



Council Report

For the Meeting of November 8, 2018

To: Council **Date:** October 25, 2018

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: **Motion Amendment: Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street**

RECOMMENDATION

That Council consider the following updated motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street in accordance with:

1. Plans, date stamped August 27, 2018.
2. Minor revisions to the bicycle parking to ensure compliance with the relevant parking regulations.
3. Development meeting all *Zoning Regulation Bylaw* requirements.
4. That Council authorizes the Mayor and City Clerk to execute an encroachment agreement, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. Building encroachment(s) adjacent to Douglas Street and Johnson Street.
5. Heritage Alteration Permit lapsing two years from the date of this resolution."

BACKGROUND

On October 4, 2018 Council considered a Committee of the Whole Report (attached) for Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street and approved the following motion:

"That Council, **after giving notice and allowing an opportunity for public comment at a meeting of Council**, consider the following motion:

That Council authorize the issuance of Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street in accordance with:

1. Plans, date stamped August 27, 2018.
2. Minor revisions to the bicycle parking to ensure compliance with the relevant parking regulations.
3. Development meeting all *Zoning Regulation Bylaw* requirements.
4. That Council authorizes the Mayor and City Clerk to execute an encroachment

- agreement, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
- a. Building encroachment(s) adjacent to Douglas Street and Johnson Street.
5. Heritage Alteration Permit lapsing two years from the date of this resolution."


However, an opportunity for public comment is not required as there are no variances associated with this proposal. Therefore, the correct motion should read:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street in accordance with:

1. Plans, date stamped August 27, 2018.
2. Minor revisions to the bicycle parking to ensure compliance with the relevant parking regulations.
3. Development meeting all *Zoning Regulation Bylaw* requirements.
4. That Council authorizes the Mayor and City Clerk to execute an encroachment agreement, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. Building encroachment(s) adjacent to Douglas Street and Johnson Street.
5. Heritage Alteration Permit lapsing two years from the date of this resolution."

The staff recommendation provided for Council's consideration reflects the updated motion with revised wording that removes "after giving notice and allowing an opportunity for public comment at a meeting of Council," as this is not a requirement where a variance does not exist.

Respectfully submitted,



Merinda Conley
Senior Heritage Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

Nov 2, 2018

List of Attachments:

- Attachment A: Council Motion from October 4, 2018 for 645 Johnson Street and 1314-1324 Douglas Street – Heritage Alteration Permit Application No. 00227 (Downtown)
- Attachment B: Committee of the Whole Report from October 4, 2018 for Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street.

I. REPORTS OF COMMITTEES

I.1.b Report from the October 4, 2018 COTW Meeting

11. 645-651 Johnson Street and 1314-1324 Douglas Street - Heritage Alteration Permit Application No. 00227 (Downtown)

Motion:

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street in accordance with:

1. Plans, date stamped August 27, 2018.
2. Minor revisions to the bicycle parking to ensure compliance with the relevant parking regulations.
3. Revision to the set backs of the roof top additions on level 3 with the recommendation of the Heritage Advisory Committee of 3-4 metres, subject to the approval to the Director of Planning.
4. Development meeting all *Zoning Regulation Bylaw* requirements.
5. That Council authorizes the Mayor and City Clerk to execute an encroachment agreement, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. Building encroachment(s) adjacent to Douglas Street and Johnson Street.
6. Heritage Alteration Permit lapsing two years from the date of this resolution.

Carried



Committee of the Whole Report For the Meeting of October 4, 2018

To: Committee of the Whole **Date:** September 12, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00227 for 645-651 Johnson Street and 1314-1324 Douglas Street in accordance with:

1. Plans, date stamped August 27, 2018.
2. Minor revisions to the bicycle parking to ensure compliance with the relevant parking regulations.
3. Development meeting all *Zoning Regulation Bylaw* requirements.
4. That Council authorizes the Mayor and City Clerk to execute an encroachment agreement, to be executed at time of the building permit approval, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. Building encroachment(s) adjacent to Douglas Street and Johnson Street.
5. Heritage Alteration Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Sections 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the property located at 645-651 Johnson Street and 1314-1324 Douglas Street, respectively known as the Watson and McGregor Building and

the Morgan Block. The proposal is to restore the existing façades of two heritage-registered buildings facing Douglas and Johnson Streets, and provide an addition to the existing buildings for approximately 30 residential units while maintaining ground level commercial retail units.

