

Pamela Martin

Subject: FW: Removal of 1339 Stanley from the addition to the Register of Heritage Properties

From: Lisa Rogers [REDACTED]
Sent: Sunday, September 11, 2016 4:57 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: Hazen Gauthier [REDACTED]
Subject: Removal of 1339 Stanley from the addition to the Register of Heritage Properties

Dear Mayor and City Council;

We have recently received a letter from the City of Victoria notifying us that our property at 1339 Stanley is to be added to the City of Victoria's Heritage Register (letter attached).

The letter states that if we do not wish to have our property listed on the register then we should formally notify the Mayor and Council. Please accept this letter as our formal request to remove our property from the Heritage Register.

While we have owned the property since 1994, we purchased the property with the intention of spending our retirement years in Victoria. My wife and I have currently engaged two firms to redesign and upgrade our home to meet our current needs.

Part of our permitting process required Variance Board approval. The Variance Board requested that we canvas our neighbours on Stanley and Elford streets informing them of our intention to renovate and showing them our proposed design. We received unanimous support from our neighbours and in fact many of the owners said they were happy to see someone upgrading a home in the area. As a result of our efforts we received unanimous approval from the Variance Board.

We are now in the process of asbestos remediation and are planning on starting demolition of the garage and rear of the house as soon as possible.

We are eager to complete the house and start our new retirement life in Victoria and feel that inclusion of our house on the Heritage Register could jeopardize the existing design, delay completion of the house as well as incur additional costs, costs and time that we as retiree's can ill afford. Therefore we request your help in ensuring that our house is not listed on the Heritage Register.

Sincerely yours,

Hazen Gauthier & Lisa Rogers

Alicia Ferguson

Subject: RE: Addition of 2655 - 2659 Douglas Street, Victoria to Register of Heritage Properties

From: "MERRICK, JEFF"

Date: September 19, 2016 at 9:58:47 AM PDT

To: Jonathan Tinney <JTinney@victoria.ca>, "Ben Isitt (Councillor)" <BIsitt@victoria.ca>

Cc: Chris Coates <ccoates@victoria.ca>, Councillors <Councillors@victoria.ca>, Jason Johnson <jjohnson@victoria.ca>, Colleen Mycroft <cmycroft@victoria.ca>, "Hagerman, Brian"

Subject: RE: Addition of 2655 - 2659 Douglas Street, Victoria to Register of Heritage Properties

Thank you Jonathan,

To confirm, the owner of the above property wishes to confirm its objection to inclusion on the Heritage Register at this time and would ask that, in addition to including for Council our previous correspondence, staff amend Appendix 3 to the Committee of the Whole Report dated August 25, 2016 which currently indicates "No Response" next to the above property.

Thank you,
Jeff

Jeffrey Merrick*
Partner
[REDACTED]

*Denotes Law Corporation

-----Original Message-----

From: Jonathan Tinney [<mailto:JTinney@victoria.ca>]

Sent: Friday, September 16, 2016 3:22 PM

To: MERRICK, JEFF; Ben Isitt (Councillor)

Cc: Chris Coates; Councillors; Jason Johnson; Colleen Mycroft; Hagerman, Brian;
[REDACTED]

Subject: RE: Addition of 2655 - 2659 Douglas Street, Victoria to Register of Heritage Properties

Jeff, thanks for your letter.

As background, during the first round of consultation in August of 2015 the owner of this property was contacted over the phone and indicated they were in opposition to adding the property to the register. This opposition was recorded and formed part of an update to Council where direction was given to undertake further engagement with owners to help them understand the impacts and benefits of registration.

The owner was sent a follow-up letter in May of 2016 inviting them to an information session on the heritage register, to which they did not respond. A third letter updating the owner in regards to the opportunity for public comment was sent on Sept 2, 2016.

Both letters, the one in May and September were sent to the same owner's mailing address:

2659 Douglas Street Holdings
Attn: Rhonda Campbell
PO Box 49054
1800 - 1055 Dunsmuir St
Vancouver BC, V7X 1C4

Your request has been included in the information pack for consideration by Council. In the meantime, staff are happy to provide additional information on the heritage registry to you or your client prior to next week's Council meeting. As background, it is important for you and your client to understand that inclusion on the heritage registry does not have a significant impact on land use entitlements. Rather, the heritage registry acts largely as a communications tool to facilitate discussions between the landowner and planning staff in the event that your client were to apply for demolition of the property. The aim of these discussions would be to identify voluntary options for preservation of the building. Again, staff would be happy to provide further information in short order if you so desire.

Regards,

Jonathan Tinney
Director
Sustainable Planning & Community Development City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0511 F 250.361.0248



Seventh Floor
1175 Douglas Street
Victoria, British Columbia
CANADA V8W 2E1

Phone: 250-385-1411
Fax: 250-413-3300

RALSTON S. ALEXANDER, QC *
MICHAEL S. GREENE *
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SHELLEY J. SPRING
RYAN D.C. GREEN
SAMANTHA J. DE WIT
J. ALEXANDER DUTTON
KYLE HAMILTON
JENNIFER CAMERON

* denotes Personal Law Corporation

Reply Attention Ralston S. Alexander, Q.C.
Our File 102054

Email: ralexander@cookroberts.bc.ca
Direct Line: 250-413-3316

September 19, 2016

BY EMAIL

City of Victoria
No. 1 Centennial Square
Victoria, BC V8W 1P6

Attention: Mayor Lisa Helps and Council

Dear Sir/Madam:

Re: 101 – 105 Menzies Street- Consideration of Addition to the City's Heritage Registry.

The writer is one of two Executors of the Estate of Mr. David Bowman that includes, property holdings of David W. Bowman Properties Ltd.

David W. Bowman Properties Ltd. is the owner of the property at 101–105 Menzies Street that is under consideration for addition to the City's Registry of Heritage Properties. The writer was first advised of such a consideration from the letter dated September 2, 2016 signed by Mr. Adrian Brett, Heritage Planner.

We wish to register our opposition to 101-105 Menzies Street being placed on the Registry, at least at this time.

The letter dated September 2, 2016 was the first notice that I have seen with respect to the proposed Heritage Registry. I am advised that there are some 50 properties that have been identified and that the process for Registry listing for some 47 of them, began back in 2012 and over the course of the following four years communications with property owners occurred. However, consideration of this property has only been considered since a recommendation from the Heritage Advisory Panel on March 29th 2016.

I have been advised that a letter was purported to have been sent by the City to the owner of 101-105 Menzies Street at the beginning of May, 2016 with respect to this matter, however, the Executors did not receive the letter. It could have been due to circumstances of the Estate, but I can confirm that it did not come to my attention.

The report to the Committee of the Whole, from Mr. Jonathan Tinney, Director of Sustainable Planning and Community Development, dated August 9th, 2016, notes that only representatives of two out of seven properties within James Bay were able to attend the May meeting. That minimal attendance is, in and of itself, concerning to the writer. We certainly do not feel there has been sufficient time to digest and consider the implications of the proposed listing.

We note with concern, that the same report to the Committee of the Whole states that *"listing a property on the Registry does not restrict any future actions proposed by an owner"*. That statement is then contradicted by the following comment where it is acknowledged (later in the report) that *"such listing provides an opportunity (for the City) to negotiate solutions with perspective property owners should these candidate properties seek redevelopment a rezoning or become threatened by demolition in the future. In addition, the City would be able to monitor changes to these properties..."*

We are also troubled by the fact that the majority of affected property owners do not want their property placed on the Registry.

Further, the fact that the writer has only very recently discovered the proposed Registry listing, we strongly feel we have not had enough time to digest this. We find it odd for example, that this particular property was only brought up in March while 47 other properties under consideration had a much greater period of time to consider the implications and had received much earlier and more robust communication from the City.

As Executors of the Estate, our obligation is to the beneficiaries of the Estate to protect and achieve full value of their inheritance. We are very concerned with the impact of such an encumbrance on this property could have with respect to our obligations as Executors.

For those reasons we are opposed to the listing of the property on the City's Registry of Heritage Properties at this time and would respectfully request that the property at 101-105 Menzies Street be removed from consideration at Council's upcoming meeting.

Yours truly,

COOK ROBERTS LLP

Per: 
Ralston S. Alexander, Q.C.

RSA/mh

KIERAN A.G. BRIDGE
Barrister & Solicitor • Law Corporation

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Facsimile: 1-888-665-7448
Cellular: 604-779-5543
E-mail: kieran@kieranbridgelaw.com

September 20, 2016

BY E-MAIL
abrett@victoria.ca
and
mayorandcouncil@victoria.ca

Legislative Services
City of Victoria
1 Centennial Square
Victoria, B.C.
V8W 1P6

Attention: Adrian Brett
Heritage Planner

Dear Sirs/Mesdames:

**Re: Proposed addition of 225 Dundas Street/505 Catherine Street
to City of Victoria's Register of Heritage Properties
Our file: 70130/702**

I am legal counsel for Valerie Wise, who is the owner of the above-noted property (the "Property").

