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A Corporate Partnership

February 20, 2020

Charlotte Wain, Senior Planner Development Services City of Victoria City Hall 1 Centennial Square Victoria, BC V8W 1P6

RE: 1150 Cook Street Application for Development Permit File: DVP No. 00130

Dear Charlotte,

On behalf of our client, 66 Developments Ltd, we are pleased to submit this revision to our previous Development Permit Application for the above noted property.

Our response letter follows the structure of the City of Victoria Application Review Summary document dated November 19, 2019. To ensure that all items are fully addressed, we have cited the comments from that document and successively listed our responses.

#### **Development Services Division Comments:**

#### General Comments

• Please consider providing affordable and/or rental housing secured by legal agreement with your proposal. As a minimum staff will be recommending to Council that a legal agreement be registered on title to prevent any restrictions on the future rental of residential units.

**NSDA:** Restrictive covenant will be registered on title to prevent any restrictions on the future rental of residential units.

• Please clarify which level of Step Code you are hoping to meet, as referenced in the letter by the architect, and whether this is something you would be willing to secure by a legal agreement if it is exceeding the minimum requirements.

**NSDA:** Step 2 of the BC Energy Step Code is set as a goal for the proposed development. All efforts are made to strategize, design and execute higher performance, but legal agreement is not contemplated.

• Provide all drawings in metric.

**NSDA:** Drawings provided accordingly.



# Use and Density

• Please provide a "theoretical" density calculation to only include the R-48 requirements (based on 30m and 10 storeys, with 0.5m setbacks for the front property line). A rezoning application will be required should the proposed density exceed the theoretical density in the R-48 zone.

**NSDA:** Theoretical density calculation based on R-48 requirements as per below.

Site Area= 1,009.20m<sup>2</sup> Property dimension North (View Street frontage)= 27.60m Property dimension East (Cook Street frontage)= 36.59m

Considering 0.5m setback from the above property lines, the buildable area is as follow:  $1,009.20m^2 - [(27.10m \times 0.50m) + (36.59m \times 0.50m)] = 1,009.20 m^2 - 31.845m^2 = 977.35m^2$ 

Based on 30m and 10 storey height limitation, the total gross area is:  $977.35m^2 \times 10=9,773.50m^2$ 

The theoretical FSR as per the above:  $9,773.50m^2 / 1,009.20m^2 = 9.68$ 

• The proposal is consistent with the Core Residential Urban Place Designation in terms of use. Although the property is zoned R-48 Harris Green District, which has no maximum density, the proposed density does exceed the maximum density envisioned for this area in the OCP (5.5:1 FSR).

**NSDA:** The proposed density of 8.98 is lower than the theoretical density computed above.

# <u>Site Plan</u>

• Policy supports the relocation of overhead wires underground within the Urban Core. The renders imply this will be part of the proposed development. Please clarify.

**NSDA:** Overhead wires relocation is not proposed. Artistic renderings provided are not realistic representations of all street elements, eg. hydro lines, street signs, parking meters, bicycle racks, waste bins etc.

• The aerial photo incorrectly labels Vancouver Street as Yates Street. Please ensure all streets are correctly labelled.

**NSDA:** Labels are reviewed and rectified.

# Massing, Form and Character

• The proposal is consistent with OCP Urban Place Designation (Core Residential) and generally, is consistent with the DCAP, which supports buildings up to 45m or 15 storeys. Please refer to the zoning check which refers to number of storeys.



• The tower portion is presented as four fully developed building frontages. As the building separation distances are not being met for the upper storeys (L11-15) this has the potential to create building interface challenges with adjacent sites when they are redeveloped. Please consider orienting the residential units to View Street and Cook Street only. Also be aware that DCAP is currently under review by Community Planning staff with the aim of increasing the distances to enhance livability of units.

**NSDA:** Unit orientation in four directions is fundamental to the project, given the small size of the site, point tower design, and the project's objective to create compact, efficient, livable and affordable units. The efficient central core is critical to the achievement of this goal through the reduction of common and internal unit circulation. Additionally, a centrally located core with wraparound units is essential to the seismic design of the project.

