



Heritage Advisory Panel Report

For the Meeting of April 9, 2024

To: Heritage Advisory Panel **Date:** April 5, 2024
From: Kristal Stevenot, Senior Heritage Planner, Development Services
Subject: Heritage Designation Application No. 000208 for 1132 & 1134 Empress Avenue

RECOMMENDATION

That the Heritage Advisory Panel recommend that Council approve the heritage designation of Application No. 000208 for 1332 Empress Avenue.

EXECUTIVE SUMMARY

The purpose of this report is to present the Heritage Advisory Panel with information, analysis and recommendations regarding an owner request to designate the exterior of the property located at 1132 Empress Avenue. This heritage designation application is concurrent with a rezoning application and development permit with variance to develop the land to the rear of the property, facing Bay Street with a three-unit market rental building. The original house was built in 1913 and contributes to the historic character of the Fernwood neighbourhood, an area characterized by its diverse and vibrant community, reflected in the heritage buildings and streetscapes.

The designation of this building is generally consistent with Section 8: “Placemaking (Urban Design and Heritage)” and Section 21: “Neighbourhood Directions” of the *Official Community Plan* (2012), with the *Fernwood Neighbourhood Plan* (2022) and with the *Victoria Heritage Thematic Framework*. The Statement of Significance supports its designation.

BACKGROUND

Project Details

Owner: Taylor McCarthy
Original Owner: James Daly
Applicant/Architect: unknown
Development Permit Area: DPA-16A
Heritage Status: none



01 SOUTH ELEVATION PHOTO - EXISTING

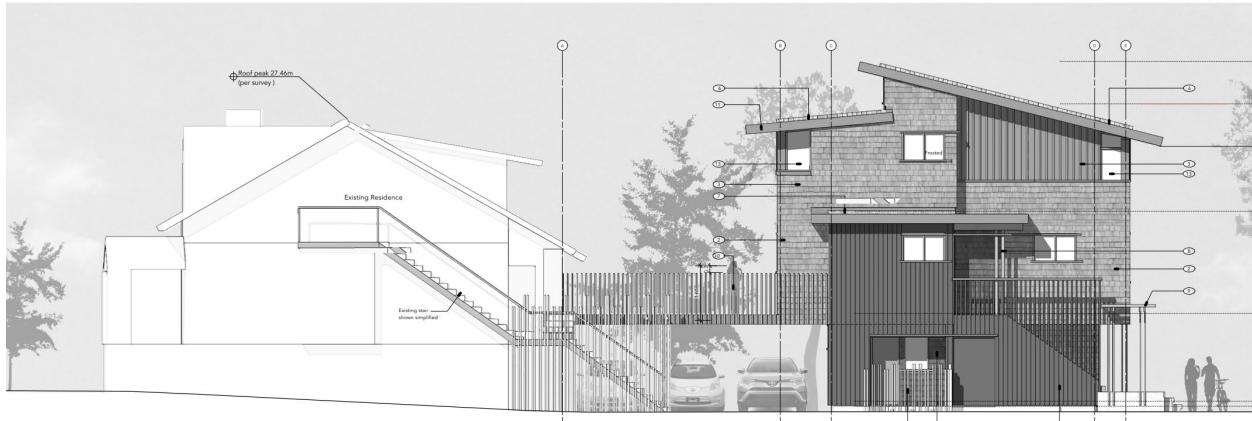


02 NORTH ELEVATION PHOTO- EXISTING

Description of Proposal

The property located at 1132 Empress Avenue is a modest 1.5-storey plus basement American Arts and Crafts Bangalow built in 1913. The exterior façade of 1132 Empress has maintained much of its original appearance. The full-width verandah, gabled, low-pitched roof and exposed structural elements like eaves brackets and porch roof beams are classic features to the style while the remaining original wood frame and wood cladding add to the building character. See the Statement of Significance for more details and a full list of character-defining elements.

The development to the North of the property is for a three-unit residential building which will be connected by a shared terrace to the rear of the heritage home.



Regulatory Considerations

The proposed heritage designation of the house is compatible with the *Official Community Plan*, 2012 (OCP), and is consistent with the *Zoning Regulation Bylaw*.

