865 Academy Close Bldg + Designation Bylaw

NO. 09-006

A BYLAW OF THE CITY OF VICTORIA

to designate the building located at 865 Academy Close to be protected heritage property.

Under its statutory powers, including section 967 of the *Local Government Act*, the Municipal Council of The Corporation of the City of Victoria enacts the following provisions:

1. This Bylaw may be cited as the "HERITAGE DESIGNATION (865 Academy Close) BYLAW (NO. 585).

2. The building located at 865 Academy Close, legally described as Lot 1 of Lots 353 and 354, Victoria City, Plan 5322, is designated to be protected heritage property, including the interior layout of living room, dining room, sunroom and bedrooms organized around the central hallway, and the rock wall at the front of the property.

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READ A FIRST TIME the	**15th**	day of	**January,**	2009
READ A SECOND TIME the	**15th**	day of	**January,**	2009
Public Hearing Held on the	**29th**	day of	**January,**	2009
READ A THIRD TIME the	**29th**	day of	**January,**	2009
ADOPTED on the	**29th**	day of	**January,**	2009

"ROBERT G. WOODLAND"
CORPORATE ADMINISTRATOR

"DEAN FORTIN"
MAYOR

Loan to Brigitte

CITY OF VICTORIA
HERITAGE ADVISORY COMMITTEE
MINUTES OCTOBER 14, 2008

Present: Richard Collier (Chairman)
Ken Johnson
Keith Thomas
John Adams
Gail Evans-Hatch
Berdine Jonker
Jim Stiven
Councillor Charlayne Thornton-Joe

Absent: Lisa Mort-Putland
Murray McKenzie
Roger Tinney
Samantha Patterson

Staff: Steve Barber, Senior Heritage Planner
Linda Carrington, Secretary

Approval of Agenda

Moved **Seconded**

That the agenda be approved as circulated.

Carried

Announcements - None

Minutes – September 9, 2008

Moved **Seconded**

That the Minutes of September 9, 2008 be adopted.

Carried

865 Academy Close – HD000076 – owner request for Heritage Designation. Zoned R3-1 Multiple Dwelling District.

This is an owner request to designate a house at 865 Academy Close, an 1883 residence south of St. Ann's Academy in the Fairfield Neighbourhood.

Heritage Value

The house at 865 Academy Close is valued for its age, its architecture and its historic associations with St. Ann's Academy and two prominent early Victoria citizens, Alfred J. Morley and Dr. Israel W. Powell.

The simple pyramidal roofed structure, built in 1883, is significant for its association with Alfred J. Morley, a mayor of Victoria in the early 1900's, who purchased the house in 1904. Mr. Morley is credited with a number of important achievements in the formative years of Victoria. These include the establishment of the Sooke Lake water system, the introduction of large scale street paving, and Victoria's famous cast iron cluster streetlights.

Prior to Mr. Morley's tenure, the house was owned by the Sister's of St. Ann from 1895 until 1904. This association and the prominent location above St. Ann's Academy, contribute to its significance as one of the few remaining buildings of the original historic context of this National Historic Site.

The value of the house is further re-enforced by its association with Dr. Israel W. Powell, a prominent figure in the history of British Columbia, who was elected to the Colonial Legislature and was a leading advocate of confederation with Canada. He purchased the house in 1911 as a rental property. He later became B.C.'s first Superintendant of Education and Indian Affairs, and was responsible for organizing Victoria's first militia, the Victoria Voluntary Rifles.

This simple Victorian Cottage reflects the gradual residential expansion into the area south and east of St. Ann's Academy into the Fairfield Neighbourhood. It is valued as a very early example of the simple architectural forms of Victorian middle-class dwellings of the late 19th century. It is important as there are relatively few homes from the 1870's and 1880's remaining in Victoria.

Character-Defining Elements

- Simple pyramidal roof form.
- Elements relating to its 1883 construction, including simple rectangular floor plan, bay window, wood-sash windows, brick chimneys, and wood trim elements.
- Interior layout with central hall flanked by living room, dining room and bedrooms, all with high ceilings.
- Exterior wood shingle cladding.
- Original sunroom on the south east corner.
- Rock wall on the street elevation.
- Proximity to the street and prominent raised elevation.
- Existing signage.

The committee discussed some of the merits of the building, i.e., what are the wood-trim elements, the rock wall is in poor condition and its age unknown. Under the Character-Defining Elements, there was disagreement with "wood trim elements" being listed in bullet #4 along with exterior wood shingle cladding. Not truly representative of architectural style. It was suggested that "wood trim elements" be included in bullet #2 which relates to its 1883 construction. Other members believed the property has associative value, is within the context of the historic neighbourhood, and the importance of its relation to St. Ann's Academy and the street.

Moved Seconded

Whereas the house at 865 Academy Close is of heritage significance, City Council designate it as a Municipal Heritage Site, including the interior layout of theliving room, dining room, sunroom, and bedrooms organized around the central hallway, and the rock wall at the front of

The property, and further, that the question of exterior wood trim elements be moved to the second bullet under Character-Defining Elements, as a part of "elements relating to its 1883 construction".

Carried

Bruce Gillespie & Patricia Gibb
865 Academy Close
Victoria BC V8V 2X8

The Mayor & City Council
City of Victoria
1 Centennial Square
Victoria, B C
V8W 1P6

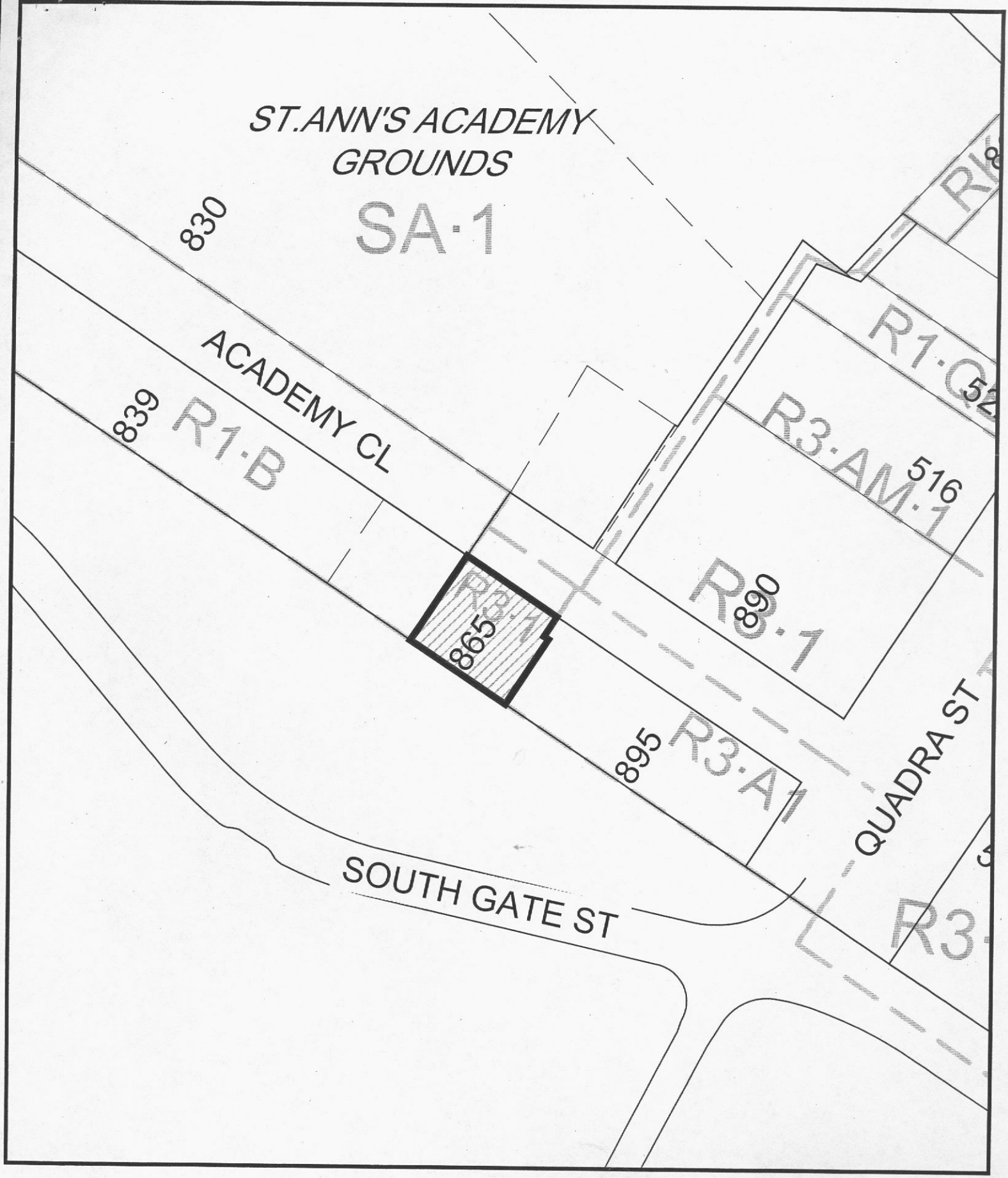
Re: Heritage Application for 865 Academy Close

