



June 12, 2025

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

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

Mayor Alto and fellow Councillors

Dear Mayor Alto and Council,

We are pleased to resubmit our application for rezoning and a development permit for 50 Government Street. This revised proposal directly responds to your resolution from the Committee of the Whole (COTW) meeting on December 12, 2024. Our aim was to create a design that fully meets your outlined objectives, and we believe this updated plan successfully achieves that.

We have diligently collaborated with City Staff since December 2024 to refine our proposal, holding numerous meetings that concluded in March 2025. Throughout this intensive period, Planning Department representatives consistently provided constructive feedback and support, confirming that our design was indeed meeting the COTW resolution to their satisfaction.

However, a recent response from the Planning Department (dated May 30, 2025) has introduced significant concern and, frankly, a lack of trust. This feedback inexplicably reverses previous endorsements of design changes that we developed and agreed upon directly with their representatives. These new objections primarily stem from interpretations of the **Design Guidelines**, which are inherently subjective, unlike strict zoning rules. We relied heavily on staff guidance during our working sessions to ensure a shared understanding of how these guidelines would be applied. This sudden shift in opinion places us in an **untenable position**, as the requirements for satisfaction from the Planning Department appear to be constantly shifting, creating a circular process where a resolution seems unattainable.

As an example, we were specifically directed to reduce building height and increase rear yard and outdoor space. In response, we developed a new massing and roof form, which was discussed and reviewed multiple times with staff and received their approval. Now, Planning Staff comments suggest this form is "not supportable" and recommend exploring a massing identical to the one rejected at your last COTW meeting. This contradictory guidance is highly problematic and demonstrates a frustrating return to the initial, rejected design.

Despite this unexpected challenge, we have proceeded with the minor corrections and clarifications requested by all departments. We are maintaining the design form and character that was thoroughly discussed and developed with staff, as we are certain it meets the requirements of your COTW motion from December 12, 2024.





## OUR REVISED PROPOSAL: MEETING COUNCIL'S DIRECTIVES

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 outlined the following condition (from the CoTW resolution, 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.

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 and potential overlook into neighbouring yards

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.)****α. 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 met with staff on several occasions to address the parking, specifically on:

- Jan 22, 2025, to review massing changes that would allow space for all accessible parking requirements
- Feb 12, 2025, to address revised building frontage, including parking layouts and new PMT and water vault locations
- Mar 5, 2025 to address revisions to SRW requirements and the impact on the building frontage, including 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 the satisfaction of the Planning Department.

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.

**Staff were satisfied that accessible parking requirements are being met with this design.**

**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 met with staff on several occasions to address the replacement trees, specifically on:

- Jan 22, 2025, to review massing changes that would allow more green space for all replacement trees
- Jan 31, 2025, to address size and location of replacement trees

Representatives for the Parks Department met with us to review 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.

**Staff were satisfied that the requirements of the Tree Protection Bylaw are being met with this design.**



**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 design team met with planning staff on several occasions to address the FSR and building size, specifically on:

- Dec 19, 2024, to review possible design strategies to reduce the building size
- Jan 22, 2025, to review massing changes that resulted in reduced FSR, lot coverage, and building height
- Feb 12, 2025, as a good working session that allowed the planning rep to provide feedback and direction for additional massing refinements, including adjustments to steps in the massing and approval of the building height. Additional follow-up comments were received on February 13.
- Mar 5, 2025, to review new SRW requirements, setbacks in the front and rear, outdoor spaces, stepped massing, exterior decks and roof treatments

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.

**Staff were satisfied that the building size is being reduced in line with design objectives.**

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- 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:**

**ii. PROVIDING MORE USABLE OUTDOOR SPACE FOR RESIDENTS**

The design team met with planning staff on several occasions to address the useable outdoor space, specifically on:

- Dec 19, 2024, to review possible design strategies to increase space in the rear yard
- Jan 22, 2025, to review massing changes that resulted in reduced lot coverage and increased open site space
- Feb 12, 2025, to review tenant access to space in the rear and access from ground floor units to the yard spaces in the rear and side yard
- Mar 5, 2025, to review the amenity space on upper levels oriented to the center of the building and detailed to avoid overlook to the neighbours' yards





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 Level 4. This space is centrally focused rather than facing out into the neighbourhood and essentially doubles the amount of outdoor amenity space available to the tenants. 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.

