



**POLICY REPORT
DEVELOPMENT AND BUILDING**

Report Date: December 4th, 2012
Contact: Kent Munro
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RTS No.: 9767
VanRIMS No.: 08-2000-20
Meeting Date: January 15, 2013

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services in consultation with the Director of Legal Services

SUBJECT: 3308 Ash Street - Prefontaine Residence - Heritage Designation and Heritage Revitalization Agreement

RECOMMENDATIONS

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate as a protected heritage property the heritage building at 3308 Ash Street, known as the Prefontaine Residence (the “heritage building”) (PID: 015-155-366; Lot 1, Block 520, PLAN 723, District Lot 472, New Westminster (the “site”)).
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 592 of the *Vancouver Charter* a by-law for a Heritage Revitalization Agreement to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building;
 - (ii) vary the *Subdivision By-law* and the *Zoning and Development By-law* as necessary to permit a subdivision of the site into two new parcels and to permit one of the new parcels to contain the heritage building, in its current location, and the other to contain a new Two-Family Dwelling (duplex) to be constructed therein as proposed under Development Permit Application DE415913 and as more particularly described in this report.
- C. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered and given priority on title to the site to the satisfaction of the Director of Legal Services and the Director of Planning.

- D. THAT, in connection with the proposed heritage designation and heritage revitalization agreement discussed herein, Council waive for the new Two-Family Dwelling proposed under development permit application No. DE415913, the requirement contained in paragraph 3.3 of the *Strata Title Policies for RS, RT and RM Zones* that it is to be a condition to development permit approval for a new Two-Family Dwelling on a site with an area less than 668 square metres (7,200 square feet) in an RS-7 Zone that the registered owner is to execute a covenant which must be registered against title to the property that prohibits registration of a strata plan.
- E. THAT Recommendations A to D be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

The purpose of this report is to seek Council approval to designate the heritage building at 3308 Ash Street, which is listed in the 'B' evaluation category on the Vancouver Heritage Register, as a protected heritage property, and to enter into a Heritage Revitalization Agreement (HRA) in respect of it to ensure its rehabilitation, conservation, and long-term protection. It is proposed that, as incentive and compensation to the owner for the heritage designation, rehabilitation, and conservation of the heritage building, the HRA will vary the *Zoning and Development By-law* and the *Subdivision By-law* and that the requirement contained in paragraph 3.3 of the *Strata Title Policies for RS, RT and RM Zones*, that it is to be a condition to development permit approval for a new Two-Family Dwelling on a site with an area less than 668 square metres (7,200 square feet) in an RS-7 Zone that the registered owner is to execute a covenant which must be registered against title to the property that prohibits registration of a strata plan, is to be waived to permit the development of the site as proposed in Development Permit Application DE415913 and described in this report. The General Manager of Planning and Development Services is prepared to approve the Development Permit Application should Council approve the recommendations of this report.

COUNCIL AUTHORITY

Pursuant to section 592 of the *Vancouver Charter*, Council, by by-law, may enter into Heritage Revitalization Agreements with the owners of heritage properties which may vary or supplement certain kinds of by-laws and permits, including the *Zoning and Development By-law* and the *Subdivision By-law*.

Pursuant to Section 593 of the *Vancouver Charter, Council*, by by-law, may designate heritage buildings and other heritage resources within the City of Vancouver as being protected heritage properties.

Pursuant to section 595 of the *Vancouver Charter*, Council is required to compensate an owner of property being designated as a protected heritage property for any reduction in market value caused by the designation. Often this, along with additional compensation to offset rehabilitation costs incurred under an HRA, is achieved by way of by-law variations contained in the HRA so as to permit an otherwise impermissible development.

The proposed heritage designation and HRA for the Prefontaine Residence require Council approval at a public hearing and by-law enactment pursuant to Sections 592, 593 and 594 of the *Vancouver Charter*.

The following Council Policies are applicable to the project:

- *Heritage Policies and Guidelines (April, 1991)*
- *Green Building Rezoning Policy (February, 2010)*
- *Strata Title Policies for RS, RT and RM Zones (July, 2009)*

GENERAL MANAGER COMMENTS

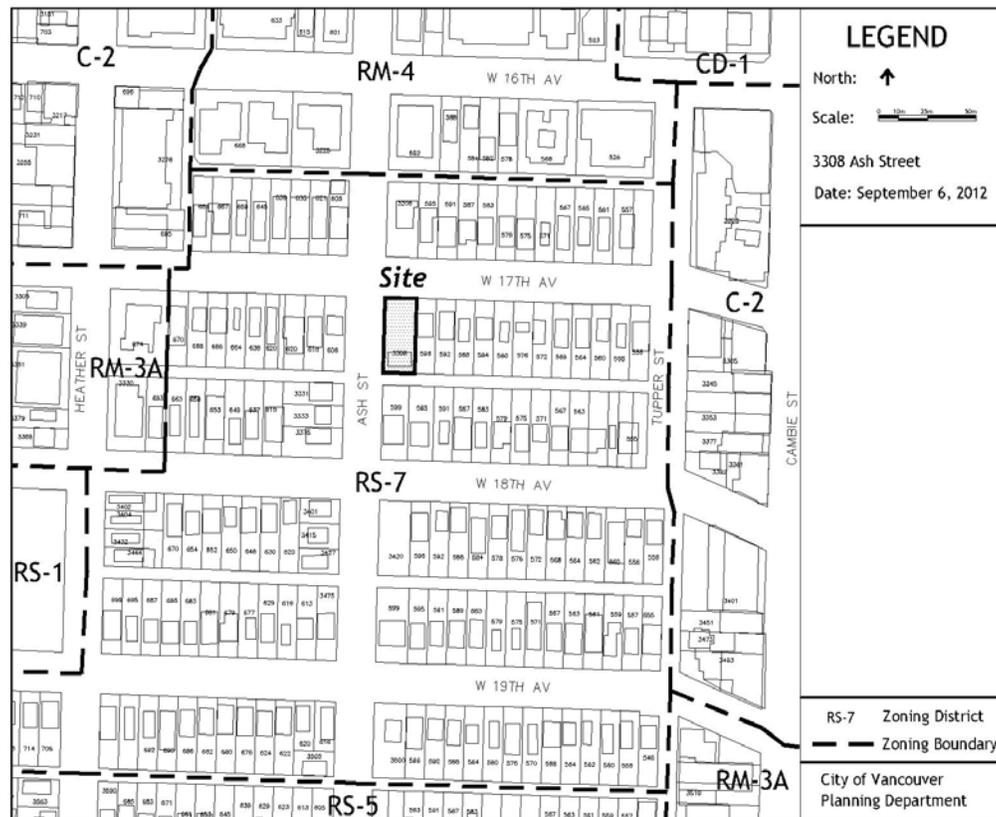
The General Manager of Planning and Development Services supports the recommendations of this report.

