



## Planning and Land Use Standing Committee Report

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**Date:** January 27, 2014      **From:** Brian Sikstrom, Senior Planner

**Subject:** Development Permit Application # 000346 for 506 Government Street, 430 Menzies Street and 450 Superior Street – Provincial Applications to subdivide South Block and Q-Lot in the Legislative Precinct

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### Executive Summary

The purpose of this report is to provide information, analysis and recommendations regarding a Provincial application for a Development Permit to subdivide the South Block and Q-Lot (map attached) in the Legislative Precinct.

The subdivision applications will enable the sale of the majority of the South Block and a portion of the Q- Lot.

The following points were considered in analyzing this application:

- This Development Permit Application for Subdivision requires Council approval of related amendments to the existing *Victoria Accord – Legislative Master Development Agreement* but these amendments do not affect the obligations under the Agreement.
- The proposed subdivisions do not preclude development of the South Block or Q-Lot as envisaged in the existing *Legislative Precinct Urban Design Guide Manual, Built Form Guidelines & Appendices*.
- To retain the obligations under the existing Master Development Agreement (MDA), the existing agreement will be replaced with two new agreements. One with the Province for existing obligations related to the Q-Lot and another with new private sector owners for existing obligations related to the South Block. These agreements are proposed to be registered on their respective properties.

Staff recommend that the application be approved as it does not preclude future development consistent with the existing design guidelines and the proposed amendments have been structured so that obligations under the existing Master Development Agreement have been maintained. This also satisfies Council's condition for forwarding the associated Rezoning Application to reinstate offices as a permitted use on the Q-Lot and on South Block to a Public Hearing.

This application has no variances; therefore, a Public Hearing is not required.

### Recommendation

1. That Council authorize the issuance of a Development Permit for the Provincial applications to subdivide the Q-Lot and South Block in the Legislative Precinct as shown in the proposed subdivision plans date stamped January 9, 2014.

2. That Council approve the required amendments to *the Victoria Accord – Legislative Master Development Agreement* to the satisfaction of the Director of Sustainable Planning and Community Development, City Solicitor as well as amendments required for approval of the subdivision by the Approving Officer.

Respectfully submitted,

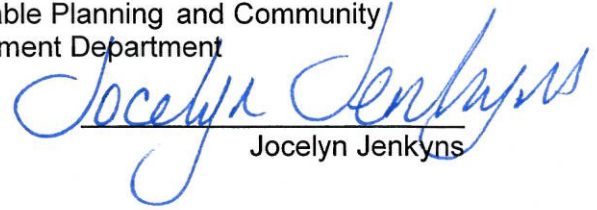


Brian Sikstrom  
Senior Planner  
Development Services



Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
Jocelyn Jenkyns

BMS:aw



## **1.0 Purpose**

The purpose of this report is to provide information, analysis and recommendations regarding a Provincial application for a Development Permit to subdivide the South Block and Q-Lot in the Legislative Precinct.

## **2.0 Background**

### **2.1 Description of Proposal**

The Provincial application to subdivide the South Block will permit the sale of the majority of the block (85%) to the private sector for redevelopment. The proposed subdivision will create a separate provincially-owned lot for the Queen's Printer Building and the Heritage-Designated houses at 514 and 506 Government Street on the eastern side of the block. The sale of the land on the South Block includes an agreement by the Province to lease back approximately 16,723 m<sup>2</sup> of new office space. An initial first phase of 5,574 m<sup>2</sup> of office space is required to be ready for occupancy by March of 2017.

The Provincial application to subdivide the Q-Lot will permit the sale of a 1974.5 m<sup>2</sup> lot for a development. The proposed lot is to be subdivided from the northwest corner of the Q-Lot with frontage on Kingston Street. The remainder lot of 9454.1 m<sup>2</sup> of the original Q-Lot is to remain in Provincial ownership.

The Province and the private sector firms selected to purchase and redevelopment these properties have agreed to secure the obligations and amenities under the existing Master Development with apportionment of these obligations to their respective properties and registration on title.

### **2.2 Existing Site Development and Development Potential**

#### **South Block**

The CD-2 Zone, Legislative Precinct Comprehensive District, covers the South Block. The block is divided into five Development Areas. Under this zoning, the development potential for the block is comprised of 46,320 m<sup>2</sup> of "public buildings" and 11,990 m<sup>2</sup> of commercial, daycare, library and general office uses. The lot on the South Block proposed for sale and redevelopment is currently occupied by "temporary" office buildings, parking lots, a community garden and five Heritage-Register buildings.

The *Legislative Precinct Urban Design Guide Manual, Built Form Guidelines & Appendices*, 1994 outlines the location of buildings on the South Block as well as their form, character and landscaping. High-quality government offices are envisaged along the north side of the South Block facing the rear of the Legislative buildings with walkways and public squares linked through to low-rise housing along the southern part of the block. The western side of the block includes street-level commercial uses along Menzies Street. The Heritage-Register buildings are to be relocated within the block as well as on a nearby lot on Powell Street.

