

May 3, 2021

Rezoning City of Victoria

1 Centennial Square, Victoria, BC V8W 1P6

**Response to Application Review Summary For: 557 Simcoe Street Meeting
Date: Tuesday, January 26, 2021**

Application: REZ No. 00759 & DP No. 000589

On behalf of 077216 BC Ltd and Bluewater Development Ltd. we want thank you for your comments to our application submitted January 4, 2021. For ease of responding to each of your comments in this summary we have inserted responses in blue font under each section.

City of Victoria staff have completed the technical review of your application with respect to the relevant land use policies, technical requirements and regulations. These comments are provided to the person named as applicant. It is your responsibility to provide these comments to the owner or consultant.

After your review of these comments, please feel free to contact your area planner if you require clarification of the information or wish to arrange a meeting to further discuss your application. [Thank you, agreed.](#)

Application Support: Revisions are required. Application support will be determined based on revisions.

To successfully complete this application, you must address all the requirements listed below. Other items are provided for the applicant's information at this time. Items listed under "Conditions to be met prior to Public Hearing or prior to Opportunity for Public Comment" can be addressed now, or at minimum, before the Public Hearing or Opportunity for Public Comment date will be scheduled.

The Plan Check for this proposal is provided in a separate attachment. The Plan Check provides the technical analysis of the project data for compliance with the Zoning Regulation Bylaw.

REVISED SUBMISSION REQUIREMENTS:

If changes to your plans are required as a result of this Application Review Summary or the Plan Check, you are required to submit revised plans. So that your application can be processed as efficiently as possible, please submit all changes at one time.

Written Material

- A list describing changes that have been made to the previous set of plans and relate the list to the 'bubbled' drawings preferably by a numerical reference (bubbles indicate where changes have been made to the previously submitted plans).

- This list should be accompanied by a letter itemizing how you addressed each of the requirements listed under the headings “Conditions to be met prior to Committee of the Whole”.

Plans The following number of plans is required for a resubmission

- 1 full bubbled set of plans - that incorporate the changes
 - 1 full set – not bubbled – that incorporate the changes
 - Digital Submissions of all revised materials are required in PDF format for resubmissions: Application Review Summary For: 557 Simcoe Street Meeting Date: Tuesday, January 26, 2021 Application: REZ No. 00759 & DP No. 000589
 - two full size sets of plans incorporating all changes to the previous submission
 - one set of plans must have numbered revision bubbles identifying all changes
 - a numerically itemized transmittal letter outlining all proposed changes to correspond with the numbered revision bubbles is also required
 - any revised supporting documentation must also be submitted in digital format at this time.
- [Thank you for clarification we believe this responds as requested.](#)

Sign Posting

It is your responsibility to check with Planning Support staff at (250) 361-0283 for further information on any sign posting requirements. [Agreed](#)

Note: If your application involves landscaping to satisfy Development Permit requirements, an estimate for the landscape will be required prior to the issuance of the development permit and the landscape security deposit will be required at the time of Building Permit application.

[Agreed we have revised from previously submitted based on comments. See revised Page A-002 and attachment #1 Revised Landscape Estimate](#)

Further note: A housing agreement, restrictive covenant, master development agreement or right-of-way requirements may apply to this development. If this is the case, then the applicant is advised to secure the services of the necessary professionals (lawyer, surveyor, engineer) as early on in the process as possible to ensure timely processing of this application. [Agreed, a Strata Agreement for the Development will be documented.](#)

Development Services Division Comments: Area Planner: Chelsea Medd, Telephone: (250) 361-0254

Conditions to be met prior to the Committee of the Whole:

- Consider offering a housing agreement to not restrict rentals, or a degree of affordability.

