

REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – January 28, 2016

1. Update on Rezoning Application No. 00472 and Development Permit Application with Variances No. 000402 for 1041 Oliphant Avenue and 212 – 220 Cook Street

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council postpone consideration of the Rezoning Application until receipt of the Advisory Design Panel recommendations.

(Rezoning Application)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00472 for 1041 Oliphant Avenue and 212-220 Cook Street, securing 75% of the value of the identified land lift to be contributed to and divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund, 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 (previous conditions that have been satisfied have been removed):

1. Registration of the following:
 - a. Housing Agreement to secure the rental of nine units for a minimum of 20 years at a minimum rental rate at least 10% below market rental, if not more, and that future strata bylaws cannot prohibit strata owners from renting residential strata units;
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;
 - d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- appropriateness of the commercial extension from Oliphant to Park Boulevard
- Cook Street guidelines and appropriateness of architecture expressions

Following this referral, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00472, if it is approved, that Council consider the following motion:

That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped September 28, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16.A.12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. The Development Permit lapsing two years from the date of this resolution. 4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.

4. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m2 of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.

That Council refer the Development Permit Application to the Advisory Design Panel and have recommendations brought back to Council.

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Young, that Council amend the motion by deleting the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- ~~appropriateness of the commercial extension from Oliphant to Park Boulevard~~
- Cook Street guidelines and appropriateness of architecture expressions

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council amend the motion by clarifying the last bullet into two bullets, as follows:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- **Cook Street Village Guidelines and Local Area Plans**
- **Appropriateness of architecture expressions**

On the amendment:
Carried Unanimously

Amendment:

It was moved by Councillor Loveday, seconded by Councillor Isitt, that Council amend the motion by adding the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- Cook Street Village Guidelines and Local Area Plans
- Appropriateness of architecture expressions
- **Transition from Beacon Hill Park to Cook Street Village**

On the amendment:
Carried Unanimously

Councillor Isitt noted that this application needs more work so that there will be less conflict in Cook Street Village, with more massing and setbacks for a more sympathetic transition.

Amendment:

It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council amend the motion by adding the following bullet:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- **the pedestrian realm and its relationship to the building along Cook Street**
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- setbacks of upper stories
- pedestrian facilities in the public realm
- Cook Street Village Guidelines and Local Area Plans
- Appropriateness of architecture expressions
- Transition from Beacon Hill Park to Cook Street Village

On the amendment:
Carried Unanimously

Councillor Madoff said she can't support the main motion as there are land use issues with the application that cannot be addressed at ADP.

On the main motion as amended:
Carried

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas and Thornton-Joe
Opposed: Councillors Isitt, Madoff and Young

14. COMBINED DEVELOPMENT APPLICATION REPORT

14.1 Update on Rezoning Application No. 00472 and Development Permit Application with Variance No. 000402 for 1041 Oliphant Avenue and 212-220 Cook Street

Committee received a report dated January 14, 2016 advising Council that the applicant has addressed previous conditions set by the Council in relation to the application.

Councillor Coleman withdrew from the meeting at 10:25 a.m. and returned at 10:30 a.m.

Action: (Rezoning Application)

It was moved by Councillor Coleman, seconded by Councillor Alto that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00472 for 1041 Oliphant Avenue and 212-220 Cook Street, securing 75% of the value of the identified land lift to be contributed to and divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund, 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 (previous conditions that have been satisfied have been removed):

1. Registration of the following:
 - a. Housing Agreement to secure the rental of nine units for a minimum of 10 years and that future strata bylaws cannot prohibit strata owners from renting residential strata units;
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;
 - d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

Committee discussed:

- Positions both in favor and opposed to the application, as well as the general public response.
- Whether there is any rationality in sending the application forward to a public hearing.

Amendment:

It was moved by Councillor Thornton-Joe, seconded by Mayor Helps, that 1 (a) be amended to change the reference of 10 years to 20 years, and the following statement be added:

...at a minimum rental rate at least 10% below market rental, if not more,

Committee discussed:

- That some Councillors felt that while it is important to have a more meaningful rental agreement, it does not make the proposal more agreeable as a whole.
- That these amendments are to show one of the directions the Committee would like the application to be amended.

On the amendment:
CARRIED 16/PLUC055

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillors Madoff, and Young

Amendment to the amendment:

It was moved by Councillor Loveday, seconded by Mayor Helps, to postpone consideration of the Rezoning Application until receipt of the Advisory Design Panel recommendations.

On the amendment:
CARRIED 16/PLUC056

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillors Madoff, and Young

Main motion as amended:

That Council postpone consideration of the Rezoning Application until receipt of the Advisory Design Panel recommendations.

(Rezoning Application)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00472 for 1041 Oliphant Avenue and 212-220 Cook Street, securing 75% of the value of the identified land lift to be contributed to and divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund, 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 (previous conditions that have been satisfied have been removed):

1. Registration of the following:
 - a. Housing Agreement to secure the rental of nine units for a minimum of **20 years, at a minimum rental rate at least 10% below market rental, if not more**, and that future strata bylaws cannot prohibit strata owners from renting residential strata units;
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;

- d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

On the main motion as amended:
CARRIED 16/PLUC057

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillors Madoff, and Young

Action: (Development Permit)

It was moved by Councillor Coleman, seconded by Councillor Alto that Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context.

Following this referral, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00472, if it is approved, that Council consider the following motion:

That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped September 28, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16.A.12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. The Development Permit lapsing two years from the date of this resolution.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m2 of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.

Committee discussed:

- Whether the application meets the objectives laid out in the Official Community Plan, and if so, does that lessen any concerns.
- That if the application is denied, any new application would need to be significantly different, or the applicant would be required to wait one (1) year prior to re-applying.

Amendment:

It moved by Councillor Loveday, seconded by Councillor Coleman, that three additional points be added to the Development Permit motion, under the

requests to which the Advisory Design Panel pay particular attention, as follows:

- **setbacks of upper stories**
- **pedestrian facilities in the public realm**
- **appropriateness of the commercial extension from Oliphant to Park Boulevard**
- **Cook Street guidelines and appropriateness of architecture expressions**

Amendment to the amendment:

It was moved by Councillor Loveday, seconded by Councillor Alto, that the Development Permit Application be referred to the Advisory Design Panel, and the recommendations be brought forward to the Council, rather than be brought forward to a Public Hearing.

Committee discussed:

- Whether bringing the application forward to the Advisory Design Panel will be beneficial, when there are other concerns surrounding the application.

On the amendment to the amendment:
CARRIED 16/PLUC058

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillors Madoff, and Young

On the amendment:
CARRIED UNANIMOUSLY 16/PLUC059

Main motion as amended:

(Development Permit)

That Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context
- **setbacks of upper stories**
- **pedestrian facilities in the public realm**
- **appropriateness of the commercial extension from Oliphant to Park Boulevard**
- **Cook Street guidelines and appropriateness of architecture expressions**

Following this referral, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00472, if it is approved, that Council consider the following motion:

That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped September 28, 2015.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16.A.12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. The Development Permit lapsing two years from the date of this resolution. 4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m2 of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line.

That Council refer the Development Permit Application to the Advisory Design Panel and have recommendations brought back to Council.

On the main motion as amended:
CARRIED 16/PLUC060

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillors Madoff, and Young



Planning and Land Use Committee Report

For the Meeting of January 28, 2016

To: Planning and Land Use Committee **Date:** January 14, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: **Update on Rezoning Application No.00472 and Development Permit Application with Variance No. 000402 for 1041 Oliphant Avenue and 212-220 Cook Street**

RECOMMENDATION

Rezoning Application No. 00472

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00472 for 1041 Oliphant Avenue and 212-220 Cook Street, securing 75% of the value of the identified land lift to be contributed to and divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund, 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 (previous conditions that have been satisfied have been removed):

1. Registration of the following:
 - a. Housing Agreement to secure the rental of nine units for a minimum of 10 years and that future strata bylaws cannot prohibit strata owners from renting residential strata units;
 - b. Statutory Right-of-Way of 3m for the rear lane access off Oliphant Avenue to the satisfaction of City staff;
 - c. Section 219 Covenant for sewage attenuation to mitigate the impact of increased density, as required, to the satisfaction of City staff;
 - d. Section 219 Covenant for the public realm improvements associated with the sidewalk widening along Cook Street and the paving/widening of the rear lane, to the satisfaction of City staff.