Condition/Economic Viability

The home is in good condition.

ANALYSIS

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

Official Community Plan

The designation of this building is consistent with the *Official Community Plan* (2012), which in Section 8, "Placemaking (Urban Design and Heritage)", states:

Goals

8 (B) *Victoria's cultural and natural heritage resources are protected and celebrated.*

Broad Objectives

8 (j) *That heritage property is conserved as resources with value for present and future generations.*

8 (l) *That heritage and cultural values are identified, celebrated, and retained through community engagement.*

City Form

- 8.6 *Conserve and enhance the heritage value, character and special features of areas, districts, streetscapes, cultural landscapes and individual properties throughout the city.*
- 8.11 *Determine the heritage value of areas, districts, streetscapes, cultural landscape and individual properties using the Victoria Heritage Thematic Framework as identified in Figure 12.*

Buildings and Sites

- 8.51 *Continue to give consideration to tools available under legislation to protect or conserve heritage property including, but not limited to: heritage designation bylaws; listing on the heritage register; temporary protection; heritage alteration permits; heritage revitalization agreements; design guidelines; and, the protection of views of heritage landmark buildings from public vantage points as identified in Map 8, and to be determined in future local area plans.*
- 8.54 *Continue to work with senior government, community and business partners to identify, protect and conserve property of heritage value.*

The designation of this building is also consistent with Section 21: “Neighbourhood Directions (Fernwood)” of the *Official Community Plan* (2012) which states:

Fernwood

- 21.9.6 *Retain neighbourhood heritage character, buildings and streetscapes of significance while considering divers and compatible multi-unit forms for a variety of housing choices.*

Fernwood Neighbourhood Plan

The designation of this building is also consistent with the *Fernwood Neighbourhood Plan* (2022) policies which states:

Policies

6.3 Heritage Retention and Reuse:

Wherever possible, heritage register buildings should be retained and reused as part of any rezoning that adds density. Encourage the retention and continued use of buildings with heritage merit (such as those identified on heritage walking tours or heritage surveys), including through conservation and adaptive reuse that adds housing.

6.4 Heritage Advancement:

Heritage surveys, heritage registration and designation, and consideration of Heritage Conservation Areas where merited are encouraged to advance the City’s heritage objectives, and to support the retention of local heritage assets and complementary design approaches in new builds

Victoria Heritage Thematic Framework

A key policy of the OCP includes the determination of heritage value using a values-based approach. In this regard, a City-wide thematic framework (OCP Fig. 12) was developed and incorporated into the OCP to identify the key civic historic themes. The *Victoria Heritage Thematic Framework* functions as a means to organize and define historical events, to identify representative historic places, and to place sites, persons and events in an overall context. The thematic framework recognizes a broad range of values under which City-wide themes can be

articulated. A Heritage Value assessment with consideration of the *Victoria Heritage Thematic Framework* is incorporated into the Statement of Significance.

Statement of Significance

A Statement of Significance describing the historic place, outlining its heritage value and identifying its character-defining elements, is attached to this report.



Resource Impacts

Heritage designation will enable the applicant to be eligible for heritage grants and incentives for ongoing maintenance and conservation work.

CONCLUSIONS

This application for the designation of the property located at 1132 Empress Ave as a Municipal Heritage Site is for a building that is a good example of the American Craftsman style home in the Fernwood neighbourhood from the early twentieth century. The designation of the residence as a Municipal Heritage Site is consistent with relevant City policies and strategic directions for the Fernwood neighbourhood.

OPTIONS

The following are three potential options that the Panel may consider using or modifying in formulating a recommendation to Council:

Option One

That the Heritage Advisory Panel recommend to Council that Heritage Designation Application No. 00208 for 1132 Empress Ave be approved, as proposed.

Option Two

That the Heritage Advisory Panel recommend to Council Heritage Designation Application No. 00208 for 1132 Empress Ave be approved with the following changes to the proposal:

- as listed by the Panel.

Option Three

That the Heritage Advisory Panel recommend to Council that Heritage Designation Application No. 00208 for 1132 Empress Ave does not have enough heritage value to warrant designation.

