

## **THE PROPOSAL IN A NUTSHELL**

The small portion (28%) of the land is the Fort Street Heritage corridor, zoned for 12 meters in height. The larger portion of the land (72%) is zoned residential with a height of 7.6 meters. The proposal calls for a site-specific zone to match the proposal, one of more than 700 site-specific zones in Victoria. (Toronto, by contrast, has less than 100).

### **SITE-SPECIFIC ZONE**

The proposal calls for a new site-specific zone that will combine the two zones on the 1201 Fort Street property, along with the house at 1050 Pentrelew into one site-specific zone tailored to this proposal. This necessitates an amendment to the Official Community Plan. However, the new site-specific zone is too restrictive for the proposal and numerous variances are requested to enlarge the scale, height, massing and diminish the set-backs of the newly created site-specific zone.

### **FLOOR SPACE RATIO**

Floor Space Ratio (FSR) is a measure of the amount of Building allowed in comparison to the size of the property. These FSR's are further adjusted by maximum height and amount of set-backs to other properties. And, they are the maximums.

28% of the property is zoned for a Floor Space Ratio of 1.20:1

72% of the property is residentially zoned for a Floor Space Ratio of 1:1

(Most residential properties do not achieve this maximum FSR of 1:1 because of height and set-back restrictions. Most achieve less, often in the range of 0.5:1 But, for our purposes, this calculation will assume the maximum.)

The actual blended FSR of these two different zones is

$(.28 \text{ property size} \times \text{FSR } 1.28) + (.72 \text{ property size} \times \text{FSR} \times 1)$ , or

$(.36) + (.72) = 1.06$  Floor Space Ratio

City Staff believes that the corridor zone (28%) of this particular property is strategic, similar in character to an Urban Village and warrants an increased FSR of 2:1

**It is not an Urban Village.** It is only strategic because

- 1) it has been the gateway to Rockland since 1875,
- 2) it is one of the last large properties (2 acres) with a mature Tree Canopy in Victoria (that is not an official park) and
- 3) it forms an integral part of the important and diminishing Heritage portion of this secondary arterial corridor.

The calculation of the combined FSR using this overly aggressive interpretation of the strategic value of this property (rather than the realistic one) is 1.28:1

This proposal requests a Floor Space Ratio of 1.29:1

### **BUILDING A**

One of the variances requested will increase the height of Building A to 21 meters, an increase of 75% over the allowed 12 meters.

The large portion of the land behind the corridor (72%) is zoned for 7.6 meters.

The new site-specific zoning requested will extend the Fort Street Building (Building A) onto this portion, an increase from 7.6 meters to 21 meters, or an increase of 176%.

### **BUILDING B**

The second multi-unit building exists entirely on the residential portion of the land where the allowed height is 7.6 meters.

It will come into existence because of the site-specific zoning with a height of 12 meters. The original residential zoning is 7.6 meters. The new site-specific zoning will raise the height of this building from 7.6 meters to 12 meters, an increase of 58%

Another of the many variances requested will increase the height of building B from 12 meters to 15.1 meters, a second increase of 25%. The height of Building B will increase in total from 7.6 meters to 15.1 meters, an increase of 99%.

## **TRANSITION**

Both multi-storey buildings (Building A at 21 meters and Building B at 15.1 meters) will be much greater in height and massing in comparison to the residential houses on Pentrelew Place (at 7.6 meters), almost 3 times and 2 times respectively.

There is simply not enough space on the development property to allow an adequate transition from 21 meters to 7.6 meters without it affecting the residential character of the entire street, or the heritage character of this portion of Fort Street. Normal zoning takes this into account by limiting multi-storey buildings to 12 meters along this corridor with appropriate set-backs. And, this height is limited to the corridor zone only; it does not extend into the residential zone.

This proposal enlarges the 12 meter height well beyond the corridor zone, deep into the residential zone, affecting Pentrelew Place and Linden Avenue forever. It seeks to increase the height by 75% to 21 meters and by 99% to 15.1 meters. It also wishes to increase the massing by lessening the set-backs. With every inch of reduction in set-backs, the transition zone decreases. Realistically, the proposal should also increase the transition zone on the development property by a percentage equal to the height, at least 75%.

Many of the variances requested seek to lessen the set-backs which will lessen the transition zone even more.

There is no allowance for an increase in the transition zone equal to the request as dramatic as the ones for height. In fact, the developer seeks to lessen the transition zone by asking for numerous variances to lessen the set-backs. This planned lack of an adequate transition zone will force a high social cost onto Pentrelew Place by changing the ground-oriented character, ambiance and livability of the residential neighbourhood forever because of the massive overlook.

It will also negatively affect the Fort Street Heritage corridor and Linden Avenue as both will be overpowered by the two tall buildings. All three areas will be changed for the worse by the extraordinary height and massing of this proposal without an adequately increased transition zone. And, to ensure an adequate zone, given that the land size cannot be increased, the buildings must be lower in height and maintain their normal set-backs.

## **SET-BACKS**

This summary does not list in detail the many intrusions into the normal public space that is captured by the developer with the numerous requests to decrease the set-backs of the buildings well beyond the historic norm. No reasons are given for the need of each variance. The lessening of each set-back diminishes the transition zone and increases the forboding overlook of this Urban complex on the established residences.

## **TREE CANOPY**

There is also the destruction of the vast majority of the mature Tree Canopy, (an urban forest in all respects), that has grown on this site since 1875. The few original trees that are chosen to remain are at risk of damage because of the blasting and extensive work that will take place on the property over the many months of construction. All those lost trees will be

replaced by numerous smaller trees that will not grow to a similar height, as they will be planted in planters or in very shallow soil due of the underground parking below much of the development. The few trees of a species capable of growing to the original height of the original tree canopy (20 meters) will take some decades to reach that potential, if they ever do.

### **AFFORDABILITY**

There is an affordability component to this proposal, governed by a Housing Agreement, the one as inconsequential as the other. Ten units are to be built somewhere else within 2 years. If they are not built, the developer will have to pay \$25,000 for each unit not built. As the Director of Planning and Sustainability has acknowledged, this \$25,000 for each unit is meant only to lessen the price of each of the ten units, not make them affordable. There is no easy enforcement mechanism within the Housing Agreement outside of the penalty that would total \$250,000.00 if none of the units were built.

It should be noted that the simple fact that an affordable housing component is added to this proposal acknowledges that none of the units within this development are affordable. Secondly, these promised affordable units (that might be built) somewhere else will undoubtedly be within a less-expensive complex. The ten affordable units can be of any size, of any value, or they need not be built at all. The developer, at his discretion, can simply opt to pay the penalty. If he were to do so, how many affordable units could the City build with \$250,000.00?