

DESIGN REVIEW BOARD MEETING

PACKAGE

September 20, 2021 (Monday), 12:00pm Council Chambers, 2nd Floor, City Hall 199 Queen Street Live Streaming: <u>www.charlottetown.ca/video</u>

> Date prepared: September 17, 2021 Prepared by: efc v.01

DESIGN REVIEW BOARD MEETING

SUMMARY OF CONTENTS

Design Review Board Agenda (September 20, 2021)
Minutes of Previous Design Review Board Meeting (June 15, 2021)

Reports:

a.	203 Fitzroy Street (PID #346486) <i>Emily</i>	(p.10)
b.	55 Chestnut Street (PID #361527) Evan	(p.66)



DESIGN REVIEW BOARD AGENDA NOTICE OF MEETING

Monday, September 20, 2021at 12:00 p.m. Council Chambers, 2nd Floor, City Hall, 199 Queen Street Live streaming: <u>www.charlottetown.ca/video</u>

- 1. Call to Order
- 2. Declaration of Conflicts
- 3. Approval of Agenda Approval of Agenda for Monday, September 20, 2021
- 4. Adoption of Minutes Minutes of Design Review Meeting on Tuesday, June 15, 2021
- 5. Business arising from Minutes
- 6. Reports:
 - a. <u>203 Fitzroy Street (PID #346486)</u> *Emily* Request to review revised exterior design proposal for a new 4-storey (approximately 44.5ft) modular building located in the DMUN Zone containing 28 residential dwelling units and ground floor/ below-grade office space.
 - b. <u>55 Chestnut Street (PID #361527)</u> Evan Request to review the exterior design for the 27 residential apartment dwelling located in the R-3 Zone. Exterior design details have deviated from the approved design plan.
- 7. Introduction of New Business
- 8. Adjournment

As the City continues to follow physical distancing protocols set out by PEI Public Health, the maximum seating for the public will be limited to eight (8) at the Parkdale Room. Upon arrival, individuals will be required to provide information for contact tracing purposes.

PLANNING AND HERITAGE COMMITTEE – DESIGN REVIEW BOARD MINUTES TUESDAY, JUNE 15, 2021 12:00 P.M. COUNCIL CHAMBERS, 2nd FLOOR, CITY HALL, 199 QUEEN STREET Live Streaming: www.charlottetown.ca/video

<u>Present:</u>	Mayor Philip Brown Councillor Mike Duffy, Chair Councillor Alanna Jankov	Kris Fournier, RM Sharon Larter, RM Kenneth McInnis, RM Brian Gillis, RM
<u>Also:</u>	Alex Forbes, PHM Laurel Palmer Thompson, PII Robert Zilke, PII	Evan Brown, PII Emily Trainor, PI Ellen Faye Catane, IO/AA
<u>Regrets:</u>	Councillor Julie McCabe, Vice-Chair Councillor Mitchell Tweel	Greg Munn, RM

As the City continues to follow physical distancing protocols set out by PEI Public Health, the maximum seating for the public was limited to eight (8) at the Parkdale Room. Upon arrival, individuals were required to provide information for contact tracing purposes.

1. Call to Order

Councillor Duffy called the meeting to order at 12:15 pm.

2. Declaration of Conflicts

Councillor Duffy asked if there are any conflicts and there being none, moved to the approval of the agenda.

Before the agenda on 199 Grafton Street wad discussed, Brian Gillis declared conflict and left the room for this application.

3. Approval of Agenda

Moved by Ken McInnis, RM, and seconded by Kris Fournier, RM, that the agenda for Monday, June 15, 2021, be approved.

CARRIED

4. Adoption of Minutes

Moved by Councillor Alanna Jankov and seconded by Sharon Larter, RM, that the minutes of the Monday, April 19, 2021 meeting, be approved.

CARRIED

5. <u>Business arising from Minutes</u>

No business arose.

6. 203 Fitzroy Street (PID #346486)

This is a request to review exterior design proposal for a new three (3) storey residential building with ground floor office space located at 203 Fitzroy Street (PID #346486). The property is in the Downtown Mixed-Use Neighbourhood DMUN Zone. Emily Trainor, Planner I, presented the application.

The owner of the property is the Canadian Mental Health Association (CMHA) and the proposal is for a 20-unit modular residential building with ground floor office space. Design Review process is required for this application because it involves affordable housing units and is a multi-residential dwelling type in the 500 Lot Area. Ms. Trainor presented the Concept Site plan and material details for the proposed building. A mix of steel and pre-finished wood siding (cape cod or equivalent) will be used for the exterior of the building.

Design Review Board June 15, 2021 Page 2 of 6

There is a mix of commercial and multi-residential uses surrounding the vacant property and the surrounding neighbourhood may be characterized as having a low to medium density character. The proposed modular apartment building and ground floor office uses are permitted in DMUN Zone. The applicant also confirmed that the apartment units would meet the affordable housing definition and DMUN Zone height requirements of the Zoning & Development Bylaw. The parking requirements would be one (1) space for every two (2) units, therefore 20 standard parking spaces will be required.

The applicant has not submitted a detailed site plan or building elevations so staff cannot confirm the proposal's conformity to the bylaw at this time. However, the proposal's conformity with these requirements will be assessed during the building permit application stage. Based on the initial review of the applicant's submission, the proposed exterior design proposal appears to meet the general intent and purpose of Section 7 - Design Standards for 500 Lot Area.

Aside from Section 7, staff will consider design orientated regulations related to matters such as, the height of the mechanical penthouse, step back from roof edge, orientation of front doors/windows relative to street, landscaped area along street frontage and land use buffer (e.g.: opaque fence or trees around parking lot) during the building permit application stage.

The overall comments and recommendations from Robert Matthews, the design reviewer for this project, were: the front yard setback aligns with adjacent buildings; the proposed height is appropriate relative to scale of existing buildings on adjacent lots; there is an opportunity for landscaping (hard & soft) and tenant outdoor amenity between the proposed building & parking area; the building entrances should be revised; there is a need for a barrier free rear entrance to residential units from the parking lot; greater buffer between driveway and residential main entrance; greater definition and weather protection around residential main entrance (e.g.: canopies); grade change associated with the residential lobby and stair design needs to be addressed. Mr. Matthews also suggested that the façade color palette be timeless and requested additional details related to garbage and snow storage.

The comments were forwarded to the applicant and the applicant indicated that they will be incorporating landscape design features; introducing outdoor amenity area between the rear of the building and the parking lot; incorporating canopies over three (3) of the four (4) building entrances; and agreed to provide greater buffer between the residential entrance and parking lot. The applicant also indicated that they will continue to review the grading, accessibility and ramp details prior to the building and development permit application stage. The applicant also noted that their ability to modify the entrances is limited because of the modular nature of the building. The colour palette has not been finalized yet and the snow and garbage will be located in the unoccupied space at the rear of the property. Staff recommend that the proposed exterior design be accepted with the condition that it is revised to reflect the Design Reviewer's recommendations. Shallyn Murray from Nine Yards Studio representing the applicant, was at the meeting to answer questions.

Sharon Larter, RM, asked where the proposed building would be in relation to existing landmarks. Mayor Brown is adjacent to the Hells Angels' clubhouse. Ms. Trainor also added that there was a newly renovated multi-residential building on the southeast of the property.

Brian Gillis, RM, noted that he could not see any ramp access in the site plan for the parking spaces inside the building. Ms. Trainor responded that it is her understanding that there are no parking spaces within the building and that all parking spaces will be surface parking. The floor plans show office space and residential units on the main floor and storage space at the basement level.

Mayor Brown commented that the property has been vacant for a long period of time and that he is in favor of infill development and will be a great development for the downtown area.

Design Review Board June 15, 2021 Page 3 of 6

Councillor Duffy asked for comments or questions; there being none, the following resolution was put forward:

Moved by Ken McInnis, RM, and seconded by Brian Gillis, RM, that the proposed exterior design proposal for a new three (3) storey 20-unit modular residential building with ground floor office spaces located at 203 Fitzroy Street (PID #346486), be approved, with the condition that it is revised to reflect the Design Reviewer's recommendations.

CARRIED (7-0)

7. <u>62 Dorchester Street (PID #336826 & 336818)</u>

This is a request to review revised design drawings to construct a four (4) unit townhouse at 62 Dorchester Street (PID #336826 & 336818). The property is in the Downtown Neighbourhood (DN) Zone. Laurel Palmer Thompson, Planner II, presented the application.

In 2014, the proposed four (4) unit townhouse was reviewed and was approved by Heritage Board/Design Review Board in October of 2014. The original proposal in 2014 had wood cladding, glass along the balconies and trellises incorporated into the design. The garages were at street level and set back. The third level was stepped back from the streetscape to hide the third storey of the building.