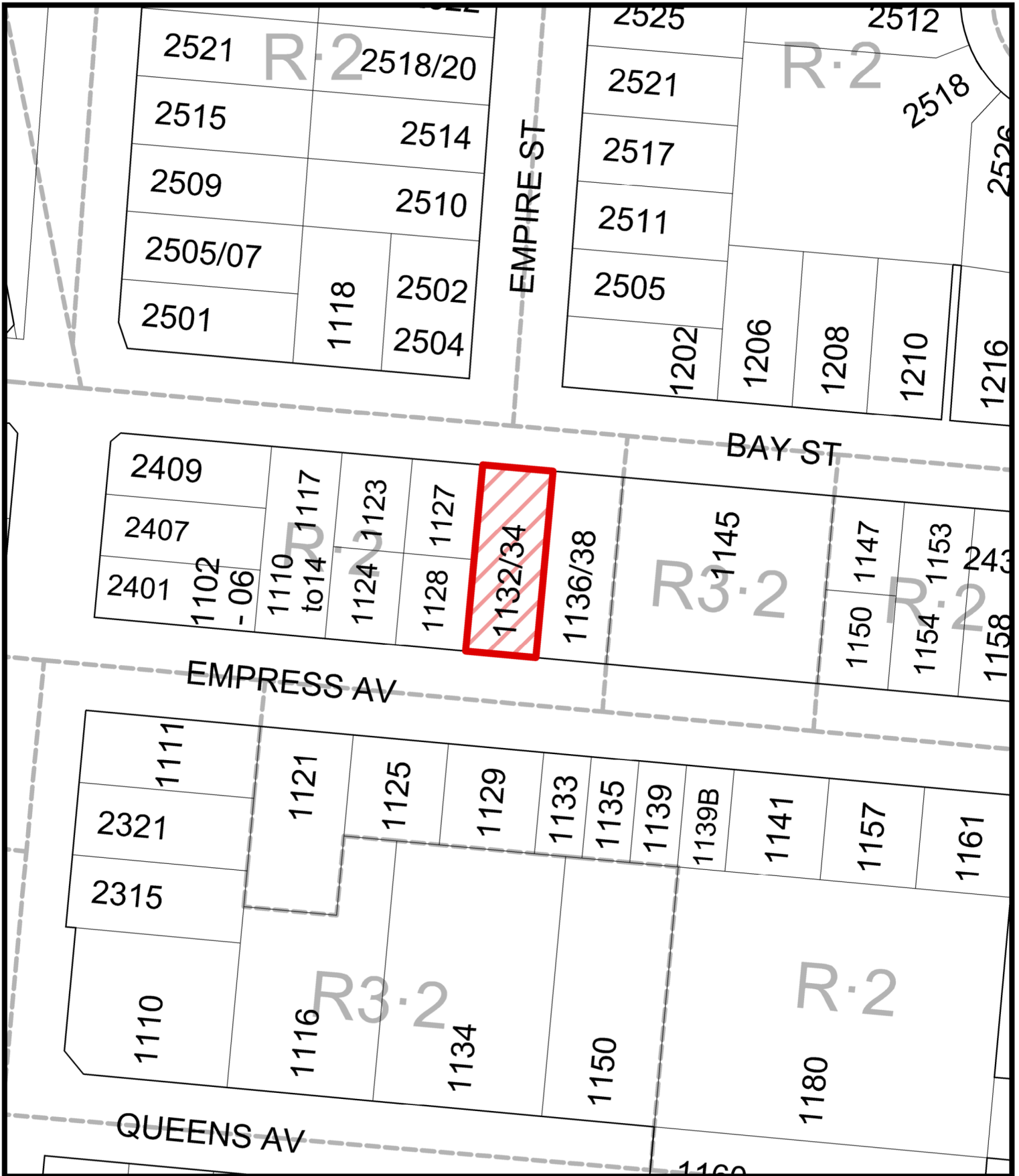
Key areas to be revised include:

- as listed by the Panel, if there is further advice they would like to provide on how the Applications could be improved.