Development Permit Application No. 000402

Staff recommend that Committee forward this report to Council and that Council refer the Application to the Advisory Design Panel, with a request that the Panel pay particular attention to:

- the transition to the buildings along Oliphant Avenue
- opportunities to soften the visual appearance of the rear surface parking courtyard
- overall massing and finishes in relation to the neighbourhood context.

Following this referral, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00472, if it is approved, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application with Variance No. 00402 for 1041 Oliphant Avenue and 212-220 Cook Street, in accordance with:

1. Plans date stamped September 28, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule C, 16.A.12(c) – Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. The Development Permit lapsing two years from the date of this resolution.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
5. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m² of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line."

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of October 29, 2015 (minutes attached), the applicant has addressed the conditions that Council set in relation to the Application, which included the applicant holding another meeting with the Fairfield Gonzales Community Association Land Use Committee (CALUC) and preparation of an independent third party land lift analysis.

BACKGROUND

On October 29, 2015, the Planning and Land Use Committee (PLUC) considered the staff report related to Rezoning Application No. 00472 and Development Permit Application with Variance No. 000402 for 1041 Oliphant Avenue and 212-220 Cook Street. Council passed a motion requesting the applicant to hold another Community Association Land Use Committee (CALUC) meeting and undertake a third-party economic land lift analysis to determine the value of any increase in density that exceeds the floor space ratio of 1.5:1 FSR.

ANALYSIS

The applicant held a second CALUC meeting on Monday December 7, 2015. A letter received on January 5, 2016, in response to this meeting is attached to this report.

The applicant has undertaken the third-party economic analysis (attached) as requested by PLUC and the consultant concluded that the proposed increase in density will result in an increased land value for the property, in the amount of \$199,000. This is based on the assumption that the base density scenario could be achieved using a similar parking ratio as in the development scheme proposed at 2.5:1 FSR. In line with standard City practice, staff are recommending for Council's consideration that a public amenity contribution of 75% of the land lift which equates to \$149,250, with the provision of nine market rental units for 10 years. Should

Council require the rental units for a longer period of time, the land lift would be adjusted accordingly and the economic analysis provides additional detail on this. Consistent with the normal process, this contribution would be divided equally between the Parks and Greenways Acquisition Reserve Fund and the Victoria Housing Reserve Fund. The recommendation includes appropriate wording to this effect.

CONCLUSIONS

The applicant has addressed the conditions set by PLUC in relation to holding a second CALUC meeting and undertaking a third-party economic land lift analysis. Staff, therefore, recommend for Council's consideration that the application proceed to a Public Hearing subject to review of the application by the Advisory Design Panel and preparation of legal agreements as noted in the recommendation.

Respectfully submitted,

Charlotte Wain
Senior Planner – Urban Design
Development Services Division


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: Jan. 18, 2016

List of Attachments

- Council Minutes dated October 29, 2015
- CALUC email dated December 13, 2015
- CALUC letter date-stamped January 5, 2015
- Updated applicant letter dated December 14, 2015
- Land Lift and Amenity Contribution Analysis dated January 5, 2015.

REPORTS OF THE COMMITTEE

3. Planning and Land Use Committee – October 29, 2015

1. **Rezoning Application No. 00472 for 1041 Oliphant Avenue and 212-222 Cook Street**
It was moved by Councillor Alto, seconded by Councillor Isitt, that this application return to the Planning and Land Use Committee for further consideration once the following conditions are met:

1. The applicant arrange and participate in a second Community Association Land Use Committee (CALUC) meeting.
2. Provision of a third-party land lift analysis to determine the value of any increase in density that exceeds the floor space ratio of 1.5:1 FSR.

Councillor Madoff asked which notification process they are going to follow.

Alison Meyer (Assistant Director of Development Services): They will follow the standard process of providing notification for 100 meters.

Amendment:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that the motion be amended:

That this application return to the Planning and Land Use Committee for further consideration once the following conditions are met:

1. The applicant arrange and participate in a second Community Association Land Use Committee (CALUC) meeting.
2. Provision of a third-party land lift analysis to determine the value of any increase in density that exceeds the floor space ratio of 1.5:1 FSR.
3. **That notification be within a 200 meter area.**

On the amendment:

Carried Unanimously

On the main motion as amended:

Carried Unanimously

2. **Development Permit Application No. 00402 for 1041 Oliphant Avenue and 212-222 Cook Street**

It was moved by Councillor Alto, seconded by Councillor Coleman, that after the Public Hearing for Rezoning Application No. 00402, that Council consider the following motion: "That Council authorize the issuance of Development Permit Application No. 00402 for 1041 Oliphant Avenue and 212-222 Cook Street, in accordance with:

1. Plans date stamped September 28, 2015
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Schedule C, 16.A. 12(c) - Required residential parking is reduced from 1.4 spaces per dwelling unit to 0.9 spaces per dwelling unit.
3. The Development Permit lapsing two years from the date of this resolution.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
5. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750, plus \$25 per m2 of exposed shored face during construction in a form satisfactory to staff. This is to accommodate shoring for construction of the underground parking structure at the property line."

Carried

For:

Lucas,

Against:

Mayor Helps, Councillor Alto, Coleman, Isitt, Loveday,
Thornton-Joe and Young

Councillor Madoff

Laura Wilson

Subject: RE: FGPZC - Request that Cook and Oliphant not go to PLUC before Jan. 28th (Land Lift Analyses report made public)

From: Wayne Hollohan [REDACTED]

Sent: Sunday, December 13, 2015 10:09 AM

To: Ben Isitt (Councillor) <BIsitt@victoria.ca>; Charlayne Thornton-Joe (Councillor) <cthornton-joe@victoria.ca>; Chris Coleman (Councillor) <ccoleman@victoria.ca>; Geoff Young (Councillor) <gyoung@victoria.ca>; Jeremy Loveday (Councillor) <jloveday@victoria.ca>; Lisa Helps (Mayor) <mayor@victoria.ca>; Margaret Lucas (Councillor) <mlucas@victoria.ca>; Marianne Alto (Councillor) <MAlto@victoria.ca>; Pam Madoff (Councillor) <pmadoff@victoria.ca>

Cc: Jonathan Tinney <JTinney@victoria.ca>

Subject: FGPZC - Request that Cook and Oliphant not go to PLUC before Jan. 28th (Land Lift Analyses report made public)

13/12/15

To whom it may concern;

This is the first Density Bonus development in our neighbourhood since 240 Cook Street. 240 Cook was not only the first Density Bonus project in our neighbourhood it was also the last till now. The council at the time thought it was important that the CALUC and the community have the opportunity to review the Density Bonus Land Lift Analyses and to offer suggestions, questions if any on the report and to provide thoughts on the amenity package as it could be used to benefit our community.

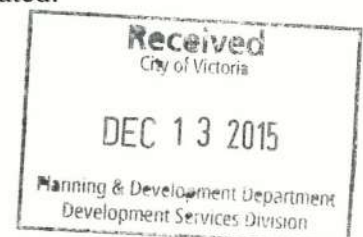
I have been requesting this information for the Cook and Oliphant development proposal for months. I have spoken to staff and councillors and was assured by staff it would be available for the CALUC meeting. Although delays are inevitable, it shouldn't preclude the right to review this information and pass on comments to PLUC prior to their review of the application.