Please accept this letter as our indication of intent to have our property designated as "heritage". At 125 years of age, in an area that is critical in reflecting the history and development of the city -- it is natural for this property to be listed. Former residents/owners include mayors and fathers of Confederation. The external elements of the building are aesthetic and authentic. The property also is in a highly visible location on a busy pedestrian footpath on the south side of St. Anns Academy, flanked by parkland or national heritage green space on three sides. These are a few reasons it should be protected for the future.

Our only concern and slight reticence in the making this application relates to the current lack of assistance at the civic, regional, provincial and federal levels given to owners of heritage buildings with regard to dealing with reduction in carbon footprint, and making buildings more energy-efficient. We would request that Council at its earliest opportunity revisit this issue and help the private owners that currently bear this whole burden. The impact of not supporting resident owners in this regard will lead to a loss of our collective history and a diminished city.

Sincerely,

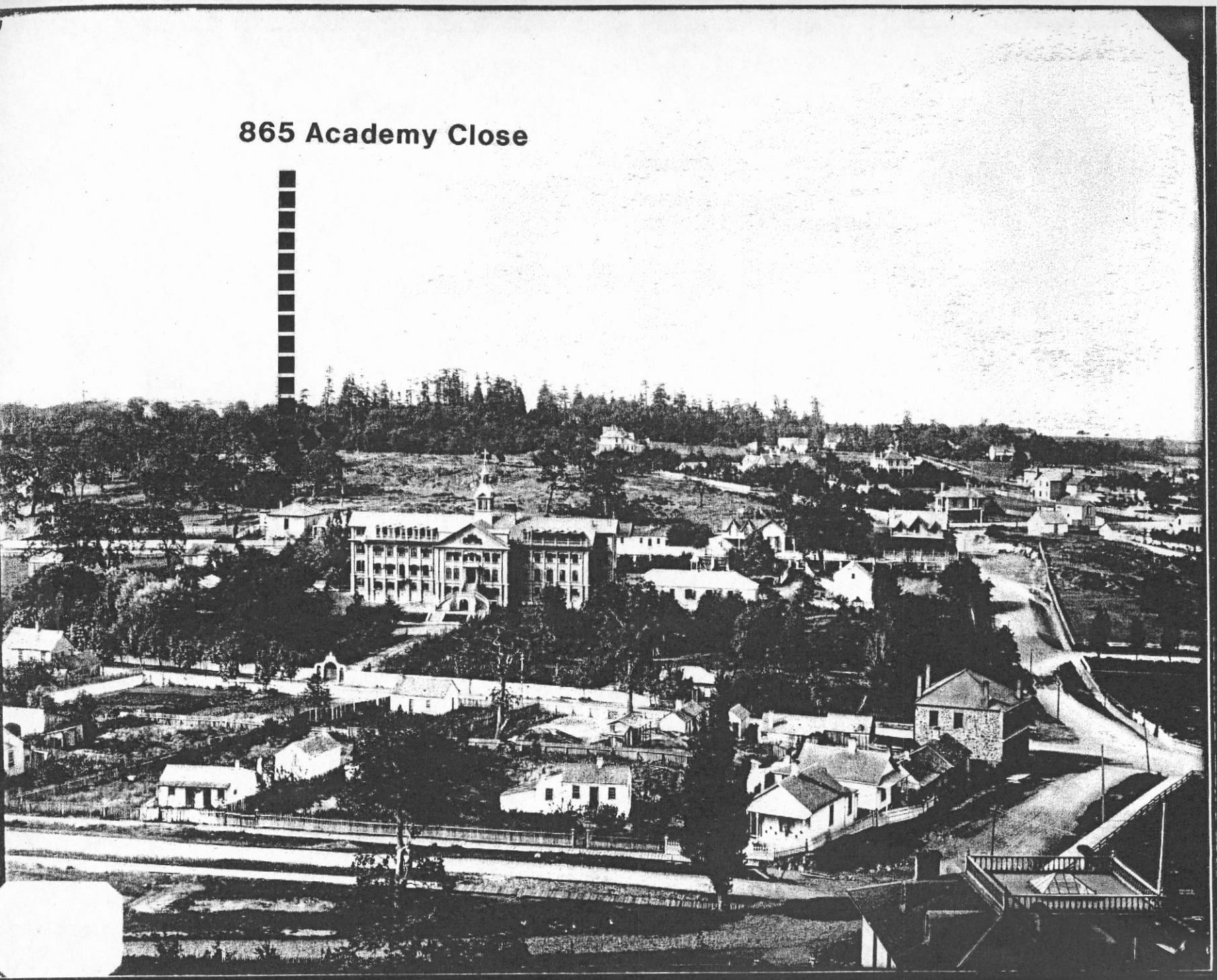
Bruce Gillespie & Patricia Gibb

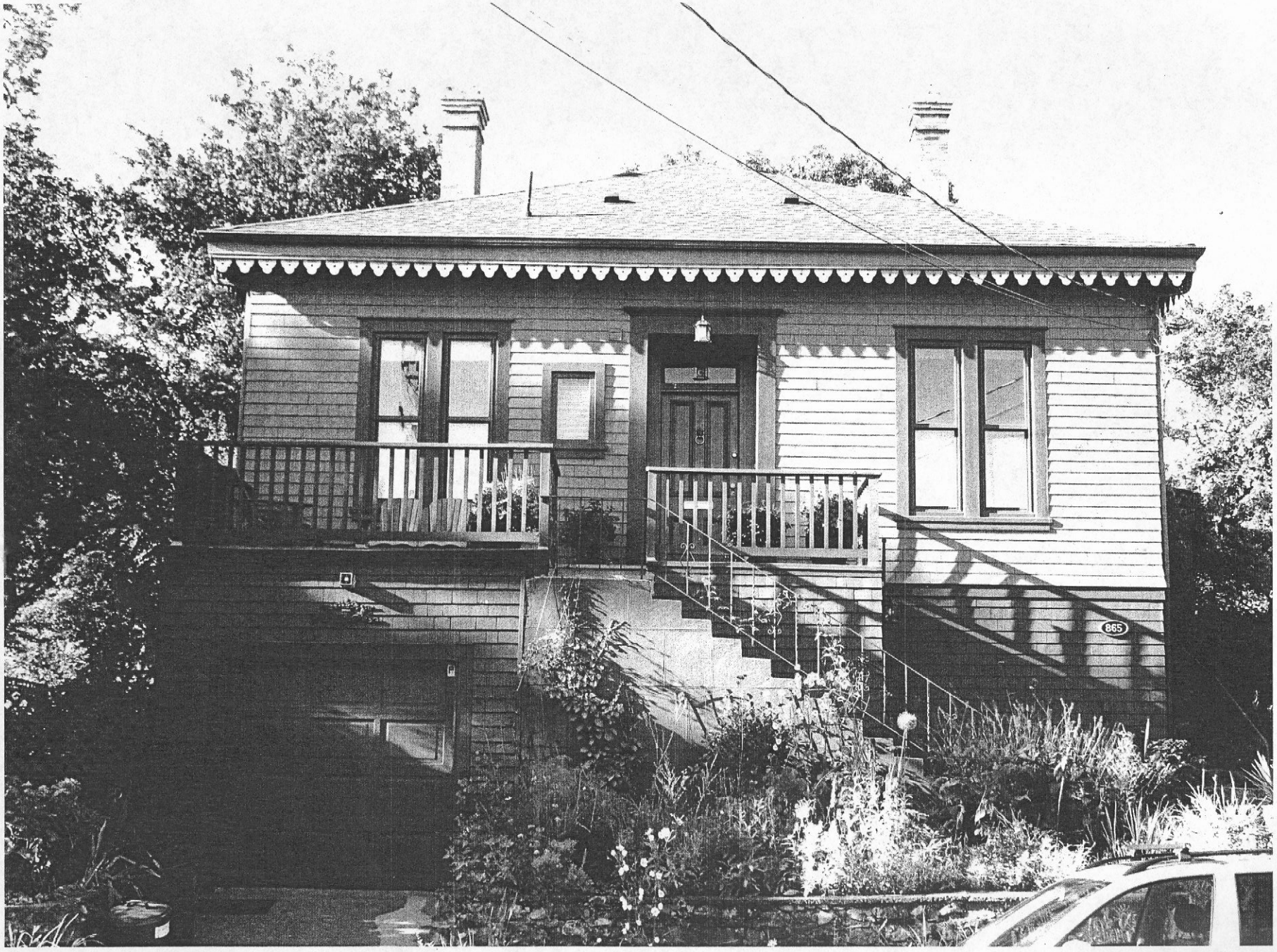


865 Academy Close
Proposed Heritage Designation #000076

THE CITY OF VICTORIA

865 Academy Close

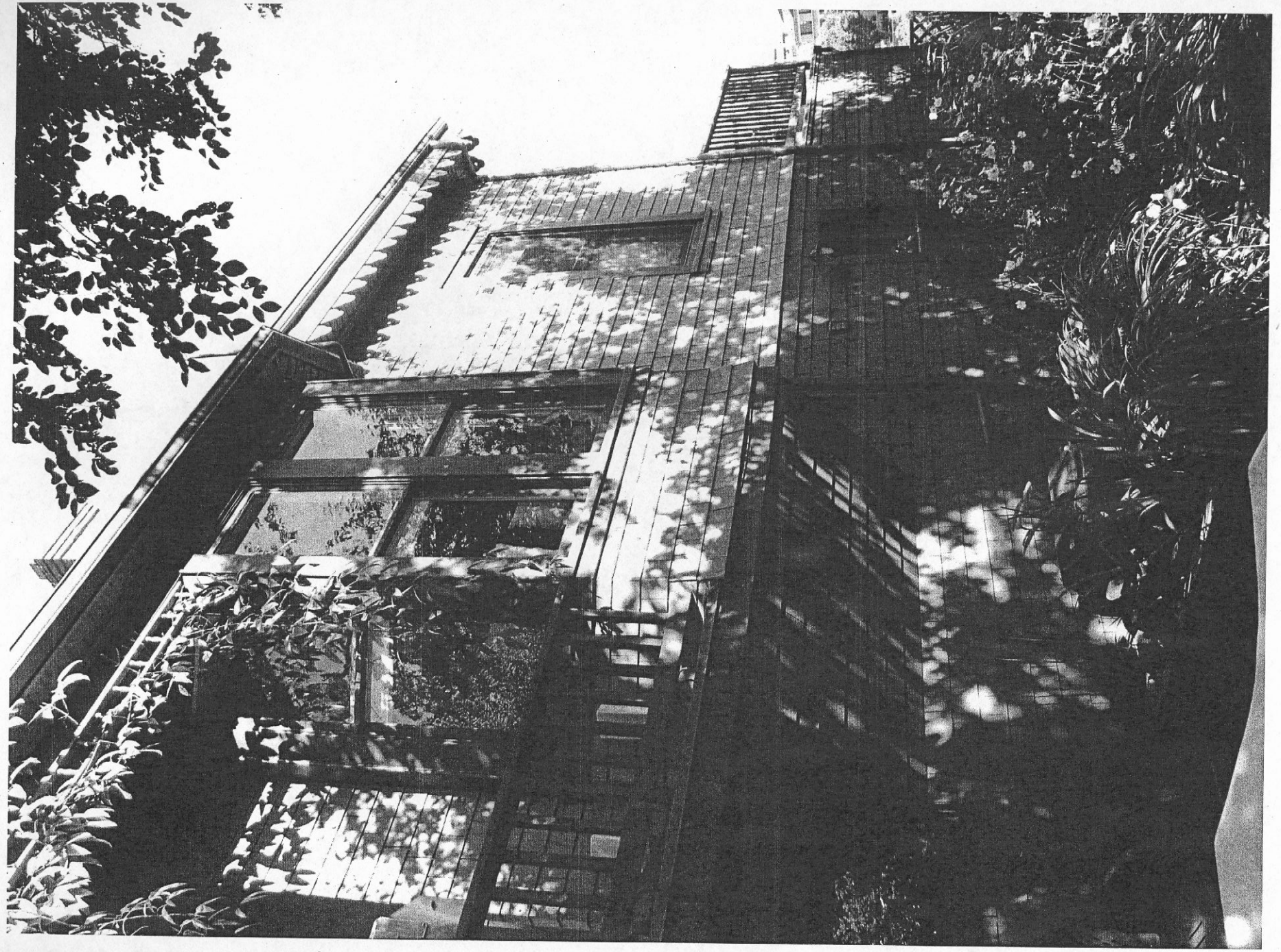




865 Academy Close

865 Academy Close

