



Committee of the Whole Report

For the Meeting of August 2, 2018

To: Committee of the Whole **Date:** July 19, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Permit Application No. 000525 for 90 Saghalie Road

RECOMMENDATION

That Council authorize the issuance of Development Permit Application No. 000525 for 90 Saghalie Road, in accordance with:

1. Plans date stamped June 18, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Submission of revised plans detailing the proposed landscaping along the south face of the retaining wall located adjacent to the railway easement, and demonstrating clear delineation and materiality of sidewalks and pedestrian pathways across service entrances, to the satisfaction of the Director of Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official 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.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 90 Saghalie Road. The proposal is for a five-storey senior's building comprised of a mix of independent living units, assisted living units and accessory facilities. The overall proposed density is 1.79:1 floor space ratio.

The following points were considered in assessing this application:

- the proposal is generally consistent with the applicable Design Guidelines; however, the building is not terraced back from Kimta Road and Tyee Road as described in the *Songhees Hillside Urban Design Guidelines*

- the proposal is consistent with *Victoria West Neighbourhood Plan* (2018)
- no variances to the *Zoning Regulation Bylaw* are proposed.

BACKGROUND

Description of Proposal

The proposal is for a five-storey senior's living facility comprised of independent living units, assisted living units and accessory facilities. The overall proposed density is 1.79:1 floor space ratio.

The proposal includes the following major design components:

- a loading area and underground parking are accessed via a service road from Tyee Road
- a covered area dedicated for vehicular drop-off / pick-up at the main building entrance
- residential units with direct access to Tyee Road and the internal service road
- a public walkway providing a connection through the site between Tyee Road and Saghalie Road
- large shared exterior patios to the north and south of the building
- secure bicycle and scooter parking located in the underground parking area
- a green roof.

Exterior building materials include:

- stone (grey) for the building base
- extensive glazing with aluminium framing
- longboard siding and charcoal grey metal panels as exterior finishing materials above the building base
- clear glass balcony railings
- painted concrete finish for columns and balcony bases
- longboard and wood finishes around shared patio areas including proposed patio roof space.

Landscaping elements include:

- numerous patio spaces, including on the rooftop which includes greenhouses and plots for growing food
- decorative paving used in ground-floor shared patio areas
- water feature to the north of the building adjacent to public walkway
- approximately 74 new trees proposed, predominantly located around the site perimeter.

Sustainability Features

As indicated in the applicant's letter dated February 6, 2018, the applicant is proposing the following sustainability features:

- heat recovering ventilators
- high efficiency condensing boilers
- high-performance glazing
- energy efficient lighting design
- high-efficiency air-source heat pump
- low-flow plumbing fixtures
- amenity space, including opportunities for urban agriculture, provided on the roof deck.

In addition, the application states that the building orientation is favourable for passive heating and cooling strategies and that the project will be meeting Step 1 of the BC Energy Step Code (NECB 2011).

Active Transportation Impacts

The application proposes the following features which support active transportation:

- secure bicycle storage for 69 bicycles
- eight visitor bicycle parking spaces near the main building entrance
- a secure storage facility for scooters.

Public Realm Improvements

As required by the Bayview Master Development Agreement (MDA), a public walkway is proposed providing a connection through the site between Tyee Road and Saghalie Road. A blanket Statutory Right-of-Way (SRW) is currently registered on title which requires that, upon completion of the proposed footpath, a specific SRW will be registered on title.

Accessibility Impact Statement

While the British Columbia Building Code regulates accessibility as it pertains to buildings, as the application proposes a facility to accommodate seniors and includes an assisted living component, the building has been designed to meet the accessibility needs of the residents (i.e. wider corridors, wider doorways to residential units etc.). As outlined above, the development also includes a scooter storage facility.

Existing Site Development and Development Potential

The site is located within Development Area 3-B of the SSR Zone, Saghalie Road District and is currently vacant.

Under the current SSR Zone, Development Area 3-B, it could be developed at a density of 1.79 Floor Space Ratio (FSR), subject to the provision of specific community amenities and with the uses being proposed. The required community amenities are summarized as follows:

- a minimum of 75% of the total floor area of the building to be used exclusively for “seniors’ housing – assisted living” and “seniors’ housing – independent living” use
- a minimum of 19% of the total floor area of the building to accommodate accessory facilities for use by the occupants of the building
- compliance with an existing Housing Agreement that outlines further requirements relating to the use of the building for seniors’ housing
- a monetary contribution of \$148,828.59 to be divided equally between the Parks and Greenways Acquisition Fund and the Victoria Housing Fund.

If the aforementioned community amenities are not provided, then the maximum permitted density is 0.72:1 FSR. The proposal includes the provision of the amenities noted above; therefore, the maximum density of 1.79:1 FSR is permitted.