The following points were considered in assessing this Application:

- consistency with the *Official Community Plan, 2012 (OCP)* in terms of protecting and celebrating Victoria's cultural and natural heritage resources, sensitive and innovative responses to existing form and character, conserving heritage value and character and supporting building additions that respond to context through sensitive and innovative design
- consistency with the objectives of the Development Permit Area 1 (HC): Core Historic in terms of conserving and enhancing the heritage value, character of the area, revitalizing the area through building additions and heritage conservation, and enhancing the area with high quality architecture sensitive to its historic setting
- consistency with the *Downtown Area Plan, 2011 (DCAP)* in terms of supporting a maximum building height of 15m, conserving heritage buildings, residential use of upper storeys, and new development that conserves form, character and features of the heritage property and area
- consistency with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

The Application was reviewed by the Heritage Advisory Panel at its July 10, 2018 meeting and was recommended for approval with a number of considerations which will be discussed in the body of this report.

BACKGROUND

Description of Proposal

The intent of this proposal is to preserve the two existing historic structures while undertaking a rehabilitation that will upgrade the structures and services to increase functionality for commercial and residential use. Character-defining elements will be preserved, while missing or deteriorated elements will be restored. The ground floor commercial area of both buildings will be maintained, and a residential component with approximately 30 residential strata units will be added by repurposing the existing second floor and adding two additional floors, for a total of four storeys.

The proposal includes the following major design components:

- extensive restoration of the commercial façades as outlined in the Heritage Conservation Plan specific to each building, including the reinstatement of storefronts and steel columns; refurbishment of wood windows; reinstatement of original wood windows; removal of paint from existing brick surface; and new brick to match existing in all reinstated brick features
- reinstatement of the central brick raised triangular parapet on 1314-1324 Douglas Street
- reinstatement of two arched fenestration openings and multi-light wood windows on the west wall of 645-651 Johnson Street
- two new storeys stepped back from the original façade of each building clad with an aluminium glazing system, cement fibre panels, and steel lattice with cascading vines
- incorporating a rear non-original portion of 645-651 Johnson Street with standing seam metal cladding, coated concrete wall

- retention of significant portions of the existing buildings as a means of heritage conservation, and to reduce the use of new building materials and demolition waste
- large extensive green roof
- steel lattice with cascading vines on the west and east facing walls of 645-651 Johnson Street, as well as the north side linking the elevator shaft to the east side of 645-651 Johnson Street
- exterior central courtyard spatially connecting both heritage buildings
- new coordinated steel and glass storefront canopies
- seismic upgrading of both heritage buildings.

The commercial two-storey brick Morgan Block was constructed in 1891. It was initially known as the Doane Block and is one of only a handful of commercial structures of this era built in the Old Town District for a female owner. The Watson and McGregor Building was constructed in 1909. The two-storey brick commercial building was designed by local architect A. Maxwell Muir and demonstrates the Classical Revival influence popular during the boom years of the Edwardian era.

The applicant wishes to designate both heritage buildings and has submitted the respective heritage designation applications. The applicant also intends to apply to the City's Building Incentive Program and the Tax Incentive Program administered by the Victoria Civic Heritage Trust.

The following data table compares the proposal with the Old Town District-1 Zone (OTD-1). Note that setbacks are not required on any lot lines and vehicle parking is not required in this zone.