In September 2019, a new applicant/owner submitted a revised design which was reviewed and supported by the Design Review Board as well. The proposed design varied from the original design where, this design did not have a step back to the third level and was comprised mainly with brick and dark wood. During the construction phase of this development, there were issues with Occupational, Health and Safety (OHS) because of the location of the high voltage power lines that run along the side of Dorchester Street. Maritime Electric and OSH did not allow the project to proceed with the approved design.

In June 2021, the applicant has resubmitted revisions to the approved design in an attempt to return the design much closer to the original proposal. The current proposal includes the third floor being recessed back from streetscape to avoid proximity to power lines. The wood pieces that were similar to the original design approved in 2014 were again incorporated. Staff felt that the current proposal is more reflective of what was originally proposed and approved. Staff felt that this is more in keeping with the 2014 proposal than the 2019 proposal.

Staff is advancing this to the Design Review Board to confirm and get approval from the Board that the revised drawings are generally in keeping with the approved design review submission. The Board has three (3) options: a) approve the drawings as submitted; b) suggest minor modifications; or c) if the Board feels the construction drawings are substantially different from the design review submission, then the Board can refer the drawings back to the design review process. If the Board approves the drawings, staff can proceed with the review and approval of the building permit.

Councillor Duffy asked for comments or questions; there being none, the following resolution was put forward:

Moved by Mayor Philip Brown and seconded by Greg Munn, RM, that the revised drawing submitted on June 01, 2021, for a new four (4) unit building at 62 Dorchester Street (PID #'s 336826 & 336818), be approved.

CARRIED (6-0)

8. <u>199 Grafton Street (PID #342790)</u>

Brian Gillis declared conflict and left the room for this application.

This is a request to review design drawings for exterior alterations to the Polyclinic Building located at 199 Grafton Street (PID #342790). The property is in the DMUN Zone. Laurel Palmer Thompson, Planner II, presented the application.

Design Review Board June 15, 2021 Page 4 of 6

A design review was before the board in March 22, 2021 for a multi-unit residential dwelling with affordable units on the property. This current application is for revisions to the façade of the existing Polyclinic building.

The main façade of the existing building is all brick with windows. Currently, there is no interaction along streetscape for exterior doors. The applicants are proposing the following changes: changes to the current entrance way; removal of the basement level and first storey windows on the east wing and replacing it with storefront glazing with a separate entrance way for a new retail tenant; addition of wooden timbers to the frame the entrance way and new store front; and extension of glass atrium over entranceway to the ground level.

Section 3.14 of the Zoning & Development bylaw states that, "The Development Officer and Design Review Board shall review Development and/or Building Permit applications for Alterations and Additions to existing buildings for compliance with the Design Standards for the 500 Lot Area and shall give further consideration for the following" (criteria as outlined in Section 3.14.4)

Section 7 also stipulates Design Criteria for buildings within the 500 Lot Area to ensure that there is high quality design within the 500 Lot Area. Staff reviewed the application and staff felt the that current building's façade is reminiscent of architecture from the 1970s. Apart from the existing entrance to the building, there is very little interaction between the current building façade and streetscape. It is staff's opinion that the current proposal incorporates traditional material and the addition of storefront glazing and additional entrances would create more interaction between streetscape and pedestrians. Staff feel that the proposed renovations are more in keeping with the requirements of Section 7.12 of the Bylaw. Staff is advancing this to the Design Review Board to confirm and get approval from the Board the proposed renovations are generally in keeping with the 500 Lot Area standards. The Board has three (3) options: a) approve the drawings as submitted; b) suggest minor modifications; or c) if the Board feels the construction drawings are substantially different from the design review submission, then the Board can refer the drawings back to the design review process. Cain Arsenault, developer, was at the meeting to answer any questions.

Councillor Duffy asked for comments or questions; there being none, the following resolution was put forward:

Moved by Ken McInnis, RM, and seconded by Councillor Alanna Jankov, that the proposed alterations to the façade of 199 Grafton Street (The Polyclinic Building), as submitted, be approved.

CARRIED (5-0) B. Gillis declared conflict.

Sharon Larter left the meeting before the next application was discussed.

9. Lot 18-2 Sherwood Road (PID #455642)

This is a request to review design drawings to construct two (2) separate apartment buildings, each building containing 35-units on the property located at Lot 18-2 Sherwood Road (PID #455642). This proposal requires design review since 10% of the units will be for affordable housing. The property is in the in the Highway Commercial (C-2) Zone. Robert Zilke, Planner II, presented the application.

The property in question is a vacant property located between the current Maritime Electric Hydrogeneration Station and a truck depo. The request is for approval of the exterior design for two (2) new four (4) storey, 35-unit apartment buildings. The original application indicated that 10% of all units would be dedicated for affordable housing. However, the application was revised from being an affordable housing as defined by the Zoning & Development Bylaw to an application through the CMHC funding under the low interest loan construction program. With this change, it would preclude the requirement for design review. A design review process is triggered when a development outside the 500 Lot Area includes affordable housing units component in it.

Design Review Board June 15, 2021 Page 5 of 6

Mr. Zilke noted that the applicants have received approval through a rezoning process which included a signed development agreement stipulating a design review approval as a requirement. The original application was for three (3) buildings to two (2) buildings, and from 200 units to 70 units (35 units per building). This will be considered as Phase I of the project. It will consist of two (2) 35-unit apartment building with surface parking and amenity space. Phase II will be submitted at a later date. Mr. Zilke presented the concept site plan and materials for the proposed building. The applicants are proposing that the design for both building will mimic each other. There will be an amenity space located on the east of the property which will include a fenced-in park for dogs, gazebo and play equipment for residents. Garbage bins will be located at the center of the parking lot.

Robert Matthews, design reviewer for the project, provided the following comments and recommendations: develop a detailed site plan with emphases on soft and hard landscaping features around the base of the building; extend the sidewalk from the buildings to the street or entrance of the property; change the look/massing of the buildings from a long horizontal appearance to a vertical one; revisit the apartment building(s) main entrance to better define the entrance and provide more shading; distinguish the two (2) apartment buildings apart with different materiality and colour; and garbage bin location be relocated from the center of the parking to a different location onsite.

The design reviewer comments were forwarded to the applicants and the applicants provided the following responses: a more detailed site plan and renderings will be presented to show the intended landscaping features to be incorporated which will include additional landscaping around / between the buildings; proposed that the sidewalk will be extended directly out to Sherwood Road at the time that the active transportation route has been constructed; agreed to incorporate some vertical massing/material elements into the proposed apartment buildings to provide more rhythm and verticality to the present form; and further design adjustments will be considered for the main entrance that may be part of a vertical massing element to be incorporated. The applicant explained that the intent for this development was to have both buildings exist as mirror-images or 'sister buildings' for economic reasons and to create an aesthetic supported by symmetry between the two buildings. The applicant also provided several applications and development that has multiple buildings incorporating the same designs for each building.

Staff is recommending that the design review board to accept the proposed exterior design with the conditions that it is revised to reflect the Design Reviewer's recommendations except condition 5 regarding distinguishing the two buildings from each other. Mr. Zilke acknowledged that there are buildings that mimic each other from a design perspective. Also, since the property is outside the 500 Lot Area and was just an added condition stipulated in the Development Agreement, staff felt that this condition could be waived. Greg Morrison, developer for the application, was at the meeting to answer questions.

Alex Forbes, PHM, also explained that the development is depended on CMHC's funding approval for the affordable housing component and Mr. Zilke added that the reason why this is brought forward to the design review board is because part of the signed development agreement required that a design review process be completed.

Mayor Brown clarified that this does not ideally require a design review process. However, since the application originally has affordable housing component in it, it required a design review process. Since the City is looking at amending the Affordable and Accessible Housing Program, the requirements for a design review has changed. Mr. Zilke clarified that the Zoning & Development Bylaw defined affordable housing as provincially subsidized. Currently, the Affordable Housing Incentive Program offered by the is being reviewed to clearly define affordable housing requirements. Mayor Brown clarified if the proposed units will be market value housing. Mr. Forbes explained that the applicant could still get approval from CMHC for an affordable housing project but they may not be able to get all the benefits or incentives under the Affordable Housing Incentive Program or the Zoning & Development Bylaw if it is not funded by the provincial government.

Councillor Duffy asked for comments or questions; there being none, the following resolution was put forward:

Design Review Board June 15, 2021 Page 6 of 6

Moved by Brian Gillis, RM, and seconded by Ken McInnis, RM, that the proposed exterior design to construct two (2) 35-unit apartment buildings on the property located at Lot 18-2 Sherwood Road (PID #455642), be approved, with the conditions that it is revised to reflect the Design Reviewer's recommendations except condition 5 regarding distinguishing the two buildings from each other.

CARRIED

(5-0)

Sharon Larter was no longer at the meeting to vote on this application.

10. <u>New Business</u>

There was no new business.

11. Adjournment

Moved by Mayor Philip Brown and seconded by Kris Fournier, RM, that the meeting be adjourned. The meeting was adjourned at 12:53 p.m.

