



Advisory Design Panel Report For the Meeting of February 23, 2022

To: Advisory Design Panel **Date:** February 9, 2022
From: Charlotte Wain, Senior Planner - Urban Design
Subject: **Development Permit with Variances Application No. 00182 for 1030 Fort Street**

EXECUTIVE SUMMARY

The Advisory Design Panel (ADP) is requested to review a Development Permit Application for 1030 Fort Street and provide advice to Council.

The proposal is for a six-storey mixed-use building containing ground floor commercial and 30 market rental residential units above. The proposal requires a Rezoning, and Development Permit with Variances Application.

The application is generally consistent with the land use policies relevant to the property. However, further design revisions are warranted for greater consistency with guidelines. In particular, staff are looking for commentary from the Advisory Design Panel with regard to:

- street wall height
- building separation
- pedestrian experience
- materials and finishes
- landscape / shared amenity space
- any other aspects of the proposal on which the ADP chooses to comment.

The Options section of this report provides guidance on possible recommendations that the Panel may make, or use as a basis to modify, in providing advice on this application.

BACKGROUND

Applicant: Mr. Greg Demant (on behalf of Jawl Properties)
Cascadia Architects

Architect: Mr. Greg Demant, Architect AIBC
Cascadia Architects

Development Permit Area: Development Permit Area 7B (HC) Corridors Heritage

Heritage Status: N/A

Description of Proposal

The proposal is to construct a six-storey purpose built rental building with a total of 30 residential units and one ground floor commercial unit. The proposed density of the development is 4:1 FSR and the proposed height is 22.28m.

The proposal includes the following major design components:

- 30 multiple dwelling units each with a private balcony or deck
- six storeys in a north-south orientation
- one ground level commercial unit
- residential storage lockers for 50% of the residential units
- 48 long-term bike racks on the ground floor
- zero vehicle parking stalls.

Exterior building materials include:

- terracotta tiles for the primary cladding
- architectural concrete for the building base
- a combination of fritted glazing transparent glazing and pre-finished metal guardrails for the balconies
- cementitious panel in brown and red surrounding the residential balconies
- cedar soffits
- prefinished metal panels for the roof top mechanical units.

Landscape elements include:

- one new street tree (honeylocust) in structural soil cells along Fort Street
- five new trees and associated shrubs in the planter on the second-floor residential decks
- hydropressed slab pavers for the residential decks on the second floor
- stacked bond, concrete unit pavers for the 'entrance plaza' within the property line.

The following data table compares the proposal with the existing CA-42 Zone, Harris Green Commercial District as well as the CBD-1 Central Business District-2 Zone, which the proposed new zone will be based upon. An asterisk is used to identify where the proposal is less stringent than the existing or comparable Zones. Additionally, the key City policy that pertains to the area has been included in this table.

Zoning Criteria	Proposal	CA-42 Zone, Harris Green Commercial District	CBD-2 Zone, Central Business District-2	OCP Policy	DCAP Policy
Site area (m ²) – minimum	628.50	n/a	n/a		
Density (Floor Space Ratio) – maximum	4.00:1*	2.50:1	4.00:1	3:1 base 5.5:1 max.	3:1 base 5.5:1 max.

Zoning Criteria	Proposal	CA-42 Zone, Harris Green Commercial District	CBD-2 Zone, Central Business District-2	OCP Policy	DCAP Policy
Total floor area (m ²) – maximum	2515.00*	1571.25	1885.50		
Height (m) – maximum	22.28	15.0	45.0		45
Storeys – maximum	6	4	n/a	20	Approx. 15 residential / 11 commercial
Setbacks (m) – minimum					
Front (Fort St)	3.52 (L1) 0.04 (L2-L6)	0.00 (L1 and L2) 1.50 (L3) 3.00 (L4+)	n/a		0-3
Rear (N)	7.34* (building) 5.34* (balconies)	0	3 (portions above 20m)		3
Side (E)	0.22*	0	3 (portions above 20m)		3
Side (W)	0.22*	0	3 (portions above 20m)		3
Front Setback Plane	0.00*	5.00 (starting at 15m)			
Vehicle parking – minimum	0*	24	20		
Visitor vehicle parking – minimum	0*	3	3		
Bicycle parking stalls – minimum					
Short term	8	8	8		
Long term	48	36	36		

