I. <u>REPORTS OF COMMITTEES</u>

I.1 <u>Committee of the Whole</u>

- I.1.b Report from the September 19, 2019 COTW Meeting
 - I.1.b.j 1139 Burdett Avenue: Rezoning Application No. 00690 and Heritage Alteration Permit with Variances Application No. 00232 (Fairfield)

Moved By Councillor Thornton-Joe Seconded By Councillor Potts

Rezoning Application No. 00690

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00690 for 1139 Burdett Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following condition is met:

1. Preparation and execution of a Housing Agreement to secure rental of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.

<u>Heritage Alteration Permit with Variances Application No. 00232</u> 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."

CARRIED UNANIMOUSLY

E.3 <u>1139 Burdett Avenue: Rezoning Application No. 00690 and Heritage</u> Alteration Permit with Variances Application No. 00232 (Fairfield)

Council received a report dated September 5, 2019 from the Acting Director of Sustainable Planning and Community Development providing information to Council on a Rezoning application that would provide for the conversion of an existing building into multiple dwelling units and addition units through a rear addition. The report recommends Council approve the application.

Committee discussed:

• Appreciation for the quality of the proposal, and the increase of density.

Moved By Councillor Isitt Seconded By Councillor Loveday

Rezoning Application No. 00690

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00690 for 1139 Burdett Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following condition is met:

1. Preparation and execution of a Housing Agreement to secure rental of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.

Heritage Alteration Permit with Variances Application No. 00232

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
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 - iii. increase the maximum height from 7.6m to 9.3m.
- 3. Heritage Alteration Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY



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, Sustain	able Planning and	Community Development

Subject: Rezoning Application No. 00690 for 1139 Burdett Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00690 for 1139 Burdett Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following condition is met:

1. Preparation and execution of a Housing Agreement to secure rental of the dwelling units in perpetuity, to the satisfaction of the Director of Sustainable Planning and Community Development.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1139 Burdett Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new site specific zone, in order to convert the existing building into multiple dwelling units and add dwelling units in a new addition to the rear.

The following points were considered in assessing this application:

• the proposal is generally consistent with the *Official Community Plan* (OCP, 2012) Traditional Residential Urban Place Designation in terms of use, density, built form and place character

- the proposal is consistent with the Fairfield policies specified in the Suburban Neighbourhoods Plan (1984), which encourage the adaptive reuse of existing housing stock to meet the varied social and economic needs of residents
- there is one bylaw-protected arbutus tree on site, which would be retained
- the applicant is offering a Housing Agreement to secure all of the units as rental in perpetuity
- the exterior of the existing building is heritage-designated; therefore a concurrent Heritage Alteration Permit with Variances Application is proposed to allow for the rear addition to the building and modifications to the rear portion of the roof.

BACKGROUND

Description of Proposal

This Rezoning Application is to convert the existing building to multiple dwelling units and add dwelling units within a new addition. Specific details include:

- the existing building is heritage-designated and would be retained with an addition and modifications to the roofline at the rear of the building
- although house conversions are permitted under the R1-B Zone, the existing building does not have sufficient floor area to permit seven units and exterior changes that create additional floor area are not permitted under the house conversion regulations; therefore a rezoning is required to facilitate the proposal
- the applicant is proposing a Housing Agreement to secure the dwelling units as rental in perpetuity
- a large bylaw-protected arbutus tree would be retained with this proposal.

The following changes from the current R1-B Zone are being proposed and would be accommodated in the new zone:

- introduce a maximum floor space ratio of 0.54:1
- allow for a small roof deck
- allow for multiple dwellings as a permitted use.

Variances related to building height and setbacks are also proposed and will be discussed in relation to the concurrent Heritage Alteration Permit with Variances Application:

- increase the maximum building height from 7.6m to 9.3m
- reduce the minimum rear yard setback from 9.18m to 2.03m
- reduce the east side yard setback from 2.19m to 1.5m (for the new addition).

Affordable Housing Impacts

The applicant proposes the creation of seven new residential units, which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed to secure the dwelling units as rental in perpetuity.

Active Transportation Impacts

The application proposes eight long term bicycle parking stalls and six short term bicycle parking stalls, which support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility requirements for buildings. The applicant proposes a standard level of accessibility for the project and there are no exceptional accessibility features.

Land Use Context

The area is characterized by house conversions, low-rise apartment buildings and single family dwellings. The adjacent property at 1143/1145 Burdett Avenue is also a heritage-designated building that was converted to a duplex.

Existing Site Development and Development Potential

The site is presently developed as a single family dwelling. Under the current R1-B Zone, the property could be developed as a single family dwelling with a secondary suite or garden suite. It could also be developed as a three unit house conversion under the regulations of Schedule G – House Conversions of the *Zoning Regulation Bylaw*.

Data Table

The following data table compares the proposal with the existing R1-B Zone. 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 (m²) – minimum	783.10	460.00
Density (Floor Space Ratio) – maximum	0.54:1	n/a
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
Setbacks (m) – minimum		
Front	4.85 **	7.50

Zoning Criteria	Proposal	R1-B Zone
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 Regula	tions	
Required floor area (m²) – minimum for seven units	445.95 *	675.00
Minimum unit size (m²)	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

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

ANALYSIS

Official Community Plan

The Official Community Plan (OCP, 2012) Urban Place Designation for the subject property is Traditional Residential, which supports ground-oriented residential uses. The OCP states that new development may have a density of generally up to 1:1 floor space ratio (FSR) and up to two storeys in height. The proposed density and height are consistent with these policies.

The proposed rental tenure meets the housing objectives in the OCP, which supports a diversity of housing types to create more options such as ground-oriented multi-unit residential developments.

Local Area Plan

The land use policies of *Suburban Neighbourhoods* 1984 that relate to Fairfield identify the subject lands as suitable for residential development and encourages the adaptive use of existing buildings to the meet the housing needs of residents. The proposal to retain the existing heritage building and add a sensitive addition to the rear of the building is consistent with these policies.

Tree Preservation Bylaw and Urban Forest Master Plan

There are 11 trees inventoried by the Project Arborist. One bylaw-protected Arbutus on the subject lot measures 103cm in diameter and was evaluated in good health and structural condition. This is an exceptional specimen tree with respect to its size and condition relative to other Arbutus trees found in the City of Victoria. This species has a poor tolerance to disturbance. It is very important that the recommended protection and mitigation measures provided by the Project Arborist are carried out during this project. This is the only tree proposed for retention on the subject property.

Five on-site, non bylaw-protected trees are proposed for removal, the largest being a double stemmed willow with trunks measuring 45cm and 21cm in diameter. There will be a net loss of canopy coverage on the subject lot as there will be limited space available to plant new trees. Proposed landscaping includes small ornamental trees and shrubs. Five off-site trees were inventoried, including a bylaw-protected cherry tree, all of which will be retained.

Housing Agreement

The applicant is proposing to secure the rental tenure of the dwelling units in perpetuity through a Housing Agreement. The property would also be added to Schedule N – Residential Rental Tenure of the *Zoning Regulation Bylaw*.

CONCLUSIONS

The application is consistent with the Traditional Residential Urban Place Designation, and housing policy in the OCP, which supports a diversity of ground-oriented housing types in each neighbourhood. Staff recommend that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00690 for the property located at 1139 Burdett Avenue.

Respectfully submitted,

Alec Johnston Senior Planner Development Services Division

Andrea Hudson, Acting Director Sustainable Planning and Community Development Department

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Report accepted and recommended by the City Manager:

rehpt ver Date:

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.



Committee of the Whole Report For the Meeting of September 19, 2019

То:	Committee of the Whole	Date:	September 5, 2019
From:	Andrea Hudson, Acting Director, Sustainable	Planning a	nd Community Development
Subject:	Heritage Alteration Permit with Variances Burdett Avenue	Applicatior	n No. 00232 for 1139

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 (m²) – minimum	783.10	460.00
Density (Floor Space Ratio) – maximum	0.54:1	1000 1001
Combined floor area (m²) – 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

Committee of the Whole Report

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

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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 Regula	tions	and the late
Required floor area (m²) – minimum for seven units	445.95 *	675.00
Minimum unit size (m²)	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 ridgeline. 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**

Andrea Hudson, Acting Director Sustainable Planning and Community **Development Department**

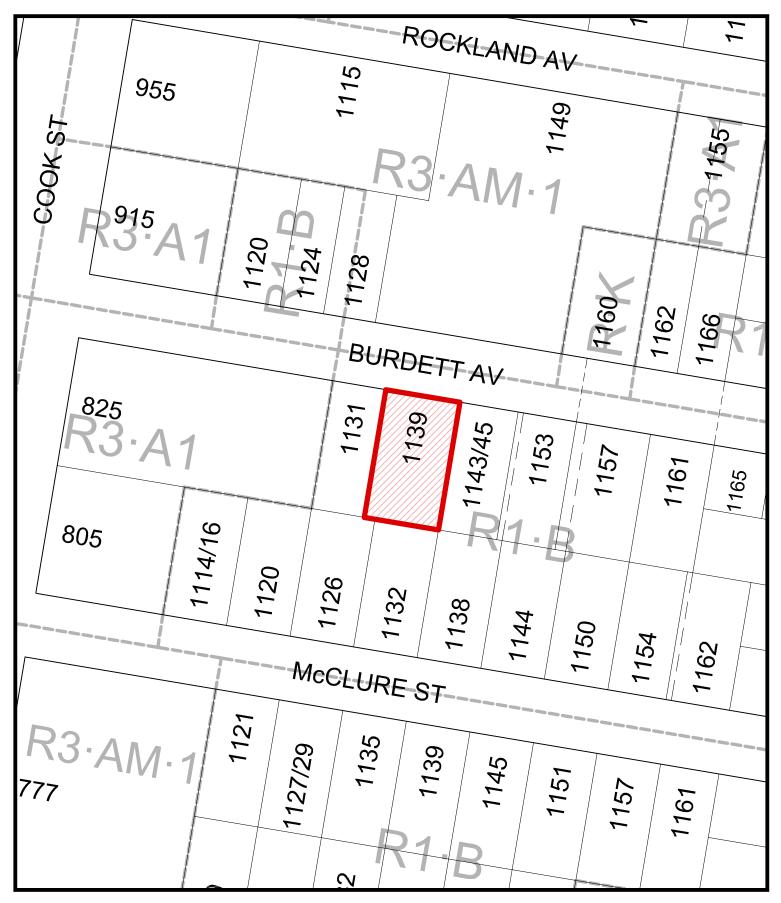
Report accepted and recommended by the City Manager Date

List of Attachments

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- Attachment B: Aerial Map
- Attachment C: Plans date stamped May 9, 2019 .
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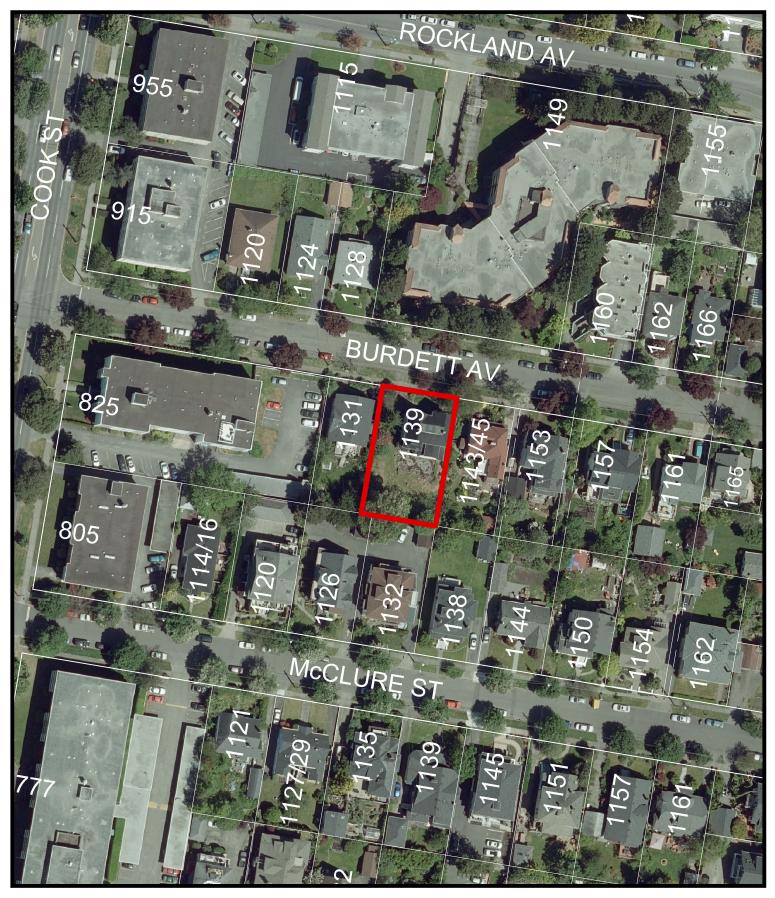
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1139 Burdett Avenue Rezoning No.00690



