



## Planning and Land Use Report

For the Meeting of June 25, 2015

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**To:** Planning and Land Use Committee      **Date:** June 5, 2015

**From:** Murray G. Miller, Senior Heritage Planner

**Subject:** Heritage Alteration Permit Application No. 00196 for 1202/1208 Wharf Street (Finlayson Building)

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### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00196 for 1202/1208 Wharf Street in accordance with:

1. Revised plans date stamped June 4, 2015
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Community Planning."

### LEGISLATIVE AUTHORITY

In accordance with sections 972 and 973 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 present Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the property located at 1202/1208 Wharf Street. The proposal is to extend a lower level arbour from the existing deck to provide seasonal coverage to the patio.

The following points were considered in assessing this application:

- general consistency with the *Official Community Plan* (OCP)
- consistency with the relevant guidelines of DPA 9 (HC): Inner Harbour

- Statement of Significance
- the visual effects of various additions.

The Application was reviewed by the Heritage Advisory Panel at its May 12, 2015 meeting and the Panel recommended that Council consider declining the application because it was felt that the proposed work would further add to the visual clutter resulting from various additions.

Staff have worked with the applicant to address the relationship between the proposal and a number of existing elements that were previously constructed in and around the patio area since 2010 without a permit. As part of this application, the applicant has identified that some of those existing elements will be removed. In accordance with section 3.4 of the Land Use Procedures Bylaw, which sets out the delegated authority to approve minor amendments to approved plans, staff approved a proposal to rebuild/extend the existing bar. The revised proposal for the lower level arbour, which is the subject of this staff report, is consistent with relevant City policies; therefore, staff recommend that Council authorize the Heritage Alteration Permit for 1202/1208 Wharf Street.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to extend a lower level arbour from an existing deck to provide seasonal coverage to an existing patio area.

## **ANALYSIS**

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

### **Official Community Plan**

The proposal is generally consistent with the OCP because it conserves the heritage value and special features of the Finlayson Building.

### **Development Permit Area 9 (HC): Inner Harbour**

The OCP identifies this property within DPA 9 (HC): Inner Harbour, which includes a requirement to consider the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Standards and Guidelines) and the *Downtown Core Area Plan* (DCAP). In relation to the DCAP, the proposal is generally consistent with relevant policies because it conserves features of the Finlayson Building.

In relation to the Standards and Guidelines, the proposed arbour conserves the heritage value of the place and the work is compatible with, subordinate to, and distinguishable from the historic place. If the arbour were to be removed in the future, the essential form and integrity of the Finlayson Building would not be impaired.

### **Statement of Significance**

The building's form, as seen in its combined brick and stone construction, is a character-defining element. The various additions that have occurred since the building was designated in 1975 have and continue to have a visual impact on key character-defining elements. The Statement of Significance for the Finlayson Building is attached to this report.



## The Visual Effects Resulting from Various Additions

In 1988, a two-level deck structure was added to the south side of the building. These were subsequently enclosed in 1990. In 2009, the construction of the outdoor patio, tables, chairs and perimeter fence was followed by the addition of a modular kitchen in 2010. These elements are prominently located and have a cumulative visual impact on the setting of the Finlayson Building as well as Old Town.

The revised scope of this application, while contributing to the cumulative effects, has been mitigated by the owner's proposal to reduce the size of the proposed new work and remove the wooden banquetts at the north end of the fenced area, the wood archways bridging the gap in the fence accessing the sidewalk against the building, and the existing food bar.

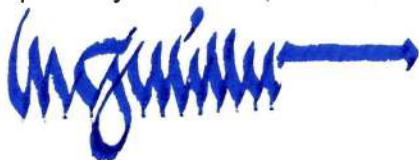
## CONCLUSIONS

The revised proposal to extend a lower level arbour from the existing deck to provide seasonal coverage to the patio is consistent with relevant City policies and is compatible with the heritage values of the place. Staff, therefore, recommend that Council authorize the Heritage Alteration Permit for 1202/1208 Wharf Street.

## ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00196 for the property located at 1202/1208 Wharf Street.

Respectfully submitted,



Murray G. Miller  
Senior Heritage Planner  
Community Planning



Andrea Hudson  
Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

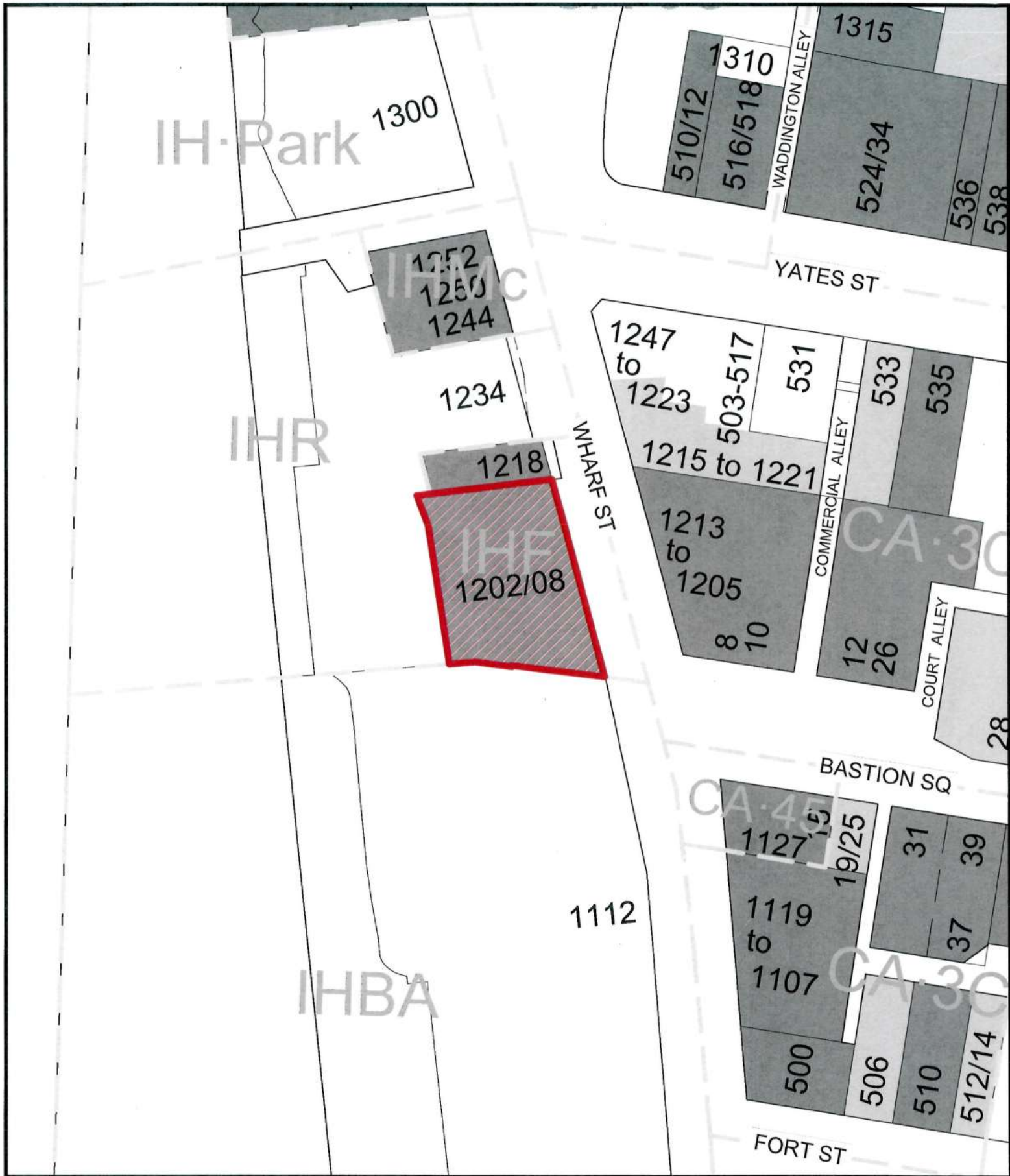
June 17, 2015

MGM/ljm

S:\TEMPEST\_ATTACHMENTS\PROSPERO\PL\HAPI\HAP00196\HAP PLUC REPORT1.DOC

## List of Attachments

- Subject map
- Photographs
- Statement of Significance
- Letter from architect, dated January 5, 2015
- Revised plans, date stamped June 5, 2015.



1202-1208 Wharf Street

Heritage Alteration Permit #00196



Designated



Registered







1202/1208 WHARF STREET - EXISTING





1202/1208 WHARF STREET - EXISTING



## **1202-1214 Wharf Street Finlayson Building**



### **Statement of Significance**

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

The Finlayson Building is a massive fieldstone and brick structure located on the western side of Wharf Street. It has the appearance of one storey at street level, and three storeys at rear.

#### **Heritage Value**

The Finlayson Building (1882) is valued as a hybrid of historic and modern architecture, which tells the story Victoria's evolving commercial and architectural history. Having supported a continuum of business activities ranging from nineteenth-century ship chandlers and provisioners to modern offices and restaurants, it speaks to the enduring commercial strength of the Inner Harbour. Its additive form and composite design, seen in its combined brick and stone construction, reflect how Victoria's early commercial trades laid a foundation for today's adaptive reuse of historic buildings.

Architecturally, it possesses both historic and modern elements which are of value to Victoria's heritage. It is one of the finest, and largest, examples of fieldstone construction still standing in Victoria, reflecting the utilitarian, vernacular style of the early warehouse trade in this area. Elements such as a completely hollowed-out bay and heavy-timbered galleries illustrate its innovative mid-1970s renovation and reflect the ideals of the early downtown revitalization movement.

