Councillor Lucas withdrew from Council Chambers at 12:12 a.m. due to an indirect pecuniary conflict of interest in the following matters regarding 816 Government Street and 811-813 Wharf Street as she oversees all liquor operations at the Hotel Rialto.

#### MOTIONS

 To Set Public Hearings for the Council Meeting of Thursday, September 10, 2015: It was moved by Councillor Coleman, seconded by Councillor Loveday, that the following Public Hearing be held in Council Chambers, City Hall, on THURSDAY, SEPTEMBER 10, 2015, at 7 p.m.:
 Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street

Carried Unanimously

#### **UNFINISHED BUSINESS**

Councillor Lucas withdrew from Council Chambers at 11:46 p.m. due to an indirect pecuniary conflict of interest in the following items as she oversees all liquor operations at the Hotel Rialto.

#### 4. <u>Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192 for 816 Government</u> <u>Street and 811-813 Wharf Street</u>

Council received a report dated August 13, 2015 that informed Council that the necessary conditions that would permit Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192 for the property located at 816 Government Street and 811-813 Wharf Street to proceed to a hearing have been fulfilled.

#### Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council direct staff to give notice and set a meeting to allow an opportunity for public comment for Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192 for the property located at 816 Government Street and 811-813 Wharf Street, with the following amended motion replacing the previous Council resolution of April 30, 2015, as it pertains to Heritage Alteration Permit Application No. 00192:

- 1. That Council consider giving first and second reading to the Heritage Revitalization Agreement Bylaw (HRA Bylaw)
- 2. That Council consider referring the HRA Bylaw for consideration at a Public Hearing.
- 3. Following consideration of the Zoning Regulation Bylaw Amendment and the HRA Bylaw pertaining to Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street and if they are approved that Council consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit Application No. 00192 for 816 Government Street, in accordance with:

- 1. Plans titled "Revised Drawings" and date stamped July 22, 2015.
- 2. Heritage Building Proposed Interventions date stamped April 7, 2015.
- 3. Heritage Revitalization Agreement Bylaw.
- 4. Development meeting all *Zoning Regulation Bylaw* requirements, except for a variance to the height permitted in the proposed new zone from 17.70m to 27.84m as recommended in Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street.
- 5. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of staff.
- 6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

Carried Unanimously

Councillor Lucas returned to the meeting at 11:47 p.m.



**Council Report** 

For the Meeting of August 27, 2015

To:CouncilDate:August 13, 2015From:Jonathan Tinney – Director, Sustainable Planning and Community DevelopmentSubject:Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192<br/>for 816 Government Street and 811-813 Wharf Street - Application ready to<br/>proceed to Public Hearing

#### RECOMMENDATION

Staff recommend that Council receive this report for information and that the Rezoning Application and Heritage Alteration Permit Application for the property located at 816 Government Street and 811-813 Wharf Street proceed to a Public Hearing with the following amended motion replacing the previous Council resolution of April 30, 2015, as it pertains to Heritage Alteration Permit Application No. 00192:

- 1. That Council consider giving first and second reading to the Heritage Revitalization Agreement Bylaw (the "HRA Bylaw").
- 2. That Council consider referring the HRA Bylaw for consideration at a Public Hearing.
- 3. Following consideration of the Zoning Regulation Bylaw Amendment and the HRA Bylaw pertaining to Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street and if they are approved that Council consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit Application No. 00192 for 816 Government Street, in accordance with:

- 1. Plans titled "Revised Drawings" and date stamped July 22, 2015.
- 2. Heritage Building Proposed Interventions date stamped April 7, 2015.
- 3. Heritage Revitalization Agreement Bylaw.
- Development meeting all Zoning Regulation Bylaw requirements, except for a variance to the height permitted in the proposed new zone from 17.70m to 27.84m as recommended in Rezoning Application No. 00461 for 816 Government Street and 811-813 Wharf Street.
- 5. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of staff.
- 6. The Heritage Alteration Permit lapsing two years from the date of this resolution."

### EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of April 30, 2015 (attached), the necessary pre-conditions have been met and the Zoning Regulation Bylaw Amendment, that would authorize Rezoning Application No. 00461 and Heritage Alteration Permit No. 00192 for the property located at 816 Government Street, has been prepared.

With regard to the pre-conditions associated with this Application, staff can report the following:

#### Legal Agreements

- A Heritage Revitalization Agreement that protects the exterior façades of the 1914 Customs House has been prepared.
- A Housing Agreement to ensure that a future strata council may not enact bylaws that restrict the rental of units to non-owners has been prepared.
- A Statutory Right-of-Way has been registered on title to secure public access over the sidewalk at the corner of Courtney Street and Wharf Street to the satisfaction of staff.
- A Third Party Sewage Attenuation Study was submitted to the City and staff have determined that the increase in density would not trigger infrastructure improvements and, therefore, a Covenant for that purpose is unnecessary.

#### Heritage Advisory Panel Referral

The Heritage Alteration Permit was referred to the Heritage Advisory Panel (HAPI) on May 12, 2015 (minutes attached). The applicant has responded to the recommendations as follows:

- Regarding the proposed height of the new addition in relation to the Heritage-Registered Customs House and the broader context of Old Town, the applicant cites the original Post Office height as the comparison and is, therefore, maintaining the height as originally proposed.
- In relation to the appropriateness of the setback of the proposed roof top addition, the applicant has made revisions to a portion of the south wall of the roof top addition that is located adjacent to the new seven-storey addition to reduce its visibility from Wharf Street.
- In relation to the proposed exterior alterations to the 1914 Customs House, the applicant acknowledges that the original use of the building was deliberately inward looking; therefore, to enhance the retail and pedestrian experience and improve functionality, additional openings in the exterior façade of the building are required. The extent of the proposed openings in the character-defining elements of the Heritage-Registered building has remained as proposed, rather than being reduced as suggested by HAPI.
- In relation to the proposed finishing materials, the applicant clarified that the rationale in selecting the colour of the stone for the new addition was to serve as a bridge between the 1914 Customs House and the Belmont Building.
- Regarding the additional setback of the seven-storey addition at the upper storeys, particularly along Government Street, as it relates to the predominant one to five-storey character of Old Town, the applicant has provided a summary of the response in the accompanying letter. This includes stepping back the easternmost portion of the south wall on the seventh storey approximately 3m to align with the existing wall to the west. The revised drawings include sightlines from the street level that demonstrate the extent to which the new addition will still be visible.

Regarding the setback of the rooftop addition, the applicant notes that this will
predominantly be visible from the west of the site at the exit ramp along Courtney Street.
The rationale, provided by the applicant, for not increasing the setback further to make
the addition inconspicuous when viewed from across the surrounding streets, is that a
portion of the new rooftop addition will be aligned with the date parapet on the south
elevation of the 1914 Customs House and on the same southward axis as the
Legislative Building.

#### Advisory Design Panel Referral

The Heritage Alteration Permit was referred to the Advisory Design Panel (ADP) on May 27, 2015 (minutes attached). The applicant has responded to the recommendations by:

- simplifying the upper-storey massing on the sixth and seventh storeys by removing the vertical limestone columns and replacing them with dormers and glazing
- simplifying the form of the one-storey addition to the Heritage-Registered building through changing the upper portion of the parapet from glazing to limestone
- reducing the height and size of the mechanical penthouse by removing the stair access and revising the cladding from limestone to zinc
- revising the lobby entrance on Government Street to reduce the depth of the recess and bringing the entrance closer to the sidewalk
- revising the corner of the at-grade retail windows at the corner of Government Street and Wharf Street by providing for a more generous setback to the corner retail unit
- providing visual sightlines on drawing elevations to demonstrate the perception of the building as viewed from the street
- agreeing that, in the event that the purple Beech tree needs to be removed, the tree will be replaced by one with a minimum calliper size of 10cm diameter.

The accompanying applicant letter dated June 30, 2015, details the changes that have been made, along with a rationale for changes that have not been incorporated into the final plans (attached).

The recommendation provided above contains the appropriate language to advance Rezoning Application No. 00461 and Heritage Alteration Permit Application No. 00192 for consideration at a Public Hearing.