STRATEGIC ANALYSIS

Site and Context

The site which is the subject of the proposed project is located in the Riley Park South Cambie neighbourhood in an area zoned RS-7 (see Figure 1). The *RS-7 Zoning District Schedule* of the *Zoning & Development By-law* permits One- and Two-Family Dwellings, the conversion of existing buildings into suites, and in some cases new apartment buildings, townhouses, and infill development. The site is located on the southeast corner of the intersection of Ash Street and West 17th Avenue. The site is 613 square metres (6,600 square feet) in area. A six metre (twenty foot) wide paved lane runs parallel to West 17th Avenue at the rear of the site.

Figure 1 - 3308 Ash Street site and the surrounding zoning



Heritage Value

The Prefontaine Residence at 3308 Ash Street was constructed in 1902 for Alphonse and Marie Prefontaine who had moved from Belle Isle, Quebec, in the late 1880s (see the photographs in Appendix A). The house was one of the first built in the area, which saw rapid development during the early 20th century. The house is associated with several other early buildings in the area, including the Hesson School nearby, which the Prefontaine’s children attended (see Photo 2 in Appendix A). Early maps show that the Prefontaine Residence was originally a very small, rectangular, two storey structure (“the 1902 block”) located at the corner of the lane and Ash Street (see the maps in Appendix B). A small wing was added on the east side of the 1902 block, probably between 1921 and 1927. A second floor was added to the wing, most likely before the 1940s. Prior to 1912, a large building once occupied the front of the site. At some point after 1912 (possibly in the 1920s or 1930s) this building was either demolished or destroyed. No structure was ever built in its place and the site has remained essentially unchanged from the way it appeared in the 1920s and 1930s.

The heritage building has remained remarkably unaltered. The only visible changes are the cement shingles added in 1945, the alterations of the northern porch which was enclosed after 1986, and a few window replacements. The house was converted to three rental suites in 1958. The Prefontaine Residence is listed in the ‘B’ evaluation on the Vancouver Heritage Register.

Development Permit Application and Proposed Incentives

The zoning applicable to the site is RS-7. It is proposed that the incentive and compensation to be provided to the owner for the heritage designation, rehabilitation, and conservation of the heritage building will be in the form of variances to the *Subdivision By-law* and the *Zoning and Development By-law*, including density increases, to be contained in the proposed HRA and as set forth in Development Permit Application DE415913.

The application proposes to subdivide the site to create two new parcels and to retain the Prefontaine Residence, in its existing location, on one of the newly created parcels (see the drawings in Appendix B) and to construct a new duplex on the other newly created parcel at the front of the site in an area which currently is vacant. The three rental residential suites created in 1958 are to be retained in the heritage building.

As incentive to the owner to retain, rehabilitate, and conserve the Prefontaine Residence a number of by-law variations are proposed, including variations which will provide for an increase in permitted density. The maximum permitted density under the RS-7 zoning for this site is 0.75 floor space ratio (FSR) (see the discussion on page 2 of Appendix C). The proposed overall density is 0.94 FSR, which exceeds the maximum permitted density by 25% (see Table A and the Technical Zoning, Parking, and Subdivision Summary in Appendix C, which includes a breakdown of density for each proposed parcel).

Table A: Summary of Proposed Uses and Density **Site Area: 6,600 square feet**

	Existing	Permitted or Required	Proposed
Overall density for the land	0.32 FSR 195 m ² (2,101 sq. ft.)	0.75 FSR maximum 460 m ² (4,948 sq. ft.)	0.94 FSR 575 m ² (6,188 sq. ft.)
Overall dwelling Unit Density	3 legal dwelling units	3 for MCD @ 62 units per hectare maximum	5 (two strata, 3 non-strata)

The density proposed was originally 0.96 FSR. Upon completion of the review of the application, including the results of neighbourhood notification, staff concluded that in order to address massing, shadowing, and design concerns, the new duplex needed to be reduced by two hundred square feet (resulting in a revised density of 0.94 FSR). The applicant revised the drawings and resubmitted them indicating the required density reduction and design improvements.

The application proposes a subdivision of the existing parcel to allow for separate ownership of and a strata plan for the new duplex (see page 2 of Appendix C for the complete by-law variances as contained in the proposed HRA). Staff support this because the proposed new property boundary does not impact or change the development with respect to form, density, and character, and it is proposed only to provide separate tenure for the heritage building.

Paragraph 3.3 of the *Strata Title Policies for RS, RT and RM Zones* in effect prohibits strata plans for new Two-Family Dwellings in RS-7 Zones on sites with areas less than 668 square metres (7,200 square feet) in that it provides that it is to be a condition to development permit approval for a new Two-Family Dwelling on such a site that the registered owner is to execute a covenant which must be registered against title to the property that prohibits registration of a strata plan (see Notes on RS-7 Zoning, including Strata Titling in Appendix C). The Owner seeks a waiver of that requirement as part of the compensation proposed for the

heritage designation and for the rehabilitation and conservation obligations included in the HRA (Recommendation E of this report).

Staff have considered the results of notification, the compatibility of the development with the zoning, and the financial analysis required for the application, and conclude that the proposal is supportable as an HRA. The variances proposed, including density, are commensurate with the cost of heritage conservation, including the encumbrance on land value created by the proposed designation, and the costs of rehabilitation.

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the *RS-7 Zoning District Schedule* is to:

“... maintain the single-family residential character of the RS-7 District and, on typical smaller lots, to conditionally permit two-family dwellings and multiple conversion dwellings and, on larger lots, to conditionally permit multiple-family dwellings and infill. Neighbourhood amenity is enhanced through external design regulations.”

The project is consistent with the intent of the *RS-7 Zoning District Schedule*. The application maintains the single family residential character of the area and generally complies with the external design regulations of the zoning.

Condition of the Heritage Building and Conservation Approach

The heritage building at 3308 Ash Street is in good condition. The existing tile cladding, added in the 1940s, is to be removed so that the exterior of the house can be rehabilitated. Initial investigation indicated that the original wood siding survives in most areas under these tiles, and where possible the wood siding will be maintained and repaired once the tiles are removed. Old wood floorboards exist at the front porch (facing Ash Street), as well as the original tongue and groove porch soffit, and these are to be retained and rehabilitated. The front porch balustrade is to be rebuilt with one which is more compatible with respect to the building's original character. The south and enclosed north porch will be retained and repaired as necessary. A number of wood sash windows survive and these are to be retained. New wood windows of historic configuration will replace existing vinyl or metal windows in appropriate locations. The house is to be painted in historically accurate colours (the house appears to have originally been painted green based on visible paint remnants). A detailed Conservation Plan has been submitted and staff conclude that the high level of retention proposed for the project is consistent with the federally adopted Standards and Guidelines for the Conservation of Historic Places in Canada.