ATTACHMENTS

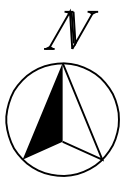
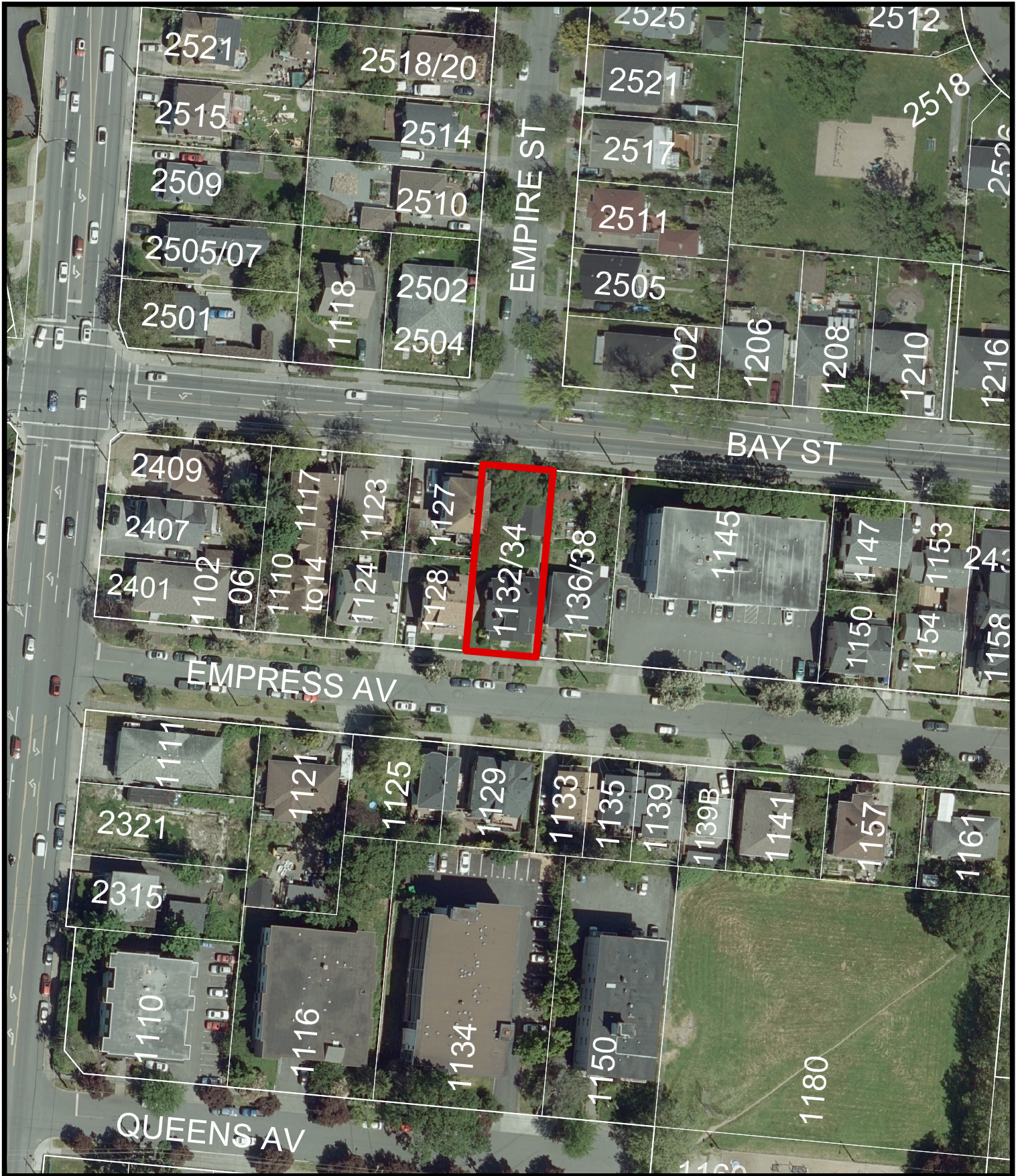
- Subject Map
- Aerial Map
- Photographs
- Statement of Significance
- Letter from the applicant, date stamped March 8, 2024

