



## Committee of the Whole Report

For the Meeting of February 7, 2019

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**To:** Committee of the Whole **Date:** January 23, 2019  
**From:** Andrea Hudson, Acting Director, Sustainable Planning and Community Development  
**Subject:** Old Town Design Guidelines (2019) and OCP Amendment Bylaw

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### RECOMMENDATION

That Council:

1. Approve, in principle, the Old Town Design Guidelines – New Buildings and Additions to Existing Buildings (2019).
2. Direct staff to bring forward an Official Community Plan Amendment Bylaw to amend Development Permit Area 1(HC): Core Historic with an updated reference to the Old Town Design Guidelines - New Buildings and Additions to Existing Buildings (2019); to remove reference to the Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs (1983); and to amend Development Permit Area 9(HC): Inner Harbour with an updated reference to the Old Town Design Guidelines - New Buildings and Additions to Existing Buildings (2019).
3. Consider consultation under Section 475(2)(b) of the *Local Government Act* and direct staff that no referrals of the Official Community Plan Amendment Bylaw are necessary to the Capital Regional District Board, Island Health, Songhees Nation, Esquimalt Nation, provincial or federal governments, Township of Esquimalt, District of Saanich and the District of Oak Bay.
4. Consider consultation under Sections 475(1) and 475(2) of the *Local Government Act* and direct staff to undertake consultation with the community including downtown residents, Old Town property owners, local development and business communities and local heritage organizations on the proposed amendments to the Official Community Plan through online consultation concurrent with public review of the proposed Old Town Design Guidelines (2019).

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with the draft Old Town Design Guidelines – New Buildings and Additions to Existing Buildings (2019) (Attachment A) which have been developed in response to a request from Council in February 2018 as a means of providing additional support for the implementation of *Zoning Bylaw 2018*. The updated guidelines are intended to replace the current *Design Guidelines: Old Town, Victoria, BC – New Buildings and Additions to Non-Heritage Buildings* (Attachment B) which have been in place since 2006, as well as, the *Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs* (Attachment C) which have been in place since 1983.



The proposed Old Town Design Guidelines (2019) have been developed to provide improved guidance, clarity, interpretation and user-friendliness for designers, architects and property owners who are actively planning or considering a new building or an addition to an existing (heritage or non-heritage) building within the Old Town area (Attachment D). The guidelines help to ensure that the design of new buildings or additions result in built forms that are complementary to the historic character and context of Old Town. The guidelines are also an important evaluation tool for City staff and Council when reviewing development applications and proposals.

The process to develop the new guidelines included extensive consultation with a Working Group composed of representatives from the downtown neighbourhood, as well as the local heritage, business and development communities. Working Group members provided valuable and insightful feedback, technical information, advocacy, and support with communicating the project among their respective organizations and networks. The draft guidelines were also further refined based on comments received through a broader public engagement process (Attachment E).

The Old Town Design Guidelines (2019) are premised on achieving five key design principles that relate to good fit, reinforcing the existing character of Old Town, achieving appropriately scaled development, context sensitivity and cohesive designs while also encouraging design flexibility.

The resulting design guidelines include a chapter for new buildings and additions to non-heritage buildings that addresses seven key topic areas including building mass, scale and siting; street rhythm; façade composition; relationship to street and open space; materials and finishes; liveability; and off-street parking. The document also contains a chapter to specifically address rooftop additions on heritage buildings through detailed design guidelines that reflect best practices from across Canada and the United States and which are intended to be used in tandem with the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

In order to implement the Old Town Design Guidelines, staff are also seeking direction to prepare an Official Community Plan (OCP) Amendment Bylaw to replace reference to the current *Design Guidelines: Old Town, Victoria, BC – New Buildings and Additions to Non-Heritage Buildings (2006)* with reference to the updated Old Town Design Guidelines – New Buildings and Additions to Existing Buildings (2019) within DPA 1(HC): Core Historic and DPA 9(HC): Inner Harbour. The OCP amendment Bylaw will also remove reference to the *Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs (1983)* within DPA 1(HC): Core Historic. The OCP Amendment Bylaw requires a public hearing allowing Council to receive and consider additional public feedback prior to a final decision.

## **PURPOSE**

The purpose of this report is to present Council with the draft Old Town Design Guidelines (2019) including a public engagement summary and seek direction to prepare an Official Community Plan (OCP) Amendment Bylaw to enact the guidelines.