[The Strata Agreement will include the right of the owner of a unit to rent out their unit.](#)

General comments:

Overall, the proposal does not entirely fit with City policy and standard zones for duplexes, townhouses or multi-unit. There are also concerns with the building forms and site planning. Staff would strongly recommend a redesign as a single building, which would be a better contextual fit and reduce the impacts of the driveway and parking. A revised proposal may result in additional comments. After much discussion with our previous Area Planner and planning staff, we scaled back and revised our submission with JBNA support on January 4, 2021. Our proposal considered:

- concerns raised by planning staff to keep the structure Simcoe facing so as not to disturb South Turner and Clarence St homes. Given the lot is long and narrow the way to accomplish this was 2 buildings on a very large lot
- Planning's request that we give exterior features above the garage area so we added small balconies
- 3-bedroom homes, a rarity in James Bay, and a basement space that could either be a home office, recreation room, exercise room or flex space for storage,
- more windows for natural light on 3 exterior walls of each home instead of only 2 exterior walls for internal units if we combined to one building. We do not face our neighbours on South Turner or Clarence St
- individual garages, below grade level, for each home instead of either a front or back shared parking lot
- each home having either front or back yards so that owners can take advantage of green space and gardens

Respectfully we would like to leave our design as is but adding changes and corrections as requested below.

- With the current proposal, there are concerns with the impacts of the driveway ramp which creates a cavernous void on the streetscape. The Design Guidelines for Multi-Unit Residential, Commercial and Industrial and the Neighborliness Design Guidelines for Duplexes, discourage having driveways and parking dominate the street frontage and site. The policies also encourage driveways having a minimal impact on the enjoyment of the pedestrian experience, and a good street relationship with landscaping incorporated to enhance the pedestrian element. #1 We have considered the need for access to the property by car with a minimum driveway width requirement and only one driveway entry for the homes . We have reduced the cavernous void by decreasing the length of the driveway along Block B and added additional green space in its place See A-002
- The Design Guidelines also encourage underground parking, and when unavoidable ground level parking that is at the rear of a site. Consider underground parking, ground level parking, or a separate accessory building at the rear. This would allow more greenspace, ability to plant more trees and landscaping, more usable outdoor space for the units. The individual parking for each unit is below grade and we have used one driveway entry for all units to minimize the impact at the street level.

- Consider reducing the FSR to reduce the perceived massing of the buildings and be more consistent with similar zones. The OCP supports a 1 to 1 FSR and the duplex zoning is 0.5. Our proposal is 0.79 which falls in between.
- Elevations/Floor Plans
 - The Design Guidelines encourage having strong entry features and building design that interact with the street. Consider adding an accent element at the entry. Our design was created to allow usable front yards for the owners with open patios, permeable entry sidewalks and patios and hedging to allow some privacy and more greenery. As requested below by Transportation and Parks the plan is revised to show a new sidewalk with 2 boulevard trees which will further enhance the streetscape.#2 A-002
 - Consider the front elevation windows. Specifically, there are large bathroom windows facing the front in the center of the building. This will likely result in either having blinds closed the majority of the time or the placement of opaque glass. Consider design solutions for a more friendly street presence. The large windows are designed to allow owners more natural light and to make the small powder rooms feel more spacious. We have been successful in a past development using blinds that allow owners to bring in natural light at the top and bottom of the window while providing coverage for privacy
 - Please use cardinal directions for elevations (west, east, north, south). Agreed
 - Provide detail of railing on patio. There is railing shown on side elevations that extend to front yard, but the railing is not shown on the landscape plan or front elevations. #3 Railings are shown on the front elevation plans and now on all 3D perspective drawings. If you refer to the side elevations the railing shown is an aluminum rail with glass panels. It is shown on the landscaping plan as well. See A-002 A-103 and A301, A401