cc: Taylor McCarthy



1132 and 1134 Empress Avenue
Rezoning No.00784





1132 and 1134 Empress Avenue
 Rezoning No.00784







Statement of Significance - 1132 Empress Avenue

Description

The 1 1/2 storey house at 1132 Empress Avenue is a good example of an American Craftsman style home in the Fernwood neighbourhood of Victoria. The gabled, low-pitched roof and exposed structural elements like eaves brackets and porch roof beams are classic features to the style while the remaining, original wood frame windows and wood cladding add to the building character. The designation of the home is limited to the building footprint.



Heritage Value

Constructed in 1913 for Mr. James Daly, the wiring inspector for the City of Victoria, the house became a home for a variety of people over the subsequent years. Jason Green, a telegraph operator dwelt in the home in the late 1920's, Theo Mattison, a train man for the E&N Railway, lived here in the 1940's, while James King with his wife Patricia and Michael S. Cousineau with his wife Valerie, both families connected with the Canadian Armed Forces lived here in the 1960's. Through to today, the house has been a continuously occupied residence for the City of Victoria.

Through its architectural form and style, the historic building at 1132 Empress Avenue has aesthetic value as a good example of the Craftsman Bungalow displaying, in particular, the mature American or California design. The 1 1/2 storey massing over a basement with the low-pitched roof lines, full width front verandah, and exposed structural elements present the modesty and functionality of the style. The bays and dormers with shed and gable roofs add interest to the form while the stained glass and multi-pane, wood framed windows along with the bevel edged wood siding and shingle cladding add a touch of elegance. The stone foundation supporting the verandah adds to the contrast in natural materials and textures.

Character Defining Elements

The key elements that define the character of this historic building and support its heritage values are:

- The articulating, condensed form and low scale, 1 1/2 storey plus basement massing
- Craftsman style detailing including:
 - the low pitched, gabled roofs with both gabled and shed dormers
 - exposed structural elements including the eaves brackets and roof beams
 - the stylized wood siding and shingle cladding
- The full width, covered verandah supported on an ashlar stone foundation
- The wood frame, multi lite and stained glass windows
- The corbelled, clay brick chimney contained within the building footprint
- Continuous use as a residential home for the City of Victoria



Victoria Heritage Thematic Framework Evaluation

Theme 1: Coastal Settlement

- 1.3 Pioneer Farms to First Suburbs

1132 Empress Avenue is a good example of showing how the city grew from the first settlements into a suburban area with this type of infill housing starting to shape the neighbourhoods.



Theme 5: Cultural Exchange

- 5.1 Architectural Expression

1132 Empress Avenue is a good example of the developed Craftsman architecture. The low-pitched, gabled roof over the 1 1/2 storey massing with a modest decorative style grew with the emergence of the family home filling in the suburban neighbourhoods, providing the growing populace with a modest style of home that was well built.

March 8, 2024 (revised letter April 28, 2023)

City of Victoria
Building and Planning Department 1 Centennial Square
Victoria, B.C. V8W 1P6

ATTN Mayor and Council

RE: Rezoning Application 1132 and 1134 Empress Avenue

Dear Mayor Alto and Members of Council,

This letter outlines the core content of our application to rezone the property located on 1132 Empress Avenue, how the proposed development aligns with current policies, and how it intends to contribute to the neighbourhood of Fernwood. We request to amend the property's current R-2 zoning to a new, site specific, R-(TBD) zoning and a parking variance. The proposed rezoning and variance would allow the development of a 3-unit market rental apartment building with frontage on Bay Street while retaining an existing 2 family residence facing Empress Avenue.

RECENT HISTORY AND NEIGHBOURHOOD CONTEXT

The property is located close to the corner of Bay Street and Cook and maintains frontage on Empress Avenue and Bay Street as originally laid out in the 1910 subdivision plan of blocks 4 and 5 of the Finlayson Estate. Many of the properties on the block have, over the years, subdivided into small lots facing either Bay St. or Empress Ave. or have consolidated into larger lots to build mid-sized apartment buildings.

