



March 24, 2021

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

Attention: Mayor Lisa Helps and Council

**RE: Request for Building Height Variance
Development Permit DVP No. 00156
Mixed Use Commercial | Rental Apartment Building
610, 618-624 Herald Street & 611-635 Chatham Street
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 property.

Please note this letter is updated and includes responses to the issues identified in the Technical Review Group ("TRG") Application Review Summary Letter of October 13, 2020, consideration of the recommendations from the Advisory Design Panel ("ADP") and Heritage Advisory Panel ("HAP"), and on-going consultation with Staff.

Introduction

The subject property is in Old Town at the boundary of the 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 278-unit, 5 to 6 storey, purpose-built secured market rental residential apartment building with ground floor commercial space.

To achieve the necessary form of development, which has resulted from discussion and consultation with Staff and advisory panels, a height variance is respectfully requested as detailed in this submission.

Variance Described

Three factors have influenced the building form and height to be greater than the 15 metre height recommended in the Old Town design guidelines.

1. Site topography

The property slopes along the Herald and Government frontages, and also drops approximately 3 metres 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 to six storey height; however, the method of establishing building height requires the entire block to be included in the calculation of average building grades, which, when combined with the natural topography, results in an exaggerated 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 low-ceiling areas in the units will comply with the building code while providing comfortable living space for future residents.

3. Response to City Consultation

Staff and advisory panels provided a consistent message that the design requires more variety and distribution of the building massing. Suggestions from Staff and the ADP included the recommendation of varying the "steps" in the building and to consider increasing the building height, particularly along Herald and Government street fronts, to achieve this desired outcome.

In response, the building height was "stepped" along the Government Street façade (4 and 5 storeys), with a further "step" added at the eastern edge of the Herald Street façade (6 storeys). Please note, the 6 storey segment of the building was



discussed with Staff and per their guidance, the highest portion of the building has been located at the eastern side of the building and has been set back from the main façade of the building to reduce masing on the street.

This has resulted in a height increase, which is mitigated by an enhanced building design, which is detailed in the accompanying Development Rational and TRG response letters.

Height Variance Requested

The form of development generally 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 building height is 20.77 metres for Herald Street and 15.61 metres for Chatham Street. The greatest height variance occurs at the Herald/Government corner (where the street is wider and the perceived height is mitigated within the neighbourhood) and the six storey segment (setback to mitigate visual impact on the street) along Herald Street.

As a result, the requested height variance is 5.77 metres for Herald and 0.61 metres for Chatham.

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

1. The requested variance is in response to factors described previously and generally consistent similar height variances granted by Council in the surrounding Old Town neighbourhood.
2. The changes to the building design were made in consultation with and per guidance from Staff and respond to suggestions by the ADP.
3. During the discussions with ADP and HAP, there were no objections raised as to the building height.
4. 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);



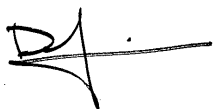
- e. 551/555 Chatham Street. Four (4) storeys; approximately 17.57 metres (+2.57 metres);
- f. 1802 Douglas at Herald. Seven (7) storeys; approximately 25.53 metres (+10.53 metres);
- g. 638 Fisgard (Ambrosia Banquet Hall). Seven (7) storeys; approximately 20.65 metres (+5.65 metres); and
- h. 1689 Government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

Average variance (1 block radius): 4.83 metres

- 5. The design guidelines were established prior to the requirement of Step Code 3 for multi-family residential buildings.
- 6. The building and site design substantially comply with the OTD-1 Zoning and Old Town Design Guidelines.
- 7. 278 secured market rental apartments are being delivered to the community.
- 8. No other variances are being sought with this application at this time.

Thank you for your consideration of this request and 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

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/attachments