Councillor Duffy, Chair

FILE: D 203 OWNER: Cana	CHARLOTTETOWN				
MEETING DATE: SEPTEMBER 20, 2021		Page 1 of 7			
DEPARTMENT: ATTACHMENTS:					
Planning & Heritage	 B. Design Reviewer comments on origin C. Staff Recommendation Report: Majo D. Revised design proposal (August 4, 2) E. Design Reviewer comments on revise (August 12, 2021) 	 A. Original design proposal (April 26, 2021) B. Design Reviewer comments on original design proposal (May 12, 2021) C. Staff Recommendation Report: Major Variance Request (August 23, 2021) D. Revised design proposal (August 4, 2021) C. Design Reviewer comments on revised design proposal (August 12, 2021) 			
SITE INFORMATION:					
Ward No: 1 – Queens Square					
Existing Land Use: Vacant					
Official Plan: Downtown Mixed-Use Neighbourhood					
Zoning: Downtown Mixed-Use Neighbourhood (DMUN)					

RECOMMENDATION:

The Planning and Heritage Department recommends that the Design Review Board *accept* the revised exterior design proposal for the proposed four (4) storey (approximately 44.5ft) modular building containing 28 residential dwelling units and office space on the vacant lot located at 203 Fitzroy Street (PID# 346486).

BACKGROUND:

Request

The applicant (Nine Yards Studio) has submitted a revised exterior design proposal on behalf of the property owner, Canadian Mental Health Association (CMHA), for a proposed new four (4) storey (approximately 44.5ft) modular building containing 28 residential dwelling units and office space (see Attachment 'D'). The request is to approve the revised exterior design proposal.

As per Section 3.14.1 of the Zoning and Development By-law, the Design Review process applies to any Building and Development Permit application involving affordable housing and multi-residential dwelling development in the 500 Lot Area. The Design Review process is intended to ensure that the proposed development maintains good design principles and is compatible and complimentary to existing buildings on surrounding properties.

Subject Property

The subject property is zoned Downtown Mixed-Use Neighbourhood (DMUN) by the City of Charlottetown Zoning & Development By-law. It is approximately 0.68 acres in size with a frontage of approximately 144 feet along Fitzroy Street and a depth of approximately 205 feet.

The subject property is located within the City's 500 Lot Area boundary. As such, the proposed building is subject to the regulations contained within Section 7 (Design Standards for the 500 Lot Area) of the Zoning and Development By-law (see Attachment 'F').

Surrounding Neighbourhood

Based on a recent site visit and provincial tax assessment records, lots immediately adjacent to the subject property appear to primarily contain residential uses with a low to medium density character, as well as some institutional (club) and commercial uses, specifically:

- 220 Euston Street: 2.5-storey building, 17 dwelling units
- 216 Euston Street: 2.5-storey building, 4 dwelling units
- 216 220 Hillsborough Street: 2.5-storey building, 4 dwelling units
- 210 Hillsborough Street: 2.5-storey building, 4 dwelling units
- 204 Hillsborough Street: 2-storey club use
- 193 Fitzroy Street: 2-storey, 1 dwelling unit
- 188 Fitzroy Street: 2-storey, 4 dwelling units
- 190 192 Fitzroy Street: 2-storey, 14 dwelling units
- 194 Fitzroy Street: 2-storey, 1 dwelling unit
- 196 Fitzroy Street: 2-storey, 1 dwelling unit
- 205 Fitzroy Street: 1-storey club use
- 201 Weymouth Street: 2-storey, 5 dwelling units
- 230 Euston Street: 1-storey gas station/ retail store

Subject Property History

On June 15, 2021, the Design Review Board considered the original design proposal submitted by Nine Yards Studio for a three (3) storey, 20-unit modular residential building with ground floor office space on the subject property (see Attachment 'A'). Design Review Board accepted the proposed exterior design with the condition that it be revised to reflect recommendations dated May 12, 2021, submitted by independent design reviewer, Robert Matthews, an appointed member of the City of Charlottetown Design Review roster (see Attachment 'B').

TITLE: DESIGN REVIEW – 203 Fitzroy Street (PID #346486) Page 3 of 7

On July 7, 2021, the applicant advised the Planning and Heritage Department that due to additional funding available through the Canadian Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI), it was the intent of Nine Yards Studios to submit a revised design proposal involving an additional (fourth) storey and a Bonus Height application.

On July 16, 2021, a request was submitted for the following variances to Regulation 30.3 (DMUN Zone -Bonus Height Development Standards) to permit a four (4) storey (approximately 44.5 feet in height) modular building containing 28 residential dwelling units, as well as ground floor/below-grade office space on the lot:

- Reduce the minimum required side yard setback from 18ft to approximately 13ft;
- Remove the requirement for a minimum 9.8ft stepback from the base building; and
- Remove the requirement for a 45-degree angular plane taken from the top of the rear facade of the base building that faces abutting residential dwellings.

On August 26th, 2021, City Council accepted the Planning and Heritage Department recommendation (see Attachment 'C') that the requested variances be approved subject to Design Review Board's review and support of the proposed building design.

ANALYSIS:

Zoning & Development By-law

The proposed modular apartment dwelling and ground floor office uses conforms with the uses permitted in the DMUN Zone as per Regulation 30.1 (DMUN Zone) and step-down Regulation 11.1 (Narrow Single Detached Residential Zone) of the Zoning and Development By-law.

Although the proposed building exceeds the maximum permitted height in the DMUN Zone (39.4ft), development applications in the DMUN Zone are eligible for Bonus Height (up to 60.7ft) provided that the public benefit requirements contained within Section 3.12 (Bonus Height Applications) and 30.3 (DMUN Zone – Bonus Height Development Standards) of the Zoning and Development By-law are met.

As a result of the August 2021 variance approval, the proposed 4-storey (approximately 44.5ft) modular building conforms with Section 30.3 (DMUN Zone – Bonus Height Development Standards). The applicant is proposing affordable housing units subsidized by the Canadian Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative as a public benefit in exchange for approximately 5.1ft of bonus height on the 4th storey. This public benefit is currently subject to review by Planning Committee, the Chief Administrative Official and the Mayor.

The associated Building and Development Permit application is currently subject to review by Planning staff to ensure applicable Zoning and Development By-law regulations, including the following design orientated regulations:

- **Regulation 4.7 (Building Height):** The height of the roof mechanical structure shall not project more than 9.8 feet beyond the maximum permitted height in the applicable zone and it shall be set back at least 9.8 feet from the roof edge.
- **Regulation 4.9.1 (Street Orientation):** residential buildings shall be oriented to the street with front doors/ windows facing the street.
- **Regulation 6.5.4 (Landscaped Area):** in all zones (except R-1L, R-1S, R-1N, R-2, R-2S and A zone), within the minimum front yard setback, a landscaped area consisting of trees, shrubs or a combination thereof no less than 12 feet wide shall be provided along the lot line abutting the street and shall adhere to conditions a) through i) set out in Regulation 6.5.4.
- **Regulation 44.5 (Parking Lots):** where a parking lot is in or abuts a residential property and the lot contains more than four (4) parking Spaces, a 'land use buffer' of at least 3.3 feet in height shall be planted at least 3.3 feet wide in from the lot line on the property for which the application is made and shall be maintained in a healthy growing condition by the owner. In addition to or instead of a land use buffer, the Development Officer may require an opaque-type fence.

Appendix 'A' of the Zoning and Development By-law defines 'land use buffer' as "a portion of any lot set aside to serve as a visual and spatial separation "through the use of a landscaped berm, trees or a man-made feature such as a wall, fence, or walkway" between a specified land use that is carried out on the lot and a different land use that is carried out on the adjacent lot."

Design Review

As per Regulation 3.14.3b (Design Review) of the Zoning & Development By-law, the role of the Design Reviewer is to:

- *i.* Conduct a review of the proposed Development for conformance with the intent of this by-law, including [Section 7 of the Zoning & Development By-law] Design Standards for the 500 Lot Area and the criteria for evaluation for Design Review.
- *ii.* Provide written feedback, comments, and a final recommendation within a specified 10 business day review period. Written comments may be supported by redline markups of the submission.

- iii. Comments and markups from the Design Reviewer are forwarded to the applicant, and the applicant may revise their submission accordingly. Revised plans may be resubmitted to the City, along with a compliance (secondary) review fee.
- *iv.* The revised plans are forwarded to the Design Reviewer for the compliance review.
- v. If the review is satisfactory, the plans are granted conditional approval.

As per Section 3.14.3d (Design Review), the role of the Design Review Board is to:

"Review the written feedback, comments, and recommendation by the Design Reviewer and shall provide a recommendation on the disposition of the application.

- *i.* When the application is jointly supported or rejected by the Design Reviewer and Design Review Board, the disposition of the application shall be determined, and;
- *ii.* Where the Design Review Board does not support the recommendation of the Design Reviewer than the Design Review Board shall make a recommendation to Council, and Council shall determine the disposition of the application."