The *Victoria Accord - Legislative Master Development Agreement*, 2010 details how development of the South Block will be carried out including requirements for phasing, works and services, travel demand management, the provision of affordable housing and amenities, as well as relocating and restoring the existing heritage buildings. The City and Province

agreed to renew the MDA in 2006 and 2010. The MDA is due to expire on June 2, 2014. If the agreement expires, it no longer has any effect.

### Q-Lot

The CD-2 Zone, Legislative Precinct Comprehensive District, covers the Q-Lot. The lot is comprised of two Development Areas. One Development Area is occupied by the Kew Court non-market townhouse development fronting on Superior Street and a market seniors "care-a-minium" fronting on Kingston Street. These are the only housing developments constructed to date in the CD-2 Zone. The second development area is currently occupied by a parking lot. Its development potential is comprised of up to 21,650 m<sup>2</sup> of public buildings as well as 1750 m<sup>2</sup> of retail, general office, restaurant and daycare space.

The *Legislative Precinct Urban Design Guide Manual, Built Form Guidelines & Appendices, 1994* outlines the location of buildings on Q-Lot as well as their form, character and landscaping. Offices with commercial space at grade are envisaged along Menzies Street. Offices are also envisaged with frontage on Superior Street and Kingston Street.

The *Victoria Accord - Legislative Master Development Agreement, 2010* details how development of the Q-Lot will be carried out including requirements for phasing, works and services, travel demand management, the provision of affordable housing and amenities. The City and Province agreed to renew the MDA in 2006 and 2010. The MDA is due to expire on June 2, 2014. If the Agreement expires, it no longer has any effect.

## **2.3 Land Use Context**

South Block is bounded by:

- North (across Superior Street): the BC Parliament Buildings and Grounds
- East (across Government Street): a mixture of commercial, public and residential buildings
- West (across Menzies Street): a restaurant, apartment building and service station
- South (across Michigan Street): a mixture of residential, public and commercial buildings.

Q-Lot is bounded by:

- North (across Kingston Street): hotels
- East (across Menzies Street): the Armouries Building and Grounds
- West: single family dwellings, duplexes and townhouses
- South (across Superior Street): apartment buildings.

## **2.4 Legal Description**

### Q-Lot:

Lot 3 of Lot 1888, 1890, 1891, 1892, 1893, 1894, 1895, 1914, 1915, 1916, 1917, 191 and 1919, Victoria City, Plan VIP61725

Strata Lots 1-35 of Lots 1895, 1896, 1911 and 1912, Victoria City, Strata Plan VIS4686 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form 1



South Block:

Parcel A (DD 49390-I) of Lot 1732, Victoria City

Parcel B (DD 59204-I) of Lot 1732, Victoria City

Lots 1 and 2 of Lots 1718 and 1722, Victoria City, Plan 105

Parcel A (DD 76651I) of Lots 3 and 10 of Lots 1718, 1719, 1720 and 1721, Victoria City, Plan 105

That part of Lot 10 of Lots 1720, 1721 and 1722, Victoria City, Plan 105 lying north of a straight line drawn westerly, and parallel to the northerly boundary of said Lot 10, from a point on the easterly boundary of said Lot 10, a distant southerly 120 feet from the north east corner of said Lot 10

Lots 11 and 12 of Lots 1720, 1721 and 1722, Victoria City, Plan 105

Lots 2 and 3 of Lot 1723 and 1724, Victoria City, Plan 287

Lot 1 of Lot 1724, Victoria City, Plan 287

Lot 4 of Lot 1739, Victoria City, Plan 287

Lot 5 of Lots 1739 and 1740, Victoria City, Plan 287

Lot 6 of Lot 1740, Victoria City, Plan 287

Lot 8 of Lots 1741 and 1742, Victoria City, Plan 105

Lot 9 of Lot 1741, Victoria City, Plan 105

Lots 4, 5, 6, the northerly 1/3 of Lot 7 and the southerly 2/3 of Lot 7 all of Lots 1742, 1743, 1744 and 1745, Victoria City, Plan 105

Lots 1725-1731, 1733, 1735-1738, Victoria City

That part of Lot 1734, Victoria City, lying to the west of a boundary parallel to the westerly boundary of said Lot and extending from a point on the southerly boundary of said Lot distant 33 feet from the south west corner of said Lot

Parcel A (DD 187969I) of Lots 1734, Victoria City.

## **2.5 Relevant History**

The Province has requested that the City reinstate office use in the CD-2 Zone. Office use was removed as a permitted use in this Zone when Council changed the definition of "public building" in 2007. A staff report on a *Zoning Regulation Bylaw Amendment* to reinstate office use was reviewed by the Planning and Land Use Committee of Council. On November 7, 2013, the following motion was adopted by City Council:

*That Council authorize that:*

- 1. That the Provincial request for a Zoning Regulation Bylaw amendment to reinstate offices as a permitted use on the "Q Lot" and South Lot of the Legislative Precinct proceed to a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to review by the City of the Provincial Land sale RFP with respect to the purchasers entering into an agreement with the City to assume the Province's outstanding obligations under the Master Development Agreement.*
- 2. That the Province's request to submit an Official Community Plan Amendment Application related to the subdivision of the South Block and Q-Lot in advance of a CALUC Community Meeting be granted.*
- 3. That the Province's contribution of appropriate resources to expedite the processing of its applications be accepted and that the necessary applications be given priority.*

Council's condition respecting the review of the Provincial RFP was reviewed by staff and it was determined that the approach outlined in the Province's RFP would not secure the obligations. However, the Province and the selected purchasers (Jawl Properties Ltd. and Concert Properties Ltd.) have agreed to replace the existing Master Development Agreement with two new agreements that apportion the existing obligations and register them against the respective properties on the Q-Lot and South Block.