Landscape Plan or Site Plan

- There are concerns with the retaining walls and length of concrete. Consider softening this in some way or adding a landscape bed particularly near the street to help soften the appearance. #4 the landscape plan is revised to incorporate Kinnickinnick and low Oregon Grape plants to grow along the concrete retaining wall like a living wall concept as shown in a picture on the landscape plan. They are native to south Vancouver Island and good pollinators.
- Please label landscaping at front of property. It's unclear whether it's also emerald cedar hedge. Consider a landscape species that provides more sightlines from the public to private space. #5 we revised all hedges to be Azalea Hino White shrubs. These provide flowering, low profile shrubs that are good pollinators and add beauty to the front of Simcoe St and the back of the property.
- The Multi-Unit Design Guidelines encourage a minimum of 30% of the required common landscaped areas should include diverse plants that are native to southern Vancouver Island, food-bearing (capable of being harvested for food and medicine) or that provide

- pollinator habitats. Please consider revising landscaping and provide details of plantings. [#5 revised plan adds native plants along the retaining wall and in the planter boxes at the front patios. Each unit also has an individual food-bearing or medicine garden box.](#)
- Please include material of patios. It is encouraged to use a permeable paving or be decorative in nature. [We will use Old Country Stone, a permeable paver.](#)
- Provide more detail on the new or existing fences around the property, along with their height and material/design. Please note the Fence Bylaw applies. Height in front yard would be shorter, please show on plans and elevation of fences. [#6 we have included a note regarding the heights of the fences. There is a typical wood fence picture provided in the landscaping plan.A-002](#)
- Label and add elevations of railing/fence around front patios. [#7 labelling complete A-002](#)
- We understand 565 Simcoe and 160 South Turner are also being redeveloped by the owner. Please show proposed house outline for context. [#8 added on A-103](#)
- Letter
 - The letter indicates there is a visitor stall. No visitor stall is shown on the plans. [Revised letter to exclude visitor parking and add more green space](#)
 - Note : variances may need to be adjusted depending on proposal and site specific zone. Staff will advise if changes are needed to the letter.
- Please clarify shadow study. A shadow study should show the shadow impacts on neighboring properties. [We have clarified with Chelsea Medd that this is not required.](#)
- **NOTE:** The Plan Check for the proposal has outstanding issues or missing information. Please ensure that your resubmission addresses these items. If you need clarification on any of the items contained in the Plan Check, please contact the Zoning Administration staff as noted on the Plan Check [Information added](#)

Engineering and Public Works Department Comments:

This review is for the applicant's plan submission received by the City on January 4th, 2021. Note that all plan resubmissions will be re-reviewed by the Engineering Department, so additional comments and/or requirements to the ones below may be sent to the applicant.

Land Development Review: Contact: Deb Becelaere, Engineering Technologist, at 250.361.0355 or dbecelaere@victoria.ca.

Condition to be met prior to Committee of the Whole:

- With regards to the BC Hydro servicing, please confirm if a BC Hydro Pad Mounted Transformer (PMT) will be required for this development. The PMT location must be determined at the rezoning stage if one is required. Note that the PMT shall be situated on private property in a location approved by BC Hydro and must follow the BC Hydro

Specification ES54 F3-06.01 for PMTs on private property. If a PMT is required, please show it across all plans for the next plan submission. Please include it, and the conceptual conduit routing to the connection in the public right of way, on the Site Plan as well. [We confirm a PMT is not required](#)

For Information prior to Building Permit Submission/Approval:

• As per the authority given to municipalities under the Local Government Act, as a condition of building permit approval, the applicant is financially responsible for full frontage works to the centreline of the Simcoe Street frontage, to current (i.e., at the time of building permit) City of Victoria standards, as per the Victoria Subdivision and Development Servicing Bylaw No. 12-042, and to the satisfaction of the Director of Engineering and Public Works. The frontage works include, but are not limited to:

- curb, gutter and sidewalk replacement (sidewalk to be 1.75 metres in width with relocation of the sidewalk to the internal boundary of the SRW) [#10 revised A-002 A-103](#)
- removal of the redundant driveway crossing and construction of a new driveway crossing, with 1.5 metre flares, adhering to the City's Highway Access Bylaw No. 91-038 [#11 revised A-002 A-103](#)
- 2x 50mm conduits and junction boxes for future street lighting along the frontage if requested at time of building permit review [Agreed](#)
- pavement restoration up to the centreline of the road allowance along the frontage [Agreed](#)
- all associated road markings and street signage as required [Agreed](#)
- roadway surface drainage works as required [Agreed](#)
- underground City utility works including sanitary sewer, storm drain and water [Agreed](#)
- supply (including fire hydrants/adequate fire protection coverage as required by the Fire Department) [Agreed](#)
- boulevard improvements and new street trees, ensuring plans are consistent with comments from Parks Division staff. [Agreed](#)
- As part of the submission requirements for the building permit, fully dimensioned and detailed civil drawings, prepared by a professional civil engineer, shall be submitted for approval, detailing the scope of work. The drawings must include a site plan and profile indicating all existing and proposed grades, all existing and proposed City infrastructure and the location and dimensions between existing and proposed trees and utility poles. The plan shall be plotted at 1:200 (1:100 for details and 1:200 for cross sections) metric scale. Drawings must be coordinated and be consistent between the applicant's civil, electrical/mechanical, architectural and landscaping consultants prior to building permit plan submission. Fees for service connections and deposits for the off-site works shall be paid by the applicant prior to building permit issuance. The applicant will be required to enter into a Works and Services Agreement with the City, which will be executed at the building permit stage. [Agreed](#)
- • Building permit civil plans shall detail all existing and proposed third-party utilities (such as hydro, phone, cable, internet, gas) on all frontages for the development. It is strongly

recommended that the applicant contact the relevant utility companies well in advance of submitting civil plans for the building permit to determine detailed underground or overhead third-party servicing, how connections will be made to the property and servicing locations, in order to expedite the civil plan review for approval. Please note:

- As per Section 22 of the Victoria Subdivision and Development Servicing Bylaw No. 12-042, all third-party utility services supplied through wires to the property shall be installed underground in ducts. [Agreed](#)
- Ensure all detailed third-party utility infrastructure is clearly indicated on the detailed civil plans, including all dip connections. [Agreed](#)
- The locations of these services shall not disturb or adversely affect existing or proposed trees, tree canopy or tree roots. The minimum distance from third party underground utilities to street trees is 1.5 metres and from utility poles is 5.0 metres. [Agreed](#)
- Utility permit approval will not be given by City staff until the detailed site servicing plan at building permit stage has been signed off and approved by the utility company and City staff. [Agreed](#)

Transportation Review: Contact: Mike van der Laan, Transportation Planner, at 778-350-3158 or mvanderlaan@victoria.ca.

Conditions to be met prior to Committee of the Whole:

- The standard right-of-way width for a collector street is 20.0 metres, however future transportation-related needs on the corridor can be met with a right-of-way width of 15.0 metres. To achieve this minimum width on this portion of Simcoe Street, a Statutory Right of Way (SRW) of 2.6 metres is requested. Staff will make a recommendation to Council that this requested SRW be a condition of rezoning to help fulfill Council approved Official Community Plan objectives such as enhanced facilities for walking, cycling, and boulevards which support the long term viability of large canopy trees. Thank you for identifying the SRW on the Site Plan. The SRW document will be secured by legal agreement and registered on title prior to establishing a date for Public Hearing. [Agreed](#)
- Confirm and illustrate a driveway crossing in conformance with the Highway Access Bylaw No. 91-038 and the Subdivision and Development Servicing Bylaw No. 12-042. Start the 8% grade from the street boundary (inner SRW line), not the property line. The new crossing is to be illustrated to City standards, including a 3.5-4.5 metre crossing with 1.5 metre flares and concrete within the City right of way and within the SRW. Please revise the next plan submission accordingly. [#12 revised see A-103](#)
- Identify the old driveway crossing with a dashed line and label "for removal and replacement with full height curb, gutter and boulevard to City standards". [#13 revised A-103](#)
- Please indicate a new 1.75 metre sidewalk inbound to the inner SRW line on the Site Plan to

replace the existing curbside sidewalk, along with a new boulevard with two street trees. The 8% driveway slope is to start from the inner SRW and grades in the SRW are to slope 1-3% towards the City right of way as per the Subdivision and Development Servicing Bylaw. Please revise the next plan submission accordingly. [#10 see A-002](#)

Underground Utilities Review: Contact: Anhad Jolly, Utility Planning Technologist, at 250.361.0263 or ajolly@victoria.ca.

