



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: December 23, 2016
Contact: Anita Molaro
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RTS No.: 11693
VanRIMS No.: 08-2000-20
Meeting Date: January 26, 2017

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design and Sustainability in
consultation with the Director of Legal Services

SUBJECT: Heritage Designation - 305 West 16th Avenue (Jackson Residence)

RECOMMENDATION

- A. THAT Council add the Jackson Residence (the "heritage building") at 305 West 16th Avenue (PID: 006-116-639; Lot 9, Block F, District Lot 526, Plan 1530 (the "site")) to the Vancouver Heritage Register in the 'C' 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 Recommendations A and B 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 Jackson Residence at 305 West 16th Avenue to the Vancouver Heritage Register in the 'C' evaluation category and to

designate the exterior of the heritage building as protected heritage property. Under the current RT-5 zoning applicable to the subject site, the existing building could be demolished or significantly altered and the site developed with a density of up to 0.75 floor space ratio (FSR) without Council approval. As incentive and compensation to the owner for the heritage designation, rehabilitation, and conservation of the heritage building, a discretionary relaxation of provisions of the *Zoning and Development By-law* to increase the floor area to 0.83 FSR, as set forth in Development Permit Application Number DE 420041 (the "DP Application"), and as described in this report, is proposed. The General Manager of Planning, Urban Design, and Sustainability 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* authorizes Council to establish, by resolution, 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 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 real property being designated as protected heritage property for any reduction in market value caused by the designation. Often this is achieved by way of discretionary relaxations of by-law requirements so as to permit an otherwise impermissible development.

The proposed heritage designation for the exterior of the heritage building requires Council approval at public hearing and by-law enactment pursuant to Sections 593 and 594 of the *Vancouver Charter*.

The following Council policies are relevant for this application:

- *Heritage Policies and Guidelines (April, 1991)*
- *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

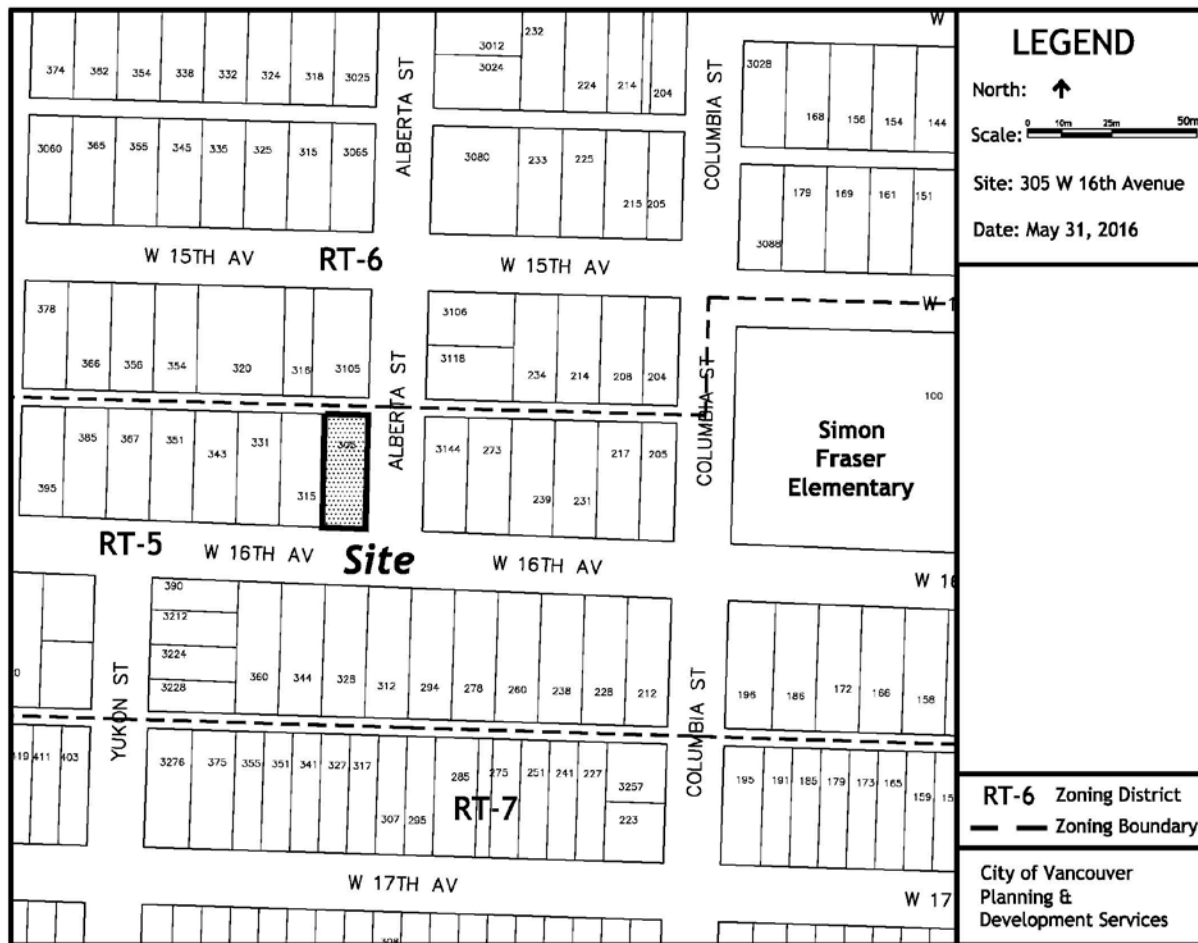
The General Manager of Planning, Urban Design and Sustainability RECOMMENDS approval of the foregoing.

