



September 25, 2020

City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Attention: Mayor Lisa Helps and Council

**RE: Building Height Variance
Mixed Use Commercial | Rental Residential Building
610, 618-624 Herald Street & 611-635 Chatham Street
Old Town, Victoria, BC**

Dear Mayor Helps and Members of Council:

The purpose of this letter is to request a building height variance be considered concurrently with the Development Permit application for the above referenced project.

Introduction

The subject property is in Old Town at the northern boundary of the downtown core / Chinatown / Rock Bay neighbourhoods. The property is approximately 1.5-acres in area and is comprised of nine legal lots that are zoned Old Town District-1.

The development proposal seeks permission to construct a 274-unit, 5 storey, purpose-built secured market rental residential apartment building with ground floor commercial. To achieve the necessary form of development, which has resulted from our discussions with Staff, a minor height variance is requested as detailed below.

Variance Described

In designing the building, two factors have resulted in a taller building form than the 15 metre height indicated in the Old Town design guidelines.

1. Site topography

The property slopes along the Herald and Government frontages and drops approximately 3 metres across the property from Herald to Chatham. The underground parking entrance, commercial spaces on the ground floor and residential lobbies on both Herald and Chatham have been located in response to this change of grade to mitigate overall building height.

The building design maintains a five storey height; however, the neighbourhood topography results in an exaggerated height when using average building grades,

particularly at the Government Street frontage, resulting in a height greater than the guideline of 15 metres.

2. Compliance with Step Code and BC Building Code

To comply with the requirements of Step Code 3 for multi-family residential occupancies, Energy Recovery Ventilators ("ERV") are required for each apartment unit.

To accommodate the physical dimension of the ERVs (including supports, ducting, framing and fire rated enclosures) they have been located in the entry, bathroom, or storage areas of the apartments. To maintain the required ceiling height of 7'-0" (2.1 metres – minimum permitted ceiling height per 9.5.3 of the BC Building Code 2018), a horizontal ERV unit was selected by the mechanical engineer to satisfy the design requirements, provide efficient design, and helps to mitigate the impact on the floor-to-floor height.

When the structure of the building is considered (note, a TJI floor structure system has been selected to minimize the building height), the resulting typical floor-to-floor height is 9'-10" (3 metres). With this floor-to-floor height, the resulting low-ceiling in the units will meet code minimums and will also allow the remaining areas to promote ample livability for the future residents.

Height Variance Requested

The form of development respects the five-storey height that has been established in Old Town. When the building height is calculated factoring in the items discussed above, the resulting average building height is 17.34 metres for Herald Street and 15.81 metres for Chatham Street. The most significant height variance occurs at the Herald/Government corner where the street is wider and the perceived height is mitigated within the neighbourhood. As such, the requested height variance is 2.34 metres for Herald and 0.81 metres for Chatham.

In considering this variance request, we respectfully ask that the following points be taken into consideration:

1. The requested variance is modest in nature and generally consistent (or less than) similar variances granted by Council in the surrounding neighbourhood.
2. The height of the building is generally consistent with both existing and recently constructed buildings in the neighbourhood as summarized below:
 - a. 601 Herald/1725 Government Street. Five (5) storeys; approximately 17.61 metres (+2.61 metres);
 - b. 613 Herald Street (Cityzen). Six (6) storeys; approximately 19.22 metres (+4.22 metres);
 - c. 655 Herald Street (Chung Wah Mansion). Five (5) storeys; approximately 16.45 metres (+1.45 metres);



- d. 515 Chatham Street (Ironworks). Five (5) storeys; approximately 16.39 metres (+1.39 metres);
- e. 551/555 Chatham Street. Four (4) storeys; approximately 17.57 metres (+2.57 metres);
- f. 1802 Douglas at Herald. Seven (7) storeys; approximately 25.53 metres (+10.53 metres);
- g. 638 Fisgard (Ambrosia Banquet Hall). Seven (7) storeys; approximately 20.65 metres (+5.65 metres); and
- h. 1689 Government Street (CRD Square). Six (6) storeys; approximately 25.22 metres (+10.22 metres).

Average variance (1 block radius): 4.83 metres

Average variance (Herald/Chatham only): 3.80 metres

- 3. The design guidelines were established prior to the requirement of Step Code 3 for multi-family residential buildings.
- 4. The building, parking and site design substantially comply with the OTD-1 Zoning and Old Town Design Guidelines.
- 5. 274 secured market rental apartments are being delivered to the community.
- 6. No other variances are being sought with this application at this time.

We trust that you will find this submission satisfactory. Please contact us should you require additional information or would like to discuss this submission further.

Respectfully submitted,

Denciti Development Corp. acting on behalf of
Nicola Herald Limited Partnership



David A. Fawley
Principal



Guadalupe Font
Development Manager

Copies: Miko Betanzo, Senior Planner, Urban Design
 J. Anderson, Andre Linaksita; Nicola Herald LP
 S. Watt; Integra
 B. Windjack; LADR
 J. Lee; Denciti

/attachments

