



Planning and Land Use Committee Report

For the Meeting of May 28, 2015

To: Planning and Land Use Committee **Date:** May 14, 2015

From: Mike Wilson, Senior Planner – Urban Design

Subject: Rezoning Application No. 00478 for 370 and 384 Harbour Road and associated Amendments to the Official Community Plan and Master Development Agreement

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 882 of the *Local Government Act*, the necessary Zoning Regulation Bylaw Amendment and the necessary Master Development Agreement Amendment that would authorize the proposed development outlined in Rezoning Application No. 00478 for 370 and 384 Harbour Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. That Council determine, pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject property; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
2. That Council determine, pursuant to Section 879 (2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
3. That Council consider consultation under Section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
4. That Council give first reading to the Official Community Plan Amendment Bylaw.

5. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
6. That Council give second reading to the Official Community Plan Amendment Bylaw.
7. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
8. That in accordance with Section 18.1 of the Master Development Agreement (MDA) Council authorize the sale of 370 and 384 Harbour Road from Dockside Green Ltd (DGL) to Catalyst Community Development Ltd., subject to the obligations to deliver the 49 non-market rental units shall still apply to Dockside Green Ltd., as the Developer, until the 49 Non-Market Rental units have been constructed and occupied.
9. That Council instruct staff to prepare a Housing Agreement Bylaw to secure the provision of 49 non-market residential rental housing units in perpetuity.
10. That Council require a legal agreement to secure public access over the existing north/south greenway and stair connection to Harbour Road.

LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) of the *Local Government Act*, Council may regulate within a zone the use of the land, buildings and other structures, the density of the use of the land, building and other structures, 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 904(1) of the *Local Government Act*, a *Zoning Regulation Bylaw* may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

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 of the density of the land from that permitted under the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the properties located at 370 and 384 Harbour Road. The proposal is to amend the existing CD-9 Zone, Dockside District, to modify the siting requirements for residential uses within the Zone. At present, residential uses are only permitted if the siting requirements are met so a rezoning application is required

The proposal is to also amend the design guidelines for the Dockside Area that are referenced in Development Permit Area 13, Core Songhees in the OCP. The design guidelines use the terms must, will and shall when describing the siting of residential uses in Development Area D. The proposal seeks to remove this section of the guidelines.

In 2005, the owner of the lands entered into a Master Development Agreement (MDA) with the City. The owner now requests an amendment to the MDA to confirm the following:

- The remaining funds in the Affordable Housing Contribution, in addition to the balance comprised of 20% of Building Permit fees, will be directed towards the development of the non-market rental residential units.
- Upon occupancy of the proposed non-market affordable units, the Developer will have satisfied their affordable housing commitments as described in Section 9 of the MDA.

BACKGROUND

Description of Proposal

In order to construct the residential units on the site, certain siting requirements must be met. These requirements were built into the zone to reduce the potential for conflict between the residential uses and neighbouring industrial uses. As a result, the applicant is unable to make application to Council to vary any of these siting requirements through the Development Permit with Variance process. The proposed *Zoning Regulation Bylaw* Amendment will permit the owner of the lands to apply to vary each of these siting requirements in the future. The regulations that are presently linked to the siting of residential use are:

- residential uses may only be located on the second floor and higher
- no part of any residential unit can face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

Similar to the *Zoning Regulation Bylaw*, the applicable design guidelines place strict requirements on the siting of residential uses within the Zone. The request to amend the *Official Community Plan*, 2012 (OCP) is necessary in order to amend the following mandatory guidelines:

- *the light industrial will be located on the ground floor, with other mixed uses above*
- *residential uses will be oriented towards the internal greenway, and non-living use acting as a buffer along Harbour Road.*

In 2005, the owner of the lands entered into a MDA with the City. Under the terms of the MDA, the Developer agreed to work with the City to provide Non-Market Rental and Market Affordable ownership residential units that would be integrated into the development. A summary of the MDA requirements, as they pertain to affordable housing, is attached to this report as Appendix A.

Land Use Context

Immediately adjacent land uses include:

- North – vacant lands
- South – office, retail, waste water treatment facility
- East – office and across Harbour Road, Point Hope Maritime
- West – residential.

Existing Site Development and Development Potential

The site is presently vacant. Under the current CD-9 Zone, the properties could be developed to accommodate a variety of commercial, light industrial and residential uses.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Victoria West CALUC at a Community Meeting held on November 18, 2014. At the time of writing this report, a letter from the CALUC had not been received.

Consistent with the CALUC requirements related to Official Community Plan Amendment Applications, owners and occupiers of land within 200 metres of the subject site were notified of the Community Meeting.

ANALYSIS

Official Community Plan (2012)

The applicant proposes to amend the *Design Guidelines for the Dockside Area* that are referenced in Development Permit Area 13, Core Songhees in the OCP. The design guidelines use the terms must, will and shall when describing the siting of residential uses in Development Area D.

The applicant proposes to amend the guidelines in order to permit the proposed development described in Development Permit Application No. 00409. As such, staff recommend for Council's consideration that Section 4.4 of Development Area D (DA-D), paragraphs 1-3 titled "Use and Character" be rescinded. These provisions do not relate the building design or landscape for the subject site. Regulations regarding the location of uses and noise attenuation requirements are better regulated within the *Zoning Regulation Bylaw* and Master Development Agreement. Noise mitigation requirements will remain in the Master Development Agreement and siting requirements for residential uses will remain in the *Zoning Regulation Bylaw*.

Should Council wish to advance this Application, Section 879(1) of the *Local Government Act* (LGA) requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by an amendment to the OCP. Consistent with Section 879 (2)(a) of the LGA, Council must further consider whether consultation should be early and on-going. This statutory obligation is in addition to the Public Hearing requirements. In this instance, staff recommend for Council's consideration that notifying owners and occupiers of land within 200m of the subject property along with the posting a notice on the City's website would provide adequate opportunities for consultation with those affected.

Through the Community Association Land Use Committee (CALUC) Community Meeting process, all owners and occupiers within a 200m radius of the site were notified and invited to participate in a Community Meeting, the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 879(2)(a) of the LGA, is not recommended as necessary.

Should Council support the OCP Amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to the Design Guidelines. Council is also required to consider the OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal would have no impact on any of these plans.

Dockside Green Rezoning (2005)

As part of the 2005 rezoning of the lands to the site-specific CD-9 Zone, particular importance was placed on the retention and support for active marine and industrial uses on the Harbour. As a condition of permitting residential uses within the Zone, Council endorsed strict siting requirements that must be met in order to achieve residential uses. In Development Area D, these conditions are:

- residential uses may only on be located on the second floor and higher in a building
- residential uses are not permitted to be located within 18m of Harbour Road
- no part of any residential unit can face Harbour Road unless there is a buffer of another building of equal or greater height between it and the easterly property line.

The applicant is proposing to amend this section of the Zone in order to allow these siting restrictions to be varied on a case-by-case basis at the discretion of Council. Given that these siting restrictions will remain in the Zone and that they may be varied at the discretion of Council, staff recommend for Council's consideration that Council support this amendment.

Housing Agreement

In order to secure the 49 residential units as non-market rental housing, a Housing Agreement Bylaw is proposed. The rent structure is proposed to be tied to the Housing Income Limits (HILs) as provided by BC Housing. The maximum rent levels for each unit type are described in the following tables.

Building R4

Unit Type	No. of Units	Unit Size	HILs (2015)	Maximum Rent
Bachelor	11	250-290 sf	\$29,500	\$737.50
3 Bed	4	840 sf	\$60,000	\$1500
4 Bed	4	1020 sf	\$67,000	\$1675

Building R5

Unit Type	No. of Units	Unit Size	HILs (2015)	Max Rent
Bachelor	12	295 sf	\$29,500	\$737.50
1 Bed	8	435 sf	\$34,500	\$862.50
2 Bed	8	535 sf	\$43,000	\$1075
3 Bed	1	840 sf	\$60,000	\$1500
4 Bed	1	1150 sf	\$67,000	\$1675

The proposed rent levels represent a slight change to the targets established in the MDA which defines affordable housing using household incomes of \$30,000 - \$60,000 (2005 + CPI) that translates to \$32,600 - \$65,200 (at February 2015). Thus, the proposed affordability levels are improved at the lower end targeting annual household incomes at \$29,000, however, at the upper end there would be an increase in the annual household income from \$65,200 to \$67,000. Staff recommend for Council's consideration that Council consider supporting these household income targets as they are consistent with the City's *Housing Reserve Fund Guidelines*. It should also be noted that the proposed rent structure represents the maximum rent that could be charged for each unit type, however, the non-profit society operator will aim to offer lower rents where possible.

The recommendation provided for Council's consideration is that staff be directed to secure these 49 units as non-market rental housing units through a Housing Agreement Bylaw as authorized by Section 905 of the *Local Government Act*.

Amendment to Master Development Agreement

In 2005, the owner of the lands entered into a MDA with the City. Under the terms of the MDA, the Developer agreed to work with the City to provide Non-Market Rental and Market Affordable ownership residential units that would be integrated into the development.

In 2009, Development Permits were issued for the construction of the 46 Non-Market Rental residential units in two stand-alone buildings; however, this proposal was never constructed.

The Developer is now proposing 49 Affordable Non-Market Rental residential units and is seeking amendments to the MDA. The requested MDA amendment includes the following:

- The remaining funds in the Affordable Housing Contribution, in addition to the balance comprised of 20% of Building Permit fees, will be directed towards the development of these non-market affordable units.
- Upon occupancy of the proposed non-market affordable units, the Developer will have satisfied their affordable housing commitments.

The Affordable Housing Contribution fund currently stands at \$3,578,149 and the Affordable Housing Building Permit fund currently stands at \$239,614.17 (for further information relating to these funds please refer to Appendix A). If, following the substantial completion of the Affordable Non-Market Rental residential units, any portion of the aforementioned funds have not been utilized, the Developer has suggested that these monies could be transferred to the City of Victoria Housing Fund.

In terms of affordability, the proposal is generally consistent with the definition of "Affordable Housing" outlined in the MDA which is as follows:

"Affordable Housing" means housing which costs (rent and mortgage plus taxes and including 10% down payment) 30% or less of a household's gross annual income, targeting households with an income of \$30,000 to \$60,000, as increased from time to time by the increase in the Consumer Price Index (All Items) for Greater Victoria from the date of this Agreement to the date when any relevant determination under the Affordable Housing provisions of this Agreement must be made.

As outlined in the previous section, by tying the rent structure to the Housing Income Limits set out by BC Housing, it is proposed that the range of household incomes targeted for this project change slightly from \$32,600 - \$65,200 (2005 + CPI) to \$29,500 - \$67,000.

As the proposed development is generally consistent with the affordable housing requirements outlined in the Dockside Green MDA, staff recommend that Council consider supporting the proposal subject to:

- The obligations outlined in Section 9 of the MDA being replaced with a new obligation for Dockside Green Ltd. to deliver 49 non-market rental units with rents targeted at households with incomes in the range described in this report.
- MDA amendments being made to ensure that if the Affordable Housing Contribution or Building Permit Funds are not entirely utilized in association with the development of the 49 Non-Market Rental units, that the remaining funds are transferred to the City of Victoria Housing Fund.
- MDA amendments do not preclude opportunities for affordable housing on the remainder of the site.
- That all future strata titled developments to be constructed on the undeveloped lands be subject to a Housing Agreement that prohibits a future strata corporation from restricting the rental of units to non-owners.
- Transportation Demand Management measures, applicable to affordable housing, and comparable to the original MDA are still provided by the Developer.