## **BACKGROUND**

The *Design Guidelines: Old Town, Victoria, BC – New Buildings and Additions to Non-Heritage Buildings* were approved by Council 12 years ago to provide guidance for new buildings and additions to non-heritage buildings within the Old Town area which includes the Old Commercial District, Chinatown and Waterfront. To improve the effectiveness of the guidelines and to better support the implementation of the new *Zoning Bylaw 2018*, in February 2018, Council requested staff to prioritize the update of the *Old Town Design Guidelines (2006)*. The Chinatown area is also subject to the *Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs*, which have been in place since 1983. As part of reviewing the *Old Town Design Guidelines*



(2006), staff used this opportunity to update and consolidate both documents as a means of providing most of the relevant design guidelines for the broader Old Town area in a single document and to provide design guidelines in a more consistent format.

The process to update the guidelines included in-depth collaboration with the project Working Group composed of key stakeholders representing downtown residents along with Victoria's heritage, design, development and business communities. Public engagement and consultation also included a public open house, online feedback through the project website and review by the City's Heritage Advisory Panel and Advisory Design Panel.

## **ISSUES & ANALYSIS**

### **1. Updated Design Guidelines**

Maintaining the special character of Old Town for present and future generations requires the ongoing conservation and enhancement of its unique character. When new buildings are constructed, or additions are made to existing buildings, it's important that they are designed to complement and enhance the heritage character and historical significance of this special area of downtown Victoria. In response to this overarching objective, the City recently completed a review and update of the current *Old Town Design Guidelines (2006)*. The updated Old Town Design Guidelines (2019) build upon the current guidelines but now include a broader range of design topics and guidelines for new buildings and additions to existing (heritage and non-heritage) buildings, as well as, supplementary guidelines for the Old Commercial District, Chinatown and the Waterfront sub-areas. In response to initial consultation with key stakeholders, the guidelines were also developed to provide improved guidance, clarity, interpretation and user-friendliness for designers, architects and property owners to ensure that new developments are designed to fit with the character and low-scale context of Old Town and not detract or diminish the area's historic and human-scale qualities. At the same time, the guidelines provide an appropriate balance between prescriptiveness and supporting design flexibility and creativity. The guidelines are also an important evaluation tool for City staff and Council when reviewing development proposals.

### **2. Design Principles**

The proposed Old Town Design Guidelines (2019) are premised on achieving a range of design principles that were established in collaboration with the Working Group and confirmed through the public engagement process. The design principles described in Chapter 4 provide the basis for the detailed design guidelines. The five key design principles outline the importance for good fit, reinforcing the existing character of Old Town and achieving new development that is appropriately scaled and provides a cohesive design with the adjacent area, while also encouraging contemporary design solutions.

### **3. Design Guidelines for New Buildings and Additions**

Chapter 5 of the proposed Old Town Design Guidelines (2019) introduces guidelines for new buildings and additions that address seven topics including: building mass, scale and siting; street rhythm; façade composition; relationship to street and open space; materials and finishes; liveability; and off-street parking. Each topic is presented in its own section and is introduced with a background explanation and an intent statement describing the desired design outcomes. The detailed design guidelines are also supplemented with photographs and illustrations that help describe the guidelines and improve overall user-friendliness.

### **4. Design Guidelines for Rooftop Additions on Heritage Buildings**

The potential impact of rooftop additions on heritage buildings was one of the most common concerns that staff heard from project stakeholders and the public during the initial project consultation process. Therefore, Chapter 6 of the proposed Old Town Design Guidelines (2019) contains detailed design guidelines for rooftop additions on heritage buildings which reflect best



practices from Canada and the United States. These guidelines have been developed to ensure that rooftop additions are carefully designed to be compatible with the historic building while also clearly distinguishable and subordinate in terms of scale, siting and finishing materials. The provision of a rooftop addition should also result in the conservation of the heritage building to the greatest extent possible. Therefore, the Old Town Design Guidelines (2019) are intended to be used in tandem with the *Standards & Guidelines for the Conservation of Historic Places in Canada*, which is a federal government resource (Parks Canada) that provides sound, practical and result-oriented guidance to achieve good conservation practice of heritage resources across Canada. The roof top addition guidelines have also been developed based on the *U.S. National Parks Service Preservation Brief #14*, which provides design guidance for new exterior additions to Historic Buildings.

