



Planning and Land Use Committee Report

For the Meeting of January 28, 2016

To: Planning and Land Use Committee **Date:** January 14, 2016

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: **Development Variance Permit Application No. 00169 for 534 Pandora Avenue (Lum Sam and Look Den Building)**

RECOMMENDATION

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

“Authorize the issuance of Development Variance Permit Application No. 00169 for 534 Pandora Avenue, in accordance with:

1. Plans date stamped December 11, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
Part 6.7 - CA-3C Zone - Old Town District, 1 (e), to allow residential uses on the ground floor.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 534 Pandora Avenue. The proposal is to rehabilitate the heritage-registered building as part of its conversion to residential units.

The following points were considered in assessing this Application:

- The location of a potential residential use on the ground floor facing Pandora Avenue is considered appropriate in this instance because the building frontage is very narrow and would not be detrimental to the overall commercial function of the street. Additionally,

the unit has been designed to be well suited to a home occupation or trade studio. It would also retain the flexibility that it could function as a wholly commercial unit if desired.

- The location of residential units that are accessed via an alleyway would not be detrimental to the overall function of Pandora Avenue because other than access through a gateway feature, they have no direct access to the street.
- The introduction of residential uses on the ground floor helps to ensure the successful repurposing of the existing heritage-registered building.

BACKGROUND

Description of Proposal

The proposal is to rehabilitate the heritage-registered building as part of its conversion to residential units and a variance is required to enable residential uses on the ground floor.

Relevant History

At its meeting of January 14, 2016, Council authorized the issuance of a Heritage Alteration Permit (HAP) Application No. 00211 for the subject property focusing on proposed exterior alterations. At the time this HAP Application was forwarded to Council, it was presented by staff without the variance being identified for Council's consideration.

Sustainability Features

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

Active Transportation Impacts

The Application proposes bike racks which support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Variance Permit Application.

Existing Site Development and Development Potential

Under the current CA-3C Zone, Old Town District, the property could be developed at a density of 3:1 Floor Space Ratio (FSR) and with the uses proposed, however, the proposed FSR of 1:1 means that the heritage values associated with the building and the scale of the proposed development sustains the predominant character of the Chinatown National Historic Site and of the Core Historic Heritage Conservation Area.

Community Consultation

On January 15, 2016, the Application was referred for a 30-day comment period to the Downtown Residents Association Community Association Land Use Committee (CALUC). Any comments received will be forwarded to Council as part of this Application.

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

ANALYSIS

The location of residential uses on the ground floor is considered appropriate because the building frontage is very narrow and its use as a residential unit would not be detrimental to the overall retail function of Pandora Avenue as an active commercial street. Additionally, the location of the residential units that are accessed via an alleyway would not be detrimental to the overall function of Pandora Avenue since they front an internal alley and not the street. All of the units would be suitable for home occupations or "Trade Studios" and may also function as purely commercial units as well.

The DCAP provides both broad heritage and urban design objectives for the Downtown Core and more detailed design guidelines for specific districts. Overall, the proposal is consistent with these policies and key heritage objectives would be met by conserving the heritage-registered properties, seismically upgrading the property and securing its protection through heritage designation. The introduction of the at-grade residential uses assists with the successful repurposing of these heritage-registered buildings.

While a proposed residential unit facing Pandora Avenue is not entirely consistent with the design criteria for commercial streets, the proposed design consists of a pedestrian-friendly streetscape that will remain active as it is well suited for a home occupation, trade studio or other commercial use at street level. In addition, the proposed development is also consistent with the *Chinatown Guidelines for Buildings, Canopies, Landscaping, Colour & Signs* where it achieves an active streetscape that compliments nearby heritage-registered and heritage-designated properties.

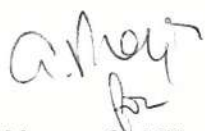
CONCLUSIONS

The request to vary the location of permitted residential use from the second and higher storeys to the ground floor is recommended for Council's consideration as being supportable because the building frontage is very narrow and would not be detrimental to the overall commercial function of Pandora Avenue.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00169 for the property located at 534 Pandora Avenue.

