



ADMINISTRATIVE REPORT

Report Date: April 22, 2009
Contact: James Boldt
Contact No.: 604.873.7449
RTS No.: 07777
VanRIMS No.: 08-2000-20
Meeting Date: June 16, 2009

TO: Vancouver City Council

FROM: The Director of Planning in consultation with the Director of Legal Services

SUBJECT: Heritage Revitalization Agreement and Designation - 2145 West 45th Avenue, 'The Stillman House'

RECOMMENDATIONS

- A. THAT the building currently located at 2145 West 45th Avenue, listed in the 'B' evaluation category on the Vancouver Heritage Register, be designated as protected heritage property.
- B. THAT Council authorize the Director of Legal Services to prepare and sign on the City's behalf a Heritage Revitalization Agreement for the building located at 2145 West 45th Avenue to:
 - secure the rehabilitation and long-term preservation of the building; and
 - permit development of an Infill One-Family Dwelling at the rear of the property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement and a by-law to designate the building located at 2145 West 45th Avenue as protected heritage property.
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed, registered, and given priority, to the satisfaction of the Director of Legal Services and the Director of Planning.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of A, B, C, and D.

COUNCIL POLICY

- *Heritage Policies and Guidelines*
- *Ecodensity Policy A-1 "Rezoning Policy for Greener Buildings"*

Council's Heritage Policies and Guidelines state that the buildings "*identified on the Vancouver Heritage Register have heritage significance*" and that "*the City's long term goal is to protect through voluntary designation as many resources on the Vancouver Heritage Register as possible.*"

PURPOSE AND SUMMARY

The purpose of this report is to seek Council approval for a Heritage Revitalization Agreement (HRA) and heritage designation to secure the rehabilitation and long term preservation of the heritage building located at 2145 West 45th Avenue, which is listed in the 'B' evaluation category on the Vancouver Heritage Register. The proposed HRA will result in variances to the Zoning and Development By-law to permit construction of an Infill One-Family Dwelling at the rear of the property as set forth in Development Application Number DE412177. The recommended HRA will provide incentive to the property owner to rehabilitate and preserve the heritage building by permitting construction of the infill building.

BACKGROUND

The site is located in the Kerrisdale neighbourhood near West Boulevard (see the site map in Appendix 'A') and is zoned RS-5, which permits single family development, including secondary suites. The site is 33 feet wide by 135 feet deep and has a 20 foot lane at the rear. The properties to the north across the lane are zoned RM-3, which permits medium density apartment buildings. The houses at 2155 West 45th Avenue and 2159 West 45th Avenue, located to the immediate west of the 'The Stillman House', are listed on the Vancouver Heritage Register in the 'C' evaluation category. A church/school complex (Ryerson United Church) exists at 2183-2195 West 45th Avenue. Infill use is permitted in the RS-5 district schedule, but only for a 'caretaker unit' on a site equal to or larger than 32,280 sq. ft. in area. Infill use is commonly approved as a way to provide an incentive for an owner for heritage conservation.

DISCUSSION

Heritage Value

'The Stillman House' was built in 1915 for its first owner, Florence M. Stillman, and is listed in the 'B' evaluation category on the Vancouver Heritage Register. It is valued as an increasingly rare example of the original development of the Kerrisdale neighbourhood associated with the establishment of the 'Interurban' rail line, and as an excellent example of craftsman housing built in the neighbourhood prior to the First World War by middle class families of British ancestry. The simple, two storey house features many surviving elements including original wood windows, shingles, siding, brackets, and trims, as well as generous covered porches, open rafter soffits, ornamental windows, brick chimneys, and small ornamental roofs (or "hoods") extending over various windows. 'The Stillman House' is also valued as being a part of a streetscape comprised of two additional heritage buildings built during the same period (2155 West 45th Avenue and 2159 West 45th Avenue).

Incentive Approach and Zoning and Parking Variances

Early discussions with the owner and the applicant lead staff to conclude that large scale additions to the existing building would compromise or destroy many of its heritage features, and that development of an infill building at the rear of the site is the most supportable option to preserve the heritage building, which requires a Heritage Revitalization Agreement (HRA). The existing heritage building is 2,367 sq. ft. and the proposed Infill One-Family Dwelling building is 866 sq. ft. The maximum overall permitted density is 3,118 sq. ft. or a floor space ratio (FSR) of 0.70. The total proposed density is 3,233 sq. ft. (0.73 FSR), which exceeds the maximum permitted by approximately 4% (for a technical zoning summary, see Appendix 'C'). The application proposes a parking variance to allow two 'small car' spaces to be substituted for the required two standard sized parking spaces in order to minimize the depth of the infill building. A variance is also proposed to allow the area of the parking spaces to be excluded from density, similar to what is permitted for an accessory building (i.e. a garage).

The Director of Planning required the design of the infill building to be revised to reduce shadowing impacts (see drawings in Appendix 'B'). Staff conclude that the revised design of the infill building will only create nominal impacts on surrounding properties and is supported (see Appendix 'D' for further discussion).

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the RS-5 district schedule is to:

".... maintain the existing single-family residential character of the RS-5 District by encouraging new development that is compatible with the form and design of existing development, and by encouraging the retention and renovation of existing development but also to permit conditionally one-family dwellings with secondary suites. Emphasis is placed on design compatibility with the established streetscape. Neighbourhood amenity is intended to be enhanced through the maintenance and addition of healthy trees and plants."

The existing heritage building is highly compatible with the established streetscape in terms of scale and character. Retention of mature landscape and trees (particularly at the front of the site) will be maximized. While infill use is not permitted on RS-5 zoned sites of this size, staff conclude that the proposal does not detract from the existing single family residential character of the site, and assists in the renovation of the heritage building, which is consistent with the intent of the zoning.

During the review of the application, the Director of Planning required changes to the design of the infill building to improve shadowing impacts on adjoining properties. Staff support the revised design of the infill building and the proposed variances and note that infill use is commonly approved in order to assist in the conservation of a heritage building.

Condition of the Property and Conservation Approach

The heritage building is in good condition. Rehabilitation work on the heritage building will include repair and replacement of damaged shingles and siding, mainly on the east and south sides. The roofing on the small shed dormers will be replaced and shingles in the gables

restored. In order to improve thermal performance, storm windows will be custom made and installed on the interior of window openings, and the roof insulated. Existing windows, frames, trims, and sills will be rehabilitated and retained where possible. The existing chimney on the east side, which is original below the eave, needs repairs and will be re-pointed. Some seismic reinforcement will be required to brace and securely fasten the basement exterior walls to the foundations. Staff conclude the proposed rehabilitation work is supported and consistent with Heritage Policies and Guidelines and the Standards and Guidelines for the Conservation of Historic Places in Canada.

Results of Neighbourhood Notification and Review of the Applications

Thirty four surrounding property owners were notified of the application, and a site sign was installed. Eight letters expressing objections or concerns were received, four of which are "form letters" (neighbourhood comments, with staff responses, are discussed in detail in Appendix 'D'). Concerns were expressed over shadowing, privacy overlook, the loss of rear yard open space, and parking and traffic impacts. Some neighbours felt the proposed density and number of dwelling units will place an undue burden on the neighbourhood in general. Others felt the approval would create a precedent regarding infill use on other properties in the area.

The proposed density exceeds the permitted density by a modest amount and the proposed two dwelling units do not exceed the number permitted in the current zoning (see the technical summary in Appendix 'C'). Staff conclude the proposed density does not place an undue burden on the neighbourhood in general.