#### 5. Application within Development Permit Areas and Heritage Conservation Areas

Appendix A of the *Official Community Plan* (2012) identifies areas of the city that are designated as Development Permit Areas (DPA) and Heritage Conservation Areas (HCA). Each DPA and HCA contains a list of guidelines that development applications must be consistent with. Old Town is primarily contained within DPA 1(HC): Core Historic, except for the area along the waterfront which is contained within a portion of DPA 9(HC): Inner Harbour (Attachment D). This means that all new buildings or additions to non-heritage buildings within Old Town are subject to a development permit, while any addition to a heritage building is subject to a heritage alteration permit. In both cases, permit applications are currently reviewed against the guidelines. Therefore, the implementation of the Old Town Design Guidelines (2019) will require an amendment to the *Official Community Plan* to reference the new guidelines in DPA 1(HC): Core Historic and DPA 9(HC): Inner Harbour.

#### 6. Consultation

The process to review and update the Old Town Design Guidelines (2019) included the establishment of a 14-person working group composed of two self-appointed representatives from each of the following organizations: Victoria Downtown Residents Association, Heritage Advisory Panel, Advisory Design Panel, Urban Development Institute, Hallmark Heritage Society, Victoria Civic Heritage Trust and the Downtown Victoria Business Association. The project was led by a joint team of City staff with consulting assistance from Mr. Steve Barber, the City's former Senior Heritage Planner.

The Working Group met three times throughout the process including a detailed walking tour of Old Town and provided a highly-valuable role through informing the proposed guidelines, confirming the project scope, identifying initial areas for improvement, providing general feedback, sharing technical information and reviewing the draft guidelines prior to undertaking broader public engagement. Working Group members were also responsible for communicating project information with their respective organizations.

The broader public consultation and engagement process included a public open house on December 11, 2018 that was attended by over 50 people. Notice of the public open house was sent to and promoted by each of the organizations represented in the Working Group. Additional feedback was also received through the project website and individual presentations to the Victoria Downtown Residents Association, Victoria Civic Heritage Trust, Heritage Advisory Panel and the Advisory Design Panel. All comments received (Attachment D) were reviewed by staff, and where appropriate, further refinements were made to the draft guidelines. Staff have also recently received correspondence from the various project stakeholders that outline their overall support and endorsement for the Old Town Design Guidelines (Attachment F).



7. Rescinding Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs

The project scope for reviewing and updating the Old Town Design Guidelines included the opportunity to incorporate and build upon relevant design guidelines from the *Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs* (Attachment C), which have been in place since 1983. This means that most of the design guidelines for Chinatown are now contained in one document and presented in a consistent manner. Therefore, staff are proposing that Council rescind the previous *Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs* following approval of the Old Town Design Guidelines (2019) and the subsequent OCP Amendment Bylaw which would remove reference to the *Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs* from DPA 1(HC): Core Historic).

8. Consultation on OCP Amendment Bylaw

In accordance with the *Local Government Act*, when an amendment is proposed to the OCP, the local government (Council) must, in addition to the public hearing, provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. Specifically, Council must:

- (a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing; and
- (b) specifically consider whether consultation is required with the following:
  - (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;
  - (ii) the board of any regional district that is adjacent to the area covered by the plan;
  - (iii) the council of any municipality that is adjacent to the area covered by the plan;
  - (iv) first nations;
  - (v) boards of education, greater boards and improvement district boards;
  - (vi) the Provincial and Federal governments and their agencies.

Given that the Old Town Design Guidelines (2019) will only apply in Old Town, staff recommend that Council consider “persons affected” by the proposed OCP amendments to encompass not only Old Town property owners and residents, but also the local downtown business community, development industry and heritage community.

Based on the extensive level of consultation that has occurred with the development of the proposed Old Town Design Guidelines (2019), staff recommend that the consultation opportunity consist of the proposed Old Town Design Guidelines (2019) and a copy of the proposed OCP Amendment Bylaw being made available on the City of Victoria website for a period of two weeks; and in addition, sending electronic copies of the proposed guidelines and the bylaw to each organization on the Working Group, as well as, to the surrounding neighbourhoods of Burnside, James Bay and Victoria West.

