

Planning and Land Use Committee Report For the Meeting of October 1, 2015

To:

Planning and Land Use Committee

Date:

September 17, 2015

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Permit with Variances Application No. 000404 for 701 Tyee

Road (Railyards)

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000404 for 701 Tyee Road, in accordance with:

- 1. Plans date stamped August 24, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the north setback (Gaudin Road) from 3.5m to nil;
 - ii. reduce the south setback from 4m to nil for Phases 1 and 2;
 - iii. reduce the south setback from 4m to 3.5m;
 - iv. increase the height in DA-H from 24m to 25.49m for Phase 2;
 - v. increase the height in DA-J from 31m to 33m for Phase 3;
 - vi. reduce parking from 50 stalls to 49 stalls for Phase 1;
 - vii. reduce parking from 185 stalls to 178 stalls;
 - viii. reduce the bicycle storage (Class 1) from 40 stalls to 28 stalls for Phase 1.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Revised plans to the satisfaction of staff that:
 - either enclose or screen the proposed garbage enclosure adjacent to Gaudin Road:
 - ii. provide further details of the proposed grass pave finish;
 - iii. provide comprehensive details relating to landscaping for Phases 1 and 2;
 - iv. provide reduced annual landscaping maintenance costs within Bridges Park and along Tyee Road.
- 5. Referral to the Advisory Design Panel for a comprehensive review and with particular attention to the following issues:
 - the design of building entrances facing Tyee Road;
 - ii. the design and appearance of the "Sky Home" end units;
 - iii. the treatment of parkade walls that project above grade.

- An amendment to the Railyards Master Development Agreement, to the satisfaction of staff, to:
 - address proposed revisions to the public parking required in conjunction with Bridges Park and the path from Tyee Road to Central Spur Road;
 - ii. secure cost estimates for all required on-site services, off-site services and public amenities prior to any building in proposed Phase 1 being occupied.
- 7. A Public Access Easement registered on title, to the satisfaction of staff, to secure public access through the site from Tyee Road to Central Spur Road.
- A Statutory Right-of-Way registered on title, to the satisfaction of staff, to secure
 public access to the Victoria West Entry Park and public pathways located on private
 land adjacent to Tyee Road.
- 9. That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff.

LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*, 2012. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 920(8) of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, siting, form, exterior design and finish of buildings and other structures.

Pursuant to Section 920(8) of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of commercial, industrial and multifamily residential development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 701 Tyee Road. The proposal is to construct 144 residential units in three phases on Lots H and J (the undeveloped portions) of the Railyards development.

The Application proposes the following variances from the Zoning Regulation Bylaw:

- reducing the north setback (Gaudin Road) from 3.5m to nil
- reducing the south setback from 4m to nil for Phases 1 and 2; this setback variance will be 3.5m on completion of the development
- increasing the maximum allowable building height in DA-H from 24m to 25.49m for Phase 2
- increasing the maximum allowable building height in DA-J from 31m to 33.01m for Phase 3
- reducing the bicycle storage (class 1) from 40 stalls to 28 stalls for Phase 1; the number of bicycle stalls will exceed the number required by the *Zoning Regulation Bylaw* for the entire project following the completion of Phase 2

- reducing parking from 50 stalls to 49 stalls for Phase 1
- reducing parking for the completed project from 185 stalls to 178 stalls.

The following points were considered in assessing this Application:

- The applicant wishes to develop the site in three phases and, as each phase must be reviewed against the Zoning Regulation Bylaw, this results in some variances that will not exist, or will not exist to the extent proposed, at the completion of the project.
- The proposal is generally consistent with the *Railyards Development Guidelines*, however, staff recommend that some minor revisions are made to the plans to address issues relating to garbage areas and landscaping.
- An amendment to the Railyards Master Development Agreement (MDA) is required to address proposed revisions to the required public amenities, namely the public parking associated with Bridges Park and the path from Tyee Road to Central Spur Road. The MDA should also be amended to ensure that any necessary cost estimates and security is provided before the proposed Phase 1 building is occupied.
- The Application proposes 195 parking stalls, however, 17 of the stalls are either small
 car stalls or tandem stalls and do not meet the requirements of Schedule C of the Zoning
 Regulation Bylaw. The parking requirement for this project is 185 stalls, therefore, the
 proposal would result in a seven stall parking variance.

BACKGROUND

Description of Proposal

The proposal is for 144 residential units on the undeveloped portions of the Railyards development. Specific details include:

- The development would be constructed in three phases. Phase 1 would be located at the corner of Gaudin Road and Central Spur Road and would consist of 40 residential units. Phase 2 would be located immediately to the south of Phase 1 and would consist of 38 residential units. The final Phase would be located immediately to the north of the Point Ellice Bridge and would consist of 66 units.
- The tallest buildings would be located on Tyee Road with the building heights ranging from three to seven storeys. Building elements fronting Central Spur Road would range from two to three storeys in height.
- The proposed 144 units would be in the form of apartments units ranging from studios with a floor area of 36.7m² to two bedroom plus den units with a floor area of 130.4m².
- The development would have the appearance of several individual buildings above a shared underground parkade.
- Access to the underground parkade would be provided in two locations directly off Central Spur Road.
- The proposed finishing materials include corrugated metal cladding and fiber cement panels
- As required by the Railyards MDA, the plans indicate that the land located immediately
 to the north of the Point Ellice Bridge will be dedicated to the City for future bridge
 improvements/expansion
- The proposal includes the construction of a Park and Tot Lot between Central Spur Road and the Galloping Goose Trail. A "parkette" and neighbourhood signage will be provided at the corner of Bay Street and Tyee Road.

The proposed variances are as follows:

- reducing the north setback (Gaudin Road) from 3.5m to nil as a result of the underground parkade projecting above grade
- reducing the south setback from 4m to nil for Phases 1 and 2; this setback variance will be 3.5m on completion of the development
- increasing the maximum allowable building height in Development Area H from 24m to 25.49m
- increasing the maximum allowable building height in Development Area J from 31m to 33.01m
- reducing the bicycle storage (class 1) from 40 stalls to 28 stalls for Phase 1; the number of bicycle stalls will exceed the number required by the *Zoning Regulation Bylaw* for the entire project by 15 stalls following the completion of Phase 2
- reducing parking from 50 stalls to 49 stalls for Phase 1
- reducing parking for the completed project from 185 stalls to 178 stalls (7 stall variance).

Sustainability Features

As indicated in the applicant's letter dated August 20, 2015, the following sustainability features are associated with this Application:

- energy efficiency through orientation of windows
- reduced water use through xeriscaping in the plant selection and low-flush/dual-flush toilets with low-flow features
- · installation of energy-star appliances
- provisions for future electrical charging station
- motion sensor lighting within parkade and corridor locations
- energy saving lighting in public space locations.

Active Transportation Impacts

The Application proposes the following features which support active transportation:

- 159 Class 1 (secure storage) bicycle stalls
- 18 Class 2 bicycle racks
- new public footpath from Tyee Road to Central Spur Road
- new public footpath (which can accommodate bicycles) from Central Spur Road to the Galloping Goose Trail.

Public Realm Improvements

The following public realm improvements are proposed and are required by the Railyards MDA:

- the construction of a Park and Tot Lot between Central Spur Road and the Galloping Goose Trail
- the construction of a "parkette," public footpaths and neighbourhood signage at the corner of Bay Street and Tyee Road.

In addition to the above, the applicant will also be constructing a new bus stop on Tyee Road.

Existing Site Development and Development Potential

The Application site is located within Development Areas H and J of the CD-5 Zone, Railyards Residential Commercial District, which permits apartments, live/work and park uses with a maximum floor space ratio (FSR) of 2.25:1 in Development Area H and 2.35:1 in Development Area J.

Data Table

The data table is attached as Appendix 1 and compares each phase of the proposal with the regulations for Development Areas H and J in the existing C-5 Zone, Railyards Residential Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on August 25, 2015, the Application was referred for a 30-day comment period to the Victoria West CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The Official Community Plan (OCP) identifies this property with in Development Permit Area 13: Core Songhees. The applicable Design Guidelines are the Railyards Development Guidelines. The proposal is consistent with these Guidelines as follows:

- the proposed design reflects the industrial nature of the site and is complimentary to the completed phases of the Railyards development
- the proposal contributes to the public park system in the Victoria West Neighbourhood by providing a park, children's play area and several public footpaths through and adjacent to the site
- the buildings with the highest residential density are located adjacent to the Point Ellice Bridge
- the development includes a variety of expressive roof forms
- architectural features such as balconies and recesses have been used to articulate the proposed buildings
- strong colours are proposed to add visual interest to the buildings
- the use of corrugated metal and fiber cement panels is consistent with the recommended wall cladding materials listed in the Design Guidelines
- a mix and range of unit types are proposed with the floor area of individual units ranging from 36.7m² to 130.4m².

Notwithstanding the above, staff recommend that Council consider referring the Application to the Advisory Design Panel for a comprehensive review with particular attention being made to the following issues:

- the design of building entrances facing Tyee Road
- the design and appearance of the "Sky Home" end units
- the treatment of parkade walls that project above grade.

Proposed Variances

Parking

The Application proposes a total of 195 parking stalls within an underground parkade. However, 17 of these stalls are either identified as small car stalls or tandem stalls and do not meet the requirements outlined in Schedule C of the *Zoning Regulation Bylaw*. As the proposal requires 185 parking stalls and only 178 stalls meet the Schedule C requirements, the Application technically results in a seven stall parking variance. The total breakdown of parking stalls is outlined in the table below and an asterisk marks where a variance occurs:

						PROPOS	SED PA	RKING						
Phase 1				Phase 1 & 2				Phase 1, 2 & 3						
Regular Stalls	Zone Standard	Small Stalls	Tandem Stalls	Total	Regular Stalls	Zone Standard	Small Stalls	Tandem Stalls	Total	Regular Stalls	Zone Standard	Small Stalls	Tandem Stalls	Total
49*	50	5	3	57	100	99	8	5	113	178*	185	12	5	195

Notwithstanding the above, the proposal would result in parking ratio of approximately 1.2 parking spaces per dwelling unit which is considered appropriate to address parking demand for an apartment development in this location. In addition, the small car and tandem stalls will still be available for use by residents.

Height

The Application seeks a height variance in Development Area H from 24m to 25.49m and in Development Area J from 31m to 33.01m. The building elements exceeding the maximum allowable building heights are solely parapet roof elements on the tallest feature buildings situated adjacent to Tyee Road. These parapet features have been included to address the Railyards Development Guidelines that recommends that buildings are designed with expressive roof forms.

Bike Parking

The applicant proposes to provide the majority of the bicycle storage in Phase 2 of the development. Therefore, at the completion of Phase 1 a 12 stall Class 1 bicycle parking variance is proposed. When the entire project is complete, the bike storage provided will exceed the *Zoning Regulation Bylaw* requirements by providing storage for 159 bicycles.

North Setback

The main north-facing building elevation is setback 3.5m from Gaudin Road. However, the underground parkade wall projects over 2m above grade and is located immediately adjacent to the property line. The plans indicate that the exposed wall would have a "green wall" treatment. Staff recommend that Council consider referring the application to the ADP to review, amongst other elements of proposal, the treatment of the exposed parkade walls that are clearly visible from public vantage points.

South Setback

Both Phases 1 and 2 would be constructed up to the proposed phasing line but the subsequent phase of development would occur immediately to the south of the preceding phase. The CD-5 Zone requires a 4.5m south setback, however, the completed project would be setback 3.5m from the property line. This is a result of the land immediately to the south of the development being dedicated to the City for the purpose of future improvement to the Point Ellice Bridge.

Recommended Plan Revisions

Garbage Area

Initial plans submitted by the applicant indicated a garbage pickup location on Central Spur Road. However, to accommodate garbage truck manoeuvres, a turning head would likely have been required that would have had a significant impact on the proposed Bridges Park. As such, the plans now indicate that a garbage pick-up area will be provided immediately adjacent to Gaudin Road. The Railyards Development Guidelines state that recycling and garbage areas should be fully enclosed within buildings, rather than in an open air location. Therefore, it is recommended that Council consider requesting revised plans that enclose the garbage area or satisfactorily screen it from public views.

Surface Treatment and Landscaping

The Application proposes extensive areas of grass pave surface treatment to accommodate emergency fire truck access adjacent to Tyee Road. Staff recommend that Council consider requesting that the applicant provide further details of the grass pave treatment to ensure it is both visually acceptable and has long term durability.

In addition, the revised plans should include all landscaping elements associated with each phase of the project regardless of whether that landscaping is temporary in nature. The plans submitted do not comprehensively illustrate this level of landscaping detail.

With particular regard to Bridges Park and and along Tyee Road, in an effort to reduce annual maintenance costs, staff recommend that Council consider requesting that the applicant provide revised plans that will reduce the annual maintenance costs. This can be achieved by reducing the shrub bed areas and revising the plant palette.

Railyards Master Development Agreement

The Railyards MDA requires that the following public amenities be constructed in conjunction with Lots H & J:

Bridges Park and Tot Lot

- Public Parking (Bridges Park 6 stalls)
- Bridge Dedication Landscaping
- Victoria West Entry Park (Tyee & Bay)
- Path from Tyee Road to Central Spur Road.

The Application responds to the above as follows:

Bridges Park and Tot Lot

The Bridges Park and Tot Lot would be constructed at the southern end of the site, adjacent to the Galloping Goose Trail, consistent with the MDA requirements and the Railyards Development Guidelines.

Public Parking (Bridges Park)

The applicant is no longer proposing parking spaces specifically for Bridges Park. Instead the Application proposes to use this space for additional park area which allows for a public footpath link to the Galloping Goose Trail with a gradient of less than 5% making it accessible to cyclists. Staff recommend that Council consider supporting this solution as it encourages modes of active transportation and, given the location of the park, visitors are likely to cycle or walk to it.

Bridge Dedication Landscaping

The applicant proposes to dedicate a landscaped area immediately to the north of the Point Ellice Bridge to the City, consistent with the MDA.

Victoria West Entry Park

The Victoria West Entry Park is proposed on the corner of Tyee Road and Bay Street and would consist of a small "parkette" with seating, pedestrian pathways, an improved transit stop and a new neighbourhood sign. The design and layout of these features are considered to be generally consistent with the Railyards Development Guidelines, however, the "parkette" and some of the pathways are located on private land and public access to these must be secured by a Statutory Right-of-Way.

Path from Tyee Road to Central Spur Road

A public pathway is proposed between Tyee Road and Central Spur Road consistent with the MDA. The MDA requires that the pathway be dedicated as Park, however, due to liability and maintenance concerns resulting from the underground parkade being located directly under the pathway, staff recommend that Council consider securing public access along this corridor by means of a Public Access Easement.

MDA Amendments

In light of the above, staff recommend that Council consider that the proposed design solution for the required public amenities are acceptable and that the MDA be amended to address the changes relating to the public parking for Bridges Park and the path from Tyee Road to Central Spur Road.

In addition, the MDA envisaged that the cost estimates and securities for required on-site services, off-site services and public amenities be linked to subdivision approval. As the Application now proposes a different approach to site subdivision, staff recommend that the MDA be amended to secure the necessary cost estimates and securities before the proposed Phase 1 building is occupied.

Encroachment Agreement

With any project of this scale that has significant excavation adjacent the road Right-of-Way, construction methods often require a form of underpinning which can result in material being left in the public Right-of-Way. The resulting material (typically rock anchors) present no concerns to the public interest, however, an Encroachment Agreement between the City and the developer is required. The staff recommendation that is provided for Council's consideration includes direction to allow staff to enter into an agreement, if the Development Permit Application is approved by Council and if underpinning is deemed necessary to facilitate the construction.

Community Garden

When considering an earlier phase (Lot E) of the Railyards development, Council made the following motion:

That staff be directed to explore with the applicant and the Victoria West Community Association the possibility of including a community garden with the phasing of Lots H and J.

In discussions with the applicant, it is apparent that the provision of a community garden is not feasible for the following reasons:

- The developer is required to complete Bridges Park and Tot Lot, Victoria West Entry Park, the final sections of Central Spur Road and dedicate land to the City adjacent to the Point Ellice Bridge in conjunction with Lots H and J.
- There is a substantial grade change from the east to west property boundary.
- The most logical location for a community garden, on the land least affected by the change in grade, would be where the Bridges Park and Tot Lot is proposed. Converting part of this area to a community garden would likely compromise the ability to provide a satisfactory footpath link from Central Spur Road to the Galloping Goose Trail or would result in the loss of the Tot Lot.

