

AMENDED AGENDA

PLANNING AND LAND USE COMMITTEE MEETING OF SEPTEMBER 4, 2014, AT 9:00 A.M. COUNCIL CHAMBERS CITY HALL, 1 CENTENNIAL SQUARE

	CALL TO ORDER	
	APPROVAL OF AGENDA	
	CONSENT AGENDA	
	ADOPTION OF MINUTES	
1.	Minutes from the Meeting held August 21, 2014.	
	DECISION REQUEST	
2.	Rezoning Application # 00440 for 1156 Fort StreetD. Day, Director of Sustainable Planning and Community Development	5 - 24
	Neighbourhood: Fernwood Recommendation: Forward to Public Hearing	
3.	Heritage Alteration Permit Application # 00179 for 1156 Fort Street D. Day, Director of Sustainable Planning and Community Development	25 - 43
	Neighbourhood: Fernwood Recommendation: Issue Permit	
4.	Development Permit Application # 000297 for 1823 Douglas StreetD. Day, Director of Sustainable Planning and Community Development	45 - 61
	Neighbourhood: Downtown Recommendation: Issue Development Permit	
5.	Development Permit Application # 000368 with Variances for 1014 Park Boulevard	63 - 101
	D. Day, Director of Sustainable Planning and Community Development	

Page

6.	Heritage Alteration Permit Application # 00187 and # 00185 for 521, 539 and 545 Superior StreetD. Day, Director of Sustainable Planning and Community Development Neighbourhood: James Bay Recommendation: Issue Permit	103 - 256
7.	Heritage Alteration Permit Application # 00188 and # 00189 for 524 and 526 Michigan StreetD. Day, Director of Sustainable Planning and Community Development Neighbourhood: James Bay Recommendation: Issue Permit	257 - 346
8.	Consultation on Proposed New Building BylawD. Day, Director of Sustainable Planning and Community Development	347 - 356
9.	Consultation Regarding Bylaw No. 4620, Oak Bay Official Community Plan BylawD. Day, Director of Sustainable Planning and Community Development	357 - 362
PROF	PERTY MAINTENANCE BYLAW HEARING 10:30 A.M.	
10.	Work Without Permit - Illegal Use / Suites - 121 Menzies StreetR. Woodland, Director of Legislative and Regulatory Services	363 - 377
	Neighbourhood: James Bay Recommendation: File Notice on Title	
11.	Work Without Permit - Illegal Use / Suites - 821 Princess AvenueR. Woodland, Director of Legislative and Regulatory Services	379 - 398
	Neighbourhood: North Park Recommendation: File Notice on Title	

Neighbourhood: Fairfield Recommendation: Forward to Public Hearing

MOTION TO CLOSE THE SEPTEMBER 4, 2014, PLANNING & LAND USE STANDING COMMITTEE MEETING TO THE PUBLIC

That the Planning & Land Use Committee convene a closed meeting that excludes the public under Seciton 12 (6) of theCouncil Bylaw for the reason that the following agenda item deals with matters specified in Sections 12 (3) and/or (4) of the Council Bylaw; namely:

- Section 12 (3) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose
- 12. Legal Advice Heritage Protection (Verbal) --K. Blokmanis, Assistant City Solicitor

[Addenda]

ADJOURNMENT



Planning and Land Use Committee Report For the Meeting of September 4, 2014

Date:

August 7, 2014

From:

Helen Cain, Senior Planner

Subject:

Rezoning Application #00440 for 1156 Fort Street

Application to rezone from the R3-1 Zone (Multiple Dwelling District) to a new zone to permit a cultural facility with accessory uses. This rezoning is concurrent

with Heritage Alteration Permit Application #00179.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for the Heritage-Designated property at 1156 Fort Street, known as Wentworth Villa. The proposal is to rezone from the R3-1 Zone (Multiple Dwelling District) to a new zone that would allow uses and apply regulations in the CA-2 Zone (Fort Street Special Commercial District). Specifically, the proposal is to convert Wentworth Villa into the new "Museum of Pacific Northwest Heritage Homes".

The following points were considered in assessing this application:

- The proposed museum is aligned with the Official Community Plan, 2012, (OCP) which enables public facilities and community services throughout the City in all land use designations. This proposal would also contribute to goals in the OCP and Fernwood Neighbourhood Plan, 1994, related to conservation, public awareness of community heritage resources and cultural planning.
- Proposed uses within the museum would typically require a total of 20 vehicle parking spaces based on the CA-2 Zone. The proposal is to retain one existing parking space with no new additional on-site parking provided. Staff consider the shortfall to be acceptable given that the property is located along a major transit route on Fort Street and within walking distance (200 m) of the Downtown Core.

Staff recommend that this application advance to a Public Hearing as the proposed uses would be broadly consistent with the relevant policies in the OCP, and the local area plan.

Recommendations

- a. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application #00440 for 1156 Fort Street.
 - That Council consider giving first and second reading to this bylaw amendment after the bylaw has been drafted.

 That Council schedule a Public Hearing after the bylaw has received first and second reading.

Respectfully submitted,

Helen Cain

Helen Cain Senior Planner Development Services Division A. E. Day.

Deb Day, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager:

Jason Johnson

HC;aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00440\PLUC_FORTSTREET_1156_AUG7_2014.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for the Heritage-Designated property at 1156 Fort Street.

2.0 Background

2.1 Relevant History

2.1.1 Heritage Property

The house located at 1156 Fort Street, known as "Wentworth Villa", is one of the oldest buildings in Victoria (built in 1862) and is protected through a municipal Heritage Designation Bylaw. The applicant is proposing exterior alterations to restore certain original features of the house, and to alter an accessory building ("outbuilding"), dating to 1957, which is also protected through the Heritage Designation. It should be noted that the proposed new uses would require seismic upgrades and building code improvements to the historic interior, which is not protected. The report on the concurrent Heritage Alteration Permit Application provides the analysis and recommendations for the proposed alterations to the exterior of the property.

2.1.2 Previous Application

A Heritage Alteration Permit Application with a different scheme for the subject property was considered at Planning and Land Use Standing Committee in 2012. However, ownership has since changed and the current proposal before Committee is unrelated to the 2012 application. However, a Heritage Conservation Plan prepared at that time has been submitted concurrently with the Heritage Alteration Permit Application.

2.2 Description of Proposal

The proposal is to rezone Wentworth Villa from the R3-1 Zone (Multiple Dwelling District)) to a new zone to permit the existing building to be used as a cultural facility with exhibit rooms and retail, office and public assembly space. A non-profit society is the owner of the property, and is requesting this rezoning for adaptive reuse of the heritage house to allow the new "Museum of the Pacific Northwest Heritage Houses". The museum interior would have: 12 exhibit rooms, including public assembly space for events, such as concerts; a gift shop; a tea room with seating capacity for up to 15 people; and two offices. One existing parking space near the northeast corner of the site would be retained, and the applicant is requesting that Schedule "C" requirements for the proposed mix of uses be relaxed from 20 vehicle spaces to one space. The applicant is also requesting that accessory buildings be permitted in the scope of the rezoning in order to accommodate the Heritage-Designated "outbuilding" in the rear yard.

2.3 Existing Site Development and Development Potential

The subject property is located in the R3-1 Zone (Multiple Dwelling District). The data table (below) compares the proposal with the CA-2 Zone (Fort Street Commercial District). An asterisk is used to identify where the proposal is less stringent than the CA-2 Zone.

Zoning Criteria	Proposal	Zone Standard CA-2
Site area (m²) - minimum	1249.7	n/a
Lot width (m) - minimum	36.5	n/a
Total floor area (m²) - maximum	510.0	2837.8
Density (Floor Space Ratio) - maximum	0.41:1	1.5:1
Height (m) - maximum	8.80	15.50
Site coverage (%) - maximum	24	n/a
Storeys - maximum	2	n/a
Setbacks (m) - minimum Front (Fort Street) Rear Side (east) Side (west)	4.95 8.81 3.87 12.55	Nil Nil Nil Nil
Vehicle parking stalls - minimum	1*	20 ¹
Bicycle storage - minimum	5	3
Bicycle rack - minimum	5	3

¹ public assembly: 8 stalls; tea room: 6 stalls; commercial exhibit: 4 stalls; retail: 1 stall; office: 1 stall.

2.4 Land Use Context

The subject property is located within walking distance (200 m) of the east boundary of the Urban Core located on Cook Street, and along the Fort Street corridor, where community services or facilities, such as a museum, would be accessible by public transit.

The immediately adjacent land uses are:

- North: apartment building in R3-1 Zone (Multiple Dwelling District)
- South: professional office in C1-Zone (Limited Commercial District) and retail in S-1 Zone (Special District)
- East: professional office in C1-Zone (Limited Commercial District)
- West: professional office in C1-Zone (Limited Commercial District).

2.5 Legal Description

Lots 1096 and 1097, Victoria, City except the southerly 8 feet thereof taken for road purposes as registered under No. 28313I.

2.6 Consistency with City Policy

2.6.1 Official Community Plan, 2012

The proposal is consistent with land use policies in the Official Community Plan 2012 (OCP), including the designation of the property as Urban Residential and, in particular, Policy 6.4 which supports and enables community services and public facilities and assembly throughout the City. Additionally, adaptive reuse of Wentworth Villa as a museum would align with OCP

objectives and policies related to heritage and cultural spaces, as well as objectives for conservation and public awareness of community heritage within the *Fernwood Neighbourhood Plan*, 1994.

2.7 Community Consultation

In accordance with the Community Association Land Use Committee's (CALUC) procedures for processing Rezoning Applications, the applicant consulted with the Fernwood Community Association on February 5, 2014. A letter from the Land Use Committee is attached to this report.

3.0 Issues

The key issues related to this application:

- proposed relaxation for parking
- heritage and cultural resources.

4.0 Analysis

4.1 Proposed Relaxation for Parking

Staff consider the proposed relaxations for on-site parking to be acceptable. Alternate modes of transportation would be available to visitors, given that the museum would be located along a major transit corridor and that the subject property is in close proximity to the Downtown Core. It is important to note that approval of this relaxation would also support heritage conservation.

4.2 Heritage and Cultural Resources

Wentworth Villa is one of the most significant heritage properties in Victoria. Conservation of this historic place through adaptive reuse would help to maintain this significant building and garden for present and future generations, and increase awareness of heritage in Fernwood. Moreover, the museum would provide a unique and broadly accessible, new cultural space.

5.0 Resource Impacts

There are no resource impacts that are associated with this development.

6.0. Conclusions

Adaptive reuse of Wentworth Villa to a museum aligns well with goals and policies in the OCP and local area plan related to heritage conservation and cultural spaces. The request for reduced parking is acceptable, given the property is located in close proximity to public transit routes and walking distance from the Downtown Core Area. Relaxation of the normal parking requirements is also supported in the OCP to foster heritage conservation through zoning variances and other incentives. Staff recommend that the Planning and Land Use Committee advance the Rezoning Application to a Public Hearing.

7.0 Recommendation

7.1 Staff Recommendations

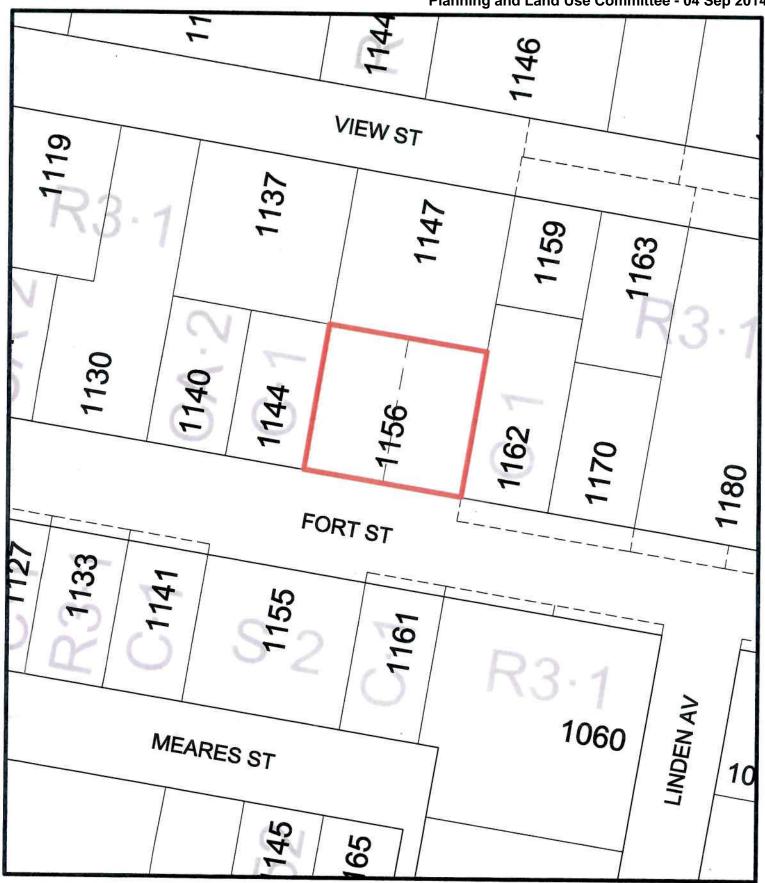
- a. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application #00440 for 1156 Fort Street.
 - That Council consider giving first and second reading to this bylaw amendment after the bylaw has been drafted.
 - c. That Council schedule a Public Hearing after the bylaw has received first and second reading.

7.2 Alternate Recommendation

That Council decline Rezoning Application #00440 and Heritage Alteration Permit with Variances #00179 for 1156 Fort Street.

8.0 List of Attachments

- Zoning map
- Aerial photo
- Letters from John Keay & Associate stamped March 5, 2014
- Plans for Rezoning Application #00440 and Heritage Alteration Permit Application #00179 stamped July 23, 2014
- Letter from Fernwood Community Association stamped February 24, 2014.



N

1156 Fort Street Rezoning #00440 Bylaw #





1156 Fort Street Rezoning #00440 Bylaw #

Rezoning Application # 00440 for 1156 Fort Street -- D. Day, ...



Received City of Victoria

MAR - 5 2014

Planning & Development Department Development Services Division

KEAY & ASSOCIATE, ARCHITECTURE LTD

JOHN KEAY, ARCHITECT AIBC LARRY CECCO, IA, AIBC 1124 FORT STREET, VICTORIA, V8V 3K8

January 29, 2014

Mayor and Council City of Victoria V8W 1P6

Your Worship and Council

re: proposed rezoning, Wentworth Villa, 1156 Fort Street

SR R.3.1

You will find enclosed an application for rezoning, for the above structure, from 61 to a zone which will permit assembly/museum/display/office use. It is the intention of the applicants to restore the building and grounds, and open them to the public as "The Museum of Pacific Northwest Heritage Homes". This is an eminently suitable use for the building.

Wentworth Villa is the subject of a comprehensive study by Stuart Stark & Associates, its history can be paraphrased as follows:

"Wentworth Villa is one of the oldest, and most valued, heritage houses in the City. Built in the Gothic revival style, the home features hallmarks of the style, including a symmetrical plan with a central front door, pierced bargeboards, steeply pitched roofs, and a gothic style pointed window – with stained glass – high in the central gable illuminating the attic. Tall double-hung windows are small paned: Six over six on the upper floor; four over four on the main floor. The house has wide, bevel siding, and a covered porch that wraps around three sides of the house.

Typical 1860's porch posts originally supported the porch roof. Made of pairs of slender, squared timbers – tripled on the porch corners – they culminated in delicate sawn brackets. Above, the porch roof was edged with a chinoisierie-inspired railing. By the 1890's the porch posts were replaced with solid single turned posts; the fanciful balcony railing lasted for a few years into the 20th century.

Today, Wentworth Villa survives into the 21st century, essentially intact, a rare historic house. This survival was due to an unusual combination of family occupation, lack of modernization, and appreciative care.

Wentworth Villa has been occupied by just two families over the course of 149 years from 1863 until 2012, though each occupancy was continued by three generations."

tel: 250 382 3823 fax: 250 382 0413

email: john@keayarchitecture.com

rezoning, Wentworth Villa, 1156 Fort Street

Interestingly, during its tenure as Faith Grants' "The Connoisseurs Shop" the building remained almost unaltered with the exception of the occasional repainting, and an addition to the north east corner constructed in 1956.

Because of its age and condition, the building remains one of Victoria's most significant residential structures. This has been recognized by the fact that the house and outbuildings have been designated by the City. Restoring Wentworth, and returning it to a use whereby it can be enjoyed by the public, is in line with recent heritage improvements in this area of Fort Street, and also with the City's Heritage policies. A part of the rezoning process will be the upgrading and stabilization of the structure and building services, with the result being a heritage building that will be preserved for the foreseeable future. As well, a full exterior restoration is contemplated, including the replacement of missing exterior decorative elements as shown on the drawings. In the interior, some rooms will be fully restored as part of the museum display, and some will be sensitively adapted to provide areas for display, gift sales, and a small tea room. The outbuildings, which are in poor condition, will be rebuilt using existing materials where possible and will complement the restoration of the garden, including the brick walls and pathways, and wrought iron railings.

We would ask that this rezoning be considered for the following reasons:

- i. The proposed use is compatible with the building and area, allowing public access to one of Victoria's most significant remaining houses. The proposed use, a small museum with ancillary uses, is appropriate for the area. The use provides an interpretation of an aspect of Victoria, that of its domestic architecture, that is not currently available in the community
- ii. the building, designed by Wright and Saunders, has been designated heritage. The proposed use is an effective way of ensuring that this significant building is stabilized, protected, and maintained in good repair We will be looking for equivalencies as part of protecting the original finishes and woodwork
- the building is centrally located in the precinct of the heritage houses located on Fort Street which are mixed residential, commercial, or office use,
- iv. The work required as part of the rezoning will include seismic upgrading, improving thermal efficiency, sprinklering, and new building services, all of which will ensure its preservation.
- v. The proposed use will allow the exterior to remain unaltered and in its original state. Missing decorative elements will be restored, based on archival photographs and on site interpretation. The interior will be restored in some areas, and sensitively adapted in others to fulfill code requirements for safety, handicapped access, and display functions.

As part of the application we are asking for consideration of the following:

- minor exterior revisions required for a new fire exit at the rear, and removal of a small entry porch, both part of the 1956 addition
- delisting and removal of the smallest of the outbuildings, and moving the south wall of the second building, which will allow for additional landscaped

area. The brick wall on the property line will be extended where the small building has been removed

iii. that the provision of one parking space be acceptable. Although parking is limited on site, there is ample street parking. Public transport is excellent in the area, and bike racks are proposed for 10 bicycles. The house is located on a popular walking and tour bus route to Craigdarroch Castle and Rockland. During its tenure as a retail business, 13 parking spaces would have been required, the proposed use requires the following:

> a. museum: 6 spaces b. tea room:

6 spaces

c. gift shop:

1 space

d. office:

1 space

Thus the proposed change of use is essentially compatible with the previous retail use, in other words the impact on the neighbourhood and adjacent street parking will not be changed to any significant degree. The driveway allows for three cars to be stacked, providing sufficient employee parking. Comparable small display museums with limited or no parking are the Emily Carr House, Ross Bay Villa, and the Bateman Gallery on Belleville Street, all function successfully within their neighbourhood context

equivalencies for certain Building Code requirements have been developed, iv. and are described in the code analysis which is included with this application

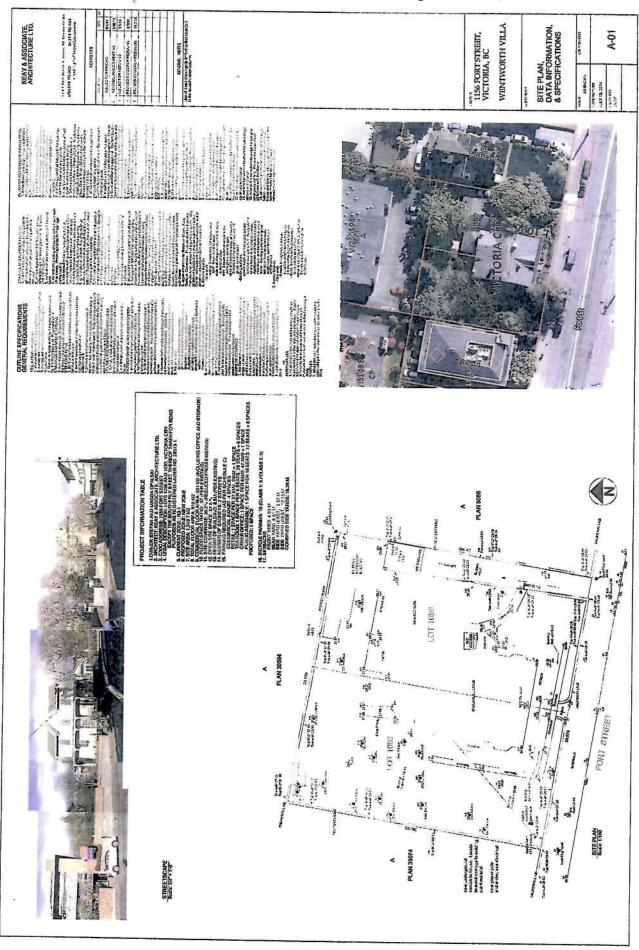
We trust that Council will see this application as an opportunity to preserve a landmark building which is clearly, because of its design and prominent siting, a significant element of the Fort Street heritage precinct. The proposed use, with the attendant upgrades in protection, structure, and building services, Its adaptive re-use as proposed is a realistic means of ensuring its preservation. As part of the process we will be meeting with the Fernwood Community Association, and neighbours immediately adjacent to the project.

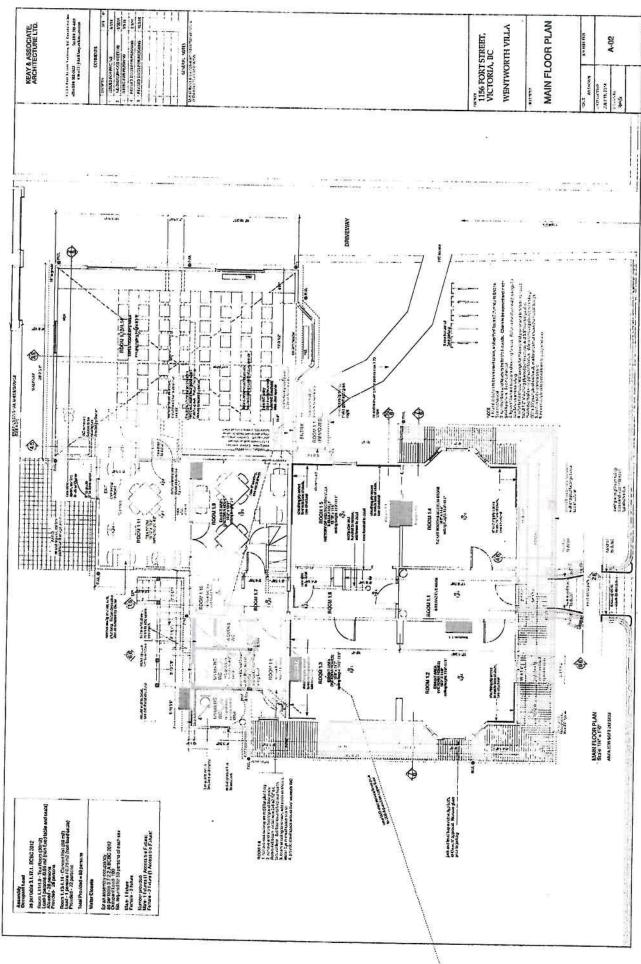
Thank you for your consideration of this application, we look forward to explaining it in further detail to Council.

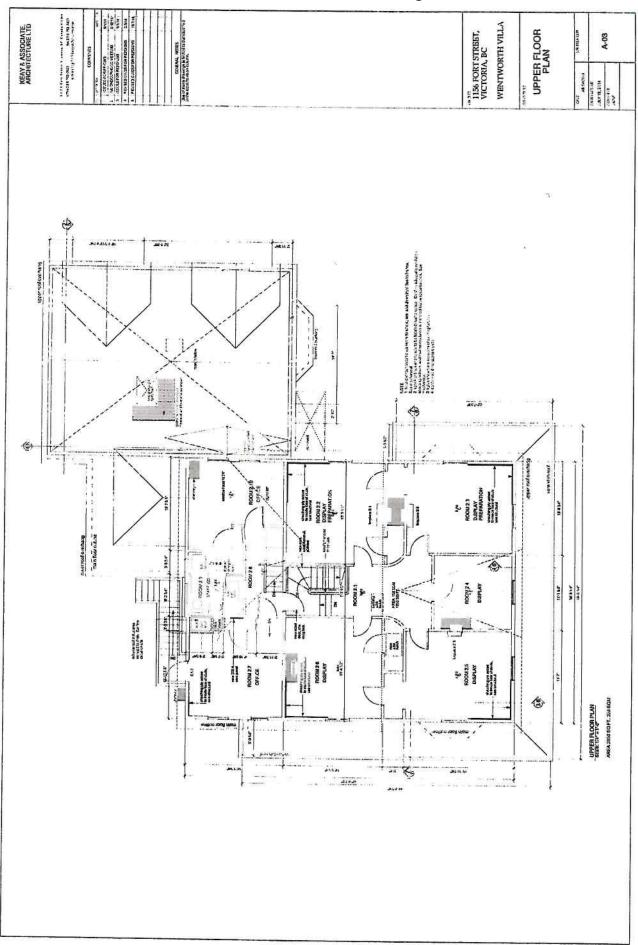
Yours truly,

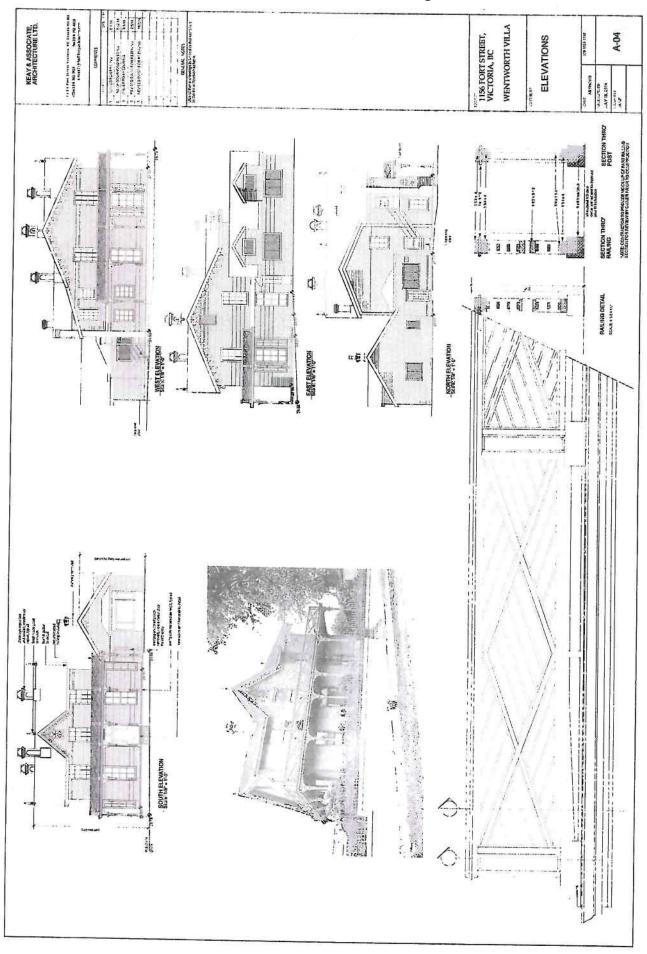
John Keay, Architect

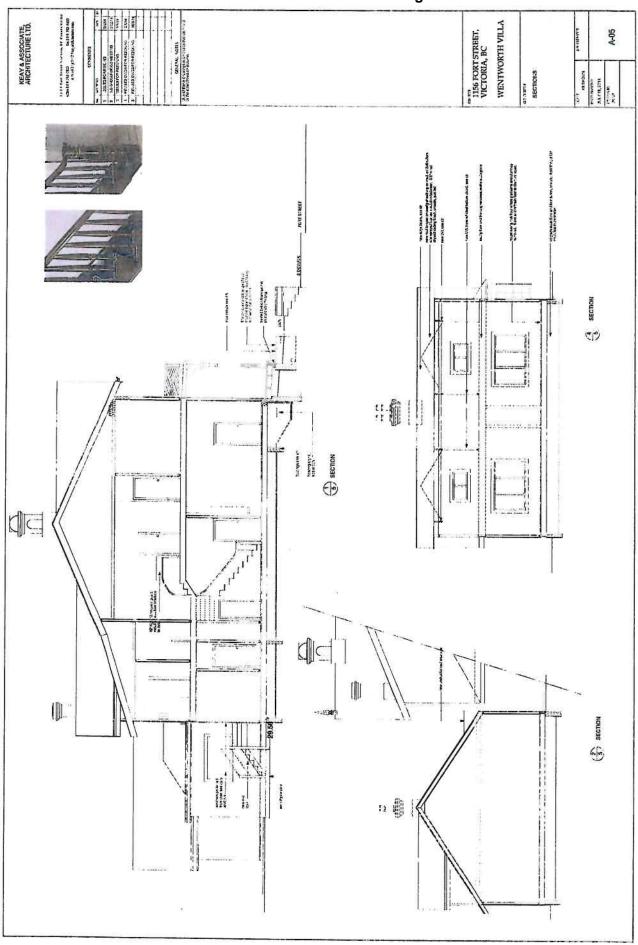
cc: Stefan and Magda Opalski

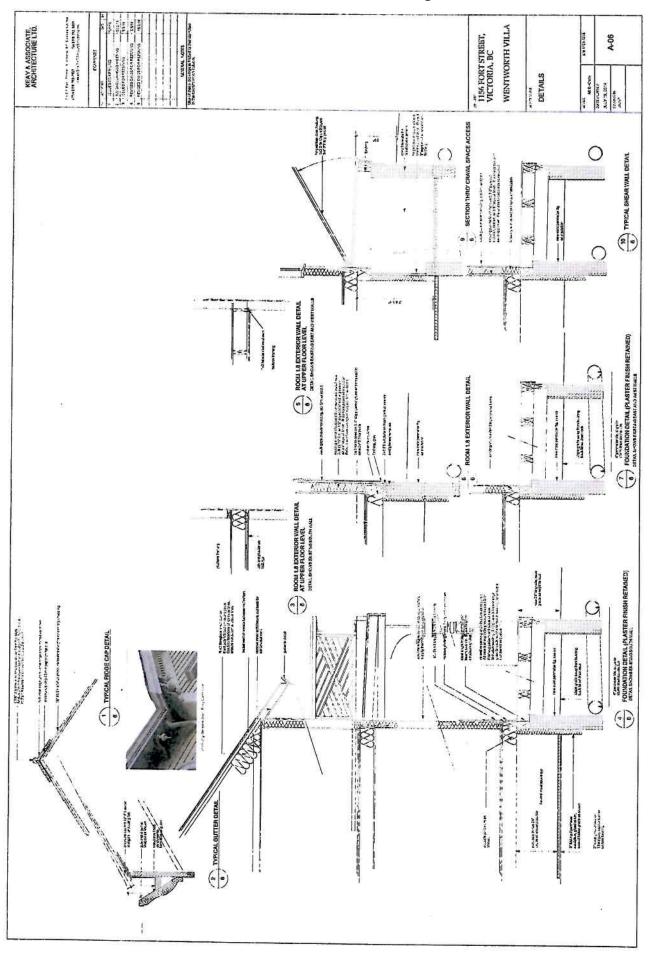


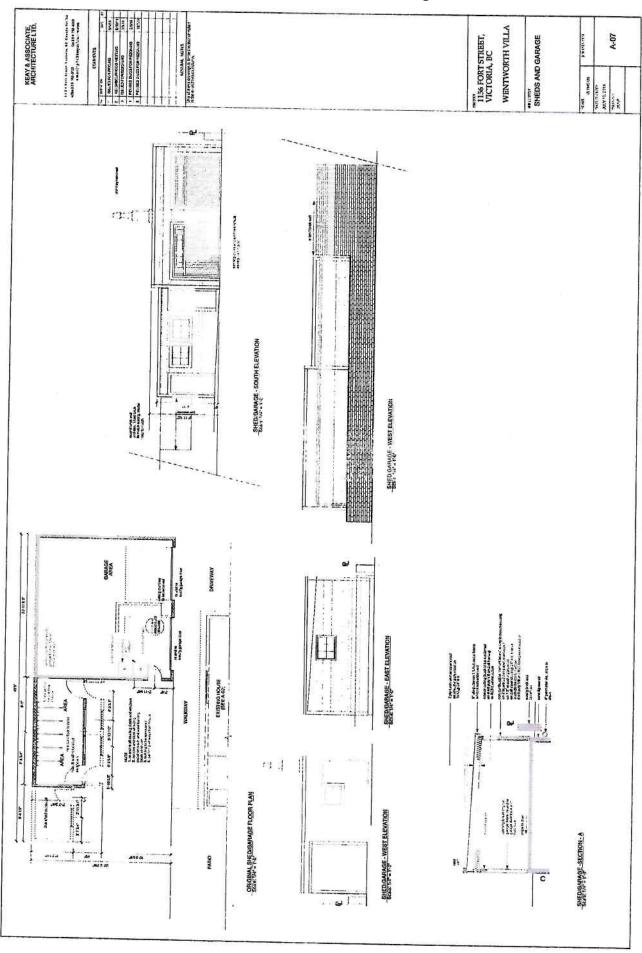


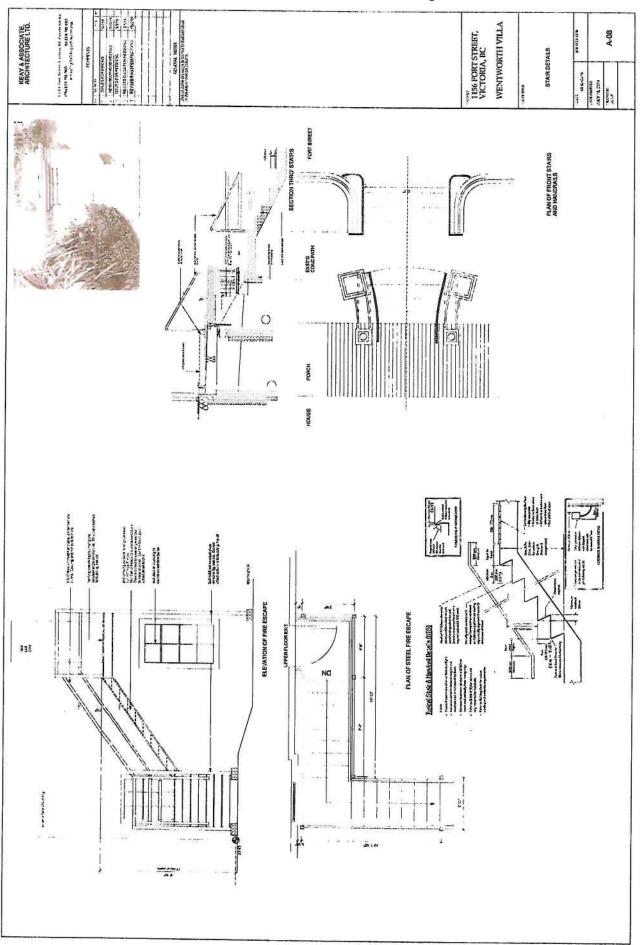


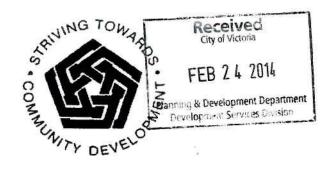












Land Use Committee
Fernwood Community Association
1923 Fernwood Road Victoria, BC V8T 2Y6

Phone/Fax: (250) 384-7441 Email: landuse@fernwoodvic.ca

February 22, 2014

Mayor and Council City of Victoria

Re: Rezoning Application for 1156 Fort Street

Dear Mayor and Council:

On February 05, 2014 the proposed redevelopment of 1156 Fort Street was presented at the Fernwood Community Association Land Use Committee meeting. This Official Community Meeting was attended by ten people where the proponents and there architect presented their plans and answered questions.

All in attendance at the meeting fully supported this property being used as a museum and were pleased to see this property being secured for generations to come.

Sincerely,

David Maxwell, Chair Land Use Committee

Fernwood Community Association

Pc: Planning and Development Department, City of Victoria



Planning and Land Use Committee Report For the meeting of September 4, 2014

Date:

August 7, 2014

From:

Murray G. Miller, Senior Heritage Planner

Subject:

Heritage Alteration Permit Application #00179 for 1156 Fort Street

Concurrent with Rezoning Application #00440

Proposal to conserve the exterior of the 1862 Wentworth Villa; alter the 1957 and

1911 additions; and alter the 1957 Heritage-Designated outbuildings.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Heritage Alteration Permit Application for the Heritage-Designated property located at 1156 Fort Street. The application is for the conservation of the exterior of the 1862 property known as Wentworth Villa; the alteration of the 1956 and 1911 additions; and the alteration of the 1957 Heritage-Designated outbuildings.

The proposed rehabilitation work to the exterior of the structures on the site includes significant and beneficial interventions for seismic strengthening, code compliance, accessibility and energy efficiency. In addition, the repair of deteriorated fabric along with the reconstruction of the balustrade will serve to reinstate the Villa's physical integrity and key heritage values.

The application was reviewed by the Heritage Advisory Panel at its April 8, 2014 meeting and was recommended for approval. Staff recommend that this application be approved.

Recommendations

Subject to approval of Rezoning Application #00440, that Council authorize the issuance of Heritage Alteration Permit #00179 for 1156 Fort Street, subject to:

- i. Development meeting all Zoning Regulation Bylaw requirements; and
- ii. Final plans to be generally in accordance with the plans dated July 23, 2014, for Rezoning Application #00440 and Heritage Alteration Permit #00179 and memo from the applicant dated May 5, 2014, to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

Murray G. Miller

Senior Heritage Planner Community Planning AH.

Deb Day, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

18 7014

1.0 Purpose

The purpose of this report is to present Council with background information, analysis and recommendations regarding a Heritage Alteration Permit (HAP) Application for the Heritage-Designated property located at 1156 Fort Street.

2.0 Background

2.1 Restoration Plan

A previous HAP Application included a Restoration Plan associated with an earlier scheme. While ownership has changed and the approach is now rehabilitation rather than restoration, the 2013 Restoration Plan includes some aspects that are relevant to the proposed work and has been referenced in the May 5, 2014 memo, outlining the relationship between the proposed work and the previous Restoration Plan. A copy of the 162-page document can be provided upon request.

2.2 Description of Proposal

The proposal to conserve the exterior of the 1862 Villa is outlined in letters from the applicant, dated May 5, 2014. The proposal includes conservation work as well as new construction in order to create The Museum of Pacific Northwest Heritage Homes.

The application was reviewed by the Heritage Advisory Panel at its April 8, 2014 meeting and was recommended for approval.

2.2 Consistency with City Policy

2.2.1 Official Community Plan (OCP)

Placemaking - Urban Design and Heritage

The proposal is consistent with Placemaking policies (8.49) in the Official Community Plan 2012 (OCP), which support new additions that conserve and enhance heritage property and that align with the Standards and Guidelines for the Conservation of Historic Places in Canada.

The property is designated in DPA 7B (HC) Corridors Heritage, where the Standards and Guidelines apply. The proposed work is consistent with the Standards and Guidelines.

3.0 Issues

The key issue associated with this application is exterior changes to the designated property.

4.0 Analysis

The description and heritage value of the historic place along with its character-defining elements are outlined in the Statement of Significance, attached to this report.

5.0 Discussion

5.1 Exterior changes to the designated property

The proposed rehabilitation work to the exterior of the structures on the site includes significant and beneficial interventions for seismic strengthening, code compliance, accessibility and

energy efficiency. In addition, the repair of deteriorated fabric along with the reconstruction of the balustrade will serve to reinstate the Villa's physical integrity and key heritage values. The proposed alteration to the outbuildings would remove the western portion of the wood structure constructed in 1957. The outbuildings are identified as being a character-defining element in the Statement of Significance for illustrating the evolution of the place. Given the relatively small scale of the proposed intervention, it is considered that the remaining outbuildings would still convey this character.

6.0 Conclusions

The proposed conservation of the 1862 Villa aligns with the Standards and Guidelines for the Conservation of Historic Places in Canada. The proposed changes to the 1911 and 1957 additions are supportable since the changes are compatible with the character of the additions. The extent of alteration to the 1957 outbuildings is of a scale and effect that would not be considered significant. Staff recommend that the application be approved.

7.0 Recommendations

Subject to approval of Rezoning Application #00440, that Council authorize the issuance of Heritage Alteration Permit #00179 for 1156 Fort Street, subject to:

- a. Development meeting all Zoning Regulation Bylaw requirements; and
- b. Final plans to be generally in accordance with the plans dated July 23, 2014, for Rezoning Application #00440 and Heritage Alteration Permit #00179 and memo from the applicant dated May 5, 2014, to the satisfaction of the Director of Sustainable Planning and Community Development.

8.0 Alternate Recommendation

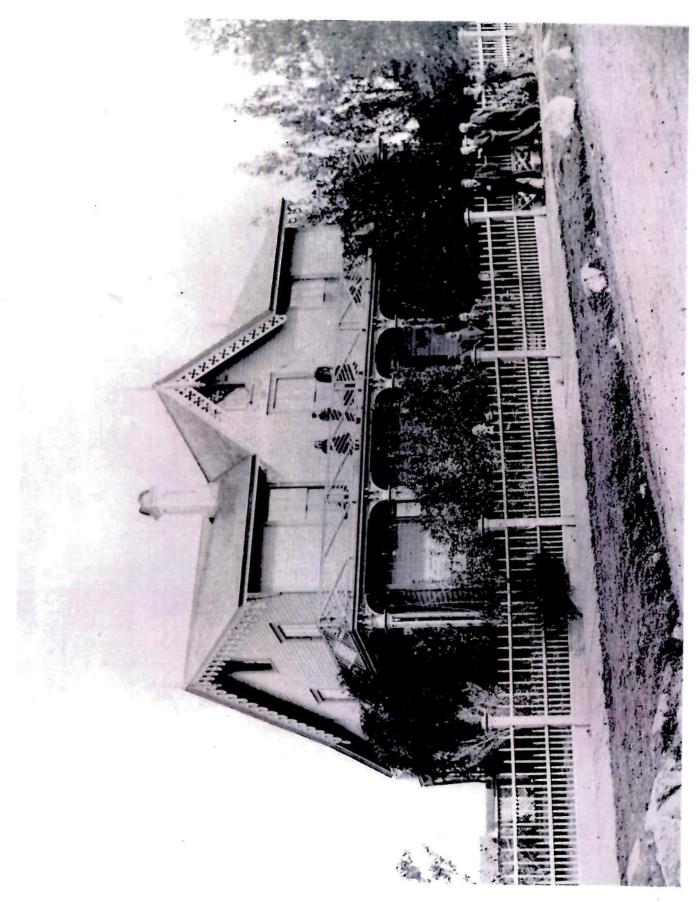
That Heritage Alteration Permit Application #00179 for 1156 Fort Street be declined.

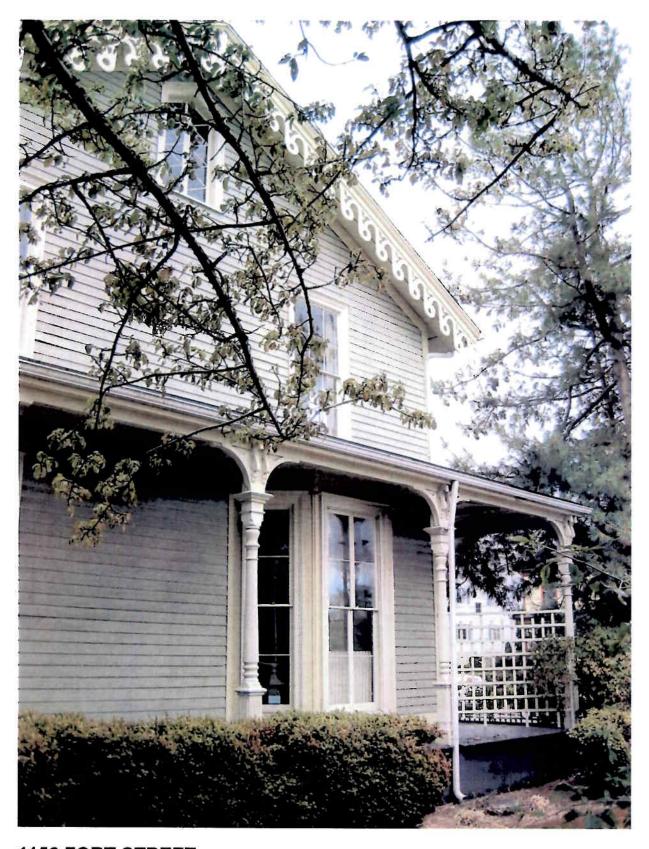
9.0 List of Attachments

- Photos
- Letter from applicant dated March 25, 2014
- Memo from applicant, dated May 5, 2014
- Statement of Significance.

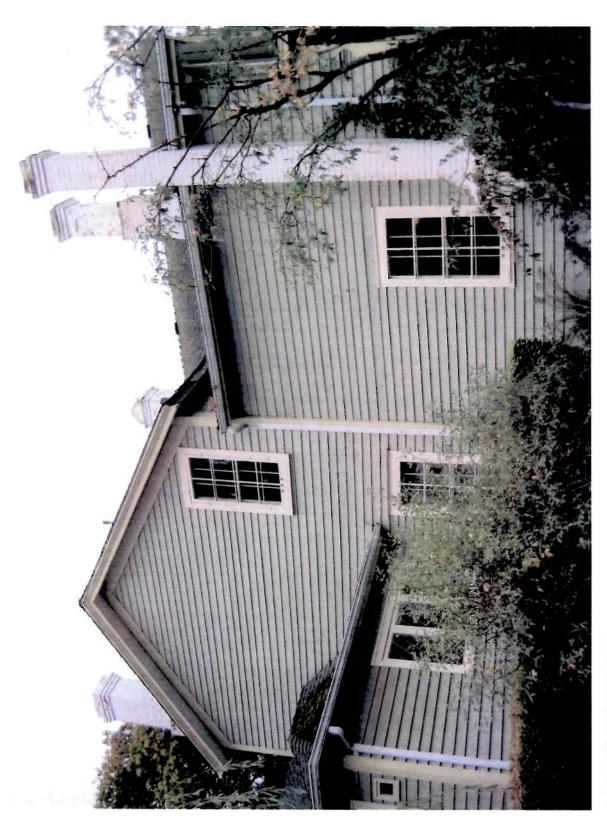
10.0 List of Relevant Attachments included in the Planning and Land Use Committee Report for Rezoning Application #00440

- Zoning map
- Aerial map
- Letters from John Keay & Associate stamped March 5, 2014
- Plans for Rezoning Application #00440 and Heritage Alteration Permit Application #00179 stamped July 23, 2014.

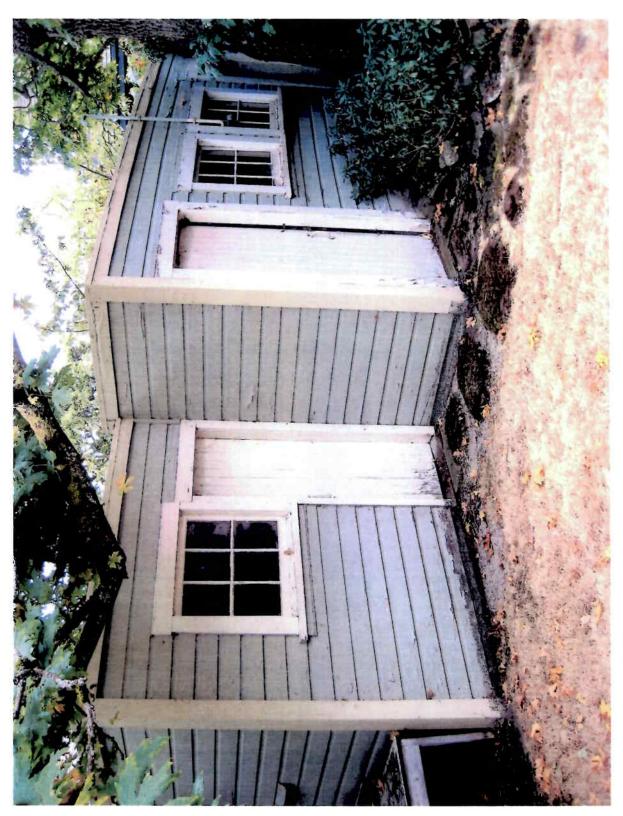




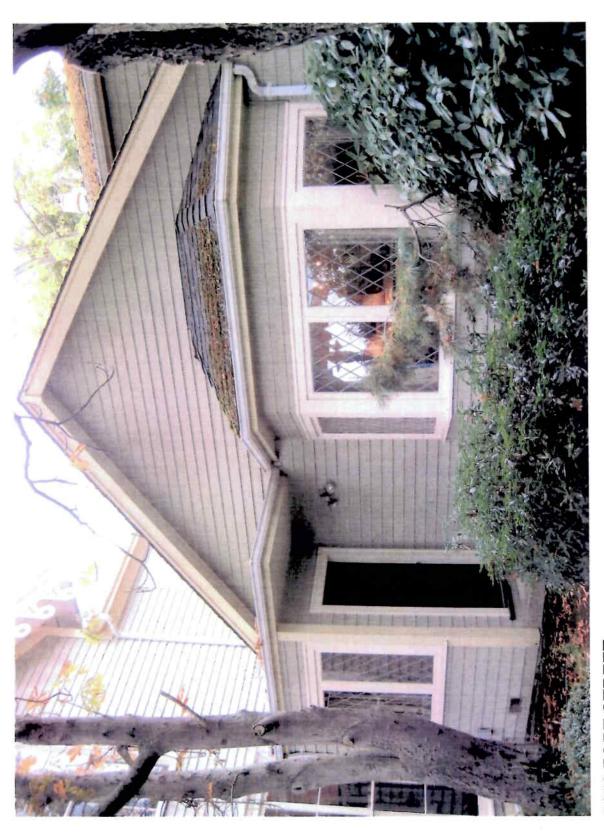
1156 FORT STREET



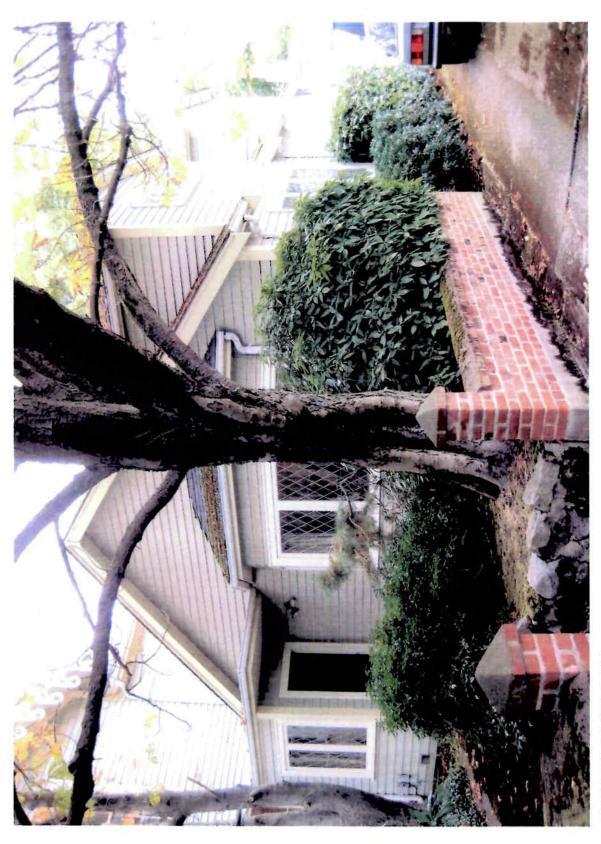
1156 FORT STREET



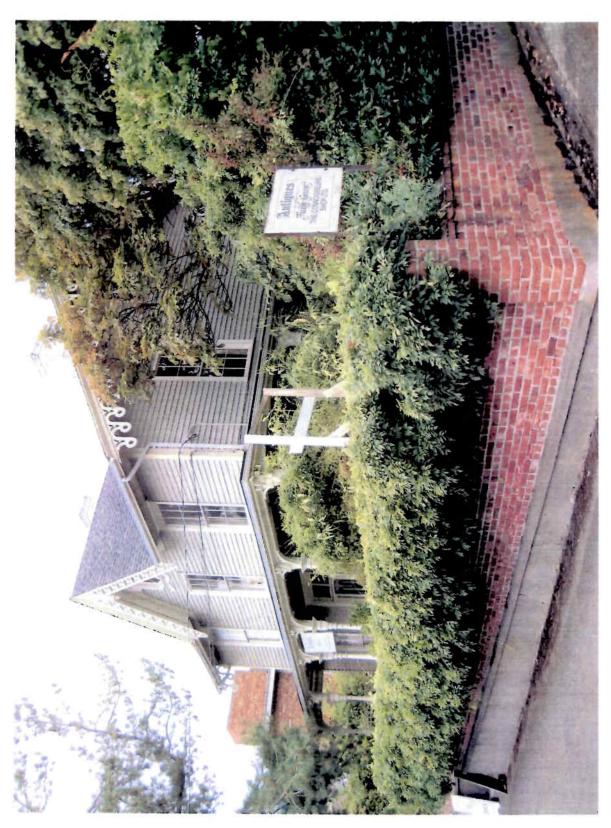
1156 FORT STREET



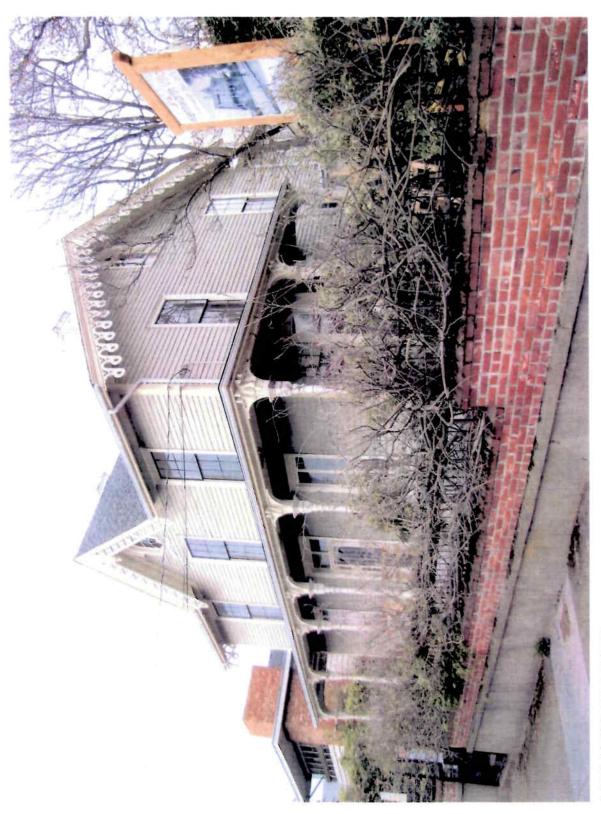
1156 FORT STREET



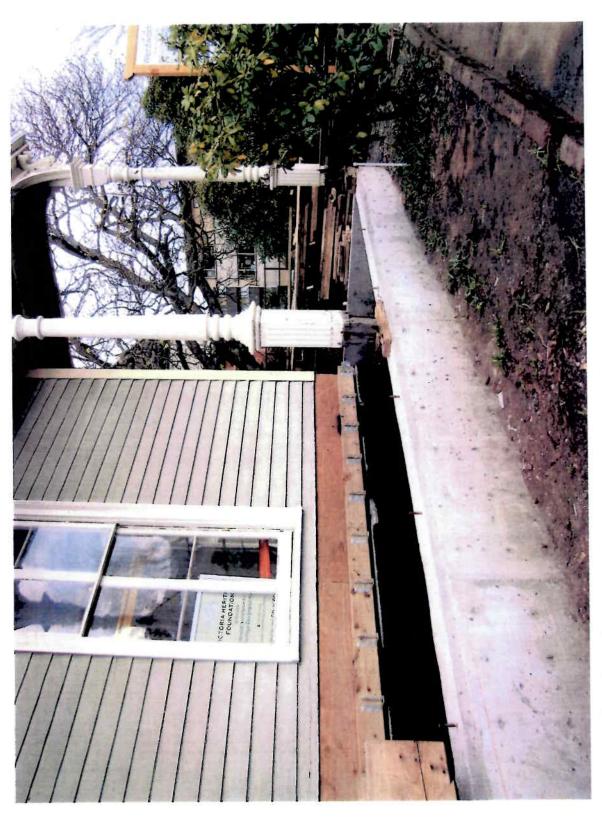
1156 FORT STREET



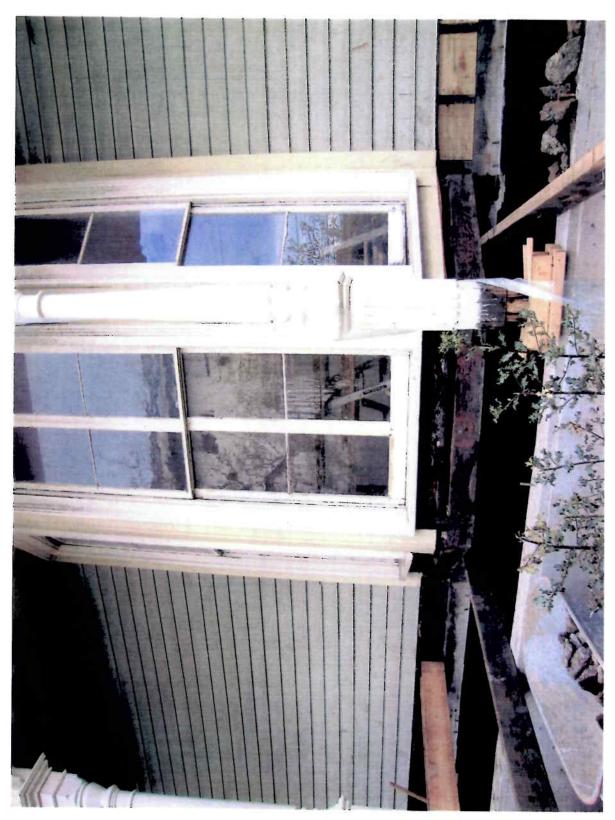
1156 FORT STREET



1156 FORT STREET



1156 FORT STREET



1156 FORT STREET

Received

MAR 2 5 2014

Planning & Development Department Development Services Division

KEAY & ASSOCIATE, ARCHITECTURE LTD

JOHN KEAY, ARCHITECT AIBC LARRY CECCO, IA, AIBC 1124 FORT STREET, VICTORIA, V8V 3K8

March 25, 2014

Mayor and Council City of Victoria V8W 1P6

Your Worship and Council

re: proposed rezoning, Wentworth Villa, 1156 Fort Street

You will find enclosed an application for rezoning, for the above structure, from C1 to a zone which will permit assembly/museum/display/office use. It is the intention of the applicants to restore the building and grounds, and open them to the public as "The Museum of Pacific Northwest Heritage Homes". This is an eminently suitable use for the building.

Wentworth Villa is the subject of a comprehensive study by Stuart Stark & Associates, its history can be paraphrased as follows:

"Wentworth Villa is one of the oldest, and most valued, heritage houses in the City. Built in the Gothic revival style, the home features hallmarks of the style, including a symmetrical plan with a central front door, pierced bargeboards, steeply pitched roofs, and a gothic style pointed window – with stained glass – high in the central gable illuminating the attic. Tall double-hung windows are small paned: Six over six on the upper floor; four over four on the main floor. The house has wide, bevel siding, and a covered porch that wraps around three sides of the house.

Typical 1860's porch posts originally supported the porch roof. Made of pairs of slender, squared timbers – tripled on the porch corners – they culminated in delicate sawn brackets. Above, the porch roof was edged with a chinoisierie-inspired railing. By the 1890's the porch posts were replaced with solid single turned posts; the fanciful balcony railing lasted for a few years into the 20th century.

Today, Wentworth Villa survives into the 21st century, essentially intact, a rare historic house. This survival was due to an unusual combination of family occupation, lack of modernization, and appreciative care.

Wentworth Villa has been occupied by just two families over the course of 149 years from 1863 until 2012, though each occupancy was continued by three generations."

tel: 250 382 3823 fax: 250 382 0413

email: john@keayarchitecture.com

rezoning, Wentworth Villa, 1156 Fort Street

Interestingly, during its tenure as Faith Grants' "The Connoisseurs Shop" the building remained almost unaltered with the exception of the occasional repainting, and an addition to the north east corner constructed in 1956.

Because of its age and condition, the building remains one of Victoria's most significant residential structures. This has been recognized by the fact that the house and outbuildings have been designated by the City. Restoring Wentworth, and returning it to a use whereby it can be enjoyed by the public, is in line with recent heritage improvements in this area of Fort Street, and also with the City's Heritage policies. A part of the rezoning process will be the upgrading and stabilization of the structure and building services, with the result being a heritage building that will be preserved for the foreseeable future. As well, a full exterior restoration is contemplated, including the replacement of missing exterior decorative elements as shown on the drawings. In the interior, some rooms will be fully restored as part of the museum display, and some will be sensitively adapted to provide areas for display, gift sales, and a small tea room. The outbuildings, which are in poor condition, will be rebuilt using existing materials where possible and will complement the restoration of the garden, including the brick walls and pathways, and wrought iron railings.

We would ask that this rezoning be considered for the following reasons:

- i. The proposed use is compatible with the building and area, allowing public access to one of Victoria's most significant remaining houses. The proposed use, a small museum with ancillary uses, is appropriate for the area. The use provides an interpretation of an aspect of Victoria, that of its domestic architecture, that is not currently available in the community
- ii. the building, designed by Wright and Saunders, has been designated heritage. The proposed use is an effective way of ensuring that this significant building is stabilized, protected, and maintained in good repair We will be looking for equivalencies as part of protecting the original finishes and woodwork
- iii. the building is centrally located in the precinct of the heritage houses located on Fort Street which are mixed residential, commercial, or office use,
- iv. The work required as part of the rezoning will include seismic upgrading, improving thermal efficiency, sprinklering, and new building services, all of which will ensure its preservation.
- v. The proposed use will allow the exterior to remain unaltered and in its original state. Missing decorative elements will be restored, based on archival photographs and on site interpretation. The interior will be restored in some areas, and sensitively adapted in others to fulfill code requirements for safety, handicapped access, and display functions.

As part of the application we are asking for consideration of the following:

- minor exterior revisions required for a new fire exit at the rear, and removal of a small entry porch, both part of the 1956 addition
- ii. alterations to the outbuildings, including removal of the small extension to the west and moving the south wall of the second building, both of which will allow for additional landscaped area. The brick wall on the property line will be extended where the small building has been removed
- iii. that the provision of one parking space be acceptable. Although parking is limited on site, there is ample street parking. Public transport is excellent in

the area, and bike racks are proposed for 10 bicycles. The house is located on a popular walking and tour bus route to Craigdarroch Castle and Rockland. During its tenure as a retail business, 13 parking spaces would have been required, the proposed use requires the following:

a. museum: 6 spacesb. tea room: 6 spaces

c. gift shop: 1 space d. office: 1 space

Thus the proposed change of use is essentially compatible with the previous retail use, in other words the impact on the neighbourhood and adjacent street parking will not be changed to any significant degree. The driveway allows for three cars to be stacked, providing sufficient employee parking. Comparable small display museums with limited or no parking are the Emily Carr House, Ross Bay Villa, and the Bateman Gallery on Belleville Street, all function successfully within their neighbourhood context

 equivalencies for certain Building Code requirements have been developed, and are described in the code analysis which is included with this application

We trust that Council will see this application as an opportunity to preserve a landmark building which is clearly, because of its design and prominent siting, a significant element of the Fort Street heritage precinct. The proposed use, with the attendant upgrades in protection, structure, and building services, Its adaptive re-use as proposed is a realistic means of ensuring its preservation. As part of the process we will be meeting with the Fernwood Community Association, and neighbours immediately adjacent to the project.

Thank you for your consideration of this application, we look forward to explaining it in further detail to Council.

Yours truly,

John Keay, Architect

cc: Stefan and Magda Opalski

Received

MAY 0 5 2014

Planning & Development Department Development Services Division

MEMO TO: MURRAY MILLER

FROM: JOHN KEAY RE: 1156 FORT STREET DATE: MAY 1, 2014

COPY: STEFAN AND MAGDA OPALSKI

Murray,

Further to your enquiry, we have incorporated elements of Stuart Stark's report into the restoration design as follows:

- i. the step from the front door to the porch has been maintained per the original, in other words the porch is at its original level. Any other option would have resulted in shortening the porch columns
- ii. the front stairs are in two sections, the existing concrete stairs which extend to Fort Street, and new stairs up to the porch, separated by an existing pathway. The stairs have been rebuilt several times, we have submitted a design which is similar to the stairs when the house was last occupied. We have shown simple steel handrails which resolve code requirements with the exception of horizontal runouts. Currently at the request of the Owners we are, with the assistance of the Code consultant, reviewing handrail design and the replication of the newel posts shown in the archival photograph. Depending on the outcome of these discussions we will submit any revisions to you.
- iii. The building has a clean certificate for hazmat
- iv. the original gate is extant, although it does not fit the current concrete/brick walls. We will try to re-install it in an open position
- v. a concrete foundation wall has been poured at the outer edge of the porch to allow backfill to be placed to 24" below the porch decking. Wood trim will be installed to match the original detail under the porch decking
- vi. the porch flooring was photographed and the original pieces numbered and stored. New KD fir will be milled and installed to match
- vii. the porch ceiling will be retained to the maximum extent possible, with spot repairs/replacement as necessary
- viii. paint sampling is being done at several areas around the building to determine original colors
- ix. porch roof balustrade, per the drawings is based on archival photographs. A full size mock up of one panel will be constructed to confirm scale and details, we will let the City know when this is installed.
- x. We have not as yet done a detailed analysis of the porch roof material. The building will be scaffolded for painting and minor repairs, and the roof materials will be analysed at that time. No decisions have been made on the roofing material or the balustrade attachment system at this point
- xi. Gutters and moldings are as shown on the drawings. The gutter is integrated with the crown molding, as shown in the detail drawing. This detail may be modified depending on further on site information becoming available.
- xii. The roof is to be renewed, according to the Victoria Heritage Foundation is about 15 years old. In line with current practice it is intended to use fiberglass shingles, instead of cedar, in a "weathered cedar" color.
- xiii. Finials and other minor decorative elements will be replaced, based on other remaining original pieces
- xiv. Chimneys will be stabilized as required while the building is scaffolded. In my view the previous changes to the arched tops do not warrant reconstruction
- xv. A preliminary paint scheme has been submitted, based on the paint sampling done to date

A few other items which are not part of the Stark restoration plan are:

- the existing porch columns will be repaired as required in situ
- ii. a fire escape is to be constructed on the rear elevation as shown
- the chimney is to be removed from the 1956 addition, to allow this space to function as a small lecture/performance hall
- the vestibule is to be removed from the 1956 addition, exposing more of the additional exterior of the house, and allowing for convenient handicapped access

Generally the intent is to restore the building to its 1890's appearance. At this time the balustrade was still in place, but the porch columns had been replaced with the current version. I trust this is the information you are looking for. Give me a call if you have any questions.

Thanks

John Keay

Statement of Significance - 1156 Fort Street

Description of Historic Place:

Wentworth Villa at 1156 Fort Street, an early two-storey, wood-frame house in the Gothic Revival genre, stands in an imposing position on Fort Street, with a commanding view overlooking downtown Victoria.

Heritage Value:

Built c.1862, this house is one of Victoria's most notable examples of the rural Carpenter-Gothic sub-style, clearly demonstrating that, when the house was built, this woodland area was a significant distance east of the city, which has since burgeoned and enveloped it.

The south-facing house expresses the fortitude, vision and success of its owner, Capt. Henry Ella, who chose to build on the isolated trail from Fort Victoria to the eastern shore.

1156 Fort Street is one of the half-dozen oldest surviving residences in the City. Its style reflects the late arrival of the Gothic Revival movement on the northwest coast, coinciding with incorporation of the City (1862) and the increasing prosperity and stability of the new settlement growing up around Fort Victoria.

The house's 14 rooms testify to the large families of the day, and to Capt. Ella's prosperity as master of several vessels, including the *Recovery* and the *Otter*, and later as a pilot.

The Villa also expresses the evolution of larger homes: Since the departure of the Ella family, the house has been in continuous use over three generations as an antique store, demonstrating the adaptive re-invention of many early residences into sustainable twenty-first century business space.

Sources: City of Victoria Sustainable Planning and Community Development Department; Victoria Heritage Foundation

Character-Defining Elements:

Design features reflecting the 1860s Carpenter Gothic style include:

- symmetrical front façade, with lapped wood-siding
- centred front wall-gable with ornate gothic oriel window, framed with delicate fretted verge-boards and culminated with a finial
- prominent matching side-gables with fretted verge-boards and finials
- full-width porch, with flattened arches and double brackets, wrapping both sides
- symmetrical, hierarchical fenestration, larger windows below, smallest on top floor
- paneled and corbelled chimneys
- prominent position overlooking the City.



Planning and Land Use Committee Report

For the meeting of September 4, 2014

To:

Planning and Land Use Committee

Date:

August 29, 2014

From:

Mike Wilson, Senior Planner - Urban Design

Subject:

Development Permit Application #000297 for 1823 Douglas Street

The application is to construct a one-storey, plus mezzanine, commercial building

for restaurant use with surface parking stalls.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 1823 Douglas Street. The application is to construct a one-storey, plus mezzanine, commercial building for restaurant use with surface parking stalls accessed from Caledonia Avenue. This application was presented to the Planning and Land Use Committee (PLUC) in March of 2014. Council later endorsed a motion to refer the application to the Advisory Design Panel (ADP) and to report back to PLUC upon completion of the design revisions. The ADP was asked to pay particular attention to the following:

- the external building finishes as they relate to the surrounding context and applicable design guidelines
- the proposed landscape treatment and screening of the surface parking area.

The application was reviewed by the ADP on April 23, 2014. The Minutes of the meeting are attached to this report. The applicant's letter (attached) dated July 7, 2014, summarizes the design amendments in response to the comments from the ADP.

