



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: March 15, 2016
Contact: Anita Molaro
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VanRIMS No.: 08-2000-20
Meeting Date: April 5, 2016

TO: Vancouver City Council

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

SUBJECT: Heritage Designation and Heritage Revitalization Agreement - 2088 Charles Street (Carlsen Residence)

RECOMMENDATION

- A. THAT Council add the existing building at 2088 Charles Street (Lots 36 and 37 of Lot 2 Blocks C and D, Block 136, District Lot 264A, Plans 715 and 1771 (PIDs: 015-210-871 and 015-210-901, respectively) (the "site")), known as the Carlsen Residence (the "heritage building"), to the Vancouver Heritage Register in the 'B' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate the exterior of the heritage building as protected heritage property.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law authorizing the City to enter into a Heritage Revitalization Agreement to:
 - i. secure the rehabilitation and long-term preservation of the heritage building; and
 - ii. vary the *Zoning and Development By-law* and the *Subdivision By-law* in respect of the site to permit the construction of a new One-Family Dwelling (the "new building") on a newly created separate parcel as proposed under Development Permit Application No. DE419160 (the "DP Application") and as more particularly described in this report.

- D. 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.
- 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 add the Carlsen Residence at 2088 Charles Street to the Vancouver Heritage Register in the 'B' evaluation category, designate its exterior as protected heritage property, and to authorize the City to enter into a Heritage Revitalization Agreement (HRA) for the site. Under the current RT-4 zoning applicable to the site, the existing building could be demolished and the site redeveloped with a floor space ratio (FSR) of up to 0.60 without Council approval. As incentive and compensation to the owner for the heritage designation, rehabilitation, and conservation of the heritage building, an increase in permitted density as well as other zoning and subdivision variances, as set forth in the DP Application and as described in this report, are proposed. The Acting General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report.

COUNCIL AUTHORITY

Pursuant to Section 582 of the *Vancouver Charter*, Council, by resolution, may establish a heritage register identifying real property that Council considers to be heritage property and, by resolution, to add such properties to the register from time to time.

Pursuant to Section 592 of the *Vancouver Charter*, Council, by by-law, may enter into an HRA with an owner of heritage property 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 Sections 593 and 594 of the *Vancouver Charter*, Council may, by by-law, designate real property, in whole or in part, within the City of Vancouver as protected heritage property.

Pursuant to Section 595 of the *Vancouver Charter*, if sought, Council must 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 heritage rehabilitation costs, is achieved by way of by-law variances contained in the HRA so as to permit an otherwise impermissible development.

The proposed heritage designation and HRA for the heritage building 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 DP Application:

- *Heritage Policies and Guidelines (April, 1991)*
- *Green Buildings Policy For Rezoning (2009, last amended 2014)*
- *Rezoning Applications and Heritage Revitalization Agreements During Community Plan Programs in the West End, Marpole, and Grandview-Woodland Policy (July, 2011)*
- *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin (June, 2014)*

The *Heritage Action Plan*, which was approved in December 2013, responds to citizen and Council desire to encourage and support heritage conservation in the City. A number of actions were approved including the use of available tools to conserve the City's heritage resources.

GENERAL MANAGER'S COMMENTS

The Acting General Manager of Planning and Development Services RECOMMENDS approval of Recommendations A, B, C, D, and E.

STRATEGIC ANALYSIS

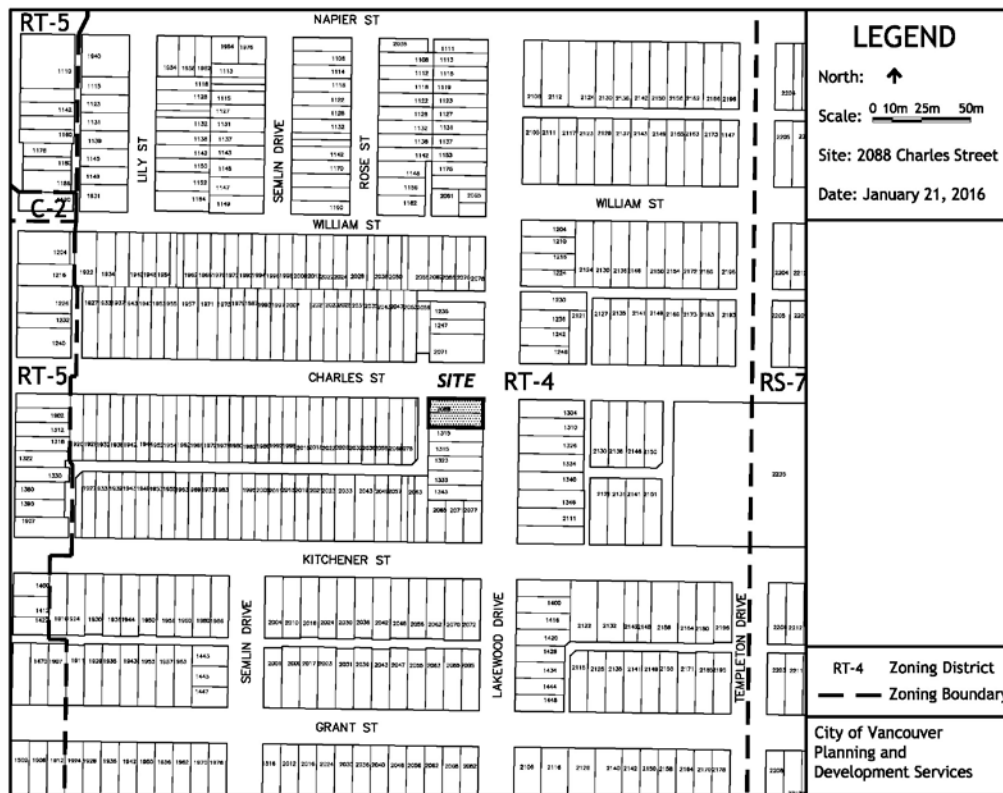
The *Rezoning Applications and Heritage Revitalization Agreements During Community Plan Programs in the West End, Marpole, and Grandview-Woodland Policy* is applicable to the project. Planning staff reviewed the DP Application and concluded that, with respect to the provision of the policy whereby applications for heritage projects may proceed while the programs are underway, the proposal may be brought forward for Council's consideration at this time.

