

REPORTS OF THE COMMITTEE

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

6. Development Variance Permit Application No. 00157 for 740 Hillside Avenue

It was moved by Councillor Alto, seconded by Councillor Coleman, that after the Public Hearing for Development Variance Permit No. 00157, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00157 for 740 Hillside Avenue, in accordance with:

1. Plans date stamped September 4, 2015.
2. Development meeting all Zoning Regulation bylaw requirements, except for the following variances:
 - a. Schedule C, Section 16.C 5 – reduce parking requirement for 980m² of medical offices from 1 stall per 37.5m² to 1 stall per 68m².
3. The Development Variance Permit lapsing two years from the date of this resolution."

Carried Unanimously

MOTIONS

1. **To Set Public Hearings for the Council Meeting of Thursday, December 10, 2015 for:**

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, DECEMBER 10, 2015, at 7 p.m.:**

1. Development Variance Permit Application No. 00157 for 740 Hillside Avenue

Carried Unanimously

5.2 Development Variance Permit Application No. 00157 for 740 Hillside Avenue

Committee received a report regarding an application for 740 Hillside Avenue. The proposal is to reduce the overall required parking for the Mid-Town Place office building by nine stalls to accommodate a medical specialist office occupying one floor of the building.

Action: It was moved by Councillor Coleman, seconded by Councillor Young, that Committee recommends that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00157 for 740 Hillside Avenue, in accordance with:

1. Plans date stamped September 4, 2015.
2. Development meeting all Zoning Regulation bylaw requirements, except for the following variances:
 - a. Schedule C, Section 16.C 5 – reduce parking requirement for 980m² of medical offices from 1 stall per 37.5m² to 1 stall per 68m².
3. The Development Variance Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC246



Planning and Land Use Committee Report

For the Meeting of October 29, 2015

To: Planning and Land Use Committee **Date:** October 15, 2015

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Variance Permit No. 00157 for 740 Hillside Avenue

RECOMMENDATION

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

"That Council authorize the issuance of Development Variance Permit Application No. 00157 for 740 Hillside Avenue, in accordance with:

1. Plans date stamped September 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Schedule "C", Section 16.C 5 – reduce parking requirement for 980m² of medical offices from 1 stall per 37.5m² to 1 stall per 68m².
3. The Development Variance Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the Permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 740 Hillside Avenue. The proposal is to reduce the overall required parking for the Mid-Town Place office building by nine stalls. The variance is related to reducing parking requirements for medical/dental offices.

The following points were considered in assessing this Application:

- The site is well served by public transit on Douglas Street and Hillside Avenue.
- The building includes 24 bike rack spaces at the building entrances and 40 secure bicycle parking stalls, as well as lockers, showers and change rooms.
- The inclusion of a specialized medical office within the building accounts for approximately 10% of the total building area. At this scale, a reduced parking standard for this use is unlikely to have any significant parking impacts on adjacent streets.
- Any additional medical/dental offices would require a further variance which would require staff review and Council's approval.

BACKGROUND

Description of Proposal

The proposal is to reduce the overall required parking for the Mid-Town Place office building by nine stalls due to accommodate a medical specialist office occupying one floor of the building. Specific details include:

- occupancy of 980m² on the third floor of the office building
- allocation of 14 parking stalls for the medical practice
- a combination of surface and underground parking totalling 111 stalls (existing)
- 40 secure bicycle parking stalls and 24 bike rack spaces at its two major entrances as well as showers and lockers for occupants (existing).

The proposed variances is related to a request for a nine-stall reduction in the overall parking required for the building.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant provided bike racks, showers and change rooms with the original development which support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Variance Permit Application.

Relevant History

A rezoning to permit the office/retail building was approved by Council on November 25, 2010. The site specific zone covering the property incorporated a reduced parking requirement for offices (one space per 68m² of office floor area rather than one space per 65m²) but not for medical/dental offices, which have a higher parking requirement (one space per 37.5m²). The building was completed in 2014.