Respectfully submitted,

Charlotte Wain Senior Planner – Urban Design Development Services Division

Alison Meyer, Assistant Director Development Services Division Sustainable Planning and Community Development Department

Murray Miller Senior Heritage Planner Community Planning Division

Jonathan Tinney Director Sustainable Planning and Community Development Department

August 13, 2015 Page 3 of 4 Report accepted and recommended by the City Manager:

Jason Johnson

Date:

unust 20, LOIS

#### List of Attachments

- Planning and Land Use Committee minutes dated April 30, 2015
- Heritage Advisory Panel minutes dated May 12, 2015
- Advisory Design Panel minutes dated May 27, 2015
- Applicant letter summarizing response to ADP and HAPI dated June 30, 2015
- Architectural plans dated July 22, 2015.

#### 3.1 Rezoning Application No. 00461 for 816 Government Street

Committee received a report regarding a rezoning application for 816 Government Street. The proposal is to authorize an increase in the density in exchange for heritage conservation measures to be applied to the heritage registered building on the western portion of the property. The application also proposes new uses including brewery, distillery and liquor retail store.

Councillor Isitt withdrew from the meeting at 10:15 a.m. and returned at 10:17 a.m.

- <u>Action</u>: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Committee recommends that Council:
  - 1. Instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00461 for 816 Government Street.
  - 2. That first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council.
  - 3. A Public Hearing date be set once the following conditions are met:
    - a. Preparation of a Heritage Revitalization Agreement to secure the proposed rehabilitation of the heritage registered building.
    - b. Preparation of a Housing Agreement to ensure that a future strata council may not enact bylaws that restrict the rental of units to non-owners.
    - c. Registration of a Statutory Right-of-Way on title to secure public access over the sidewalk at the corner of Courtney and Wharf Streets to the satisfaction of the Director of Engineering and Public Works and the City Solicitor.

CARRIED UNANIMOUSLY 15/PLUC

#### 3.2 Heritage Designation Application No. 000150 for 816 Government Street / 811-813 Wharf Street (Customs House)

Committee received a report regarding an owner request to designate the heritage registered former Victoria Customs House as a Municipal Heritage Site.

- <u>Action</u>: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Committee recommends that Council consider the following motions:
  - That Council consider referring the Heritage Designation Application No. 000150 for 816 Government Street/811-813 Wharf Street to the Heritage Advisory Panel and requesting specific feedback as to whether the extent of proposed change to the Heritage-Registered 1914 Customs House as depicted in the Revised Heritage Alteration Permit Application drawings, date stamped March 13, 2015, and the Heritage Building Proposed Interventions, date stamped April 7, 2015, would affect the property's eligibility for designation as a Municipal Heritage Site.
  - 2. That Council consider the designation of the Heritage-Registered property located at 816 Government Street/811-813 Wharf Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site. This report fulfils the requirements of Section 968(5) of the Act.

CARRIED UNANIMOUSLY 15/PLUC

#### 3.3 Heritage Alteration Permit Application No. 00192 with Variance for 816 Government Street

Committee received a report regarding a heritage alteration permit for 816 Government Street. The proposal is to demolish the existing four-storey 1957 addition, alter the existing 1914 Customs House to allow for the construction of a multi-level underground parking structure, and adapt the 1914 Customs House for a mixed-use development that links into the construction of a seven-storey building on the same footprint as the existing 1957 addition. The application proposes variances to the height, setback and massing.

- Action: It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas,
  - That Council consider referring Heritage Alteration Permit Application No. 00192 for 816 Government Street to the Heritage Advisory Panel and Advisory Design Panel for the meetings of May 12, 2015 and May 27, 2015, respectively, for feedback on the following:
    - a. The appropriateness of the proposed height of the new addition in relation to the Heritage-Registered Customs House and Old Town.
    - b. The appropriateness of the set back of the proposed rooftop addition.
    - c. The historic masonry Condition Assessment.
    - d. The proposed exterior alterations and additions to the 1914 Customs House, having special regard to the scope of work anticipated by rehabilitation in the Standards and Guidelines for the Conservation of Historic Places in Canada".
    - e. The design of the seven-storey building addition in relation to the existing Heritage-Registered building and to its wider context, including Old Town and the Inner Harbour.
    - f. The contribution that the proposed building makes as an appropriately scaled building enclosure around the Inner Harbour.
    - g. The appropriateness of the proposed height and massing in relation to Public External View Guidelines: Views 1 and 2 and Urban Amphitheatre Concept as described in the *Downtown Core Area Plan*.
    - h. The appropriateness of the proposed finishing materials.
    - i. The size of the mechanical penthouse.
    - j. The proposed recessed building entrance to the office uses on Government Street.
    - k. The proposed design of the building entrance to the residential uses on Courtney Street."
  - 2. That Council consider instructing staff to work with the property owner to negotiate a Heritage Revitalization Agreement that protects the exterior façades of the 1914 Customs House and that the approved plans and specifications form part of the Heritage Revitalization Agreement to the satisfaction of the City Solicitor and the Assistant Director, Community Planning Division, prior to consideration at a Public Hearing.
  - 3. That Council consider giving first and second reading to the *Heritage Revitalization Agreement Bylaw (the "HRA Bylaw").*
  - 4. That Council consider referring the *HRA Bylaw* for consideration at a Public Hearing.
  - 5. Following consideration of the *Zoning Amendment Bylaw* and the *HRA Bylaw* pertaining to Rezoning Application No. 00461 for 816 Government Street that Council consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit Application No. 00192 for 816 Government Street, subject to the completion of the following prior to the Public Hearing and in accordance with:

- 1. Plans titled "Revised Drawings", date stamped March 13, 2015.
- 2. Additional set back of the upper two storeys to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.
- 3. Heritage Building Proposed Interventions, date stamped April 7, 2015.
- 4. Reinstatement of all existing stone ball finials following a condition assessment.
- 5. Provision of a temporary protection plan to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department.
- 6. The provision of as-found elevation details and sections of all existing openings and surrounding stonework to be altered in accordance with guidance contained in *Recording, Documentation, and Information Management for the Conservation of Heritage Places,* to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department
- Development meeting all *Zoning Regulation Bylaw* requirements, except for a variance to the height permitted in the proposed new zone as recommended in Rezoning Application No. 00461 for 816 Government Street from 17.7m to 30.3m.
- 8. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Assistant Director, Community Planning Division, Sustainable Planning and Community Development Department."

Committee discussed:

- Concerns that the height of new building appears to be higher compared to the existing building across the street.
  - The top floor of new building is lower but includes mechanical equipment on the roof which will make it higher. The applicant has been asked to reduce the scale of mechanical penthouse.
- If the amount of storeys is appropriate in Old Town.
  - The average height in Old Town is typically 1-5 storeys and this building would be higher, however, there are opportunities how that height is defined by setting back upper levels to make it feel more like a 5 storey building.
- If there is a way to ensure the heritage work in exchange for the bonus density is completed in timely manner?
  - The applicant has provided a report including a breakdown with all proposed work.
- The importance of maintaining the character defining elements of Old Town such as the height of the buildings and the need to have upper stories inconspicuous to pedestrians.

#### CARRIED UNANIMOUSLY 15/PLUC

PLUC meeting April 30, 2015

# CITY OF VICTORIA HERITAGE ADVISORY PANEL MEETING MINUTES MAY 12, 2015

Present:	Richard Linzey, Chair Kelly Black John Dam Mark Byram Rick Goodacre	Ken Johnson Ursula Pfahler Stuart Stark Keith Thomas
Staff:	Murray Miller, Senior Heritage Planner Mike Wilson, Senior Planner - Urban Design Lauren Martin, Heritage Secretary	
Observer:	Pamela Madoff, Councillor	

The Chair called the meeting to order at noon.

#### 1. Approval of the Agenda

Moved

Seconded

#### Carried

2. Declaration of Conflict or Bias - nil

#### 3. Announcements

 Craigflower Schoolhouse, the new home of the Hallmark Heritage Society, will be opening on Sunday, May 24.

#### 4. Adoption of the Minutes of the April 14, 2015 Meeting

#### Moved

That the minutes of the April 14, 2015 meeting be adopted.