This application still presents several fundamental challenges with respect to the intent of the design guidelines as referenced in the *Official Community Plan* (OCP). The applicable policy is to enable revitalization of this area through intensification, however, the current proposal replaces the existing building and does not respond to this potential for intensification. The applicant has noted a strong preference for an economical building type both in terms of form and architectural design. At the PLUC meeting of March 20, 2014, the Committee acknowledged the fact that the economic conditions were not favourable to developing the site to its full potential. Given this direction from Council, staff recommend that Committee consider supporting the application.

Recommendations

 That Council consider issuing Development Permit #000297 for 1823 Douglas Street in accordance with plans date stamped July 16, 2014.

2.	Final plans to be gene satisfaction of the Director	erally in or of Sus	accordance tainable Plani	with the	e plans Commu	identified nity Develo	above opment	to	the
Respe	ctfully submitted,								
M	Mills	an	^	1.C. x	lay				
Mike V	/ilson Planner – Urban Design			eb Day, [
	pment Services			istainable mmunity		on the second of the			

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

pst 28,2014

MW:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000297\PLUC

REPORT

2.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 1823 Douglas Street.

2.0 Background

2.1 Description of Proposal

The application is to construct a one-storey, plus mezzanine, commercial building for restaurant use with seven surface parking stalls accessed from Caledonia Avenue. The proposed primary exterior materials include brick veneer, acrylic stucco panel wood trim and painted concrete.

2.2 Existing Site Development and Development Potential

Under the existing CA-4 Zone, Central Area Commercial Office District, permitted uses include office, retail, restaurant and residential (above the second storey). A maximum floor space ratio of 3:1 and a maximum building height of 43 m are permitted. No off-street parking is required.

2.3 Data Table

The following data table compares the proposal with the existing CA-4 Zone. No variances from the *Zoning Regulation Bylaw* are required to accommodate this proposal.

Zoning Criteria	Proposal	Zone Standard
Site area (m²) – minimum	677	n/a
Total floor area (m²) – maximum	384.2	2031
Density (Floor Space Ratio) – maximum	0.57:1	3:1
Height (m) – maximum	7.1	43
Site coverage (%) – maximum	49.5	n/a
Storeys – maximum	2	n/a
Setbacks (m) – minimum Front – Douglas Street Rear East West	Nil 16.4 Nil Nil	Nil Nil Nil Nil
Parking – minimum	7	n/a
Visitor parking – minimum	n/a	n/a
Bicycle storage – minimum	3	1
Bicycle rack – minimum	3	1

2.4 Land Use Context

The following land uses are located in the immediate area:

- to the west across Douglas Street is a three and a half storey hotel in the CA-3
 Zone
- to the east is a vacant lot in the CA-60 Zone
- to the north is a one-storey restaurant in the C-1 Zone
- to the south is a two-storey commercial building in the CA-4 Zone.

2.5 Legal Description

The north 1/2 of Lot 731, Victoria City.

3.0 Issues

The primary issues with this application are its lack of consistency with the applicable design guidelines (as discussed in the staff report of March 20, 2014) and the applicant's response to ADP comments.

4.0 Analysis

4.1 Response to ADP Comments

The application was presented to ADP on April 23, 2013. The ADP supported the application unanimously subject to the following considerations:

- simplification of materials
- provision of articulation and depth to the building façade with attention to detail in the use of the materials such as brick on the building exterior
- rationalization of glazing and openings
- redesigning the fence and rear canopy design to be integral to the building
- acknowledging the corner and providing a visual connection from the street to the building
- providing permeable paving for stormwater management on the site.

The applicant's letter, dated July 7, 2014, provides detail as to the changes that have been made to the application. The revisions can be summarized as follows:

- · materials simplified to include brick veneer and metal paneling
- inclusion of a vertical row of bricks on window heads and sills
- permeable paving in the rear parking lot
- metal privacy screen at lot boundary on Caledonia Avenue.

Staff recommend that Council consider accepting these revisions.

5.0 Resource Impacts

There are no resource impacts anticipated with this application.

6.0 Options

Option 1

- That Council consider issuing Development Permit #000297 for 1823 Douglas Street in accordance with plans date stamped July 16, 2014.
- Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Option 2 (Decline Application)

That Development Permit Application #000297 for 1823 Douglas Street be declined.

7.0 Conclusions

The application has been reviewed by the ADP and the applicant has made several changes based on comments from the Panel. This application still presents several fundamental challenges with respect to the intent of the design guidelines contained within the OCP. The applicable policy is to enable revitalization of this area through intensification, however, the current proposal replaces the existing building and does not respond to this potential for intensification. The applicant has noted a strong preference for an economical building type both in terms of form and architectural design. At the PLUC meeting of March 20, 2014, the Committee acknowledged the fact that the economic conditions were not favourable to developing the site to its full potential. Given this direction from Council, staff recommend that Committee consider supporting the application.

8.0 Recommendations

- That Council consider issuing Development Permit #000297 for 1823 Douglas Street in accordance with plans date stamped July 16, 2014.
- Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

9.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated July 31, 2014
- Revised plans dated July 31, 2014.

		DISCOVERY ST			
i 1		1961 T-1	747/49		
	1900	C·1	732 to 738		
CA·3		C·1			
CHATHAN	/ ST	CALEDONIA ST			
635-641	1850 LS SA	1819-23 1813-17 CA-60	99 <i>L</i> 2		
648-652 658-670	1802	1809 to <i>DA-1</i> 1803	CA-3		
		HERALD ST			
7.27 881	1740 to 1720 1712 1708	1701 DA-1 CA	DA- 59 DA-2		

1823 Douglas Street
Development Permit #000297

CITY OF VICTOR BLA98



N

1823 Douglas Street Development Permit #000297





PRAXIS architects inc.

Michael D. Levin, MAIBC . Robert Rocheleau, MAIBC

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

July 7, 2014

Mayor and Council c/o Mike Wilson Senior Planner - Urban Design Development Services Division Planning and Development Department City of Victoria 1 Centennial Square, Victoria, BC, V8W 1P6



Re:

New Sushi Restaurant 1823 Douglas Street

We are writing to describe point by point our response to the Victoria Advisory Design Panel meeting of April 23, 2014.

1 Simplification of materials and articulation and depth to the building façade with attention to detail in the use of the materials such as brick on the building exterior.

We have simplified the façade materials. We have elected to utilize one colour of brick as the principal material of the façade. We have removed the cantilevered overhang on each façade. This feature is now flush with the brick façade and is comprised of prefinished architectural metal panels accented with black metal flashings at top and bottom edges. We have a smaller version of this assembly as a flush spandrel in the tall windows on the north façade. We want these three windows to read as tall elements from the exterior. All the brick flashing, the window frames and the rear screen walls and bike storage area are black reducing the colour scheme to red brick with black accents.

At this stage of the design we are showing brick soldier course window heads and brick sills where possible. If this project is approved we will add additional brick details as part of the working drawing stage. We would be pleased to meet with ADP prior to applying for a building permit to show these details. The design funds at this stage have been exhausted. The use of brick enables all the windows to be setback from the street face of the brick thus emphasizing depth and shadows around the jambs and window heads. The building footprint is small and space is at a premium preventing us from developing major depth setbacks in the façade. Every reduction in depth and building footprint reduces the potential seating in the restaurant, and every jog and articulation in the facade has economic consequences for the risky restaurant business. Maximum seating needs to be retained to ensure success. We have endeavored to articulate the façade with the punched openings and brick detailing.

Adding to the articulation we have provided a 6' deep bolt on/bolt off metal and glass canopy all along Douglas and turning the corner onto Caledonia. This provides limited shelter for pedestrians caught in the rain and limited shade on sunny summer afternoons.

2 Rationalization of glazing and openings

The glazing and openings in the building have always been rational. The windows are sized in relation to the adjacent interior dining functions. Wherever possible, the window sizes have ben generated by the Tatami ratio of 2:1 or an approximation of that – typical of traditional Japanese architecture. We describe the front corner windows below in regard to the visual connection to the street corner. To the right as one enters the restaurant from Douglas are 4 Tatami rooms – semi private dining booths. The windows opening into the Tatami rooms are adjacent to the higher side of the Douglas Street sidewalk. The sidewalk at the south side of the building is 1' higher than the floor of the Tatami rooms. This potentially could create privacy issues within each Tatami booth. We have set the windowsills of the booths at 4' above the finished floor in this location. Above this we have three windows each divided horizontally into two panes in a rough approximation of 2:1. This horizontal division is roughly 7' above finished floor. The upper pane is visually clear but a sliding wood translucent shoji screen screens the lower pane from pedestrians walking on the adjacent sidewalk.

The three windows overlooking the street corner (Douglas and Caledonia) are subdivided into three vertical lites. Each lite is an approximate ratio of 2:1. The centre lite on the two outside windows is operable to permit further interior exterior connection. The location of these windows is intended to increase two way visual connection between the restaurant and the street. The window just around the corner from these three is an extension of this visual field onto Caledonia.

Proceeding east from the corner along Caledonia are three party rooms separated from each other internally by vertical sliding shoji to enable linking them together as one eating area. Seating will be on low movable benches. As in the Tatami rooms the adjacent sidewalk is rising up in the easterly direction resulting in the sidewalk being 1' above the finished floor of the most easterly room. Each party room will have its own window to the street. Each window will have two lower lites under a solid transom panel and a third lite above the panel creating a tall profile to the street. Each lite is created in an approximation of the Tatami ratio of 2:1. The shoji screen described above will screen the lowest lite from the sidewalk pedestrians. The shoji provides privacy at the lowest lite but still permits light into the party rooms.

3 redesign fence and rear canopy to be integral with building

We have redesigned the fence and the canopy to be integral with the building.

We have extended a brick privacy screen from the building across the side of the secure bicycle parking area. The brick matches the building. Then we have utilized a 2" square black wire mesh mounted on black steel frames to provide further definition of the lot boundaries, the bike cage and the garbage surround. We have placed the lot boundary screens behind street and parking lot plant material. The brick screen wall serves as one end of the bike cage and as a gable support for the bike storage roof.

4 acknowledge the corner and provide a visual connection from the street to the building

We have acknowledged the corner in the existing layout.

There is a significant grade slope across the Douglas frontage and the Caledonia side of the building resulting in the lowest corner of the site at Douglas and Caledonia. This point is 1.77m lower than the diagonal opposite corner of the building. If one enters at the low point of the building one must dig out the floor to get a reasonable flat seating area that is level with the front doors or one must immediately be confronted with stairs making access to the restaurant seating awkward. We have chosen to place the main entry to the restaurant roughly in the mid point of the Douglas façade. This permits us to make most of the customer seating area on one level with the front doors. This arrangement creates a dining area at the corner of Caledonia and Douglas 16" higher than the exterior

pavement. The 9' high windows in this dining area look out both to Douglas and to Caledonia and provide the opportunity for diners to visually engage with the street while sitting in a semi public space with friends and family. Needless to say the engagement will be two-way. This dining area permits flexible seating so that tables and chairs can be arranged in a number of configurations, accommodating 14 to 18 customers. At the street corner the dining area is further dramatized with a very high ceiling which is reflected in the building massing across the Douglas frontage. This volume is further emphasized with high level clerestory windows.

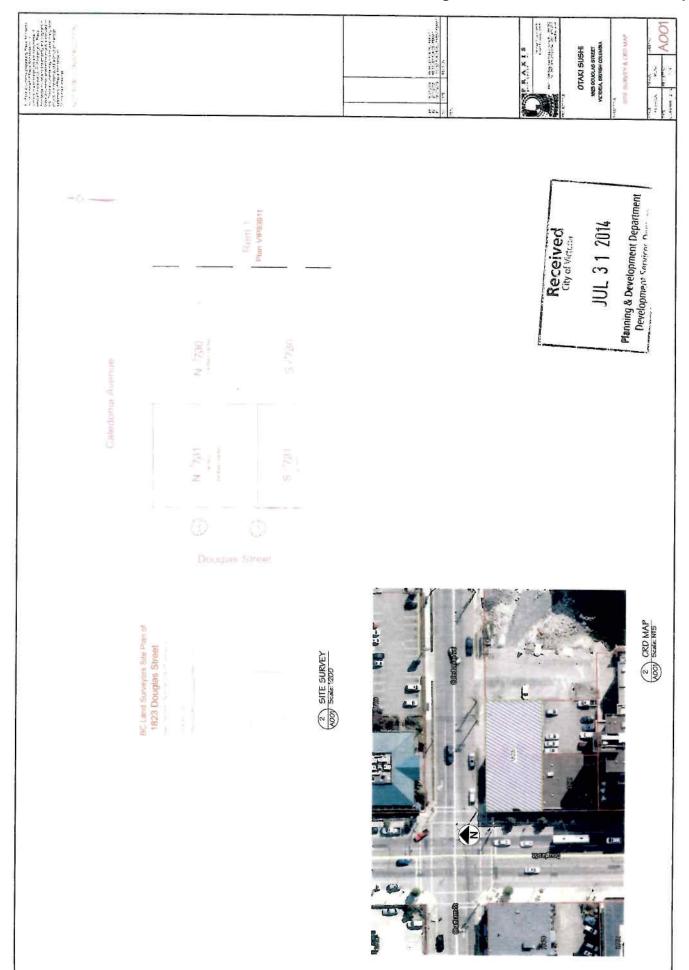
5 provide permeable paving for storm water management on the site We have provided permeable paving over the drive aisle and all parking surfaces.

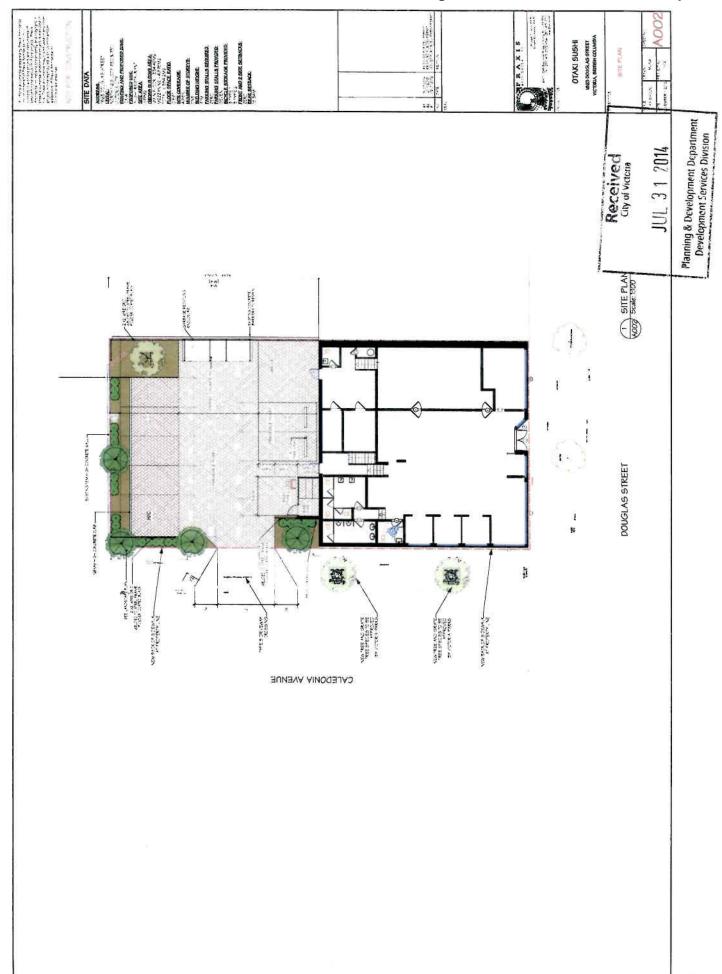
We trust you will find this project supportable and we look forward to discussing it with you.

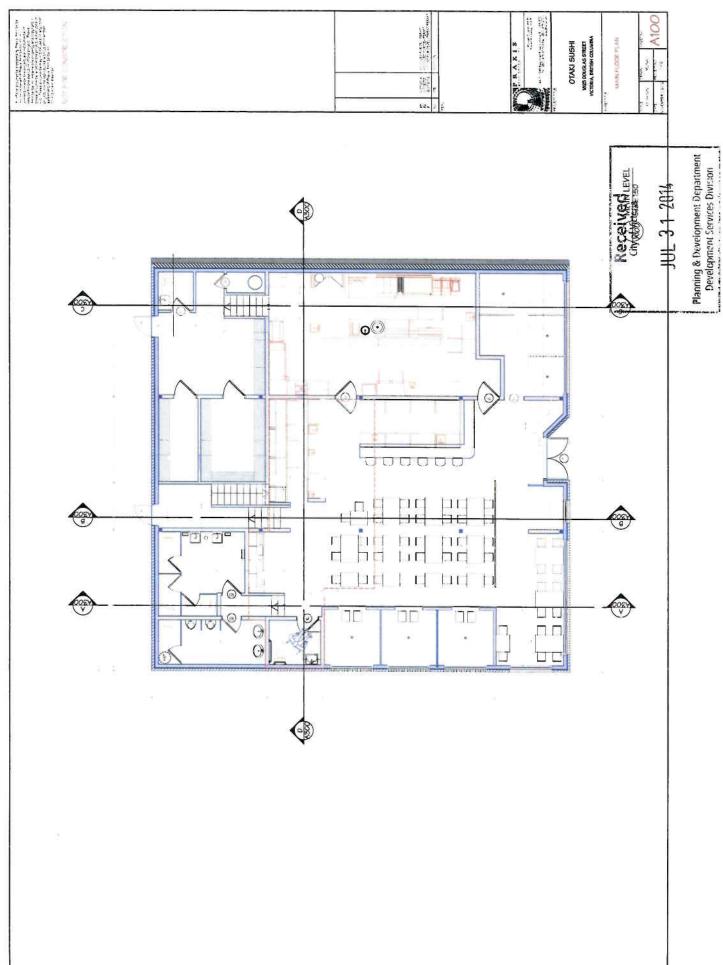
Sincerely, Praxis Architects Inc

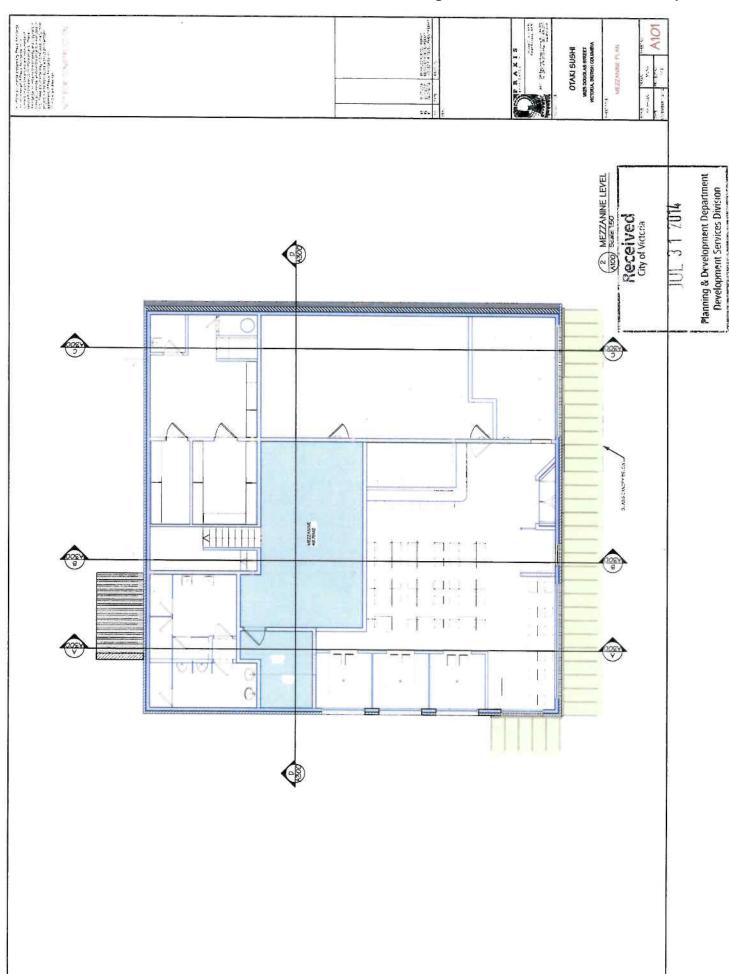
Michael D. Levin, MAIBC

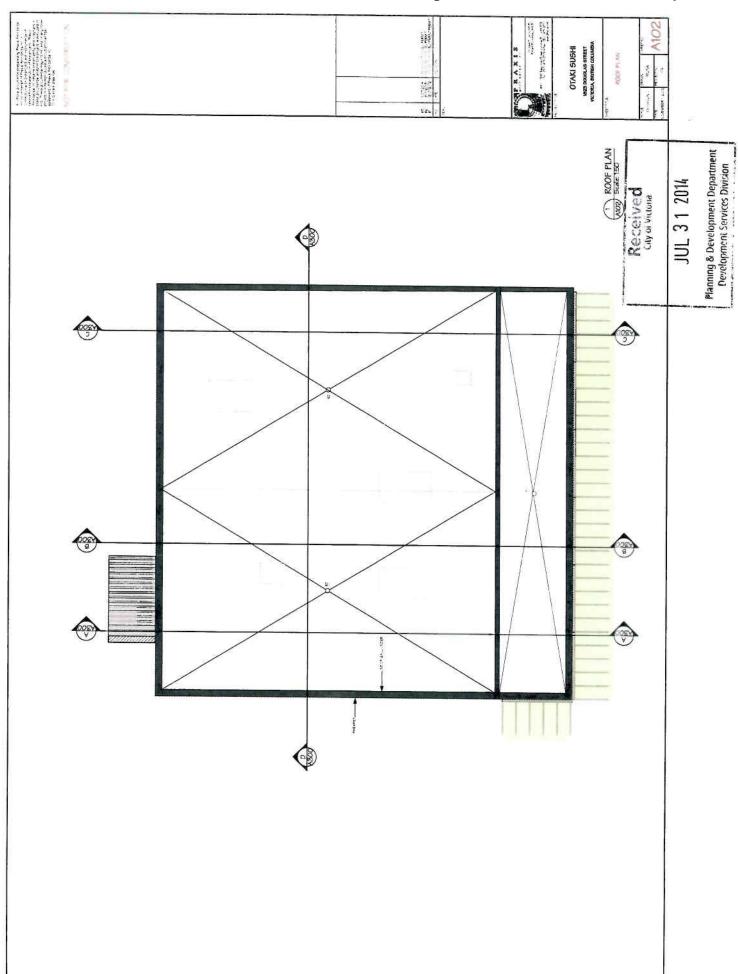
Director

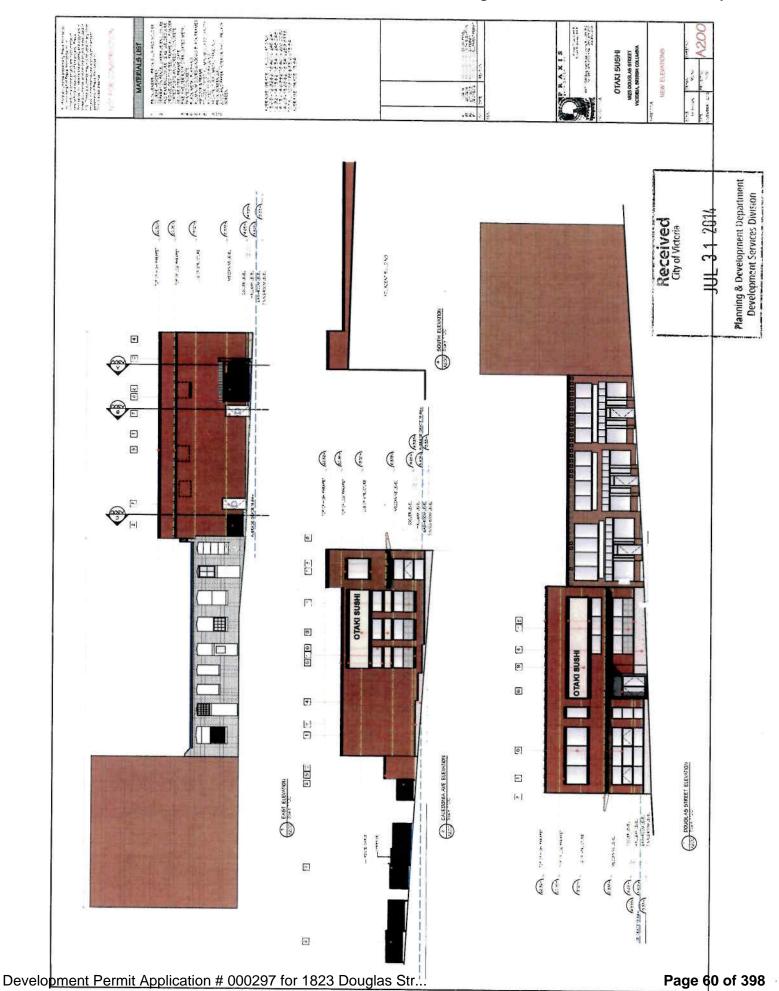


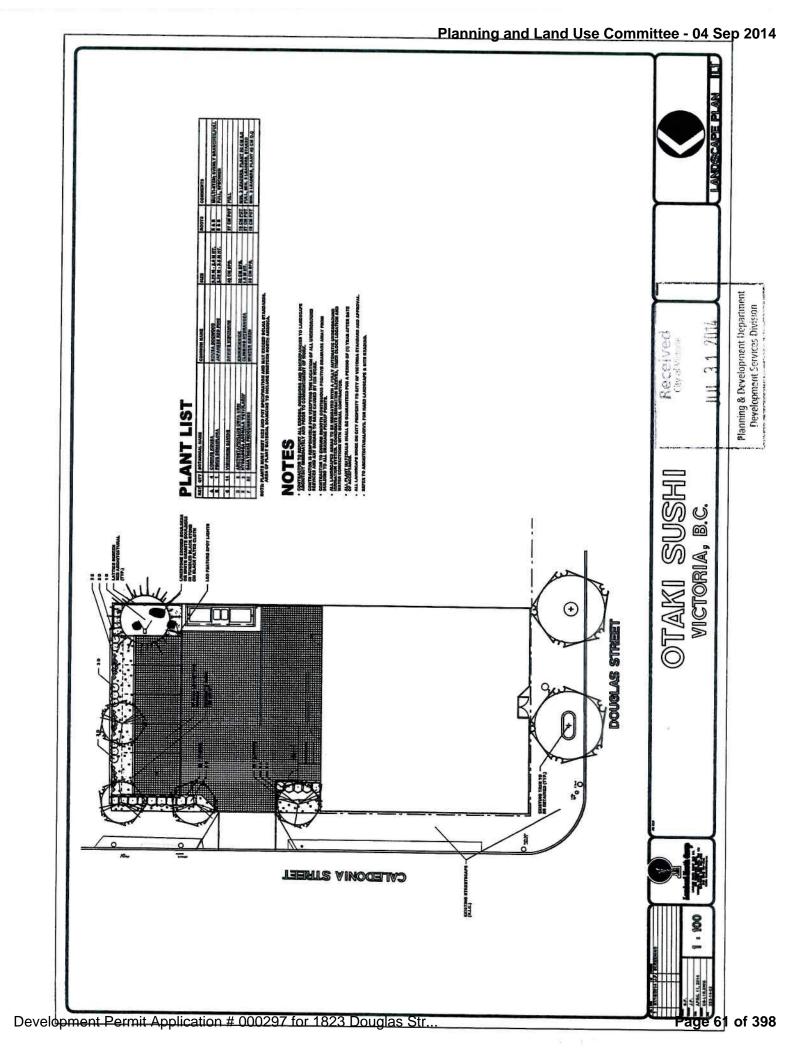














Planning and Land Use Committee Report For Meeting of September 4, 2014

To:

Planning and Land Use Committee

Date: August 21, 2014

From:

Helen Cain, Senior Planner

Subject:

Development Permit Application with Variances #000368 for 1014 Park Boulevard

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with Variances for the property located at 1014 Park Boulevard. The applicant is requesting five variances for building height, setbacks, site coverage and open space that are all technical in nature.

The following points were considered in assessing this application:

- In 2013, Council approved a Rezoning Application and a Development Permit Application to construct an eight-unit, four-storey apartment building on the property located at 1014 Park Boulevard.
- During preparation of working drawings, the applicant made changes to the plans primarily to address British Columbia Building Code requirements. As a result, the building height, side yard and rear yard setbacks and site coverage no longer comply with the zone criteria.
- The requested variances would not affect the overall form, massing or character of architecture, urban design, or landscape design and would have minimal impact on the neighbouring properties.

Staff recommend that the Planning and Land Use Committee support the Development Permit Application with Variances advancing to a Hearing.

Recommendations

- 1. That Council schedule a Hearing to consider Development Permit Application with Variances # 000368 for 1014 Park Boulevard.
- 2. Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances for 1014 Park Boulevard, in accordance with:
 - a. plans for Development Permit with Variances Application #0000368, stamped July 25, 2014:
 - development meeting all Zoning Regulation Bylaw requirements, except for the b. following:
 - Part 3.95 R1-72 Zone, Park Boulevard Multiple Dwelling District
 - main building height relaxed from 12.10 m to 12.70 m
 - minimum west side yard setback from main building relaxed from 0 1.50 m to 1.48 m
 - minimum rear yard setback for main building above 7.0 m in 0 height relaxed from 7.20 m to 5.70 m

Planning and Land Use Committee - 04 Sep 2014

- minimum open space relaxed from 32% to 31%
- maximum site coverage relaxed from 61% to 68%;
- c. final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

Helen Cain

Senior Planner

Development Services Division

Deb Day, Director

A.E. Day

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

August 27,7014

HC:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000368\PLUC_PARKBOULEVARD_1014_AUG21_2014.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with Variances for the property located at 1014 Park Boulevard.

2.0 Background

2.1 Relevant History and Description of Proposal

Council approved a Rezoning Application and Development Permit Application for an eight-unit, four-storey apartment building on the property at 1014 Park Boulevard in 2013. As stated in the attached letter, the applicant is requesting five variances to amend the approved plans primarily to comply with *British Columbia Building Code* requirements.

2.2 Existing Site Development and Development Potential

The data table (below) compares the proposal with the R-72 Zone (Park Boulevard Multiple Dwelling District). The proposal is less stringent than zone standards for the criteria identified with an asterisk.

Zoning Criteria	Proposal	Zone Standard R-72
Site area (m²) – minimum	544.60	544.00
Total floor area (m²) – maximum	870.38	872.00
Density (Floor Space Ratio) – maximum	1.6:1	1.6:1
Height (m) – maximum	12.63*	12.10
Storeys - maximum	4	4
Site coverage (%) – maximum	68*	61
Open site space (%) – minimum	31*	32
Setbacks (m) – minimum Front Rear for main building above 7.0 m Side (east) for main building Side (west) for main building	5.00 5.74* 1.78 1.48*	5.00 7.20 1.50 1.50
Vehicle parking – minimum	7	7
Visitor parking – minimum	1	1
Bicycle storage - minimum	8	8
Accessory building side yard setback from flanking street (m) - minimum	6	6

2.3 Land Use Context

The immediate adjacent land uses are:

- North: single family dwellings in the R1-B Zone (Single Family Dwelling District)
- South: Beacon Hill Park

- West: apartment building in the R3-A2 Zone (Low Profile Multiple Dwelling District)
- East: apartment building in the R3-AM-2 Zone (Mid-Rise Multiple Dwelling District).

2.4 Legal Description

Lot 3, Block 1, Fairfield Farm Estate, Victoria City, Plan 917.

2.5 **Community Consultation**

In accordance with Council's Community Association Land Use Committee (CALUC) Procedures for processing Development Permit Applications with Variances, staff have referred this proposal to the Fairfield Gonzales CALUC. No comments were received at the time of writing this report.

As per the City of Victoria Land Use Procedure Bylaw, this application also requires signage. public notification, and a Hearing.

3.0 Issues

The key issue related to this application is the potential impact of the variances on the design.

4.0 **Analysis**

4.1 Impact of Variances on Design

The applicant is requesting five variances to address technical issues. One variance, related to building height, is required to clarify wording in the newly created R-72 Zone, but it should be noted that the proposal is consistent with the Development Permit approved in 2013. The other proposed changes are all related to Building Code requirements and would not affect the overall form, massing and character of the apartment building, site plan, or landscape design.

5.0 Resource Impacts

There are no resource impacts associated with this development.

6.0. Conclusions

Staff recommend that the Planning and Land Use Committee support this application advancing to a Hearing as the technical nature of the requested variances are minor and would not change the architecture, urban design, or landscape scheme of the new development.

7.0 Recommendation

7.1 Staff Recommendations

1. That Council schedule a Hearing to consider Development Permit Application with Variances # 000368 for 1014 Park Boulevard.

Planning and Land Use Committee Report Development Permit with Variances Application #000368 for 1014 Park Boulevard

August 21, 2014

- Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances for 1014 Park Boulevard, in accordance with:
 - plans for Development Permit with Variances Application #0000368, stamped July 25, 2014;
 - b. development meeting all *Zoning Regulation Bylaw* requirements, except for the following:
 - Part 3.95 R1-72 Zone, Park Boulevard Multiple Dwelling District
 - o main building height relaxed from 12.10 m to 12.70 m
 - minimum side yard setback from main building relaxed from 1.50 m to 1.48 m
 - minimum rear yard setback for main building above 7.0 m in height relaxed from 7.20 m to 5.70 m
 - minimum open space relaxed from 32% to 31%
 - maximum site coverage relaxed from 61% to 68%;
 - c. final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendation (decline)

That Council decline Development Permit Application with Variances #000368 for the property located at 1014 Park Boulevard.

8.0 List of Attachments

- Zoning map
- Aerial photo
- Letters from Sam Ganong, Abstract Developments, stamped July 25, 2014, and May 7, 2014
- Plans for Development Permit with Variances Application #00368, stamped July 25, 2014
- Council Minutes, December 12, 2013
- Council Memo, dated December 12, 2013, with approved plans for Development Permit #000283 for 1014 Park Boulevard
- Planning and Land Use Standing Committee report, dated April 11, 2013.

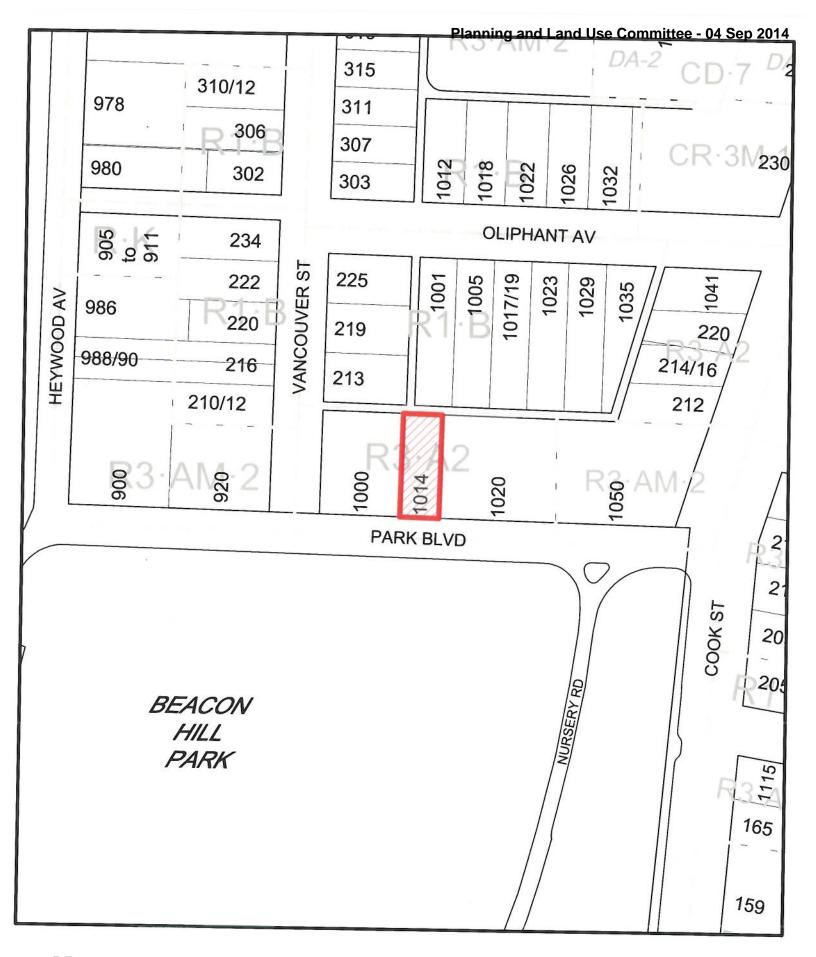




1014 Park Boulevard Development Permit #000368

Looment Permit Application # 000368 with Variances for 1...











JUI 2 5 2014

Planning & Development Department Development Services Division



July 25, 2014

City of Victoria No. 1 Centennial Square Victoria, BC V8W 1P7

Attn:

Mayor and Members of Council

Re:

Development Permit Application with Variances for 1014 Park Boulevard

Dear Mayor and Members of Council,

At the Public Hearing held on December 12, 2013, the Rezoning and Development Permit application for our fourstorey, eight unit multi-family development proposal was unanimously approved. Since then, we have been working on completing the working drawings and Building Permit application to commence construction in the summer of 2014. While completing the working drawings a few items have come up causing us to pursue some minor variances through an application for a Development Permit with Variances. We feel it is important to note that the building's overall architectural form and character will not be changed as a result of these minor variances, and we look forward to seeing this project take shape and become a part of the Fairfield Neighbourhood.

Rear Yard Setback

We are requesting a variance of 1.5m to the rear yard setback for the portion of the building that is above 9.18m. The rear yard setback for the portion of the building below 9.18m, or for the first three floors, is remaining as already approved at 5.70m; however, in order to respond to the market demands we have had to revise the floorplans of the units. In doing so, the location of the balcony on the fourth floor for the north facing unit has been relocated to maintain a consistent structural design from the fourth floor to the second floor. It is important to note that the overall building is not any closer to the laneway than previously approved; it is only the fourth floor that has been moved to line up with the floors below.

Side Yard Setback (for habitable room)

After completing the working drawings for the proposed building, the building setback from the west property line ended up being 1.478m. The approved rezoning and development permit drawings showed the side yard setback (west) to be 1.50m; consequently, we are requesting a variance of 0.022m to reflect this minor change.

Building Height

Through completing the working drawings for the building, both the floor system and the roof structure being used are thicker than what was assumed when the schematic design was completed. The floor system is 0.044m thicker per floor and the roof system including the parapet is 0.398m thicker, resulting in a total variance 0.530m. The previous building height was 12.10m, and the proposed building height is 12.63m.

Site Coverage

We have had to increase the length of the exterior walkway located along the east property line in order to provide appropriate means of egress from the building to comply with the BC Building Code. We also tried to mitigate the increased site coverage by reducing the exterior landing at the front entrance. As a result, we are requesting a variance on the site coverage of 7.0%, resulting in a total site coverage of 68.0%.

Open Site Space

Lastly, we have had to marginally increase the size of the electrical room along the east property line and the mechanical room on along the west property line, as well as adding in a small room for the elevator control closet. Combined, this increases our site coverage by 1.0%, resulting in a total open site space of 31.0%.

In conclusion, we feel the requested variances will not adversely affect the building's interaction and relationship with adjacent buildings and residents, and the architectural style and design elements that have already been approved through the Development Permit process will be upheld. We are excited to start to see this development take shape, and we respectfully request your approval for the above noted variances.

Sincerely,

Sam Ganong

Development Manager





May 1, 2014

City of Victoria No. 1 Centennial Square Victoria, BC V8W 1P7

Attn: Mayor and Members of Council

Re: Development Permit Application with Variances for 1014 Park Boulevard

Dear Mayor and Members of Council,

At the Public Hearing held on December 12, 2013, the Rezoning and Development Permit application for our four-storey, eight unit multi-family development proposal was unanimously approved. Since then, we have been working on completing the working drawings and Building Permit application to commence construction in early summer 2014; and, while completing the working drawings a few items have come up causing us to pursue some minor variances through an application for a Development Permit with Variances. We feel it is important to note that the building's overall architectural form and character will not be changed as a result of these minor variances, and we look forward to seeing this project take shape and become a part of the Fairfield Neighbourhood.

Variance 1: Rear Yard Setback

The approved rezoning and development permit drawings showed a rear yard (north) setback of 5.70m for the building wall below 9.48m, and 7.20m for the building wall above 9.48m. The zoning bylaw, however, incorrectly stated the point at which the building wall height divides the setbacks as 7.0m instead of the proposed 9.48m. As a result, a variance is required to change the approved zoning bylaw to correctly reflect the approved drawings.

Variance 2: Side Yard Setback (for habitable room)

After completing the working drawings for the proposed building, the building setback from the west property line ended up being 1.478m. The approved rezoning and development permit drawings showed the side yard setback (west) to be 1.50m; consequently, we are requesting a variance of 0.022m to reflect this minor change.

Variance 3: Building Height

Through completing the working drawings for the building, both the floor system and the roof structure being used are thicker than what was assumed when the schematic design was completed. The floor system is 0.044m thicker per floor and the roof system including the parapet is 0.398m thicker, resulting in a total variance 0.530m. The previous building height was 12.10m, and the proposed building height is 12.63m.

Variance 4 & 5: Site Coverage and Open Site Space

In order for our larger than average unit offering to appeal to the appropriate demographic we feel it is necessary to offer some storage space for each unit, typical to what is offered in most new multi-family developments. Adjacent to the covered parking area we are proposing eight storage lockers (one per unit) for use by each resident. As a result, this increases our site coverage and decreases our open site space. The requested variance in site coverage is 10% resulting in site coverage of 71%, and the requested variance in open site space is 17% resulting in open site space of 15%. In order to offset and mitigate these variances we are proposing a green roof above the storage lockers and adjacent garbage and recycling facilities. This will offer a substantially improved outlook for the neighbouring multi-

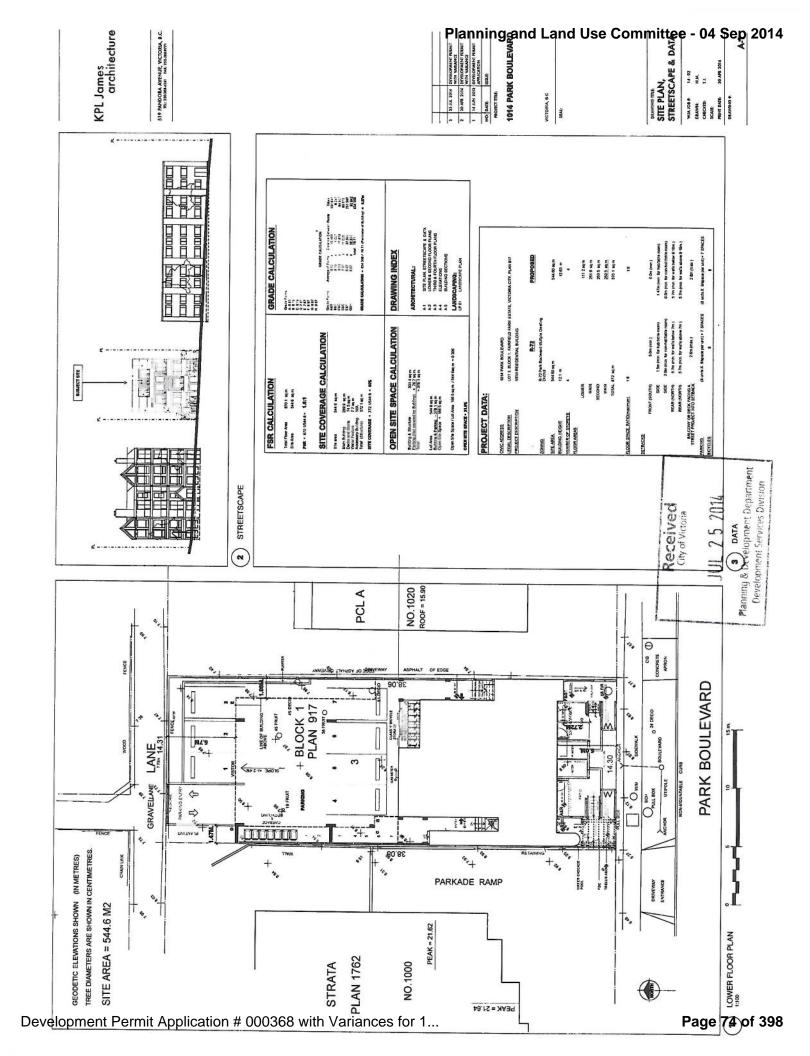
family building at 1000 Park Boulevard, and will also help to further screen the surface and covered parking area from adjacent residents.

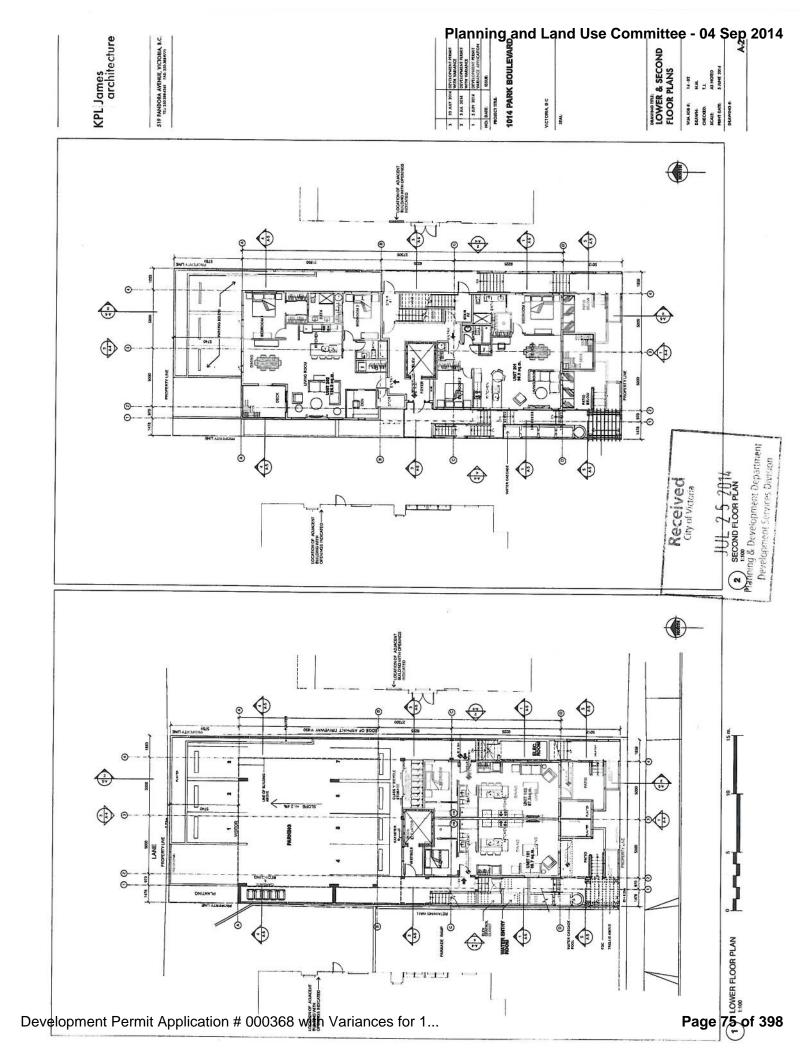
In conclusion, the form and character of the building is still in-keeping with the approved Development Permit drawings. In addition to the few technical items that are being addressed through this application, we feel these variances will contribute to an overall improved and more sensitive project, and we respectfully request your approval for the above noted variances.

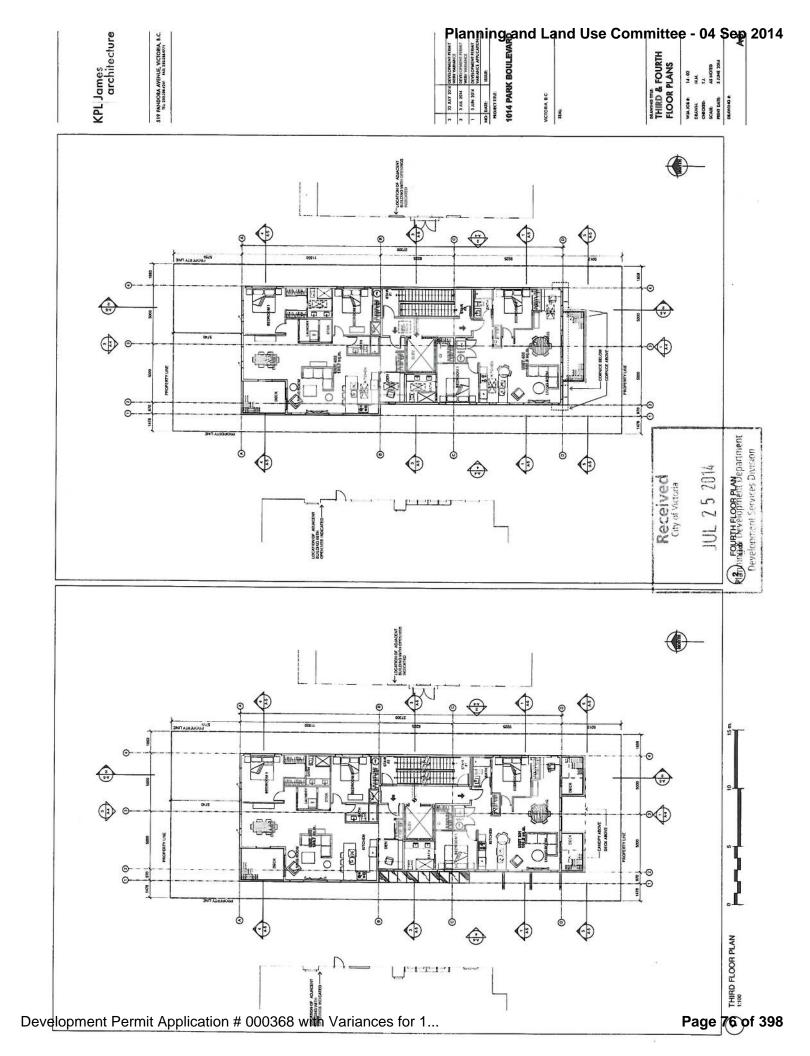
Sincerely,

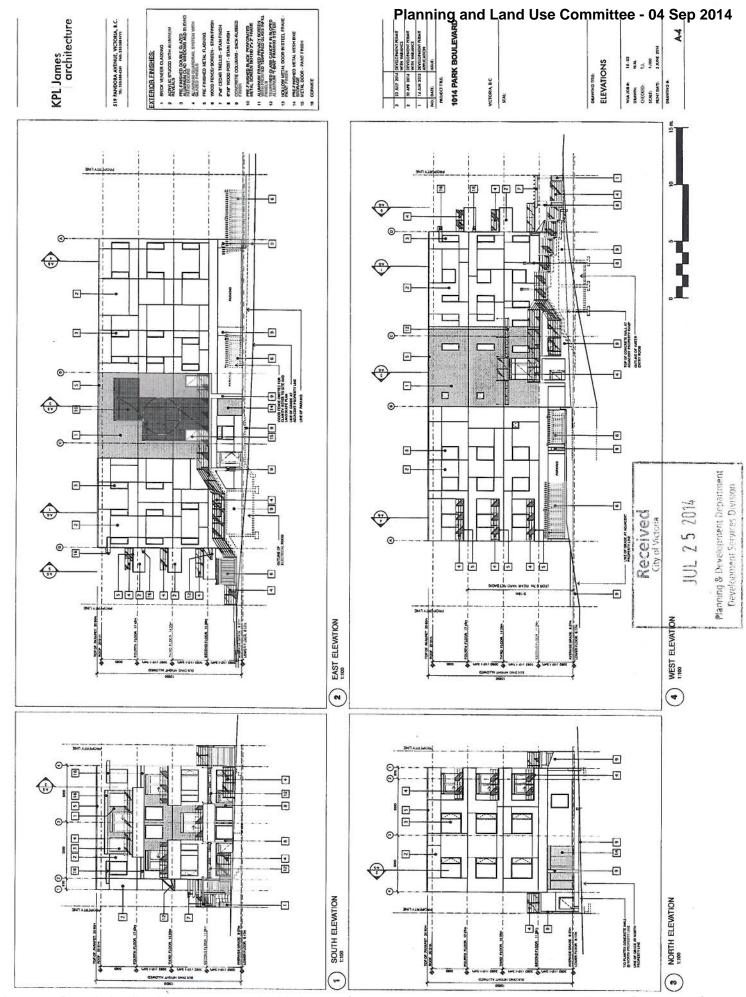
Sam Ganong

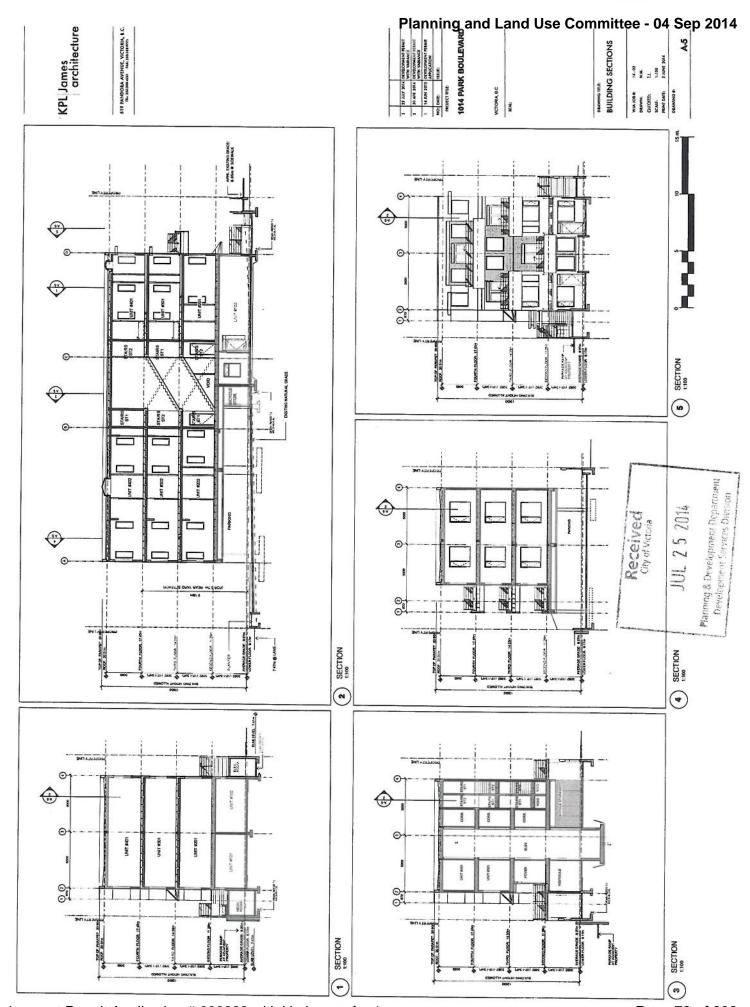
Development Manager

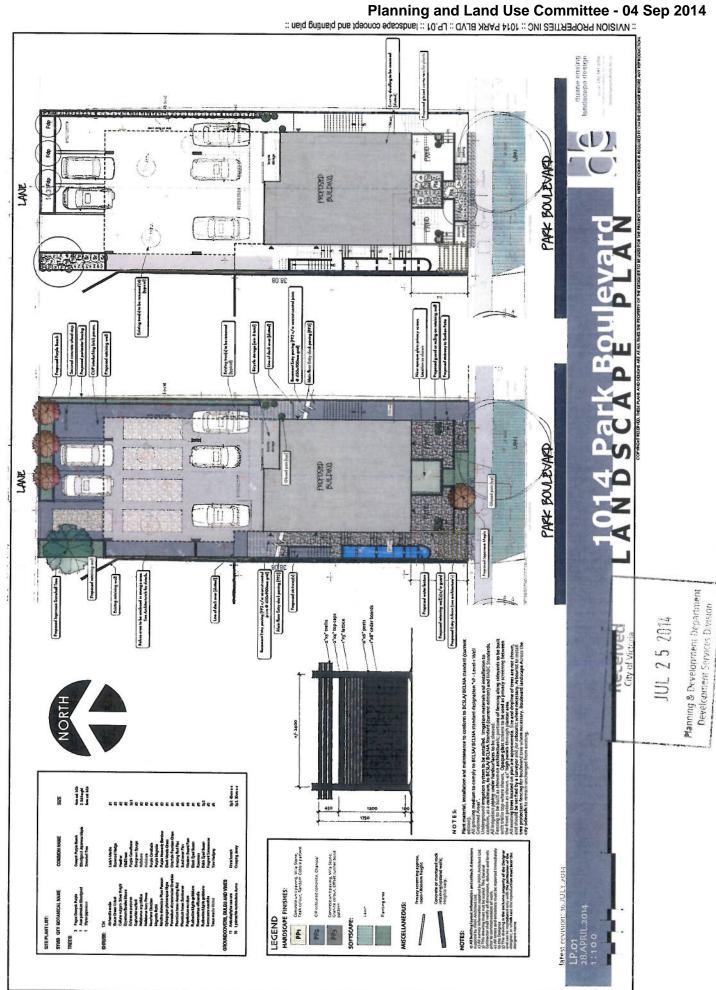












REZONING APPLICATION PUBLIC HEARING

- 1. Rezoning Application No. 00395 for property known as 1014 Park Boulevard
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 969) No. 13-059

To amend the Zoning Regulation Bylaw:

- (a) to create a R-72 Zone, Park Boulevard Multiple Dwelling District that permits the land to be used for single family dwelling, two family dwelling, multiple dwelling, rest home Class A and Class B, accessory buildings, private garage, garage sales, and home occupations
- (b) to rezone land known as 1014 Park Boulevard to a new R-72 Zone, Park Boulevard Multiple Dwelling District, to increase the permitted density for a multiple dwelling

New Zone:

R-72 Zone, Park Boulevard Multiple Dwelling District

Legal Description: Existing Zone: Lot 3, Block 1, Fairfield Farm Estate, Victoria, Plan 917 R3-A2 Zone, Low Profile Multiple Dwelling District

Mayor Fortin opened the public hearing at 7:36 p.m.

Mike Miller (President, Abstract Developments): The property is between Cook and Vancouver and is ideally situated to take advantage of the surrounding amenities of Cook Street Village, Beacon Hill Park and Dallas Road. The proposal is to rezone the property from low profile multifamily residential to a site specific zone that will permit a four storey multi-family dwelling. They have worked with planning staff and the Fairfield Gonzales Community Association and surrounding neighbours so their proposal responds to the existing character of the neighbourhood. They have also made presentations to the strata council and several residents to the immediate west and met with the owner of the apartment building to the east and several neighbours on Oliphant, whose backyards share the laneway. Park Boulevard is a short street south of Cook Street Village and across from Beacon Hill Park. The subject site is the only single family dwelling on the street. All the other properties on the street have been developed with three or four storey dwellings. In the OCP the property has been designated as urban residential within 200 meters of a large urban village, this is Cook Street Village. This designation allows multi-family dwellings up to six storeys; their proposal is four storeys and fits within the guidelines. The main residential access will be on the west property line, with two residential units having direct access to Park Boulevard. There will be interaction between the private realm of residences and the public streetscape. The entrance also features arbours as well as a waterfall element leading up the front steps to the main residential entrance on west side. There will be a total of seven surface parking stalls provided for the residents with four of the parking stalls and driveway being underneath the cantilevered portion of the building. The parking will be accessed by the laneway at the rear of the property with three egress points; two on Oliphant and one on Vancouver. Each unit will be provided with secure bicycle storage lockers as well as six stall bicycle rack provided in the front yard for visitor use. They will also provide a one-year transit pass for each unit. The building will offer affordable one bedroom garden suites on the ground floor, two bedroom suites on the main floor and two-level loft design units on the second and third floors. The design is classic contemporary art deco. Windows have been arranged to mitigate privacy issues on the east and west. The landscape plan features a waterfall on the west property line leading to the main residential entrance. The patio areas on the ground floor unit are separated from each other as well as the sidewalk with shrubs and groundcovers. New trees will be planted in the rear yard which will help screen the covered parking area from the laneway and a new cedar fence will be built along the northeast and west property lines.

Councillor Madoff asked if the project has support of all or some of the surrounding neighbours.

<u>Mike Miller</u>: They went door to door and have support from all those contacted. One neighbour submitted a letter early and they have met with them several times and think they addressed their concerns.

Council Meeting December 12, 2013 <u>Neil Douglas-Tubb (Vancouver Street)</u>: He lives on the corner of Pendergast and Cook Street. He heard about this project and that something was going to happen in the neighbourhood. He purchased property in 2004 on Moss Street, which was built by Mike Miller and Abstract and it was quality. Adding this will bring up property values. This development presents an opportunity for this neighbourhood to recover. He is in favour of this; the developer knows what he is doing.

Marilyn Underhill (Strata Council 1762): Mr. Miller met with the entire ownership of the building and presented the plans to them, and adjusted the windows so there would be the most possible privacy. He is a quality builder and she has visited other buildings they have done and she is very impressed with them. The entire building is totally in favour of this and hopes that it goes through quickly.

Mary-Jo Duncan (Park Boulevard): They have lived there for a couple of years and they are in favour of Abstract. The development will help the area and to bring in more people in. She has seen many buildings done by Abstract and they are consistently aware of the aesthetic and quality and are consistent with attention to detail. What is there now is not aesthetically pleasing. The Abstract crews are very respectful and are clean during their builds

Betty Gibbens (Convent Place): This property occupies land opposite Beacon Hill Park and is special and worthy special treatment to avoid destruction. The house represents Victoria's past architecture. Approving this ad-hoc precedent setting rezoning request will lead other developers to request the same which will change the character of the Street, including those on Vancouver. This negates the Community Plan. This two-storey house is the only one of its kind on Park Boulevard. There are examples around downtown that have been preserved by heritage designation. This house could be restructured inside to provide more units instead of changing the zoning to increase density. The house should be preserved. What is the point of the Community Plan if it is not followed?

Kevin (Cook Street): He is excited about what is happening here and we need community on Cook Street. This is the best thing to happen and we need more people and we need to build for people. Abstract are good and their buildings look great. He is in full agreement with the proposal.

<u>Terry (Oliphant Street)</u>: The project is a very good one. He has been living there for 12 years and very little has happened in terms of development, this fits well and we need residential with growing commercial and the FSR is very low.

Mayor Fortin closed the public hearing at 7:59 p.m.

Councillor Isitt said he has read the written remarks and heard the verbal presentation from Ms. Gibbens with respect to the OCP not being followed. Is this development consistent with the OCP?

<u>Helen Cain (Senior Planner)</u>: Yes, it fits within the urban place designation and is within 200 meters of Cook Street Village where we want growth.

1. Bylaw Motion - Consideration of Third Reading

It was moved by Councillor Gudgeon, seconded by Councillor Helps, that the following bylaw be given third reading:

Zoning Regulation Bylaw, Amendment Bylaw (No. 969)

13-059

Councillor Gudgeon said that she will support and thanked Mr. Miller for working with the community.

Councillor Helps said that it is thrilling to see the OCP come to life as Council envisioned. It was a good process and a good product

Council Meeting December 12, 2013 Councillor Isitt said that there is a lot of density, height and massing to squeeze on to a single family dwelling lot, but it is supportable as Mr. Miller has done his homework. The adjacent strata council and apartment owner who expressed concerns are supportive and the residents around the immediate area are supportive of this. He does not think it is incompatible with the Park or with the block with multi-unit and multi-storey buildings.

Councillor Madoff said that she will support for the reasons stated. The zoning is already in place to allow this, so it is not actually a rezoning. This house is in poor condition, as perhaps it was held in anticipation of development and it becomes target of the community for concern. She does have some regret about the lack of variety of housing types as the community is enriched when there is a mixture of forms of housing.

Carried Unanimously

2. Bylaw Motion - Adoption

It was moved by Councillor Helps, seconded by Councillor Coleman, that the following bylaws be adopted:

Zoning Regulation Bylaw, Amendment Bylaw (No. 969)

13-059

Housing Agreement (1014 Park Boulevard) Bylaw

13-062

Carried Unanimously

3. Motion - Approve Development Permit

It was moved by Councillor Helps, seconded by Councillor Madoff, that Council authorize the issuance of a Development Permit for 1014 Park Boulevard in accordance with:

- 1. Plans stamped Development Permit #000283, dated February 19, 2013;
- 2. Development meeting all Zoning Regulation Bylaw requirements:
- 3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

 Carried Unanimously



MEMO TO COUNCIL

DATE:

December 12, 2013

PREPARED BY:

Helen Cain, Senior Planner

ENDORSED BY:

Deb Day, Director, Sustainable Planning and Community Development

SUBJECT:

Rezoning Application #00395 and Development Permit #00283 for

1014 Park Boulevard

Final plans and letter from applicant

The purpose of this memo is to provide Council with an updated applicant letter and final plans associated with Rezoning Application #000395 and Development Permit #00283 for the property at 1014 Park Boulevard. Despite the Advisory Design Panel recommendation for support for the proposal as presented at the meeting of May 22, 2013, the applicant decided to change certain technical aspects of the proposal related to density and building massing, but did not alter their proposed design in any other way. Specifically, the following details are revised in the attached final plans:

- Total floor area is reduced from 963.22 m² to 870.38 m²
- Floor space ratio is reduced from 1.77:1 to 1.59:1
- Site coverage is increased from 59.3% to 61%
- Open site space is reduced from 32.5% to 32.3%
- East side setback from main building is reduced from 1.82 m to 1.78 m
- West side setback from main building is increased from 1.46 m to 1.5 m.

All the above dimensions are captured in Zoning Regulation Bylaw Amendment Bylaw No. 13-059 for "Part 3.95, R-72 (Park Boulevard Multiple Dwelling District)".

