

Vic West



Office of the City Manager

Legislative Services

#1 Centennial Square

Victoria

British Columbia

V8W 1P6

Tel (250) 361-0571

Fax (250) 361-0348

www.city.victoria.bc.ca

January 17, 2005

Mr. Kirk Kendall  
715 Catherine Street  
Victoria, BC V9A 3T7

Dear Mr. Kendall:

**Re: Removal from Heritage Registry – 715 Catherine Street**

At their meeting on January 13, 2005, Victoria City Council endorsed the following recommendation from the Committee of the Whole Meeting of December 16, 2004:

It was moved by Councillor Fleming, seconded by Councillor Coleman, that, whereas the Heritage Registry house at 715 Catherine Street is of significant historical value, it not be removed from the City's Heritage Registry. Carried

Should you have any questions in regard to this matter, please contact Steve Barber, Heritage Planner, at (250) 361-0289.

Yours truly,

Robert G. Woodland  
Corporate Ac

:scb

C: Planni  
Victori  
Burnsi

*Vic News Jan 5, 2005*

## Homeowner fights to keep house off heritage list

*A3*

A homeowner rejected again Thursday in his bid to have his house removed from the city's heritage registry vows to keep trying.

Kirk Kendall, whose home at 715 Catherine St. in Victoria West has been in his family four generations, told councillors Thursday he will come back and "waste council's time" by applying again until the house is taken off the list.

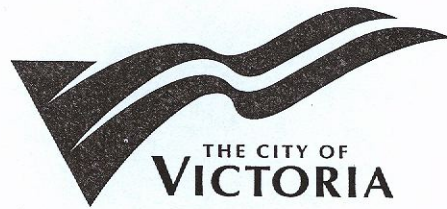
Kendall's wife has appeared before council's committee of the whole before to voice concerns over what she and her husband felt were restrictions on the type of renovations they could do to their house.

Kendall was told last week by both Coun. Pam Madoff and Coun. Denise Savoie that being on the registry doesn't limit what can be done to a home, outside of demolition, and gives the homeowner access to expert advice on restorations.

The house has been on the registry since 1980.

715 Catherine

Blg



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March 30, 2004

Mr. Kirk Kendall  
715 Catherine Street  
Victoria, BC  
V9A 3T7

Dear Mr. Kendall:

**Subject: Request to Remove 715 Catherine Street from the Heritage Registry**

At its meeting on March 25, 2004, Victoria City Council resolved as follows:

that whereas the Heritage Registry house at 715 Catherine Street is of historical significance, that it not be removed from the City's Heritage Registry.

Carried

Please contact Steve Barber, Heritage Planner, Planning and Development Department, at 361-0289, should you have any further questions regarding this matter.

Yours truly,

Robert G. Woodland  
Corporate Administrator

/bls

C: Steve Barber, Heritage Planner  
Victoria Heritage Foundation  
Burnside Gorge Community Association, 484 Cecelia Road, Victoria, BC, V8T 4T5

## Carrington, Linda

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**From:** Barber, Steve  
**Sent:** Monday, February 23, 2004 2:38 PM  
**To:** 'Kendall.KK@forces.gc.ca'  
**Cc:** Carrington, Linda; Hertiage Advisory Committee  
**Subject:** RE: Heritage Registry

I will place your request on the agenda for the next meeting of the Heritage Advisory Committee on March 9, 2004. Do you wish to appear before the Committee?

-----Original Message-----

From: Kendall.KK@forces.gc.ca [mailto:Kendall.KK@forces.gc.ca]  
Sent: Monday, February 23, 2004 2:34 PM  
To: Barber, Steve  
Subject: Heritage Registry

My wife and I are the owners of 715 Catherine st and would like to request that our home be removed from the heritage registry. Please table my request at the next available opportunity and notify me of the results in writing. If you can not add my request to the upcoming agenda or I am required to contact someone else in regards to this subject please contact me during the work day.