The proposal complies with the *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin* in that the proposed density overall does not exceed 10% over the maximum permitted density, and the number of parcels proposed does not exceed that which could be granted for the site under the *Subdivision By-law* for the site without the heritage building. As a consequence, a proforma analysis is not required (see the Proforma Evaluation section).

Site and Context

The site is located in the Grandview-Woodland neighbourhood in an area zoned RT-4 (see Figure 1). The *RT-4 District Schedule* of the *Zoning and Development By-law* permits One and Two-Family Dwellings, the conversion of existing buildings into suites, and infill development on certain sites. The total area of the site is 490 square metres (5,272 sq. ft.). A six metre (twenty foot) wide paved lane exists at the rear of the site.

Figure 1: Site and Surrounding Zoning



Heritage Value

Built in 1932, the Carlsen Residence is an excellent example of the influence of the Tudor Revival (or “Mock-Tudor”) style in residential designs from the 1920s to 1940s (see Appendix A). The inter-war years saw a rise in the interest in traditional residential architecture styles. Designed with Tudor influences, the Carlsen Residence features include the prominent dormer on the front façade, with half-timbering in the gable end, a projecting hipped-roof front entryway with arched openings, as well as leaded glass sidelights on the east side of the portico. Other details include scroll-cut window box brackets, pointed wood bargeboards, and a variety of original wooden sash and frame windows, some with leaded glass. An original door exists on the west side.

The Grandview-Woodland neighbourhood developed rapidly during the Edwardian building boom which lasted until 1913. Economic hard times followed but during the mid 1920s new houses with different styles and material began to be built in the area on undeveloped lots (see Appendix B). The Carlsen Residence exemplifies this period of inter-war residential development in the area. It is proposed to add the Carlsen Residence to the Vancouver Heritage Register in the ‘B’ evaluation category.

Development Application and Proposed Incentives

If approved, the incentives 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 proposed variances to the *Zoning and Development By-law* and the *Subdivision By-law* as set forth in the DP Application, and as described below. The zoning applicable to the site is RT-4. The DP Application proposes to retain and restore the heritage building (including removal of a makeshift structure at the rear of the building), subdivide the site to create a new parcel at the rear of the site, and to construct the new building thereupon. The maximum density permitted in the zoning is 0.60 FSR. The proposed density overall is 0.66 FSR (see Table 1 and Appendix C).

Table 1: Density Summary

Item	Existing	Permitted or Required	Proposed
Number of Parcels	1	2 standard parcels with subdivision	2 with subdivision variance
Overall Floor Area and FSR	230 m ² (2,474 sq. ft.) 0.47 FSR	294 m ² (3,163 sq. ft.) 0.60 FSR maximum	324 m ² (3,482 sq. ft.) 0.66 FSR

The proposed *Subdivision By-law* variance is to allow for the full retention of the heritage building while allowing for the construction of the new building on the site. The subdivision as proposed requires a variance of the *Subdivision By-law* due to the configuration of the proposed parcels. An HRA is proposed to create the proposed parcels as well as the zoning variances created by the proposed development on these parcels (see Appendix D).

Staff have considered the potential impact of the proposed development, including the results of notification (see the Results of Neighbourhood Notification section), the conservation approach (see Condition of the heritage building and Conservation Approach section), and the compatibility of the development with the zoning, and conclude that the DP Application is supportable. The Acting General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report.

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the RT-4 zoning district schedule is to:

"...encourage the retention of existing residential structures and to encourage and maintain a family emphasis. In the RT-4 and RT-4N Districts emphasis is placed on the external design of all new buildings and additions being compatible with the historical character of the area, and on being neighbourly in scale and placement..."

The retention of the heritage building contributes to the historic architectural character of the area and the new building meets the design guidelines for the area and responds well to its neighbours in terms of scale, massing, privacy impact, and placement. Staff conclude the proposal is consistent with the intent of the zoning.

Condition of the Heritage Building and Conservation Approach

The Carlsen Residence is in good condition. Uncharacteristic windows are to be replaced with replications of the originals. The porch is to be restored and the stairs rebuilt to match the original. The heritage building will be painted in historic colours. A comprehensive Conservation Plan has been provided and staff conclude that the rehabilitation scheme is consistent with good conservation practices.

Results of Neighbourhood Notification and Staff Comments

As part of the DP Application review, thirty-seven surrounding properties were notified of the DP Application, and a site sign was installed. Three responses were received. One response expressed support. Two responses expressed support for the proposal in principle but had concerns regarding the height and placement of the new building on the site (see Appendix F). Design conditions of the DP Application will address these comments. As well, one response felt the new building triggered a variance of use. The new building is proposed to be a One Family-Dwelling on a separate parcel and is not a variance of use.

Staff considered the results of neighbourhood notification and concluded that the project is supportable as proposed with the design changes noted above and in Appendix F.

Comments from the Vancouver Heritage Commission

On July 27, 2015, the Vancouver Heritage Commission reviewed the application and unanimously supported the proposal (see Appendix E).

Public Benefits

Development Cost Levies (DCLs): DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. The DCLs payable are based on the City-wide DCL rate of \$33.26/m² (\$3.09/square foot). On this basis an amount of \$3,090 payable is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12-months from the date of DCL bylaw rate amendment provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments.

If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply.

Heritage: The owner has offered to conserve and rehabilitate the heritage building and to accept the designation of its exterior as protected heritage property, which is a highly valued community feature. If approved, the designation will be effected by enactment of a Heritage Designation By-law and the owner will enter into an HRA which, among other things, will

secure the conservation and rehabilitation of the heritage building. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$150,000.

See Appendix G for a summary of the public benefits that would be achieved should this application be approved.

Financial Implications

As noted in the section on Public Benefits, the applicant has offered the on-site conservation and rehabilitation of the Carlsen Residence valued at \$150,000.

The site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$3,090 in DCLs should the applications be approved and the project proceed.

Proforma Evaluation

As noted in the Strategic Analysis section, this proposal complies with the provisions of the *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin* and a proforma review is not required.

Environmental

The City's *Green Buildings Policy for Rezonings* applies to the application. 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.

