

Planning and Land Use Committee Report For the Meeting of June 25, 2015

To:

Planning and Land Use Committee

Date:

June 12, 2015

From:

Mike Wilson, Senior Planner - Urban Design, Development Services Division

Subject:

Rezoning Application No.00381 and Development Permit Application No.

000351 for 1002, 1008-1012 Pandora Avenue

Application Ready to Proceed to Public Hearing

RECOMMENDATION

- That Council rescind third reading of Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-069.
- That Council amend the Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-069 by replacing the amended Schedule A that secures 11 non-market rental units.
- That Council give third reading of Housing Agreement (1002-1008, 1012 Pandora Avenue) Bylaw No. 14-069 with an amended Schedule A that secures 11 non-market rental units.
- 4. That Council refer the Rezoning Application No. 00381 for consideration at a Public Hearing.
- 5. Following consideration of Rezoning Application No. 00381, that Council approve a Development Permit for 1002, 1008-1012 Pandora Avenue, in accordance with:
 - Plans for Rezoning Application No. 00381 and Development Permit Application No. 000351, stamped June 8, 2015;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - The Development Permit lapsing two years from the date of this resolution.
- 6. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.

LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 905 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use or the density of the land from that permitted under the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information that has been presented since Council's motion of September 11, 2014, which cancelled the Public Hearing for the Zoning Regulation Bylaw Amendment that would authorize Rezoning Application No.00381 for the property located at 1002, 1008-1012 Pandora Avenue. For background, staff have attached relevant staff reports along with the meeting minutes. Since Council's motion of September 11, 2014, the applicant has completed further consultation with the North Park Neighbourhood Association and the broader community through meetings and open houses.

As a result of this consultation, the applicant proposes the following amendments to the Application:

- the provision of 11 non-market rental units tied to the Housing Income Limits set for Victoria, for the life of the proposed building
- the provision of six additional bicycle parking stalls at grade (total of 24)
- the provision of raised planter beds for garden plots
- · bicycle repair and wash station within the proposed building
- additional frontage improvements, including a curb bump out and planting on the north side of Mason Street immediately opposite the underground parking access point
- additional bump outs on Mason Street for traffic calming.

The recommendation provided above contains the appropriate language to advance the Rezoning Application for consideration at a Public Hearing.

BACKGROUND

Description of Proposal

On September 11, 2014, Council endorsed a motion to cancel the Public Hearing for the property located at 1002, 1008-1012 Pandora Avenue. Since this time, the applicant has conducted further consultation with the North Park Neighbourhood Association and the broader community. The following section provides details regarding the changes that are being advanced and the previous reports and minutes are also attached.

ANALYSIS

Proposed Non-Market Rental Housing

The proponent is volunteering to provide 11 non-market rental housing units which are consistent with the Housing Affordability and Housing Diversity policies within the *Official Community Plan*. As such, staff have prepared a revised Housing Agreement Bylaw for Council's consideration. The proposal is to secure five bachelor suites, four one-bedroom suites and two two-bedroom suites.

The proposed Bylaw secures the units within the building in-perpetuity and assigns rent maximums by unit type in accordance with the Housing Income Limits (HILs) for Victoria. Based on 2015 HILs rates, the following maximum rents would apply:

Unit Type	Housing Income Limits (2015)	Maximum Rent
Bachelor	\$29,500	\$737.50
1-Bedroom	\$34,500	\$862.50
2-Bedroom	\$43,000	\$1,075.00

Plan Amendments

The applicant has also made additional plan amendments based on feedback from the community. These include additional bicycle parking stalls, raised planter beds for garden plots and additional frontage improvements to Mason Street. The applicant has already committed to constructing a driveway crossing at the corner of Mason Street and Cook Street and now proposes additional frontage improvements, including a planted bump out on the north side of Mason Street immediately opposite the parking access point. The intent of the improvements is to establish screening of the adjacent homes to provide improved privacy for residents on the north side of the street. The applicant also proposes to construct bump outs to calm traffic on Mason Street.

Encroachment Agreement

The applicant proposes to excavate to the property line in order to construct an underground parking structure. Staff recommend for Council's consideration that Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction. This is to accommodate shoring for construction of the underground parking structure at the property line.

CONCLUSIONS

Since the Public Hearing which was set for September 11, 2014, was cancelled, the applicant has completed additional consultation with the community. The applicant has proposed that 11 units in the development be secured for non-market rental housing. The applicant has also committed to additional frontage improvements, bicycle racks and garden areas. Staff recommend for Council's consideration that Council consider forwarding the Application for consideration at Public Hearing in accordance with the recommendation provided.

Respectfully submitted,

Mike Wilson

Senior Planner – Urban Design Development Services Division

Alison Meyer, Assistant Director Development Services Division Sustainable Planning and Community Development

Department

Andrea Hudson
Acting Director
Sustainable Planning
and Community
Development
Department

Report accepted and recommended by the City Manager:	11	/	_
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Date:	Ju	15,2	کام

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List of Attachments

- Letter from Blue Sky Properties dated June 10, 2015
- Plans date stamped June 9, 2015
- Council Minute dated September 11, 2014
- Letter from Blue Sky Properties dated September 10, 2014.



June 10, 2015

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

Attn: Mayor and Members of Council

Re: 1002-1008 and 1012 Pandora Avenue

Dear Mayor and Council,

The purpose of this letter is to provide an update on our application for 1002-1008 and 1012 Pandora Avenue.

Since requesting to delay to our public hearing last September, we have spent time revising our proposal and conducting additional public consultation. This consultation includes:

-Meeting with the North Park Neighbourhood Association (NPNA) Land Use Committee;

-Presentation to broader NPNA group at their regular monthly meeting:

-Two Neighbourhood Information Meetings;

-Phone call to update the owners of the Mason Street City Farm on the project;

-Various Meetings with smaller groups of stakeholders in the neighbourhood.

During these meetings we provided a history of the project and an update on our new proposal. These meetings were interactive in nature as we were seeking feedback on some of the new ideas that we are proposing.

These new ideas include the addition of resident garden plots and an urban agricultural education program; confirmation of pet-friendly building amenities; confirmation of cycling amenities; and the introduction of additional landscaping and traffic calming measures along Mason Street.

In addition, we introduced the idea of two additional options for consideration by the community:

Option 1 included the addition of new on-site public amenities in the form of a commitment to provide 5% of the residential rental units as affordable units and the provision of a new community meeting room to be available for use at no charge to the NPNA and other community groups.

As an alternative, Option 2 was developed to respond to some neighbours' continued concern about building massing and height along Mason Street. This option proposed the reduction of density and height, to lower the building facing Mason Street and Franklin Green Park from 4-storeys to 3-storeys. This option reduced the overall density from 2.35 FSR to 2.21, representing a loss of 11,790 sq.ft or 15 rental units.

These updates were presented to the NPNA at their May 2015 meeting.

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In addition to this, BlueSky held 2 Neighbourhood Information Meetings on May 26th. Invitations were mailed to approximately 3,700 residential and business addresses in the surrounding area and notices were printed in the Victoria Times Colonist on May 19, 21 and 22. The purpose of the meetings was to present the updated project plans and to seek feedback on the two specific options being considered to see if there was a preference between Option 1 (on-site affordable housing and community meeting room) and Option 2 (reduced building height and density). Approximately 100 people attended the two sessions. On the specific question of whether there was a preference for either of the options, we received greater support for Option 1.

We were encouraged by the broad support for inclusion of affordable housing within the project. While some liked the idea of further reduced density, others felt that at 4-storeys the building was already appropriately scaled within the urban neighbourhood context and that the contribution of affordable housing would provide a greater public benefit.

Based on the feedback we received during the Neighbourhood Information Meetings and other stakeholder sessions, along with our interest in supporting greater housing affordability in Victoria, we have now elected to implement Option 1. Our plans have been revised to reflect the inclusion of the Community Meeting Room and we have documented our commitment to the provision of affordable housing in an updated Housing Agreement with the City. The Housing Agreement includes the requirement to provide 5% of the units (11 units) as affordable units with their rents linked to BC Housing's Housing Income Limits (HILs) rates, as suggested by City staff. These units will remain as affordable units in perpetuity, representing a significant and continuing public amenity contribution to the City.

To ensure that the affordable units are available to a wide variety of household configurations, including families, we are proposing a mix of unit sizes including five (5) Bachelor suites, four (4) 1 bedroom suites, and two (2) 2 bedroom suites.

To expand on the other changes to the proposal:

Urban Agriculture:

We have included 30 garden plots for use by residents of the building (this number could be expanded based on demand). In addition to providing the plots, we will be engaging with a local group to help facilitate the residents to learn how to plant and grow food in an urban setting. We believe this to be important from a sustainability perspective, but also community building within the project and have successfully implemented similar programs at our projects in Vancouver.

Pet Friendly Building:

We have heard from multiple people that it is difficult for pet owners to find rental apartments Victoria as many landlords restrict pets. To confirm, we will be allowing pets in our building and will be taking additional steps to improve livability. These will include a Dog Wash station in the parkade and pet dropping clean-up stations.

