



Council Report

For the Meeting of June 23, 2016

To: Council **Date:** June 9, 2016
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00435 for 1310 Gladstone Avenue – Application Ready to Proceed to Public Hearing

RECOMMENDATION

That Council give first and second reading of the Official Community Plan Amendment Bylaw (Bylaw No. 16-002) and the Zoning Regulation Bylaw Amendment (Bylaw No. 16-001), and first, second and third reading to Bylaw No. 16-003 to authorize the Housing Agreement on June 23, 2016, and set a Public Hearing date for the Official Community Plan Amendment Application and Rezoning Application No. 00435 for 1310 Gladstone Avenue.

Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application No. 00435, that Council consider this updated motion with respect to Development Permit Application No. 00354:

"That Council authorize the issuance of Development Permit Application No. 00354 for 1310 Gladstone Avenue, in accordance with:

1. Final registration of the priority agreement for an easement through the driveway of the property located at 2009 Fernwood Road.
2. Plans date stamped October 20, 2015.
3. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding an Official Community Plan (OCP) Amendment Application and Rezoning Application for the property located at 1310 Gladstone Avenue. The applicant is proposing an OCP Amendment to change the Urban Place Designation from Traditional Residential to Small Urban Village and to rezone to permit a three-storey, mixed-use building with commercial uses on the first and second storeys, and either office or four housing units on the third storey with a density of 1.49:1. The required OCP consultation was completed and a summary of the public input received from the consultation process is provided below.

In accordance with Council's amended motion of February 12, 2015 (attached), the necessary conditions that would authorize the approval of the OCP amendment and rezoning for the property located at 1310 Gladstone Avenue have been fulfilled. The Planning and Land Use Committee (PLUC) reports dated, October 2, 2014, PLUC report dated January 22, 2015 together with the meeting minutes, are attached. The amended motion from the February 5, 2015, PLUC meeting was:

1. "That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advancing to a Public Hearing:
 - a. That Council determine, pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius to the subject properties; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - b. That Council determine, pursuant to section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
 - c. That Council consider consultation under Section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments.
 - d. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*.
 - f. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - g. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00435 for 1310 Gladstone, subject to:
 - a. Registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;

- ii. Housing Agreement to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works; and
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Assistant Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application No. 00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
- a. Plans for Rezoning Application No. 00435 and Development Permit Application No. 000354, stamped August 11, 2014.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements.
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Assistant Director of Sustainable Planning and Community Development."

Community Input on OCP Amendment

On February 12, 2015, Council directed staff to consult with property owners and occupants within 200m of the property located at 1310 Gladstone Avenue through a mailed notice and public notice on the City's website. To date, the City has received correspondence from twenty-three members of the public (attached). Additional comments received prior to first and second reading of the Bylaws as well as prior to the Public Hearing would be included in the Council Agenda package at that time.

Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to this Application, staff can report that:

- a Section 219 Covenant for an easement through the driveway of the property located at 2009 Fernwood Road has been registered on title
- a Statutory Right-of-Way along Gladstone Avenue frontage has been registered on title
- a Housing Agreement to ensure no prohibition on the rental of dwelling units has been prepared and will be registered on title following the adoption of the Bylaw to authorize the Housing Agreement. A letter of undertaking to this effect from the applicant's Solicitor has been received
- a Car Share Agreement between the Applicant and MODO Car Coop has been signed.

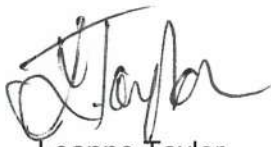
Following an analysis for sewage attenuation, it has been determined by staff that sewage attenuation would not be required for this development therefore, registering a Section 219 Covenant on title is no longer necessary.

The applicant made the following minor revisions to the plans for Council's consideration:

- increased the floor area of the bicycle facilities in the building to make them more user-friendly
- relocated the bike racks onsite
- shifted the front entrance door
- removed transom windows above upper level entry doors to comply with Building Code requirement
- removed landscape screening around parking edges in the rear yard.

The recommendation provided for Council's consideration contains the appropriate language to advance this Application to a Public Hearing.

Respectfully submitted,



Leanne Taylor
Senior Planner, Development
Services Division



Jonathan Tinney, Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager:



Date:

June 15, 2016

List of Attachments

- Council report dated January 22, 2015
- Planning and Land Use Report dated October 2, 2014
- Minutes from the Council Meeting dated February 12, 2015
- Minutes from the Planning and Land Use Committee dated February 5, 2015
- Minutes from the Council Meeting dated October 23, 2014
- Minutes from the Planning and Land Use Committee Meeting dated October 16, 2014
- Correspondence from OCP notice mailout.



**Planning and Land Use Committee Report
For the Meeting of February 5, 2015**

To: Planning and Land Use Committee **Date:** January 22, 2015
From: Helen Cain, Senior Planner, Development Services Division
Subject: **Official Community Plan Amendment Application and Rezoning Application #00435 for 1310 Gladstone Avenue** –Update on Statutory Requirements for Consultation During OCP Amendment

RECOMMENDATION

Staff recommend that Committee forward this report to Council and consider the updated motion related to consultation requirements pertaining to the proposed Official Community Plan Amendment (changes shown in bold below):

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

- e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - f. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - g. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
- a. Registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Assistant Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
 - b. Development meeting all *Zoning Regulation Bylaw* requirements;

- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Assistant Director of Sustainable Planning and Community Development."

LEGISLATIVE AUTHORITY

In accordance with section 876 of the *Local Government Act*, Council may adopt one or more Official Community Plans. Pursuant to section 137(1)(b) of the *Community Charter*, the power to amend an *Official Community Plan* is subject to the same approval and other requirements as the power to adopt a new *Official Community Plan* Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a request for an *Official Community Plan 2012* (OCP) amendment, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

On October 23, 2014, Council (minutes attached) advanced these Applications to a Public Hearing in a motion that included Council consideration of consultation for the OCP amendment as recommended in an earlier staff report (dated October 2, 2014, attached).

This report provides an expanded recommendation that addresses statutory obligations for consultation on the proposal to amend the Urban Place Designation of the subject properties from Traditional Residential to Small Urban Village. Specifically, staff recommend that notice of the proposed OCP Amendment be provided to the adjacent property owners and occupiers and that notice be posted on the City's website in advance of first and second reading of the OCP Amendment. The notice will invite affected persons, organizations and authorities to ask questions of staff and to provide any written or verbal comments to Council for their consideration.

Statutory Requirements for OCP Amendment Consultation

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

The OCP Amendment Application to change the Urban Place Designation of 1310 Gladstone Avenue from Traditional Residential to Small Urban Village will allow for increased density and commercial residential mixed uses across the site. Given the surrounding area is primarily commercial buildings, multiple dwellings, duplexes and single family dwellings and given that through the Community Association Land Use Committee (CALUC) Community Meeting

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

Respectfully submitted,

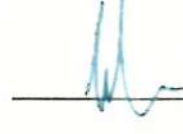


Helen Cain
Senior Planner
Development Services Division

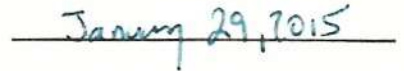


Alison Meyer, Assistant Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Jason Johnson

Date:


January 29, 2015

HC:aw

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List of Attachments

- Council Minutes for October 23, 2014 meeting
- Planning and Land Use Committee Minutes for October 16, 2014 meeting
- Planning and Land Use Committee Report dated October 2, 2014.

REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – October 16, 2014

Councillor Isitt excused himself from the meeting at 10:37 p.m. as he is the on the Board for the Capital Region Housing Corporation which owns and operates an adjacent building to 1310 Gladstone Avenue, which creates a pecuniary conflict of interest with the following item.

1. Official Community Plan Amendment Application, Rezoning Application No. 00435 and Development Permit Application No. 000354 for the property located at 1310 Gladstone Avenue:

It was moved by Councillor Helps, seconded by Councillor Alto:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
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 - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works

Carried Unanimously

3. DECISION REQUEST

3.1 Official Community Plan Amendment Application, Rezoning Application No. 00435 and Development Permit Application No. 000354 for the property located at 1310 Gladstone Avenue

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

Councillor Isitt excused himself at 9:11 a.m. due to a pecuniary conflict.

Action:

It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recommends:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
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- satisfaction of the City Solicitor and Director of Engineering and Public Works,
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 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
- b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
 - a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- The OCPs recognition of the possible expansion of this urban village.
- The neighbourhood plan does not favour commercial expansion.
- Fernwood Community Association's preference for residential use in this area and not mixed-use, which is not supported in the OCP.
- Although the lot is zoned single-family dwelling the proposal fits into its context of taller buildings and buildings of commercial use.
- Parking demand impacts on the street and whether the bike parking requirements help reduce parking demand.
- Accessibility of the building as it is three-storeys with no elevator.
- The priorities for the Local Area Plan update which has Fernwood Village as Priority #4.

For: Mayor Fortin, Councillors Alto, Coleman, Helps, Thornton-Joe
Against: Councillors Gudgeon, Madoff, Young

CARRIED 14/PLUC0258

PLUC meeting
October 16, 2014



Planning and Land Use Committee Report

For the Meeting of October 16, 2014

To: Planning and Land Use Committee **Date:** October 2, 2014
From: Helen Cain, Senior Planner, Development Services Division
Subject: Official Community Plan Amendment Application, Rezoning Application #00435
and Development Permit Application #000354 for the property located at
1310 Gladstone Avenue

Executive Summary

The purpose of this report is to provide Council with information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

The following points were considered in assessing these applications:

- The OCP designates the subject property as Traditional Residential, but the lot is adjacent to Fernwood Village, where the OCP envisions densities up to 1.5:1 FSR with potential bonus density up to a total of approximately 2.5:1 FSR. This proposal is aligned with objectives and policies in the OCP and *Fernwood Neighbourhood Plan 1994*.
- A list of potential commercial and residential uses are proposed that together would require between 11 and 26 parking stalls depending on the actual uses located on the site. The proposal includes two parking stalls in the rear yard, bicycle racks and storage spaces in compliance with Schedule C of the *Zoning Regulation Bylaw*. To further offset the on-site parking shortfall, the applicant has agreed to provide one Car Share membership per residential unit and commercial unit.
- The applicant has also agreed to secure four rental housing units in perpetuity and to provide a Statutory Right-of-Way to support the implementation of the Gladstone People-Priority Greenway.
- Staff consider the proposed design to align with objectives for the Development Permit Area and Heritage Conservation Area 6B Small Urban Villages Heritage, DPA 6B (HC).

Staff recommend that Council amend the OCP to designate the subject property as Small Urban Village and to include the lot in DPA 6B (HC), and to advance the applications to a Public Hearing.

Recommendations

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw;

- b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
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 - b. securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;

- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

Helen Cain

Helen Cain
Senior Planner
Development Services Division

Am

D.E. Day

Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:

[Signature]
Jason Johnson

October 14, 2014

HC:lw/aw

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1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue.

2.0 Background

2.1 Description of Proposal

The proposal is to rezone from the R1-B Zone (Single Family Dwelling District) to a new zone to permit a three-storey mixed-use building with commercial uses on the first and second storeys, and either office or four housing units on the third storey. These applications also include a request to amend the Official Community Plan (OCP) to include the subject site in Fernwood Village, which would require changing the land designation from Traditional Residential to Small Urban Village.

As stated in the applicant's letter (August 14, attached), the Fernwood Neighbourhood Resource Group (FNRG) is requesting a list of uses to accommodate potential tenants:

- retail
- office
- bakery
- hair salon
- yoga studio
- spa treatment
- bicycle repair shop
- food and drinking establishment.

The applicant's letter has also identified the potential location in the building and floor space for the uses as summarized in the chart below.

Proposed Use	Maximum Floor Space	Schedule C Requirements
First storey (108 m² in total)		
Athletic instruction (yoga studio) or	108 m ²	11
Retail	108 m ²	3
Second storey (175 m² in total)		
Food and drinking establishment or	175 m ²	10
Retail	175 m ²	5
Third storey (149 m² in total)		
Office or	149 m ²	3
Multiple dwelling (four units)	4 (149 m ²)	5

For these proposed commercial and residential uses, Schedule C requirements for vehicle parking would range between 11 and 26 stalls. The proposal includes two parking stalls at the rear of the proposed building with access through an easement along the driveway on the property located at 2009 Fernwood Road, which the FNRG owns. Compared to Schedule C, there would be a shortfall in parking stalls ranging from nine and 24 parking stalls depending on

the actual uses on the site at any given time. To help offset the potential impact on the availability of street parking in the vicinity of the subject site the applicant has agreed to provide a Car Share membership for each residential and commercial unit, and would meet the Schedule C requirements for bicycle racks and bicycle storage spaces.

The proposed site plan, architecture and landscape design would include

- building form and massing that is narrow, long, and set back from the street with space for a patio connecting the private to the public realm
- large storefront windows and exterior stairs and balconies on the third storey to connect activity in the building to people on the street
- exterior finishes of brick siding on the west, north and south elevations, horizontal wood siding on the east elevation and a metal roof
- decorative paving stones with landscape strips in the rear parking lot.

2.2 Green Building Features

The applicant's letter (March 7, 2014, attached) states that the Building Permit phase would endeavour to follow best practices with respect to energy and water conservation, construction waste management and use of high quality, durable materials with low toxicity.

2.3 Existing Site Development and Development Potential

The data table (below) compares the proposal with the neighbouring C-1 Zone (Restricted Commercial District). The proposal is less stringent than the zone standards for criteria identified with an asterisk.

Zoning Criteria	Proposal	Zone Standard C-1 Zone
Site area (m ²) – minimum	362.00	n/a
Total floor area (m ²) – maximum	540.23	n/a
Residential location	None on ground floor	None on ground floor
Density (Floor Space Ratio) – maximum	1.49:1*	1.4:1
Height (m) – maximum	10.56	12.00
Site coverage (%) – maximum	62	n/a
Open site space (%) – minimum	32	n/a
Storeys – maximum	3	n/a
Setbacks (m) – minimum		
North (rear)	7.50	6.00
South (south)	3.50*	6.00
East	0.00*	2.64
West	1.10*	3.00

Zoning Criteria	Proposal	Zone Standard C-1 Zone
Parking – minimum	2*	11 to 26 (actual uses would dictate parking requirement 26 stalls indicates the highest parking requirement based on the combination of uses)
Visitor parking – minimum	1*	1 to 2 (actual uses would dictate parking requirement. Two stalls indicates the highest visitor parking requirement based on the combination of uses)
Bicycle storage – minimum	12	12
Bicycle rack – minimum	6*	12

2.4 Land Use Context

The immediately adjacent land uses are:

- North: three single-family dwellings
- South: townhouses
- West: one commercial building and a commercial and residential mixed-use building
- East: townhouses.

2.5 Legal Description

The west ½ of Lot 7, Section 75, Victoria District, Plan 277.

2.6 Consistency with City Policy

2.6.1 Official Community Plan, 2012

The proposal is aligned with objectives and policies in the OCP related to complete villages, placemaking, and strategic directions for the Fernwood neighbourhood. OCP Objective 6(f) provides direction to progress towards complete villages over time and Policy 6.1.7 states that Small Urban Villages should have commercial and community services in low-rise, ground-oriented, mixed-use buildings of up to four storeys on arterials and three storeys in other locations. Policy 21.8.4 provides direction to consider the expansion of Fernwood Village.

The proposed mixed-use building would require an OCP amendment because the subject property is designated Traditional Residential, where ground-oriented housing is the norm with apartment and mixed-use buildings on arterial and secondary arterial roads. Given the location of this lot adjacent to Fernwood Village and the overall fit of the proposal with OCP policies, staff recommend that Council change the land designation to Small Urban Village.

On a related matter, new development in Fernwood Village is subject to control and regulation in the Development Permit Area and Heritage Conservation Area 6B Small Urban Village Heritage, DPA 6B (HC). Staff consider this proposal to be aligned with DPA 6B (HC) objectives for revitalization of Fernwood Village through infill that is sensitive to existing place character. Accordingly, an OCP amendment to include the subject site in DPA 6B (HC) and to apply the associated guidelines in review and consideration of the proposed design would be appropriate.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal will have no impact on any of these plans.

2.6.2 Fernwood Neighbourhood Plan, 1994

The *Fernwood Neighbourhood Plan, 1994*, emphasizes the revitalization of Fernwood Village as the commercial hub of the neighbourhood. This plan contains a "summary map" that illustrates land uses and related policies, including the boundaries of Fernwood Village and the associated Development Permit Area and Heritage Conservation Area. As the map can be interpreted to show the subject property as located within Fernwood Village, the proposed mixed-use building is compatible with the local area plan.

2.8 Community Consultation

In accordance with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning Applications*, the applicant consulted with the Fernwood CALUC on January 8, 2014 and February 4, 2014. A letter from the CALUC is attached to this report.

3.0 Issues

The main issues related to these applications are:

- Fernwood Village expansion
- design review and analysis
- loss of front yard Maple tree
- vehicle parking shortfall.

4.0 Analysis

4.1 Fernwood Village Expansion

This proposal is aligned with key directions in the OCP and *Fernwood Neighbourhood Plan* to expand Fernwood Village as a commercial area. The OCP amendment to designate the subject property as located in a Small Urban Village is a logical extension of this neighbourhood hub. Moreover, the new mixed-use building would contribute to DPA 6B (HC) objectives to revitalize

Fernwood Village and the proposed design is well-suited to the character of this historic district. Should Council advance these applications to a Public Hearing, staff recommend another OCP amendment to expand DPA 6B (HC) to include the subject property within this DPA.

4.2 Design Review and Analysis

The proposed design for the new mixed-use building has been reviewed in relation to DPA 6B (HC), where form, character and finishes and landscaping details are controlled and regulated primarily in relation to the *Buildings, Signs and Awnings Advisory Design Guidelines, 1981*. Staff review and analysis of the design of the proposal are summarized below:

- building form, massing and scale are complementary to the adjacent one-storey commercial building and the three-storey townhouses
- architectural features, such as window openings, and exterior finishes (e.g. brick) that acknowledge the heritage character of Fernwood Village are appropriate
- connections between activity in the building and the street are fostered with shop windows, building entrances and an outdoor balcony on the upper storey.

Overall, staff consider the proposed design to comply with the guidelines for DPA 6B (HC).

4.3 Loss of Front Yard Maple Tree

In an early version of the proposal, the building was set back from the street in the southeast corner of the lot to take advantage of the canopy of the mature Maple tree. In response to staff's request for information, the applicant completed an Arborist Report (attached) which determined that the tree would not survive the construction stage of the development. Accordingly, the Maple tree is removed from the landscape plan, and the site plan was changed to bring the building closer to the street in order to connect the outdoor patio to the public realm.

4.4 Vehicle Parking Shortfall

Based on the current regulations in Schedule C of the *Zoning Regulation Bylaw*, the proposal would require a maximum of 26 vehicle parking stalls. However, some of the proposed uses (fitness facility, eating and drinking establishment) require a high number of stalls. If the list of uses were narrowed to retail on two storeys and housing above, 13 stalls would be required. Should the uses be limited to retail with third-storey offices, the requirement would be 11 stalls. Given the proposed development includes two stalls in the rear yard of the building, the parking shortfall compared to the bylaw requirements would, therefore, range from nine to 24 stalls, based on the current regulations. Residents and visitors of the building would also potentially compete for limited and frequently used two hour on-street parking stalls and would not be permitted to park within the Gladstone Avenue Residential Only Parking Zone, as the subject property is not adjacent to the designated area.

Staff requested a Parking Impact Study from the applicant to help determine the impact of the new mixed-use building on street parking near the Fernwood Avenue and Gladstone Avenue intersection. The applicant has chosen to not provide this report for the following reasons:

- the proponent would prefer to apply the resources required for the Parking Impact Study to the provision of Car Share Membership for all residential and

- commercial units, and
- the applicant is in the process of undertaking an informal study with observational data on street parking conditions, which would be provided to staff, prior to a Public Hearing, should Council decide to move the application forward.

Staff have explored a variety of additional transportation demand management (TDM) measures with the applicant to address the on-site shortfall in parking stalls. These include five year transit passes for residential and commercial units and an end-of-trip facility (showers), as well as the possibility of narrowing the range of uses to retail and residential, or retail and office, to remove the proposed uses with high parking requirements. The applicant has indicated that neither the cost of transit passes or the accommodation of a shower facility within the small building would be feasible, and that a yoga studio and a food and drinking establishment would be essential for the business model for their project.

It should also be noted that, in 2008, staff entered into a community-led engagement process with the Fernwood CALUC and residents, businesses and community groups to address the issue of parking congestion in the vicinity of the Gladstone Avenue and Fernwood Avenue intersection. These efforts resulted in the reduction of an existing resident-only parking zone and expansion of restricted two-hour parking for visitors to shops and community amenities in Fernwood Village. Should the proposal increase the pressure on street parking, and community members wish to extend the restricted parking and/or residential parking zone, staff would further consult with the area stakeholders on options for parking management.

Staff recommend support for the proposal as presented. While the availability of street parking near the subject site is an important issue, the proposed new mixed-use building would contribute to the revitalization of Fernwood Village. The informal study that the applicant is undertaking, in advance of the Public Hearing, would contribute valuable information to help assess the situation, and staff have on-going consultation with the community in efforts to address issues related to parking congestion. Should Council wish to address the parking shortfall more extensively, Council has the option to require additional TDM measures, such as transit passes and/or an end-of-trip facility.

5.0 Resource Impacts

There are no resource impacts anticipated with these applications.

6.0 Conclusions

This proposal for a mixed-use building is aligned with policy direction in the OCP and local area plan to revitalize and expand the area identified as Fernwood Village and the proposed design is well-suited to this historic commercial district. Staff recommend that Council amend the OCP to designate the subject property is part of a Small Urban Village area and within DPA 6B (HC) and advance these applications to a Public Hearing.