The Finlayson Building also possesses heritage value as an example of the early large-scale warehouse buildings which once lined this side of Wharf Street. Much like the now-demolished 1858 Hudson's Bay Company warehouse which stood next door, its form makes maximum use of its exposure to both Wharf Street and the Inner Harbour waterway. It retains the character of this area as Victoria's most important early transshipment point. Constructed for prominent early politician and developer, Roderick Finlayson, this historic building is also a testament to the influence of successful businessmen in the establishment of Victoria as the key urban and commercial hub of the province in the late nineteenth century.

## **1202-1214 Wharf Street**

### **Finlayson Building**

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

The character-defining elements of the Finlayson Building include:

- Its location within the Inner Harbour Precinct, and its relationship to both Wharf Street and the waterfront.
- Unobstructed views between the building and the water.
- Evidence of its original 1882 form, which makes maximum use of the topography.
- Its composite form, seen in its combined brick and stone construction.
- Surviving elements of its nineteenth century design, such as window and door openings.
- The character of surviving nineteenth-century stonework.
- The character of surviving nineteenth-century brickwork.
- Elements of its 1970s renovation which contribute to its heritage value, such as the hollowed-out bay on Wharf Street, upper recessed storey, and heavy-timbering.
- Its mixed commercial use, and storefronts along Wharf Street.
- Stone remnants of the Hudson's Bay Company warehouse which make up the southern end of the building.





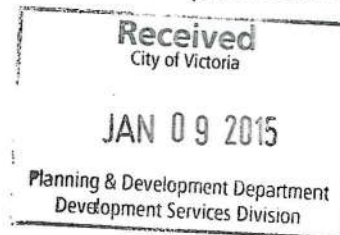
**P R A X I S**  
architects inc.

