

BYLAWS

5. Heritage Designation (222 Dallas Road) Bylaw No. 16-021

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the following bylaw be given first and second reading:

Heritage Designation (222 Dallas Road) Bylaw No. 16-021

Carried Unanimously

FIRST READING

Heritage Designation (222 Dallas Road) Bylaw No. 16-021

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the following bylaw be given first reading:

Heritage Designation (222 Dallas Road) Bylaw No. 16-021

Carried Unanimously



Council Report

For the Meeting of February 11, 2016

To: Council **Date:** February 2, 2016
From: C. Coates, City Clerk
Subject: Heritage Designation Bylaw No. 16-021 for 222 Dallas Road

RECOMMENDATION

That Council consider first and second readings of Heritage Designation Bylaw No. 16-021.

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Heritage Designation Bylaw No. 16-021.

The heritage designation issue came before Council on November 12, 2015, where the following resolution was approved:

Heritage Alteration Permit Application No. 00206 for 222 Dallas Road

That Council authorize the issuance of Heritage Alteration Permit Application No. 00206 for 222 Dallas Road, subject to the completion of the following prior to the issuance of a Building Permit and in accordance with:

1. Revised plans date stamped August 18, 2015.
2. The provision of:
 - a. Plan, elevation and section details for the front porch;
 - b. A post-relocation condition assessment of the existing wood siding/shingles, woodwork, roof, exterior doors and windows;
 - c. Rehabilitation details confirming the scope of work arising from the condition of the historic fabric;
 - d. An exterior door and window rehabilitation schedule.
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 1.2.4.a - Height relaxed from 7.6m to 9.9m and number of storeys from 2 to 2.5;
 - b. Section 1.2.5.a - Front setback relaxed from 7.5m to 6.45m for main building, from 5.9m to 4.94m for porch, from 5.0m to 3.91m for stairs;
 - c. Section 1.2.5.c - Side yard setback (east) relaxed from 1.5m to 1.36m;
 - d. Section 1.2.5.d - Combined side yard setbacks relaxed from 4.5m to 2.68m; and
 - e. Section 1.2.5.e - Flanking street (Dock) setback relaxed from 3.5m to 1.32m.
4. The Heritage Alteration Permit lapsing two years from the date of this resolution.
5. Final plans to be generally in accordance with plans identified above as amended to the satisfaction of the Director of Sustainable Planning and Community Development.

The proposed bylaw is the final step to heritage protection of the dwelling, and is able to be considered at this time, as the dwelling has been relocated to its new location on Dallas Road.

Respectfully submitted,



Chris Coates
City Clerk



Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager:



Date:

Feb 4, 2016

NO. 16-021

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 222 Dallas Road to be protected heritage property.

Under its statutory powers, including Section 967 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "HERITAGE DESIGNATION (222 DALLAS ROAD) BYLAW".
2. The exterior of the building to be relocated to 222 Dallas Road, legally described as Lot 23, Block 5, Section 26, Beckley Farm, Victoria City, Plan 1941, is designated to be protected heritage property.

READ A FIRST TIME the _____ day of _____ 2016.

READ A SECOND TIME the _____ day of _____ 2016.

Public Hearing held on the _____ day of _____ 2016.

READ A THIRD TIME the _____ day of _____ 2016.

ADOPTED on the _____ day of _____ 2016.

CITY CLERK

MAYOR

BYLAWS

4. Heritage Designation (226 Dallas Road) Bylaw No. 16-022

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the following bylaw be given first and second readings:

Heritage Designation (226 Dallas Road) Bylaw No. 16-022

Carried Unanimously

FIRST READING

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the following bylaw be given first reading:

Heritage Designation (226 Dallas Road) Bylaw No. 16-022

Carried Unanimously



Council Report

For the Meeting of February 11, 2016

To: Council

Date: February 2, 2016

From: C. Coates, City Clerk

Subject: Heritage Designation Bylaw No. 16-022 for 226 Dallas Road

RECOMMENDATION

That Council consider first and second readings of Heritage Designation Bylaw No. 16-022.

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Heritage Designation Bylaw No. 16-022.