The approval of the Building Permit and occupancy for this medical practice were incorrectly made before the increased parking required for medical/dental office use was identified. Consequently, a Business Licence was approved for the remainder of 2015 subject to the

applicant obtaining a parking variance prior to the issuance of the 2016 Business Licence renewal. Regardless of the sequence of events that have occurred in this instance, staff recommend Council approve this request. To minimize the potential for this type of mistake in the future, an expanded range of Building Permits are referred to Development Services for review.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on September 15, 2015, the Application was referred for a 30-day comment period to the Burnside-Gorge CALUC. An email dated October 1, 2015, is attached to this report.

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

The site is well served by public transit on Douglas Street and Hillside Avenue. In addition, the building includes 24 bike rack spaces at the building entrances and 40 secure bicycle parking stalls, as well as showers and change rooms. The inclusion of a specialized medical office within the building accounts for approximately 10% of the total building area. At this scale, a reduced parking standard for this use is unlikely to have any significant parking impacts on adjacent streets. However, any additional medical/dental offices would require a further variance with staff and Council's review.

CONCLUSIONS

The request for a reduced overall parking requirement for the Mid-Town Place office building by nine stalls is recommended for Council's consideration as being supportable based on the proximity to public transit, the provision of secure bicycle parking, showers, change rooms and the amount of medical use in relation to general office use in the building.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00157 for the property located at 740 Hillside Avenue.

Respectfully submitted,



Brian Sikstrom
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: October 21, 2015

List of Attachments

- Zoning map
- Aerial map
- Letter from applicant to Council dated August 28, 2015
- Email from Burnside Gorge Community Association dated October 1 , 2015
- Plans dated September 4, 2015.



August 28, 2015

To Mayor and Council
City of Victoria
#1 Centennial Square
Victoria, British Columbia
V8W 1P6



RE: DEVELOPMENT VARIANCE PERMIT FOR 740 HILLSIDE AVENUE, VICTORIA, BRITISH COLUMBIA

Dear Mayor Helps and Council,

Please find enclosed the background documents for a Development Variance Permit in regards to the development at 740 Hillside Avenue. This letter will summarize the variance requested and outline the reasons for the request.

The variance requested is in regards to the number of car parking stalls. At the time of the original rezoning, parking calculations were based on the office portion of the development classified as general commercial office space (defined as 'other offices' in City of Victoria Schedule C) which requires 1 space per 65 sq.m. of gross floor area. At that time, it wasn't anticipated there would be an occupancy by medical and dental offices in this development. The Schedule C requirements for medical and dental offices are 1 space per 37.5 sq.m. of gross floor area which is significantly greater than the requirement for general offices.

Background:

The successful rezoning and DP application for the initial development proposed a total of 108 car stalls. A variance to Schedule C requirements was granted, based on a significant increase in both Class 1 and Class 2 bike stalls provided on site, the provision of bicycle change room and shower areas, proximity to major transit routes and a parking study outlining the demand expected by the owner and major tenant, Andrew Sheret. During development of the construction documents, an additional 2 car stalls were added due to available space and during construction another stall was added bringing the total to 111 stalls, or 3 above the approved DP.

Reason for Requested Parking Variance:

As noted above, the original calculations for parking did not anticipate medical and dental offices. In March of this year, a Tenant Improvement Building Permit was applied for and granted for approximately 7,000 sq.ft. of office space on the 3rd floor to be occupied by Western Cardiology Associates (WCA). Construction was completed in early summer, an Occupancy Permit granted, and WCA relocated and are currently functioning out of this space. When WCA applied for a Business Licence, it was discovered by the City the additional parking requirements for medical and dental offices had not been met and therefore a Business Licence was issued on a temporary basis only. Should a variance not be granted, WCA will need to relocate at great expense to both WCA and the owner who contributed to the costs of the tenant improvements. The variance requested is for the entire 3rd floor as Western Cardio intends to eventually occupy that entire floor. In consideration of this variance request, it's worth noting that Western Cardio functions very differently than typical medical/dental practices, especially walk-in clinics. As this is a specialist medical practice, all patients have prearranged appointments and there are no walk-ins. Furthermore, there are only 4 doctors who practice full time from these offices. The remaining doctors only come in a couple of hours a week as they primarily practice within a hospital. For this reason, the average number in the clinic at any one time is 8 patients. Although the tenant would be classified as a medical/dental office in regards to the City zoning definitions, in terms of number of staff and visitors (patients) occupying the space, the practice functions much closer to that of a general office use.



