

**Colin Harper Architect**

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10 October 2024

Mayor and Council  
City of Victoria,  
1 Centennial Square,  
Victoria, BC  
V8W 1P6

**Letter to Mayor and Council**

Re: Rezoning and Development Permit Application, 1276 Gladstone Street

Dear Mayor and Councillors,

On behalf of the applicant, Tonny and Ashley Kiptoo, we wish to make an application for a site-specific rezoning and Development Permit for a mixed-use multi-family residential and commercial development at 1276 Gladstone Street.

**Project Summary**

The proposed development is for a four-storey (plus roof deck) mixed-use building containing a ground-oriented bakery, and rental housing. The building has a three-storey building façade along Gladstone Street. The proposed density is 1.52 FSR. The residential unit-mix is comprised of 5 studio units, 5 one-bedroom units, 2 two-bedroom units and 6 three-bedroom units. Common residential amenity space includes three bike storage rooms, garbage area, residential storage room, and common patio area. The bakery includes indoor seating and outdoor patio seating for public use.

**Government Policies:**

The Land Use Designation of the site per the OCP is Small Urban Village. The proposed form of development is congruent with the Small Urban Village-Urban Place Guidelines which allows multi-unit residential up to 4-storeys with ground-oriented commercial use and up to a three-storey building façade. The proposed development supports the Fernwood Neighbourhood Plans goals to “enhance Fernwood Village with additional local-servicing businesses, housing options and refreshed public spaces”.

**Neighbourhood and Impact:**

The proposed ground oriented commercial space and rental housing above (and behind) are typical of the adjacent Fernwood square and provide a natural and appropriate extension to Fernwood Village.

**Project Benefits:**

The project will add to Victoria’s Missing Middle housing stock, which accounts for just five per cent of new home construction, with apartments, condos and detached houses making up the other 95 per cent. The added density/housing proposed on the site provides additional housing options for those wishing to remain in the City, thereby supporting local economy and sustainability initiatives. Additionally, the rental tenure will help address the shortage of rental housing and the Cities corresponding initiatives. The





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ground floor units are designed as adaptable dwelling units to provide inclusive housing options to those with disabilities.

### **Transportation and Infrastructure:**

The site is adjacent to major transit, bike, and walking routes, and is within walking and biking distance to neighbourhood parks, open space, employment centers and amenities including Fernwood Village, Stadacona Park, and the Downtown Core. The proposal includes one 5-year transit pass per household. The project meets the required short-term and long-term bike parking requirements and includes two dedicated bike parking rooms, including spaces for cargo bicycles.

There is adequate public infrastructure available to meet the proposal, including sewer, water, sidewalks, and roads. The proposal respects a contemplated SRW along the front lot line. A site servicing plan and Sanitary Impact Assessment prepared by Island Engineering will be provided as part of the Rezoning/Development Permit application.

### **Design and development permit guidelines**

The proposal is subject to the Fernwood Village Design Guidelines and Multi-Unit Residential, Commercial Guidelines. The building is designed with sensitivity to context, and builds upon without replication or mimicry, the character of Fernwood village through a contemporary application of brick and storefront glazing. Further, the proposed ground-oriented commercial space with residential use above is in character with the rest of Fernwood Square.

Details of the design addressing the Fernwood Village Design Guidelines and Multi-Unit Residential, Commercial Guidelines include but are not limited to the following:

- Highly transparent and articulated ground floor with recessed commercial entry.
- Use of high-quality and/or textured materials including brick, brick accents and metal canopies and signage at street façade.
- Brick banding as a form of contemporary ornamentation and detailing.
- Vertically proportioned punched residential window openings.
- Incorporation of outdoor patio seating areas that support animation of the street.
- Back-of-house features have been located at the lower floor level to maintain the integrity of the street frontage. Water entry and electrical room are located below the building, and adjacent to street to provide convenient access for BC Hydro and efficient tie-in to municipal services.
- Ground floor units are designed as adaptable dwelling units.
- Rooftop patios are setback with simple forms and minimal detailing and articulation.
- Native landscaping complements and balances the building's material palette. On site pavers mark a transition from the public sidewalk to the property. Trees and planting along the east and rear side yard and a fence along the side and rear yards provide a buffer and privacy to neighbouring sites.

### **Safety and Security**

CPTED is addressed by avoiding blank, windowless walls, activity generators, clear sightlines, and appropriate site lighting.





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### CALUC

*The following revisions have been made in response to feedback received during the CALUC preliminary and pre-application meetings.*

- To address concerns over building height and shade impact, the rooftop access stair closest to the rear yard has been removed and replaced with an exterior stair at L4, resulting in a stepped massing and reduced shade impact on neighbouring properties to the north.
- A cable trellis and climbing vines have been added to the rear yard landscape area to act as screening for the entirety of the exposed concrete wall and fencing.
- To address privacy and overlook concerns, the extents of the rooftop patios have been pulled back from the western roof edge. A sightline diagram has been provided as part of the Rezoning/DP application, taken at the highest points of the neighbouring sights where overlook would be most likely. The diagram demonstrates that rooftop access stairs and guards are not visible from either neighbouring property and that there is no potential for overlook, unless a person was standing directly at the west property line on 1270 Gladstone, which is unrealistic as there is landscaping in this location.
- To address environmental concerns over management of storm water drainage, site coverage has been reduced from 69% to 61% and permeable pavers have been added.
- Downcast sconce lighting and recessed soffit lighting has been proposed to minimize light pollution to neighbouring properties.
- To address concerns of a “monolithic” appearance at the rear yard elevation, brick banding has been added to match the street-facing elevation, additional windows have been provided and the façade has been broken up the introduction of an exterior stair.

