



## Committee of the Whole Report

### For the Meeting of May 7, 2020

**To:** Committee of the Whole **Date:** May 1, 2020

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00678 for 601 Trutch Street

### RECOMMENDATION

That Council decline Rezoning Application No. 00678 for the property located at 601 Trutch Street.

### LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 601 Trutch Street. The proposal is to rezone an existing heritage designated property from the R1-B Zone, Single Family Dwelling District to a site specific zone to allow for additional dwellings on the property. In addition to multiple units within the heritage house, a new two-storey two-unit (duplex) is proposed for the northeast corner of the property, adjacent to the rear lane, and one additional dwelling unit is proposed through an alteration of an existing building on the southeast corner of the property, also adjacent to the rear lane.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Official Community Plan, 2012* (OCP) Traditional Residential Urban Place Designation in terms of use and density and would add to the diversity of housing within the neighbourhood
- the proposal is inconsistent with the *Fairfield Neighbourhood Plan, 2019* which contemplates ground-oriented infill housing, such as laneway housing, when associated with a commitment to heritage conservation; however, the subject property and existing house are already heritage designated and the applicant has not offered any additional commitment to heritage conservation that would justify consideration of additional

density or laneway housing infill

- under the current House Conversion Regulations of the *Zoning Regulation Bylaw* the house is eligible for three suites based on the amount of floor area. Under the proposed conversion regulations the building would be eligible for five suites if the rental tenure were also secured through a housing agreement
- when assessed against the Garden Suite Policy, the proposal is inconsistent with the policy direction that envisions garden suites as single dwelling units located on lots where the principal use is a single family dwelling.
- several large Garry Oak trees, which are protected under the Tree Preservation Bylaw and the property's heritage designation bylaw, may be impacted by site servicing requirements associated with the proposal.

Because of a number of inconsistencies with City policies, the staff recommendation is to decline the proposal; however, an alternate motion is provided below should Council wish to consider approving the application.

## **BACKGROUND**

### **Description of Proposal**

This Rezoning Application is to allow for a combination of uses on an existing heritage designated property, including seven dwellings within the heritage house, conversion of an existing accessory building to a dwelling unit (Building A) and construction of a new two-unit, two-storey (duplex) building adjacent to the rear laneway (Building B).

The following differences from the standard R1-B Zone, Single Family Dwelling District, are being proposed and would be accommodated in the new site specific zone, if Council advances the application for further consideration:

- increase the number of dwelling units that can be created as a result of house conversion
- permit one or more laneway housing units which could be attached (e.g. duplex) or detached
- increase the maximum combined floor area for all buildings on the lot from 300m<sup>2</sup> to 424m<sup>2</sup>

In addition, several variances are proposed and will be discussed in relation to the concurrent Heritage Alteration Permit with Variances Application.

### **Affordable Housing**

The heritage building currently includes seven self-contained units, of which three are legally permitted. The applicant proposes the legalization of the other four units within the heritage building and creation of three new residential units which would increase the overall supply of housing in the area. The applicant has indicated the intent to provide these units as rental but has not offered a housing agreement to secure the rental tenure or a general rent level for the dwelling units; however, should Council advance the application, the property would be added to Schedule N – Residential Rental Tenure of the *Zoning Regulation Bylaw*.

## Tenant Assistance Policy

The tenants of the seven existing units within the heritage designated building would not be impacted by this development.

## Active Transportation

The application proposes five lockers for bike storage located at the rear of the heritage building. Staff suggested the applicant consider a common bicycle parking room, rather than individual lockers, as the proposed lockers do not meet the *Zoning Regulation Bylaw's* Schedule C requirements for long-term bicycle parking and could be used for general storage.

## Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Rezoning Application.

## Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings.

## Land Use Context

The area is characterized by single family dwellings and house conversions. Nearly all the houses on Trutch Street are either heritage registered or designated.

## Existing Site Development and Development Potential

The site is comprised of two legal lots. Both the property and house are protected under Heritage Designation Bylaw No. 82-1. The heritage house was originally converted to one suite and seven housekeeping units in 1959 and then to four suites and five housekeeping units in 1982. At some point it was converted without permits to its current configuration with seven self-contained suites.

Under the current R1-B Zone and Schedule G – House Conversion Regulations, the house could be converted to three self-contained suites based on the existing floor area of the building. Under the proposed House Conversion Regulations, if approved by Council, the house could be converted to five self-contained suites.

## Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District, Schedule G – House Conversion Regulations and Schedule M – Garden Suites. An asterisk is used to identify where the proposal doesn't meet the existing zoning regulations. A double asterisk indicates an existing non-conforming condition.

Zoning Criteria - All Buildings	Proposed	Zone Standard R1-B
Site area (m <sup>2</sup> ) - minimum	1523.00	460.00
Density (Floor Space Ratio) - maximum	0.28:1	n/a

Total floor area (m <sup>2</sup> ) - maximum	<b>325** (existing house)</b> <b>27 (Building A – one unit)</b> <b>72 (Building B – two units)</b> <b>424* (total)</b>	300
Height (m) - maximum	Existing	7.6
Storeys - maximum	2	2
Site coverage (%) - maximum	24.00	40.00
Vehicle parking - minimum	<b>3*</b>	10
Visitor vehicle parking included in the overall units - minimum	1	1
<b>Bicycle parking stalls</b> - minimum		
Long Term	0	0
Short Term	4	0
<b>Zoning Criteria – Main Building (House Conversion)</b>	<b>Proposed</b>	<b>Zone Standard Schedule G – House Conversion Regulations</b>
Number of dwelling units based on floor area	<b>7*</b>	3
<b>Setbacks</b>		
Front (Trutch Street)	25.90	7.5
Rear (south)	<b>0.1**</b>	12.49 (25% of lot depth)
Side (north)	6.1	3.5
Side (south)	5.8	3.5
<b>Zoning Criteria - Building A (Existing Laneway Building)</b>	<b>Proposed Zone</b>	<b>Zone Standard Schedule M – Garden Suites</b>
Principle Building Use	<b>Multiple Dwelling*</b>	Single Family Dwelling
Location	<b>Side*</b>	Rear
Combined Floor Area	27	56
Height	2.9	5.5
Storeys	1	1.5
Rear Setback	0.6	0.6
Side Setback	<b>0.46**</b> <b>0.57* (addition)</b>	0.6

Separation space	3.51	2.4
Rear yard site coverage	n/a	25
<b>Zoning Criteria - Building B (New Duplex Laneway Building)</b>	<b>Proposed Zone</b>	<b>Zone Standard Schedule M – Garden Suites</b>
Principle Building Use	<b>Multiple Dwelling*</b>	Single Family dwelling
Location	<b>Side*</b>	Rear
Combined Floor Area	<b>72*</b>	56
Height	5.06	5.5
Storeys	<b>2*</b>	1.5
Rear Setback	0.6	0.6
Side Setback	0.6	0.6
Separation space	<b>1.8*</b>	2.4
Roof deck	<b>Yes*</b>	No

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on September 13, 2018. A summary of the meeting is attached to this report.

## ANALYSIS

### Official Community Plan

The *Official Community Plan* (OCP, 2012) Urban Place Designation for the subject property is Traditional Residential, which supports ground-oriented residential uses. The OCP states that new development may have a density of generally up to 1:1 FSR and up to two storeys in height. The proposal is generally consistent with these broad guiding policies; however, the OCP also notes that within each designation there will be a range of built forms and that decisions about the appropriate form and scale of a building for a particular site will be based on an evaluation of the context in addition to consistency with OCP policies, other relevant City policies and local area plans.

The construction of three new housing units supports the broad objectives of Section 13: Housing and Homelessness, which encourage a wide range of housing choice within neighbourhoods and the expansion of rental housing supply through regeneration. The three units range in size, which generally meets Section 13 policies on housing diversity and supporting a range of housing types across the city.

## **Fairfield Neighbourhood Plan**

The *Fairfield Neighbourhood Plan* (2019) also envisions ground-oriented housing at this location and recommends consideration of additional density and alternate forms of housing as incentives for protection and conservation of houses with heritage merit. The subject property and existing house are already heritage designated and the applicant has not offered any additional commitment to heritage conservation that would justify consideration of additional density or laneway housing infill. Furthermore, while laneway housing is contemplated in the neighbourhood plan, the proposed dwellings (Building A and B) do not address the rear lane, enhance the pedestrian environment or provide sufficient space for new tree planting, which is strongly encouraged in the plan.

## **House Conversion Regulations**

The current House Conversion Regulations would only permit three self-contained units based on the 325m<sup>2</sup> of floor area. If approved, the proposed House Conversion Regulations would reduce the floor area per unit requirements for buildings that are subject to heritage designation. Based on the proposed regulations the house could be converted to five self-contained suites. Therefore, the proposed seven suites is inconsistent with both the existing and proposed House Conversion Regulations.

## **The Garden Suite Policy and Guidelines (2017)**

The *Garden Suite Policy and Guidelines* (2017) are useful in assessing this application. Under the Policy, only properties with a single family detached dwelling and no existing secondary suites are eligible for a garden suite. The subject property has seven existing rental units and is not eligible for one or more garden suites. Furthermore, a garden suite is envisioned as a small, ground-oriented, unit that is ancillary to the single family dwelling. The Policy does not contemplate more than one garden suite on a lot nor a two-unit garden suite. Therefore, the proposed Buildings A and B are not considered supportable when assessed against the *Garden Suite Policy and Guidelines*.

## **Tree Preservation Bylaw and Urban Forest Master Plan**

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This application was received prior to October 24, 2019, and therefore falls under *Tree Preservation Bylaw No. 05-106* (consolidated June 1, 2015). There are two large bylaw protected Garry oaks in the front yard of the subject lot and three municipal trees in the boulevard along Trutch Street. No site servicing plan has been provided as part of the application. Staff are concerned that the extension of new services from Trutch Street to the proposed development at the rear of the lot could negatively impact these trees. Should Council choose to advance the application, staff recommend the applicant provide an arborist report to demonstrate how services will be installed and trees retained to the satisfaction of staff. The project arborist will need to review the scope of the project and provide mitigation measures to reduce potential impacts to trees and ensure they are retained long-term, in good vitality. The alternate motion includes the appropriate language for Council's consideration.

There are currently no trees proposed for removal or to be planted.

## Statutory Right-of-Way

To help achieve a standard width for the rear lane the applicant is willing to offer a 0.56m wide statutory right-of-way (SRW). The appropriate wording to secure the SRW has been added to the alternate motion should Council choose to advance the Application to a Public Hearing.

## CONCLUSIONS

The subject property is already heritage designated, and the applicant has not proposed any additional commitment to heritage protection; therefore, the proposal to increase the number of dwellings within the existing house conversion while adding three additional dwelling units adjacent to the rear lane is not fully aligned with the OCP and Fairfield Neighbourhood Plan.

Furthermore, the proposal is inconsistent with the Garden Suite Policy, existing and proposed House Conversion Regulations, and could potentially negatively impact the bylaw protected trees and heritage landscape of the site due to servicing. Due to the number of inconsistencies with City policies, staff recommend that the application be declined. However, an alternate motion is provided below should Council wish to consider approving the application.

## ALTERNATE MOTION

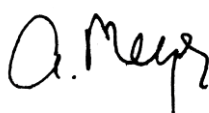
That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00678 for 601 Trutch Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. preparation and execution of legal agreements to secure a 0.56 metre wide statutory right-of-way adjacent to the rear lane, to the satisfaction of the Director of Engineering and Public Works
2. preparation of an arborist report to demonstrate how trees will be retained to the satisfaction of the Director of Parks, Recreation and Facilities.

Respectfully submitted,



Alec Johnston  
Senior Planner  
Development Services Division



Karen Hoese, Director  
Sustainable Planning and Community  
Development Department



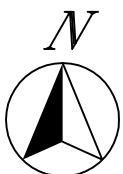
Report accepted and recommended by the City Manager:

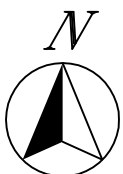


Date: \_\_\_\_\_

## List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 29, 2019
- Attachment D: Letter from applicant to Mayor and Council dated November 29, 2019
- Attachment E: Community Association Land Use Committee Meeting Summary
- Attachment F: Heritage Advisory Panel Minutes
- Correspondence (Letters received from residents).





601 Trutch Street  
Rezoning No.00678



key  
architecture ltd.


2nd Floor, 1124 Fort Street, Victoria, BC, V8V 3K8  
p. 250-382-3823 e. info@keyarchitecture.com

COMMENTS

No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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**Revisions**  
Bubbled areas indicate revisions compared to the previously submitted plans  
**Received Date:**  
**November 29, 2019**

DRAWING LEGEND

- A1.0 - SITE PLAN AND DATA TABLE
- A2.0 - BUILDING A
- A3.0 - BUILDING B
- A3.1 - BUILDING B SECTION
- A4.0 - TRUTCH HOUSE FLOOR PLANS
- A5.0 - STREETSCAPES
- A6.0 - LANEWAY AND BIKE LOCKERS
- A7.0 - LANDSCAPE PLAN & SITE SERVICES

PROJECT  
**601 TRUTCH STREET  
VICTORIA, BC  
REZONING  
SECONDARY BUILDINGS**

SHEET TITLE  
**SITE PLAN &  
DATA TABLE**

SCALE  
AS SHOWN

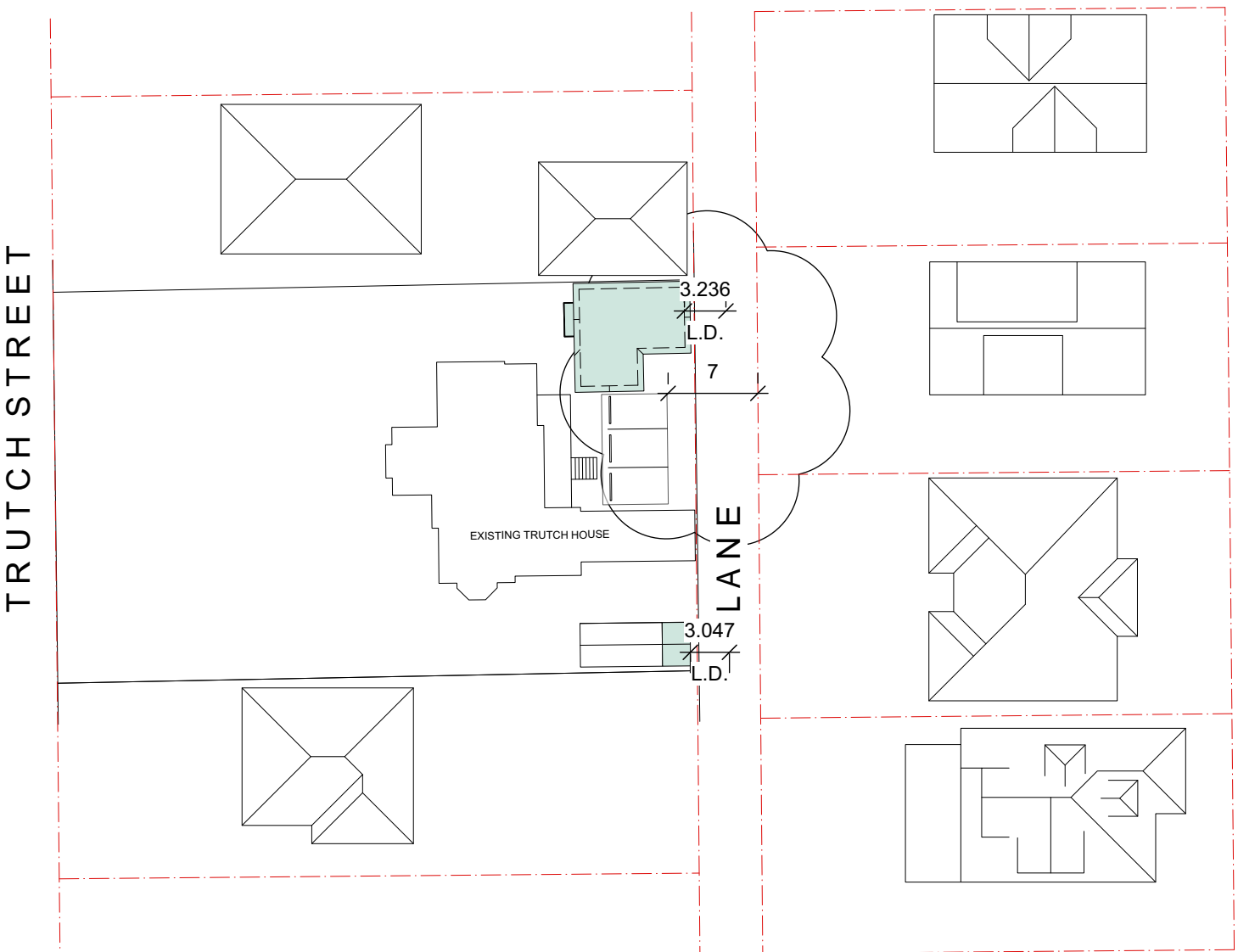
DATE PLOTTED  
November 28, 2019

DRAWN BY  
NP / JA

A 1.0

LANEWAY

2 SURVEY  
Scale: 1:250



3 CONTEXT PLAN  
Scale: 1:500

PROJECT INFORMATION TABLE

	EXISTING	PROPOSED
ZONE:	R1-B	SITE SPECIFIC
LOT AREA:	1,523 SQ.M.	UNCHANGED
TOTAL FLOOR AREA:	325 SQ. M.	430 SQ. M.
BUILDING A:	25SQ.M.	27 SQ.M.
BUILDING B:		78 SQ.M.
MAIN DWELLING:	325 SQ.M.	325 SQ.M.
FLOOR SPACE RATIO:	.21	.28
SITE COVERAGE: %	20%	24%
OPEN SITE SPACE: %	78%	73%
HEIGHT OF MAIN DWELLING:	EXISTING	UNCHANGED
HEIGHT OF BUILDING A:	2.9M/1 STOREY	UNCHANGED
HEIGHT OF BUILDING B:		5.06M/1.5 STOREY
BUILDING A AVERAGE GRADE:	21M	UNCHANGED
BUILDING B AVERAGE GRADE:		19.64M
NUMBER OF STOREYS:	2	UNCHANGED
PARKING STALLS:	3	UNCHANGED
BIKE PARKING STALLS:	0	9
BUILDING SETBACKS:		
<b>BUILDING A</b>		
FRONT YARD:	40.7M	EXISTING
REAR YARD:		.6M
SIDE YARD (NORTH):		26.4M
SIDE YARD (SOUTH):	.46M	EXISTING
<b>BUILDING B</b>		
FRONT YARD:		41.2M
REAR YARD:		.6M
SIDE YARD (NORTH):		.6M
SIDE YARD (SOUTH):		22.3M
<b>EXISTING HOUSE</b>		
FRONT YARD:	25.9M	UNCHANGED
REAR YARD:	.1M	UNCHANGED
SIDE YARD (NORTH):	6.1M	UNCHANGED
SIDE YARD (SOUTH):	5.8M	UNCHANGED
RESIDENTIAL USE DETAILS		
TOTAL NUMBER OF UNITS:	4 SUITES, 5 HKEEP	10 UNITS
UNIT TYPES:	RENTAL	UNCHANGED
GROUND ORIENTATED UNITS:	4	6
MINIMUM UNIT FLOOR AREA:	32.7M2	20.9M2
TOTAL RESIDENTIAL FLOOR AREA:	296.9	396

**BUILDING A**  
AVERAGE GRADE CALCULATION  
AB-73.45  
BC-180.73  
CD-73.52  
DA-180.39

AVERAGE GRADE: 508.09/24.2=21

**BIKE Parking Calculation**  
SCHEDULE C - MULTI DWELLING - OTHER  
**LONG TERM**  
(>45m2): 7 x 1 = 7  
(45m2<): 3 x 1.25 = 3.75 = 4  
TOTAL = 11

11(REQ.) - 5(PROVIDED) = 6 (VARIANCE)

**SHORT TERM = 6**  
6(REQ.)- 4(PROVIDED) = 2 (VARIANCE)

**BUILDING B**  
AVERAGE GRADE CALCULATION  
AB-91.54  
BC-73.16  
CD-56.80  
DE-73.40  
EF-31.15  
FG-14.54  
GH-118.44  
HA-159.67

AVERAGE GRADE: 618.7/31.5 = 19.64

**Parking Calculation**  
SCHEDULE C - MULTI DWELLING - OTHER  
(>40m2): 7 x .85 = 5.95 = 6  
(40<>70m2): 2 x 1 = 2 = 2  
(70m2<): 1 x 1.45 = 1.45 = 1  
(Guest): 10 x .10 = 1 = 1

10(REQ.)- 3(PROVIDED) = 7 (VARIANCE)

TRUTCH STREET

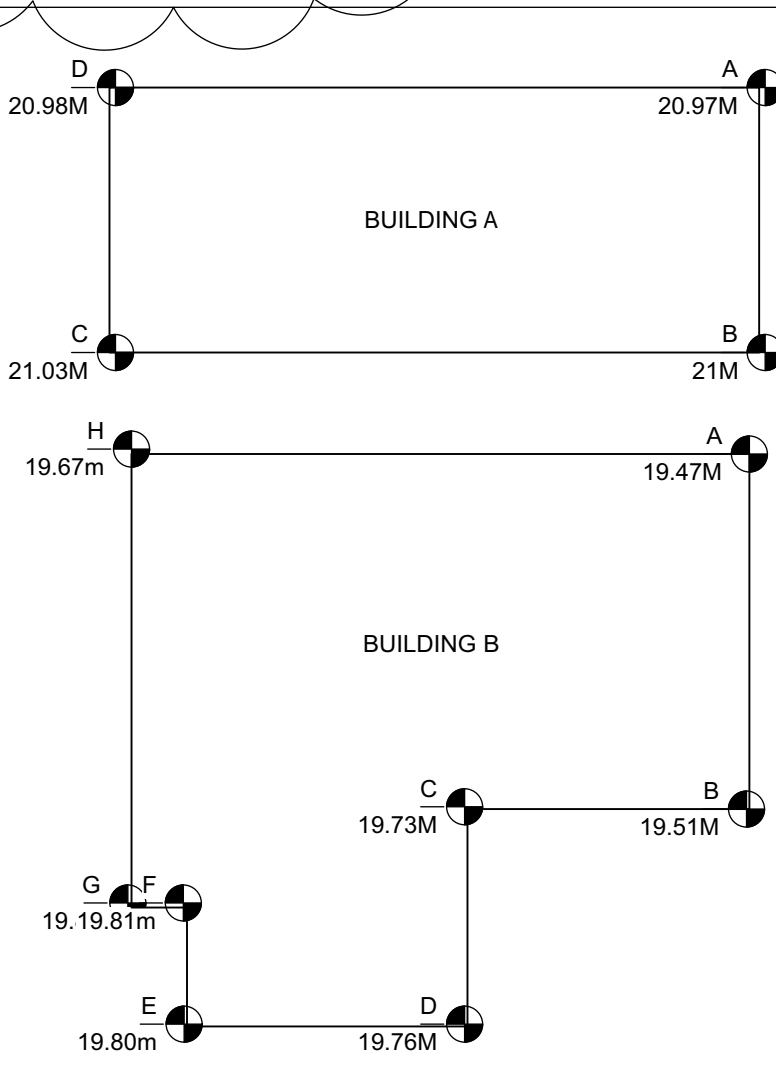
TRUTCH STREET

LINDEN AVE

1 SITE PLAN  
Scale: 1:100

CIVIC ADDRESS: 601 TRUTCH STREET  
LEGAL DESCRIPTION: LOT 33 PLAN VIP826A SECTION FFLD, DISTRICT 57, THE WESTERLY 164 OF LOT 33

AVERAGE GRADE KEY



COMMENTS

No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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PROJECT

