



## **Council Report**

**For the Meeting of February 11, 2021**

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**To:** Council **Date:** January 28, 2021

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** **Update Report for Heritage Alteration Permit Application No. 00023 for 1244 Wharf Street**

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### **UPDATED RECOMMENDATION**

That Council consider the following amended motion in relation to the proposed Heritage Alteration Permit for 1244 Wharf Street:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00023 for 1244 Wharf Street, in accordance with:

1. Plans, date stamped November 20, 2020.
2. The Conservation Plan for the Yates Block at 1244 Wharf Street by Donald Luxton and Associates Inc., dated September 2020.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Revisions to the existing Statement of Significance to include restored heritage features as character-defining elements to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Revisions to elevation details of the proposed restored pediment and cornice, including molding profiles, to the satisfaction of the Director of Sustainable Planning and Community Development.
6. Minor plan amendments to illustrate frontage improvements to the satisfaction of the Director of Engineering.
7. Preparation and execution of a legal agreement to secure frontage improvements, to the satisfaction of the Director of Engineering.
8. Council authorizing the restoration of historic features, including a pediment, roof level cornice and balcony, which will project over the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
9. Heritage Alteration Permit lapsing two years from the date of this resolution."

## EXECUTIVE SUMMARY

The purpose of this report is to present City Council with a corrected approval motion for Heritage Alteration Permit Application No. 00023 for 1244 Wharf Street, which eliminates a variance that is not actually required under the applicable Zoning Bylaw.

On January 7, 2021, Council advanced Heritage Alteration Permit with Variance Application No.00023 to an Opportunity for Public Comment. The application proposes the comprehensive rehabilitation of the heritage designated Yates Block, including the restoration of the historic pediment to the roof of the building. Planning staff deemed the historic pediment to be a part of the parapet, which meant that it required a variance to increase the permitted parapet projection from 1m to 4.5m. This variance appeared in the January 7, 2021 motion (see attached).

When preparing for the Opportunity for Public Comment, staff discovered that the zoning standard limiting parapet height is not found in the applicable Zoning Regulation Bylaw No. 80-159. It is found in Downtown Zoning Bylaw No. 18-072, which applies to properties directly across the street, but not to the subject property. The applicable Zoning Bylaw does not restrict parapet height. It also excludes masts, antennas, vents, chimneys, elevator shafts, solar heating panels or similar structures that project above the roof from the calculation of total building height. Staff have determined that the pediment feature is a structure similar to an elevator shaft or chimney. It is a slender, decorative feature that does not add to the bulk of the building and is therefore exempt from the calculation of building height. As per the normal process, the approval would be tied to specific plans, so there is no opportunity to extend or in any way expand the pediment without seeking further approvals.

## ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00023 for the property located at 1244 Wharf Street.

Respectfully submitted,

John O'Reilly  
Senior Heritage Planner  
Sustainable Planning and Community  
Development Department

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

## List of Attachments

- Attachment A: Approved Motion- January 7, 2021 City Council Meeting
- Attachment B: Subject Map
- Attachment C: Aerial Map
- Attachment D: Photos
- Attachment E: Plans date stamped November 20, 2020
- Attachment F: Conservation Plan for the Yates Block at 1244 Wharf Street by Donald Luxton and Associates Inc., dated September 2020
- Attachment G: Applicant's letter dated November 18, 2020
- Attachment H: Revised Statement of Significance
- Attachment I: Designation Bylaw.