865 Academy Close / Sunroom on southeast corner



865 Academy Close / Bay Window / East Elevation

865 Academy Close / Rock Wall

865 Academy Close / Interior / View of Central Hallway

865 Academy Close / Interior / View of Dining Room from Living Room

865 Academy Close / Interior / Living Room

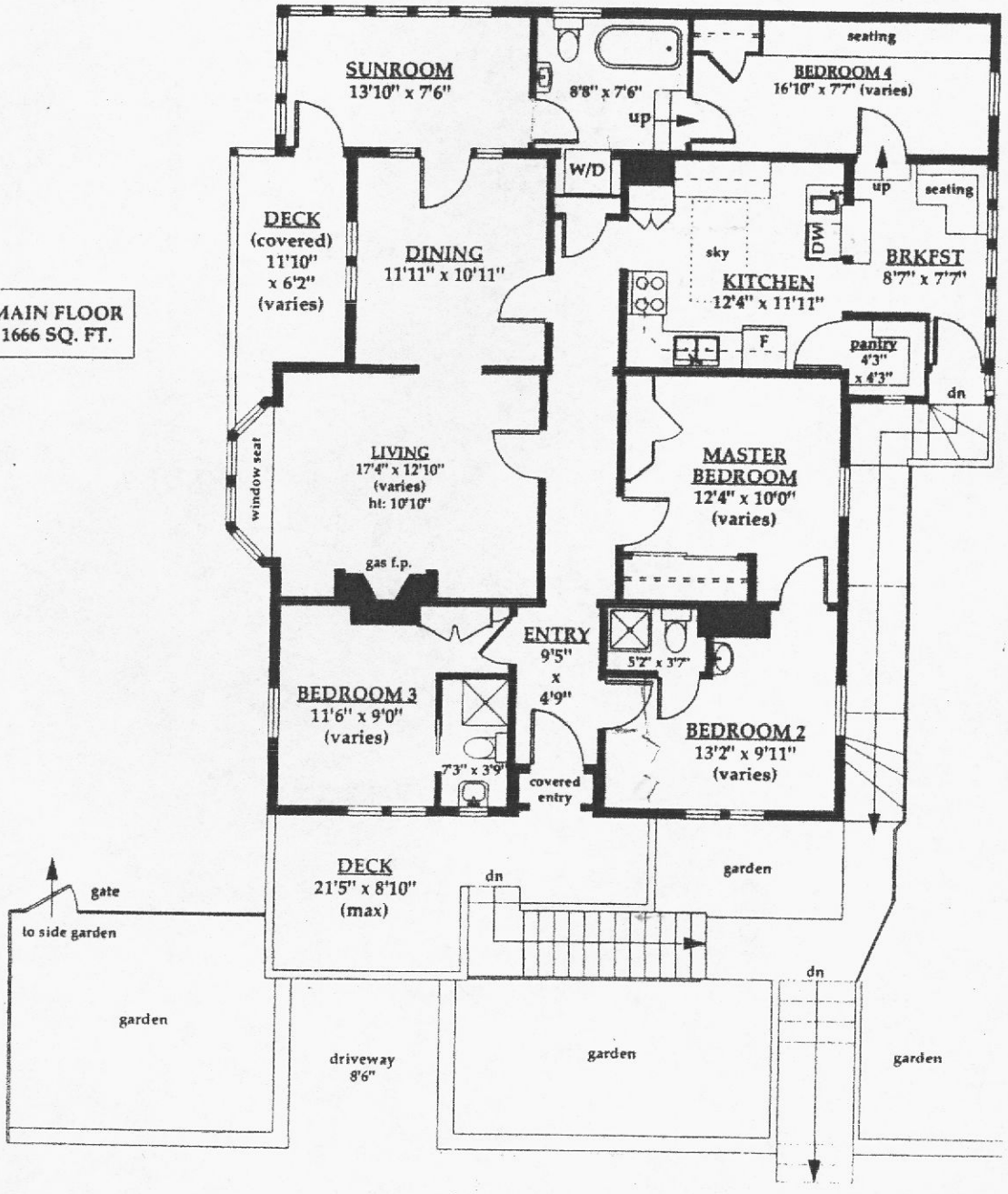
865 Academy Close / Interior / Dining Room

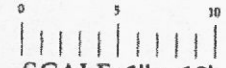
825 Academy Close / Interior / Bedoom

865 ACADEMY CLOSE

VICTORIA

MAIN FLOOR
1666 SQ. FT.





SCALE: 1" = 10'

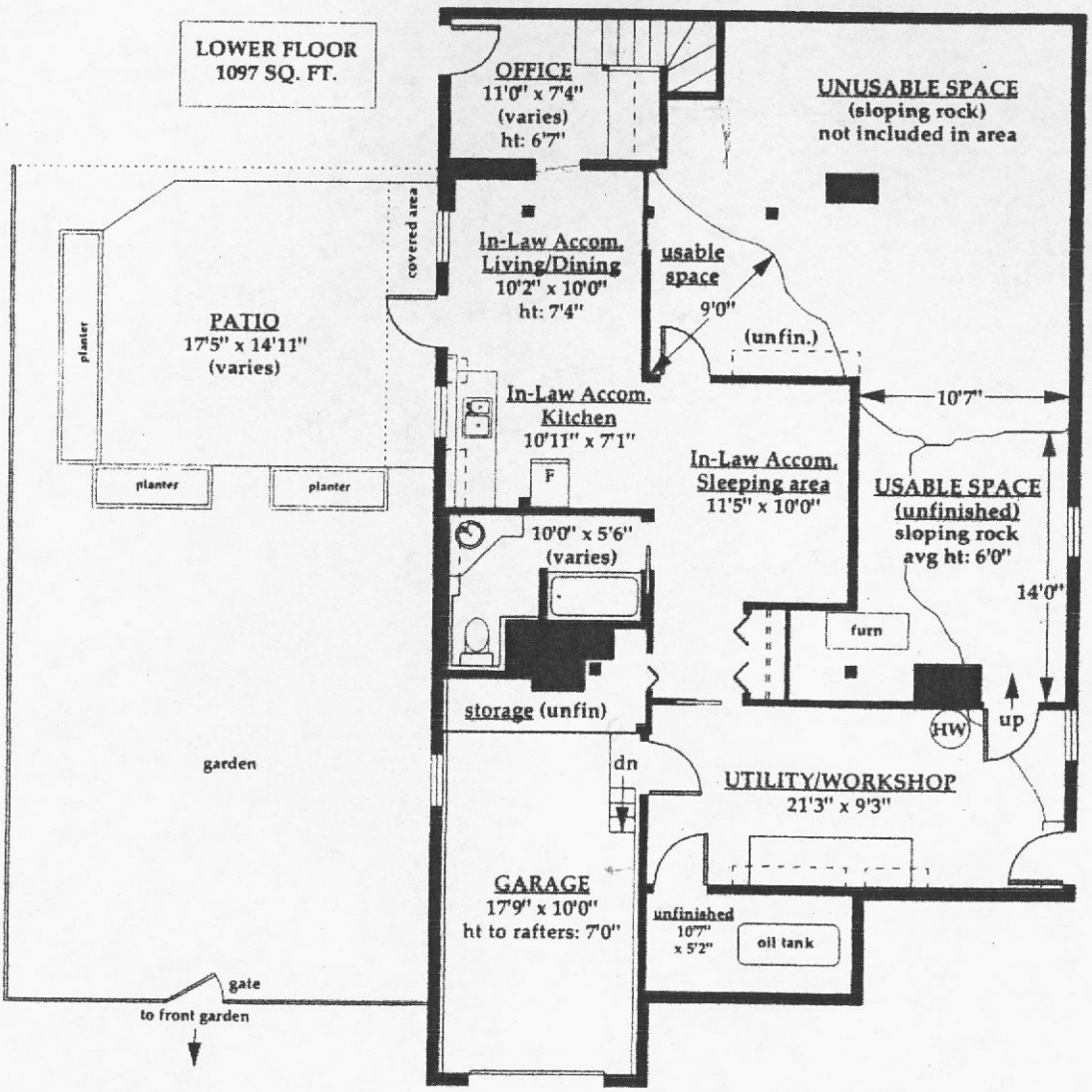
FLOOR AREA ANALYSIS			
	FINISH SQ. FT.	UNFIN. SQ. FT.	TOTALS SQ. FT.
MAIN	1666		1666
LOWER	738	359	1097
TOTAL	2404	359	2763
OTHER		SQ. FT.	
GARAGE		208	
DECKS (total)		233	
PATIO		253	

