

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the January 28, 2021 COTW Meeting

**F.1.a.a 430 Powell Street: Rezoning Application No. 00736 and
Development Permit with Variances Application No. 00736
(James Bay)**

Moved By Councillor Young

Seconded By Councillor Potts

Rezoning Application No. 00736

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00736 for 430 Powell Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00736

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after Public Hearing for Rezoning Application No.00736, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00736 in accordance with:

1. Plans date stamped November 3, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.00m to 2.92m to the stairs and 4.75m to the building for Lot 1;
 - ii. reduce the north side yard setback from 2.40m to 2.0m for elevations with windows into habitable rooms for Lot 1;
 - iii. reduce the south side yard setback from 2.40m to 1.2m m for elevations with windows into habitable rooms for Lot 1;
 - iv. reduce the rear yard setback from 6.00m to 3.39m to the stairs and 4.53m to the building for Lot 2;
 - v. reduce the north side yard setback from 2.40m to 1.2m for elevations with windows into habitable rooms for Lot 2;
and
 - vi. reduce the south side yard setback from 2.40m to 2.0m for elevations with windows into habitable rooms for Lot 2.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

E.3 430 Powell Street: Rezoning Application No. 00736 and Development Permit with Variances Application No. 00736 (James Bay)

Committee received a report dated January 14, 2021 from Director of Sustainable Planning and Community Development regarding a proposal to rezone from the R-2 Zone, Two Family Dwelling District, to a site specific small-lot zone in order to subdivide the property and construct two new single-family homes.

Moved By Councillor Thornton-Joe
Seconded By Councillor Young

Rezoning Application No. 00736

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00736 for 430 Powell Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit with Variances Application No. 00736

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after Public Hearing for Rezoning Application No.00736, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00736 in accordance with:

1. Plans date stamped November 3, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce the rear yard setback from 6.00m to 2.92m to the stairs and 4.75m to the building for Lot 1;
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 - v. reduce the north side yard setback from 2.40m to 1.2m for elevations with windows into habitable rooms for Lot 2; and
 - vi. reduce the south side yard setback from 2.40m to 2.0m for elevations with windows into habitable rooms for Lot 2.
3. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of January 28, 2021

To: Committee of the Whole **Date:** January 14, 2021

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00736 for 430 Powell Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00736 for 430 Powell Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 430 Powell Street. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a site specific small-lot zone in order to subdivide the property and construct two new single-family homes.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan* (OCP, 2012)
- the proposal is consistent with the housing objectives and policies within the *James Bay Neighbourhood Plan* (1993) to allow for small lot infill housing that fits the form and scale of neighbouring houses
- the proposal is generally consistent with the design guidelines in *Small Lot House Design Guidelines* (2002) with respect to density and consistency with neighbourhood form and character
- with proposed lot sizes of 240.7m² and 241.8m² the proposal is not consistent with the *Small Lot House Rezoning Policy* which states that lots should be a minimum of 260m²; however, the lot sizes and scale of development is consistent with the pattern of nearby development.

BACKGROUND

Description of Proposal

The proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a site specific small-lot zone in order to subdivide the property and construct two new single-family homes. The property is currently being used as a parking lot, which is non-conforming to the zoning.

The following differences from the standard two-storey small lot zone are being proposed and will be incorporated into the site-specific zone:

- reduce of the minimum lot size from 260.00m to 240.70m for Lot 1 and 241.80m for Lot 2
- reduce the lot width from 10.00m to 8.60m for both lots
- reduce the front yard setbacks on both lots from 6.0m to 4.0m metres.

The following differences from the standard two-storey small lot zone are being proposed and would be incorporated as variances from the site-specific zone:

- reduce the rear yard setback from 6.00m to 2.92m (stairs) and 4.75m (building) on Lot 1
- reduce the rear yard setback from 6.00m to 3.39m (stairs) and 4.53m (building) on Lot 2
- reduce the side yard setbacks for proposed Lot 1 from 2.4m for elevations with windows into habitable floor areas to 2.0m on the north side and 1.2m on the south side
- reduce the side yard setbacks for proposed Lot 2 from 2.4m to 1.2m on the north side and to 2.0m on the south side.

Affordable Housing

The applicant proposes the creation of two new residential units which would increase the overall supply of housing in the area.

Tenant Assistance Policy

The existing use of the site is as a non-conforming surface parking lot; therefore, the proposal does not result in the loss of any residential units.

Sustainability

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

Active Transportation

The applicant has not identified any active transportation impacts associated with this application.

Public Realm

No public realm improvements, beyond the City's standard, are proposed in association with this Rezoning Application.

Accessibility Impact

Accessibility measures beyond those contained in the British Columbia Building Code are not proposed.

Land Use Context

The area is characterized primarily by a mix of single family, attached and multi-family dwellings. The building directly to the north contains a daycare and medical clinic.

Existing Site Development and Development Potential

The site is presently used as a non-conforming parking lot. Under the current R-2 Zone, Two Family Dwelling District, the property could be developed as a duplex or as a single-family dwelling with either a garden suite or a secondary suite.

Data Table

The following data table compares the proposal with the R1-S2 Zone, Restricted Small Lot (Two Storey) District. An asterisk is used to identify where the proposal does not meet the standard.

Zoning Criteria	Proposal - Lot 1	Proposal - Lot 2	Zone Standard R1-S2, Restricted Small Lot (Two Storey)
Site area (m ²) - minimum	240.7 *	241.8 *	260.0
Density (Floor Space Ratio) - maximum	0.59	0.58	0.60
Total floor area (m ²) - maximum	141.0	140.0	190.0
Site coverage (%) - maximum	39.88	39.90	40
Lot width (m) - minimum	8.6 *	8.6 *	10.0
Height (m) - maximum	7.43	7.45	7.50
Storeys - maximum	2	2	2
Setbacks (m) - minimum			
Front (west - Highview Street)	4.0 *	4.0*	6.0
Rear (east)	2.92 * (steps) 4.75 * (building)	3.39 * (steps) 4.53 * (building)	6.0
Side (north)	2.0 * (habitable)	1.20 * (habitable)	1.50 (non-habitable)

Zoning Criteria	Proposal - Lot 1	Proposal - Lot 2	Zone Standard R1-S2, Restricted Small Lot (Two Storey)
Side (south)	1.2 *	2.0 *	2.40 (habitable) 1.50 (non-habitable) 2.40 (habitable)
Parking (residential) - minimum	1	1	1

Community Consultation

The applicant had scheduled a community meeting with the *Community Association Land Use Committee (CALUC)*, for March 30, 2020. Due to the implementation of COVID-19 protocols, this meeting was cancelled. The James Bay CALUC pursued an alternate process by hosting an online meeting in August 2020 and informed 62 neighbours within 100m by posting a notice to their mailbox. The James Bay CALUC considered this to be adequate to satisfy the CALUC community consultation requirements. A letter dated August 20th, 2020 is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that there was 100% support from respondents for the application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions Summary is attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan (OCP)* designates the property within the Traditional Residential Urban Place Designation, which envisions ground-oriented residential uses with densities up to 1:1 Floor Space Ratio (FSR). The proposed small lots would be subject to Development Permit Area 15A: Intensive Residential - Small Lot (DPA 15A). Further analysis related to the design will be provided in the accompanying Development Permit with Variances Application report.

Local Area Plans

The *James Bay Neighbourhood Plan* supports infill development, such as small lot single-family dwellings, provided there is visual harmony in form and scale between the new buildings and the adjacent properties. The proposal is generally consistent with the neighbourhood plan. The proposal meets the overall housing objectives in compatibility with the established scale and character of adjacent and nearby housing.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This permit application was received after October 24, 2019, so it falls under *Tree Preservation Bylaw No. 05-106* consolidated November 22, 2019. The tree inventory for the proposal, outlined in the attached arborist report, includes three trees in proximity to the proposed development area:

- one offsite bylaw-protected elm, north of the front yard, on the property of 440 Powell Street (James Bay Community Project); and
- two trees on the municipal frontage: a tulip tree and young magnolia.

The three trees are proposed for retention. Preservation of the municipal tulip tree and offsite elm will require careful coordination of site servicing with Parks and Engineering and mitigation measures including arborist supervision, modified excavation techniques, tree protection fencing, and recommendations described in the Arborist Report.

Small Lot House Rezoning Policy

The application is generally consistent with the *Small Lot House Rezoning Policy*. One exception is the minimum lot size and lot width identified in this policy. The policy requires a minimum site area of 260 m² and lot width of 10m. Proposed Lot 1 will be 19.30m² below the site area minimum and proposed Lot 2 will be 18.20m² below. The smaller and more narrow lots (8.6m) result in reduced setbacks as compared to the standard R1-S2 Zone, Restricted Small Lot (Two Storey) District. In context, however, nearby lots tend to have smaller than average lot sizes and similarly reduced setbacks. In this way, the lots generally fit with the nearby pattern of development. For this reason, staff consider the smaller lot size to be supportable.

CONCLUSIONS

The proposal to rezone and subdivide the subject property and construct two new small lot dwellings is consistent with the objectives of the *Official Community Plan*, *James Bay Neighbourhood Plan* and the *Small Lot House Design Guidelines*. It is not, however, consistent with *Small Lot House Rezoning Policy* related to minimum lot size and minimum lot width. Despite the smaller lot size and lot width, the proposed lots fit within the local context. Staff recommend Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00736 for the property located at 430 Powell Street.

Respectfully submitted,

Chloe Bryden Tunis
Planner
Development Services Division

Karen Hoes, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map

- Attachment C: Plans date stamped November 3, 2020
- Attachment D: Letter from applicant to Mayor and Council dated June 30, 2020
- Attachment E: Community Association Land Use Committee Comments dated August 21, 2020
- Attachment F: Small Lot Petition
- Attachment G: Arborist Report
- Attachment H: Correspondence.



Committee of the Whole Report

For the Meeting of January 28, 2021

To: Committee of the Whole **Date:** January 14, 2020

From: Karen Hoese Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00736 for 430 Powell Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after Public Hearing for Rezoning Application No.00736, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00736 in accordance with:

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 - i. reduce the rear yard setback from 6.00m to 2.92m to the stairs and 4.75m to the building for Lot 1;
 - ii. reduce the north side yard setback from 2.40m to 2.0m for elevations with windows into habitable rooms for Lot 1;
 - iii. reduce the south side yard setback from 2.40m to 1.2m m for elevations with windows into habitable rooms for Lot 1;
 - iv. reduce the rear yard setback from 6.00m to 3.39m to the stairs and 4.53m to the building for Lot 2;
 - v. reduce the north side yard setback from 2.40m to 1.2m for elevations with windows into habitable rooms for Lot 2; and
 - vi. reduce the south side yard setback from 2.40m to 2.0m m for elevations with windows into habitable rooms for Lot 2.
3. 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 with Variances 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 property located at 430 Powell Street. The proposal is to subdivide the property in order to create two small lots and construct two single-family dwellings. The site would be rezoned to a site-specific zone based on the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to reflect the smaller than normal site area and both properties would be subject to Development Permit Areas 15A: Intensive Residential – Small Lot.

The following differences from the standard two-storey small lot zone are being proposed and would be incorporated as variances from the site-specific zone:

- reduce the rear yard setback from 6.00m to 2.92m to the stairs and 4.75m to the building on Lot 1
- reduce the rear yard setback from 6.00m to 3.39m to the stairs and 4.53m to the building on Lot 2
- reduce the side yard setbacks for proposed Lot 1 from 2.4m for elevations with windows into habitable floor areas to 2.0m on the north side and 1.2m on the south side
- reduce the side yard setbacks for proposed Lot 2 from 2.4m to 1.2m on the north side and to 2.0m on the south side.

The following points were considered in assessing this application:

- the proposal is consistent with the *Design Guidelines for Small Lot Houses* (2002) in terms of visual character and massing
- the reduced setbacks as compared to the standard small zone are generally consistent with existing setback conditions of neighbouring properties and would have minimal impacts on neighbouring properties.

BACKGROUND

Description of Proposal

The proposal is to subdivide an existing lot and construct two new small lot houses. Specific details include:

- modern designs with unique architectural detailing and materials to differentiate the two houses
- primary material at the street-facing façade, of both buildings, is Western Red Cedar siding, and for the house at Lot 2, the second storey would be stained a lighter colour to create visual interest
- primary materials on the sides and rear of the Lot 1 are a mix of fibre cement board and stucco
- primary materials at the sides and rear of lot 2 are fibre cement board and stained cedar siding
- new soft landscaping, and a new driveway and parking stalls surfaced with permeable

- pavers
- privacy impacts are reduced by utilizing clerestory windows for habitable rooms.

The following differences from the standard two-storey small lot zone are being proposed and would be incorporated into the site-specific zone:

- reduced the minimum lot size from 260.00 metres to 240.70m for Lot 1 and 241.80m for Lot 2
- reduce the lot width from 10.00m to 8.60m for both lots
- reduce the front yard setbacks on both lots from 6.00m to 4.00m metres.

The following differences from the standard two-storey small lot zone are being proposed and will be incorporated as variances from the site-specific zone:

- reduce the rear yard setbacks from 6.00m to 2.92m (stairs) and 4.75m to the building on Lot 1 and 3.39m (stairs) and 4.53m to the building on Lot 2
- reduce the side yard setbacks for proposed Lot 1 from 2.4m for elevations with windows into habitable floor areas to 2.0m on the north side and 1.2m on the south side
- reduce the side yard setbacks for proposed Lot 2 from 2.4m to 1.2m on the north side and to 2.0m on the south side.

Existing Site Development and Development Potential

The site is presently used as a non-conforming parking lot. Under the current R-2 Zone, Two Family Dwelling District, the property could be developed as a duplex or as a single-family dwelling with either a garden suite or a secondary suite.

Data Table

The following data table compares the proposal with the comparable R1-S2 Zone, Restricted Small Lot (Two Storey) District. An asterisk is used to identify where the proposal does not meet the standard.

Zoning Criteria	Proposal - Lot 1	Proposal - Lot 2	Zone Standard R1-S2, Restricted Small Lot (Two Storey)
Site area (m ²) – minimum	240.7 *	241.8 *	260.0
Density (Floor Space Ratio) – maximum	0.59	0.58	0.60
Total floor area (m ²) – maximum	141.0	140.0	190.0
Site coverage (%) – maximum	39.88	39.90	40
Lot width (m) – minimum	8.6 *	8.6 *	10.0

Zoning Criteria	Proposal - Lot 1	Proposal - Lot 2	Zone Standard R1-S2, Restricted Small Lot (Two Storey)
Height (m) – maximum	7.43	7.45	7.50
Storeys – maximum	2	2	2
Setbacks (m) – minimum			
Front (west – Highview Street)	4.0 *	4.0 *	6.0
Rear (east)	2.92 * (steps) 4.75 * (building)	3.39 * (steps) 4.53 * (building)	6.0
Side (north)	2.0 * (habitable)	1.20 * (habitable)	1.50 (non-habitable) 2.40 (habitable)
Side (south)	1.2 *	2.0 *	1.50 (non-habitable) 2.40 (habitable)
Parking (residential) – minimum	1	1	1

Community Consultation

The applicant had scheduled a community meeting with the *Community Association Land Use Committee (CALUC)*, for March 30, 2020. Due to the implementation of COVID-19 protocols, this meeting was cancelled. The James Bay CALUC pursued an alternate process by hosting an online meeting in August 2020 and informed 62 neighbours within 100m by posting a notice to their mailbox. The James Bay CALUC considers this approach to satisfy the CALUC community consultation requirements. A letter dated August 20, 2020 is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that there was 100% support from respondents for the application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions Summary is attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan, 2012 (OCP)* identifies this property within DPA 15-A: Intensive Residential – Small Lot. In this area, the *Design Guidelines for Small Lot Houses* apply. The objective of these guidelines is to allow for sensitive infill development that increases the housing supply and to provide a range of housing types; this proposal generally meets these objectives. While the guidelines encourage the visual character of the streetscape to be respected, they also specify that the proposals should not be restricted to traditional designs. The proposed buildings have a modern design, while most of the houses on the street are older

character homes. The proposed houses incorporate elements of the nearby character homes with similar peaked roof designs and with cedar siding at the front façade, which reflects the wood siding common on nearby houses.

The proposed houses require reduced setbacks on all four sides, as compared to the standard R1-S2 Zone Restricted Small Lot (Two Storey) District. The R1-S2 Zone requires larger side yard setbacks where there are windows into habitable rooms (habitable rooms include living rooms, dining rooms and bedrooms). The intention of this is to minimize privacy impacts on neighbouring properties. The application proposes reduced setbacks where there are habitable rooms with windows; however, they have minimized privacy impacts by utilizing clerestory windows and offsetting window placement as compared to neighbouring properties. The narrow lots mean that the proposal has a long, narrow layout, which contributes to the reason for the reduced front and rear yard setbacks. However, there is still useable outdoor space in the rear yards, though it is somewhat smaller.

The Design Guidelines for Small Lot Houses emphasises the importance of designing and considering new small lot houses within the larger streetscape context. In this case, the smaller lot size and reduced setbacks of the proposed lots and houses fit the pattern of the existing streetscape. The design further harmonizes with the existing character by incorporating a more traditional roof shape and wood siding at the front façade.

Because the site area for both lots are nearly identical and the lot widths and front yard setbacks are the same for both lots, and are similar to conditions found along the street, these can be accommodated in the site-specific zone. The rear yard and side yard setbacks differ slightly between the two lots and are better addressed as variances to the zone. This approach offers the additional benefit of being able to assess the side and rear yard conditions again, in the event this proposal is not built and a different proposal comes forward at a future date.

James Bay Neighbourhood Plan

The *James Bay Neighbourhood Plan* supports infill development, such as small lot single-family dwellings, provided there is visual harmony in form and scale between the new buildings and the adjacent properties. The proposal is generally consistent with the neighbourhood plan.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This permit application was received after October 24, 2019, so it falls under *Tree Preservation Bylaw No. 05-106* consolidated November 22, 2019. The tree inventory for the proposal, outlined in the attached arborist report, includes three trees in proximity to the proposed development area:

- one offsite bylaw-protected elm, north of the front yard, on the property of 440 Powell Street (James Bay Community Project); and
- two trees on the municipal frontage: a tulip tree and young magnolia.

The three trees are proposed for retention. Preservation of the municipal tulip tree and offsite elm will require careful coordination of site servicing with Parks and Engineering and mitigation

measures including arborist supervision, modified excavation techniques, tree protection fencing, and recommendations described in the Arborist Report.

CONCLUSIONS

The proposal to subdivide the existing lot and construct two small lot houses is generally consistent with the *Small Lot House Design Guidelines*. The proposed houses respect the existing scale and character of the streetscape through form and materials. The reduced setbacks as compared to the standard small zone are generally consistent with existing setback conditions along the street and would have minimal impacts on neighbouring properties. Staff recommend Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00736 for the property located at 430 Powell Street.

Respectfully submitted,

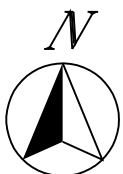
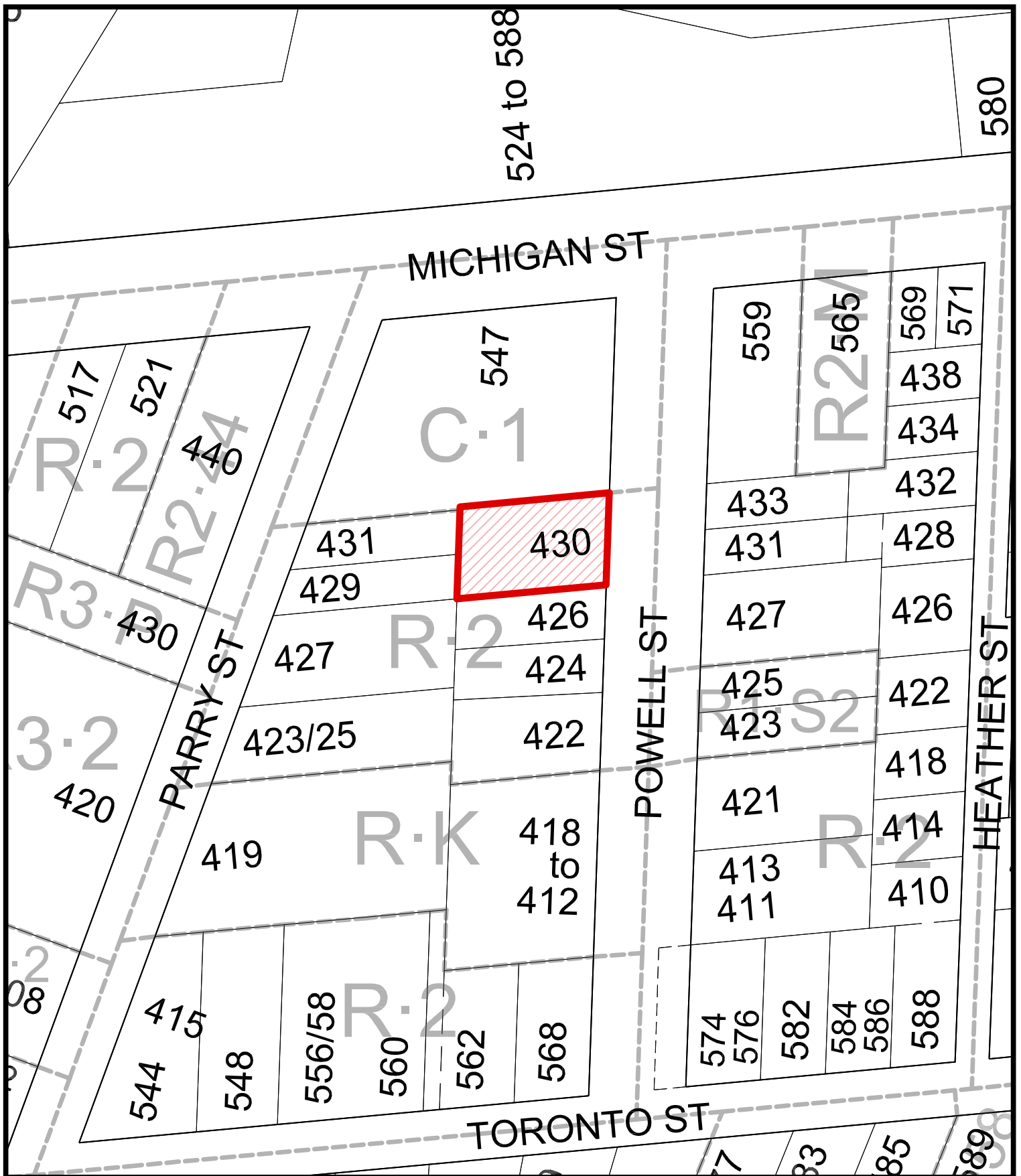
Chloe Tunis, Planner
Sustainable Planning and Community
Development Department

Karen Hoesel
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

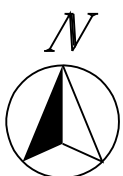
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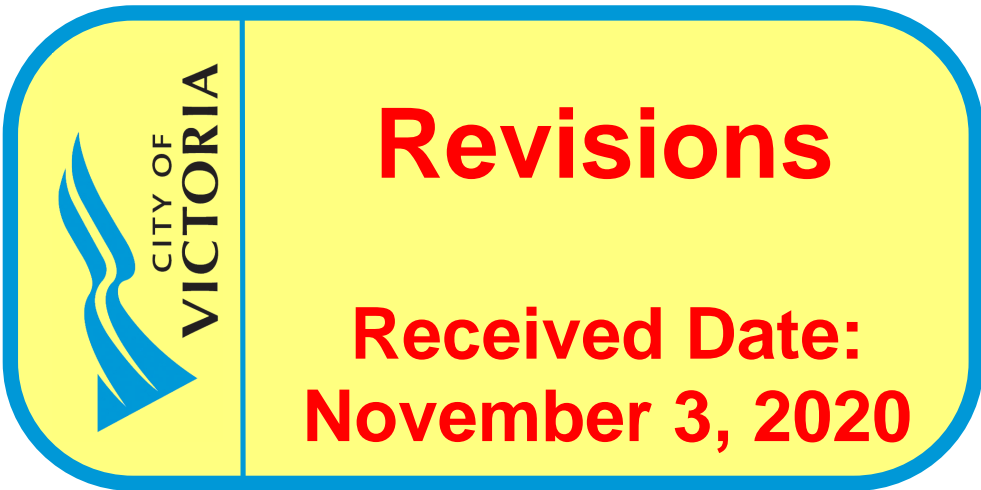
430 Powell Street
Rezoning No.00736





430 Powell Street
Rezoning No.00736





430 Powell St.

Magellan Holdings Ltd

PROJECT	430 Powell St.	ISSUE	Nov. 3, 2020: Application Revisions

Project Directory

Developer
Magellan Holdings Ltd.
Conrad Nyren
conradnyren01@gmail.com

Design
Arcata
924 McClure St, Victoria, BC V8V 3E7
T. 778.432.3550

Landscape Design
LADR
3 - 864 Queens Ave. Victoria V8T 1M5
T. 250.598.0105

Surveyor
Island Land Surveying Ltd.
117-693 Hoffman Ave. Victoria V9B 4X1
T. 250.476.1515

Project Data

Civic Address
430 Powell St.

Legal Description
Lot A, Lots 1775&1776 Victoria City, Plan EPP28098

Zoning (existing)
R2-Two Family Dwelling District

Zoning (proposed)
TBD (site specific)

Site Area (existing)
482.5 m²

Proposed Residence 1

Site Area Proposed Lot 1
240.7 m²

Gross Floor Area
Basement: 56.0 m²
Main Level: 61.0 m²
Split Level: 24.6 m²
Level 2: 52.0 m²
Garage: 22.0 m²
215.6 m²

Total Floor Area
Main Level: 61.0 m²
Split Level: 24.6 m²
Level 2: 52.0 m²
Garage: 22-18.6 stall = 3.4 m²
141.0 m²

FSR
Proposed res. 141.0 m² /
Lot Area 240.70 m²
0.58:1

Site Coverage
Allowed (R2): 96.28 m² 40.00%
Proposed: 96.00 m² 39.88%

Open Site Space
Proposed res. 96.28 m² +
Driveway 25.1 m²
Total 121.38 m²
Lot Area 240.7 m² -
121.38 m² 119.32 m²
Open site space **49.57%**

Average Grade
7.43m

Building Height Proposed
Allowed (R2): 7.6m
Proposed: 2 storey, 7.48m from average grade to gable mid-point.