Results of Neighbourhood Notification

Thirty-four surrounding properties were notified of the application. Three responses were received. One letter expressed support, one expressed opposition, and one was neutral. All three letters noted concerns which include massing, density, and traffic impacts, as well as questions on heritage value (see Results of Neighbourhood Notification and Staff Comments in Appendix E for detailed discussions).

Staff have reviewed the project with respect to the City's *Heritage Policies and Guidelines*, the *RS-7 Guidelines*, the intent of the zoning, and the results of neighbourhood notification,

and conclude that the proposal is supportable. The General Manager of Planning and Development Services is prepared to approve the Development Permit Application should Council approve the recommendations of this report.

Comments from the Vancouver Heritage Commission

On July 16th, 2012, the Vancouver Heritage Commission reviewed the application and reserved its support due to concerns regarding the design of the new duplex. On September 10th, 2012, the Vancouver Heritage Commission reviewed a revised application, which addressed the concerns of the July 16th meeting, and supported the proposal (the resolutions of the Vancouver Heritage Commission are detailed in Appendix D).

Financial Implications

The value of the on-site density bonus, which will facilitate the preservation and designation of the heritage building, is approximately \$447,600. The site is within the City-wide Development Cost Levies (DCL) District and it is anticipated that the applicant will pay approximately \$11,000 in DCLs should the application be approved and the project proceed.

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 additional density and other by-law variances proposed to offset the costs and compensate for any reduction in land value resulting from the designation and the relocation, rehabilitation and conservation of the heritage building will not result in any undue profit.

Environmental

The City's "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 82, 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 incorporate the proposed sustainable features. The "Green Homes Program" requirements in the Vancouver Building By-law will be applicable to the project as well.

Legal

The by-law variations contemplated for the proposed HRA will provide for the site an improved development potential. The owner's proposal to rehabilitate and conserve the heritage building in exchange for obtaining the by-law variations needed to get that improved development potential should be appropriately secured as legal obligations contained in various covenants to be registered on title to the site so as to enable the City to enforce those obligations and ensure that they will be fulfilled at the owner's expense. City staff and the owner have negotiated and completed a proposed form of HRA, to be registered on title to the site, which includes rehabilitation and conservation obligations on the part of the owner and enforcement provisions for the City.

Section 595 of the *Vancouver Charter* requires that Council compensate an owner for any reduction in the market value of a site caused by a heritage designation. The Owner has signed the proposed HRA which includes a provision by which the owner explicitly acknowledges that he has been fully compensated for the heritage designation and the rehabilitation and conservation obligations contained in the HRA. The HRA is to be registered on title before a development permit for the project may be issued.

CONCLUSION

The heritage designation of the Prefontaine Residence at 3308 Ash Street, and the proposed Heritage Revitalization Agreement, will ensure that the heritage building is rehabilitated, conserved, and protected from exterior alterations which affect its heritage value, and from demolition. The proposed Heritage Revitalization Agreement will vary the *Zoning and Development By-law* and the *Subdivision By-law* to allow for the development as proposed, and the owner has agreed to accept the proposed variances, as well as Council's waiving of the *Strata Title Policies for RS-7, and RT Zones* for the new duplex, as compensation for the designation of the heritage building and its rehabilitation and conservation under the proposed Heritage Revitalization Agreement. The General Manager of Planning and Development Services is prepared to approve the Development Permit Application should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the heritage designation of the Prefontaine Residence, the proposed waiving of the *Strata Title Policies for RS-7, and RT Zones* for the new duplex, and the proposed Heritage Revitalization Agreement.

* * * * *

3308 Ash Street
PHOTOGRAPHS



Photo 1: The Prefontaine Residence, looking north-west (circa 2012). The site has changed little in over a hundred years.



Photos 2 and 3: 3308 Ash Street is associated with the early development of the Municipality of Point Grey, which the area was once included in. No early photographs of 3308 Ash Street have been found. However, the photos above show a couple historic buildings close by including the Hesson School, originally at 599 West 19th in Photo 2 on the left, and what is referred to in some sources as the first house built in the district, located at Ash Street and

West 18th Avenue, shown in the photo on the right (both photos circa 1938). The Hesson School was moved to a new location a few blocks away in 1996.



Photo 4: The Prefontaine Residence and the northern vacant area of the site at 3308 Ash Street (looking south). It is known that a large building once existed in the vacant area early on. It had vanished by the 1920s or 1930s (see the maps in Appendix B).

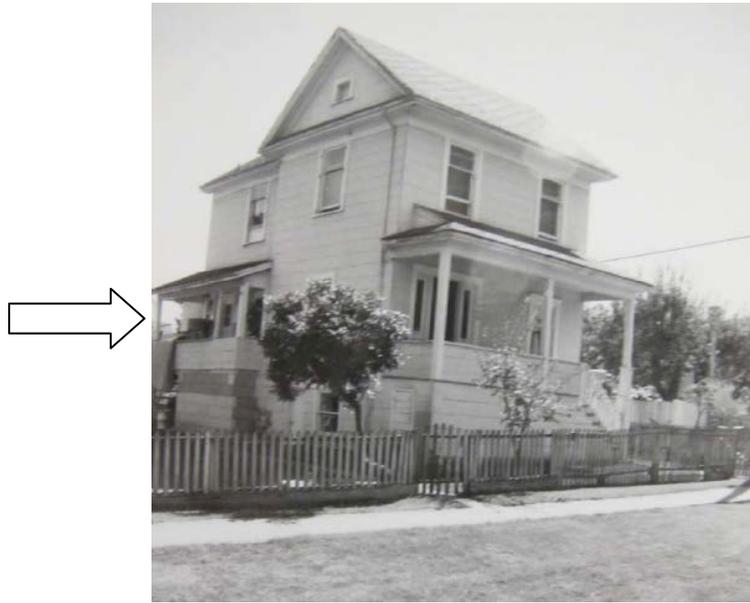


Photo 5: 3308 Ash Street (circa 1986), looking south-east from Ash Street. Note that the northern side porch (shown by the arrow) was not enclosed at this time.