Cycling Amenities:

This site is strategically located at the convergence of two major bike routes, Pandora Ave. and Vancouver St. This project will improve the frontage on both of the streets to match the planned cycling infrastructure. Recognizing that this is an important junction, we will be installing an outdoor bike service station and pump that will be available for use by the public. Also, to encourage more cycling trips to the



site, we have doubled the number of surface bike parking spaces at grade over the bylaw requirement. Our hope is that these extra spaces will encourage retail customers and visitors to the building to arrive by bike, thereby reducing the amount of vehicle traffic.

Mason Street:

We understand there have been recent changes to the Highway Access Bylaw. We have discussed these with the Staff and are told that even with these changes, we are still required to access our site off of Mason St. In addition to the traffic minimizing measures that we put into place last year to lessen the impact on the Mason St. residents, we have implemented new additional measures. These include a slight re-alignment of the street to allow for planting in front of the houses on the north side of Mason, immediately across from the entrance. We have also proposed traffic calming "bump outs" that will force traffic to slow down. A similar measure was taken on Leighton Road to much success and we are excited about contributing to implementing these design and traffic calming measures along the full length of Mason St. as an additional community amenity contribution. The idea of designing Mason St. following the "woonerf" or Dutch "living street" concept was first identified during our discussions with the NPNA and we look forward to working with City staff and the community through the detailed design and planting of these streetscape amenities.

While we have not secured any specific tenants for the commercial portion of the project, we have been open in sharing with the community the interest we have received from potential grocers. That said, the plans maintain flexibility to accommodate a mix of retailers to serve the local neighbourhood and the growing downtown population. It is important to us, and to the viability of downtown retail locations, to offer a balanced retail program, with the potential for larger tenants to support a diversity of smaller shops that together can create a vibrant and successful neighbourhood-serving venue. As the long-term owners and managers of the building, we are committed to ensuring the success of the project, which is directly linked to the success of the ground-floor retail space. We will be working to select tenants for the project that can meet local needs and contribute to the positive growth of the neighbourhood.

Our efforts over the last number of months have informed these further design refinements, resulting in a better plan with additional public amenity contributions that offer direct benefits to the local neighbourhood and to the broader city as a whole.

We respectfully ask that Council consider the application and allow our proposal to proceed to a Public Hearing. We are committed to investing in the positive growth of Victoria's downtown neighbourhoods and look forward to achieving a successful outcome for all stakeholders.

Regards,

Mark Kopinya Development Manager

Mark Kop



RESIDENTIAL/COMMERCIAL DEVELOPMENT

1008 - 1012 PANDORA AVENUE, VICTORIA, BC, V8V 3P5 DP REZONING SUBMISSION (Base Design Submission)

June 5th, 2015





Received City of Victoria

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Planning & Development Department **Development Services Division**

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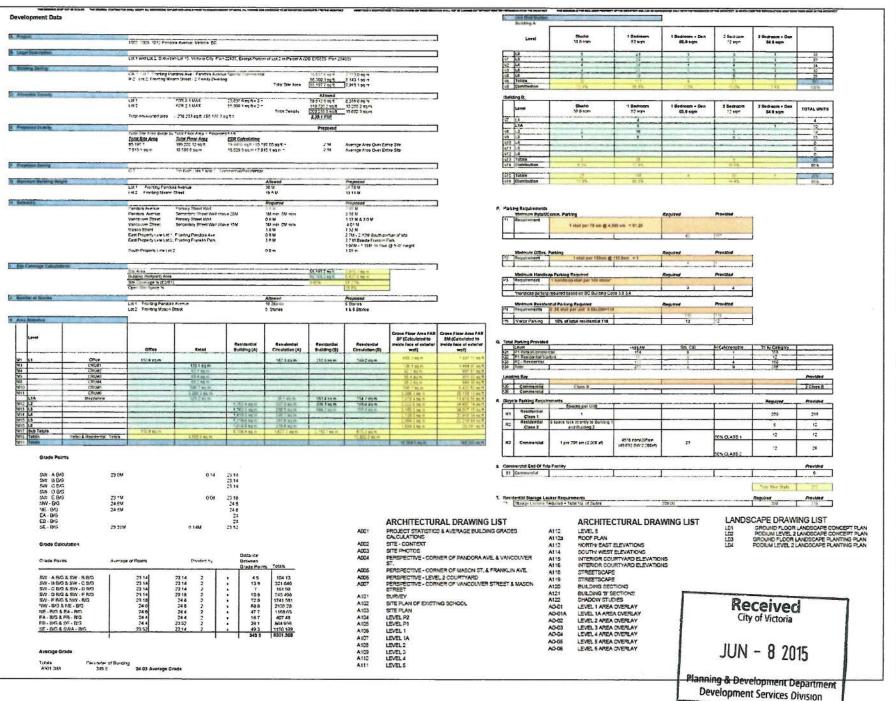
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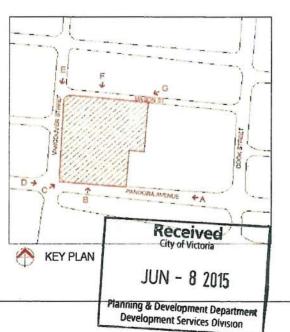
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(G) MASON ST CORNER