Regarding impacts on immediately surrounding properties, the Director of Planning notes that it is practice to look at "reasonableness" in terms of shadowing, privacy, and view impacts when considering the benefits of heritage retention. As part of the review of the application the design of the infill building was revised to reduce shadowing onto adjacent properties (see the drawings and analysis in Appendix 'B'). Windows looking onto adjoining properties have been minimized. With respect to views, while the infill building will be visually apparent from adjoining properties, and approximately 7.5 feet taller (at the highest point) than a typical garage, it will only create nominal impacts on more distant views given the taller apartment buildings across the lane. While there will be some loss of open space in the rear yard, the proposal achieves an amount of open space comparable to would likely be constructed on the site if the heritage building was demolished and the site redeveloped. The proposal will likely create a modest increase in traffic and parking impacts in the immediate area comparable to what would likely occur if the site was redeveloped without the heritage building. Staff conclude that the proposal, including the revised infill building, has adequately addressed impact concerns and is supportable.

The approval of the HRA will not create a precedent in the area for non-heritage sites. For those sites which contain heritage resources, the possibility of infill housing as an incentive will be assessed on a case by case basis (see Appendix 'D' for more discussion).

Comments from the Vancouver Heritage Commission

On December 1st, 2008, the Vancouver Heritage Commission reviewed the current development application for the heritage house and the new infill building and resolved the following:

THAT, regarding the project at 2145 West 45th Avenue, the Vancouver Heritage Commission (VHC) supports the project as presented at its meeting on December 1st, 2008, specifically noting the following:

- support for the Heritage Revitalization Agreement in exchange for the infill house;
- recommendation for the parking configuration as presented i.e. parallel parking option, noting that it provides for greater open space between the heritage building and the infill house; and a more residential façade for the infill house on the lane; and
- recommendation to retain the original windows to maintain the integrity of the heritage house to distinguish it from contemporary arts and crafts.

CARRIED UNANIMOUSLY

The Director of Planning did not support the original parking layout due to concerns regarding vehicular manoeuvring. The parking layout has been revised (see the drawings in Appendix 'B'). Subsequent analysis concluded that greater retention of windows is possible by employing 'storm windows' on the interior and repairing and upgrading the existing windows to improve their thermal performance.

Financial Proforma Evaluation

Real Estate Services staff reviewed the applicant's proforma evaluation in accordance with Council's approved policies. The Director of Real Estate Services advises that the proposed variances requested by the applicant as compensation for the heritage encumbrance on land value are supportable and provide no undue profit.

EcoDensity Policies

EcoDensity policy A-1 "Rezoning Policy for Greener Buildings" applies to the application and requires developments of this scale to achieve BuiltGreen BC™ Gold with a score of EnerGuide 80, or an equivalent achievement in green design. The policy allows for exemptions for heritage components provided reasonable design efforts are made to improve green performance where appropriate, while respecting heritage aspirations and promoting heritage retention. Staff encourage owners for applications such as this to seek registration and certification with BuiltGreen BC™. Conditions of the development application approval will require that the drawings for the infill building incorporate the required sustainable features, noting as well that the "Green Homes Program" changes to the Vancouver Building By-law, adopted on September 5th, 2008, will be applicable to the infill building as well.

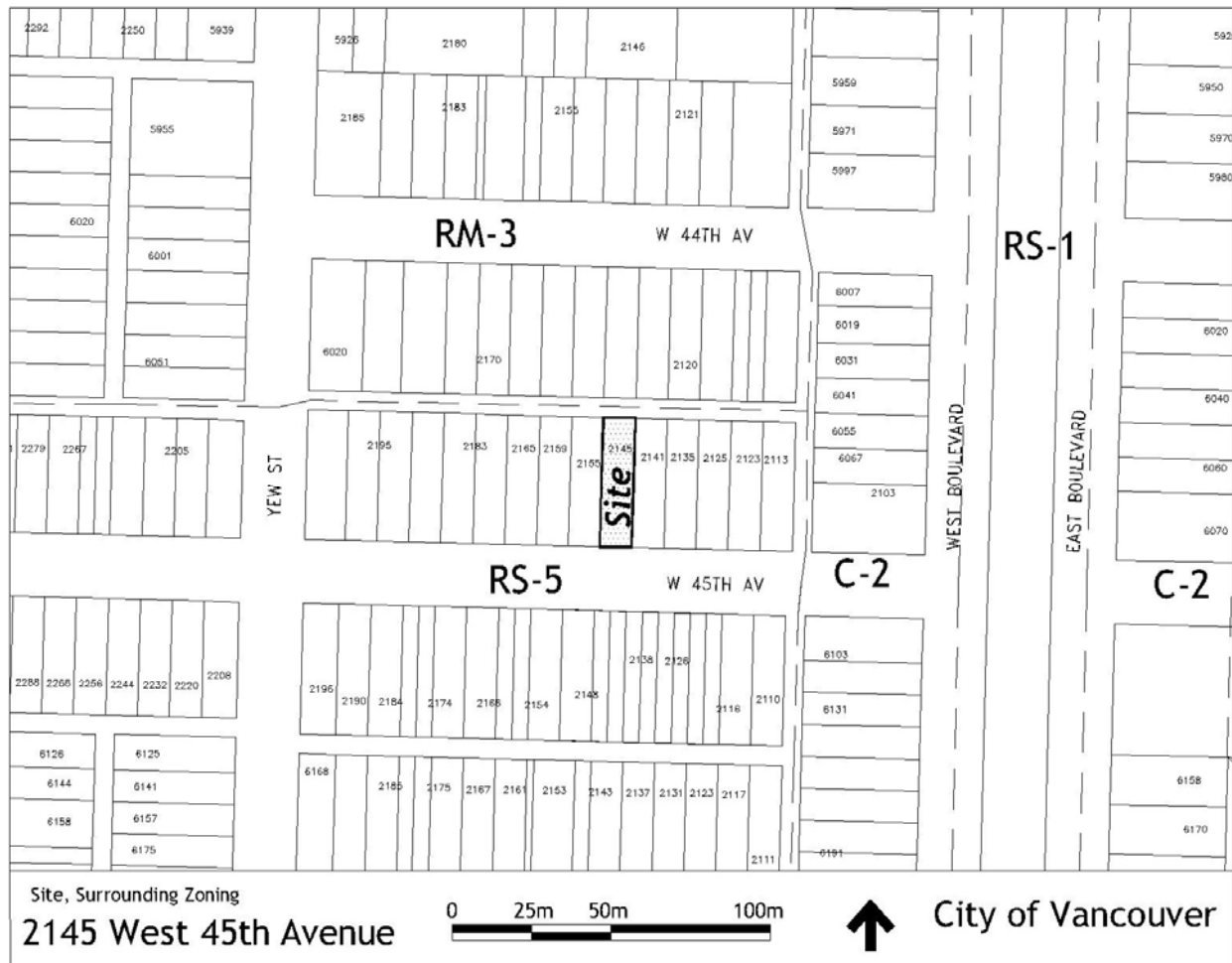
FINANCIAL IMPLICATIONS

The approval of the report recommendations will have no financial implications with respect to the City's operating expenditures, fees, or staffing.