Constructed on the property in 1912, the existing residence shown below on the left identifies with the "California Craftman Style Bungalow" that was prevalent in North America from 1905-1920 though its roofs have a higher pitch than typical. The existing residence currently functions as a two-family rental home. As a condition to be met prior to approval, we retained a building conservation specialist to write a statement of significance and have applied for heritage registry as a condition to met prior to approval. The neighbourhood is generally a mix of similar bungalow style homes, one/two family homes, 3-4 story apartment buildings that appear to have been constructed in 1950s-1980s.



DEVELOPMENT SUMMARY

The proposed development includes three, 2-bedroom rental units. This looks to complement the proposed long-term vision of the Official Community Plan & Fernwood Neighbourhood Plan. It also aligns with the desired measurable outcomes regarding housing choice (2-bedroom units) and increasing the city's rental housing inventory (3 new rental homes) stated in Victoria Housing Strategy Phase Two: 2019–2022. Looking to the future of Bay Street and working with City staff, this project accommodates a 3.38m SRW and 3.05m setback from this SRW as a condition of rezoning. In further meetings with staff, the issue of adaptability was discussed, however, the requested SRW and setback reduced the building footprint to such a degree that there was no room to accommodate adaptable, 2-bedroom units.

A permeable, "turf stone", driveway links Empress Ave. with three parking stalls located between the existing two-family rental home and the proposed three-unit building. A deck shelters the parking area, screens the cars from view, connects the two buildings, and functions as a common social area. A moveable, shared table and planters will be provided in this space for common use and further screening and privacy from neighbours. Its elevation above grade allows for improved solar access as opposed to being at grade. Responding to neighbour's input on the project, we have included a planted wooden screen to provide reasonable privacy and designed to minimize shading of the adjacent lots and gardens. Working with the Parks Division, the principal landscape features include six replacement trees, two boulevard trees on Bay St. and an emphasis on native, drought-resistant planting.

The design looks to balance the clear expression of the three separate entries to the individual units while maintaining the look and feel compatible with nearby one- and two-family homes. In particular, it looks to the roof forms, structural details, and garden trellises of the craftsman homes in the neighbourhood and, aligning with the strategic directions for Bay St. laid out in the OCP and Multi-unit Residential Design Guidelines (2012), utilizes a more modern urban housing typology that frames and energizes the streetscape. Neighbours have shown support for this approach in several meetings. Limitations of lot width led to the current layout of one ground floor unit and two, nearly symmetrical, 2-story units above. The flanking stairs from the ground level to the units above are two-story in height and serve as a transition from the three-story shape where the building faces neighbouring properties. A wood trellis and raised porches covered in vines and simple landscaping utilizing drought resistant, local, plants and creates a transition zone between the sidewalk and the unit entries. The shape of the roof presents a flat edge facing the street similar to nearby roofs and, like many craftsman homes, mitigates the building height by allowing the roof to engage with the story below it.



ZONING CONTEXT

As shown on the diagram below, the nearby properties are zoned R-2 (two family homes) and R3-1/R3-2 (multiple dwellings) that currently host 3 and 4 story apartment buildings (permitted up to 6 stories). We use these zones and the common RTM zone (Traditional Multiple Residential) to provide a model for us to work from. This model is informed by our goal of making a three-unit building that fits the current neighbourhood, the future 25m ROW on Bay Street, neighbours' feedback, and the nature of the lot itself.

1132 Empress Avenue



Zone	Density	Max Stories	Max Height	Site Coverage	Open Site Space
Current Zone R-2 (Two Family)	FSR 0.5:1	2	7.6m	40%max	30% (33% rear yard)
R3-1/R3-2 (Multiple Dwelling)	FSR up to 1.6:1	6	18.5 or 22m	up to 30%	30% min
RTM (Traditional Residential)	FSR 1.0:1	3	10.5m	50%max	30% min
Proposed Site Specific Zone	FSR 0.82:1¹	3²	8.9m³	47.9%⁴	36.0%

Notes/Rationale: ¹ Incremental density between R-2 and RTM

² Same as RTM and other nearby site specific zones allowing 3 story multiple dwellings such as R-94 on the corner of Queens and Cook adopted in 2019

³ Less than RTM to reflect neighbours' concerns about height in relationship to existing houses. The north side of the existing house and north side of two neighbouring 2 story houses have raised basements that present a 2 1/2 to nearly 3 story building face.

