



## Committee of the Whole Report For the Meeting of June 8, 2023

---

**To:** Committee of the Whole

**Date:** April 20, 2023

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

**Subject:** Heritage Alteration Permit Application No. 00248 for 579 - 589 Johnson Street

---

### RECOMMENDATION

1. That, subject to consolidation of 579 - 589 Johnson Street into a single property, Council authorize the issuance of the Heritage Alteration Permit No. 00248 for 579 - 589 Johnson Street in accordance with plans submitted to the Planning department and date stamped February 22, 2023 (the "Plans"), subject to:
  - a. Proposed development meeting all City zoning bylaw requirements.
  - b. Registration of the following legal agreements:
    - i. an easement over part of 1320 Government Street for access to 589 Johnson Street and for a roof overhang, with a covenant in favour of the City to ensure the properties are used and occupied in accordance with the easement, with content to the satisfaction of the Director of Sustainable Planning and Community Development and in a form satisfactory to the City Solicitor.
    - ii. execution of an encroachment agreement for existing decorative features of the W.G. Cameron Building and an awning of the proposed new building, with content to the satisfaction of the Director of Engineering and Public Works and in a form, generally consistent with schedule F of the Land Use Procedure Bylaw, satisfactory to the City Solicitor.
  - c. Final plans to be generally in accordance with the Plans to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
2. Approval of the designation of the property located at 579 Johnson Street, specifically the original 1888 exterior of the historic building described in the Statement of Significance, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that the introductory readings of the Heritage Designation Bylaw be considered by Council.
3. Direct staff to amend the City of Victoria's Heritage Registry, to remove the Shotbolt Building at 585-587 Johnson Street from the list.
4. That the Heritage Alteration Permit, if issued, lapses two years from the date of this resolution.

## 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 purpose of this report is to provide Council with updated information, analysis and recommendations for a Heritage Alteration Permit application for the property located at 579-589 Johnson Street. The proposal is to construct a five-storey mixed use, residential building and includes the demolition of the existing, one-storey heritage registered Shotbolt Chemist building and the heritage designation of the existing heritage registered W.G. Cameron Building.

This application was previously presented at a Committee of the Whole (COTW) meeting on September 29, 2022, where Council recommended the following motion.

*“That Council refer Application No. 00248 for the property located at 579-589 Johnson Street back to staff to work with the applicant to:*

- 1. Provide a minimum 5m rear yard setback.*
- 2. Provide a minimum 1.2m east side-yard setback or remove the windows on the east elevation.*
- 3. Revise the ground floor frontage facing Johnson Street to be more consistent with the Old Town Design Guidelines (2019).*

*That the Application go back to the Heritage Advisory Panel for consideration of how it responds to the rest of the street scape in regards to color and character.”*

The applicant has since made the recommended changes and returned to the Heritage Advisory Panel per the Council motion.

## DESCRIPTION OF CURRENT PROPOSAL

579 and 585 Johnson Street are a pair of adjoining heritage properties on the south side of lower Johnson Street. 579 Johnson Street contains a two-storey heritage registered building, built in 1888 called the W.G. Cameron building. 589 Johnson Street contains the heavily altered, one-storey remnant of a building constructed in 1876 called the Shotbolt Chemist building. The application proposes to replace the Shotbolt Chemist building with a new mixed-use building, containing 24 residential units and five commercial units, connected to the W.G. Cameron building. Seismic upgrading of the W.G. Cameron building is proposed along with the conversion of its second storey into three residential units. The existing ground floor retail uses are proposed to be retained. The proposal includes the following major design components:

- a five-storey, L-shaped, mixed-use building measuring four-storeys at the street frontage of 579 Johnson Street and five-storeys at the rear of the property, where it extends over the property line of 589 Johnson Street

- a contemporary front façade design, including steel structure, vertical glass panels (which are to evoke the interior glass bottles and shelves in the chemist building), and horizontal metal panels guardrails to the inset balconies with a curtain wall glazing system
- an aluminum ground floor glazing assembly framed with an aluminum surround and inset approximately 1.5 metres behind a colonnade made up of the conserved cast iron columns from the former Shotbolt Chemist building
- an alleyway between the new building and the W.G. Cameron building
- a masonry west elevation facing the alley, constructed from salvaged bricks
- a seismic upgrade to the W.G. Cameron building including a corridor and stair connection to the new building adjacent
- 24 residential units within the new building and three residential units within the existing Cameron building.