601 TRUTCH STREET  
VICTORIA, BC

**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

**BUILDING A  
PLANS & ELEVATIONS**

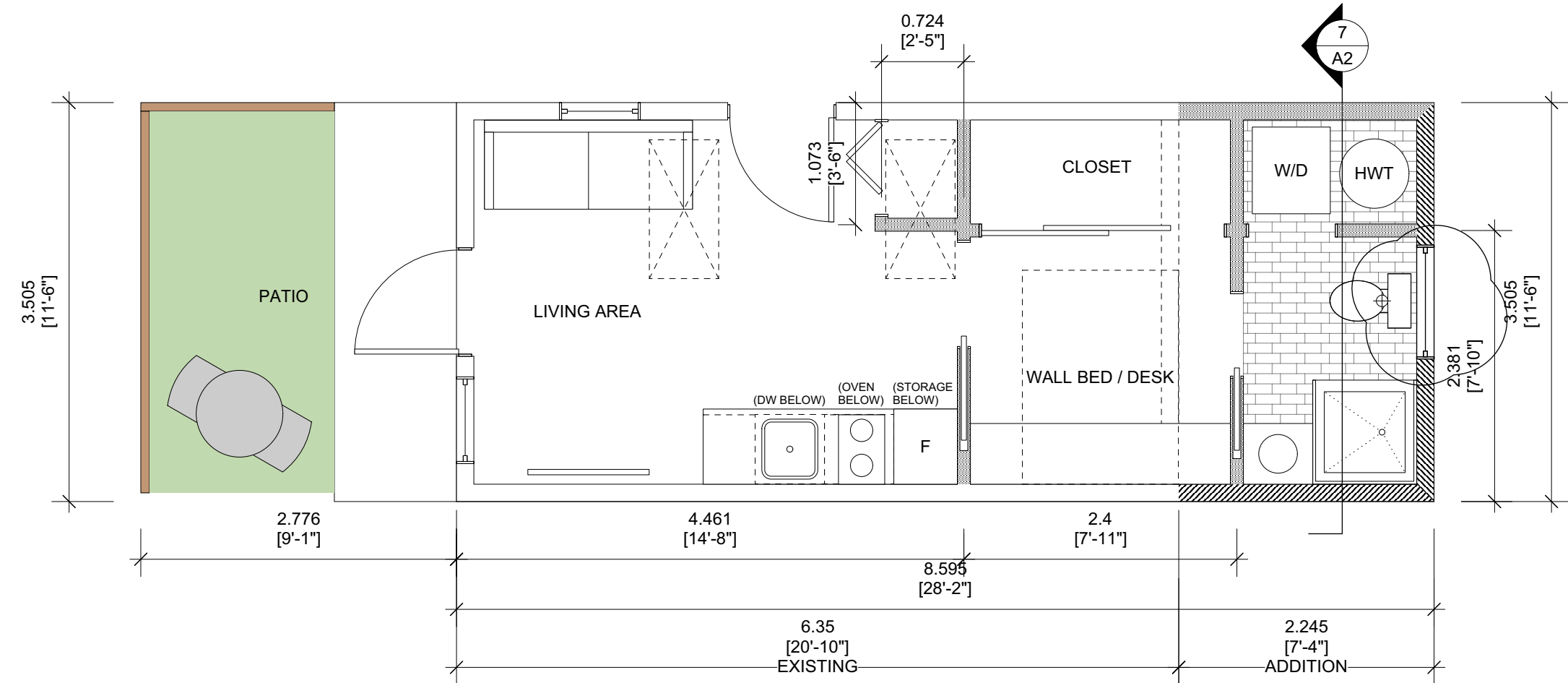
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JOB No.  
1124 - 1731

