



**AMENDED AGENDA  
PLANNING AND LAND USE COMMITTEE  
MEETING OF JUNE 11, 2015, AT 9:00 A.M.  
COUNCIL CHAMBERS  
CITY HALL, 1 CENTENNIAL SQUARE**

Page

**CALL TO ORDER**

**APPROVAL OF AGENDA**

**CONSENT AGENDA**

**ADOPTION OF MINUTES**

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| 1. | Minutes from the Meeting held on May 28, 2015. | 3 - 15 |
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**REQUEST FOR DIRECTION**

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| 2. | Developing an Accelerated Approach to Local Area Planning: Proposed Process<br><i>--A. Meyer, Assistant Director - Development Services, Sustainable Planning and Community Development Department</i> | 17 - 19 |
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*A report to recommend a process to develop an accelerated approach to local area planning for urban villages and transportation corridors.*

*Staff Recommendation:* *That Council approve the recommendation.*

**DEVELOPMENT APPLICATION REPORTS**

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| 3. | Development Permit with Variances Application No. 000422 for 1143 Grant Street<br><i>--A. Meyer, Assistant Director – Development Services, Sustainable Planning and Community Development Department</i> | 21 - 41 |
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*An application to authorize the design of a deck and to install glass doors on the rear side of the existing small lot house. A hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: That Council consider authorizing the permit.

4. Heritage Designation Application Nos. 000148 and 000149 for 524 and 526 Michigan Street, respectively (Prout House and Beaven/Macabe Residence) 43 - 66  
--A. Hudson, Acting Director, Sustainable Planning and Community Development Department

*An application to designate the houses located at 524 and 526 Michigan Street in James Bay, as Municipal Heritage Sites.*

Staff Recommendation: That Council consider authorizing the designation.

5. Heritage Designation Application No. 000151 for 4743 **1713** Government Street (Yen Wo Society Building) 67 - 85  
--A. Hudson, Acting Director, Sustainable Planning and Community Development Department

*An application to designate 1713 Government Street (Yen Wo Society Building), as a Municipal Heritage Site.*

Staff Recommendation: That Council consider authorizing the designation.

**MOTION TO CLOSE THE JUNE 11, 2015, PLANNING & LAND USE  
STANDING COMMITTEE MEETING TO THE PUBLIC**

Section 12(3)(a): Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the City or another position appointed by the City.

6. Minutes from the Closed Meeting held May 28, 2015.
7. Appointment - Board of Variance  
--R. Woodland, Director of Legislative & Regulatory Services

**ADJOURNMENT**

**MINUTES OF THE  
PLANNING & LAND USE COMMITTEE MEETING  
HELD THURSDAY, MAY 28, 2015, 9:00 A.M.**

**1. CLOSED MEETING AT 8:30 A.M.**

**Action:** It was moved by Councillor Madoff, seconded by Councillor Lucas, that the Planning & Land Use Committee convene a Closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the *Council Bylaw*, namely:

- Section 12(3)(e) - the acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.

CARRIED UNANIMOUSLY 15/PLUC143

**Committee Members Present:** Mayor Helps (Chair); Councillors Alto, Coleman, Isitt, Lucas, Madoff, Thornton-Joe and Young.

**Absent:** Councillor Loveday

**Staff Present:** J. Johnson - City Manager; A. Meyer – Assistant Director, Development Services; J. Handy – Planner; M. Wilson – Planner; R. Woodland – Director, Legislative & Regulatory Services; J. Appleby – Recording Secretary.

**Guest:** Peter Johnson, Stewart McDannold Stuart

**2. MINUTES**

**2.1 Minutes from the Closed Meeting held on May 14, 2015**

**Action:** It was moved by Councillor Alto, seconded by Councillor Coleman, that the Minutes from the Closed Planning & Land Use Committee meeting held May 14, 2015, be adopted.

CARRIED UNANIMOUSLY 15/PLUC144

**3. Land –Disposition**

Committee received information regarding a land disposition matter.

The discussion and motion was recorded and kept confidential.

CARRIED UNANIMOUSLY 15/PLUC145

4. OPEN MEETING AT 9:00 A.M.

5. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.

**Committee Members Present:** Mayor Helps (Chair); Councillors Alto, Coleman, Isitt, Lucas, Madoff and Thornton-Joe and Young

**Absent:** Councillor Loveday

**Staff Present:** J. Johnson - City Manager; A. Meyer – Assistant Director, Development Services; L. Baryluk – Senior Planner; B. Dellebuur – Manager, Transportation & Infrastructure Design; J. Handy – Senior Planner; S. Hutchison – Transportation Planner; M. Miller – Heritage Planner; L. Taylor – Planner; R. Woodland – Director, Legislative & Regulatory Services; T. Zworski – City Solicitor; J. Appleby - Recording Secretary.

6. APPROVAL OF AGENDA

The Chair canvassed Committee, who approved bringing forward the following items for approval:

Item # 3 Minutes from the Meeting held on May 14, 2015

Item #16 Heritage Alteration Permit Application No. 00203 with Variances for 135 Medana Street

Item #17 Heritage Alteration Permit Application No. 00204 for 1156 Fort Street

Councillor Madoff noted a correction needed to the staff recommendation in Item #16 Heritage Alteration Permit Application No. 00203 with Variances for 135 Medana Street:

Staff recommend that Committee forward this report to Council and that Council ~~consider the following motion:~~ **after giving notice and allowing an opportunity for public comment**, that Council consider the following motion:

**Action:** It was moved by Mayor Helps, seconded by Councillor Madoff, that the Agenda of the May 28, 2015, Planning & Land Use Committee meeting be approved as amended.

CARRIED UNANIMOUSLY 15/PLUC147

## 7. CONSENT AGENDA

### 7.1 Minutes from the meeting held May 14, 2015

**Action:** It was moved by Mayor Helps, seconded by Councillor Madoff, that the Minutes from the Planning & Land Use Committee meeting held May 14, 2015, be adopted.

CARRIED UNANIMOUSLY 15/PLUC148

### 7.2 Heritage Alteration Permit Application No. 00203 with Variances for 135 Medana Street

Committee received a report regarding an application for 135 Medana Street. The proposal is to approve the construction of a deck that had been built without permit and to apply for a heritage alteration permit to cover the recent renovations to the existing deck.

**Action:** It was moved by Mayor Helps, seconded by Councillor Madoff, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council consider authorizing the issuance of Heritage Alteration Permit No. 00203 for 135 Medana Street subject to:

1. Plans date stamped April 21, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Rear yard setback relaxed from 10.7m to 4.03m
  - b. Relaxation of accessory building requirements to permit existing accessory building to be located in the side yard (due to rear deck addition projecting beyond the front of the accessory building).
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.”

CARRIED UNANIMOUSLY 15/PLUC149

### 7.3 Heritage Alteration Permit Application No. 00204 for 1156 Fort Street

Committee received a report regarding a heritage alteration permit application for 1156 Fort Street. The proposal is a retroactive application to address the recent demolition of the Heritage-Designated outbuildings, which were to be retained and rehabilitated in accordance with Heritage Alteration Permit No. 00179.

**Action:** It was moved by Mayor Helps, seconded by Councillor Madoff, that Committee recommends that Council consider the following motion:

“That Council authorize the issuance of Heritage Alteration Permit Application No. 00204 for 1156 Fort Street, subject to and in accordance with:

1. Plans date stamped May 11, 2015.

2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be generally in accordance with the plans dated May 11, 2015, for Heritage Alteration Permit Application No. 00204, to the satisfaction of staff."

CARRIED UNANIMOUSLY 15/PLUC150

## 8. COMBINED DEVELOPMENT APPLICATION REPORTS

### 8.1 Rezoning Application No. 00478 for 370 and 384 Harbour Road and associated Amendments to the Official Community Plan and Master Development Agreement

Committee received a report regarding a rezoning application for 370 and 384 Harbour Road. The proposal is to amend the existing zoning to modify the siting requirements for residential uses within the Zone.

Committee discussed:

- Concern about the lack of parking and the impact it will have on the surrounding neighbours.
- If the provision of angle parking could increase the amount of on street parking
- The provision of bicycles as an incentive and if this proposal is the first time it has been used as a negotiation.
- The location of the car share vehicle.
- Access to the units for emergency responders.
  - The fire department has reviewed the application and has not identified any concerns. There is also access through the patio area of Café Fantastico.
- The importance of preserving the principles of the MDA.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee forward this report to Council and that Council instruct staff to prepare the necessary *Official Community Plan Amendment Bylaw* in accordance with Section 882 of the *Local Government Act*, the necessary *Zoning Regulation Bylaw Amendment* and the necessary Master Development Agreement Amendment that would authorize the proposed development outlined in Rezoning Application No. 00478 for 370 and 384 Harbour Road, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set once the following conditions are met:

1. That Council determine, pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject property; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
2. That Council determine, pursuant to Section 879 (2)(a) of the *Local Government Act*, that having regard to the previous Community Association

Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.

3. That Council consider consultation under Section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
4. That Council give first reading to the *Official Community Plan Amendment Bylaw*.
5. That Council consider the *Official Community Plan Amendment Bylaw* in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*.
6. That Council give second reading to the *Official Community Plan Amendment Bylaw*.
7. That Council refer the *Official Community Plan Amendment Bylaw* for consideration at a Public Hearing.
8. That in accordance with Section 18.1 of the Master Development Agreement (MDA) Council authorize the sale of 370 and 384 Harbour Road from Dockside Green Ltd (DGL) to Catalyst Community Development Ltd., subject to the obligations to deliver the 49 non-market rental units shall still apply to Dockside Green Ltd., as the Developer, until the 49 Non-Market Rental units have been constructed and occupied.
9. That Council instruct staff to prepare a *Housing Agreement Bylaw* to secure the provision of 49 non-market residential rental housing units in perpetuity.
10. That Council require a legal agreement to secure public access over the existing north/south greenway and stair connection to Harbour Road.

CARRIED UNANIMOUSLY 15/PLUC151

## 8.2 Development Permit with Variances Application No. 000409 for 370 and 384 Harbour Road

Committee received a report regarding a development application for 370 and 384 Harbour Road. The proposal is to construct two separate three-storey buildings with a total of 49 residential units.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Isitt, that Committee recommends that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00478, if it is approved, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000409 for 370 and 384 Harbour Road for the subdivision of land and construction of two multi-unit residential buildings in accordance with:

1. Referral to the Advisory Design Panel with particular attention to the

following issues:

- a. The quality of the exterior materials and their arrangement on the proposed buildings with respect to highlighting the marine and industrial design influences referenced in the guidelines;
- b. The relationship between the residential unit entries and both the mews and greenway with specific attention to design details that promote pedestrian friendly streetscapes and pedestrian pathway connections.
2. Preparation of a legal agreement to ensure the recommended noise mitigation measures as described in the report from Wakefield Acoustics dated March 31, 2015 are installed and maintained.
3. Plans date stamped March 31, 2015.
4. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Permit residential uses on the ground floor of a building;
  - b. Permit residential units to face Harbour Road without a building buffer.
5. Final plans in accordance with the plans identified above to the satisfaction of staff.
6. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 15/PLUC152

*Councillor Isitt withdrew from the meeting at 9:03 a.m. due to a non-pecuniary conflict of interest as he has owned property on this street in the past.*

### **8.3 Rezoning Application No. 00469 for 1146 Caledonia Avenue and Amendment to the Official Community Plan**

Committee received a report regarding a rezoning application for 1146 Caledonia Avenue. The proposal is to rezone the property from the R2 Zone (Two Family Dwelling District) to a new zone to increase the density and permit a six-unit multiple dwelling.

Committee discussed:

- The alternate motion proposes revisions to not only change the exterior appearance but also to potentially reduce the number of dwelling units and height and to provide more breathing room.
- If there is an ability to move the building closer to the park side.
  - There is a narrow set-back on both sides and should it be moved those units on the park side would lose their outside living space.
- The possibility of creating a path with lighting through the adjoining park.
- The proposal will be situated next to a converted single family home that has multiple units.

**Action:** It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Committee recommends that Council direct staff to prepare the necessary *Official Community Plan Amendment Bylaw* in accordance with Section 882 of the *Local Government Act* and the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00469 for 1146 Caledonia Avenue, and that first

and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Registration of an Easement in favour of the City to provide a public pathway from Cameron Street to Kings Park, to the satisfaction of staff.
2. Preparation of a Housing Agreement for no prohibition on the rental of strata units, to the satisfaction of staff.
3. That Council determine, pursuant to Section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject property; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
4. That Council determine, pursuant to Section 879 (2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.

Committee discussed:

- The design is complimentary to other buildings on the street and the neighbourhood.
- If the applicant would consider increasing the variance on the park side of the building and be prepared to speak to this at the public hearing.
- Concern that the building will dominate the park or present a perception of ownership of the park.
- The height and density are comparable to the other dwellings on the street.
- The importance of hearing from the residents at the public hearing and if the 200m radius for hearing notices will capture the Cameron Street neighbours. Hearing the neighbours input may influence Council's final decision.
- Concerns about the pathway in the evening and if the lack of lighting will become an issue in the future.

CARRIED 15/PLUC153

For: Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, and Thornton-Joe

Against: Councillor Young

#### 8.4 Development Permit Application No. 000398 for 1146 Caledonia Avenue

Committee received a report regarding a development permit application for 1146 Caledonia Avenue. The proposal is to authorize the design, siting and landscape design of three and a half storey, six-unit strata apartment building.

**Action:** It was moved by Councillor Alto, seconded by Councillor Thornton-Joe, that Committee recommends that after the Public Hearing for Rezoning Application No. 00469, if it is approved, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000398 for 1146 Caledonia Avenue, and in accordance with:

1. Plans for Rezoning Application No. 00469 and Development Permit Application No. 000398 stamped March 17, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Sustainable Planning and Community Development.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED 15/PLUC154

**For:** Mayor Helps, Councillors Alto, Coleman, Lucas, Madoff, and Thornton-Joe

**Against:** Councillor Young

*Councillor Isitt returned to the meeting at 10:00 a.m.*

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that staff provide a report on improvements planned for King's Park to provide a path and improved lighting in relation to the public pathway from Cameron Street to King's Park.

CARRIED UNANIMOUSLY 15/PLUC155

#### 8.5 Rezoning Application No. 00479 for 62 Cambridge Street

Committee received a report regarding a rezoning application for 62 Cambridge Street. The proposal is to rezone the property to authorize the construction of one new small lot house and to retain the existing single family dwelling with a legal secondary suite.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00479 for 62 Cambridge Street, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 15/PLUC156

## 8.6 Development Permit with Variances Application No. 00479 for 62 Cambridge Street

Committee received a report regarding a development permit application for 62 Cambridge Street. The proposal is to construct a new small lot house.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00479, if it is approved, that Council consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00479 for 62 Cambridge Street, in accordance with:

1. Plans date stamped April 20, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Part 1.22, Section 8(a): reduce the front yard setback of Lot B from 6.00m to 3.50m;
  - b. Part 1.22, Section 8(c): reduce the side yard setback of Lot B from 2.40m to 1.50m.
3. The Development Permit lapsing two years from the date of this resolution.”

