

VIA EMAIL: zoning@victoria.ca

May 11, 2022

1 Centennial Square
Victoria BC V8W 1P6

RE: 2540 - 2542 Shelbourne Street - Proposed Development Notice and Pre-Application Summary

Dear Mayor Helps, Council, and Staff:

We are pleased to present this pre-application for the re-development of 2540 and 2542 Shelbourne Street. The proposal includes the rezoning and consolidation of two single-family lots to permit the development of 15 infill townhomes. Our application is guided by the Official Community Plan (OCP), the Fernwood Neighbourhood Plan (2021), as well as the established development patterns seen along the Shelbourne Corridor. The proposal focuses on addressing housing attainability under the guidelines of the Missing Middle Housing Initiative through a contextually appropriate form of development.

The original proposed concept was presented to the Fernwood Land Use Committee on April 7, 2022 and subsequently underwent revisions to reflect the neighbourhood feedback. This revised pre-application includes responses to the comments made. A detailed summary of the responses is included as Appendix A.

PROPOSAL

This proposal contemplates the future rezoning of 2540-2542 Shelbourne Street from an R1-B to an RT zone, permitting the proposed form of development under Policy guidelines described below.

Through a pre-application meeting with the Fernwood CALUC, and discussions with Planning Staff, we have heard and responded to comments from the neighbours and have reflected these changes in our proposal. Additionally, we have and will continue to meet with neighbours in close proximity to the site on a 1:1 basis.

The project has evolved to include 15 ground-oriented townhomes surrounding a central courtyard. The townhomes include a mix of 2 Bedroom + Den, and 3 Bedroom + Den homes, all with secured interior parking at grade. The townhomes are formed into three structures that run the length of the site, creating private patios behind each home, between the neighbours to the north and south. The orientation of the homes is consistent with existing 3-storey townhomes along the Shelbourne Corridor and includes street-facing facades and entryways that enhance the boulevard aesthetic and character.

HOUSING BENEFITS

The Fernwood Neighbourhood has the city's highest total number of families with children at home, and one of the highest shares of young adults aged 15-34. Most of the housing in the neighbourhood is single family, at approximately 25% of dwelling units, and apartments at approximately 63% of dwelling units.

Between 2012 – 2020, a total of 56 new housing units were approved within the Fernwood neighbourhood. This proposed application would represent a 27% increase in the total number of housing units approved over this 9-year period. Beyond the direct community, the creation of Missing Middle Housing has been challenging when compared to the development of condominiums and single-family dwellings. From 2012 to 2019, fewer than 250 Missing Middle homes were approved. Rising housing costs have left fewer opportunities for families to purchase their first home in Fernwood and Great Victoria.

SITE CONTEXT

The site is located on the western side of Shelbourne Street within the Fernwood Neighbourhood, in close proximity to Jubilee and Oaklands. The proposed townhomes are situated within a sweeping canopy of trees along this transit corridor, and holds the grandeur of two Gerry Oak trees, framing the site. Single-family residential homes are bordering the south, west and north of the property, with higher density forms of development immediately south and north along Shelbourne Street. The amenity-rich surroundings include the future East Bay Street Village, the Royal Jubilee Hospital, and the Hillside Shopping Centre.

The neighbourhood of Fernwood contains an increasingly diversified housing stock, ranging from heritage homes and bungalows to low-rise multi-family residential. Although the area is predominantly zoned for ground oriented single-family homes, the neighbourhood directives outlined in the OCP envisions residential densification opportunities in the areas in and around Bay Street and Shelbourne.

The Shelbourne Corridor has experienced diverse change over the past decades with a range of building types. As a result of the community's built-form and character, the project team believes a three-storey, ground-oriented townhouse proposal will be best suited in further establishing this corridor and the housing diversity within the Fernwood community as well as meeting the needs of the individuals and growing number of families in the area.

POLICY CONTEXT

In tandem with early engagement of the Fernwood CALUC and the Planning Department, our team has focused on the guidelines and objectives of several policies to shape the proposal. These guiding documents and policies are noted below with key summaries provided.

While two of the policies below are noted to have informed the design of the proposal, these policies have only recently been brought forward to the COTW; the applicant team has relied on adopted policy to guide the proposal, while considering the draft policies currently under Council review.

*The Official Community Plan;
Fernwood Neighbourhood Plan (2022);
Advisory Design Guidelines for Buildings, Signs and Awnings (1981);
Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (revised 2019);
Guidelines for Fences, Gates and Shutters (2010);
Missing Middle Initiative (2022); and
Tenant Assistance Policy*

Official Community Plan

The site is currently zoned R1-B, Single Family Dwelling, and holds an Urban Place designation of Traditional Residential. This designation envisions multi-unit buildings up to three-storeys, including attached residential and apartments, at approximately 1.0 FSR. The proposal contemplates the two properties to be consolidated and rezoned to an RT designation to permit three-storey, ground-oriented townhomes with a density of 1.08 FSR, consistent with the objectives and guidelines in the OCP.

