

HEARINGS – REQUEST TO ADDRESS COUNCIL

It was moved by Councillor Coleman, seconded by Councillor Madoff, that the following speakers be permitted to address Council. Carried Unanimously

6. **Daryl Simpson, BlueSky Properties Ltd., re: 1002-1008, 1012 Pandora Avenue – Mason Street Vehicle Access:** He is the Senior Vice President of Bosa Developments. They have built up a solid reputation in the community and in Victoria. They build for the long term and invest in communities. They invest \$175,000 in grassroots charitable organizations. With Pandora they will be making a similar donation. They embrace the responsibility of being a developer, they like to create homes for people and improve communities. They have a proven track record with homeowners, tenants and councils. They have worked on this project and have responded to requirements of the Engineering and Planning Departments. They truly believe they have developed the project in accordance with the OCP and it will enliven the North Park Neighbourhood and provide housing in the North Park area. Concerns have arisen regarding vehicle access on Mason Street and PLUSC is contemplating an amendment to the Highways Access Bylaw. They have worked to find a mix of retail tenants and they have responded to the challenges of staff to optimize the project. With respect to the PLUSC recommendation he would request that Council not pursue the amendment to the bylaw as it would subject the project to further delays and would affect potential retail and land purchase. Their timeline is expected to work if we continue on schedule.

Janet Hawkins

From: dsimpson@bosaproPERTIES.com
Sent: Wednesday, May 22, 2013 10:50 AM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Daryl Simpson **Date:** May 22, 2013

Address: 1100 - 838 West Hastings Street, Vancouver

I wish to appear at the following Council meeting: May 23 , 2013

I represent: BlueSky Properties Inc.

Topic: 1002-1008, 1012 Pandora Avenue - Mason Street Vehicle Access

Action you wish Council to take:

To discuss the merits of Option 1 presented to the Planning and Land Use Standing Committee by Staff, that vehicle access and egress be permitted from Mason Street, in accordance with the current City of Victoria Highway Access Bylaw.

CONTACT INFO:

Contact Name: Daryl Simpson
Contact Address: 1100 - 838 West Hastings Street, Vancouver V6C 0A6
Contact Phone Number: 604 299 1363
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7. **Joe Colistro and Leah MacKenzie, Island Catholic Schools, re: Pandora Site Redevelopment:** They represent a cross-section of 12,000 Catholics, students and employees which will be directly or indirectly affected by Council's decision. They are strongly supportive of the proposed develop at 1002 Pandora Avenue. The reason for selling St. Andrews is to provide essential funds for the Strategic Catholic School Plan, providing safe, affordable and accessible schools. They need to address the needs of shifting demographics; they are amalgamating three elementary schools into two and making upgrades to St. Andrews High School.
Leah MacKenzie: They have a rich history at 1002 Pandora and it is important to continue to have that relationship with the owners of project. They are longstanding members of the community and are trying to provide for the future needs of all those who they provide educational opportunities to the community at large. They had hoped Blue Sky would have received approval for their project by the time St. Andrews closes on June 30, 2013, as it puts their project in jeopardy and leaves an empty building. They carefully selected a developer with a positive presence that would meet the needs of the community. They are excited with the plans and building proposed as it will revitalize the area. She believes it is a win for the City and win for the community and a win for the school system. They are aware of issues around the access off Mason Street, but the development meets the OCP and she would encourage Council to move the project ahead.

Janet Hawkins

From: leahm@rcdvictoria.org
Sent: Wednesday, May 22, 2013 11:02 AM
To: Council Secretary
Subject: Thank you for your submission - City of Victoria - Address Council Form

Name: Joe Colistro **Date:** May 22, 2013

Address: 4044 Nelthorpe St.

I wish to appear at the following Council meeting: May 23 , 2013

I represent: Island Catholic Schools

Topic: 980 Pandora site redevelopment

Action you wish Council to take:

Approve the redevelopment of the site.