In addition to the amendments to the MDA directly associated with the provision of Affordable Housing, the Developer is proposing to sell the properties at 370 and 384 Harbour Road to Catalyst Community Development, the Non-Profit Housing Organization who will then be responsible for constructing the project. Under Section 18 of the Dockside Green MDA, the Developer may not sell or assign its controlling interests in the Agreement without the prior written approval from the City. Staff recommend for Council's consideration that Council support the transfer of the lands to Catalyst Community Development on the basis that the obligations to deliver the 49 non-market rental units will still apply to Dockside Green Ltd., as the Developer, until the 49 Non-Market Rental units have been constructed and occupied, in order to ensure that the affordable housing is fully realized.

The wording of the proposed amendments to the Dockside Master Development Agreement will be presented to Council prior to a Public Hearing to consider the Rezoning Application.

Pedestrian Access

The subject lands include a section of the greenway and stair connection to Harbour Road. The recommendation provided for Council's consideration is that Council require a legal agreement to secure public access within these areas.

CONCLUSIONS

The proposal is to amend the CD-9 Zone, Dockside District, in order change the siting regulations for residential uses. This amendment will allow Council to consider variances to the siting requirements at the Development Permit stage, instead of necessitating a Rezoning Application to allow residential uses in the event the siting requirements cannot be met. This would then still allow for a degree of oversight to ensure that proposals include features to mitigate potential conflict with neighbouring commercial and industrial uses.

The proposal is to also amend the Design Guidelines for the Dockside Area that are referenced in Development Permit Area 13, Core Songhees in the OCP. The design guidelines use the terms must, will and shall when describing the siting of residential uses in Development Area D. The applicant proposes to amend the guidelines in order to permit the proposed development described in Development Permit Application No. 00409.

As the proposed developments are generally consistent with the affordable housing requirements outlined in the Dockside Green MDA staff recommend for Council's consideration that Council support the proposed MDA amendments.

ALTERNATE MOTION

That Council decline Rezoning Application No. 000478 for the properties located at 370 and 384 Harbour Road.

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:



Jason Johnson

Date:

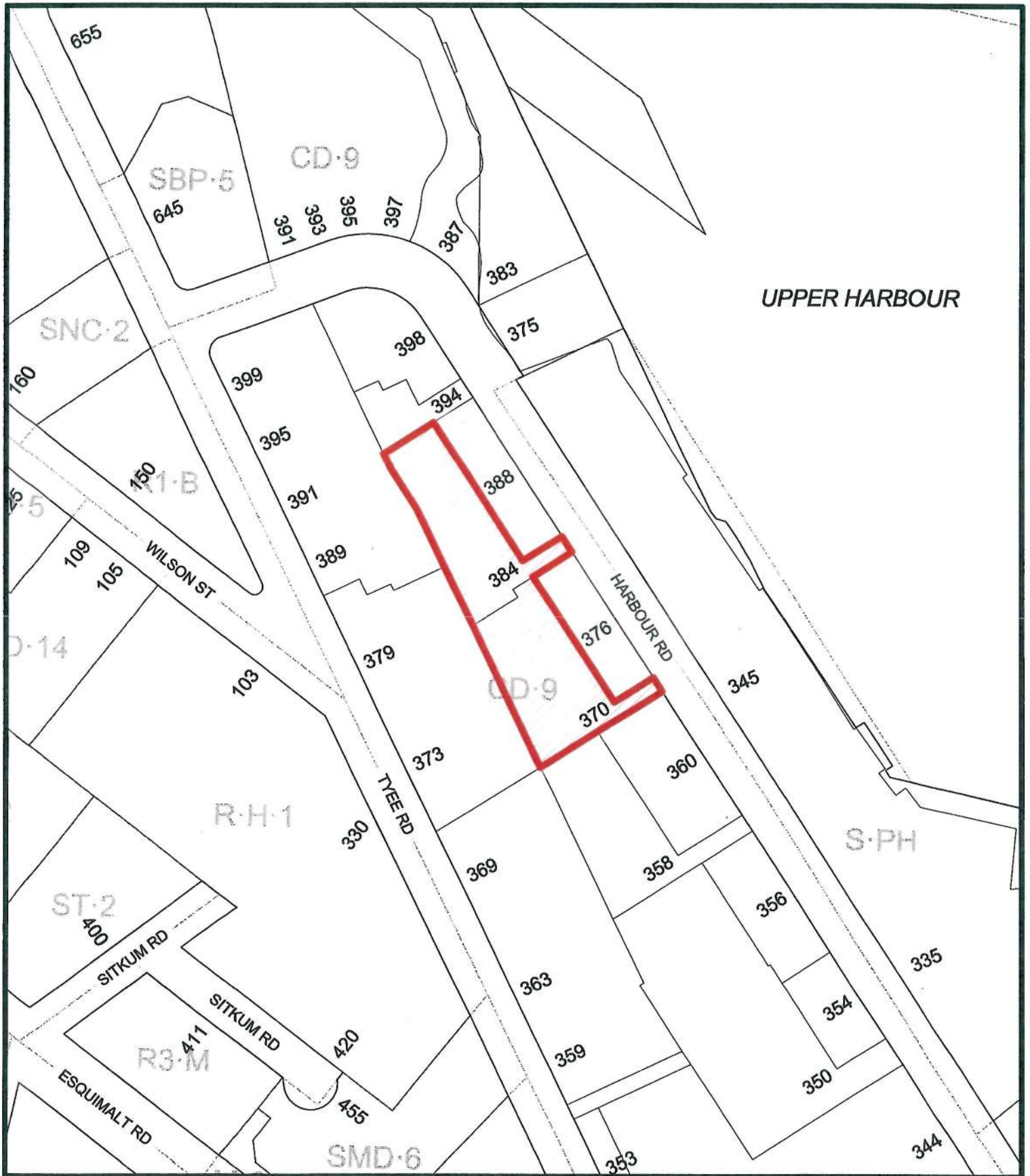
May 21, 2015

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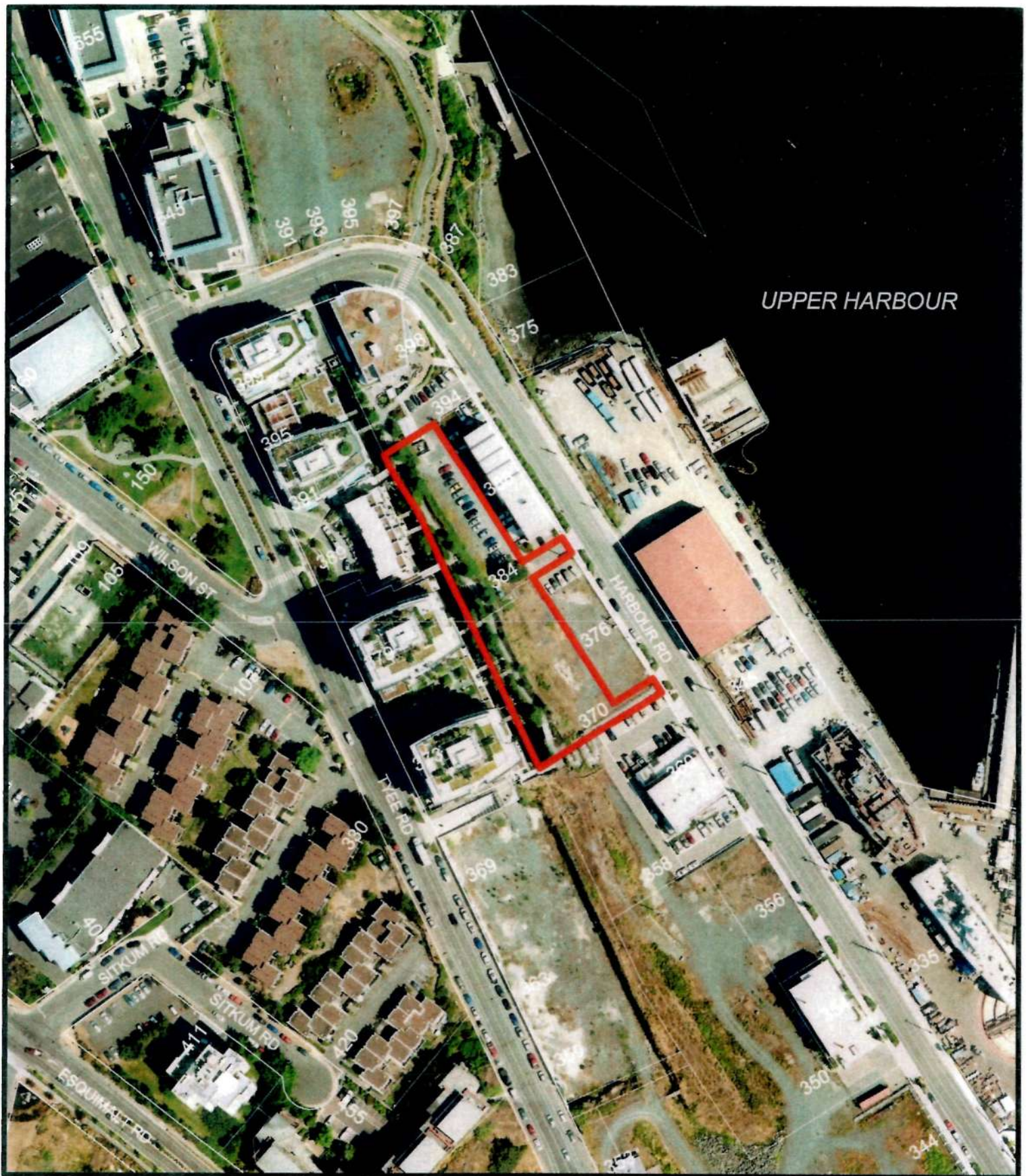
List of Attachments

- Aerial map
- Zoning map
- Appendix A: Summary of Dockside Green MDA Affordable Housing Commitments
- Letter from Dockside Green Ltd dated February 23, 2015
- Letter from Catalyst Community Development dated March 31, 2015
- Summary of Section 9 (Affordable Housing) of the Dockside Green MDA
- Plans date stamped March 31, 2015.



370 and 384 Harbour Road
Rezoning #00478
Bylaw #





UPPER HARBOUR

370 and 384 Harbour Road
Rezoning #00478
Bylaw #



APPENDIX A: SUMMARY OF DOCKSIDE GREEN MASTER DEVELOPMENT AGREEMENT (MDA) AFFORDABLE HOUSING COMMITMENTS

General Principles for Affordable Housing

In 2005, the City entered into the Dockside Green Master Development Agreement (MDA) with the Developer of Dockside Green. The Developer agreed to work with the City to provide Non-Market Rental and Market Affordable ownership housing units that would be integrated into the development. Section 9.0 of the MDA provides a series of general principles for achieving Affordable Housing on the site.