I just have been advised by staff that the Cook and Oliphant proposal will likely be going to PLUC on January 14 or the 28. Seeing both dates are a possibility I respectfully request that only the Density Bonus Land Lift Analyses for Cook and Oliphant go to PLUC on the 14th of January so it can be made public. This would give our committee and community members who have been seeking this information, a two week window to forward our comments on the topic to Mayor and Council, prior to the complete application for Cook and Oliphant going to PLUC on the 28th. Nobody can deny that the CALUC has gone out of its way to accommodate the city and the proponent for this project in a fair, efficient and respectful manner. Seeing the dates being consider is more of a scheduling requirement, our request is quite reasonable.

Thank you for your time and consideration.

With the holiday season approaching, a timely response would be very much appreciated.

Wayne Hollohan
C,FGPZC



FAIRFIELD GONZALES COMUNITY ASSOCIATION LAND USE COMMITTEE (CALUC)

Public Meeting for 220, 214, 212 Cook St. and 1041 Oliphant Ave.

December 7, 2015; 7pm – 10:30pm (223 people in attendance with 62 speakers)

Normally a CALUC letter would be one or two pages, but we don't normally have such a response to a development proposal. It would be disrespectful to all those who have given up their time and shown passion for their community and the village and to you, if we deprive council of the unique and different perspectives that have been expressed towards this rezoning application.

It took a considerable amount of time to go through several very detailed accounts of what was said at this meeting and to transcribe and summarize each person's two minutes remarks and express them **as spoken** into a few lines. We hope that you please take the time to read through this letter in its entirety, for it is through information that we are able to make informed decisions.

We were told by the city that the Density Bonus Land Lift Analysis would be available for this meeting, but it has not been released. Therefore, we have been deprived of our right to comment on what if any fiscal return there is for the city or our community in consideration for requested increased density.

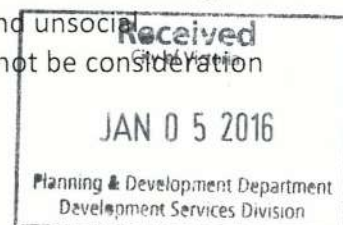
CALUC Comments

Although this project appears to conform to the parts of the OCP that allows up to (6) stories and a density up to (2.5) for Large Urban Villages (LUV), which is what the Cook Street Village (CSV) has been designated, it is the complete lack of other information in the OCP around LUV's that is deeply concerning. What would make (5) or (4) or (3) stories appropriate for this site? It doesn't talk about, design guidelines, setback, environmental standards, parking, transportation and green spaces.

The previous OCP incorporated documents that were much more detailed on what was appropriate for the Cook Street Village. It talked about established domestic character and scale. If the ground floor was commercial it permitted up to two floors of residential on top. It talked about 3 meter setbacks, attractive shop fronts, open markets and cafes along Cook Street, green features and other such details. The absences of this information in the new OCP makes very difficult for the developer, the community, city planning department and council, to agree on what is appropriate for this site.

This proposal is a drastic change from what we are used to and everything is being taken to the maximum in height and density and the minimum in other areas. When talking about a village we imagine a social area where people gather and talk. So providing setbacks on Cook and Oliphant is essential to allow this to happen, especially with the cities new Street Café Policy,

The chestnut trees in the village butt up against the narrow sidewalks, making the only unobstructed transportation corridor for pedestrians and scooters the current sidewalk and the 1 meter of public space adjacent. Under the current design of the building, that public space will be used for outdoor seating and or displays. Why should people be forced off into the boulevards, creating an unsafe and unsocial environment to provide space for this development? Giving up public space should not be considered with new construction.



We spent 5 years with the development at 240 Cook Street and determined the importance of terracing back the third and fourth floor to allow the sunlight into the village and avoid the appearance of a wall.

This is a dramatic parking reduction request to go from 106 to 73. It's nice to see people walking to work and elsewhere, but it doesn't mean they don't own vehicles to use for other purposes.

Are there any environmental standards for this building such as LEED standards, green features, such as a green roof, rainwater management and waste retention?

There appears to be no provision for scooter parking, but you talk about aging in place. Why are there so few rentals and why are they only for 10 years and in the smallest units.

Under the City's definition of transition it says; "to ensure that the design of a new building and the improvement of the public realm located on the edges, consider the scale or location, setbacks, mass building height to provide a sense of transition to its surrounding district".

Community Comments

James Bay

I'm here to speak in support of the 5-story project. I'm 31, this project makes it possible for more people my age to own a condo. When you talked earlier about ageing-in-place, people don't have to leave the Village as they get older. This is the type of project really keeps the character together but it also plans for our future. I'm happy with the things that they've done to make it fit the Village.

James Bay

So I'm in support of this because it gives you a chance to move into this area if you're not a millionaire. This fulfills the need for the community for first time homeowners. With this type of project people don't have to leave the Village as they get older.

Oliphant

I'm very impressed by all the passion around this one development. I think it's important to have density and parking problems are just a part of growth. In terms of height 50 ft. or 60 ft. does not make a difference to me. It's really important to see the building code change that allows for a 6-story wood frame. I think it's fine; it makes it more viable, more affordable.

Tyee Road, Dockside Green

The question I'm going to ask everybody is, if the naysayers for that particular project won, what would still be there? So I really want folks to slow down and think about ___ the first gentleman talked about how we want affordability to live in Cook St Village and I think this project offers that as well as being a great place for people with families.

Linden Ave

I'm concerned about landscaping and the environmental aspect related to the urban forest. The proposed open space is a mere 7% and still almost 100% of the site will be covered in concrete by buildings, parking lot or walkway. This proposal does not take into account the ecological value of greenspace. If the proposal is accepted as is, no tree with substantial canopy will ever be able to grow on this site. The OCP calls for the development of urban centres alongside of healthy and productive green infrastructure. The proposal calls for the removal of 7 mature trees; one is protected by city by-law. Have you considered a setback on Cook St. to minimize the risk of damage to the roots boulevard trees?

May St

I'm here in support of this development. I like this design, and I have a great deal of respect for this architect and the team that Mr. Kohl has put around here. I've seen what they've done in other parts of the city and they've done great work. Young people can't afford a home in Fairfield, but they can afford with something like this. I could say that this project meets my needs as I age in place, as well as my kids.

Richardson St

I think it's an outstanding development. There have been a number of requests for setbacks, but I never experience traffic problems walking up and down the sidewalks. The developer is keeping in mind not to create setbacks that would provide an overhang that all of a sudden creates 5 spots for homeless to sleep overnight. So you've created space that allows businesses to have a patio area, but not too large and avoid overhangs.

Park Ave.

I'd like to personally state to the 2 gentlemen from James Bay that this is not affordable housing. I'm part of a group that thinks change is inevitable, but I don't think that change should solely be driven by the desire to maximise density. I feel that this particular design aims to maximize mass and density at the expense of all concerns, such as design, environment, security, scale and character. With almost the entire property being covered in concrete I have real concern about the stormwater management issues. I certainly don't see how any of the existing trees can survive.

Yates Street

I think this is a great project overall giving a place here for first time homebuyers, Aesthetically, it provides a contemporary look for the Cook St Village with all its charms.

John Heywood

I'm against this project. To me it seems like an elephant sitting in our little bathtub community. Secondly, we hear a lot about affordable housing, affordable renting, I don't see any affordable-ness in this project.

Howe Street

This may be a contemporary building in its design, but it's in no way a modern development. A modern development would have significant environmental considerations. Looking to the future has to mean more than density. I don't think this is a good example.

Heywood

I was born in this neighbourhood 63 years ago. Whoever called this a Large Urban Village and allow the envelope to be pushed this far failed us. I am not opposed to developing this property, but I am concerned about the parking, parking is a problem, and further reductions just create a greater problem and I worried about the significant impact to our skyline this building will create, it's just too high. Thank you.

Oliphant

Like virtually all of my neighbours I support development at the corner of Cook and Oliphant that would truly tie in with the character and scale of the village and still provide respectfully increase in density. I'm deeply concerned that even the recommendations from the city planning department appeared to be ignored, when they state that "the building will be a major landmark for Cook Street Village" and request reducing the planned building height, stepping back the upper storeys, introducing additional public open space, provide for opportunities for sidewalk cafés, increasing/enhancing landscaping at the rear of the

property to create a buffer zone and provide a more detailed street context elevation to demonstrate how the proposal fits in with the neighbourhood.