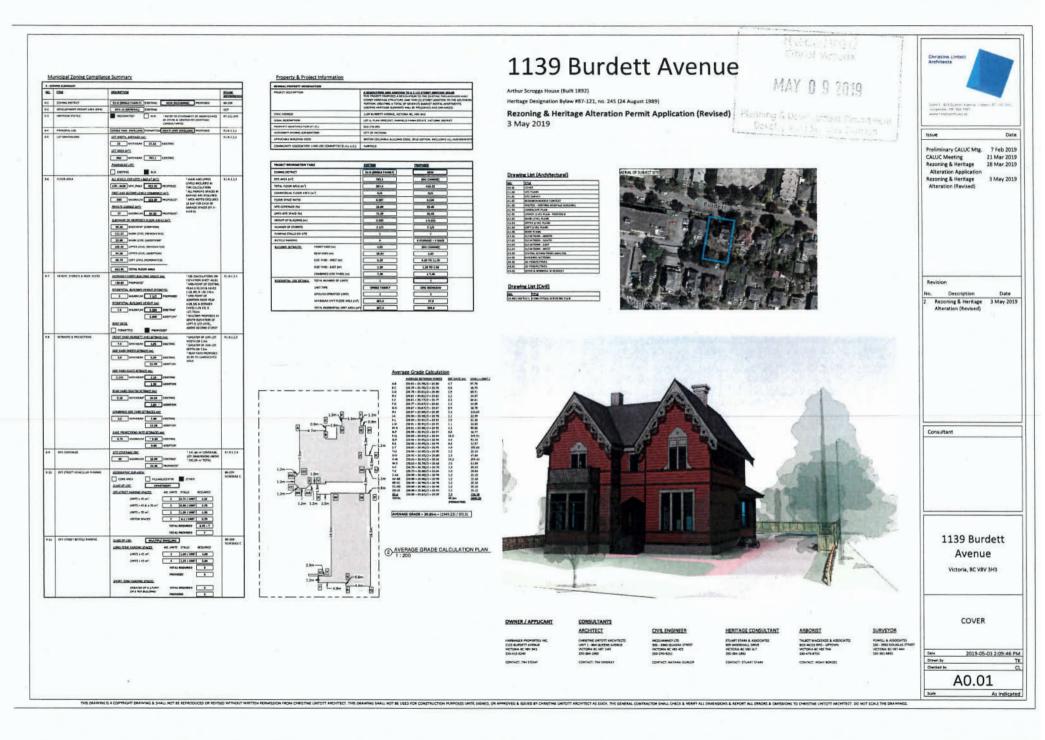


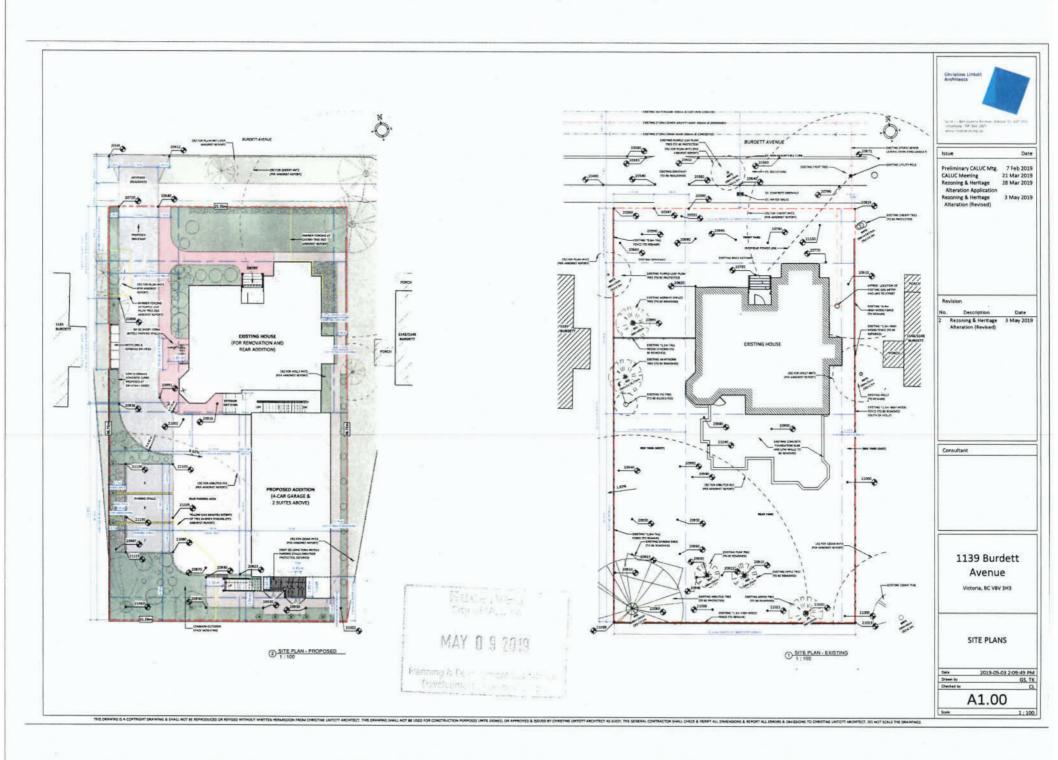


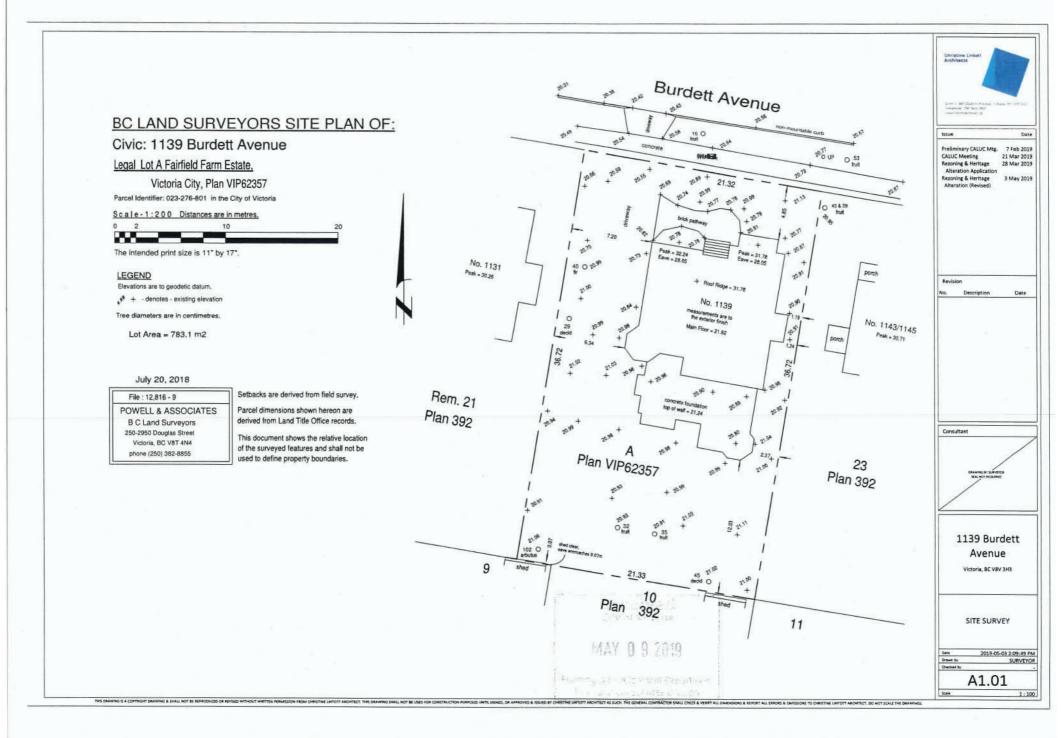
1139 Burdett Avenue Rezoning No.00690



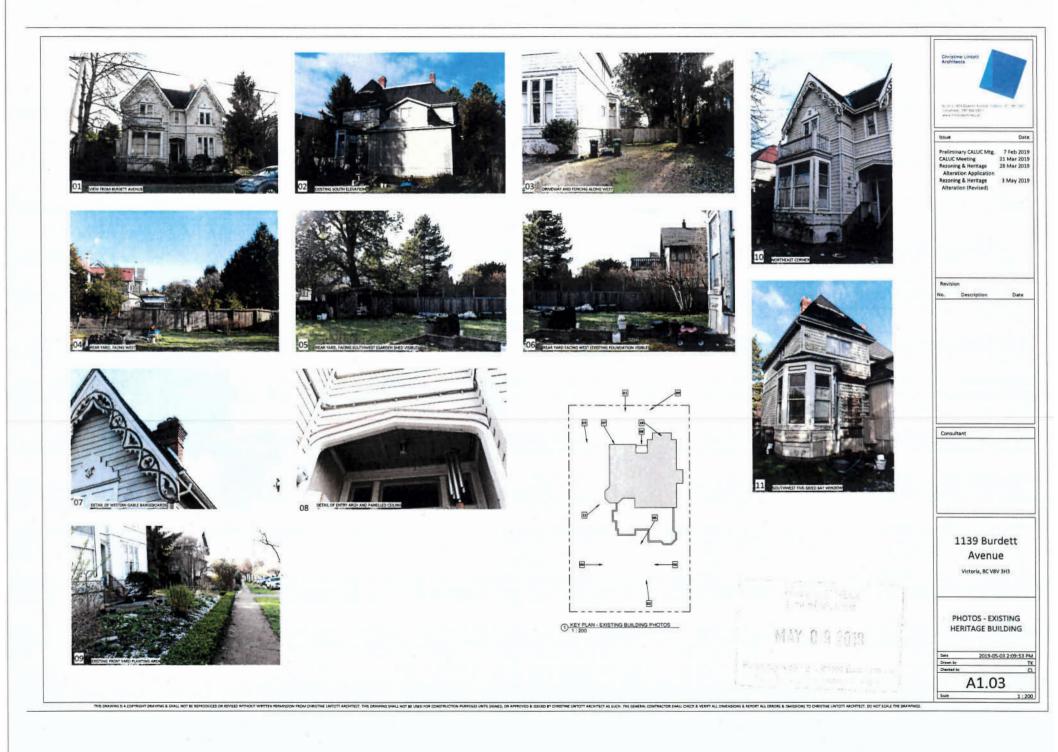
ATTACHMENT C

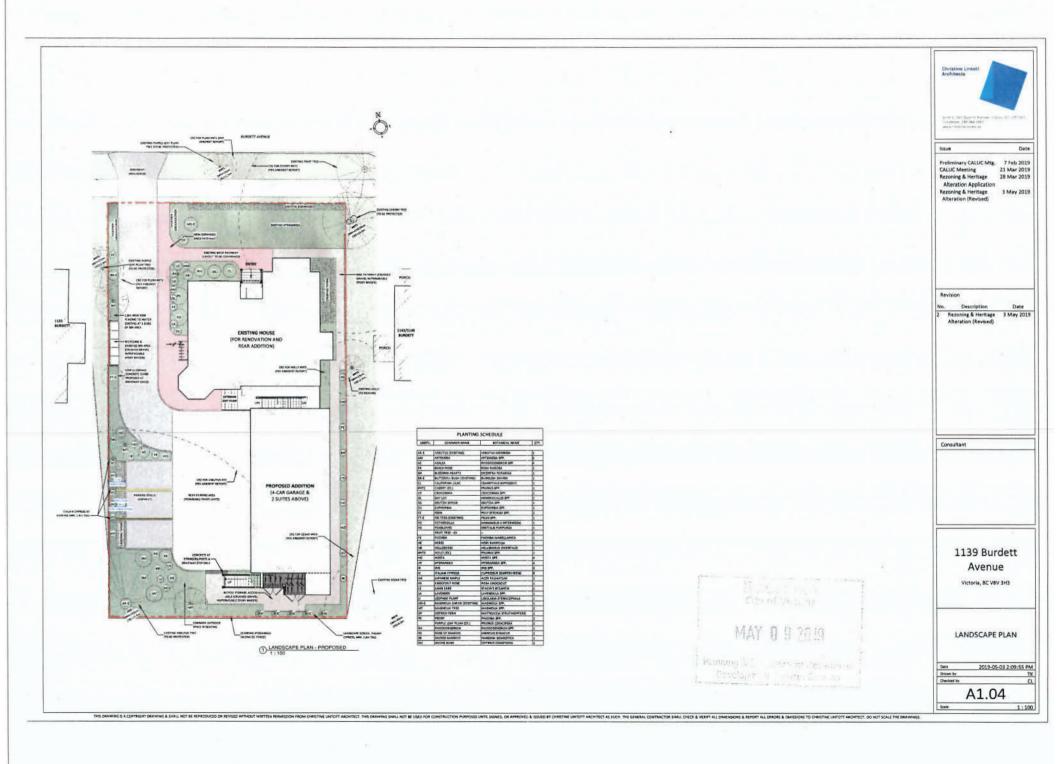


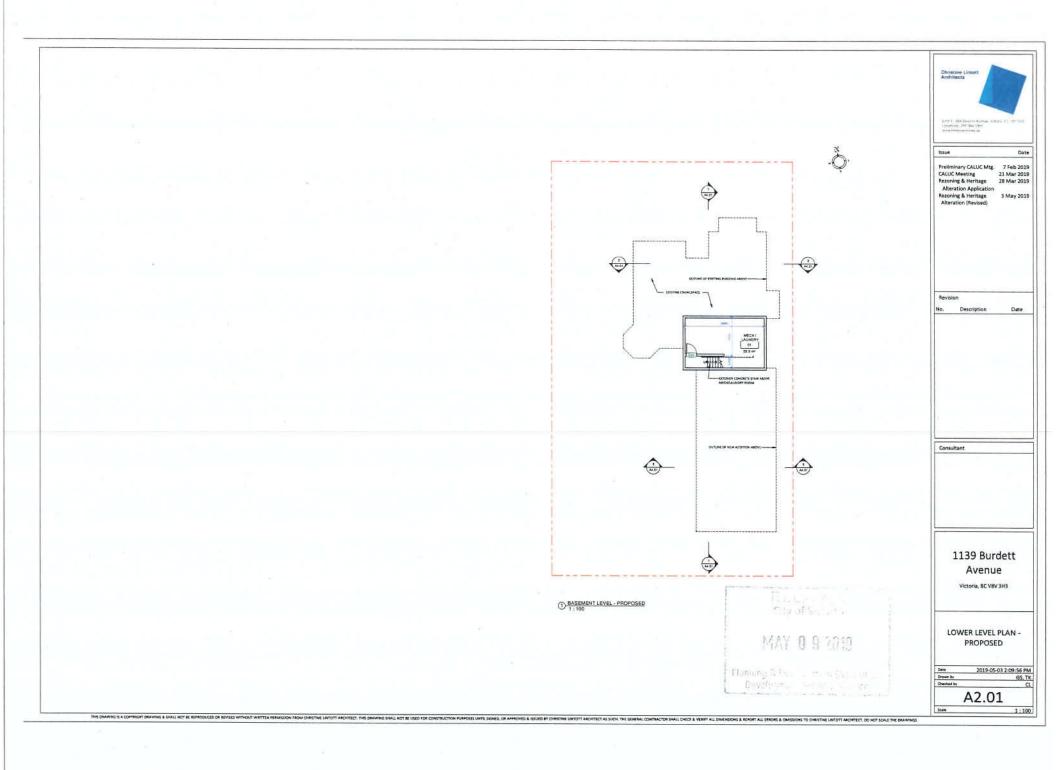


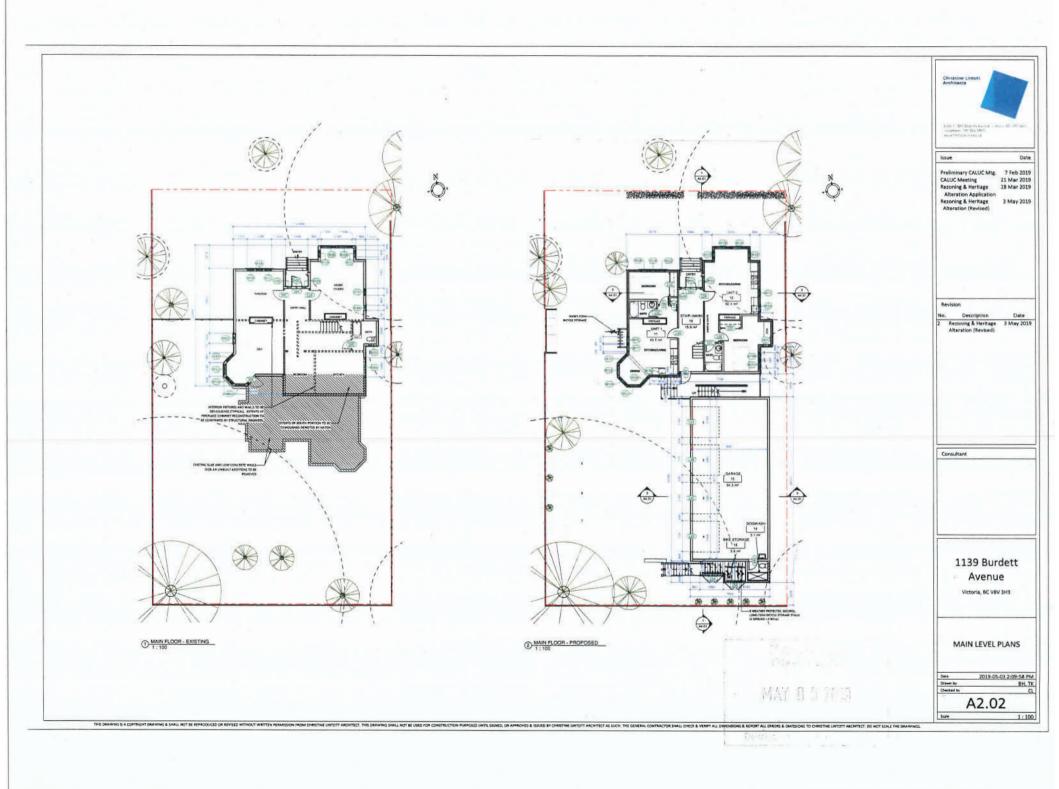


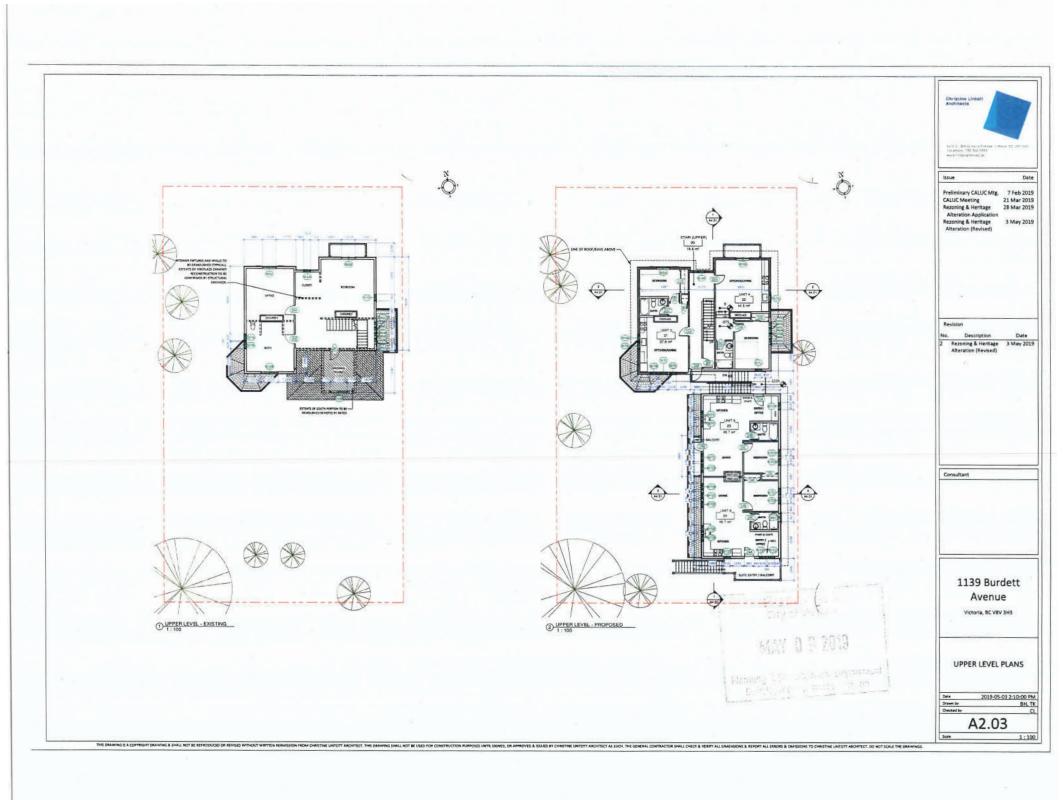


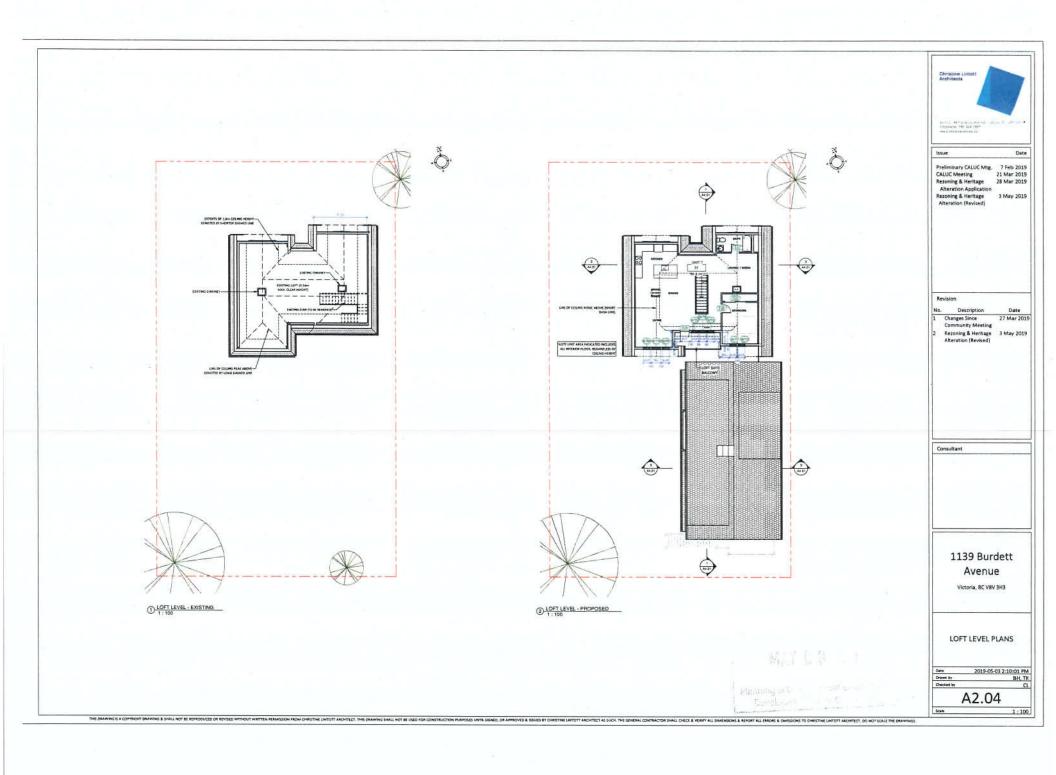


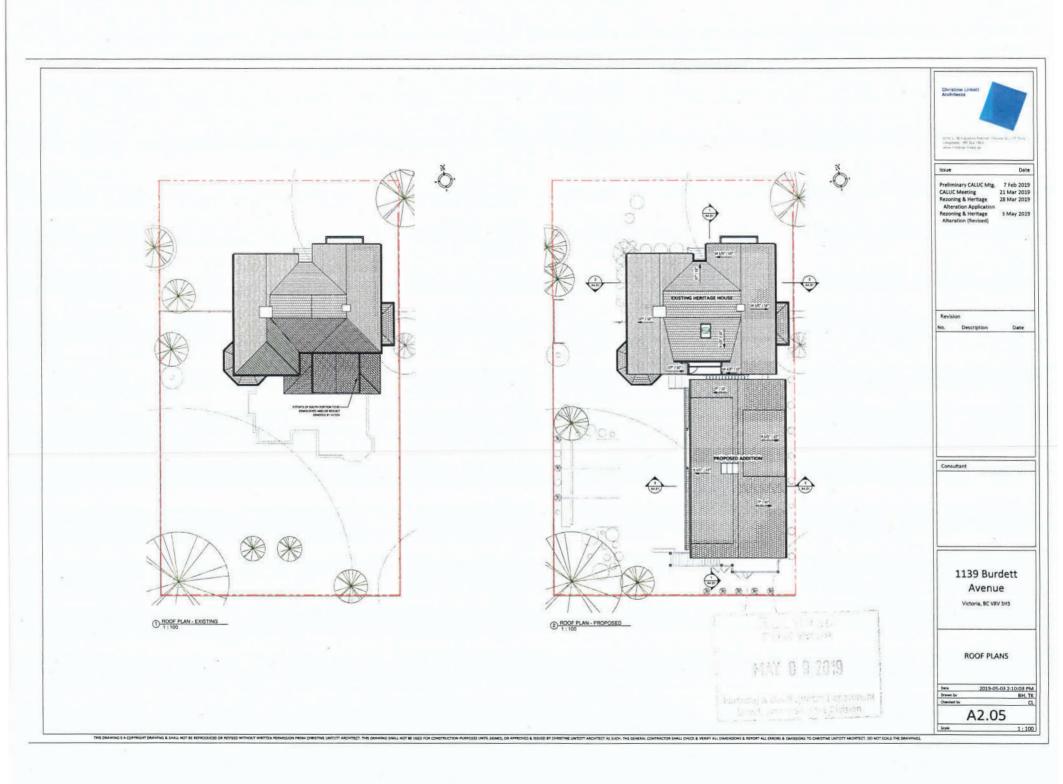




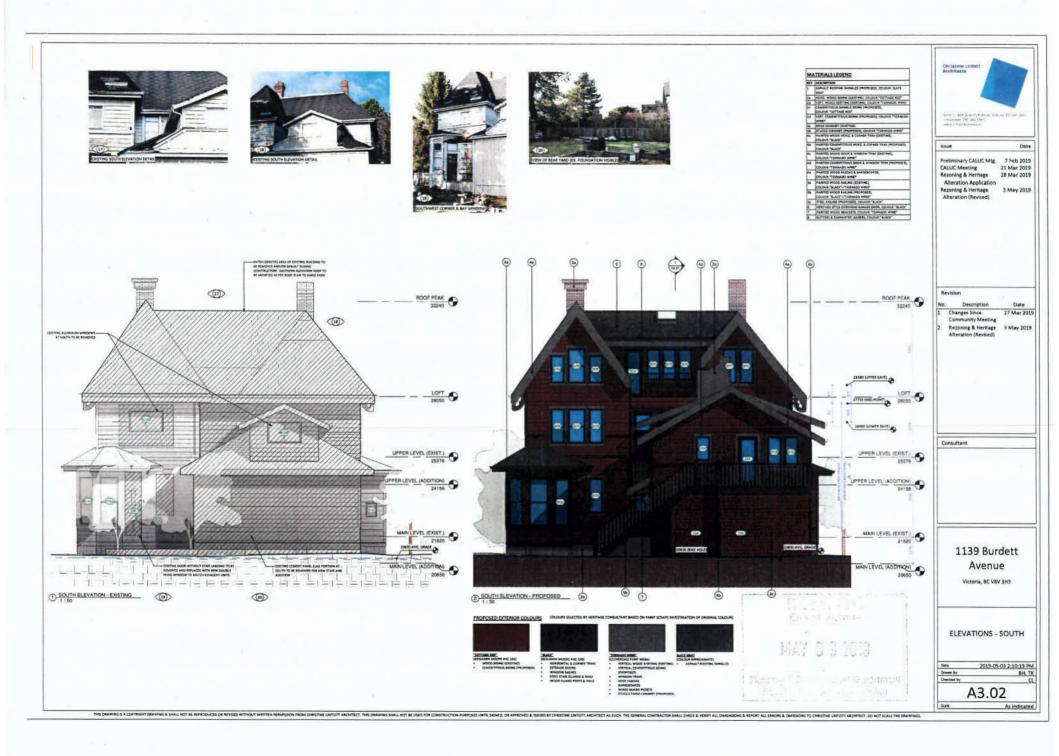


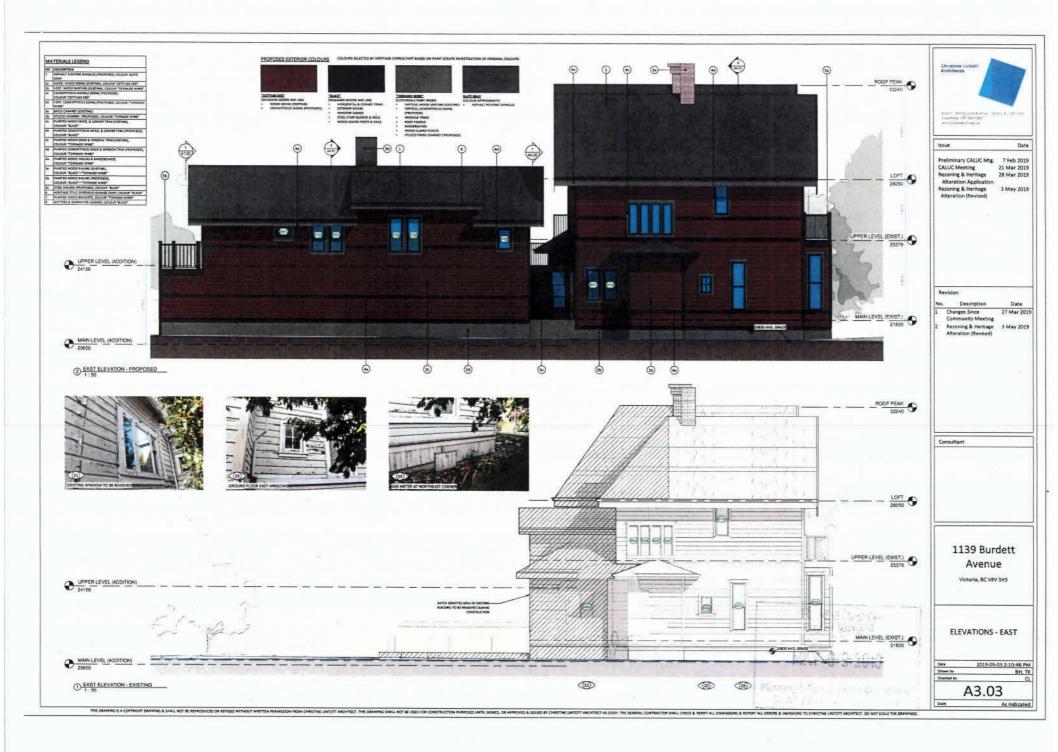


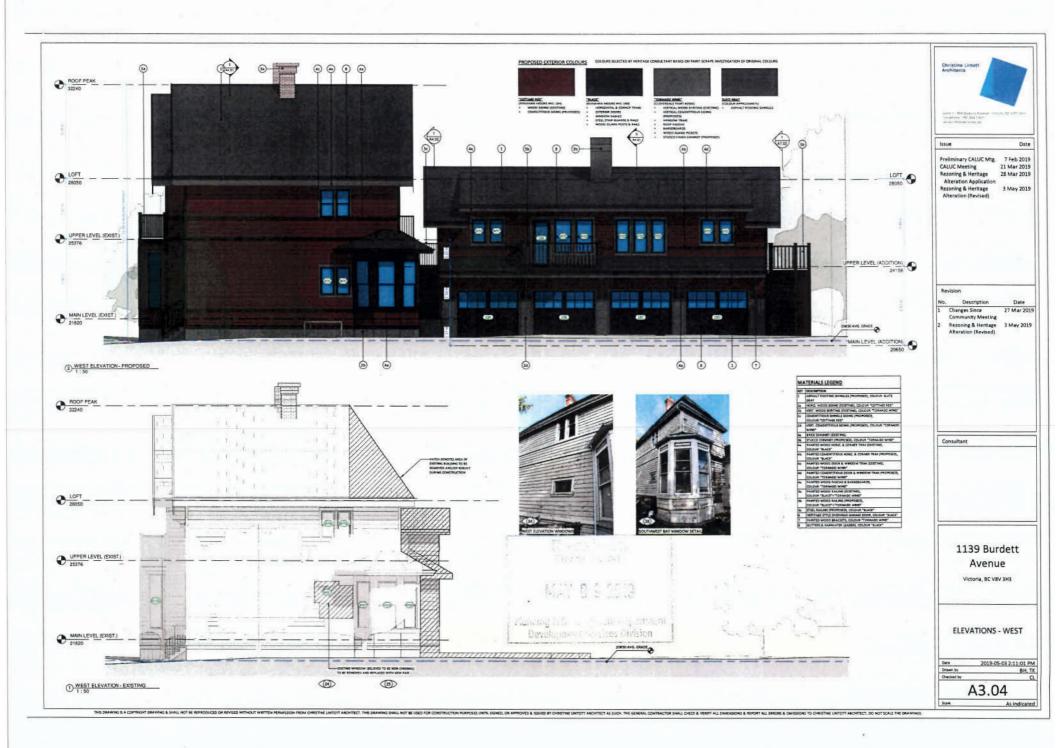


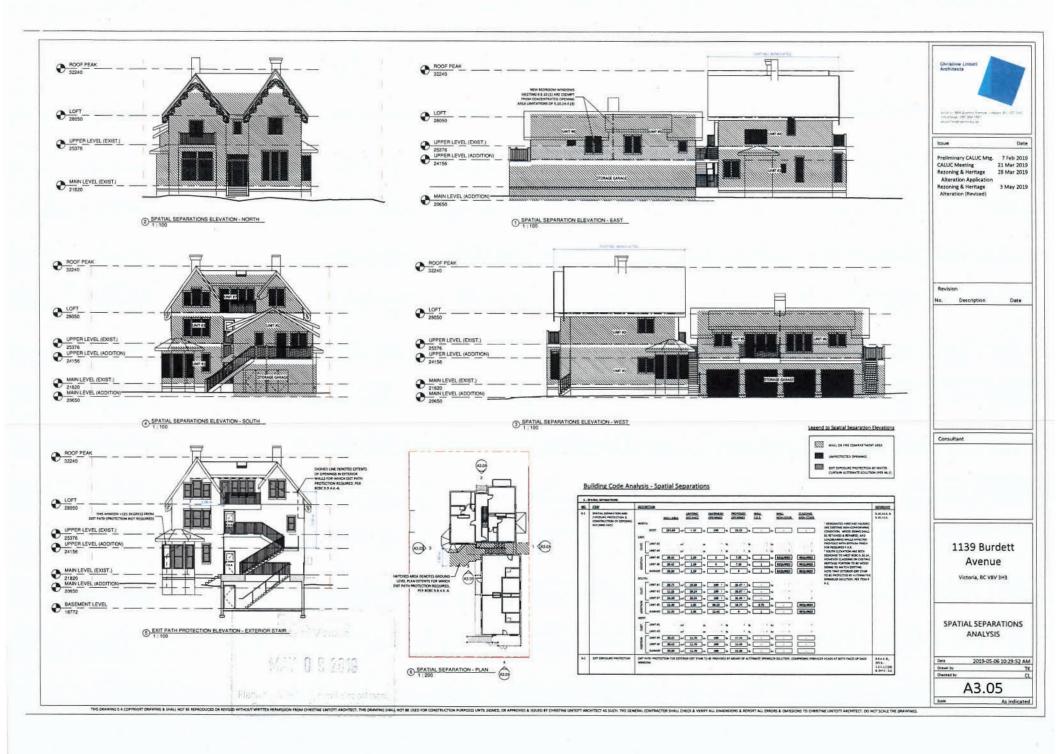


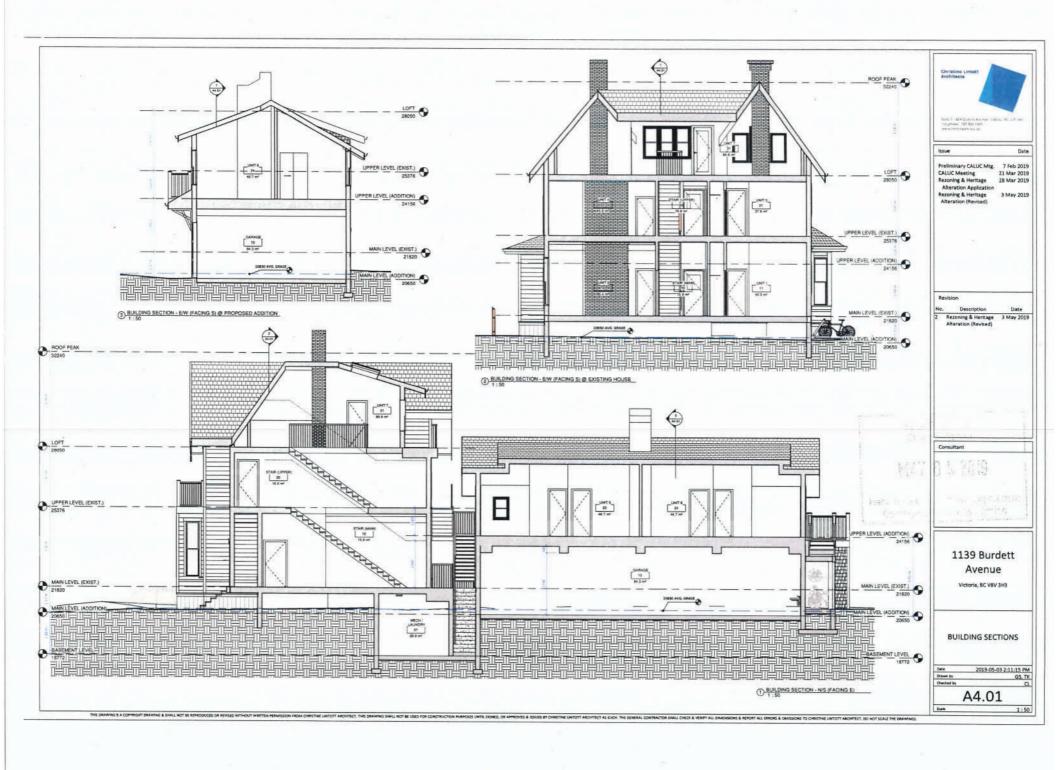


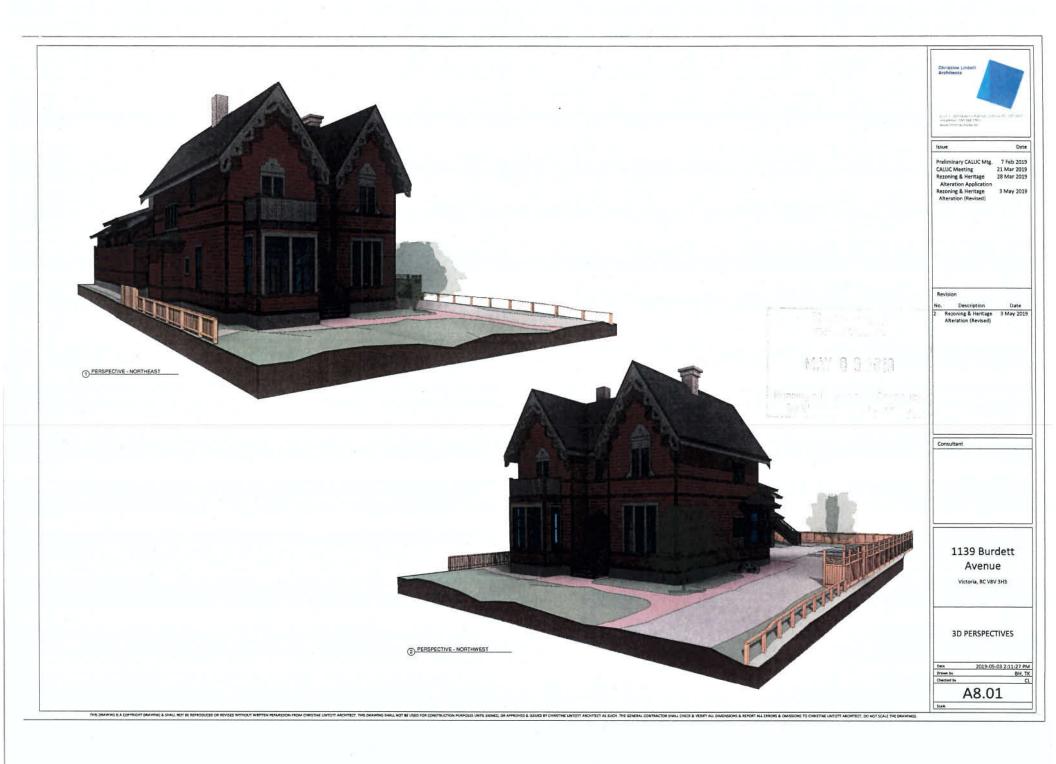


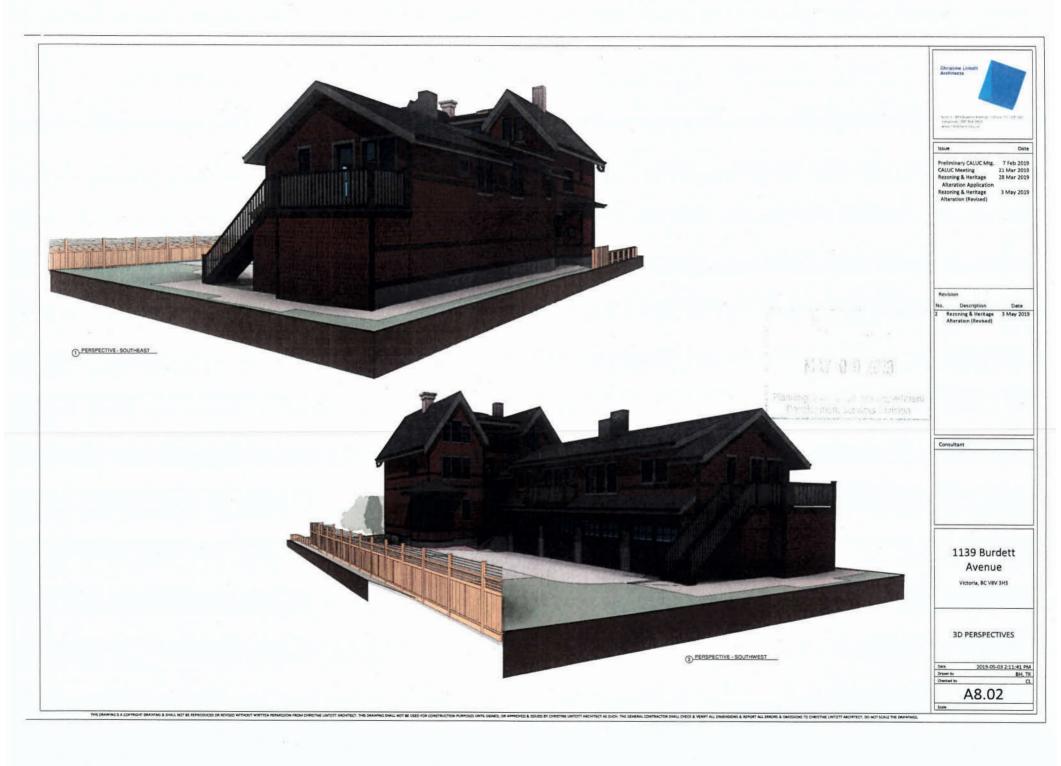


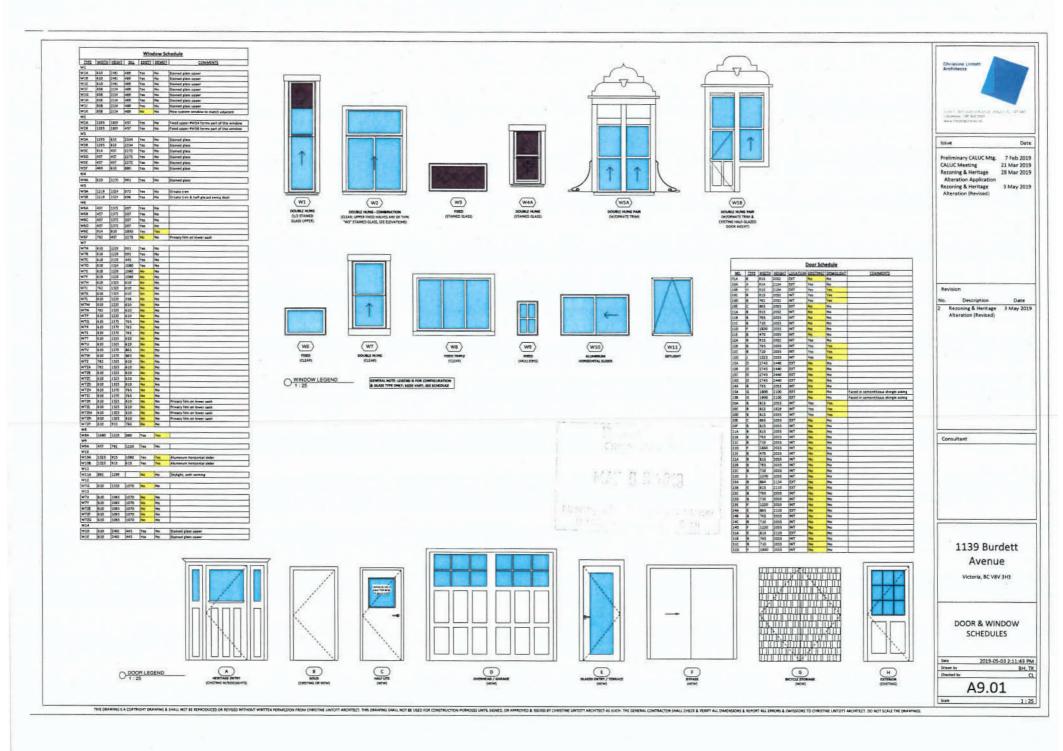


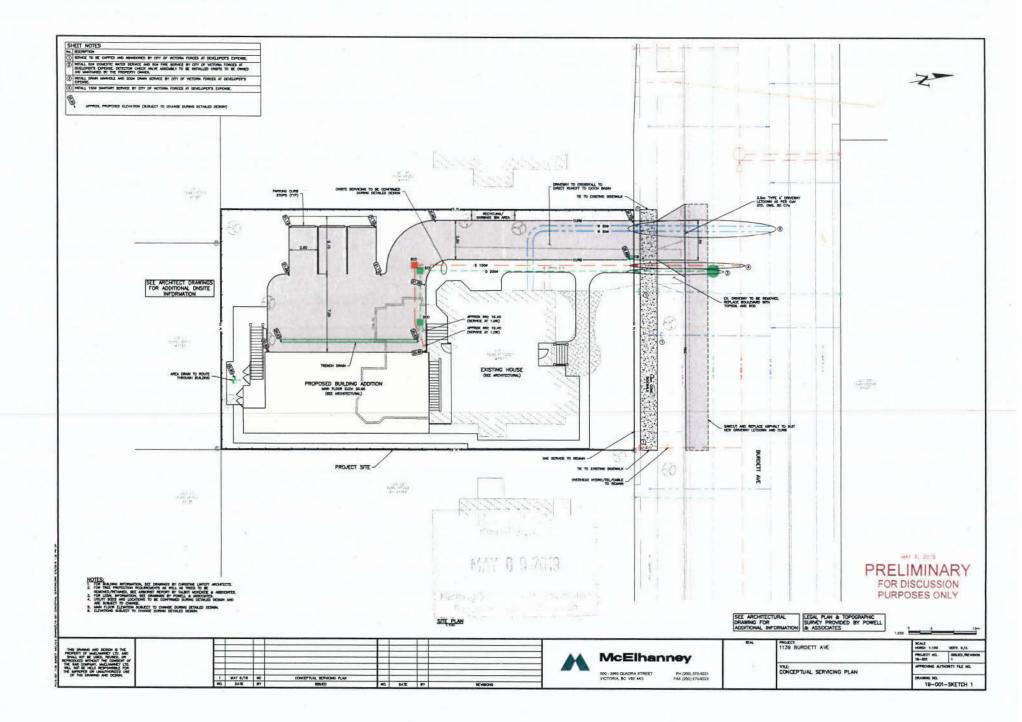












May 8th, 2019

The City of Victoria Attention: Mayor and Council 1 Centennial Square Victoria, BC V8W 1P6

RE: 1139 Burdett Avenue, Rezoning and Heritage Alteration Permit Application

The 'Arthur Scroggs House' at 1139 Burdett Avenue, designed by John Gerhard Tiarks and constructed in 1892, represents a rare example of the Gothic-revival style architecture in Victoria. It is particularly noteworthy for its elaborately carved bargeboards, Tudor arches and Gothic design motifs. In the intervening years, it has been used as a boarding house, and a prior building permit for a Southern extension was initiated in or around 1995 but not completed.

The house currently suffers from significant deferred maintenance, but through the restoration of this heritage building, we intend to reverse this trend and revitalize both the property and the neighbourhood. The renovation project proposes a conversion into market rental apartments, to provide seven much needed housing units in the City through a gentle density form of development. With this transition, we are committed to investing in the property for the long term, as the conversion to rental stock will restore and sustain its condition in perpetuity.

Description of Proposal

The proposal seeks to retain and restore the existing heritage house, add an addition to the rear, and change the use from a single family dwelling to market rental apartments. The residence is listed on the City of Victoria's Heritage Registry as a Designated Heritage building and as such the proposed conversion will be in keeping with those character defining elements defined by Heritage Consultant, Stuart Stark of Stuart Stark & Associates, in the attached Statement of Significance. An addition is proposed on the South side of the house, separated at the upper levels by a new exterior stair to provide safe exiting for all. The proposed addition will comply with the Standards and Guidelines for the Conservation of Historic Places in Canada. The proposed uses. A concurrent Heritage Alteration Permit will also be required.

Government Policies

The proposed conversion of the 1139 Burdett Avenue residence is consistent with the goals of Placemaking – Urban Design and Heritage in the City of Victoria's Official Community Plan, specifically:

- "conservation of cultural and heritage resources with value for present and future generations";
- "conserve and enhance the heritage value, character and special features of...individual properties" [8.6];
- "support new infill and building additions that correspond to context through sensitive and innovative design" [8.44], and;
- "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" [8.49].

With respect to the Neighbourhood Directions for Fairfield, Section 21 of the OCP, the proposal is consistent with the strategic directions which seek to "maintain and enhance established character areas", and "maintain neighbourhood population to ensure to support the viability of community and commercial services and schools." The addition of 7 residential units within the walkable Fairfield community will also support the goals outlined in Figure 3 of the OCP, specifically, to accommodate an additional 2000 people in Victoria by 2041, in areas outside of the urban core, town centers and large urban villages.

As the project is situated in general Development Permit Area #16, the design incorporates the strategies in "Advisory Design Guidelines for Buildings, Signs and Awnings" (1981), "Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development" (2012), and "Guidelines for Fences, Gates and Shutters" (2010), as outlined below:

- Existing architectural features of the heritage structure shall be retained and restored [1981, A.1]
- Addition complements and defers to the existing heritage house, with a clear delineation between new and old [1981, A.2]
- Scale of addition provides a transition in massing that is mindful of privacy of adjacent dwellings [2012, 1.6], and its overall form is broken into human-scaled proportions [2012, 3.1 & 3.3]