**Staff were satisfied that more usable outdoor space is being provided for residents.**

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- 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:

iii. PROVIDING MORE TREES AND LANDSCAPING

The design team met with staff on several occasions to address the trees and landscaping, specifically on:

- Jan 22, 2025, to review general design changes that would allow more green space for trees and landscaping
- Jan 31, 2025, to address size and location of replacement trees, tree protection and landscape in the yards and SRW

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.

**Staff were satisfied that more trees and landscaping is being provided for residents.**

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iv. IMPROVING THE RELATIONSHIP TO THE PUBLIC SRW

The design team met with planning staff on several occasions to address the building frontage and relationship to the SRW, specifically on:





- Jan 22, 2025, to review massing changes that resulted in a relocated bike room and new Level 1 units facing the street, as well as new parking and landscape layouts
- Jan 31, 2025, to review site access, pathways and landscape at the front of the building, as well as landscape in the SRW
- Feb 12, 2025, to review PMT location, site services, driveways, visitor bike parking and access to the bike room, as well as adding windows to the lower levels to add visibility from the lower suites out to the street
- Mar 5, 2025, to review the reduced SRW requirements, front yard setbacks and the alignment of the building face with neighbouring houses

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.

**Staff were satisfied that the design revisions offered an improved relationship to the public SRW.**

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:

v. IMPROVING THE MASSING TRANSITION TO SURROUNDING RESIDENTIAL BUILDINGS

The design team met with planning staff on several occasions to address the massing and transition to neighbouring buildings, specifically on:

- Dec 19, 2024, to review possible design strategies to reduce the building size
- Jan 22, 2025, to review massing changes that resulted in reduced FSR, lot coverage, and building height
- Feb 12, 2025, as a good working session that included adjustments to steps in the massing and planning approval of the new building height as it related to the neighbours across the street. Additional follow-up comments were received on February 13.
- Mar 5, 2025, to review setbacks in the front and rear, outdoor spaces, roof forms with dormer windows and stepped massing directly relating to neighbouring 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.

**Planning Department representatives commented that these design changes improved the massing transition to the surrounding residential buildings.**



**ITEM 2.)**

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**vi. REDUCING IMPACTS ON ADJACENT PROPERTIES**

As noted previously, the design team met with planning staff on several occasions and addressed the impacts to adjacent properties, specifically on:

- Dec 19, 2024, to review possible design strategies to reduce the overall building size
- Jan 22, 2025, to review massing changes that resulted in reduced FSR, lot coverage, and building height
- Jan 31, 2025, to address size and location of replacement trees, tree protection and landscape in the yards and SRW
- Feb 12, 2025, as a working session that increased the rear yard setback and adjusted steps in the massing. Additional follow-up comments were received on February 13.
- Mar 5, 2025, to review setbacks in the front and rear, outdoor spaces, roof forms with dormer windows and stepped massing directly relating to neighbouring buildings,

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 provides 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.

**Planning staff acknowledged the design changes that would reduce the impacts on the adjacent properties.**

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

The design team met with planning staff soon after the COTW meetign to show a new strategy to avoid external staircases, specifically on:

- Jan 22, 2025, to review massing changes that included a single exit stair strategy





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.

**Planning staff acknowledged the removal of exterior staircases.**

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. A summary of our working sessions follows below and includes agreements, directions and resolutions that came from each.

## **OUR WORK WITH STAFF**

We set out to work with your staff right away and had our first meeting with the Planning Department representative a week after the COTW meeting. The following summaries can be verified from meeting notes and follow-up email correspondence.

In our first meeting with staff after the COTW on December 19th, there was an agreement to reduce the building height by reducing floor-to-floor heights and lowering the ground floor a few feet below grade. The building massing would remain similar to the existing design, but with a proposed 10% reduction in the overall size.

On January 22, we met with representatives of the Planning Department, Parks Department, Engineering and Public Works and the Transportation Department to review progress toward goals set in our December meeting and the COTW resolutions pertaining to changes in the proposed design (Items 2.a, b, c.i, c.ii, c.iii, c.iv, c.v, c.vi, c.vii)

In this meeting, we discussed a development of the design that showed:

- A reduction of the FSR from 1.9 to ~1.7
- A reduction in lot coverage
- An increase in open site space
- Removal of exterior stairs and balconies on the back and sides of the building
- Similar or slightly more rentable space due to use of a single-stair exit model now available in the BC Building Code
- Additional exterior amenity space for residents is inwardly focused on the upper levels (to avoid overlooking into neighbouring yards), and additional amenity space in the rear yard
- The total building height reduced from 19m to 13m by removing the peaked roof and moving to a mansard roof style
- Additionally, 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.” was met.

