

Jawl Development Corporation

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REAL ESTATE CORPORATION

Aug 24, 2017

City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Attention: Mayor and Council

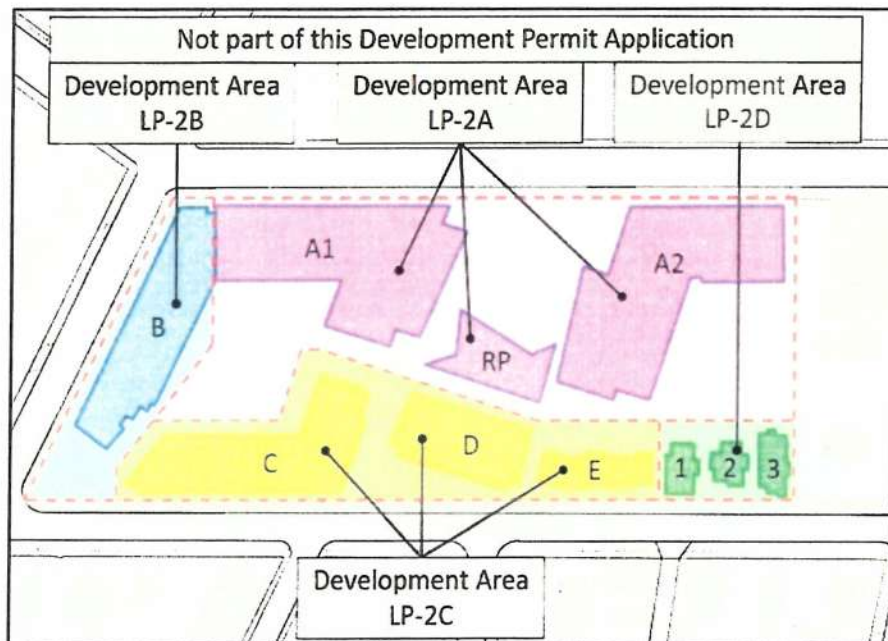


**Re: Development Permit Application for Development Area LP-2C, Legislature Comprehensive District
– Capital Park, Victoria, BC**

Introduction

Jawl Precinct Lands Corp and South Block (Concert) Ltd (collectively the "Applicant") are pleased to submit this letter and the enclosed documents in support of a Development Permit application for the third and final phase of the Capital Park mixed use development on the lands municipally described as 530, 550 and 560 Michigan Street, Victoria, BC and legally described as Lot 3 of Lots 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, and 1741 Victoria City, Plan EPP54040 (the "Site"). Located in the James Bay neighborhood, the overall Capital Park project sits on lands totaling 23,044 square meters (248,040 ft²) and is bordered by Superior Street, Menzies Street and Michigan Street. At its eastern edge, the Site is bordered by a land parcel owned by the Province of British Columbia (the "Province") on which is located the Queen's Printer and two heritage homes. Prior to commencement of construction of the first phases of the development in late 2015, the Site accommodated a number of surface parking lots, four commercial buildings accommodating Provincial Government offices and five unoccupied heritage houses.





The portion of the Capital Park project which is the subject of this Development Permit application is situated in Development Area LP-2C. Development Area LP-2C totals 5,677.8 m² in site area and is proposed to accommodate three residential buildings.

The LP-2A and LP-2B portions of the Site to the north and west of LP-2C were the subject of a previously approved Development Permit application. Buildings A1, B and the Retail Pavilion (RP) are currently under construction, and Office Building A2 is expected to

commence construction in the fall of 2017. Reconstruction of the three heritage houses relocated within Development Area LP-2D is complete and the houses are now occupied.

This Development Permit application is for the last three building components to complete the overall Capital Park project, and follows the Rezoning application (No. 00457) and concurrent Official Community Plan Amendment application submitted by the Applicant in connection with the Site on July 22, 2014 and subsequently approved on March 12, 2015. This application has been prepared in accordance with the prevailing zoning, the project's Master Development Agreement, and the Capital Park Urban Design Guidelines and no variances are being sought.