- Landscaping complements the building, is suited to local climate, and includes deciduous trees for light penetration in winter [2012, 5.1 & 5.6]
- Private open space in form of balconies provided wherever possible [2012, 5.8]
- Required parking located at rear, with much paving of permeable materials [2012, 8.1.3 & 8.3]
- All proposed fencing is based on existing style to integrate into surroundings, and made of materials that will weather gracefully [2010]

Project Benefits and Amenities

The key benefits of the project – restoring an outstanding heritage building and the contextual addition of six new dwellings – are interlinked and foundational to the proposal. Its sensitive conversion will deepen the neighbourhood's rich collection of heritage structures and help to cement the residential character of its transitional urban/residential zone.

Need and Demand

The proposal responds directly to a current shortage of rental market housing, where extremely low vacancy rates have contributed to rising housing costs. While existing zoning permits only one detached residence, the proposed rezoning would permit a total of seven (7) households on the property, so that more citizens can comfortably live, work and shop within blocks of downtown Victoria. This 'gentle density' form of development offers more housing without impacting the residential character of the neighbourhood.

Neighbourhood

The original house was built at a time when the surrounding land was undeveloped and predominantly agricultural, such that views from the Southwest windows of the upper storey would have extended across open fields to the Olympic Mountains. In the present day, the context is typical of transitional urban-residential zones, with a mix of renovated heritage homes, house conversions and multi-storey apartment buildings of various ages. As noted above, this proposal will help cement this character with infill housing while restoring heritage value for the long term.

Impacts

The configuration of the proposed addition was designed specifically to avoid visually impacting the view from Burdett Avenue, by being wholly situated to the rear of the site, and through keeping the addition significantly lower than the existing heritage portion. While the result of the proposal will be more people living on the property, care has been taken to ensure all parking is discreetly incorporated within the property, such that the availability of street parking is unaffected. The change to apartment use should not have an adverse noise impact and is complementary to the surrounding uses and buildings.

Design and Development Permit Guidelines

The site is located within General Development Permit Area #16, there are no specific design guidelines applicable in this instance. It is however notable that a Heritage Alteration Permit is required and that the Statement of Significance is the foundation for considering specific form and character, so design input from the Heritage Consultant has been sought and incorporated.

Safety and Security

The proposal acknowledges and integrates key CPTED principles to maintain and enhance safety and security. Entrances have been located for maximum visibility and directness from the street, and proposed living spaces facing all directions provide and promote passive surveillance. Short term bicycle parking will be visible from the sidewalk, thus discouraging opportunities for crime. Exterior lighting will be provided at exits for safety, but will also make them more secure. Along the street, the careful restoration of the heritage building will communicate an image of maintenance and care, further deterring negative activity such as graffiti.

Transportation

An explicit objective of the project design has been to ensure all required off-street parking requirements are met on site, so as to minimize impacts to the surrounding neighbourhood. Bicycle facilities shall also be provided in accordance with the requirements of Schedule C, and are anticipated to be well used given the property's proximity to downtown and to the signed bike routes along Vancouver Street and Richardson Street, both two blocks away. The site is also within blocks of major bus routes on Cook, Richardson and Fort Streets with connections to the entire CRD region. These transportation advantages, coupled with the walkable nature of the location, all serve to reduce the demand for single occupancy vehicle traffic.

Heritage

The existing residence, as noted above, is a designated property on the City of Victoria's Heritage Registry, which has been the principal consideration for all design decisions. Changes to the North, West and East elevations have been deliberately avoided in order to preserve and enhance its heritage features and presence. A Heritage Consultant has been engaged and regularly consulted, and as part of this proposal a Heritage Alteration Permit is being sought.