Respectfully submitted,

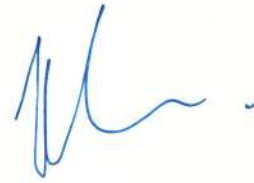


Murray G. Miller
Senior Heritage Planner
Development Services Division



Jonathan Tinney
Director
Sustainable Planning and Community
Development Department

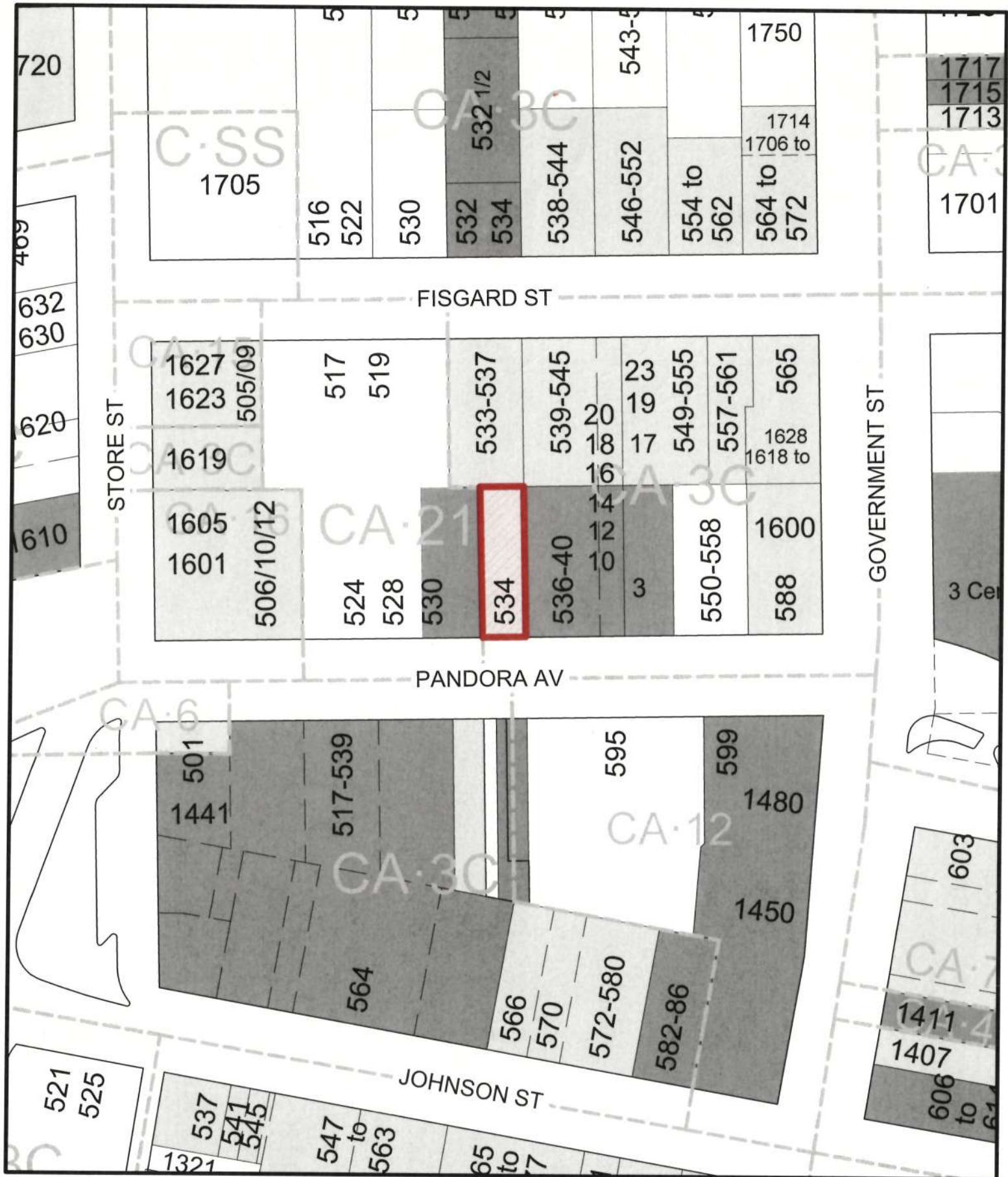
Report accepted and recommended by the City Manager:



Date: Jan. 20, 2016

List of Attachments

- Subject map
- Aerial map
- Letter from the applicant date stamped October 23, 2015
- Revised plans date stamped December 11, 2015
- Statement of Significance.