Legal

The by-law variations proposed will provide an improved development potential on the site. The owner's proposal to rehabilitate and conserve the heritage building, and accept the designation of the heritage building's exterior as protected heritage property, in exchange for obtaining the by-law variations needed to get that improved development potential will be appropriately secured as legal obligations contained in the HRA 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.

Section 595 of the *Vancouver Charter* requires that, if sought, Council must compensate an owner for any reduction in the market value caused by a heritage designation. The owner has signed the HRA and in doing so has explicitly accepted the by-law variances to be provided, and the resulting development advantages to be gained thereby, as full compensation for the heritage designation of the heritage building and the obligations to rehabilitate and conserve it. The HRA will be executed by the City and registered on title following Council's enactment of the by-law authorizing the City to enter into the HRA and before a development permit for the project may be issued.

CONCLUSION

Approval of the addition of the Carlsen Residence at 2088 Charles Street to the Vancouver Heritage Register, the heritage designation of its exterior, and the proposed HRA will ensure that the heritage building is conserved and protected from exterior alterations which affect

its heritage value, and from demolition. The owner has agreed to accept the proposed variances as compensation for the designation, rehabilitation, and conservation of the heritage building. The Acting General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of the Carlsen Residence to the Vancouver Heritage Register, its heritage designation, and the proposed HRA.

* * * * *

2088 Charles Street
PHOTOGRAPH

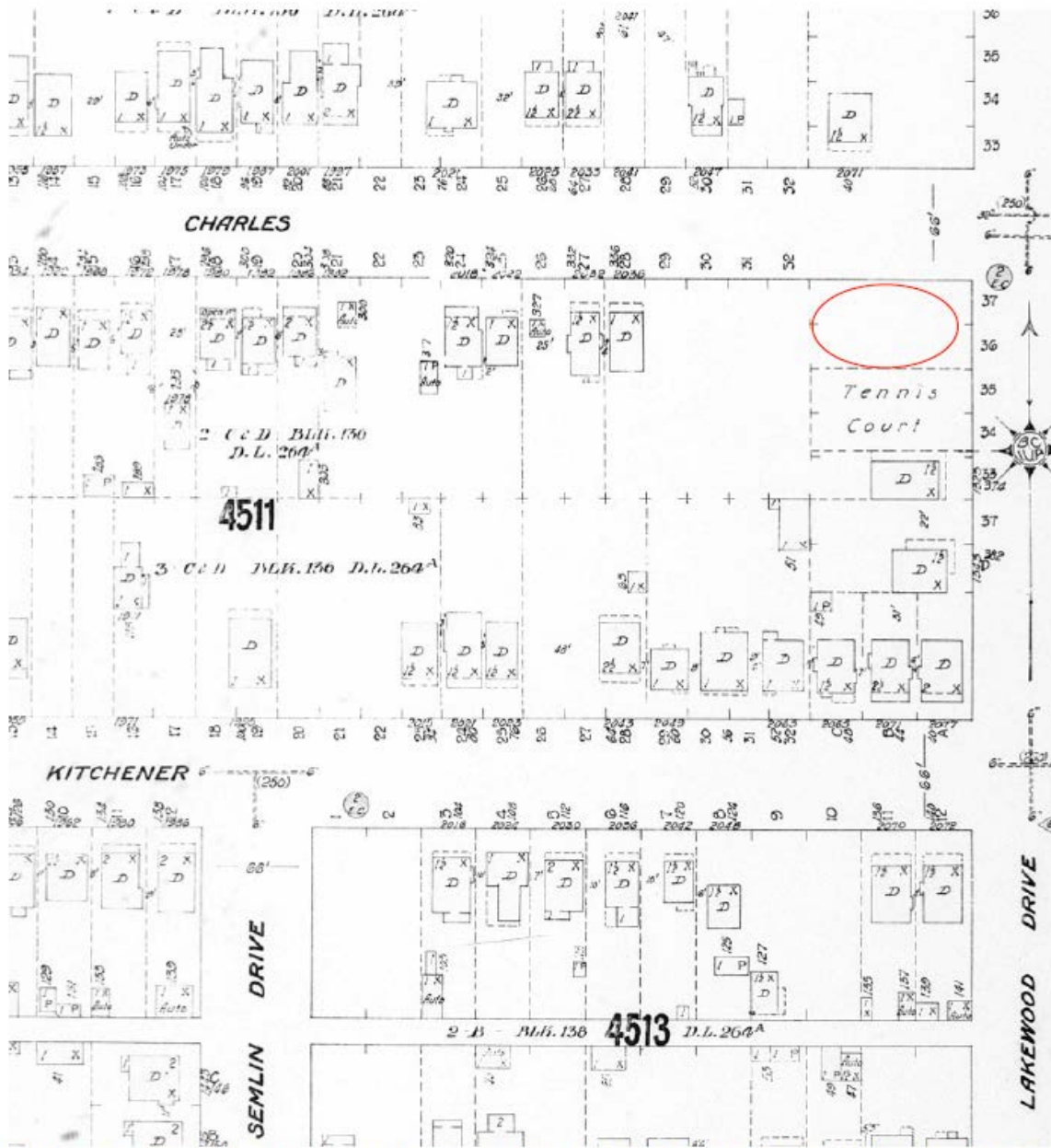


Photo 1: The Carlsen Residence at 2088 Chalres Street (Looking West) circa 2015



Photo 2: East Elevation of 2088 Charles Street

2088 Charles Street
MAPS



Vancouver Fire Insurance Map, 1927, showing the lot where the Carlsen Residence would be constructed

Map 1: Fire Insurance Map circa 1927

The site for 2088 Charles Street is shown with the oval. Note the tennis court to the south.