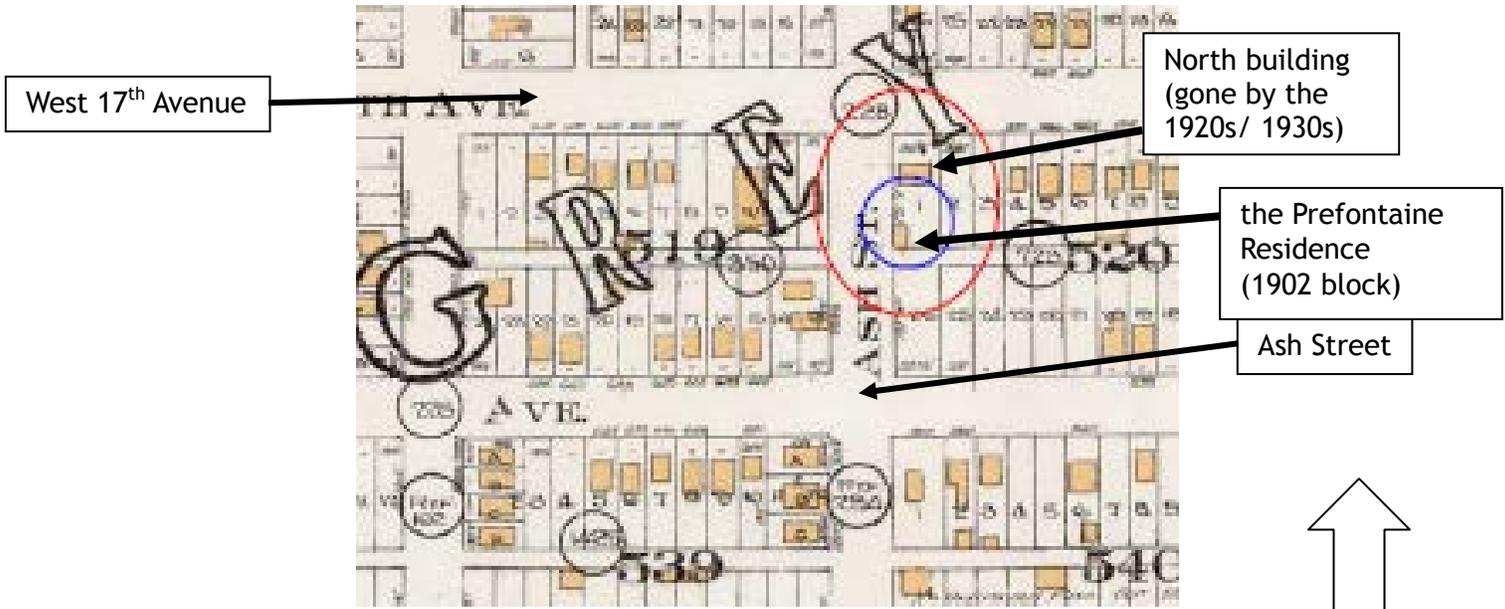


Photo 6: The east side of 3308 Ash Street (looking west)

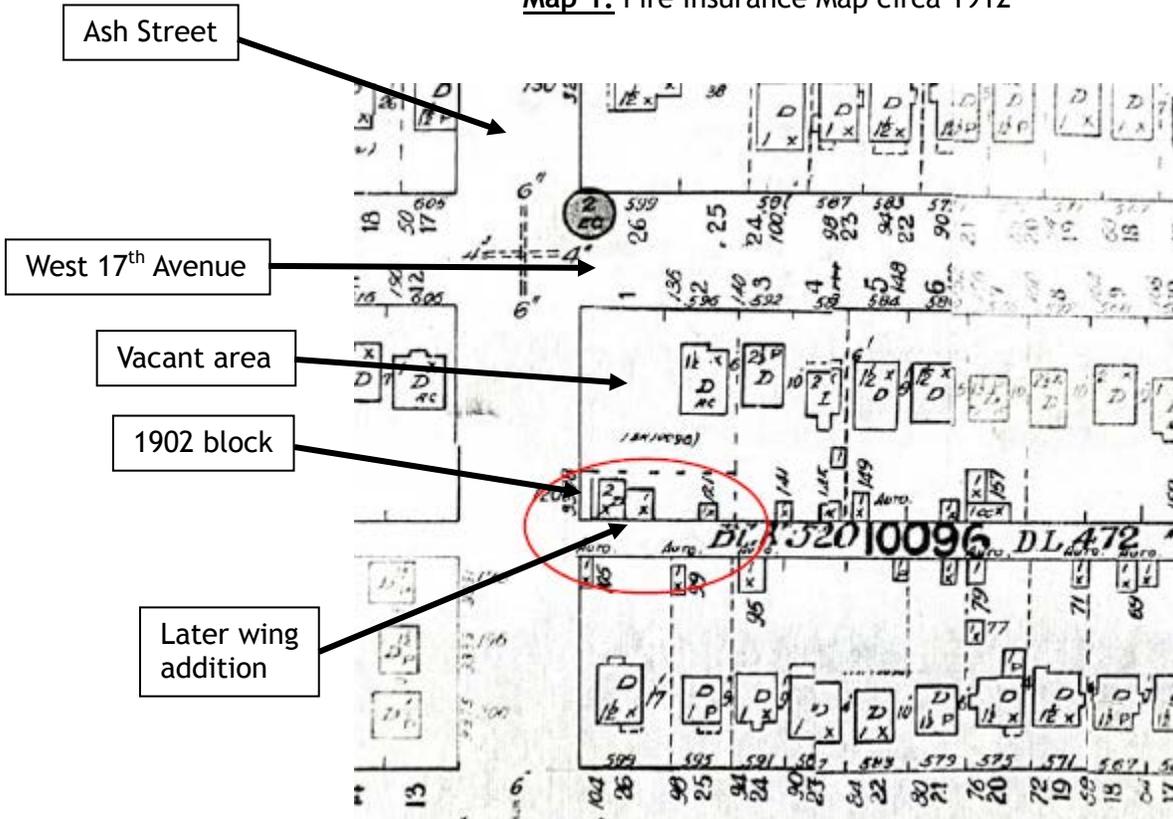


Photo 7: The heritage building is believed to have been built in three phases: (1) a small, original two storey portion (the 1902 block); (2) a tiny one storey wing added shortly thereafter; and (3) a second storey addition added to the wing, possibly in 1945 (see the maps in Appendix B).

