



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: April 26, 2011
Contact: Kent Munro
RTS No.: 09152
VanRIMS No.: 08-2000-20
Meeting Date: May 17, 2011

TO: Vancouver City Council

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

SUBJECT: Heritage Designation and Heritage Revitalization Agreement -
1245 Harwood Street - "Legg Residence" (1900)

RECOMMENDATION

- A. THAT the heritage building at 1245 Harwood Street (Legg Residence), which is listed in the "B" category of the Vancouver Heritage Register, be designated pursuant to the provisions of the *Vancouver Charter* 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 site located at 1245 Harwood Street to:
 - secure the rehabilitation and long-term preservation of the heritage building; and
 - grant floor area variances to the Zoning and Development By-law in respect of the site to permit the construction of an 18-storey residential tower under development permit application no.DE 414280.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment by-laws authorizing the designation of the heritage building as a protected heritage property and a heritage revitalization agreement for the site located at 1245 Harwood Street.
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed, registered on title to the lands which make up the site, and given priority on title, to the satisfaction of the Director of Legal Services and the Director of Planning.

- E. THAT the Vancouver Heritage Register categorization of the site at 1245 Harwood Street (Legg Residence) be changed from "B" to "A".

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of the foregoing.

COUNCIL POLICY

- *Heritage Policies and Guidelines (April 18, 1991)*
- *Rezoning Policy for Greener Buildings (June 10, 2008)*
- *On June 10, 2010 Council passed the following motion:*
" THAT historic landscape resources in the City are important and worthy of retention and protection however, Council affirms that bonus incentives are not supported for landscape resources that cannot be wholly protected through legal designation".
- *View Protection Guidelines (December 12, 1989)*
- *West End RM-5, RM-5A, RM-5B, and RM-5C Guidelines (January 20, 1998)*
- *RM-5, RM-5A, RM-5B and RM-5C District Schedule (November 1996)*
- *Rate of Change Guidelines for Certain RM, FM and CD-1 Zoning Districts (May 24, 2007)*
- *On July 28, 2009 Council passed a number of motions with respect to density transfers in support of heritage conservation.*

SUMMARY & PURPOSE

The purpose of this report is to seek Council approval to designate the site at 1245 Harwood Street containing a heritage building (Legg Residence) as protected heritage property, and to enter into a Heritage Revitalization Agreement (HRA) for the site which will ensure the long-term protection of the heritage building. As an incentive for and compensation to the Owner for the designation of the heritage building, floor area variances are proposed for use in a new residential tower proposed for the site as set forth in Development Application Number DE414280(see the drawings in Appendix B).

The application proposes to restore and rehabilitate the heritage house. The heritage house would contain 8 rental apartments and the building would be moved 23 feet to the east to accommodate a new 18-storey market residential tower. As incentive and compensation for the conservation and designation of the heritage building, bonus density of 26,000 square feet is requested for an overall floor area ratio (FSR) of 3.7 (64,042 square feet). The Director of Planning is prepared to approve the development application should Council, under its discretion and authority, approve the additional floor area through the proposed Heritage Revitalization Agreement and designate the site.

Through review of this application, staff have concluded that the existing Vancouver Heritage Register "B" category for the site did not reflect its true value. A revised historic building and site evaluation, along with a Statement of Significance were reviewed by the Vancouver Heritage Commission, wherein they supported revising the category from "B" to "A". As part of the staff recommendations, Council is asked to amend the Vancouver Heritage Register category for the site at 1245 Harwood Street to an "A".

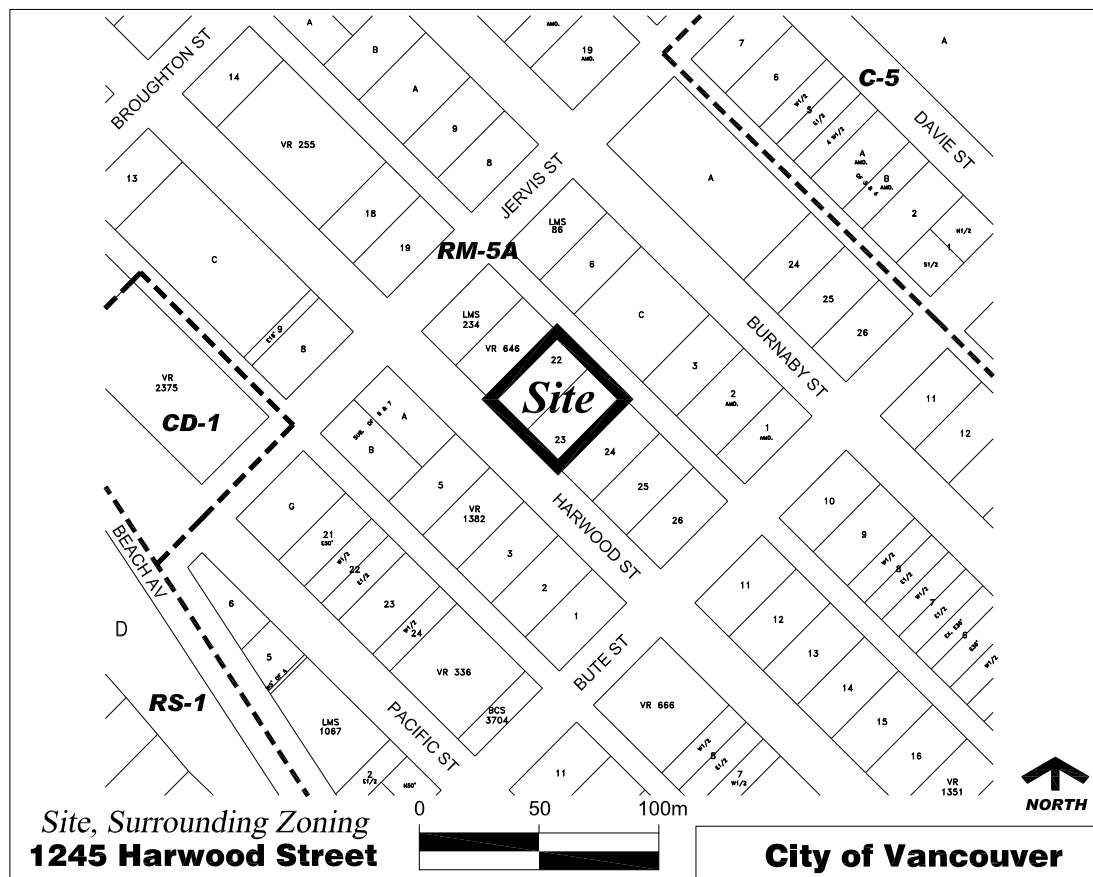
BACKGROUND

Site, Context and Background

The site that is the subject of this proposed HRA is located in the West End neighbourhood in an RM-5A zoned district (see site map). The existing RM-5A zoning permits multiple dwellings up to a conditional density of 2.2 FSR and a conditional height of 190.3 feet under certain parameters recommended in the West End RM-5A guidelines. Notwithstanding the height provisions of the existing zoning, the maximum height is affected by view cone # 20, which limits heights at this location to 176.7 feet above the 28 metre contour line.

The site is comprised of two legal lots with a combined area of 17,290.4 square feet, and is situated on the north side of Harwood Street between Bute and Jervis Streets. It has a frontage of 132 feet and a depth of 131 feet. The heritage building straddles the two lots; site consolidation would be a condition of the development permit.

The surrounding area is an established multiple-family neighbourhood. Within that area which has the same RM-5A zoning as the subject site, a variety of building heights ranging from two-storey buildings to the 22-storey tower at 1265 Burnaby Street currently exist. There is a twenty foot wide lane to the north of the site and a 12-storey multiple dwelling directly across the lane (see Context Plan on page 9). The site to the west contains two- and three-storey multiple dwellings separated by a courtyard. The property to the east is a character house converted to apartments.



Site Map

A development application for this subject site was submitted in 2007 and it originally proposed the preservation of the heritage house as well as the retention of a significant tulip tree that is situated in the front yard. Based on preserving and designating the house and tulip tree, the proposal requested 45,000 square feet of bonus density for use in the construction of a new 18-storey tower with a floor plate size of approximately 4500 square feet. Several open houses were held to consult the neighbourhood and the owner put the project on hold several times. A significant amount of the requested bonus density in that original application related to the cost of construction to avoid impacts on the root ball of the tree. Given that 40% of the root bulb was located on a neighbouring lot, full designation and protection of the tree could not be secured without the neighbouring owner's permission to designate their portion of the root bulb and tree canopy. Staff consulted Council in June 2010 to determine the level of support for the granting of development incentives for heritage resources that can not be wholly secured. Based on those circumstances, Council established the following policy:

THAT historic landscape resources in the City are important and worthy of retention and protection, however, Council affirms that bonus incentives are not supported for landscape resources that cannot be wholly protected through legal designation.

Based on Council's motion, the owner of 1245 Harwood Street determined that the preservation of the tulip tree was not viable without a corresponding density bonus to off-set the costs to construct without impacting the root bulb. Given this, the applicants withdrew their earlier application and submitted a new Development Permit application on October 15, 2010 showing the retention of the heritage house but not the tulip tree.

The site at 1245 Harwood Street is a good candidate for on-site heritage incentives. If it were to be effectively demonstrated that using all of the bonus floor area on the site would create a development that is significantly out of alignment with the intent of the zoning, consideration could have been given to the transfer of the remainder of the bonus density to another site. However, on July 28, 2009, Council approved a number of actions to maintain the integrity and the value of its transferable bonus density program. This included a restriction that no new density would be created until the density balance reached a state of equilibrium which is defined as an amount equal to the previous three years' absorption. Therefore transfer of density is not available as an option. It is important to note, that RM-5A zoning permits the construction of a tower on this site. Given the small size and narrowness of the proposed floor plate in the present application, it is likely that a similar sized tower could have been contemplated even under the existing RM-5A zoning district regulations.

DISCUSSION

Historic Value

The Legg Residence, a late Victorian house, was constructed between 1899 and 1900 by Gordon Legg, Managing Director of the Union Steamship Company. At the time, the West End was being developed as Vancouver's premier residential neighbourhood due to the views to English Bay and the proximity to the business core. Many large estates occupied the area,

such as Gabriola and the Tudor Manor. This is one of the few remaining properties that have not seen significant change since its construction. The grade rises significantly from Harwood Street to the lane and the site was developed to maximize the views to English Bay by placing the building at the high end of the site. The gardens are approximately one-storey above the level of the street with a heavily landscaped barrier along the street edge. A tulip tree was planted at the time of the building's construction and has grown unimpeded to a height of approximately 120 feet. The house, garden, and tree have become a landmark for the neighbourhood and are currently listed under the "B" category of the Vancouver Heritage Register. The name of the site changed to Eastwood Place when the building was converted to rental apartments in the 1930's. The historic value of the site lies within its ability to reflect the early development of Vancouver.

It is important to note that at the time the Vancouver Heritage Register (formerly Inventory) was created, some sites were left without adequate understanding of their historic value due to limited funding for research. In the case of 1245 Harwood Street, the existing site evaluation did not adequately acknowledge the architectural, social or cultural value of the site. Through this application process, staff prepared a building evaluation based on the Statement of Significance and determined that the rating should be increased to an "A". The changes are due to the rarity of a large estate-like site and landscaping in the West End, the evolution of changes in tenancy over the years, and the architectural and landscape quality of the site. On July 9, 2007 the Vancouver Heritage Commission voted to support revising the category of the site from a "B" to an "A" in accordance with the updated information and analysis submitted (see Appendix A).

Conservation Approach:

In the early years of the site, the house was converted to rental apartments as an outcome of the economic challenges during the Depression. The building is in good condition however, some changes have occurred over time (see Conservation Plan in Appendix C). A three-storey addition was added to the western portion of the front façade and if this application is approved it will be retained as a legitimate reflection of the history of the site. An unsympathetic third-storey sun room is proposed to be removed, and the original south facing dormers and windows replicated. The remainder of the building would be retained and restored. To facilitate the construction of the new tower, the building would be moved approximately 23 feet to the east, while retaining the same relationship of the house to the street. The garden would be partially retained, and the site opened up to the street through filtered landscaping along the front property line.

Under the proposal, the house would be designated as protected heritage property and a Heritage Revitalization Agreement would be placed on title to secure the long-term preservation and maintenance of the heritage building and to permit the construction of the new tower. Regrettably, the tulip tree would not be retained under this proposal, as it straddles the property line with a portion of the root bulb located on the adjacent property. As such, the long term health of the tree cannot be ensured and Council has given policy direction to not provide incentives for landscape resources that cannot be wholly protected through designation.