The MDA states that the City and the Developer would “work together so that up to 31% of the residential units on the City Lands are developed as Affordable Housing”. A map of the City Lands is provided in Figure 1.



Figure 1: Former City lands

The wording of the MDA is open-ended in terms of the total number of units to be provided, the location of these units and timeline for delivery.

Definition of Affordable Housing

The MDA defines "Affordable Housing" as:

Housing which costs (rent or mortgage plus taxes and including 10% down payment) 30% or less of a household's gross annual income, targeting households with an income of \$30,000 to \$60,000, as increased from time to time by the increase in the Consumer Price Index (All Items) for Greater Victoria from the date of this Agreement to the date when any relevant determination under the Affordable Housing provisions of this Agreement must be made.

Developer's Commitment

Affordable Housing Contribution

The Developer committed \$3 million to subsidize the sale of Non-Market Rental units to non-profit organizations. The Affordable Housing Contribution is adjusted on an annual basis by the lesser of 7% or the percentage increase in construction cost in Greater Victoria, as measured by a quantity surveyor selected by both the City and the Developer.

A portion of the Affordable Housing Contribution is available to be allocated to each development area that contains Non-Market Rental housing units. The MDA provides a formula for allocating any given portion of the Affordable Housing Contribution to any given development area.

The portion of the Affordable Housing Contribution for a given development area is equal to the product of the gross residential square footage of the building(s) x \$3.00. For example, a Development Area with 72,000 square feet of residential floor space and four Non-Market Rental units would be required to make \$216,000 of the Affordable Housing Contribution available to offset the cost of the sale of those units to a non-profit organization. This works out to a \$54,000/unit subsidy from the market value of the unit.

The Affordable Housing Contribution is currently valued at approximately \$3,578,149. The value of the Contribution is greater than \$3 million due to accrued interest and additional funds that were provided by the Developer in 2008. These funds (\$500,000) were provided as an amenity contribution in accordance with a Rezoning Application that permitted increased density on the site.

Additional Funds

In addition to the provision of the Affordable Housing Contribution, the MDA contemplates the Developer obtaining further funding from alternate sources.

Limit Profit on 20% of Units of the Former City Lands

In addition to the Affordable Housing Contribution, the Developer has committed to limit profit earned on the sale of 20% of residential units on the former City-owned Lands to 13% of the total project costs (land acquisition costs and hard and soft costs). These units are to be made available as Market Affordable ownership units.

Notice of Strata Bylaws

The Developer is required to register strata bylaws for each strata corporation that permit the rental of any Non-Market Rental Units within that strata corporation and so that not less than 20% of the units within individual strata corporations are available for rental use.

City's Commitment

Building Permit Fees as a Contribution for Additional Funds

The City has agreed to direct 20% of all building permit fees payable with respect to the development to assist in the purchase of Non-Market Rental units and Market Affordable ownership Housing units in the development. There is currently an additional \$239,614.17 available through the collection of these fees.

Dockside Green Housing Advisory Committee

The Dockside Green Housing Advisory Committee (the "Advisory Committee") is comprised of one representative of the Developer, one representative of the City and one recognized independent expert in the field of affordable housing. The role of the Advisory Committee is:

- a) to consult with the Developer on the number and location of Non-Market Rental units to situate in any Development Area;
- b) to consult with the Developer on the non-profit organizations to whom the Developer should offer such Non-Market Rental units for sale;
- c) to consult with the Community Liaison Group;
- d) to direct the Developer to allocate to Market Affordable ownership Housing units to any portion of the Affordable Housing Contribution that has not previously been allocated and to choose a body to be responsible for administering the Market Affordable ownership Housing program;
- e) generally, to consult with the Developer concerning strategies for the effective implementation of the requirements of this section of the MDA.

The Advisory Committee is currently inactive. Since the change in ownership and management, the Developer has not selected a new representative for the Committee. The Affordable Housing Expert resigned from the Committee in 2009 and has not been replaced.

Non-Market Rental Units

Definition

The MDA contemplates Affordable Housing being developed on the site via both rental and owned units. A Non-Market Rental unit is defined as a residential dwelling unit made available to a non-profit organization in any given development area to be sold at a subsidy by the Developer. These units are to be held and managed by the non-profit organization for rental housing to low-income persons. These units may be located within a strata building or in a stand-alone building.

Timeline for Constructing Non-Market Rental Units

Section 9.2(e) of the MDA clearly states that "the Developer will be under no obligation to provide Non-Market Rental units in each Development Area or to provide Non-Market Rental units in accordance with any set time-frame". This is a significant statement in the MDA as it relieves the Developer of any obligation to construct Non-Market Rental units within any set period of time.

Market Value of Non-Market Rental Units

A key determinant of the selling price of each Non-Market Rental unit to a non-profit organization is the how the market value of a Non-Market Rental unit is calculated. The Agreement contemplated that once this market value was established; it would be subsidized via a portion of the Affordable Housing Contribution. This would then determine the final sales price to the non-profit organization.

The MDA states that the market value of a Non-Market Rental unit is the actual cost of the unit (including land acquisition and hard and soft costs) plus 13% profit.

The MDA permits the City, at its discretion, to review the Developer's records in connection with the actual cost of the Non-Market Rental units on a confidential basis.

Market Affordable Ownership Units

Definition

A Market Affordable ownership unit is defined as a unit that is made available for sale by the Developer where the price is established as follows: the actual cost of the unit (including land acquisition and hard and soft costs, as verified by a quantity surveyor) plus 13% profit. These units are to be marketed and sold to qualified purchasers with annual household incomes between \$30,000 and \$60,000. A restrictive covenant is registered with each unit to limit the future resale price.

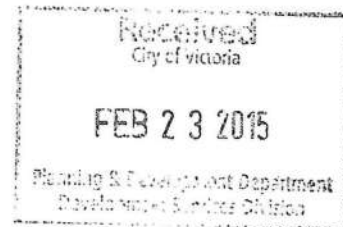
The Developer is required to limit its profit to 13% on 20% of residential units developed on the City Lands so that they may be made available as Market Affordable ownership units.

Timelines for Constructing Market Affordable ownership Units

The MDA does not set out any obligations for the Developer to provide Market Affordable ownership units in each Development Area or to provide Market Affordable ownership units within any set time-frame.

Thursday, February 19th 2015

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



Dear Mayor Helps and City of Victoria Council,

RE: Affordable Workforce Rental Housing Project, 370-384 Harbour Road – MDA Amendments

Dockside Green Limited is pleased to be working with Catalyst Community Developments Society (Catalyst) in submitting a combined Rezoning, and Development Permit application for the delivery of affordable workforce rental housing at Dockside Green. We are delighted to be moving closer to restarting this important mixed-used sustainable neighbourhood in the City of Victoria. Both Catalyst and Dockside Green worked hard to listen to the community perspective on this application and are pleased with the outcome of that process – an improved project plan and a development that integrates well into the neighbourhood and fosters Dockside Greens values of sustainability and inclusivity. As part of Catalyst's application Dockside Green is seeking agreement from the City of Victoria to have this project complete Dockside Green's affordable housing commitments which delivers on this key amenity to the residents of Victoria.

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.

In May 2014, Dockside Green began a public engagement process - bringing together a team of architects, planners, and designers with residents, community members, first nations groups 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 new vision for the project began to take shape. While the project's physical structures began to reconfigure, Dockside Green remained committed to the vision of building a well-loved, culturally vital neighbourhood where the mix of people and environment fuels health and a vibrant local economy. Four guiding values also emerged that began to drive the project: Sustainability, Respect for Local, Inclusivity, and Cultural and Creative Vitality.

Based on feedback from the five-month public engagement process, the design team at Dockside Green established an updated Neighbourhood Plan which included components of both short and long term goals of the community. After receiving positive and affirming feedback from participants, we are delighted to have submitted our comprehensive application in January of 2015 that outlines



the future of the Docksider Green Neighbourhood which provided the context for this application as enclosed.

Affordable Housing - History

In 2005 Docksider Green entered into a Master Development Agreement (MDA) with the City of Victoria which included elements related to the delivery of affordable housing at Docksider Green. From its first phases Docksider Green has made affordable housing a key priority in development of the neighbourhood. The first two phases at Docksider Green saw the delivery of 26 market affordable ownership units.

In the years following adoption of the MDA in 2005, our affordable housing strategy has been discussed and updated by ourselves and the City of Victoria based on work from the Affordable Housing Advisory Committee (AHAC) in 2008/09. These updates formed the basis of a previous application for affordable housing presented to Council in 2008 however the updated strategy was never fully captured in any MDA amendment during that period. The amendments included the following:

- A goal to focus on the development of 75 Affordable Housing units which included both market affordable ownership and non-market rental housing at Docksider Green.
- Using some of the Affordable Housing contribution (\$922,256) to make the 26 market affordable ownership units included in Phase 1 and 2 affordable to people with incomes between \$35,000 and \$50,000.
- A desire to prioritise non-market rental housing
- Building non-market housing in stand-a-lone buildings rather than scattered as individual units within private strata buildings. This is a more affordable option both short- and long-term for affordable housing providers.
- Using the remaining Docksider Green Affordable Housing Contribution funds, the 20% of Docksider Green's Building Permit Fees collected to date by the City, plus contributions from the City and CRDs Affordable Housing Funds to build 46 units of non-market rental housing. These 46 units would complete DG's affordable housing commitments to market affordable ownership and non-market rental housing.

Affordable Housing – Current Proposal

In 2014 Docksider Green began exploring new approaches for the delivery of affordable housing that would not only result in a diverse and inclusive neighbourhood at Docksider Green, but in the process, would serve as an example to enable more affordable housing units in other neighbourhoods in the region. We believe strongly that real-time learning should be shared for the benefit of others. This desire to embrace innovation for the greater public good continues to underpin Docksider Green's core values. As we move forward on the delivery of the social sustainability elements of Docksider Green, our affordable housing commitment remained our first priority. New collaborations are emerging within the not for profit sector that are very exciting – Catalyst being one of the most promising and we are proud to be partner with with them on the delivery of 49 units, contained in two, three-story wood frame buildings. Unit type ranges to include studio apartments to three bedroom and den townhomes.



The proposal as provided builds on the updates, discussion and outcomes developed in 2008/09. A core difference however in the current proposal enclosed is Dockside Green's formal request to release those grants currently set aside by the City of Victoria and CRD Affordable Housing Funds for affordable housing at Dockside Green. Through Catalyst innovative model of affordable housing delivery, our partnership will be able to provide 49 units of affordable workforce rental housing without the use of these grants from the City or CRD Affordable Housing Funds. By only utilizing the Dockside Green Affordable Housing Contribution (AHC) and the Dockside Green Affordable Housing Building Permit funds currently held by the City, this application will consequently result in the return of \$920,000 of funding back to the community to leverage/facilitate other affordable housing projects in the region to further address this important issue.