The heritage designation issue came before Council on November 12, 2015, where the following resolution was approved:

Heritage Alteration Permit Application No. 00205 for 226 Dallas Road

That Council authorize the issuance of Heritage Alteration Permit Application No. 00205 for 226 Dallas Road, subject to the completion of the following prior to the issuance of a Building Permit and in accordance with:

1. Revised plans date stamped August 18, 2015.
2. The provision of:
 - a. Plan, elevation and section details for the front porch;
 - b. A post-relocation condition assessment of the existing wood siding/shingles, woodwork, roof, exterior doors and windows;
 - c. Rehabilitation details confirming the scope of work arising from the condition of the historic fabric; and
 - d. An exterior door and window rehabilitation schedule.
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Section 1.2.4.a - Height relaxed from 7.6m to 8.8m;
 - b. Section 1.2.5.a - Front setback relaxed from 7.5m to 6.15m for main building, from 5.0m to 4.83m for stairs;
 - c. Section 1.2.5.c - Side yard setback (east) relaxed from 3.0m to 1.20m and side yard setback (west) relaxed from 1.5m to 1.04m; and
 - d. Section 1.2.5.d - Combined side yard setbacks relaxed from 4.5m to 2.24m.
4. The Heritage Alteration Permit lapsing two years from the date of this resolution.
5. Final plans to be generally in accordance with the plans identified above as amended to the satisfaction of the Director of Sustainable Planning and Community Development.

The proposed bylaw is the final step to heritage protection of the dwelling, and is able to be considered at this time, as the dwelling has been relocated to its new location on Dallas Road.

Respectfully submitted,


Chris Coates
City Clerk


Jocelyn Jenkyns
Deputy City Manager

Report accepted and recommended by the City Manager: 

Date: Feb. 4, 2016

NO. 16-022

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to designate the exterior of the building located at 226 Dallas Road to be protected heritage property.

Under its statutory powers, including Section 967 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "HERITAGE DESIGNATION (226 DALLAS ROAD) BYLAW".
2. The exterior of the building to be relocated to 226 Dallas Road, legally described as Lot 23, Block 5, Section 26, Beckley Farm, Victoria City, Plan 1941, is designated to be protected heritage property.

READ A FIRST TIME the day of 2016.

READ A SECOND TIME the _____ day of _____ 2016.

Public Hearing held on the _____ day of _____ 2016.

READ A THIRD TIME the _____ day of _____ 2016.

ADOPTED on the _____ day of _____ 2016.

CITY CLERK

MAYOR

REPORTS OF THE COMMITTEES

2. Planning and Land Use Committee – June 11, 2015

- 2. Heritage Designation Application Nos. 000148 and 000149 for 524 and 526 Michigan Street**
It was moved by Councillor Alto, seconded by Councillor Loveday, that Council designates 524 and 526 Michigan Street as Municipal Heritage Sites. Carried Unanimously

3.3 Heritage Designation Application Nos. 000148 and 000149 for 524 and 526 Michigan Street

Committee received a report regarding an application to designate 524 and 526 Michigan Street as Municipal Heritage Sites.

Action: It was moved by Councillor Alto, seconded by Councillor Madoff, that Committee recommends that Council designates 524 and 526 Michigan Street as Municipal Heritage Sites.

CARRIED UNANIMOUSLY 15/PLUC/129



Planning and Land Use Committee Report

For the Meeting of June 11, 2015

To: Planning and Land Use Committee **Date:** May 28, 2015

From: Murray G. Miller, Senior Heritage Planner, Community Planning

Subject: **Heritage Designation Application Nos. 000148 and 000149 for 524 and 526 Michigan Street, respectively (Prout House and Beaven/Macabe Residence)**

RECOMMENDATION

That Council consider the designation of the Heritage-Registered houses (presently located at 524 and 526 Michigan Street) to be relocated within James Bay, pursuant to Section 967 of the *Local Government Act* as Municipal Heritage Sites. This report fulfils the requirements of Section 968(5) of the Act.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the Heritage-Registered houses (presently located at 524 and 526 Michigan Street) to be relocated within James Bay.

The following points were considered in assessing these Applications:

- general consistency with the *Official Community Plan (OCP)*
- Statement of Significance including Victoria's Heritage Thematic Framework.

These Applications were reviewed by the Heritage Advisory Panel at its May 12, 2015, meeting and it recommended that Council consider the designations of the Heritage-Registered properties located at 524 Michigan Street and 526 Michigan Street.