On February 28, 2011, the Heritage Commission reviewed and supported the Development Permit application as presented, wherein the heritage house would be retained and restored (without the tulip tree) and an 18-storey market residential tower would be constructed on the western portion of the site (see Appendix A). Staff supports the conservation approach

for the house and concludes that the proposal is consistent with the federally adopted Standards and Guidelines for the Conservation of Historic Places in Canada.

Development Application and Proposed Incentives

The site is within the RM-5A zone and is governed by a number of Council policies relating to heritage preservation (see Council Policies on page 2). To assist with the economic viability of retaining and designating the heritage house, the proposal is to compensate the owner in the form of floor area variances as set forth in Development Application Number DE414280 (see technical chart in Appendix D). The heritage building is proposed to be retained as a rental building on the eastern portion of the site and a new 18-storey market residential tower with a floor plate size of approximately 3,500 sq.ft., containing 48 units is proposed on the western portion of the site. The existing six rental units within the heritage house would be reconfigured to create eight rental units. Council's policies on "Rate of Change" in the West End require the replacement of rental units on a one to one basis. Underground parking would be constructed over the full site with access from Harwood Street.

The zoning conditionally permits the construction of a tower, however, the total density proposed is greater than permitted. The maximum discretionary density permitted in the RM-5A District Schedule is 2.2 FSR (floor space ratio) which for this site equals 38,038 square feet. The applicant has requested additional bonus density of 26,000 square feet for a total density of 3.7 FSR (64,042 square feet)(see Table in Appendix D for a technical summary). Council may elect to increase the density beyond 2.2 FSR, for the preservation and designation of a building or site on the Vancouver Heritage Register, in accordance with the Heritage Policies and Guidelines. Staff conclude that the value of the variance is commensurate with the loss in market value caused by designating the site as a protected heritage property and the costs to the owner of rehabilitating and preserving the heritage building. The approach is supported under Council's Heritage Policies and Guidelines.

Compatibility with RM-5A Zoning Regulations and Design Guidelines

RM-5A Zoning and Guidelines

The intent of the RM-5A District Schedule is to permit a variety of multiple-family forms with emphasis on achieving compatibility with adjacent development in terms of the following:

- streetscape character,
- open space,
- view retention,
- sunlight access, and
- privacy.

The West End RM-5, RM-5A, RM-5B and RM-5C Guidelines offer more detailed advice and are used to assess applications for discretionary density and height by describing the design considerations that apply to West End projects. The Guidelines also note that heritage buildings contribute to the character and diversity of the West End, and encourage their retention be explored as a part of any new development.

In general, the proposal meets the conditional limits of the district schedule except for density. Required building setbacks to both neighbouring property lines and to the lane meet the RM-5A requirements for side yards, rear yard, and site coverage. In addition, the proposal meets many of the recommendations in the Guidelines. These recommendations are discussed in more detail in the following sections.

Streetscape Character

The Guidelines identify mature street trees and lushly landscaped front yards as major elements in creating a cohesive streetscape that can tie together a variety of building types. The application proposes to retain the street trees and restore a series of stone planters in the front yard, leading up to a landscaped plateau. This design also meets the Guidelines recommendation on topography to reduce scale along the street edge. While the removal of the existing tulip tree will be a loss for the site and the area, the intention is to replace this tree with a similar species. A driveway off Harwood Street to underground parking is proposed, as the combination of the lane being 24 feet higher than the street and the width of the heritage building, leaves relatively little room for a parkade ramp on the lane. An opportunity exists to improve the future prospects of the replacement tree for the tulip tree, by shifting the interior parkade ramp and architectural treatment of the parkade opening will mitigate its effect on the pedestrian realm. This opportunity, like others mentioned in this report, will be considered during the review of the associated development permit application.

Open Space

The Guidelines recommend setting buildings back from street corner to create wider views down streets and extending a sense of open space into a lot through careful building placement. Where possible, the siting of a building should provide a large contiguous open area through the site rather than several smaller spaces. The proposed design reflects these recommendations by placing the tower on the western portion of the site. The guidelines also recommend providing seating in the landscaped area, which may be an opportunity on this site.

View Cone 20 - Granville Street

City Council adopted a number of view cones to protect public views in 1989, and reaffirmed them in 2010. View Cone 20 is designed to protect the view from Granville Street at Broadway northward to Capilano Valley and the North Shore Mountains, and limits the height of development relative to the lowest point on this site to 176.7 feet. Both the view cone and the site contours step up towards the lane, so that the maximum height near the centre of the tower is approximately 172 feet above the existing grade. This equates to a maximum elevation of 277 feet above the geodetic datum for all new structures. Preliminary calculations indicate a limited portion of the decorative rooftop screen for the proposed tower is located in the view cone, which means that a condition of approval for the development permit will require revision to bring this structure below the view corridor height limit.

Views

Views from private and public locations toward English Bay are a significant amenity for many residents of the area. The proposed tower will affect the private views of many residents to some degree, but the relatively narrow (45 feet) width of the proposed tower floor plate and its orientation on the site means that the impact on private views for residents uphill of the site is reduced when compared to a more typical tower width of 80 feet, or by distributing the same density over fewer floors. The maximum loss of view studied occurs in the middle unit on the 11th floor of 1250 Burnaby Street looking to the west, where the view loss totals 16.9% or 20 degrees out of an existing 120 degree view. The portion of view loss decreases for other units, elevations and locations. For example, the same floor and unit position at 1251 Jervis Street, 380 feet away, would lose 2 degrees of a 120 degree view. Further, no

significant public view from a street or park is impacted by this development. For more detailed information, see the view analysis included in Appendix E.

Sunlight and Shadowing

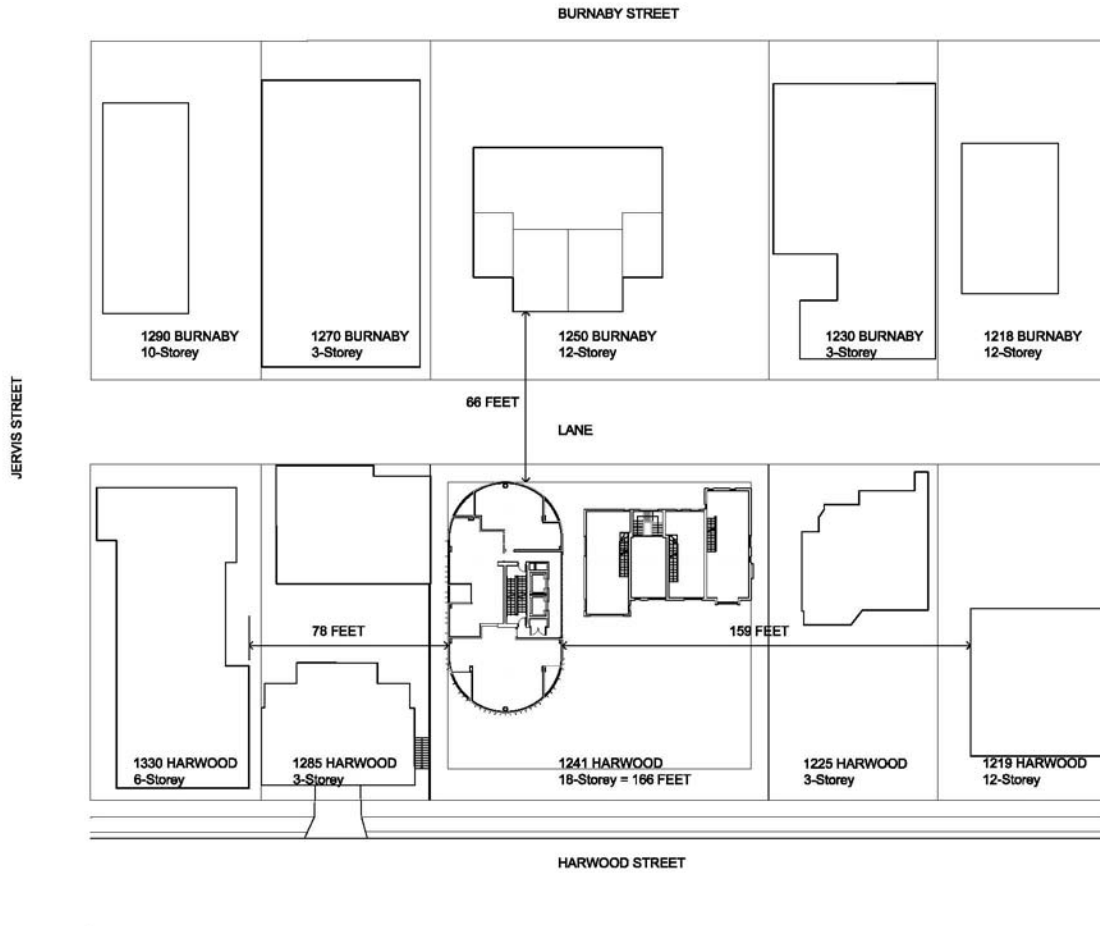
Residential liveability for new units is generally well provided by virtue of the limited number of units per floor, which increases the extent of natural light to each unit. However, the shadowing effect by the proposed building on the immediately adjacent neighbours is greater when compared to what could be expected were the heritage building not retained and a new tower built in the center of the lot under the RM-5A zoning. The distinctive lozenge shape of the floor plate helps to some degree by removing the corners that typically extend the width of a shadow cast. (For more detailed information, see the shadow study included in Appendix E.) More significantly, the floorplate is relatively small: about 3,500 square feet on typical floors. The narrow width of the tower as seen from the Harwood Street frontage also helps keep a view open from the sidewalk to Eastwood Place.

When considering the standard dates of the Spring and Fall equinox, the shadow of the proposed building would reach the southern tip of the public green space located on the Jervis Street closure north of the site. The duration of the shadow would be limited to approximately 10:45 am to 12:00 noon. By 12:00 noon the shadow has cleared the open space. Staff have compared this shadow impact to what could be expected were the corner site at 1200 block Harwood Street to be redeveloped with a 110 foot tower, which could be permitted under RM-5A zoning and concluded that the proposal has a lesser impact.

Given Council policy to preserve Vancouver's listed buildings where possible, and with few siting options that do not affect some stakeholders, staff are satisfied that the proposal is designed to minimize effects on the wider neighbourhood while maximizing public views to the heritage house.

Privacy

The Guidelines strive for development that provides adequate privacy for new and existing residents. Although the required side yards are met and the design is generally comparable to the privacy impacts of other developments in the area, there is an opportunity for further design development at the lower levels of the building, closest to the adjacent residential units, by locating windows so that they do not align with existing developments to the west. If the report recommendations are adopted, prior to conditions to the development permit will be issued to address some of these opportunities.



Context Plan

Height

The Guidelines indicate that an increase in height beyond 60 feet may be considered when the livability of adjacent development is respected, and when other public objectives such as opening up street end view corridors or retaining heritage buildings are met. In order to preserve views and the skyline pattern, the Guidelines recommend that buildings over 60 feet tall have a horizontal separation of 79 feet from other buildings of similar height, and that buildings over 110 feet tall have a horizontal separation of 400 feet from other buildings of similar height on the same block face. The specific advice of the Guidelines is to limit buildings over 110 feet to one per block face to help create a skyline with an evident pattern, to maintain or create view corridors between existing buildings, and to not fill in gaps. Creating a continuous wall of towers would not be supported. The Guidelines further recommend the use of smaller floor plates to minimize view blockage, which has been employed with this application, relative to the nearest tower, as shown in the view impact analysis in Appendix E.

The proposal provides approximately 66 feet of horizontal separation to the closest building over 60 feet tall (1250 Burnaby Street), rather than the 79 feet that is recommended, but does offer angled views from the most affected suites to the west and east as the floor plate rounds off the corners (see Context Plan above). More significantly, the building width is fairly narrow as seen from 1250 Burnaby Street, at 45 feet wide. As a comparison, 1250 Burnaby has a more typical West End tower width of about 78 feet. Moving the proposal southward by 13 feet would provide the recommended dimension relative to the neighbouring tower but this would have a significant impact on the adjacent neighbours in low-rise buildings, especially at 1285 Harwood Street.

The proposal provides approximately 159 feet of horizontal separation to the closest tower over 110 feet tall on the same block face (1219 Harwood Street). The horizontal separation to the next nearest building, 1330 Harwood Street, is approximately 78 feet which meets the Guidelines recommendation. While 1219 Harwood Street is approximately 110 feet in height, the start of the height that would normally preclude another tower on the same block face, staff note that 1219 Harwood is close to the cut off, and there are no other towers over 110 feet tall on the same block face.

