

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the June 6, 2019 COTW Meeting

Councillor Collins withdrew from the meeting at 8:01 p.m. due to a pecuniary conflict of interest with items I.1.a.h and I.1.a.i, as she lives in close proximity to both applications.

I.1.a.i 561 & 565 Toronto Street - Development Permit with Variances Application No. 00091 (James Bay)

Moved By Councillor Potts

Seconded By Councillor Young

That, subject to the preparation and execution of the related legal agreements, 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 Permit with Variance Application No. 00091 for 561 and 565 Toronto Street, in accordance with:

1. Plans date stamped April 26, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the street boundary setback from 10.5m to 4.6m;
 - b. reduce the rear yard setback from 6.99m to 3.9m;
 - c. reduce the West side yard setback from 6.99m to 4.39m;
 - d. reduce the East side yard setback from 6.99m to 0m;
 - e. reduce the distance from property line to centre line from 7.5m to 5.0m;
 - f. increase the site coverage from 40% to 46%;
3. Registration of legal agreements on the property's title to secure:
 - a. a statutory right of way, to the satisfaction of the Director of Engineering;
 - b. a housing agreement to restrict Strata Bylaws from prohibiting rental units; and
 - c. the provision of electrical conduits to all parking stalls to allow for future electric vehicle changing infrastructure.
4. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works reduce the open site space from 60% to 54%.
5. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Councillor Collins returned to the meeting at 8:03 p.m.

F.5 561 & 565 Toronto Street - Development Permit with Variances Application
No. 00091 (James Bay)

Committee received a report dated May 9, 2019 from the Acting Director of Sustainable Planning and Community Development providing information and recommendations on an application to construct a four-storey residential building.

Moved By Councillor Alto

Seconded By Councillor Loveday

That, subject to the preparation and execution of the related legal agreements, 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 Permit with Variance Application No. 00091 for 561 and 565 Toronto Street, in accordance with:

1. Plans date stamped April 26, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the street boundary setback from 10.5m to 4.6m;
 - ii. reduce the rear yard setback from 6.99m to 3.9m;
 - iii. reduce the West side yard setback from 6.99m to 4.39m;
 - iv. reduce the East side yard setback from 6.99m to 0m;
 - v. reduce the distance from property line to centre line from 7.5m to 5.0m;
 - vi. increase the site coverage from 40% to 46%;
 - vii. reduce the open site space from 60% to 54%.
3. Registration of legal agreements on the property's title to secure:
 - i. a statutory right of way, to the satisfaction of the Director of Engineering;
 - ii. a housing agreement to restrict Strata Bylaws from prohibiting rental units; and
 - iii. the provision of electrical conduits to all parking stalls to allow for future electric vehicle changing infrastructure.
4. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
5. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

Councillor Collins returned to the meeting at 11:51 a.m.



Committee of the Whole Report

For the Meeting of June 6, 2019

To: Committee of the Whole **Date:** May 9, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00091 for 561 and 565 Toronto Street

RECOMMENDATION

That, subject to the preparation and execution of the related legal agreements, 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 Permit with Variance Application No. 00091 for 561 and 565 Toronto Street, in accordance with:

1. Plans date stamped April 26, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the street boundary setback from 10.5m to 4.6m;
 - ii. reduce the rear yard setback from 6.99m to 3.9m;
 - iii. reduce the West side yard setback from 6.99m to 4.39m;
 - iv. reduce the East side yard setback from 6.99m to 0m;
 - v. reduce the distance from property line to centre line from 7.5m to 5.0m;
 - vi. increase the site coverage from 40% to 46%;
 - vii. reduce the open site space from 60% to 54%.
3. Registration of legal agreements on the property's title to secure:
 - a. a statutory right of way, to the satisfaction of the Director of Engineering;
 - b. a housing agreement to restrict Strata Bylaws from prohibiting rental units; and
 - c. the provision of electrical conduits to all parking stalls to allow for future electric vehicle changing infrastructure.
4. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
5. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the properties located at 561 and 565 Toronto Street. The proposal is to construct a four-storey residential building containing approximately 24 units. The variances are related to reducing the setbacks at the sides, rear and front yards, increasing the site coverage and decreasing the open site space.

The following points were considered in assessing this application:

- the application is consistent with Design Guidelines for *Multi-Unit Residential, Commercial and Industrial Development* (2012) with regard to providing sensitive infill, ground-oriented residential units
- the application is consistent with the vision of the *James Bay Neighbourhood Plan* (1993), which recommends that new developments respect the existing character of the neighborhood
- the variances for setbacks, open site space and site coverage are supportable as a contextual response to the existing site conditions and design guidelines
- the provision of the Statutory Right-of-Way along Toronto Street, which incorporates a new boulevard and sidewalk alignment, contributes to transportation and greenways priorities, adds two new street trees and improves the pedestrian and street parking experience.

BACKGROUND

Description of Proposal

The proposal is for a new four-storey residential building. Specific details include:

- low-rise four-storey building form utilizing contemporary design features
- three ground-oriented dwelling units accessible directly off Toronto Street
- a separate outdoor space for each unit in the form of either a patio or balcony as well as a common garden space
- one level of underground parking with 23 stalls accessed via Toronto Street
- a new Statutory Right-of-Way (SRW) along Toronto Street to accommodate a sidewalk realignment and to provide a new public boulevard with two new boulevard trees.

The proposed variances are to:

- reduce the street boundary setback from 10.5m to 4.6m
- reduce the rear yard setback from 6.99m to 3.9m
- reduce the West side yard setback from 6.99m to 4.39m
- reduce the East side yard setback from 6.99m to 4.06m
- reduce the distance from property line to centre line from 7.5m to 5m
- increase the site coverage from 40% to 46%
- reduce the open site space from 60% to 54%.

Affordable Housing Impacts

The applicant proposes the creation of 24 new residential units, which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed, which would ensure that future Strata Bylaws could not prohibit the rental of units.

Tenant Assistance Policy

The proposal is to demolish two existing single family dwellings, which would result in a loss of two existing residential rental units. No tenants occupied either of the units at the time the applicant purchased the properties and the units have remained vacant.

Sustainability Features

As indicated in the applicant's letter dated April 23, 2019, the following sustainability features are associated with this application:

- energy-efficient design of the building envelope
- Heat Recovery Ventilation units to reduce energy usage for heating and cooling
- LED lighting
- window designs to maximize daylighting and reduce lighting requirements, including a day-lit exit stair
- low-flow water fixtures
- flow-through planters to reduce stormwater runoff
- electric conduits to each parking stall to allow for future installation of electric vehicle charging equipment.

The applicant has agreed to secure the installation of the electrical conduits at the parking stalls for future electric vehicle charging capability through a covenant.

Active Transportation Impacts

The application proposes bike racks and bike storage consistent with the off-street parking zoning requirements, which supports active transportation.

Public Realm Improvements

The applicant has agreed to provide a 2m Statutory Right-of-Way (SRW) along Toronto Street. Currently the right-of-way width along Toronto Street is only 10m. The standard right-of-way for a secondary arterial is 20m; however, future transportation related needs on the corridor can be met with a right-of-way of 14m. The existing condition does not leave room for a boulevard between the sidewalk and the street. The proposal incorporates the SRW into the site design, reconfiguring the sidewalk and adding a boulevard. Two new street trees would be planted on the new grass boulevard between the road and sidewalk. The SRW would be secured with a Section 219 Covenant.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings. The subject property is located within Development Permit Area 16, which seeks to create more liveable environments through human-scaled design that considers accessibility, safety and thoughtful open spaces. The *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development*, which apply to the property, envision a high standard of accessibility for

site, landscape and building design. These guidelines further recommend that accessible access should be prominent and visible from the street and that ramps and related elements should be integrated thoughtfully into the design.

The main entry to the proposed building along Toronto Street is accessible by a ramp and there is a secondary exit on the west side of the building. The street-level units are accessible from Toronto Street by several stairs, but can also be reached by the main ramp-accessed entry. Due to the SRW, which pushes the height of the underground parkade above grade, the communal garden area and east side entrance require several stairs for access from the street; however, the west entrance to the garden area has no grade change and no stairs or ramp are required.

The provision of the SRW and realigned sidewalk area allows for a new boulevard, which creates space between the sidewalk and road traffic and allows space for public street infrastructure out of the way of the sidewalk.

Existing Site Development and Development Potential

The site is presently two single family dwelling lots. Under the current R3-2 Zone, Multiple Dwelling District, the properties could be developed as two single family dwellings with secondary suites or garden suites, college fraternities, or public buildings. With the two properties combined, it could be developed as a one duplex at a density of 0.5 to 1 Floor Space Ratio (FSR), or public building, or a multiple dwelling at a density of up to 1.6 to 1 FSR.