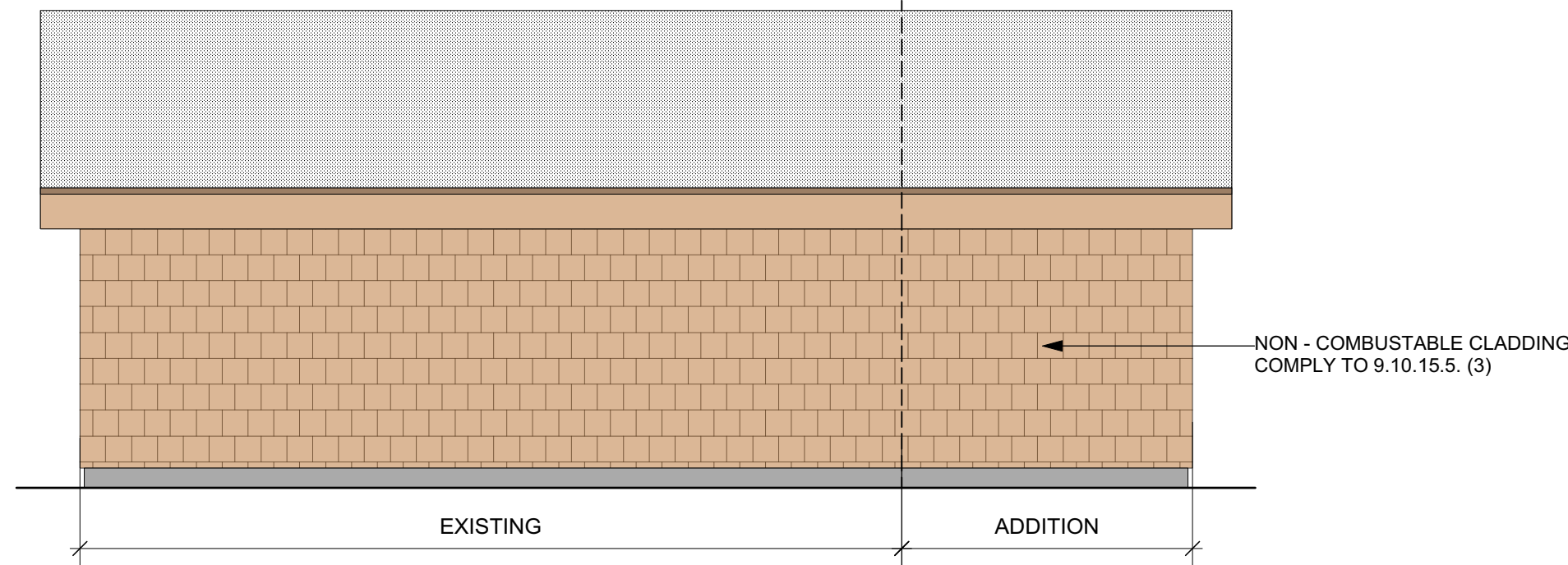
DATE PLOTTED  
November 28, 2019

DRAWN BY  
NP / JA

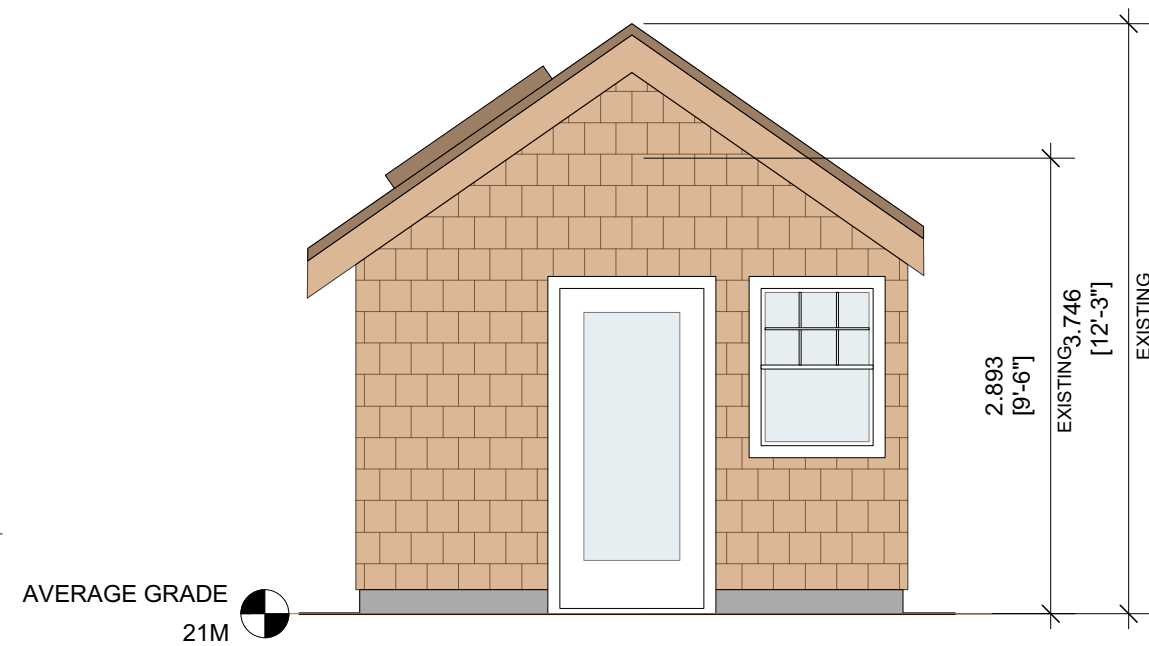
A 2.0



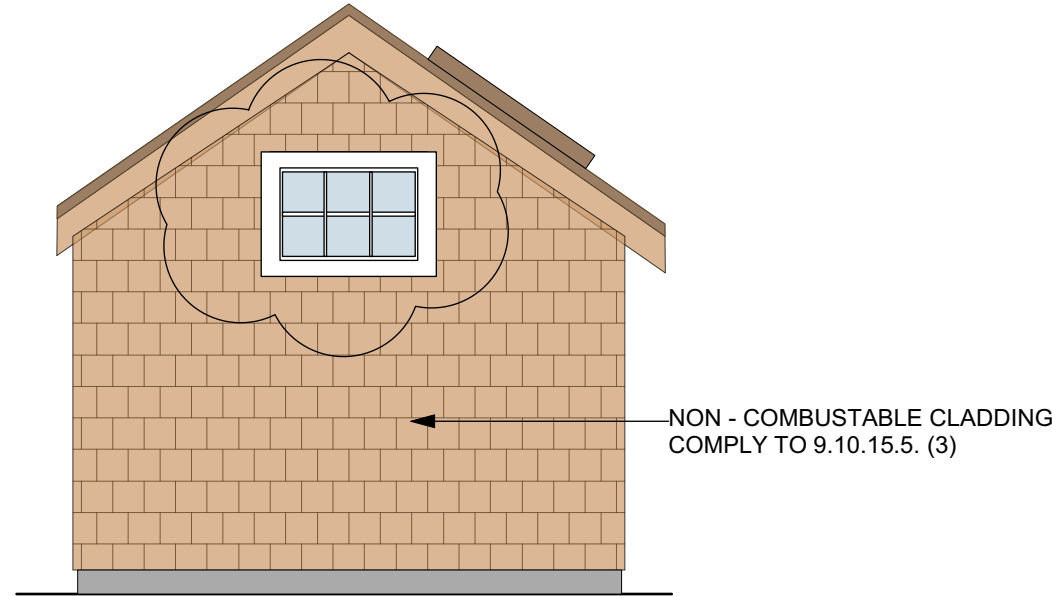
1 MAIN FLOOR PLAN  
Scale: 1:48



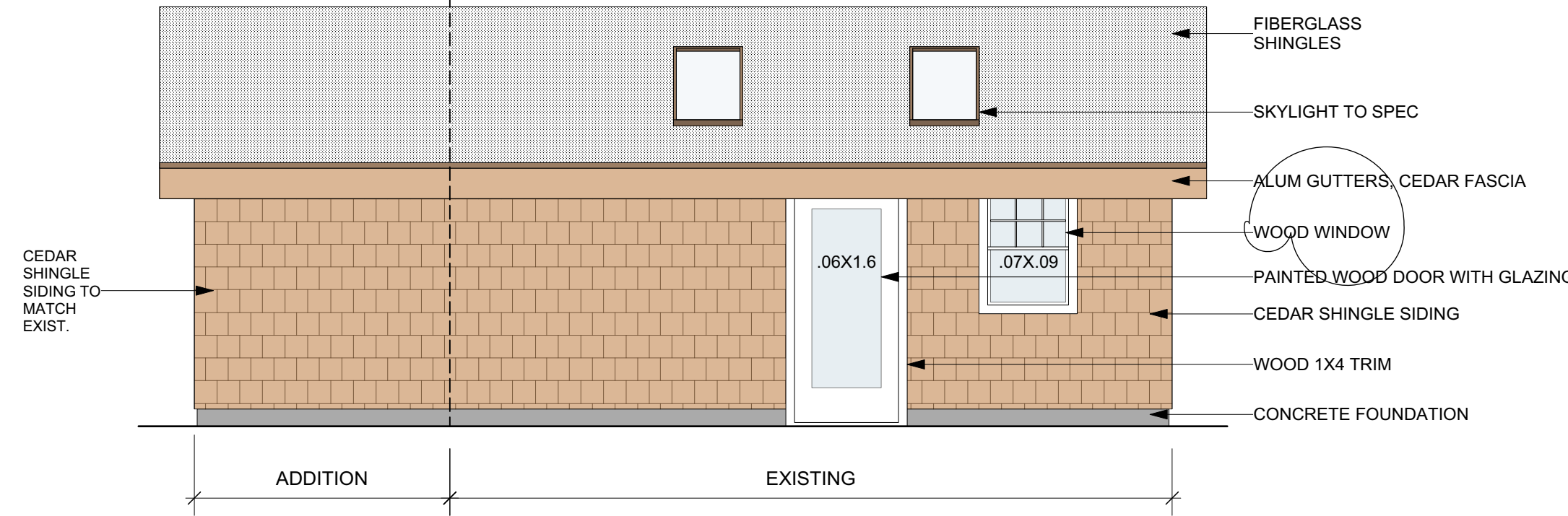
4 SIDE ELEVATION  
Scale: 1:48



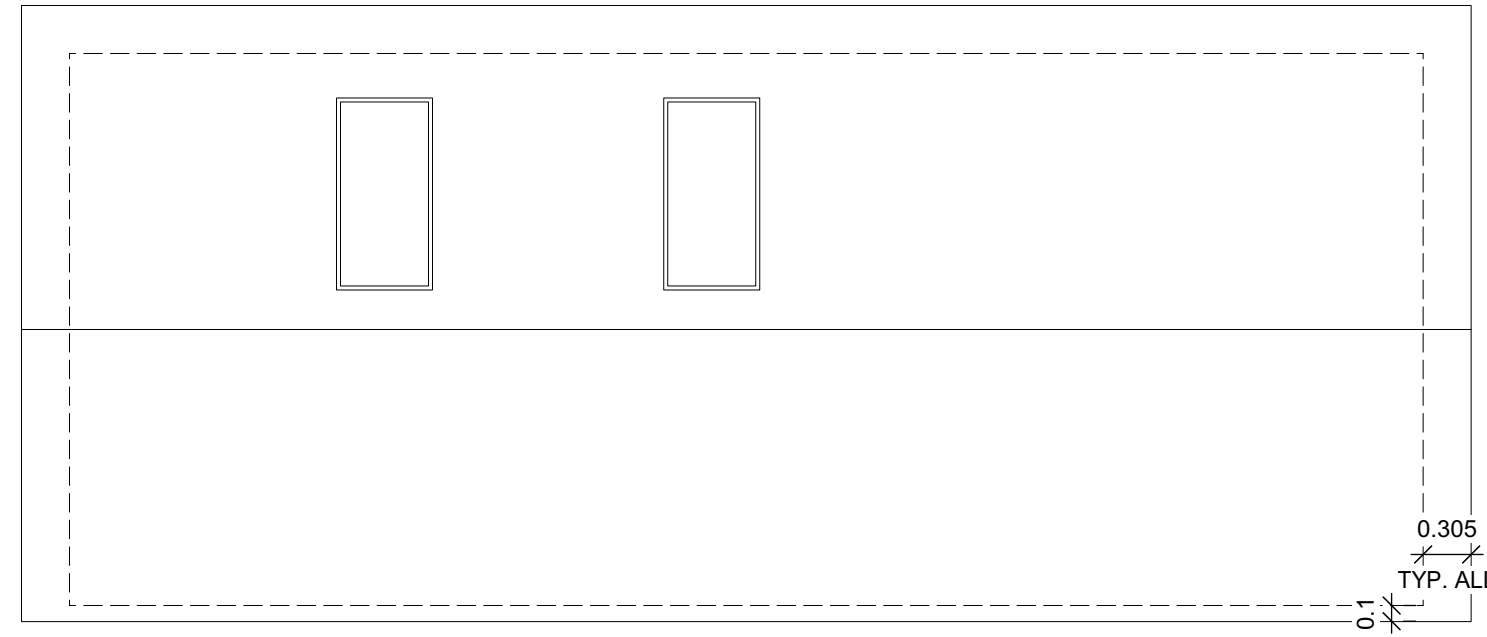
2 FRONT ELEVATION  
Scale: 1:48



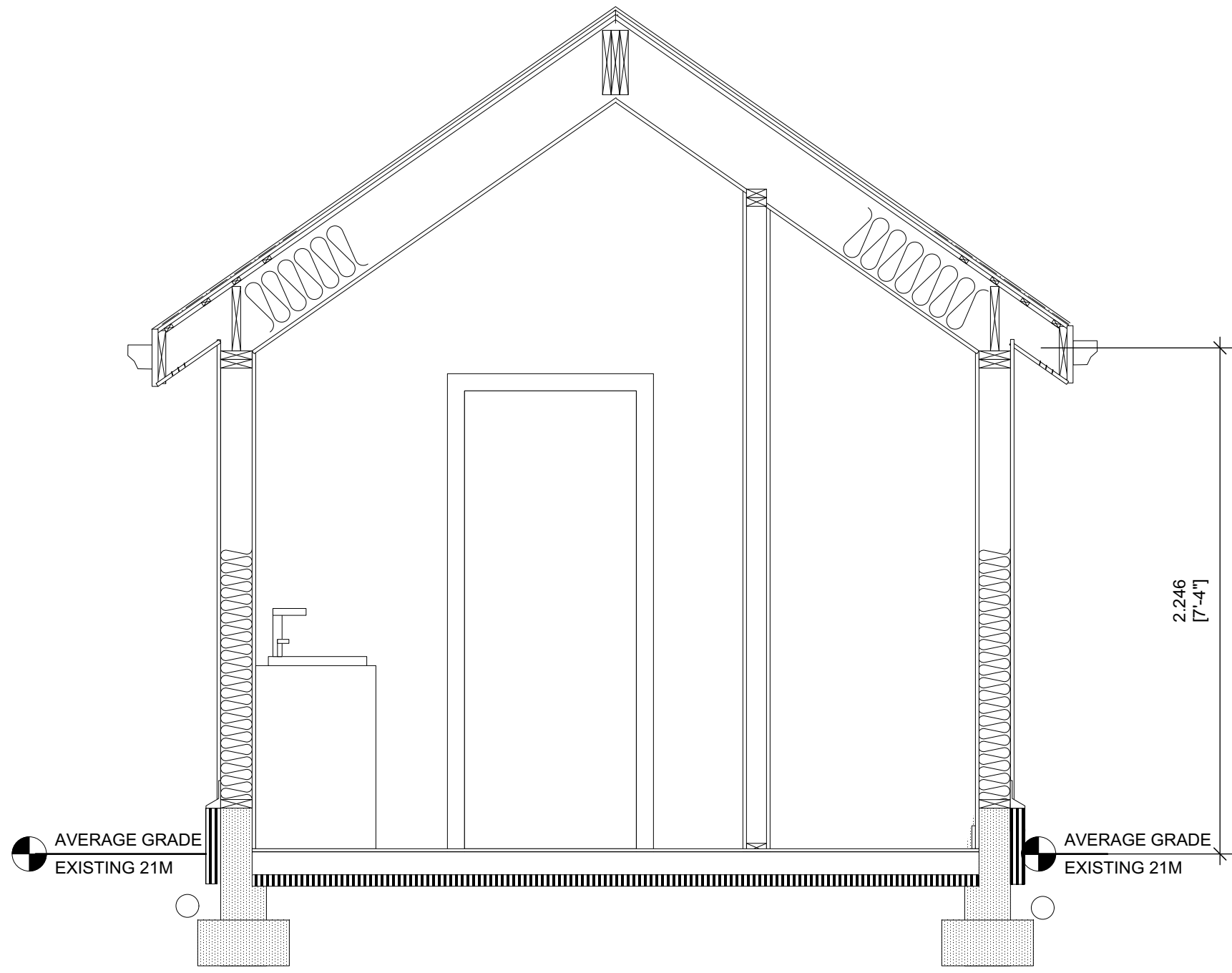
5 REAR ELEVATION (LANE)  
Scale: 1:48



3 SIDE ELEVATION  
Scale: 1:48

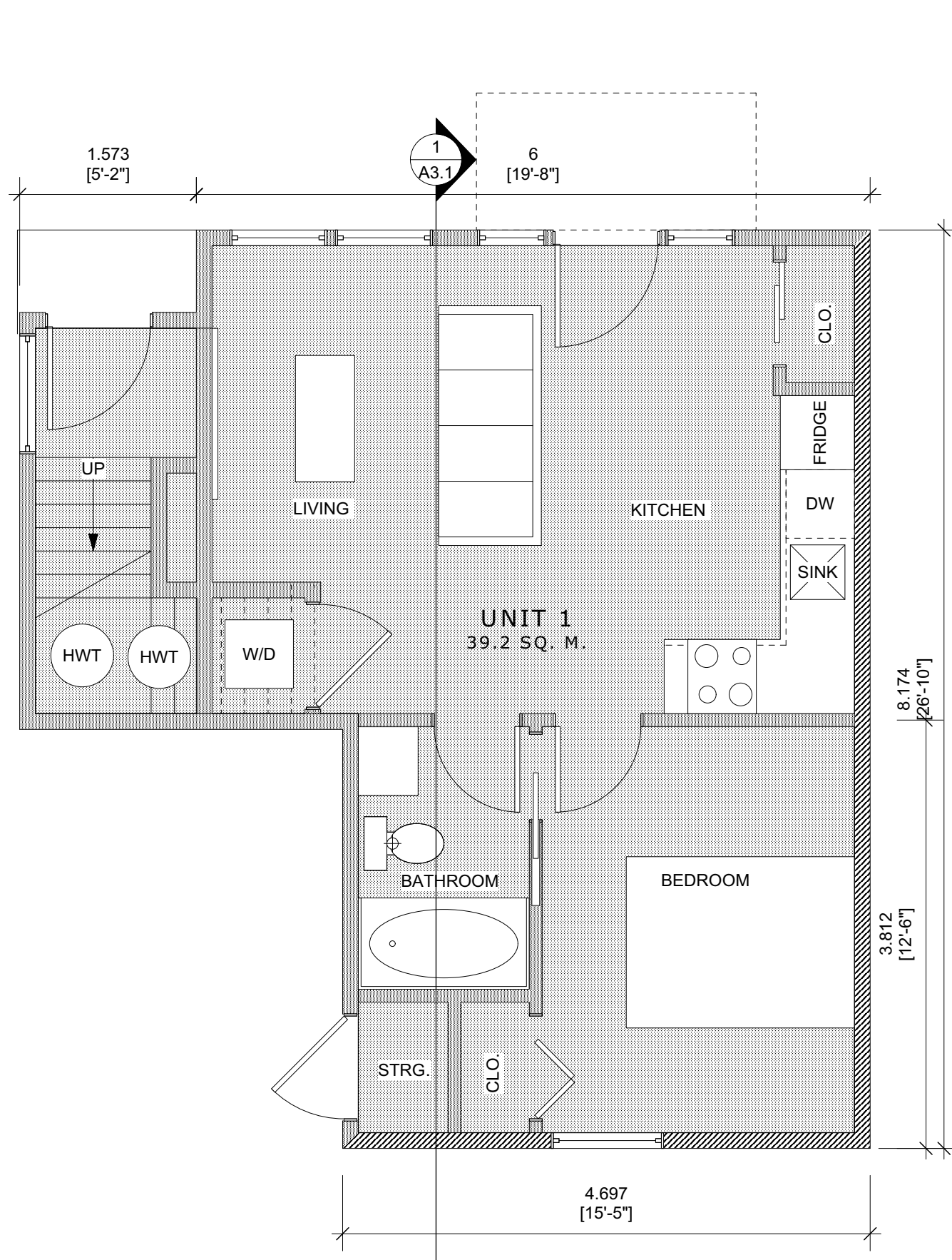


6 ROOF PLAN  
Scale: 1:48

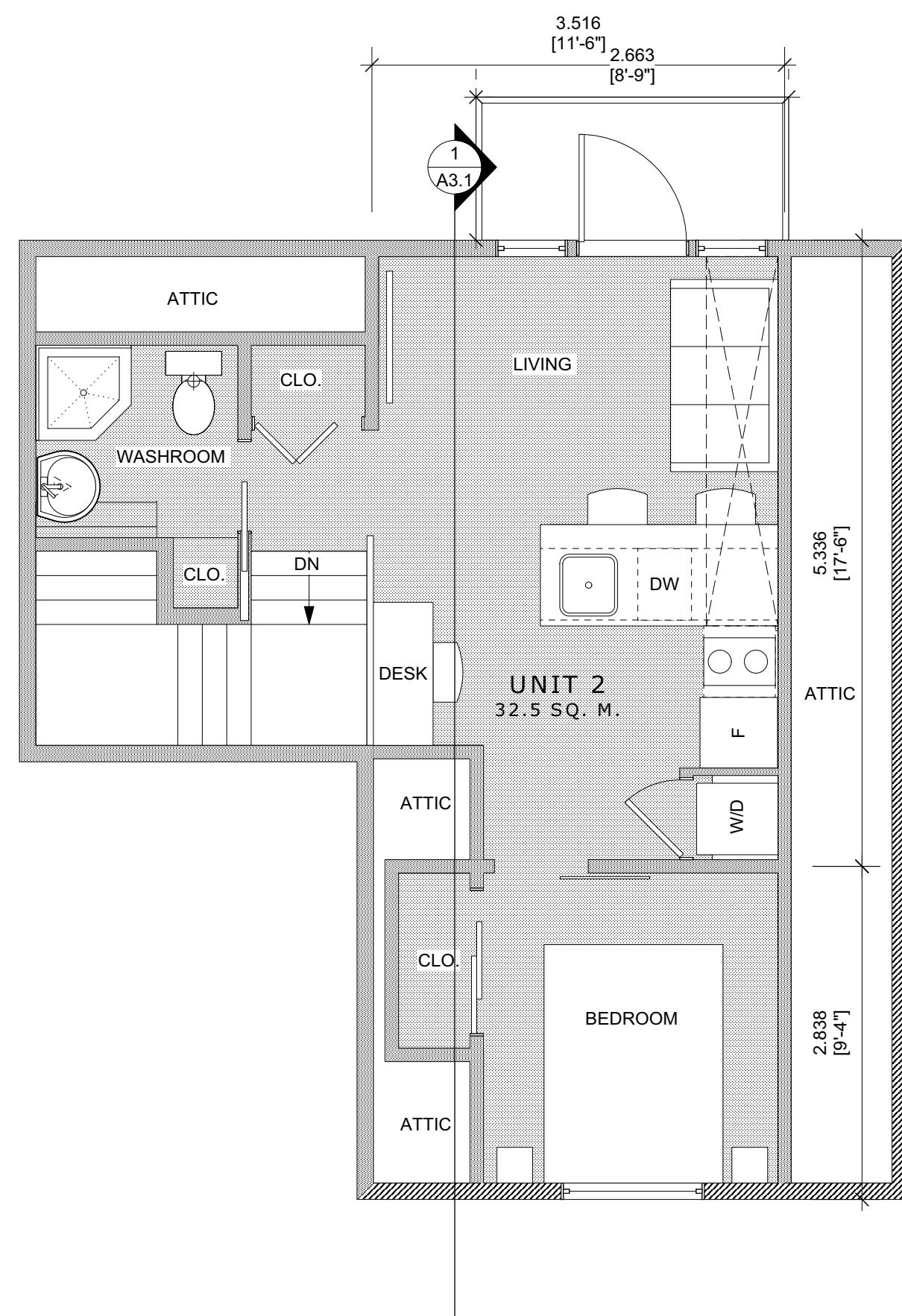


7 SECTION  
Scale: 1:24

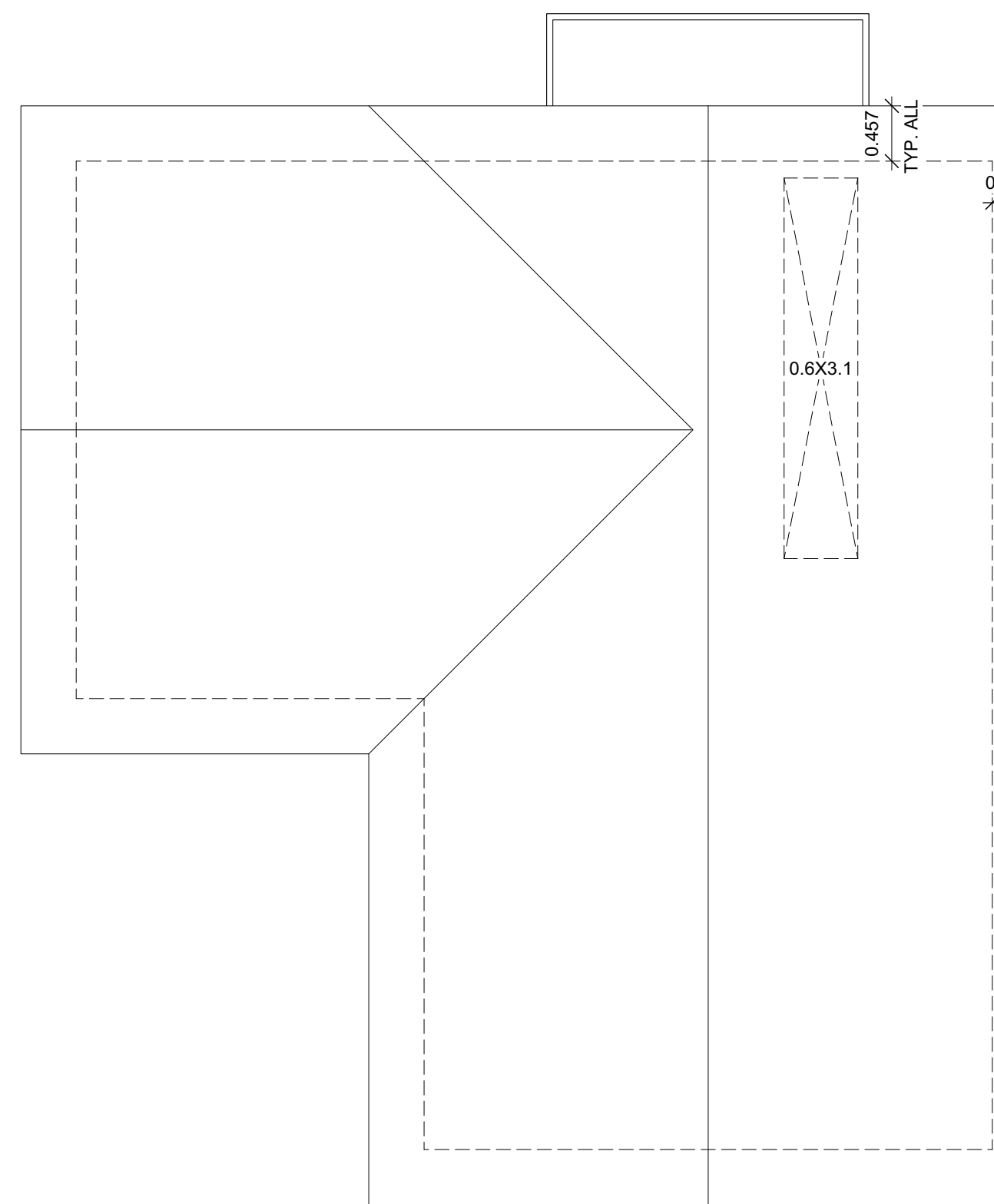
LEGEND	
	NEW WALL
	RATED 45 MIN WALL
	EXISTING WALL



1 MAIN FLOOR PLAN  
SHADED AREA = MAIN FLOOR AREA: 45.7M2



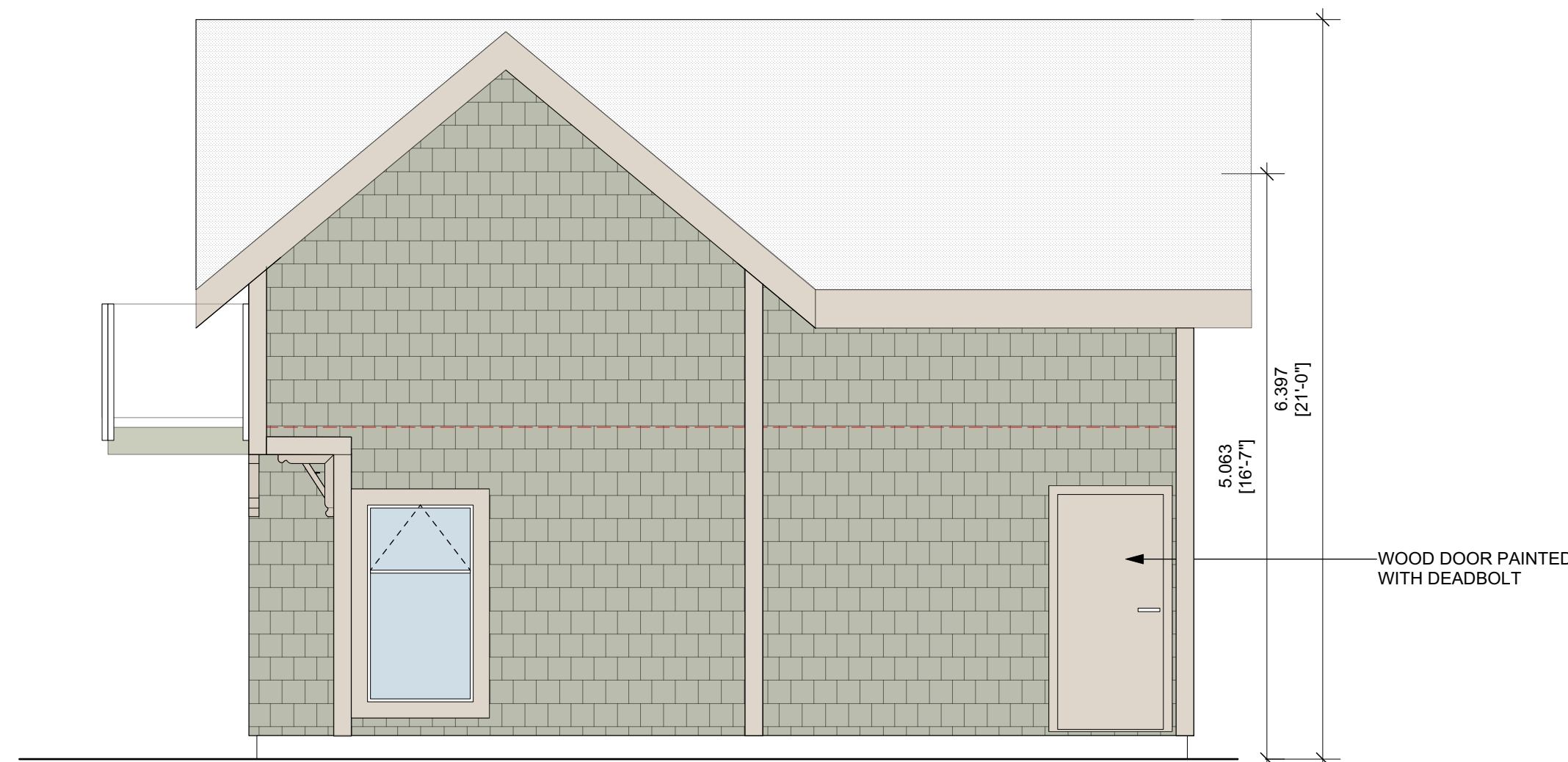
2 SECOND FLOOR PLAN  
SHADED AREA = SECOND FLOOR AREA: 30M2 (65% OF MAIN FLOOR)



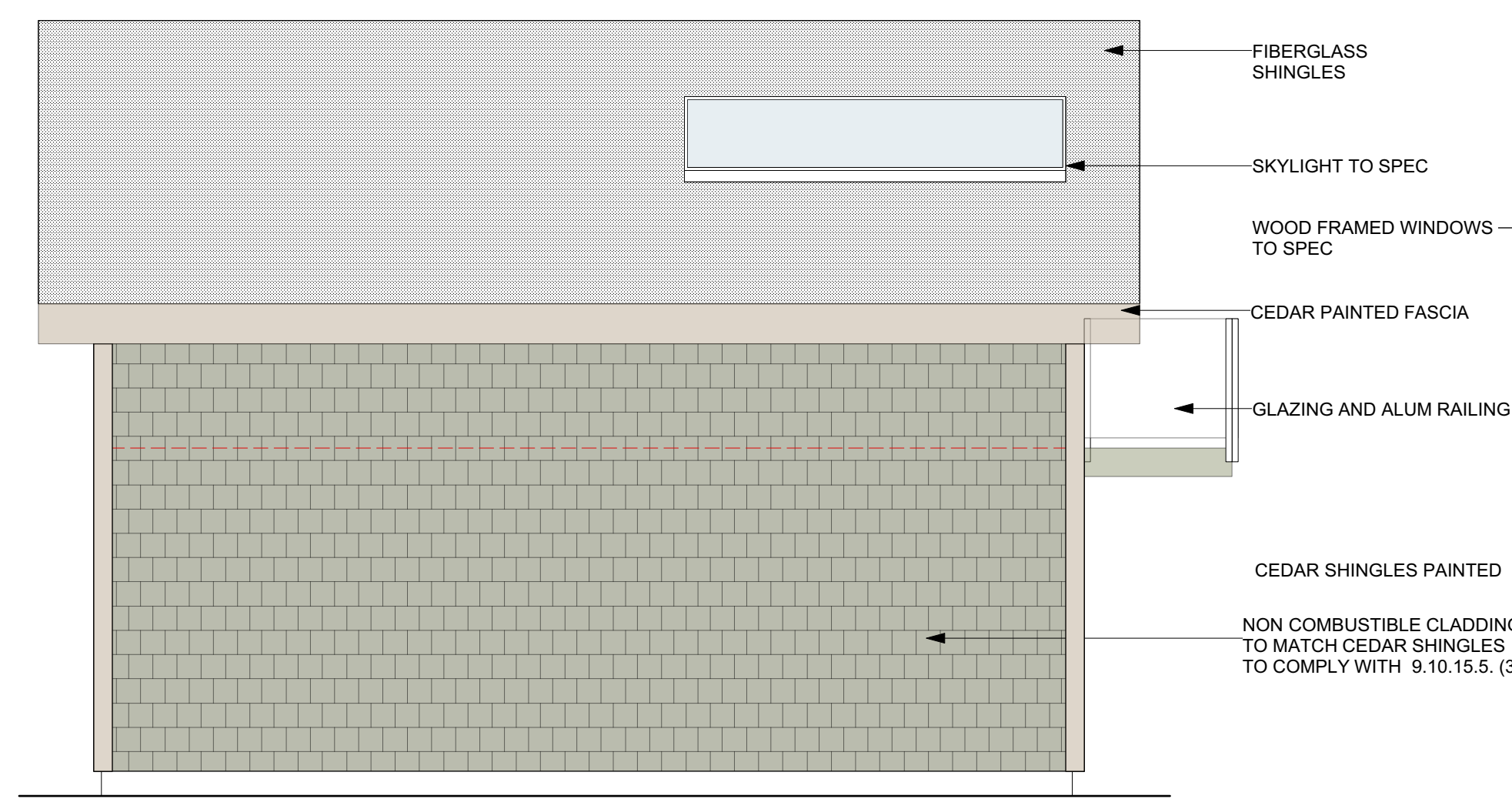
3 ROOF PLAN  
Scale: 1:48



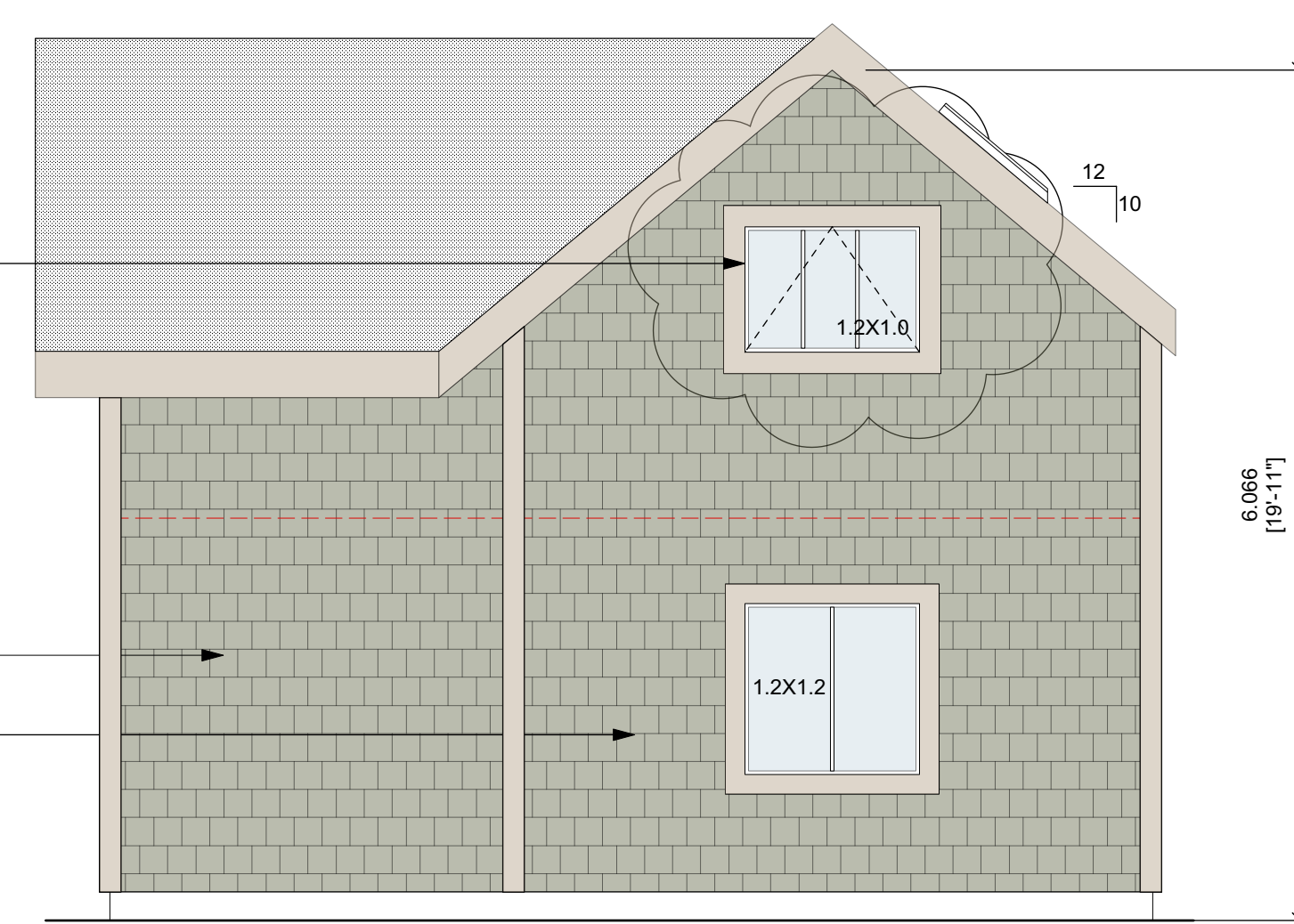
4 FRONT ELEVATION  
Scale: 1:48



5 SIDE ELEVATION  
Scale: 1:48



6 SIDE ELEVATION  
Scale: 1:48



7 REAR ELEVATION (LANE)  
Scale: 1:48

LEGEND	
	NEW WALL
	RATED 45 MIN WALL
	EXISTING WALL

keay  
architecture ltd.

2nd Floor, 1124 Fort Street, Victoria, BC, V8V 3K8  
o. 250-382-3823 e. info@keayarchitecture.com

COMMENTS			
No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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PROJECT

601 TRUTCH STREET  
VICTORIA, BC

**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

**BUILDING B  
PLANS & ELEVATIONS**

SCALE AS SHOWN	JOB No. 1124 - 1731
DATE PLOTTED November 28, 2019	A 3.0
DRAWN BY NP / JA	

COMMENTS			
No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
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PROJECT

601 TRUTCH STREET  
VICTORIA, BC

**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

SECTIONS

SCALE AS SHOWN	JOB No. 1124 - 1731
DATE PLOTTED November 28, 2019	A3.1
DRAWN BY NP / JA	

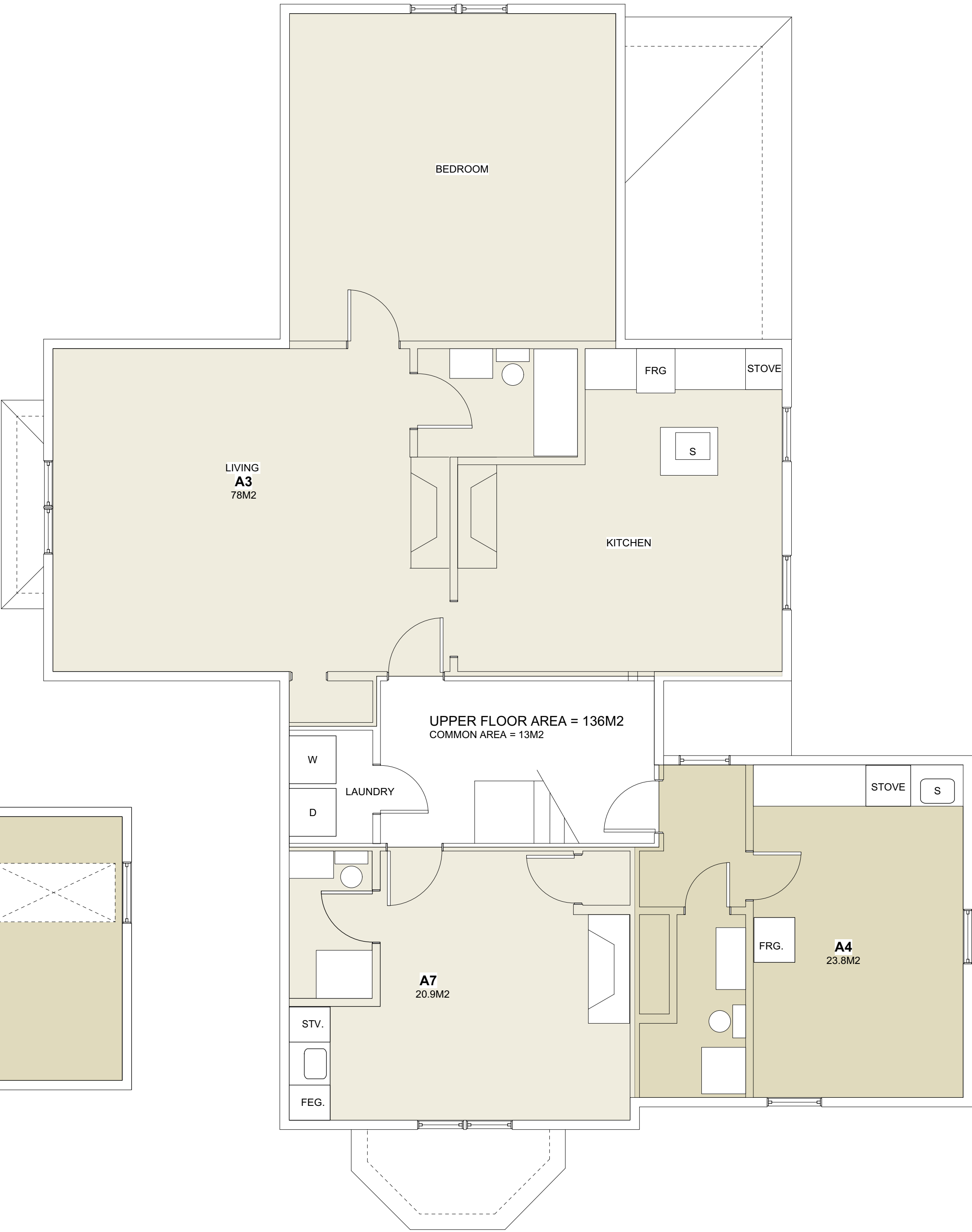
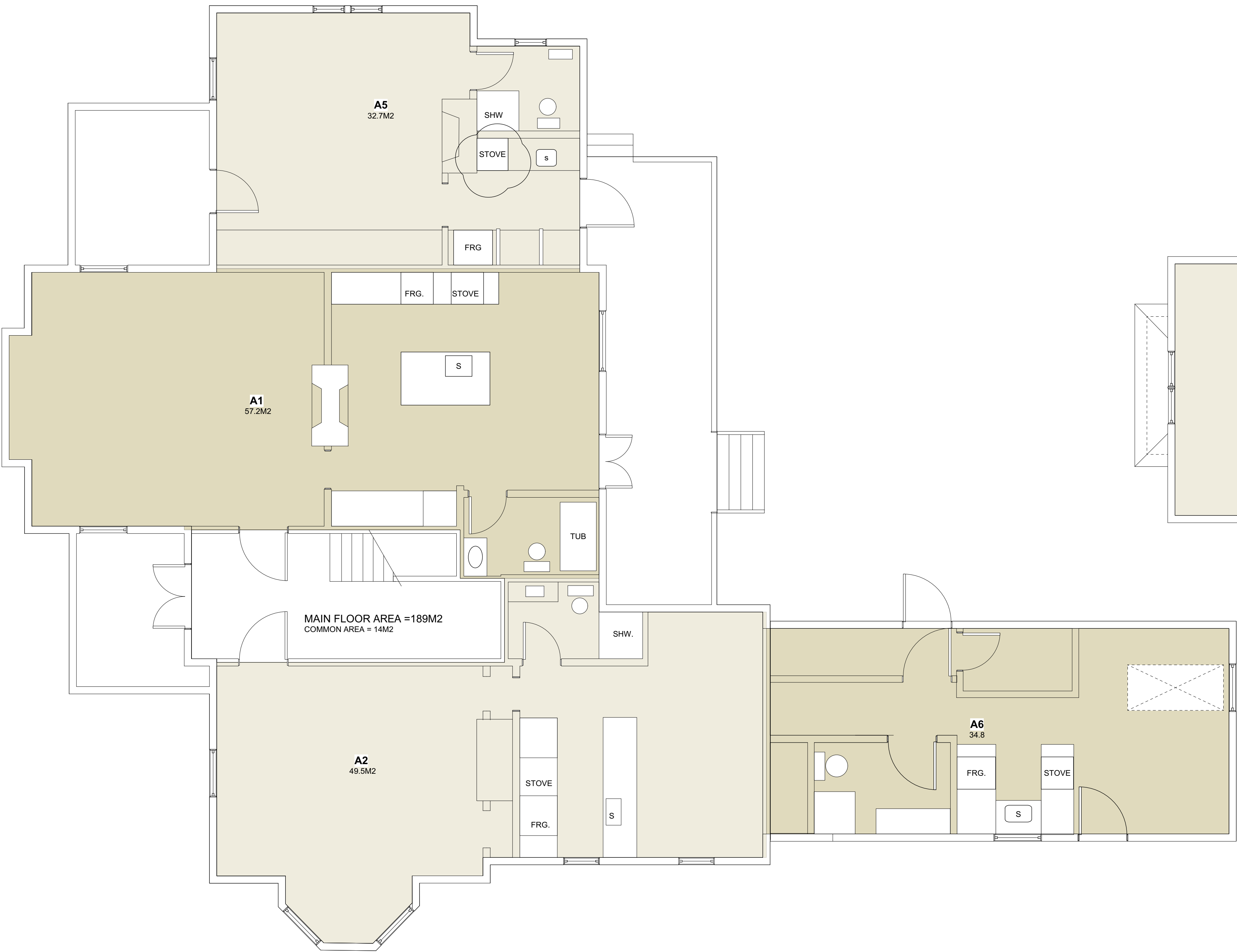