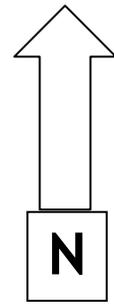
3308 Ash Street DRAWINGS AND MAPS



Map 1: Fire Insurance Map circa 1912

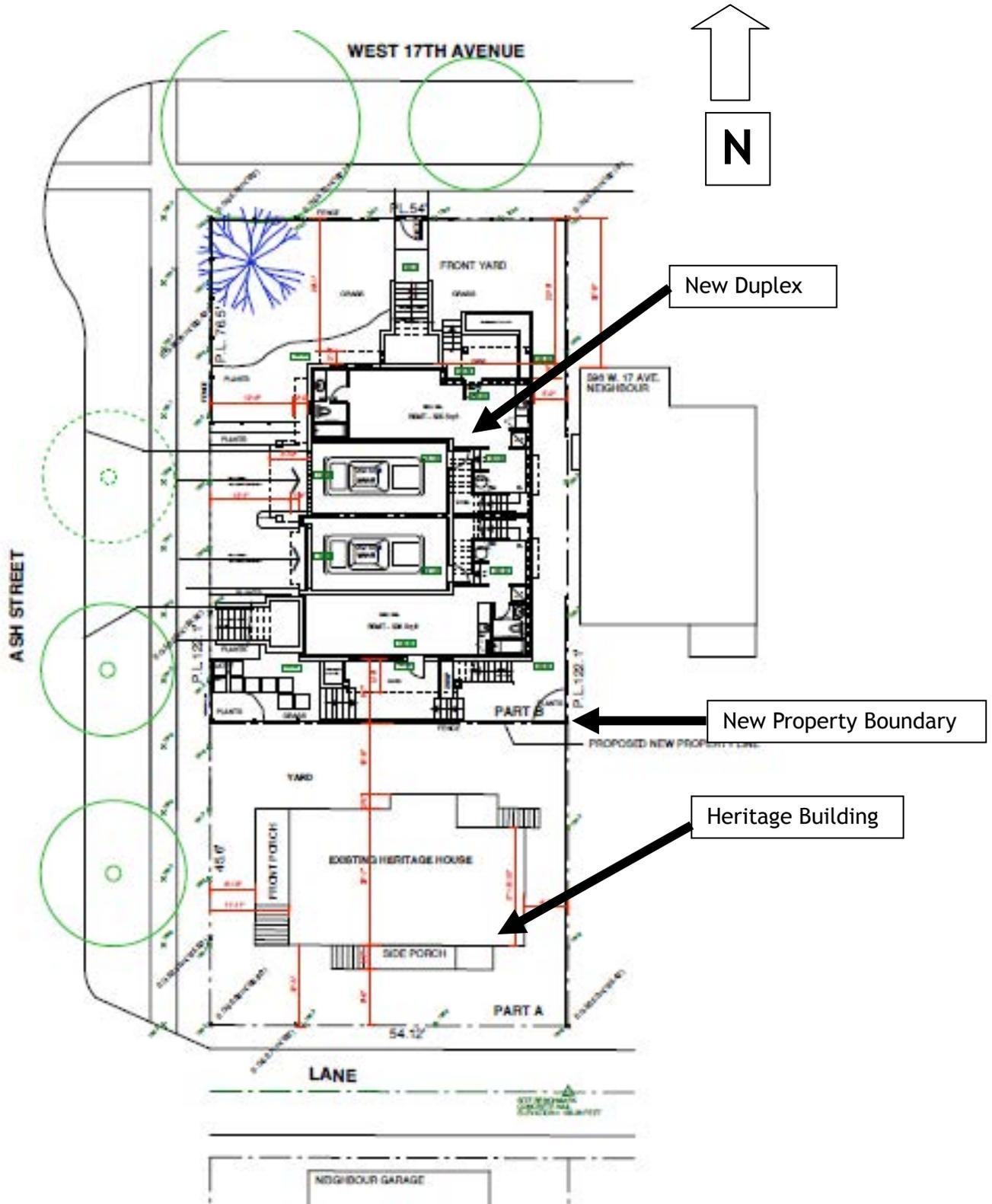


Map 2: Fire Insurance Map circa 1935



Map 1 shows the original 1902 block of the Prefontaine Residence and what appears to be a much larger building at the front of the property. Map 2 shows that a tiny wing was added to the heritage building sometime after 1912. However, Map 2 notes the wing as being one storey, whereas today it is two storeys. Permit records show that there were major renovations done in 1945, and the second storey may have been added at that time, although this cannot be confirmed based on existing records.

The larger building on the property which appears on Map 1 had disappeared by the 1920s or 1930s. It may have been lost in a fire or demolished to make way for a new building which was never constructed. The site today has remained virtually unaltered from the way it appears in Map 2 (the 1930s).



Site Plan



South (Lane) Elevation



West (Ash St.) Elevation



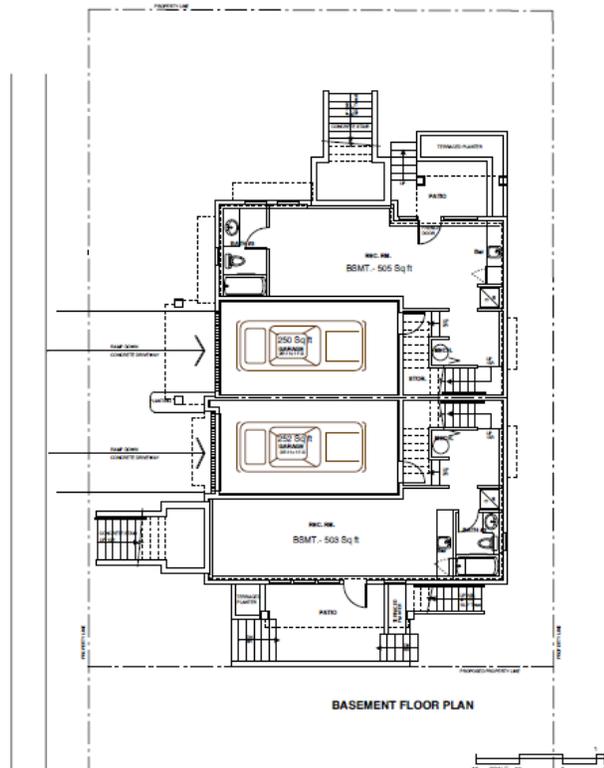
Heritage House (8' back of property)
17th Ave. North Elevation



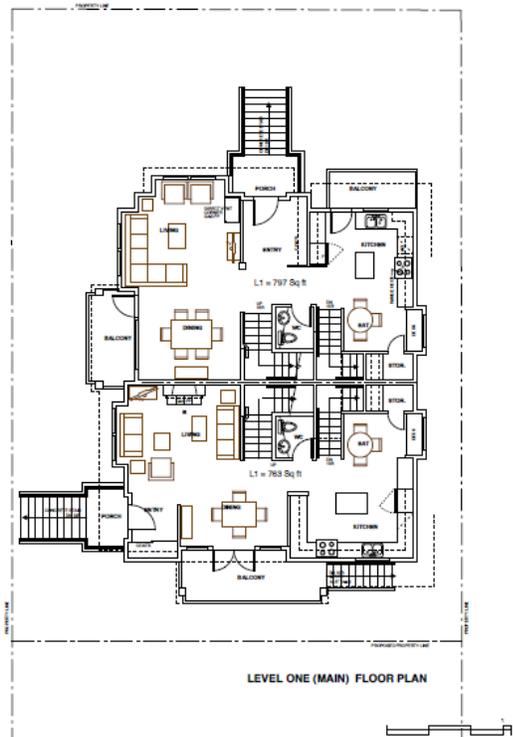
East Elevation

NOTE:
REFER TO DONALD LUSTON AND ASSOCIATES REPORT
FOR RESTORATION WORK TO BE DONE.