#### Carried

Seconded

#### 5. Business Arising from the Previous Minutes

Follow up from the February 10, 2015 meeting for 1202/1208 Wharf Street, Heritage Alteration Permit Application No. 00196:

#### Senior Heritage Planner

- Additional information, including renderings of the proposed work, was received from the applicant.
- The building was designated on March 13, 1975.
- The Permits Division has no issues with the proposed alterations.

#### Panel

- Was the glassed area present when the building was designated? Senior Heritage Planner: It would appear that the heavy timber exterior construction and glassed area may have occurred after designation as there were numerous alterations to the building.
- The Chair recommended that this agenda item be discussed further under "New Business" (item 10).

#### 6. 816 Government Street/811-813 Wharf Street Heritage Alteration Permit Application with Variance No. 00192

Attendees: Stan Sipos, Victoria Customs House Development Inc. (applicant); Paul Merrick, Paul Merrick Consulting Ltd.; Jim Wong, Studio One Architecture Inc.; Donald Luxton, Donald Luxton & Associates Inc.

#### Senior Heritage Planner

- This is a Heritage Alteration Permit Application with a variance for height.
- The proposal includes demolition of the 1957 addition, construction of a new mixeduse building, a rooftop addition, and retention of the 1914 heritage-registered building.
- At its April 30, 2015 meeting, the Planning and Land Use Committee referred the application to the Panel for feedback on eleven points which are listed in the staff report.

#### Stan Sipos

- The current building was purchased in 2014 from the federal government.
- It is vacant, in disrepair and is not functional as it stands now.
- Input from the community and the City was sought and a development team was created.
- Retention of the 1957 addition was considered; however, it is faux heritage and does not integrate the floor space with the streetscape.
- The heritage-registered building has evolved over the years with multiple additions; this building will be retained, seismically upgraded and the stonework rehabilitated.
- Alterations and reinstatement of some openings (windows/doors) on the ground floor are proposed.
- The new building will include a brew pub, other high quality commercial tenants, and 50 residences.

#### Paul Merrick

- The building is centrally located in the Old Town/Inner Harbour "urban room" which is the focus of tourism activity.
- The current structure does not add to the vitality of the site and presents a secure edifice (inward facing).
- Parking will enter from Courtney Street.
- Numerous window sills that are now 3.5' to 4.5' above floor level will be altered.
- The envelope of the heritage-registered building will be retained; the interior will be new construction.
- The new building will be the same height as the old Fuller building and is comparable to the height of the Belmont Building.

- The defining characteristics of the heritage-registered building will be reflected in the new addition (i.e. four-pane windows, cornice line).
- From the Legislative Building, the silhouette of the new structure will be similar to its earlier version.
- Alterations to openings are proposed; one-third will have a more extensive opening.
- There will be a diagonal space for outside life, facing Wharf Street and adjacent to the heritage-registered building.

#### Donald Luxton

• A brief overview of the history of the site, as depicted in the Conservation Plan, was presented to the Panel.

# Panel - in relation to the matters referred to the Panel for feedback

(lettering corresponds to the Planning and Land Use Committee minutes of April 30, 2015)

- (a) the appropriateness of the proposed height of the new addition in relation to the heritage-registered Customs House and Old Town
  - The height is acceptable, but more setback of the upper storeys would be preferred.
  - The new addition fits well with the adjacent structure; it does give a different feel.
  - The proposed building and the Belmont Building are too close together for the overall height and the high wall facing onto Government Street.
- (b) the appropriateness of the setback of the proposed rooftop addition
  - The rooftop addition on the heritage-registered building presents an undesirable view from across the harbour.
  - It is notable that the rooftop addition cannot be seen from Government Street.
  - The finials will be seen against the rooftop additions rather than the sky.
- (d) the proposed exterior alterations and additions to the 1914 Customs House, having special regard to the scope of work anticipated by rehabilitation in the *Standards and Guidelines for the Conservation of Historic Places in Canada* 
  - Lengthening the windows is a good compromise.
  - Could the carriageway be opened up as it was in the past to speak to its historic use?
  - The extent of alterations is considerable with interventions on each side of the building. The number of perforations in the 1890s foundation is a problem and will involve the raising of lintels and the lowering of sills.
  - The number of openings will unbalance the appearance of the heritageregistered building (i.e. mass of masonry on top of perforations in the plinth).
  - Make the masonry believable and secure, not overly perforated. The
    perforations in the base break up the mass. A character-defining element of the
    heritage-registered building is that it is an introverted building. It may be
    important from a historic viewpoint to retain the imposing façade. More
    elements of the heritage-registered building should be preserved to reflect the
    structure's former use.
  - Why is it necessary to have the Courtney Street underground parking access penetrate the historic building?
  - The carriageway and Wharf Street doors are acceptable.

- The foundation and stonework should be preserved in its original condition. The applicant should reconsider the proposed perforations for the heritage-registered building.
- (e) the design of the seven-storey building addition in relation to the existing heritageregistered building and to its wider context, including Old Town and the Inner Harbour
  - The scale of the new building is at odds with the heritage-registered building and the Belmont Building.
  - The balconies on the addition are anomalies as there are no balconies on other buildings along Government Street. The proposed glass balconies on the new building do not fit well with the surrounding Victorian and Edwardian style buildings.
  - New construction should not dominate.
  - The lighter colour on seven storeys will stand out and seem intrusive. The darker colour of the heritage-registered building will recede into the background. The upper cornice could be darker.
  - The windows should not be the same size and design as those on the Belmont Building and the heritage-registered building; three horizontal rows would be better.
- (h) the appropriateness of the proposed finishing materials
  - There are porosity issues with the masonry.
  - Will new materials be sourced locally?
  - What is the proposed colour of the limestone?
  - Matching the existing sandstone with the proposed limestone will be difficult. The stone is local and the new openings would eliminate that old stone.
  - Why is the proposed new limestone located so high above the upper storey?
  - The proposed heritage designation of the 1914 building is the "stick" to the "carrots" of a tax incentive and/or the façade restoration funding. Stan Sipos: The "carrots" are required in order to offset the cost of rehabilitation.

The Senior Planner - Urban Design explained the process going forward (i.e. comments to Council, revisions by applicant, readings and adoption of rezoning bylaw, Public Hearing).

#### Moved

#### Seconded

That the Panel's comments be provided to Council.

#### Carried (unanimous)

#### 7. 816 Government Street/811-813 Wharf Street Heritage Designation Application No. 000150

Attendees: as above

#### Senior Heritage Planner

• Does the scope of proposed interventions compromise the integrity of the place to an extent that they would adversely affect the heritage values of the place and as a result, its eligibility for designation?

#### Panel

- The process seems backwards. Why designate a building before the interventions?
- With the proposed additional floor and extra windows, will the building be worthy of designation? Senior Heritage Planner: This is precisely the question that the Panel is being asked to consider.
- Does a Heritage Revitalization Agreement protect the building?
- Since the building is in the Old Town Conservation Area, it has a degree of protection regarding form and design.

#### Moved

#### Seconded

That Council consider the designation of the heritage-registered property located at 816 Government Street/811-813 Wharf Street, pursuant to Section 967 of the *Local Government Act*, as a Municipal Heritage Site.

# Carried (unanimous)

### 8. **524 Michigan Street and 526 Michigan Street** Heritage Designation Application No. 000148 and 000149

Attendee: Karen Jawl, South Block Development Corporation

Senior Heritage Planner

- The houses will be relocated within James Bay.
- The relocations were reviewed previously through two Heritage Alteration Permit Applications.

#### Panel

• Are the new locations known? Applicant: A possible site for both houses at Dallas and Dock Streets is pending a land use application.

#### Moved

#### Seconded

That Council consider the designation of the two heritage-registered houses (presently located at 524 and 526 Michigan Street) to be relocated within James Bay, pursuant to Section 967 of the *Local Government Act*, as a Municipal Heritage Site.

# Carried (unanimous)

# 9. 1713 Government Street Heritage Designation Application No. 000151

#### Senior Heritage Planner

- This is an application from the owner for the heritage designation of the exterior of the building and specified interior elements.
- The applicant has applied for funding for exterior conservation through the Victoria Civic Heritage Trust.
- The building would be eligible for funding for interior conservation as well.

