

Responses to City of Victoria Review Comments of August 16, 2022



REZ No. 00762
DP No. 000590
Proposal to Rezone 1514-1520
Foul Bay Road A community of
family-oriented townhomes.

VILLAGE LANDING

A Community within a Community

Response to City of Victoria Comments of August 16, 2022

Development Services Division Comments

Comment: *Your proposal meets the use, density, and height envisioned for this location in the Official Community Plan.*

Response: Confirmed. The designer and developers worked to try and provide best use of site to accommodate families. This is the only townhouse development in the community.

Comment: *Consider rental in your proposal*

Response: The developer will put no restrictions on owners wishing to rent out their townhomes.

Comment: *Consider incorporating adaptable dwelling units into your proposal.*

Response: Challenging. Townhomes, as opposed to condos, are difficult to design as adaptable units, particularly as these are small-sized townhomes.

Comment: *Please consider moving the existing buildings to another site or having them deconstructed.*

Response: Confirmed. The developer has agreed to pay the costs for 1520 Foul Bay to be moved to another site for reuse by the existing tenant, within reason of distance. 1514 Foul Bay will be deconstructed, and materials salvaged according to the City of Victoria (CoV) Demolition Waste and Deconstruction bylaw.

Comment: *The Tenant Assistance Policy is applicable*

Response: Confirmed. A Tenant Assistance Plan has been signed off by The City of Victoria and Tenant.

Comment: *The “Galley-style” development, where building complexes are sited perpendicular to streets with residential unit entries oriented internally, impacts the adjacent properties (e.g., privacy and shading) and the public street. Please consider other building types such as orienting townhouses parallel to the street, or a house plex (a building that looks similar to a single-family house but contains multiple dwelling units) to improve design guideline consistency.*

Response: Attempted. To try and meet city design objectives, the team attempted a street facing design and encountered several issues resulting in a price increase of approximately \$500,000 more per unit. The team is proposing this design due to the following advantages:

- Increased units to 8 from 5
- Reduction in build cost from Part 3 Building Code to Part 9 more standard Building Code, thereby reducing costs
- The ability to add an effective green storm water management plan with riparian garden
- Ability to meet, and exceed, tree replacement requirements.
- 40% reduction in hardscape and driveways
- Approval from all surrounding homeowners
- Rooftop garden is replaced with ground level gardens for every home

Comment: *Please redesign the proposal to reduce the impacts on the adjacent properties, such as privacy/overlook and shading. Some approaches include reorienting the buildings, increasing the size of the setbacks, reducing the size and number of windows, and reducing the building height.*

Response: Attempted. The developers carefully considered neighbor impacts and have mitigated impacts where possible. The project has sign off from all neighbors on the project.

- Neighbors have signed off on the design and prefer it over street facing units.
- South side is commercial. Building is more than 10 meters from property line.
- There are no overlooks on rear properties. Building was stepped down to 2 stories.
- North side is a multi-unit 5 plex. Window study shows minimal impact. (attached)

Comment: *Please improve the relationship of the buildings to the street. Residential use at street level should have strong entry features and building designs that encourage interaction with the street. Porches, steps, alcoves or other design features are encouraged to make transitions from the public realm of the street and sidewalk to the private realm of residences. The use of building elements such as raised terraces, forecourts or landscaping should be considered to enhance residential entrances. Please increase the front setback to provide a transition space between the SRW/sidewalk and the building.*

Response: Reworked from original design. The designers improved the street facing features, such as porches overlooking the street, gates at the street, and the first unit doorways toward the street.

Comment: *Perceived building mass should be mitigated through the use of architectural elements, visually interesting rooflines, stepping back of upper floors, detailing that creates rhythm and visual interest, or other design solutions. Please reconsider the proposal to better meet this guideline.*

Response: Reworked from original design. The designers worked to align the look of the building mass to match designs with the neighboring properties, maintaining the street rhythm

of single-family homes. Visually interesting rooflines, depth of certain faces and other features help create a dimensional look. The rear units transition to two story toward the neighboring rear homes making them less obtrusive, a feature greatly appreciated, and heartily supported, by the rear neighbors.