Amount of Variance Requested:

The number of car stalls allocated for general office use on the 3rd floor is 14 stalls. The number of car stalls which would be required for medical/dental office use is 26 stalls, resulting in a shortage of 12 stalls. As noted above, 3 additional stalls were provided after the DP was approved. Therefore, the requested parking variance is for a total of 9 stalls.

The following calculations are provided to confirm the calculation of stalls:

Parking as per approved DP:

1 stall per 68 sq.m. for general office use of 980 sq.m. on the 3rd floor = 14 stalls

Parking as per requested variance:

1 stall per 37.5 sq.m. for medical/dental office use of 980 sq.m. on the 3rd floor = 26 stalls

We trust the above clearly outlines the difficult position the building owner and the tenant find themselves in and the importance of finding a resolution so that a permanent Business Licence can be granted. Based on how the tenant operates, that Western Cardio is not a typical medical/dental office, the variance would have no impact on the availability of parking for the overall building or the neighbourhood.

Sincerely,

VDA Architecture Limited

A handwritten signature in black ink, appearing to be 'K. Klippenstein', with a long, sweeping horizontal stroke extending to the right.

Kevin Klippenstein, Architect AIBC, AAA, MRAIC
Director



Anita Walper

From: Carolyn Gisborne <landuse@burnsidegorge.ca>
Sent: Thursday, Oct 1, 2015 12:42 AM
To: caluc@victoria.ca
Subject: DPA for 740 Hillside: CALUC comments
Attachments: 740 Hillside - DPA - CofV Cover - Sept 2015.pdf; 740 Hillside - DPA - Sept 2015.pdf; 740 Hillside - DPA - Designs - Sept 2015.pdf

The Burnside Gorge Land Use Committee supports the proposed parking variance for 740 Hillside.

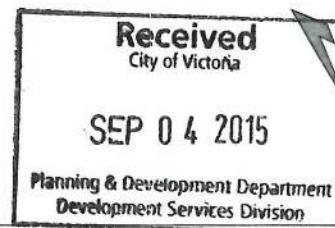
Best regards,
Carolyn Gisborne, Burnside Gorge Land Use Committee Chair