I have reviewed your letter of September 2, 2016, to Ms. Wise regarding the Property.

Ms. Wise is strongly opposed to the addition of the Property to the Register of Heritage Properties.

Although it is not referred to or enclosed with your letter, I have also reviewed a copy of your "Committee of the Whole Report" dated August 9, 2016, on the subject of "Proposed Additions to the City of Victoria's Register of Heritage Properties" including its appendices (collectively, the "Report"). Ms. Wise was unaware of the existence of the Report until September 8, 2016.

The Report contains significant errors, including factual errors and omissions regarding the Property. A non-exhaustive discussion of these points is set out below.

The Report does not provide a proper or lawful foundation for the addition of the Property to the Register of Heritage Properties.

In addition, as the City should be aware, assigning a "heritage" designation to a property (whether by its addition to a heritage register or the assignment to it of a heritage designation) significantly affects the market value of the property, including by limiting or eliminating its mortgagability. Ms. Wise is a professional mortgage broker of many years' experience who operates her business from the Property. She is knowledgeable about this important issue. The Property is a mixed used commercial and residential property that would have its value negatively affected by listing in the heritage register.

In any event, there are no plans to demolish the building on the Property or to make further alterations, which were recently completed and are very extensive, as described below. Listing the Property on the heritage register is unnecessary.

Errors and Omissions in the Report

1. The Report states on page 3:

"By itself, listing a property on the Register does not restrict any future actions proposed by an owner. A heritage registered property is not protected by City bylaw ..."

These statements are incorrect.

In fact, under City Bylaw No. 95-62 s. 3, "approval must not be issued for any action which, in the opinion of the person responsible for issuing approval, would alter or cause an alteration to" a protected heritage property or "property in the City's Community Heritage Register". A person who withholds such approval must refer the matter to the Council, under Bylaw s. 6.

Indeed, the City's online Heritage Register information page (which is also not referred to in your letter to Ms. Wise) states:

"A proposal to demolish or alter a heritage register building is referred to City Council and the Heritage Advisory Committee (HAC) to determine whether a designation bylaw may be required to protect the property."

The City's online Heritage Register information page also states:

"The *Local Government Act* (Part 27) authorizes municipalities to temporarily withhold the demolition or building permit to give temporary protection for up to 60 days in order to make such a decision."

These restrictions and delays do not apply to a property that is not listed in the heritage register.

Contrary to the Report, there are significant restrictions on and delays to the alteration or demolition of a property by reason of its being included on the heritage register.

Moreover, elsewhere the Report states, in recommending that the Property and 49 other properties be added to the heritage register:

"The major advantage of this option is that it provides an opportunity for the City to negotiate solutions with respect to property owners should these candidate properties seek redevelopment or rezoning or become threatened by demolition in the future. In addition, the City would be able to monitor changes to these properties ..."

Although the Report does not identify the problems to which "solutions" might be negotiated, it is clear under Bylaw 95-62 that the City would, by adding the Property to the heritage register, create restrictions on and delays to any further alterations of the Property.

2. Regarding Appendix 4 of the Report, we note the following:

(a) Appendix 4 incorrectly refers to the building on the Property as "Royal Bank of Canada Victoria West Branch".

The correct name of the building is "Robert A. Wise Building", as prominently displayed on the south face. The name of the building and reference to the year "1920" on the south face were added by Ms. Wise in 2011.

The naming of the building followed completion of renovation of the upper floor and the total gutting and replacement of the main floor, as described below. The building is named after Ms. Wise's late husband, who performed the renovation of the upper floor beginning in the early 2000s and began the gutting and replacement of the main floor prior to his death in 2010.

The "fine craftsmanship" and "superior design" referred to in Appendix 4 are those of Mr. Wise and the contractors who completed the work in 2011.

(b) Nothing remains of the original interior of the building.

Ms. Wise and her late husband moved into the renovated top floor in 2009. Since 2011, the completely new and remodelled main floor and basement have accommodated Ms. Wise's business.

The old concrete vault in the basement was jack hammered and removed in 2010, and an elevator was installed in 2011.

There is nothing inside the building indicating that it was ever a bank.

(c) Regarding the exterior of the building:

- (i) The exterior is apparently a standard, off-the-shelf plan by an unknown architect, who very likely was based in eastern Canada and never saw the Property. This pattern enabled the bank to build, at low cost, standardized branches in many locations across the country.
- (ii) An exterior rear stairway and enclosed second storey porch were added in 2009. There is no longer any stairway access from the main floor to the second floor. Appendix 4 states that the "Character-Defining Elements" include "east side entry to upper floor". However, contrary to the implication in Appendix 4, that entry is via the exterior rear stairway and second storey porch that were added in 2009. There is no original ground-level entry on the east side of the building. The current doorway into the foyer from the patio on the east side of the building was knocked through the brickwork and a door was installed during previous alterations.
- (iii) The exterior and interior doors and the windows were all replaced during the course of various renovation work. Appendix 4 of the Report refers to "double-hung wooden sash windows on the ground floor" but, contrary to the implication in the Report, these are not the original windows.
- (iv) Exterior lighting was also added on all sides of the building during the remodelling work.
- (v) There is nothing on the exterior of the building indicating that it was ever a bank.

In sum, the Report misdescribes and mischaracterizes the history and attributes of the Property.

Ms. Wise reserves her position regarding whether the contents of the Report pertaining to the Property were prepared in good faith.

Ms. Wise also reserves her right to pursue a claim for damages and other relief.

As stated above, Ms. Wise is strongly opposed to the addition of the Property to the Register of Heritage Properties.

Kindly address all further correspondence regarding the possible addition of the Property to the Register of Heritage Properties to this office.

Yours very truly,
Kieran A.G. Bridge, Law Corporation
per:

A handwritten signature in black ink, appearing to read "Kieran Bridge", written in a cursive style.

Kieran A.G. Bridge

cc: Valerie Wise

KIERAN A.G. BRIDGE
Barrister & Solicitor • Law Corporation

1400 – 1125 Howe Street
Vancouver, B.C.
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Facsimile: 1-888-665-7448
Cellular: 604-779-5543
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September 20, 2016

BY E-MAIL
abrett@victoria.ca
and
mayorandcouncil@victoria.ca

Legislative Services
City of Victoria
1 Centennial Square
Victoria, B.C.
V8W 1P6

Attention: Adrian Brett
Heritage Planner

Dear Sirs/Mesdames:

**Re: Proposed addition of 2725 Rock Bay Avenue
to City of Victoria's Register of Heritage Properties
Our file: 70130/702**

I am legal counsel for Valerie Wise, who is the owner of the above-noted property (the "Property").

I have reviewed your letter of September 2, 2016, to Ms. Wise regarding the Property.

Ms. Wise is strongly opposed to the addition of the Property to the Register of Heritage Properties.

Although it is not referred to or enclosed with your letter, I have also reviewed a copy of your "Committee of the Whole Report" dated August 9, 2016, on the subject of "Proposed Additions to the City of Victoria's Register of Heritage Properties" including its appendices (collectively, the "Report"). Ms. Wise was unaware of the existence of the Report until September 8, 2016.

The Report contains significant errors, including factual errors and omissions regarding the Property. A non-exhaustive discussion of these points is set out below.

The Report does not provide a proper or lawful foundation for the addition of the Property to the Register of Heritage Properties.

In addition, as the City should be aware, assigning a "heritage" designation to a property (whether by its addition to a heritage register or the assignment to it of a heritage designation) significantly affects the market value of the property, including by limiting or eliminating its mortgagability. Ms. Wise is a professional mortgage broker of many years' experience who previously operated her business from the Property. She is knowledgeable about this important issue. The Property is a commercial and investment property that would have its value negatively affected by listing in the heritage register.

In any event, there are no plans to demolish any of the buildings on the Property or to make further alterations to the exterior of the Property, which have already been very extensive. Listing the Property on the heritage register is unnecessary.

Errors and Omissions in the Report

1. The Report states on page 3:

"By itself, listing a property on the Register does not restrict any future actions proposed by an owner. A heritage registered property is not protected by City bylaw ..."

These statements are incorrect.

In fact, under City Bylaw No. 95-62 s. 3, "approval must not be issued for any action which, in the opinion of the person responsible for issuing approval, would alter or cause an alteration to" a protected heritage property or "property in the City's Community Heritage Register". A person who withholds such approval must refer the matter to the Council, under Bylaw s. 6.

