



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: October 12, 2017  
Contact: Anita Molaro  
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VanRIMS No.: 08-2000-20  
Meeting Date: November 14, 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: 1775 West 16<sup>th</sup> Avenue (Elson Residence) - 1785 West 16<sup>th</sup> Avenue (Bayne Residence) - 1795 West 16<sup>th</sup> Avenue (Maguire Residence)

**RECOMMENDATION**

- A. THAT Council add the Elson Residence at 1775 West 16<sup>th</sup> Avenue and the Bayne Residence at 1785 West 16<sup>th</sup> Avenue (PID: 030-251-818, Lot A , Block 468, District Lot 526, New Westminster Plan EPP72128 (the "site")) to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT Council add the Maguire Residence at 1795 West 16<sup>th</sup> Avenue (PID: 030-251-818, Lot A, Block 468, District Lot 526, New Westminster Plan EPP72128 (the "site")) to the Vancouver Heritage Register in the 'B' evaluation category.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, by-laws to designate the exterior of the Elson Residence, the Bayne Residence, and the Maguire Residence (the "heritage buildings") as protected heritage properties.
- D. THAT Recommendations A, B, and C 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 heritage buildings at 1775, 1785, and 1795 West 16<sup>th</sup> Avenue to the Vancouver Heritage Register and to designate them as protected heritage properties. Under the current RT-5 zoning applicable to the site, the existing buildings 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 buildings, a discretionary relaxation under the provisions of the *Zoning and Development By-law* to increase the floor area to 0.825 FSR overall for the site, as set forth in Development Permit Application Number DP-2016-00231 (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 of the exteriors of the heritage buildings 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**

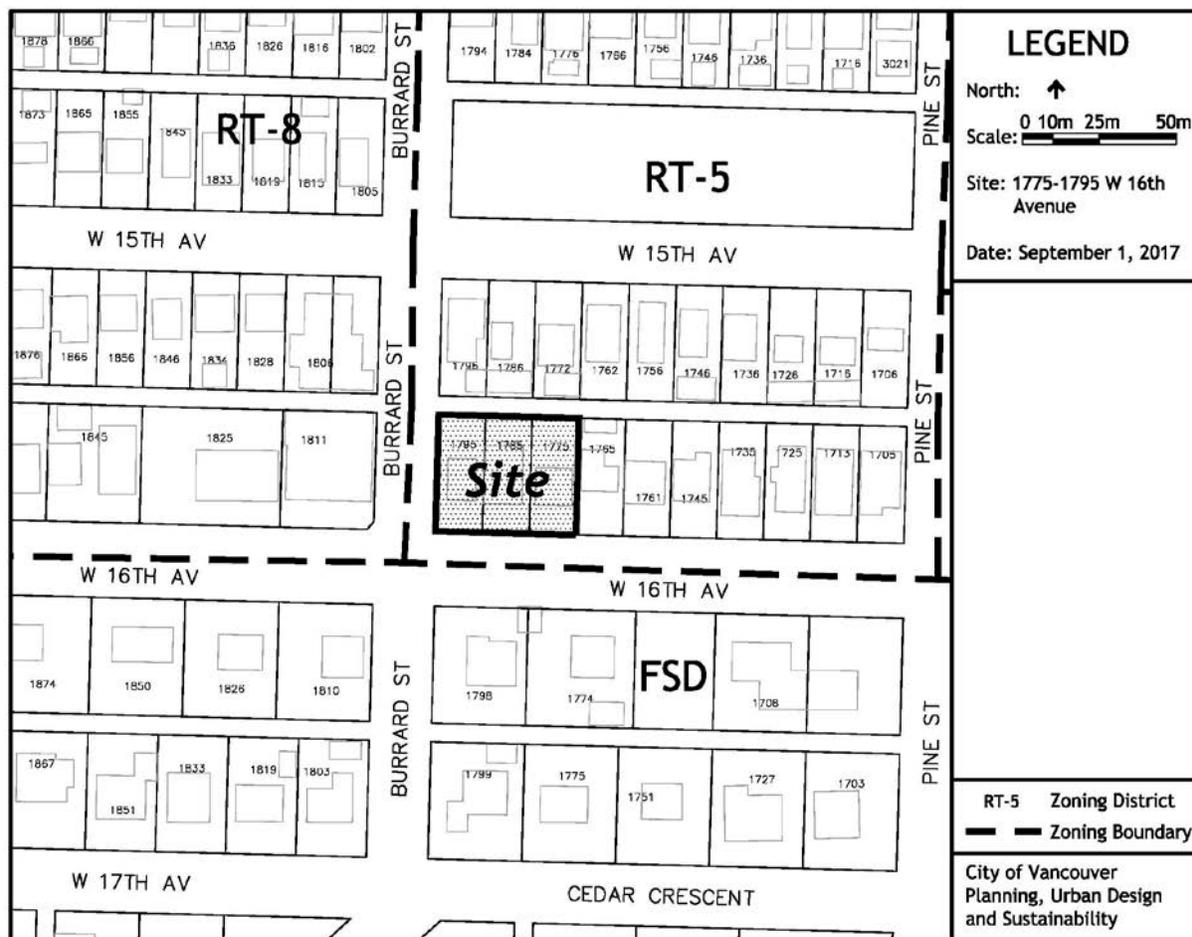
The General Manager of Planning, Urban Design, and Sustainability RECOMMENDS approval of A, B, C, and D.