WESTERN CARDIOLOGY TENANT IMPROVEMENT VICTORIA, B.C. ISSUED FOR D.P. AMENDMENT SEPT. 4, 2015

ARCHITECT

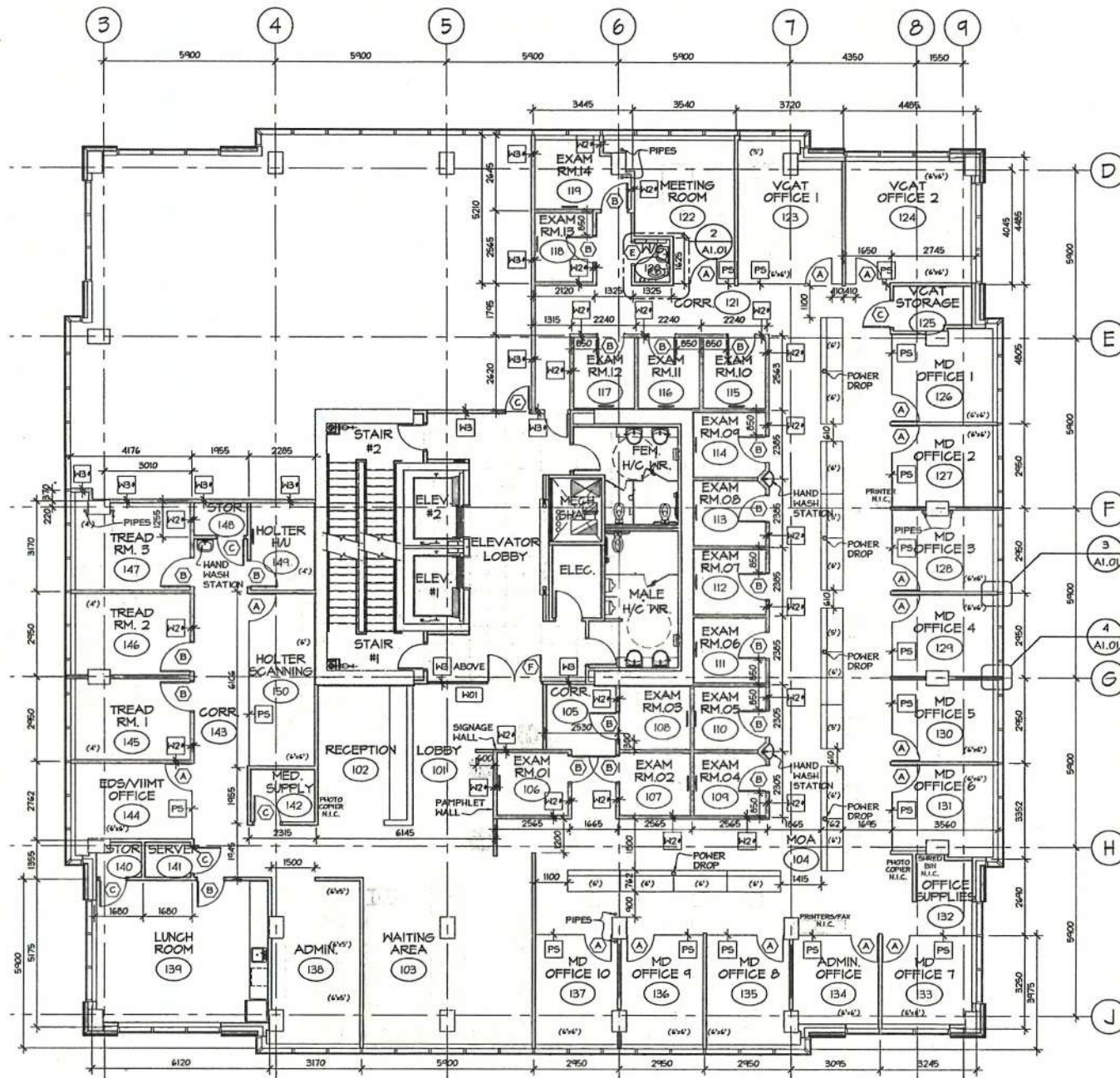
VIC DAVIES ARCHITECT
(2003) LTD.
1581 Church Avenue
Victoria, B.C. V8P 2H2
Ph: 250-477-4255
mail@vda.ca

- A1.01 WESTERN CARDIOLOGY / FLOOR PLAN, SCHEDULES,
PLAN DETAILS
- A-7 PARKING LEVEL P-1 (AS PER D.P. SUBMISSION)
- A1.01 740 HILLSIDE / PARKING LEVEL PLAN - SOUTH
(AS PER RECORD DRAWINGS @ COMPLETION OF
CONSTRUCTION FOR BASE BUILDING)
- A0.00 740 HILLSIDE / SITE & LOCATION PLAN
(AS PER RECORD DRAWINGS @ COMPLETION OF
CONSTRUCTION FOR BASE BUILDING)



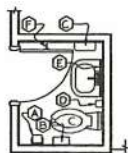
VDA | ARCHITECTURE
LIMITED

3388A Tennyson Avenue | Victoria, BC | V8Z 3P6
T:250-477-4255 | mail@vda.ca | www.vda.ca



1 FLOOR PLAN
SCALE: 1:100

2 W/R 120
ENLARGED PLAN
SCALE: 1:50



DOOR SCHEDULE

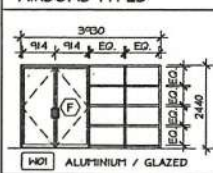
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A	SCN-BCF	ALUMI	450	914x2440x45		LOCKSET	OVERHEAD	
B	SCN-BCF	ALUMI	450	914x2150x45		PASSAGE	OVERHEAD	
C	H1-PTD	PSF-PTD	914x2150x45		LOCKSET	OVERHEAD		
D	H1-PTD	PSF-PTD	914x2150x45		LOCKSET	OVERHEAD		
E	H1-PTD	PSF-PTD	914x2150x45		LOCKSET	OVERHEAD		
F	GL	ALUMI	2714x2725			LOCKSET	OVERHEAD	