The Public Hearing date on this *Zoning Regulation Bylaw* Amendment is scheduled for March 13, 2014. It is anticipated that the Development Permit for the Province's subdivision applications and amendments to *The Victoria Accord - Legislative Master Development Agreement, 2010* will also be considered by Council following the Public Hearing on March 13, 2014.

The Provincial Request for Proposals for the sale of the South Block and a portion of Q-Lot closed on December 9, 2013. The Province selected the proposal submitted by the Jawl Properties Ltd. and Concert Properties Ltd. to purchase and redevelop the lands. The sale of the lands by the Province is to be completed on March 21, 2014. Following the sale, it is anticipated applications will be submitted by the purchasers for development of approximately 16,722 m<sup>2</sup> of office space on the South Block for lease back to the Province for a period of 20 years.

## **2.6 Consistency with Design Guidelines**

### South Block

The South Block is within Development Permit Area #12 Legislative Precinct and subject to the associated *Legislative Precinct Urban Design Guide Manual, Built Form Guidelines & Appendices*. The proposed subdivision does not follow the boundaries of these Development Areas. Instead, it forms a new lot on the eastern side of the block. While this subdivision pattern is not anticipated in the design guidelines, it does not preclude development of the block as envisaged.

### Q-Lot

The Q-Lot is also within Development Permit Area #12 Legislative Precinct and subject to the associated *Legislative Precinct Urban Design Guide Manual, Built Form Guidelines & Appendices*. The proposed subdivision does not impact buildings shown in the design guidelines.

## **2.7 Consistency with other City Policy**

### **2.7.1 Official Community Plan, 2012**

The Province's subdivision applications do not preclude development of either the South Block or Q-Lot as envisaged in Development Permit Area #12 and its associated *Legislative Precinct Urban Design Guide Manual, Built Form Guidelines & Appendices*. Therefore, no amendments are required to the *Official Community Plan, 2012*.



### **2.7.2. Victoria Accord - Legislative Master Development Agreement, 2010**

The Province's subdivision applications, as proposed, are not anticipated in *The Victoria Accord - Legislative Master Development Agreement, 2010*. Therefore, there are a number of amendments required consequent to Council's consideration of the Development Permit. These amendments require the approval of City Council as well as the Province. In addition, amendments to the Master Development Agreement are required for consideration of the Province's subdivision applications by the City's Approving Officer. The major amendments that are required to the Master Development Agreement to enable the Development Permit for Subdivision approval and to ensure that the previously agreed to obligations and amenities are secured are listed in Appendix 1 of this report.

## **2.8 Community Consultation**

The Province's subdivision applications were presented at an Open House held in James Bay on December 2, 2013, and a James Bay Community Association Land Use Committee meeting on December 11, 2013. A letter dated December 23, 2013, from the James Bay Neighbourhood Association providing comments from the public is attached.

## **3.0 Issues**

The major issue that arises from the Province's subdivision applications and sale of the associated lands is the retention of the Province's outstanding obligations under the Master Development Agreement. These obligations are due to expire on June 2, 2014, if the Master Development Agreement is not renewed or when the lands are sold to the selected purchasers, Jawl Properties Ltd. and Concert Properties Ltd.

## **4.0 Analysis**

To address the issue of its obligations under the Master Development Agreement, the Province, Jawl Properties Ltd. and Concert Properties Ltd have agreed to replace the existing Master Development Agreement with two new separate agreements. These agreements with the City maintain the obligations under the existing Master Development Agreement (with the removal of redundant or completed provisions and the amendments required for Development Permit and Subdivision approvals) but divide them according to their assignment in the existing MDA. The amendments also assign items within the Accord that are not related to the subdivision but were related to the 1994 development scheme including the provision of amenities. The Province would continue to be responsible for the obligations associated with the Q-Lot and its retained portion of South Block. Jawl Properties Ltd. and Concert Properties Ltd. would be responsible for the obligations associated with the remainder of South Block and a portion of Q-Lot. These agreements are proposed to be registered on these properties. This approach also satisfies Council's condition for forwarding the associated Rezoning Application to reinstate offices as a permitted use on the Q-Lot and South Block to a Public Hearing. The redevelopment of the South Block will involve further approvals by Council and these may include consideration of a new agreement with Jawl Properties Ltd. and Concert Properties Ltd. At the time of future development applications, the obligations and amenities in any new agreement could be updated to reflect present day conditions, City goals and objectives and community values. A similar scenario could also be expected should the Q-Lot be developed by the Province or sold to another owner.

## 5.0 Resource Impacts

The resource impacts of these subdivision applications and associated replacement Master Development Agreements have been addressed with funding contributed by the Province. If further development proposals related to these lands are required to be expedited, new arrangements will be required.