#### Page 6 of 6

#### Moved

#### Seconded

That Council consider the designation of the heritage-registered property (exterior and original interior elements) located at 1713 Government Street (Yen Wo Society Building), pursuant to Section 967 of the *Local Government Act*, as a Municipal Heritage Site.

#### Carried (unanimous)

#### 10. New Business

#### 1202/1208 Wharf Street Heritage Alteration Permit Application No. 00196

#### Panel

- No work has been done without a permit.
- Extensive glazing is a problem, i.e. "glazing creep." Does this compromise the designation? How far can this go until the elements that determined designation are lost?
- What was the appearance of the building when it was designated in 1975?
- The timbers are blocking the façade more than the glazing. All previous work cannot be considered when reviewing the current application.
- Balconies are regulated through Heritage Alteration Permits and Design Guidelines.
- The changes affect the homogenous character of Old Town.

#### Senior Heritage Planner

- The Permits Division did not indicate that no work has taken place without permit.
- The applicant has provided drawings and renderings that delineate what is proposed versus what exists.

#### Moved

#### Seconded

That Heritage Alteration Permit Application No. 00196 be declined.

# Carried (unanimous)

Two Panel members stated that they would have appreciated more than one business day to review such an extensive agenda package.

#### 11. Adjournment - 2:15 pm

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#### MINUTES OF THE ADVISORY DESIGN PANEL HELD WEDNESDAY, MAY 27, 2015, 12 P.M.

Advisory Design Panel members toured the site located at 816 Government Street at 11:00 A.M.

# 1. THE CHAIR CALLED THE MEETING TO ORDER AT 12:03 P.M.

Panel Members Present:	Christopher Rowe (Chair); Barry Cosgrave; Brad Forth; Cynthia Hildebrand; Mickey Lam; Mike Miller; Ann Katherine Murphy;
Absent:	Rod Windjack
Staff Present:	Mike Wilson – Senior Planner-Urban Design; Charlotte Wain – Senior Planner-Urban Design; Murray Miller – Senior Heritage Planner
Observers:	Councillors Coleman, Madoff, Thornton-Joe

2. MINUTES

# 2.1 Minutes from the Meeting held February 25, 2015

#### Action:

### **MOVED / SECONDED**

It was moved by Mr. Cosgrave, seconded by Ms. Hildebrand, that the Minutes of the Advisory Design Panel held February 25, 2015 be approved.

# CARRIED UNANIMOUSLY

Mr. Wilson advised that Gerald Gongos, an Architect working with the Province of British Columbia, has been appointed to fill the vacant position on the Advisory Design Panel. Mr. Gongos will begin orientation and is expected to join the Panel at the next regular meeting of June 24, 2015.

# 3. APPLICATIONS

# 3.1 Rezoning Application No. 00461 & Heritage Alteration Permit Application No. 00192 for 816 Government Street

The proposal is to permit increased density for residential and office uses. The Application is also to permit brewery, brew pub and distillery uses as well as a liquor retail store as an accessory use to a distillery or brewery.

Applicant Meeting attendees:	Mr. Paul Merrick, Paul Merrick Consulting	
	Mr. Stan Sipos, Cielo Properties Inc.	
	Jim Wong, Studio One Architecture Inc.	

Ms. Wain provided the Panel with a brief introduction of the Application and the areas that Council are seeking advice on, including the following:

- the appropriateness of the proposed height of the new addition in relation to the 1914 Heritage-Registered Customs House and Old Town
- the appropriateness of the setback of the proposed rooftop addition
- the design of the seven-storey building addition in relation to the existing Heritage-Registered building and to its wider context, including Old Town and the Inner Harbour
- the contribution that the proposed building makes as an appropriately scaled building enclosure around the Inner Harbour
- the appropriateness of the proposed height and massing in relation to Public External View Guidelines: Views 1 and 2 and Urban Amphitheatre Concept as described in the *Downtown Core Area Plan*
- the appropriateness of the proposed finishing materials
- the size of the mechanical penthouse
- the proposed recessed building entrance to the office uses on Government Street.

Mr. Sipos provided the Panel with a brief introduction of the proposal. The proposal includes repurposing of the rebuilt portion of the building to create a functional office space.

Mr. Merrick provided the Panel with a detailed presentation of the proposal.

Mr. Miller joined the Panel at 12:23 P.M.

Panel members asked questions to the attendees to obtain clarification on the proposal.

*Mr.* Cosgrave excused himself from the meeting at 1:11 P.M. He advised the building was a masterful composition and had no issues with the proposal.

Panel Members discussed:

- complexity of the building design
- preference to embrace a simpler articulation of the buildings massing similar to that of the adjacent Belmont building
- further refinement to the design, materials and colour of the top two storeys, to result in a more simplified termination of the building
- preference for the granite material to be rusticated
- colour changes to the limestone and cladding materials
- the retention of the purple beach tree should be revisited
- some members felt the proposed balcony spaces could be used for unsightly storage
- widening the lobby entrance for a courtyard feel
- CPTED concerns with having an un-gated recessed lobby entrance and that the recess should be reduced if no gate is provided
- ways to eliminate CPTED concerns without using a gate such as increasing the height of the entrance for greater exposure or having tenants with later business hours

- some members felt the building was encroaching onto Wharf Street at the southeast corner and taking away the significant public realm
- the recent priority of Council for the David Foster Pathway to guide people through Downtown and how the building could be blocking desire lines to this pathway
- some members felt that increasing the height of the addition to the Heritage building would create a better transition between the two buildings.

Mr. Wilson interjected to have Mr. Miller, Senior Heritage Planner, advise the Panel of the Heritage Conservation Principles related to the height of the rooftop addition on the Heritage building. The addition is to be kept to a limited height as to reduce its visibility from the street.

Discussion continued:

- the glass addition to the Heritage building enhances the night lightscape
- the building works well with the curve line along to Wharf Street
- the Panel would appreciate seeing the results of their suggestions at the Development Permit stage.

#### Action:

#### MOVED / SECONDED

It was moved by Mr. Lam, seconded by Mr. Miller, that the Advisory Design Panel recommend to Council that Rezoning Application No. 00461 and Heritage Alteration Permit Application with Variance No. 00192 for 816 Government Street be approved with the following changes:

- Reconsideration of design refinements to the sixth and seventh floors and the mechanical penthouse with respect to the materiality of the massing and colouration of the parapet.
- Simplification of the form of the one-storey addition to the Heritage Registered building.
- Reconsideration of the perception of the building height from the street.
- Further consideration of the depth of the recessed lobby entrance with the intent to appear more welcoming.
- Reconsideration of the removal of the mature purple beach tree.
- Further design development of the at-grade retail glazing at the corner of Government Street and Wharf Street in consideration of a more positive pedestrian experience.

Panel Members Discussed:

- how to design the lobby entrance with respect to CPTED concerns
- the prominence of the building on Government Street taking away the public space.

#### CARRIED

For: Mr. Rowe (Chair); Mr. Cosgrave; Mr. Forth; Ms. Hildebrand; Mr. Lam; Mr. Miller Against: Abstained: Ms. Katherine Murphy

# 3. ADJOURNMENT

The Advisory Design Panel meeting of May 27, 2015 adjourned at 2:04 P.M.

Christopher Rowe, Chair

# PAUL MERRICK CONSULTING LTD .

6574 TIDEVIEW RDE SOOKE. BC 250-642-7708 V9Z 1A6 250-888-1109

Ms. Charlotte Wain Senior Planner, Urban Design June 30, 2015

Mr. Murray Miller Senior Heritage Planner

#### Re: 816 Government Street DESIGN REFINEMENTS SINCE APPLICATION IN RESPONSE TO ADP & HAC

Charlotte & Murray:

This is to summarize the various refinements and revisions made in response to the above named reviews.

- Addressing design panel review May 27, 2015
- Heritage Advisory Panel May 12, 2015

#### Advisory Design Panel Comments:

- Panel indicated general support for the height, scale and contextual relationships.
- Suggested building mass articulations could be simplified, particularly the top two floors.
- Panel expressed concern over extent of mechanical penthouse and its access stair.
- Concern over office lobby entrance on Government Street.
- Resolution of glass line at South East corner Government and Wharf Street queries.
- Retentions of purple Beach on Wharf Street west side questioned.

