary urban plaza for the site and is situated adjacent to Harbour Road welcoming residents and visitors to the commercial and retail core of Dockside Green. Utilizing the ever-changing back drop of Point Hope Maritime, the plaza is intended to better connect to the energy of Harbour Road and provide an opportunity as a place for assembly for markets, concert and bazaars.

4.3 A New Central Park – Dockside Commons is a new park space providing an additional amount of open space for visitors and resident of Dockside Green. The large multipurpose park provides the opportunity for amphitheatre like seating, active play or passive enjoyment and adds to the urban fabric of both Dockside Green and Victoria West as a place for connection amongst neighbours.

4.4 An Updated Children Play Area – The Play Room is a children's play area integrated into a central location of the neighbourhood part way along the Greenway to provide enhanced opportunities to play, rest or gather, and enjoy the Greenway and views over the harbour.



4.5 A new Dog Park – The “Mutt Strut” is a new dog park located at the north end of the site, and creates the opportunities for Dockside Residents and individuals from the neighbouring Rail Yards development and greater Victoria West community to come together and connect.

4.6 A New Dockside Green Resident Centre - Now referred to as the Neighbourhood House, this 3,100sqft building has been included with the updated plan to create an indoor neighbourhood gathering space for Dockside Green residents. The space will be flexible in design and is intended to be utilized for strata meetings, fitness needs and a common gathering place for the residents.

4.7 New Gateways - Four pedestrian oriented Gateways have been created at the three corners of Dockside Green and mid-block along Tyee Road to better connect to the surrounding community.

4.8 Updated Vehicle Access – Dockside Crescent is a low-speed, multi-modal street connecting Esquimalt Road and Tyee Road. The street provides access to residential towers and Dockside Commons at the south-end of the site.

4.9 New Mobility Hubs - A series of designated multi-modal transportation hubs that concentrate travel options around 8 hubs within Dockside Green to increase awareness of travel options, strengthen connections between modes to facilitate multi-modal trips, and provide desirable alternatives to single-occupant vehicle travel.

4.10 Use of Vacant Land in the Interim - As Dockside Green will take over a decade to be completed, we see an opportunity to emphasize social sustainability and provide a new model for urban development by temporarily transforming underused, but high-value, areas into thriving cultural experiences – we have begun to refer to this general concept as Dockside BETA. The BETA project will be a living workshop that will reclaim a portion of the undeveloped land in the Dockside Green neighborhood, and use shipping containers as building blocks to cultivate a culturally vital environment where Victoria artisans, community leaders, makers, growers and entrepreneurs can collaborate, exchange ideas, and showcase their work. We see the mix of tenants as vital to create a community of like-minded values. The BETA project strongly supports the creativity of thinkers and doers in Victoria. It will be a place to build on what is already happening in Victoria, providing a location for some of this creative energy to coalesce and grow.

5.0 Proposed Amendments to Support the Advancement of Dockside Green

Dockside Green is applying for amendments to the CD-9 Zone - Dockside District, Official Community Plan and MDA to facilitate the updated 2015 Neighbourhood Plan and associated neighbourhood development strategies. These are outlined in some detail in the Submission Booklet for the application. The table below summarizes the principal elements.

CD-9 Zone Amendments

- Increase in total permitted residential density in DA-D / DA-E from 6,200 m² to 9,867 m²
- For DA-D and DA-E, deleting from the residential uses definitions the restriction on ground floor residential and the requirement for building buffer along Harbour Road and including these requirements in a new residential use siting section.
- Adding additional permitted use categories to DA-A, DA-B, DA-D and DA-E based on the updated



<p>vision for Dockside Green, including uses proposed for Dockside BETA.</p> <ul style="list-style-type: none"> • Vehicle parking ratios for the proposed new uses and combined Dockside BETA vehicle parking ratio. • Modified permitted heights to allow additional tall towers in DA-A (but no increase in height of the tallest tower) and slight increase in height of tower in DA-B to account for challenging site conditions.
<p>Master Development Agreement Amendments</p>
<ul style="list-style-type: none"> • Revised public amenity schedule with estimated value <i>increasing</i> by \$2 million, including: <ul style="list-style-type: none"> ◦ New / revised amenities: Dockside Commons, Dockside Landing, The Mutt Strut, The Playroom, revised internal roads and pathways, Transportation Demand Management (TDM) program ◦ Retained amenities: Greenway, Public Washroom, Galloping Goose Trail Improvements, Public Art, Historic First Nations / Environmental signage ◦ Deleted amenities: Johnson Street Bridge stairs, remaining Environmental Technologies, remaining Esquimalt Road/Harbour Road crossings, Sustainability Centre, • Plan for phasing delivery of amenities that is linked to the construction of specific lots. • Amenity performance guarantee provided when particular phase developed. • Change to LEED ND from LEED NC to align with the Dockside Green new role as a neighbourhood developer. • Modified Transportation Demand Management (TDM) program. • Adaptable housing required for 20% of units instead of 100%. • Permitting subdivisions consistent with 2015 Neighbourhood Plan without need for Council approval,
<p>Core Songhees Development Permit Area and associated Design Guidelines Amendments (Part of the Official Community Plan)</p>
<ul style="list-style-type: none"> • New <i>Dockside Green Urban Design Guidelines</i> for the 2015 Rezoning Area. Substantial changes to the <i>Design Guidelines</i> include: <ul style="list-style-type: none"> ◦ Precinct-based design guidelines ◦ Revised skyline that keeps "bridge to bridge" concept with tallest towers at either end of site, additional taller towers along Tyee Road with a landmark tower at corner of Tyee Road and Esquimalt Road ◦ Inclusion of minimum separation distances between residential towers ◦ Revised public realm elements and guidelines to reflect updated public amenity plan • Permitting subdivisions consistent with 2015 Neighbourhood Plan without need for Council approval • Delegated authority for staff to approve certain Development Permits for Dockside BETA.