SCN - SOLID CORE WOOD
H1 - HOLLOW METAL
ALUMI - ALUMINUM

BCF - BIRCH CLEAR FINISH
PTD - PRESSED STEEL FRAME
GL - GLAZED

WINDOWS TYPES

SCALE - 1:100



H21 ALUMINUM / GLAZED

WALL TYPES LEGEND

UNLESS INDICATED OTHERWISE ON PLANS,
INTERIOR WALL TYPES ARE H1/H1.

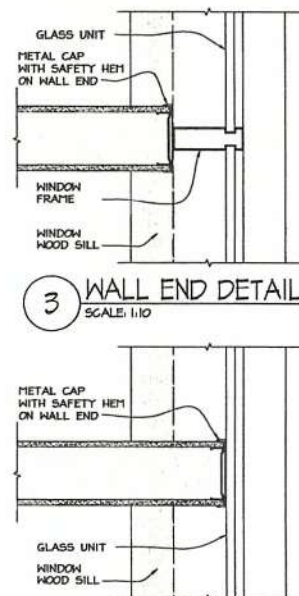
H1	H1/H1 INTERIOR WALL ASSEMBLY FLOOR TO U/S DROPPED CEILING. FFR: N/A STC: N/A
H2	H2/H2 INTERIOR WALL ASSEMBLY FLOOR TO U/S DROPPED CEILING. FFR: N/A STC: N/A
H3	H3/H3 INTERIOR WALL ASSEMBLY FLOOR TO U/S SLAB FFR: N/A STC: N/A
H4	H4/H4 INTERIOR WALL ASSEMBLY FLOOR TO U/S SLAB FFR: N/A STC: N/A
PS	PS INTERIOR PARTITION SYSTEMS

REFER TO TAG INDICATION ON PLAN FOR
THE FOLLOWING INTERIOR WALL TYPES:

H21	H21/H21 INTERIOR WALL ASSEMBLY FLOOR TO ABOVE DROPPED CEILING. FFR: N/A STC: N/A
H31	H31/H31 INTERIOR WALL ASSEMBLY FLOOR TO U/S SLAB FFR: N/A STC: N/A
H41	H41/H41 INTERIOR WALL ASSEMBLY FLOOR TO U/S SLAB FFR: N/A STC: N/A
PS	PS INTERIOR PARTITION SYSTEMS

WASHROOM ACCESSORIES LEGEND

A	TOILET PAPER DISPENSER
B	NAPKIN / TAMPON DISPOSAL
D	MAL MOUNTED SOAP DISPENSER
E	GLASS MIRROR
F	COAT / TOWEL HOOKS



3 WALL END DETAIL
SCALE: 1:10

4 WALL END DETAIL
SCALE: 1:10



No. 00/MM/YY Description

REVISIONS

I 13/03/15 I.F. BUILDING PERMIT

No. 00/MM/YY Issued for (I.F.)

ISSUES

Received
City of Victoria

SEP 04 2015

Planning & Development Department
Development Services Division

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vda
VDA Architects (2003) Ltd.
1661 Church Avenue, Victoria, B.C.
Canada V8P 5P9
Tel: (250) 477-4255
Email: mail@vda.ca Website: www.vda.ca