It should be noted that neither the MDA, the applicable CD-5 Zone nor the Railyards Design Guidelines identify the need for, or require that the Developer provide, a community garden at this location.

Resource Impacts

There are resource impacts anticipated with this proposal. As per the MDA, several public amenities will be provided as part of the of the Railyards development. Once completed, the maintenance of Bridges Park, the Tot Lot as well as the Tyee Road improvements will rest with the Parks Division. It is estimated that the annual maintenance of the landscaping and play structures will add approximately \$60,000.00 in annual maintenance costs. This estimate is based on 2015 rates and the operational impact is expected in 2018. The breakdown is as follows:

- shrub beds: \$37,000.00 (weed, mulch, fertilize and prune)
- new trees: \$5,000.00 (fertilize and prune)
- turf areas: \$4,000.00 (mow, trim and fertilize)
- irrigation infrastructure: \$2,000.00 (water meter fees, spring/winter maintenance)
- playground maintenance: \$7,000.00 (repairs and fiber surface grading)
- garbage pickup: \$5,000.00.

Additional capital implications are that the playground will require replacement in 15 years at an estimated cost of \$150,000.00 (plus inflation) and a full time employee (FTE) of 0.75 will be required to maintain this additional inventory.

The landscape areas in Bridges Park and along Tyee Rd are extensive. In an effort to reduce annual maintenance costs, staff recommend that Council consider requesting that the applicant provide revised plans that will reduce the annual maintenance costs.

CONCLUSIONS

The proposal to construct 144 residential units on the undeveloped portions of the Railyards development is considered generally consistent with the Railyards Development Guidelines. However, it is recommended that Council consider referring the Application to the ADP for a comprehensive design review.

The applicant wishes to develop the site in three phases and, as each phase must be reviewed against the *Zoning Regulation Bylaw*, this results in some variances that will not exist, or will not exist to the extent proposed, at the completion of the project.

An amendment to the MDA is required to address proposed revisions to the required public amenities, namely the public parking associated with Bridges Park and the path from Tyee Road to Central Spur Road. The MDA should also be amended to ensure that any necessary cost estimates and security is provided before the proposed Phase 1 building is occupied.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000404 for the property located at 701 Tyee Road.

Respectfully submitted,

Jim Handy, Senior Planner - Development

Agreements, Development Services

Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date:

Sept. 25/15

List of Attachments

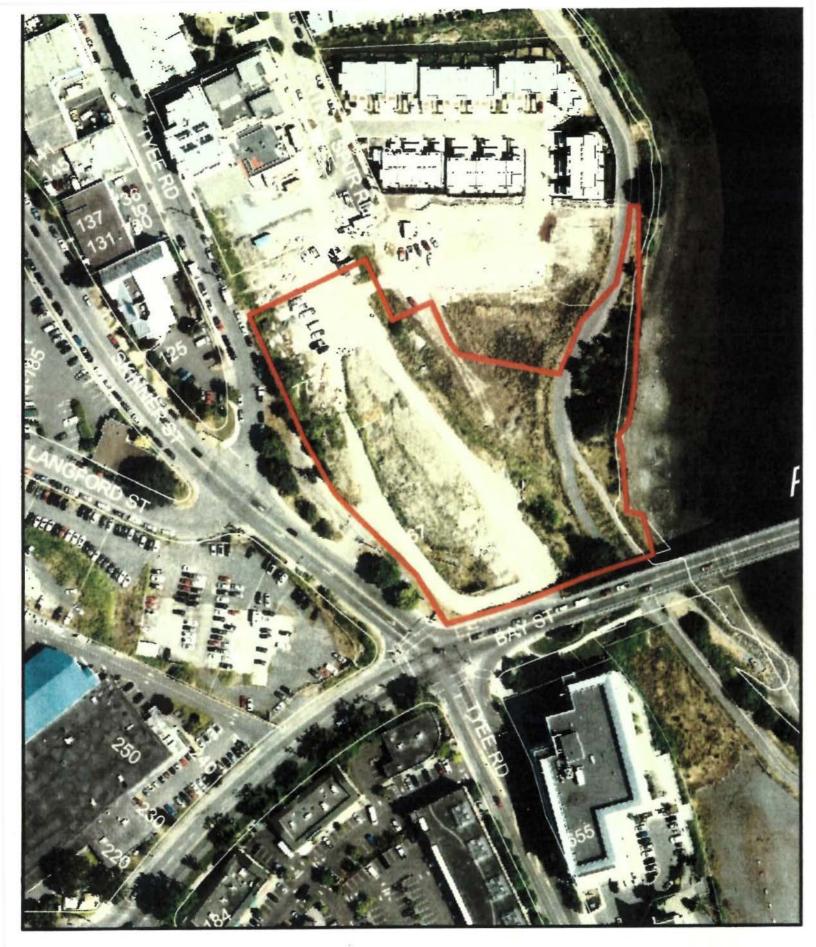
- Appendix A Data Table
- Aerial plan
- Zoning plan
- Letter from Architect dated August 16, 2015
- Letter from applicant dated August 20, 2015
- Plans dated August 24, 2015.

Appendix 1: Data Table

Zoning Criteria	Phase 1 (DA-H)	Phases 1 & 2 (DA-H)	Zone Standard (DA-H)	Phase 3 (DA-J)	Zone Standard (DA-J)	Total Project (Phases 1, 2 and 3)
Site Area (m²)	2366.83	4372.59	n/a	2395.14	n/a	6767.73
Total Floor Area (m²) – max.	2771.15	5683.02	9855.85	5067.42	n/a	10750.44
Density (Floor Space Ratio) – max.	1.17	1.3	2.25	2.12	2.35	1.59
Geodetic Height (m) – max.	22.55	25.29*	24	33.01*	31	n/a
Storeys	3	4	n/a	7	n/a	n/a
Site coverage (%)	47	45	n/a	43	n/a	43
Open site space (%)	53	55	n/a	57	n/a	57
Setbacks (m) – min. Front (Tyee Road) Rear (Central Spur Road) Side (Gaudin Road) Side (Bay Street)	7.25 3.5 Nil* Nil*	11 3.5 Nil* Nil*	2 3.5 3.5 4	7.25 3.5 Nil* 3.5*	2 3.5 4 4	n/a
Parking provided	49*	100		78*		178 (does not include the proposed 17 small car and tandem stalls)
Parking required – min.	50	99	99	86	86	185

Appendix 1: Data Table

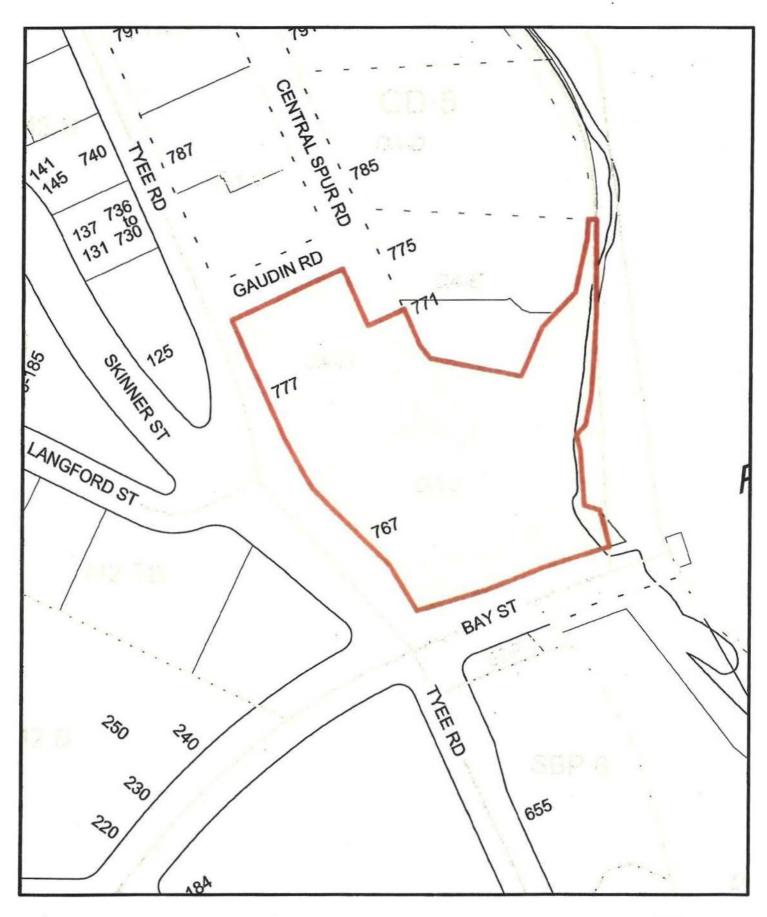
Visitor parking provided	6	17		2		19	
Visitor parking required – min.	6	10	10	9	9	19	
Bicycle Storage (Class 1) provided	28*	159		0		159	
Bicycle Storage (Class 1) required – min.	40	89	89	53	53	144	
Bicycle Rack (Class 2) provided	6	18		0		18	
Bicycle Rack (Class 2) required – min.	6	12	12	6	6	18	





701 Tyee Road Development Permit #000404







701 Tyee Road Development Permit #000404



16 August 2015

City of Victoria Sustainable Planning and Community Development Department 1 Centennial Square Victoria BC V8W 1P6

Attention: Jim Handy, MCIP RPP Senior Planner

Dear Jim,

Re: 701 Tyee Road **Development Permit No. 000404**

In response to our revised DP submission dated Aug 14, 2015, this letter contains our response for the design rationale of variances that we are requesting:

· Variance on maximum building height of Building 3,

See the Architectural drawing, A3.11. The Building 3 rooftop finishes at geodetic height, 31.00m, the maximum allowable height. The only elements built above are the elevator mechanical room and parapet walls for roofscape articulation. All the habitable space will be under the maximum allowable height. To create a meaningful gateway feature at the base of the bridge head, we strongly believe that these roof articulations are necessary from the urban design perspective and worth supporting.

. Variance on bike storage in Phase 1,

See the Architectural drawings, Phasing Plans, A0.05B, A0.06B, A 0.06C. The project will be built in phases for healthy market absorption. The 28 stalls bike storage room is temporary for Phase 1 residents. Upon the completion of Phase 2, the permanent bike storage room will be provided with surplus amount of bike storage capacity, better connection to bike lane on Tyee Road, and better access from building main entries.

. Variance on interior setback,

See the Architectural drawings, A0.02, A0.04. The project will be developed in phases and when completed will be seen as a fully integrated development across the original legal boundaries of Lot H and J. For creative public pedestrian access thru the site utilizing an intimate scale of pathways and building forms, the design provides an unique urban scale within the site. In light of this urban enhancement, the original interior side setback requirement should not restrict the innovation process and should not apply to this unique project.

We trust that this response, including all attachments, will satisfy the prior-to conditions and requested clarifications for this project. We look forward to the timely issuance of the approved application.

Yours truly,

DIALOG BC Architecture Engineering Interior Design Planning Inc.

Joost Bakker, Architect AIBC, AAA, SAA, OAA, FRAIC, RCA Principal, DIALOG

C.C.

Chris Le Fevre, Michael Cheung, Matthew Thomson, The Railyards Development Ltd. DIALOG

DIALOG



PROPERTY AGENTS LTD.

Aug 20th, 2015

Mayor Lisa Helps Members of Council

RE: RAILYARDS FINAL DEVELOPMENT PERMIT APPLICATION AREAS H & J

The development of these areas will see to the perfection of the Railyards.

The application honours the principals of the original M.D.A without variance and similarly respects all original design guidelines endowed for the project.

The matrix of units that will be realized in this DP application before you will be as follows:

Phase I

- · 3 storey wood frame apartment building
- 40 suites
- 57 parking

Phase I + II

- · 4 storey wood frame apartment building
- 78 suites
- 113 parking

Phase I + II + III

- 4 storey wood frame and 7 storey concrete frame apartment buildings
- 144 suites
- 190 parking

The Railyards project is a major contribution to Victoria's overall community sustainability.

The redevelopment of this industrial site into a compact and vibrant community is trend setting. These last phases of development on parcels H&J will contribute an array of green building features including the following:

Transit friendly development

- convenient access and proximity to transit
- car sharing parking opportunity
- major bike storage zones

Energy efficiency

- with the utilization of focussed window locations, the project will provide a high performance building envelope

Reduced Water Use

- xeriscaping in the plant selection to reduce water utilization
- low-flush / dual-flush toilets low flow fixtures

Electrical efficiency

- -CFL lighting at public space locations
- -motion sensor lighting within parkade and corridor locations
- -Energy-star appliances
- -provisions for future electrical charging station

Respectfully submitted.

Yours,

Chris Le Fevre

President & CEO

Le Fevre & Company Property Agents Ltd.

