



## Committee of the Whole Report

### For the Meeting of January 24, 2019

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**To:** Committee of the Whole **Date:** January 10, 2019

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

**Subject:** Heritage Alteration Permit Application with Variances No. 00009 for 819-823, 825 and 827 Fort Street

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### RECOMMENDATION

That Council, subject to design revisions to step back the upper storey from the side and rear property lines, increase the setback to the balconies on the south and west elevations and provide greater articulation of the west façade to improve the overall fit with the context and after giving notice and allowing an opportunity for public comment and after a Public Hearing for a Rezoning Application, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00009 for 819-823, 825 and 827 Fort Street, in accordance with:

1. Plans, date stamped October 25, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - increase the height from 30m to 33.5m
  - reduce parking from 75 stalls to 57 stalls.
3. Receipt of a car-share agreement that includes 45 MODO car-share memberships for residents without vehicles in perpetuity and a dedicated car-share vehicle parking stall on site.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Heritage Alteration Permit with Variances 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 with Variances for the property located at 819-823, 825 and 827 Fort Street. The proposal is for a ten-storey mixed-use development containing approximately 100 rental units and ground floor commercial at a density of 6.17:1 FSR. The proposal would retain and rehabilitate the façade of the heritage-designated building located at 825 Fort Street and designate and rehabilitate the façade of the building located at 819-823 Fort Street. The property at 825 Fort Street is consolidated with 827 Fort Street; however, the building at 827 Fort Street is not identified as a character-defining element as part of the existing designation of 825 Fort Street as little heritage value remains in the altered 1947 two-storey façade, nor was 827 Fort Street ever heritage-registered or designated. The building would not be retained.

The proposal requires a Rezoning Application and a Heritage Alteration Permit with Variances (for height and parking). A concurrent application to heritage-designate 819-823 Fort Street will provide further protection of a second retained heritage façade.

The application is generally consistent with the relevant land use policies pertaining to this property; however, some further refinements are recommended, including stepping back the upper storey from the side and rear property lines, increasing the setback to the balconies on the south and west elevations and greater articulation of the west façade.

The following points were considered in assessing this application:

- the heritage-designated façade of 825 Fort Street would be retained and rehabilitated and the façade of 819-823 Fort Street would be heritage-designated and rehabilitated with this proposal, which would retain the buildings' character-defining elements
- the proposal is consistent with *the Standards and Guidelines for the Conservation of Historic Places in Canada*
- a height variance is requested to increase maximum height from 30m to 33.5m for the subject site
- a parking variance is requested to reduce the required vehicle parking from 75 to 57 stalls
- there are no bylaw-protected trees impacted by this application.

The application was reviewed by the Heritage Advisory Panel at its June 12, 2018 meeting and was recommended for approval subject to the project meeting the maximum height requirement of 30m (34.9m requested), increase in the setback of the tower from the street wall subject to the zone, and confirmation of the heritage designation status of 827 Fort Street.

The application was reviewed by the Advisory Design Panel at its May 23, 2018 meeting and the Panel recommended changes to improve suite livability and access to daylight, provide more coherent articulation of materials and patterns on the side elevations to relate better to the north and south façades, and reconsider materials on the northeast façade to increase cohesion.

The application is consistent with the relevant land use policies pertaining to this property. The proposal results in the retention of two heritage buildings, secures the heritage designation of a heritage building, and results in the preservation, restoration and rehabilitation of the fronts of the buildings located at 825 Fort Street and 819-823 Fort Street. Staff recommend that Council approve the Heritage Alteration Permit Application with Variances for the property located at 819-823, 825 and 827 Fort Street.

## BACKGROUND

### Description of Proposal

The proposal is for a ten-storey mixed-use development containing approximately 100 residential rental units and ground floor commercial at a density of 6.17:1 FSR. The project, while proposing to demolish the rear portion of the heritage-designated building at 825 Fort Street, would retain its façade and designate the façade of the building located at 819-823 Fort Street.