534 Pandora Avenue

Heritage Alteration Permit #00211

Designated Registered





534 Pandora Avenue

Heritage Alteration Permit #00211



RECEIVED
City of Victoria
OCT 23 2015
Planning & Development Department
Development Services Section

October 21, 2015

Mayor and Council
City of Victoria
#1 Centennial Square,
Victoria, BC V8W 1P6



Re: 534 Pandora Avenue - H.A.P. Application

Your Worship and Members of Council,

Victoria
977 Fort Street V8V 3K3
T 250-658-3367
F 250-658-3397
Nanaimo
102-5190 Dublin Way V9T 2K8
T 250-585-5810
www.dhka.ca

We are making this application on behalf of Le Fevre and Company who have recently purchased the above noted property, known as the 'Lum Sam' Building. It is connected through a series of courtyards and alleyways to 533-537 Fisgard Street, known the 'Lee Chong' Building. These two buildings were purchased at the same time and the intention is to redevelop both lots simultaneously.

The 'Lum Sam Building' is a 2 storey brick structure that was constructed c. 1884, and is designated as a heritage building. Although the building is 132 years old, it is in remarkably good condition and has been maintained and actively used to the present day. The owners wish to seismically upgrade and refurbish the exterior of the building as part of a conversion of the building into 9 strata units: 8 residential condominiums and one street front live-work studio on Pandora Avenue.

The building will be mostly left 'as-is'. The Pandora frontage will be refurbished and the existing balcony railing replaced with a new code compliant railing. The conversion to strata units requires the addition of some windows and doors to the west and north elevations that face onto the alleyway and courtyard. Part of the courtyard at the rear of the building will be used for a new service room to house sprinkler and electrical equipment. As well, there will be an enclosure for garbage and recycling. A new balcony will be added to the 2nd floor suite looking onto the alleyway and a roof terrace will be added to the second floor at rear of the building.

The Lee Chong building will also be converted into another 17 strata residential units for a total of 26 units for the two projects. Bicycle parking for

**Victoria**

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102-5190 Dublin Way V9T 2K8

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all 26 units will be located on the Lum Sam site. Although these two buildings will exist as two separate strata properties, the courtyard spaces and access will be shared for servicing and exit purposes.

The alleyway between the Lum Sam building and the adjacent Union Building is currently closed off with an overhead garage door and partial roof. These will be removed and replaced by a decorative metal gate and screen that will feature a circular 'maze' motive that will be used as a signature design element throughout the project.

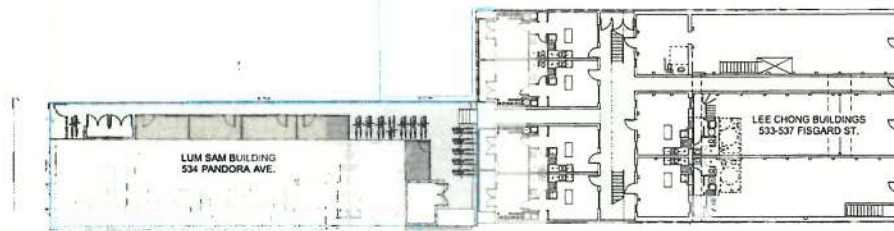
The proposed upgrading and conversion of these historic properties will make a significant contribution to the vibrancy and economic vitality of the Chinatown precinct.

We trust the forgoing is acceptable.