Received City of Victoria

AUG 2 4 2015

#5 #5



METRIC

ISSUED FOR

A 29 JUNES DEVELOPMENT PERMIT B 14 AUGHS DEVELOPMENT PERMET RE

THE DRAWING IS COPYTIONTED AND SAUST HOT BE USE BETTE ON A SET OF PROMISE AND SAUST WAS THE RESERVE

RAILYARDS, LOT H & J

VICTORIA, DC

COVER PAGE & PROJECT DATA

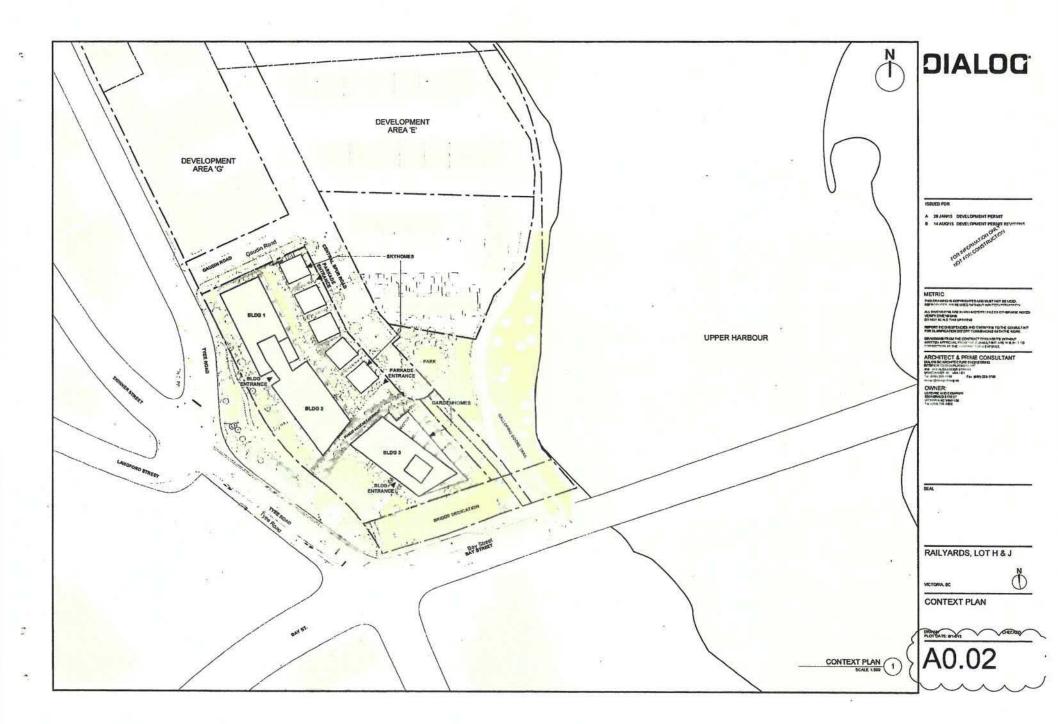
PLOT DATE BILATS

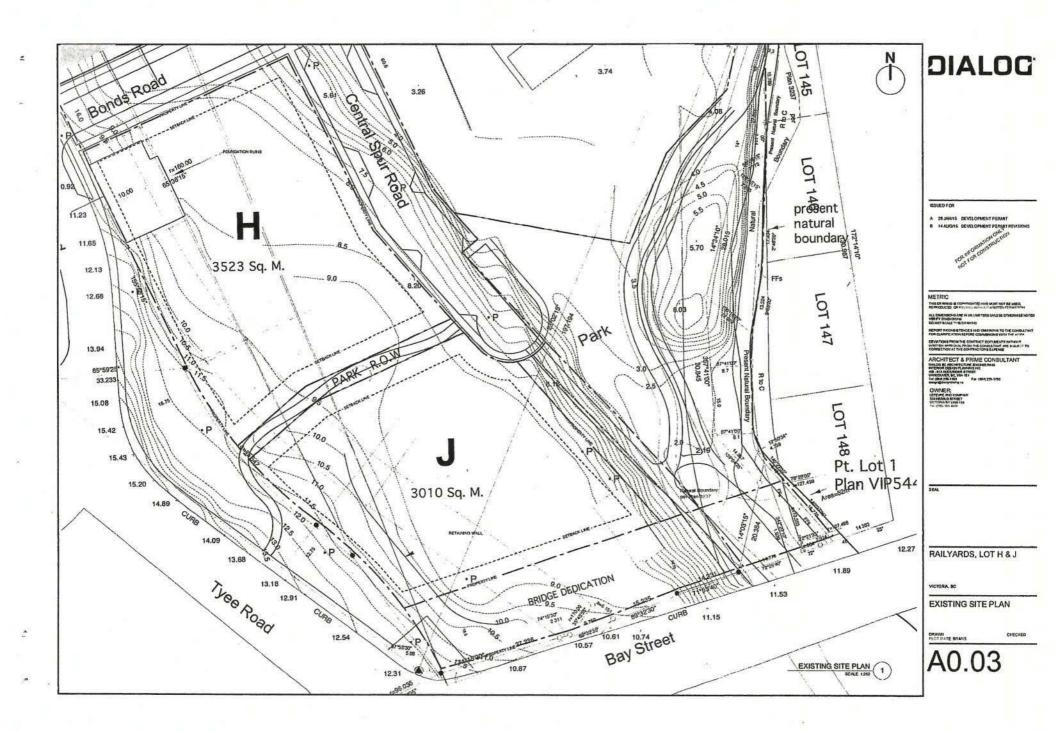
701 TYEE RD , VIGTORIA BC VICTORIA WEST RAKYARDS DESTRET DA H & DA J LDT 767 & 777 DEVELOPMENT PERMIT ANSA LEGAL DESCRIPTION TAL FLOOR AREA 10.750 44m2 10,750 44m2 / 6767 73 m2 + 1 59 DOM SACE NATIO OFF OF BUILDING

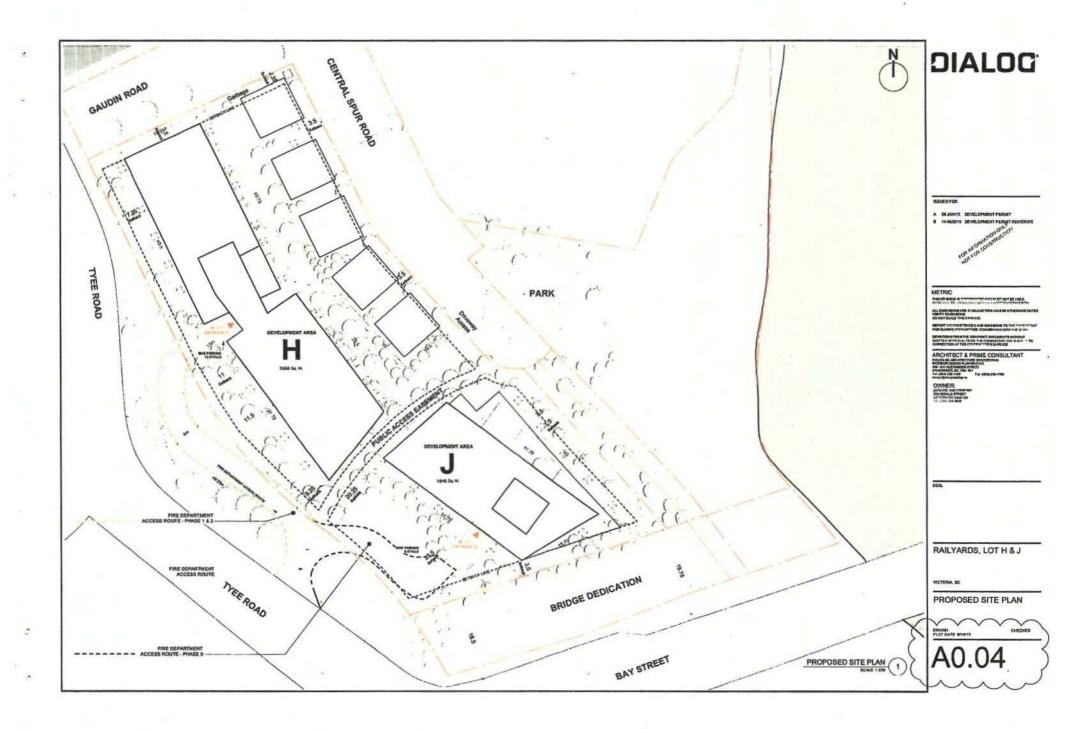
NUMBER OF STOREYS	3 STOREYS + 4 STOREYS + 7 STOREYS	
BUILDING SETBACKS (m)	FRONT ETFEE ROAD!- 2m	
	SIDE MORTHAT GAUDIN RD; 2 5m	
	SIDE (SOUTH AT EMOSE DEDICATIONS: 3.5m	
	REAR (CENTRAL SPUR ROAD): 3.5m	
	REAR (AT BOUNDARY I ROA PARK): 400	
PARKING STALLS ON SITE	PARKING REQUIRED UNDER SCHEDULE C	PROPOSED
	STUDIO, 13 (1/0/MT) = 13 RESIDENTIAL 131 (1 3 /UNIT) = 170 3	
	REQUIRED TOTAL 1803 TOTAL: 185	201
	VISITOR PARKING REQUIRED UNDER SCHEDULE C	PROPOSED
	10% OF ACQUIRED TOTAL 183	19
BICYCLE STORAGE	CLASS 1 PARGNG REQUIRED WHOLE SCHEDULE C	PROPOSIC
	RESIDENTIAL: 144(LO/UNIT)	159
	CLASS 2 PARIGING REQUIRED UNDER SCHEDULE C	PROPOSED
	6-SPACE RACK AT EACH RESIDENTIAL ENTRY	12
STORAGE LOCKERS PROVIDED	154	

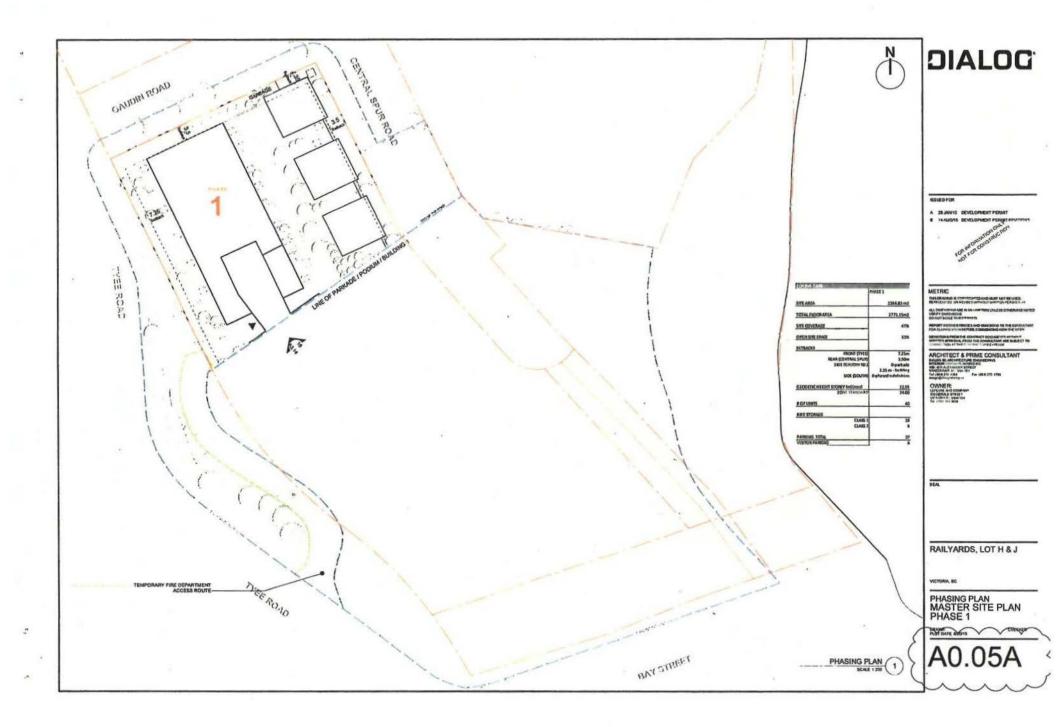
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1 BEDROOM	520-554 57 (48			77	55%		
S REDUCOM	755 - 858 SF (70			32	21%		
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GANDEN & SKY HOM	ES 1120 - 1404 SF	104.1 - 130	ASM)	15	11%		
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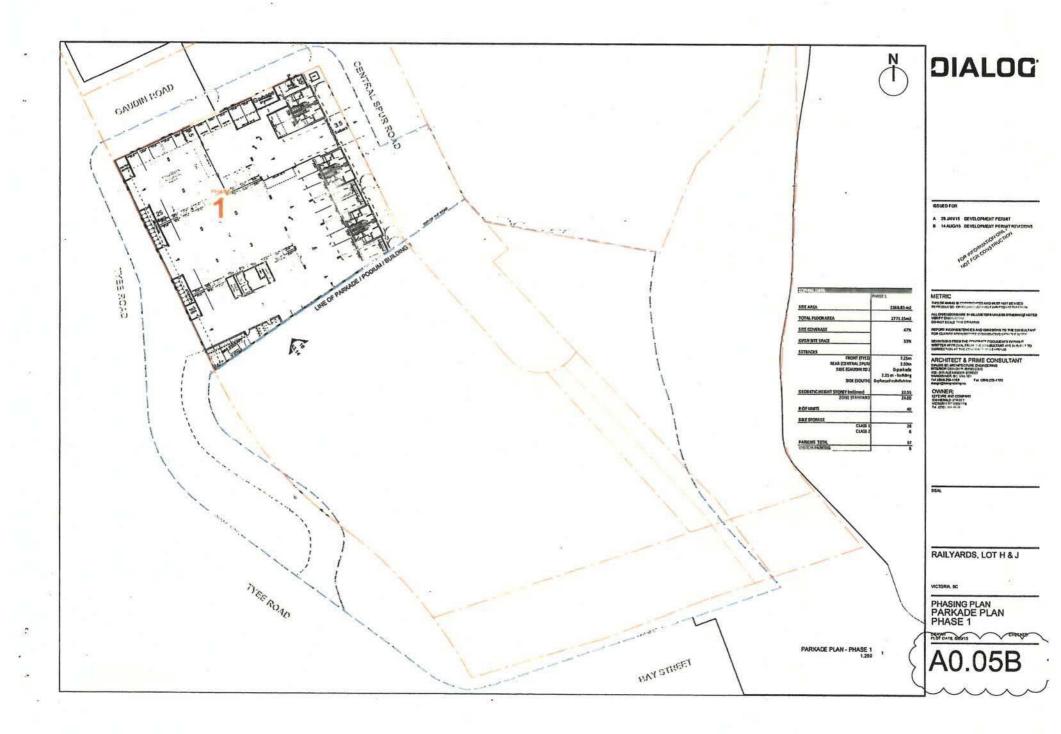
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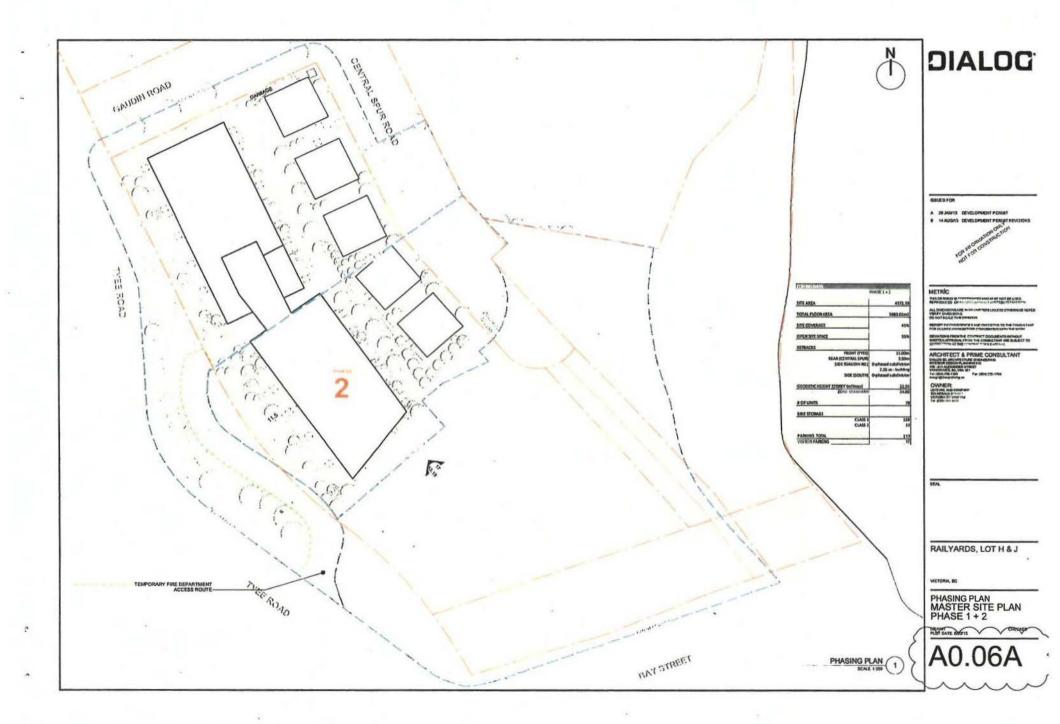