CONTACT INFO:

Contact Name: Joe Colistro
Contact Address: 4044 Nelthorpe St.
Contact Phone Number: 2504791331
Contact Email: leahm@rcdvictoria.org

REPORTS OF THE COMMITTEE

3. Planning and Land Use Standing Committee – May 16, 2013

2. Rezoning Application #00381 for 1002-1008, 1012 Pandora Avenue – Mason Street Vehicle Access

It was moved by Councillor Alto, seconded by Councillor Helps, that the following motion be referred back to the Planning and Land Use Standing Committee:

1. City Staff provide Council with more information regarding amending the City of Victoria Highway Access Bylaw to allow all new development sites to provide vehicular access and egress from any road.
2. A site specific solution be explored to enable further consideration of the development proposal that addresses Committee's concern regarding vehicle access from Mason Street.

Councillor Alto said that motion was not meant to come before Council, the information was to be provided to Committee.

Councillor Young said that he will not support the motion as it is requesting a large amount of work to be done by staff and the proponent, with legal ramifications. It could involve redesigning the entire project. This needs to be discussed by the entire Council with full knowledge of the project proposed.

Councillor Isitt said that he is also opposed to referring the motion. It is better for Council to provide direction to staff and the applicant.

Motion to Convene a Closed Meeting

It was moved by Councillor Isitt, seconded by Mayor Fortin that Council convene a closed meeting at 9:49 p.m. to consider legal advice under Section 12 (3) (i) of the Council Bylaw.

Carried

For:

Mayor Fortin, Councillors Coleman, Gudgeon, Helps, Isitt, Madoff, Thornton-Joe and Young

Against:

Councillor Alto

Motion to Adjourn Closed Meeting

It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Council adjourn the Closed Meeting at 10:01 p.m.

Carried Unanimously

Councillor Alto requested Council to vote against her referral motion if there is a more expeditious way to handle the item.

Defeated Unanimously

Councillor Isitt returned to meeting at 10:03 p.m.

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that Rezoning Application No. 00381 for 1002-1008, 1012 Pandora Avenue be referred, in its entirety, to the June 6, 2013 Governance and Priorities Committee meeting.

Carried Unanimously

4.3 Rezoning Application #000381 for 1002-1008, 1012 Pandora Avenue – Mason Street Vehicle Access

At the May 2, 2013, Planning and Land Use Committee meeting consideration was postponed of Rezoning Application # 000381 for 1002-1008, 1012 Pandora Avenue to allow the applicant to address specific issues raised by Committee. The applicant provided a letter which indicated a willingness to address many of the Committee's issues; however, the *City of Victoria Highway Access Bylaw* requires all developments on corner lots to locate their vehicle access on the street with the more minor classification and for this development that is Mason Street.

The rationale for the bylaw provision is that locating property access on the street frontage with lower volumes and speeds results in fewer potential conflicts between vehicles entering/exiting the site and other road users. In addition to the regulatory requirement for vehicle access, functional considerations related to the proposed development reinforce locating vehicle access for this development on the Mason Street frontage.

Vehicle access on the Vancouver Street frontage could be problematic, given how the two adjacent blocks of Mason Street meet Vancouver Street. A new driveway crossing on Vancouver Street, opposite where the 900 block Mason Street intersects with Vancouver Street, would add more conflict points in a short length of roadway. Additionally, Vancouver Street is identified as a Bikeway and a Greenway so limiting the number of vehicle access points on the corridor would be considered beneficial for bikeway and greenway users, and it would facilitate a more continuous, uninterrupted and consequently safer design.

In addition to increasing the potential for vehicular conflicts, introducing vehicle access on the Pandora Avenue or the Vancouver Street frontages would increase the difficulty of incorporating the continuous at-grade retail presence desired under the *Downtown Core Area Plan* policies.

To permit vehicle access to this development on any frontage other than Mason Street, Section 12(b) of the *Highway Access Bylaw* would have to be amended. As a site-specific variance process is not an option, a general amendment to the bylaw would be required. Such an amendment would mean that all properties on corner lots or with multiple frontages would be permitted to locate their access from any street frontage, regardless of its classification. From an Engineering perspective this will result in an increase in potential conflicts between vehicles and other road users. A bylaw amendment of this nature is not recommended.