Committee discussed:

- The application has received a great deal of public input; those who were initially against the proposal are now in support. Consultation with the neighbours has provided a positive outcome for all.

CARRIED UNANIMOUSLY 15/PLUC157

## 8.7 Rezoning Application No. 00468 for 1070 Joan Crescent

Committee received a report regarding rezoning application for 1070 Joan Crescent. The proposal is to rezone the property to permit a Heritage-Registered house with a new addition and an original garage to be used as a cultural facility with commercial exhibits, multi-purpose spaces, administration offices, a tea room and a gift shop.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee recommends that Council instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00468 for 1070 Joan Crescent, that first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Referral of Rezoning Application No. 00468 to the Heritage Advisory Panel, concurrent with Heritage Alteration Permit Application No. 00195.

2. Registration of an Easement and a Section 219 Covenant to secure access to 10 vehicle parking stalls and one bicycle rack on the property at 1048-1050 Joan Crescent, to the satisfaction of staff.
3. Provision of an updated Arborist Report on the condition of the existing trees on the property at 1048-1050 Joan Crescent to the satisfaction of staff and, if necessary, a landscaping security for replacement trees, prior to the issuance of a Building Permit.

CARRIED UNANIMOUSLY 15/PLUC158

#### **8.8 Heritage Alteration Permit Application No. 00195 for 1070 Joan Crescent**

Committee received a report regarding a heritage alteration permit application for 1070 Joan Crescent. The proposal is to convert the existing Heritage-Registered residence to a Visitor Centre for the Craigdarroch Castle Society. The proposal includes the construction of an addition and the relocation of the existing garage for use as a Tea House.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee recommends that Council consider the following motions:

“That Council consider referring Heritage Alteration Permit Application No. 00195 for 1070 Joan Crescent to the Heritage Advisory Panel for the meeting of June 9, 2015, for feedback on the proposed exterior alterations and additions to the Heritage-Registered property.”

Following consideration of the *Zoning Regulation Bylaw Amendment* pertaining to Rezoning Application No. 00468 for 1070 Joan Crescent:

“That Council authorize the issuance of Heritage Alteration Permit Application No. 00195 for 1070 Joan Crescent, subject to the applicant providing seismic strengthening details of the existing chimneys prior to the Public Hearing for the Rezoning Application in accordance with:

1. Revised drawings date stamped May 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of staff.”

Committee discussed:

- The application provides a way to maintain the character defining elements of the original structures and to adapt to the change in use.

CARRIED UNANIMOUSLY 15/PLUC159

*Councillor Isitt withdrew from the meeting at 10:25 a.m. due to a direct pecuniary conflict of interest as he is on the Board of the Greater Victoria Harbour Authority who are the owners of the subject properties.*

## 10. DEVELOPMENT APPLICATION REPORTS

### 10.1 Development Permit Application No. 000424 for 1 Dallas Road

Committee received a report regarding a development permit application for 1 Dallas Road. The proposal is to construct a building on a floating dock which would be used as a ticket office for Harbour Ferries.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Committee recommends that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000424 for 1 Dallas Road, in accordance with:

1. Plans date stamped May 5, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC160

### 10.2 Development Permit Application No. 000423 for 1 Dallas Road

Committee received a report regarding a development permit application for 1 Dallas Road. The proposal is to construct a small floating public washroom building at Fisherman's Wharf. An existing public washroom building will be relocated to accommodate the new washroom building.

**Action:** It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Committee recommends that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000423 for 1 Dallas Road, in accordance with:

1. Plans date stamped May 5, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of staff.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC161

*Councillor Isitt returned to the meeting at 10:28 a.m.*

### 10.3 Development Permit with Variances Application No. 000411 for 1990 Fort Street (Fort Street Medical Building)

Committee received a report regarding a development permit application for 1990 Fort Street. The proposal is to reduce the parking requirements by eight stalls to allow a 100-seat restaurant and to redevelop the Fort Street frontage of the property to accommodate seating on an exterior patio.

**Action:** It was moved by Councillor Thornton, seconded by Councillor Lucas, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000411 for 1990 Fort Street, in accordance with:

1. Plans date stamped April 24, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the variance to reduce the amount of required parking for 1990 Fort from 92 to 66 stalls (taking into account the previously approved parking variances).
3. A landscape security be submitted to ensure changes to the plaza area are in accordance with the submitted plans for continued public access to the public art pond and to secure the installation of additional bicycle racks (exterior and within the parkade).
4. Registration of a legal agreement on the property's title ensuring that eight stalls in the parkade will be available until 6 p.m. for restaurant use, to the satisfaction of staff.
5. The applicant install new signage and pavement parking markings identifying the eight underground stalls available for the restaurant within 30 days of opening the restaurant.
6. The Development Permit apply specifically to this restaurant use and lapse two years from the date of this resolution, if the restaurant use does not open or ceases to operate.”

Committee discussed:

- The parking variance is viable as the restaurant would support workers of the surrounding medical offices and businesses during the weekday lunch hour. During the evening and weekends parking will not be an issue as many of the same businesses are closed during that time.

CARRIED UNANIMOUSLY 15/PLUC162

#### 10.4 Development Permit with Variances Application No. 00421 for 195 Bay Street

Committee received a report regarding a development permit application for 195 Bay Street. The proposal is to construct a deck and an enclosed storage room on the south side of the existing building.

A Council member asked if the variance would create an entitlement should the building be demolished in the future and a new building constructed

- The variance is tied to the application. A new proposal would need to be submitted should that happen.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Alto, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

That Council consider authorizing the issuance of Development Permit with Variances Application No. 00421 for 195 Bay Street, in accordance with:

1. Plans date stamped May 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. Part 10.28, Section 3: Reduce the minimum setback of the eastern internal boundary from 5m to 4.10m and on the southern internal boundary from 5m to 3.6m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC163

#### 11. ADJOURNMENT

**Action:** It was moved by Councillor Alto, seconded by Councillor Isitt, that Committee adjourn the Planning & Land Use Committee meeting of May 28, 2015, at 10:36 a.m.

CARRIED UNANIMOUSLY 15/PLUC164

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Mayor Helps, Chair





**Planning and Land Use Committee Report  
For the Meeting of June 11, 2015**

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**To:** Planning and Land Use Committee      **Date:** June 4, 2015  
**From:** Kristina Bouris, Senior Planner  
**Subject:** Developing an Accelerated Approach to Local Area Planning: Proposed Process

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**Executive Summary**

The purpose of this report is to recommend consultation with neighbourhood/community associations to inform an accelerated, tailored approach to local area planning for urban villages and transportation corridors. It is proposed that these discussions be integrated with planned consultation about how the City can better support neighbourhoods.

Recognizing that each neighbourhood is unique and that there may not be a one size fits all approach, it is proposed that staff and Councillor Liaisons meet with each community association this summer to inform a new, tailored approach for local area planning.

This initiative will be co-led by Citizen Engagement and Strategic Planning and Sustainable Planning and Community Development. Meetings will include staff from the two departments, the Area Development Planner for each neighbourhood and the Councillor Liaison. The meetings will be scheduled immediately, and ideally completed by the end of September 2015. Recognizing that Community Associations are volunteer-based and that meetings are less frequent during the summer, the timeline may need to be extended into October. Staff will be flexible to meet at the discretion of the associations, should they want to plan a special meeting.

Topics to be discussed include what each neighbourhood would like to have addressed through local area planning and how they would like to be involved in the development of their plan, which may open opportunities for citizen-led or co-design approaches. These discussions will be incorporated in planned discussions with the neighbourhood's initiative to explore how the City can better support neighbourhoods recognizing how these two topics are interrelated. The information collected will help inform the most effective and supported approach for local area planning as well as help shape the work of the neighbourhood team in providing better ongoing support neighbourhoods.

A meeting is also proposed with the Urban Development Institute to discuss local area planning and confirm how the development community would like to be involved.

In addition, research will be conducted on previous approaches used in other municipalities to accelerate local area planning.

Staff will report back to Council with a recommended approach to accelerating local area planning for urban villages and corridors in October 2015, pending the completion of meetings with each Community Association.

Appendix A is a table outlining the meetings for each community association, the area planner and Councillor Liaison assigned to each neighbourhood, and the upcoming meeting dates.

### Background

The City of Victoria Strategic Plan (2015-2018) seeks to advance and complete local area planning for urban villages and corridors:

#### 2015 Actions

- Commence three new urban village centre plans upon completion of Burnside-Gorge/Douglas Street Corridor Plan.

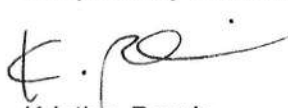
#### 2016 Outcomes

- Local Area Planning focused on urban villages and transportation corridors.

### Recommendation

That Council approve the recommended process for developing an accelerated approach to local area planning for urban villages and transportation corridors, including holding one-on-one meetings with each community association.

Respectfully submitted,

  
Kristina Bouris  
Senior Planner

  
Alison Meyer  
Assistant Director  
Sustainable Planning and  
Community Development Department

  
Katie Hamilton  
Director  
Citizen Engagement and  
Strategic Planning

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

June 5, 2015

KB:aw

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### List of Attachments

- Appendix A: Community Associations, Meeting Dates, Councillor Liaisons, Area Planners and Upcoming Meeting Dates

**APPENDIX A: Community Associations, Meeting Dates, Councillor Liaisons, Area Planners and Upcoming Meeting Dates**

	<b>Community &amp; Neighbourhood Associations</b>	<b>Meeting Dates</b>	<b>Councillor Liaison</b>	<b>Area Planner</b>	<b>Meeting Date To Be Requested</b>
1	<b>Burnside Gorge Community Association</b>	Board meetings – 4 <sup>th</sup> Mon of the month, 5:30pm at the community centre; Community meetings – 3 <sup>rd</sup> Mon of the month, 6:30pm at the community centre	Geoff Young	Brian Sikstrom	Sep 22*
2	<b>Downtown Residents Association</b>	3 <sup>rd</sup> Tues of the month, 5:30pm at GVPL Central Branch Library	Charlayne Thornton-Joe Margaret Lucas	Mike Wilson	July 21
3	<b>Fairfield Gonzales Community Association</b>	1 <sup>st</sup> Mon of the month (unless it's a holiday), 7pm at the community centre 1330 Fairfield Rd.	Chris Coleman	Charlotte Wain	Jul 8
4	<b>Fernwood Community Association</b>	2 <sup>nd</sup> Wed of the month, 7:30pm in the Board Room, 1923 Fernwood Road	Charlayne Thornton-Joe	TBD	Jul 8
5	<b>James Bay Neighbourhood Association</b>	2 <sup>nd</sup> Wed of the month, 7pm at James Bay New Horizons (until end of Aug; new site tbd)	Margaret Lucas	Jim Handy	Sep 8*
6	<b>North Jubilee Neighbourhood Association</b>	1 <sup>st</sup> Wed of the month, 7pm, Room S150A, Patient Care Center, 1952 Bay Street, RJH Campus	Pam Madoff	Lucina Baryluk	Sept 2
7	<b>North Park Neighbourhood Association</b>	1 <sup>st</sup> Wed of the month, 7pm at Sands Funeral Home (1803 Quadra Street)	Jeremy Loveday	Mike Wilson	Jul 8
8	<b>Oaklands Community Association</b>	4 <sup>th</sup> Mon of the month, 7 pm, Oaklands Neighbourhood House	Marianne Alto	Lucina Baryluk	Sep 22*
9	<b>Quadra Village – Hillside Quadra Neighbourhood Action Group</b>	1 <sup>st</sup> non-holiday Monday each month 7pm, at the community centre	Ben Isitt	Lucina Baryluk	Sep 14*
10	<b>Rockland Neighbourhood Association</b>	Every 2 <sup>nd</sup> Wed, 7pm at the Government House Friends Cottage, 1401 Rockland	Pam Madoff	TBD	Sept 9*
11	<b>South Jubilee Neighbourhood Association</b>	2 <sup>nd</sup> Mon every other month. 7pm, Victoria College of Art (Bank + Leighton).	Pam Madoff	Lucina Baryluk	Sept 8*
12	<b>Victoria West Community Association</b>	Last Tues of the month 7pm at the community centre.	Jeremy Loveday	Mike Wilson	Sep 29*

\*or attend a special meeting upon request





## Planning and Land Use Committee Report

For the Meeting of June 11, 2015

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**To:** Planning and Land Use Committee                      **Date:** May 28, 2015

**From:** Leanne Taylor, Planner, Development Services Division

**Subject:** Development Permit with Variances Application No. 000422 for 1143 Grant Street.

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000422 for 1143 Grant Street, in accordance with:

1. Plans date stamped May 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Part 1.86, Section 4(b): Reduce the rear yard setback from 8m to 6.25m.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Sections 920 (8), where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the Permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1143 Grant Street. The proposal is to construct a deck and install glass doors on the rear side of the existing small lot house. The variance is related to the rear yard setback.

The following points were considered in assessing this Application:

- The proposal is consistent with the objectives for sensitive infill Development Permit Area 15A: Intensive Residential – Small Lot of the *Official Community Plan, 2012 (OCP)*.
- The construction of a deck is consistent with the *Design Guidelines for Small Lot House (2002)*.
- The proposed rear yard setback variance would not adversely affect the privacy, sunlight or views of the adjacent properties.

## BACKGROUND

### Description of Proposal

The proposal is to construct a deck and install glass doors on the rear side of the existing small lot house. Specific details include:

- the size of the deck would be approximately 11.2m<sup>2</sup> and located slightly above the existing grade
- an existing window on the ground floor of the rear elevation would be replaced with doors for access to the deck.

The proposed variance is related to reducing the rear yard setback.

### Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

### Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this Application.

### Existing Site Development and Development Potential

The subject property is currently in the R1-S22, Grant Small Lot District, Zone, and is occupied by a single family dwelling. There is a reciprocal access easement registered on title for shared-driveway access with the adjoining property located at 1141 Grant Street.

### Data Table

The following data table compares the proposal with the existing R1-S22 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R1-S22 Zone
Site area (m <sup>2</sup> ) - minimum	217	215
Density (Floor Space Ratio) - maximum	0.6:1	0.6:1
Total floor area (m <sup>2</sup> ) - maximum	128.95	190.00
Lot width (m) - minimum	7.90	7.90
Height (m) - maximum	6.98	7.50
Storeys - maximum	2	2
Site coverage % - maximum	35.80	40
Setbacks (m) - minimum		
Front	4.11	4.00
Rear	6.25*	8.00
Side	1.52	1.50
Side	1.52	1.50
Parking - minimum	1	1

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 12, 2015, the Application was referred for a 30-day comment period to the Fernwood Community Association CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

### ANALYSIS

#### Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot. The proposal to construct a deck and install glass doors on the rear side of the existing small lot house is consistent with the *Design Guidelines for Small Lot House (2002)*.