Nine Yards submitted a revised design proposal on August 4, 2021 (see Attachment 'D'). According to Nine Yards Studios the following changes were incorporated into the revised design proposal in response to recommendations regarding the original design proposal dated May 12, 2021, from independent design reviewer, Robert Matthews, an appointed member of the City of Charlottetown Design Review roster (see Attachment 'C'):

- Additional space provided in front of the tenant entrance.
- Canopies added to each building entrance.
- Additional landscaping provided around the building.
- Fenced area at the back of the building for tenant amenity space.
- Garbage and snow areas identified on the Site Plan.

Staff forwarded the revised design proposal to Robert Matthews. On August 12, 2021, Mr. Matthews submitted comments (see Attachment 'E') which are summarized as follows:

- Proposal provides much needed non-profit housing in the community.
- Proposed design is refreshing and generally has a width pattern that reflects the scale of existing historical housing in the neighbourhood.
- Proposed building is constructed using modular stacking system.

TITLE: DESIGN REVIEW – 203 Fitzroy Street (PID #346486)

- Proposed south facing units have inset balconies which reduce the interior usable area and size of south facing units, however they provide amenity space and enhance the exterior façade treatment.
- The functionality of south facing units and structural integrity of building design would be compromised if the upper floors were stepped back from roof edge.
- Two questions for applicant considerations:
 - a) Could the building be rotated 90 degrees and be perpendicular to the street and instead of adding 4th floor and increasing the length of development to maintain the proposed unit count?
 - b) Could a façade treatment be applied to to Floors 3 4 that is visually and simplified in terms of details, colours and materials relative to Floors 1 2?
- Design of upper levels is currently pushing the design outside the 500 Lot Area Design Guidelines and may set a precedent for future development; therefore options a) and b) should be considered by the applicant.

It is noted that Nine Yards Studios attributes the deficiencies of the proposed building to the modular building type which is an eligibility requirement for the property owner to receive Canadian Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative subsidies for the proposed 28 dwelling units. Nine Yards has indicated that:

"This modular type of construction dictates a certain size and configuration of building type that cannot be staggered as all the loads transfer from the structural walls of the modules all the wall down to the ground. The affordability of modular construction is in its ability to be replicated and stacked – therefore changing the size of the modules would require additional cost and structural support that would be cost prohibitive to the project."

The Planning and Heritage Department acknowledges the alternative design features that Nine Yards Studios has incorporated along the building frontage, including inset balconies, canopies defining office and residential entrances and landscaping features which help to visually offset the impact of the additional storey of building height. The Planning and Heritage Department further recognizes that the proposed modular building will add much needed affordable housing stock to the 500 Lot Area, thus implementing the policies and objectives of Section 3.3 (Housing Needs and Variety) of the Official Plan.

In light of the above, the Planning and Heritage Department is prepared to recommend that Design Review Board *accept* the revised exterior design, however the Planning and Heritage Department is requesting direction from the Design Review Board as to whether the above-noted option(s) recommended by Design Reviewer, Robert Matthews should be added as a condition of Design Review Board's acceptance.

CONCLUSION:

In light of the foregoing, the Planning and Heritage Department recommends that the Design Review Board *accept* the revised exterior design proposal for the proposed four (4) storey (approximately 44.5ft) modular building containing 28 residential dwelling units and office space on the vacant lot located at 203 Fitzroy Street (PID# 346486).

PRESENTER:

enn

Emily Trainor, MScPl Planner I

MANAGER:

Alex Forbes, FCIP, MBA Manager of Planning & Heritage

Attachment A ORIGINAL DESIGN PROPOSAL (April 26, 2021)



EXTERIOR PROPOSAL FITZROY STREET MODULAR HOUSING 18

N I N E VARDS

INSPIRATION



EXTERIOR PROPOSAL FITZROY STREET MODULAR HOUSING



PROPOSED RENDERING





PROPOSED RENDERING







REVISED 2ND AND 3RD FLOOR





MATERIALS





*

0.59 in 1 (15 mm)

7.26 in (184.4 mm)

7

0.35 in (9.04 mm) ---

5.25 in (133.35 mm)

VICWEST BELLARA STEEL SIDING (CHARCOAL GREY): \$ 8.75 SQFT

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MAIN FLOOR PLAN OPTION 1 FITZROY STREET MODULAR HOUSING

NINE VARDS



SECOND FLOOR PLAN OPTION 1 FITZROY STREET MODULAR HOUSING

N I N E VARDS

26

N INE VARDS

BASEMENT FLOOR PLAN OPTION 1 FITZROY STREET MODULAR HOUSING





N45 ARCHITECTURE INC.

The Sovereign Building 71 Bank St., 7th Floor Ottawa ON, Canada K1P 5N2 t. 613-224-0095 f. 613-224-9811 info@n45.ca N45.CA

12 May 2021

Mr. Alex Forbes Manager of Planning and Heritage PO Box 98 City of Charlottetown, PE C1A 4B7

Plans Review for Affordable Housing, 203 Fitzroy Nine Yards Architecture

Overview

The site is located on a vacant lot at 203 Fitzroy in the norther section of the Block 500 area of Charlottetown. Although the area has several nice heritage residential buildings, is also an area in transition with infill commercial and multi-unit residential buildings constructed in the last half of the 20th century. The lot is generous - fronts on Fitzroy and is deep going back to meet up to a convenience store, gas bar and a multi-unit residential project. Along Fitzroy, to both the east and west of it are two story historic residential buildings lignoring the laundromat].

Siting

The proposed building is placed so that the building front aligns with the set back of the adjacent neighbours. There is a single vehicular access on the east side adjacent to the laundromat and which terminates in a parking lot at the rear of the site. The site plan does not indicate any landscaping details, but it does provide open space of 30 - 40 feet between the building and the parking. This provides a nice buffer and with attention to landscape detail and design, would provide nice opportunities for the tenants to enjoy an outdoor amenity space. The plans do not indicate how the garbage will be handled or where the snow will be stored.

There are two main entrances to the building, one to the offices of "CMHA" and the other to the apartments. Accessibility is provided to the office from both the front and rear, but the residential appears to be solely from the side laneway. Is there also an opportunity to make the accessibility from the parking to the apartment rear entrance barrier free [like the office]? The main entrance, as proposed looks too tight as it is dangerously close to the lane, as well, the entrance door swings out into the pathway. The entrance design should be revisited to be both safer and more welcoming.

Architectural Character

The design is generally refreshing and contemporary. It is difficult to tell from the renders the actual overall building height, but my guess is that if the floor to floor is approximately 2.7m, then the O/A building height is in the range of 8.5 - 9.5m. The drawings indicate 10.6 - 11.3m for the proposal. I assume that the heritage house to the immediate left has a minimum of 3m floor to floor, is above grade 0.75m and has a dimension to the peak of 2.7 -m 3m, making the O/A height around 9.5m - 10m. All this to say, that the scale in the context of the streetscape is appropriate.

PARTNERS:

ROBERT MATTHEWS B.Arch., OAA AAPEI, FRAIC

VLADIMIR POPOVIC OAA, AAPEI, FRAIC LEED ap bd+c

NATHALIE ROUTHIER OAA, OAQ, AAPEI, MRAIC, LEED ap bd+c

GARY WENTZELL MAATO

SENIOR ASSOCIATES:

GERRY MALLETTE Dipl. Architectural Technology

KEITH DICKIE B. Arch, OAA, MRAIC The Sovereign Building 71 Bank St., 7th Floor Ottawa ON, Canada K1P 5N2 t. 613-224-0095 f. 613-224-9811 info@n45.ca N45.CA



The suggested material colours are popular today. I am guessing a natural wood colour and a dark grey/charcoal accent. The balconies appear to be horizontal wood slats in a complementary wood colour, as well.

From a building access perspective, the office entrances are readily identifiable from the street, but the residential is not so well defined and as mentioned above, has an unhappy relationship to the sidewalk and drive aisle. In fact, it looks like there is a grade change there and with the entrance door swinging out, making it dangerous and problematic. Is there a better solution to the lobby/exit stair design to avoid an entrance door and exterior stairwell exit door adjacent to each other? Both the rear [parking lot] entrances are weak as well. It is difficult to tell from the renders, but it looks like there are canopies proposed over the entrances. I am in favour of protection from the weather and the contribution to more clearly defining the entrances by incorporating them.

Conclusion

The project as proposed in this area of the City is both good and distinctive. It reads well. The proponent might consider revisiting the following: -

- 1. Introduce soft and hard landscaping features.
- 2. Create exterior amenity spaces.
- 3. Revisit the apartment building main entrance. Both to define the entrances and provide shelter.
- 4. Consider canopies.
- 5. Revisit the entrances facing the parking lot.
- 6. The colours are in vogue now but is there a different more timeless palette?
- 7. Revisit the relationship of the apartment main entrance to the drive aisle.
- 8. Provide details on garbage storage and snow storage.