Comment: *Building facades should be designed so that entrances for pedestrians are legible and prominent, and that vehicular entrances and doors are subordinate features. Please reconsider the proposal to better meet this guideline.*

Response: Reworked from original design. The designers reworked the walkway toward the interior units by widening the darker pedestrian pavers. The doorways of the units were enlarged and made more pronounced by the addition of a more decorative fascia, wooden knee brackets, and planters framing the entrances. The garage doors were changed to a colour similar to the surrounding shingle finish to make them less pronounced.

Comment: *Please provide more site area for landscaping and/or usable outdoor space. Consider adding landscaping to the area between the proposed buildings to help soften the hardscaping.*

Response: Reworked from original design. Additional landscaping was provided along the rear of the site as well as along front of the building to accommodate more trees and native plants. The riparian garden was used to add more native plants and for natural water absorption. Tree planting is typically requested at 2 trees added for every tree removed. In this design, we were able to add 4 trees for every tree removed. 5 compromised trees removed, and 21 new trees added. All units have outdoor space and gardens. Planters have also been added to the entrances along the drive aisle.

Comment: *Surface treatment, trees, plantings and street furnishings should identify the limits of the pedestrian domain and create separation from vehicular movement. Please reconsider the proposal to better meet this guideline.*

Response: Changed. The designers increased the size of the pedestrian walkway as noted by a wider band change in paver colour. Feature planter with a large evergreen shrub was added at the front doors to enhance the entry ways to the interior townhomes

Comment: *To assist with meeting the design guidelines please consider reducing the size of the buildings and reducing the site space dedicated to vehicle circulation by consolidating the parking spaces into one parking area.*

Response: Reworked from original design. The rear units were lowered one story to transition better to the single-family homes. The drive aisle helps to create an efficient and reduced hardscape by 40% compared to two street facing rows of townhomes.

Comment: *For more efficient site planning and to reduce the land area required for vehicle access and movement, we encourage you to contact the owner of the property located to the south of the site to explore the possibility of providing vehicle access through their property.*

Response: Attempted. Developers contacted the owner of Oak Bay Bikes who was not interested in altering his property. To reduce vehicle movement, particularly toward the rear of the property, an enhanced tree line and garden were incorporated. “Galley” site design provides efficient design for vehicular movement.

Comment: *Please demonstrate how the site is designed for universal accessible design and safety.*

Response: Challenging. 3 story townhomes are a challenge for universal accessibility and better suited for condo type projects or single level homes.

Comment: *Please provide information on how a minimum of 30% of the required common landscaped areas include a diverse combination of plants and vegetation that are native to southern Vancouver Island, food-bearing (capable of being harvested for food and medicine) or that provide pollinator habitats.*

Response: Exceeded. Native pollinator plant area ratio = 80%, well above the required 30%

Comment: *Please indicate the hard and soft landscaping materials proposed on the landscape plan.*

Response: Confirmed. All materials are noted on revised plans

Comment: *Please provide justification and/or mitigation of associated impacts for the proposed variances from the RT Zone.*

Response: Noted. The site is on an arterial road and adjacent to commercial. The plans are designed to fit within this context of a high traffic zone.

Comment: *Please ensure all mechanical/utilities are shown on the plans (e.g., gas meters, mechanical, etc.)*

Response: Added. Mechanical materials have been added and are shown at ground level meeting the distance requirements from neighboring properties.

Comment: *The Plan Check has significant outstanding issues/ missing/ or incorrect information.*

Response: Revised. Please see enclosed List of Changes document and revised drawings.

Comment: *Updated letter to Mayor and Council to accommodate any changes to the proposal.*

Response: Revised. Please find attached the revised Letter.

Engineering and Public Works Department Comments

Comment: *That the applicant provides an SRW and explanatory plan for 2.38m adjacent to Foul Bay Road for the purpose of pedestrian access, plantings, irrigation and maintenance by the City.*

Response: Agreed. The applicant agrees to a 2.38meter SRW and will register that change.

Comment: *Install underground Hydro/Tel service and relocate the existing overhead poles/lines as necessary to accommodate the removal of the fronting utility pole.*

Response: Revised. Utilities are now underground. Please see updated Civil plan which incorporates the BC Hydro and TELUS/ Shaw Plans.