## 6.0 Options

### Option 1

1. That Council authorize the issuance of a Development Permit for the Provincial applications to subdivide the Q-Lot and South Block in the Legislative Precinct as shown in the proposed subdivision plans date stamped January 9, 2014.
2. That Council approve the required amendments to *the Victoria Accord – Legislative Master Development Agreement* to the satisfaction of the Director of Sustainable Planning and Community Development, as well as amendments required for approval of the subdivision by the Approving Officer.

### Option 2

That Council decline the application.

## 7.0 Conclusions

The subdivision applications will enable the sale of the majority of the South Block and a portion of the Q- Lot for redevelopment, including 16, 723 m<sup>2</sup> of office space on the South Block to be leased back by the Province. This redevelopment of the South Block will require Council's future approval, including the authorization of any revisions or amendments to the existing design guidelines and Master Development Agreement.

This Development Permit Application requires Council approval of related amendments to the existing *Victoria Accord – Legislative Master Development Agreement* but these amendments do not affect the obligations under the agreement. In addition to the MDA revisions that are required to facilitate the subdivision, staff are recommending that obligations contained in the Agreement be amended and reassigned, as appropriate, in order to ensure that the amenities and unfulfilled obligations that were contemplated and considered important in the initial 1994 Plan and rezoning of the properties are secured prior to the Agreement's expiry date of June 2, 2014. With this approach, the community values and wishes that were expressed through the 1994 planning and rezoning process are respected and established as a "baseline" until future development plans are advanced. This approach also satisfies Council's condition for forwarding the associated Rezoning Application to reinstate offices as a permitted use on the Q-Lot and South Block to a Public Hearing.

To retain these obligations, the existing agreement will be replaced with two agreements. One with the Province for existing obligations related to the Q-Lot and its retained portion of South Block and another with Jawl Properties Ltd. and Concert Properties Ltd. for existing obligations related to South Block and a portion of Q-Lot. These agreements are proposed to be registered on their respective properties.



The application is supportable as it does not preclude future development consistent with the existing design guidelines and a legal obligation is proposed to retain the obligations under the existing Master Development Agreement.

## **8.0 Recommendations**

1. That Council authorize the issuance of a Development Permit for the Provincial applications to subdivide the Q-Lot and South Block in the Legislative Precinct as shown in the proposed subdivision plans date stamped January 9, 2014.
2. That Council approve the required amendments to *the Victoria Accord – Legislative Master Development Agreement* to the satisfaction of the Director of Sustainable Planning and Community Development, as well as amendments required for approval of the subdivision by the Approving Officer.

## **9.0 List of Attachments**

- Aerial map
- Aerial map and Subdivision Plans dated January 9, 2014
- Letter from applicant dated January 14, 2014
- Letter from Jawl Properties Ltd. and Concert Properties Ltd.
- Letter from the James Bay Community Association dated December 23, 2013.

## APPENDIX 1

### Master Development Agreement (MDA) Amendments

#### 1. MDA Amendments Required for Development Permit Approval

- Section 1.4 BCBC must provide for the reconstruction of the intersections of Menzies Street/Kingston Street and Menzies Street/Superior Street as part of the works and services to be installed by BCBC upon subdivision of the Q-Lot.
- Section 1.5 BCBC must provide comprehensive site servicing plans detailing the works and services on Superior Street, Michigan Street, Menzies Street and Government Street with the first application to subdivide lands in the South Block.
- Section 2.0 The Legislative Precinct Lands will be subdivided and developed in phases with each subdivision proposal requiring approval of City Council and the City's Approving Officer.
- Section 2.3 BCBC proposes to subdivide the South Block and Q-Lot into lots generally outlined in the LPUDM is repealed and replaced with:
- Section 2.4 BCBC will not apply to create lots in South Block and Q-Lot which would straddle the Development Area boundaries established in the CD-2 Zone, Legislative Precinct Comprehensive Development District.
- Section 2.6 BCBC will submit an inventory of existing trees within the South Block showing those to be removed and those to be retained concurrently with the first subdivision application for the South Block.
- Section 4.0 BCBC must undertake the development of the Legislative Precinct Lands in sequence shown on Schedule E.

#### 2. MDA Amendments Required for Subdivision Approval



Please Note

The Appendix will be made available next week prior to the meeting.