Number of Storeys
Allowed (R2): 2
Proposed: 2

Parking
Required: 1 space per dwelling unit
Proposed: 1

Setbacks
Allowed as per current R-2 Zone:
Front 7.5m
Rear 10.7m
Side north 3.0m
Side south 1.5m
Side combined 4.5m

Allowed R1-S2
Front 6.0m
Rear 6.0m
Side north 2.4m
Side south 2.4m

Proposed
Front 4.00m
Rear 4.75m to building
3.9m to stair
2.00m
Side north 1.20m
Side south 2.00m
Side combined 3.20m

Proposed Residence 2

Site Area Proposed Lot 2
Lot 2: 241.8 m²

Gross Floor Area
Basement: 54.0 m²
Main Level: 60.0 m²
Split Level: 26.6 m²
Level 2: 50.0 m²
Garage: 22.0 m²
212.6 m²

Total Floor Area
Main Level: 60.0 m²
Split Level: 26.6 m²
Level 2: 50.0 m²
Garage: 22-18.6 stall = 3.4 m²
140.0 m²

FSR
Proposed res. 140.0 m² /
Lot Area 241.8 m²
0.58:1

Site Coverage
Allowed (R2): 96.72 m² 40.00%
Proposed: 96.5 m² 39.90%

Open Site Space
Proposed res. 96.5 m² +
Driveway 28.2 m²
Total 124.7 m²
Lot Area 241.8 m² -
124.7 m² 117.1 m²
Open site space **48.4%**

Average Grade
7.45m

Building Height Proposed
Allowed (R2): 7.6m
Proposed: 2 storey, 7.47m from average grade to gable mid-point.

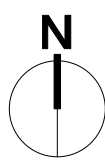
Number of Storeys
Allowed (R2): 2
Proposed: 2

Parking
Required: 1 space per dwelling unit
Proposed: 1

Setbacks
Allowed as per current R-2 Zone:
Front 7.5m
Rear 10.7m
Side north 3.0m
Side south 1.5m
Side combined 4.5m

Allowed R1-S2
Front 6.0m
Rear 6.0m
Side north 2.4m
Side south 2.4m

Proposed
Front 4.00m
Rear 4.53m to building
4.35m to stair
2.00m
Side north 1.20m
Side south 2.00m
Side combined 3.20m

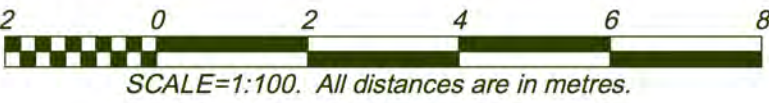


1 Context Plan



2 Street Views of Site

SITE PLAN OF LOTS A, B & C, LOTS 1775 & 1776
VICTORIA CITY, PLAN EPP28098.



NOTE:
Lot dimensions & areas shown are based upon Plan EPP28098.

Lot dimensions, offsets, and area shown may vary upon completion of a comprehensive legal survey. Geodetic elevations shown are based upon observations to geodetic control monuments 8-110 (Elevation= 10.267m) and 8-111 (Elevation= 7.957m).

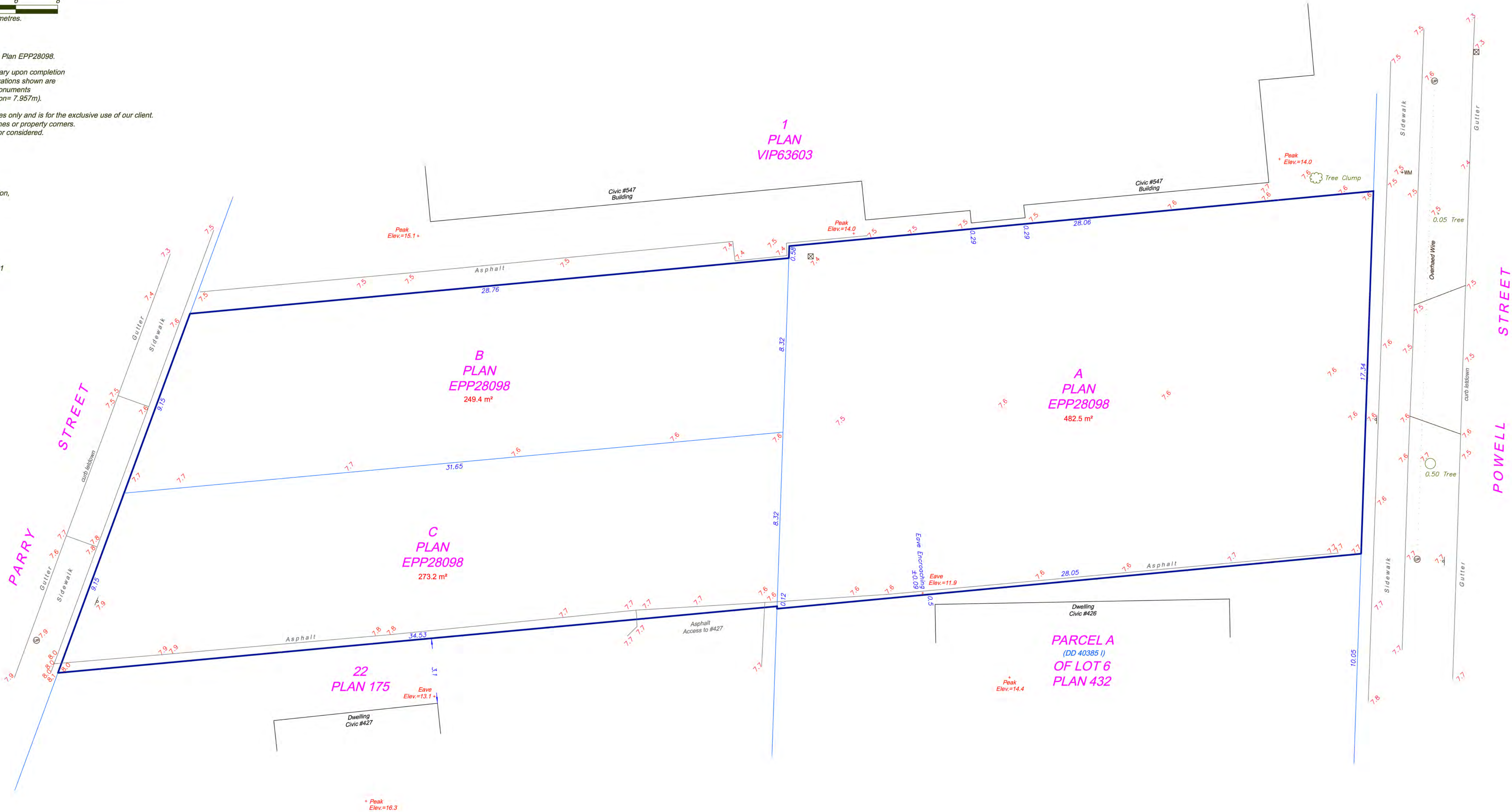
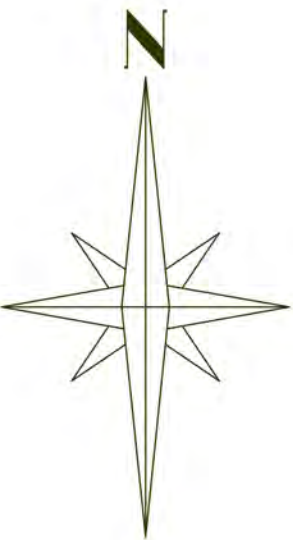
This plan is for building design & permit purposes only and is for the exclusive use of our client. This plan shall not be used to define property lines or property corners. Unregistered interests have not been included or considered.

LEGEND

- ☒ Denotes catch basin
- +WM Denotes water meter
- 0.60 Tree Denotes approximate tree location, diameter and species
- ⊕ Denotes ground elevation
- ⊙ Denotes utility pole
- ⚡ Denotes sign

Field survey dated May 13th, 2019.

The parcels are subject to Covenant CA3383451



File: 8-Magellan-SP
Date: May 15, 2019
Island Land Surveying Ltd.
117-693 Hoffman Avenue
Victoria B.C. V9B 4X1
TEL 250.475.1515 fax 250.475.1516
www.islandsurveying.ca

© 2019 Island Land Survey.

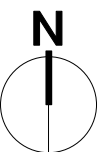
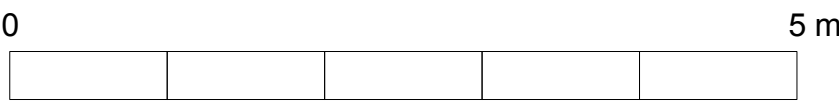
James Bay Community Project

Proposed Lot 1 Residence

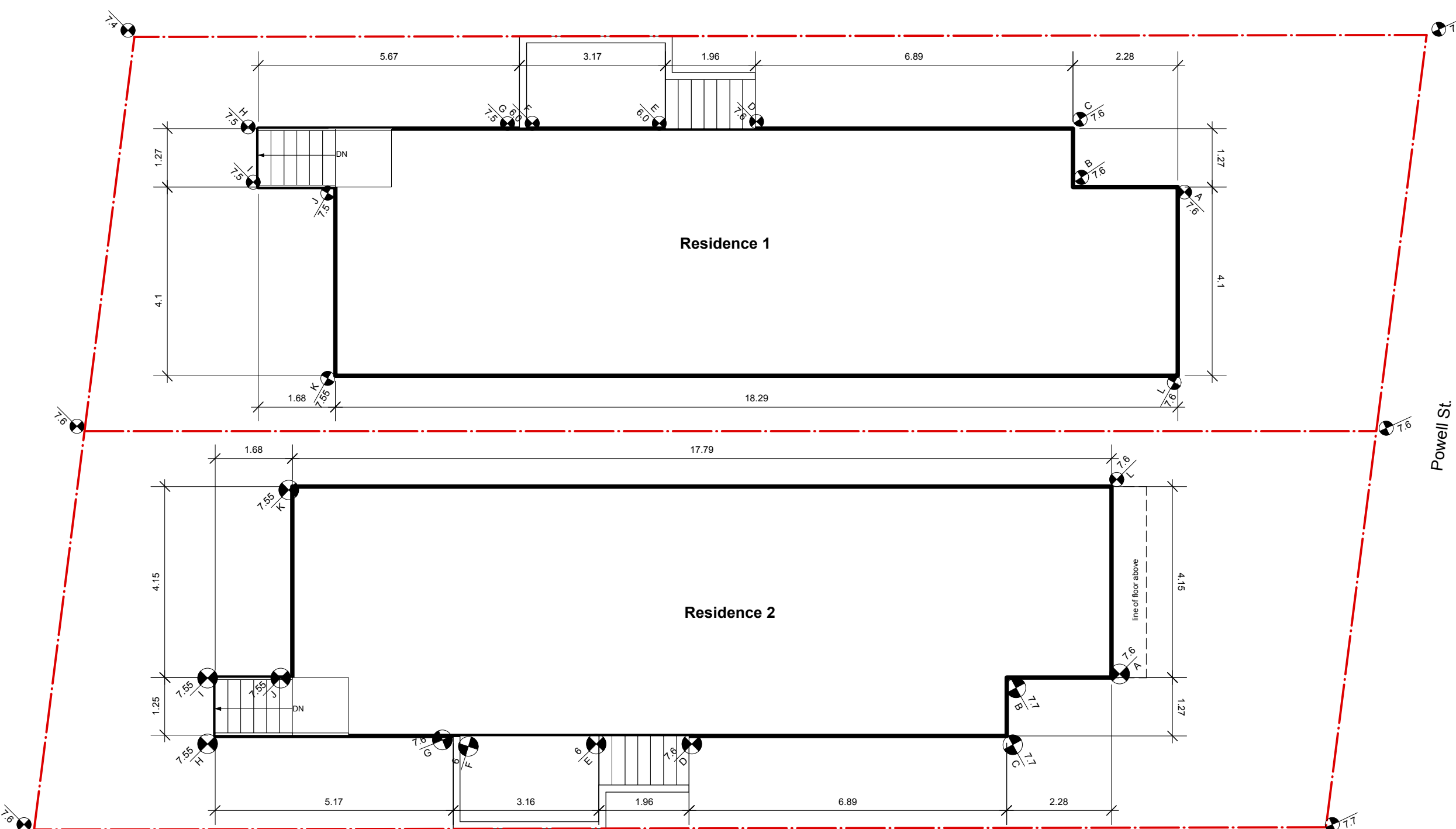
Proposed Lot 2 Residence

426 Powell St.
existing residence

*Note: see landscape plan for planting list and surfacing details



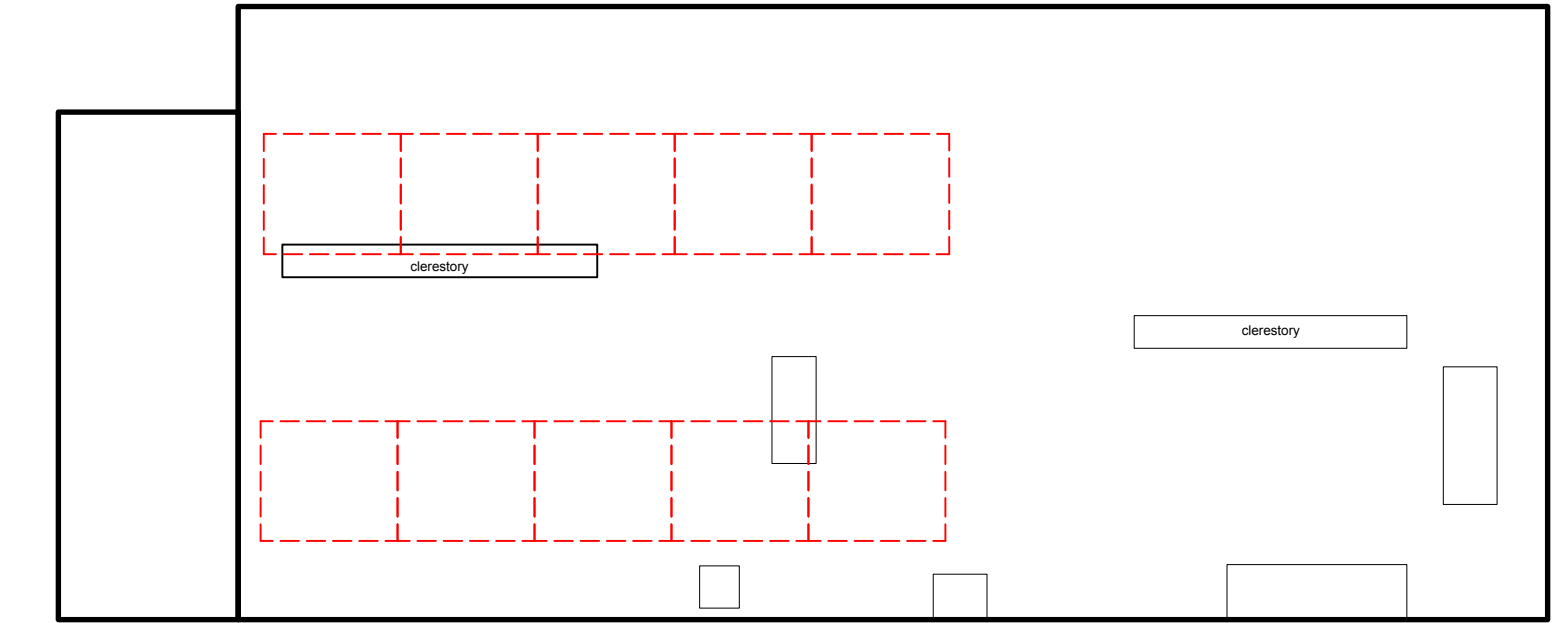
1 Site Plan: Proposed Lot Division
Scale: 1:48



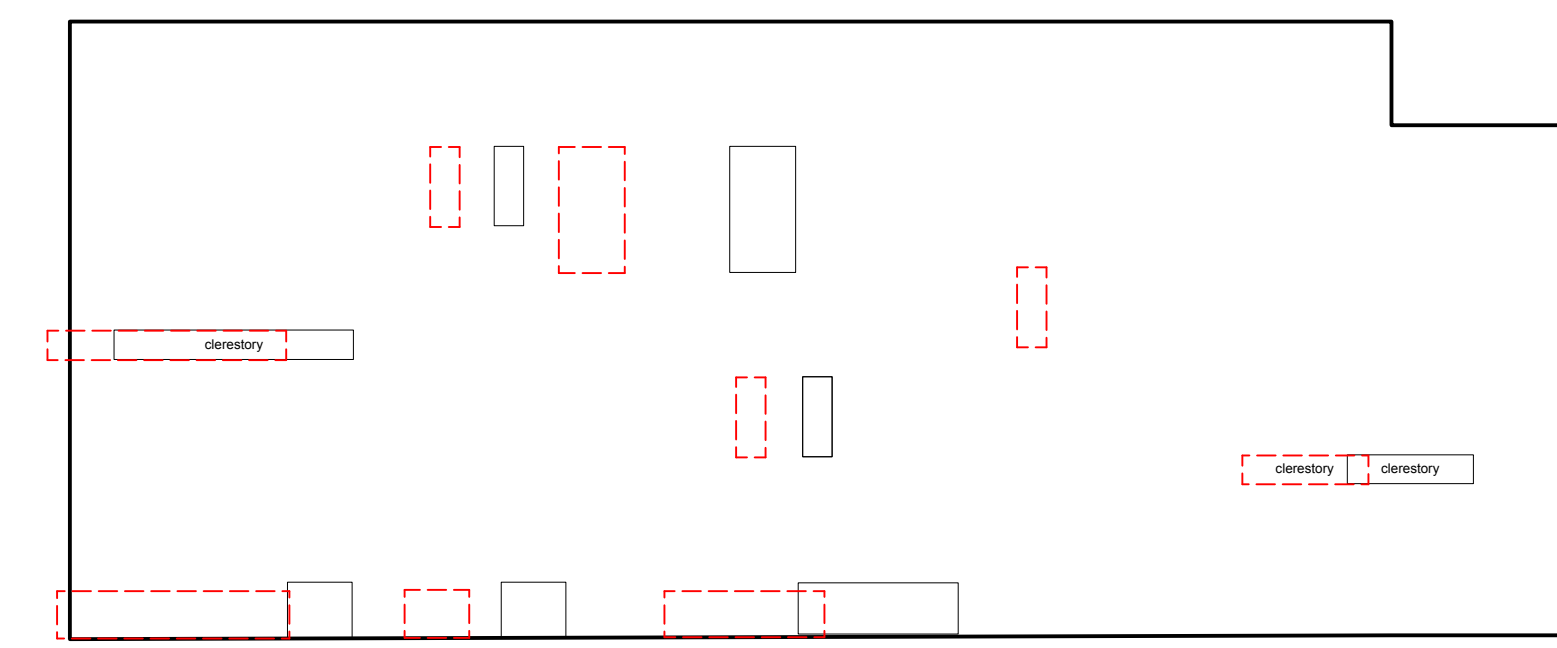
1 Average Grade Plan
Scale: 1:96

Average Grade Calculation		
Points		
A & B (7.6 + 7.6) / 2 x 2.28 m		17.33
B & C (7.6 + 7.6) / 2 x 1.27 m		9.65
C & D (7.6 + 7.6) / 2 x 6.89 m		52.36
D & E (7.6 + 6.0) / 2 x 1.96 m		13.33
E & F (6.0 + 6.0) / 2 x 3.17 m		19.02
G & H (7.5 + 7.5) / 2 x 5.67 m		42.52
H & I (7.5 + 7.5) / 2 x 1.27 m		9.52
I & J (7.5 + 7.5) / 2 x 1.68 m		12.60
J & K (7.55 + 7.55) / 2 x 4.1 m		30.85
K & L (7.55 + 7.6) / 2 x 18.29 m		138.55
L & A (7.6 + 7.6) / 2 x 4.10 m		31.16
Perimeter of building = 50.67m		376.89
Average Grade 376.89 / 50.67 = 7.43		

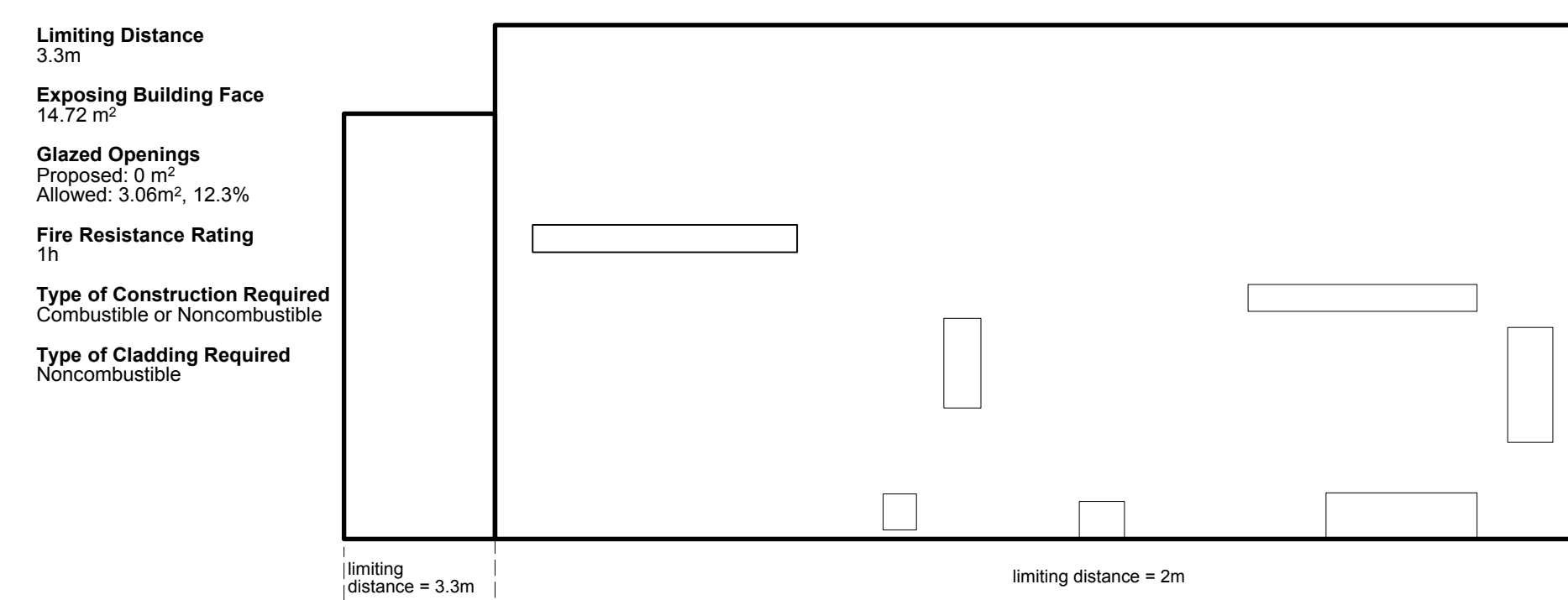
Average Grade Calculation		
Points		
A & B (7.6 + 7.7) / 2 x 2.28 m		17.44
B & C (7.7 + 7.7) / 2 x 1.27 m		9.78
C & D (7.7 + 7.6) / 2 x 6.89 m		52.70
D & E (7.6 + 6.0) / 2 x 1.96 m		13.33
E & F (6.0 + 6.0) / 2 x 3.16 m		18.96
G & H (7.6 + 7.55) / 2 x 5.17 m		39.16
H & I (7.55 + 7.55) / 2 x 1.25 m		9.44
I & J (7.55 + 7.55) / 2 x 1.68 m		12.68
J & K (7.55 + 7.55) / 2 x 4.15 m		31.33
K & L (7.55 + 7.6) / 2 x 17.79 m		134.76
L & A (7.6 + 7.6) / 2 x 4.15 m		31.54
Perimeter of building = 49.77m		371.12
Average Grade 371.12 / 49.77 = 7.45		



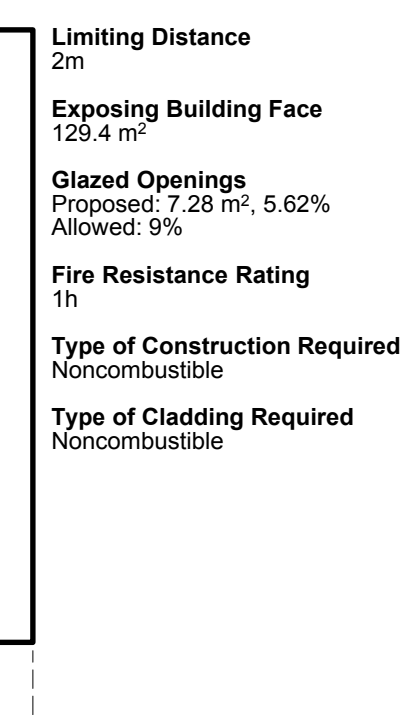
6 Residence 1: North Elevation Neighbouring Building Window Overlay
Scale: 1:96



