

March 18th, 2020

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

Dear Mayor and Council,

RE: 1010 Fort Street, Rezoning and Development Permit Application

I am pleased to re-submit for your consideration our proposal for a purpose-built rental building located in the Downtown – Harris Green neighbourhood. The proposed development consists of 55 rental units, of which 10 units will be designated as affordable based on a CAC commitment from the rezoning of 1201 Fort St. We have worked diligently to respond to Council's comments since our last presentation to you on October 4th, 2018 and have had the project reviewed by the Advisory Design Panel per Council's recommendation to staff (see below). As such, we are excited to present our latest rental housing proposal for 1010 Fort St. to Council which we believe addresses the current need for both market rental and below market rental accommodations in the City of Victoria.

City Council Motion from October 4th, 2018 COTW Meeting

At the Committee of the Whole Meeting of October 4th, 2018 the following motion was made regarding Rezoning Application No. 00643

1. Direct staff to work with the applicant to refine the proposal to better meet the goals of the OCP and DCAP, and bring the application back to Committee of the Committee of the Whole after design revisions have been made and the Application has been reviewed by the Advisory Design Panel.

Development Permit with Variances Application No. 00079

That Council direct staff to:

1. Work with the applicant to revise the Application to be more consistent with the design guidelines including: increasing the tower setbacks, reducing the height of the podium, improving the relationship to the street and to the heritage corridor context, and reducing the uniform appearance of the side elevations.
2. Bring the revised proposal to a meeting of the Advisory Design Panel and report back to Council at a meeting of Committee of the Whole.

Response:

Key changes to our proposal include:

1. An increase in overall building height from 35.15 to 39.29m in order to accommodate the requested side yard setbacks while maintaining a similar project density. The current 12 storey proposal falls under the maximum height of 15 storeys as contemplated in the DCAP.



2. A small reduction in the overall density of the project from the maximum contemplated by the DCAP (5.5:1) to 5.37:1.
3. A reduction in the height of the podium level from 15.85m to 14.02m as well as the introduction of stepping in the podium massing to respond to staff and Council comments and to better reflect the condition of the neighbouring buildings and the street level character of Fort St. A stepped podium design on the front elevation has a starting height of 7.80 – which is less than the height of the building directly to the west of this site.
4. The introduction of side yard setbacks of 3.0m on each side of the building above the podium level. The previous application was for a zero-lot line building and this change directly addresses Council’s request for the application to better align with the DCAP Design Guidelines, which looks to step buildings with increasing height.
5. An improvement to the architectural expression of the side elevations. By introducing the 3m side yard setbacks we were also able to improve the look of the side elevations by introducing glazing, balconies and architectural “frames” on the building which along with a broader material palette, dramatically improve the look of the side elevations. We feel these changes directly respond to Council’s request to reduce the uniform appearance of the side elevations, which previously were blank walls.
6. The relationship to the street and heritage corridor context has been improved through a number of changes that were made with staff input, including:
 - a. An increase to main floor setback from 0m to 1.4m from the property line – to provide more street level public space in front of the building, which has the impact of improving the building’s relationship to the street.
 - b. The podium level remains clad in brick to respond to the heritage corridor context of Fort St. The current version of the application has had the massing of the podium level increased with thickened columns coming to the ground plane as well as a thicker parapet line, in order to respond to the historic character of buildings on Fort which have a clear delineation of bottom, middle and top.

Responses to Staff Referral

Development Services Division Comments from the Previous Submission

Design Guidelines	
1. Comment	<i>City policy encourages the logical assembly of development sites to enable the best realization of development potential for the area. Given the existing context and development potential, land assembly with the adjacent properties is strongly encouraged for a development of this size. A larger site could more easily accommodate off-street parking and a taller building that is consistent with the design guidelines.</i>
Response	Since our previous application we have again approached the adjacent neighbours on several occasions regarding acquiring their property and have been told repeatedly that they are not interested in selling their building. As such we intend to proceed with our proposal for the current property only.
2. Comment	<i>The subject property is designated Core Residential in the OCP, which supports diverse housing types including low, mid and high rise, multi unit residential and mixed-use buildings. The proposed use and site are consistent with this policy. The subject site, however, is not considered suitable for a taller building due to its size and context.</i>
Response	We have shown with our current proposal that the site is large enough and suitable for a taller building. We have followed the DCAP guidelines for upper level setbacks as closely as possible, with minor exceptions for the top two floors. The current proposal is an elegant, slender structure that will blend in with the existing high rises buildings in this area. At 12 stories the height is under the maximum height referenced in the DCAP. In terms of fitting into its context – the Jukebox – directly behind the site sits at 8-10 floors and the new building to the east of the Jukebox – The Ventana Building is proposed as a 14-storey building. Both these tall structures share the same block as our 1010 Fort St. proposal. Other high-rise projects being built in Harris Green also support the proposal for 1010 Fort.
3. Comment	<i>The DCAP identifies this property within the Residential Mixed-Use District, which supports multi unit residential development up to a height of 45m. The base density for a mixed-use development is a floor space ratio of 3:1 and a maximum of 5.5:1. The proposed use, density and height are generally consistent with this policy. The subject site, however, is not considered suitable for a taller building due to its size and context.</i>
Response	See our comments above. Our design clearly shows our site is suitable for a taller building. In addition, we have been able to provide parking for 7 cars, as well as significant bike parking – which will be suitable for a rental building in this location. At 12 storeys – building height is 39.29m – well below the maximum building height. FSR is 5.37:1 – which is consistent with the density identified in the DCAP.
4. Comment	<i>Although City policy identifies that an amenity contribution should be made in association with this proposal, the applicant has indicated that they are not proposing any contribution because the policy may change in the future to exempt rental residential proposals in certain cases. Under the proposed policy, a commitment to provide rental dwelling units for 10 years would not qualify for the exemption. The City of Victoria Density Bonus Policy identifies an amenity contribution target of \$ 129.17 per square meter for this proposal, which would result in an amenity contribution in the amount of \$ 219,125.28</i>
Response	As an existing in stream application, we should be exempt from any new policy changes. As stated at our last presentation, our 10-year commitment to a rental

