



Committee of the Whole Report

For the Meeting of September 19, 2019

To: Committee of the Whole **Date:** September 5, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: **Heritage Alteration Permit with Variances Application No. 00232 for 1139 Burdett Avenue**

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00232 for 1139 Burdett Street, in accordance with:

1. Plans date stamped May 9, 2019, and the Heritage Restoration Plan date stamped July 8, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the minimum rear yard setback from 9.18m to 2.03m
 - ii. reduce the minimum side yard setback (east) from 2.19m to 1.50m
 - iii. increase the maximum height from 7.6m to 9.3m.
3. Heritage Alteration Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Sections 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit, which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

EXECUTIVE SUMMARY

The proposal is to restore the existing two-and-a-half storey Gothic Revival style house, renovate the interior, make alterations to the rear elevation, construct a two-storey rear addition and add rear yard parking accessed through an existing westerly driveway. The renovated

Arthur Scroggs House with its new rear addition would contain 7 market rental units. It is subject to a concurrent Rezoning Application, which proposes to rezone the property from the R1-B: Single Family Dwelling District to a site specific zone that would permit multiple residential units.

The application is consistent with the relevant urban design and heritage policies in the *Official Community Plan* (OCP, 2012) and heritage guidelines for the property. According to the OCP, house conversions and ground-oriented residential development are supported in traditional residential areas in the Fairfield Neighbourhood. The conservation of heritage properties through zoning allowances and new development is also supported under the Placemaking - Urban Design and Heritage policies of the OCP.

Staff recommend that Council authorize the issuance of Heritage Alteration Permit with Variances No. 00232.

The application was reviewed by the Heritage Advisory Panel at its July 16, 2019 meeting and was recommended for approval.

BACKGROUND

Description of Proposal

The applicant has submitted a Rezoning Application to permit seven residential rental units and an increased amount of floor area on the property. Approval of the rezoning will enable the applicant to construct a two-storey rear addition, complete interior renovations, re-landscape the property and restore the exterior features of the heritage-designated Arthur Scroggs House in accordance with a Heritage Restoration Plan (attached). The exterior of the Arthur Scroggs house is heritage-designated, but the interior is not.

The proposal includes the following major design components:

- repair and restoration of the heritage-designated house including reroofing; restoration of the original colour scheme; re-puttying windows and selectively replacement of damaged hardware; repointing and rebuilding chimneys; and restoring an era-appropriate front staircase
- removal of foundation remnants for a rear addition discontinued in 1995
- removal of an altered portion of the rear elevation to build an exit stair connecting the main house to the proposed addition
- alterations to the rear elevation of the house to add additional windows at the second and third storeys
- alterations to the rear half of the roof to create two new gables facing the backyard
- construction of a two-storey rear addition measuring approximately half of the width of the existing building
- new landscaping throughout the property
- re-surfacing of portions of the rear yard to accommodate parking and turning areas for vehicles
- the requested side and rear setback variances are supportable as the new addition has been sited to limit the visual impact on the heritage building and reduce the amount of construction within the critical root zone of the bylaw protected Arbutus tree which is to be retained
- the requested height variance is associated with the minor alterations at the rear of the main roof and is supportable.

The application was reviewed by the Heritage Advisory Panel at its July 16, 2019 meeting and was recommended for approval.

Description of Historic Place

The Arthur Scroggs House is a tall, two-and-a-half storey Gothic Revival style residence, constructed in 1892 for Captain Arthur Scroggs, a well-known engineer and yachtsman. The house was designed by architect John Gerhard Tiarks, who was trained in Britain. The building is a rare example of the Gothic Revival style of residential architecture in Victoria and is valued as an example of the type of housing constructed for Victoria's successful businessmen and merchants in the 1890s. The house and all of its detailing are currently painted white. It is clad with horizontal wood siding and bands of decorative trim marking the floor levels. The front façade features a steeply pitched roof with two gables facing the street, both of which are embellished with wooden bargeboards carved with trefoils and gothic motifs. Windows are tall and narrow, with trim surrounds and some feature stained glass. The entranceway is centered in the middle of the ground floor and recessed into an alcove accentuated by a Tudor arch. The paneled wood door is framed by a transom and sidelights.

Sustainability Features

The conservation and adaptive reuse of the house is a sustainability feature since it avoids the building waste and transportation emissions associated with demolition.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to identify where the existing building is legal non-conforming.