The proposal includes the following major design components:

- retention and rehabilitation of the heritage-designated façade at 825 Fort Street
- heritage designation of the 819-823 Fort Street façade
- the demolition of the building at 827 Fort Street
- ten-storey building with a two and three-storey building base
- two levels of underground parking (57 stalls) accessed from Fort Street
- at-grade bicycle parking room with 139 long-term parking stalls (including four electric bicycle charging stations), bike cleaning station and two bicycle repair benches complete with tools
- four motorcycle and electric scooter parking spaces equipped with a charging outlet
- ground level commercial uses and residential rental apartments above
- common amenity area on the third level with an outdoor terrace including space for a dog run
- private balconies for all units except the northeast street-facing units that have Juliet balconies on levels 2 and 3, 5 to 10
- private terraces for street-facing units on level 4, and for some on level 9 and 10.

Exterior building materials include:

- existing cast-in-place concrete historical façade
- existing brick historical façade
- parged historical brick
- white brick
- concrete and concrete sills
- stucco
- cementitious panel in both smooth and striped finishes
- glass balconies with metal rail
- contemporary storefront assemblies.

Landscape elements include:

- privacy screens, pavers and aluminium planters with low evergreen hedges for private terraces on levels 2 and 4
- common amenity area with tables, benches, a barbecue area and planters for three small trees with shrubs
- dog run with pet friendly washable surface, obstacles and waste receptacles.

## **Sustainability Features**

The following sustainability features are associated with this proposal:

- the development would provide long-term bicycle parking that exceeds the bylaw requirements, electric bicycle charging stations and a charging outlet for motorcycles and electric scooters
- the original façades of two heritage buildings will be retained and rehabilitated.

## **Active Transportation Impacts**

The application proposes the following features which support active transportation:

- 139 secure long-term bicycle parking stalls
- bicycle amenity area with a bike cleaning station and two bicycle repair benches with tools, and accessible to both residential and commercial tenants
- four electric bicycle charging stations
- bicycle share program accessible to building residents
- information package educating building residents of transportation incentive options, including various bicycle routes available in the City.

## **Public Realm Improvements**

The proposal is coordinated with the Fort Street Bikeway and the City's Downtown Public Realm and Streetscape Standards, incorporating a sidewalk bump out, new curb, tree grates, two new trees, bollards, and a mid-block crosswalk.

## **Heritage Property Retention and Rehabilitation**

Although the rear sections of the property located at 825 and 819-823 Fort Street would be demolished, two Edwardian era heritage building façades would be retained and rehabilitated as the primary street wall of the proposed development. The 1911-1912 three-storey BC Hardware Company Building at 825 Fort Street is heritage-designated, and an application for heritage designation for the 1908 two-storey Turkish Bath House building at 819-823 Fort Street is being presented concurrently with this application. Both buildings were constructed during the upswing of the pre-World War One real estate boom, represent the surge of development that characterized Victoria's gateway economy, and contribute to the historic integrity of the streetscape along Fort Street.

## **Data Table**

The site is comprised of two properties. The property located at 819-823 Fort Street is currently zoned CA-HG, Harris Green District. The property located at 825-827 Fort Street is currently zoned CA-2, Fort Street Special Commercial District. The following data table compares the proposal with the existing zones. An asterisk is used to identify where the proposal is less stringent than the existing zones. A double asterisk is used to identify where the existing building is non-conforming to the existing zoning.

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Zone Standard CA-HG (819-823 Fort St)</b>	<b>Zone Standard CA-2 (825 &amp; 827 Fort St)</b>
Site area (m <sup>2</sup> ) – minimum	1248.00	-	-
Density (Floor Space Ratio) – maximum	<b>6.17:1*</b> <b>6.26:1*</b> (includes rooftop mechanical penthouse)	3.0:1 (mixed-use building) 2.0:1 (commercial uses)	1.50:1
Height (m) – maximum	<b>33.5*</b> (to main roof) <b>34.91*</b> (to rooftop of mechanical penthouse)	43	15.5
Storeys – maximum	10	-	-
Site coverage % – maximum	98.7	-	-
Setbacks (m) – minimum			
Front – north elevation	<b>0.0**</b> (up to 12.28m in height) <b>4.17*</b> (above 12.28m in height)	0.00 (for portions of the building up to 10m in height) 4.98 (for portions of the building above 10m in height)	-
Rear – south elevation	0.11	-	-
Side	<b>0.10**</b> (west) <b>0.10*</b> (east)	4.50 (can be either side yard)	-
Vehicle Parking – minimum	57	70	58
Bicycle Parking Stalls – minimum			
Long term	139	118	118
Short term	0*	12	12

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on September 28, 2017. A meeting summary is attached to this report.