#### Responses:

- The cornice line occurring at the fifth and sixth floor, has been simplified to a single cornice at the sixth floor only, repeating precisely the cornice profile of the heritage registered building, without the dentil course.
- The two level expression of "Roof" above this is resolved into a zinc clad glazed element, the glass being proud of the face of the zinc parapet, set back from the principle building faces by approximately one half bay, from which protrudes on the sixth floor an expression of "dormer", recollecting the window cadence below, executed in the same limestone as the principle building face, and set back by the thickness of the principle wall below, "recapitulating" this language of the principle building face and forming, from the street, a visual foil to the volume of the seventh floor behind and above.
- The mechanical penthouse has been reduced in height and dimension, and clad in the same zinc as the top floor. The stair volume accessing this roof has been eliminated in exchange for a roof hatch, reducing both the apparent penthouse bulk and measured height.
  - The recessed office building lobby off Government Street has been eliminated, with the doors recessed only enough to prevent them swinging over the property line at grade.

- The line of glazing to the South and Southeast has been moved further back from the street to provide space for a double table between the glass face and the principle columns, and moved west at the Southeast corner of Government street and Wharf to further open up that corner at grade.
- The purple beach to the west of the heritage designated will be relocated to better accommodate outdoor scaling arrangements in the triangular space between the building face and the street.

#### Heritage Advisory Panel Comments:

- Height of new addition acceptable, more setback of upper storeys preferred.
- Comments under item d, all make the same point that the number of "interventions" in the building base is excessive.
- Why parking access in old building wall?
- Scale of new building "at odds" with heritage building. New construction should not dominate.
- Colour of stone of new building questioned.
- Windows should not be same size and design as Belmont and Heritage building. Three horizontal rows would be better.

#### **Responses**

A significant focus of the panel's comments related to the "interventions" in the buildings base.

As an overview, - it is worth reflecting that the basic issue in addressing this site is rooted in the fact that the
fundamental purpose of the original edifice was insular and introspective. Through the ensuing century the
whole of the site context has grown to be at the focus of inner city retail, visitor oriented vitality –
diametrically opposed to the original purpose of providing a secure, controlled, impenetrable circumstance.

From the earlier proposals for the site a number of modifications have been contemplated and abandoned. e.g.

- A two level addition to the roof of the existing heritage building has been reduced to one level.
- A two level focal cupula was proposed at the western end to mark the point which the inner harbour "urban room" turns north to the inner harbour edge. This was abandoned.
- Delicately balustraded balconies were proposed on some of the residential units to provide some semblance of outdoor living space. These would have necessitated the lowering of the windowsills of the fronting openings in order to gain access to such balconies. These were abandoned.
- In order to gain visual and physical permeability to a redefined ground floor, proposals were made to lower the sills to grade and raise the head to a workable height of the majority of the existing openings. These proposals were reduced to about one third of these openings. This current proposal is considered to be about the minimum amount of penetration necessary to support effective publically accessible uses.
- Access to parking is proposed in what is considered the only workable location other than its present location this considered undesirable because it is off Wharf street a much more heavily travelled local

816 Government Street June 30, 2015 Page 3 of 3

arterial,, and a location that could contribute much more effectively as commercial frontage. The Courtenay street location proposed is the least valuable location from a "life in the street" perspective.

- The "scale" of the new building with respect to the heritage building is effectively reinstating the original circumstance whereby the customs bonded warehouse now extant, was a subservient addition to the substantial statement made by Fullers original Post Office.
   This is a circumstance considered to be not effectively addressed by the standards and guidelines.
- The colour of the stone for the new addition is intended to provide a "bridge" between the palet of the
  relatively heavy, sober quality of the Newcastle island sandstone of the 1914 building and the relatively
  warm, lively tone of the Belmont Buildings Terracotta. As limestone as a natural material can be found in a
  range of shades between these two circumstances an effective resolution is anticipated and best be the
- The windows should not be the same size and design as those on the Belmont Building and the heritage registered building. They are not. "Three horizontal rows would be better". In the interest of seeking sympathy with ones contexts this comment is not understood.
- Visibility of fifth floor addition from surrounded streets. Though this is not a point addressed by the Heritage advisory panel. It has been raised by staff. A series of assessments has been made that indicated two locations from which a portion of the proposal might be seen. One on the easternmost jog in the heritage south wall –adjoining the new portion of work roughly a 6' portion (in plan) could be seen. This has been brought back approx. 10' to align with the existing wall to the west. The second is the western edge of the western element on top of the alignment of the original north/south wing of the customs warehouse this wing was on the alignment of Langley street to the north now obscured by the deletion of Langley street in favour of the development to the north and is, to the South, on the axis of Francis Rattenbury's Legislative Building surely among the most significant axis in the city. The date pediments to be reinstated on the North and South parapets of this element largely obscure the visibility of the roof element proposed so it is only really evident for perhaps 6' from the west from about the middle of the exit ramp opposite. We are of the view that the significance of this element rather outweighs it being seen from this exit ramp position.

Sincerely,

Mahart aul M. Merrick

subject of an on-site review.

Paul M. Merrick B. Arch., Architect AIBC (Retired), AAA, FRAIC, RCA Design Consultant