Data Table

The following data table compares the proposal with the existing SSR Zone, Saghalie Road District. No variances to the *Zoning Regulation Bylaw* are proposed.

Zoning Criteria	Proposal	SSR Zone
Site area (m ²) - minimum	7944	7944
Density (Floor Space Ratio) – maximum Maximum density is subject to the provision of community amenities	1.79:1	1.79:1
Height (m) - maximum	16.8	17
Storeys - maximum	5	5
Site coverage % - maximum	49	50
Open site space % - minimum	41	40
Street wall (m) – maximum	35.7	39
Setbacks (m) – minimum:		
Front	11	10
Rear	3	3
Side (north)	5.1	3
Side (south)	3.1	3
Parking – minimum	97	75
Visitor Parking - minimum	18	8
Bicycle parking stalls – minimum		
Class 1	70	Existing Schedule C – 24 Proposed Schedule C – 69
Class 2	8	Existing Schedule C – 6 Proposed Schedule C – 8

Relevant History

On October 24, 2013, Council approved a Rezoning Application to rezone the subject property and subdivide what was referred to as Bayview Lot 4, creating a Development Area 3-A and 3-B. The application proposed Senior's housing on Development Area 3-B and an increase in the permitted density.

At the time of the Rezoning Application, illustrative plans were submitted indicating a building with a height of 15.6m; however, the site zoning, as it existed at that time, already allowed a

maximum building height of 17m at this location and the applicant sought to retain this height allowance to allow for flexibility in the final building design.

In addition, during the review of the Rezoning Application, it was established that due to site constraints, a road to service both Development Area 3-A and 3-B would be required parallel to the adjacent railway easement along the southern edge of the site.

Concurrent with the Rezoning Application, a Housing Agreement was executed requiring that, amongst other things, in the event that a development exceeds a density of 0.72:1 FSR, then all of the dwelling units must be used only as senior's housing (assisted living or independent living units).

Community Consultation

As the application does not propose variances it has not been referred to the Victoria West CALUC for comments; however, a number of correspondence (attached) have been received from residents of the adjacent building located at 100 Saghalie Road (Bayview One). The applicant has provided a response to the concerns raised from neighbours in their letter dated June 18, 2018, and have made some revisions to the design of the project based on the comments received. For example, a green roof is proposed to provide a more aesthetically pleasing outlook for neighbours who would have views down over the proposed building.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within Development Permit Area 13: Core Songhees and the following documents were considered in assessing this application:

- *Official Community Plan* (2012)
- *Policy Plan and Design Guidelines for the Songhees Area of Victoria West* (2008)
- *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981)
- *Guidelines for Fences, Gates and Shutters* (2010).

Official Community Plan

The subject site is designated as Core Songhees in the *Official Community Plan* (OCP), which envisions residential and mixed-use buildings from three up to approximately 22 storeys in select locations. In terms of place character features, the OCP envisions buildings that are set close to the street with landscaped setbacks in more residential areas, wide sidewalks and regularly-spaced tree planting. Taller buildings should be concentrated near the centre of the Songhees Peninsula along Esquimalt Road. The OCP also envisions off-street parking located at the rear of buildings or underground.

The objectives of the Core Songhees Development Permit Area designation that are relevant to this proposal are:

- to achieve a high-quality of architecture, landscape and urban design that is unique to the Songhees peninsula and its special places, reflecting its former industrial uses and geographic features
- to acknowledge the geographic context of the Songhees peninsula through building forms that are generally lower near the shoreline and gradually rise in height to correspond with the rise in topography.

Policy Plan and Design Guidelines for the Songhees Area of Victoria West

The *Policy Plan and Design Guidelines for the Songhees Area of Victoria West* (2008) includes the *Songhees Hillside Urban Design Guidelines*, which provide specific guidelines relating to the development of Bayview Place and the subject site. Specific guidelines relate to:

- articulation of the building as viewed from Songhees Road and the intersection of Kimta and Tyee Roads (to the south)
- terracing of the building along the Kimta and Tyee Road frontages
- locating parking primarily underground
- providing a flat roof
- use of building materials
- surface treatments, lighting and signage.