STRATEGIC ANALYSIS

Site and Context

The site is located in the Mount Pleasant neighbourhood in an area zoned RT-5 (see Figure 1). The RT-5 District Schedule of the Zoning and Development By-law permits One- and Two-Family Dwellings, the conversion of existing buildings into suites, and in some cases construction of new apartment buildings, townhouses, and infill development. The total area of the site is 610 square metres (6,568 square feet). A three metre (ten-foot) wide paved lane exists at the rear of the site.

Figure 1: The site and the surrounding zoning



Heritage Value

Constructed in 1918 by James Jackson, as part of a family development business which built over 20 houses in the area from 1909 to the 1920s, the Jackson Residence illustrates the later development of Mount Pleasant after the Edwardian building boom which lasted from 1910 to 1913. As is the case with many houses built during or just after the First World War, the

heritage building's scale is modest compared to the nearby houses built during the preceding economic boom, which is a reflection of the economically lean years right after the First World War (see Appendix A and B).

Although modified with additions, the heritage building retains a significant amount of craftsman details and elements including ornamental eave brackets, wood dentils and soffits, and an assortment of single and multi-paned wood sash windows. The building also features stucco with false half-timbering in the gable ends.

It is proposed to add the heritage building to the Vancouver Heritage Register in the 'C' 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 relaxations of the requirements of the *Zoning and Development By-law*, including a relaxation of the FSR for the site, as set forth in the DP Application and as described below. The application proposes to restore the heritage building, convert it to contain two Dwelling Units, and to construct a new Infill Two-Family Dwelling building at the rear of the site (see Appendix C). Infill use is permitted in the zoning, and the maximum permitted density which may be granted without Council approval is 0.75 FSR (see Table 1). The proposed density is 0.83 FSR which exceeds the permitted density by 10%. In accordance with heritage policies and guidelines adopted by Council, the Director of Planning may approve an increase in density up to 10% beyond that which is permitted in the zoning without Council approval. A Heritage Revitalization Agreement is not required (see Appendix D for a more detailed technical summary).

Table 1: Density Summary

Item	Existing	Permitted or Required	Proposed
FSR	258 m ² (2,780 sq. ft.) 0.42 FSR	458 m ² (4,926 sq. ft.) 0.75 FSR Max.	507 m ² (5,451 sq. ft.) 0.83 FSR 10% over permitted
Number of Dwelling Units	2	4 maximum	4

Staff have considered the potential impact of the proposed development, the results of notification (see the Results of Neighbourhood Notification section), the conservation approach, and the compatibility of the development with the zoning (see the Compatibility with Existing Zoning and Land Use Regulations section), and conclude that the development proposed in the DP Application is supportable. The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application subject to Council approval of the recommendations of this report.

