



Mayor Helps and Council  
City of Victoria  
No.1 Centennial Square  
Victoria, BC V8W 1P6

11 July 2022

**Re: Jawl Properties – Rezoning for 1030 Fort Street File: REZ00793 Concurrent with Development Permit with Variance File DPV #00182**

Dear Mayor Helps and Council,

The DRA LUC has reviewed the drawings for the proposal and in accordance with the City's alternate CALUC process, a virtual CALUC meeting was held for this project on 31 August 2021. It is noted that since that CALUC meeting, there have been four subsequent sets of revised plans that have been submitted to the City and posted to the Development Tracker, none of which have been presented to the community at a follow up CALUC meeting.

Based on the information presented by the applicant at the CALUC meeting of 31 August 2021, the purpose of the Rezoning and Development Permit with Variance is to create a six-storey building with five storeys consisting of 30 market rental residential units over one storey of 1500 sqft commercial use at grade with zero parking provided onsite. The proposed density of 4:1 and 6 storeys with a height of 22.88m are above the current zone of 2.5:1 and 4 storeys at 15.5m. The front setback is proposed to be 0.04m (south), while the zone requires a 3.0m setback. The proposal involves the complete demolition of the existing buildings on site and none of buildings are heritage designated or on the heritage registry. DCAP requires an 8.0m setback from the rear property line to the face of the building; however, a variance of 1.0m (to 7.0m) is being requested. Forty-eight covered, secure bike stalls within the building are proposed in addition to 8 stalls on the street.

**Comments and Concerns Raised at the CALUC Meeting:**

- **Q:** As you mentioned, Fort St is designated as a heritage corridor, but the direction of the built form doesn't seem to have much heritage character to it. How do you see this building as reflecting and perpetuating the heritage character of the street?

**A:** Primarily it's in the use of the materials, the use of the terra cotta cladding which absorbs light, that is very recognizable and we associate with older buildings because it was used more frequently in the 18<sup>th</sup>, 19<sup>th</sup> early 20<sup>th</sup> century and so certainly that is a direct allusion to the methods and materials of historical tradition. Also the composition of the building with the vertical pilasters that express a gravity-loaded post and beam structure is something that is a more traditional form. Those are the two primary ways we think the building is bridging the tradition with a contemporary city.

- The City has a lot to consider in terms of what it sees as being the legacy of the street. Many of the structures are not heritage but the architects and designers of the period were able to refer and suggest something that has a certain character, which is something that makes the city what it is, in terms of what other people bring to it. The City really has to consider whether or not they are really abandoning that aspect of what the street is. I understand what the needs of the city are, what the needs of this particular project are, but it's something to keep in mind, whether or not what this entire phase or entire street represents will, in time, be completely obliterated. I'm sure that's something the City considers as part of their assessment. I am surprised that given what previous architects were able to invoke, and these are not heritage buildings, that the gesture (of the current proposal) is something, which abandons this particular tone.
- There's lots about this building I like. I like that you're doing a lot that is environmentally sound, which I think the City needs consider. But I do go back to the prior comments. I have difficulty in seeing it as historically looking. You compared it to the (Hudson) Bay building. I think the big difference is the terra cotta colour. I find the building a little jarring almost. The colour seems dark...and doesn't really pick up. I like the idea of the scalloping and hope if it goes forward, that the light-play on it will be lovely. But I find it hard to look at it as a historical looking building.

#### **Land Use Committee Comments and Concerns:**

- This would be a great building in Chinatown or Old Town, but this is a unique area distinct from the rest of downtown. The proposal does not seem to reference the existing buildings or the neighbouring buildings.
- There are substantial concerns that the Designated Heritage Corridor, Antique Row, will be completely destroyed by this and future proposals despite assurances to the contrary made by Planning during the OCP process. In 2012, the DRA LUC expressed strong concerns during the OCP public consultation process that the new density guidelines would eliminate the heritage character of this heritage corridor. During that process, Planner Robert Batallas assured us that our concerns regarding Antique Row would be "taken care of" through the "Design Guidelines".
- While the design of the south-facing facade, with its large windows and geometrics, is somewhat attractive I have to say I'm not a fan of these red/brown/copper/earth tones that seem to be a recurring theme on many recent developments (Johnson, Blanshard). I find they give the buildings a dark (an issue given our mostly overcast winters) and ponderous appearance. They remind me of the 1980s, not a great decade for design in my opinion. A lighter color palette with dark outlines around the windows might be preferable, reducing the building's dominance of the streetscape and helping it blend in better with neighbouring properties.