Land Use Context

The subject property is located in a transitional area: the Urban Residential urban place designation extends along the south side of Toronto Street and along the block further to the south. The properties on the north side of Toronto Street are in the Traditional Residential land use designation, which envisions a maximum of two storeys. The existing adjacent land uses are generally reflective of these designations. The proposed four-storey building is flanked on the south and west by surface parking lots, which service the two four-storey residential buildings on the adjacent lots to the south. Beyond the surface parking to the west is a relatively new three-storey townhouse development. Directly to the east of the proposed development is an approximately three and a half storey character conversion building, which is operating as a rooming house. The houses across the street generally have heritage or character value and are a mix of single family, duplex and multi-unit house conversions. The site is about 100m from the James Bay Urban Village.

Data Table

The following data table compares the proposal with the existing R3-2 Zone, Multiple Dwelling District Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R3-2 Zone
Site area (m ²) – minimum	999.00	920.00
Density (Floor Space Ratio) – maximum	1.49:1	1.6:1

Zoning Criteria	Proposal	Zone Standard R3-2 Zone
Minimum right of way from centre line	5.0 *	7.5
Total floor area (m ²) – maximum	1,483.6	1,598.4
Height (m) – maximum	13.93	18.50
Storeys – maximum	4	n/a
Unit Size (m ²) – minimum	42.9	33.0
Site coverage (%) – maximum	46.00 *	40.00
Open site space (%) – minimum	54.00 *	60.00
Setbacks (m) – minimum		
Front (Toronto Street)	4.62 * – to the balcony (5.79 to building face)	10.50
Rear (S)	3.93 * – to the balcony (4.90 to building face)	6.99
Side (E)	0 * – to the parkade wall (4.06 to the balcony; 5.04 to the building face)	6.99
Side (W)	4.39 * – to the building	6.99
Vehicle parking – minimum	23	23
Visitor vehicle parking – minimum	2	2
Bicycle parking stalls – minimum		
Long Term	28	28
Short Term	6	6

Community Consultation

While meeting with the *Community Association Land Use Committee (CALUC)* is not a requirement for Development Permit with Variance applications, the applicant chose to meet with the CALUC at a public meeting on October 10, 2018 and also met with the James Bay Neighbourhood Association “Development Review Committee” on September 18, 2018. A letter from the James Bay Neighbourhood Association dated November 21, 2018 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

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP, 2012) identifies this property within Development Permit Area (DPA) 16, General Form and Character. The key design guidelines that apply to DPA 16 are the Design Guidelines for *Multi-Unit Residential, Commercial and Industrial Development*, which encourage building design that is sensitive and innovative in response to context and that respects the character of established areas. Further, these guidelines suggest that the building should be designed to address the privacy considerations of abutting lower density properties. The guidelines also encourage building design that creates a strong relationship to the street.

The *James Bay Neighbourhood Plan* (1993) similarly envisions a "visual harmony of form and scale between new buildings and adjacent residential units." The plan also encourages new development that respects the existing streetscape character.

The subject property is within the Urban Residential urban place designation in the OCP. This designation envisions low- and mid-rise multi-unit buildings up to six storeys with floor space ratios up to 2:1 in this location. It further envisions variable setbacks with doors oriented to the street, front yard landscaping, boulevards and street trees. Off-street parking is envisioned in the rear yard or underground.

Massing and Interface with Nearby Properties

The proposal is consistent with the design guidelines in terms of providing unity and coherence relative to the existing place character and patterns of development. The building massing is similar in height to the multi-unit building to the south, and the applicant has effectively demonstrated that there is little shadowing impact on the buildings across the street to the north and, compared to a three storey building, minimal additional shadow impact on the house conversion to the west. While the Urban Residential designation envisions buildings up to six storeys in height, the four-storey height supports the transitional nature of the location given the lower density uses and OCP Traditional Residential designation of the properties across the street.

The proposed building supports a consistent streetscape rhythm along the south side of Toronto Street, although it would benefit from future development on the parking lot to the east to reinforce this street rhythm. While many of the nearby buildings have a more traditional style, the more contemporary building materials are reflective of the palette and materials utilized on many nearby properties, such as brick, stone, stucco and wood. In this way, the proposal complements, rather than mimics, the existing street character.

The inclusion of the Statutory Right-of-Way within the site design has moved the driveway further back into the lot and pushed the covered parkade further above grade. This has created an exposed concrete wall edge along a portion of the east property line. The maximum height of this wall and the fencing will be about 1.8m or 6 feet combined, which is in line with the Fence Bylaw. The exposed concrete wall will have a horizontal board form to match the fencing. This approach to the interface is generally consistent with the design guidelines to address privacy impacts and massing impacts on the property to the east.

Residential Entrances and Relationship to Street

The proposal provides pedestrian-oriented ground level entries for three dwelling units, with the remainder of the units being accessed via a third ground level access. The applicable design guidelines support the provision of strong entry features to encourage interaction with the street and promote street vitality and safety. The design guidelines also suggest the use of porches, steps, alcoves or other design features to make transitions from the public realm of the street and sidewalk to the private realm of residences. Staff recommend for Council's consideration that the proposal meets the intent of the guidelines and effectively continues the residential street frontage from the adjacent properties.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Two new public trees will be planted as a result of the Statutory Right-of-Way created through this application.

Regulatory Considerations

Statutory Right of Way

The standard right-of-way for a secondary collector street is 20.0m; however, current and future transportation and greenway-related needs on the corridor can be met with a right-of-way width of 14.0m. To achieve this minimum on this portion of Toronto Street, staff requested a 2.0m Statutory Right-of-Way (SRW). The applicant has agreed to provide the SRW and has incorporated the SRW into the site design, which adds a boulevard between the road and sidewalk where two new street trees would be planted.

Open Site Space and Site Coverage Variances

For this proposal, the portion of land excluded from open site space and included in site coverage is the footprint of the building as well as the portion of the underground parkade that rises above grade near the driveway entrance. The height of the entrance to the parkade is, in part, to accommodate the tighter driveway distance created as a result of the requested Statutory Right-of-Way. This parkade portion of the building takes away about 6% from the open site space and contributes the same amount to site coverage; however, it is covered in usable, landscaped common area and would function alongside the rest of the open site space. If the above-grade parkade area was included toward the open site space calculation and excluded in the site coverage calculation, these two elements would not require variances. Given these considerations, as well as the well-designed landscaped space proposed, this variance is considered to be supportable.

Setback and Centreline Distance Variances

A variance is required for the distance from the lot boundary at the street to the street centreline. This setback requirement speaks to the proportion of the building in relation to the street width. The requirement is for a distance from the property line to the right-of-way midpoint of 7.5m, and 5m would be provided. This setback is not to the building, but to the street line, and does not change based on building height or setbacks. The provision of the SRW effectively makes this setback feel like 6m, and if an SRW were secured across the street in the future, this setback

would feel closer to 7m. Given these mitigating factors and the positive relationship of the building to the street, this variance is considered to be supportable.

Variances are also required at all four building elevations: the front yard, rear yard and both side yards. At each of the building faces, with the exception of the west elevation, the setbacks are measured to the balconies and not the building face. Along the east elevation, the proposed setback is 0m; however, this is measured to the parkade wall, which is above grade for several metres along the property line, and the actual building is stepped back several metres from the property line. The irregular shape of the lot and the stepping of the building also means the setback measurements are to single points, such as the corner of a balcony, while most of the massing is further back into the lot.

The building placement is limited in part by the shape of the lot; however, the position of the building at the street is consistent with the objectives of the applicable design guidelines to create a sense of enclosure that promotes vitality and safety on the street. Additionally, all the setbacks are consistent with the established pattern of the buildings along the street. Given these considerations, the setback variances are considered to be supportable.

Encroachment Agreement

With any project of this scale that has little to no setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the public right-of-way. The resulting material (typically rock anchors) presents no concerns to the public interest and does not impact any underground infrastructure; however, an Encroachment Agreement between the City and the developer is required. The staff recommendation provided for Council's consideration includes direction to allow staff to enter into such an agreement if the Rezoning Application is approved by Council and if such an agreement is deemed necessary to facilitate the construction of the project.

Advisory Design Panel

The application was presented to the Advisory Design Panel on April 10, 2019. The ADP passed a motion to recommend to Council to approve the application as presented. The minutes from the meeting are attached for reference.

CONCLUSIONS

The application is generally consistent with the applicable design guidelines. The variances associated with the siting of the building are consistent with the design guidelines and achieve a consistent street frontage and setback pattern that also responds to the site conditions. The site coverage and open site space variances are minimal and allow for the provision of a Statutory Right-of-Way along Toronto Street. Staff recommend for Council's consideration that the application be supported.