The proposed deck would replace an existing concrete pad. It would be oriented to face away from neighbouring yards to respect the privacy of the adjacent neighbours. There is an existing fence along the eastern property line that would provide additional screening.

The existing window on the ground floor of the rear elevation would be replaced with glass doors for access to the deck. This minor design change does not alter the overall design or character of the building.

## Regulatory Considerations

### Rear Yard Setback Variance

The applicant is proposing to reduce the rear yard setback from 8m to 6.25m in order to construct a deck. Constructing a deck in the rear yard would enhance the private outdoor space and add value to the house. A reduction in the rear yard setback would not alter the established patterns of the existing structures, privacy, access to sunlight or views of adjacent properties.

## CONCLUSIONS

The proposal to construct a deck and install glass doors on the rear side of the existing small lot house is consistent with the *Design Guidelines for Small Lot House (2002)*. Staff recommend that Council consider supporting this Application.

## ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000422 for the property located at 1143 Grant Street.

Respectfully submitted,



Leanne Taylor, Planner  
Development Services Division  
Sustainable Planning and  
Community Development

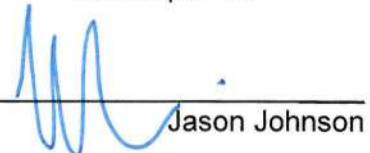


Alison Meyer, Assistant Director  
Development Services Division  
Sustainable Planning and  
Community Development



Andrea Hudson  
Acting Director  
Sustainable Planning  
and Community  
Development

Report accepted and recommended by the City Manager:

  
Jason Johnson

Date:

  
June 2, 2015

LT:aw

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## List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council
- Plans dated May 4, 2015.



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1143 Grant Street  
Development Permit #000422

Development Permit with Variances Application No. 000422 for...





Mayor and Council,

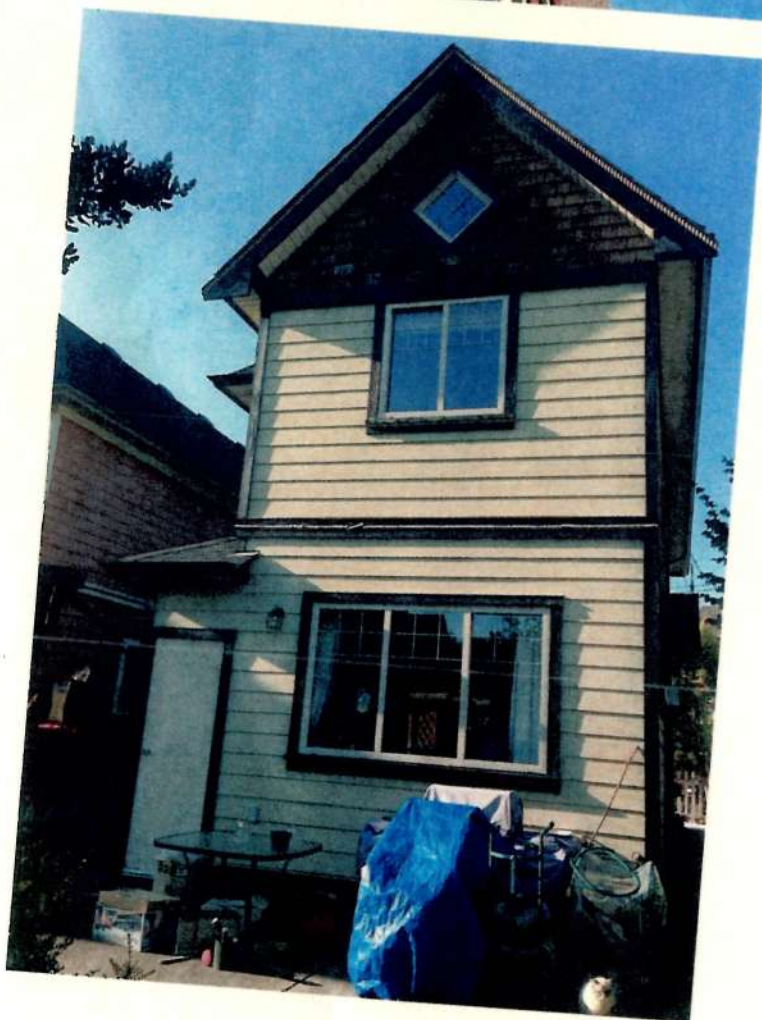
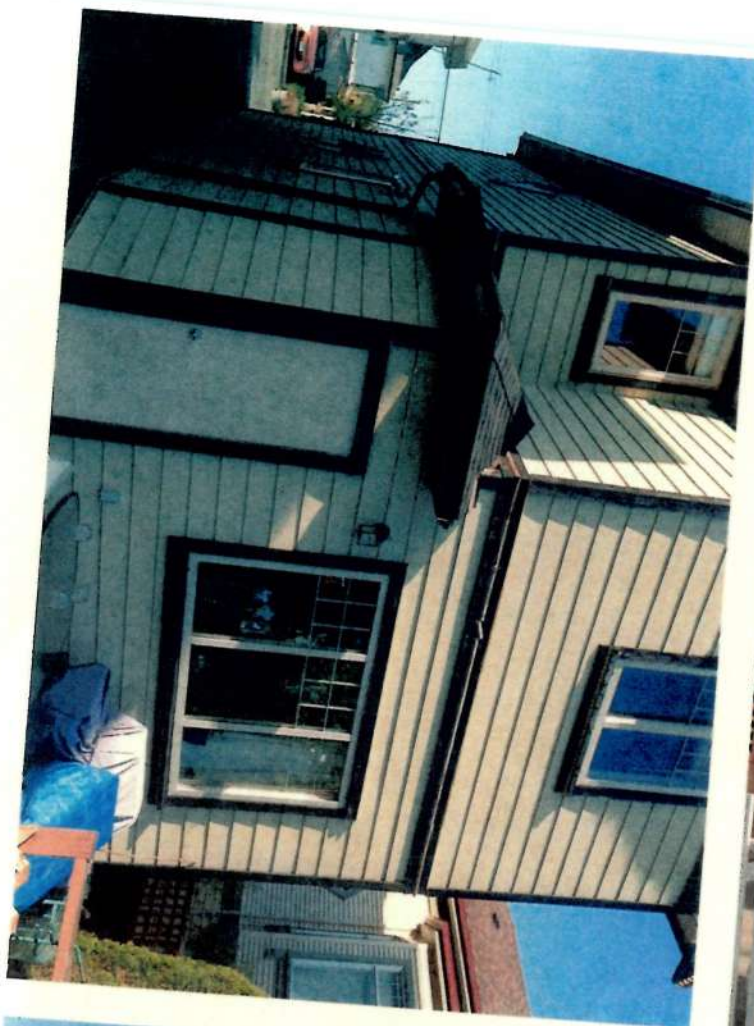
We are asking for a permit to allow us to construct a small wooden deck at the rear of our house. We want to install French doors in our kitchen so that we have walkout access to our patio and back yard. Currently we have to enter our back yard from the side entrance of our house to get to our patio which is challenging if we plan to BBQ outside and need to pass items through our window. In creating this wooden deck, we still allow for lots of green space for flowers, grass and a vegetable garden between our deck and back fence. No trees or vegetation will be removed to construct the deck

Although the drawings show a roof with posts, we have decided not to build a roof.

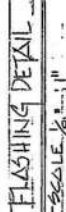
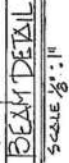
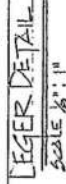
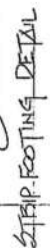
Thank you kindly,  
Jennifer

Jennifer Di Fabio  
1143 Grant Street  
Victoria, BC V8T 1B8





Development Permit with Variances Application No. 000422 for...



CONCLUSION NOTES:  
 1. NO INTERFERE/OWNERS TO OTHER  
 ALL THE EXPECTS THIS PLAN AND  
 THERE ARE NO INTERFERE PRIOR TO GOINT  
 2. ALL PORTS BEING FETTER TO BE  
 BE STRUCTURE OF FIRE OR BETTER  
 3. ANY CHANGES TO THE PLAN ARE  
 THE RESPONSIBILITY OF THE OWNER  
 4. ALL WORK TO BE COMPT TO THE B.C.C.  
 AND ALL MUN. BY LAWS  
 5. DO NOT SILE FROM PLAN



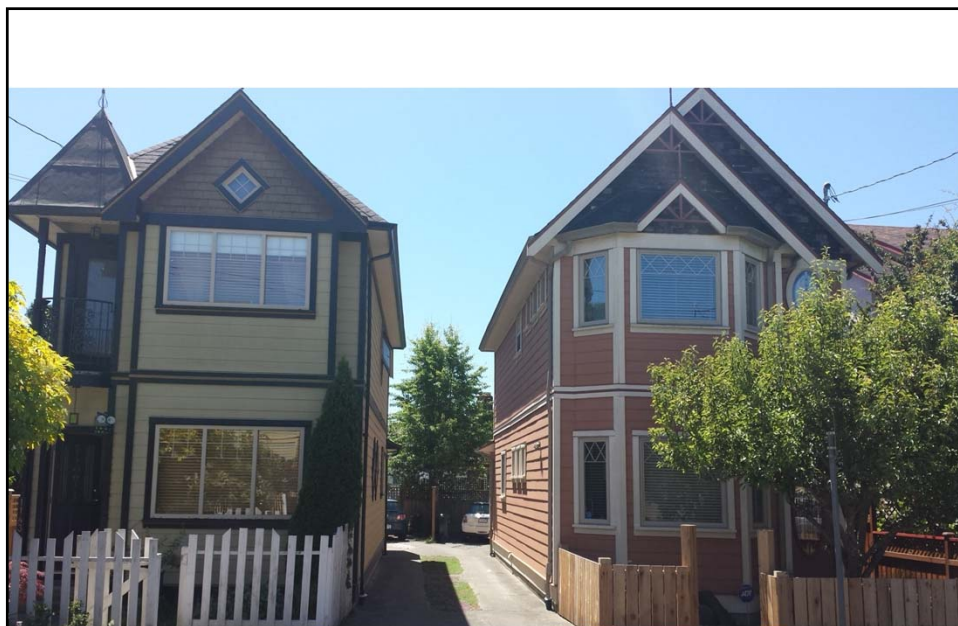
## Development Permit with Variances Application No. 000422 for 1143 Grant Street



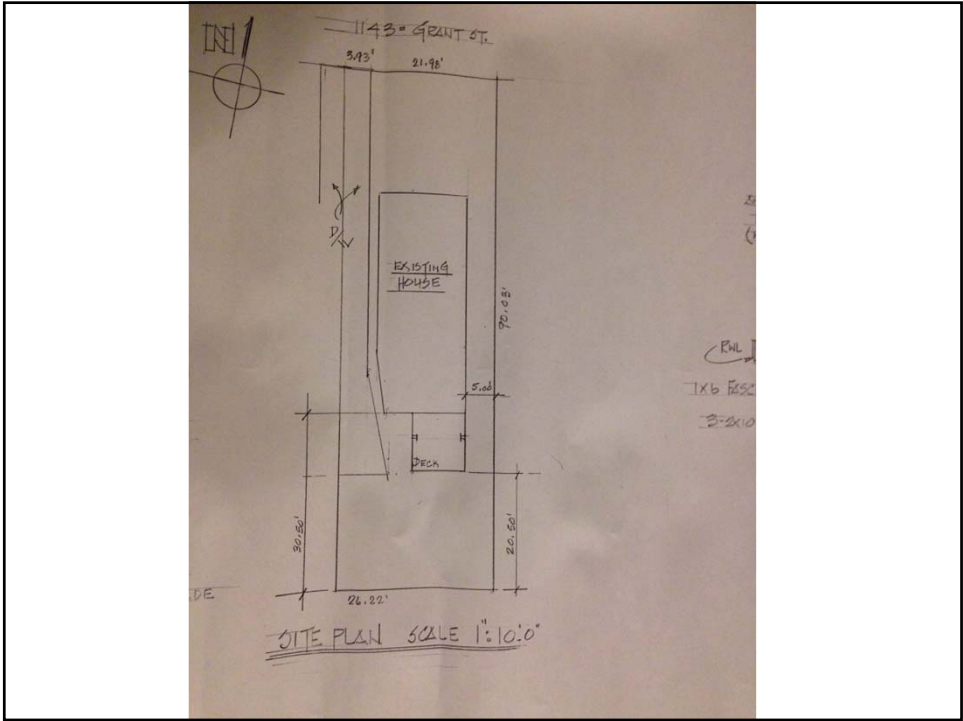


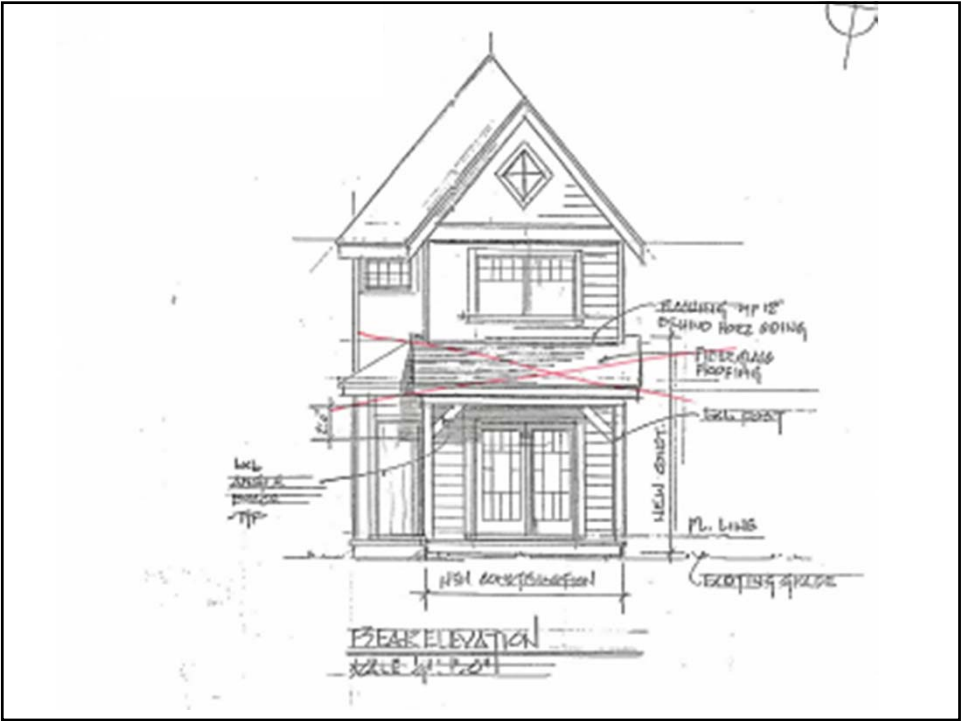
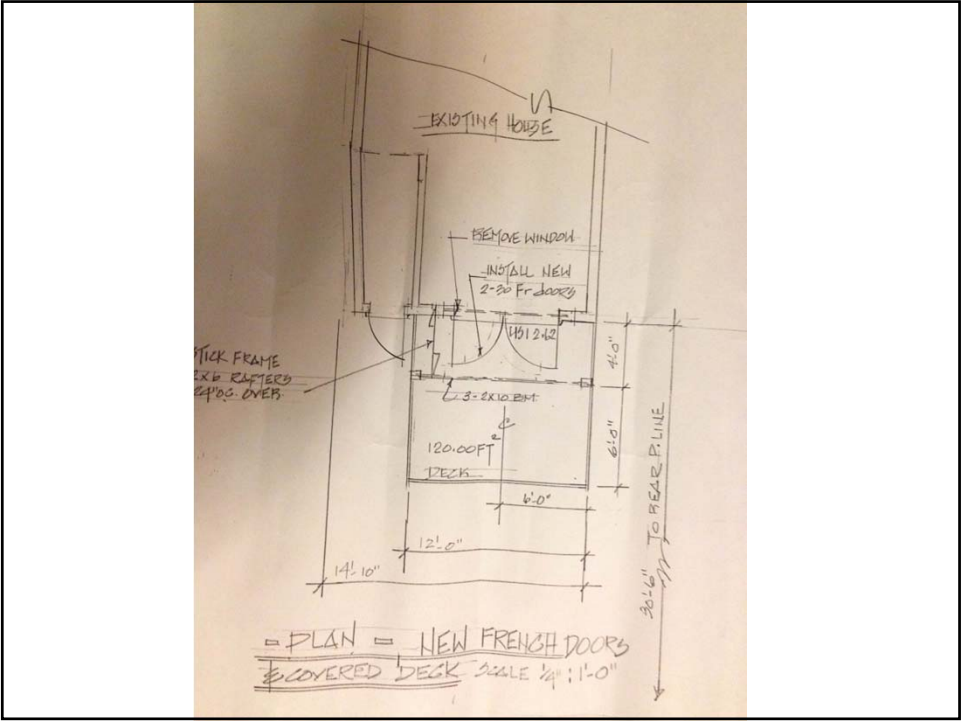