The subject property is within the *Development Permit Area 16 – General Form and Character*. The objective of this designation includes several guidelines our team has addressed, specifically:

1. Multi-unit residential developments that provide a sensitive transition to adjacent and nearby areas with built form that is often three storeys.
2. To integrate multi-unit residential buildings in a manner that is complementary to established place and character in a neighbourhood or other area, including its heritage character.

3. To enhance the place and character of established areas and their streetscapes through high quality architecture, landscape and urban design that responds to each distinctive setting through sensitive and innovative interventions.
4. To achieve more liveable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, safety and accessibility.

The proposed building forms and character have been designed to align with the above objectives. The three-storey townhome form includes a varying and articulated roof line that is reminiscent and complementary to the more traditional forms of housing that are cherished within Fernwood and found along the Shelbourne Corridor. The gables and articulation of the Shelbourne Street facade serve to provide a street-facing character that enriches this block and creates a sensitive infill form through its orientation to reduce the massing along the boulevard.

A setback of approximately 7.7M from the boulevard serves to create a significant landscaped transition and opportunity for future road widening and bike lanes, consistent with recent projects along Shelbourne. The landscape treatment within this area will conform to the guidelines of the provided Statutory Right of Way; additionally, we are seeking to provide family-focused amenity space under the retained Gerry Oak within the SROW, in an area that will not be utilised for future road widening. The proposed programming will be further explored with City staff.

Fernwood Neighbourhood Plan (2022)

As noted in the Committee of the Whole report for Local Area Plan amendments, *“capacity for more housing choice was a top concern among residents... Beyond clear community desire, the need for more housing that meets a diversity of lifestyles, preferences, and incomes is illustrated in latent demand indicators, growth projections, and the gaps in existing Official Community Plan (OCP) Urban Place Designation capacity.”*

Within the Fernwood Neighbourhood Plan, the support of diverse, mixed housing is most relevant to this proposal. The intent of designing 15 townhomes on this site creates 2 bedroom + Den, and 3 bedroom + Den homes with an average habitable area of ~1,220 sq. ft. These highly liveable, functional homes are inherently more attainable than comparable single-family homes in the area. Additionally, they include secure interior parking, ample storage for bikes and strollers, private outdoor space for each home, and flexibility at grade for a bedroom to accommodate a growing family. This proposal targets young families that wish to stay in or move to this amenity rich community that supports a car-light lifestyle.

The Missing Middle Housing Initiative (2022)

At a time when housing is a pressing issue in Victoria, we seek to address this need by proposing ground-oriented townhomes for Victorians to call home. This project is largely about unlocking the potential for multi-family housing that meets the needs of those within a traditionally single-family neighbourhood. The proposal responds to the spatial limitations of the site and context along Shelbourne Street, while considering key issues such as walkability, transit, housing diversity and accessibility.

The specific objectives of the Missing Middle Housing Policy that have been addressed in this proposal include:

- *Improve options for families to stay in the City;* through the City’s Financial analysis for Missing Middle Housing, it is evident that *‘smaller unit sizes will keep the total unit price more affordable than larger units allowing the new units to appeal to a broader range of buyers’*. To achieve townhomes with an average habitable area of ~1,220 sf, the proposal has oriented the homes perpendicular to the street. This orientation has precedent along the Shelbourne Corridor with the closest relevant project located one block north of this site. The rationale is further described below.
- *Increase the supply and variety of housing;* this proposal and the orientation of the homes facilitates a net increase of 13 homes on this site. This form of housing includes multi-level living with flexibility at grade to provide an additional bedroom and private outdoor space.
- *Ensure the look and feel suit the character of the neighbourhood, support social interaction and foster a sense of place;* the proposal facilitates a common central courtyard with articulated pedestrian entryways and

landscaping to soften what would otherwise be a hardscaped drive aisle. The two homes facing Shelbourne Street maintain a street-facing façade conforming to the Design Guidelines, while benefiting from a shared courtyard open for resident programming.

Paramount to the construction of missing middle housing is affordability, appropriate sizing and orientation. In response to this initiative, neighbourhoods throughout the City, and in particular along the Shelbourne Corridor, will only achieve this type of missing middle housing through a variety of appropriately design forms, including sensitive 'galley forms', necessary to yield approximately 1.0 FSR with ~1,220 sq.ft. ground-oriented homes.