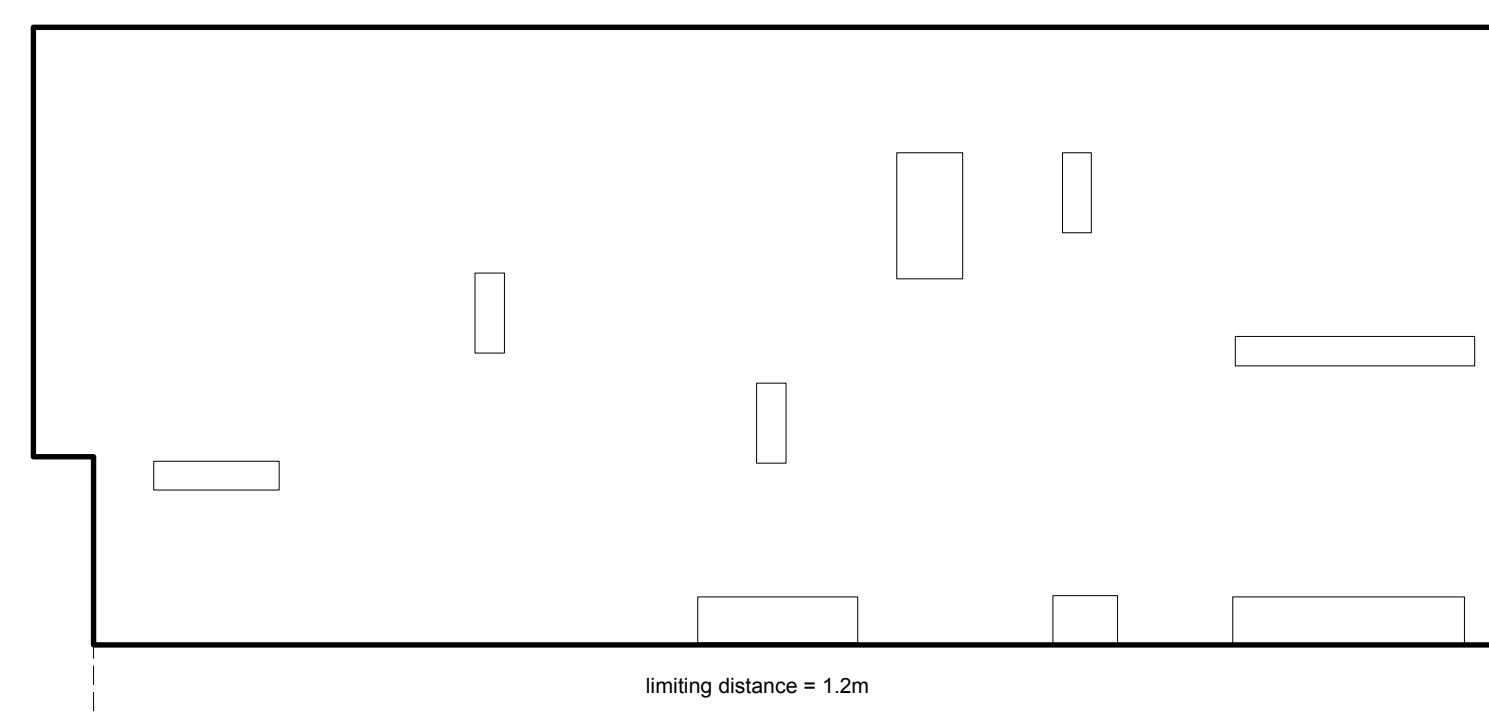
7 Residence 1: South Elevation Neighbouring Building Window Overlay
Scale: 1:96



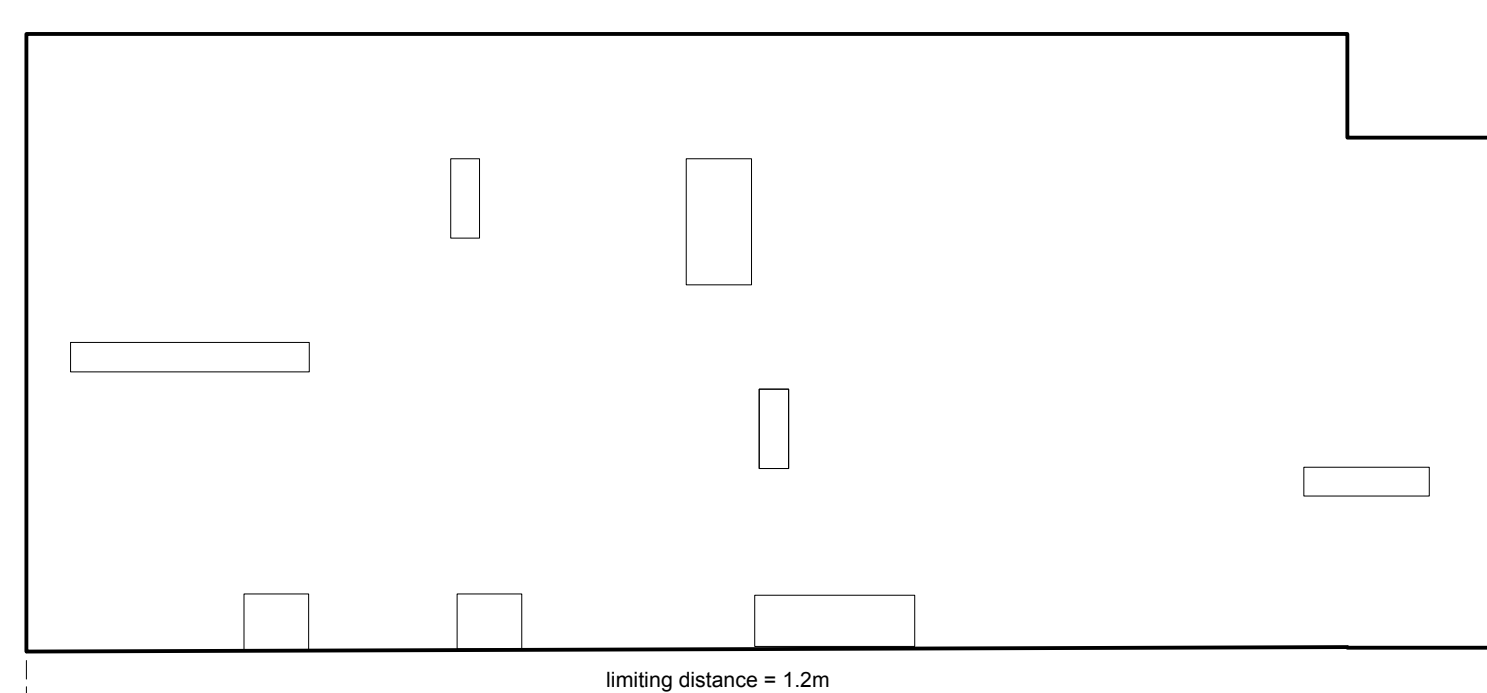
2 Residence 1: North Exposing Building Face
Scale: 1:96



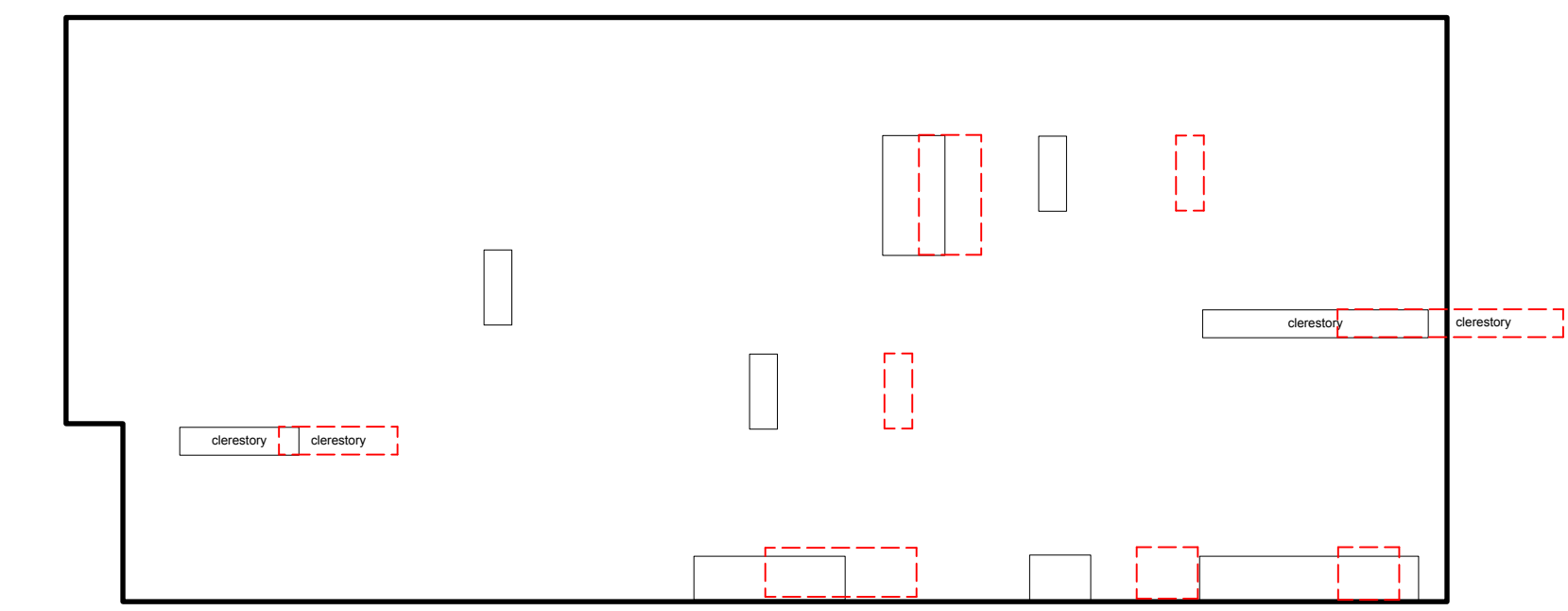
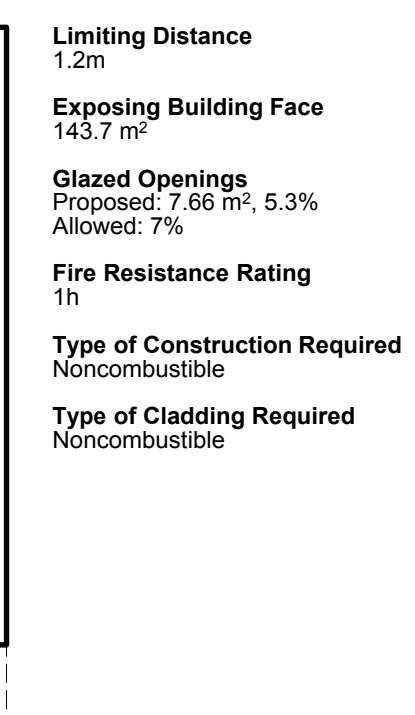
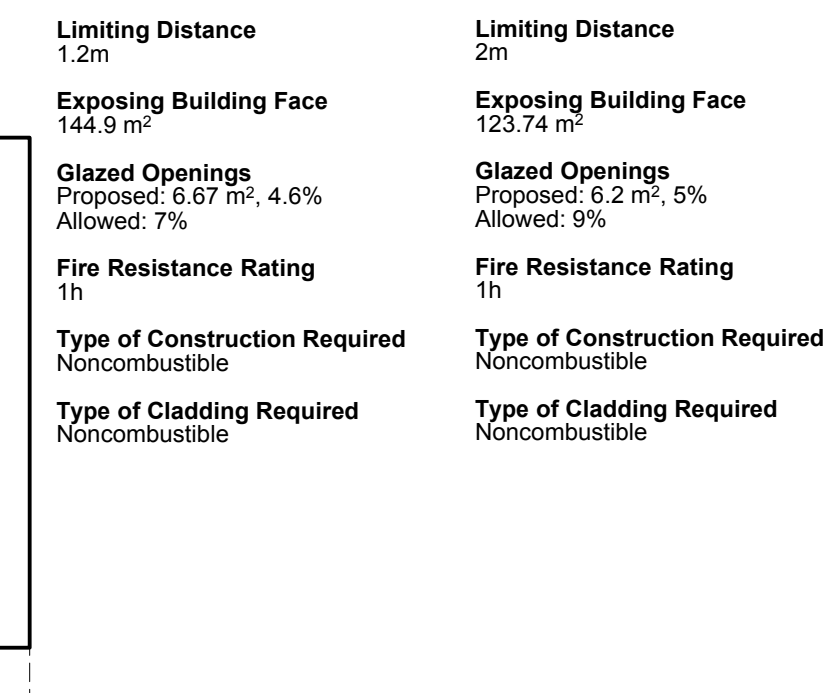
4 Residence 2: North Exposing Building Face
Scale: 1:96



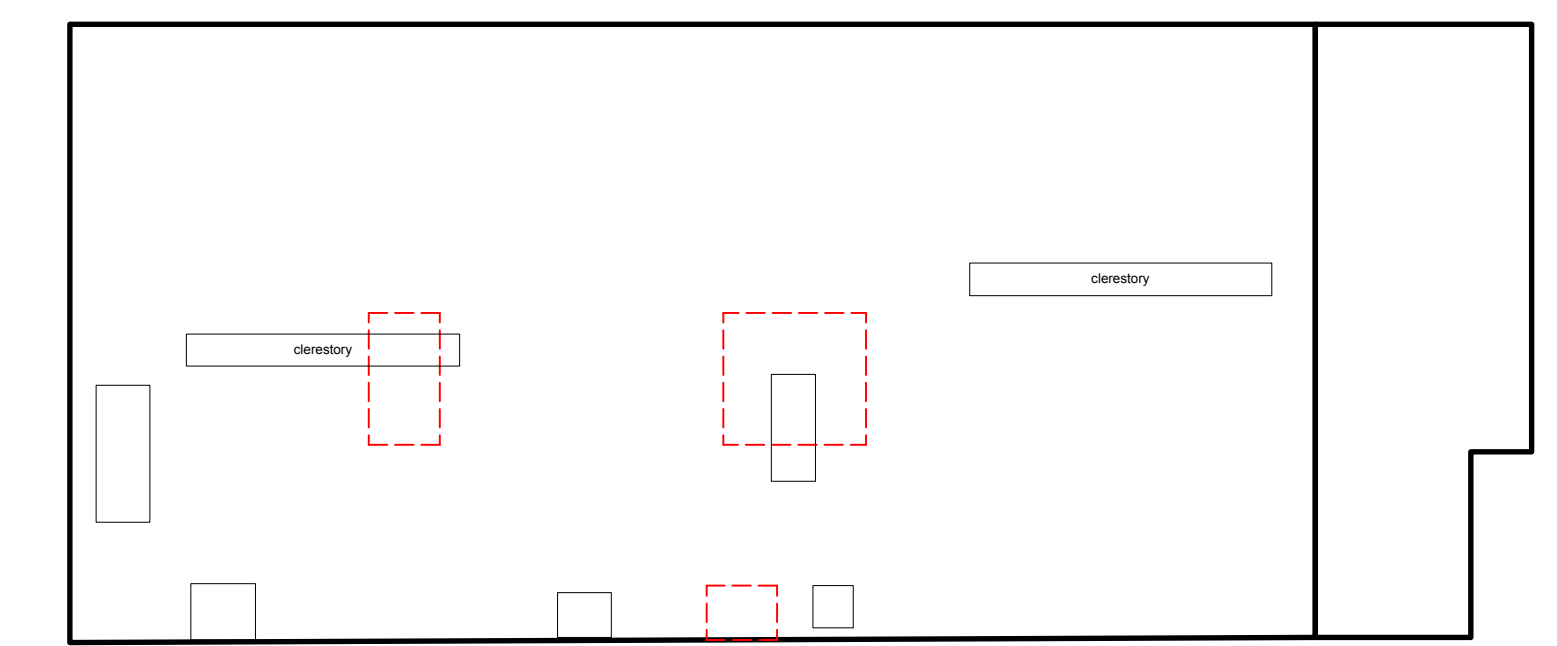
5 Residence 2: South Exposing Building Face
Scale: 1:96



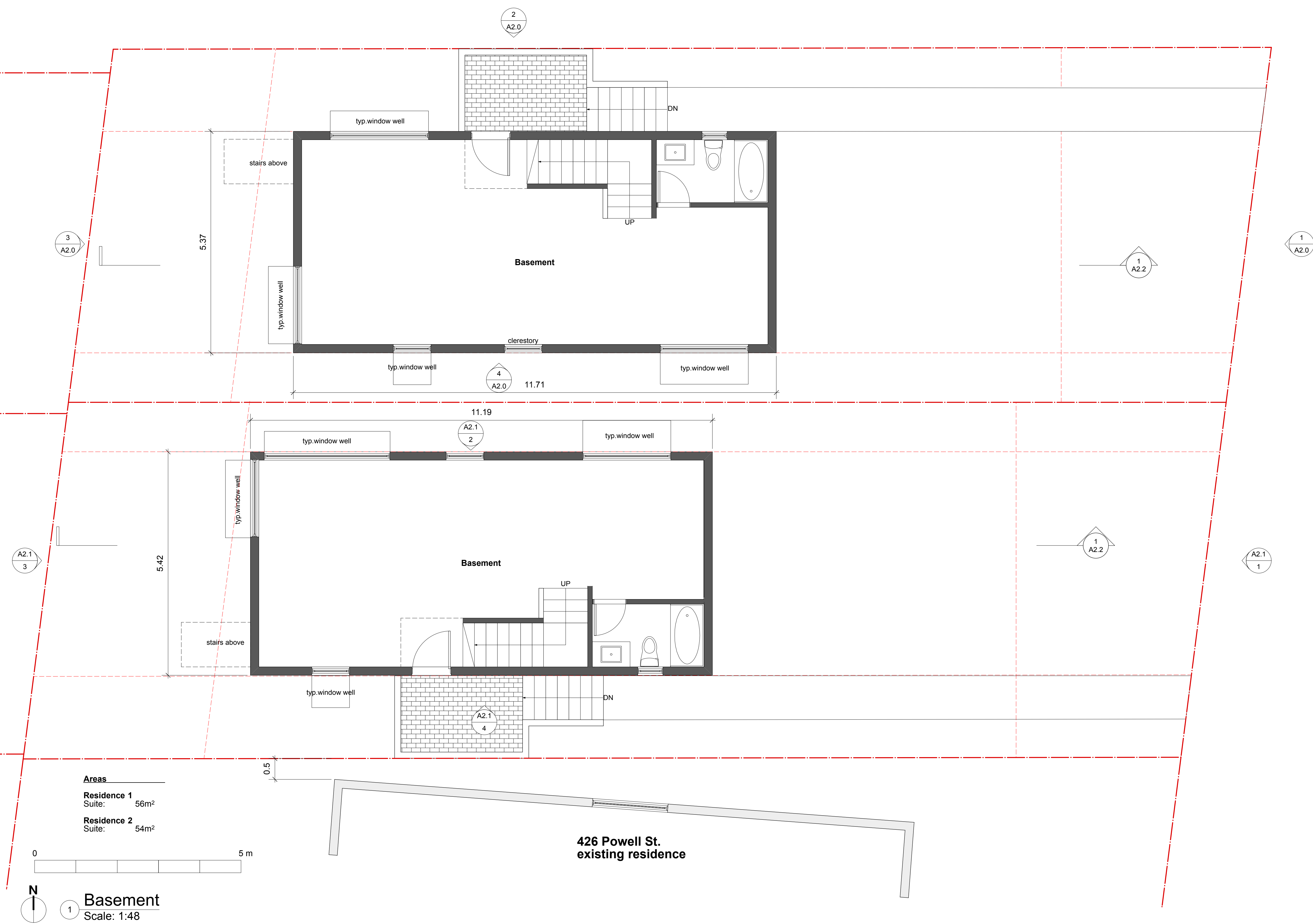
3 Residence 1: South Exposing Building Face
Scale: 1:96



8 Residence 2: North Elevation Neighbouring Building Window Overlay
Scale: 1:96



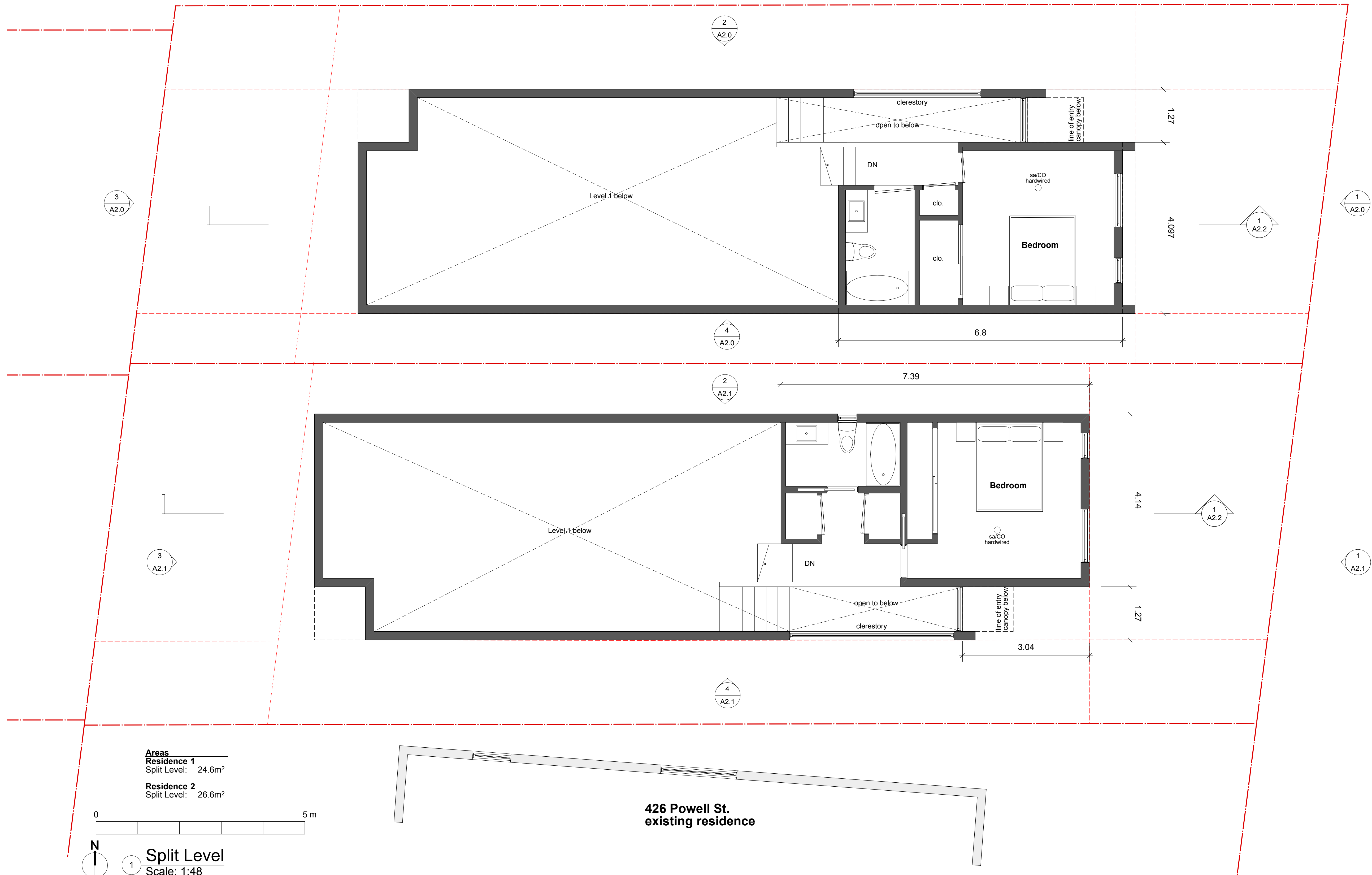
9 Residence 2: South Elevation Neighbouring Building Window Overlay
Scale: 1:96



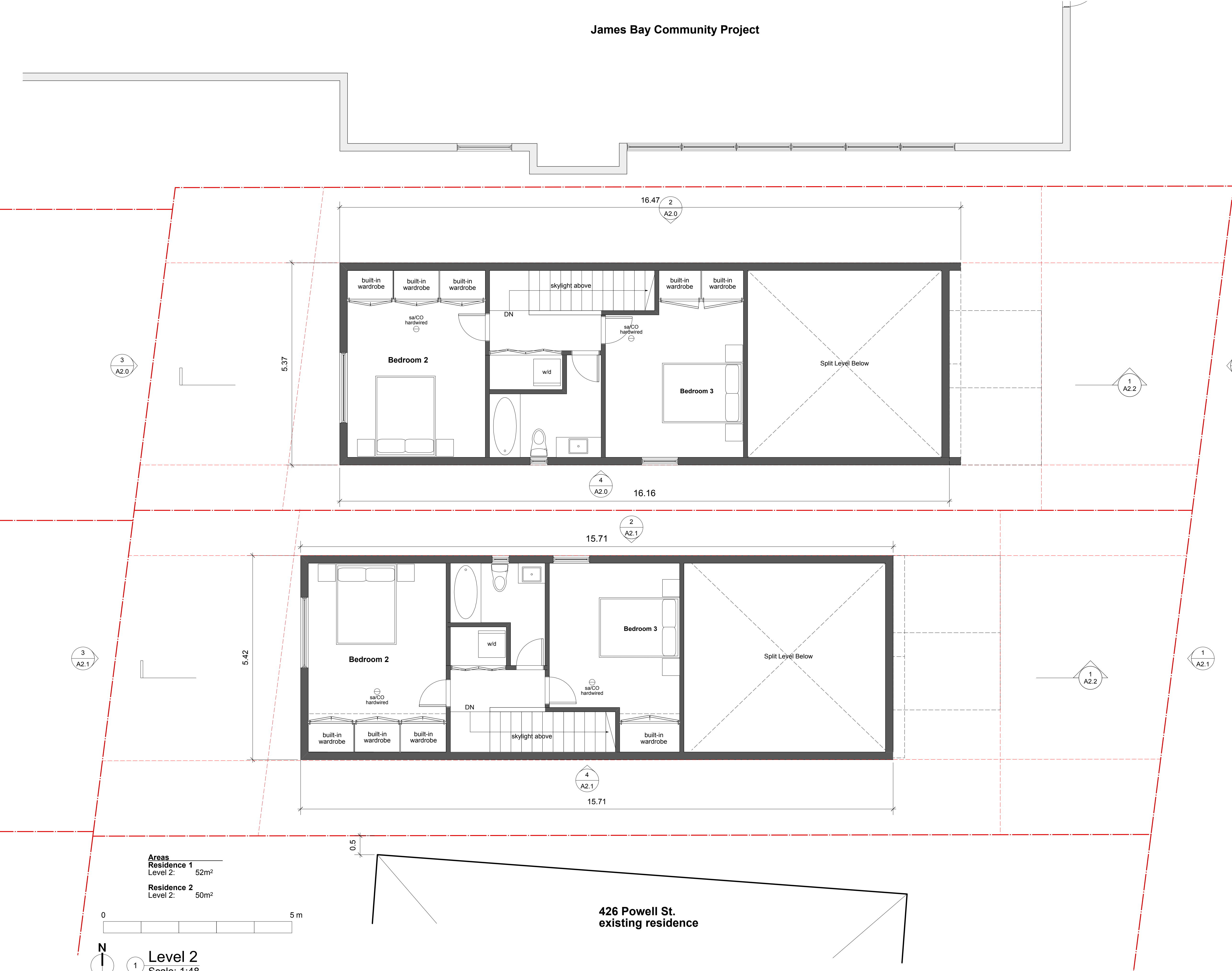
[illegible]