Respectfully submitted,

Helen Cain

Senior Planner

Helen Cain

Development Services Division

Deb Day, Director

Sustainable Planning and Community

Development Department

HC:aw

Attachments

- Letter from Abstract Developments, stamped June 26, 2013
- Final plans, stamped June 26, 2013



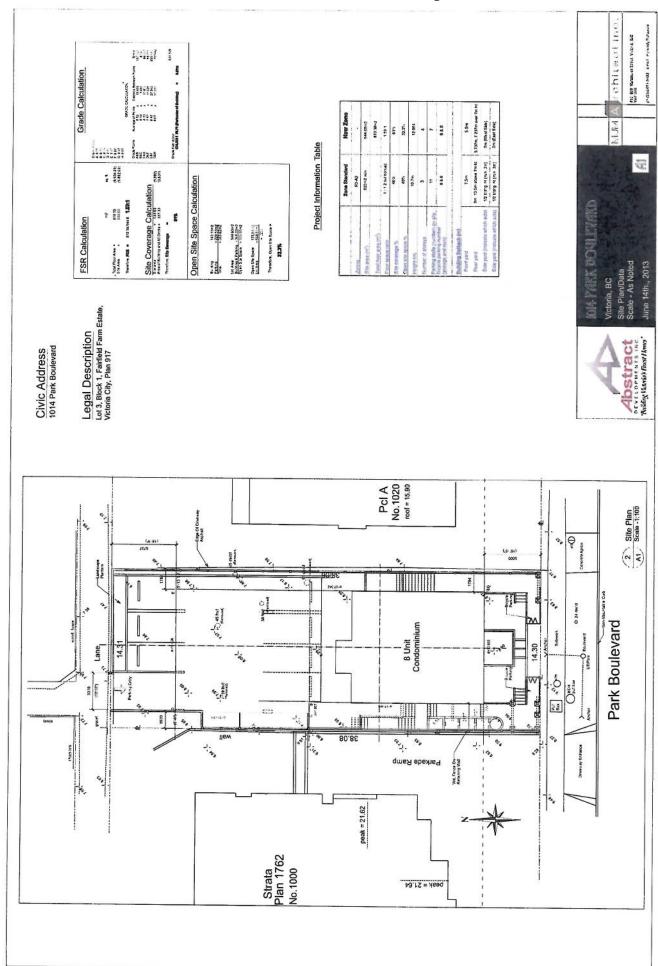
1014 Park Boulevard Victoria, BC

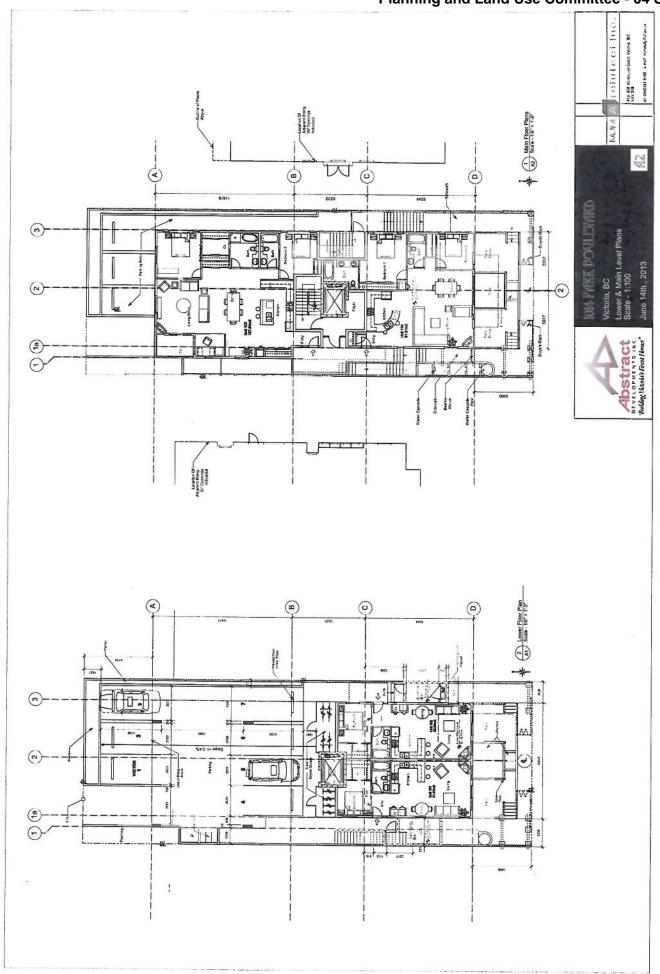
REZONING & DEVELOPMENT PERMIT APPLICATION

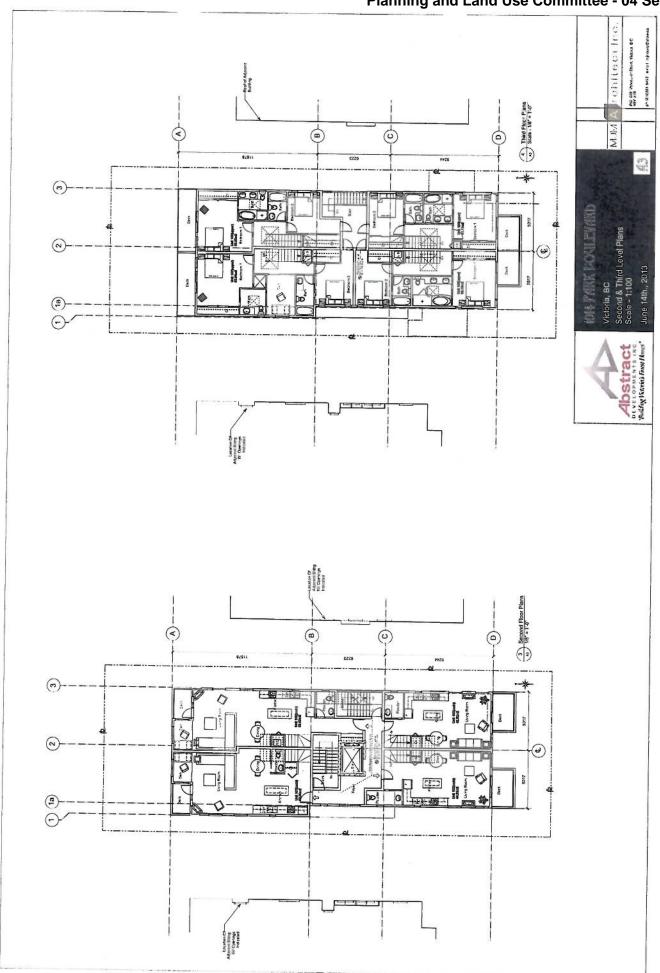
Original Submission: 1st Revised Submission: 2nd Revised Submission:

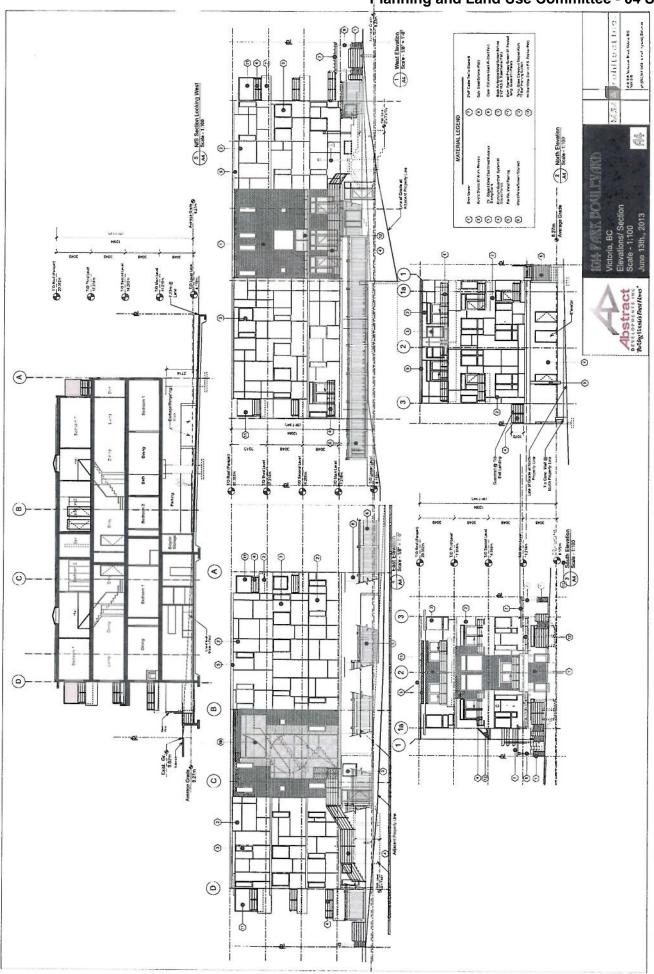
DRAWING LIST

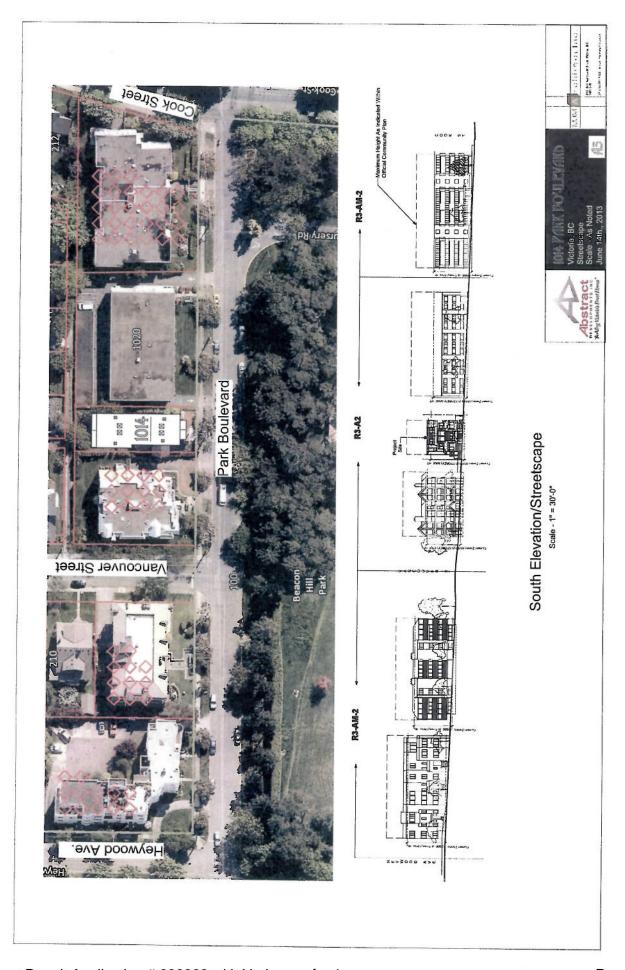
Development Permit Application # 000368 with Variances for 1...









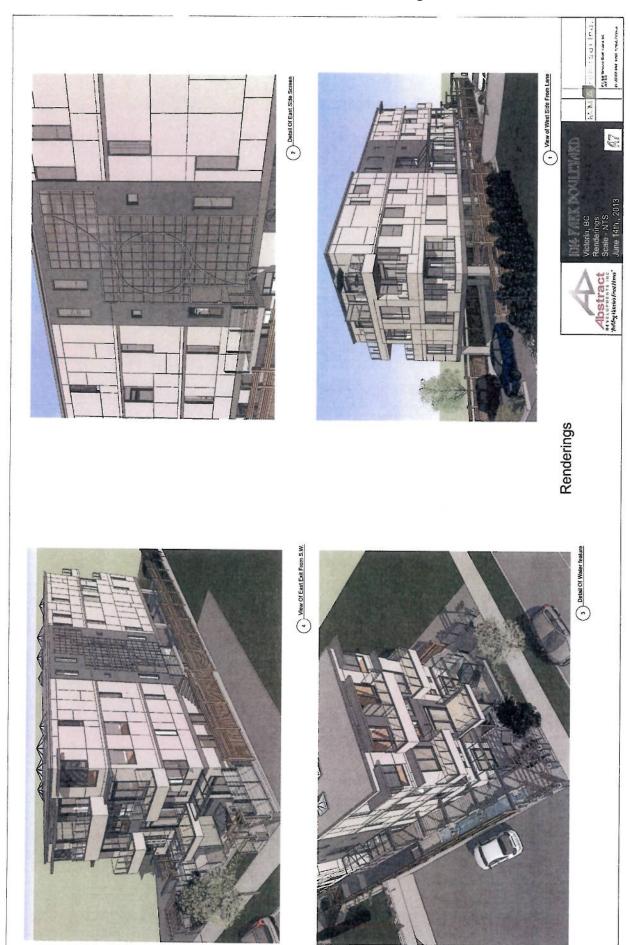




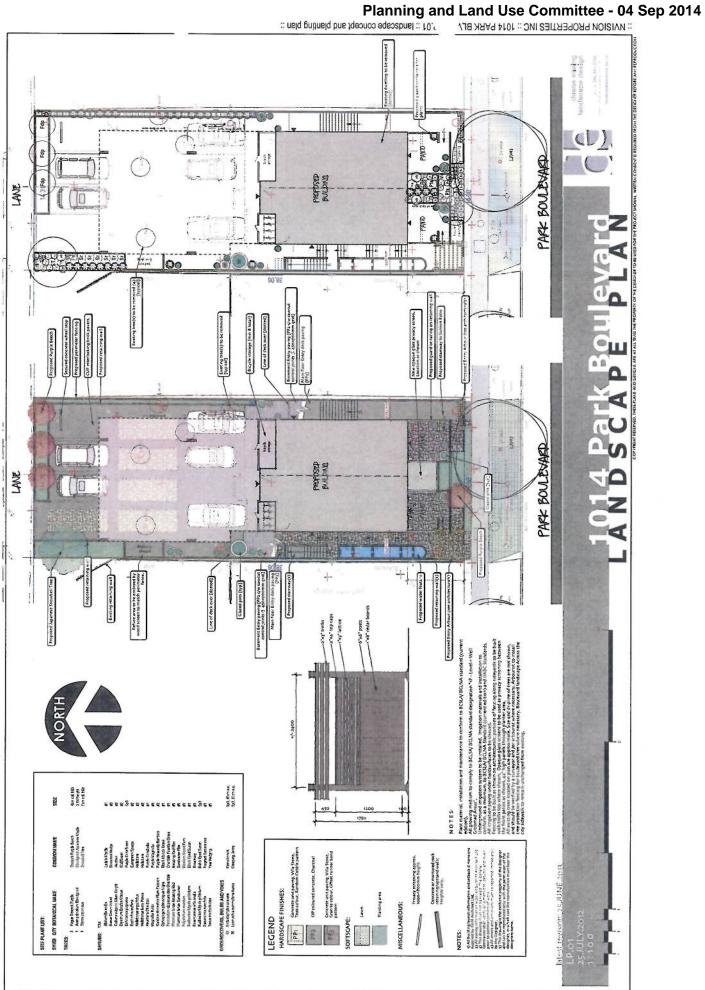




5 View of South Side from Street









Planning and Land Use Standing Committee Report

Date:

April 11, 2013

From:

Helen Cain, Senior Planner

Subject:

Rezoning Application #00395 and Development Permit Application #000283 for 1014 Park Boulevard - Application to rezone lands from the R3-A2 Zone to

increase the density and height to permit a new eight-unit apartment.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit Application for the property at 1014 Park Boulevard. The applicant proposes the development of a new eight-unit apartment building. An increase from the maximum permitted density of 1.2:1 floor space ratio (FSR) to 1.77:1 FSR and increased building height from 10.7 m to 12.1 m are requested as part of these applications.

The following points were considered in assessing this application:

- The proposed rezoning and development is broadly consistent with the Urban Residential Urban Place Designation and Fairfield Strategic Directions in the Official Community Plan, 2012.
- Development and construction of the new four-storey apartment is subject to DPA 16 General Form and Character. The proposed design of this low-scale apartment is consistent with DPA 16 objectives, and the *Multi-Unit Residential*, Commercial and Industrial Development Guidelines, 2012, which apply in DPA 16.

Staff support these applications and recommend they move forward for consideration at a Public Hearing, subject to review by the Advisory Design Panel prior to proceeding to Council.

Recommendation

- That Rezoning Application #00395 for 1014 Park Boulevard proceed for consideration at a Public Hearing, subject to:
 - (a) Preparation of a Zoning Regulation Bylaw amendment;
 - (b) Review by the Advisory Design Panel of Rezoning Application #00395, and Development Permit Application #00283;
 - (c) Preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Planning and Development to secure the following:
 - ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units.

Gail Stephens

			se S. Iding Co #00395 and D	ommittee evelopment Permit for	1014 Park Bouleva	April 11, 2013 ard Page 2 of 8	
2.	Follow	Following consideration of Rezoning Application #00395:					
	(a)	That Council authorize the issuance of a Development Permit for 1014 Park Boulevard in accordance with: (i) plans stamped Development Permit #000283 dated February 19, 2013; (ii) development meeting all Zoning Regulation Bylaw requirements; (iii) final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.					
Respe	ctfully s	submitte	d,				
Helen Senior	Planne		s	Deb Day Director Planning and Develo	Ger	er Sparanese neral Manager erations	

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00395\PLUSC PLANNING REPORT TEMPLATE REZ2.DOC

Report accepted and recommended by the City Manager:

HC:aw

Planning and Land Use S. Inding Committee

Rezoning Application #00395 and Development Permit for 1014 Park Boulevard

Page 3 of 8

1. Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for the property at 1014 Park Boulevard. The applicant has also submitted a concurrent Development Permit Application. These applications increase in density and height and address the design for a new eight-unit apartment.

2. Background

2.1 Description of Proposal

The applicant proposes to rezone the property at 1014 Park Boulevard to permit increased density from the maximum 1.2:1 FSR in the existing R3-A2 Zone (Low Profile Multiple Dwelling District) to 1.77:1 FSR and development of a new four-storey, eight-unit apartment that will be strata titled. The proposal also involves demolition of an existing single-family dwelling.

For consideration of the increased density and relaxation of off-street vehicular parking standards, the applicant has provided a Green Building Strategy that outlines proposed architecture and landscape features and transportation demand management measures. The latter includes the voluntary provision of a one-year bus pass for each strata owner to mitigate the impact of residential intensification on street parking.

2.2 Land Use Context

The property is located across from Beacon Hill Park and within walking distance of the Cook Street Village, in a portion of Fairfield where low-rise apartments are predominant. New residential infill that is low-to-medium density is well-suited to the north side of the 1000-block of Park Boulevard, where the character is entirely apartment forms, except for a single, two-storey, single-family dwelling on the subject site at 1014 Park Boulevard.

2.3 Community Consultation

The applicant consulted with the Fairfield Gonzales Community Association on January 21, 2013. A letter from the Land Use Committee is attached to this report.

2.4 Existing Site Development and Development Potential

The data table (below) compares the proposal with the existing R3-A2 Zone (Low Profile Multiple Dwelling District). The proposed new four-storey apartment building is less stringent than the standard zone in criteria identified with an asterisk (*) below.

Take to be a second	Brain and Aller	Zone Standard	
Zoning Criteria	Proposal	R3-A2	
Site area (m²) – min.	544.6*	920	
Total floor area (m²) – max.	963.22*	544.6	
Density (Floor Space Ratio) - max.	1.77*	1	

Planning and Land Use S. ..iding Committee Rezoning Application #00395 and Development Permit for 1014 Park Boulevard

April 11, 2013 Page 4 of 8

Height (m) – max.	12.1*	10.7
Site coverage (%) – max.	59.3*	33.3
Open site space (%) - min.	32.5*	30
Storeys – max.	4*	3
Setbacks (m) - min.	5+	7.5
South (front)	5* 5.72	9.0
North (rear/lane)	5.73	(buildings under 7 m)
	(buildings under 7 m) 7.23	10.5
	(buildings over 7 m)	(buildings over 7 m)
)A(-1 (-:-L-)	1.46 – main building*	6.05
West (side)	1.82 – main building*	6.05
East (side) Parking – min.	7*	11
Visitor parking – min.	1	1
Bicycle storage – min.	8	8
Bicycle rack – min.	6	6

2.5 Legal Description

Lot 3, Block 1, Fairfield Farm Estate, Victoria City, Plan 917.

2.6 Consistency with City Policy

2.6.1 Regional Growth Strategy

The proposal contributes to the *Regional Growth Strategy* goal of adding to the supply of housing within the boundaries of the City.

2.6.2 Official Community Plan, 2012

The proposed development is consistent with the relevant land use policies of the Official Community Plan 2012 (OCP). The property at 1014 Park Boulevard is designated as Urban Residential in the OCP, which envisions multi-unit residential buildings up to nine storeys and density generally up to 1.2:1 FSR. Increased density up to a total of approximately 2:1 FSR may be considered in strategic locations, including walking distance from the Urban Core or a Large Urban Village. The subject site at 1014 Park Boulevard is located within 200 m of the Cook Street Village.

In accordance with the OCP, the new apartment building is subject to DPA16 General Form and Character. The objectives of DPA 16 are:

- 4. (a) To support commercial, industrial and multi-unit residential developments that provide a sensitive transition to adjacent and nearby areas with built form that is often three storeys, or lower.
 - (b) To integrate commercial, industrial and multi-unit residential developments in a manner that is complementary to established place character in a neighbourhood or other areas, including its heritage character.
 - (c) To enhance the place character of established areas and their streetscapes through high quality of architecture, landscape and urban design that responds to each distinctive setting through sensitive and innovative interventions.
 - (d) To achieve more livable environments through considerations for human-scaled design, quality of open spaces, privacy impacts, safety and accessibility.

The proposed development at 1014 Park Boulevard is broadly consistent with DPA 16 objectives for infill with high-quality design that respects established character.

2.7 Consistency with Design Guidelines

The proposal is subject to review under DPA 16 General Form and Character. Building form, character and finishes and landscaping details are controlled and regulated in relation to the Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012). Relevant guidance includes: context and transition; streetscape and relationship to the street; human scale; exterior finishes; open spaces and landscaping; parking, access and circulation. The proposed development responds well to the design considerations as summarized below.

2.7.1 Area-wide Context and Transition between Areas

The form and massing of the new apartment is appropriate in relation to adjacent buildings and the streetscape along the 1000-block of Park Boulevard, where the proposed development is a good fit with the existing place character of low-rise apartments.

2.7.2 Streetscape, Relationship to the Street and Orientation

The new apartment will add variety to the streetscape in building height, roofline and massing. Located on a low-grade slope rising from east to west, the dwelling at 1014 Park Boulevard is located next to buildings with a different roof shape or height. This proposed four-storey apartment with a flat roof is diminutive in massing compared to adjacent buildings. The front elevation is visually and physically connected to the street through patios, an entry arbour clearly marking a path to the side main entryway and plantings to soften the interface between the private and public realm.

2.7.3 Human Scale, Massing, Height and Architectural Features

The dwelling at 1014 Park Boulevard is located on a site that is highly visible across from the north edge of Beacon Hill Park, where human scale is a particularly important design consideration. The front elevation of the proposed apartment will add pedestrian interest through building articulation, projecting balconies and patios with direct access from individual entrances to the sidewalk and street.

Planning and Land Use Soliding Committee April 11, 2013
Rezoning Application #00395 and Development Permit for 1014 Park Boulevard Page 6 of 8

2.7.4 Exterior Finishes and Landscaping

Rich and varied exterior finishes, such as stucco and brick veneers and glass panels, are proposed for the principal facade. Although the open site space available for landscaping is limited, the new trees and plantings are well-placed to provide relief from paved surfaces.

2.7.5 Parking

A number of spaces for vehicles are proposed underneath the cantilevered portion at the back of the building in combination with surface parking spaces. The latter are screened from the public lane and adjacent properties by new trees within the west and rear setbacks. Visitors' bicycle racks are clearly visible, located at the front property line, which reinforces a visual and physical connection between the proposed apartment and the sidewalk and street.

Issues

The key issues related to the Rezoning and Development Permit applications are:

- window openings on side elevations
- transportation demand management
- increased total floor area and density.

4. Analysis

4.1 Window Openings on Side Elevations

Given the new apartment is proposed in close proximity to adjacent apartments on the west and east elevations, the location and amount of window openings are important issues. Three windows line up with bedrooms in adjacent units including an entry window on the main floor, a kitchen window on the second floor and a den on the third floor. The applicant is willing to consider design refinements to address the amount and location of window openings on the side elevations.

4.2 Transportation Demand Management

The applicant has volunteered to provide a one-year transit pass to the purchaser of each strata unit to offset the requested variance from the vehicle parking standards in the *Zoning Regulation Bylaw Schedule C*. Staff have no objection to this proposal because the variance will have a limited impact on the availability of street parking and the shortfall in parking will be partially addressed until the transit passes expire. It should be noted that a combination of transportation demand measures, such as both car-share memberships and transit passes for strata owners, would provide a longer-term solution.

4.3 Increased Total Floor Area and Density

Earlier plans for this proposal included a below-grade bottom floor with two dwelling units and sunken patios on the front elevation, facing onto Park Boulevard. Because a basement (which is sunk partially or completely below grade with a ceiling no more than 1.2 m above grade) is not calculated in floor area in the *Zoning Regulation Bylaw*, the density was approximately 1.2:1 FSR. In response to staff feedback with respect to design considerations, the applicant raised the building above grade to strengthen its relationship to the street which increased total floor area and density to 1.77:1 FSR. Although this is technically a density lift, the removal of a

Planning and Land Use Sanding Committee

Rezoning Application #00395 and Development Permit for 1014 Park Boulevard

April 11, 2013

Page 7 of 8

basement has greatly improved the design and is supportable on that basis. Moreover, the height and massing are highly suitable to the immediate streetscape where the place character is primarily older apartment blocks with greater massing.

5. Resource Impacts

There are no resource impacts that are associated with this development.

6. Options

- That Rezoning Application #00395 proceed for consideration at a Public Hearing, concurrent with Development Permit #00283 (recommended).
- 2. That Rezoning Application #00395 and Development Permit #00283 for 1014 Park Boulevard be declined.

7. Conclusions

The rezoning proposal for a new, low-rise apartment with a density of 1.77:1 FSR at 1014 Park Boulevard is appropriate to the land use context of an Urban Residential area located within 200 metres (walking distance) of the Cook Street Village. This flat-roofed, four-storey building has a form and massing that is a good fit for a streetscape that is primarily characterized by larger apartment buildings. Generally, the architectural and landscaping design is consistent with the guidelines for DPA 16 General Form and Character and may be refined to address the neighbourliness of the window openings on the side elevations in relation to bedrooms of dwelling units in the adjacent property.

8. Recommendation

- That Rezoning Application #00395 for 1014 Park Boulevard proceed for consideration at a Public Hearing, subject to:
 - (a) Preparation of a Zoning Regulation Bylaw amendment;
 - (b) Review by the Advisory Design Panel of Rezoning Application #00395, and Development Permit Application #00283;
 - (c) Preparation of legal agreements to the satisfaction of the City Solicitor and the Director of Planning and Development to secure the following:
 - (i) ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units.
- 2. Following consideration of Rezoning Application #00395:
 - (a) That Council authorize the issuance of a Development Permit for 1014 Park Boulevard in accordance with:
 - (i) plans stamped Development Permit #000283 dated February 19, 2013;
 - (ii) development meeting all Zoning Regulation Bylaw requirements;
 - (iii) final plans to be in accordance with the plans identified above to the satisfaction of the Director of Planning and Development.

Planning and Land Use Committee - 04 Sep 2014

Planning and Land Use Sanding Committee April 11, 2013
Rezoning Application #00395 and Development Permit for 1014 Park Boulevard Page 8 of 8

9. List of Attachments

- Zoning map
- Aerial photo
- Letters from Abstract Developments Inc. stamped dated April 5, 2013, and February 19, 2013
- Report on the applicant's Green Building Strategy from MJM Architects Inc., dated January 29, 2013
- Plans stamped dated February 19, 2013
- E-mail and letter from Fairfield and Gonzales Community Association letter dated January 23, 2013 and January 21, 2013, respectively.



Planning and Land Use Committee Report For the Meeting of September 4, 2014

To:

Planning and Land Use Committee

Date:

August 21, 2014

From:

Murray Miller, Senior Heritage Planner, Community Planning Division

Subject:

521, 539 and 545 Superior Street

Heritage Alteration Permit Applications #00184, #00187 and #00185

Proposal to relocate three Heritage-Registered properties from 521, 539 and 545 Superior Street to the southeast quadrant of lands known as the South Block in

James Bay

Executive Summary

The purpose of this report is to present the Planning and Land Use Committee with background information, analysis and recommendations regarding three Heritage Alteration Permit Applications to relocate three houses located at 521, 539 and 545 Superior Street.

The key issues associated with these applications are:

- risks associated with relocating the structures
- physical protection of the structures from adjacent construction works
- legal protection of the relocated properties.

The relocation of these three houses will help to create a unified cluster of heritage homes along Michigan Street and complement the existing Heritage-Registered properties that front on to Government Street with considerable benefits in the public interest.

The applications were reviewed by the Heritage Advisory Panel at its July 8, 2014 meeting and were recommended for approval. Staff recommend that these applications be approved, subject to the following recommendations.

Recommendations

- 1. That Council consider authorizing the issuance of Heritage Alteration Permits #00184, #00187 and #00185 for 521, 539 and 545 Superior Street, for the relocation of the Jameson, John and Black Residences, respectively, subject to the following conditions being met prior to the issuance of a Building Permit authorizing their relocation:
 - a. That the owner of the Heritage-Registered Jameson, John and Black Residences provide 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* and releasing the City from any obligation to compensate the said owners in any form for any reduction in the market value of the lands (including the receiving sites) or the designated property that may result from the designation, to the satisfaction of the City Solicitor.

- b. That a Relocation Plan be provided to the City in accordance with the Section 219 Covenant registered on title to the lands, to the satisfaction of the Director of Sustainable Planning and Community Development and that it also include the consideration of potential risks associated with the relocation and the physical protection of the structure from adjacent construction works.
- Development meeting all Zoning Regulation Bylaw requirements; and
- d. Final plans to be generally in accordance with the plans dated June 16, 2014, for Heritage Alteration Permit Applications #00184, #00187 and #00185 for 521, 539 and 545 Superior Street to the satisfaction of the Director of Sustainable Planning and Community Development.
- That staff be instructed to prepare the Heritage Designation Bylaw that would designate the Jameson, John and Black Residences upon receipt of owner consent to the designations.
- That Council consider giving first and second reading of the Heritage Designation Bylaw after the bylaw has been drafted.
- 4. That Council consider advancing the Heritage Designation Bylaw to a Public Hearing pursuant to Section 968 of the *Local Government Act*.
- That Council consider giving third reading of the Heritage Designation Bylaw after the Public Hearing.
- That Council consider adoption of the Heritage Designation Bylaw after the subdivision of the lands and the relocation of the houses to their new lots and that notice of the heritage designation be registered in the Victoria Land Title Office.

Murray G. Miller
Senior Heritage Planner
Community Planning Division

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

MGM/ljm

SITEMPEST_ATTACHMENTSIPROSPEROIPLIHAPIHAP00185IHAC REPORT-HAP.DOC

Respectfully submitted.

1.0 Purpose

The purpose of this report is to present the Planning and Land Use Committee with background information, analysis and recommendations regarding three Heritage Alteration Permit Applications to relocate the properties located at 521, 539 and 545 Superior Street.

2.0 Background

The Province and the City were parties to the *Victoria Accord - Legislative Precinct Master Development Agreement*, made June 6, 1994, respecting the subdivision and development of the Lands as well as other lands within the Legislative Precinct in Victoria, British Columbia.

Early in 2014, the provisions for each land parcel were secured by way of a Section 219 Covenant on title to confirm that the key provisions and objectives of the Victoria Accord would survive the land sale. In relation to the five Heritage-Registered homes currently situated on the South Block (see Subject Map, Aerial Photograph and Existing Site Plan, attached), the following applies:

- that the extent of restoration of the heritage houses be described in future development proposals
- that a plan be submitted to the City for the restoration and relocation of the heritage houses to locations within the South Block or at alternative off-site locations.

The applications were reviewed by the Heritage Advisory Panel at its July 8, 2014 meeting and were recommended for approval.

2.1 Description of Proposal

The proposal to relocate three existing Heritage-Registered houses (the Jameson, John and Black Residences) and rehabilitate their exteriors is outlined in the letter from the applicant, dated June 16, 2014, and the Draft Conservation Plan, dated June 2014, both attached to this report. The applicant intends to relocate the Jameson, John and Black Residences to the southeast quadrant of lands known as the South Block. The relocation is necessary in order to accommodate a mixed use development comprised of office, retail and residential land uses on South Block properties acquired by the applicant from the Province. The development is to be phased and is similar in concept to that of the development envisaged in the 1994 Victoria Accord Legislative Precinct Plan.

2.2 Consistency with City Policy

2.2.1 Official Community Plan (OCP)

The property is designated within DPA 12 (HC): Legislative Precinct.

Placemaking - Urban Design and Heritage

The proposal is consistent with a key goal of Placemaking because it protects Victoria's cultural heritage resources using tools available under legislation to protect or conserve heritage properties (Streetscapes and Open Space Policies 8.51 and 8.54).

The proposal will also enhance the character of the east end of Michigan Street and the three individual properties by forming a cluster of compatible heritage resources at the southeast quadrant of the South Block (City Form Policy 8.6).

James Bay Strategic Directions

The proposal aligns with the James Bay Strategic Directions because it would maintain a diversity of land uses and character areas (Policy 21.16.3), and it enables the adaptation and renewal of existing building stock (Policy 21.16.4).

2.3 Consistency with the Section 219 Covenant

The General Conservation Strategy of the Draft Conservation Plan outlines the extent of restoration to be undertaken as part of any future development proposals.

The Section 219 Covenant will require that a Relocation Plan be submitted concurrent with an application for a Development Permit for the first office building to be constructed on the Lands. The Conservation Plan outlines Relocation Guidelines that are deemed to be consistent with the spirit and intent of the Covenant.

3.0 Issues

The key issues associated with these applications are:

- risks associated with relocating these structures
- physical protection of the structures from adjacent construction works
- legal protection of the relocated properties.

4.0 **Analysis**

4.1 Description, Heritage Value and Character-Defining Elements of the Historic Place

The historic places are described in the Draft Conservation Plan (dated June 2014) and their respective Statements of Significance include a description of the heritage values of the place as well as their character-defining elements.

5.0 Discussion

5.1 Risks Associated with Relocating the Structures

Relocating a historic structure can attract a number of risks that will require careful planning. Some risks will be applicable to the relocation of the Jameson, John and Black Residences. A primary consideration is the physical condition of the houses. Advanced structural decay of sills and sidewall frame elements may be a challenge in keeping the buildings intact during moving. The detailed investigations required to determine the readiness of the structures for relocation will be undertaken by the contractor at a later date.

5.2 Physical Protection of the Structures from Adjacent Construction Works

In accordance with 958(1) of the Local Government Act, if an approval may affect protected heritage property, the local government may require the applicant to provide the local government with information regarding the possible effects that the activity or action enabled by the approval may have on the heritage property.

In this regard, potential effects on the relocated and designated houses should be considered, including the potential impact caused by adjacent excavation and foundation work and direct physical damage to historic features and materials caused by neighbouring construction activity.

5.3 Legal Protection of the Relocated Properties

The applicant has voluntarily requested that the Jameson, John and Black Residences (Heritage-Registered properties) be designated as protected heritage property pursuant to Section 967 of the *Local Government Act*, but that the City not pass a bylaw designating the three houses until such time as a subdivision plan has been approved and the three houses have been relocated. The instrument agreed to confirm the applicant's intention will be by way of a letter of consent irrevocably agreeing to the designation of the Heritage-Registered properties and waiving any right to compensation.

6.0 Conclusions

The relocation of these three houses will help to create a unified cluster of heritage homes along Michigan Street and complement the existing Heritage-Registered properties that front on to Government Street. The principle of relocating the houses to the South Block in a manner that would form a heritage cluster, accompanied by a plan to undertake their rehabilitation, secure a new use as well as irrevocable consent to the designation of the three houses, will result in considerable benefits in the public interest.

7.0 Staff Recommendations

- That Council authorize the issuance of Heritage Alteration Permits #00184, #00187 and #00185 for 521, 539 and 545 Superior Street, for the relocation of the Jameson, John and Black Residences, respectively, subject to the following conditions being met prior to the issuance of a Building Permit authorizing their relocation:
 - a. That the owner of the Heritage-Registered Jameson, John and Black Residences provide 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 and releasing the City from any obligation to compensate the said owners in any form for any reduction in the market value of the lands (including the receiving sites) or the designated property that may result from the designation, to the satisfaction of the City Solicitor.
 - b. That a Relocation Plan be provided to the City in accordance with the Section 219 Covenant registered on title to the lands, to the satisfaction of the Director of Sustainable Planning and Community Development and that it also include the consideration of potential risks associated with the relocation and the physical protection of the structure from adjacent construction works.
 - c. Development meeting all Zoning Regulation Bylaw requirements; and

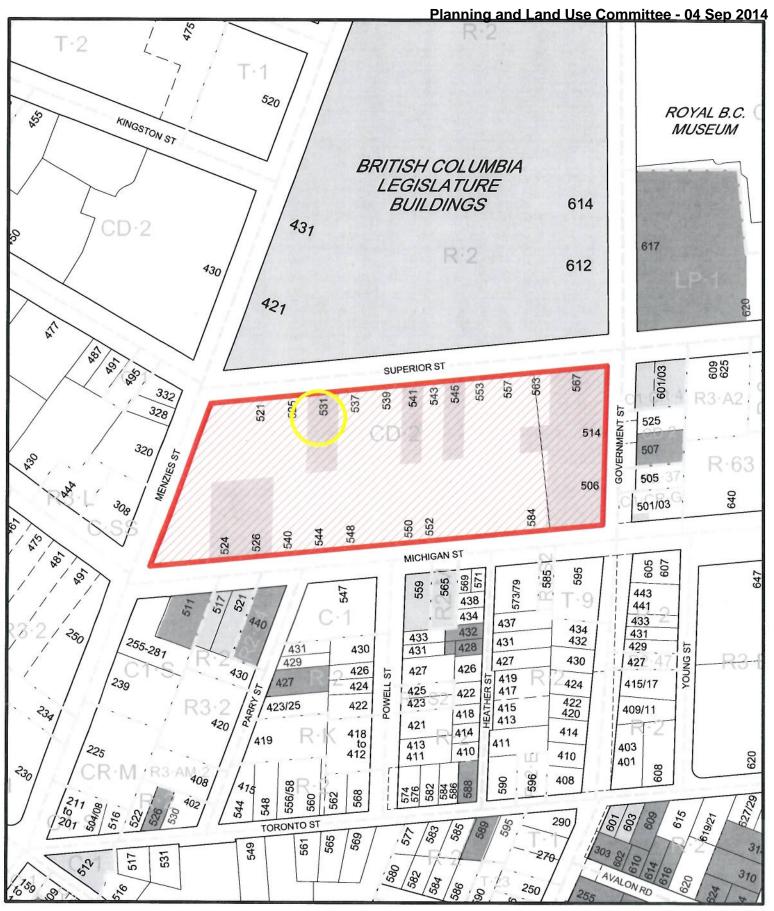
- d. Final plans to be generally in accordance with the plans dated June 16, 2014, for Heritage Alteration Permit Applications #00184, #00187 and #00185 for 521, 539 and 545 Superior Street to the satisfaction of the Director of Sustainable Planning and Community Development.
- That staff be instructed to prepare the Heritage Designation Bylaw that would designate the Jameson, John and Black Residences upon receipt of owner consent to the designations.
- That Council consider giving first and second reading of the Heritage Designation Bylaw after the bylaw has been drafted.
- 4. That Council advance the Heritage Designation Bylaw to a Public Hearing pursuant to Section 968 of the *Local Government Act*.
- That Council consider giving third reading of the Designation Bylaw after the Public Hearing.
- That Council consider adoption of the Heritage Designation Bylaw after the subdivision of the lands and the relocation of the houses to their new lots and that notice of the heritage designation be registered in the Victoria Land Title Office.

8.0 Alternate Recommendation

That Heritage Alteration Permit Applications #00184, #00187 and #00185 for 521, 539 and 545 Superior Street, be declined.

9.0 List of Attachments

- Subject maps
- Aerial maps
- Existing Site Plan, dated June 16, 2014
- Preliminary Conceptual Site Plan, dated June 16, 2013
- Letter from applicant (identical for each property), dated June 16, 2014
- Draft Conservation Plans, dated June 2014.

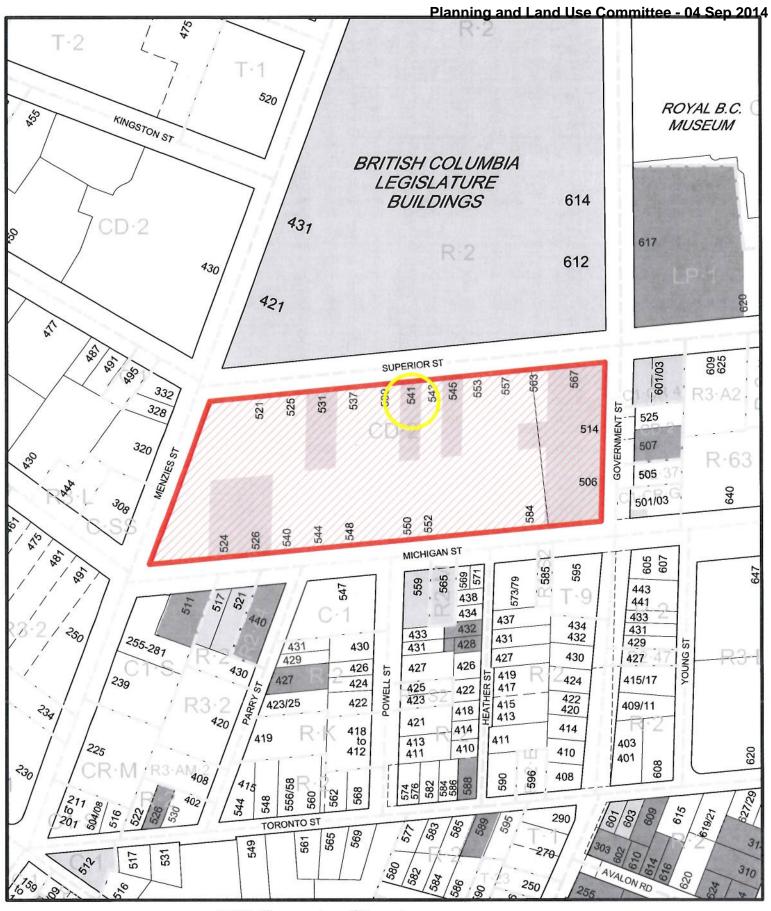


521 Superior Street

Heritage Alteration Permit #00184

Application # 00187 and # 00185 f.... Registered





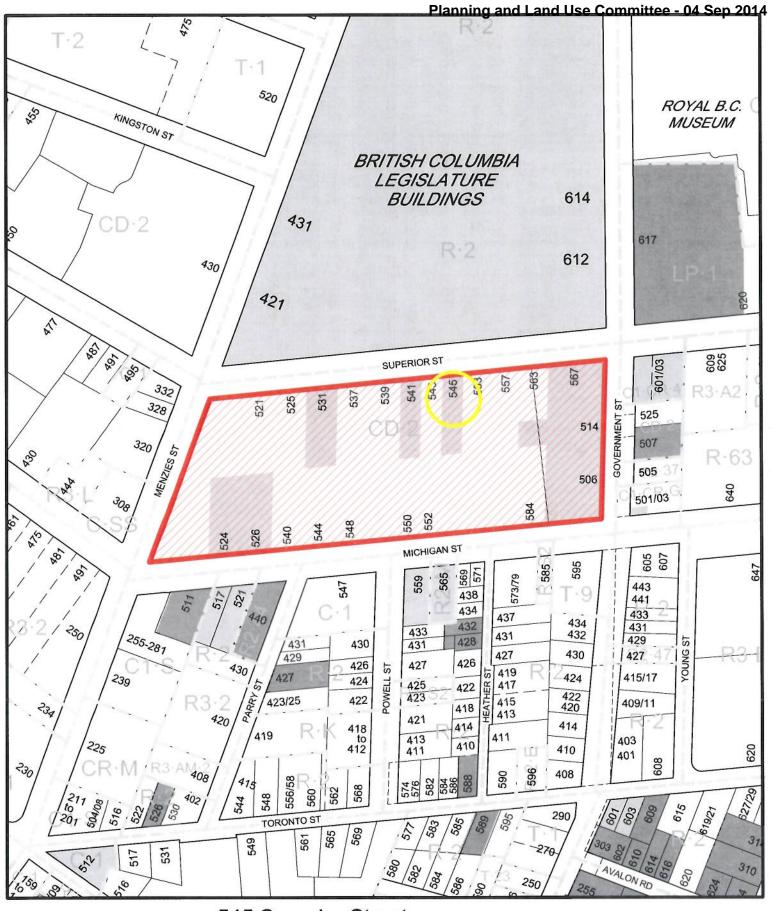
539 Superior Street

Heritage Alteration Permit #00187

Designated

Iteration Permit Application # 00187 and # 00185 f...





545 Superior Street

N Heritage Alteration Permit #00185

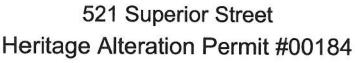
Designated

Application # 00187 and # 00185 f...

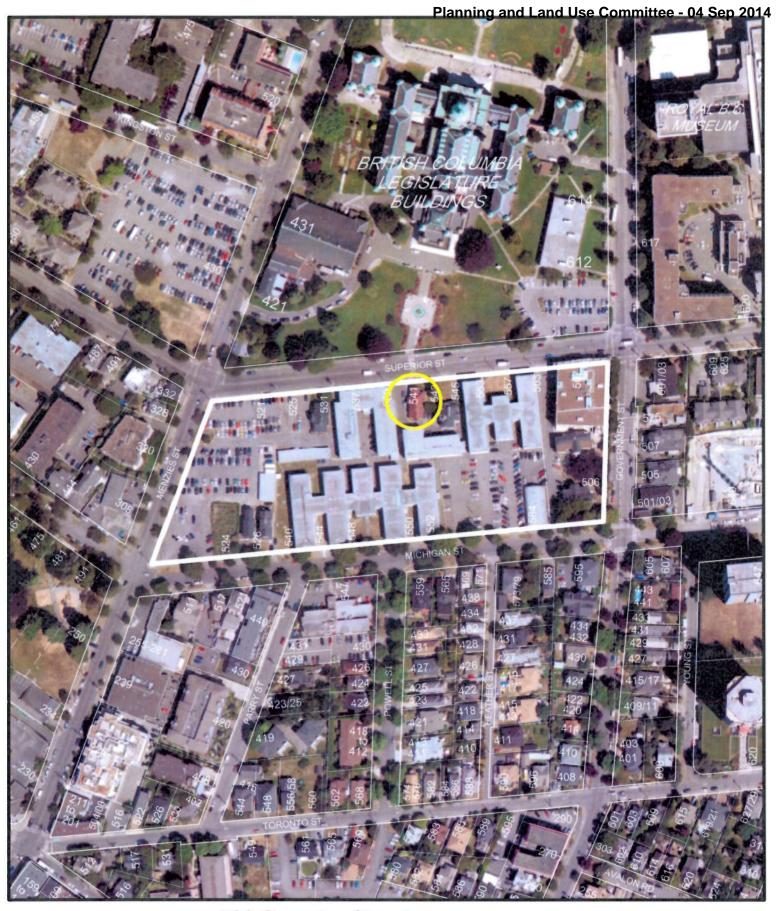
Registered











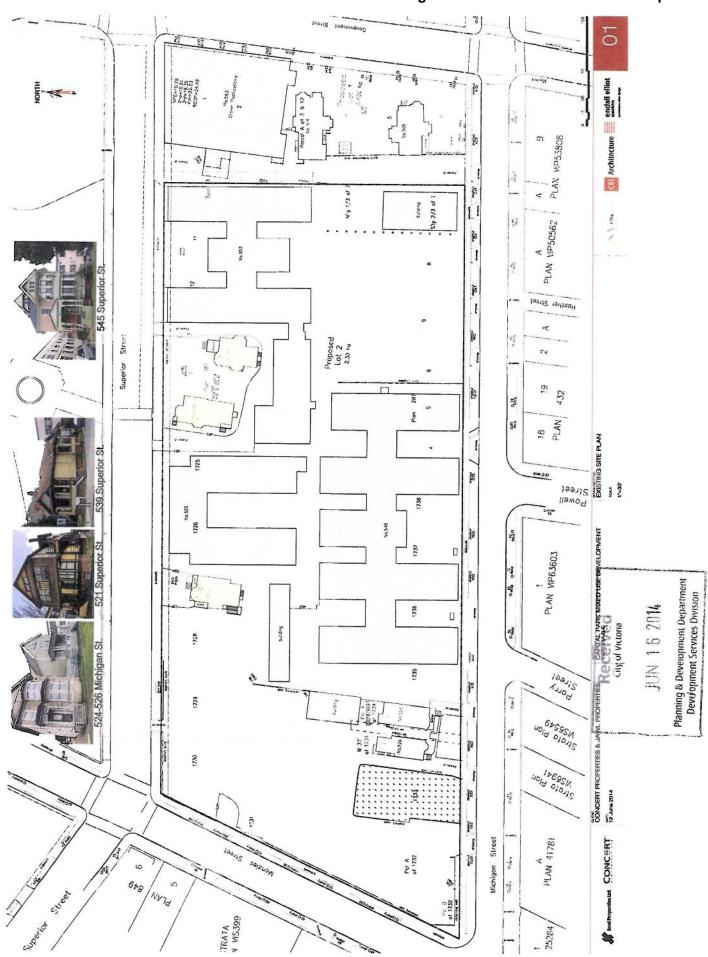
539 Superior Street Heritage Alteration Permit #00187

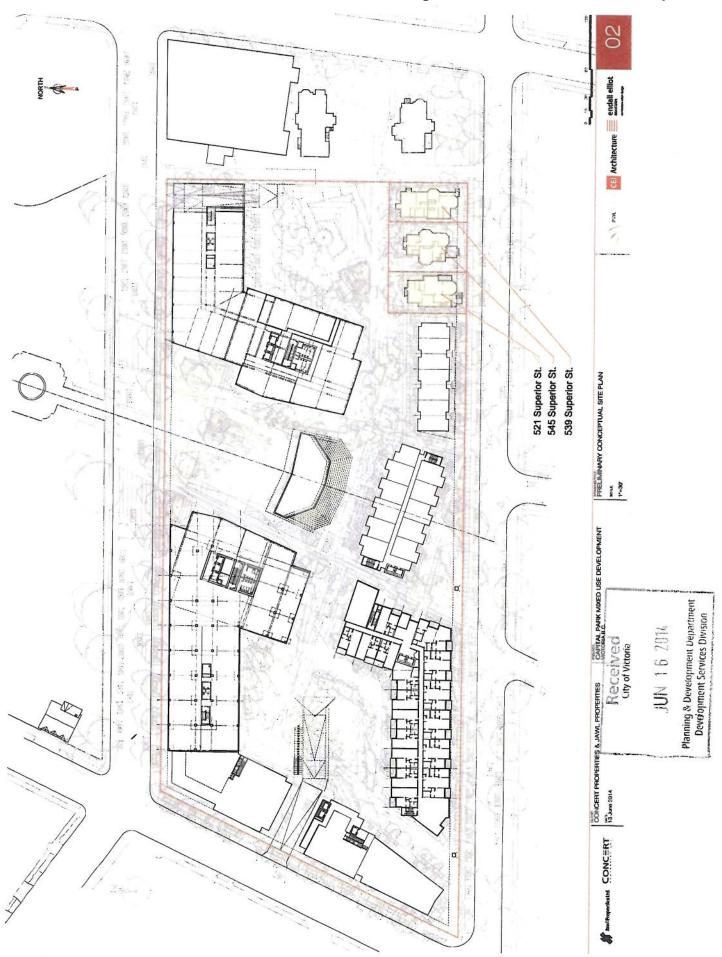
CITY OF VICTOR RANGE



545 Superior Street Heritage Alteration Permit #00185







South Block Development Corporation

Heritage Application for 545 Superior Street

3350 Douglas St. - Suite 100 Victoria, BC V8Z 3L1 Phone: 250 475-0338 Fax: 250 475-0339

June 16, 2014

Re:

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

Attention: Mayor and Council

Received
City of Victoria

JUN 16 2014

Planning & Development Department Development Services Division

Dear Mayor and Council,

Please accept this application outlining the heritage conservation plan for 545 Superior Street which is currently located on the South Block lands in James Bay. This house, along with four others, was acquired by South Block (Concert) Ltd. and Jawl Precinct Lands Corporation (collectively the 'Developer') in connection with a land purchase from the Province of British Columbia of a parcel totaling approximately 6 acres bounded by Superior Street, Michigan Street and Menzies Street and a lot retained by the province which is home to the Queen's Printer and two heritage houses (the 'Redevelopment Lands'). A comprehensive redevelopment plan is being prepared for the overall site and will be the subject of future land use applications to be made to the City of Victoria.

The five heritage houses located on the Redevelopment Lands are listed on the City of Victoria's Heritage Register. The conceptual redevelopment plan for South Block provides for the retention of the three houses currently located on Superior Street which are proposed to be relocated to the southeast quadrant of the Redevelopment Lands. This relocation strategy is intended to facilitate the creation of a unified cluster of heritage homes along Michigan Street complementing and reinforcing the heritage context of the two adjacent heritage houses that front on to Government Street that are owned by the Province. The Developer is proposing to relocate the two heritage houses which currently are sited on Michigan Street elsewhere within the James Bay community in a location which reinforces their heritage value. We believe that this relocation strategy will improve the context of all of the heritage homes and further facilitate the execution of a comprehensive and high quality redevelopment of the South Block lands showcasing high quality residential, office and retail premises, leading edge sustainable design, and a well-appointed and accommodating public realm.

Since the mid-1990s, the South Block lands 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 the Redevelopment Lands by the Province to the Developer in early 2014, the overall Victoria Accord was disassembled and its provisions allocated to the resulting subdivided parcels. The provisions allocable to each land parcel (including the Redevelopment Lands) 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. Within the section 219 covenant related to the Redevelopment Lands, Section 9.0 relates to the five heritage registered homes currently situated on the site. This section 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.

Through this application the Developer is seeking confirmation that the measures outlined in the enclosed Conservation Plan and the proposed relocation 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, when executed, are acceptable to the City of Victoria and compliant with the requirements described in the covenant.

In discussions with Planning Staff, it was deemed acceptable to submit applications for the heritage houses at this juncture as it will facilitate a number of objectives:

- As described in the attached Conservation Plans, the intent is to relocate the two Michigan Street houses within James Bay. In order to identify potential recipient sites it is necessary to confirm site criteria and conservation requirements. Approval of the conservation plan in principle will facilitate the ability of the Developer to begin the process of identifying and securing receiver sites.
- The Developer is in favour of identifying and relocating the two Michigan Street houses in a timely manner for a number of reasons:
 - Community consultation completed to date has revealed a strong interest in seeing these
 houses revitalized as soon as possible as opposed to waiting until the development of the
 first office building on the Redevelopment Lands.
 - The Developer would like to be able to provide the community and City with a higher degree of confidence and certainty regarding the future of these two houses which will be achieved by securing acceptable receiver sites for the houses.
 - The houses are very much in need of maintenance work, painting in particular, and it would be beneficial to get this work done in a timely manner so as to avoid further deterioration of the structures. This work will occur subsequent to relocation.

The material presented in the Conservation Plan was informed by the team of professionals engaged to oversee the revitalization of this special heritage resource which includes a heritage consultant, heritage architect, structural engineer, trades specializing in heritage conservation, Nickel Brothers and in-house expertise.

We recognize the value this house has to the community and look forward to seeing it revitalized to a condition that we can all be proud of. If you have any questions regarding this application or would like a tour of the house please feel free to contact the undersigned at (250) 414-4172 or karen.jawl@jawlproperties.com.

Sincerely,

South Block Development Corporation

Karen Jawl

CAPITAL PARK, VICTORIA Planning and Land Use Committee - 04 Sep 2014 Output Description: Output Descripti

521 SUPERIOR STREET

DRAFT CONSERVATION PLAN - JUNE 2014



DONALD LUXTON AND ASSOCIATES INC

DONALD LUXTON AND ASSOCIATES INC.

1030 - 470 GRANVILLE STEET VANCOUVER BC V6C 1V5 info@donaldluxton.com 604 688 1216 www.donaldluxton.com



TABLE OF CONTENTS

1. INTRODUCTION	4
2. HISTORY	6
3. STATEMENT OF SIGNIFICANCE	18
4. CONSERVATION GUIDELINES	
4.1 STANDARDS AND GUIDELINES	
4.2 CONSERVATION REFERENCES	21
4.3 GENERAL CONSERVATION STRATEGY	22
4.4 SUSTAINABILITY STRATEGY	23
4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS	25
4.5.1 BRITISH COLUMBIA BUILDING CODE	25
4.5.2 ENERGY EFFICIENCY ACT	
4.5.3 HOMEOWNER PROTECTION ACT	26
4.6 SITE PROTECTION	27
5. CONSERVATION RECOMMENDATIONS	28
5.1 SITE	28
5.2 OVERALL FORM	30
5.3 FOUNDATION	
5.4 EXTERIOR WOOD FRAME WALLS	33
5.5 FRONT PORCH/ BALUSTRADE	35
5.6 FENESTRATION	37
5.6.1 WINDOWS	37
5.6.2 DOORS	42
5.7 ROOF	43
5.7.1 CHIMNEYS	44
5.8 INTERIOR FEATURES	45
5.9 EXTERIOR COLOUR SCHEDULE	47
6. RESEARCH SUMMARY	48



1. INTRODUCTION

SUBJECT PROPERTY: 521 SUPERIOR STREET

VICTORIA, BC

HERITAGE STATUS: VICTORIA HERITAGE REGISTER

The block to the south of the BC Parliament Buildings was once a resource-rich traditional hunting and gathering territory for the Esquimalt and Songhees (Lekwungen) First Nations, known as "Whosaykum" after the tidal mud flats that once existed where the Empress Hotel now stands. This is the traditional territory of the Lekwungen People.

Historically and visually, this block is an important site that exists within the context of iconic structures that symbolize Imperial ambition and grandeur, as well as the grand architectural vision of Francis Rattenbury, including the Empress Hotel, the Legislative Buildings, the Crystal Garden and the CPR Marine Terminal. The area's planning and policy framework touches upon the planning frameworks for the Inner Harbour, the Legislative Precinct and the James Bay neighbourhood. Over time, the expansion of government services and buildings has included expansion to the south, which has caused the ongoing relocation of a number of early residential buildings.

The Capital Park site encompasses nearly every parcel bounded by Superior Street on the north; Government Street on the east; Michigan Street on the south and Menzies Street on the east. Within the site, there are five historic houses, which have been located on the block for more than a century. Two of the houses were originally built on the north side of Superior Street, but the expanding British Columbia

Parliament necessitated their relocation in 1910. During that summer, fifteen houses in the immediate area were moved from their original location behind the Parliament Building to make room for the additional government facilities. One of the relocated houses, now located at 521 Superior Street, was originally constructed directly across the street, at 522 Superior Street, and was purchased by Charles Cameron in an auction. The other relocated house, now standing at 524 Michigan Street, was originally located at 548 Superior Street and was purchased and moved by C.F. Beaven. The 1910 auction and sale lists of the fifteen moving houses, offer a glimpse into the real estate environment of Victoria during the booming Edwardian era of the early twentieth century.

The five heritage houses remaining on the Capital Park site are 521 Superior Street, 539 Superior Street, 545 Superior Street, 524 Michigan Street and 526 Michigan Street.

A century after the Edwardian era government expansion, the Legislative district is again growing, and Capital Park's extant heritage resources are again in the midst of a changing real estate development landscape. The historic houses, some already moved once, are poised to shift in order to accommodate the need for additional government office space. The heritage value and character-defining elements of 521, 539 and 545 Superior Street are outlined in the following pages.

INTRODUCTION



Capital Park, Existing.

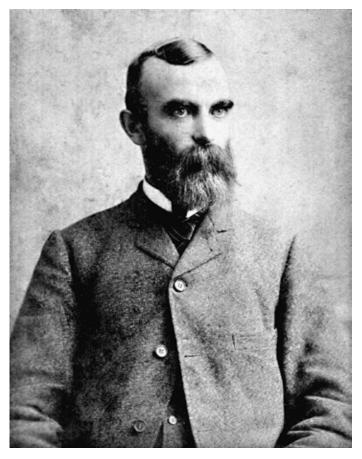


Proposed Rendering by Endall Elliott Associates Architects.



2. HISTORY

ORIGINAL ARCHITECT: CORNELIUS JOHN SOULE



(From Building the West, page 181-185)

Cornelius Soule was both adventurous and versatile. He left his London, England home at about twenty years of age to find his own way in life. In addition to architecture he was talented in other fields. Alluding to what he termed "graft," which he felt was rampant in the architectural community, he turned from design to farming, and his wife's teaching salary, to sustain him in his later years.

Soule was born in Paddington, London, England, on April 14, 1851, the only son of Cornelius and Mary (Cole) Soule. His paternal grandfather, also Cornelius, was a surveyor and possibly had some influence over his education. Young

Cornelius trained as an architect at the prestigious School of Science and Art at South Kensington, where he won a Queen's Prize for design, and prizes and certificates for other subjects. He studied his profession in the offices of a leading London architect. Soon after completing his architectural training, he travelled to America, where he was engaged by architects in Boston and Cleveland. In 1872, while living in the United States, Soule received a commission for a high school in Campbellford, Ontario. He moved to Canada and settled in Port Hope, as the town was in need of a resident architect. There he met Anna Rubidge, the daughter of a prominent Port Hope lawyer. They were married on October 5, 1875. Children soon followed, starting with their daughter, May. In December of 1876 Soule opened an office in the town of Guelph, Ontario, and only a few weeks later petitioned the council for the position of town architect. Soule also opened a branch office in Galt. During the period 1876 to 1881 he worked on a number of large and prominent residential commissions in Ontario.

Despite his success, in 1881 Soule left Guelph intending to go to Denver, Colorado, where his wife had relatives. However the next record of him is in Portage La Prairie, Manitoba, where he designed the Methodist Church in April, 1882, and where, in the same year, his son Norman was born. From 1882-86 he moved around, and combined professional photography with architecture. He built the camera that he used to take pictures along the Canadian Pacific Railway and to record other events in early western Canada. One theory is that he did this to travel for free on the train to the next boomtown, where he might find an architectural commission. His photographs captured an important period in Canadian history, the coming of the railway, and events, people, and places related to First Nations unrest and the Riel Rebellion. During the spring and summer of 1883 he advertised his services as an architect in Brandon, but by the late summer had moved on to Calgary, where he advertised as an architect and a photographer. The fall of 1885 found him in Regina. In his travels it seems likely that he came as far west as Vancouver and Victoria.

HISTORY

Soule and his family moved back to Guelph around 1886 where he resumed his architectural practice. His son, David, was born there. Finally, in February of 1890 he arrived in Victoria and opened an office. His first known commission was a home for Frederick James Claxton, a realtor. He also designed homes for William Dalby, Claxton's partner, in a similar style to Claxton's, and Joseph Clearihue, both 1890. In 1891, he designed St. Paul's Presbyterian Church in Victoria West and his most notable commission in Victoria, the Willows Agricultural Exhibit Hall. It was a fantastic wood and glass structure sporting towers, bridges and an ornate fountain. Hailed as a significant landmark in the history of exhibition architecture in Canada, this exuberant structure was destroyed by fire in 1907. Also in 1891, he designed the three-storey brick Rock Bay Hotel, and additions for Major Dupont's home Stadacona.

In September 1891, Soule took as a partner Robert Scott Day. Born in the city of Cork, Ireland in 1858, Day graduated with a Bachelor of Civil Engineering degree, and then articled in architecture in the office of Thomas Drew, Dublin, as well as the offices of various London architects. Prior to coming to Canada, he practised for five years in the South African diamond fields where his commissions included the Kimberley Stock Exchange and the head office of DeBeers Consolidated Mines. He met and married his wife, Lilla Swanson, in Kimberley, South Africa in 1888, and they had six children. In 1891 Day arrived in Victoria, attracted by his family's considerable property holdings in the province. The work of Soule & Day included the Point Comfort Hotel on Mayne Island, 1892-93, a popular holiday resort for many years. It was reported in the Daily Colonist on January 1, 1893: "It is not designed to take the name of "Point Comfort" in vain, but by managing the establishment along the lines of an old English inn, to give all the "comforts" which the name suggests... In this mild and balmy atmosphere those in search of health can regain their shattered strength and take on a new lease of life. On the other hand the well and vigorous in search of recreation will here find themselves in a veritable sportsman's paradise. The fishing along the beach is noted as the finest in British Columbia. The members of the finny tribe swarm in profusion and range in variety from the herring to the salmon."

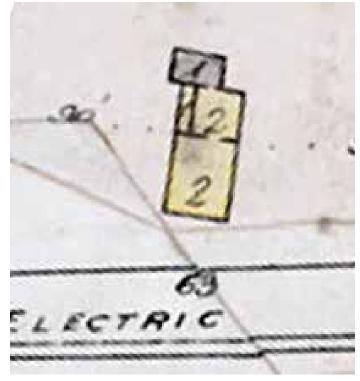
Soule & Day also won the commission for Victoria's North Ward School, 1893-94, in a competition which included other such notable architects as T.C. Sorby, Thomas Hooper, and W. Ridgway-Wilson, whose second place offering was built as South Park School. The Soule & Day partnership was dissolved early in 1894. In 1895 Robert Day was advertising his services as an architect, but by 1897 he had taken up a career as a land, mining and insurance agent. Day's home, Dereen, had a prestigious address on Rockland, and still stands on Dereen Place. Day died December 6, 1920, after succumbing to shock from injuries sustained in a fall on the night of November 26. He had dropped his wife and daughter off at the Empress Hotel to attend the Jubilee Hospital annual ball, and had gone to park the car. Getting out of the car in the dark he fell off a parapet, a sheer drop of several feet, and lay unconscious for almost forty minutes in the cold and rain before being discovered and taken to the hospital.

In June of 1892 the British Columbia Institute of Architects was officially registered, and Soule became its second Vice-President, and in 1894 its Vice-President. He also competed, along with many other architects, for the design of the British Columbia Parliament Buildings in 1892. In 1898 Soule opened an office in Vancouver in partnership with Samuel Maclure, which according to directories lasted until the following year but informally may have lasted longer. A mansion built in 1899 for Sir Charles Hibbert Tupper, named Parkside, could have been a product of this partnership; however, the Vancouver World newspaper of the day gave sole credit to Soule as architect. The mansion stood on the brow of a hill at the corner of Barclay and Chilco overlooking the Stanley Park Zoo. In 1899 Soule's eldest daughter, May, married Henry Woodward, a Port Alberni rancher. Another local architect, A. Maxwell Muir, was best man.



In 1901 he competed in the design for the Lieutenant Governor's residence, coming in second to Byrnes & Sait. Mysteriously, Rattenbury and Maclure, who were not entered in the competition, jointly ended up with the commission. By November 1903, Soule had an office in Edmonton. He had just called for tenders for the erection of a brick and stone building for the Bank of Commerce when he was abruptly called home to Victoria, owing to the serious illness of his wife, who died November 21 of pneumonia. After his wife's death, Soule gave up his practice of architecture, moved to Fulford Harbour on Salt Spring Island, and took up farming. He occasionally worked for other architects such as Russell & Babcock, in Tacoma, Washington in 1906 and J.C.M. Keith in 1908. In 1908 Soule was married for a second time, to Mary Emma Schultz, a teacher from Brantford, Ontario, and in the following year their only son, Rupert Frederick was born. Victoria endured a record snowfall in February, 1916, and the following year the family moved to Los Angeles. In 1918 they returned to British Columbia, saying that the California weather was too hot, and that they had to put damp sheets up to the open windows to keep the house cooler and to control the dust.

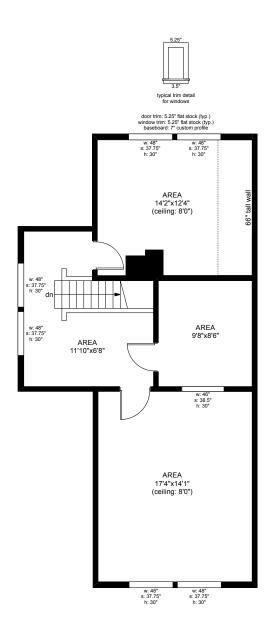
Over the next few years Soule divided his time between Coldstream, near Vernon, and Milne's Landing, near Sooke, where he farmed his property on Soule Road. Mary taught school at Coldstream. In 1921 she and Rupert moved to Milne's Landing where Soule had completed the building of their small farmhouse. Mary taught school at the William Head Quarantine Station during the week and spent her weekends at home. In 1939, Cornelius Soule died at the age of eighty-eight, and was buried at the Saseenos cemetery near Milne's Landing.



Original location of the Jameson Residence at 69 Superior Street. [1891 Fire Insurance Map, Victoria, updated to 1895]

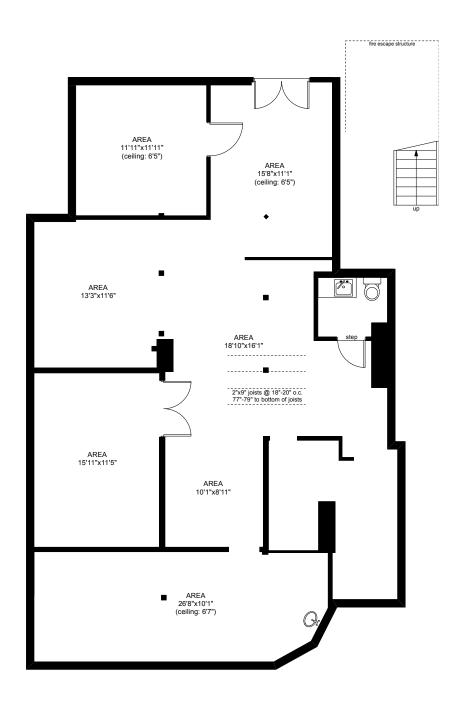
HISTORY



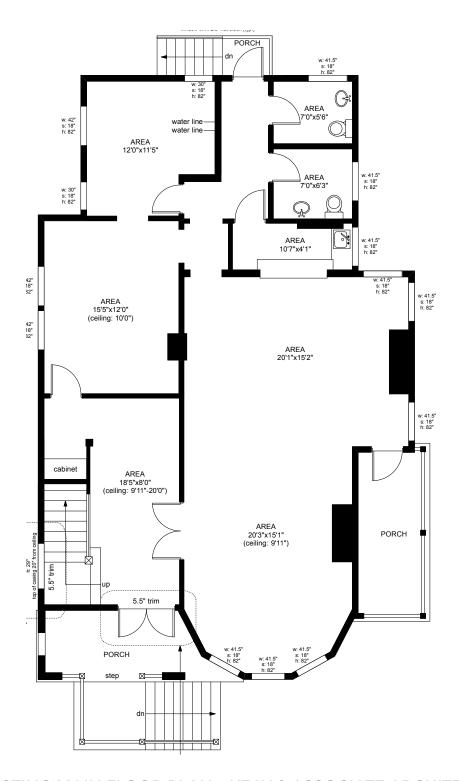


EXISTING ATTIC PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY

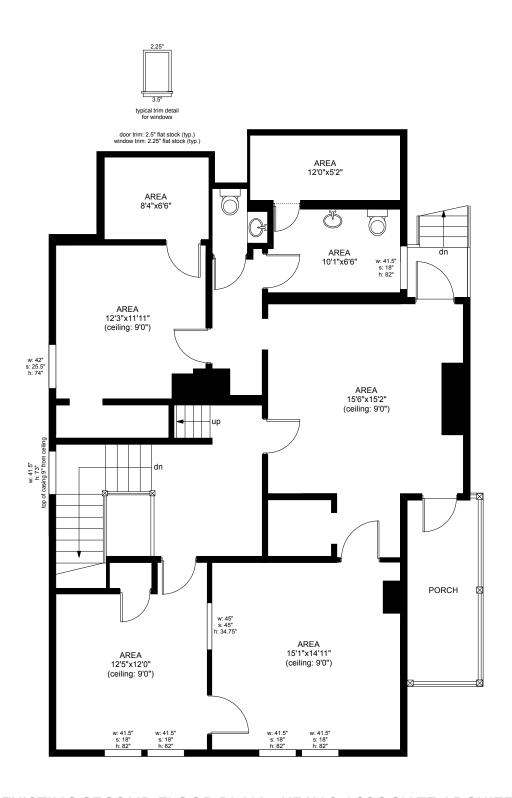


EXISTING BASEMENT PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.



EXISTING MAIN FLOOR PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING SECOND FLOOR PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.



EXISTING FRONT (NORTH) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING SIDE (WEST) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.



EXISTING REAR (SOUTH) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING SIDE (EAST) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.



3. STATEMENT OF SIGNIFICANCE



Construction Date: 1892; relocated in 1910

Architect: Cornelius John Soule

Original Owner: Robert H. and Mary Jameson

Later Owner: Charles Napier Cameron **Original Address:** 522 Superior Street

Description of Historic Place

The Jameson Residence is a large, two and one-half storey, wood-frame Queen Anne Revival style dwelling situated on the south side of Superior Street in the Legislative Precinct of the historic James Bay neighbourhood of Victoria. This historic resource is notable for its asymmetrical massing with multi-gabled rooflines, patterned shingle siding, tall red brick chimneys, recessed front porch, boxy columns and carpenter ornamentation.

Heritage Value of Historic Place

Constructed in 1892, the Jameson Residence represents an important phase of growth in Victorian-era development in the city of Victoria as well as the neighbourhood of James Bay. 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 Jameson Residence is valued as an example of James Bay's eclectic architectural expression and as a superior example of the Queen Anne Revival style, as designed by architect Cornelius J. Soule (1851-1939). Design features include picturesque asymmetrical massing, a richly-articulated façade that features patterned shingles, pronounced brackets and a recessed porch. Soule was born and trained in London, England, and after practising in England and the United States, moved to Ontario. He relocated to Victoria in 1890, where he subsequently established a successful practice, designing the Lange Block on Douglas Street and many residences for wealthy city businessmen. Soule's most prestigious commission was the Willows Agricultural Exhibit Hall, 1891.