BACKGROUND

At its special meeting on July 16, 2014, the Heritage Advisory Panel recommended that Council authorize the issuance of Heritage Alteration Permits #00188 and #00189 for 524 and 526 Michigan Street, for the relocation of the the Prout House and the Beaven/Macabe Residence within James Bay, respectively. The recommendation was subject to the owner of the Heritage-Registered Prout House and the Beaven/Macabe Residence and the owner of the recipient sites providing the City with a letter irrevocably agreeing to the designation of the houses as protected heritage property pursuant to Section 967 of the *Local Government Act*.

Description of Proposal

Applications to designate the houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay, as Municipal Heritage Sites were received from Jawl Properties Ltd. on March 16, 2015.

Condition/Economic Viability

The exterior of the buildings, while in sound condition, require exterior maintenance. The houses will be relocated within James Bay and will undergo rehabilitation in preparation for their new use.

ANALYSIS

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

Official Community Plan

These Applications are consistent with the OCP because they contribute to the goal of protecting and celebrating Victoria's cultural and natural heritage resources as Municipal Heritage Sites.

Statement of Significance

A Statement of Significance describing the historic place, outlining their heritage value and identifying their character-defining elements, is attached to this report.

Resource Impacts

The applicant has indicated their interest in rehabilitating the exterior appearance of the properties; as a result, there may be a request in the future for a grant from the Victoria Heritage Foundation.

CONCLUSIONS

The Heritage-Registered houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay, will contribute to the heritage character of James Bay. The designation of the houses as Municipal Heritage Sites is consistent with relevant City policies and strategic directions for the James Bay Neighbourhood. Staff, therefore, recommend that Council consider the designation of the Heritage-Registered houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay.

ALTERNATE MOTION

That Council decline Heritage Designation Application Nos. 000148 and 000149 for the houses presently located at 524 and 526 Michigan Street, to be relocated within James Bay, as Municipal Heritage Sites.

Respectfully submitted,



Murray G. Miller
Senior Heritage Planner
Community Planning



Andrea Hudson
Acting Director
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager: _____