Michael D. Levin, Architect, AIBC  
Robert Rocheleau, Architect, AIBC

401- 1245 Esquimalt Road, Victoria, B.C. V9A 3P2  
Tel: (250) 475-2702 • Fax: (250) 475-2701  
prax@telus.net

January 5, 2015

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



Re: Application for Heritage Alteration Permit  
Arbour Structure over Existing Outdoor Eating Area  
The Docks Restaurant  
1208 Wharf Street

Your Worship and Councillors

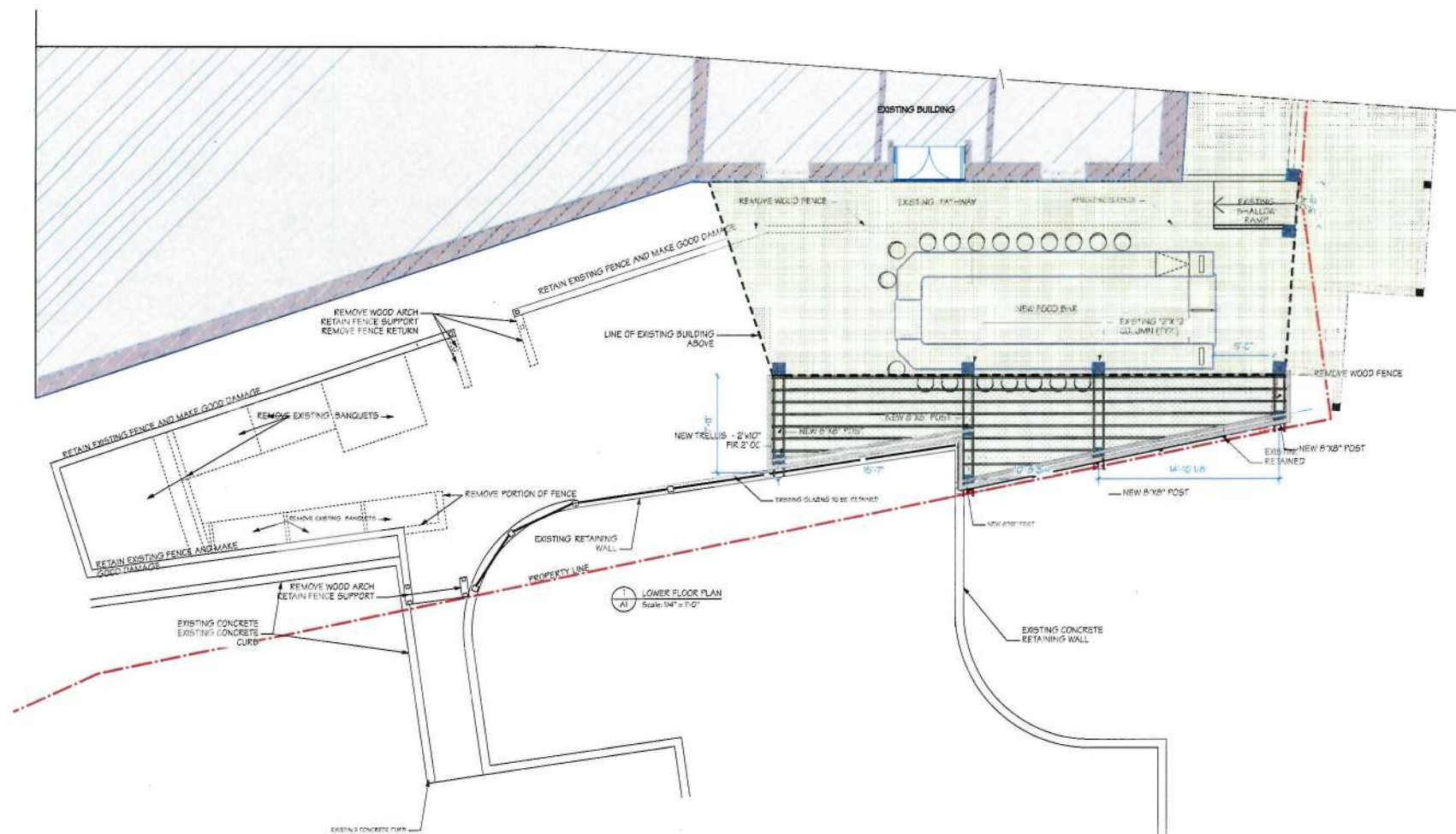
The Docks Restaurant has an existing outdoor dining patio situated at the lower ground level, west side of the restaurant. A portion of this patio is located under the existing Main Floor dining deck on the west and south sides of 1208 Wharfside. The outdoor patterned concrete patio extends out beyond the patio portion protected by the deck overhead. The operator would like to extend an arbour out from the existing building to provide seasonal coverage of the usable patio area. The basic premise is to extend the post and beam design of the existing deck structure and in between the beams alternate glazed areas with retractable accordian style awnings.