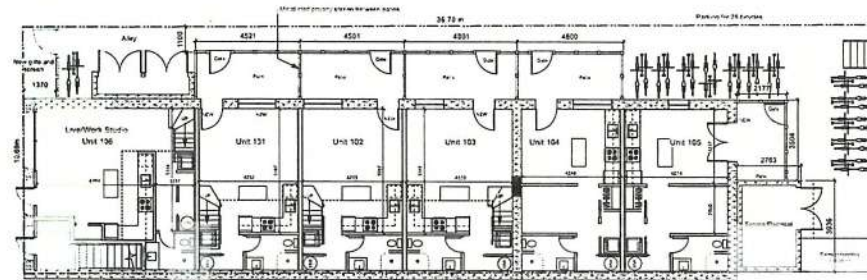
Sincerely yours,

Peter de Hoog Architect AIBC MRAIC

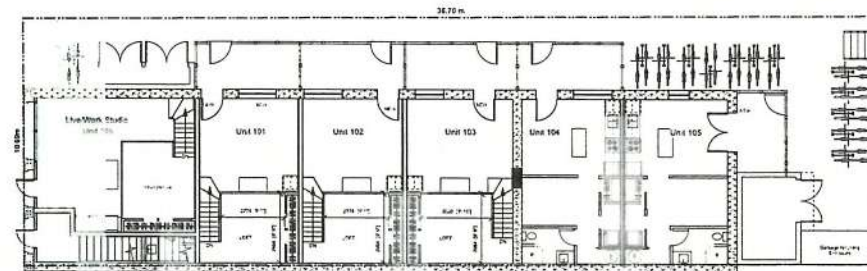
de Hoog & Kierulf architects



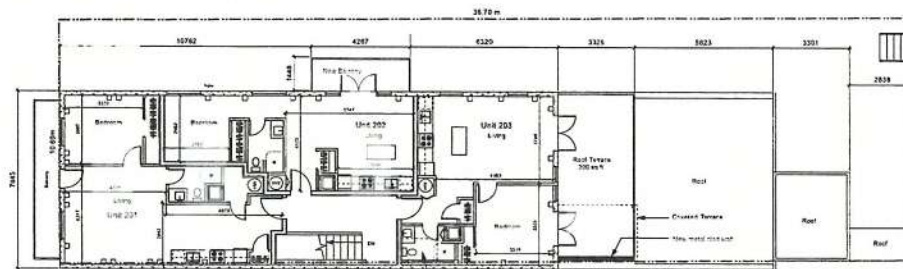
1 Site Plan
A201
Scale: 1:200



2 Ground Floor Plan
A201
Scale: 1:100



2 Loft Floor Plan
A201
Scale: 1:100



3 Second Floor Plan
A201
Scale: 1:100



Rev	Date	By	Check	Project
1	10 DEC 15	AW/SL	AW/SL	534 Pandora Ave.
2	10 DEC 15	AW/SL	AW/SL	534 Pandora Ave.
3	10 DEC 15	AW/SL	AW/SL	534 Pandora Ave.
4	10 DEC 15	AW/SL	AW/SL	534 Pandora Ave.

Lum Sam Building
534 Pandora Ave.
Victoria BC
Site Plan & Floor Plans

A201

de Hong & Kerul Architects
9777 Furber St. V8V 2K3
Tel: 250-581-2367
Fax: 250-581-2368
www.dhk.ca

Received
City of Victoria

DEC 11 2015

Planning & Development Department
Development Services Division



Courtyard Elevation (North)

Pandora Avenue Elevation (South)



Street View



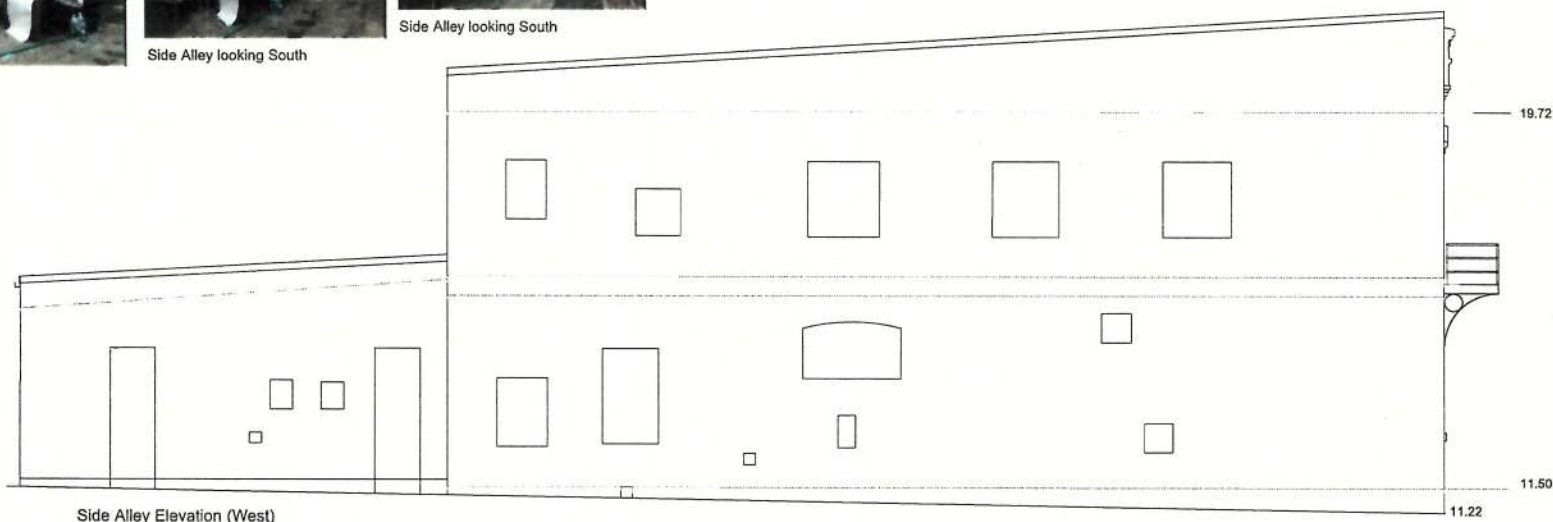
Side Alley looking South

Side Alley looking South

Courtyard



Side Alley looking North



Side Alley Elevation (West)