Having considered the massing, height and orientation of context buildings to the South and West we are confident there will be no adverse daylight penetration or privacy effects on South and West facing units (3 of 9 on each typical floor).

• Please ensure that all portions of the building, excluding parapets, cornices, guardrails and other architectural elements are contained within a 1:5 building setback ratio established at 15 metres (View Street) or 20 meters (Cook Street) above grade from the property line parallel to the street. Staff have maintained that the 1:5 ratio along Cook Street is vital to preserve the views to the Olympic Mountains and this has been maintained by other upcoming developments. This may be achieved by shifting the entire tower plane back, without the creation of a "wedding cake" effect, which would retain the integrity of the overall design.

**NSDA:** We can confirm that the encroachment of the tower's upper levels into the 1:5 setback ratio does not impact Olympic Mountains views and the tower's massing is significantly superior in its view impact to the massing permissible under the current R-48 zoning. In addition, the application of the 1:5 setback to either has no effect on those views.

Our conclusion is based on extensive analysis of the proposed building's actual impact on Olympic Mountains views, with two viewpoints selected along Cook Street, at Pandora Avenue and Yates Street. Sets of three composite images were prepared in each location, the first showing the proposed tower set into the existing streetscape, the second with the currently permitted R-48 building form superimposed and the third illustrating the effect of the 1:5 ratio setback.

# Cook Street at Pandora Avenue

This viewpoint was selected as the highest and best Olympic Mountains vantage point along Cook Street, North of the proposed development. The view gradually diminishes North of Pandora, due to Cook Street levelling off, the 8-degree shift in its alignment and the partial view blockage by the recent development at 1488 Cook.

The images confirm the proposed tower's slender profile impact on the view to be approximately 26% lesser when compared to the bylaw-permitted R-48 building mass, with or without the 1:5 setback.



In addition, the images illustrate that shifting the tower away from the street, as suggested would have a negative overall view impact by reducing the available view in the gap West of the tower, without a corresponding benefit on the East side, already largely blocked by the tree canopy in front (visible) and behind (invisible) of the proposed building.

# Cook Street at Yates Street

Moving South and downhill from Pandora, Olympic Mountains view gradually shrinks, obstructed by Cook Street tree canopies and existing buildings in the background. At Cook and Yates, only the centre view remains, the rest blocked by tree canopies and buildings only 3 - 4 storeys tall.

• The tall building design guidelines require a clearly defined base, body and top. Further opportunity exists to enhance the termination of the building. Building illumination may be considered as a means to establish the buildings profile within the skyline.

**NSDA:** Building illumination of translucent panels has been proposed to express and identify the building top. All building images have been adjusted and a nighttime rendering has been added.

• Please review the accuracy of the proposed 3D renders. Although the floorplate of the tower is relatively small, the building is not being depicted in a slender form.

We have reviewed our 3D renderings and confirm they are correct.

# <u>Materials</u>

The guidelines call for high quality and durable materials within the downtown core.

• Clarify the material of the roof top railings and consider setting these back from the building edge. Staff would encourage that this material be clear glazing to create a light translucent appearance to allow the trees and foliage to be more visible.

**NSDA:** Roof top railing with translucent panels are now proposed. Nighttime soft illumination proposed will be more effective with glass surfaces aligned with tower faces. Please note roof top vegetation has been deleted. To confirm, a common roof top area is not contemplated.

• Appendix 7 of DCAP provides guidelines for building bases and streetwalls, which should be well articulated with rich and varied architectural materials. Please provide a greater level of detail on the street level elevations, including materials, cladding and architectural details.

**NSDA:** While we recognize the need for street wall articulation and material variety under certain conditions, we believe it would be counterproductive in this case. It would dilute the design concept of a podium "floating" over a transparent / reflective, recessed, glassy base. The proposed design will allow for an indoor-outdoor visual link, with the interest provided by the interior décor, outdoor furnishing, lighting and discreet signage.

We have included close up rendered images illustrating one of several possible ways this can be achieved, but ultimately it will be up to the commercial space occupant to prepare and present the detailed design for staff review and approvals.



• Consider adding interest to the at grade blank wall (west elevation) adjacent to the parkade.