PREPARED FOR THE EXCLUSIVE USE OF GLENDA AND JACK WOODWARD

DATE MEASURED:	DIMENSIONING BY:
OCT. 25, 2005	HEATHER FREEMAN 661-4934

865 ACADEMY CLOSE

VICTORIA



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SCALE: 1" = 10'

PREPARED FOR THE EXCLUSIVE USE OF GLENDA AND JACK WOODWARD

DATE MEASURED: OCT. 25, 2005	DIMENSIONING BY: HEATHER FREEMAN 661-4934

N

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THE CITY OF VICTORIA

865 Academy Close Bldg

CITY OF VICTORIA
APPLICATION FOR HERITAGE DESIGNATION

STREET ADDRESS AND POSTAL CODE 865 ACADEMY CLOSE

LEGAL DESCRIPTION Lot 1 of 353-4 Map 5322

LOT SIZE Bl 31A Roll ~~493~~ 190

PRESENT OWNER ADDRESS (if different from above) — EA ALDER (1950-63) Install

DATE OF CONSTRUCTION ~~1905 or Earlier~~ 1883

ORIGINAL OWNER'S NAME & OCCUPATION CHARLES GABRIEL (FATHER OF CONFEDERATION)
ALFRED MORLEY (MAYOR) also DR. ISRAEL POWELL

OTHER RELEVANT HISTORIC INFORMATION SEE ATTACHED - RICHARD LINZEY HAD SEEN PICTURES OF ST. ANNS ACADEMY DATED IN BOTH 1880's & 1890's SHOWING A SIMILAR HOUSE IN THE BACKGROUND

Please attach photo(s) of the building and a letter to Mayor and Council explaining the reasons for requesting heritage designation, along with a current Certificate of Title for the property.

INTERIOR FEATURES: Please indicate whether you wish to protect portions of the interior of your building in the designation bylaw.

NO ☐ YES ☑ If YES, describe **features:** INTERIOR CEILINGS & SUN ROOM

LANDSCAPE FEATURES: Please indicate whether you wish to protect any landscape features of your property in the designation bylaw.

NO ☐ YES ☑ If YES, describe **features:** FRONT WALL & ROCK GARDEN

OUTBUILDING FEATURES: Please indicate whether you wish to protect any outbuildings on your property in the designation bylaw.

NO ☐ YES ☐ If YES, describe **features:** N/A

COMPENSATION: I hereby waive any right to compensation in relation to the heritage designation of this property. **NOTE: ALL property owners with an interest in the property MUST sign this form.** HIGHWOOD / THE HERMITAGE

Print Name: BRUCE GILLESPIE & PATRICIA GIBB
Phone 381-0005 or 294-0719 (BRUCE-OFFICE)
E-Mail bg@rewerx.com
Fax

bg@rewerx.com

Signature: B Gillespie P. Gibb **Date:** March 20, 2008

This application and any supporting documentation should be delivered to the City Planning Division, City Hall, #1 Centennial Square, Victoria, B. C. V8W 1P6

Prior to the Heritage Advisory Committee making a recommendation to City Council, a thorough examination of the property is required. To expedite the Committee's review, your assistance in gathering the background information is requested.
Much of the historic information can be obtained from City Archives. Some historic information may be included in the City's publication *This Old House* which may be viewed at the Planning & Recreation Department

HUI, CORA
1200 - 805 WEST BROADWAY
VANCOUVER BC V5Z 1K1

PICK UP: VICTORIA
BY: WEST COAST

YOUR FILE NUMBER:
A-1232-CH

LAND TITLE DISTRICT: VICTORIA, BRITISH COLUMBIA

CERTIFICATE NO: STBC0960021 TITLE NO: FA41722

THIS IS TO CERTIFY THAT AT 05:36 ON 17 OCTOBER, 2006, THE STATE OF THE TITLE TO THE LAND DESCRIBED HEREIN IS AS STATED AND IS SUBJECT TO THE NOTATIONS APPEARING BELOW. THIS CERTIFICATE IS TO BE READ SUBJECT TO THE PROVISIONS OF SECTION 23(2) OF THE LAND TITLE ACT (R.S.B.C. 1996 CHAPTER 250) AND MAY BE AFFECTED BY SECTIONS 50 AND 55-58 OF THE LAND ACT (R.S.B.C. 1996 CHAPTER 245).

REGISTRAR

THE LAND TITLE & SURVEY AUTHORITY OF BRITISH COLUMBIA
bc Land Title & Survey
THE LAND TITLE OFFICE · VICTORIA ·

APPLICATION FOR REGISTRATION RECEIVED ON: 04 APRIL, 2006
ENTERED: 07 APRIL, 2006

REGISTERED OWNER IN FEE SIMPLE:
BRUCE DOUGLAS GILLESPIE, BUSINESSMAN
PATRICIA ANNE GIBB, BUSINESSWOMAN
865 ACADEMY CLOSE
VICTORIA, BC
V8V 2X8
AS JOINT TENANTS

