

1026/1028 & 1030 Empress Avenue

Rezoning & Development Permit with Variance Applications
Letter to Mayor & Council

March 20th, 2024



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Letter to Mayor and Council – City of Victoria

On behalf of our Client (Bowcey Construction), and for your consideration, please accept this letter of rationale outlining the proposal for new infill townhouses at the site of 1026/1028 & 1030 Empress Avenue, submitted to accompany our Application for Rezoning and Development Permit with Variance. The proposal is seeking a Rezoning Permit to allow increased height and density, and a variance to slightly reduce off-street parking requirements, and as one poised to make a thoughtful addition to the vibrant fabric of Victoria's North Park Neighborhood, we hope it earns your discussion and support.

Project Context and Description

Currently existing on the two subject properties are a three-unit houseplex and a four-unit houseplex, the former of which is currently being improved under a Schedule 'G' house conversion building permit. The proposed redevelopment is for the retention of both houseplexes, the removal of an un-permitted rear addition at 1030 Empress Avenue, and the construction of a new seven (7) unit townhouse building along the Bay street elevation, with a 3.38m wide road dedication to Bay Street. The townhouse building will comprise two (2) new at-grade "adaptable dwelling units" to updated BCBC standards and five (5) at-grade accessed townhouse homes above. One parking space is provided for each of the seven proposed units, including a dedicated accessible parking space for each adaptable unit. The existing two houseplex buildings are proposed to have no on-site parking according to the provisions assigned to Schedule "G" house conversions. The two existing lots are proposed to be subdivided to create three properties, including a strata tenure for the new townhouse building and a mutual access covenant among all.

Neighbour feedback and concerns given voice at the CALUC meeting have led to a reduction in the development scope to preserve existing rental housing at 1030 Empress, and also resulted in a redesign of the townhouse building to better respond to neighbourhood forms and character..

Project Need & Benefits

Victoria faces an ongoing crisis of housing supply and affordability. The Empress Townhouses directly addresses Victoria's ongoing crisis of housing supply and affordability by adding much-needed, high quality and transit-oriented housing units to the city's inventory, in a suitable and well serviced location, at a compatible and gentle scale and density, without displacing any existing renters.

Similarly, there is clear need for more accessible and adaptable homes, as barriers to accessible use abound in Victoria's existing housing stock. In its contribution to address this need, the project proposes that both direct-access, ground-oriented units be "adaptable dwelling units" to be supportive of a wide range of mobility disabilities, enable graceful aging-in-place, and providing more housing options to community members with accessible needs.

The project includes a substantial road dedication that will support future improvements to Bay Street's public space, enhancing overall livability and accessibility. The City at large stands to benefit from an enhanced tax base resulting from additional development and housing units, supporting essential municipal services and initiatives, including the commercial village centre at nearby Quadra Village.

Moreover, the project stands offers an alternative typology for stakeholders to consider when contemplating options for creating new housing opportunities within the city. As a "townhouse" project not relying on the Schedule "P" definition for "corner townhouse", the project stands as a demonstration and test case for mid-block townhouse projects.

Green Building Features

A commitment to sustainability and green building practices is embedded in the thinking that drove the design concept. Simple, efficient building forms will enable a high degree of envelope and energy performance, reducing the development's environmental footprint. Secure bicycle storage with a weather-protected entry approach encourages cycling and car-free living, promoting eco-friendly transportation options. Patterns of living are highly influential on collective emissions and land use demands, and the proposed compact townhouse model near active transportation and parks helps enable people's ambitions to lead lower energy and carbon footprint lifestyles.

The south-facing townhouse building's roof would be pre-wired for a large potential photovoltaic panel array, harnessing solar energy for future sustainable power generation. The new building will meet or exceed Step 3 of the BC Energy Step Code and shall achieve Greenhouse Gas Emissions Level 4 under the Zero Carbon Step Code, exemplifying the commitment to energy efficiency and carbon reduction already embedded in Victoria's municipal compliance targets.

Along with the minimally renovated houseplex at 1030 Empress, the existing conversion building at 1026 Empress will be entirely retained, with the pair of buildings serving to maintain a consistent presence along the Empress frontage. The replacement driveway will incorporate plantings and permeable surfaces, promoting rainwater infiltration and sustainable landscaping practices.

Policy & Design Guideline Compatibility

The project seeks to diligently align with the City of Victoria's established policies and urban design guidelines, and their trajectory for our shared future. The development aligns with the OCP's "Urban Residential" designation, embracing policy goals of various building forms, varied setbacks, and increased density in strategic locations.