Other options to retain the heritage house while developing the site with the bonus density were considered through the review process, including reducing the proposed building height to meet the recommended 110 feet limit with a redistribution of the density into a wider, lower form. Staff concluded that while this would serve to redistribute view and shadowing effects from many residents to fewer, the impact on the immediate neighbours was significantly worse. Staff are of the opinion that the design of the proposed massing minimizes view impacts on surrounding units.

Although the application if approved, would represent a variation from the recommended pattern of towers in the neighbourhood, this proposed circumstance is deemed to be acceptable in this case in order to achieve the civic goal of heritage preservation. The application will not only fulfil priorities for heritage preservation, but also meet a range of West End Guidelines, and in the opinion of the Urban Design Panel, create a well-designed building that reduces its potential effects. Staff have reviewed the application in comparison to the relevant policies, considered the specific circumstances and the possible alternative scenarios, and have concluded that on balance the proposed design is supportable. There are a number of design development conditions that will be required to complete the development application approval. Should Council support the staff recommendation for the additional density, these conditions will become prior to conditions to the development permit.

Urban Design Panel

On January 26, 2011, the Urban Design Panel reviewed the development permit application and unanimously supported the application (see Appendix A).

Results of Neighbourhood Notification and Review of the Application

As part of the 2007 development application review, staff held three Open House/Information Sessions to inform the neighbourhood on the aspects of the application and the specifics of RM-5A zoning. With little exception, the community responded negatively to the application indicating concerns over the scale and height of the proposed tower and its relationship to

surrounding development along with the loss of views to English Bay from existing buildings north of the site.

On October 15, 2010, a new development application was submitted which retained only the heritage house. Staff hosted an Open House early in the process to inform the community on the changes to the application from the 2007 scheme. An Open House was held on January 17, 2011 and 755 surrounding neighbours were notified. The notification included mailing postcards to property owners in the surrounding area and a hand delivered postcard to 73 rental buildings in the notification area. In addition, interested neighbourhood groups were notified including: the West End Neighbours (WEN), West End Resident's Association (WERA), West End Business Improvement Association (BIA), and the West End Mayors Advisory Committee (WEMAC). The notification postcard invited the public to obtain more information on the proposal from the City's website, including the history of development proposals on this site, and details of the current application. The web site also provided an opportunity to comment on all aspects of the proposal currently under review. A total of 70 people attended the Open House and staff received 45 written comments and 28 e-mails through-out the development permit review period. At the Open House, both drawings and models were available for viewing, including a model showing what a proposed developed under the RM-5A zoning without heritage retention would likely be. A question and answer session followed a presentation made by staff and the applicant team.

The applicant team met separately with representatives from the West End Mayor's Advisory Committee (WEMAC), West End Neighbours (WEN), and the West End Residents Association (WERA). A summary of community responses is contained within Appendix F. The public were asked two questions as part of the Open House comment sheets:

1. Do you support varying the zoning regulations for this site to allow for a larger building, in exchange for the retention of the heritage house?
2. Do you support demolishing the heritage house and developing to the maximum permitted size under the RM-5A zoning?

The key points expressed in the feedback received are:

1. Opposition to the loss of the existing Tulip tree,
2. Opposition to providing bonus incentives for the preservation of the heritage house, and
3. Opposition to the proposed tower, in terms of its scale, height, impact on existing views, light and shadowing of surrounding buildings.

To the two questions asked at the Open House, the public answered predominately "No" to the first question of varying the zoning to allow a larger building and "No" to the second question of supporting the demolition of the heritage house.

With respect to the loss of the tulip tree, without the ability to secure the entire root bulb, the tree cannot be designated and protected and therefore cannot generate bonus incentives to off-set the additional costs incurred in constructing the underground parking around the root bulb of the tree. Council's motion on July 10, 2010, affirmed that only heritage resources that can be wholly protected are eligible for bonus incentives to off-set their retention costs.

With respect to providing bonus incentives for the preservation of the heritage house, Council's Heritage Policies and Guidelines outline Council's priority in preserving Vancouver's

valuable heritage resources. The site at 1245 Harwood Street has been re-assessed as warranting an “A” rating on the Vancouver Heritage Register, and it is City policy that all avenues to retain the character defining elements of the site are explored and compensation be granted, in accordance with the methodology outlined within the policy.

With respect to the impact on the neighbourhood by the proposed tower, staff have outlined Council’s RM-5A zoning and Guidelines, and feel the application substantially complies with the intent of the policies. The tower will undoubtedly impact a number of the surrounding sites, however, on balance, staff note that the height may be permitted under the existing RM-5A zoning regulation, that the current proposal has been reduced in scale and that the new development is sited in the least impactful location while still providing for the conservation of the heritage house. In the opinion of staff, the proposal constitutes an acceptable development option for Council’s consideration.

Financial Proforma Evaluation

Real Estate Services staff reviewed the applicant’s proforma in accordance with Council’s approved policies. The Director of Real Estate Services advises that the proposed variances requested by the applicant are commensurate with the heritage designation and conservation. Staff have determined that no undue profit will arise should this HRA be approved and that the application is supportable.

Public Benefits

The proposed rehabilitation and conservation of the heritage building to be carried out in exchange for the proposed Zoning and Development By-law variances will result in the revitalization and conservation of a valuable heritage resource in the form of the Legg Residence. In addition, Development Cost Levies (DCLS) will be collected in accordance with Council’s Financing Growth Policies. The City-wide DCL rate of \$10.42 applies to this site (see the Public Benefits Chart in Appendix G). DCL’s are payable at building permit issuance and are subject to periodic adjustments.

Greener Buildings Policy

The City’s “Rezoning Policy for Greener Buildings” applies to the application and requires developments of this scale to achieve LEED™ Gold with a score of 63 points. 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. Conditions of the development application approval will require that the drawings incorporate the proposed 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 project 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 designation and proposed Heritage Revitalization Agreement for the house at 1245 Harwood Street will ensure the conservation of the building and the long-term protection from inappropriate exterior alterations and demolition. The owner and the City have agreed upon a compensation package that off-sets the additional costs to designate the heritage house and the owner agrees to seek no further compensation. The proposed Heritage Revitalization Agreement outlines the proposed floor area variance to the Zoning and Development By-law. Therefore, Council is asked to approve the staff recommendation to enter into a Heritage Revitalization Agreement for long-term maintenance of 1245 Harwood Street and designate the site as protected heritage property. Further, Council is asked to adjust the Vancouver Heritage Register category for the site from a "B" to an "A", in accordance with the motion from the Vancouver Heritage Commission on July 9, 2007.

* * * * *

Vancouver Heritage Commission

On July 9, 2007, the Commission reviewed a Statement of Significance and revised building evaluations for 1245 Harwood Street and passed the following motion:

RESOLVED

THAT in regards to the project at 1245 Harwood, the Vancouver Heritage Commission supports the building re-evaluation to an "A"; and

FURTHER THAT the Vancouver Heritage Commission supports the rehabilitation process and would like to see a detailed Conservation Plan, including the gardens, and

FURTHER THAT the Vancouver Heritage Commission supports the project as presented at the meeting of July 9, 2007, and that the project proceed to an HRA with a detailed conservation plan which would highlight the preservation of the tulip and cedar trees, the garden and house.

On February 28, 2011, the Commission reviewed a Development Permit application, wherein the heritage house would be retained and restored (without the tulip tree) and an 18 storey market residential tower would be constructed on the western portion of the site, they passed the following motion:

RESOLVED

THAT the Vancouver Heritage Commission supports the Conservation/Rehabilitation approach to the building and the site at 1245 Harwood Street, but asks the applicant to consider removal of the 1930's addition;

Further that the Commission recommends the restoration of the dormers as per the 1914 photographs; and

Further that the Commission supports the revised relationship between the tower and the heritage house.

THAT the Vancouver Heritage Commission recommends further design development of the front garden and street edge at 1245 Harwood Street with the consideration of trees to filter the view of the property from the street to preserve the estate-like garden context of the heritage building.

Urban Design Panel

On January 26, 2011, the Urban Design Panel reviewed the development permit application and voted unanimously to support the application, with the following comments:

The Panel recognized that all or some of the heritage density could not be transferred off site. Given current City policies, but they were in support of preserving the heritage building. The Panel thought the tower was in the right location and that the relationship to the heritage building worked well. They noted that moving the core had increased the separation between the tower and the heritage house and slimming the tower had decreased the amount of

density. One panel member did note that the interface with the building across the lane was a bit of a concern. Another Panel member noted that shrinking the tower floor plates helped with shadow impacts on the buildings across the lane and permitted more light into the ground plane. Most of the Panel thought the architectural treatment was well done and the project would be a good addition to the neighbourhood.

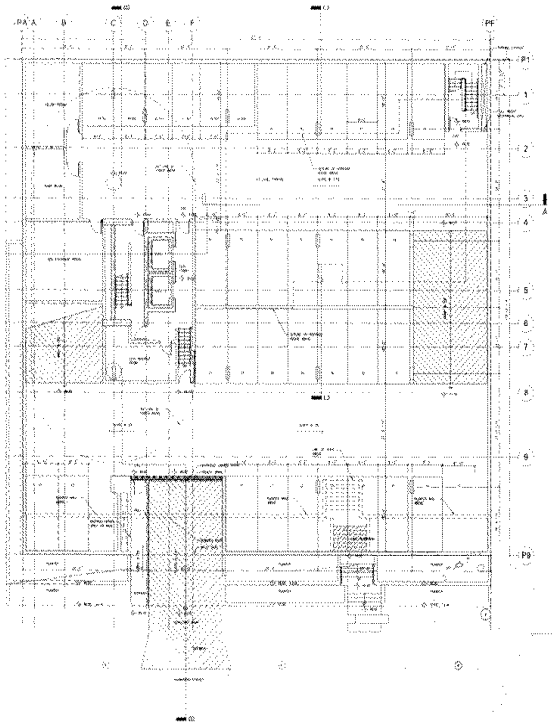
The Panel felt the garage entry interrupted the streetscape and thought that it should be moved to the lane or if not possible to move to the lane then it should be moved further west. They encouraged the applicant to minimize the impact of the entry onto the street.

Several Panel members were disappointed that the heritage tulip tree could not be retained with one Panel member stating that it looked like the tree would be lost because of the parking and wanted to see the parking reconfigured to save the tree. One Panel member noted that because the base of the tree is only six feet from the property line and the root ball would be of significant size, there was some concern that should the adjacent property be developed the tree would not survive. It was noted that the reflecting pool was a nice addition and that the open lawn in front of the heritage house would be a pleasant area for the residents to use.

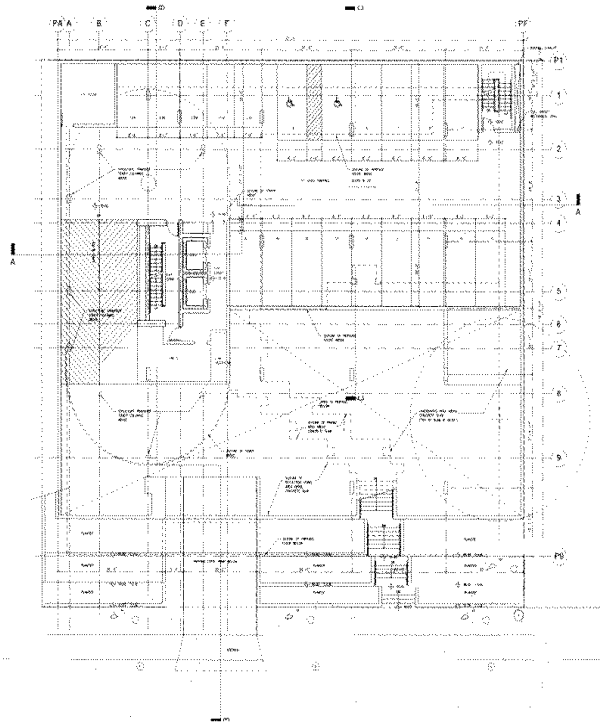
The Panel supported the green and sustainability strategies for the proposal and acknowledged that the applicant had made efforts to mitigate solar heat gain. One Panel member urged the applicant to go for LEED™ certification rather than LEED™ equivalency.