The City website will identify the appropriate staff person who can provide further information, answer questions, and receive comments from the community. A report on the results of this consultation, including any resulting changes to the proposed Old Town Design Guidelines (2019), will be provided to Council at the time the OCP Amendment Bylaw is presented for first reading.

Given the limited application of the guidelines within Old Town, and in consideration of section 475(2)(b) of the *Local Government Act*, staff do not recommend additional consultation with the Capital Regional District, First Nations, Island Health, adjacent municipalities, school boards or other levels of government.



## OPTIONS AND IMPACTS

### Option 1 (Recommended):

Approve in principle the Old Town Design Guidelines – New Buildings and Additions to Existing Buildings (2019), direct staff to prepare an Official Community Plan Amendment Bylaw and seek additional feedback through the City website prior to advancing the OCP Amendment Bylaw to a meeting of Council for consideration of first and second reading and a public hearing.

This option will allow a final opportunity for comments and consideration at a public hearing in a timely manner, so the guidelines can take effect.

### Option 2:

Approve in principle the Old Town Design Guidelines – New Buildings and Additions to Existing Buildings (2019), direct staff to prepare an Official Community Plan Amendment Bylaw and seek additional feedback through a more robust consultation process that includes use of the City website, as well as, a public open house for downtown residents, Old Town property owners, development industry and local heritage organizations prior to advancing the OCP Amendment Bylaw to a meeting of Council for consideration of first and second reading and a public hearing

This option is not recommended given an open house was recently held and given the extensive consultation to date.

### ***Accessibility Impact Statement***

The Old Town Design Guidelines (2019) detailed in this report do not have any impacts on accessibility.

### ***2015 – 2018 Strategic Plan***

This project supports Objective 3: Strive for Excellence in Planning and Land Use, as the updated Old Town Design Guidelines (2019) are anticipated to provide improved clarity and guidance to property owners, designers and developers; thereby, supporting higher-quality and context-sensitive building designs within Old Town. The project also supports Objective 5: Create Prosperity Through Economic Development, as the on-going conservation and adaptive reuse of heritage buildings within Old Town serves to strengthen the area's role as a hub for commercial activity, tourism and downtown living.

### ***Impacts to Financial Plan***

Approval and implementation of the Old Town Design Guidelines (2019) will not have any impacts to the *Financial Plan*.

### ***Official Community Plan Consistency Statement***

This project is consistent with the *Official Community Plan* (2012) which supports a balance between new development and heritage conservation (policy 8.1) in addition to ensuring that consideration is given to the heritage value and special character of areas, districts, streetscapes, cultural landscapes and individual properties in local area plans and related studies (policy 8.5).

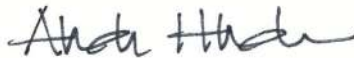
## CONCLUSIONS

The proposed Old Town Design Guidelines (2019) have been recently developed in response to Council direction and now contain more comprehensive and detailed design guidelines for new buildings and additions to existing (heritage and non-heritage) buildings within Old Town. The proposed guidelines have been refined based on recent feedback received through the Working Group and from the public engagement process. Reporting back to Council with the related Official Community Plan Amendment Bylaw, following a focused public consultation process, allows Council to consider additional feedback prior to first and second reading of the bylaw and a subsequent public hearing.

Respectfully submitted,



Robert Batallas, Senior Planner  
Community Planning Division

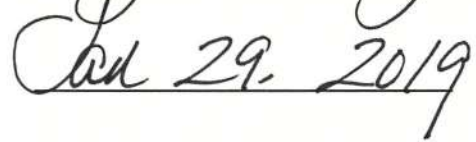


Andrea Hudson, Acting Director  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:



Date:



### List of Attachments:

- Attachment A: Draft Old Town Design Guidelines - New Buildings and Additions to Existing Buildings (2019)
- Attachment B: Design Guidelines: Old Town, Victoria, BC – New Buildings and Additions to Non-Heritage Buildings (2006)
- Attachment C: Chinatown Guidelines for Buildings, Canopies, Landscaping, Colours & Signs (1983)
- Attachment D: Old Town Design Guidelines Boundary Map
- Attachment E: Summary of Public Engagement Comments
- Attachment F: Stakeholder Letters and Motions