Prepared by: -N45 Architecture Inc.

Attachment C

STAFF RECOMMENDATION REPORT: MAJOR VARIANCE REQUEST (August 23, 2021)

TITLE: BONUS HEIGHT DE FILE: PLAN- 203 Fitzroy OWNER: Canadia APPLICAN	CHARLOTTETOWN				
MEETING DATE:	Page 1 of 10				
August 23, 2021					
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Zoning Map B. Design proposal (July 16, 2021) C. Letter from the Public (1)				
SITE INFORMATION:					
Ward No: 1 – Queens Square					
Existing Land Use: Vacant					
Official Plan: Downtown Mixed-Use Neighbourhood					
Zoning: Downtown Mixed-Use Neighbourhood (DMUN)					

RECOMMENDATION:

The Planning and Heritage Department encourages Planning Board to recommend that Council *approve* the request for the following three (3) major variances:

- Reduce the minimum required side yard setback from 18ft to approximately 13ft;
- Remove the requirement for a minimum 9.8ft stepback from the base building; and
- Remove the requirement for a 45-degree angular plane taken from the top of the rear facade of the base building that faces abutting residential dwellings;

to permit a four (4) storey (approximately 44.5ft) modular building containing 28 residential dwelling units and office space on the vacant lot located at 203 Fitzroy Street (PID# 346486) subject to the following condition:

1. The Design Review Board reviews and supports the proposed building design.

BACKGROUND:

Request

On behalf of Canadian Mental Health Association (the property owner), Nine Yards Studio (the applicant) is requesting the following variances to permit a four (4) storey (approximately 44.5 feet in height) modular building containing 28 residential dwelling units, as well as ground floor/below-grade office space on the vacant lot located at 203 Fitzroy Street (PID# 346486):

- 203 Fitzroy Street (PID #346486)

e.

- Reduce the minimum required side yard setback from 18ft to approximately 13ft;
- Remove the requirement for a minimum 9.8ft stepback from the base building; and
- Remove the requirement for a 45-degree angular plane taken from the top of the rear façade of the base building that faces abutting residential dwellings;

Pursuant to Section 3.9 (Major Variances) of the Zoning and Development By-law, these variances are categorized as major in nature, therefore the Planning Board must consider the request and make a recommendation to Council. Council may approve or reject the requested variances.

Subject Property History

The subject property is an interior lot located on the north side of Fitzroy Street between Hillsborough Street and Weymouth Street within the City of Charlottetown 500 Lot Area boundary (see Attachment 'A'). It is approximately 0.68 acres in size with a frontage of approximately 144 feet along Fitzroy Street and a depth of approximately 205 feet.

The subject property is designated Downtown Mixed-Use Neighbourhood by the City of Charlottetown Official Plan and zoned Downtown Mixed-Use Neighbourhood (DMUN) by the City of Charlottetown Zoning and Development By-law.

On June 15, 2021, the City's Design Review Board considered an exterior design proposal submitted by Nine Yards Studio for a three (3) storey, 20-unit modular residential building with ground floor office space on the subject property. Design Review Board accepted the proposed exterior design with the condition that it be revised to reflect recommendations dated May 12, 2021, submitted by independent design reviewer, Robert Matthews, an appointed member of the City of Charlottetown Design Review roster.

On July 7, 2021, the applicant advised the Planning and Heritage Department that due to additional funding available through the Canadian Mortgage and Housing Corporation (CMHC) Rapid Housing Initiative (RHI), it was the intent of Nine Yards Studios to submit a revised design proposal involving an additional (fourth) storey and a Bonus Height application.

On July 16, 2021, the current request was received for variances to Regulation 30.3 (DMUN Zone - Bonus Height Development Standards) requirements to accommodate the latest design proposal (Attachment 'B').

TITLE: BONUS HEIGHT DEVELOPMENT STANDARD VARIANCES

- 203 Fitzroy Street (PID #346486)

Surrounding Neighbourhood Context

Based on a recent site visit and provincial tax assessment records, lots immediately adjacent to the subject property appear to primarily contain residential uses with a low to medium density character, as well as some institutional (club) and commercial uses, specifically:

- 220 Euston Street: 2.5-storey building, 17 dwelling units
- 216 Euston Street: 2.5-storey building, 4 dwelling units
- 216 220 Hillsborough Street: 2.5-storey building, 4 dwelling units
- 210 Hillsborough Street: 2.5-storey building, 4 dwelling units
- 204 Hillsborough Street: 2-storey club use
- 193 Fitzroy Street: 2-storey, 1 dwelling unit
- 188 Fitzroy Street: 2-storey, 4 dwelling units
- 190 192 Fitzroy Street: 2-storey, 14 dwelling units
- 194 Fitzroy Street: 2-storey, 1 dwelling unit
- 196 Fitzroy Street: 2-storey, 1 dwelling unit
- 205 Fitzroy Street: 1-storey club use
- 201 Weymouth Street: 2-storey, 5 dwelling units
- 230 Euston Street: 1-storey gas station/ retail store

LEGISLATIVE REQUIREMENTS:

Notification

Pursuant to Section 3.9.3 (Major Variances) of the Zoning and Development By-law, notice of the Planning Board meeting regarding this application was sent to owners of properties located within 100 metres (328.1 ft) of the subject property soliciting their written comments for or against the proposed variances. The deadline to submit written comments on the variance request was 12:00pm (noon) on Friday, August 20, 2021.

Public Feedback

At the time of the writing of this report, the Planning and Heritage Department received one (1) letter of support through the public notification process (see Attachment 'C').

ANALYSIS:

Official Plan

Approved by the Province of Prince Edward Island, the Official Plan sets out a vision for future land use, growth, and development in the City of Charlottetown.

TITLE: BONUS HEIGHT DEVELOPMENT STANDARD VARIANCES - 203 Fitzroy Street (PID #346486)

The development of a 4-storey modular residential/office building on the existing vacant lot represents compact urban form and infill development that will maximize the use of existing underground services. It will also introduce 28 residential dwelling units within the 500 Lot Area, a centre of employment, in proximity to public transportation routes, as well as community services and facilities. As such, it will satisfy the following Official Plan policies and objectives:

<u>Section 3.1.2 (Guiding Development)</u> – Our **objective** is to promote compact urban form and infill development, as well as the efficient use of infrastructure and public service facilities; and

<u>Section 3.1.2 (Guiding Development)</u> – Our **policy** shall be to use existing underground services to its fullest practical capacity before public funds are used to extend new water and wastewater lines into areas that are essentially undeveloped.

<u>Section 3.1.2 (Guiding Development)</u> – Our **policy** shall be to encourage in-fill development through public land assembly initiatives, flexible zoning provisions and the reduction or waiver of development fees for small or irregularly shaped lots and, when warranted, the use of tax incentives within fully serviced areas of the City.

<u>Section 3.3.1 (Housing Needs and Variety)</u> - Our **objective** is to encourage development in fully serviced areas of the City, to promote settlement and neighbourhood policies as mechanisms for directing the location of new housing, and to encourage new residential development near centres of employment.

<u>Section 3.3.1 (Housing Needs and Variety)</u> - Our **policy** shall be to base residential densities on the availability of municipal services, education facilities, recreation and open space amenities, transportation routes, and such other factors as the City may need to consider.

The proposed 4-storey modular building footprint, massing and setbacks are generally consistent with the existing low to medium density character of the surrounding neighbourhood, particularly properties to the north. As such, it will have limited adverse impacts on adjacent properties in accordance with the following Official Plan policies:

<u>Section 3.1.2 (Guiding Development)</u> – Our **policy** shall be to... make provision for multiple-family dwellings in the downtown core... provided it is development at a density that will not adversely affect existing low-density housing.

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Section 3.2.1 (Sustaining Charlottetown's Neighbourhoods) - Our **policy** shall be to ensure that the footprint, height, massing, and setbacks of new residential, commercial, and institutional development in existing neighbourhoods are physically related to its surroundings.

<u>Section 3.2.1 (Sustaining Charlottetown's Neighbourhoods)</u> - Our **policy** shall be to establish an appropriate relationship between the height and density of all new development in mixed-use residential areas of existing neighbourhoods.

The property owner has confirmed that the building will be operated by Canadian Mental Health Association and contain 28 permanent, independent residential dwelling units that will be subsidized by the Canadian Mortgage and Housing Corporation Rapid Housing Initiative. As such, the proposal will support the following Official Plan policies:

<u>Section 3.3.1 (Housing Needs and Variety)</u> - Our **policy** shall be to provide medium density housing styles to meet future housing needs.

Section 3.3.2 (Housing Needs and Variety) - Our objective is to enhance the range of housing available to residents who have special social, economic, or physical needs.