Green Building Features

There is a formidable arbutus tree at the Southwest corner of the property, and the site plan was developed to ensure its continued health. While the project is not seeking a third-party green building certification, it achieves several sustainable objectives intrinsic to infill housing, namely walkable density and opportunities for comfortable compact living. No excess vehicular parking is proposed, and additional short-term bicycle parking can be readily added in future. The landscape features will maximize planting areas, increase the urban forest via new numerous new trees, and incorporate permeable pavers in much of the hard surfaces required to meet the Schedule C parking requirements. I am specifically interested in the possibility of providing infrastructure to support future added green features such as electric vehicle charging stations and on site renewable energy sources, to allow planning for their inclusion when they are financially or technically viable.

Summary

The proposed renovation and addition to 1139 Burdett Avenue represents a sensitive and contextually appropriate project for the Fairfield neighbourhood. Support of the proposal will serve the restoration of a unique heritage structure and provide a 'gentle density' form of housing infill, which shall help sustain not only the existing structure, but the community at large.

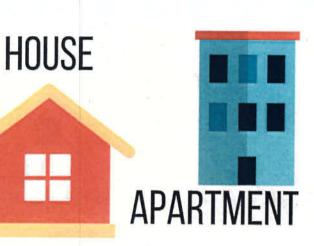
Sincerely,

Tim Stemp, Owner Harbinger Properties Inc.

CALUC Meeting Report: March 21, 2019

Address: 1139 Burdett

Developer: Tim Stemp Architect: Tim Kindrat at Christine Lintott; Heritage Consultant Stuart Stark Attendance: 9 (+5 Caluc)



Rezoning Re- quested	Current	Proposed	
	R1B	Site specific zone	
Variances		Technically none as it's a site specific zone. Rear setback will be a variance but it's a new zone	
OCP Amendment required?	no	no	
Number of Units	1	7	market rental in perpe- tuity
	Current Zone	Proposed	
Site Coverage	18.09%	33%	
Number of parking stalls	2-3	7	1 for each unit. 4 in the garage and 3 surface parking spots.
Set Back East	2.13	2.69	
Set Back West	6.29	17.99	
Set Back South	18.54	20.57	
Set Back North	4.85	4.85	

Actual Building

Proposed Building

FSR (Floor Space Ratio) 0.367

0.534 with addition

Height

9.35M (with a sloping Addition height 6.9M roof)

Further Comments:

- Developer/owner lives 2 doors down (20+ years)
- Owner wants to restore and preserve 1892 house; likely best example of Gothic Revival Style in Victoria; unique features, i.e. large carved barge boards on gables; ornamental trim, stained glass windows, recessed porch and original woodwork
- Converting into rental stock with original house and addition at the back; plan is for sustainable model
- · Meets CoV's objective for off-street parking without paving the entire backyard
- · House is designated heritage by CoV Heritage Foundation
- In 1995 the inside of the house was gutted
- 7 Suites would be market rental in perpetuity
 - · Existing house to have 5 suites approx 500 square feet
 - The addition (21 ft deep X 9.10 feet wide will be two suites above a four-car garage (1 suite 500 square feet, 1 suite 750 square feet; ceilings are 10')
 - Addition and house are attached below grade with an approx 7' wide space above grade, gives the idea of a carriage house; peak of addition is at floor level of the house's attic;
 - Fire escape on main house is metal; addition structure is metal framing with hardboard, fire escape/stairs wood
 - · Paint colour will be the original colours of the house
- No change to the front streetscape other than driveway shifting slightly to the west. to enable access to back parking spaces
- There is a large healthy arbutus tree on the property that developer wants to preserve; neighbour's large cherry tree also to be preserved; five trees to be removed and replaced with 12 trees (9 italian cypress, 2 magnolia and 1 japanese plum) in addition to shrubbery throughout the lot
- There is no sun and shadow study as it's not required by CoV
- December 2018: developer delivered information to residents within 100 metres and has had discussions with neighbours.
- Driveway will be asphalt with small strip of brick permeable pavers by the street or possibly permeable pavers with asphalt in the middle (still TBD); back parking lot will be permeable pavers so that residents can use the space as a big patio
- Bike storage: 6 short-term bike stand on west side of house; 8 long-term secure bike storage spaces at the back of the addition, within design of the building; 4 standing bike racks and 4 hanging bike racks + room for bike gear; heated and ventilated
- all one-bedroom units; 2 on grd floor, 2 on 2nd floor; 1 on 3rd floor, 2 above garage; not wheelchair accessible due to heritage structure; @ market rents

- EV parking: Conduit will be installed to have electric charging stations both inside the garage and outside paces
- Construction timeline: estimated 6-12 months
- · Construction parking: behind building initially, then in driveway

Neighbourhood Comments Feedback on development proposal:

- Neighbour 2 doors down: has had discussions with other neighbours and the only concern was if anything was going to change on the streetscape, which there isn't
- Admire the goals for the development
- Rockland resident: impressed with sensitivity towards the street and the detailed research
- support of neighbourhood is strong; like to see a heritage house restored and preserved while auditing the much-needed rental unit
- previous owner in attendance and commended owner for vision



<u>Talbot Mackenzie & Associates</u> Consulting Arborists

1139 Burdett Ave, Victoria

Construction Impact Assessment & Tree Preservation Plan

Prepared For:

Tim Stemp 1139 Burdett Ave Victoria, BC V8V 3H3

Prepared By:

Talbot, Mackenzie & Associates Noah Borges – Consulting Arborist ISA Certified # PN-8409A TRAQ – Qualified

Date of Issuance:

May 8, 2019

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6 Ph: (250) 479-8733 Fax: (250) 479-7050 Email: tmtreehelp@gmail.com



Consulting Arborists

Jobsite Property:	1139 Burdett Ave, Victoria
Date of Site Visit:	February 13, 2019
Site Conditions:	Residential lot. No ongoing construction activity.

Summary: We do not anticipate any by-law protected trees will be significantly impacted by the proposed construction. We recommend where driveways, parking areas, and walkways encroach within the critical root zones (CRZs) of trees to be retained (e.g. Arbutus #33, Cherry NT2, Plum NT3), they be "floated" overtop their root systems and be surfaced using permeable materials. The project arborist should also be on site to supervise these excavations to ensure no large roots are damaged. Five non-bylaw protected trees will be removed.

Scope of Assignment:

- To inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line
- Review the proposal to renovate the existing building and construct a two-storey addition, a new driveway, and three at-grade parking spaces
- Comment on how construction activity may impact existing trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

Methodology: We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet. Each by-law protected tree was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours' trees were not tagged. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. The by-law protected trees with their identification numbers were labelled on the attached Site Plan. The conclusions reached were based on the information provided within the attached plans from Christine Lintott Architects (dated May 1, 2019).

Limitations: No exploratory excavations have been requested and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.

Summary of Tree Resource: Eleven trees were inventoried, including one bylaw protected Arbutus tree at the southwest corner of the property. The applicant owns the property to the east, where three trees are located within 3m of the property boundary.

Trees to be Removed: Five non-bylaw protected trees will require removal due to construction related impacts:

• Trees #2, 31, 32, 34, and 35 are within the footprints of the proposed driveway, parking area, or "bicycle storage access aisle".

Potential Impacts on Trees to be Retained and Mitigation Measures

• Arbutus #33 (103cm DBH, 15.5m CRZ) is located at the southwest corner of the lot. The proposed parking area, driveway, and walkway to the bicycle storage area are all within 7m of the base of the tree. If excavation to bearing soil is required to construct these paved areas, large roots may be encountered, which, if severed, could significantly impact the health of the tree. The house addition also encroaches within the tree's CRZ, though we do not anticipate large, critical roots will be encountered during excavation. Based on discussions with the applicant, it is our understanding that a raised permeable driveway be constructed in the area where the proposed driveway, parking area, and walkway cross over the CRZ of the tree. The "floating driveway/parking area/walkway" specifications are attached.

The objective is to avoid root loss and to instead raise the driveway/parking area/walkway and their base layers above the roots. This may result in the grade of the "floating driveway/parking area/walkway" being raised above the existing grade (the amount depending on how close roots are to the surface and the depth of the driveway base layers). This may also result in soils which are high in organic content being left intact underneath. Based on discussions with the applicant, it is our understanding that the final grades of the driveway shown on the attached site plans are based on minimal excavation and the total thickness of the base layers and pavers to be approximately 30cm. Without an exploratory excavation, we cannot be certain of the depth at which roots will be encountered, so the final grades may vary slightly.

To allow water to drain into the root systems below, we also recommend that the parking area surface be made of a permeable material (instead of conventional asphalt or concrete) such as permeable asphalt, paving stones, or other porous paving materials and designs such as those utilized by Grasspave, Gravelpave, Grasscrete and open-grid systems.

It is also our understanding that the bike aisle (south of the parking area and garage) will be surfaced with gravel with a permeable binder to minimize excavation within its footprint. The grade of the bike storage area has also been raised to minimize excavation within the tree's CRZ and the "low landscaping wall" at the south end of the bike aisle has been removed in the latest site plans.

We recommend the project arborist be on site to supervise all excavation within the CRZ of this tree, including for construction of the house addition and stairway from the second floor. Any non-critical roots encountered should be pruned back to sound tissue to encourage

compartmentalization of wounds. The accessory structure in the backyard to be demolished should also be completed under arborist supervision. The recommended barrier fencing (see attached site plans) may only be adjusted as required during construction of the paved areas and demolition of the accessory structure.

- Plum NT1 (14cm DBH) is located approximately 2.75m from the new driveway apron. We do not anticipate any roots from this tree will be encountered during excavation. Barrier fencing should be erected around the perimeter of this tree's CRZ to avoid accidental mechanical damage and soil compaction.
- Cherry NT2 (58, 42cm DBH) A pathway along the northeast corner of the existing house is proposed to be constructed approximately 2m away from this tree. If excavation to bearing soil is required, we anticipate large roots from this tree will be encountered, which if severed, could significantly impact its health and structure. We recommend the project arborist supervise any excavation within the tree's CRZ and any large roots encountered must be retained. The same "floating" techniques and permeable surfacing options recommended within the CRZ of Arbutus #33 should be applied to this tree. Barrier fencing around this tree may only be adjusted during construction of this pathway.

It should be noted that the 42cm stem has a large trunk wound, possibly from an old tear-out injury. A large area of bark has been stripped but it appears the wound has been compartmentalized. If this tree is to be retained, it may be prudent to have a climbing arborist inspect the wound and possibly prune the stem to reduce the load above the wound and to attain clearance from the utility lines.

- **Purple Leaf Plum NT3** (15cm DBH) is located on the west neighbour's property near the existing fence. The new driveway is proposed to be constructed 1m from the property boundary. Assuming that excavation will occur to bearing soil within the driveway footprint, and will likely extend at least 30cm outside the footprint, we recommend the project arborist supervise excavation within this tree's CRZ if tree retention is desired, and that any large roots encountered be retained. We do not anticipate critical roots will be severed or that the tree's long-term health will be impacted.
- Western Red Cedar NT4 (~40cm DBH) and Holly NT5 (25cm DBH) are both located on the neighbouring lot to the east, which is also owned by the applicant. Neither are by-law protected.

The holly is located 2-2.5m from the southeast corner of the existing house, which is to be demolished and where a new foundation will be formed. Assuming excavation occurs 1m outside the building footprint, we anticipate roots from this tree will be encountered. Roots will also be encountered if excavation down to bearing soil is required for construction of the proposed pathway along the east side of the house. If tree retention is desired, we recommend the project arborist supervise the excavation and any large roots encountered be retained underneath the pathway. Some hand-digging, in combination with machine digging will be required. Though holly trees typically exhibit good tolerance of root disturbance, depending on the number and size of roots encountered, the tree's health and structure could be significantly impacted.

1139 Burdett Ave - Tree Preservation Plan

Excavation for construction of the new addition and pathway will occur approximately 3-3.5m from cedar NT4, and roots are likely to be encountered. We do not anticipate its long-term health will be significantly impacted but if tree retention is desired, we recommend the project arborist prune any severed roots back to sound tissue at the edge of excavation.

- Underground Services: Based on discussions with the applicant and the attached plans, the underground water, storm, and sewer service connections will be upgraded. The gas service may also have to be upgraded. We recommend any existing services be capped and abandoned as far as possible from any trees to be retained. If any excavation is required within the CRZs of trees to be retained, we recommend the project arborist be on site to supervise the excavation.
 - Water: The new water service will be installed underneath the new driveway. Based on the attached plans, excavation will occur approximately 1.5m from the neighbour's Plum NT3. We anticipate small roots may be encountered. We recommend the project arborist supervise any excavation within the tree's CRZ and prune back any severed roots to sound tissue at the edge of excavation.
 - Sanitary Sewer and Storm Drain: These services will be installed underneath the existing driveway, where we do not anticipate roots from any trees to be retained will be encountered. Trench drains will be installed in the backyard up to Apple #35. Some small roots may be encountered from Arbutus #33, but the edge of excavation is approximately where we anticipated it would be for the new building addition.
 - **Gas:** The existing gas service is located east of the house and may have to be upgraded. If so, preferably, it will also be installed west of the house, underneath the existing driveway. If it has to be installed east of the house, excavation will be required within the CRZ of Cherry NT2. The project arborist will have to supervise this excavation, which should be completed using a hydro-vac, air-spade, a combination of machine and hand-digging, or with the use of a pneumatic borer.
- Arborist Supervision: All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. In particular, the following activities should be completed under the direction of the project arborist:
 - Any construction-related activity within the CRZ of Arbutus #33
 - Excavation for construction of the proposed walkway within the CRZ of Cherry NT2
 - Excavation for construction of the proposed driveway within the CRZ of Plum NT3
 - Any excavation to upgrade the water, sewer, gas, or storm laterals within the CRZ of trees to be retained
- **Barrier fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should

1139 Burdett Ave - Tree Preservation Plan

be erected at the perimeter of the critical root zones. The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

- Minimizing Soil Compaction: In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:
 - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
 - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
 - Placing two layers of 19mm plywood.
 - Placing steel plates.
- Mulching: Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See "methods to avoid soil compaction" if the area is to have heavy traffic.
- **Blasting:** If required, care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.
- Scaffolding: This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see "Minimizing Soil Compaction" section).
- Landscaping and Irrigation Systems: The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable

locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.

- Arborist Role: It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - Locating the barrier fencing
 - Reviewing the report with the project foreman or site supervisor
 - Locating work zones, where required
 - Supervising any excavation within the critical root zones of trees to be retained
 - Reviewing and advising of any pruning requirements for machine clearances
- **Review and site meeting**: Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

Please do not hesitate to call us at (250) 479-8733 should you have any further questions.

Thank you,

Noal Barges-

Noah Borges ISA Certified #PN-8409A TRAQ – Qualified

Talbot Mackenzie & Associates ISA Certified Consulting Arborists

Encl. 1-page tree resource spreadsheet, 20-page site and building plans with trees, 1-page conceptual site servicing plan, 1-page floating driveway/parking area/walkway specifications, 1-page barrier fencing specifications, 2-page tree resource spreadsheet methodology and definitions

Disclosure Statement

- Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.
- Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

1139 Burdett Ave - Tree Preservation Plan

1139 Burdett Ave Tree Resource Spreadsheet

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	By-Law Protected	Retention Status
2	Willow	Salix spp.	45, 21	6	7.0	Moderate	Fair	Fair/poor	Included bark in unions	N	x
31	Norway Spruce	Picea abies	40	6	5.0	Moderate	Good	Good		N	x
32	Hawthorn	Crataegus spp.	24, 18, 15	3	4.5	Good	Fair	Fair		N	х
33	Arbutus	Arbutus menziesii	103	10	15.5	Poor	Good	Good	Minor dieback	Y	Retain
34	Pear	Pyrus spp.	30	4	3.5	Moderate	Fair	Fair		N	х
35	Apple	Malus spp.	23, 16, 16	3	5.0	Moderate	Fair/poor	Fair/poor	Trunk wounds	N	х
NT1	Purple Leaf Plum	Prunus cerasifera	14	4	1.5	Moderate	Good	Fair	Municipal (ID: 16064)	N (Municipal)	Retain
NT2	Cherry	Prunus spp.	58, 42	10	10.0	Moderate	Fair	Fair	Shared, topped, large trunk wound on 42cm stem	Y (Neighbour's)	Retain
NT3	Purple Leaf Plum	Prunus cerasifera	~15	5	2.0	Moderate	fair	Fair	Neighbour's, next to fence	N (Neighbour's)	Retain
NT4	Western Red Cedar	Thuja plicata	~40	5	6.0	Poor	Fair	Fair/poor	Neighbour's, 3m from fence, topped	N (Neighbour's)	Retain
NT5	Holly	Ilex spp.	25	3	2.5	Good	Good	Good	Neighbour's, next to fence	N (Neighbour's)	Retain

Prepared by:

Talbot Mackenzie & Associates ISA Certified and Consulting Arborists Phone: (250) 479-8733 Fax: (250) 479-7050 email: tmtreehelp@gmail.com

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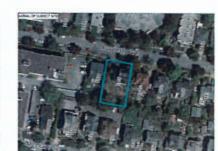
1139 Burdett Avenue

Arthur Scroggs House (Built 1892) Heritage Designation Bylaw #87-121, no. 245 (24 August 1989)