- The setbacks are another concern. Stepping the front setback back further, or taking the existing proposed setback to the second floor, might lighten the appearance of the building and perhaps highlight the adjacent heritage buildings. The rear setback relaxation being requested is excessive and seems to be based on past trends set by neighbouring buildings, not something we want to encourage as a precedent.
- Disappointed too that there are only 1 bedroom with a den (for future roommate?) and studio apartments. We sorely need more 2 and 3 bedroom apartments, especially in the downtown area. This idea that families, for instance, can only be raised in single family suburban homes is an out-dated North American concept; one that's being challenged by the need to restrict sprawl and build up density to preserve farmland/natural areas and make sustainable transportation options more viable.
- Parking requirements in Schedule C was derived on evidence based demand data. Despite the Schedule C requirement for the provision of 24 parking spots, no onsite parking is offered. This is a big ask by the applicant. We know from public statements made by residents that live in the Mosaic which also has no parking that many residents there own cars and stash them in the surrounding neighbourhoods. This proposal will without doubt create additional parking pressures elsewhere that should be dealt with by the proponent. Cars aren't going away anytime soon, but they will be electric and then be a sustainable form of transportation. Perhaps the City should collect \$50,000 for every parking spot not provided by developments under the bylaw so they can build a parkade somewhere.
- Parking is an issue and it's unfortunate that people who purchase/rent suites in buildings with no or little parking don't adjust their transportation needs accordingly. That said, the City could take the lead from other municipalities and create community contributions for the construction of residential parking elsewhere in the area or designate part of the City owned downtown parkades for downtown residents only.
- The lack of car parking represents a significant variance. I assume they are doing lots of Transportation Demand Measures, but I can't find any reference to them. I would expect affordability covenants, cash-in-lieu, car share spots (1 for 4/5 required stalls) and car purchase (now that we have two car share companies in town).
- Bike parking: love that they are exceeding the bike parking requirements - I live in a building without adequate bike parking and it is problem.

#### **Public Comments and Concerns:**

The City of Victoria collected public feedback for this project through the Online Comment Form. The online form closed as of 11 September 2021. Ten individuals provided feedback on the proposal with 90% opposing the proposal and 10% supporting it. The public comments as provided have been cited below as submitted.

#### **Support**

- The individual from the CBRE Canada: Commercial Real Estate Services who offered their support did not provide any comments.

## Oppose

- It is hard to comment specifically with no plan easy to find, but please, PLEASE don't put another giant building on this site. We don't need or want any more of these going up in this special neighbourhood. It is loved as is, and while I understand the desire/need for development, let's not rid the entire area of sunlight by building up up and up. A smaller building would be preferable. There are so many giant buildings on the rise already, and without even getting into the issue of development fatigue (YES we who live here are suffering because of it), the neighbourhood (and city) we live in and love is fast disappearing. The area is going to look like downtown Vancouver if we keep this up - with no sunlight able to make it down to our lovely streets. Losing the sky and sunlight to building after building is not making our area a nicer place to be, it is ruining it. And the buildings that have been recently build seem to be nowhere near occupancy - I see empty units all around. Don't go too far so so fast... thank you and I hope to find out that this is a low height proposal after all.
- This neighbourhood is now saturated with condo and apartment developments. I do not see the necessity of this development other than money for the developer. Fort Street is one of the last unique destinations in Victoria for visitors and locals alike. If this development is allowed then it will be the beginning of the end of Fort Street. Enough already.
- The area is already under heavy construction when do the people who live in the have some rest from the constant noise and congestion, I have lived here for 30+ years and have just retired but cannot enjoy it because of the noise, there has been construction here for the last 6 years and still more to come. the Rockland cook area has had way !! to much building for the Rich!! Please put a pause on the noise for at least 4 years. Also fix the "parking Lot ' that has been created on Cook Street because of all the construction.
- The building's commercial space is an afterthought and reduction from the current addresses. I would support a height variance of 1 extra floor but 2 or more floor variances are developers changing zoning which I do not support. Finally, the style of the building does not suit the neighborhood at all.
- I strongly feel that this development would undermine the character and appeal of this area of Fort Street.
- We would like to see the maximum of 4 stories zoning bylaw adhered to. We would also like the developers to provide parking given the density and lack of parking currently.
- 4 Stories and FSR of 2.5 is appropriate for this charming and small scale block on this street, formerly "Antique Row". Any increase, especially in building height, will overwhelm what little remains of the character of this area. 4 stories is livable, 6 will only help to make Fort Street a canyon, in shade in all but the summer months.
- I am a property owner in the Mosaic building, directly across the street from 1030 Fort. I was able to attend the online community meeting hosted by the DRA. I am happy that Jawl Properties will be increasing their presence in the neighborhood and appreciate the proponent's clear intention to create a quality and well-designed building on the site. Jawl Properties has a positive and well-deserved reputation in the community. Despite this, it is hard not to feel dismay at the destruction of a charming and character rich building that has been home to many vibrant small businesses through the years. The