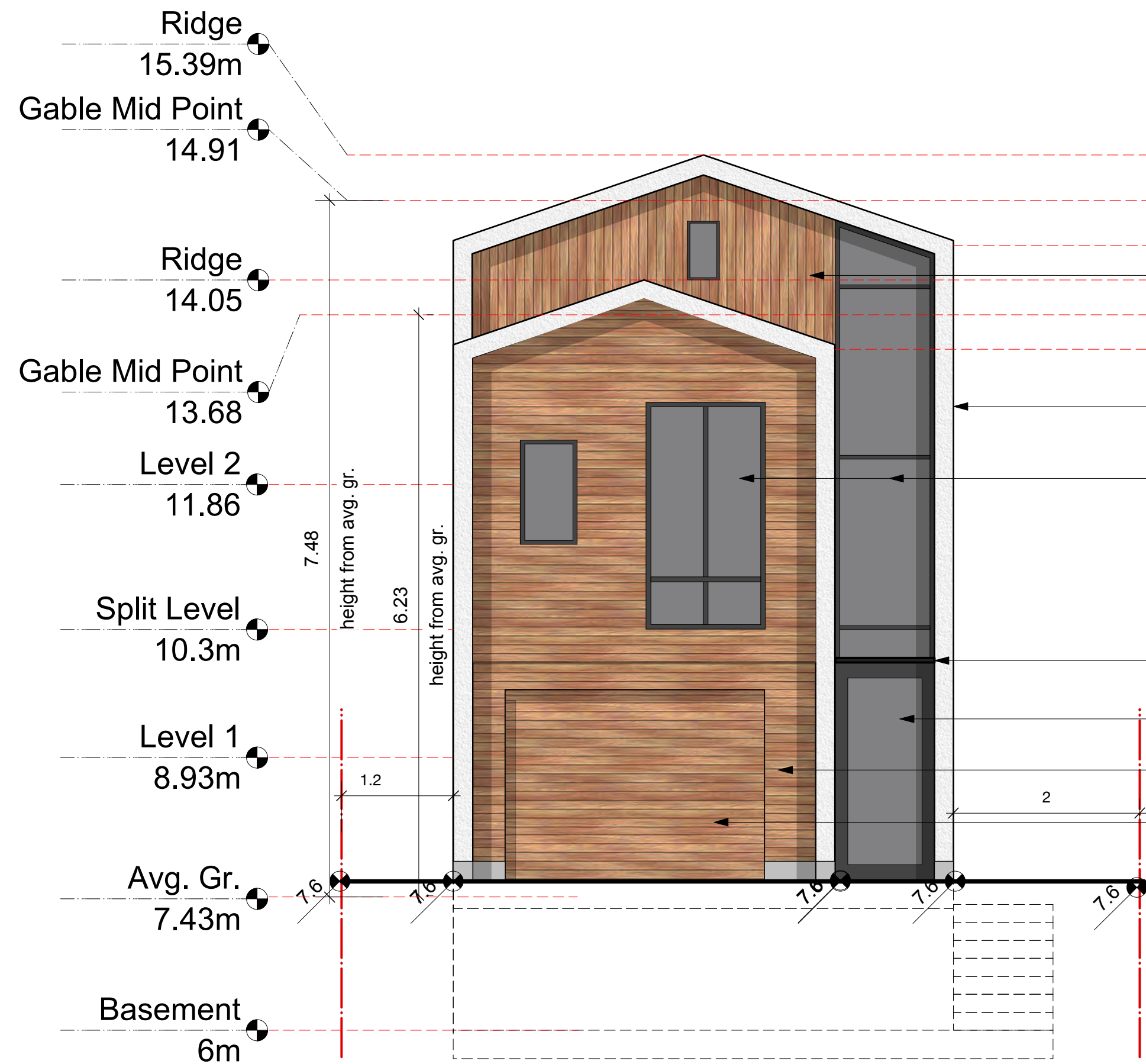
A 1.1

James Bay Community Project

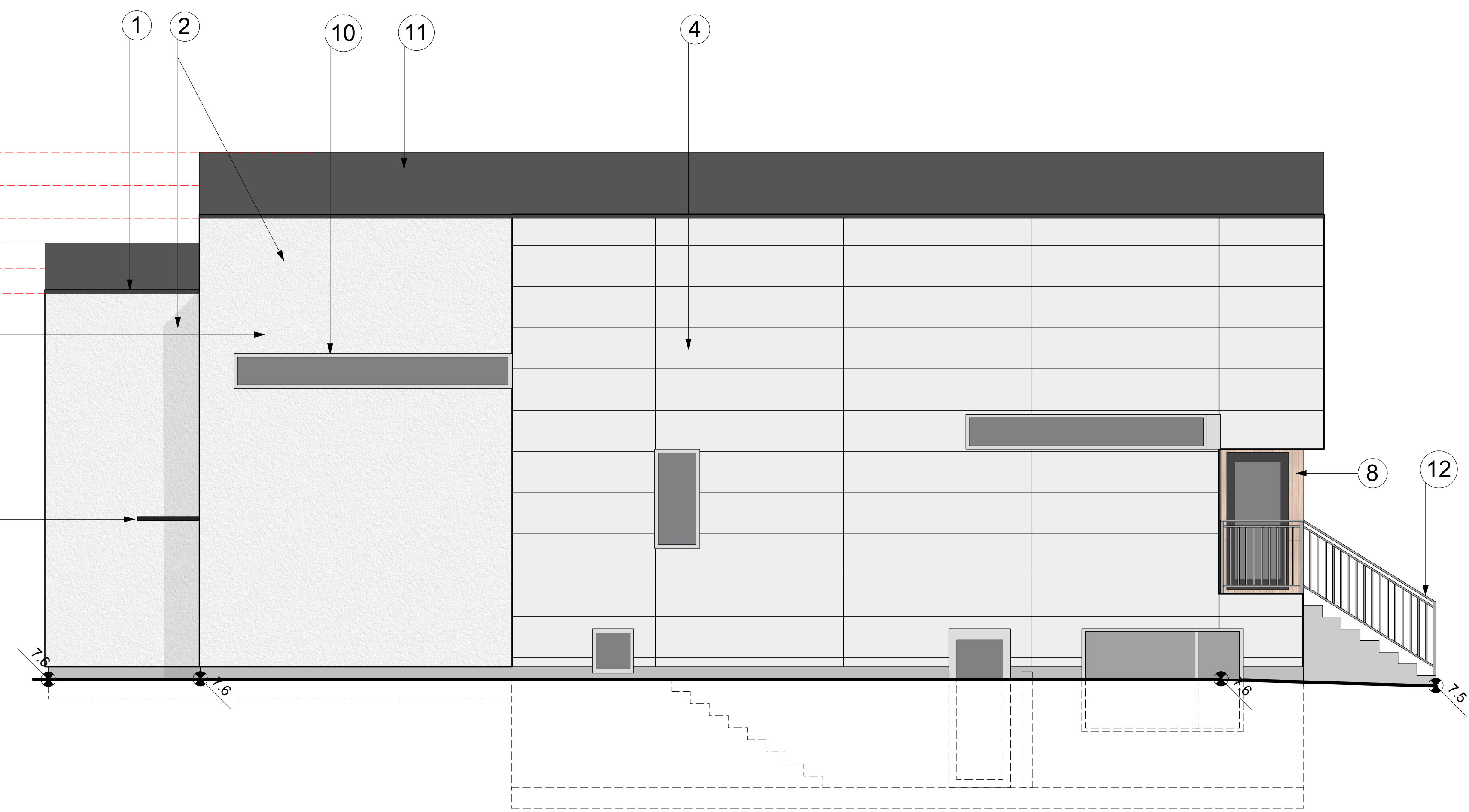


James Bay Community Project

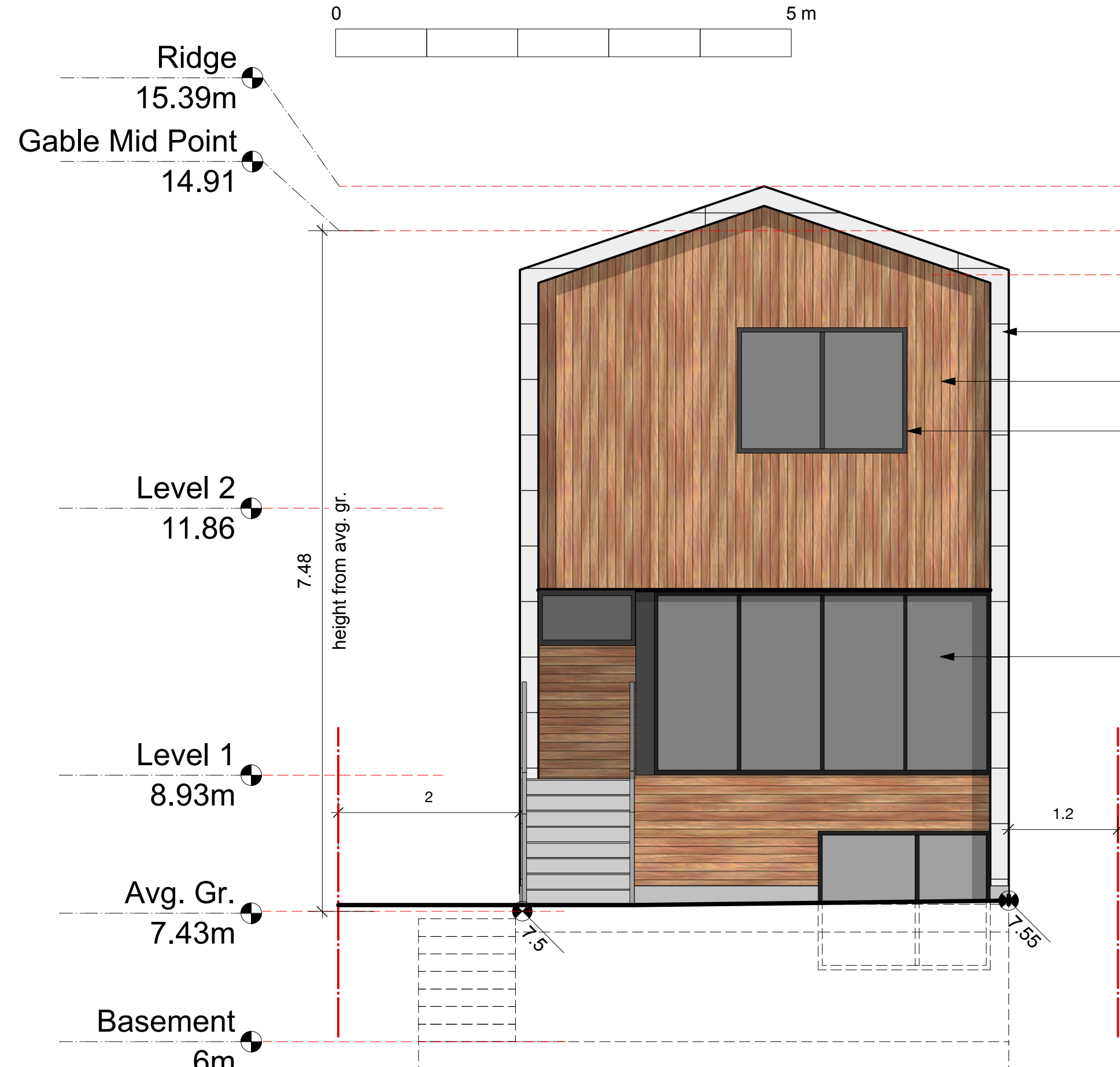




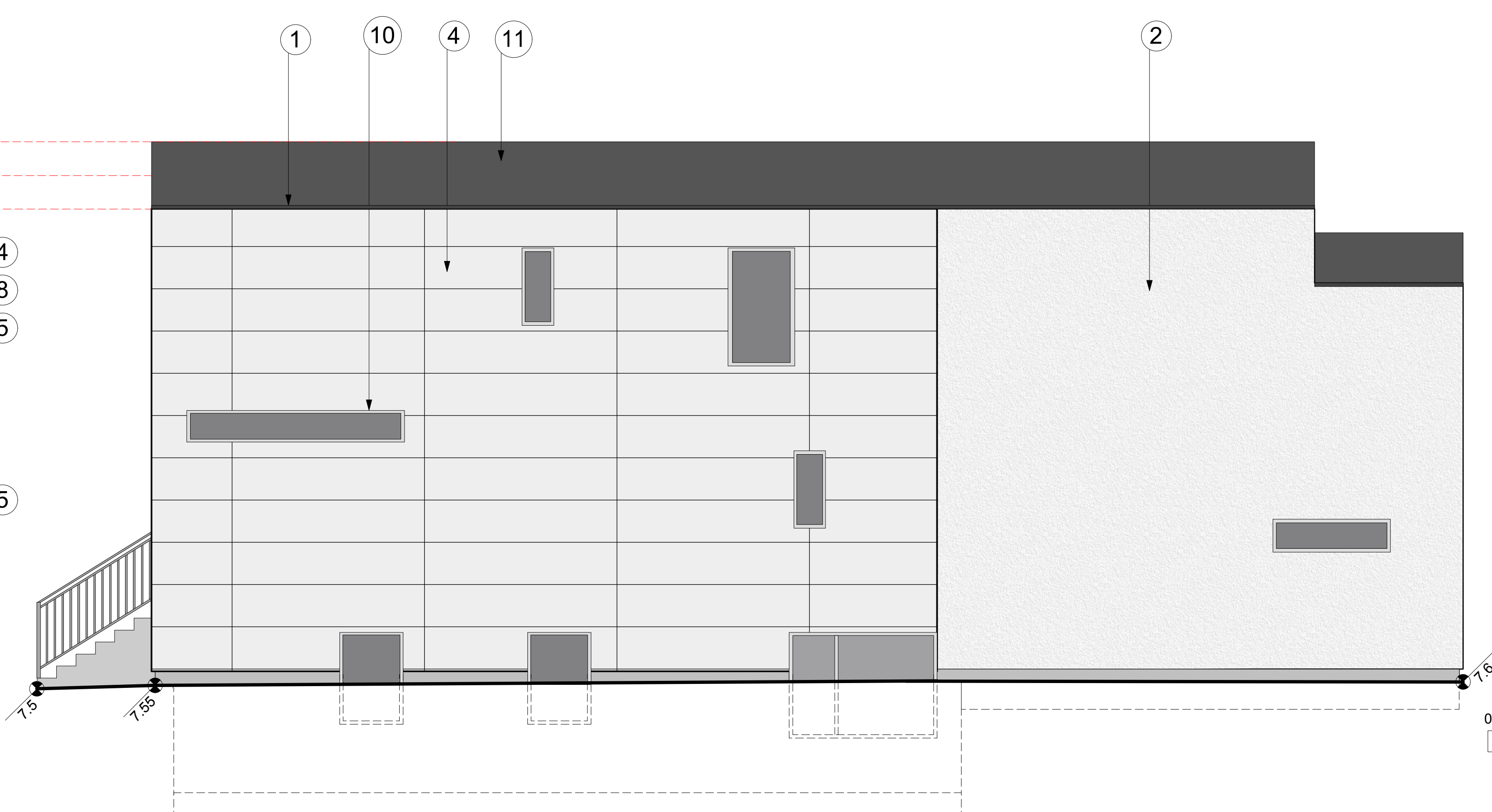
1 Residence 1: East Elevation
Scale: 1:48



2 Residence 1: North Elevation
Scale: 1:48

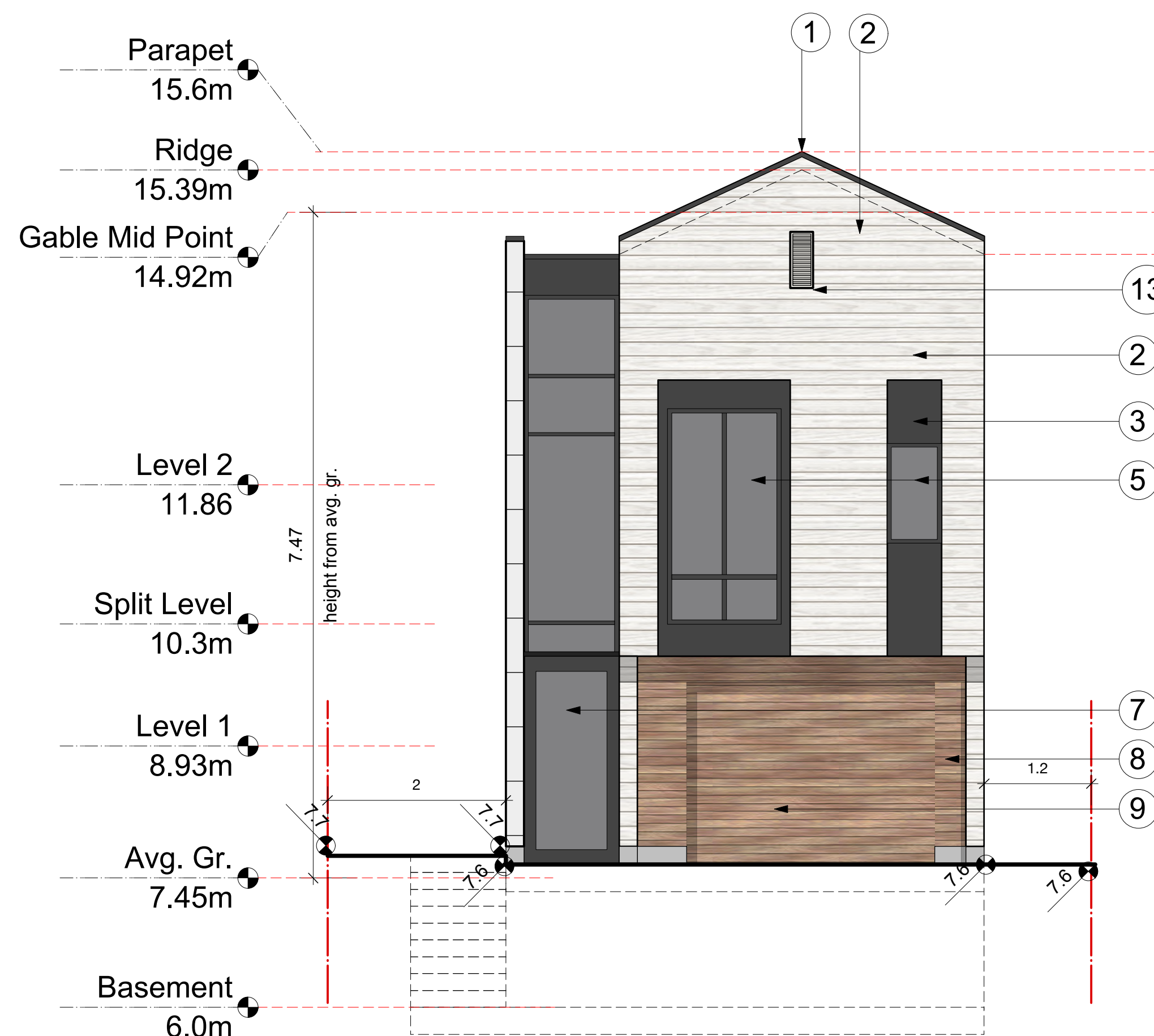


3 Residence 1: West Elevation
Scale: 1:48

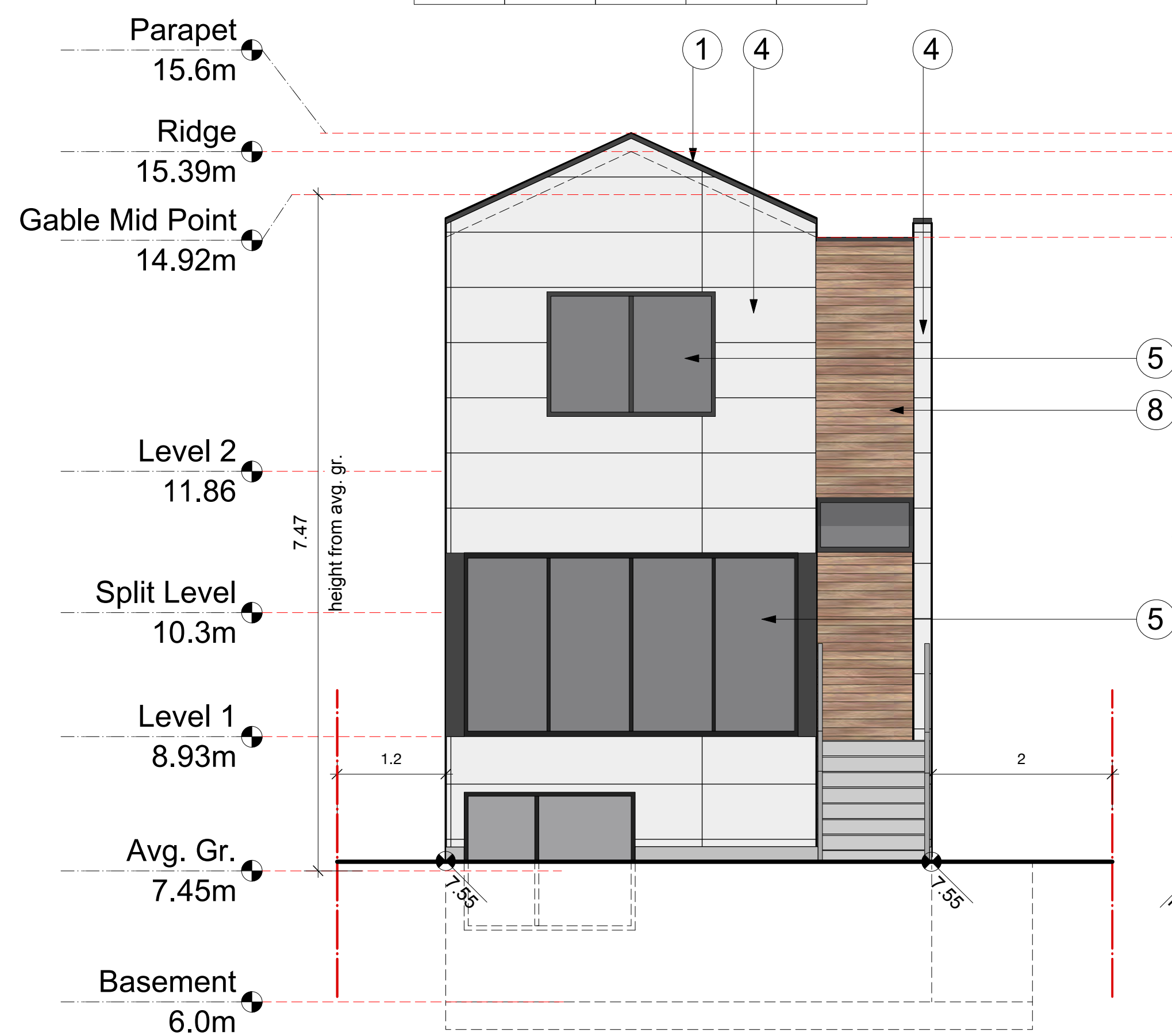


4 Residence 1: South Elevation
Scale: 1:48

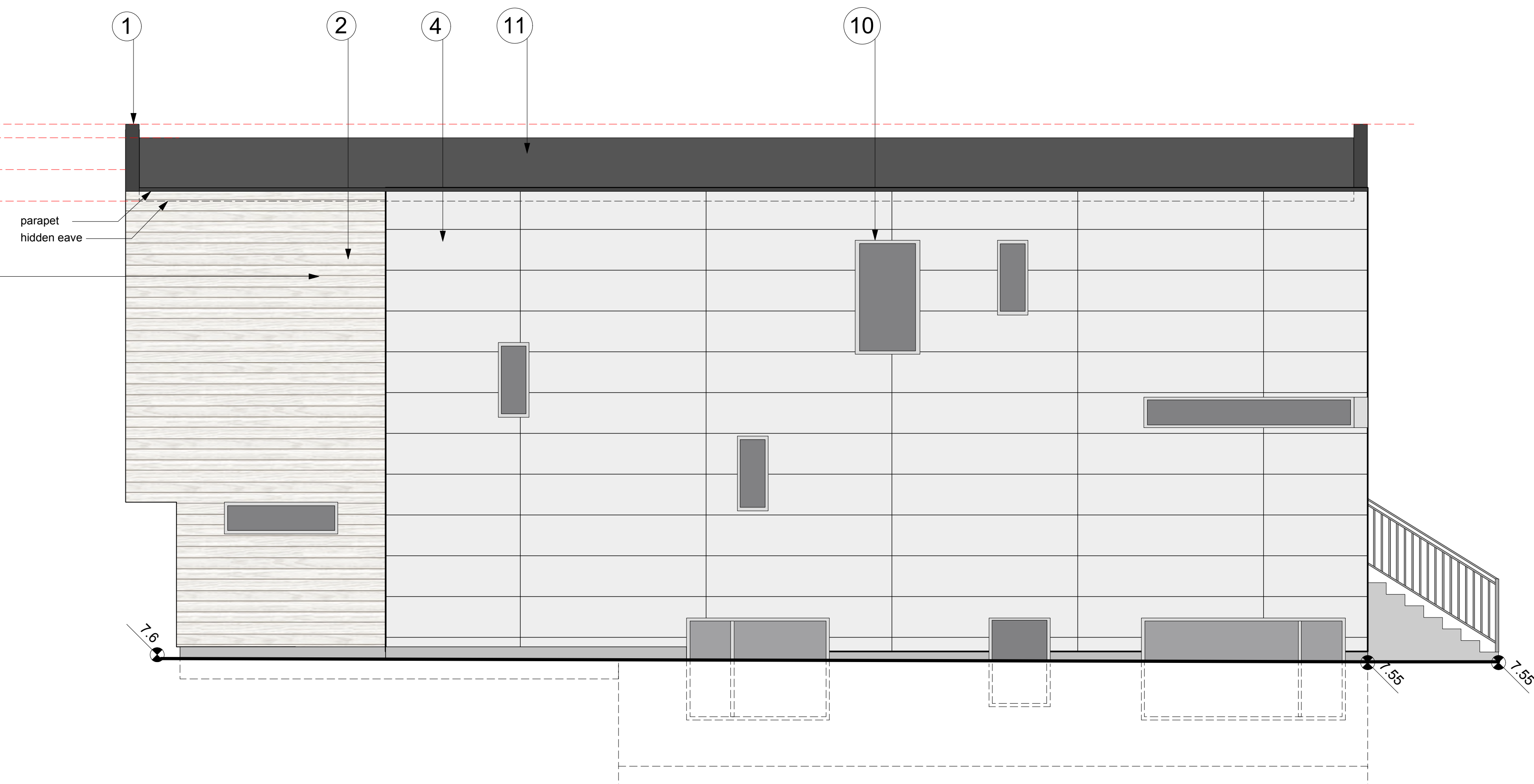
- Materials**
- 1. Aluminum flashing - black
 - 2. Acrylic stucco - gray
 - 3. Fibre cement Panel - black
 - 4. Fibre cement Panel - white
 - 5. Vinyl windows - black
 - 6. Powder coated steel canopy - black
 - 7. Glazed aluminum entry door - black
 - 8. T&G western red cedar siding - stained w. BM semi-transparent California Rustic
 - 9. Concealed garage door, T&G western red cedar siding - stained w. BM semi-transparent California Rustic
 - 10. Vinyl windows - gray
 - 11. SBS roofing membrane - black
 - 12. Powder coated railing - gray