COMMENTS

No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

GENERAL NOTES

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1 MAIN DWELLING MAIN FLOOR  
Scale: 1:48  
NOTE: ALL SUITES EXISTING

2 MAIN FLOOR EXISTING ADDITION  
Scale: 1:48  
NOTE: ALL SUITES EXISTING

3 MAIN DWELLING UPPER FLOOR  
Scale: 1:48  
NOTE: ALL SUITES EXISTING

PROJECT  
601 TRUTCH STREET  
VICTORIA, BC  
REZONING  
SECONDARY BUILDINGS

SHEET TITLE  
MAIN DWELLING  
PLANS

SCALE  
AS SHOWN  
JOB No.  
1124 - 1731

DATE PLOTTED  
November 28, 2019

DRAWN BY  
NP / JA  
A4.0

COMMENTS

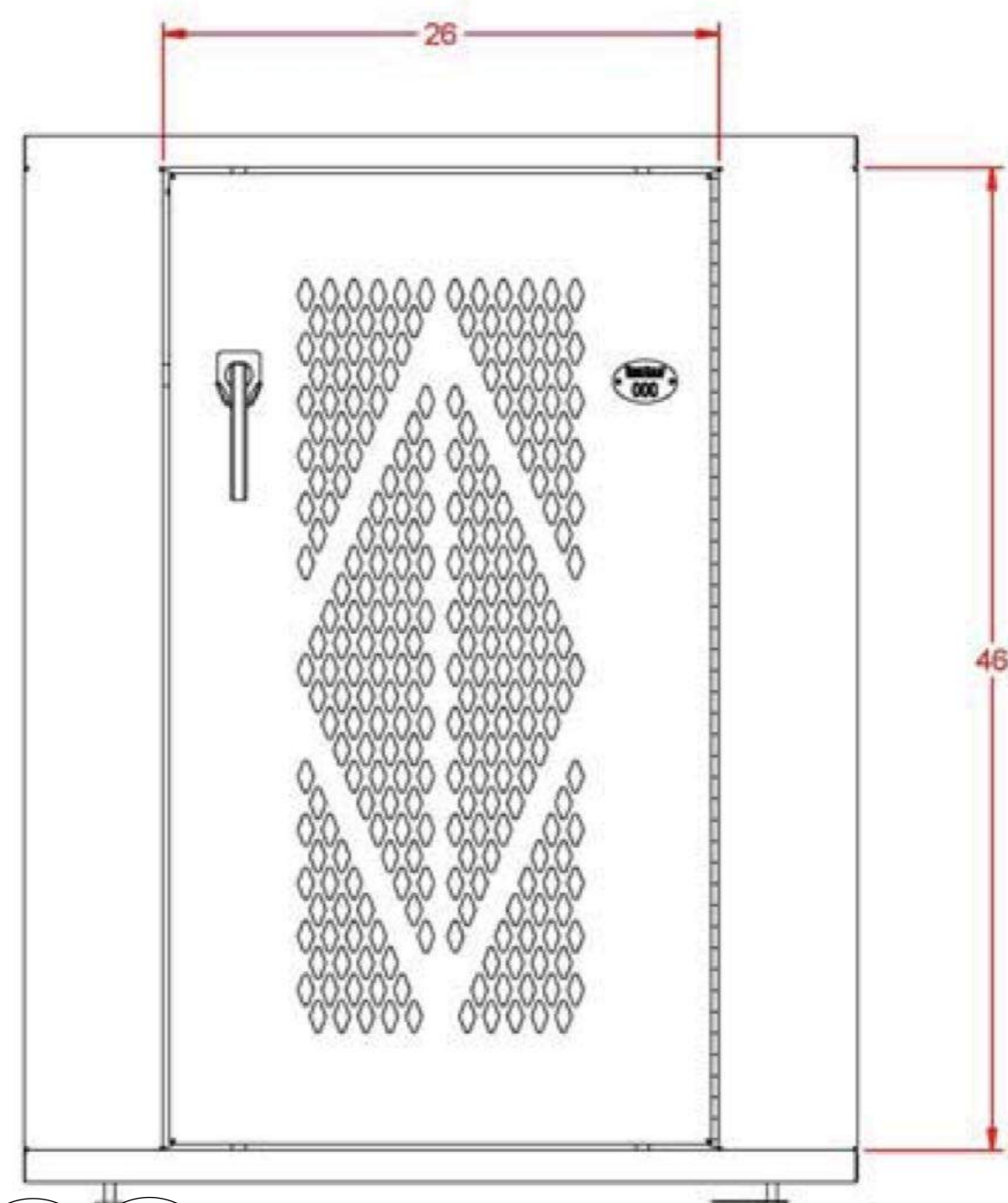
No.	DESCRIPTION	DATE	BY
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2.	REVISIONS	28/11/19	JA

GENERAL NOTES

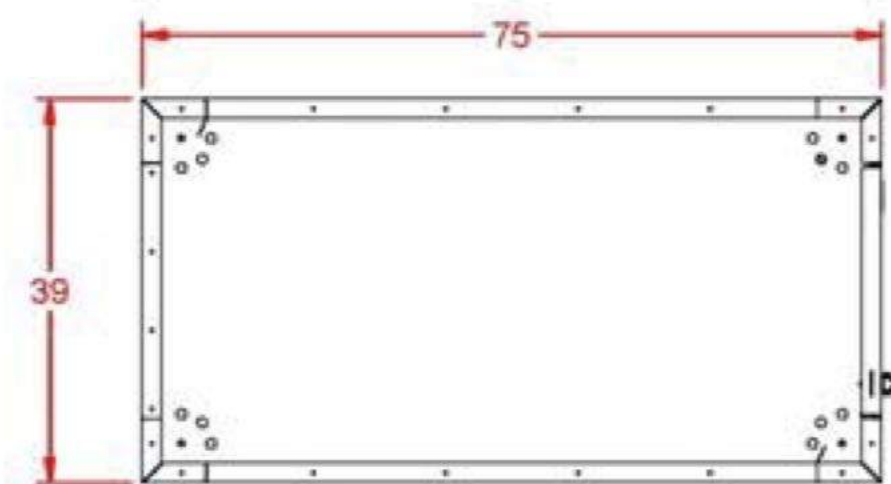
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1 LANE WAY STREETSCAPE  
Scale: 1:96



2 BIKE LOCKERS  
SCALE: NTS



Single door -one bike



2 PHOTO OF NON HABITABLE CRAWL SPACE  
SCALE: NTS

PROJECT

601 TRUTCH STREET  
VICTORIA, BC  
**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

LANE WAY  
STREET SCAPE  
BIKE LOCKERS

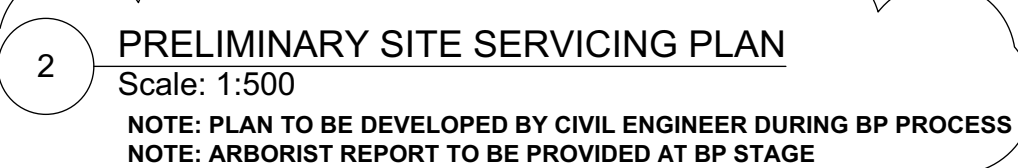
SCALE  
AS SHOWN

JOB No.  
1124 - 1731

DATE PLOTTED  
November 28, 2019

DRAWN BY  
NP / JA

A5.0



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DRAWN BY NP / JA	A 6.0
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## A 6.0

# keay architecture ltd.

John Keay, Architect, AIBC

Nicole Parker, Architectural Technologist, AIBC

2<sup>nd</sup> Floor, 1124 Fort Street  
Victoria, BC, V8V 3K8

o. 250-382-3823  
e. info@keayarchitecture.com

---

November 29, 2019

To: Mayor and Council  
City of Victoria  
Planning Department  
1 Centennial Square  
Victoria, B.C.

---

## Re: Rationale for 601 Trutch Street Rezoning

Dear Mayor and Council,

We are submitting an application for the rezoning of 601 Trutch Street from R1-B to a new site-specific zone.

The owner, Peter Walton, is proposing three additional rental units off the back lane at 601 Trutch: one through an addition to an existing garden shed and two in a proposed coach house adjacent to the lane.

601 Trutch Street dates from 1861 and was designed by noted architect John Wright. The original home was converted into 11 housekeeping rooms in the late 1940's. It has been in the care of Peter Walton since 1982 when heritage designation was secured from the city for both house and grounds to ensure long-term protection of this historic community asset. The careful restoration of the exterior was undertaken based upon archival records and won 601 Trutch Street a Hallmark Award in 1984.

Currently, the property is zoned as R1-B and contains seven rental suites. We are proposing to renovate and expand the current garden shed into a single rental unit and construct a new building in the north east corner to include two additional rental units. The three proposed suites range in size from 26sq.m. to 39sq.m. The current building is located on a large 1523sq.m. lot, with 20% site coverage and has a total floor area of 325sq.m. In this application, we are proposing to increase the site coverage to 24%, and the floor area to 430sq.m. The property currently has three parking stalls, with an existing variance of five. The proposed units will increase the required stalls by two, prompting an additional variance of two stall. See parking Calculation on Architectural A-1.0.

Due to the buildings close proximity to the downtown core, the majority of tenants rely on walking, biking and public transit as their mode of connection with the community. With concerns to the increase of traffic, the building owner has included in the proposed application an electric vehicle charging station, 2 Modo plus memberships, 5 locked and covered bicycle parking stalls along with 4 visitor bicycle parking spots.

The addition of three new rental suites to the existing seven suites provides for a modest increase in density with no visual impact to the Trutch street scape. Both buildings have been designed sensitively to reflect and complement the aesthetic of the original dwelling. Rooted in the existing architecture of the 601 Trutch Street home, the proposed design retains the character of the neighborhood and reinforces the vitality that makes Fairfield such a special place to live.

We believe this application provides an opportunity to establish three new rental suites in an area of high demand for rental housing with an anticipated positive impact on the neighborhood. Thank you for your consideration of this proposal. We look forward to presenting and answering all questions you may have.

Sincerely,

Nicole Parker, Architectural Technologist, AIBC  
Associate

## **Fairfield Gonzales Community Association Land Use Committee**

Report on 601 Trutch:

An application to rezone property to a NEW ZONE to accommodate 3 new residential suites in two out buildings on the property. One building will be a new build, while second building exists but will be renovated.

Present: 10 12 residents, mostly immediate neighbours

CALUC: Joanna Fox, Kevin White, Joanne Thibault, Robin Jones, Alice Albert, David Wales, Susan Kainer, Don Monsour, and David Biltek, Chair

Report prepared by David Biltek and approved by Committee

Nicole Parker from Keay architects presented on behalf of applicant, Peter Walton

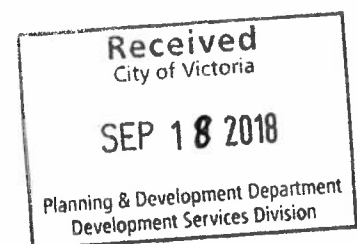
There were two major concerns raised by residents present: lack of parking and side yards too close to property lines and developments on both north and southside of property.

Parking: there are presently 7 suites in the Trutch Manor. This application would add 3 new suites, for a total of 10, however the parking would remain at 3 spaces. As a result the application would also include a variance for parking.

The owner pointed out that most of the current tenants do not have cars and walk or cycle instead, and while acknowledging that this may be the case neighbours commented that might change with new tenants

Side yards. The to be renovated building to the south is close to the south property line and a neighbouring patio. If this was a new build it would not be accepted without a variance given the current side yard requirements.

The same situation exists on the new build on the north side of the subject property.



Some time was spent attempting to make changes to the development which would solve these challenges, but given that the manor and grounds have a heritage designation it would be very difficult to resolve these issues. One possibility would be to eliminate the ground floor suite on the new build and put one parking space under the new building. This of course would mean one less suite.

The application does present a common conundrum: increase residential space, at the cost of parking or green space...

One resident did commend Peter Walton, the property owner, for "saving Trutch Manor and maintaining it so well ..."

And two residents, one in person and one by email approved of the application advising that it met the goals of gentle density and added much needed residential rental space.

**CITY OF VICTORIA  
HERITAGE ADVISORY PANEL  
MEETING MINUTES  
NOVEMBER 12, 2019**

**Present:** Pamela Madoff, Chair  
Steve Barber  
Julie Bréhéret  
Katie Cummer  
Hal Kalman  
Shari Khadem  
Lisa MacIntosh  
Connie Quaedvlieg  
Graham Walker

**Absent:** Doug Campbell

**Staff:** John O'Reilly, Senior Heritage Planner  
Alison Meyer, Assistant Director, Development Services  
Lauren Martin, Heritage Secretary

---

The Chair called the meeting to order at noon.

**1. Adoption of the Minutes of the October 8, 2019 Meeting**

On page 5, item 6, add the word “manual” to the last sentence of the fourth bullet as follows: “There will be a written practice *manual* for the maintenance of Waddington Alley.”

**Moved**

**Seconded**

That the minutes be approved as amended.

**Carried**

**2. Announcements**

- John O'Reilly gave an update about the applications that will be reviewed at November and December Committee of the Whole meetings.
- Reminder of the Victoria Heritage Foundation Christmas-Winter Party on Tuesday, December 3<sup>rd</sup>, 5:30 pm - 8:30 pm at Wentworth Villa.
- Reminder of the extra Panel meeting on Tuesday, November 26<sup>th</sup> at noon.

*12:07 pm - Steve Barber recused himself for the next item as he wrote the report for 601 Trutch Street while employed by the City.*

3. **601 Trutch Street**  
**Heritage Alteration Permit with Variances Application No. 00012**

Attendees: Nicole Parker and John Keay (Keay Architecture Ltd.)

John O'Reilly provided a brief introduction. John Keay presented.

Panel Questions and Comments

- What changes have been made since the application was reviewed at the August 13<sup>th</sup> Panel meeting? John Keay: Some trim detailing was changed to match the existing building; minor changes were made to the windows on the duplex (they are narrower and taller); a Statement of Significance was created.
- The proposed increase in floor area is a concern. The allowable floor area is 300m<sup>2</sup>; the application is requesting 424m<sup>2</sup> (40% more). Would that be a precedent in this neighbourhood? John O'Reilly: Some of the floor area is the existing house and the remainder is in the two proposed garden suites. This is a very large lot at 1500m<sup>2</sup> with a density of 0.28:1. Alison Meyer: Generally the density is 0.6:1 in low density traditional neighbourhoods.
- Will the garden suites be visible from the street? John O'Reilly: No, they will not be visible from the street due to the lot's typography and the placement of the buildings on the site. The existing lane provides a buffer for the neighbours to the east.

**Moved**

**Seconded**

That the Heritage Advisory Panel recommend to Council that Heritage Alteration Permit with Variances Application No. 00012 for 601 Trutch Street be approved as presented.

**Carried (unanimous)**

*12:21 pm - Steve Barber returned to the meeting.*

4. **1029 Queens Avenue**  
**Request for the property to be placed on the Heritage Register (APF 01816)**

Attendees: Jenny Farkas (owner, 1029 & 1033 Queens Avenue) and Sue Hallatt (owner, 1033 Queens Avenue)

John O'Reilly provided a brief introduction.

Panel Questions and Comments

- If a rezoning application includes a building with potential heritage value, the City usually requires heritage designation as a condition of the rezoning as opposed to placement on the Heritage Register. The City gains protection of a heritage building in return for the public benefit of increased density. Why is this request for registration rather than designation? John O'Reilly: The applicant would not commit to designation of the building given the small scale of the proposal. The City has chosen not to pursue designation since the applicant may offer rental in perpetuity, with rents

potentially below market value and secured through a legal agreement. Alison Meyer: Unless the City is willing to provide compensation, an applicant cannot be forced to designate their property, especially if there are other public benefits (i.e. housing).

Pamela Madoff: The Panel may recommend to Council that the property be designated.

- The building has significant heritage value as identified in the Statement of Significance and should be designated, not just placed on the Register.

**Moved**

**Seconded**

That the Heritage Advisory Panel recommend that Council approve the heritage designation of the property located at 1029 Queens Avenue, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site.

**Carried (unanimous)**

## 5. **Downtown Core Area Plan Update**

Presenters: Robert Batallas, Senior Planner and Joaquin Karakas, Senior Urban Designer

### Panel Questions and Comments

- From the perspective of the mandate of the Panel, there is a key heritage issue missing. The DCAP does not recognize that since it was adopted, the City has seen increased density and development pressure particularly in the Downtown Business District and the Residential District (Harris Green). In those areas there are a number of heritage-registered buildings that are not protected and therefore are vulnerable to demolition. Developers want to preserve façades only which is the worse type of heritage conservation. The DCAP needs to address this with a strong policy regarding heritage buildings, particularly heritage-registered ones. Developers are currently eligible for Victoria Civic Heritage Trust funding even if only the façades are retained. Some heritage-related policies in the previous DCAP that were removed could be reinstated. Robert Batallas: Perhaps additional policies and guidelines related to existing heritage-registered buildings are needed, i.e. like those in the *Old Town Design Guidelines*.
- In Chapter 7 it is stated that there are more than 200 heritage properties in the Downtown Core, but only 12 are considered heritage landmarks. What is the criteria for a building to be deemed a landmark? Why is the museum not included? Joaquin Karakas: Heritage landmarks are described in the DCAP as follows: “visually significant buildings that are recognized for their heritage values, architectural design, detail, scale and appearance which collectively, contribute to placemaking. They are also noted for their prominence as visual landmarks within local streetscapes, their ability to be commonly recognized and memorable, and for their overall contribution to the public realm.”
- Robert Batallas: Map 26 shows 12 heritage landmarks and their protected view corridors. The Empress Hotel and the Legislature have a 180m perimeter view corridor while the others have a 90m perimeter. Panel member: At one time there were other view corridors, such as spire to spire, that could be reinstated.

- There need to be policies related to the height and setbacks for additions to heritage buildings.
- The term “heritage landmark” has gone out of favour; suggest the use of another term and consideration of intangible heritage, diversity, reconciliation, etc.
- The use of the term “heritage landmark” needs further discussion. There is no question that the Empress Hotel and the Legislature are significant heritage landmarks that contribute to the special character of the Inner Harbour and deserve added protection. The other buildings could be termed “urban landmarks.”
- What aspects of the *Downtown Core Area Plan* are in conflict with the *Old Town Design Guidelines*? What has been delivered under these plans, particularly those properties on the borders of the Downtown Core or Old Town? For example, policy is needed that encourages development that enhances the area adjacent to heritage properties rather than creating canyons, addresses minimum lot sizes, number of towers allowed per block, etc.
- Robert and Joaquin will return to a future Panel meeting. The discussion will focus on recently approved projects that involved heritage buildings in the Downtown Core and the Panel will provide input regarding heritage only (i.e. Chapter 7). Robert is also looking for a volunteer for the technical working group.

*The Secretary left the meeting at 12:40 pm as the remaining agenda items did not require minutes.*

**Devon Cownden**

---

**From:** Mike Carpenter <[REDACTED]>  
**Sent:** Saturday, October 20, 2018 3:28 PM  
**To:** planandzone@fairfieldcommunity.com  
**Cc:** Development Services email inquiries  
**Subject:** Rezoning of 601 Trutch St

We are very concerned about the development of 601 Trutch Street. There is not sufficient parking now for the actual 8 suites in the building and this causes frequent parking problems on the street in front of our house. The owner states that the tenants do not have cars but this is false as almost everyone has friends and family that visit on a regular basis and take up the available parking on Trutch Street. We have had friends come over and not be able to park on our street.

We own 603 Trutch Street and we did a garage addition in 2008 and we had to provide 3 parking places for our triplex. I know the city requires .8 parking space per unit so with the new development that would be 8 to 9 parking spaces. There is not sufficient room for that now without the new building.

We have future plans to put solar panels on the south side of our garage facing 601 Trutch St to charge a future electric car. The new 2 story addition the owner proposes will block all light from the south side of our garage as the land is 4 feet higher than our land. This building will also reduce the privacy of our backyard even further as it will look down at our only private deck area.

The owner is under the mistaken impression that the city will allow him to build these buildings with a 2 foot setback from the property lines, but in 2008 we were forced to make our setbacks to existing building codes. (4 feet to side property line, 5 feet to the lane)

Sincerely,  
Mike Carpenter  
Debi-Lee McNaughton  
2-603 Trutch St  
Victoria BC V8V 4C3

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street



Dear Mayor and Council,

I Sherrin Pryce (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 608 Trutch St

Signature: S Pryce

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I Hipe Campbell (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 530 Trutch St  
V8V 4C4

Signature: H Campbell Owner

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

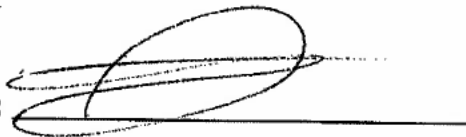
Dear Mayor and Council,

James

I J. Ma'ne (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 534 Trutch

Signature:

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line.

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

Leslie Hudson

I \_\_\_\_\_ (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 522 Trutch St.

Signature: Leslie Hudson

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

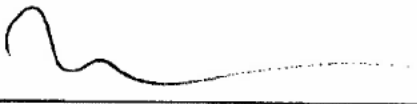
Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I Francis Bertrand (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 629 Trutch

Signature: 

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I Dan Phillips (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 604 Linden Ave

---

Signature: 

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I Tomiko Yoneda (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 546 - Linden Ave  
V8V 4G5

Signature: 

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I Margaret O'Leary (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 548 Linden Ave.