⁴ Increase from RTM to accommodate terrace/parking screen and stairs.

SETBACKS

<u>Zone</u>	<u>Front Yard Setback</u>	<u>Side Yard Setback</u>	<u>Rear Yard Setback</u>
Current Zone R-2	7.5m or	Combined 4.52m	10.7m or
Max 0.75 Eave projection	avg. of abutting lots	1.5m or 10% lot width	10% of lot depth
into all setbacks	Projections:	10% of lot width= 1.52m	
	Steps and Porch 3.5m	3.0m one side yard when	
	Bay window 0.6m	no rear lane	
Proposed Site-Specific Zone	No change ¹	Combined 4.52m ²	4.0m/3.05m ⁴
Max 0.75 Eave projection		2.26m west side yard ³	Max 1.0 Eave
into front and side setbacks		2.26m east side yard ³	

Notes/Rationale: ¹ No change as the "front yard" is facing Empress Ave and is relevant to the existing residence

² This applies to the proposed building in order to stay in character with the general building spacing of R-2 zoning

³ The proposed building is centred in the lot. This reflects the neighbour to the west's specific request to increase the space between their house and the proposed. General bike/walking circulation is on east side which, currently, is more open to the sun. Like a "rear lane", car access will be from Empress making the 3m one side yard minimum unnecessary.

⁴ The proposed "rear" setback is, effectively, now the "front" setback for the proposed development facing Bay Street. It is set further back from the property line than the adjacent house to the west to accommodate a future secondary arterial 25m SRW on Bay as illustrated in the Official Community Plan and the Fernwood Neighbourhood Plan. The increase in setback gives more room to the existing boulevard tree root zone. An additional setback of 4.0m at ground level from the SRW line has been accommodated, as requested by staff, to align with policy developed after the start of the application process. The upper floors overhang the ground floor for a setback of 3.05m from the SRW to provide space for two-bedroom apartments.

MOBILITY CONTEXT

The area is well served by local, arterial, and secondary arterial road networks. Unrestricted on-street parking is available all along both sides of Empress Ave., Empire St. and nearby local streets within a 5-minute walk.

Convenient access to public transit is provided by a bus stop, located on Bay St. adjacent to the property, for the number 10 line that runs through James Bay, Downtown, Esquimalt, and to the Royal Jubilee Hospital. As shown in the OCP, this access will only expand as BC transit's 25-year plan shows Bay Street becoming a frequent transit street.

The property is served on Bay St. by a painted bike lane that connects to Victoria's Biking network. According to the OCP and in listening to plans regarding intersection safety on Bay St at a Fernwood neighbourhood meeting, the property's access to the biking network will only grow in convenience and safety in time.

The property is within a five-minute walk of Central Park, Royal Athletic Park, Blackwood Green, Queens Avenue Playlot, and George Jay Elementary School. In a reasonable ten-minute walk one can access Northpark Village, Fernwood Village, Fernwood Community Center and Victoria High School.

CAR and BICYCLE PARKING

	Required	Provided	Notes
Off street Car Parking Spaces	7	3	Provide 5 car share (i.e. Modo) memberships
Per schedule C for rental in perpetuity apartments (5 units x 1.3)+ (5units x 0.1) =7			
Long Term bicycle racks	4	6	
Short Term bicycle racks	6	6	

Bicycle storage is located on the ground level of the proposed development for ease of day-to-day use and direct access to Empress Ave. and Bay St. ensuring that bicycle mobility is convenient. Transit access, as mentioned above, is also quite convenient. Anecdotal input from neighbours and our current experience is that on street parking on Empress and nearby has few open spaces and a significant number of cars do not belong to local residents. During the community engagement process, it was generally agreed that Empress Ave. and possibly other streets should be made residential parking only to help alleviate this situation.