Zoning Criteria	Proposal	Zone Standard OTD-1	Comments
Density (Floor Space Ratio) - maximum	2.75:1	3:1	
Total floor area (m ²) - maximum	3335.3	Based on FSR	
Height (m) - maximum	14.99	15	
Height (m) at street wall - minimum	11	6	
Storeys - maximum	5	n/a	
Setbacks - minimum	0	0	No setbacks required on any lot lines
Vehicle parking - minimum	0	0	No parking required in core area
Bicycle parking stalls - minimum			12 commercial long-term bicycle parking also provided

Zoning Criteria	Proposal	Zone Standard OTD-1	Comments
Long Term	30	37	
Short Term	6	0	

Sustainability Features

Sustainability features associated with this Application include:

- adaptive reuse of existing buildings to reduce the need for new building materials and to reduce waste
- a green roof to reduce rainwater runoff and reduce the urban heat island effect
- a common roof patio to provide opportunities for urban agriculture.

Heritage Impact Assessment - Heritage Property

The 1891 Morgan Block at 1314-1324 Douglas Street is a heritage-registered two-storey brick commercial building articulated by a symmetrical five-bay division with prominent bracketed piers that accentuate a central bay with recessed window arches; a corbelled brick cornice; and stained glass transom windows. The 1909 Watson and McGregor Building at 645-651 Johnson Street is a heritage-registered two-storey brick Classical-Revival-influenced commercial building with a symmetrical three-bay design; double-hung wood windows; continuous window heads; and projecting cornices. Both heritage buildings maintain the heritage character and architectural composition representative of Victoria's historic Old Town District.

The proposed rehabilitation of both buildings includes the construction of a two-storey addition above the existing roof level and recessed from the historic front façades along Douglas and Johnson Streets, and along the west side wall parallel with the west side laneway.

Building Condition

The Morgan Block and the Watson and McGregor Building were both built to the front and side property lines, with a paved pathway along the west side elevation of 645-651 Johnson Street. In general, the structures appear to be in fair condition, with notable signs of weathering and deterioration in localized areas.

Conservation Strategy

The Application includes a Heritage Conservation Plan for each heritage building (attached) prepared by Donald Luxton & Associates in February 2018. The primary intent is to rehabilitate the façades of each building based on available archival photographs and drawings, preserve character-defining elements, restore missing or deteriorated elements, and construct a two-storey addition above the roof level recessed from the historic front façades along Douglas and Johnson Streets. The Heritage Conservation Plan provides strategies that include aspects of preservation, rehabilitation and restoration, and provides conservation guidelines, recommendations and a maintenance plan.

Active Transportation Impacts

The applicant has not identified any specific active transportation impacts associated with this Application.

Public Realm Improvements

No public realm improvements are proposed in association with this Heritage Alteration Permit Application.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies.

Official Community Plan

The proposed development outlined in the Application is consistent with the *Official Community Plan*, 2012 (OCP) because it contributes to the Placemaking goal of protecting and celebrating Victoria's cultural and natural heritage resources, and is consistent with the Placemaking policies that speak to the broad objectives of sensitive and innovative responses to existing form and character in heritage conservation areas, and conserving heritage properties as resources with value for present and future generations. The policies also speak to conserving, enhancing, and maintaining heritage value and character, and support new infill and building additions that respond to context through sensitive and innovative design, and enabling heritage conservation through incentives such as property tax reductions and grants.

It is also in accordance with the Urban Place Designation of Core Historic, which envisions buildings up to approximately five storeys set close to the sidewalk with high site coverage, and the Place Character Features that envision continuity of commercial uses at grade, and historic building forms and materials and compatible new construction.

Development Permit Area

The *Official Community Plan*, 2012 (OCP) identifies this property in Development Permit Area 1 (HC): Core Historic. The key objectives of this designation are to conserve and enhance the heritage value, special character and the significant historic buildings, features and characteristics of the area; revitalize an area of commercial use through infill, building additions and heritage conservation including exterior alterations and interior improvements that could alter the exterior of the building; and enhance the area through infill, building additions and open spaces with high quality of architecture, landscape and urban design that responds to its historic setting through sensitive and innovative interventions.