Yours Truly  
PRAXIS ARCHITECTS INC

Per: Michael Levin, MAIBC  
Director

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NOT FOR CONSTRUCTION



Ⓐ LOWER FLOOR PLAN  
Scale: 1/4" = 1'-0"

NO.	DATE	REVISION
1	JUNE 2015	REVISED TOP HALF REVISED HORIZONTAL ALIGNMENT COLLECT FOR HORIZONTAL ALIGNMENT
2	OCTOBER 2014	ISSUED



PROJECT TITLE  
**THE DOCKS  
WHARF STREET  
1200 WHARF STREET  
VICTORIA, BC**

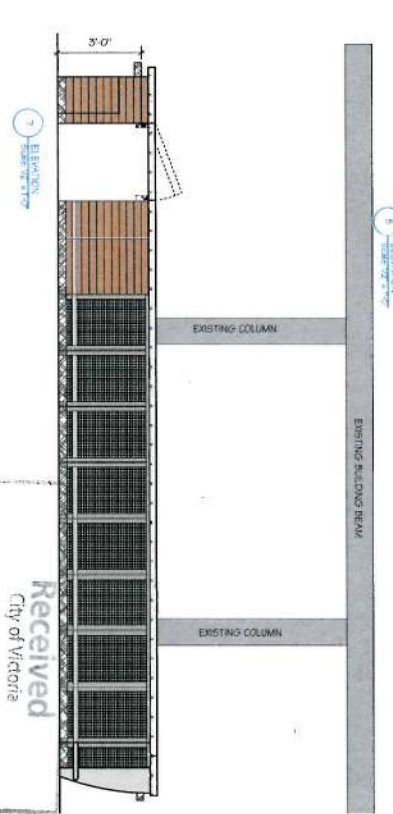
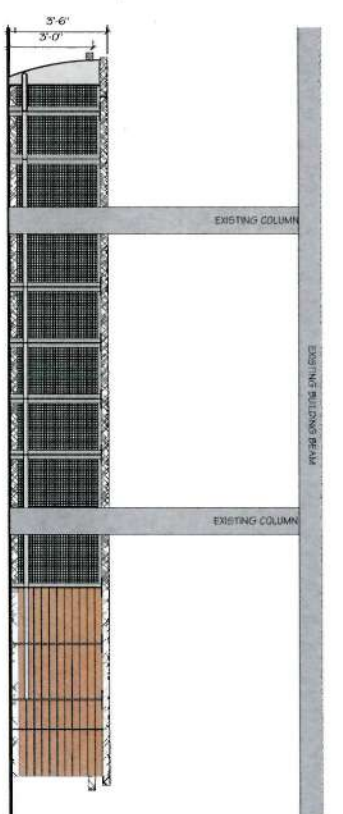
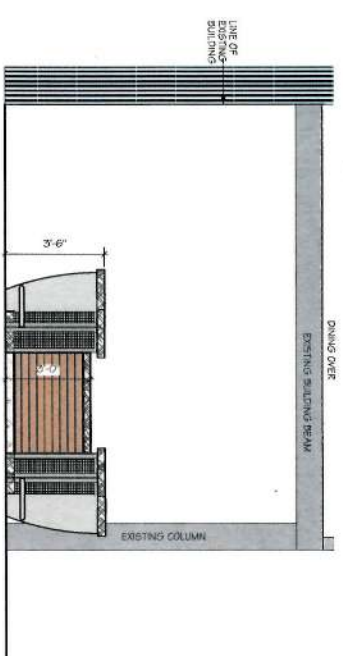
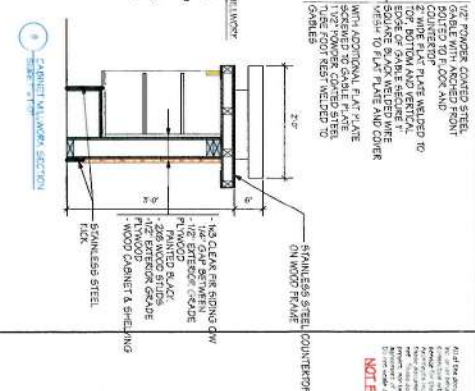