This application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances. The application will also be subject to the notification requirements for a Rezoning Application.

## Heritage Advisory Panel Review

The application was reviewed by the Heritage Advisory Panel at its June 12, 2018 meeting (minutes attached) and was recommended for approval with the following changes:

- increase in height beyond the maximum allowable of 30m not be allowed
- increase the setback of the tower from the street wall subject to the zone
- confirmation of heritage designation of 827 Fort Street.

## Advisory Design Panel Review

The application was also reviewed by the Advisory Design Panel at its May 23, 2018 meeting (minutes attached) and was recommended for approval with the following considerations:

- improve suite livability and access to daylight
- develop the side elevations with more coherent articulation of materials and patterns relating better to the north and south façades to create a more cohesive whole
- reconsider the materials on the northeast façade to increase cohesion.

## ANALYSIS

The subject site is designated as Core Residential which envisions multi-unit residential, commercial and mixed-use buildings from three storeys up to approximately 20 storeys. In terms of place character features, the *Official Community Plan* (OCP) envisions three to five storey street walls with buildings set close to the street to define the public realm along retail streets with wide sidewalks and regularly-spaced street trees, and off-street parking located at the rear of buildings or underground.

The OCP identifies this property in Development Permit Area 7B (HC): Corridors Heritage. The key objectives of this designation that are relevant to this proposal are:

- *To revitalize arterial and secondary arterial streets to strengthen commercial viability and improve the pedestrian experience along the corridors.*
- *To conserve the heritage value, special character and the significant historic buildings, features and characteristics of this area.*
- *To achieve a more cohesive design, and enhanced appearance, along arterial and secondary arterial streets through high quality architecture, landscape and urban design responsive to its historic context through sensitive and innovative interventions.*
- *To encourage pedestrian and cycling use of corridors by enhancing the experience of pedestrians and cyclists through human-scaled urban design, including built form and place character considerations, which are compatible with street function.*

Staff consider that the proposal is generally consistent with the objectives of DPA 7B (HC) as the heritage buildings are being retained and rehabilitated; the development responds to the historic context with its use of materials, rhythm and massing; maintains the scale of the street wall and steps back to maintain the human scale and pedestrian experience of the existing, but enhanced, public realm.

## Design Guidelines for Development Permit Area 7B (HC)

The following design guidelines are applicable to this proposal:

- *Downtown Core Area Plan* (2011) - Sections 3, 5, 6 & 7
- *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981)
- *City of Victoria Heritage Program Sign & Awning Guidelines* (1981)
- *Guidelines for Fences, Gates and Shutters* (2010)
- *Standards and Guidelines for the Conservation of Historic Places in Canada*.

### **Downtown Core Area Plan**

The *Downtown Core Area Plan*, 2011 (DCAP) identifies this site within the Residential Mixed-Use District (RMD), which encourages mixed-use buildings up to 30m in height (8-10 storeys) that strengthen commercial viability and contribute to increased pedestrian activity. Fort Street is identified as a special character area within the RMD due to its strong concentration of heritage properties with smaller scale commercial uses that contribute to a lively and active shopping street.

The DCAP designates this site as part of a "Special Density Area" where consideration of higher density should take into account the DCAP policies as well as the local historic and public realm context and other relevant policies and guidelines.

The proposed integration of the new development with the historic building façades of 825 Fort and 819-823 Fort Street maintains the character and rhythm of the existing traditional small-scale retail frontages and retains the street-level pedestrian experience. The historic context has also informed the new street-level construction with respect to historic scale and rhythm of the street wall, storefront treatment, building entrances and canopies. The massing and built form of the development demarcates a building base, body and top and have been further articulated with varied architectural lighter-coloured materials, setbacks and corner treatments. The body of the development steps back from the street wall as a background building above the second and third level to maintain a human scale on the street and minimize the impact of shading. In-building amenities and on-site open space are also provided.

### Building Height

In Section 6: Urban Design of the DCAP, a maximum height of 30m is recommended for the subject site, which is roughly equivalent to eight commercial storeys or ten residential storeys. The proposal is for ten storeys with a maximum main roof height of 33.5m (the rooftop mechanical room, stair access and elevator overrun are located above the main roof height and are excluded from the calculation of height). The additional height is created in part by the atypical floor-to-floor heights for levels 1, 2 and 3, which are established in response to the heritage building at 825 Fort Street. It is also worth noting that the existing zoning for part of the site permits a maximum height of 43m.