Design guidelines that apply to Development Permit Area 1 (HC) are the *Downtown Core Area Plan*, 2011 (DCAP), *Heritage Program Sign & Awning Guidelines* (1981), *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981), and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Downtown Core Area Plan

The DCAP identifies this site within the Historic Commercial District (HCD), which encourages a maximum building height of 15m (approximately five residential storeys) to retain the compact, diverse, low-scale and small-lot character of the HCD notable for its "saw-tooth" streetscape, articulated brick and stone façades, buildings located up to the public sidewalk and continuous street-level storefronts. The DCAP also supports the conservation of heritage values and character-defining elements of heritage buildings and streetscapes, encourages the residential use of upper storeys, and supports new development that conserves and enhances the form, character and features of heritage property and the area.

The Application generally complies with the DCAP policies and guidelines in terms of the balance of development and heritage conservation through sensitive additions that respond to maximum building height, the retention of heritage value, character and streetscape, and the use of upper storeys for residential uses.

Advisory Design Guidelines for Buildings, Signs and Awnings

The Application is generally consistent with the addition of new construction that complements heritage buildings with a contemporary yet sympathetic solution. To maintain emphasis of the two-storey late 19th and early 20th century buildings, the applicant proposes a two-storey addition stepped back from the front façade on Douglas Street by 2.6m at the third level and 3.0m at the fourth level; and the two-storey addition stepped back from the front façade on Johnson Street by 1.33m on the third level and 2.35m on the fourth level. The addition also steps back from the west side wall of 645-651 Johnson Street by 2.37m at the third and fourth levels.

The upper setbacks on levels three and four ensure the addition remains subordinate to the original buildings, and the existing façades remain visually prominent along the street wall. The proposed exterior materials of an aluminium glazing system and cement fibre panels for the additional floors differentiate the addition from the heritage building, and patios and balconies for the upper floor residential units will provide access to outdoor space to enhance livability.

Heritage Program Sign and Awning Guidelines

The Application is generally consistent in the provision of coordinated glass and steel awnings installed within masonry openings that do not obscure or distort character-defining elements and are compatible with the colour scheme of the windows and other architectural features of the façade. An encroachment agreement will be required at the time of building permit approval. Although a comprehensive sign scheme has yet to be established, the applicant's intent is to work with City staff and their heritage consultant to propose a unified and conservative signage strategy that will provide smaller and more discrete signage that does not dominate or obscure the building as what presently exists.

Standards and Guidelines for the Conservation of Historic Places in Canada

The 1891 Morgan Block at 1314-1324 Douglas Street is a two-storey painted brick commercial building located on the south side of the 1300 block of Douglas Street. The exterior façade has maintained much of its original appearance. Its character-defining elements include its two-storey scale symmetrically divided into five bays and storefronts; prominent bracketed piers flanking a central bay and containing recessed window arches and a raised cornice; corbelled brick along the cornice; and stained glass transom windows on the second storey. The building maintains the heritage character and architectural composition representative of Victoria's historic downtown, and provides visual continuity along the historic street wall that contains an entire block of heritage buildings.

The 1909 Watson and McGregor Building is a two-storey brick Classical Revival-influenced commercial building subject to numerous interventions over its lifespan. However, the building has maintained many of its character-defining elements in terms of its overall integrity of historic form, scale and massing, as well as its symmetrical three-bay design; masonry construction; continuous window heads and sill in the upper floor bays; double-hung wooden sash windows; projecting cornices; and common red-brick side walls with segmental-arched window openings.

Both buildings are good examples of buildings consistently used for a diverse number and type of commercial enterprises that were conducted in the downtown area. The buildings are also representative of the heritage character and architectural composition characteristic of Victoria's Old Town District. A Statement of Significance for each building is included with this report as part of the respective Heritage Conservation Plans prepared by Donald Luxton & Associates.

The proposed development will see the existing façades of both heritage buildings preserved, rehabilitated and restored to conserve and enhance the heritage value, special character, features and characteristics that each building contributes to the scale and rhythm of Douglas and Johnson Streets, and to the overall context of the historic area.

The applicant intends to apply to the City's Building Incentive Program and the Heritage Tax Incentive Program administered by the Victoria Civic Heritage Trust.