TAXATION AUTHORITY:
CITY OF VICTORIA
CAPITAL ASSESSMENT AREA

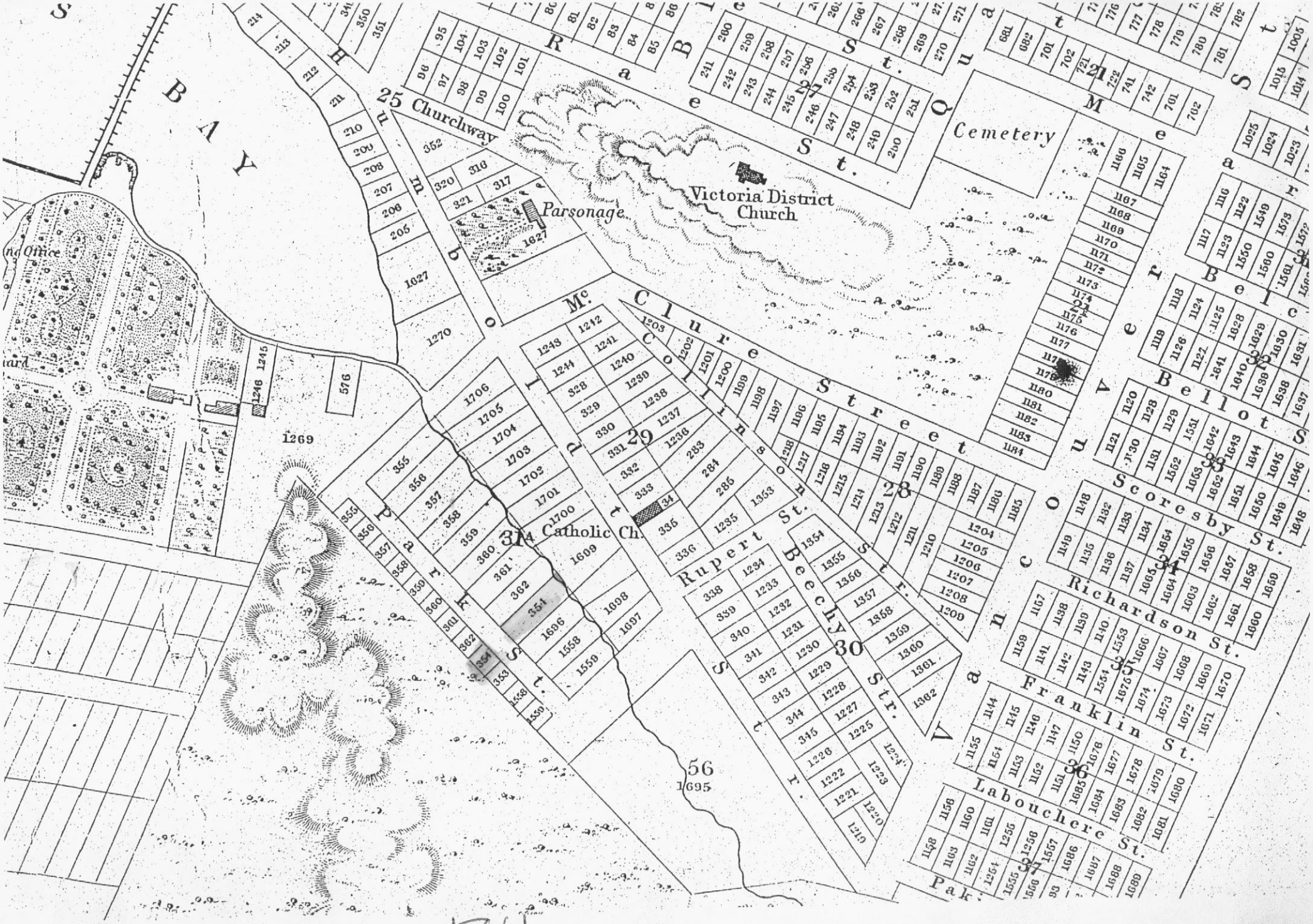
DESCRIPTION OF LAND:
PARCEL IDENTIFIER: 005-967-759
LOT 1 OF LOTS 353 AND 354, VICTORIA CITY, PLAN 5322

LEGAL NOTATIONS: NONE

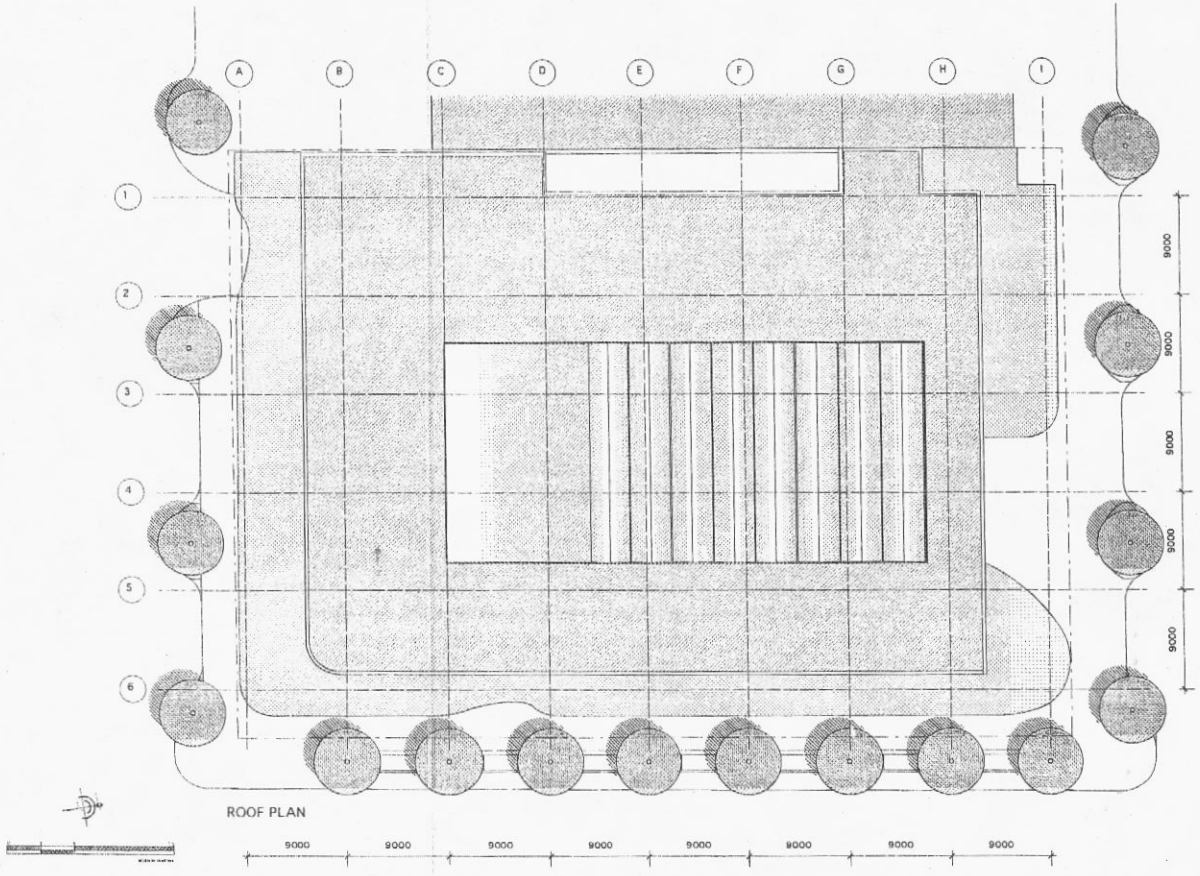
CHARGES, LIENS AND INTERESTS:
NATURE OF CHARGE
CHARGE NUMBER DATE TIME

MORTGAGE
FA41723 2006-04-04 14:51
REGISTERED OWNER OF CHARGE
VANCOUVER CITY SAVINGS CREDIT UNION
IN TRUST, SEE BL051963
FA41723

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING


BAY
Churchway
Parsonage
Victoria District Church
Cemetery
Rae St.
Quay St.
Mear St.
Bellot St.
Scoresby St.
Richardson St.
Franklin St.
Labouchere St.
Vancouver
Mc. Clure Street
Collinson Str.
Rupert St.
Beechy Str.
Park St.
Catholic Ch.
1269
1695

1861



ROOF PLAN

NOTES:
THESE DOCUMENTS ILLUSTRATE THE SIZE, FORM AND DENSITY OF THE PROPOSED DEVELOPMENT FOR THE PURPOSE OF A REZONING APPLICATION. THIS PROPOSAL IS SCHEMATIC ONLY AND SUBJECT TO CHANGE AS MAY BE REQUIRED TO ACCOMMODATE MUNICIPAL, BUILDING CODE AND CONSTRUCTION RELATED REQUIREMENTS. THESE DOCUMENTS ARE NOT INTENDED TO GOVERN OR DIRECT CONSTRUCTION.