Condition to be met prior to Committee of the Whole:

- A change in zoning may allow for changes in permitted use and density resulting in increased sewage flow rates. The City's sanitary sewer system may not, at present, be sufficient to accommodate the increased flow rates. If the anticipated peak flow rate produced by the new development is greater than the estimated peak flow rate of sewage that would normally be generated by permitted development under the existing zoning regulation, then attenuation of Page 6 of 8 flows will be required. Therefore, a report prepared by a qualified Engineer comparing pre and post- development sewage flow rates shall be submitted to the Engineering Department (attention: Deb Becelaere at dbecelaere@victoria.ca) by the next plan resubmission as the report shall be reviewed by staff and the requirement for attenuation determined prior to Public Hearing. The report is to include measures that the applicant intends to take to attenuate the sewage if required. Please contact Jack Hu, Sewer and Stormwater Quality Technologist, at 250.361.0551 or at JHu@victoria.ca, if further information is required. If it is determined that sewage attenuation is required, the registration of a Section 219 covenant will be necessary to secure the commitment to attenuate sewage. Registration of the covenant is required prior to establishing a date for Public Hearing. [We confirm for 4 units or less, as our development and rezoning does not require a pre and post sewage report. Please see Hoel Engineering report attached schedule 2](#)

For Information prior to Building Permit Submission/Approval:

Site servicing to the development is required to comply with the City's current bylaws and BC Plumbing Code. For building permit submission, a detailed site servicing plan incorporating the City's base map information and indicating existing and proposed storm drain, sanitary sewer and water services from the City main lines to the property line on all frontages must be provided for staff to review. The site servicing plan must be fully dimensioned and plotted at 1:200 metric scale and include depth at property line, sizes of pipes, profile views, and dimensions from the nearest side property line of all new services. Be sure to consider impacts to existing trees and tree roots when determining the servicing locations. Please note:

- Storm Drain and Sanitary Sewer: All existing services are to be capped on private property by the applicant's contractor at the time of demolition of the existing dwelling, at the applicant's expense, and new services to the development will be required. New service connections in the City right of way are installed by City crews at the applicant's expense. Service connection fees must be paid by the applicant at the time of building permit

- issuance. Fees will be charged to the applicant as per the fee schedule in the Sanitary Sewer and Stormwater Utilities Bylaw No. 14-071 (and any amendments to the Bylaw). [Agreed](#)
- Water Service: New domestic and fire water services to the property will be required based on new loads and plumbing requirements. The applicant's engineer is required to calculate the hydraulic loads to determine the size of the proposed water service. New water services, as well as the capping of abandoned connections, are installed in the public right of way by City crews at the expense of the applicant. Service connections are purchased at the time of building permit issuance and the fees are charged to the applicant as per the fee schedule in the Waterworks Bylaw No. 07-030 (and any amendments to the Bylaw, specifically Bylaw Amendment No. 16-079). [Agreed](#)
- When determining/finalizing the above service connection locations, please ensure that required offsets from the proposed boulevard trees and third-party utilities are met. [Agreed](#)
- Prior to commencement of excavation or soil relocation, contractors shall be registered under Bylaw 14-071, Schedule G: Code of Practice for Construction and Development Activities. Contact Adam Steele, Stormwater Management Specialist, at 250.361.0318 or ASteele@victoria.ca to register. [Agreed](#)

Stormwater Management Review: Contact: Brianne Czypyha, Stormwater Management Specialist, at 250.361.0364 or bczypyha@victoria.ca.