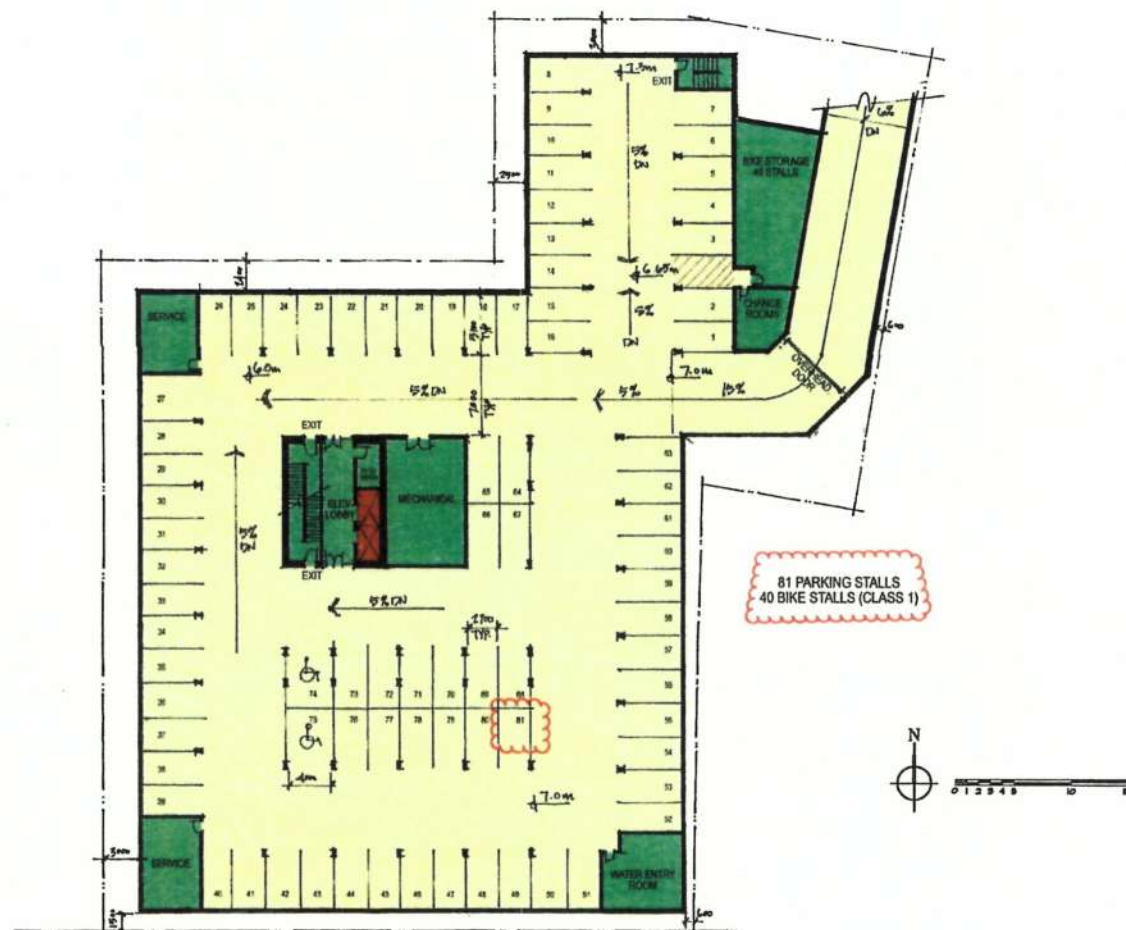
Project
WESTERN CARDIOLOGY ASSOCIATES
TENANT IMPROVEMENT
VICTORIA, BC

Drawing
FLOOR PLAN, SCHEDULES,
PLAN DETAILS

Scale: AS NOTED Job No. 2015-02

Date: FEB, 2015 Dwg. No. Rev.