Moving forward, as part of our application of this innovative and unique approach, Dockside Green is requesting amendments to our MDA that would indicate the following:

- The remaining Dockside Green AHC funds and the Dockside Affordable Housing Building Permit funds collected to date by the City, be allocated to the 49 units being proposed by Catalyst.
- Through successful delivery of these units that a discharge of Section 9 of the MDA be completed, which would result in the successful completion of Dockside Green's affordable housing obligations.

Conclusion

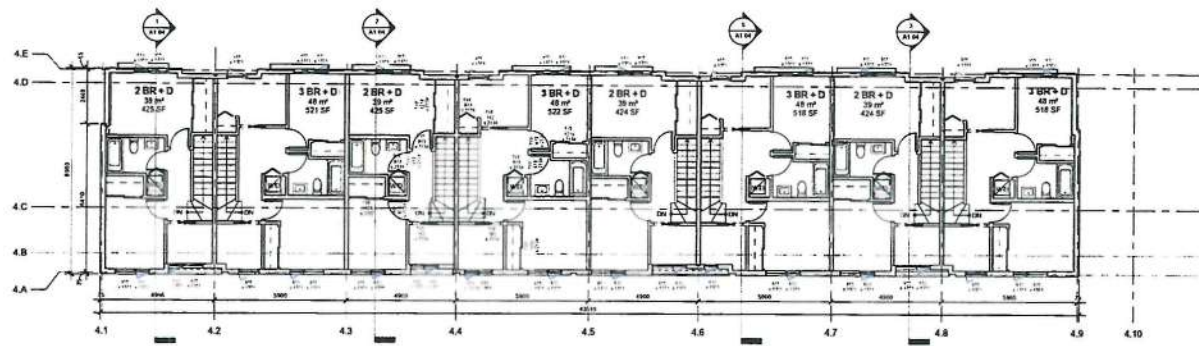
We are thankful to the stakeholders who helped shape this application. The public consultation process was a true articulation of Dockside Green's connection with the community of people who live at Dockside Green, the Vic West community and the City of Victoria.

We are very proud of our partner Catalyst's submission and trust it provides Council with the information needed to favorably consider the proposal and approve the required regulatory changes we are seeking.

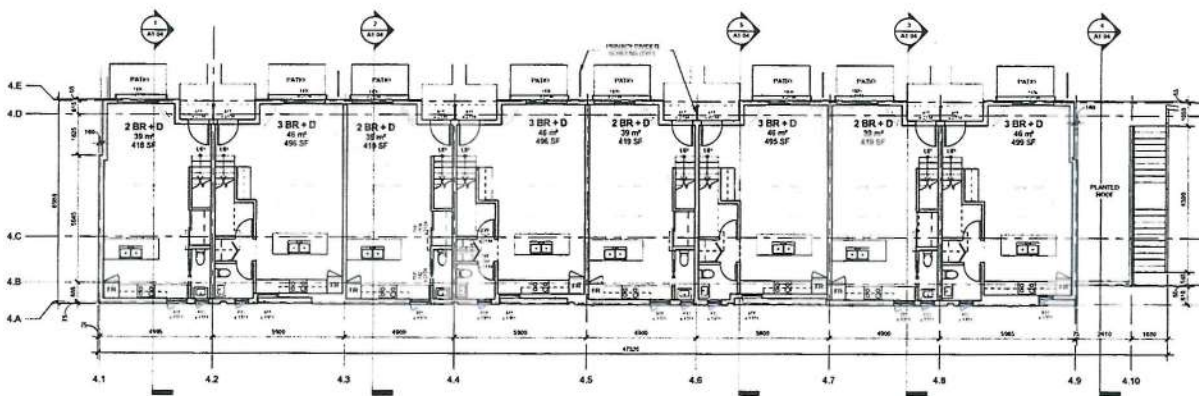
Sincerely,

A handwritten signature in black ink, appearing to read 'Ally Dewji'.

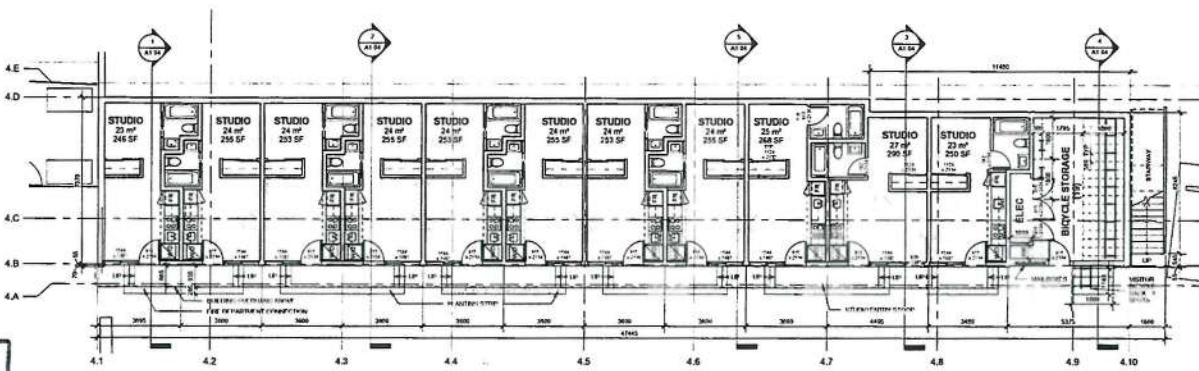
Ally Dewji
Development Manager, Dockside Green Limited



③ LEVEL 3 - BUILDING R4
1:100



② LEVEL 2 - BUILDING R4
1:100



① LEVEL 1 - BUILDING R4
1:100

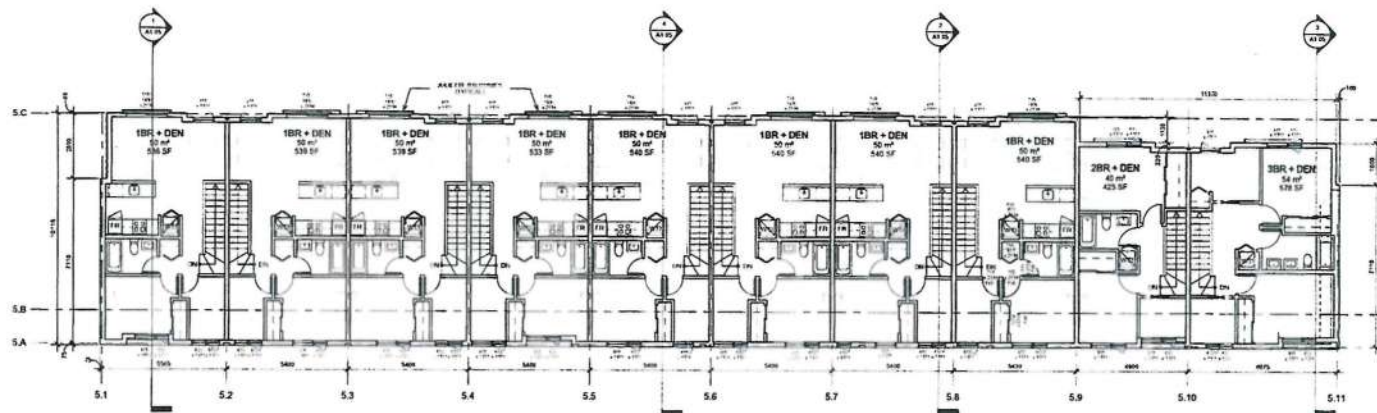
Received
City of Victoria

MAR 31 2015

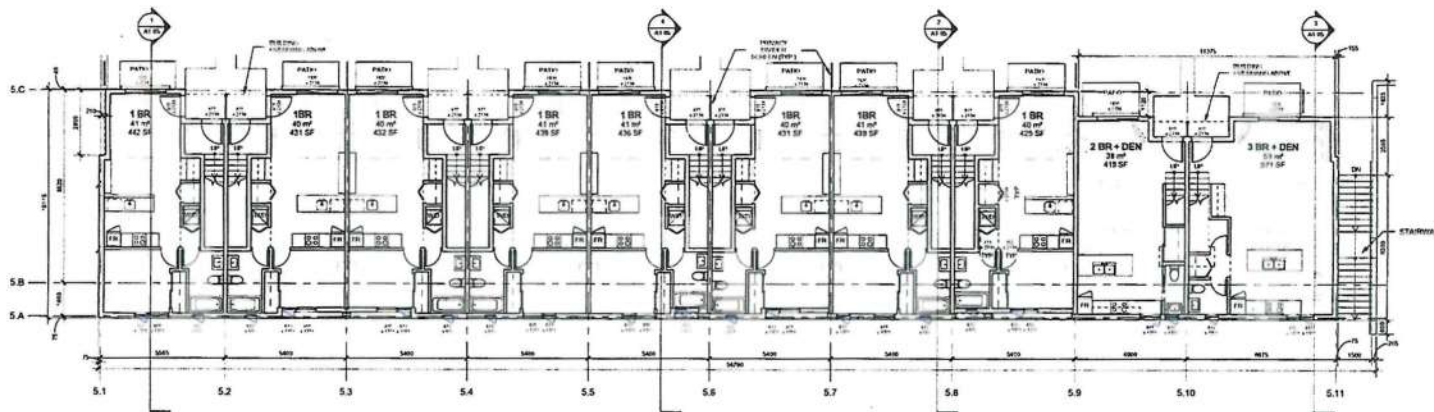
Planning & Development Department
Development Services Division

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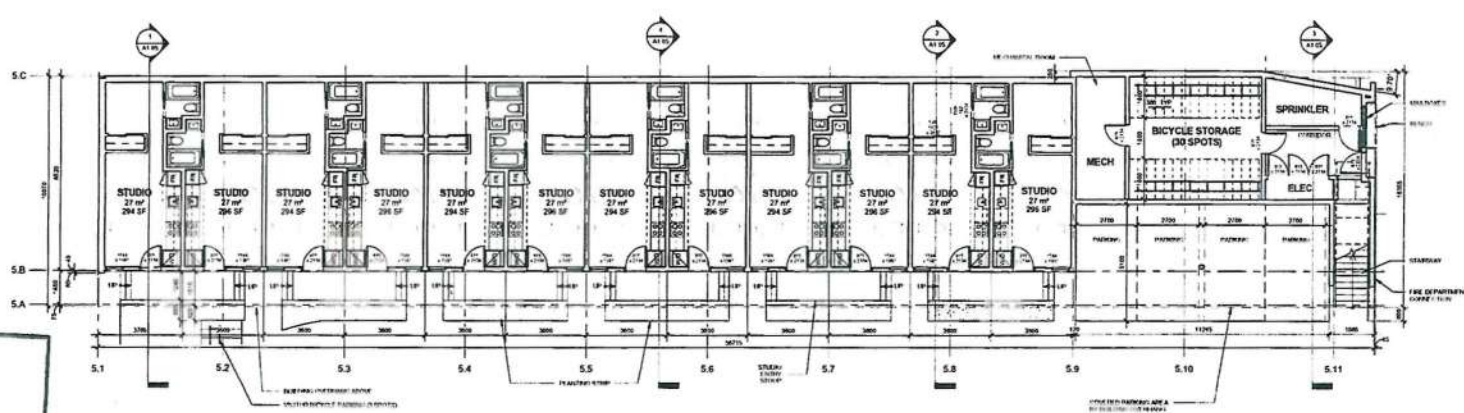
3 LEVEL 3 - BUILDING R5
1:100