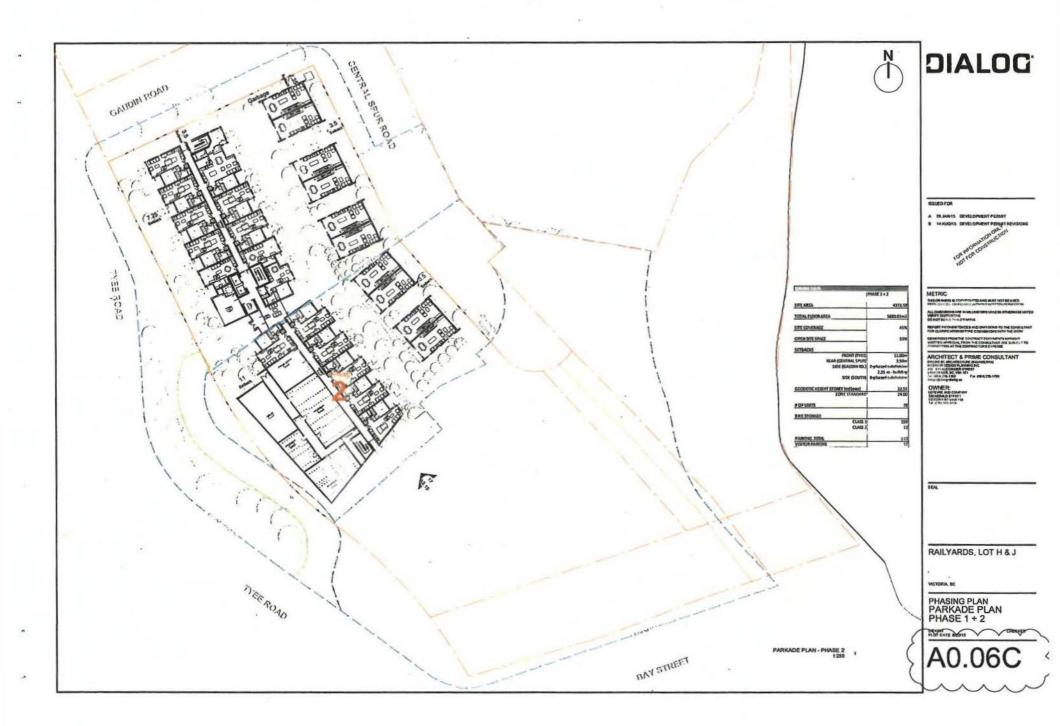


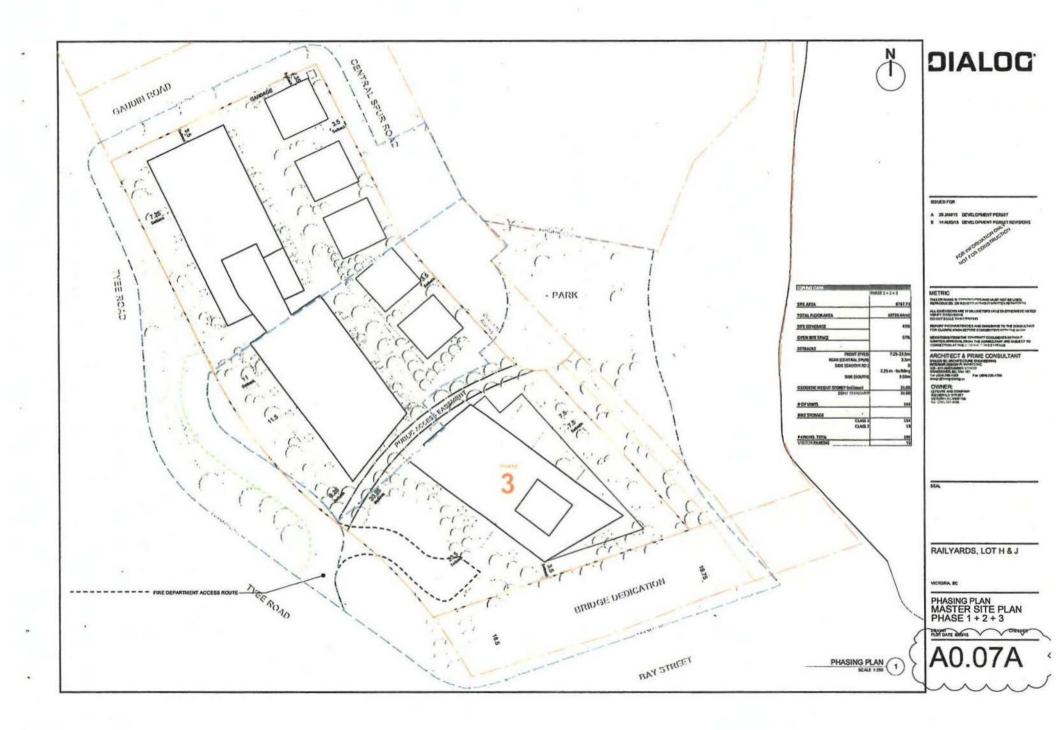












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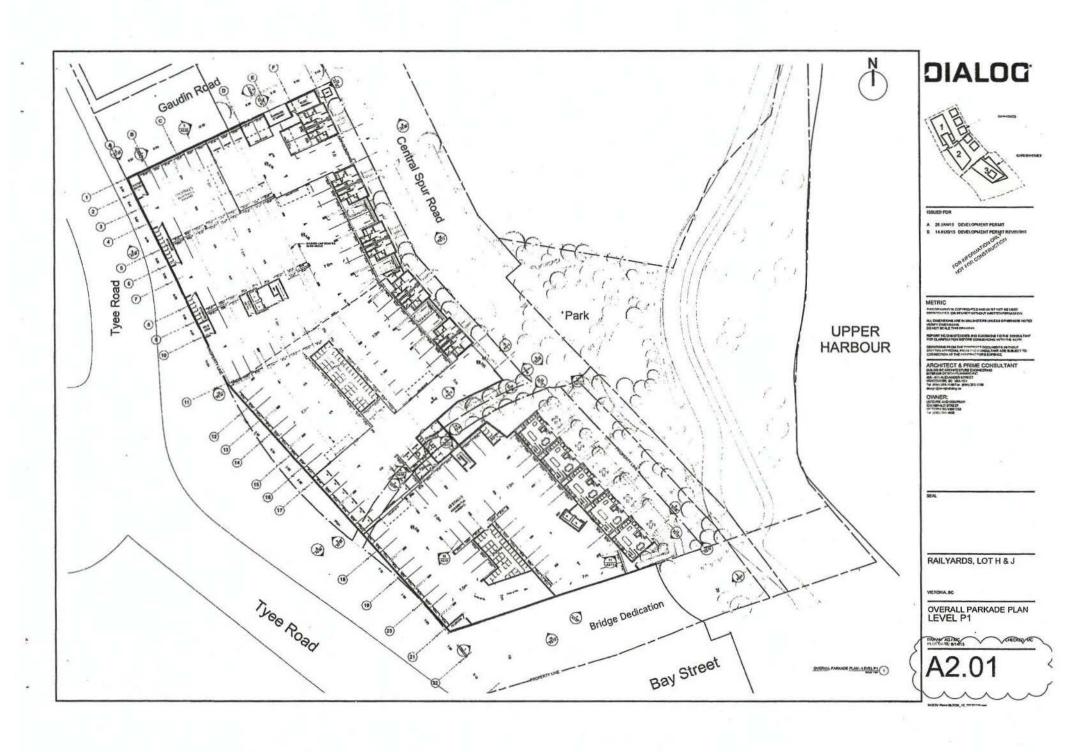
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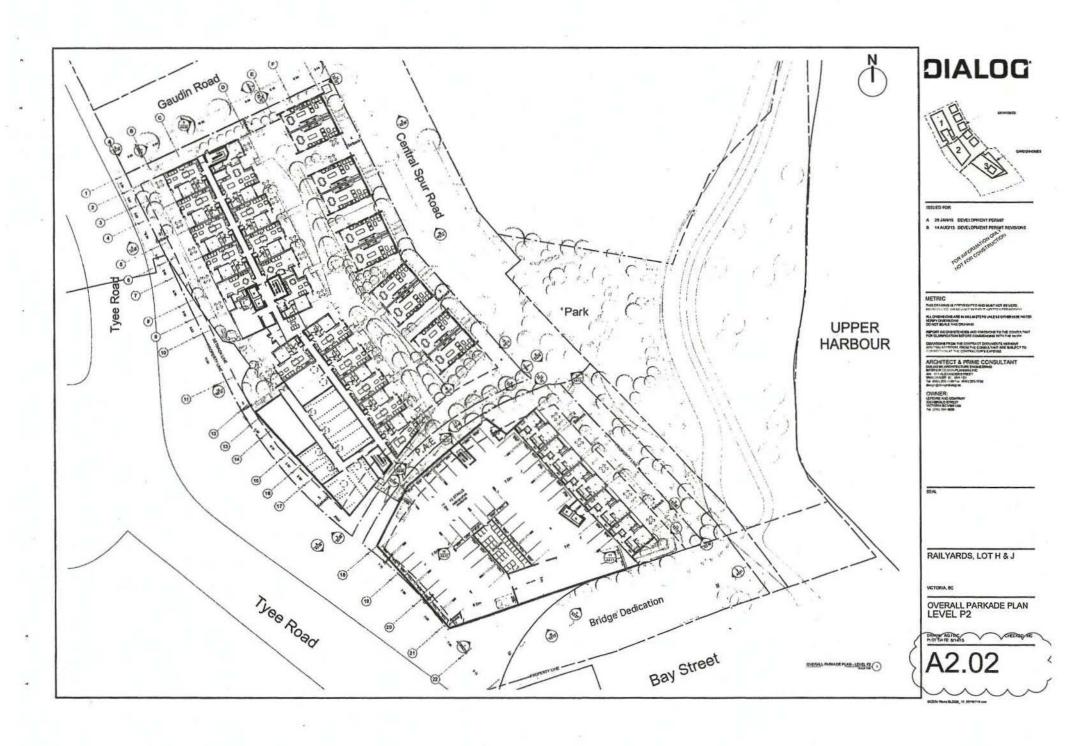
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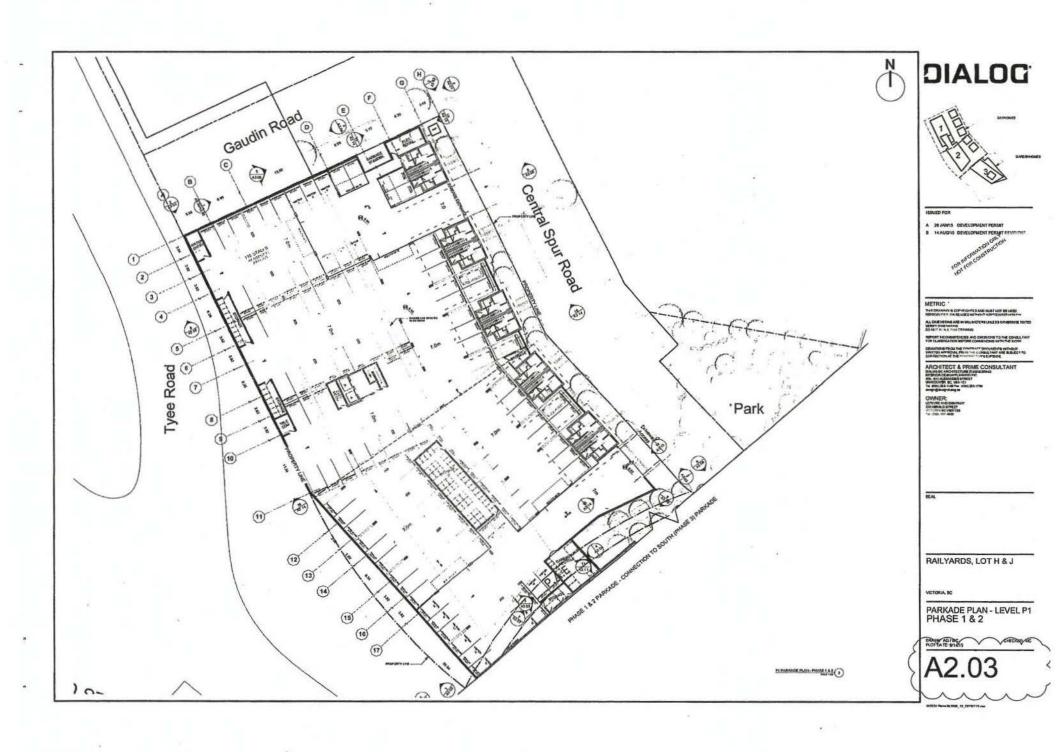
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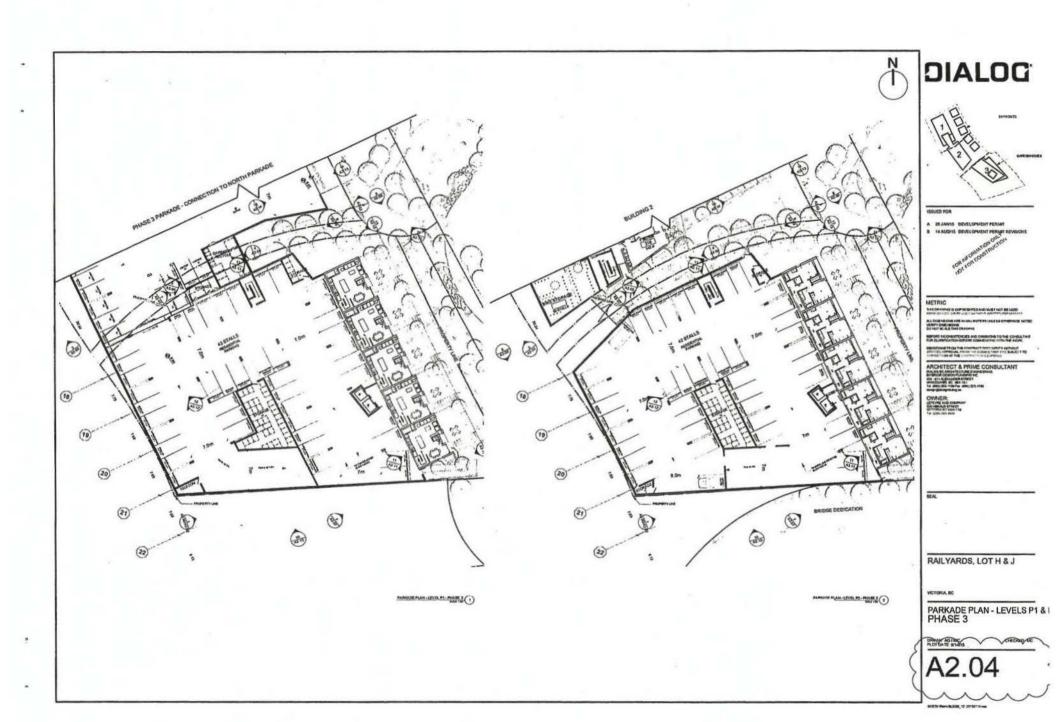
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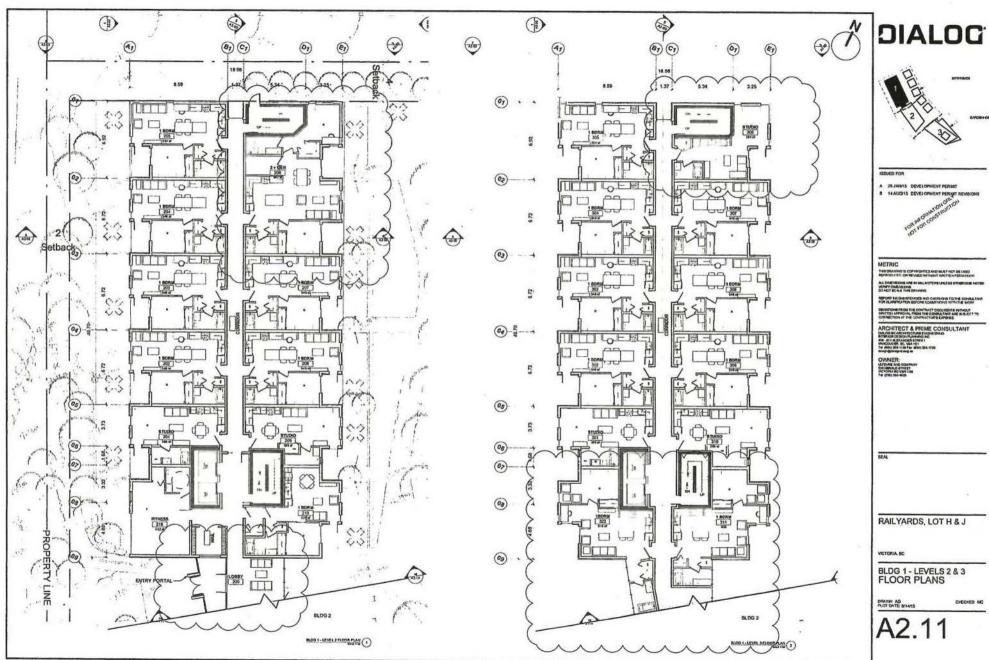
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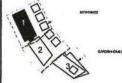