<u>Section 3.3.2 (Housing Needs and Variety)</u> - Our **policy** shall be to work with our partners to address social housing needs, and to encourage its equitable distribution throughout the City.

In light of the foregoing, it is the opinion of Planning and Heritage Department that the proposed 4-storey modular building containing residential, and office uses appropriately conforms with the policies and objectives of the City of Charlottetown Official Plan.

Zoning & Development By-law

The proposed 4-storey modular building containing residential, and office uses conforms with the uses permitted in the DMUN Zone pursuant to Regulation 30.1 (DMUN Zone – Permitted Uses) and step-down Regulation 11.1 (Narrow Single Detached Residential Zone) of the Zoning and Development By-law. The following table summarizes compliance of the proposed building with applicable regulations contained within Section 30.2 (DMUN Zone – Regulations for Permitted Uses).
TITLE: BONUS HEIGHT DEVELOPMENT STANDARD VARIANCES

- 203 Fitzroy Street (PID #346486)

	DMUN Zone Regulations for Permitted Uses	Proposed
Lot Frontage (4+ Apartment Units)	65.6ft	+/-146ft
Front Yard Setback	7.9ft (minimum) and 16.1ft (maximum) <i>OR</i> In alignment with Front yard setback of existing buildings on adjoining lots * Regulation 4.8.1 (Setback exemptions)	+/- 7.9ft (less than/equal to setback of existing buildings on adjoining lots: 193 & 205 Euston Street)
Rear Yard	19.7ft (minimum)	+/- 117ft
Side Yard	6ft (minimum)	+/- 12ft
Height	24.6ft (minimum) and 39.4ft (maximum)	+/- 44.25ft

Bonus Height Applications

Although the proposed building exceeds DMUN Zone maximum height permissions, development applications in the DMUN Zone are eligible for Bonus Height subject to the requirements contained within Section 3.12 (Bonus Height Applications) and 30.3 (DMUN Zone – Bonus Height Development Standards) of the Zoning and Development By-law. Section 3.12 (Bonus Height Applications) states that:

"An increase to the minimum standards pertaining to Building Height shall be permitted at the discretion of the Development Officer/Planning Committee in certain Zones as specified in the regulations of the Zones where applicable, in exchange for securing specific public benefits of one or more of the following...

B) The provision of Affordable Housing Dwelling Units, by way of subsidization between the applicant and the Province and/or Federal Government(s) for a specified period of time and confirmed in a written agreement registered to the property..."

TITLE: BONUS HEIGHT DEVELOPMENT STANDARD VARIANCES	Page 7 of 10
– 203 Fitzroy Street (PID #346486)	

Nine Yards Studios has confirmed that due to the modular nature of the proposed building, the 28 residential dwelling units are eligible to receive Rapid Housing Initiative funding through the Canadian Mortgage and Housing Corporation (CMHC).

As per Regulation 3.12.10 (Bonus Height Applications) of the Zoning and Development By-law, a recommendation shall be provided from Planning Committee to the City's Chief Administrative Officer (CAO) and Mayor with respect to the required public benefit in exchange for the Bonus Height Application. Accordingly, should Council approve the current variance request, the proposed public benefit will be subject to review by Planning Committee, the CAO and Mayor.

Bonus Height Development Standards

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The following table summarizes compliance of the proposed 4-storey modular building with applicable regulations contained within Section 30.3 (DMUN Zone – Bonus Height Development Standards).

	DMUN Zone – Bonus Height Development Standards	Proposed
Building Height	60.7ft (maximum)	+/- 44.25ft
Lot Frontage	98.4ft (minimum)	+/-146ft
Stepback	9.8ft (minimum) from base building	Zero
Angular Plane	45-degree angular plane taken from top of the rear façade of the base building facing abutting residential dwellings	Zero
Side Yard Setback or Stepback	18ft (minimum)	+/-13ft setback

Appendix 'A' of the Zoning and Development By-law defines a stepback as:

"A specified horizontal recess from the top of a streetwall [base building], which shall be unobstructed from the streetwall [base building] to the sky except as otherwise specified."

The base building is considered the portion of the building contained within the maximum permitted height in the DMUN Zone (39.4 feet).

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Nine Yards Studios attributes the stepback, setback and angular plane deficiencies to the modular building type. As previously noted, the modular building type is an eligibility requirement for CMHC Rapid Housing Initiative funding. Nine Yards indicated that:

"This modular type of construction dictates a certain size and configuration of building type that cannot be staggered as all the loads transfer from the structural walls of the modules all the wall down to the ground. The affordability of modular construction is in its ability to be replicated and stacked - therefore changing the size of the modules would require additional cost and structural support that would be cost prohibitive to the project."

The Planning and Heritage Department acknowledges the alternative design features that Nine Yards Studios has incorporated along the building frontage, including inset balconies, canopies defining office and residential entrances and landscaping features which may help to visually offset the proposed removal of the 9.8ft stepback requirement above the (3-storey) base building.

It is the opinion of the Planning and Heritage Department that the proposed rear yard setback (approximately 117 feet) provides a generous buffer between the proposed building and abutting residential buildings to the north which appropriately compensates for the absence of a 45-degree angular plane taken from top of the rear façade of the base building facing abutting residential dwellings.

With respect to the proposed side yard setback/stepback deficiency, Nine Yards Studios has indicated that the required 18-foot setback/ stepback is not achievable on the west side of proposed building due to the established location of exit stairs wells. The facing façade of the property most impacted by the proposed reduction in the (west) side yard setback (193 Fitzroy Street) appears to contain three secondary windows, therefore the privacy impact would be limited. As previously noted, the Planning and Heritage Department also received a formal letter of support from the owner of 193 Fitzroy Street (see Attachment 'C').

Further, the Planning and Heritage Department acknowledges that the removal of stepback and angular plane requirement will allow for an additional eight (8) dwelling units on the fourth storey of the proposed building which will be subsidized through the Canadian Mortgage and Housing Corporation Rapid Housing Initiative. As such, it will result in the addition of much needed affordable housing stock to the 500 Lot Area and implement the policies and objectives of Section 3.3 (Housing Needs and Variety) of the Official Plan.

Design Review

As per Regulation 3.12.4 (Bonus Height Applications), all Bonus Height applications are subject to the Design Review process. Further, any Building and Development Permit application involving affordable housing and multi-residential development in the 500 Lot Area is subject to the Design Review process in accordance with Regulation 3.14 (Design Review).

Subject to Council's approval of the variance request, the proposed 4-storey building design and associated comments from an appointed member of the City of Charlottetown Design Review roster regarding will be considered by Design Review Board at its next meeting.

The following table summarizes the positive attributes, neutral attributes, and shortcomings of the variance request.

Positives	Neutral	Shortcomings
 Compact urban form and infill development that maximizes use of existing underground services. Will introduce 28 dwelling units in centre of employment (500 Lot Area) in proximity to transit and community services/facilities. Generally consistent with the existing low to medium density character of surrounding neighbourhood. Building will introduce 28 housing units in 500 Lot Area which will be subsidized by CMHC, RHI. Design features along building frontage: inset balconies, canopies defining entrances, landscaping. Substantial rear yard setback providing buffer from adjacent residential properties to the north. Letter of support from owner of property most impacted by reduced side yard setback. 	 Building design will be subject to review by Design Review Board. 	 Modular building type limits potential for alterations to size and configuration of building design. Building does not meet stepbacks, setbacks or angular plan standards for Bonus Height in DMUN Zone.

CONCLUSION:

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In light of the foregoing, the Planning and Heritage Department encourages Planning Board to recommend that Council *approve* the request for the following three (3) major variances:

- Reduce the minimum required side yard setback from 18ft to approximately 13ft;
- Remove the requirement for a minimum 9.8ft stepback from the base building; and

TITLE: BONUS HEIGHT DEVELOPMENT STANDARD VARIANCES	Page 10 of
- 203 Fitzroy Street (PID #346486)	10

 Remove the requirement for a 45-degree angular plane taken from the top of the rear façade of the base building that faces abutting residential dwellings;

to permit a four (4) storey modular building (approximately 44.5ft in height) containing 28 residential dwelling units and ground floor/below-grade office space on the vacant lot located at 203 Fitzroy Street (PID# 346486) subject to the following condition:

1. The Design Review Board reviews and supports the proposed building design.

PRESENTER:

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Emily Trainor, MScPl Planner I

MANAGER:

Alex Forbes, FCIP, MBA Manager of Planning & Heritage











































PROVECT: Fitzroy Streal Modular Housing















Attachment E

DESIGN REVIEWER COMMENTS: REVISED DESIGN PROPOSAL (August 12, 2021)



The Sovereign Building 71 Bank St., 7th Floor Ottawa ON, Canada K1P 5N2 t. 613-224-0095 f. 613-224-9811 info@n45.ca N45.CA

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12 August 2021

Mr. Alex Forbes, Manager of Planning and Heritage PO Box 98 City of Charlottetown, PE C1A 4B7

Dear Sir:

Re.: 203 Fitzroy, Modular Housing

I have reviewed the second submission and note that the proponent has, for the most part addressed the concerns that I had originally expressed. However, this second submission increases the height from 3 to 4 floors. In the original 3 floor design the vertical scale of the principal façade was marginal in the context of this block on Fitzroy. In this block most of the neighbouring buildings are a storey and a half in height. The exception being the house to the immediate west [SW] which is taller. As one moves further into the blocks both to the west and east, the building stock gets higher.