Rezoning & Heritage Alteration Permit Application (Revised) 3 May 2019

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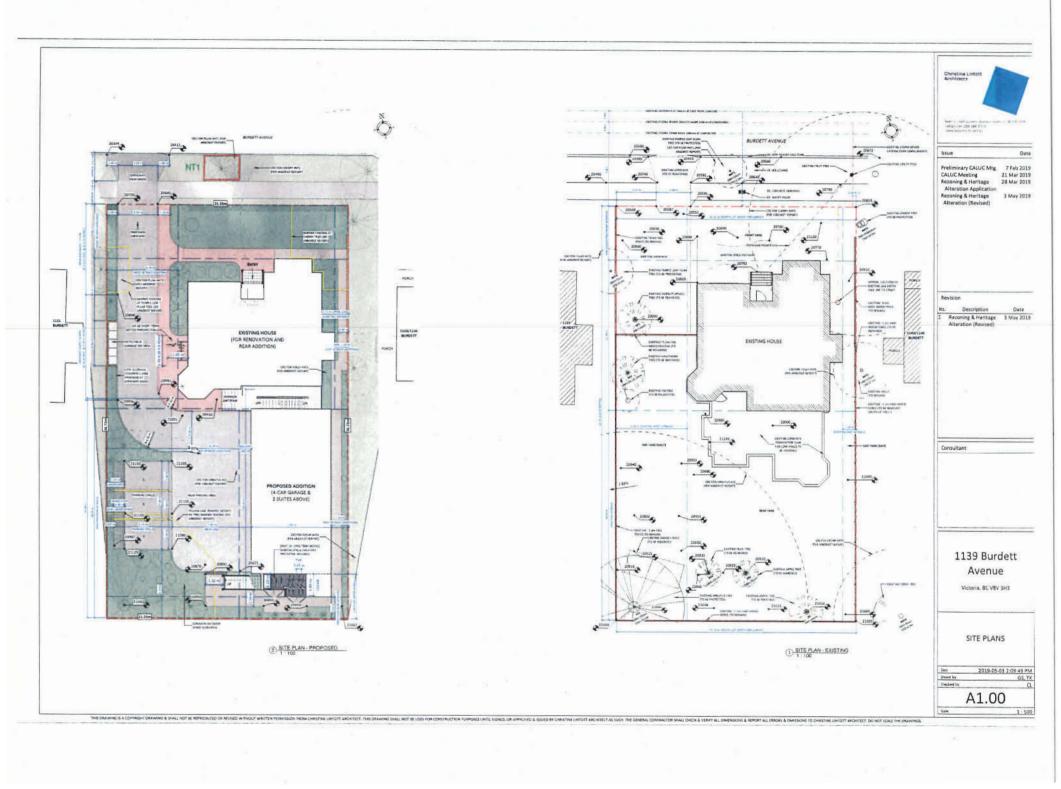
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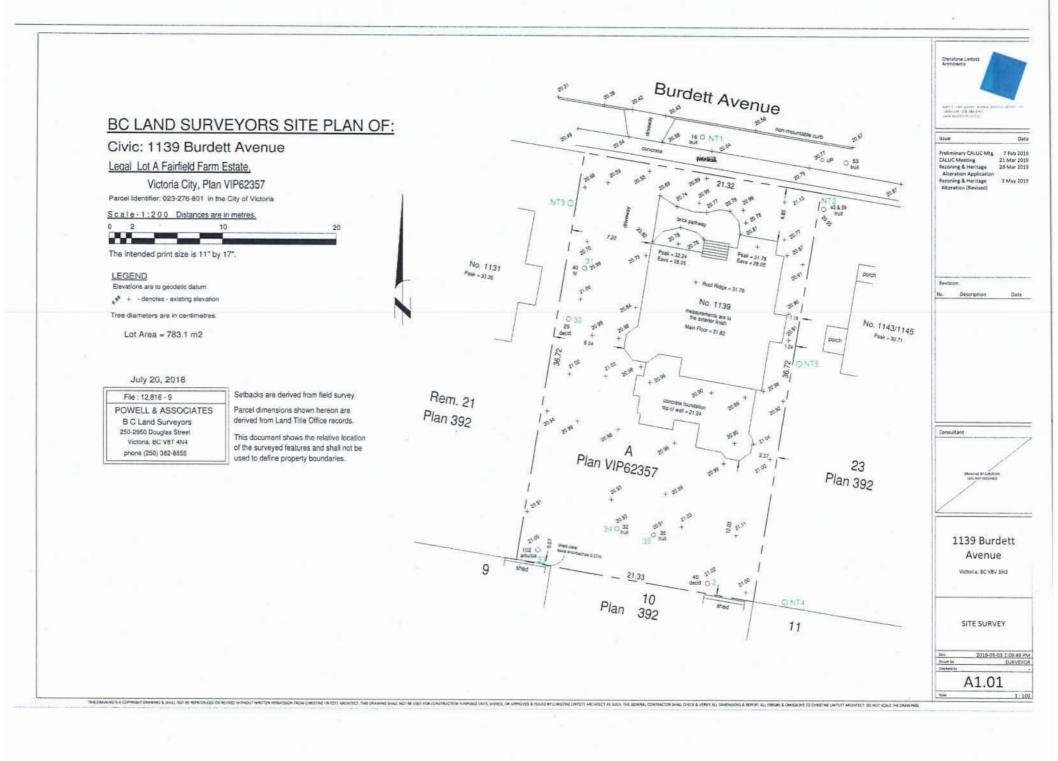
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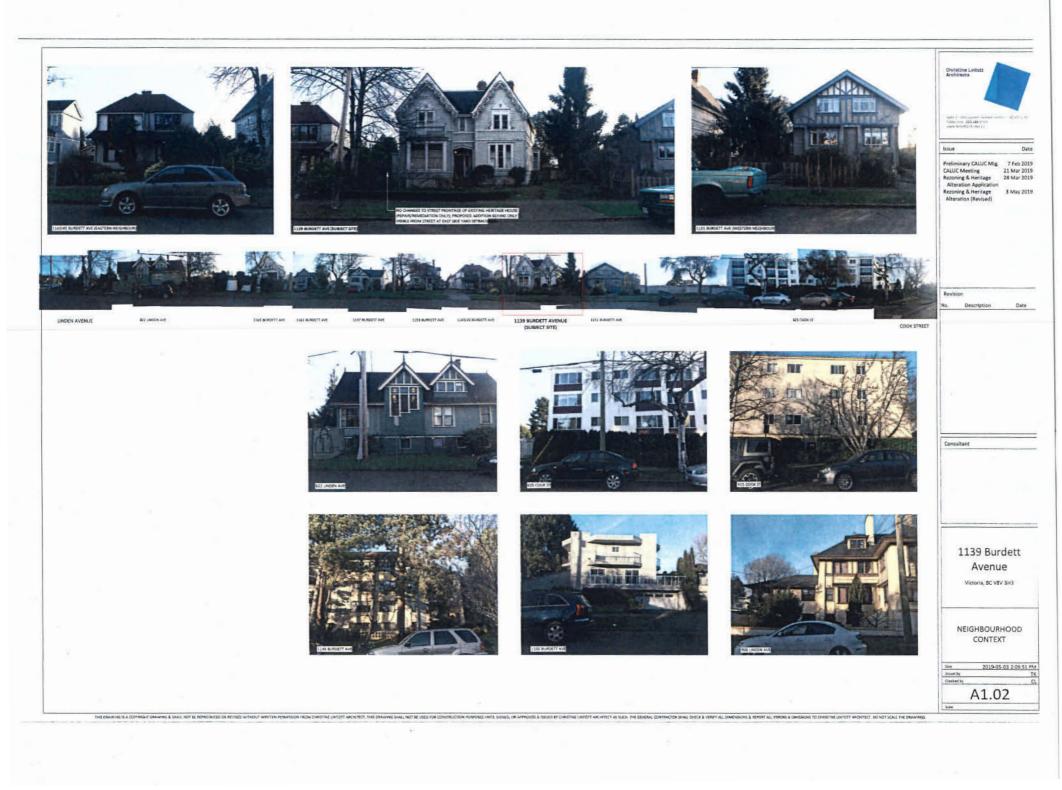
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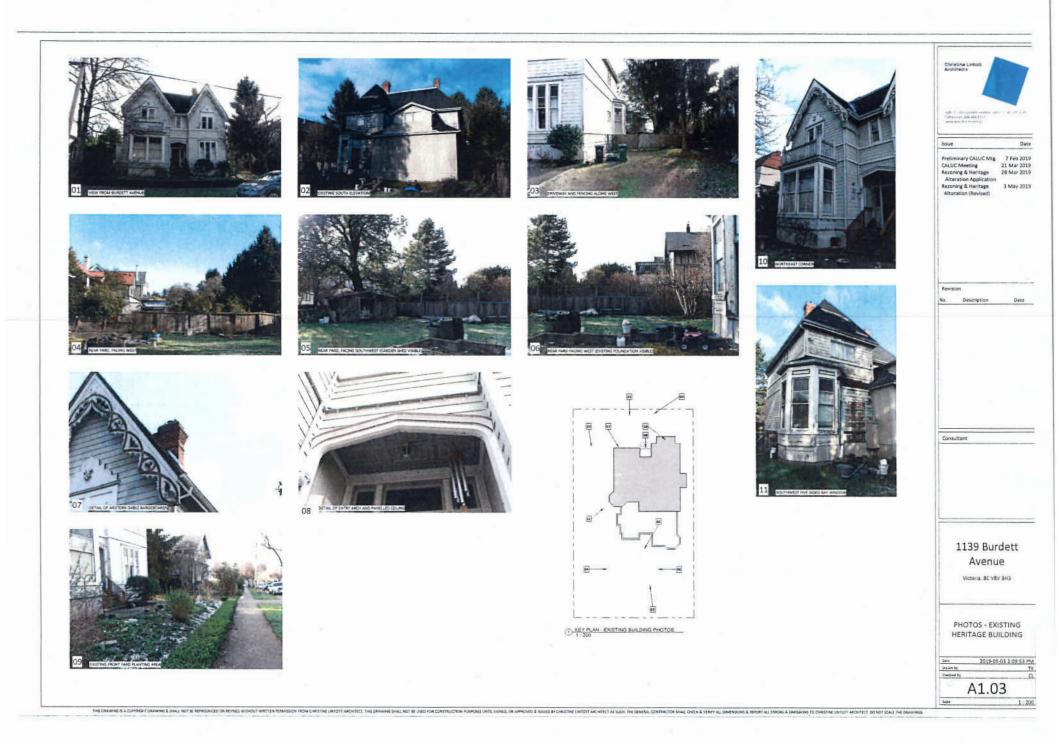
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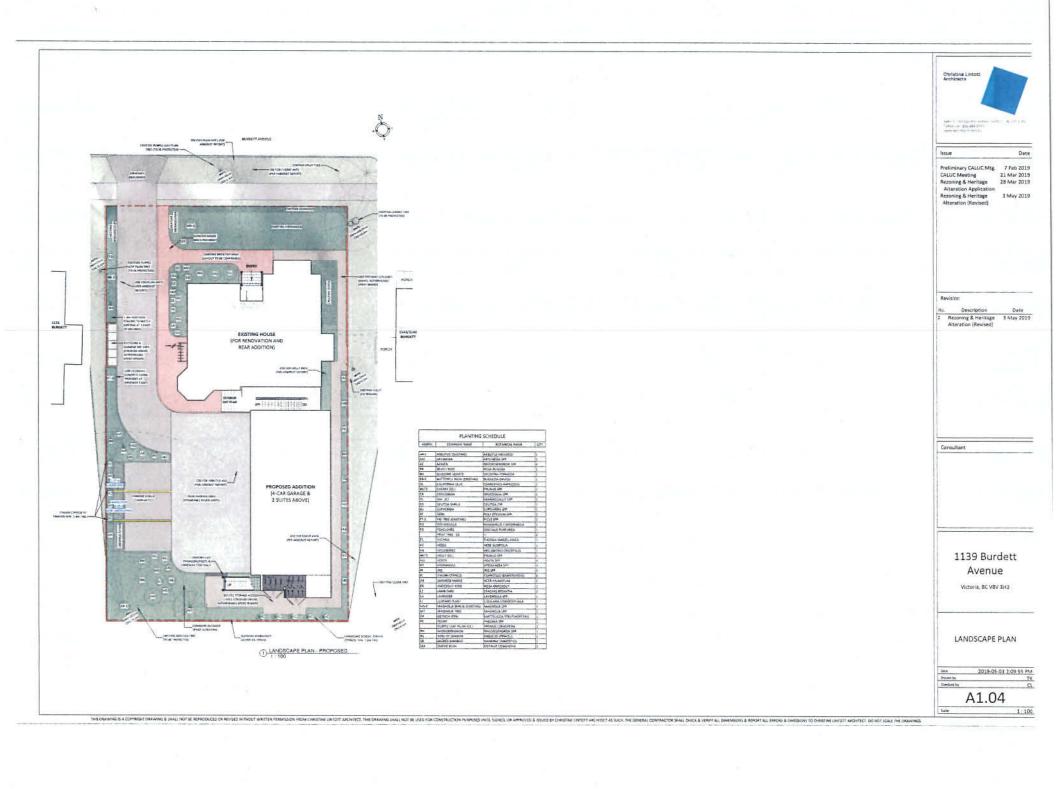
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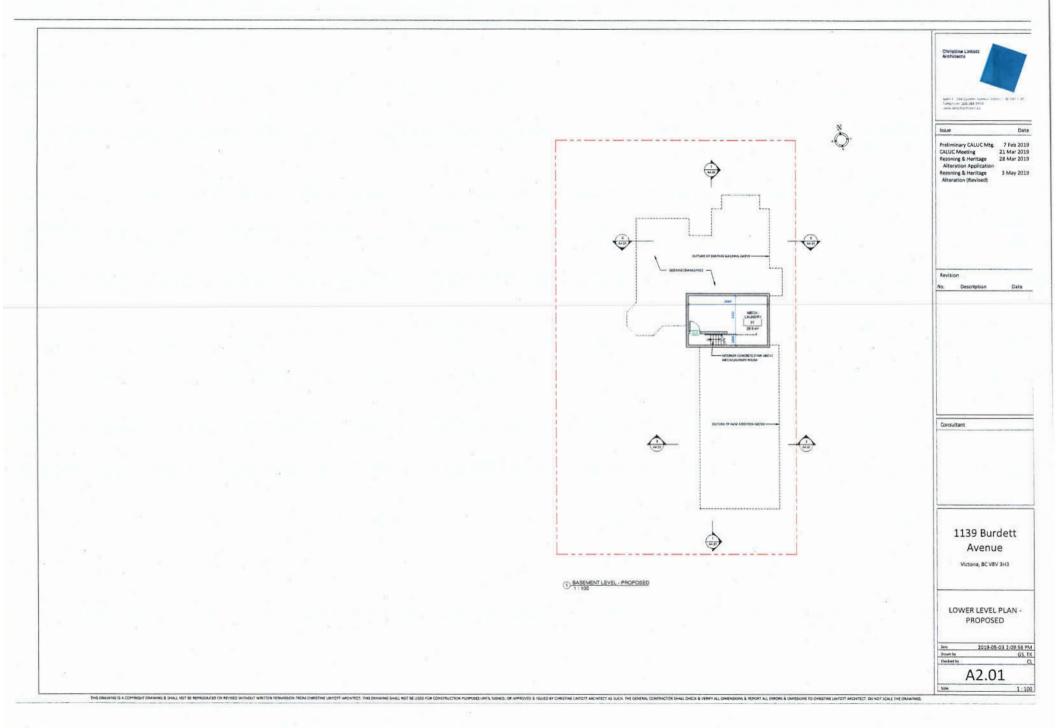