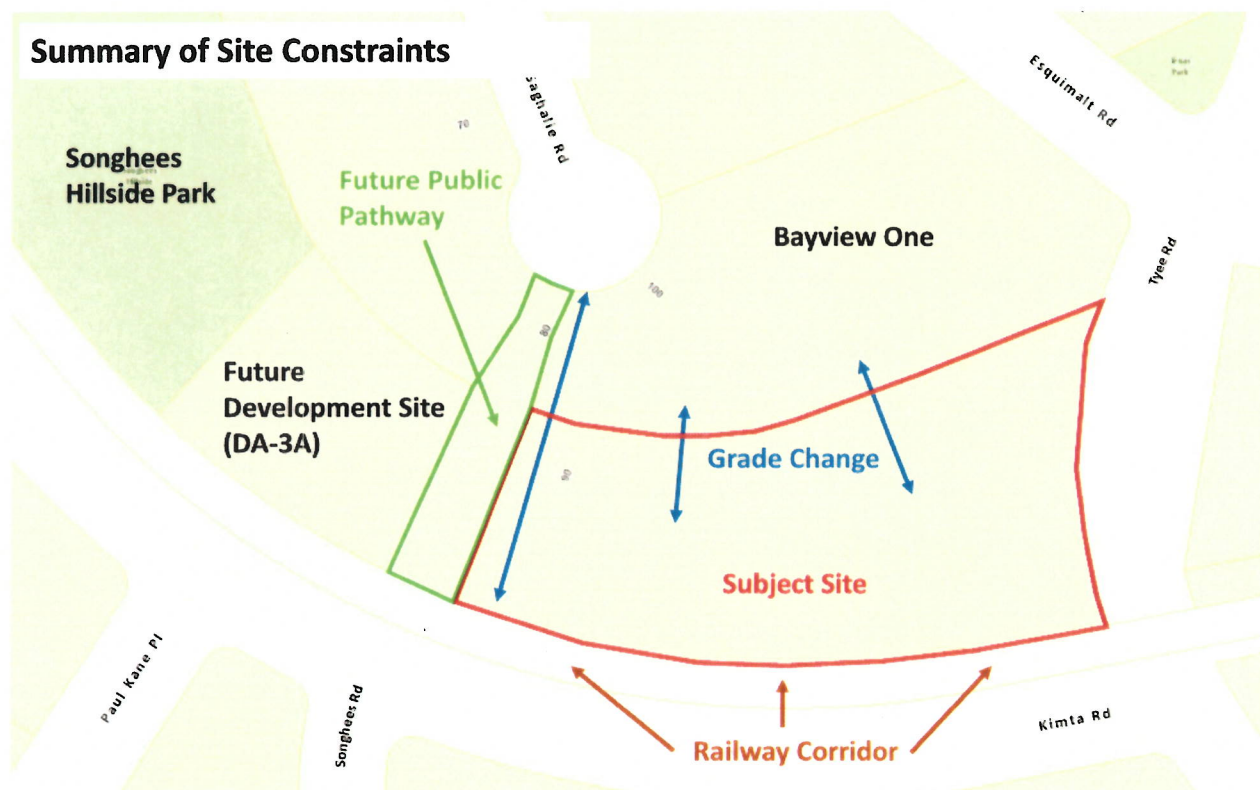
The application is generally consistent with the aforementioned guidelines and proposes a building with a flat roof and underground parking; however, the proposal is not consistent with Design Guidelines that specifically encourage the terracing of the building from Kimta Road and Tyee Road to soften the potential massing of the building. This is discussed further below.

Articulation and Massing of the Building

The application site is long and relatively narrow, running east to west. The narrow nature of the developable area is further exacerbated by the fact that there is no road frontage on Kimta Road and, as such, vehicle and emergency access is provided via a long driveway adjacent to Kimta Road. From a site-planning perspective, this condition is not ideal; however, due to the constraints of the railway corridor and slope of the site, this access road provides entry to parking garages and facilitates the required emergency route. This road is also required to ultimately provide access to Development Area 3A which is located immediately to the west of the subject site. It would not appear feasible to provide an alternative vehicular access to the Development Areas (Development Area 3A or 3B) due to the following constraints:

- a substantial grade change exists from Saghalie Road to the north
- Songhees Hillside Park is situated immediately to the west of the site
- the railway corridor lies immediately to the south
- in addition to grade challenges, the requirement for a pedestrian staircase from Saghalie Road to Kimta Road prevents the service road from being moved to the rear of the proposed building.

The constraints are further summarized on the diagram on page 7 of this report.



As a result of the aforementioned constraints, in order to achieve the permitted density and a functional building form, the applicant has presented a building with a predominantly vertical street wall fronting Kimta Road. This is contrary to the *Songhees Hillside Urban Design Guidelines* which state that, at this location, “buildings should be terraced back a minimum of 2.4m increments along the Kimta and Tyee Road frontages to soften massing impact.” Instead, to minimize the impact of the street wall, the applicant proposes:

- stepping back the upper floor fronting Kimta Road by approximately 1.4m
- stepping back the upper floor fronting Tyee Road by approximately 6.6m
- extensive glazing on the upper storeys
- use of darker colour accent materials and architectural features to visually break-up the lengthy south-facing street wall.

It should be noted that, as part of the review of the aforementioned Rezoning Application (submitted to the City in May, 2011), the illustrative plans submitted by the applicant showed a five-storey building with the upper-floor being set back by 2m only. It was noted that this was contrary to the Design Guidelines and the plans were referred to ADP for review in June 2012. The ADP minutes indicate that no issues were raised in relation to the massing of the building or the length of the street wall at that time, and it was acknowledged that it was an “unusual site to work with.”