D'AMBROSIO architecture + urbanism

[illegible]	THE ATRIUM BUILDING Victoria, BC	sheet title ROOF PLAN	date 07/10/11
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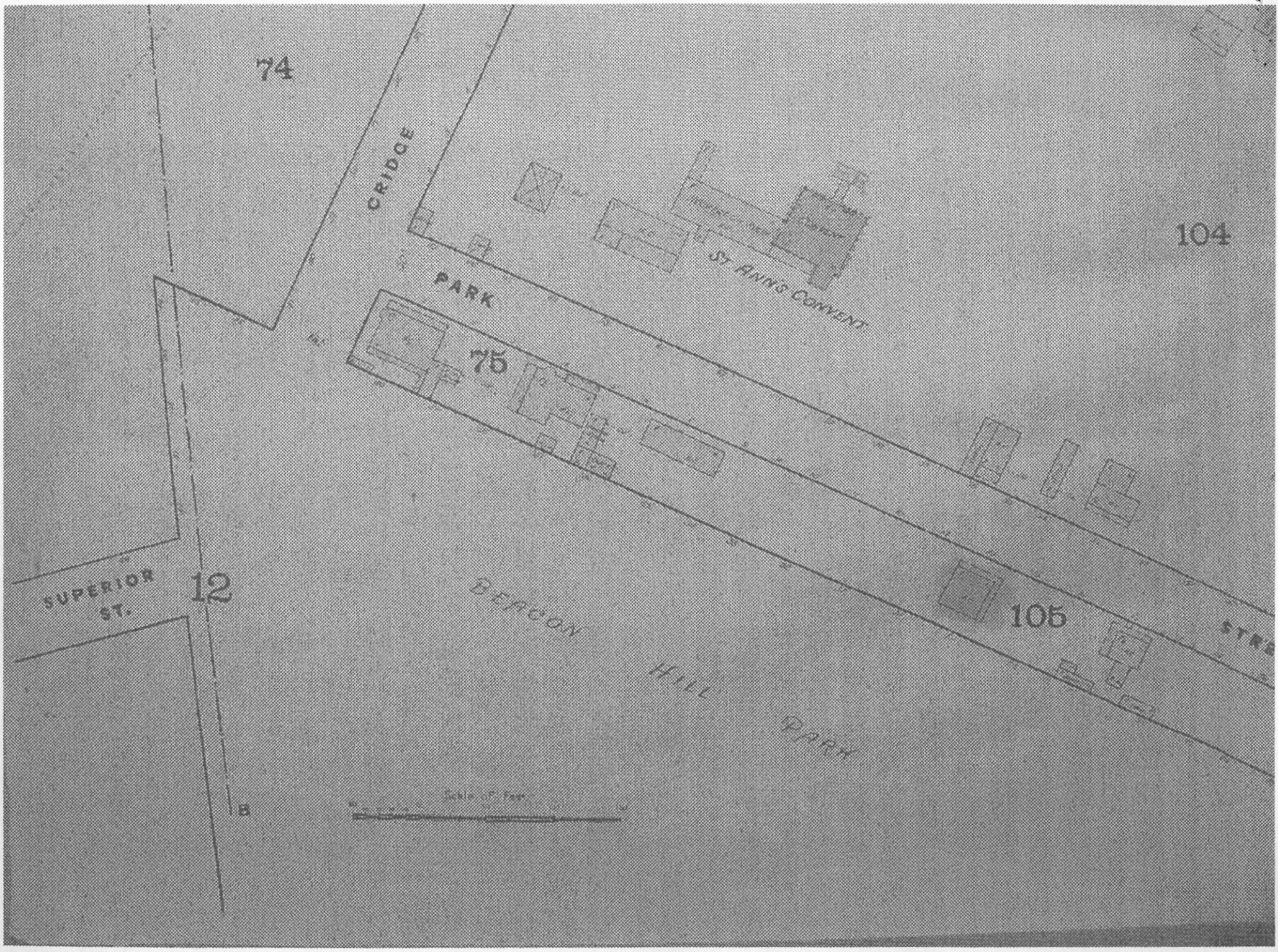
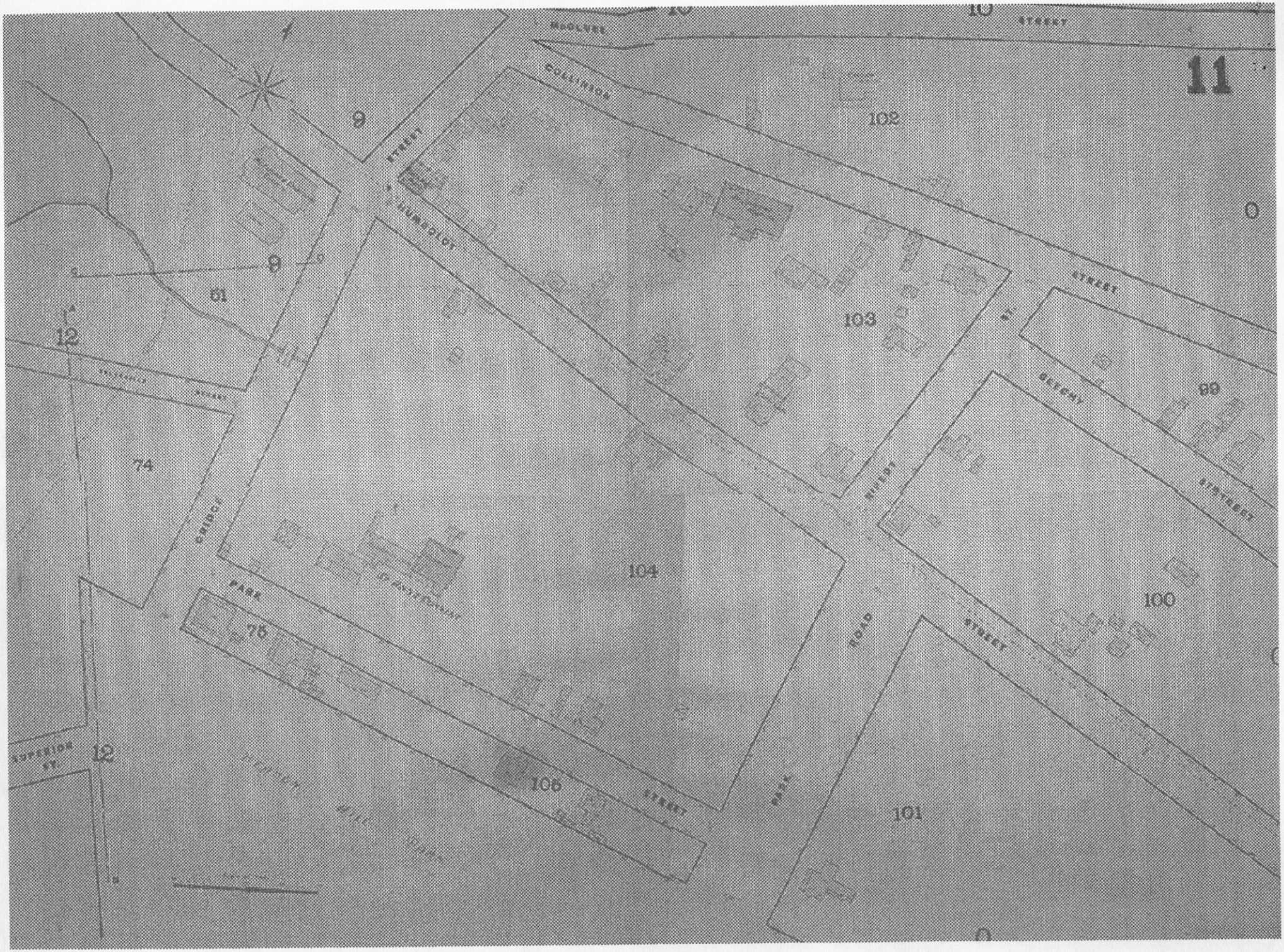
[illegible]			drawn by KL
[illegible]			chk'd by FDA
[illegible]		Project No.: 0633 Drawing File:	sheet no. A1.6

