



Committee of the Whole Report

For the Meeting of December 6, 2018

To: Committee of the Whole **Date:** November 23, 2018

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Development Permit Application No. 00527 for 324/328 Cook Street and 1044, 1048, 1052/1054 Pendergast Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00634, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00527 for 324/328 Cook Street and 1044, 1048, 1052/1054 Pendergast Street, in accordance with:

1. Receipt of final plans, generally in accordance with the plans date stamped November 23, 2018, with refinement to artwork panels, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. 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.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, 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 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street. The proposal is to construct a four-

storey, mixed-use building with commercial and residential uses.

The following points were considered in assessing this application:

- the proposal is consistent with the objectives and design guidelines for Development Permit Area 5: Large Urban Village and Development Permit Area 16: General Form and Character
- the proposal is generally consistent with the *Suburban Neighbourhood Plan* as it relates to building design.

BACKGROUND

Description of Proposal

The proposal is to construct a four-storey, multi-unit residential building with some ground-floor commercial use.

The proposal includes the following major design components:

- four-storey, mixed-use building
- partial mezzanine above the fourth-storey with access to rooftop patios
- one-level of underground parking accessed via Pendergast Street
- surface parking accessed via an existing driveway off Cook Street
- at-grade bicycle parking room with 33 Class 1 bicycle parking stalls and an underground bicycle parking room with 30 Class 1 stalls
- ground-level commercial uses located at the corner of Cook Street and Pendergast Street
- ground-oriented residential units fronting onto Pendergast Street and at the north side of the building
- articulation of the Cook Street façade to accommodate the canopy of the large Horse Chestnut tree
- decorative metal screens with artwork designed by a local artist
- curvilinear green roof canopy above the commercial units, and at the residential entrance to the building, supported by wood and steel columns.

Exterior building materials include:

- a mix of stone cladding (street frontages), concrete block, cementitious panels and vertical wood panels on the building base
- buff-coloured brick for the second, third and part of the fourth storey on the mixed-use portion of the building
- vertical wood panel siding for the second and third storeys on the residential portion of the building
- grey cementitious panels for the fourth storey and mezzanine
- standing seam metal for the roof and north façade of the mezzanine
- tongue and groove cedar soffits
- glass balconies with metal frames
- aluminium windows
- decorative perforated aluminium panels.

Landscape elements includes:

- retention of street trees along Cook Street
- six new street trees along Pendergast Street

- forty-four new private trees (32 on-site and 12 on adjacent properties)
- removal of two bylaw replacement trees
- thirty-five trees in total proposed for removal (23 on subject site, 7 on adjacent properties and 5 street trees on Pendergast Street)
- rain gardens on private property and within the public boulevard along Pendergast Street to manage storm water
- low seating walls on the Cook Street frontage and within the public realm at the corner of Cook Street and Pendergast Street
- both regular and permeable pavers to match the pavers found on other sites within Cook Street Village
- individual patios and ornamental plantings for the ground level units
- new boulevard shrub beds on Cook Street and Pendergast Street
- three new street parking stalls on Pendergast Street.

Sustainability Features

As indicated in the applicant's letters dated February 27, 2018, and May 9, 2018, the following sustainability measures are proposed:

- new trees selected to contribute to the biodiversity and habitat value of the urban forest
- rain gardens and rain planters to manage and clean storm water
- high-efficiency irrigation system and drought tolerant native plants.

Advisory Design Panel

The application was referred to the Advisory Design Panel (ADP) on June 27, 2018. The Panel was asked to comment on the overall building and landscape design with particular attention to the following aspects of the proposal:

- building massing, articulation and overall fit with Cook Street Village
- corner treatment and pedestrian facilities.

The ADP meeting minutes are attached for reference, and the following motion was carried:

"... recommend to Council that Development Permit Application No. 00527 for 324/328 Cook Street and 1044, 1048 and 1052/1054 Pendergast Street be approved as presented."

Following the ADP meeting, the applicant has continued to revise the design of the artwork panels to ensure a cohesiveness between the architecture of the building and the artwork elements. The applicant has provided a concept plan for the artwork panels (attached); however, the design has not yet been finalized. Given that the artwork forms a distinctive component of the building's overall character, the recommended motion includes the appropriate language to ensure the design is completed to staff's satisfaction prior to issuance of the development permit.

ANALYSIS

Development Permit Area and Design Guidelines

There are two urban place designations and two development permit areas that apply to the subject site in the *Official Community Plan, 2012* (OCP).

324/328 Cook Street

The property located at 324/328 Cook Street is designated as Large Urban Village, which envisions place character features such as building façades that define the street, wide sidewalks and regularly spaced street trees. Off-street parking is envisioned underground, at the rear of buildings, or otherwise screened from public view.

324/328 Cook Street is within Development Permit Area 5: Large Urban Village. The OCP identifies Cook Street Village as a commercial node that services nearby residents, as well as, visitors from outside the neighbourhood. The large canopy Horse Chestnut trees are recognized in the Plan as contributing to the unique sense of place and character of Cook Street Village.

The objectives of this DPA are to revitalize areas of commercial use into complete Large Urban Villages through human-scaled design of buildings to increase vibrancy and strengthen commercial viability. Ensuring high-quality architecture, landscape and urban design is also an important objective of this DPA. Buildings are encouraged to have three-storey to five-storey facades that define the street wall with shop windows, and building entrances oriented to face the street. The proposal is consistent with these objectives.