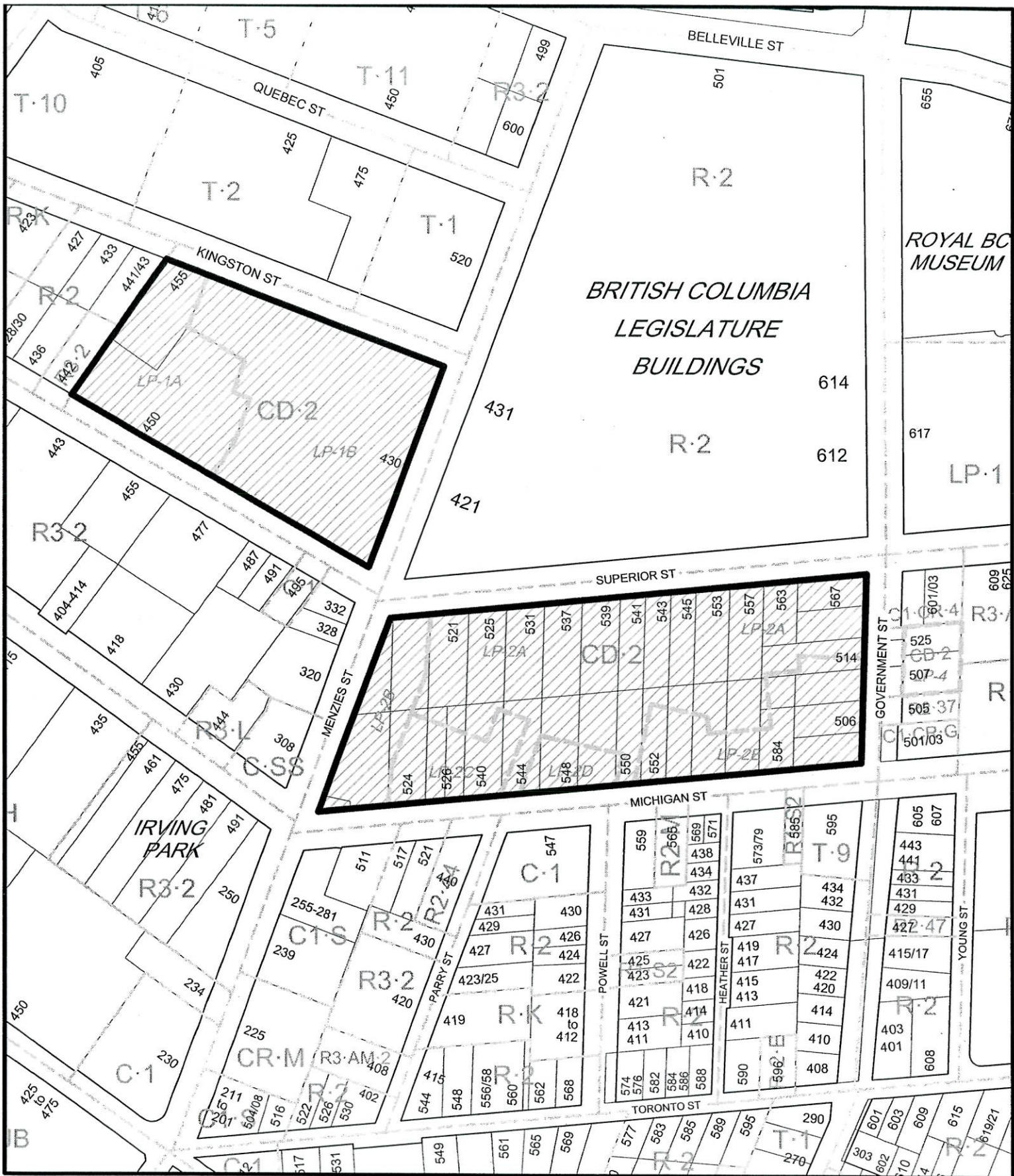




CD-2 Legislature Comprehensive District  
Development Permit #000346







CD-2 Legislature Comprehensive District  
Development Permit #000346











# BCLS Sketch Plan of Proposed Subdivision of

## "South Block"

Lots 1, 2, Parcel A of 3 and 10, 4, 5, 6, S'y 2/3 of 7, N'y 1/3 of 7,

8, 9, Rem 10, 11, 12, Victoria City, Plan 105

Lots 1, 2, 3, 4, 5, 6, Victoria City, Plan 287

Lots 1725, 1726, 1727, 1728, 1729, 1730, 1731, Parcel A of 1732, Parcel B of 1732,