7.0 Recommendations

7.1.1 Staff Recommendations

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to

a Public Hearing:

- a. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the *Zoning Regulation Bylaw Amendment* Bylaw that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
- a. registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road,
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity,
 - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works;
 - b. securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and

Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:

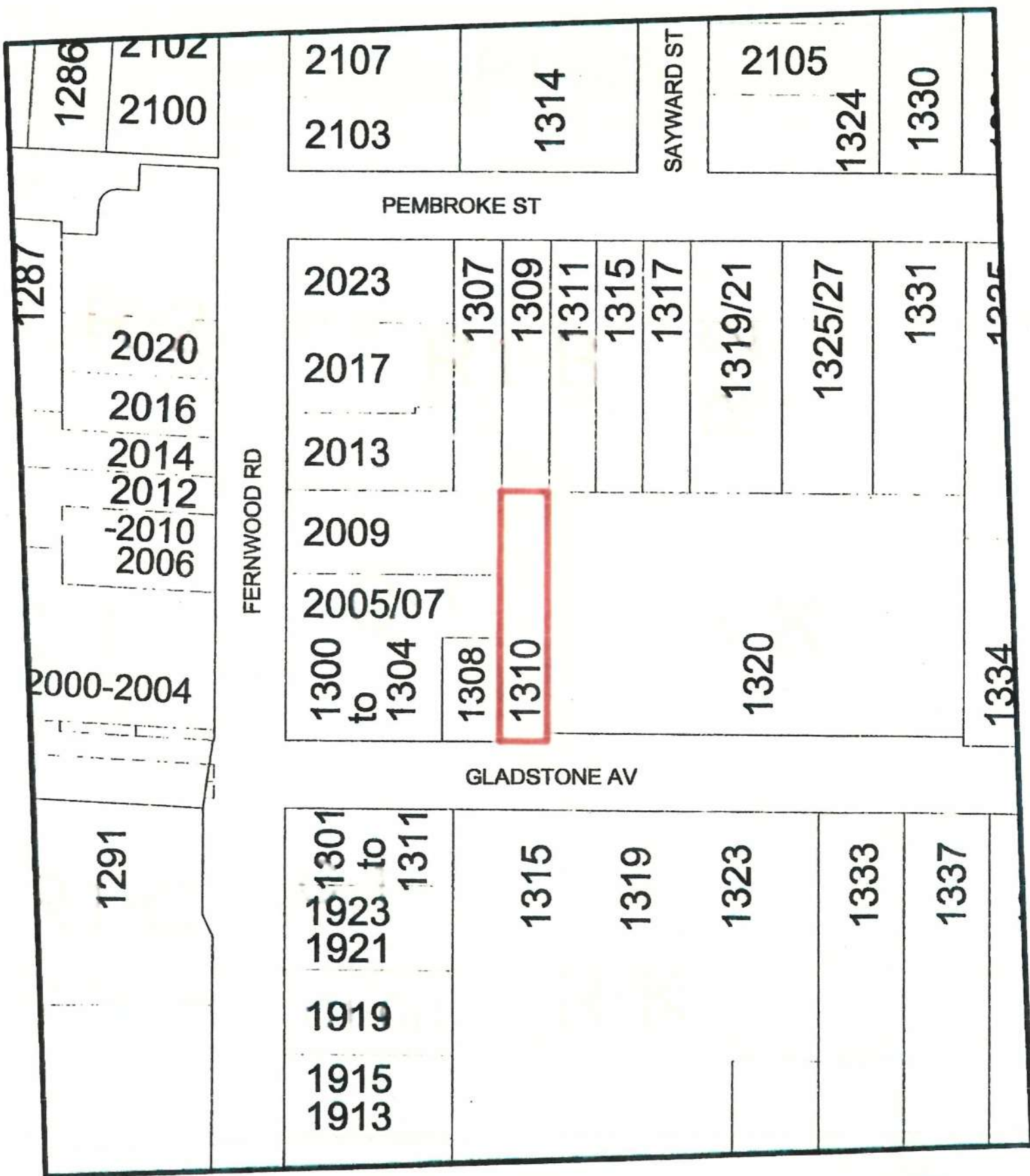
- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
- b. Development meeting all *Zoning Regulation Bylaw* requirements;
- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendations (Decline)

That Council decline Rezoning Application #00435 and Development Permit Application #000354 for the property located at 1310 Gladstone Avenue.

8.0 List of Attachments

- Aerial map
- Zoning map
- Letters from Lee Herrin, Fernwood Neighbourhood Resource Group, stamped August 14, 2014, and March 7, 2014
- Plans for Rezoning Application #00435 and Development Permit Application #00354, stamped August 11, 2014
- Arborist Report, Talbot & Mackenzie & Associates, dated June 12, 2014
- Letter from Fernwood Community Association Land Use Committee, stamped March 7, 2014.



1310 Gladstone Avenue
 Rezoning #00435
 Bylaw #





1310 Gladstone Avenue
 Rezoning #00435
 Bylaw #





Fernwood NRG

August 11, 2014

The City of Victoria
Attention: Mayor and Council
1 Centennial Square
Victoria, BC V8W 1P6



RE: 1310 Gladstone Avenue revised proposal for Official Community Plan Amendment, Rezoning and Development Permit Application.

In response to the Application Review Summary dated Wednesday, March 26, 2014, we are pleased to submit our revised proposal for the above noted development. The subject of this letter is to provide an itemized update and clarification of new information on the proposal and should be reviewed in conjunction with the revised, bubbled drawings.

Specifically, the conditions to be met prior to the Planning and Land Use Committee are:

- 1. Consider the registration of an easement on the property at 2009 Fernwood Road to provide off-street parking as well as access and egress to the rear of the subject site.***

Fernwood NRG is prepared to register an easement on the property at 2009 Fernwood Road for the purposes of providing vehicle and pedestrian access to the rear yard of 1310 Gladstone Avenue. An inventory of 7 off-street parking stalls will be accessed, including the inclusion of 2 stalls on the 1310 Gladstone Avenue property.

- 2. Update Landscape Plan to include hard surface materials.***

The Site Plan & Landscape Plan on Sheet A0.00 has been updated with annotations identifying the hard surface materials.

- 3. Please provide at least one colour elevation plan.***

The two primary public elevations on Sheet A3.01 have been resubmitted in colour.

- 4. Letter to Mayor and Council to provide updated/new information on the proposal.***

This document is included to provide updated/new information on the proposal.

5. ***No justification for the proposed parking variance has been provided. Providing no parking for this proposed development is not supportable. An on-site shortfall in parking for residents and their guests, employees and customers will have an impact on-street parking availability for residents and businesses of the neighbourhood.***

As noted in item 1, above, 2 off-street parking stalls have been accommodated in the rear yard of the property. These parking stalls will require an access agreement across the 2009 Fernwood Road site, which has an existing, non-conforming driveway access onto Fernwood Road. This existing access would service the existing 5 off-street parking stalls on 2009 Fernwood Road, plus the 2 proposed off-street parking stalls on 1310 Gladstone Avenue. The inclusion of these stalls emerged in response to a determination by a qualified arborist recommending removal of the existing tree on site which will enable the overall building to shift south on the property and facilitate the creation of the stalls.

In rationalizing the vehicle parking provisions for this proposal, we would like to solidify the case for Fernwood's urban village designation and, pending a successful OCP amendment, the inclusion of the 1310 Gladstone Avenue site within the village, as a vibrant neighbourhood village focused on pedestrian activity. There is precedent within the City of Victoria, such as the Old Town zoning guidelines, which acknowledge a less vehicle-centered form and character. We believe that it is this form and character that is envisioned in the OCP for the urban village. Unfortunately, meeting the Schedule C off-street parking requirements for vehicle parking impedes the realization of this form and character.

We submit that the rezoning of 1310 Gladstone Avenue, as part of an expanded urban village, should establish a comprehensive zoning standard which establishes the parking in perpetuity, one which more accurately reflects the form and character of Fernwood Village. The 2 off-street stalls proposed make provision for vehicle parking, albeit modestly, but without detracting from the village fabric. In fact, the proposal affords scheduling opportunities relative to the use of both properties (2009 Fernwood Road and 1310 Gladstone Avenue) such that an inventory of 7 stalls is available for use for the different tenancies during a typical week. Today, 2009 Fernwood Road is in use as an office which requires daytime parking during the work week, while for 1310 Gladstone Avenue we envision retail, restaurant and/or recreation as the primary parking demand generators, all of which create the highest demand on evenings and weekends.

To provide context, we have evaluated the maximum parking demand range based on the uses envisioned for the project and have determined, referencing Schedule C, that the upper floor would require between 2 and 3 vehicle parking stalls (office or residential use), the main floor would require between 5 and 10 vehicle parking stalls (retail or restaurant use, assuming 50 seats maximum), and the lower floor would require between 3 and 11 vehicle parking stalls (retail or recreational uses), for a total on-site, Schedule C requirement of between 10 and 24 vehicle stalls. A summary matrix of the various vehicle parking demand generation is as follows:

Schedule C, Potential Off Street Parking Calculations Based on Potential Tenancies

Potential Uses	Calculation	# of Parking Spaces Req'd
Lower Floor (108 sq.m.)		
Yoga Studio	1 space per 9.5 sq.m.	11
Treatment Studio/Spa Rooms	1 space per 37.5 sq.m.	3
Retail	1 space per 37.5 sq.m.	3
Bicycle Repair Shop	1 space per 37.5 sq.m.	3
Main Floor (175 sq.m.)		
Eating & Drinking Establishment (40-50 seat)	1 space per 5 seats	10
Retail	1 space per 37.5 sq.m.	5
Clothing Shop/Furniture Shop	1 space per 37.5 sq.m.	5
Hair Salon	1 space per 37.5 sq.m.	5
Services	1 space per 37.5 sq.m.	5
Bakery	1 space per 37.5 sq.m.	5
Upper Floor (148.9 sq.m.)		
Residential use in CA-3 zone	0.7 space per dwelling unit	3
Local Offices (assuming all 4 spaces occupied)	1 space per 65 sq.m.	2

On a final note, we would anticipate that the neighbourhood village with this proposed addition would continue to serve the local neighbourhood. That is, the principle patronage and proprietors for all of the proposed uses would be the Fernwood neighbourhood. Our proposal seeks to encourage pedestrian and alternative transportation modes, including bicycles, which are accommodated in the front yard, the rear yard, and as secured space within the building on the lower floor. This provision of excess bicycle parking is envisioned as an additional mitigation of the more modest vehicle parking provisions noted above.

- The proposed rezoning and potential increase in density for this property may contribute to an overtaxing of the sanitary sewer system. Attenuation may be required to reduce the additional load on the sanitary sewer. Discharge rates provided by a qualified Engineer are to be submitted to the Engineering Department including the intended means to attenuate sewage.***

Discharge rates and the intended means to attenuate sewage are provided in the attached as prepared by engineer Peter Ferguson of McElhanney.

- 7. An Arborist report, by an ISA Certified Arborist, is required to provide an inventory of the trees impacted by the proposal. The Tree Preservation Bylaw 05-106 protected Big Leaf Maple is indicated as retained. The report is to detail the construction impacts and the required mitigation measures required to successfully retain this tree. A detail of the proposed tree well around the Big Leaf Maple is required as part of the arborist report. A Terms of Reference for the arborist report is available by contacting the Parks Development Officer.**

A report addressing the condition of the on-site Big Leaf Maple was prepared by ISA Certified Arborist, Tom Talbot of Talbot Mackenzie & Associates, Consulting Arborists, recommending removal of this tree. We propose to work closely with the Parks Department to determine the suitability of reinstating a specimen street tree that will meet the City of Victoria guidelines.

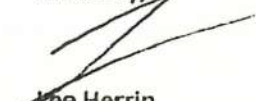
Additional review comments were included in the Application Review Summary and are noted as follows:

1. The requested Statutory Right-of-Way of 1.524 meters is acceptable and the proposal reflects consideration of this provision. A formal response to this request by Engineering will be provided prior to submitting a Building Permit application.
2. Additional Engineering information provided is noted and will be addressed prior to Public Hearing and/or a Building Permit application as itemized.
3. All items noted from Permits and Inspections have been acknowledged and addressed through the resubmission of a Code Analysis, with annotations as appropriate included on the resubmitted plans.
4. All items noted from the Fire Department have been acknowledged and addressed through the resubmission of a Code Analysis, the proposed access provisions across 2009 Fernwood Road, or will be provided prior to submitting a Building Permit application.

As per our original submission and letter to Mayor and Council dated March 6, 2014 (attached for reference), we reiterate our request for the establishment of a site specific zone for the proposed 1310 Gladstone Avenue project. We submit that the Zoning Plan Check of the proposal to a C-1 Zone is not aligned with the form and character of the proposed development within the Fernwood urban village. We note that the CA-3 Zoning Bylaw is an existing bylaw that substantially reflects the nature of this heritage conservation area/urban village and as such, we have referenced this Bylaw on our revised cover sheet for comparison.

We trust that the above responses to the Application Review Summary further support the proposal for this sensitive, neighbourhood-scaled building. We welcome the opportunity to appear before the Planning and Land Use Committee and to continue our work with staff to realize this important project.

Sincerely,



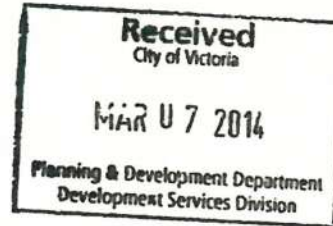
Lee Herrin
Executive Director



Fernwood NRG

March 6, 2014

The City of Victoria
Attention: Mayor and Council
1 Centennial Square
Victoria, BC V8W 1P6



RE: 1310 Gladstone Avenue proposal for Official Community Plan Amendment, Rezoning and Development Permit Application

Fernwood NRG is an enterprising non-profit based in Fernwood. Originally incorporated in 1979 to manage the Fernwood Community Centre, our mandate has grown significantly since our acquisition of the Cornerstone Building (1301 Gladstone Avenue) in 2005. At that time, we received significant media attention for our efforts to revitalize the core of our neighbourhood through renovation of the then derelict building. Looking back, we can certainly say that our project was a tremendous success. Now, Fernwood is a vital and thriving neighbourhood that has attracted significant international attention to the City of Victoria, including an article in the *New York Times* in 2012 (), and just last month in the *Oregonian* (). Working with our partners and supporters in the neighbourhood, we have transformed Fernwood Village from a serious civic liability and embarrassment into a tremendous asset to the City's image and reputation. It is our great pleasure to put before you the following proposal which we believe will begin the process of moving Fernwood Village into the 21st century, laying down the foundation for the continued growth and health of our neighbourhood long into the future.

Description of Proposal

The proposal seeks to rezone the existing R1-B designated site at 1310 Gladstone Avenue to a site specific zone to support the development of a three storey mixed use project in the heart of Fernwood Village. The proposal will change the current land use to ones which are consistent with those uses existing in the village core, increase density at a neighbourhood node, create lease space for neighbourhood oriented commercial activities at the street and below, with up to four rental accommodations and/or small scale workplaces above.

Government Policies

The site is adjacent to the designated development permit area DPA 6B (HC): Small Urban Villages Heritage. The proposed development complements the special features, characteristics and conditions of the designation including:

- Development of "commercial and community services that support adjacent Traditional and Urban Residential areas";
- "revitalization through infill";
- "residential mixed use development with active commercial at the street level";
- "low rise commercial...and residential mixed-use development...with built form and place character appropriate to a node punctuating a surrounding residential area";

- And meeting the objective of enhancing “the area through infill...with a high quality of architecture, landscape and urban design that responds to its heritage setting through sensitive and innovative interventions.”

With respect to Neighbourhood Directions for Fernwood, Section 21 of the OCP, the proposal is consistent with the strategic direction which considers “expanding Fernwood Village to provide capacity for a broader range of business and community services for residents within walking distance.”

Further, with respect to the OCP, the placemaking policies in the plan are reflected in the development proposal, specifically:

- “That new buildings and features contribute to the sense of place in development permit areas and heritage conservation areas through sensitive and innovative responses to existing form and character”;
- And “that social vibrancy is fostered and strengthened through human scale design of buildings, streetscapes and public spaces”.

Project Benefits and Amenities

The proposal would create additional neighbourhood oriented commercial space on two levels, complementing activities and uses supported in the village core. In replacing an ageing single family dwelling, the proposal increases density in an appropriate location in the neighbourhood, with the intent that the uses would support the local market, thereby reducing transportation impacts, and enriching neighbourhood livability. The project frontage will preserve a mature specimen tree at the street and introduce a meaningful, south facing patio along the commercial streetscape. Quality detailing throughout the project is intended to complement the existing Fernwood character, achieving appropriate “fit”.

Need and Demand

The proposal affords additional commercial use space serving the local neighbourhood and small scale rental housing in the village core. Space demand in the village core is high for small scale commercial uses, both merchants and offices, including space to serve small scale proprietors and not for profit organizations. The intent is that the proposal would serve, over time, a variety of uses and tenures, reflecting the vibrancy of a village and the culture of the neighbourhood.

Neighbourhood

The proposed uses are consistent with those existing in the village, effectively expanding the village core on an adjacent site. The existing lot and use is marooned between village commercial and multi-family residential uses. The lot is dimensionally and topographically challenged, necessitating a clever, site specific form that continues the commercial streetscape along Gladstone Avenue, resolves through block vistas from adjacent parcels, particularly from Fernwood Road, invites connectivity to the street on three levels, and affords a complementary massing, proportionate in scale, fenestration and materiality to the village core.

Impacts

The proposal both complements the Village core and improves the streetscape, providing animation through the proposed uses and density. The immediate neighbours will benefit from a betterment of the current site conditions – including the erection of a new structure, the inclusion of landscape areas which complement the streetscape and the introduction of mixed uses transitioning the village to multi-family residential.

Design and Development Permit Guidelines

The proposal will conform to the referenced applicable guidelines for DPA 6B (HC) including the advisory design guidelines for buildings, signs and awnings and guidelines for fences, gates and shutters. In addition, the proposal meets the guideline which encourages the building “to have shop windows and building entrances that are oriented to face the street”.

In addition, the project will also reflect the objectives of DPA 16: General Form and Character, specifically:

- “To support commercial...and multi-unit residential developments that provide a sensitive transition to adjacent and nearby areas with built form that is often three storeys, or lower”;
- “To integrate commercial...and multi-unit residential buildings in a manner that is complementary to established place character in a neighbourhood...including its heritage character”;
- “To enhance the place character of established areas and their streetscapes through high quality architecture, landscape and urban design that responds to each distinctive setting through sensitive and innovative interventions”;
- And “to achieve more livable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, [and] safety”.

Safety and Security

The proposal embraces key CPTED principles. The massing and its orientation to the street and adjacent sites promotes natural surveillance. Walkways, fencing, lighting and signage promote movement to and from the building’s entrances, creating strong connections to the street, overlook and visibility. Public and private is clearly delineated through paving treatments, signage and building edge, reinforcing ownership/control thereby discouraging trespassing or nuisance behavior. Finally, the project benefits from local ownership and the presence of the owner in the community ensuring that the project is maintained, not neglected, thereby discouraging negative activity.

Transportation

The project does not meet the vehicle parking standards of Schedule C. The proposal reinforces the promotion of neighbourhood oriented services within an existing village core, prioritizing a pedestrian and bicycle culture over vehicle users. Within the context of the dimensional and topographical constraints of the physical site, the provision of onsite parking is impractical. It is understood that a broader community wide plan is necessary to address street parking for transient visitors to the neighbourhood.

The project meets the bicycle parking standards of Schedule C with provisions for residents and visitors/customers.

The proposal is situated along the Gladstone Avenue Greenway. The proposed project enhances the greenway with the inclusion of a gracious patio, animating the commercial activity of the street while preserving an existing mature specimen tree.

Heritage

The existing single family house on the property has no heritage status. No heritage buildings will be impacted by the proposed development.

Green Building Features

The proposed development occurs on an existing developed site within an urban village, therefore the ecological footprint of the larger community is not expanded. Socially, the project reflects demand in the immediate community for local commercial activities and small scale commercial office/residential flexible units.

While no specific metric or green rating system will be pursued on the project, best practices with respect to durability, energy efficiency, water conservation, construction waste management, and the specification of quality, low toxicity materials will be applied. The project, if financially feasible, will endeavor to incorporate solar hot water pre-heat panels to offset domestic water heating uses within the building.

Infrastructure

Preliminary review of engineering infrastructure confirms adequate capacity for sewer, storm and water for the proposed development. It is anticipated that a detailed design and review will confirm the necessary capacity.

As the proposal is located within an existing village, the project will benefit from direct access to pedestrian and bicycle infrastructure, as well as a significant park space, access to a community centre and local commercial services.

Summary

We believe that our proposal represents a sensitive, neighbourhood-scaled building that meets many civic goals while also strengthening the fabric of our neighbourhood. Our organization owns the building across the street (the Cornerstone Building), and an adjacent office building at 2009 Fernwood Road. We also have an option to purchase two further nearby properties at 2013 and 2017 Fernwood Road. We will be coming back to Council later this year with a further proposal to redevelop those properties as affordable housing for families. Our organization has been a vital part of Fernwood for 35 years and our interests lie in building sensitive, attractive, functional and efficient buildings that will become Fernwood landmarks for generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Herrin', with a stylized flourish extending from the end.

Lee Herrin
Executive Director

1310 GLADSTONE AVENUE

APPLICATION FOR REZONING, DEVELOPMENT PERMIT
& OCP AMENDMENT



1 View Across Gladstone

REZONING PROJECT INFORMATION TABLE

Project Name: 1310 Gladstone Avenue
 Project Address: 1310 Gladstone Avenue
 Project City: Victoria, BC
 Project Country: Canada
 Project State: British Columbia
 Project Zip: V8M 1A1
 Project Phone: (250) 363-1111
 Project Email: info@christineintone.com
 Project Website: www.christineintone.com
 Project Description: A multi-story commercial building with a flat roof and several windows. The building is located on a corner lot and is surrounded by other commercial buildings. The project is a rezoning application for the building and its surrounding area.