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the RT-5 zoning district schedule is to:

“...encourage the retention of existing residential structures. In the RT-5 and RT-5N 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 infill building meets the design guidelines for the area and responds well to its neighbours in terms of scale, massing, privacy impact, and placement. The proposal is consistent with the intent of the zoning.

Condition of the Heritage Building and Conservation Approach

The heritage building is in good condition, although it has been boarded up for a while. The house was likely stuccoed in the past (other than the gable ends). On site analysis will be used to determine the original cladding, which will then be instituted. The rehabilitation approach is consistent with best practices in conservation methods.

Results of Neighbourhood Notification

A total of eighty-five surrounding properties were notified of the DP Application. Two responses were received, one in support but with a concern regarding potential impact on wildlife on the site with regard to construction work, and one expressing concerns regarding the height of the infill building with respect to shadowing and the location of new windows with respect to privacy impact, and the impact of the development on a nearby cherry tree. The Director of Planning required that the application be revised to address the built form concerns. The drawings in Appendix C reflect the revised scheme. The concerns regarding wildlife have been conveyed to the applicant.

Comments from the Vancouver Heritage Commission

On July 18, 2016, the Vancouver Heritage Commission reviewed the DP Application and unanimously supported it with comments (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 City-wide DCL rate of 34.77/m² (\$3.23/square foot) is applicable to the project. On this basis, a DCL of approximately \$8,600 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. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$200,000.

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

Proforma Evaluation

The *Heritage Proforma Review - Interim Policy* approved in June, 2014, allows an application to be exempt from a proforma review subject to certain conditions, including that any bonus density granted to the site for heritage conservation does not exceed 10% beyond the maximum permitted density in the zoning. The DP Application complies with the policy and therefore a proforma analysis of the project is not required.

Financial Implications

As noted in the section on Public Benefits, the applicant has offered the on-site conservation and rehabilitation of the Jackson Residence valued at \$200,000.

The site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$8,600 in DCLs should the DP Application be approved and the project proceed.

Environmental

The City's *Green Buildings Policy for Rezonings* does not apply to the project as an HRA is not proposed. However, the application will comply with all the environmental provisions embodied in the current Vancouver Building By-law.

Legal

The discretionary relaxations of the *Zoning and Development By-law* proposed will provide an improved development potential on the site. The owner's proposal to rehabilitate and conserve the heritage building's exterior in exchange for obtaining the relaxations needed to get that improved development potential will be appropriately secured as legal obligations in an agreement 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 an agreement, 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, if sought, Council must compensate an owner for any reduction in the market value of property caused by a heritage designation.

The owner has signed the agreement noted above and in doing so has explicitly accepted the discretionary zoning relaxations to be provided, and the resulting development advantages to be gained thereby, as full compensation for the heritage designation of the heritage building's exterior and the obligations to rehabilitate and conserve the heritage building. The agreement will be executed by the City and registered on title to the site before a development permit for the project may be issued.

CONCLUSION

Approval of the recommendations of this report will ensure that the Jackson Residence at 305 West 16th Avenue is rehabilitated, conserved, and protected from demolition and from exterior alterations which might affect its heritage value. The owner has agreed to accept the proposed discretionary zoning relaxations as compensation for the designation of the heritage building's exterior as protected heritage property and for its rehabilitation and conservation. The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application for the project should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of the Jackson Residence at 305 West 16th Avenue to the Vancouver Heritage Register and the proposed heritage designation.

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305 West 16th Avenue
PHOTOGRAPHS

