



## **Council Report**

### **For the Meeting of July 12, 2018**

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**To:** Council **Date:** July 6, 2018  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** **Update Report for Heritage Alteration Permit with Variances No. 00007 and Development Permit with Variance No. 00582 for 224 Superior Street**

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#### **UPDATED RECOMMENDATION**

##### **Development Permit with Variance Application No. 00582**

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider the following updated motion.

"That Council authorize the issuance of Development Permit with Variance Application No. 00582 for 224 Superior Street, subject to the reconstruction of the chimneys on the heritage-designated building in accordance with Heritage Alteration Permit with Variances No. 00007, in accordance:

1. Plans date stamped April 13, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. Reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows.
3. The Development Permit lapsing two years from the date of this resolution."

##### **Heritage Alteration Permit with Variances Application No. 00007**

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider this updated motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage Designated house at 224 Superior Street, in accordance with:

1. Plans date stamped April 13, 2018.

2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Reduce the side yard setback from 3.65m to 1.20m
  - ii. Reduce the rear yard setback from 4.0m to 1.36m
  - iii. Allow parking in the front yard
  - iv. Increase the site coverage from 30.0% to 35.09%.
3. All original chimneys be reconstructed to match existing photographs and drawings prior to all other work commencing, and to the satisfaction of the Director of Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.”

## **EXECUTIVE SUMMARY**

The purpose of this report is to update Council on work without permit that occurred at 224 Superior Street, and to provide an amended recommended motion for Council's consideration.

Staff were notified of work without permit at 224 Superior Street on May 31, 2018 and a stop work order was issued on June 1, 2018. The work undertaken involved dismantling chimneys on the heritage-designated house for future seismic stabilization. However, this work was performed without a Heritage Alteration Permit.

Regarding the work without permit, the contractor explained that a meeting occurred onsite with the owner, the contractor, and an engineer. The engineer stated that all of the chimneys required seismic stabilization during the interior alterations for the four self-contained units. Without knowledge of the required permit process, a worker dismantled three chimneys to allow for internal metal reinforcement and reconstruction. The building owner confirmed that the bricks removed were saved for reuse during reconstruction.

The owner has agreed to reconstruct the chimneys in accordance with the Heritage Alteration Permit with Variances plans dated April 13, 2018, which reflect their original construction. Staff recommend that remedial work take place whereby the chimneys are seismically secured and reconstructed to match existing photographs and drawings prior to all other work commencing.

The motion provided for Council's consideration has also been updated to reflect that a Statutory Right-of-Way of 2.41m has been registered on the property's title and that the plan date stamps have been updated.

## **CONCLUSION**

A stop work order remains active at 224 Superior Street. Required permits are necessary before work can proceed. Proposed alterations must be in accordance with the Heritage Alteration Permit with Variances, if approved; therefore, staff recommend an additional condition, noted as item 3 in the above updated Heritage Alteration Permit with Variances motion, that all original chimneys be reconstructed prior to the commencement of any further work occurring on site. All other recommended conditions for the Development Permit with Variance and the Heritage Alteration Permit with Variances have been met to the satisfaction of City staff.

Respectfully submitted,



Chelsea Medd  
Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department



Merinda Conley  
Senior Planner – Heritage  
Development Services Division

Report accepted and recommended by the City Manager:



Date:

July 11, 2018

List of Attachments:

- Attachment A: Letter from Farhill Engineering Ltd., dated July 10, 2018
- Attachment B: Site Photographs
- Attachment C: Chimney Details



**FARHILL ENGINEERING LTD.**105 – 937 Dunford Ave – Victoria BC – V9B 2S4 – 250-818-8937 – [info@farhill.ca](mailto:info@farhill.ca)

Tuesday, July 10, 2018

**Craig Jackman**  
Bluewater Developments  
Victoria BC

Re: 224 Superior - Existing Chimneys

Dear Mr Jackman,

Farhill Engineering attended the residence located at 224 Superior St. It is our understanding that the existing brick fireplaces have been removed from the structure leaving the existing chimneys without support.