In light of these requirements, the applicant is seeking clarification on the Committee's motion. Should the Committee recommend a Highway Access Bylaw amendment, staff will report back to Governance and Priorities Committee with a process for amending the bylaw. Should the Committee be supportive of permitting vehicle access and egress from Mason Street, the applicant has offered to work with staff in order to minimize the impact of the parking garage through design and landscape treatments.

Committee discussed:

- The impact of increased traffic from this development on Mason Street whether there were viable alternatives.
- If there will be a safe mid-block public access between buildings.
- If a reduction in massing was being considered by the applicant.

Action:

Councillor Helps moved that Committee recommends that:

1. That City Staff provide Council with more information regarding amending the *City of Victoria Highway Access Bylaw* to allow all new development sites to provide vehicular access and egress from any road.
2. That a site specific solution be explored to enable further consideration of the development proposal that addresses Committee's concern regarding vehicle access from Mason Street

CARRIED UNANIMOUSLY 13/PLUSC088



MEMO TO PLANNING AND LAND USE STANDING COMMITTEE

DATE: May 13, 2013

PREPARED BY: Mike Wilson, Senior Planner – Urban Design

ENDORSED BY: Deb Day, Director of Planning and Development
Dwayne Kalynchuk, Director of Engineering and Public Works

SUBJECT: **REZ #000381 for
1002-1008, 1012 Pandora Avenue – Mason Street Vehicle Access**

At the Planning and Land Use Standing Committee of May 2, 2013 the Committee postponed consideration of Rezoning Application #000381 for 1002-1008, 1012 Pandora Avenue to allow the applicant to address the concerns of the Committee. The Committee's motion as provided in the draft minutes of the meeting is as follows:

Councillor Helps moved that Committee postpone further consideration of this application pending the applicant's reconsideration of the proposal as it pertains to:

- *The vehicular entrance on Mason Street;*
- *Massing to reduce building height on Mason Street in favour of Pandora;*
- *Consider mid-block public access through the development;*
- *The appropriateness of the comprehensive development zone; and*
- *The retention of the school tower.*

CARRIED UNANIMOUSLY 13/PLUSC073

The applicant has provided the attached letter which indicates a willingness to address many of the Committee's concerns. However, as noted in the previous staff report, the *City of Victoria Highway Access Bylaw* requires all developments on corner lots to locate their vehicle access on the street with the more minor classification – for this development, that is Mason Street. The rationale for the bylaw provision is that locating property access on the street frontage with lower volumes and speeds results in fewer potential conflicts between vehicles entering/exiting the site, and other road users (vehicles, pedestrians and cyclists).

In addition to the regulatory prohibition, functional considerations related to the proposed development reinforce placing vehicle access for this development on the Mason Street frontage.

Vehicle access on the Vancouver Street frontage could be problematic, given how the two adjacent blocks of Mason Street meet Vancouver Street (the two intersections are offset by approximately 40 m). A new driveway crossing on Vancouver Street, opposite where the 900

block Mason Street intersects with Vancouver Street, would add more conflict points in a short length of roadway. Additionally, Vancouver Street is identified as a Bikeway and a Greenway so limiting the number of vehicle access points on the corridor would be considered beneficial for bikeway and greenway users, and it would facilitate a more continuous, uninterrupted and consequently safer design.

In addition to increasing the potential for vehicular conflicts, introducing vehicle access on the Pandora Avenue or the Vancouver Street frontages would increase the difficulty of incorporating the continuous at-grade retail presence desired under *Downtown Core Area Plan* policies.

To permit vehicle access to this development on any frontage other than Mason Street, Section 12(b) of the *Highway Access Bylaw* would have to be amended. As a site-specific variance process is not an option, a global revision to the bylaw would be required. Such a revision would mean that all properties on corner lots or with multiple frontages would be permitted to locate their access from any street frontage, regardless of its classification. In the opinion of staff this will result in an increase in potential conflicts between vehicles and other road users. A bylaw amendment of this nature is not recommended by staff.