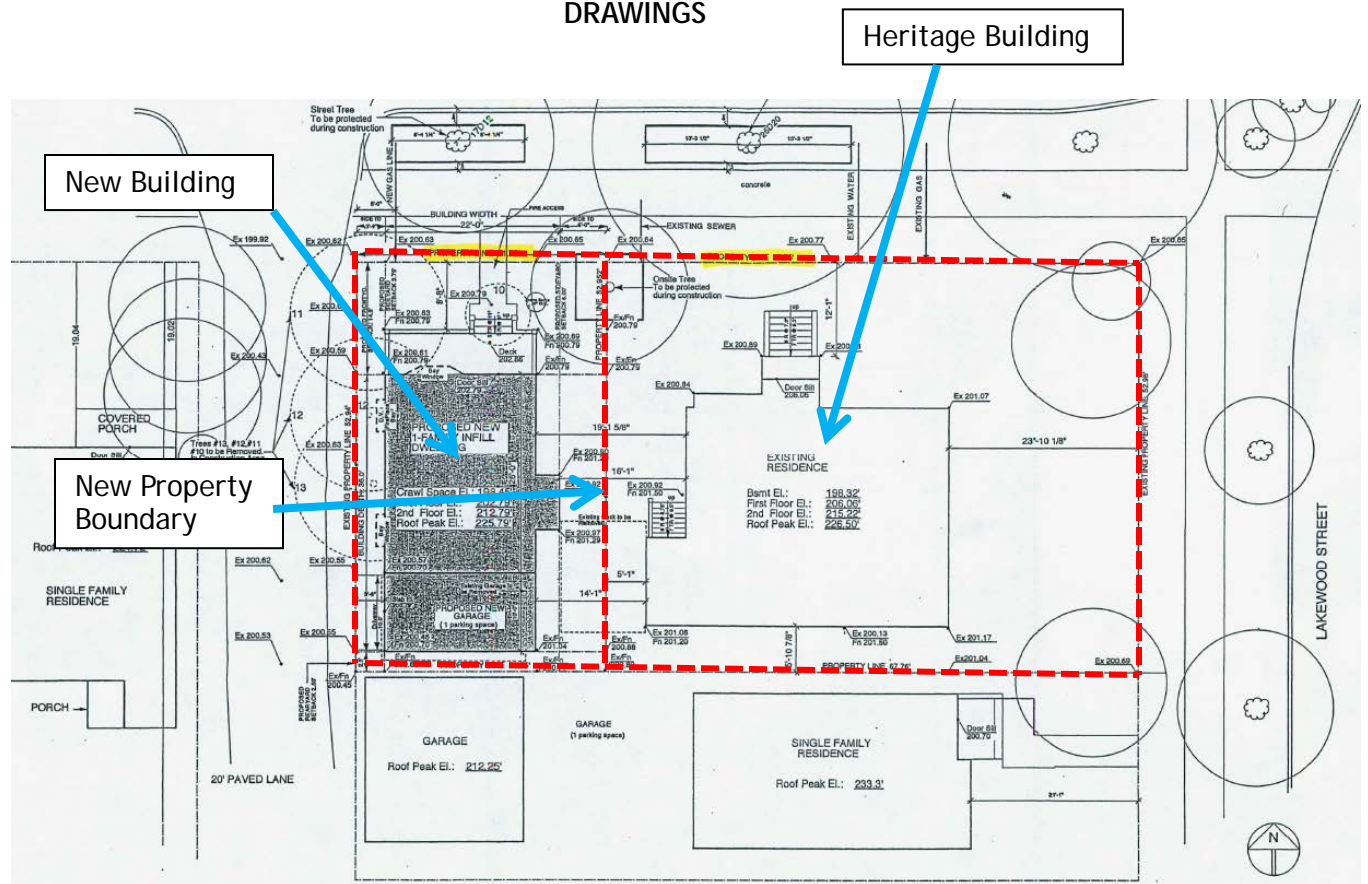


Vancouver Fire Insurance Map, 1958, showing the Carlsen Residence

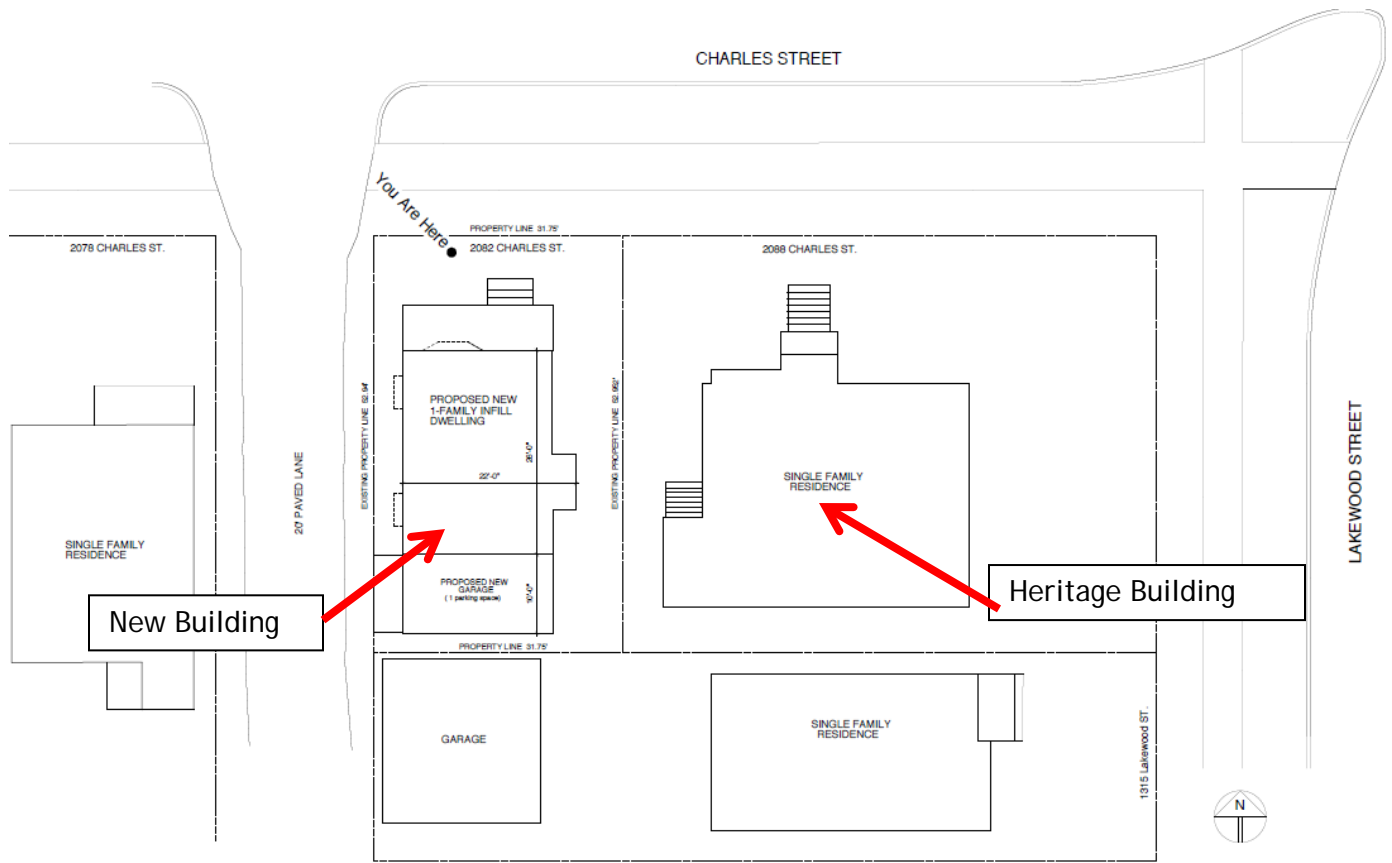
Map 2: Fire Insurance Map circa 1958

By 1958 a lane had been constructed behind 2088 Charles Street (as shown by the oval) and the tennis court to the south had disappeared.