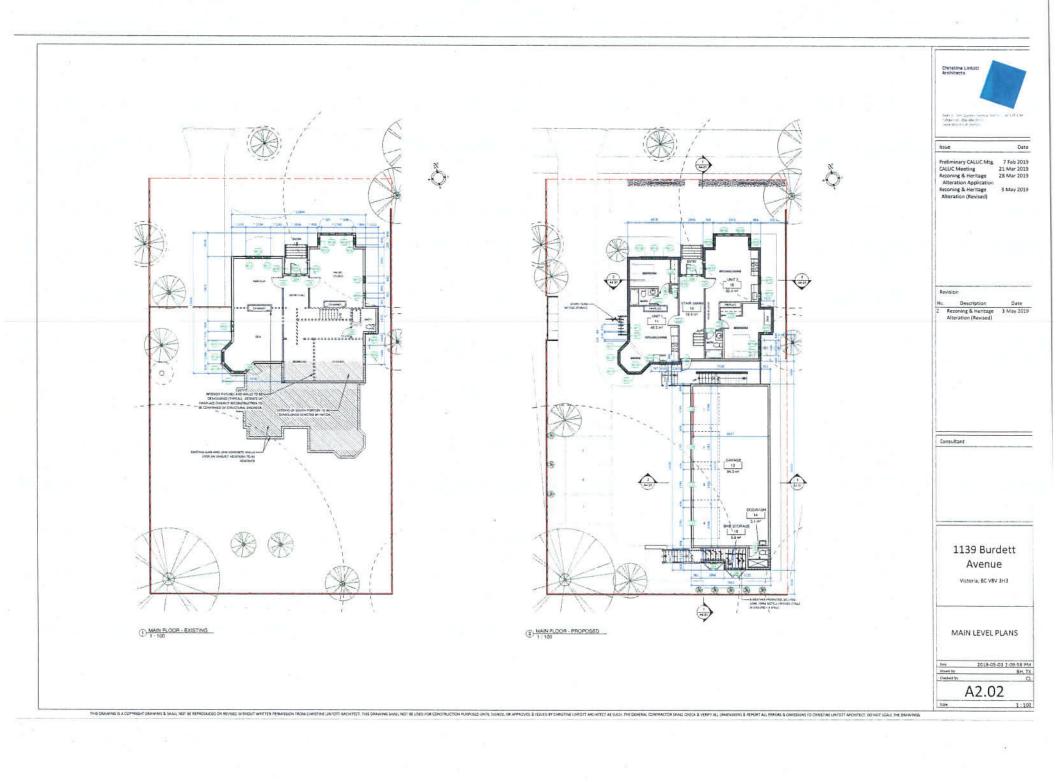


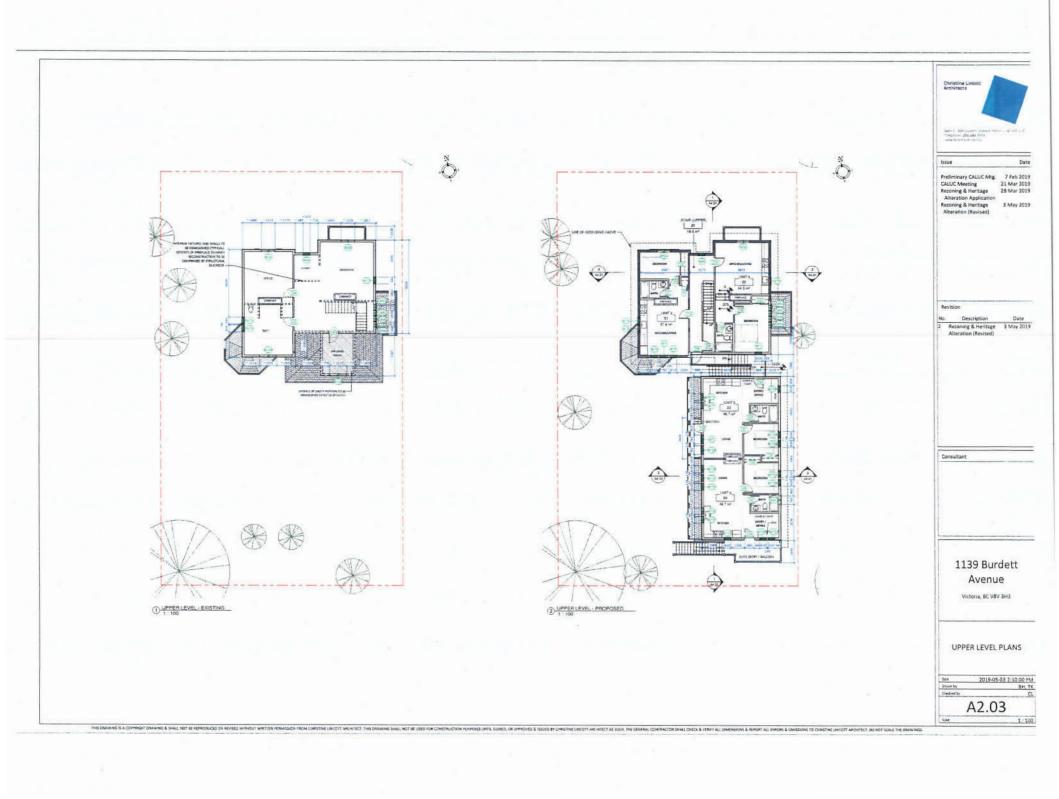


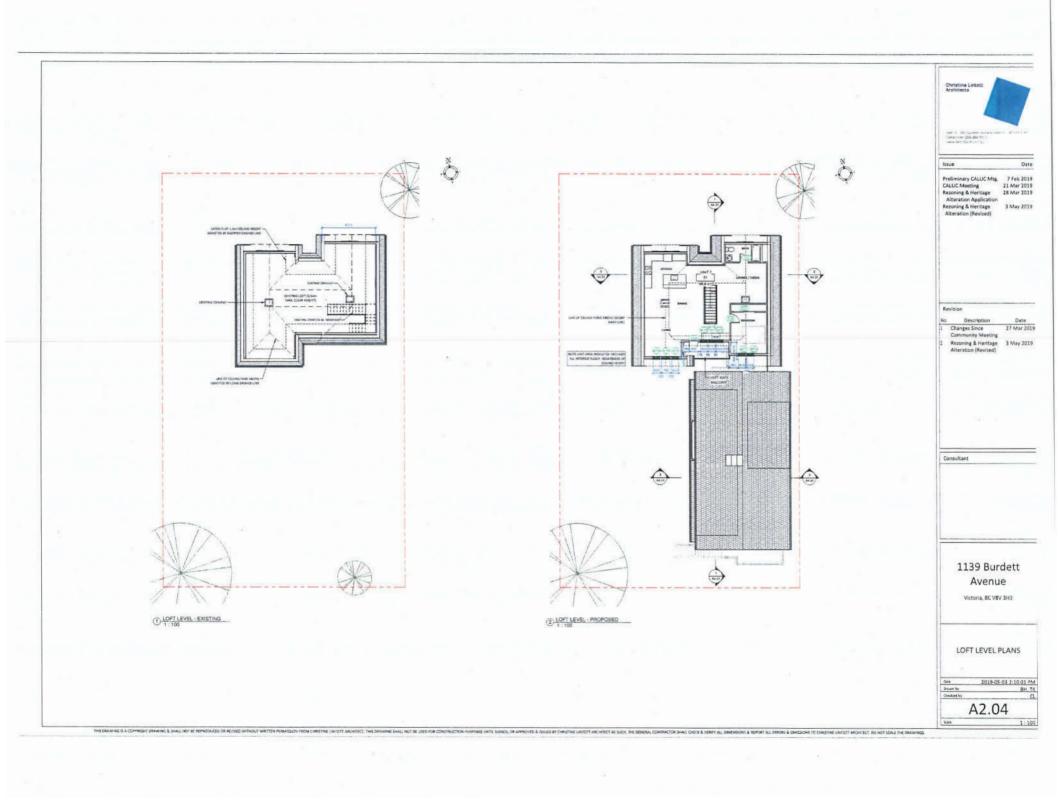


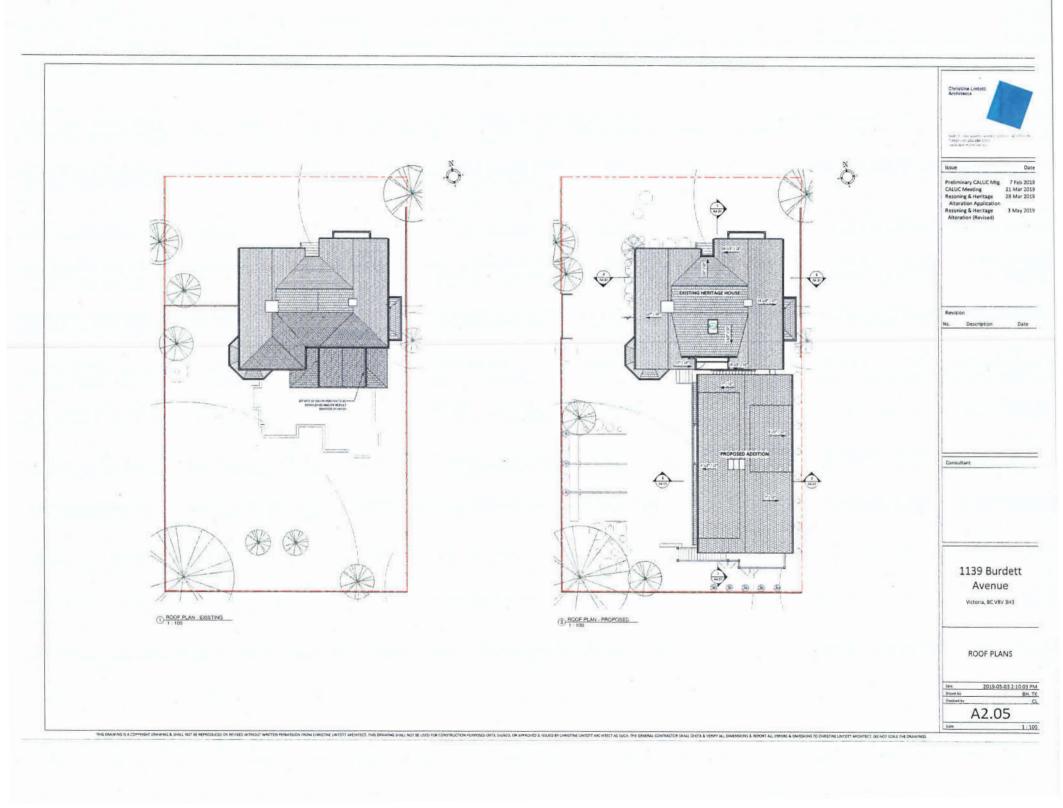


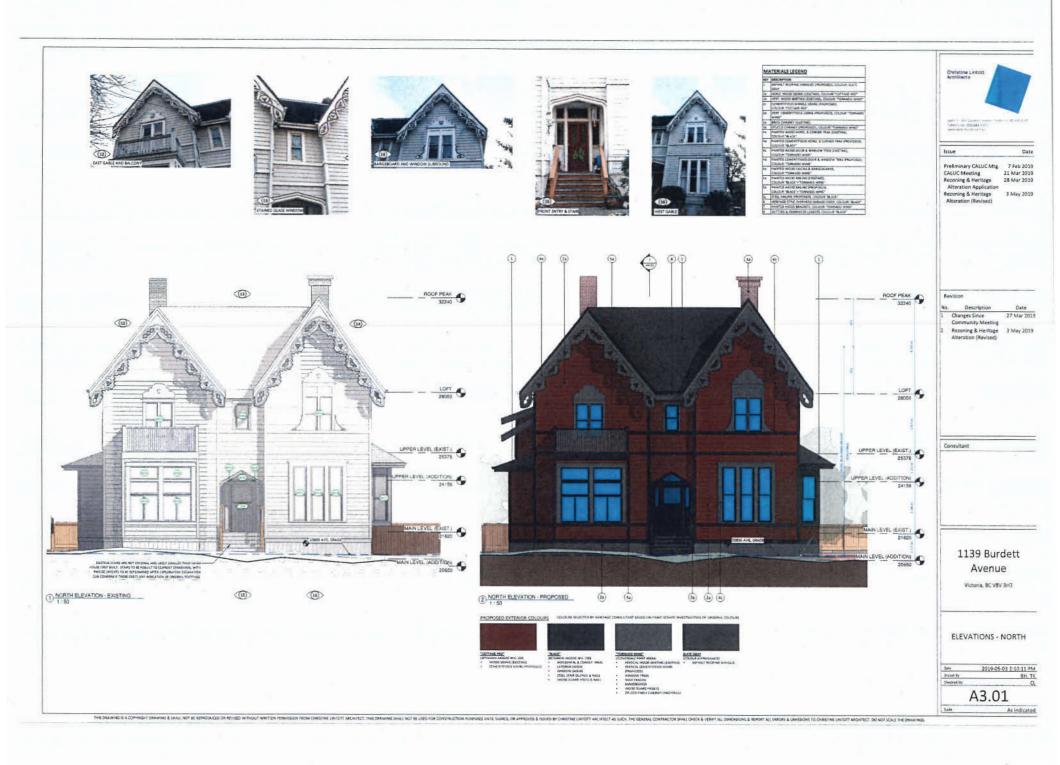


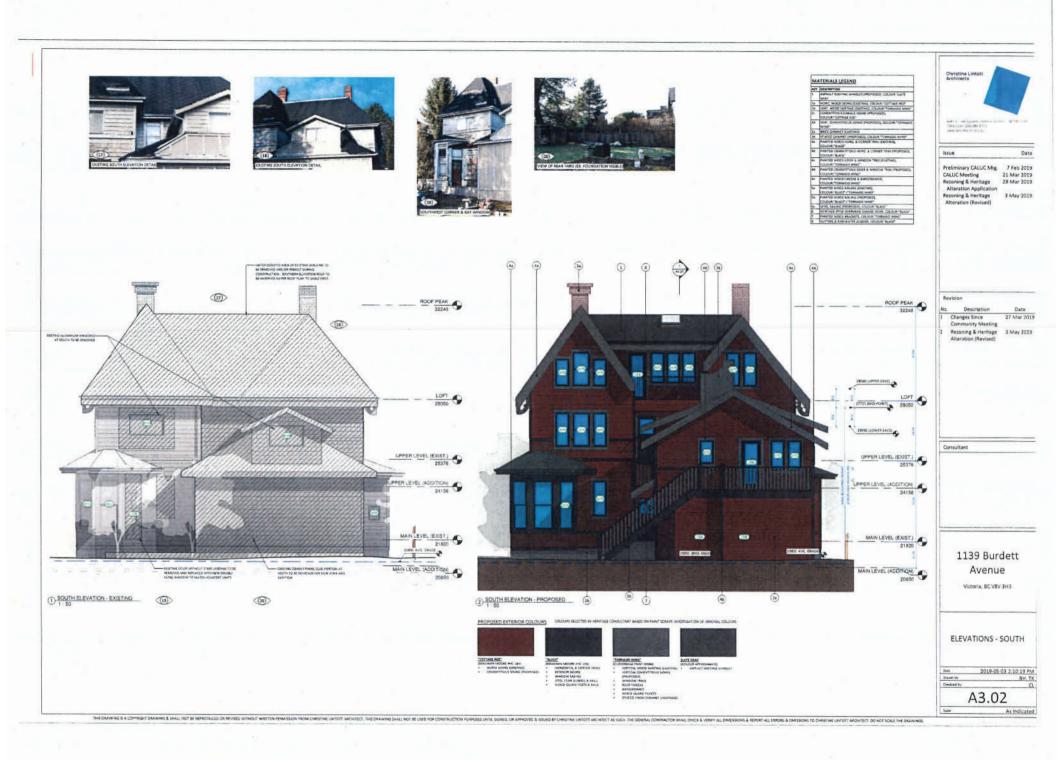


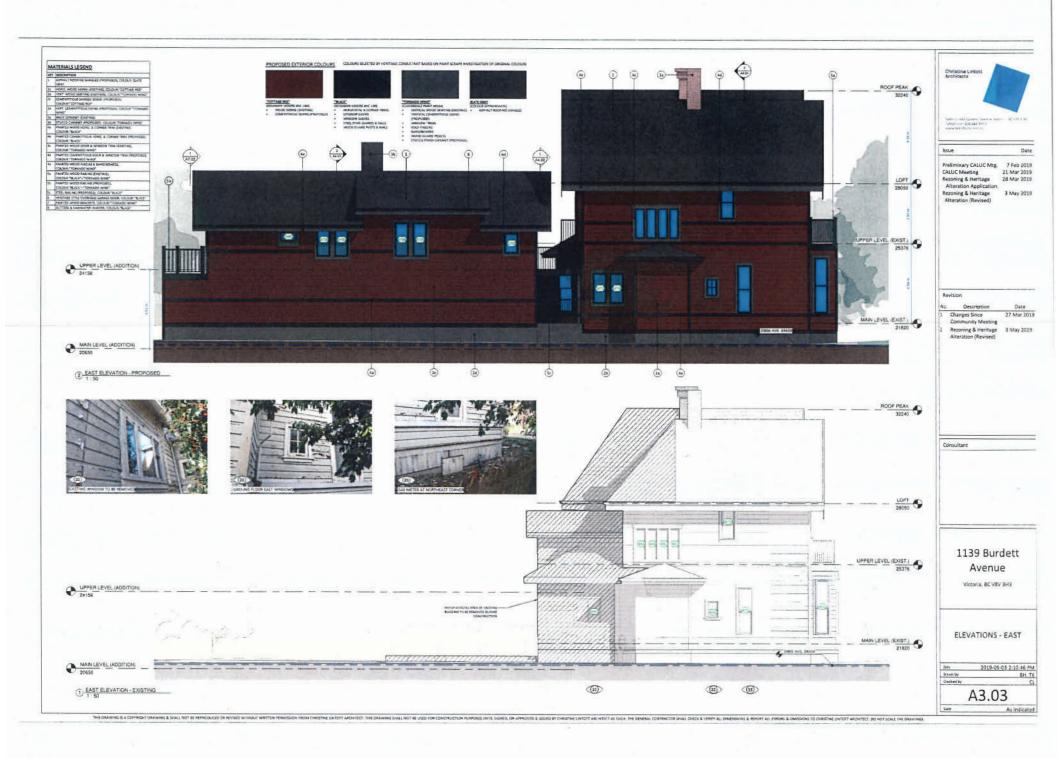


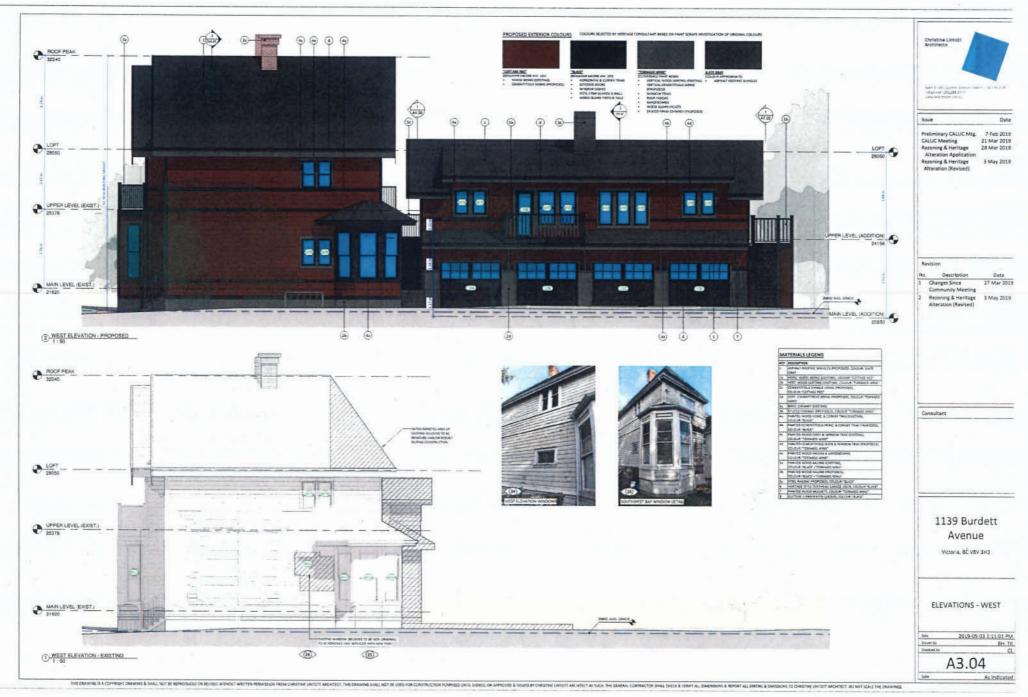


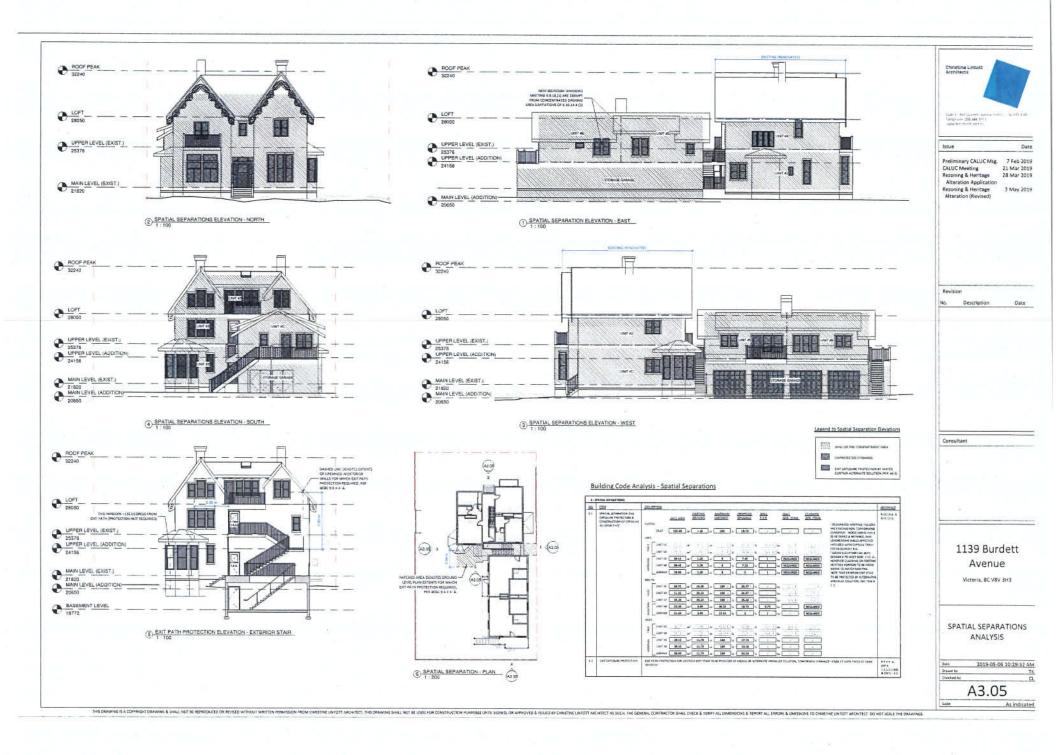


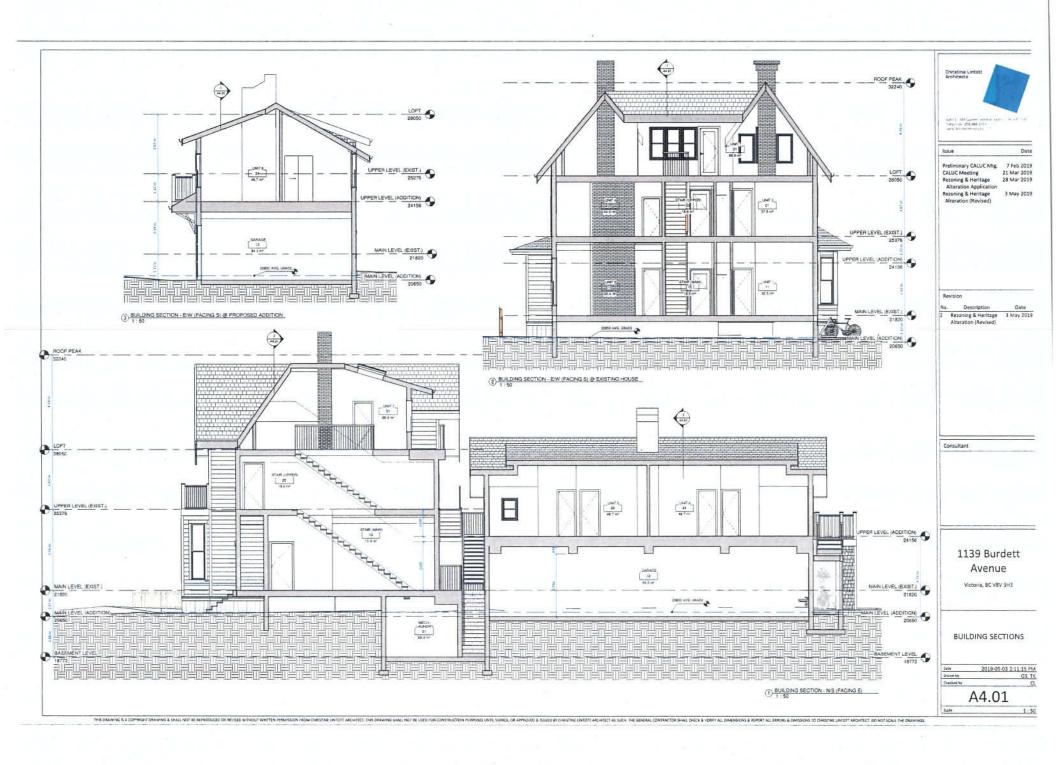


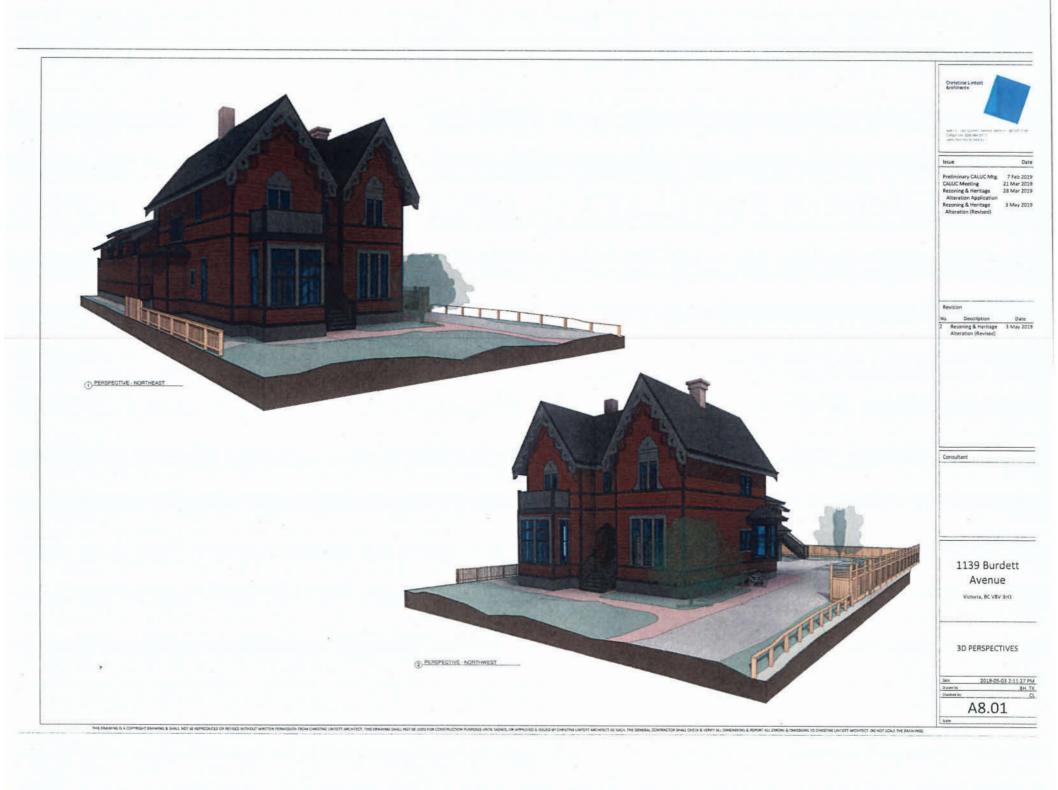


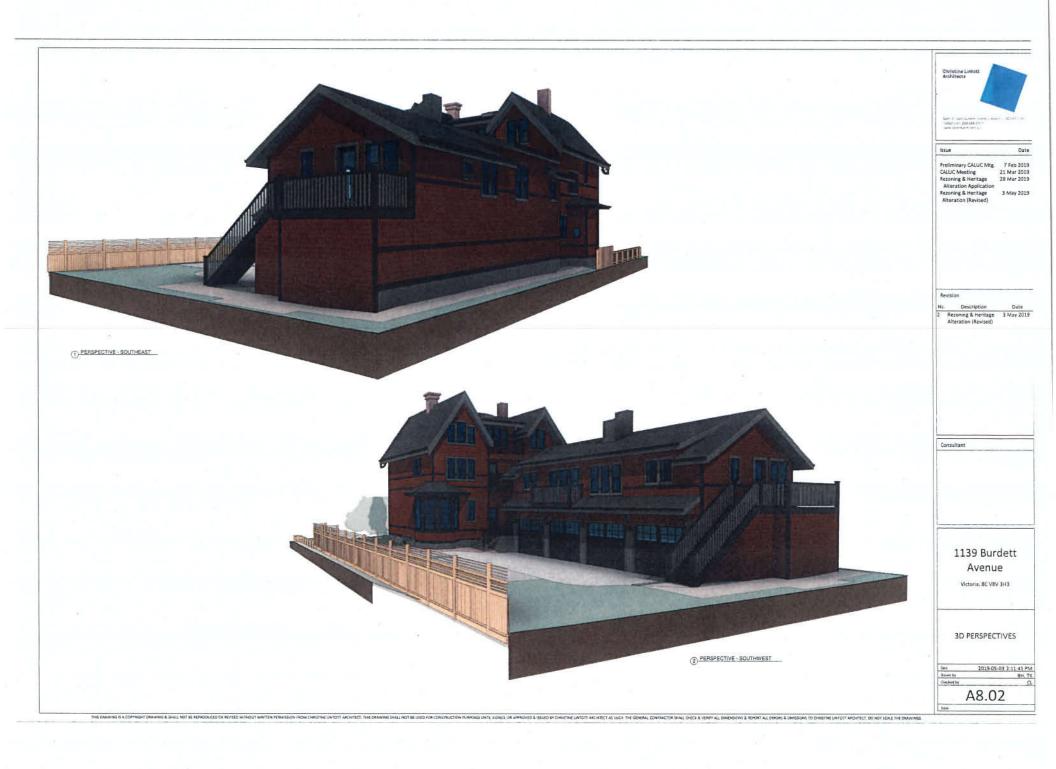


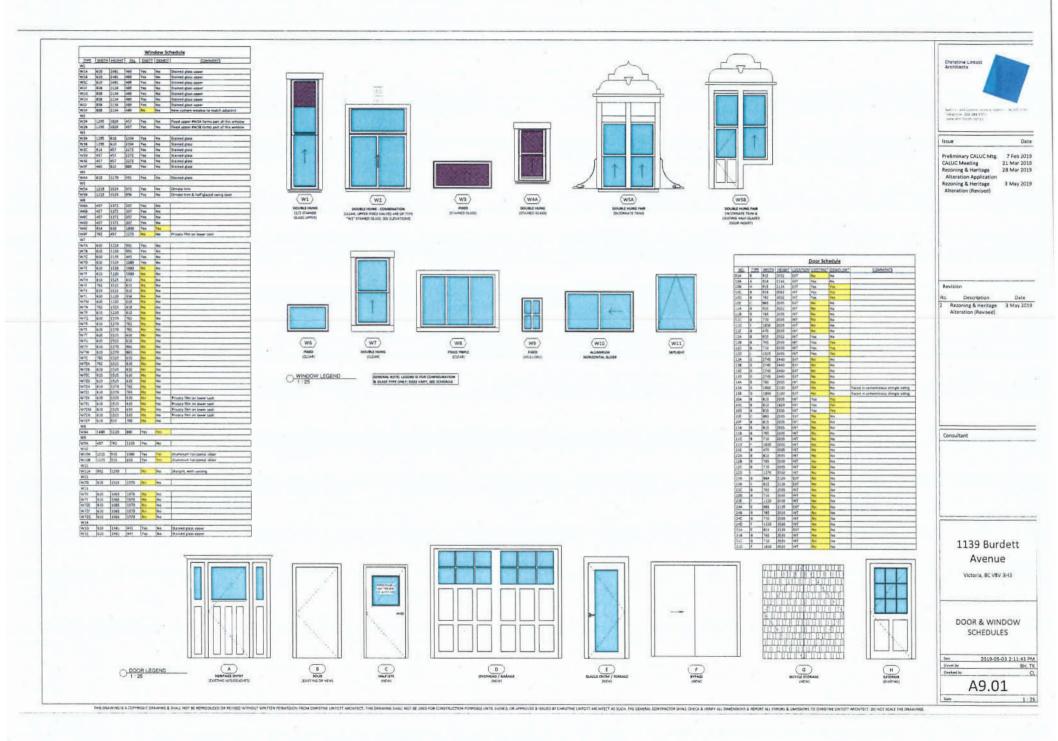


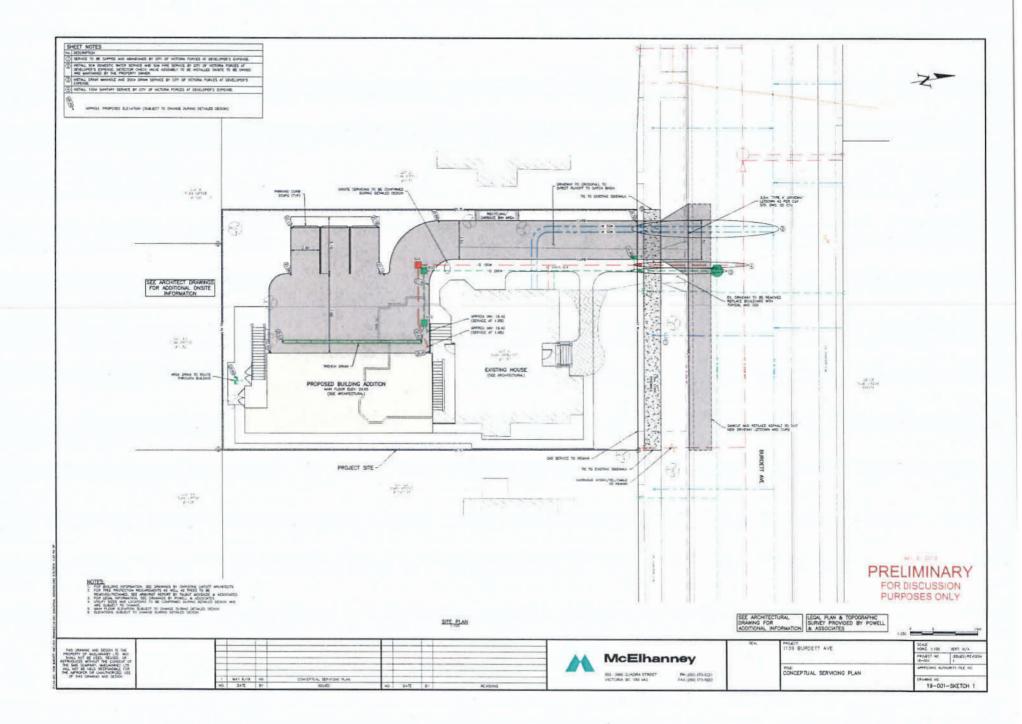


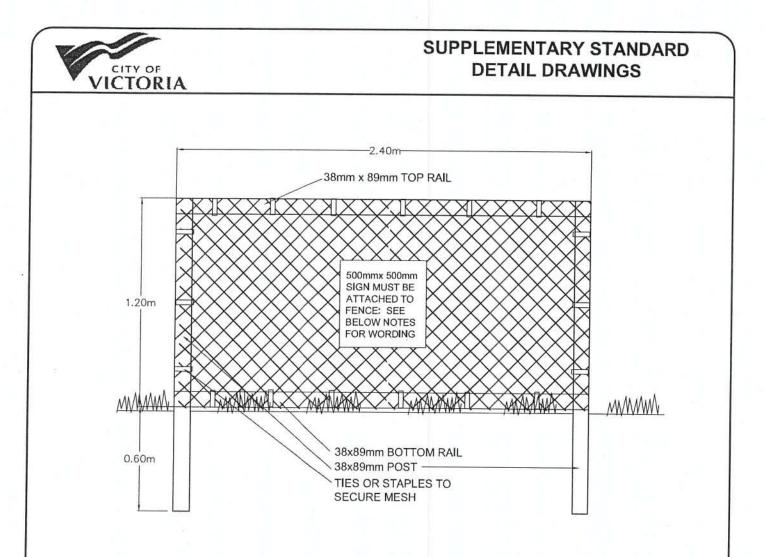












TREE PROTECTION FENCING

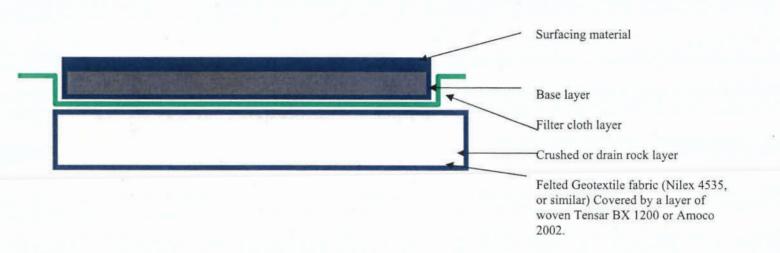
- FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS * USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH"ZIP" TIES OR GALVANIZED STAPLES.
- 2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.
- IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