Description of Proposal

The components of the Capital Park mixed use development which are the subject of this Development Permit application incorporate a total of 10,440 m² (112,375 ft²) of gross floor area and consist of the following primary components:

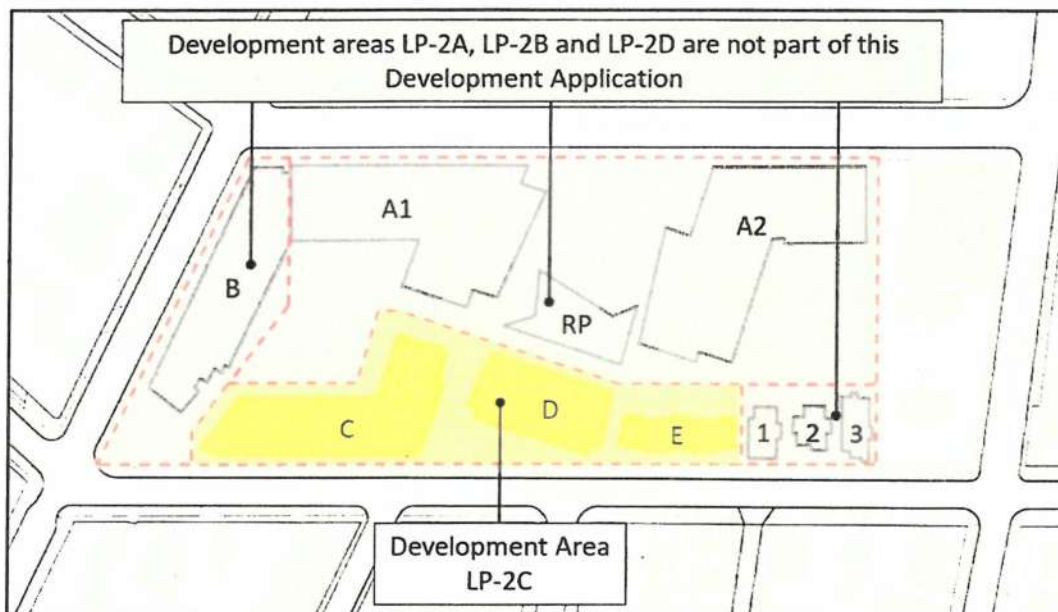
1. Building C is a four storey residential building containing 70 condominium units totaling 5,735 m² (61,726 ft²) in area, with a range of studio and 1 – 3 bedroom units. Situated along the western portion of the block with south facing frontage onto Michigan Street, this building also defines the southern edge of the west courtyard space being developed as part of the Phase 1 construction of Office Building A1 and the retail / residential Building B.
2. Building D is a five storey, 37 unit residential building with a range of 1 – 3 Bedroom + Den units totaling 3,887 m² (41,839 ft²) in area. Located midblock and fronting southwards onto Michigan Street, this building also defines the southern edge of the central plaza located opposite the Legislature Building and between the two office buildings A1 and A2.
3. Building E includes seven 2 ½ – 3 storey townhouse units totaling 818 m² (8,807 ft²) in area, and is situated between Building D to the west and the three recently restored heritage houses to the east. The townhouses are scaled to relate to the heritage houses and the lower scale residential neighbors on the opposite side of Michigan Street to the south.

4. This Development Application proposes to build upon and further define the integrated network of pedestrian walkways, plazas, courtyards, and street frontage improvements of the overall Capital Park project which will link the Site with the surrounding community and establish an attractive, safe, and lively public realm. The completion of the southwest corner pedestrian passage way to the west courtyard situated between Buildings B and C, and the provision of the two pedestrian walkway extensions and triangular mini park at the foot of Parry and Powell Streets are key elements of this application and will enable the completion of public pedestrian connections through the overall Site as envisioned in the Capital Park Urban Design Guidelines.
5. All vehicular parking for Buildings C, D and E will be provided in a below grade parking structure accommodating a total of at least 132 spaces, exclusive of an additional 7 tandem spaces provided within secure private 2 car garages associated with the townhouse units in Building E. With shared access by way of the parking entry ramp off of Menzies Street, the single level structure will also provide for a secure bicycle parking mezzanine, garbage and recycling operations, and individual residential storage lockers.

