



Committee of the Whole Report

For the Meeting of May 25, 2017

To: Committee of the Whole **Date:** May 11, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Update on Rezoning Application No. 00487 and Development Permit Application No. 000434 for 1144, 1148, 1152 and 1154 Johnson Street and 1406 Chambers Street.

RECOMMENDATION

Rezoning Application No. 00487

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00487 for 1144, 1148, 1152 and 1154 Johnson Street and 1406 Chambers Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set.
2. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - a. Housing Agreement to secure the rental of 10 units for a minimum of 10 years and that future strata bylaws cannot prohibit from renting residential strata units
 - b. Statutory Right-of-Way of 2.45m on Johnson Street and 3.37m on Chambers Street for sidewalk realignment.
3. The applicant provide an amenity contribution in the amount of \$43,056.00 toward the Local Amenities Reserve Fund in accordance with the *City of Victoria Density Bonus Policy* and to the satisfaction of City Staff.
4. Following consideration of Rezoning Application No. 00487, if approved, that Council authorize staff to prepare and enter into an Encroachment Agreement for a fee of \$750 plus \$25 per m² of exposed shored face during construction, to the satisfaction of the City staff.

Development Permit Application No. 000434

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. 00487, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000434 for 1144, 1148, 1152 and 1154 Johnson Street, and 1406 Chambers Street, in accordance with:

1. Plans date stamped March 24, 2017
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. The Development Permit lapsing two years from the date of this resolution.”

EXECUTIVE SUMMARY

The purpose of this report is to provide an update to Council regarding the Rezoning and Development Permit Applications for the properties located at 1144, 1148, 1152 and 1154 Johnson Street and 1406 Chambers Street. In accordance with Committee of the Whole’s (COTW) motion of February 25, 2016 (minutes attached), the application has been referred to the Advisory Design Panel with a request that the Panel pay particular attention to:

1. The transition to the buildings along Pandora Avenue and Chambers Street.
2. Overall massing, architectural elements and finishes to ensure the integration with the local neighbourhood.

In response to the direction above, the applicant chose to redesign the building, and overall, the new building design addresses the concerns raised by Council and staff. The Advisory Design Panel (ADP) also reviewed the application and recommended to Council that the applicant strengthen the expression of the building entranceway, clarify the expression of the Johnson and Chambers Street corner of the building, and investigate further daylighting of the stairwells.

BACKGROUND

On February 25, 2016, COTW considered the staff reports related to Rezoning Application No. 00487 and Development Permit Application No. 000434 for 1144, 1148, 1152 and 1154 Johnson Street and 1406 Chambers Street. Council passed a motion postponing consideration of the Rezoning and Development Permit Applications, and referred the Applications to the Advisory Design Panel for review and recommendation.

Description of Proposal

The applicant chose to redesign the building in response to feedback provided by Council at the Committee of the Whole meeting on February 25, 2016. This rethink of the building occurred prior to attending the ADP meeting on February 22, 2017. Further revisions from the feedback provided by the ADP have also been incorporated in the design.

The proposal is still for a six-storey, multiple-dwelling consisting of approximately 48 dwelling units; however, the applicant is proposing the following changes with respect to site planning, architecture and landscape design:

- mid-rise building form consisting of contemporary architectural features, including a flat roofline, contemporary-style windows and materials, and substantial glazing
- exterior building materials consisting of brick, preformed metal panel, cementitious panel, window wall/aluminium frame, transparent glass guardrail, translucent glass guardrail, and natural fir wood
- stepping back the building at the third and sixth storeys
- floor to ceiling windows and pre-formed metal panels to accentuate the south east corner of the building (Johnson and Chambers)
- two levels of underground parking with access off of Chambers Street
- main residential entryway fronting Johnson Street
- exterior entrances and large patios for all ground-oriented units

- pedestrian access from Johnson Street to the ground-oriented units located on the north side of the building via a gated pedestrian walkway
- substantial landscaping around the perimeter of the site and along the south-facing, rooftop patios
- climbing vines on the north and west elevations.