We, together with your staff, agreed that this design direction looked promising as a means to meet all the requirements of the COTW resolution.

Following this meeting, we had additional meetings with representatives of the Parks Department the following week on January 31st. Representatives from the Planning Department were unable to attend. During this meeting, we reviewed the design changes that were implemented to meet resolution 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.”

To this end, it was agreed that the proposal would be revised to include:

- 3 medium trees in the rear yard, with more space due to increased rear yard setbacks (tree types and species were also discussed)
- Acknowledgment of an additional protected neighbouring tree to be shown on the site plan
- A suitable 4m separation from the existing trees to the south
- consideration for any protected trees north of our site that may be impacted from the access to the lower floor (there were none)
- No planting in the SRW, other than the street tree
- Discover and show root zones of neighbouring protected trees extending onto our property

On February 12 we met again with representatives from the Planning Department, Parks Department and Engineering Department. Updated plans were discussed and input from staff was noted as follows:

- Everyone liked all the greenspace in the SRW
- The location of the PMT looked good
- A porch shown on previous iterations was removed without objection
- The slopes presented in the driveway needed to stay out of the SRW (building has to be raised slightly to accommodate this)
- Make the temporary bike parking and front door more visible from the street
- The water vault should be in the pedestrian walkway rather than the driveway

Additionally, we had input from the Planning Department related to the DPA 16 Design Guidelines and suggested improvements to the massing:

- The rear setbacks should be larger than the sideyard setbacks. Sideyard setbacks could be similar to the neighbouring buildings. To this end, the Planning Department representative suggested increasing the rear yard by pushing the massing toward the street and accommodating the lost rental area by moving the massing closer to the south property line
- The reduced massing on the south side (as the building steps down toward the neighbour) is good, and we should extend that massing element further into the rear yard to make up for lost rental area in the smaller building
- Ground floor units (garden suites) would be a welcome addition as long as we could maintain typical window heights
- The change to the mansard roof lowered the building height substantially and was an effective way to keep the building height closer to the buildings across the street
- Add windows to the first floor in front of the cars to avoid blank walls facing the street

Following this meeting, the Planning Department representative offered comments suggesting that the building focus on windows and decks facing the front and rear of the building, with exterior areas for residents in the rear yard. He also offered design guidelines from the Design Guidelines for: Multi-Unit Residential and Commercial and Institutions, that related to the windows at the front of the building, the prominence of the entry area with deep alcoves and forecourts to transition to the public realm.





We met with the Planning Department representative again on March 5th to discuss new City requirements and the development of the design according to the guidance from the City's staff. Of note:

- The SRW was reduced to only 2.91m.
- The Planning Department representative agreed that the position of the building could remain as it was, with a good balance of the front yard position with the rear yard setback.
- The Planning Department representative liked the treatment of the building's street-facing facade, including the covered entryway with guest bike parking.
- The Planning Department representative liked the strategy to eliminate balconies from the north side and to keep exterior decks central in the building to avoid overlook into the neighbours' rear yards.
- The Planning Department representative liked the use of the rear yard; shared between yard space for all tenants and private yard space for ground floor units.
- The Planning Department representative agreed that the rear yard setback was acceptable at 5.5-6.0m, as it was greatly increased and much closer to a desired 8m setback.
- The Planning Department representative was OK with the stepped massing of the building to the south, aligned with the roof of the neighbouring building.
- The Planning Department representative found the mansard roof, the window detailing and the general form and character of the building acceptable.

We also discussed neighbouring properties on the block with similar-sized backyards and these were acknowledged by the Planning Department rep. We discussed the detailing of the guards for the exterior amenity spaces to prevent overlook concerns with the neighbours, with the larger exterior areas centrally focused on the upper floors. And we discussed setbacks from the existing trees to the south to our foundations.

Our revised presentation to the Committee Of The Whole was submitted in mid-April this spring after four months of work with your staff to revise the proposal based on their input and recommendations. The City of Victoria's Official Community Plan (OCP) has envisioned developments of this scale, for this purpose and in this area. Our work with representatives of your Planning, Parks and Engineering Departments ensured that we had met the needs of the City according the principles set out in the OCP.