## **ANALYSIS**

Consistent with the Council recommendation, the applicant made the following changes:

### New Infill Building

- revised the rear yard setback from 0 to 5 metres by reducing the size of the rear courtyard
- removed windows to residential units on the east elevations to comply with the building code
- inset the entry doors to the two commercial units facing Johnson Street.

### W.G. Cameron Building

- created three, one-bedroom units on the second floor of the upper level of the Cameron building where previously this portion of the building was to remain as retail space
- addition of two window openings on east wall elevation facing the alleyway, proposed to match the existing windows
- confirmed seismic upgrade of the W.G. Cameron building and conversion of upper floor will occur at time of new build construction.

These changes improve the application's consistency with the applicable design guidelines, improve the proposal's liveability and equitable distribution of density, meet the building code and adequately address the previous Council motion.

## **Heritage Advisory Panel, 2023**

The initial application was reviewed by the Heritage Advisory Panel (HAPL) on December 14, 2021. Since that time the HAPL did not see the plan revisions made following their recommendation, which were presented to Council at the September 29, 2022 COTW meeting. At the COTW meeting, Council recommended that the application go back to the HAPL for a review prior to being advanced. This meeting occurred on February 14, 2023 (minutes attached) and the unanimous motion was:

***Motion:*** *That the Heritage Advisory Panel recommends to Council that Heritage Alteration Permit Application No. 00248 for 579 and 589 Johnson Street be approved as presented.*

## **Encroachment Agreement**

Existing decorative features on the W.G. Cameron Building and the street-level canopy on the proposed new building project above the City Right-of-Way on Johnson Street. Canopies are

encouraged in the applicable design guidelines to provide pedestrian weather protection and welcoming streetscapes. The preservation of existing historic building features is also promoted within City policies. To facilitate these canopies and to rectify the existing historic encroachments, the applicant is required to enter into an encroachment agreement with the City. Appropriate wording is included in the recommendation, should Council wish to approve this application.

### **Easement Agreement**

An easement currently exists between the subject property and the neighbouring property to the east to facilitate exiting from the subject property. However, if the existing building on the subject property is demolished, as proposed, then this easement may be discharged. To prevent this and to ensure that proper exiting persists, the recommended motion includes language to secure these existing provisions. Additionally, the proposal includes a roof overhang that encroaches on this easement, which would also need to be rectified in a new easement agreement. Again, the recommended motion includes language to secure this encroachment.

### **CONCLUSIONS**

The applicant has amended the proposal to be consistent with the previous Council recommendation and has presented their revised application to the Heritage Advisory Panel. The heritage advisory panel's recommendation was in support of the application, without changes, and are satisfied that the revisions adequately addressed the motion. As such, it is recommended that Council consider approving the application.

### **ALTERNATE MOTION**

That Council decline Heritage Alteration Permit Application No. 00248 for the property located at 579-589 Johnson Street.

Respectfully submitted,

Kristal Stevenot  
Senior Heritage Planner  
Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

Miko Betanzo, Senior Planner Urban Design  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

### **List of Attachments**

- Attachment A - Plans date stamped "Deemed February 22, 2023"
- Attachment B - Second Heritage Advisory Panel minutes, dated February 14, 2023
- Attachment C - Heritage Alteration report, dated September 15, 2022
- Attachment D - Heritage Designation report, dated September 15, 2022