In light of these requirements, the applicant is seeking clarification on the Committee's motion. Should the Committee recommend a *Highway Access Bylaw* amendment, staff will report back to Governance and Priorities Committee with a process for amending the bylaw. Should the Committee be supportive of permitting vehicle access and egress from Mason Street, the applicant has offered to work with staff in order to minimize the impact of the parking garage through design and landscape treatments.

Options

1. That the Committee recommend that vehicle access and egress be permitted from Mason Street, in accordance with the *City of Victoria Highway Access Bylaw*, and that the applicant work with staff to re-examine the location and design of the vehicle entry, as well as the landscape treatment on Mason Street in order to minimize the impact of the vehicle access point on adjacent properties. (Recommended)
2. That the Committee recommend an amendment to the *City of Victoria Highway Access Bylaw* to allow all new development sites to provide vehicular access and egress from any road.

Conclusion

The *City of Victoria Highway Access Bylaw* and *Downtown Core Area Plan* support the provision of vehicle access and egress from this site on Mason Street. From a staff perspective, an amendment to the *Highway Access Bylaw* is not recommended as it would permit all properties with more than one street frontage in the City of Victoria to locate their access on any street including arterial roads. As a result, the staff recommendation remains unchanged. Staff support the provision of vehicle access and egress on Mason Street and will work with the applicant to mitigate any potential impacts on adjacent properties.

Recommendation

That the Committee recommend that vehicle access and egress be permitted from Mason Street, in accordance with the *City of Victoria Highway Access Bylaw*, and that the applicant work with staff to re-examine the location and design of the vehicle entry, as well as the landscape treatment on Mason Street in order to minimize the impact of the vehicle access point on adjacent properties.

Respectfully submitted,



Mike Wilson
Senior Planner – Urban Design



Deb Day, Director
Planning and Development



Dwayne Kalynchuk, Director
Engineering and Public Works

MW:lw

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Attachments

- Letter from Mr. M. Kopinya, Blue Sky Properties, dated May 13, 2013.

May 13, 2013

City of Victoria
Development Services Division
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 1002-1008 and 1012 Pandora Avenue - Response to Planning and Land Use Standing Committee Meeting of May 2, 2013

Dear Planning and Land Use Standing Committee Members,

Thank you for your comments on our proposed project at 1002-1008 and 1012 Pandora Ave at the May 2nd, 2013 Planning and Land Use Standing Committee meeting. We are working with Planning Staff to incorporate comments into our application.

We would like to seek further clarification on the item raised with respect to transportation, specifically access to our site. Over the past year we have worked with Planning and Engineering/Transportation Staff on a number of options to access the site. We have also engaged the traffic consultant Bunt & Associates to conduct a traffic study for the proposed development and to study site access options. The site access options that were explored were as follows:

- Pandora St.
- Vancouver St.
- Mason St.
- and a hybrid approach with an entry off Mason St. and an exit off of Pandora St.

Based on the meetings with Staff, it is our understanding that the only viable option for the site access is off Mason St. We understand the concerns with having Mason St. as the primary access and have made the best efforts to minimize the impact by keeping the entry as close to the corner of Vancouver St. as possible. We have also made the provision for street widening and set back our building to minimize the impact.

We are prepared to continue to work with Staff to soften the impact on Mason St. as much as possible, however we require confirmation that the Planning and Land Use Standing Committee will accept the Engineering/Transportation Department's directive to access the site off Mason St.

Regards,



Mark Kopinya
Development Manager

5. DECISION REQUEST

5.1 Rezoning Application # 00381 for 1002-1008 and 1012 Pandora Avenue

Committee received a report dated April 23, 2013, from Planning and Development regarding Rezoning Application # 00381 for 1002-1008 and 1012 Pandora Avenue to increase density and construct a six-storey mixed-use building with 4,318 m² of ground-floor commercial space and 15,532 m² of residential floor area at the northeast corner of Pandora Avenue and Vancouver Street. ~~All the units are proposed as market rental in perpetuity and in return the applicant requested that Council waive the requirement for a land lift analysis.~~

Committee discussed the following:

- The current proposal will put too much vehicle traffic on Mason Street, which functions like a greenway. Mason Street also has one of largest urban gardens.
- The value in retaining the original church school tower.
- The Official Community Plan states that residents want a walkable city with strong city centres, committee must make decisions for the next 30 years.
- If the plan could be adjusted to have vehicular access from Pandora instead of Mason Street.
- Concerns about massing across the block, and could the building be stepped back on Mason Street.
- Whether there is an opportunity for mid-block connections through the site.
- The inward looking nature of the development which is beneficial for those who live there but not anyone on the outside.
- This is the first iteration of what could be built on this site; care should be taken to ensure this development is done well as it will set the tone for future developments.

