

June 15, 2022

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

Attention: Mayor and Council

Re: **Comments by and responses to, the Advisory Design Panel and Heritage Advisory Panel** regarding the Capital Culture District Proposal (formerly known as 'LoRo', (Lower Rock Bay) and 'The Capital Iron Site'): Application submitted for Rezoning to permit a Comprehensive Development Urban Design Plan for properties located in 1824, 1900, 1907, 1908, 1924, 2010 Store Street and 530 Chatham.

The project was presented on April 27, 2022, to the City of Victoria's Advisory Design Panel (ADP) and on May 10, 2022, to the Heritage Advisory Panel (HAP). As the meeting minutes and final motions were not available at the time of this writing, the items below were raised, and comments made by Advisory Panel members and recorded as the basis of motions on which they voted. The following numbered responses, provided on behalf of the applicant and composed with the assistance of the design team, are below each item.

1. Height:

Varying comments and suggestions were made by panel members, ranging from 'making the tall buildings taller' to keeping the heights between 5 and 10 storeys by using mid-rise, 'slab-type' (longer) buildings.

⇒ Rationale for the proposed building heights:

The proposed urban design, including street right-of-way proportions and space allocation, setbacks as well as building plan form and height, are the result of extensive precedent research. The design was studied in two and three dimensions, including the use of virtual and digitally printed modelling. Throughout this process, priority has been given to the space and location for a network of public and semi-public open spaces and connection with street rights-of-way. These spaces came to constitute an armature of public access and circulation through the entire project site. This rare opportunity of scale allowed intentional design of and interconnection with the surroundings including Old Town and Chinatown, the Harbourfront and the historic main north-south urban entry arterial that is Government Street.

This network of spaces, include a continuation of the harbour pathway, an intimate plaza fronted by retained heritage buildings, an important connection to the water through the harbour concourse, a prominent public plaza, an active mid-block lane and a linear park boulevard along the west side of the property's Government Street boundary. These positive public gestures were made possible by

the reconfiguration of the as-of-right, zoned density allocation of the property *without requesting a density increase*. This meant that the density currently assigned to the properties that comprise the project site would have to be planned and developed comprehensively and in a way that will achieve economic viability for the project overall. The phased development concept that emerged meant that an amount of buildable floor area would be accommodated vertically as taller building forms.

This posed a challenge in that one of the important urban design strategies was to make the size and proportions (width of street to height of buildings) of the streets comparable with the pedestrian-scale of the building frontages of the older parts of older cities (typically 5 or 6 storeys, with some up to 7 or 8 storeys). In addition, some planning policies and guidelines set height limits that require varying adjustments to enable the proposed Victoria 3.0- based concept to be implemented.

To reconcile these divergent priorities, the proposed solution is to create building bases, or podiums that will achieve the desirable street proportions and shift the remaining floor space into taller forms set back from the street towards the inner blocks. These were then positioned in only 3 carefully qualified, locations that were selected to minimize the sensory impact on pedestrians. Since the project site is the size of 2 city blocks, the taller portions were able to be located with ample space between them, incrementally stepping up in height as they locate away from the water. This composition of forms achieves the intended street-scaling heights of 3 to 6 storeys providing more solar gain to the pedestrian realm. That means that the majority of light-industrial, employment commercial, and other non-residential buildings can have good ground-access and ample daylight; In addition, the taller residential buildings (rental, artists live-work and condominium apartments) are situated to maximize valuable daylight, views, and privacy, while increasing livability of the spaces, thereby satisfying priorities for both types of users. It was recognized early in the conceptual urban design and architectural process that having design control of such a large urban property (6.7 acres), offers significant advantages and reduces the number of design compromises often required in urban redevelopment. The advantages included the achievement of a generous amount of well-configured public space and amenities while delivering the enabling financial returns on a significant investment in downtown Victoria.

Finally, and significantly, the development proposal will include the commitment to provide the Art Gallery of Greater Victoria with a site and development density to construct their new downtown gallery. Located adjacent to the proposed public plaza at the heart of the redevelopment, provision of a building site for the gallery will form part of the proposed Community Amenity Contribution. Beyond that, the gallery, with the adjacent programmable public plaza, will be synergistic with and a catalyst for the vision articulated in the City's Victoria 3.0 initiative. All these factors will ensure that the first piece of Victoria's Arts and Innovation District will be a combined community and a private development success over time.

Stepped Urban Form:

Along with some subjective opinions regarding height and locations of taller buildings, a planning and urban design guideline known as the 'Urban Amphitheatre' was discussed. The notion of an urban form as an amphitheatre emerged many decades ago and it is likely that the idea was applicable to the Inner Harbour where downtown was then focused. At that time, the Upper Harbour (north of the Johnson Bridge including where the Arts and Innovation District is located) was dominated by unregulated industrial infrastructure, including concrete silos, tall cranes, and other structures and vessels along the water's edge. The idea that buildings would be compelled to

be built lower near the harbour's edge and be allowed to be progressively taller as they moved upland was intended among other things, to avoid taller buildings located closer to the water that could block the views of the Inner Harbour from further upland.