Tenant Assistance Policy

The two existing houses on the property are occupied by tenants. Through an approved rezoning Bylaw to facilitate 15 family-oriented townhomes, relocation will be required. We will continue to engage with the tenants and will follow the guidelines of the City's TAP.

In tandem with a formal rezoning application, a Tenant Assistance Plan will be drafted with input from tenants and provided to staff for consideration and feedback. We will be proposing a compensation package that is above and beyond the minimum requirements in the TAP and will work with City Staff on developing an appropriate plan at the time of rezoning submission.

DESIGN RATIONALE

Following early consultation with Planning, the applicant team has revised the proposal and space planning accordingly to address the following two concerns:

- Locate homes toward the street; and
- Proposed homes to be sensitive to neighbour outlook and privacy.

Orientation

The Shelbourne Corridor is characterised by a diverse set of housing typologies. Pockets of more recent construction along this corridor, including but not limited to the Pearl Block and London Arbour, include typologies that have been conceived largely due to site dimensions, namely the significant depth of the properties. These successful infill homes capture the full depth of the properties with reduced set-backs and contextually appropriate 'galley form' design.

The most significant challenge / opportunity within this neighbourhood, with respect to home building, is responding to this site depth in a manner that results in a sensitive built form and an economically viable project. Re-orienting the homes toward Shelbourne Street results in a significant increase in the sizing of the homes due to the site constraints, pushing the areas up to ~1,700 sf on average (in necessity to achieve ~1.0 FSR) becoming less and less attainable for young families.

The design team for this proposal has undertaken massing studies to orient homes in a manner that is consistent with the streetscape in this growing neighbourhood and aligned with OCP densities and heights. This Shelbourne Street elevation is designed to fully adhere to design guidelines through fenestration and gables that complement the architectural context of this area, with a roofline that sets back from the street reducing the overall massing along this frontage. This orientation is further enhanced through a continuous landscape buffer running perpendicular to the street along the north and south property lines. This landscape buffer is unique to this site and provides a substantial improvement to existing conditions and visual interest from the boulevard.

The homes oriented to the semi-private courtyard off Shelbourne are designed to respond to neighbour privacy (detailed below) while maintaining a high level of design and refined expression.

Privacy and Neighbourliness

Through design iterations and staff feedback, the applicant team explored several housing options for this site. Following precedent projects along the Shelbourne Corridor, some within a single block from the property, the proposal for two rows of townhomes oriented east/west, and perpendicular to the street, limits the overall shadowing impact on the neighbouring properties and reduces the massing of a street wall in this residential neighbourhood.

With respect to addressing potential privacy and outlook concerns, the design team has provided the following changes:

- Fenestration has been designed to address the outlook over neighbours, specifically to the north and south.
- Window heights and widths overlooking neighbours have been sensitively placed with respect to privacy and design considerations.
- The interior programming of the townhomes has been revised to create living space with outlooks over the shared courtyard. This response creates several positive outcomes including: prime living space and circulation through the home, which is located away from the neighbours' property lines; limiting outlook and improving privacy; and creating prime living space on the courtyard side allowing for limited glazing towards the neighbours.
- Living spaces have been designed to overlook the shared courtyard providing architectural opportunities for expressing the space with more significant glazing / bay windows to increase daylighting.
- Living space has been designed over the shared courtyard, with direct pedestrian entries below, creating an outlook over a shared semi-private residential space, fostering a secure, family-friendly courtyard.
- The interstitial space between the townhomes and neighbours will be programmed with private patios and internal access only. Pedestrian circulation will happen within the shared courtyard. Layered landscaping between the patio and neighbours will promote privacy for both, while fencing and screens will create a second layer of privacy between all neighbours.

CONCLUSION

The applicant team believes the proposal outlined above successfully addresses the objectives of the noted City Policies and Design Guidelines through a built form that provides a Missing Middle typology consistent with its context. Through the rezoning process we look forward to refining this proposal through continued work with Staff and neighbours to permit the development of family-oriented homes within this community.

Sincerely,

Frame Properties

APPENDIX A

Notes from early engagement with FCA LUC regarding 2540 and 2542 Shelbourne St with Frame Properties & Consultants Zoom Meeting held April 7, 2022

Key Comments from Meeting Attendees:

Affordability and Tenant Protection

- Participants wanted to know what would happen to the existing tenants and what level of assistance they would receive, given that there were no rentals proposed
The applicant will be supporting the Tenants through relocation, should this proposal be approved by Council, and will commit to providing assistance above the City's TAP requirements in order to support tenant relocation. A Tenant Relocation Strategy will be provided to the City with a rezoning application.
- Participants were interested in the price point of the homes and whether any affordable units would be offered. Housing affordability for families is a major issue in Fernwood. Some comments in the chat affirmed the value of having townhomes for young families, but some also commented that even townhomes sold at market value are not really affordable for many families.
The proposal includes a range of homes that are smaller than comparable single-family homes, which is out of the price range for many young families in Victoria. The homes however, include all the features and flexibility that single-family living affords while being sold at a lower price point.