1733, W'y 33' of 1734, Parcel A of 1734, 1735, 1736, 1737, 1738, Victoria City

Total Site Area

2.71 ha

27146 m<sup>2</sup>

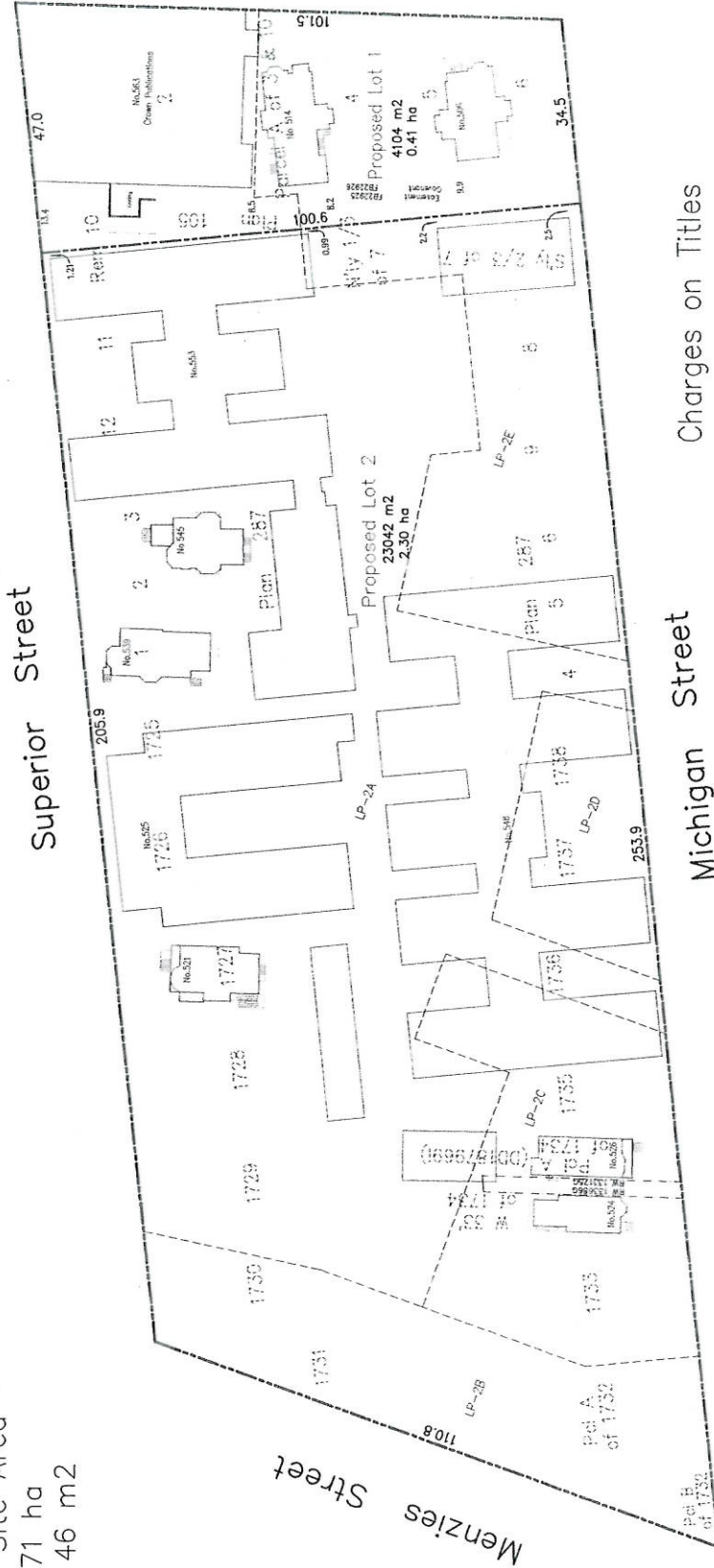


The intended plot size of this plan is 432mm in width by 280mm in height (B size) when plotted at a scale of 1:400.

File : 11667-4  
 POWELL & ASSOCIATES  
 B C Land Surveyors  
 250-2950 Douglas Street  
 Victoria, BC V8T 4N4  
 phone (250) 382-8855

September 19, 2013  
 SUB PRO 01

Superior Street



Charges on Titles

Charge #	Servient Tenement
Easement FB22925	Pcl A of 3 & 10, Lots 5, 6, 7 & 10, Plan 105
Covenant FB22926	Pcl A of 3 & 10, Lots 5, 6, 7 & 10, Plan 105
RW 133686G	W 33' of 1734
RW 133175G	Pcl A of 1734

Received  
 City of Victoria

JAN 09 2014

Planning & Development Department  
 Development Services Division



January 7, 2014

Mayor Dean Fortin and Council  
City of Victoria  
#1 Centennial Square  
Victoria BC V8W 1P6



**Re: Development Permit Application – Q Lot and South Block,  
Concurrent Subdivision Applications, File No. 00263  
Legislative Precinct – Victoria Accord Lands**

Dear Mayor and Council,

The Province is moving ahead to renew government offices on South Block through the sale of lands for redevelopment and lease back of approximately 16,723 sm (180,000 sf) of new office space. The *Capital Park* project will realize key components of the 1992 Victoria Accord.

The east portion of South Block lands, including the Queen's Printer Building, will be retained by the Province, and the remaining 85% of the block sold to the successful development proponent. *Capital Park* also includes the sale of a small portion of Q-Lot for potential use to relocate five South Block heritage houses.

The benefits of the *Capital Park* project include:

- Substantive progress on the Victoria Accord after 20 years;
- Long term commitment to Government offices in Victoria – 16,723 sm (180,000 sf) of office space;
- Potential for almost three times the number of Government full time employees (FTE) in this location;
- Approximately 6,500 sm (70,000 sf) of additional office space and 140 affordable and market housing units;
- New LEED Certified and seismically safe buildings to replace "temporary" 1940s buildings that are long past their useful lives;
- Extensive development controls are in place, including the Victoria Accord, OCP Development Permit Area 12, Comprehensive Development (CD) Zoning, Master Development Agreement, Urban Design Manual and Built Form Guidelines;
- Phased development with concurrent community amenities;
- Recycling of existing surface parking lots and underutilized lands with high quality mixed use infill buildings;
- Preservation of heritage buildings;
- Continued transportation demand management initiatives with a focus on underground parking and reduced vehicle dependency;
- New government offices will have a project value of more than \$60 million and 150 to 200 directly related construction jobs; and

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Consulting Ltd.

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- Subsequent development approvals will include multiple opportunities for continued community consultation.