Development Area LP-2C				
	Building C	Building D	Building E	Parking
Residential	5,735 m ² (61,726 ft ²)	3,887 m ² (41,839 ft ²)	818 m ² (8,806.8 ft ²)	132
Total	10,440 m ² (112,372 ft ²)*			132**

* 10,440 m² (112,375 ft²) permitted under applicable zoning.

** 114 minimum required under applicable zoning.



Design and Development Permit Guidelines

In connection with the Rezoning application submitted in July of 2014 and approved in March of 2015, the overall design and development parameters for the Capital Park Site were established. The 2015 approvals also incorporated an OCP amendment allowing for the adoption of the Capital Park Urban Design Guidelines ("CPUDG") prepared by the Applicant's design team. This Development Permit application builds on the design directions set forth in the approved zone and in the CPUDG in a more detailed manner for the buildings and open spaces located in Development Areas LP-2C.

Foundational to the CPUDG were a number of guiding principles intended to serve as overarching themes which speak to the aspirations of the project and which informed the detailed urban design responses outlined in the document. These guiding principles for Capital Park are:

1. The project should respond in a sensitive and complementary way to the Site's unique context proximate to the Legislature and the James Bay neighborhood.
2. The project should facilitate an enhanced public realm that prioritizes public accessibility and permeability to and through the Site via an integrated network of welcoming and well-appointed plazas, courtyards and walkways.
3. The project should respect and enhance street level sight lines towards the Legislature from various approach angles and create new publicly accessible areas to enjoy this vista.
4. The project should prioritize forward thinking approaches to environmental and operational building performance.
5. The project's office space should be designed to market leading quality standards and meet the Province's long term needs.
6. The project's residential units should be designed to accommodate a range of unit types and resident profiles to ensure a healthy diversity of unit options in an attractive and highly livable setting.
7. The project's retail units should contribute to a dynamic street interface, particularly on Menzies Street, and contribute to an expanded array of retail offerings in the James Bay neighborhood.

As was the case for Phases 1 and 2 of the Capital Park project, the Applicant and its design team have been diligent in maintaining consistency with the principles noted above as well as the specific approved design directions in the formulation of the plans which form the basis of this Development Permit application.

Architectural Expression / Materials



The urban design intent for Development Area LP-2C is to create a continuous edge of medium density residential uses along the north side of Michigan Street that is appropriate in scale and texture to the residential neighborhoods to the south. Furthermore, buildings are to be configured to allow for pedestrian

and visual access through the Site in approximate alignment with Parry and Powell Streets, and focused on the Legislature Building. The architectural expression and finish materials employed for the three buildings are intended to relate to other buildings in the surrounding neighborhood and to other building components of the overall Capital Park development.

Building C

The 4 storey building C is the largest of the Michigan Street residential buildings and is compatible in scale with the 2 – 3 storey commercial and residential uses directly across the street. Together with the 'flat iron' retail building and plaza at the south end of building B, building C helps to frame the view from Menzies Street to the dome of the Legislature and creates a strong invitational gesture to the west courtyard space.



A 3 storey townhouse expression in keeping with the rhythm and scale of the quiet, tree lined residential street is proposed for Building C, and incorporates street facing raised garden terraces with low garden walls and individual entry gates. The fourth level is set back from the lower face of the building to diminish the perceived scale of the building and to allow for generous, outdoor terraces. The main entry lobby and residential amenity space are located along the Parry Street walkway through the Site, providing animation and overlook for the public walkway areas. Primary finish materials include red brown brick to complement the material, color and expression of development on the opposite side of Michigan Street, Building B to the west and Building D to the east. Metal panel cladding is used to frame the "vertical bay windows" at levels 2 and 3, as well as at level 4 to establish a distinct rhythm to the façade and to relieve the longer building frontage along Michigan Street.