Sincerely,

Kirk Kendall  
715 Catherine St  
Victoria BC  
V9A 3T7

Work (250) 363-1240

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October 16, 2002

Mr. Kirk Kendall  
Ms. Angela Brown  
715 Catherine Street  
Victoria, BC V9A 3T7

Dear Mr. Kendall and Ms. Brown:

**Re: Request for Removal from the Heritage Registry – 715 Catherine Street**

At its meeting on October 10, 2002, Victoria City Council endorsed the following recommendation from the Committee of the Whole of October 3, 2002, that, whereas the Heritage Registry house at 715 Catherine Street has historical significance, it not be removed from the City's Heritage Registry.

Should you have any questions in regard to this matter, please contact Steve Barber, Heritage Planner, at (250) 361-0289.

Yours truly,

Robert G. Woodland  
Corporate Administrator  
:scb

C: Steve Barber, Heritage Planner, Planning & Development (L. Carrington)  
✓ Victoria Heritage Foundation  
Burnside/Gorge Community Association

# Heritage status irks Vic West family

**Brennan Clarke**

*Weekend Edition contributor*

When Ken Kendall discovered the Catherine Street home he had lived in for 30 years had been included on Victoria's heritage registry, his immediate reaction was to have the home taken off the list.

"(Ken) had no idea it was registered as a heritage home, so he approached the city and said, 'I'm not interested. I don't want my home registered,'" said Kendall's daughter-in-law, Angela Brown.

*"There's no need to take it off the registry. The owners are simply obliged to go through the process for comment. It's non-binding."*

— Pam Madoff

"It was really upsetting that this happened without him knowing."

After his father's death last year, Kendall's son Kirk again asked Victoria city council to honour his father wishes, but the request fell on deaf ears.

At its committee-of-the-whole meeting last week, Victoria councillors voted to keep the home on the registry, despite a formal petition from Kendall and Brown.

"As city council's representative on the heritage committee, that's not something I would support," said Coun. Pam Madoff.

Madoff stressed that the registry does not prevent homeowners from carrying out renovations or improvements.

But Brown, who spoke to the issue while her partner is away at sea on the *HMCS Winnipeg*, said the registry will make it more difficult to carry out renovations to an addition



BRENNAN CLARKE/WEEKEND EDITION CONTRIBUTOR

Angela Brown leans on an old pickup truck parked in front of her Vic West home, which City Hall has refused to take off the city's heritage registry, despite a request from Brown and her partner, Kirk Kendall.

on the back of the home.

"The heritage society has asked to see all our plans and permits before they are approved, so I'm not sure what that means," Brown said. "Things would be a lot less involved and complicated without having to go through the society. It just creates more red tape."

Madoff, however, said that's not reason enough to remove

the home from the registry.

"There's no need to take it off the registry," she said. "The owners are simply obliged to go through the process for comment. It's non-binding."

The house, a run-down two-storey brick structure on Catherine Street, hardly fits the image most people associate with heritage homes in Victoria.

For the Kendall family, the

home's sentimental value is far greater than the heritage values City Hall has placed on it.

"To us it's a family home and it will get more protection from us than it would from any society," she said. "Frankly, I can't believe they can do this without telling the homeowner."

Council will make a final determination on the request at a meeting scheduled for Oct. 3, Brown said.

**Background:**

On June 3, 2002, an application was made to the Board of Variance to permit the construction of a 2-storey addition on the rear of a non-conforming, *Heritage Registry* residence at 715 Catherine Street. The application requested relaxation of the rear and side yard setback requirements of the existing R-2 zoning bylaw. The Heritage Advisory Committee reviewed the application at its June 25, 2002 meeting and recommended to the Board of Variance that the application be declined in the following motion:

*That it be recommended to the Board of Variance that as the proposed addition is too large and too high and would overpower this historical house, that the application be declined and that the applicants be requested to consider a smaller-scaled addition. Further, should the application be approved, that it be referred back to the Heritage Advisory Committee at building permit stage.*

The Board of Variance considered the application at its July 11, 2002 meeting and approved the application by a vote of 3 to 2.