CONCLUSION

The recommended Heritage Revitalization Agreement and designation will enable the construction of an Infill One-Family Dwelling at the rear of the property and will secure the rehabilitation and long-term protection of 'The Stillman House', located at 2145 West 45th Avenue and listed on the Vancouver Heritage Register in the 'B' evaluation category. The infill building provides an incentive which makes this conservation scheme viable. The design of the infill building has been revised to address concerns regarding shadowing impacts. Staff support the revised design of the infill building and the associated variances. The owners have agreed to the heritage designation of 2145 West 45th Avenue and are prepared to waive future demands for compensation. Therefore, it is recommended that Council approve the Heritage Revitalization Agreement and the designation of 2145 West 45th Avenue, 'The Stillman House'.

* * * * *



Site Location Map



Photo 1: Front of 'The Stillman House' at 2145 West 45th Avenue

The photograph is taken from the north-east corner of the property. Many of the character defining elements are visible, including original windows, trims, brackets, and small roof elements over the front windows.



Photo 2: Rear of 'The Stillman House' from the Lane Looking South

The photograph is taken from the far side of the lane behind the site, looking south, and shows the existing garage, the rear façade of 'The Stillman House', and the rear sides of the adjacent houses at 2141 West 45th Avenue to the east (left) and 2155 West 45th Avenue to the west (right)



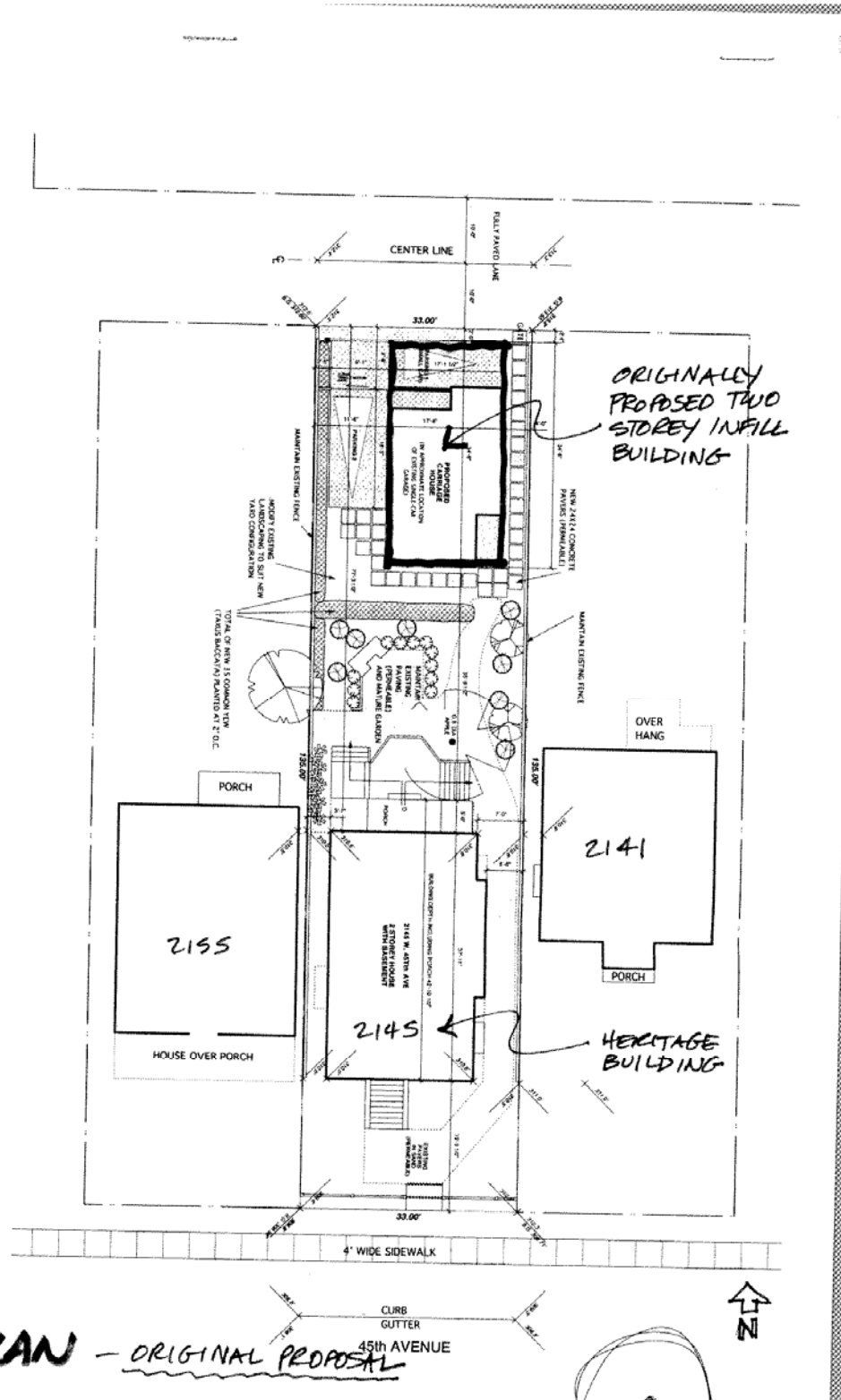
Photo 3: Wider view of the Lane Looking South

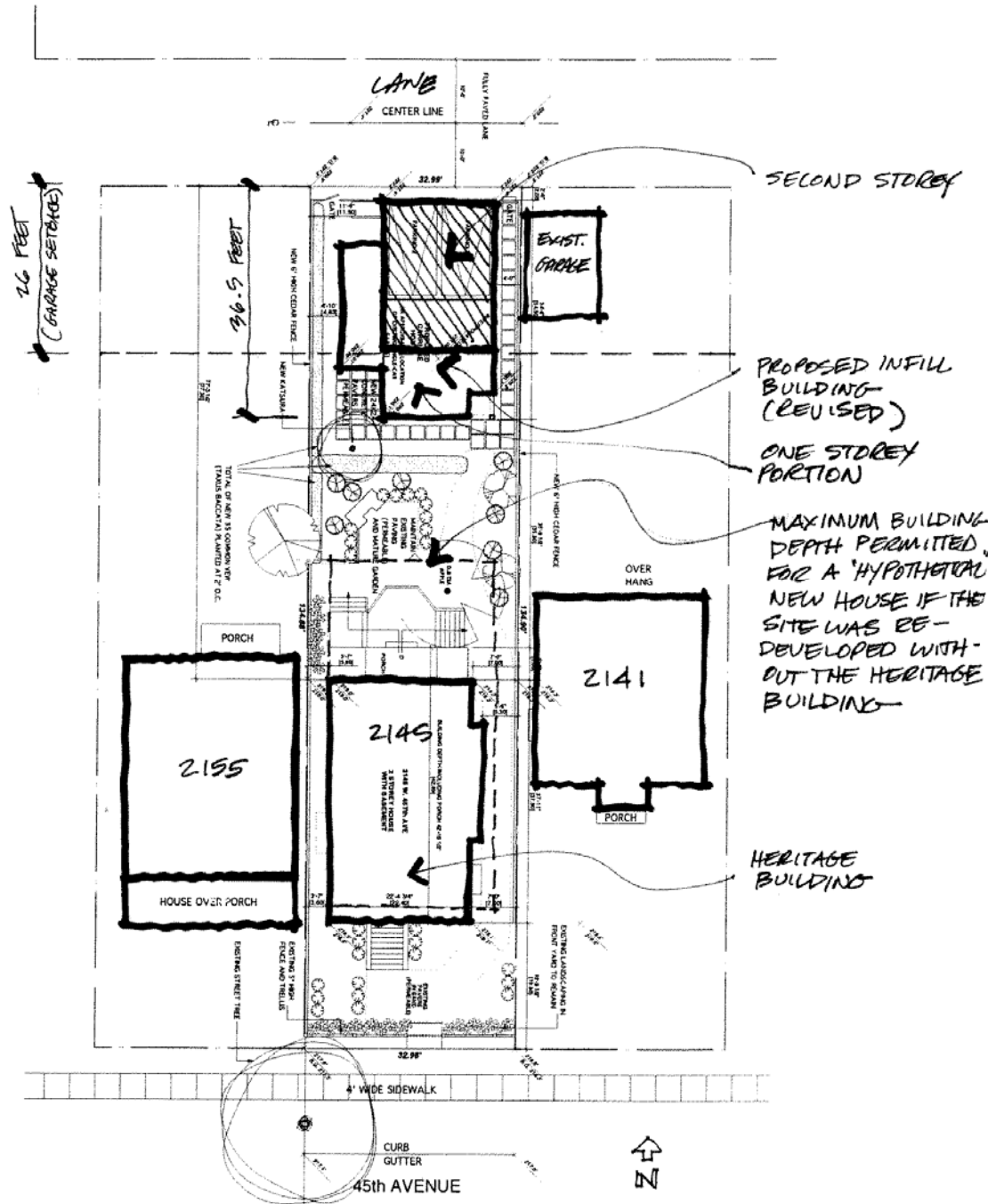
The south side of the lane features garages of various sizes, a few large trees, and some open space. The building on the extreme right (west side) of the photo is a part of the Ryerson United Church complex.