Sustainability Features

As noted in the letter to Mayor and Council, the applicant has identified a number of sustainability features as part of the proposal. However, there is no guarantee these will be delivered and a number of the features listed do not form part of consideration for the Development Permit, which is restricted to form and character. Staff encouraged the applicant to consider a green roof, but

the applicant has submitted a letter from an engineer which cites poor soil conditions and the wood framed construction as limiting factors to providing this amenity.

Consistency with Policies and Design Guidelines

Official Community Plan

The *Official Community Plan* (OCP, 2012) designation for the site is Core Residential. This designation includes mixed-use buildings up to approximately 20 storeys with total floor space ratios ranging from a base of 3:1 to a maximum of 5.5:1 FSR. The OCP refers to the local area plan to provide finer grain policy and regulatory guidance in response to local context and development opportunity

The *Official Community Plan 2012* (OCP) identifies this property in Development Permit Area 7B (HC) Corridors. The objectives of this designation are to revitalize Fort Street and to strengthen commercial viability while improving the pedestrian experience at the street level. Achieving a cohesive design and enhanced appearance through high-quality architecture, landscape and urban design through sensitive and innovative interventions is also an important objective of this DPA. In addition to these objectives, buildings are encouraged to have a three to five storey façade that define the street wall with upper storeys setback.

Downtown Core Area Plan

The subject property is located within the Harris Green neighbourhood in the Residential Mixed-Use District (RMD) in the *Downtown Core Area Plan* (DCAP, 2011). District objectives include encouraging multi-unit residential development appropriate to the context and function of each neighbourhood, along with other land uses, public amenities and services that help to develop complete communities and ensuring that new residential development includes active street-level businesses, where appropriate, to increase pedestrian activity within the public realm.

Overall, the proposal is generally consistent with the DCAP, the key guidelines for the subject property. Specifically, the proposal is in accord with a number of the guidelines used to evaluate density, massing, height and scale. The key area where the proposal differs from the design guidelines is the minor infringements into the setback planes (street wall height). In addition, the proposed rear yard setback is inconsistent with the updated Downtown Core Area Design Guidelines (yet to be adopted) but consistent with the existing DCAP guidelines. Other areas that ADP is invited to comment on are discussed in more detail below.

Other design guidelines that apply to Development Permit Area 7B (HC) include:

- *Guidelines for Fences, Gates and Shutters (2010)*
- *Advisory Design Guidelines for Buildings, Signs and Awnings (2006)*

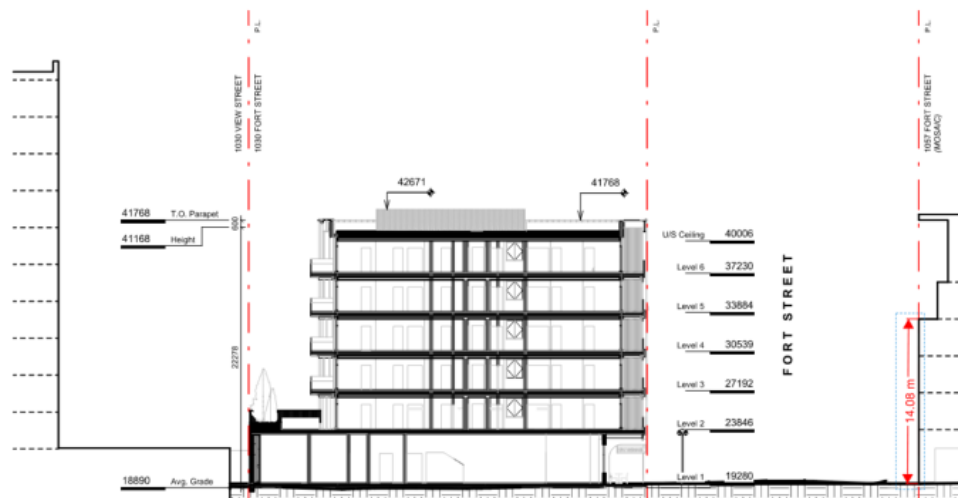
ISSUES AND ANALYSIS

The following section(s) identify and provide a brief analysis of the areas where the Panel is requested to provide commentary. The Panel's commentary on any other aspects of the proposal is also welcome.