Accordingly it is our recommendation that the existing chimneys be removed and restructured. I would not consider the existing unreinforced chimneys to have any seismic resistance. Per your proposal I recommend that new structure be designed to accommodate the existing brick facade as a veneer that matches the original design. This will allow us to provide adequate support for both gravity and seismic forces.

Please call me if you have any further questions or concerns.

Signed and Sealed,

Stephen E Malkow, **P.Eng.**

July 10/18







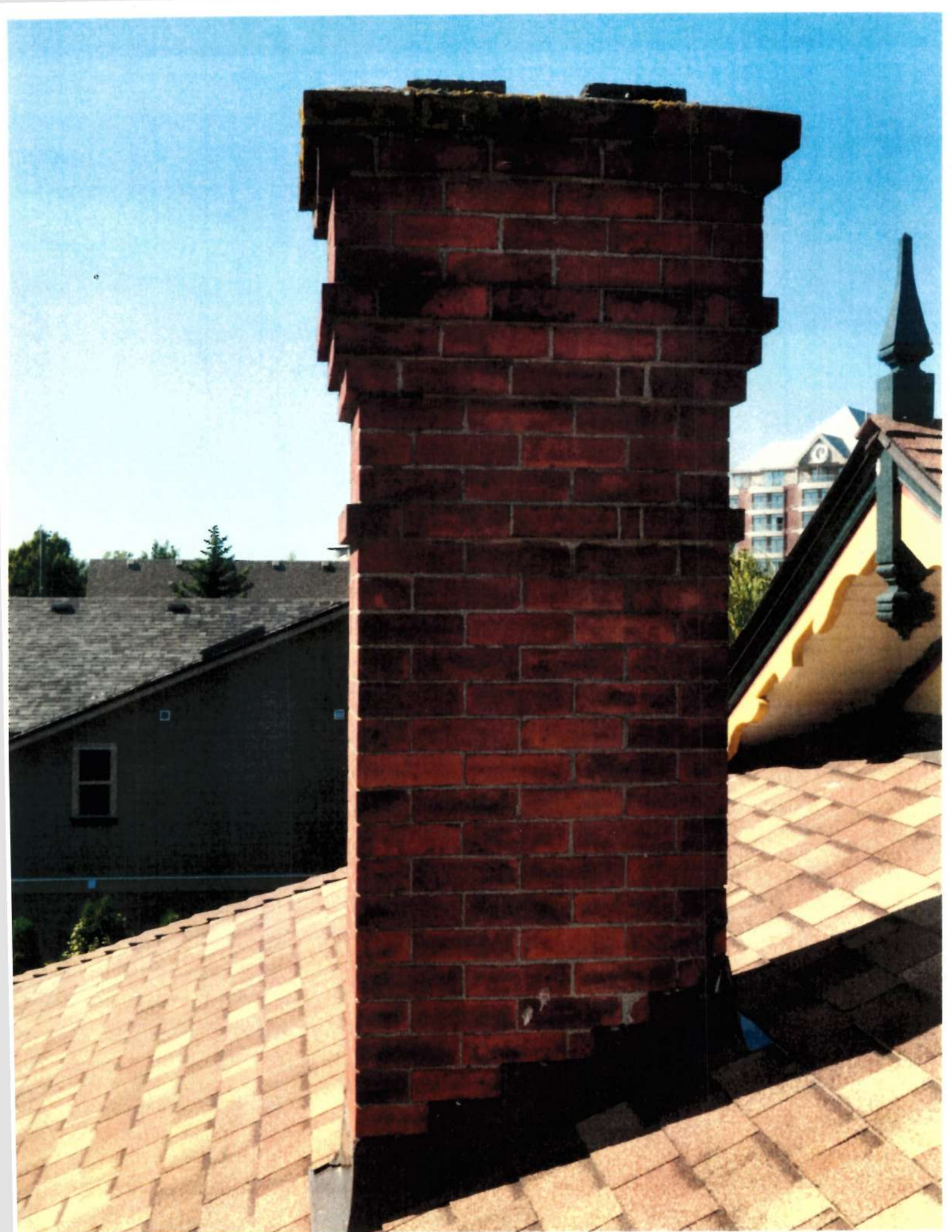




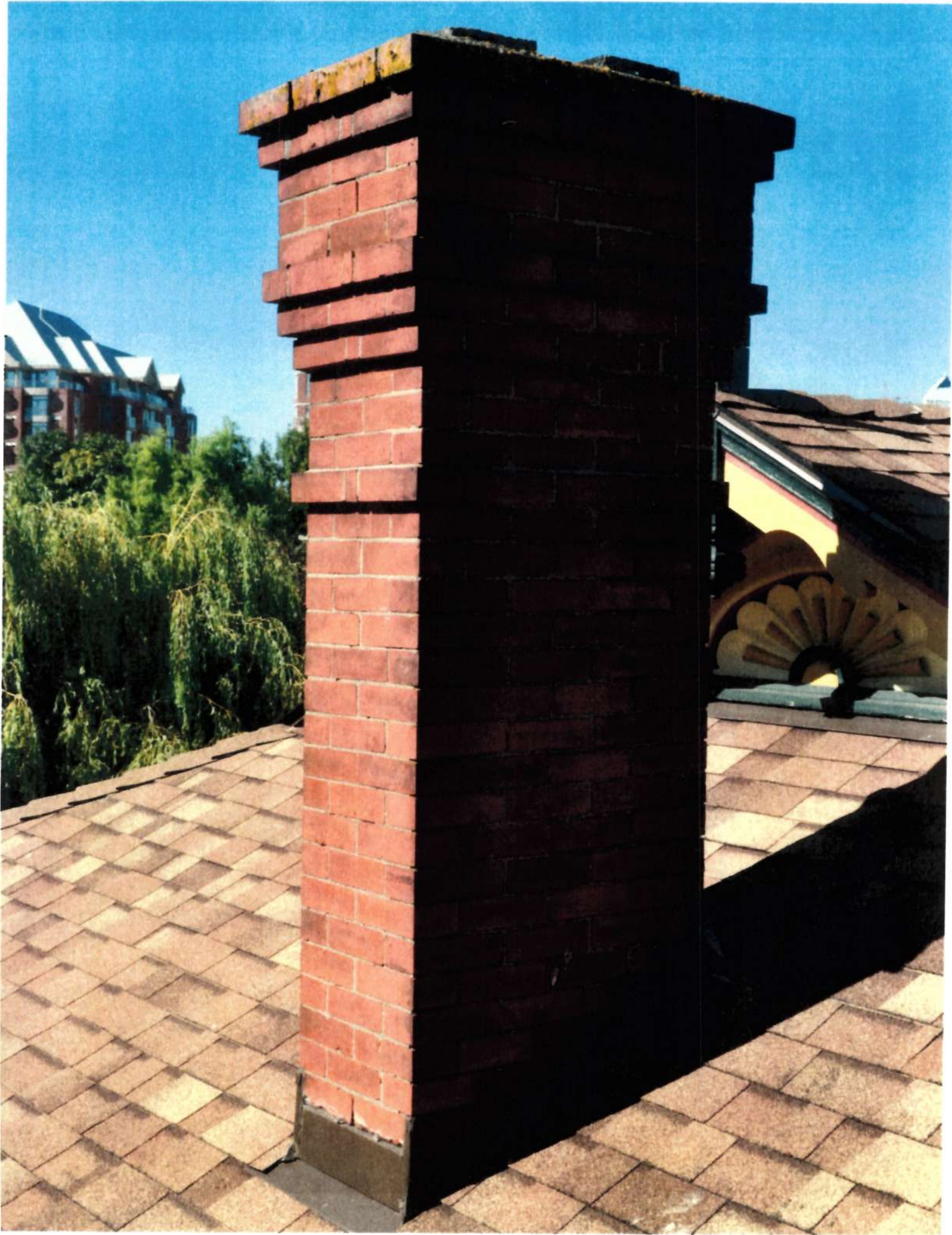




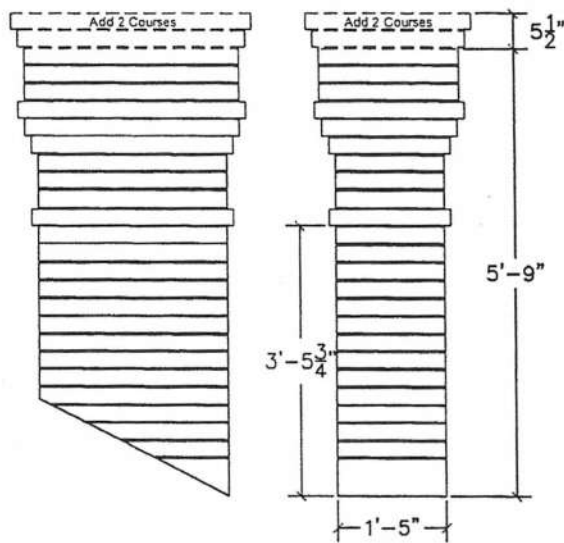




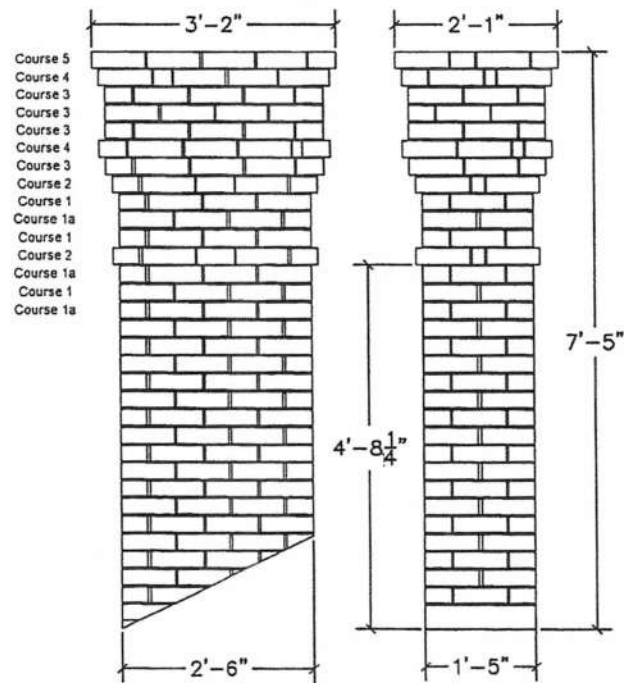




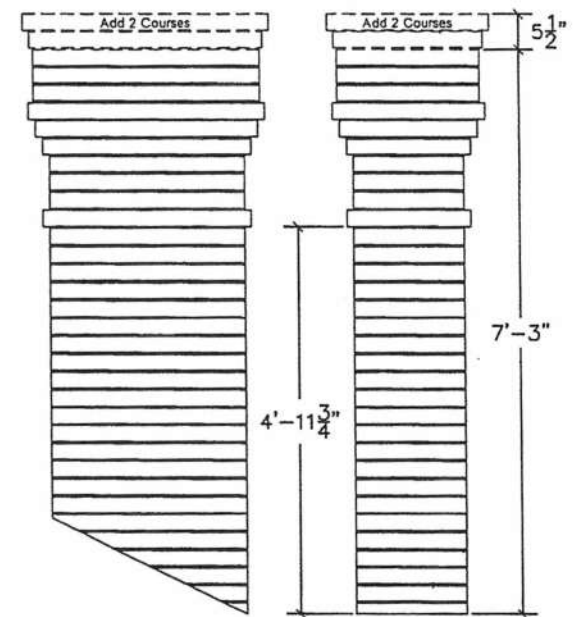




No. 1



No. 2



No. 3

Chimney Details  
224 Superior Street