Similarly, in the more local and specific North Park Neighbourhood Plan, the project supports housing diversity, affordability, and sustainable transportation options, harmonizing with the plan's objectives. The revisions made since the CALUC presentation have led to the decision to preserve the existing rental units on both properties, and thus make a bigger and more balanced contribution to meeting housing needs in our community.

The project is not a "Missing Middle Housing" proposal based on Schedule "P" however the project does address and embed the strategies and recommendations of the Missing Middle Design Guidelines (DPA-15F) applicable, under the OCP, to any development having two or more dwelling units. These include strategies for considerate building massing, formal interest and variety, cohesion whilst maintaining clear unit individuation, useful outdoor spaces, and livability.

Lastly, the principles of the General Urban Design Guidelines (DPA-16A) are neatly reflected in the design solutions proposed. The building follows recommendations for building form, street interface, building composition, parking, circulation, access, open space, landscaping, and livability guidelines, promoting a cohesive and attractive urban environment. For further reference, an appendix is attached to this letter with a detailed comparison of policy goals and design solutions.

Summary

In short, by seeking to maintain existing rental housing structures and adding strategic density along the Bay Street frontage, the project is striving toward a balanced approach to responsible and sustainable urban development. By meticulously aligning housing market pressure with policy design guidelines and community needs, this development proposal seeks to make a positive contribution to Victoria's housing supply and quality of life. **Your approval of the proposed Application would enable the development of seven (7) new townhouse home ownership units, including two adaptable dwelling units meeting the latest Building Code revisions, while a further seven (7) rental units are preserved and enhanced.**

Thank you for your consideration of this proposal, and we look forward to addressing any questions you may have.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Tim Kindrat', written over a horizontal line.

Tim Kindrat, Architect AIBC
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Appendix – City of Victoria Policy & Guidelines Summary Table

Bylaw or Document	Policy Goal	Development Proposal
Official Community Plan: Urban Place Guidelines (6.2 & Figure 8)	<u>“Urban Residential” – Built Form:</u> <ul style="list-style-type: none"> • Attached and detached buildings up to three storeys • Low-rise and mid-rise multi-unit buildings up to six storeys 	<ul style="list-style-type: none"> • Low-rise multi-unit buildings up to three storeys • Ground-oriented multi-unit residential • Low-rise multi-unit residential
	<u>“Urban Residential” – Character Features:</u> <ul style="list-style-type: none"> • Variable yard setbacks with primary doorways facing the street • Variable front yard landscaping, boulevard and street tree planting • On-street parking and collective driveway access to rear yard or underground parking 	<ul style="list-style-type: none"> • Street-facing entries for 5 of 7 suites • Local street facing driveway to rear yard parking • Driveway incorporates plantings • New trees in side yards where possible
	<u>“Urban Residential” – Uses:</u> <ul style="list-style-type: none"> • Ground-oriented multi-unit residential • House conversions • Low- to mid-rise multi-unit residential • Low- to mid-rise mixed-use along arterial and secondary arterial roads. 	<ul style="list-style-type: none"> • Ground-oriented multi-unit residential • Existing house conversion • Low-to mid-rise multi-unit residential
	<u>“Urban Residential” – Density:</u> <ul style="list-style-type: none"> • Total floor space ratios generally up to 1.2:1 • Increased density up to a total of approximately 2:1 may be considered in strategic locations 	<ul style="list-style-type: none"> • Total FSR for entire site < 1.0
North Park Neighbourhood Plan	<u>Diverse, Sustainable Locations:</u> <i>“Support multi-family, rental, and affordable housing in all of Victoria’s neighbourhoods. Support rental as well as strata housing in a variety of locations, not just on busy street corridors, but in quieter locations, to support varied needs, lifestyles, and preferences. Make room for housing that is proximate to Downtown, urban villages, and sustainable transportation corridors with access to shops, services, amenities, parks, and open spaces to enhance livability and support Victoria’s greenhouse gas emissions reduction targets.”</i>	<ul style="list-style-type: none"> • Multi-family strata housing, with retention of existing rental units • Local street (Empress) connects with AAA bike route at end of block • Six minute bike or 20-minute walk to downtown • Neighbourhood has many existing apartment and multi-unit buildings • Fully electrified building; no greenhouse gas fuels • Location & access facilitates car-free living
	<u>Diversity in Form and Tenure:</u> <i>“Support the creation of varied tenure options including rental housing. Support the inclusion of homes of various sizes and designs for different household types.”</i>	<ul style="list-style-type: none"> • Varied but harmonious building types on subject lots • Existing heritage conversion triplex plus existing four-plex plus new ground-oriented townhouses and 2 new adaptable dwelling units
	<u>Preserving Affordable Housing:</u> <i>“Provide opportunities to meet Victoria’s housing needs while minimizing displacement of existing purpose-built rental housing.”</i>	<ul style="list-style-type: none"> • Existing informal/non-purpose-built house conversion to be removed • Homes of varied sizes and costs, including car-free options
	<u>Making Room for More Affordability:</u> <i>“Support the creation of below-market and non-market housing. Provide diverse mobility options and opportunities for people to choose car-light lifestyles, improving environmental outcomes for the community and reducing the Housing + Transportation cost burden for the household.”</i>	<ul style="list-style-type: none"> • Seven new homes added to existing residential properties • House conversion rental units offer car-free living options • Units vary in cost & tenure across site (strata and rental)