Comment: *The sanitary attenuation report is under review. Should it be determined that attenuation is required, a s.219 covenant requiring attenuation at the time of Building permit is necessary.*

Response: Agreed. The applicant has engaged Oak Bay Engineering along with Civil engineers to achieve compliance.

Comment: *That the drawing be revised to confirm that driveway apron from Private to Foul Bay is of concrete material, and that the decorative bands within the lands and driveway are also concrete (not gravel)*

Response: Confirmed. Now more clearly noted, the driveway apron between the site and Foul Bay is indicated as concrete. The decorative bands on the driveway have been changed to permeable pavers to increase water absorption.

Comment: *Confirm and provide a comprehensive plan regarding Hydro / Tel overhead service. The plan is to demonstrate that properties on the east side of Foul Bay are served as well as any service impacted by the underground intent*

Response: Confirmed. Plans are now completed by BCH, TELUS, and Shaw to address service needs as attached in the Civil Plan.

Comment: *Relocate the Hydro service box located to the north of the property in a manner that does not impact the existing tree and root zone. This will necessitate this service box be shifted either north or south in a manner that does not conflict with the sidewalk, or potential sidewalk continuation as aligned within the SRW to the north. Please provide greater details for full service to "the lands" and adjacent properties, underground works and relocation intent for the power pole.*

Response: Confirmed. Service boxes and routing has been relocated outside of root zones. The pole, property of TELUS, will be removed as noted on the Civil Plan and underground

services from across the street will be provided. There is no need for a replacement pole. The Civil engineer plans provide a full accounting of servicing to the site.

Comment: *Sidewalk – is presently shown to grade towards the developing property and should slope at 2% towards Foul Bay Road.*

Response: Confirmed. The sidewalk has been adjusted and a 2% grade is now indicated.

Comment: *It is strongly recommended that preliminary BC Hydro servicing to the development is shown on the rezoning plans due to possible impacts on- and off-site.*

Response: Confirmed. BC Hydro, TELUS and Shaw have drawn full plans indicating service to neighboring properties when the pole is removed. 1514 and 1520 sit at the end of the line for service.

Transportation Review

Comment: *The maximum grade of the driveway crossing is 6% measured from the street boundary (inner SRW line) to 6 meters into the lot.*

- *Due to the change in slope required for the fronting sidewalk, a plan revision is required to demonstrate the above may be achieved.*
- *The bike parking for the developing lands directly connects to the SRW, but is separated from the sidewalk. Please show the surface treatment between the sidewalk and proposed bike parking.*

Response: Revised. The following changes were made:

- Buildings and driveway were raised.
- The drive aisle is less than the 6% threshold.
- The sidewalk slope has been added at 2% as required.
- The surface treatment for the path to the bike parking from the sidewalk is permeable pavers to protect the root zone of the protected tree, as is the bike parking area.

Underground Utilities Review

Comment: *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 Public Hearing.*

- *The report is still under review at present.*

Response: Agreed. While we are not at Building Permit stage, the preliminary plan has been presented and agreed to by Oak Bay Engineering

Stormwater Management Review

Comment: Please indicate what areas will be draining to the proposed rain garden. The rain garden design must meet City Rainwater Management Standards.

Response: Confirmed. Please see revised Civil storm water management plan which has storm water going to the rain garden prior to proceeding to the storm drain, which necessitated a slight change in site elevation to gain slope to reach the storm drains on Foul Bay Road.

Comment: A green roof is strongly encouraged for non-patio roof areas to offset increases to site impervious areas. Another option is for additional rain garden areas to treat roof runoff.

Response: Opted for Solar. We would certainly agree to a green roof option if we were not using solar panels on the rooftops. Rain Gardens were incorporated into the Landscape Plan, as well.

Comment: Please consider using permeable pavers for the patio spaces to offset increases to hard surfaces and to qualify for Rainwater Rewards incentives if the pavers meet requirements in the City's Rainwater Management Standards and are designated "permeable" by the manufacturer.

Response: Agreed. All pavers have been adjusted on patios walkways etc. to permeable pavers, including on the visitor bike area and walkway toward the visitor bike area.

Comment: Please consider incorporating stormwater treatment for the roadway water for the frontage in the design, such as integration with the soil cell system through collection pipes.