For Information prior to Committee of the Whole:

- The City encourages Green Stormwater Infrastructure (GSI) and offers financial incentives for properties to manage rainwater on-site. We support and encourage the use of permeable surfaces for the parking stalls and other hard surfaces, rain gardens and green roofs and the preservation of as much green/open space as possible. Note that runoff from a minimum of 10% of the site's impervious area must be treated to qualify for any stormwater credits. The use of the permeable pavers for the driveway area is supported. The property owner may be eligible for financial incentives if the designs meet requirements as per the City's Rainwater Management Standards. Please visit www.victoria.ca/stormwater for more information.

For Information prior to Building Permit Submission/Approval:

Please submit the specifications for the permeable pavers in the driveway area for review at the time of building permit plan submission [Agreed](#)

Please show the locations of all proposed on-site drains and their connection to the City storm drain main on the drawings. [Agreed](#)

To assist staff in calculating the rainwater rewards credits, please indicate on the building permit plan submission, in square metres, the:

- o site impervious areas for the entire private property [Agreed](#)

o permeable surface areas for the entire private property [Agreed](#)

o any other GSI areas integrated into the design for the entire private property [Agreed](#)

Parks Division Comments: Contact: Gregg Staniforth, Telephone: (250) 361-1614 or gstaniforth@victoria.ca

Conditions to be met prior to the Committee of the Whole:

- Please show two new boulevard trees on the frontage. Indicate species TBD, trees to be planted by City of Victoria. [#10 see A-002](#)
- There is an offsite bylaw protected tree west of the proposed parkade entrance. Please identify the tree as bylaw protected and show the critical root zone on the site plan and the landscape plan. The critical root zone can be shown as a radius 12 times the diameter of the tree. [#14 see A-002](#)

Permits and Inspections Division Comments: Contact: Ray Berkeley, Telephone: (250) 361-0344 Ext. 3

Conditions to be met prior to the Committee of the Whole:

- Designer and owner to consider Fire Department Access to Buildings 9.10.20.3. [We believe that this is not required by code as it is a part 9 building.](#)

Fire Department Comments: Contact: Brad Sifert, Telephone: (250) 920-3365

- Smoke alarms (interconnected) as per BCBC. [Agreed](#)

[We hope that the answers, clarifications and changes above along with revised plans will satisfy your concerns and hope for positive support for our re-zoning and development request.](#)

[Thank you for your time,](#)

[Laura Nixon, 0772613 BC Ltd](#)

May 3, 2021

Rezoning City of Victoria 1Centennial Square, Victoria, BC V8W 1P6

**List re: Response to Application Review Summary For 557 Simcoe Street
Meeting Date: Tuesday, January 26, 2021 Application: REZ No. 00759 & DP
No. 000589**

# on Bubbled Plans	Item	Page Showing change	Comment
1	Cavernous Void of driveway on streetscape comment page 3	A-002	Reduced length of driveway in favour of grass and revised the letter to Mayor and Council eliminating the visitor parking spot
2.	Street interaction comment page 4	A-002	
3	Railing on deck missing in some drawings comment page 4	A-002 A-301 A-401	
4	Softening of retaining wall appearance	A-002	Shortened the length of retaining wall and we added greenery
5	Request for plantings and hedges which are native and pollinators page 5	A-002 and Schedule 1 Revised landscaping estimate	
6	Revised fence height	A-002	
7	Elevation of railings and fences shown page 5	A-002	
8	Show the footprint of 160 South Turner and 565 Simcoe on plan page 5	A-103	
9	PMT	A-103	PMT not required and hydro meter indicated
10	Curb, Sidewalk, Gutter changed on plan with tbd Boulevard trees page 6	A-103 A-002	
11	Driveway flare to be shown page 6	A-103 A-002	
12	Grading of driveway marked page 7	A-103	
13	Old Driveway shown on plans page 7	A-103 A-002	
14	Neighbours protected tree with radius should be indicated page 10	A-103	