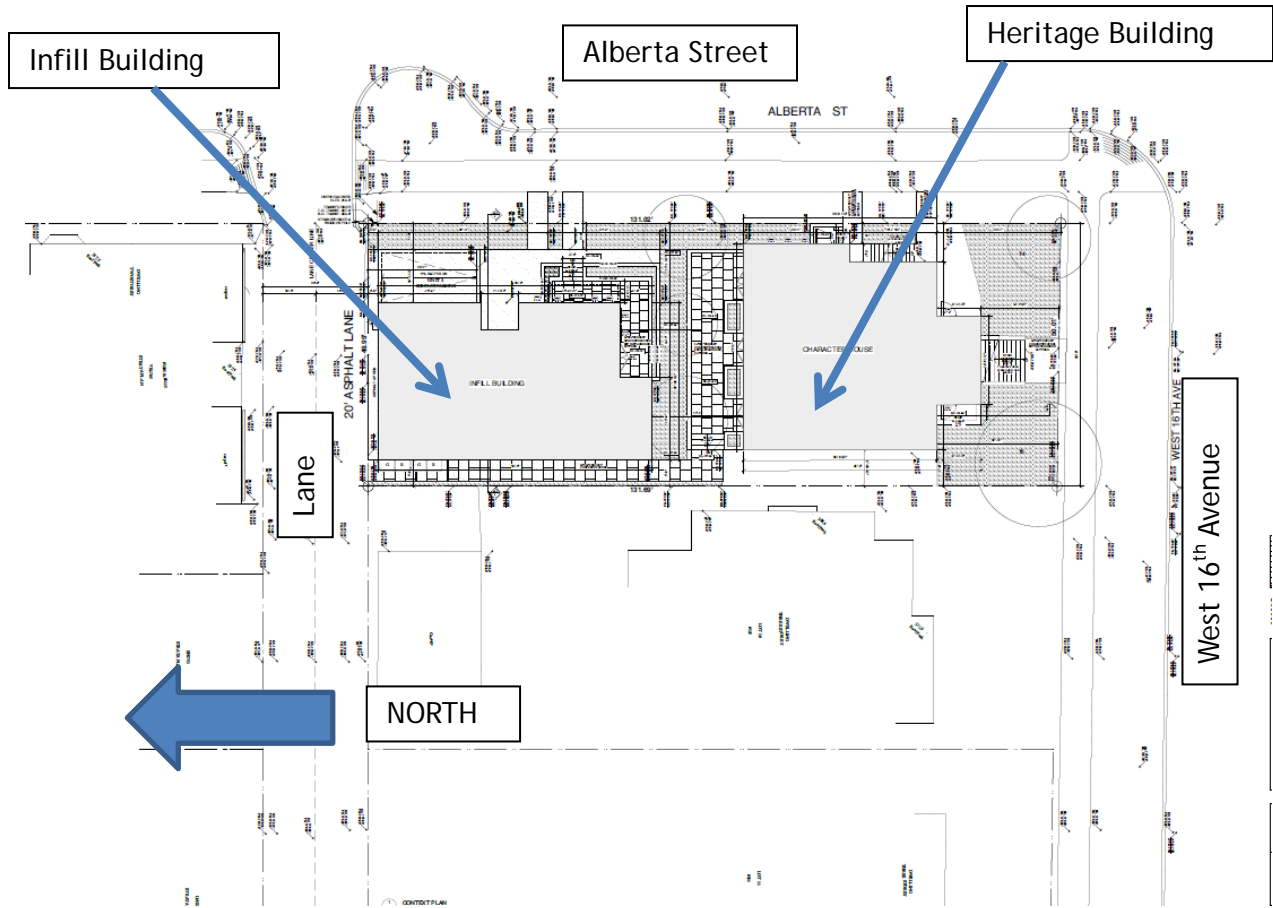


Photos 1 and 2: Front (top) and Rear (bottom) circa 2016

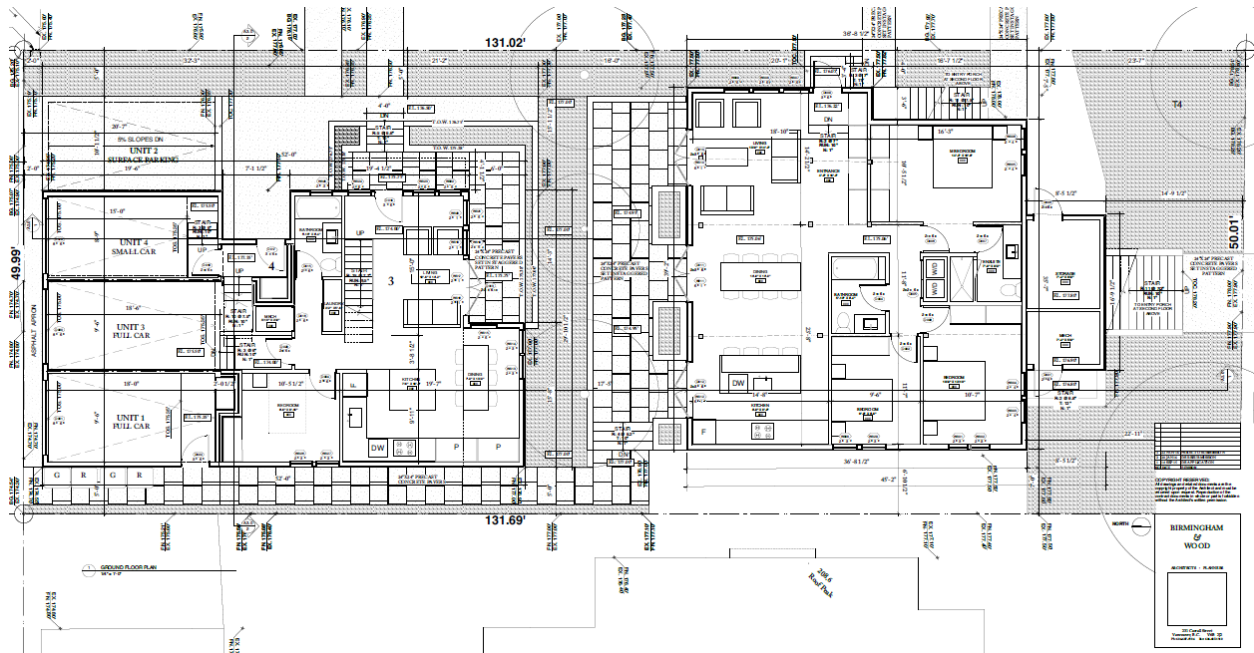


Photos 3 and 4: Gable and Bracket Details

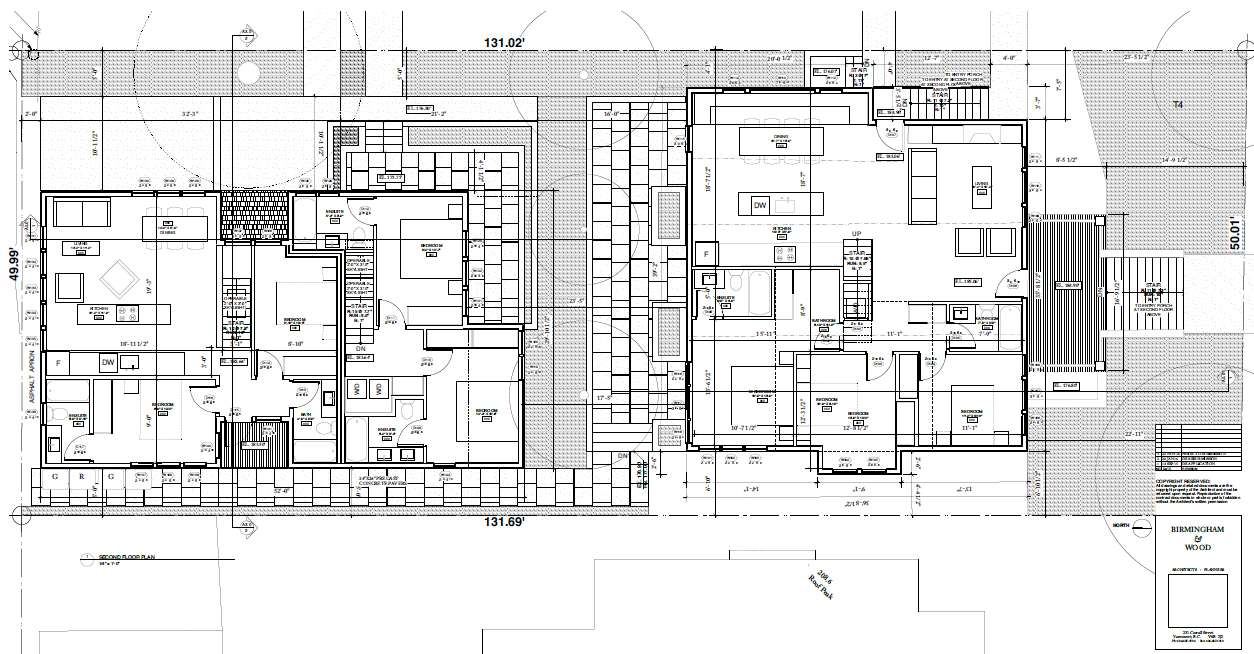
305 West 16th Avenue
DRAWINGS



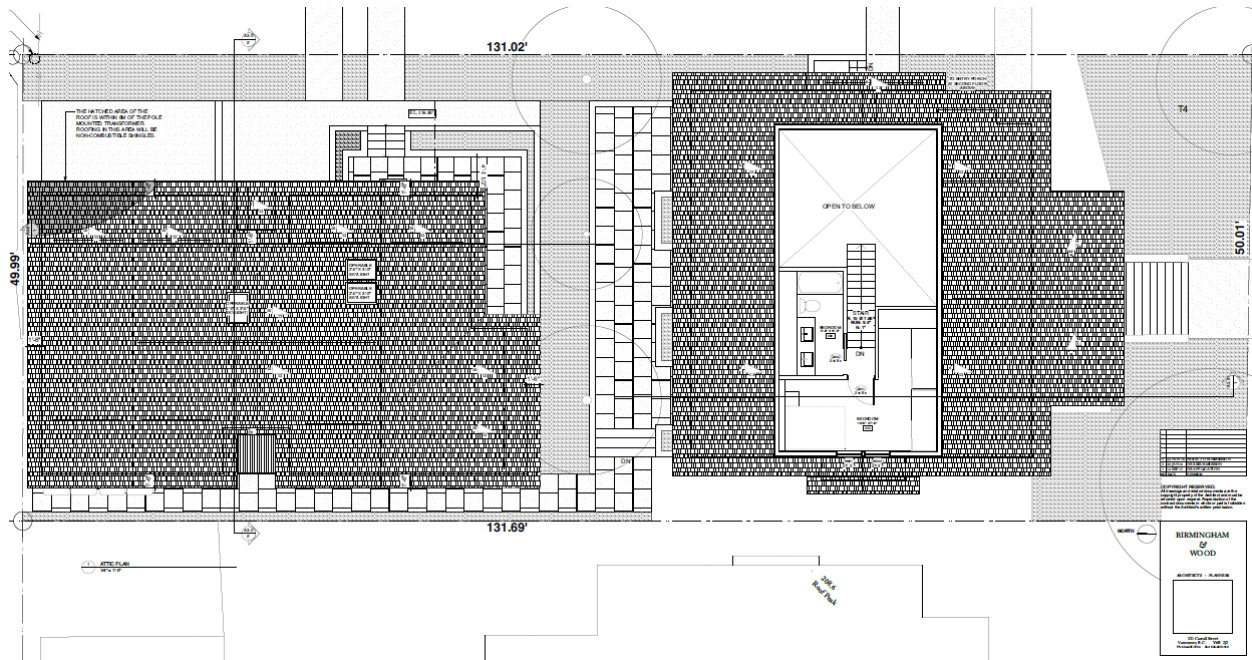
Site Plan



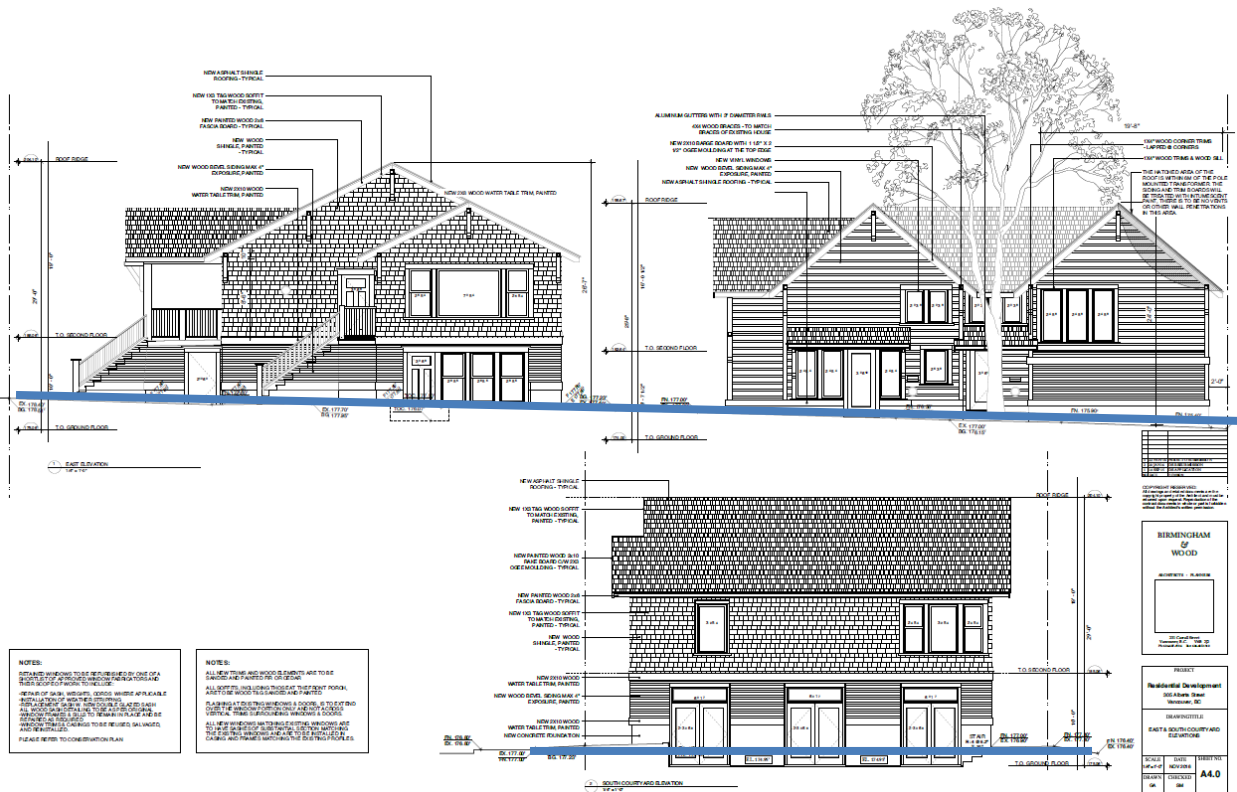
Main Floor Plans



Second Floor Plans



Upper Floor / Roof Plans



Elevations - East (top) and North (bottom)

305 West 16th Avenue
TECHNICAL ZONING AND PARKING SUMMARY

Table A

Item	Existing	Permitted or Required	Proposed