# 816 GOVERNMENT STREET, VICTORIA, B.C.

**ISSUED FOR DP REVISION 4** 

JULY 21, 2015



DER DEF ARCI 240 - 588 West Beh / WH BO VET 312

Phane: 604-731-3966 Fm : 604-734-1121

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HERITAGE CONSULTANT

Phone: 604-688-1215

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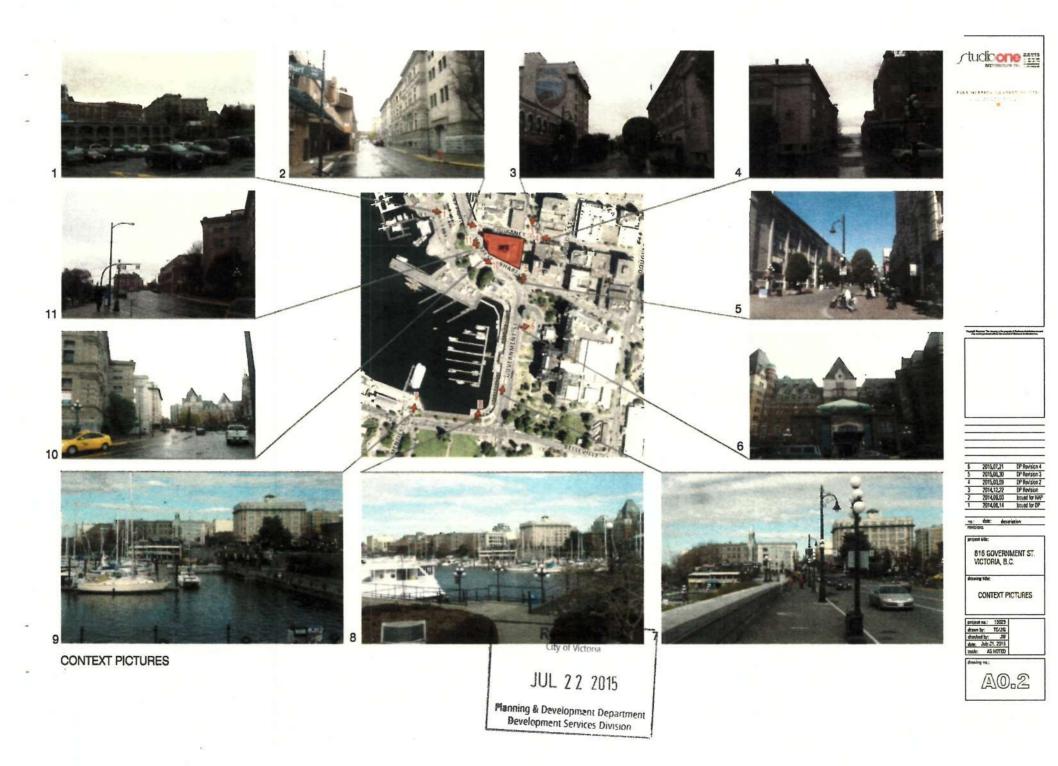
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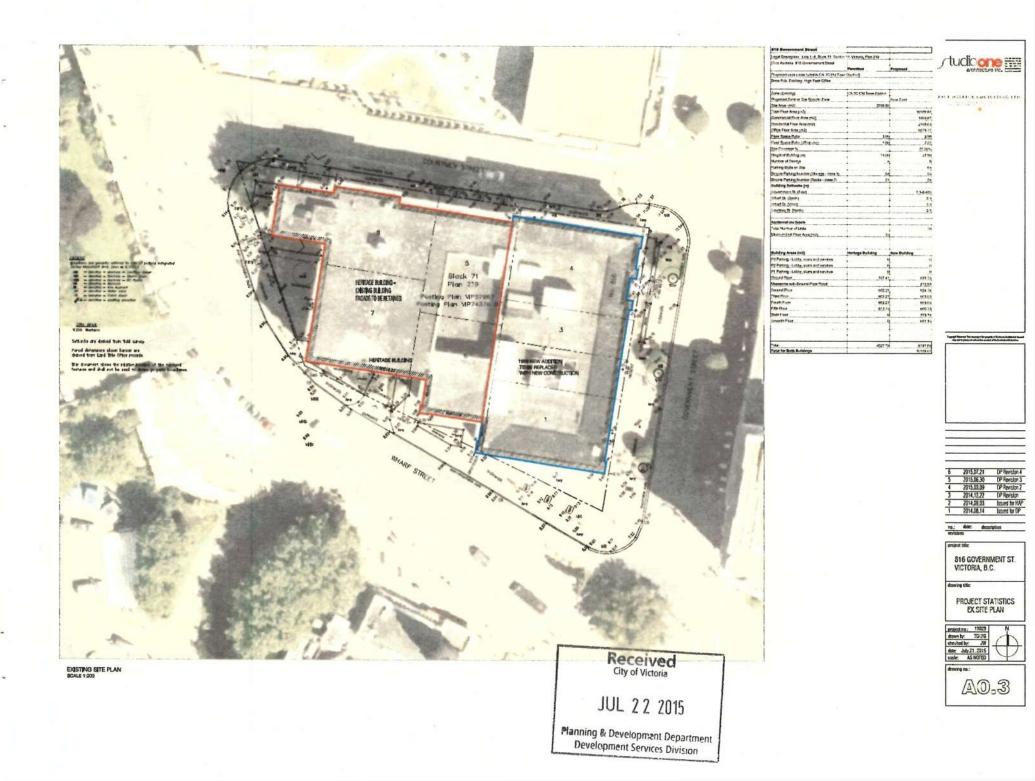


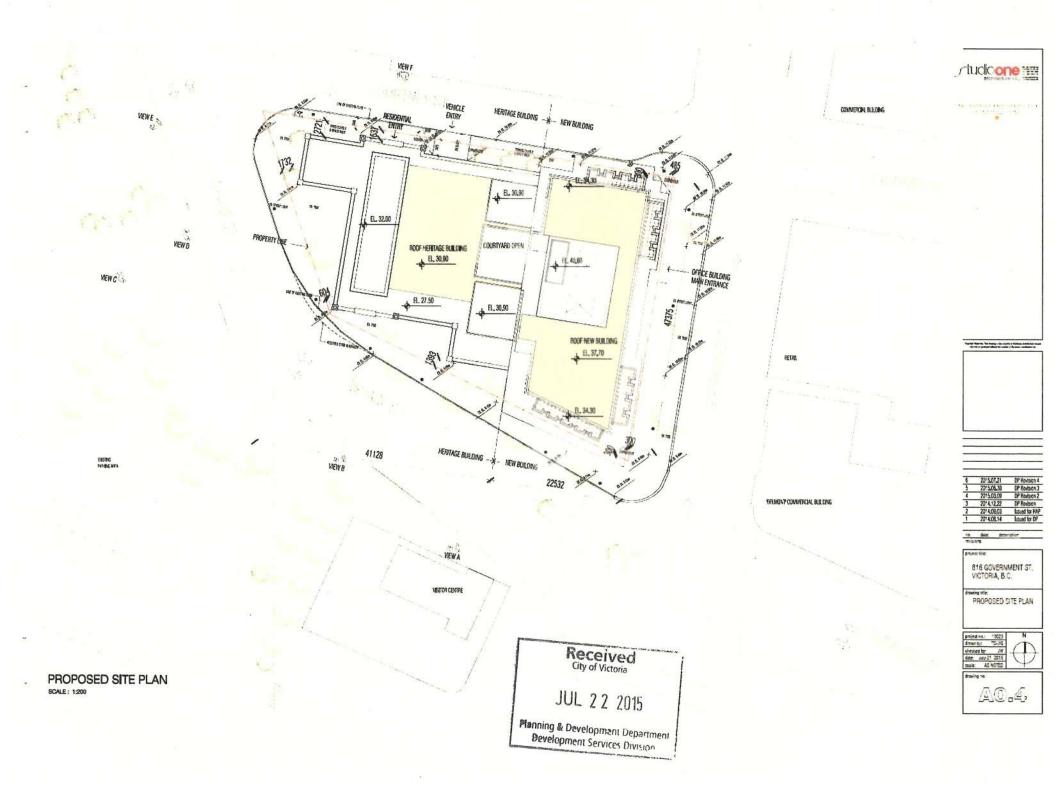
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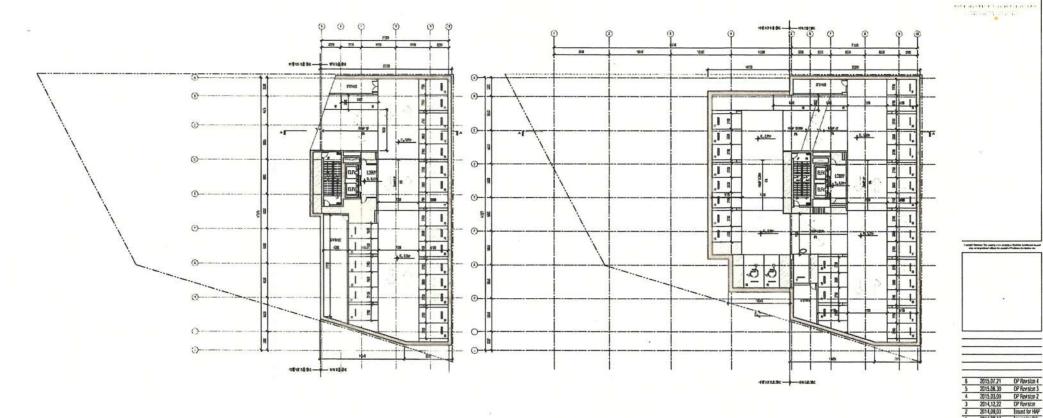












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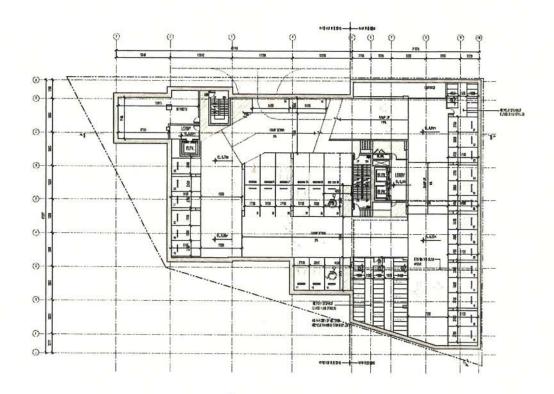
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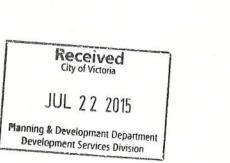
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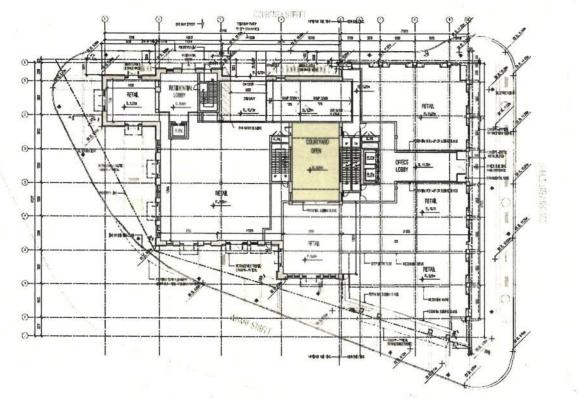