Signature: M. O'Leary (Parent)

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I Terry Gail Ivanak (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: No 3 601 Trutch Street

Victoria BC V8V 4C3

Signature: T. Ivanak

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I ROBERT GRANT (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: 4-601 TRUTCH ST

Signature: Mr. Grant

July 16<sup>th</sup> 2018

**Letter of Support**

To: City of Victoria

Project: Trutch House Rezoning

Address: 601 Trutch Street

Dear Mayor and Council,

I Samara-Jaye Little (full name), am in support of the rezoning to allow for the creation of three additional suites adjacent to the back lane of 601 Trutch: one through an extension to an existing restored garden shed and two in a proposed coach house adjacent to the lane.

Address: #6-601 Trutch St

Signature: 



## Committee of the Whole Report

### For the Meeting of May 7, 2020

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**To:** Committee of the Whole **Date:** May 1, 2020

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** **Heritage Alteration Permit with Variances Application No. 00012 for 601 Trutch Street**

---

### RECOMMENDATION

That Council decline the issuance of Heritage Alteration Permit with Variances Application No. 00012 for 601 Trutch Street.

### LEGISLATIVE AUTHORITY

In accordance with Sections 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

### EXECUTIVE SUMMARY

The proposal is to rezone an existing heritage-designated property at 601 Trutch Street from the R1-B, Single Family Dwelling Zone, to a site specific zone to allow for additional units within the heritage building and three additional rental units on the property. The heritage designated house is positioned at the rear of the lot over 25 metres from Trutch Street. A new two-storey duplex building (Building B) is proposed beside the house to the north, adjacent to a rear laneway. Also proposed is the renovation and enlargement of an existing 270 square foot building (Building A) to the south of the existing house into a residential rental unit. This building is also adjacent to the back lane. Although there are no physical changes proposed to the heritage designated house, a Heritage Alteration Permit is required because Heritage Designation Bylaw No. 82-1 requires Council approval for any new buildings on the lot.

The following points were considered in assessing this application:

- the application is generally consistent with heritage policies in the *Official Community Plan*, and some of the housing policies in the *Fairfield Neighbourhood Plan*
- the proposal would not result in any alterations to the heritage designated house

- the design of the new duplex and converted accessory building do not comply with the *Design Guidelines for Attached Residential Development: Fairfield Neighbourhood nor the The Garden Suites Policy and Guidelines (2017)*.
- there are a number of variances associated with this application. Although some are minor, the proposed parking variance may displace parking for tenants to the larger neighbourhood, the proposed height creates larger shadow impacts than a building that complied with the height limit, the roof deck results in some privacy loss for the neighbour and the decreased separation distance between Building B and the main house impedes access from the lane to the entrance of the units.

The application was reviewed by the Heritage Advisory Panel at its November 12, 2019 meeting and was recommended for approval.

## BACKGROUND

The proposal is to rezone the existing heritage-designated house at 601 Trutch Street from the existing R1-B, Single Family Dwelling Zone, to a site specific zone in order to legalize three existing rental units in the main building and allow for three additional rental units on the property in a new two-storey duplex, and a renovated accessory building facing the laneway.

Variances are required to permit a parking deficiency, the side yard siting of the buildings, reduced setbacks, and reduced separation space, an increased number of storeys, a roof deck associated with the laneway buildings and an increased number of buildings on a lot.

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District, Schedule G – House Conversion Regulations and Schedule M – Garden Suites. An asterisk is used to identify where the proposal is less stringent than the existing zoning regulations. A double asterisk indicates an existing non-conforming condition.

Zoning Criteria - All Buildings	Proposed	Zone Standard R1-B
Site area (m <sup>2</sup> ) - minimum	1523.00	460.00
Density (Floor Space Ratio) – maximum	0.28:1	n/a
Total floor area (m <sup>2</sup> ) - maximum	<b>325** (existing house)</b> <b>27 (Building A – one unit)</b> <b>72 (Building B – two units)</b> <b>424* (total)</b>	300
Height (m) – maximum	Existing	7.6
Storeys – maximum	2	2
Site coverage (%) - maximum	24.00	40.00
Vehicle parking - minimum	<b>3*</b>	10
Visitor vehicle parking included in the overall units - minimum	1	1

<b>Bicycle parking stalls - minimum</b>		
Long Term	0	0
Short Term	4	0
<b>Zoning Criteria – Main Building (House Conversion)</b>	<b>Proposed sw</b>	<b>Zone Standard Schedule G – House Conversion Regulations</b>
Number of dwelling units based on floor area	<b>7*</b>	3
<b>Setbacks</b>		
Front (Trutch Street)	25.90	7.5
Rear (south)	<b>0.1**</b>	12.49 (25% of lot depth)
Side (north)	6.1	3.5
Side (south)	5.8	3.5
<b>Zoning Criteria - Building A (Existing building )</b>	<b>Proposed Zone</b>	<b>Zone Standard Schedule M – Garden Suites</b>
Principle Building Use	<b>Multiple Dwelling*</b>	Single Family Dwelling
Location	<b>Side*</b>	Rear
Combined Floor Area	27	56
Height	2.9	5.5
Storeys	1	1.5
Rear Setback	0.6	0.6
Side Setback	<b>0.46** 0.57* (addition)</b>	0.6
Separation space	3.51	2.4
Rear yard site coverage	n/a	25
<b>Zoning Criteria - Building B (New two-unit laneway building)</b>	<b>Proposed Zone</b>	<b>Zone Standard Schedule M – Garden Suites</b>
Principle Building Use	<b>duplex</b>	Single Family dwelling
Location	<b>Side*</b>	Rear
Combined Floor Area	<b>72*</b>	56
Height	5.06	5.5

Storeys	2*	1.5
Rear Setback	0.6	0.6
Side Setback	0.6	0.6
Separation space	1.8*	2.4
Roof deck	Yes*	No

## Sustainability Features

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

## ANALYSIS

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

### Official Community Plan

The proposal conserves the existing heritage designated house and does not physically alter it, which aligns with heritage conservation objectives under Section 8: Placemaking- Urban Design and Heritage. The design of the new laneway housing and modifications to the existing accessory building are complementary to the main house, and meet the intent of policies for Buildings and Sites under Section 8 that require new infill buildings to respond to their context through sensitive design. Both the proposed and existing buildings feature pitched roofs and shingle style cladding similar to the main house. Windows include wood trim surrounds, which is another feature of the main house. Granting variances to enable heritage conservation is consistent with policy 8.52, however the applicant is not proposing any enhancements to the designated house.

### Design Guidelines for Attached Residential Development: Fairfield Neighbourhood

The property is subject to Development Permit Area DPA 15D: Intensive Residential – Duplex which includes the *Design Guidelines for Attached Residential Development: Fairfield Neighbourhood*. Section 6 of the Design Guidelines provides guidance for housing units adjacent to laneways (laneway housing). The setbacks of the units from the lane and presence of some windows facing the lane are consistent with two of the guidelines in the document, however the proposal has a greater number of inconsistencies, including the following:

- the proposal orients the main entries to the new units away from the lane toward the interior of the lot and there are no paths to the lane, whereas the guidelines state that laneway housing should create a welcoming frontage by orienting entries, gates or paths to the lane
- the windows and the roof deck (balcony) on Building B face away from the lane and towards the neighbor's property, which creates the potential for some overlook whereas the guidelines state that windows porches and decks should limit overlook and shadowing of adjacent backyards
- legible, accessible paths are not provided to the entrances to either unit whereas the guidelines state that sites with laneway housing should provide legible, accessible paths to the front of the units

## **Fairfield Neighbourhood Plan**

The *Fairfield Neighbourhood Plan* (2019) supports ground-oriented housing at this location and supports alternate forms of housing and additional density beyond the 0.275 FSR permitted under the R1-B zoning, if owners offer additional protection and rehabilitation of houses with heritage merit as part of the application. The subject property and existing house are already heritage designated and the applicant has not offered any additional commitment to heritage conservation that would justify consideration of additional density or infill laneway housing. While laneway housing is contemplated in the Neighbourhood Plan, the proposed dwellings (Building A and B) do not address the rear lane, enhance the pedestrian environment or provide sufficient space for new tree planting, which is strongly encouraged in the Plan.

## **The Garden Suite Policy and Guidelines (2017)**

The *Garden Suite Policy and Guidelines* (2017) offer a number of policies that are useful in assessing this application.

Under the guidelines, only properties with a single family detached dwelling and no existing secondary suites are eligible for a garden suite. The subject property has seven existing rental units and is not eligible for one or more garden suites. The intent of the Garden Suite Policy and Guidelines is to integrate garden suites into existing traditional residential areas in a manner compatible with and respectful of the established character of neighbourhoods and to minimize conflicts with immediate neighbours.

The proposal is inconsistent with the following guidelines:

- the guidelines recommend a minimum separation distance of 2.4 metres, whereas the corner of Building B is located 1.8 metres from the main house
- the guidelines recommend that garden suites be located in the rear yard only, whereas the proposed new garden suite and renovated shed are located in the side yard due to the unique position of the heritage designated house at the rear of the lot,
- the guidelines recommend a maximum total floor area of 37 square metres (400 square feet), whereas the combined floor area of both garden suites is 98.7 square metres (1062 square feet)
- the guidelines recommend that an unobstructed pathway be constructed and maintained between the public street and the garden suite entrance, with a minimum width of 1 m for private and emergency access, whereas neither suite has an unobstructed pathway from the street or lane to the entrances, whereas
- the front doors and windows should be directly oriented towards the laneway and the landscape should reinforce the location of the entry, whereas the suites have front doors and windows oriented away from the adjacent public laneway, whereas the guidelines recommend that on double fronted lots

The proposal complies with design guidelines respecting character, which recommends that the Garden Suite relate to the principal building on site in terms of materials, roof form and general architectural expression.

## **Standards and Guidelines for the Conservation of Historic Places in Canada**

The proposal is generally consistent with the objectives of the *Standards and Guidelines for the Conservation of Historic Places in Canada*. There are no proposed alterations to the heritage designated house, and the garden suites are located to the side and rear of the main house,

which is elevated on a hill above Trutch Street and features abundant landscaping within the 25 metre deep front yard. Both the converted shed and the new garden suite are also compatible and distinguishable from the main house since they do not imitate its Italianate villa style detailing.

## **Regulatory Considerations**

The following variances are associated with this application:

- reduce the vehicle parking requirement from 10 stalls to 3 stalls
- permit laneway housing in the side yards rather than the rear yard of the main building
- increase the number of storeys from 1.5 to 2 for Building B
- permit a roof deck on the west side of Building B
- reduce the separation distance between a laneway house and the main building from 2.4 metres to 1.2 metres
- reduce the side yard setback for Building B from 0.6 metres to 0.59 metres
- reduce the side yard setback for a new addition to Building A from 0.6 metres to 0.57 metres
- allow more than one building on a lot.

## **Parking**

The applicant has not provided data or an appropriate rationale to support the requested variance. The anticipated parking shortfall for the property is significant and will likely displace tenant parking to the neighbourhood, negatively impacting on-street parking availability in the area. Several transportation demand management (TDM) measures are proposed to help off-set the parking demand, however, the applicant has not offered to secure the TDM measures with a covenant on title, therefore there is no guarantee that these measures would be implemented or maintained. The potential measures noted by the applicant include:

- one electric vehicle charging station
- two modo plus memberships
- five bicycle lockers
- four visitor bicycle parking stalls.

Staff do not consider these TDM measures sufficient to off-set the anticipated parking demand associated with this proposal. For example, a common bicycle room (as opposed to individual lockers) would better meet the intent of the bylaw by discouraging general storage in bicycle parking areas. A common bike parking area may also provide residents/families with more than one bicycle space to park a second or third bicycle. Staff do not recommend support for the parking variance

## **Side Yard Siting**

The location of the additional proposed units are technically in the side yard of the existing heritage designated house due to its unique configuration with a large wing of the house projecting to the rear of the lot. However, both suites are located further back on the lot than the main rear wall of the house, which meets the spirit and intent of this zoning provision.

### Height

The proposed height of two storeys for the new laneway building (Building B) is inconsistent with the zoning standards related to garden suites and results in larger shadow impacts than a one-storey unit would produce.

### Roof Deck

The balcony (roof deck) for the second storey unit, approximately 1.2 metres from the neighbour's property line has privacy implications for the immediate neighbour.

### Separation Distance

Staff do not consider the proposed reduction in separation distance between Building B and the main house to be supportable because of the cluttered arrangement of buildings, decks and parking in the vicinity which prevents the applicant from providing an unobstructed, accessible path between the laneway and the front entrance to the suite as recommended in the design guidelines.

### Side Yard Setback

The proposed decrease in the required side yard setback is 3 centimeters for Building A and 1 centimeter for Building B. These differences are very minor in nature and staff consider them supportable.

### Number of Buildings on a Lot

In some cases exceeding the general regulation limiting the number of buildings on a lot is of little consequence. In this instance, because the principle building is located at the rear of the lot, adding two additional buildings for expanded residential uses creates on site congestion and insufficient space for paths and circulation. The historically significant landscaping in front of the heritage designated house means that there are no good alternative locations for these buildings.

## **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on September 13, 2018. A summary of the meeting is attached to this report.

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.

## **Tree Preservation Bylaw and Urban Forest Master Plan**

Please refer to the Rezoning Application report for an assessment of Tree Preservation Bylaw impacts.

## **Heritage Advisory Panel**

The application was reviewed by the Heritage Advisory Panel at its November 12, 2019 meeting and was recommended for approval.

## CONCLUSIONS

The proposal to construct a new two-storey duplex in the north side yard of the existing heritage designated house and renovate an accessory building on the property to contain an additional suite is consistent with some housing objectives of the Official Community Plan. While it does not alter the heritage house, it does not propose any enhancements, repairs or benefits. The proposal includes numerous inconsistencies with the applicable guidelines and a large number of variances that may create avoidable nuisance impacts for immediate neighbours. It is staff's opinion that the inconsistencies are significant enough that the objectives of the Development Permit Area are not met and the overall intent of City policies is not respected. Staff therefore recommend that City Council consider declining the proposal.

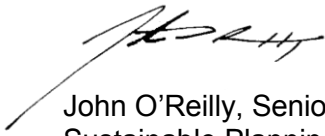
## ALTERNATE MOTION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

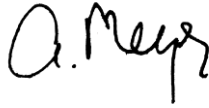
“That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00012 for 601 Trutch Street, in accordance with:

1. Plans, date stamped November 29, 2019
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. reduce the vehicle parking requirement from 10 stalls to 3 stalls
  - b. permit laneway housing in the side yards rather than the rear yard of the main building
  - c. increase the number of storeys from 1.5 to 2 for Building B
  - d. permit a roof deck on the west side of Building B
  - e. reduce the separation distance between Building B and the main building from 2.4 metres to 1.2 metres
  - f. reduce the side yard setback for Building B from 0.6 metres to 0.59 metres
  - g. reduce the side yard setback for a new addition to Building A from 0.6 metres to 0.57 metres
  - h. increase the number of buildings permitted on a lot from one to three
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.”

Respectfully submitted,



John O'Reilly, Senior Heritage Planner  
Sustainable Planning and Community  
Development Department



Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

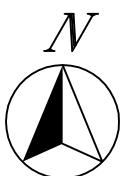
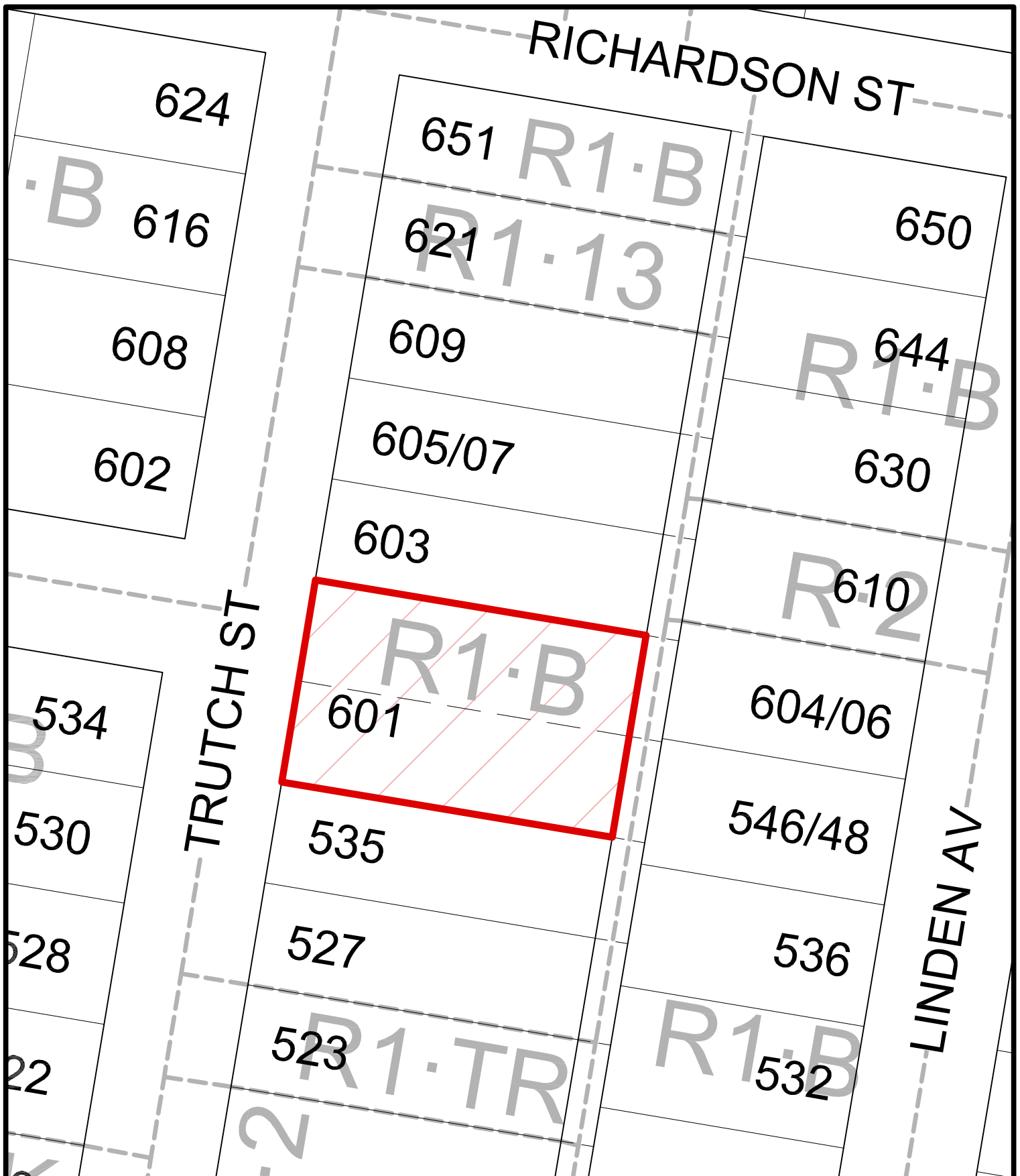
Report accepted and recommended by the City Manager:



Date: \_\_\_\_\_

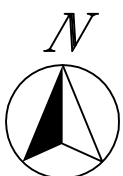
### List of Attachments

- Attachment 1: Subject Map
- Attachment 2: Aerial Map
- Attachment 3: Photographs
- Attachment 4: Plans, date stamped November 23, 2019
- Attachment 5: Applicant's letter, dated December 5, 2018.
- Attachment 6: Statement of Significance
- Attachment 7: Minutes of the Heritage Advisory Panel, November 12, 2019



601 Trutch Street  
Rezoning No.00678





601 Trutch Street  
Rezoning No.00678



**601 TRUTCH STREET**



Front Elevation



South side of property - Building A (Proposed Garden Suite)



Rear Extension, Main House



Rear Elevation, Main House



Rear Elevation - Main House viewed from laneway



Rear Yard

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COMMENTS

No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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**Revisions**  
Bubbled areas indicate revisions compared to the previously submitted plans  
**Received Date:**  
**November 29, 2019**

DRAWING LEGEND

- A1.0 - SITE PLAN AND DATA TABLE
- A2.0 - BUILDING A
- A3.0 - BUILDING B
- A3.1 - BUILDING B SECTION
- A4.0 - TRUTCH HOUSE FLOOR PLANS
- A5.0 - STREETSCAPES
- A6.0 - LANEWAY AND BIKE LOCKERS
- A7.0 - LANDSCAPE PLAN & SITE SERVICES

PROJECT

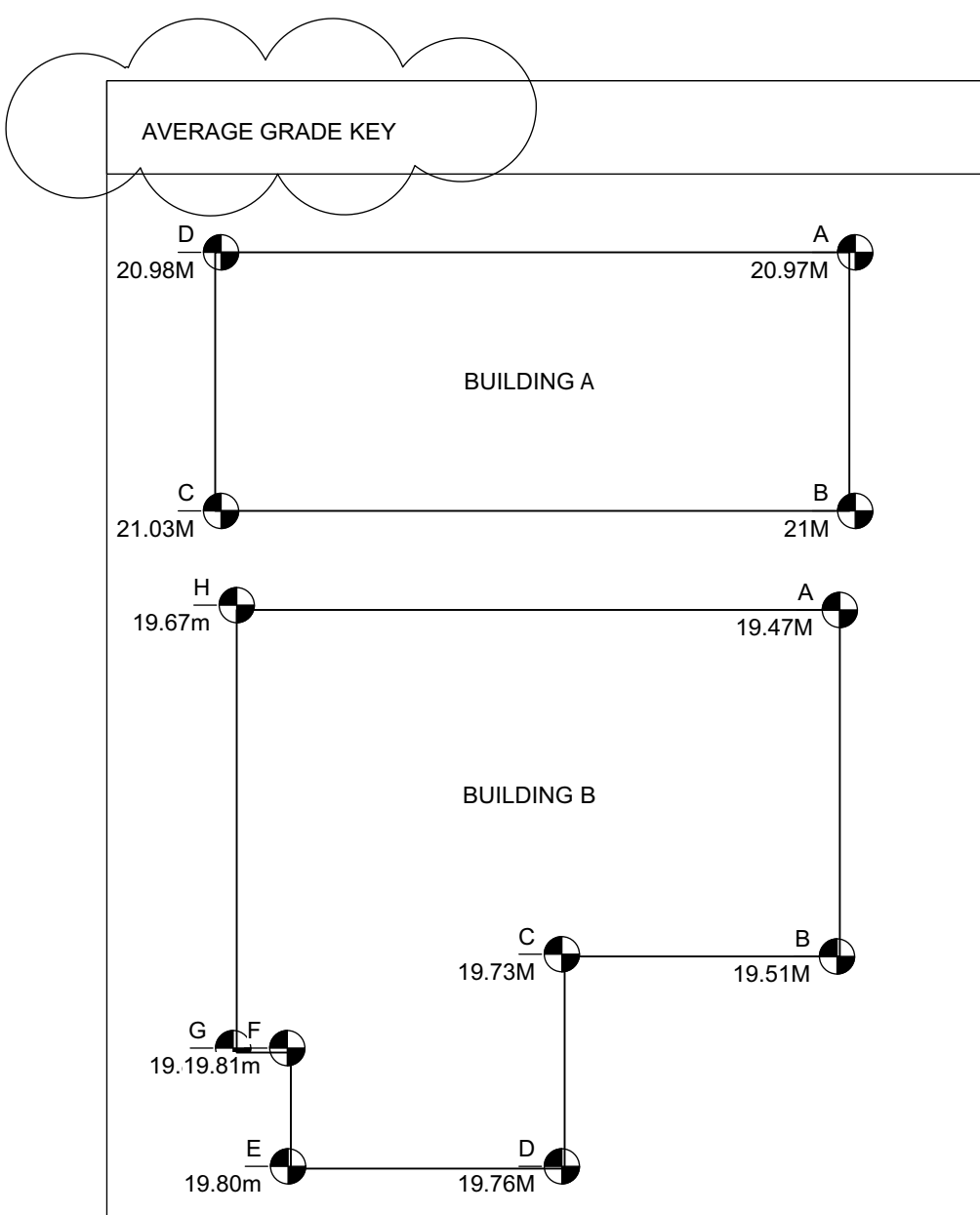
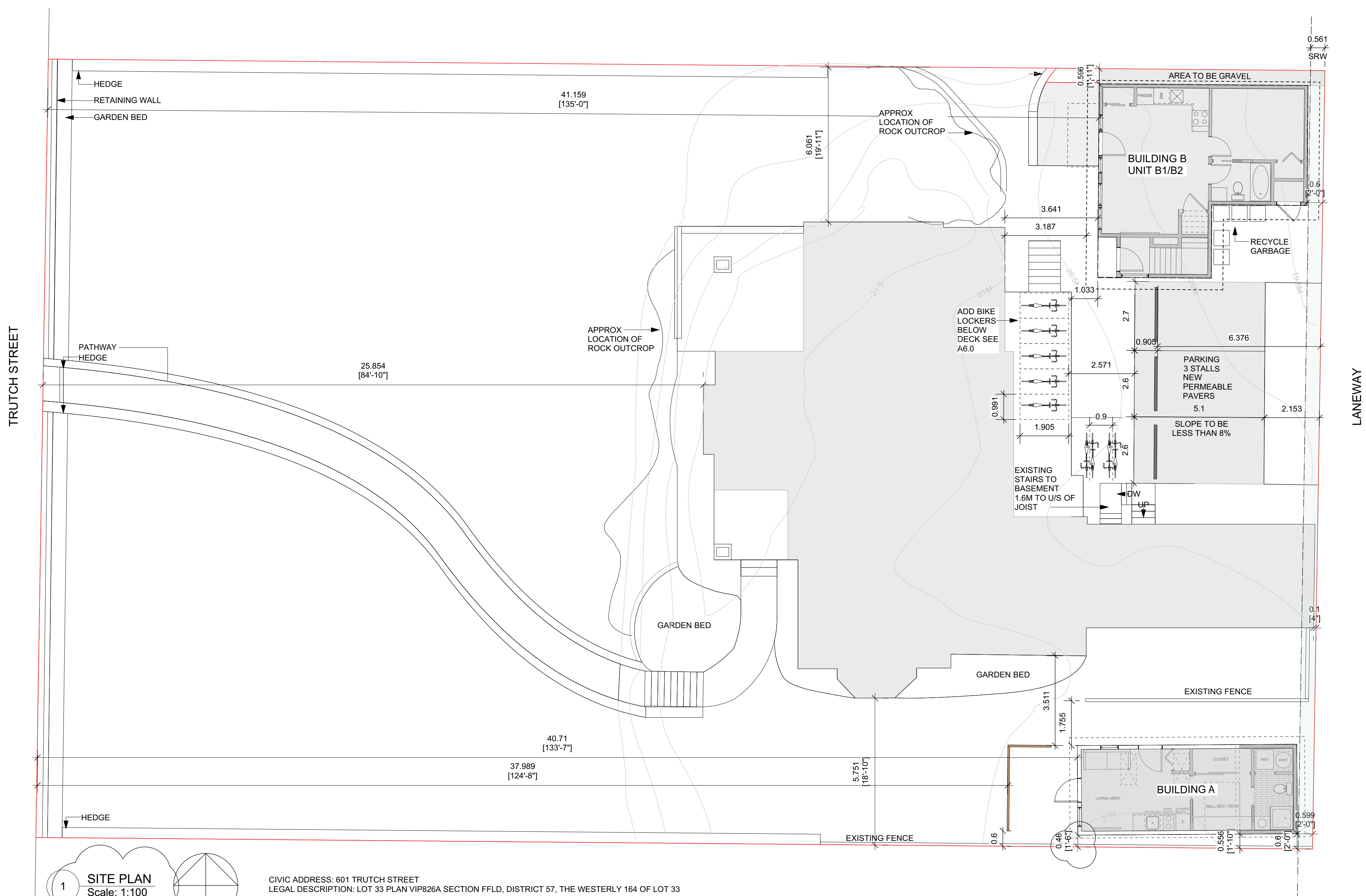
601 TRUTCH STREET  
VICTORIA, BC  
**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