	<p><u>Complement Ground-Oriented Forms and Heritage Features:</u> <i>“Complement ground-oriented housing, including anticipated missing middle forms, existing lower scale residential, and heritage assets, with diverse forms and tenures of new housing that emphasize high-quality design, livability, and neighbourliness.”</i></p>	<ul style="list-style-type: none"> • Varied new residential building forms of low-rise scale up to 3 storeys • Houseplex includes ground-oriented secondary suites • All entrances clear, private, at-grade
	<p><u>Bay Street Corridor:</u> <i>“Proximate to two Frequent Transit corridors, Downtown and several urban villages, the Bay Street Corridor offers many of the same locational characteristics described in other areas. In addition to the mentioned existing and planned parks and public spaces, the Hillside-Quadra Neighbourhood Plan proposes opportunities for adding green space between Bay Street and Hillside Avenue. Many lots front onto both Bay Street and Empress Avenue. There is a mix of building types in the area, including character houses typical of North Park. Double-fronting lots provide the opportunity to develop new housing that is sensitive to existing buildings of heritage merit.”</i></p>	<ul style="list-style-type: none"> • Public realm contribution by large road dedication along Bay Street • Steps from Bay Street and Cook Street transit corridors • Double-fronting lot offers additional development potential that minimizes impact on existing rental units • New housing sensitive to existing on-site heritage conversion
<p>DPA-15F: “Missing Middle Design Guidelines” (2023)</p>	<p><u>Site Planning & Open Space Design:</u></p> <ul style="list-style-type: none"> • Buildings should be oriented towards adjacent public streets and open space, with entryways clearly visible (1.1) • Where a variance to zoning requirements is requested, variance should focus on reducing parking requirements rather than reducing open space requirements (1.3) 	<ul style="list-style-type: none"> • Opening through first storey creates legible & accessible street entrance • Parking, open space, and livable areas have been balanced to optimize housing appeal & quality • Space has been made for a substantial new tree in the rear yards
	<p><u>Accessible Design:</u></p> <ul style="list-style-type: none"> • Ensure accessible paths of travel between public sidewalks & accessible dwellings (2.3) • Exterior accessible paths of travel should be 1.5m wide, with firm & stable surface (2.4) • Landscaping and outdoor common spaces should be accessible for people (2.10) 	<ul style="list-style-type: none"> • Proposal includes voluntary provision of two (2) new adaptable dwelling units (ADUs) • Design considers and integrates new accessibility requirements of Code, including 1.6m+ wide pathways • Accessible path of travel from street to parking, bikes, and both ADUs
	<p><u>Parking, Access and Servicing:</u></p> <ul style="list-style-type: none"> • Vehicular access, circulation, garage doors and parking should not be the dominant aspect of developments and should be designed to minimize impacts on fronting streets (3.1) • Design driveways and parking areas to also function as multi-functional hard surface open areas, including play spaces for children (3.1.11) • Long term bicycle parking should be consolidated and enclosed with shared access (3.2) 	<ul style="list-style-type: none"> • Location of internal parking allows retention of existing housing while building screens cars from sidewalk view and Bay street noise from existing dwellings • Enhanced aesthetics of unit pavers in drive aisle enhances appeal for non-vehicular multipurpose use • Dedicated enclosed bike room served by accessible path of travel

