



Committee of the Whole Report For the Meeting of February 6, 2020

To: Committee of the Whole **Date:** January 23, 2020

From: Karen Hoesle, Director, Sustainable Planning and Community Development

Subject: **Update Report for Rezoning Application No. 00699 for 1306-1330 Broad Street, 615-625 Johnson Street and Parts of 622 and 630 Yates Street**

RECOMMENDATION

That Council consider the following revised motion (revised items in bold):

1. "That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00699 for 1306-1330 Broad Street, 615-625 Johnson Street and parts of 622 and 630 Yates Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and that a Public Hearing date be set once the following conditions are met:
 - a. **Plan revisions to reflect proposed design changes and a reduction in density from 4.37:1 to 4.0:1 floor space ratio** and to correct plan inconsistencies, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - b. Preparation and execution of legal agreements to secure 2.98 metres of the western portion of 1314 to 1330 Broad Street and 615 to 625 Johnson Street, adjacent to the existing "lane," as a Statutory Right-of-Way, to the satisfaction of the Director of Engineering and Public Works;
 - c. Preparation and execution of a legal agreement securing public realm improvements to the "lane" and adjacent streets, including the provision of bicycle parking stalls, to the satisfaction of the Director of Engineering and Public Works;
 - d. Preparation and execution of a legal agreement securing interpretive signage that will be displayed both during construction and over the long term, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - e. **Preparation and execution of a legal agreement securing the adaptive reuse of building materials, as proposed in the applicant's letter, to the satisfaction of the Director of Sustainable Planning and Community Development;** and
 - f. Preparation of bylaws to dedicate the area that currently functions as a lane at the rear of the properties as a lane, subject to the satisfaction of the City Solicitor and the Director of Engineering and Public Works, and that Council consider approving these bylaws subject to Council approving Rezoning Application No.00699.
2. That Council consider the Heritage Designation of 1314-1324 Broad Street (the Duck's Building) and the western rubble wall of 615 to 625 Johnson Street, consistent with plans

date stamped November 6, 2019, and concurrent with final consideration of Rezoning Application No. 00699, if it is approved.

3. That Council authorize the Mayor and City Clerk to execute encroachment agreements, to be executed at the time of the building permit approval, if the other necessary approvals are granted, in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works for:
 - a. building encroachments adjacent to Broad Street, Johnson Street and the Duck's Building Lane; and
 - b. anchor-pinning in the City Right-Of-Way."

EXECUTIVE SUMMARY

The proposal is to amend the Old Town District 1 Zone (OTD-1) to add site-specific regulations, which would allow an increase in density for the rehabilitation of a heritage-registered building. The proposal would facilitate a hotel development with the construction of an addition at the north and south end of the existing building. The application would result in the heritage designation of the Duck's Building, located in the centre of the site, as well as designation of the rubble wall located near the laneway at the rear of the property.

The purpose of this report is to present Council with updated information following Council's motion at a Committee of the Whole (COTW) meeting on November 21, 2019 regarding the Rezoning and Heritage Alteration Permit Application for the property located at 1306-1330 Broad Street, 615-625 Johnson Street and parts of 622 and 630 Yates Street. On November 21, 2019, Council referred the proposal back to staff to "engage with the applicant on plans for adhering to the City's policy with respect to retaining or replacing the existing rental units" and to coordinate a presentation by the acting Chair of the Heritage Advisory Panel on behalf of the Panel.

This report also details revisions to the proposal made since the application was presented to COTW. The design revisions include a reduction in the overall proposed density, increased setbacks, and a material salvage strategy for the interior of the Duck's Building targeting brick, timber floor joists, subfloors, flooring, doors and trim work for reuse in common areas of the development. The changes also add design features to the north addition that are contemporary interpretations of heritage features from the former Duck's Carriage Factory/Canada Hotel.

Rental Retention

A number of City policies address how community amenity contributions are to be assessed. Included within the range of community amenity policies is a policy which strives to support the retention of existing rental units by seeking voluntary amenity contributions. The voluntary amenity contributions considered under this policy include providing the same number of rental units on-site or an equivalent cash in-lieu contribution to the City's Housing Fund. While this proposal includes the demolition of eight rental residential units, this policy was not applied. This was because community amenity contributions were assessed under a land lift evaluation and in light of policy that would exempt commercial proposals. However, following Council's direction, staff have explored options to address this policy with the applicant. The applicant has responded (letter attached) by offering to provide a contribution to the City's Housing Reserve fund, equal in value to the City's maximum per door Housing Reserve Fund grant contribution of \$10,000 per unit, for a total of \$80,000.00.