Building D



This 5 storey residential building, located between the north/south pedestrian walkways on the Parry and Powell Street alignments, is situated perpendicular to the Legislature's central axis and scaled to be consistent with office buildings A1 and A2 to better define the south edge of the central public plaza. The plan form of the building is therefore skewed in relation to the Michigan Street frontage, creating a strong

invitational gesture to the public pedestrian walkways through the Site and a triangular landscaped forecourt and pocket park between the Parry and Powell Street ends.

To alleviate the perceived height of Building D from the south and to maintain an appropriate residential scale and texture consistent with other buildings along Michigan Street, a modified “townhouse” expression with garden terraces and individual entry gates is incorporated on the south facing frontage. Furthermore, the uppermost level of the building has been set back from the primary south face of the building and allows for a low profile, articulated roof edge such that the upper level recedes when viewed from street level.

The north façade of Building D performs a critical role as a backdrop to the central public plaza, and will be highly visible from the Legislature grounds. Rather than assuming the appearance of a typical residential apartment building, this façade is intended to relate more closely to the expression of the A1 and A2 office building facades framing the central plaza. To simplify the more highly articulated expression normally associated with residential buildings, without compromising outdoor living spaces and the splendid views to the Legislature from the building, exterior balconies are recessed and potentially screened with glass guards and intermittent louvered panels.

To complement the materiality and expression of Building C to the west, brick is also used as the primary cladding material on the south, west and east faces of Building D, whereas the north façade is clad with prefinished metal panels and utilizes a regular window pattern to be more consistent with the expression of the flanking office buildings. A colonnaded structure at the roof level also contributes to a perception of scale more in keeping with the office buildings, and helps to screen the roof top terraces, roof top stair landings and roof top mechanical enclosures from view.

Building E



This row of seven 2 – 2 ½ storey townhouses is scaled to relate to the height and proportion of the adjacent relocated and refurbished heritage houses, and to relate to the lower scale, predominantly single family residential neighbors across Michigan Street to the south.

The townhouse units have individual street facing entries with front entry porches and yards overlooking the street. Rear yards are also provided together with integrated landscaping to provide privacy measures and separation from the public walkway and office zones to the north. Each unit is provided with direct access to a private, secure garage located at the P1 parking level with space for two cars parked in a tandem arrangement.

Though distinctly contemporary in character, the townhouses are designed to reference the material, color and detail of neighboring residential buildings. Two different colours of brick will be used as the predominant exterior cladding material to differentiate the scale and proportion of individual unit frontages and to establish a more traditional sense of quality and durability for these homes.

Landscape Plan

The relationship between the Capital Park Project Site, the surrounding context of the Legislature precinct and the neighbourhood of James Bay is a principal driver in informing the character and form of the landscape associated with Residential Buildings C, D and E. Consistent with the CPUDGs, the project seeks to convey a narrative which highlights the immediate and regional landscape, while creating a seamless integration of architecture and landscape as expressed in the 'folded landscape' aesthetic created in Phase 1 and Phase 2 of the Capital Park project. Angular berms, welcoming entrances, privacy screens / plantings, private decks, and a robust planting palette are used to provide a strong landscape typology, distinctive to the Capital Park project, while maintaining a strong relationship to the regional character.



Public Entrances and Private Patios

The delineation of public and private space is a key element to the landscape design associated with residential Buildings C, D and E. Main walkways are noted with specialized surfacing and the architectural forms at the main entries are further marked with signature plantings and surface materials. Gates, screenings, plantings and a distinctive surface material are used within the private patios to ensure delineation between public and private spaces. The west courtyard lineal water feature to be completed as part of Phase 1's construction also serves to maintain privacy between public walkway areas and private patios on the north side of Building C.



Pedestrian Permeability and the Streetscape

Achieving a permeable pedestrian circulation network is a fundamental aspect of the open space network for the project. Connecting the Legislature Precinct and the neighbourhood of James Bay, two north south connections are established through the site. The transition between Capital Park and the surrounding community is further expressed within the streetscape where the design of the Michigan Street frontage carefully considers the character of the existing streetscape, retains the existing street trees and provides a pedestrian environment that responds to the uses, textures and scale of the proposed buildings.

