



Mayor Helps and Council
City of Victoria
No.1 Centennial Square
Victoria, BC, V8W 1P6

18 May 2021

Re: 836 Yates, Yates Centre – Development Permit w/ Variance + Heritage Alteration Permit w/ Variance

Dear Mayor Helps and Council,

The DRA LUC understands that the City is considering a Heritage Alteration Permit with Variance application and a Development Permit with Variance application to install a new fence and gate at 836 Yates Street. The proposal requires a variance to the height of the fence. The DRA LUC has reviewed the applicant's plans dated 27 Jan 2021 and letter to Development Services that are posted on the Development Tracker and we are providing the following feedback.

The gate and fencing design may be complimentary to the architectural features of the designated facade of the heritage building, however the proposal sidesteps the issue of the blocking of an established public through-block access. When Chard's project at 848 Yates Street was approved, the City obtained a statutory right of way to expand and integrate with the existing through block walkway at 836 Yates; providing an upgraded community amenity. Safety concerns were addressed by applying CPTED principles to include residential entrances and patios along the walkway at 848 Yates and a covenant was obtained to insure the security gates approved for that application remained open to the public between 7:00 am and 10:00 pm.

It is evident that this proposal does not meet the intent of the originally approved design, as what we have now are two separate unintegrated walkways that are closed to the public 24/7. Through-block pedestrian connections are key to building liveability in our densely developed Downtown Harris Green area. While some walkways have seen temporary closures at the height of the first wave of the pandemic, they have largely returned to daily opening with closure and private access only at night. There is little reason to support the kind of permanent gating off that is being proposed here as a solution.

It appears that without city approvals the gate and fence line have been moved right up to the property line at the street contrary to the originally approved design. The original design included coordinated gates on both properties, with no fencing or concrete/stone wall between them, creating a kind of parklet or patio space at the street with the gate/fence recessed between the buildings.

We are also aware that there are two people in wheelchairs, along with others who have different mobility issues living at 834 Johnson Street. This application, if approved as proposed, will contribute to the blocking off of a through-block pedestrian walkway. This is additionally problematic particularly when the Yates Street side literally exits in front of a bus stop.

Through-block walkways are important components of the DCAP Design Guidelines and the City's Transportation plans. The Pedestrian Network identifies this route as a "Key Pedestrian Connection". Any impediment to their implementation is a step backward. As such, we suggest that if the applicant wishes to install gates and fencing, they revert to the original plan to coordinate with the gate and fencing designs at 848 Yates to create the public amenity that the City supported and approved. The walkway should be open, well lit, well maintained and public access should be re-established from 7am to 10pm. If the applicant is no longer interested in participating in the coordinated upgrade of the walkway, we strongly recommend that the City decline the applications and insist that the unauthorized gates and fencing are removed from the heritage property.

The developers of both properties made commitments to provide this small but significant public amenity and the community expects the City to ensure that it is fully executed and upheld as proposed.

Attached: Images of the existing situation

Sincerely,

A handwritten signature in black ink, appearing to read 'Ian Sutherland', with a stylized, cursive flourish at the end.

Ian Sutherland
Chair Land Use Committee, Downtown Residents Association

From Yates Street



Along property line between 836 and 848 Yates



From Johnson Street