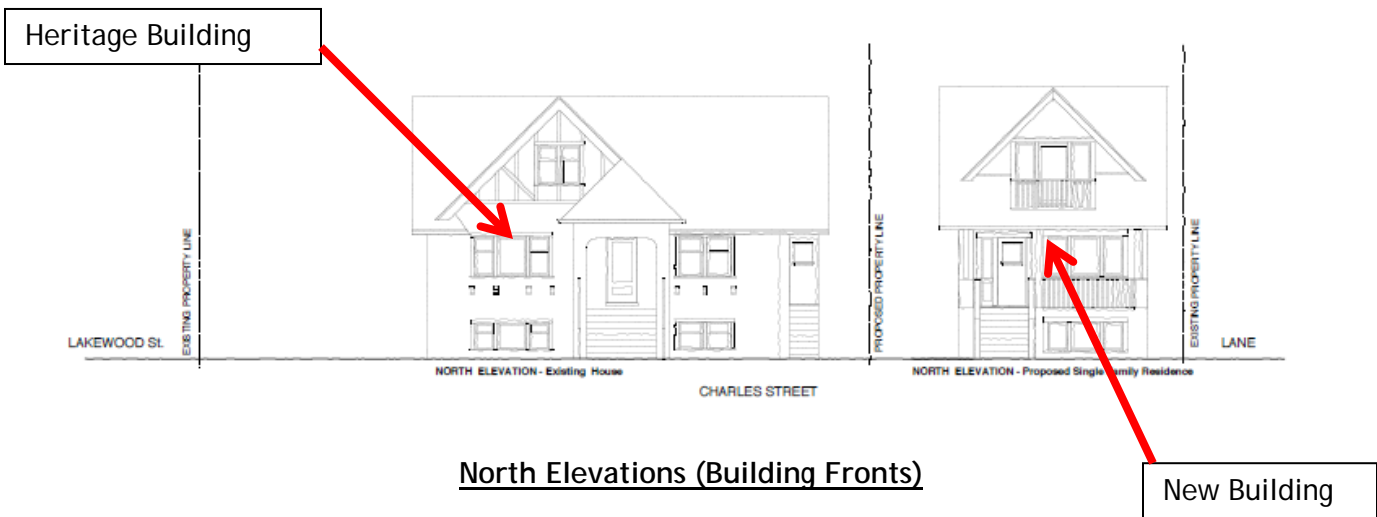
2088 Charles Street
DRAWINGS



Site Plan



Context Plan



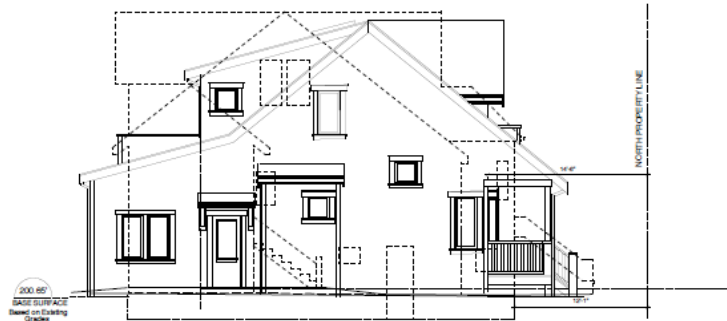
North Elevations (Building Fronts)



Existing Residence on Lakewood St.



PARTIAL LAKEWOOD STREET STREETSCAPE



INFILL HOUSE (EAST ELEVATION) showing Existing House (West Elevation) reflected windows

