



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

RE: 50 GOVERNMENT ST REVISED APPLICATION FOR REZONING AND DEVELOPMENT PERMIT

We respectfully resubmit this proposal for a multi-family building at 50 Government St in the James Bay neighbourhood following the Committee of the Whole (CoTW) meeting of December 12th, 2024. Council directed staff to work with us on the redesign of several elements of the proposal prior to resubmitting it to the CoTW for further review. We thank Council for this direction and met with members of the planning staff, the parks department and the engineering department of the city several times over the months of January and February and March of 2025.

Our discussions with City staff were focused on design changes that would meet the following conditions (from the CoTW resolution, Item 2.):

- a. Revise the plans to meet the accessible parking requirements in the Zoning Regulation Bylaw, to the satisfaction of the Director of Planning and Development.
- b. Revise replacement tree species and locations on the plans to meet the tree minimum requirements on-site and outside of the public SRW areas per the Tree Protection Bylaw No. 21-035 Schedule "F", to the satisfaction of the Director of Parks, Recreation and Facilities.
- c. Revise the plans to meet the objectives and guidelines associated with Development Permit Area 16, and adjust the parking variances with Development Permit with Variances No. 00251 as necessary, to the satisfaction of the Director of Planning and Development, including:
 - i. Reducing the amount of floor space if needed to meet the design objectives
 - ii. Providing more usable outdoor space for residents
 - iii. Providing more trees and landscaping
 - iv. Improving the relationship to the public SRW
 - v. Improving the massing transition to surrounding residential buildings
 - vi. Reducing impacts on adjacent properties.
 - vii. Ensuring that if external staircases are being considered, that no external staircase face the adjacent properties

Council also moved that:

7. For staff to further work with the proponent to address the core issues raised by the neighbours as pertains to setbacks, overlook, and other material factors.

During our conversations with staff, the core issues raised by neighbours were not specified but addressed as general concerns about the:

- Height of the building
- Size of the building
- Proximity to the rear yard property line
- Potential overlook into their yards



**PROJECT HISTORY, A RECAP:**

The proposed site currently has a 4-unit multi-family residential building in poor condition.

Current R3-2 zoning allows for multi-family residential. However, a specific clause in the zoning prevents a multi-family building due to the lot size. While a variance was considered, it became apparent with input from planning staff that a rezoning would allow a better overall proposal.

The Official Community Plan (OCP) place designation for this site is Urban Residential, and the design guidelines for this designation have influenced our plans, including the proposed height and floor space ratio. We have worked closely with staff to understand their interpretation of these guidelines as they relate to a building of the scale recommended in the OCP, and a neighbourhood that has a mix of building sizes, including smaller single family houses.

After over a year of work with community members and planning staff, a concept for a 4-1/2-storey building with peaked roofs was presented to the James Bay CALUC in February of 2024 and to the Advisory Design Panel (ADP) in June. It was then discussed at the COTW meeting in December of 2024. While the design received praise from the ADP, it met resistance from a few councillors at the COTW. This revised proposal addresses the specific objectives of the resolution while endeavouring to maintain the broader objective of providing new additional housing in James Bay.

In order to align with the specific objectives of the resolution, the design team faced the challenge of creating a smaller building without reducing the number of housing units proposed in the February 2024 submission. This necessary downscaling has had a significant consequence: our client's original 2022 vision of delivering 80% affordable rentals and 10% below-market units is no longer financially viable, a conclusion supported by a third-party financial review. Therefore, the revised proposal is, by necessity, for a strata-rental development, which will nonetheless provide much-needed additional housing to the community.

This apparent contradiction – a smaller building with the same number of units – was addressed through strategic design efficiencies in both the building plan and its placement on the site. Primarily, the layout leverages a new building code provision that permits a single exit stair for a building of this nature. Additionally, the building was lowered into the site, and ceiling heights were reduced to lower the overall building height and lessen its visual presence on the streetscape.