*The following items offer clarification pertaining to feedback received during the CALUC pre-application meetings.*

- Although the building is five storeys tall including the roof deck, the street-oriented south façade is only three storeys tall and is in keeping with the character of the nearby Fernwood Square.
- An arborist report has been provided as part of the Rezoning/DP application to address concerns over impact to existing trees on the western and northern borders of the site. The most recent exploratory excavation conducted by the project arborist has determined that the existing trees will sustain insignificant to low root impacts as a result of the proposed retaining wall installation.
- A site servicing plan and Sanitary Impact Assessment prepared by Island Engineering has been provided as part of the Rezoning/DP application, demonstrating that there is adequate public infrastructure available to meet the proposal.
- The frequency of waste management pickups will be adjusted based on the needs of the development to ensure that the proposed garbage area is kept tidy and well-maintained.

### ADP

*The following revisions have been made in response to feedback received during the ADP meeting.*

- The garbage area has been fully enclosed, including the addition of swing doors and a green roof to increase separation with adjacent building functions.





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- The proposed trees along the west walkway have been relocated to the east walkway on L1 to accommodate a retaining wall design that will lessen the impact to neighbouring trees to the west of the property. In their place, shallow planting strips with climbing vines have been added to the west walkway to increase the overall amount of soft landscaping on the site.
- A new tree has been proposed in the front yard planting area.

**Parks**

*The following measures have been taken in continued collaboration with the Parks Department.*

- Additional exploratory digging was conducted on site with the Parks Department present.
- The proposed retaining wall design has been revised and explanatory notes added in collaboration with the Parks department to minimize the impact to neighbouring trees to the west of the property.

**Updated Variances from Draft CR-FG Zone**

*The following updates have been made that affect the requested variances from the draft CR-FG zoning, in collaboration with the Planning Department.*

- Reduce the minimum rear lot line setback at the main building face to 3.90m (previously 3.97m).
  - To accommodate the addition of exterior rigid insulation to meet our energy targets.
- Reduce the minimum side (east) lot line setback at the balcony to 1.25m (previously 1.44m) and the side (west) lot line setback at the balcony to 1.20m (previously 1.36m).
  - To account for measuring to the offset balcony guardrail, and the addition of exterior insulation to meet our energy targets while keeping the balcony depth the same.
- Reduce the minimum side (east) lot line setback at the stairs to 0.00m (previously 0.06m).
  - To provide construction tolerance on site at the east property line.
- Increase the maximum building height to 13.90m (previously 13.56m).
  - To accommodate bulkheads and drop ceilings for mechanical equipment on the top floor and keep the minimum clear ceiling height at 8ft.

**Alternative Solutions**

Celerity Engineering has been engaged to prepare compliant 2018 BCBC Alternative Solutions (AS) for a number of items for the project. Full AS reports will be prepared by Celerity for Building Permit Application. Below is a list of the code items requiring AS, and preliminary mitigating features.

Required Alternate Solutions	
Article	Mitigating Feature
BCBC 3.3.4.4.(3) Egress from Dwelling Units	Increased sprinkler density and water curtains and possible a water curtain at the kitchen to protect the egress path.
BCBC 3.2.3.13 – Exit Exposure	Water curtains over all unprotected openings within 5m of the exit path.





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BCBC 3.2.5.8 – Standpipe system	64mm hose connections near entries
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GREEN INDICATORS	
CATEGORY	GREEN ITEMS
Rating System	BC Energy Step Code 3
Site Selection and Design	<ul style="list-style-type: none"> <li>• Thermally efficient building form and orientation</li> <li>• High performance windows</li> <li>• Appropriately sized windows for passive heating</li> <li>• Passive ventilation for summer months</li> <li>• Exterior Roof Insulation</li> <li>• Low window to wall ratio.</li> <li>• Canopies to reduce solar gain in summer month</li> </ul>
Innovation and design	Solar Panel Ready, including: <ul style="list-style-type: none"> <li>• Conduit to roof</li> <li>• Additional electrical panel size and space</li> </ul>
Building Reuse	Use of salvaged brick
Transportation	<ul style="list-style-type: none"> <li>• Omission of parking will reduce Green House gas emissions.</li> <li>• Dedicated bike parking room with repair area.</li> <li>• Walkable and biking distance to employment centers and amenities</li> <li>• Provision of car-share memberships and transit passes</li> </ul>
Energy Efficiency	<ul style="list-style-type: none"> <li>• Energy modeling and on-site testing to meet requirements of BCBC Step Code 3</li> </ul>
Water	Water conservation initiatives, including: <ul style="list-style-type: none"> <li>• Faucets with flow rate of 8L/min or less</li> <li>• Showerheads with flow rate of 8L/min or less</li> <li>• Dual flush toilets with ultra-low flow (4.5L per flush or less)</li> </ul>
Landscaping and Urban Forest	<ul style="list-style-type: none"> <li>• Only native and adapted vegetation</li> <li>• Drought tolerant vegetation.</li> </ul>

Kind regards,

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