Although the proposal exceeds the DCAP policy of 30m, the building is stepped back at levels 4 and 9 which minimizes the visual impact of the building height at street level. In addition, the proposed location of the building is consistent with the DCAP policies for development blocks, which encourage siting taller buildings near the middle of development blocks with east/west orientation to minimize shading and wind effects on north/south oriented streets.

## Setbacks

The DCAP states that for portions of the building between 0 to 30m in height, exterior walls should be setback a minimum of 3.0m from the side and rear property lines and balconies should be setback a minimum of 3.5m. The proposal meets the minimum setbacks for exterior walls on the east and west elevation, and large floor to ceiling living room windows on the southwest portion of the building have been reduced in number to minimize privacy issues. The south elevation, which also has larger principal windows, is set back approximately 4.4 to 4.7m from the property line.

The proposed balconies on the west elevation are setback 1.6m from the west property line and some of the balconies on the south elevation are setback 3.15m from the south property line. Although the projecting balconies provide visual interest and break up the massing, the adjacent properties, particularly to the west, may redevelop in the future; therefore, appropriate setbacks that ensure livability and minimize privacy impacts for the proposed and future dwelling units are strongly encouraged.

For portions of the building above 30m, the DCAP recommends a further step back of 3.0m to achieve a minimum total setback of 6.0m to property lines for the sides and rear of the building to enhance privacy, open up views between buildings, and permit access to sunlight and views of the sky. The application is inconsistent with this guideline; therefore, staff recommend that the upper storey would benefit from further stepping back of at least 3.0m on the east and west elevations and approximately 1.57m on the south elevation, for consistency with the design guidelines. The appropriate wording has been added to the staff recommendation for Rezoning Application No. 00621.

## Parking Variance

The current Schedule C requires a total of 69 long-term residential parking stalls and six long-term commercial parking stalls, for a total of 75 parking stalls. A variance is requested to reduce parking from 75 to 57 stalls, ten which would be dedicated for visitors and three for commercial tenants. The applicant engaged a transportation planning and engineering firm to advise on the appropriate Traffic Demand Management (TDM) measures to support the rationale for requesting a parking variance. A Parking and Trip Generation Review Report (Traffic Report) was prepared for this submission and is included as an attachment to this staff report.

The Traffic Report projects a need for a total of 47 to 71 parking spaces dependant on the level of TDM commitment from the applicant. The proposed TDM measures to support the requested parking variance include the following:

- a total count of 139 secure bicycle parking that exceeds the current Schedule C requirement of 118 stalls
- bicycle amenity area with a bike cleaning station and two bicycle repair benches with tools, and accessible to both residential and commercial tenants
- bicycle share program accessible to building residents
- four electric bicycle charging stations
- four motorcycle and electric scooter parking spaces equipped with a charging outlet
- 45 car-share memberships for residents without vehicles in perpetuity, as well as with one designated car-share vehicle parking spot and access to at least five car-share vehicles stationed within a two block radius of 825 Fort Street
- transit subsidy of 50% in the first year of occupancy based on the parking shortfall from stalls required by the new Schedule C

- an information package educating building residents of transportation incentive options, including various bicycle and public transit routes available in the City.

Due to the site's proximity to alternative forms of transportation, the Fort Street Bikeway, and combined with the proposed TDM measures, staff consider the parking variance to reduce parking from 75 stalls to 57 stalls supportable.

#### Integration with Fort Street Heritage Corridor

The DCAP identifies Fort Street as a "special character area" within the Residential Mixed-Use District and the applicable guidelines encourage new buildings that enhance the special character of Fort Street as a heritage corridor and active shopping street. Architectural styles along Fort Street are varied, although brick, masonry and stucco are common exterior materials. For the new street-facing façade, the applicant is proposing a three-storey street wall clad in brick with large storefront windows to complement, without mimicking, the existing heritage façades of 825 and 819-823 Fort Street. The fine-grain rhythm of small commercial units and frequent entrances along Fort Street is maintained with this proposal, with the parkade entrance being the one exception to this pattern.

In reference to the one to three-storey "saw-tooth" street wall condition on Fort Street, the upper storeys of the building are stepped back by:

- 6.0m at the third storey above 819-823 Fort Street
- 4.2m at the fourth storey above 825 Fort Street
- 5.1m at the fourth storey above 827 Fort Street
- 6.9m at the ninth storey above 827 Fort Street.