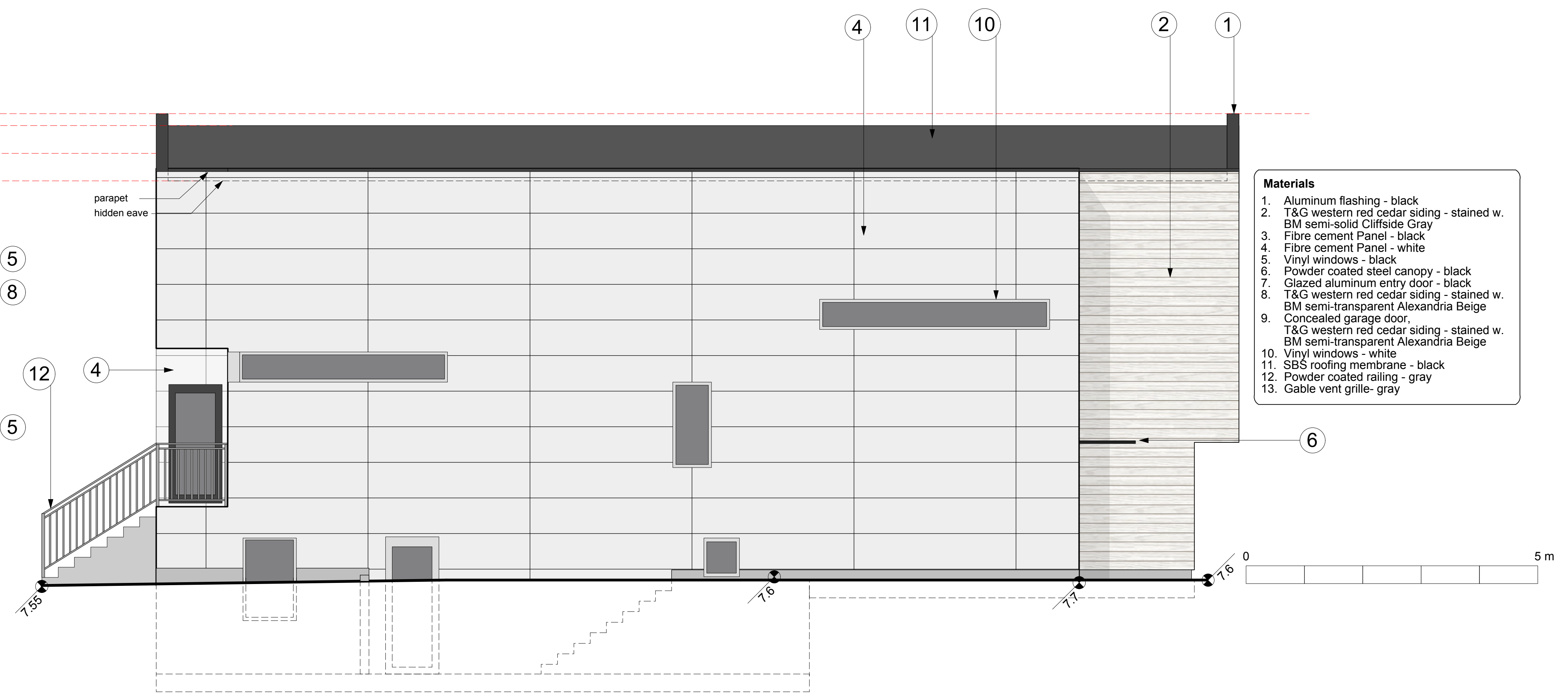
1 Residence 2: East Elevation
Scale: 1:48



3 Residence 3: West Elevation
Scale: 1:48

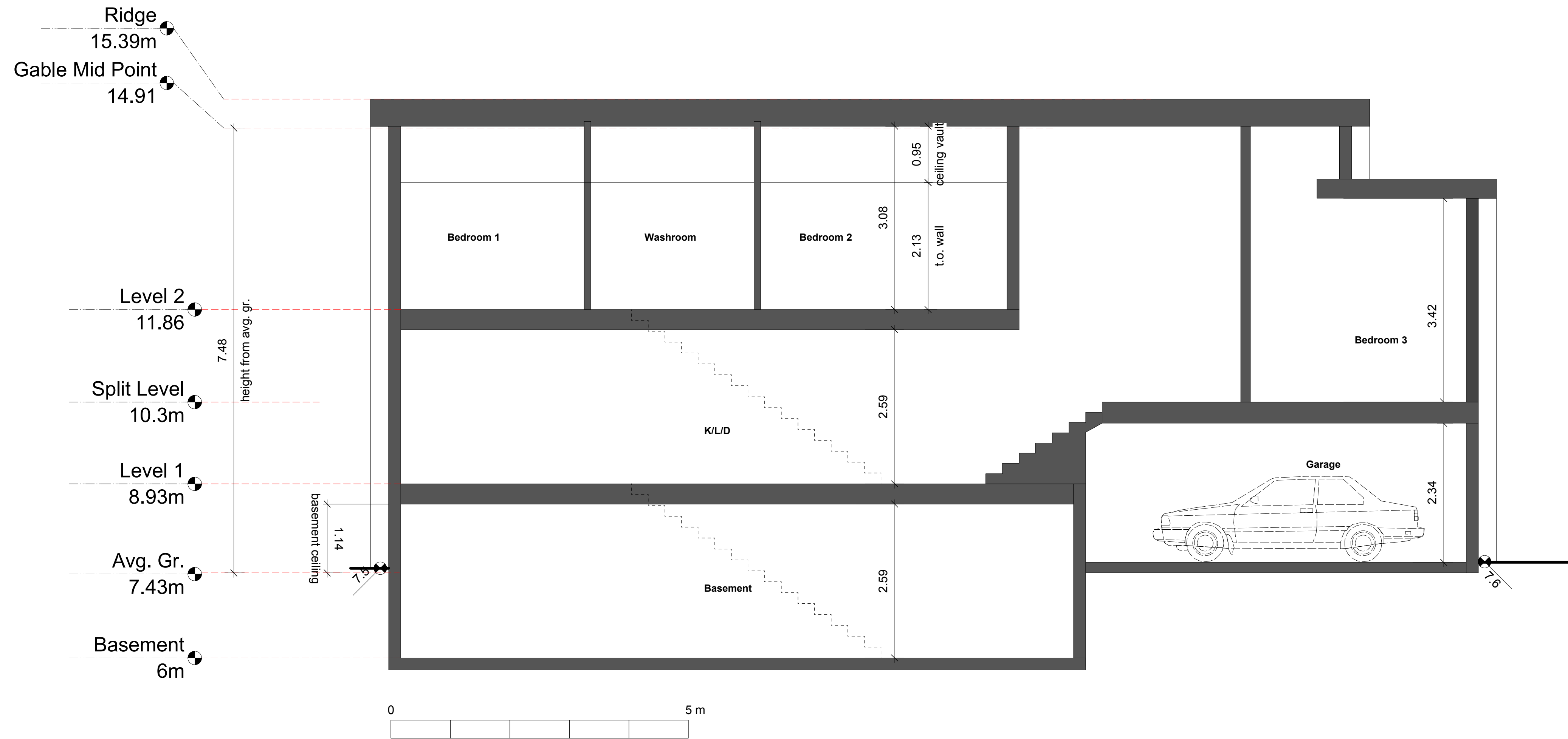


2 Residence 2: North Elevation
Scale: 1:48

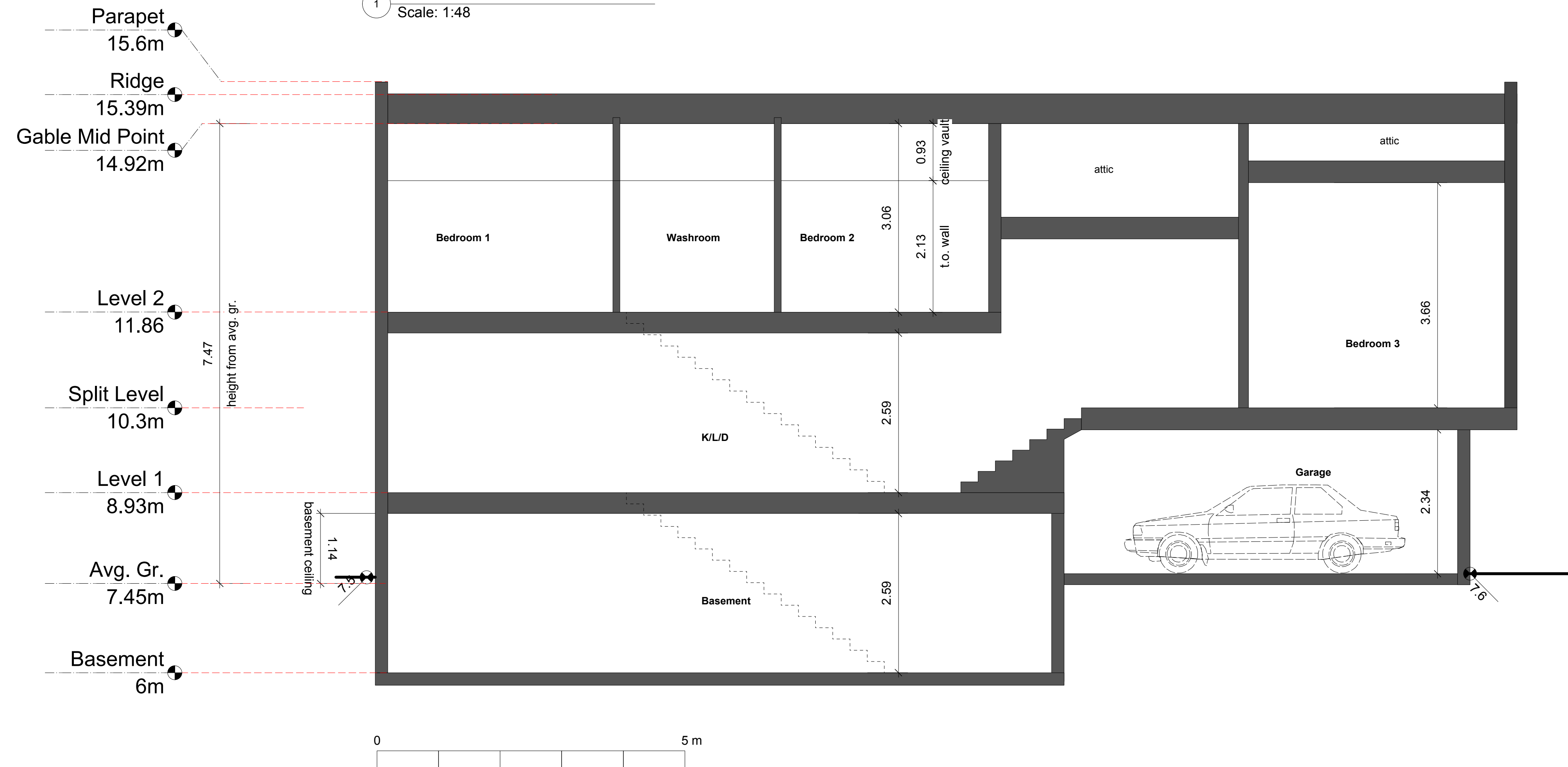


4 Residence 4: South Elevation
Scale: 1:48

- Materials**
1. Aluminum flashing - black
 2. T&G western red cedar siding - stained w. BM semi-solid Cliffside Gray
 3. Fibre cement Panel - black
 4. Fibre cement Panel - white
 5. Vinyl windows - black
 6. Powder coated steel canopy - black
 7. Glazed aluminum entry door - black
 8. T&G western red cedar siding - stained w. BM semi-transparent Alexandria Beige
 9. Concealed garage door, T&G western red cedar siding - stained w. BM semi-transparent Alexandria Beige
 10. Vinyl windows - white
 11. SBS roofing membrane - black
 12. Powder coated railing - gray
 13. Gable vent grille- gray



1 Residence 1: South Section
Scale: 1:48



2 Residence 2: South Section
Scale: 1:48



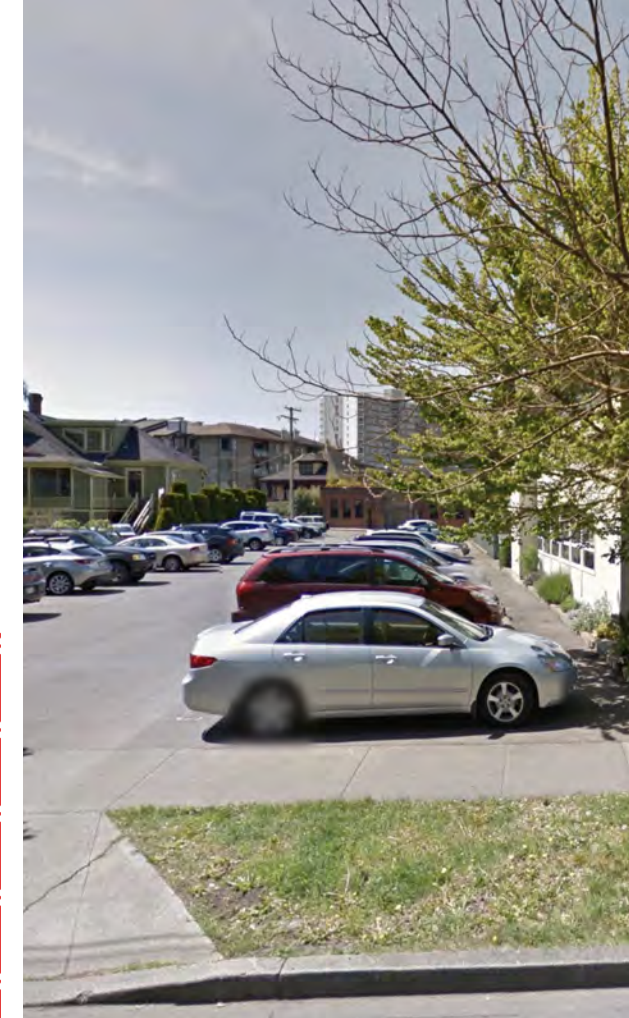
424 Powell St.



426 Powell St.



Existing Parking Lot
430 Powell St.



Existing Parking Lot
430 Powell St.



James Bay Community Project



424 Powell St.

426 Powell St.

Proposed Residence
430 Powell St.

Proposed Residence
430 Parry St.

James Bay Community Project

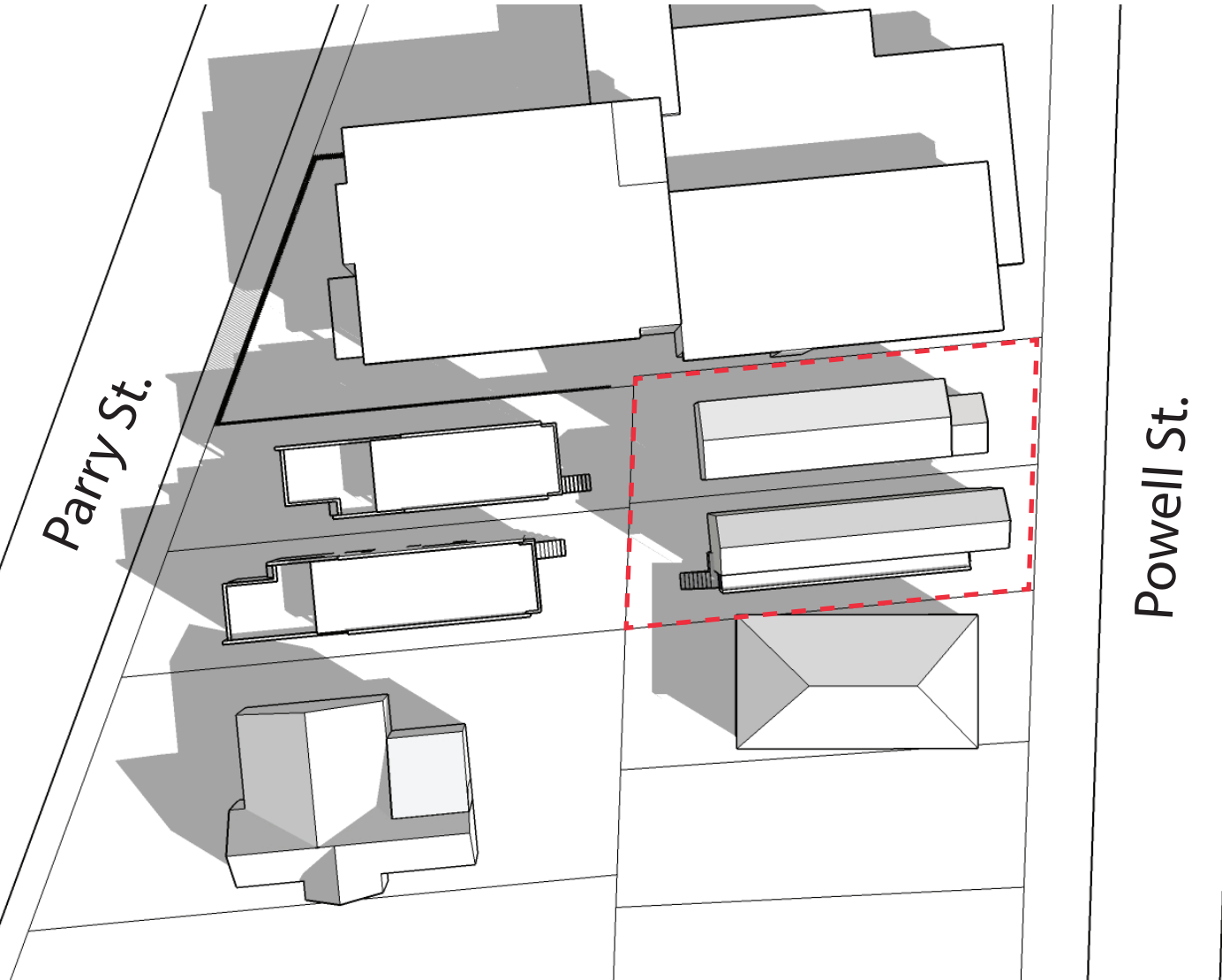
1 Powell St. Context
Scale: 1:96

Spring/Fall Equinox

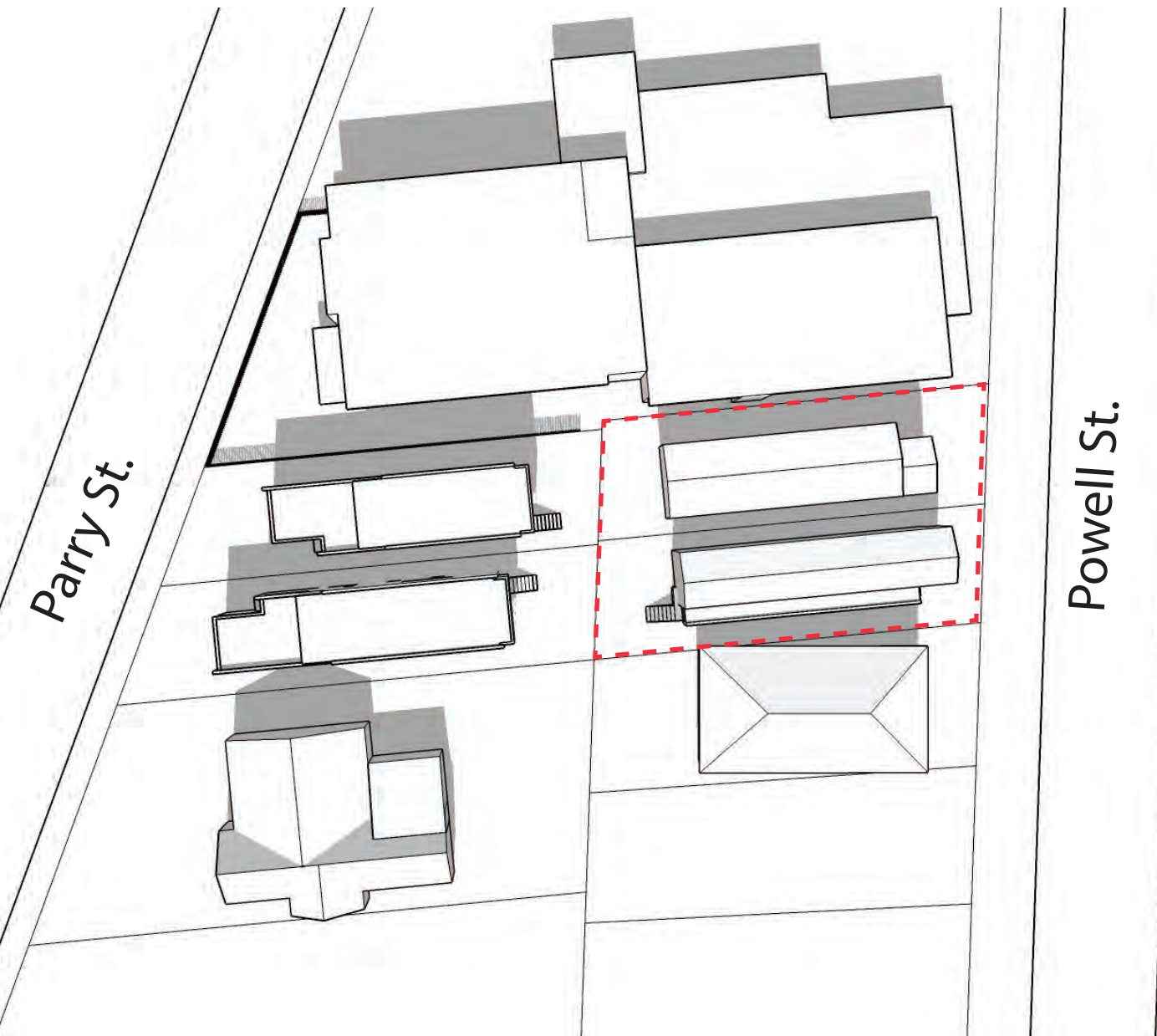
Summer Solstice

Winter Solstice

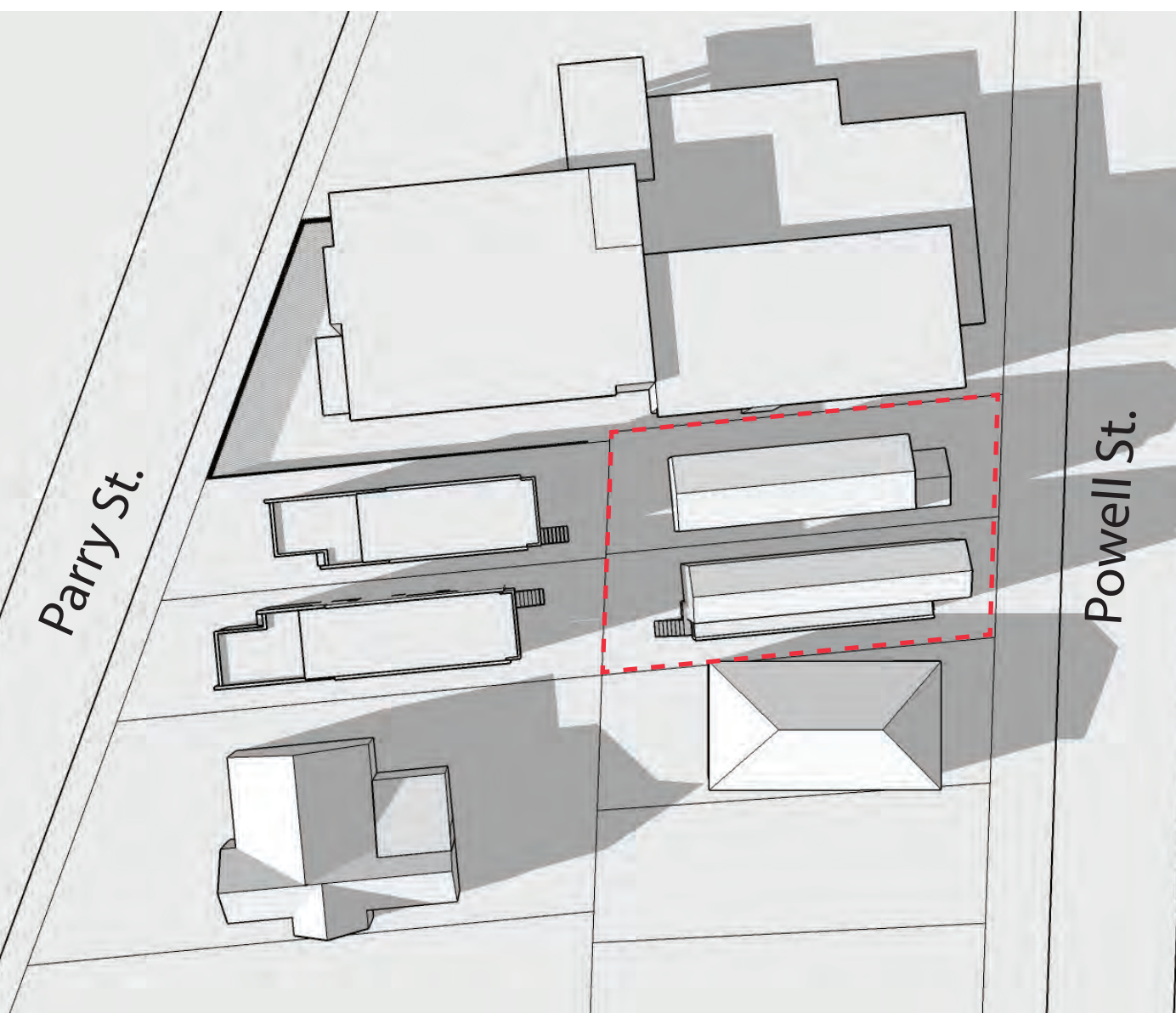
9AM



12PM



4:30PM



Parry St.