**SITE PLAN &  
DATA TABLE**

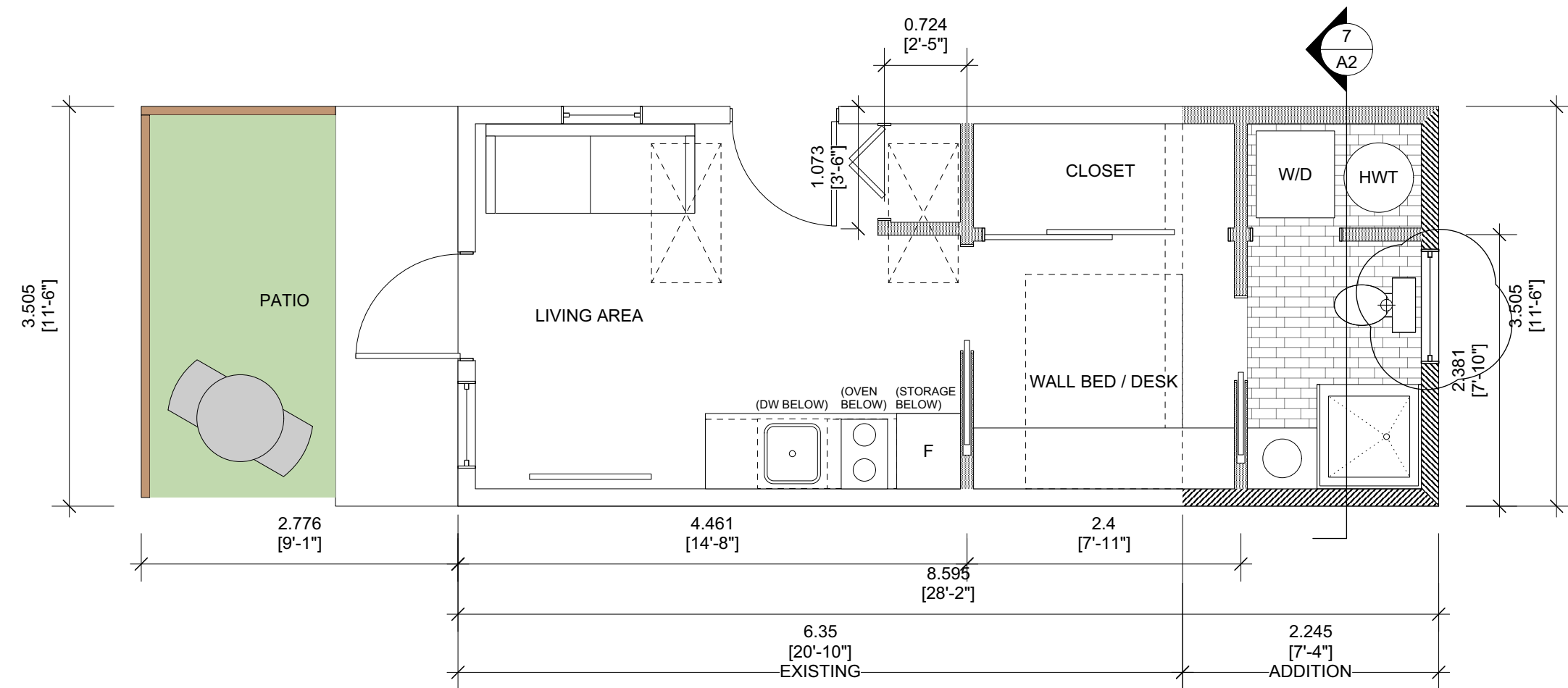
SCALE AS SHOWN	JOB No. 1124 - 1731
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DATE PLOTTED November 28, 2019	A 1.0
DRAWN BY NP / JA	



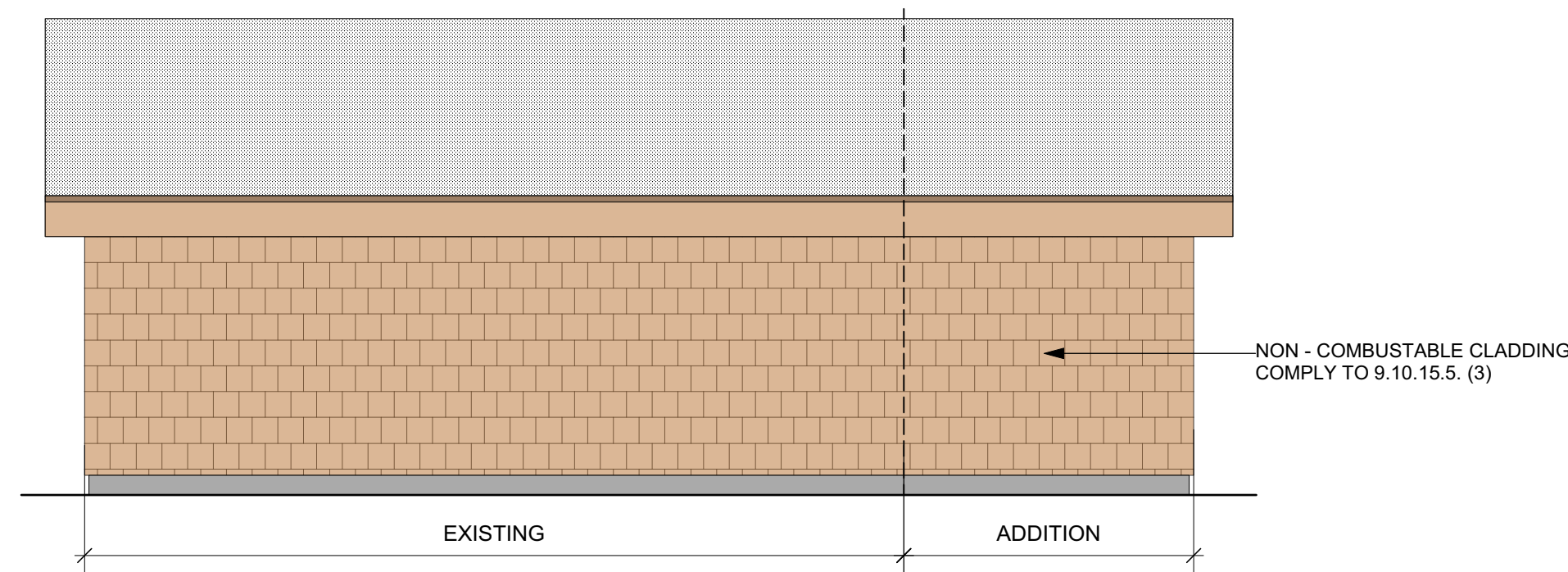
<b>BUILDING A</b> AVERAGE GRADE CALCULATION AB-73.45 BC-180.73 CD-73.52 DA-180.39	<b>BUILDING B</b> AVERAGE GRADE CALCULATION AB-91.54 BC-73.16 CD-56.80 DE-73.40 EF-31.15 FG-14.54 GH-118.44 HA-159.67
AVERAGE GRADE: 508.09/24.2=21	AVERAGE GRADE: 618.7/31.5 = 19.64
<b>BIKE Parking Calculation</b>	<b>Parking Calculation</b>
SCHEDULE C - MULTI DWELLING - OTHER	SCHEDULE C - MULTI DWELLING - OTHER
<b>LONG TERM</b> (>45m2): 7 x 1 = 7 (45m2<): 3 x 1.25 = 3.75 = 4 TOTAL = 11	(>40m2): 7 x .85 = 5.95 = 6 (40<>70m2): 2 x 1 = 2 = 2 (70m2<): 1 x 1.45 = 1.45 = 1 (Guest): 10 x .10 = 1 = 1
11(REQ.) - 5(PROVIDED) = 6 (VARIANCE)	10(REQ.)- 3(PROVIDED) = 7 (VARIANCE)
<b>SHORT TERM = 6</b> 6(REQ.)- 4(PROVIDED) = 2 (VARIANCE)	

PROJECT INFORMATION TABLE		
	EXISTING	PROPOSED
ZONE:	R1-B	SITE SPECIFIC
LOT AREA:	1,523 SQ.M.	UNCHANGED
TOTAL FLOOR AREA:	325 SQ. M.	430 SQ. M.
BUILDING A:	25SQ.M.	27 SQ.M.
BUILDING B:		78 SQ.M.
MAIN DWELLING:	325 SQ.M.	325 SQ.M.
FLOOR SPACE RATIO:	.21	.28
SITE COVERAGE: %	20%	24%
OPEN SITE SPACE: %	78%	73%
HEIGHT OF MAIN DWELLING:	EXISTING	UNCHANGED
HEIGHT OF BUILDING A:	2.9M/1 STOREY	UNCHANGED
HEIGHT OF BUILDING B:		5.06M/1.5 STOREY
BUILDING A AVERAGE GRADE:	21M	UNCHANGED
BUILDING B AVERAGE GRADE:		19.64M
NUMBER OF STOREYS:	2	UNCHANGED
PARKING STALLS:	3	UNCHANGED
BIKE PARKING STALLS:	0	9
BUILDING SETBACKS:		
<b>BUILDING A</b>		
FRONT YARD:	40.7M	EXISTING
REAR YARD:		.6M
SIDE YARD (NORTH):		26.4M
SIDE YARD (SOUTH):	.46M	EXISTING
<b>BUILDING B</b>		
FRONT YARD:		41.2M
REAR YARD:		.6M
SIDE YARD (NORTH):		.6M
SIDE YARD (SOUTH):		22.3M
<b>EXISTING HOUSE</b>		
FRONT YARD:	25.9M	UNCHANGED
REAR YARD:	.1M	UNCHANGED
SIDE YARD (NORTH):	6.1M	UNCHANGED
SIDE YARD (SOUTH):	5.8M	UNCHANGED
RESIDENTIAL USE DETAILS		
TOTAL NUMBER OF UNITS:	4 SUITES, 5 HKEEP	10 UNITS
UNIT TYPES:	RENTAL	UNCHANGED
GROUND ORIENTATED UNITS:	4	6
MINIMUM UNIT FLOOR AREA:	32.7M2	20.9M2
TOTAL RESIDENTIAL FLOOR AREA:	296.9	396

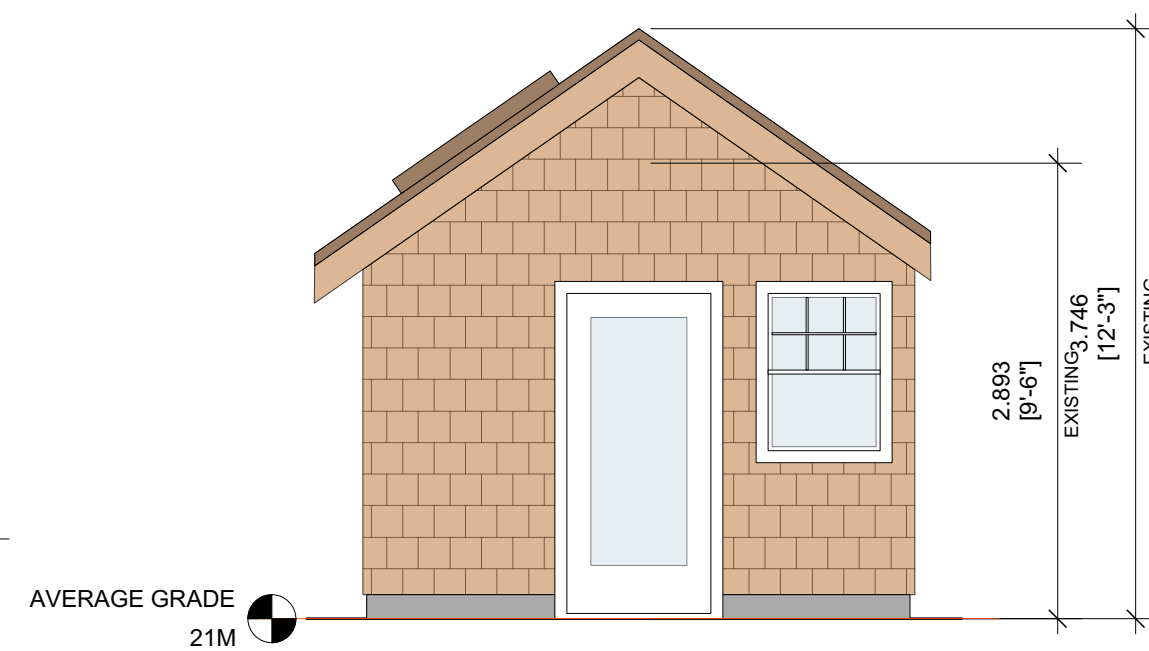


EXISTING AREA= 25 sq. M.  
AREA WITH ADDITION= 27 sq. m.

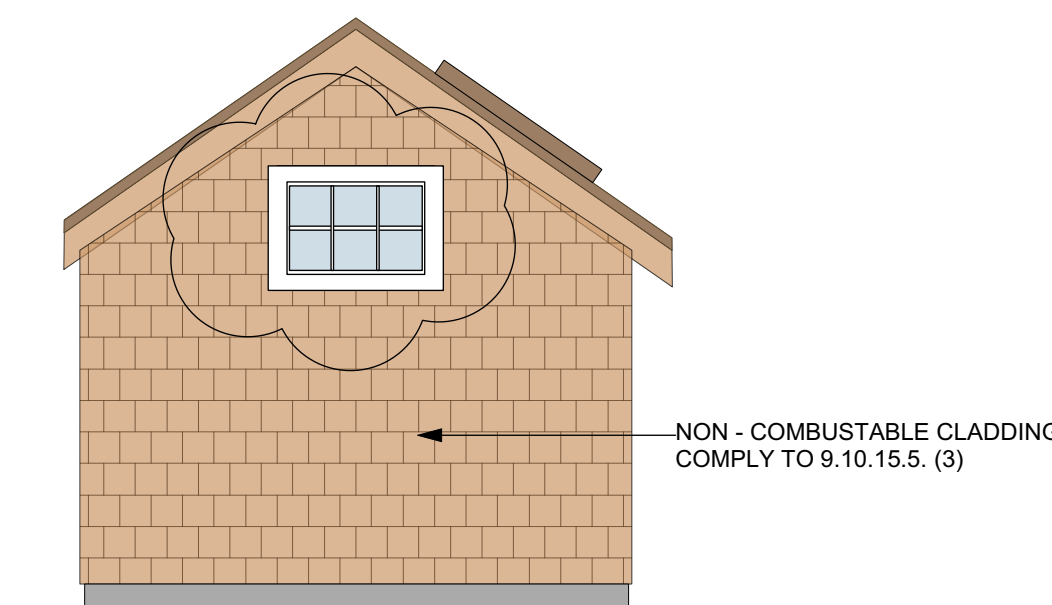
1 MAIN FLOOR PLAN  
Scale: 1:48



4 SIDE ELEVATION  
Scale: 1:48



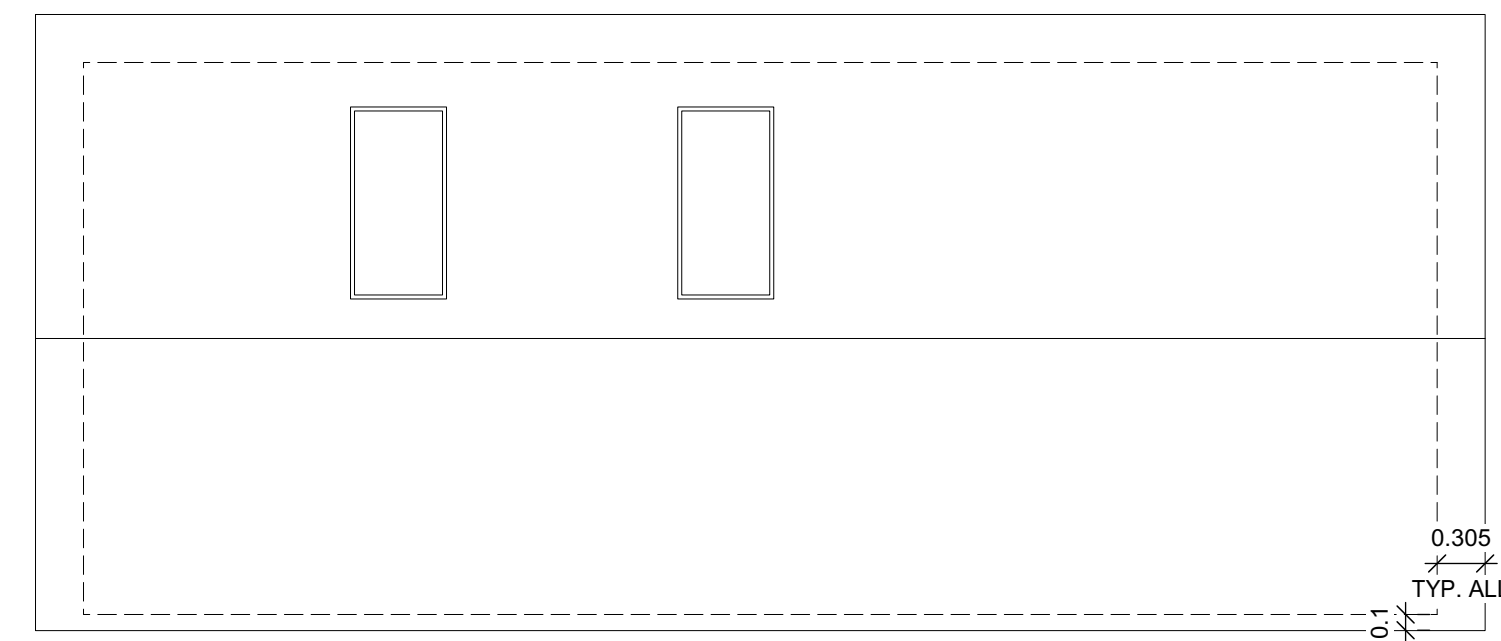
2 FRONT ELEVATION  
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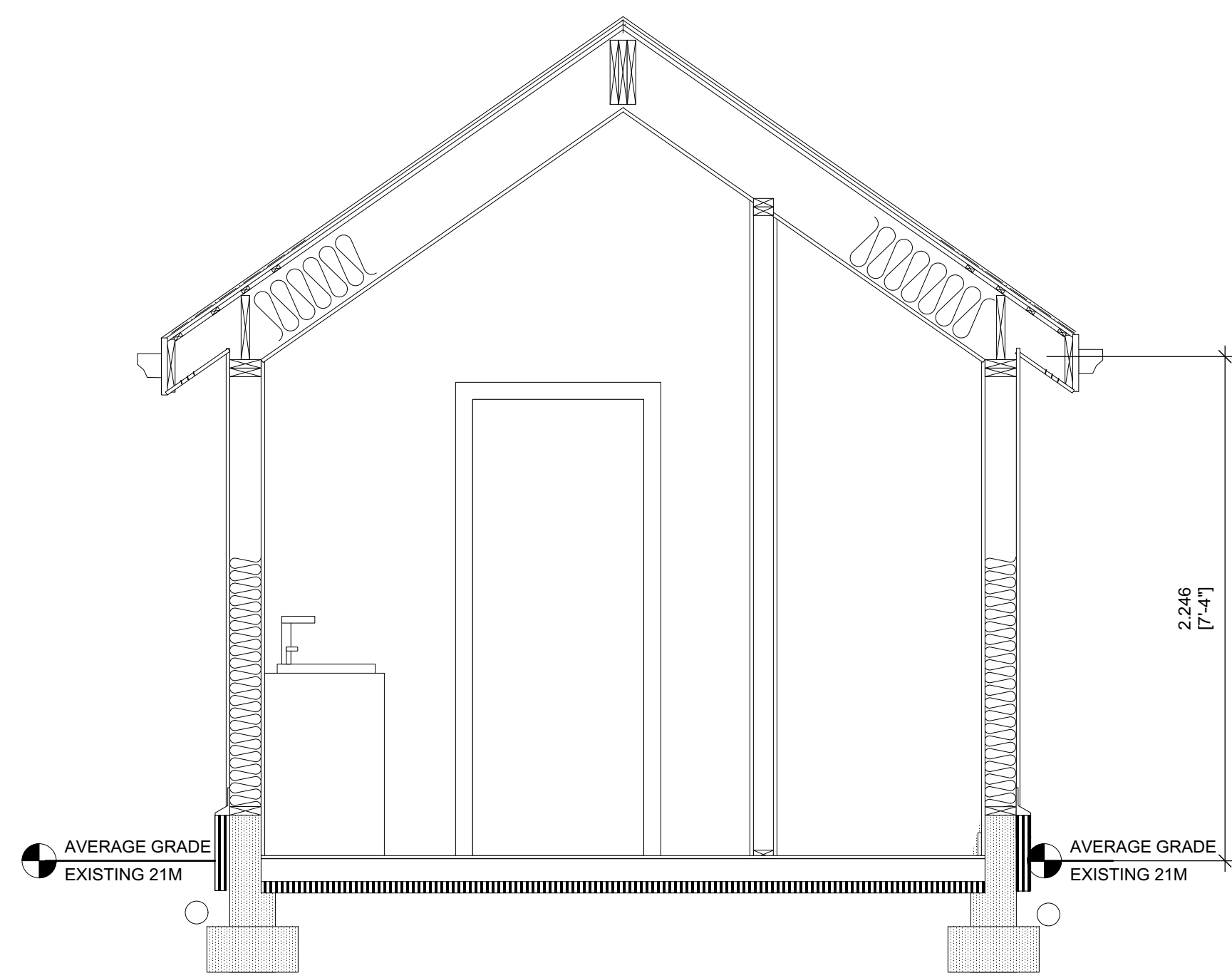
5 REAR ELEVATION (LANE)  
Scale: 1:48