Landscape Materials

The landscape character associated with the residential buildings is informed by a robust and inviting landscape material palette. Informed by the architectural character of the residential buildings, the main and private entrances are framed with concrete and brick walls. These walls create a strong sense of entry, and are softened with robust plantings which provide seasonal interest. Tree canopies within the project provide a comfortable human scale in contrast to the dramatic, specimen trees located along the street frontage. Planted berms, architectural privacy screens, and planted screenings help to provide separation between the residential units. To help facilitate the intended use of space, a variety of paving surface types are used throughout the project. These include cast in place concrete, concrete unit pavers and wood decking. Miscellaneous site furnishings including bike racks and selected seating elements further enhance the shared open space areas.

Transportation

All vehicular parking for the overall Capital Park project is accommodated underground with access provided via two entry ramps (one off Menzies Street and another off Superior Street). All access to parking for Buildings C, D, and E is by way of the Menzies Street entry ramp shared with Buildings B and A1. Consistent with the terms of the CD-2 Zone, at least 132 parking spaces will be provided in connection with Buildings C, D, and E, in excess of the minimum rate of one stall / unit, inclusive of visitor parking.

The number of class 1 and class 2 parking spaces for bicycles is provided at an increased rate of 10% over the number otherwise required by the City of Victoria Schedule C guidelines. No less than 126 Class 1 spaces are to be located at the P1 mezzanine level below Building C, and 14 Class 2 bicycle parking spaces will be located in close proximity to the main entries to Building C and D.

Infrastructure

The design team has consulted with City of Victoria staff to review existing City infrastructure locations and proposed services planned for Phase 3 of the Development. There are currently sanitary sewer, storm drain, water, hydro, communications and gas within the Michigan Street Right-of-Way. Preliminary locations for utility connections for Phase 3 have been identified and will be refined during the detailed design process.

Michigan Street frontage works associated with Phase 3 will be limited to replacement of the existing sidewalk, removal of existing driveways and replacement with grass boulevard and infill concrete curb. The extent of curb and gutter work beyond the replacement sections at old driveways would be confirmed during detailed design. One item of note is the City requirement that the existing street trees on the north side of Michigan Street be protected and retained. This requirement may dictate extent of curb replacement in some areas to limit impact to trees. The scope and extent of this work was established as per the MDA and as part of earlier Development Permit applications for the Site.

Provision for BC Hydro Service on Michigan Street was also coordinated as part of earlier phases of the Development and will require further refinement during detailed design with BC Hydro and communications companies

Heritage

While there are no direct heritage building aspects to this Development Permit application, the re-location and rehabilitation of the existing heritage homes previously situated elsewhere on the Site were the subject of a separate application, and they are now completed and occupied in Development Area 2D directly to the east of Building E.