Howe St

It seems that up to 6 stories and a density of 2.5 are the only items being extracted from the OCP and suits our needs and disregard the rest. The Cook St Village guidelines, which is also part of the OCP, says that the buildings should reinforce and enhance the character of Cook St. Village and that the design should respond to local features. I fail to see where these sections have been incorporated into this project along with many other sections covered in these and other documents, including setbacks.

Cook St.

I live in building... with commercial underneath and residential on top for about 12 of the 14 years. I'm a prime example of a ...young professional that wanted to live in Cook St. Village. I see this new project and development as another way to enhance our community. I think that this building provides more opportunity, more businesses and allows first time homeowners or a renter to be part of our community and a welcome addition, so thank you very much Len.

Fairfield

I've lived in Fairfield for 37 years. I own businesses and employ residents of Fairfield and I have to say that I oppose this development as it's currently set up. Think about a portrait view of the Cook Street Village with walls of six story building lining the property line on both sides. Given the current opportunity in the village such a reality could already be in the works. Really at \$600-700,000 for a two bedroom is this really an affordable starter home for a small family? Council with the OCP and the idea of LUV showed you the door and said drive through and you did with the biggest truck available.

McClure

I'm not used to talking in front of people so I apologize I'm a little nervous. I've lived in Victoria all my life as have my parents. I have two daughters, they're in their early 20s, they both want to stay in Fairfield and this is a reasonably affordable project. It will bring more businesses and attract more people and more interest and make it into a real vibrant village. So I support this project.

Sutlej St

I live across from the last development in the CSV and I really worry about the lack of environmental initiatives with regards to this new development. There is nothing in this building that is forward looking at all. No water preservation or solar energy, green roof. It looks like nothing else in Cook St Village. I also really have a great deal of despair about rising amount of delivery trucks and the lack of space for them. Even though there is still and continue to be a growing amount of empty commercial space within the village.

Fairfield

I was born in St. Joe's hospital and went to school and in this neighbourhood. I have a daughter who works in the village and I worry about where she going to live in the future. Affordable housing is a really important issue not only in our city but across the country and that needs to be addressed. I know people that own businesses that struggle to make it because of all the people who drive to Langford to buy their goods there. I would rather have no parking stalls in the building to be quite honest with you. I applaud the fact that this developer put himself in a position to hear the community.

South Avenue Rd

I moved to Victoria about 5 years to work in the tech industry. I strongly support any development like this, Victoria is growing. It is very difficult to find places to live in Victoria that meets our needs and our generation that we don't want to own a house and take care of the garden

Linden

I encourage Council to ask for a permanent covenant on the rental units. This is a unique location where the village transitions into Beacon Hill Park. There are mostly 1 to 2 stories and a few 3 to 4 stories in the CSV. This is a massive 6 stories development for the lot size. Six stories will cause this building to loom like a canyon wall. The third floor should be terraced back and setbacks on both Cook and Oliphant to allow for outside seating and clear and wider sidewalks. It should have generous landscaping that reflects the neighbouring buildings. The bulk would be lightened by a midblock walkway.

Moss St

The large scale buildings downtown on average are 8 to 12 stories. It is unrealistic that we should be promoting the height of our LUVs to be 50% that of the downtown core. When you can walk from most places in Fairfield to downtown in one second to twenty minutes, I believe in most places in the world this would already be considered a walkable community. Without a setback for the building there will be compounding of the problem that has been created in front of the pizzeria and the coffee shop

Burdett

The condominium where I live has 62 units, we have 95 parking stalls and we barely manage. We have no service field vehicle as well. To consider 73 for 60 units plus commercial leaves me speechless. This development is too big for the site; It expands to the to the property lines on both sides. You only have to drive Foul Bay Rd to Oak Bay Ave to see what impact a zero setback development can have on a community. I support good development, but I don't think this is one.

Park Blvd

I'm under 25, talk about this from a young person's perspective. The real important part is, to me, it's the people and the community make up the character of the village. I really don't care the year that that building was built. I think we're finding a real sticking point when it comes to height. This isn't some dangerous precedence. This project allows young professionals like me to move into the village who are a part of the good character of the village.

Richardson

I've lived in this village for a very long time and I like the energy and I love spending time down there. I support this project because I don't see retired, semi-retired, and young professionals, all being able to enjoy as much as I do. But with the amount of renting and lack of spots out there, you can't get people to move in. So it's a great opportunity for new people to come and enjoy this...

Park

The proposed development will be 64% higher than my condo building next-door. Our building measures 41 feet from the sidewalk the proposed building is 67 feet, making the proposed building 26 feet or 64% higher. With zero setbacks and the massive frontage of this building this is a drastic change in how this project is being projected both verbally and in the illustrations to the public. Why do we always seem to be focus on building single housing when the demographics clearly show the need for family housing? You can accommodate 15 families of 4, which would be 60 people in 2-3 bedroom 1000 ft² home and you would do away with the long list of variances that are being requested.

King George

I'm part owner of several businesses within CSV which include Beagle Pub and the Moka House. Without business there is not CSV and all of this is for nothing. It's been really tough business wise and what we need is density so I'm very happy with this proposal. The business might seem charming to all the people in the neighbourhood and in this room, but without change, without an increase in density, we die. And these fades away, all these discussions are for nought. ..It's the most important topic.

Oliphant St

We have lived here for 31 years and support respectful development, but we feel that this development wanting it all is wrong in so many ways, especially in regards to its size, mass, height, setbacks, environment, parking and design. It doesn't fit the village. Yes, it's 2015, but we've got to keep our understanding that a compromise goes both ways, but we seem to be the only ones willing to make any. When you separate the 6 visitor parking from the required residential parking, you will find they are requesting a 46% reduction in the residential parking. Underground parking access is required to be three meters from neighbouring property lines theirs is on the property line.

Oliphant

I lived there for 20 years, I have a vested interest in all the upcoming developments that will either enhance or destroy the character of CSV. The Developer seemed to have made little or no effort to respond to any of the community concerns and also ignoring the Feb. 11th concerns from the city Planning Dept. The proposed structure is a huge, square, box-shaped, solid mass, filling close to an entire block. I ask that you consider a midblock walkway to break this large mass. I ask that you honour the present guidelines and zoning that states that the south side of Oliphant stay residential.

Howe Street

I've been a resident in this area for a half a century. This is an application for a 6 story building by the same definition all other developments have been following for the last 20/30+ years. So let's stop trying to make it sound like it's a 5 or 4 story building. The OPC doesn't say that 6 stories and density of 2.5 is permitted as its being interpreted. The OCP says, "up to" 6 stories, density of 2.5 "may be" considered. If this was permissible anywhere in a LUV, why would they specify it only being permitted in "strategic location". We try and achieve a balance in our lives why should this project be different.

Moss

A set of green building standards should be a basic requirement for all new development, including rainwater management and true green spaces not just planters over concrete. All new homes should be highly energy efficient to certain standards. We need a village to be attracting a more diverse demographic to the creation of truly affordable housing and focus on housing to accommodate families. We need people to sustain a community. Your price point and sizes are not conducive to the diverse features for our community.

Park Blvd

I've been around CSV going on to 7 years. I am in support of this project for all the reasons that the young people who stood up here before me spoke about. It's a way for young people to live in the village and not have move to Vancouver. I like the proposal, I like the new commercial and I'm in the village every day. I love the building, it's fabulous. I've already said that I support this project, partly because of the young people ahead of me. I like to live with the vibrancy. I like commercial and we need more of this project. So I am 100% in favour of this project.

Park

I share that lady's dining room window and I too am in favour of it. I think this is the building of the future. I am ageing in place in this neighbourhood. I see a lot of people who are young that are driving to the neighbourhood and they see how vibrant it is and want to own a place here. I'm not too worried about the height, and I'm not worried about the parking. Our units run around 1000 ft² and we have 27 parking spots for 27 units. If you take 500 ft² or 700 ft² you're not going to have 2 cars per unit, you're only going to have one. So you may not have to worry about the parking as much as others.