TOTAL UNIT NUMBER: $48 + 8 = 56$

PLANS



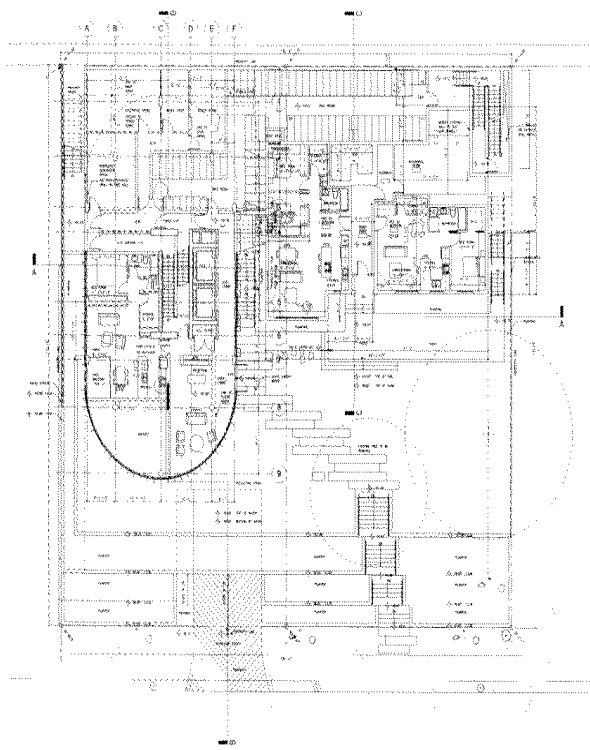
PARKING LEVEL 2



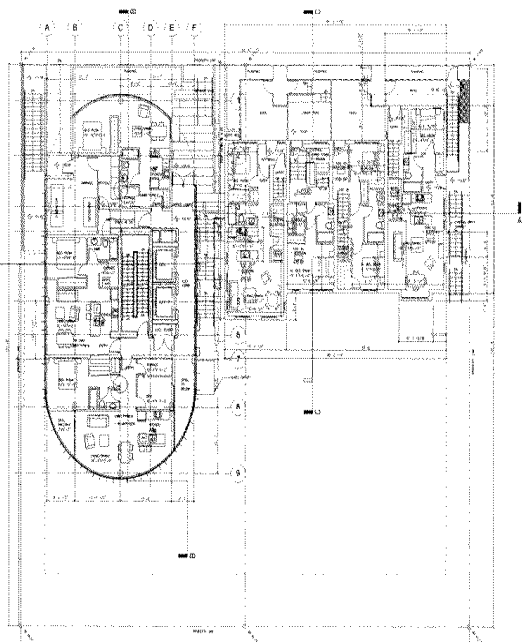
PARKING LEVE 1



PLANS



TOWER LEVEL 1 PLAN- HOUSE LEVEL 1

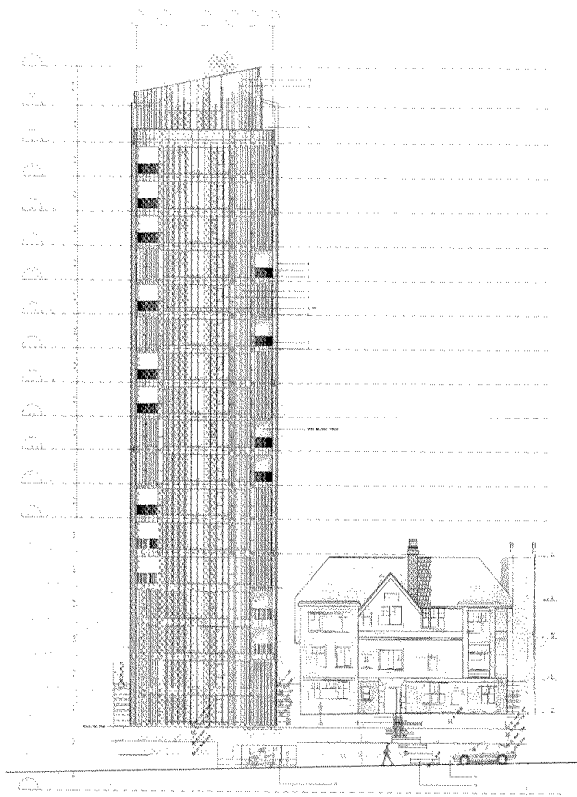


TOWER LEVEL 2 PLAN- HOUSE LEVEL 2

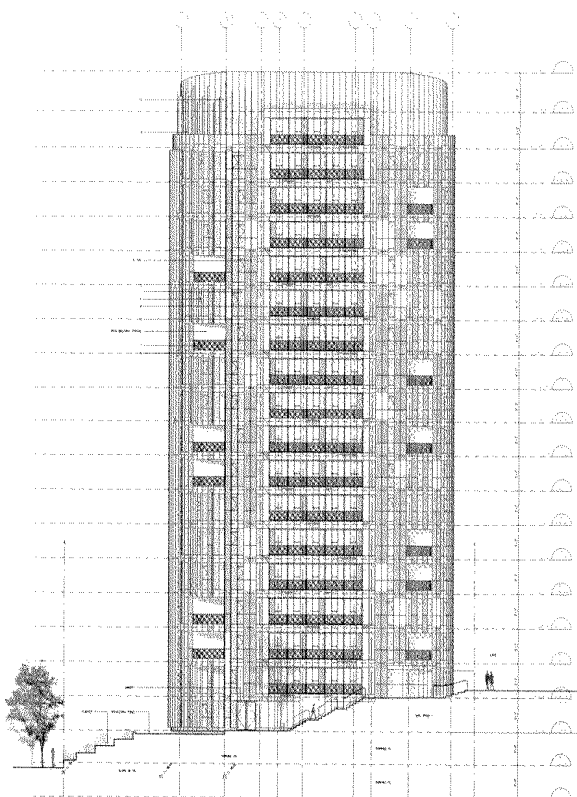


- RESIDENTIAL TOWER
- RESIDENTIAL TOWER
- RESIDENTIAL TOWER
- COMMON AREAS
- RESIDENT PARKING
- UTILITY AREA
- CORRIDOR

TOWER ELEVATIONS



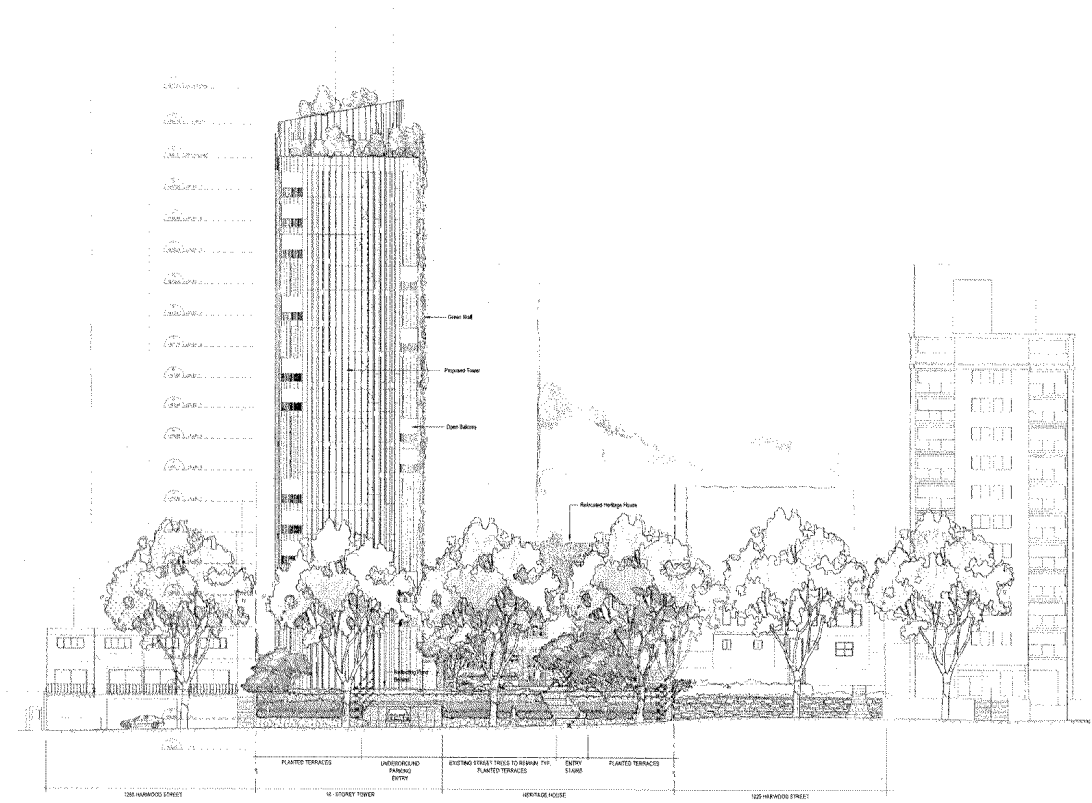
SOUTH ELEVATION



EAST ELEVATION



HARWOOD STREETSCAPE











CONSERVATION PLAN

LEGG RESIDENCE

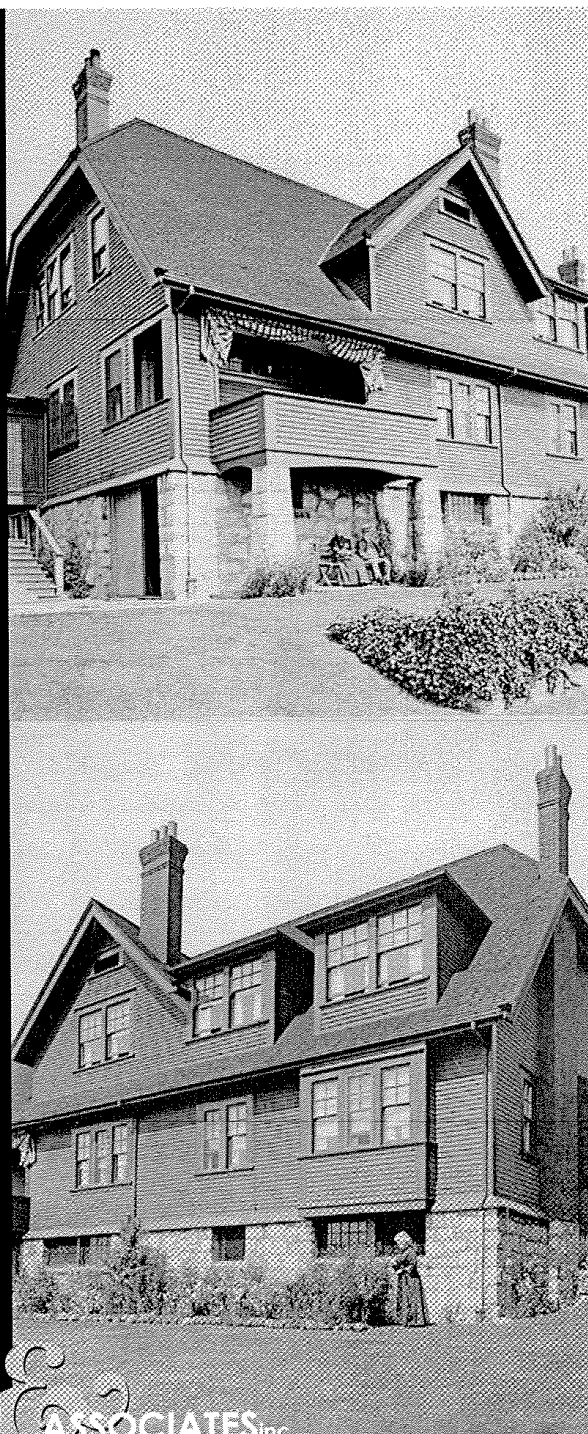
1241
HARWOOD STREET
VANCOUVER, BC

FEBRUARY 2011

prepared for:
BING THOM ARCHITECTS

prepared by:

DONALD LUXTON & ASSOCIATES Inc.



3.0 STATEMENT OF SIGNIFICANCE

(Revised February 2011)

DESCRIPTION OF HISTORIC PLACE

The Legg Residence is a large two and one-half-storey residence in a garden setting, located in the historic West End neighbourhood of downtown Vancouver. Known as Eastwood Place after it was converted to apartments, this is one of the earliest houses in the area and is characterized by its significant setback from the street, its substantial front garden and its jerkin-headed roof. The site has views to the south English Bay and to the west side of the city.