The result is a revised submission that proposes 15 new units, including:

- Two 3-bedroom units
- Nine 1-bedroom units
- Two 1-bedroom units with a den
- Two 2-bedroom units with a den

Through the course of our work with city staff, the building has become smaller and has increased outdoor space and rear yard setbacks. Replacement trees are bigger with more surrounding greenspace in the backyard and neighbouring trees are protected with ample distance from new foundations. The new proposal has also accommodated van-accessible parking requirements and a pad-mounted transformer in the front yard while maintaining the city's street tree and planting requirements. Throughout these changes, we maintain our commitment to climate change mitigation and adaptation. The project will continue to provide housing catered to car-free households with over 30 bike parking stalls in a dedicated bike room. The building will meet, at minimum, Step 3 of the BC Building Code.





The following sections of this letter outline how our revised proposal has addressed specific requirements of the COTW resolution.

ITEM 2.)

a. REVISE THE PLANS TO MEET THE ACCESSIBLE PARKING REQUIREMENTS IN THE ZONING REGULATION BYLAW, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT:

The design team has met with Rob Bateman, Kevin Smitten and Steve Hutchison to review the proposed parking layouts. It was determined that the provision of a single, regular parking stall reserved for a car-share vehicle and a dedicated van-accessible stall next to it would meet their satisfaction.

Additionally, the group reviewed access to the bike room, which was moved to the rear of the building and the location of the proposed short-term bike parking stalls. We also reviewed the new SRW requirements, the location and configuration of the driveway and the location of the pad-mounted transformer.

ITEM 2.)

b. REVISE REPLACEMENT TREE SPECIES AND LOCATIONS ON THE PLANS TO MEET THE TREE MINIMUM REQUIREMENTS ON-SITE AND OUTSIDE OF THE PUBLIC SRW AREAS PER THE TREE PROTECTION BYLAW NO. 21-035 SCHEDULE "F", TO THE SATISFACTION OF THE DIRECTOR OF PARKS, RECREATION AND FACILITIES.

The design team has met with Rob Bateman and Taylor McDonald to review the proposed replacement trees, outdoor space, distance from existing protected trees and the city's street tree in the SRW. It was determined that the additional space in the rear yard was sufficient to provide three new medium-sized replacement trees which would meet the project requirements. Additionally, the yard space provided additional amenity space for the residents and the two garden suites also offered outdoor space on the south side of the backyard for their personal enjoyment.

The team also reviewed the existing trees of neighbouring properties to ensure no new foundations would damage existing protected trees.

ITEM 2.)

c. REVISE THE PLANS TO MEET THE OBJECTIVES AND GUIDELINES ASSOCIATED WITH DEVELOPMENT PERMIT AREA 16, AND ADJUST THE PARKING VARIANCES WITH DEVELOPMENT PERMIT WITH VARIANCES NO. 00251 AS NECESSARY, TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND DEVELOPMENT, INCLUDING:

i. REDUCING THE AMOUNT OF FLOOR SPACE IF NEEDED TO MEET THE DESIGN OBJECTIVES

The building has been reduced in size from a previous FSR of 1.94 to a new proposed FSR of 1.76. To maintain most of the rentable area with this newly reduced building size, the team used a new provision of the building code allowing a single exit stair configuration. Additional careful planning for corridor and lobby space, placement of private and public balconies and exterior amenity spaces also helped ensure liveable units on each level.



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ii. PROVIDING MORE USABLE OUTDOOR SPACE FOR RESIDENTS

The new proposal has been reduced in size primarily by pulling back from the rear yard. Our discussions with the planning staff clarified the preference for buildings with rear yard outdoor space, similar to neighbouring lots. The rear yard is now proposed to offer a dedicated green space for all residents, accessed by continuing around the north side of the building past the common bike room. This space is separated with landscape elements from private yards offered to the garden suites. These residents can access the gardens directly from their suites.

Additionally, common outdoor space is provided through patios on Level 3 and, to a lesser extent, on Level 4. This space is centrally focused rather than facing out into the neighbourhood. The placement of the patios corresponds to the location of the neighbouring roof to the south, so sunlight can be felt on these patios without overlooking the neighbour's yard.