Drawn By: WAL AI.OI



ANDREW SHERET LIMITED HILLSIDE BUILDING
740 HILLSIDE AVENUE, VICTORIA, B.C.
PARKING LEVEL P-1

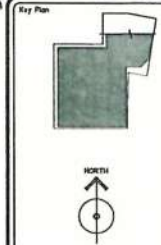
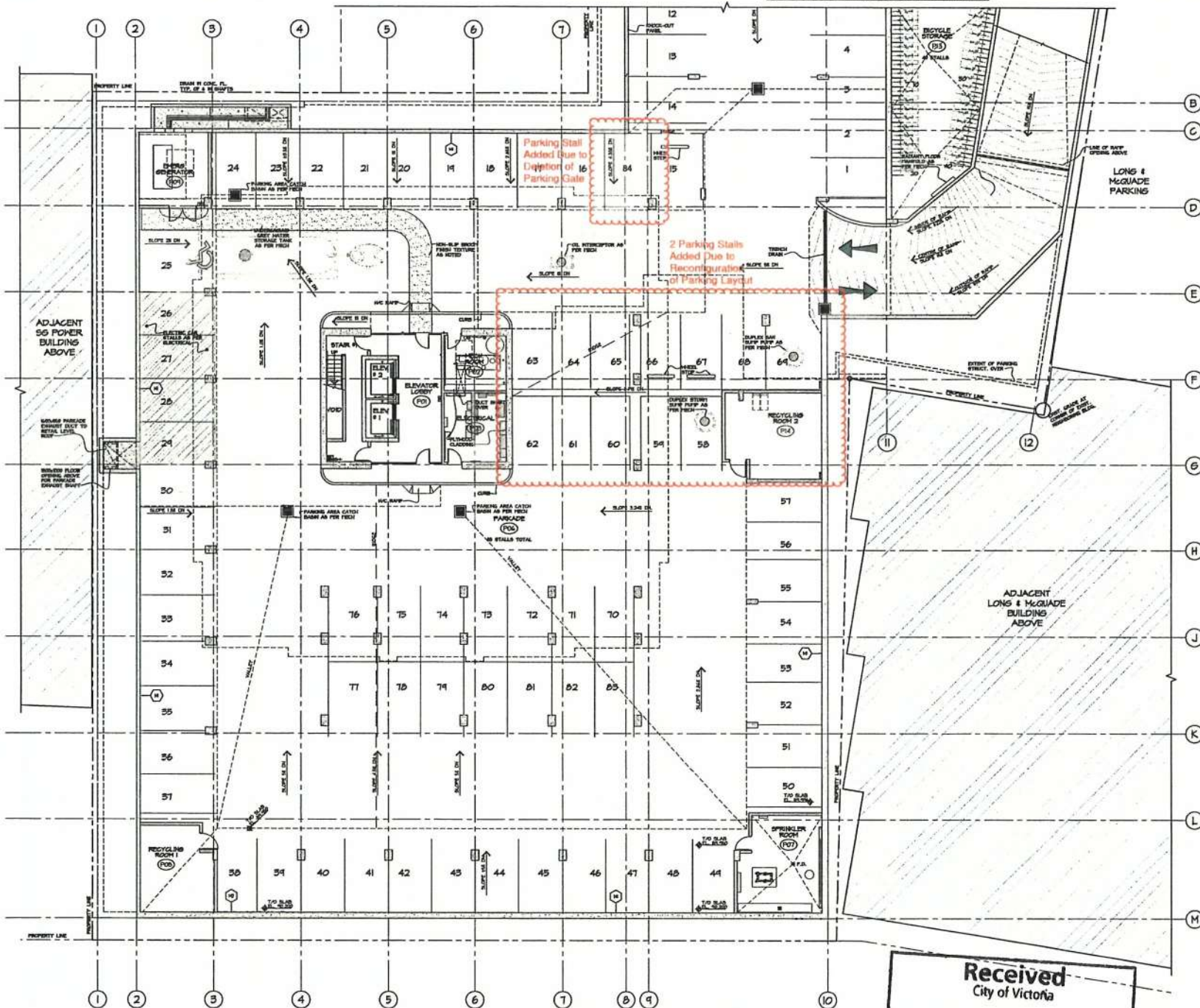
Received APRIL 18, 2011
City of Victoria
SCALE - 1:200

SEP 04 2015 A-7

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Development Services Division

vda
V.D. Davies Architects Ltd.
1191 Church Avenue, Victoria, BC
Canada V8P 3A2
Tel: (250) 477-4255
Fax: (250) 477-9411
Email: m.aids@vda.ca Website: www.victoria.vda.com