	<p><u>Orientation and Interface:</u></p> <ul style="list-style-type: none"> • Units facing streets should have entries oriented towards, and be clearly accessible and visible from, the fronting street (4.2) • Ensure interior facing unit entries are legible & emphasized through design features (4.4) • For tuck under parking at grade, provide a minimum 5 m depth of interior residential use for portions of the building facing the street or public open space (4.5) 	<ul style="list-style-type: none"> • Street-facing entries for 5 of 7 suites • Vehicle and bicycle parking co-located to optimize building proportions and enable ADUs • Side entered adaptable units at grade well-lit entries through private outdoor space • Side yards utilized as private outdoor space for ADUs
	<p><u>Building Form, Features and Context:</u></p> <ul style="list-style-type: none"> • Townhouse modulation in facades and roof forms are encourage (5.1.3) • Entrances should create building identity and distinguish between units; primary entrances should use well-considered detail to provide punctuation (5.1.4) • Balconies should be designed as integral to the building (5.1.7) 	<ul style="list-style-type: none"> • Dormer roofs and material changes for interest and cohesion • Individual doorways readily differentiated from generous “thru” secure gate • Rear balconies create usable outdoor space for townhouse residents, and visually screen parking area below
	<p><u>Mid-Block and Double Row Townhouses:</u></p> <ul style="list-style-type: none"> • Townhouse development should be sited and oriented with the longer face of the building parallel to the street (7.1) • Site planning should ensure that dwelling units face the street (7.2.1) • Parking access court areas should be integrated & welcoming, with one or more trees and features such as balconies for casual surveillance (7.2.8) 	<ul style="list-style-type: none"> • Proposed three (3) storey building with very limited side windows highly compatible with neighbouring 2 ½ storey houseplex • Street-facing entries for 5 of 7 entries • Parking court activated by bike rack & visible from south windows to all units
<p>DPA-16A: “General Urban Design Guidelines” (2022)</p>	<p><u>Building Form, Scale & Orientation:</u></p> <ul style="list-style-type: none"> • Buildings to orient towards and have strong relationship to fronting street • Respond to established orientation of buildings to fronting streets and rear yards • Transition in scale and provide sun access to adjacent open spaces • Attention to length, proportion and articulation along facades that are long and continuous 	<ul style="list-style-type: none"> • Street-facing entries for 5 of 7 suites • Building massing enables solar access by each unit • Longest façade along Bay Street, where material & façade variations add interest
	<p><u>Building to Street Interface:</u></p> <ul style="list-style-type: none"> • Create “eyes on street” and public spaces • Clear sight lines and direct access to primary building entrance • Front of new buildings should be generally aligned with adjacent ones for continuity • Strong entry features that encourage street interaction while considering privacy & livability • Locate ground floor residential units 3-6m from fronting property line. • Landscape transition zone between building and sidewalk 	<ul style="list-style-type: none"> • At-grade entrances with wide accessible pathways • Windows facing all directions • Changes along Empress limited to shared driveway • Direct, urban frontage to large road dedication on Bay Street • Landscaped setback with trees along Empress • Safety considerations integrated with Bay Street facing gate design

	<p><u>Building Composition:</u></p> <ul style="list-style-type: none"> • Express unified concept while incorporating variation in façade treatments • Balconies and patios should be designed to contribute to a cohesive façade composition • Use high quality and durable materials • Exposed party walls and blank side elevations should incorporate features to provide visual interest 	<ul style="list-style-type: none"> • Unified material and colour palette, with variations at each building’s treatment and details • Durable, tactile exterior materials • Townhouse side elevations given windows and detail interest
	<p><u>Parking, Circulation and Access:</u></p> <ul style="list-style-type: none"> • Safe movement of pedestrians should be prioritized above all other modes of transportation • Parking should be located underground or tucked near the rear or side of buildings • Visible and secure parking or storage should be provided for bicycles 	<ul style="list-style-type: none"> • Multi-modal driveway with planted centre encourages slow vehicle movement • Rear surface parking at 1:1 for townhouse units • Secure bicycle storage with direct exterior access from accessible pathways
	<p><u>Open Space and Landscaping:</u></p> <ul style="list-style-type: none"> • Provide open space that is usable, attractive and well-integrated with the design of the building • Public and semi-public spaces should be distinguished from private spaces 	<ul style="list-style-type: none"> • Large road dedication to enhance public realm on Bay Street frontage • Clear distinction of private space with direct street-facing entrances, and keyed covered pedestrian entry gate
	<p><u>Livability:</u></p> <ul style="list-style-type: none"> • Balconies that include residential units should provide private outdoor space in the form of balconies or porches, and shared open space in the form of courtyards, green spaces, terraces, yards, play areas or rooftop gardens • Where two or more buildings or located on a single site, a minimum separation space of 6m should be provided for residential units with a dual aspect • Where possible, provide dwelling units with a choice of aspect 	<ul style="list-style-type: none"> • Large balconies for all above-ground units • Private outdoor space directly adjoining each adaptable unit • Low midday traffic of internal driveway can enable daytime use as informal shared open play space • Large public outdoor recreation space available at nearby Central Park • All units have windows on at least two sides

(End)