Rev.	Date	Description	15-15-A301-F-1
1	21 Dec 15	Revised	P
2	21 Dec 15	Revised	P
3	21 Dec 15	Revised	P

Lum Sam Building
534 Pandora Ave.
Victoria BC
Existing Elevations

A301

Prepared by: [Name]
Checked by: [Name]
Date: 21 Dec 15
Scale: 1/8" = 1'-0"

Received
City of Victoria

DEC 11 2015

Planning & Development Department
Development Services Division

- Material Legend**
- 1 Reddish-brown Metal Clad Fencing (Old Iron Gate)
 - 2 Red (Grey)
 - 3 Field Colour (CP CADST Rose Petal)
 - 4 Trim Colour (CP CADST Petalite)
 - 5 Accent Colour (CP CADST Petalite)
 - 6 Enhanced Metal Siding
 - 7 Painted Metal Biking Store
 - 8 Enhanced Metal Biking Store
 - 9 Painted Metal Biking Store
 - 10 Painted Metal Biking Store
 - 11 Painted Metal Biking Store
 - 12 Painted Metal Biking Store
 - 13 Painted Metal Biking Store
 - 14 Painted Metal Biking Store
 - 15 Painted Metal Biking Store
 - 16 Painted Metal Biking Store
 - 17 Painted Metal Biking Store
 - 18 Painted Metal Biking Store
 - 19 Painted Metal Biking Store
 - 20 Painted Metal Biking Store
 - 21 Painted Metal Biking Store



1 Proposed Courtyard Elevation (North)
Scale: 1:50



2 Proposed Pandora Ave. Elevation (South)
Scale: 1:50



4 Detail of New Gate
Scale: 1:25



3 Proposed Side Alley Elevation (West)
Scale: 1:75

No.	Rev.	Description	1515 A201 Plans
1	10 DEC 15	Issued	1515 A201 Plans
2	10 DEC 15	Issued	1515 A201 Plans
3	10 DEC 15	Issued	1515 A201 Plans
4	10 DEC 15	Issued	1515 A201 Plans
5	10 DEC 15	Issued	1515 A201 Plans
6	10 DEC 15	Issued	1515 A201 Plans
7	10 DEC 15	Issued	1515 A201 Plans
8	10 DEC 15	Issued	1515 A201 Plans
9	10 DEC 15	Issued	1515 A201 Plans
10	10 DEC 15	Issued	1515 A201 Plans
11	10 DEC 15	Issued	1515 A201 Plans
12	10 DEC 15	Issued	1515 A201 Plans
13	10 DEC 15	Issued	1515 A201 Plans
14	10 DEC 15	Issued	1515 A201 Plans
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18	10 DEC 15	Issued	1515 A201 Plans
19	10 DEC 15	Issued	1515 A201 Plans
20	10 DEC 15	Issued	1515 A201 Plans
21	10 DEC 15	Issued	1515 A201 Plans

Lum Sam Building
534 Pandora Ave.
Victoria BC
Lum Sam Proposed

A302

de Hong & Kwan architects
Victoria
577 Kent Street V8V 5C3 T 1-250-404-3387
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Lum Sam Building
534 Pandora Ave. Victoria BC
Lum Sam Proposed

LUM SAM & LOOK DEN BUILDING 534-534 1/2 PANDORA AVENUE

Owner: Lum Sam and Look Den

Architect: John Teague

Date: 1884

Description of Historic Place

The Lum Sam & Look Den Building is a two-storey, Late Victorian-era brick commercial structure. It stands on the north side of Pandora Street on the southern edge of Victoria's Chinatown National Historic Site. It is also located across the street from historic Old Town and Market Square, a rehabilitated complex of late nineteenth century buildings with continuous streetfronts. The ground floor has a large storefront window and two doors, the one to the east at 534½ providing access to the upper level. The second storey has two windows flanking a door to the full-width balcony. The exterior is richly articulated with stringcourses and corbelled brickwork.

