



## Advisory Design Panel Report For the Meeting of September 28, 2022

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**To:** Advisory Design Panel **Date:** September 15, 2022  
**From:** Rob Bateman, Senior Planner  
**Subject:** **Development Permit with Variances Application No. 00191 for 205 Quebec Street, 507 Montreal Street and 210-224 Kingston Street**

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### EXECUTIVE SUMMARY

The Advisory Design Panel (ADP) is requested to review a Development Permit with Variances Application for 205 Quebec Street, 507 Montreal Street and 210, 214, 218, and 224 Kingston Street and provide advice to Council.

The proposal is for a new mixed-use development consisting of a three-storey podium with a 17-storey tower above located at the corner of Quebec Street and Montreal Street and three storey townhouses fronting Kingston Street. Commercial uses are proposed on the ground floor of the tower podium and would include two retail units and a daycare facility. In addition to a Development Permit with Variances, the proposal requires an Official Community Plan amendment and a Rezoning to a new site-specific zone. Variances related to parking will be required.

The subject site is designated as Urban Residential in the *Official Community Plan (OCP, 2012)*, which envisions low and mid-rise multi-unit residential buildings. The proposed commercial uses, density and height of the tower are inconsistent with the Urban Residential Urban Place Designation, thus an OCP amendment is required.

The OCP also identifies the site within Development Permit Area 11: James Bay and Outer Harbour. An important objective of this DPA is to achieve a sensitive transition between the marine-related commercial and industrial uses along the Outer Harbour and the adjacent residential area through considerations for urban design, traffic access points and street relationships.

Staff are looking for commentary from the Advisory Design Panel with regard to:

- the height and massing of the project in relation to the adjacent and nearby existing and anticipated built form
- the tower and podium setbacks along the east property line
- the townhouse setbacks along the north and south property lines
- any other aspects of the proposal on which the ADP chooses to comment.

The Options section of this report provides guidance on possible recommendations that the Panel may make, or use as a basis to modify, in providing advice on this application.

## **BACKGROUND**

<b>Applicant:</b>	Mr. Greg Gillespie Mike Geric Construction Ltd.
<b>Architect:</b>	Ms. Erica Sangster, Architect AIBC D'Ambrosio Architecture + Urbanism
<b>Development Permit Area:</b>	Development Permit Area 11, James Bay and Outer Harbour
<b>Heritage Status:</b>	N/A

## **Description of Proposal**

The proposal is to construct a mixed-use development consisting of a three-storey podium with a 17-storey tower above and three townhouse buildings, all located above two-storeys of underground parking. The proposed density of the development is 2.94:1 FSR and the proposed height is 55.8m.

The proposal includes the following major design components:

- approximately 112 strata dwelling units (102 in the tower with podium and 10 townhouse units)
- a three-storey podium with ground floor commercial uses including two retail units and a daycare facility fronting Quebec Street and Montreal Street
- a 17-storey tower (north-south orientation) located above the podium at the north-west corner of the site
- two three-storey townhouse buildings (two residential floors plus rooftop access and partially covered deck) fronting Kingston Street and one two-storey townhouse building located behind
- a private balcony, roof deck or patio for each dwelling unit
- a common rooftop outdoor amenity space consisting of hard and soft landscaping, and outdoor seating
- an outdoor space for the daycare located in the interior of the lot
- landscaping materials include broom finished concrete, pavers, rain gardens, shrubs, trees, and benches.

Exterior finishes include:

- cement panel system
- running bond brick
- fiber cement panel
- pre-finished vertical wood siding
- T&G wood soffits
- glass guards in pre-finished aluminum frames
- glazed canopies
- prefinished metal parapet flashing, fascia, louvers, and panels
- perforated metal balcony guards
- painted metal pergolas and gates

- glass walls and guards with aluminum frames
- exposed architectural concrete.

In addition to a Development Permit with Variances, the proposal requires an Official Community Plan amendment and a Rezoning to a new site-specific zone. Variances will be required for the number of residential and commercial parking stalls.

The following data table compares the proposal with the existing R-K Zone, Medium Density Attached Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing Zone. Additionally, the key City policy that pertains to the area has been included in this table.