Indeed, the City's online Heritage Register information page (which is also not referred to in your letter to Ms. Wise) states:

"A proposal to demolish or alter a heritage register building is referred to City Council and the Heritage Advisory Committee (HAC) to determine whether a designation bylaw may be required to protect the property."

The City's online Heritage Register information page also states:

"The *Local Government Act* (Part 27) authorizes municipalities to temporarily withhold the demolition or building permit to give temporary protection for up to 60 days in order to make such a decision."

These restrictions and delays do not apply to a property that is not listed in the heritage register.

Contrary to the Report, there are significant restrictions on and delays to the alteration or demolition of a property by reason of its being included on the heritage register.

Moreover, elsewhere the Report states, in recommending that the Property and 49 other properties be added to the heritage register:

"The major advantage of this option is that it provides an opportunity for the City to negotiate solutions with respect to property owners should these candidate properties seek redevelopment or rezoning or become threatened by demolition in the future. In addition, the City would be able to monitor changes to these properties ..."

Although the Report does not identify the problems to which "solutions" might be negotiated, it is clear under Bylaw 95-62 that the City would, by adding the Property to the heritage register, create restrictions on and delays to any further alterations of the Property.

2. Regarding Appendix 4 of the Report, we note the following:
 - (a) Page 39 of Appendix 4 incorrectly assigns the name "Queen's Academy" to the entire Property. There is more than one building on the Property, none of which is correctly referred to as "Queen's Academy".

The Description of Historic Place on page 39 goes on to state:

"Queen's Academy is a prominent, two and one-half storey wood-frame building with a hip-on-gable roof."

On page 40, under the heading "Character-Defining Elements", there is again reference to the "Queen's Academy ... two and one-half storey height".

In fact, the Queen's Academy, which operated for only three years at this location, was not a "two and one-half storey" building. It was a one storey building, originally located on a different site. It was later jacked up such that only parts of exterior of it now comprise the second storey of one of the buildings on the Property.

In addition, the interior of what was the Queen's Academy has been very substantially altered for many decades. It comprises living quarters and retains none of its original character.

- (b) On page 40 of Appendix 4, the "Character-Defining Elements" of the Property are stated to include:

"- fenestration, such as: multi-paned casement windows enclosing a second-floor porch; ... and ground-floor commercial storefront with recessed central entry, wooden storefront sections and transom windows."

The "elements" described above were built and/or installed in the 1990s by Ms. Wise's late husband and her sons. They were built to accommodate the Wise family's living quarters (there is a kitchen behind the windows on the second floor, not a "porch") and Ms. Wise's business on the ground floor, along with other very substantial changes to all floors of the interior of the building. They are of no historical significance.

- (c) The Report makes no mention of the fact that the Property includes a large and substantial concrete block building which was also built in the 2000s. It is of no heritage value, yet it would be negatively affected by the inclusion of the Property in the heritage register, including its value and mortgagability.

In sum, the Report misdescribes and mischaracterizes the history and attributes of the Property.

Ms. Wise reserves her position regarding whether the contents of the Report pertaining to the Property were prepared in good faith.

Ms. Wise also reserves her right to pursue a claim for damages and other relief.

As stated above, Ms. Wise is strongly opposed to the addition of the Property to the Register of Heritage Properties.

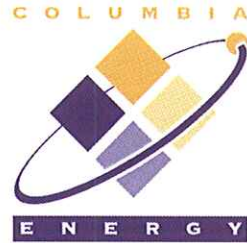
Kindly address all further correspondence regarding the possible addition of the Property to the Register of Heritage Properties to this office.

Yours very truly,
Kieran A.G. Bridge, Law Corporation
 per:



Kieran A.G. Bridge

cc: Valerie Wise



September 16, 2016

City of Victoria
#1 Centennial Square
Victoria BC V8W 1P6

Attn: Mayor and Council

Re: City of Victoria's Register of Heritage Properties and 2519 Rock Bay Ave.

Columbia Energy Inc. (CEI) is in receipt of a letter dated September 2nd 2016 regarding the City of Victoria's Register of Heritage Properties. The letter indicates our building located at 2519 Rock Bay Ave. has been recommended for inclusion with a mass addition to the Heritage Register planned for a vote during a meeting on September 22nd 2016.

CEI continues to strongly oppose having our property added to this register for multiple reasons listed below and which were communicated to the Heritage Planner in April 2016:

- The original building which may have held heritage value was torn down more than 5 years ago; the remaining structure was a more recent add-on to that building and therefore is not of the same age or significance
- The warehouse space remaining on site has been completely renovated with the Rock Bay frontage undergoing a complete façade upgrade which is very modern in appearance (photo attached)
- The building does not appear to meet any of the criteria listed for formal heritage designation or possess architectural, historical or cultural value resulting in a requirement for preservation
- The footprint of the current building and the capacity of this property are highly under-utilized for the size and location

Based on recent conversations with the Heritage Planner we have received copies of the photograph and detailed description of our property which was used to support its inclusion for addition to the Register. The information contains significant errors. These City of Victoria documents are attached to this correspondence. The photo provided by the Heritage Planner is of a building that was torn down more than 5 years ago and is an outdated 2009 Google Maps image of the location. The description of the historical and architectural significance is also specifically of a building that no longer exists. Additionally we have attached three photographs, two of the current structure on site, built in the 1960's as an add-on building to the former 1915 construction, and another close up of the renovated frontage completed in 2011 after the demolition of the 1915 structure and rejuvenation of the 1960 era warehouse. It is used today as an administrative office and storage building.

Office 2519 B Rock Bay Ave Victoria BC V8T 4R5 – Mailing PO BOX 28131 Westshore RPO Victoria BC V9B 6K8

PHONE 250-478-1272

FAX 1-888-682-8149

EMAIL leasing@columbiaenergy.com

Based on multiple errors and omissions in the supporting documents prepared and used by Community Planning and the factors noted above CEI does not agree or consent to our property being added to the Register of Heritage Properties in the City of Victoria.

We highly recommend the Heritage Planner attend the site and review the concerns in greater detail as this property should be excluded from any blanket addition of the neighborhood properties to the Heritage Register. If the addition is to proceed CEI will formally apply to have 2519 Rock Bay Ave removed for the Heritage Register based on a flawed process and incorrect supporting data being provided to Mayor and Council to make this decision.

If you have any further questions I can be reached at 250-478-1272.

Sincerely,



Melissa de Meulles
Sr Manager
Columbia Energy Inc.

encl.

BAYLISS SIGNS, 2519 ROCK BAY AVENUE

STATEMENT OF SIGNIFICANCE

Original Owner: D'Arcy Britton Plunkett

Date of Construction: 1915

Description of Historic Place

Bayliss Signs is a two-storey, brick clad industrial structure situated on the east side of Rock Bay Avenue, between John and Bay Streets. It is located in a context of similar industrial and commercial buildings in the Rock Bay light industrial district of Victoria's Burnside neighbourhood.

Heritage Value of Historic Place

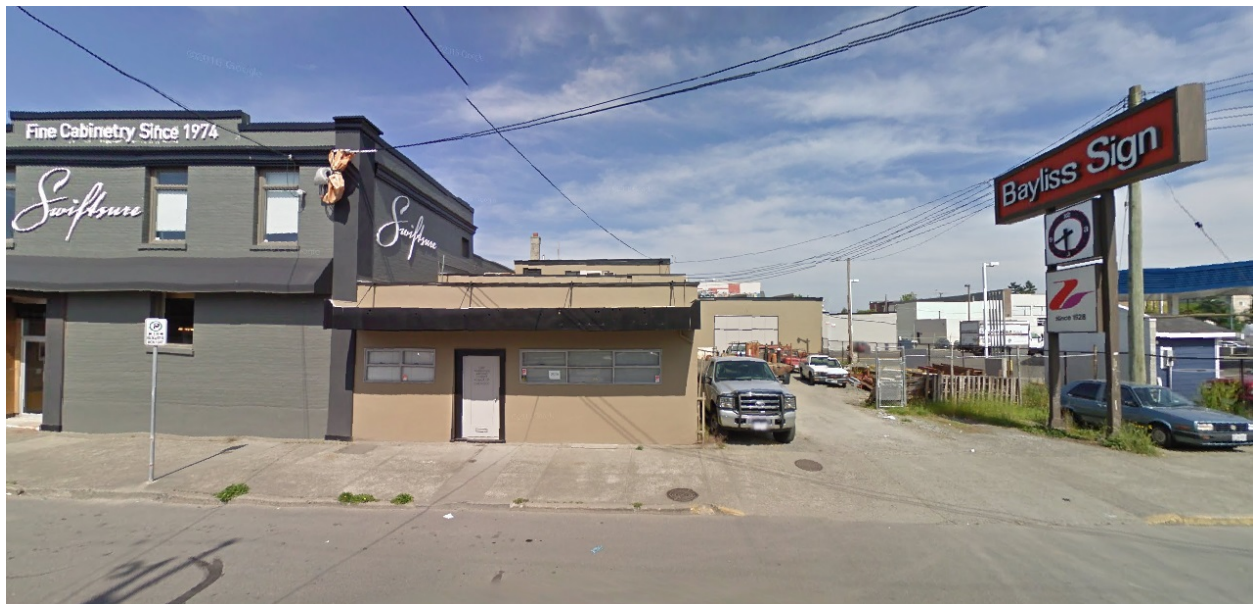
Bayliss Signs, built in 1915, is valuable as a tangible example of the city's industrial evolution, and is unusual for its date of wartime construction. Industrial development during the early 1900s was fuelled by the booming resource economy. This industrial building was built for the ironworking business of D'Arcy Britton Plunkett (1872-1936). Plunkett was well-known in the community, and was elected in 1928 to 1935 as a Conservative Party MLA. Originally from England, Plunkett was an ironworker by trade, arriving in Victoria in the mid 1910s. Plunkett occupied the building briefly, followed by Bayliss Signs Limited, established in the 1920s by English-born William Albert Bayliss (1899-1988). Bayliss Signs later specialized in neon signs, and continued to operate into the early 1990s.