STATEMENT OF SIGNIFICANCE

The Jameson Residence holds additional value for its ties to Robert and Mary Jameson, prominent local business owners. Originally from Scotland, Robert Jameson travelled to New York in 1863 and subsequently to Florida, before arriving in Canada in the late 1860s. He first settled in Whitby, Ontario where he met and married Mary in 1869. In 1888, after a visit to Victoria, the Jamesons moved here and opened and operated a grocery business. This evolved into a successful coffee and spice company, known as the W.A. Jameson Coffee Co, which was named after the couple's son, William Alexander. In addition to his business endeavors, Robert was a member of the Canadian Legion, the Campaigner's Association, the IOOF, and the Burns Club. The Jamesons occupied the house from its completion in 1892 until 1908, when sealer and master mariner, Captain Melville Fixott Cutler purchased the house. One year later, the Provincial Government purchased the site in anticipation of the construction of the new Legislative Library. Eleanor and Charles Cameron purchased the house from the government in April of 1910 during an auction held on the front steps. The couple moved the house across the street to its present location, to the lot where they had been living in a smaller cottage since 1884; upon purchase of the larger residence, the Camerons moved their original home to nearby 543 Michigan Street (demolished in 1967) and resided in the 'new' 521 Superior Street. The Camerons remained in the house until 1931, when the government again acquired it.

The Jameson Residence continues to express the community value of the James Bay neighbourhood, the city's oldest Garden City suburb that encompasses a mix of residential, commercial and bureaucratic uses. It also demonstrates the ongoing expansion of the B.C. Parliament from the time of its early establishment in the Birdcages.

Character-Defining Elements

Key elements that define the heritage character of the Jameson 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; picturesque roofline with steeply-pitched, front-gabled roof with projecting side gables; recessed corner porch with inset entry and three-sided bay; and double height corner porch on west elevation:
- construction materials including: wood-frame structure; wooden drop siding with cornerboards; patterned wooden shingles, including distinctive wavy pattern; and red brick foundation and chimneys;
- Queen Anne Revival style details such as: picturesque asymmetrical massing; richly textured surface articulation including patterned diagonal and vertical siding on the front façade; arched brackets at entry; balustrades with inset panels with bulls-eyes; carved cut-away brackets; sunburst design in gable peaks; panelled detailing on front façade; and half-timbering in side and rear gable peaks;
- original window assemblies including: 1-over-1 doublehung wooden sash windows with horns; multi-paned casement windows; stained glass window in entry hall; and 4-over-1 and 2-over-2 double-hung wooden sash windows;
- panelled double wooden front door with glazed insets and etched-glass transom above, and panelled balcony doors with multi-paned glazed insets and transoms; and
- tall internal corbelled red brick chimneys.



4. CONSERVATION GUIDELINES

4.1 STANDARDS AND GUIDELINES

521 Superior Street is a listed residential heritage building on the Victoria Heritage Register, and is a significant historical resource in the City of Victoria. The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (2010) is the source used to assess the appropriate level of conservation and intervention. Under the Guidelines, the work proposed for the house includes aspects of preservation, rehabilitation and restoration.

PRESERVATION: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

RESTORATION: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

REHABILITATION: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to 521 Superior Street should be based upon the Standards outlined in the *Standards and Guidelines*, which are conservation principles of best practice. The following *General Standards* should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

- Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.
- 2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
- 5. Find a use for a historic place that requires minimal or no change to its character defining elements.
- 6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
- Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- 8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

CONSERVATION GUIDELINES

 Make any intervention needed to preserve characterdefining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails the Preservation and Rehabilitation of the exterior and parts of the interior of 521 Superior Street. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.

http://www.historicplaces.ca/en/pages/standards-normes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

http://www.nps.gov/tps/how-to-preserve/briefs/10-paint-problems.htm

Preservation Brief 31: Mothballing Historic Buildings. http://www.nps.gov/tps/how-to-preserve/briefs/31-mothballing.htm

Preservation Brief 33: The Preservation and Repair of Historic Stained and Leaded Glass.

http://www.nps.gov/tps/how-to-preserve/briefs/33-stained-leaded-glass.htm

Preservation Brief 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing.

http://www.nps.gov/tps/how-to-preserve/briefs/37-lead-paint-hazards.htm

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront. http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic

http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-retrofit.htm

Preservation Brief 45: Preserving Historic Wooden Porches. http://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm



4.3 GENERAL CONSERVATION STRATEGY

OVERALL STRATEGY

The conservation strategy for the five houses of Capital Park includes relocation, with the primary intervention being rehabilitation, including elements of preservation and restoration for each house. Three houses will be retained on the block (521, 539 and 545 Superior Street) and the other two houses (524 and 526 Michigan Street) will be relocated offsite. A comprehensive redevelopment plan for the site is being prepared by Endall Elliot Associates Architects in association with CEI Architects. The rehabilitation plans for the houses are being prepared by Keay & Associate, Architecture Ltd.

There is sufficient room onsite to retain three houses as part of the comprehensive redevelopment; the intent is to relocate the houses towards the southeast corner of the site, to create a heritage grouping that addresses the residential context on Government and Michigan Streets, including the two adjacent existing heritage houses facing Government Street. Two of the houses (521 Superior and 524 Michigan) were previously relocated to the site.

The three Superior Street houses have been chosen for retention onsite for the following reasons:

- They currently exist as a grouping in relative association with each other, and would be rotated 180 degrees.
- These three are the most architecturally impressive of the five houses, and will form a strong grouping of houses of similar style, age and detailing.
- The three Superior Street houses include the most impressive and intact interior detailing, features of which can be preserved through the proposed use.
- Built as a rental property, 524 Michigan which
 has already been relocated once is a handsomelydetailed, but typical Italianate house similar to others
 found in James Bay, and can exist comfortably on a
 new site. It has very few significant interior features,
 and would lend itself to more flexible uses.

 Built as a boarding house, 526 Michigan is the most utilitarian of the houses, but has sufficient character when restored to exist on a new site. It also has very few significant interior features, and would lend itself to more flexible uses.

Based on this analysis, and study of their final appearance as a heritage streetscape, the Superior Street houses will be grouped along Michigan Street, and the Michigan Street houses will be offered for relocation within James Bay.

521 SUPERIOR STREET STRATEGY

The houses will be relocated from its existing location, along with 539 and 545 Superior Street, as part of the redevelopment scheme of the site. The primary intent is to preserve the existing historic structure, while undertaking a rehabilitation that will upgrade its structure and services to increase functionality for residential and/or commercial use in a new location. As part of the scope of work, character-defining elements will be preserved, while missing or deteriorated elements will be restored.

Proposed Redevelopment Scheme

The major proposed interventions of the overall project are to:

- Preserve the historic structure.
- Relocate the structures to new adjacent sites within the James Bay neighbourhood.
- Preserve character-defining elements that are extant.
- Restore character-defining elements that have been removed or altered.
- Upgrade the structures and services to increase functionality for residential and/or commercial use.

CONSERVATION GUIDELINES

The house is proposed to be relocated within the James Bay neighbourhood of Victoria. The following *Relocation Guidelines* should be implemented for the relocation of the residence:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant. This can involve removal of later additions that are not enhancing the heritage value and historic appearance of the heritage house.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure, fenestration and exterior siding. Preserve brick chimneys in situ, where applicable, and relocate with the main structure, if possible. Alternatively reconstruct chimneys with salvaged bricks to match historic appearance, if unable to relocate with the main houses due to structural reasons.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.

4.4 SUSTAINABILITY STRATEGY

Sustainability is most commonly defined as "meeting the needs of the present without compromising the ability of future generations to meet their own needs" (Common Future. The Bruntland Commission). The four-pillar model of sustainability identifies four interlinked dimensions: environmental, economic, social and cultural sustainability, the latter including the built heritage environment.

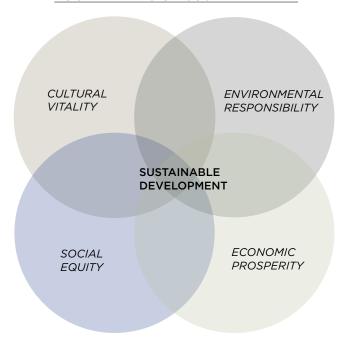
Current research links sustainability considerations with the conservation of our built and natural environments. A competitive, sustainable economy requires the conservation of heritage buildings as an important component of a high quality urban environment.

"We need to use our cities, our cultural resources, and our memories in such a way that they are available for future generations to use as well. Historic preservation makes cities viable, makes cities liveable, makes cities equitable."
(Economic Benefits of Preservation, Sustainability and Historic Preservation)

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by:

- Reducing solid waste disposal (reduced impact on landfills and their expansions);
- Saving embodied energy (defined as the total expenditure of energy involved in the creation of the building and its constituent materials);
- Conserving historic materials that are significantly less consumptive of energy than many new replacement materials (often local and regional materials, e.g. timber, brick, concrete, plaster, can be preserved and reduce the carbon footprint of manufacturing and transporting new materials).

FOUR PILLARS OF SUSTAINABILITY



The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for 521 Superior Street.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for the three houses.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

Energy Efficiency Considerations

- Identifying the historic place's heritage value and character-defining elements — materials, forms, location, spatial configurations, uses and cultural associations or meanings.
- Complying with energy efficiency objectives in such a manner that character-defining elements are conserved and the heritage value maintained.
- Working with energy efficiency and conservation specialists to determine the most appropriate solution to energy conservation problems that will have the least impact on character-defining elements and the overall heritage value.
- Weighing the total environmental cost of energy saving measures against the overall environmental costs of retaining the existing features or fabric, when deciding whether to proceed with energy saving measures.

CONSERVATION GUIDELINES

Buildings: Insulation

- Exercising caution and foreseeing the potential effects
 of insulating the building on the envelope system so as
 to avoid damaging changes such as displacing the dew
 point and creating thermal bridges.
- Installing thermal insulation in attics and in unheated cellars and crawl spaces to increase the efficiency of the existing mechanical systems unless this could adversely affect the building envelope.
- Installing insulating material on the inside of masonry and wood-frame walls to increase energy efficiency where there is no character-defining interior moulding around the windows or other character-defining interior architectural detailing.

Buildings: Windows

- Utilizing the inherent energy conserving features of a building by maintaining character-defining windows and/or louvered blinds in good operating condition for natural ventilation.
- Improving thermal efficiency with weather-stripping, storm windows, interior shades and, if historically appropriate, blinds and awnings.

Buildings: Entrances and Porches

 Maintaining character-defining porches and double vestibule entrances so that they can retain heat or block the sun and provide natural ventilation.

Buildings: Mechanical Systems

 Improving the energy efficiency of existing mechanical systems by installing insulation in attics and basements, unless this could adversely affect the building envelope.

The conservation recommendations recognize the need for sustainable interventions and adhere to the Standards and Guidelines as outlined.

4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS

As a Municipal Heritage Register-listed site, 521 Superior Street will eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the "Alternative Compliance Methods for Heritage Buildings."

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.



These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010) for further detail about "Energy Efficiency Considerations."

4.5.3 HOMEOWNER PROTECTION ACT

The Homeowner Protection Act was implemented in 1998 as a means to strengthen consumer protection for the purchase of new homes. The act was passed following a commission of enquiry into the leaky condo crisis, and was intended on protecting homeowners by ensuring home warranty insurance was provided on new construction, covering two years on labour and materials, five years on the building envelope and 10 years on the structure of the home. As the Act was intended to regulate new construction, considerations were not taken of buildings that have remained in sound condition for a many number of years that already far exceeded what the HPA requires for a warranty on a new home. The act did not take into consideration the protection of heritage projects, and consequently resulted in the loss of significant heritage fabric through the requirement of new windows and rainscreen wall assemblies on residential heritage rehabilitation projects. An example being the requirement to remove original wooden siding that has successfully protected the building for 100 years, and replace it with a rainscreen assembly that is only warrantied for five years. Not only was valuable heritage fabric lost, but new materials will likely not last nearly as long as the original.

Amendments to the Homeowner Protection Act Regulation made in 2010 allow for exemptions for heritage sites from the need to fully conform to the BC Building Code under certain conditions, thus removing some of the barriers to compliance that previously conflicted with heritage conservation standards and guidelines. The changes comprised:

- an amendment to the Homeowner Protection Act Regulation, BC Reg. 29/99 that allows a warranty provider, in the case of a commercial to residential conversion, to exclude components of the building that have heritage value from the requirement for a warranty, and
- 2. clarification of the definition of 'substantial reconstruction.' The latter clarification explains that 75% of a home must be reconstructed for it to be considered a 'new home' under the Homeowner Protection Act, thus enabling single-family dwelling to multi-family and strata conversions with a maximum of 75% reconstruction to be exempt from home warranty insurance. The definition of a heritage building is consistent with that under the Energy Efficiency Act.

The property falls into the second category, as the proposed project involves retaining a high degree of the original structure and less than 75% of the house will be reconstructed. Consequently, this project is not considered a substantial reconstruction as per the amended definition in the Homeowners Protection Act, and will be exempt from the requirement of a warranty. This amendment will enable a higher degree of retention and preservation of original fenestration, siding and woodwork.

CONSERVATION GUIDELINES

4.6 SITE PROTECTION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the house is left vacant, it should be secured against intrusion and vandalism through the use of appropriate fencing and security measures. This is especially important if the building is missing windows or doors or is left elevated for any period of time. Security measure may include mothballing the historic property and/or hiring a security guard for the duration of the work. Generally, once a heritage property is no longer undergoing rehabilitation work and is under occupancy of its owners, lockable doors and lower level windows and continued monitoring by the owners should be adequate protection.

A comprehensive site protection plan has been developed, and the following measures are being carried out:

- House is checked weekly by security.
- House has been secured.
- Landscaping is being maintained.
- Roof has been checked for water tightness.
- Any changes are noted on a weekly basis.

A condition review of the Jameson Residence was carried out during a site visit in March, 2014. In addition to the visual review of the exterior of the home, paint samples were taken from exterior building materials and examined. The recommendations for the preservation and rehabilitation of the historic façades are based on the site review, material samples and archival documents that provide valuable information about the original appearance of the historic building. The following chapter describes the materials, physical condition and recommended conservation strategy for the Jameson Residence, based on Parks Canada's *Standard and Guidelines for the Conservation of Historic Places in Canada* (2010).

5.1 SITE

The Jameson Residence is located in the historic James Bay neighbourhood of Victoria. The house was relocated from its original location following the government acquisition of the surrounding block. The intent of the purchase from the provincial government was to use the land to build government buildings. The house was purchased by a private owner soon after, and was relocated across the street from its original location, where it resides today. As part of the redevelopment plan, the house will again be relocated, along with 539 and 545 Superior Street, to a nearby site within the James Bay neighbourhood.

All heritage resources within the site should be protected from damage or destruction at all times. Reference **Section 4.6: Site Protection** for further information.

Conservation Recommendation: Relocatation and Rehabilitation

- Building will be relocated, and will stay within the James Bay neighbourhood.
- New site will be rehabilitated to accommodate the new foundations.
- Any new landscaping should be setback from the perimeter of the house to prevent potential damage to the exterior elevations.

The following *Relocation Guidelines* should be implemented for the relocation of the Jameson Residence:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant. This can involve removal of later additions that are not enhancing the heritage value and historic appearance of the heritage house; for example, the rear exit stair.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with shingle and horizontal drop siding, wood sash windows and frontgabled roof structure as much as possible. Preserve brick chimneys in situ and relocate with the main structure, if possible. Alternatively reconstruct chimney with salvaged bricks to match historic appearance, if unable to relocate with the Jameson Residence due to structural reasons.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab. The foundations above grade, as viewed from the exterior, should be red brick to match original. If possible, salvage and reinstate original bricks from foundation level.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.



Front elevation.



5.2 OVERALL FORM

The historic house's residential form, scale and massing as expressed by two and one-half storey height, picturesque roofline with steeply-pitched, front-gabled roof with projecting side gables, recessed corner porch with inset entry and three-sided bay, and double height corner porch on west elevation is a character-defining elements of the historic house, which should be preserved. A large shed-roofed extension is extant on the rear side of the house, but the floor plan as noted in the Victoria 1891 (updated to 1895) Fire Insurance Map suggests the rear shed-roofed extension is original to the 1892 house. A large exterior exit stair has been installed on the rear of the building, adjacent to the shed-roofed extension, which is unsympathetic to

the historic structure and should be removed. As part of the redevelopment scheme, the overall form, scale and massing of the Jameson Residence will be retained during the relocation of the house, and the original configuration will be preserved on the new site. Any new additions to the house should be reviewed by the Heritage Consultant, and should be distinguishable and removable from the historic structure.

Conservation Strategy: Preservation and Rehabilitation

- Preserve the overall form, scale and massing of the building.
- Remove unsympathetic rear exit stair addition.
- The historic front façade should be retained.



Rear elevation - note external stair addition.



Rear elevation.



5.3 FOUNDATION

The Jameson Residence features exposed red brick foundations, which are a character-defining element, and are original to the 1910 relocated house. Due to the proposed relocation of the house, new foundations will be required. Concrete is a suitable material for new foundations, but all visible exterior surfaces above-grade should be finished in brick to match original. If possible, salvage original brickwork and reinstate following relocation of the house. If bricks are not salvageable, then all exterior surfaces of brick foundation should be well document to ensure new foundations accurately replicate originals, including window openings, brick bond and pointing profile. Any new material should match original. Front foundation window openings should be reinstated as per original, but side and rear window opening configuration in foundation may be rehabilitated.

Red brick foundations.

Conservation Strategy: Rehabilitation

- New foundations are required at the new site, and concrete is a suitable material.
- Salvage original foundation brickwork and reinstate following relocation of the house. Brick can be reinstated as an exterior veneer if concrete is to be used for foundations at new location. Any new material above ground should match original in appearance, as viewed from the exterior. Red brick should be used, in a matching configuration to original.
- Front window openings at foundation level should be retained. Side and rear configuration may be rehabilitated.
- To ensure the prolonged preservation of the new foundations, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage. Any landscaping should be set back from the exterior elevations of the house to help prevent against unnecessary moisture damage.



Red brick foundations, vertical wood skirting around porch.

5.4 EXTERIOR WOOD FRAME WALLS

The Jameson Residence features original wood construction materials, including its wood-frame structure, wooden drop siding with corner boards, water table board and patterned wooden shingles. The richly textured surface articulation, specifically the patterned diagonal and vertical siding on the front façade, pronounced brackets, sunburst design in the gable peak and half timbering on the front façade and gable peak at the rear are characteristic of the Queen Anne Revival style. An early archival photograph of the historic house suggests the detailing on the front elevation has been accurately retained in its original configuration. All exterior wood elements and detailing are character-defining elements, and should be preserved. All exterior siding should remain intact during relocation, and exterior wall assemblies should not be altered.

The rectangular shingle siding is located within the bell-cast second-storey of the house, and in the lower portions of the roof gables. The shingles appear to be in fair condition, with localized areas of detachment and physical damage. A number of shingles also demonstrate cupping and warping, and may require repair or replacement. Any loose shingles should be reattached, and repaired as required. Most exterior painted surfaces demonstrate a high degree of weathering. Any loose exterior paint should be sanded down, and any damaged wood elements should be repaired, cleaned and prepared for repainting. If any original exterior wood material is too damaged to repair, then original fabric should be documented and replaced in-kind to physically and visually match original.

Conservation Recommendation: Preservation and Rehabilitation

 Due to the integrity of wood frame structure, the exterior walls should be preserved through retention and in-situ repair work.

- Preserve the original wood-frame structure of the historic building.
- Preserve original siding on all elevations, if possible, and clean surface for repainting.
- Preserve original exterior wood detailing, including all trimwork, half-timbering, brackets and applied decoration.
- Replace damaged siding to match existing in material, size, profile and thickness, as required. Secure any loose shingles.
- Design structural or seismic upgrades so as to minimize the impact to the character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BCBC for fire and spatial separations including installation of sprinklers where possible.
- Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as Simple Green©) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.
- Any existing trim should be preserved, and new material that is visually physically compatible with the original should be reinstated when original fabric is missing or damaged beyond repair. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable.
- Preserve historic fabric of the exterior elevations during the relocation of the house, including the wood-frame structure with shingle and horizontal drop siding, wood sash windows and front-gabled roof structure as much as possible.
- Paint exterior wood elements according to colour schedule devised by Heritage Consultant.











Exterior wood details.

5.5 FRONT PORCH/ BALUSTRADE

The Jameson Residence features a recessed corner porch with inset entry, which is a character-defining element of the historic house that should be preserved. The corner porch projects from the front elevation of the house, and features a uniquely detailed balustrade. The balustrade features a pattern of vertical and horizontal sticks and rails, with inset panels detailed with circular wooden decorative trim. The circular motifs are consistent with the detailing seen on a number of exterior trim elements on the front and side elevations of the house. The base of the extended porch is clad in vertical wood siding located above a partially exposed brick foundation.

Most exterior wood surfaces show a high degree of weathering, with localized evidence of physical damage. All exterior wood surfaces should be inspected to determine the condition of the base material, and repaired as required. If historic fabric is too damaged to repair, then replace in-kind with physically and visually consistant material to match original. All exterior surfaces should be cleaned and any loose paint sanded down to prepare for repainting.

Heritage homes of this vintage were typified by a low balustrade of approximately 24" in height. To ensure the heritage character of the house is preserved, the rehabilitated balustrade design should retain the original configuration. In order to preserve the original balustrade height, alternate compliance measures should be explored, such as the use of metal pipe rail and glass panels to make up the remaining height to meet code requirements, if necessary.

Conservation Strategy: Preservation and Restoration

- Corner porch with inset entry should be preserved.
- Original wood detailing, including the wood balustrade, soffit, arched trimwork and detailed columns should be preserved. Repair as required, and prepare all exterior wood surfaces for repainting.

- If original wood fabric is too deteriorated to repair, then replace in-kind with physically and visually consistent material. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable.
- Original lower height of the balustrade should be retained, with alternate compliance methods utilized to achieve the required height. New Possible alternative materials may be glass panels, metal pipe rails or a combination of both.
- Paint exterior wood elements according to colour schedule devised by Heritage Consultant.



Wood soffit and detailed colums.





Front porch.

5.6 FENESTRATION

Windows and doors are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. — *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010).

5.6.1 WINDOWS

The Jameson Residence features most original window assemblies including 1-over-1 double-hung wooden sash windows, multi-paned casement windows, leaded glass piano window, 1-over-1 double hung wooden sash windows with wooden muntins in top sash, and 2-over-2 double hung wooden sash windows. A number of east elevation windows have been replaced with replica assemblies. All aforementioned windows are character-defining elements of the historic house, and should be preserved, as possible. Side and rear window assemblies may be rehabilitated, as necessary, in response to functional changes in interior floor plans.

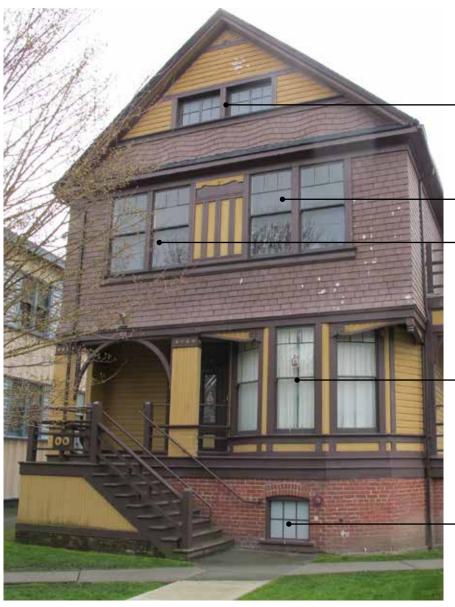
An initial visual review suggests the windows are in working condition, but weathering and physical damage can be seen on the exterior surfaces of the windows. In addition, the paint appears to be damaged on a number of exterior sash elements, and will require repair and repainting to ensure prolonged protection of the historic wood windows. The windows also feature both rectangular and scroll-cut window aprons and wood trim, which should also be preserved. Reference **Section 4.3.4: Exterior Wood Frame Walls** for recommendations on how to preserve wood trimwork.

Conservation Strategy: Rehabilitation

 Preserve all wood-sash windows, as possible. Side and rear window configuration may be rehabilitated, if required.

- Preserve leaded stained-glass window.
- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair. Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by reputtying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- If new replica windows are required, Heritage
 Consultant can review any window shop drawings and
 mock-us, when available. Ensure window manufacturer
 is aware of recommended sash paint colour prior to
 finalization of order.
- Replacement glass to be single glazing, and visually and physically compatible with existing.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.
- Brace windows with temporary inserts while relocating the house, to ensure they are not damaged in the process. Alternatively, should the windows require removal for repair, reinstate repaired windows following relocation of the house.





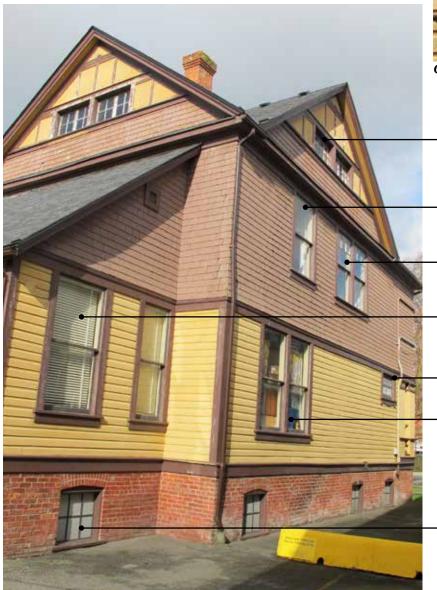
Front elevation: All windows should be preserved and repaired, as required, with the exception of basement level multi-paned window.

4x multi-paned wood sash casement Treatment: Preservation and Repair

2x 4-over-1 double hung wood sash w/ horns Treatment: Preservation and Repair

2x 4-over-1 double hung wood sash w/ horns Treatment: Preservation and Repair

3x 4-over-1 double hung wood sash w/ horns Treatment: Preservation and Repair



East side elevation: Window configuration may be rehabilitated, as required. Stained glass window should be preserved.



Close-up image of stained glass window.

4x multi-paned wood sash casement
 Treatment: Rehabilitation, as necessary

1x 1-over-1 double hung wood sash (replica) Treatment: Rehabilitation, as necessary

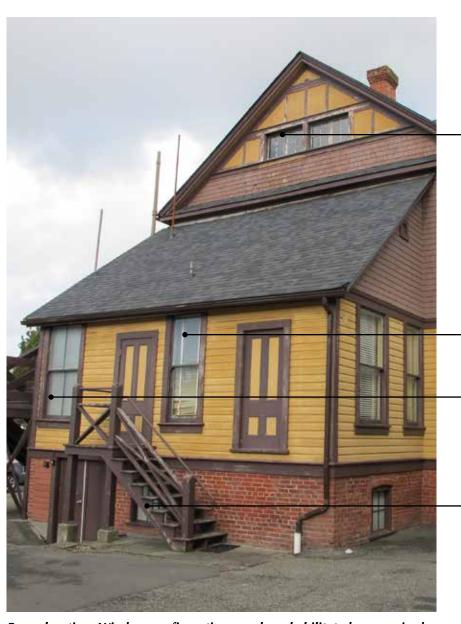
2x 4-over-1 double hung wood sash w/ horns Treatment: Rehabilitation, as necessary

2x 1-over-1 double hung wood sash (replica) Treatment: Rehabilitation, as necessary

1x Leaded stained glass, fixed (see image above) Treatment: Preservation and Repair

2x 1-over-1 double hung wood sash (replica) Treatment: Rehabilitation, as necessary



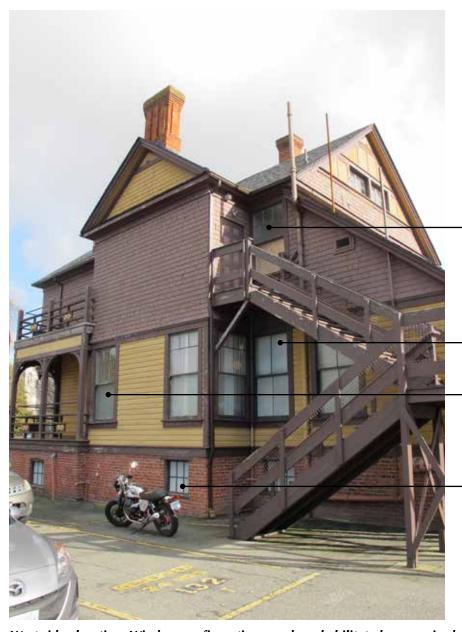


• **4x multi-paned wood sash casement** Treatment: Rehabilitation, as necessary

1x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitation, as necessary

1x 2-over-2 double-hung wood sash w/ horns Treatment: Rehabilitation, as necessary

Rear elevation: Window configuration may be rehabilitated, as required.



1x 4-over-1 double-hung wood sash w/ horns Treatment: Rehabilitation, as necessary Note: missing lower glazing

2x 2-over-2 double-hung wood sash w/ horns Treatment: Rehabilitation, as necessary

2x 4-over-1 double-hung wood sash w/ horns Treatment: Rehabilitation, as necessary

West side elevation: Window configuration may be rehabilitated, as required.



5.6.2 DOORS

The house features an original panelled double wooden front door glazed insets and etched-glass transom above. Original panelled balcony doors with multi-paned glazed insets and transoms are also extant. All aforementioned doors are a character-defining elements of the historic house, and should be preserved. The front and balcony doors appear to be in working condition with minimal damage. However, a closer inspection is required to determine the full condition of the leaded glass transom windows above the doors, to determine what level of repairwork is required. The front door is protected from the elements due to its inset location within the recessed entry porch, and exterior wood surfaces appear to be in fair condition. The balcony door required a closer inspection, and should be repaired as required.

Conservation Strategy: Preservation and Rehabilitation

- Preserve original panelled double wooden front door with leaded glass transom and original panelled balcony doors with multi-paned glazed insets and transoms.
- Retain the door openings in their original locations, and preserve and repair all original doors, as possible.
- Retain and repair original wood doors, as required.
 Prepare all exterior wood surfaced for repainting, according to colour schedule devised by Heritage Consultant.
- Any new doors should be visually compatible with the historic character of the building.



Front door and balustrade.

5.7 ROOF

The Jameson Residence features a picturesque roofline with steeply pitched front gabled roof with projecting gable ends. The gable ends feature unique detailing, including a mix of wave-patterned wood shingles and drop wood siding, full width window trim and half-timbering. The Queen Anne Revival style roofline with associated detailing is a characterdefining element, and should be preserved and repaired as required.

Despite moving to a new location in the early 1900's, the roofline and overall form of the structure has remained true to the original design. The only apparent alteration is the replacement of the original cedar shingles with asphalt shingles. Exterior wood detailing appears to be heavily weathered, and required repair. If wood detailing is too damaged to repair, then replace in-kind with physically and visually consistent material.

Conservation Recommendation: Rehabilitation

Preserve the roof structure in its original configuration, as expressed by its steeply pitched front-gabled configuration with projecting side gable ends.

- If required, roofing membrane and cladding system may be rehabilitated. Cedar shingles are the preferred material, but duroid, asphalt or fibreglass shingles are acceptable.
- Heritage Consultant to review roofing options, when available.
- Retain the original bargeboards and fascia boards, as well as the soffit and any exposed roof elements, including half timbering and shingle and drop wood siding within gable ends.
- Wood elements should be repaired, or replaced in-kind as required. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable.
- Design and install adequate rainwater disposal system and ensure proper drainage from the site is maintained. Paint all drainage system elements according to colour schedule devised by Heritage Consultant.
- Clean and prepare wood surfaced for repainting. Repaint according to colour schedule devised by Heritage Consultant.



Front-gabled roof configuration.



5.7.1 CHIMNEYS

The historic house features three original internal red brick chimneys with corbelling. The two chimneys towards the rear of the house are in their original configuration, but the front internal chimney has been mostly dismantled. The corbelling has been removed, and the chimney comes to an end just above the roofline.

The west side elevation chimney should be retained, but the rearmost internal chimney may be removed. The altered chimney should be restored to its original condition, with bricks salvaged from rear chimney to match original. If available, reference archival photographs for more accurate representation of the original chimney. The two chimneys to be retained are not able to be relocated with the house, and will be salvaged and reinstated following relocation.

Conservation Recommendation: Rehabilitation

- Prior to relocation of house, carefully document and salvage all chimney brickwork, and reinstate in original configuration following relocation of the house.
- Preserve the westernmost chimney in its original configuration, if possible.
- Reconstruct altered internal chimney, as possible, to match existing chimneys in detailing. If early archival photographs are available, reference photos for accurate chimney reconstruction. Use salvaged bricks from chimney that is to be removed.
- Chimneys will require structural stabilization and seismic upgrading.
- If desired, fireplaces may be converted to gas systems.
 Alternatively, if no internal fireplaces are desired, fireplaces may be removed and chimneys can be stabilized within attic space, and their exterior appearance above the roofline preserved.



Corbelled red brick chimneys.

5.8 INTERIOR FEATURES

"Interior features can include elements such as interior walls, floors and ceilings, mouldings, staircases, fireplace mantels, faucets, sinks, built-in cabinets, light fixtures, hardware, radiators, mail chutes, telephone booths and elevators. Because their heritage value resides not only in their physical characteristics, but also in their location in the historic building, it is important to protect them from removal. This is particularly true of doors, banisters, church pews, fireplace mantels, sinks and light fixtures, which are often replaced instead of being upgraded. Reuse in their original location not only protects their heritage value, but is also a more sustainable approach to conserving these artefacts." Standards and Guidelines for the Conservation of Historic Places in Canada (2010)

Building Code upgrading is one of the most important aspects of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. However, the interior features of an historic property are often heavily damaged in the process. The British Columbia Building Code offers equivalencies and exemptions to heritage buildings, which enable a higher degree of heritage conservation and retention of original material. The following guidelines pertaining to Health, Safety and Security Considerations from the *Standards and Guidelines* should be followed when faced with the conservation of interior features:

- Upgrade interior features to meet health, safety and security requirements, in a manner that preserves the existing feature and minimizes impact on its heritage value.
- Work with code specialists to determine the most appropriate solution to health, safety and security requirements with the least impact on the interior features and overall heritage value of the historic building.

- Explore all options for modifications to existing interior features to meet functional requirements prior to considering removal or replacement.
- Remove or encapsulate hazardous materials, such as friable asbestos insulation, using the least-invasive abatement methods possible, and only after thorough testing has been conducted.
- Install sensitively designed fire-suppression systems that retain interior features and respect heritage value.

The Jameson Residence features a number of original significant interior features. The main stair hall features original trim with fluted side trims and cyma recta crowns, and the staircase features carved newel posts and balustrades with turned spindles. Original cast iron radiators, fluted wooden door and window casings with bulls-eye corners and wide profiled baseboards are also original, and the bathroom features high wooden wainscoting. It is not known at this time which features will be retained.

Conservation Recommendations: Rehabilitation

- Interior features should be investigated further to determine if they can be retained during the rehabilitation process.
- Rehabilitation measures may be introduced to accommodate functional needs or building code upgrades, as required.









Surviving interior features.



5.9 EXTERIOR COLOUR SCHEDULE

Part of the restoration process is to finish the building in historically appropriate paint colours. The following preliminary colour scheme has been derived by the Heritage Consultant, based on initial on-site paint sampling and microscopic paint analysis. The colours have been matched to Benjamin Moore's Historical True Colours Palette. Final colour scheme to be determined through further investigation and review.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Heritage Consultant. Further onsite analysis is required for final colour confirmation once access is available.

Conservation Recommendation: Restoration

 Restore the original or historically appropriate finish, hue and placement of applied colour. To be confirmed.

- Complete all basic repairs and restoration, and remove surface dust and grime before preparing, priming and painting. Be sure that all surfaces to be painted are thoroughly dry.
- Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay.
- Remove deteriorated paint that is not adhered to the wood using a metal scraper.
- Remove dust and dirt with the gentlest method possible such as low-pressure (hose pressure) water washing, with soft natural brushes or putty knives.
- Paint all areas of exposed wood elements with primer.
 Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, select an oil-based primer).
- Re-apply colours using architectural trim wrap, in which colour is applied to give a three-dimensional appearance to the surfaces by wrapping the applied colour around their edges.

Location	Colour
Drop Siding, Tongue-and-Groove Siding, Second Floor and Third Floor Shingles, Columns, Crown Mouldings above Rondels.	
	Pendrell Verdigris VC-22
Trim	
	Oxford Ivory VC-1
Window Sash	Gloss Black VC-35
Rondels and Brackets	TBD

Final colour scheme will be prepared based on analysis of original colours, further design consideration and context.

6. RESEARCH SUMMARY

ORIGINAL ADDRESS: 522 Superior Street, Victoria,

British Columbia

CURRENT ADDRESS: 521 Superior Street, Victoria,

British Columbia

CONSTRUCTION DATE: 1892; relocated in 1910

ARCHITECT: Cornelius John Soule

ORIGINAL OWNER: Robert H. and Mary Jameson

LATER OWNER: Charles Napier Cameron (purchased the

house from the 1910 auction)

WATER PERMIT:

• #1158: June 15, 1910, 521 Superior Street, C.N. Cameron, 7 fixtures

NEWSPAPER REFERENCES:

- Victoria Daily Times, 1918-07-18, page 9: "Mrs. Jameson Passes: Mother of Well-Known Victoria Citizens is Taken"
- Victoria Daily Times, 1929-02-20, page 1: "R.H. Jameson Pioneer Scot Died To-day"
- Victoria Daily Times, 1929-92-21, page 15: "Funeral Friday"
- Victoria Daily Times, 1936-05-27, page 8: "Capt.
 Cutler Passes Away: Well-known Sealer of Early Days
 Dies in Vancouver After Colorful Career"
- Victoria Daily Times, 1936-09-08, page 3: "Mrs. C.N. Cameron"
- Victoria Daily Colonist, 1967-03-05, page 13: "Main Street Victoria 1908: The Jameson Coffee Family"

HALLMARK SOCIETY FILES:

"Lot Z was a long strip lot consisting of 2 1/2 acres on

the southern edge of the Legislature property. Lot Z was first created in 1874 and was purchased by Mr. Leopold Lowenburg. Mr. Lowenburg subdivided property in three stages. The first was in 1879 when he sold one lot to Alexander Donaldson (this became lot 1). In 1884 he developed lots 1 to 7, keeping the remaining 206 x 236. In 1889, lots 8 to 12 were established and John Deans bought all but one of the new lots.

In 1891, Robert H. Jameson bought lot 8 from Deans and built a house, which was completed the following year. Jameson came to Victoria in the late 1880s, he started a grocery business which he ran for 12 years before leaving the become a buyer for an eastern tea wholesaler. His son William started (possible with his father) the W. A. Jameson Coffee Co. in about 1908 and was eventually joined in this successful business by several other family members.

In 1908, Jameson sold 522 Superior to a Capt. Melville Cutler and moved to Sooke. In 1910, the Provincial Government took over the entire lot Z and in the same year, Charles Cameron (521 Superior), bought the house from Cutler and moved it to lot 1727 across the street. The problem was that the Cameron house (built 1884) was still on lot 1727, so he solved that by moving the Cameron house to sub lot 9, lot 1773/6 & 1792/6 Block 61, 543 Michigan Street. Unfortunately the house was demolished in 1967."

RESEARCH SUMMARY

ARCHIVAL MATERIAL:



GOVERNMENT SALE OF

Dwelling Houses

Maynard & Son

cf Public Instructed by the Minister Works, will sell, without reserve, by

Public Auction

AT ELEVEN O'CLOCK

On the steps of each house

ALL THE HOUSES ON NOETH SIDE SUPERIOR STREET

Between Government and Menzies Sts., rear of Parliament buildings; con-sisting of the following:

403 Menzies St .- 7-room 2-story house, bathroom, closets, etc. 510-514 Superior St.—Double two-story 14 rooms, pantries, bathrooms, clos-

14 Found, tets, etc.
18 Saperior St.—Almost new froom cottage, bathroom, pantry, etc.
12 Superior St.—Large 8-room, 2½story house, bathroom, pantry, etc.,

also large barn.

576 Superior St.—5-room cottage, battroom, peatry, etc., basement.

530 Superior St.—5-room cottage, pan-

try, closets, bathroom, etc. 534 Superior St.—7-room two-story

house, slieds, etc.
Largo barn and shed.
544 Superior St.—6-room 2-story house, bathroom, closets, pantry, etc., base-

548 Superlor St .- 7-room 2-story house

ment.

548 Superior St.—7-room 2-story house with basement, bathroom, toilet.

552 Superior St.—7-room 2-story house, with basement, En. bath, toilet, etc., very good flooring in this house.

556 Superior St.—7-room cottage, pantry, bathroom, closets, etc., basement.

560 Superior St.—6-room cottage, paniry, bathroom, etc.

564 Superior St.—5-room cottage, bathroom, closets, etc.

602 Government St.—2-story 8 room house, woodshed, etc.

610 Government St.—Large 2-story, 14-room, house and other small rooms, Also

20 H. P. Boller—Brick foundation, smokestack and gal. iron frame building. This boiler could be used for heating purposes.

All the fencing goes with each house. Houses open for inspection on Wednesday afternoon, or by applying to the undersigned.

Terms of Sale—Cash, and houses

undersigned.
Terms of Sale—Cash, and houses must be removed on or before July

A the take 6th dore Ten imp con peri be new inte Fou ture ed. a or boa it is you boat the in t as v late is t H and send trict any ossa Tou desi wort ply mad be f will tions the may Evet boat if a mem knov

S

all

en

t-

28.

olc

NO

x-

ne

n,

rd

nd

SALE OF HOUSES ON PARLIAMENT SQUARE

will take ino part in the service.

Structures Must Be Removed by End of July-Land Completes Block Required for Extensions

A total of \$6,010 was realized by the sale yesterday of the fifteen frame houses standing upon lots fronting Superior and Government streets and which were recently acquired by the Provincial Government for the com-pletion of Parliament Square, the the purchasers being in almost every instance owners of contiguous unoccupied property to which the purchased houses will be moved, the period allowed for the exodus expiring with the close of July. The high cost of house moving, of course, must he taken into consideration as supplementary to the auction prices; which Messrs. Maynard & Sons, the government's sale agents, regard as quite satisfactory. Bidding was brisk, and the sale represented probably the most rapid transfer of such a number of houses in the city's or even provincial history. The sales report, with purchasers and prices is as below:

Superior and Monzies streets, H. V. Cooley lor, Frank Leroy ... \$450 510-14 Superlor 318 Superior, E. Coventry 806 522 Superior, C. Cameron 675 526 Superior, George Powers ... 126 530 Superior, Miss McCandlish .. 200 534 Superior, I. Waxstock 150 Barn and shed, in rear premises,

556 Superior, T. McConnell 400 Superior, Geo. Powers 564 Superior, Geo. Powers 607 Government, Geo. Powers 210 610 Government, Miss R. J. Soper 140

into the o more or le possession. the smooth Davey, M. McDonald, ridge, Blan Blanchard John street the stuff s was not la owners at was somew the novel

u polite an Immediat ered the p thlef made Some of th the intrude Others said piece, while ed as being ing a bear

The polic arrest on a thief givi who was lewing an dence in th the upstair when aske he must he thought he house of hi chased, ho when sear belonging t him in her

From the adopted he local police ated here who is nov lingham.

RI

OTTAWA comment h service by one of the oath of all It seems ti ployees pre abstained 1 where the was admi remedy wil stopped by reason assi, the stand t the corona to Roman all the case

Victoria Daily Colonist, May 26 and 27, 1910, advertising the auction and subsequent sale of houses along both Superior and Government Streets.

ing

signi

some

woul

appr

in re

mar

no



GR 2951 Volume 502	ERITISH COLUMBIA. DIVISION Death registrations 003001	OF VITAL STATISTICS.
	251	Superior
DEATH CLAIMS	E OF BRITISH COLUMBIA—	PEGISTRATION OF DEATH PEGISTRATION OF DEATH PEGISTRATION OF DEATH PROJECTS For the of the Pegistre of Specimen Control of
E UIT PIUNEER	y, Town or Village Village (Name) ((in years, months and days)	Street Rengelin with the name instead of street and number: 2) In the street 77 When (a) In Capalle of immigrant 2744.
Charles Napier Cameron,	SED Cameron	Charles nakin
milli Paridant II Ot	477 som Hongoton	dy, town, whings or rural municipality & Const.
Cucoumbo of Heme		Part Office Address for residents in a real parts not settled.
Succumbs at Home	ALITY & RACIAL Z. Single, Married, ORIGIN Widowal of Discount (Was to und	MEDICAL CERTIFICATE OF DEATH 22. DATE OF DEATH July 3.4
Charles Napler Cameron, a Vic-	Meden married	(Per) (Per) (Ter)
denly yesterday at his residence, 447		24. I DEREBY CERTIFY that I amended to the till any
Mingston Street, He was eighty years of age.	(Perriase or Country)	unguy as to 10 Cauce of Wratte 10
Born in Calaverss County, Call-	100 22 - 185 41	and last sow h sire on 10
formis, the son of the late Duncan	W. A. L.	AUSE OF DEATH
and Jessie Cameron, Mr. Cameron	7 11 hn w min	Transfelt come livy or anaples (a) "Malurel Caura"
seventy-seven years ago and had	to the D	tailore, embrain, and as beart due to 1 A
made his home here since that time. The deceased for many years	What d fall :	Martiel credition, it say, girley due to (b). Ollips Corollelies
operated a clothing business here	merc.	processing backwards from im-
with his brother, the late to G	. e/	
Cameron, former alderman and member of the City Hall staff, who	worked as the maries 22 years	Other methal confidence (if important) constributing to death but all transfer ordered be insertled corne.
threderested him come verre sen!	in this occupation 30 million	
Later Mr. Cameron was in the auto-	1 do . Colo and 3 meron	25. It is women, was the death associated with programmy?
m.bile repair business with his son, C. W. Cameron.	to los	25. Was there a surgical operation? Date of operation. 30
Mr. Cameron is survived by his	tean Warmeron	
widow, at home; four daughters, Mrs. R. Criswell, Los Americo; Mrs.	deall and.	27. If death was due to external courses (violence) 50 in also the following:-
G. Christian and Mrs. C. D. Or-	(Previous or Country)	Accident, suicide or homiside?
chard, Victoria, and Mrs. D. L.	Majordan et al. California	Names of injury
Dorling, Vancouver; and three sons, Robert Cameron, Vancouver; C. G.		Nature of injury
Cameron, Nanaimo, and C. W. Cam-	1 County	
eron. Victoria; and two staters, Miss Jessie Cameron and Mrs. R. A.	-Office Queen	cameron Suddenly at the family rest-
Brown, of Victoria. The late Miss.	appropriate to children	Signed . W dence 447 Eingston Street, on Wednes-
Agnes Deans Cameron, pioneer teacher, was a aister.	and of more	cameron was born in California and
Funeral services will be conducted	tion or gameras of one of Cary	had been a resident of this city for
tomorrow afternoon at 3:30 o'clock	whily 5th 1935-	22. District Over seventy-five years. He is mourned
bmorrow afternoon at 3:30 o'clock of McCall Brac' Funeral Morral Rev. A. deB. Owen will officiate,	dale Bros Victoria BC	by his widow, four daughters, Mrs. R. Criswell of Los Angeles, Calif.: Mrs. O. Christian and Mrs. C. D. Orchard
after which interment will be made in Ross Bay Cemetery.	(Name and bidding) I makes it the data of the Undertaker or name of	O. Christian and Mrs. C. D. Orchard
in Ross Bay Cemetery,	Death" and to the same with the	of this city, and Mrs. D. L. Darling of Vancouver, B.C., and three sons, Rob-
		ert of Vancouver, C. G. of Nanaimo and C. W. of Victoria; also two sisters,
		Miss Jessie Cameron and Mrs. R. A.
2 3		Brown of Victoria, and a number of grandchildren.
		The funeral will take place on Friday
		arcernoon at 1 m o'clock from McCell
A STATE OF THE STA		Bros. Puneral Home. Rev. Arthur deB.
		interment will be in the family plot at Ross Bay Cemetery.
		The state of the s

Times Colonist, July 4, 1935. Page 14.

FUNERAL FRIDAY



The late Robert II. Jameson, for whom funeral services will be held at St. Andrew's Presbyterian Ay Church to-morrow afternoon at 3.30 o'clock, Rev. II. P. S. Luttrell officiating. Interment will be made at Ross Bay Cemetery. The marrangements are in the hands of ar B.C. Funeral Company. Post in B.C. Funeral Company. Post imdeeply. After a sojourn in Florida. he came North to Canada settling in business at Whitby, Ontario. In 1869 he married Mary Cecclia Blair of that town. St. Andrew's Presbyterian

R.H.Jameson Pioneer Scot Died To-day

Was Picturesque Figure in Kilt Here For Forty Years: Established Business

Saw Last Slave Ship Arrive Fenian Raid Veteran

Robert Ifamilton Jameson, one. of -Victoria's ploneer, businessmen and a picturesque figure for many & yours in his Highland kilt and-Bulmoral bonnet, passed away at 2 o'clock this morning at the Royal Jubilee Hospital, at the ripa "Born in Alica, Scotland, in September, 1844, Mr., Jameson, who was a member of the Fenian Raid, left his native land on November 14, 1863, but, like a many of his compatricts. This loyalty to the land of his birth never, dimmed and the remained an 'ardent Scot to the day of his death. He was a staunch advocate of Home Rule for Scotland, somewhat Scotland.

the West and after a preliminary trip to Victoria returned to Whitby for his family and settled here. He was engaged for twelve years in the grocery business which has since developed into the coffee business run by his sons under the name of W. A. Jameson Coffee Company. After disposing of his business, Mr. Jameson went on the road as a traveler for Balfour & McLaren of Hamilton, tea Importers.

WEVE TO SOAVE WENT TO SOOKE

eeply. After a sojourn in Florida, he ame North to Canada settling in busiess at Whitby, Ontario. In, 1889, he harried Mary Cecciin Blair of that own.

In 1888, Mr. Jameson felt the call of and an ardent botanist, as well as a

Campaigners' Association and a former member of the Odd Fellows, and was also a member of the Burns Ciub.

Me is survived by five sons, William A. Robert J. Carron B. C. Gordon and John B. and four daughters, Mrs. R. V. Pewell of Alameda, Cal., Mrs. H. L. G. Austin of Sooke, Mrs. C. J. McRae of Victoria and Mrs. J. W. Turnbull of Sidney. The remains are reposing at the B.C. Funeral Chapel, pending funeral arrangements which will be announced later.

Times Colonist, February 21, 1929. Page 15.



CAPITAL PARK, VICTORIA Planning and Land Use Committee - 04 Sep 2014 Output Description: Output Descripti

539 SUPERIOR STREET

DRAFT CONSERVATION PLAN - JUNE 2014



DONALD LUXTON AND ASSOCIATES INC

DONALD LUXTON AND ASSOCIATES INC.

1030 - 470 GRANVILLE STEET VANCOUVER BC V6C 1V5 info@donaldluxton.com 604 688 1216 www.donaldluxton.com



TABLE OF CONTENTS

1. INTRODUCTION

SUBJECT PROPERTY: 539 SUPERIOR STREET

VICTORIA, BC

HERITAGE STATUS: VICTORIA HERITAGE REGISTER

The block to the south of the BC Parliament Buildings was once a resource-rich traditional hunting and gathering territory for the Esquimalt and Songhees (Lekwungen) First Nations, known as "Whosaykum" after the tidal mud flats that once existed where the Empress Hotel now stands. This is the traditional territory of the Lekwungen People.

Historically and visually, this block is an important site that exists within the context of iconic structures that symbolize Imperial ambition and grandeur, as well as the grand architectural vision of Francis Rattenbury, including the Empress Hotel, the Legislative Buildings, the Crystal Garden and the CPR Marine Terminal. The area's planning and policy framework touches upon the planning frameworks for the Inner Harbour, the Legislative Precinct and the James Bay neighbourhood. Over time, the expansion of government services and buildings has included expansion to the south, which has caused the ongoing relocation of a number of early residential buildings.

The Capital Park site encompasses nearly every parcel bounded by Superior Street on the north; Government Street on the east; Michigan Street on the south and Menzies Street on the east. Within the site, there are five historic houses, which have been located on the block for more than a century. Two of the houses were originally built on the north side of Superior Street, but the expanding British Columbia

Parliament necessitated their relocation in 1910. During that summer, fifteen houses in the immediate area were moved from their original location behind the Parliament Building to make room for the additional government facilities. One of the relocated houses, now located at 521 Superior Street, was originally constructed directly across the street, at 522 Superior Street, and was purchased by Charles Cameron in an auction. The other relocated house, now standing at 524 Michigan Street, was originally located at 548 Superior Street and was purchased and moved by C.F. Beaven. The 1910 auction and sale lists of the fifteen moving houses, offer a glimpse into the real estate environment of Victoria during the booming Edwardian era of the early twentieth century.

The five heritage houses remaining on the Capital Park site are 521 Superior Street, 539 Superior Street, 545 Superior Street, 524 Michigan Street and 526 Michigan Street.

A century after the Edwardian era government expansion, the Legislative district is again growing, and Capital Park's extant heritage resources are again in the midst of a changing real estate development landscape. The historic houses, some already moved once, are poised to shift in order to accommodate the need for additional government office space. The heritage value and character-defining elements of 521, 539 and 545 Superior Street are outlined in the following pages.

INTRODUCTION



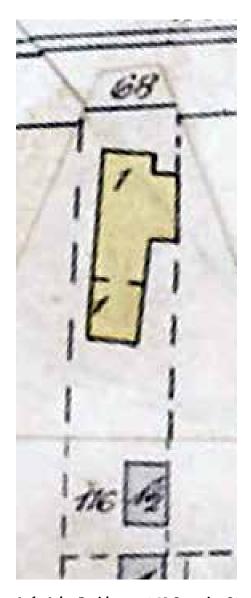
Capital Park, Existing.

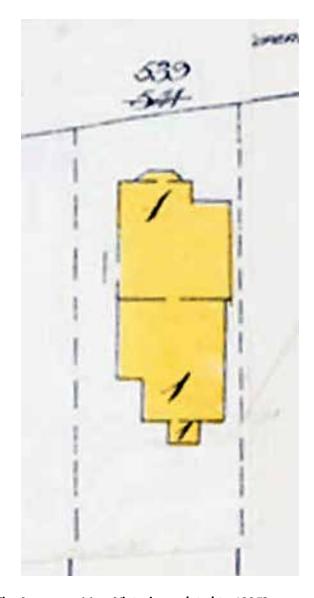


Proposed Rendering by Endall Elliott Associates Architects.



2. HISTORY



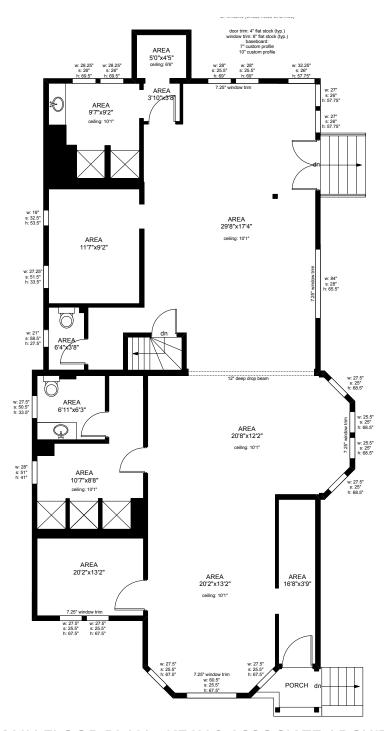


Left: John Residence at 68 Superior Street. [1891 Fire Insurance Map, Victoria, updated to 1895] Right: John Residence at 68 Superior Street. [1903 Fire Insurance Map, Victoria]

HISTORY

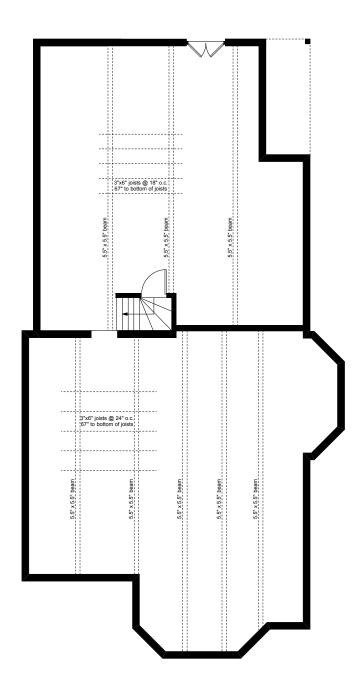


View from Parliament Buildings, circa 190-, detail below showing close-up view of 539 Superior. [British Columbia Archives B-01799]



EXISTING MAIN FLOOR PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



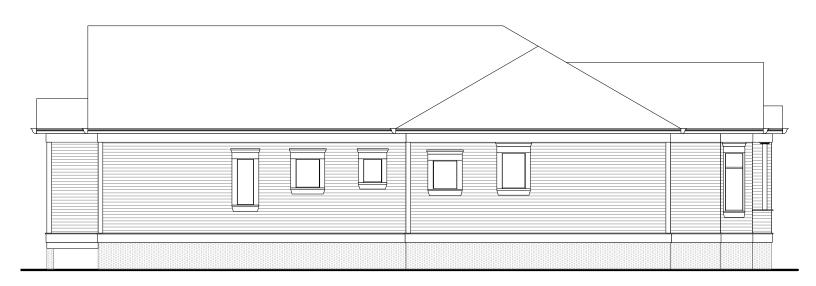
EXISTING STRUCTURAL FLOOR PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.





EXISTING FRONT (NORTH) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING SIDE (EAST) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.





EXISTING SIDE (WEST) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING REAR (SOUTH) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.



3. STATEMENT OF SIGNIFICANCE



Construction Date: 1891-92

Original Owners: Richard and Kate John

First Long-term Owners: John and Florence Smith

Builder: Richard John (assumed)

Description of Historic Place

The John Residence, located on the south side of Superior Street, is a one-storey, wood-frame Queen Anne Revival-style cottage. This historic resource is identifiable by its front-gabled roof, projecting front-gabled porch with triangular pediment, inset semi-octagonal bay, hip-roofed side addition, projecting semi-octagonal gable-roofed bay on the east elevation., and Queen Anne Revival detailing.

Heritage Value of Historic Place

Built 1891-1892, the John Residence is emblematic of 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 John Residence is also valued as a representation of the Queen Anne Revival style of architecture, typical of the late Victorian era. Despite its small scale, this cottage 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. The complex, irregular form, picturesque roofline with two-part front gabled extension, and its wooden details including decorative cutaway brackets, wooden columns, fishscale shingles and rooftop finials are typical of the Queen Anne style. The original owners of the house, Richard and Kate John, built this

STATEMENT OF SIGNIFICANCE

house following the subdivision of the property in 1891. The couple only occupied the house between 1892 and 1893 at which time John and Florence Smith assumed ownership of the residence; at an early point the front and side bay roofs were extended and the entry porch was added. The British Columbia government purchased the property in the early 1930s.

The John Residence continues to express the community value of the James Bay neighbourhood, the city's oldest Garden City suburb that encompasses a mix of residential, commercial and bureaucratic uses.

Character-Defining Elements

Key elements that define the heritage character of the John Residence include its:

- location in the historic James Bay neighbourhood;
- residential form scale and massing, as expressed by its one-storey height, front-gabled roof, projecting frontgabled porch with triangular pediment, inset semioctagonal bay at front, hip-roofed side addition, and projecting semi-octagonal gable-roofed bay on the east elevation.
- wood-frame construction with double-bevelled siding, cornerboards, extensive carpenter ornamentation, and red brick foundation;
- Queen Anne Revival-style detailing, such as: fishscale shingles in front gable peak; corner entry porch supported by chamfered columns; projecting bays with scroll-cut cutaway brackets; gable finials; and window crown mouldings;
- windows, such as: one-over-one double-hung woodensash windows with horns, in single and double assembly; and stained glass transoms in the front bay; and
- original wood panelled front door with glazed inset and transom.



4. CONSERVATION GUIDELINES

4.1 STANDARDS AND GUIDELINES

539 Superior Street is a listed residential heritage building on the Victoria Heritage Register, and is a significant historical resource in the City of Victoria. The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (2010) is the source used to assess the appropriate level of conservation and intervention. Under the Guidelines, the work proposed for the house includes aspects of preservation, rehabilitation and restoration.

PRESERVATION: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

RESTORATION: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

REHABILITATION: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to 539 Superior Street should be based upon the Standards outlined in the *Standards and Guidelines*, which are conservation principles of best practice. The following *General Standards* should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

- Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.
- 2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
- 5. Find a use for a historic place that requires minimal or no change to its character defining elements.
- 6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
- Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- 8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

CONSERVATION GUIDELINES

 Make any intervention needed to preserve characterdefining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails the Preservation and Rehabilitation of the exterior and parts of the interior of 539 Superior Street. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.

http://www.historicplaces.ca/en/pages/standards-normes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

http://www.nps.gov/tps/how-to-preserve/briefs/10-paint-problems.htm

Preservation Brief 31: Mothballing Historic Buildings. http://www.nps.gov/tps/how-to-preserve/briefs/31-mothballing.htm

Preservation Brief 33: The Preservation and Repair of Historic Stained and Leaded Glass.

http://www.nps.gov/tps/how-to-preserve/briefs/33-stained-leaded-glass.htm

Preservation Brief 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing.

http://www.nps.gov/tps/how-to-preserve/briefs/37-lead-paint-hazards.htm

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront. http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-

http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-retrofit.htm

Preservation Brief 45: Preserving Historic Wooden Porches. http://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm



4.3 GENERAL CONSERVATION STRATEGY

OVERALL STRATEGY

The conservation strategy for the five houses of Capital Park includes relocation, with the primary intervention being rehabilitation, including elements of preservation and restoration for each house. Three houses will be retained on the block (521, 539 and 545 Superior Street) and the other two houses (524 and 526 Michigan Street) will be relocated offsite. A comprehensive redevelopment plan for the site is being prepared by Endall Elliot Associates Architects in association with CEI Architects. The rehabilitation plans for the houses are being prepared by Keay & Associate, Architecture Ltd.

There is sufficient room onsite to retain three houses as part of the comprehensive redevelopment; the intent is to relocate the houses towards the southeast corner of the site, to create a heritage grouping that addresses the residential context on Government and Michigan Streets, including the two adjacent existing heritage houses facing Government Street. Two of the houses (521 Superior and 524 Michigan) were previously relocated to the site.

The three Superior Street houses have been chosen for retention onsite for the following reasons:

- They currently exist as a grouping in relative association with each other, and would be rotated 180 degrees.
- These three are the most architecturally impressive of the five houses, and will form a strong grouping of houses of similar style, age and detailing.
- The three Superior Street houses include the most impressive and intact interior detailing, features of which can be preserved through the proposed use.
- Built as a rental property, 524 Michigan which
 has already been relocated once is a handsomelydetailed, but typical Italianate house similar to others
 found in James Bay, and can exist comfortably on a
 new site. It has very few significant interior features,
 and would lend itself to more flexible uses.

 Built as a boarding house, 526 Michigan is the most utilitarian of the houses, but has sufficient character when restored to exist on a new site. It also has very few significant interior features, and would lend itself to more flexible uses.

Based on this analysis, and study of their final appearance as a heritage streetscape, the Superior Street houses will be grouped along Michigan Street, and the Michigan Street houses will be offered for relocation within James Bay.

539 SUPERIOR STREET STRATEGY

The house will be relocated from its existing location, along with 521 and 545 Superior Street, as part of the redevelopment scheme of the site. The primary intent is to preserve the existing historic structure, while undertaking a rehabilitation that will upgrade its structures and services to increase functionality for residential and/or commercial use in a new location. As part of the scope of work, character-defining elements will be preserved, while missing or deteriorated elements will be restored.

Proposed Redevelopment Scheme

The major proposed interventions of the overall project are to:

- Preserve the historic structure.
- Relocate the structures to new adjacent sites within the James Bay neighbourhood.
- Preserve character-defining elements that are extant.
- Restore character-defining elements that have been removed or altered.
- Upgrade the structures and services to increase functionality for residential and/or commercial use.

CONSERVATION GUIDELINES

The house is proposed to be relocated within the James Bay neighbourhood of Victoria. The following *Relocation Guidelines* should be implemented for the relocation of the residence:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant. This can involve removal of later additions that are not enhancing the heritage value and historic appearance of the heritage house.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure, fenestration and exterior siding. Preserve brick chimneys in situ, where applicable, and relocate with the main structure, if possible. Alternatively reconstruct chimneys with salvaged bricks to match historic appearance, if unable to relocate with the main houses due to structural reasons.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.

4.4 SUSTAINABILITY STRATEGY

Sustainability is most commonly defined as "meeting the needs of the present without compromising the ability of future generations to meet their own needs" (Common Future. The Bruntland Commission). The four-pillar model of sustainability identifies four interlinked dimensions: environmental, economic, social and cultural sustainability, the latter including the built heritage environment.

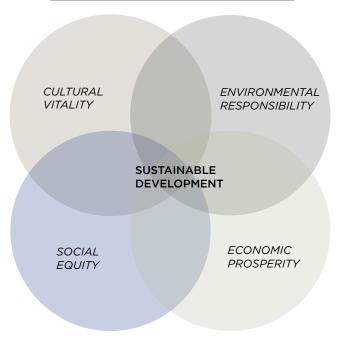
Current research links sustainability considerations with the conservation of our built and natural environments. A competitive, sustainable economy requires the conservation of heritage buildings as an important component of a high quality urban environment.

"We need to use our cities, our cultural resources, and our memories in such a way that they are available for future generations to use as well. Historic preservation makes cities viable, makes cities liveable, makes cities equitable." (Economic Benefits of Preservation, Sustainability and Historic Preservation)

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by:

- Reducing solid waste disposal (reduced impact on landfills and their expansions);
- Saving embodied energy (defined as the total expenditure of energy involved in the creation of the building and its constituent materials);
- Conserving historic materials that are significantly less consumptive of energy than many new replacement materials (often local and regional materials, e.g. timber, brick, concrete, plaster, can be preserved and reduce the carbon footprint of manufacturing and transporting new materials).

FOUR PILLARS OF SUSTAINABILITY



The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for 539 Superior Street.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for the three houses.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

Energy Efficiency Considerations

- Identifying the historic place's heritage value and character-defining elements — materials, forms, location, spatial configurations, uses and cultural associations or meanings.
- Complying with energy efficiency objectives in such a manner that character-defining elements are conserved and the heritage value maintained.
- Working with energy efficiency and conservation specialists to determine the most appropriate solution to energy conservation problems that will have the least impact on character-defining elements and the overall heritage value.
- Weighing the total environmental cost of energy saving measures against the overall environmental costs of retaining the existing features or fabric, when deciding whether to proceed with energy saving measures.

CONSERVATION GUIDELINES

Buildings: Insulation

- Exercising caution and foreseeing the potential effects
 of insulating the building on the envelope system so as
 to avoid damaging changes such as displacing the dew
 point and creating thermal bridges.
- Installing thermal insulation in attics and in unheated cellars and crawl spaces to increase the efficiency of the existing mechanical systems unless this could adversely affect the building envelope.
- Installing insulating material on the inside of masonry and wood-frame walls to increase energy efficiency where there is no character-defining interior moulding around the windows or other character-defining interior architectural detailing.

Buildings: Windows

- Utilizing the inherent energy conserving features of a building by maintaining character-defining windows and/or louvered blinds in good operating condition for natural ventilation.
- Improving thermal efficiency with weather-stripping, storm windows, interior shades and, if historically appropriate, blinds and awnings.

Buildings: Entrances and Porches

 Maintaining character-defining porches and double vestibule entrances so that they can retain heat or block the sun and provide natural ventilation.

Buildings: Mechanical Systems

 Improving the energy efficiency of existing mechanical systems by installing insulation in attics and basements, unless this could adversely affect the building envelope.

The conservation recommendations recognize the need for sustainable interventions and adhere to the Standards and Guidelines as outlined.

4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS

As a Municipal Heritage Register-listed sites 539 Superior Street will eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the "Alternative Compliance Methods for Heritage Buildings."

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.



These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010) for further detail about "Energy Efficiency Considerations."

4.5.3 HOMEOWNER PROTECTION ACT

The Homeowner Protection Act was implemented in 1998 as a means to strengthen consumer protection for the purchase of new homes. The act was passed following a commission of enquiry into the leaky condo crisis, and was intended on protecting homeowners by ensuring home warranty insurance was provided on new construction, covering two years on labour and materials, five years on the building envelope and 10 years on the structure of the home. As the Act was intended to regulate new construction, considerations were not taken of buildings that have remained in sound condition for a many number of years that already far exceeded what the HPA requires for a warranty on a new home. The act did not take into consideration the protection of heritage projects, and consequently resulted in the loss of significant heritage fabric through the requirement of new windows and rainscreen wall assemblies on residential heritage rehabilitation projects. An example being the requirement to remove original wooden siding that has successfully protected the building for 100 years, and replace it with a rainscreen assembly that is only warrantied for five years. Not only was valuable heritage fabric lost, but new materials will likely not last nearly as long as the original.

Amendments to the Homeowner Protection Act Regulation made in 2010 allow for exemptions for heritage sites from the need to fully conform to the BC Building Code under certain conditions, thus removing some of the barriers to compliance that previously conflicted with heritage conservation standards and guidelines. The changes comprised:

- an amendment to the Homeowner Protection Act Regulation, BC Reg. 29/99 that allows a warranty provider, in the case of a commercial to residential conversion, to exclude components of the building that have heritage value from the requirement for a warranty, and
- 2. clarification of the definition of 'substantial reconstruction.' The latter clarification explains that 75% of a home must be reconstructed for it to be considered a 'new home' under the Homeowner Protection Act, thus enabling single-family dwelling to multi-family and strata conversions with a maximum of 75% reconstruction to be exempt from home warranty insurance. The definition of a heritage building is consistent with that under the Energy Efficiency Act.

The property falls into the second category, as the proposed project involves retaining a high degree of the original structure and less than 75% of the house will be reconstructed. Consequently, this project is not considered a substantial reconstruction as per the amended definition in the Homeowners Protection Act, and will be exempt from the requirement of a warranty. This amendment will enable a higher degree of retention and preservation of original fenestration, siding and woodwork.

CONSERVATION GUIDELINES

4.6 SITE PROTECTION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the house is left vacant, it should be secured against intrusion and vandalism through the use of appropriate fencing and security measures. This is especially important if the building is missing windows or doors or is left elevated for any period of time. Security measure may include mothballing the historic property and/or hiring a security guard for the duration of the work. Generally, once a heritage property is no longer undergoing rehabilitation work and is under occupancy of its owners, lockable doors and lower level windows and continued monitoring by the owners should be adequate protection.

A comprehensive site protection plan has been developed, and the following measures are being carried out:

- House is checked weekly by security.
- House has been secured.
- Landscaping is being maintained.
- Roof has been checked for water tightness.
- Any changes are noted on a weekly basis.