The delemma in this instance is that the proposal provides much needed housing and is constructed using a modular stacking system. In reviewing the plans, the units are small and to consider stepping back the upper floors and maintaining the integrity of the structural design, the south or street facing units would not be functional. These street facing units are already smaller than those at the rear as they have provided balconies which reduces the interior usable area but do contribute amenity space while enhancing the façade.

There are two questions to be considered: -

Firstly, the site is large, could the architect consider rotating the building 90 degrees and be perpendicular to the street and instead of adding a fourth floor increase the length of the development to maintain the unit count?

Secondly, and perhaps in conjunction with the first comment, could the third and or four floors have a different façade treatment to visually respect the 1-1/2 and two-storey context of the block? That is, could the upper floors be more simply detailed and through choice of colour and material become a background to the richer design of the lower floors?

PARTNERS:

ROBERT MATTHEWS B.Arch., OAA AAPEI, FRAIC

VLADIMIR POPOVIC OAA, AAPEI, FRAIC LEED ap bd+c

NATHALIE ROUTHIER OAA, OAQ, AAPEI, MRAIC, LEED ap bd+c

GARY WENTZELL MAATO

SENIOR ASSOCIATES:

GERRY MALLETTE Dipl. Architectural Technology

KEITH DICKIE B.Arch., OAA, MRAIC

N45 ARCHITECTURE INC.

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To conclude, additional nonprofit housing is important and always welcomed in a community. This design is refreshing and generally has width pattern reflective of the scale of the existing historic houses in the neighborhood. The upper floors, as designed are pushing the design outside of the 500 Lot Design Guidelines and perhaps beginning to set a precedent for future development. The proponent should consider these two options

Yours truly, N45 ARCHITECTURE Inc.

Robert Matthews Partner

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7 DESIGN STANDARDS FOR THE 500 LOT AREA

7.1 WHERE THESE REGULATIONS APPLY

- 7.1.1 The following regulations shall apply to all Building and Development Permit applications for properties located within the 500 Lot Area, as defined and described in Appendix E.
- 7.1.2 An exemption to the regulations in this Section may be approved by Council, if supported by a recommendation by the Heritage Board for a Designated Heritage Resource or for a property located within a Heritage Preservation Area as defined in the *Heritage Preservation By-law*, when the strict adherence to these regulations may negatively impact the integrity and preservation of the Heritage Resource or Heritage Preservation Area.

7.2 BUILDING ORIENTATION AND CORNER LOTS

- 7.2.1 All Buildings shall have one primary entrance that faces the Street and has direct access to the sidewalk.
- 7.2.2 Buildings on Corner Lots shall:
 - a. Orient to both Street Lot Frontages; and,
 - b. Architectural features shall wrap the corner of the Building and address the corner condition.
- 7.2.3 Street access to individual Attached Residential Units (i.e. townhouses) shall be clearly visible, and the scale, rhythm and articulation of the front façade shall be consistent with the Residential character of adjacent Residential Buildings.

7.3 FRONT FAÇADE HEIGHT AND WIDTH

- 7.3.1 The primary plane of the front façade shall not appear taller than traditional Buildings on the Street, unless the adjacent Building marks an identifiable transition in Building style and/or land use.
- 7.3.2 Building elements that are taller than the primary plane of the front façade shall be designed to contrast that of the lower levels in materials and/or design.
- 7.3.3 A single wall plane on the front facade shall not exceed the maximum façade width of the traditional Buildings on the Street unless the adjacent Building marks an identifiable transition in Building style and/or land use.
- 7.3.4 For larger or wider Buildings, vertical divisions or bays in the façade at a width consistent with the traditional Buildings on the Street shall be clearly articulated.

7.4 BUILDINGS MATERIALS

7.4.1 The Front and Flankage facades shall carry a consistent type and quality of materials. Where a Side Yard Setback is greater than 3 m (9.8 ft), the Side facade shall also carry a consistent

material. This clause also applies to the rear façade on a Corner Lot when the Rear Yard is greater than 3 m (9.8 ft).

- 7.4.2 Cement clap-board is not permitted on the Front or Flankage façade of a Building, but may be permitted on the Side or Rear of the Building.
- 7.4.3 Vinyl siding is not permitted on the Front or Flank façade of a Building, but may be permitted on the Side or Rear of the Building.
- 7.4.4 Materials such as plastic, plywood, concrete block, mirrored glass and metal siding utilizing exposed fasteners are not permitted on the Front and Flankage façades of a Building.
- 7.4.5 The appearance of Building materials shall be true to their nature and should not mimic other materials.
- 7.4.6 Where a prohibited material currently exists it may be maintained and replaced as necessary.

7.5 WINDOWS

- 7.5.1 The Front and Flankage facades shall carry a consistent style and material of windows. Where a Side Yard Setback is greater than 3 m (9.8 ft), the Side façade shall also carry a consistent style and material of windows. This clause also applies to the rear façade on a Corner Lot when the Rear Yard is greater than 3 m (9.8 ft).
- 7.5.2 The placement and coordination of windows and doors shall create a balanced facade.
- 7.5.3 Windows on all facades shall vertically and horizontally align with each other and other features of the Structure, when architecturally appropriate for the design of the Building.
- 7.5.4 Sliding (patio-style) doors shall not be permitted on the Front or Flankage side of the Building.
- 7.5.5 For Additions to, or for a Renovation to an existing Structure with:
 - a. Windows with simulated divided lights with a spacer bar, new windows shall also have simulated divided lights with a spacer bar.
 - b. Single or double hung windows, new windows shall also be single or double hung.

7.6 **ROOF**

- 7.6.1 The expression of the roof shall be clearly distinguished from the rest of the Building through treatments such as step-backs, change in materials, cornices lines, and overhangs when architecturally appropriate for the design of the Building.
- 7.6.2 Front facing sloped roofs shall include accent gables, dormers, and a variation of rooflines.
- 7.6.3 The soffit shall have a consistent overhang typical of the streetscape.

7.7 SECONDARY STRUCTURES ON A ROOF

7.7.1 Mechanical penthouses shall be integrated within the architectural treatment of roofs shall be screened from view.

- 7.7.2 All stacks, gas flues, and roof vents shall not be visible from the Front elevations. Gas flues shall be located near the roof ridge to reduce their Height.
- 7.7.3 All metal chimneys shall be boxed-in and finished with cladding.
- 7.7.4 Skylights shall be located on a roof not visible from the Front elevation.

7.8 PORCHES

- 7.8.1 A Porch shall be deep enough to allow a seating area with a minimum depth of 1.5m (5 ft).
- 7.8.2 The Height of the Porch roof shall align with that of Porches on adjacent or nearby Buildings, and shall be constructed of materials used elsewhere on the Building.

7.9 LANDSCAPING

7.9.1 A Landscaped Area shall be provided between the sidewalk and the front façade of the Building, where appropriate for a continuous streetscape.

7.10 SURFACE PARKING

- 7.10.1 Surface Parking is not permitted in the Front Yard Setback.
- 7.10.2 Driveways may be permitted when they extend into the Side or Rear Yard of the property, or when used to access an Attached Garage.
- 7.10.3 Shared driveways and Curb Cuts are permitted with adjacent properties, subject to a Right-ofway agreement between property owners.
- 7.10.4 Shared parking in an interior courtyard with a single access point is permitted, subject to a Right-of-way agreement between property owners.
- 7.10.5 Curb Cuts shall accommodate single-car access and the single-car width of the driveway shall be maintained until the driveway extends beyond the front facade of the main Building.
- 7.10.6 A Parking Lot shall not be located in the Front or Flankage Yard.
- 7.10.7 Where a Parking Lot has more than 6 spaces and is visible from the Street, a Landscaped Area or Fence shall be provided between the sidewalk and the Parking Lot.

7.11 GARAGES AND PARKING STRUCTURES

- 7.11.1 Attached Residential Garages shall not project closer to the Front Lot Line than the front wall of the main Building.
- 7.11.2 Attached Residential parking Garages shall be permitted where the width of the Garage is no greater than 50% of the width of the main Building's front façade.
- 7.11.3 Where a Parking Structure fronts on a Street:
 - a. The ground-level façade shall incorporate retail, public or other active uses, as well as provide pedestrian amenities such as an Awning, Canopy, or sheltered entryway; and

b. The front façade shall be designed to conceal the parking levels and gives the visual appearance of a multi-Storey Building articulated with bays and window openings.