REZONING PROJECT INFORMATION TABLE

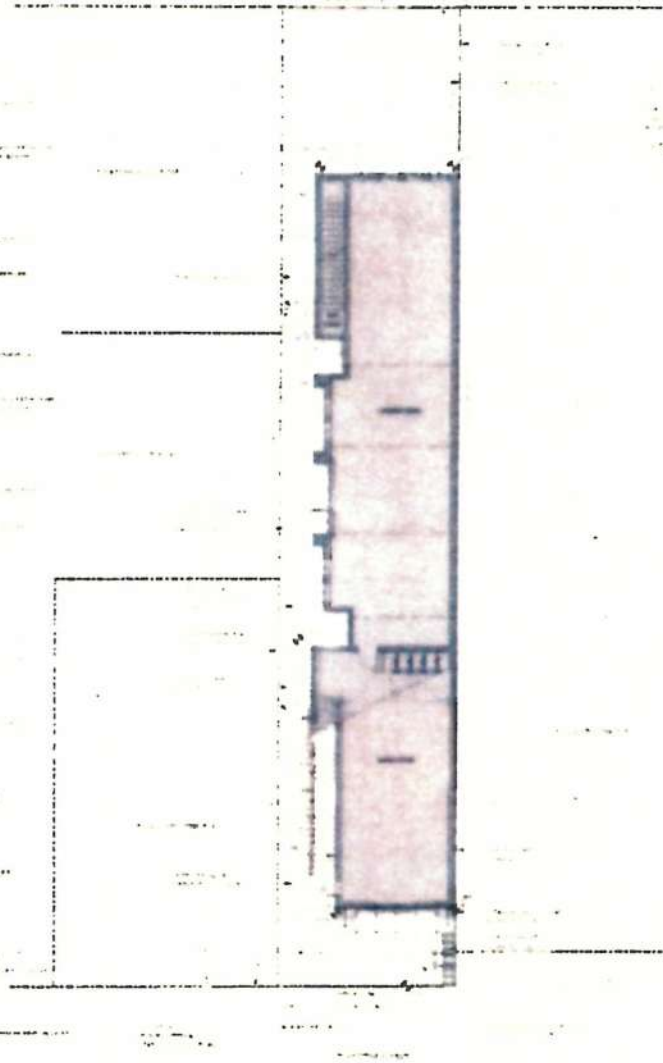
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 Project Email: info@christineintone.com
 Project Website: www.christineintone.com
 Project Description: A multi-story commercial building with a flat roof and several windows. The building is located on a corner lot and is surrounded by other commercial buildings. The project is a rezoning application for the building and its surrounding area.

REZONING PROJECT INFORMATION TABLE

Item	Description	Value
1	Project Name	1310 Gladstone Avenue
2	Project Address	1310 Gladstone Avenue
3	Project City	Victoria, BC
4	Project Country	Canada
5	Project State	British Columbia
6	Project Zip	V8M 1A1
7	Project Phone	(250) 363-1111
8	Project Email	info@christineintone.com
9	Project Website	www.christineintone.com
10	Project Description	A multi-story commercial building with a flat roof and several windows. The building is located on a corner lot and is surrounded by other commercial buildings. The project is a rezoning application for the building and its surrounding area.

REZONING PROJECT INFORMATION TABLE

Project Name: 1310 Gladstone Avenue
 Project Address: 1310 Gladstone Avenue
 Project City: Victoria, BC
 Project Country: Canada
 Project State: British Columbia
 Project Zip: V8M 1A1
 Project Phone: (250) 363-1111
 Project Email: info@christineintone.com
 Project Website: www.christineintone.com
 Project Description: A multi-story commercial building with a flat roof and several windows. The building is located on a corner lot and is surrounded by other commercial buildings. The project is a rezoning application for the building and its surrounding area.



2 Site Plan & Landscape Plan

CHRISTINE
INTONE
ARCHITECT

Proposed
Development
1310 Gladstone Avenue
Victoria, BC

Cover Sheet: Site & Landscape
Plan

A0.00

BC Land Surveyors Site Plan of
1310 Gladstone Avenue

Legal - The West 1/2 of Lot 7, Section 75, Victoria District, Plan 277

Parcel Identifier: 009-192-026

Scale - 1:200



All distances are shown in metres

The intended print size is 11" by 17"

Tree diameters are in centimetres

Can date may differ from 1:1000000

Site Area = 362 m2

November 6 2013

Fig. 11.541 Site 115

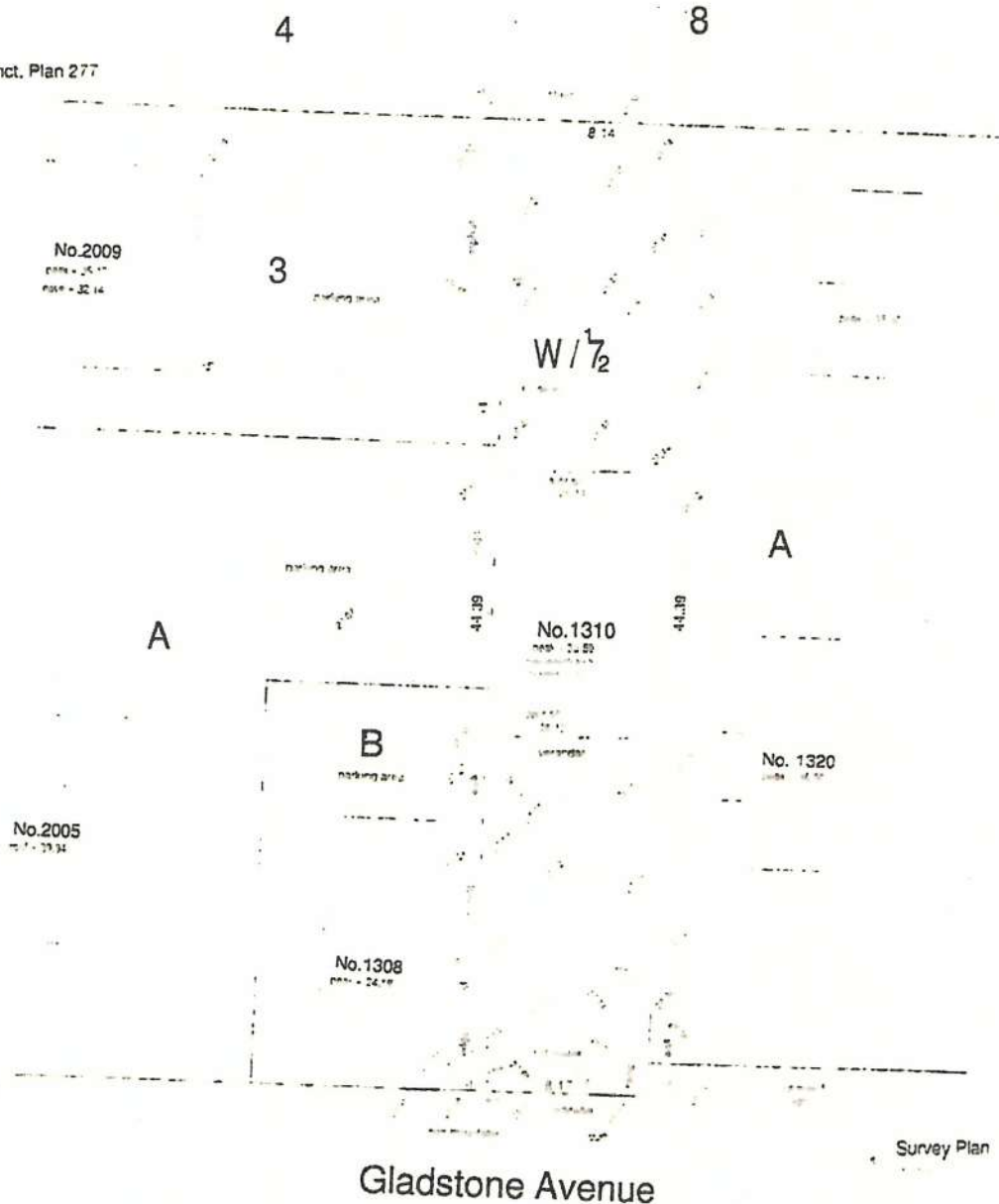
POWELL & ASSOCIATES

BC Land Surveyors

201-9950 Douglas Street

Victoria, BC V8T 4N4

phone (250) 382-9855



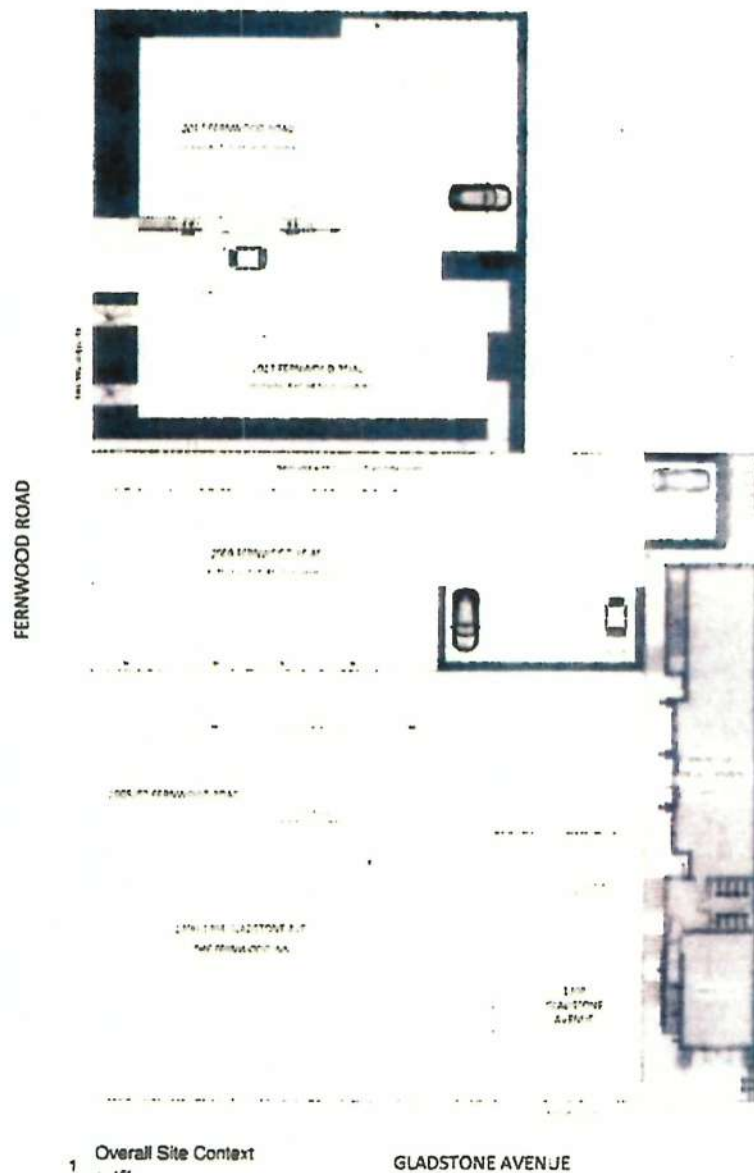
CHRISTINE
ARCHITECT

Proposed
Development

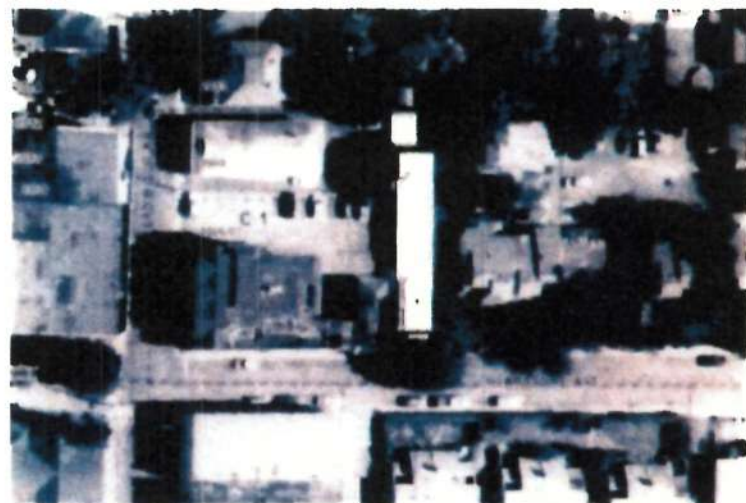
1310 Gladstone Avenue
Victoria, BC

Survey Plan

A1.00



EXISTING SITE CONTEXT PLAN



PROPOSED SITE CONTEXT PLAN

CHRISTINA
INTON
ARCHITECT

1. **Introduction**
 2. **Background**
 3. **Methodology**
 4. **Results**
 5. **Conclusion**
 6. **References**

10. **Answer:** 100
 11. **Answer:** 100
 12. **Answer:** 100
 13. **Answer:** 100
 14. **Answer:** 100
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 98. **Answer:** 100
 99. **Answer:** 100
 100. **Answer:** 100

Proposed
Development

1110 Gladstone Avenue
Victoria BC

Use Control Size

A1.01



EXISTING GLADSTONE STREET ELEVATION



PROPOSED GLADSTONE STREET ELEVATION



EXISTING FERNWOOD STREET ELEVATION



PROPOSED FERNWOOD STREET ELEVATION

CHRISTINE
INSTITUT
ARCHITECT

OWNER
DEVELOPER
ARCHITECT

OWNER
DEVELOPER
ARCHITECT

OWNER

Proposed
Development

1350 Gladstone Avenue
Victoria, BC

Context Street Elevations

OWNER

A1.02

CHRISTINE
LINTOTT
ARCHITECT



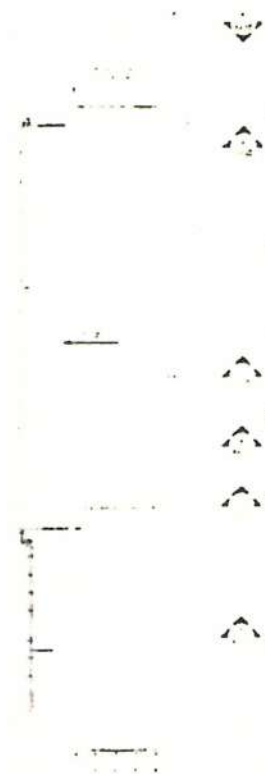
1 Lower Level Plan
1" = 0'



2 Main Level Plan
1" = 0'



3 Upper Level Plan
1" = 0'



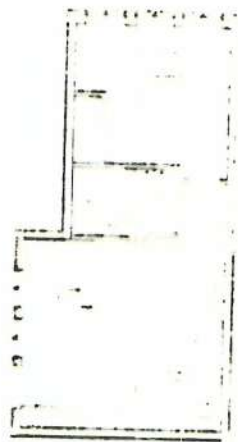
4 Roof Plan
1" = 0'

Proposed
Development

1315 Skopstone Avenue
Victoria, BC

Site Plan

A2.01



1 Unit 1 Plan



3 Unit 2 Plan



5 Unit 3 Plan



7 Unit 4 Plan



2 Unit 1 Plan



4 Unit 2 Plan



6 Unit 3 Plan

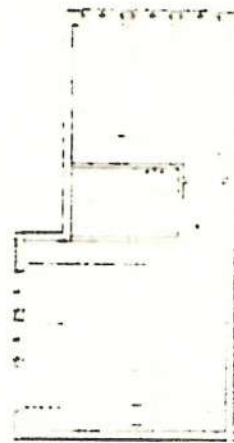


8 Unit 4 Plan

CHRISTIAN
ARCHITECT

Proposed
Development
1115 Sandstone Avenue
Victoria BC

Enlarged Residential Plans



1 Unit 1 Office Plan



3 Unit 2 Office Plan



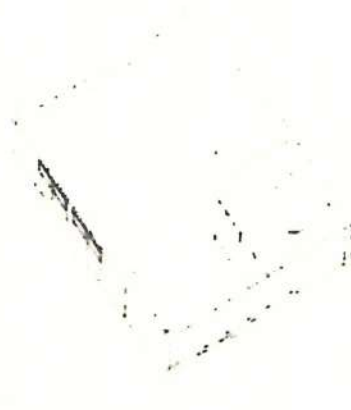
5 Unit 3 Office Plan



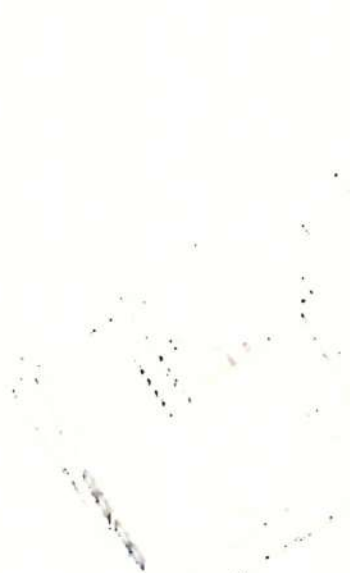
7 Unit 4 Office Plan



2 Unit 4 Office Plan



4 Unit 3 Office Plan



6 Unit 2 Office Plan



8 Unit 1 Office Plan

CHRISTINE
UNITED
ARCHITECT

Project Name: [illegible]
Project Number: [illegible]

Client: [illegible]
Address: [illegible]
City: [illegible]

Proposed
Development

1500 Glenhurst Avenue
Atlanta, GA

Unit 1 Office Plan

A2.03

CHRISTIAN
ARCHITECT

Window & Door Schedule

3 Guardrail Section
1:10'

2 South Elevation
1:1/2"

West Elevation

Proposed
Development

1310 Stephanie Avenue
Virginia, SC

Exterior Elevations

A3.01

CHRISTIAN
ARCHITECT

2

1

Development

2370 Glenhurst Avenue
Victoria, B.C.

External Financing

1 Spatial Separation South

CHRISTINE
ARCHITECT

2 Spatial Separation North

3 Spatial Separation East

4 Spatial Separation West

Proposed
Development

1310 S. Highway Avenue
Durham, NC

Existing Distance: 70m (230ft)

A0.01

CHRISTINE
ARCHITECT

4 GL E Section
1:72

2 GL's F&G Section
1:100

3 GL F Section
1:100

1 Longitudinal Section
1:50

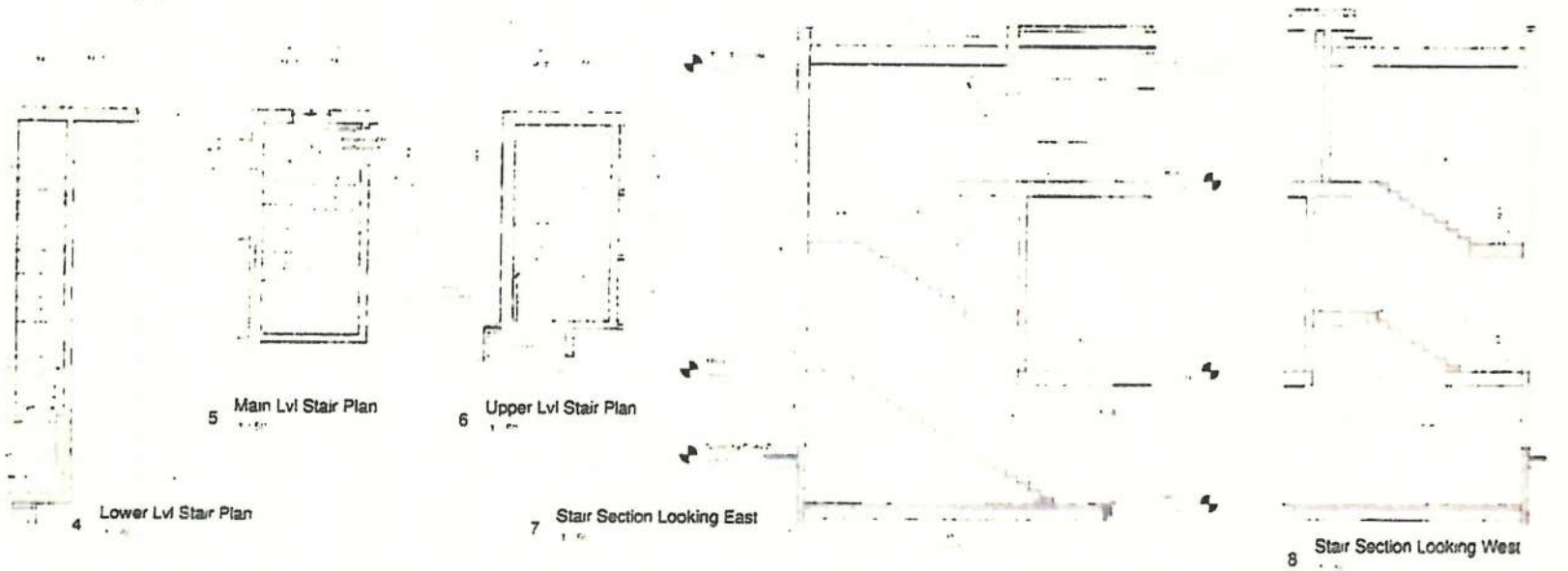
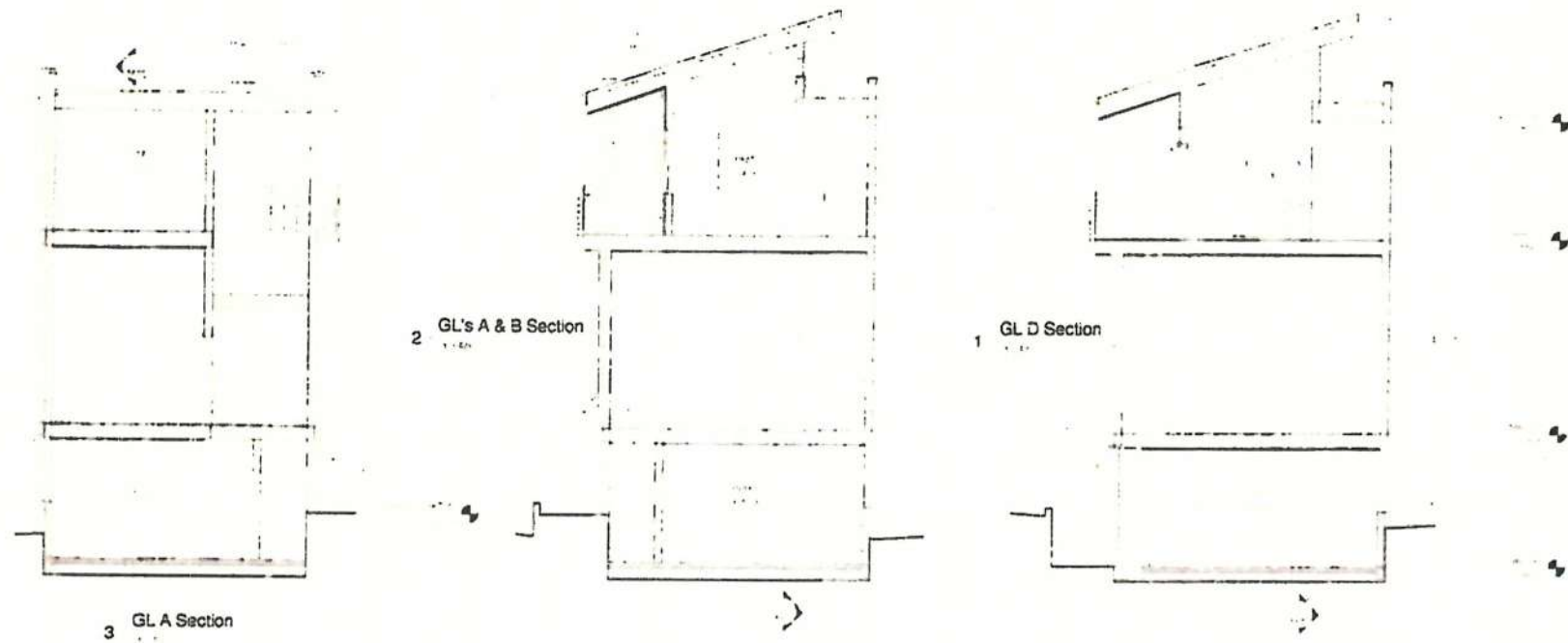
Proposed
Development