The west elevation abuts 805-817 Fort Street (Fort Commons), which is a one-storey building. Although Fort Commons may redevelop in the future, this façade will, until then, be quite visible. The applicant is proposing a blank concrete wall for the base of the building and smooth cementitious panel material for the tower. The DCAP encourages building articulation and variation in material to differentiate the base, middle and top of buildings. Staff recommend that the application would benefit from design revisions and further articulation of the west façade to improve the building's overall fit with the existing and future context. The appropriate language has been added to the staff recommendation. Staff consider that the proposal generally complies with the DCAP policies and design guidelines; however, there are aspects of the proposal that are not fully consistent with the DCAP as detailed above.

#### Advisory Design Guidelines for Buildings, Signs and Awnings

The *Advisory Design Guidelines for Buildings, Signs and Awnings* encourage a comprehensive design approach that is sensitive to the surrounding context. This is more fully explored in the section above on the Downtown Core Area Plan.

### **Review of Heritage Components**

#### Confirmation of Heritage Designation of 827 Fort Street

As part of the Heritage Advisory Panel's motion recommending approval of the concurrent Heritage Alteration Permit Application with Variances, the Panel requested confirmation of the heritage designation of 827 Fort Street. An application for heritage designation of 825 and 827 Fort Street was received from the former owner, on January 14, 2008. The Senior Heritage Planner, at the time, inspected the buildings and confirmed in the May 15, 2008 COTW staff

report that 827 Fort Street was not worthy of designation due to the number of changes to the façade, thus the staff recommendation was to designate 825 Fort Street only, and the elements identified as character-defining only relate to 825 Fort Street. Council adopted the designation bylaw for 825 Fort Street on July 10, 2008.

### Heritage Impact Assessment

The buildings at 825 Fort and 819-823 Fort Street were constructed during the upswing of the pre-World War One real estate boom, and represent the surge of development that characterized Victoria's gateway economy, and contribute to the historic integrity of the streetscape along Fort Street. The two Edwardian era heritage building façades would be retained and rehabilitated as the primary street wall of the proposed development. The 1911-1912 three-storey BC Hardware Company Building at 825 Fort Street is heritage-designated. The 1908 heritage building located at 819-823 Fort Street, known as the Turkish Bath House, is a two-storey Edwardian-era commercial building and an application for heritage designation for this building is being advanced concurrently with this application.

Both buildings have been used continuously for commercial purposes, and significantly contribute to the historic character of this block of Fort Street. Statements of Significance for both heritage buildings are included with this report and detail the heritage value and character-defining elements that are protected under the associated heritage designation bylaw for 825 Fort Street, and that could be protected for 819-823 Fort Street.

### Conservation Strategy

A heritage Conservation Plan prepared by Donald Luxton & Associates is attached to this report. The proposed conservation guidelines provide strategies that include aspects of preservation, rehabilitation, restoration and maintenance. As part of the scope of work, character-defining elements would be preserved, while missing or deteriorated elements would be restored.

The overall condition of the main elevations appear to be good with some decay and damage visible, most notably the missing capitals on the ground floor columns of 825 Fort Street. The windows on both buildings are intact and in good condition, and the main painted brick elevation of 819-823 Fort Street also appears to be in good condition.

The Conservation Plans for 825 Fort Street and 819-823 Fort Street emphasize preserving the existing historic front façades, while undertaking a rehabilitation that would upgrade the structures and services to increase functionality for commercial and residential uses. Other strategic considerations are comprised of general conservation, alternate building code compliance, sustainability measures, as well as site protection and stabilization.

The proposed development would see the existing façades of both heritage buildings preserved, rehabilitated and restored to maintain the scale and rhythm of the street wall and retail storefront characteristics that are character defining and add to the context of this section of the Fort Street Heritage Corridor. Given the condition of the two façades, the applicant intends to apply to the City's Building Incentive Program administered by the Victoria Civic Heritage Trust for the rehabilitation of the façades and the character-defining elements.

## Standards and Guidelines for the Conservation of Historic Places in Canada

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 *Standards and Guidelines for the Conservation of Historic Places in Canada* also speak to specific guidelines and recommendations related to exterior form, exterior walls, and windows, doors and storefronts, and are provided as information attached to this report.