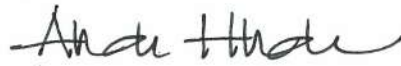
ALTERNATE MOTION

That Council decline the Development Permit with Variances Application No. 00091 for the property located at 561 and 565 Toronto Street.

Respectfully submitted,



Chloe Tunis
Planning Analyst
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

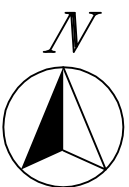
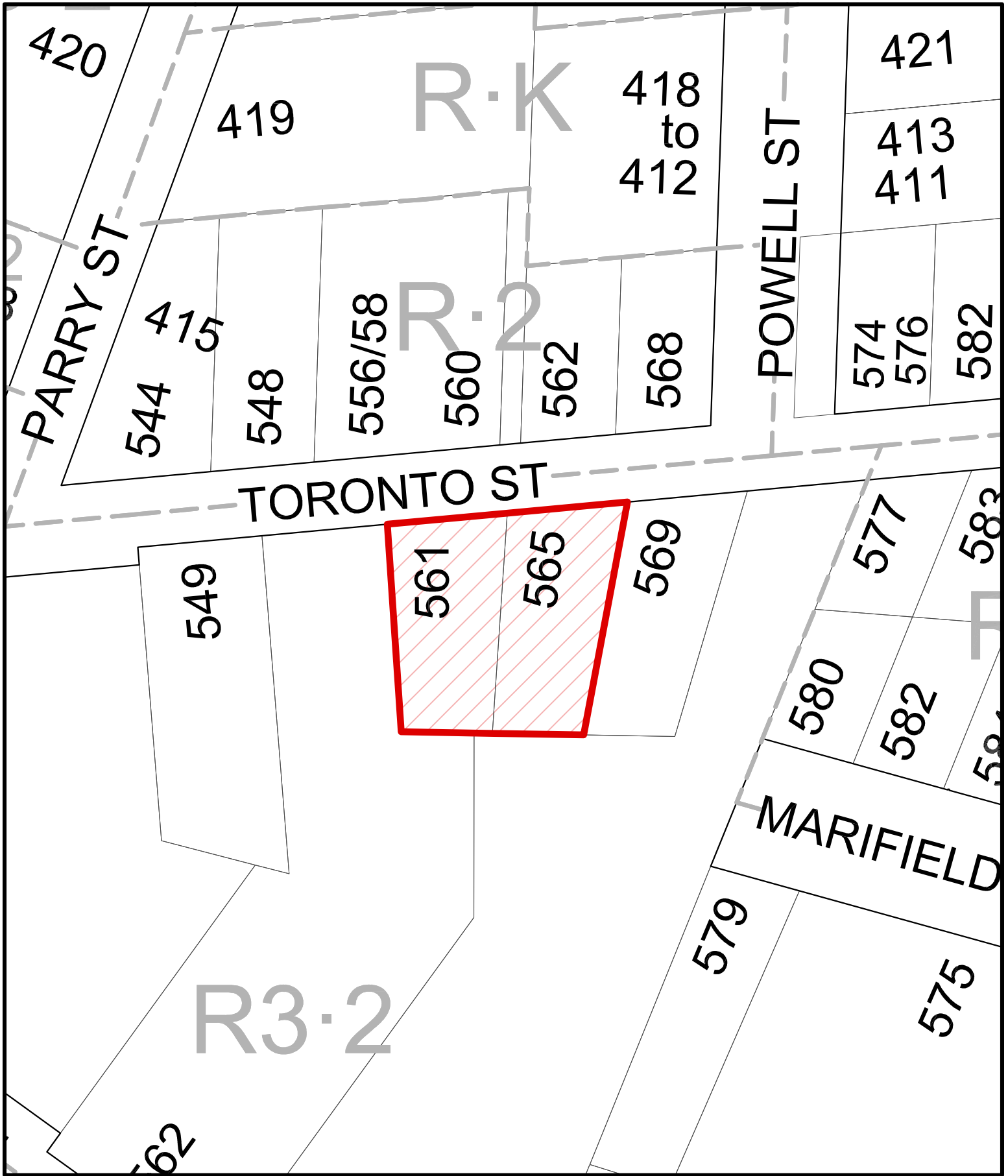


Date:

May 17, 2019

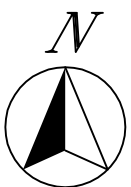
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped April 26, 2019
- Attachment D: Letter from applicant to Mayor and Council dated April 23, 2019
- Attachment E: Community Association Land Use Committee Comments and November 21, 2019.
- Attachment F: Correspondence (Letters received from residents).



561 & 565 Toronto Street
Development Permit with Variance #00091





561 & 565 Toronto Street
Development Permit with Variance #00091



561-565 Toronto Street

Revised drawings issued for: Development Permit Application 25th April, 2019

DEVELOPER

Perry Street Developments

160-4396 West Saanich Road
Victoria, BC V8Z 3E9

Contact: Conrad Nyren
Email: conradnyren01@gmail.com

ARCHITECT OF RECORD & COORDINATING REGISTERED PROFESSIONAL Waymark Architecture

1826 Government Street
Victoria, BC V8T 4N5

Contact: Will King
Phone: (778) 977 0660
Email: will@waymarkarchitecture.com

LANDSCAPE ARCHITECT LADR Landscape Architects

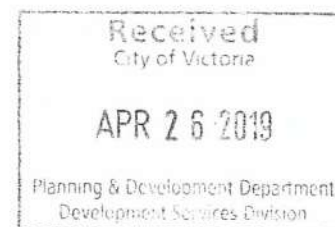
3-864 Queens Avenue
Victoria, BC V8T1M5

Contact: Megan Walker
Phone: (250) 598 0105
Email: will@waymarkarchitecture.com

CONSTRUCTION MANAGER Homewood Constructors

160-4396 West Saanich Rd
Victoria, BC V8Z 3E9

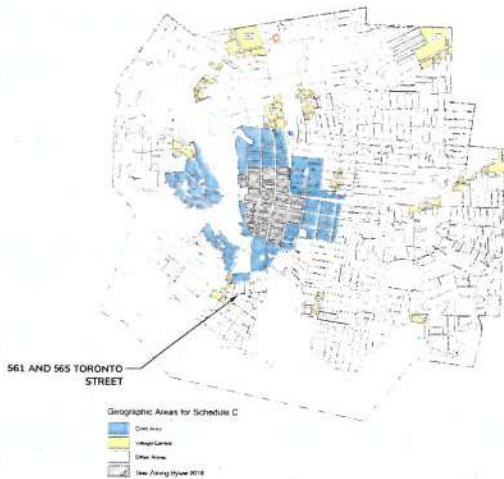
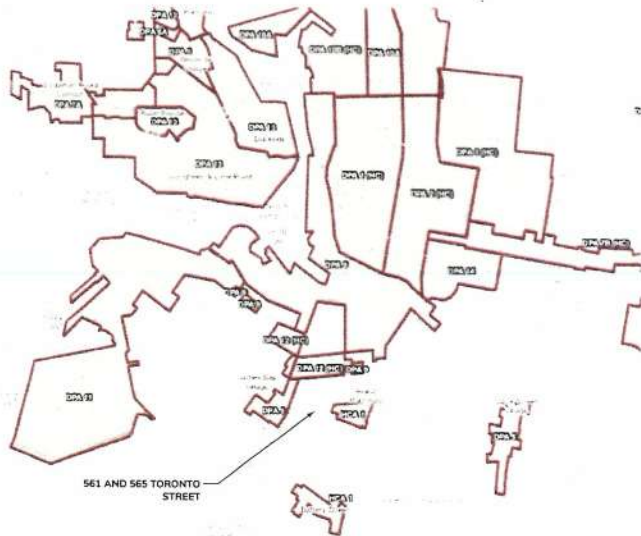
Contact: John Newton
Phone: (250) 475 1130
Email: jnewton@homewoodconstructors.com



561-565 Toronto Street

APR 26, 2019
DP-000
Cover Sheet





561-565
Toronto
Street

2 Site Plan
Scale: 1:1000

Received
City of Victoria

APR 26 2019

Planning & Development Department
Development Services Division

561-565 Toronto Street

APR 26 2019
DP-001
Site Context

CITY OF VICTORIA
RECEIVED **DEEMED**
MAY 09 2019 **APR 26 2019**

DATA SHEET/ZONING ANALYSIS

LEGAL DESCRIPTION: Lot A, Section 13, Beckley Farm, Victoria City, Plan 2394 - and - Lot B, Section 13, Beckley Farm, Victoria City, Plan 2394