TREE PROTECTION FENCING	
AND SIGNAGE DETAIL	

REVISIONS DRAWING NUMBER:

SD P1

Diagram - Site Specific Floating Driveway, Parking and Walkway Areas



Specifications for Floating Driveway, Parking and Walkway Areas

- 1. Excavation for construction of the driveway/parking/walkway areas must remove the sod layer only, where they encroach on the root zones of the protected trees
- A layer of medium weight felted Geotextile fabric (Nilex 4535, or similar) is to be installed over the entire area of the critical root zone that is to be covered by the driveway. Cover this Geotextile fabric with a layer of woven Amoco 2002 or Tensar BX 1200. Each piece of fabric must overlap the adjoining piece by approximately 30-cm.
- 3. A 10cm layer of torpedo rock, or 20-mm clean crushed drain rock, is to be used to cover the Geotextile fabric.
- 4. A layer of felted filter fabric is to be installed over the crushed rock layer to prevent fine particles of sand and soil from infiltrating this layer.
- 5. The bedding or base layer and permeable surfacing can be installed directly on top of the Geotextile fabric.



Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6 Ph: (250) 479-8733 Fax: (250) 479-7050 Email: tmtreehelp@gmail.com

Tree Resource Spreadsheet Methodology and Definitions

<u>Tag</u>: Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

<u>**DBH</u>**: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.</u>

* Measured over ivy

~ Approximate due to inaccessibility or on neighbouring property

<u>Crown Spread</u>: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

<u>Relative Tolerance Rating</u>: Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

<u>Critical Root Zone</u>: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- $10 \times DBH = Good$

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean).

Spreadsheet Methodology & Definitions

Health Condition:

- Poor significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair signs of stress
- Good no visible signs of significant stress and/or only minor aesthetic issues

Structural Condition:

- Poor Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair Structural concerns that are possible to mitigate through pruning
- · Good No visible or only minor structural flaws that require no to very little pruning

Retention Status:

- X Not possible to retain given proposed construction plans
- Retain It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our recommended mitigation measures are followed
- Retain * See report for more information regarding potential impacts
- TBD (To Be Determined) The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS Not suitable to retain due to health or structural concerns

1139 BURDETT AVENUE



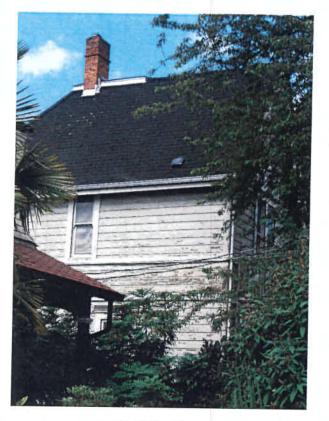
Front Elevation



Rear Elevation



West Elevation



East Elevation



Front Entrance Close Up

Stuart Stark & Associates • Heritage Consultants • 2019

This Statement of Significance was prepared for Tim Stemp, owner, 1139 Burdett Street by: Stuart Stark Stuart Stark & Associates Heritage Consultants www.HeritageConsultants.ca stuartstark@heritageconsultants.ca January 2019

Statement of Significance for: 1139 Burdett Avenue



Street frontage

Rear view to SW corner with bay window

Arthur Scroggs House 1139 Burdett Avenue (Formerly 61 Bellot Street until c1905) Victoria B.C.

Legal Description: Lot A, Fairfield Farm Estate, Victoria District, Plan VIP62357 PID#023-276-801

Designated Heritage by the City of Victoria: Heritage Designation Bylaw #87-121, No. 245. Third Reading June 24, 1987. Finally Designated August 24, 1989. (This bylaw applies to the exterior of the building).

Description of the Historic Place:

This Heritage Designated residence is located on a level city lot in the middle of the block on the south side of Burdett Avenue between Cook Street and Linden Avenue in the City of Victoria.

Constructed in 1892, the house is a two-and-one-half storey wood building. Designed in a restrained Gothic-revival style, the tall, imposing house has a steeply-pitched roof. Two main gables on the street façade are distinctively decorated with wide, ornate wooden bargeboards carved with trefoils and other openwork motifs. Ornate window trim surrounds the second floor, tall, double-hung windows under each gable.

Six stairs lead to the central front porch, set in a shallow alcove. A Tudor arch spans the porch, sheltering a panelled porch ceiling and the front door, surrounded with sidelights and transom windows set in detailed mouldings.

To the left of the front door is a single-storey square bay window with balcony above, which is accessed by a door from the second floor. To the right is a window made of three narrow, double-hung sashes. On the southwest rear corner of the house is a five-sided bay window.

The house is in a neighbourhood of single-family homes and smaller apartment buildings.

Heritage Value:

This residence is valued for being a rare example of the Gothic-revival style of residential architecture in Victoria. The two-storey massing of the house with its high pitched roof, coupled with the extravagant design of the carved, openwork bargeboards on the two main gables is unmatched elsewhere in the city.

The house is further valued as being an early-career design by the architect John Gerhard Tiarks, an Englishman who arrived in Victoria in 1888. He served as a draughtsman for architect L. Buttress Trimen in 1889, and then set up his own architectural practice in 1890, continuing until his death in 1901. Designed late in 1891, and built in 1892, this house is valued as an early, key example of Tiarks' design development. The Tudor arch; Gothic design motifs; and windows with small upper panes [here as possibly later leaded windows]; are all design elements Tiarks used frequently on his later designs. Tiarks' architectural designs are now rare. Despite serving as a city alderman in 1896, and in 1897 becoming a business partner with F. M. Rattenbury (architect and designer of the Parliament Buildings), Tiarks' early accidental death meant that his ten-year influence on Victoria's architectural heritage was ephemeral, and is only now being rediscovered and given appropriate importance. Accordingly, surviving examples of Tiarks' architectural designs are rare and valued.

The house is valued as an example of the sort of substantial housing stock that was built for Victoria's successful businessmen and merchants in the 1890s. Captain Arthur Scroggs was a well-known engineer, cricketer and yachtsman. He helped manage the Foot & Co. shipyard at Warren's Wharf with Captain H. R. Foot, where the 10-ton sailboat/steamer *Spinster* was built. He was piloting that ship in 1897 off Sooke when a fierce gale wrecked the ship and Captain Scroggs drowned. After his death his widow moved, selling the house to the Pinder family. W. G. Pinder was a surveyor who had worked on both the CPR transcontinental line and the E&N Railway.

During the ten-year period the Scroggs and Pinder families lived in the house – until c1901 – there were no other houses listed in City Directories on Bellot Street above Cook Street. As a single house on a large property, access to the house probably was a driveway from Cook Street, as Bellot Street did not connect through to Linden Avenue. After that date, Bellot Street was extended, other houses appeared on both sides of the street, and the road was eventually extended through to Linden Avenue after 1911. Bellot Street was re-named Burdette Avenue in 1905.

Today, despite some rear alterations, the handsome residence – the oldest on the street – is a heritage anchoring element in a neighbourhood that has changed considerably over the years. Set among other heritage residences, homes and apartment buildings, the house is valued for the sense of historic continuity it provides.

Character Defining Elements:

• The overall tall, two-storey massing of the house, high-pitched roofline and inset central front porch and entrance

• The location of the house on the lot, with its main façade being approximately in line with other heritage houses on the street

• The relationship of the house to the ground, being raised only by six stairs – the height of the crawlspace

• The two prominent gables on the front façade with elaborately-carved wooden bargeboards

• Other elaborate exterior wood trim, including: the upper window surrounds mimicking the general shape of the bargeboards and including small wooden shields; panelled porch ceiling; and detailed reeded and bull's-eye front door mouldings.

· Wood siding, divided into three parts by horizontal wood trim boards

• Wood skirting boards enclosing the crawl space, made of matching siding used vertically

• Stained and leaded glass windows; and original wood windows, including the original stair landing window made of four tall sashes on east wall

· Five-sided bay window at rear southwest corner of house.

Associated Historic Information:

- Tender Call by J.G. Tiarks architect for A. Scroggs, Bellot Street. *Colonist* December 9, 1891
- City Plumbing Permit #605, February 23, 1897. Signed by J.G. Tiarks for A. Scroggs.

Arthur Scroggs Death and Obituary: Times March 27, 1897

• Arthur Scroggs Death and Obituary: Colonist March 28, 1897

• Burdette Avenue Name Change: Colonist April 4, 1905

• Stark, Stuart. Article: John Gerhard Tiarks, in *Building The West*. Talon Books, Vancouver, 2003. Pages 168-170.

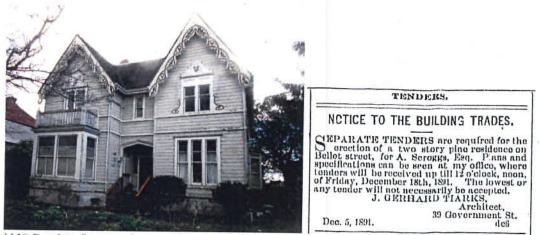
• This Old House Volume Four: Fairfield, Gonzales & Jubilee. Victoria Heritage Foundation 2009. 1139 Burdett Avenue: Pages 32-33

1139 Burdett Avenue Heritage Restoration Plan

Stuart Stark, Heritage Consultant, July 2019 www.HeritageConsultants.ca

Brief History:

1139 Burdett Street is a two and a half storey house, in a rare Gothic-revival design, designed in 1891 and probably built in 1892. Designed by architect John Gerhard Tiarks, it is one of the earliest of his designs of his career that lasted from 1890 to his early death in 1901. It is the oldest house on this block of Burdett Avenue (formerly 61 Bellot Street, a dead-end road off Cook Street). [Heritage Designation By-Law 245. August 24, 1989]



1139 Burdett Street today; and Tender Call by Tiarks for Arthur Scroggs house Bellot Street. Colonist December 9, 1891.

Background:

1139 Burdett Street has had a series of owners since it was built. After Arthur Scroggs' untimely death in 1897 other owners made generally minor changes. After WW II, the house was used as a rooming house, with many interior changes.

In the mid 1990s, then-owners planned extensive renovations and a rear addition. Although a foundation was installed under the house at that time (when skirting may have been replaced), the rear addition was not built, though its foundation was laid, and the south (rear) elevation was compromised. Interior work was extensive, including removing of all of the lath and plaster and 95% of original mouldings and doors. Second floor ceilings were opened up into the attic space. Some exterior repairs were done on the trim (and possibly skirting) over the years with salvaged lumber.

The original exterior of the house (north, east and west elevations: front and two sides) is essentially intact, retaining original siding and trim. The rare, elaborate bargeboards and window detailing survive. Most of Tiark's trademark diamond-paned stained glass upper windows are still in place, but are missing in the east elevation (left side) staircase window. New, sympathetically designed stained glass was installed about 10-15 years ago in the front door, sidelights and transom window. The front stairs were unsympathetically rebuilt, and it is planned to restore them.

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Project Intent:

To restore the three main facades of the house (front and two sides) while renovating the interior for suites; restoring chimneys; replicating original colour scheme; restoring front stairs; and adding a new rear addition for additional suites.

Exterior restoration:

Woodwork:

The exterior woodwork, generally in good shape, will be retained wherever possible. Minor areas of deteriorated wood will be replaced with matching wood profiles.

 Stabilize, repair, and protect the Character-Defining 2-piece carved Gothic-revival bargeboards on the front two gables of the house.

Windows:

- Repair & restore original wood double-hung windows on North, East and West elevations. Work will include paint stripping, removal and replacement of dried out/damaged glazing putty, replacement of broken or missing sash cords and sash locks, and replacement of missing multi-pane top sash lights in the west gable of the second floor of North (front) elevation; and second floor of West Elevation.
- Remove and replace historically incorrect aluminum windows on South (rear) elevation of West Gable with period-correct wood windows.
- Replace non-original textured glass in original stairway window on east side of the house with stained glass to match the rest of the original stained glass windows. (based on stair windows from other Tiarks designs)



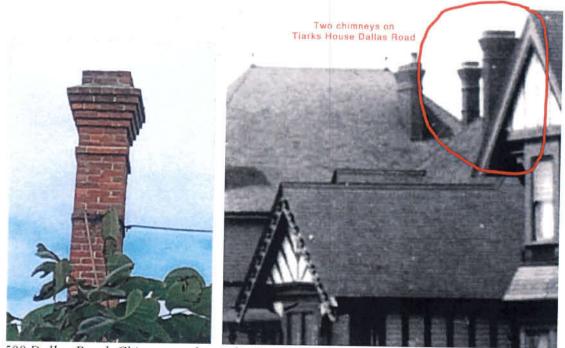
Stained-glass windows at 1139 Burdett Avenue; and windows in the staircase/hall windows from Tiarks' own house on Gorge Road (archival photo. Heritage consultant's collection)

Roof:

- Reroof building with slate-coloured asphalt shingles simulating wood shingles.
- Replace gutters & down spouts with black gutter stock and round black downspouts.

Chimneys:

Repoint/rebuild two chimneys from roof line up, including new concrete chimney caps and metal flue liners for gas fireplaces. The larger of the two chimneys retains its original corbel design, the other one has been rebuilt straight over the years. The intention is to rebuild both to match Tiarks' original design. Research shows these chimneys match the chimney design on the Tiarks house at 508 Dallas Road. (See photos below) Replace metal flashing & remove improper tar job.



508 Dallas Road. Chimney on house by Tiarks, built 1895. Archival image c1900 Shows matching chimney design to 1139 Burdett Avenue, so a standard Tiarks' detail



1139 Burdett Avenue chimneys: Original design left; to be rebuilt, right. Both chimneys will be taken down to roof and rebuilt to original design.

Restoration of original Colour Scheme:

Repaint entire exterior in original paint scheme based on extensive paint investigation; sampling; and microscope analysis.



Preliminary paint colour testing by 'bulls-eye' method, showing different paint layers. This investigation was followed by extensive paint sampling for microscopic analysis.

Microscopic Analysis:

Between 80 to 100 paint samples were taken down to wood, then analysed under a binocular microscope to determine the original paint layers and colours on 1139 Burdett Avenue. The original paint colours are usually the best to restore a house to, as in 1892 the architect was responsible for both the design of the house and the original colour scheme, highlighting different areas of his architectural design.



The historically-accurate dark iron-oxide colour scheme with black trim and dark grey bargeboards and window trim was popular in the early 1890s. A few other buildings in Victoria have been recorded with similar colour schemes. The roof would be slate grey-black. See sample board for colours. (Rendering courtesy Christine Lintott architects)

Porch and Stairway:



Remove current electrical mast, meter and breaker panel box as well as 'Home Depot special' lights from front porch. New electrical mast will be on east side of house and new meters will be in electrical room at rear of the house.

Stairs were replaced (probably in the 1990s). They are not in keeping with the heritage design of the house. It is intended to rebuild them in an appropriate style by using other Tiarks-designed stairs as precedents for the restoration. See next page.

1139 Burdett Street only requires a railing on one side, like this example (below) at *Garrison House* on York Place, (designed by Tiarks in 1897; built in 1898; now demolished). It is intended to match the railing at the correct, historic height and increase the height for Code with a black iron railing above.



Staircase on Garrison House, York Place. (Archive photos ourtesy Oak Bay Archives).





Proposed Staircase Restoration 1139 Burdett Street

• Design of newel post and stairs adapted from Tiarks' design for staircase from *Garrison House*, York Place. (photos on previous page)

• Adapted to take simple pipe railing to meet Code height, which would be painted black, the same as the main trim of the house. The restored wood railing would be at the same height as the original, based on replaced section of damaged trim on the building.

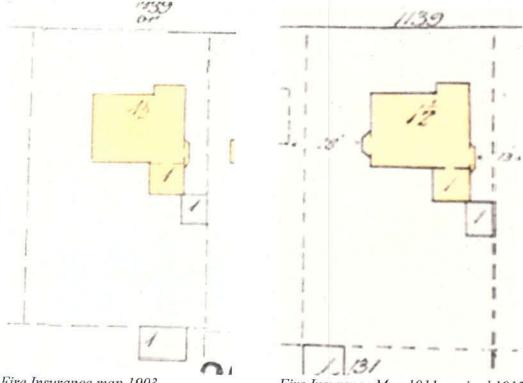
• With the removal of the current electrical box; electrical mast/pipe; and the inappropriate light fixture, the original ornate detailing of the porch will be revealed. It is proposed to work out final stair details with the Heritage Planner.

7

Addition of a pair of windows: west elevation (left side on these plans):

It is proposed to add a pair of double-hung windows to the west elevation (left side on these plans below), matching existing windows in the building to illuminate the proposed back suite. (as shown on architect's plans)

These windows are based on information in two Fire Insurance maps that shows the addition of a bay window in this location by 1911:



Fire Insurance map 1903

Fire Insurance Map 1911, revised 1913

Prior to the 1903 map, there had to have been a window in the SW main floor room. (bottom left on plan) Based on other windows in the house, it was likely a joined pair of double-hung windows facing west, over the side yard garden, in the location of the later bay window. [It is proposed to re-install a pair of wood, double-hung windows in this location]. See submitted architect's plans.

A bay window on the west elevation was then added by 1911, presumably to enlarge the room (probably used as a Dining Room). At some point, the bay window appears to have been moved to the rear, SW corner of the building (lower left corner in these plans) and made into a five-sided bay window. (See photos on next page) (Note: Possibly this is a mistake on the Fire Insurance Map, but usually these maps are very trustworthy) The current five-sided bay window contains four matching diamond-paned stained glass upper sash, presumably from the previous bay window.

The corner five-sided bay window will remain, alongside the re-instated pair of windows, which would vertically line up with a pair of double hung windows on the upper floor.



Five-sided bay window at SW corner of the house (rear view). This bay window contains original upper stained glass panels in each window. [Aluminum-framed window above will be replaced with wood sash]



West side of 1139 Burdett Avenue, showing proposed location of new pair of doublehung windows, replacing current (probably later) piano window. The re-installed pair of double-hung windows would vertically line up with the pair of windows above on the second floor.

Other Conservation / Maintenance Work:

- Prune / remove existing vegetation up against wood structure to improve air circulation & paint preservation.
- Clear away soil within 6-8 inches of bottom of wood skirting to prevent rot & termite potential.

CITY OF VICTORIA HERITAGE ADVISORY PANEL MEETING MINUTES JULY 16, 2019

Present: Pamela Madoff, Chair Julie Bréhéret Katie Cummer Doug Campbell Hal Kalman Shari Khadem Lisa MacIntosh Graham Walker

Absent: Connie Quaedvlieg

Staff: John O'Reilly, Acting Senior Heritage Planner Steve Barber, Heritage Planner Alison Meyer, Assistant Director, Development Services Lauren Martin, Heritage Secretary

The Chair called the meeting to order at noon.

1. Adoption of the Minutes of the June 11, 2019 Meeting

Moved

Seconded

Carried

- 2. Announcements
 - John O'Reilly: The Victoria Civic Heritage Trust will increase the funding for individual projects from \$50,000 to \$100,000 per building for the Building Incentive Program and Parapet Incentive Program to account for inflation over the past 30 years. It is expected that there will be more applications as a result of the increase. The VCHT will also have a cost consultant review other increases in costs due to changes to the BC Building Code seismic upgrading requirements. This will inform the Trust's budgeting and requests for funding from the City.
 - There is a Modern Architecture (1945-1970) exhibit in the rotunda at 1515 Douglas Street until July 18th. In addition, there will be a public panel discussion, "The Future of Victoria's Modernist Legacy", on Thursday, July 18th at 7:00 pm in the same location.
 - The Oak Bay Heritage Foundation is having a family-oriented architecture scavenger hunt on Saturday, July 20th, 1:00 to 3:00 pm. Meet at the Oak Bay Municipal Hall.
 - Point Ellice House is presenting Archaeology Day on Sunday, July 28th, noon to 4:00 pm.
 - Steve Barber has resigned from the Panel as he is working temporarily as a Heritage Planner for the City.

3. 1139 Burdett Avenue

Heritage Alteration Permit Application No. 00232

Attendees: Tim Stemp (applicant, Harbinger Properties Inc.) and Grace Espedido, Tim Kindrat (Christine Lintott Architects), Stuart Stark (heritage consultant)

John O'Reilly provided a brief introduction. Tim Stemp presented.