**NSDA:** The "blank wall" shown on our submission drawings will be largely invisible behind the adjacent building's parking ramp wall, with fencing above. Please see the updated West Elevation.

• The guidelines suggest lighter materials for the upper portions of buildings. Consider a lighter cladding for the rooftop mechanical screening (currently depicted as black).

**NSDA:** Rooftop mechanical screening has been changed to translucent glass panels. Please also see additional information above in this letter.

• Please provide detail for the proposed parkade entrance doors (not currently shown on the elevations).

NSDA: Proposed parkade entrance doors are shown on additional close up renderings.

• Please provide a sample board for all the cladding materials.

**NSDA:** Sample board will be provided as per request.

• Please provide a nighttime lit rendering.

**NSDA:** Nighttime rendering included as per request.

# Open Space and Landscaping

• An arborist report is required to assess the impact on the street trees and whether the parkade/podium need to be adjusted to ensure protection of the trees. Please refer to the comments from Parks for further information on this topic.

**NSDA:** Arborist report addressing impact of the parkade/podium on the street trees enclosed.

• Ensure that existing and proposed trees are depicted accurately on the submissions. The scale of the existing street trees on Cook Street do not appear to be accurate on the section drawings.

**NSDA:** Existing and proposed tree representation has been revised to depict correct scale. Please note precise illustration of the canopy profile is challenging due to previous irregular pruning.

• Please consider enhancing the proposed landscape on the amenity decks (podium and roof) to mitigate storm water runoff.

**NSDA:** Partial storm water runoff mitigation will be provided in planted areas on the podium level. Planting has been removed from the roof and, to clarify, rooftop amenity space is not, nor has it been, originally proposed.



• Provide a landscape plan of the roof deck and depict the trees that are shown in the architectural renderings. A section will be required to ensure there is sufficient soil depth to support these trees.

**NSDA:** Tower roof deck has been revised, and trees deleted. Also, please see the above response.

### **Engineering and Public Works Department Comments:**

#### Land Development:

• The development site falls under the scope of the City's Downtown Public Realm Plan and Streetscape Standards (DPRP) (specifically, 'New Town District'). Therefore, the standards in this character precinct applies for the frontage improvements on both Cook Street and View Street. A conceptual design adhering to the 'New Town District' standard for the frontages, specifying materials, furnishings and layout consistent with the 'feature corner' treatment at the intersection corner, is required on the plan submission for the Committee of the Whole. The current Downtown Public Realm Plan and Streetscape Standards document can be found on the City's website at: https://www.victoria.ca/EN/main/residents/community-planning/visual-victoria.html

Attached is an illustrative sketch "Attachment A" showing key elements of the DPRP and very conceptually, how they can be integrated as part of the frontage improvements proposed as part of the development. This includes:

- removal of the basalt paver area shown along the Cook Street frontage and relocation of bike racks, benches and trash bin
- lengthening of the bulb-out on the View Street corner (please ensure a back-toback
  3.0 metre radii for the bulb-out curb)
- adding pedestrian lighting as per the 'New Town District' theme (Modern Heritage Light – supplied by the City)
- o adding a boulevard tree on the Cook Street frontage
- incorporating pavers, basalt bands and furnishings at the corner (as per the DPRP)
- $\circ$   $\;$  incorporating bike racks and other furnishings elsewhere along the frontage

**NSDA:** Frontage improvements as per the City's Downtown Public Realm Plan and Streetscape Standards have been implemented. Please refer to Landscape and Civil drawings.

# **Transportation Review:**

• A Traffic Impact Assessment (TIA) is required. This TIA should focus on the intersection of Cook Street and View Street and propose mitigations at this intersection to provide pedestrian, cyclist, and motor vehicle improvements at this location.

**NSDA:** Traffic Impact Assessment attached as per request.



### **Underground Utilities Review:**

• The proposed development will result in increased sewage flow rates. A report by the applicant's qualified professional engineer indicating the projected flow rates (Average Dry Weather Flow, Peak Dry Weather Flow and Peak Wet Weather Flow) is required so that staff can review the impact of the development on the City's sewer system.