Street Wall Height

The OCP designation for this site envisions street wall heights from three to five storeys. The applicant proposes a six-storey street wall. One of the primary objectives of this Development Permit Area (DPA) is to achieve cohesive and high-quality architecture and urban design that is responsive to its historic context. The corridor consists of predominantly lower-scale buildings with highly articulated retail frontages. Where taller buildings have been introduced, upper-storey setbacks have generally been provided in order to provide buildings that do not overwhelm the right-of-way and are respectful of the public realm.

The Guidelines state that particular attention should be given to the context in which the proposed building is being introduced, with Fort Street being defined as a “narrow” street in which a maximum primary street wall height of 15 m is recommended (the proposal is 22m). In terms of the immediate context, the six-storey apartment building (The Mosaic) across Fort Street represents a street wall that conforms with the current guidelines and the relationship between this existing building and the proposal is represented on a cross-section in the architectural plans (drawing A500) illustrated below.



Street setbacks are defined in DCAP to reduce building bulk of upper storeys, to minimize the effects of shading and wind vortices, to maintain views to the open sky, and to avoid the visual presence of bulky upper building mass. In this instance, the lower scale building form, the north-south orientation of the building and the highly articulated façade all mitigate the infringement impact and help achieve the objectives described above through other design responses.

It is also relevant to note that whilst the proposal exceeds the maximum height for street walls in the existing guidelines by approximately 7m, it does conform to the emerging (although not yet adopted) DCAP guidelines. In the new Guidelines, maximum street wall heights only apply to tall buildings, which are defined as any building over 23m in height. Through the DCAP update process, the front setback plane regulations are proposed to be removed from the CBD-2 Zone, which would eliminate the variance identified in the data table earlier. The intent of allowing six storey street walls is to encourage a lower-scale perimeter block form across the downtown core provided this does not negatively impact the perception of pedestrian comfort, safety and vitality within public open spaces. Upper storey setbacks are noted as a potential design intervention to encourage sunlight access and a comfortable street enclosure; however, this is less relevant in this case since the shading impacts of the proposed building predominantly exist to the rear (north).

Building Separation

The current Guidelines require a minimum clearance of 3m from all side and rear property lines, with additional clearances (where feasible) to enhance livability for residential uses. The separation distances stated in the guidelines are minimal when compared to best practices elsewhere and the emerging DCAP proposes a minimum rear yard setback of 8m for portions of the building located above the first storey that contain residential uses (balconies may project into this setback up to 2m). The proposed building is located 7.34m from the rear property line, which is an increase of 0.35m from the original submission as a response to comments from staff. The applicant cites minimum sizing constraints within unit layouts for washrooms, kitchens, closets, and bedrooms as being the key driver for overall building depth. Staff maintain that an 8m rear setback should be upheld, especially given the proximity to the two ten-storey multi-residential buildings located immediately to the north, where balconies and decks are positioned approximately 4.5m to 12m from the rear property line. The ADP is invited to comment on the appropriateness of the rear yard setback in response to the immediate context.

Pedestrian Experience

The Guidelines provide a number of policies relating to the pedestrian realm. Generally, these focus on the provision of a comfortable, safe and animated pedestrian area with wide sidewalks and a positive, engaging relationship with proposed adjacent buildings. Overall, the proposal is consistent with the Guidelines and the applicant has maximized the relatively limited frontage with active uses, either through the residential lobby or commercial retail unit. A small portion of the ground floor consists of exit doors, which have been clad in materials that compliment the overall building palette.