1315 Gladstone Avenue
Victoria BC

Building Footprint

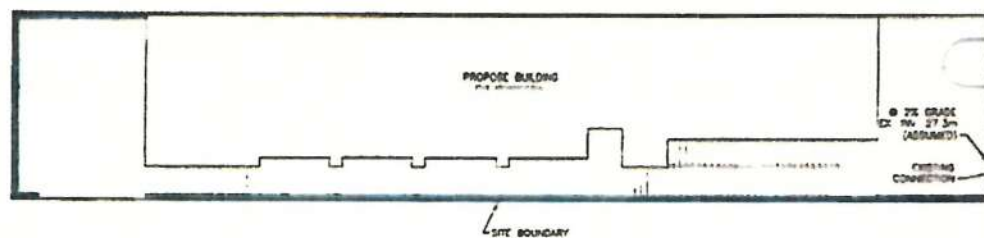
A4.01

CHRISTINE
ARCHITECT



Proposed
Development
1312 Gleditsia Avenue
Victoria, BC

Building Formwork & Stair Details



GLASTONBERG AVENUE

BY 27.3m (INTERPOLATED)

PRELIMINARY

LEGAL PLAN & AND SURVEY
INFORMATION PROVIDED BY POWELL &
REYNOLDS P.C. LAND SURVEYORS

SEE ARCHITECTURAL, LANDSCAPE,
MECHANICAL & ELECTRICAL DRAWINGS
FOR ADDITIONAL INFORMATION



McElhanney
McElhanney Consulting Services Ltd

1315 GLASTONBERG AVENUE

5TH FLOOR

10-12-07



Talbot Mackenzie & Associates

Consulting Arborists

June 12, 2014

Fernwood Neighbourhood
Resource Development Group
1310 Gladstone Avenue
Victoria, BC

Attention: Lenore Rankin

Re: 1310 Gladstone Avenue

During our June, 06, 2014 site visit, at your request, we were assigned to visually examine the health and structural characteristics of the above-ground portions, trunk, crown and root collar of a 100 cm d.b.h. Big Leaf maple tree located in the front garden of the property at 1310 Gladstone Avenue. For the purpose of detecting internal cavities and decay, we also took resistograph readings from the lower trunk and root collar and inspected cavities and pruning wounds in the canopy, at the location where the tree was previously topped.

The following information and observations were compiled during this site visit:

1. The tree is located in a relatively high use commercial/residential neighbourhood with street parking, and frequent foot traffic that passes beneath its canopy.
2. The root system of this tree is confined to a relatively small planting location bounded by the adjacent buildings and a concrete retaining wall along the street.
3. A hydro primary conductor and communication service lines pass through and conflict with the canopy growth.
4. It appears that the tree may have been topped or radically pruned historically to address these service conflicts, and the tree canopy has since grown above this topping/pruning location. Large occluded and open wounds are also visible at this location. A large open cavity is visible on the lowest scaffold limb that extends to the east over the sidewalk and neighbouring property.
5. The visual indicators in the tree canopy, i.e. foliage size, colour and density and annual growth shoot elongation indicate that the tree is reasonably healthy.
6. Fruiting bodies of the *Kretzschmaria deusta* wood decay pathogen are visible and attached to the lower trunk at the root collar. *Kretzschmaria deusta* is a disease pathogen that breaks down both cellulose and lignin in the wood tissues, causing a white rot that attacks the trunks, root collar and structural roots in many deciduous tree species. The disease is difficult to diagnose visually or through sampling as there is seldom evidence of a decline in tree health, and internal cavities may not form within the trunk tissues as the strength of the wood degrades. Infected trees may fail as a result of the infection and deterioration of the structural roots, without any evidence of decline in the tree canopy.

Box 48153 RPO Uptown
Victoria, BC V8Z 7H6
Ph: (250) 479-8733 ~ Fax: (250) 479-7050
Email: treehelp@telus.net

.../2

7. The resistograph readings taken detected an internal cavity within the root collar; however, there may not be a large cavity opening present within the trunk even though the strength of the wood tissues have degraded. Decay within the root collar was found to be extensive and a large cavity present. The readings were generally low on all sides of the trunk, which indicates infected wood tissues that are dead or have lost structural strength. Increment core samples were also taken to confirm the resistograph findings. The samples show a narrow band of live wood tissues surrounding the circumference of the trunk that is bordered by a zone line. The tissues beyond this zone line show evidence of infection by the decay pathogen and a progressive deterioration in tissue quality and structure toward the centre of the trunk.

The two main risk factors identified for this tree are the large cavity in the low scaffold limb, and the decay and cavity associated with the infection by the identified decay pathogen. This risk assessment will span over a three year time frame, and, as such, it is our opinion that within this period there is a moderate to high risk that either the low scaffold limb or the entire tree will fail as a result of the defects that were detected.

The options to mitigate this risk are:

1. To remove the tree entirely which will remove the existing and any residual risk associated with retaining the tree.
2. To prune the canopy to reduce its overall size and spread by approximately 30% of its present size and reduce the length and size of the low scaffold limb. This will lower the existing and residual risk; however, as this decay pathogen is known to cause whole tree failure due to the deterioration of the root system, or trunk shearing as a result of weakened brittle wood tissues, the tree's function in the landscape will be short term and, ultimately, its removal will be required.

In our opinion, from the information compiled during our examination, this is not a tree that you can retain in the landscape in the long term. Theoretically, it could possibly survive as long as ten to twenty years if crown reduction pruning is completed on a cyclical basis to control the height and spread of its canopy and if the decay pathogen does not spread rapidly within the root system. The rate that the decay pathogen spreads within the tissues is likely to increase if the vitality of the tree is impacted by the proposed construction on the property. The risk of failure will also increase in future years as the decay continues to spread and consume wood tissues.

Given the modifications to the proposed building entrance and access from the street that will be required, and the precautions that will have to be adhered to during this construction period, it may be more beneficial to remove the tree prior to the construction and replant it with a healthy structurally sound specimen that can be retained as a permanent part of the landscape.

Should you decide to retain this tree, we recommend that it be examined on a three year cycle.

Please do not hesitate to call us at 250-479-8733 should you have any further questions.
Thank You.

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified & Consulting Arborists

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.



1923 Fernwood Road
Victoria, BC V8T 2Y6

Phone: (250) 384-7441
Email: landuse@fernwoodvic.ca

March 7, 2014

Mayor and Council
City of Victoria

Re: 1310 Gladstone Avenue

The proposal to rezone 1310 Gladstone Avenue from R1-B to a Site-Specific zone - allowing construction of a three-storey multi-use building - was formally presented at the Fernwood Community Association Land Use Committee meeting January 8, 2014. 35 people attended this meeting. (A preliminary community meeting had been held on November 6, 2013.)

Comments and questions were plentiful, especially regarding how this development would relate to future development of three other nearby properties recently purchased by the Neighbourhood Resource Group (2009, 2013 and 2017 Fernwood Rd), and the potential total impact on the surrounding area. The allotted time proved inadequate, so a follow-up meeting was held on February 4, 2014 to allow a more fulsome discussion.

This proposed mixed-use building will be primarily commercial with four residential rental units - two bachelor and two one-bedroom. The proponent may be requesting permission to rent some of the residential units as commercial units. A total variance to the number of parking spaces is being requested.

At the community meetings, supporters endorsed more commercial space and generally didn't think the proposed full parking variance is an issue. Those opposed believe we have enough commercial activity in the area and that parking is a chronic problem that this proposal will only exacerbate. The strongest concerns come from those people living in the same block of Gladstone Avenue

The Fernwood Neighbourhood Plan recommends that R1-B zoned lands on Gladstone be retained. This is consistent with the 2012 Official Community Plan (OCP), which does not include this property in the designated Small Urban Village Development Permit Area (Map 49, page 200). 1310 Gladstone Avenue, along with the remainder of the block, remains 'Traditional Residential'. The description of 'Traditional Residential' (6.1.5 page 35) includes '...mixed-use buildings up to three stories in height located along arterial and secondary arterial roads'. The OCP does not identify Gladstone Avenue as either an arterial or secondary arterial road. (Map 4 Page 54).

The OCP envisions the population in the 'Traditional Residential' areas increasing over time through infill and redevelopment, consistent with density and use ranges set out in the document (6.22, page 49).

Anticipating this eventual population increase, the OCP's strategic direction for Fernwood's Small Urban Village includes the following: "Consider expanding Fernwood Village to provide capacity for a broader range of businesses and services for residents within walking distance." (21.8.4 page 145). The OCP's vision for Fernwood's Small Urban Village in the citywide context has commercial activity primarily serving local people (21.7.2 page 145).

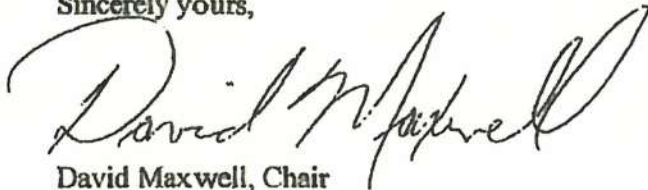
Of the identified Small Urban Villages in the OCP, Fernwood's Small Urban Village currently has the largest number of commercial and arts activities that serve both local residents and the greater Victoria area; the Belfry Theater, Theater Inconnu, Fernwood Inn, Stage Wine Bar, a methadone clinic, dentist, CaVa Restaurant, Pandora Arts, a Yoga Studio, hairdresser and others. To be consistent with the vision expressed in the OCP, it could be argued that Fernwood's Small Urban Village should not be expanded until the population in the area has increased. Current commercial and arts activities in Fernwood's Small Urban Village contribute to parking concerns that are expressed regularly by neighbouring residents.

If this property were to be included in Fernwood's Small Urban Village Development Permit Area the current proposals FSR is greater than the FSR of 1.5:1 shown for Small Urban Villages in the OCP (p 39).

The OCP is a thirty-year vision document, a road map of sorts, allowing for changes to occur incrementally over time. This proposal places the burden of increasing commercial development, somewhat unexpectedly, on the remaining residential section of Gladstone Avenue. This contradicts the stated position and spirit of the OCP concerning developments in 'Traditional Residential' areas. (6.22, page 49).

In light of the above, a proposal to develop a creative duplex or triplex with parking underneath would be more in keeping with both the Fernwood Neighbourhood Plan and the OCP.

Sincerely yours,

A handwritten signature in dark ink, appearing to read 'David Maxwell', written in a cursive style.

David Maxwell, Chair
Land Use Committee
Fernwood Community Association

Pc: Development Services Division, Sustainable Planning and Community Development
Department, City of Victoria



Planning and Land Use Committee Report

For the Meeting of October 16, 2014

To: Planning and Land Use Committee **Date:** October 2, 2014
From: Helen Cain, Senior Planner, Development Services Division
Subject: Official Community Plan Amendment Application, Rezoning Application #00435
and Development Permit Application #000354 for the property located at
1310 Gladstone Avenue

Executive Summary

The purpose of this report is to provide Council with information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

The following points were considered in assessing these applications:

- The OCP designates the subject property as Traditional Residential, but the lot is adjacent to Fernwood Village, where the OCP envisions densities up to 1.5:1 FSR with potential bonus density up to a total of approximately 2.5:1 FSR. This proposal is aligned with objectives and policies in the OCP and *Fernwood Neighbourhood Plan 1994*.
- A list of potential commercial and residential uses are proposed that together would require between 11 and 26 parking stalls depending on the actual uses located on the site. The proposal includes two parking stalls in the rear yard, bicycle racks and storage spaces in compliance with Schedule C of the *Zoning Regulation Bylaw*. To further offset the on-site parking shortfall, the applicant has agreed to provide one Car Share membership per residential unit and commercial unit.
- The applicant has also agreed to secure four rental housing units in perpetuity and to provide a Statutory Right-of-Way to support the implementation of the Gladstone People-Priority Greenway.
- Staff consider the proposed design to align with objectives for the Development Permit Area and Heritage Conservation Area 6B Small Urban Villages Heritage, DPA 6B (HC).

Staff recommend that Council amend the OCP to designate the subject property as Small Urban Village and to include the lot in DPA 6B (HC), and to advance the applications to a Public Hearing.

Recommendations

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw;

- b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
- a. registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;

- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

Helen Cain

Helen Cain
Senior Planner
Development Services Division

am

D.E. Day

Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:

[Signature]

Jason Johnson
October 14, 2014

HC:lw/aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PLUREZ\REZ00435\PLUC_OCT16_GLADSTONE_1310.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue.

2.0 Background

2.1 Description of Proposal

The proposal is to rezone from the R1-B Zone (Single Family Dwelling District) to a new zone to permit a three-storey mixed-use building with commercial uses on the first and second storeys, and either office or four housing units on the third storey. These applications also include a request to amend the Official Community Plan (OCP) to include the subject site in Fernwood Village, which would require changing the land designation from Traditional Residential to Small Urban Village.

As stated in the applicant's letter (August 14, attached), the Fernwood Neighbourhood Resource Group (FNRG) is requesting a list of uses to accommodate potential tenants:

- retail
- office
- bakery
- hair salon
- yoga studio
- spa treatment
- bicycle repair shop
- food and drinking establishment.

The applicant's letter has also identified the potential location in the building and floor space for the uses as summarized in the chart below.

Proposed Use	Maximum Floor Space	Schedule C Requirements
First storey (108 m² in total)		
Athletic instruction (yoga studio) or	108 m ²	11
Retail	108 m ²	3
Second storey (175 m² in total)		
Food and drinking establishment or	175 m ²	10
Retail	175 m ²	5
Third storey (149 m² in total)		
Office or	149 m ²	3
Multiple dwelling (four units)	4 (149 m ²)	5

For these proposed commercial and residential uses, Schedule C requirements for vehicle parking would range between 11 and 26 stalls. The proposal includes two parking stalls at the rear of the proposed building with access through an easement along the driveway on the property located at 2009 Fernwood Road, which the FNRG owns. Compared to Schedule C, there would be a shortfall in parking stalls ranging from nine and 24 parking stalls depending on

the actual uses on the site at any given time. To help offset the potential impact on the availability of street parking in the vicinity of the subject site, the applicant has agreed to provide a Car Share membership for each residential and commercial unit, and would meet the Schedule C requirements for bicycle racks and bicycle storage spaces.

The proposed site plan, architecture and landscape design would include:

- building form and massing that is narrow, long, and set back from the street with space for a patio connecting the private to the public realm
- large storefront windows and exterior stairs and balconies on the third storey to connect activity in the building to people on the street
- exterior finishes of brick siding on the west, north and south elevations, horizontal wood siding on the east elevation and a metal roof
- decorative paving stones with landscape strips in the rear parking lot.

2.2 Green Building Features

The applicant's letter (March 7, 2014, attached) states that the Building Permit phase would endeavour to follow best practices with respect to energy and water conservation, construction waste management and use of high quality, durable materials with low toxicity.

2.3 Existing Site Development and Development Potential

The data table (below) compares the proposal with the neighbouring C-1 Zone (Restricted Commercial District). The proposal is less stringent than the zone standards for criteria identified with an asterisk.

Zoning Criteria	Proposal	Zone Standard C-1 Zone
Site area (m ²) – minimum	362.00	n/a
Total floor area (m ²) – maximum	540.23	n/a
Residential location	None on ground floor	None on ground floor
Density (Floor Space Ratio) – maximum	1.49:1*	1.4:1
Height (m) – maximum	10.56	12.00
Site coverage (%) – maximum	62	n/a
Open site space (%) – minimum	32	n/a
Storeys – maximum	3	n/a
Setbacks (m) – minimum		
North (rear)	7.50	6.00
South (south)	3.50*	6.00
East	0.00*	2.64
West	1.10*	3.00

Zoning Criteria	Proposal	Zone Standard C-1 Zone
Parking – minimum	2*	11 to 26 (actual uses would dictate parking requirement. 26 stalls indicates the highest parking requirement based on the combination of uses)
Visitor parking – minimum	1*	1 to 2 (actual uses would dictate parking requirement. Two stalls indicates the highest visitor parking requirement based on the combination of uses)
Bicycle storage – minimum	12	12
Bicycle rack – minimum	6*	12

2.4 Land Use Context

The immediately adjacent land uses are:

- North: three single-family dwellings
- South: townhouses
- West: one commercial building and a commercial and residential mixed-use building
- East: townhouses.

2.5 Legal Description

The west ½ of Lot 7, Section 75, Victoria District, Plan 277.

2.6 Consistency with City Policy

2.6.1 Official Community Plan, 2012

The proposal is aligned with objectives and policies in the OCP related to complete villages, placemaking, and strategic directions for the Fernwood neighbourhood. OCP Objective 6(f) provides direction to progress towards complete villages over time and Policy 6.1.7 states that Small Urban Villages should have commercial and community services in low-rise, ground-oriented, mixed-use buildings of up to four storeys on arterials and three storeys in other locations. Policy 21.8.4 provides direction to consider the expansion of Fernwood Village.

The proposed mixed-use building would require an OCP amendment because the subject property is designated Traditional Residential, where ground-oriented housing is the norm with apartment and mixed-use buildings on arterial and secondary arterial roads. Given the location of this lot adjacent to Fernwood Village and the overall fit of the proposal with OCP policies, staff recommend that Council change the land designation to Small Urban Village.

On a related matter, new development in Fernwood Village is subject to control and regulation in the Development Permit Area and Heritage Conservation Area 6B Small Urban Village Heritage, DPA 6B (HC). Staff consider this proposal to be aligned with DPA 6B (HC) objectives for revitalization of Fernwood Village through infill that is sensitive to existing place character. Accordingly, an OCP amendment to include the subject site in DPA 6B (HC) and to apply the associated guidelines in review and consideration of the proposed design would be appropriate.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal will have no impact on any of these plans.

2.6.2 Fernwood Neighbourhood Plan, 1994

The *Fernwood Neighbourhood Plan, 1994*, emphasizes the revitalization of Fernwood Village as the commercial hub of the neighbourhood. This plan contains a "summary map" that illustrates land uses and related policies, including the boundaries of Fernwood Village and the associated Development Permit Area and Heritage Conservation Area. As the map can be interpreted to show the subject property as located within Fernwood Village, the proposed mixed-use building is compatible with the local area plan.

2.8 Community Consultation

In accordance with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning Applications*, the applicant consulted with the Fernwood CALUC on January 8, 2014 and February 4, 2014. A letter from the CALUC is attached to this report.

3.0 Issues

The main issues related to these applications are:

- Fernwood Village expansion
- design review and analysis
- loss of front yard Maple tree
- vehicle parking shortfall.

4.0 Analysis

4.1 Fernwood Village Expansion

This proposal is aligned with key directions in the OCP and *Fernwood Neighbourhood Plan* to expand Fernwood Village as a commercial area. The OCP amendment to designate the subject property as located in a Small Urban Village is a logical extension of this neighbourhood hub. Moreover, the new mixed-use building would contribute to DPA 6B (HC) objectives to revitalize

Fernwood Village and the proposed design is well-suited to the character of this historic district. Should Council advance these applications to a Public Hearing, staff recommend another OCP amendment to expand DPA 6B (HC) to include the subject property within this DPA.

4.2 Design Review and Analysis

The proposed design for the new mixed-use building has been reviewed in relation to DPA 6B (HC), where form, character and finishes and landscaping details are controlled and regulated primarily in relation to the *Buildings, Signs and Awnings Advisory Design Guidelines, 1981*. Staff review and analysis of the design of the proposal are summarized below:

- building form, massing and scale are complementary to the adjacent one-storey commercial building and the three-storey townhouses
- architectural features, such as window openings, and exterior finishes (e.g. brick) that acknowledge the heritage character of Fernwood Village are appropriate
- connections between activity in the building and the street are fostered with shop windows, building entrances and an outdoor balcony on the upper storey.

Overall, staff consider the proposed design to comply with the guidelines for DPA 6B (HC).