Although heavy industry had largely disappeared from Burnside by the 1980s, the Rock Bay area of Burnside, where Bayliss signs is situated, remains a light industrial district today. It continues to be used for commercial purposes, and continues to contribute to the economic and social vitality of the Burnside neighbourhood. This modest structure contributes to the rich and varied streetscapes of the Burnside neighbourhood, which continues today as a mix of residential, commercial and industrial uses.

Character-Defining Elements

Key elements that define the heritage character of Bayliss Signs include its:

- location on Rock Bay Avenue in a commercial / industrial context
- continuous commercial / industrial use
- industrial form, scale and massing as expressed by its: rectangular plan, built flush to the front and side property lines; two-storey height; irregular window openings; and stepped front parapet
- masonry construction with brick cladding and heavy timber internal structure





Steven Yue Min Chin
1 – 906 Linden Avenue
Victoria BC V8V 4H1

September 19, 2016

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

Dear Mayor and Council:

RE: Addition of 1038 – 1040 Fort Street to the City of Victoria's Register of Heritage Properties

Further to the letter dated September 2, 2016, which I received advising of the Council meeting to be held on September 22, 2016, to consider inclusion of properties on the Register of Heritage Properties, I would like to submit the following information for consideration.

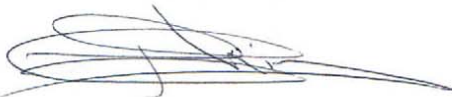
I currently own three properties in Victoria that are included on the Register of Heritage Properties, all of which have heritage significance and are a valuable addition to the register. The property which is being considered at 1038 – 1040 Fort Street has little to no heritage value. The property at one time had a significant amount of acreage behind it but now does not even have a rear access to the building. The building itself has been renovated so significantly over the years that there is nothing left that is original, not even the exterior façade.

I am in favour of saving buildings with architectural merits, not only for their beauty but also as examples of earlier workmanship and design. This building has none of the attributes of true heritage sites and is simply an old house with minimal design features of a vintage style. It is not an attractive building and contains nothing that would warrant giving it heritage status.

As I stated earlier, I am very much in favour of this service to the City of designating Heritage Properties but I feel that not all properties have that value and I feel that this is definitely not one of the ones that does.

I request that this property not be included on the Register of Heritage Properties and I thank you for your consideration of my opinion.

Sincerely,



Steven Yue Min Chin

/dc



Tel: 514-598-8535
Fax: 514-598-0024

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GROUPEDENUX.COM



City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

Attention: Adrian Brett, Heritage Planner
Mayor and Council, City of Victoria

sent via email

September 20, 2016

Dear Sirs and Madams,

Re: Addition of 1006-1010 Yates Street to the City of Victoria's Register of Heritage Properties


Further to our letter dated September 14, 2016, stating our objections to the above matter, we wish to add that should the City of Victoria determine that the property at 1006-1010 Yates is to be included on the Heritage Registry, we expect we will suffer damages from loss of value of the property arising from this designation and arising from the likely restriction on development and hence the ability to remediate the property.

The fact that contamination is present in the lot at 1012 Yates and will continue to migrate towards our property is a very significant matter that the City of Victoria should seriously consider when debating the Heritage Registry issue.

Sincerely,

SOPHIE INVESTMENTS INC./GALATIA REALTY INC.


Eve Denux

cc. Neil Turner, Property Manager, City of Victoria – nturner@victoria.ca
Jason Johnson, City Manager, City of Victoria – jjohnson@victoria.ca
Jonathan Tinney, City of Victoria – jtinney@victoria.ca
Mayor and Council, City of Victoria – mayorandcouncil@victoria.ca
Graham Walker, Regional Managing Partner, Borden Ladner Gervais – 
Tom Zworski, City Solicitor – tzworski@victoria.ca
Merinda Conley, Senior Heritage Planner, City of Victoria – mconley@victoria.ca

Daniel and Steven Cox
c/o #301 - 1025 Meares St.
Victoria, BC. V8V 3J7

City of Victoria

September 20th, 2016

Dear Mayor, and Council,

Please accept this letter with regards to the McCall Brothers Funeral Home heritage Designation, located at 1400 Vancouver Street.

We understand how important heritage is to a City such as Victoria. However, we would like to take exception to this particular building being designated as a heritage building for the following reasons:

First, while it is an example of Mid-Century modern architecture, by itself that is not significant – to Victoria. Mid-Century Modern is a style of architecture that came out of California and was popularized by a builder called Joseph Eichler. It is a beautiful style and continues on to this day. However, its principal value was for houses, not commercial buildings. This style of housing brought architectural design to the masses. It re-designed the bungalow. Many of Eichler's homes today have been preserved and still fetch very high prices. Yet very few of the commercial examples of this style are still being used; most have been torn down, and for good reasons.

Most significantly, this style is not indigenous to Victoria. It is beautiful, but it does not translate well to our 'wet' coast climate, with its flat wood roof features, with little or no insulation, and large panels of glass. It is California, not West Coast, or early Victoria. Taking extraordinary measures to save this property is like preserving a memorial to the Beach Boys in Victoria.

One of the characteristics of Mid Century Modern is to have very low ceilings. Ceilings are low and flat. Many Eichler homes have portions of the ceilings that are barely above door height. In a home usually you can work around this, but not in a commercial building. If you walk into the Funeral Home, in the lobby, there is a portion of the ceiling that can be reached and touched with one's hand. A tall person would likely feel the need to duck as he walked under. The main hallway leading to the various offices likewise has approximately a 7' ceiling height. In our current modern urban lifestyle retail spaces with very low ceiling heights are, more or less, not rentable. The modern, urban design demands height and openness, with exposed concrete, often with some sort of natural feature, especially wood, set as a counterpoint to concrete. The City of Victoria itself, when taking a project through the design process, is forcing developers to have high ceilings in the commercial spaces as it recognizes the importance of viable commercial space to keep downtown vibrant and busy.

The building itself, apart from its anachronistic features, has some shortcomings. It has been specifically designed to be a funeral home. In order for that to work there have to be many separate areas. This was done so the McCall Brothers could have more than one service being held with grieving families not having to pass by one another. Consequently, it is somewhat labyrinthine. We still find ourselves occasionally walking down the wrong hallway, or having trouble finding the staircase leading upstairs depending upon where we are in the building. It is very chopped up and has no obvious current commercial use.

It has many rooms with very little light, even ambient light, as they have no windows and are not even close to one. Typically this is not a feature of Mid-Century Modern, but this building for some unknown reason was built with few windows. Part if it is understandable. Things go on in a Funeral Home that are not made public. But, the bulk of this building is without windows or light. And, since the building is about 100' deep, opening access to light will be nearly impossible.

The floor in the main vestibule area was once a driveway. It rises and falls. It would need to be jack hammered out and lowered by a foot in order to make it work. That is not insurmountable, but until you do it, you can't be certain what you will be left with. Alternatively, one could raise the floor to level it, but then we again we would be faced with unusually low ceilings.

The land itself is very valuable for housing. Victoria has a lot of junky small buildings that could be torn down and re-developed. But, much of Victoria has geo-tech problems. Many of these sites will never be built on. This is one site with good geo-tech issues, and therefore has a solid basis to build a high-rise. If you wish to have a vibrant population living downtown taking one of the sites with the best geo-tech factors off the market might not be wise.