STREET ADDRESS: 563 and 565 Toronto Street

ZONING REGULATIONS: CITY OF VICTORIA - PART 3.3 - R3-2 ZONE, MULTIPLE DWELLING DISTRICT

SITE AREA: 999m²

BUILDING FOOTPRINT: 399.36m²

Section		Proposed	Variance	Comments
1	Permitted Uses	Multiple unit residential building	No	
2	Parcel Size (m ²)	999	No	
4	Floor Area Ratio	1.49	No	
5	Building Height	14.03m	No	
7	Number of Storeys	4	No	
8	Lot Coverage (%)	46%	Yes	Parking takes up nearly 100% of the site, but is located below ground
9	Open Site Space (%)	54%	Yes	
10	Siting Requirements			
	a) Front Setback (North)	5.794m (4.628m to balcony)	Yes	21(1) of zoning bylaw exempts balconies facing streets from setback requirements
	a) Side Setback West	4.390m	Yes	
	a) Side Setback East	5.042m (4.060m to balcony)	Yes	
	a) Rear Setback (South)	4.934m to face of wall (3.935m to base)	Yes	
12	Fencing	See landscape plan	No	
13	Off Street Parking	25	No	See parking calculations below
14	Bicycle Parking number (storage and racks)	28 + 6 @ entrance rack	No	
15	Number of 1 Bedroom Units	17	No	
16	Number of 2 Bedroom Units	7	No	
18	Number of Ground Oriented units	6	No	
19	Minimum Unit Floor Area	36.4 sq m	No	
20	Total Residential Floor Area	1246.6 sq m	No	
21	Min. parkade Ceiling Height	2.3m	No	
22	Driveway Width	6m	No	
23	Setback for Site from Street Centerline	5m	Yes	Variances due to statutory right of way

AREA CALCULATIONS

GROSS FLOOR AREA (m ²)		CONTRIBUTION TO TOTAL FLOOR AREA FOR FAR CALCULATION (m ²)		*PARKING CALCULATIONS:	
Basement & Garage	999	0 (parking below grade)		Units less than 45 sq m	9
First Floor	399.4	370.9		Units less than 70m sq m	15
Second Floor	418.9	370.9		Parking (85 x 8) + (1 x 15)	22.65
Third Floor	418.9	370.9		Guest Parking 0.1 x 24	2.4
Fourth Floor	418.9	370.9		Total Parking	25.05
Totals	2655.1	1483.6			
FAR Calculation	1483.6/999 =	1.48		Blue Storage (1 x 9) + (1.25 x 15)	27.75
				Total Blue Storage	

Grade Calculation

Grade Point	Average of Points	Distance Between Grade Points	Totals
Grade Point A: 10.25	Grade Point B: 11.09	Grade Point C: 11.23	
Grade Point B: 10.11	Grade Point F: 11.09	Grade Point I: 11.20	
Grade Point C: 11.06	Grade Point G: 11.15		
Grade Point D: 11.06	Grade Point H: 11.13		
Grade Point E: 11.09			
Grade Point F: 11.09			
Grade Point G: 11.15			
Grade Point H: 11.13			
Grade Point I: 11.20			
Grade Point J: 11.20			
Grade Point K: 11.20			
Grade Point L: 11.20			
Grade Point M: 11.20			
Grade Point N: 11.20			
Grade Point O: 11.20			
Grade Point P: 11.20			
Grade Point Q: 11.20			
Grade Point R: 11.20			
Grade Point S: 11.20			
Grade Point T: 11.20			
Grade Point U: 11.20			
Grade Point V: 11.20			
Grade Point W: 11.20			
Grade Point X: 11.20			
Grade Point Y: 11.20			
Grade Point Z: 11.20			
Grade Point AA: 11.20			
Grade Point AB: 11.20			
Grade Point AC: 11.20			
Grade Point AD: 11.20			
Grade Point AE: 11.20			
Grade Point AF: 11.20			
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CITY OF VICTORIA
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1 Perspective View w/Neighbourhood Context
Scale: 1:100

WAY MARK

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561-565 Toronto Street

May 12th 2019
DP-005
Perspectives



3 Perspective from Toronto Street looking SouthEast
Scale: 1:100



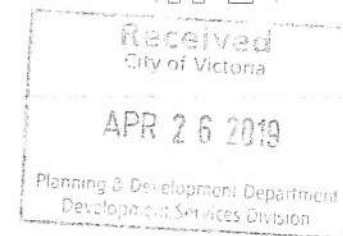
2 Perspective from South looking North/West
Scale: 1:100



1 First Floor Plan
Scale: 1:100



2 Second, Third, and Fourth Floor Plan
Scale: 1:100



1 Unit A
Scale: 1:50

Size: 62.4m²
Number of Bedrooms: 2
Number of units: 4



2 Unit B
Scale: 1:50

Size: 45m²
Number of Bedrooms: 1
Number of units: 3



3 Unit C
Scale: 1:50

Size: 63.7m²
Number of Bedrooms: 2
Number of units: 3



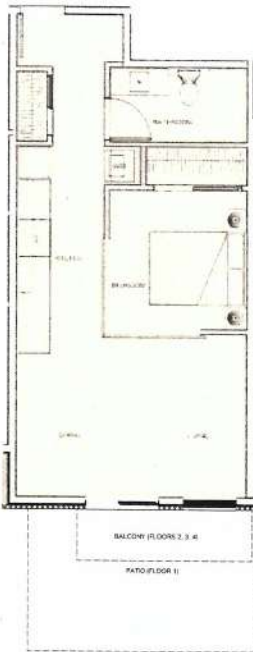
4 Unit D
Scale: 1:50

Size: 57.8m²
Number of Bedrooms: 1
Number of units: 4



5 Unit E
Scale: 1:50

Size: 48.4m²
Number of Bedrooms: 1
Number of units: 4



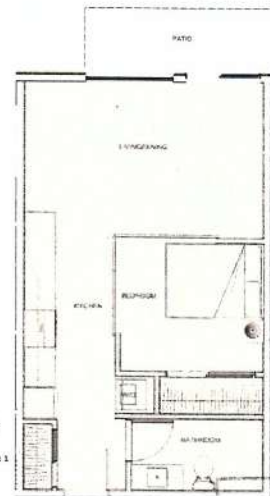
6 Unit F
Scale: 1:50

Size: 42.9m²
Number of Bedrooms: 1
Number of units: 4



7 Unit G
Scale: 1:50

Size: 44.8m²
Number of Bedrooms: 1
Number of units: 3



8 Unit H
Scale: 1:50

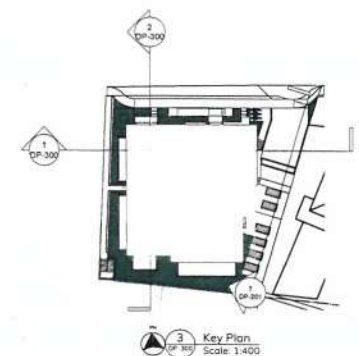
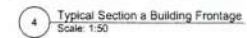
Size: 43.3m²
Number of Bedrooms: 1
Number of units: 3



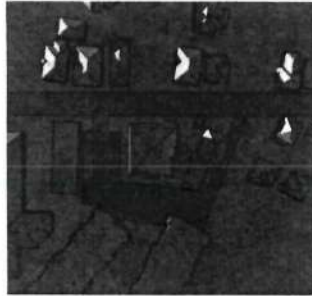


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 City of Victoria
 APR 26 2019
 Planning & Development Department
 Development Services Division

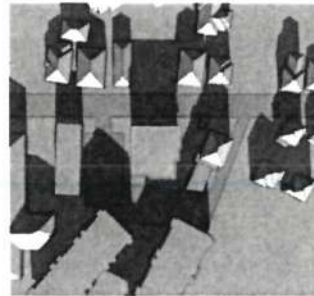
561-565 Toronto Street
 April 26th, 2019
 DP-200
 Street Elevation