2 LEVEL 2 - BUILDING R5
1:100



1 LEVEL 1 - BUILDING R5
1:100



Received
City of Victoria
MAR 31 2015
Planning & Development Department
Development Services Division

HCMA



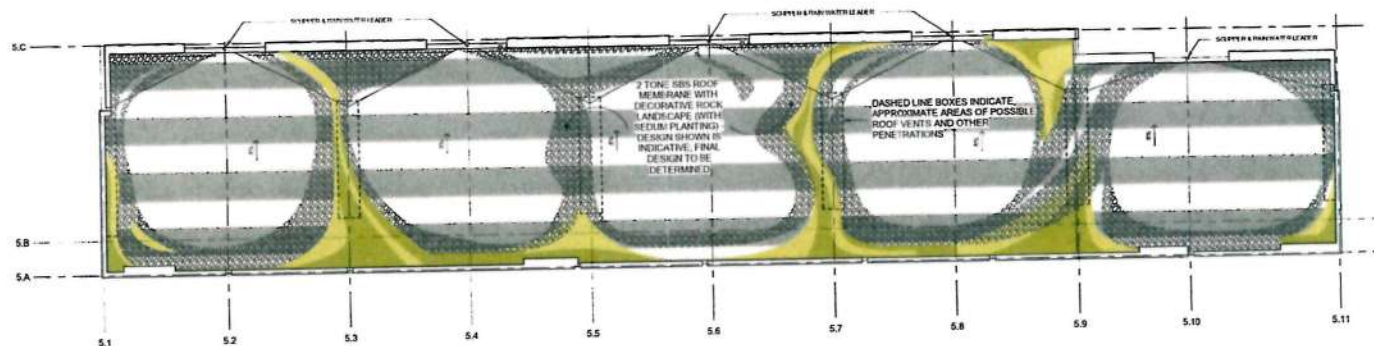
DOCKSIDE GREEN -
AFFORDABLE HOUSING
PROJECT INFORMATION
No. DATE
DESIGNED BY
DRAWN BY
CHECKED BY
APPROVED BY



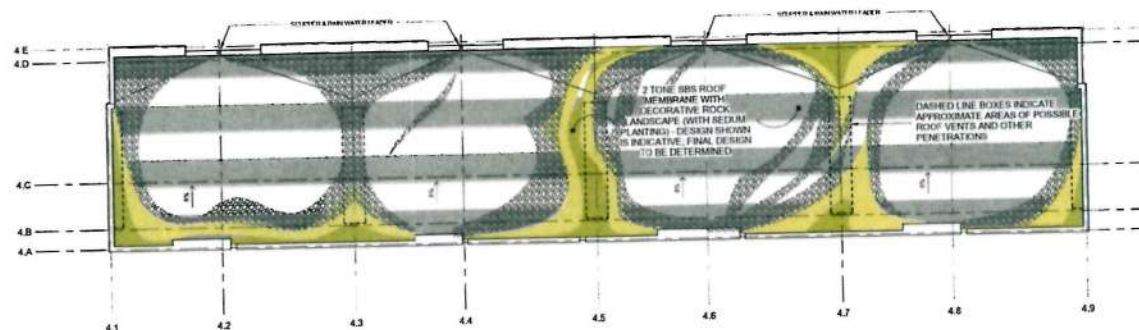
BUILDING R5 PLANS
DATE: FEB 16, 2015
A2.01
SCALE: 1:100

HCMA Architecture + Design
Suite 400, 411, West Victoria St
Victoria BC V8V 1P1
Tel: 250.683.4200
Fax: 250.683.4201

1 ROOF - BUILDING R5
1:100



2 ROOF - BUILDING R4
1:100



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City of Victoria

MAR 31 2015

Planning & Development Department
Development Services Division

HCMA



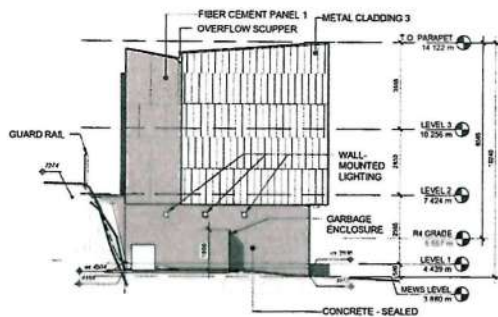
DOCKSIDE GREEN -
AFFORDABLE HOUSING
DESIGN
DATE: 28/05/2015
REVISION: 01



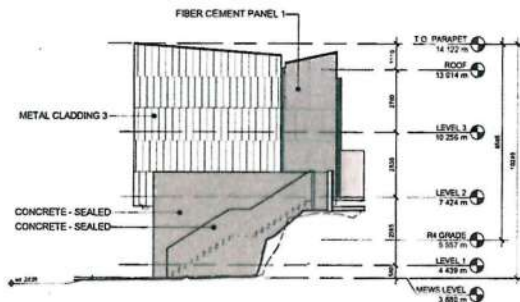
ROOF PLANS

DATE: FEB 18, 2015
A2.02
SCALE: 1:100

HDMA Architecture + Design
Suite 400 6750 Victoria Road
Victoria BC V8L 1T2 Tel: 250-722-1234
Fax: 250-722-1235
www.hdma.ca



① R4 SOUTH ELEVATION
1:100



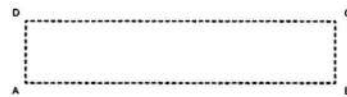
③ R4 NORTH ELEVATION
1:100



② R4 EAST ELEVATION
1:100



④ R4 WEST ELEVATION
1:100



DOCKSIDE AFFORDABLE HOUSING AVERAGE GRADE CALCULATION

BUILDING R4

POINTS A+B	(3860+3800) / 2 x 45920	=17932000
POINTS B+C	(3800+7274) / 2 x 9141	=50613717
POINTS C+D	(7274+7274) / 2 x 45920	=334022000
POINTS D+A	(7274+3800) / 2 x 9141	=50613717
		811647954

PERIMETER OF BUILDING R4 = 110122

AVERAGE GRADE FOR BUILDING R4 = 5557

MATERIALS

WALLS:

METAL CLADDING:

- METAL CLADDING 1: VERTICAL METAL CLADDING PROFILE / EXPOSED FASTENER - WHITE COLOUR
- METAL CLADDING 2: VERTICAL FLUSH METAL PROFILE - RANDOM PATTERN - WHITE COLOUR
- METAL CLADDING 3: VERTICAL STANDING SEAM METAL CLADDING - WHITE COLOUR
- METAL CLADDING 4: HORIZONTAL METAL BOARD CLADDING - WOOD EFFECT

SEALED CONCRETE:

- SEALED CONCRETE AS FINISH AND STRUCTURE

BOARD SIDING:

- LAPPED WOOD BOARDS WITH SEMI-TRANSPARENT STAIN - MEDIUM GREY

FIBER CEMENT BOARD:

- FIBRE CEMENT BOARD 1 (SMOOTH MATTE) - LIGHT GREY
- FIBRE CEMENT BOARD 2 (SMOOTH MATTE) - DARK GREY
- FIBRE CEMENT BOARD 3 (SMOOTH MATTE) - WHITE
- FIBRE CEMENT BOARD 4 (SMOOTH MATTE) - ACCENT COLOUR

SOFFIT:

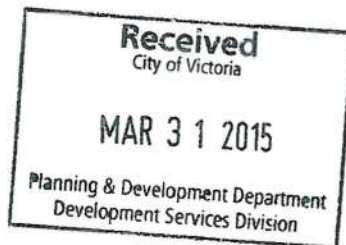
- METAL CLADDING 4: HORIZONTAL METAL BOARD CLADDING - WOOD EFFECT
- FIBRE CEMENT BOARD: IN WHITE AND ACCENT COLOURS AS ABOVE

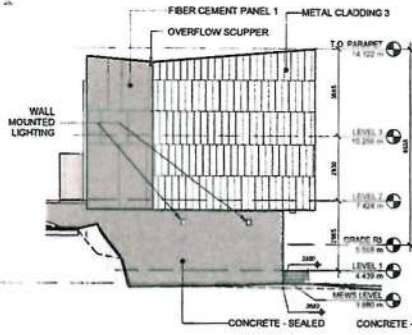
ROOF:

- SBS ROOFING WITH TWO COLOURS LAYED IN STRIPED PATTERN WITH ROCKSCAPING & PLANTING

SCREENING:

- METAL CLADDING 5: SAME AS METAL CLADDING 1; PERFORATED

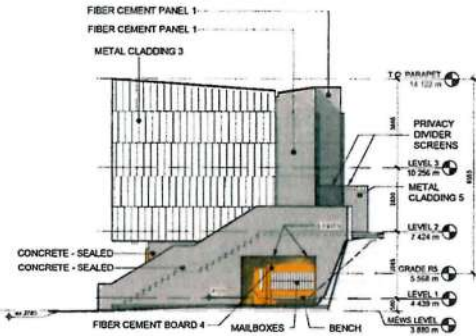




④ R5 SOUTH ELEVATION
1:100



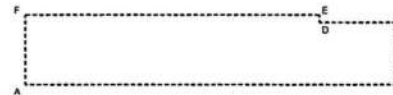
① R5 EAST ELEVATION
1:100



③ R5 NORTH ELEVATION
1:100



② R5 WEST ELEVATION
1:100



DOCKSIDE AFFORDABLE HOUSING AVERAGE GRADE CALCULATION

BUILDING R5			
POINTS A+B	(1880+1980) / 2 x 56792		+220352960
POINTS B+C	(3880+7274) / 2 x 9141		+50979357
POINTS C+D	(7274+7274) / 2 x 11335		+82450790
POINTS D+E	(7274+7274) / 2 x 1129		+8212346
POINTS E+F	(7274+7274) / 2 x 43755		+318273670
POINTS F+A	(7274+3880) / 2 x 10220		+56990940
			<u>727400000</u>

PERIMETER OF BUILDING R5 = 132422

AVERAGE GRADE FOR BUILDING R5 = 5967.5

MATERIALS

WALLS:

METAL CLADDING:

- METAL CLADDING 1: VERTICAL METAL CLADDING PROFILE / EXPOSED FASTENER - WHITE COLOUR
- METAL CLADDING 2: VERTICAL FLUSH METAL PROFILE - RANDOM PATTERN - WHITE COLOUR
- METAL CLADDING 3: VERTICAL STANDING SEAM METAL CLADDING - WHITE COLOUR
- METAL CLADDING 4: HORIZONTAL METAL BOARD CLADDING - WOOD EFFECT

SEALED CONCRETE:

- SEALED CONCRETE AS FINISH AND STRUCTURE

BOARD SIDING:

- LAPPED WOOD BOARDS WITH SEMI-TRANSPARENT STAIN - MEDIUM GREY

FIBRE CEMENT BOARD:

- FIBRE CEMENT BOARD 1 (SMOOTH MATTE) - LIGHT GREY
- FIBRE CEMENT BOARD 2 (SMOOTH MATTE) - DARK GREY
- FIBRE CEMENT BOARD 3 (SMOOTH MATTE) - WHITE
- FIBRE CEMENT BOARD 4 (SMOOTH MATTE) - ACCENT COLOUR

SOFFIT:

- METAL CLADDING 4: HORIZONTAL METAL BOARD CLADDING - WOOD EFFECT
- FIBRE CEMENT BOARD: IN WHITE AND ACCENT COLOURS AS ABOVE

ROOF:

- SBS ROOFING WITH TWO COLOURS LAYED IN STRIPED PATTERN WITH ROCKSCAPING & PLANTING

SCREENING:

- METAL CLADDING 5: SAME AS METAL CLADDING 1; PERFORATED

Received
City of Victoria

MAR 31 2015

Planning & Development Department
Development Services Division

VIEW OF DOCKSIDE AFFORDABLE HOUSING (BUILDING R5) FROM THE MEWS LEVEL (ARTIST'S CONCEPTION)



MATERIALS

WALLS:

METAL CLADDING:

- METAL CLADDING 1: VERTICAL METAL CLADDING PROFILE / EXPOSED FASTENER - WHITE COLOUR
- METAL CLADDING 2: VERTICAL FLUSH METAL PROFILE - RANDOM PATTERN - WHITE COLOUR
- METAL CLADDING 3: VERTICAL STANDING SEAM METAL CLADDING - WHITE COLOUR
- METAL CLADDING 4: HORIZONTAL METAL BOARD CLADDING - WOOD EFFECT

SEALED CONCRETE:

- SEALED CONCRETE AS FINISH AND STRUCTURE

BOARD SIDING:

- LAPPED WOOD BOARDS WITH SEMI-TRANSPARENT STAIN - MEDIUM GREY

FIBER CEMENT BOARD:

- FIBER CEMENT BOARD 1 (SMOOTH MATTE) - LIGHT GREY
- FIBER CEMENT BOARD 2 (SMOOTH MATTE) - DARK GREY
- FIBER CEMENT BOARD 3 (SMOOTH MATTE) - WHITE
- FIBER CEMENT BOARD 4 (SMOOTH MATTE) - ACCENT COLOUR

SOFFIT:

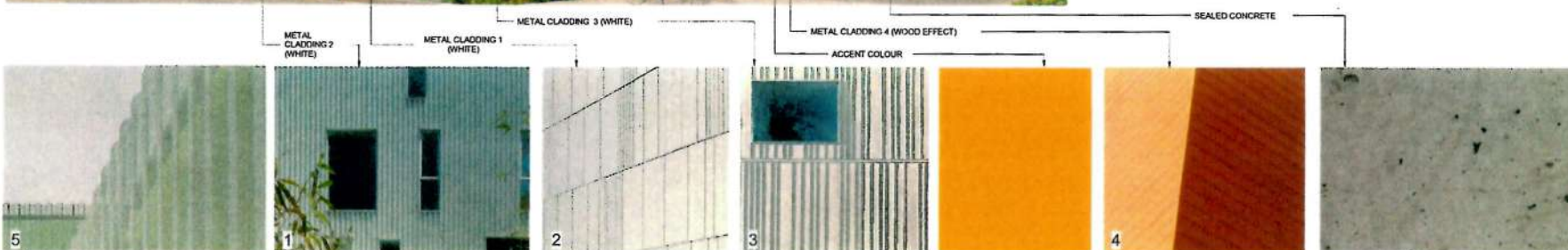
- METAL CLADDING 4: HORIZONTAL METAL BOARD CLADDING - WOOD EFFECT
- FIBER CEMENT BOARD: IN WHITE AND ACCENT COLOURS AS ABOVE

ROOF:

- SBS ROOFING WITH TWO COLOURS LAYED IN STRIPED PATTERN WITH ROCKSCAPING & PLANTING

SCREENING:

- METAL CLADDING 5: SAME AS METAL CLADDING 1; PERFORATED



VIEW OF DOCKSIDE AFFORDABLE HOUSING FROM THE GREENWAY LEVEL (R5)

VIEW OF DOCKSIDE AFFORDABLE HOUSING FROM THE GREENWAY LEVEL (R4)

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Received
City of Victoria

MAR 31 2015

Planning & Development Department
Development Services Division

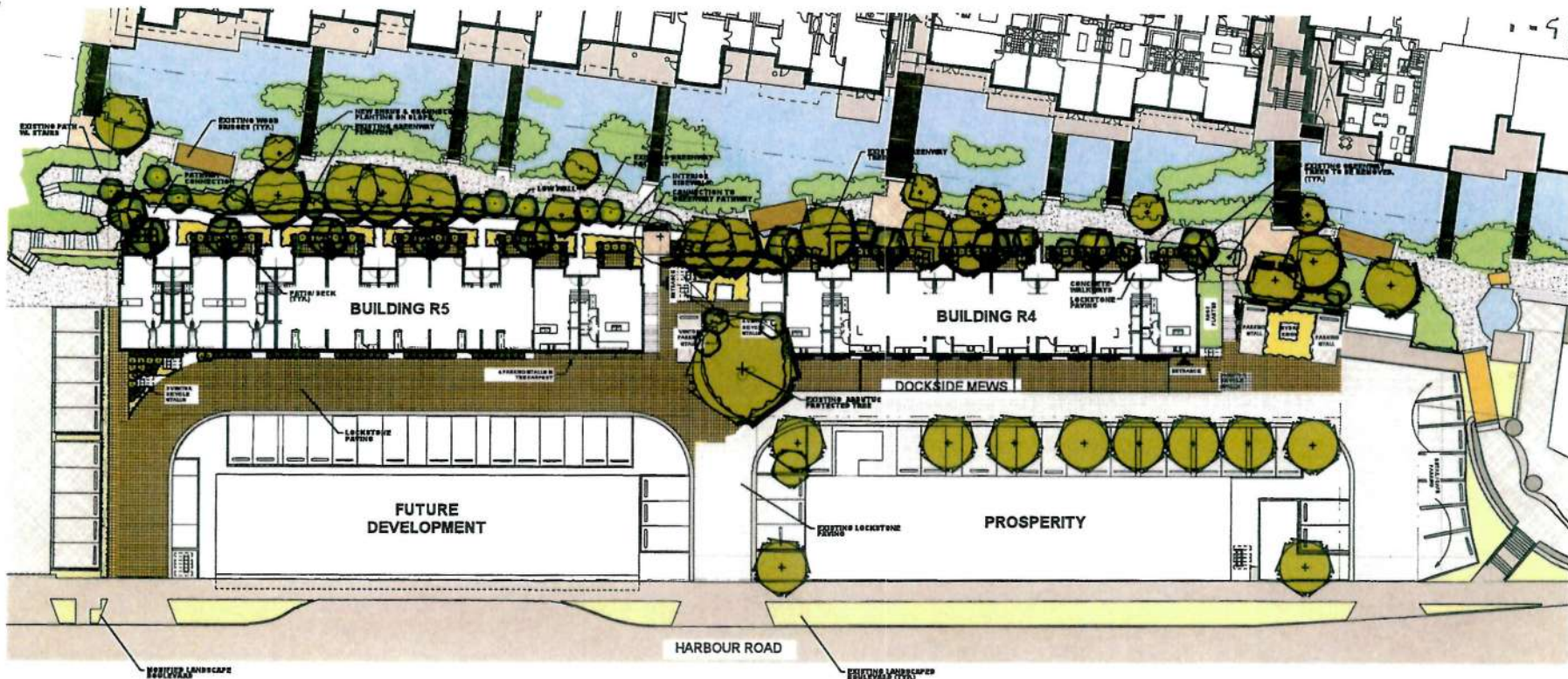
HCMA



DOCKSIDE GREEN -
AFFORDABLE HOUSING
PROJECT 1432
DATE: 2015/03/23
REVISION: 01

MATERIALS
DATE: 2015/03/23
A3.10
SCALE: As indicated

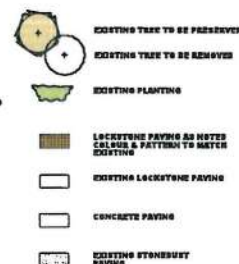
HGMA Architecture + Design
Suite 400 1375 Glen Highway St.
Victoria BC V8W 2K7 Canada
P: 250 737 6670
W: hgma.ca



LEGEND



SMALL DECIDUOUS TREES TO BE PRESERVED
SMALL DECIDUOUS TREES TO BE REMOVED
MEDIUM SHRUBS TO BE PRESERVED
MEDIUM SHRUBS TO BE REMOVED
SMALL SHRUBS TO BE PRESERVED
SMALL SHRUBS TO BE REMOVED
GROUND COVER TO BE PRESERVED
GROUND COVER TO BE REMOVED
VINES TO BE PRESERVED
VINES TO BE REMOVED



EXISTING TREE TO BE PRESERVED
EXISTING TREE TO BE REMOVED
EXISTING PLANTING
LOCKSTONE PAVING AS NOTED
EXISTING LOCKSTONE PAVING
CONCRETE PAVING
EXISTING STONEBURST PAVING

NOTES

LANDSCAPE AREAS ARE TO BE DEMARCATED FOR ESTABLISHMENT WITH A FULLY AUTOMATIC IRRIGATION SYSTEM.
THIS DRAWING IS CONCEPTUAL ONLY AND NOT DETAIL FOR CONSTRUCTION PURPOSES.
THIS DRAWING IS FOR SOFT LANDSCAPE ONLY.



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HCM




DOCKSIDE GREEN - AFFORDABLE HOUSING
111 HARBOR ROAD, VICTORIA
B.C. CANADA
V8V 2E6

SITE PLAN FOR PROPOSED DEVELOPMENT
DATE: FEB 16, 2015
P1
SCALE: 1/8" = 1'-0"

Houghton Conder Architects
Suite 300, 1111 West 2nd Avenue
Vancouver BC V6C 1G1 (100 Canada)
T 604 772 4833
F 604 772 4895
W hca.ca

Dr. Catherine and Greg Caws
389 Tyee Road – Unit 5
Victoria, B.C. V9A 0A9



January 2, 2015

Mayor and City Councillors
City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6

Dear Mayor and City Councillors,

Subject: Development at Dockside Green

We are writing in regard to the latest proposed development at Dockside Green.

The addresses affected are 370 and 384 Harbour Road, on sites R5 and R4 of the property (diagram attached). We are resident owners at 5-389 Tyee Road.

We believe this will be the subject of an upcoming rezoning review by City Council and we want to be sure my point of view is heard. Thank-you in advance for reading this.

Dockside Green's Reputation is in Play

We are in danger of creating a mockery of Dockside Green. We believe the new developer is trying to save money at all costs, even if it means jeopardizing our world-leading community. The rezoning they are requesting will undermine what has been created. We don't want this as an example of a process gone wrong – thus our letter.

The Developers Should Not be Allowed to Rezone

We do not support the developers proposed zoning changes although we do respect their right to build on the property as originally planned. We agree with the original objectives that Dockside Green is a place of diversity, one of livability for all and one that adheres to the highest level of environmental responsibility. The shoehorning in of two high-density units under the guise of affordable housing demonstrates very poor judgment.