Date: _____



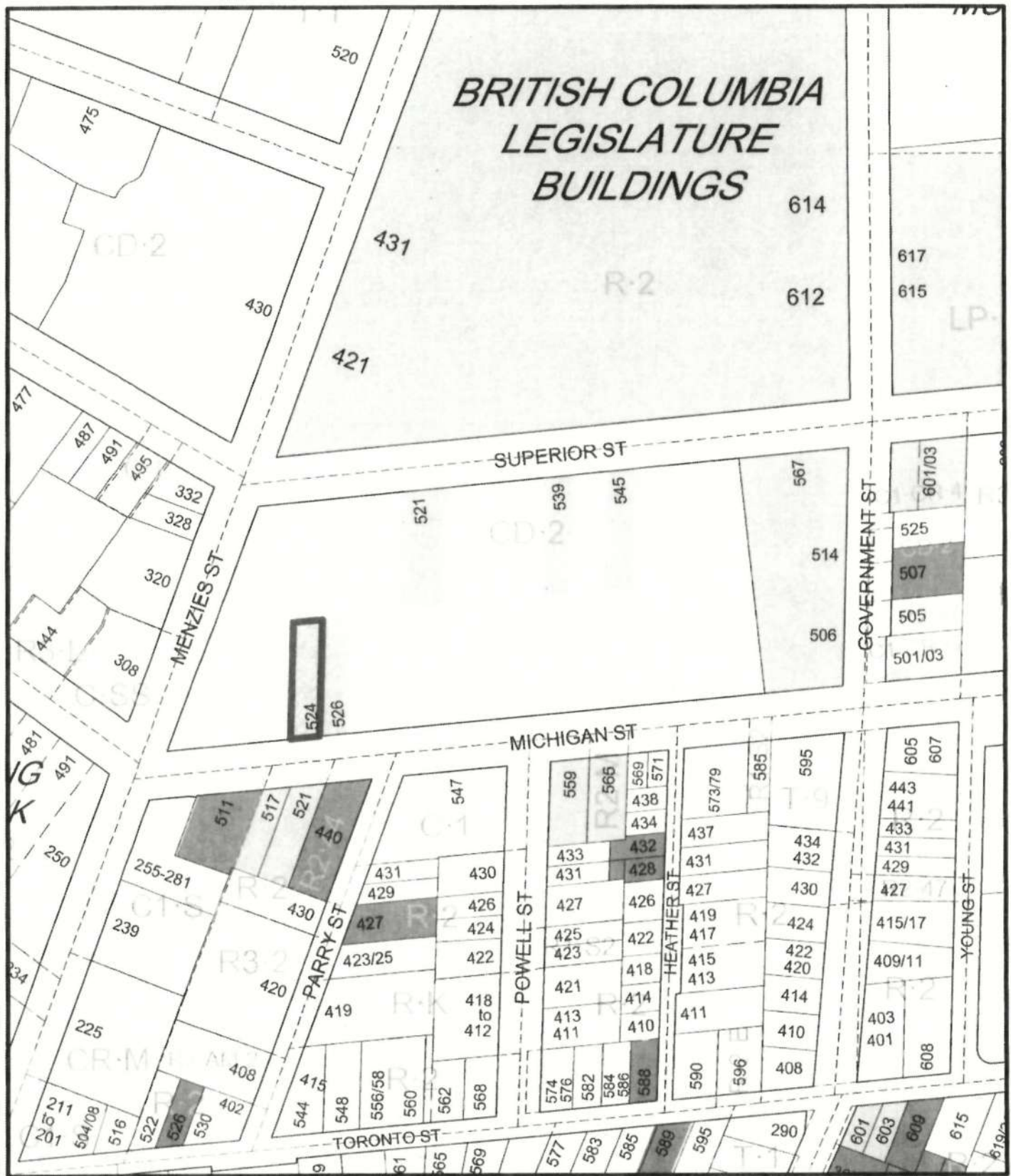
June 2, 2015

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List of Attachments

- Subject maps
- Aerial photographs
- Existing site plan
- Photographs
- Statements of Significance
- Letter from the owner, date stamped March 16, 2015.