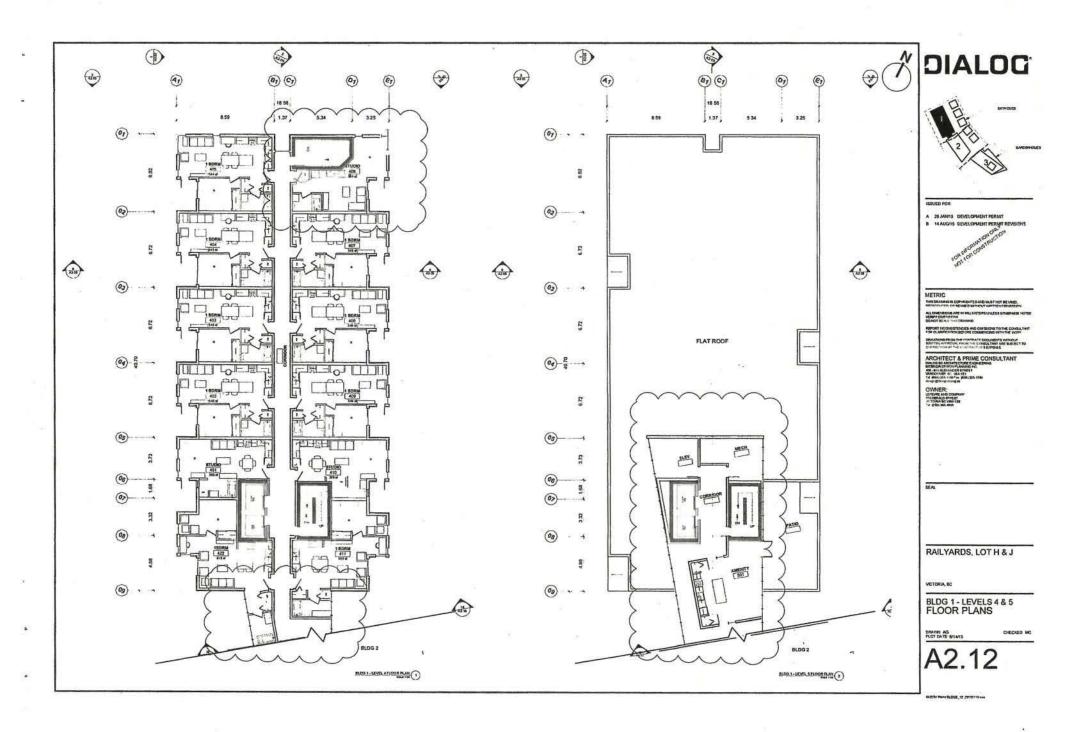


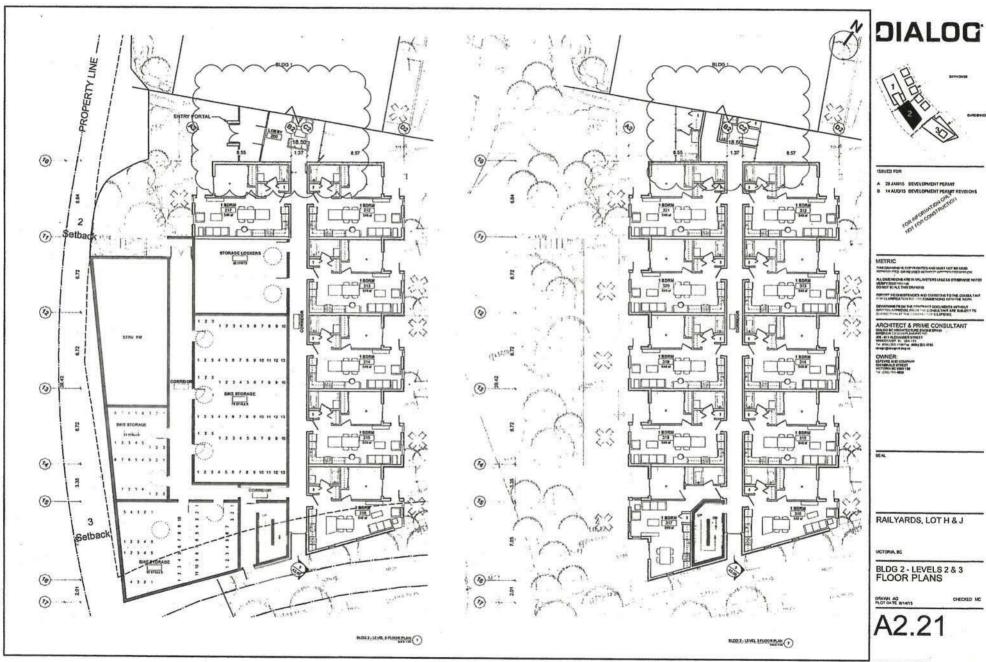


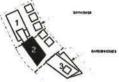


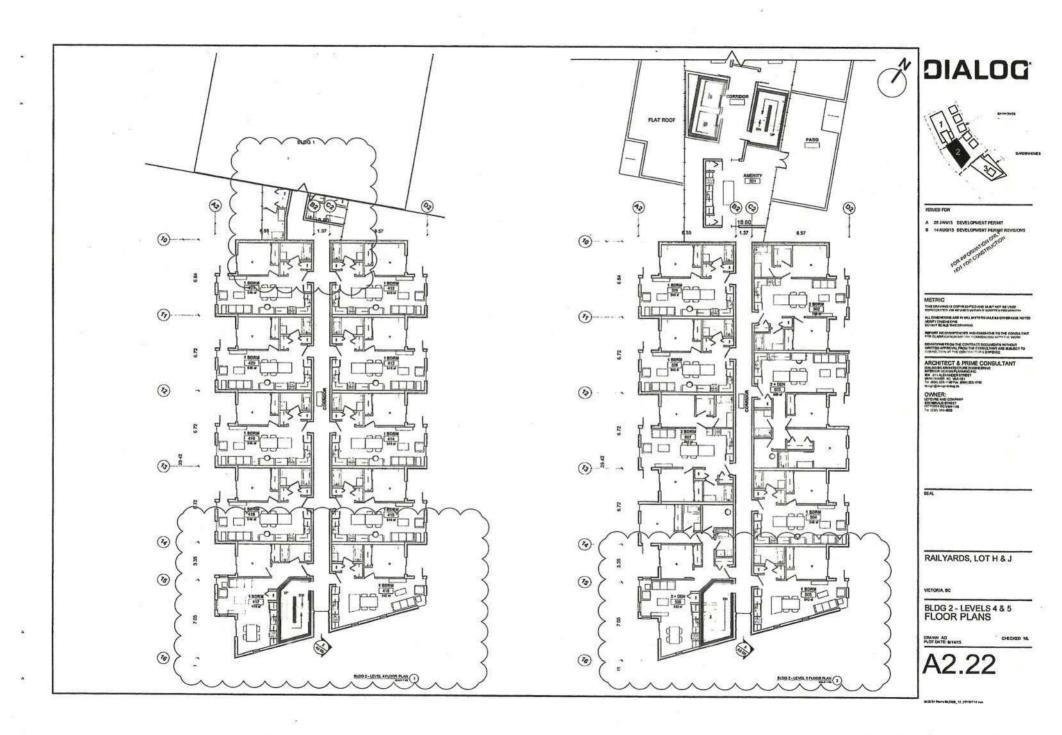


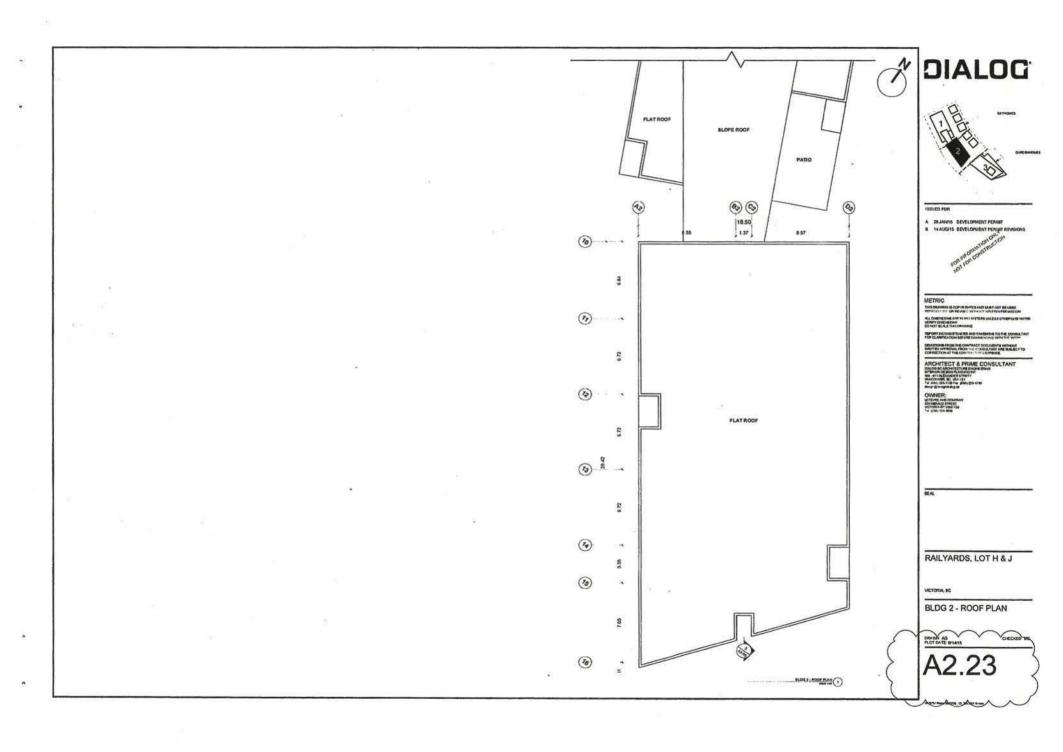


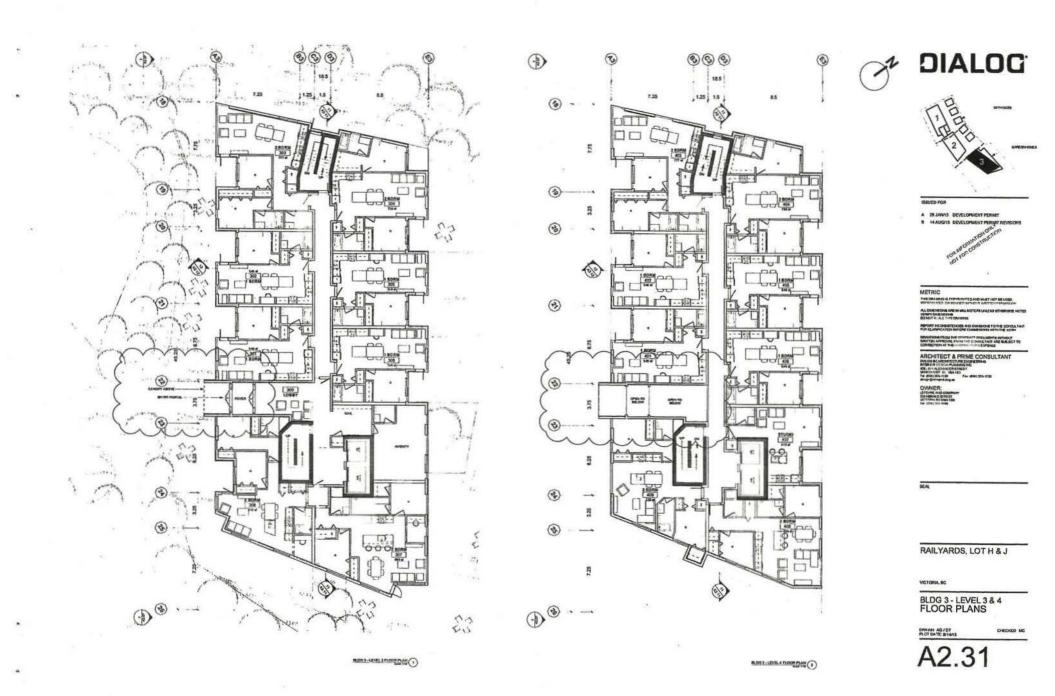


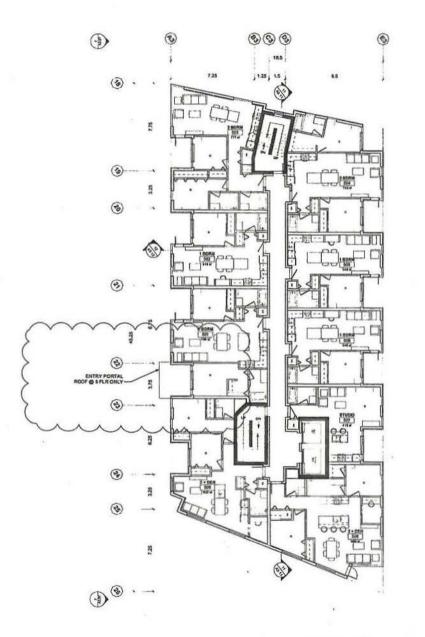


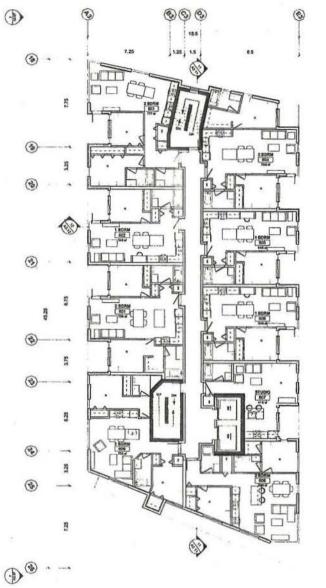
















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RAILYARDS, LOT H & J

VICTORIA, BC

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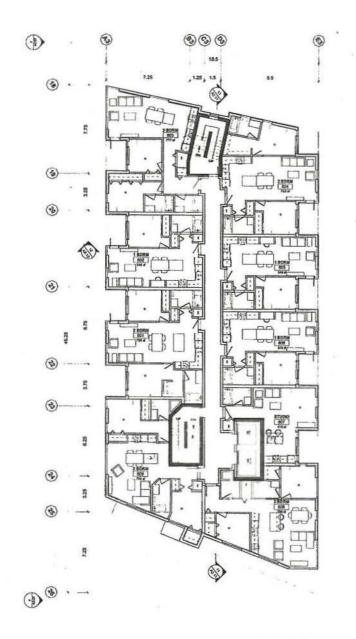
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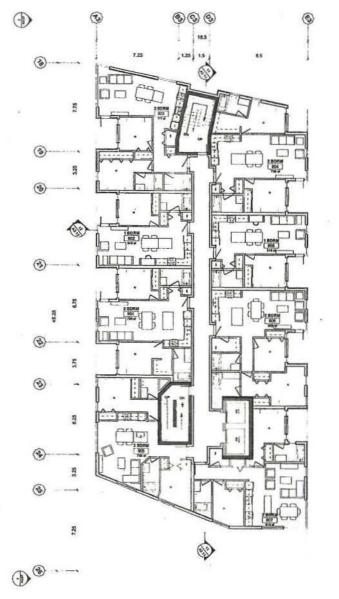
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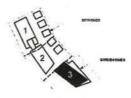
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RAILYARDS, LOT H & J

VICTORIA, BC

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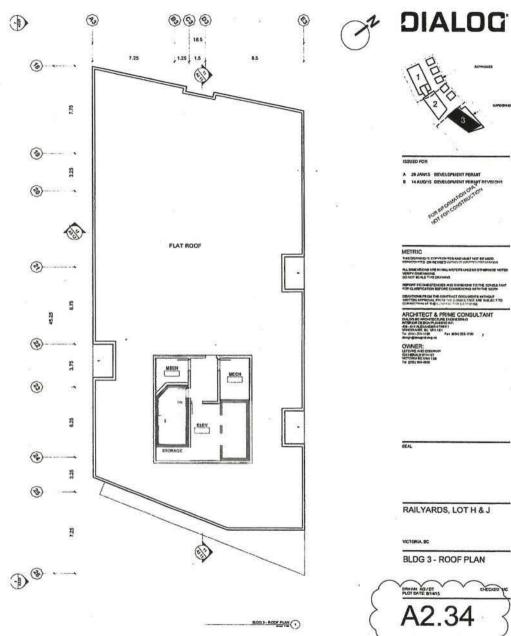
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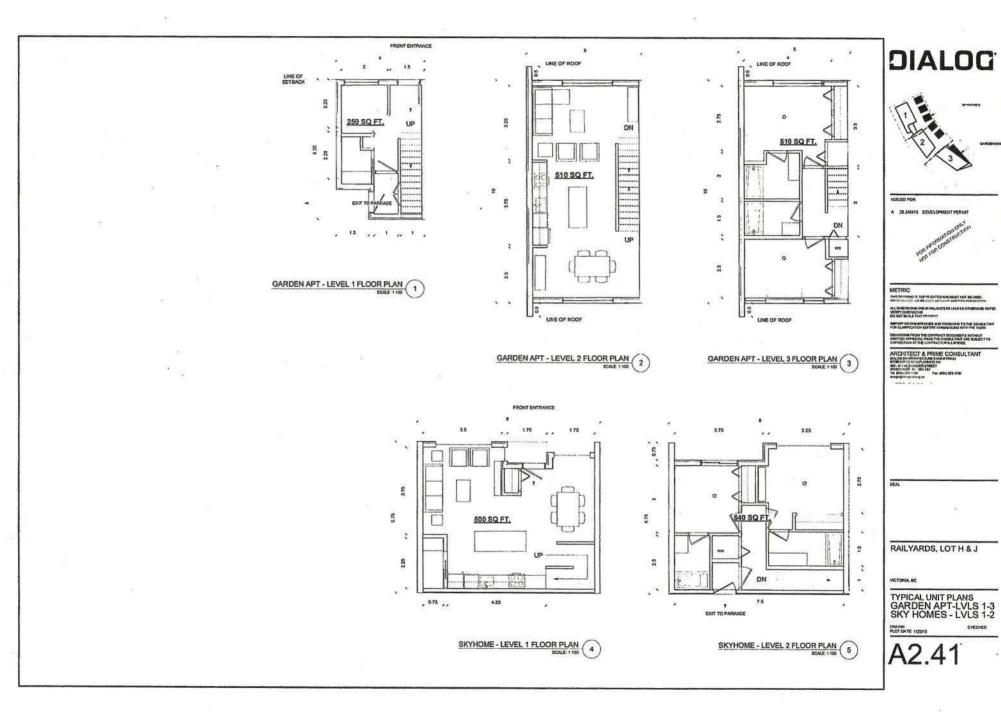
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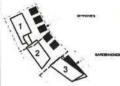
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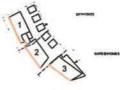