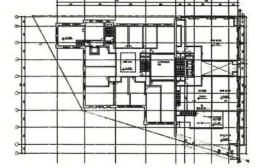


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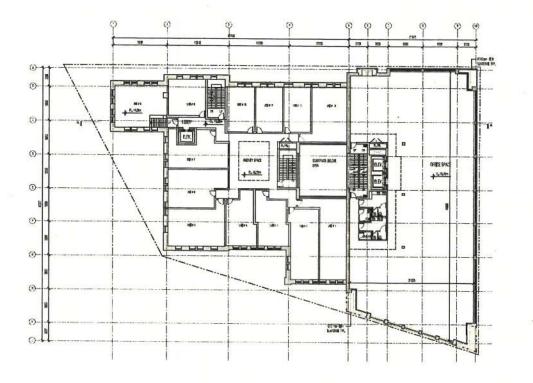
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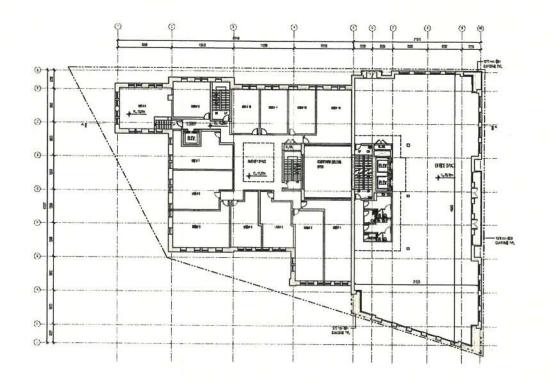
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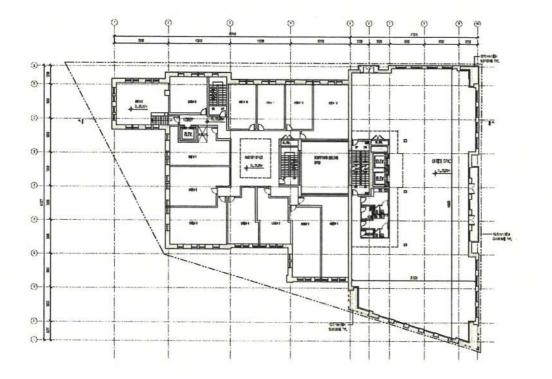


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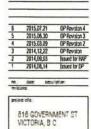
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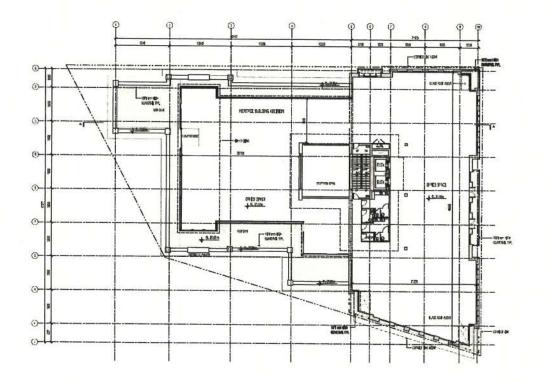


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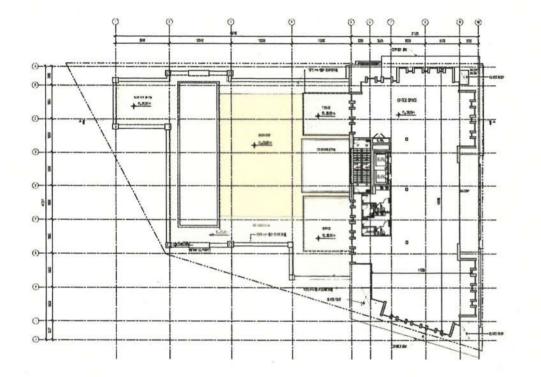
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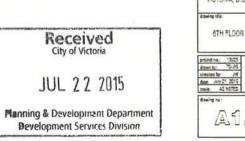
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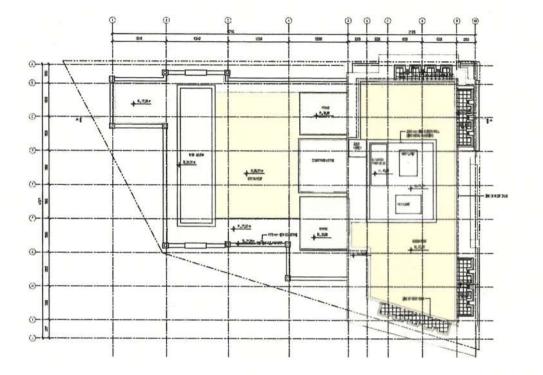
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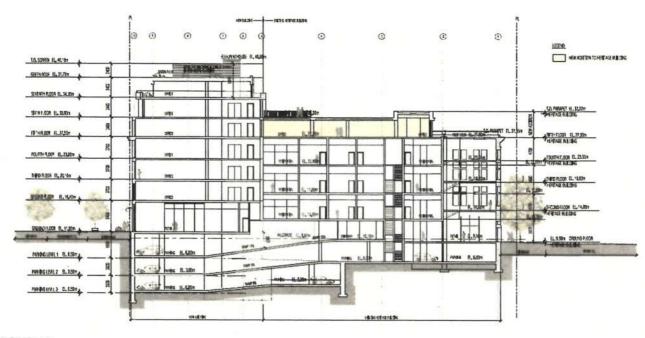
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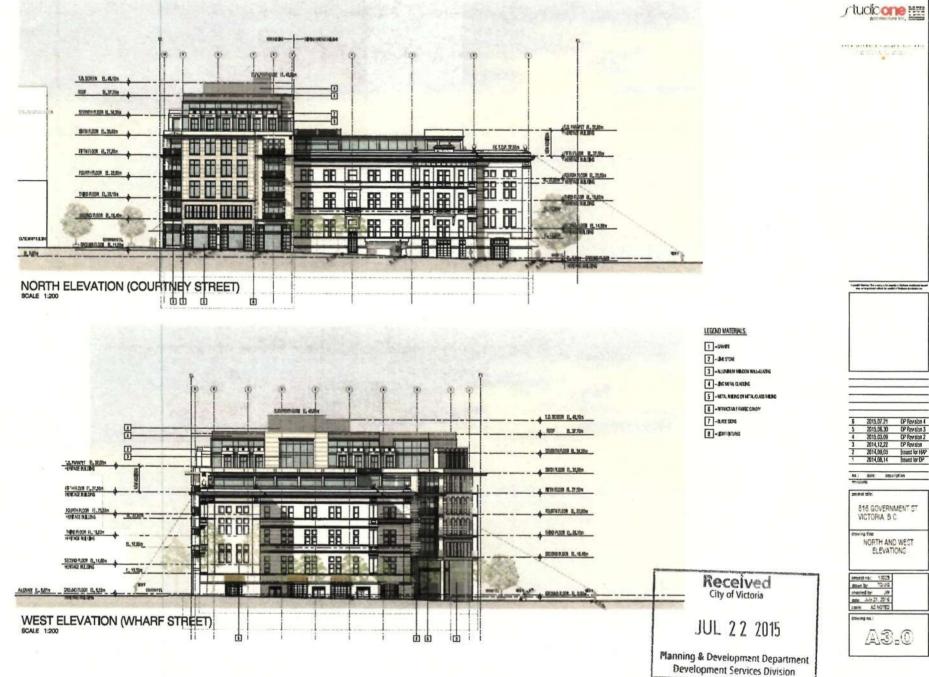
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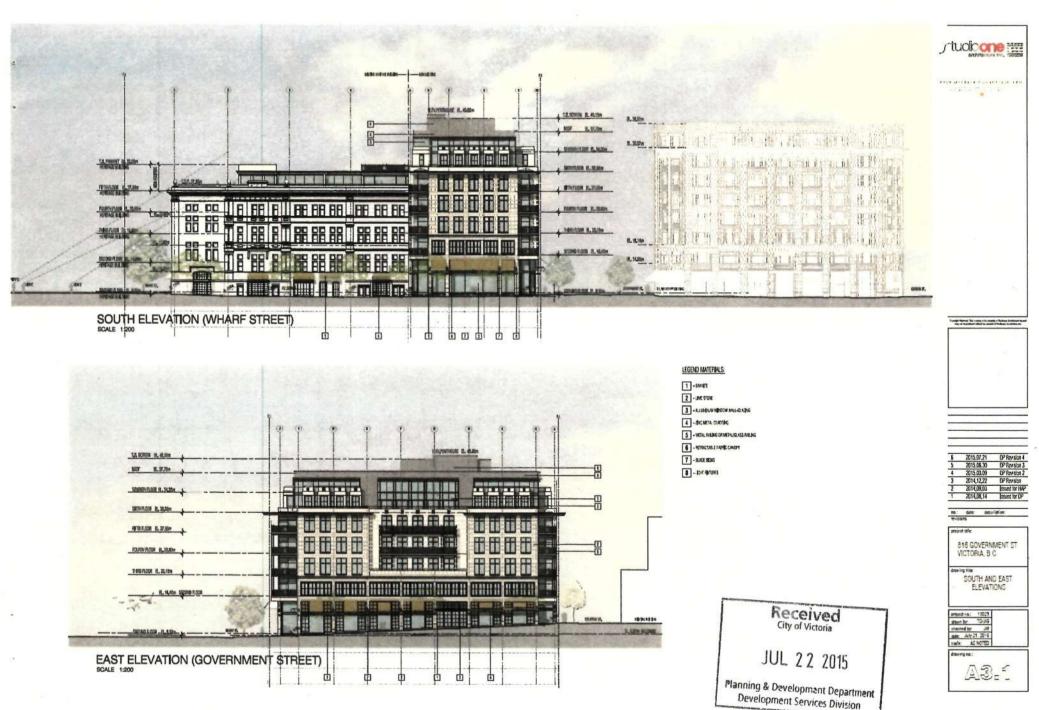
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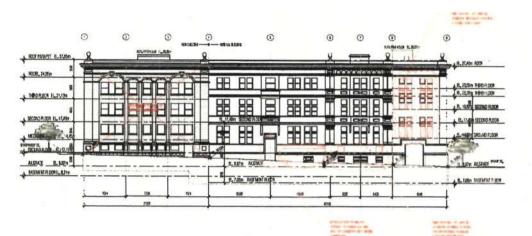
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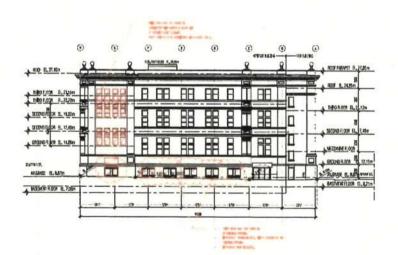