An objective of DPA 7B (HC): Corridors Heritage, is to achieve a more cohesive design through high-quality architecture and urban design that is responsive to its historic context and conserves the special characteristics and heritage value of the area. The Guidelines are limited in identifying specific characteristics that define the Fort Street corridor, other than the concentration of heritage properties with smaller scale commercial uses at the street level (Residential Mixed Use District). The applicant has revised the design to better meet the objectives through the introduction of concrete pilasters as a contemporary response to the fenestration patterns and narrow retail bays along the heritage corridor (previously the ground floor was predominantly glazing). Whilst this does respond to the rhythm and pattern of the heritage context, the introduction of the concrete pilasters may negatively affect the overall pedestrian comfort and general feeling of spaciousness. The emerging DCAP (if adopted) will prescribe more detailed guidelines and recommend a minimum floor to ceiling height of 4.5m for ground floor commercial spaces. The proposal is marginally under height at 4.2m, but staff are of the opinion that the bulkiness of the pilasters could be refined to provide a greater sense of openness along the street. ADP are invited to comment on the appropriateness of the ground floor treatment within the context of the guidelines outlined here.

Materials and Finishes

The *Advisory Design Guidelines for Buildings, Signs and Awnings* provide guidance on the importance of exterior cladding including texture and colour, fenestration and the arrangement of solids and voids and detailing of decorative finish to help establish the design's character, longevity and compatibility with its surroundings. In addition, DCAP highlights the importance of supporting context-sensitive developments that complement the existing Downtown Core Area through siting, orientation, massing, height, setbacks, materials and landscaping.

The predominant material cladding for the proposed building is terracotta tile organized in a simple grid pattern along the Fort Street frontage. The precedent images supporting the material board indicate a contemporary application with variations in texture and colour, which along with the distinctive pattern of balconies and guardrails provides a richness and detailing consistent with the Guidelines. Staff are satisfied that the application of materials is appropriate for the heritage context and would weather gracefully over time. However, given the relatively innovative use of this material (within the context of Victoria) staff would welcome commentary from ADP on the proposed material palette.

Landscape / Shared Amenity Space

The proposal includes 30 residential units in a compact building form. Given the large footprint of the building, there are limited opportunities for shared amenity space, although each unit does contain a private balcony. The applicant notes that provision of a roof top amenity space within the proposed wood framed construction is structurally unviable due to poor soil conditions. This is also noted as the primary reason for the lack of a green roof.

The respective policies used to evaluate open space are presented below:

- encourage on-site private and public development to increase the provision of green spaces, natural surfaces, plants and streetscaping
- consider the provision of on-site open space such as courtyards, forecourts, plazas, patios, gardens, roof top patios/gardens for high density residential and commercial buildings
- ensure that on-site open spaces are well-designed, safe, active, visible and illuminated to encourage their use
- encourage projects to incorporate opportunities for urban agriculture
- encourage residential dwelling units to have direct access or views of the on-site open space.

The ADP is asked to advise on the lack of a shared amenity space with respect to these Design Guideline policies.

OPTIONS

The following are three potential options that the Panel may consider using or modifying in formulating a recommendation to Council:

Option One

That the Advisory Design Panel recommend to Council that Development Permit Application with Variances No.00182 for 1030 Fort Street be approved as presented.

Option Two

That the Advisory Design Panel recommend to Council that Development Permit Application Variances No.00182 for 1030 Fort Street be approved with the following changes:

- as listed by the ADP.

Option Three

That the Advisory Design Panel recommend to Council that Development Permit Application Variances No.00182 for 1030 Fort Street does not sufficiently meet the applicable design guidelines and polices and should be declined (and that the key areas that should be revised include:)

- as listed by the ADP, if there is further advice on how the application could be improved.

ATTACHMENTS

- Subject Map
- Aerial Map
- Plans dated February 9, 2022.
- Applicant's letter to Mayor and Council dated December 3, 2021
- Letter from RJC Engineering dated October 22, 2021.

cc: Mr. Greg Demant, Applicant; Cascadia Architects