The following differences from the existing zone are being proposed and would be accommodated in either the new zone or variances as part of the concurrent Development Permit Application:

- increase the maximum FSR from 1.6:1 to 2:1
- reduce the minimum front, side and rear yard setbacks
- increase maximum site coverage from 30% to 41%
- reduce the amount of open site space from 60% to 52%.

Sustainability Features

As indicated in the applicant's letter dated December 20, 2016, the following sustainability features are associated with this Application:

- meets Built Green standards
- energy and water conservation
- use of low emitting materials to improve air-quality in the building
- re-use and recycling of construction products.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- a total of 48 Class 1 bicycle parking spaces located in a secure, enclosed bicycle storage room in the parking mezzanine
- six Class 2 bicycle parking spaces located at the main entrance to the building.

Data Table

The following data table compares the new proposal with the original proposal, as well as, to the existing R3-1 Zone, Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	New Proposal	Original Proposal (February 25, 2016)	Existing Zone R3-1 Zone
Site area (m ²) - minimum	2000.07	2000.07	920.00
Number of units	48	48	N/A
Density (Floor Space Ratio) - maximum	2.00:1*	2.00:1*	1.6:1 (if parking is provided underground)
Height (m) - maximum	18.29	21.73*	18.50
Storeys - maximum	6.00	6.00 (7.00 storeys including a small mechanical penthouse)	N/A

Zoning Criteria	New Proposal	Original Proposal (February 25, 2016)	Existing Zone R3-1 Zone
Site coverage % - maximum	41.00*	41.01*	32.00
Open Site Space % - minimum	52.00*	30.00*	60.00
Setbacks (m) - minimum			
Front (Johnson St)	6.00*	4.56*	7.50
Rear	9.14*	10.08 to building face or 0.79* to trellis	9.88
Side (west)	9.14*	9.61* to building face	9.88
Side (Chambers St)	6.00*	8.71*	9.88
Parking - minimum	57	57	57
Visitor parking (minimum) included in the overall units	6	6	6
Bicycle parking stalls (minimum)			
Class 1	48	48	48
Class 2	2 racks of 6 spaces	2 racks of 6 spaces	2 racks of 6 spaces

Referral to the Advisory Design Panel

The revised application was referred to the ADP at a meeting held on February 22, 2017. The Panel was asked to provide comments on the following:

- the transition to the adjacent buildings along Pandora Avenue and Chambers Street
- overall massing, architectural elements and finishes to ensure integration with the local neighbourhood.

The minutes from the meeting are attached for reference and the following motion was carried (unanimous):

"It was moved by Erica Sangster, seconded by Jesse Garlick, that the Advisory Design Panel recommend to Council Development Permit Application No. 000434 for 1144 – 1154 Johnson Street & 1406 Chambers Street be approved as proposed with the following recommendations:

- *Strengthening the expression of the building entranceway*
- *Clarifying the expression of the Johnson and Chambers Street corner of the building*
- *Investigating further daylighting of the stairwells"*

The Applicant's detailed response to the Panel's recommendation (dated May 3, 2017) is attached to this report. In summary, the applicant has responded to the ADP's recommendation as follows:

- windows were added at the ground floor and planters extended across the exterior of the amenity room to reach out towards the primary building entry doors to help further distinguish the ground level semi-public spaces from the residential floors stacked above
- a glass canopy was added above the front entryway to further accentuate the main residential entryway

- additional windows were added for further daylighting of the stairwells.

In addition to the revisions specifically related to the recommendations from the ADP, the Applicant has also incorporated the following revisions:

- the individual townhouse units have received additional detailing in the form of wood-finish entry doors with glass inserts
- accent lighting bollards used to accentuate the entryways and highlight the extensive vegetation and approach along each stair and terrace have been added
- windows at the upper wall of the north elevation have been enlarged to break up the blank wall
- permeable surface treatment for the ground floor terraces has been introduced
- eaves at level 6 have been changed from the light-tone cementitious panel to the mid-tone grey to match the walls of levels 4 and 5
- hard and soft landscaping has been further enhanced to define the main residential entryway.

Staff are satisfied that the changes noted above address the recommendations made by the Panel, and the additional refinements related to the entryways, blank wall on the north elevation, surface treatment, and landscaping result in a greater level of consistency to the Design Guidelines.