Affordable Housing Doesn't Mean Second-Class Citizens

The developer seems to assume that affordable housing means that the new residents deserve less. This is unconscionable and it affects not only the new residents but also the whole community. They have enlisted so-called experts in affordable housing, to support their objectives but the original proposal was so poorly done, we wonder if they are compromising their judgment.

There Are Too Many Corners Being Cut

Frankly, the development seems like an afterthought to deal with two difficult land parcels. This summarizes our thoughts pretty well:

Let's jam two buildings into this tiny area where we can barely fit a laneway, let alone anything else; don't worry about livability, residential access or emergency vehicle issues, and forget about parking; let's call it "affordable housing" and get some consultants involved to get the monkey off our back; let's avoid proper LEED certification because it's a pain; lastly let's increase the density to a point where we might turn a profit - who cares if it doesn't fit with what is there. Anyhow, we just did a big planning process for the rest of the development, so let's pretend this was part of it and see if we can slip this by the new Mayor and councillors.

Issues Were Not Thought Through

During the November town-hall meeting and after a review of materials made available by the developer, it became apparent to us that the planning was, in our opinion, poorly done. A few of the obvious issues include:

1. **Very restricted vehicular access to either building.** - How are new residents supposed to move in and out? What about the residents with disabilities? How many other buildings in the area have recently been allowed such a waiver? The building is completely surrounded by four other tall buildings.
2. **Walking access in limited.** - Current walking access from the upper levels involve stairs to a bridge and gravel path, they are not wheelchair accessible. The proposal sees residents walking fifty to one hundred feet.
3. **Safety and Liability - No emergency vehicle access.** - Fire trucks, ambulances and police vehicles will have very restricted access. In case of emergency, paramedics would have to go up the side staircase, and access the units from the greenway path, making the management of stretchers hardly possible. At the time of the November community meeting, the developer had not thought about consulting the ambulance service and it

remains to be seen if they have properly engaged both police and fire officials with their detailed plans. Insurance premiums will rise for the residents. The close proximity of the surrounding buildings may create a high fire risk. City liability could be a big issue.

4. **Very limited parking.** – Neither building has adequate residential parking. Harbor Road has effectively no parking; it is already overflowing during the day. New residents will have vehicles; any assumption to contrary is wishful thinking. There is already a huge overflow issue on the street above, Tyee Road, at the south end, where on any given night 50-100 vehicles are parked on the side of the road.
5. **Local business will be grossly affected.** – Fol Epi, Café Fantastico and local businesses will lose most of their parking under the proposal. The BC Oil and Gas Commission is affected as well. These are highly trafficked businesses and there is already an issue on busy days. This issue may affect the future development of business in the area, hindering the viability of a mixed community.
6. **Little creative thought given to building necessities.** – There are no elevators, only open stair access that will hinder easy residential access, moving companies and emergency crew access. Laundry facilities, for studio units, will have to be accessed by leaving the building, going outside (in the rain), and accessing a laundry room; this makes no sense – there is no reason why smaller units should not include their own laundry facilities. There are no common area's, nor exercise facilities and there are no park areas for the little ones to play in – no space for kids. Will there need to be a building manager to shovel snow or take care of the units other interests? Livability has not been thought through, for example the lower units will get no direct sunlight.
7. **The developer wants to avoid LEED certification.** – The responsibility for making it LEED standard is left to the developer who says they'll try and make it as close as possible. They said they can save a lot of money if they don't officially certify – they believe LEED inspectors are unneeded overhead. On the contrary, the developer is the last one that should have control as they are in a complete conflict of interest. A separate certification is required, this is the very reason certification bodies exist.
8. **Population density increase is disproportionate.** – Such an increase in population was never considered in the original development and nothing has changed. The original plan for a dozen or so townhouses over both sites makes sense, a few more families, in other words. In this proposal there are 49 units proposed (including 23 studio units with no laundry facilities). The number of people rises dramatically and the ensuing social factors of living in

such close quarters will come in to play. Families will have less of a role, as the units are small. Quality of life will be affected in a large way.

9. **Means test for resale.** - In jurisdictions where affordable housing is properly instituted, the new homeowners are always subject to a means test. This limits the resale to people in need rather than the highest bidder. Where these covenants are not put in place, the property values quickly rise to market value and residents become the prey of property speculators or landlords trying to extract maximum rental income. While well intentioned during the planning stage, a lack of on-going support, oversight and investment from the city will create difficulties. The city of Victoria will always need to be responsible for maintaining supervision over the housing process, pricing and the means test to ensure that those in need of affordable housing actually benefit.

Alternative Options

Alternative 1: The town-hall consensus was to move the proposed site R4 building somewhere on the rest of the site, for example next to Harbour Road below Site R5. Take the R4 property land and turn it into proper parking, or perhaps a children's playground/open space with underground parking.

Alternative 2: Stay with the approved plans for townhouses. Advantages include lower density and proper parking for residents.

Alternative 3: Relocate the affordable housing units to wider spaces on the Dockside Green property. Rather than rushing into building affordable housing in a questionable location, wait to get better livability planned and do it right. Use R4 and R5 slots for business or original townhouses. Plan open spaces.

Summary

The Dockside Green Development is critical to the City of Victoria and frankly its place on the world stage. Responsible development is a hallmark of the city and in my opinion the developer's current process with this part of Dockside Green leaves a lot to be desired and sets a precedent for the future.

Please ensure that development of the affordable housing on Dockside Green properties is not just an afterthought and exercise your power to create a community plan that makes sense for the new residents and for livability.

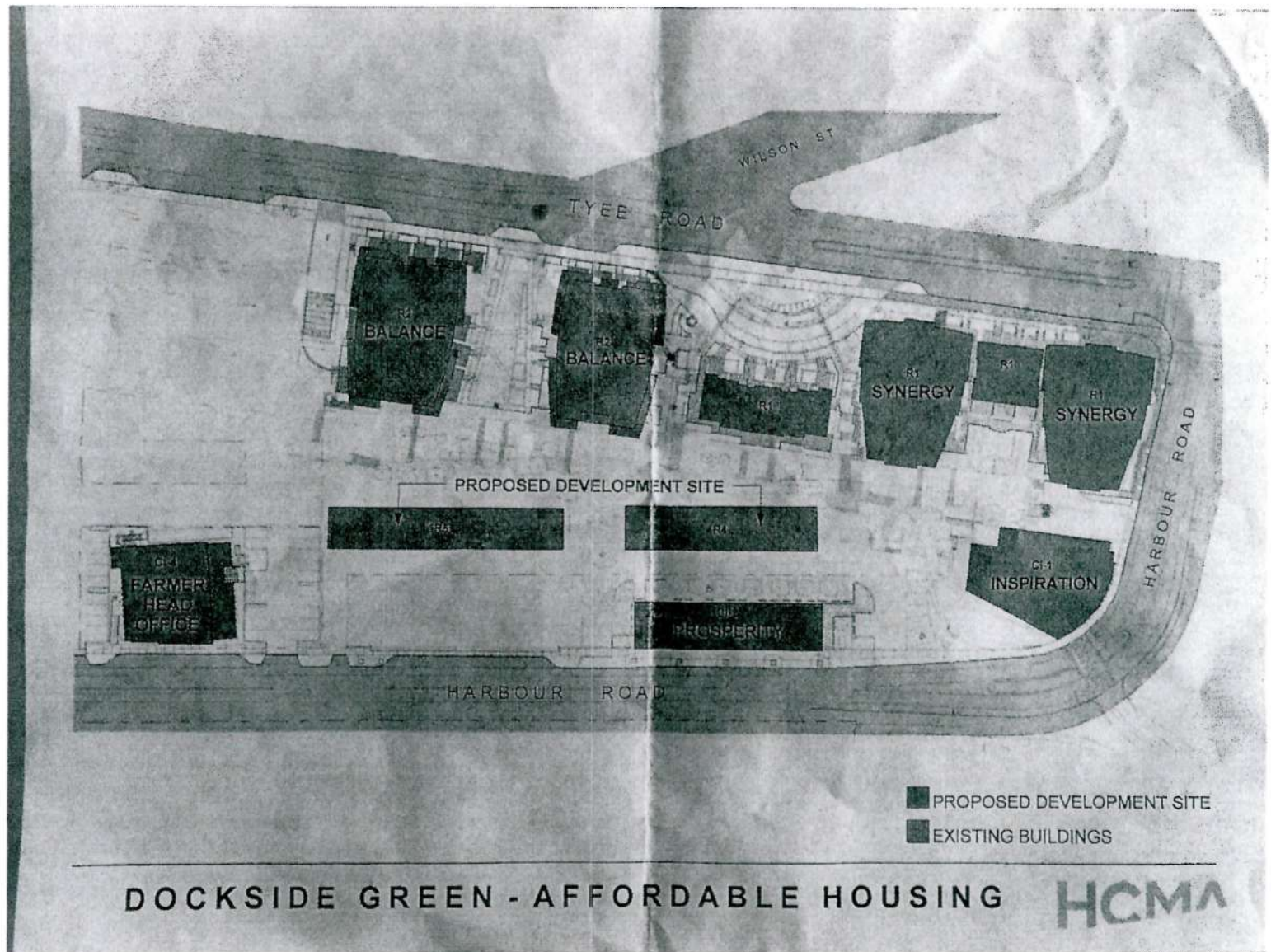
Yours Sincerely,



Dr. Catherine Caws



Greg Caws



Mike Wilson

From: Evelyn [REDACTED]
Sent: Tuesday, Nov 25, 2014 10:49 AM
To: Mike Wilson
Subject: construction of 3 storey buildings for workforce affordable rental housing

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Wilson,

I understand you are the planner for Victoria West, which covers the Dockside Greens project. I am writing to you as the landlord of stratas in CI-1 and CI-2 and representative of our tenant, BC Oil & Gas Commission who has been there since 2008.

With regards to this housing development to be located behind our buildings, we just wanted to voice our concern for the potential congestion, especially for parking that this will result in for the area. Given the geographical diversity of the employees of BC Oil & Gas, driving is the only option for many of them, and as it currently stands, they actually need approximately 20 more parking stalls. If there is potential for losing any parking, it will be very inconvenient for their business.

Additionally from what we understand, the retail in CI-I is also in need of extra parking for their staff and guests.

Thank you for your time. We appreciate any consideration for our parking and congestion concerns as this project moves forward. Should you wish to discuss this further please contact me at the information below. Thank you again.

--
Evelyn Louie, Financial Controller
PO Box 16120 Lower Mount Royal
Calgary, Alberta T2T 5H7
403-228-1862

Mike Wilson

From: Community Planning email inquiries
Sent: Wednesday, Nov 26, 2014 2:43 PM
To: Mike Wilson
Subject: FW: Community Planning

From: Mike Palmer
Sent: Sunday, Nov 23, 2014 3:28 PM
To: Community Planning email inquiries
Subject: Re: Community Planning

Hi. This might have been sent to me by accident... Just wanted you to know in case you were expecting a response.