The proposed driveway and drive aisle has been discussed in multiple meetings with neighbours. That space is currently used as a shared walking path and the use of 'grass pave' is intended to maintain that look and feel while providing a permeable driveway surface. As requested by neighbours, thin concrete spacers act to reduce the speed of cars entering the parking area and will help stabilize the surface. A fence along the driveway or in the back yard is not desired by the neighbours as it will interfere with the usability of the space. Most of the existing trees along the property boundary will be retained to help screen the parking area.

GREEN BUILDING FEATURES

Modern “passive design” inspired construction details that emphasize minimizing thermal bridging, continuous insulation, and solar orientation are integral to the shape of the roof and walls. As this is a market rental building with the north side facing Bay St., some of those principals had to give way for reasons of economy or aesthetics. For example, all north facing windows were not minimized or eliminated as passive design suggests because a windowless Bay St. building face would not be a desired outcome. The following is a list of green building initiatives used in the project:

- Meeting Step 4 of the BC Energy Step Code.
- Use of exterior durable materials designed to last the lifespan of the building and be readily maintained but still are in character with the existing neighbourhood.
- Low-VOC paint in all interior areas.
- Permeable ‘grass pave’ driveway surfacing.
- Heat pump as primary heating system.
- 100% electric infrastructure thus eliminating sources of combustion.
- Rough-in electrical conduit to roof for future solar panels.
- Electric vehicle rough-in wiring for each parking space.
- Use of LED lighting throughout the project.
- Low flow plumbing fixtures used throughout all units.
Secure bike storage on the ground floor with electrical outlet for electric bike charging encourage a car-lite lifestyle.
- Landscaping utilizes native, drought resistant plants.

CONTRIBUTION TO THE CITY AND NEIGHBOURHOOD

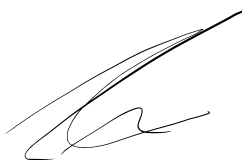
I moved to Victoria/Fernwood in 2015 with the intention of applying my background in homebuilding, environmental design, LEED Consulting, and my experience working on a variety of building projects in North and South America. I soon founded Frontera Homes, a custom homebuilding company, to combine my love for the outdoors and traveling, as well as my passion for building. The name Frontera itself brings both of these worlds together, representing a street I lived on in Latin America and my motivation to be at the forefront of building with a focus on the environment. Over the past five years, we have been involved in a number of architecturally driven, sustainably inspired projects in Victoria including a step 4 (very nearly step 5/net zero) front/back duplex at 2639 Cedar Hill Rd. and one of the first "Net Zero" renovations in British Columbia located at 2654 Fernwood Rd. I am currently enrolled in the Canadian Passive House Building Certification program.

A close family friend, Robert Murdoch, and I purchased 1132 Empress in 2018 and until only recently I resided there. We completely restored the existing craftsman bungalow on site, redesigning the interior space, upgrading its insulation and heating system, replacing old electrical and wiring, salvaging old materials and refurbishing others. I believe we succeeded in bringing life back to a beautiful, character home that was in need of a facelift. We intend to apply similar care inspired by principles learned on other projects to the proposed building on Bay St.

During my 5 years living at 1132 Empress, I have gotten to know the neighbours and surrounding community well. Before moving forward with a design for this project, I had several formal and informal meetings with our neighbours to better understand how they might be impacted by the project and how to mitigate some of these impacts. As such, we hired the architect Bruce Greenway (Greenway Studio) to create a landscape-driven design that could maintain the feeling of and shared access to the linked backyard while not intruding into our neighbour's privacy.

Our proposal intends to align with the strategic directions regarding livability and sustainability that our city aspires to while respecting the existing scale and character of the neighbourhood in the present day. Adding incremental density at this scale is achievable by small developers like ourselves and can help fill in the "missing middle" in small scale, multi-family rental housing. The published feedback on current planning initiatives regarding the Fernwood corridor shows there is public support for projects like this on our site and beyond.

Sincerely,

A handwritten signature in black ink, appearing to read 'Taylor M'Carthy', with a long, sweeping flourish extending upwards and to the right.

Taylor M'Carthy