Response: Under consideration. Creating an underground storage tank for water for the street trees may be more feasible in larger projects.

Parks Division Review

Comments:

- In the executive summary, please list the ID #'s of bylaw trees proposed for removal.
- In the methodology section, 12 trees have been inventoried, not 11. Please revise.
- Please show tree NT3 and NT4 on the scaled tree management plan.
- Please ensure arborist notes on the plan photos are included on the tree management plan. Sheet L2 can be used as the tree management plan – it must be correctly scaled and contain all details from the arborist report.
- The report and tree management plan indicates that trees shall be protected during the development permit phase and shows tree protection fencing. Please change DP to demolition phase on the plans and in the body of the report.

- Appendix B – Please include the calculated critical root zones (radial measurement) in the tree inventory. Calculate using a published method such as Matheny and Clark Trees and Development or Management or Trees During Construction BMP. The critical root zone shall be the area of soil around the trunk of a tree where roots are located that are essential for health stability.
- The report indicates that tree diameters were measured on June 5, 2020. Please update the diameter of trees #430, NT3 and NT2 as these trees will have grown and may now be bylaw protected.

Response: Confirmed. CoV Parks worked directly with the arborist to revise their report. The above points are all agreed to and noted in the revised Arborist Report. Note that the replacement trees are now 4:1 with new trees added. In addition, the SRW will have three trees added as per the species choice of the CoV when the appropriate determination is made.

Civil Plan

Comments: *Please provide confirmation from the utility that the pole and anchor in the proposed driveway crossing can be removed.*

Response: Confirmed. TELUS has noted, as shown in the revised Civil Plan, that the pole will be removed.

Comments: *Please add critical root zones and tree ID numbers of trees to be retained.*

Response: Confirmed. The root zones are now properly indicated.

Comments: *Please relocate the proposed BC Hydro service box further north, outside the critical root zone of tree NT2.*

Response: Confirmed. The Hydro box has been moved outside the root zones for all services.

Comments: *Proposed TELUS/Shaw service boxes may not be located in the grass boulevard.*

Response: Confirmed. Utility boxes have been moved outside the root zones for all services as noted in the revised Civil Plan and located in the sidewalk and not the grass area.

Landscape Plan

Comment: *Please ensure that sheet L2, the Tree Removal & Protection Plan is revised in accordance with the arborist report comments.*

Response: Confirmed. This has been changed on the landscape plan.

Comment: Please add a metric bar scale on all plans.

Response: Confirmed. This has been changed on the landscape plan.

Comment: This application falls under Tree Preservation Bylaw No. 05-106, consolidated on November 22, 2019. For each bylaw protected tree proposed for removal, replacement trees must be planted at a 2:1 ratio. Show 10 replacement trees – species must reach over 5 m in height at maturity.

Response: Confirmed. Ten out of twenty-one new trees planted on site are indicated as replacement trees and will reach over 5 m at maturity.

Comment: Tree Schedule – three municipal trees are proposed. Please revise.

Response: Confirmed. Three trees are proposed as per request of the CoV.

Comment: Please remove proposed plantings in the SRW.

Response: Revised. This has been changed on the landscape plan.

Comment: Plantings proposed within 45 cm of the inner SRW boundary must be low growing and compact. Please revise the species.

Response: Confirmed. This has been changed on the landscape plan.

Comment: Tree planting in boulevard detail SD P4 must be added to the landscape plan. Please contact gstaniforth@victoria.ca if a digital copy is required.

Response: Confirmed. The landscape plan has been amended.

Permits and Inspection Division Comments

Comment: Egress from each dwelling unit shall comply with Article 9.9.9.1

Response: Confirmed. Egress is in compliance.

Comment: Spatial separation of each building shall comply with Sub-Section 9.10.14.4

Response: Confirmed. Separation will be in compliance noted on Building Permit Plans.

Fire Department Comments

Comment: Smoke alarms per BCBC

Response: Confirmed. Will be in compliance.

Comment: Recommend Residential Sprinklers

Response: A discussion with the fire department's Brad Sifert confirmed that sprinklers are not mandatory.

Thank you for your time in review of our revised proposal.

Sincerely,

Wayne Foster,
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