



Application Review Summary

For: 1041 Oliphant Avenue and
212, 214 & 220 Cook Street

Meeting Date: Wednesday, February 11, 2015

Application: Rezoning Application #00472 and
Development Permit #000402

To: Peter de Hoog
de Hoog & Kierulf Architects
977 Fort Street
Victoria BC V8V 3K3

Email: pdh@dhk.ca

City of Victoria staff have completed the technical review of your application with respect to the relevant land use policies, technical requirements and regulations. These comments are provided to the person named as applicant. It is your responsibility to provide these comments to the owner or consultant.

The application as submitted complies with the OCP as it relates to land use policies relevant to the property. However, revisions are required for consistency with guidelines.

To successfully complete this application you must address all the requirements listed below. Other items are provided for the applicant's information at this time. Items listed under "Conditions to be met prior to Public Hearing" can be addressed now, or at minimum, before a Public Hearing date will be scheduled.

The Plan Check for this proposal is provided in a separate attachment. The Plan Check provides the technical analysis of the project data for compliance with the *Zoning Regulation Bylaw*.

REVISED SUBMISSION REQUIREMENTS:

If changes to your plans are required as a result of this Application Review Summary or the Plan Check, you are required to submit revised plans. So that your application can be processed as efficiently as possible, please submit all changes at one time.

Written material

A list describing changes that have been made to the previous set of plans, and relate the list to the 'bubbled' drawings preferably by a numerical reference (bubbles indicate where changes have been made to the previously submitted plans). This should be accompanied by a letter itemizing how you addressed each of the requirements listed under the headings "Conditions to be met prior to Planning & Land Use Committee".

Plans

The following number of plans is required for a resubmission:

- 2 bubbled sets 8 ½" x 11"
- 1 bubbled set 11" x 17"
- 5 sets full size (minimum 24" x 36") – bubbled – that incorporate the changes
- 1 set full size (minimum 24" x 36") – not bubbled – that incorporate the changes
- 1 set 11" x 17" – not bubbled – that incorporates the changes
- 1 set 8 ½" x 11" – not bubbled – that incorporates the changes

Sign Posting

It is your responsibility to check with Planning Support staff at (250) 361-0212 further information on any sign posting requirements.

Note: If your application involves landscaping to satisfy Development Permit requirements, an estimate for the landscape will be required prior to the issuance of the development permit and the landscape security deposit will be required at the time of Building Permit application.

Further note: A housing agreement, restrictive covenant, master development agreement or right-of-way requirements may apply to this development. If this is the case, then the applicant is advised to secure the services of the necessary professionals (lawyer, surveyor, engineer) as early on in the process as possible to ensure timely processing of this application.

Development Services Division Comments:

Area Planner: Charlotte Wain, Telephone: (250) 361-0340

General Comments:

- The OCP Urban Place Designation is Large Urban Village which provides a base density of 1.5:1 FSR and maximum density of 2.5:1 FSR. Should Planning and Land Use Committee advance this application, staff will recommend a land lift analysis to justify the increase in density above the base density. This will be paid for by the applicant with the consultant agreed to and reporting to the City. It is the applicant's choice to complete the land lift analysis prior to the applicant proceeding to PLUC or obtain further direction from PLUC.
- Should the application result in significant changes, it would be advisable to hold another Community Association Land Use Committee (CALUC) meeting, with consideration of a wider consultation radius of 200m.
- The application may proceed to the Advisory Design Panel after the PLUC meeting.

Conditions to be met prior to the Planning and Land Use Committee:

- The relationship with the single family dwelling to the West is important and the proposal must respond to this context as well as the context along Cook Street. Please consider reducing the overall building height to improve this relationship.
- Please consider stepping back the upper storeys to help improve the building's relationship to the street and to mitigate shading.
- Please consider introducing additional public open space or opportunities for outdoor seating at the corner of Oliphant Avenue through an increased setback or splayed corner.
- Please consider opportunities for sidewalk cafés along Cook Street.
- The building will be a major landmark for Cook Street Village. Further consideration should be given to the corner treatment of the building, both from the south elevation and the intersection of Cook and Oliphant Streets.
- Please consider increasing/enhancing landscaping at the rear of the property to enhance the buffer with the properties to the west.
- Please clarify/correct the number of bike parking stalls to be provided to ensure compliance with Schedule C of the *Zoning Regulation Bylaw*.
- Please provide a material board.
- Please provide a more detailed street context elevation to demonstrate how the proposal fits in with the neighbourhood.

- It is unclear from the 3D render if the intention is to remove the overhead powerlines along Cook Street. If not, please be clear in your letter to Mayor and Council that this is not part of the proposal and adjust the 3D render accordingly.
- **NOTE:** The Plan Check for the proposal has a number of outstanding issues/ missing/ or incorrect information. Please ensure that your resubmission addresses these items. If you need clarification on any of the items contained in the Plan Check, please contact the Zoning Administration staff as noted on the Plan Check.
- Updated letter to Mayor and Council providing more details on the proposal, with specific emphasis on how the application is advancing OCP objectives. This will be an important rationale for the proposed increase in density and should be enhanced in the letter. More detail should also be given on how comments raised at December 15 Community Meeting have been addressed.