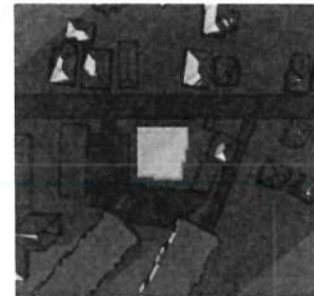
Shadow Studies



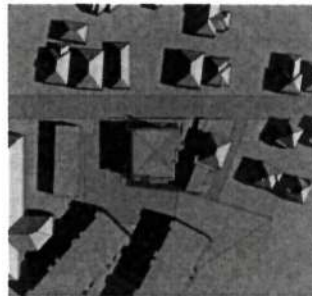
Winter Solstice - 9am



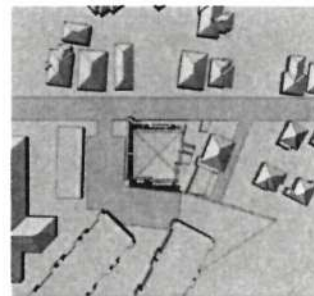
Winter Solstice - 12pm



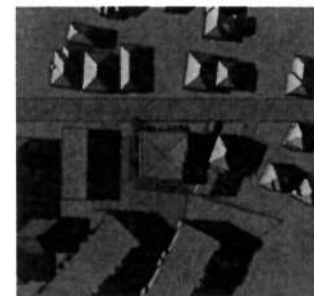
Winter Solstice - 4pm



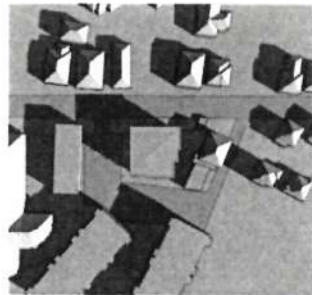
Summer Solstice - 9am



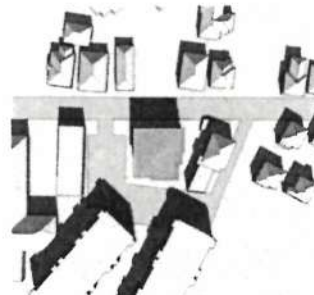
Summer Solstice - 12pm



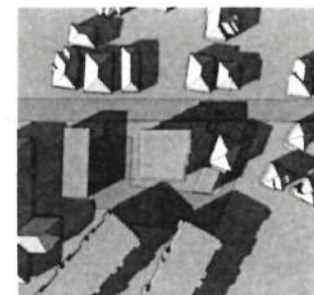
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Equinox - 9am



Equinox - 12pm



Equinox - 4pm

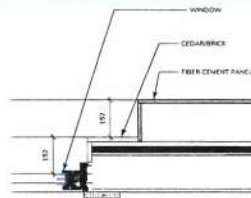


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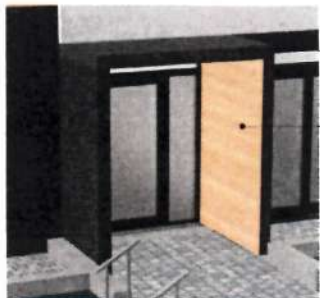


- ALUMINUM FASCIA FLASHING
- CEDAR CORNICE AND SOFFIT
- WHITE FIBER CEMENT PANELS
- BLACK VINYL WINDOWS
- CEDAR BALCONY SOFFIT
- HORIZONTAL CEDAR SIDING
- HORIZONTAL CEDAR SIDING
- ALUMINUM GUARDRAILS
- WHITE FIBER CEMENT PANELS
- ILLUMINATED ADDRESS SIGN
- BLACK VINYL WINDOWS
- HORIZONTAL CEDAR SIDING

- DARK GREY BRICK
- TALL GRASSES AND VISUAL SCREEN PLANTINGS
- ALUMINUM GATE
- CAST IN PLACE CONCRETE PLANTERS
- CONCRETE SIDEWALK OVER PARKADE BELOW (IN SRW)



3 CLADDING ARTICULATION (PLAN VIEW)
Scale: 1:10



2 Entrance Perspective
NTS

- ALUMINUM ENTRANCE EXTERIOR TO MATCH FASCIA FLASHING
- CEDAR ENTRANCE INTERIOR



- 1) DARK GREY ALUMINUM FASCIA FLASHING
- 2) BLACK VINYL WINDOW AND DOOR ASSEMBLIES
- 3) ALUMINUM GUARDRAILS
- 4) CONCRETE PLANTERS WITH TALL GRASSES AND OTHER VISUAL SCREEN PLANTS
- 5) HORIZONTAL CEDAR SIDING WITH CLEAR FINISH
- 6) WHITE FIBER CEMENT PANEL RAINSCREEN WALL ASSEMBLY
- 7) DARK GREY BRICK, STACK BOND, WITH DARK GREY MORTAR
- 8) ALUMINUM PATIO GATES
- 9) BACKLIT ALUMINUM BUILDING SIGNAGE
- 10) Decorative wrap around transformer to blend with landscape (if transformer is required)

WAYMARK

April 23, 2019

Mayor and Council
City of Victoria
1 Centennial Square
Victoria BC
V8W 1P6

**RE: Development Permit Application
 561 and 565 Toronto Street**

Dear Mayor Helps and members of City of Victoria Council,

On behalf of Parry Street Developments, Waymark Architecture is pleased to submit for your consideration a development permit application for 561 and 565 Toronto Street in James Bay.

Included in this application are the following items:

- Development permit application form
- Architectural drawing set consisting of 14 sheets
- Landscape Architecture drawing set
- A Building Code data sheet
- Current title certificates for the two subject properties
- Owners authorization forms completed by all owners

Please find in the following pages a thorough description of our proposal. I thank you for your consideration and look forward to advancing this project in collaboration with staff and council.

Sincerely,

Waymark Architecture

Will King, Architect AIBC, MRAIC. LEED AP





DESCRIPTION OF PROPOSAL

The proposed development is a 24 unit four storey strata building, which includes 7 two bedroom and 17 one bedroom units, ranging in size from 62.4m² to 42.9m². This proposal would replace two single family dwellings and amalgamate their lots.

Located a block away from James Bay village, our proposal would create home ownership opportunities for living in one of Victoria's most walkable neighbourhoods. These homes are targeting a modest market price point, aiming to increase the supply of housing options available in this vibrant neighbourhood.

Immediately adjacent to our proposed development to the south and west, are three and four storey multi-unit residential buildings.

PROJECT BENEFITS AND AMENITIES

Our proposal has made every effort to meet objectives identified in the Official Community Plan, in particular:

- item 6.23: Generally support new development in areas designated Urban Residential that seeks densities toward the upper end of the range identified in Figure 8 where the proposal significantly advances the objectives in this plan and is:
 - 6.23.2 within 200 metres of Town Centres or Large Urban Villages
- item 8.43: Encourage high quality architecture, landscape and urban design to enhance the visual identity and appearance of the City.
- item 8.44: Support new infill and building additions that respond to context through sensitive and innovative design.
- Item 8.45: Encourage human scale in all building designs, including low, mid-rise and tall buildings, through consideration of form, proportion, pattern, detailing and texture, particularly at street level.
- item 13.1: Seek to accommodate population growth in the strategic locations, as identified in Map 2, including an additional 10,000 residents in the Urban Core; 8,000 residents in and within close walking distance of Town Centres and Large Urban Villages, and 2,000 in Small Urban Villages and the remainder of residential areas in the city.

[Our proposal is designated as "urban residential" in Map 2 and is adjacent to the James Bay Large Urban Village.]

- item 13.9: Support a range of housing types, forms and tenures across the city and within neighbourhoods to meet the needs of residents at different life stages
- item 13.10: Encourage a mix of residents, including households with children, by increasing opportunities for innovative forms of ground-oriented multi-unit residential housing.
- item 13.34: Promote a diversity of housing types to create more home ownership options such as multi-unit developments, the creation of small residential lots, street-oriented fee simple row-houses and other housing forms

This proposal would increase the available housing stock in James Bay, which is consistent with the OCP objectives identified above. 33% of the units are two bedroom, suitable for families.





NEIGHBOURHOOD

Our proposal meets the following objectives identified in the Official Community Plan specific to the James Bay neighbourhood:

- item 21.15.1: A densely populated mixed-used neighbourhood with a Large Urban Village
- item 21.16.1: Maintain a variety of housing types and tenures for a range of age groups and incomes.
- Item 21.16.3: Maintain an interesting diversity of land uses, housing types and character areas.
- item 21.16.5: Continue to support sensitive infill.

The site is within 200m of the James Bay Large Urban Village, and immediately adjacent to multi-unit residential buildings to the south and west. To the east and across the street to the north are single family houses.

DESIGN AND DEVELOPMENT PERMIT GUIDELINES

Our proposal meets all of the requirements of the R3-2 zone with the exception of setbacks, for which we are asking for a variance described in more detail below. The subject property is also in *DPA 16: General Form and Character*, and as such we have consulted the *Design Guidelines for Multi-unit residential, Commercial and Industrial Development (2012)* in the development of this proposal.