6.0 Community Support for the New Neighbourhood Plan

The lens of community support is an important consideration and context once again is key. Some extremely generous and dedicated residents in Victoria West were passionately involved in the 2005 Neighbourhood Plan for Dockside Green. In this context, historical facts and positioning plays a unique role when changes are suggested. A few people still believe that Dockside Green purchased the land for \$1.00 and that the remediation obligations were all complete prior to purchase. While this belief is false, when this is the public perception and starting point for public discussions that have financial implications and involve change – even if the changes are well supported by the broad



community – these discussions are challenging. The issue of the intent, form and function of the Sustainability Centre is a case in point and remains a sensitive issue for some in the Vic West Community Association as does our request to update the plan to reflect our current thinking regarding LEED. These concerns, however, are not shared by the larger community.

From our earliest meetings and throughout our extensive community consultations with the public, we explained the challenges of meeting LEED NC Platinum Certification for residential buildings and of our intention to move to LEED ND Platinum for new developments. In the five months of presentations, charrettes, and meetings we did not receive any opposition to this change nor did we hear any at the September Vic West Community Association Land Use Committee (CALUC) meeting. The way in which the February CALUC letter is worded, however, would suggest otherwise. Given that our consultation period concluded in the fall and was received with such enthusiasm, it was a grave disappointment that a letter was sent so late, and reflected views that were disconnected from our experience. While we respect the contents of this letter, the change from LEED NC to LEED ND was not an issue for the majority of the public that participated in our consultation process nor those attending the September CALUC meeting. Further, the MDA signed by the City and Dockside Green Limited in 2005 provided the option for Dockside Green to change from LEED NC to LEED ND. In 2008 Dockside Green Limited indicated that it was pursuing LEED ND certification and an amendment to the MDA to reflect this was approved by Council.

At our September CALUC presentation we addressed the Sustainability Centre and the economic challenges for non-profit organizations to raise money through capital fund raising campaigns (approximately \$5 – \$7-million would be needed) to buy the land and build. During our five month public engagement process, and at the CALUC meeting, there were only a few people wishing to keep the idea of the Sustainability Centre alive. Beyond these few, we received no negative feedback on spending our \$400,000 dollar obligation towards the Sustainability Centre on other public amenities at Dockside Green.

7.0 Delivering on Our Commitments

Dockside Green is a unique neighbourhood development in the City of Victoria. Committing to delivering the most sustainable neighbourhood in the City meant significantly more obligations to the community than any other development. This included remediation of a historically contaminated site, subsidizing affordable housing, construction of private utilities, waterfront restoration and a suite of public amenities – including improvements to Point Ellice Park, Galloping Goose trail upgrades, new public spaces and Greenway, street improvements and public art. By the end of 2009 75% of these obligations had been completed at a cost of approximately \$11 million, not including the price of the land.

In 2014, not only did we initiate conversations with the community to reconsider Dockside Green, but we refocused on one of our major commitments: affordable housing. Dockside Green is envisioned as an inclusive community with a mix of housing suitable for a wide range of people, households and families, including those who cannot afford market housing. We are pleased that we are nearing completion of the process that will see our partner Catalyst Community Developments Society build 49 units of affordable non-market rental housing at Dockside Green, with construction anticipated to begin in early 2016. This housing will be suitable to a range of household sizes with a mix of studio, one bedroom, two bedroom and three bedroom units. We anticipate the tenants to largely from the service industry workforce, from Downtown and other nearby neighbourhoods. Dockside Green will be contributing \$3.4 million to make this initiative viable.



Approval of this combined Rezoning, OCP Amendment and MDA Amendment application, with partially reconfigured public amenities, will allow us to complete the development of the neighbourhood and delivery of the remaining public amenities. The value of the remaining amenities is approximately \$6.7 million, a \$2 million increase on the previously approved public amenities approved in 2005.

8.0 Conclusion

We are thankful to the hundreds of citizens who helped shape the new Neighbourhood Plan for Dockside Green. The public consultation process was a true demonstration of Dockside Green's commitment and connection to the community of people for whom Dockside Green is home, and to the residents of Vic West and the City of Victoria.

At completion Dockside Green will contribute approximately \$5 million a year in property taxes to the City of Victoria with businesses providing hundreds of new jobs. The changes identified in our application will enable us to proceed. With 1.0 million square feet of buildable floor area yet to be developed accompanied by an array of public amenities, the enclosed application achieves a delicate balance between economic viability and the delivery of an important, sustainable project in Victoria.

In 2002 Dockside Green was an abandoned brownfield property bounded by an industrial site and road. Dockside Green 2015 is home to more than 300 residents and more than a dozen local businesses that are creating livelihoods for their families and their employees. The new Johnson Street Bridge and new transportation connections are shaping and informing a new gateway to Victoria West. Across the city, new conversations on sustainability are reflecting perspectives with increased emphasis on social, cultural and economic sustainability drivers. This is a very exciting and strategic time. The City of Victoria in its wisdom called for an extraordinary project in 2002. The new Neighbourhood Plan for Dockside Green 2015 is an extraordinary project – it is an improved plan – it is, with the requested changes, a financially viable project that will exceed expectations. The window of opportunity for the market is here. Dockside Green needs Council's leadership once again to proceed.

Sincerely,

Norm Shearing, BA, BArch, MAIBC, MRAIC, LEED AP
President, Dockside Green Limited