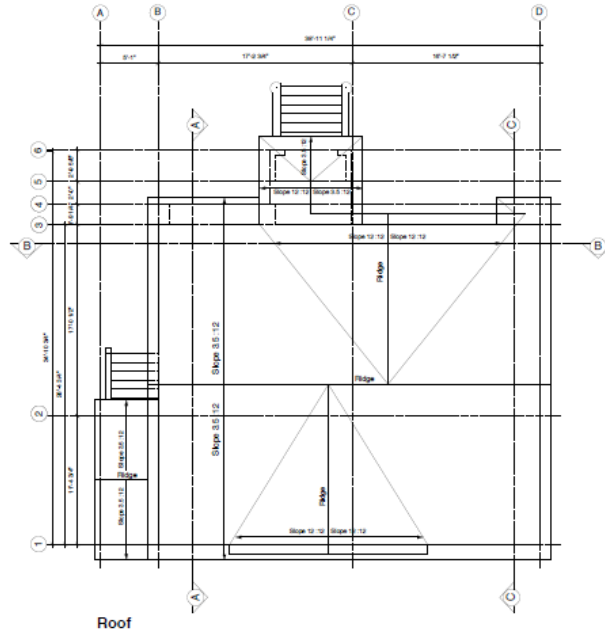
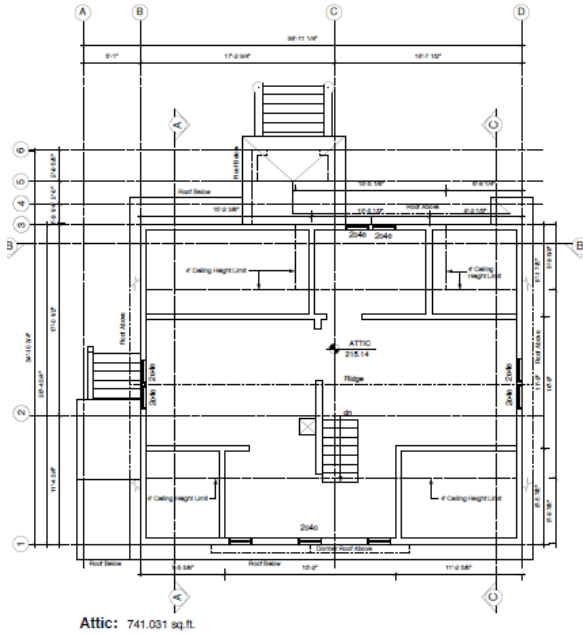
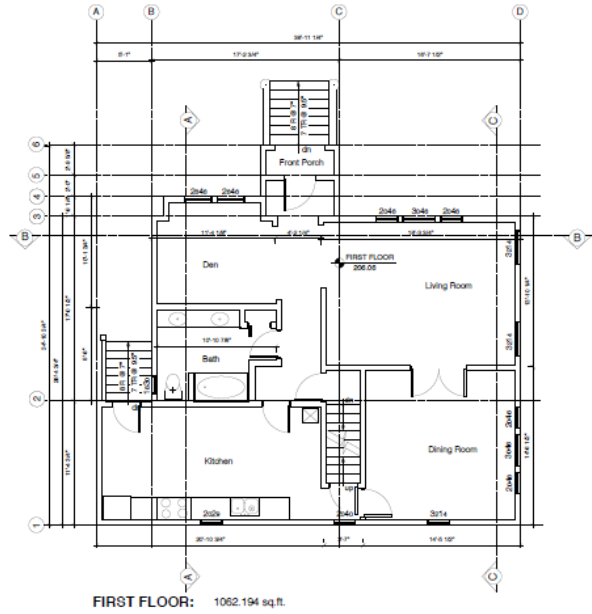
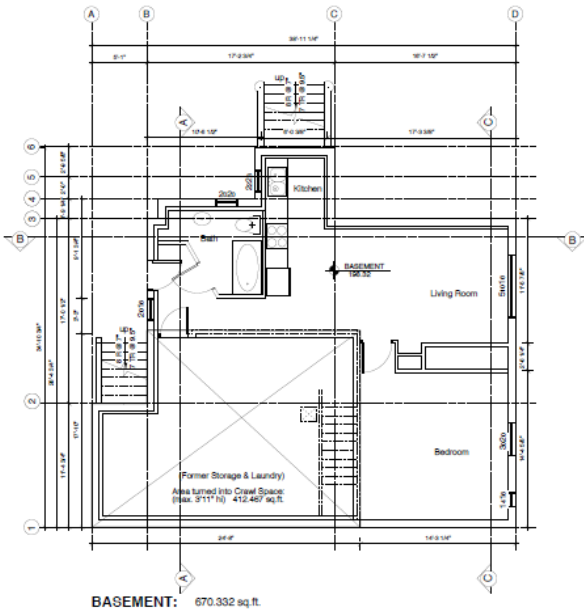


Existing Residence on Charles St.

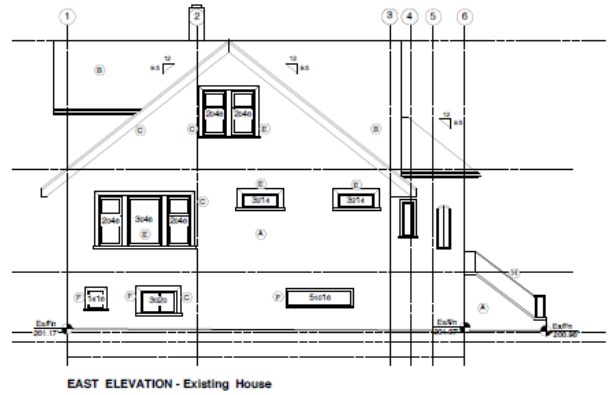
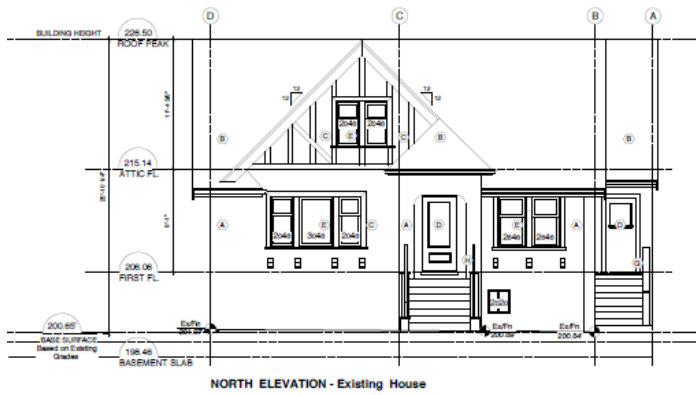


PARTIAL CHARLES STREET STREETSCAPE - Showing some typical Architectural/Landscape Patterns

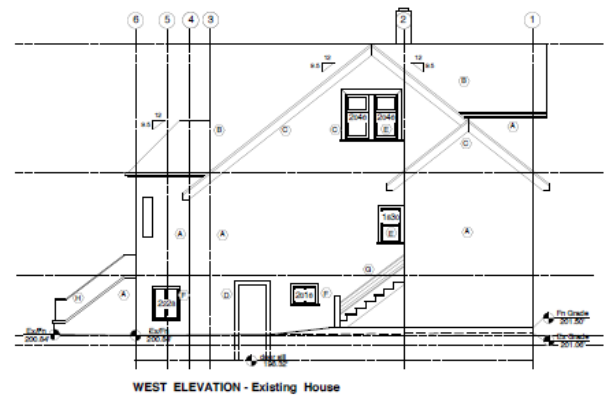
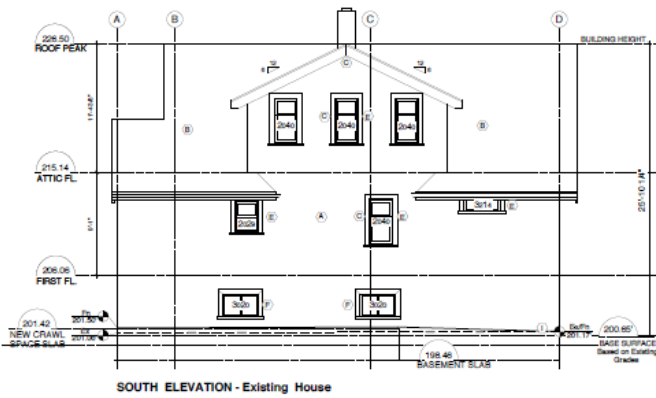
Streetscape Elevations