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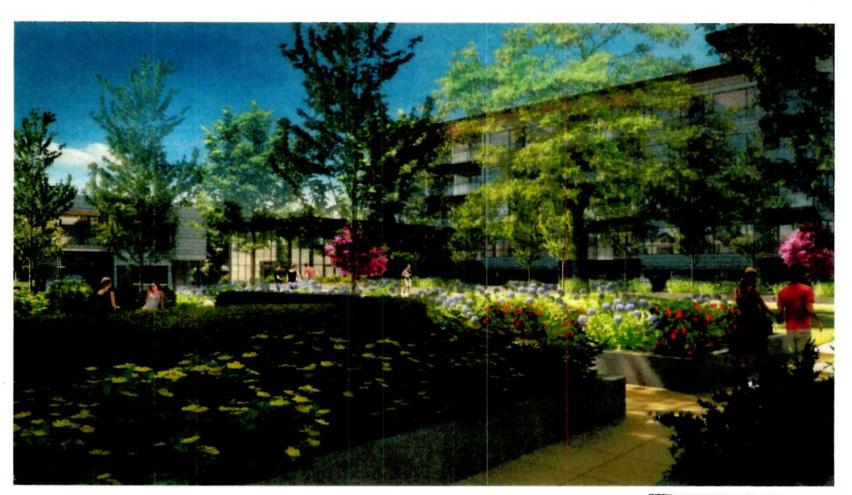
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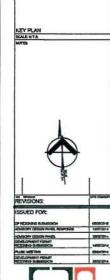
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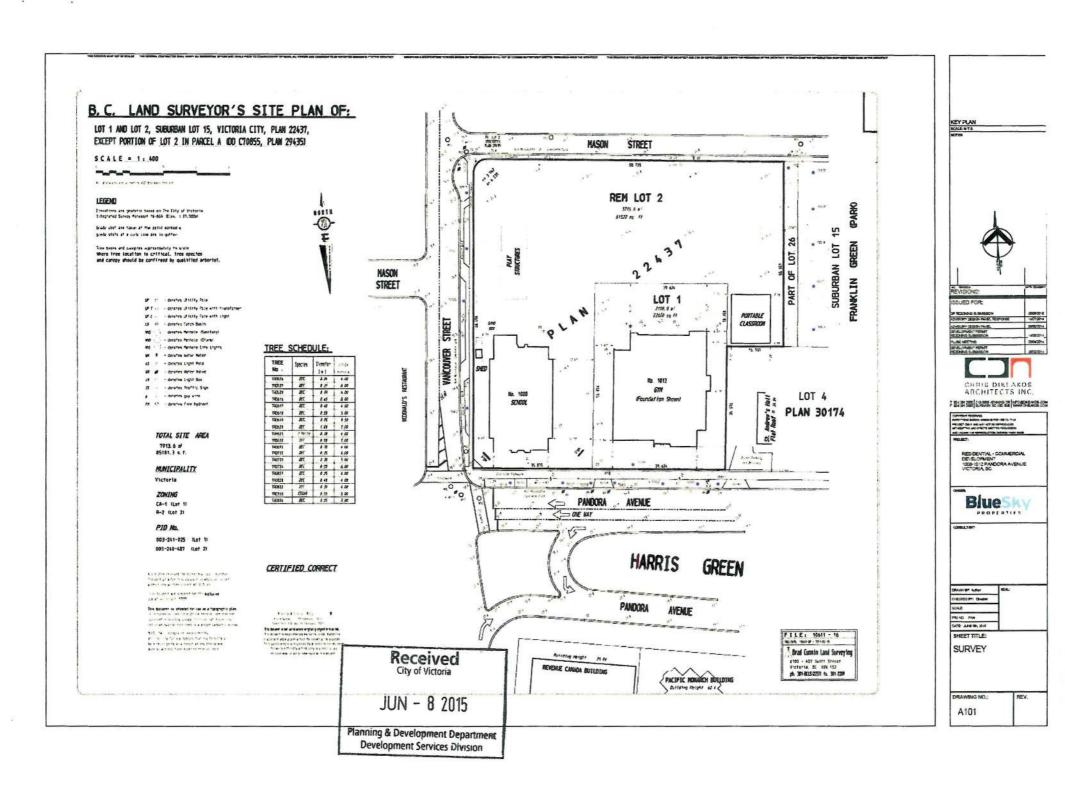
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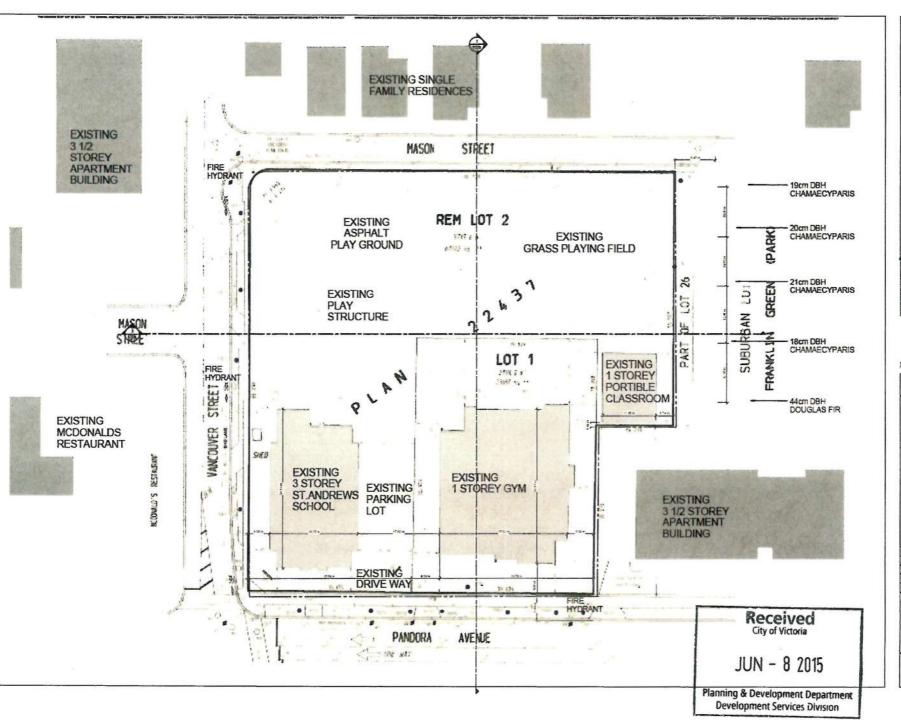
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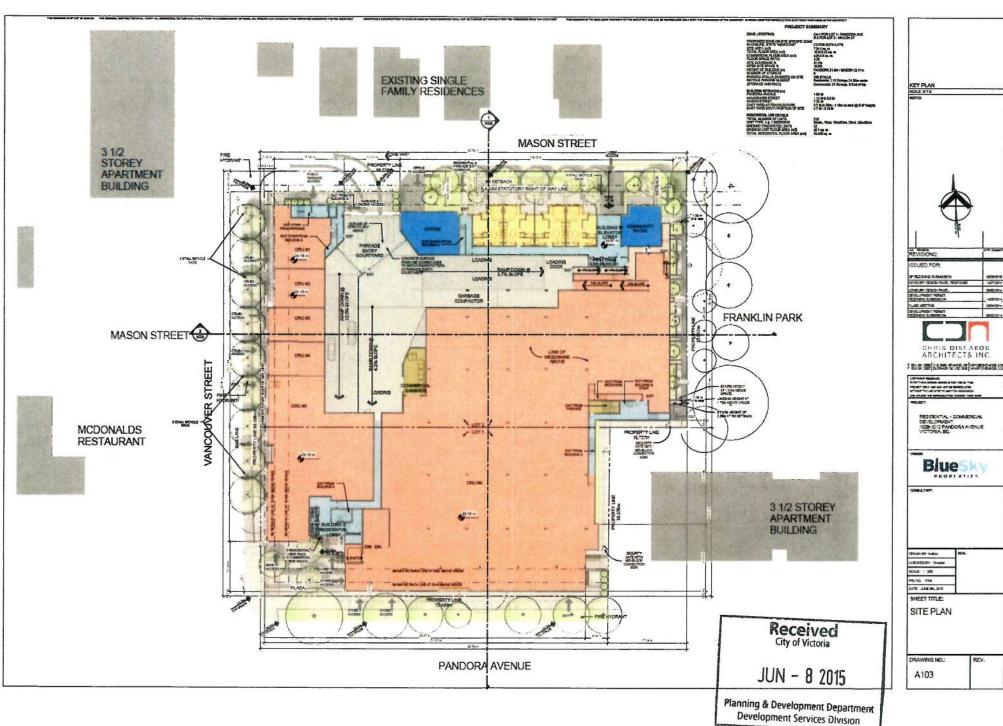
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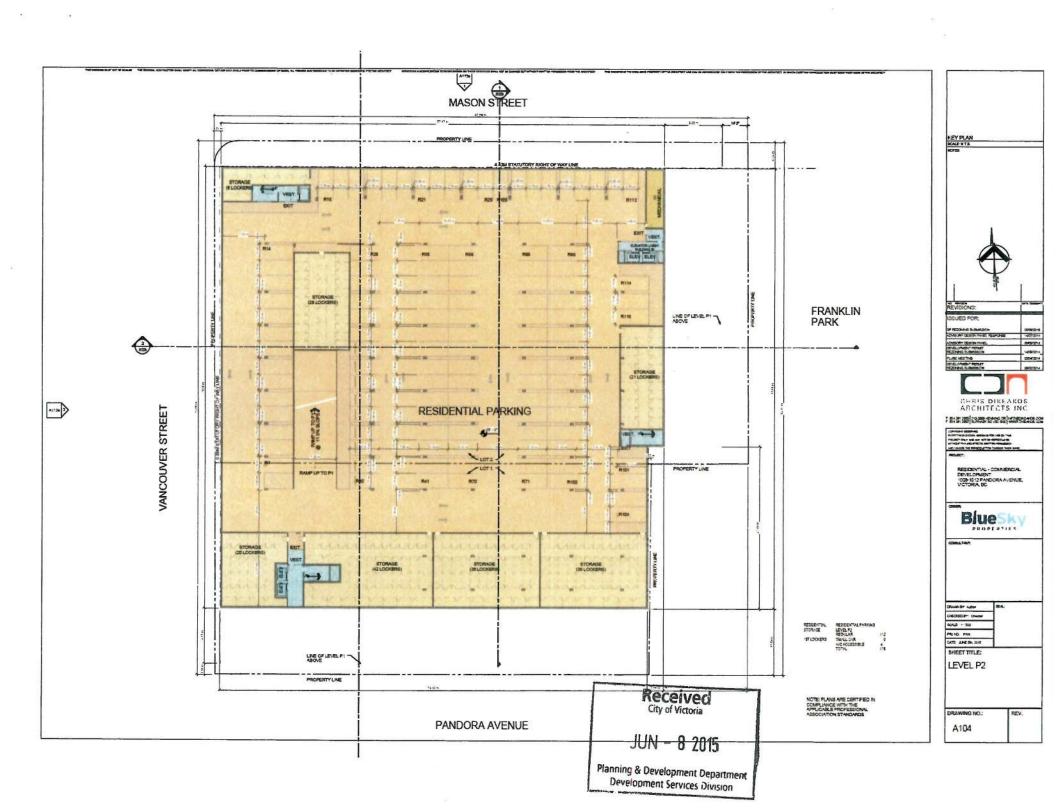