Compliance with the urban amphitheatre idea now and in the future is a subjective matter and has been interpreted in the proposed urban composition. The illustrative design does step from 2 and 3 stories along the harbour, to 3, 6 and 10, on the west of Store Street, to 5, 6 and 13 east of Store Street, and then 4, 5 and 17 up at Government Street. These incremental increases and mixing of building heights (between podiums and the 3 taller portions) creates a subtle stepped roofscape when viewed from a distance. The intentional staggering of the taller portions (described earlier) avoids the blocking of views of the Upper Harbour (north of Johnson Bridge) from the windows of the upland buildings.

2. Landscaping:

In general, the open space network concepts were positively received. There was concern expressed by some members that there may not be enough foot traffic for the plazas to be well utilized. It was suggested by a member that more soft landscaping be incorporated into the final designs.

⇒ This point has been and will certainly continue to be considered at the detailed design and Development Permit stage. All design efforts will be made to make a place attractive to users and visitors. It is the activities of people that will animate and develop a district character in the area. The location, solar exposure, adjacent uses, and the pedestrian interconnectedness of the plaza have all been designed intentionally and for the express purpose of facilitating public use of the space.

3. Connection to/from the Harbour:

It was recommended that public access be provided to the waterfront.

⇒ The indicative site plans as well as numerous illustrations describe the public concourse, passageway and driveway that connect the upland area with the harbourfront. Currently, and for many years, there has been no public access to any portion of the property's harbour edge. In response to the remark, however, the proposal has been augmented to include an expanded Harbour Pathway at the southern end of the site. This anticipates and will help facilitate the connection of the proposed Harbour Concourse, that will be constructed under the zoning of this proposal, with the property to the south (when redevelopment occurs there).

⇒ In the future, if industry no longer requires direct harbour access and onsite uses are compatible with public access, the Harbour Pathway could continue north along the harbour edge. A statutory right-of-way (SRW) will be opened for public use when the zoning is amended to exclude heavy industrial and marine industrial uses. In the meantime, the extension of the Harbour Pathway is routed around the working harbour edge to encourage and facilitate the possible return to the site of marine industrial or commercial industry that has long been absent and diverting the pedestrian flow to the public plaza, heart of the project and public open vestibule of the Art Gallery.

4. Lane improvements:

It was recommended to improve the pedestrian experience of the mid-block lane.

⇒ Intended features of the indicative design that will be specified in the planned Master Development Agreement include many ideas and features to achieve universal accessibility throughout the site. These correspond to the uses anticipated and permitted by the geometry and dimensions in the proposed zoning criteria. The indicative design will be further illustrated to assist in understanding the intent of those features. The lane is expected to have active edges, develop a distinctive eclectic character and be designed to be comfortable and safe for shared use by pedestrians as a mid-block walkway and for drivers. A unique feature of the lane that will distinguish it from others in the City, is a portion of the Applied Industrial Arts Building (E3, E4) along Discovery Street. Here a connection will be made between the two wings of the 2-phased building forming a landmark bridge over the lane. A new description, sketch and precedent photos of the idea have been added to the Rezoning Application document (page 36).

5. Unique building design:

There was a desire to see varied building designs, including a 'signature' building as part of the rezoning application.

⇒ It is important to know that forms and architectural expression of the buildings that are included in the application material are indicative of the size, position, and shape of the future buildings. Architectural composition and materiality of the facades have been schematically portrayed for illustrative purposes to convey the envisioned aesthetics of the place. They have yet to undergo a full design process. The building designs will be fully developed and subsequently be subjected to the City's standard process of Development Permit Application through the Planning Department, including ADP and CALUC reviews, then Public Hearing at Council. It can be assumed that the Art Gallery will be a unique building in form and material.

6. Heritage Designation:

A recommendation was made that the city require heritage-designation of the heritage buildings at the rezoning stage.

⇒ Although it is typical for such designations to accompany rezoning requests when heritage properties are involved, the three heritage registered buildings located at 1824, 1900, and 1910 Store Street are all in Heritage Conservation areas. The Victoria Rice and Flouring Mills building (Valhalla) at 1824 Store Street and the Dickson, Campbell & Co. building (Capitol Iron) are in DPA 9 (HC) Inner Harbour. The Spratt Building at 1910 Store Street is DPA 10B (HC): Rock Bay Heritage. In addition, each building is listed on the City of Victoria Heritage Register, which is analogous to designation by Bylaw, or subject to a Covenant, and all three situations require a Heritage Alteration Permit for heritage conservation. The only difference is designation legally protects buildings from demolition.

⇒ In this case, the intention of the applicant is to conserve and upgrade these currently tenanted buildings and concurrently advance Heritage Designation at Heritage alteration permit stage, as outlined in the Conservation Plans that form part of this application. Since the buildings are currently held to the same accountability as a building designated by Bylaw, or under the condition of a Covenant, and considering the applicant has no intention of demolishing these heritage buildings, the designation is deferred and proposed to run concurrently with the Heritage Alteration Permit application. This will allow updated conservation plans with greater specificity in reference to detailed architectural plans as part of the advanced design development versus schematic architectural plans submitted as part of the Rezoning application.

- ⇒ At this stage, the applicant proposes considering the heritage building parcels as sub areas of corresponding Development areas limited to current built density, shifting any additional density away from their current form of development; this with the ultimate objective of preserving their character and heritage value. The proposed zoning relocates the residential use from the heritage parcels, controls their height and massing, allowing retention of the buildings under more compatible uses, thus protecting the parcels.
- ⇒ It should also be noted that the land lift analysis did not account for the loss of value from Heritage Designation.

If any clarifications or additional information is required, please do not hesitate to contact us.



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