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iii. PROVIDING MORE TREES AND LANDSCAPING

More exterior space for residents has allowed more space for trees and landscaping. Additionally, the reduced SRW also allowed more space in front of the building to be landscaped. Finally, the single exit design means that only one paved path to the street is required, allowing additional landscaping in the side yard. New replacement trees are now all sized to be medium size trees with ample soil and growing space.

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iv. IMPROVING THE RELATIONSHIP TO THE PUBLIC SRW

The relationship of the proposal to the SRW and to the street in general has improved through several subtle design changes. Importantly, the reduction of the SRW size has allowed more space in front of the building to be landscaped as the building face remains aligned with the neighbours. Additionally, the combination of the driveway and all public access to the building reduces the overall paving to a single location without small islands of greenspace. Finally, the form of the building has incorporated a stepped down massing to the south side, which also breaks up the massing along the front of





the building. The new proposed design includes windows from the suites along the front of the building looking out onto the street, similar to adjacent homes.

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- v. IMPROVING THE MASSING TRANSITION TO SURROUNDING RESIDENTIAL BUILDINGS**

As noted in the point above, the new proposal has a stepped massing on the south side, which provides a transition from the smaller house to the four-story building. Perhaps most significant is the reduction in the overall building height from 19m at the roof peak down to less than 14m. Additionally, the top floor of the building is set with a mansard roof, bringing the eave height down further to the top of the third floor and utilizing a common residential massing style found in many residential buildings taller than two stories.

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- vi. REDUCING IMPACTS ON ADJACENT PROPERTIES**

The proposal has reduced its impact on neighbouring properties through several design changes. These include the reduction of overall building height to reduce shadows on adjacent yards, the increased rear yard setback to provide more separation between buildings, the larger replacement trees and additional landscaping that provide a screen between the new building and the rear neighbours. Additionally, exterior balcony space is centrally focused between the two principal massings and restricted to a single location. There are no balconies overlooking the neighbouring rear yards at all. Finally, the windows on the sides of the buildings are placed high enough for sunlight to come deep into the room and for an average person to see out to the neighbourhood beyond, but too high to look down into the neighbouring yard space.

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- vii. ENSURING THAT IF EXTERNAL STAIRCASES ARE BEING CONSIDERED, THAT NO EXTERNAL STAIRCASE FACE THE ADJACENT PROPERTIES**

This revised proposal makes use of the new single exit stair provision of the BC Building Code and therefore does not have any exterior exit stairs at all.





ITEM 7.)

FOR STAFF TO FURTHER WORK WITH THE PROPONENT TO ADDRESS THE CORE ISSUES RAISED BY THE NEIGHBOURS AS PERTAINS TO SETBACKS, OVERLOOK, AND OTHER MATERIAL FACTORS.

Prior to this resubmission, our team has worked with staff over several working sessions focused on key aspects of the design. They included several sessions related to the rear yard, trees and landscaping - including protection of neighbouring trees, working sessions related the overall massing, which led to increased setbacks and a stepped massing on the south side, the placement of elevated exterior deck space, and the overall building height which was reduced by about 5m. Further discussion with staff led to the relocation of the bike room to allow windows from the lower suites directly out to the street, adding to the residential character of the street.

No core issues were raised by staff that were not addressed by this revised proposal.

SUMMARY

The project team's sustained engagement with planning staff over the past several months has resulted in a revised proposal that effectively meets the requirements set out in the COTW meeting. The outcome is a 15-unit development on a single James Bay lot that successfully meets the Official Community Plan (OCP) objectives, directly addresses specific neighbourhood requirements as outlined in the COTW resolutions, and aligns with the financial requirements for private development in our region. This project, a product of the design team's expertise and constructive collaboration with City staff, provides a valuable increase in housing stock for the City of Victoria.

Respectfully,

Will King, Architect AIBC, MRAIC. LEED AP