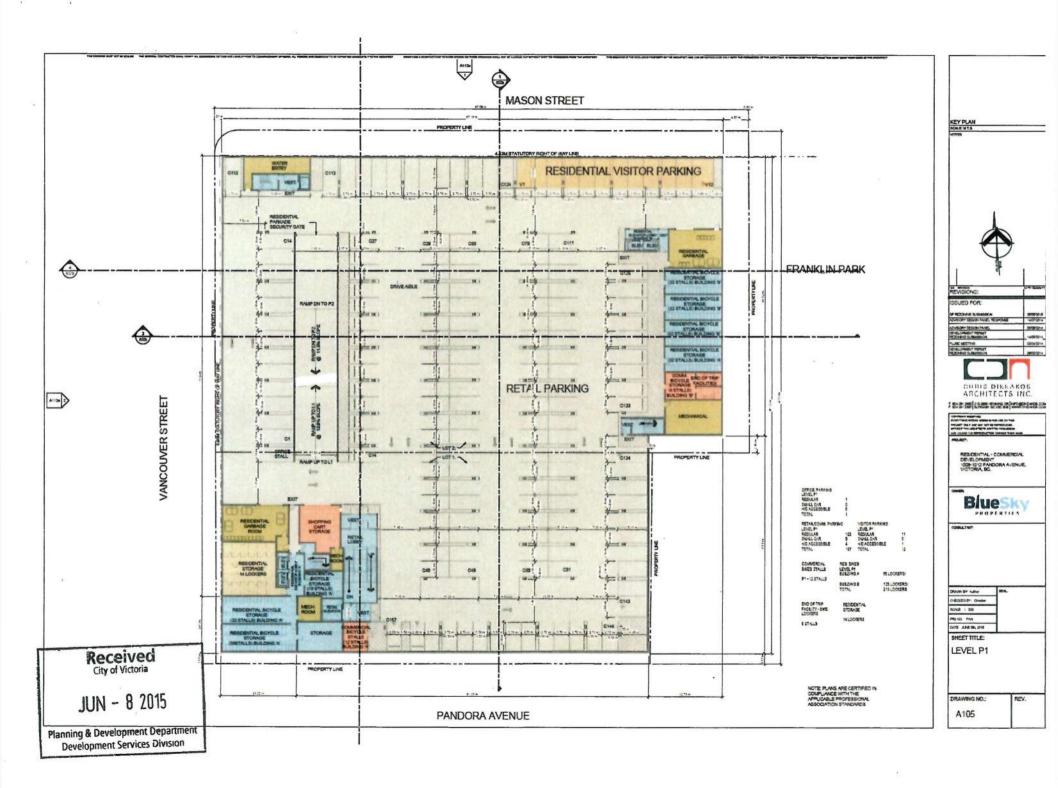


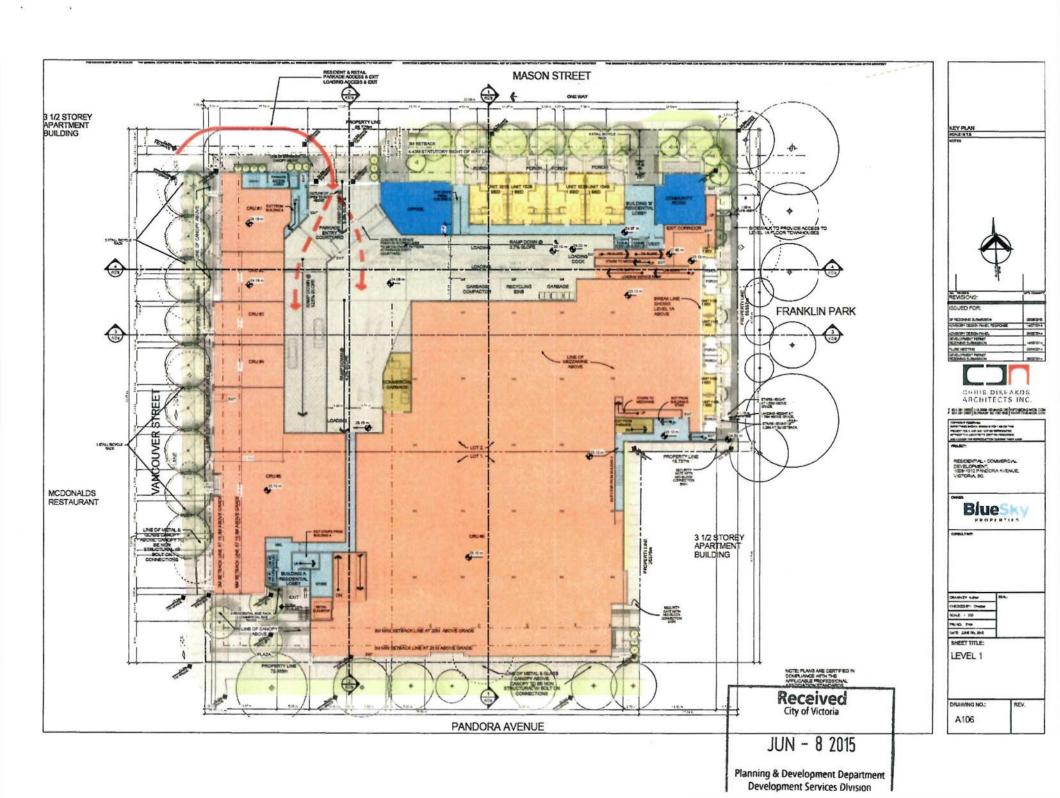


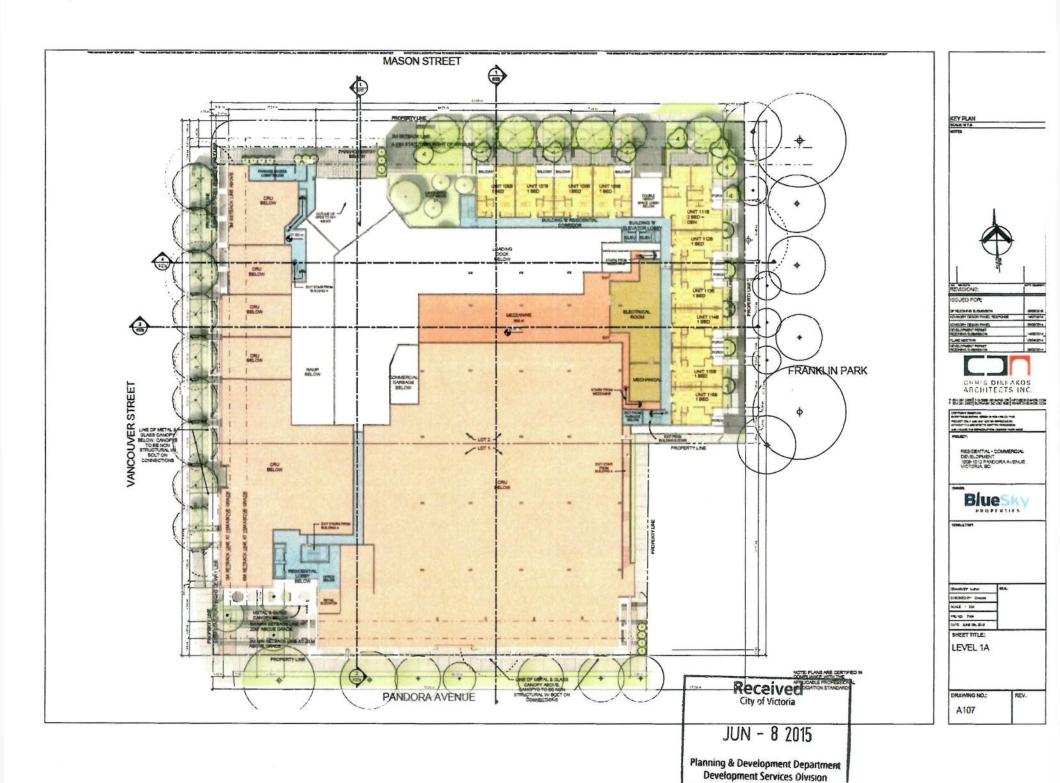


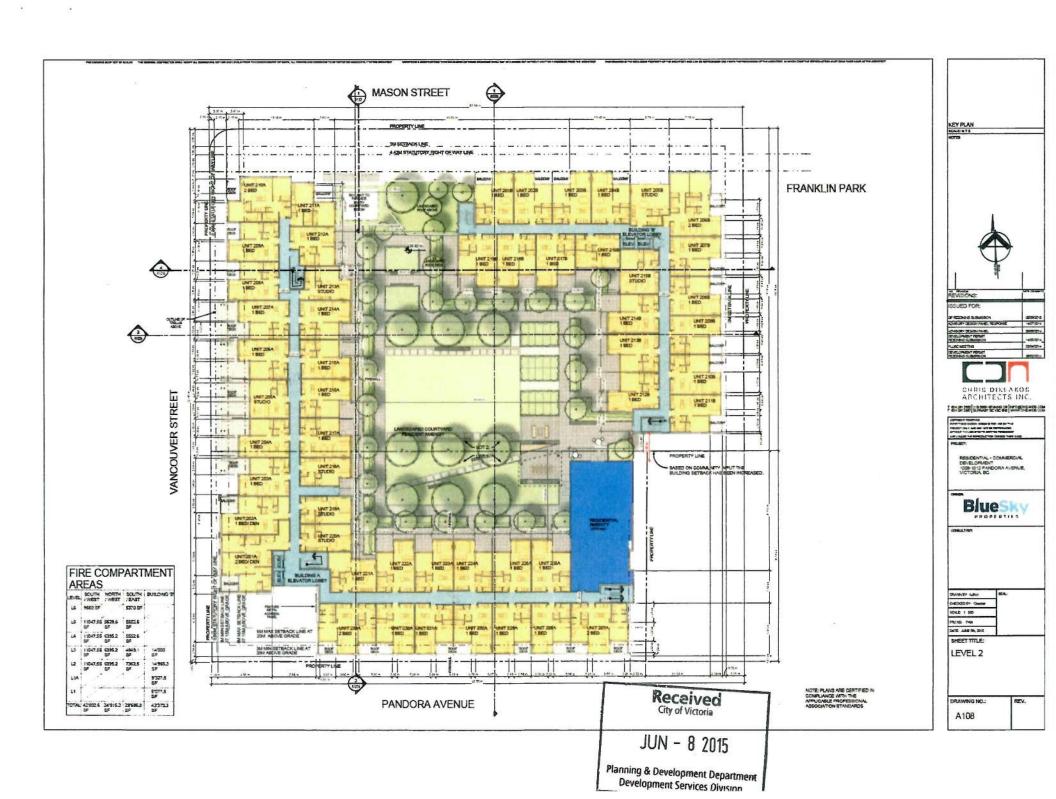


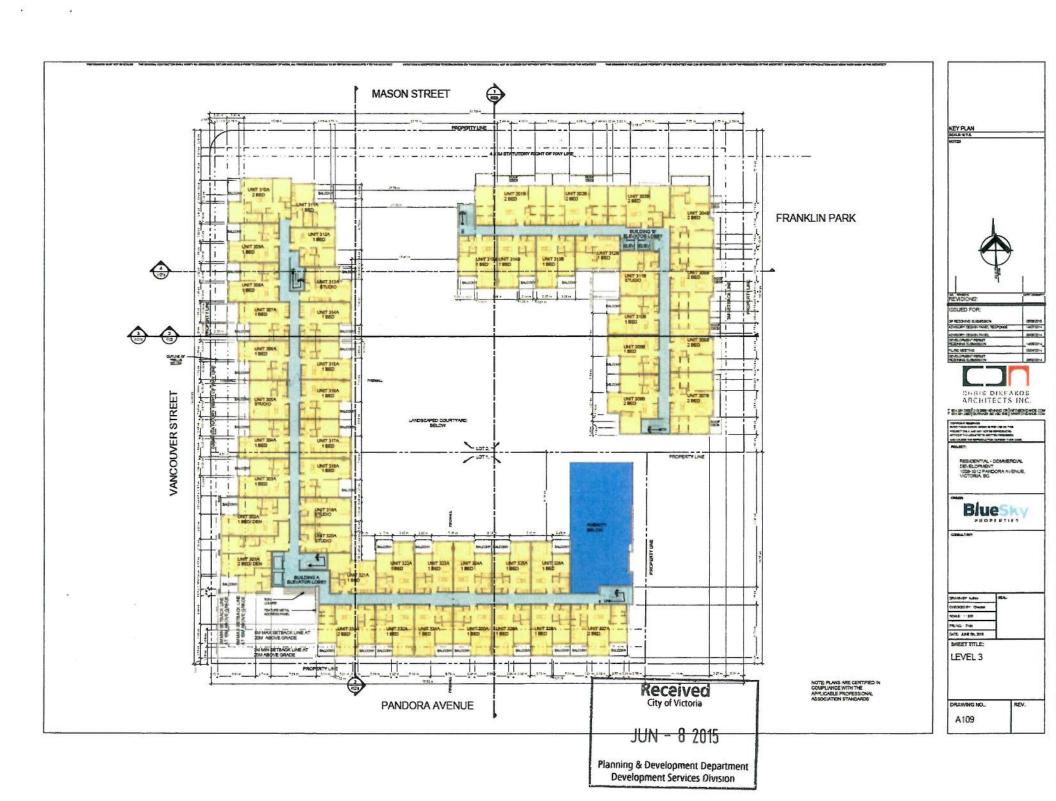


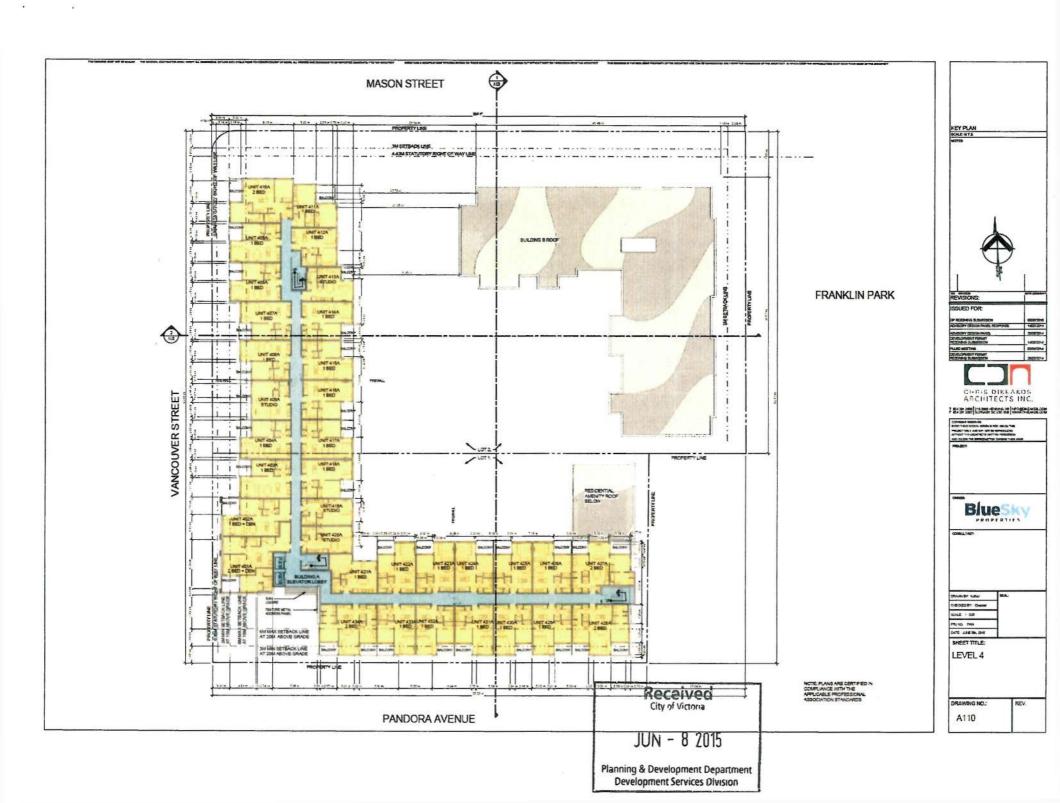


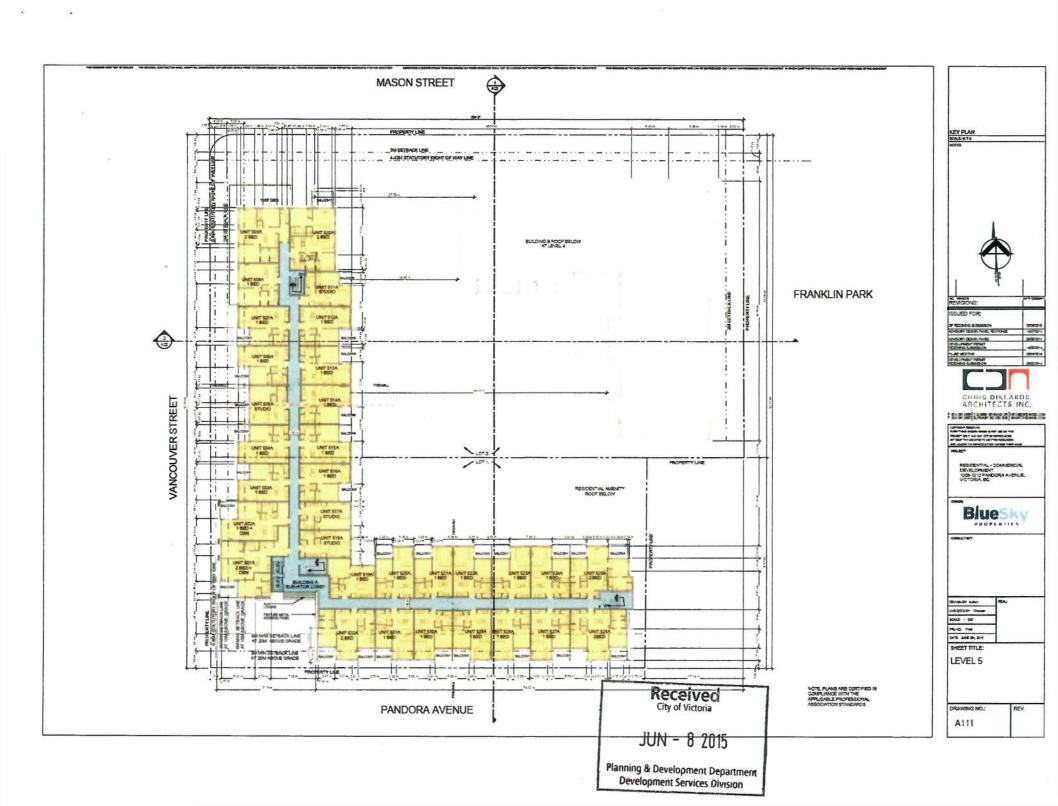


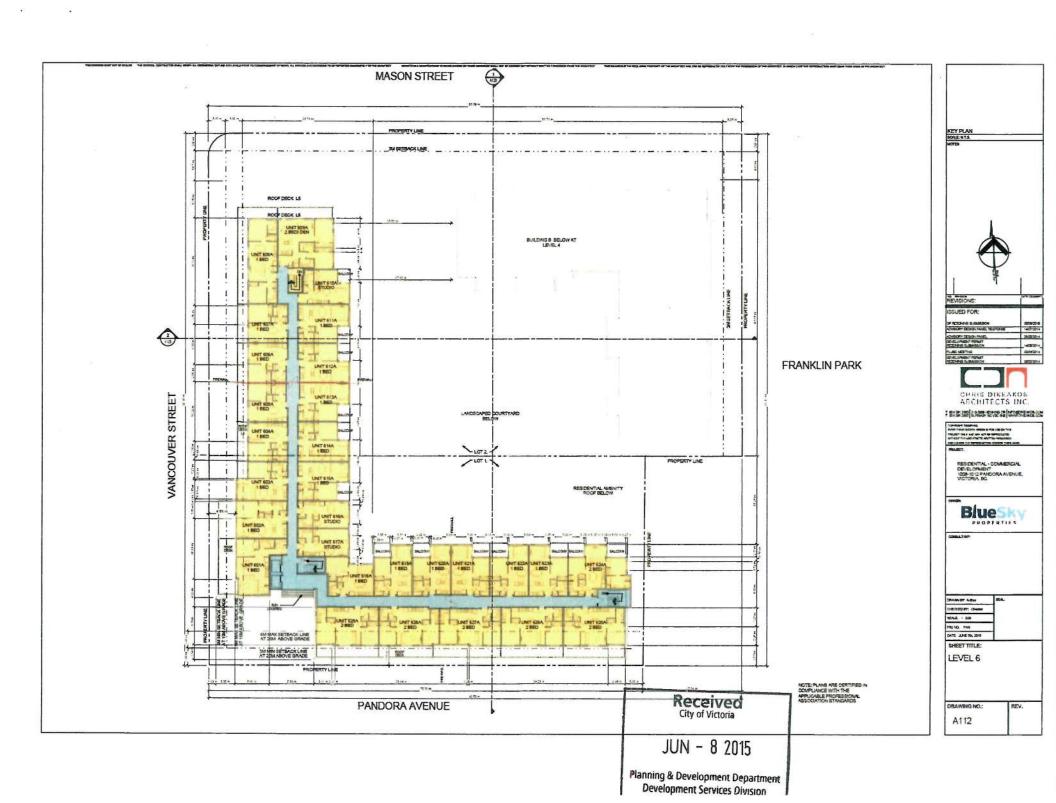