McKenzie St

I am 100% in favour of this beautiful development. I'm an old lady who's thinking young. And I'm thinking about those young people that are coming along after us that us and want to own their own home. Thank you very much Mr. Cole for your vision, thank you for your team.

McKenzie St

I love Cook St Village area just as much as you do, while I think the architectural integrity of the entire village is similar to a dog's breakfast. The buildings there with the exception of 204 are totally worthless. So here's someone who's trying put up something that is of value and significant in bold structure and looks. So what makes the ambience, the charm? The trees, the business frontage with the outdoor seating, none of those things will be affected by this building. The development on Sutej and Oliphant a few years ago was a major controversial project nobody wanted it, my goodness now it's the best thing since apple pie. This will help make the City of Victoria, world class city.

Sutej

I'm pleased to see this site being developed; I'm pleased to see the commercial section. I only have one reservation, and that's parking. There are 60 units, there's 6 visitors' parking for a total of 66, and only 52 parking spaces being provided. I live in Essence Verde which is a new unit, new condominium. We have 42 units, 43 spots and they are all full. In the 240 Cook building, all those people have cars as well. That's my only concern. Otherwise, we should do something with this site.

McKenzie

I think the added housing is a good thing. But I am opposed for two reasons. The first is the commercial space on the ground floor, especially in the situation today where there is an increase in vacant retail spaces. I'm particularly opposed to the current configuration because of its height and just the mass of the building itself. I'm also a professional planner and I believe this creates what I call a zoning cliff between this 6 story structure and the buildings adjacent. I think generally this project looms over the streetscape and could benefit from lower height, and lower mass and density on the property.

Linden Avenue

(Q) What accommodation have you made for freight coming and going? Are we going to see more trucks parked in the middle of Cook St. loading and unloading? Is it suitable for a semi-trailer truck?

(A) We have a loading area at the rear of the building, but it's not suitable for semi-trailer truck.

(Q) but that's what we see delivering in Cook St Village, so what are you going to do about that?

(A) The last development in the CSV doesn't have a loading zone and that's created a serious problem for that particular area. (Q) What is to stop it from being a problem in your area if you can't accommodate semi-trailer truck?

Dallas Rd

I came very negatively oriented to this whole project, but mainly on the. I believe a lot of current businesses in the CSV are in a fragile state. Mr. Cole is trying to move towards putting commercial into this project, I think leaving out may help resolve some of the issues. I don't think CSV is not by any common sense definition a LUV it never should have been designated that.

Oliphant

I've lived here for 17 years; we own a 4-plex kitty-corner beside the laneway. I'm not opposed to development the property, but the density increase doesn't have to be to the maximum. OCP that label us as a LUV, 6 stories is too high, and out of keeping with CSV. I find it a concern that maximizing the OCP objectives on density comes at a cost of other equally important OCP goals and objectives. Parking on Oliphant, is already problematic and it can only get worse, unless sufficient parking is provided for the new businesses and enhanced access for those with mobility challenges. I find the unsecured location of the only elevator in the underground parking will provide serious security issues.

McClure

I'm very much in favour of seeing housing inventory in this neighbourhood. There are renters always trying to move in this neighbourhood. It's nice to see a development that offers a mixed use with retail, as rental and residential. My background is real estate and the price point that this building is looking at offering is definitely within today's market. The demand in this neighbourhood is phenomenal.

Cook St

People have implied there are no other places of this nature in the CSV for sale. In MLS there are always several similar units available for sale in and around the CSV for more sq. ft. and less money that are truly affordable. The building on the corner of Park Ave for example at any given time has 2 or 3 for sale signs and those are 1000 ft² and go for well under \$300K. I support developing the property, but it needs to be done more conservatively, it's too high. Every business you add without the required parking you take away parking from an existing business, why would you do that?

Oliphant

I've been there about 17 years. Unless you're talking about a delivery van, 99% of delivery vehicles will not fit into the loading zone you are providing, which leaves parking on the street or blocking the lane and backing all the way out onto Oliphant. We were told it wouldn't be an issue with the previous development, but it is an issue. Every day trucks, the semi-trucks end up unloading on Oliphant to supply the Pharmasave and the liquor store, but this time they will not only be blocking us, but your entrance as well. Regardless what it says on paper, drivers are not going risk an unsafe situation.

Chapman

Little or no consideration for the design at such a prominent street head vista as called for in CSV guidelines. To go from a 40% open space requirement to 7%, what are the risks to the natural ecology, water runoff, and all those of other things, sight lines, and sunshine coming through to the village? There's no reference guidelines placed on the commercial aspects of this building. Section 3 of the OCP has visions, values and goals for Victoria. Now how does this development fulfil the visions, values, and goals, particularly whole system's thinking?

Heywood

You start from Fort St and Cook, and come straight away straight to the water, you do see four stories high, you also see one story. I love the variation in height. Back in late 1970s when I was involved in Fairfield

Community Association, there was consideration at that time for zoning all of Fairfield for multiple dwellings; single family dwellings. And thank goodness for people who were on the community association who stood up and said no, but this LUV designation is the same thing in reverse. I hope that there is something that fits for all people and fits in with the neighbourhood.

Oliphant

We chose Fairfield because of its aesthetic beauty, heritage buildings and general surroundings. Yes we are supportive of development of the village, but development as done respectfully of the people, its surroundings and its natural features. There needs to be some compromise reached. I support the idea of lowering the height by cutting out the commercial for it would speak to many issues. Shadow analysis shows that the whole street will be in shadow and canyon effect. Should be a transition to Beacon Hill Park.

Chapman St

I support developing this corner, but this is the wrong approach. I hear you talking about the future, but I think the future is much more environmentally friendly than what this development is offering. One of my big complaints is parking; do you know that this is the site of the old Fairfield lagoon. I speak from experience when I say the cost to facilitate the underground parking for this project is coming at the expense of all other topics we should be concerned about. Individuals can choose where they live, but we need to be making the choices for our environment. Keep it friendly, a smaller scale.

Howe St

My main concern is height and setbacks. Take a look at the Abstract building at Foul Bay and Oak Bay .I grow up in Vancouver. I'm really concerned with the City with their OCP allowing 6 stories in certain areas. Developers are business people and they're going to see opportunity, so the LUV to them means something completely different from what people who live in the community think. People have been talking about "canyoning" because if this gets built that what you will have. , I wish you would eliminate commercial thus lowering the height. There's a lot of commercial space available in CSV

Chester

I've been on the design panel for the City of Victoria and the Board of Variance and I'm flabbergasted at the OCP calling CSV a LUV, allowing 6 stories. There shouldn't be an award for how many can you jam into a small space and still create a decent building. The building done on Sutej done a few years ago, it's much smaller in scale but it also has a more residential feel to the architecture. So we need to think, do want commercial on that block? When you really size up the commercial element of this proposal is the trade-off really worth it and how much density if appropriate.

Linden

Many years ago, 1987, I was the founder and 1st president of the CSV Merchant's Association. I love this project. And what I like about it contrary to the person before is that it is focused on merchants. We don't need another residential only building, we need business, and we need vitality. We need more coffee shops, little restaurants, setbacks and residential units above that. I'm very pro density and I think the concept of having fewer cars is probably a good idea.

Vancouver

I'm 26 yrs. old and lived in Fairfield all my life, I absolutely support this proposal. I like the look of the building, the increase in density and the height. It will change the character of CSV for the better. There not enough affordable housing in the village for young people. I would support more of medium density projects like this. I think significantly increasing density in the CSV is the way we got to go.

Cornwall

I moved from Grand Prairie Alberta, I've never seen an engagement process like this, it's great. The one mistake I see is that they virtually have no design guidelines to with LUV designation. It's not just about looks and height, but how it works on the site and how it interrelates to everything else. So many people speak about that and that is the big challenge here. The big challenge with density is that you've got to get the design right so that it doesn't impact as much as it can. I can see the laneway presenting numerous problems I'm not an architect, I don't like the look of the building.

