



## **Council Report**

### **For the Meeting of August 5, 2021**

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**To:** Council **Date:** July 26, 2021

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

**Subject:** **Update Report for Rezoning Application No. 00699, Heritage Alteration Permit with Variances Application No. 00018 and Heritage Designation Application No. 00179 for 1306-1330 Broad Street, 615-625 Johnson Street and Parts of 622 and 630 Yates Street**

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### **RECOMMENDATION**

That the following bylaws be given introductory readings:

1. Zoning Bylaw, 2018 (No. 04) No. 21-075
2. Heritage Designation Bylaws Nos. 21-077 and 21-078.

### **BACKGROUND**

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 21-075. The issue came before Council at a Committee of the Whole meeting on February 6, 2020 and was ratified at a Council meeting on February 13, 2020 where the following resolution was approved:

#### **Rezoning Application No. 00699**

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."

### **Heritage Alteration Permit with Variances Application No. 00018**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00699, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00018 for 1306-1330 Broad Street, 615-625 Johnson Street and parts of 622 and 630 Yates Street, in accordance with:

1. Plans, date stamped November 6, 2019, the Conservation Plan for the Duck's Carriage Factory at 615-625 Johnson Street, date stamped November 6, 2019, and the Conservation Plan for the Duck's Building at 1314-1324 Broad Street, date stamped November 6, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - a. reduce the number of required parking spaces from 35 to 20
  - b. increase the maximum height from 15m to 18.9m
  - c. reduce the required number of short-term bicycle parking stalls on site from 9 to 0.
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. The applicant providing further design details of the heritage interpretation program to the satisfaction of the Director of Sustainable Planning and Community Development.
5. Minor plan amendments to address text errors on the plans to the satisfaction of the Director of Sustainable Planning and Community Development.
6. Heritage Alteration Permit lapsing two years from the date of this resolution."

Regarding the pre-conditions that Council set in relation to this application, staff can report that all conditions and agreements have been executed and the application is ready for Council's consideration of introductory readings.

The applicant has entered into a section 219 agreement with the City committing to design a heritage interpretation program, consisting of temporary hoarding signage and permanent signage installed on both the rubble wall and inside the completed lobby of the Duck's Block. The signage is to be designed by a graphic designer working with the applicant's heritage consultant and subject to approval by the Director of Sustainable and Community Planning. The signage would be secured by a letter of credit provided to the City prior to Building Permit issuance for an amount equal to, or greater than \$36,000.

Additionally, the owner has entered into a section 219 agreement committing to salvage certain heritage building materials for re-integration into the new development, to the extent possible considering the unknown condition of some of the materials targeted for reuse. During demolition work, the applicant's heritage consultant will assess and identify materials suitable for reuse and work with staff to reintegrate them in the interior:

- bricks, timber floor joists, subfloors, flooring, roofing purlins, strapping, shiplap, doors, trim work, finish materials from the existing "Madam's Room" (including a small fireplace)
- salvaged brick to use in the reconstruction of interior walls on the ground floor
- salvaged trim and at least one salvaged door within one or more publicly accessible areas of the new development.

At the request of the applicant, this application was paused just prior to advancing to a public hearing in March of 2020, in response to the developing global COVID-19 pandemic.

## **CONCLUSIONS**

The applicant has executed the required legal agreements and provided staff with all outstanding items and the application is now ready to advance to a public hearing.

Respectfully submitted,

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Karen Hoese, Director  
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Development Department

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

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

## **List of Attachments**

- Attachment A: Zoning Bylaw, 2018 (No. 04) No. 21-075
- Attachment B: Heritage Designation Bylaws Nos. 21-077 and 21-078