ANALYSIS

Consistency with Design Guidelines

The *Official Community Plan, 2012* identifies this property in Development Permit Area 16: General Form and Character. The applicable Design Guidelines include *Advisory Design Guidelines for Buildings, Signs and Awnings (1981)*, *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012)* and *Guidelines for Fences, Gates and Shutters (2010)*.

Overall, this new design addresses the concerns raised by Council and staff that were related to the transition of the buildings along Pandora Avenue and Chambers Street, and the overall massing, architectural elements and finishes of the original building design.

Directly north of the subject property are four single-family dwellings. These properties are in the R3-1 Zone, Multiple Dwelling District. The Applicant has responded to this transition by maintaining a 9.14m rear yard setback and stepping back the building at the third and sixth storeys in order to mitigate the visual impact of the contrast in massing between the proposed building and the existing houses, and to allow for building articulation and landscaping. The height of the building has also been reduced from 21.73m to 18.29m. Due to a significant elevation change between the subject property and the properties to the north, the immediate neighbours to the north would only have direct view of the second storey. A partial yew hedge punctuated by ornamental grasses and shade-adapted shrubs are being proposed along the north property line to provide a vegetative screening.

The applicant has introduced various architectural features that visually break up the building into human-scaled proportions. This includes introducing a building base that is well-articulated along the façades facing Johnson and Chambers Streets, stepping back the upper floors, articulating windows on the north elevation and accentuating the corner of the building with floor

to ceiling windows and pre-formed metal panels. Overall, the proposed development is consistent with the DPA 16 objectives for redevelopment and a high-quality of urban design.

Density Bonus Policy

When this Rezoning Application was presented to Council in February 2016, it was subject to a Land Lift Analysis. However, in October 2016 Council adopted the *City of Victoria Density Bonus Policy*, which would apply to this proposal. The Policy identifies an amenity contribution target (fixed rate target) for standard rezoning of properties designated "Urban Residential" in the OCP of \$53.82 per m². Based on the bonus density calculation, the applicant would be required to provide an amenity contribution in the amount of \$43,056.00 towards the Local Amenities Reserve Fund and to the satisfaction of City Staff. The applicant has indicated to staff that they choose to provide the fixed rate amenity contribution instead of pursuing an economic analysis.

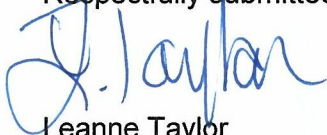
CONCLUSIONS

The revised proposal to construct a six-storey, multiple-dwelling at 1144, 1148, 1152 and 1154 Johnson Street and 1406 Chambers Street is consistent with the design guidelines contained in DPA 16, and includes high-quality building materials and appropriate landscape finishes. Overall, staff are satisfied that the recommendations from the ADP and staff comments have been addressed. The revised plans are an improvement from the original submission and have a greater consistency with the relevant Guidelines. Staff recommend for Council's consideration that the application proceed to a Public Hearing.

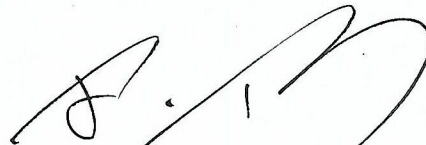
ALTERNATE MOTION

That Council decline Rezoning Application No. 00487 and DPV Application No. 000434 for the properties located at 1144, 1148, 1152 and 1154 Johnson Street and 1406 Chambers Street.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

May 16, 2017

List of Attachments:

- Subject Map
- Aerial Map
- Letter from applicant to Mayor and Council dated December 20, 2016
- List of Sustainability Features dated December 20, 2016
- Staff report to Advisory Design Panel, dated February 15, 2017 and copy of plans presented to Advisory Design Panel, dated December 20, 2016
- Minutes from Advisory Design Panel meeting of February 25, 2017
- Letter from applicant with summary of changes, dated May 3, 2017
- Minutes from Committee of the Whole Minutes dated February 25, 2016
- Correspondence (Letter received from residents)
- Committee of the Whole reports dated February 11, 2016
- Plans date stamped March 24, 2017.