57

1885 Fire Insurance




11
10
STREET
COLLINSON
102
9
STREET
HUMBOLDT
0
9
61
12
103
STREET
ST.
BETCHY
99
74
CRIDGE
104
PARK
75
100
ROAD
STREET
SUPERIOR ST.
12
106
STREET
PARK
101
0

ROLL # 190

L.R.O. No 5322.

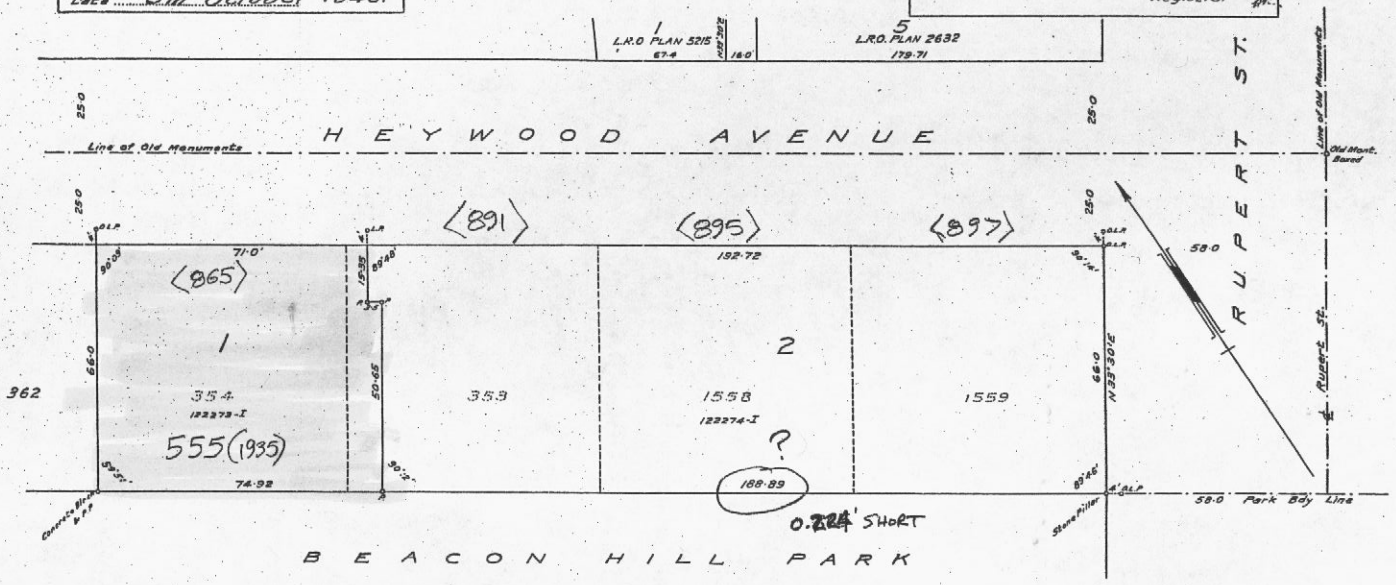
PLAN OF SUBDIVISION OF PARTS OF LOTS 354, 353, 1558 & 1559
SECTION 18, VICTORIA CITY & DISTRICT, B.C.

Scale 1 Inch = 20 Feet

LEGEND
All bearings are Astronomic derived from L.R.O. Plan 5215
All angles defined by durable wood posts shown thus ∘ P.
Old Lead Plugs found " " ∘ O.L.P.
Lead Plugs set " " ∘ L.P.
Fence Posts " " ∘ F.P.

Approved under the "Land Registry Act"
G. M. Irwin
City Engineer, Victoria, B.C.
Date 5th October 1943.

Deposited under Sec. 79 "Land Registry Act"
this 16th day of November 1943
[signature]
Registrar



Signatures

As to Lots 353, 1558 & 1559 — Reg'd Owners [signature] Joint Tenants
Witness [signature]

As to Lot 354 — Reg'd Owners [signature] Joint Tenants
Witness [signature]

London Life Insurance Co — Mortgagee [signature] PRESIDENT
Witness [signature] ASSISTANT SECRETARY

I, Frederick G Aldous of the City of Victoria British Columbia Land Surveyor make oath and say that I was present at and did personally superintend the survey represented by this plan and that the survey and plan are correct. The said survey was completed on the 20th day of September 1943

Sworn before me at Victoria, B.C. this 2nd day of October 1943 — [signature] B.C.L.S.

[signature]
A Notary Public in and for the Province of British Columbia

Call # 1. .....Estate or Registered Plan, No. Map 5322

Plan submitted, Numbered (.....).....

Owner.... A. J. Morley ....Address ....33 South Park St

Pipe layer Bowness ....Address .....

Plumber Bowness ....Address .....

Purpose of building.....Residence.....

How many Buildings.....

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

.....A J Morley.....*Owner.*

Date 24th *day of* Feb *190*6 .....*Agent for owner.*

Plumbing Permit

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*...

Location: 865 ~~HEYWOOD~~ ACADEMY CLOSE

Lot: 1 OF 353-4 Block: 31A Section: Plan: 5322 Roll: 493

Date: Permit No: Value:

Owner or Agent: E.A. ALDER

Address: 865 ~~HEYWOOD~~ ACADEMY CLOSE V8V 2X8

Architect: Contractor: Lic:

Zone District: Fire Limits:

Occupancy: S.F.D. No. of Rooms:

Converted to: Date: Case No:

Class Construction: Size Bldg: Height:

Size Lot: Setbacks: (side) (front) (back)

Joists: (Grnd) (2nd) (3rd) (Ceiling)

Foundation: Ext. Walls: Posts: Beams:

Floors: Rafters: Chimneys: Basement:

Roof: Stairs: Exits: Heating:

Plumbing: Wiring:

Other Structures:

Alterations and Repairs:	Date:	Permit:	Value:
Install Furnace - Vic. Coal	30.7.63	52637	$1076.
" " "	31.7.63	12579	$—
Install new front steps in conc A.L. Welch.	12.11.63	53272	$400.00