In particular we would like to bring the following to your attention:

- Context:
 - There are large buildings and single family houses in close proximity to this building. As a medium sized building, we believe this proposal will effectively act as a transition in the current context and continue to fit in as the neighbourhood evolves
- Streetscape
 - Ground level units facing the street will have private access from the sidewalk up a few steps to a patio, providing a positive relationship to the street. Privacy will be achieved through medium height planting.
 - There is a change in cladding material from brick at the ground floor to stucco at the second floor, articulating human scale height and the building's relationship to the street
- Massing and Material treatments:
 - On floors 2, 3 and 4 on both the North and South sides individual units are articulated by a material change outlined by white panel cladding, again giving a human-scale reference to the architectural features.
- Exterior Finishes
 - Primary cladding materials proposed are brick, cement panels, and cedar. These materials were chosen because there are precedents for using them in the neighbourhood, and because together they provide robustness, variety, and warmth.
- Open Spaces and Landscaping:
 - In addition to private patios or balconies in each unit, outdoor amenity space is provided for all of the building's residents along the southwest side of the property, including raised garden beds.
- Parking:
 - all parking is entirely underground, and the roof of the parkade is designed to be indistinguishable from on-grade landscaping





VARIANCES

The proposal is requesting the following variances to the zoning requirements:

- Lot Coverage: The project would meet the lot coverage requirements except that we agreed to provide additional cover over the driveway descending to the underground parkade. Because the structure that covers this driveway is above the natural grade, it counts as lot coverage and therefore requires a variance to zoning requirements
- Open Site Space: Meeting the open site space would not be reasonable with the driveway to the underground parking area, especially after considering the SRW which lengthens the driveway considerably. While a significant portion of the driveway has been covered by landscaping and amenity space, it does not count as open site space due to the fact that it must be higher than natural grade. We do therefor require a variance to this requirement.
- Front, Rear and Side Yard setbacks: The project is proposing to locate the principal structure within the site so that it maintains the front yard setbacks of the neighbours and creates reasonable garden space all around the building. The proposed setbacks have been proposed after discussions with the planning staff.

TRANSPORTATION

This site is located in one of the most walkable neighbourhoods in the city, and is approximately 500m from the Legislature Transit Exchange. Our proposal meets the automobile parking and the bicycle parking standards of Schedule C.

HERITAGE

The existing buildings we are proposing to replace are not designated heritage buildings nor do they have particular heritage value.

GREEN BUILDING FEATURES

Site Selection:

Being situated next to James Bay Village, residents will be a stone's throw from amenities, as well as being walking distance from the downtown core, with excellent access to public transportation. Residents will have the option to live car free.

Building Reuse:

As much as is practical of the two single family houses that will be removed to make room for our proposal will be salvaged for reuse or recycled.

Transportation:





We have provided a secure, enclosed bicycle room with racks as required by Schedule - C. As well, all parking spaces shall be serviced by electrical conduit that can support the installation of an electric vehicle charging station.

Energy Efficiency:

This project will meet Step 2 of the BCBC Energy Step code at minimum, and will make every reasonable effort to achieve Step 3.

The building is designed to have a very efficient form in order to improve the Thermal Demand Energy Intensity. As we proceed with detailed design this form will facilitate making a high performance thermal bridge free and envelope.

Heat Recovery Ventilation (HRV) units will be used to provide high indoor air quality without compromising energy performance.

Lighting - energy efficient LED lighting will be used throughout the building.

Daylighting - High windows are designed to bring sunlight deeper into the interior spaces, reducing the need for electric lighting during the day. One of the exit stairs will also be day-lit.

Water:

Low flow fixtures will be used throughout the building.

Flow-through landscape planters will reduce the rate of stormwater runoff.

We will look at retaining stormwater for irrigation.

Landscaping and Urban Forest:

Our landscaping opportunities will be located above the parkade. Despite this limitation, we have designed for soil depths that can support significant planting as well as outdoor usable space. Please see the landscape drawings for details.

Urban Agriculture:

Our proposal includes raised beds which residents may use for growing vegetables.

INFRASTRUCTURE

Being located in a neighbourhood that already contains multi-unit buildings, there is currently adequate sewer, water, sidewalks, roads and parks within the area.

CONCLUSION

By Providing a high quality, well designed multi-family market development in a neighbourhood that has the infrastructure in place to support it, we feel this development is a positive and sustainable addition to the James Bay neighbourhood.





Sincerely,

Waymark Architecture

Will King, Architect AIBC, MRAIC, LEED AP





James Bay Neighbourhood Association

jbna@vcn.bc.ca
Victoria, B.C., Canada

www.jbna.org

November 21st, 2018

Mayor and Council
City of Victoria

Re: 561-565 Toronto Street

Dear Mayor and Council,

The James Bay Neighbourhood Association community meeting to consider the development permit with variances for 561 and 565 Toronto Street was held on October 10, 2018. Prior to the general meeting, members of the JBNA Development Review Committee met with Conrad Nyren, Magellan Holdings Ltd, and Will King, Waymark Architects, to review the proposal and confirmed that this project will be within height allowance, with application for nominal set back variances. There was general approval of the building architecture.

Mr. Nyren provided the following information at the October 10, 2018 meeting:

- Plan is to demolish 2 existing houses to build 4 story condos.
- Property is already zoned R32 so no rezoning involved.
- Working within height allowance, seeking nominal set back variances.
- 4 storeys, 24 units, suites range 550 to 650 sq ft. 13 one bedroom suites, 7 two bedrooms, 4 one bed+ den. Market rate condos for sale.
- Units above parkade - 22 parking stalls. Bicycle storage on site 24 stalls plus 12 wall mounted stalls for total 36 bicycle stalls. 1 storage locker per unit
- Landscape plan includes 6 raised beds for gardening and small green space.

Comments from those attending the October 10, 2018 meeting focused on parking and vehicle egress given the potential blind spots for vehicles and pedestrians.

Attached please find an excerpt of the General Meeting minutes regarding the proposal as well as questions and comments from residents which were submitted before the meeting as well as the minutes from the September Development Review Committee pre-meeting.

Sincerely,

Tim VanAlstine,
JBNA CALUC Co-Chair

Cc: Miko Betanzo, Cov Senior Planner
Conrad Nyren, Magellan Holdings Ltd.

APPENDIX – CALUC 561-565 Toronto Street

Questions/comments:

- Q: Too many houses in James Bay are being demolished. What's wrong with the existing houses?
- A: Creating 24 new residential housing in place of 2. Houses can't be moved due to configuration of the roadway, too narrow but will be salvaged.
- Q: How many units in current houses?
- A: Both are single family. 1 house is divided into 3 suites.
- Q: How many parking spaces and how many bike spaces?
- A: We are complying with the City's current requirements for parking with 22 parking stalls 33 bikes stalls
- Q: Concerned about access to underground parking and exiting onto Toronto.
- C: Cautionary note that the property to the right has their garage built to property line – and exiting parkade will be challenging.
- Q: Will there be any traffic calming to slow down cars exiting to street?
- A: The action of exiting will provide traffic calming
- Q: Are there going to be any rentals?
- A: Only if purchasers rent them out.
- Q: As the developer you have the first draft of the by-laws; are asking that no AirB&B be permitted in strata.
- A: Could be a recommendation. We will consider.
- C: Lots of pedestrian traffic on Toronto St. I offer a cautionary note again of exiting of vehicles – maybe a caution light or domed mirrors be installed.
- C: Wants to echo some remarks regarding the underground garage exit and the above ground garage on the property to the immediate right. This is not only the safety of vehicles but that of pedestrians as well.
- A: We will look into that issue. It might be a mirror, or some kind of light. We will definitely look into it.
- C: Would really appreciate some more articulation and definition of the exterior of the building in that it will be in place for 60+ years – hope to break up the plain art surface
- A: We think that the ground floor entrances will add to the definition of the building and will soften the street view
- Q: Waste management concerned about the bins being placed on the street, jamming of street, noise as well a concern.
- A: Will have a chat with the waste management providers to see if concern is addressed by truck coming into parkade.
- Q: Will there be parking in front of building?
- A: Currently 1 hr parking
- C: Suggest will need additional parking for visitors.
- A: Will be visitor parking in parkade
- Q: Will entry to parkade be graffiti proof? Will there be a green roof?
- A: Believes for insurance purposes, a green roof over residential area is not permitted.
- C: Menzies building above liquor store has a planted material on the roof and there is residential below – and property is insured.
- A: Currently there are no plans to install a green roof – the landscaping is being constructed to address water flow and run off based on by-laws
- C: Comment for city lives across from building – Toronto is termed a secondary connector – its narrow with parking on one side – encourages people to move very quickly down street – would like city to place calming mounds in the 500 block of Toronto with a 30k speed limit
- C: Appreciate that you have made the effort to inform the residents although you had no requirement to do so as rezoning of land is already established.

DRC meeting September 18/09

Conrad Nyren, Will King - Waymark Architects
Tim Sommers, Tim VanAlstine, Linda Carlson, Trevor Moat

R32 zone. 1.5 FAR (floor area ratio). No rezoning involved.
Working within height allowance, seeking nominal set back variances.
4 stories, above parkade. 24 units, 22 parking stalls so short 2 parking stalls according to Schedule C. 22 parking stalls meets parking requirements for village core area, but not for the residential.

Existing tenants: 2 families. Single woman rents out rooms as vacation rentals. Other tenant has purchased home.