Panel Questions and Comments

- What cladding will be used for the new addition? John O'Reilly: Hardie shingles.
- Where will the suites be located? Tim Stemp: There will be five in the existing building and two in the addition. What is the current use of the building? Tim Stemp: It is currently a single family dwelling. It was converted to a rooming house in the 30s or 40s and over the years it has been significantly altered with additions.
- What is a piano window? Stuart Stark: It is a narrow window often placed over a piano, popularized in Edwardian times and usually consisting of stained glass.
- Tim Stemp confirmed that the slope of the roof of the existing building changes in the rear due to the skylight and two gable ends.
- Will the chimneys be retained? Tim Stemp: Most of the interior walls were demolished in the 90s. The fireplace tiles are gone, but some of the mantles remain; all fireplaces were converted to gas stoves sitting on the hearth. The plan for the chimneys is to repoint or rebuild them down to the roof line and reline them.
- The window schedule shows three lower windows with stained glass panels. Tim Stemp: These are existing windows which will be retained. The upper windows will be restored to match the lower windows.
- On the existing building, the windows on the rear elevation are not symmetrical. The windows are the same height except for the middle window in the top, left corner which is higher. This is inconsistent with the pattern of the other windows. What is the rationale for this? Tim Stemp: The larger window is required to increase light in the living room of a suite. The detail comes from the house next door. The windows will be wood, but it has not yet been decided whether they will be single or double glazed.
- What material will be used to pave the area in the back? Tim Stemp: Most of the area will be covered in permeable pavers.
- Are there multiple kitchens in the existing house? Tim Stemp: No.
- Is there concern regarding load? Tim Stemp: The existing building will be reinforced as per a structural engineer.
- Was the proposal discussed with the neighbours? Tim Stemp: Yes, overwhelming support was received at the Community Association Land Use Committee meeting and from the immediate neighbours. The adjoining neighbours to the west are pleased that the addition is away from the property line and the arbutus tree will be retained. (The applicant owns the adjoining property to the east.)
- Regarding the Hardie board, why was a wood grain finish selected for a concrete product? Materials should not be falsified. Tim Stemp: A wood finish is more appropriate for an Edwardian style building. A cementitious material is best for fire protection.
- Smooth Hardie board makes more sense from a practical and aesthetic point of view. The wood grain will accumulate dirt.
- The proposal creates new rental housing and will restore the existing building to its original glory; the addition is very well hidden and an appropriate design.

• A pipe railing at a lower height is more appropriate for the front of the existing building. Stuart Stark: There is evidence of the location of the original railing. If painted black, its visibility decreases against the black trim.

Moved

Seconded

That the Heritage Advisory Panel recommend to Council that Heritage Alteration Permit No. 00232 for 1139 Burdett Avenue be approved with the following changes:

- a) That the Hardie board have a concrete finish, not a faux wood finish.
- b) That the detail of the front railing be wood to code height.

Motion Failed (2 in favour, 6 opposed)

Moved

Seconded

That the Heritage Advisory Panel recommend to Council that Heritage Alteration Permit No. 00232 for 1139 Burdett Avenue be approved as presented.

Carried (6 in favour, 2 opposed)

Lisa MacIntosh has applied to be a member of the Cool Aid Board. Cool Aid owns 1002 Vancouver Street, but it was determined that there is no conflict of interest.

4. 1002 Vancouver Street Heritage Alteration Permit Application No. 00237

Attendees: Malcolm McNaughton (applicant, BC Housing), Don Brown (Jenson Group Architects)

John O'Reilly provided a brief introduction. Malcolm McNaughton presented.

Panel Questions and Comments

- What are the alternatives? John O'Reilly: If the application is declined by Council, the applicant would have to submit a new application to replace the windows in kind. The applicant had agreed to replace the third floor wood windows in kind as a condition of the 2017 rezoning application. Concurrently, the property was heritage designated. There was no plan to replace the first and second floor vinyl windows at that time and as part of the rezoning, the applicant did not commit to replacing them with wood.
- All of the wood windows have been removed and discarded. If the Panel recommends that the wood windows be restored, much-needed housing would be delayed. However, the housing concern is beyond the Panel's mandate, but can be considered by Council.
- Are vinyl windows allowed on the first and second floor? John O'Reilly: The existing first and second floor windows are not character-defining elements and are not original to the building. The applicant ordered replacement vinyl windows without consulting the City about whether the windows were appropriate. Staff cannot recommend for approval a change that does not conform to the Standards and

Guidelines. Rehabilitation can involve changes to materials, but Standard 11 requires that they be well suited to the existing materials to achieve compatibility with the historic place.

- What options are available to the Panel if it does not want to interfere with the progress of the project, but wants to express disapproval about the decisions made? Pamela Madoff: The Panel can pose a motion to that effect.
- There are differences in the quality and appearance of windows. It would be helpful to have the manufacturers' profiles for both vinyl and wood windows and/or a sample. The size of the glass can vary due to varying thicknesses of the frames.
- The vinyl windows meet the Province's goals for energy efficiency and performance. The Province is short sighted in making grants available for building owners who replace wood windows with vinyl. Compared to wood, vinyl windows have a shorter lifespan, cannot be repaired when they fail, and have a greater impact on the environment (for example, end up in the landfill).
- Wood windows were a key character-defining element of building. The housing aspect should be considered by Council.
- Pamela Madoff: When the project was reviewed by Council, the heritage restoration aspect of the building and its importance to the neighbourhood was emphasized.
- If the Panel recommends that the vinyl windows be replaced, the public may view this as wasteful and that heritage buildings are too much trouble. This could negatively impact the reputation of the Panel and those in the heritage field.

Moved

Seconded

That the Heritage Advisory Panel recommend to Council that Heritage Alteration Permit Application No. 00237 for 1002 Vancouver Street does not sufficiently meet the applicable design guidelines and policies and should be declined.

Carried (4 in favour, 1 opposed, 3 abstained)

Further comments from the Panel

- Request that Council focus on the differences in performance and impact on the environment for both wood and vinyl windows. Staff can provide this information in the Committee of the Whole report.
- Steve Barber: The architect's letter indicates that in their view, the existing wood windows were not able to be rehabilitated. The Panel may wish to state to Council that if that were the case, the windows should have been replaced in kind, i.e. new wood windows.
- Lisa MacIntosh will provide staff with information about the benefits of wood windows from the Vancouver Heritage Foundation. Hal Kalman will provide a report about the windows in the Woodward's building in Vancouver. Vinyl windows are more energy efficient than single-paned wood windows (as stated in the Sustainability section of the staff report), but not more energy efficient than double-paned or triple-paned wood windows.

The Secretary left the meeting at 1:45 pm as the remaining agenda items did not require minutes.

Rezoning & Heritage Alteration Permit with Variances Application for 1139 Burdett Street



Aerial Map





Subject Site





Subject Site









Neighbouring properties



1143/45 Burdett Avenue



1149 Rockland Avenue

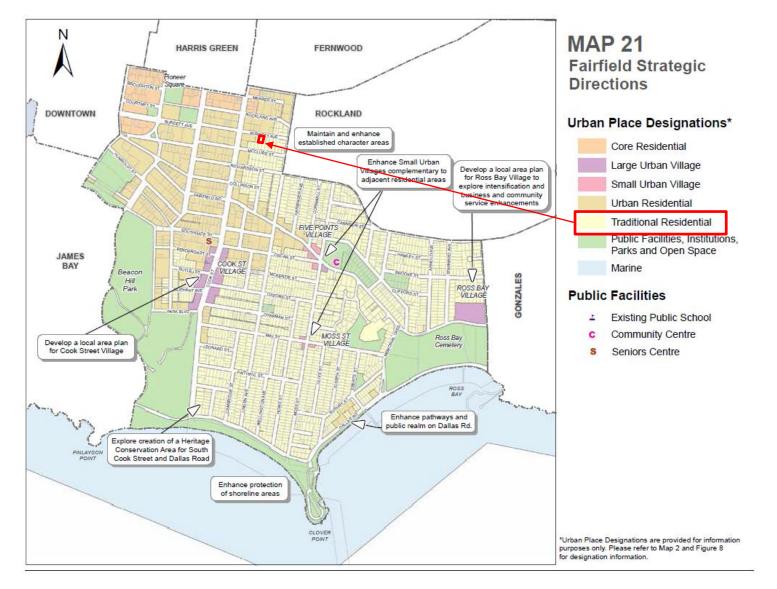


1131 Burdett Avenue



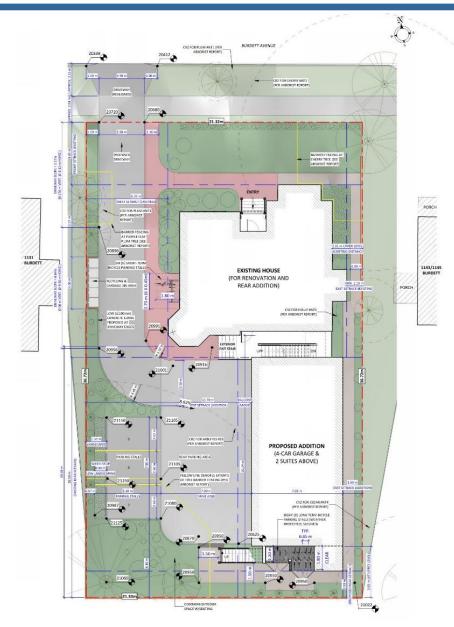
1128 Burdett Avenue

Official Community Plan



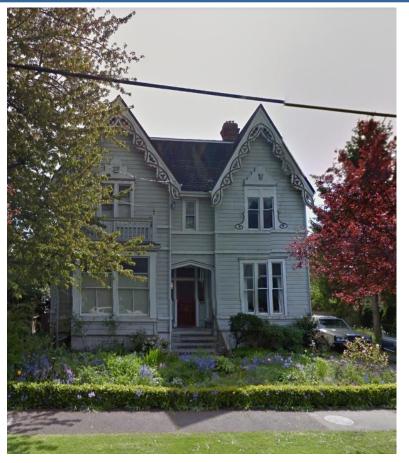


Site Plan





1139 Burdett Street HAP #00232





Existing Paint Scheme

PROPOSED EXTERIOR COLOURS



(BENJAMIN MOORE #HC-184) WOOD SIDING (EXISTING)

CEMENTITIOUS SIDING (PROPOSED)

EXTERIOR DOORS WINDOW SASHES STEEL STAIR GUARDS & RAILS

"BLACK"

- WOOD GUARD POSTS & RAILS



"TORNADO WIND"

(CLOVERDALE PAINT #0584)

- ROOF FASCIAS
 - BARGEBOARDS
 - WOOD GUARD PICKETS
 - STUCCO FINISH CHIMNEY (PROPOSED)

VERTICAL WOOD SKIRTING (EXISTING)

VERTICAL CEMENTITIOUS SIDING

SLATE GRAY

.

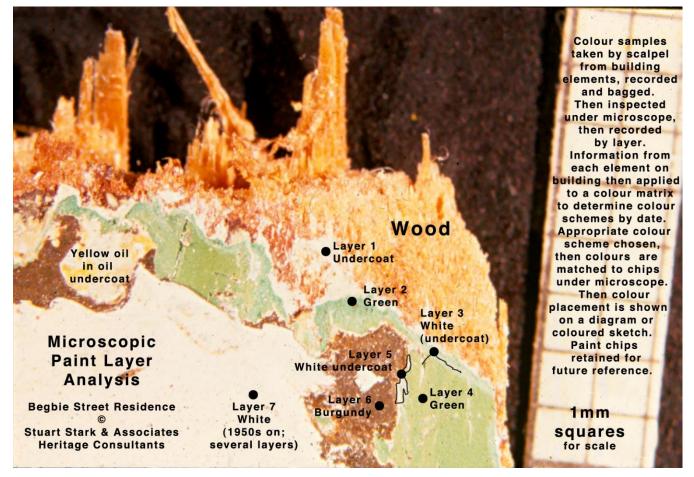
(COLOUR APPROXIMATE)

ASPHALT ROOFING SHINGLES

New Paint Scheme



1139 Burdett Street HAP #00232



Paint Scheme determined through microscopic analysis





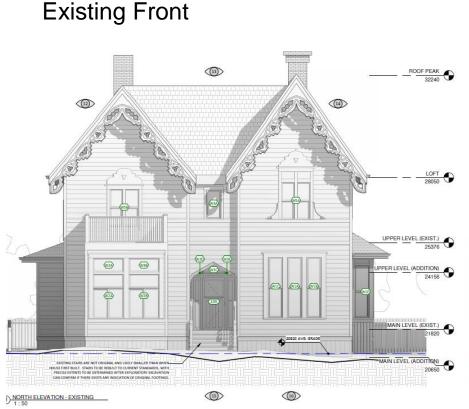


Driveway



Rear Elevation





- Paint colour scheme changing
- Stairs to be rebuilt to current standards
- All windows to remain









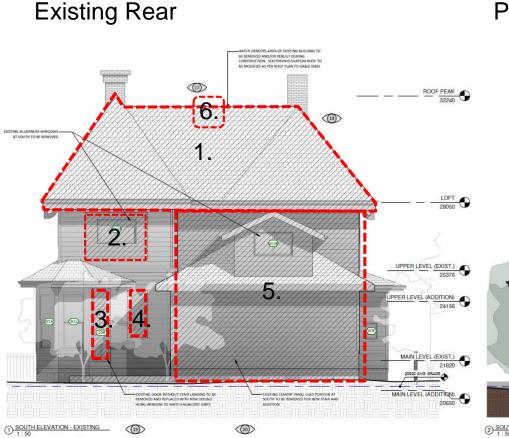




Existing

Proposed





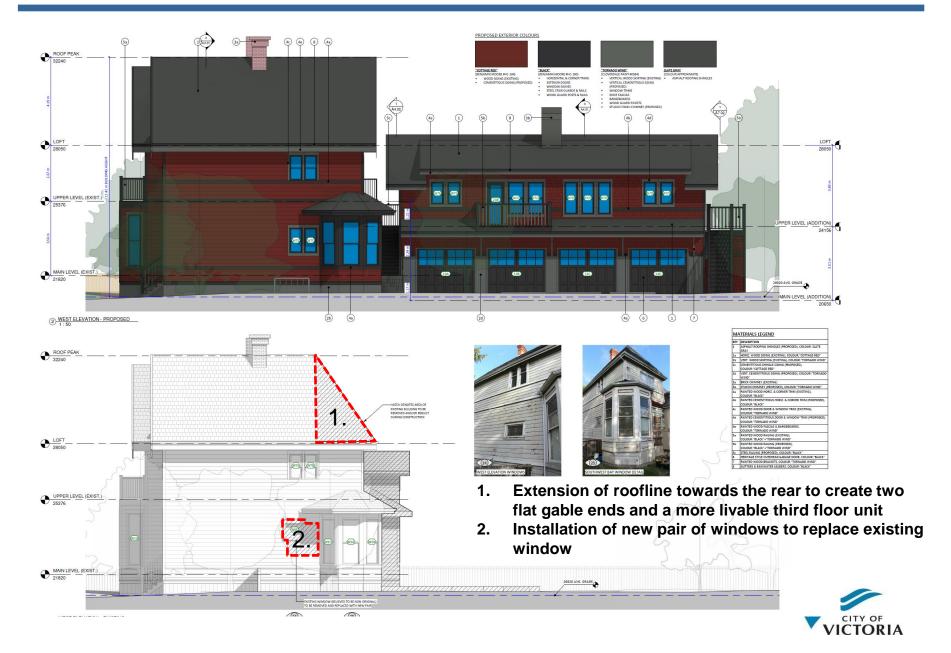
- Alteration of sloped roof to create two flat gable ends corresponding to front gables. New windows added to third storey
- 2. Installation of three new windows

Proposed Rear



- 3. Conversion of existing door into window
- 4. New window
- 5. Construction of addition to replace existing rear, installation of new doors for exterior exit stair
- 6. Skylight

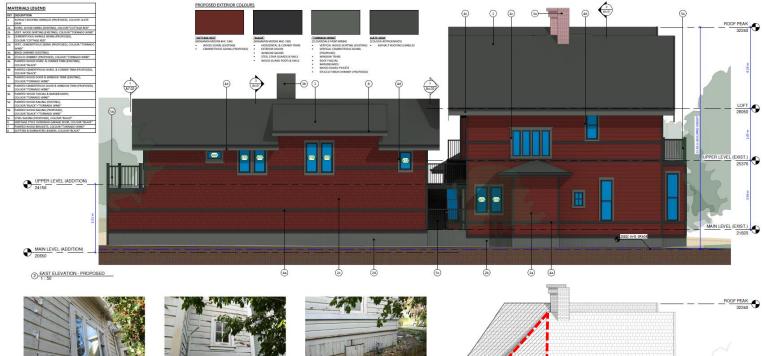




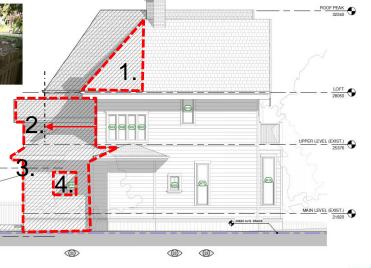


- Shingle cladding proposed, painted to match main house.
- Multi-lite panelled garage doors used
- Double hung windows

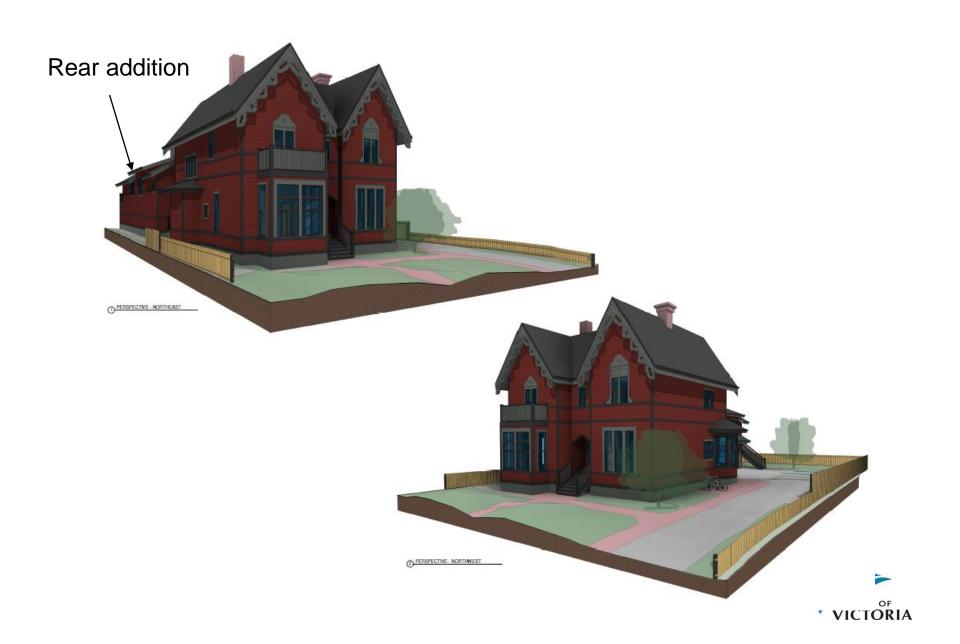


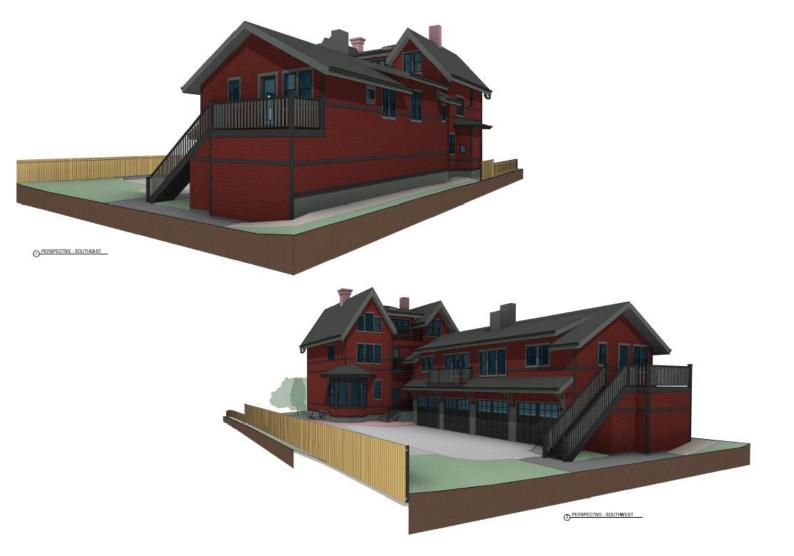


- 1. Extension of roofline towards the rear to create two flat gable ends and a more livable third floor unit
- 2. Extension of rear wall to align with first gable end
- 3. Removal of existing rear extension
- 4. Installation of two new windows in extended sidewall





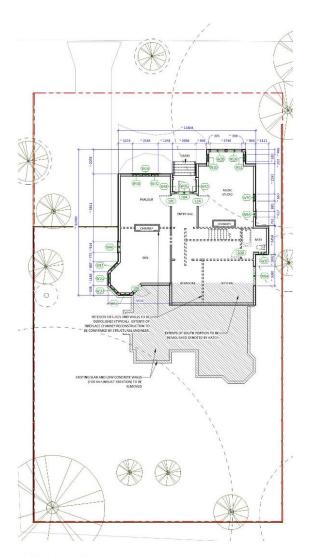


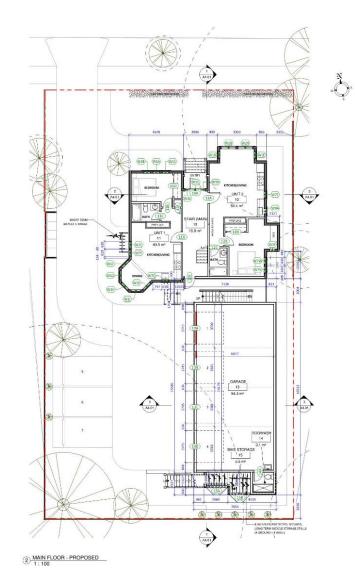


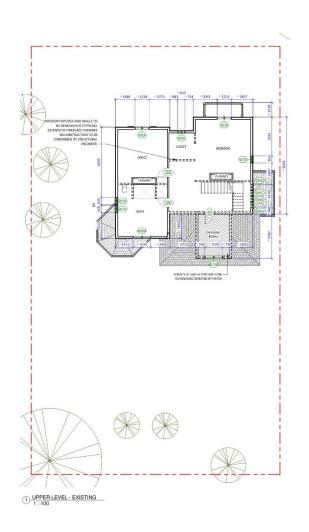




1 : 100 MAIN FLOOR - EXISTING







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