In order to save a building, there has to be a reasonable chance for it to still be used in some manner. We are searching for a use for this building but at this point we are not sure there is one. Should we find the right tenant, should we discover a use, it might make sense to keep it as it is, but even then we think housing rentals is more important than preserving an interesting building of questionable historical or useful value.

Our current plan is to build a rental building on this site, as rentals are our main focus. We think this is the highest and best use for the site.

This site is, in our opinion, much more valuable to the City of Victoria housing two hundred renters than it is being used as a preservation site for an unusable, non-indigenous style of architecture.

However, we understand why a City might want to preserve certain pieces of architecture. To this end we are offering the building to the City. You may take it from us. We will donate it to you – free of charge. You can purchase a piece of land somewhere and put the building on that site. Alternatively, if you own a piece of land somewhere where we could build rentals, we would trade you.

Thank you for your consideration of this matter.

Sincerely

A handwritten signature in black ink, appearing to read 'Steven Cox', with a stylized, cursive script.

Steven Cox

A handwritten signature in black ink, appearing to read 'Daniel Cox', with a stylized, cursive script.

Daniel Cox



Ministry of
Environment

NOTIFICATION OF LIKELY OR ACTUAL MIGRATION

Land Remediation Section
PO Box 9342 Stn Prov Govt
Victoria B.C. V8W 9M1
Telephone: (250) 387-4441
Fax: (250) 387-8897

Instructions

Please complete and sign the following notification form and send it to each neighbouring parcel owner whose parcel is likely or actually contaminated by migration of substances from your parcel, with a copy to the ministry at the contact provided below:

Director of Waste Management
c/o Site Information Advisor
Ministry of Environment
PO Box 9342 Stn Prov Govt
Victoria, B.C. V8W 9M1

Fax (250) 387-9935

or

Advisor.SiteInformation@gov.bc.ca

Note on meaning of "owner"

As per Section 39 of the Environmental Management Act, "**owner**" means a person who

- (a) is in possession,
- (b) has the right of control, or
- (c) occupies or controls the use

of real property, and includes, without limitation, a person who has an estate or interest, legal or equitable, in the real property, but does not include a secured creditor unless the secured creditor is described in section 45 (3).

Examples include: land owners, operators, lessees, tenants, easement holders, utility owners or operators, etc.

Notifications where there is more than one neighbouring parcel owner

In cases where multiple neighbouring parcel owners require notification, you may complete one form per owner or include the names of all owners on one form. In the latter case, please attach additional pages as needed.

Land descriptions

Provide the latitude and longitude of the approximate centre of the source and affected parcels (accurate to ± 0.5 of a second, or approximately ± 10 metres using the 1983 North American Datum).

Site plans (may be obtained from some local government websites) and a Land Title record for the source parcel should be included with your submission.

For further information regarding migration of substances, please refer to Fact Sheet 34 (available at: http://www.env.gov.bc.ca/epd/remediation/fact_sheets/) or e-mail us at site@gov.bc.ca.



Ministry of
Environment

NOTIFICATION OF LIKELY OR ACTUAL MIGRATION

Land Remediation Section
PO Box 9342 Stn Prov Govt
Victoria B.C. V8W 9M1
Telephone: (250) 387-4441
Fax: (250) 387-8897

Sections 57 and 60.1 of the Environmental Management Act's Contaminated Sites Regulation require a responsible person who carries out independent remediation or a site investigation and who knows that one or more substances has migrated or is likely to have migrated to a neighbouring parcel and is or is likely causing contamination to notify the person or persons who own the neighbouring parcel in writing and submit a copy of the notification to the Director of Waste Management, within 15 days after the responsible person becomes aware of the migration or likely migration to the neighbouring parcel. Note that "affected parcel" is defined as a parcel which is contaminated by the migration of substances from a neighbouring parcel.

Information for Affected and Likely Affected Parcels

Owner Name: Sophie Investments Inc. / Galatia Realty Inc.

Owner's address: 9825, boul. De l'Acadie

City	Montreal	Province	Quebec
Country	Canada	Postal Code	H4N 2W2
Phone		Fax	

Parcel Civic Address or Location (i.e., nearest roadway): 1006/1010 Yates Street, Victoria, BC

Parcel PID or PIN (if applicable): 017-333-580

Parcel Site ID number (if applicable):

Latitude and Longitude for Centre of Parcel:

Latitude	Degrees	48	Minutes	25	Seconds	32.7
Longitude	Degrees	123	Minutes	21	Seconds	21.6

Type(s) of utility affected(if applicable, e.g. sewer, telephone, electrical):

Does this parcel have likely or actual high risk conditions (as described under the Act's Protocol 12) associated with the likely or actual migration of substances from the source parcel? ☒ Yes ☐ No

Please include a separate sketch plan with this form for this parcel.

Owner Name

Owner's address: Number and Street

City	Province
Country	Postal Code
Phone	Fax

Parcel Civic Address or Location (i.e., nearest roadway):

Parcel PID or PIN (if applicable):

Parcel Site ID number (if applicable):

Latitude and Longitude for Centre of Parcel:

Latitude	Degrees	Minutes	Seconds
Longitude	Degrees	Minutes	Seconds

Type(s) of utility affected(if applicable, e.g. sewer, telephone, electrical):

Does this parcel have likely or actual high risk conditions (as described under the Act's Protocol 12) associated with the likely or actual migration of substances from the source parcel? ☐ Yes ☐ No

Please include a separate sketch plan with this form for this parcel.

Please add additional pages if more than two affected or likely affected parcels have been identified.

Section I Notification Trigger

Check the following items as applicable. Likely or actual migration of substances from the source parcel was identified during:

- ☐ Independent remediation (Section 57, Contaminated Sites Regulation)*
☒ Site Investigation (Section 60.1, Contaminated Sites Regulation)

* You must also complete and submit a notification of independent remediation. The form is available on the ministry's web site at: <http://www.env.gov.bc.ca/epd/remediation/forms/>.

Section II Land Description of Source Parcel

Site ID Number (if known)	9897
PID	008 086 664 or PIN
Legal Description	Lot 973, Victoria City
Latitude	Degrees 48 Minutes 25 Seconds 32.2
Longitude	Degrees 123 Minutes 21 Seconds 20.3
Site Civic Address or Location	Street 1012/1014 Yates Street
(i.e., nearest roadway)	City Victoria, BC Postal Code V8V 3M6

2

Section III Property Owner and/or Operator (Source Parcel)

Name	City of Victoria
Address	Number and Street 1 Centennial Square
	City Victoria Province/State BC
	Country Canada Postal /Zip Code V8W 1P6
Phone	██████████ Fax

Include both a site plan and a Land Title record.

Section IV Environmental Consultant / Agent Contact (if applicable)

Name	PHH ARC Environmental
Address	Street Suite 200 – 13775 Commerce Parkway
	City Richmond Province/State BC
	Country Canada Postal /Zip Code V6V 2V4
Phone	██████████ Fax

Section V Confirmed or Suspected Source of Contamination (e.g. leaking underground storage tank)

Suspected source of contamination from a former dry cleaning facility at the Site.

Section VI Source Parcel Substances

List the substances which have migrated or likely have migrated to one or more neighbouring parcels and are or are likely causing contamination at the neighbouring parcel(s). Provide the information for each environmental medium (soil, groundwater and surface water, sediment, and vapour). Attach additional information if not there is enough space.

<u>Environmental Medium</u>	<u>Substance</u>	<u>Standard Exceeded (for affected parcel)</u>	<u>Maximum Concentration</u>
Groundwater	tetrachloroethylene	30 ug/L	24000 ug/L
Groundwater	trichloroethylene	5 ug/L	796 ug/L
Groundwater	cis-1,2-dichloroethylene	14 ug/L	850 ug/L
Groundwater	vinyl chloride	2 ug/L	50 ug/L

Section VII Additional Comments

Sample data above collected from monitoring wells located on 1006/1010 Yates Street, Victoria, BC

Section VIII Signature

I confirm that the above information is true based on my knowledge as of the date this notification form was completed.



2013-07-31

Signature of person completing form

Date completed (YYYY-MM-DD)

Tadd Berger

Printed name

Send the completed form to: Site Information Advisor
Ministry of Environment
PO Box 9342 Stn Prov Govt
Victoria B.C. V8W 9M1
Fax (250) 387-9935
E-mail: Advisor.SiteInformation@gov.bc.ca

For further information, please refer to the information under our [key topic website on migration](#) of substances.



中華基督教長老會

Chinese Presbyterian Church

A Congregation of the Presbyterian Church in Canada

816 North Park Street
Victoria, B.C.
V8W 1T1

Minister : Rev. Vincent Ka Yu Tan
Clerk of Session : Mr. Brian Low

Date : September 19, 2016

To : Mayor Helps and Council Members of the City of Victoria

Re : Addition of 812- 816 North Park Street to the City of Victoria's Register of
Heritage Properties

The letter from Mr. Adrian Brett, Heritage Planner, dated September 2, 2016 was received and discussed.

