

**HERITAGE REVITALIZATION AGREEMENT AMENDMENT
(1612-1614 STORE STREET) BYLAW**

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an amendment to the Heritage Revitalization Agreement for the land known as 1612-1614 Store Street to increase the allowed height from 18 metres to 18.12 metres.

Under its statutory powers, including section 610 of the *Local Government Act*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

1. This Bylaw may be cited as the "HERITAGE REVITALIZATION AGREEMENT (1612-1614 STORE STREET) AMENDMENT BYLAW".

Amendment Agreement authorized

2. The Mayor and the City Clerk are authorized to execute a Heritage Revitalization Amendment Agreement, in the form attached to this Bylaw as Schedule A, to amend the Heritage Revitalization Agreement authorized pursuant to Bylaw No. 13-065, the Heritage Revitalization Agreement (1612-1614 Store Street) Bylaw, regarding certain lands and premises legally described as:

PID: 029-208-831 Lot 1 of Lot 129 Victoria City and part of the bed of the Victoria Harbour, Victoria District Plan EPP35103

READ A FIRST TIME the	day of	2016.
READ A SECOND TIME the	day of	2016.
READ A THIRD TIME the	day of	2016.
ADOPTED on the	day of	2016.

CITY CLERK

MAYOR

SCHEDULE A

HERITAGE REVITALIZATION AGREEMENT AMENDMENT

(Pursuant to section 610 of the *Local Government Act*)

THIS AMENDMENT made the __ day of November, 2016

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA
#1 Centennial Square Victoria, BC V8W 1P6

(the "**City**")

AND:

CROSSTOWN PROPERTIES (STORE STREET) LTD.
305-111 Water Street, Vancouver, BC V6B 1A7

(the "**Owner**")

W HEREAS:

- A. The Owner is the registered owner of those lands and premises located in the City of Victoria, British Columbia, legally described as follows (the "**Owner Lands**")

PID: 029-208-831 Lot 1 of Lot 129 Victoria City and part of the bed of the
Victoria Harbour, Victoria District Plan EPP35103

- B. The Owner and the City entered into a Heritage Revitalization Agreement dated October 10, 2013 (the "**Heritage Revitalization Agreement**") pursuant to Section 966 of the *Local Government Act* (now section 610), which sets out the terms and conditions under which the Heritage Building (as therein defined) situated on the Owner Lands would be preserved and maintained.
- C. Notice of the Heritage Revitalization Agreement was registered against the title to the Owner Lands in the Victoria Land Title Office on January 16, 2014 under number FB476567.
- D. The Owner has requested, and the City has agreed, to amend the Heritage Revitalization Agreement on the terms specified herein.

NOW THEREFORE for good and valuable consideration (the receipt and sufficiency of which both parties acknowledge), the Owner and the City each covenant with the other pursuant to section 610 of the *Local Government Act* as follows:

1. Section 23.2 of the Heritage Revitalization Agreement is deleted, and the following is substituted therefor:

"23.2 For the purpose of clarity, the variance described in subsection 23.1 (a) above does not permit the height of the building to exceed 18.12 metres, and does not permit the floor space ratio to exceed 2.75 to 1."

2. Except as expressly amended herein, the Heritage Revitalization Agreement remains in full force and effect.

IN WITNESS WHEREOF the parties have executed this Agreement.

THE CORPORATION OF THE
CITY OF VICTORIA

CROSTOWN PROPERTIES
(STORE STREET) LTD.

By: _____
Mayor

By: _____

By: _____
City Clerk