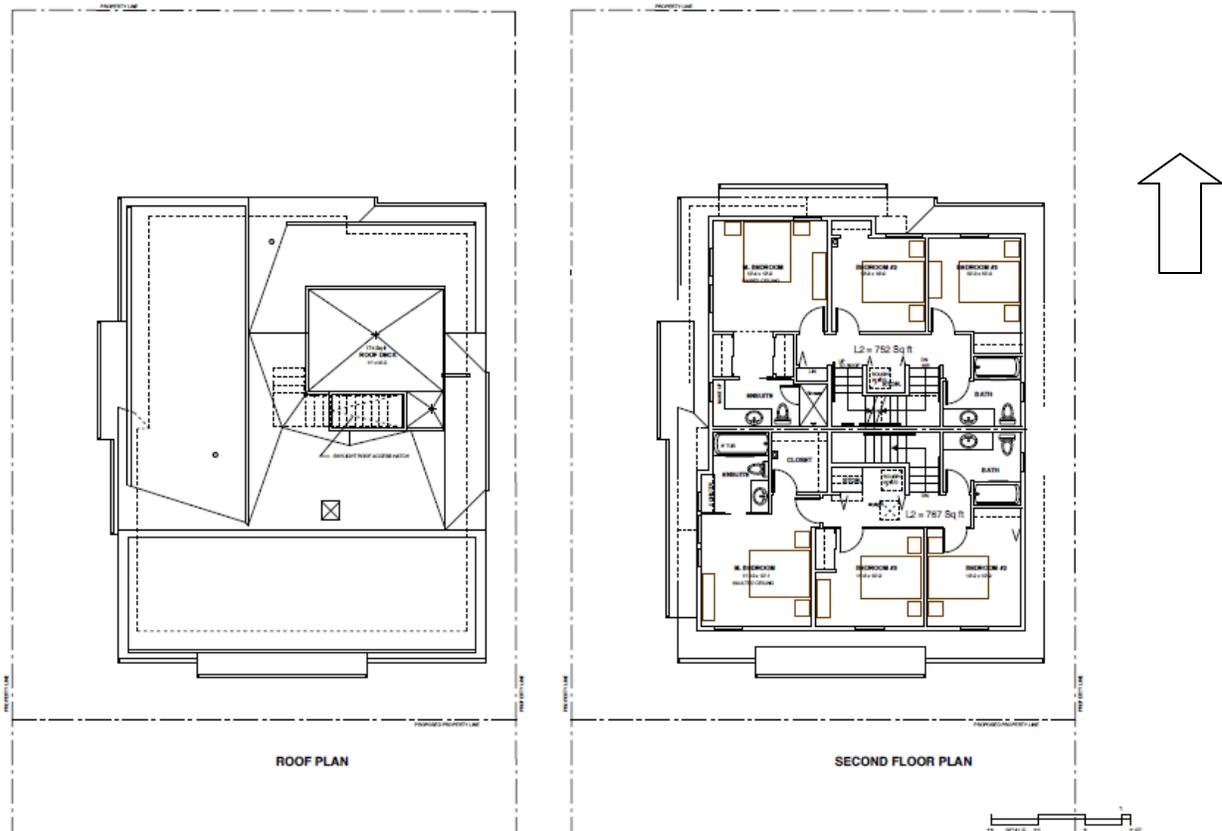
Elevations - Existing Heritage Building



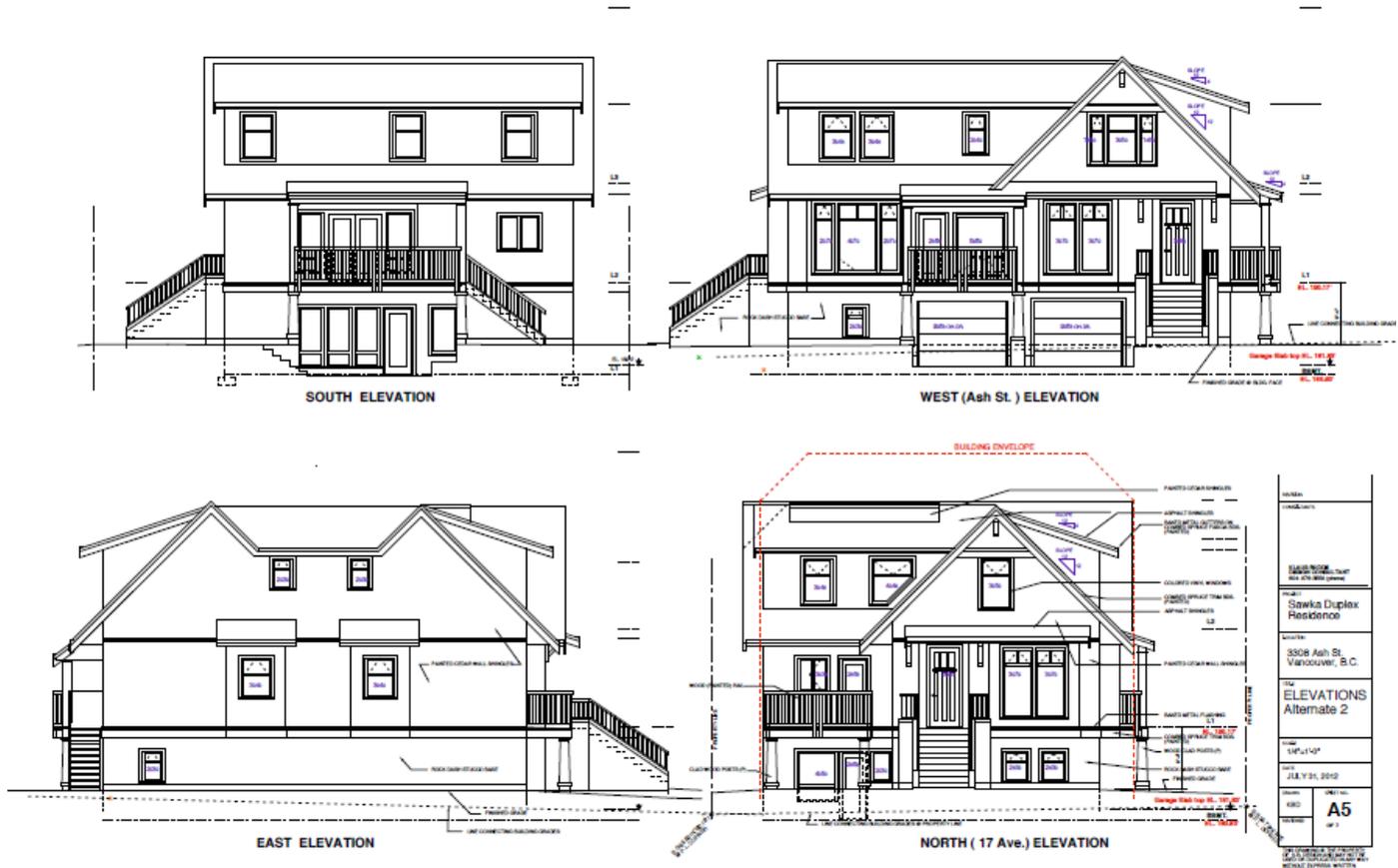
Basement Floor Plan of the New Duplex



Main Floor Plan of the New Duplex



Roof Plan and Second Floor Plan of the New Duplex



Elevations of the New Duplex (Revised Scheme)