Impact on Neighbouring Homes

- Prior to the presentation, participants with properties near to the proposed development expressed concern about impact on sunlight, as they grow their own food and are worried about the impact on their gardens
The design team has given careful consideration to the orientation of the homes relative to neighbours. Shadowing on neighbours' property is being mitigated, and will include further design development, to ensure impacts are limited. The proposed orientation of the homes limits the greater impact of shadowing to the western edge of the property and the backyards of the neighbours; the rotation of the homes in the north/south direction has been tested with the design team and results in greater impact to the surrounding neighbours given its orientation and siting. Sensitive design of the roofline and refinement of the massing is being addressed to limit shadowing to the north.
- Prior to the presentation, participants with properties nearby expressed concern about how it will impact excess rainwater – is there potential to exacerbate issues related to flooding?
The applicant has confirmed with the geotechnical engineers the proposal will improve flooding concerns in the vicinity by providing stormwater diversion systems that will direct the excess rainwater to the municipal system. The applicant will continue to work with the design team to ensure this concern is addressed prior to Building Permit issuance.
- It was asked about whether blasting is a possibility.
The applicant has confirmed, based on preliminary investigative work, that blasting will not be required.
- The impact on neighbouring trees was inquired about.
The applicant has engaged a Land Surveyor and Certified Arborist to survey and assess all the trees that are in the vicinity of the property lines and will be making efforts to ensure vegetation is not disturbed. Where deemed necessary by the arborist, the applicant will propose a tree planting strategy and will conform to the City's Bylaws regarding retention and planting. It should be noted

the applicant is making all reasonable efforts to retain the significant Gerry Oak at the southeast corner of the property.

Clarification of Details

- Is the development within the Shelbourne Corridor Development Permit Area and is there a 7m right of way being granted to the City? Bike parking appeared to be in the right of way and the developer noted that the city may ask them to relocate it.

The proposal includes a 7.7M SROW along Shelbourne St. The current site plans include potential for programming this space to the benefit of the neighbourhood and residents, specifically near the retained Gerry Oak where the future SROW would be diverted; the applicant will continue to work with Engineering and Transportation to propose a solution that is to the benefit of the City and neighbourhood.

- Rear, side, and front setbacks: To be confirmed and updated with the rezoning application.
- Where garbage and recycling would be located?

The applicant has explored on-site options for future garbage and recycling staging and will be confirming locations with City Engineering.

- How many parking stalls and where parking was located (including visitor parking)?

The proposal includes 15 secured parking stalls within the townhomes (1 per unit) and 2 surface stalls for visitors.

Contribution/Value to Fernwood/Character

- Participants are particularly keen to know how the project will enhance the neighbourhood and Fernwood as a whole and felt that this was an area that the developer did not address in their responses, other than the fact that they are adding homes.

The proposed 15 infill townhomes are being designed and oriented in the context of the neighbourhood character and provide a net increase of 13 family-oriented homes in this area. A significant Gerry Oak is being retained on site that will maintain Shelbourne's character, and will be complemented with robust onsite landscaping. A high level of design and appropriate aesthetic is being developed through the public consultation process. Additionally, Step Code energy requirements and on-site water management will inform the design of the townhomes.

- One participant expressed dislike for the aesthetics as the homes seemed to lack character and cohesion; The proposal was presented with schematic massing and thoughts on architectural design. The applicant was seeking feedback from the CALUC to help form the architectural direction.
- Has there been any consideration to preserving the historical features of the 102-year-old home currently located on the property? The structures have not been fully assessed to ascertain the heritage merit. Through the rezoning process, and prior to any demolition work, the applicant will address any potential for preservation.

Amenities

- Neighbours did not like the play area out front as it did not seem like a safe option for children. As an additional artistic feature for people walking by it seemed fine, but for residents the neighbours thought there should be a play area and some green space inside the lot. This is well-noted and the site plan iterations will explore on-site greenspace and a play area that is safe for children.

Lack of Consultation

- A neighbour who lives within the block indicated that they did not receive any communication about the development from the developer; prior to the pre-app meeting the applicant met, or attempted to meet, neighbours adjacent to the property and immediate across the street. The neighbour that did not receive notice was a few houses north. During this pre-application meeting, the neighbour was provided full information of the proposal and we look forward to receiving further feedback.