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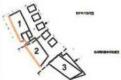
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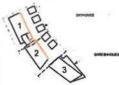
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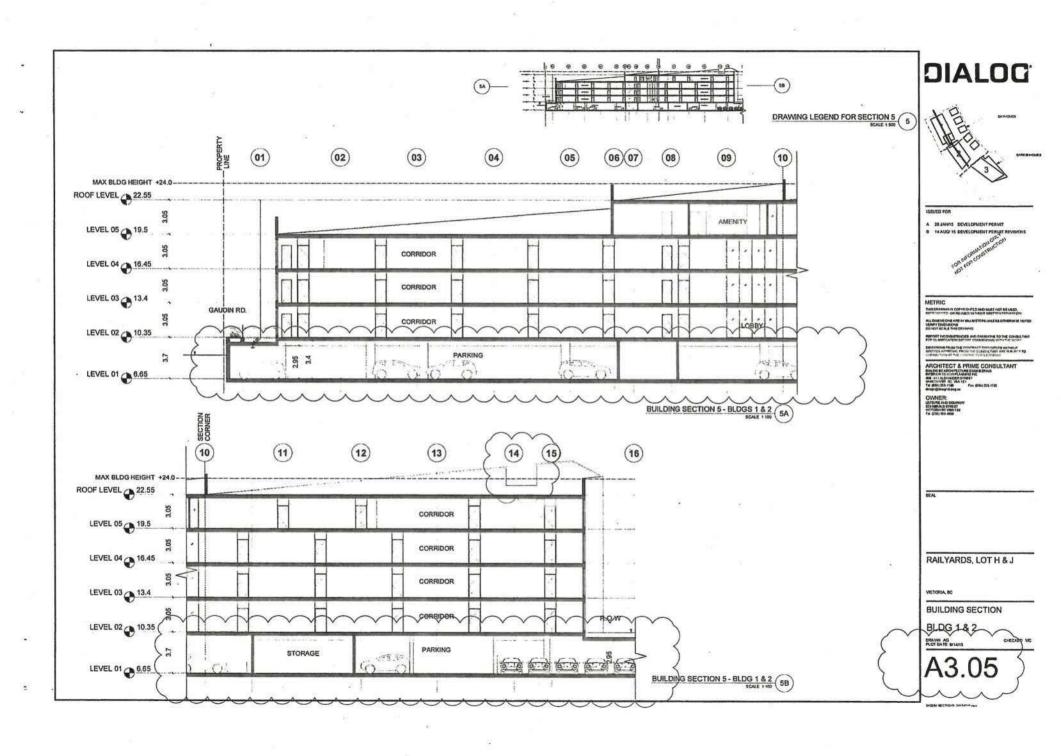


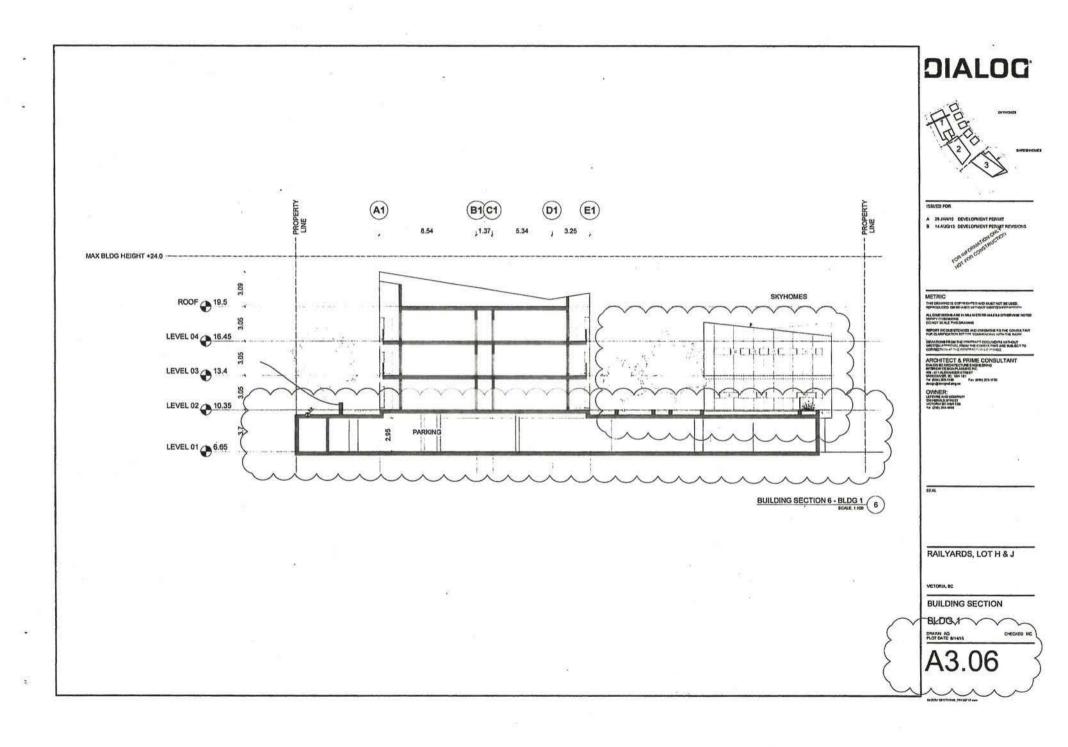
















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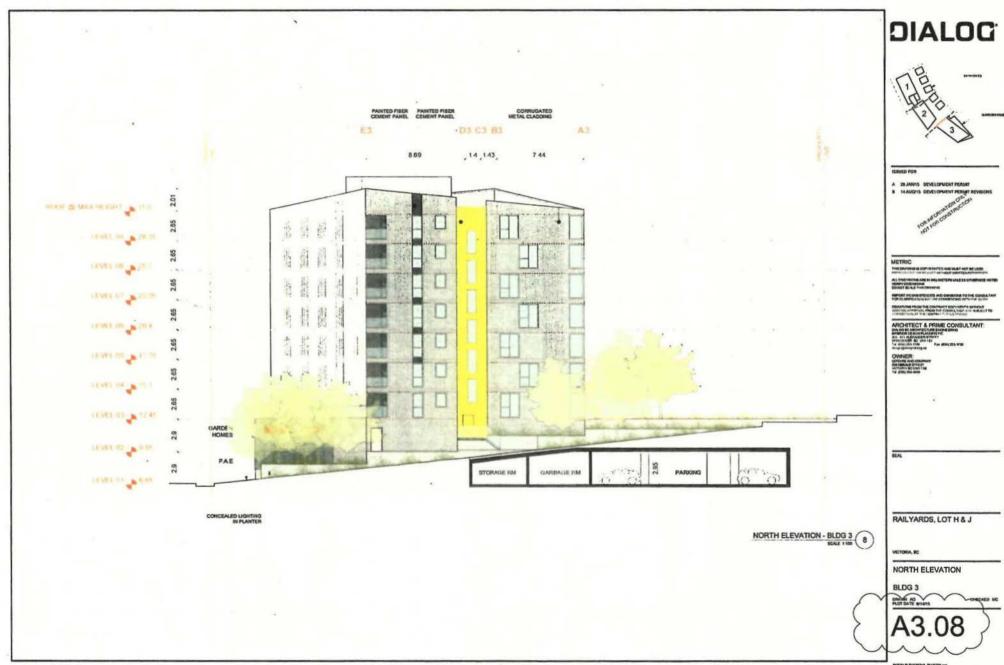
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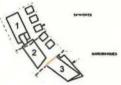
RAILYARDS, LOT H & J

VICTORIA, BC

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EAST ELEVATION - BLDG 3

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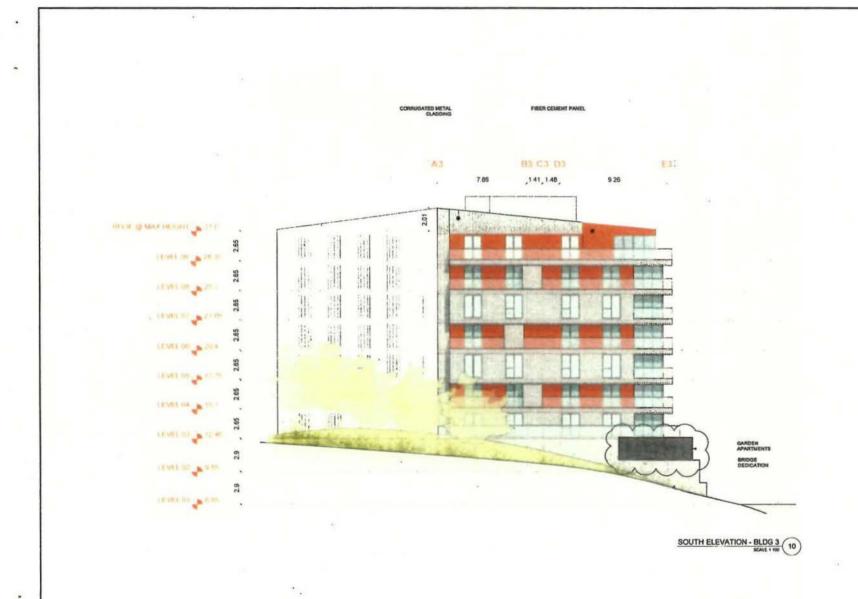
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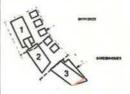
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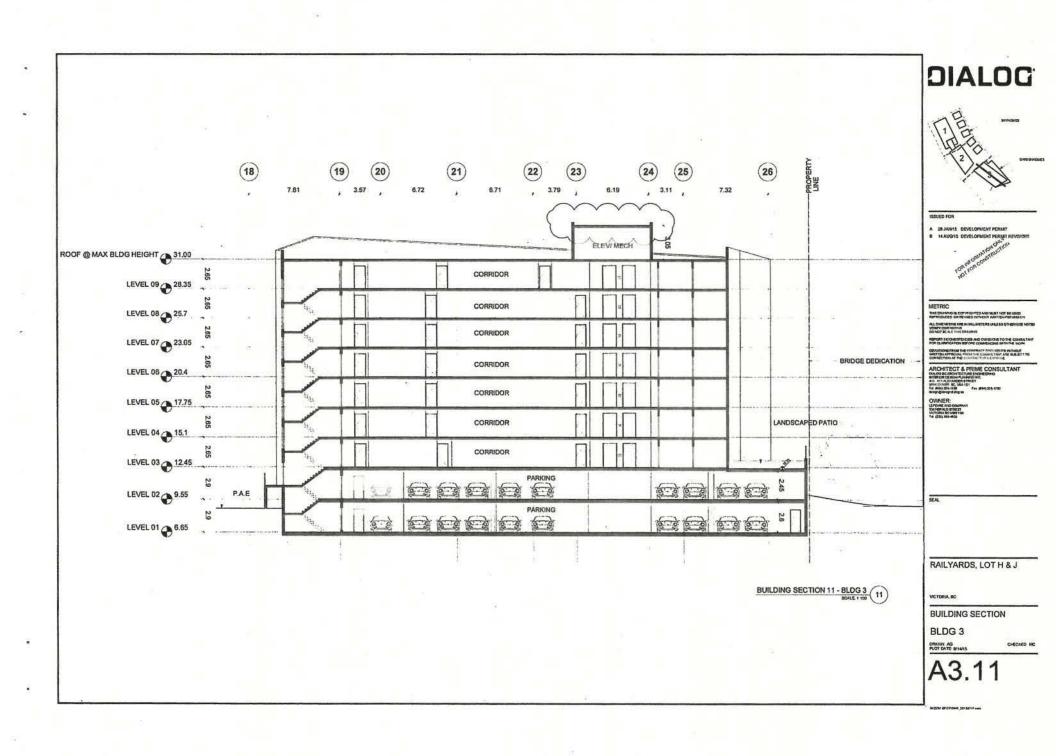
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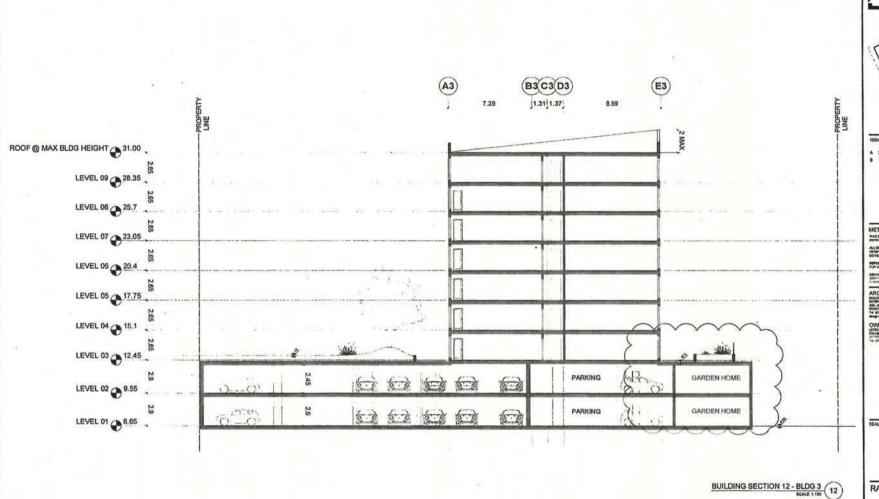
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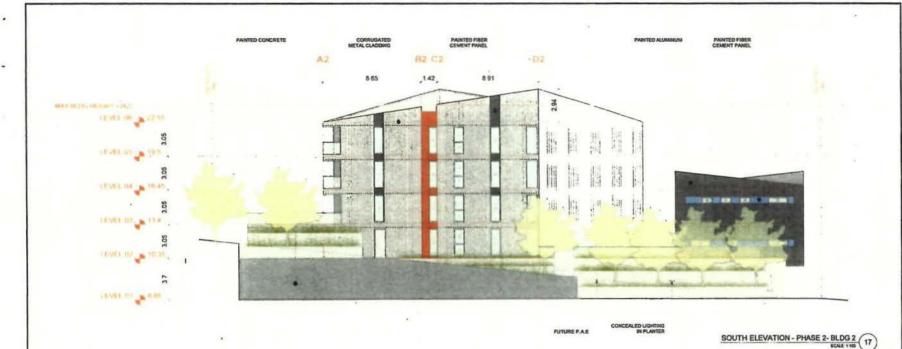
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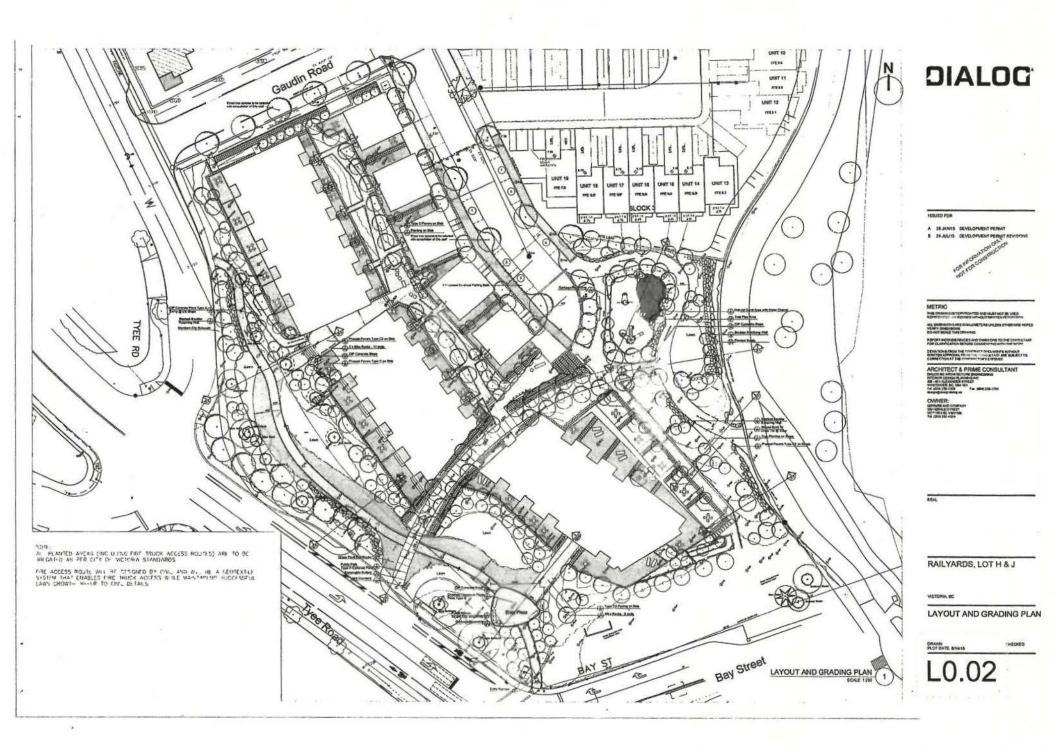
SOUTH ELEVATION - PHASE 2