A condition review of the John Residence was carried out during a site visit in March, 2014. In addition to the visual review of the exterior of the home, paint samples were taken from exterior building materials and examined. The recommendations for the preservation and rehabilitation of the historic façades are based on the site review, material samples and archival documents that provide valuable information about the original appearance of the historic building. The following chapter describes the materials, physical condition and recommended conservation strategy for the John Residence, based on Parks Canada's *Standard and Guidelines for the Conservation of Historic Places in Canada* (2010).

5.1 SITE

The John Residence, located on the south side of Superior Street, is situated in the historic James Bay neighbourhood of Victoria. The house will be relocated along with 521 and 545 Superior Street to a nearby site, within the same James Bay neighbourhood.

All heritage resources within the site should be protected from damage or destruction at all times. *Reference Section* 3.6: Site Protection for further information.

Conservation Strategy: Relocate

- Building will be relocated, and will stay within the James Bay neighbourhood.
- New site will be rehabilitated to accommodate the new foundations.
- Any new landscaping should be setback from the perimeter of the house to prevent potential damage to the exterior elevations.

The following *Relocation Guidelines* should be implemented for the relocation of the John Residence:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with shingle and horizontal drop siding, wood sash windows and frontgabled roof structure as much as possible.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.



Front elevation.

5.2 OVERALL FORM

The John Residence features residential form scale and massing, as expressed by its one-storey height, front-gabled roof, projecting front-gabled porch with triangular pediment, inset semi-octagonal bay at front, hip-roofed side addition, and projecting semi-octagonal gable-roofed bay on the east elevation. Soon after the house was constructed, the front and side bay roofs were extended and the entry porch was added. The original form, scale and massing of the historic house, including the early extensions, is a character-defining element of the historic house, and should be preserved.

As part of the redevelopment scheme, the overall form, scale and massing of the John Residence will be retained during the relocation of the house, and the original configuration will be preserved on the new site. Any new additions to the house should be reviewed by the Heritage Consultant, and should be distinguishable and removable from the historic structure.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building.
- The historic front façade should be retained.





View of back corner of house.

5.3 FOUNDATION

The John residence features a red brick foundation, which is original and is a character-defining element of the historic house. As the house will be relocated, new foundations will be required. Concrete is a suitable material, but red brick should be utilized as a veneer to replicate the original appearance of the foundation. If possible, carefully document and salvage the original brick foundation, and reinstate in the same configuration at the new site.

Conservation Strategy: Rehabilitation

- New foundations are required at the new site, and concrete is a suitable material.
- Salvage original foundation brickwork and reinstate

- following relocation of the house, if possible. Brick can be reinstated as an exterior veneer if concrete is to be used for foundations at new location. Any new material above ground should match original in appearance, as viewed from the exterior. Red brick should be used, in a matching configuration to original.
- To ensure the prolonged preservation of the new foundations, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage. Any new vegetation should be set back from the exterior elevations of the house to help prevent against unnecessary moisture damage.

5.4 EXTERIOR WOOD FRAME WALLS

The John Residence features wood-frame construction with original double bevelled siding, cornerboards and extensive carpenter ornamentation. The house also features original Queen Anne Revival style-detailing including fishscale shingles in front gable peak, corner entry porch supported by chamfered columns, projecting bays with scroll-cut cutaway brackets, gable finials and window crown mouldings. All aforementioned wood details are character-defining elements of the historic house, and should be preserved.

Most exterior wood surfaces demonstrate a high degree of weathering. Further investigation is required to determine if deterioration is superficial or if damage penetrates through to the wood elements. All exterior wood detailing should be closely inspected to determine the full condition of the original material. Any loose exterior paint should be sanded down, and any damaged wood elements should be repaired, cleaned and prepared for repainting. If any original exterior wood material is too damaged to repair, then original fabric should be documented and replaced in-kind with physically and visually match original.

Conservation Recommendation: Preservation and Restoration

- Due to the integrity of wood frame structure, the exterior walls should be preserved through retention and in-situ repair work. Preserve the original woodframe structure of the historic building.
- Preserve original double bevelled siding on all elevations, if possible, and clean surface for repainting.
- Replace damaged siding to match existing in material, size, profile and thickness, as required.
- Design structural or seismic upgrades so as to minimize the impact to the character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BCBC for fire and spatial separations including installation of sprinklers where possible.
- Cleaning procedures should be undertaken with nondestructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush,

- without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as Simple Green©) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.
- Any existing trim should be preserved, and new material that is visually physically compatible with the original should be reinstated when original fabric is missing. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable.
- Preserve historic fabric of the exterior elevations during the relocation of the house, including the wood-frame structure with fishscale shingles and double bevel siding, wood sash windows and front-gabled roof structure as much as possible.
- Paint exterior wood elements according to colour schedule devised by Heritage Consultant.

5.5 ENTRY PORCH AND BALUSTRADE

The John Residence features a corner entry porch supported by chamfered columns. The entry porch was an early intervention to the house, and is a character-defining element that should be preserved. All exterior wood surfaces should be inspected, and repaired or replaced in-kind as required.

The house features original balustrade on the entry porch. Heritage homes of this vintage were typified by a low balustrade of approximately 24" in height. To ensure the heritage character of the house is preserved, the low balustrade should be preserved and alternate compliance measures should be explored in order to meet code requirements. Such alternate compliance measures may include the use of metal pipe rail and glass panels to make up the remaining height. The new railing should be continuous down the front stair, as currently the front stairs are missing an appropriate railing.



Conservation Strategy: Rehabilitation

- Preserve the corner entry porch, including chamfered columns and original wood detailing.
- Porch configuration should be stabilized and relocated with the house. Brace as required.
- Original lower height of the balustrade should be preserved with alternate compliance methods utilized to achieve the required height. New railing should continue down front stair.
- New Possible alternative materials may be glass panels, metal pipe rails or a combination of both.



Corner entry porch.

5.6 FENESTRATION

Windows and doors are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. — Standards and Guidelines for the Conservation of Historic Places in Canada (2010).

5.6.1 WINDOWS

The John Residence features original windows, including one-over-one double-hung wooden-sash windows with horns, in single and double assemblies, and stained glass transoms in the front bay. All aforementioned original windows are character-defining elements of the historic house, and should be preserved. The stained glass windows appear to be in good condition, and should be preserved in-place. Side, rear and basement window assemblies may be rehabilitated, as necessary, in response to functional changes in interior floor plans.

All original windows have been retained, and appear to be in working condition. Further investigation is required in to the full condition of each window. All windows should be kept in-place during relocation of the house, and stabilized with plywood inserts as required. Each window should be inspected and repaired, as required. Original detailing, including dorms, window trim and aprons should be preserved. Exterior painted surfaces should be cleaned and prepared for repainting.

Conservation Strategy: Rehabilitation

 Preserve all original wood-sash and stained glass windows, as possible. Side, rear and basement window configuration may be rehabilitated, if required.

- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Inspect all leaded stained glass windows, and repair as required. All original stained glass should be preserved.
- Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by reputtying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- Replacement glass to be single glazing, and visually and physically compatible with existing. Obscure or clear glass is acceptable.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.
- Brace windows with temporary inserts while relocating the house, to ensure they are not damaged in the process. Alternatively, should the windows require removal for repair, reinstate repaired windows following relocation of the house.

5.6.2 DOORS

The John Residence features its original wood panelled front door with glazed inset and transom. The front door is a character-defining element of the historic house, and should be preserved. The house also features original or early wood panelled side and rear doors, which are also significant features of the historic house, and should be preserved. All doors are uniquely detailed, and fit within the character of the house.

All doors should be inspected to determine their full condition. Each door should be retained and repaired as required. All exterior wood surfaces should be cleaned and prepared for repainting.

Conservation Strategy: Preservation and Rehabilitation

- Preserve character-defining front wood panelled door with glazed inset and transom. Retain all side and rear significant wood doors, as possible.
- Retain the door openings in their original locations, and preserve and repair all original doors.
- New doors should be visually compatible with the historic character of the building.



Front door.





Front elevation: All windows should be preserved and repaired.

1x 1-over-1 double-hung wood sash w/ stained glass Treatment: Preservation and Repair

1x 1-over-1 fixed wood sash w/ stained glass Treatment: Preservation and Repair

1x 1-over-1 double-hung wood sash w/ stained glass Treatment: Preservation and Repair

2x 1-over-1 double-hung wood sash w/ horns Treatment: Preservation and Repair

West side elevation: Windows may be rehabilitated, as required.



2x 1-over-1 double-hung wood sash Treatment: Rehabilitation, as necessary

1x multi-paned wood sash fixed Treatment: Rehabilitation, as necessary

4x 1-over-1 double-hung wood sash w/ horns - in bay

Treatment: Rehabilitation, as necessary



East side elevation: Windows may be rehabilitated, as required.





1x 1-over-1 double-hung wood sash Treatment: Rehabilitation, as necessary

1x casement wood sash

Treatment: Rehabilitation, as necessary

1x awning wood sash

Treatment: Rehabilitation, as necessary

1x casement wood sash

Treatment: Rehabilitation, as necessary

1x 1-over-1 double-hung wood sash w/ horns

Treatment: Rehabilitation, as necessary

Rear elevation: Windows may be rehabilitated, as required.





2x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitation, as necessary

1x casement wood sash

Treatment: Rehabilitation, as necessary

2x 1-over-1 double-hung wood sash w/ horns

Treatment: Rehabilitation, as necessary

1x 1-over-1 double-hung wood sash

Treatment: Rehabilitation, as necessary



5.7 ROOF

The John Residence features a varied roof configuration with front-gabled main roof, projecting front-gabled porch with triangular pediment, inset semi-octagonal bay at front, hip-roofed side addition and projecting semi-octagonal gable-roofed bay on the east elevation. The Queen-Anne Revival style roof in the aforementioned configuration is a character-defining element of the historic house, and should be preserved.

The roof should be preserved and stabilized during relocation. The asphalt shingles are not sympathetic to the historic house, and should be replaced with cedar shingles if possible. Exterior wood detailing appears to be heavily weathered, and requires repair. If wood detailing is too damaged to repair, then replace in-kind with physically and visually consistent material. The roofing material is in poor condition, and requires replacement.

Conservation Recommendation: Rehabilitation

- Preserve the roof structure in its current configuration, as expressed by its varied front-gabled roof, projecting front-gabled porch with triangular pediment and hiproofed side addition.
- Roof cladding system requires replacement. Cedar shingles are the preferred material, but duroid, asphalt or fibreglass shingles are acceptable.
- Retain the original bargeboards and fascia boards, as well as the soffit and any exposed roof elements.
- Design and install adequate rainwater disposal system and ensure proper drainage from the site is maintained.
 Paint all drainage system elements according to colour schedule devised by Heritage Consultant.



Roof detailing.



Roof configuration.

5.8 INTERIOR FEATURES

"Interior features can include elements such as interior walls, floors and ceilings, mouldings, staircases, fireplace mantels, faucets, sinks, built-in cabinets, light fixtures, hardware, radiators, mail chutes, telephone booths and elevators. Because their heritage value resides not only in their physical characteristics, but also in their location in the historic building, it is important to protect them from removal. This is particularly true of doors, banisters, church pews, fireplace mantels, sinks and light fixtures, which are often replaced instead of being upgraded. Reuse in their original location not only protects their heritage value, but is also a more sustainable approach to conserving these artefacts." Standards and Guidelines for the Conservation of Historic Places in Canada (2010)

Building Code upgrading is one of the most important aspects of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. However, the interior features of an historic property are often heavily damaged in the process. The British Columbia Building Code offers equivalencies and exemptions to heritage buildings, which enable a higher degree of heritage conservation and retention of original material. The following guidelines pertaining to Health, Safety and Security Considerations from the *Standards and Guidelines* should be followed when faced with the conservation of interior features:

- Upgrade interior features to meet health, safety and security requirements, in a manner that preserves the existing feature and minimizes impact on its heritage value.
- Work with code specialists to determine the most appropriate solution to health, safety and security requirements with the least impact on interior features and overall heritage value of the historic building.

- Explore all options for modifications to existing interior features to meet functional requirements prior to considering removal or replacement.
- Remove or encapsulate hazardous materials, such as friable asbestos insulation, using the least-invasive abatement methods possible, and only after thorough testing has been conducted.
- Install sensitively designed fire-suppression systems that retain interior features and respect heritage value.

The John Residence features a number of original interior features. The entryway features unpainted wooden-panelled front vestibule and hallway, coffered wooden ceiling in vestibule, panelled hallway door with original hardware, and plaster ceiling in hallway with lincrusta frieze. The dining room features wooden panelling and trim in bay, wainscoting, panelled wooden doors, some with transoms, wooden door and window casings and wide wooden baseboards. Most interior features appear to be in fair condition. The wood is stained and varnished, and appears to be in good condition with evidence of wear and tear on projecting surfaces. Interior elements should be inspected, and repaired as required. It is not known at this time which features will be retained.

Conservation Recommendations: Rehabilitation

- Interior features should be investigated further to determine if they can be retained during the rehabilitation process.
- Rehabilitation measures may be introduced to accommodate functional needs or building code upgrades, as required.











Surviving interior features.

5.9 EXTERIOR COLOUR SCHEDULE

Part of the restoration process is to finish the building in historically appropriate paint colours. The following preliminary colour scheme has been derived by the Heritage Consultant, based on initial on-site paint sampling and microscopic paint analysis. The colours have been matched to Benjamin Moore's Historical True Colours Palette. Final colour scheme to be determined through further investigation and review.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Heritage Consultant. Further onsite analysis is required for final colour confirmation once access is available.

Conservation Recommendation: Restoration

 Restore the original or historically appropriate finish, hue and placement of applied colour. To be confirmed.

- Complete all basic repairs and restoration, and remove surface dust and grime before preparing, priming and painting. Be sure that all surfaces to be painted are thoroughly dry.
- Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay.
- Remove deteriorated paint that is not adhered to the wood using a metal scraper.
- Remove dust and dirt with the gentlest method possible such as low-pressure (hose pressure) water washing, with soft natural brushes or putty knives.
- Paint all areas of exposed wood elements with primer.
 Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, select an oil-based primer).
- Re-apply colours using architectural trim wrap, in which colour is applied to give a three-dimensional appearance to the surfaces by wrapping the applied colour around their edges.

Location	Colour
Siding	
	Pendrell Verdigris VC-22
Trim	
	Pendrell Green VC-18
Window Sash	
	Gloss Black VC-35
Porch Columns (colour scheme may have been changed when columns were added)	
	Oxford Ivory VC-1

Final colour scheme will be prepared based on analysis of original colours, further design consideration and context.

6. RESEARCH SUMMARY

CONSTRUCTION DATE: 1891-92
ORIGINAL OWNERS: Richard and Kate John
FIRST LONG-TERM OWNERS: John and Florence Smith
BUILDER: Richard John (assumed)

WATER PERMIT:

 #1237: March 28th, 1903, 539 Superior Street, John Smith, owner

NEWSPAPER REFERENCES:

- Victoria Daily Times, 1915-04-10, page 12: "Lives Here 35 Years: John Smith, Well Known as Impromptu Speaker, Passed Away This Morning"
- Victoria Daily Times, 1922-07-20, page 9: "Aged Woman Died Suddenly Yesterday". Obituary of Mrs. Florence Annie Elizabeth Smith
- Victoria Times Colonist, 1987-10-31: "Landmarks: John House has classical exterior details"

HALLMARK SOCIETY FILES:

"Lot 1 was formed from part of lot 1724 as a result of the 1891 partial subdivision of this block (60). Mr. G. M. Wysham owned both lots 1723 & 1724 from 1872 when this area was developed (prior to this the lot did not exist). Unfortunately there is no further information about Mr. Wysham, other than he may have died in 1876. As early as 1872 there were improvements to this lot. One possibility is that 539 Superior is the original house built by G. M. Wysham. The other possibility is that all structures were demolished after the subdivision and the homes rebuilt. In 1891, the property changed hands twice. It was purchased by Richard J. John, a porter for Weiler Bros.

In 1893, Richard John sold to John Smith who owned the property until his death in 1915. Mr. Smith originally came from London, England and was employed as the foreman at Chris Morley's Soda Water Factory for over 25 years. He was best known, however, as a "witty and entertaining impromptu speaker" who used his talents at "banquets and public functions".

For several years Smith rented the house to James Moss, a florist who also had a nursery on the property. The 1899 directory shows John Smith as resident and also Moss's Nursery. From the turn of the century to 1908 Moss lived in the house. James Moss came to Victoria from England in 1862 and established the first nursery in the city, at Willows. "He laid out gardens for all the old-timers which did much to establish his reputation... He [also] laid out the Douglas Estate for the Great Governor."

After John Smith's death, ownership of the lot was transferred to his wife. Florence A.E. Smith became a recluse after the death of her husband, and was found dead in the house on July 20, 1922.

RESEARCH SUMMARY

GR 2951 BRITISH COLUMBIA. DIVISION OF VITAL STATISTICS. Volume 329 Death registrations 094796 to 095296 nesday, April 2. 1921, at his bond, 1924
JOHN—An April 1. 1921, at his bond, 1926
St. James Street. Richard John, 1926
63 years; born in Pennayavania, U.S.A.
He is aurived by two sons, Percy
John and R. O. John; also one daughter, Mrs. Walter Pridham, all in the
city.
The 539 Superior The remains are resting at the chapel of the B.C. Funeral Co., where service will be held on Priday afternoon at 2 c'clock, after which the remains will be interred at Shady Creek Cemetery, South 95035 This Form, if placed in an envelope reacted "Dominion Statistics, Fore. Penalty for improper use \$300" and addressed by an Registrary of the Registrarion Division in which the death occurred, will pass through the mail free. FORM 6. PROVINCE OF BRITISH COLUMBIA CERTIFICATE OF REGISTRATION OF DEATH 1 PLACE OF DEATH-If in Municipality..... If in City or Town Victoria Street St James If in hospital or institution, give name.... 2 NAME OF DECEASED Richard John Residence 305 St James St. PERSONAL AND STATISTICAL INFORMATION MEDICAL CERTIFICATE OF DEATH 4 RACIAL ORIGIN 5 Single, Married, Widered
Welsh Divorced (Write the Word) 19 Date of death April1/24 6 BIRTHPLACE (Province or Country) Pennaylvania 7 DATE OF BIRTH (month, day end year) Dec 28 1861 CAUSE OF DEATH was as follows: OCCUPATION OF DECEASED (a) ______ CRDING t _____ MRKA放 (Trade or occupation or kind of work) CONTRIBUTORY... 10 LENGTH OF RESIDENCE (In years and months) (duration).... (a) At place of death 5 YEBRS (b) In province 57 YEBRS
(c) In Canada (if an immigrant) 57 YEBRS 21 Where was disease contracted if not at place of death? Did an operation precede death? 21.0 Date of 13 Maiden name of mother Ann Creer 14 Birthplace of mother 16 Relationship to deceased Jone Shady Creek cemetery April4/24 18 Undwictoria, B. C. Funeral Co. (Hayward a) Ltd person acting as Undertaker to obtain all the particulars required in the surfit RESERT REAL MILES IN MILES OVER! VICTORIA. B. C.



15.09	39342	
VITAL ST	ATISTICS ACT.	
£	THE PARTY OF THE PARTY.	11842
539 Superior Times Apallo, 1915	DULE B.—Deaths.	1.1.04%
So i setter by the set of the	Cur or town of	
LIVED HERE 35 YEARS	Victoria	_
total of the second	District of Landson	2 ~ A.
John Smith, Well Known as Im-	12. How long resident in city	15
promptu Speaker, Passed Away	11. How long in district	K
This Morning.	1	
A citizen ware well because to be	12. How long in Canada, if foreign bor	
A citizen very well known in Victoria bassed away this morning. This was	(a) Name of father The See	my arine
ohn Smith of 528 Connection was	///	Earnhore Eur
ohn Smith, of 538 Superior street, who or the past thirty-five years has made	(Corine	e or country.)
is home in this city, winning in that	(a.) Maiden name of mostheed 1.77	Inta Your was
ime many close friends.	PSCOT ST. 15) Herthplace of mothers 5 HA	unuletus Law
Mr. Smith was born in London, Eng-	(Province of mothers, Continue	e or country.)
and, sixty-four years ago, and came	The Foregoing Stated Personal	Particulars are True
ere in the early 'eightles, almost im-	to the Best of My Know To	ige and Belief.
nediately-taking a-position with the		tourson.
hris Morley Soda Water company, un-	Co 10 - 531 13 1 1037 1	
il the time of his retirement ten years	Allrea 100 100	llenson St
go being foreman for that business.	17. Undertaber.	
ic was very well known as a witty and	Address 734 Moone Non	J ²
ntertaining impromptu speaker at	Address 734 Mounton	R
anquets and public functions of the		
and, and in his role earned quite a	TIFICATE OF CAUSE OF DEATH.	
eputation for himself.	kelle 1700 19 10	apret 9 15.
Besides his widow he is survived by	1913. That Le dist, as I am informed, on the 10 day of	·
ne sister, Mrs. Stephenson living in		27.50
england. He was a member of the	e and helief, the cause of death was as hereunder written.	
Ancient Order of United Workmen.		
he funeral will take place from the	asmic pearing asserse.	Days or Hours.
3. C. Funeral parlors on Monday after-	no l	4 years
oon at 2,30, Rev. W. Leslie Clay to	aremia	
Land		
Witness my hand, this 51	Color State	
	(Signature) Tillled It That	м.р.
day of	I was a second of the second o	
	SMITH-In this city, on the 10th instant,	
	Tand agad 81 years. The deccased, whol	
	leaves a widow, and one sister resid- ing in England, was youngest son-of	
	the late Wm. G. Smith, of London, England, and educated at the North	4/4
	twenty-five years employed by the	7.3
	late Chris. Moriey.	land A
	Co., 234 Broughton street, at 2.30 p. m., the Rev. Dr. Clay officiating. Interment	4
	In Ross Bay cometery	
	Trucky In Division I dies	

RESEARCH SUMMARY



View from Parliament Buildings, circa 190-. [British Columbia Archives B-01799]



CAPITAL PARK, VICTORIA CAPITAL PARK, VICTORIA

545 SUPERIOR STREET

DRAFT CONSERVATION PLAN - JUNE 2014



DONALD LUXTON AND ASSOCIATES INC

DONALD LUXTON AND ASSOCIATES INC.

1030 - 470 GRANVILLE STEET VANCOUVER BC V6C 1V5 info@donaldluxton.com 604 688 1216 www.donaldluxton.com



TABLE OF CONTENTS

1. INTR	RODUCTION	4
2. HIS1	FORY	6
3. STA	TEMENT OF SIGNIFICANCE	16
4. CON	NSERVATION GUIDELINES	18
4.1	STANDARDS AND GUIDELINES	18
4.2	CONSERVATION REFERENCES	19
4.3	GENERAL CONSERVATION STRATEGY	20
4.4	SUSTAINABILITY STRATEGY	21
4.5	HERITAGE EQUIVALENCIES AND EXEMPTIONS	23
	4.5.1 BRITISH COLUMBIA BUILDING CODE	23
	4.5.2 ENERGY EFFICIENCY ACT	23
	4.5.3 HOMEOWNER PROTECTION ACT	24
4.6	SITE PROTECTION	25
5. CON	ISERVATION RECOMMENDATIONS	26
5.1	SITE	26
5.2	OVERALL FORM	28
	FOUNDATION	
5.4	EXTERIOR WOOD FRAME WALLS	29
5.5	FRONT PORCH/ BALUSTRADE	31
5.6	FENESTRATION	32
í	5.6.1 WINDOWS	32
í	5.6.2 DOORS	37
5.7	ROOF	37
	.7.1 CHIMNEY	
	INTERIOR FEATURES	
	EXTERIOR COLOUR SCHEDULE	
6. RES	EARCH SUMMARY	42

1. INTRODUCTION

SUBJECT PROPERTY: 545 SUPERIOR STREET

VICTORIA, BC

HERITAGE STATUS: VICTORIA HERITAGE REGISTER

The block to the south of the BC Parliament Buildings was once a resource-rich traditional hunting and gathering territory for the Esquimalt and Songhees (Lekwungen) First Nations, known as "Whosaykum" after the tidal mud flats that once existed where the Empress Hotel now stands. This is the traditional territory of the Lekwungen People.

Historically and visually, this block is an important site that exists within the context of iconic structures that symbolize Imperial ambition and grandeur, as well as the grand architectural vision of Francis Rattenbury, including the Empress Hotel, the Legislative Buildings, the Crystal Garden and the CPR Marine Terminal. The area's planning and policy framework touches upon the planning frameworks for the Inner Harbour, the Legislative Precinct and the James Bay neighbourhood. Over time, the expansion of government services and buildings has included expansion to the south, which has caused the ongoing relocation of a number of early residential buildings.

The Capital Park site encompasses nearly every parcel bounded by Superior Street on the north; Government Street on the east; Michigan Street on the south and Menzies Street on the east. Within the site, there are five historic houses, which have been located on the block for more than a century. Two of the houses were originally built on the north side of Superior Street, but the expanding British Columbia

Parliament necessitated their relocation in 1910. During that summer, fifteen houses in the immediate area were moved from their original location behind the Parliament Building to make room for the additional government facilities. One of the relocated houses, now located at 521 Superior Street, was originally constructed directly across the street, at 522 Superior Street, and was purchased by Charles Cameron in an auction. The other relocated house, now standing at 524 Michigan Street, was originally located at 548 Superior Street and was purchased and moved by C.F. Beaven. The 1910 auction and sale lists of the fifteen moving houses, offer a glimpse into the real estate environment of Victoria during the booming Edwardian era of the early twentieth century.

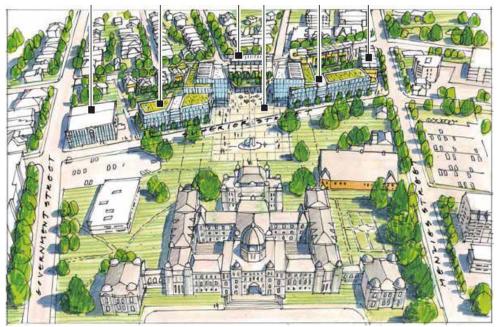
The five heritage houses remaining on the Capital Park site are 521 Superior Street, 539 Superior Street, 545 Superior Street, 524 Michigan Street and 526 Michigan Street.

A century after the Edwardian era government expansion, the Legislative district is again growing, and Capital Park's extant heritage resources are again in the midst of a changing real estate development landscape. The historic houses, some already moved once, are poised to shift in order to accommodate the need for additional government office space. The heritage value and character-defining elements of 521, 539 and 545 Superior Street are outlined in the following pages.

INTRODUCTION



Capital Park, Existing.



Proposed Rendering by Endall Elliott Associates Architects.



2. HISTORY

ORIGINAL ARCHITECT: THOMAS HOOPER



(From Building the West, page 138-145)

The story of Thomas Hooper echoes the boom and bust cycle of British Columbia's resource-based economy. He had one of this province's longest-running and most prolific architectural careers, but until recently the extent of his accomplishments was virtually unrecognized. He designed hundreds of buildings, travelled extensively in pursuit of numerous institutional and commercial commissions, and made and lost four fortunes. At one point he had the largest architectural practice in western Canada, with offices in three cities, but the First World War and the Great Depression conspired to end his career prematurely. He died a pauper, and was buried in an unmarked grave.

Born in Hatherleigh, Devon, England on March 2, 1857, he was the sixth of eleven children of John and Susan Hooper. Young Thomas was exposed at an early age to the building trades. His uncles, Samuel and James, were both architects and surveyors to the Duchy of Cornwall, and family members had been masons for many generations. John Hooper brought his wife and children to London, Ontario in 1871, and after Thomas completed his schooling he was apprenticed for four years as a carpenter and joiner to J.M. Dodd & Sons. The opening of the west tempted the Hooper family to move to the boomtown of Emerson, Manitoba in 1878. There, Thomas Hooper married Rebecca Johnson on June 21, 1879; their only child, a daughter, was born in 1880, but died at the age of four months. When it became clear that the railway was going to pass through Winnipeg rather than Emerson, Thomas moved there, and worked as a contractor; later he engaged in architectural work with older brother, Samuel, who in addition to his private architectural practice and work as a sculptor, became, in 1907, the first Provincial Architect of Manitoba.

Thomas Hooper decided to push farther west, and arrived in Vancouver in July, 1886, having walked the last 500 miles to the west coast. His timing was fortuitous, as he arrived in Vancouver just one month after the great fire that had destroyed the burgeoning new community. Hooper worked as Provincial Supervisory Architect from 1887-88, and also established his own practice in 1887. His first projects in Vancouver included several houses, a Chinese Mission church, a commercial block for R.V. Winch, and his largest early commission in Vancouver, the Homer Street Methodist Church, 1888-89. This was the first of many commissions that he received from the Methodists, and marked the beginning of a long association with Ebenezer Robson, a pioneer missionary and brother of B.C. Premier John Robson. As a result of these connections, Hooper was chosen to design the Wallace Street Methodist Church in Nanaimo, and the Metropolitan Methodist Church in Victoria, and in 1889 was sent back east by the church elders to tour the new trends in church architecture, where he was exposed to the Romanesque Revival style popularized by H.H. Richardson.

HISTORY

While the Metropolitan Methodist Church was under construction, Hooper shifted the focus of his activities to the more established city of Victoria. From this point on, Hooper maintained offices in both cities, and his practice flourished. He maintained close friendships with many clients, including department store merchants, David Spencer and his son Christopher, and businessmen, R.V. Winch and E.A. Morris, for each of whom he designed a series of buildings.

Always looking to expand his practice, in 1890 Hooper established a partnership in Victoria with S.M. Goddard. Although the firm was dissolved in June the following year, together they designed several prominent buildings, including the Wilson & Dalby Block in Victoria, and an Indian Mission School in Port Simpson. In 1891 Hooper also started a short-lived association with a Mr. Reid in Nanaimo, a partnership that produced only one known building, a shopping arcade for David Spencer. In 1893, Hooper won the competition for the Protestant Orphans' Home in Victoria, the design of which is almost a direct quote of Henry Hobson Richardson's Sever Hall at Harvard, 1878-80. Although smaller in scale, Hooper echoed Richardson's symmetrical massing, simple use of red brick, and semi-turrets flanking a round-arched central entry.

Hooper's career suffered during the general depression of the mid-1890s, but flourished again starting with the boom years of the Klondike Gold Rush. He acquired a reputation as a solid and astute businessman who understood the needs of commercial clients, and his office turned out numerous handsome, and sometimes innovative, structures. The front facade of his warehouse for Thomas Earle, Victoria, 1899-1900, is one of the earliest local examples of a glass curtain wall, demonstrating Hooper's awareness of developing trends in architecture in Eastern Canada and the United States.

By 1902 he formed a partnership with C. Elwood Watkins, who had entered his office as an apprentice in 1890. Among the many projects that the firm undertook at this time were the successful competition entry for the Victoria Public

Library, 1904; the campus for University Schools Ltd. in Saanich, 1908; additions to St. Ann's Academy in Victoria, designed 1908; and many projects in Vancouver including the Odd Fellows Hall, 1905-06; the B.C. Permanent Loan Co. Building, 1907; and the landmark Winch Building, 1906-09.

After the partnership with Watkins ended acrimoniously in 1909, Hooper concentrated on large-scale commercial and institutional projects, advertising himself as a specialist in steel-framed structures. This was the most prolific period of Hooper's career; his work ranged from the magnificent residence Hycroft, 1909-12, for A.D. McRae - the most imposing mansion in the CPR's new suburb of Shaughnessy Heights in Point Grey - to court houses, churches, and numerous warehouses and commercial buildings throughout the province. Another grand Shaughnessy residence was Greencroft, for Hugh McLean, 1912, with a mixture of Arts and Crafts and Shingle style elements that resembles a baronial hunting lodge, a very unusual departure for Hooper's work; the plans are signed by John M. Goodwin, who possibly took direction more from McLean than Hooper. Other significant projects during the boom years included a tobacco shop for E.A. Morris in Victoria, 1909; the classicallyinspired Chilliwack City Hall, 1910-12; the Vancouver Labor Temple, 1910-12; additions to the Vancouver Court House, 1910-12; the Vernon Court House, 1911-14; the Revelstoke Court House, 1911-13; ice arenas for the Patrick Brothers in Vancouver and Victoria, 1911-12; the Tudor Revival mansion Lyndhurst, for P.R. Brown in Esquimalt, 1913; and a number of B.C. commissions for the Royal Bank. One of these, the Royal Bank on Government Street in Victoria, 1909-10, has a facade designed by acclaimed New York architects Carrère & Hastings, architects of many landmark buildings including the Beaux-Arts New York Public Library, 1911. This was not an isolated connection - Carrère & Hastings also provided designs for Royal Bank projects in Winnipeg, Alberta, New York and Port of Spain, Trinidad - but indicates the importance of the Victoria commission within the context of British Columbia.



Hooper's office prepared an elaborate submission for the 1912 competition for the new University of British Columbia. His grand Beaux-Arts scheme was a beautifully rendered concept that completely disregarded the implicit directions for a free rendering of either a Late Tudor, Elizabethan or Scottish Baronial style. Hooper's designs were so at odds with what was asked for that it was singled out for especially vicious criticism, the judges - including Samuel Maclure stated "it is not desired to erect palaces... the style is frankly classical of a palatial nature... It appears, therefore, that the practical issues such as appropriate planning and cost of erection have been sacrificed to grandiose and pictorial effects." A current assessment of the competition indicates that, in fact, Hooper's entry would likely have produced the most interesting campus, and his personal disappointment at losing this important commission can only be imagined.

The general economic downturn of 1913 caught the booming province by surprise. Many proposed projects were stuck at the planning stage and were eventually abandoned. After an unsuccessful attempt to establish an office in Edmonton, and a failed entry to the Vancouver Civic Centre competition in 1914, Hooper, seeing no future in British Columbia, left in 1915 to try his luck in New York City. Prospects looked brighter there as America was staying out of the European conflict, and Hooper's favoured Beaux-Arts style was all the rage, spearheaded by leading firms with all the right social connections such as McKim, Mead & White. He formed a partnership, and was beginning to establish his reputation, when America's entry into the Great War in 1917 choked off any further commissions, and his career was effectively ended. He remained in New York, travelling regularly to Europe with Christopher Spencer on his buying trips, but finally ran through his money and returned penniless to Vancouver in 1927. With the assistance of his family he tried to reestablish his practice. He formed a brief partnership with Robert Wilson, who had previously been his office manager, and they are known to have designed one apartment building together in 1928. Hooper also consulted on the design of the Benjamin Franklin Hotel in Seattle (opened

1929, Earl Roberts, Architect), but the Crash of 1929 and the ensuing Depression ended any further attempts to find work. Along with many others he withdrew his membership from the AIBC in 1931, and lived with family members until ill health forced his entry into an Old Folk's home. Hooper died January 1, 1935, and was buried in the family plot of his relatives, the McCauls, in Mountain View Cemetery in Vancouver.

Hooper's importance to the profession in British Columbia lies in his introduction and promotion of new styles of architecture, and his continual development and improvement of commercial building types. In the early 1890s he was involved in the earliest attempts to have the profession officially recognized, and for decades ran large offices that trained a generation of young designers, including C. Elwood Watkins and J.Y. McCarter. Hooper was highly regarded by other architects for his business acumen, his personal drive, and his considerable design skills. Along with Francis Rattenbury, he was respected by many contractors as the most accomplished and competent of the local architects.

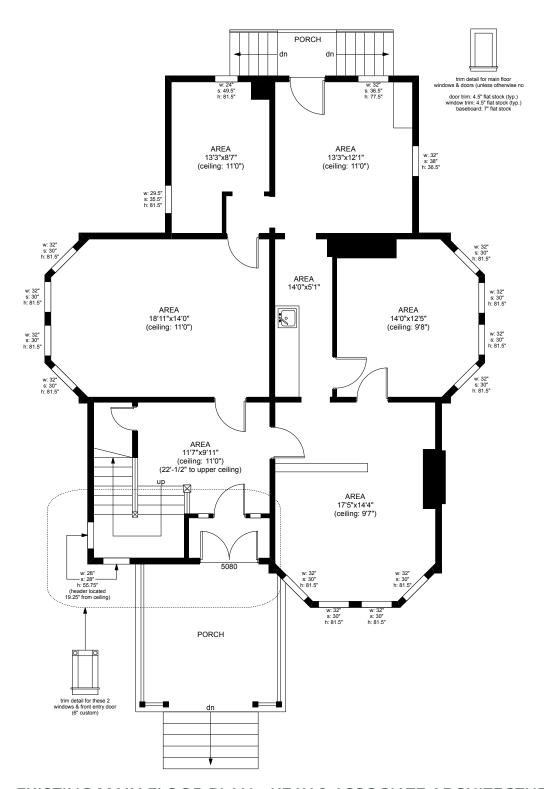
HISTORY

ARCHIVAL MATERIAL:



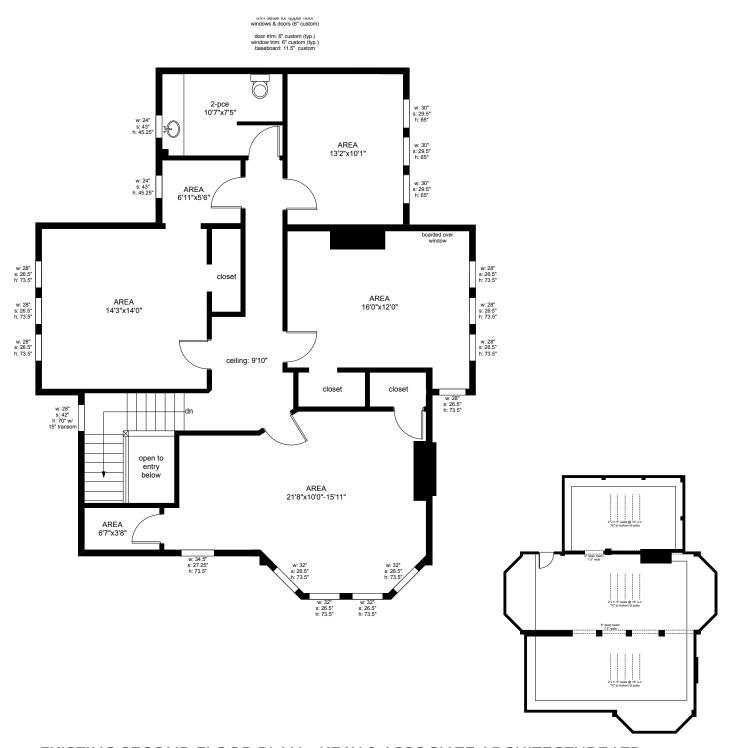
Above: View from Parliament Buildings, circa 190-, detail below showing close-up view of 545 Superior, with original wraparound verandah, and shed-roofed balcony at second floor front. [British Columbia Archives B-01799]

Right: Black Residence at 64 Superior Street [1891 Fire Insurance Map, Victoria, updated to 1895]



EXISTING MAIN FLOOR PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING SECOND FLOOR PLAN - KEAY & ASSOCIATE ARCHITECTURE LTD.



EXISTING FRONT (NORTH) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING SIDE (WEST) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.



EXISTING REAR (SOUTH) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.

HISTORY



EXISTING SIDE (EAST) ELEVATION - KEAY & ASSOCIATE ARCHITECTURE LTD.



3. STATEMENT OF SIGNIFICANCE



Construction Date: 1891 Original Owner: Alexander Black Architect: Thomas Hooper

Description of Historic Place

The Black Residence is a large, two and one-half storey plus basement, Queen Anne Revival-style dwelling that displays asymmetrical massing and a picturesque roofline. Distinguishing features include a front-gabled projecting entrance porch, three double-height projecting bays, and elaborate carpenter ornamentation such as scroll-cut brackets, lathe-turned columns, decorative pediments, and patterned shingles. It is situated on the south side of Superior Street, within the Legislative Precinct, in the historic James Bay neighbourhood of Victoria.

Heritage Value of Historic Place

Constructed in 1891, the Black Residence is emblematic of 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 Black Residence is additionally valued for its Queen Anne Revival-style architecture, designed by prominent B.C. architect, Thomas Hooper (1857-1935). Hooper had one of the province's longest running and most prolific architectural careers, designing hundreds of commercial and residential buildings in the Lower Mainland and on Vancouver Island. Typical of the Queen Anne Revival style, the Black Residence is characterized by its asymmetrical massing, picturesque roofline, tall red brick corbelled chimneys and carpenter ornamentation. The scroll-cut detailing also demonstrates the introduction of new construction technology, at a time when steam-driven band saws, drills and lathes had become readily available, facilitating the use of ornate detailing. The embellishment of late Victorian-era houses, with a variety of surface textures and carved and applied details, was a public display of pride as well as a sign of social status.

STATEMENT OF SIGNIFICANCE

Alexander Black, a railway conductor, remained in the house only briefly; John Alfred and Annie Lawrence bought the property in 1894. In the early 1930s, the home was purchased by the Province of British Columbia, necessitated by the expansion of the provincial bureaucracy. The Black Residence, with its complex design and fine craftsmanship, makes a significant contribution to the rich and varied streetscapes of the James Bay neighbourhood, which continues today with a mix of residential, commercial and bureaucratic uses.

Character-Defining Elements

Key elements that define the heritage character of the Black 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; full basement; central front-gabled roof with hipped returns; three doubleheight front-gabled bay windows; and front-gabled entrance porch, supported by paired lathe-turned columns;
- wood-frame construction with bellcast cedar shingles on the second storey level; wooden drop siding on the main floor level; and vertical v-joint siding on the foundation level;
- masonry elements such as brick foundation, and internal and external red-brick chimneys;
- elements of the Queen Anne Revival style such as: asymmetrical massing; picturesque roofline; variety of cladding and textures; applied scroll-cut ornamentation in gable peaks; coffered gable ends; decorative pediment above front entry; and carpenter ornamentation including scroll-cut brackets, latheturned columns, and moulded window hoods and crowns;
- fenestration such as: 1-over-1 double-hung wooden sash windows with horns; 16-over-1 double hung wooden sash window at second floor front; and stained glass; and
- double-leaf panelled wooden front doors with glazed insets, transom and original hardware.



4. CONSERVATION GUIDELINES

4.1 STANDARDS AND GUIDELINES

545 Superior Street is a listed residential heritage building on the Victoria Heritage Register, and is a significant historical resource in the City of Victoria. The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada (2010) is the source used to assess the appropriate level of conservation and intervention. Under the Guidelines, the work proposed for the house includes aspects of preservation, rehabilitation and restoration.

PRESERVATION: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

RESTORATION: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

REHABILITATION: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to 545 Superior Street should be based upon the Standards outlined in the *Standards and Guidelines*, which are conservation principles of best practice. The following *General Standards* should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

- Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.
- 2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
- 5. Find a use for a historic place that requires minimal or no change to its character defining elements.
- 6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
- Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- 8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

CONSERVATION GUIDELINES

 Make any intervention needed to preserve characterdefining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails the Preservation and Rehabilitation of the exterior and parts of the interior of 545 Superior Street. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.

http://www.historicplaces.ca/en/pages/standards-normes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

http://www.nps.gov/tps/how-to-preserve/briefs/10-paint-problems.htm

Preservation Brief 31: Mothballing Historic Buildings. http://www.nps.gov/tps/how-to-preserve/briefs/31-mothballing.htm

Preservation Brief 33: The Preservation and Repair of Historic Stained and Leaded Glass.

http://www.nps.gov/tps/how-to-preserve/briefs/33-stained-leaded-glass.htm

Preservation Brief 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing.

http://www.nps.gov/tps/how-to-preserve/briefs/37-lead-paint-hazards.htm

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront. http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic

http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-retrofit.htm

Preservation Brief 45: Preserving Historic Wooden Porches. http://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm



4.3 GENERAL CONSERVATION STRATEGY

OVERALL STRATEGY

The conservation strategy for the five houses of Capital Park includes relocation, with the primary intervention being rehabilitation, including elements of preservation and restoration for each house. Three houses will be retained on the block (521, 539 and 545 Superior Street) and the other two houses (524 and 526 Michigan Street) will be relocated offsite. A comprehensive redevelopment plan for the site is being prepared by Endall Elliot Associates Architects in association with CEI Architects. The rehabilitation plans for the houses are being prepared by Keay & Associate, Architecture Ltd.

There is sufficient room onsite to retain three houses as part of the comprehensive redevelopment; the intent is to relocate the houses towards the southeast corner of the site, to create a heritage grouping that addresses the residential context on Government and Michigan Streets, including the two adjacent existing heritage houses facing Government Street. Two of the houses (521 Superior and 524 Michigan) were previously relocated to the site.

The three Superior Street houses have been chosen for retention onsite for the following reasons:

- They currently exist as a grouping in relative association with each other, and would be rotated 180 degrees.
- These three are the most architecturally impressive of the five houses, and will form a strong grouping of houses of similar style, age and detailing.
- The three Superior Street houses include the most impressive and intact interior detailing, features of which can be preserved through the proposed use.
- Built as a rental property, 524 Michigan which has already been relocated once – is a handsomelydetailed, but typical Italianate house similar to others found in James Bay, and can exist comfortably on a new site. It has very few significant interior features, and would lend itself to more flexible uses.

 Built as a boarding house, 526 Michigan is the most utilitarian of the houses, but has sufficient character when restored to exist on a new site. It also has very few significant interior features, and would lend itself to more flexible uses.

Based on this analysis, and study of their final appearance as a heritage streetscape, the Superior Street houses will be grouped along Michigan Street, and the Michigan Street houses will be offered for relocation within James Bay.

545 SUPERIOR STREET STRATEGY

The house will be relocated from its existing location, along with 521 and 539 Superior Street, as part of the redevelopment scheme of the site. The primary intent is to preserve the existing historic structure, while undertaking a rehabilitation that will upgrade its structure and services to increase functionality for residential and/or commercial use in a new location. As part of the scope of work, character-defining elements will be preserved, while missing or deteriorated elements will be restored.

Proposed Redevelopment Scheme

The major proposed interventions of the overall project are to:

- Preserve the historic structure.
- Relocate the structures to new adjacent sites within the James Bay neighbourhood.
- Preserve character-defining elements that are extant.
- Restore character-defining elements that have been removed or altered.
- Upgrade the structures and services to increase functionality for residential and/or commercial use.

CONSERVATION GUIDELINES

The house is proposed to be relocated within the James Bay neighbourhood of Victoria. The following *Relocation Guidelines* should be implemented for the relocation of the residences:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant. This can involve removal of later additions that are not enhancing the heritage value and historic appearance of the heritage house.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure, fenestration and exterior siding. Preserve brick chimneys in situ, where applicable, and relocate with the main structure, if possible. Alternatively reconstruct chimneys with salvaged bricks to match historic appearance, if unable to relocate with the main houses due to structural reasons.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.

4.4 SUSTAINABILITY STRATEGY

Sustainability is most commonly defined as "meeting the needs of the present without compromising the ability of future generations to meet their own needs" (Common Future. The Bruntland Commission). The four-pillar model of sustainability identifies four interlinked dimensions: environmental, economic, social and cultural sustainability, the latter including the built heritage environment.

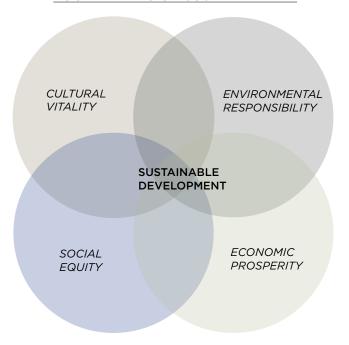
Current research links sustainability considerations with the conservation of our built and natural environments. A competitive, sustainable economy requires the conservation of heritage buildings as an important component of a high quality urban environment.

"We need to use our cities, our cultural resources, and our memories in such a way that they are available for future generations to use as well. Historic preservation makes cities viable, makes cities liveable, makes cities equitable."
(Economic Benefits of Preservation, Sustainability and Historic Preservation)

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by:

- Reducing solid waste disposal (reduced impact on landfills and their expansions);
- Saving embodied energy (defined as the total expenditure of energy involved in the creation of the building and its constituent materials);
- Conserving historic materials that are significantly less consumptive of energy than many new replacement materials (often local and regional materials, e.g. timber, brick, concrete, plaster, can be preserved and reduce the carbon footprint of manufacturing and transporting new materials).

FOUR PILLARS OF SUSTAINABILITY



The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for 545 Superior Street.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for the three houses.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

Energy Efficiency Considerations

- Identifying the historic place's heritage value and character-defining elements — materials, forms, location, spatial configurations, uses and cultural associations or meanings.
- Complying with energy efficiency objectives in such a manner that character-defining elements are conserved and the heritage value maintained.
- Working with energy efficiency and conservation specialists to determine the most appropriate solution to energy conservation problems that will have the least impact on character-defining elements and the overall heritage value.
- Weighing the total environmental cost of energy saving measures against the overall environmental costs of retaining the existing features or fabric, when deciding whether to proceed with energy saving measures.

CONSERVATION GUIDELINES

Buildings: Insulation

- Exercising caution and foreseeing the potential effects
 of insulating the building on the envelope system so as
 to avoid damaging changes such as displacing the dew
 point and creating thermal bridges.
- Installing thermal insulation in attics and in unheated cellars and crawl spaces to increase the efficiency of the existing mechanical systems unless this could adversely affect the building envelope.
- Installing insulating material on the inside of masonry and wood-frame walls to increase energy efficiency where there is no character-defining interior moulding around the windows or other character-defining interior architectural detailing.

Buildings: Windows

- Utilizing the inherent energy conserving features of a building by maintaining character-defining windows and/or louvered blinds in good operating condition for natural ventilation.
- Improving thermal efficiency with weather-stripping, storm windows, interior shades and, if historically appropriate, blinds and awnings.

Buildings: Entrances and Porches

 Maintaining character-defining porches and double vestibule entrances so that they can retain heat or block the sun and provide natural ventilation.

Buildings: Mechanical Systems

 Improving the energy efficiency of existing mechanical systems by installing insulation in attics and basements, unless this could adversely affect the building envelope.

The conservation recommendations recognize the need for sustainable interventions and adhere to the Standards and Guidelines as outlined.

4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS

As a Municipal Heritage Register-listed site, 545 Superior Street will eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the "Alternative Compliance Methods for Heritage Buildings."

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.



These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010) for further detail about "Energy Efficiency Considerations."

3.5.3 HOMEOWNER PROTECTION ACT

The Homeowner Protection Act was implemented in 1998 as a means to strengthen consumer protection for the purchase of new homes. The act was passed following a commission of enquiry into the leaky condo crisis, and was intended on protecting homeowners by ensuring home warranty insurance was provided on new construction, covering two years on labour and materials, five years on the building envelope and 10 years on the structure of the home. As the Act was intended to regulate new construction, considerations were not taken of buildings that have remained in sound condition for a many number of years that already far exceeded what the HPA requires for a warranty on a new home. The act did not take into consideration the protection of heritage projects, and consequently resulted in the loss of significant heritage fabric through the requirement of new windows and rainscreen wall assemblies on residential heritage rehabilitation projects. An example being the requirement to remove original wooden siding that has successfully protected the building for 100 years, and replace it with a rainscreen assembly that is only warrantied for five years. Not only was valuable heritage fabric lost, but new materials will likely not last nearly as long as the original.

Amendments to the Homeowner Protection Act Regulation made in 2010 allow for exemptions for heritage sites from the need to fully conform to the BC Building Code under certain conditions, thus removing some of the barriers to compliance that previously conflicted with heritage conservation standards and guidelines. The changes comprised:

- an amendment to the Homeowner Protection Act Regulation, BC Reg. 29/99 that allows a warranty provider, in the case of a commercial to residential conversion, to exclude components of the building that have heritage value from the requirement for a warranty, and
- 2. clarification of the definition of 'substantial reconstruction.' The latter clarification explains that 75% of a home must be reconstructed for it to be considered a 'new home' under the Homeowner Protection Act, thus enabling single-family dwelling to multi-family and strata conversions with a maximum of 75% reconstruction to be exempt from home warranty insurance. The definition of a heritage building is consistent with that under the Energy Efficiency Act.

The property falls into the second category, as the proposed project involves retaining a high degree of the original structures and less than 75% of the house will be reconstructed. Consequently, this project is not considered a substantial reconstruction as per the amended definition in the Homeowners Protection Act, and will be exempt from the requirement of a warranty. This amendment will enable a higher degree of retention and preservation of original fenestration, siding and woodwork.

CONSERVATION GUIDELINES

4.6 SITE PROTECTION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the house is left vacant, it should be secured against intrusion and vandalism through the use of appropriate fencing and security measures. This is especially important if the building is missing windows or doors or is left elevated for any period of time. Security measure may include mothballing the historic property and/or hiring a security guard for the duration of the work. Generally, once a heritage property is no longer undergoing rehabilitation work and is under occupancy of its owners, lockable doors and lower level windows and continued monitoring by the owners should be adequate protection.

A comprehensive site protection plan has been developed, and the following measures are being carried out:

- House is checked weekly by security.
- Hous has been secured.
- Landscaping is being maintained.
- Roof has been checked for water tightness.
- Any changes are noted on a weekly basis.



A condition review of the Black Residence was carried out during a site visit in March, 2014. In addition to the visual review of the exterior of the home, paint samples were taken from exterior building materials and examined. The recommendations for the preservation and rehabilitation of the historic façades are based on the site review, material samples and archival documents that provide valuable information about the original appearance of the historic building. The following chapter describes the materials, physical condition and recommended conservation strategy for the Black Residence, based on Parks Canada's *Standard and Guidelines for the Conservation of Historic Places in Canada* (2010).

5.1 SITE

The Black Residence is located in the historic James Bay neighbourhood of Victoria. As part of the redevelopment scheme, the house will be relocated along with 521 and 539 Superior Street within the same James Bay neighbourhood.

All heritage resources within the site should be protected from damage or destruction at all times. Reference **Section 3.6: Site Protection** for further information.

Conservation Strategy: Relocate

- Building will be relocated, and should stay within the same James Bay neighbourhood.
- New site will be rehabilitated to accommodate the new foundations.
- Any new landscaping should be setback from the perimeter of the house to prevent potential damage to the exterior elevations.

The following *Relocation Guidelines* should be implemented for the relocation of the Black Residence:

 A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.

- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant. This can involve removal of later additions that are not enhancing the heritage value and historic appearance of the heritage house.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with shingle and horizontal drop siding, wood sash windows and frontgabled roof structure as much as possible. Preserve brick chimneys in situ and relocate with the main structure, if possible. Alternatively reconstruct chimney with salvaged bricks to match historic appearance, if unable to relocate with the Black Residence due to structural reasons.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.





5.2 OVERALL FORM

The Black Residence features a two-storey residential form, scale and massing with side-gabled roof structure with multiple gabled projections and double-height bay window. The extant original form, scale and massing is a character-defining element of the historic house, and should be preserved. The house also features asymmetrical massing, traditional of the Queen Anne Revival style, which is also a character-defining element that should be preserved.

The house has been preserved in its original form, with no modern additions or major alterations to the exterior. As part of the redevelopment scheme, the overall form, scale and massing of the Black Residence will be retained during the relocation of the house, and the original configuration will be preserved on the new site. Any new additions to the house should be reviewed by the Heritage Consultant, and should be distinguishable and removable from the historic structure.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building.
- The historic front façade should be retained.



West side elevation.

5.3 FOUNDATION

The house features original exposed brick foundations, which is a character-defining element of the historic house. The brick is currently painted, and appears to be in good condition. Due to the proposed relocation of the house, new foundations will be required. Concrete is a suitable material for new foundations, but all visible exterior surfaced above-grade should be finished in brick to match original. If possible, salvage original brickwork and reinstate following relocation of the house. Depending on condition of brickwork, bricks can be stripped or repainted according to colour schedule devised by Heritage Consultant. Front foundation window openings should be reinstated as per original, but side and rear window opening configuration in foundation may be rehabilitated.

Conservation Strategy: Rehabilitation

- New foundations are required at the new site, and concrete is a suitable material.
- Salvage original foundation brickwork and reinstate following relocation of the house. Brick can be reinstated as an exterior veneer if concrete is to be used for foundations at new location. Any new material above ground should match original in appearance, as viewed from the exterior. Red brick should be used, in a matching configuration to original.
- To ensure the prolonged preservation of the new foundations, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage. New vegetation but should be set back from the exterior elevations of the house to help prevent against unnecessary moisture damage.
- Front window openings at foundation level should be retained. Side and rear configuration may be rehabilitated.

5.4 EXTERIOR WOOD FRAME WALLS

The Black Residence features original wood-frame construction with bellcast cedar shingles on the second storey level, wooden drop siding on the main floor level and vertical v-joint siding on the foundation level. The house also features elements of the Queen Anne Revival style such as its applied scroll-cut decorations, coffered gable ends, coved siding, decorative pediment above front entry and carpenter ornamentation including scroll-cut brackets, lathe-turned columns and moulded panels surrounding the window frames. All aforementioned wood detailing are character-defining elements of the historic house, and should be preserved.

The exterior wood detailing is original to the historic house, and has been retained in its original configuration and placement. An initial visual review suggests the exterior wood-frame elements, including siding and trim, are in fair condition with evidence of moderate weather damage. The exterior painted surfaces appear to be worn, and paint is failing in a number of locations. Additionally, a number of shingles appear to be damaged and split. Proper maintenance of painted wood surfaces is essential in ensuring the protection of historic wood material. Further investigation is required into the condition of all wood surfaces, and any localized damage should be repaired. All exterior wood surfaces should be repainted according to colour schedule devised by Heritage Consultant.

Conservation Recommendation: Preservation and Restoration

- Due to the integrity of wood frame structure, the exterior walls should be preserved through retention and in-situ repair work.
- Preserve the original wood-frame structure of the historic building.
- Preserve original siding on all elevations, if possible, and clean surface for repainting.
- Preserve all original exterior trimwork and detailing on all exterior elevations, including within the roof gables.



- Investigate all exterior wood elements to determine condition of material.
- Repair or replace in kind any material that is too damaged to repair. All interventions should be sensitive to the historic fabric of the house, and any new material should match historic original in material, size, profile and thickness. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable
- Design structural or seismic upgrades so as to minimize the impact to the character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BCBC for fire and spatial separations including installation of sprinklers where possible.
- Prepare all wood surfaces for repainting. Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as Simple Green©) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.
- Paint all exterior wood surfaces according to colour schedule devised by Heritage Consultant.



Wood detailing in front-gabled verandah roof.



Wood soffit in front verandah.

5.5 FRONT PORCH/ BALUSTRADE

The Black Residence features a front-gabled verandah with pediment supported by lathe-turned columns. The decorative pediment features applied scroll-cut decorations and decorative scroll-cut brackets. The front-gabled verandah and all aforementioned detailing are character-defining elements of the historic house, and should be preserved.

The front verandah also features a simple wood railing that is continued down the front stairs. Heritage homes of this vintage were typified by a low balustrade of approximately 24" in height. To ensure the heritage character of the house is preserved, the retained low balustrade design should be preserved. In order to retain the original balustrade height, alternate compliance measures should be explored, such as the use of metal pipe rail and glass panels to make up the remaining height to meet code requirements.

Conservation Strategy: Rehabilitation

- Preserve the front-gabled verandah in its original configuration. All original detailing should be preserved.
- Original low height of the balustrade should be retained, with alternate compliance methods utilized to achieve the required 42" height. New Possible alternative materials may be glass panels, metal pipe rails or a combination of both.
- Investigate and repair all wood elements according to recommendations listed in Section 6.3.4: Exterior Wood Frame Walls.
- Prepare all wood surfaces for repainting. Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as Simple Green©) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.
- Paint all exterior wood surfaces according to colour schedule devised by Heritage Consultant.



Front-gabled verandah.



5.6 FENESTRATION

Windows and doors are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. — Standards and Guidelines for the Conservation of Historic Places in Canada (2010).

5.6.1 WINDOWS

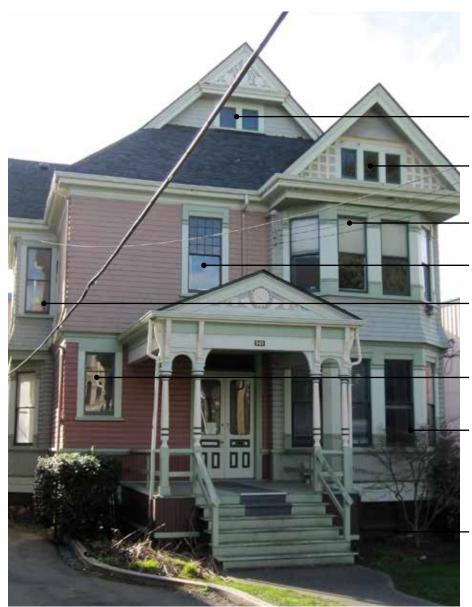
The Black Residence features original fenestration, including 1-over-1 double-hung wooden sash windows with horns, 16-over-1 double hung wooden sash window and stained glass. The windows are character-defining elements of the historic house, and should be preserved. Side, rear and basement window assemblies may be rehabilitated, as necessary, in response to functional changes in interior floor plans.

Most window groupings feature continuous window sills, and appear to be in working condition. Each window should be inspected to determine the full condition of each unique assembly, and should be repaired as required. Original window configuration should be preserved, and each window restored to its original condition.

Conservation Strategy: Rehabilitation

- Preserve all original wood sash windows, as possible.
 Side, rear and basement window assemblies may be rehabilitated, as necessary.
- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.

- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Preserve and repair wood-sash windows as required, using in kind repair techniques where feasible.
- Preserve stained glass windows, repair as required.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by reputtying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- Heritage Consultant can review window shop drawings and mock-up, when available. Ensure window manufacturer is aware of recommended sash paint colour prior to finalization of order.
- Replacement glass to be single glazing, and visually and physically compatible with existing.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.
- Brace windows with temporary inserts while relocating the house, to ensure they are not damaged in the process. Alternatively, should the windows require removal for repair, reinstate repaired windows following relocation of the house.



Front elevation: Windows should be preserved and repaired.

2x wood sash casementTreatment: Preserve and Repair

3x wood sash casement Treatment: Preserve and Repair

4x 1-over-1 double-hung wood sash w/ horns Treatment: Preserve and Repair

1x 16-over-1 double-hung wood sash w/ horns Treatment: Preserve and Repair

2x 1-over-1 double-hung wood sash w/ horns (1 on either side of elevation)
Treatment: Preserve and Repair

1x multi-paned wood sash casement Treatment: Preserve and Repair

4x 1-over-1 double-hung wood sash w/ horns Treatment: Preserve and Repair

1x basement level window, infilled Treatment: Preserve and Repair





West side elevation: Window configuration may be rehabilitated, as required.

2x wood sash casement

Treatment: Rehabilitate, as necessary

3x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitate, as necessary

3x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitate, as necessary

1x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitate, as necessary

4x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitate, as necessary

3x basement level windows, 1 infilled Treatment: Rehabilitate, as necessary



East side elevation: Window configuration may be rehabilitated, as required.

2x wood sash casement

Treatment: Rehabilitate, as necessary

3x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitate, as necessary

2x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitate, as necessary

3x 1-over-1 double-hung wood sash w/ horns

Treatment: Rehabilitate, as necessary

1x multi-paned fixed wood sash Treatment: Rehabilitate, as necessary

1x 1-over-1 double-hung wood sash Treatment: Rehabilitate, as necessary

2x basement level windows

Treatment: Rehabilitate, as necessary





2x wood sash casement

Treatment: Rehabilitate, as necessary

2x 1-over-1 double-hung wood sash w/ horns Treatment: Rehabilitate, as necessary

Rear elevation: Window configuration may be rehabilitated, as required.

5.6.2 DOORS

The Black Residence features a double-leaf panelled wooden front door with glass insets and transom above. The front door is original to the historic house, and should be preserved. The glass insets are rectangular in shape, and three smaller wood panel details are inset below. The front door appears to be in working condition, and should be inspected further to ensure the hardware is functional and the wood is in good condition. Exterior wood surfaces should be repainted according to colour schedule devised by Heritage Consultant.

Several original doors are extant in the basement, and should be reinstated as possible.

Conservation Strategy: Rehabilitation

- Retain the door openings in their original locations, and preserve and repair all original doors.
- Preserve original from doors with glass insets.
- New doors should be visually compatible with the historic character of the building.



Front door.

5.7 ROOF

The Black Residence features a picturesque side-gabled roofline with multiple gabled projections, typical of the Queen Anne Revival style. The roof configuration is original to the historic house, and is a character-defining element that should be preserved. The original cedar shingle roofing material has been removed, and the roof is currently clad in black asphalt shingles.

The front and side gable ends are infilled with decorative wood trim, which is a character-defining element of the historic house, and should be preserved.

Conservation Strategy: Rehabilitation

- Preserve the roof structure in its current configuration, as expressed by its side-gabled roof structure with multiple gabled projections.
- If required, roofing membrane and cladding system may be rehabilitated. Cedar shingles are the preferred material, but duroid, asphalt or fibreglass shingles are acceptable.
- Retain the original bargeboards and fascia boards, as well as the soffit any exposed roof elements.
- Design and install adequate rainwater disposal system and ensure proper drainage from the site is maintained.
 Paint all drainage system elements according to colour schedule devised by Heritage Consultant.
- Paint all wood surfaces according to colour schedule devised by Heritage Consultant.





Front Elevation.



Red brick chimney.

5.7.1 CHIMNEY

The Black Residence features internal and external red brick chimneys, which are original to the historic house and should be preserved. The internal chimney projects high above the roofline, and features detailed corbelling and tapered concrete chimney pots. The external chimney is located on the west side elevation. The brick on the exterior face of the external chimney has been painted below the roofline, and had been mostly dismantled above the roofline apart from approximately the first two and one-half feet above the roofline. The chimneys are not able to be relocated with the house, and will be salvaged and reinstated following relocation.

Conservation Recommendation: Rehabilitation

- Chimneys will require structural stabilization and seismic upgrading.
- Prior to relocation of house, carefully document and salvage all chimney brickwork, and reinstate in original configuration following relocation of the house.
- Reconstruct dismantled chimney, to match archival documentation.

5.8 INTERIOR FEATURES

"Interior features can include elements such as interior walls, floors and ceilings, mouldings, staircases, fireplace mantels, faucets, sinks, built-in cabinets, light fixtures, hardware, radiators, mail chutes, telephone booths and elevators. Because their heritage value resides not only in their physical characteristics, but also in their location in the historic building, it is important to protect them from removal. This is particularly true of doors, banisters, church pews, fireplace mantels, sinks and light fixtures, which are often replaced instead of being upgraded. Reuse in their original location not only protects their heritage value, but is also a more sustainable approach to conserving these artefacts." Standards and Guidelines for the Conservation of Historic Places in Canada (2010)

Building Code upgrading is one of the most important aspects of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. However, the interior features of an historic property are often heavily damaged in the process. The British Columbia Building Code offers equivalencies and exemptions to heritage buildings, which enable a higher degree of heritage conservation and retention of original material. The following guidelines pertaining to Health, Safety and Security Considerations from the *Standards and Guidelines* should be followed when faced with the conservation of interior features:

- Upgrade interior features to meet health, safety and security requirements, in a manner that preserves the existing feature and minimizes impact on its heritage value.
- Work with code specialists to determine the most appropriate solution to health, safety and security requirements with the least impact on the interior

- features and overall heritage value of the historic building.
- Explore all options for modifications to existing interior features to meet functional requirements prior to considering removal or replacement.
- Remove or encapsulate hazardous materials, such as friable asbestos insulation, using the least-invasive abatement methods possible, and only after thorough testing has been conducted.
- Install sensitively designed fire-suppression systems that retain significant features and respect heritage value.

The Black Residence features a number of significant interior features, including the entry vestibule with panelled wooden door with glazed inset and glazed sidelights, entry hall with panelled wooden wainscoting and panelled doors, and staircase with carved newel posts and mahogany handrails. The house also features original door and window casings with bulls-eye corner blocks, wide profiled baseboards, bathroom with wooden wainscoting, cast plaster arch in second floor hallway, one original cast iron radiator and two original fireplace mantles. The fireplaces have been infilled with brick and/or drywall inserts, which can be removed if desired. Wood burning fireplaces can be restored, or gas inserts may be installed. It is not known at this time which features will be retained.

Conservation Recommendations: Rehabilitation

- Interior features should be investigated further to determine if they can be retained during the rehabilitation process.
- Rehabilitation measures may be introduced to accommodate functional needs or building code upgrades, as required.









Surviving interior features.

CONSERVATION RECOMMENDATIONS

5.9 EXTERIOR COLOUR SCHEDULE

Part of the restoration process is to finish the building in historically appropriate paint colours. The following preliminary colour scheme has been derived by the Heritage Consultant, based on initial on-site paint sampling and microscopic paint analysis. The colours have been matched to Benjamin Moore's Historical True Colours Palette. Final colour scheme to be determined through further investigation and review.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Heritage Consultant. Further onsite analysis is required for final colour confirmation once access is available.

Conservation Recommendation: Restoration

 Restore the original or historically appropriate finish, hue and placement of applied colour. To be confirmed.

- Complete all basic repairs and restoration, and remove surface dust and grime before preparing, priming and painting. Be sure that all surfaces to be painted are thoroughly dry.
- Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay.
- Remove deteriorated paint that is not adhered to the wood using a metal scraper.
- Remove dust and dirt with the gentlest method possible such as low-pressure (hose pressure) water washing, with soft natural brushes or putty knives.
- Paint all areas of exposed wood elements with primer.
 Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, select an oil-based primer).
- Re-apply colours using architectural trim wrap, in which colour is applied to give a three-dimensional appearance to the surfaces by wrapping the applied colour around their edges.

Location	Colour
Drop Siding, Porch Columns, Banded Trim on Window Trim	
	Pendrell Verdigris VC-22
Upper Floor Trim	
	Pendrell Green VC-18
Window Sash, Lower Floor Trim and Window Hoods, Second Floor Shingles	
	Hastings Red VC-30

Final colour scheme will be prepared based on analysis of original colours, further design consideration and context.



7. RESEARCH SUMMARY

CONSTRUCTION DATE: 1891
ORIGINAL OWNER: Alexander Black

ARCHITECT: Thomas Hooper

HALLMARK SOCIETY FILES:

"From 1872, both lots 1723 and 1724 were owned by a Mr. G. W. Wysham, about whom there is no further information. By 1889 there were improvements to both lots. In 1891 the property was subdivided and the lots were re-numbered lots 1, 2 & 3. Lot 1 was formed from part of 1724. Lot 2 & 3 were formed from part of Lots 1723 and 1724.