Zoning Criteria	Proposal	Current R-K Zone	OCP Policy Urban Residential UPD
Site area (m <sup>2</sup> ) – minimum	4009.00	555.00	
Density (Floor Space Ratio) – maximum	<b>2.94:1*</b>	0.60:1	1.2:1 base 2.0:1 max.
Total floor area (m <sup>2</sup> ) – maximum	11776.00	n/a	
Site area per unit (m <sup>2</sup> ) – minimum	<b>35.80*</b>	185.00	
Height (m) – maximum	<b>55.80*</b>	8.50	
Storeys – maximum	<b>17.00*</b>	2.60	3 to 6
Site coverage (%) – maximum	<b>65.00*</b>	33.00	
Open site space (Lot) (%) – minimum	55.00	45.00	
Open site space (Front yard) (%) – minimum	100	70	
<b>Setbacks</b> (m) – minimum			
Montreal St. (W)	<b>2.96*</b>	6.00 - front yard	
Kingston St. (S)	<b>0.18*</b>	2.50 - blank wall 4.00 - habitable rooms 7.50 - living room	

Zoning Criteria	Proposal	Current R-K Zone	OCP Policy Urban Residential UPD
Quebec St. (N)	<b>1.84*</b>	2.50 - blank wall 4.00 - habitable rooms 7.50 - living room	
Internal Lot lines (N – Townhouse)	<b>3.65*</b>	2.50 - blank wall 4.00 - habitable rooms 7.50 - living room	
Internal Lot lines (E – Tower Podium)	<b>4.17*</b>	2.50 - blank wall 4.00 - habitable rooms 7.50 - living room	
Internal Lot lines (E - Townhouse)	<b>2.01*</b>	2.50 - blank wall 4.00 - habitable rooms 7.50 - living room	
Vehicle parking (Total) – minimum	<b>142*</b>	169	
Vehicle parking (Resident) – minimum	<b>116*</b>	145	
Vehicle parking (Visitor) – minimum	15	11	
Vehicle parking (Commercial) – minimum	<b>11*</b>	13	
<b>Bicycle parking stalls</b> – minimum			
Long term	156	141	
Short term	25	15	

### Sustainability Features

The applicant's letter to Mayor and Council has not identified sustainability features beyond what is required by current building and energy codes along with benefits associated with housing more people in compact and efficient ways.

## Consistency with Policies and Design Guidelines

### Official Community Plan

The *Official Community Plan* (OCP, 2012) seeks to focus anticipated future growth to support development of a strong downtown core and enhance the network of Urban Villages and Town Centres, while conserving the traditional residential character and enhancing quality of place (see OCP Figure 3: Thirty Year Growth Management Concept in Attachment E). To achieve this, the Urban Place Designations are laid out to support a growth management concept where larger scale development is focused in the Urban Core (generally ranging from five to 24 storeys), and less intensive development is focused in the Town Centres and Large Urban Villages (generally ranging from six to 12 storeys) (see OCP Map 2: Urban Place Designations in Attachment F). The tallest buildings in the City are envisioned to be in the Core Business Urban Place Designation with generally decreasing heights providing a transition towards the edges of the Urban Core area and the less intensive areas beyond it.

The properties immediately to the north of the site are designated Core Inner Harbour/Legislative Urban Place Designation which envisions buildings from one to five storeys. While the Downtown Core Area Plan outlines a maximum building height of 45m (15 residential storeys) (see DCAP Map 29: Maximum Building Heights in Attachment G). To the south, the adjacent Urban Place Designation is Traditional Residential, which envisions ground-oriented buildings (generally up to two storeys).

The Urban Residential vision for the subject site fits into this overall policy structure and helps meet the goals of the OCP by providing a transition between the more intensive development in the Urban Core and the smaller scale development in the Traditional Residential designation. This designation envisions low-rise and mid-rise multi-unit buildings up to approximately six storeys with total floor space ratios generally up to 1.2:1. Increased density up to a total of approximately 2:1 may be considered for the advancement of plan objectives.

Staff are concerned that the proposed height and massing are inconsistent with the intent of the Urban Place Designations, do not meet the broad objectives and policies of the OCP, and are inappropriate for the current and future site context. Under the Issues and Analysis section of the report, staff are requesting the Panel's input on these aspects of the design.

### James Bay Neighbourhood Plan

The *James Bay Neighbourhood Plan* identifies this site for potential townhouses or lower profile apartments (three storeys) and recommends that the existing R-K zoning be retained. The current proposal is inconsistent with this policy.

### Objectives and Guidelines for DPA 11

The OCP identifies this property in Development Permit Area 11: James Bay and Outer Harbour. The objectives for this DPA that are relevant to this location include:

- *To revitalize areas of commercial use through high quality design of buildings, streets and other public spaces to increase vibrancy and strengthen commercial viability.*
- *To achieve a high quality of architecture, landscape and urban design in the James Bay and Outer Harbour area to signify its importance and function as a major maritime*

*gateway into Victoria and enhance its appearance given its visibility from many public vantage points.*

- *To achieve a sensitive transition between the marine-related commercial and industrial uses along the Outer Harbour and the adjacent residential area through considerations for urban design, traffic access points and street relationships.*

The design guidelines that apply to Development Permit Area 11 include:

- *Advisory Design Guidelines for Buildings, Signs and Awnings (1981)*
- *Guidelines for Fences, Gates and Shutters (2010).*

Staff have concerns with the form, massing and height of the proposed development, its compatibility with the existing and anticipated adjacent built form, and its response to the park across the street. Under the Issues and Analysis section of the report, staff are requesting the Panel's input on these aspects of the design.