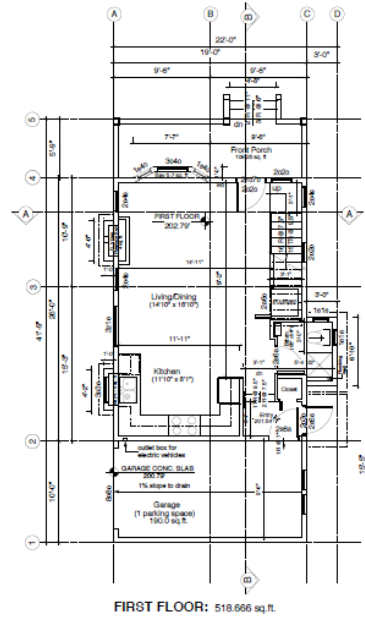
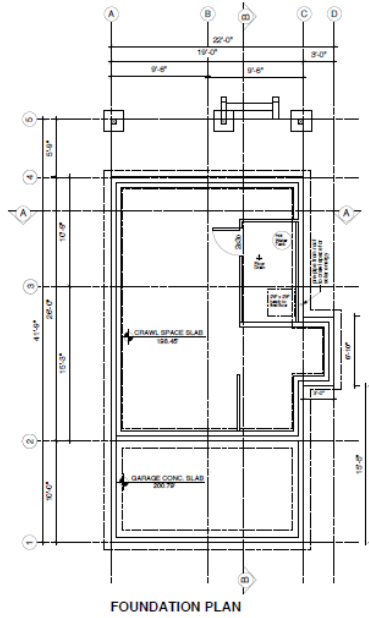
Plans - Heritage Building



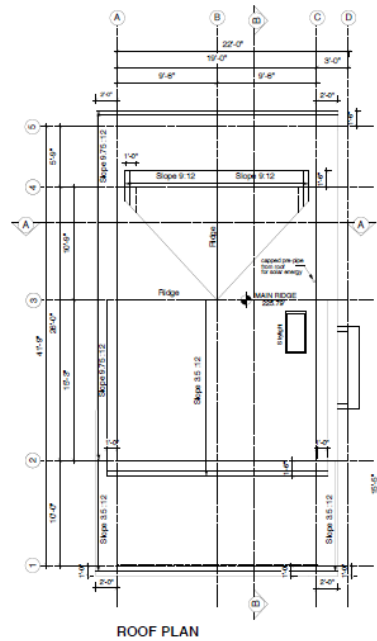
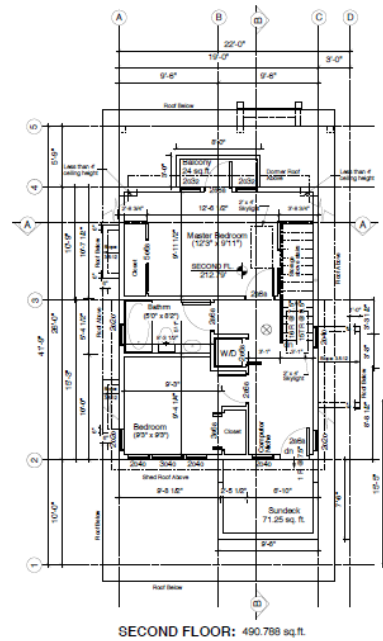
FINISH SCHEDULE			
(A) Stucco Finish	(D) Wood Door	(G) Wood Sashers Paint Finish	
(B) Durable Single Roof	(E) Wood Window	(H) Metal Sashers Paint Finish	
(C) Wood Panels / Trim, Paint Finish	(F) Metal Window		



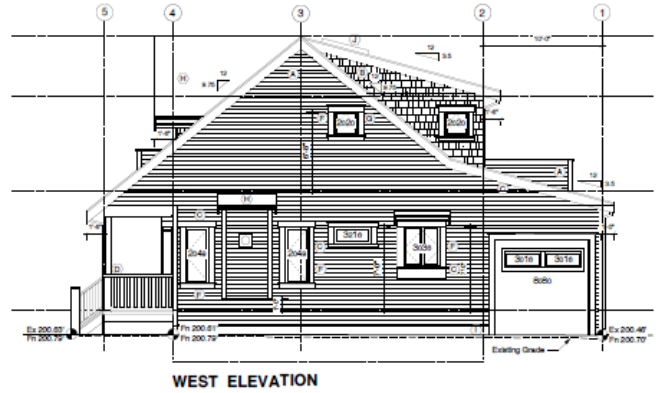
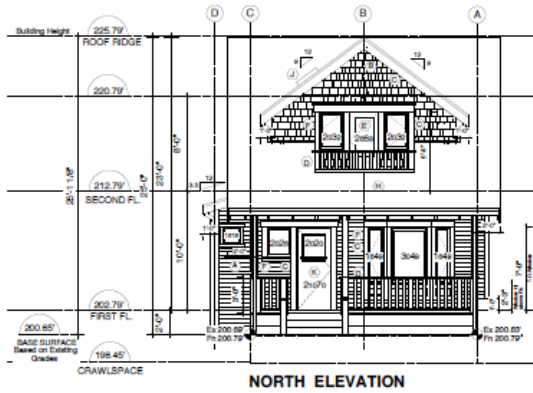
Elevations - Heritage Building



	PERMITTED	PROPOSED
Balcony/Sundecks	96 SQ. FT. (8% x 1200)	98.00 SQ. FT.
Porch(es)/Deck(s)	196 SQ. FT. (13% x 1500)	204.25 SQ. FT.
Bay Windows	12 SQ. FT. (8% x 1500)	9.70 SQ. FT.