We honestly thought we have made our objection clear to Mr. Brett back in June. So we are somewhat dismay that the City still wishes to consider adding our Church property to the City of Victoria's Register of Heritage Properties over our objection.

We do not know whether our previous objection was forwarded to the Council. But let us re-iterate our strong objection for the following reasons :

1. We are thankful the City values the long history of our Church and wishes to recognize the services and contributions our Church made to the community. But at the same time, we want to emphasize that we are an active congregation and a living church. Our main goal is to proclaim the good news of our Lord Jesus Christ and to further His kingdom on earth. So the Church building must, first and foremost, serve our purposes and meet our needs. Being an old building, it has many stairs with many steps (both going up and down from outside and inside) and definitely not handicap or senior friendly. Many of our congregation are getting on with age. Many are finding it a challenge to negotiate the stairs, both from the outside and inside. Our Church is facing a decision to do something to the building that will allow our congregation and friends to have safe and easy access. This will mean either extensively modify the outside and inside of the building or totally rebuild/redevelop the building to suit our needs.

By adding our Church property to the City's Register of Heritage Properties will undoubtedly limit our choices and options. Although adding our Church property to the Register, at this time, may not stop us making changes to the Church building, but it requires us to go through an extra process ... "a system to review and monitor proposed changes to properties of heritage value" and to secure an external permission which is totally outside of our control. Giving our needs to modify/change the building in the not too distant future, this suggestion of adding our Church property to the City's Register of Heritage Properties will be another constraint and hindrance that really concern us when making our decision.

2. Unlike any big and beautiful Cathedral, our Church building is just a simple, ordinary and old structure and we cannot see it has any architectural significance or heritage value. As stated in the bio sheet provided by the City, our Church building started off as a wood-framed building, but later on, a stucco cladding was needed to cover the original wooden siding and wooden shingles. So the outside building was already not in its original form and the inside also had gone through many changes.

We are proud of our Church's long history, but we are sure there must be other ways to celebrate our Church's services and contributions to the Chinese community in Victoria.

We, therefore, strongly object in adding our Church property, 812 – 816 North Park Street, to the City of Victoria's Register of Heritage Properties.

Thank you very much for your understanding and kind consideration.

Blessings!

Church Property Trustees
Chinese Presbyterian Church

.cc Mr. Adrian Brett, Heritage Planner



The Salvation Army

Canada and Bermuda
British Columbia Division

Business Administration

103 – 3833 Henning Drive, Burnaby, BC V5C 6N5

Tel: 604.299.3908

Fax: 604.678.8489

www.SalvationArmy.ca/BritishColumbia

September 19th, 2016

Legislative Services
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

Attention: Adrian Brett, Heritage Planner

Re: High Point Church - 949 Fullerton Ave, Victoria

Dear Mr. Brett,

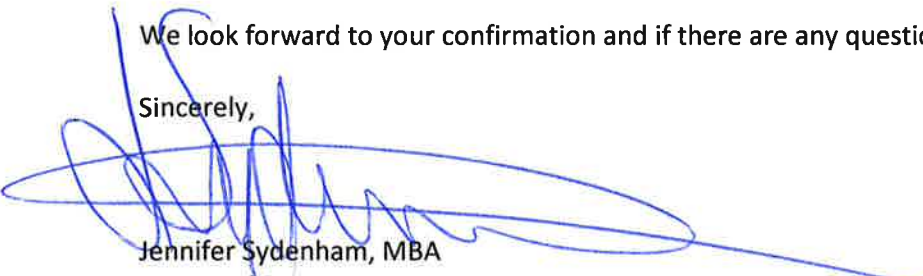
We are in receipt of your letter of September 2nd, 2016 indicating that the Mayor and Council are considering adding our property at 949 and 943 Fullerton to the City's Register of Heritage Properties, and will be discussing this matter at its meeting on September 22nd, 2016.

We would like to request that consideration of this location be deferred in order that we can properly assess the proposal and determine our response. As we are sure you can appreciate The Salvation Army is a large organization and review of this proposal will involve input from a number of different departments both here and at our head office in Toronto. It may also be necessary for us to consult with external third parties.

We would certainly like to provide our comments to the Council and we trust that this request to defer review of this location will not be deemed unreasonable under the circumstances.

We look forward to your confirmation and if there are any questions please do not hesitate to call.

Sincerely,



Jennifer Sydenham, MBA
Divisional Property Coordinator
The Salvation Army, BC Division
604 296-3825

Jennifer_sydenham@can.salvationarmy.org

William and Catherine Booth
Founders

André Cox
General

Commissioner Susan McMillan
Territorial Commander

Lt. Colonel Brian Venables
Divisional Commander



September 22 2016

LIS FILE: 0390-000

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

Re: Addition of the Selkirk Trestle to the City Register of Heritage Properties

It has come to the Ministry of Transportation & Infrastructure's (MoTI) attention that the City of Victoria is contemplating adding the Selkirk Trestle to its heritage register. As you may be aware, MoTI owns the Galloping Goose corridor and the Selkirk Trestle, which it in turn leases to the Capital Regional District (CRD) for regional cycling and pedestrian trail purposes.

At this time MoTI has not been directly consulted with nor received a formal information package on how adding our structure to the Heritage Register will impact our future use of the site, and have learned about this proposal only through a response provided to mayor and council by Brett Hudson of the CRD. Given that this proposal will be put to council this evening, MoTI is respectfully requesting that mayor and council postpone any decision to provide MoTI, CRD and City of Victoria staff an opportunity to discuss what such a designation could mean for future rehabilitation and operation of the structure.

If you wish to discuss this matter further, please do not hesitate to contact me at (250)387-6048.

Yours truly,

Kevin House
Manager, Property Development & Marketing

Cc:

Brett Hudson – Manager, Planning, Recourse Management & Development (CRD)
David Greer – Executive Director, Properties & Land Management (MoTI)
Merinda Conley – Senior Planner, Heritage (City of Victoria)

Ministry of
Transportation
and Infrastructure

Properties and Land Management Branch

Mailing Address:
PO Box 9850 Stn Prov Govt
Victoria BC V8W 9T5
Telephone: 250 387-6048
Fax: 250 356-2112

Location:
5A-940 Blanshard St.
Victoria BC V8W 9T5
www.gov.bc.ca/tran



Tel: 514-598-8535
Fax: 514-598-0024

108-9825 Boul. de l'Acadie
Montréal QC H4N 2W2

eve@groupeDENUX.com
GROUPEDENUX.COM

Tel: 250-920-5435
Fax: 250-920-5437

3-772 Bay Street
Victoria BC V8T 5E4

eve@groupeDENUX.com
GROUPEDENUX.COM



City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

Attention: Neil Turner, Property Manager
Mayor and Council, City of Victoria

sent via email

September 21, 2016

Dear Sirs and Madams,

Re: Addition of 1006-1010 Yates Street to the City of Victoria's Register of Heritage Properties

Further to your letter dated September 20, 2016, we reject the position that the City acquired the land at 1012 Yates involuntarily.

Your letter simply makes a legal argument. The City of Victoria knew, or should have known, that 1012 Yates was contaminated when it chose to purchase the property by tax sale. It was not required to do so. The City knew, or should have known, that the historic contamination from 1012 Yates had migrated and was continuing to migrate to our property at 1006-1010 Yates.

We stand by our position in our letter dated September 20, 2016. We will hold the City responsible for any damages we incur as a result of any inability or difficulty in redeveloping or remediating our property.

Sincerely,

SOPHIE INVESTMENTS INC./GALATIA REALTY INC.

A handwritten signature in blue ink, appearing to read "Eve Denux", with a stylized, sweeping flourish at the end.

Eve Denux

cc. Neil Turner, Property Manager, City of Victoria – nturner@victoria.ca
Jason Johnson, City Manager, City of Victoria – jjohnson@victoria.ca
Jonathan Tinney, City of Victoria – jtinney@victoria.ca
Mayor and Council, City of Victoria - mayorandcouncil@victoria.ca
Graham Walker, Regional Managing Partner, Borden Ladner Gervais – gwalker@blg.com
Tom Zworski, City Solicitor – tworski@victoria.ca
Merinda Conley, Senior Heritage Planner, City of Victoria – mconley@victoria.ca

Pamela Martin

Subject: FW: email to Mayor and Council re: 1106 Balmoral

From: JANICE [REDACTED]
Sent: Wednesday, September 21, 2016 11:37 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 1106 Balmoral

Attention Mayor and Council,

-Re addition of 1106 Balmoral Rd to the City of Victoria's register of heritage properties-

This will acknowledge the receipt of your letter dated September 2, 2016 regarding the property noted above. As per our two previous telephone conversations with Adrian Brett and our letter to Adrian Brett dated May 15, 2016, we the owners of 1106 Balmoral do not consent to the property being placed on the city's heritage register nor do we consent to the property being assigned a heritage designation now or in the future.