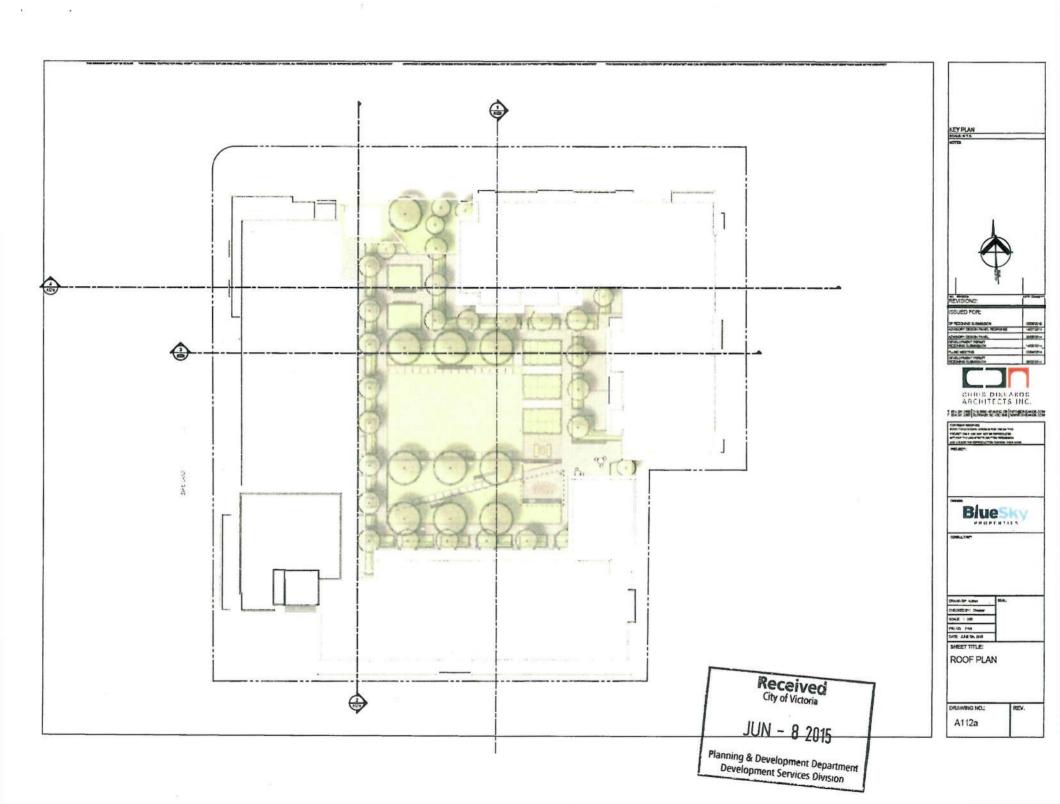


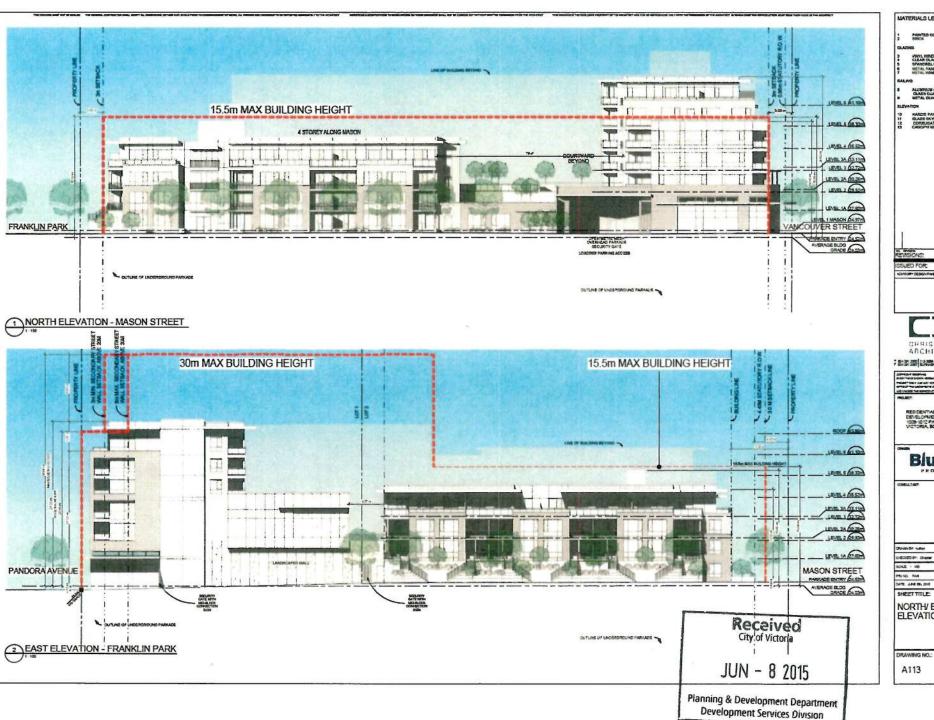






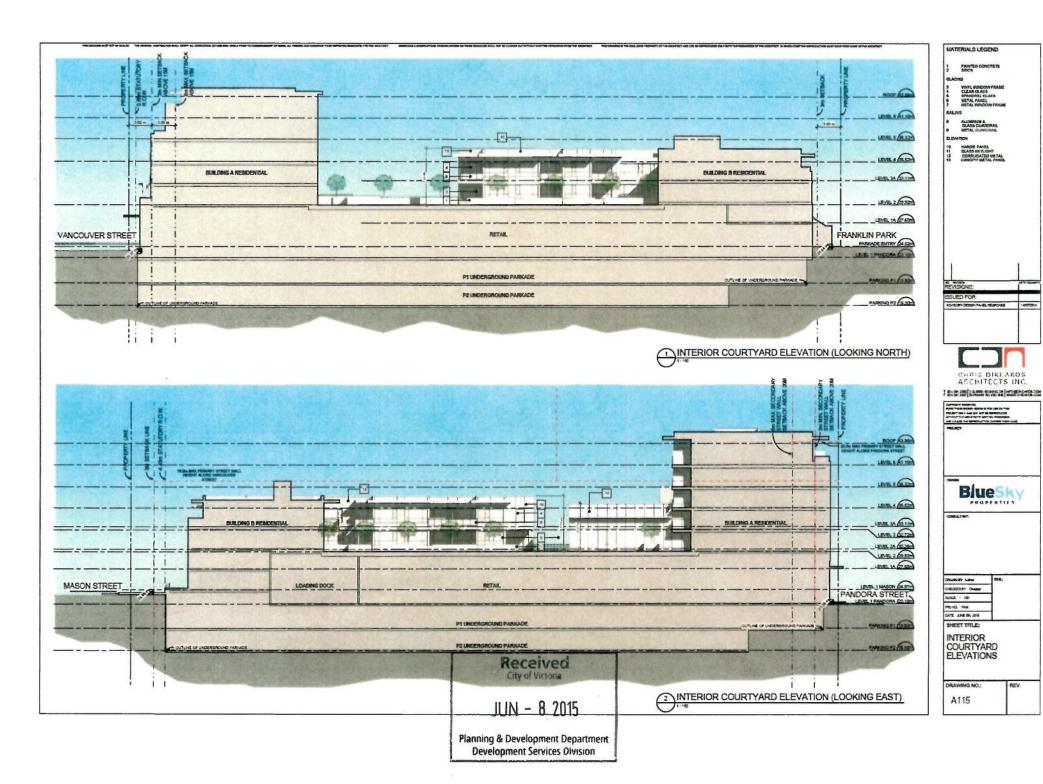


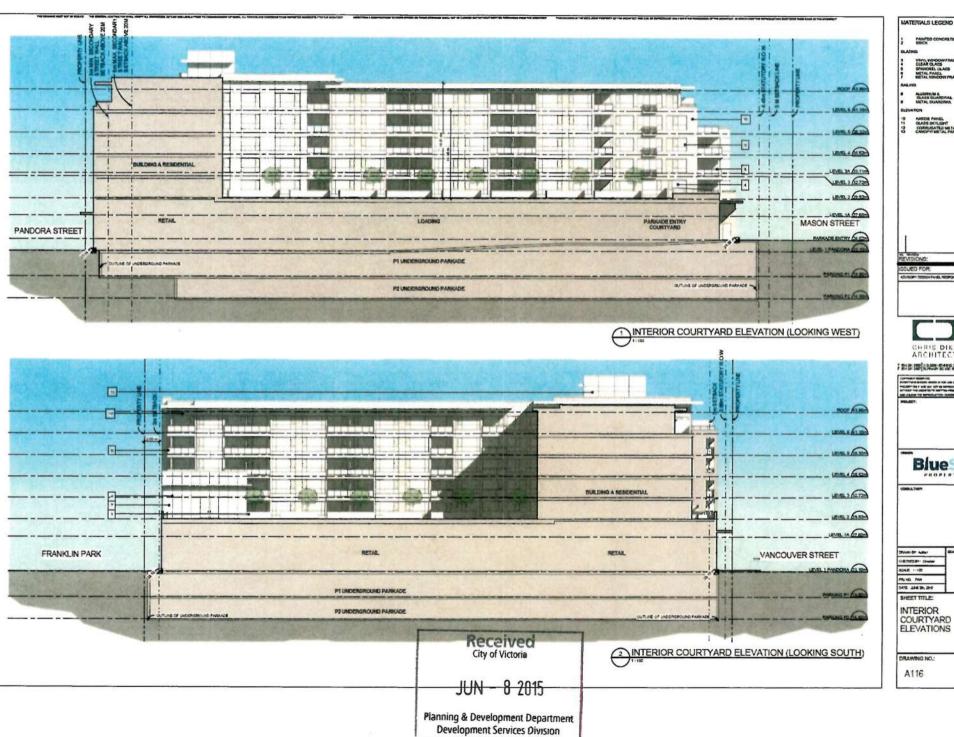




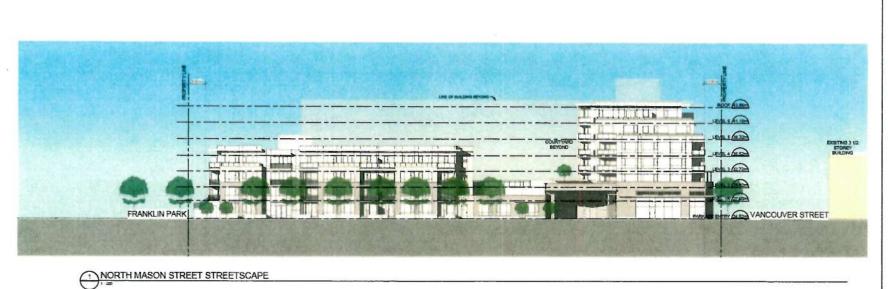














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Planning & Development Department **Development Services Division**