Given the characteristics of the site and identified constraints, staff consider that the proposal is supportable as presented; however, opportunities may exist to provide further design enhancements consistent with the Guidelines and the ADP recommendations relating to the south elevation form and massing (see below), and an alternative recommendation is provided should Council wish to seek further revisions. It should be noted that such design changes will potentially make it difficult for the applicant to realize the permitted density allowed under the site zoning and may result in the building being moved closer to the existing buildings being situated to the north of the subject site.

Local Area Plans

The subject site is located in the Victoria West Neighbourhood, and therefore, the *Victoria West Neighbourhood Plan* (2018) is applicable. The proposal is consistent with the Neighbourhood Plan as follows:

- Bayview Place is recognized as part of a Master Planned Area, where development will continue to be guided by existing MDA's, Comprehensive Development Zones and Design Guidelines
- the Neighbourhood Plan anticipates buildings up to five-storeys in height at this location
- a number of development features are identified within the Bayview Place development including senior's housing and a network of pedestrian paths.

Tree Preservation Bylaw and Urban Forest Master Plan

An ISA arborist report (attached) was conducted by Talbot and Mackenzie and Associates on the subject site and there were a total of 19 trees inventoried.

The vacant site is mainly open rock outcrop with native grasses. There are ten Garry Oaks measuring 3-6cm in diameter at Breast Height (DBH) that are within the proposed building envelope and identified for removal.

There are six public Flowering Cherry trees along the Tyee Road boulevard in fair to poor condition. Due to the extent of the development, construction blasting, and re-grading required, these trees along with the existing shrubs and masonry retaining wall are proposed for removal. Six new trees would be installed as part of the frontage improvements.

Advisory Design Panel

The Advisory Design Panel (ADP) reviewed the proposal at the meeting of May 9, 2018. The minutes from the meeting are attached for reference and the following motion was carried:

"That Development Permit with Variance Application No. 000525 for 90 Saghalie Road be approved with the following recommendations:

- *Reconsideration of the south elevation form and massing to be more in-harmony with the site topography, context and the Core Songhees Development Permit guidelines.*
- *Reconsideration of the service entrance design, including materials, screening, and overall impact on the public realm, including future pedestrian linkages.*
- *Applicant to provide additional renderings / views from pedestrian pathways throughout the site.*
- *Consideration of incorporating additional shaded space to the upper patio area."*

In response to the ADP comments, the applicant has made a number of revisions to the project design which are briefly summarized below and explained in more detail in the applicant's letter dated June 18, 2018 (attached):

- introduction of curved building forms to create a better integration between building and the existing context
- a significant architectural frame element has been removed from the building frontage as this was considered to dominate the front elevation and its removal minimizes projections above the main roof line
- revised use of materials at vehicular service entrance to make this element more aesthetically pleasing
- sun shade feature added to patio space on second floor patio.

CONCLUSIONS

Staff consider that the proposal is generally consistent with the recently approved *Victoria West Neighbourhood Plan* and the applicable Design Guidelines, and is supportable as presented. The proposal is also consistent with the Bayview MDA, the existing Housing Agreement, and no variances from the *Zoning Regulation Bylaw* are proposed.

ALTERNATE MOTION 1 (Submission of Revised Plans)

That the proposal be referred back to Committee of the Whole after the applicant has made revisions to the proposed design to terrace the upper storeys of the building and further address site topography, consistent with the applicable Design Guidelines and the objectives of Development Permit Area 3.

ALTERNATE MOTION 2 (Decline)

That Council decline Development Permit Application No. 000525 for the property located at 90 Saghalie Road.

Respectfully submitted,

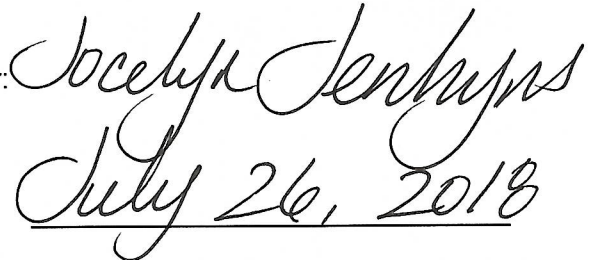


Jim Handy
Senior Planner – Development Agreements
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

July 26, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated June 18, 2018
- Attachment D: Letter from applicant to Mayor and Council dated February 6, 2018
- Attachment E: Minutes from Advisory Design Panel dated May 9, 2018
- Attachment F: Letter from the applicant dated June 18, 2018, in response to Advisory Design Panel Motion and neighbour comments
- Attachment G: Housing Agreement
- Attachment H: Map of Development Areas
- Attachment I: Arborists Report
- Attachment J: Correspondence