Sincerely
Peter and Janice Hejjas



100-1019 Wharf Street, Victoria, BC V8W 2Y9

p: 250.383.8300 | tf: 1-800-883-7079

e: gvha@gvha.ca | w: gvha.ca

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

September 22, 2016

Via Email: mayorandcouncil@victoria.ca

Dear Mayor and Council,

RE: ADDITION OF OGDEN POINT BREAKWATER AND DOCKS TO THE CITY OF VICTORIA'S REGISTER OF HERITAGE PROPERTIES

Thank you for the opportunity to provide comment regarding the proposal to add Ogden Point Breakwater and Docks to the City of Victoria's Heritage Properties.

First, I'd like to express the Greater Victoria Harbour Authority's disappointment that as owner, manager and operator of the property, we were not more fully consulted prior to this proposal going to council.

Second, it is unclear to Greater Victoria Harbour Authority (GVHA) as to precisely what elements at Ogden Point are to be included under the heading "Docks". Is this meant to include only Pier A and Pier B? Are there any other "docks" that have been identified?

Third, GVHA requests that an explanation be provided as to how the location at the entry of the Victoria Harbour and the continuous industrial use of the property at Ogden Point causes it to have heritage value or heritage character.

Fourth, it should be pointed out that the property and the operations at Ogden Point are regulated by the Federal Government under its authority over navigation and shipping and the Navigation Protection Act. GVHA is concerned about interference with its shipping and navigation operation caused by the Properties being on the Heritage Register. Any local government regulation that would have the effect of impairing a core part of the federal power over shipping and navigation could pose a real concern.

Therefore, the Greater Victoria Harbour Authority (GVHA) strongly objects to the inclusion of the Ogden Point Breakwater and Docks in the City of Victoria's Register for Heritage Properties.

Sincerely,

Ian Robertson
Chief Executive Officer

Concerning the house at 1403 Chambers St. and the Heritage Register for the City of Victoria

1. Mr Brett telephoned me late in December, 2016 and asked me if I would be willing to have my house on the Victoria Heritage Registry. I responded "No, I was not interested in my house being on the Heritage Registry List and that my house was currently for sale." He laughed and then ended the phone call. Since then, two separate parties have claimed that I have sold my house to them, and have placed caveats on my title, and then, Certificates of Pending Litigation were also placed on my title.
2. I had not been informed of my house being placed on a list of 50 buildings that City Council will vote to place on the Heritage Registry in the meeting scheduled for September 22, 2016. Apparently telephone calls were placed to the owners of the buildings on the list, notifying them of meetings to discuss the list. I had ended my land telephone service. No attempt was made to contact me by mail, until September 2, 2016, which I received on September 9, to announce that my house had been selected to be on the Heritage Registry List.
3. I clearly told Mr. Brett that I did not want my house on the list when he telephoned at the end of December. In Appendix 3. in a report to "The Committee of the Whole" dated, August 9, 2016, my house is listed as 1403 Chambers, and was given a "No Response" in the owner response column.
4. In the 2016 Property Assessment, my lot was valued at \$286,000, and the building value at \$72,900. The house next door, 1407 Chambers Street, in the 2016 Property Assessment the land is valued at \$295,000, and building value is \$322,000. Clearly the value of 1403 Chambers St is in the land. By including this building in the Heritage Registry List, I lose 100% of the opportunity to sell it for its assessed value, which I have been paying taxes on for many years. The value of my investment and the holding and maintaining of this corner lot in a rough and unsettling area seems to have been written off by the City.
5. If my house is placed on the Heritage Registry, it will be hard to sell, and would sell for much less than its assessed value. The house is in poor shape and would require extensive repairs, and it has no foundation. The house is on a small island of land in the midst of large condominiums and apartment buildings. There is already a newly completed five story condominium building on the lots directly behind my house, and a six story building with possible retail on the ground floor is in City Planning final stages, for the lot directly across Chambers St from my house. The old houses that occupied the site have already been demolished with permission of the City of Victoria this Spring.
6. Since my house was built there have been additions to the front and back of the house.
7. I have watched my neighbourhood being demolished in the many years I have owned and lived in 1403 Chambers St. The house that was next door (1407 Chambers St) was a twin to 1403 Chambers before it was demolished to build a \$600,000 value duplex. The

three remaining houses across Chambers Street, were demolished this Spring to make way for a six story condominium. Four old houses in the 1100 block Johnson St were demolished to build the Victoria Cool Aid Society's - Johnson Manor. All of this neighbourhood demolition, was done with the approval of the city. The house now is out of context to the neighbourhood that City and developers have created around it. It looks like the City Planning has chosen move ahead in this area for it's R3-2 zoning, multiple dwelling zone.

8. I offer my house for sale because I can no longer afford to keep the house, and that by selling my house I would be able to pay off approximately \$200,000 worth of debt that I have accumulated. There is no other way that I can pay off this debt.

9. Under the Options and Impacts section of the report from the Committee of the Whole, dated August 9, 2016, I quote: "Council can still choose to strike properties from the list of candidates if Council believes an affected property owner exhibits hardship or extreme opposition to the Register."

10. I am asking that City Council remove my house from the proposed inclusion to the Heritage Registry List.

Thank You

Ed Kennedy

[REDACTED]

[REDACTED]

1407 CHAMBERS ST VICTORIA



Total Value \$632,000

Assessed as of July 1st, 2015

Land	\$307,000
Buildings	\$325,000

Total Value	\$617,000
Previous Year 2015	
Land	\$295,000
Buildings	\$322,000

Area-Jurisdiction-Roll	01-234-07-490-031
------------------------	-------------------

Land Size	3682 Sq Ft
First Floor Area	826
Second Floor Area	1069
Basement Finish Area	826
Strata Area	

Year Built	2007
Description	2 STY house - standard
Bedrooms	3
Baths	4
Carports	
Garages	G

MANUFACTURED HOME

Width	
Length	
Total Area	

Building Storeys	
Gross Leaseable Area	
Net Leasable Area	
No. of Apartment Units	

The information in this report is provided for your information and convenience. If the information has been altered for any reason from the format in which it was originally received verification may be required by BC Assessment. In any case of doubt, the official BC Assessment records shall prevail.

1403 CHAMBERS ST VICTORIA V8V 4C6



Total Value \$368,200

Assessed as of July 1st, 2015

Land	\$297,000
Buildings	\$71,200
Total Value	\$368,200
Previous Year 2015	
Land	\$286,000
Buildings	\$72,900
Area-Jurisdiction-Roll	01-234-07-490-030
Year Built	1902
Description	1 STY house - basic
Bedrooms	2
Baths	1
Carports	
Garages	

Land Size	3682 Sq Ft
First Floor Area	1125
Second Floor Area	0
Basement Finish Area	
Strata Area	

MANUFACTURED HOME

Width	
Length	
Total Area	

Building Storeys	
Gross Leaseable Area	
Net Leaseable Area	
No. of Apartment Units	



Victoria Print Aid
Society - Johnson Manor

Pamela Martin

Subject: FW: 1329 Stanley Ave. heritage Register

From: Bob Scott [REDACTED]
Sent: Wednesday, September 21, 2016 12:19 PM
To: Adrian Brett <abrett@victoria.ca>
Cc: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 1329 Stanley Ave. heritage Register

Hi Adrian (& Mayor and Council).

Thank you for taking the time to speak with me this morning, Adrian, and I appreciate your input. I have spoken with Diana (my partner and the co-owner of Stanley) and while there is indeed a degree of prestige attached to official heritage recognition we are, at this point, writing to express our **opposition** to having our property added to the City's Registry of Heritage Properties. We prefer to maintain the status quo and therefore ask that 1329 Stanley Avenue be removed from the list of candidate properties for addition to the Register.

I would appreciate it if you could confirm receipt of this email and let me know if anything further is required from us at this point.

Best regards,

Bob & Diana Scott
6132 Headquarters Rd.,
Courtenay, BC
V9J 1M8
[REDACTED]

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Paul C. Wilson
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pwilson@fasken.com

September 21, 2016
File No.: 253729.13711/13711

By Email: (mayorandcouncil@victoria.ca)

Legislative Services
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Attention: Mayor and Council

Dear Sirs/Madams:

Re: Proposal to add 1803 Quadra Street to the Heritage Register

We are the solicitors for Arbor Memorial Inc. Our client has received your September 2, 2016 letter proposing to add our client's building, located at 1803 Quadra Street, to the Heritage Register.