4.3 Loss of Front Yard Maple Tree

In an early version of the proposal, the building was set back from the street in the southeast corner of the lot to take advantage of the canopy of the mature Maple tree. In response to staff's request for information, the applicant completed an Arborist Report (attached) which determined that the tree would not survive the construction stage of the development. Accordingly, the Maple tree is removed from the landscape plan, and the site plan was changed to bring the building closer to the street in order to connect the outdoor patio to the public realm.

4.4 Vehicle Parking Shortfall

Based on the current regulations in Schedule C of the *Zoning Regulation Bylaw*, the proposal would require a maximum of 26 vehicle parking stalls. However, some of the proposed uses (fitness facility, eating and drinking establishment) require a high number of stalls. If the list of uses were narrowed to retail on two storeys and housing above, 13 stalls would be required. Should the uses be limited to retail with third-storey offices, the requirement would be 11 stalls. Given the proposed development includes two stalls in the rear yard of the building, the parking shortfall compared to the bylaw requirements would, therefore, range from nine to 24 stalls, based on the current regulations. Residents and visitors of the building would also potentially compete for limited and frequently used two hour on-street parking stalls and would not be permitted to park within the Gladstone Avenue Residential Only Parking Zone, as the subject property is not adjacent to the designated area.

Staff requested a Parking Impact Study from the applicant to help determine the impact of the new mixed-use building on street parking near the Fernwood Avenue and Gladstone Avenue intersection. The applicant has chosen to not provide this report for the following reasons:

- the proponent would prefer to apply the resources required for the Parking Impact Study to the provision of Car Share Membership for all residential and

- commercial units, and
- the applicant is in the process of undertaking an informal study with observational data on street parking conditions, which would be provided to staff, prior to a Public Hearing, should Council decide to move the application forward.

Staff have explored a variety of additional transportation demand management (TDM) measures with the applicant to address the on-site shortfall in parking stalls. These include five year transit passes for residential and commercial units and an end-of-trip facility (showers), as well as the possibility of narrowing the range of uses to retail and residential, or retail and office, to remove the proposed uses with high parking requirements. The applicant has indicated that neither the cost of transit passes or the accommodation of a shower facility within the small building would be feasible, and that a yoga studio and a food and drinking establishment would be essential for the business model for their project.

It should also be noted that, in 2008, staff entered into a community-led engagement process with the Fernwood CALUC and residents, businesses and community groups to address the issue of parking congestion in the vicinity of the Gladstone Avenue and Fernwood Avenue intersection. These efforts resulted in the reduction of an existing resident-only parking zone and expansion of restricted two-hour parking for visitors to shops and community amenities in Fernwood Village. Should the proposal increase the pressure on street parking, and community members wish to extend the restricted parking and/or residential parking zone, staff would further consult with the area stakeholders on options for parking management.

Staff recommend support for the proposal as presented. While the availability of street parking near the subject site is an important issue, the proposed new mixed-use building would contribute to the revitalization of Fernwood Village. The informal study that the applicant is undertaking, in advance of the Public Hearing, would contribute valuable information to help assess the situation, and staff have on-going consultation with the community in efforts to address issues related to parking congestion. Should Council wish to address the parking shortfall more extensively, Council has the option to require additional TDM measures, such as transit passes and/or an end-of-trip facility.

5.0 Resource Impacts

There are no resource impacts anticipated with these applications.

6.0 Conclusions

This proposal for a mixed-use building is aligned with policy direction in the OCP and local area plan to revitalize and expand the area identified as Fernwood Village and the proposed design is well-suited to this historic commercial district. Staff recommend that Council amend the OCP to designate the subject property is part of a Small Urban Village area and within DPA 6B (HC) and advance these applications to a Public Hearing.

7.0 Recommendations

7.1.1 Staff Recommendations

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to

a Public Hearing:

- a. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the *Zoning Regulation Bylaw Amendment Bylaw* that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
- a. registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road,
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity,
 - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works;
 - b. securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and

Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:

- a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
- b. Development meeting all *Zoning Regulation Bylaw* requirements;
- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendations (Decline)

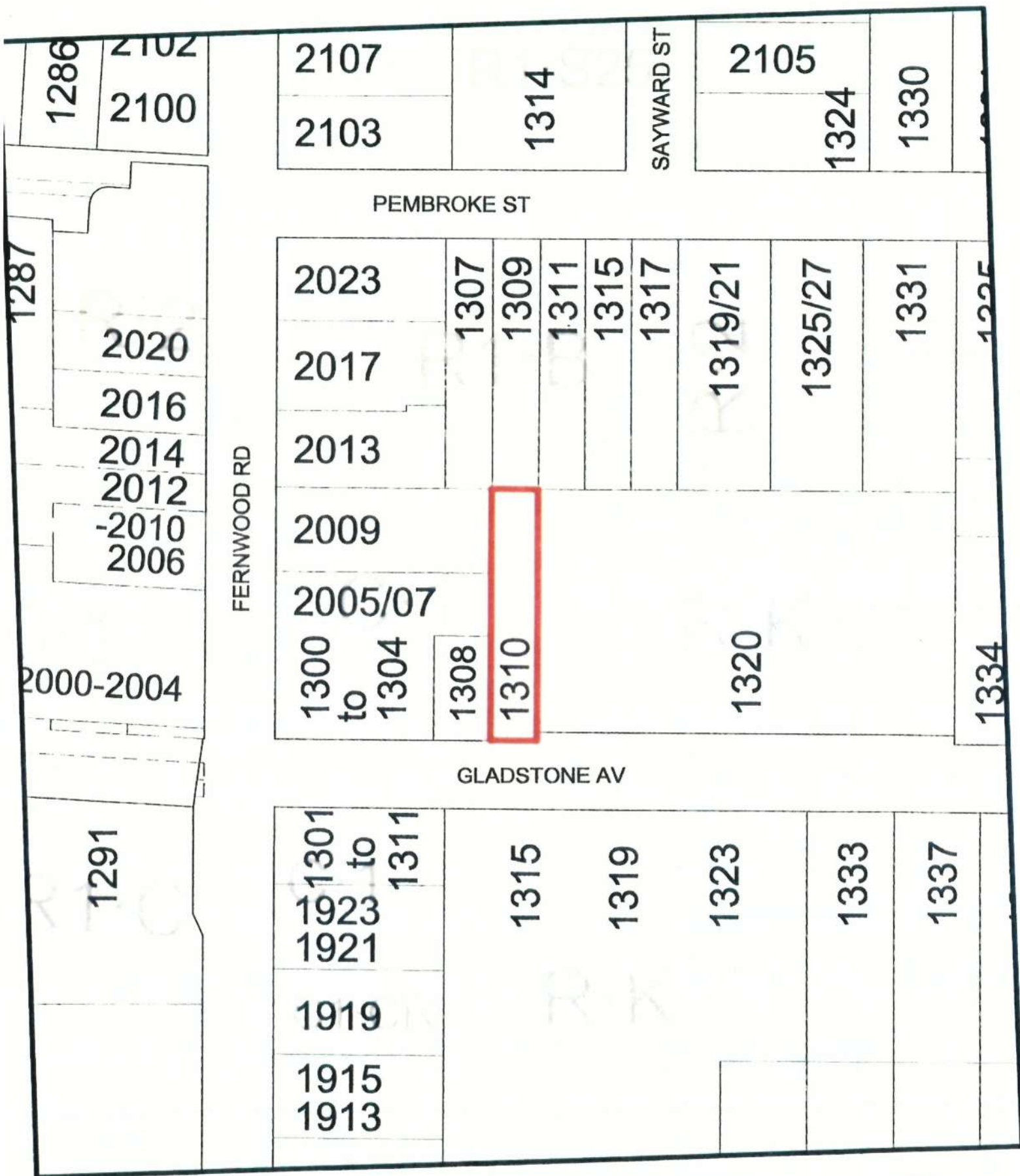
That Council decline Rezoning Application #00435 and Development Permit Application #000354 for the property located at 1310 Gladstone Avenue.

8.0 List of Attachments

- Aerial map
- Zoning map
- Letters from Lee Herrin, Fernwood Neighbourhood Resource Group, stamped August 14, 2014, and March 7, 2014
- Plans for Rezoning Application #00435 and Development Permit Application #00354, stamped August 11, 2014
- Arborist Report, Talbot & Mackenzie & Associates, dated June 12, 2014
- Letter from Fernwood Community Association Land Use Committee, stamped March 7, 2014.



1310 Gladstone Avenue
Rezoning #00435
Bylaw #





1310 Gladstone Avenue
 Rezoning #00435
 Bylaw #





Fernwood NRG

August 11, 2014

The City of Victoria
Attention: Mayor and Council
1 Centennial Square
Victoria, BC V8W 1P6



RE: 1310 Gladstone Avenue revised proposal for Official Community Plan Amendment, Rezoning and Development Permit Application.

In response to the Application Review Summary dated Wednesday, March 26, 2014, we are pleased to submit our revised proposal for the above noted development. The subject of this letter is to provide an itemized update and clarification of new information on the proposal and should be reviewed in conjunction with the revised, bubbled drawings.

Specifically, the conditions to be met prior to the Planning and Land Use Committee are:

- 1. Consider the registration of an easement on the property at 2009 Fernwood Road to provide off-street parking as well as access and egress to the rear of the subject site.***

Fernwood NRG is prepared to register an easement on the property at 2009 Fernwood Road for the purposes of providing vehicle and pedestrian access to the rear yard of 1310 Gladstone Avenue. An inventory of 7 off-street parking stalls will be accessed, including the inclusion of 2 stalls on the 1310 Gladstone Avenue property.

- 2. Update Landscape Plan to include hard surface materials.***

The Site Plan & Landscape Plan on Sheet A0.00 has been updated with annotations identifying the hard surface materials.

- 3. Please provide at least one colour elevation plan.***

The two primary public elevations on Sheet A3.01 have been resubmitted in colour.

- 4. Letter to Mayor and Council to provide updated/new information on the proposal.***

This document is included to provide updated/new information on the proposal.

- 5. *No justification for the proposed parking variance has been provided. Providing no parking for this proposed development is not supportable. An on-site shortfall in parking for residents and their guests, employees and customers will have an impact on-street parking availability for residents and businesses of the neighbourhood.***

As noted in item 1, above, 2 off-street parking stalls have been accommodated in the rear yard of the property. These parking stalls will require an access agreement across the 2009 Fernwood Road site, which has an existing, non-conforming driveway access onto Fernwood Road. This existing access would service the existing 5 off-street parking stalls on 2009 Fernwood Road, plus the 2 proposed off-street parking stalls on 1310 Gladstone Avenue. The inclusion of these stalls emerged in response to a determination by a qualified arborist recommending removal of the existing tree on site which will enable the overall building to shift south on the property and facilitate the creation of the stalls.

In rationalizing the vehicle parking provisions for this proposal, we would like to solidify the case for Fernwood's urban village designation and, pending a successful OCP amendment, the inclusion of the 1310 Gladstone Avenue site within the village, as a vibrant neighbourhood village focused on pedestrian activity. There is precedent within the City of Victoria, such as the Old Town zoning guidelines, which acknowledge a less vehicle-centered form and character. We believe that it is this form and character that is envisioned in the OCP for the urban village. Unfortunately, meeting the Schedule C off-street parking requirements for vehicle parking impedes the realization of this form and character.

We submit that the rezoning of 1310 Gladstone Avenue, as part of an expanded urban village, should establish a comprehensive zoning standard which establishes the parking in perpetuity, one which more accurately reflects the form and character of Fernwood Village. The 2 off-street stalls proposed make provision for vehicle parking, albeit modestly, but without detracting from the village fabric. In fact, the proposal affords scheduling opportunities relative to the use of both properties (2009 Fernwood Road and 1310 Gladstone Avenue) such that an inventory of 7 stalls is available for use for the different tenancies during a typical week. Today, 2009 Fernwood Road is in use as an office which requires daytime parking during the work week, while for 1310 Gladstone Avenue we envision retail, restaurant and/or recreation as the primary parking demand generators, all of which create the highest demand on evenings and weekends.

To provide context, we have evaluated the maximum parking demand range based on the uses envisioned for the project and have determined, referencing Schedule C, that the upper floor would require between 2 and 3 vehicle parking stalls (office or residential use), the main floor would require between 5 and 10 vehicle parking stalls (retail or restaurant use, assuming 50 seats maximum), and the lower floor would require between 3 and 11 vehicle parking stalls (retail or recreational uses), for a total on-site, Schedule C requirement of between 10 and 24 vehicle stalls. A summary matrix of the various vehicle parking demand generation is as follows:

Schedule C, Potential Off Street Parking Calculations Based on Potential Tenancies

Potential Uses	Calculation	# of Parking Spaces Req'd
Lower Floor (108 sq.m.)		
Yoga Studio	1 space per 9.5 sq.m.	11
Treatment Studio/Spa Rooms	1 space per 37.5 sq.m.	3
Retail	1 space per 37.5 sq.m.	3
Bicycle Repair Shop	1 space per 37.5 sq.m.	3
Main Floor (175 sq.m.)		
Eating & Drinking Establishment (40-50 seat)	1 space per 5 seats	10
Retail	1 space per 37.5 sq.m.	5
Clothing Shop/Furniture Shop	1 space per 37.5 sq.m.	5
Hair Salon	1 space per 37.5 sq.m.	5
Services	1 space per 37.5 sq.m.	5
Bakery	1 space per 37.5 sq.m.	5
Upper Floor (148.9 sq.m.)		
Residential use in CA-3 zone	0.7 space per dwelling unit	3
Local Offices (assuming all 4 spaces occupied)	1 space per 65 sq.m.	2

On a final note, we would anticipate that the neighbourhood village with this proposed addition would continue to serve the local neighbourhood. That is, the principle patronage and proprietors for all of the proposed uses would be the Fernwood neighbourhood. Our proposal seeks to encourage pedestrian and alternative transportation modes, including bicycles, which are accommodated in the front yard, the rear yard, and as secured space within the building on the lower floor. This provision of excess bicycle parking is envisioned as an additional mitigation of the more modest vehicle parking provisions noted above.

6. ***The proposed rezoning and potential increase in density for this property may contribute to an overtaxing of the sanitary sewer system. Attenuation may be required to reduce the additional load on the sanitary sewer. Discharge rates provided by a qualified Engineer are to be submitted to the Engineering Department including the intended means to attenuate sewage.***

Discharge rates and the intended means to attenuate sewage are provided in the attached as prepared by engineer Peter Ferguson of McElhanney.

- 7. An Arborist report, by an ISA Certified Arborist, is required to provide an inventory of the trees impacted by the proposal. The Tree Preservation Bylaw 05-106 protected Big Leaf Maple is indicated as retained. The report is to detail the construction impacts and the required mitigation measures required to successfully retain this tree. A detail of the proposed tree well around the Big Leaf Maple is required as part of the arborist report. A Terms of Reference for the arborist report is available by contacting the Parks Development Officer.**

A report addressing the condition of the on-site Big Leaf Maple was prepared by ISA Certified Arborist, Tom Talbot of Talbot Mackenzie & Associates, Consulting Arborists, recommending removal of this tree. We propose to work closely with the Parks Department to determine the suitability of reinstating a specimen street tree that will meet the City of Victoria guidelines.

Additional review comments were included in the Application Review Summary and are noted as follows:

1. The requested Statutory Right-of-Way of 1.524 meters is acceptable and the proposal reflects consideration of this provision. A formal response to this request by Engineering will be provided prior to submitting a Building Permit application.
2. Additional Engineering information provided is noted and will be addressed prior to Public Hearing and/or a Building Permit application as itemized.
3. All items noted from Permits and Inspections have been acknowledged and addressed through the resubmission of a Code Analysis, with annotations as appropriate included on the resubmitted plans.
4. All items noted from the Fire Department have been acknowledged and addressed through the resubmission of a Code Analysis, the proposed access provisions across 2009 Fernwood Road, or will be provided prior to submitting a Building Permit application.

As per our original submission and letter to Mayor and Council dated March 6, 2014 (attached for reference), we reiterate our request for the establishment of a site specific zone for the proposed 1310 Gladstone Avenue project. We submit that the Zoning Plan Check of the proposal to a C-1 Zone is not aligned with the form and character of the proposed development within the Fernwood urban village. We note that the CA-3 Zoning Bylaw is an existing bylaw that substantially reflects the nature of this heritage conservation area/urban village and as such, we have referenced this Bylaw on our revised cover sheet for comparison.

We trust that the above responses to the Application Review Summary further support the proposal for this sensitive, neighbourhood-scaled building. We welcome the opportunity to appear before the Planning and Land Use Committee and to continue our work with staff to realize this important project.

Sincerely,



Lee Herrin
Executive Director



Fernwood NRG

March 6, 2014

The City of Victoria
Attention: Mayor and Council
1 Centennial Square
Victoria, BC V8W 1P6



RE: 1310 Gladstone Avenue proposal for Official Community Plan Amendment, Rezoning and Development Permit Application

Fernwood NRG is an enterprising non-profit based in Fernwood. Originally incorporated in 1979 to manage the Fernwood Community Centre, our mandate has grown significantly since our acquisition of the Cornerstone Building (1301 Gladstone Avenue) in 2005. At that time, we received significant media attention for our efforts to revitalize the core of our neighbourhood through renovation of the then derelict building. Looking back, we can certainly say that our project was a tremendous success. Now, Fernwood is a vital and thriving neighbourhood that has attracted significant international attention to the City of Victoria, including an article in the *New York Times* in 2012 (<http://nyti.ms/1fhwqts>), and just last month in the *Oregonian* (<http://bit.ly/1Cv8vdu>). Working with our partners and supporters in the neighbourhood, we have transformed Fernwood Village from a serious civic liability and embarrassment into a tremendous asset to the City's image and reputation. It is our great pleasure to put before you the following proposal which we believe will begin the process of moving Fernwood Village into the 21st century, laying down the foundation for the continued growth and health of our neighbourhood long into the future.

Description of Proposal

The proposal seeks to rezone the existing R1-B designated site at 1310 Gladstone Avenue to a site specific zone to support the development of a three storey mixed use project in the heart of Fernwood Village. The proposal will change the current land use to ones which are consistent with those uses existing in the village core, increase density at a neighbourhood node, create lease space for neighbourhood oriented commercial activities at the street and below, with up to four rental accommodations and/or small scale workplaces above.

Government Policies

The site is adjacent to the designated development permit area DPA 6B (HC): Small Urban Villages Heritage. The proposed development complements the special features, characteristics and conditions of the designation including:

- Development of "commercial and community services that support adjacent Traditional and Urban Residential areas";
- "revitalization through infill";
- "residential mixed use development with active commercial at the street level";
- "low rise commercial...and residential mixed-use development...with built form and place character appropriate to a node punctuating a surrounding residential area";

- And meeting the objective of enhancing “the area through infill...with a high quality of architecture, landscape and urban design that responds to its heritage setting through sensitive and innovative interventions.”

With respect to Neighbourhood Directions for Fernwood, Section 21 of the OCP, the proposal is consistent with the strategic direction which considers “expanding Fernwood Village to provide capacity for a broader range of business and community services for residents within walking distance.”

Further, with respect to the OCP, the placemaking policies in the plan are reflected in the development proposal, specifically:

- “That new buildings and features contribute to the sense of place in development permit areas and heritage conservation areas through sensitive and innovative responses to existing form and character”;
- And “that social vibrancy is fostered and strengthened through human scale design of buildings, streetscapes and public spaces”.

Project Benefits and Amenities

The proposal would create additional neighbourhood oriented commercial space on two levels, complementing activities and uses supported in the village core. In replacing an ageing single family dwelling, the proposal increases density in an appropriate location in the neighbourhood, with the intent that the uses would support the local market, thereby reducing transportation impacts, and enriching neighbourhood livability. The project frontage will preserve a mature specimen tree at the street and introduce a meaningful, south facing patio along the commercial streetscape. Quality detailing throughout the project is intended to complement the existing Fernwood character, achieving appropriate “fit”.

Need and Demand

The proposal affords additional commercial use space serving the local neighbourhood and small scale rental housing in the village core. Space demand in the village core is high for small scale commercial uses, both merchants and offices, including space to serve small scale proprietors and not for profit organizations. The intent is that the proposal would serve, over time, a variety of uses and tenures, reflecting the vibrancy of a village and the culture of the neighbourhood.

Neighbourhood

The proposed uses are consistent with those existing in the village, effectively expanding the village core on an adjacent site. The existing lot and use is marooned between village commercial and multi-family residential uses. The lot is dimensionally and topographically challenged, necessitating a clever, site specific form that continues the commercial streetscape along Gladstone Avenue, resolves through block vistas from adjacent parcels, particularly from Fernwood Road, invites connectivity to the street on three levels, and affords a complementary massing, proportionate in scale, fenestration and materiality to the village core.

Impacts

The proposal both complements the Village core and improves the streetscape, providing animation through the proposed uses and density. The immediate neighbours will benefit from a betterment of the current site conditions – including the erection of a new structure, the inclusion of landscape areas which complement the streetscape and the introduction of mixed uses transitioning the village to multi-family residential.

Design and Development Permit Guidelines

The proposal will conform to the referenced applicable guidelines for DPA 6B (HC) including the advisory design guidelines for buildings, signs and awnings and guidelines for fences, gates and shutters. In addition, the proposal meets the guideline which encourages the building “to have shop windows and building entrances that are oriented to face the street”.

In addition, the project will also reflect the objectives of DPA 16: General Form and Character, specifically:

- “To support commercial...and multi-unit residential developments that provide a sensitive transition to adjacent and nearby areas with built form that is often three storeys, or lower”;
- “To integrate commercial...and multi-unit residential buildings in a manner that is complementary to established place character in a neighbourhood...including its heritage character”;
- “To enhance the place character of established areas and their streetscapes through high quality architecture, landscape and urban design that responds to each distinctive setting through sensitive and innovative interventions”;
- And “to achieve more livable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, [and] safety”.