As one of the first steps to realizing the Capital Park project, the Province seeks subdivision approval for Q-Lot and the South Block to create the parcels to be retained and sold. The attached survey plans show the parcels to be sold for redevelopment. The province also seeks concurrent approval of the Subdivision Development Permit and approval to make required amendments to the Master Development Agreement. The province acknowledges the City's desire that the amenities set out in the Master Development Agreement be confirmed or amended prior to the MDA expiry in June 2014.

### **Master Development Agreement Amendments**

The Master Development Agreement (MDA) did not anticipate that the Province (BCBC) would meet its office space needs through private sector development. The Province requests that the MDA be amended to allow the subdivision to proceed without delay and that obligations respecting land subdivision be deferred to subsequent subdivisions.

The following clauses of the Master Development Agreement require amendment to defer obligation to subsequent subdivision related to the development of the lands:

- 1.2 BCBC agrees to grant a statutory right of way for the purpose of reconstructing and widening Superior Street, if necessary, and increase the setback by 2.44 metres from Superior Street for all buildings proposed for construction in Q-Lot and South Block.
- 1.3 BCBC agrees to provide a series of lanes, walkways and courtyards open to the public as shown in the Legislative Precinct Urban Design Manual, and to provide, construct and maintain these at BCBC's expense.
- 1.4 BCBC agrees to provide for the reconstruction of the intersections of Menzies/Kingston Streets and Menzies/Superior Streets as part of the works and services to be installed.
- 1.5 BCBC agrees to provide comprehensive site servicing plans detailing the works and services on Superior Street, Michigan Street, Menzies Street and Government street with the first application to subdivide lands in the South Block.
- 2.6 BCBC agrees to submit an inventory of existing trees within South Block, showing those to be removed and those to be retained concurrently with the first application to subdivide lands for the Block.

The Province further requests that it be exempt from clause 2.4, which stipulates that the Province will not apply to create lots in South Block that would straddle the Development Area boundaries established in the CD-2 Zone, Legislative Precinct Comprehensive Development District. The proposed subdivision of South Block would allow the Province to retain the Queen's Printer and the two heritage buildings on the east portion of the property along Government Street.

### **Community Consultation**

Two community consultations are complete to date. The province held an Open House in November 2013 and presented to the James Bay Community Association on December 2, 2013. The response from the neighbourhood was considered positive.





## Project Information Summary

### *Q-Lot Site Information:*

Zone (existing)	CD-2: Legislative Precinct Comprehensive District
Total Site Area	11,428.6 sm
Retained Parcel Area	9,454.1 sm
Severed Parcel Area	1,974.5 sm

### *South Block Site Information:*

Zone (existing)	CD-2: Legislative Precinct Comprehensive District
Total Site Area	27,146 sm
Retained Parcel Area	4,104 sm
Severed Parcel Area	23,042 sm

The applications pertain to land subdivision only; no new buildings or changes to the regulatory documents are proposed and, accordingly, it is considered that there is no impact on transportation, heritage, green building or infrastructure.

### **In Conclusion**

We trust this provides a useful description of the proposed Development Permit application for Subdivision and outlines the requested amendments to the Master Development Agreement. On behalf of the Province, we look forward to working with the City to process the development approvals of the Q-Lot and South Block parcels.

Sincerely,



John Gauld, RPP  
CitySpaces Consulting Ltd.

cc: Jim Baker, CCIM, Ministry of Technology, Innovation and Citizens' Services





**JBNA**

234 Menzies St  
Victoria, B.C.  
V8V 2G7

## **James Bay Neighbourhood Association**

[www.jbna.org](http://www.jbna.org)

December 23<sup>rd</sup>, 2013

Mayor Fortin,  
City of Victoria

**Re: Victoria Accord - Public Input/Consultation and the CALUC process**

Dear Mayor Fortin,

On Wednesday, December 11<sup>th</sup>, JBNA held the second of the public meetings focused on the proposed build-out of the complexes committed as part of the Capital Park project. The focus of the meeting was the subdivisions of South Block and Q-lot.

The issues and objections raised by residents at the meeting were NOT, in the main, directed to the subdivision but to the honouring of the Victoria Accord, the heritage houses, parking and traffic, and *the unknown* as a specific build-out proposal has not been presented.

Attached you will find an excerpt from the draft December 11<sup>th</sup> JBNA general meeting,

At the December 2<sup>nd</sup> Open House and December 11<sup>th</sup> JBNA meeting, residents completed 83 surveys. The survey is now available on the JBNA web-site and to date we have received an additional 54 survey responses. It is our intention to summarize the surveys responses and present the results at a Council meeting in January.

Sincerely,

Marg Gardiner  
President, JBNA

Tom Coyle  
Chair, JBNA CALUC

Cc: Jocelyn Jenkyns  
Deb Day  
Brian Sikstrom



## JBNA December 11<sup>th</sup>, 2013 General Meeting

Victoria Accord – Re-Zoning of Legislative Precinct – Province of BC

Introduction by Marg Gardiner on the project and JBNA's role. The timeline: rezoning for office use at JBNA November meeting, subdivision of Q-lot & South Block tonight and sale of land (March 2014). City processes would follow, dealing with requests to alter lots or zoning.