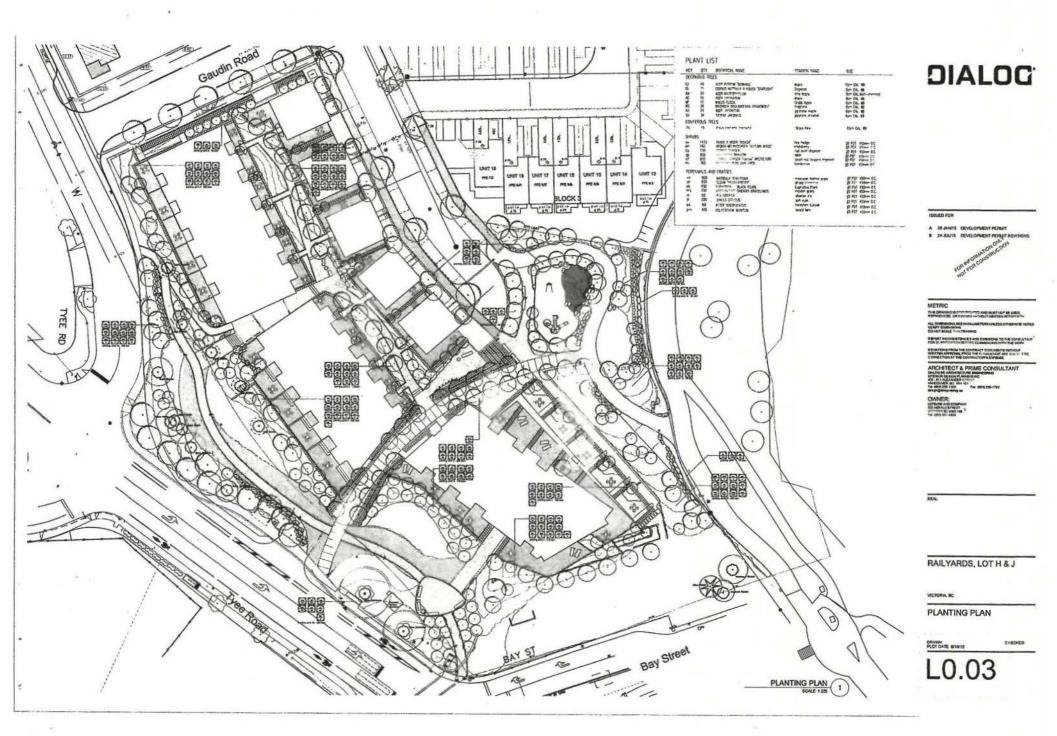
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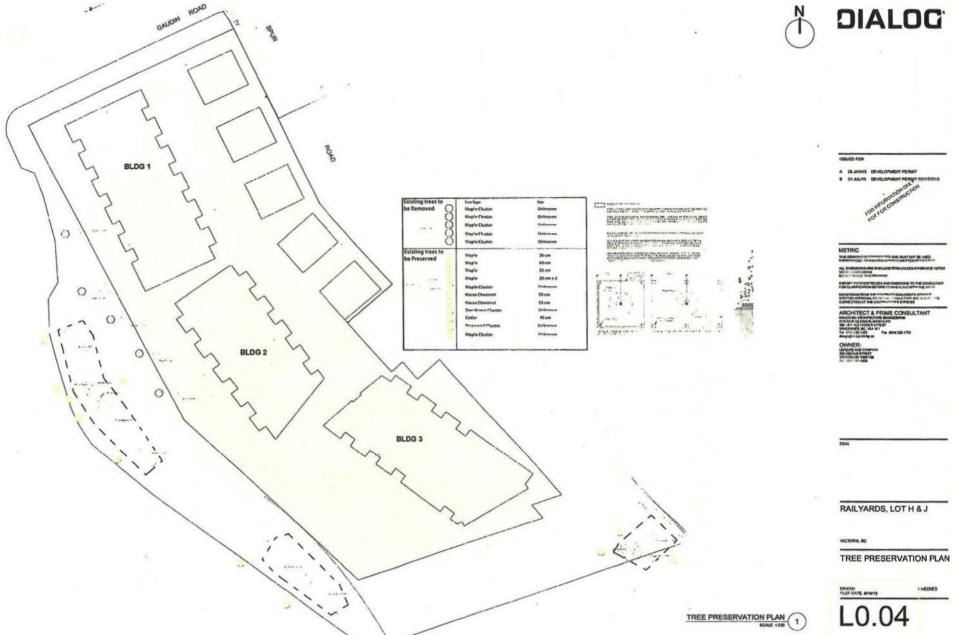
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RAILYARDS, LOTH & J

VICTORIA, BC

SCHEMATIC LIGHTING PLAN

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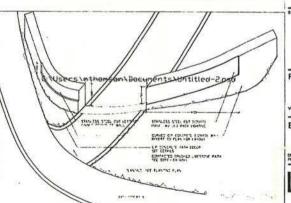
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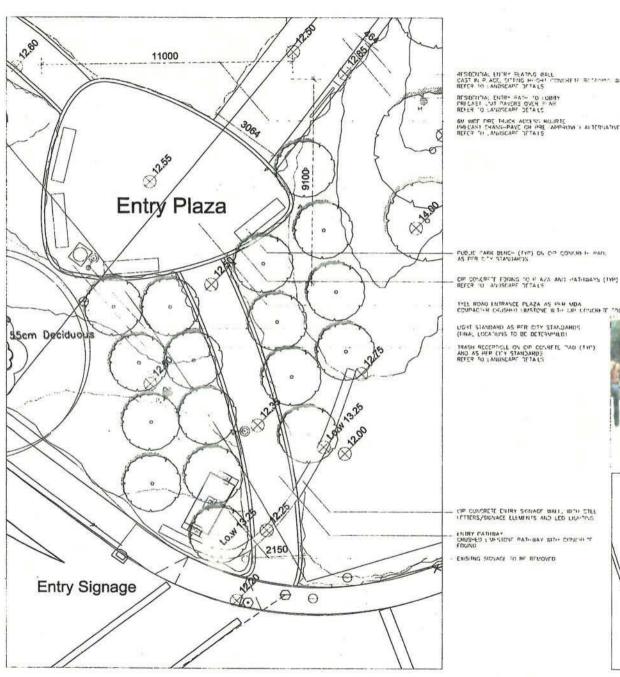
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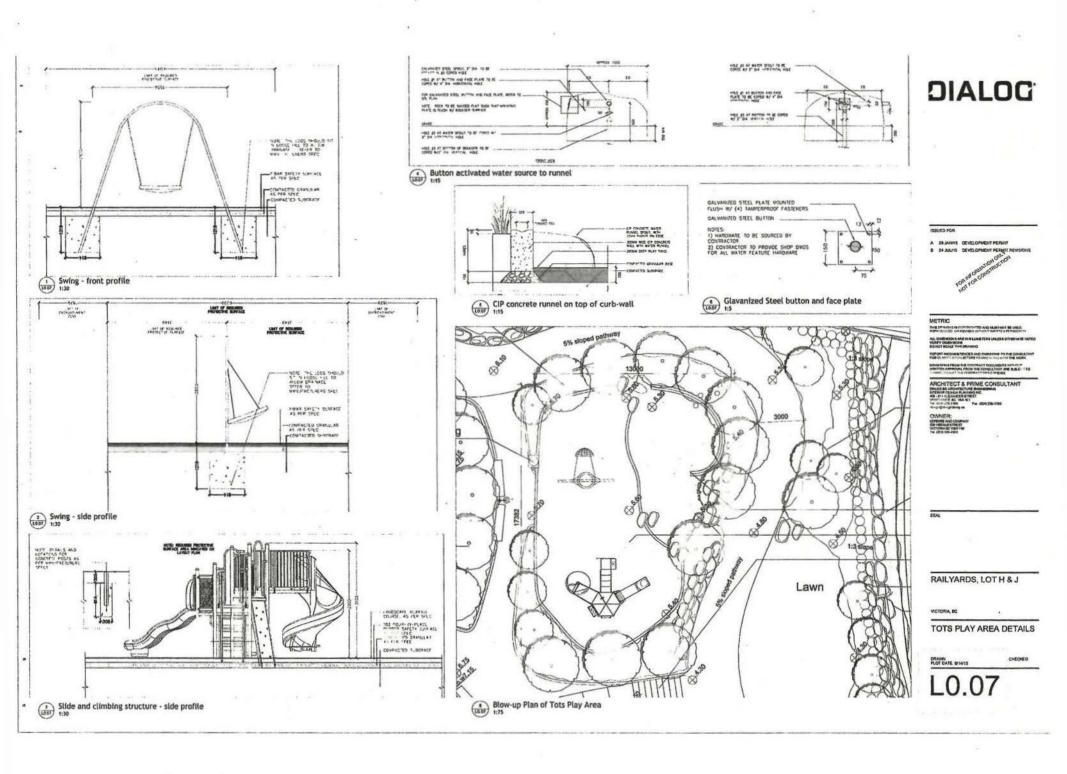


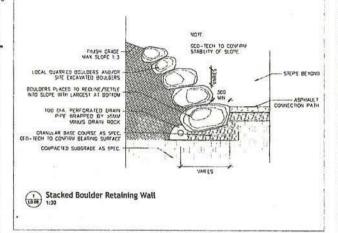
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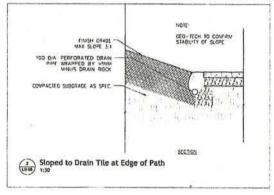
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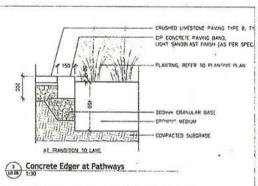
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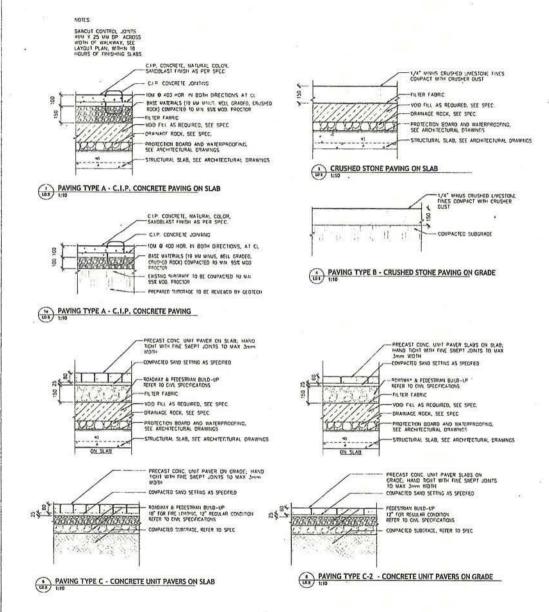












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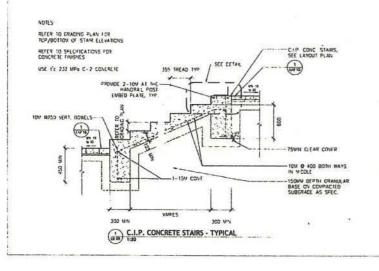
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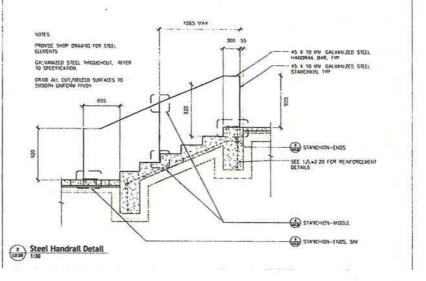
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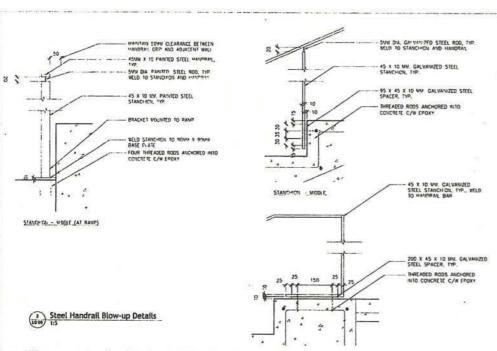
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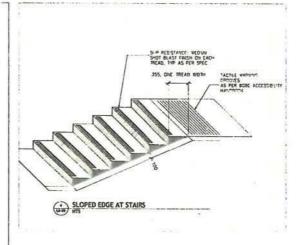
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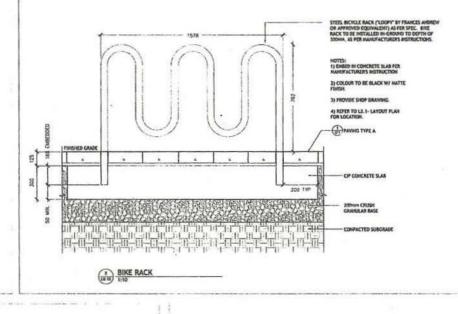


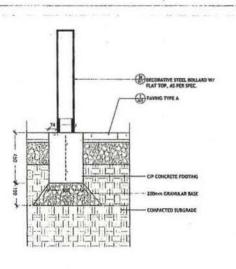
RAILYARDS, LOT H & J

VICTORIA BC

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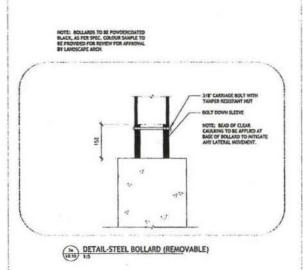


