

# Heritage zone for Battery Street

*Mon. Mag. July 31 / 86*  
**V**ICTORIA WILL become the first city in British Columbia to use newly-granted powers allowing it to create a development permit zone strictly for heritage preservation purposes.

Council last week endorsed an Advisory Planning Commission (APC) recommendation that all properties with frontage on Battery Street in James Bay, plus the Beacon Hill Lodge senior citizens' apartments at 20-28 Douglas St., be included in the city's first heritage development permit area. Battery Street stretches for three blocks between Government and Douglas, one block north of Dallas Road.

The zone includes 10 single family homes, nine "conversions" containing 30 housing units, four apartment buildings totalling 50 suites, 11 townhouses on the Pinehurst property, two senior citizens' housing facilities, and a bed-and-breakfast guest house. Of those properties, five have already been designated heritage, two are in the process of being designated, and four are listed on the heritage registry.

Until the province passed legislation allowing heritage zones last year, heritage preservation could only be considered by individual properties, and only if those properties were either formally designated as heritage or listed on the heritage registry. When the Battery Street zone is approved (the recommendation still has to be presented as an amendment to the city's official community plan), any proposed alterations and additions to existing buildings or construction of new buildings will be subject to direct council approval, whether or not they are officially flagged as having heritage qualities. In addition, says Ald. Eric Simmons, council's chairman of planning, all applications will first be vetted by the city's Heritage Advisory Committee.

The purpose of the development permit zone is to take heritage preservation one step further, by ensuring that the surrounding area complements individual heritage properties. Without the area designation, notes the APC in its recommendation, existing legislation "cannot ensure that the overall character of Battery Street is maintained and enhanced as an appropriate setting for heritage buildings."

The proposal is a major victory for some residents who see heritage regulations as a useful tool in protecting what the James Bay Community Committee has called "a neighbourhood... vulnerable to runaway development." Two years ago, they failed to block developer John Hanrahan from tearing down two Niagara Street houses and building a nursing home. Earlier this year, they were forced to appeal to council to designate a house at 648 Battery as heritage in order to prevent Hanrahan from expanding

the adjacent Niagara Street nursing home onto Battery. Council balked at designating the house when Hanrahan threatened to challenge the validity of "third party" designation in court, and his opponents won out only because Hanrahan bowed to their pressure and sold the house to a buyer they had found.

—Richard Van Dine