Safety and Security

The proposal embraces key CPTED principles. The massing and its orientation to the street and adjacent sites promotes natural surveillance. Walkways, fencing, lighting and signage promote movement to and from the building’s entrances, creating strong connections to the street, overlook and visibility. Public and private is clearly delineated through paving treatments, signage and building edge, reinforcing ownership/control thereby discouraging trespassing or nuisance behavior. Finally, the project benefits from local ownership and the presence of the owner in the community ensuring that the project is maintained, not neglected, thereby discouraging negative activity.

Transportation

The project does not meet the vehicle parking standards of Schedule C. The proposal reinforces the promotion of neighbourhood oriented services within an existing village core, prioritizing a pedestrian and bicycle culture over vehicle users. Within the context of the dimensional and topographical constraints of the physical site, the provision of onsite parking is impractical. It is understood that a broader community wide plan is necessary to address street parking for transient visitors to the neighbourhood.

The project meets the bicycle parking standards of Schedule C with provisions for residents and visitors/customers.

The proposal is situated along the Gladstone Avenue Greenway. The proposed project enhances the greenway with the inclusion of a gracious patio, animating the commercial activity of the street while preserving an existing mature specimen tree.

Heritage

The existing single family house on the property has no heritage status. No heritage buildings will be impacted by the proposed development.

Green Building Features

The proposed development occurs on an existing developed site within an urban village, therefore the ecological footprint of the larger community is not expanded. Socially, the project reflects demand in the immediate community for local commercial activities and small scale commercial office/residential flexible units.

While no specific metric or green rating system will be pursued on the project, best practices with respect to durability, energy efficiency, water conservation, construction waste management, and the specification of quality, low toxicity materials will be applied. The project, if financially feasible, will endeavor to incorporate solar hot water pre-heat panels to offset domestic water heating uses within the building.

Infrastructure

Preliminary review of engineering infrastructure confirms adequate capacity for sewer, storm and water for the proposed development. It is anticipated that a detailed design and review will confirm the necessary capacity.

As the proposal is located within an existing village, the project will benefit from direct access to pedestrian and bicycle infrastructure, as well as a significant park space, access to a community centre and local commercial services.

Summary

We believe that our proposal represents a sensitive, neighbourhood-scaled building that meets many civic goals while also strengthening the fabric of our neighbourhood. Our organization owns the building across the street (the Cornerstone Building), and an adjacent office building at 2009 Fernwood Road. We also have an option to purchase two further nearby properties at 2013 and 2017 Fernwood Road. We will be coming back to Council later this year with a further proposal to redevelop those properties as affordable housing for families. Our organization has been a vital part of Fernwood for 35 years and our interests lie in building sensitive, attractive, functional and efficient buildings that will become Fernwood landmarks for generations to come.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Herrin', with a stylized flourish extending from the end.

Lee Herrin
Executive Director

1310 GLADSTONE AVENUE

APPLICATION FOR REZONING, DEVELOPMENT PERMIT & OCP AMENDMENT



1 View Across Gladstone

REZONING PROJECT INFORMATION TABLE

PROPOSAL INFORMATION

1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL SUMMARY

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL DETAILS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL NOTES

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL CONTACTS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL STATUS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL COMMENTS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL ACTIONS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL DECISIONS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL REVISIONS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL APPROVALS

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL SIGNATURES

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL DATES

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

PROPOSAL NOTES

Development of 1310 Gladstone Avenue, Victoria, BC
Project Number: 2018-0001
Project Name: 1310 Gladstone Avenue

CHRISTINE
LINTOTT
ARCHITECT

Author:
Christine Lintott
Date: August 11, 2018

Reviewer:
Christine Lintott
Date: August 11, 2018

Proposed
Development
1310 Gladstone Avenue
Victoria, BC

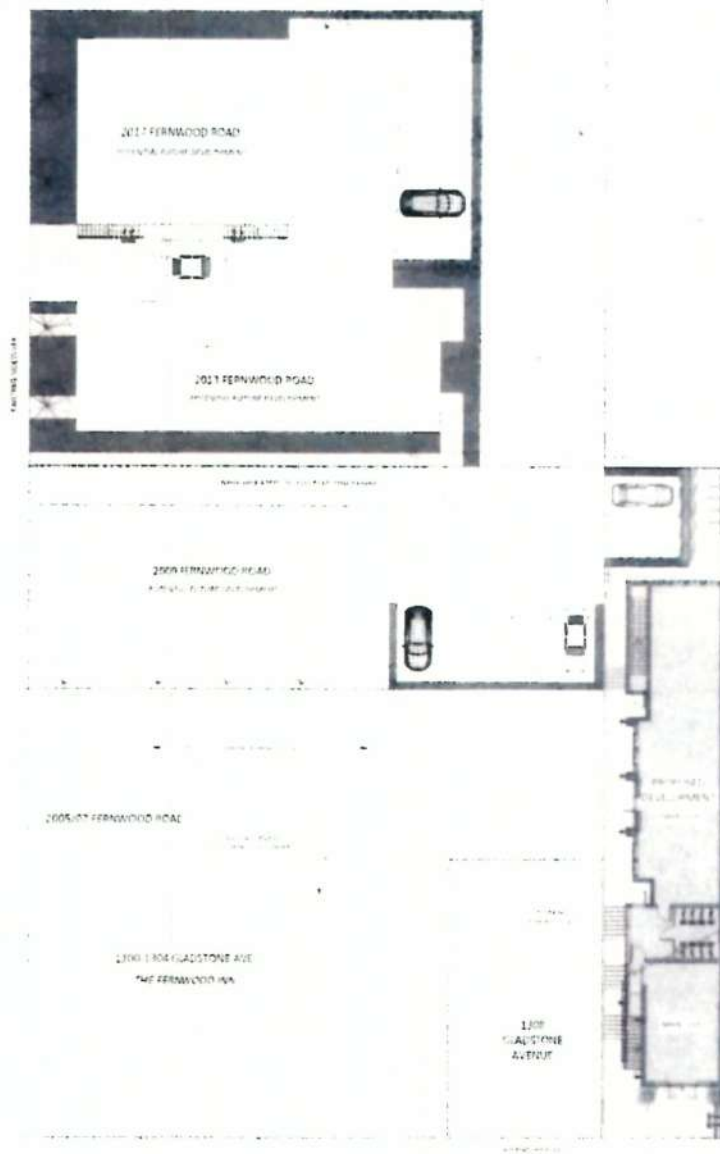
Cover Sheet/Site & Landscape
Plan

A0.00

2 Site Plan & Landscape Plan
1:100

Gladstone Avenue

1
Overall Site Context



GLADSTONE AVENUE



EXISTING SITE CONTEXT PLAN



PROPOSED DEVELOPMENT LOCATION
1310 GLADSTONE AVENUE

PROPOSED SITE CONTEXT PLAN

CHRISTINE
LINTOTT
ARCHITECT

Client: [illegible]
Project: [illegible]
Date: [illegible]

Project: [illegible]
Date: [illegible]
Author: [illegible]

Proposed
Development

1310 Gladstone Avenue
Victoria, BC

Site Context Plans

A1.01



EXISTING GLADSTONE STREET ELEVATION



PROPOSED GLADSTONE STREET ELEVATION



EXISTING FERNWOOD STREET ELEVATION



PROPOSED FERNWOOD STREET ELEVATION

CHRISTINE
LINTOTT
ARCHITECT

Project: 1310 Gladstone Avenue
Location: Victoria, BC
Date: March 2004

Project: 1310 Gladstone Avenue
Location: Victoria, BC
Date: March 2004

Proposed
Development

1310 Gladstone Avenue
Victoria, BC

Context Street Elevations

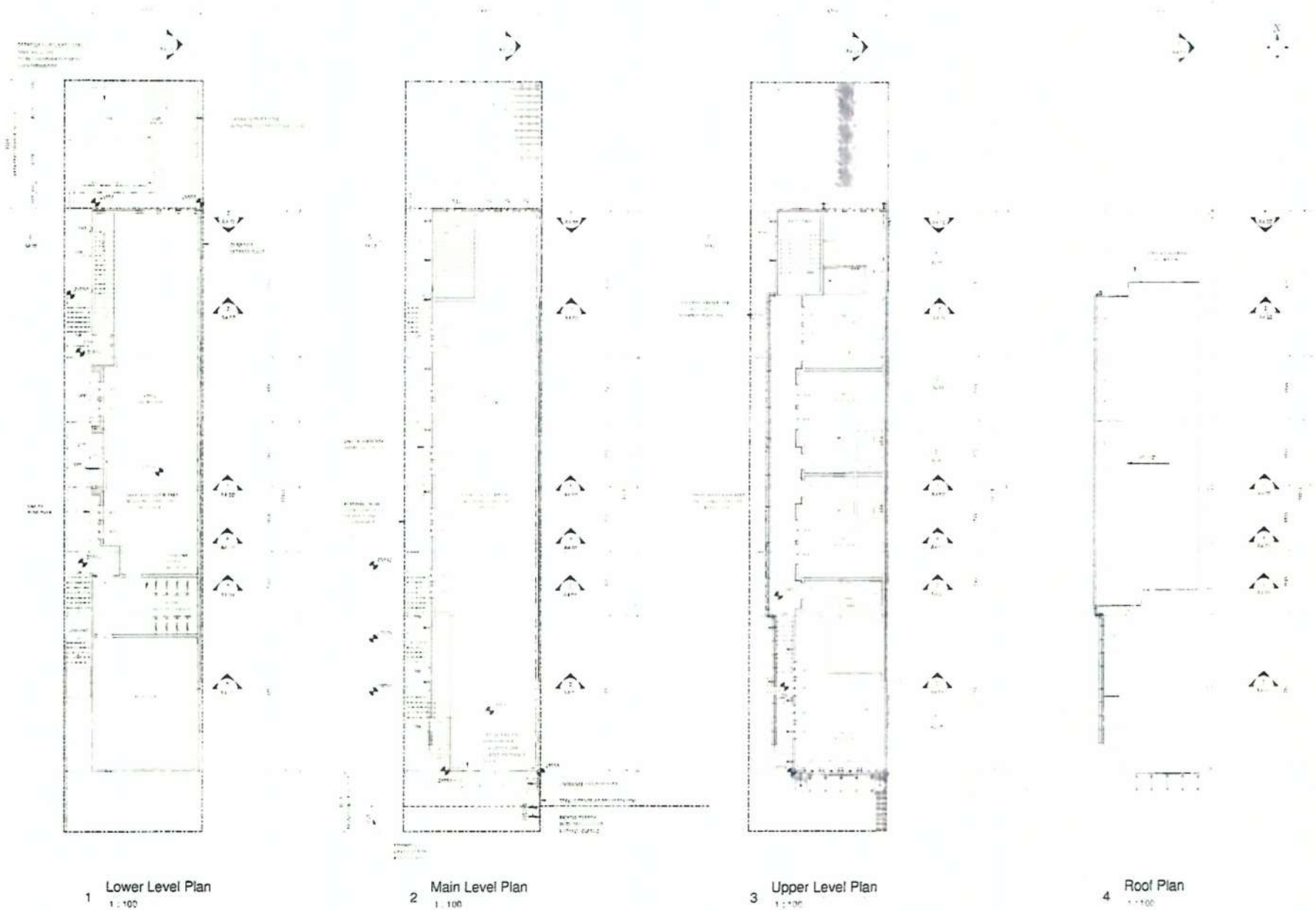
A1.02

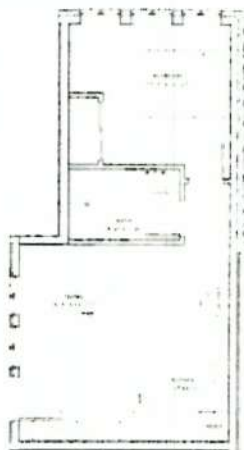
Proposed
Development

1310 Gladstone Avenue
Victoria, BC

Floor Plans

A2.01





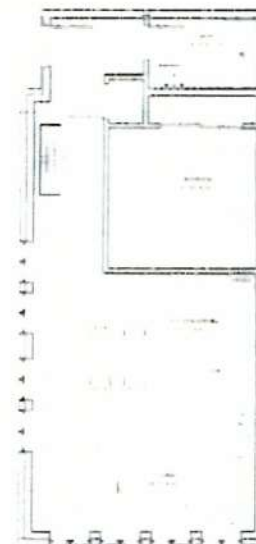
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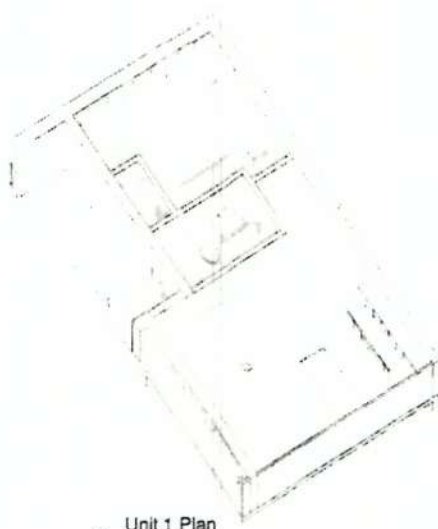
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5 Unit 3 Plan
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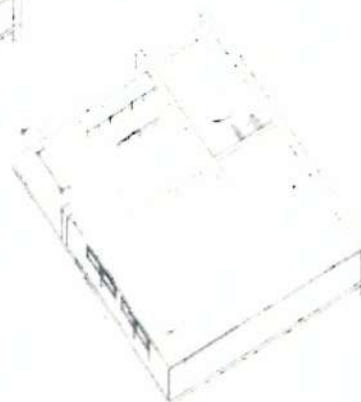
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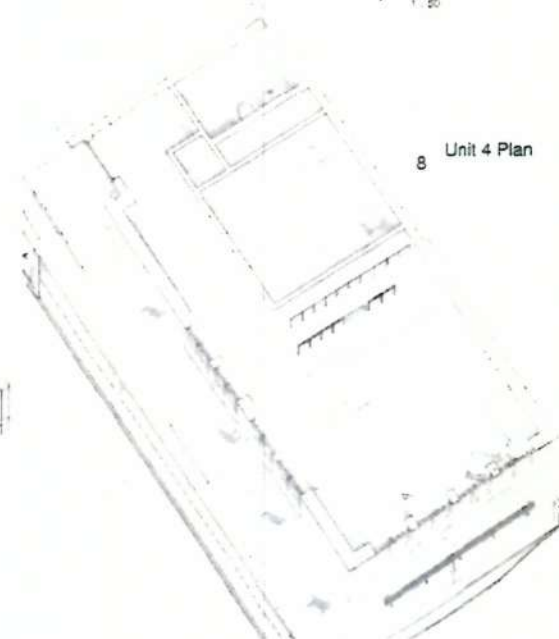
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4 Unit 2 Plan
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6 Unit 3 Plan
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8 Unit 4 Plan
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CHRISTINE
LINTOTT
ARCHITECT

Project: 1000
Residential Development Permit
& Zoning Amendment
Sheet: A2.02

Revised: 10/10/2018
By: Christine Lintott
Resubmission to: 10/10/2018
City Staff Review

10/10/2018

Proposed
Development

1310 Gladstone Avenue
Victoria, BC

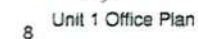
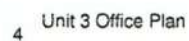
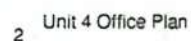
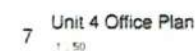
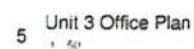
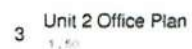
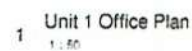
Enlarged Residential Plan

Drawn By: [Name]
Checked By: [Name]

A2.02

10/10/2018

1/10



Copyright 2004

1310 Gladstone Avenue
Victoria, BC

Enlarged Office Plans

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1310 Gladstone Avenue
Victoria, BC

Exterior Elevations

CHRISTINE
LINTOTT
ARCHITECT

CHRISTINE
LINTOTT
ARCHITECT

Proposed
Development

1310 Gladstone Avenue
Victoria, BC

Exterior Elevations

A3.02

CHRISTINE
LINTOTT
ARCHITECT

Date

March 1, 2024

Client
Residential
Development Owner
& JCT's Architects

Date

March 11, 2024

Project
No. 2024000001
Architectural
Drawings of
the Site Plan

Proposed
Development

1310 Gladstone Avenue
Victoria, BC

Building Sections

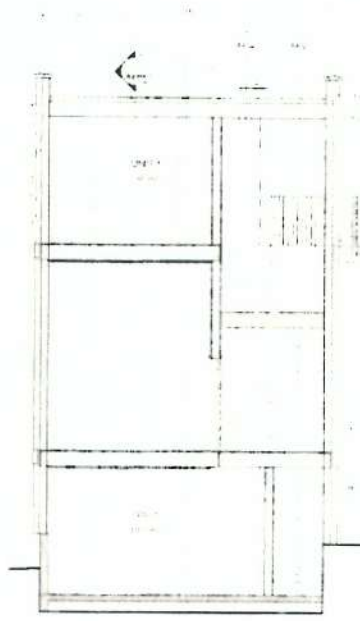
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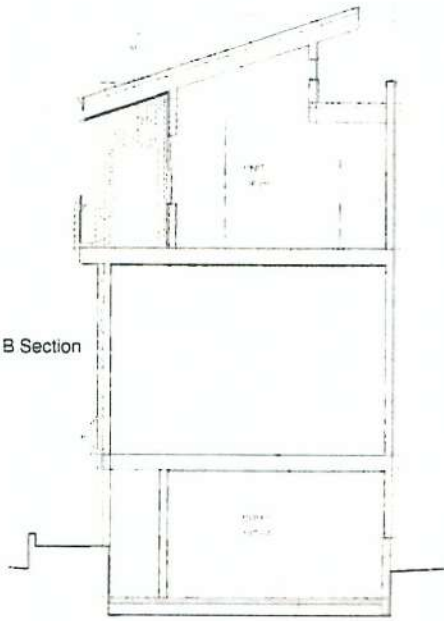
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1:100

3 GL F Section
1:100

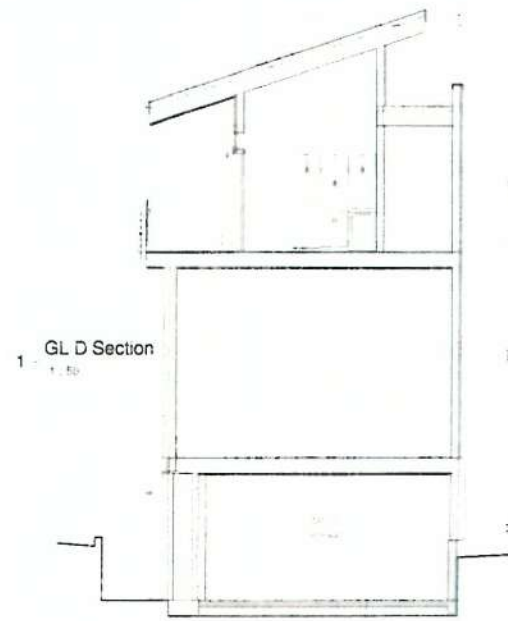
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3 GL A Section
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2 GL's A & B Section
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1 GL D Section
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4 Lower Lvl Stair Plan
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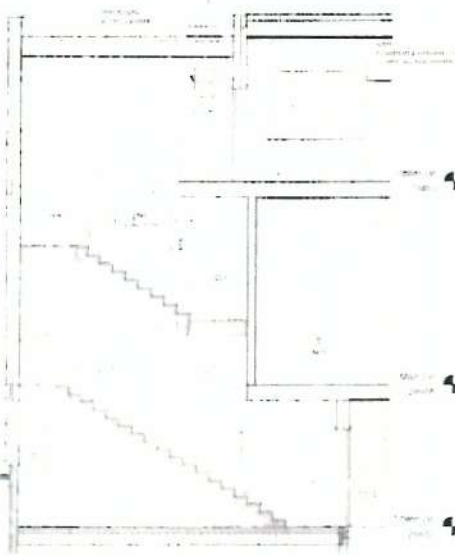
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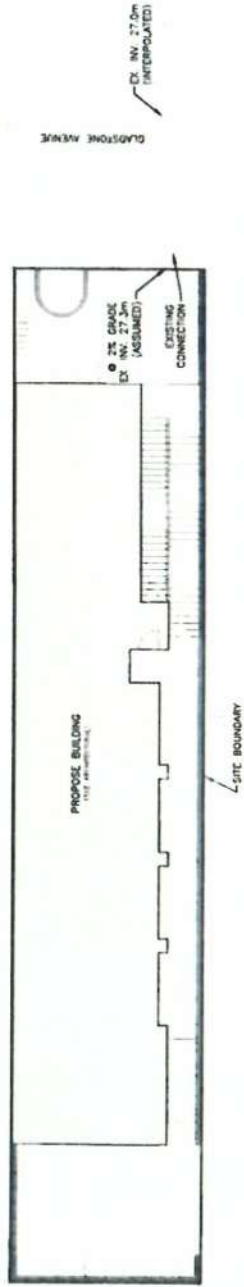
6 Upper Lvl Stair Plan
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7 Stair Section Looking East
1:50



8 Stair Section Looking West
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PRELIMINARY
FOR DISCUSSION
PURPOSES ONLY

SEE ARCHITECTURAL, LANDSCAPING,
MECHANICAL & ELECTRICAL DRAWINGS
FOR ADDITIONAL INFORMATION

LEGAL PLAN & AND SURVEY
INFORMATION PROVIDED BY POWELL &
ASSOCIATES B.C. LAND SURVEYORS

McElhanney
McElhanney Consulting Services Ltd.

1310 GLASTONE AVENUE

SITE PLAN

14-278-00



Talbot Mackenzie & Associates

Consulting Arborists

June 12, 2014

Fernwood Neighbourhood
Resource Development Group
1310 Gladstone Avenue
Victoria, BC

Attention: Lenore Rankin

Re: 1310 Gladstone Avenue

During our June, 06, 2014 site visit, at your request, we were assigned to visually examine the health and structural characteristics of the above-ground portions, trunk, crown and root collar of a 100 cm d.b.h. Big Leaf maple tree located in the front garden of the property at 1310 Gladstone Avenue. For the purpose of detecting internal cavities and decay, we also took resistograph readings from the lower trunk and root collar and inspected cavities and pruning wounds in the canopy, at the location where the tree was previously topped.