Zoning Criteria	Proposal	R1-B Zone
Site area (m ²) – minimum	783.10	460.00
Density (Floor Space Ratio) – maximum	0.54:1	-
Combined floor area (m ²) – maximum	453.95 *	420.00
Lot width (m) – minimum	21.32	15.00
Height (m) – maximum	9.3 *	7.6
Storeys – maximum	2.5 **	2
Roof deck	Yes *	No
Site coverage (%) – maximum	33.46	40

Zoning Criteria	Proposal	R1-B Zone
Setbacks (m) – minimum		
Front	4.85 **	7.50
Rear	2.03 *	9.18
Side (east)	1.19 ** 1.50* (new addition)	2.13
Side (west)	6.29	3.00
Combined side yards	7.48	4.5
Parking – minimum	7	7
Bicycle parking stalls – minimum		
Long term	8	8
Short term	6	6
Schedule G – House Conversion Regulations		
Required floor area (m ²) – minimum for seven units	445.95 *	675.00
Minimum unit size (m ²)	37.80	33.00
Exterior change	Yes *	Not permitted
Landscape (%) – minimum	35.52	30.00
Rear yard landscape (%) – minimum	69.70	33.00

Community Consultation

The applicant consulted the Fairfield Gonzales CALUC at a Community Meeting held on March 21, 2019, which is consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*. A summary of the meeting is attached.

ANALYSIS

The following sections provide a summary of the application's consistency with the relevant City policies, regulations, standards and guidelines.

Official Community Plan

The proposed alterations outlined in the application are consistent with the OCP and advance the following policies:

- 8.6 Conserve and enhance the heritage value, character and special features of areas, districts, streetscapes, cultural landscapes and individual properties throughout the city
- 8.44 Support new infill and building additions that respond to context through sensitive and innovative design
- 8.49 Continue to support new additions that conserve and enhance heritage property, as consistent with the *National Standards and Guidelines for the Conservation of Historic Places in Canada*

Construction of the new addition will facilitate important repair and restoration work for the Arthur Scroggs House, including the restoration of the building's original paint scheme, which will enhance the property's heritage value. The design of the new addition responds to its context with complementary shingle cladding, traditional windows and restrained trim detailing. The addition is significantly lower and narrower than the heritage building. It is deeply inset from the west elevation, aligned with the east elevation and concealed from the street. Viewed from the backyard, the staircase separating the addition and the house makes the two structures distinguishable from one another, thereby conserving the original form of the Arthur Scroggs house. Alterations to the rear elevation are sensitive and conserve the massing and overall form of the house.

Fairfield Strategic Directions

The conservation of the heritage-designated house and modest intensification of the property is consistent with the Fairfield Strategic Directions, which describe the area where 1139 Burdett Avenue is located as a transitional zone between the high density Downtown Core Area and lower density established Traditional Residential Areas (policy 21.5.4). The enhancement and restoration of the Arthur Scroggs House reinforces the character of Fairfield, defined by mature streetscapes with historic homes (policy 21.5.5).

Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development

The proposed new addition is consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012). The development achieves compatibility with the area character through a variety of strategies:

- the addition is lower in scale than the Arthur Scroggs house and both adjacent detached dwellings
- the addition features a pitched roof similar in profile to the rooflines of adjacent houses
- the addition is visually unified with the existing heritage house through its high quality, textured materials that create visually interesting elevations
- the lower scale and size of the addition provides a transition in massing towards adjacent rear yards and the limited number of windows on the elevations closest to the property lines helps to maintain privacy
- the addition is proposed to be finished in cement-based shingles and trim painted to match the conserved building
- the proposed finishes are durable and have a long service life
- the proposed cladding provides texture and visual interest.

Advisory Design Guidelines for Buildings, Signs and Awnings

The proposed new addition is consistent with the *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006). It features a pitched roof; textured shingle cladding; an identical paint scheme as the heritage building; traditional sash windows with trim; and paneled garage doors with multi-paned glazing. These features are complementary to the conserved heritage building (guideline 2).

Standards and Guidelines for the Conservation of Historic Places in Canada

The proposal is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada* (the "Standards and Guidelines"). The applicant's proposal to renovate the house and construct a new rear addition to accommodate parking and new residential units is a form of "rehabilitation," defined in the Standards and Guidelines as the sensitive adaptation of an historic place for a continuing or compatible contemporary use while protecting its heritage value. The proposal achieves these objectives through discrete alterations to the rear of the site, while enhancing the conserved heritage building with restoration work.