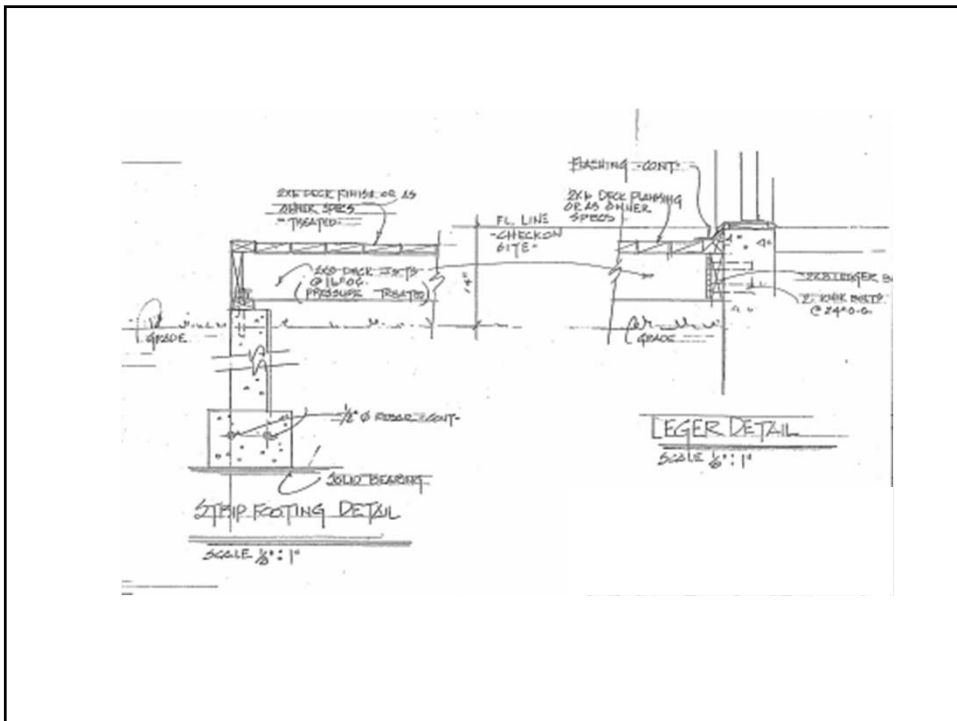
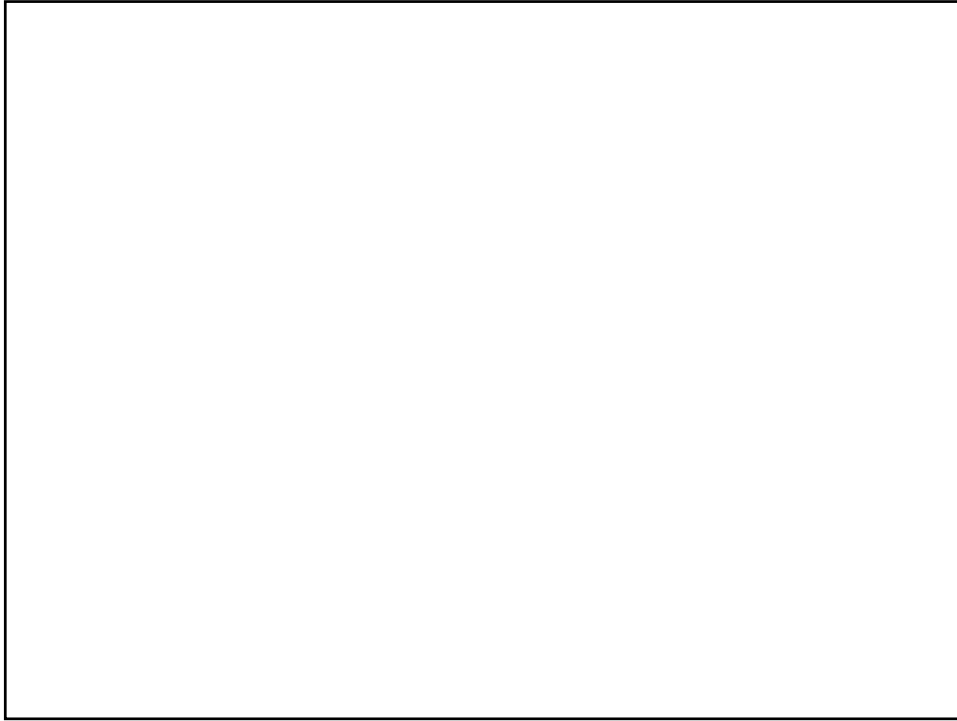
Property to the East



Subject Property (1143 Grant Street) and Property to the West







## South Facing View, showing where deck will be built



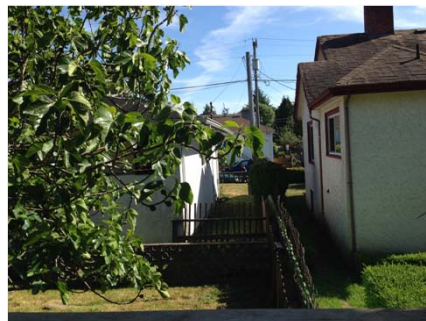
East side of house



East side of house



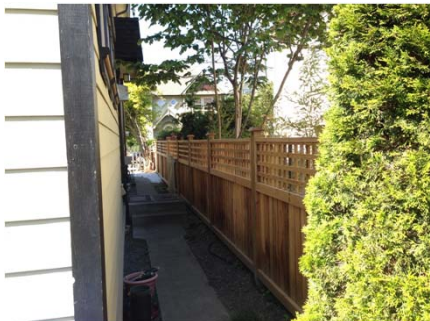
## Closer view of south neighbouring properties



## East Neighbouring Property



**East side of house**



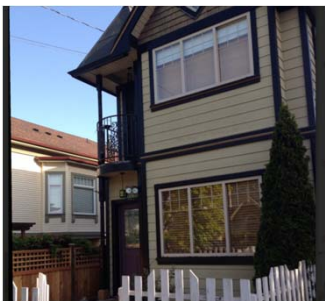
**View of south neighbouring properties**



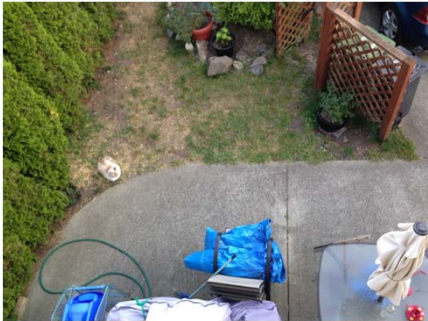
**View from 1141 Grant Street  
(western neighbouring property)**



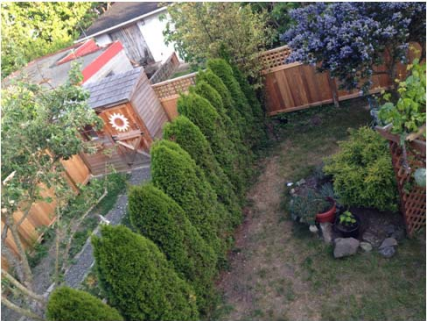
**North View of House**



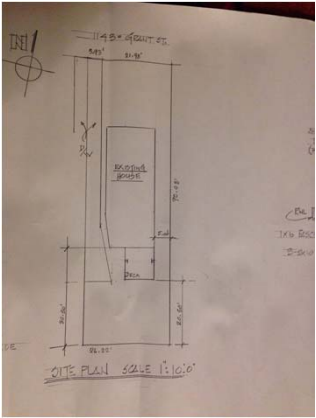
Upper view, showing where  
ground level deck will be built



Upper view showing east  
neighbouring property



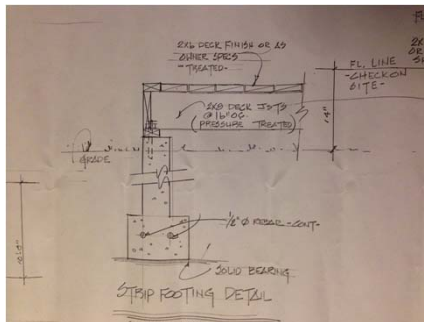
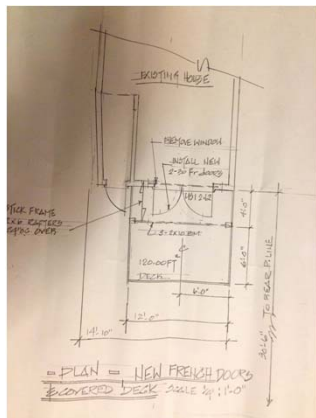
General Plan to build deck



Rear view of house (roof no  
longer included)



## Detail of deck construction







## Planning and Land Use Committee Report

For the Meeting of June 11, 2015

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**To:** Planning and Land Use Committee **Date:** May 28, 2015

**From:** Murray G. Miller, Senior Heritage Planner, Community Planning

**Subject:** **Heritage Designation Application Nos. 000148 and 000149 for 524 and 526 Michigan Street, respectively (Prout House and Beaven/Macabe Residence)**

---

### RECOMMENDATION

That Council consider the designation of the 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 Municipal Heritage Sites. This report fulfils the requirements of Section 968(5) of the Act.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the Heritage-Registered houses (presently located at 524 and 526 Michigan Street) to be relocated within James Bay.

The following points were considered in assessing these Applications:

- general consistency with the *Official Community Plan (OCP)*
- Statement of Significance including Victoria's Heritage Thematic Framework.

These Applications were reviewed by the Heritage Advisory Panel at its May 12, 2015, meeting and it recommended that Council consider the designations of the Heritage-Registered properties located at 524 Michigan Street and 526 Michigan Street.

### BACKGROUND

At its special meeting on July 16, 2014, the Heritage Advisory Panel recommended that Council authorize the issuance of Heritage Alteration Permits #00188 and #00189 for 524 and 526 Michigan Street, for the relocation of the the Prout House and the Beaven/Macabe Residence within James Bay, respectively. The recommendation was subject to the owner of the Heritage-Registered Prout House and the Beaven/Macabe Residence and the owner of the recipient sites providing the City with a letter irrevocably agreeing to the designation of the houses as protected heritage property pursuant to Section 967 of the *Local Government Act*.

## **Description of Proposal**

Applications to designate the houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay, as Municipal Heritage Sites were received from Jawl Properties Ltd. on March 16, 2015.

## **Condition/Economic Viability**

The exterior of the buildings, while in sound condition, require exterior maintenance. The houses will be relocated within James Bay and will undergo rehabilitation in preparation for their new use.

## **ANALYSIS**

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

### **Official Community Plan**

These Applications are consistent with the OCP because they contribute to the goal of protecting and celebrating Victoria's cultural and natural heritage resources as Municipal Heritage Sites.

### **Statement of Significance**

A Statement of Significance describing the historic place, outlining their heritage value and identifying their character-defining elements, is attached to this report.

### **Resource Impacts**

The applicant has indicated their interest in rehabilitating the exterior appearance of the properties; as a result, there may be a request in the future for a grant from the Victoria Heritage Foundation.

## **CONCLUSIONS**

The Heritage-Registered houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay, will contribute to the heritage character of James Bay. The designation of the houses as Municipal Heritage Sites is consistent with relevant City policies and strategic directions for the James Bay Neighbourhood. Staff, therefore, recommend that Council consider the designation of the Heritage-Registered houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay.

## ALTERNATE MOTION

That Council decline Heritage Designation Application Nos. 000148 and 000149 for the houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay, as Municipal Heritage Sites.