In reference to Standards 3 and 5, the buildings have been subject to numerous interventions over their lifespan, some of which have removed character-defining elements. Despite these alterations, the buildings have maintained their characteristic front elevations. All surviving original exterior character-defining elements on the front façades would be preserved, and those missing or deteriorated elements would be restored. The relationship between the interior and exterior is also maintained whereby the façades continue to be the outward expression and extension of the interior while enabling new interiors and systems to be constructed to meet codes and introduce new services consistent with the new development.

In reference to Standards 8 through 14, a detailed Conservation Plan prepared by Donald Luxton & Associates specifies a variety of preservation, rehabilitation and restoration strategies for the retention and ongoing maintenance of the existing historic building façades. The plan details methodologies to ensure all character-defining elements are preserved, and that interventions are in-kind and visually compatible with the character of the façade, including:

- retention of historic front façades
- seismic reinforcement of the façades
- preservation of overall form, scale and massing of the front façades
- removal of later materials to reveal existing original historic materials on storefronts and the rehabilitation of storefronts in a manner sympathetic to the historic appearance of the buildings based on archival images
- preservation and repair of masonry elements with missing elements replaced to match existing
- preservation all metalworks, such as the projecting cornice and dentils, midline crown and storefront cornice on 819-823 Fort Street
- retention and repair of original storefront transoms in situ
- rehabilitation of upper floor windows
- restoration of appropriate historic colour schemes for exterior painted finishes.

## CONCLUSIONS

This proposal advances a number of key goals of the OCP and DCAP through the redevelopment of the subject sites and the heritage designation of 819-823 Fort Street. Although the proposal is requesting a height variance not completely in keeping with the height policies of the OCP and DCAP, it is consistent with other DCAP policies that encourage siting taller buildings near the middle of development blocks, with east/west orientation to minimize shading and wind effects on north/south oriented streets. In addition, the additional height is created in part by the atypical floor-to-floor heights for levels 1, 2 and 3, which are established in response to the heritage building at 825 Fort Street.

The proposal is also requesting a parking variance; however, the subject site is very constrained due to its size and location mid-block on Fort Street, and does not have access to a lane. Due to the constraints of the site and its proximity to alternative forms of transportation, the Fort Street Bikeway, and combined with the proposed TDM measures that the applicant proposes, staff consider the parking variance to reduce parking from 75 stalls to 57 stalls supportable.

Policy within the OCP also states that variances may be considered where other heritage objectives are advanced. Based on these factors, staff recommend that Council support the application with minor modifications as outlined in the staff recommendation and advance the application for further consideration at an opportunity for public comment, concurrent with Rezoning Application No.00621 advancing to a Public Hearing.

## ALTERNATE MOTION

### Option 1 (advance application as is)

That Council after giving notice and allowing an opportunity for public comment and after a Public Hearing for the Rezoning Application, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00009 for 819-823, 825 and 827 Fort Street, in accordance with:

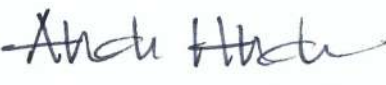
1. Plans, date stamped October 25, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - increase the height from 30m to 33.5m
  - reduce parking from 75 stalls to 57 stalls
  - reduce the short term bicycle parking from 12 stalls to 0 stalls.
3. Receipt of a car-share agreement that includes 45 MODO car-share memberships for residents without vehicles in perpetuity and a dedicated car-share vehicle parking stall on site.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Heritage Alteration Permit with Variances lapsing two years from the date of this resolution."

### Option 2 (decline)

That Council decline Heritage Alteration Permit Application with Variances No. 00009 for the property located at 819-823 Fort Street and 825 and 827 Fort Street.

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: Jan 17, 2019

### List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans, date stamped October 25, 2018
- Attachment D: Applicant's letter to Mayor and Council, dated November 30, 2018
- Attachment E: Conservation Plan for 825 Fort Street, dated December 2017
- Attachment F: Conservation Plan for 819-823 Fort Street, dated March 2018
- Attachment G: *Applicable Standards and Guidelines for the Conservation of Historic Places in Canada*

- Attachment H: Bunt & Associates Parking and Trip Generation Review Update, dated November 26, 2018
- Attachment I: Minutes from May 23, 2018 Advisory Design Panel meeting
- Attachment J: Minutes from June 12, 2018 Heritage Advisory Panel meeting.