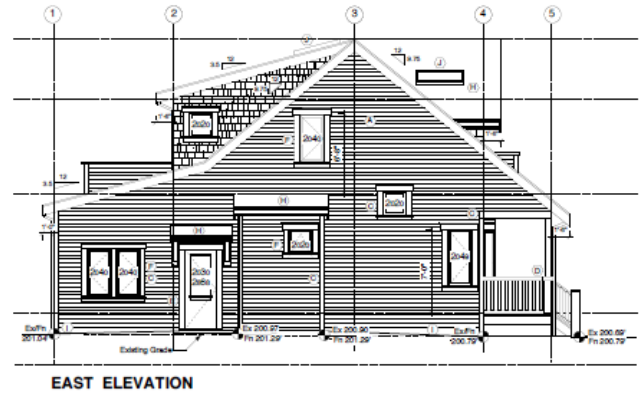
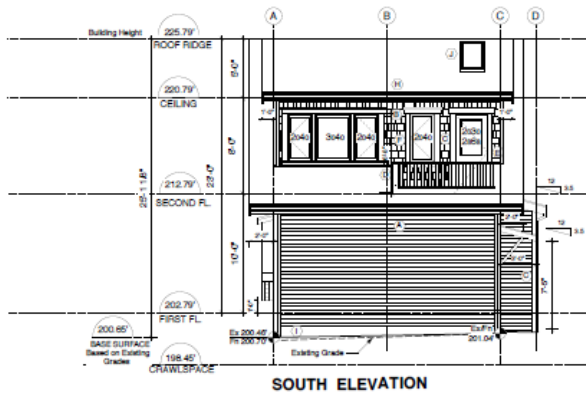
Plans - New Building



FINISH SCHEDULE			
(A) 1/2" Dry Gypsum Board (Type X) with 5/8" Acoustic Panel Filler	(E) Vinyl Door	(I) Concrete	
(B) Cedar Shingles, Cedar Shake Siding	(F) Vinyl Window Top	(J) Aluminum Sillight	
(C) S&S Cedar Facia / Trim, Paint finish	(G) Tempered Glass	(K) Insulated Fiberglass Door	
(D) Cedar Slatwork Paint finish	(H) Durock Shingle Roof		

NOTES

- All overhang including porches, bays & eaves are narrow profile wood.
- Exterior walls with window or door top finish.
- All wood trim, window sashes and window trim, is smooth finished (SDF) finished with water based, low-VOC or zero-VOC products and not approved.



Elevations - New Building

2088 Charles Street
TECHNICAL ZONING SUMMARY

Table A: Site Area

	Existing	Proposed Heritage Parcel	Proposed New Building Parcel
Site Area	490 m ² (5,272 sq. ft.)	334 m ² (3,589 sq. ft.)	156 m ² (1,681 sq. ft.)

Table B: Zoning and Parking Summary

Item	Existing	Required or Permitted	Proposed
Floor Area of the Existing Building	2,473 sq. ft.	-	2,473 sq. ft.
Floor Area of the New Building	-	-	1,008 sq. ft.
Total FSR and Floor Area	0.47 FSR 230 m ² (2,473 sq. ft.)	0.60 FSR 294 m ² (3,163 sq. ft.) maximum	0.66 FSR 324 m ² (3,482 sq. ft.)
Site Coverage	31%	45% maximum	45%
Height of the New Building	-	10.7 metres (35.1 feet) maximum	7.72 metres (25.32 feet)
Off-Street Parking	2	2 minimum	1

2088 Charles Street
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On October 26, 2015, the Vancouver Heritage Commission reviewed the application and resolved the following:

THAT the Vancouver Heritage Commission supports the application to designate the Carlsen Residence, 2088 Charles Street, to subdivide its lots and to construct a new building on the new parcel, as presented at the October 26, 2015, meeting;

FURTHER THAT the Commission requests that the applicant consider using wooden windows and doors in the new building.

CARRIED UNANIMOUSLY

Staff Comments:

Wood windows are typically not required in new development unless required under the applicable zoning. In this case, the RT-4 zoning guidelines require that the expression of the windows are compatible with older houses in the area, but do not specify a requirement with regard to materials. Staff have concluded that the windows proposed in the new building need not be wood provided those windows otherwise meet the design guidelines.

2088 Charles Street
NEIGHBOURHOOD NOTIFICATION AND STAFF COMMENTS

As part of the DP Application review, thirty-seven surrounding properties were notified of the DP Application, and a site sign was installed. Three responses were received. One response expressed support. Two responses expressed support for the proposal in principle but had concerns regarding the new building as follows:

- The new building is set too far into the site. The parking should be located in it to allow a greater setback.
- The new building is as high as the existing house and therefore should be lowered.
- Laneway Housing is only permissible in RS zones, and therefore the new building is a variance of use.

Design conditions of the DP Application will require the new building to be setback further to the lane and to the west to improve massing and shadowing impacts. The roof elevation of the new building noted on the site plan in the drawings posted for notification was incorrect (the height is noted as the same as the heritage building, EL 168.44 ft.). The new building is a One-Family Dwelling on a separate parcel, which is a conforming use, but has been designed to comply generally with the infill guidelines for the zoning which stipulate a maximum height of 7.6 metres (24 feet) for infill development (see Table 1 and Appendix D). The drawings in Appendix C show the correct height for the new building. Laneway Housing, which has separate zoning provisions and is not permitted to be strata titled, is not currently permitted in the RT-4 zoning. The proposed new building as well as infill development, had it been proposed instead, are permitted uses in the zoning and therefore a variance of use is not required.

2088 Charles Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Conservation and designation of a heritage building, and construction of a new building on a new parcel

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	RT-4	RT-4 (HRA)
FSR (site area = 490 m ² / 5,272 sq. ft.)	0.60	0.66
Buildable Floor Space (sq. ft.)	3,163	3,482
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)	6902,132	3,090
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		150,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$ 2,132	\$153,090

Other Benefits: (non-quantified components):

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 in the heritage building