Respectfully submitted,



Murray G. Miller  
Senior Heritage Planner  
Community Planning



Andrea Hudson  
Acting Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Date:

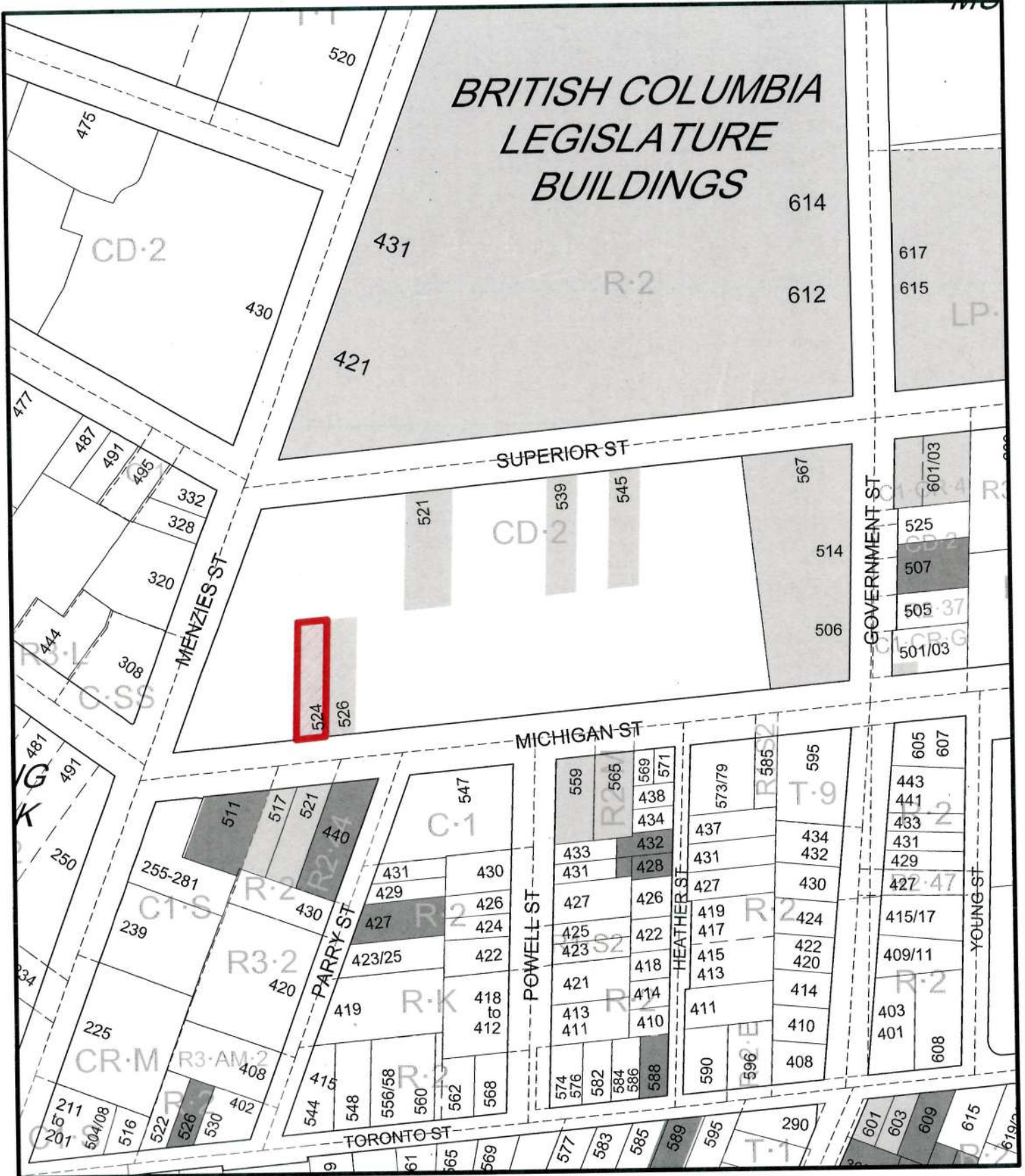
June 2, 2015

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## List of Attachments

- Subject maps
- Aerial photographs
- Existing site plan
- Photographs
- Statements of Significance
- Letter from the owner, date stamped March 16, 2015.



524 Michigan Street

Heritage Designation Permit #000148

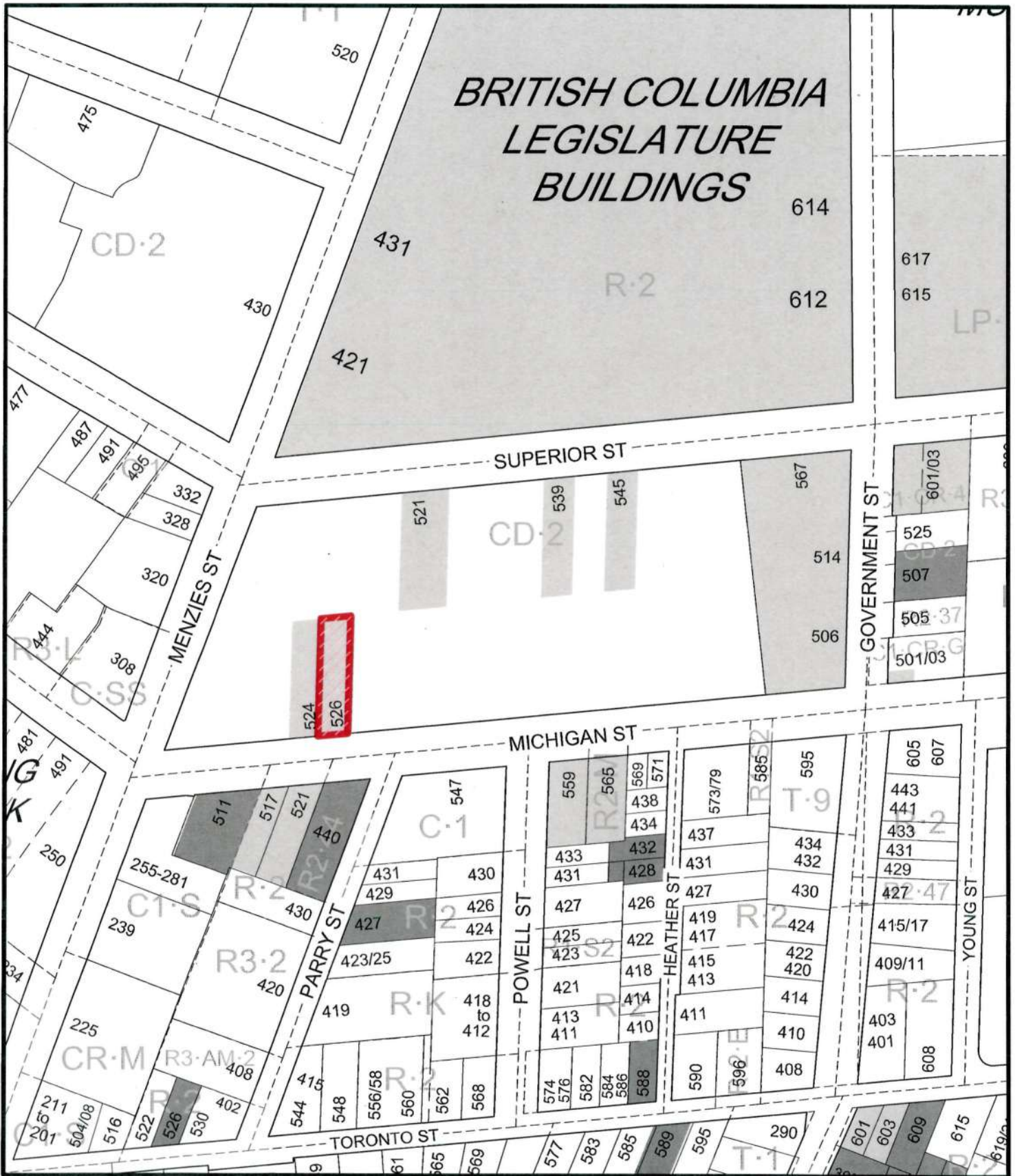


Designated



Registered





526 Michigan Street

Heritage Designation Permit #000149

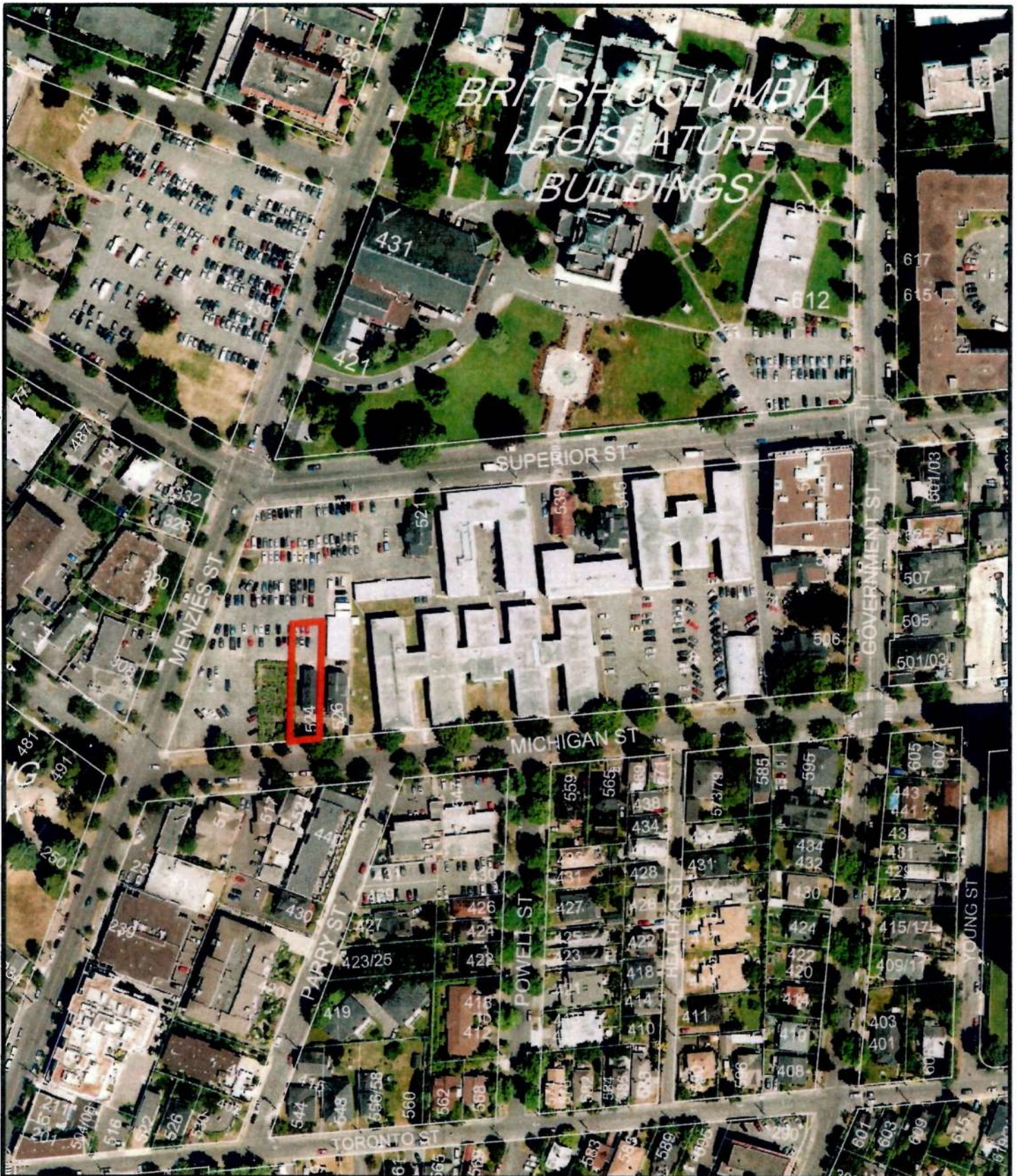


Designated



Registered



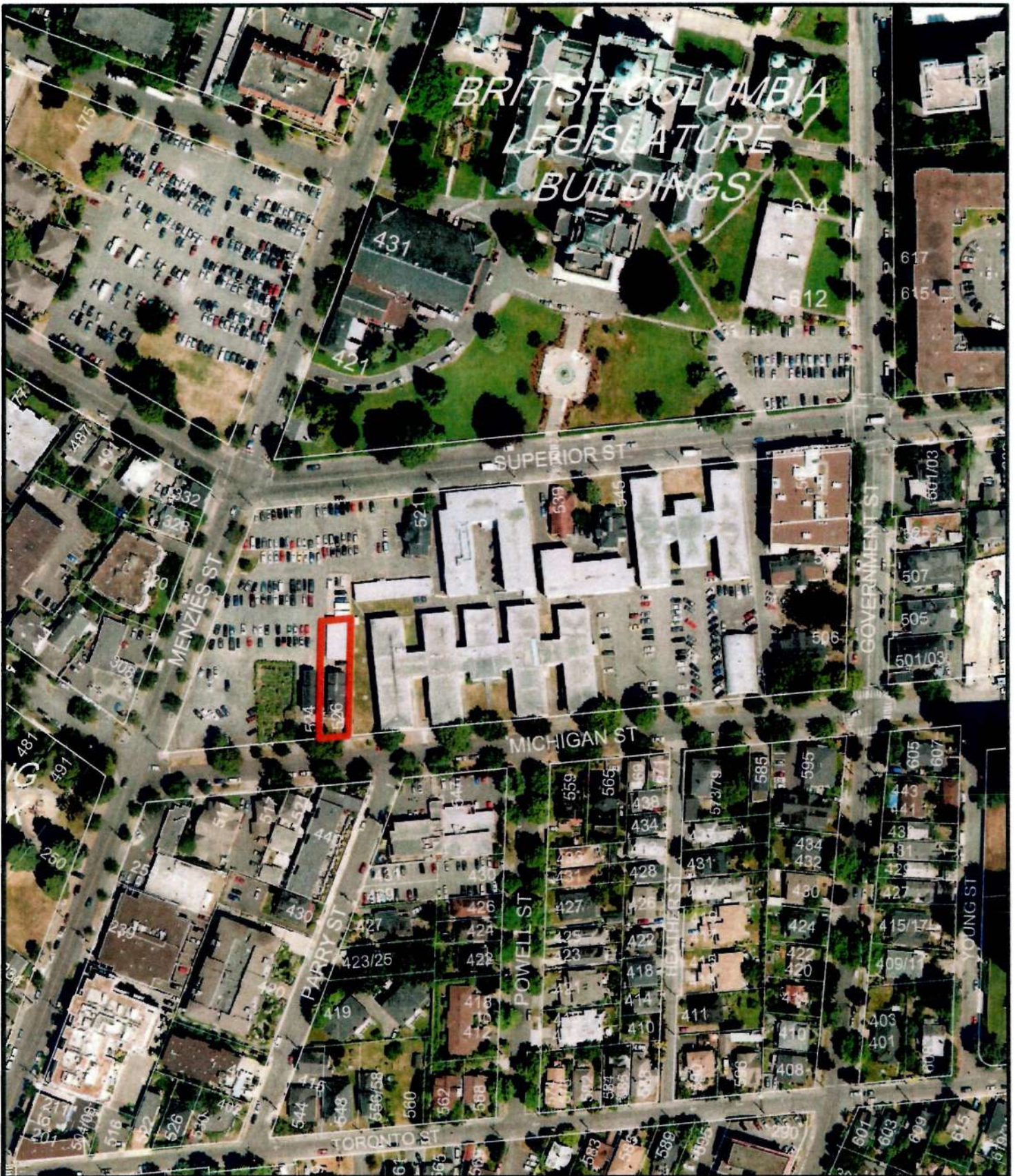


524 Michigan Street

Heritage Designation Permit #000148



Heritage Designation Application Nos. 000148 and 000149 for ...



526 Michigan Street

Heritage Designation Permit #000149



Heritage Designation Application Nos. 000148 and 000149 for ...