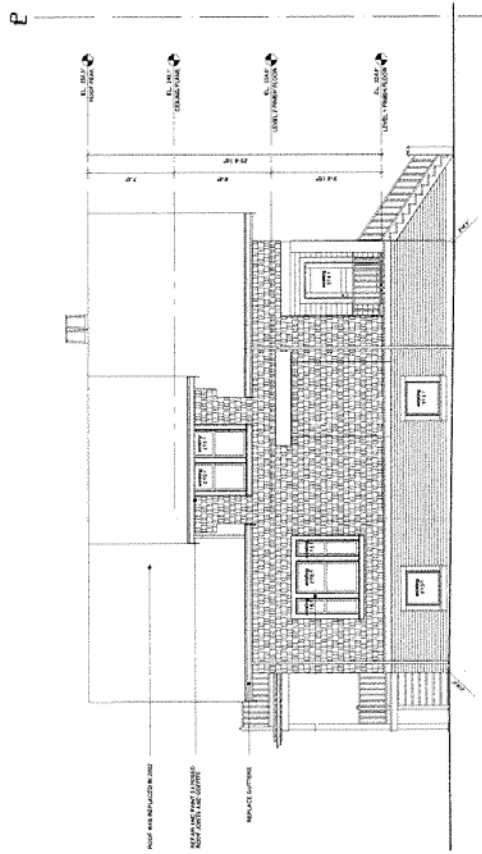
Photo 4: Rear Yard of 'The Stillman House' Looking North

The photograph shows the existing rear yard condition of 2145 West 45th Avenue as well as that of the adjacent neighbours- 2155 West 45th Avenue to the west (left) and 2141 West 45th to the east (right).

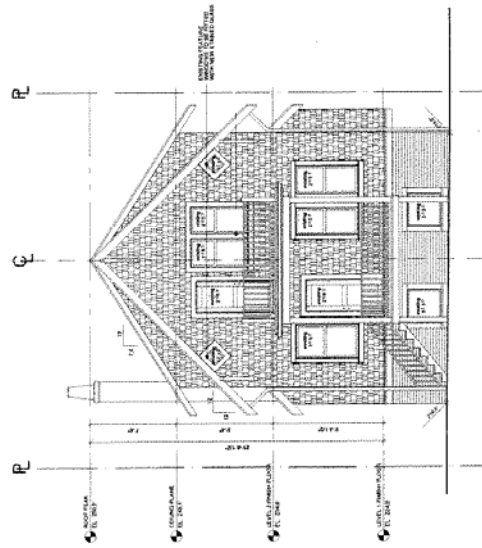




SITE PLAN - REVISED PROPOSAL



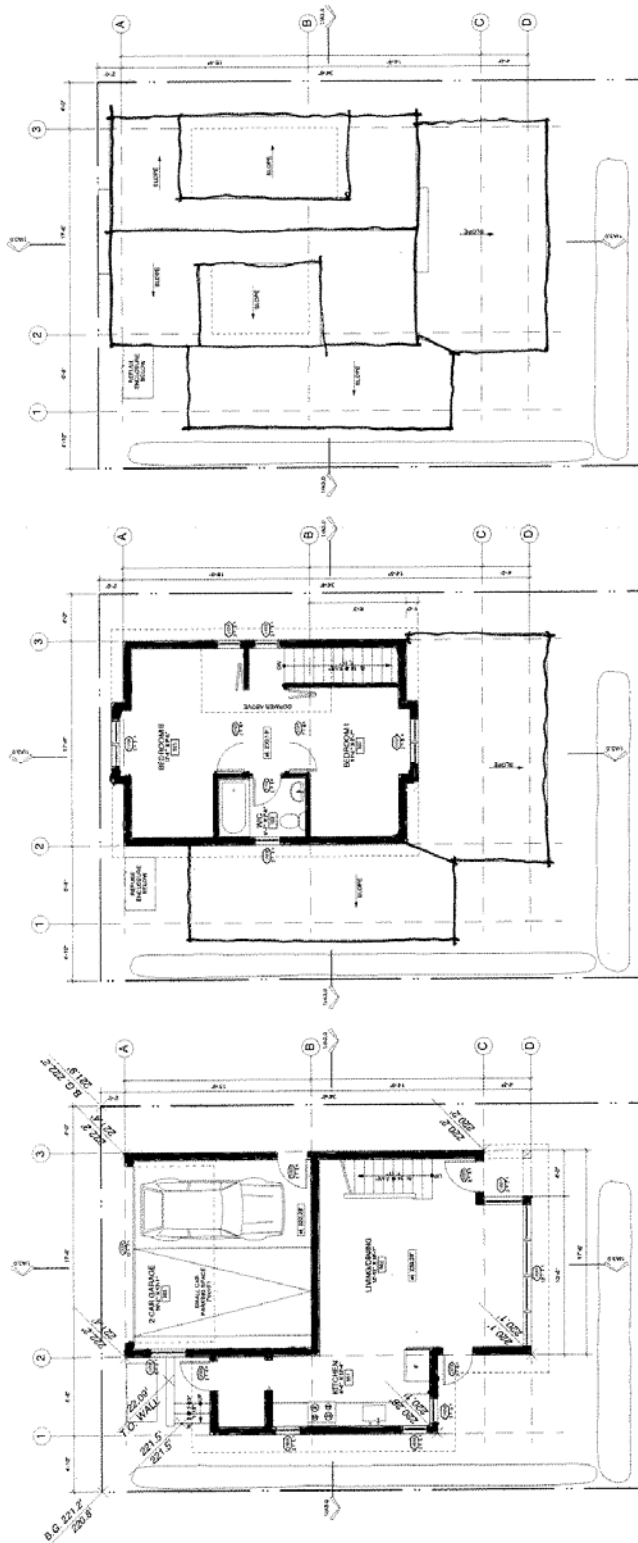
EXISTING HOUSE ELEVATION - WEST
Scale: 1/8" = 1'-0"



EXISTING HOUSE ELEVATION - NORTH
Scale: 1/8" = 1'-0"
(REAR)