FSR	258 m ² (2,780 sq. ft.) 0.42 FSR	458 m ² (4,926 sq. ft.) 0.75 FSR Max.	507 m ² (5,451 sq. ft.) 0.83 FSR 10% over permitted
Number of Dwelling Units	2	4 maximum	4
Height		10.7 metres (35.1 feet) maximum for a principal building and 7.7 metres (25.2 feet) for an infill building	
Off Street Parking	2	4 minimum	4

305 West 16th Avenue
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On July 18, 2016, the Vancouver Heritage Commission reviewed the proposal for 305 West 16th Avenue and resolved the following:

THAT the Vancouver Heritage Commission supports the application to retain and infill 305 West 16th Avenue - Jackson Residence, noting the following:

- All siding should be wood and the siding on the heritage building should reuse or replicate the original;
- The front door assembly should be redesigned and the front windows re-proportioned to reflect the original design if that becomes evident once the stucco is removed; and
- The infill is an acceptable complementary addition to the site.

CARRIED UNANIMOUSLY

Staff Comments:

The exterior materials, doors, and windows will be addressed as part of the final design development of the application.

Project Summary:

Rehabilitation and conservation of a heritage building and construction of a new infill building.

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	RT-5	RT-5
FSR (Site Area = 610 m ² (6,568 sq. ft.))	0.75	0.83
Buildable Floor Area	458 m ² (4,926 sq. ft.)	507 m ² (5,451 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)	6,900	8,600
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		200,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$6,900	\$208,600

Other Benefits: None

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. As the RT-5 zoning generally requires retention, the value for the 'Current Zoning' column does not include the existing floor area.