Alexander Black, a railway conductor (1893) bought the property in 1891 and built a house on part lot 2/3 for \$4,500. In 1894 he sold to John A. Lawrence, the proprietor of Lawrence's Café on Government Street. Mr. Lawrence was the owner for eight years before selling to Jane Anderson.

Jane Anderson was the wife of John Andrew Anderson, Auditor General of British Columbia; they had seven children and lived in the house until 1922. John died in 1919 and after his death, Jane moved to Portland, Oregon where she died in 1925.

In 1922 the property was sold to Mr. John Fry who remained owner until 1929 when it was sold to the B.C. Government."

RESEARCH SUMMARY



View from Parliament Buildings, circa 190-. [British Columbia Archives B-01799]





Planning and Land Use Committee Report For the Meeting of September 4, 2014

To:

Planning and Land Use Committee

Date:

August 21, 2014

From:

Murray Miller, Senior Heritage Planner, Community Planning Division

Subject:

524 and 526 Michigan Street

Heritage Alteration Permit Applications #00188 and #00189

Proposal to relocate two Heritage-Registered properties from 524 and 526

Michigan Street to other parcels of land within James Bay

Executive Summary

The purpose of this report is to present the Planning and Land Use Committee with background information, analysis and recommendations regarding two Heritage Alteration Permit Applications to relocate two houses located at 524 and 526 Michigan Street respectively.

The key issues associated with these two applications are:

- uncertainty regarding recipient sites
- risks associated with relocating the structures
- legal protection of the relocated properties.

The relocation of these two houses within James Bay will help to strengthen the heritage character of the neighbourhood and ensure that an appropriate setting for the houses is reinstated.

The applications were reviewed by the Heritage Advisory Panel at its July 16, 2014 special meeting and were recommended for approval. Staff recommend that these applications be approved, subject to the following recommendations.

Recommendations

- 1. That Council consider authorizing 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, respectively, subject to the following conditions being met prior to the issuance of a Building Permit authorizing their relocation:
 - a. That the owner of the Heritage-Registered Prout House and the Beaven/Macabe Residence and the owner of the recipient sites provide 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 and releasing the City from any obligation to compensate the said owners in any form for any reduction in the market value of the lands (including the receiving sites) or the designated property that may result from the designation, to the satisfaction of the City Solicitor.

- b. That a Relocation Plan be provided to the City in accordance with the Section 219 Covenant registered on title to the lands, to the satisfaction of the Director of Sustainable Planning and Community Development and that it also include the consideration of potential risks associated with the relocation and the physical protection of the structure from adjacent construction works.
- c. Development meeting all Zoning Regulation Bylaw requirements; and
- d. Final plans for Heritage Alteration Permit Applications #00188 and #00189 for 524 and 526 Michigan Street to the satisfaction of the Director of Sustainable Planning and Community Development.
- That staff be instructed to prepare the Heritage Designation Bylaw that would designate the Prout House and the Beaven/Macabe Residence upon receipt of owner(s) consent to the designations.
- That Council consider giving first and second reading of the Heritage Designation Bylaw after the bylaw has been drafted.
- 4. That Council consider advancing the Heritage Designation Bylaw to a Public Hearing pursuant to section 968 of the *Local Government Act*.
- 5. That Council consider giving third reading of the Heritage Designation Bylaw after the Public Hearing.
- That Council consider adoption of the Heritage Designation Bylaw after the relocation of the houses to their new lots and that notice of the heritage designation be registered in the Victoria Land Title Office.

Respectfully submitted.

Murray G. Miller Senior Heritage Planner Community Planning Division AH.

Deb Day Director

Sustainable Planning and

Community Development Department

Report accepted and recommended by the City Manager:

Jason Johnson

Date:

August 27,2014

MGM/ljm

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\HAP\HAP00188\PLUC REPORT 524 & 526 MICHIGAN ST HAP.DOC

1.0 Purpose

The purpose of this report is to present the Planning and Land Use Committee with background information, analysis and recommendations regarding two Heritage Alteration Permit Applications to relocate the properties located at 524 and 526 Michigan Street.

2.0 Background

The Province and the City were parties to the *Victoria Accord - Legislative Precinct Master Development Agreement*, made June 6, 1994, respecting the subdivision and development of the Lands as well as other lands within the Legislative Precinct in Victoria, British Columbia.

Early in 2014, the provisions for each land parcel were secured by way of a Section 219 Covenant on title to confirm that the key provisions and objectives of the Victoria Accord would survive the land sale. In relation to the five Heritage-Registered homes currently situated on the South Block (see Subject Map, Aerial Photograph and Existing Site Plan, attached), the following applies:

- that the extent of restoration of the heritage houses be described in future development proposals
- that a plan be submitted to the City for the restoration and relocation of the heritage houses to locations within the South Block or at alternative off-site locations.

The applications were reviewed by the Heritage Advisory Panel at its July 16, 2014 meeting and were recommended for approval.

2.1 Description of Proposal

The proposal is to relocate two existing Heritage-Registered properties (the Prout House and the Beaven/Macabe Residence) and rehabilitate the exteriors of the houses as outlined in the letter from the applicant dated June 16, 2014, and the Draft Conservation Plan dated June 2014, both attached to this report. The applicant intends to relocate the Prout House and the Beaven/Macabe Residence to other sites within the James Bay neighbourhood that would be consistent with their physical origins and historical context. The relocation is necessary in order to accommodate a mixed use development comprised of office, retail and residential land uses on South Block properties acquired by the applicant from the Province. The development is to be phased and is similar in concept to that of the development envisaged in the 1994 Victoria Accord Legislative Precinct Plan.

2.2 Consistency with City Policy

The property is designated within DPA 12 (HC): Legislative Precinct.

2.2.1 Official Community Plan (OCP)

Placemaking - Urban Design and Heritage

The proposal is consistent with a key goal of Placemaking because it protects Victoria's cultural heritage resources using tools available under legislation to protect or conserve heritage properties (Streetscapes and Open Space policies 8.51 and 8.54). The proposal will also enhance the heritage value and character of James Bay by ensuring that these two properties are retained within their original neighbourhood (City Form Policy 8.6).

James Bay Strategic Directions

The proposal aligns with the James Bay Strategic Directions because it would maintain a diversity of land uses and character areas (Policy 21.16.3), and it enables the adaptation and renewal of existing building stock (Policy 21.16.4).

2.3 Consistency with the Section 219 Covenant

The General Conservation Strategy of the Draft Conservation Plan outlines the extent of restoration to be undertaken as part of any future development proposals. The Section 219 Covenant will require that a Relocation Plan be submitted concurrent with an application for a Development Permit for the first office building to be constructed on the Lands. While recipient sites have not been identified for the 524 and 526 Michigan Street houses, the Conservation Plan outlines Relocation Guidelines that are deemed to be consistent with the spirit and intent of the Covenant.

3.0 Issues

The key issues associated with these applications are:

- uncertainty regarding recipient sites
- risks associated with relocating the structures
- legal protection of the relocated properties.

4.0 Analysis

4.1 Description, Heritage Value and Character-Defining Elements of the Historic Place

The historic places are described in the Draft Conservation Plan (dated June 2014) and their respective Statements of Significance include a description of the heritage values of the places as well as their character-defining elements.

5.0 Discussion

5.1 Uncertainty Regarding Recipient Sites

The Prout House and Beaven/Macabe Residence are intended to be relocated to sites within James Bay. This is because the houses originated from within James Bay and it is, therefore, considered geographically and historically appropriate. In the absence of knowing the specific details of each site, the approach with these applications is to consider the criteria under which site selection would result in an appropriate fit within James Bay. A relocation plan based on the specific sites would still need to be undertaken; however, guidelines for relocation have been considered in the Draft Conservation Plan.

5.2 Risks Associated with Relocating the Structures

Relocating an historic structure can attract a number of risks that will require careful planning. Some risks will be applicable to the relocation of the Prout House and Beaven/Macabe Residence and other risks may not be identifiable until a relocation route and receiver site(s) have been determined. A primary consideration is the physical condition of the buildings. Advanced structural decay of sills and sidewall frame elements may be a challenge in keeping

the buildings intact during moving. The detailed investigations required to determine the readiness of the structures for relocation will be undertaken by the contractor at a later date.

5.3 Legal Protection of the Relocated Properties

The relocation of the Prout House and Beaven/Macabe Residence to other sites within James Bay raises a potential issue with regard to any legal protection that may be afforded to them because both the new owner(s) and recipient sites have not been determined at the time of writing this report. The applicant is, however, agreeable to the incorporation of conditions that would facilitate such protection at the appropriate stage. The applicant has therefore voluntarily requested that the Prout House and Beaven/Macabe Residence be municipally designated, but that the undertaking not encumber the development of the lands until such time as the two houses have been relocated. The instrument agreed to confirm the applicant's intention will be by a non-irrevocable letter of consent to designate the Heritage-Registered properties.

6.0 Conclusions

The relocation of these two houses within James Bay will help to strengthen the heritage character of the neighbourhood and ensure that an appropriate setting for the houses is reinstated. The principle of relocating the Prout House and Beaven/Macabe Residence to alternate sites within James Bay in a manner that is consistent with the Section 219 Covenant, accompanied by a plan to undertake the rehabilitation and an undertaking regarding the designation of the houses, will result in considerable benefits that are in the public interest.

7.0 Staff Recommendations

- 1. That Council consider authorizing 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, respectively, subject to the following conditions being met prior to the issuance of a Building Permit authorizing their relocation:
 - a. That the owner of the Heritage-Registered Prout House and the Beaven/Macabe Residence and the owner of the recipient sites provide 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 and releasing the City from any obligation to compensate the said owners in any form for any reduction in the market value of the lands (including the receiving sites) or the designated property that may result from the designation, to the satisfaction of the City Solicitor.
 - b. That a Relocation Plan be provided to the City in accordance with the Section 219 Covenant registered on title to the lands, to the satisfaction of the Director of Sustainable Planning and Community Development and that it also include the consideration of potential risks associated with the relocation and the physical protection of the structure from adjacent construction works.
 - c. Development meeting all Zoning Regulation Bylaw requirements; and
 - d. Final plans for Heritage Alteration Permit Applications #00188 and #00189 for 524 and 526 Michigan Street to the satisfaction of the Director of Sustainable Planning and Community Development.

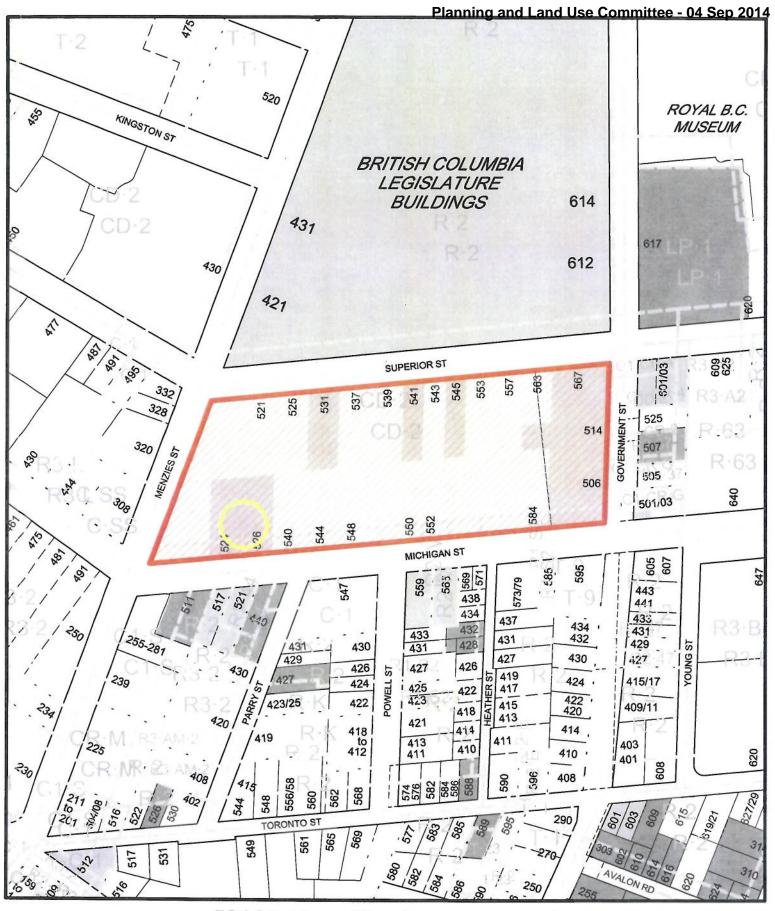
- That staff be instructed to prepare the Heritage Designation Bylaw that would designate the Prout House and Beaven/Macabe Residence upon receipt of owner(s) consent to the designations.
- That Council consider giving first and second reading of the Heritage Designation Bylaw after the bylaw has been drafted.
- 4. That Council consider advancing the Heritage Designation Bylaw to a Public Hearing pursuant to section 968 of the *Local Government Act*.
- That Council consider giving third reading of the Heritage Designation Bylaw after the Public Hearing.
- That Council consider adoption of the Heritage Designation Bylaw after the relocation of the houses to their new lots and that notice of the heritage designation be registered in the Victoria Land Title Office.

8.0 Alternate Recommendation

That Heritage Alteration Permit Applications #00188 and #00189 for 524 and 526 Michigan Street be declined.

9.0 List of Attachments

- Subject maps
- Aerial maps
- Existing Site Plan dated June 16, 2014
- Letter from applicant (identical for each property) dated June 16, 2014
- Draft Conservation Plans dated June 2014.

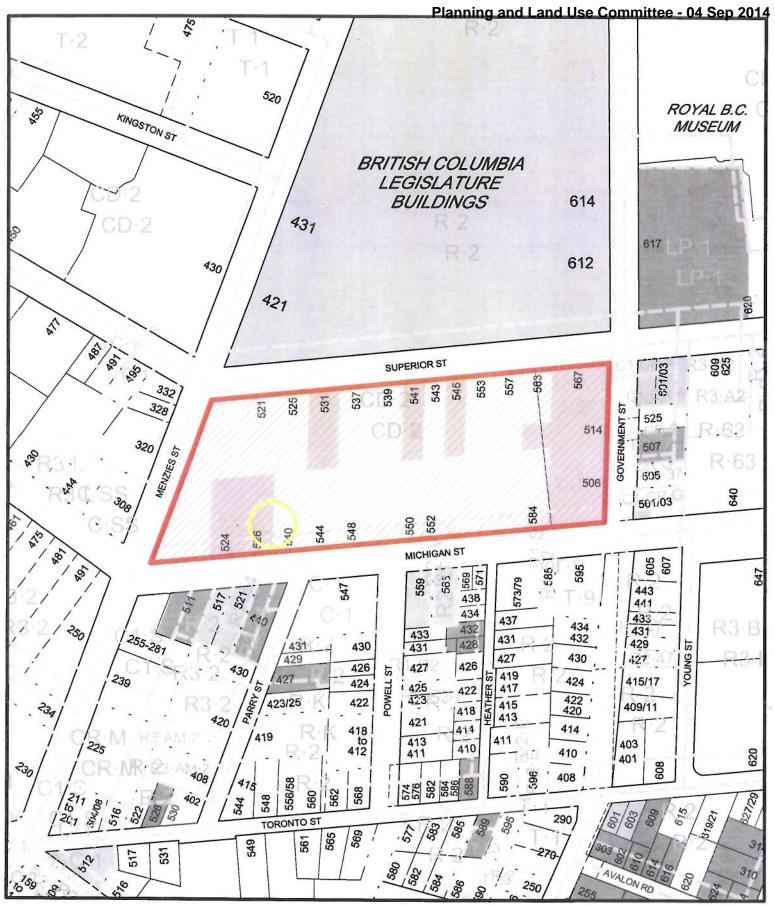


524 Michigan Street

Heritage Alteration Permit #00188

Designated
Alteration Permit Application # 00188 and # 00189 f...





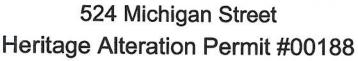
526 Michigan Street
Heritage Alteration Permit #00189

Designated Registered

Alteration Permit Application # 00188 and # 00189 f...

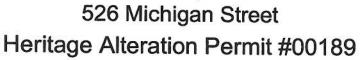




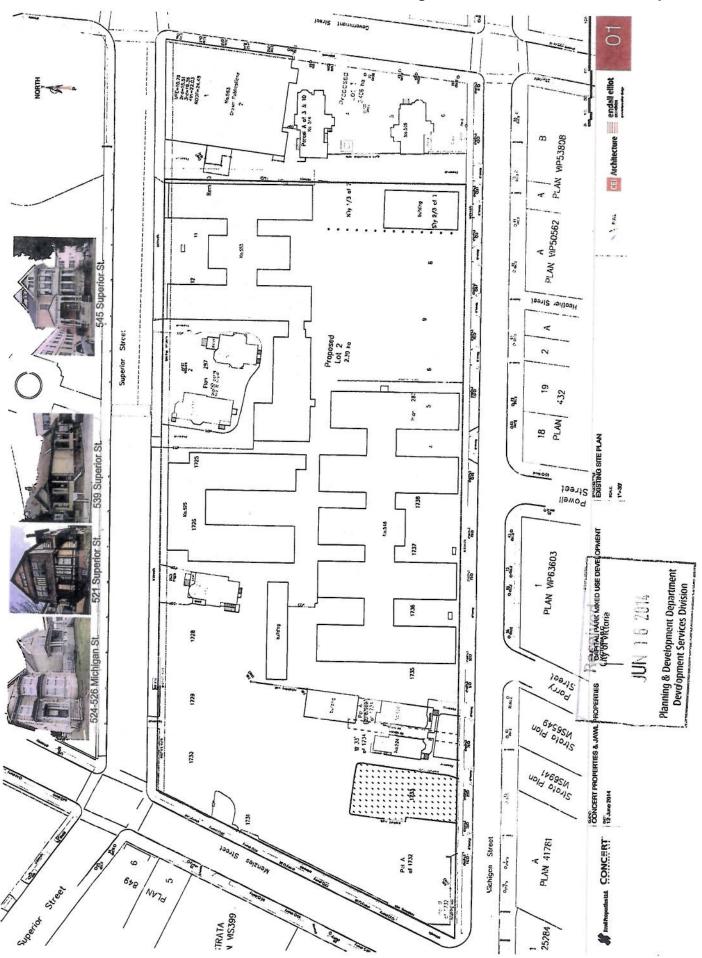


CITY OF VICTOR 1A8









South Block Development Corporation

3350 Douglas St. - Suite 100 Victoria, BC V8Z 3L1 Phone: 250 475-0338 Fax: 250 475-0339

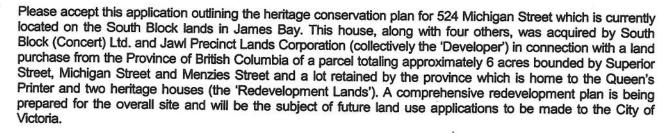
June 16, 2014

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

Attention: Mayor and Council

Re: Heritage Application for 524 Michigan Street

Dear Mayor and Council,



The five heritage houses located on the Redevelopment Lands are listed on the City of Victoria's Heritage Register. The conceptual redevelopment plan for South Block provides for the retention of the three houses currently located on Superior Street which are proposed to be relocated to the southeast quadrant of the Redevelopment Lands. This relocation strategy is intended to facilitate the creation of a unified cluster of heritage homes along Michigan Street complementing and reinforcing the heritage context of the two adjacent heritage houses that front on to Government Street that are owned by the Province. The Developer is proposing to relocate the two heritage houses which currently are sited on Michigan Street elsewhere within the James Bay community in a location which reinforces their heritage value. We believe that this relocation strategy will improve the context of all of the heritage homes and further facilitate the execution of a comprehensive and high quality redevelopment of the South Block lands showcasing high quality residential, office and retail premises, leading edge sustainable design, and a well-appointed and accommodating public realm.

Since the mid-1990s, the South Block lands 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 the Redevelopment Lands by the Province to the Developer in early 2014, the overall Victoria Accord was disassembled and its provisions allocated to the resulting subdivided parcels. The provisions allocable to each land parcel (including the Redevelopment Lands) 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. Within the section 219 covenant related to the Redevelopment Lands, Section 9.0 relates to the five heritage registered homes currently situated on the site. This section 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.

Through this application the Developer is seeking confirmation that the measures outlined in the enclosed Conservation Plan and the proposed relocation 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, when executed, are acceptable to the City of Victoria and compliant with the requirements described in the covenant.

In discussions with Planning Staff, it was deemed acceptable to submit applications for the heritage houses at this juncture as it will facilitate a number of objectives:

- As described in the attached Conservation Plans, the intent is to relocate the two Michigan Street
 houses within James Bay. In order to identify potential recipient sites it is necessary to confirm site
 criteria and conservation requirements. Approval of the conservation plan in principle will facilitate
 the ability of the Developer to begin the process of identifying and securing receiver sites.
- The Developer is in favour of identifying and relocating the two Michigan Street houses in a timely manner for a number of reasons:
 - Community consultation completed to date has revealed a strong interest in seeing these
 houses revitalized as soon as possible as opposed to waiting until the development of the
 first office building on the Redevelopment Lands.
 - The Developer would like to be able to provide the community and City with a higher degree of confidence and certainty regarding the future of these two houses which will be achieved by securing acceptable receiver sites for the houses.
 - The houses are very much in need of maintenance work, painting in particular, and it would be beneficial to get this work done in a timely manner so as to avoid further deterioration of the structures. This work will occur subsequent to relocation.

The material presented in the Conservation Plan was informed by the team of professionals engaged to oversee the revitalization of this special heritage resource which includes a heritage consultant, heritage architect, structural engineer, trades specializing in heritage conservation, Nickel Brothers and in-house expertise.

We recognize the value this house has to the community and look forward to seeing it revitalized to a condition that we can all be proud of. If you have any questions regarding this application or would like a tour of the house please feel free to contact the undersigned at (250) 414-4172 or karen.jawl@jawlproperties.com.

Sincerely,

South Block Development Corporation

Per: Karen Jawl

CAPITAL PARK, VICTORIA CAPITAL PARK, VICTORIA

524 MICHIGAN STREET

DRAFT CONSERVATION PLAN - JUNE 2014



DONALD LUXTON AND ASSOCIATES INC

DONALD LUXTON AND ASSOCIATES INC.

1030 - 470 GRANVILLE STEET VANCOUVER BC V6C 1V5 info@donaldluxton.com 604 688 1216 www.donaldluxton.com



TABLE OF CONTENTS

1. INTRODUCTION	4
2. HISTORICAL BACKGROUND	6
3. STATEMENT OF SIGNIFICANCE	12
4. CONSERVATION GUIDELINES	14
4.1 STANDARDS AND GUIDELINES	14
4.2 CONSERVATION REFERENCES	15
4.3 GENERAL CONSERVATION STRATEGY	16
4.4 SUSTAINABILITY STRATEGY	17
4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS	19
4.5.1 BRITISH COLUMBIA BUILDING CODE	19
4.5.2 ENERGY EFFICIENCY ACT	
4.5.3 HOMEOWNER PROTECTION ACT	20
4.6 SITE PROTECTION	
5. CONSERVATION RECOMMENDATIONS	22
5.1 SITE	
5.2 OVERALL FORM, SCALE AND MASSING	
5.3 FOUNDATION	24
5.4 EXTERIOR WOOD FRAME WALLS	
5.5 FRONT PORCH AND BALUSTRADE	26
5.6 FENESTRATION	
5.6.1 WINDOWS	27
5.6.2 DOORS	32
5.7 ROOF	
5.8 INTERIOR FEATURES	
5.9 EXTERIOR COLOUR SCHEDULE	35
6. RESEARCH SUMMARY	36

1. INTRODUCTION

SUBJECT PROPERTY: THE PROUT HOUSE

524 MICHIGAN STREET

VICTORIA, BC

CONSTRUCTION DATE: CIRCA 1890s, RELOCATED CIRCA 1910

HERITAGE STATUS: VICTORIA HERITAGE REGISTER

The block to the south of the BC Parliament Buildings was once a resource-rich traditional hunting and gathering territory for the Esquimalt and Songhees (Lekwungen) First Nations, known as "Whosaykum" after the tidal mud flats that once existed where the Empress Hotel now stands. This is the traditional territory of the Lekwungen People.

Historically and visually, this block is an important site that exists within the context of iconic structures that symbolize Imperial ambition and grandeur, as well as the grand architectural vision of Francis Rattenbury, including the Empress Hotel, the Legislative Buildings, the Crystal Garden and the CPR Marine Terminal. The area's planning and policy framework touches upon the planning frameworks for the Inner Harbour, the Legislative Precinct and the James Bay neighbourhood. Over time, the expansion of government services and buildings has included expansion to the south, which has caused the ongoing relocation of a number of early residential buildings.

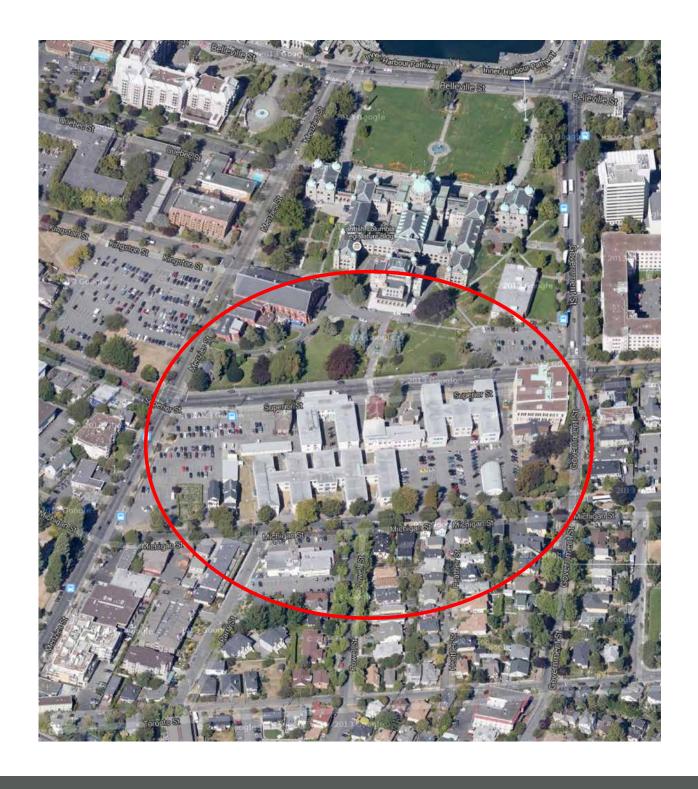
The Capital Park site encompasses nearly every parcel bounded by Superior Street on the north; Government Street on the east; Michigan Street on the south and Menzies Street on the east. Within the site, there are five historic houses, which have been located on the block for more than a century. Two of the houses were originally built on the north side of Superior Street, but the expanding British Columbia

Parliament necessitated their relocation in 1910. During that summer, fifteen houses in the immediate area were moved from their original location behind the Parliament Building to make room for the additional government facilities. One of the relocated houses, now located at 521 Superior Street, was originally constructed directly across the street, at 522 Superior Street, and was purchased by Charles Cameron in an auction. The other relocated house, now standing at 524 Michigan Street, was originally located at 548 Superior Street and was purchased and moved by C.F. Beaven. The 1910 auction and sale lists of the fifteen moving houses, offer a glimpse into the real estate environment of Victoria during the booming Edwardian era of the early twentieth century.

The five heritage houses remaining on the Capital Park site are 521 Superior Street, 539 Superior Street, 545 Superior Street, 524 Michigan Street and 526 Michigan Street.

A century after the Edwardian era government expansion, the Legislative district is again growing, and Capital Park's extant heritage resources are again in the midst of a changing real estate development landscape. The historic houses, some already moved once, are poised to shift in order to accommodate the need for additional government office space. The heritage value and character-defining elements of the the Prout House, 524 Michigan Street, is outlined in the following pages.

INTRODUCTION



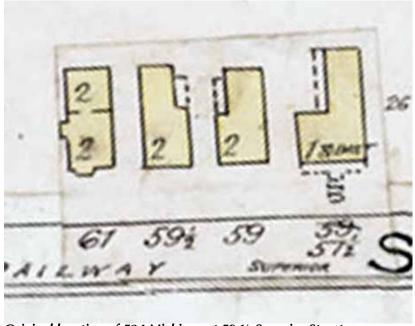


2. HISTORICAL BACKGROUND

Construction Date: circa 1890s; moved circa 1910 Original Owners: Charles Frederick and Hattie Anna Beaven

The house at 524 Michigan Street features a two-storey Italianate design and a front-gabled roof (as opposed to a more typical hipped roof). The bracketed entrance porch is balanced by a two-storey angled bay, featuring bracketed eaves at both levels, with pairs of smaller brackets matching the porch at the lower level, and larger brackets above, which match those in the eaves wrapping around the remainder of the house. The main gable is divided horizontally, featuring a vertical V-joint below and bands of plain and cut shingles above. A double-sash window on the east elevation features an elaborately bracketed canopy roof. The rear elevation features a gabled, two-storey extension, finished in a somewhat simpler fashion, however, there are brackets in the eaves and the windows have scrolled lower trim.

It is assumed that the building, constructed in the 1890s, was moved to its Michigan Street parcel in 1910 by Charles Frederick Beaven, who was born on Prince Edward Island and moved to Victoria in the 1870s. Beaven was a carriage builder and later became part of the real estate trade. Beaven's daughter Mary Ella Macabe was listed as the owner of the property until 1916; the parcel included the house next door (526 Michigan Street). In the 1920s, the lot was split, with Charles assuming ownership of the house at 524 Michigan and Mary retaining ownership of the house at 526 Michigan. Charles Beaven did not initially live in the house, but instead rented the property to local residents through the 1910s. Beaven lived in the house from the early 1920s until his passing in 1926. In the 1940s, the property was converted to a rooming house, operated by the residents of the neighbouring 526 Michigan Street.



Original location of 524 Michigan at 59 ½ Superior Street [1891 Fire Insurance Map, Victoria, updated to 1895]

HISTORICAL BACKGROUND



GOVERNMENT SALE OF

Dwelling Houses

the take

6th

dore Ten

con peri

be new

Fou ture

ed. a or it is

you boat

the

in t

late

is t H com

and send

trict any duce

essa you

desi can wort ply

any mad

form

will

Evet boat

knov signi some

T woul

appr

view

in re

take

have mar

Maynard & Son

AUCTIONEERS

Instructed by the Minister of Public Works, will sell, without reserve, by

Public Auction

AT ELEVEN O'CLOCK

On the steps of each house

ALL THE HOUSES ON NORTH SIDE SUPERIOR STREET

Between Government and Menzies Sts., rear of Parliament buildings; con-sisting of the following:

403 Menzies St .- 7-room 2-story house,

bathroom, closets, etc.
510-514 Superior St.—Double two-story
14 rooms, pantries, bathrooms, closets, etc.

ets, etc.
518 Superior St.—Almost new 7-room cottage, bathroom, pantry, etc.
522 Superior St.—Large 8-room, 2½-story house, bathroom, pantry, etc., also large barn.
526 Superior St.—5-room cottage, bathroom, pantry, etc., basement.
530 Superior St.—6-room cottage, pantry, closets, bathroom, etc.
534 Superior St.—7-room two-story house, slieds, etc.

house, slieds, etc.

Large barn and shed.

544 Superior St.—6-room 2-story house,
bathroom classis pantry, etc. base-544 Superior bathroom

548 Superior St .- 7-room 2-story house

548 Superior St.—7-room 2-story house with basement, bathroom, toilet.
552 Superior St.—7-room 2-story house, with basement, En. bath, toilet, etc., very good flooring in this house.
556 Superior St.—7-room cottage, pantry, bathroom, closets, etc., basement.
560 Superior St.—6-room cottage, paniry, bathroom, etc.
564 Superior St.—5-room cottage, bathroom, closets, etc.

564 Superior St.—5-room cottage, bathroom, closets, etc.
602 Government St.—2-story 8 room house, woodshed, etc.
610 Government St.—Large 2-story, 14-room house and other small rooms, Also
20 H. P. Boiler—Brick foundation, smokestack and gal. iron frame building. This boiler could be used for heating purposes.

heating purposes.

All the fencing goes with each house.

Houses open for inspection on Wednesday afternoon, or by applying to the undersigned.

Terms of Sale—Cash, and houses

must be removed on or before 31st.

VDC 27 May 1910 p.3

SALE OF HOUSES ON PARLIAMENT SQUARE

Structures Must Be Removed by End of July-Land Completes Block Required for Extensions

A total of \$6,010 was realized by the sale yesterday of the fifteen frame houses standing upon lots fronting Superior and Government streets and which were recemiy acquired by the Provincial Government for the com-pletion of Parliament Square, the purchasers being in almost every in-stance owners of contiguous unoccupled property to which the purchased houses will be moved, the period al-lowed for the exodus expiring with the close of July. The high cost of house moving, of course, must be taken into consideration as suppletaken into consideration as supplementary to the auction prices; which Messrs. Maynard & Sons, the government's sale agents, regard as quite satisfactory. Bidding was brisk, and the sale represented probably the most rapid transfer of such a number of houses in the city's or even provincial history. The sales represented transfer and prices is as port, with purchasers and prices is as

Superior and Menzies streets, H.

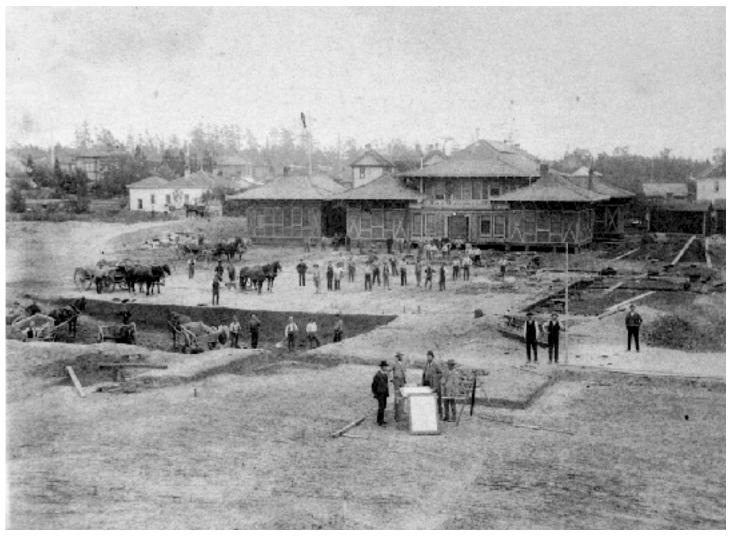
V. Cooley 545	0
510-14 Superior, Frank Leroy 20	0
318 Superior, E. Coventry 80	0
522 Superior, C. Cameron 67	5
526 Superior, George Powers 12	5
520 Superior, Miss McCandlish 20	10
534 Superior, I. Waxstock 15	0
Barn and shed, in rear premises,	
Miss Powers 5.0	10

544 Superior, J. C. Bridgman 548 Superior, C. F. Beavan , 375 Superior, P. Lewis ...

556 Superior, T. McConneil 560 Superior, Geo. Powers 300 564 Superior, Geo. Powers 85

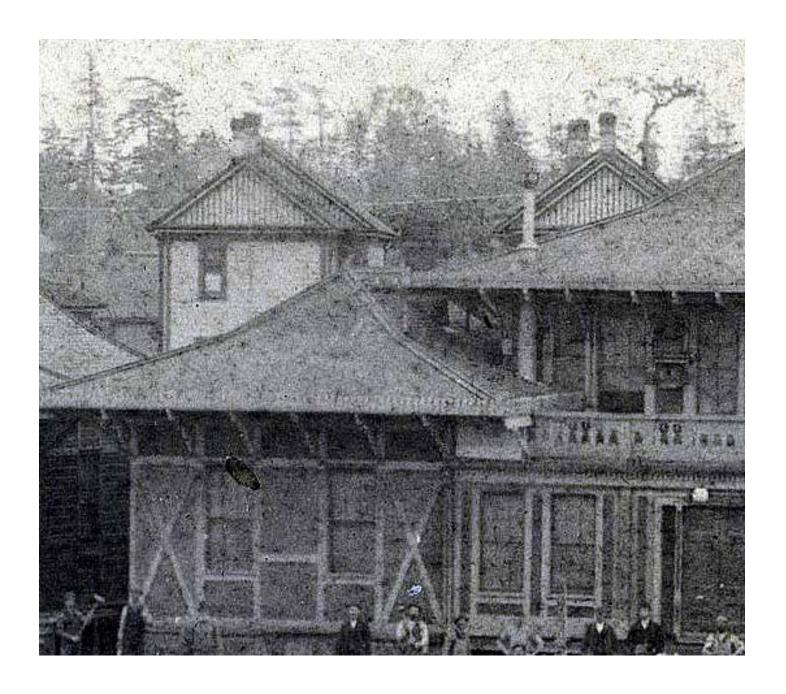
607 Government, Geo. Powers 610 Government, Miss R. J. Soper 140





Birdcages moved to allow the construction of the new legislative buildings; Francis Rattenbury in dark suit at centre, 1893. The rear elevations of 59 and 59 ½ Superior Street (59 ½ is now 524 Michigan Street) are visible above the Birdcage. Photographer, Maynard. [British Columbia Archives A-02574]. Detail on adjacent page.

HISTORICAL BACKGROUND







View from Parliament Buildings, circa 190-. The rear elevations of 59 and 59 ½ Superior Street (one of which is now 524 Michigan Street) are visible at bottom left. 539 and 545 Superior are also visible in the centre left. [British Columbia Archives B-01799]. Detail on adhacent page.

HISTORICAL BACKGROUND



Detail - View from Parliament Buildings, circa 190-. The rear elevations of 59 and 59 ½ Superior Street (one of which is now 524 Michigan Street) are visible at bottom left. 539 and 545 Superior are also visible in the centre left. [British Columbia Archives B-01799].

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 scrollcut brackets, patterned shingles in the gable peak and scrollcut window aprons. This house was constructed in 1891 as a speculative rental property and was originally located at 59 1/2 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.



4. CONSERVATION GUIDELINES

4.1 STANDARDS AND GUIDELINES

524 Michigan Street is a listed residential heritage building on the Victoria Heritage Register, and is a significant historical resource in the City of Victoria. The Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) is the source used to assess the appropriate level of conservation and intervention. Under the Guidelines, the work proposed for the three houses includes aspects of preservation, rehabilitation and restoration.

PRESERVATION: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

RESTORATION: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

REHABILITATION: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to 524 Michigan Street should be based upon the Standards outlined in the *Standards and Guidelines*, which are conservation principles of best practice. The following *General Standards* should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

- Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.
- 2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
- 5. Find a use for a historic place that requires minimal or no change to its character defining elements.
- 6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
- 7. Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- 8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

CONSERVATION GUIDELINES

 Make any intervention needed to preserve characterdefining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails the Preservation and Rehabilitation of the exterior and parts of the interior of 524 Michigan Street. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.

http://www.historicplaces.ca/en/pages/standards-normes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

http://www.nps.gov/tps/how-to-preserve/briefs/10-paint-problems.htm

Preservation Brief 31: Mothballing Historic Buildings. http://www.nps.gov/tps/how-to-preserve/briefs/31-mothballing.htm

Preservation Brief 33: The Preservation and Repair of Historic Stained and Leaded Glass.

http://www.nps.gov/tps/how-to-preserve/briefs/33-stained-leaded-glass.htm

Preservation Brief 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing.

http://www.nps.gov/tps/how-to-preserve/briefs/37-lead-paint-hazards.htm

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront. http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-

http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-retrofit.htm

Preservation Brief 45: Preserving Historic Wooden Porches. http://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm



4.3 GENERAL CONSERVATION STRATEGY

The conservation strategy for the five houses of Capital Park includes relocation, with the primary intervention being rehabilitation, including elements of preservation and restoration for each house. Three houses will be retained on the block (521, 539 and 545 Superior Street) and the other two houses (524 and 526 Michigan Street) will be relocated offsite. A comprehensive redevelopment plan for the site is being prepared by CEI Architects in association with Endall Elliot Associates Architects. The rehabilitation plans for the houses are being prepared by Keay & Associate, Architecture Ltd.

There is sufficient room on-site to retain three houses as part of the comprehensive redevelopment; the intent is to relocate the houses towards the southeast corner of the site, to create a heritage grouping that addresses the residential context on Government and Michigan Streets, including the two adjacent existing heritage houses facing Government Street. Two of the houses (521 Superior and 524 Michigan) were previously relocated to the site.

The three Superior Street houses have been chosen for retention on-site for the following reasons:

- They currently exist as a grouping in relative association with each other, and would be retained in their existing order, while being rotated 180 degrees.
 This will preserve their existing order along the street.
- These three are the most architecturally impressive of the five houses, and will form a strong grouping of houses of similar style, age and detailing.
- The three Superior Street houses include the most impressive and intact interior detailing, features of which can be preserved through the proposed use.
- Built as a rental property, 524 Michigan which
 has already been relocated once is a handsomelydetailed, but typical Italianate house similar to others
 found in James Bay, and can exist comfortably on a
 new site. It has very few significant interior features,
 and would lend itself to more flexible uses.

 Built as a boarding house, 526 Michigan is the most utilitarian of the houses, but has sufficient character when restored to exist on a new site. It also has very few significant interior features, and would lend itself to more flexible uses.

Based on this analysis, and study of their final appearance as a heritage streetscape, the Superior Street houses will be grouped along Michigan Street, and the Michigan Street houses will be offered for relocation within James Bay.

524 Michigan Street - Conservation Strategy

524 Michigan Street will be relocated from its existing location as part of the redevelopment scheme of the site. The primary intent is to preserve the existing historic structure, while undertaking a rehabilitation that will upgrade its structures and services to increase functionality for continued residential or commercial use in a new location. As part of the scope of work, character-defining elements will be preserved, while missing or deteriorated elements will be restored.

Proposed Redevelopment Scheme

The major proposed interventions of the overall project are to:

- Preserve the historic structure.
- Relocate the structure to a new site within the James Bay neighbourhood.
- Preserve character-defining elements that are extant.
- Restore character-defining elements that have been removed or altered.
- Upgrade the structure and services to increase functionality for continued residential or commercial use.

CONSERVATION GUIDELINES

The house is proposed to be relocated within the James Bay neighbourhood of Victoria. The following *Relocation Guidelines* should be implemented for the relocation of the residence:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with shingle and horizontal drop siding, wood sash windows and frontgabled roof structure as much as possible
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.

4.4 SUSTAINABILITY STRATEGY

Sustainability is most commonly defined as "meeting the needs of the present without compromising the ability of future generations to meet their own needs" (Common Future. The Bruntland Commission). The four-pillar model of sustainability identifies four interlinked dimensions: environmental, economic, social and cultural sustainability, the latter including the built heritage environment.

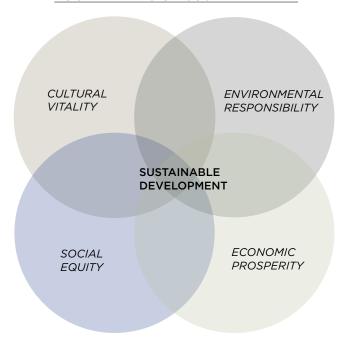
Current research links sustainability considerations with the conservation of our built and natural environments. A competitive, sustainable economy requires the conservation of heritage buildings as an important component of a high quality urban environment.

"We need to use our cities, our cultural resources, and our memories in such a way that they are available for future generations to use as well. Historic preservation makes cities viable, makes cities liveable, makes cities equitable."
(Economic Benefits of Preservation, Sustainability and Historic Preservation)

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by:

- Reducing solid waste disposal (reduced impact on landfills and their expansions);
- Saving embodied energy (defined as the total expenditure of energy involved in the creation of the building and its constituent materials);
- Conserving historic materials that are significantly less consumptive of energy than many new replacement materials (often local and regional materials, e.g. timber, brick, concrete, plaster, can be preserved and reduce the carbon footprint of manufacturing and transporting new materials).

FOUR PILLARS OF SUSTAINABILITY



The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for the three houses.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for the three houses.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

Energy Efficiency Considerations

- Identifying the historic place's heritage value and character-defining elements — materials, forms, location, spatial configurations, uses and cultural associations or meanings.
- Complying with energy efficiency objectives in such a manner that character-defining elements are conserved and the heritage value maintained.
- Working with energy efficiency and conservation specialists to determine the most appropriate solution to energy conservation problems that will have the least impact on character-defining elements and the overall heritage value.
- Weighing the total environmental cost of energy saving measures against the overall environmental costs of retaining the existing features or fabric, when deciding whether to proceed with energy saving measures.

Buildings: Insulation

Exercising caution and foreseeing the potential effects
of insulating the building on the envelope system so as
to avoid damaging changes such as displacing the dew
point and creating thermal bridges.

CONSERVATION GUIDELINES

- Installing thermal insulation in attics and in unheated cellars and crawl spaces to increase the efficiency of the existing mechanical systems unless this could adversely affect the building envelope.
- Installing insulating material on the inside of masonry and wood-frame walls to increase energy efficiency where there is no character-defining interior moulding around the windows or other character-defining interior architectural detailing.

Buildings: Windows

- Utilizing the inherent energy conserving features of a building by maintaining character-defining windows and/or louvered blinds in good operating condition for natural ventilation.
- Improving thermal efficiency with weather-stripping, storm windows, interior shades and, if historically appropriate, blinds and awnings.
- Installing interior storm windows with airtight gaskets, ventilating holes and/or removable clips to ensure proper maintenance and to avoid condensation damage to character-defining windows.
- Installing exterior storm windows that do not damage or obscure character-defining windows and frames.

Buildings: Entrances and Porches

 Maintaining character-defining porches and double vestibule entrances so that they can retain heat or block the sun and provide natural ventilation.

Buildings: Mechanical Systems

 Improving the energy efficiency of existing mechanical systems by installing insulation in attics and basements, unless this could adversely affect the building envelope.

The conservation recommendations recognize the need for sustainable interventions and adhere to the Standards and Guidelines as outlined.

4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS

As Municipal Heritage Register-listed site, the Prout House will eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the "Alternative Compliance Methods for Heritage Buildings."

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.



These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010) for further detail about "Energy Efficiency Considerations."

4.5.3 HOMEOWNER PROTECTION ACT

The Homeowner Protection Act was implemented in 1998 as a means to strengthen consumer protection for the purchase of new homes. The act was passed following a commission of enquiry into the leaky condo crisis, and was intended on protecting homeowners by ensuring home warranty insurance was provided on new construction, covering two years on labour and materials, five years on the building envelope and 10 years on the structure of the home. As the Act was intended to regulate new construction, considerations were not taken of buildings that have remained in sound condition for a many number of years that already far exceeded what the HPA requires for a warranty on a new home. The act did not take into consideration the protection of heritage projects, and consequently resulted in the loss of significant heritage fabric through the requirement of new windows and rainscreen wall assemblies on residential heritage rehabilitation projects. An example being the requirement to remove original wooden siding that has successfully protected the building for 100 years, and replace it with a rainscreen assembly that is only warrantied for five years. Not only was valuable heritage fabric lost, but new materials will likely not last nearly as long as the original.

Amendments to the Homeowner Protection Act Regulation made in 2010 allow for exemptions for heritage sites from the need to fully conform to the BC Building Code under certain conditions, thus removing some of the barriers to compliance that previously conflicted with heritage conservation standards and guidelines. The changes comprised:

- an amendment to the Homeowner Protection Act Regulation, BC Reg. 29/99 that allows a warranty provider, in the case of a commercial to residential conversion, to exclude components of the building that have heritage value from the requirement for a warranty, and
- 2. clarification of the definition of 'substantial reconstruction.' The latter clarification explains that 75% of a home must be reconstructed for it to be considered a 'new home' under the Homeowner Protection Act, thus enabling single-family dwelling to multi-family and strata conversions with a maximum of 75% reconstruction to be exempt from home warranty insurance. The definition of a heritage building is consistent with that under the Energy Efficiency Act.

524 Michigan Street falls into the second category, as the proposed project involves retaining a high degree of the original structure and less than 75% of the house will be reconstructed. Consequently, this project is not considered a substantial reconstruction as per the amended definition in the Homeowners Protection Act, and will be exempt from the requirement of a warranty. This amendment will enable a higher degree of retention and preservation of original fenestration, siding and woodwork.

CONSERVATION GUIDELINES

4.6 SITE PROTECTION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the house is left vacant, it should be secured against intrusion and vandalism through the use of appropriate fencing and security measures. This is especially important if the building is missing windows or doors or is left elevated for any period of time. Security measure may include mothballing the historic property and/or hiring a security guard for the duration of the work. Generally, once a heritage property is no longer undergoing rehabilitation work and is under occupancy of its owners, lockable doors and lower level windows and continued monitoring by the owners should be adequate protection.

A comprehensive site protection plan has been developed, and the following measures are being carried out:

- Houses are checked weekly by security.
- Houses have been secured.
- Landscaping is being maintained.
- Roofs have been checked for water tightness.
- Any changes are noted on a weekly basis.

It is anticipated that the house will be relocated directly onto new foundations at the receiving site, and will not be left vacant following relocation. If at any time the house is left unattended at the new location due to a delay in construction, site protection measures should be implemented.



A condition review of 524 Michigan Street was carried out during a site visit in March, 2014. In addition to the visual review of the exterior of the home, paint samples were taken from exterior building materials and examined. The recommendations for the preservation and rehabilitation of the historic façades are based on the site review, material samples and archival documents that provide valuable information about the original appearance of the historic building. The following chapter describes the materials, physical condition and recommended conservation strategy for 524 Michigan Street based on Parks Canada's *Standard and Guidelines for the Conservation of Historic Places in Canada* (2010).

5.1 SITE

The Prout House is located in the historic James Bay neighbourhood of Victoria. The house was relocated from its original 1890's location, following the government acquisition of the surrounding block. The intent of the purchase from the provincial government was to use the land to build government buildings. The house was purchased by Charles Frederick Beaven, and was relocated in 1910. As part of the proposed redevelopment scheme, the house will again be relocated to a nearby site, within the James Bay neighbourhood.

All heritage resources within the site should be protected from damage or destruction at all times. Reference **Section 4.6: Site Protection** for further information.

Conservation Strategy: Relocate

- Building will be relocated, and will stay within the James Bay neighbourhood.
- New site will be rehabilitated to accommodate the new foundations.
- Any new landscaping should be setback from the perimeter of the house to prevent potential damage to the exterior elevations.

The following *Relocation Guidelines* should be implemented for the relocation of the Prout House:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with fishscale shingle and horizontal drop siding, wood sash windows and front-gabled roof structure as much as possible.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab. The final relative location to grade should match the original as closely as possible, taking into account applicable codes. Salvaged foundation skirting should be reinstated following relocation.



Front elevation.



5.2 OVERALL FORM, SCALE AND MASSING

524 Michigan Street features a residential form, scale and massing as expressed by its two-storey height with front-gabled roof form, offset entry porch and double-height semi-octagonal bay at front. The original form, scale and massing, as well as retained elements of the Italianate style such as the house's symmetrical massing and balanced front façade are character-defining elements of the historic house, and should be preserved.

As part of the redevelopment scheme, the overall form, scale and massing of the Prout House will be retained during the relocation process, and the original configuration will be preserved on the new site. Any new additions to the house should be reviewed by the Heritage Consultant, and should be distinguishable and removable from the historic structure.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building.
- The historic front façade should be retained.



Rear elevation.

5.3 FOUNDATION

The Prout House features vertical v-joint siding on all elevations at the foundation level. This foundation skirting is a character-defining element of the historic house, and should be preserved. Prior to relocation, all skirting should be carefully documented and salvaged, and reinstated following relocation of the house. If skirting is in too poor condition to salvage, then new physically and visually compatible replica skirting should be installed. Concrete is a suitable material for foundations at the new site.

Due to the susceptibility of wood to water damage, ensure wood skirting is not in direct contact with the ground. A gravel course should be installed around the perimeter of the foundations, and the wood skirting should be separated from the ground plane. This will help eliminate water damage to the wood elements along the foundation line.

Conservation Strategy: New and Rehabilitation

- Salvage and reinstate wood skirting following relocation of the house. If wood is too damaged to salvage, replace in-kind with replica wood skirting.
- New foundations are required at the new site. Concrete
 is a suitable material, and will be concealed behind the
 reinstated wood skirting.
- To ensure the prolonged preservation of the new foundations and restored skirting, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage.



Foundation skirting.

5.4 EXTERIOR WOOD FRAME WALLS

The Prout House features original wood-frame construction with wooden drop siding, cornerboards, decorative fishscale shingles within the gable ends and vertical v-joint foundation skirting. The house also features an offset entry porch with hipped roof and chamfered square columns and scroll-cut eave brackets along the perimeter of the roofline on all elevations. Original elements of the Italianate style such as bay window skirt roof, banding and panels, and scroll-cut window aprons are also extant. All aforementioned original wood details are character-defining elements of the historic house, and should be preserved.

All exterior woodwork demonstrates extensive weathering, with a high degree of paint damage on all exterior surfaces. Further investigation is required to determine if deterioration is superficial or if damage penetrates through to the wood elements. As part of the rehabilitation scheme, all exterior wood elements will be preserved and repaired as required. If wood elements are too deteriorated to repair, then original fabric will be replaced in-kind with physically and visually compatible replica material.

Conservation Recommendation: Preservation and Restoration

- Due to the integrity of wood frame structure, the exterior walls should be preserved through retention and in-situ repair work.
- Preserve original siding on all elevations, if possible, and clean surface for repainting.
- Preserve all exterior wood detailing, including window aprons, cornerboards, patterned shingle siding within gable ends and scroll-cut eave brackets.
- Replace damaged siding to match existing in material, size, profile and thickness.
- Design structural or seismic upgrades so as to minimize the impact to the character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BCBC for fire and spatial separations including installation of sprinklers where possible.

- Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as Simple Green©) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.
- Any existing trim should be preserved, and new material that is visually physically compatible with the original should be reinstated when original fabric is missing. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable.



Bay window.



5.5 FRONT PORCH AND BALUSTRADE

The Prout House features a small offset entrance porch on the front façade. The porch features a canopied roof, square porch columns and a wooden balustrade. The corner entrance porch and associated detailing is a character-defining element of the historic house, and should be preserved. The exterior wood surfaces on the front porch are heavily weathered, and demonstrate a high degree of paint damage. All exterior surfaces should be inspected, and repaired according to recommendations outlined in **Section 5.4: Exterior Wood Frame Walls**.

Heritage homes of this vintage were typified by a low balustrade of approximately 24" in height. To ensure the heritage character of the house is preserved, the final balustrade design should reflect the original configuration. In order to retain the original balustrade height, alternate compliance measures should be explored, such as the use of metal pipe rail and glass panels, to make up the remaining height to meet code requirements.

Conservation Strategy: Rehabilitation

- Preserve offset entry porch with original detailing, including chamfered square columns, hipped roof and decorative brackets.
- Repair all exterior wood surfaces, or replace in-kind any material that is too deteriorated to repair.
- Original lower height of the balustrade should be preserved, with alternate compliance methods utilized to achieve the required 42" height. Top of restored wood balustrade should be 24". New Possible alternative materials may be glass panels, metal pipe rails or a combination of both.



Front door.

5.6 FENESTRATION

Windows and doors are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. — Standards and Guidelines for the Conservation of Historic Places in Canada (2010).

5.6.1 WINDOWS

The Prout House features original fenestration such as 1-over-1 double-hung wooden sash windows with horns, in single and double assembly, and one casement window on east side elevation. All original wood sash windows are character-defining elements of the historic house, and should be preserved. Side, rear and basement level window configuration may be rehabilitated, as required, in response to functional changes in interior layout. The original double-height front bay features six 1-over-1 double-hung wood sash windows, three on each storey, with wrap around window sills and continuous header trim. A number of windows also feature original scroll-cut aprons and crowns.

All original windows have been retained, but appear to be in poor condition. All exterior wood surfaces demonstrate heavy weathering with extensive paint damage. Most original trimwork is extant, apart from one notable missing window crown on the rear elevation. Most windows are boarded up from the interior, and glazing is missing from at least one upper floor window assembly. As part of the rehabilitation scheme original window configuration will be preserved, and original wood sash window assemblies will be retained and repaired, as possible. All windows should be inspected, to determine extent of repair or replacement. Any windows that require replacement should be in matching configuration to original.

Conservation Strategy: Rehabilitation

- Preserve original window configuration, including 1-over-1 double hung wood sash windows and casement window. Side, rear and basement level window configuration may be rehabilitated, as required.
- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by reputtying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- If new replica windows are required, Heritage
 Consultant can review window shop drawings and
 mock-up, when available. Ensure window manufacturer
 is aware of recommended sash paint colour prior to
 finalization of order.
- Replacement glass to be single glazing, and visually and physically compatible with existing.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.





1-over-1 double hung wood sash w/ horns 1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns 1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns

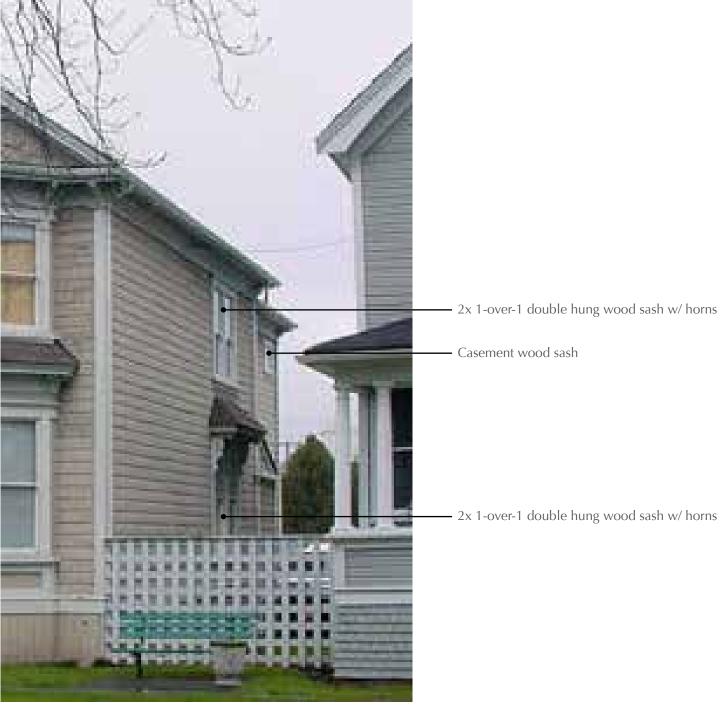


1-over-1 double hung wood sash w/ horns

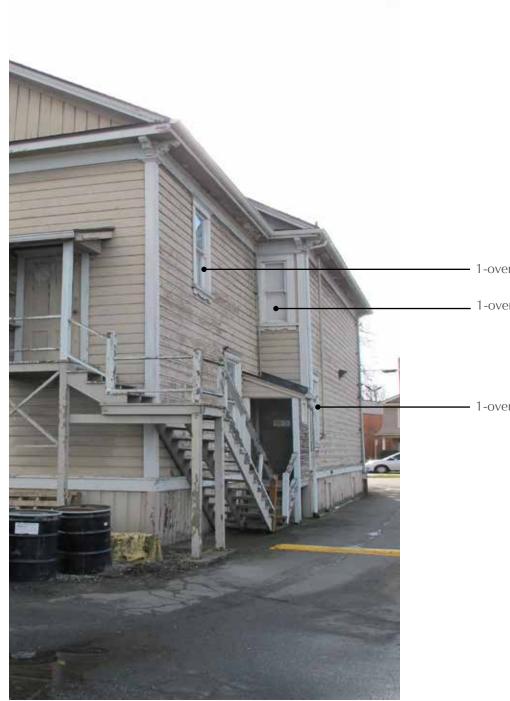
1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns

North (rear) Elevation: Window configuration may be rehabilitated, as required.



East Side Elevation: Window configuration may be rehabilitated, as required.



1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns

West Side Elevation: Window configuration may be rehabilitated, as required.



5.6.2 **DOORS**

The Prout House features its original glazed wood paneled front door with transom, which is a character-defining element of the historic house that should be preserved. An initial review suggests the door to be in fair condition, with evidence of paint damage and heavy wear and tear along the lower edge of the door. Further investigation is required to determine the full condition or the original front door. Retain and repair front door, as required. Original side and rear doors should also be retained and repaired, if possible.

Conservation Strategy: Preservation and Rehabilitation

- Preserve the door openings in their original locations, and retain and repair all original doors, as possible.
- Preserve original wood paneled front door with glazing. Repair as required.
- Any new doors should be visually compatible with the historic character of the building.
- Prepare exterior wood surface for refinishing. Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.



Front door.

5.7 ROOF

The Prout House features a simple front-gabled roof, with narrow overhangs. The original roofing configuration has been retained, including original wood features such wood bargeboard, trim and scroll-cut eave brackets. All aforementioned roof detailing, including the front-gabled roof configuration, are character-defining elements of the historic house, and should be preserved.

The original cedar shingle roofing material has been replaced with asphalt shingles, and all exterior wood surfaces demonstrate heavy weathering and paint damage. As part of the proposed rehabilitation scheme, the original roofing configuration will be preserved, including all original character-defining wood trim. Exterior wood surfaces should be inspected to determine the condition of all wood material, and will be repaired as required. Any material that is too damaged to retain will be replaced in-kind with physically and visually compatible material to match original.

Conservation Recommendation: Rehabilitation

- Preserve the roof structure in its current configuration, as expressed by its simple front gabled roof structure.
- If required, roofing membrane and cladding system may be rehabilitated. Cedar shingles are the preferred material, but duroid, asphalt or fibreglass shingles are acceptable.
- Retain the original bargeboards and fascia boards, as well as the soffit any exposed roof elements, including scroll-cut eave brackets.
- Design and install adequate rainwater disposal system and ensure proper drainage from the site is maintained.
 Paint all drainage system elements according to colour schedule devised by Heritage Consultant.



Front elevation.



Condition of wood detailing at underside of roof.



5.8 INTERIOR FEATURES

"Interior features can include elements such as interior walls, floors and ceilings, mouldings, staircases, fireplace mantels, faucets, sinks, builtin cabinets, light fixtures, hardware, radiators, mail chutes, telephone booths and elevators. Because their heritage value resides not only in their physical characteristics, but also in their location in the historic building, it is important to protect them from removal. This is particularly true of doors, banisters, church pews, fireplace mantels, sinks and light fixtures, which are often replaced instead of being upgraded. Reuse in their original location not only protects their heritage value, but is also a more sustainable approach to conserving these artefacts." Standards and Guidelines for the Conservation of Historic Places in Canada (2010)

Building Code upgrading is one of the most important aspects of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. However, the interior features of an historic property are often heavily damaged in the process. Both Vancouver Building By-law and the British Columbia Building Code offer equivalencies and exemptions to heritage buildings, which enable a higher degree of heritage conservation and retention of original material. The following guidelines pertaining to Health, Safety and Security Considerations from the *Standards and Guidelines* should be followed when faced with the conservation of interior features:

- Upgrade interior features to meet health, safety and security requirements, in a manner that preserves the existing feature and minimizes impact on its heritage value.
- Work with code specialists to determine the most appropriate solution to health, safety and security requirements with the least impact on interior features and overall heritage value of the historic building.

- Explore all options for modifications to existing interior features to meet functional requirements prior to considering removal or replacement.
- Remove or encapsulate hazardous materials, such as friable asbestos insulation, using the least-invasive abatement methods possible, and only after thorough testing has been conducted.
- Install sensitively designed fire-suppression systems that retain interior features and respect heritage value.

The Prout House features a number of original interior features such as staircase with original balustrade and newel posts, panelled wooden doors, and interior door and window casings with bulls-eye corner blocks. The intention is to retain as much original fabric as possible, however it is unknown at this time which interior features will be preserved.

Conservation Recommendations: Rehabilitation

- Interior features should be retained, as possible.
- Rehabilitation measures may be introduced to accommodate functional needs or building code upgrades, as required.





Surviving interior features.

5.9 INTERIOR FEATURES

Part of the restoration process is to finish the building in historically appropriate paint colours. The following preliminary colour scheme has been derived by the Heritage Consultant, based on on-site paint sampling and microscopic paint analysis. The colours have been matched to Benjamin Moore's Historical True Colours Palette.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Heritage Consultant. Further on-site analysis is required for final colour confirmation once access is available.

Conservation Recommendation: Restoration

- Restore the original or historically appropriate finish, hue and placement of applied colour.
- Complete all basic repairs and restoration, and remove surface dust and grime before preparing, priming and

- painting. Be sure that all surfaces to be painted are thoroughly dry.
- Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay.
- Remove deteriorated paint that is not adhered to the wood using a metal scraper.
- Remove dust and dirt with the gentlest method possible such as low-pressure (hose pressure) water washing, with soft natural brushes or putty knives.
- Paint all areas of exposed wood elements with primer.
 Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, select an oil-based primer).
- Re-apply colours using architectural trim wrap, in which colour is applied to give a three-dimensional appearance to the surfaces by wrapping the applied colour around their edges.

Location	Colour
Siding	Pendrell Verdigris VC-22
Trim	Pendrell Green VC-18
Window Sash	Hastings Red VC-30

Final colour scheme will be prepared based on analysis of original colours, further design consideration and context.



6. RESEARCH SUMMARY

CONSTRUCTION DATE: 1891; relocated in 1910

ORIGINAL ADDRESS: 59 1/2 Superior Street (later 548 Superior)

CURRENT ADDRESS: 524 Michigan Street

ORIGINAL OWNER: William Prout

WATER PERMIT:

• #4160: August 2, 1910, 524 Michigan Street, Charles F. Beaven, owner

TENDER CALL:

• April 19, 1891: William Prout, two houses on Superior

NEWSPAPER REFERENCES:

- Victoria Daily Colonist, 1892-01-01, page 8: "Prout, Wm two storey residence, Superior Street"
- Victoria Daily Times, 1926-06-04, page 16: "Died: Beaven"
- Victoria Daily Times, 1926-06-07: "Funeral Saturday". Funeral announcement for Charles Frederick Beaven

CITY DIRECTORIES:

1892: No entry

1893: 59 ½ Superior: C.B. Lockhart

1894-1895: 59 ½ Superior: William Stewart, tailor

1896-1904: 59 ½ Superior: Harold Fleming, of Fleming Brothers (photographers)

1905: 59 ½ Superior: Thomas Cashmore, clerk

1908: 548 Superior: Hattie A. Gray (widow, Edward J.)

1909: Vacant

1910-1911: 524 Michigan: Alfred Petch, jeweler

RESEARCH SUMMARY

Materia Basili	F-1-1- A		Sheet1		•!	
1889	Estate Assessn	nents, Lot Z – north	side of Sup	perior btwn i	vienzies an	d nearly to Govt St
	Measurement I 60 x 218	Names Donaldson, A	Land 900	Improved 80	О	
	2 60 x 218	Prout, Wm	900	140	0	
	3 60 x 218 1 40 x 218	Prout, Wm Dorman, W.	900 600	160	0	
		H.				
5	5 40 x 218	Dorman, W. H.	1200			
	3 40 x 218 7 80 x 218	Livoek	600			
,	60 X 216	Hartley, S	1200			
1890 Subdivision	Measurement	Names	Land	Improved		
	60 x 218	Donaldson, A	900	90	0	
	2 60 x 218 3 60 x 218	Prout, Wm	900	140	0	
	40 x 218	Prout, Wm Dorman, W.	600	160	0	
	5 40 x 218	H. Dorman, W.	1200			
		H.				
ε	3 40 x 218	Livoek, crossed out;	600	100	0	
		Mrs. Emma				
		McCandlish Miss				
7	7 80 x 218	McCandlish	1200			
,	60 X 2 16	Hartley, S	1200			
1001						
1891 Subdivision	Measurement	Names	Land	Improved		
1	60 x 218	Donaldson, A	1800	120	0	
2	2 60 x 218	Prout, Wm	1500	180	0	
	3 60 x 218 4 40 x 218	Prout, Wm Dorman, W.	1500 1000	240	0	
		H.		240	•	
5	5 40 x 218	Dorman, W. H.	2000			
€	3 40 x 218	Mrs. McCandlish	1000	150	0	
		Miss Emma				
7	7 80 x 218	Hartley, S	2000			
1000			S	heet1		
1892 Subdivision	1 60 x 218	ent Names Donaldson, A	Land	1500 Imp	roved 600	
	2 60 x 218 3 60 x 218	Prout, Wm Prout, Wm		1500 1500	900 1800	
	4 40 x 218	Dorman, W. H.		1000	1500	
	5 40 x 218	Dorman, W. H.	2	2000		
	6 40 x 218	Mrs. McCandlish		1000	750	
	7 80 x 218	Miss Emma Hartley, S		2000		
1893						
Subdivision	1 60 x 218	ent Names Donaldson, A	Land	1500 Imp	600	Address
	2 60 × 218	Prout, Wm		1500	900	57 57 1/2
	3 60 x 218 4 40 x 218	Prout, Wm Dorman, W.		1500 1000	1800 1500	
	5 40 x 218	H. Dorman, W.		2000		61
	6 40 x 218	H. Mrs. McCandlish		1000	750	
	7 80 × 218	Miss Emma		2000		65
	7 80 x 218	Hartley, S		2000	•	c/o Jno Weiler



CAPITAL PARK, VICTORIA Planning and Land Use Committee - 04 Sep 2014 Output Description: Output Descripti

526 MICHIGAN STREET

DRAFT CONSERVATION PLAN - JUNE 2014



DONALD LUXTON AND ASSOCIATES INC

DONALD LUXTON AND ASSOCIATES INC.