#### **NSDA:** Project flow rate report attached as per request.

#### Parks Division Comments:

#### Arborist Report

• The applicant must engage an ISA Certified Arborist who is Tree Risk Assessment Qualified (TRAQ) to provide a written report to City of Victoria Parks. It is important that all potential impacts to the Cook Street horsechestnuts are assessed and Parks is confident that the trees can be retained long term, in good health prior to the application going to Council.

#### **NSDA:** Arborist report attached as per request.

• Exploratory excavation must be undertaken to assess potential root impacts for parkade excavation. The assessment must take into account proposed over excavation requirements.

#### **NSDA:** No over excavation is planned.

• The Project Arborist must review the plans to assess potential canopy conflicts with the proposed building and proposed projections to ensure the canopies of trees will not be disfigured and there is reasonable space to accommodate future canopy growth.

# **NSDA:** Tree canopy conflicts have been reviewed. Recommendations as per Report.

• The Project Arborist must provide recommendations to mitigate potential damages to the horse chestnuts during construction such as a supplemental watering schedule. Please contact Gregg Staniforth gstaniforth@victoria.ca for a Terms of Reference for report writing.

**NSDA:** Supplemental watering schedule and recommendations for potential damage mitigation due to construction have been listed in the Report.

#### Landscape Plan

• The Landscape Plan must show all existing trees identified as retained or removed.

**NSDA:** Existing trees are identified on Landscape Plan.



• All new proposed street trees must be shown on the Landscape Plan.

**NSDA:** Proposed street trees shown on Landscape Plan. Please see drawing referenced above.

• The Landscape plan shall indicate new municipal tree species to be determined by Parks.

**NSDA:** Labeling of new municipal tree species revised as requested.

#### Site Servicing Plan

• Please consolidate proposed services (sanitary sewer, storm drain, water and Gas) to limit impacts to the Cook Street horsechestnuts. Gas and water can be consolidated with the proposed sewer and storm on, Water can be relocated 1.5m north of sewer and storm and proposed gas, 1.5m north of water.

**NSDA**: Proposed services have been consolidated as requested. Please refer to Civil drawing.

• New street trees shall be shown the Site Servicing Plan.

NSDA: Site Servicing Plan revised to show new street trees.

• Site Servicing Plan must show new trees in grates with irrigation on a separate water meter with an irrigation sleeve installed under the proposed driveway crossing on View Street.

NSDA: Site Servicing Plan revised to show new street trees in Grates. Trees will be irrigated as requested, with the irrigation plan to follow.

#### <u>Plans</u>

• Proposed site plan must show the Critical Root Zones of all trees to be retained.

**NSDA:** Critical Root Zones of all trees to be retained shown on the Proposed Site Plan..

• The Tree Preservation Plan must show the Critical Root Zones of all trees.

**NSDA**: Critical Root Zones of all trees shown on the Tree Preservation Plan.

• All plans must include tree ID numbers as per the tree resource table.

**NSDA**: Tree ID numbers shown on all plans as per the tree resource table.

• Please use the crown spread provided in the tree resource table to accurately depict the existing canopies of the Cook Street horsechestnuts on sheet A-311, Section C.

**NSDA**: Crown spread graphics rectified on drawing A-311/Section C



# Permits and Inspections Division Comments:

• Designer to ensure the unprotected openings and construction of the proposed exposed building face meets the requirements of the BCBC, including required fire resistance ratings.

**NSDA:** Unprotected openings and construction of the exposed building face meets the requirements of the BCBC 2018. Please see values applicable to the project highlighted in the tables below.

Table 3.2.3.1.-D Unprotected Opening Limits for a Building or Fire Compartment that is Sprinklered Throughout Forming Part of Article 3.2.3.1.

Exposing Building Face	Area of Unprotected Opening for Groups A, B, C, D and F, Division 3 Occupancies, %											
Max. Area, m <sup>2</sup>		Limiting Distance, m										
		1.2	1.5	2.0	2.5	3	4	5	6m	7	8	9
150m <sup>2</sup> or more	0	14	14	16	20	22	30	40	52%	66	82	100

Table 3.2.3.7.