BIRMINGHAM		KENNEDY RESIDENCE	
WOOD		124 N. GUYTON	
ARCHITECT		BIRMINGHAM	
PROJECT		EXISTING HOUSE ELEVATIONS	
DATE		11/14/2012	
DRAWN BY		J. WOOD	
CHECKED BY		J. WOOD	
SCALE		AS SHOWN	
SHEET NO.		A7.1	
TOTAL SHEETS		10	
DATE PLOTTED		11/14/2012 10:00 AM	
PLOTTER		HP DesignJet 2500	
PLOT SCALE		1/8" = 1'-0"	
PLOT SIZE		11x17	
PLOT ORIENTATION		Portrait	
PLOT RANGE		All	
PLOT CROP		None	
PLOT OFFSET		None	
PLOT WEIGHT		None	
PLOT COLOR		None	
PLOT LINETYPE		None	
PLOT LAYER		None	
PLOT PLOTNAME		None	
PLOT PLOTDATE		None	
PLOT PLOTUSER		None	
PLOT PLOTSCALE		None	
PLOT PLOTORIENT		None	
PLOT PLOTSCALE		None	
PLOT PLOTORIENT		None	
PLOT PLOTSCALE		None	
PLOT PLOTORIENT		None	

HERITAGE BUILDING



1 CARRIAGE HOUSE PLAN - LEVEL 1
Scale: 1/8" = 1'-0"

2 CARRIAGE HOUSE PLAN - LEVEL 2
Scale: 1/8" = 1'-0"

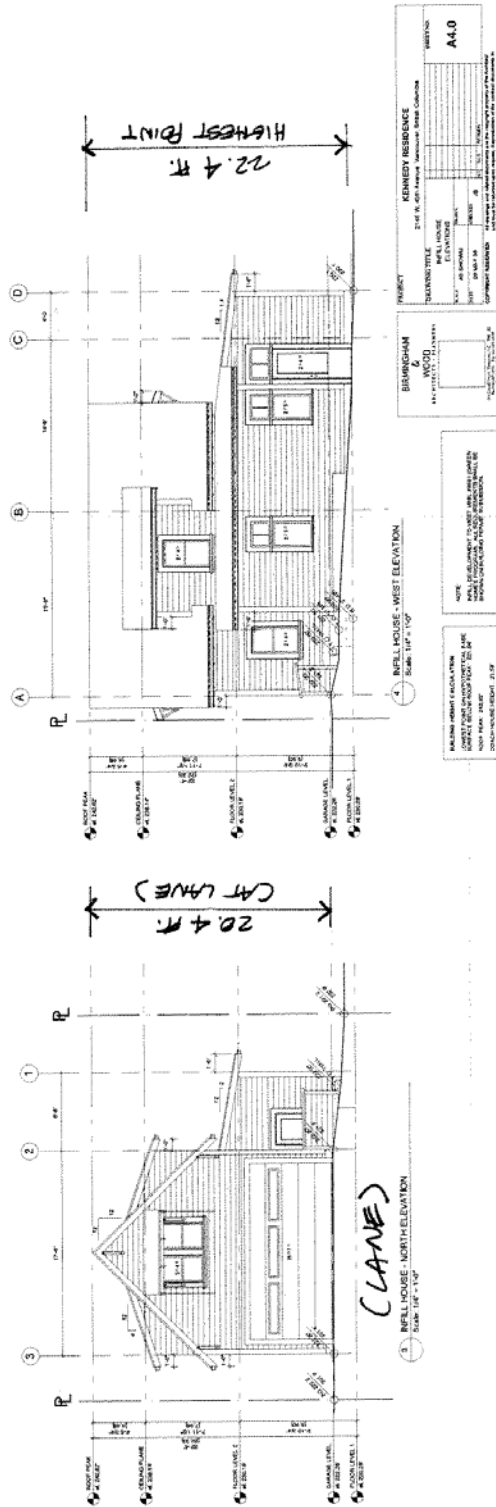
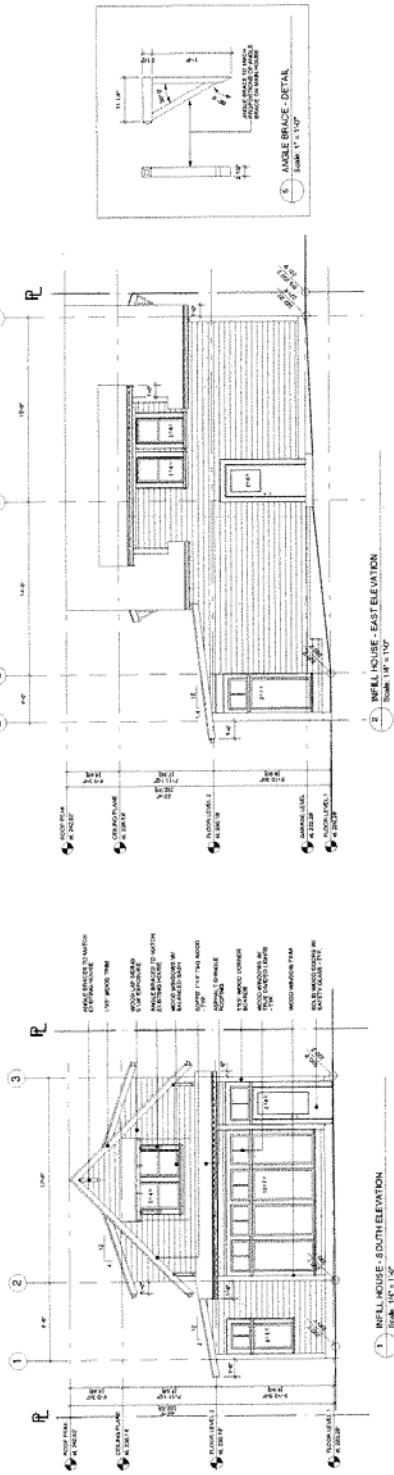
3 CARRIAGE HOUSE PLAN - ROOF
Scale: 1/8" = 1'-0"

KENNEDY RESIDENCE	
PROJECT NO. 4015 Leland, Westwood, Brent, Culver City	
DESIGNER: BIRNENSHAM WOOD ARCHITECTS, L.L.C.	
DATE: 08/20/2014	
DRAWN BY: J. WOOD	
CHECKED BY: J. WOOD	
SCALE: 1/8" = 1'-0"	
SHEET NO. A2.0	