524 Michigan Street

Heritage Designation Permit #000148



Designated



Registered



526 Michigan Street

Heritage Designation Permit #000149



Designated

Registered



**CITY OF
VICTORIA**



524 Michigan Street

Heritage Designation Permit #000148





526 Michigan Street

Heritage Designation Permit #000149



524 MICHIGAN STREET



524 MICHIGAN STREET



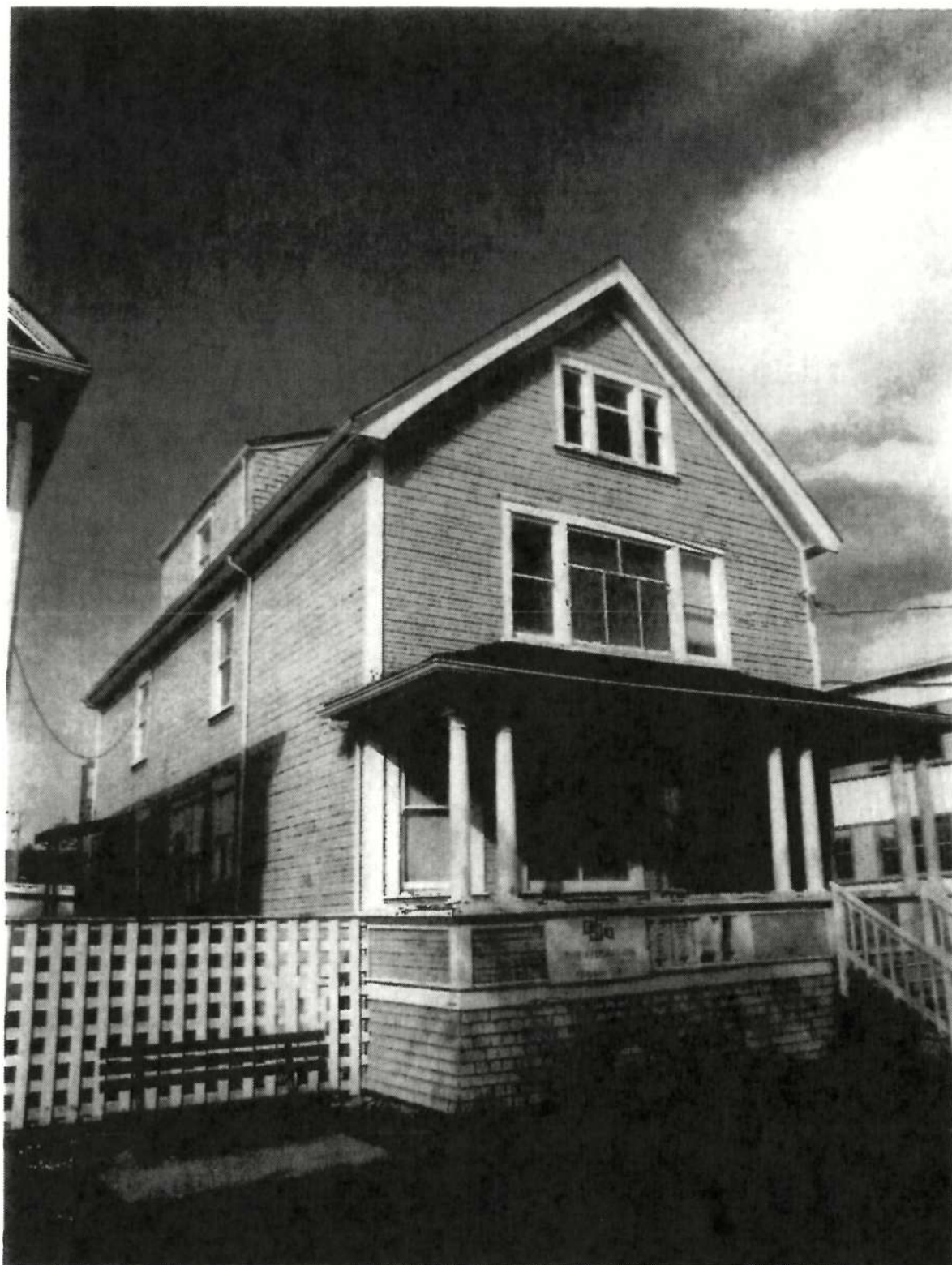
524 MICHIGAN STREET



526 MICHIGAN STREET



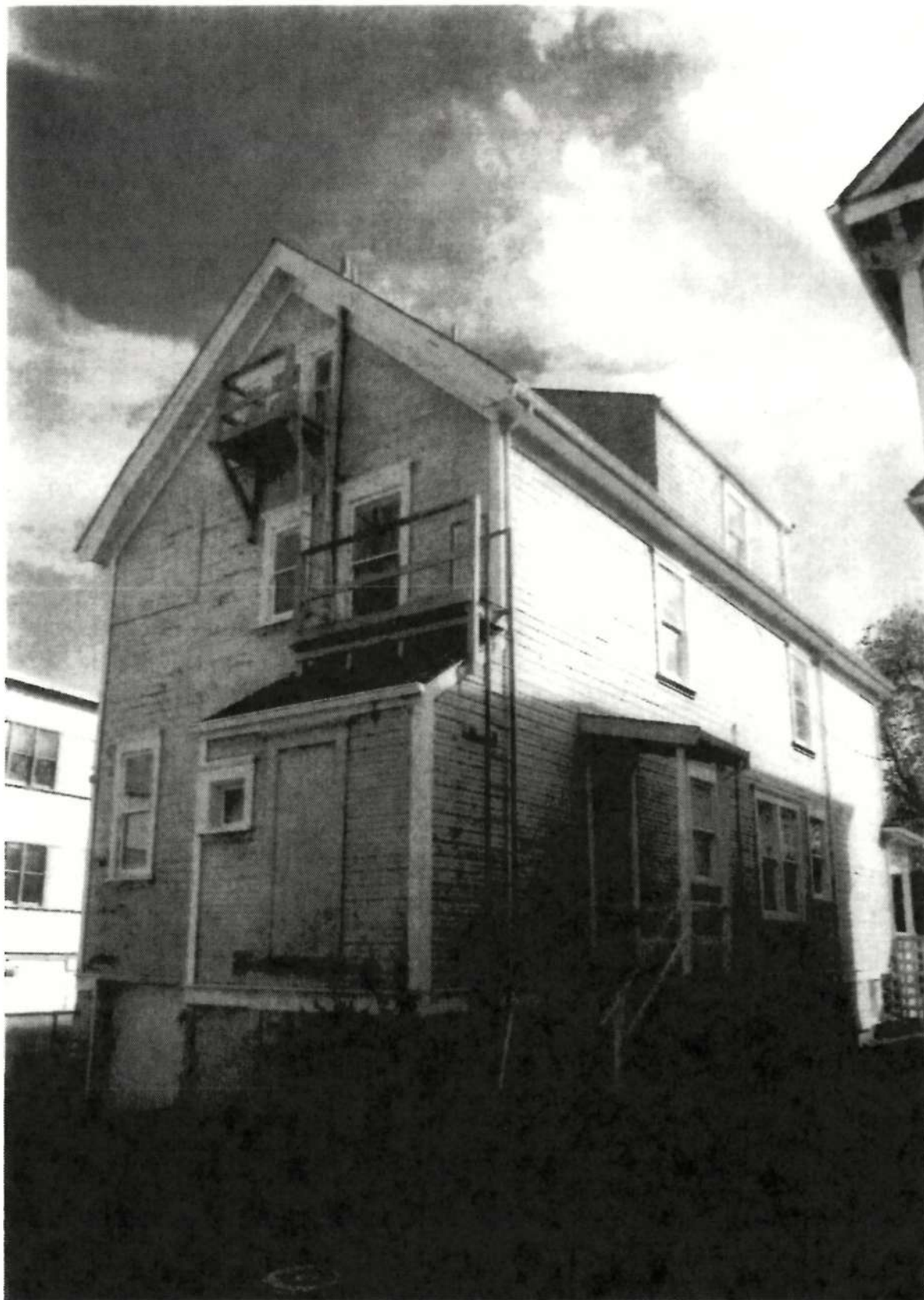
526 MICHIGAN STREET



526 MICHIGAN STREET



526 MICHIGAN STREET



3. STATEMENT OF SIGNIFICANCE

Construction Date: 1891; relocated in 1910
Original Address: 59 ½ Superior Street (later 548 Superior)
Original Owner: William Prout

Description of Historic Place

The Prout House is a two-storey wood-frame Italianate house with a front-gabled roof. Situated on the north side of Michigan Street, in James Bay's Legislative Precinct, the Prout House is identifiable by its front double-height semi-octagonal bay with flat roof, offset entrance porch, scroll-cut brackets and patterned shingles in the gable end.

Heritage Value of Historic Place

Constructed in 1891, the Prout House is tangible evidence of the evolution of the James Bay neighbourhood from a pioneer farm to the first Garden City suburb in Victoria. Hudson's Bay Company Chief Factor James Douglas established James Bay, a peninsula of fertile land, as Beckley farm in 1846. The early subdivision and sale of Beckley Farm into small lots occurred just after gold was discovered on the Fraser River in 1858. The year 1858 also marked Douglas's reservation of public parkland (Beacon Hill) and the initial construction of colonial administrative buildings in James Bay on the Government Reserve. These