Powell St.

Parry St.

Powell St.

Parry St.

Powell St.

Parry St.

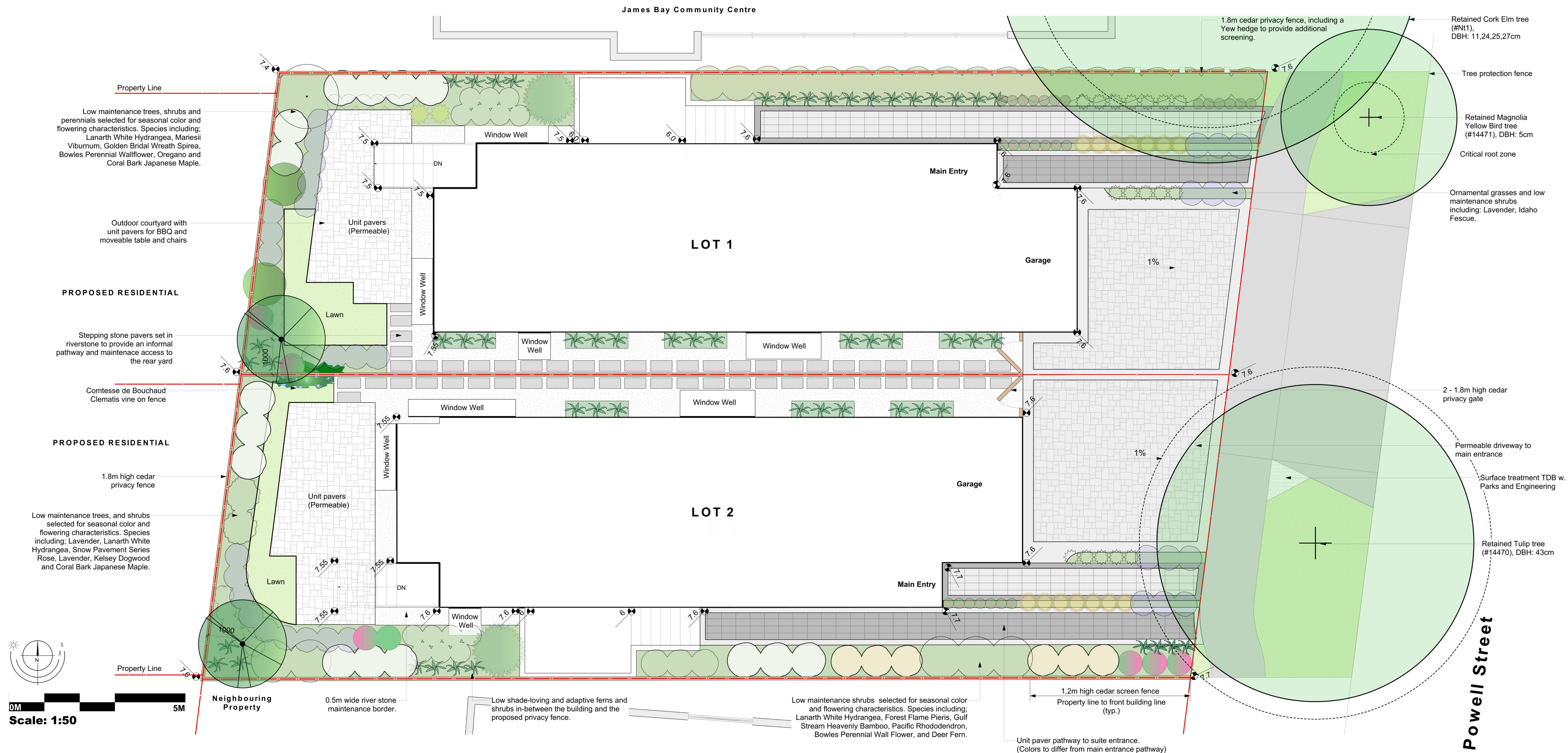
Powell St.

Parry St.

Powell St.

Parry St.

Powell St.



Recommended Nursery Stock

Trees

Large Shrubs

Medium Shrubs

2

27

20

Botanical Name	Common Name	Size
Acer palmatum 'Sango Kaku'	Coral Bark Japanese Maple	2.5m ht.
Pieris 'Forest Flame'	Forest Flame Pieris	#5 pot
Spiraea thunbergii 'Ogon'	Golden Bridalwreath Spirea	#3 pot
Taxus baccata 'Fastigiata'	Irish Yew	#5 pot, 1.5m ht.
Viburnum plicatum f. tomentosum 'Mariesii'	Mariesii Viburnum	#7 pot
Cornus sericea 'Arctic Fire'	Red Twig Dogwood	#3 pot
Hydrangea macrophylla 'Lanarth White'	Lanarth White Hydrangea	#5 pot
Nandina domestica 'Gulf Stream'	Gulf Stream Heavenly Bamboo	#5 pot

Small Shrubs

87

Perennials, Annuals and Ferns

104

Botanical Name	Common Name	Size
Cornus stolonifera 'Kelsey'	Kelsey Dogwood	#1 pot
Lavandula stoechas 'Otto Quast'	Spanish Lavender	#1 pot
Mahonia repens	Creeping Mahonia	#1 pot
Rhododendron macrophyllum	Pacific Rhododendron	#5 pot
Rosa rugosa 'Snow Pavement'	Snow Pavement Series Rose	#1 pot
Spiraea douglasii	Western Spirea	#1 pot
Blechnum spicant	Deer Fern	#1 pot
Calamagrostis x acutiflora 'Karl Forester'	Forester's Feather Reed Grass	#1 pot
Erysimum 'Bowles Mauve'	Bowles Perennial Wallflower	#1 pot
Festuca idahoensis	Idaho Fescue	#1 pot
Origanum vulgare	Pot Marjoram, oregano	#1 pot
Polystichum munitum	Sword Fern	#1 pot

Vines

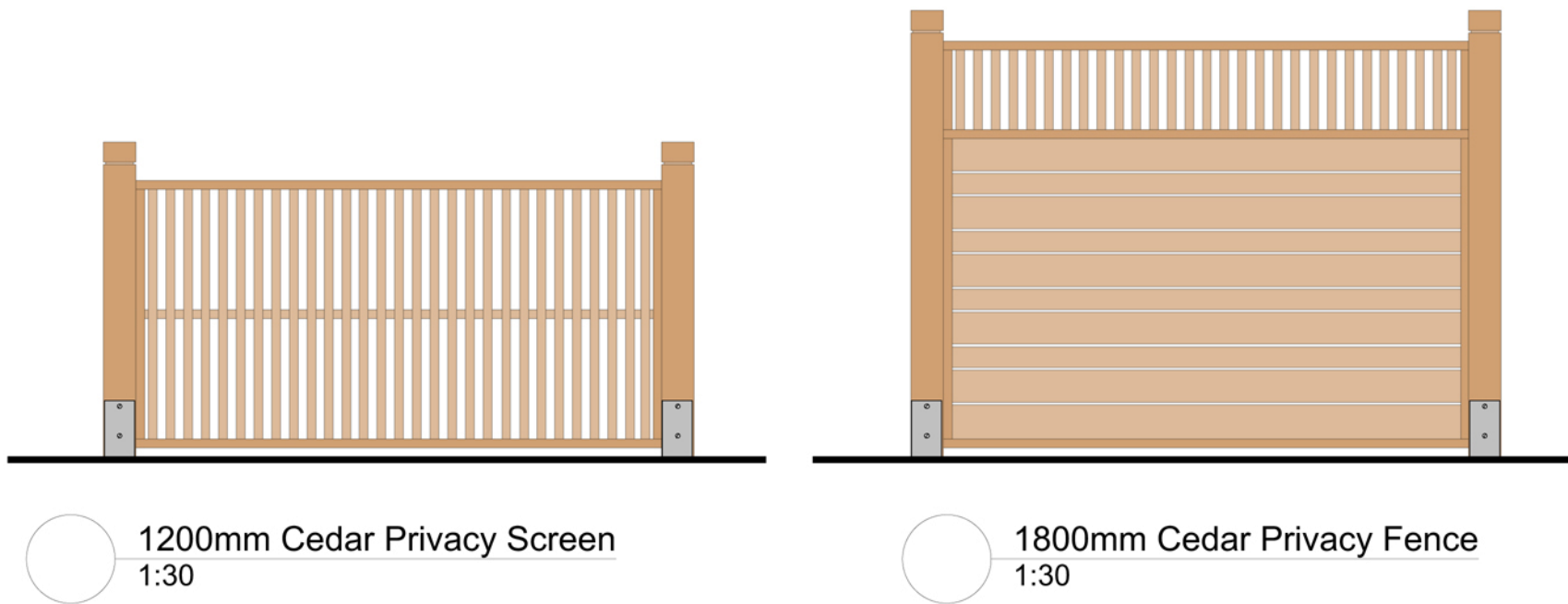
1

Groundcovers

7

- Notes:
- All work to be completed to current CSLA Landscape Standards
 - All soft landscape to be irrigated with an automatic irrigation system
 - The proposed plant list complies with the City's Food-Bearing, Pollinator and Native Plant Landscape Guidelines.

Botanical Name	Common Name	Size
Clematis 'Comtesse de Bouchaud'	Comtesse de Bouchaud Clematis	#3 pot
Thymus vulgaris	Thyme	#1 pot



430 Powell Street - Landscape Concept Plan



924 McClure St.
 Victoria, BC. V8V 3E7
 c. 250.413.7307
 o. 778-432-3550
 e. arcata@telus.net

June 30, 2020
 Mayor and Council
 City of Victoria
 1 Centennial Square
 Victoria, BC V8W 1P6

Re: 430 Powell Street Proposed Development

Dear Mayor and Council,

Introduction

The proposed development is a sensitive infill which seeks to improve a parking lot by providing 2 single family homes in close proximity to James Bay Village and Capital Park.

The Site

The subject site at 430 Powell St. is a legal nonconforming lot zoned as *R-2 Two Family Dwelling District* and is currently being used as a Robbins' monthly parking lot. Our proposal seeks to rezone the parcel to a site specific zone, sub dividing it into 2 small lots similar in size to 429 & 431 Parry St., the neighbouring properties sharing their rear yard boundary with 430 Powell St.



430 Powell St. is adjacent to James Bay Village and half a block from the Capital Park Development. The area offers access to amenities, transportation, and community services like the James Bay Community Project, Five Corners retail, Capital Park, and Irving Park. Powell St. itself has a range of housing typologies suitable for a variety of tenures. Our proposed development will add additional family housing in the community while maintaining a design aesthetic complementary to the immediate context.

Design Rationale

The design of the 2 proposed single family homes draws inspiration from the buildings in the immediate area. Specifically, the gable roof form of the traditional pattern houses which define the character of Powell St.

The material palette is refined and limited consisting primarily of western red cedar, fibre cement panels, and acrylic stucco—all contextual references to the site's surroundings. This ensures that the established quality level of materials remains consistent on Powell St. For example, the front facade has large amounts of glazing which brings an element of lightness and transparency to the street edge while defining and creating a welcoming front door. The front facade is further articulated with Western red cedar accents. The side elevations are finished with a combination of either cedar and fibre cement panels or acrylic stucco and fibre cement panels. Punched openings in the side elevations were carefully placed and sized to respect neighbours privacy and limit overlook.

Green Building Features

The 2 proposed residences incorporate the following green building features:

- Designed to Step Code 3
- High efficiency heat pump system
- Low flow plumbing fixtures and dual flush toilets
- Permeable driveway pavers
- Low maintenance native plantings
- Net increase of trees and vegetation

Policy Framework

Our proposal is consistent with the OCP James Bay Strategic Directions and align with the following:

- 21.16.1 Maintain a variety of housing types and tenures for a range of age groups and incomes.
- 21.16.5 Continue to support sensitive infill.

Additionally, the creation of 2 new single family homes supports the growth management goal of having 40% of new population by 2041 occurring in Large Urban Villages. Our site is adjacent to the James Bay Urban Village and is only 70m from the Urban Core southern boundary, therefore it is ideally located to help support this objective. Furthermore, the infill project helps enhance the City's sustainability goals as follows:

- Our proposal is family-oriented and contributes to the diverse mix of housing types and tenures characteristic of the area. This is an essential component for a vibrant, mixed-used urban village.
- Daily destinations are highly walkable in an amenity rich Large Urban Village.
- The site is adjacent to transportation options including a transit corridor, well-developed sidewalk network, and is in close proximity to the expanding bicycle network, which will all contribute to reduced automobile use.

Conclusion

Our proposal takes an asphalt parking lot and transforms it into 2 single family homes thus adding to the diverse range of housing typologies in the area while aligning with the OCP goals and strategic directions. It is our hope that providing additional housing we can help contribute to the positive growth and vitality of the James Bay Neighbourhood.

Yours truly,



Larry Cecco, MRAIC, AIA int.



James Bay Neighbourhood Association

Victoria, B.C., Canada

August 21st, 2020

Mayor and Council,
City of Victoria

Dear Mayor Helps and Councilors,

Re: CALUC Community Discussion - 430 Powell Street

As mentioned in March 30th, 2020, correspondence to Mayor and Council, a pre-meeting was held on Friday, March 13th to consider the readiness of the 430 Powell Street proposal. The proposal was briefly discussed at the December 11th, 2019, JBNA meeting which considered the companion developments at 429-431 Parry Street (a courtesy presentation). At that time, nearby neighbours expressed appreciation of the developer's approach

To facilitate the development of this site, which is on the same 'parking lot' as the 429/431 Parry development which has been approved at Committee of the Whole and is proceeding, JBNA called a ZOOM Community Discussion Forum to consider the proposal.

An invitation was distributed to 62 residences within 100m of the subject property (see Appendix 'A') and to those on the JBNA e-lists. 13 community members participated in the ZOOM discussion. In addition to comments at the forum, we received phone-calls and e-mails about the proposal. An e-mail from a resident is attached as Appendix 'B'.

Conrad Nyren, Magellan Holdings Ltd., presented the proposal. He described the changes made to assist the JB Community Project access problems and the compatibility of this proposal with the Parry St project (see Appendix 'C'). The Powell Street application is for site-specific zoning based on the R1S2 small lot zone. The proposal is for a sensitive in-fill of two small family appropriate dwellings. The architect didn't want to mimic heritage, but wanted to complement the existing heritage homes on Powell St.

One Powell St resident stated she had consulted with other neighbours who could not participate due to technology limitations. All were supportive of the project as presented. The massing and design complemented the existing homes on Powell Street and would add family housing to the area.

The only concern raised was the loss of parking. Since the parking was, in the main, leased parking, those currently with spots could be expected to search for other leasing opportunities.

The proponent also spoke of a support letter from the Songhees Investment Development Corporation, which had sold the property for development (Appendix 'D').

Since the development will involve 'small lot' zoning, the proponent needed to survey nearby properties. An interim report on that survey is attached (Appendix 'E').

Although the CALUC process is under review due to the COVID-19 pandemic, we believe that given the overall positive community feedback, that the community consultation obligations have now been met.

For your consideration,



Marg Gardiner
President, JBNA

Cc: JBNA Board
Chloe Tunis, CoV Planner
Conrad Nyren, Magellan Holdings Ltd.
Danny Zeigler, Arcata

Appendix 'A'

Community Forum Notice delivered to 62 residences within 100meters



jbna@jbna.org
Victoria, B.C., Canada

James Bay Neighbourhood Association

www.jbna.org
August, 2020

430 Powell St Community Forum

JBNA is hosting a Community Discussion to consider, and receive comment on, the proposed development for 430 Powell Street on Wednesday, August 12th, at 7pm, via ZOOM conferencing.

430 Powell St: currently nonconforming lot that dates back to the original street layout of James Bay; the Official Community Plan designation is Traditional Residential.

Zoning (existing) R2-Two Family Dwelling District

Zoning (proposed) TBD (site specific)



The proposal subdivides the existing R-2 zoned lot into 2 smaller lots similar in size to 429 & 431 Parry St.— the neighbouring properties to the west.

The proposed residences are modest 3 bedroom, 2 bathroom, houses with a garage; total floor areas of 1,518 sq.ft. and 1,507 sq.ft. over two storeys.

For information, you may call/e-mail:

Proponent: Conrad Nyren, Magellan Holding Ltd, 250-589-9520,
conradnyren01@gmail.com

JBNA CALUC Co-Chairs:

Marg Gardiner, marg.jbna@telus.net 250-360-0300

Tim VanAlstine, timothyvanalstine@gmail.com 250-704-6566

Join Zoom Meeting (link will also be sent to those on JBNA e-lists):

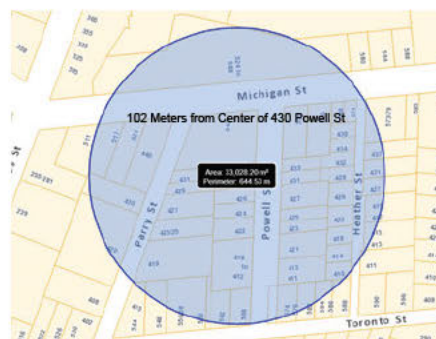
<https://us02web.zoom.us/j/85408664940?pwd=cFRQW9lNU1lMWlvTXNtU0FkVmhwWz09>

Meeting ID: 854 0866 4940

Passcode: 797593

Note: the City is currently modifying a comment system and may, or may not, provide on-line comment opportunity in addition to receiving letters about the project.

JBNA ~ honouring our history, building our future



Appendix 'B'
Correspondence received from resident

From: Coralee Bell [REDACTED]
Subject: 430 Powell Street Community Forum
Date: August 12, 2020 at 8:33:06 PM PDT
To: "timothyvanalstine@gmail.com"
Cc: "marg.jbna@telus.net"

Hi Tim,

Thank you for taking the time to talk with us regarding the development proposal by telephone as we did not receive the Zoom meeting invitation. Much appreciated!

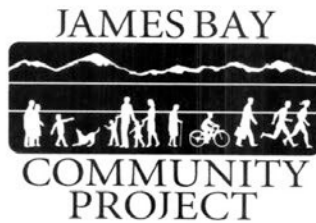
We both believe that Single Family homes preserve diversity and provide stabilization in healthy neighbourhoods. Capital Park has already built multiple condominiums and also some townhouses. On Parry Street, (one block away), a 5-story condominium building is in the process of being approved. Single family homes are in short supply and in high demand.

Conrad has been exceptionally receptive to the suggestions and concerns of neighbours surrounding the proposed development. We are pleased with both the design and choice of tasteful exterior finishing materials that are complementary to the existing homes here on Powell Street.

Kind regards,
Coralee Bell & Bob Hornsby
YYY Powell Street

Appendix 'C'

Letter of Support from JB Community Project directly to north



30th July, 2020

Mayor & Council
City of Victoria

Dear Mayor Helps and Councillors,

Re: 430 Powell Street Proposed Development

The James Bay Community Project (legal name James Bay Health & Community Services Society) situated at 547 Michigan Street, is a non-profit social services agency and the owner of a property adjoining the above property.

This letter is in support of the application to the City of Victoria by Magellan Holdings Ltd. to build two houses on the property identified as 430 Powell Street.

Conrad Nyren from Magellan Holdings Ltd. has undertaken extensive consultations with the James Bay Community Project (JBCP) regarding Magellan Holdings' plans to build two dwellings on this property. These consultations resulted in a legal agreement which will ensure that JBCP's needs (including emergency access) are met and that the development does not negatively impact JBCP.

JBCP has appreciated both the process and the substance of our discussions with Mr. Nyren, and are happy to unreservedly support the above application.

Regards,

A handwritten signature in black ink, appearing to read "Kaye Kennish".

Kaye Kennish
Executive Director, James Bay Community Project

cc. Conrad Nyren, Magellan Holdings Ltd.
Tim Schober – Chair, JBCP

Appendix 'D'
Letter of Support from Property Owner



Songhees Nation Investment Corporation

May 26, 2020

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

Dear Mayor and Council,
Re: 429 and 431 Parry Street and 430 Powell St Proposed Developments

On behalf of the Songhees Nation Investment Corporation and Songhees Nation, I write to convey support for the proposed development of 429 and 431 Parry Street.

When Songhees Nation acquired these properties under an Incremental Treaty Agreement with BC, the objective was revenue generation for the Nation. The property currently yields \$11,000 per year. The Songhees Nation Investment Corporation explored a joint development with the James Bay Community Project and a small housing development with a partner but settled on selling the property to invest in another development opportunity.

The proponents at Magellan Holdings Ltd have a vision for the property that we feel is appropriate for the neighbourhood and we note that it is supported by the James Bay Neighbourhood Association.

We ask that you approve this zoning variance so that we can complete the sale of the property and move forward with our investment.

Sincerely

A handwritten signature in black ink, appearing to read 'Christina Clarke', is written over a faint, larger signature that appears to be 'C. Clarke'.

Christina Clarke
CEO Songhees Development Corporation

cc Songhees Nation Investment Corporation Board of Directors

Appendix 'E' (12 pages)

Small Lot House Rezoning petition (note: interim as survey not yet completed)

SUMMARY SMALL LOT HOUSE REZONING PETITION

I, CONRAD NYREN, have petitioned the adjacent neighbours* in compliance with
(applicant)
the Small Lot House Rezoning Policies for a small lot house to be located at 430 POWELL ST.
(location of proposed house)
and the petitions submitted are those collected by JULY 30/2020.**
(date)

Address	In Favour	Opposed	Neutral (30-day time expired)
	✓	✓	✓
547 MICHIGAN ST	✓		
559 MICHIGAN ST	✓		
433 POWELL ST	✓		
426 POWELL ST.	✓		
* 431 POWELL ST.	✓		
* 429 PARRY ST	✓		
431 PARRY ST.	✓		
427 POWELL			
#1-427 PARRY	RELEASED & VACANT	✓	
424 POWELL			
#2-427 PARRY ST	✓		
#4-427 PARRY ST.	✓		
#3-427 PARRY			
* BOTH PROPERTIES OWNED BY SAME ENTITY			

SUMMARY	Number	100%
IN FAVOUR	9	15%
OPPOSED		0%
TOTAL RESPONSES		100%

(TO DATE)

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

**Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN

(print name)

, am conducting the petition requirements for the

property located at 430 POWELL ST.

to the following Small Lot Zone: SITE SPECIFIC

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) KAYE KENNISH - Signatory for JAMES BAY HEALTH & COMMUNITY SERVICES SOCIETY (see note above)

ADDRESS: 547 MICHIGAN STREET, VICTORIA

Are you the registered owner? Yes ☒

No ☐

JBHCSS is owner

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

We are very happy with these plans and with the process of consultation.

30 July 2020

Date

Kaye Kennish

Signature

CITY OF VICTORIA

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN, am conducting the petition requirements for the
(print name)

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) INGRID HOLM (see note above)

ADDRESS: 559 MICHIGAN ST., VICTORIA

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

100% HAS MY APPROVAL!

JULY 31/2020
Date

Ingrid Holm
Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN (print name), am conducting the petition requirements for the

property located at 430 POWELL ST.

to the following Small Lot Zone: T.P.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Coralie Bell (see note above)

ADDRESS: 433 Powell Street Victoria BC

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

- ☒ I support the application.
☐ I am opposed to the application.

Comments:

I think the applicants/developers have
done an exemplary job of designing their homes to
fit in with the existing neighbourhood!

July 31, 2020
Date

Coralie Bell
Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN

(print name)

, am conducting the petition requirements for the

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Stacey Rod (see note above)

ADDRESS: 426 Powell St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Date

Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREW (print name), am conducting the petition requirements for the

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) MONICA KURC (see note above)

ADDRESS: 431 POWELL ST.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Happy that SINGLE FAMILY HOUSES
ARE BEING IN

Aug 1 / 2020
Date

[Signature]
Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 430 POWELL STREET

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) SONQUEES NATION INVESTMENT CORP.
(see note above)

ADDRESS: 431 AND 429 PARRY ST

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

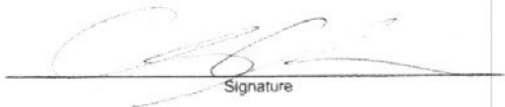
☐ I am opposed to the application.