7.12 STOREFRONTS

- 7.12.1 Storefronts and other ground floor non-Residential uses shall have a consistent amount of windows and doors on the front façade as those of traditional Buildings on the Street.
- 7.12.2 Reflective or opaque glazing is not permitted for Retail Storefronts.
- 7.12.3 An identifiable transition shall be provided between the ground floor storefront and the upper floor of a Building. This transition may consist of a change in material, change in fenestration, or similar means.
- 7.12.4 Storefront entrances shall be clearly articulated and shall be located at or near Grade. Split level, raised or sunken entrances are only permitted on Street Frontages with a steep slope and where no other alternative can be feasibly provided.
- 7.12.5 Weather protection for pedestrians is permitted over a storefront entranceway through the use of an Awning or Canopy.

TITLE: DESIGN REVIEW FILE: DESIGN-2021-20-SEPTEMBER-6b 55 CHESTNUT STREET (PID #361527) OWNER: 11126105 CANADA INC.		CHARLOTTETOWN
MEETING DATE: September 20, 2021		Page 1 of 4
DEPARTMENT: Planning & Heritage	ATTACHMENTS: A. Previously Approved Building Drawings (August 25, 2020) B. Revised Building Drawings	
SITE INFORMATION:		
Context: Chestnut Street between University Avenue & Queen Street		
Ward No: 4 – Spring Park		
Existing Land Use: 27-Unit Apartment Dwelling awaiting Occupancy		
Official Plan: Medium Density Residential		
Zoning: Medium Density Residential (R-3) Zone		
PREVIOUS APPLICATIONS:		
Design Review approval was granted on October 30, 2018 with revisions on February 20, 2020.		
Design Review approval was granted on September 4, 2020 for a revised design.		

5 III C

RECOMMENDATION:

The Planning & Heritage Department defers to the Design Review Board to review the proposed changes or to direct staff to send the revised drawings to the design reviewer prior to having the Design Review Board review/approve the revised drawings.

Request

The property owner has deviated from the design approved by the Design Review Board on September 4, 2020. They are now applying to change the design of the proposed four storey, 27-unit apartment dwelling currently under construction at 55 Chestnut Street (PID #361527).

Design Review / Development Agreement History

This will be the fourth time that the application for 55 Chestnut Street (PID #361527) has proceeded to the Design Review Board.

The property owner signed a Development Agreement on December 14, 2017 which was registered by the Province of Prince Edward Island on December 19, 2017 as Doc #10552 in Book 5691.

Section 2.5 of said Agreement stated that:

The 27 unit apartment dwelling's exterior shall be constructed as approved by Council and the Plans annexed in Schedule "B". Lot 17-2 shall be subject to a future design review approval as per the

TITLE: DESIGN REVIEW – 55 CHESTNUT STREET

Zoning & Development Bylaw, in accordance with Council's October 10, 2017 resolution. The afore mentioned building design will form the basis of the future design review process.

Consequently, the property owner submitted an application for design review on September 13, 2018; however, the elevation drawings were not submitted until October 25, 2018.

The applicant proceeded to the Design Review Board on October 30, 2018 at which time the following resolution was passed:

Moved by Simon Moore, RM and seconded by Bobby Shepherd, RM that revised design review application for the property located at 55 Chestnut Street (PID #361527), be approved provided that the commentaries from this design review be incorporated.

CARRIED

The drawing package for approval was submitted on February 3, 2020. During the review of the Building & Development Permit application, it was determined that a few design changes from the original Design Review approval have been proposed. These changes were approved at the Design Review meeting on February 20, 2020 after passing the following resolution:

Moved by Greg Munn, RM, and seconded by Ken McInnis, RM, that the revised elevations for the proposed four storey, 27-unit apartment dwelling at 55 Chestnut Street (PID #361527), be approved. CARRIED

The application was proceeded to the Design Review Board once again, as staff had conducted a site inspection on the building and determined that the design was different from what was approved. The applicant provided staff with a revised plan on August 25, 2020. Staff advised the applicant that these changes would require approval from the Board again. These changes were approved at the Design Review meeting on September 4, 2020 after passing the following resolution:

Moved by Ken McInnis, RM, and seconded by Sharon Larter, RM, that the proposed modifications from the February 20, 2020 meeting for the property at 55 Chestnut Street (PID #361527), be approved, subject to the permit application fees being doubled as per the City of Charlottetown Sechedule of Fees.

CARRIED

ANALYSIS:

A Building & Development Permit was issued on September 11, 2020 for the interior fit-up, citing requirements to adhere to the Design Review Board's approval on September 4, 2020. Now, as the building is nearing completion, the applicant has approached the Department of Planning & Heritage for Occupancy. During a review of the application, it was determined that additional design changes beyond what was approved by the third Design Review approval (Sept 4, 2020) have been implemented. Staff conducted a site inspection on June 15, 2021 and determined the plans that were submitted on August 25, 2020 were not what was constructed on the property. The deviations from the August 25, 2020 plans and from the Design Review approval on September 4, 2020 were noted in a Deficiencies Letter sent to the applicant on June 22, 2021. Some of the items on the list have been addressed in the time since, such as "inconsistent colour application". However, other noted deficiencies remain, and include, but are not limited to:

- Siding Orientation The front-facing vinyl siding and side-facing metal siding have been installed vertically, as opposed to horizontally as per the revised elevations plan received August 25, 2020.
- Side Façade Design The side façade does not match the design specifications in the revised elevations plan received August 25, 2020. The brick and vinyl front façade and black metal bands are shown to wrap around the side, extending approximately 44 ft to the step-back in the building footprint, then be accented in the black metal bands at the step-back. What was constructed does not match: on both sides the brick and vinyl front façade wraps less than half the distance proposed by the revised plan. The remaining side façade meant to be vinyl, brick and metal bands to match the front, uses the rear siding instead. These alterations did not receive an amendment to the Development Agreement nor approval by the Design Review Board.
- Balcony Design The six balconies on the western side of the development, and the four balconies on the
 eastern side, have been built using wooden support posts as opposed to cantilevers as per the revised
 elevations plan received August 25, 2020. The wood support post balconies do not match the balconies on
 the front of the building (which use cantilevers).
- **Black Metal Accent** Currently, there is no prefinished black metal bands. The cornice trim and left and right-most sections (both front and side façades) are to be accented with the prefinished black metal bands as per the revised elevations plan received August 25, 2020.
- Cornice Trim All sections of the front façade have been built with cornice trims. The revised elevations plan
 received August 25, 2020 shows that cornice trim only be included on the left, middle, and right-most sections
 of the front façade. Furthermore, the cornice trim is remains unfinished, as opposed to being clad in the
 prefinished black metal bands. As it is unfinished, exposed fasteners used to secure the cornice trim are
 evident. Section 7.4.4 of the Zoning and Development Bylaw does not permit the use of exposed fasteners on
 front façades.
- Missing Siding Pieces of the development, assumedly where the prefinished black metal bands are
 intended to be, have been left without siding and is either exposed Styrofoam or the plastic weather
 resistant barrier.

TITLE: DESIGN REVIEW – 55 CHESTNUT STREET

- Brick The middle section is clad in brown and black brick as opposed to what was stated on the revised elevations plan received August 25, 2020, which was brown brick only. Furthermore, the square, black quoins lining the edge of the middle section were not displayed in the submissions.
- Lintels The lintels have been constructed using the black bricks as opposed to stone, as stated in revised elevations plan received August 25, 2020.
- Missing Landscape Buffer The development has not landscaped along the North (rear) side of the development as shown on the proposed site plan prepared by Coles Associates annexed in Schedule "B" of the Development Agreement. The parking lot pavement abuts the rear of the building.
- Landscape Buffer Height The development has not planted nor maintained a 1.0m high landscaped buffer between the Properties' property lines as per the Development Agreement. The landscape on the western side of the building is currently soil with 3 small shrubs and a narrow strip of grass. The eastern side of the building is a grassed area with a fence.

Staff notes that a design reviewer has not reviewed the recent changes. Staff also notes the deviations from the approved drawings are already built and that the changes are predominately aesthetic in nature compared to other Design Review appearances where changes included structural components such as the removal of windows and introduction of sliding doors.

Notwithstanding, staff feels that the Design Review Board has three options:

- 1. Approve the revised drawings as submitted;
- 2. Approve the revised drawings as submitted subject to modifications; or
- 3. Direct staff to send the revised drawings to the design reviewer prior to having the Design Review Board review / approve the revised drawings.

CONCLUSION:

The Planning & Heritage Department defers to the Design Review Board to review the proposed changes or to direct staff to send the revised drawings to the design reviewer prior to having the Design Review Board review/approve the revised drawings.

PRESENTER:

Evan Brown Planner II

MANAGER:

Alex Forbes, FCIP, MBA Manager of Planning & Heritage