West Elevation of the Original Scheme

3308 Ash Street
TECHNICAL ZONING, SUBDIVISION, AND PARKING SUMMARY

Table A: Overall Site Area: 6,600 square feet

	Existing	Permitted or Required	Proposed
Overall Density for the Site	0.32 FSR (2,101 sq. ft.)	0.75 FSR maximum (4,948 sq. ft.)	0.94 FSR (6,188 sq. ft.)
Overall dwelling Unit Density	3 legal dwelling units	3 for MCD @ 62 units per hectare maximum	5 (two strata, 3 non-strata)
Off Street Parking	None	5 in total minimum (one per dwelling unit)	2 for the duplex

Table B: Heritage Parcel Site Area: 2,468 square feet (proposed)

	Existing	Permitted or Required	Proposed
Overall Density for the Site	-	0.75 FSR maximum (1,851 sq. ft.)	0.85 FSR (2,101 sq. ft.)
Overall dwelling Unit Density	3 legal dwelling units	2 maximum (Secondary Suite)	3 non-strata
Off Street Parking	None	3 in total minimum (one per dwelling unit)	None

Table C: New Duplex Parcel Site Area: 4,132 square feet (proposed)

	Existing	Permitted or Required	Proposed
Overall Density for the Site	-	0.64 FSR maximum for a new duplex (2,644 sq. ft.)	0.99 FSR (4,087 sq. ft.)
Overall dwelling Unit Density	-	2 non-strata	2 strata
Off Street Parking	-	2 in total minimum (one per dwelling unit)	2

Table D: Zoning and Subdivision* Summary

	Existing	Permitted or Required	Proposed
Site Area for the Heritage Building for Multiple Conversion Dwelling Use	-	3,594 sq. ft. minimum	2,468 sq. ft. (variance of the Zoning and Development By-law and the Subdivision By-law)

* the HRA is to also vary the Subdivision By-law to allow for the creation of an irregular parcel without a lane (the new duplex parcel), which would not typically be permitted by the Subdivision Approving Officer.

Notes on the RS-7 Zoning Including Strata Titling

The RS-7 zoning permits a number of residential uses on parcels of various sizes. Multiple Conversion Dwellings, duplexes, and single family dwellings (with or without secondary suites) are permitted on sites with minimum areas of 334 m² (3,593 sq. ft.), although provisions exist in the zoning to allow for these uses on smaller parcels. Laneway Housing is not permitted in the RS-7 zone. However, infill development, apartment buildings, and more than one principal building are permitted on sites with a minimum area of 929 m² (10,000 sq. ft.). Strata titling is permitted in the RS-7 zone on sites larger than 668 m² (7,188 sq. ft.) under the *Strata Title Policies for RS-7, and RT Zones*.

The property at 3308 Ash Street is 613 m² (6,600 sq. ft.) in site area and therefore infill development and strata titling are not permitted for the site under the current zoning (the application proposes to subdivide the site but the proposal can be considered to be tantamount to infill development).

The subdivision variance is proposed to allow the three dwelling units in the heritage building to be maintained as rental residential units under separate ownership from the new duplex. The permitted density in RS-7 is 0.70 FSR for new development and 0.75 FSR for buildings existing prior to July 7th, 2009, although the zoning permits the Director of Planning to increase the permitted density to 0.75 FSR for infill development, Multiple Dwellings (apartments or townhouses) and for sites where more than one principal building is approved. For purpose of the assessment of the Development Permit Application for 3308 Ash Street, staff have assumed a permitted density of 0.75 FSR for the site under the current zoning.

Recommendation E of this report proposes that Council waive the *Strata Title Policies for RS-7, and RT Zones* for the new duplex. Strata titling of the new duplex forms a part of the proposed compensation to the owner for heritage conservation costs and the heritage designation. The three rental residential units in the heritage building are not proposed to be strata titled, and conversion would not be permitted for these units under the current zoning in the future.

The required financial analysis conducted for the application determined that the value of the additional density and other variances sought as part of the compensation for the owner exceeded the value of the heritage rehabilitation work. However, the overall proposal, with the heritage encumbrance and uses proposed, reduced the value of the site such that the benefits to the owner were determined to be commensurate with the value of the heritage rehabilitation work required of the project (see Note 2 in Appendix F). Staff concluded, therefore, that the variances proposed (density, subdivision, and strata titling) could be considered.

Variances of the *Sub-division By-law* and the *Zoning and Development By-law* as Contained in the HRA:

BY-LAW VARIATIONS

1.1 The *Subdivision Bylaw* is hereby varied for the Lands for purposes of the Development so that:

- (a) the parcel area and width restrictions contained in Section 9.1 of the *Subdivision By-law* shall not apply in respect of the Subdivision; and
- (b) Section 9.7 of the *Subdivision By-law* shall not apply in respect of the Subdivision.

1.2 Section 10.7.1(a) of the *Zoning and Development Bylaw* is hereby varied for the Lands so that for the Development the Director of Planning may allow steps in any side yard thereon.

1.3 Section 10.7.1(b) of the *Zoning and Development Bylaw* is hereby varied for the Lands so that for the Development the Director of Planning may allow eaves, gutters, sills, chimneys and other similar projections to project into any required or permitted yard thereon.

1.4 Section 11.1 of the *Zoning and Development Bylaw* is hereby varied for the Lands so that for the Development it shall not apply.

Heritage Parcel

1.5 The RS-7 District Schedule to the *Zoning & Development By-law* is hereby varied as follows for the Heritage Parcel, for purposes of the Development:

- (a) Section 4.1.1 of the RS-7 District Schedule is varied to permit a site area of 2,468 square feet;
- (b) Section 4.4.1 of the RS-7 District Schedule is varied to permit a front yard depth of 6.8 feet;
- (c) Section 4.6.1 of the RS-7 District Schedule is varied to permit a rear yard depth of 6.5 feet;
- (d) Section 4.7.1 of the RS-7 District Schedule is varied to permit 2,101 square feet of floor space (approximately 0.85 FSR);
- (e) Section 4.7.4 of the RS-7 District Schedule is varied so that undeveloped areas under porches are to be excluded from the computation of floor space;
- (f) Section 4.8.4 of the RS-7 District Schedule is varied so that the Director of Planning may permit the area of impermeable materials, including building coverage, to exceed 60% of the total site area;
- (g) Section 4.16.2 of the RS-7 District Schedule is varied to permit a building depth of 40.7 feet;
- (h) Section 4.17 of the RS-7 District Schedule is varied so that it does not apply to the Heritage Building; and
- (i) Section 4.18.1 of the RS-7 District Schedule is varied to permit up to three

dwelling units in the Heritage Building.