*Minimum Construction Requirements for Exposing Building Faces Forming Part of Sentences 3.2.3.7.(1) and (2)* 

Group A, B, C, D, or Group F, Division 3	> 50 to < 100	45 min	Combustible or Noncombustible	Combustible or Noncombustible <sup>(1)</sup>		
Classification of Building or Fire Compartment	Unprotected Openings Permitted, % of Exposing Building Face Area	' Fire- Resistance Rating	Type of Construction Required	Type of Cladding Required		
Оссирарсу	Maximum Area of	Minimum Required				

• The building is to meet the requirements of ASHRE, the NEBC or be computer modeled.

**NSDA:** The building will be computer modelled to confirm the conformance with Step 2 of BC Energy Code

• Parkade vestibules are required to have a 2 HR FRR.

**NSDA:** Parkade vestibules with the required 2h fire resistance rating are provided

• The CRP and structural designer are to ensure the side to side building sway/allowance/seismic deflections do not cross the property line.



**NSDA:** Based on preliminary structural design we confirm the building seismic movements will not cross side and rear property lines.

FOR INFORMATION: The BC Energy Step Code is a provincial standard enacted in April 2017 that establishes progressive performance steps in energy efficiency for new buildings from the current BC Building Code level to net zero energy ready buildings by 2032. Council adopted the Step Code on April 26, 2018, with an interim transition period of Step 1 adoption beginning on November 1st, 2018 for all new residential and commercial projects in order to allow industry to familiarize with the new process requirements of the Step Code. This is followed by the adoption of Step 3 on January 1st 2020 for new Part 9 residential and Part 3 mid-rise residential, and Step 2 for high-rise residential, commercial buildings, and small Part 9 homes/garden suites. Please consider this and other Building Code requirements in relation to your proposal. Any changes that you wish to make to your proposal in the future may require further development application approvals. For more information: http://www.victoria.ca/EN/main/residents/planning-development/permits-inspections/bcbuilding-code-changes.html

NSDA: Information acknowledged

# Fire Department Comments:

• FDC must face street, not in lobby area and no more than 45 meters from a fire hydrant.

**NSDA:** The Fire Department Connection proposed for the building is facing View Street and it is positioned less than 45m from the existing fire hydrant located across the street on the North side of View Street.

• Fire safety plan, key vault required.

**NSDA:** Fire safety plan with the position of key vault will be provided at the time of BP submission

Yours truly,

**NSDA Architects** 

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Tom Staniszkis, Architect AIBC, AAA Principal cc. Dan Robbins, 66 Developments Ltd.



# Application for Development Permit, 1150 Cook Street Response to Plan Check Comments

a) Total floor area to be taken from the interior of exterior walls. Excludes floor levels less than 1.8m between the average grade and the finished ceiling (parking levels excluded), required bicycle parking stall areas and elevator shafts. Include any enclosed areas located on the roof.

# **NSDA:** Comment acknowledged.

b) Provide average grade calculation as set out in the definition of 'grade' in **Schedule A** of the *Zoning Regulation Bylaw No. 80-159*. Show both proposed and existing grade values and ensure the lowest value is used in the calculation.

**NSDA:** Average grade calculation added.

c) Stairwells / elevator lobbies are subject to height and storeys, the building is 16 storeys. Provide height dimension to the top of the stairwell / elevator lobby roof.

**NSDA:** To clarify, the building height is 15 storeys. The last elevator stop/lobby is on Level 15. The roof will remain unoccupied, with only service access provided and the rooftop structure housing the elevator machine room.

d) Provide a floorplan of the roof, including elevator shafts, stairs, patio areas, etc. Ensure to include applicable areas in total floor area.

**NSDA:** See response above.

e) Ensure all stalls meet minimum dimensional requirements, for example, stalls 1, 19, 20, 41 require 3.0m in width.

**NSDA:** Stall dimensions are corrected.

f) 14 short term bicycle stalls are required in total for the CRU and residential units.

**NSDA:** Short term bicycle stall added to bring the number to 14.

g) 130 residential units counted and 83 units at less than 45m2 in floor area. 143 long term bicycle stalls are required in total for the CRU and residential units.

**NSDA:** Required long term bicycle stalls added to bring the total number to 143.