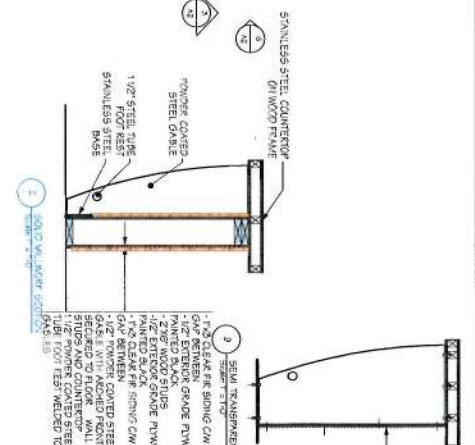
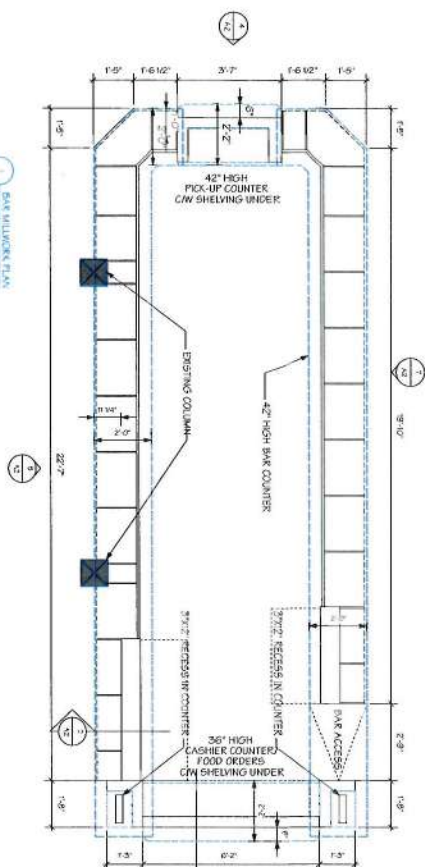
SHEET TITLE  
**TRELLIS PLAN &  
FOOD BAR PLAN**

SCALE	DRAWN	CHECKED	SHEET NO.
AS NOTED	ML	DS	A1
DATE	PROJECT NO.	DATE	REVISION NO.
OCTOBER 2014	14-01		

Received  
City of Victoria  
JUN 05 2015  
Planning & Development Department  
Development Services Division







**NOTES:**

- ALL DIMENSIONS ARE IN FEET AND INCHES.
- ALL MATERIALS SHALL BE AS SHOWN OR APPROVED BY THE ARCHITECT.
- ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY OF VICTORIA BUILDING CODE.