Engineering and Public Works Department Comments:

Contact: Jeff Mitton, Telephone: (250) 361-0298

The Engineering review for the above application is complete. Please provide plan revisions or additional information to address the following required items:

Revisions Required Prior to Planning and Land Use Committee:

- **Jan 29, 2015 – TRANSPORTATION** - Please describe how garbage, organics, and recycling will be removed from the property. Bins are not permitted to be placed on the city right-of-way for any period of time.
- A minimum of a 2.0m sidewalk will be required adjacent the property line on the Cook Street frontage.
- Please ensure a 3.0m x 3.0m sight triangle is provided at the south east corner of the lane and Oliphant Avenue to provide for intervisibility between westbound pedestrians on the sidewalk and motorists entering Oliphant Ave.
- The applicant needs to provide data and rationale that supports the request to vary the required number of parking stalls. Details of what data is required may be obtained by contacting the Transportation Section (250 361-0338).
- The existing laneway is 3.0m in width. The City's standard cross section for a lane is 6.0m. To achieve this width, typically, a Statutory Right-of-Way (SRW) of 1.5m adjacent the rear lane would be requested as a condition of development of these properties. However, as two-way capacity is required to service this development as a result of the proposed density and no development is anticipated on the opposite side of the lane a 3.0m SRW is requested. Unfortunately, the January 2015 proposal for the lane will result in trespassing on the 1.5m eastern portion of the proposed lane. Staff will recommend Council make the registration of a 3.0m SRW a condition of rezoning to avoid this situation. The developments underground parkade can continue to extend to the existing property line provided it can support appropriate loading in the laneway.

Required Prior to Public Hearing

- **Jan 23, 2015 – UNDERGROUND** – A change in zoning may allow for changes in permitted use and density resulting in increased sewage flow rates. The City's sanitary sewer system may not, at present, be sufficient to accommodate the increased flow rates. If the anticipated peak flow rate produced by the new development is greater than the estimated peak flow rate of sewage that would normally be generated by permitted development under the existing zoning regulation, then attenuation of flows will be required. A report prepared by a qualified Engineer comparing pre and post development sewage flow rates shall be submitted to the Engineering Department. The report is to

include measures that the developer intends to take to attenuate the sewage if required. Please contact Carla Coghlan at 250 361 0530 if you require further information.

Additional Information for the Applicant (Plan revisions are not required for these items:

- **Jan 29, 2015 – TRANSPORTATION** – For Building Permit (BP), design and construction of the lane must be to City of Victoria standards. These standards include curbing. Please see the Subdivision and Site Servicing Bylaw for more information.
- If parking area exceeds 10 spaces, storm water treatment is required under Bylaw 14-071 Schedule H: Code of Practice for Automotive and Parking Lot Operations. Business or strata occupier to register under Schedule H at occupancy. Marcin Jedynak to contact at a later date.
- **Feb 11, 2015 – LAND DEVELOPMENT** – Information: The proposed development includes an underground parking structure. If the excavation requires anchor-pinning into the City right-of-way during the excavation process, City council approval to authorize an encroachment agreement is required. This would be legally secured with terms to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

Parks Division Comments:

Contact: Brooke Daitl, Telephone: (250) 361-0614

Conditions to be met prior to the Planning and Land Use Committee:

- An arborist report is required, conducted by an ISA Certified Arborist, to determine the impacts of the proposal on municipal and privately owned trees. The report is to detail the construction impacts of the proposal, including excavation of the underground parkade and proposed encroachment into the laneway. The report is to provide the construction impact mitigation measures that will successfully retain the trees for the long term.
- The Chestnut trees along the Cook Street frontage are to be retained. The Purple Plum and the mature Cherry tree on the Oliphant front may be removed, if necessary. There are several trees along the laneway, opposite of the proposed development that may also be impacted. Any impacts on these trees will need to be discussed with the associated Property Owners. Other tree of interest is the Walnut tree on 216 Cook St.
- As there is commercial space on the bottom floor, it is recommended that if there is potential for an outdoor café or display area, that this be incorporated into the private property. Parks is not in favour of providing any additional hardscape on the right-of-way. Parks wishes to maintain the form and character of Cook Street Village as large trees and wide boulevards.

Permits and Inspections Division Comments:

Contact: Ryan Morhart, Telephone: (250) 361-0344 Ext. 1

- Exiting issues have been noted.
 - Since stair #2 opens into a lobby the travel distance cannot exceed 15m.
 - Exit Stair #3 needs to be continuous and protected to the outside of the building (perimeter of the footprint).
 - An exit cannot open onto a point within the building.
 - Please review Retail Area E and A as they are over 200sq/m and will require 2 means of egress. Since the second will likely be an exterior door, you will want to address this as exterior changes further in the process will cause issues with planning approvals. This isn't a code concern as there is lots of opportunity to add a second door.

- Where it is possible, include any plans for Signage and canopies as part of the main DP. This isn't necessary but it will save time throughout the process.
- The review of the plans indicates that there are many potential locations where plumbing services could be mirrored on either side of a fire separation. Please consider the challenges this poses in terms of fire separation continuity and the floor space consumed by these separations.
- Glass Guards without a top rail are not permitted. The elevations note that the glass will have an aluminum frame so this concern has been addressed through the detail.

Please contact Ryan Morhart at (250)361.0344 ext. 1 or rmorhart@victoria.ca regarding questions or concerns related to these comments.

Legislative and Regulatory Services:

Contact: Neil Turner, Operations Manager, Telephone: (250) 361-0393

- Please contact Neil Turner to discuss alternative solutions affecting the rear laneway.

Fire Department Comments:

Contact: Stephen Smith, Telephone: (250) 920-3361

- Contact the Fire Department about the weight of trucks to be supported by laneway.

You will be notified by staff if any other requirements of information needs arise.