Heritage Value of Historic Place

The Lum Sam & Look Den Building is valued as a significant contributing resource to a grouping of historic structures that marks the southern edge of Victoria's Chinatown National Historic Site. This block of Pandora Avenue originally faced the Johnson Street Ravine, a swamp that marked the boundary between the European business area to the south and Chinatown to the north that illustrated a physical and cultural divide in the early city. During the early 1880s, the wooden shacks on the north side of the ravine were replaced with brick commercial blocks to house Chinese businesses, prompted by a dramatic increase in the Chinese population. These merchants set up much-needed smaller shops such as laundries, grocery stores, medicinal shops and restaurants in buildings that were often developed and owned by European pioneers. Victoria's Chinatown is expressive of a duality in architecture and cultural landscape. On each block, street façades link together, forming a wall that shields interior spaces and narrow alleyways between and through buildings are linked to central courtyards which were the hidden location of tenements, opium dens, theatres and gambling houses. This configuration is a traditional south Chinese urban pattern. The Lum Sam & Look Den Building is consistent with such a duality. Its commercial façade exhibits Italianate elements such as segmental-arched window openings, stringcourses and a decorative cornice. However, a passageway existed on the west side that provided access to the interior of the block. As the Chinese population continued to grow, the wooden buildings on Fisgard Street were replaced with brick blocks, and the interior network of alleys grew more complicated as tenements and businesses were added behind façades visible from the street.

This site is also significant as part of the forty-two hectare land holdings of Hudson's Bay Company factor, Roderick Finlayson (1818-1892), who was influential in the development of the future province and the City of Victoria. He first came to Vancouver Island in 1843 to oversee the construction of the new Hudson's Bay Company (HBC) trading post, Fort Victoria. Finlayson was made Chief Factor of HBC in 1859, after James Douglas resigned from that position to be appointed Governor of the new Crown Colony of British Columbia. Finlayson served on the Council of Vancouver Island and as Mayor of Victoria in 1878. He became wealthy from land dealings and in 1872 retired to attend to his real estate and business interests. Finlayson was described in an obituary in the *Vancouver Daily World*, as 'a

CITY OF VICTORIA DOWNTOWN STATEMENTS OF SIGNIFICANCE 2009

prominent figure amongst the business men in the Commercial quarter of the Capital'. Numerous geographical features of the province and the city are named for Finlayson.

The Lum Sam & Look Den Building is also a significant example of the vernacular Italianate style that characterized Chinatown at this time. It was the work of local architect John Teague (1835-1902). Born in Cornwall, England, Teague followed the lure of gold, first in California and then in the Fraser Valley. After some time in the gold fields, he settled in Victoria in 1860, where he lived and worked until his death. Teague served the city as councillor in 1885, and as mayor for two terms, 1892 and 1893. During his prolific career Teague designed over 350 buildings, mostly in Victoria. He was adept at all the current architectural styles, ranging from Italianate to Queen Anne Revival. For many years he was the architect for the Royal Navy at the Dockyard and Hospital at Esquimalt; his clients included most of the city's leading businessmen for whom he built commercial as well as residential buildings. Four of his buildings in Victoria: City Hall, #1 Centennial Square 1878-91; St. Ann's Academy, 835 Humboldt Street 1886; Church of Our Lord, 626 Blanshard Street, 1875-76; and the Pemberton Memorial Operating Room, 1900 Fort Street, 1896; and five buildings in the Historic Naval District, Esquimalt, 1888-91, are designated as National Historic Sites.

Character-Defining Elements

Key elements that define the heritage character of the Lum Sam & Look Den Building include its:

- mid-block location on Pandora Avenue, part of a grouping of late-nineteenth and early-twentieth century historic masonry buildings in Victoria's Chinatown National Historic Site, just north of Victoria's historic Old Town and Market Square

- commercial form, scale and massing as expressed by its two-storey height built to the property lines, symmetrical rectangular plan and flat roof
- masonry construction, including brick walls and continuous granite threshold along the street frontage
- Italianate-style details such as: segmental-arched window openings; decorative brick cornice with dentils, round-arched motif and corbelling; and rhythmic stringcourse encompassing the window heads
- additional exterior details such as the full-width metal balcony with ornamental brackets, and side wall chimneys
- double-hung wooden sash windows, including 6-over-6 windows on the front façade and 2-over-2 windows on the west wall



Donald Luxton & Associates