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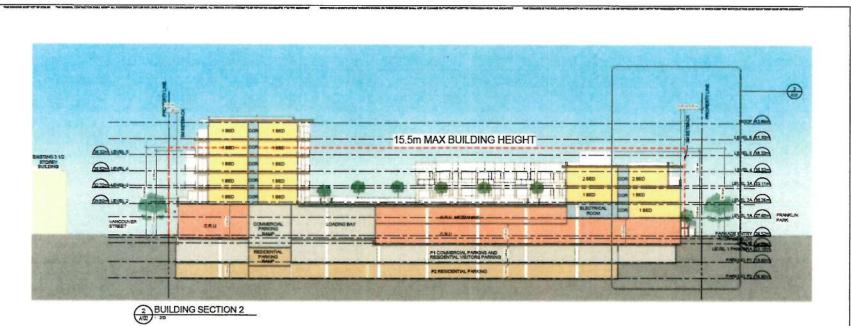
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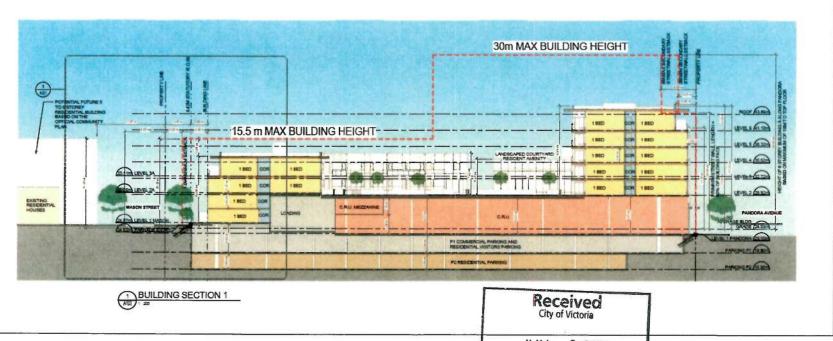
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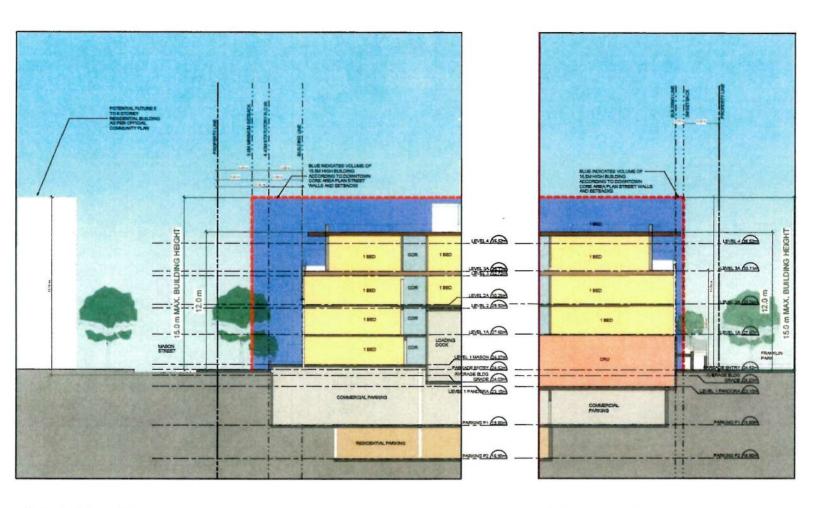


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Planning & Development Department Development Services Division



BUILDING 'B' SECTION 1

BUILDING 'B' SECTION 2

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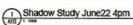
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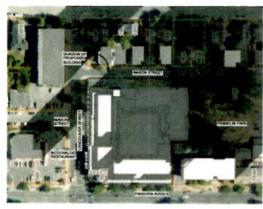
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Shadow Study Sept22 4pm