3 SIDE ELEVATION  
Scale: 1:48



6 ROOF PLAN  
Scale: 1:48



7 SECTION  
Scale: 1:24

LEGEND	
	NEW WALL
	RATED 45 MIN WALL
	EXISTING WALL

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o. 250-382-3823 e. info@keyarchitecture.com

COMMENTS			
No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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PROJECT  
601 TRUTCH STREET  
VICTORIA, BC  
REZONING  
SECONDARY BUILDINGS

SHEET TITLE  
BUILDING A  
PLANS & ELEVATIONS

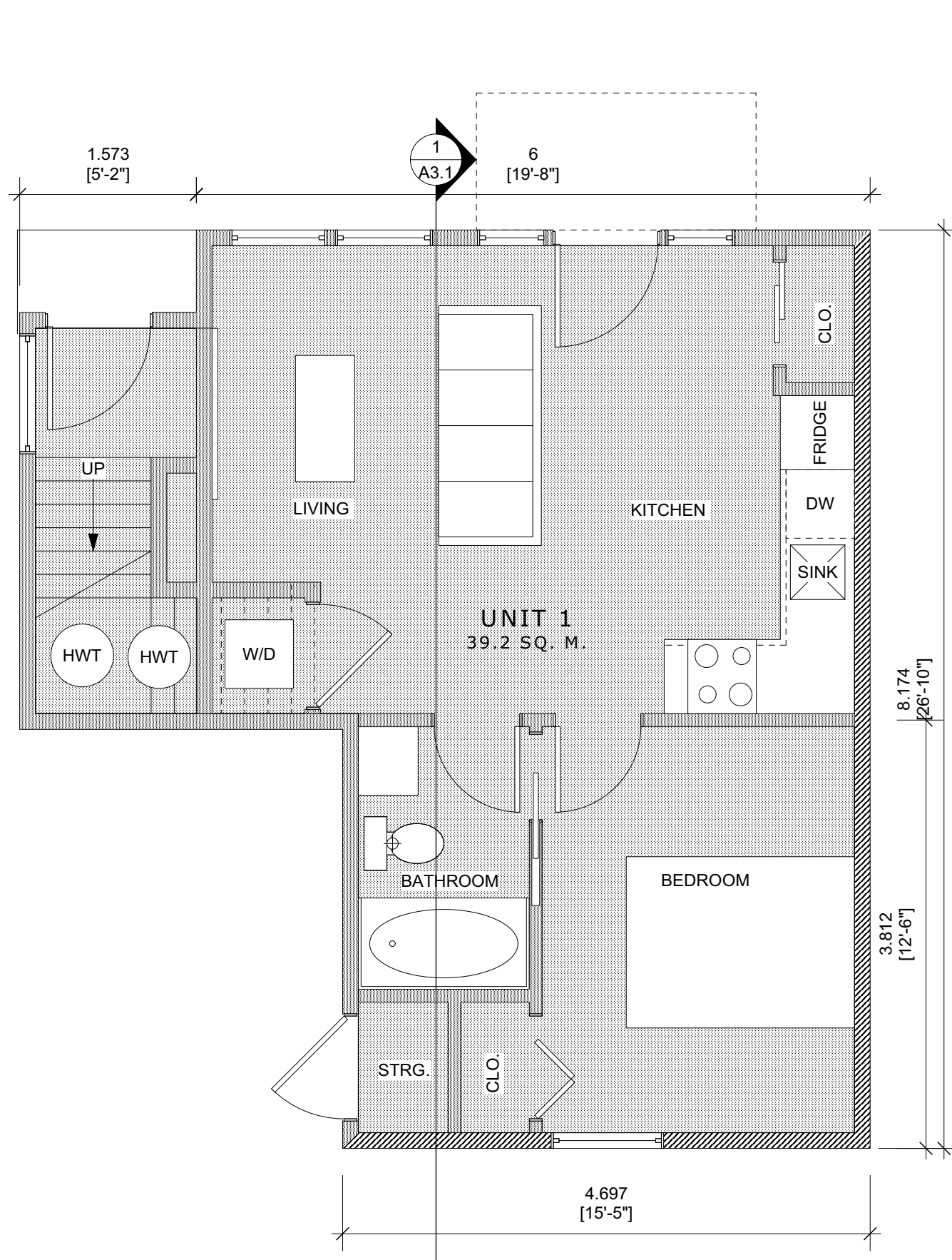
SCALE  
AS SHOWN

JOB No.  
1124 - 1731

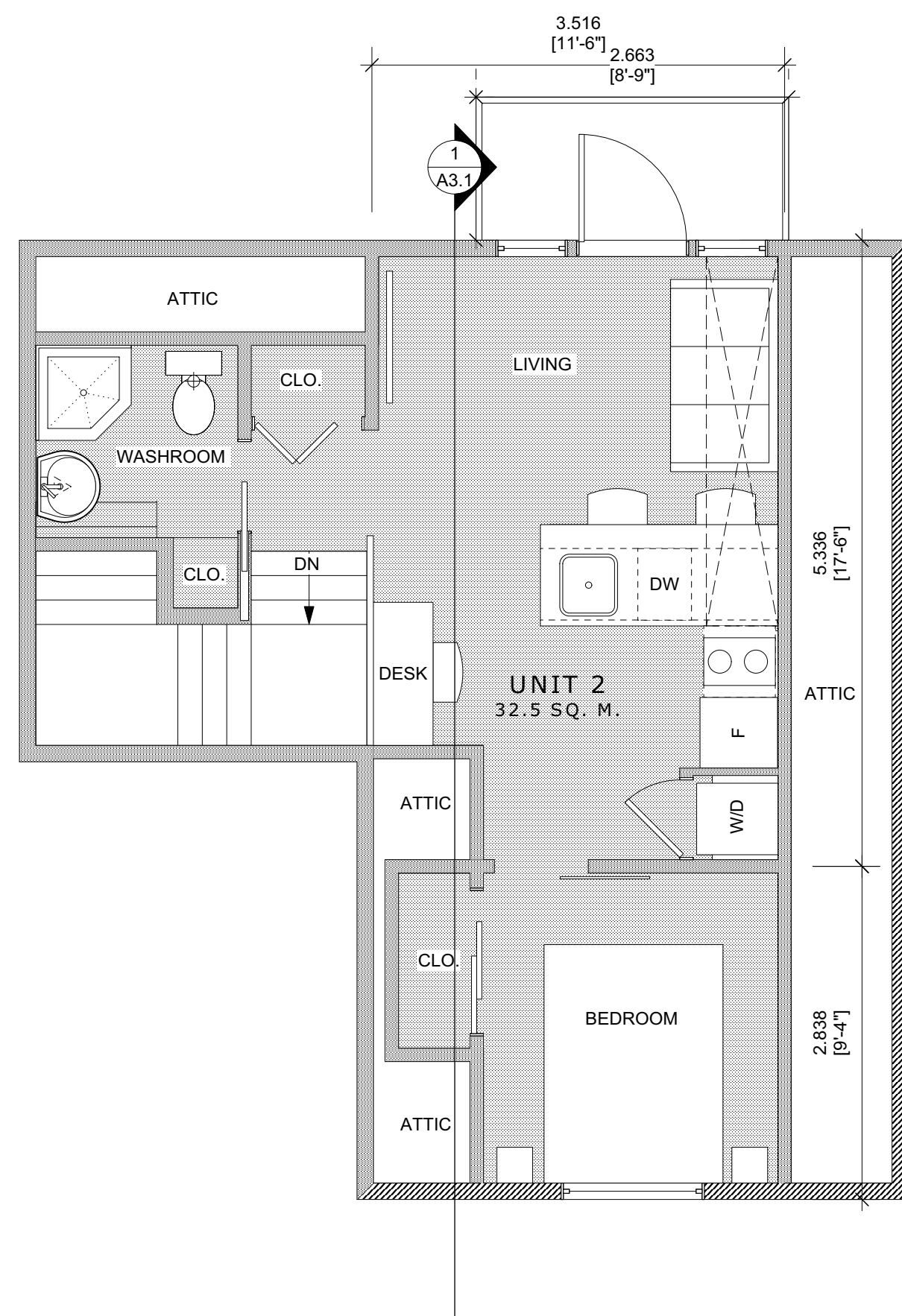
DATE PLOTTED  
November 28, 2019

DRAWN BY  
NP / JA

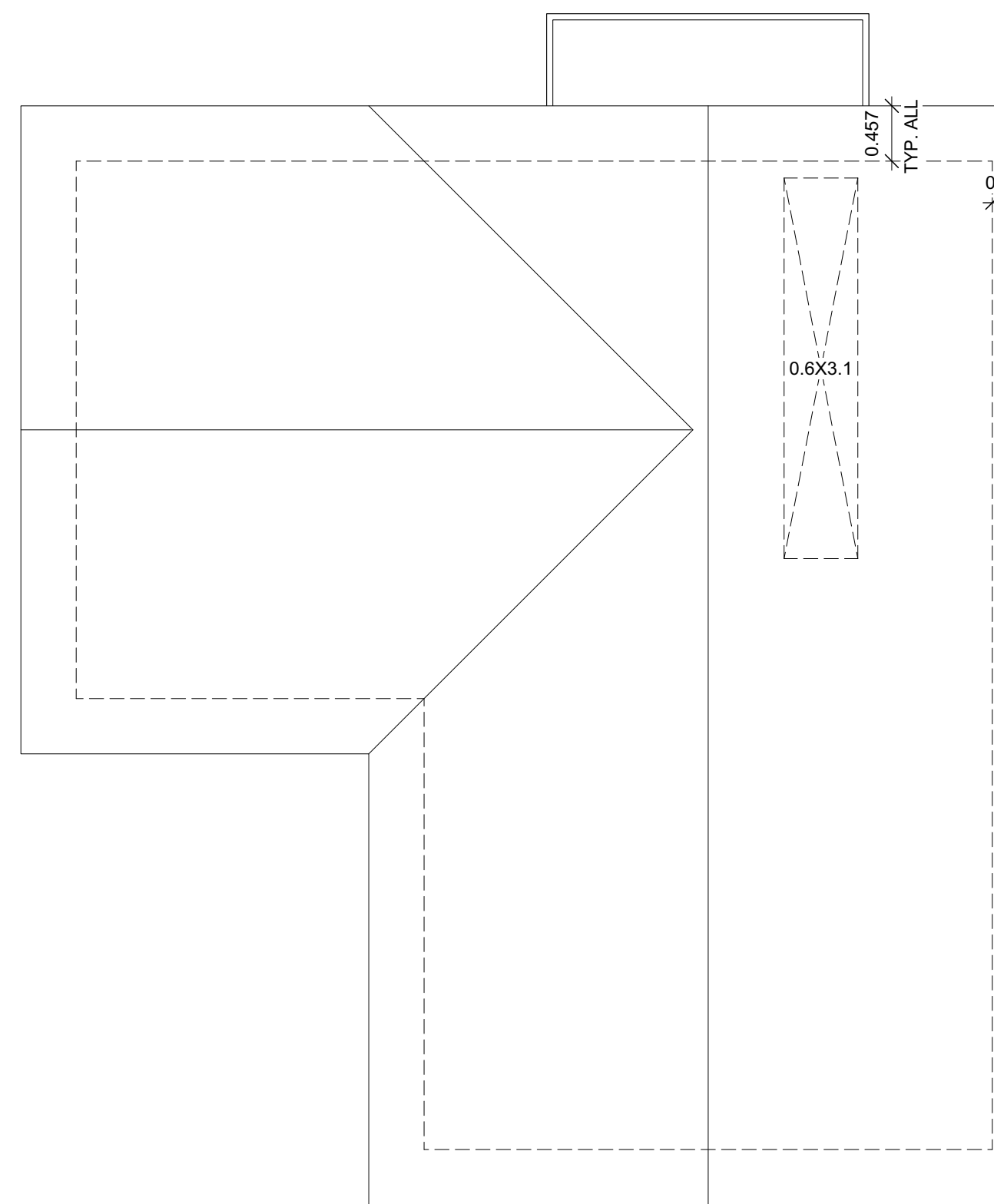
A 2.0



1 MAIN FLOOR PLAN  
SHADED AREA = MAIN FLOOR AREA: 45.7M2



2 SECOND FLOOR PLAN  
SHADED AREA = SECOND FLOOR AREA: 30M2 (65% OF MAIN FLOOR)



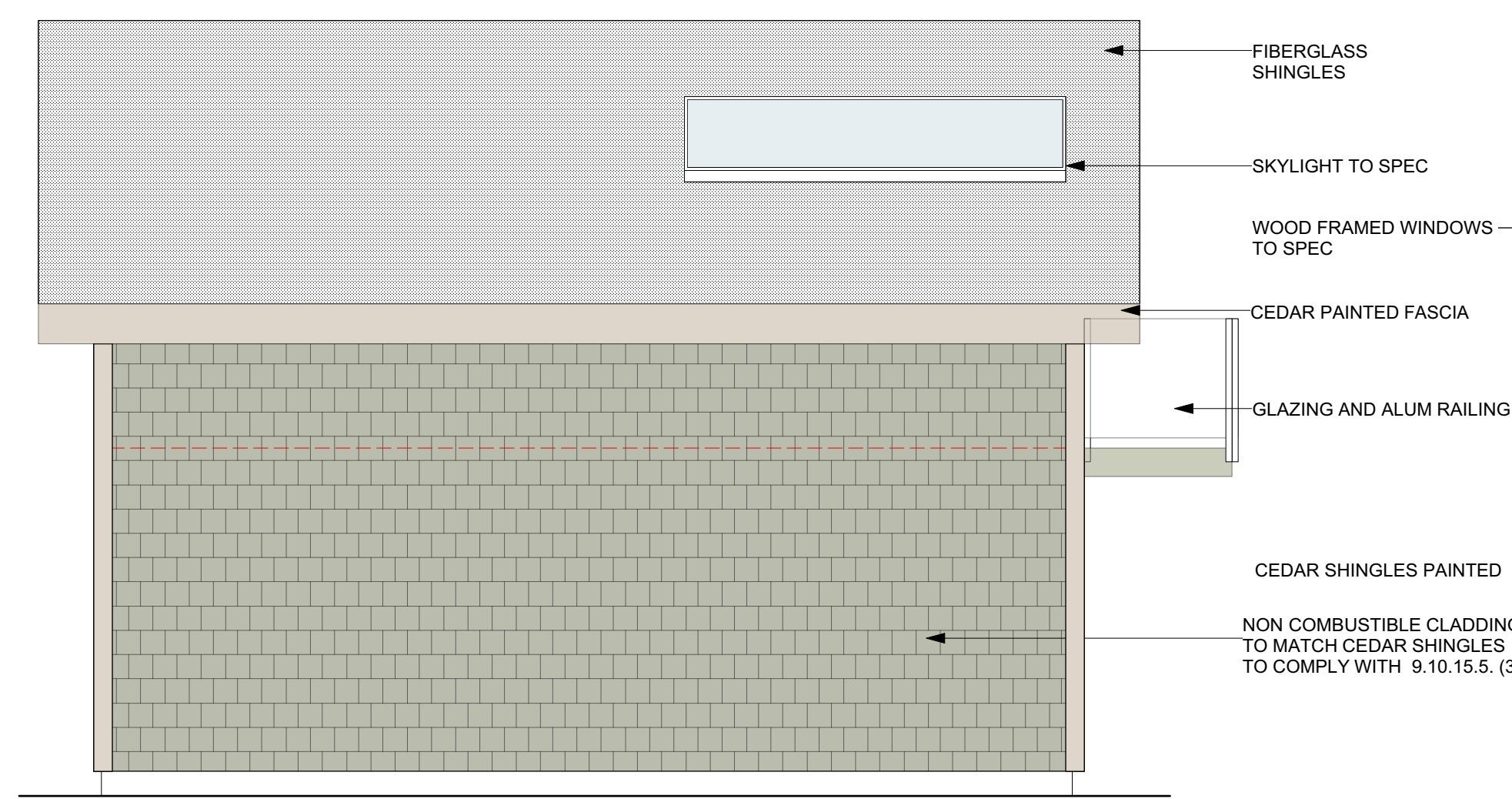
3 ROOF PLAN  
Scale: 1:48



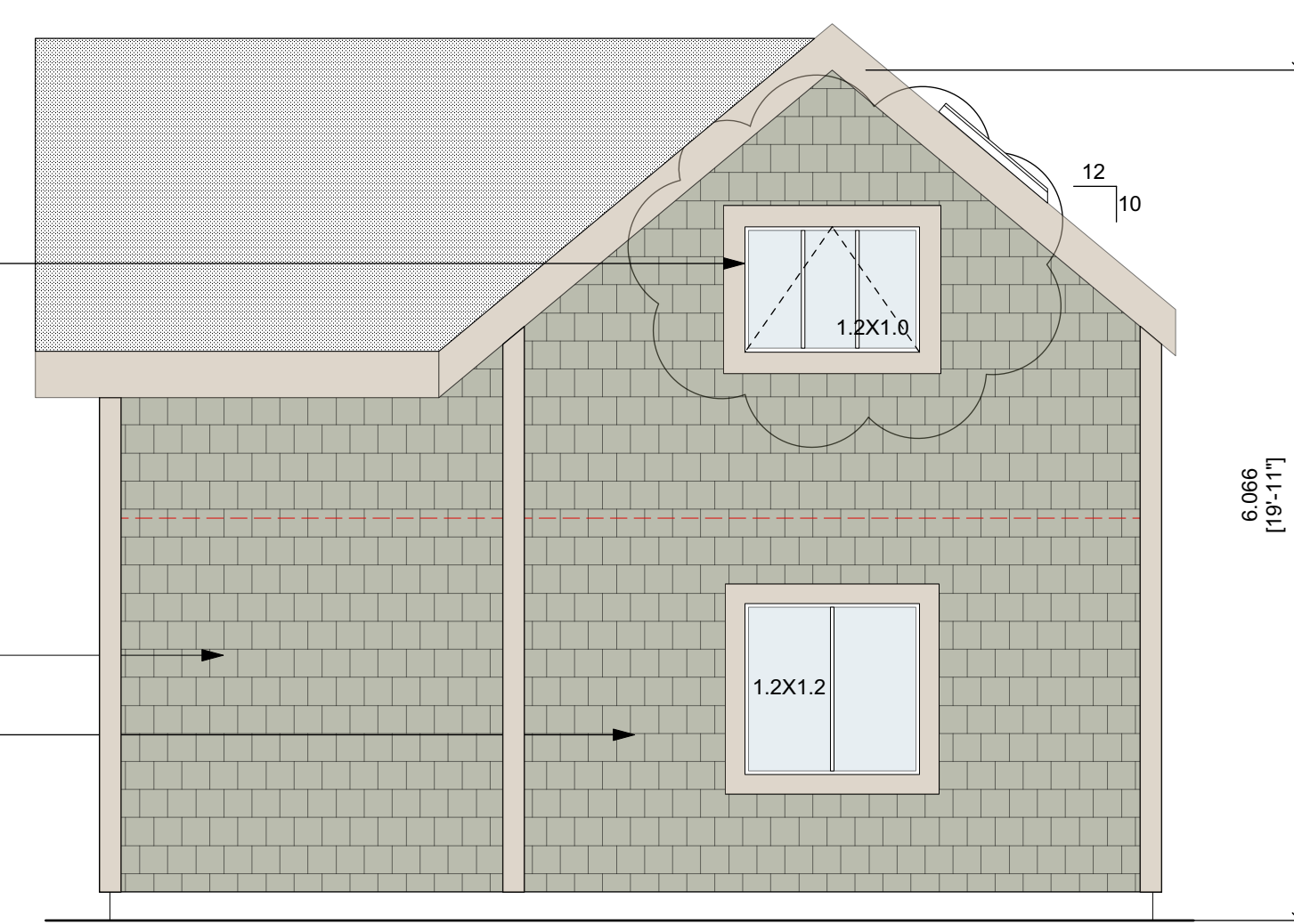
4 FRONT ELEVATION  
Scale: 1:48



5 SIDE ELEVATION  
Scale: 1:48



6 SIDE ELEVATION  
Scale: 1:48



7 REAR ELEVATION (LANE)  
Scale: 1:48

LEGEND	
	NEW WALL
	RATED 45 MIN WALL
	EXISTING WALL

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COMMENTS			
No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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PROJECT

601 TRUTCH STREET  
VICTORIA, BC

**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

**BUILDING B  
PLANS & ELEVATIONS**

SCALE AS SHOWN	JOB No. 1124 - 1731
DATE PLOTTED November 28, 2019	A 3.0
DRAWN BY NP / JA	

COMMENTS

No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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PROJECT