Comments:

Date

JULY 31/2020

Signature



In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 430 POWELL STREET

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) SONQUEES NATION INVESTMENT CORP.
(see note above)

ADDRESS: 431 AND 429 PARRY ST

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

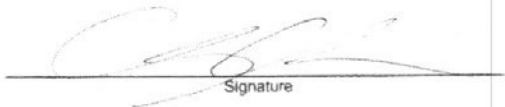
☐ I am opposed to the application.

Comments:

Date

JULY 31/2020

Signature





924 McClure St.
Victoria, BC. V8V 3E7
c. 250.413.7307
o. 778-432-3550
e. arcata@telus.net

June 30, 2020
Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Re: 430 Powell Street Proposed Development

Dear Mayor and Council,

Introduction

The proposed development is a sensitive infill which seeks to improve a parking lot by providing 2 single family homes in close proximity to James Bay Village and Capital Park.

The Site

The subject site at 430 Powell St. is a legal nonconforming lot zoned as *R-2 Two Family Dwelling District* and is currently being used as a Robbins' monthly parking lot. Our proposal seeks to rezone the parcel to a site specific zone, sub dividing it into 2 small lots similar in size to 429 & 431 Parry St., the neighbouring properties sharing their rear yard boundary with 430 Powell St.



430 Powell St. is adjacent to James Bay Village and half a block from the Capital Park Development. The area offers access to amenities, transportation, and community services like the James Bay Community Project, Five Corners retail, Capital Park, and Irving Park. Powell St. itself has a range of housing typologies suitable for a variety of tenures. Our proposed development will add additional family housing in the community while maintaining a design aesthetic complementary to the immediate context.

Design Rationale

The design of the 2 proposed single family homes draws inspiration from the buildings in the immediate area. Specifically, the gable roof form of the traditional pattern houses which define the character of Powell St.

The material palette is refined and limited consisting primarily of western red cedar, fibre cement panels, and acrylic stucco—all contextual references to the site's surroundings. This ensures that the established quality level of materials remains consistent on Powell St. For example, the front facade has large amounts of glazing which brings an element of lightness and transparency to the street edge while defining and creating a welcoming front door. The front facade is further articulated with Western red cedar accents. The side elevations are finished with a combination of either cedar and fibre cement panels or acrylic stucco and fibre cement panels. Punched openings in the side elevations were carefully placed and sized to respect neighbours privacy and limit overlook.

Green Building Features

The 2 proposed residences incorporate the following green building features:

- Designed to Step Code 3
- High efficiency heat pump system
- Low flow plumbing fixtures and dual flush toilets
- Permeable driveway pavers
- Low maintenance native plantings
- Net increase of trees and vegetation

Policy Framework

Our proposal is consistent with the OCP James Bay Strategic Directions and align with the following:

- 21.16.1 Maintain a variety of housing types and tenures for a range of age groups and incomes.
- 21.16.5 Continue to support sensitive infill.

Additionally, the creation of 2 new single family homes supports the growth management goal of having 40% of new population by 2041 occurring in Large Urban Villages. Our site is adjacent to the James Bay Urban Village and is only 70m from the Urban Core southern boundary, therefore it is ideally located to help support this objective. Furthermore, the infill project helps enhance the City's sustainability goals as follows:

- Our proposal is family-oriented and contributes to the diverse mix of housing types and tenures characteristic of the area. This is an essential component for a vibrant, mixed-used urban village.
- Daily destinations are highly walkable in an amenity rich Large Urban Village.
- The site is adjacent to transportation options including a transit corridor, well-developed sidewalk network, and is in close proximity to the expanding bicycle network, which will all contribute to reduced automobile use.

Conclusion

Our proposal takes an asphalt parking lot and transforms it into 2 single family homes thus adding to the diverse range of housing typologies in the area while aligning with the OCP goals and strategic directions. It is our hope that providing additional housing we can help contribute to the positive growth and vitality of the James Bay Neighbourhood.

Yours truly,



Larry Cecco, MRAIC, AIA int.

In preparation for my rezoning application to the City of Victoria, I,

COWRAD NYREN, am conducting the petition requirements for the
(print name)

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.A. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) MICHAEL LeBOWTICHI (see note above)

ADDRESS: 4-427 PARRY ST., VICTORIA

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

18 AUGUST

Date

2020

Signature

In preparation for my rezoning application to the City of Victoria, I,

CONZAN NYREN (print name), am conducting the petition requirements for the

property located at 430 POWELL

to the following Small Lot Zone: T.B.O. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Nadine Plotnikoff (see note above)

ADDRESS: #2-427 Parry St

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

I do appreciate the personal
time & consultations from Council
The plan is

18 AUGUST 2020
Date

N Plotnikoff
Signature

SUMMARY SMALL LOT HOUSE REZONING PETITION

I, CONRAD NYREN (applicant), have petitioned the adjacent neighbours* in compliance with

the Small Lot House Rezoning Policies for a small lot house to be located at 430 POWELL ST. (location of proposed house)

and the petitions submitted are those collected by SEPTEMBER **20, 2020 (date)

Address	In Favour	Opposed	Neutral (30-day time expired)
	✓	✓	✓
547 MICHIGAN ST.	✓		
559 MICHIGAN ST.	✓		
433 POWELL ST.	✓		
426 POWELL ST.	✓		
431 PARRY ST.	✓		
429 PARRY ST.	✓		
431 POWELL ST.	✓		
427 POWELL ST.			✓
#1-427 PARRY ST.			✓
#2-427 PARRY ST.	✓		
#3-427 PARRY ST.	✓		
#4-427 PARRY ST.			✓
424 POWELL ST.			✓

DATE DELIVERED

JULY 18/2020

AUG 18/2020

AUG 5/2020

AUG 14/2020

SUMMARY	Number	%
IN FAVOUR	9	
OPPOSED	0	
TOTAL RESPONSES	9	100%

*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

**Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

In preparation for my rezoning application to the City of Victoria, I,

CARAD NYREN

(print name)

, am conducting the petition requirements for the

property located at 430 POWELL ST.

to the following Small Lot Zone: SITE SPECIFIC

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) KAYE KENNISH - Signatory for JAMES BAY HEALTH & COMMUNITY SERVICES SOCIETY (see note above)

ADDRESS: 547 MICHIGAN STREET, VICTORIA

Are you the registered owner? Yes ☒

No ☐

JBHCS is owner

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

We are very happy with these plans and with the process of consultation.

30 July 2020

Date

Kaye Kennish

Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN, am conducting the petition requirements for the
(print name)

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) INGRID HOLM (see note above)

ADDRESS: 559 MICHIGAN ST., VICTORIA

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

100% HAS MY APPROVAL!

JULY 31/2020
Date

Ingrid Holm.
Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN

(print name)

, am conducting the petition requirements for the

property located at 430 POWELL ST.

to the following Small Lot Zone: T.O.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Coralce Bell (see note above)

ADDRESS: 433 Powell Street Victoria BC

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

I think the applicants/developers have
done an exemplary job of designing their homes to
fit in with the existing neighbourhood!

July 31, 2020
Date

Coralce Bell
Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN, am conducting the petition requirements for the
(print name)

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Stacey Rod (see note above)

ADDRESS: 426 Powell St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Date

Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN, am conducting the petition requirements for the
(print name)

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) MONICA KURC (see note above)

ADDRESS: 431 POWELL ST.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

Happy THAT SINGLE FAMILY HOUSES
ARE GOING IN

Aug 1 / 2020
Date

[Signature]
Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN
(print name)

, am conducting the petition requirements for the

property located at 430 POWELL STREET

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) SONGBLUES NATION INVESTMENT CORP.
(see note above)

ADDRESS: 431 AND 429 PARRY ST

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

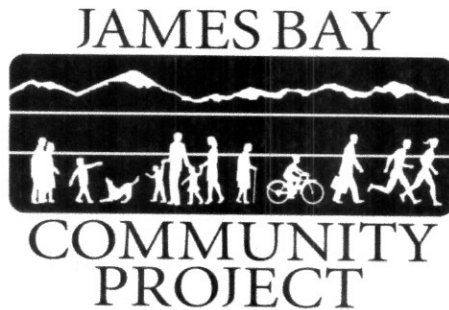
☒ I support the application.

☐ I am opposed to the application.

Comments:

JULY 31/2020
Date


Signature



30th July, 2020

Mayor & Council
City of Victoria

Dear Mayor Helps and Councillors,

Re: 430 Powell Street Proposed Development

The James Bay Community Project (legal name James Bay Health & Community Services Society) situated at 547 Michigan Street, is a non-profit social services agency and the owner of a property adjoining the above property.

This letter is in support of the application to the City of Victoria by Magellan Holdings Ltd. to build two houses on the property identified as 430 Powell Street.

Conrad Nyren from Magellan Holdings Ltd. has undertaken extensive consultations with the James Bay Community Project (JBCP) regarding Magellan Holdings' plans to build two dwellings on this property. These consultations resulted in a legal agreement which will ensure that JBCP's needs (including emergency access) are met and that the development does not negatively impact JBCP.

JBCP has appreciated both the process and the substance of our discussions with Mr. Nyren, and are happy to unreservedly support the above application.

Regards,

A handwritten signature in cursive script, appearing to read "Kaye Kennish".

Kaye Kennish
Executive Director, James Bay Community Project

cc. Conrad Nyren, Magellan Holdings Ltd.
Tim Schober – Chair, JBCP

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN, am conducting the petition requirements for the
(print name)

property located at 430 POWELL

to the following Small Lot Zone: T.B.O. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Nadine Plotnikoff (see note above)

ADDRESS: #2-427 Parry St

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

I do appreciate the personal
time & consultation from Conrad
The plan is

18 AUGUST 2020
Date

N. Plotnikoff
Signature

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN am conducting the petition requirements for the
(print name)

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

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Please review the plans and indicate the following:

NAME: (please print) Quentin Verhaegen (see note above)

ADDRESS: 559 Michigan St.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

July 31/2020
Date

Q. Verhaegen
Signature

COPY

In preparation for my rezoning application to the City of Victoria, I,

CONRAD NYREN, am conducting the petition requirements for the
(print name)

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.D. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) MARSHA CARTER (see note above)

ADDRESS: 1-427 PARRY ST.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☐ I am opposed to the application.

Comments:

OWNER/RESIDENT REPORTEDLY DECEASED
WILL CURRENTLY IN PROBATE

DROP OFF WITNESSED BY MICHELLE LEBOUTILLIER
OF #4-427 PARRY ST.

AUGUST 18/2020
Date

Signature

In preparation for my rezoning application to the City of Victoria, I,

COWRAD NYREN
(print name), am conducting the petition requirements for the

property located at 430 POWELL ST.

to the following Small Lot Zone: T.B.A. (SMALL LOT)

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) MICHELLE LeBOUTILLIER (see note above)

ADDRESS: 4-427 PARRY ST., VICTORIA

Are you the registered owner? Yes ☐ No ☒

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

18, AUGUST
Date
2020


Signature



Talbot Mackenzie & Associates
Consulting Arborists

Arborist Report

430 Powell Street, Victoria

PREPARED FOR: Magellan Holdings Ltd
1271 Mt Newton Cross Rd
Saanichton BC
V8M 1S1

PREPARED BY: Talbot, Mackenzie & Associates
Tom Talbot – Consulting Arborist
ISA Certified # PN-0211A
TRAQ - Qualified

Date submitted: June 24, 2020

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6
Ph: (250) 479-8733
Fax: (250) 479-7050
Email: tmtreehelp@gmail.com



Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 430 Powell Street

Date of Site Visit: May 29, 2020

Weather conditions: Partly cloudy, 22° Celsius, east 11km/h

Site Conditions: Flat property, currently paved for parking. No buildings on the site.

Protection Plan Summary: From the plans that were reviewed it is our opinion that it will be possible to construct the two residential buildings as outlined in the plans that were supplied while mitigating the impacts on the municipal trees that grow along the property frontage. It should also be possible to mitigate the impacts of the construction on elm tree located on the adjacent 547 Michigan Street property although in our opinion the structural issues observed indicate that this tree will be unsuitable to retain in this location Long term.

To Mitigate the impacts on the subject trees we recommend:

1. Retaining the existing asphalt surfacing between the property boundary and the proposed building footprints throughout the construction phase. If it is necessary to remove this surfacing prior to completion of construction, the protective barrier fencing that has been erected will have to be relocated to encompass the larger defined area of the critical root zones, at that time.
2. The Existing driveway crossing is to be replaced. We recommend that where possible, any adjoining hardscape (i.e. curb and sidewalk) be retained undisturbed.
3. We recommend, if possible, installing the underground services on the north side of existing driveway crossing and where they are outside the critical root zones of municipal magnolia and neighbouring elm tree. If the services must be located within the driveway access, we recommend that they be located within the north half of this driveway crossing. The project arborist must supervise the removal and replacement of any hardscape or pavement that is located within the critical root zones of the subject trees. Based on the number and size of roots that are encountered when the paved surfaces are removed, it may only be possible to remove the pavement layer and replace the new surfacing above the existing base layers without any excavation beneath this grade.
4. Any pruning of the municipal trees for clearance must be completed by an ISA Certified arborist and to ANSI 300 standards at the direction of the project arborist or be completed by the municipal Parks Department staff. Pruning of the bylaw-protected elm tree must also be completed by an ISA Certified Arborist.

Scope of Assignment: Provide arborist services to review the impacts on the tree resource of constructing two residential buildings on two separate lots on an existing vacant lot (presently used for parking) at 430 Powell Street. Prepare a tree impact and retention report to be used during the construction of the new buildings, access to and servicing the lots.

Methodology: During our May 29, 2020 site visit we visually examined the structural characteristics of the above ground portions of each of the trees on the municipal frontage and adjacent property where they could potentially be impacted. Each tree was assigned a reference number that is indicated on the landscape drawing to identify the trees in the field and is referenced in our tree resource spreadsheet that is attached to this report.

Summary of Tree Resource: There are no trees located within the boundaries of this property. The documented trees that are protected and located on the adjacent property at 547 Michigan Street and the 430 Powell Street municipal frontage include the following:

1. One (1) bylaw protected 11/24/25/27 cm d.b.h. Cork elm tree #Nt1, located on the adjacent property, just inside the property boundary. This tree is poorly structured having multiple stems that are weakly attached at their union. Its structural characteristics make this a poor specimen to retain in this location as the risk of stem failure associated with these defects will increase as the tree matures and increases in size. This tree may have grown in this location as a seedling from a nearby tree and may have been cut to the ground historically.
2. One (1) 43 cm d.b.h. Tulip tree #14470, located on the 430 Powell Street municipal frontage.
3. One (1) 05 cm d.b.h. Yellow Bird magnolia, #14471, located on the 430 Powell Street municipal frontage.

Findings and Observations:

Potential Impacts: We anticipate that the highest potential for impacts on the tree resource would occur during:

1. Removal of the existing and installation of hardscape within the 430 Powell Street property and any changes to the existing driveway crossing, municipal curbs, and sidewalk.
2. Locating and installing services and service corridors

From the drawings and the proposal that was reviewed it is our opinion that:

1. It should be possible to mitigate the impacts on the two (2) Municipal trees #14470 and 14471 and retain these trees
2. The elm tree Nt1 on the adjacent property, is in our opinion unsuitable to retain in this location, long term, however it should be possible to mitigate the impacts sufficiently to retain it at this time.

Mitigation of Impacts: Our recommendations for mitigation procedures to reduce the impacts on the tree to be retained, outlined in the following, should be implemented prior to and during the construction period.

Barrier Fencing The areas, surrounding the tree to be retained on the municipal frontage must be isolated from the construction activity by erecting protective barrier fencing. Typically, the fencing is erected at the perimeter of the critical root zones as defined in our Tree Resource Spreadsheet or at the edge of the canopy spread. On this site, the canopy has an unusually large spread and extends over the municipal sidewalk and areas of existing pavement on the subject property.

Therefore, we recommend erecting the fencing to protect the municipal trees along the street curb, edge of the existing driveway crossing and along the sidewalk edge out to the side property boundaries. If required, the fencing around the small magnolia tree can be relocated to edge of its critical root zone, to accommodate the service lines that will cross the frontage, once these service locations have been determined. Should it not be possible to retain the existing pavement through the construction phase, it will be necessary to erect or relocate the barrier fencing at the edge of the critical root zones, at the time the pavement is removed.

The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing (see attached diagram). The fencing must be erected prior to the start of any construction activity on site (i.e. excavation, construction), and remain in place through completion of the project. Signage must be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

Demolition: There are no buildings on the site to be demolished, however it will be necessary to remove the existing asphalt surfacing from within the building footprint area and service corridors. We recommend that the portion of this existing pavement that is between the proposed building footprints and the front property boundary be retained through the construction phase to protect any roots from the municipal trees and the adjacent elm tree that extend beneath this paved area.

Building Footprint : Excavation for the footprint is outside the defined critical root zone of the municipal Tulip and magnolia trees, and where the required excavation should not have an impact on the subject trees, if the existing paved area at the front of the lot can be retained through the construction phase.

Servicing: It is our understanding that there are no existing service connections to this property. We recommend that all the underground services be located on the north side of the driveway entrance and where the services and all excavation that is required is located outside the defined critical root zone areas of the municipal trees and of the adjacent elm tree.

The project arborist should review the proposed underground service location once they have been defined and prior to installation to review any potential conflicts with the protected trees and proposed any changes to these locations if they are located where they will have a detrimental impact on the tree resource.

Driveway and Hardscape features: The drawings that were reviewed show the existing driveway crossing is to be removed and reconstructed and used as a common driveway access to both lots with the alignment slightly further from the municipal Tulip tree. It may only be possible to remove the existing concrete layer and replace the new surface over the existing base layers without any excavation beneath this grade. If possible, we recommend retaining any adjoining municipal curbs, and sidewalks undisturbed.

We recommend the portion of this existing pavement that is between the proposed building footprints and the front property boundary be retained through the construction phase to protect any roots from the municipal Tulip tree #14470 and the adjacent elm #Nt1 that extend beneath this paved area.

Removal and replacement of the existing pavement and hardscape from within the critical root zone areas of the subject trees may impact any root structures that grow beneath this hardscape. Based on the number and size of roots that are encountered, when the paved surfaces are removed, it may only be possible to remove the pavement layer and replace the new surface over the existing base layers without any excavation beneath this grade.

The project arborist must supervise excavation to remove any of the existing pavement and hardscape from within the critical root zones of trees that are to be retained and monitor and supervise the installation of the replacement surfacing.

Blasting and rock removal: We do not anticipate that any blasting or other means of rock removal will be required. If rock is encountered, the blasting to level these rock areas should be sensitive to the root zones located at the edge of the rock. Care must be taken to assure that the area of blasting does not extend into the critical root zones beyond the building and driveway and servicing footprints. The use of small low-concussion charges, and multiple small charges will reduce fracturing, ground vibration, and reduce the impact on the surrounding environment. Only explosives of low phytotoxicity, and techniques that minimize tree damage, are to be used. Provisions must be made to store blast rock, and other construction materials and debris, away from critical tree root zones.

Arborist supervision: The project arborist must supervise any excavation that encroaches within the critical root zones of the municipal and bylaw-protected trees.

Canopy Pruning: The canopy of municipal Tulip tree and adjacent Elm tree will require pruning for clearance above the proposed parking areas

Any pruning of the municipal trees for clearance must be completed by an ISA Certified arborist and to ANSI 300 standards at the direction of the project arborist or be completed by the municipal Parks Department staff. Pruning of the bylaw-protected elm tree must also be completed by an ISA Certified Arborist.

Work Area and Material Storage: It is important that the issue of storage of excavated soil, construction material, and site parking be reviewed prior to the start of construction; where possible, these activities should be kept outside of the critical root zones of trees that are to be retained.

Clients Responsibility – It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:

- Locating the barrier fencing
- Reviewing the report with the project foreman or site supervisor
- Locating work zones, where required
- Supervising excavation for the driveway, and service footprints where they encroach within the critical root zones of trees that are to be retained.
- Reviewing and advising of any pruning requirements for building clearances.

Review and site meeting: Once approval of the project is granted; it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site changes or other construction activity occurs.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions. Thank You.

Yours truly,
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie
ISA Certified, & Consulting Arborists

Encl. Tree resource spreadsheet (1), Resource sheet definitions (1), Tree location drawing with tree numbers and Barrier Fencing (1), Barrier fencing specifications (1),

Disclosure Statement

The tree resource assessment conducted is a Level 1 limited visual assessment of the aboveground portions of trees located adjacent to the 430 Powell Street property and municipal frontage, by way of a ground level walking inspection of all sides of the trunk canopy and root collar.

The opinions and recommendations provided are based on the circumstances and observations as they existed at the time of the site inspection of the Client's Property on May 29, 2020 and the trees situate thereon by and upon drawings and information provided by the Client. The opinions are given based on observations made and using generally accepted professional judgment, however, because trees and plants are living organisms and subject to change, damage and disease, the results, observations, recommendations, and analysis as set out are valid only as at the date any such testing, observations and analysis took place and no guarantee, warranty, representation or opinion is offered as to the length of the validity of the results, observations, recommendations and analysis.



Talbot Mackenzie & Associates
Consulting Arborists

Key to Headings in Tree Resource Spreadsheet – Page 1

Tag: Tree identification number on a metal tag attached to tree with nail or wire at eye level. Trees on municipal or neighboring properties are not tagged and are identified on the site plans usually starting from the number one.

NT: No Tag due to inaccessibility or separate ownership.

DBH: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.

* Measured over ivy.

~ Approximate because of inaccessibility or on neighbouring property.

Crown Spread: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Relative Tolerance Rating: Relative tolerance of the species of tree to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned: Poor, Moderate or Good.

Optimal Root Protection Zone: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the Tree's Construction Tolerance Rating. This methodology is based on the methodology described by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 10 or 12 x DBH = Moderate
- 08 or 10 x DBH = Good

For this purpose, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest trunk and 60% of the diameter of each additional trunk. It should be noted that these measures are solely mathematical calculations that do not take into account crown spread, soil depth, age, health, or structure (such as lean).

Health Condition

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of significant stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

Structure Condition

- Very Poor – Potentially imminent hazard that requires immediate action such as large dead hanging limbs or an unstable root plate
- Poor - Poor structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns such as codominant stems that are still possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

Tree Status:

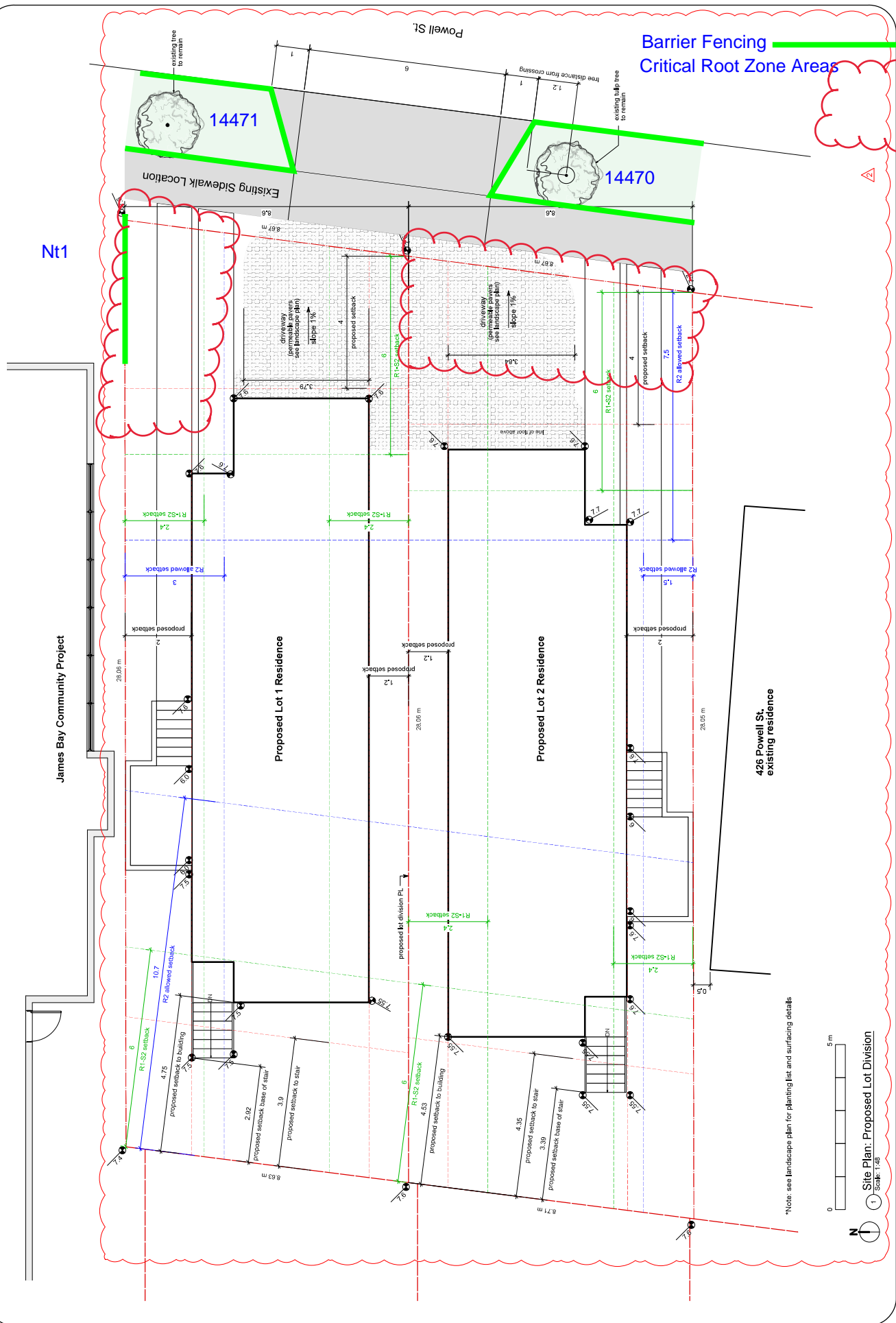
- Bylaw-protected – Tree that is of a size or species that is protected under the current municipal Tree Protection Bylaw.
- Not Protected – Tree that is of a size or species that is not protected under the current municipal Tree Protection Bylaw.
- Municipal – Tree that is located on the municipal frontage.