Design guidelines that apply to DPA 5 are:

- *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981)
- *Guidelines for Fences, Gates and Shutters* (2010)
- *Cook Street Village Guidelines* (2003).

1044, 1048 and 1052/1054 Pendergast Street

The properties located at 1044, 1048 and 1052/1054 Pendergast Street are designated as Urban Residential in the OCP, which envisions variable setbacks with doors oriented to the street, and front yard landscaping, boulevards and street trees. Off-street parking is also envisioned in the rear yard or underground.

1044, 1048 and 1052/1054 Pendergast Street are within Development Permit Area 16: General Form and Character. The objectives of this DPA are to integrate new buildings in a manner that compliments and enhances the established place character of an area through high-quality architecture, landscape and urban design. Other objectives include providing sensitive transitions to adjacent properties with built form, that is often three-storeys or lower, and to achieve more livable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, and safety and accessibility. The proposal is also consistent with these objectives.

Design Guidelines for Development Permit Area 16: General Form and Character:

- *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981)
- *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012)
- *Guidelines for Fences, Gates and Shutters* (2010).

The *Advisory Design Guidelines for Buildings Signs and Awnings* encourage a comprehensive design approach that is sensitive to the surrounding context. The *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* encourage building design that is sensitive and innovative in response to context, and that respects the character of established areas through form and massing.

The proposed four-storey building with mezzanine is flanked by existing four-storey buildings to the north and west. Buildings fronting Cook Street to the south and east are primarily one- and two-storey commercial or mixed-use buildings. Consistent with the Design Guidelines, there are a number of architectural elements that help to reduce the perception of the overall massing of the proposed building, including variation in exterior materials, the vertical metal decorative panels, and the articulation of the building into two distinct yet cohesive forms – one fronting Pendergast Street and one fronting Cook Street. In addition, the fourth storey is stepped back along the Cook Street frontage, and at the corner of Cook Street and Pendergast Street, to help reduce the perceived height of the building. The fourth storey step back also respects the crown of the mature Horse Chestnut trees along Cook Street. Lastly, the articulation of the Pendergast façade, and a greater setback (5.76m) for the residential portion of the building fronting Pendergast Street, helps give prominence to the mixed-use portion of the building and respects the residential character of Pendergast Street.

The *Cook Street Village Guidelines* encourage design that responds to local features including traditional cladding materials, bay windows, pitched roofs, varied building setbacks and treed boulevards. Opportunities for plazas or splayed corners are suggested at pedestrian intersection points, and features such as shopfronts, open markets, restaurant patios and canopies are encouraged to enhance the pedestrian experience. Lastly, the Guidelines also encourage building design that emphasizes 'streethead' vistas.

The proposed building does not incorporate pitched roofs (aside from the partial mezzanine), nor bay windows; however, it does incorporate a palette of traditional cladding materials such as wood, brick and stone in a contemporary form. Moreover, the design incorporates projecting balconies and decorative panels, which serve a similar function to bay windows, provide visual interest and to break up the façade into a more human scale. The curvilinear form of the building at the corner of Cook Street and Pendergast Street, and the curved green roof canopy, help to soften the building's appearance. At the street-level, the proposal includes storefront glazing and shop entrances that spill out onto a semi-public plaza space near the corner of Cook Street and Pendergast Street. Low seating walls, shrub beds, decorative pavers and rain gardens provide for an enhanced pedestrian experience at this intersection. Furthermore, a 3.18m setback for the commercial units along Pendergast Street, and a 2.2m setback along Cook Street, provides opportunities for future outdoor seating.

CONCLUSIONS

The proposed mixed-use development would support the OCP objectives as they relate to place character features within Large Urban Villages and Urban Residential designated areas. The proposal is consistent with the Design Guidelines and includes high-quality architectural finishes, enhanced landscaping and public realm improvements that are appropriate for Cook Street Village and are sympathetic to the surrounding context. Staff recommend for Council's consideration that Council support the application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 00527 for the property located at 324/328 Cook Street and 1044, 1048, 1052/1054 Pendergast Street.

Respectfully submitted,

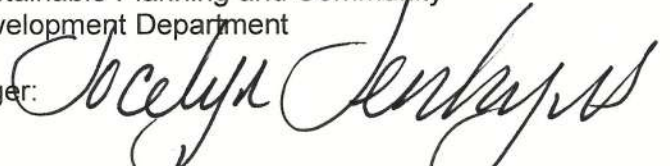


Alec Johnston
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Andrea Hudson, Acting Director
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Report accepted and recommended by the City Manager:



Date:

Nov 29, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 23, 2018
- Attachment D: Letters from applicant to Mayor and Council dated February 27, 2018 and May 9, 2018
- Attachment E: Community Association Land Use Committee Comments dated December 7, 2017
- Attachment F: Arborist Report dated May 7, 2018
- Attachment G: Letter from 380 Cook Street Strata Council regarding tree removal
- Attachment H: Tenant Assistance Plan dated November 21, 2018
- Attachment I: Advisory Design Panel Minutes dated June 27, 2018
- Attachment J: Correspondence