Mike Palmer
Chief Information Officer
Information Technology Division
City of Victoria
101 - 1803 Douglas Street, Victoria BC V8T 5C3

T 250.361.0394 F 250.361.0214



On 2014-11-20, 11:29 AM, "Community Planning email inquiries" <CommunityPlanning@victoria.ca> wrote:

-----Original Message-----

From: [REDACTED]
[REDACTED] Planning email inquiries
Subject: Community Planning

From: Jim Ross
Email : [REDACTED]
Reference :
Daytime Phone : [REDACTED]
to:
City of Victoria
Planning and Development Department 1 Centennial Square Victoria, BC V8W 1P6

and

Lisa Helps, Mayor Elect and elected council

Re; Proposal to change current land use, description and zone from CD-9, Dockside District to Modified CD-9 Zone, Dockside District.

I attended the Vic West community meeting last night and was impressed and happy with the proposed OCP amendment and use of land & buildings except for a huge parking concern.
I am a Dockside resident living in a Garden Flat on the greenway ground level which is directly across from the proposed low income rental units.
We are excited to have our new neighbours right across from us and love the proposed design and appearance of the rental units.
It came through loud and clear that all attending were concerned with the temporary parking that will be lost with the new buildings replacing the parking. One of the commercial building tenants has moved because of the shortage of parking and with an increase in residents and reduction of 20 stalls, more business' will have to relocate to maintain their client base.
Vacant buildings in our community decreases the value and pride of all residents.
Please encourage the developers (who are open to change the parking area proposed) to provide parking.

Thank you

Jim Ross
GA-4, 379 Tyee Road
Victoria, BC
V9A 0B4

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IP Address: 184.66.13.207

Mike Wilson

To: Alison Meyer
Subject: RE: Proposed Affordable Housing Development: CD-9 Zone Dockside District

On Feb 2, 2015, at 11:37 PM, Telus [REDACTED]:

Hello all. I support and concur with the points raised by Mr. Lawson. I am very concerned about the negative impact that this development will have on the current residents of Dockside Green. I am particularly concerned that the proposed development is to be rammed through notwithstanding that it does not seem to reflect the development as proposed when I bought my ground floor condo -- which I did in good faith.

Can anyone point me to an understandable diagram of exactly what is currently on the table? It may be a function of the fact that I don't live full-time in Victoria and so have been unable to attend any of the meetings to date, but I find that what's available on line to answer my questions is inadequate.

Karen McDougall

Sent from my iPad

On Feb 3, 2015, at 12:24 PM, Chris Lawson <[REDACTED]> wrote:

Hello. By way of this e-mail, I am copying you on a letter sent today by registered mail to Norm Shearing, President of Dockside Green, regarding the proposed development in the CD-9 zone of Dockside District. Please see the attached.

The 10 other owners are being copied via BCC since I do not have their express permission to share their email addresses.

Thank-you.

Chris Lawson
GA6-379 Tyee Road
Victoria, BC V9A 0B4
[REDACTED]

<Dockside Green February 2.pdf>

Chris Lawson
GA6-379 Tyee Road,
Victoria BC V9A 0B4
February 2, 2015

Norm Shearing, President Dockside Green
353 Tyee Road,
Victoria BC V9A 0B5

Dear Mr. Shearing:

As you know, I was in attendance at the information meetings held on November 2 2014 and January 26 2015, regarding your proposal to develop the CD-9 zone at Dockside District (sites "R4" and "R5") with affordable housing.

I was very disappointed and somewhat surprised at the January 26 meeting. Your proposal was materially no different than the original proposal presented on November 2; this despite a number of very significant concerns and issues having been identified by me and other owners at Balance and Synergy at the two previous meetings and in related letters and emails, both to Dockside Green and to the Victoria city council.

Furthermore, I was not able to attend the Community Information Meeting held on November 18 but I understand that at that meeting, there was a proposal from at least one participant that the affordable housing be built to the west of the existing Farmer building, on land you say you are planning to build a children's playground. I am told by another owner that at that meeting, there was a show of hands and there was significant support for this proposal from those present at the meeting. Yet you did not address this proposal at the January 26 meeting.

Moving the affordable housing to the "Farmer" site would address the following key objections and concerns which have been identified by me as well as at least 10 other owners who have written letters to the city:

1. Density of the proposed development: 49 additional living spaces, likely containing up to 100 residents, directly adjacent to and facing the existing Synergy and Balance buildings. This is a large increase in a very confined area.
2. Close proximity of the proposed buildings to existing buildings. For example, the "R4" building would be only about 30 feet from my patio.
3. A majority of the units would have sole access via the greenway which would drastically decrease privacy and enjoyment of those units currently adjacent to the greenway as well as their property values. Along this stretch, there are currently 10 units in Balance and Synergy which open onto the greenway at ground level (but which also have alternate access via the parkade). You are proposing to add an additional 26 units with no access other than via the greenway, an increase of 260 % and causing, along with loss of privacy, a massive increase in foot traffic, comings and goings, noise, night light, wear and tear etc. Needless to say, this will also be very inconvenient for the tenants and will cause extended response time in case of emergencies.

4. The proposed development will exacerbate an already serious parking situation. Even though the R4 site is currently used for parking for adjacent stores and businesses, there is a serious parking situation in that area. Many cars double park during business hours. The proposed development would remove this parking area and add 49 additional residential units and many more residents, some of whom will have cars. Virtually no additional parking space is being proposed. The minor changes you announced at the January 26 meeting will not make a significant difference.
5. The proposal would require amendments to existing bylaws, which are intended to protect residents from industrial noise at the harbour.

I would like to know why this proposal was not incorporated into your plans and addressed at the January 26 meeting. Building the housing on this site, even though it is still directly adjacent to the existing Balance buildings, would have far less impact on existing owners and residents, virtually eliminating the above issues.

I am not a representative of the other owners and I am not speaking on their behalves, but I don't believe anyone has an issue with "affordable housing" at Dockside Green, as long as it is properly managed, and it appears that Catalyst will do that. The fact that there is support for affordable housing on the land behind the Farmer building, which is directly adjacent/ kitty corner to 373 Tyee Road proves that point.

The real issue here is that while there are numerous other sites within the remaining Dockside Green lands where affordable housing could be built, you are proposing to build it at a location that will have the greatest impact to existing residents and owners, yet you have so far taken none of our key concerns seriously.

None of the very minor adjustments you announced at the January 26 meeting materially address the above listed issues. There is still the same density; twenty-six of the proposed units still have sole access from the greenway; the two buildings are still virtually the same distance from existing residential buildings and there is no increase in parking allotment. This is very concerning, especially in light of the recent BC Supreme Court ruling regarding the social housing development in Vancouver (Yaletown). It's clear from that ruling that the concerns of adjacent stakeholders must be taken seriously.

You say that dialogue is happening at Dockside Green. Dialogue includes both speaking and listening. So far, you are only speaking.

Instead of listening to the concerns of stakeholders and addressing them, you spent most of the January 26 meeting giving the participants a history lesson and suggesting that affordable housing on these sites was carved in stone based on the original development plans. But a year ago, you said that everything that was originally envisaged for the project was up for discussion and subject to input from residents.

Here is what you said to *Vibrant Victoria*, published on January 31 2014 (italics are mine for emphasis; complete article at <http://vibrantvictoria.ca/local-news/dockside-green-mega-project-goes-back-to-the-drawing-board/>):

"We are in the infancy stages of discussions with the community and our residents. We will be approaching the Vic West Community Association with updates and will create a foundation for consulting with stakeholders. We are committed to Dockside Green but what we do in terms of moving the project forward and delivering on our promises will require consultation," Shearing said, suggesting that *all facets of the project are in line for a lengthy debate and planning process.*

All of this consultation is pointless if you are not prepared to listen to feedback and address significant issues. Adding in-suite laundry facilities and making the buildings non-smoking does nothing to address the significant issues of existing stakeholders listed above. And it's nice that you have removed eight doors from "R4," except that those same eighty doors have just been added to "R5."

After the meeting on January 26, I sent Ally an email suggesting that exterior corridors be included on the 2nd floor at the east sides of the two proposed buildings. This would not address all of the above issues but it would significantly improve the proposal both for existing stakeholders and for the new residents, by allowing access to the twenty six units from that side of the two buildings and eliminating access via the greenway. I have communicated with a number of other owners on this and while they still believe the proper location for this development is on the land behind the Farmer building, they agree that this change would make a significant difference. As such, I urge you to consider this proposal very seriously and I would appreciate a response as soon as possible.

In conclusion, in view of the many available alternative locations and options that would have minimal or no impact to existing owners and residents, I am asking you to come back with a revised affordable housing proposal that fully mitigates the concerns identified by me and other owners, listed above. My preference, and I believe the preference of many other owners, would be that the affordable housing be built on the site behind Farmer and that the parking at "R4" be preserved. The "R5" site could be combined with the land fronting Harbour Road and be used for one low rise office building. I can't imagine why this would not be possible, but if there really are sound reasons why it is not, then clearly there are options available to mitigate impacts of the development where currently proposed.

Yours sincerely,

Chris Lawson.

CC: By e-mail to:

Ally Dewji, Development Manager Dockside Green,
Robert Brown, President Catalyst Community Development Society,
Vic West Community Association Land Use Committee,
Victoria City Mayor and Councillors,
10 other owners at Balance and Synergy.

Mike Wilson

From: Chris Lawson <[REDACTED]>
Sent: Thursday, May 14, 2015 4:40 [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: Proposed Affordable Housing Development: CD-9 Zone Dockside District

Hi Mike. Here is another email that I would appreciate being added to the file (from another owner at Dockside Green). The issue of emergency access was raised with Dockside Green and Catalyst at several of their information meetings but wasn't taken seriously. Based on the incident identified below, it IS in fact a serious issue.

Thanks.

From: John Stewardson [REDACTED]
Sent: May-14-15 4:25 PM
To: Catherine Caws
Cc: Chris Lawson; [REDACTED]
[REDACTED]
Subject: Re: Proposed Affordable Housing Development: CD-9 Zone Dockside District

Hi All,

Just an added note re the proposed stairs of the affordable housing buildings. John has had some health issues (hopefully now resolved) and last Friday evening I had to call an ambulance to take him to Vic General. As our unit, G-1 can be tricky to find, I said I would wait in the circular drive to lead them to it.

When the ambulance arrived, I said to the attendants that G-1 was just down "these stairs." The response was, "Where is the elevator?" I said that there wasn't one but it was only a single flight. They looked at each other and then one asked if John could walk. When I said he could, they followed me down the stairs without a stretcher and escorted him up. I don't know where things would have gone if John *hadn't* been able to walk, but they were clearly not pleased with the thought of having to stretch someone up a flight of stairs. So, for all the Dockside folks' assurance that they'd talked to ambulance and fire people and they were cool with the building design, I suspect the front line staff wouldn't be at all.

Feel free to use this info for whatever.

Best, Dawn Stewardson

On Thu, May 14, 2015 at 1:26 PM, Catherine Caws [REDACTED]
Thank you Mike for all that work. The letter you sent to Mike Wilson is very informative. I cannot attend the meeting on May 28 because I will be out of town, but I would be happy to hear about it if you attend.

Regards,

Catherine