administrative buildings, referred to as the "Birdcages," formed the city's legislative centre and were an early catalyst for residential development in James Bay. The neighbourhood subsequently developed into a centre for industry and shipping, which facilitated transportation links and supporting infrastructure. The Prout House is additionally valued as an example of a modest Victorian-era Italianate design. The house displays a front-gabled roof, rare for this architectural style, generally symmetrical massing and vertical proportions. It is elaborated through the use of carpenter ornamentation that demonstrated the introduction of new technology at a time when steam-driven band saws, drills and lathes had become readily available, demonstrated in the use of scroll-

cut brackets, patterned shingles in the gable peak and scroll-cut window aprons. This house was constructed in 1891 as a speculative rental property and was originally located at 59 ½ Superior Street (later 548 Superior Street); the Provincial Government purchased the lot in anticipation of the construction of the new Legislative Library. In 1910, Charles Beaven acquired it during a government auction held on the front steps of the house, and moved to its present location. Prince Edward Island-born Beaven moved to Victoria in the 1870s; he was a carriage builder and later became part of the real estate trade. Beaven did not initially live in the house, but rented the property to local residents through the 1910s, demonstrating an increased need for rental housing during the Edwardian era, a time of social and economic transitions in the neighbourhood prior to the advent of the First World War. Beaven did eventually inhabit the house from the early 1920s until his death in 1926.