existing building provides affordable, unique spaces that will not be replicated in the proposed design of the new structure. The current building is a delight to interact with at the street level and contributes greatly to the pedestrian and neighborhood experience, it's a part of what makes our block unique and a destination for visitors. The proposal will replace four affordable and accessible spaces for small business with one large retail space. Undeniably, the unique character of our block will be diminished by the loss of the existing building. After viewing the presentation by Cascadia Architects, it is clear that modification of the proposal to break up or increase the number of retail spaces may not be feasible while also accommodating the needs of access for a modern residential building. I love my home and the block but recognize that it cannot stay fixed in form and function while the city grows and evolves to meet the needs of its citizens. I can't help but feel that the proposal as it stands will diminish the unique qualities of the neighborhood and so cannot support it in the present form. I would ask that the proponents consider taking steps to contribute to the neighborhood in ways that will compensate for the loss of character and vibrancy that their project will bring to the block. This might take the form of a public art installation or contributions to a public amenity such as a fountain or mid-block crossing, which was first proposed as part of the bike lane installations but never materialized. The character rich qualities of our neighborhood could continue in this way into the future, even if altered in object and form. The existing building at 1030 Fort may not have heritage qualities but it is one of the most recognizable and charismatic buildings in the city. I hope the city will engage more broadly with stakeholders on Fort Street to think about the broader vision for the heritage corridor. In the proposal for this project, it is assumed that the buildings at 1028 and 1038 Fort to the west and east of the project will be replaced. I don't think this should be the assumption, especially for 1038/40 which is one of the oldest wooden structures in the downtown. There are many small properties along Fort that would be a great blow to lose, such as the cottages at 950 Fort and the buildings at 1023-1025. If we can't keep some of these gems while also densifying, we will be much poorer for it.

- The exterior of this planned new building is completely inappropriate for the location. The store fronts should be retained as they are part of the quaint appearance and charm of Fort Street's Antique Alley - an iconic area of Victoria and tourist destination. The charm of this area is slowly being torn down, and it will not be replaced by the ugly pile of scrap metal of a building that is being proposed for this location. Development is inevitable and increased density is needed. However new buildings should complement the neighbouring buildings and retain the unique and historical features of the existing building.

In addition, the DRA LUC received the following email from a member of the public after the online form was closed.

- In viewing the drawings for the proposed structure at 1030 Fort Street, I wish to note that for some of the residential units facing south, natural light must travel up to 35 feet into the structure. While this may be possible currently, it would be interesting to view a shadow study showing the amount of light available to be shined into the residential units should a new 20 story building (in accordance with the OCP) be placed at 1037 Fort. Or even a study showing the current conditions.

As for the residential units on the north side of the building, which are also 35 feet deep, they already face dark future as the adjacent structures along View street will restrict

light and, due to the 10 storey buildings to the rear - the occupants of 1030 Fort will be obliged to keep the blinds closed to ensure any sense of privacy.

Also, I see there is a small wood-framed structure currently existing in the space behind the commercial Building at 1030 Fort (VicMap). What is this structure?

As outlined in DCAP, "Fort Street is a special character area corridor within the Residential Mixed-Use District. It is designated as a Heritage Conservation Area through the Official Community Plan and is recognized for its concentration of heritage properties with smaller scale commercial uses at street level, such as retail stores, restaurants and cafés, creating a lively and active shopping area." (DCAP, Section Three: Districts, pg 33)

Public feedback indicates this proposal appears to not adequately respond to the special character Antique Row has maintained for several generations or the significance of its unique character is enshrined within DCAP. The DRA LUC always encourages Council to fully support the City of Victoria's Downtown Core Area Plan and Official Community Plan.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ian Sutherland', with a stylized, flowing script.

Ian Sutherland  
Chair Land Use Committee  
Downtown Residents Association

cc COV Planning