Non-Heritage Parcel

1.6 The RS-7 District Schedule to the *Zoning & Development By-law* is hereby varied as follows for the Non-Heritage Parcel, for purposes of the Development:

- (a) Section 3.2.1 DW of the RS-7 District Schedule is varied to permit a Two-Family Dwelling;
- (b) Section 4.4.1 of the RS-7 District Schedule is varied to permit a front yard depth of 20 feet;
- (c) Section 4.5.3 of the RS-7 District Schedule is varied so that it does not apply;
- (d) Section 4.6.1 of the RS-7 District Schedule is varied to permit a rear yard depth of 4 feet;
- (e) Section 4.7.1 of the RS-7 District Schedule is varied to permit 4,087 square feet fo floor space (approximately 0.99 FSR), except the Director of Planning may permit the total floor space to exceed that amount provided that all the excess floor space is located in a basement;
- (f) Section 4.8.4 of the RS-7 District Schedule is varied so that the Director of Planning may permit the area of impermeable materials, including building coverage, to exceed 60% of the total site area;
- (g) Section 4.16.2 of the RS-7 District Schedule is varied to permit a building depth of 54.5 feet, including porches and sundecks; and
- (h) Section 4.17 of the RS-7 District Schedule is varied so that the Director of Planning may relax the requirements therein if the Director of Planning considers them to be unduly restrictive, taking into account any comments or other submissions in respect thereof from any advisory group, property owner or tenant.

3308 Ash Street
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On July 16th, 2012, the Vancouver Heritage Commission reviewed the Development Permit Application and resolved the following:

THAT the Vancouver Heritage Commission reserves support for the subdivision and rehabilitation of the building at 3308 Ash Street, the Prefontaine Residence, as presented at the July 16, 2012, meeting, and asks that the application be brought back to the Commission once complete drawings are available for the heritage building.

FURTHER THAT the Commission also asks that the applicant consider:

- Design development on the infill dwelling to address the prominence of the garage doors with use of a single curb cut;
- Reduction in the density, height and massing of the infill dwelling more in keeping with the local dwellings;
- Articulation of the two units in the infill dwelling; and
- Inclusion of historical architectural features such as the roof styles, window styles and porch styles reflective of the existing heritage building on the site.

CARRIED UNANIMOUSLY

On September 10th, 2012, the Vancouver Heritage Commission reviewed a revised application and resolved the following:

THAT the Vancouver Heritage Commission supports the subdivision and rehabilitation of the building at 3308 Ash Street, the Prefontaine Residence, as presented at the September 10, 2012, meeting.

FURTHER THAT the Commission requests the applicant consider the following for the infill building:

- Use the colours as suggested by the heritage consultant;
- The minimum curb cut be used as allowed by Engineering;
- The garage doors be painted a dark colour and be recessed as far back as possible with sympathetic detailing; and
- The planter indicated between the two garages be as large as possible without impacting the driveway width.

CARRIED

Staff Comments:

The considerations noted above will all be addressed as conditions of the Development Permit Application approval.

3308 Ash Street Results of Neighbourhood Notification and Staff Comments

Concerns expressed in the three letters received as part of the notification process include the following:

- The density proposed is too high and the development is not compatible with neighbouring properties and will create impacts, including loss of green space and traffic congestion, and including the loss of at least one boulevard tree;
- Laneway housing is not permitted in RS-7 and therefore the proposal, which is tantamount to infill development, should not be permitted. The heritage building is effectively a large Laneway House and creates impacts at the lane, and the retention of the three rental units in the heritage building will create a transient rental population and devalue the surrounding properties;
- The existing building's heritage merit is marginal and the new duplex would block views of the heritage building, decreasing the heritage building's value;
- The heritage building needs to be properly rehabilitated and designated to economically justify the variances proposed;
- The new duplex should have exterior finish materials more closely related to the original material expression of the heritage building, such as wood shingles and clapboard siding; and
- It appears that the basements of the duplex units have been designed to "shoe horn" in unapproved suites later.

The supportable density has been lowered to 0.94 FSR from the 0.96 FSR originally proposed to address massing, shadowing, and design concerns (see the drawings in Appendix C and the discussion in the Development Application and Proposed Incentives section). While Laneway Housing is not permitted in RS-7, infill development is allowed on certain sites. The heritage building has existed in its location along the lane for over a hundred years and its location and size are not proposed to be changed. The increase in dwelling unit density forms a part of the compensation provided to the owner for heritage conservation. While the increase in dwelling units will likely create additional traffic and parking impacts in the area, these will be commensurate with development which will likely occur over time under the current zoning. The three rental residential units have existed since 1958 and have not created any problems in the area according to City records. Multiple Conversion Dwellings maintained as rental buildings are permitted in the zoning.

'The Prefontaine House' is listed in the 'B' evaluation category on the Vancouver Heritage Register and will be highly visible once the project is completed. While the new duplex will create some overlook issues and loss of open space with respect to the heritage building's occupants, staff conclude that the proposal achieves a reasonable balance between liveability and increased density. Conditions of the Development Permit Application approval will require that the design and materials proposed for the new duplex be improved where possible. The removal of a boulevard tree for the driveway, if required, will be dealt with to the City's standards for driveway development, possibly including tree replacement at the owner's cost. Basement suites are not proposed for the duplex, nor would these be permitted in the future. The plans for the basements will meet by-law requirements for family areas and recreation rooms. The rehabilitation of the heritage building and its designation as a protected heritage property are required as conditions of the Development Permit Application approval.

3308 Ash Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation of a heritage building and construction of an infill building on the site

Public Benefit Summary:

The project would result in the conservation and long-term protection of a heritage resource.

	Current Zoning	Proposed
Zoning District	RS-7	HRA
FSR (site area = 6,600 sq. ft./ 613 m ²)	0.75	0.94
Buildable Floor Area	460 m ² (4,948 sq. ft.)	575 m ² 6,188 sq. ft.
Land Use	Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed HRA (\$)
Required*	DCL (City-wide) (See Note 1)	7,520	11,150
	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 (See Note 2)		447,595
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
Other			
TOTAL VALUE OF PUBLIC BENEFITS		7,520	458,745

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

Note: 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: DCLs do not apply to existing floor area which in this case is 2,101 sq. ft. in the heritage building. The value listed under the Current Zoning column assumes the existing building is retained as generally required in the zoning in order to be granted the maximum permitted density of 0.75 FSR.

Note 2: Note 2: The figure noted in the above table represents the value of on-site density bonus to facilitate heritage building rehabilitation, conservation, and protection. The conservation and protection of heritage resources is a community objective as noted in Council Policy.