HERITAGE VALUE OF HISTORIC PLACE

This grand late Victorian-era estate house, built between 1899 and 1900 and set in an expansive garden, has considerable heritage value as one of the few surviving prominent homes that once graced the West End. It demonstrates the social, cultural, and aesthetic values of local wealthy businessmen and women at the turn of the early twentieth century – values such as appreciation of architectural elegance and grand interior spaces, leisure and recreation, formal landscaped gardens and scenic views. Prior to the development of Shaughnessy Heights, the West End was Vancouver's premier residential neighbourhood. During the economic boom that accompanied the Klondike Gold Rush, many distinguished private residences were constructed in the area, few of which survive. Originally the home of Mr. Gordon T. Legg, a financial agent and the Managing Director of the Union Steamship Company, the house and its grounds was one of the first developed properties on Harwood Street and are a rare legacy of that era. It was typical of the sophisticated homes built by middle and upper management and professional classes, particularly those with connections to resource or transportation industries who were prospering at the time.

The Legg Residence is additionally significant as a superior example of the British Arts and Crafts style of architecture, demonstrating an allegiance to the Mother Country. The style was often used for estate mansions as a symbol of affluence and good, modern taste as well as an affinity for all things British. Its conversion to apartments in 1933 marks the change and evolution of the West End from neighbourhood of single-family homes to multi-family dwellings that occurred in the 1930s; this was a reflection of the austere economy of the time and the changing demographics of the West End.

The heritage value of this property is also associated with its turn of the twentieth century garden setting, which remains as a rare surviving example of the configuration and character of estate grounds of that era. The front garden, terraced from the street, presents a transition from public to private space; emphasized by the elevation change and the mature laurel hedge at street level.

CHARACTER-DEFINING ELEMENTS

Key elements that define the heritage character of the Legg Residence include its:

- location within the West End, with siting at the high, rear side of the site with views of English Bay to the south;
- continuous residential use;
- residential form, scale and massing as expressed by its: two and one-half-storey height; jerkin-headed roof form with hipped dormers and projecting gables; and full basement;
- wood-frame and stone construction, with wooden siding, trim elements and details, and rubblestone granite foundations;
- British Arts and Crafts style details such as bevelled wood siding with cornerboards, substantial bargeboards, sloped watertable, square bays, and original wooden door of the north façade featuring a diamond-paned leaded glass window;
- windows such as its wooden sash double-hung windows with multi-light upper sashes with wide wooden frames and projecting sills;
- three internal and one external original red brick chimneys, asymmetrically placed, featuring corbelled brick caps; and
- associated front garden, terraced from the street, representing a transition from public to private space; emphasized by the elevation change and the mature laurel hedge at the front property line.



Early photo of the south facade of the Legg Residence [Courtesy Phillippa Wenstob]

5.0 CONSERVATION RECOMMENDATIONS

The proposed heritage conservation work will be based on Parks Canada *Standards and Guidelines of the Conservation of Historic Places in Canada* (2003). The proposed interventions include the relocation of the historic structure on the existing site, the preservation and restoration of the exterior facades, and the rehabilitation of the interior.

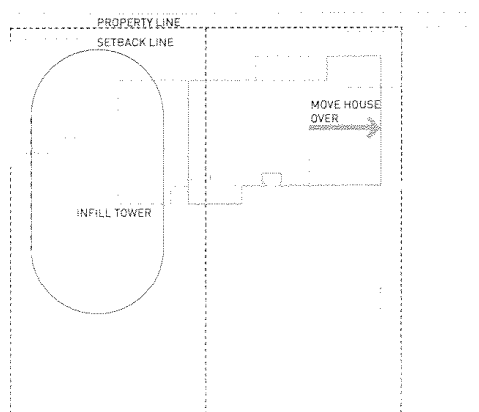
The Legg Residence is an early and good example of the British Arts and Crafts style of architecture expressed by its jerkin-headed roof form, bevelled wooden siding, and wooden trim elements such as bargeboards and cornerboards. Archival and current photographs of architectural elements and condition described are contained within the report and the following recommendations will assist in the conservation of the historic structure.

5.1 SITE

The Legg Residence, currently addressed as 1245 Harwood Street, is located in the West End, which was historically the first upscale neighbourhood in downtown Vancouver and is today one of the most densely populated areas in the city. Only a very few large mansions and historic homes built at the turn of the twentieth century are still extant, among them the Legg Residence; this highly desirable neighbourhood was redeveloped with mid- and high-rise structures in more recent decades. Situated on a south-sloping property overlooking English Bay, the two-and-one half storey house with a full basement and a rectangular plan is built near the rear property line and opens to the south to face a large garden with mature vegetation. One-storey garages were later added on either side at the rear.

The current design scheme for the site proposes the relocation of the Legg Residence approximately 23'-9 1/2" east on the existing lot side in order to allow the construction of a new 18-storey residential tower. The relocation of a historic structure on an existing site is the least intrusive relocation approach with regards to loss of historic context and invasive work to the structure.

Relocation map of the
Legg Residence.
[Courtesy Bing Thom
Architects Inc.]



The following **Relocation Guidelines** should be considered for the relocation of the Legg Residence:

- a. A relocation plan should be prepared prior to relocation that ensures that the least destructive method of relocation will be used. This includes the protection of the structure during the temporary relocation to the west in order to excavate and construct new underground parking to grade.
- b. Alterations to the historic structure proposed to further the relocation process should be evaluated in accordance with the Conservation Plan and reviewed by the Heritage Consultant. The building should be structurally braced as required before relocation.
- c. Only an experienced and qualified contractor shall undertake the physical relocation of the historic structure. Nickel Bros. House Moving Ltd. was retained in 2010 to submit a quote including a proposed procedure of the relocation of the house.
- d. Preserve historic fabric of the exterior elevations as much as possible. Remove one-storey structures on the east, west and northwest elevations prior to relocation.
- e. Temporary relocation of the historic structure to facilitate the construction of underground parking, and final positioning in its new location should be closely coordinated with the general contractor and a specialty engineer. This includes sequence of work, protection from damage, vandalism and provision of all necessary means and prerequisites to undertake the temporary and permanent relocation.
- f. Appropriate foundation materials shall be used at the new site, which can include reinforced concrete basement walls and slab. The height of the new foundation for the relocated structure should match that original to the structure as closely as possible, taking into account applicable codes. The existing granite foundation at the foundation level will be salvaged and reinstated as stone veneer including the characteristic tuck-pointing.
- g. The four historic brick chimneys should be preserved if possible. If not, the chimneys should be documented, the bricks should be salvaged and cleaned, and used for reconstruction to match the original appearance.
- h. Provide utility installations for electricity, communication and other service connections underground if possible. All installations located above ground should be incorporated harmoniously into the design concept for the relocated structure.

5.2 FOUNDATION

The foundation of the Legg Residence consists of a basement floor concrete slab. The foundation walls are formed of mass wall construction built of granite rubble stone. These walls are visible externally on the east, south and west sides and show characteristic tuck-pointing with strong, cementitious mortar. Two freestanding tapered granite pillars originally supported a projecting balcony on the south side that was later incorporated into a three-storey projecting bay addition. Granite pillars were also used to support one-storey structures to the west and east sides of the house. These granite pillars still exist.

The original window openings on the south side of the foundation walls were later changed to accommodate larger windows in order to provide more daylight in the residential basement suites. For this purpose additional windows and a new recessed entrance were also built on the south side. It can be assumed that these alterations were done in 1933 together with other interventions.

The foundation of the house is solid and in good condition. No visible major cracks or settlement were observed. There are no obvious signs of moisture damage though repairs to the granite walls on the exterior side are visible. The craftsmanship of the mortar joints in the repaired areas is rough and does not have the typical tuck-pointing.

On the north side of the house a new open drainage space at the perimeter level was constructed with a concrete sheer wall located approximately 1 foot further north from the exterior wall and tied with steel members to the existing granite foundation. This allows the drainage of rainwater coming down from roof gutters through a drainage pipe and simultaneously keeps the foundation wall dry.

The relocation of the Legg Residence requires the deconstruction of the existing foundations walls. The existing granite blocks will be salvaged and reused as stone cladding on the new concrete foundation.

Conservation Recommendation: Rehabilitation

- A photographic documentation and measured drawings of the granite foundation walls should be carried out before the house is being relocated.
- The granite blocks will be salvaged, stored in a secure location, protected from the environment, and cut to size in order to be reused as stone cladding on the new concrete foundation walls.
- Samples of the existing mortar should be taken from the site for future reference (colour, composition, strength).
- The historic mortar profile with tuck-pointing (raised mortar joints) should be reinstated with matching mortar colour, composition and strength.
- New door and window openings can be integrated into the new concrete foundation walls as required by the interior rehabilitation.

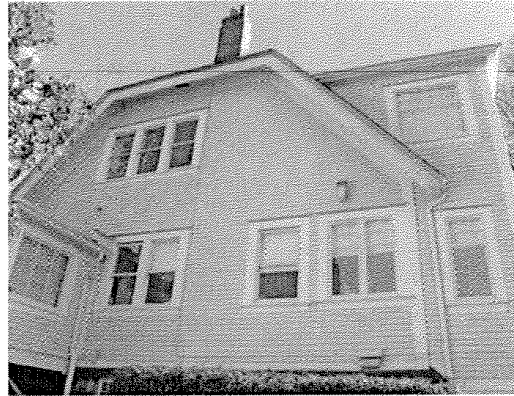


Foundation walls built with granite rubble stone and visible on the south facade (left); open drainage system on the north elevation (right).

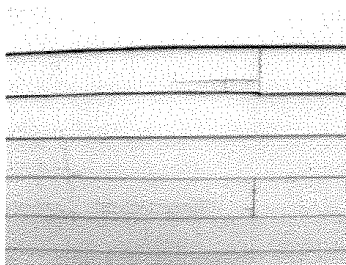
5.3 EXTERIOR WALLS & FINISHES

The wood-framed exterior walls above the basement level are finished with bevelled, lapped wooden siding with cornerboards. The boards were nailed along the top edge so that the nails were concealed by the overlap of the board above. Later additions and alterations are also finished in lapped siding to match the original appearance.

The bevelled siding is in excellent condition having been well protected from water by the overhanging eaves, good maintenance of gutters and general regular upkeep of the house. No significant deterioration or damage was visible from the ground during the site review. The exterior paint is in good condition with very few areas where it is not adhered to the wood substrate. The siding will be preserved during the relocation of the house.



West elevation with painted bevelled siding and cornerboards.



Detail of wooden siding with peeling paint.

Conservation Recommendation: *Preservation*

- Preserve the historic wood siding during and after relocation of the structure.
- Restore areas where additions will be removed to match existing siding.
- Remove severely deteriorated paint that is not adhered to the wood using a flexible metal spatula and inspect condition of siding. Comply with WCB regulations during this work.
- Remove dust and dirt with the gentlest method possible such as low pressure water washing (garden hose pressure), sponge, and soft natural bristle brushes or putty knives.
- Remove mold, moss and mildew on wood elements with a mix of 1 part Simple Green and 10 parts water and a soft bristle brush.
- For smaller in-kind repairs use linseed oil putty (for holes smaller than 1/4") or non-shrinking two-part epoxy-based filler for larger imperfections.
- Replace deteriorated siding elements with new siding of the same wood source and profile. Replicated replacements should be air-dried to avoid changes in size due to shrinkage.
- Paint siding according to the historic colour palette in Section 5.9.
- Re-nail and repair any siding that comes loose during the relocation of the structure.

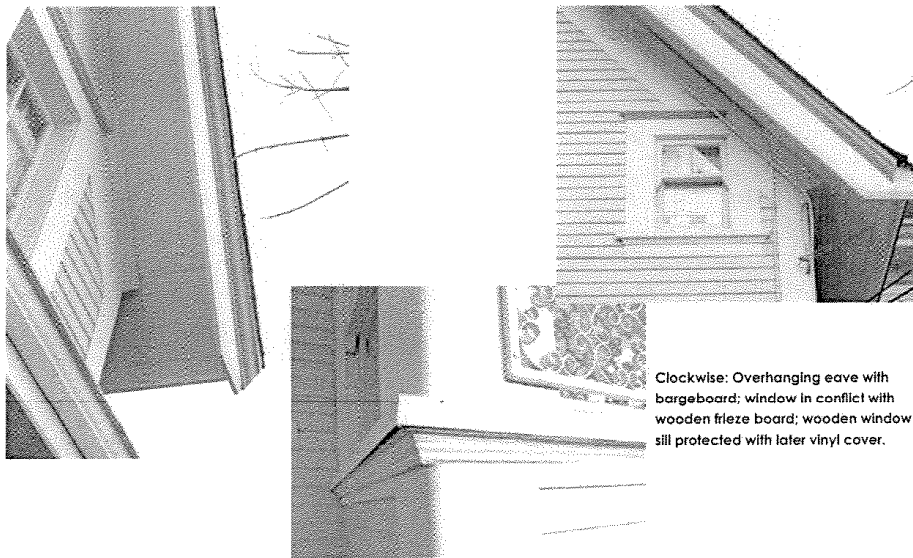
5.4 DECORATIVE TRIM

Original cornerboards, bargeboards, frieze boards, watertable boards, window sills and drip caps, and window and door trim are still intact in locations where interventions did not occur. Notably, the wide window trim and drip caps are occasionally in conflict with the original wooden frieze boards.