The relocation of the Prout House also demonstrates the ongoing expansion of the B.C. Parliament from the time of its early establishment in the Birdcages.

Character-Defining Elements of Historic Place

Key elements that define the heritage character of the Prout House include its:

- location in the historic James Bay neighbourhood;
- residential form, scale and massing as expressed by its: two-storey height; front-gabled roof; offset entry porch with hipped roof and chamfered square columns; double-height semi-octagonal bay at front; canopy roof with scroll-cut brackets on east elevation;
- wood-frame construction with wooden siding, drop cornerboards, shingles and vertical v-joint siding at foundation;
- Italianate design features such as: generally symmetrical massing; balanced front façade with highly articulated surfaces; and bay window skirt roof, banding and panels;

STATEMENT OF SIGNIFICANCE

- Carpenter ornamentation such as scroll-cut sandwich brackets, fishscale shingles; scroll-cut window aprons; and window crowns
- fenestration such as: 1-over-1 double-hung wooden sash windows with horns, in single and double assembly; and
- original panelled and glazed wooden front door with transom.

3. STATEMENT OF SIGNIFICANCE

Construction Date: 1911

Original Owner: Mary Ellen Macabe (née Beaven)

Earliest Known Occupant: Jennie Hall (1913)

Description of Historic Place

The Beaven / Macabe Residence is a two and one-half storey, Edwardian-era wood frame house situated on the north side of Michigan Street in the Legislative Precinct of Victoria's James Bay neighbourhood. It is identifiable by its front-gabled roof and full-width open front verandah supported by paired Doric columns.

Heritage Value of Historic Place

The Beaven / Macabe Residence demonstrates James Bay's evolution from a pioneer farm to the first Garden City suburb in Victoria. Hudson's Bay Company Chief Factor James Douglas established James Bay, a peninsula of fertile land, as Beckley farm in 1846. The early subdivision and sale of Beckley Farm into small lots occurred just after gold was discovered on the Fraser River in 1858. The year 1858 also marked Douglas's reservation of public parkland (Beacon Hill) and the initial construction of colonial administrative buildings in James Bay on the Government Reserve. These administrative buildings, referred to as the "Birdcages," formed the city's legislative centre and were an early catalyst for residential development in James Bay. The neighbourhood subsequently developed into a centre for industry and shipping, which facilitated transportation links and supporting infrastructure.

The Beaven / Macabe Residence is additionally significant for its modest Edwardian-era architecture, reflective of the housing stock being constructed for James Bay's rapidly growing population. This house reflects a transition in architectural expression from the elaborate Victorian-era styles to the classically-influenced styles of the Edwardian era. The house is characterized by its balanced façade with full-width verandah supported by lathe-turned Doric columns. Mary Ellen Macabe, the daughter of Charles Frederick Beaven, who owned the neighbouring house at 524 Michigan Street, also owned this home. It was utilized as a boarding house in the mid 1910s, reflective of the increased need for rental housing during the Edwardian era, a time of social and economic transitions in the neighbourhood prior to the advent of the First World War.

STATEMENT OF SIGNIFICANCE

Character-Defining Elements of Historic Place

Key elements that define the heritage character of the Beaven / Macabe Residence include its:

- location in the historic James Bay neighbourhood;
- residential form, scale and massing as expressed by its: two and one-half storey height; front-gabled roof; shed dormers on the side elevations; full-width open front verandah with paired, lathe-turned Doric columns and closed balustrades with rectangular opening; and semi-octagonal bay window on front elevation;
- wood-frame construction with double-bevelled wooden siding, cornerboards and bellcast shingle siding at foundation level;
- decorative features such as window trim with mouldings at top and bottom, and distinctive scroll-cut verandah balusters;
- fenestration such as: 1-over-1 double-hung wooden sash windows with horns; and
- original front door assembly, with panelled wooden front door with glazed inset and glazed sidelights.