The applicant proposes to repaint the house in its original colour scheme, which their heritage consultant determined through microscopic analysis of paint samples taken from the cladding and all trim pieces. This is consistent with Standard 13 of the Standards and Guidelines, which states that replacing missing features should be based on sufficient physical, documentary or oral evidence.

The design for the new addition meets Standard 11 of the Standards and Guidelines, which applies to rehabilitation projects in which new construction is proposed. Standard 11 states that any new additions should conserve heritage value and character-defining elements, while being physically and visually compatible with, subordinate to and distinguishable from the historic place. The new rear addition does not alter the character-defining elements of the front façade or side elevations of the building. It achieves compatibility by using the same colour scheme and emulating other important features. Like the main house, the addition has a pitched roof and sash windows. The four garage doors are paneled with multi-paned transom window lights, providing a traditional appearance without mimicking any feature of the heritage building. Despite some similarities, the addition is distinguishable as new. It has a shallower roofline and shingle textured siding rather than horizontal siding. The siding is a cement product rather than being made of wood. The addition is more simply detailed and does not include any carved imitation gothic details.

Lastly, the addition is subordinate to the conserved building in size, massing and design, being much shorter and narrower than the heritage building and more simply detailed. The exit stair connecting the conserved building to the new addition creates a visual separation between the old and new construction and separates the rooflines of the two structures.

Heritage Advisory Panel

The Heritage Advisory Panel reviewed the application at its July 16, 2019 meeting and recommended that it be approved as presented.

Regulatory Considerations

The proposal requests three variances to reduce the minimum rear yard setback from 9.18m to 2.03m, reduce the minimum required side yard setback from 2.19m to 1.5m and increase the maximum building height from 7.6m to 9.3m. The variance to permit an increased building height is technical in nature since it relates to the alteration of the roof slope at the back of the house with pair of flat gables. The height of a gabled roof is measured differently than a sloped roof, despite there being no increase in the height of the ridge line. The reduction in the minimum east side yard setback is supportable because it aligns with the side yard setback for the existing house and maintains a functional width for maintenance and access purposes. The decrease in the minimum required rear yard setback is supportable because the new rear addition faces a large paved parking area for a converted multi-residential building rather than a backyard. It does not create any major privacy or overlook issues.

CONCLUSIONS

The application is consistent with the urban design and heritage policies in the *Official Community Plan*, which support the conservation and enhancement of heritage-designated properties in conjunction with context-sensitive new development. The proposed rehabilitation and adaptive reuse of the Arthur Scroggs House, which includes a compatible, thoughtfully designed rear addition and discrete alterations is consistent with *Standards and Guidelines for the Conservation of Historic Places in Canada*. Approval of the application would enable a modest intensification of the site, while meaningfully enhancing the heritage value and heritage character of the designated house through the restoration of its original colour scheme and character-defining elements.

ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application with Variances No. 00232 for the property located at 1139 Burdett Avenue.

Respectfully submitted,



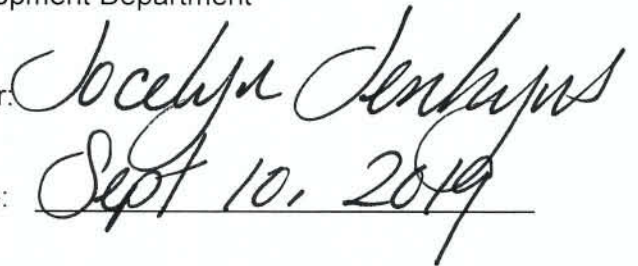
John O'Reilly
Senior Planner – Heritage
Development Services Division

JH



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

Sept 10, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 9, 2019
- Attachment D: Letter from applicant to Mayor and Council dated May 8, 2019
- Attachment E: Community Association Land Use Committee Comments dated March 21, 2019
- Attachment F: Arborist Report dated May 8, 2019
- Attachment G: Photographs

- Attachment H: Statement of Significance
- Attachment I: Heritage Restoration Plan, date stamped July 8, 2019
- Attachment J: Heritage Advisory Panel Minutes dated July 9, 2019.