The wooden window sills on the north side are covered with protective vinyl sheets nailed onto the sills and painted to match the colour. This was done to prevent moisture damage and accumulation of organic growth. Some moisture problems are visible on the bargeboards.

Conservation Recommendation: Preservation & Restoration

- Original wooden trim generally is in good condition, requiring minor clean-up, repair in kind and painting.
- Replicate missing decorative wooden trim elements based on archival photos, and on physical evidence once the stucco is removed. This includes the corner boards, bargeboards, window and door trims. Paint according to colour schedule.
- Remove severely deteriorated paint that is not adhered to the wood using a flexible metal spatula for highly deteriorated locales.
- Remove dust and dirt with the gentlest method possible such as low pressure water washing (garden hose pressure), sponge, and soft natural bristle brushes or putty knives.
- Remove mold, moss and mildew on wood elements with a mix of 1 part Simple Green and 10 parts water and a soft bristle brush.
- For smaller in-kind repairs use linseed oil putty (for holes smaller than 1/4") or non-shrinking two-part epoxy-based filler for larger imperfections.



Clockwise: Overhanging eave with bargeboard; window in conflict with wooden frieze board; wooden window sill protected with later vinyl cover.

5.5 FENESTRATION

5.5.1 WINDOWS



Original double-hung wood sash window on the west elevation.

The predominant windows of the Legg Residence are the original double-hung wood sash windows as shown in the archival photographs. They are 1-over-1 double-hung windows on the west side while the south and east elevations have double-hung windows with multi-paned (4- or 6-over-one) top sashes. The south gable has an original horizontal window that is extant, and the south side of the basement level had horizontal multi-paned units that were later replaced with larger window units to allow more light in the newly designed residential suites. Some smaller windows on the upper floors were installed later. The three-storey bay was built on the southwest corner has multi-paned window units that are compatible with the heritage character of the historic house.

Archival documents of the north elevation do not exist and it has not yet been determined which windows are original or later interventions. The north elevation has windows with a variety of opening systems including casement, double-hung and fixed units. These windows will be further examined when access is available. The wooden-sash windows are generally in good condition despite some notable peeling paint. Windows on the basement and main floors of the north and east elevations are secured with modern metal safety bars.

Conservation Recommendation: *Preservation, Restoration & Rehabilitation*

- Retain original windows in their existing locations.
- Examine original windows and formulate a repair schedule on a window by window basis.
- Each original window is to be preserved by repairing in kind, making a replica replacement of those elements decayed beyond repair or missing
- Overhaul sash cords and weights to ensure that each window is in working order.
- Overhaul ironmongery and replace if missing or irreparable.
- Remove metal security grilles.
- Remove mold, moss and mildew on wood elements with a mix of 1 part Simple Green and 10 parts water and a soft bristle brush.
- Check operability and locking capabilities of all windows in the house. If broken, fix with historically appropriate hardware and fixings.
- Weather-strip as appropriate.
- Install new window units where necessary that are appropriate to the heritage character of the house.



2-over-1 double-hung windows on the north elevation with metal security grills.

5.5.2 DOORS

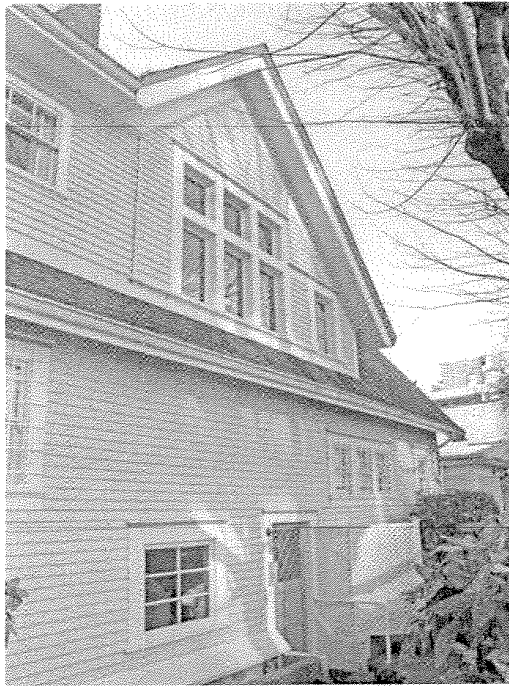
A servant's entrance on the north side is situated partially below grade and consists of a single four panel wood door with a diamond-lead light at the top.

On the west elevation an original garden entrance with a double door was later filled and covered with wood siding. A new recessed exit door to the garden was built in the centre of the south elevation when the house was converted to a multi-family residence.

The originally enclosed porch on the east side has received an entrance with a historic wooden door, which may be reused.

Conservation Recommendation: *Preservation & Rehabilitation*

- Retain east side door and repair if possible.
- The 1933 entrance on the south side can be preserved if desired.
- Reuse suitable existing wooden doors and install new doors where required; the design should be appropriate and respectful to the heritage character of the historic house.



North elevation with gable windows and former servant's entrance (left). Later entrance on the garden side (bottom).



5.6 ROOF AND DRAINAGE SYSTEM

The original roof design is one of the key architectural features of the Legg Residence. It consists of a jerkin-headed roof with a gabled projection on the north side, two large gable dormers on the north and south sides, skirt roofs, and shed dormers on the south elevation. The one-storey structure to the east and a later one-storey addition at the northwest corner are covered with shed roofs.

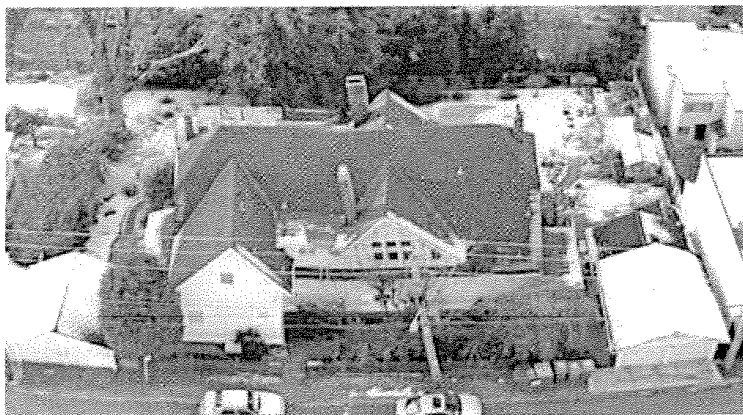
A former inset verandah with a projecting deck at the southwest corner was enclosed and renovated by the Sulley family as a three-storey projecting bay with a flat roof. Another alteration occurred when the house was converted to a multi-family residence (or after); a shed dormer on the south side was extended to provide additional space on the upper floor. A cantilevered balcony was later extended out over the roofline at this location.

The roof was originally clad with cedar shingles, which were later replaced with black Duroid. The existing roof covering is in reasonable condition and no areas were noted that would require immediate attention except for accumulation of moss on the skirt roof on the north side. Further inspection of the roofing material and membrane are required. The modern roofing material is not compatible with the historic appearance.

The existing vinyl drainage system consisting of gutters and rainwater leaders is new and sufficient to the drain the house properly though the material is not appropriate for a historic house.

Conservation Recommendation: Rehabilitation

- Remove existing asphalt shingles. Preserve adjacent historic fabric including bargeboards during the removal work.
- Re-roof in sympathetic new material, e.g. cedar shingles.
- Replace existing rainwater disposal system with painted metal sections and ensure regular maintenance.



Aerial view of the Legg Residence [courtesy Bing Thom Architects].

5.7 CHIMNEYS

The Legg Residence has one external and three internal red brick chimneys, all of them original. The external chimney is located on the east side. The foundation wall wraps around the lower portion of the stack while the upper portion is built with common red brick. The chimney penetrates the overhanging eave of the east gable and rises above the roof with a significantly slimmer stack with a double flue. The brickwork and mortar joints are in good condition except for some accumulation of algae and organic growth on the brickwork on the north side near the added wooden staircase, which prevents the drying of brickwork by sun and wind. The brickwork above the roofline was repointed on the north side while the east side also shows some moss growth in the mortar joints.

The three internal brick chimneys are located on the north, west and south sides and are generally in good condition. Very few bricks show signs of spalling, the brickwork shows some stains (in particular on the south chimney), and minor accumulation of algae. All four chimneys have characteristic brick corbel details typical for historic brick chimneys. The existing base and cap flashing is in very good condition, a sign of the excellent maintenance of the house.

Conservation Recommendation: Restoration

- The appearance of all four original brick chimneys should be retained. The chimney, fireplace and brick pattern should be fully documented, then either braced or dismantled before the house is relocated.
- Conduct testing of condition, strength and mortar analysis of existing brickwork and mortars.
- If the chimneys cannot be retained, the existing bricks should be salvaged in order to rebuild the chimneys to their original configuration above the roofline though they may not be functional.
- The appearance of the chimneys should be duplicated based on the documentation, including matching the original mortar joints in colour, strength, composition and profile. The chimneys will need a secure base and will have to be rebuilt to appropriate seismic resistance.
- Clean bricks with low-pressure water washing and soft bristles. Abrasive cleaning methods such as sandblasting are not permitted.
- Any sealants subject to review by Heritage Consultant.



External red brick chimney on the east elevation (left); internal chimneys on the south and north sides (centre, right). The internal chimney to the west is not shown.

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- Any sealants subject to review by Heritage Consultant.



External red brick chimney on the east elevation (left); internal chimneys on the south and north sides (centre, right). The internal chimney to the west is not shown.

	PERMITTED/REQUIRED Under RM-5A Zoning	PROPOSED
Use	Multiple dwelling (conditional use)	Multiple dwelling
Site Size ¹		132 ft. x 131 ft.
Site Area ¹		17,290 sq.ft
Floor Area ²	38,042 sq.ft	Tower 56,925 sq.ft Heritage house 7,117 sq.ft Total 64,042 sq.ft Heritage density bonus of 26,000 sq.ft.
FSR ²	2.2 (Discretionary Density)	Tower 3.29 Heritage house .41 Total 3.70
Height ³	60ft. (may increase to 190.3 ft) View cone 176.66 ft.	Top of parapet wall and mech room 176.91 ft Top of glazed galleria 168.24 ft.
Front yard	12.14 ft.	34 ft (to tower)
Side yard ⁴	6.9 ft	6.9 ft. (NW side yard) 6.9 ft. (SE side yard)
Rear yard	6.9 ft	Tower 6.9 ft Heritage house 9.5 ft
Amenity	6,400 sq.ft. (max.)	357 sq.ft. (level 1 of tower)
Site coverage	50%	38%
Horizontal Angle of Daylight ⁵	One angle at 50° for 78 ft or two angles at 70°	More than 50° for at least 78 ft. for tower, not so with Heritage house
External Design ⁶	14.8 ft from lane	Tower 6.9 ft Heritage house 9.5 ft
Parking	42 spaces Small car 14 Disability 3	56 Disability 2 Small car 11
Bicycles	Class A 70 Class B 6	Class A 70 Class B 6
Balconies	Total 5,118 sq.ft Enclosed (50%) 2,559 sq.ft	Open 2,629 sq.ft. Enclosed 1,546 sq.ft. Total 4,175 sq.ft.
Units		Tower 48 Heritage house 8 Total 56

¹ **Note on Site Size and Site Area:** The development consists of 2 separate legal parcels and will require site consolidation to the satisfaction of the General Manager of Engineering Services and Director of Legal Services.