Action:

Councillor Helps moved that Committee postpone further consideration of this application pending the applicant's reconsideration of the proposal as it pertains to:

- The vehicular entrance on Mason Street;
- Massing to reduce building height on Mason Street in favour of Pandora;
- Consider mid-block public access through the development;
- The appropriateness of the comprehensive development zone; and
- The retention of the church school tower.

CARRIED UNANIMOUSLY 13/PLUSC073

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In light of these requirements, the applicant is seeking clarification on the Committee's motion. Should the Committee recommend a Highway Access Bylaw amendment, staff will report back to Governance and Priorities Committee with a process for amending the bylaw. Should the Committee be supportive of permitting vehicle access and egress from Mason Street, the applicant has offered to work with staff in order to minimize the impact of the parking garage through design and landscape treatments.

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Action:

Councillor Helps moved that Committee recommends that:

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CARRIED UNANIMOUSLY 13/PLUSC088

REPORTS OF THE COMMITTEE

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Councillor Alto said that motion was not meant to come before Council, the information was to be provided to Committee.

Councillor Young said that he will not support the motion as it is requesting a large amount of work to be done by staff and the proponent, with legal ramifications. It could involve redesigning the entire project. This needs to be discussed by the entire Council with full knowledge of the project proposed.

Councillor Isitt said that he is also opposed to referring the motion. It is better for Council to provide direction to staff and the applicant.

Motion to Convene a Closed Meeting

It was moved by Councillor Isitt, seconded by Mayor Fortin that Council convene a closed meeting at 9:49 p.m. to consider legal advice under Section 12 (3) (i) of the Council Bylaw.

Carried

For:

Mayor Fortin, Councillors Coleman, Gudgeon, Helps, Isitt, Madoff, Thornton-Joe and Young

Against:

Councillor Alto

Motion to Adjourn Closed Meeting

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Carried Unanimously

Councillor Alto requested Council to vote against her referral motion if there is a more expeditious way to handle the item.

Defeated Unanimously

Councillor Isitt returned to meeting at 10:03 p.m.

Motion:

It was moved by Councillor Alto, seconded by Councillor Madoff, that Rezoning Application No. 00381 for 1002-1008, 1012 Pandora Avenue be referred, in its entirety, to the June 6, 2013 Governance and Priorities Committee meeting.

Carried Unanimously

HEARINGS – REQUEST TO ADDRESS COUNCIL

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6. **Daryl Simpson, BlueSky Properties Ltd., re: 1002-1008, 1012 Pandora Avenue – Mason Street Vehicle Access:** He is the Senior Vice President of Bosa Developments. They have built up a solid reputation in the community and in Victoria. They build for the long term and invest in communities. They invest \$175,000 in grassroots charitable organizations. With Pandora they will be making a similar donation. They embrace the responsibility of being a developer, they like to create homes for people and improve communities. They have a proven track record with homeowners, tenants and councils. They have worked on this project and have responded to requirements of the Engineering and Planning Departments. They truly believe they have developed the project in accordance with the OCP and it will enliven the North Park Neighbourhood and provide housing in the North Park area. Concerns have arisen regarding vehicle access on Mason Street and PLUSC is contemplating an amendment to the Highways Access Bylaw. They have worked to find a mix of retail tenants and they have responded to the challenges of staff to optimize the project. With respect to the PLUSC recommendation he would request that Council not pursue the amendment to the bylaw as it would subject the project to further delays and would affect potential retail and land purchase. Their timeline is expected to work if we continue on schedule.

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