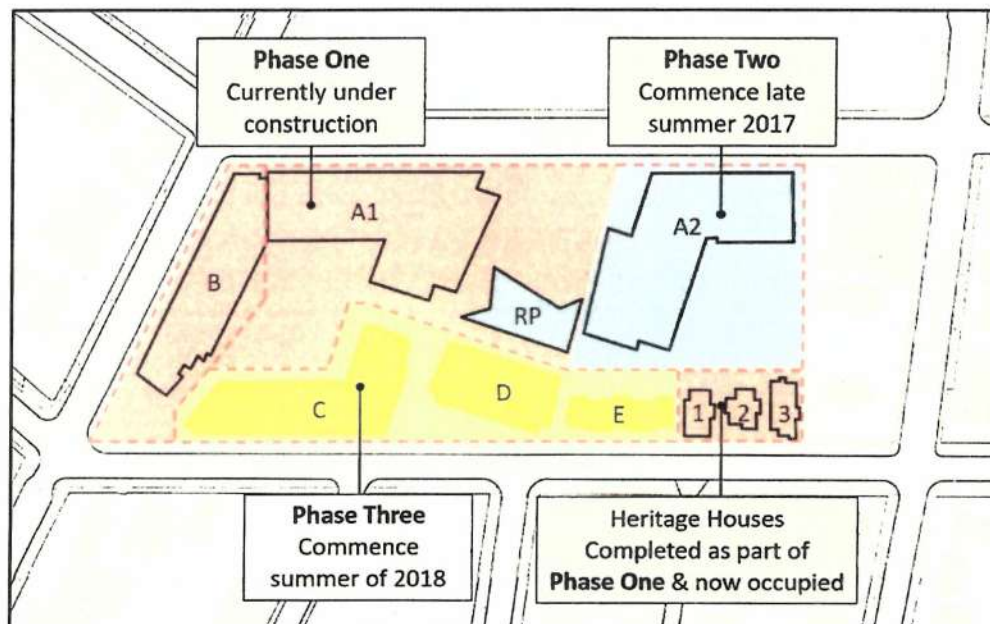
Green Building Features

The Applicant and the design team are committed to incorporating leading green building principles into the project's design and long term operations. As with Phases 1 and 2, the three residential buildings that are part of the Phase 3 portion of the overall Capital Park project are under consideration to be registered with the Canadian Green Building Council's LEED program. A LEED Gold equivalent level of performance is targeted for Buildings C, D, and E through the utilization of design and construction strategies that include:

- High performance building envelope systems.
- Energy efficient lighting and electrical systems and controls.
- Specifically selected landscape materials that are adaptive and native to the area which require less intensive landscape maintenance.
- Water efficient plumbing fixtures.
- Bicycle storage facilities for building occupants.
- Low VOC interior finishes.

Project Phasing

To accommodate interim use requirements for a portion of the Provincial Government occupancies originally located on the Site, a phased approach to the construction of Capital Park was necessary. The first phase of construction that includes the construction of Office Building A1, the Retail Pavilion, Building B and all associated parking is currently well underway and scheduled for occupancy in late 2017.



Phase 2 construction of the second Office Building A2 is scheduled to commence in the fall of 2017. As noted previously, three of the heritage houses originally situated on the property have been relocated and refurbished and are now occupied at the southeast corner of the Site. This Development Permit application for Buildings C, D and E is for the third and final phase of the overall Capital Park Project.

CD-2 Legislature Comprehensive District Zone

In connection with Rezoning application (No. 00457) submitted by the Applicant on July 22, 2014, an updated zone for the Site was proposed and subsequently approved on March 12, 2015. This Development Permit application has been prepared so as to be in compliance with the terms of the approved zone in all respects. The details of zoning compliance with the updated CD-2 zone are specified in the project data table included in the drawing package submission. For clarity however, the floor space proposed in the buildings comprising this Development Permit application and the maximum permitted levels for the respective development areas in question are summarized in the table and diagram on page 3 of this letter.

Master Development Agreement

In connection with Rezoning application (No. 00457) submitted by the Applicant on July 22, 2014, an updated Master Development Agreement (the "MDA") was proposed to spell out the basis on which the development of the Site would be permitted to proceed and this too was approved on March 12, 2015. This Development Permit Application has been prepared in accordance with the updated MDA and is in compliance with its terms and conditions as they relate to Development Area LP-2C.

Affordable and Family Housing

The Master Development Agreement provides for the inclusion of both affordable housing and housing suitable for families in the residential components of the project. The following table summarizes the total number of housing units being provided in each of the Capital Park residential buildings which contribute towards the threshold requirements for affordable and family housing requirements set forth in the MDA.

	Affordable Housing Units	Housing Units Suitable for Families
Total Units to be Provided On-Site per the MDA	51	61
Units Provided in Residential Building B	40	7
Units Provided in 580 Michigan (Heritage House)	0	2
Units Provided in 584 Michigan (Heritage House)	2	2
Units Provided in 588 Michigan (Heritage House)	0	3
Units Provided in Residential Building C	26	27
Units Provided in Residential Building D	0	29
Units Provided in Residential Building E	0	7
Total Units Provided On-Site	68 (17 more than req'd)	77 (16 more than req'd)

The MDA defines housing suitable for families as being a housing unit that contains two or more bedrooms. With the completion of Buildings C, D and E as contemplated by this Development Permit Application, a total of 77 two and three bedroom units will be provided amongst the 7 residential buildings on the Capital Park site, 16 in excess of the MDA requirement.