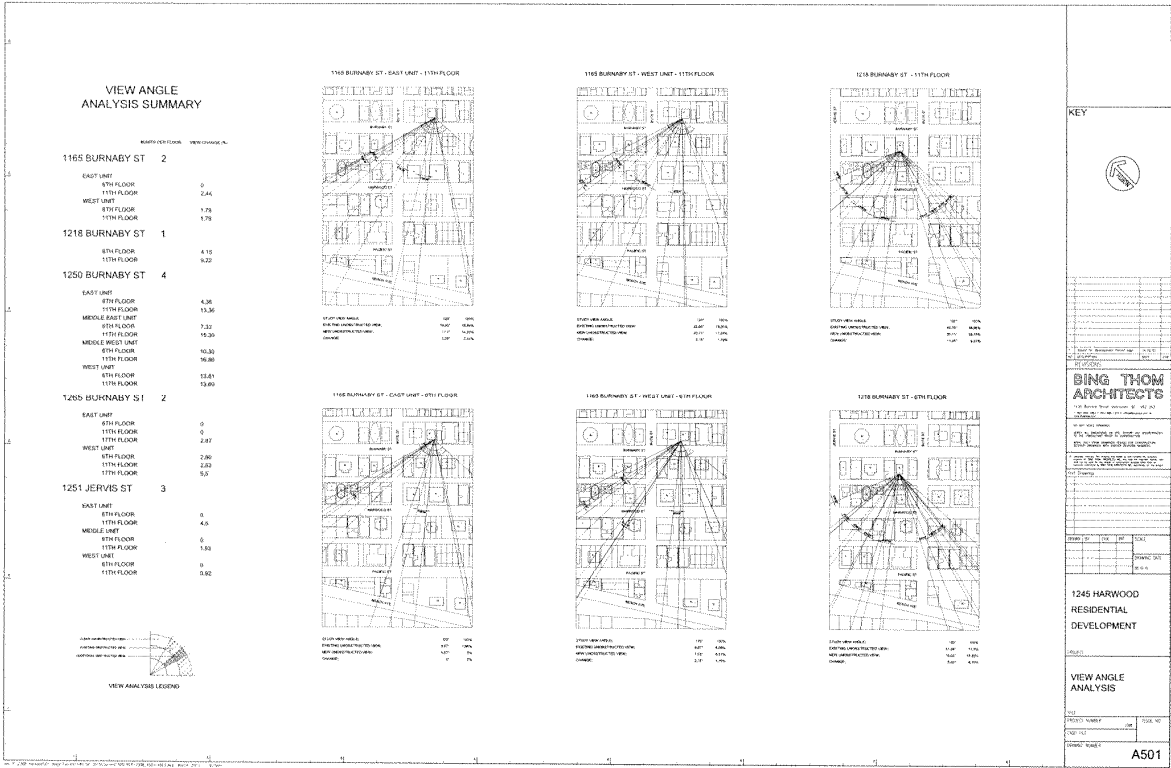
² **Note on Floor Area and FSR:** The proposed floor area is beyond the current RM-5A By-law regulations that affect these sites however, there is a heritage density bonus proposal seeking an FSR increase of 1.50. This bonus provision is subject to a Heritage Revitalization Agreement (HRA) and is subject to Council approval. The total resultant FSR would then be 3.7 FSR.

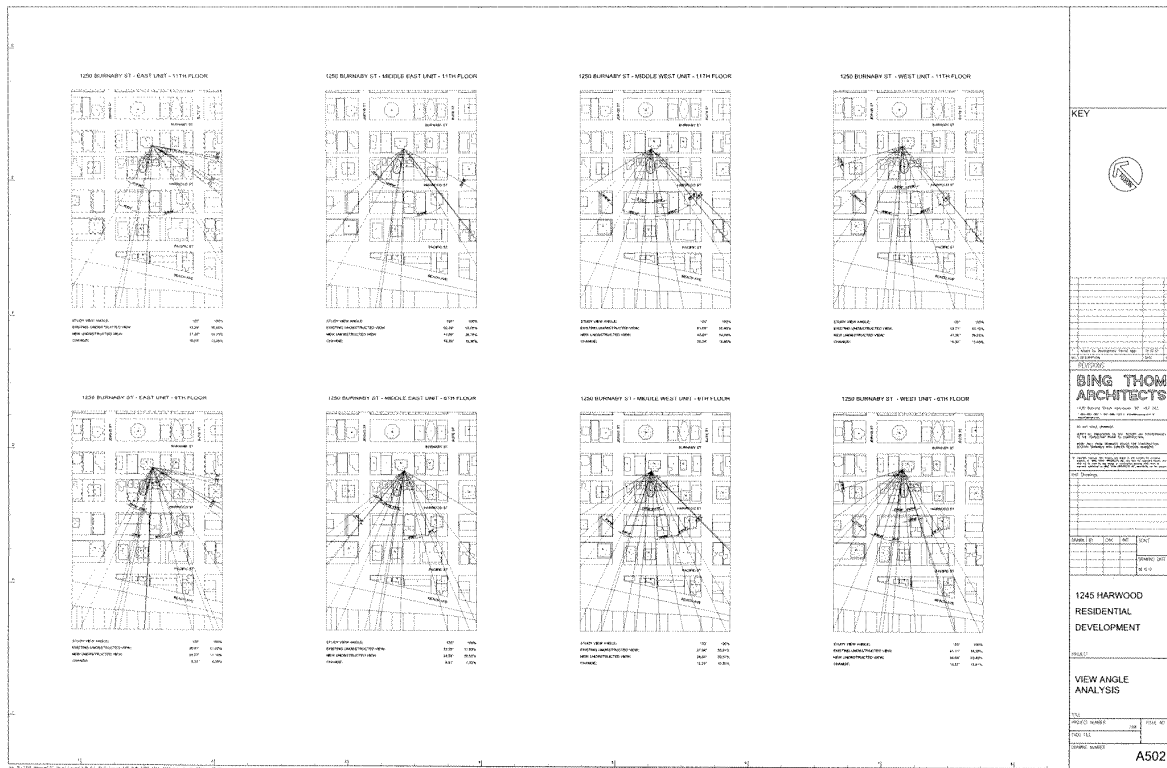
³ **Note on Height:** The proposed height of the new tower is beyond the view cone height limit that affects this site by 0.25 feet. No portion of the building (including elevator machine and mechanical rooms, and architectural appurtenances) may extend beyond this view cone height limit.

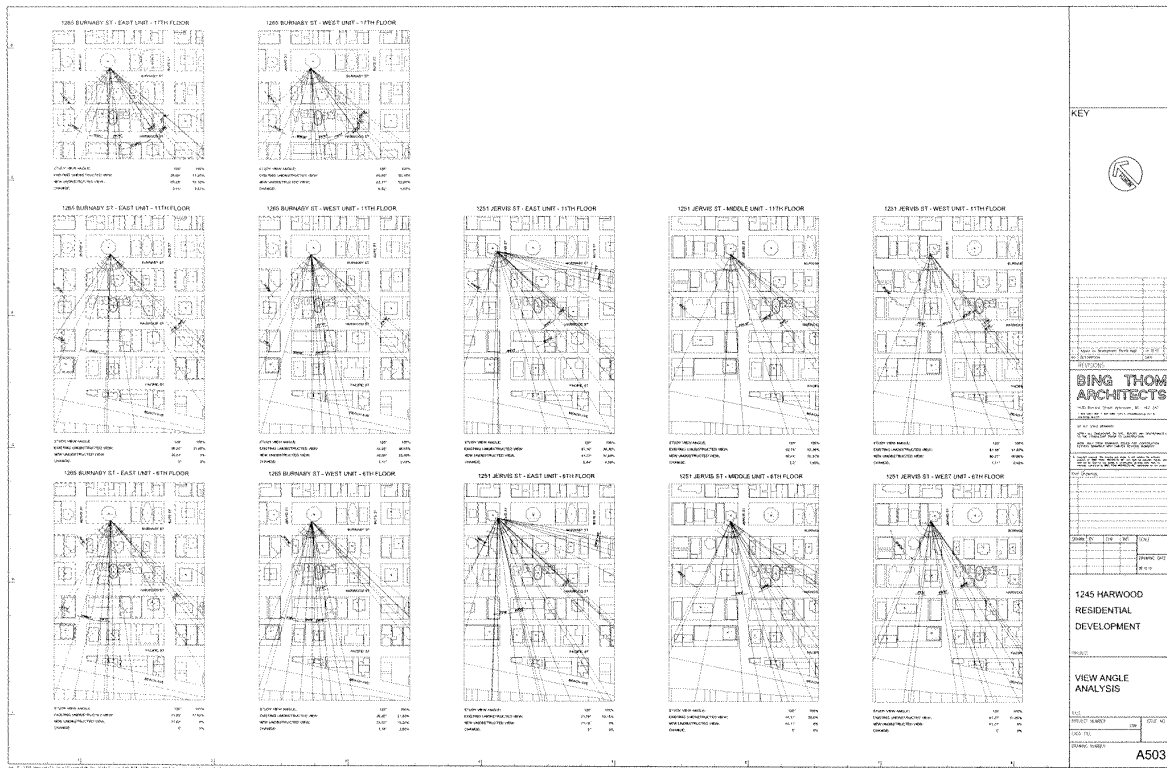
⁴ **Note on Side yards:** Stairs (steps) are proposed in the side yard and are not permitted in Section 10.7.1(a)

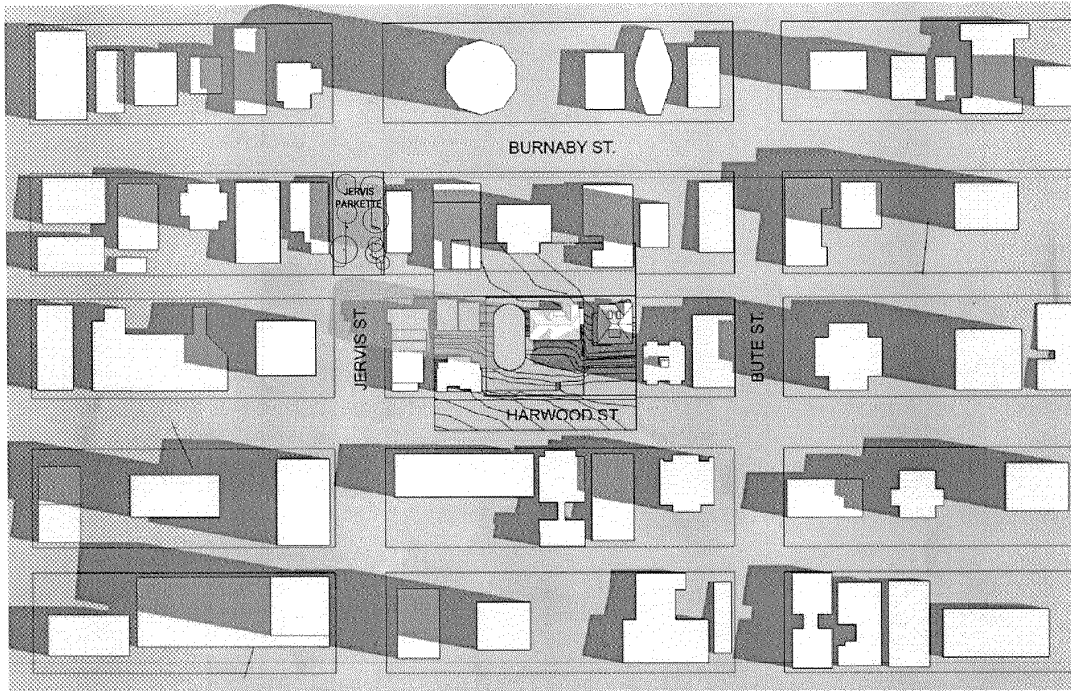
⁵ **Note on Horizontal Angle of Daylight:** Several rooms in the heritage house that face the tower do not meet the angle or distance requirements.

⁶ **Note on External Design:** The rear windows on the tower and the heritage house are less than the required 14.8 ft. from the lane, however, it is unclear if those are opening windows, as per Section 4.17 of the RM-5A District Schedule.