The owners subsequently submitted the attached letter, dated June 30, 2002, requesting the house be removed from the *Heritage Registry*. The Heritage Advisory Committee, at its meeting of August 13, 2002, reviewed the request and recommended that the house not be removed from the *Heritage Registry* due to its historical significance

There are relatively few residences in Victoria constructed of brick. As such, this house is a notable example of this rare method of construction in the Victoria West neighbourhood and is worthy of preservation. It also contributes to the historic character of Catherine Street which forms a distinctive historic streetscape in this neighbourhood. The northern end of Catherine Street is designated as a *Heritage Conservation Area* in recognition of its important character. As such, the Planning Division recommends the property be retained on the *Heritage Registry*.


30 June 02

Attention Steve Barber:

My spouse and I have recently become the owner of 715 Catherine St. During application for variance I was notified that the house was on a heritage registry. I was very surprised to find that it was registered because the previous owner was my father and he clearly expressed to Heritage Committee members when approached that he was not interested in having heritage status. I am taking this opportunity to reiterate my fathers position. I am not interested in having my residence designated as a heritage building. Further I would like the house at 715 Catherine removed from the Heritage registry.

Sincerely,

  
Kirk Kendall

  
Angela Brown

Received  
JUL 05 2002  
Planning Division  
City of Victoria

Vic West

715 Catherine Street – Heritage Registry house. Proposed addition. Application of Banks Design on behalf of Kirk Kendall and Angela Brown. Zoned R-2 Two Family Dwelling District. For comment to the Board of Variance.

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Steve Barber outlined the proposal which is to demolish the existing 36.2 sq.m. (390 sq.ft.) addition at the rear of the property and add a 39.6 sq.m. (426.75 sq.ft.) two storey addition. Variances are required for both the rear yard and side yard setbacks. Heritage Advisory Committee review is to provide recommendations to the Board of Variance.

The application requires the following variances:

- |                          |  |
|--------------------------|--|
| Section 2.1.5(3)(m)(ii). | Rear yard setback relaxed from 10.7m (35.1') to 1.89m (6.2').    |
| Section 2.1.5(3)(n)(i).  | Sideyard setback relaxed from 4.5m (14.77') to 0.98m (3.24').    |
| Section 2.1.5(3)(n)(ii). | South side yard setback relaxed from 3.0m (10') to 1.61m (5.2'). |

While the proposed addition is located at the rear of the property and is screened to a certain extent by existing vegetation, it is quite large in relation to the existing house. The height of the gable roof on the new structure is also higher than the original. A more modestly scaled addition would not overwhelm the scale of the existing structure.

Nigel Banks, Banks Design, attended with the owner Kirk Kendall.

#### **Presentation from Applicants**

- A difficult site to work because of its small size, 43'.
- Has been in the Kendall family for 4 generations.
- Addition will project approximately 8' beyond the existing house.
- Original building resembles brick and do not want to alter that.
- Stucco finish on the addition and keep it monochromatic.
- Approximately 1781 sq. ft. total.
- Explained the relationship of the 2 adjacent lots to the subject property.
- House is not in a liveable form presently.

#### **Committee comments**

- This is an important house owned by the Oldershaw family who owned several properties in Vic west.
- An L shape design was suggested.
- Addition is too large and overpowering and too high.

Councillor Madoff suggested that wood siding be used for the addition, not stucco, so that the addition is distinct and help reduce the visual mass of the house.



June 19, 2002

Memo to: Chairman and Members, Heritage Advisory Committee

From: Steve Barber, Heritage Planner

Re: **715 Catherine Street – Heritage Registry house. Proposed addition. Application of Banks Design on behalf of Kirk Kendall and Angela Brown. Zoned R-2 Two Family Dwelling District. For comment to the Board of Variance.**

### Executive Summary

*Bruce Oldershaw c.1897*

The application is to demolish the existing 36.2 sq.m. (390 sq.ft.) addition at the rear of the property and add a 39.6 sq.m. (426.75 sq.ft.) two storey addition. Variances are required for both the rear yard and side yard setbacks. Heritage Advisory Committee review is to provide recommendations to the Board of Variance.

*455' > 875'  
426' foot print*

### Recommendation

Whereas, the proposed addition is almost as large as the original house, the application be declined and the applicant be requested to consider a smaller scaled addition.