May St

I grew up in Fairfield. I love the character of Victoria, including Fairfield and this neighbourhood. I do support development, I do support some increase in density, but I don't believe that the scale of this building, the mass, the height, setbacks are appropriate and fit in the character of the village. I suggest that the developer lower the building to 4 stories and that will address most other concerns.

Oliphant

I haven't really heard anyone speak in favour of this proposal tonight. This may surprise you. But people have spoken in favour of having condos available, having greater density available, but that doesn't necessarily mean this proposal is the way to provide it. I support increasing density, but the mass & height of this building will create a concrete canyon. If you take other building in the CSV and duplicate them within the village the scale and character will remain, can you make the same claim about this proposal? With so many documents referring to scale and character it must be important.

Burdett

You know I came undecided this will be a tough decision for council to make. At this moment I'm for the project, but not in its entirety, we need more density. Burdett was dying and the increase density brought it back to life. As far as the commercial I like to see it extended, but I question if there is enough demand for it. I don't have a problem with the 6 stories it's not that bad. Again this will be a tough decision for council. I would like to add, loading and unloading will likely be a big problem.

Oscar

So I lived in Fairfield for 23 years. Let's just call it what it is, it's a grab for every inch and every dollar that can be made on the property under the disguise of doing a good thing for the village. You ask for the max of 6 stories and we all have to go through this for months and then agree on 4. It's not very neighbourly proposal, it doesn't bring out the best in people. I support development in Cook St. generally and I agree that the village is in a desperate need for refresh and three stories will be plenty.

Dallas Road

I have been working with seniors for the last 15 years or so. I escort seniors with scooters, walkers and other mobility issues back and forth through the village every day. We need to retain every inch of our public walkway. People should not have to navigate around natural or unnatural obstacles to benefit developers. I see so many mobility and parking issues. The building looks like a cruise ship lost its way. If you go down the street a block you will see a nice complex; mixed with young families housing

Thank you for your time and consideration

Wayne Hollohan

Chair, Fairfield Gonzales Community Association Land Use Committee (CALUC)



December 14, 2015

Mayor and Council
City of Victoria
#1 Centennial Square
Victoria, BC V8W1P6

Mayor and Members of Council:

**RE: 212-220 Cook Street and 1041 Oliphant Street - Cook Street Village
Rezoning and Development Permit Application**

Subsequent to our community meeting on December 7th, 2015 with the Fairfield and Gonzales Land Use Committee I met with my project team to consider the input that we received. Based on that input there are a number of things I can commit to as a part of the project:

- the building will be built to a Gold Standard under the BuiltGreentm program;
- the building will include appropriate conduit for adaption to future solar or other alternate energy systems;
- continue to explore opportunities for storm water management with the City Engineering Department including potential incorporation into boulevard treatments;
- an area for electric scooter parking and charging in the underground parking area;
- a minimum of seven units will be designed and built as adaptable suites;
- carry out an elevator study to ensure that the choice of elevator best serves the residents needs;
- explore the potential for relocation of the two existing houses on the site with Nickel Brothers. This information will be available prior to Public Hearing;
- a relocation program for the existing plant materials. We have already contacted the Parks department about how this might work;
- a review of the underground parking to ensure user security and a review of the commercial loading area to ensure that it works well.
- seek a SAFE Building Design Standard^R certification through the SAFE Design Council.

These commitments address a number of the specific comments raised during the CALUC meeting. None of them will affect the fundamental design of the building.

Thank you for your consideration

Sincerely,

Leonard Cole
URBAN CORE VENTURES

January 7, 2016

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

Re: 212-220 Cook Street & 1041 Oliphant Avenue Economic Analysis

G.P. Rollo & Associates (GPRA) has been retained by the City of Victoria to complete an Economic Analysis for the rezoning of 212-220 Cook Street & 1041 Oliphant Avenue (hereafter referred to as 'the Site') in order to determine an estimate of the value to Urban Core Ventures (the Developer) from an increase in density from 1.5 FSR mixed use commercial and residential building (identified as the 'base density' under the current Official Community Plan) to a proposed density of 2.5 FSR mixed commercial and residential project on the Site. The City is also requiring the developer to provide replacement of 9 rental units currently located on the Site to be secured as rental for a minimum of 10 years by covenant on title for both the 1.5 FSR and 2.5 FSR scenarios.

As well, GPRA is to estimate the value of the development with a covenant to maintain the 9 market rental units for a minimum of ten years versus maintaining them as rental for 20 and 30 years in the 2.5 FSR scenario.

The analysis consisted of preparation of residual land value analyses which determines the maximum value that a developer could afford to pay for the site if developed under current planning as well as the land value supported by the proposed change in density. GPRA used standard developer proformas for each case to model the economics of typical development as proposed/allowed under the new zoning. The 'Lift' is then calculated as the difference in residual land values under both current planning and the proposed new zoning.

METHODOLOGY & ASSUMPTIONS

The Site is 2,015 square metres in area and can be developed under current planning, with rezoning, at a density up to 1.5 FSR with a mix of ground floor commercial amounting to 790 square metres with 1,116 square metres of residential above, including 9 new rental suites. Under the proposed new zoning the additional 1 FSR would add 2,015 square metres of residential strata gross area to the building, with the commercial at grade and the amount of residential rental unchanged. The additional density necessitates a change in construction materials in the analysis from wood frame with concrete slab under current planning to concrete and steel materials for the 2.5 FSR scenario. As well, the additional density would require 66 underground parking stalls, whereas, depending on approvals from the City, there could be surface parking for the base density scenario, but there could also be 1 floor of underground parking required. Both the change in materials and the inclusion of underground parking carry significantly higher construction costs than does the development at 1.5 FSR. There is also a

higher cost estimated for sewer attenuation required for the 2.5 FSR density building than in the 1.5 FSR density.

The analyses are created using a standard developer proforma wherein estimates of revenues and costs are inputs and the remaining variable is the desired output. In typical proformas this output is usually profit, following a revenues minus costs equals profit formula.

For a residual land valuation, however, an assumption on developer's return needs to be included in order to leave the land value as the variable to solve for. For the analyses GPRA has determined the residual value for the residential strata based on the developer achieving an acceptable profit of 15% on total strata project costs (calculated as a representative portion of overall project costs for the proposed development). The residual values are the maximum supported land value a developer could pay for the site (under the density and conditions tested) while achieving an acceptable return for their project.

It is often the case that a developer cannot achieve a profit on the sale of a rental or commercial project immediately after completion and instead takes a long term perspective looking at value as an ongoing income stream with a potential disposition at some point in the future. As such, for the residual value of the components for market rentals and commercial retail uses GPRA has instead looked at the developer achieving an acceptable return on their investment measured as an Internal Rate of Return (IRR) and the maximum supported land value that would allow a developer to achieve a target IRR. The supported land values for each component are then added together to arrive at the supported land value for the site in its entirety.

The residual land values determined from this analysis of the property developed as proposed under the rezoned density of 2.5 FSR is then compared to the residual land value of the Site if developed under current planning at 1.5 FSR to establish a 'lift' in value that arises from the change in density. This lift in value is the total potential monies that are available for public amenities or other public works not considered as part of the analysis. GPRA have made allowances for streetscape and public realm improvements that would typically be incurred through development in both sets of analysis. Any additional improvements that would be required only from the proposed rezoning and not from development under current planning would impact the lift and would need to be identified, priced, and included in a revised analysis.

Typically there is some sharing of the lift value between the Municipality/District and the developer, but the percentage shared varies by community and by project. It is GPRA's understanding that in compliance with current policy, the City has determined that they will seek 75% of the lift for amenities.