Existing owners have rights to decide to demolish or recycle. No plan to move houses.

Planning department interested in maintaining street interaction. Design to have street front entrances, patios.

Suites range 550 to 650 sq ft. 13 one bedroom suites, 7 two bedrooms, 4 one bed+ den.

Market rate condos (\$360K 1 bed), rentable but for sale. Units include washer/dryer.

Zoning does not permit short term vacation. Developer will not add any prohibition against short term rental, will rely on owners to adhere to bylaws.

Landscape plan includes 6 raised beds for gardening and small green space.

Base is dark grey brick, white stucco finish on body with cedar insets and cedar soffits. Each suite area is identified in exterior with windows, balconies, and cedar insets. Balconies have cedar trim to sit with windows and balconies against white stucco.

Balconies are 6x5. Sufficient for bistro table and 2 chairs, but not sufficient for storage. There will be prohibition against bicycles, freezers etc. being stored on the balconies.

Trevor questions if architectural articulation can be provided on the street front? Conrad suggested the different materials are intended to address the need.

Bicycle storage on site 24 stalls plus 12 wall mounted stalls for total 36 bicycle stalls.
1 storage locker per unit 4x4x8



James Bay Neighbourhood Association

jbna@vcn.bc.ca
Victoria, B.C., Canada

www.jbna.org

December 17th, 2018

Mayor and Council,
City of Victoria

Dear Mayor and Councilors,

Re: 561-565 Toronto Street

Further to correspondence of November 21st, 2018, regarding the development permit application with variances for 561-565 Toronto Street, JBNA has received the attached letter from a resident who will be greatly affected by the proposed development. The application had been reviewed at the October 10th JBNA General Meeting.

In addition to the parking and possible safety issues associated due to vehicle egress and potential blindspots, the resident raises the issue of appropriateness of design and mitigation of massing given the existing neighbourhood character.

We ask that this submission be included in any City consideration of this development permit application.

Yours truly

Marg Gardiner
President, JBNA

Cc: Miko Betanzo, CoV Senior Planner
Conrad Nyren, Magellan Holdings Ltd
Alexander Teliszewsky

November 20, 2018

Dear James Bay Neighbourhood Association,

Re: Development Proposal for 561-565 Toronto Street

At the October 10, 2018 monthly meeting of the James Bay Neighbourhood Association (JBNA), proponents of the above development proposal, Conrad Nyren and Will King of Waymark Architects, presented their project ideas. The developer's intention is to construct a 4-storey, 24 unit condominium building with 22 stalls of underground parking and 36 bicycle stalls. Since this site is currently zoned R3.2 (4-storey, Multiple Family), the proposed land use and density are not of concern and there is no requirement for public input. This project is located only 150 meters east of James Bay Village centre, and is clearly within a transitional area of the neighbourhood. As a 30-year resident of Toronto Street, and as the owner of four homes located directly across from the proposed development (556, 548, 544 Toronto, and 415 Parry), I wish to draw your attention to concerns over the impacts raised by this project.

1. Concern for appropriate design
2. Concern over street safety and parking

FIRST ISSUE: The Concern for Appropriate Design

During the JBNA meeting, I had an opportunity to view (only) their rendering of the Toronto Street elevation. I was dismayed by its lack of definition and articulation.

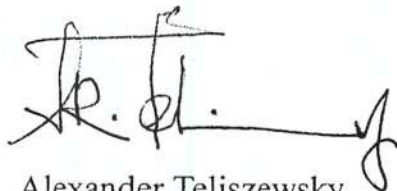
I am feeling unsure that the present system of development approvals would result in an appropriate response to existing neighbourhood character, and to adequately mitigate the visual impacts of height and massing. This proposal is in need of a second look given that it sits on the edge of a zoning boundary which has significantly different densities from neighbours across the street.

SECOND ISSUE: Concern over Street Safety and Parking

In addition to being a narrow one way street, Toronto Street is a Secondary Connector. This makes it an expedient choice as a quick link into the heart of James Bay. As a result, the increased noise and speed of its vehicular traffic has created a precarious condition to negotiate for pedestrian, children and their pets. Toronto would greatly benefit having its speed zones reduced to 30 KM/H, and supported by traffic calming speed bumps in the 500-block neighbourhood.

Due to the narrow street width, parking on Toronto has always been limited only to its south side. This issue is compounded by its close proximity to Victoria's Inner Harbour and Beacon Hill Park. I anticipate that the proposed development will exacerbate an already problematic situation. For this reason, I am not in support of any parking variances which substitute bike stalls for car stalls at this location.

Thank you for your consideration.



Alexander Teliszewsky

556 Toronto Street,
Victoria, B.C., V8V 1P2

cel. [REDACTED]
home [REDACTED]

May 9th, 2019



Dear Honorable Mayor and Council,
Re: Development Proposal for 561-565 Toronto Street

I wish to draw your attention to my ongoing concerns over the potential impacts of the above Development Proposal. The following letter is an update to a previous letter written to the James Bay Neighbourhood Association (JBNA correspondence, November 20th, 2018).

The issue of street safety and parking has been (partially) addressed by the Transportation Planner and the City's Department of Engineering and Public Works. The developer's amended plans are now in compliance with the City's requirement of 24 parking stalls. The developer has also agreed to the City's use of a portion of the Front Yard setback as a public walkway, facilitating the inclusion of a landscaped boulevard along the Toronto Street side of the project. These changes are beneficial; but our appeal regarding traffic noise and speed along this narrow Secondary Connector remains unaddressed. Residents of Toronto Street would receive benefit in having the speed zone reduced to 30 KM/H, and supported by traffic calming speed bumps in the 500-block neighbourhood.

The quest for the achievement of Good Urban Design in this proposal is an issue of much importance that remains unresolved. City staff at Development Services have been very helpful in communicating the Public's concerns while the project is under review. The conundrum is that the City seems to leave issues of Design Excellence, to the purview of design professionals who are in the employ of the development's proponent (a potential conflict of interest). In some instances, this lack of leadership leaves the Developer in charge of defining or interpreting "Appropriate Design". This is especially poignant when design issues impact the 'bottom line' of developers whose interests are solely limited to their 'financial gain'. In addition, the "Design Guidelines For Multi-Unit Residential..." (July 2012), reads like a short 'wish list' of unenforceable 'suggestions' making it easier for developers to simply ignore them.

I was recently dismayed to learn that in the second week of April (2019), Victoria's Advisory Design Panel had reviewed this project and recommended it to be sent to Committee of the Whole with No changes. The ADP's decision reinforces the impression that the City's natural leadership role is abdicated in

favour of the developer and his design professionals. It is especially evident in this proposal when considering how poorly its urban design responds to the physical, social and environmental objectives of our Design Guidelines.

During the course of these past six months, I had spoken with the Developer on a number of occasions, exchanging messages, drawings and ideas. He seemed genuinely interested, but always returned with excuses for not accepting any change.

At the end of the frustrating experience, it remains to be said that if passed by Council, this development will not serve the greater Social Benefit to the environment, the community nor to this development's future residents. With an estimated lifespan of 80-90 years, these shortcomings may (potentially) impose themselves on all concerned to the end of this century. I recognize and support that this neighbourhood is clearly in a transitional area of James Bay; and I am sure that these properties will be re-developed (for better or worse) in the near future. I oppose this specific proposal mainly on the basis of how poorly its design meets our "Design Guidelines". I leave the remainder of this letter with several examples that illustrate these shortcomings.



With an effective system of design review and evaluation in place, our 'built environment' (comprised of new and older buildings) would begin to strengthen our communal 'sense of place'. This photo (of 507 to 525 Government Street) illustrates the considerable respect and discourse that can be realized between buildings of different ages.

Design Guideline 1.1.1

New development should be compatible with and improve the character of established areas through design that is unifying, sensitive and innovative: ... through the use of appropriate forms, massing, building articulation, features and materials.

Design Guideline 1.2

Where new development is directly abutting lands in a different OCP... the design should provide a transition between areas in ways that respond to established form and character, and that anticipate any future development..

Design Guideline 1.6.1

Multi-unit residential development that directly abuts any residential building that is lower and smaller in scale... should: Provide a transition in its form and massing to lower density building forms.