Initially, this application was considered exempt from the rental retention policy because it met the exemption criteria under the Inclusionary Housing Policy, and a land lift analysis did not support seeking an amenity contribution beyond the heritage conservation already proposed. Additionally, the rental retention policy has not historically been applied to commercial development applications. This policy has typically been used to discourage proposals that convert rental residential units into strata residential units as opposed to commercial conversions. However, staff will be updating this policy as a part of the Secured Rental project to make its objectives clear, including consideration for commercial conversion.

Design Revisions

The applicant is also proposing design revisions which further subordinate the proposed building additions and reduce the overall density of the proposal. A formal resubmission reflecting these changes has not yet been submitted, but the proposed revised motion provides the appropriate wording to secure these changes.

Overall the density is proposed to be reduced from 4.37:1 floor space ratio (FSR) to 4.00:1 FSR. The reduction in density has been achieved by setting the rooftop additions farther back and by introducing a 1.37m vertical recess between the north addition and the Duck's building. Further reductions to the overall building scale have been achieved by chamfering the Johnson and Broad Street corner of the building.

The proposed vertical recess enables additional preservation of portions of the heritage building and gives the impression that the Ducks building sits proud of the north addition. An improved, block-wide symmetry and design cohesiveness is also achieved, whereby the north addition is now more symmetrical with the south addition and a cohesive building articulation and materiality is introduced at both the north and south ends of the proposal.

In terms of the increased roof top addition setbacks, the sixth storey on Johnson Street is proposed to be set back an additional 1.68m, for a total setback of 3.5m. On the Broad Street frontage, the setback has increased by 3.2m for a total setback of 9.66m on the top storey.

Together, these changes have reduced the overall scale of the proposal, made it more subordinate to the Ducks building, and introduced a design approach with the chamfered corner to create a contemporary interpretation of the original Duck's Carriage Factory building; all of which staff would recommend are positive revisions, consistent with the design guidelines.

Heritage Conservation

The proposed design revisions and salvage approach bring meaningful improvements to the heritage conservation strategy that would increase the prominence of the Duck's Building, significantly increase the amount of the building's interior that is salvaged and reused, and emulate the most important characteristics of the Canada Hotel/Duck's Carriage Factory building according to its statement of significance.

Within the Duck's Building, the applicant is now proposing to carefully disassemble the interior with the intent of reusing materials to the greatest extent possible (see the attached letter from the applicant). The applicant intends to target brick, timber floor joists, subfloors, flooring, doors and trim work for reuse in common areas of the development, in addition to photographing and fully documenting the disassembly process as apart of an educational information record.

In terms of the design revisions, the 3.2m increase in the already significant 6.46m setback to the rooftop addition of the Duck's Building would render it nearly invisible not only from Broad

Street, but also from longer range vantage points. This reinforces the apparent variation in the scale of different parts of the development in keeping with streetscapes throughout Old Town. The northerly corner building is now inset 1.37m next to the Duck's Block, similar to the inset southerly portion, creating a "frame" for the Duck's Building and allowing it to step forward from the rest of the development. This measure meaningfully improves its status as the focal point within the overall development. Additionally, the applicant would conserve the sidewalls of the Duck's Building visible in the inset portions.

The corner building now features a chamfered corner, a feature of the original design that the Heritage Advisory Panel praised, and which is a character-defining element of the Canada Hotel/Duck's Carriage Factory building. Another aspect of the new building that emulates the heritage building are the squared projecting bay windows, which are a reference to the missing semi-hexagonal bay windows that were part of the Duck's Carriage Factory design in the 1800's.

Staff support the above reductions, increased setbacks and conservation strategy enhancements and are of the opinion that they would bring the development even further in line with prevailing policy and guidelines.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00699 for the property located at 1306-1330 Broad Street, 615-625 Johnson Street, and parts of 622 and 630 Yates Street.

Respectfully submitted,




Miko Betanzo
Senior Planner – Urban Design
Development Services Division



Karen Hoese, Director
Sustainable Planning and
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Report accepted and recommended by the City Manager:


Date: Jan 29, 2020

List of Attachments

- Attachment A: Letter from applicant to Mayor and Council dated January 10, 2020
- Attachment B: Plans Dated January 23, 2020
- Attachment C: Correspondence Letters
- Attachment D: COTW report dated November 21, 2019.