GPRA determined strata revenues used in the analyses from a review of recent sales and offerings for sale of recently developed apartments of wood frame and of concrete construction within roughly 10 km of the Site, with a focus on projects that were deemed comparable to that which has been proposed for the Site. Rental rates were derived from a similar search within 10 km of the Site, as were commercial rents. Project costs were derived from sources deemed reliable, including information readily available from quantity surveyors on average hard construction costs in the City. Development or soft costs have been drawn from industry

standards, and from the City's sources. All other assumptions have been derived from a review of the market and from other sources deemed reliable by GPRA.

CONCLUSIONS & RECOMMENDATIONS

Where the base density of 1.5 FSR would not result in underground parking being required, based on the premise that an alternate parking ratio, similar to the ratio proposed for 2.5 FSR development scenario was established, GPRA identifies the lift from rezoning to 2.5 FSR as being roughly \$199,000 with the 9 market rentals being maintained as rental for a minimum 10 years. The lift increases to \$215,000 with the rentals being maintained for 15 years, and to \$228,000 when maintained for 20 years. As stated previously, the City has indicated they would be seeking 75% of the lift from rezoning, with the indicated share for the City for amenities being \$149,000 for the scenario where rentals are maintained for 10 years, \$161,000 for the rentals held for 15 years, and \$171,000 for the scenario where the rentals are maintained for 20 years.

Given the conclusion that development at 1.5 FSR with underground parking would not be viable in the opinion of GPRA, we recommend that the City seek an amenity contribution based on the lift analysis from 1.5 FSR without underground parking, with the contribution having been identified as being between \$149,000 and \$171,000, depending on the term that the rentals would be held.

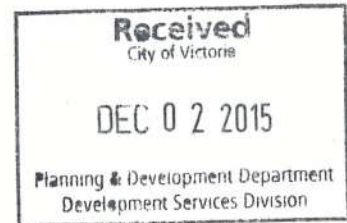
I trust that our work will be of use in the City's decision on the rezoning 212-220 Cook Street & 1041 Oliphant Avenue. I am available to discuss this further at your convenience.



Gerry Mulholland | Vice President
G.P. Rollo & Associates Ltd., Land Economists
T 604 275 4848 | [REDACTED]
E gerry@rolloassociates.com | W www.rolloassociates.com

Charlotte Wain

From: Collin Reynolds [REDACTED]
Sent: Wednesday, Dec 2, 2015 11:08 AM
To: len@urbancoreventures.com
Cc: Charlotte Wain
Subject: Oliphant and Cook st. Development



Sir,

My name's Collin Reynolds, I live at 1035 Oliphant ave. I am directly next door to your proposed development. I will be unable to attend your community meeting as I'm an officer in the Navy and am away at sea. However, I have some concerns regarding the development: As Cook St. Is already a busy St. Oliphant tends to get used a lot by motorists looking to park even though the great majority of parking is designated for residents. Will you be providing adequate parking for both visitors of the residences and businesses. If you're intending underground parking, will the entrance be off Cook St., Oliphant or the laneway behind the property. Cook St. Would be preferable as it already deals with heavy traffic during the day. There are a number of mature trees in the backyards of your current property, it would be a shame to lose all of them as they provide both privacy and are part of the charm of what makes the village such a great place to live. I'm also concerned about the variances for setbacks and height. Cook St. Currently has wide side walks and patios that make the neighborhood friendly. The height of the building I will admit concerns me as your neighbor, I'm sure the entire street is a bit reticent about losing any privacy in their backyards. I would like to end with telling you that I am not against the development of the property, I think it could make Cook St. Even greater. I just hope you take an inclusive view, and actively look for compromise with the community in order to reflect the spirit of the area.

Collin Reynolds

[REDACTED]
1035 Oliphant [REDACTED]

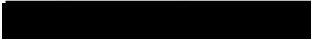
Charlotte Wain

From: Len Cole <urbancoreventures@gmail.com> on behalf of Leonard Cole
<len@urbancoreventures.com>
Sent: Tuesday, Dec 8, 2015 10:24 AM
To: Charlotte Wain
Subject: Fwd: Cook & Oliphant Development

Warm Regards,

Leonard Cole


Begin forwarded message:

From: Mail 
Date: December 8, 2015 at 8:40:13 AM PST
To: mayor@victoria.ca, planandzone@fairfieldcommunity.ca, len@urbancoreventures.com
Subject: Cook & Oliphant Development

Dear Ms. Helps,

After attending last night's meeting regarding this proposed development I am compelled to write to express just how appalled I was at the CALUC committee chair's total bias against the project. Is this how local politics is done? My understanding of the role of this committee was that it be an objective group of individuals actually interested in collecting and reporting the various comments of those individuals who took the time to compose and stand up to share their views. This committee clearly has their own agenda - stop any development that threatens one lone walnut tree! I was especially shocked when the chair cut off comments by one individual regarding the character and reputation of the developers by saying it wasn't relevant to the actual building - I for one strongly disagree with that statement but more importantly, barring any direct character assassinations isn't the speaker in this situation entitled to take whatever tack they choose during their two minutes?

On a positive note, I did recognize at least three city council members in attendance who I am hopeful heard the voices on both sides of this debate and urge them to consider the source when reviewing the summaries this committee submits. As for me, I think a building of that size with a stated aim of allowing people to age in space needs a second elevator so that all those scooters can be taken up and parked in the owners/renters suites.

I am in favour of this development and hope council is quick to approve it. Thanks for taking the time to listen to my opinions.

Best regards,
Anita Ryan

Charlotte Wain

From: George & Jo-Ann Zador [REDACTED]
Sent: Tuesday, Dec 22, 2015 11:21 AM
To: Lisa Helps (Mayor); Marianne Alto (Councillor); Chris Coleman (Councillor); Ben Isitt (Councillor); Jeremy Loveday (Councillor); Margaret Lucas (Councillor); Pam Madoff (Councillor); Charlayne Thornton-Joe (Councillor); Geoff Young (Councillor); Charlotte Wain
Cc: Don Monsour; Doug Tolson; planandzone@fairfieldcommunity.ca
Subject: Cook St @ Oliphant development proposal

Dec.22 2015

To the Mayor and Council of the City of Victoria

Re: Cook St at Oliphant mixed use development proposal.

Having attended the Dec.7th Community Meeting, the second CALUC review of this project, as well as being familiar with the issues raised and debated about it over the past year, this letter is sent on behalf of both my wife and me in full support of the development.

Some of you will be familiar with my name as undersigned, having been until recently the CALUC Chair of the Fairfield-Gonzales Community Association.

Cook St Village represents about 3 blocks of charming commercial ambiance, most of which is the result of the fabulous horse chestnut trees lining the street and the attraction of the merchants' offerings. Architecturally there may just be a handful of buildings that has any stylistic value; together with the rest of Cook Street northward, the drab, stucco boxes would present a very bleak streetscape if not for the trees!

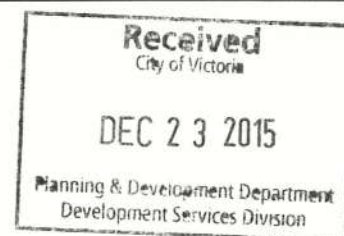
The proposed building will show a vibrant change and welcome diversity to Cook Street, without interfering with any part of the Village layout or atmosphere. Its 5-story height, that may be too tall for a narrow street, would be a non-issue on the wide, leafy avenue. Replacing the existing tired looking and poorly maintained structures, this project would provide the Village with much needed modern residential and commercial accommodation.

Many comments opposing the project come from long established residents, comfortable in their \$750,000 + homes and walking Cook Street on occasion, amounting to a generational gap between them and younger people who would love to *live* on Cook Street and move into this building, finding it more affordable than other Fairfield properties.. There are many who complain about the project not providing "affordable housing" without firstly defining as to affordable at what income level, and then listing all kinds of additional features they feel the building is lacking, which if provided, would make prices even higher.

Densification as prescribed by the OCP *is* the future if we are to accommodate newcomers, and accomplishing it on main thoroughfares without overbuilding on residential side streets is more than desirable. The comments heard about changing the Large Urban Village status of Cook St Village to Small Urban Village, all for the sake of limiting the height of construction is preposterous and comes from people who would like to turn the clock back to the 1940-es, but still shop at Costco in Langford.