The following information and observations were compiled during this site visit:

1. The tree is located in a relatively high use commercial/residential neighbourhood with street parking, and frequent foot traffic that passes beneath its canopy.
2. The root system of this tree is confined to a relatively small planting location bounded by the adjacent buildings and a concrete retaining wall along the street.
3. A hydro primary conductor and communication service lines pass through and conflict with the canopy growth.
4. It appears that the tree may have been topped or radically pruned historically to address these service conflicts, and the tree canopy has since grown above this topping/pruning location. Large occluded and open wounds are also visible at this location. A large open cavity is visible on the lowest scaffold limb that extends to the east over the sidewalk and neighbouring property.
5. The visual indicators in the tree canopy, i.e. foliage size, colour and density and annual growth shoot elongation indicate that the tree is reasonably healthy.
6. Fruiting bodies of the *Kretzschmaria deusta* wood decay pathogen are visible and attached to the lower trunk at the root collar. *Kretzschmaria deusta* is a disease pathogen that breaks down both cellulose and lignin in the wood tissues, causing a white rot that attacks the trunks, root collar and structural roots in many deciduous tree species. The disease is difficult to diagnose visually or through sampling as there is seldom evidence of a decline in tree health, and internal cavities may not form within the trunk tissues as the strength of the wood degrades. Infected trees may fail as a result of the infection and deterioration of the structural roots, without any evidence of decline in the tree canopy.

7. The resistograph readings taken detected an internal cavity within the root collar; however, there may not be a large cavity opening present within the trunk even though the strength of the wood tissues have degraded. Decay within the root collar was found to be extensive and a large cavity present. The readings were generally low on all sides of the trunk, which indicates infected wood tissues that are dead or have lost structural strength. Increment core samples were also taken to confirm the resistograph findings. The samples show a narrow band of live wood tissues surrounding the circumference of the trunk that is bordered by a zone line. The tissues beyond this zone line show evidence of infection by the decay pathogen and a progressive deterioration in tissue quality and structure toward the centre of the trunk.

The two main risk factors identified for this tree are the large cavity in the low scaffold limb, and the decay and cavity associated with the infection by the identified decay pathogen. This risk assessment will span over a three year time frame, and, as such, it is our opinion that within this period there is a moderate to high risk that either the low scaffold limb or the entire tree will fail as a result of the defects that were detected.

The options to mitigate this risk are:

1. To remove the tree entirely which will remove the existing and any residual risk associated with retaining the tree.
2. To prune the canopy to reduce its overall size and spread by approximately 30% of its present size and reduce the length and size of the low scaffold limb. This will lower the existing and residual risk; however, as this decay pathogen is known to cause whole tree failure due to the deterioration of the root system, or trunk shearing as a result of weakened brittle wood tissues, the tree's function in the landscape will be short term and, ultimately, its removal will be required.

In our opinion, from the information compiled during our examination, this is not a tree that you can retain in the landscape in the long term. Theoretically, it could possibly survive as long as ten to twenty years if crown reduction pruning is completed on a cyclical basis to control the height and spread of its canopy and if the decay pathogen does not spread rapidly within the root system. The rate that the decay pathogen spreads within the tissues is likely to increase if the vitality of the tree is impacted by the proposed construction on the property. The risk of failure will also increase in future years as the decay continues to spread and consume wood tissues.

Given the modifications to the proposed building entrance and access from the street that will be required, and the precautions that will have to be adhered to during this construction period, it may be more beneficial to remove the tree prior to the construction and replant it with a healthy structurally sound specimen that can be retained as a permanent part of the landscape.

Should you decide to retain this tree, we recommend that it be examined on a three year cycle.

Please do not hesitate to call us at 250-479-8733 should you have any further questions.
Thank You.

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified & Consulting Arborists

Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.



1923 Fernwood Road
Victoria, BC V8T 2Y6

Phone: (250) 384-7441

Email: landuse@fernwoodvic.ca

March 7, 2014

Mayor and Council
City of Victoria

Re: 1310 Gladstone Avenue

The proposal to rezone 1310 Gladstone Avenue from R1-B to a Site-Specific zone - allowing construction of a three-storey multi-use building - was formally presented at the Fernwood Community Association Land Use Committee meeting January 8, 2014. 35 people attended this meeting. (A preliminary community meeting had been held on November 6, 2013.)

Comments and questions were plentiful, especially regarding how this development would relate to future development of three other nearby properties recently purchased by the Neighbourhood Resource Group (2009, 2013 and 2017 Fernwood Rd), and the potential total impact on the surrounding area. The allotted time proved inadequate, so a follow-up meeting was held on February 4, 2014 to allow a more fulsome discussion.

This proposed mixed-use building will be primarily commercial with four residential rental units - two bachelor and two one-bedroom. The proponent may be requesting permission to rent some of the residential units as commercial units. A total variance to the number of parking spaces is being requested.

At the community meetings, supporters endorsed more commercial space and generally didn't think the proposed full parking variance is an issue. Those opposed believe we have enough commercial activity in the area and that parking is a chronic problem that this proposal will only exacerbate. The strongest concerns come from those people living in the same block of Gladstone Avenue

The Fernwood Neighbourhood Plan recommends that R1-B zoned lands on Gladstone be retained. This is consistent with the 2012 Official Community Plan (OCP), which does not include this property in the designated Small Urban Village Development Permit Area (Map 49, page 200). 1310 Gladstone Avenue, along with the remainder of the block, remains 'Traditional Residential'. The description of 'Traditional Residential' (6.1.5 page 35) includes '...mixed-use buildings up to three stories in height located along arterial and secondary arterial roads'. The OCP does not identify Gladstone Avenue as either an arterial or secondary arterial road. (Map 4 Page 54).

The OCP envisions the population in the 'Traditional Residential' areas increasing over time through infill and redevelopment, consistent with density and use ranges set out in the document (6.22, page 49).

Anticipating this eventual population increase, the OCP's strategic direction for Fernwood's Small Urban Village includes the following: "Consider expanding Fernwood Village to provide capacity for a broader range of businesses and services for residents within walking distance." (21.8.4 page 145). The OCP's vision for Fernwood's Small Urban Village in the citywide context has commercial activity primarily serving local people (21.7.2 page 145).

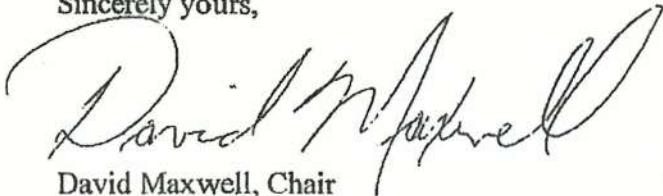
Of the identified Small Urban Villages in the OCP, Fernwood's Small Urban Village currently has the largest number of commercial and arts activities that serve both local residents and the greater Victoria area; the Belfry Theater, Theater Inconnu, Fernwood Inn, Stage Wine Bar, a methadone clinic, dentist, CaVa Restaurant, Pandora Arts, a Yoga Studio, hairdresser and others. To be consistent with the vision expressed in the OCP, it could be argued that Fernwood's Small Urban Village should not be expanded until the population in the area has increased. Current commercial and arts activities in Fernwood's Small Urban Village contribute to parking concerns that are expressed regularly by neighbouring residents.

If this property were to be included in Fernwood's Small Urban Village Development Permit Area the current proposals FSR is greater than the FSR of 1.5:1 shown for Small Urban Villages in the OCP (p 39).

The OCP is a thirty-year vision document, a road map of sorts, allowing for changes to occur incrementally over time. This proposal places the burden of increasing commercial development, somewhat unexpectedly, on the remaining residential section of Gladstone Avenue. This contradicts the stated position and spirit of the OCP concerning developments in 'Traditional Residential' areas. (6.22, page 49).

In light of the above, a proposal to develop a creative duplex or triplex with parking underneath would be more in keeping with both the Fernwood Neighbourhood Plan and the OCP.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'David Maxwell', with a large, stylized flourish at the end.

David Maxwell, Chair
Land Use Committee
Fernwood Community Association

Pc: Development Services Division, Sustainable Planning and Community Development
Department, City of Victoria

REPORTS OF THE COMMITTEES

3. Planning and Land Use Committee – February 5, 2015

3. Official Community Plan Amendment Application and Rezoning Application No. 00435 for 1310 Gladstone Avenue

It was moved by Councillor Madoff, seconded by Councillor Coleman,

1. That Council direct staff to prepare the necessary *Official Community Plan Amendment Bylaw* and that concurrent with the Rezoning Application advancing to a Public Hearing:
 - a. That Council determine, pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius to the subject properties; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - b. That Council determine, pursuant to section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.
 - c. That Council consider consultation under Section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments.
 - d. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*.
 - f. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - g. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00435 for 1310 Gladstone, subject to:
 - a. Registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works; and
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Assistant Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.

3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application No. 00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
 - a. Plans for Rezoning Application No. 00435 and Development Permit Application #000354, stamped August 11, 2014.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements.
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Assistant Director of Sustainable Planning and Community Development.

Carried Unanimously

Council Meeting
February 12, 2015

4.3 Official Community Plan Amendment Application and Rezoning Application No. 00435 for 1310 Gladstone Avenue

Committee received a report regarding Official Community Plan Amendment and Rezoning Application No. 00435 for 1310 Gladstone Avenue.

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a request for an *Official Community Plan 2012* (OCP) amendment, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

On October 23, 2014, Council (minutes attached) advanced these Applications to a Public Hearing in a motion that included Council consideration of consultation for the OCP amendment as recommended in an earlier staff report (dated October 2, 2014, attached).

The report provides an expanded recommendation that addresses statutory obligations for consultation on the proposal to amend the Urban Place Designation of the subject properties from Traditional Residential to Small Urban Village. Specifically, staff recommends that notice of the proposed OCP Amendment be provided to the adjacent property owners and occupiers and that notice be posted on the City's website in advance of first and second reading of the OCP Amendment. The notice will invite affected persons, organizations and authorities to ask questions of staff and to provide any written or verbal comments to Council for their consideration.

Committee discussed:

- The 200m notification area for CALUC meetings is a specific distance that has set in the *Land Use Procedures Bylaw*. The Public Hearing notification area for OCP amendments and rezoning applications remains at 100m.

Action: It was moved by Councillor Madoff, seconded by Mayor Helps, that Committee recommends:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advancing to a Public Hearing:
 - a. That Council determine, pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius to the subject properties; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
 - b. That Council determine, pursuant to section 879(2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the

consultation proposed at this stage is an adequate opportunity for consultation.

- c. That Council consider consultation under Section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments.
 - d. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan* Amendment Bylaw.
 - f. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - g. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00435 for 1310 Gladstone, subject to:
 - a. Registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Assistant Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works; and
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Assistant Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
 3. Following consideration of the Official Community Plan Amendment Bylaw

and Rezoning Application No. 00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:

- a. Plans for Rezoning Application No. 00435 and Development Permit Application No. 000354, stamped August 11, 2014.
- b. Development meeting all *Zoning Regulation Bylaw* requirements.
- c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Assistant Director of Sustainable Planning and Community Development.

CARRIED UNANIMOUSLY 15/PLUC038

PLUC meeting
February 5, 2015

REPORTS OF THE COMMITTEE

2. Planning and Land Use Committee – October 16, 2014

Councillor Isitt excused himself from the meeting at 10:37 p.m. as he is the on the Board for the Capital Region Housing Corporation which owns and operates an adjacent building to 1310 Gladstone Avenue, which creates a pecuniary conflict of interest with the following item.

1. Official Community Plan Amendment Application, Rezoning Application No. 00435 and Development Permit Application No. 000354 for the property located at 1310 Gladstone Avenue:

It was moved by Councillor Helps, seconded by Councillor Alto:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
1. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
 - a. Registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
 - b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works

Carried Unanimously

3. DECISION REQUEST

3.1 Official Community Plan Amendment Application, Rezoning Application No. 00435 and Development Permit Application No. 000354 for the property located at 1310 Gladstone Avenue

Committee received a report dated October 2, 2014 which provided information, analysis and recommendations regarding an Official Community Plan Amendment Application, a Rezoning Application and a Development Permit Application for the property located at 1310 Gladstone Avenue. The proposal is for a new three-storey building with commercial uses at street level, and commercial or residential use on the upper storey with a floor space ratio (FSR) of 1.49:1.

Councillor Isitt excused himself at 9:11 a.m. due to a pecuniary conflict.

Action:

It was moved by Councillor Helps, seconded by Councillor Alto, that Committee recommends:

1. That Council direct staff to prepare the necessary Official Community Plan Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - b. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to Section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;
 - c. That Council consider consultation under Section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - e. That Council refer the Official Community Plan Bylaw Amendment Bylaw for consideration at a Public Hearing.
2. That Council direct staff to prepare the *Zoning Regulation Bylaw* Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application #00435 for 1310 Gladstone, subject to:
 - a. Registration on the relevant property title of the following:
 - i. Section 219 Covenant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development for an easement through the driveway of the property located at 2009 Fernwood Road;
 - ii. Housing Agreement to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development to ensure that the self-contained dwelling units are rental in perpetuity;
 - iii. Statutory Right-of-Way of 1.524 m along Gladstone Avenue to the

- satisfaction of the City Solicitor and Director of Engineering and Public Works,
- iv. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works;
 - v. Car Share Agreement for each residential and commercial unit to the satisfaction of the City Solicitor, Director of Sustainable Planning and Community Development, and the Director of Engineering and Public Works.
- b. Securing the requisite monetary deposit to the Victoria Car Share Co-op to be held in trust by the applicant's lawyer, to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00435, that Council approve a Development Permit for 1310 Gladstone Avenue, in accordance with:
 - a. Plans for Rezoning Application #00435 and Development Permit Application #000354, stamped August 11, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Committee discussed:

- The OCPs recognition of the possible expansion of this urban village.
- The neighbourhood plan does not favour commercial expansion.
- Fernwood Community Association's preference for residential use in this area and not mixed-use, which is not supported in the OCP.
- Although the lot is zoned single-family dwelling the proposal fits into its context of taller buildings and buildings of commercial use.
- Parking demand impacts on the street and whether the bike parking requirements help reduce parking demand.
- Accessibility of the building as it is three-storeys with no elevator.
- The priorities for the Local Area Plan update which has Fernwood Village as Priority #4.

<u>For:</u>	Mayor Fortin, Councillors Alto, Coleman, Helps, Thornton-Joe
<u>Against:</u>	Councillors Gudgeon, Madoff, Young

CARRIED 14/PLUC0258

PLUC meeting
October 16, 2014

Leanne Taylor

Subject:

RE: 1310 Gladstone OCP

From: Kathryn Juricic [REDACTED]

Sent: Thursday, Jul 2, 2015 11:31 AM

To: Helen Cain

Subject: 1310 Gladstone OCP

Dear Ms. Cain,

Thank you for your hard work on our Official Community Plan.

I am writing (late) to send my support support for the proposed rezoning at 1310 Gladstone Avenue. I am a resident at #5 - 1414 Gladstone Avenue, a few doorsteps away. I am excited to be a part of a vibrant neighbourhood, and look forward to the redevelopment. I can easily walk to Fernwood Village, and support another amenity within walking distance.

I understand the proposed redevelopment is being undertaken by our local organization, Fernwood Neighbourhood Resource Group Society. As a fellow pole-painter, FernFester, and a frequent customer at the Cornerstone, I trust the changes that are proposed at this site.

Furthermore, the current state of the house and garden at 1310 Gladstone needs some renewal.

My apologies for the late notice and thank you for your consideration.

Thank you,

Kathryn

Leanne Taylor

Subject: RE: 1310 Gladstone Ave

From: izabela zawadzki [REDACTED]

Sent: Sunday, Jun 28, 2015 10:56 AM

To: Helen Cain

Subject: 1310 Gladstone Ave

I support the proposed development at 1310 Gladstone Ave

Izabela Zawadzki
#3 1303 Gladstone Ave
Victoria V8R 1R9

Laura Wilson

From: Helen Cain
Sent: Monday, Jun 22, 2015 11:25 AM
To: Laura Wilson
Subject: FW: 1310 Gladstone ave.

Hi Laura,

Please attach this correspondence to the REZ file in Prospero. I've already printed a hard copy for my file.

Thanks,

Helen

From: Helen Cain
Sent: Monday, Jun 22, 2015 11:24 AM
To: 'David Holme'
Subject: RE: 1310 Gladstone ave.

Hi David,

Thank you for your e-mail on the proposed OCP amendment for 1310 Gladstone Avenue. This correspondence will be provided to Council in advance of the Public Hearing.

Sincerely,

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388



From: David Holme [REDACTED]
Sent: Thursday, Jun 18, 2015 5:24 PM
To: Helen Cain
Subject: 1310 Gladstone ave.

Hi Helen

I live across the street at 1315 Gladstone in a strata complex.

I have lived here for approx. 20 years.

The problem i see with more shops and offices in the area is that there is and always has been a problem with parking.

It has helped since the city changed the parking law's on Gladstone ave. but there really is no parking in the area.

We at the strata have always had problems with persons visiting the pub and other business's in the area parking in our strata. We give them two notices and then we call for a tow. Also the lane behind the F.C.A. beside our strata is our property and a fire lane. Nobody gives a second thought of parking on it and running into a business for ten or twenty minutes. Often the fire lane is blocked for a period of time till someone decides to come back to their vehicle.

Thanks
David Holme

Leanne Taylor

Subject: RE: Official Community Plan (OCP) Bylaw for 1310 Gladstone Avenue

From: Mike Demers [REDACTED]

Sent: Friday, Jun 26, 2015 9:32 AM

To: Helen Cain

Subject: Official Community Plan (OCP) Bylaw for 1310 Gladstone Avenue

Re: Official Community Plan (OCP) Bylaw for 1310 Gladstone Avenue

To whom it may concern,

My name is Mike Demers and I have lived at 1913 Fernwood for the past 4 years and have lived in the Fernwood Community for most of the past 30 years. I am in support of the Community Plan for 1310 Gladstone. I can be reached through this email or at [REDACTED]

Mike Demers
1913 Fernwood Road

Leanne Taylor

Subject: RE: Gladstone development

From: Tara Fraser [REDACTED]

Sent: Friday, Jun 26, 2015 5:48 PM

To: Helen Cain

Subject: Gladstone development

Hello,

I support the proposed development at 1310 Gladstone Avenue.

Thank you

Tara Fraser

Resident of Fernwood NRG

Sent from my iPhone

Leanne Taylor

Subject: RE: OCP Review - Fernwood Nrg

From: Ivan Habel [REDACTED]
Sent: Friday, Jun 26, 2015 6:45 PM
To: Helen Cain
Subject: OCP Review - Fernwood Nrg

I'm writing on behalf of the Belfry Theatre to express our strong support for the proposed development at 1310 Gladstone Ave. The NRG plays an important role in the city and local community. The Belfry has benefited greatly from the support and partnership of the NRG in their careful and thoughtful development and activity in the Fernwood neighborhood. As a leading cultural institution in Victoria we believe that the development by the NRG of this property will be an important contribution to Fernwood and to the City as a whole. The inclusion of housing, further commercial activity and social investment brought by this development will certainly increase the value of the local neighborhood, improve quality of life and help nurture further development of existing and new businesses that will be sympathetic to the personality of Fernwood.

I would be pleased to provide further commentary and support for what we believe can be an invaluable contribution to our neighborhood

Sincerely

Ivan Habel
Executive Director
Belfry Theatre

www.belfry.bc.ca
office: 250.385.6835
[REDACTED]

2014-15 Season on sale Now
The Rez Sisters//Venus in Fur
Best Brothers & How To Disapeear Completely
Vanya and Sonia and Masha and Spike
Plus in Studio – Spring Awakening a Belfry presentation of CCPA

Leanne Taylor

Subject: RE: OCP amendment 1310 Gladstone Avenue

From: Lee Herrin [REDACTED]
Sent: Friday, Jun 26, 2015 11:01 AM
To: Helen Cain
Subject: OCP amendment 1310 Gladstone Avenue

I represent the Fernwood Neighbourhood Resource Group Society (the proponent of the project). However, we also have a legitimate interest as a stakeholder as the owners of 2009 Fernwood Road (adjacent) and 1301-13 Gladstone Avenue (across the street) from the proposed development. We also operate a civic facility (the Fernwood Community Centre) at 1240 Gladstone Avenue which may be just on the edge of the 200m circle.

As an organization, we are committed to improving the quality of life for all Fernwood residents. We believe that in order to be a healthy, walkable neighbourhood, Fernwood requires more mixed use buildings in the core. The additional commercial space will provide room for residents to access more goods and services in the core of their neighbourhood—most residents access the core of the neighbourhood by bicycle or by walking. The additional residential or office space provides more housing and room for businesses that do not require storefront to operate in the neighbourhood. These in turn help support public transit, civic and educational facilities, and local businesses.

We are in support of the proposal, but would support a proposal from any property owner to increase mixed use space immediately adjacent to the village core.

Lee

Lee Herrin
Executive Director
Fernwood NRG
[REDACTED]
www.fernwoodnrg.ca

Laura Wilson

From: Helen Cain
Sent: Monday, Jun 22, 2015 11:25 AM
To: Laura Wilson
Subject: FW: 1310 Gladstone

Hi Laura,

Please attach this correspondence to the REZ file in Prospero. I've already printed a hard copy for my file.

Thanks,

Helen Cain MCIP RPP
Senior Planner
Community Planning and Sustainable Development City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0282 F 250.361.0388

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

From: Kathryn Ogg [REDACTED]
Sent: Thursday, Jun 18, 2015 9:03 PM
To: Helen Cain
Cc: Fernwood Land Use Committee; Robbie Clarke; Douglas Berg; Tony Braid; V C; Joanne Murray; BOBBIE WILLIAMS; K8
Subject: 1310 Gladstone

Helen Cain, Senior Planner
City of Victoria

Dear Helen:

Re: the proposal to rezone 1310 Gladstone Avenue.