The revised proposal meets all requirements in the COTW meeting resolution. This submission has been reviewed by staff and has since incorporated their feedback where possible. The following points identify review comments, their context and how they are addressed.

### ZONING PLAN CHECK COMMENTS

There were seven comments related to dimensions and notations on the drawings from the Zoning Plan Check. None of these items required any change to the project, and the drawings have been updated for clarity. The Planning Department has received a bubbled set of drawings highlighting each area that was updated as requested.

### DEVELOPMENT SERVICES COMMENTS

The comments from the Planning Department were separated into two categories: relating to the rezoning application and to the design guidelines in Development Permit Area 16: General Form and Character. We can speak to these comments accordingly:

#### Development Services Comments - Rezoning

We appreciate the acknowledgment that our proposal meets the objectives and vision set out in the Official Community Plan.

We are proposing a development with 8 one-bedroom units, 3 one-bedroom+den units, 2 two-bedroom+den units and 2 three-bedroom units, for a total of 15 new homes. These are proposed as secured rental units.

#### Development Services Comments - Development Permit Area 16: General Form and Character

We see that the Planning Department have suggested a smaller development, even though the building has already been reduced in size with their guidance. This comment suggests the Planning Department would like to reduce the housing provided by this development, contrary to the objectives of the OCP and the direction of Council.

The Planning Department is incorrectly interpreting language in the DPA 16 Design Guidelines as restrictions to suggest that the objectives set out in the OCP cannot be met in this neighbourhood. The Design Guidelines are not restrictive; they do not provide setbacks or height requirements, nor do they limit the size of development. They are guidelines only, and as such can be interpreted in a way to guide developments that are sized and programmed in accordance with the objectives set out in the OCP.

This is a fundamental error of the Planning Department and this misinterpretation of the Design Guidelines as zoning restrictions is the sole strategy being used to object to this project. All requirements are being met and have been reviewed and revised based on input from the Planning Department.

We can respond to specific comments from the Planning Department as follows:

- The location of balconies is not required in any particular area, but has been revised with input from the Planning Department to keep large amenity space either in the back yard, or centrally focused on the upper floors. **This has been proposed with Planning Department input, to reduce the impact on neighbouring properties, per COTW motion 2.c.ii, 2.c.vi, and as item 7 requests.**
- The rear yard has been increased in size to be more in keeping with the rear yards of other properties on the block and surrounding blocks, as agreed with the Planning Department. **The Planning Department is aware that any additional setbacks in the rear yard will amount to a further reduction in housing.**





- The relationship to the front of the property and SRW was developed with the Planning Department, including the location of the building and the alignment with the neighbouring properties. **Suggestions that the building could be pushed back are contrary to the direction given from the Planning Department, counter to the objectives of aligning the building on the street and disregard requirements of the Planning, Transportation and Engineering Building and Fire Departments.** The entry is prominent and provides a covered alcove as requested to support the department's needs. The Planning Department is also aware (and it can be seen in the submitted drawings) that the mechanical room is located below grade, and does not compromise or affect in anyway, the relationship of the building to the street.
- This development does provide a transition in its form and massing to lower density buildings, where it is possible to do so, and was developed with direct input from the Planning Department. Representative. **Suggestions to return the proposal to a peaked roof form (already rejected from two previous proposals) run counter to many items set out by the COTW resolution and ignore the months of work with the Planning Department to develop the current proposal.**
- The Planning Department also noted that the project must be compatible with established areas through design that is unifying, sensitive and innovative. This project should provide coherence in relation to place character, and patterns of development through the use of appropriate massing, building articulation, features and materials. **These are guidelines to be applied to projects that meet the OCP objectives, which in this particular location, include buildings up to 6 stories with an FSR of up to 2.0.** These guidelines cannot limit a proposed development, but are set out to guide the character of a project that does. The proposal is addressing all these items:
  - with a mansard roof form and dormer windows
  - deck areas removed from roof massing
  - ground floor (or basement) access from the rear, with material transitions at the main floor, and at similar elevations to neighbouring buildings
  - detailing at the windows, eaves, trims and roof edges
  - materials used for roofing, siding, foundations, and hardscape

**The project has been revised to meet these guidelines already, and with specific direction from the Planning Department**

## LAND DEVELOPMENT COMMENTS

There was only one comment relating to the proposed design:

1. That the PMT counterpoise be located on the developing lands and not in the SRW.

The civil site plan was adjusted to show the counterpoise in the correct location

The other two comments related to the confirmation of the SRW and the TDM measures to be implemented.