1030 - 470 GRANVILLE STEET VANCOUVER BC V6C 1V5 info@donaldluxton.com 604 688 1216 www.donaldluxton.com



TABLE OF CONTENTS

1. INTRODUCTION	4
2. HISTORICAL BACKGROUND	6
3. STATEMENT OF SIGNIFICANCE	10
4. CONSERVATION GUIDELINES	12
4.1 STANDARDS AND GUIDELINES	
4.2 CONSERVATION REFERENCES	
4.3 GENERAL CONSERVATION STRATEGY	
4.4 SUSTAINABILITY STRATEGY	
4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS	
4.5.1 BRITISH COLUMBIA BUILDING CODE	17
4.5.2 ENERGY EFFICIENCY ACT	
4.5.3 HOMEOWNER PROTECTION ACT	18
4.6 SITE PROTECTION	
5. CONSERVATION RECOMMENDATIONS	
5.1 SITE	20
5.2 OVERALL FORM, SCALE AND MASSING	
5.3 FOUNDATION	
5.4 EXTERIOR WOOD FRAME WALLS	_
5.5 FRONT VERANDAH AND BALUSTRADE	
5.6 FENESTRATION	
5.6.1 WINDOWS	
5.6.2 DOORS	
5.7 ROOF	
5.8 INTERIOR FEATURES	
5.9 EXTERIOR COLOUR SCHEDULE	
6. RESEARCH SUMMARY	34



1. INTRODUCTION

SUBJECT PROPERTY: THE BEAVEN / MACABE RESIDENCE

526 MICHIGAN STREET

VICTORIA, BC

CONSTRUCTION DATE: 1911

HERITAGE STATUS: VICTORIA HERITAGE REGISTER

The block to the south of the BC Parliament Buildings was once a resource-rich traditional hunting and gathering territory for the Esquimalt and Songhees (Lekwungen) First Nations, known as "Whosaykum" after the tidal mud flats that once existed where the Empress Hotel now stands. This is the traditional territory of the Lekwungen People.

Historically and visually, this block is an important site that exists within the context of iconic structures that symbolize Imperial ambition and grandeur, as well as the grand architectural vision of Francis Rattenbury, including the Empress Hotel, the Legislative Buildings, the Crystal Garden and the CPR Marine Terminal. The area's planning and policy framework touches upon the planning frameworks for the Inner Harbour, the Legislative Precinct and the James Bay neighbourhood. Over time, the expansion of government services and buildings has included expansion to the south, which has caused the ongoing relocation of a number of early residential buildings.

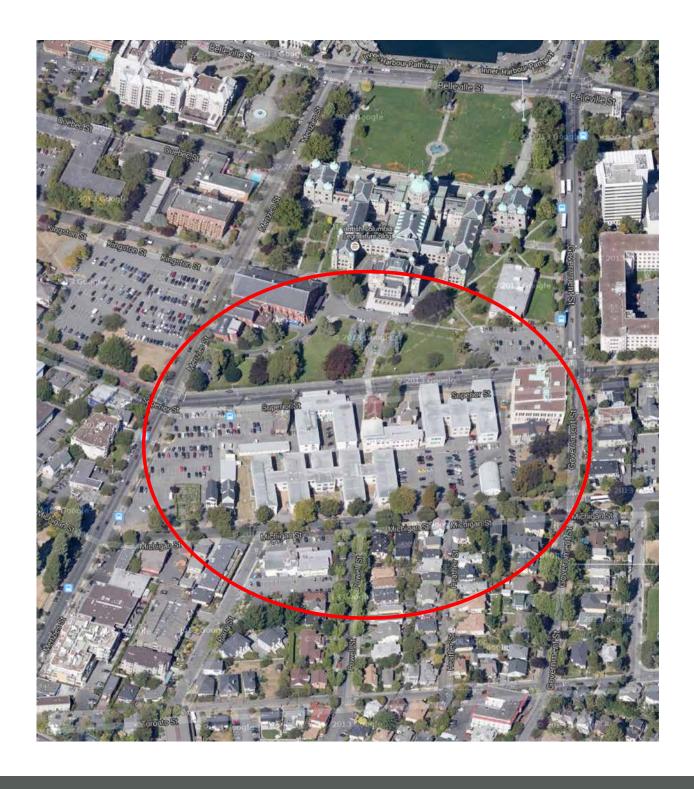
The Capital Park site encompasses nearly every parcel bounded by Superior Street on the north; Government Street on the east; Michigan Street on the south and Menzies Street on the east. Within the site, there are five historic houses, which have been located on the block for more than a century. Two of the houses were originally built on the north side of Superior Street, but the expanding British Columbia

Parliament necessitated their relocation in 1910. During that summer, fifteen houses in the immediate area were moved from their original location behind the Parliament Building to make room for the additional government facilities. One of the relocated houses, now located at 521 Superior Street, was originally constructed directly across the street, at 522 Superior Street, and was purchased by Charles Cameron in an auction. The other relocated house, now standing at 526 Michigan Street, was originally located at 548 Superior Street and was purchased and moved by C.F. Beaven. The 1910 auction and sale lists of the fifteen moving houses, offer a glimpse into the real estate environment of Victoria during the booming Edwardian era of the early twentieth century.

The five heritage houses remaining on the Capital Park site are 521 Superior Street, 539 Superior Street, 545 Superior Street, 524 Michigan Street and 526 Michigan Street.

A century after the Edwardian era government expansion, the Legislative district is again growing, and Capital Park's extant heritage resources are again in the midst of a changing real estate development landscape. The historic houses, some already moved once, are poised to shift in order to accommodate the need for additional government office space. The heritage value and character-defining elements of the Beaven/Macabe Residence, 526 Michigan Street, is outlined in the following pages.

INTRODUCTION





2. HISTORICAL BACKGROUND

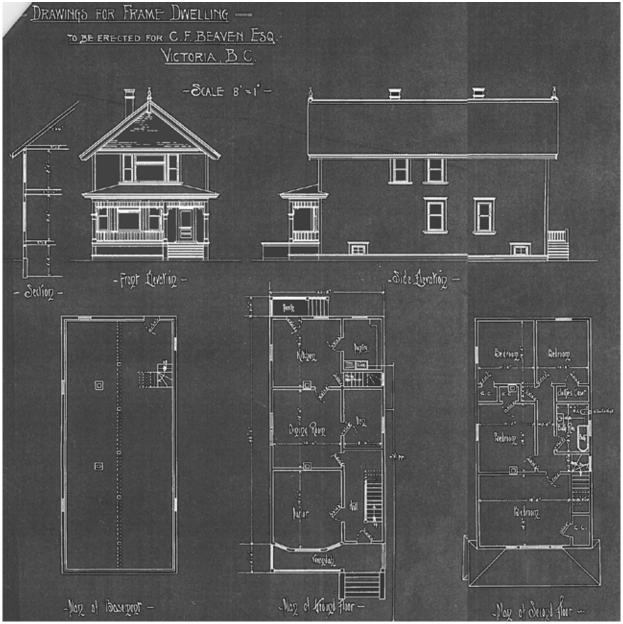
Construction Date: 1911

Original Owner: Mary Ellen Macabe (née Beaven) Earliest Known Occupant: Jennie Hall (1913)

The two-storey, front-gabled Homestead house at 526 Michigan Street is clad in double-bevel siding. The full-width front verandah features pairs of simple, Tuscan columns resting on a solid balustrade, which is interrupted by a central panel of flat, sawn balusters (possibly re-set at a later date). The central sash arrangement in the angled bay is unusual, as is the arrangement in the window assembly above the roof of the verandah. The angled bay is balanced by a wide entrance with side lights and transom. A shed roof dormer, finished in shingle, has been added to both sides of the roof. A small, shed-roofed service porch exists on the rear elevation and a garage has also been developed at the rear of the basement. The symmetrical upper storey displays a more horizontal window treatment than typical Italianate examples of the late 1800s.

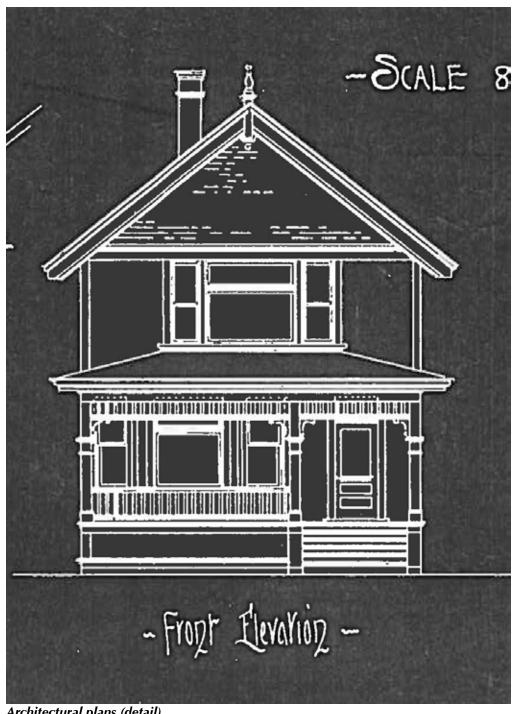
Charles Frederick Beaven may have moved this house in 1911 to its present location. Owned by his daughter, Mary Ellen Macabe, the house was used as a rental property. The earliest known resident of the house appears to be Jennie Hall, who operated the property as a boarding house in the mid-1910s. By 1927, Frederick and Emma (Lisk) Popham moved to the house. Frederick served as the Chief Janitor of the BC Parliament Buildings until his retirement in the late 1930s. Throughout the 1940s, Frederick (a World War I veteran of the Canadian Expeditionary Force) and Mabel Banks lived in the house and operated the property next door (524 Michigan Street) as a rooming house.

HISTORICAL BACKGROUND



Set of architectural plans prepared for Charles F. Beaven for the construction of a house for his daughter, Mary Ellen Macabe, at 526 Michigan Street, 1911. Note differences in some details from what was constructed, such as the verandah columns and balustrades, front door assembly, shingles in gable end, etc.; some alterations such as the third floor windows and dormers may have occurred after construction.





Architectural plans (detail).

HISTORICAL BACKGROUND



526 Michigan Street, no date.



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 semioctagonal 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.



4. CONSERVATION GUIDELINES

4.1 STANDARDS AND GUIDELINES

526 Michigan Street is a listed residential heritage building on the Victoria Heritage Register, and is a significant historical resource in the City of Victoria. The Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) is the source used to assess the appropriate level of conservation and intervention. Under the Guidelines, the work proposed for the three houses includes aspects of preservation, rehabilitation and restoration.

PRESERVATION: the action or process of protecting, maintaining, and/or stabilizing the existing materials, form, and integrity of a historic place or of an individual component, while protecting its heritage value.

RESTORATION: the action or process of accurately revealing, recovering or representing the state of a historic place or of an individual component, as it appeared at a particular period in its history, while protecting its heritage value.

REHABILITATION: the action or process of making possible a continuing or compatible contemporary use of a historic place or an individual component, through repair, alterations, and/or additions, while protecting its heritage value.

Interventions to 526 Michigan Street should be based upon the Standards outlined in the *Standards and Guidelines*, which are conservation principles of best practice. The following General Standards should be followed when carrying out any work to an historic property.

STANDARDS

Standards relating to all Conservation Projects

- Conserve the heritage value of a historic place. Do not remove, replace, or substantially alter its intact or repairable character-defining elements. Do not move a part of a historic place if its current location is a character-defining element.
- 2. Conserve changes to a historic place, which over time, have become character-defining elements in their own right.
- 3. Conserve heritage value by adopting an approach calling for minimal intervention.
- 4. Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties or by combining features of the same property that never coexisted.
- 5. Find a use for a historic place that requires minimal or no change to its character defining elements.
- 6. Protect and, if necessary, stabilize a historic place until any subsequent intervention is undertaken. Protect and preserve archaeological resources in place. Where there is potential for disturbance of archaeological resources, take mitigation measures to limit damage and loss of information.
- Evaluate the existing condition of character-defining element to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- 8. Maintain character-defining elements on an ongoing basis. Repair character-defining element by reinforcing the materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of character-defining elements, where there are surviving prototypes.

CONSERVATION GUIDELINES

 Make any intervention needed to preserve characterdefining elements physically and visually compatible with the historic place and identifiable upon close inspection. Document any intervention for future reference.

Additional Standards relating to Rehabilitation

- 10. Repair rather than replace character-defining elements. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements. Where there is insufficient physical evidence, make the form, material and detailing of the new elements compatible with the character of the historic place.
- 11. Conserve the heritage value and character-defining elements when creating any new additions to a historic place and any related new construction. Make the new work physically and visually compatible with, subordinate to and distinguishable from the historic place.
- 12. Create any new additions or related new construction so that the essential form and integrity of a historic place will not be impaired if the new work is removed in the future.

Additional Standards relating to Restoration

- 13. Repair rather than replace character-defining elements from the restoration period. Where character-defining elements are too severely deteriorated to repair and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.
- 14. Replace missing features from the restoration period with new features whose forms, materials and detailing are based on sufficient physical, documentary and/or oral evidence.

4.2 CONSERVATION REFERENCES

The proposed work entails the Preservation and Rehabilitation of the exterior and parts of the interior of 526 Michigan Street. The following conservation resources should be referred to:

Standards and Guidelines for the Conservation of Historic Places in Canada, Parks Canada, 2010.

http://www.historicplaces.ca/en/pages/standards-normes/document.aspx

National Park Service, Technical Preservation Services. Preservation Briefs:

Preservation Brief 10: Exterior Paint Problems on Historic Woodwork.

http://www.nps.gov/tps/how-to-preserve/briefs/10-paint-problems.htm

Preservation Brief 31: Mothballing Historic Buildings. http://www.nps.gov/tps/how-to-preserve/briefs/31-mothballing.htm

Preservation Brief 33: The Preservation and Repair of Historic Stained and Leaded Glass.

http://www.nps.gov/tps/how-to-preserve/briefs/33-stained-leaded-glass.htm

Preservation Brief 37: Appropriate Methods of Reducing Lead-Paint Hazards in Historic Housing.

http://www.nps.gov/tps/how-to-preserve/briefs/37-lead-paint-hazards.htm

Preservation Brief 41: The Seismic Retrofit of Historic Buildings: Keeping Preservation in the Forefront. http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-

http://www.nps.gov/tps/how-to-preserve/briefs/41-seismic-retrofit.htm

Preservation Brief 45: Preserving Historic Wooden Porches. http://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm



4.3 GENERAL CONSERVATION STRATEGY

The conservation strategy for the five houses of Capital Park includes relocation, with the primary intervention being rehabilitation, including elements of preservation and restoration for each house. Three houses will be retained on the block (521, 539 and 545 Superior Street) and the other two houses (524 and 526 Michigan Street) will be relocated offsite. A comprehensive redevelopment plan for the site is being prepared by CEI Architects in association with Endall Elliot Associates Architects. The rehabilitation plans for the houses are being prepared by Keay & Associate, Architecture Ltd.

There is sufficient room onsite to retain three houses as part of the comprehensive redevelopment; the intent is to relocate the houses towards the southeast corner of the site, to create a heritage grouping that addresses the residential context on Government and Michigan Streets, including the two adjacent existing heritage houses facing Government Street. Two of the houses (521 Superior and 526 Michigan) were previously relocated to the site.

The three Superior Street houses have been chosen for retention onsite for the following reasons:

- They currently exist as a grouping in relative association with each other, and would be retained in their existing order, while being rotated 180 degrees.
 This will preserve their existing order along the street.
- These three are the most architecturally impressive of the five houses, and will form a strong grouping of houses of similar style, age and detailing.
- The three Superior Street houses include the most impressive and intact interior detailing, features of which can be preserved through the proposed use.
- Built as a rental property, 524 Michigan which
 has already been relocated once is a handsomelydetailed, but typical Italianate house similar to others
 found in James Bay, and can exist comfortably on a
 new site. It has very few significant interior features,
 and would lend itself to more flexible uses.

 Built as a boarding house, 526 Michigan is the most utilitarian of the houses, but has sufficient character when restored to exist on a new site. It also has very few significant interior features, and would lend itself to more flexible uses.

Based on this analysis, and study of their final appearance as a heritage streetscape, the Superior Street houses will be grouped along Michigan Street, and the Michigan Street houses will be offered for relocation within James Bay.

526 Michigan Street - Conservation Strategy

526 Michigan Street will be relocated from its existing location as part of the redevelopment scheme of the site. The primary intent is to preserve the existing historic structure, while undertaking a rehabilitation that will upgrade its structure and services to increase functionality for continued residential or commercial use in a new location. As part of the scope of work, character-defining elements will be preserved, while missing or deteriorated elements will be restored.

Proposed Redevelopment Scheme

The major proposed interventions of the overall project are to:

- Preserve the historic structure.
- Relocate the structure to a new site within the James Bay neighbourhood.
- Preserve character-defining elements that are extant.
- Restore character-defining elements that have been removed or altered.
- Upgrade the structure and services to increase functionality for continued residential use.

CONSERVATION GUIDELINES

The house is proposed to be relocated within the James Bay neighbourhood of Victoria. The following *Relocation Guidelines* should be implemented for the relocation of the residences:

- A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.
- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with shingle and horizontal drop siding, wood sash windows and frontgabled roof structure as much as possible.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab.
- The final relative location to grade should match the original as closely as possible, taking into account applicable codes.

4.4 SUSTAINABILITY STRATEGY

Sustainability is most commonly defined as "meeting the needs of the present without compromising the ability of future generations to meet their own needs" (Common Future. The Bruntland Commission). The four-pillar model of sustainability identifies four interlinked dimensions: environmental, economic, social and cultural sustainability, the latter including the built heritage environment.

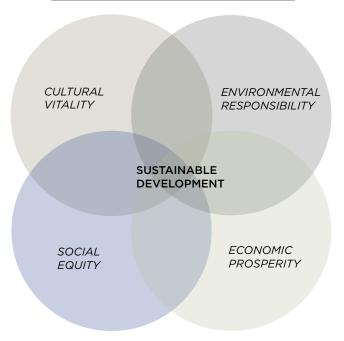
Current research links sustainability considerations with the conservation of our built and natural environments. A competitive, sustainable economy requires the conservation of heritage buildings as an important component of a high quality urban environment.

"We need to use our cities, our cultural resources, and our memories in such a way that they are available for future generations to use as well. Historic preservation makes cities viable, makes cities liveable, makes cities equitable." (Economic Benefits of Preservation, Sustainability and Historic Preservation)

Heritage conservation and sustainable development can go hand in hand with the mutual effort of all stakeholders. In a practical context, the conservation and re-use of historic and existing structures contributes to environmental sustainability by:

- Reducing solid waste disposal (reduced impact on landfills and their expansions);
- Saving embodied energy (defined as the total expenditure of energy involved in the creation of the building and its constituent materials);
- Conserving historic materials that are significantly less consumptive of energy than many new replacement materials (often local and regional materials, e.g. timber, brick, concrete, plaster, can be preserved and reduce the carbon footprint of manufacturing and transporting new materials).

FOUR PILLARS OF SUSTAINABILITY



The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for the three houses.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

The following considerations for energy efficiency in historic structures are recommended in the Parks Canada *Standards* and *Guidelines for the Conservation of Historic Places in Canada* (2010) and can be utilized for the three houses.

Sustainability Considerations

- Add new features to meet sustainability requirements in a manner that respects the exterior form and minimizes impact on character-defining elements.
- Work with sustainability and conservation specialists to determine the most appropriate solution to sustainability requirements with the least impact on the character-defining elements and overall heritage value of the historic building.
- Comply with energy efficiency objectives in a manner that minimizes impact on the character-defining elements and overall heritage value of the historic building.

Energy Efficiency Considerations

- Identifying the historic place's heritage value and character-defining elements — materials, forms, location, spatial configurations, uses and cultural associations or meanings.
- Complying with energy efficiency objectives in such a manner that character-defining elements are conserved and the heritage value maintained.
- Working with energy efficiency and conservation specialists to determine the most appropriate solution to energy conservation problems that will have the least impact on character-defining elements and the overall heritage value.
- Weighing the total environmental cost of energy saving measures against the overall environmental costs of retaining the existing features or fabric, when deciding whether to proceed with energy saving measures.

Buildings: Insulation

Exercising caution and foreseeing the potential effects
of insulating the building on the envelope system so as
to avoid damaging changes such as displacing the dew
point and creating thermal bridges.

CONSERVATION GUIDELINES

- Installing thermal insulation in attics and in unheated cellars and crawl spaces to increase the efficiency of the existing mechanical systems unless this could adversely affect the building envelope.
- Installing insulating material on the inside of masonry and wood-frame walls to increase energy efficiency where there is no character-defining interior moulding around the windows or other character-defining interior architectural detailing.

Buildings: Windows

- Utilizing the inherent energy conserving features of a building by maintaining character-defining windows and/or louvered blinds in good operating condition for natural ventilation.
- Improving thermal efficiency with weather-stripping, storm windows, interior shades and, if historically appropriate, blinds and awnings.
- Installing interior storm windows with airtight gaskets, ventilating holes and/or removable clips to ensure proper maintenance and to avoid condensation damage to character-defining windows.
- Installing exterior storm windows that do not damage or obscure character-defining windows and frames.

Buildings: Entrances and Porches

 Maintaining character-defining porches and double vestibule entrances so that they can retain heat or block the sun and provide natural ventilation.

Buildings: Mechanical Systems

 Improving the energy efficiency of existing mechanical systems by installing insulation in attics and basements, unless this could adversely affect the building envelope.

The conservation recommendations recognize the need for sustainable interventions and adhere to the Standards and Guidelines as outlined.

4.5 HERITAGE EQUIVALENCIES AND EXEMPTIONS

As Municipal Heritage Register-listed site, the Beaven/ Macabe Residence will eligible for heritage variances that will enable a higher degree of heritage conservation and retention of original material, including considerations available under the following legislation.

4.5.1 BRITISH COLUMBIA BUILDING CODE

Building Code upgrading ensures life safety and long-term protection for historic resources. It is important to consider heritage buildings on a case-by-case basis, as the blanket application of Code requirements do not recognize the individual requirements and inherent strengths of each building. Over the past few years, a number of equivalencies have been developed and adopted in the British Columbia Building Code that enable more sensitive and appropriate heritage building upgrades. For example, the use of sprinklers in a heritage structure helps to satisfy fire separation and exiting requirements. Table A-1.1.1.1., found in Appendix A of the Code, outlines the "Alternative Compliance Methods for Heritage Buildings."

Given that Code compliance is such a significant factor in the conservation of heritage buildings, the most important consideration is to provide viable economic methods of achieving building upgrades. In addition to the equivalencies offered under the current Code, the City can also accept the report of a Building Code Engineer as to acceptable levels of code performance.

4.5.2 ENERGY EFFICIENCY ACT

The provincial Energy Efficiency Act (Energy Efficiency Standards Regulation) was amended in 2009 to exempt buildings protected through heritage designation or listed on a community heritage register from compliance with the regulations. Energy Efficiency standards therefore do not apply to windows, glazing products, door slabs or products installed in heritage buildings. This means that exemptions can be allowed to energy upgrading measures that would destroy heritage character-defining elements such as original windows and doors.



These provisions do not preclude that heritage buildings must be made more energy efficient, but they do allow a more sensitive approach of alternate compliance to individual situations and a higher degree of retained integrity. Increased energy performance can be provided through non-intrusive methods of alternate compliance, such as improved insulation and mechanical systems. Please refer to the *Standards and Guidelines for the Conservation of Historic Places in Canada* (2010) for further detail about "Energy Efficiency Considerations."

4.5.3 HOMEOWNER PROTECTION ACT

The Homeowner Protection Act was implemented in 1998 as a means to strengthen consumer protection for the purchase of new homes. The act was passed following a commission of enquiry into the leaky condo crisis, and was intended on protecting homeowners by ensuring home warranty insurance was provided on new construction, covering two years on labour and materials, five years on the building envelope and 10 years on the structure of the home. As the Act was intended to regulate new construction, considerations were not taken of buildings that have remained in sound condition for a many number of years that already far exceeded what the HPA requires for a warranty on a new home. The act did not take into consideration the protection of heritage projects, and consequently resulted in the loss of significant heritage fabric through the requirement of new windows and rainscreen wall assemblies on residential heritage rehabilitation projects. An example being the requirement to remove original wooden siding that has successfully protected the building for 100 years, and replace it with a rainscreen assembly that is only warrantied for five years. Not only was valuable heritage fabric lost, but new materials will likely not last nearly as long as the original.

Amendments to the Homeowner Protection Act Regulation made in 2010 allow for exemptions for heritage sites from the need to fully conform to the BC Building Code under certain conditions, thus removing some of the barriers to compliance that previously conflicted with heritage conservation standards and guidelines. The changes comprised:

- an amendment to the Homeowner Protection Act Regulation, BC Reg. 29/99 that allows a warranty provider, in the case of a commercial to residential conversion, to exclude components of the building that have heritage value from the requirement for a warranty, and
- 2. clarification of the definition of 'substantial reconstruction.' The latter clarification explains that 75% of a home must be reconstructed for it to be considered a 'new home' under the Homeowner Protection Act, thus enabling single-family dwelling to multi-family and strata conversions with a maximum of 75% reconstruction to be exempt from home warranty insurance. The definition of a heritage building is consistent with that under the Energy Efficiency Act.

526 Michigan Street falls into the second category, as the proposed project involves retaining a high degree of the original structure and less than 75% of the house will be reconstructed. Consequently, this project is not considered a substantial reconstruction as per the amended definition in the Homeowners Protection Act, and will be exempt from the requirement of a warranty. This amendment will enable a higher degree of retention and preservation of original fenestration, siding and woodwork.

CONSERVATION GUIDELINES

4.6 SITE PROTECTION

It is the responsibility of the owner to ensure the heritage resource is protected from damage at all times. At any time that the house is left vacant, it should be secured against intrusion and vandalism through the use of appropriate fencing and security measures. This is especially important if the building is missing windows or doors or is left elevated for any period of time. Security measure may include mothballing the historic property and/or hiring a security guard for the duration of the work. Generally, once a heritage property is no longer undergoing rehabilitation work and is under occupancy of its owners, lockable doors and lower level windows and continued monitoring by the owners should be adequate protection.

A comprehensive site protection plan has been developed, and the following measures are being carried out:

- Houses are checked weekly by security.
- Houses have been secured.
- Landscaping is being maintained.
- Roofs have been checked for water tightness.
- Any changes are noted on a weekly basis.

It is anticipated that the house will be relocated directly onto new foundations at the receiving site, and will not be left vacant following relocation. If at any time the house is left unattended at the new location due to a delay in construction, site protection measures should be implemented.



A condition review of the Beaven/Macabe Residence was carried out during a site visit in March, 2014. In addition to the visual review of the exterior of the home, paint samples were taken from exterior building materials and examined. The recommendations for the preservation and rehabilitation of the historic façades are based on the site review, material samples and archival documents that provide valuable information about the original appearance of the historic building. The following chapter describes the materials, physical condition and recommended conservation strategy for the Beaven/Macabe Residence based on Parks Canada's *Standard and Guidelines for the Conservation of Historic Places in Canada* (2010).

5.1 SITE

The Beaven/Macabe Residence is located in the historic James Bay neighbourhood of Victoria. As part of the proposed redevelopment scheme, the house will be relocated to a nearby site, within the James Bay neighbourhood.

All heritage resources within the site should be protected from damage or destruction at all times. Reference **Section 4.6: Site Protection** for further information.

Conservation Strategy: Relocate

- Building will be relocated, and will stay within the James Bay neighbourhood.
- New site will be rehabilitated to accommodate the new foundations.
- Any new landscaping should be setback from the perimeter of the house to prevent potential damage to the exterior elevations.

The following *Relocation Guidelines* should be implemented for the relocation of the Beaven/Macabe Residence:

 A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used.

- Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant.
- Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure.
- Preserve historic fabric of the exterior elevations including the wood-frame structure with fishscale shingle and horizontal drop siding, wood sash windows and front-gabled roof structure as much as possible.
- Appropriate foundation materials shall be used at the new site, which can include reinforced concrete foundations and floor slab. The final relative location to grade should match the original as closely as possible, taking into account applicable codes. Salvaged foundation skirting should be reinstated following relocation.



5.2 OVERALL FORM, SCALE AND MASSING

The Beaven/Macabe Residence features a residential form, scale and massing as expressed by its two and one-half storey height, front-gabled roof with shed dormers on the side elevations, full-width open front verandah and semi-octagonal bay window on the front elevation. The original form, scale and massing has been retained, and is a character-defining element that should be preserved.

As part of the redevelopment scheme, the overall form, scale and massing of the Beaven/Macabe Residence will be retained during the relocation process, and the original configuration will be preserved on the new site. Any new additions to the house should be reviewed by the Heritage Consultant, and should be distinguishable and removable from the historic structure.

Conservation Strategy: Preservation

- Preserve the overall form, scale and massing of the building.
- The historic front façade should be retained.



Rear and east side elevation.

5.3 FOUNDATION

The Beaven/Macabe Residence features bellcast shingle siding at foundation level, clad over concrete foundations. The shingle siding is a character-defining element of the historic house, and should be preserved. Prior to relocation, all shingle siding should be carefully documented and salvaged, and reinstated following relocation of the house. If foundation siding is in too poor condition to salvage, then new physically and visually compatible replica siding should be installed. Concrete is a suitable material for foundations at the new site.

Due to the susceptibility of wood to water damage, ensure wood skirting is not in direct contact with the ground. A gravel course should be installed around the perimeter of the foundations, and the wood skirting should be separated from the ground plane. This will help eliminate water damage to the wood elements along the foundation line.

Conservation Strategy: New and Rehabilitation

- Salvage bellcast shingle foundation siding and reinstate following relocation of the house. If wood is too damaged to salvage, replace in-kind with replica wood skirting.
- New foundations are required at the new site. Concrete
 is a suitable material, and will be concealed behind the
 reinstated wood siding.
- To ensure the prolonged preservation of the new foundations and restored siding, all landscaping should be separated from the foundations at grade by a course of gravel or decorative stones, which help prevent splash back and assist drainage.



Shingle siding on foundation.

5.4 EXTERIOR WOOD FRAME WALLS

The Beaven/Macabe Residence features original wood-frame construction with double-bevelled wooden siding, cornerboards and bellcast shingle siding at foundation level. Original decorative features are also extant, including window trim with mouldings at top and bottom and distinctive scroll-cut verandah balusters. All aforementioned wood detailing, including the original wood-frame construction, are character-defining elements of the historic house, and should be preserved.

All exterior woodwork demonstrates extensive weathering, with a high degree of paint damage on all exterior surfaces. Further investigation is required to determine if deterioration is superficial or if damage penetrates through to the wood elements. As part of the rehabilitation scheme, all exterior wood elements will be preserved and repaired as required. If wood elements are too deteriorated to repair, then original fabric will be replaced in-kind with physically and visually compatible replica material.

Conservation Recommendation: Preservation and Restoration

- Due to the integrity of wood frame structure, the exterior walls should be preserved through retention and in-situ repair work.
- Preserve the original wood-frame structure of the historic building.

Condition of exterior painted wood surfaces.

- Preserve original siding on all elevations, if possible, and clean surface for repainting.
- Preserve all exterior wood detailing, including window trim, cornerboards and scroll-cut verandah balusters.
- Replace damaged siding to match existing in material, size, profile and thickness.
- Design structural or seismic upgrades so as to minimize the impact to the character-defining elements.
- Utilize Alternate Compliance Methods outlined in the BCBC for fire and spatial separations including installation of sprinklers where possible.
- Cleaning procedures should be undertaken with non-destructive methods. Areas with biological growth should be cleaned using a soft, natural bristle brush, without water, to remove dirt and other material. If a more intense cleaning is required, this can be accomplished with warm water, mild detergent (such as Simple Green©) and a soft bristle brush. High-pressure power washing, abrasive cleaning or sandblasting should not be allowed under any circumstances.
- Any existing trim should be preserved, and new material that is visually physically compatible with the original should be reinstated when original fabric is missing. Combed and/or textured lumber is not acceptable. Hardi-plank or other cementitious boards are not acceptable



Condition of exterior painted wood surfaces.



5.5 FRONT VERANDAH AND BALUSTRADE

The house features a full-width open front verandah with paired, lathe-turned Doric columns and closed balustrades with distinctive scroll-cut verandah balusters within a rectangular opening. The original narrow verandah has been retained in its original configuration with original detailing. The verandah with its associated detailing is a character-defining element of the historic house, and should be preserved. The exterior wood surfaces on the front porch are heavily weathered, and demonstrate a high degree of paint damage. The structural closed balustrade bases beneath the columns appear to be splitting, and should be assessed. All exterior surfaces should be inspected, and repaired according to recommendations outlined in **Section 5.4: Exterior Wood-Frame Walls.**

Heritage homes of this vintage were typified by a low balustrade of approximately 24" in height. To ensure the heritage character of the house is preserved, the final balustrade design should reflect the original configuration. In order to retain the original balustrade height, alternate compliance measures should be explored, such as the use of metal pipe rail and glass panels, to make up the remaining height to meet code requirements.

Conservation Strategy: Rehabilitation

- Preserve full-width front verandah with paired, latheturned Doric columns and closed balustrades with distinctive scroll-cut verandah balusters within a rectangular opening.
- Investigate condition of wood balustrade and structure beneath columns. Repair and stabilize as required.
- Repair all exterior wood surfaces, or replace in-kind any material that is too deteriorated to repair.
- Original lower height of the balustrade should be preserved, with alternate compliance methods utilized to achieve the required 42" height. Top of restored wood balustrade should be 24". New Possible alternative materials may be glass panels, metal pipe rails or a combination of both.



Scroll-cut balustrade.



Column base at balustrade.

5.6 FENESTRATION

Windows and doors are among the most conspicuous feature of any building. In addition to their function — providing light, views, fresh air and access to the building — their arrangement and design is fundamental to the building's appearance and heritage value. Each element of fenestration is, in itself, a complex assembly whose function and operation must be considered as part of its conservation. — Standards and Guidelines for the Conservation of Historic Places in Canada (2010).

5.6.1 WINDOWS

The Beaven/Macabe Residence features original fenestration such as 1-over-1 double-hung wooden sash windows with horns and semi-octagonal bay window on front elevation. All original wood windows are character-defining elements of the historic house, and should be preserved. Side, rear and basement level window configuration may be rehabilitated, as required, in response to functional changes to interior layout.

The majority of original windows have been retained, and the front window assemblies have been altered. Other windows were added in early renovations. All exterior wood surfaces demonstrate heavy weathering with extensive paint damage. As part of the rehabilitation scheme early window configuration should be preserved, and early wood sash window assemblies should be retained and repaired, as possible. All windows should be inspected, to determine extent of repair or replacement. Any windows that require replacement should be in matching configuration to original.

Conservation Strategy: Rehabilitation

- Preserve early window configuration, including 1-over-1 double-hung wooden sash windows with horns and semi-octagonal bay window on front elevation. Side, rear and basement level window configuration may be rehabilitated, as required.
- Inspect for condition and complete detailed inventory to determine extent of recommended repair or replacement.
- Retain existing window sashes; repair as required; install replacement matching sashes where missing or beyond repair.
- Preserve and repair as required, using in kind repair techniques where feasible.
- Overhaul, tighten/reinforce joints. Repair frame, trim and counterbalances.
- Each window should be made weather tight by reputtying and weather-stripping as necessary.
- Retain historic glass, where possible. Where broken glass exists in historic wood-sash windows, the broken glass should be replaced. When removing broken glass, the exterior putty should be carefully chipped off with a chisel and the glazier's points should be removed. The wood where the new glass will be rested on should be scraped and cleaned well, and given a coat of linseed oil to prevent the wood from absorbing the oil from the new putty. The new glass should be cut 1/16-1/8th smaller than the opening to allow for expansion and irregularities in the opening, to ensure the glazing does not crack due to natural forces. Window repairs should be undertaken by a contractor skilled in heritage restoration.
- If new replica windows are required, Heritage
 Consultant can review window shop drawings and
 mock-up, when available. Ensure window manufacturer
 is aware of recommended sash paint colour prior to
 finalization of order.
- Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.



2x 1-over-1 double hung wood sash w/ horns 1-over-1 single hung wood sash

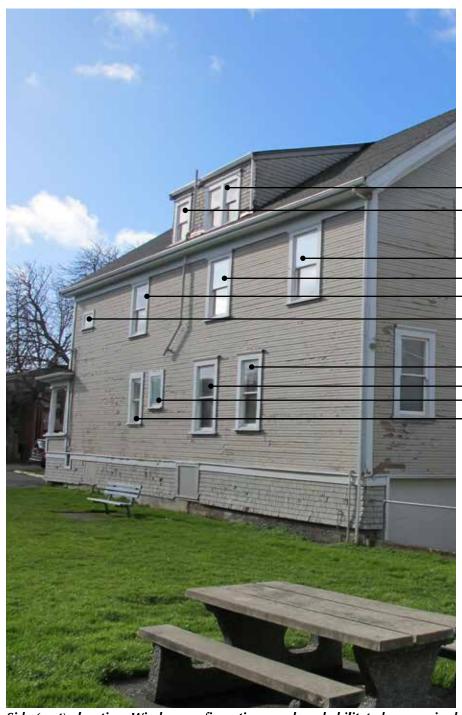
2x 1-over-1 double hung wood sash 2-over-3 single hung wood sash

· 1-over-1 double hung wood sash w/ horns

2-over-2 wood sash w/ transom

1-over-1 double hung wood sash w/ horns

Front (south) elevation: Windows should be preserved and repaired.



2x 1-over-1 double hung wood sash w/ horns1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns 1-over-1 double hung wood sash w/ horns 1-over-1 double hung wood sash w/ horns Casement wood sash

1-over-1 double hung wood sash w/ horns 1-over-1 double hung wood sash w/ horns Casement wood sash

1-over-1 double hung wood sash w/ horns

Side (east) elevation: Window configuration may be rehabilitated, as required.





2x 1-over-1 double hung wood sash w/ horns 1-over-1 single hung wood sash Casement (fire egress)

1-over-1 double hung wood sash w/ horns 1-over-1 double hung wood sash w/ horns

1-over-1 double hung wood sash w/ horns 1-over-1 double hung wood sash w/ horns Casement wood sash

Rear (north) elevation: Window configuration may be rehabilitated, as required.





5.6.2 **DOORS**

The original front door assembly with panelled wooden front door with glazed inset and glazed sidelights has been retained in its original configuration. The front door assembly and sidelights are a character-defining element of the historic house, and should be preserved. The original high step threshold has been retained, as well as wood trim and crown moulding.

The door and sidelights are currently painted, and an initial review suggests the door to be in fair condition with a notable crack in the front door panel. Further investigation is required to determine the full condition of the original front door. Retain and repair front door, as required. Original side and rear doors should also be retained and repaired, if possible.

Conservation Strategy: Preservation and Rehabilitation

- Preserve the door openings in their original locations, and retain and repair all original doors, as possible.
- Preserve original wood paneled front door with glazing and sidelights. Repair as required.
- Any new doors should be visually compatible with the historic character of the building.
- Prepare exterior wood surface for refinishing. Prime and repaint as required in appropriate colour, based on colour schedule devised by Heritage Consultant.



Front door with sidelights.

5.7 ROOF

The Beaven/Macabe Residence features a front-gabled roof with small shed dormers on the side elevations. The original roofing configuration has been retained, including original wood features such wood bargeboard and trim. The shed dormers are clad in shingle siding, consistent with the siding along the foundation level. The original front-gabled roof structure with shingle-clad shed dormers is a character-defining element of the historic house, and should be preserved.

The original roofing material has been replaced with asphalt shingles, and all exterior wood surfaces demonstrate heavy weathering and paint damage. As part of the proposed rehabilitation scheme, the original roofing configuration will be preserved, including all original character-defining wood trim. Exterior wood surfaces should be inspected to determine the full condition of all wood material, and will

be repaired as required. Any material that is too damaged to retain will be replaced in-kind with physically and visually compatible material to match original.

Conservation Recommendation: Rehabilitation

- Preserve the roof structure in its current configuration, as expressed by its simple front gabled roof structure with shed dormers on the side elevations.
- If required, roofing membrane and cladding system may be rehabilitated. Cedar shingles are the preferred material, but duroid, asphalt or fibreglass shingles are acceptable.
- Retain the original bargeboards and trim.
- Design and install adequate rainwater disposal system and ensure proper drainage from the site is maintained.
 Paint all drainage system elements according to colour schedule devised by Heritage Consultant.



Roof configuration with shed dormer.



5.8 INTERIOR FEATURES

"Interior features can include elements such as interior walls, floors and ceilings, mouldings, staircases, fireplace mantels, faucets, sinks, builtin cabinets, light fixtures, hardware, radiators, mail chutes, telephone booths and elevators. Because their heritage value resides not only in their physical characteristics, but also in their location in the historic building, it is important to protect them from removal. This is particularly true of doors, banisters, church pews, fireplace mantels, sinks and light fixtures, which are often replaced instead of being upgraded. Reuse in their original location not only protects their heritage value, but is also a more sustainable approach to conserving these artefacts." Standards and Guidelines for the Conservation of Historic Places in Canada (2010)

Building Code upgrading is one of the most important aspects of heritage building rehabilitation, as it ensures life safety and long-term protection for the resource. However, the interior features of an historic property are often heavily damaged in the process. Both Vancouver Building By-law and the British Columbia Building Code offer equivalencies and exemptions to heritage buildings, which enable a higher degree of heritage conservation and retention of original material. The following guidelines pertaining to Health, Safety and Security Considerations from the *Standards and Guidelines* should be followed when faced with the conservation of interior features:

- Upgrade interior features to meet health, safety and security requirements, in a manner that preserves the existing feature and minimizes impact on its heritage value.
- Work with code specialists to determine the most appropriate solution to health, safety and security requirements with the least impact on the interior features and overall heritage value of the historic building.

- Explore all options for modifications to existing interior features to meet functional requirements prior to considering removal or replacement.
- Remove or encapsulate hazardous materials, such as friable asbestos insulation, using the least-invasive abatement methods possible, and only after thorough testing has been conducted.
- Install sensitively designed fire-suppression systems that retain interior features and respect heritage value.

The Beaven/Macabe Residence features a number of original interior features such as staircases with original balustrades and newel posts, panelled wooden doors, and interior door and window casings with bulls-eye corner blocks. The intention is to retain as much original fabric as possible, however it is unknown at this time which interior features will be preserved.

Conservation Recommendations: Rehabilitation

- Interior features should be retained, if possible.
- Rehabilitation measures may be introduced to accommodate functional needs or building code upgrades, as required.



Original interior woodwork and newel posts.

5.9 COLOUR SCHEDULE

Part of the restoration process is to finish the building in historically appropriate paint colours. The following preliminary colour scheme has been derived by the Heritage Consultant, based on on-site paint sampling and microscopic paint analysis. The colours have been matched to Benjamin Moore's Historical True Colours Palette.

Prior to final paint application, samples of these colours should be placed on the building to be viewed in natural light. Final colour selection can then be verified. Matching to any other paint company products should be verified by the Heritage Consultant. Further onsite analysis is required for final colour confirmation once access is available.

Conservation Recommendation: Restoration

- Restore the original or historically appropriate finish, hue and placement of applied colour.
- Complete all basic repairs and restoration, and remove surface dust and grime before preparing, priming and

- painting. Be sure that all surfaces to be painted are thoroughly dry.
- Scrape and sand painted surfaces only as deep as necessary to reach a sound base. Do not strip all previous paint except to repair base-material decay.
- Remove deteriorated paint that is not adhered to the wood using a metal scraper.
- Remove dust and dirt with the gentlest method possible such as low-pressure (hose pressure) water washing, with soft natural brushes or putty knives.
- Paint all areas of exposed wood elements with primer.
 Select an appropriate primer for materials being painted (e.g. if latex paint is used over original oil paint, select an oil-based primer).
- Re-apply colours using architectural trim wrap, in which colour is applied to give a three-dimensional appearance to the surfaces by wrapping the applied colour around their edges.

Location	Colour
Siding	
	Harris Brown VC-33
Trim	
	Pendrell CreamVC-3
Foundation Shingles	
	Craftsman Brown VC-32
Window Sash	Gloss BlackVC-35

Final colour scheme will be prepared based on analysis of original colours, further design consideration and context.



6. RESEARCH SUMMARY

CONSTRUCTION DATE: 1911

ORIGINAL OWNER: Mary Ellen Macabe (née Beaven) EARLIEST KNOWN OCCUPANT: Jennie Hall (1913)

WATER PERMIT:

• #4667: June 21, 1911, 526 Michigan Street, Charles F. Beaven, owner

NEWSPAPER REFERENCES:

• Victoria Daily Times, 1918-03-20, page 9: "Thomas B.

RESEARCH SUMMARY

	SCHEDULE B Deaths	16-08-037880
Registered So		CONTRACTOR OF TOTAL
res and Thomas Maca		Name Victoria
	all married	10. How bry roblest in 35 years
(a.) Energy Massi lion. Onteriog ; have a (Province or symmetry)	Oot 31st 1862	11. (Ib) v long is district
Acr 55 Years. Seedin	···· co ··· dep o	"The How brig in Canada, / Proj. ASANXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Redeath. 19th day at Karoh		(a) bane of Liber Mittaliba
Last consented Hanager, Job Dept. District	aily Colonist	(Crostors or econtry.)
Paramona Bany years To	i dominione e e e e e e e e e e e e e e e e e e	(n.) Maiden name of allows
Former occupation		11. (a) Bathsteer maches. (Specime ey contra)
Pem Tournha Wardita	[14] [15] [16] [16] [16] [16] [16] [16] [16] [16	The Foregoing Stated Personal Particulars are True
te) Hers et death St. Josephe Hospital		to the Bestfof My Knowledge and Belief.
hot at a		th termany Comments
Ross Bay Cemetery	A SAN THE REPORT OF THE PROPERTY OF THE PARTY OF THE PART	meral Oc (Hayward a) Itd
Intest bortal March 29 1918		Victoria BC
	60.44	
	I'S CERTIFICATE OF CAUSE C	OF DEATH.
A hereing certify man to a mist Thomas Br	ennan Macabe	te:m
		ninbenet, oathe 19tha Harch 1915
allwa him	5.4	6 1918
doet oklask at,surls; ittometerum		
evet	UNDER ONE TRACTORIL STATE BLACK EL	(1)
elect o'klock af, encluint to une test of a	The pendiculas	
thorse	appendicules	Substitute In the State of Sta
P	appendicules	Substitute In the State of Sta
(a) Nemote or taster tal integral or Mathil Confident. (b) Nemote or taster tal integral or Mathil Confident. (c) Nemote or taster tal integral or Mathil Confident. (c) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (e) Nemote or taster tal integral or Mathil Confident. (e) Nemote or taster tal integral or Mathil Confident. (e) Nemote or taster tall tall tall tall tall tall tall tal	Appendicules	Substitute In the State of Sta
(a.) Hemote or tancer tal trierproduct Marking Completes that the Markington of the	appendicules	1) Survivale hora States 1 W 16 A A HA AM NO NO
(a) Nemote or taster tal integral or Mathil Confident. (b) Nemote or taster tal integral or Mathil Confident. (c) Nemote or taster tal integral or Mathil Confident. (c) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (d) Nemote or taster tal integral or Mathil Confident. (e) Nemote or taster tal integral or Mathil Confident. (e) Nemote or taster tal integral or Mathil Confident. (e) Nemote or taster tall tall tall tall tall tall tall tal	appendicules	Substitute In the State of Sta



	Egisted	SCHEDULE B. Marriages. MAR 15 1894
The same	No.	2 Marian Commission Co
	Нъ папъ	Thomas Breman Macabl
	Age.	30
	Resilience when werehold	Victoria
	Place of biggs	- Familton Dut
	Condition,	Back
	Brank or profession.	Parate
	Neues of parents.	Thomas Thrang Clave
	Her name.	Mary Ella Beaven
	Age.	23
	Residence when neutrical	Vich
	Place of kirth.	Elastottetown P. E. I
	Spinster or widow.	Sh
	Name of parents.	Coliner For hear
	Name of witnesses.	(M. S. Burnes (Prose Ellis
	Hewlence of witnesses.	Victoria Victoria
	Dute of marriage.	761/94
	Religious denomination of heidegroom.	Sing Ch.
	Religious demantication of heide.	mostly
	By whom married.	S. leleaver
	Bs Bernes.	5664
	By leanns	
	Remarks.	
		when given in the in-run Report to be current to the best of my knowledge and information. Therefore the day of March March ,A.D. 159 /

Thomas Macabe and Mary Ellen Beaven marriage certificate

RESEARCH SUMMARY

	PRC	NCE OF BRITISH O	COLLINE	1/50		3	of the who	
Form 6	PROVINCIAL BOA	RD OF HEALTH-DIVISION	OF VITAL		rics		1139	uniy)
	1. PLACE OF REATH			me of Mu	siel-	7.1	20	
	Name of city or place		polit	ty (if any)				· · · · · · · · · · · · · · · · · · ·
	Street or mod	St. Joseph's Hospit	EL Ital er Institut	lon, gire ti	he name 'ns	House No	o. cet and numb	or)
	(in years, months and days)	56 years	10000	56 yes		In Can	ada fif immi	except y
	3. PRINT FULL NAME	W. T.	BE, N	MARY EL				
	4. PERMANENT RESIDI	/Europhys of an			ven or Chris	din raves)		
7 .	Name of city or place.		Nar peli	ne of Mus its (if any	nici-			
Ptiv	Stret or med	Simcoe Street				House N		
as description of er country. French, German	5. SEX 6. CITIVEN		8. Single, M. Widowed to 1	arried, Dororad			Province or C	
11.0	Femule Cane 116	n English	Widowed		THE PARTY	House the real	a Scotia	1. T. L. C. T.
. 65 FZ	October 1	12, 1869	11. AGE	Yeurs	Months	Days	If less than	one day
RECORD uld be us zen of and ish, Scotti		on or kind of	1	74		w2000000	hes or	mis.
ahould citizen h, Irlah,	(b) Kind of in lustr	v or business.						
NENT the cit	a paper mill, lumbs		(If labourer spe				and the same of th	-
SMAN adian me th Engli	3. Date deceased has at this occupation	Carrier State of the Control of the	14.	Total year	rs spent in			
A PERMANENT "Canadian" sho ! become the citi	15. If married, widowed or of husband or maiden a	divorced give notes	ones Bre	nnen M	acabe			
S A S A thy clay it heavy	16. Name of father B	Charles F.	(3)		Civen or Chr	and and and		tition alone
n 3 5 4 5	17. Maiden name of mothe							
The terranders of The terrande	18. Birthplace:-	Net known	Mother.		Not kno		,	
INK.		votiner or Country) to be (rue and correct to the heat			(1	Province or C	Country)	
	Given under my has					Feb	rusry	19 44
DIN or all	Signature of informa				-	to decease	dela	
	Cifforniare of months				ingress and	in accord		
E 24 45	Address 23	2. Washington		di	Huf	1	alifor	un.
UNF.		2. Washington	Z. Ke	de	February same	ary 1	selefor	1944 (Yew)
UNF.	Address 23 20. Burial, Cremation or I	2 Washington	Z Ne	d /	February sant)	ery 1	Elifor	19 ⁴⁴ (Yess)
UNF.	Address 73 20. Burial, Cremetion or I Place of Burial	2. Washington V. lemoval Burial ictoria, B. C.	Da	ite. (Moss	February Boss	Bay Ce	20 for 15, metery	(Year)
AINLY, WITH UNF.	Address 73 20. Burial, Cremetion or I Place of Burial	2 Washington V temoral Burial 1ctoria, B. C. H.C. FUNERAL CO. LTU	Da	ite. (Moss	February Boss	Bay Ce	20 for 15, metery	(Year)
PLAINLY, WITH UNF which the person ove p in Canada, unless the preson—traced through	20. Burial, Cremation or I Place of Burial. V 21. Undertaker: Namedial MARCO'S	2 Washington V temoral Burial 1ctoria, B. C. H.C. FUNERAL CO. LTU	Da	ite. (Moss	February Boss	Bay Ce	20 for 15, metery	(Year)
PLAINLY, WITH UNF which the person ove p in Canada, unless the preson—traced through	20. Burial, Cremation or I Place of Burial. V 21. Undertaker: Namedial MARCO'S	demoral Burial ictoria, B. C. istoria, B. C. H. C. FUNERAL CO. LTD ultre use only)	Da Cui	Mountery 734	February Boss	Bay Ce	20 for 15, metery	(Year)
WRITE PLAINLY, WITH UNF CRitarship in Cansul, unless he which the person eve which the person treed through unsersan" should not be used for	20. Burial, Cremation or I Place of Burial. V 21. Undertaker: Namedial March S 22. Marginal Notations (C	demoral Burial lettoria, B. C.	Da Cal	Most Most metery 734	February a by same Ross Brough	Bay Ce	20 for 15, metery	(Yes)
WRITE PLAINLY, WITH UNF CRitarship in Cansul, unless he which the person eve which the person treed through unsersan" should not be used for	20. Burial, Cremation or I Place of Burial	Demoral Burial ictoria, B. C. ittoria, B. C.	Da Cui	Most Most metery 734	February Boss	Bay Ce	20 for 15, metery	(Year)
INDING. WRITE PLAINLY, WITH UNF ns of the country to which the person ove rests to Stateship in Cansula, unless the or rests to which the person—traced through an" or "Ansergan" should not be used for	20. Burial, Cremation or I Place of Burial. V 21. Undertaker: Namedial March S 22. Marginal Notations (C	Demoral Burial ictoria, B. C. ictoria, B. C.	Da Cu . , Addrew	DEATH	February Ross	Bey Ce	Delifor	19.44 (You)
RENDING. WRITE PLAINLY, WITH UNF serms of the country to which the person ove serms of the country to which the person ove serms of clittenship in Canala, unless the serses to which the person—traced through ulan" or "American" should not be used for	20. Burial, Cremation or I Place of Burial	Demoral Burial ictoria, B. C. ictoria, B. C.	Da Call Call Call Call Call Call Call Ca	DEATH 12	February a by same Ross Brough	Bey Ce	20 for 15, metery	19.5.C.
FOR BINDING. WRITE PLAINLY, WITH UNF in terms of the country to which the person over the person over the person over the person over the person which the person—traced through Chandlan "or "American" should not be used for Chandlan" or "American" should not be used for	20. Burial, Cremation or I Place of Burial	Memoral Burial ictoria, B. C. ictoria, B. C. ictoria, B. C. ictoria, B. C. in C. FUNERAL CO. LTU MEDICAL CERTI (Namb by mm.) Feb Y that I attended deceased from 12 19 47	Da Cu . , Addrew	DEATH 12	February Ross	Bey Ce	Olfor	19.5.C.
ED FOR BINDING. WRITE PLAINLY, WITH UNF, or which the preson over or who are rights of Citizenship in Canada, unless the people on articles to which the person—traced through the people of articles which the person—traced through the people of "Anserisan" should not be used for	20. Burial, Cremation or I Place of Burial	Memoral Burial ictoria, B. C. ictoria, B. C. ictoria, B. C. ictoria, B. C. in C. FUNERAL CO. LTU MEDICAL CERTI (Namb by mm.) Feb Y that I attended deceased from 12 19 47	Da Call Call Call Call Call Call Call Ca	DEATH 12	February Ross	Bey Ce	Olfor	19.44 (Year)
ED FOR BINDING. WRITE PLAINLY, WITH UNF, or which the preson over or who are rights of Citizenship in Canada, unless the people on articles to which the person—traced through the people of articles which the person—traced through the people of "Anserisan" should not be used for	20. Burial, Cremation or I Place of Burial	MEDICAL CERTI- MEDICAL CERTI- (March by man) Y that I attended deceased from 12 19 19 19 19 19 19 19 19 19 19 19 19 19	Da Call Call Call Call Call Call Call Ca	DEATH 12	February Ross	Bey Ce	Olfor	19.44 (Year)
ED FOR BINDING. WRITE PLAINLY, WITH UNF, or which the preson over or who are rights of Citizenship in Canada, unless the people on articles to which the person—traced through the people of articles which the person—traced through the people of "Anserisan" should not be used for	20. Burial, Cremation or I Place of Burial	Memoral Puriol Ictoria, B. C. Istantipher) H. C. FUNERAL CO. LTU MEDICAL CERTI (Manth by mm.) Feb Y that I attended deceased from 12 19 47 15 1 10 10 10 10 10 10 10 10 10 10 10 10 1	Da Call Call Call Call Call Call Call Ca	DEATH 12	February Ross	Bey Ce	Olfor	19.44 (Year)
NRGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF NALITY) is defined in terms of the country to which the person over born in Canada or who may rights of Clitanship in Canada, unless h mod in terms of the people or ser site on which the person—traced through sto. Thus terms "Canadian" or "Amer san" should not be used for	20. Burial, Cremation or I Place of Burial. 21. Undertaker. 22. Marginal Notations (C 23. DATE OF DEATH 24. I HEREBY CERTIF to 1 Insudal case Give disease, leavy or row as been failure, supplys and 24. I the confidence of the control of the	Memoral Puriol lectoria, B. C. lictoria, B. C.	Da Call Call Call Call Call Call Call Ca	DEATH 12	February Ross	Bey Ce	Olfor	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF. ONALITY) is defined in terms of the country to which the person over taborn in Canada or who has rights of efficiently in Canada, unless the defined in terms of the people or earlies which the person—traced through isa, ster. The terms "Canadan" or "Anner san" should not be used for	28. Burial, Cremation or I Place of Burial	MEDICAL CERTI (March by man of the state of	Da Call Call Call Call Call Call Call Ca	DEATH 12	February Ross	Bey Ce	Olfor	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF- N. ONALITY) is defined in terms of the country to which the person over was born in Canada or who ar piths a Officenship in Canada, unless the is defined in terms of the people or are to which the person—tracel through inias, etc. Thu terms "Canadian" or "American" should not be used for	20. Burial, Cremation or I Place of Burial	Memoral Puriol ictorio, B. C. (Mandalasser) H. C. FUNERAL CO. LTU MEDICAL CERTI (Mandalasser) Y that I attended deceased from 1 1947 83 E. (planeline which of the proceeding the proceeding the proceeding the proceeding the cause).	Da Call Call Call Call Call Call Call Ca	DEATH 12	February Ross	Bey Ce	Olfor	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF. ONALITY) is defined in terms of the ceunity to which the preson ove as born in Canada or who has rights of thismship in Canada, unless the effect of the central of the people or exert to which the person—traced through an, stc. Thu terms "Canadan" or "Anser;san" should not be used for	20. Burial, Cremation or I Place of Burial	Memoral Puriol ictorio, B. C. istantipher) H. C. FUNERAL CO. LTU MEDICAL CERTI (March by mm.) Feb Y that I attended deceased from 12 19 47 83 E. Iplicates which due to the cause). (10 au due to the cause). (10 au due to the cause).	FICATE OF TUBERS	DEATH 12	February Ross	Bey Ce	Olfor	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF. P. (NAI ONALITY) is defined in terms of the country to which the present over in who was born in Canada or who are rights of Clittenship in Canada, unless the Clittenship defined in terms of the people or rest to which the person—traced through Clittenship, etc. The terms "Canadian" or "Anner;an" should not be used for	28. Burial, Cremation or I Place of Burial	Memoral Puriol ictorie, B. C. istantipher) H. C. FUNERAL CO. LTU MEDICAL CERTI (March by mm.) Feb Y that I attended deceased from 12 19 47 Solution with the premary of the cause). (in a case)	Da Co	DEATH 12	February Ross	lery 1 (Con)	Olfor	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF (INA) ONALITY) is defined in terms of the country to which the present over (In the country of the country of the country of the present over (In the country of the country of the country of the present over (In the defined in terms of the people or exert to which the present—traced through	20. Burial, Cremation or I Place of Burial. 21. Undertaker. 22. Marginal Notations (C 23. DATE OF DEATH 24. I HEREBY CERTIF 10. 11. Immediat cases Give desses, laker or recessed drails, not the mod at boar fallow, subjust and at boar fallow, subjust and the mod at the subjust and	Memoral Puriol Ictoria, B. C. Interpretaria B. C. Int. C. FUNERAL CO. LTD MEDICAL CERTI (Manth by mm.) Y that I attended deceased from 12 19 47 83 E Interpretaria which due to the second from the s	Da Co	DEATH 12	February Ross. Brought	iery 1 (C)	Olifor 15, 15, 15, 17, 18 19 19 19 19 19 19 19 19 19	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, MITH UNF ARGIN RESERVED FOR BINDING. WRITE PLAINLY, MITH UNF ARGIN Grands or who has rights of CENtranhip, in Canala, unless him TGNI Laddrad in Canada or who has rights or which has person over (Igrainlan, etc. Thus terms of the people or which has person—traced through	20. Burial, Cremation or I Place of Burial. 21. Undertaker. 22. Marginal Notations (C 23. DATE OF DEATH 24. I HEREBY CERTIF to 1 Immedia cases Give decase, lakery or rowested draft, and the mod Martir continent, lary, phin full states (state) in one backwards from immedia to backwards from immedia 25. He a roome, was the de 10. Hospit al phin red- 27. Ella Macabe, Aged. 74 years.	Memoral Puriol Ictoria, B. C. Istantipolicy In C. PUNERAL CO. LTU MEDICAL CERTI (March by mm.) Feb Y that I attended deceased from 12 19 47 Solution of the product	Da Co Co Addres FICATE OF PUBTY Fub Ty And Itan and Itan CAUSE OF It CAUSE OF It Chical Copen Collowing: Date of open	DEATH 12	February Ross. Brought	iery 1 (C)	Olifor 15, 15, 15, 17, 18 19 19 19 19 19 19 19 19 19	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WRITE	20. Burial, Cremation or I Place of Burial. 21. Undertaker. 22. Marginal Notations (C 23. DATE OF DEATH 24. I HEREBY CERTIF to 1 Insuedit cases Give disease, lakery or row exceed dre lit. main the model states in law, only on a sile of the confirm. If or, while the state is not backwards from immediate training in the sile state in one backwards from immediate training in the sile in the state of the sile in the sile in the sile in the sile is not sile in the sil	Memoral Puriol Ictoria, B. C. Interpretaria B. C. Int. C. FUNERAL CO. LTD MEDICAL CERTI (Manth by mm.) Y that I attended deceased from 12 19 47 83 E Interpretaria which due to the second from the s	Da Co Co Addres FICATE OF PUBTY Fub Ty And Itan and Itan CAUSE OF It CAUSE OF It Chical Copen Collowing: Date of open	DEATH 12	February Ross. Brought	iery 1 (C)	Olifor 15, 15, 15, 17, 18 19 19 19 19 19 19 19 19 19	19.44 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WRITE	20. Burial, Cremation or I Place of Burial. 21. Undertaker. 22. Marginal Notations (C 23. DATE OF DEATH 24. I HEREBY CERTIF to 1 Insuedit cases Give disease, lakery or row exceed dre lit. main the model states in law, only on a sile of the confirm. If or, while the state is not backwards from immediate training in the sile state in one backwards from immediate training in the sile in the state of the sile in the sile in the sile in the sile is not sile in the sil	Memoral Puriol Ictoria, B. C. Janatophery Int. C. PUNERAL CO. LTU MEDICAL CERTI (March by mm.) Feb. Y that I attended deceased from 12 19 47 83 E. Interested with the feb. Interested to the case of t	Da Address FICATE OF PUBTY FULLY FULLY And Item town had Item town h	DEATH DEATH 12 OF BEATH A Sell A	February Ross. Brought	lery 1 Bay Ge St. Bay	DUFAT VICTOR DURAT VI. Mee	(Year) 19 44 (Year) 10 10 10 10 10 10 10 10 10 10 10 10 10 1
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF (P. NA.1 ONALITY) is defined in terms of the century to which the present over (P. NA.2 ONALITY) is defined in terms of the century to which the present over (Chicambia or and	20. Burial, Cremation or I Place of Burial	Memoral Puriol Ictoria, B. C. Istantipher) H. C. FUNERAL CO. LTU MEDICAL CERTI (March by mm.) Feb Y that I attended deceased from 12 19 47 And the stantipher of the stantipher of those neb the cause). It is it leads to grand due to It is to leads It cause). It cause y kickeney full is abouth the accident with precasery? It cause y kickeney full is abouth the cause of	Da Co	DEATH 12 OF SPECIAL STREET	February Ross. Brought	iery 1 (C)	DURAT YT. Mea	(Year) 19 44 (Year) 10 47 (Year) 10 7 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF	20. Burial, Cremation or I Place of Burial	Memoral Puriod ictorie, B. C. 13. C. PUNERAL CO. LTU MEDICAL CERTI (March by man, 3 Feb Y that I attended deceased from 12 19 47 83 F. Infrardes which do to the premary of the cause). It is to leading the cause of the	Da Address FICATE OF PUBTY FULLY FULLY CAUSE OF I CAUSE OF I CAUSE OF I COLOR Date of open	DEATH 12 OF STATE OF	February Ross Brought	iery 1 Bey Ge Con St. Con St. Con St.	DUFAT VICTOR DURAT VI. Mee	(Year) 19 44 (Year) 10 47 (Year) 10 7 (Year)
ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF ARGIN RESERVED FOR BINDING. WRITE PLAINLY, WITH UNF (P. NA.1 ONALITY) is defined in terms of the century to which the present over (P. NA.2 ONALITY) is defined in terms of the century to which the present over (Chicambia or and	Address of 20. Burial, Cremation or I Place of Burial	Memoral Parial Ictoria, B. C. Individuality Interior and the second from Medical certification of the second from March by many Feb. Y that I attended deceased from Interior and the second from due to Interior and the second from due to Interior and the second from I court in the second from	Da Address FICATE OF PUBTY FULLY FULLY CAUSE OF I CAUSE OF I CAUSE OF I COLOR Date of open	DEATH 12 OF STATE OF	February Ross. Brought	iery 1 (C)	DURAT YT. Mea	(Year) 19 44 (Year) 10 7 10 7 10 7 10 9 10 10 10 10 10 10 10 10 10 10 10 10 10 1

Mary Ellen Macabe death certificate and funeral notice





Planning and Land Use Committee

For the meeting of September 4, 2014

To:

Planning and Land Use Committee

Date:

August 12, 2014

From:

Deborah Day, Director

Sustainable Planning and Community Development

Subject:

Consultation on Proposed New Building Bylaw

Executive Summary

The purpose of this report is to seek Council's endorsement of plans to consult with stakeholders on proposed Building Bylaw amendments and obtain direction to bring a proposed new Building Bylaw back to Council for review and approval.

The Building Bylaw is being updated, in particular the sections affecting complex buildings. The updates will reflect changes which have occurred in building practices and regulation, the City's administrative processes and best practices since the last update was conducted 21 years ago. A new BC Building Code adopted by the Province in late 2012 and a model building bylaw recommended by the City's insurer are factors that have necessitated a bylaw update. The bylaw work also allows for administrative and regulatory updates that further enable customer service and process improvements.

The most significant change is the introduction of the Municipal Insurance Association (MIA) model Building Bylaw, which has been modified to reflect the conditions of the City. The new model will no longer require the involvement of the City's building inspectors to perform inspection services and instead rely entirely on Letters of Assurance as confirmation of BC Building Code and bylaw compliance at the various stages of the construction of complex buildings. This change is intended to:

- greatly reduce the liability risks to the City associated with complex buildings,
- rely on specific professionals for their expert opinion, and
- clarify the roles of building inspectors as administrators of the Building Permit process, not issuers of guarantees of construction or workmanship.

The proposed bylaw amendments will set the regulatory groundwork to enable further improvements, including improved customer service and turnaround times. Certain housekeeping amendments will also be made to reflect changes to building technology improvements and Provincial regulations, as well as changes to City processes.

Stakeholder feedback will be considered for inclusion into the draft bylaw which will be presented to Council early in 2015. This consultation will include both online tools (such as surveys) and interactive face-to-face initiatives to ensure the optimal outreach of stakeholders through a variety of accessible methods.

Recommendation

That Council direct staff to:

- a) consult with stakeholders on the proposed changes in keeping with the consultation strategy summarized in Appendix A, and
- b) report back on consultation when bringing forward the new Building Bylaw for consideration.

Respectfully submitted,

Avy Woo

Assistant Director

Permits and Inspections

Deborah Day

Director

Sustainable Planning and Community Development

Katie Hamilton

Director

Citizen Engagement and Strategic Planning

Devictor

Report accepted and recommended by the City Manager:

Date:

Purpose

The purpose of this report is to seek Council's endorsement of plans to consult with stakeholders on proposed Building Bylaw amendments and obtain direction to bring a proposed new Building Bylaw back to Council for review and approval.

Council will have the opportunity to discuss the details of the proposed changes when the consultation results and the proposed bylaw come forward for approval.

Background

Factors that have necessitated a bylaw update include a new BC Building Code (BCBC) adopted by the Province in 2012 and a model building bylaw recommended by the City's insurer, the Municipal Insurance Association of British Columbia (MIA). The bylaw work also allows for administrative and regulatory updates that further enable customer service and process improvements.

The current Building Bylaw was last updated in 1993. In the intervening 21 years, changes have occurred in building practices and regulations, the City's administrative processes and in best practices. The new bylaw is intended to update the City's own regulations associated with building construction and manage the risks to which the City is exposed by being involved in the building permit approval and building inspections processes.

The Building Bylaw was identified as a key opportunity for customer service improvement in the 2012 Customer Service Action Plan, with a goal of "designing business processes with the customer in mind". Council adopted the plan on June 14, 2012 and directed staff to commence work on the Building Bylaw by revising it to better address roles and responsibilities of all parties involved in the building permit and inspections processes as well as to clarify outcomes and accountabilities. In the intervening two years, staff started the research work by surveying other jurisdictions' best practices and gathering information for the "building blocks" of a new building bylaw. In the meantime, staff have implemented other projects identified to improve customer service, including changes to the permitting process and application forms. The introduction of a new Building Code in late 2012 and its subsequent implementation also took priority for staff resources.

Building Bylaw

The current Building Bylaw sets the standards, processes and requirements for buildings on private properties in the city. It is used to regulate building permits, the role of the building inspector and owner, permitting requirements, inspections conducted post permit issuance, construction practices and occupancies. The Building Bylaw is used by the City to set out its own requirements and processes related to buildings and structures that are regulated under the BCBC.

The current Building Bylaw works in conjunction with other bylaws that create a building regulatory framework. These include the Plumbing Bylaw, Electrical Bylaw, and Fire Bylaw. The Building Bylaw enables the Chief Building Official to set operational policies that are consistent with service levels and direction set by Council. Policies to support new and revised permit processes have been identified and will be developed concurrently.

The legislative authority for the Building Bylaw comes from the *Local Government Act* and the *Community Charter*, which allow the City to regulate buildings and structures, including permitting, occupancy, professional certification and enforcement.