The MDA defines Affordable Housing Units as housing units which meet one or more of the four criteria noted in Section 6.3 of the MDA. Among these criteria is the development of Small Market Units being a housing unit that is equal to or less than 52 m² in floor area. Residential Building B contains 40 units which fall under this size threshold. With 40 Affordable Housing Units within Building B nearing completion and 2 within the heritage house at 584 Michigan already completed, the remaining Affordable Housing Units are to be provided on the Site across the three residential buildings proposed for Development Area LP-2C. As itemized in the above table, the 26 Affordable Housing Units provided in Building C brings the total provided within the Capital Park project to 68, 17 in excess of the MDA requirement.

Project Benefits and Amenities

The overall benefits and amenities presented by the Capital Park mixed use development were comprehensively described in connection with the July 2014 Rezoning application for the Site. The first phases of work which were the subject of a previous Development Permit application present the first opportunity for these community benefits to be realized. Upon completion, the build out of Development Areas LP-2A and LP-2B will see the addition of sustainably designed high quality office, retail and residential premises as well as the supporting and complementary open space network associated with these areas. At completion, these components of the Capital Park project will accommodate Provincial Government offices home to approximately 1,400 occupants, offer 53 housing units home to approximately 80 residents, and add animating retail amenities on the Menzies Street frontage as well as on the borders of the Superior Street Public Plaza. In addition to these benefits, the following amenities are provided for in the build out of Development Areas LP-2A and LP-2B:

- A 700 m² retail premises in Building B suitable for library use
- A fitness facility on the main level of Office Building A1
- 40 affordable housing units and 7 housing units suitable for families in Building B
- A well appointed large scale Public Plaza off of Superior Street with public access secured through a statutory right of way
- A \$150,000 public artwork included in the Superior Street Public Plaza
- A \$118,000 cash contribution to the City of Victoria
- A series of lanes, walkways, courtyards and plazas accessible to the public and designed to link the Site with the surrounding community
- Extensive sustainability infrastructure including extensive considerations supportive of alternative transport methods
- A high quality urban and architectural design which will contribute positively to the built environment of the James Bay community.

In addition to the list above, this application for Development Area LP-2C will provide for benefits and amenities that include;

- An additional 26 Affordable Housing Units in Building C and 63 more housing units suitable for families in Buildings C, D and E.
- Full completion of the integrated network of lanes, walkways, courtyards and plazas that link the Site with the surrounding community.
- A total of 114 residential units accommodating a variety of unit types and sizes within the James Bay area that contribute to the diversity and vitality of the neighborhood.

Conclusion

The Applicant and the design team are pleased to present this Development Permit application which would enable the third and final phase of the Capital Park project to commence. We are excited to continue the work on this dynamic mixed use community and to realize the benefits to the James Bay community and the City of Victoria that it affords. We have proceeded thoughtfully in the development of the Site and building designs for all of the Capital Park Development Areas so as to ensure a high quality response which respects the principles of the zone, the Capital Park Urban Design Guidelines and proceeds in accordance with the Master Development Agreement. We hope to be able to commence construction of this final phase of work in 2018.

We sincerely appreciate the time and effort put forth thus far by members of staff at the City of Victoria in assisting with a collaborative and expedited approach to the previous Development Permit applications as well as the July 2014 Rezoning application. We look forward to working with City staff and Council in connection with this application in the months ahead and are available as necessary to answer any questions or furnish additional information as required.

Sincerely,

JAWL DEVELOPMENT CORPORATION

Per: 
Robert Jawl

CONCERT REAL ESTATE CORPORATION

Per: 
Brian McCauley