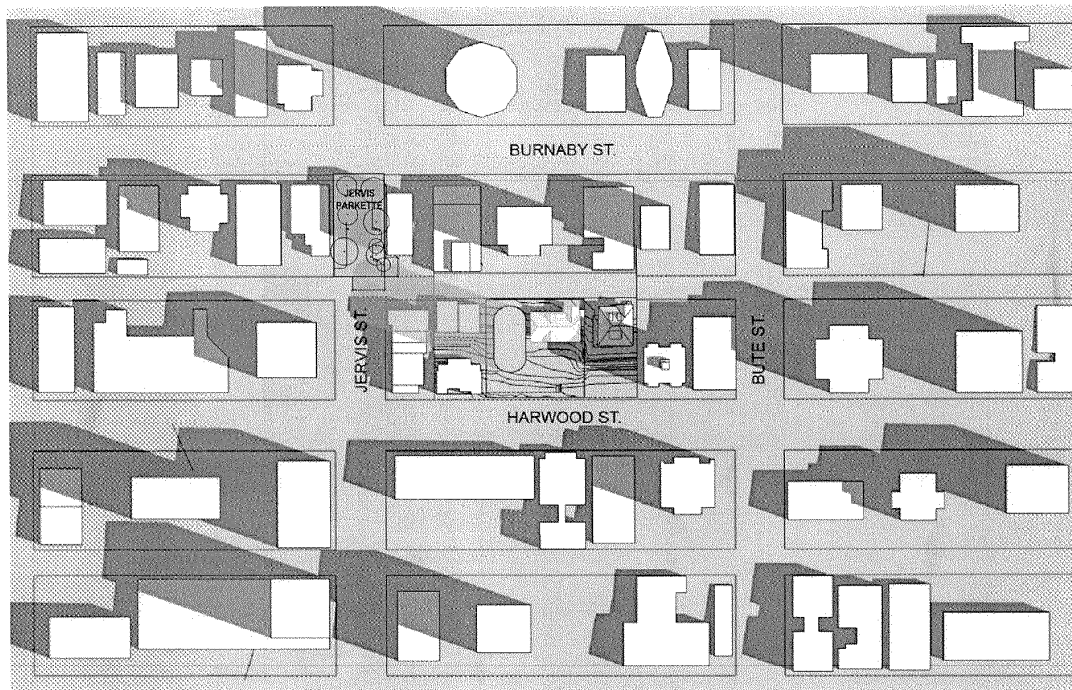






EQUINOX AT 10:30 AM

BINGTHOM ARCHITECTS



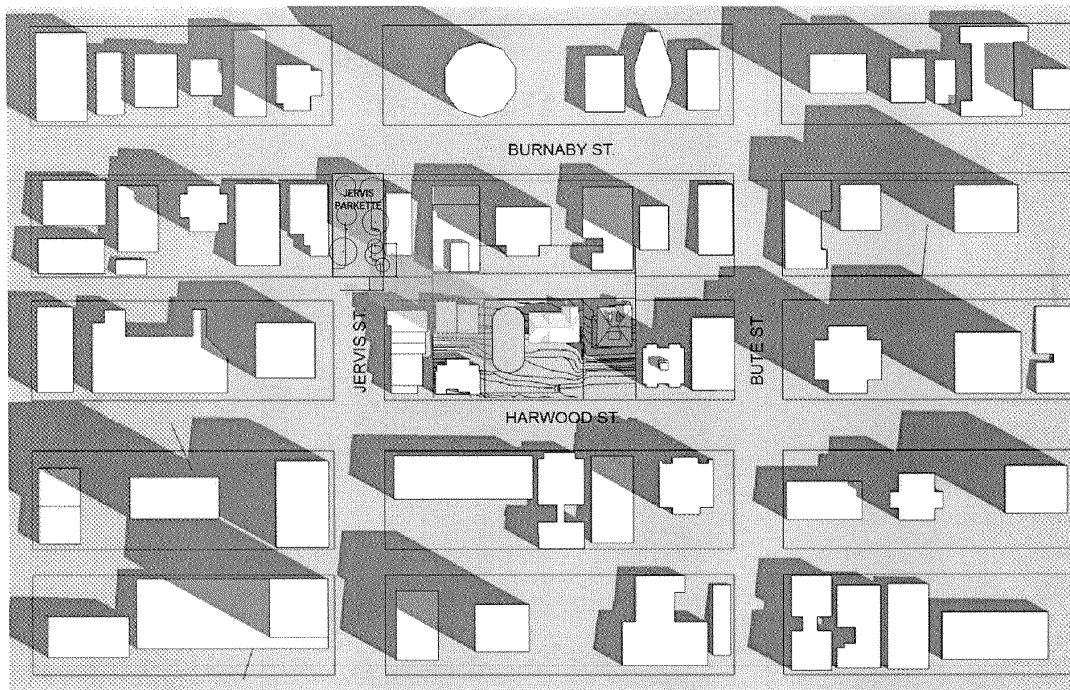
EQUINOX AT 11:00 AM

PARK AREA = 880m²

SHADOW COVERAGE = 85m²

PROJECT SHADOW COVERAGE @ 9.7% OF PARK

BINGTHOM ARCHITECTS



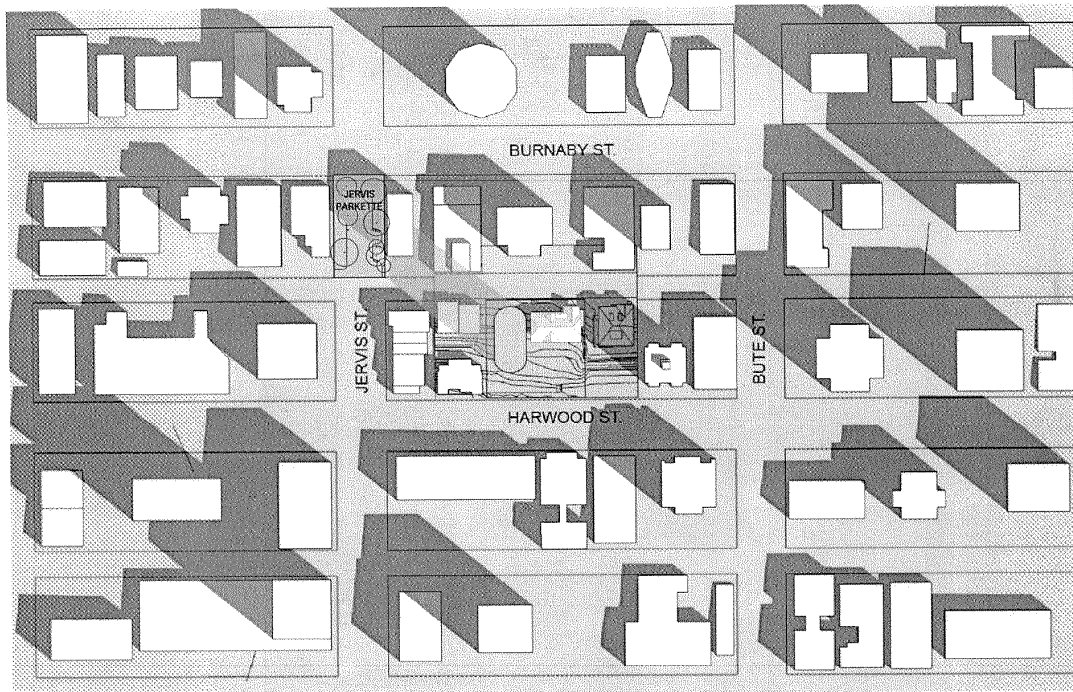
EQUINOX AT 11:30 AM

PARK AREA = 880m²

SHADOW COVERAGE = 66m²

PROJECT SHADOW COVERAGE @ 7.5% OF PARK

BINGTHOM ARCHITECTS



EQUINOX AT 12:00 PM

BINGTHOM ARCHITECTS

Results of the Public Consultation for 1245 Harwood Street

An Open House was held on January 17, 2011, and notice of the event was provided to the public by way of the city's written notification. The open house provided an opportunity for interested members of the public to view the submission materials, and ask questions of the applicant team and city staff. Various models were available for public viewing which included the subject proposal, as well as potential proposals which could be considered under the current RM-5A zoning without heritage retention. A formal presentation highlighting the proposed scheme, relevant policy and approval process occurred in the open house, which was followed by a question and answer period. In addition, the surrounding community was notified of the development permit application and invited to comment either through the open house event, or afterwards through written comments back to the City staff.

The following is a summary of comments received from the public during the Open House and afterwards through-out the application review process:

1. Opposition to any proposal that includes the loss of the existing tulip tree:
 - The existing tree is a spectacular and unique specimen that should be protected in any redevelopment proposal;
 - The past owner of the house intended to preserve the tulip tree, house and garden and these wishes should be respected;
 - The tulip tree is even more important to retain than the heritage house;
 - The the 'exchange' of providing underground parking forcing the removal of the tree seems inconsistent with the city's values and goals;
 - Some are saddened to see the tree proposed for removal, but understand the issues of why it has been proposed for removal in this application.
2. The Proposal is not in keeping with existing neighbourhood character:
 - That the glass-based architecture of the proposed tower is not appropriate for the West End, and is more consistent with Yaletown design.
3. Heritage house retention does not warrant bonuses proposed:
 - The 'trade-off' of providing bonus density for retention and rehabilitation of the house not appropriate. Many in the public have expressed a preference for demolishing the existing heritage house, and redeveloping the site under the existing regulations and policies applicable to the site;
 - The the existing heritage house does not even warrant a 'B' designation let alone an 'A' designation;
 - That the proposal to relocate and alter the interior and exterior of the heritage house serves to decrease the heritage merits;
 - The the bonus density determined appropriate for the retention of the heritage house is excessive for the site;
 - The the loss of context for the heritage house in this proposal seriously damages its heritage value;
 - Some expressed support for the heritage retention on this site (in general), but feel that the compensation is excessive.

4. Issues with the determination of the bonus density:
 - That the proposal maximizes heritage retention costs and that these result in too great an increase permissible density on the site;
 - The the system of determining heritage density bonusing is excessively complicated, and the public deserves a better explanation on the system and ramifications on urban design and liveability;
 - The the city should share more of the financial information and assumptions in this determination.
5. Effect of the proposed development on parking/traffic in the neighbourhood:
 - That the proposal will increase traffic in the area and put a further strain on existing parking in the neighbourhood;
 - A suggestion that the proposal should provide two off-street parking spaces per unit;
 - The the vehicular access should be from the lane rather than Harwood Street.
6. Application is more appropriate as a Rezoning rather than an HRA:
 - The proposal challenges the regulations of RM-5A enough so as to be more appropriate as a rezoning application rather than a Heritage Revitalization Agreement (HRA);
 - The the outright density of 1.00 should be respected for development on this site.
7. Negative affect of the new building on surrounding properties:
 - 18-storey building and proposed density is too excessive for the neighbourhood in general,
 - Will have impact on privacy and shadowing;
 - Reduced light for courtyards particularly at 1330 Jervis and 1285 Harwood Street, as the shadow cast by the tower in the morning and early afternoon would cover a portion of the courtyards;
 - New building does not respect the scale of the heritage building on the same site, and prevents the heritage building from being seen from the west;
 - Property values will decrease for surrounding properties as a result of this proposal.
8. Proposal does not provide benefit to the West End neighbourhood in general:
 - The proposal serves the developer and investors rather that the neighbourhood;
 - New condo units will likely be sold to investors that may only temporarily live in Vancouver;
 - New condo units proposed will almost certainly not be affordable;
 - The challenges faced on the redevelopment of this site highlight a need for a comprehensive community plan for the West End;
 - A suggestion was made that the city should purchase part or all of the subject site and keep it for the enjoyment of the public.
9. Proposed Landscape Plan:
 - Planting of the new tulip tree in close proximity to the property line will create similar issues with the root ball extending onto another property in the future;
 - The the proposed replacement for the tulip tree may grow quite tall and may eventually affect views from the new residential units in the proposed tower. Another species may be more appropriate.

1245 Harwood Street – PUBLIC BENEFITS SUMMARY

Project Summary:

Residential development consisting of an 18-storey market residential building and a preserved, and designated 2-storey heritage building containing rental units.

Public Benefit Summary:

The CAC offering consists of the preservation and designation of the on site heritage house.

	Current Zoning	Proposed Zoning
Zoning District	RM-5A	RM-5A
FSR (site area = 1,606.3 m ² /17,290 sq.ft.)	2.2	3.7
Max. Allowable Buildable Floor Space (sq. ft.)	38,042	64,042
Land Use	Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed Zoning (\$)
Required*	DCL (City-wide) (Note 1)	\$396,397	\$593,158
	DCL (Area Specific)	N/A	
	Public Art	N/A	
	20% Social Housing	N/A	
Offered (Community Amenity Contribution)	Childcare Facilities	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (Note 2)		\$4,160,000
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$396,397.	\$4,753,158.

Other Benefits (non-market and/or STIR components): N/A

* DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transportation (22%); and Childcare (5%). Revenue allocations differ among Area Specific DCL Districts.

Note 1: The heritage building is exempt from DCLs as the floor area is not increased.

Note 2: Value of on-site density bonus to facilitate heritage building rehabilitation and conservation.