	project – can be extended to an in perpetuity commitment for rental housing, which is consistent with the current community amenity contribution policy.
5. Comment	<i>The proposal is for 55 rental dwelling units secured by legal agreement for a period of 10 years. The applicant is proposing to make 10 of these affordable rental units to fulfil a commitment associated with a previous rezoning application that is secured under a legal agreement on a different property (1201 Fort St)</i>
Response	As noted previously we are happy to commit to a rental building in perpetuity and inclusion of the 10 affordable rental units, per the agreement set out for 1201 Fort St. We are not proposing any additional CAC as this application is consistent with Council's current policy of exempting rental housing.

Development Services Division Comments for Re-Submission

Design Guidelines	
1. Comment	<i>If on-site parking is provided visitor parking must be provided. Please label these stalls on the submitted plans.</i>
Response	On-site visitor parking is being provided. Stalls #4 and #5 have been designated as visitor stalls.
2. Comment	<i>Please describe how garbage, recycling and organics will be removed from the property. Bins are not permitted to be placed on the public right of way for any period of time.</i>
Response	Bins will be rolled out from the parking area and placed in the driveway for pickup. This work can be accommodated without the waste and recycling bins needing to be placed in the public right of way.
3. Comment	<i>Please revise the proposed driveway crossing to illustrate flares on each side of the crossing as detailed in Subdivision and Development Servicing Bylaw.</i>
Response	The proposed driveway crossing has been revised to illustrate flares on each side of the crossing. This is to further provide driver and pedestrian safety through increased visibility and access.
4. Comment	<i>Staff has not indicated a preference for a building design that incorporates a parking component to it (as indicated in your letter to Mayor and Council dated April 30, 2019). Please ensure this is corrected in your next revision of the letter. Staff may support a development with no on-site parking provided and improved streetscape, street wall, and appropriate TDM is provided.</i>
Response	After lengthy discussions with staff and listening to input from local businesses who were concerned about a proposal with no parking, we have decided to provide some vehicle parking on-site to help alleviate concerns. It is important to note that other buildings in this area (The Mosaic) operate with no parking and have a greater number of units than we are proposing (85).
5. Comment	<i>The proposed median island to the west of the new driveway must be revised to enable two-way motor vehicle passage into and out of the driveway. This will reduce the likelihood for the need to back up vehicles on this busy arterial roadway across a busy pedestrian sidewalk and protected two-way bike lane. Fort Street is also a frequent transit route.</i>
Response	The proposed median has been revised to enable two-way motor vehicle passage for entry and exit into the driveway. It is now consistent with the other medians along Fort street.
6. Comment	<i>The proposed parking variance for this development is significant. To become supportable by staff the applicant must offer additional Transportation Demand Management (TDM) programs including a car share program and subsidized BC Transit bus passes (Eco Pass). The City's parking requirements already consider a buildings location, unit sizes and tenure.</i>

Response	The proposed parking variance has been reduced through the provision of 7 vehicle parking stalls, where it was previously zero, along with additional bike parking above baseline Schedule C requirements. At this time, we are not proposing any additional TDM measures given the existing land-use patterns, the highly walkable downtown location and the presence of a 2-way protected cycling route and transit service on Fort Street. Further, as the building is intended to be a purpose-built rental, of which 10 units are designated to be affordable, we feel the parking provided will be adequate to meet the demand for the project.
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Thank you for your consideration of this project and we look forward to moving this project forward with the City of Victoria.

Sincerely,

Adam Cooper MCIP, RPP
 Director of Development
 NVision Properties