### **Jim Baker, Shared Services BC: Sub-division of lands of the sale package.**

The project description included Victoria Accord history, and:

- ~ The Government of BC is commitment to a 20-year lease of 180,000 sqft to support 1125 employees, additional office and commercial space, another 140 housing units. Office buildings to be built to LEED gold standard. Government offices will be anchored in James Bay.
- ~ Parking lots – 303 stalls on South Block will become 563 lots underground.
- ~ Provisions for heritage building restoration is included.
- ~ On Q-Lot, the Camelot care complex and the Kew Court subsidized housing complex fulfilled part of the Victoria Accord.
- ~ Many development controls in place through 1994 Victoria Accord & renewed agreements.
- ~ RFP asked developers to assume the Accord's position.

Rezoning is underway to address an inadvertent omission of permitted office use in a 2007 rezoning process. The subdivision application of South Block and Q-lot may require an OCP amendment. Development Permits and amendment to the master development agreement will also be needed.

The subdivision is the subject of this meeting. BC Gov't will retain ownership of the Queens Printer and heritage buildings on Government St on South-Block and most of Q-lot .

## **Excerpt: JBNA December 11<sup>th</sup>, 2013 General Meeting Draft Minutes**

### Questions/Comments/Responses

C: The accord was suggested as being secure, and then changes were hinted at – many of us fear change, that the accord will expire and will not be observed. I'd like it to be upheld.

A: The development schedule will have to change. Commercial space was supposed to be built out first, followed by residential, then offices last. Residential won't be built first – there is a requirement that office space be made available according to a schedule.

C: Lewis Street resident: The 5 heritage houses were to be moved down to Michigan. I've since heard that there is a proposal to put them on Q lot. It's a daft idea. I'm opposed to them being moved off South Block. They need to be designated, restored, retained.

C: San Jose resident: I agree with previous comments. The community garden needs to be retained too. It could become an interesting piece of ecology amongst big buildings. It could be a charming oasis. It's important; it feeds low income people. I'll fight to keep it.

C: Fairfield resident: I want to see a percentage of the land preserved as public park.

Q: Resident of 400 block Government: Victoria Accord states traffic must be considered before anything happens; there needs to be a means of getting in & out of James Bay. That hasn't been done – with three times as many employees, how are they to commute & park?

A: Fewer parking requirements are anticipated, as more spaces will be provided. The Transportation plan has been partly fulfilled – we've provided bus stops on Government Street. Any development proposal will need to consider transportation.



C: The Duet was supposed to be built as senior housing, but suddenly sold to a developer.

Q: Regarding the process – a plan normally goes with a rezoning application. What we've been told is that plans aren't yet available, but we want to take the next step. That's not the way it's normally done – can someone from the City clarify?

A: This is a little different because the building concept is already in the accord. The rezoning application now underway affirms the original intent of the accord.

Q: Presently the land can only be used for public buildings – is that correct? We were told there had been a mistake. I participated in the accord process and have faith in that work. I am concerned we're being asked to trust the process, but it seems we are one step ahead already – we need to see the proposals, to see the specific plans.

A: If a plan comes forward that's not in keeping with the intent of the accord, it will have to go through the whole rezoning process.

Q: About Q-Lot – the James Bay Market space. It's not being developed right now, and you're retaining it for parking, right? Is the green space threatened? Will it remain?

A: Currently there is no plan to change it ... but current use is not a perpetuity.

Q: Montreal St resident: We'll hold your feet to the fire on the accord. If you assume this should be built, you could not get a more sensitive plan – right down to the trees. There are issues with traffic, gardens, heritage houses to be resolved. This is better than having the property sold to the private sector with no obligation. If the developer follows the design guidelines, it will be a huge plus for the community. All must be considered – but we must hold to the design guidelines. We are hopeful new families will move here, bring new vitality. The community suffers for the parking lots, they discourage tourists from entering the community. We need respectable building frontages. Parking lots discourage.

Q: What happens in February, when the accord has ended? Will all this work be honoured?

A: I believe so, from what I've seen. The JBNA has been a strong advocate for the community, we hear them.

C: Regarding the heritage houses – they should remain on South block, fronting on Michigan. They are protected under the accord – but who's going to pay to save the houses, and who's responsible for their upkeep and development?

A: They are part of the sale, conditions being that they be relocated and refurbished.

C: Maintaining sightlines to the dome – everyone should look from corner of Michigan and Menzies – it should remain on the diagonal. I'd like to see that in the plan.

A: It's part of the accord document – a change will trigger full public process.

Q: The accord contemplated the whole project, now it's being sold off piece meal. Will a new accord be created for the residual lands of Q-Lot?

A: We've been talking to the City about that – it's 20 years old and in need of change.

C: If you parcel some off now, then obviously a new accord for Q-Lot is needed.

Q: Resident Toronto/Michigan: I asked at the last meeting whether houses could be designated heritage by the City before anything happens. A developer will see the houses as an impediment & take a quick way out to restore them. What developers call restoration and heritage people call restoration is very different. The houses need to be considered.

A: I expect they will need to get permits to move them anywhere.

C: Both the City and the Province need to be involved in that process.

C: I am more worried about Q Lot than South block due to the expiration of the Accord in June. I hope the City will negotiate a new accord for Q-lot. Regarding the garden, JBNA has identified another couple of spots, and Chris Coleman is working on it.