SEE DRAWING A1.02 FOR CONTINUATION



No.	Date/Rev.	Description
REVISIONS		

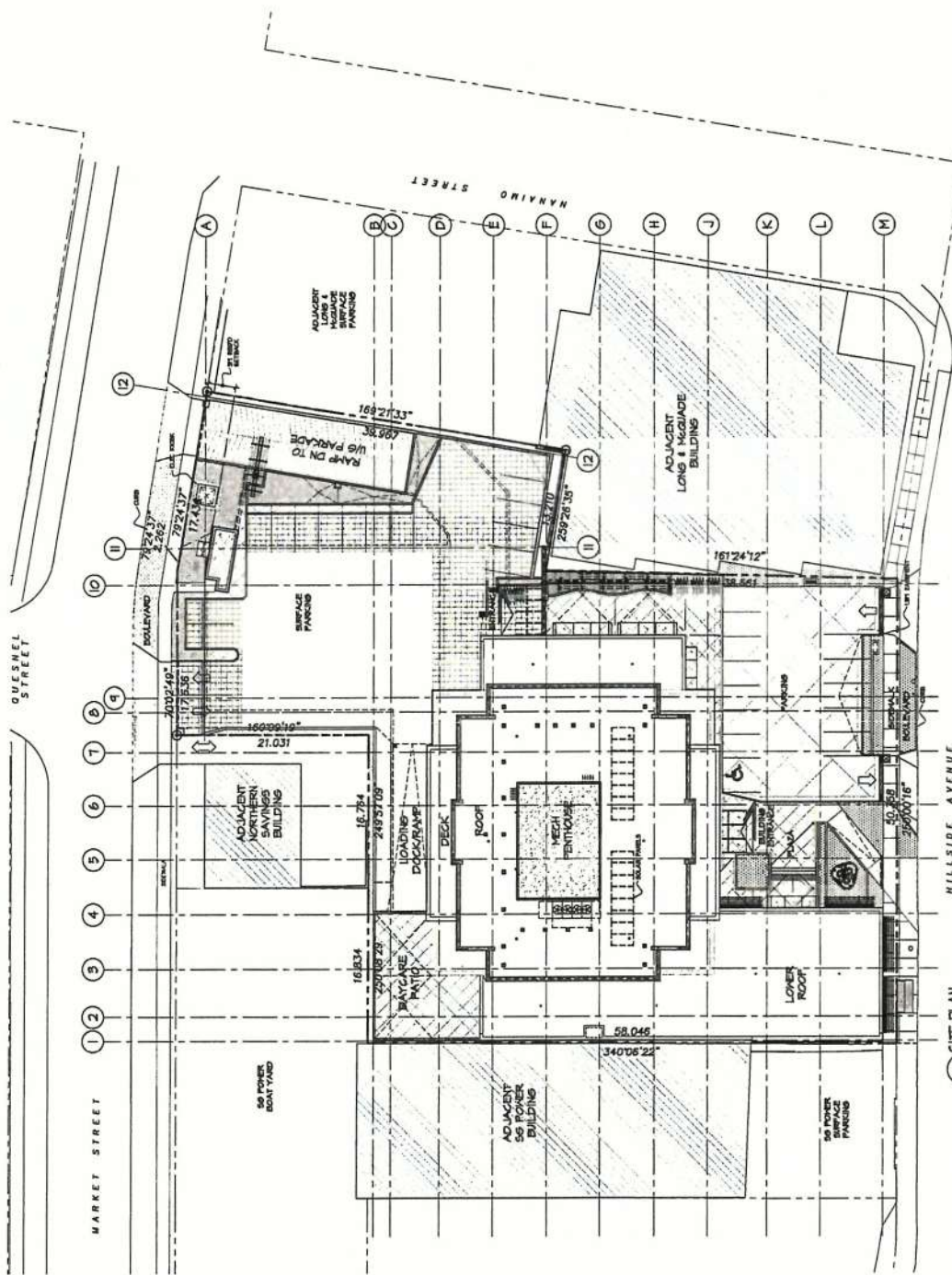
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3	27/03/13	I.P. CONSTRUCTION
2	28/04/13	I.P. TENDER
1	27/04/13	I.P. BUILDING PERMIT
No. 25/08/11 issued for A1.01		
155		



Project: ANDREW SHERET LIMITED
140 HILLSIDE AVE. VICTORIA
Drawing: PARKING LEVEL
PLAN - SOUTH

Scale: 1:100	Job No. 2009-25
Date: APRIL 2009	Des. No. Rev.
Drawn By: SH-03	A1.01

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Development Services Division

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City of Victoria

SEP 04 2015

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