524 MICHIGAN STREET



524 MICHIGAN STREET



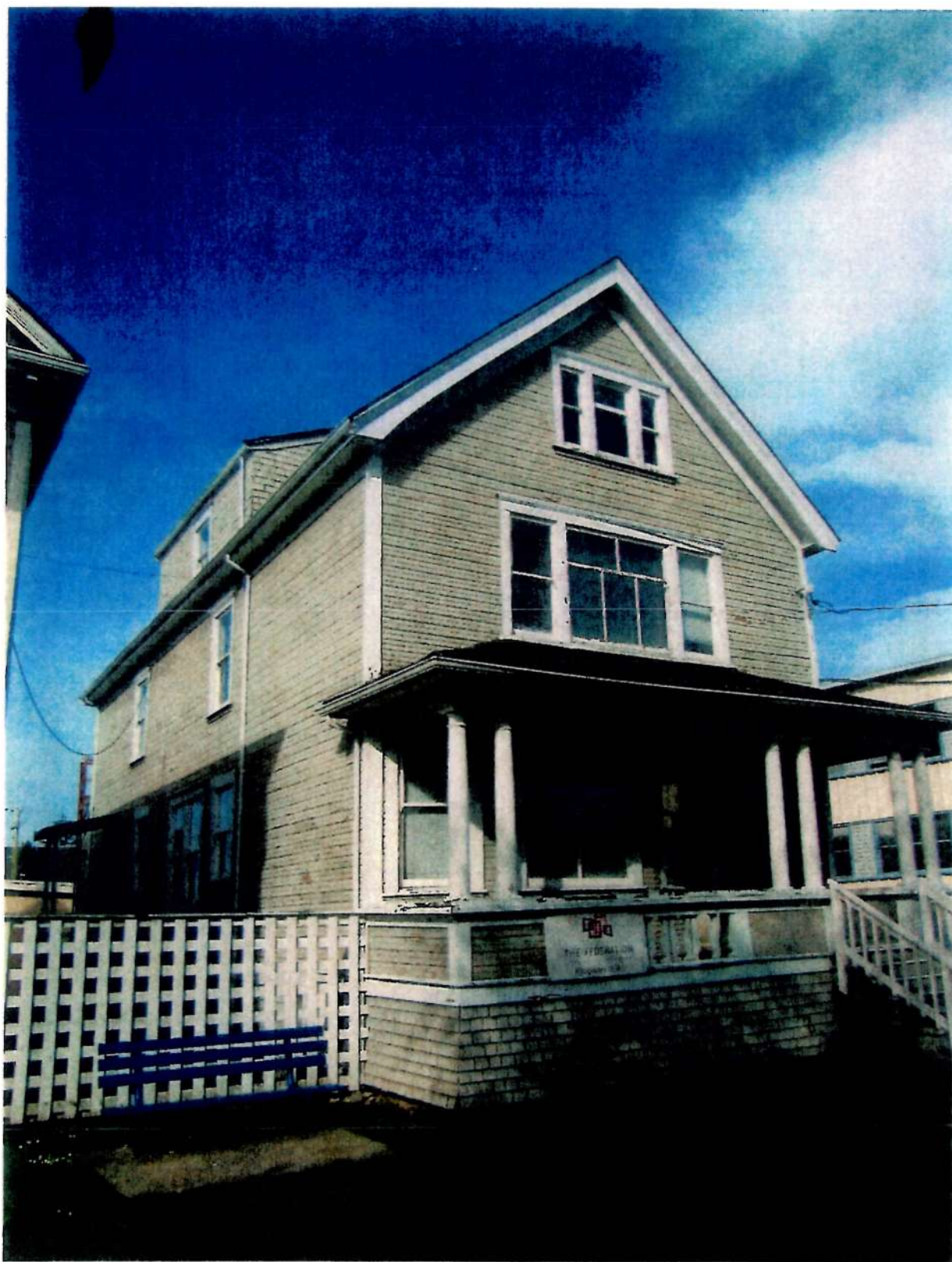
524 MICHIGAN STREET



526 MICHIGAN STREET



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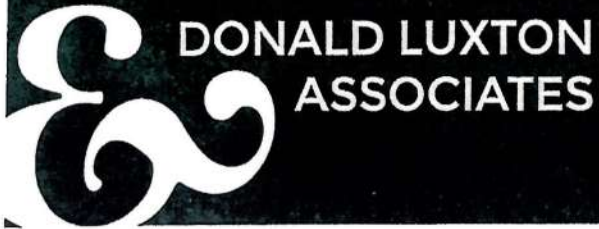


526 MICHIGAN STREET



526 MICHIGAN STREET





### 3. STATEMENT OF SIGNIFICANCE

Construction Date: 1891; relocated in 1910

Original Address: 59 ½ Superior Street (later 548 Superior)

Original Owner: William Prout

#### Description of Historic Place

The Prout House is a two-storey wood-frame Italianate house with a front-gabled roof. Situated on the north side of Michigan Street, in James Bay's Legislative Precinct, the Prout House is identifiable by its front double-height semi-octagonal bay with flat roof, offset entrance porch, scroll-cut brackets and patterned shingles in the gable end.

#### Heritage Value of Historic Place

Constructed in 1891, the Prout House is tangible evidence of the evolution of the James Bay neighbourhood from a pioneer farm to the first Garden City suburb in Victoria. Hudson's Bay Company Chief Factor James Douglas established James Bay, a peninsula of fertile land, as Beckley farm in 1846. The early subdivision and sale of Beckley Farm into small lots occurred just after gold was discovered on the Fraser River in 1858. The year 1858 also marked Douglas's reservation of public parkland (Beacon Hill) and the initial construction of colonial administrative buildings in James Bay on the Government Reserve. These administrative buildings, referred to as the "Birdcages," formed the city's legislative centre and were an early catalyst for residential development in James Bay. The neighbourhood subsequently developed into a centre for industry and shipping, which facilitated transportation links and supporting infrastructure. The Prout House is additionally valued as an example of a modest Victorian-era Italianate design. The house displays a front-gabled roof, rare for this architectural style, generally symmetrical massing and vertical proportions. It is elaborated through the use of carpenter ornamentation that demonstrated the introduction of new technology at a time when steam-driven band saws, drills and lathes had become readily available, demonstrated in the use of scroll-

cut brackets, patterned shingles in the gable peak and scroll-cut window aprons. This house was constructed in 1891 as a speculative rental property and was originally located at 59 ½ Superior Street (later 548 Superior Street); the Provincial Government purchased the lot in anticipation of the construction of the new Legislative Library. In 1910, Charles Beaven acquired it during a government auction held on the front steps of the house, and moved to its present location. Prince Edward Island-born Beaven moved to Victoria in the 1870s; he was a carriage builder and later became part of the real estate trade. Beaven did not initially live in the house, but rented the property to local residents through the 1910s, demonstrating an increased need for rental housing during the Edwardian era, a time of social and economic transitions in the neighbourhood prior to the advent of the First World War. Beaven did eventually inhabit the house from the early 1920s until his death in 1926.

The relocation of the Prout House also demonstrates the ongoing expansion of the B.C. Parliament from the time of its early establishment in the Birdcages.

#### Character-Defining Elements of Historic Place

Key elements that define the heritage character of the Prout House include its:

- location in the historic James Bay neighbourhood;
- residential form, scale and massing as expressed by its: two-storey height; front-gabled roof; offset entry porch with hipped roof and chamfered square columns; double-height semi-octagonal bay at front; canopy roof with scroll-cut brackets on east elevation;
- wood-frame construction with wooden siding, drop cornerboards, shingles and vertical v-joint siding at foundation;
- Italianate design features such as: generally symmetrical massing; balanced front façade with highly articulated surfaces; and bay window skirt roof, banding and panels;

# STATEMENT OF SIGNIFICANCE

- Carpenter ornamentation such as scroll-cut sandwich brackets, fishscale shingles; scroll-cut window aprons; and window crowns
- fenestration such as: 1-over-1 double-hung wooden sash windows with horns, in single and double assembly; and
- original panelled and glazed wooden front door with transom.



### 3. STATEMENT OF SIGNIFICANCE

**Construction Date:** 1911

**Original Owner:** Mary Ellen Macabe (née Beaven)

**Earliest Known Occupant:** Jennie Hall (1913)

#### Description of Historic Place

The Beaven / Macabe Residence is a two and one-half storey, Edwardian-era wood frame house situated on the north side of Michigan Street in the Legislative Precinct of Victoria's James Bay neighbourhood. It is identifiable by its front-gabled roof and full-width open front verandah supported by paired Doric columns.

#### Heritage Value of Historic Place

The Beaven / Macabe Residence demonstrates James Bay's evolution from a pioneer farm to the first Garden City suburb in Victoria. Hudson's Bay Company Chief Factor James Douglas established James Bay, a peninsula of fertile land, as Beckley farm in 1846. The early subdivision and sale of Beckley Farm into small lots occurred just after gold was discovered on the Fraser River in 1858. The year 1858 also marked Douglas's reservation of public parkland (Beacon Hill) and the initial construction of colonial administrative buildings in James Bay on the Government Reserve. These administrative buildings, referred to as the "Birdcages," formed the city's legislative centre and were an early catalyst for residential development in James Bay. The neighbourhood subsequently developed into a centre for industry and shipping, which facilitated transportation links and supporting infrastructure.

The Beaven / Macabe Residence is additionally significant for its modest Edwardian-era architecture, reflective of the housing stock being constructed for James Bay's rapidly growing population. This house reflects a transition in architectural expression from the elaborate Victorian-era styles to the classically-influenced styles of the Edwardian era. The house is characterized by its balanced façade with full-width verandah supported by lathe-turned Doric columns. Mary Ellen Macabe, the daughter of Charles Frederick Beaven, who owned the neighbouring house at 524 Michigan Street, also owned this home. It was utilized as a boarding house in the mid 1910s, reflective of the increased need for rental housing during the Edwardian era, a time of social and economic transitions in the neighbourhood prior to the advent of the First World War.

# STATEMENT OF SIGNIFICANCE

## Character-Defining Elements of Historic Place

Key elements that define the heritage character of the Beaven / Macabe Residence include its:

- location in the historic James Bay neighbourhood;
- residential form, scale and massing as expressed by its: two and one-half storey height; front-gabled roof; shed dormers on the side elevations; full-width open front verandah with paired, lathe-turned Doric columns and closed balustrades with rectangular opening; and semi-octagonal bay window on front elevation;
- wood-frame construction with double-bevelled wooden siding, cornerboards and bellcast shingle siding at foundation level;
- decorative features such as window trim with mouldings at top and bottom, and distinctive scroll-cut verandah balusters;
- fenestration such as: 1-over-1 double-hung wooden sash windows with horns; and
- original front door assembly, with panelled wooden front door with glazed inset and glazed sidelights.

## South Block Development Corporation

3350 Douglas St. - Suite 100  
Victoria, BC V8Z 3L1  
Phone: 250 475-0338  
Fax: 250 475-0339

August 13, 2014

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

Attention: Mayor and Council



**Re: Heritage Designation for 521, 539 and 545 Superior and 524 and 526  
Michigan Street**

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As part of the purchase of the lands known as "South Block" from the Province, South Block (Concert) Ltd. and Jawl Precinct Lands Corporation (collectively the 'Developer') acquired five heritage registered houses: 521 Superior Street, 539 Superior Street, 545 Superior Street, 524 Michigan Street and 526 Michigan Street.

The conceptual redevelopment plan for South Block provides for the retention and relocation of the three houses currently located on Superior Street to the South Eastern Quadrant of Capital Park along Michigan Street. The Developer is proposing to relocate and transfer ownership of the two houses currently sited on Michigan Street off-site somewhere within the James Bay Neighbourhood.

Since the mid-1990s, South Block and a number of adjacent provincially owned land parcels (most notably Q-Lot) were subject to a land use and redevelopment strategy outlined in the existing CD-2 zone and the Victoria Accord. Immediately prior to the disposition of South Block by the Province to the Developer, the obligations set out in the Victoria Accord were updated to exclude those that had been satisfied and to allocate the remainder between the lands to be sold and the lands to be retained by the Province. The obligations assigned to each land parcel were secured by way of a Section 219 Covenant on title so as to confirm that the key provisions and objectives of the Victoria Accord would survive the land sale. The Section 219 Covenant deals with the heritage houses in Section 9 which reads as follows:

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### **9.0 Heritage Buildings**

- 9.1** *The Transferor must include the extent of restoration of the Heritage Houses in future development proposal guidelines.*
- 9.2** *Concurrently with the application for a development permit for the first office building to be constructed on the Lands, the Transferor must submit to the Transferee for its approval a plan for the restoration and relocation of the Heritage Houses, the relocations to be at locations within the Lands,*

*or at alternative off-site locations, that are acceptable to the Transferee. The Transferor must restore the Heritage Houses (or in the event of relocation and restoration of one or more of the Heritage Houses at an off-site location, must ensure the restoration of the Heritage Houses on terms and conditions that are acceptable to the Transferee, acting reasonably) in the agreed upon locations in accordance with the approved phasing plan.*

In June 2014 the Developer submitted to the City applications which included Conservation Plans for each of the five heritage houses and the proposed relocation plan of the Superior Street houses within the South Block parcel and the relocation criteria outlined in the respective Conservation Plans for the Michigan Street houses to address the requirement of the covenant.

The specific applications are identified as follows:

521 Superior Street –Heritage Alteration Permit Application #00184  
539 Superior Street –Heritage Alteration Permit Application #00187  
545 Superior Street –Heritage Alteration Permit Application #00185  
524 Michigan Street –Heritage Alteration Permit Application #00188  
524 Michigan Street –Heritage Alteration Permit Application #00189

The following work and interventions are anticipated to be made to each home:

- Relocation
- Rehabilitation of the façade as outlined in the Conservation Plan for each house.
- Sensitive façade intervention to facilitate the re-purposing of each structure, including but not limited to, exit stairs, fire suppression sprinkler systems, the addition, relocation or removal of windows and doors on the side and rear facades and other modifications as required. These interventions will comply with the intent outlined in the Conservation Plan for each home.
- Modifications required to meet the requirements of the British Columbia Building Code.
- Extensive interior renovations

At the request of the City, the Developer has consented to the heritage designation for all five heritage registered houses and waives all right to compensation associated with the designation.

A heritage designation application, pursuant to Part 27 of the Local Government Act for 521, 539 and 545 Superior Street will be submitted once these three houses have been relocated to Michigan Street and a subdivision plan to create a lot for each home has been registered.

A heritage designation application, pursuant to Part 27 of the Local Government Act for each of 524 and 526 Michigan Street will be submitted for each of these houses when they have been relocated to an identified receiver site.

Notwithstanding the designations it is understood that The City will allow and the Developer and future owners of the Michigan Street houses will complete, or cause to complete, the work to each of the heritage houses as outlined in the Conservation Plans.

Should the houses not be relocated as outlined above the Developer will have the option to apply for heritage designation for one or more of the houses on South Block. In that event, the designation would be structured in such a way as to permit the future relocation of the house and the transfer of the designation to the receiver site.

Sincerely,

South Block Development Corporation

Per:

A handwritten signature in blue ink, appearing to read 'Karen Jawl', is written over the printed name.