RECYCLING RECEPTACLE W/ LOCK- OPTIONAL ITEM

ELEVATION-FRONT

DOOR LATCH-RELEASE

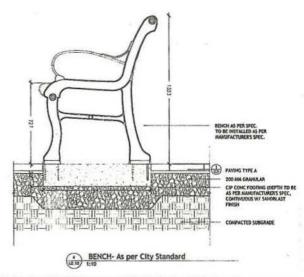
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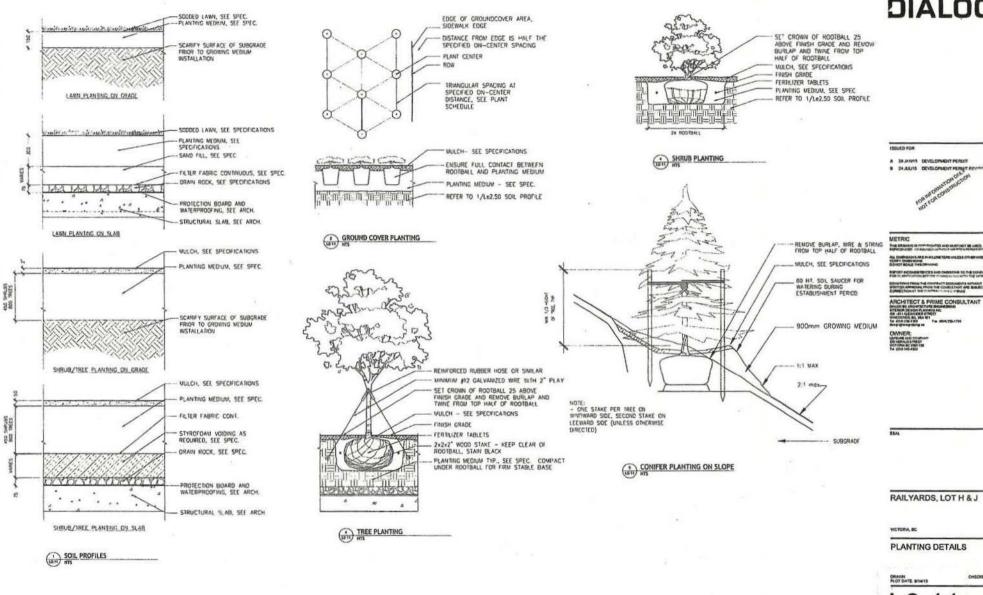
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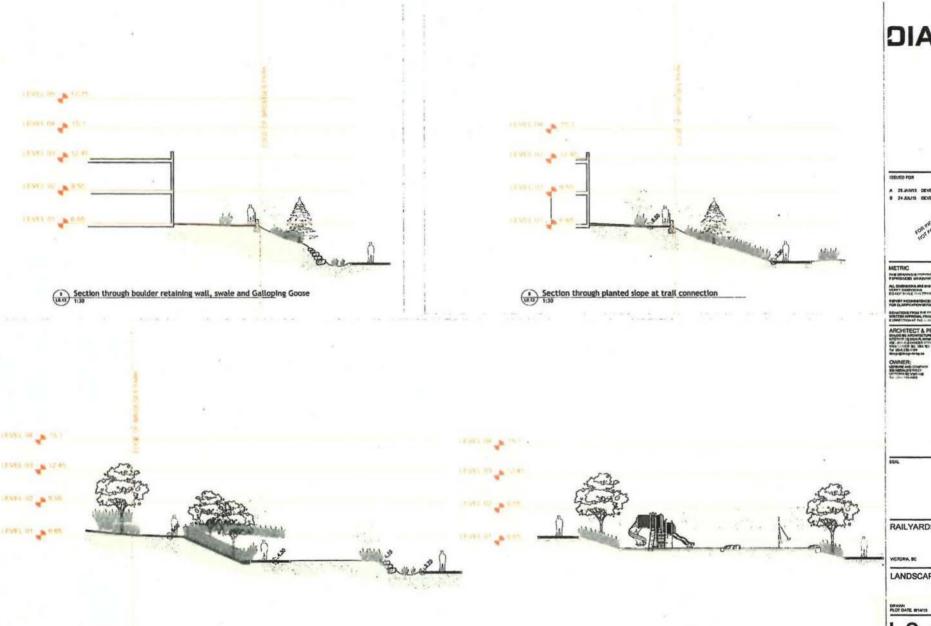












Section through Tots Play Area in Bridges park

Section at steps into Bridges Park

DIALOG

RAILYARDS, LOT H & J

LANDSCAPE SECTIONS 5-8

REPORTS OF THE COMMITTEES

Planning and Land Use Committee – October 1, 2015

1. <u>Development Permit with Variances Application No. 000404 for 701 Tyee Road</u> (Railyards)

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000404 for 701 Tyee Road, in accordance with:

- 1. Plans date stamped August 24, 2015.
- Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
- a. Reduce the north setback (Gaudin Road) from 3.5m to nil;
- b. Reduce the south setback from 4m to nil for Phases 1 and 2;
- c. Reduce the south setback from 4m to 3.5m;
- d. Increase the height in DA-H from 24m to 25.49m for Phase 2;
- e. Increase the height in DA-J from 31m to 33m for Phase 3;
- f. Reduce parking from 50 stalls to 49 stalls for Phase 1;
- g. Reduce parking from 185 stalls to 178 stalls; and
- h. Reduce the bicycle storage (Class 1) from 40 stalls to 28 stalls for Phase 1.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Revised plans to the satisfaction of staff that:
 - Either enclose or screen the proposed garbage enclosure adjacent to Gaudin Road;
 - b. Provide further details of the proposed grass pave finish;
 - c. Provide comprehensive details relating to landscaping for Phases 1 and 2; and
 - d. Provide reduced annual landscaping maintenance costs within Bridges Park and along Tyee Road.
- 5. Referral to the Advisory Design Panel for a comprehensive review and with particular attention to the following issues:
 - a. The design of building entrances facing Tyee Road;
 - b. The design and appearance of the "Sky Home" end units; and
 - c. The treatment of parkade walls that project above grade.
- 6. An amendment to the Railyards Master Development Agreement, to the satisfaction of staff, to:
- a. Address proposed revisions to the public parking required in conjunction with Bridges Park and the path from Tyee Road to Central Spur Road; and
- b. Secure cost estimates for all required on-site services, off-site services and public amenities prior to any building in proposed Phase 1 being occupied.
 - 7. A Public Access Easement registered on title, to the satisfaction of staff, to secure public access through the site from Tyee Road to Central Spur Road.
 - A Statutory Right-of-Way registered on title, to the satisfaction of staff, to secure public access to the Victoria West Entry Park and public pathways located on private land adjacent to Tyee Road.
 - That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff."

Carried Unanimously

2. <u>Development Permit with Variances Application No. 000404 for 701 Tyee Road</u> (Railyards)

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council direct that staff report back to Council after the application is reviewed by the Advisory Design Panel, on the feasibility of retaining the provision in the Master Development Agreement of the City acquiring ownership title to the public access from Tyee Road to Central Spur Road, including the legal mechanism and pros and cons.

Carried Unanimously

4. DEVELOPMENT APPLICATION REPORTS

4.1 Development Permit with Variances Application No. 000404 for 701 Tyee Road (Railyards)

Committee received a report regarding an application for 701 Tyee Road (Railyards). The application is to authorize the design, siting and landscaping for a 144 unit apartment to be constructed in three phases.

Committee discussed:

- Concerns regarding the smaller vehicle parking spots and the type of vehicles that could be accommodated.
 - Affordability and the range of housing types that will be built.
 - Sustainability features and if there is an opportunity to request that LEED standards be incorporated.
 - Concerns from the Community Association regarding the lack of community gardens and affordable housing.
 - The pathway and if there was a way to ensure the City will retain the right-of-way.

Action:

It was moved by Councillor Young, seconded by Councillor Coleman, that Committee recommends this report be forwarded to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

Committee discussed:

- Why the park cannot be built at the onset.
 - The area will be under construction and the land will be used as a staging area for equipment.
- The lack of affordability options and inclusionary zoning. There are no legal requirements built in.
- The public wants more sustainability features looked at.
- The timing of amenities.
- The need to develop policies to ensure that any amenities desired be requested at the beginning of the application process instead of at the time of the public hearing.
- If there is a mechanism by which the City remains the owner of the public pathway.

That Council authorize the issuance of Development Permit Application No. 000404 for 701 Tyee Road, in accordance with:

- 1. Plans date stamped August 24, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw requirements*, except for the following variances:
- Reduce the north setback (Gaudin Road) from 3.5m to nil;
- Reduce the south setback from 4m to nil for Phases 1 and 2;
- Reduce the south setback from 4m to 3.5m;
- d. Increase the height in DA-H from 24m to 25.49m for Phase 2;
- e. Increase the height in DA-J from 31m to 33m for Phase 3;
- f. Reduce parking from 50 stalls to 49 stalls for Phase 1;

- g. Reduce parking from 185 stalls to 178 stalls; and
- h. Reduce the bicycle storage (Class 1) from 40 stalls to 28 stalls for Phase 1.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Revised plans to the satisfaction of staff that:
- a. Either enclose or screen the proposed garbage enclosure adjacent to Gaudin Road;
- b. Provide further details of the proposed grass pave finish;
- Provide comprehensive details relating to landscaping for Phases 1 and 2;
- d. Provide reduced annual landscaping maintenance costs within Bridges Park and along Tyee Road.
 - 5. Referral to the Advisory Design Panel for a comprehensive review and with particular attention to the following issues:
- The design of building entrances facing Tyee Road;
- b. The design and appearance of the "Sky Home" end units; and
- c. The treatment of parkade walls that project above grade.
 - 6. An amendment to the Railyards Master Development Agreement, to the satisfaction of staff, to:
- Address proposed revisions to the public parking required in conjunction with Bridges Park and the path from Tyee Road to Central Spur Road;
- Secure cost estimates for all required on-site services, off-site services and public amenities prior to any building in proposed Phase 1 being occupied.
 - 7. A Public Access Easement registered on title, to the satisfaction of staff, to secure public access through the site from Tyee Road to Central Spur Road.
 - A Statutory Right-of-Way registered on title, to the satisfaction of staff, to secure
 public access to the Victoria West Entry Park and public pathways located on
 private land adjacent to Tyee Road.
 - That Council authorize staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, in a form satisfactory to staff.

CARRIED UNANIMOUSLY 15/PLUC210

Action:

It was moved by Councillor Isitt, seconded by Councillor Madoff, that Committee recommends that Council direct that staff report back to Council after the application is reviewed by the Advisory Design Panel, on the feasibility of retaining the provision in the Master Development Agreement of the City acquiring ownership title to the public access from Tyee Road to Central Spur Road, including the legal mechanism and pros and cons

CARRIED UNANIMOUSLY 15/PLUC211

PLUC meeting October 1, 2015

MINUTES OF THE ADVISORY DESIGN PANEL HELD WEDNESDAY, OCTOBER 28, 2015, 12 P.M.

THE CHAIR CALLED THE MEETING TO ORDER AT 12:05 P.M.

Panel Members Present:

Rod Windjack (Chair); Brad Forth; Cynthia Hildebrand;

Mickey Lam; Ann Katherine Murphy; Christopher Rowe

Absent:

Barry Cosgrave; Gerald Gongos; Mike Miller

Staff Present:

Mike Wilson – Senior Planner - Urban Design; Jim Handy– Senior Planner - Development

Agreements:

Charlotte Wain - Senior Planner - Urban Design;

Quinn Anglin - Secretary

Barry Cosgrave joined the meeting at 12:07 P.M.

2. APPLICATIONS

2.1 Development Permit No. 000404 for 701 Tyee Road

The proposal is to construct 144 residential units on the undeveloped portion of the Railyards.

Applicant Meeting attendees:

Mr. Joost Bakker, DIALOG

Mr. Matthew Thomson, DIALOG

Mr. Handy provided the Panel with a brief introduction of the Application and the areas that Council is seeking advice on, including the following:

- Design of building entrances facing Tyee Road.
- Design and appearance of the "Sky Home" end units.
- Treatment of the parkade walls that project above grade.

Mr. Thomson and Mr. Bakker then provided the Panel with a detailed presentation of the proposal.

Panel Members discussed:

- Views of the eight-storey building from the Bay Street Bridge, particularly in relation to the architectural design and treatment of the south east corner of the building.
- The visibility of the main building entrances from Tyee Road.
- Landscape treatment of the undeveloped areas between phases of construction.
- The proposed crushed limestone finish for pathways and its practicality for strollers, wheelchairs, and pedestrians. Building entrance canopies should be increased to provide for adequate weather protection and improve visibility from Tyee Road.
- The lack of dedicated parking stalls for the proposed park.

- The application of colour, particularly on Building 3 to improve the expression of building volumes.
- The proposed screening of the garbage and recycling area and the proposed access for garbage pickup.
- Concerns relating to the terminus of Central Spur Road as an adequate vehicle turn around and on-street parking has not been proposed.
- The expression of the east elevation of the 8-storey building.
- The delivery of the public park is proposed as part of Phase 3 of the development.
 Panel members discussed delivering the public park as part of Phase 2.
- Major public pathway between the street and site down is not constructed until the construction of the final phase.
- The landscape design within the area of the bridge dedication should be considered by the City prior to the completion of the first phase.
- The proposed landscape screening of the exposed parking garage walls is acceptable.
- The treatment of the Sky Home end units is acceptable.

Action:

MOVED / SECONDED

It was moved by Rod Windjack, seconded by Brad Forth, that the Advisory Design Panel recommend to Council that Development Permit Application No. 000404 for 701 Tyee Road be approved with consideration of the following:

- Further consideration of the layout and resolution at the end of Central Spur Road.
- Reconsideration of the scale, building finish, landscape materiality, and accessibility of entrances on Tyee Road.
- Provision of the playground as part of the Phase 2 development.
- Provision of landscape treatment between Phases as they are completed.

Amendment:

MOVED / SECONDED

It was moved by Christopher Rowe, seconded by Brad Forth, that the motion be amended as follows:

That the Advisory Design Panel recommend to Council that Development Permit Application No. 000404 for 701 Tyee Road be approved with consideration of the following:

- Further consideration of the layout and resolution at the end of Central Spur Road.
- Reconsideration of the scale, building finish, landscape materiality, and accessibility of entrances on Tyee Road.
- Provision of the playground as part of the Phase 2 development.
- Provision of landscape treatment between Phases as they are completed.
- Recommend to City staff that they explore the opportunities for providing access from Tyee Road to Central Spur Road through the Bridge Dedication lands.

On the amendment: CARRIED UNANIMOUSLY

On the main motion as amended: CARRIED UNANIMOUSLY

2.2 Development Permit No. 000439 for 1101 Fort Street

The proposal is to construct a six-storey, mixed-use building with 81 residential units and ground-floor commercial/retail

Applicant Meeting attendees: Mr. Korbin Dasilva, Abstract Developments

Mr. Sam Ganong, Abstract Developments Greg Damant, Cascadia Architects Inc. Andy Guiry, Cascadia Architects Inc.

Peter Johannknecht, Cascadia Architects Inc. Scott Murdoch, Murdoch de Greef Inc. Landscape

Architects

Ms. Wain provided the Panel with a brief introduction of the Application and the areas that staff are seeking advice on, including the following:

- · The potential impacts on the neighbouring Zen building to the east.
- · The height of the six-storey street wall along Cook Street and Fort Street
- The blank east elevation as viewed from Meares Street.
- · Location of bicycle racks.

Ms. Wain also advised the Panel that this application has not yet been presented before the Planning and Land Use Committee as it does not require any variances.

Mr. Damant and Mr. Ganong then provided the Panel with a detailed presentation of the proposal.

Panel Members discussed:

- The proposal is a contemporary approach but is different to the existing approach along Fort Street.
- How the building relates to the character of Fort Street to the west and the design of retail frontages to respect pedestrian scale at the street level.
- The proposed wood detailing is appreciated, the applicant should explore increasing this along the retail frontage to aid in breaking up long expansions of glass and to add warmth to the expression of the building.
- Opportunities to reduce CPTED concerns associated with the east facing blank wall fronting the rear courtyard and consideration of adding window openings to the wall.
- The landscaped area fronting Meares Street could be improved to offer increased outdoor amenity space for occupants of the proposed live/work units.
- Opportunities to refine the window placement and increase the recess on the second and third floors.

Action:

MOVED / SECONDED

It was moved by Christopher Rowe, seconded by Barry Cosgrave, that the Advisory Design Panel recommend to Council that Development Permit Application No. 000439 for 1101 Fort Street be approved with consideration of the following:

Revisions to the design of the outdoor amenity space associated with the live/work
units to provide for increased private outdoor space.

CARRIED UNANIMOUSLY

3.	Approval o	f Comments	on the	Proposed	Delegation/Exem	ption Process
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· Panel members did not offer any additional comments to those already provided.

4. ADJOURNMENT

The Advisory Design Panel	meeting of October 28,	2015 adjourned at 2:20 P.M.
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Rod Windjack, Chair