The following are the sections of the *Standards and Guidelines for the Conservation of Historic Places in Canada* that are relevant to this Application:

General Standards for Preservation, Rehabilitation and Restoration

3. Conserve *heritage value* by adopting an approach calling for *minimal intervention*.
5. Find a use for an *historic place* that requires minimal or no change to its *character-defining elements*.
8. Maintain *character-defining elements* on an ongoing basis. Repair character-defining elements by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving *prototypes*.
9. Make any *intervention* needed to preserve *character-defining elements* physically and visually compatible with the *historic place* and identifiable on close inspection. Document any intervention for future reference.
10. Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exist, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the *historic place*.
13. Repair rather than replace *character-defining elements* from the *restoration* period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound version of the same elements.
14. Replace missing features from the *restoration* period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

The Application is generally consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*. Heritage value is conserved with minimal to no change to character-defining elements, and the reinstatement and rehabilitation of other elements, such as

the triangular parapet on the Douglas Street façade, which will strengthen the heritage buildings' inclusion in, and contribution to, the Heritage Conservation Area of Old Town.

Heritage Advisory Panel

The Application was reviewed by the Heritage Advisory Panel at its July 10, 2018 meeting (minutes attached) and was recommended for approval with the following provisions:

1. That particular care be taken during construction to not disturb the building at the corner of Douglas and Johnson Streets.
2. Consideration be given to the redesign or relocation of the elevator shaft so that it is not a freestanding tower.
3. Increase the setback of the addition on both elevations to 3 - 4 metres.

The applicant has confirmed all necessary precautions will be taken in shoring, bracing and stabilization so as not to disturb the adjacent property. A revision to the exterior treatment of the elevator shaft in the form of an architectural metal lattice with cascading vines linking the shaft with the west adjacent building also helps to reduce the appearance of the free standing shaft and soften the transition between elements. The setback on both elevations has not been increased. On Douglas Street, level three steps back from the exterior wall plane of the parapet approximately 2.6m and approximately 3.0m at level four. On Johnson Street, level three steps back from the exterior wall plane of the parapet 1.33m and 2.35m on level four. The applicant considers the proposed upper storey setbacks provide a clear visual separation of the heritage façades in order to maintain the dominant visual character of the parapets, and the addition on Johnson Street maintains its appearance as a secondary element due to the narrower street level viewing angles. Although the applicant has not increased the setback on both elevations, as recommended by the Heritage Advisory Panel, the additions meet the intent of the *Standards and Guidelines for the Conservation of Historic Places in Canada*. The additions are physically and visually compatible with the historic buildings' massing, size, scale, and architectural features and do not detract from the historic integrity of the character-defining elements that are being preserved. The additions are subordinate to, and the additions are visually distinguishable and differentiated from, the buildings in part by incorporating a setback to ensure their historic character is preserved.

Resource Impacts

The applicant intends to apply to the City's Building Incentive Program and the Heritage Tax Incentive Program administered by the Victoria Civic Heritage Trust.

CONCLUSIONS

The Application is generally consistent with policy and guidelines. Whereas the proposed additions do not have a negative impact on the historic features or the character of the heritage-registered buildings, and that the applicant is willing to heritage-designate both buildings and undergo a conservation strategy to conserve and protect their character-defining elements and their presence within the Historic Core Area of Old Town, it is recommended that Council consider approving Heritage Alteration Permit Application No. 00227 for the property at 645-651 Johnson Street and 1314-1324 Douglas Street.

ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00227 for the property at 645-651 Johnson Street and 1314-1324 Douglas Street.

Respectfully submitted,

Merinda Conley
Senior Heritage Planner
Development Services Division

Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date: _____

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 27, 2018
- Attachment D: Applicant's letter dated August 27, 2018
- Attachment E: Conservation Plan for 645-651 Johnson Street dated February 2018
- Attachment F: Conservation Plan for 1314-1324 Douglas Street dated February 2018
- Attachment G: Heritage Advisory Panel Meeting Minutes from July 10, 2018.