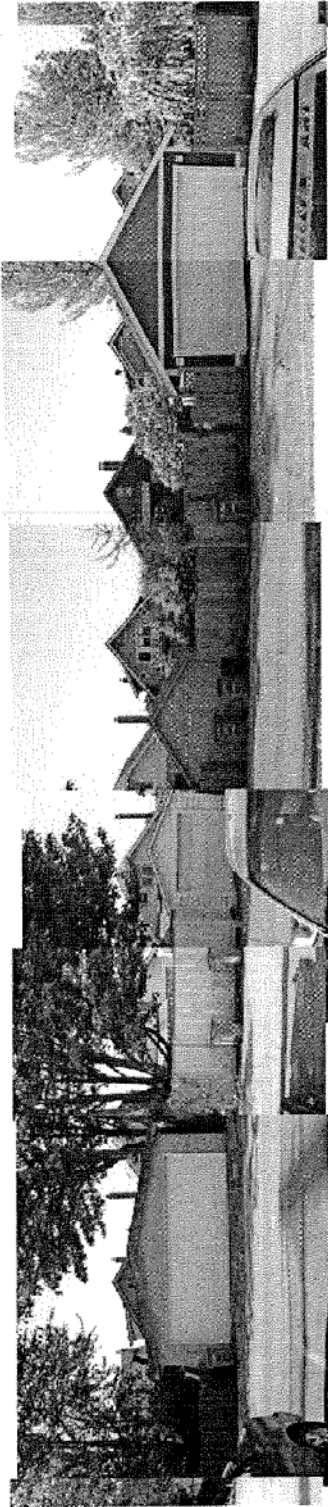
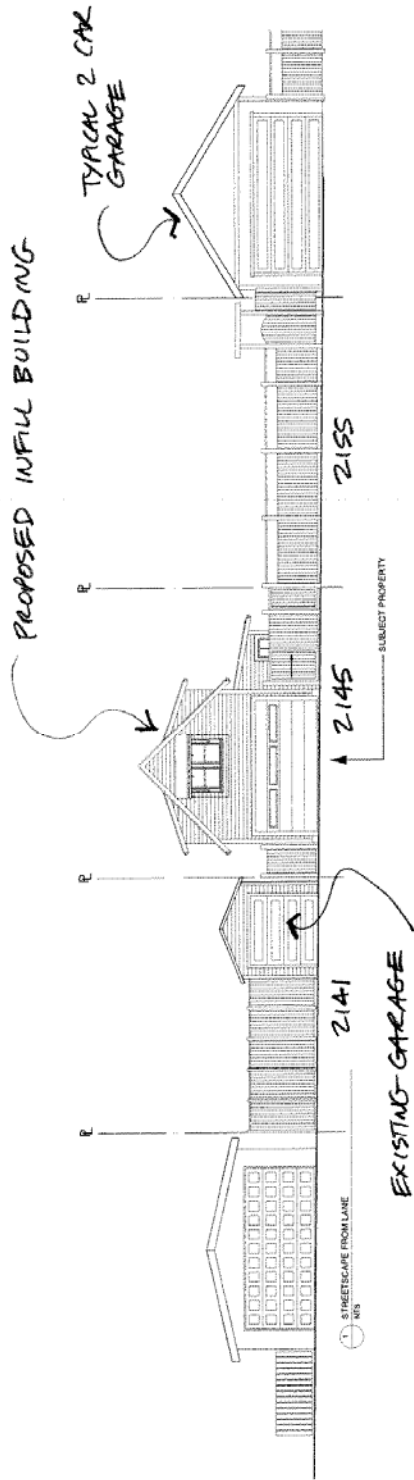


NOTES:
1. ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.

PROPOSED INFILL (REVISED VERSION)



PROPOSED INFILL BUILDING (REVISED SCHEM)