Laura Wilson

From: webforms@victoria.ca
Sent: Wednesday, Dec 23, 2015 8:51 AM
To: Development Services email inquiries
Subject: Development Services - City of Victoria Feedback Form



You have received an email from Leslie Hogya via the City of Victoria website feedback form

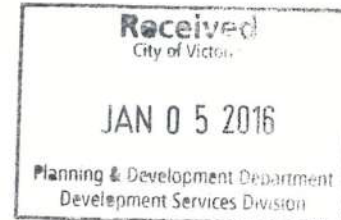
Name: Leslie Hogya
Topic: Development Services
Phone: [REDACTED]
Address: 50 Cambridge St.

Message: I feel the proposed development at Cook and Oliphant is out of scale with the neighbourhood. The reason people like cook St. Village is because it is small, with many locally owned businesses. There are already two grocery stores, a bank, a pharmacy, three coffee shops, 17 places to eat!!!

Date: Wednesday, December 23, 2015 8:51:18 AM

Charlotte Wain

From: Wayne Hollohan [REDACTED]
Sent: Tuesday, Jan 5, 2016 11:34 AM
Cc: Charlotte Wain
Subject: Fw: Cook Street development



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

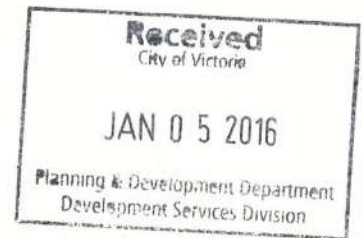
From: Robin & Maureen
Sent: Tuesday, December 08, 2015 6:50 PM
To: planandzone@fairfieldcommunity.ca
Subject: Cook Street development

I attended the planning meeting last evening. If we must have this building, I would like to see two smaller buildings with space in between rather than a massive almost block long building.
Maureen

Robin & Maureen Applewhaite
907 Oliphant Ave.
Victoria BC V8V 4V4
[REDACTED]

Charlotte Wain

From: Wayne Hollohan [REDACTED]
Sent: Tuesday, Jan 5, 2016 11:41 AM
Cc: Charlotte Wain
Subject: Fw: Cook Street and Oliphant Development



From: Robert Dubicki
Sent: Tuesday, December 08, 2015 6:12 PM
To: planandzone@fairfieldcommunity.ca
Subject: Cook Street and Oliphant Development

For the record because I was not able to attend the planning meeting on Monday night:

I am an enthusiastic supporter of having this site redeveloped with higher density housing. Those old houses there don't do much, and the land can be put to better use. It's a great area and this will allow more people to live in the Village and make it even more vibrant.

I am vehemently opposed to the proposal currently on the table presented by the developer for the following reasons:

- Far too tall for the Village: 4 stories would be in keeping with adjacent buildings.
- Far too close to property boundaries with insufficient setbacks. Fine for downtown, but not suited for a family-friendly neighbourhood where people value talking a walk with their latte under tall chestnut trees.
- Far too boring of a design: essentially an ugly monolith created to maximize density above all. I will hate looking at it: it looks more suited to Fort or Yates downtown and not a residential neighborhood. Over and above, I have not seen or heard how the City plans to deal with all the new street traffic with so many more people living in this bounded area. Its not only Cook street affected, but adjacent streets, including the street I live on that will be impacted by such an influx of density.

I live just around the corner at 900 Park Boulevard, have lived here for 26 years. So this is in my backyard (so to speak).

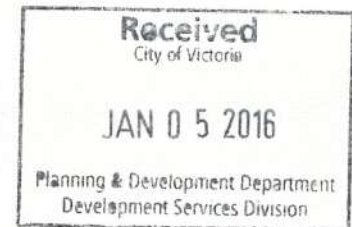
Regards,

- Robert Dubicki

Charlotte Wain

From: Wayne Hollohan [REDACTED]
Sent: Tuesday, Jan 5, 2016 11:33 AM
To: Ben Isitt (Councillor); Charlayne Thornton-Joe (Councillor); Chris Coleman (Councillor); Geoff Young (Councillor); Jeremy Loveday (Councillor); Lisa Helps (Mayor); Margaret Lucas (Councillor); Marianne Alto (Councillor); Pam Madoff (Councillor)
Cc: Charlotte Wain
Subject: Fw: 1041 Oliphant Ave & 220, 214, 212 Cook Street Development

From: [REDACTED]
Sent: Thursday, December 10, 2015 10:17 AM
To: ten@urbancoreventures.com ; planandzone@fairfieldcommunity.ca
Subject: 1041 Oliphant Ave & 220, 214, 212 Cook Street Development



OCP Policy:

- badly implemented without respect

the Building:

- a "titanic" ...oversized solid block with no character or style....yet ANOTHER steel and glass building. Adds absolutely no charm to CSV

- top floor needs to be stepped back to reduce the "titanic" look

- lots of concrete on all sides of the building creating no rainwater escape and creating a communist era look

- no forward thinking environmental ideas. such as plants on the roof

- not enough parking included and so forcing residence to park on the street

- no parking made available for handicap parking or for powerchairs

- have more 2 bedrooms and less 1 bedrooms

- only a 10 year period for rental units

Precedence:

- should be built according to the Existing Zone for 3 stories, not the disrespectful, badly implemented OCP Policy

Charlotte Wain

From: Wayne Hollohan [REDACTED]
Sent: Tuesday, Jan 5, 2016 11:29 AM
To: Ben Isitt (Councillor); Charlayne Thornton-Joe (Councillor); Chris Coleman (Councillor); Geoff Young (Councillor); Jeremy Loveday (Councillor); Lisa Helps (Mayor); Margaret Lucas (Councillor); Marianne Alto (Councillor); Pam Madoff (Councillor)
Cc: Charlotte Wain
Subject: Fw: Cook and Oliphant proposed deveoplment CALUC meeting



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

From: Jane Ramin
Sent: Saturday, December 12, 2015 8:35 AM
To: planandzone@fairfieldcommunity.ca
Subject: Cook and Oliphant proposed deveoplment CALUC meeting

As I am out of the country I was unable to attend this important meeting. I trust that the many other concerned residents of Fairfield mentioned many of my concerns which are as follows:

- 1) the height which is significantly higher than anything else in the neighbourhood and Village. Cole shows shading impacts during the summer when the sun is higher and shadows less. The biggest shading impacts will be during winter months. The exposure of this building will significantly reduce the light at this end of the Cook St. Village, particularly during winter days.
- 2) The developer proposes removing 7 trees (2 along Oliphant to be replaced likely with smaller trees, since there is no set back of the 2nd-4th storeys from the city sidewalk/property line). This will reduce considerably the greenery on the west side of the block with the many resulting consequences including increase noise pollution.
- 3) the proposed commercial loading area behind the building will create increased traffic problems on Oliphant near Cook. There are already regular instances of large semi type trucks pulling out from behind the drug store, jack knifing across Oliphant and blocking traffic turning onto Oliphant from Cook. The laneway accessing the proposed loading area for this proposal is virtually across from the existing loading area behind the drug store.
- 4) Extending commercial activity south of Oliphant will bring increase traffic through the entire village, closer to the ecologically sensitive areas of Beacon Hill Park and on nearby traditional residential streets. The proposal does not include a traffic study, but looks only at parking to justify a variance to provide less than required parking. The parking study concludes that there will be sufficient parking on nearby residential streets within one block. This study was done when parking on Chapman was not restricted to Residential Only Parking. It now has this designation. I am unaware of any other streets within a block of the proposal where there is unrestricted parking.
- 5) I am also concerned that this development is eliminating what was reasonably priced rentals, suitable for families to be replaced with considerably smaller 600 sq. ft. more than expensive units. Many of the young people I have talked to about this proposal have indicated that they support increased density because they would like to live in the area. Will be affordable for most??

Jane Ramin, 1000 block of Oliphant

Sent from my iPad=