Thank you for your letter of June 15th.

I am writing to address my concerns about this proposal. As a long-time resident of Fernwood I am not in favour of this proposal. This proposal asks for so many variances that almost every box is checked. This property - which is half the size of many lots in this neighbourhood - is currently zoned single-family. It is a big leap to go from that to multi-use commercial and residential.

At the community land use meeting, the neighbours had many questions about the proposed use, height and density of 1310 Gladstone. We are very concerned about the question of what uses (as yet unspecified) the building is to have. It is not okay to ask for approval for a project without knowing the parameters. How many residences are they proposing? How many offices? What would the main floor be used for? Is there on-site parking for tenants and customers? Would it be wheel-chair accessible? These questions were not answered by the proponents at the meeting.

As the corner of Gladstone and Fernwood has developed over the past decade, parking variances have been made to accommodate the businesses in Fernwood Village. Only the Fernwood Inn has off-street parking. The owner of Aubergine Foods store is on record, pushing for residential parking to be eliminated on Gladstone Avenue, which is 80% residential. As residents, we use on-street parking as many homes on this street are two- and three-family residences. Additional residences and offices with no off-street parking would add to the parking burden already experienced by this neighbourhood.

We are concerned about more delivery trucks and more traffic. Although the proponents assert that this will be a walking destination, we know that many people drive to Fernwood. Due to the rapid growth that has taken place at the corner of Gladstone and Fernwood in the past few years, traffic has increased and the corner of Fernwood and Gladstone is often blocked with vehicles. We also have large food supply and beverage trucks parked in the middle of the street to unload supplies to the restaurants, pub and store, blocking the west end of Gladstone Avenue throughout the day and causing traffic hazards at the corner.

I want to point out that Fernwood is not Chinatown - which was the architect's explanation of why the proposal for 1310 Gladstone is built out to the edges with no greenery. We don't aspire to have our neighbourhood look like Chinatown. The proposed building looks like a tenement, unimaginative and bleak. This is a residential neighbourhood and this small lot really should remain residential. A two-family residence with off-street parking is really the best option here.

Sincerely,
Kathryn Ogg
1351 Gladstone Ave
Victoria BC


Leanne Taylor

Subject:

RE: 1310 Gladstone Ave

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

From: Jacqueline Rogers [REDACTED]

Sent: Friday, Jun 26, 2015 2:17 PM

To: Helen Cain

Subject: 1310 Gladstone Ave

To whom it may concern,

I have been a long term resident/ business owner in the heart of Fernwood for 17 yrs. I'm in favour of the 1310 Gladstone re-zoning and development.

Great things are happening in our vibrant community, let's keep it happening!

Jacqueline Rogers
1313 Gladstone Ave
Victoria

Leanne Taylor

Subject:

RE: 1310 Gladstone

From: Alain Vincent [REDACTED]

Sent: Friday, Jun 26, 2015 9:21 AM

To: Helen Cain

Subject: 1310 Gladstone

As a pharmacist working in Fernwood since 2 years , I highly support the project underway at 1310 Gladstone.

I believe it will be a tremendous addition to our community and I wish to be involved as much as I can in the project.

Alain Vincent, pharmacist
STS Pain pharmacy

Leanne Taylor

Subject: RE: Proposed Rezoning of 1310 Gladstone Avenue

From: STEVE ASHTON [REDACTED]
Sent: Thursday, Jun 25, 2015 4:43 PM
To: Helen Cain
Subject: Proposed Rezoning of 1310 Gladstone Avenue

Re: Proposed Changes to Zoning for 1310 Gladstone Avenue

Thank you for the opportunity to provide feedback on the proposed rezoning of the lot at 1310 Gladstone.

We are residents of Fernwood in the area listed as Traditional Residential and we are involved with a business in the area included within the existing Small Urban Village.

The 2012 Official Community Plan indicates in Section 21: Neighborhood Directions (Map 22 Fernwood Strategic Directions) that consideration should be given to "expanding Fernwood village to provide a broader range of business and community services." The request by the Neighborhood Resource Group (Fernwood NRG) – the developer of this proposed change – is not on the surface contrary to the 2012 Official Community Plan.

However, the Small Urban Village designation is intended to serve the neighborhood and not be a commercial hub for residents from outside the Fernwood Community. Rezoning to increase the size of the Small Urban Village needs to minimize any negative impact on the immediate neighborhood and look at the needs of the entire community. When the Fernwood NRG presented its ideas for the redevelopment of the lot at 1310 Gladstone, their presentations suggested some "reasonable accommodation residences" and some commercial (retail/offices/services), but no specifics about the type of businesses they were hoping to encourage and how this would complement the existing businesses and support the community. What was evident was the number of variances that would be needed to fit their proposal within this lot.

One key point about this lot is its size and orientation. To meet the zoning of Small Urban Village, most of the access should be pointed towards the street. However, the narrowness of this lot, currently occupied by a single residence, is not capable of being developed with multiple residences/business and still maintain the primary access at Gladstone Avenue.

This lot has only street-parking now, and one of the variances being asked for is for an exception for the on-site parking requirement for multi-commercial and residential uses. Parking is already a critical issue for the residents and existing businesses of Gladstone Street and adjacent streets. Replacing a single residence with a multiple-use building will place an additional strain. Unlike the Downtown Core, Fernwood does not have parking garages or metered street parking.

I appreciate that there is a process to the proposed planning for 1310 Gladstone, and looking at rezoning to Small Urban Village is the step in the process that we as community members are being asked to address now. However, to ask community members to support rezoning without knowing the end result is rather like asking people to provide a blank cheque.

Steve Ashton and Barbara Williams

1335 Pembroke Street (Residence)

1919 Fernwood Road (Business)

Leanne Taylor

Subject: RE: Proposed Changes to 1310 Gladstone Avenue

From: Douglas Berg [REDACTED]
Sent: Thursday, Jun 25, 2015 1:20 AM
To: Helen Cain
Cc: Fernwood Land Use Committee; Robbie Clarke; Tony Braid; V C; Joanne Murray; BOBBIE WILLIAMS; K8; Cathy S
Subject: Proposed Changes to 1310 Gladstone Avenue

Dear Helen,

Re: Proposed Changes to 1310 Gladstone Avenue

As a long-time resident of Fernwood, I am not in favour of this proposal.

Residents of the 1300 Bock Gladstone Avenue support existing zoning and Victoria's Official Community Plan (2012), which promotes: "local-serving commercial" (21.7.2), "business and community services for residents within walking distance" (21.8.4) and retaining "neighbourhood heritage character" (21.8.7).

The 2012 Official Community Plan boundaries for Fernwood Village do not include 1310 Gladstone Avenue or any of the 1300 block. After years of OCP reviews and revisions, the 1300 block remains 'Traditional Residential'. This is not by accident or oversight; the Official Community Plan, developed with input from city planners, neighbourhood representatives and commercial interests, foresaw the need to protect and retain the character of Fernwood.

The designation and boundaries of Fernwood's Small Urban Village are meant specifically to serve the neighbourhood rather than to be a commercial hub for the city. Unfortunately, growing commercial operations have resulted in a chronic - and worsening - parking problem, drivers (with questionable blood-alcohol levels) racing through our neighbourhood, and proposals to expand our commercial footprint well beyond current guidelines.

Rather than work with immediate neighbours to help reduce these problems, the Fernwood NRG proposes destroying a single family home and replacing it with a 3 storey, primarily commercial building, requiring variances for land use and parking.

This proposal does not meet the spirit or intent of the OCP guidelines. In fact, it will only exacerbate current problems. The developer - and Fernwood NRG is effectively a developer - is clearly asking for changes to meet their own needs, not the needs of our neighbourhood. To quote Lee Herrin, Executive Director of Fernwood NRG, in the Village Vibe (Feb. 2013):

- "there are simply not enough people within walking distance to make many of these amenities (including the 280 seat Belfry Theatre) economically viable"
- "we need to welcome people to our neighbourhood no matter how they choose to get here"
- "parking on the street is a privilege, not a right"

As well as being inaccurate, these are not the statements of someone who supports the best interests of our neighbourhood or the concept of local-serving businesses. Indeed, the Belfry Theatre has been a long-time success and has worked with neighbours to reduce the impact of their patrons.

I encourage Council to review the 2012 OCP for Fernwood and also the recommendations of the Fernwood Community Association, Land Use Committee, submitted to Council March 7, 2014, which concludes:

"The OCP is a thirty-year vision document, a road map of sorts, allowing for changes to occur incrementally over time. This proposal places the burden of increasing commercial development, somewhat unexpectedly, on the remaining residential section of Gladstone Avenue. This contradicts the stated position and spirit of the OCP concerning developments in 'Traditional residential' areas. (6.22, page 49)."

(Note: although the Land Use Committee document mentions additional Fernwood NRG-related developments on Fernwood Road, the conclusion solely reflects the proposal for 1310 Gladstone Avenue.)

Mayor Helps, as a former Chair of the Fernwood NRG, is in a conflict of interest and must recuse herself from these discussions and any subsequent vote(s) on this matter.

Sincerely,

- Douglas Berg
- 1337 Gladstone Ave
- Victoria BC V8R 1R9


Leanne Taylor

Subject: RE: 1310 Gladstone avenue

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

From: michael [REDACTED]
Sent: Thursday, Jun 25, 2015 11:12 PM
To: Helen Cain
Subject: 1310 Gladstone avenue

Hello Helen,

I am the operating partner of the Fernwood Inn at 1302 Gladstone. I am writing to show my support for the proposed development at 1310 Gladstone Avenue.

Cheers
Mike Colwill
[REDACTED]

Sent from my iPhone



Head Office: 2009 Fernwood Road, Victoria BC V8T 2Y8

June 25, 2015

Helen Cain, Senior Planner
City of Victoria
1 Centennial Square
Victoria BC, V8W 1P6

Dear Helen Cain,

Re: 1310 Gladstone Avenue and amendments to the OCP.

M'akola Group of Societies supports the proposed changes to 1310 Gladstone Avenue and the potential amendments to the Official Community Plan.

As owners of the 2013 and 2017 Fernwood Road properties we support the opportunities this development could bring to the community and the possibility of expanding the Fernwood Village Boundaries.

If you have any questions or would like more information please call me at

Yours truly,

A handwritten signature in black ink, appearing to read "Kevin A. Albers", written in a cursive style.

Kevin A. Albers, CGA, CAFM
Chief Executive Officer - M'akola Group of Societies

Leanne Taylor

Subject:

RE: 1310 Gladstone - OCP Amendment

From: Lisa Matthaus [REDACTED]

Sent: Thursday, Jun 25, 2015 5:12 PM

To: Helen Cain

Subject: 1310 Gladstone - OCP Amendment

Dear Ms. Cain - I received one of your notices for the requested OCP Amendment for the proposed development at 1310 Gladstone, and I'm fully in support of the development and the related change to the OCP. For full disclosure, I'm a volunteer director on the board of Fernwood Neighbourhood Resources Group, the project proponent, but I also live in proximity to the development and have fully considered the impact it would have on my neighbourhood and consider it to be a positive one.

Lisa Matthaus
2201 Fernwood Rd.,
Victoria, BC

Leanne Taylor

Subject:

RE: Fernwood NRG

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

From: Rachel Sadava [REDACTED]

Sent: Thursday, Jun 25, 2015 9:04 AM

To: Helen Cain

Subject: Fernwood NRG

Hello,

I am writing in support of Fernwood NRG's proposed project on Gladstone Avenue. As a resident and small business owner in Fernwood, I am excited to see the community grow in innovative ways. Fernwood NRG has been crucial in creating an inclusive and safe community for our local families, business owners, employees, and residents. I am fully in support of more affordable housing and businesses in the area so we can continue to thrive.

Thank you,
Rachel Sadava
Owner- Fernwood Yoga Den
1313 Gladstone Ave

Sent from my iPhone

Leanne Taylor

Subject: RE: 1310 Gladstone Avenue, Small Urban Village designation support

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

From: Kristin Scott [REDACTED]

Sent: Thursday, Jun 25, 2015 7:24 PM

To: Helen Cain

Subject: 1310 Gladstone Avenue, Small Urban Village designation support

I support the change for 1310 Gladstone Ave. from Traditional Residential to Small Urban Village designation, with respect to rezoning application #00435.

We've been kept well apprised of the development throughout the application so far, and other Fernwood NRG has contributed much to our village over the years.

The bedroom in unit four (A2.02) needs a little more door I think :)

Sincerely,

Kris Scott

7-1275 Pembroke St

Leanne Taylor

Subject: RE: Support for 1310 gladstone

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

From: Finnegan Silke [REDACTED]

Sent: Thursday, Jun 25, 2015 5:46 PM

To: Helen Cain

Subject: Support for 1310 gladstone

I support the proposed development at 1310 Gladstone Avenue.

Finn Silke and Tara fraser

1-1303 gladstone avenue

[REDACTED]

Sent from Finnegan's iPhone

Leanne Taylor

Subject: RE: 1310 Gladstone OCP changes

From: Matt Takach [REDACTED]
Sent: Thursday, Jun 25, 2015 7:38 PM
To: Helen Cain
Subject: 1310 Gladstone OCP changes

Hi there,

Just writing to express my support for the rezoning application and the changes to the OPC for 1310 Gladstone Ave. This is exactly the type of development that attracted my wife and I to move to Fernwood in 2007. This proposed development will make our neighbourhood more vibrant and walkable with more small business activity in Fernwood square.

By providing more services within walking distance in Victoria neighbourhoods we'll help reduce the need for trips by car and our impact on global climate change. I hope that City Council will support this rezoning and will look for further opportunities to expand the commercial areas within our neighbourhood villages.

Thank you,
Matt Takach
1321 Pembroke Street
[REDACTED]

Leanne Taylor

Subject: RE: Rezoning for 1310 Gladstone

From: Kimberley Colpman [REDACTED]
Sent: Wednesday, Jun 24, 2015 9:35 AM
To: Helen Cain
Subject: Rezoning for 1310 Gladstone

HI Helen,

I am responding to a request for feedback on this proposal (I am a home owner in the area at 2035 Stanley). I fully support this proposal. With the Citys vision to support/expand urban villages and provide housing next/close to such villages, this project makes great sense.

Cheers
Kim

Kim Colpman
Director of Development
[REDACTED]
w: www.largeandco.com


607 Vancouver St,
Victoria, BC V8V 3T9
[REDACTED]

Leanne Taylor

To: Helen Cain
Subject: RE: Support for 1310 Gladstone rezoning

From: Amy Zidulka [mailto:[REDACTED]]
Sent: Wednesday, Jun 24, 2015 4:51 PM
To: Helen Cain
Cc: Lee Herrin
Subject: Support for 1310 Gladstone rezoning

Hi Helen,

I am writing in support of the development at 1310 Gladstone. I live at 1287 Pembroke, which is under 200 metres away. I am in support of a vibrant and walkable neighbourhood core for Fernwood and see the development at 1310 Gladstone as one step toward achieving that vibrancy. I appreciate having amenities in my neighbourhood and perceive 1310 as being well-suited to contribute to the neighbourhood's development, especially given that it is adjacent to the current core and not currently well-used.

I am also a board member of the Fernwood NRG. I became a board member because Fernwood NRG's vision for the neighbourhood aligns with my own, and I appreciate the work the organization does to foster community. I have lived in Fernwood since 1996, when I was a university student. This means that I have seen how, both through property development and other community-building activities, Fernwood NRG has impacted positive change and, moreover, helped make Fernwood into the type of neighbourhood where I feel great about raising my kids. I perceive the redevelopment of 1310 Gladstone as an appropriate locale for Fernwood NRG to continue doing its good work.

Thank you for your consideration of this perspective, Amy

Amy Zidulka, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Leanne Taylor

Subject:

RE: Proposed reasoning at 1310 Gladstone

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

From: Thom McCann [REDACTED]

Sent: Wednesday, Jun 24, 2015 3:48 PM

To: Helen Cain

Subject: Proposed reasoning at 1310 Gladstone

Good afternoon

I have reviewed the plan and am writing in support of this development. It's design and proposed use fits the property in a positive way adding value to my community.

Sincerely

Thom McCann

1. 1925 Gladstone

Victoria BC

V8R3x5

Sent from my iPad



Fernwood Community Association

1923 Fernwood Road,
Victoria, B.C., V8T 2Y6
(250) 384-7441
Email: landuse@thefca.ca

June 26, 2015

City of Victoria
Victoria, BC

Re: Fernwood's Small Urban Village and Official Community Plan Amendment
Application, Rezoning Application #00435.

Mayor and Council,

The City's 1994 Fernwood Neighbourhood Plan recommended a comprehensive review of the area around the intersection of Fernwood Road and Gladstone Avenue including Victoria High School (Fernwood Neighbourhood Plan, pages 7-10). To amend the 2012 Official Community Plan (OCP) to accommodate the redevelopment of 1310 Gladstone Avenue is premature until this review is completed and presumes that changing the boundaries of Fernwood's Small Urban Village would be included in recommendations coming from the broader review. With the proposed 1310 Gladstone redevelopment and the planned redevelopment of Victoria High School's track now underway – and the latter being actively supported by the City - this seems like the appropriate time to conduct the review recommended in 1994.

Having spot rezoning pick away at the OCP and Neighbourhood Plan places the burden of uncertainty on both developers and residents and fails to capitalize on the potential to create a predictable and sustainable vision for this area of our community.

We do not agree that inviting people to comment in writing concerning this specific proposal respects the spirit and tone of the 2012 OCP when it says to "consider expanding the Fernwood Village" (OCP, 21.8.4, page 145). Rather we believe the following excerpts are consistent with the vision and goals expressed in the OCP concerning effective public participation and transparency:

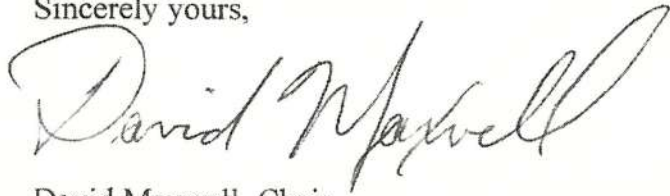
"That public engagement is central to local area planning" (OCP, 20(f), page 131)

"Corporate and community decision-making processes are clear and open to the public" (OCP, 19 (A), page 127)

"The rationale for future OCP amendments is clear and transparent." (OCP, 19(b), page 127)

As 1310 Gladstone Avenue, currently zoned R1-B, is currently being used as office space we suggest this proposed redevelopment be placed on hold until the comprehensive review mentioned above is completed.

Sincerely yours,

A handwritten signature in cursive script that reads "David Maxwell". The signature is fluid and written in dark ink.

David Maxwell, Chair
Land Use Committee
Fernwood Community Association

Pc: Development Services Division, Sustainable Planning and Community Development
Department, City of Victoria



Fernwood Community Association
1923 Fernwood Road
Victoria, BC V8T 2Y6

Phone: (250) 384-7441
Email: landuse@fernwoodvic.ca

October 14, 2014

City of Victoria
Victoria, BC

Re: Fernwood's Small Urban Village and Official Community Plan Amendment Application, Rezoning Application #00435.

Mayor and Council,

Further to the letter sent from the Fernwood Community Association Land Use Committee on March 7, 2014, concerning the proposal to redevelop 1310 Gladstone Avenue, we wish to add the following to the discussion of the recommendation from staff to amend the 2012 Official Community Plan (OCP) to accommodate this development.

The Fernwood Community Association supports the position that the current boundaries of Fernwood's Small Urban Village are those set out in the City's 2012 Official Community Plan (OCP, Map 49, page 200), which are consistent with the boundaries described in the text of the 1994 Fernwood Neighbourhood Plan.

This position is being put forward to clarify confusion caused by the Summary Map included in the 1994 Fernwood Neighbourhood Plan, which lacks sufficient detail to pinpoint individual properties and was not intended to be seen as an accurate representation of boundaries. Those hard boundaries are shown in the zoning map included in the Plan's appendices. In the same document, sections of the text clearly recommend that R1-B zoned lands on the 1300 block of Gladstone and the 2000 block of Fernwood Roads retain R1-B status.

The proposed Official Community Plan amendment would expand the boundaries of Fernwood's Small Urban Village and represents a significant change to the 2012 OCP and the 1994 Fernwood Neighbourhood Plan. As such, this warrants a community consultation as recommended in the 1994 Fernwood Neighbourhood Plan, rather than the seemingly piecemeal approach before you now.

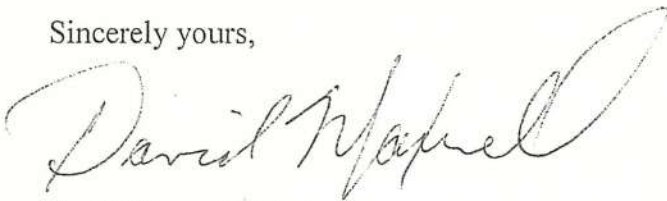
Although one of the strategic directions identified in the 2012 OCP is to “consider expanding the Fernwood Village” (OCP, 21.8.4, page 145), it is vague on how this is to be done. In our opinion, a public hearing concerning a specific property is not the appropriate vehicle for such a significant change and is not consistent with the vision and goals expressed in the OCP concerning effective public participation and transparency. The following excerpts from the Plan convey this expectation:

“That public engagement is central to local area planning” (OCP, 20(f), page 131)

“Corporate and community decision-making processes are clear and open to the public” (OCP, 19 (A), page 127)

“The rationale for future OCP amendments is clear and transparent.” (OCP, 19(b), page 127)

Sincerely yours,

A handwritten signature in cursive script, reading "David Maxwell". The signature is written in dark ink and is positioned above the printed name and title.

David Maxwell, Chair
Land Use Committee
Fernwood Community Association

Pc: Development Services Division, Sustainable Planning and Community Development
Department, City of Victoria