Karen Jawl

## 526 and 526 Michigan Street Heritage Designation Application







## Planning and Land Committee Use Report

For the Meeting of June 11, 2015

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**To:** Planning and Land Use Committee **Date:** May 28, 2015

**From:** Murray G. Miller, Senior Heritage Planner, Community Planning

**Subject:** Heritage Designation Application No. 000151 for 1713 Government Street (Yen Wo Society Building)

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### RECOMMENDATION

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. This report fulfills the requirements of Section 968(5) of the Act.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the Heritage-Registered property (exterior and original interior elements) located at 1713 Government Street (Yen Wo Society Building).

The following points were considered in assessing this Application:

- general consistency with the *Official Community Plan (OCP)*
- Statement of Significance including Victoria's Heritage Thematic Framework.

The Application was reviewed by the Heritage Advisory Panel at its May 12, 2015, meeting and it recommended that Council consider the designation of the Heritage-Registered property located at 1713 Government Street.

### BACKGROUND

#### Description of Proposal

An application to designate the property (exterior and original interior elements) located at 1713 Government Street (Yen Wo Society Building) as a Municipal Heritage Site was received from the Yen Wo Society on April 1, 2015.

#### Zoning/Land Use

The proposed designation is consistent with the CA-3C Zone, Old Town District, and surrounding land uses.

## **Condition/Economic Viability**

The interior and exterior of the building appears in sound condition, however, the parapet requires seismic strengthening and the exterior fabric requires conservation.

## **ANALYSIS**

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

### **Official Community Plan**

This Application is consistent with the OCP because it contributes to the identification of the heritage value of districts and individual properties using the Victoria Heritage Thematic Framework. The Application also contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources and, in accordance with a key strategic direction of the Downtown, aims to conserve the historic character of Old Town and Chinatown.

### **Statement of Significance**

A Statement of Significance, describing the historic place, outlining its heritage value and identifying its character-defining elements, is attached to this report. A key policy of the OCP includes the determination of heritage value using a values-based approach. In this regard, a city-wide thematic framework was developed and incorporated into the OCP to identify the key civic historic themes. This framework functions as a means to organize and define historical events, to identify representative historic places, and to place sites, persons and events in an overall context. The thematic framework recognizes a broad range of values under which city-wide themes can be articulated. A Heritage Value Assessment with consideration of Victoria's Heritage Thematic Framework is incorporated into the Statement of Significance.

### **Resource Impacts**

The applicant has indicated their interest in rehabilitating the exterior of the property and has made enquiries to the Victoria Civic Heritage Trust in relation to its Building Incentive Program and the Parapet Incentive Program.

## **CONCLUSIONS**

The Yen Wo Society Building reflects the multi-cultural origins of coastal settlement in Victoria and plays an important role in the cultural life of Victoria. The building itself makes an important contribution to the Chinatown National Historic Site and has group value in relation to an existing cluster of heritage properties on Government Street and Fisgard Street. Its significance is further enhanced by the original location of the Tam Kung Temple on the top floor of the building, which represents the significant role of the temple in traditional Chinese society. The Tam Kung Temple is the oldest Chinese temple in Canada, located within the oldest Chinatown in Canada.

This Application for designation of the property (including original interior elements identified in the Statement of Significance) as a Municipal Heritage Site is consistent with relevant City policies that seek to maintain and enhance the heritage character of the Urban Core and supports key strategic directions for the Downtown regarding the conservation of the historic character of Old Town and Chinatown. Staff, therefore, recommend that Council consider the designation of the Heritage-Registered property located at 1713 Government Street (Yen Wo Society Building).

## ALTERNATE MOTION


That Committee recommend that Council decline Heritage Designation Application No. 000151 for the property (exterior and original interior elements) located at 1713 Government Street (Yen Wo Society Building) as a Municipal Heritage Site.

Respectfully submitted,

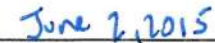
  
for Murray G. Miller  
Senior Heritage Planner  
Community Planning

  
Andrea Hudson, Acting Director  
Sustainable Planning and  
Community Planning

Report accepted and recommended by the City Manager:

  
Jason Johnson

Date:

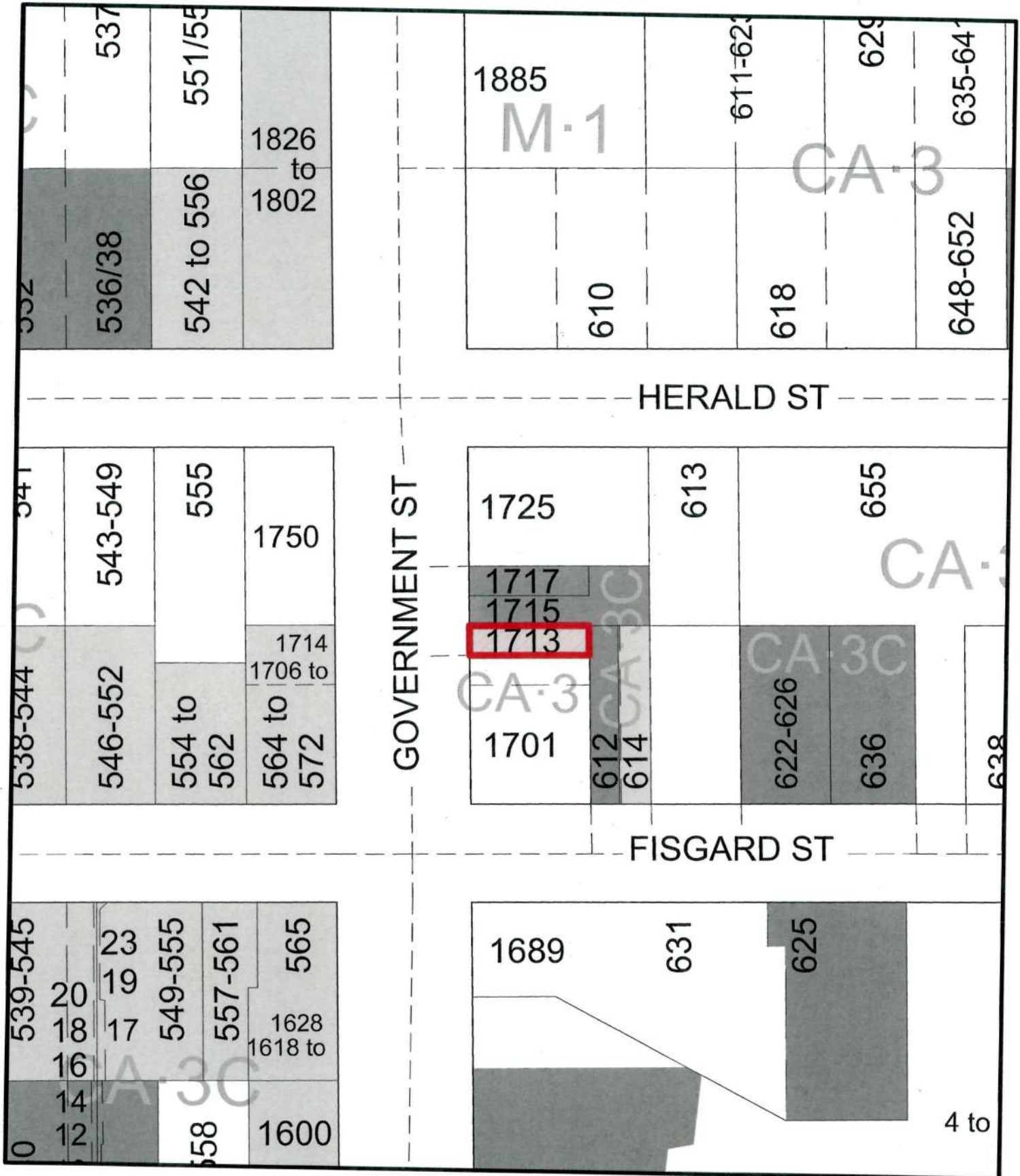
  
June 2, 2015

MGM:aw

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## List of Attachments

- Subject map
- Aerial map
- Photographs
- Statement of Significance
- Letter from the owner, date stamped April 1, 2015.