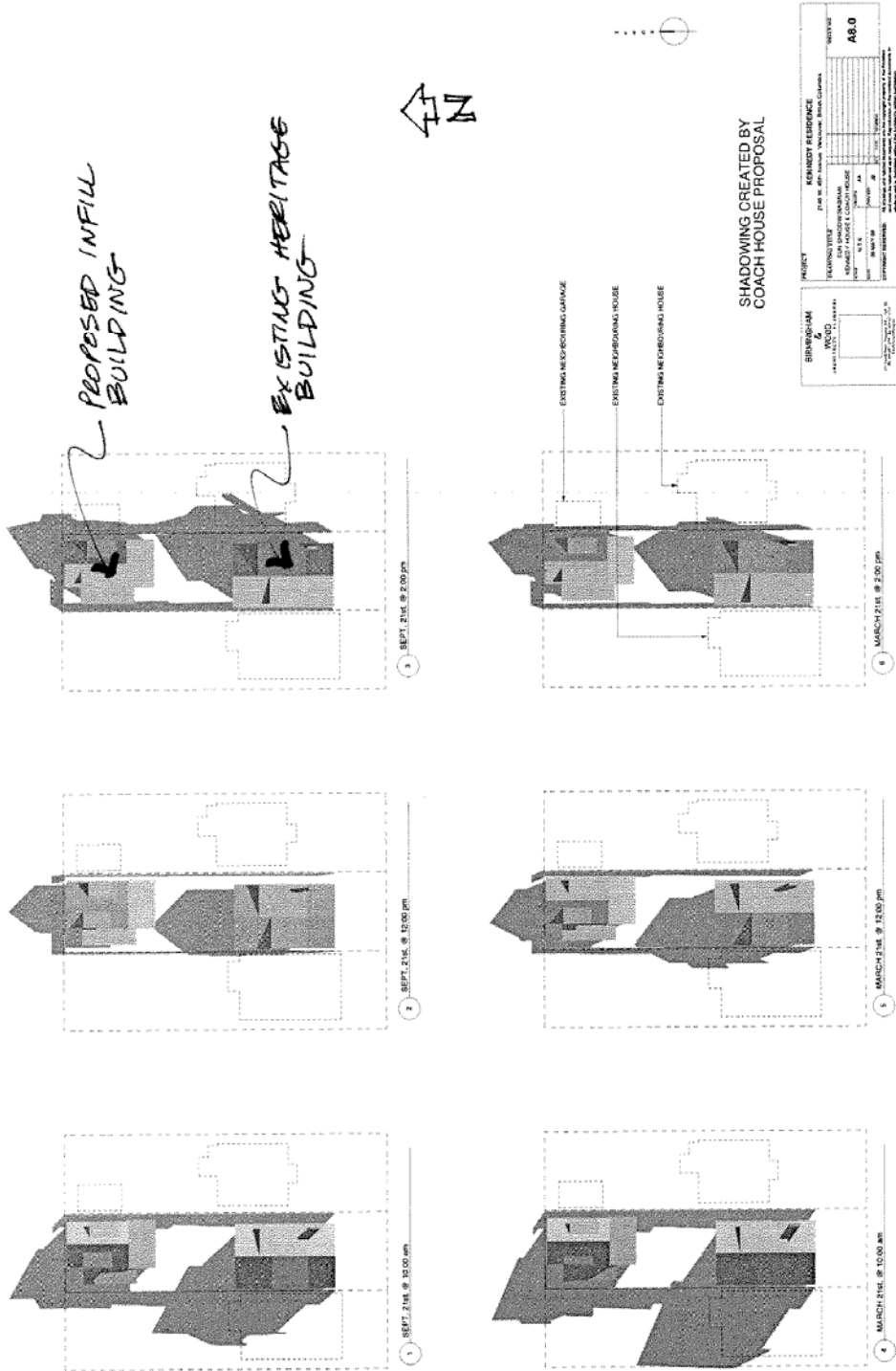


PHOTOMONTAGE FROM LANE
N/S

SUBJECT PROPERTY

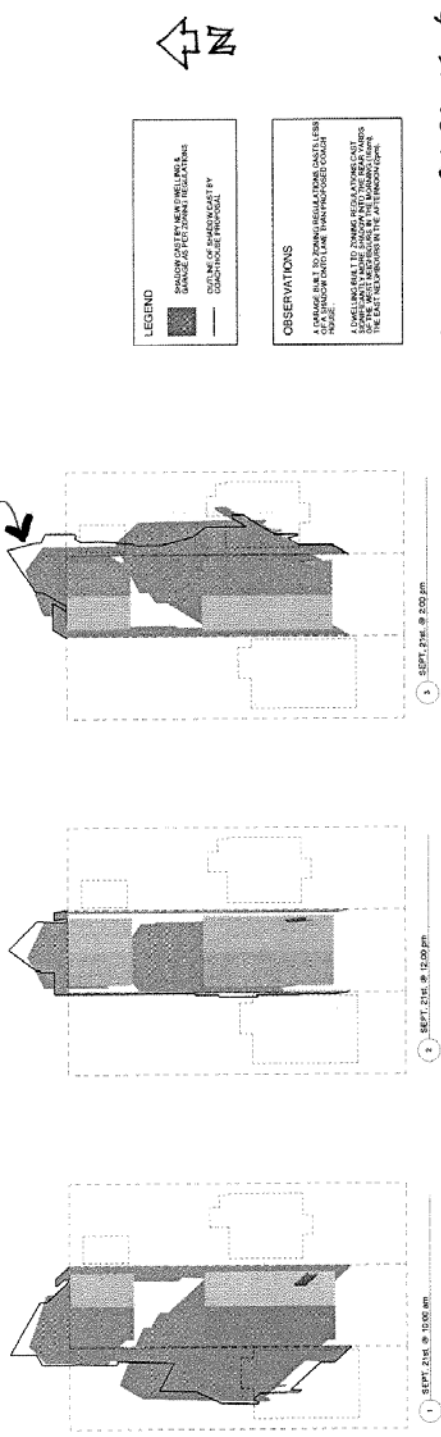
ESHERGUM & WOOD ARCHITECTS 1000 10th St. N. Grand Rapids, MI 49503 TEL: 616.234.1100 FAX: 616.234.1101 WWW.ESHERGUMWOOD.COM		PROJECT KENNEDY RESIDENCE 2145 W. 10th Street, Grand Rapids, MI 49503
DATE 08/11/11	SCALE AS SHOWN	DATE 08/11/11
PROJECT NO. 11-001	PROJECT NAME KENNEDY RESIDENCE	PROJECT ADDRESS 2145 W. 10th Street, Grand Rapids, MI 49503
CLIENT KENNEDY RESIDENCE	ARCHITECT ESHERGUM & WOOD ARCHITECTS	SCALE AS SHOWN

PROPOSED INFILL @ LANE (LOOKING SOUTH)

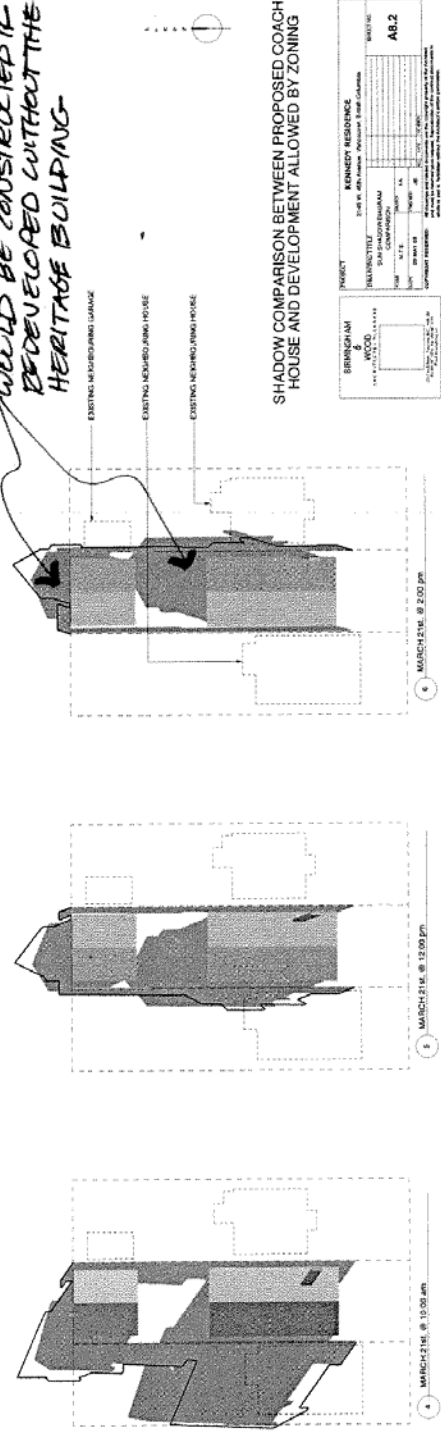


SHADOW ANALYSIS - EXISTING HERITAGE BUILDING - & PROPOSED INFILL (REVISED)

OUTLINE OF SHADOW CAST BY PROPOSED INFILL (REVISED SCHEME) & HERITAGE BUILDING



SHADOW CAST BY GARAGE & NEW BUILDING - WHICH LIKELY WOULD BE CONSTRUCTED IF DEVELOPED WITHOUT THE HERITAGE BUILDING



SHADOW COMPARISON BETWEEN PROPOSED COACH HOUSE AND DEVELOPMENT ALLOWED BY ZONING

PROJECT		KENNEDY RESIDENCE	
PROJECT NO.	144	DATE	14/03/2014
PROJECT TITLE	SHADING ANALYSIS	SCALE	1:100
CLIENT	MR & MRS J & K	DATE	14/03/2014
PROJECT NO.	144	DATE	14/03/2014
PROJECT TITLE	SHADING ANALYSIS	SCALE	1:100
CLIENT	MR & MRS J & K	DATE	14/03/2014
PROJECT NO.	144	DATE	14/03/2014
PROJECT TITLE	SHADING ANALYSIS	SCALE	1:100
CLIENT	MR & MRS J & K	DATE	14/03/2014

SHADOW ANALYSIS - COMPARISON BETWEEN PROPOSAL AND "HYPOTHETICAL" NEW DEVELOPMENT

Technical Summary for the Application at 2145 West 45th Avenue

Variances contained within the Heritage Revitalization Agreement

Table 1: Use Variance

Item	Permitted	Existing	Proposed
Infill One Family Dwelling Use	May be considered for a 'caretaker unit' only*	None	Exemption from 'caretaker unit' requirements

* An Infill One Family Dwelling in RS-5 is permitted only for a 'caretaker' unit on a site larger than 32, 280 sq. ft., and is limited to 807 sq. ft. in 'liveable area', as described in Section 3.2.1(a), (b), and (c) of the RS-5 district schedule. The proposed infill building is 866 sq. ft. in 'liveable area' as noted below.

Table 2: Density Summary and Variances*

Item	Permitted	Existing	Total Proposed
Principal building (Heritage building) density	3,118 sq. ft. max. (0.70 FSR)	2,367 sq. ft. (0.53 FSR)	2,367 sq. ft. (0.53 FSR)
Infill building density	Not Permitted	None	866 sq. ft. (0.20 FSR)
Parking space exclusion from density	Up to 452 sq. ft. may be excluded if located in an accessory building	228 sq. ft. excluded in existing garage	Permit exclusion for parking in the Infill building (288 sq. ft.)
Overall density	3,118 sq. ft. max. (0.70 FSR)	2,367 sq. ft. (0.53 FSR)	3,233 sq. ft. (0.73 FSR)

* the total "above grade" density proposed on the site complies with the maximum permitted in the zoning. The overall density variance is accounted for by the additional basement area in the heritage building.