The MIA provides broad liability insurance coverage to local governments in British Columbia, and has been the City's insurer since 2008. Due in part to the "leaky condo" crisis, the MIA provides a

model building bylaw to assist municipalities in providing the building permitting function while reducing liability and increasing the responsibility and role of the owners and Registered Professionals (Licensed Architects or Engineers) in the process. The proposed Building Bylaw is modified from the MIA model building bylaw and will also include provisions which are applicable to the building regulatory framework for Victoria. As the MIA model is intended to cover the liability and risk aspect related to leaky buildings, modifications are proposed to ensure that the full scope of building regulations, for example relating to unsafe structures, are included in the bylaw.

Staff examined other building bylaws that have been revised recently, including those from Cities of Surrey, Richmond and Burnaby, to learn how other municipalities have incorporated the model building bylaw, and some of that work has been adopted in formulating the proposed City of Victoria Building Bylaw. Local municipalities, for example Saanich, Nanaimo and Langford, were also reviewed; even though they have not updated their Building Bylaws recently.

2012 BC Building Code Changes

The BCBC sets minimum requirements for a safely built environment. It applies to the construction of buildings, including new construction, additions and alterations to a building, buildings undergoing a change of occupancy, and upgrading a building's systems or components.

The BCBC is updated periodically, and the latest edition was enacted in December 2012. These recent changes included provisions related to smoke alarms, residential care buildings, seismic bracing for houses and new energy requirements for insulation and better windows.

Issues and Analysis

The proposed Building Bylaw amendments will:

- Reduce the inspection role of the City related to complex buildings,
- Assign responsibilities to Registered Professionals using Letters of Assurance (Letters of Assurance are prescribed letters in the BCBC),
- Update the authority of the building inspectors and the Chief Building Official accordingly,
- Clarify the types of construction that require a building permit,
- Enable administrative processes to better serve the customer,
- Update definitions and consolidate all amendments, and
- Bring new fees into closer alignment with services provided.

The proposed amendments are regulatory improvements that will improve customer service. For example, reducing the inspection service for complex buildings will result in a bigger fee discount and consolidating amendments will make the bylaw easier to reference for staff and customers.

The Building Bylaw enables the City to enact the content of the BCBC, which includes regulations that would enable green buildings and sustainability designs.

The proposed amendments are organized into six categories and are summarized below.

A. Housekeeping Amendments

The current Building Bylaw was adopted more than 20 years ago. In order to reflect changes to building technology improvements and Provincial regulations, as well as changes to City processes, certain housekeeping amendments are required.

The current Building Bylaw has eight amendments that are separate from the main bylaw. The proposed Building Bylaw will incorporate and consolidate those amendments and a new bylaw will be

brought forward. This will improve customer service by making the bylaw easy to access and interpret for both the public and staff.

Other housekeeping amendments include definitions (new and improved) and better organization of the regulations.

B. Building Permit Applicability

The BCBC and enabling legislation allow the City to issue building permits for construction associated with buildings and structures. The proposed Building Bylaw amendments will clarify which types of construction are regulated under the Building Bylaw, as well as specific scopes of work which do not require a building permit, and include enabling language for those activities to be regulated and enforced in other ways. While the current bylaw states there are some exemptions for building permits, some gaps have been identified. Accurate and improved administration of the permitting function will result in building permits issued only as they relate to buildings and structures referenced in the BCBC. Clarification is also provided on requiring building permits for buildings located on private lands only; structures located on street rights-of-way and parks are covered under other applicable bylaws.

C. Roles and Responsibilities (including Letters of Assurance)

The proposed Building Bylaw references "complex buildings" and "standard buildings". Complex buildings are buildings with major occupancies for assembly, care, and high hazard industrial use, or those exceeding 600m² in building area or more than 3 storeys that are other major occupancies. Other major occupancies include office, retail, residential, and low hazard industrial uses. Standard buildings are buildings that are not complex buildings, including most single family houses.

Following the model building bylaw developed by the MIA, the recommended changes include not providing inspection services for complex buildings under construction. This shift is consistent with the framework set out in the BCBC. The City will rely entirely on Registered Professionals' Letters of Assurance (LOA) at the various stages of the construction of complex buildings. This change is intended to:

- rely on Registered Professionals in their fields of expertise.
- improve service levels for applications related to standard buildings by allocating staff resources freed up from dealing with complex buildings,
- greatly reduce the liability risks to the City associated with complex buildings, and
- clarify the auditing or monitoring roles of building inspectors in the building permit framework, and not as quality controllers for workmanship of construction.

The proposed bylaw does not make any changes to requiring LOA and field reviews from Registered Professionals; Registered Professionals are already required to provide them under the BCBC. While saving time for permit applicants and holders is not a focus of the proposed amendments, it may be a subsequent outcome for complex building permit as the changes allow for phased permits. In addition, owners for complex buildings will not need to wait for City staff to perform inspections before proceeding with work as their own Registered Professionals will perform these required filed reviews, hence making the construction process smoother for the owners.

Inspections related to standard buildings, alterations/renovations to complex buildings, electrical, and plumbing permits will continue as before.

D. Health and Safety

Enabling language in the proposed new Building Bylaw will authorize staff to review existing structures through an interpretation of the health and safety provisions using their professional expertise. Existing buildings may meet older building standards previously in force and may not meet the requirements of today's BCBC when the building is being evaluated due to a proposed alteration

or change of use, or when work undertaken without a permit is retroactively being evaluated for acceptance. In these cases the legislation allows for the Chief Building Official to exercise discretion based on industry practices or standards relating to the safety and intent of the BCBC and to work within administrative procedures to assess and accept these existing as-built conditions.

In some cases minor changes are made that do not impact a building but may result in potentially significant secondary costs. For example, at the discretion of the Chief Building Official, additional seats for an existing restaurant where no renovation is proposed may not need to result in the provision of an extra toilet, demonstrating that the City is willing to be flexible without compromising any safety aspects in order to be more business and customer friendly. For example, a café in Fernwood was able to increase their seating by a nominal amount without adding an additional bathroom, which would have added significant costs as the additional bathroom would have meant also adding a new water supply.

E. Administration and Process

Administrative frameworks built into the new bylaw provisions will assist staff in further improving the operational side of building permits and inspections. Not all improvements to administrative processes require a bylaw change; however the proposed Building Bylaw will have enabling language to facilitate improvements for better customer service and more streamlined processes. Examples will include facilitating phased permits, transferring of permits and viewing of permit records.

There could be a slight improvement to staffing resources since staff are not involved in inspections of complex buildings hence freeing up some staff time. However the time gained is not expected to be significant as the annual number of new complex buildings is not high; on average, the City receives ten to twenty complex building applications per year.

Financial and Staff Capacity Assessment

This work will be undertaken with minimal impacts to City staff and no additional costs. Much of the financial impacts will be realized through consistency with the recommendations of the City's insurer, MIA, by reducing the risk associated with building regulation and inspections. While MIA premiums will not be reduced as a result of the City making these bylaw changes, there is the potential for savings through fewer MIA insurance claims as a result of less liability exposure under the proposed Building Bylaw.

Fees

The proposed fee changes are not intended to increase the rate currently charged for building permits. The changes aim to collect fees for services for which fees are not currently charged but which require staff resources to complete. Some examples of these services include reviews of alternative solutions, providing site evaluation outside of a building permit, or reviewing occupant loads. The fees will generally be based on a cost recovery model.

The organization of the fees is being reviewed in the context of the services provided and best practices from other jurisdictions. Other jurisdictions charge similar fees, including the Cities of Vancouver, Burnaby, Richmond and Surrey. Locally, the District of Saanich is reviewing their fee structures and may also be amending their fees.

By reviewing the costs, a more accurate assessment of actual costs can be used to calculate fees. In addition, where current fees do not anticipate certain services (e.g. staff re-attendance for inspections), separate fees can be established. Complex buildings currently receive a fee refund of \$500; the refund will be reviewed and increased to recognize that the inspection function related to complex buildings is changing. The following table demonstrates the type of fees and the current amounts as well as the proposed fees and the reason for the proposed changes.

Fee Type	Current Fees	Proposed Fees	Rationale
Non-refundable deposit	25% of the permit fee	50% of the permit fee	At permit issuance, staff has provided 50% of the service
Permit fee	\$30 plus 1.25% of th	e total cost of the work	No change proposed
Function and service specific fees	No cost scheme in place	Fee per service or an hourly rate	Enable fee collection for all work not covered or commonly included under established fees
Maximum Discount for complex projects	\$500	\$1000	Provide recognition of change in inspection function

The Finance Department has reviewed the proposed set of fee changes, and concurs with this preliminary assessment.

Staffing impacts

Consultation: Staff in the Permits and Inspections Division who administer the Building Bylaw and staff in the Citizen Engagement and Strategic Planning Department, who prepared the consultation strategy in Appendix A, will be conducting the consultation. The engagement will be targeted to applicable stakeholder groups and done using limited staff time by sharing and collecting information electronically (e.g. through a survey) and using established communication opportunities.

Bylaw Drafting: Bylaw drafting is underway. Preparation of the bylaw has been identified by the Permits and Inspections Division and Legal Services as high priority work.

Proposed Bylaw Changes: Current permit administration and inspection processes will be modified to improve timeliness and efficiency with little impact on duties. Staff roles will continue in the same functions as are currently performed, with changes only to the operational processes in which they perform those functions. The proposed changes will not impact staff resourcing.

Public Engagement and Consultation

External: Consultation allows for information on the proposed changes to be shared, and for feedback to be gathered and inform the bylaw amendments. The intent of external consultation is to ensure impacted stakeholders are made aware of the recommendations and have an opportunity to provide feedback, provide accessible and clear project information, and facilitate a meaningful engagement process. Planned consultation activities to be conducted this fall are:

- · Letters and emails to key stakeholders, advising them of the proposed changes,
- An online survey, and
- Presentations as requested to stakeholder organizations.

Planned consultation and communications include specific stakeholder groups that will be impacted by the changes, including the property development industry and consultants and property management agencies. The City of Surrey recently adopted a version of the MIA model bylaw and consulted with many of the same groups, therefore the proposed bylaw already incorporates many of the stakeholders' perspectives and feedback. A summary of the consultation strategy is included in Appendix A.

Following the consultation period, a report will be brought to Council with the results of the consultation and the proposed new bylaw which, once drafted, will reflect relevant input from stakeholders.

Internal: Staff from all departments involved in the building permit process were consulted through general staff discussions and issue-specific meetings. This input is being incorporated into the draft bylaw and into internal administrative processes that are not bylaw-related.

Conclusion

The current Building Bylaw requires updating to reflect the current BCBC and to follow the model bylaw recommended by the City's insurer. Consulting with affected stakeholders will ensure the proposed bylaw amendments are understood and brought forward with the input of those affected.

Recommendation

That Council direct staff to:

- a) consult with stakeholders on the proposed changes in keeping with Appendix A, and
- b) report back on consultation when bringing forward the new Building Bylaw for consideration.

Attachments:

Appendix A – Consultation Strategy

Appendix A: Consultation Strategy

The following is a summary of the proposed Communications and Engagement Strategy that has been prepared to guide staff through the consultation portion of the Building Bylaw review project.

Purpose

The objective of the Communications and Engagement Strategy is to inform and seek input from impacted stakeholders on the proposed policy and process changes to the Building Bylaw.

The feedback collected from stakeholders through consultation will be reviewed by staff and considered for inclusion in the proposed Building Bylaw. The intent of the consultation is to:

- Ensure impacted stakeholders are made aware of the recommendations and have an opportunity to provide feedback
- o Provide accessible and clear project information
- Facilitate a meaningful engagement process

Proposed Changes and Key Messages

The key messages about the proposed Bylaw changes that will be communicated with stakeholders include:

- The Building Bylaw is being updated, in particular the sections affecting complex buildings. The updates will reflect changes which have occurred in building practices and regulation, the City's administrative processes and best practices since the last update was conducted 21 years ago.
- The most significant change is the introduction of the MIA Building Bylaw Model, which has been modified to reflect the conditions of the City. The new model will no longer require the involvement of City Building Inspectors and instead rely entirely on Letters of Assurance as confirmation of BC Building Code and bylaw compliance at the various stages of the construction of complex buildings.
- This change is intended to:
 - greatly reduce the liability risks to the City associated with complex buildings,
 - o rely on specific professionals for their expert opinion, and
 - o clarify the roles of building inspectors as administrators of the Building Permit process, not issuers of guarantees of construction or workmanship.
- The proposed bylaw amendments will set the regulatory groundwork to enable further improvements, including to customer service and turnaround times.
- Certain housekeeping amendments will be made to reflect changes to building technology improvements, different standards and Provincial regulations, as well as changes to City processes. This will improve customer service by making the bylaw easier to access for both the public and staff.
- Stakeholder feedback will be considered for inclusion in the draft bylaw which will be presented to Council early in 2015.

Engagement Strategy

Both online tools (such as surveys) and interactive face-to-face initiatives (such as presentations) will be used to ensure the optimal outreach to stakeholders through a variety of accessible input mechanisms.

Proposed Process

Date	Activity	Details
September 2014	Report to Council	 Present rationale for changes and obtain approval for the engagement/communications strategy
September - November	Public engagement with	 Distribute letters and emails Post online survey
2014	impacted	 Deliver requested presentations

	stakeholders	
Early 2015	Report to Council	 Present draft bylaw for approval and engagement findings to Council
Spring 2015	Implementation	 Implement new Building Bylaw Communicate changes to impacted stakeholders and public

Key Stakeholders

Stakeholder Type	Groups or Organizations
Property Development Industry and Consultants	 Urban Development Institute (UDI) Architectural Institute of BC (AIBC) Association of Professional Engineers and Geoscientists of BC (APEGBC) Great Victoria Home Builders' Association (GVHBA) Applied Science Technologists & Technicians of BC – Property Inspectors (ASTTBC) Vancouver Island Construction Association (VICA) Designers Builders
Property Management	 Building Owners and Managers Association (BOMA) Colliers International Equitex Property Management Ralmax Development Ltd Downtown Victoria Business Association
Victoria Residents	General public
Media	Local media



Planning and Land Use Committee Report

For the Meeting of September 4, 2014

To:

Planning and Land Use Committee

Date: August 15, 2014

From:

Marc Cittone, Senior Planner

Subject:

Consultation Regarding Bylaw No. 4620, Oak Bay Official Community Plan Bylaw,

2014

Executive Summary

The District of Oak Bay Council will be considering Bylaw No. 4620, Oak Bay Official Community Plan Bylaw, 2014 ("proposed Oak Bay OCP") at a Public Hearing on September 9, 2014, and have referred the OCP to external agencies for comments. As a neighbouring municipality, the City of Victoria has been invited to provide comments. The purpose of this report is to recommend comments for submission to the District of Oak Bay as follows:

- The objectives and policies are compatible with the objectives and policies of the City of Victoria's Official Community Plan, 2012.
- There are opportunities for collaboration between the two municipalities that could be further recognized in the proposed Oak Bay OCP, in order to support both communities' efforts to achieve respective OCP objectives. These opportunities are outlined in the recommendations below.
- There are opportunities to enhance the Utilities and Services objectives and the Emergency Management Objectives within the proposed Oak Bay OCP. These are outlined in the recommendations below.

Recommendations

That Council consider directing staff to provide the following comments to the District of Oak Bay regarding Bylaw No. 4620, Oak Bay Official Community Plan Bylaw, 2014:

- The objectives and policies are compatible with the objectives and policies of the City of 1. Victoria's Official Community Plan, 2012.
- There are opportunities for collaboration between the two municipalities that could be further 2. recognized in the proposed Oak Bay OCP, in order to support both communities' efforts to achieve respective OCP objectives. These opportunities include:
 - coordinating planning, where opportunities exist, for the future of Oak Bay Avenue as a complete street and for Oak Bay Avenue Village (Section 5.1/Policy T1 as well as Section 4.4 including Policy MUC11);
 - consulting adjacent municipalities in completing a Parks and Recreation Master Plan b. (Section 4.6/Policy PR1):

Planning and Land Use Committee - 04 Sep 2014

- c. consulting adjacent municipalities in completing an Arts and Culture Master Plan (Section 4.5/Policy CIS 9).
- 3. The Sanitary and Storm Sewers objectives and policies may be enhanced by recognizing the impacts of climate change (in reference to section 5.2).
- 4. The Emergency Management objectives and policies within the proposed Oak Bay OCP may be enhanced by referring to the tsunami mapping contained in the CRD's 2013 Tsunami modelling project (in reference to the Tsunami Planning Zone identified in Figure 5.7).

Mu	ALC. Day	
Marc Cittone Senior Planner Community Planning Division	Deb Day, Director Sustainable Planning Community Developm	
Report accepted and recommended by the	City Manager:	Jason Johnson
	Date: Av.	just 28,2014

MC:aw

Respectfully submitted,

W:\Community Planning Division\Projects\Oak Bay OCP - Consultation\Victoria Consultation-Oak Bay OCP-PLUC08_21_2014 MC Edits.doc

1.0 Purpose

The District of Oak Bay Council will be considering Bylaw No. 4620, Oak Bay Official Community Plan Bylaw, 2014 ("proposed Oak Bay OCP") at a Public Hearing on September 9, 2014, and has referred the OCP to external agencies for comments. As a neighbouring municipality, the City of Victoria has been invited to provide comments. The purpose of this report is to recommend comments for submission to the District of Oak Bay.

2.0 Background

The District of Oak Bay Council gave first and second readings to the proposed Oak Bay OCP and has scheduled a Public Hearing on September 9, 2014. The District has requested initial comments by August 20, 2014. To meet this deadline, City of Victoria staff met with District of Oak Bay staff to provide initial comments as outlined in this staff report so that they have time to consider the comments prior to the Public Hearing. Official comments from Council's Planning and Land Use Committee could follow, should Council wish to provide formal comments to the District.

3.0 Issues & Analysis

3.1 Summary of Content of the Proposed Oak Bay OCP

The proposed Oak Bay OCP anticipates modest growth and change within the District of Oak Bay, with modest growth in population of 0.5% annually, or approximately 90 individuals/36 housing units. Highlights of the Plan, identified by City of Victoria staff, include:

- opportunities for modest increases in density and consideration of density bonus for amenity contributions or affordable housing in key locations
- collaboration with Victoria and Saanich in land use planning along municipal boundaries
- support for a broader range of housing choice, including supportive and affordable housing; the possibility of legal, regulated suites; and preparation of a Housing Strategy
- a continued focus on Oak Bay Village, with additional opportunities for commercial development in certain locations, support for tourism and home-based businesses
- support for Education and Health Care, including working with regional partners on addressing emerging issues and planning needed facilities
- support for Arts and Culture, including preparation of an Arts and Culture Master Plan and regional collaboration on an arts and culture strategy
- continued management of parks and indoor recreation, protection of natural areas including the shoreline and Bowker Creek, expansion of the trails/paths system, and preparation of a Parks and Recreation Master Plan
- support for Heritage Conservation policies and programs
- application of Complete Streets concepts to urban villages including Oak Bay Village, use of Transportation Demand Management (TDM) strategies in partnership with other municipalities and public institutions, and seeking an increase in transit service and options
- continued development of pedestrian and cycling networks as part of a regional system

- maintenance and extension of shared service agreements as practical, maintenance and improvement of utility infrastructure and its sustainability, use of features such as "dark sky" street and building lighting
- continued implementation of plans and policies for public safety, to train staff in mitigation and preparedness
- implementation, monitoring and review of the Oak Bay OCP
- new Development Permit Areas (DPAs) for the built environment and for protection
 of the natural environment.

3.2 City of Victoria Staff Review

The objectives and policies of the proposed Oak Bay OCP are compatible with the objectives and policies expressed in the City of Victoria's OCP.

The proposed Oak Bay OCP identifies several areas for coordination with the City of Victoria and region, including land use, transportation, community and social well-being, and culture. This includes collaborating with Victoria regarding land use planning along the municipal boundary (policy CF 10) in order to plan for smooth transition in built form between municipalities (Land Use Objective 4). However, it may be beneficial to more specifically recognize opportunities for collaboration, as opportunities arise, in planning for the future of Oak Bay Avenue as a complete street and in planning for Oak Bay Village, which is adjacent to Victoria's designated Oak Bay Avenue Village. This is consistent with Victoria's OCP policy 21.102, "Develop a plan to enhance Oak Bay Avenue Village in conjunction with adjacent neighbourhoods".

In addition, it would be beneficial for Oak Bay to consult with and/or collaborate with Victoria in completing both a Parks and Recreation Master Plan and an Arts and Culture Master Plan, as residents of both communities easily cross municipal boundaries to use parks, open space, recreation facilities and to take advantage of cultural opportunities. This is consistent with several of Victoria's OCP objectives that see the City's parks and recreation system as part of a regional network (9.5) with parks facilities located within walking distance of Victoria residents; and that recommend working with various partners to develop an arts and culture strategy (OCP 16.2) and a Cultural Plan for the City of Victoria (OCP 16.9). It is also supported by the draft Oak Bay OCP's direction to work with regional partners on an arts and culture strategy for the region (policy CIS10).

Further, there may be opportunities for the District of Oak Bay to enhance objectives regarding stormwater. The proposed Oak Bay OCP suggests that the storm sewer system has sufficient capacity for population growth, especially when rainwater management techniques are implemented. Some caution may be advised as, in developing the City of Victoria's Stormwater Utility, it was learned that the impacts of climate change on storms will have a much greater impact on storm system capacity than will population growth and that this may not be mitigated by stormwater management.

The Emergency Management objectives and policies within the proposed Oak Bay OCP may be enhanced by referring to the tsunami mapping contained in the CRD's 2013 Tsunami modelling project (in reference to the Tsunami Planning Zone identified in Figure 5.7).

4.0 Options & Impacts

Option A (Recommended)

That Council consider directing staff to provide the District of Oak Bay with the comments noted in this report and detailed in the recommendation.

Option B

That Council consider providing staff with additional or alternative comments for inclusion in the recommended response. If Council would like to review the proposed Oak Bay OCP, it may be found in its entirety at: https://www.oakbay.ca/sites/default/files/2014-06-23-OakBay-OCP-Final.pdf.

Option C

That Council consider not providing formal comments to the District of Oak Bay, beyond the initial comments provided at the staff level, as the proposed OCP is generally compatible with the objectives and policies of the City of Victoria's OCP, 2012.

5.0 Conclusion

Bylaw No. 4620, Oak Bay Official Community Plan Bylaw, 2014 is compatible with the City of Victoria's policy framework including the vision, objectives and policies of the City of Victoria's Official Community Plan. However, the proposed Oak Bay OCP could include additional statements regarding future partnerships, including collaboration in: planning near municipal boundaries; planning for parks, recreation, arts and culture; and additional consideration with regard to storm system capacity and emergency management.

6.0 Recommendations

That Council consider directing staff to provide the following comments to the District of Oak Bay regarding Bylaw No. 4620, Oak Bay Official Community Plan Bylaw, 2014:

- The objectives and policies are compatible with the objectives and policies of the City of Victoria's Official Community Plan, 2012.
- There are opportunities for collaboration between the two municipalities that could be further recognized in the proposed Oak Bay OCP, in order to support both communities' efforts to achieve respective OCP objectives. These opportunities include:
 - a. coordinating planning, where opportunities exist, for the future of Oak Bay Avenue as a complete street and for Oak Bay Avenue Village (Section 5.1/Policy T1 as well as Section 4.4 including Policy MUC11);
 - consulting adjacent municipalities in completing a Parks and Recreation Master Plan (Section 4.6/Policy PR1);
 - consulting adjacent municipalities in completing an Arts and Culture Master Plan (Section 4.5/Policy CIS 9).
- 3. The Sanitary and Storm Sewers objectives and policies may be enhanced by recognizing the impacts of climate change (in reference to section 5.2).
- 4. The Emergency Management objectives and policies within the proposed Oak Bay OCP may be enhanced by referring to the tsunami mapping contained in the

Planning and Land Use Committee Report Consultation Regarding Bylaw No. 4620, Oak Bay Official Community Plan Bylaw, 2014 August 15, 2014

CRD's 2013 Tsunami modelling project (in reference to the Tsunami Planning Zone identified in Figure 5.7).

7.0 List of Attachments

Letter from the Corporation of the District of Oak Bay dated June 30, 2014.



Planning and Land Use Committee Report

For the Meeting of September 4, 2014

To:

Planning and Land Use Committee

Date:

August 21, 2014

From:

Robert Woodland, Director

Legislative & Regulatory Services

Subject:

Work without permit, and illegal use/suites - 121 Menzies St. / Bylaw File #40641

Executive Summary

The purpose of this report is to recommend the filing of a notice on title in respect to work that has been done without permit to convert this structure from its approved use as 7 light-housekeeping units to 11 self-contained suites and 2 light house-keeping units. In addition to extensive unpermitted building, plumbing, and electrical work inside the structure, this conversion also included the construction of a detached residential building in the rear yard. The property owner was directed to make application for the building, plumbing, and/or electrical permit(s) required to correct all of the deficiencies found and return the property to an approved use and configuration, however, has thus far failed to comply and the illegal use continues as before.

Recommendation:

The Building Inspector recommends:

1. That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 121 Menzies Street, legally described as Lot 27 Section 11 Beckley Farm Victoria Plan 753 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Respectfully submitted

Andrew Dolan Senior Bylaw Officer

Bylaw & Licensing Services

Mark Hayden

Manager,

Bylaw & Licensing Services

Robert Woodland

Director,

Legislative & Regulatory

Services

Report accepted and recommended by the City Manager:

Date:

Planning and Land Use Committee Report 121 Menzies St. / Bylaw File #40641

August 21, 2014

List of Attachments

Schedule A - Directional letter to owner dated April 2, 2014

Schedule B - Map showing location of subject property

Schedule C - Aerial photograph of subject property

Schedule D - Six photographs depicting work without permit.

Purpose

The purpose of this report is to advise the Committee about the condition of the property at 121 Menzies Street, the enforcement action that has been taken in order to secure voluntary compliance with the *Zoning Regulation Bylaw* and Section 2.2(1) of the *Building Bylaw*, and to recommend to the Committee that under Section 57(3) of the *Community Charter* and the provisions of the *Property Maintenance Delegation Bylaw*, that a notice be filed in the Land Title Office in respect to this property to warn prospective purchasers and lenders of bylaw violations in respect to the work that has been done without permit to convert this structure from its approved use as 7 light-housekeeping units to 11 self-contained suites and 2 light house-keeping units, including the construction of a detached residential building in the rear yard.

Background

Section 57 of the *Community Charter* allows the City to file notice on title of any property where the Building Inspector:

- a) observes a contravention of a municipal bylaw, provincial building regulation, or another enactment that relates to the construction or safety of buildings or other structures; or
- b) discovers that something was done without a permit or inspection.

Before notice may be filed on title under Section 57 of the *Community Charter*, Council must give the Building Inspector and the property owner an opportunity to be heard.

For the purpose of filing notices under Section 57(1)(b) of the *Community Charter*, the Manager of Bylaw & Licensing Services is a Building Inspector under the *Building Bylaw*.

Under the provisions of the *Property Maintenance Delegation Bylaw*, Council has delegated the authority to hold hearings and make decisions under Section 57 of the *Community Charter* to the Planning & Land Use Standing Committee.

Section 2.2(1) of the Building Bylaw states that a person must not:

- a) construct; or
- b) change the occupancy of a building unless the building's owner has obtained a building permit from the Building Inspector.

The *Building Bylaw* defines "occupancy" as the use or intended use of a building or part of a building for the shelter or support of persons, animals or property, according to the occupancy classifications for buildings set out in the *Building Code*.

Issues & Analysis

The property at 121 Menzies St. is located in the James Bay neighbourhood in the R-2, Two Family Dwelling District. The approved use of the property per the approved building plans is 7 light house-keeping units (LHK). A light house-keeping unit contains cooking facilities but no private bathroom; instead, residents share a common bathroom or bathrooms depending upon the number of units.

Planning and Land Use Committee Report 121 Menzies St. / Bylaw File #40641

August 21, 2014 Page 3 of 5 The Victoria Fire Dept. referred this property to the City's RESPOND Team after attending a medical aid call for an individual living in a small basement unit. While onsite attending to the tenant they observed health and safety concerns within the living unit, including hoarded materials, and drug paraphernalia including used syringes, and what they believed to be unpermitted improvements to the basement area in general. Upon review of the observations made by the Fire Dept. it was determined that a health and safety inspection of the building was warranted.

As a result, the property was inspected by the RESPOND Team on March 18, 2014. The small basement unit that the Victoria Fire Dept. had previously attended had been cleaned-up considerably, however, it was found to have been created without permit in what was supposed to be unfinished basement storage space. The inspection also revealed that the actual use of the structure was 11 self-contained suites, each with a private bathroom, and 2 LHK that shared one common bathroom. The actual use and configuration of this structure was found to have changed significantly from that which was originally approved by the City of Victoria, and all of the work done to complete this extensive conversion was done without any of the required building, plumbing, and/or electrical permits or inspections. In addition, the property was found to be in violation of a number of provisions of the City's *Zoning Regulation Bylaw* and, as the owner was renting accommodation without a business license, was in violation of the *Business License Bylaw*.

Following the inspection on March 18, 2014 the Electrical Inspector issued an order to the owner that required him to hire a qualified electrical contractor to complete an electrical safety survey and correct any deficiencies within 30 days. The owner did comply and the electrical safety survey was completed, and deficiencies were corrected with the required electrical permit. These deficiencies included an illegal hydro meter by-pass that, when reported to BC Hydro, led them to remove electrical service from the building temporarily. The owner was fined and billed for unpaid electrical service. To date, the electrical permit for the safety survey and to repair the deficiencies is the only permit that has been applied for and/or issued for this property.

Despite the property owner's stated intention to comply and bring the property into compliance he has thus far failed to do so. Staff believes that the task of bringing the property into compliance may be overwhelming due to the vast scope of the unpermitted improvements and have therefore recommended that the owner retain a professional Architect and/or Home Designer to assist in the process. Since then staff have received a few enquiries from local design professionals; however, it is not believed that anyone has agreed to take on what is expected to be a time consuming and costly job.

In the interim, the building is fully occupied, and while there may not be any visible hazards which could pose an imminent risk to the health and safety of the buildings occupants, the majority of the unpermitted improvements have not yet been inspected as they are hidden behind the walls. These unpermitted improvements remain potentially unsafe.

Options & Impacts

The filing of a notice on land title is part of a graduated enforcement strategy intended to bring a property into compliance with the applicable bylaws and regulations. A notice on title provides incentive to the property owner to resolve the outstanding issues as it serves to warn lenders or prospective purchasers that work has been done without a permit. Filing a notice on title under Sec. 57 of the *Community Charter* is therefore intended to ensure that a potential purchaser is aware of bylaw violations in respect to the work that has been done without permit to convert this structure from its approved use as 7 light-housekeeping units to 11 self-contained suites and 2

Planning and Land Use Committee Report 121 Menzies St. / Bylaw File #40641

August 21, 2014 Page 4 of 5

Recommendation

The Building Inspector recommends:

1. That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 121 Menzies Street, legally described as Lot 27 Section 11 Beckley Farm Victoria Plan 753 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.



April 2, 2014

Legislative and Regulatory Services Department Mr. Gordon D. Osborne 121 Menzies St. Victoria, BC V8V 2G4

Bylaw and Licensing Services Division Re: RESPOND inspection of 121 Menzies St. / Bylaw File #40641

1 Centennial Square Victoria BC V8W 1P6 Dear Sir,

This letter is a follow-up to the multi-agency safety and compliance inspection that was conducted at 121 Menzies Street on March 18, 2014. This inspection and my subsequent search of city records have confirmed that this property is in violation of a number of city bylaws, including but not limited to, the *Zoning Regulation Bylaw*, *Building Bylaw*, *Plumbing Bylaw*, *Electrical Safety Regulation Bylaw*, and the *Business License Bylaw*. These bylaw violations are significant and so they will be explained in detail below:

Zoning Regulation Bylaw

This property is located in the R-2, Two Family Dwelling District and the legal use of the structure is 7 light-housekeeping units (LHK). A light-housekeeping unit contains cooking facilities but no private bathroom; resident share a common bathroom. The inspection revealed that the actual use of the property is 11 self-contained suites, each with a private bathroom and 2 LHK that share a common bathroom. Therefore, the actual use of this structure differs significantly than that which was originally approved by the City of Victoria. All of this work has evidently been completed without permits and/or the required inspections.

As a result, it has been determined that the current use and/or occupancy of this property is in contravention of the approved use. A person must not use or occupy, or allow or permit another person to use or occupy land or a building in contravention of the approved use as per Sch. B Part 2.1 Sec. 2 of the *Zoning Regulation Bylaw*. This is an offence for which the penalty is a fine of \$200 per day for each day that the offence continues. In addition, possessing and/or occupying an additional self-contained dwelling unit and/or suite(s) are also a violation for which the penalty is a fine of \$300 per day for each day that the offence continues as per Sch. B Part 2.1 Sec. 2 of the *Zoning Regulation Bylaw*.

Building Bylaw

The inspection revealed a number of safety issues and violations related to a substantial amount of building work that has been done without permit and/or inspection. The Building Inspector's report of his findings is very comprehensive and

To Contact

Telephone: 250.361.0215

E-Mail: bylawenforcement@victoria.ca

Fax: 250.361.0205 Web: www.victoria.ca includes a number of options that you may consider in order to bring this property into compliance. The complete report is <u>enclosed</u> for your review. Completing work and/or changing the occupancy of a building without a building permit are an offence for which the penalty is a fine of \$400 per day as per Sec. 2.2(1) of the *Building Bylaw*. Occupying or permitting the occupancy of a building without an approved occupancy permit is an offence with an additional fine of \$400 per day as per Sec. 2.2(2) of the *Building Bylaw*.

Plumbing Bylaw

The inspection revealed a number of safety issues and violations related to a substantial amount of plumbing work that has been done without permit and/or inspection. The report prepared by the Building Inspector also serves to describe the scope of the unpermitted plumbing work. This unpermitted work constitutes numerous offences for which there are penalties. The fine for completing plumbing work without a valid plumbing permit alone is \$400 per day as per Sec. 6(1) of the *Plumbing Bylaw*.

Electrical Safety Regulation Bylaw

The inspection revealed a number of safety issues and violations related to a substantial amount of electrical work that have been done without permit and/or inspection. The report prepared by the Building Inspector also serves to describe the scope of the unpermitted electrical work. Due to the amount of unpermitted work, the Electrical Inspector requires that a qualified electrical contractor conduct an electrical safety survey and load calculation, and correct any and all deficiencies. Electrical permits and follow-up inspections will be required. Completing electrical work without a valid electrical permit is an offence for which the penalty is a fine of \$400 per day as per Sec. 5(1) of the *Electrical Safety Regulation Bylaw*.

Business License Bylaw

According to City records there is not now, nor has there ever been, a valid business license for the rental of rooms and/or suites of rooms at this location. Conducting business without a valid business license is an offence for which the penalty is a fine of \$250 per day as per Sec. 4(a) of the Business License Bylaw.

Notwithstanding any orders that may be given to you separately by the Fire Inspector, you are hereby directed to take the following action:

- Hire a qualified electrical contractor to conduct an electrical safety survey and load calculation, and correct any and all deficiencies found by <u>April 30, 2014</u>.
 - **Electrical permits and follow-up inspections will be required for this work. Failure to comply as directed may result in the <u>removal</u> of electrical service.
- 2. Make application for the building, plumbing, and/or electrical permit(s) required to return this property to a permitted use under the R-2 zoning by May 30, 2014.
- Complete all the work required to return the property to a permitted use, pass all followup inspections, and obtain a valid occupancy permit by <u>July 31, 2014</u>.

FAILURE TO COMPLY WILL RESULT IN THE ISSUANCE OF FINES, THE PLACING OF A NOTICE ON THE LAND TITLE, AND/OR FURTHER LEGAL ACTION.

If you have any questions regarding the direction you have been given, and/or require additional information, please do not hesitate to contact me directly at 250.361.0578 or by email at adolan@victoria.ca

Regards,

Andrew Dolan

Senior Bylaw Officer

Bylaw & Licensing Services

City of Victoria

Cc:

Reed Cassidy, Building Inspector Philip Corby, Electrical Inspector Andy Wilson, Plumbing Inspector Chris Kelly, Fire Prevention Officer Kim Ferris, Business License Inspector Thom Pebernat, Zoning Administrator Debra Cleland, Investigative Officer / EAW

Bylaw File #40641

March 18, 2014

BUILDING INSPECTION

Owner: Osborne, Gordon D 121 Menzies St Victoria, BC V8V 2G4

REPORT

Re: RESPOND Safety Inspection

On March 18, 2014, an inspection was done at 121 Menzies St. There were three buildings on site, which appeared to be a 4 storey multi-unit light-housekeeping building (basement, main floor, second floor, third floor), a detached residential building at the rear of the property, and a storage building along the North side of the property. The following items were discovered by a building inspector and require follow-up as described.

Principal Building - Residential Occupancy

- The unfinished basement has been finished, creating four additional residential suites.
- The rear deck and stairs to the main floor have been altered and had their direction changed.
- The existing legal use of the building is for seven light-housekeeping units. The building has been altered to contain two light-housekeeping units and ten private dwelling units.
- All kitchens are required to have a ventilation system that exhaust to the exterior.
- The electrical room in the basement has been relocated. Fire separation Code conformance was not determinable at surface inspection.
- The laundry room in the basement has been relocated.
- The fire alarm panel was relocated into the electrical room in the basement.
- The main floor South-East unit has had a bedroom added and the once common bathroom relocated and altered.
- The main floor South West deck has been enclosed and the space, combined with the storage room, has been converted to a dwelling unit.
- The main floor common bathroom for the two light-housekeeping units has been reduced in size and altered.
- The main floor North-West unit's bathroom has been re-organized and made exclusive to this
 unit.
- The second floor North-East unit has had a three piece bathroom installed.
- The second floor South-West unit has had a three piece bathroom installed.
- The two second floor Eastern units have had lofts installed, created out of former attic space.
- Some units have had sleeping lofts added within the existing floor space and below the existing ceiling. Ceiling heights through-out these units have been compromised.
- New bathroom exhaust systems did not visibly vent to exterior.
- In the new habitable spaces, Building Code requirements for environmental separation were not visible or determinable.
- There are no signs of Code complaint fire separations, firestop assemblies, or sound separations.
- The alterations of the room layouts and the addition of the new units have altered the effectiveness of the fire-suppression sprinkler system.

The compliance options for the above noted items for the principal building are as follows:

- Obtain a Building Permit to convert the building back into its last legal as a seven unit lighthousekeeping building with an unfinished basement.
- 2. Remove all residential tenants from the basement and main floor South-West units, and obtain a Development Permit and Building Permit to convert this building into a ten dwelling unit and two light-housekeeping unit building that conforms with the 2012 BC Building Code. Keep in mind that all existing un-permitted work will be considered new work that must conform to the 2012 BC Building Code, and all relevant 2012 BC Building Code requirements must be implemented to this building.
- Propose another solution to the City of Victoria that conforms to the BC Building Code and all local regulations.

Accessory Building - Residential Occupancy

- A detached residential building has been constructed at the rear of the property. This building contains a three piece bathroom, kitchen, living area, and lofted bedroom.
- Building Code requirements for spatial separation and construction requirements do not appear to be adhered to.
- A gas-fired, thermal buoyancy chimney'd hot water tank designed for interior installation has been installed to the exterior of this building.

The compliance options for the above noted items for the accessory residential building are as follows:

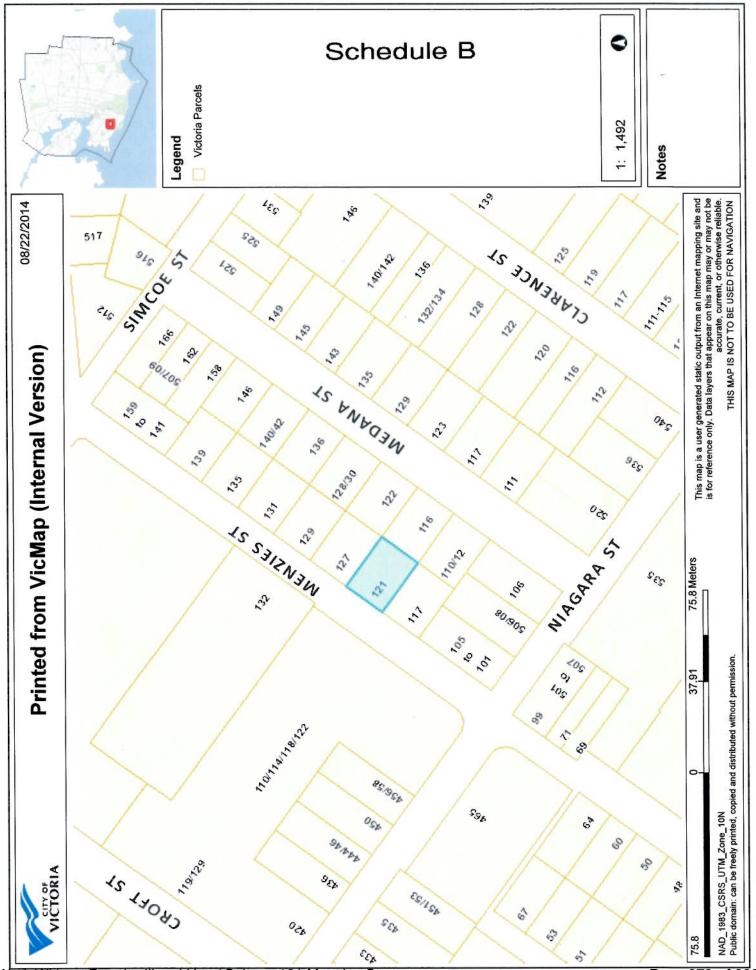
- 1. Obtain a Demolition Permit to remove this building.
- Remove all residential tenants from this building, and obtain a Development Permit and Building
 Permit to legalize the construction of this building. Keep in mind that the building is un-permitted
 so the entire building from the ground up will be considered new work that must conform to the
 2012 BC Building Code, and all relevant 2012 BC Building Code requirements must be
 implemented to this building.
- Propose another solution to the City of Victoria that conforms to the BC Building Code and all local regulations.

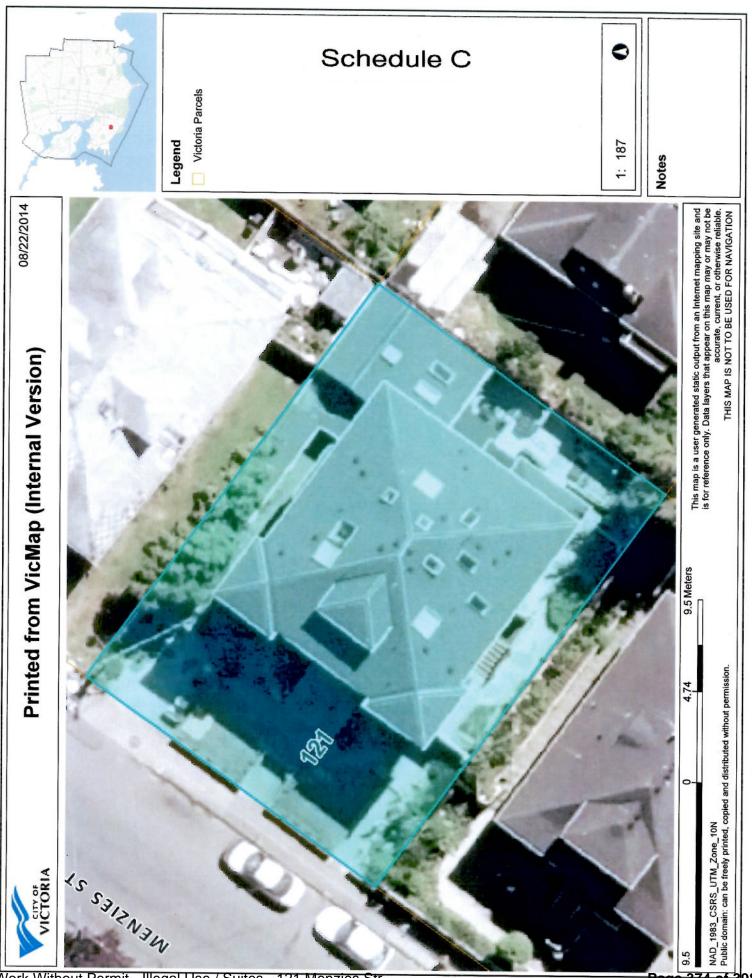
Accessory Building - Storage Occupancy

- A storage building has been constructed along the North property line of this property.
- Building Code requirements for spatial separation and construction requirements do not appear to be adhered to.

The compliance options for the above noted items for the accessory residential building are as follows:

- 1. Obtain a Demolition Permit to remove this building.
- Obtain a Development Permit (if required) and Building Permit to legalize the construction of this building. Keep in mind that the building is un-permitted so the entire building from the ground up will be considered new work that must conform to the 2012 BC Building Code, and all relevant 2012 BC Building Code requirements must be implemented to this building.
- Propose another solution to the City of Victoria that conforms with the BC Building Code and all local regulations.



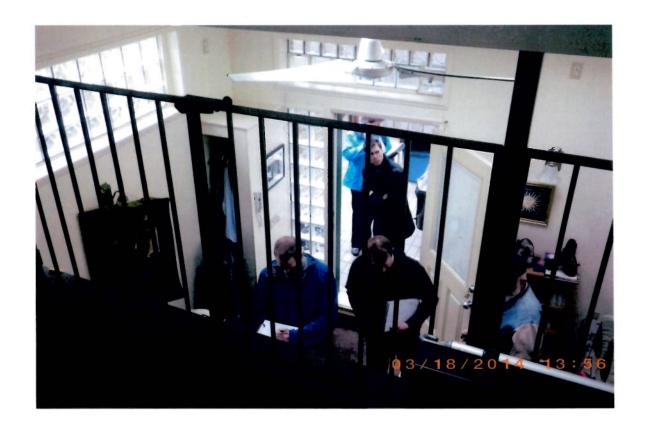
















Planning and Land Use Committee Report

For the Meeting of September 4, 2014

To:

Planning and Land Use Committee

Date: August 21, 2014

From:

Robert Woodland, Director

Legislative & Regulatory Services

Subject:

Work without permit, and illegal use/suite - 821 Princess Ave. / Bylaw File #2889

Executive Summary

The purpose of this report is to recommend the filing of a notice on title in respect to work that has been done without permit to convert this structure from its approved use as 5 light-housekeeping units to 6 light house-keeping units, 1 bachelor suite, and 1 3-bedroom suite. The property was listed for sale and an enquiry as to the legal use by a prospective purchaser brought the property to the attention of staff. The property owner was directed to make full disclosure to all prospective purchasers and to make application for the building, plumbing, and/or electrical permit(s) required to return the property to an approved use and configuration, however, has thus far failed to comply. It is now believed the property is back on the market and the illegal use continues as before.

Recommendation:

The Building Inspector recommends:

 That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 821 Princess Avenue, legally described as Lot 19 Block 1 Section 3 Victoria District plan 62 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.

Respectfully submitted

Andrew Dolan Senior Bylaw Officer

Bylaw & Licensing Services

Mark Hayden Manager,

Bylaw & Licensing Services

Robert Woodland

Director,

Legislative & Regulatory

Services

August 26,2014

Report accepted and recommended by the City Manager:

Date:

August 21, 2014

Planning and Land Use Committee Report 821 Princess Ave. / Bylaw File #2889

1 of 5

List of Attachments

Schedule A - Letter to owner regarding disclosure dated March 17, 2014

Schedule B - Letter from owner confirming removal from market dated March 30, 2014

Schedule C - Letter to owner regarding safety and compliance inspection dated April 8, 2014

Schedule D - Directional letter to owner following inspection dated May 29, 2014

Schedule E - Letter to owner from Electrical Inspector dated July 2, 2014

Schedule F - Map showing location of subject property

Schedule G - Aerial photograph of subject property

Schedule H - Two exterior photographs of the structure

Schedule I - Six internal photographs depicting work without permit

Purpose

The purpose of this report is to advise the Committee about the condition of the property at 821 Princess Avenue, the enforcement action that has been taken in order to secure voluntary compliance with the Zoning Regulation Bylaw and Section 2.2(1) of the Building Bylaw, and to recommend to the Committee that under Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, that a notice be filed in the Land Title Office in respect to this property to warn prospective purchasers and lenders of bylaw violations in respect to the work that has been done without permit to convert this structure from its approved use as 5 light-housekeeping units to 6 light house-keeping units, 1 bachelor suite, and 1 3-bedroom suite.

Background

Section 57 of the *Community Charter* allows the City to file notice on title of any property where the Building Inspector:

- a) observes a contravention of a municipal bylaw, provincial building regulation, or another enactment that relates to the construction or safety of buildings or other structures; or
- b) discovers that something was done without a permit or inspection.

Before notice may be filed on title under Section 57 of the *Community Charter*, Council must give the Building Inspector and the property owner an opportunity to be heard.

For the purpose of filing notices under Section 57(1)(b) of the *Community Charter*, the Manager of Bylaw & Licensing Services is a Building Inspector under the *Building Bylaw*.

Under the provisions of the *Property Maintenance Delegation Bylaw*, Council has delegated the authority to hold hearings and make decisions under Section 57 of the *Community Charter* to the Planning & Land Use Standing Committee.

Section 2.2(1) of the Building Bylaw states that a person must not:

- a) construct; or
- change the occupancy of a building unless the building's owner has obtained a building permit from the Building Inspector.

The *Building Bylaw* defines "occupancy" as the use or intended use of a building or part of a building for the shelter or support of persons, animals or property, according to the occupancy classifications for buildings set out in the *Building Code*.

Issues & Analysis

The property at 821 Princess Avenue is located in the North Park neighbourhood in the R-2, Two Family Dwelling District. The approved use of the property per the approved building plans is 5 light house-keeping units (LHK). A light house-keeping unit contains cooking facilities but no private bathroom; instead, residents share a common bathroom or bathrooms depending upon the number of units. The property was apparently listed for sale in 2014, and an enquiry made by a prospective purchaser as to the approved use of the building brought the property to the attention of staff in Bylaw and Licensing Services.

Planning and Land Use Committee Report 821 Princess Ave. / Bylaw File #2889

August 21, 2014

The real estate information package given to the prospective purchaser, and then provided to staff advertised the property as a "licensed" character conversion offering 6 one-bedroom light housekeeping units, 1 bachelor housekeeping unit, and 1 self-contained three-bedroom suite. The advertised use of the property therefore differed significantly from the approved use which suggested that improvements had been made without the required permits and/or inspections. The owner was advised of the obvious bylaw violations and was directed to make application for the building, plumbing, and/or electrical permit(s) and complete the work required to return the property to an approved use and configuration (see Schedule A).

Because the property was listed for sale and being actively marketed, the property owner was told that full disclosure was to be made to any and all prospective purchasers as the real estate information being provided to prospective purchaser was inaccurate, and staff were concerned that it was likely to mislead a purchaser. Not only was there an illegal use and illegal suite(s), the unpermitted improvements that had been done to convert this structure to the advertised use were not inspected and therefore potentially unsafe.

The property owner subsequently advised staff that the property had been taken off the market and requested additional time within which to bring the property into compliance (see Schedule B). Prior to granting additional time the owner was advised that a multi-agency inspection was required in order to assess the scope of unpermitted improvements made to the structure, and confirm that there were no visible electrical and/or fire safety issues which may have posed an imminent risk to the health and safety of the buildings occupants (see Schedule C).

An inspection on May 15, 2014 confirmed that the use and configuration of this structure had been changed and all of the work was done without any of the required building, plumbing, and/or electrical permits or inspections. The property was in violation of a number of provisions of the City's *Zoning Regulation Bylaw* and, as the owner was renting units without a valid business license was in violation of the *Business License Bylaw*. The owner was again directed to make application for permits and complete all the work required to return the property to a permitted use, pass all follow-up inspections, and obtain a valid occupancy permit (see Schedule D).

Following the inspection on May 15, 2014 the Electrical Inspector issued an order to the owner that required him to hire a qualified electrical contractor to complete an electrical safety survey and correct any deficiencies within 30 days. The property owner failed to comply and a follow-up letter was sent to the owner wherein the Electrical Inspector advised that if the electrical safety survey was not completed within an additional 14 days the electrical service could be removed from the structure (see Schedule E). The owner did comply and the electrical safety survey was completed, and deficiencies were corrected with the required electrical permit.

To date, this is the only permit that has been applied for and/or issued for this property. It is also believed that the property owner may once again be trying to sell the property because as recently as July 25, 2014 staff received yet another enquiry as to the approved use of the property from a different prospective purchaser.

Options & Impacts

The filing of a notice on land title is part of a graduated enforcement strategy intended to bring a property into compliance with the applicable bylaws and regulations. A notice on title provides incentive to the property owner to resolve the outstanding issues as it serves to warn lenders or prospective purchasers that work has been done without a permit. Filing a notice on title under Section 57 of the *Community Charter* is therefore intended to ensure that a potential purchaser is

Planning and Land Use Committee Report 821 Princess Ave. / Bylaw File #2889

August 21, 2014

aware of bylaw violations in respect to the work that has been done without permit to convert this structure from its approved use as 5 light-housekeeping units to 6 light house-keeping units, 1 bachelor suite, and 1 three-bedroom suite. The notice can be easily removed once the property has been brought into compliance.

Conclusion

Given the fact that to date, no applications have been made for any of the permits required to bring this property into compliance, and the recent enquiry by another prospective purchaser which suggests that the property may once again be on the market, this Officer has determined that the appropriate course of action at this time is to proceed with filing a notice on title.

Recommendation

The Building Inspector recommends:

1. That the Committee direct the Corporate Administrator to file a notice in the Land Title Office in relation to the property located at 821 Princess Avenue, legally described as Lot 19 Block 1 Section 3 Victoria District plan 62 indicating that a resolution relating to this property has been made under the authority delegated pursuant to Section 57(3) of the Community Charter and the provisions of the Property Maintenance Delegation Bylaw, and advise that further information regarding this resolution may be inspected at the Legislative & Regulatory Services Department in Victoria City Hall.



March 17, 2014

Legislative and Regulatory Services Department Mr. Josef F. Krajc 1146 Mason St. Victoria, BC V8T 1A6

Bylaw and Licensing Services Division Re: 821 Princess Ave. / Bylaw File #2889

Dear Sir.

1 Centennial Square Victoria BC V8W 1P6

This letter is to advise you that an individual made contact with this office last week in order to confirm the legal use of your property at 821 Princess Avenue. Reportedly, your property is currently listed for sale and this individual wanted to confirm whether or not the information contained within the real estate information package provided for your property was accurate. This enquiry and my subsequent search of City records indicate that this property would appear to be in violation of a number of City bylaws, including but not limited to; the *Zoning Regulation Bylaw*, and the *Building Bylaw*.

These potential bylaw violations are significant as they will require you and/or a future owner to take the steps required to bring the property into compliance. As a result, the violations will be explained in detail below:

Zoning Regulation Bylaw

This property is zoned R-2, Two-Family Dwelling and the legal use of the structure according to City records is 5 light-housekeeping units (LHK). The real estate information package provided to the prospective purchaser indicates that the structure is comprised of 6 housekeeping units, 1 bachelor suite, and 1 three bedroom suite. The information package being provided, therefore, indicates that the actual use of the property differs significantly from what was originally approved and is on record with the City of Victoria.

As a result, it has been determined that the current use and/or occupancy of the property is likely in contravention. A person must not use or occupy, or allow or permit another person to use or occupy land or a building in contravention of the approved use as per Schedule B, Part 2.1, Section 2 of the *Zoning Regulation Bylaw*. Further, a person may not permit unauthorized use or alteration of a building from its approved use as per Sec. 20 of the *Zoning Regulation Bylaw*. These are offences for which the penalty is a fine of \$200 and \$350 per day for each day that the offence continues.

To Contact

Telephone: 250.361.0215

E-Mail: bylawenforcement@victoria.ca

Fax: 250.361.0205 Web: www.victoria.ca

Building Bylaw

There are no record(s) of any permit (building, plumbing, and/or electrical) to make the structural or mechanical improvements required to convert this structure from its approved use as 5 LHK to its current advertised use as 6 LHK and 2 self-contained suites. There is a record of an approved building permit to convert the property from 5 LHK to 5 suites in 2005; however, this permit was cancelled by the Building Inspector, presumably because it had expired and/or due to inaction on the part of the applicant.

Although no permit(s) were obtained, it is evident from the floor plans contained within the information package that work was done to change the use and reconfigure the approved layout of this structure. Completing work and/or changing the occupancy of a building without a building permit are an offence as per Sec. 2.2(1) of the *Building Bylaw*. Also, occupying or permitting the occupancy of a building without an approved occupancy permit is an offence as per Sec. 2.2(2) of the *Building Bylaw*. These are both offences for which the penalty is fines of \$400 per day for each day that the offence continues.

As this property is currently listed for sale and is being actively marketed it has been identified as a priority for enforcement action. Therefore, it is necessary that you ensure <u>full disclosure is made to any and all prospective purchasers and/or other interested parties</u>. Further, you are hereby directed to take the following action:

- Make application for the building, plumbing, and/or electrical permit(s) required to return this property to a permitted use under the current zoning by <u>April 30, 2014</u>.
- Complete all the work required to return this property to a permitted use under the current zoning and pass the final building inspection by June 30, 2014.

Failure to comply with the above direction will result in the issuance of fines, the placing of a notice on land title, and/or further legal action.

If you have any questions or require additional information please do not hesitate to contact me directly by telephone at 250.361.0578 or by email at adolan@victoria.ca

Regards,

Andrew Dolan Senior Bylaw Officer

Bylaw & Licensing Services

City of Victoria

Cc: Mark Hayden, Manager – Bylaw & Licensing Services Ray Berkeley, Building Inspector

Mike Staples, Electrical Inspector
Andy Wilson, Plumbing Inspector
Lt. Brad Sifert, Fire Prevention Officer
Thom Pebernat, Zoning Administrator

Kim Ferris, Business License Inspector

Bylaw File #2889

J. Krajc1146 Mason st.Victoria BC, V8T1A6

March 30, 2014

Mr. Andrew Dolan: Senior Bylaw Officer City of Victoria I Centennial Square Victoria, BC, V8W 1P6

RE: #821 Princess, Bylaw File #2889

Mr. Dolan,

As per your letter dated March 17th, I am writing to confirm that I have temporarily withdrawn the property from the market. Moving forward, I will need some time to properly research, and respond to your request.

Therefore, I would very much appreciate an extension of your deadline of June 30, 2014 to deal with this matter, which I trust will not pose any problem.

Sincerely,

J. Krajc



April 8, 2014

Legislative and Regulatory Services Department Mr. Joseph F. Krajc 1146 Mason St. Victoria, BC V8T 1A6

Bylaw and Licensing Services Division

Re: 821 Princess Ave. / Bylaw File #2889

1 Centennial Square Victoria BC V8W 1P6 Dear Sir,

This letter is to confirm that I am in receipt of your letter dated March 30, 2014, and acknowledge that you have removed the property from the market pending the remediation of the work done without permit and the return to a legal use. I am, however, unable to grant you an extension to the established compliance deadline without first conducting a safety and compliance inspection.

The purpose of this inspection is to confirm that there are no immediate health and/or fire safety issues which may pose a risk to the safety of the residents occupying the building. Authority to conduct such an inspection is contained within Section 16(6) of the *Community Charter*. This inspection will be conducted by a small team of city, regional, and/or provincial inspectors.

In addition, the inspection will serve to determine the scope of the improvements made to the property without permit and/or inspection, which once completed, will assist you in determining an appropriate course of action. This inspection should take approximately 60 minutes and will require full access to all areas of the building, including each dwelling unit.

This is an important matter and your cooperation would be appreciated. <u>Please contact me by April 17, 2014</u> in order to arrange a convenient date and time for this inspection. I can be reached at 250.361.0578 or by email at adolan@victoria.ca

Regards

Andrew Dolan Senior Bylaw Officer

Bylaw & Licensing Services

City of Victoria

To Contact

Telephone: 250.361.0215

E-Mail: bylawenforcement@victoria.ca

Fax: 250.361.0205 Web: www.victoria.ca



May 29, 2014

Legislative and Regulatory Services Department Mr. Josef F. Krajc 1146 Mason St. Victoria, BC V8T 1A6

Re: 821 Princess Ave. / Bylaw File #2889

Bylaw and Licensing Services Division

Dear Sir.

1 Centennial Square Victoria BC V8W 1P6 This letter is a follow-up to the safety and compliance inspection that was conducted at 821 Princess Avenue on May 15, 2014. The inspection revealed a number of safety issues, and the subsequent search of city records have confirmed that this property is in violation of a number of city bylaws, including but not limited to, the Zoning Regulation Bylaw, Building Bylaw, Plumbing Bylaw, and the Electrical Safety Regulation Bylaw. These safety issues and bylaw violations are significant and so they will be explained in detail below:

Zoning Regulation Bylaw

This property is zoned R-2, Two Family Dwelling and the legal use of the structure according to City records is 5 light-housekeeping units (LHK). The inspection revealed that there are currently 7 light-housekeeping units, and one 3 bedroom self-contained suite at the rear of the structure. Not only has the use and occupancy changed, but the physical layout of the structure differs significantly from that which was originally approved by the City of Victoria.

A person must not use or occupy, or allow or permit another person to use or occupy land or a building in contravention of the approved use as per Schedule B, Part 2.1, Sec. 2 of the *Zoning Regulation Bylaw*. This is an offence for which the penalty is a fine of \$200 per day for each day that the offence continues. Further, a person may not permit unauthorized use or alteration of a building from its approved use as per Sec. 20 of the *Zoning Regulation Bylaw*. This is an offence for which the penalty is a fine of \$350 per day for each day that the offence continues.

Building Bylaw

The inspection revealed a number of safety issues and violations related to a substantial amount of building work that has been done without permit and/or inspection. The Building Inspector's report of his findings is very comprehensive and includes a list of items that require correction in order to bring this property into compliance. The complete report is enclosed for your review.

Completing work and/or changing the occupancy of a building without a building permit are an offence for which the penalty is a fine of \$400 per day as per Sec.

To Contact

Telephone: 250.361.0215

E-Mail: bylawenforcement@victoria.ca

Fax: 250.361.0205 Web: www.victoria.ca 2.2(1) of the *Building Bylaw*. Occupying or permitting the occupancy of a building without an approved occupancy permit is an offence with an additional fine of \$400 per day as per Sec. 2.2(2) of the *Building Bylaw*.

Plumbing Bylaw

The inspection revealed a number of safety issues and violations related to a substantial amount of plumbing work that has been done without permit and/or inspection. The report prepared by the Building Inspector also serves to describe the scope of the unpermitted plumbing work. This unpermitted work constitutes numerous offences for which there are penalties. The fine for completing work without a valid plumbing permit alone is \$400 per day as per sec. 6(1) of the *Plumbing Bylaw*.

Electrical Safety Regulation Bylaw

The inspection revealed a number of safety issues and violations related to a substantial amount of electrical work that has been done without permit and/or inspection. The Electrical Inspector has already provided you with a copy of his certificate of inspection and ordered you to retain a certified Electrician to conduct an electrical safety survey of the structure and correct all deficiencies. Electrical permits and follow-up inspection will be required as completing electrical work without a valid electrical permit is an offence for which the penalty is a fine of \$400 per day as per Sec. 5(1) of the *Electrical Safety Regulation Bylaw*.

Notwithstanding the order that has already been given you by the Electrical Inspector and/or the Fire Inspector, you are hereby directed to take the following action:

- Make application for the building, plumbing, and/or electrical permits required to return this property to a permitted use by <u>July 31, 2014</u>.
- Complete all the work required to return this property to a permitted use, pass all follow-up inspections, and obtain a valid occupancy permit by <u>September 30, 2014</u>.

FAILURE TO COMPLY WILL RESULT IN THE ISSUANCE OF FINES, THE PLACING OF A NOTICE ON THE LAND TITLE, AND/OR FURTHER LEGAL ACTION.

If you have any questions or require additional information please don't hesitate to contact me directly at 250.361.0578 or by email at adolan@victoria.ca

Regards,

Andrew Dolan Senior Bylaw Officer

Bylaw & Licensing Services

City of Victoria

Cc: Ray Berkeley, Building Inspector

Philip Corby, Electrical Inspector Andy Wilson, Plumbing Inspector

Lt. Brad Sifert, Fire Inspector

Karen Brown, Coordinator - Permits/Office Administration

Top floor:

Some of these conditions may have been approved when the City approved the use of the 5 Light House Keeping units (LHK). Conditions that were approved at the time the building was made a 5 LHK may be retained as legal nonconforming as per page 6 of the BCBC under 1.1.1.2.(1). if the building is returned to its original use with the same layout as original.

Top floor:

- Top Floor South side there is a room being used for storage that has no fire separation from the LHK rom beside. There has been some insulation and vapour barrier installed somewhat recently as a maintenance project. No fire separation to unit E and no fire separation to the corridor.
- Unit E is a 1 sleeping room unit that has a low ceiling height that is at the entry of the sleeping room.
- 3. Unit D has a low door way into the kitchen as well as a low ceiling height.

Main floor:

- LHK A and B both have sliding doors that would not comply with the requirement of egress doors to swing on a vertical access.
- 2. Unit B has an existing coal burning open mouth fire place.
- Unit A has a hasp on the outside of the egress door. I mentioned to the owner that this is a serious concern as anyone can lock the occupant it the LHK.
- 4. Unit 1 (the 3 bedroom unit at the rear of the building)
- 5. Unit 1 has low door heights.
- 6. There are residential smoke alarms in unit 1 but only in 1 bedroom.
- 7. Unit 1 has doors to the lobby that have been boarded over.

Lowest floor level/basement

- 1. There is one step down into the shared laundry room from the exterior of the building that is not fire separated from the balance of the corridor or to the 2 LHK units that are adjoined to the corridor that appear to be WWP.
- 2. None of the Plumbing on the basement floor area was permitted.
- 3. There are storage areas in the basement as well as a furnace room. It is unclear as to how many units the forced air furnace serves at this time. The ceiling and walls are not complete in the furnace room. In one place there is a batt of insulation that is part of the fire separation. This is a lack of fire separation. There may be other concerns of fire separations in the storage rooms as well as in line duct smoke detectors that would be required to be connected to the Central Fire Alarm System.
- 4. The basement has a bathroom that was WWP.
- 5. The LHK on the East side has a residential smoke alarm.

- 6. There is a duct that has 1.9 m or 6'-3" of ceiling height under it.
- In the basement West side LHK has a bedroom but has no bedroom window for egress purposes as required by 9.9.10.1. of the BCBC.

Main Building conditions:

- 1. None of the units have rated doors.
- 2. Number of units is currently is: Top floor 3 LHK units, main Floor 2 LHK as well as one 3 bedroom apartment and there are also 2 LHK in the lowest floor level/basement. This is a total of 7 LHK and one 3 bedroom apartment compiling an possible occupant load of 20. This occupant load combined with the number of units would require a Central Fire Alarm System that would need to meet the requirements of the current BCBC as the occupant load has been increased without permit from what the City has originally approved.
- 3. There are egress/exiting issues that do not comply with each floor
- 4. There are protection of exit issues that do not comply with 9.9.4. of the BCBC on both sides of the building.
- 5. There is an interconnected floor spaces between the main and top floor.
- 6. None of the units have rated doors on any floors.
- 7. There is a existing fire escape.
- 8. Only a few units have smoke alarms.
- There is a lack of compliant fire separations between units and other areas such as storage areas; this includes fire stopping of service penetrations.
- 10. There were no emergency lights noted on site.
- 11. The building has a very basic 2 wire Fire Alarm System.
- 12. Two of the LHK doors were covered up at the rear of the main lobby.
- 13. The lobby is not rated as an exit even though it is being used as one.
- 14. There are no graspable rails in or outside.
- 15. There are not BCBC compliant guards on the stair in or outside.
- 16. There is a small storage room at the rear wall of the building that is not fire separated to the balance of the floor area of the basement and the ceiling of this room is not Fire Separated to the unit above. This room is currently full of wood storage.
- 17. The fire escape is subject to protection of exit issues that do not comply with 9.9.4. of the BCBC.



Sustainable Planning and Development Services Department

Permits and Inspections

#1 Centennial Square

Victoria

British Columbia

V8W 1P6

Tel (250) 361-0342

Fax (250) 385-1128

www.victoria.ca

July 2, 2014

Josef Krajc 1146 Mason Street Victoria BC V8T 1A6

Re: 821 Princess Avenue

An electrical inspection was conducted at this address on May 15, 2014. This revealed a number of electrical code and safety issues.

As a consequence, a certificate of inspection was issued requiring you to hire an electrical contractor to conduct a safety survey and make any required corrections. The work was to be done with an electrical permit before June 16, 2014.

This date has past and we have no record of this survey being done. If not completed within the next two weeks, we may remove electrical energy from this address.

If you have any questions please don't hesitate to contact me.

Yours truly,

Philip Corby Electrical Safety Officer

PC/sp

Planning and Land Use Committee - 04 Sep 2014 Chedule F 89.4 NAD_1983_CSRS_UTM_Zone_10N
Public domain: can be freely printed, copied and distributed without permission DISCOVERY 738 751 748 TE GRAHZNAJA 741 750 VICTORIA 747 742 1942/50 2020 TE GRAHZNAJA Blanshard Parkway TS TE GAAHZNAJA 2210 2220 2300 DOWLER PL 1036 Printed from VicMap (Internal Version) 2105 2155 2175 44,70 2215 2255 811 808 804 815 89.4 Meters 816 815 PEMBROKE 821 810 820/22 821 830 814 827 PRINCESS 830 832 827 818 834 This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. 833 QUEENS 838 831 ST 839/41 840/42 AVE 835 845 826 AVE 846 853 B64 THIS MAP IS NOT TO BE USED FOR NAVIGATION 855 830 852/54 859 2100 860 2120 860 865 2210 2218 2224 QUADRA ST 864 08/21/2014 2275 Central 2303 2309 Notes Legend Victoria Parcels 1,760 Page 393 of 398 Work Without Permit - Illegal Use / Suites - 821 Princess Av...

Planning and Land Use Committee - 04 Sep 2014 Schedule G 22.4 NAD_1983_CSRS_UTM_Zone_10N
Public domain: can be freely printed, copied and distributed without permission. ICTORIA 811 Printed from VicMap (Internal Version) 11,18 RINCESS AVE 22.4 Meters 821 This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION 833 08/21/2014 Notes Legend Victoria Parcels 440

Page 394 of 398

Work Without Permit - Illegal Use / Suites - 821 Princess Av...