601 TRUTCH STREET  
VICTORIA, BC  
**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

SECTIONS

SCALE  
AS SHOWN

JOB No.  
1124 - 1731

DATE PLOTTED  
November 28, 2019

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A3.1

COMMENTS

No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

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PROJECT  
  
601 TRUTCH STREET  
VICTORIA, BC  
  
REZONING  
SECONDARY BUILDINGS

SHEET TITLE  
  
MAIN DWELLING  
PLANS

SCALE  
AS SHOWN

JOB No.  
1124 - 1731

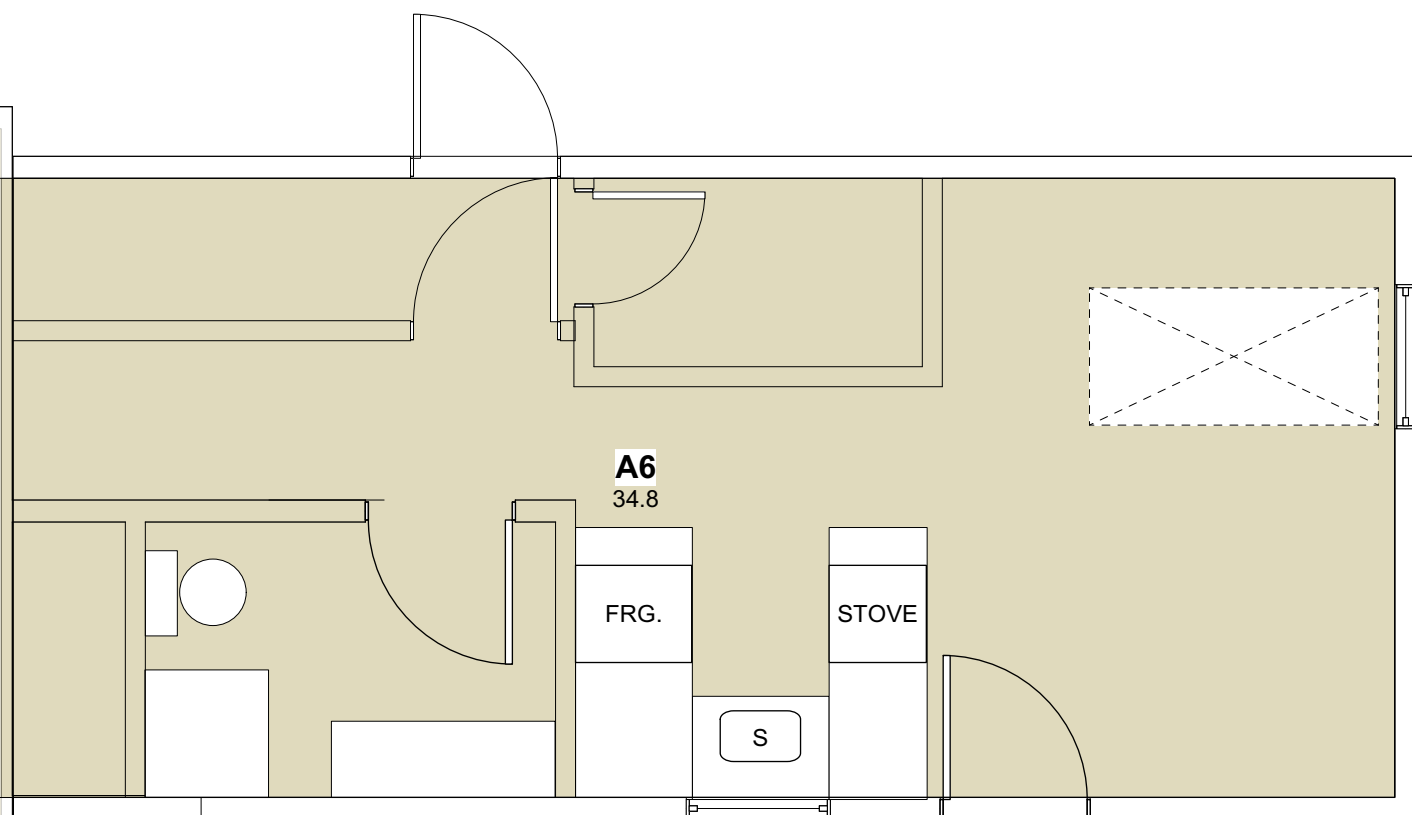
DATE PLOTTED  
November 28, 2019

DRAWN BY  
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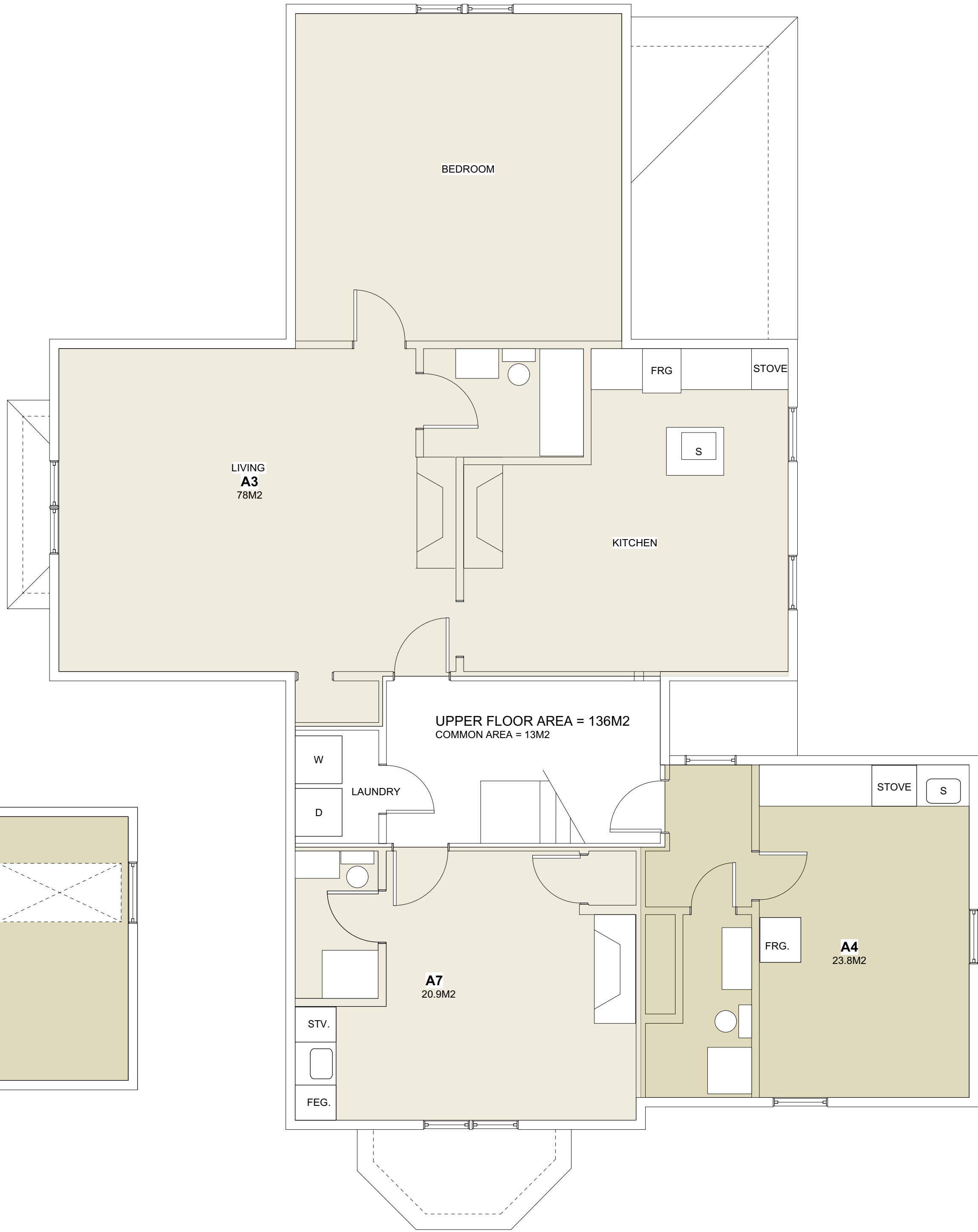
A4.0



1 MAIN DWELLING MAIN FLOOR  
Scale: 1:48  
NOTE: ALL SUITES EXISTING



2 MAIN FLOOR EXISTING ADDITION  
Scale: 1:48  
NOTE: ALL SUITES EXISTING



3 MAIN DWELLING UPPER FLOOR  
Scale: 1:48  
NOTE: ALL SUITES EXISTING

COMMENTS

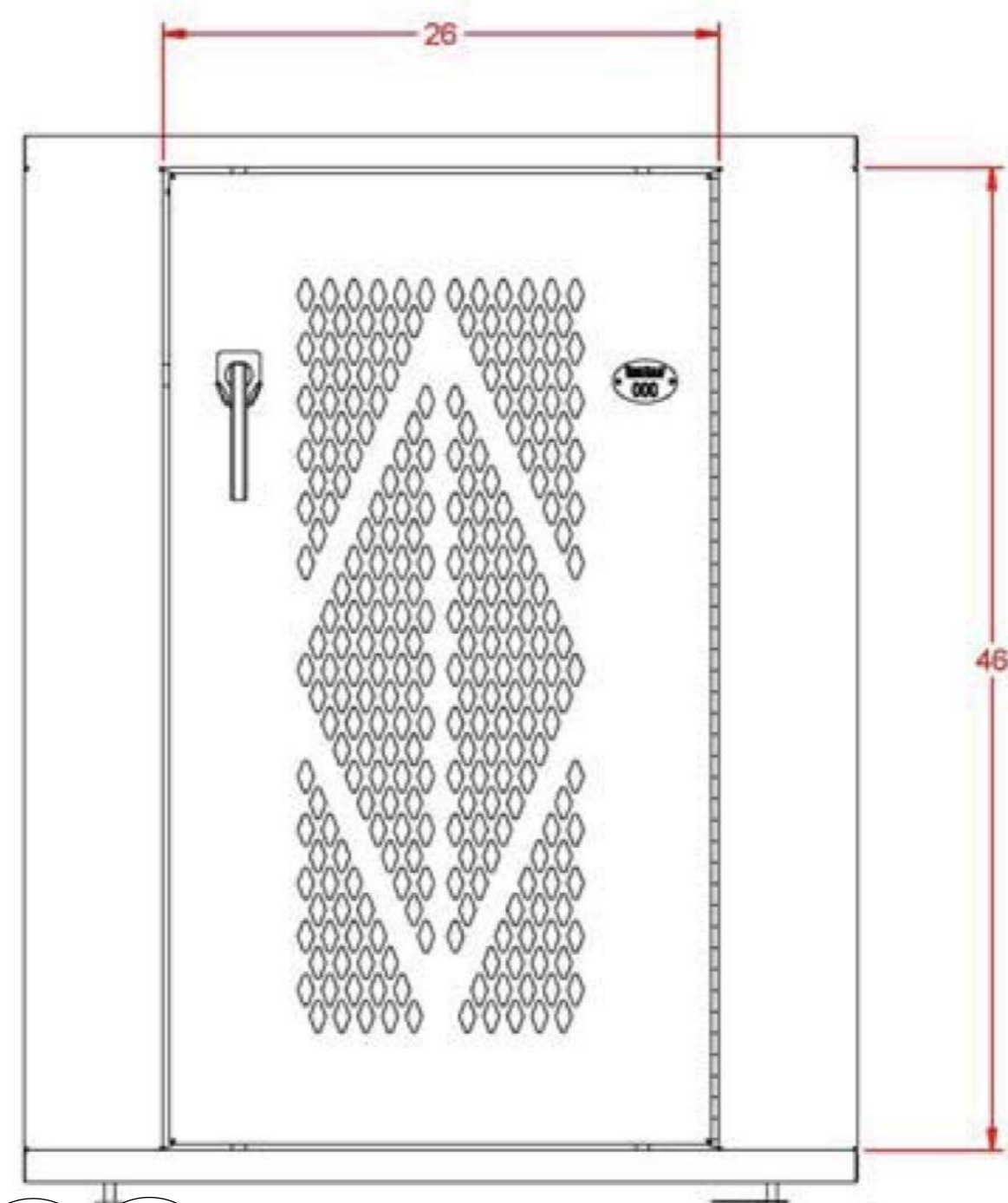
No.	DESCRIPTION	DATE	BY
1.	ISSUED FOR REZONING APPLICATION	11/15/18	JA
2.	REVISIONS	28/11/19	JA

GENERAL NOTES

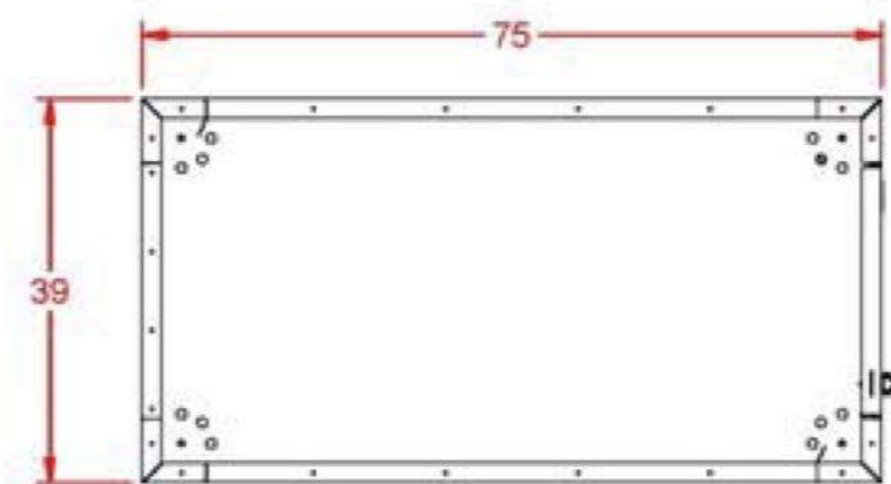
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1 LANE WAY STREETSCAPE  
Scale: 1:96



2 BIKE LOCKERS  
SCALE: NTS



Single door -one bike



2 PHOTO OF NON HABITABLE CRAWL SPACE  
SCALE: NTS

PROJECT

601 TRUTCH STREET  
VICTORIA, BC  
**REZONING  
SECONDARY BUILDINGS**

SHEET TITLE

LANE WAY  
STREET SCAPE  
BIKE LOCKERS

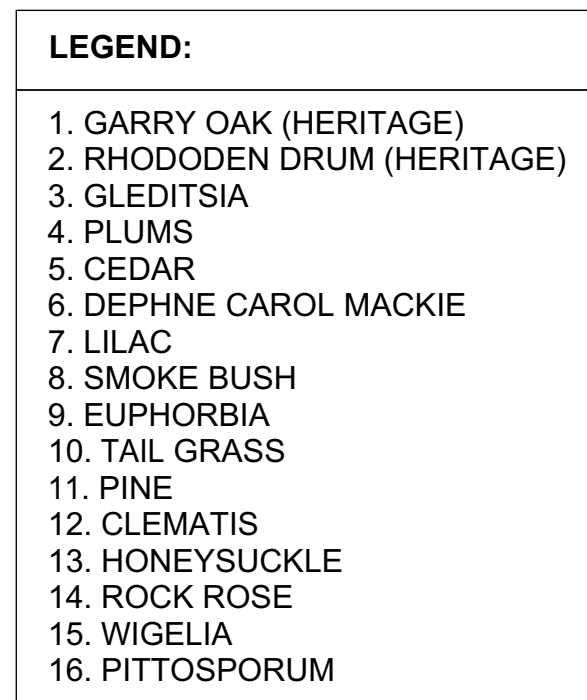
SCALE  
AS SHOWN

JOB No.  
1124 - 1731

DATE PLOTTED  
November 28, 2019

DRAWN BY  
NP / JA

A5.0



# keay architecture ltd.

John Keay, Architect, AIBC

Nicole Parker, Architectural Technologist, AIBC

2<sup>nd</sup> Floor, 1124 Fort Street  
Victoria, BC, V8V 3K8

o. 250-382-3823  
e. info@keayarchitecture.com

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November 29, 2019

To: Mayor and Council  
City of Victoria  
Planning Department  
1 Centennial Square  
Victoria, B.C.

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## Re: Rationale for 601 Trutch Street Rezoning

Dear Mayor and Council,

We are submitting an application for the rezoning of 601 Trutch Street from R1-B to a new site-specific zone.

The owner, Peter Walton, is proposing three additional rental units off the back lane at 601 Trutch: one through an addition to an existing garden shed and two in a proposed coach house adjacent to the lane.

601 Trutch Street dates from 1861 and was designed by noted architect John Wright. The original home was converted into 11 housekeeping rooms in the late 1940's. It has been in the care of Peter Walton since 1982 when heritage designation was secured from the city for both house and grounds to ensure long-term protection of this historic community asset. The careful restoration of the exterior was undertaken based upon archival records and won 601 Trutch Street a Hallmark Award in 1984.

Currently, the property is zoned as R1-B and contains seven rental suites. We are proposing to renovate and expand the current garden shed into a single rental unit and construct a new building in the north east corner to include two additional rental units. The three proposed suites range in size from 26sq.m. to 39sq.m. The current building is located on a large 1523sq.m. lot, with 20% site coverage and has a total floor area of 325sq.m. In this application, we are proposing to increase the site coverage to 24%, and the floor area to 430sq.m. The property currently has three parking stalls, with an existing variance of five. The proposed units will increase the required stalls by two, prompting an additional variance of two stall. See parking Calculation on Architectural A-1.0.

Due to the buildings close proximity to the downtown core, the majority of tenants rely on walking, biking and public transit as their mode of connection with the community. With concerns to the increase of traffic, the building owner has included in the proposed application an electric vehicle charging station, 2 Modo plus memberships, 5 locked and covered bicycle parking stalls along with 4 visitor bicycle parking spots.

The addition of three new rental suites to the existing seven suites provides for a modest increase in density with no visual impact to the Trutch street scape. Both buildings have been designed sensitively to reflect and complement the aesthetic of the original dwelling. Rooted in the existing architecture of the 601 Trutch Street home, the proposed design retains the character of the neighborhood and reinforces the vitality that makes Fairfield such a special place to live.

We believe this application provides an opportunity to establish three new rental suites in an area of high demand for rental housing with an anticipated positive impact on the neighborhood. Thank you for your consideration of this proposal. We look forward to presenting and answering all questions you may have.

Sincerely,

Nicole Parker, Architectural Technologist, AIBC  
Associate

## **Fairfield, 601 Trutch Street**

### **Statement of Significance**

#### **Description of Historic Place**

Fairfield is a two-storey wood frame Italianate Villa style residence on a raised rock outcropping on Trutch Street in the Fairfield neighbourhood of Victoria, B.C. It is elevated above a formally landscaped front yard of large Garry Oak trees, mature hedges and shrubs.

#### **Heritage Value**

This large dwelling, built in 1861 and is of significant historical value as one of the oldest homes in Victoria, and through its association with Sir Joseph Trutch, a civil engineer, and the first Lieutenant-Governor of the Province of British Columbia in 1861. Throughout his political career, Trutch was noted for his hostility to land claims by First Nations people, and demonstrated contempt for their concerns. Following his tenure as Lieutenant-Governor, he was appointed “Dominion Agent for British Columbia” and helped oversee the construction of the Canadian Pacific Railway.

The subdivision of the Trutch estate in 1906 spearheaded the development of Fairfield as major residential community in Victoria. The house is of value as an illustration of the transition of Victoria from pioneer farms to the first suburbs, through its association with the subdivision of the original ten acre estate. Through its association with Sir Joseph Trutch, it also illustrates the importance of Victoria as the capital city of British Columbia and its role as a centre of government.

The house also has value as an example of the Italianate Villa style of architecture, *designed* by the noted Victoria architects, Wright and Sanders. The elements of this style are well illustrated in this house through the prominent front facing gable roof wing with wide overhanging eaves with decorative brackets, bay windows, and tall windows with hooded wood trim. The restoration of the house in the early 1980s demonstrates the commitment of many Victoria residents to the heritage conservation of the City’s residential heritage.

The well preserved character of the house contributes to the integrity of the streetscape of heritage homes along Trutch Street.

#### **Character-Defining Elements**

Key elements that define the heritage character of Fairfield include:

- Prominent elevated location at the top of a rock outcrop with mature landscaping in the large front yard and a substantial setback from the street.

- All elements of the Italianate Villa style including: the gable roof forms, bay windows, wide overhanging roof eaves, decorative brackets, tall wood multi lite windows, wood shingles on the main level and stucco on the second storey, original wood front door, porch overhangs, brick chimneys

**CITY OF VICTORIA  
HERITAGE ADVISORY PANEL  
MEETING MINUTES  
NOVEMBER 12, 2019**

**Present:** Pamela Madoff, Chair  
Steve Barber  
Julie Bréhéret  
Katie Cummer  
Hal Kalman  
Shari Khadem  
Lisa MacIntosh  
Connie Quaedvlieg  
Graham Walker

**Absent:** Doug Campbell

**Staff:** John O'Reilly, Senior Heritage Planner  
Alison Meyer, Assistant Director, Development Services  
Lauren Martin, Heritage Secretary

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The Chair called the meeting to order at noon.

**1. Adoption of the Minutes of the October 8, 2019 Meeting**

On page 5, item 6, add the word “manual” to the last sentence of the fourth bullet as follows: “There will be a written practice *manual* for the maintenance of Waddington Alley.”

**Moved**

**Seconded**

That the minutes be approved as amended.

**Carried**

**2. Announcements**

- John O'Reilly gave an update about the applications that will be reviewed at November and December Committee of the Whole meetings.
- Reminder of the Victoria Heritage Foundation Christmas-Winter Party on Tuesday, December 3<sup>rd</sup>, 5:30 pm - 8:30 pm at Wentworth Villa.
- Reminder of the extra Panel meeting on Tuesday, November 26<sup>th</sup> at noon.

*12:07 pm - Steve Barber recused himself for the next item as he wrote the report for 601 Trutch Street while employed by the City.*

3. **601 Trutch Street**  
**Heritage Alteration Permit with Variances Application No. 00012**

Attendees: Nicole Parker and John Keay (Keay Architecture Ltd.)

John O'Reilly provided a brief introduction. John Keay presented.

Panel Questions and Comments

- What changes have been made since the application was reviewed at the August 13<sup>th</sup> Panel meeting? John Keay: Some trim detailing was changed to match the existing building; minor changes were made to the windows on the duplex (they are narrower and taller); a Statement of Significance was created.
- The proposed increase in floor area is a concern. The allowable floor area is 300m<sup>2</sup>; the application is requesting 424m<sup>2</sup> (40% more). Would that be a precedent in this neighbourhood? John O'Reilly: Some of the floor area is the existing house and the remainder is in the two proposed garden suites. This is a very large lot at 1500m<sup>2</sup> with a density of 0.28:1. Alison Meyer: Generally the density is 0.6:1 in low density traditional neighbourhoods.
- Will the garden suites be visible from the street? John O'Reilly: No, they will not be visible from the street due to the lot's typography and the placement of the buildings on the site. The existing lane provides a buffer for the neighbours to the east.

**Moved**

**Seconded**

That the Heritage Advisory Panel recommend to Council that Heritage Alteration Permit with Variances Application No. 00012 for 601 Trutch Street be approved as presented.

**Carried (unanimous)**

*12:21 pm - Steve Barber returned to the meeting.*

4. **1029 Queens Avenue**  
**Request for the property to be placed on the Heritage Register (APF 01816)**

Attendees: Jenny Farkas (owner, 1029 & 1033 Queens Avenue) and Sue Hallatt (owner, 1033 Queens Avenue)

John O'Reilly provided a brief introduction.

Panel Questions and Comments

- If a rezoning application includes a building with potential heritage value, the City usually requires heritage designation as a condition of the rezoning as opposed to placement on the Heritage Register. The City gains protection of a heritage building in return for the public benefit of increased density. Why is this request for registration rather than designation? John O'Reilly: The applicant would not commit to designation of the building given the small scale of the proposal. The City has chosen not to pursue designation since the applicant may offer rental in perpetuity, with rents

potentially below market value and secured through a legal agreement. Alison Meyer: Unless the City is willing to provide compensation, an applicant cannot be forced to designate their property, especially if there are other public benefits (i.e. housing).

Pamela Madoff: The Panel may recommend to Council that the property be designated.

- The building has significant heritage value as identified in the Statement of Significance and should be designated, not just placed on the Register.

**Moved**

**Seconded**

That the Heritage Advisory Panel recommend that Council approve the heritage designation of the property located at 1029 Queens Avenue, pursuant to Section 611 of the *Local Government Act*, as a Municipal Heritage Site.

**Carried (unanimous)**

## 5. **Downtown Core Area Plan Update**

Presenters: Robert Batallas, Senior Planner and Joaquin Karakas, Senior Urban Designer

### Panel Questions and Comments

- From the perspective of the mandate of the Panel, there is a key heritage issue missing. The DCAP does not recognize that since it was adopted, the City has seen increased density and development pressure particularly in the Downtown Business District and the Residential District (Harris Green). In those areas there are a number of heritage-registered buildings that are not protected and therefore are vulnerable to demolition. Developers want to preserve façades only which is the worse type of heritage conservation. The DCAP needs to address this with a strong policy regarding heritage buildings, particularly heritage-registered ones. Developers are currently eligible for Victoria Civic Heritage Trust funding even if only the façades are retained. Some heritage-related policies in the previous DCAP that were removed could be reinstated. Robert Batallas: Perhaps additional policies and guidelines related to existing heritage-registered buildings are needed, i.e. like those in the *Old Town Design Guidelines*.
- In Chapter 7 it is stated that there are more than 200 heritage properties in the Downtown Core, but only 12 are considered heritage landmarks. What is the criteria for a building to be deemed a landmark? Why is the museum not included? Joaquin Karakas: Heritage landmarks are described in the DCAP as follows: “visually significant buildings that are recognized for their heritage values, architectural design, detail, scale and appearance which collectively, contribute to placemaking. They are also noted for their prominence as visual landmarks within local streetscapes, their ability to be commonly recognized and memorable, and for their overall contribution to the public realm.”
- Robert Batallas: Map 26 shows 12 heritage landmarks and their protected view corridors. The Empress Hotel and the Legislature have a 180m perimeter view corridor while the others have a 90m perimeter. Panel member: At one time there were other view corridors, such as spire to spire, that could be reinstated.

- There need to be policies related to the height and setbacks for additions to heritage buildings.
- The term “heritage landmark” has gone out of favour; suggest the use of another term and consideration of intangible heritage, diversity, reconciliation, etc.
- The use of the term “heritage landmark” needs further discussion. There is no question that the Empress Hotel and the Legislature are significant heritage landmarks that contribute to the special character of the Inner Harbour and deserve added protection. The other buildings could be termed “urban landmarks.”
- What aspects of the *Downtown Core Area Plan* are in conflict with the *Old Town Design Guidelines*? What has been delivered under these plans, particularly those properties on the borders of the Downtown Core or Old Town? For example, policy is needed that encourages development that enhances the area adjacent to heritage properties rather than creating canyons, addresses minimum lot sizes, number of towers allowed per block, etc.
- Robert and Joaquin will return to a future Panel meeting. The discussion will focus on recently approved projects that involved heritage buildings in the Downtown Core and the Panel will provide input regarding heritage only (i.e. Chapter 7). Robert is also looking for a volunteer for the technical working group.

*The Secretary left the meeting at 12:40 pm as the remaining agenda items did not require minutes.*