1713 Government Street

Heritage Designation Permit #000151

Designated Registered





1713 Government Street

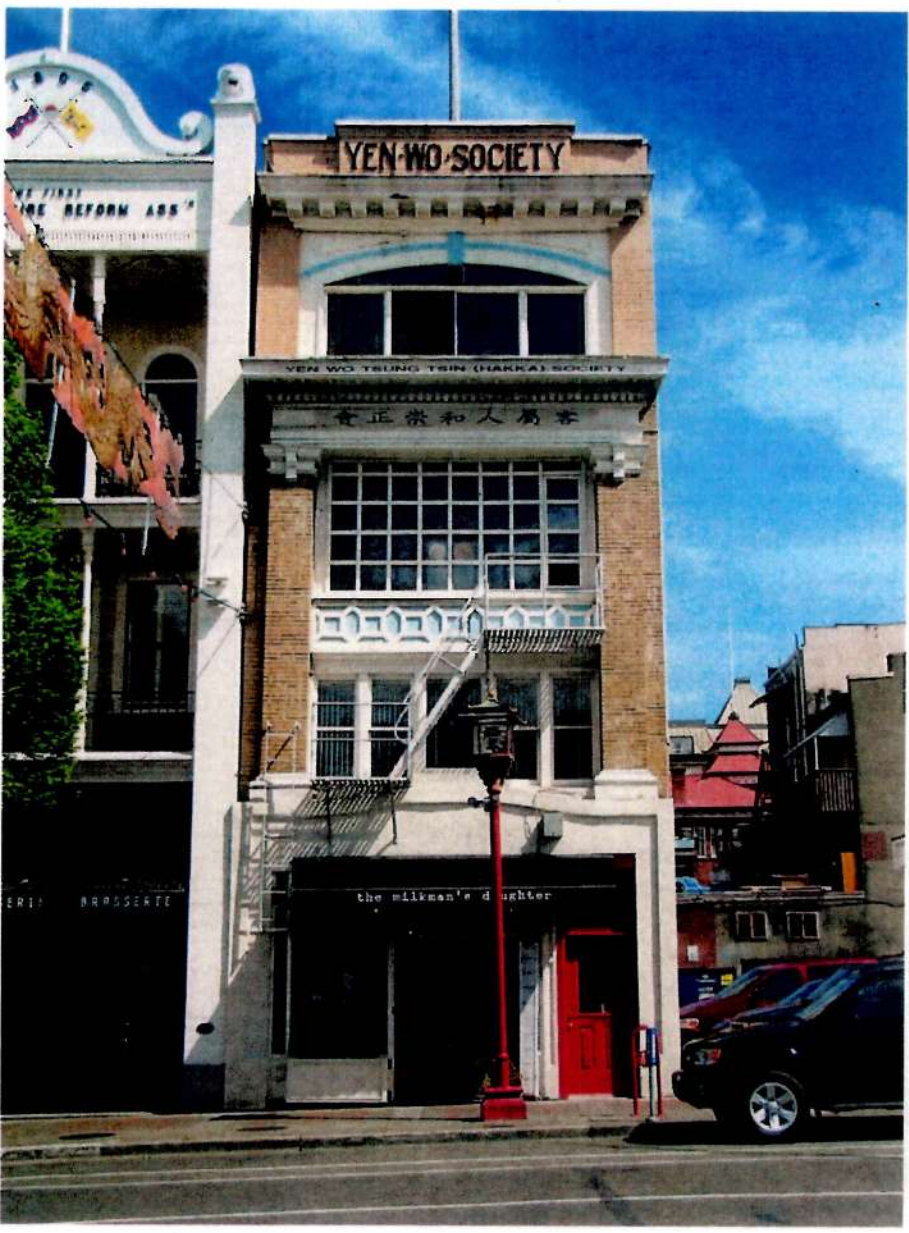
Heritage Designation Permit #000151



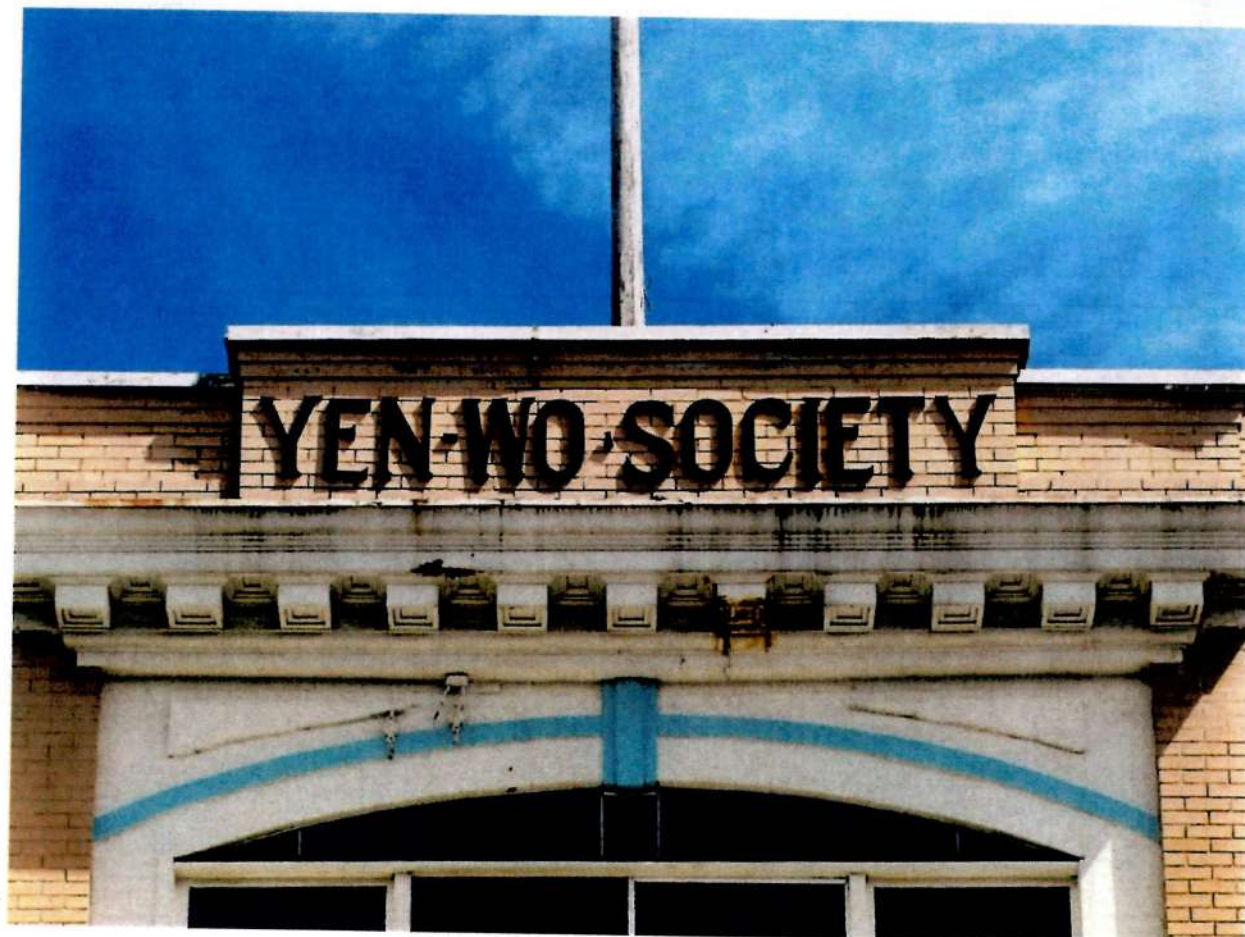
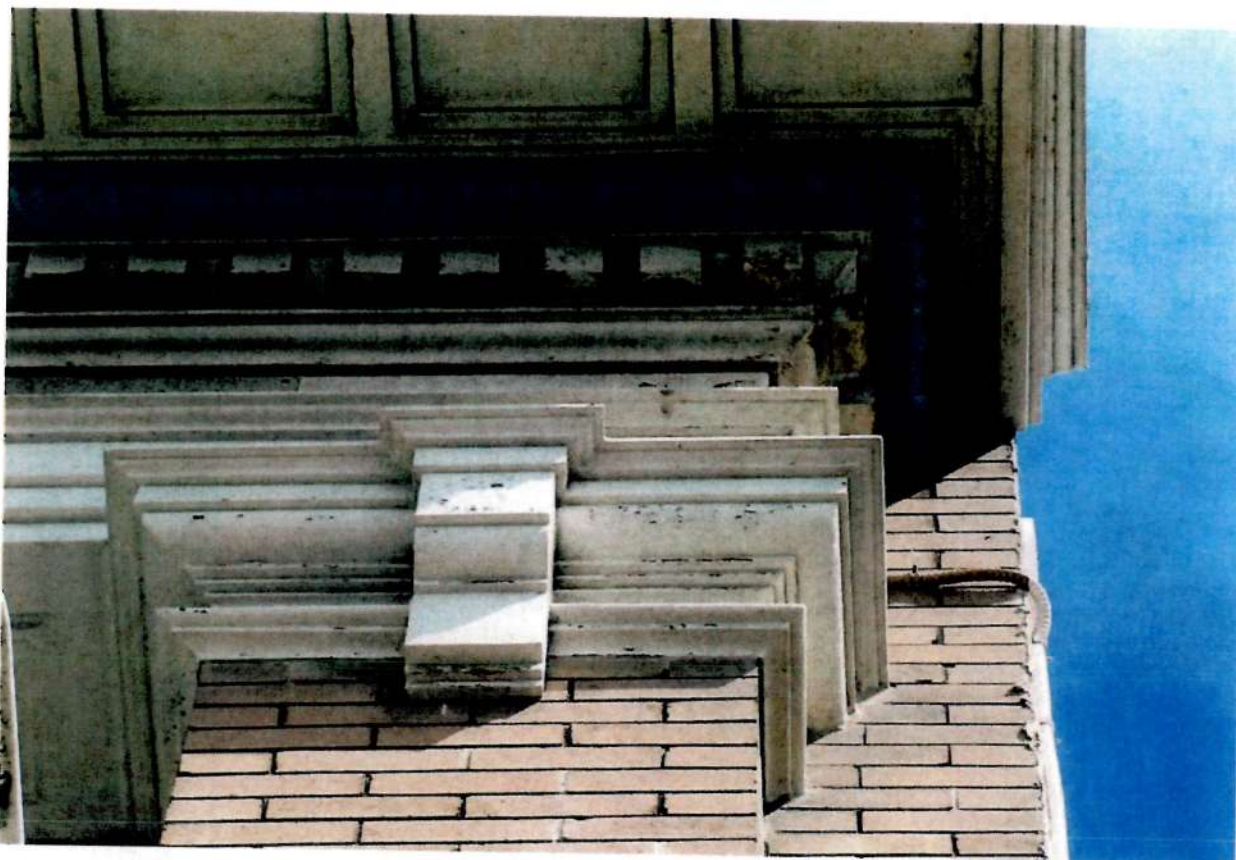
1713 GOVERNMENT STREET - EXTERIOR



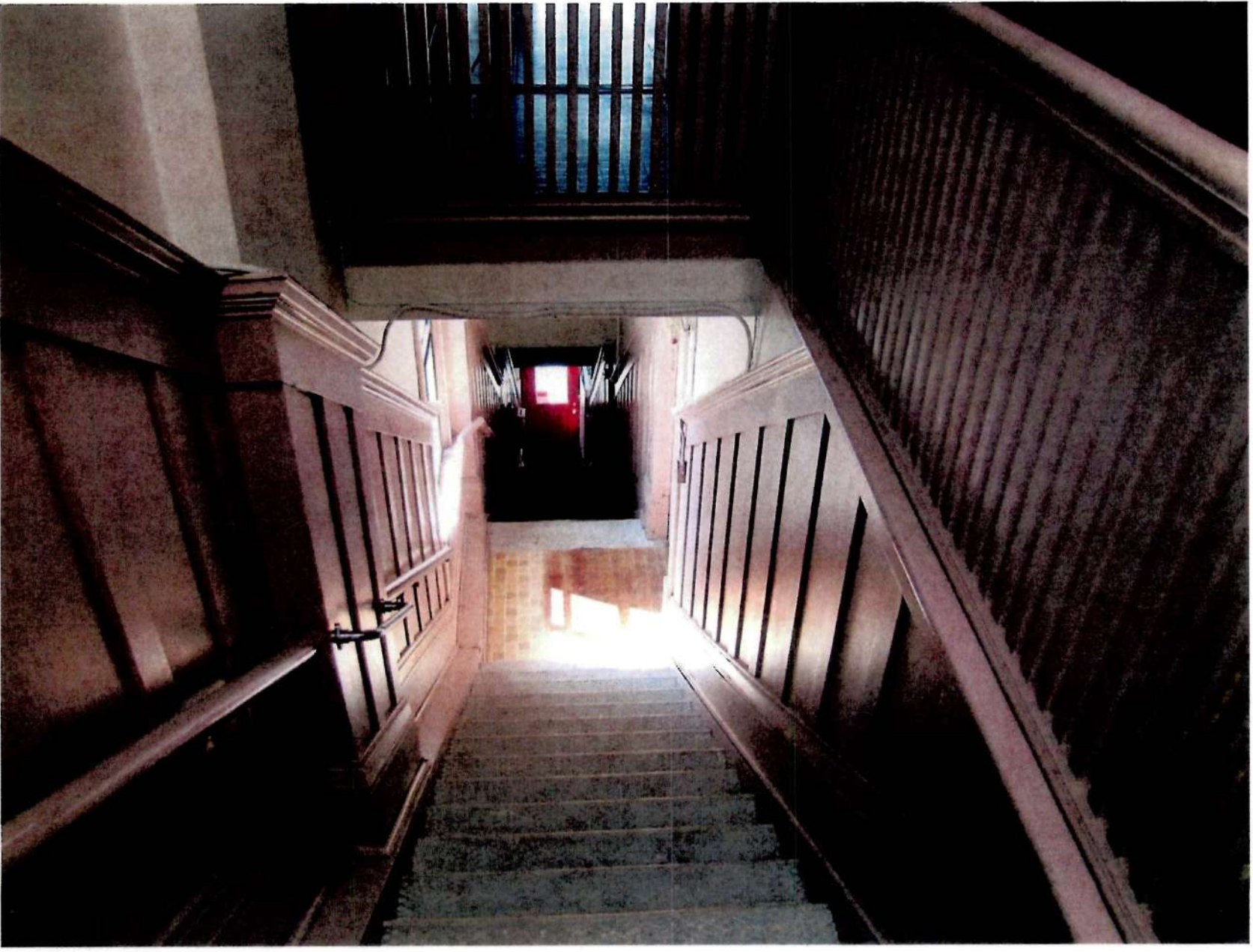
1713 GOVERNMENT STREET - EXTERIOR



1713 GOVERNMENT STREET - EXTERIOR



1713 GOVERNMENT STREET - INTERIOR



1713 GOVERNMENT STREET - INTERIOR



1713 GOVERNMENT STREET - INTERIOR



1713 GOVERNMENT STREET - INTERIOR



## **YEN WO SOCIETY BUILDING, 1713 GOVERNMENT STREET**

**Owners:** Yen Wo Society  
**Architects:** L.W. Hargreaves  
**Date:** 1912

### **Description of Historic Place**

The Yen Wo Society Building at 1713 Government Street is a tall, Edwardian-era building on a narrow lot, three storeys in height plus a 'cheater' mezzanine that displays Classical influences as well as typical Chinese features such as a prominent flagpole and recessed balconies on upper floors. At the periphery of Victoria's Chinatown National Historic Site, it is the original location of the Yen Wo Society and the Tam Kung Temple, which still exist on the top floor. The structure is contiguous with the Lung Kong Kung Shaw & the First Chinese Empire Reform Association Building at 1715-1717½ Government Street.

### **Heritage Value of Historic Place**

#### **Theme 1 – Coastal Settlement**

##### Thematic Framework Subtheme 1.2: Multi-Cultural Origins

In the 1850s, escaping political and social turmoil in China, thousands of Chinese migrants from a small region in the southern province of Guangdong arrived at frontier gold rush sites in California, setting up a permanent base in San Francisco. In 1858, the Fraser Gold Rush prompted the movement of Chinese from California to British Columbia and the port town of Victoria was the primary point of entry into the country for the Chinese until the early twentieth century. The Chinese began to settle to the north of the Johnson Street Ravine, which was physically separated from the rest of the emerging downtown commercial district, and established what would become Chinatown.

A further dramatic increase in the local Chinese population in the mid-1880s took place and many Chinese citizens who had been brought to Canada to work on the Canadian Pacific Railway moved to Victoria and Vancouver after the completion of the national system.

The Yen Wo Society Building has heritage value because it reflects the multi-cultural origins of coastal settlement in Victoria and it plays an important role in the cultural life of Victoria.

#### **Theme 4: Community of Neighbourhoods**

##### Thematic Framework Subtheme 4.2: Associations and Organizations

A variety of clubs and organizations have been established to provide mutual benefit, enrich community life and assist those in need. This subtheme focuses on the great variety of these social constructs - temporary and long-lasting, formal and informal, independent and allied with the government.

This building is a reminder of the Hakka population in Victoria's Chinatown and their continuous use of the building suggests territoriality among the Chinese in the historic

area. The Hakka migrated to Guangdong during the Eastern Dynasty but retained their traditional dialect and customs. Victoria was one of the few places overseas the Hakka settled and in 1905 they founded a volunteer association in Chinatown, the Yen Wo Society. These associations, or Tongs, had members with common ancestors and were established to protect the earliest Chinese settlers against Western intolerance and prejudice. Volunteer associations usually had their own buildings, typically with meeting halls and offices on the upper floors and leased storefronts on the ground floor.

Buildings for the more prominent volunteer associations, such as the Yen Wo Society, were sometimes overt in their use of elements of Chinese design such as decorative parapet walls, recessed full-width balconies and tall flagpoles. The Yen Wo Society Building has heritage value because it reflects the variety of organizations that have enriched the cultural life of Victoria.

### **Theme 5: Cultural Exchange**

#### **Thematic Framework Subtheme – 5.1 Architectural Expression**

Victoria's Chinatown is expressive of a duality in architecture and cultural landscape. Commercial building façades were designed by non-Chinese architects to project an image of assimilation to Western culture. The Yen Wo Society Building is consistent with this duality. The commercial façade displays Classical Edwardian details such as dominant metal cornices with dentil and modillion detailing and brick pilasters with capitals on upper storeys. Chinese influences include the brick-clad parapet labelled with the name of the association in English, the prominent flagpole and recessed balconies. The building is also significant as an example of the work of architect Lord Wilfrid Hargreaves (1880-1966) who designed a number of buildings for Chinese clients.

The Yen Wo Society Building, as the original location of the Tam Kung Temple, also represents the significant role of the temple in traditional Chinese society. The Tam Kung Temple, which remains today on the top floor of the building, is the oldest Chinese temple in Canada. An early Hakka settler brought a statue of Tam Kung, a deity sacred to the Hakka; this statue was first set up in a roadside shrine near the Johnson Street ravine. The temple was initially established on this site in 1875, through monies pooled by the Hakka to rent a small house at the corner of Government and Fisgard Streets. Two Hakka, Tsay Ching and Dong Bang Sang, purchased 1713 Government Street and the temple was dedicated January 21, 1876. During the Edwardian-era building boom, the original temple was demolished and replaced with the extant brick clad building in 1912 from monies collected by the Yen Wo Association. The Yen Wo Society still owns this building and the temple, which is open to the public, remains on the top floor.

The Yen Wo Society Building has heritage value because it is part of a grouping of early buildings that contributes to the historic character and urban pattern of Victoria's Chinatown National Historic Site, the seminal and oldest intact Chinatown in Canada.

### **Character-Defining Elements**

Key elements that define the heritage character of the Yen Wo Society Building include:

- location on the east side of Government Street, part of a grouping of late-nineteenth and early-twentieth century historic masonry buildings at the periphery of Victoria's Chinatown National Historic Site

- continuous commercial and institutional use
- siting on the front and side property lines, with no setbacks
- commercial and institutional form, scale and massing as expressed by its three-storey height, with 'cheater' mezzanine, rectangular plan, flat roof, and retail storefront facing Government Street
- masonry construction including tan brick cladding at front, red-brick side and rear walls and granite thresholds
- Edwardian-era Classical-influenced elements such as: metal cornices at the second and third floors with dentils and modillions; and Giant Order brick pilasters with metal capitals
- Chinese features such as a tall, central flagpole, brick parapet inscribed with the English name of the society, sidewall chimneys and recessed balconies at second and third storey with blind fretwork balustrades
- windows such as 2-over-2 double-hung wooden sash windows
- original interior elements such as wooden wainscoting, lath-and-plaster walls, and top-floor temple with domed ceiling and glass oculus

(Source: Extracted from the Statement of Significance prepared by Donald Luxton & Associates Inc., June 2008)

Yen Wo Society  
1713 Government Street  
Victoria BC V8W 1Z4



City of Victoria  
1 Centennial Square  
Victoria BC V8W 1P6

March 27, 2015

**RE: Heritage Designation**

To Mayor and Council

The Yen Wo Society houses the oldest Chinese Temple in Canada. We recently had the pleasure Senior Heritage Planner, Murray Miller tour our building and explained to us the significance and the value of heritage designation. We would like to seek Heritage Designation of our building at 1713 Government Street.

Please see attached an Application for Heritage Designation along with a Statement of Significance for our building. We look forward to meeting with you and to receive the Heritage Designation.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Jackie Ngai  
Secretary Treasurer, Yen Wo Society

## 1713 Government Street Heritage Designation Application





12/06/2015