South Block Development Corporation

3360 Douglas St. - Suite 100
Victoria, BC V8Z 3L1
Phone: 250 475-0338
Fax: 250 475-0339

August 13, 2014

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

Attention: Mayor and Council



**Re: Heritage Designation for 521, 539 and 545 Superior and 524 and 526
Michigan Street**

As part of the purchase of the lands known as "South Block" from the Province, South Block (Concert) Ltd. and Jawl Precinct Lands Corporation (collectively the 'Developer') acquired five heritage registered houses: 521 Superior Street, 539 Superior Street, 545 Superior Street, 524 Michigan Street and 526 Michigan Street.

The conceptual redevelopment plan for South Block provides for the retention and relocation of the three houses currently located on Superior Street to the South Eastern Quadrant of Capital Park along Michigan Street. The Developer is proposing to relocate and transfer ownership of the two houses currently sited on Michigan Street off-site somewhere within the James Bay Neighbourhood.

Since the mid-1990s, South Block and a number of adjacent provincially owned land parcels (most notably Q-Lot) were subject to a land use and redevelopment strategy outlined in the existing CD-2 zone and the Victoria Accord. Immediately prior to the disposition of South Block by the Province to the Developer, the obligations set out in the Victoria Accord were updated to exclude those that had been satisfied and to allocate the remainder between the lands to be sold and the lands to be retained by the Province. The obligations assigned to each land parcel were secured by way of a Section 219 Covenant on title so as to confirm that the key provisions and objectives of the Victoria Accord would survive the land sale. The Section 219 Covenant deals with the heritage houses in Section 9 which reads as follows:

9.0 Heritage Buildings

- 9.1** *The Transferor must include the extent of restoration of the Heritage Houses in future development proposal guidelines.*
- 9.2** *Concurrently with the application for a development permit for the first office building to be constructed on the Lands, the Transferor must submit to the Transferee for its approval a plan for the restoration and relocation of the Heritage Houses, the relocations to be at locations within the Lands,*

or at alternative off-site locations, that are acceptable to the Transferee. The Transferor must restore the Heritage Houses (or in the event of relocation and restoration of one or more of the Heritage Houses at an off-site location, must ensure the restoration of the Heritage Houses on terms and conditions that are acceptable to the Transferee, acting reasonably) in the agreed upon locations in accordance with the approved phasing plan.

In June 2014 the Developer submitted to the City applications which included Conservation Plans for each of the five heritage houses and the proposed relocation plan of the Superior Street houses within the South Block parcel and the relocation criteria outlined in the respective Conservation Plans for the Michigan Street houses to address the requirement of the covenant.

The specific applications are identified as follows:

521 Superior Street –Heritage Alteration Permit Application #00184
539 Superior Street –Heritage Alteration Permit Application #00187
545 Superior Street –Heritage Alteration Permit Application #00185
524 Michigan Street –Heritage Alteration Permit Application #00188
524 Michigan Street –Heritage Alteration Permit Application #00189

The following work and interventions are anticipated to be made to each home:

- Relocation
- Rehabilitation of the façade as outlined in the Conservation Plan for each house.
- Sensitive façade intervention to facilitate the re-purposing of each structure, including but not limited to, exit stairs, fire suppression sprinkler systems, the addition, relocation or removal of windows and doors on the side and rear facades and other modifications as required. These interventions will comply with the intent outlined in the Conservation Plan for each home.
- Modifications required to meet the requirements of the British Columbia Building Code.
- Extensive interior renovations

At the request of the City, the Developer has consented to the heritage designation for all five heritage registered houses and waives all right to compensation associated with the designation.

A heritage designation application, pursuant to Part 27 of the Local Government Act for 521, 539 and 545 Superior Street will be submitted once these three houses have been relocated to Michigan Street and a subdivision plan to create a lot for each home has been registered.

A heritage designation application, pursuant to Part 27 of the Local Government Act for each of 524 and 526 Michigan Street will be submitted for each of these houses when they have been relocated to an identified receiver site.

Notwithstanding the designations it is understood that The City will allow and the Developer and future owners of the Michigan Street houses will complete, or cause to complete, the work to each of the heritage houses as outlined in the Conservation Plans.

Should the houses not be relocated as outlined above the Developer will have the option to apply for heritage designation for one or more of the houses on South Block. In that event, the designation would be structured in such a way as to permit the future relocation of the house and the transfer of the designation to the receiver site.

Sincerely,

South Block Development Corporation

Per:

A handwritten signature in cursive script, appearing to read 'Karen Jawl', written in dark ink.

Karen Jawl