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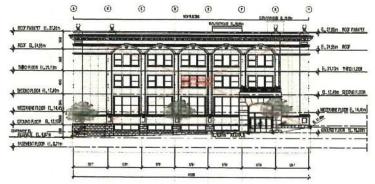
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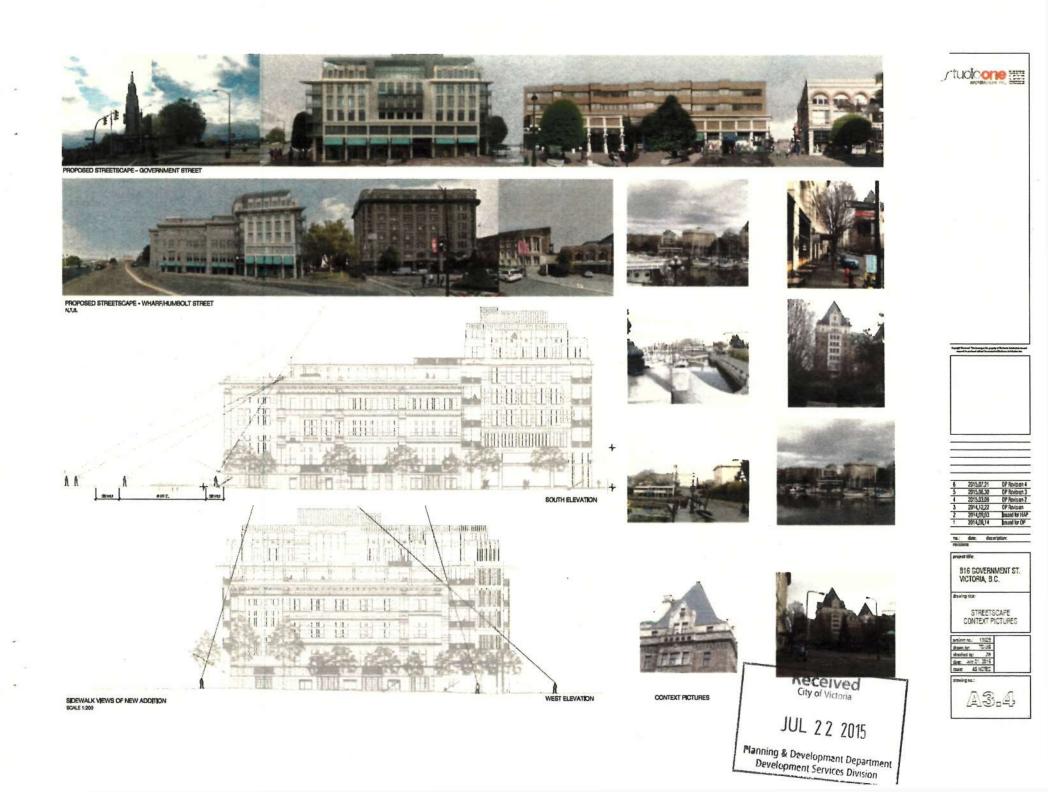




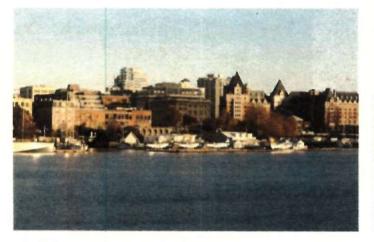
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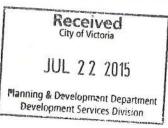




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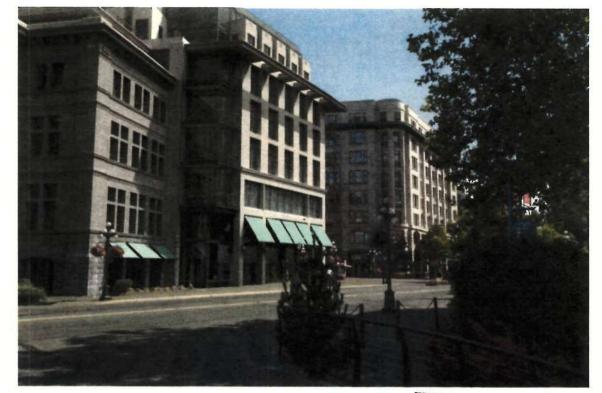
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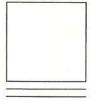
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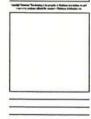
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NOTE: NEW SIGNS, AWAINGS AND LIGHTING DESIGN BASED ON BASIC PRINCIPLES OF THE CITY OF VICTORIA HERITAGE PROGRAM SIGN AND AWAINS GUIDELINES



PROJECTED SIGN

WALL MOUNTED



Suggit Survey to survey a lar party of Related Software tool









drawing no. A5.0

EXAMPLES FOR SIGNAGE AND LIGHTING



SOUTH DETAIL ELEVATION - GOVERNMENT STREET

DETAIL SECTION - TYP, BAY



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**EXAMPLES FOR GLASS-METAL CANOPIES** 



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816 GOVERNMENT ST. VICTORIA, B C.

DETAIL ELEVATION & SECTION - ENTRY CANOPY

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