Other Technical Items and Variances:

Table 3: Other Technical Items and Variances

Item	Permitted	Existing	Proposed
Front yard of the Heritage Bldg.	30.3 feet minimum	19.9 feet	19.9 feet
West side yard of the Heritage Bldg.	3.96 feet minimum	3.7 feet	3.7 feet
Building Depth of Heritage Building	54 feet maximum	42.9 feet	42.9 feet (complies)
Number of Dwelling Units	2 maximum*	1	2*
Parking- number of required off-street parking spaces	2 standard parking spaces required	1 parking space	2 small car parking spaces***
Height of a building at the rear of the site	15 feet** (accessory building only)	Approx. 12 feet (existing garage)	22.5 feet (infill building at highest point)

* a One-Family Dwelling with Secondary Suite is permitted, hence two units. The proposal includes one dwelling unit in the heritage building (i.e. a One-Family Dwelling) and one dwelling unit in the infill building (i.e. an Infill One-Family Dwelling), for a total of two dwelling units.

** a single principal building and one or more accessory buildings (such as a garage or storage shed) are the only buildings currently permitted on an RS-5 zoned site of this size.

*** up to 25% of required residential off-street parking spaces provided are permitted to be for a 'small car' as prescribed in the Parking By-law. The application proposes two small car spaces (i.e. provision of 100% small car spaces). A standard parking space is required to be a minimum of 18.1 feet in length while a small car parking space is permitted to be 15.1 feet in length.

Summary of Neighbourhood Feedback and Staff Responses

1. *The proposed density on the site is too great. The proposal will place a disproportionate burden of density on the neighbourhood, negatively impact property values, and change the character of the neighbourhood.*

Staff response: the overall proposed density exceeds the maximum permitted by approximately 4% (see the technical summary in Appendix 'C'). The number of dwelling units proposed does not exceed the number permitted under the current zoning. Staff conclude the proposal is consistent with the intent of the zoning and that there is no disproportionate impact of the proposed density on the neighbourhood.

2. *The Infill building could be used to generate income (i.e. be rented out).*

Staff Response: A One-Family Dwelling with a Secondary Suite is a permitted use in the RS-5 district schedule, and commonly approved. Strata titling of dwelling units and suites under the current policy is not permitted in RS-5 zoned areas, but rental is permitted. The proposed new infill building is not proposed to be strata titled, and may be similarly rented. While the infill building could possibly generate more rental income than a secondary suite, the infill building is necessary to provide an incentive to the owner to conserve the heritage building. The financial proforma submitted as part of the review of the development application takes into consideration the increased value of the infill building. Real Estate Services staff have reviewed the owner's proforma and conclude the proposal does not generate any undue profit to the owner.

3. *A "lane-way" house as anticipated in emerging EcoDensity Policy would be smaller and more compatible than the proposed infill building. The owners should wait until laneway housing is approved and be limited to what is permitted- this would be more equitable.*

Staff Response: Early discussions with the owner and applicant lead staff to conclude that large scale additions to the building would compromise or destroy many of the heritage features of the building, and that development of an infill building of the proposed size (866 sq. ft.) at the rear of the site is the most supportable option to preserve the heritage building and provide compensation to the owner for the rehabilitation, designation, and long term conservation of the heritage building. Infill buildings are a key tool to assist in the conservation of buildings listed on the Vancouver Heritage Register.

While Laneway Housing does not yet exist as a permitted use, Council has directed staff to develop Laneway Housing regulations, by-laws, and policies, and to report back to Council. At this stage staff cannot advise on the details of any Laneway Housing provisions, which must be approved by Council. Notwithstanding this, the proposed infill building will almost certainly be larger than what is anticipated for Laneway Housing on a site of this size. However, the design and massing of the proposed infill building have been revised to reduce impacts. The approval of the proposed infill building, while in general consistent with the approved EcoDensity Charter regarding the promotion of lane oriented housing, is not "linked" to, or

contingent upon, the development of Laneway Housing. Delay of the approval of the Heritage Revitalization Agreement (HRA) for 'The Stillman House' would further contribute to the deterioration of the house which is in need of rehabilitation and repairs (see 'Condition of the Property' on page 3). Staff conclude that the revised design of the infill building, including its size and density, is supported, and do not support delaying designation of the heritage building and approval of the HRA.

4. *The heritage building should be kept as is with an open rear yard which is a part of its charm and character. The heritage building should be conserved in a less intrusive way.*

Staff response: The proposed infill building is the most supported incentive option to compensate the owner for the designation, rehabilitation, and long term preservation of the heritage building. The proposal creates an amount of open space which is comparable to what would likely be constructed if the heritage building was demolished and the site redeveloped (see the drawings in Appendix 'B'). Staff conclude that the amount of open space proposed is supported.

5. *The infill building will negatively affect adjacent properties in terms of privacy and access of sunlight. Upper windows should be reduced, as well as the overall height and length of the infill building. The infill building is too high and blocks views.*

Staff response: Based on the results of notification and an analysis of the shadowing created by the infill building, the Director of Planning required the design of the infill building be revised to address concerns related to shadowing (see the drawings in Appendix 'B'). The revised design of the infill building has maximized opportunities for improvements in shadowing and privacy impacts on adjacent properties, and will only create nominal impacts in shadowing compared to what would likely be constructed on the site if the heritage building was demolished and the site re-developed. While the infill building will be visually apparent from adjoining properties, and about 7.5 feet taller than the maximum height permitted for a garage, longer distant views are currently blocked by existing apartment buildings across the lane to the north. Staff therefore conclude that there would little diminishment in views in this respect, and that the height of the infill building is supported.

6. *Approval of the infill building will set a precedent for the neighbourhood. An approval of the infill building may influence approval of Laneway Housing on other properties in the immediately surrounding area.*

Staff response: An infill building as proposed may only be approved through a Heritage Revitalization Agreement (HRA) or through a rezoning. The approval of the proposed HRA will not create a precedent in the area for non-heritage sites. For those sites which contain heritage resources, the possibility of infill housing as an incentive will be assessed on a case by case basis. Currently there are only two heritage buildings located in the 2100 Block of West 45th Avenue in addition to 'The Stillman House' (2155 and 2159 West 45th Avenue). Planning staff currently working on Laneway Housing advise that the proposed infill and HRA will not influence the development of Laneway Housing regulations, by-laws, and policies, as currently directed by Council.

7. *The proposal will exacerbate existing traffic and parking problems, particularly noting the Ryerson Church hall down the street and the apartment buildings across the lane from the site.*

Staff response: Parking Management staff note the proposal will likely only produce nominal parking and traffic impacts, similar to what would occur if the property was re-developed without the heritage building. Parking and traffic issues in the wider neighbourhood cannot be addressed as part of the review of the current development application. However, members of the public may contact the Traffic and Parking Management Branch to initiate reviews of parking and traffic issues in the neighbourhood.

8. *The proposed parking should be redesigned to allow the infill building to be pushed back on the site, thereby reducing impacts.*

Staff response: Staff concluded that the originally proposed parking layout was not supported due to vehicular maneuvering concerns, and that the proposed living room and kitchen of the infill building, while very compact, could not be fully “wrapped” around, or located beside, side-by-side parking spaces. A relaxation of the required number of off street parking spaces is not proposed, therefore the Director of Planning permitted the substitution of two small car spaces for the two required standard parking spaces in order to minimize the projection of the infill building into the rear yard (see the revised infill building drawings in Appendix ‘B’ and the technical summary in Appendix ‘C’). The Director of Planning also required the design of the infill building to be revised to limit the extent of the second floor of the infill building so that it projects no further into the rear yard than the maximum permitted accessory building setback of 26 feet.

The Parking By-law permits a maximum of 25% of provided residential parking spaces to be small car spaces in this case. As such, the revised parking arrangement requires a variance of the Parking By-law. Staff conclude that the proposed parking layout and variance are supported and that the revised design of the infill building has adequately addressed shadowing concerns.