**THE DOCKS**  
WHARF STREET  
VICTORIA, BC

**BAR PLAN, ELEVATIONS, SECTIONS**

**RECEIVED**  
City of Victoria

**JUN 05 2015**

**REVISIONS:**

NO.	DATE	DESCRIPTION
1	05/20/15	ISSUED FOR PERMIT

**PROJECT INFORMATION:**

OWNER	THE DOCKS
ARCHITECT	THE DOCKS ARCHITECTURE
ENGINEER	THE DOCKS ENGINEERING





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NO.	DATE	REVISION
1	MAY 2015	REVISED FOR HISTORIC ACT PERMIT
2	MAY 2015	REVISED FOR HISTORIC ACT PERMIT
3	MAY 2015	REVISED FOR HISTORIC ACT PERMIT
4	MAY 2015	REVISED FOR HISTORIC ACT PERMIT
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9	MAY 2015	REVISED FOR HISTORIC ACT PERMIT
10	MAY 2015	REVISED FOR HISTORIC ACT PERMIT



**PRAXIS**  
ARCHITECTS INC.  
Michael J. Lane, Architect  
1000 Wharf Street  
Victoria, BC V8W 2E2  
Tel: (250) 491-1234 • Fax: (250) 491-1235  
praxis@praxis.ca

PROJECT TITLE  
**THE DOCKS  
WHARF STREET  
1000 WHARF STREET  
VICTORIA, BC**

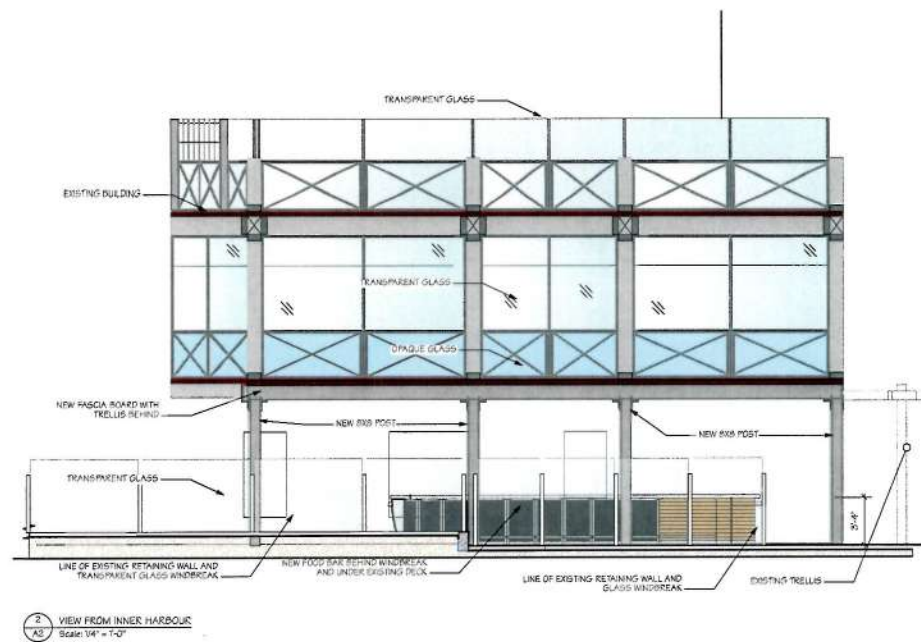
SHEET TITLE  
**SOUTH ELEVATION**

DATE	AS NOTED	REVISION
2014	2014	2014

Received  
City of Victoria

JUN 05 2015

Planning & Development Department  
Development Services Division



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100	MAY 2015	REVISED FOR PERMITS AND PERMITS



PRAXIS  
ARCHITECTURE INC.  
1000 10th Avenue, Suite 100  
Victoria, BC V8W 2E1  
Tel: (250) 383-1111 • Fax: (250) 383-1112  
www.praxisarch.com

PROJECT TITLE:  
**THE DOCKS  
WHARF STREET  
1000 WHARF STREET  
VICTORIA, BC**

SHEET TITLE:  
**WEST ELEVATION**

SCALE: 1/4" = 1'-0"  
DATE: OCTOBER 2014  
DRAWN BY: M. DE  
CHECKED BY: M. DE  
PROJECT NO: 14-011  
REVISIONS:

Received  
City of Victoria

JUN 05 2015

Planning & Development Department  
Development Services Division