*designate  
restore front porch & repoint  
remove garage at left  
how wide the lot*

### Background/Analysis

The application requires the following variances:



Section 2.1.5(3)(m)(ii). Rear yard setback relaxed from 10.7m (35.1') to 1.89m (6.2').

Section 2.1.5(3)(n)(i). Sideyard setback relaxed from 4.5m (14.77') to 0.98m (3.24').

Section 2.1.5(3)(n)(ii). South side yard setback relaxed from 3.0m (10') to 1.61m (5.2').

### Existing Standards/Guidelines

The Rehabilitation Principles and Guidelines of the BC Heritage Trust states the following under "New Additions"

*If a new addition is required, it should be constructed with the least possible loss of historic material and in such a way that character-defining features are not obscured, damaged or destroyed.*

*The attached exterior addition should be located at the rear or on an inconspicuous side of an historic building; its size and scale should be limited in relationship to the historic building.*

Additional guidance is found in Preservation Brief #14, "New Exterior Additions to Historic Buildings: Preservation Concerns" by Kay D. Weeks, US Department of the Interior, National Park Service. It states the following under the heading, "Preserving the Historic Character":

*To meet National Park Service preservation standards, a new addition must be "compatible with the size, scale, color, material, and character" of the building to which it is attached or its particular neighbourhood or district. A new addition will always change the size or actual bulk of the historic building. However, an addition that bears no relationship to the proportions and massing of the historic building – in other words – one that overpowers the historic form and changes the scale will usually compromise the historic character as well. The appropriate size for a new addition varies from building to building; it could never be stated in a tidy square or cubic footage ratio, but the historic building's existing proportions, site and setting can help set some general parameters for enlargement. To some extent, there is a predictable relationship between the size of the historic resource and the degree of change a new addition will impose.*

### **Discussion**

While the proposed addition is located at the rear of the property and is screened to a certain extent by existing vegetation, it is quite large in relation to the existing house. The height of the gable roof on the new structure is also higher than the original. A more modestly scaled addition would not overwhelm the scale of the existing structure.

JC  
Plan No. 2919

18<sup>th</sup> February 1908

APPLICATION

-to-

CONNECT WITH SEWER

715 Catherine W. Street  
John J. Skipskey Owner

# CITY OF VICTORIA.

## Application for a Permit to Construct House Sewers and Connections with the Public Sewers.

At the Building and premises located on the East side of Catherine Street, between Edward Street and Henry Street, being        feet from        Street, on Lot, No. S 1/88 Block, No. L Sec 31 Estate or Registered Plan, No.       

Plan submitted, Numbered (.....)         
Owner J. M. S. Pipey Address 415 Catherine St  
Pipe layer        Address         
Plumber And. H. Thesau Address Broad St  
Purpose of building Residence  
How many Buildings one

Pursuant to the provision of Sewers By-Law of the City of Victoria, application is hereby made to the City Engineer of the said City for permission to construct sewers on the above mentioned premises in accordance with the accompanying plans and these particulars, and to connect the said sewers with the public sewer in Catherine street. The undersigned hereby agreeing to cause the work to be done in accordance with the aforesaid By-Law, and the standard specification provided for in the said By-Law, the material to be furnished in accordance therewith, and such modifications as may be required by the City Engineer, and further, that all work herein contemplated will be executed in a workmanlike manner.

No modification of the plan and these particulars, or of the work described therein, will be made unless the same is previously allowed by the City Engineer, and all work pertaining to the proper plumbing and sewerage of the buildings and premises which is not covered by the plan and these particulars, but is found necessary during the progress of the work in order to carry into effect the true intent of the By-Law, and standard specification, shall be executed in accordance with the directions of the said City Engineer aforesaid.

NOTE—Earthenware Sewers are shown on the plan in red lines, and metal pipes in blue lines.

Date 18<sup>th</sup> day of February 1908 A. W. Wilson Agent for owner.

### Report and Recommendation of Inspector

I report that I have examined the plans submitted with the foregoing application and find the same to be in compliance with the requirements of Sewers By-Law. I therefore recommend that a permit be granted for the construction of the work.

Inspector of Plumbing and Sewerage.

..... day of ..... 190.....