## TRANSPORTATION COMMENTS

There were three comments from Transportation:

1. That the SRW become a condition of the rezoning, to which there is no objection
2. That long-term bike stalls are illustrated with racks to ensure they are not mistaken for lockers.

This is not a change to the design but a request to modify the illustration. Drawings will be shown with racks in all future plans as requested.





3. That the requested TDM measures are met, to which there is no objection, with the exception of the dog wash station. The reduced building size cannot accommodate the proposed number of bikes with a dedicated area for dog washing. Fine-tuning of the floor plans will continue before the Building Permit submission, and may be provided with further review of other service spaces.

### UNDERGROUND UTILITIES COMMENTS

There were two comments from Underground Utilities that need to be addressed prior to the COTW;

1. That the water service vault be moved to a new location outside of the driveway.

This location was chosen with representatives from the Engineering Dept and Parks Dept back in January, and cannot be moved north of the driveway due to the underground servicing required of the PMT, which was also agreed to in January. However, recent conversations with a representative from Engineering on June 5th have pointed to a new location at the south edge of the driveway, but north of the street tree location.

2. That sanitary and storm drain services be adjusted in our plans.

This has been completed

### STORMWATER MANAGEMENT COMMENTS

Stormwater comments were not completed, as revisions to the service locations were expected to change the design. They did not.

### PARKS DEPARTMENT COMMENTS

These comments were restricted to two points to be addressed prior to the COTW resubmission:

1. Adjustments to the irrigation system design so that irrigation within the SRW originates from our property.

This has been resolved and updated on the drawings

2. That the water service location should be moved north of the driveway.

This location was chosen with representatives from the Engineering Dept and Parks Dept back in January, and cannot be moved north of the driveway due to the underground servicing required of the PMT, which was also agreed to in January. However, recent conversations with a representative from Engineering on June 5th have pointed to a new location at the south edge of the driveway, but north of the street tree location.

There were no other comments from the Parks Department to be addressed prior to the Building Permit submission, as all requirements have been met.

### BUILDING DEPARTMENT COMMENTS

The Building Department had 3 comments:

1. To provide scaled plans.





June 12, 2025

The drawings are always scaled and have been shown with clear grid dimensions. Scale labels can be added, but staff must know not to scale drawings manually, as distortions may occur with the printing of digital files.

2. Review code sections 3.3.4.7 and 9.8 for the heights of windows on the top floor.

These code sections have been reviewed and are not relevant to the windows on the top floor. Should the window design be modified to include operable panes or other hazards, guards will be implemented as required.

3. Demonstrate compliance to 3.2.5.4, 3.2.5.5, 3.2.5.6, and 3.2.5.15 of the BCBC for Fire Department Access.

This building will be sprinklered, so requirements of 3.2.5.4 will be met without any changes or additional access routes shown. Section 3.2.5.5 relates to access routes to the building and is demonstrated on our site plan and ground floor plan. The nearest fire hydrant is across the street at the corner of Government and Battery Street and shown on the civil drawings. Section 3.2.5.6 relates to Access Route Design, which would be the city streets. Both Government Street and Battery Street appear to meet these requirements; however, this applicant cannot speak to the details of the city streets. It is assumed that the requirements are met and that the neighbourhood of James Bay is safely served within these existing conditions. Clearly, the existing array of fire hydrants in the neighbourhood would suggest that this area can be accessed by Fire Department vehicles. Every area on this property is within 45m of a hydrant, and therefore, the location of the fire department connection will be in compliance with 3.2.5.15.

#### **FIRE DEPARTMENT COMMENTS**

There were no Fire Department comments to be addressed prior to the next COTW meeting.

#### **SUMMARY**

This proposal meets the overall objectives of the City and the Province and improves the housing available in the neighbourhood. It increases the diversity of the housing stock available in the James Bay area while respecting the scale and character of the neighbourhood. It is a forward-thinking project dedicated to car-free families and built to reduce the energy needs of our homes. This project represents the very type of development our city needs to encourage to meet our climate action goals and gently increase the density in our existing neighbourhoods.

Respectfully,

Will King, Architect AIBC, MRAIC. LEEP AP