7 Shadow Study Dec22 4pm





Shadow Study Sept22 2pm

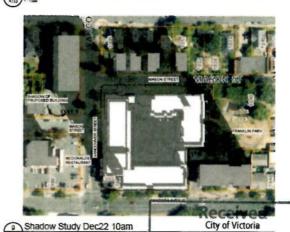


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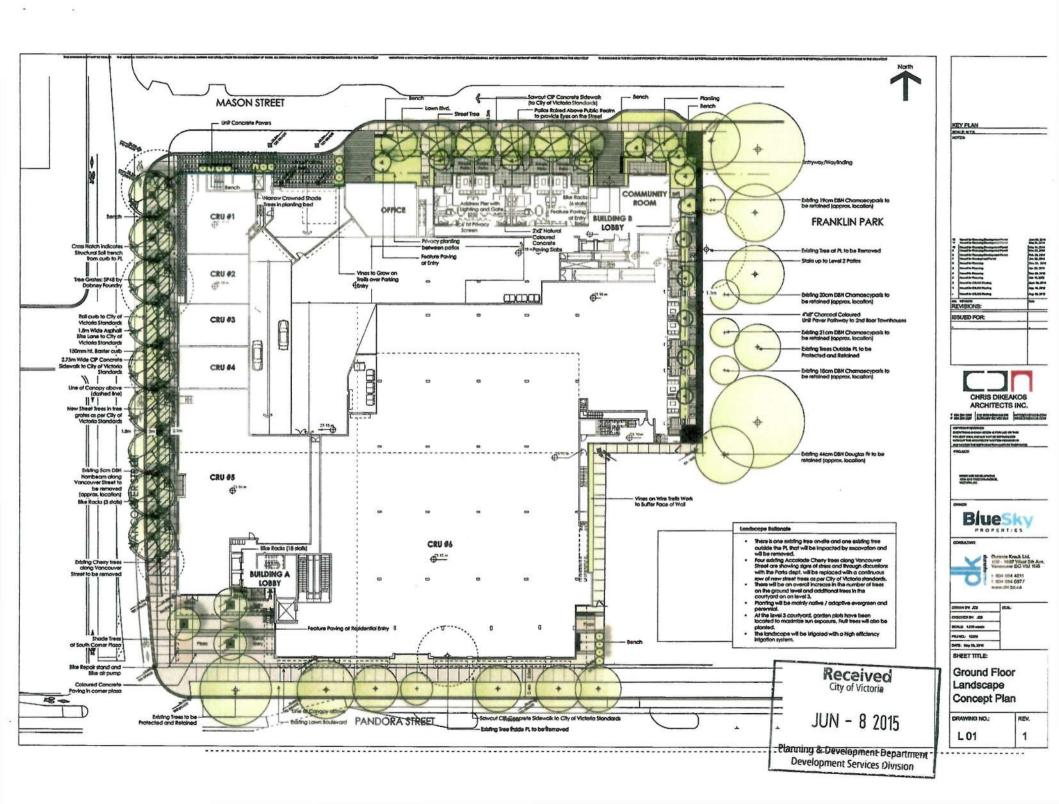
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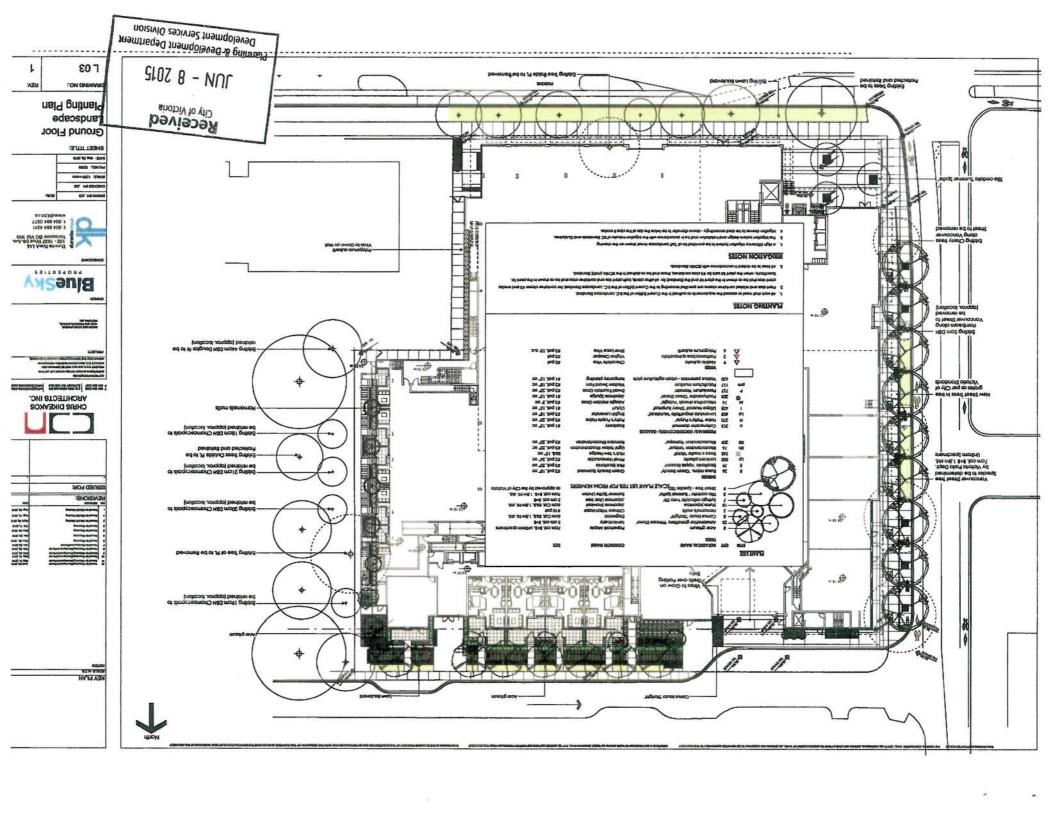
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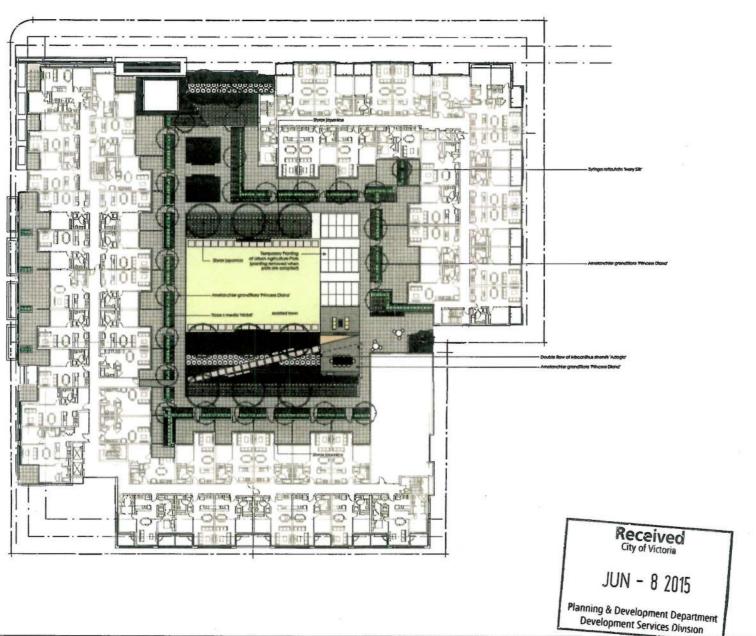


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Podium (Level 2) Landscape Planting Plan

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MINUTES - VICTORIA CITY COUNCIL

MEETING OF THURSDAY, SEPTEMBER 11, 2014, AT 7:00 P.M.

PLACE OF MEETING:

Council Chambers, City Hall

PRESENT:

Mayor Fortin in the Chair, Councillors Alto, Coleman, Gudgeon,

Helps, Isitt, Thornton-Joe, and Young

ABSENT FOR A PORTION OF THE MEETING:

Councillor Madoff

STAFF PRESENT:

J. Johnson, City Manager; P. Bruce, Fire Chief; D. Day, Director, Sustainable Planning and Community Development; K. Hamilton, Director of Citizen Engagement and Strategic Planning; J. Hawkins, Council Secretary; J. Jenkyns, General Manager, Victoria Conference Centre; D. Kalynchuk, Director, Engineering and Public Works; J. MacDougall, Acting Director of Parks, Recreation and Culture; K. Oberg, Manager of Culture, Sport & Neighbourhoods; C. Paine, Manager of Revenue; S. Thompson, Director of Finance; M. Wilson, Senior Planner; R. Woodland, Corporate Administrator; T. Zworski, City Solicitor

POETRY READING

Janet Rogers, Poet Laureate, read the poem "Surprise Me" from her latest book, Peace and Rest.

APPROVAL OF AGENDA

The Corporate Administrator outlined changes to the agenda.

Councillor Alto requested that Jeff Hopkins from Learningstorm Education Society, re: Permissive Tax Exemption be added to the Request to Address section of the agenda.

Mayor Fortin requested that the agenda be amended to include cancellation of the public hearing for Rezoning Application No. 00381 for 1005-1008, 1012 Pandora Avenue, as requested by the applicant.

Motion:

It was moved by Councillor Young, seconded by Councillor Coleman, that the agenda be approved as amended.

Councillor Isitt said there was a motion at the previous meeting to postpone consideration of the public hearing which was defeated. He said he was in favour of opening the hearing tonight but not closing it.

Councillor Helps said she supports postponing the hearing as density in neighbourhoods is important and a postponement of this application will provide an opportunity to find a solution that works.

Councillor Gudgeon said there have been mistakes made in the process but the applicant has been willing to work with the neighbourhood and made concessions but the voice of the neighbourhood has not been heard.

Councillor Alto said that she supports postponing the hearing and she voted to postpone at the last meeting because the engagement process was still ongoing. This proposal needs more time to find a development that will work.

Councillor Young said this is the developer's request to postpone the hearing which is their right versus Council delaying the process.

Councillor Thornton-Joe said she voted against postponing at the last meeting in the hope that any changes were conveyed to the public before the hearing. But she wouldn't want to refuse the request, noting the postponement is at the applicant's cost.

Councillor Coleman said the request is unusual but the applicant has said they can make it a better project.

Mayor Fortin read the letter from the applicant and expressed approval for the developer wanting to work with the community.

Councillor Madoff entered Council Chambers at 7:28 p.m.

Councillor Gudgeon said there has been misinformation and urged the neighbourhood to listen to the developer and actually get to know the proposal better.

Carried Unanimously



September 10, 2014

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

Attn: Mayor and Members of Council

Re: 1002-1008 and 1012 Pandora Avenue

Dear Mayor and Council,

As Council is aware, we recently conducted a number of public information sessions to share the most recent plans with the community and to specifically communicate how the proposal has evolved with public input over the last two years. While we heard from a number of community members who support our proposal, we also know that others have ongoing concerns with respect to site access, building height and massing. As a result of these recent meetings, we have determined that given the scale and complexity of the proposal, we require more time to further consider and engage with stakeholders regarding key elements of the project.

As such, we respectfully request of Council to delay the Public Hearing so that we can complete further work with stakeholders before rescheduling the Public Hearing for a later date.

Regards,

Mark Kopinya

Development Manager