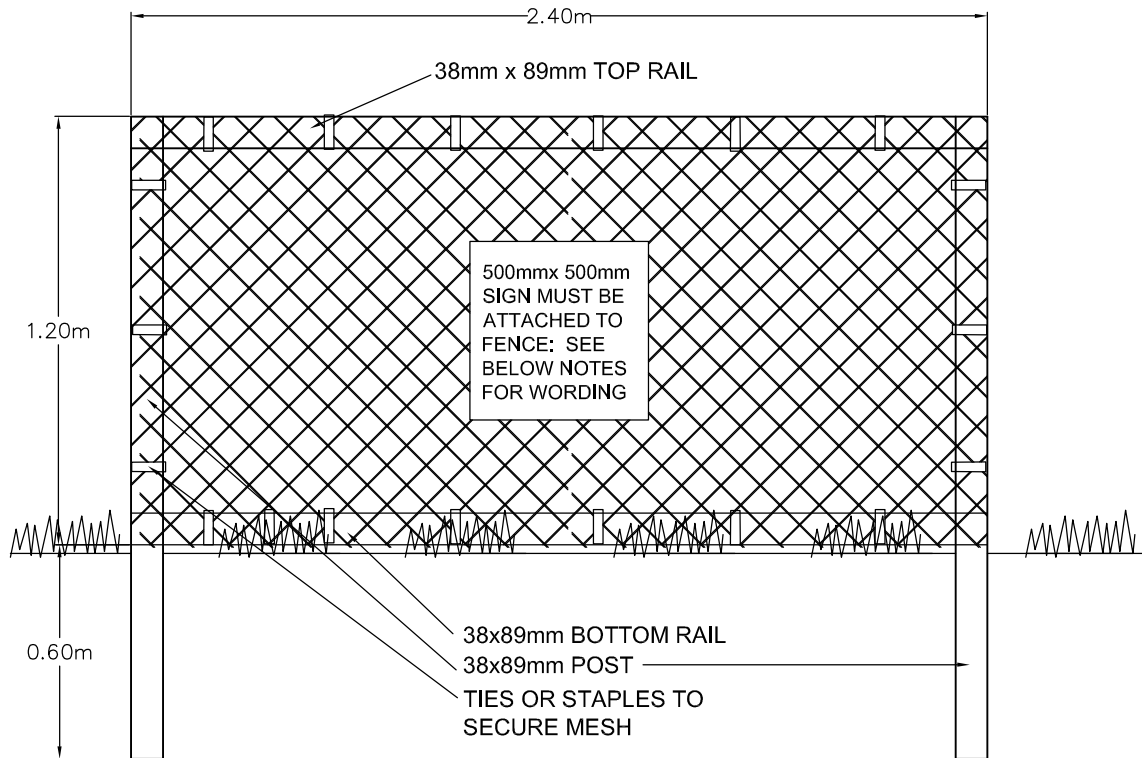
Retention Status:

- Remove - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain * - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns

Tree Resource Spreadsheet for 430 Powell Street

Tree ID	Common Name	Latin Name	DBH (cm) * over ivy ~ approximate	Crown Spread (m)	CRZ (m)	Health	Structure	Relative Tolerance	Remarks and Recommendations	Retention Status
14470	Tulip tree	<i>Liriodendron tulipifera</i>	43.0	9	5.0	Good	Fair	Moderate	Structure altered by topping below hydro primary conductor .	Retain
14471	Magnolia Yellow bird	<i>Magnolia accuminata</i> 'Yellow Bird'	5.0	2	1.0	Good	Good	Moderate	Can be transplanted.	Retain
Nt1	Cork elm	<i>Ulmus carpinifolia</i>	11\24\25\27	12	5.0	Good	Poor	Good	Multiple stems, weakly attached at union. Located on adjacent property at 547 Michigan Street. Poor location for a tree of this ultimate size, may have grown as seedling.	TBD





TREE PROTECTION FENCING

1. FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS * USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
 2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.
- * IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

Richard Elliott

From: Kaye Kennish [REDACTED]
Sent: July 31, 2020 6:36 PM
To: Victoria Mayor and Council
Cc: Conrad Nyren
Subject: 430 Powell Street Proposed Development
Attachments: JBCP Letter of Support Powell Street.pdf

Hello Mayor Helps and Council,

Attached is a letter of support from the James Bay Community Project for the proposed development on 430 Powell Street by Magellan Holdings Ltd.

Thank you.

Kaye

Kaye Kennish
 Executive Director
 James Bay Community Project and Capital City Volunteers
 547 Michigan Street
 Victoria BC V8V 1S5

www.jbcp.bc.ca Like us on [Facebook](#) Follow us [@Jamesbaycp](#)

“Building Community Together”

CONFIDENTIALITY NOTICE: *This communication from James Bay Community Project is for the sole use of the intended recipient or recipients and may contain confidential, personal and/or privileged information. Any unauthorized review, use, disclosure, distribution or other dissemination of this communication and/or the information contained therein is strictly prohibited. If you are not the intended recipient of this communication, please contact the sender and destroy all copies of the original communication.*

E-mail transmission cannot be guaranteed to be secure or error free, and the sender does not accept liability for errors or omissions.



30th July, 2020

Mayor & Council
City of Victoria

Dear Mayor Helps and Councillors,

Re: 430 Powell Street Proposed Development

The James Bay Community Project (legal name James Bay Health & Community Services Society) situated at 547 Michigan Street, is a non-profit social services agency and the owner of a property adjoining the above property.

This letter is in support of the application to the City of Victoria by Magellan Holdings Ltd. to build two houses on the property identified as 430 Powell Street.

Conrad Nyren from Magellan Holdings Ltd. has undertaken extensive consultations with the James Bay Community Project (JBCP) regarding Magellan Holdings' plans to build two dwellings on this property. These consultations resulted in a legal agreement which will ensure that JBCP's needs (including emergency access) are met and that the development does not negatively impact JBCP.

JBCP has appreciated both the process and the substance of our discussions with Mr. Nyren, and are happy to unreservedly support the above application.

Regards,

A handwritten signature in black ink, appearing to read "Kaye Kennish".

Kaye Kennish
Executive Director, James Bay Community Project

cc. Conrad Nyren, Magellan Holdings Ltd.
Tim Schober – Chair, JBCP



Songhees Nation Investment Corporation

May 26, 2020

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

Dear Mayor and Council,
Re: 429 and 431 Parry Street and 430 Powell St Proposed Developments

On behalf of the Songhees Nation Investment Corporation and Songhees Nation, I write to convey support for the proposed development of 429 and 431 Parry Street.

When Songhees Nation acquired these properties under an Incremental Treaty Agreement with BC, the objective was revenue generation for the Nation. The property currently yields \$11,000 per year. The Songhees Nation Investment Corporation explored a joint development with the James Bay Community Project and a small housing development with a partner but settled on selling the property to invest in another development opportunity.

The proponents at Magellan Holdings Ltd have a vision for the property that we feel is appropriate for the neighbourhood and we note that it is supported by the James Bay Neighbourhood Association.

We ask that you approve this zoning variance so that we can complete the sale of the property and move forward with our investment.

Sincerely



Christina Clarke
CEO Songhees Development Corporation

cc Songhees Nation Investment Corporation Board of Directors

Rezoning & Development Permit with Variances Application for 430 Powell Street



1

Subject Property



2

Subject Property



3

Street Context



Buildings to the South

Building to the North



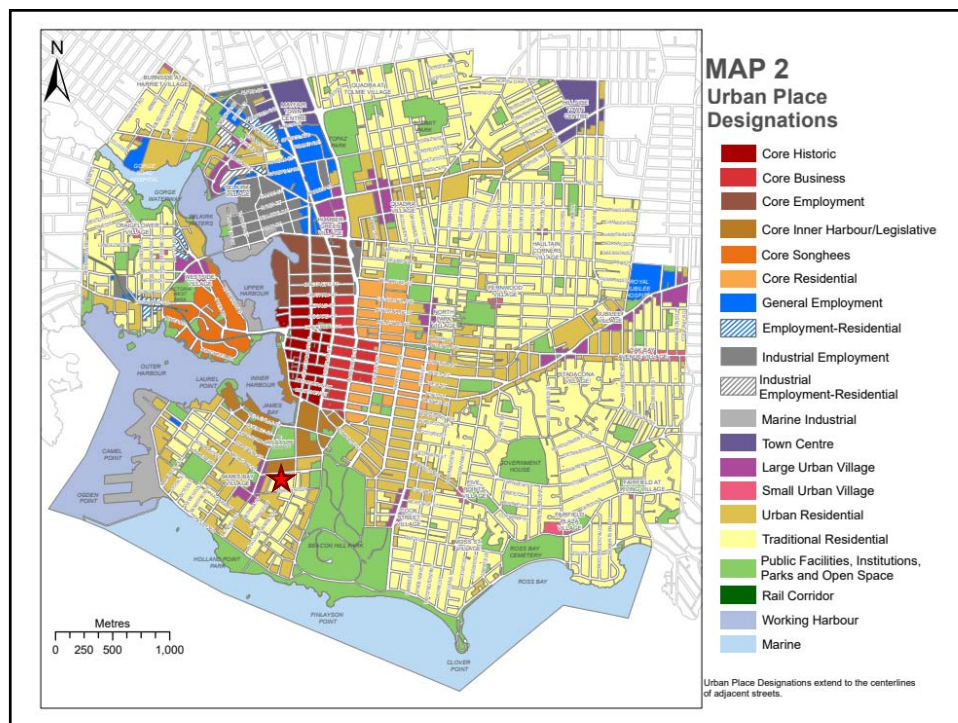
4

Street Context-

Across the Street

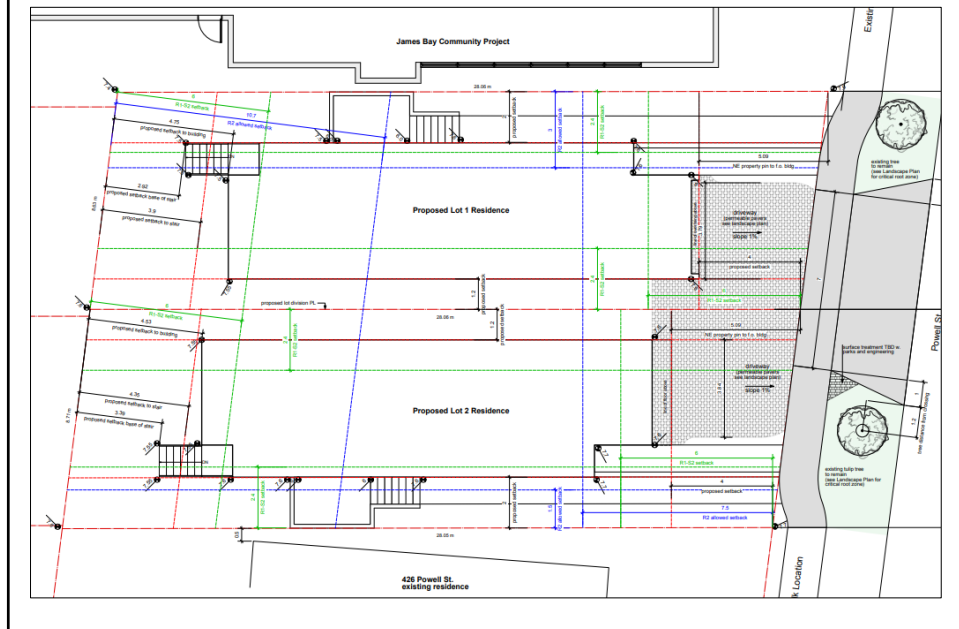


5



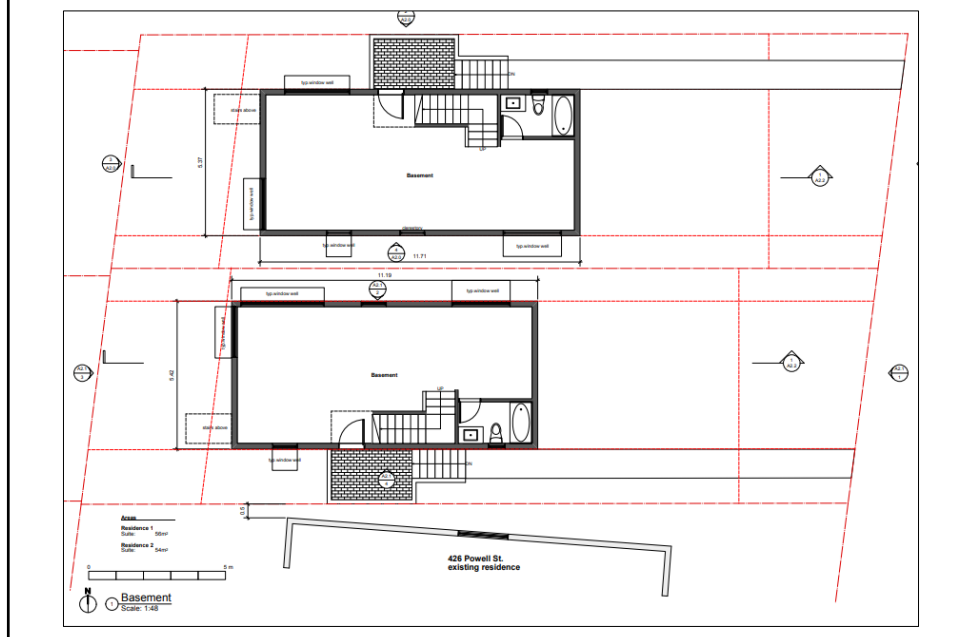
6

Site Plan



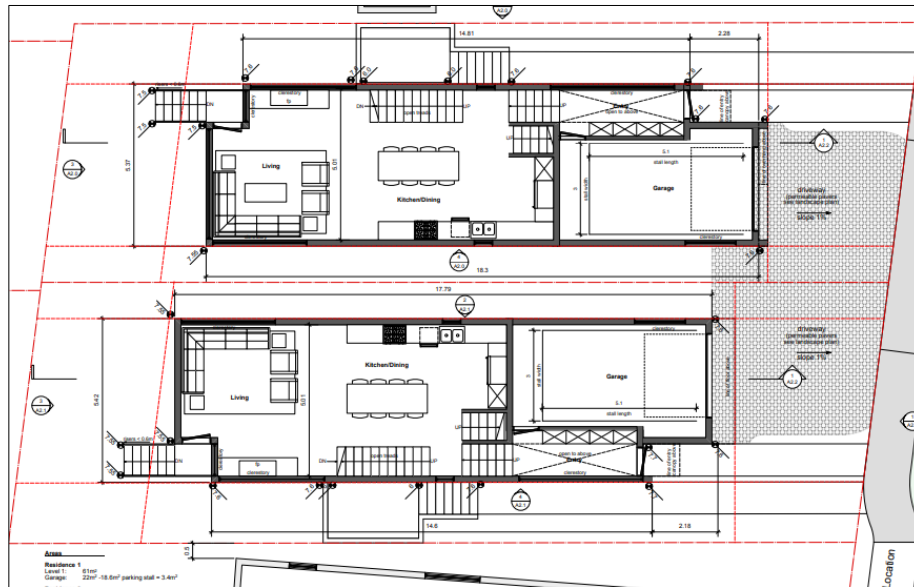
7

Floor Plans – Basement



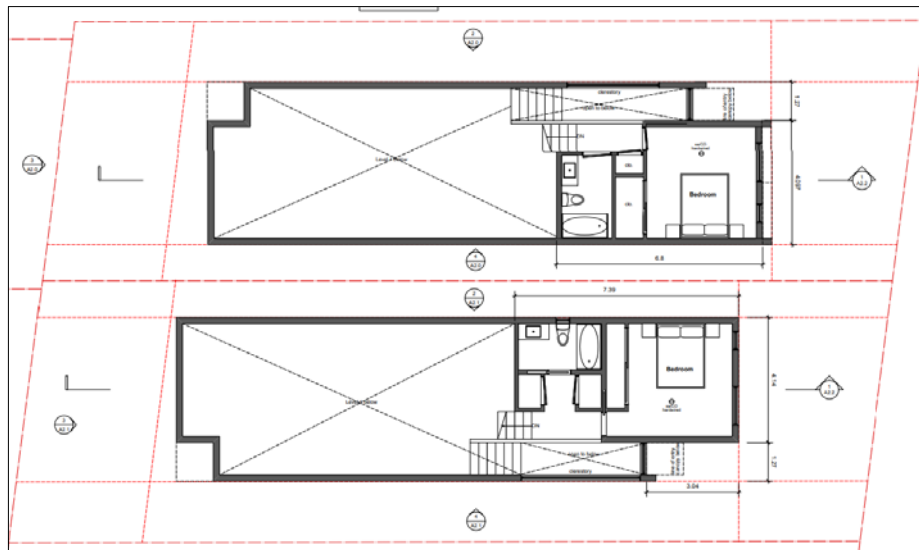
8

Floor Plans – First Storey



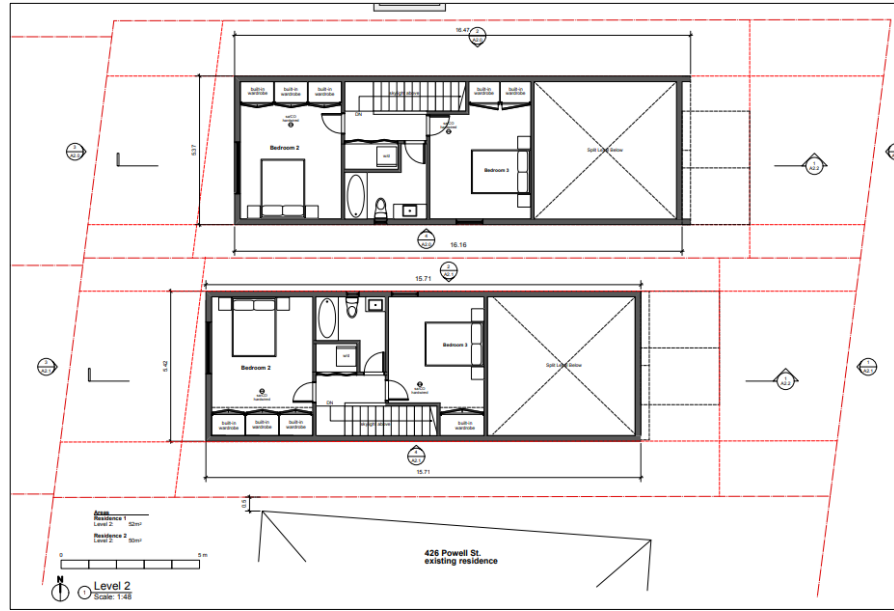
9

Floor Plans – First Storey Split Level



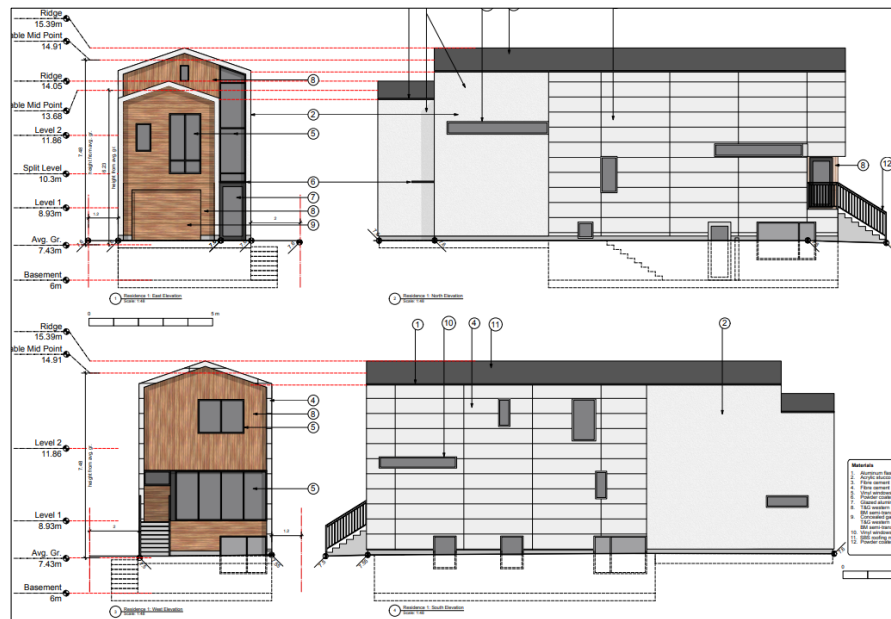
10

Floor Plans – Second Storey



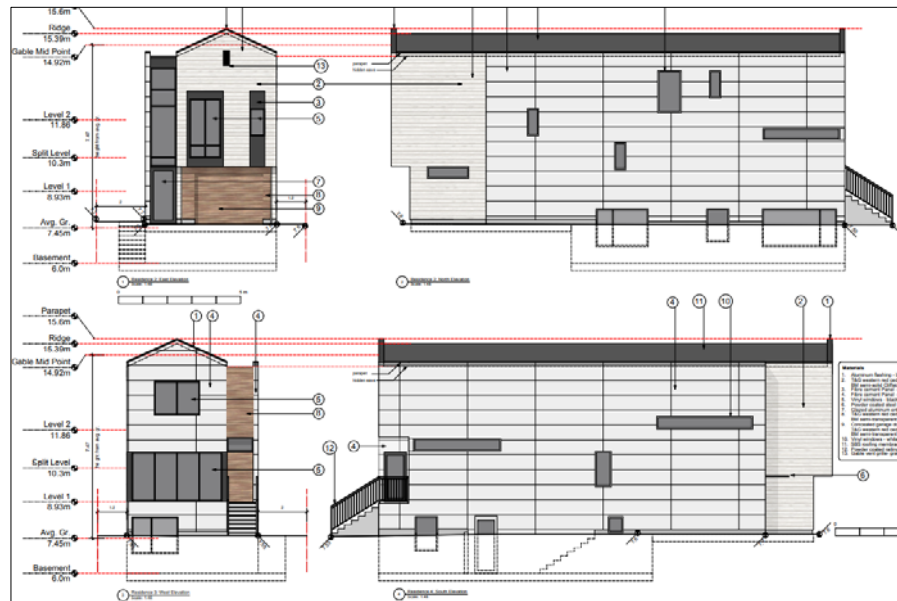
11

Elevation Plans – Lot 1



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Elevation Plans – Lot 2



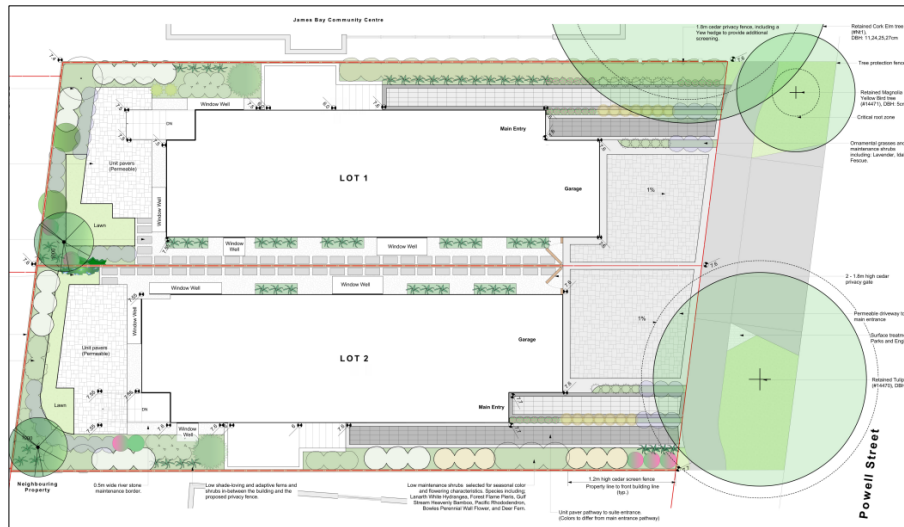
13

Streetscape

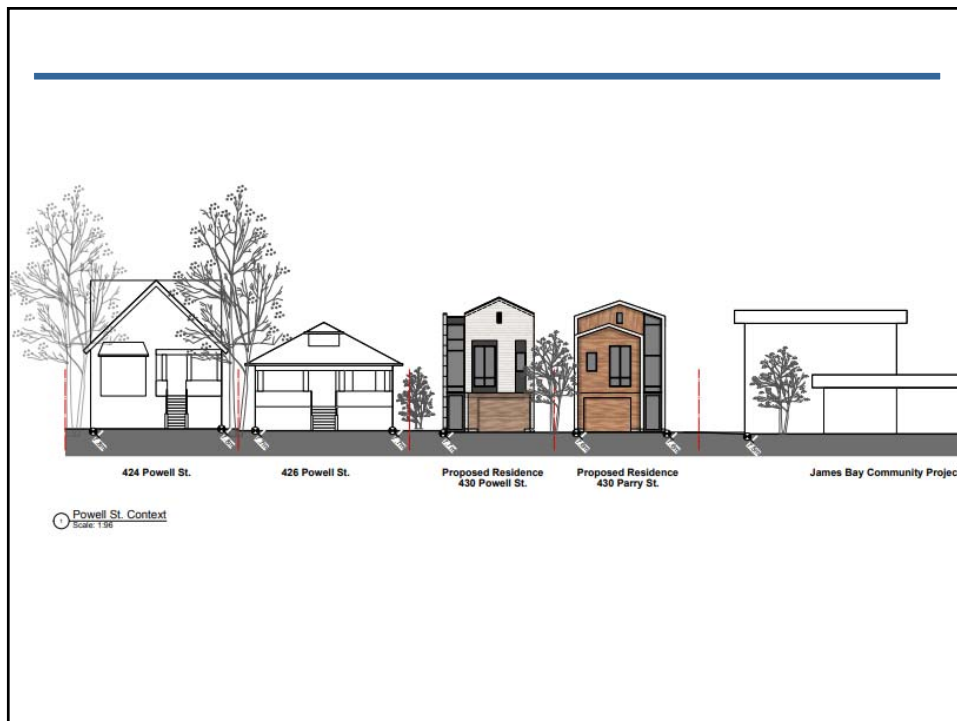


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Landscape Plan



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