## **ISSUES AND ANALYSIS**

The following sections identify and provide a brief analysis of the areas where the Panel is requested to provide commentary. The Panel's commentary on any other aspects of the proposal is also welcome.

### Height and Massing

As explained above, the Urban Residential designation provides a transition between the Urban Core designations to the north and the Traditional Residential designation to the south. Staff are concerned that the proposed height and massing would result in an urban form that is not consistent with the growth management goals of the OCP and will not be appropriate in relation to the anticipated future adjacent and nearby built form. The following table summarizes the existing and anticipated future number of storeys (in accordance with OCP policy) on adjacent sites.

### **Approximate Number of Storeys Adjacent to Site**

<b>Location</b>	<b>Existing Number of Storeys</b>	<b>OCP Policy Number of Storeys</b>
Subject Site	n/a	3 to 6 (Urban Residential UPD)
Montreal Street (west)	7 to 9	3 to 6 (Urban Residential UPD)
Quebec Street (north)	12	1 to 5 (Core Inner Harbour/Legislative UPD)
Pendray Street (east)	2 to 3	3 to 6 (Urban Residential UPD)
Kingston Street (south)	2	Up to 2 (Traditional Residential UPD)

Furthermore, a key objective of the DPA is to achieve a sensitive transition between the uses along the harbour and the adjacent residential area through considerations for urban design. This site is situated between approximately 10-storey apartment buildings to the north along the water and an area predominantly characterized by single-family dwellings to the south. Staff are concerned that the proposed 17-storey tower does not provide an appropriate transition in height and massing between these areas. The proposed height and massing would also cast larger shadows across the park (Charles Redfern Green) and the buildings beyond it.

The Panel is invited to comment on the appropriateness of the proposed height and massing within the context of the existing and anticipated nearby built form with particular focus on the aim of achieving a transition between the taller buildings to the north and lower single-family dwellings to the south.

### Building Setbacks

Staff have concerns that the proposed setbacks between the building and the north and east property lines will impact the sun access and privacy of adjacent properties and the public park (Charles Redfern Green). In addition, the south setback to the townhouses on Kingston Street are not consistent with the existing setbacks on the block, result in small front patios, and may have privacy impacts on the proposed townhouse dwelling units.

### **Proposed Setbacks Between Building and Lot Line**

<b>Tower</b>	
North (Quebec Street)	1.84m
East (Interior Lot Line)	7.60m
<b>Base of Tower (Podium)</b>	
East (Interior Lot Line)	4.17m
<b>Townhouses</b>	
North (Interior Lot Line)	3.65m
South (Kingston Street)	0.18m

To help mitigate these impacts the applicant has included the following design elements:

- The tower is oriented north-south which helps reduce shading on the park (Charles Redfern Green) towards the north
- The 7.6m east setback to the tower is measured to a single projecting balcony. The rest of this elevation is set back approximately 8.5m or greater
- The tower base unit layouts locate more active living spaces (living and dining rooms) further away from the east property line to help reduce privacy impacts
- Bedroom windows on the East façade of the tower base are sized to help reduce overlook. There are, however, balconies also located on this elevation
- A landscape buffer of approximately 2m is proposed on the north interior lot line adjacent to the townhouse patios to help mitigate privacy impacts, including a 1.8m high wood fence, shrubs, and two trees.

The Panel is invited to comment on the appropriateness of the building setbacks with particular focus on impacts on the adjacent properties, the public park, and Kingston Street.

### **OPTIONS**

The following are three potential options that the Panel may consider using or modifying in formulating a recommendation to Council:

#### **Option One**

That the Advisory Design Panel recommend to Council that Development Permit Application 00191 for 205 Quebec Street, 507 Montreal Street and 210-224 Kingston Street be approved as presented.

## **Option Two**

That the Advisory Design Panel recommend to Council that Development Permit Application 00191 for 205 Quebec Street, 507 Montreal Street and 210-224 Kingston Street be approved with the following changes:

- as listed by the ADP.

## **Option Three**

That the Advisory Design Panel recommend to Council that Development Permit Application Development Permit Application 00191 for 205 Quebec Street, 507 Montreal Street and 210-224 Kingston Street does not sufficiently meet the applicable design guidelines and polices and should be declined (and that the key areas that should be revised include:)

- as listed by the ADP, if there is further advice on how the application could be improved.

## **ATTACHMENTS**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 6, 2022
- Attachment D: Letter from applicant to Mayor and Council dated May 4, 2022
- Attachment E: Official Community Plan, Figure 3: Thirty Year Growth Management Concept
- Attachment F: Official Community Plan, Map 2: Urban Place Designations
- Attachment G: Downtown Core Area Plan, Map 29: Maximum Building Heights

cc: Mike Geric Construction Ltd., Applicant; D'Ambrosio Architecture + Urbanism, Architect