Arbor Memorial Inc. strongly objects to the proposal to list this building on the Heritage Register. The building does not have heritage value.

We have reviewed the City Staff report that was presented to committee on August 25, 2016 (the "**Report**"). The information in the Report regarding our client's building is not accurate. It references "heritage" features that are relatively modern additions.

The property has been significantly modernized many times. The changes include:

- the addition of the concourse garage in 1952;
- the addition of the reception centre (nearly half the building facing Quadra) in 1977;
- major changes to the reception centre in the late 1980s; and
- the closing-in of the second concourse (facing North Park Street) in 1985.

249249.00081/90985176.1

*Fasken Martineau DuMoulin LLP includes law corporations.

This information should be more than enough to convince Council that the Report is not correct. Much of the building is relatively new. It is inappropriate to include 1803 Quadra Street on the Heritage Register.

If Council intends to proceed with a decision to add this building to the Heritage Register then we strongly request that Council should delay the decision until our client is able to provide full information on this building to establish, to Council's satisfaction, that 1803 Quadra Street should not be listed on the Heritage Register.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



Paul C. Wilson

PW/ac

cc Arbor Memorial Inc.
Attention: Mr. Gary Carmichael

October 3, 2016

File No: 8525 Grounds/01 General TB Park

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



RE: Request to add Royal BC Museum Thunderbird Park and Mungo Martin to City of Victoria's Register of Heritage Properties

Dear Mayor and Council:

This is further to telephone conversations we have had with Mr. Adrian Brett, Heritage Planner, City of Victoria and our previous email correspondence sent to the City regarding the properties being listed on the Heritage Register.

We appreciate very much being asked about Thunderbird Park and Mungo Martin House, as we too, are supporters and advocates of not only the built heritage of Victoria, but the history of peoples and landscapes in the province of BC.

As you may already be aware, Thunderbird Park is a protected provincial heritage site through the *Heritage Act* and is on the provincial heritage register: http://www.bclaws.ca/civix/document/id/complete/statreg/96187_01#section3).

Thunderbird Park includes: Mungo Martin House Wa'waditla, Helmcken House, and the Totem Park & surrounding grassy-treed area (including Garry Oak meadow). For more information about the park, please see our online exhibition: <http://www.royalbcmuseum.bc.ca/exhibits/tbird-park/main.htm?lang=eng>

Any activity within the boundaries of Thunderbird Park must be approved by the Province of BC - Heritage Branch, in accordance with its current status as a protected provincial heritage property.

Through the heritage designation already on the site, the Province's jurisdiction supersedes that of the City. Therefore, we respectfully decline the City of Victoria's request to include Thunderbird Park on the City of Victoria's Heritage Register as this site is already protected by the Province. The Provincial Heritage Designation does not require further protection or administrative oversight by the City.

If you have any questions or would like more information about Thunderbird Park, please feel free to call me or send an e-mail, my contact information is below.

Yours sincerely,



Angela Williams
Chief Operating Officer and
Deputy Chief Executive Officer

cc: Ms. Pam Lowings, Head Property Management & Site Development
Mr. Adrian Brett, Heritage Planner, City of Victoria

Douglas B. Thompson
Sharon Thompson
748 Princess Ave.
Victoria, B.C. V8T 1K6

To Mayor and Council:

We are sorry we are unavailable to attend the September 22nd, 2016 council meeting to voice our opposition to the Heritage Registration of our building at 740 Princess Ave.

The building is in an area of new commercial buildings and several older homes. It has limited use because of design and condition. The original shell and facade are constructed of sandstone brick which is difficult to restore. All the repair options we have explored require refacing the brick with more modern materials. We are also concerned about earthquake damage.

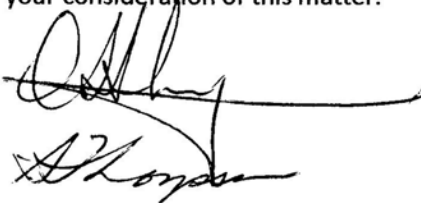
We feel the most efficient use of this property would be to replace the building with cement block to match the existing addition.

A Heritage Registration would add one more roadblock and more expense to the redevelopment of this property.

Please do not add the Heritage Registration to 740 Princess Ave.

Thank you for your consideration of this matter.

Yours truly:

The block contains two handwritten signatures. The top signature is in dark ink and appears to be 'D. B. Thompson'. The bottom signature is in a lighter ink and appears to be 'S. Thompson'. Both signatures are written over a horizontal line.

CASTLE I INVESTMENTS INC.

**Suite 2600, Three Bentall Centre
595 Burrard Street, P.O. Box 49314
Vancouver, BC V7X 1L3**

September 13, 2016

BY EMAIL (mayorandcouncil@victoria.ca) AND BY HAND

Legislative Services
City of Victoria
1 Centennial Square
Victoria, B.C.
V8W 1P6

Re: Addition of 2655 – 2659 Douglas Street, Victoria (the “Property”) to the City of Victoria’s Register of Heritage Properties

Dear Sirs/Mesdames:

We are the owner of the above Property. We received your letter dated September 2, 2016 in which you advised us that Council will consider the Property for listing on the Heritage Register at its meeting at 6:30 p.m. on September 22, 2016.

Your letter, which we received on September 6, 2016, was the first indication we have been given that the City is considering the Property for listing on the Heritage Register. As such, we have not had an opportunity to consider the potential impact that such a listing might have on the Property and to review the matter with our shareholders. Moreover, your letter provides no indication as to the heritage features of the Property which the City considers significant and so, at this stage, we are not in a position to study the matter with our own heritage consultants and provide you with any meaningful feedback.

Accordingly, we respectfully request that Council:

1. defer the consideration of the question of listing the Property on the Heritage Register to a future Council meeting after we have had sufficient time and opportunity to properly study the question; and
2. direct staff to provide us with a report which identifies the heritage characteristics of the Property which are considered significant in order that we may provide meaningful input for Council’s consideration of the issue.

.../2

We would be pleased to meet with the City's representatives at any mutually convenient time to discuss this matter further.

Thank you for your consideration.

Yours sincerely,

Castle I Investments Inc.

Per:



Brian Hagerman

cc: Bentall Kennedy (Canada) LP
Attention: Michel Cormier

Blake, Cassels & Graydon LLP
Attention: Jeffrey Merrick

Colliers International
Attention: Brenda Bolwyn

Pamela Martin

Subject: FW: heritage register

-----Original Message-----

From: Bob Kilmer [REDACTED]
Sent: Thursday, September 15, 2016 3:14 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: heritage register

City Council of Victoria

Re the addition of my home;3070 Washington to the city's register of heritage properties.

My wish is that my home should not be included on any such register.I attended a meeting about this at the Burnside/Gorge community and expressed my views then.

I am not able to attend the council meeting on Sept.22 as we will be away.

I am particularly concerned by the line in the information letter sent to me dated Sept 2/16, that the Register....."but provides a system to review and monitor proposed changes to of heritage value."

After consultation with real estate and building professionals, it still seems this action would hamper my ability to realize value for my commitment to my home since purchase in 1979.

I would hope to have further discussion on this matter without it being done without my consent.

Thank you

Yours truly,R.E.Kilmer

Pamela Martin

Subject: FW: Addition of 431 Hillside to the City of Victoria's Register of Heritage Properties

From: Bob & Judy Skene [REDACTED]

Sent: Friday, September 9, 2016 11:30 AM

To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>

Subject: Addition of 431 Hillside to the City of Victoria's Register of Heritage Properties

I just received a letter from Mr. Adrian Brett, Heritage Planner, indicating that the above property is to be considered by Council for inclusion in the City of Victoria's Register of Heritage Properties at the September 22nd Council Meeting.

Please note that my company, Skene Holdings Ltd. is the owner of this property. Skene Holdings Ltd. also owns 429 Hillside (a 10,000 square foot two storey commercial building having three commercial tenants) and 2612/2616 Bridge Street (a 50,000 square foot commercial building having 60 commercial tenants - known as Rock Bay Square).

431 Hillside is sandwiched between the two buildings noted above. It is a two storey residential building with two month to month tenants. When I purchased 429 and 431 Hillside it was with the intention of eventually tearing down the residential building and building another 10,000 square foot building. That remains my plan. The Rock Bay area is largely industrial and the City recently has initiated a planning process to enhance Rock Bay as an industrial area. To preserve a single residential building as Heritage when it is surrounded by commercial buildings makes no logical sense.

I respectfully request that 431 Hillside not be included in the City of Victoria's Register of Heritage Properties.

Thank you,
Bob Skene

[REDACTED]
2269 Sage Lane, V8N 6L6