Design Guideline 2.2.1

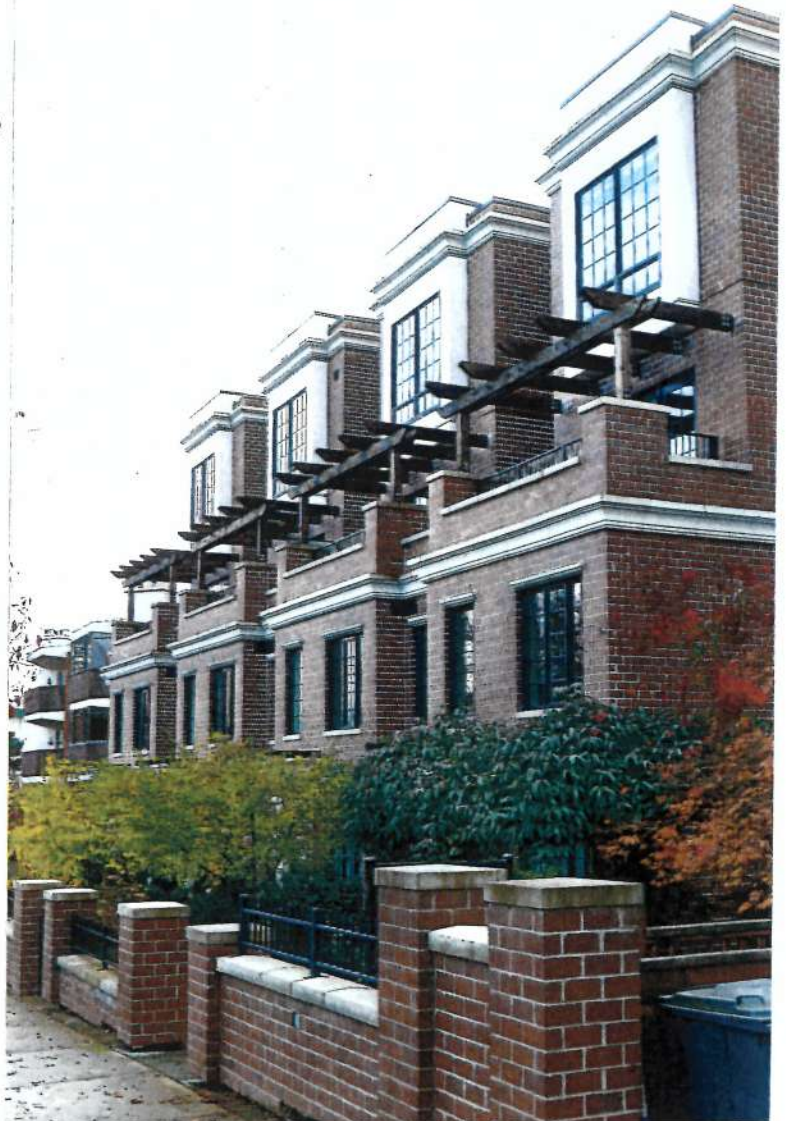
New developments should avoid long unvaried stretches of frontages... (by) massing that gives the impression of small blocks.

I had used drawings, photos and ideas to encourage the developer to break up his box-like proposal with an articulation of vertical bays containing balconies within the building envelope. These projecting bays are a reflection of existing house patterns on the Toronto streetscape.

These bays would be terraced at the second or third floor levels. The upper floors being setback a minimum of 2 meters in order to provide a welcome relief from the dramatic four storey cliff-edge drop.

This modulation of building massing and setback responds to the fact that there is a municipal zoning change which divides the south side of Toronto Street from the north side with a significant difference in density, height and size.

The photograph to the right is an illustration of an appropriate application of Design Guidelines for this planning issue.



Guideline 3.3

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.

Guideline 3.8

Mid-rise... multi-unit residential buildings are encouraged to be stepped in order to provide opportunities for balconies and rooftop terraces that take advantage of sunlight and views.

Guideline 5.8

Consideration should be given to the inclusion of private open space in residential developments in the form of courtyards, recessed balconies, terraced balconies or rooftop gardens.



In Summary, I wish to note that I am not opposed to this project's land use, density or height. My request is for a more appropriate architectural response: for a project that more fully embodies the intentions of our Design Guidelines.


Alexander Teliszewsky

556 Toronto Street
Victoria, B.C. V8V 1P2

4.2 Development Permit with Variances Application No. 00091 for 561-565 Toronto Street

The City is considering a Development Permit with Variances Application to construct a four-storey building containing approximately 24 dwelling units at a density of 1.49:1 floor space ratio (FSR).

Applicant meeting attendees:

WILL KING
KYLA TUTTLE
CONRAD NYREN

WAYMARK ARCHITECTURE INC.
WAYMARK ARCHITECTURE INC.
APPLICANT

Chloe Tunis provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- the massing and interface with nearby properties
- the entryway and ground level relationship to the street
- the façade articulation and materials.

Will King provided the Panel with a detailed presentation of the site and context of the proposal.

The Panel asked the following questions of clarification:

- is there about a 4" difference between the white panels and the cedar siding?
 - there will be about 6" between the two materials
 - the white fibre cement panel will have a stucco texture, and will contrast with the cedar and modern brick on the base below
- how will the fibre cement cladding be supported?
 - the applicants have been working with the builder to determine the detail on the wall assembly
 - a standard assembly has an insulated wall cavity and an external cladding system set out from the wall; this will be done in a similar way
- does the wall assembly have just stud insulation with the cedar or brick layer on top?
 - there would be an inch of continuous insulation on the outside of the sheathing, and a rainscreen on top
 - the rainscreen depth changes from being shallow behind the cedar siding to an exaggerated depth behind the white fibre cement
- where is the brick within the wall assembly?
 - the brick aligns with the outside face of the sheathing
 - the transition from cedar to brick will likely be done with flashing; however that level of detail is not yet confirmed
- will the brick lay at a higher point from the cedar?
 - the brick is intended to be in a very similar plane to the cedar
- could the closets in units A be moved to the end wall, to make the rooms feel larger?
 - this can be considered
- is there sufficient clearance between the bed and closet in the one-bedroom units E, F and G?
 - the applicants are not certain of the exact dimensions of the suites, but the space is intended to be small to allow for larger living room area
 - the location of the interior walls may change slightly, and other ways to put beds into the units can be explored to ensure a functional space

- was eliminating a unit or reducing the number of bedrooms considered, to add to the liveability and size of units?
 - the redistribution of the interior walls can be considered
- what is the intent of the dark base material?
 - it is intended as a dark masonry base level, with the lighter materials sitting on top
- what is the rationale for the orientation of the address sign?
 - a vertical element was desired for the cedar accent, and the address works well within the space
 - a number of configurations have been explored

Jessi-Anne Reeves left the meeting at 1:35pm.

- are the private patios directly adjacent to the main entrance?
 - the entry is protected on both sides by the portico, and the patios are on each side of the portico
 - landscaping separates the ramp from the adjacent private patio
- has the proposal been revised since staff's comments about the street relationship?
 - the first iterations did not include the 2m Statutory Right-of-Way, which, when included, triggered a redesign of the front of the building
- does BC Hydro allow for the hydro kiosk to be enclosed within wood fencing?
 - at this stage it is not confirmed whether a hydro transformer will be required; but if it is, it will be located within the northwest corner of the lot
 - fencing can be used to help screen the transformer, if necessary
- why does the sidewalk curve towards the proposal?
 - Chloe Tunis noted that the current Right-of-Way is 10m and should ideally be 20m. A 14m Right-of-Way (SRW) is requested to achieve the greenway goals and create a boulevard
 - Will King noted that the Right-of-Way is not a requirement as there is no application to rezone the property; however, the SRW was deemed desirable after talking to the Planning and Transportation departments
- what is the intent for how the top of the white panels meet the underside of the roof?
 - there will be flashing in this location
 - an engineered system is being explored which would include the top, side flashing and side brackets
- what is the proposed portico material?
 - there will be brick on the outside and cedar on the inside
 - there will also be a cedar soffit with lighting for the portico
- given that the roof will have a truss system, is the ceiling to the underside of the truss?
 - that is the intent, and would also conceal the parapet and elevator box
- what is the depth of the truss?
 - the applicants are not certain; this will be determined by the engineers.

Panel members discussed:

- opportunity to reallocate the unit layouts or decrease the number of bedrooms overall to improve liveability
- opportunity to look at alternatives such as sliding walls or murphy beds to create comfortably-sized bedrooms in units B, E, F and G

- the proposal as a good fit within the context and its ability to complement the older surrounding houses
- appreciation for the proposal's street relationship and landscaping
- desire for the finishes to be executed as depicted in the rendering, with crisp detailing and the intended façade depth
- appreciation for the effort into the design of the ground plane
- opportunity to consider wayfinding across languages in the proposed address signage.

Motion:

It was moved by Roger Tinney, seconded by Carl-Jan Rupp, that the Advisory Design Panel recommend to Council that Development Permit with Variances Application No. 00091 for 561-565 Toronto Street be approved as presented.

Carried Unanimously

5. ADJOURNMENT

The Advisory Design Panel meeting of April 10, 2019 was adjourned at 2:00 pm.

Stefan Schulson, Chair