## STRATEGIC ANALYSIS

### Site and Context

The site is located in the Fairview 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 1,743 square metres (18, 756 square feet). Originally comprised of three separate parcels, the site has been consolidated as part of the DP Application process. A six metre (20-foot) wide paved lane exists at the rear of the site.

Figure 1: The site and the surrounding zoning



### Heritage Value

The Elson Residence at 1775 West 16<sup>th</sup> Avenue was constructed in 1919 at the end of the First World War and features a number of surviving craftsman influenced details expressed in a symmetrical, Georgian Revival design. Details include wood window assemblies on the first storey, a paneled front door assembly with divided lights, as well as wood trims and large hipped roof eaves, and an unusual shingle detail (see Appendix A). The porch was filled in and the building converted into six suites in 1953.

The Bayne Residence at 1785 West 16<sup>th</sup> Avenue was also built in 1919 in California Bungalow style. Features include a deep, full-width front porch with four tapered columns, large eave overhangs, stucco cladding with half-timbering, and an unusual side-gabled porte-cochere (this feature was at first thought to have been a later addition but appears to be original, as shown in Appendix B). Other elements include exposed rafters, tongue and groove soffits and eaves, decorative fascia ends, wood window and door trims, a front door with triple lights, and a period brass mail slot, along with other period hardware. The building was raised in the 1970s and converted to a rest home.

Unlike the other two heritage buildings which were constructed during a period of economic austerity, and are more restrained in terms of materials and details as a consequence, the Maguire Residence at 1795 West 16<sup>th</sup> Avenue was built in 1913 at the end of the Edwardian building boom which lasted from approximately 1910 to 1913. It has more robust features including a wide front porch with tapered columns and concrete capped foundation walls and piers. The main roof features exposed rafters, scroll cut fascia boards, and heavy brackets. The building also has several bays and original window assemblies on the main floor facing Burrard Street, as well as a large brick chimney. Only two families have lived in the Maguire Residence since it was built, which has assisted in its conservation. It was also one of the first houses built in the Fairview neighbourhood immediately to the north of the Shaughnessy neighbourhood.

All three houses represent the type of housing which appealed to middleclass and upper-middle class immigrants who sought to live in or near the Shaughnessy area.

It is proposed to add the Maguire Residence to the Vancouver Heritage Register in the 'B' evaluation category, and the Elson and Bayne Residences to the Vancouver Heritage Register in the 'C' evaluation category.

### *Development Application and Proposed Incentives*

The zoning applicable to the site is RT-5. The DP Application proposes the following (see Appendix C for drawings):

At 1775 West 16<sup>th</sup> Avenue, the Elson Residence is to be rehabilitated, added to, and converted from the existing six Dwelling Units into a four Dwelling Unit Multiple Conversion Dwelling (MCD). Behind the Elson Residence a two-storey Infill One-Family Dwelling with an attached two-car garage is proposed, along with a surface parking space.

At 1785 West 16<sup>th</sup> Avenue, the Bayne Residence it to be relocated forward on the site, rehabilitated, added to, and converted from the existing three Dwelling Units into a two Dwelling Unit MCD. Behind the Bayne Residence a two-storey Infill One-Family Dwelling with an attached two-car garage is proposed, along with two surface parking spaces.

At 1795 West 16<sup>th</sup> Avenue, the Maguire Residence is to be rehabilitated, added to, and converted from a One-Family Dwelling into a four Dwelling Unit MCD. Behind the Maguire residence a detached three-car garage is proposed.

In exchange for the designations of the heritage buildings' exteriors, a 10% increase in permitted density is proposed overall for the site (0.825 FSR). In accordance with the *Heritage Policies and Guidelines*, 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 (HRA) is not required. A density summary is provided below (see Appendix D for a more detailed technical summary).

**Table 1: Density Summary** **Site Area: 1,743m<sup>2</sup> (18, 756 sq. ft.)**

Item	Existing (total)	Permitted or Required	Proposed (total)
FSR	994 m <sup>2</sup> (10,691 sq. ft.) 0.57 FSR	1,307 m <sup>2</sup> (14,067 sq. ft.) 0.75 FSR maximum	1,438 m <sup>2</sup> (15,474 sq. ft.) 0.825 FSR 10% over permitted
Number of Dwelling Units	10	12 maximum	12

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 and community planning objectives in the area (see the Compatibility with Existing Zoning and Land Use Regulations and Community Plans 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 and Community Plans***

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 buildings contributes to the historic architectural character of the area and the new infill buildings meet the design guidelines for the area and respond well to their neighbours in terms of scale, massing, privacy impact, and placement. The proposal is consistent with the intent of the zoning. Planning initiatives in Fairview neighbourhood resulted in zoning changes which allow for a variety of housing types and encourage retention of character and heritage buildings. The DP Application is consistent with community planning objectives for the area.

***Condition of the Heritage Building and Conservation Approach***

The three heritage buildings are in good condition. Original window openings will be replicated and new windows installed which match the original profiles where this can be determined. Leaded glass panes will be re-used. The original proposal indicated raising the Maguire Residence at 1795 West 16<sup>th</sup> Avenue but this was not supported and the application will be revised to indicate underpinning instead so the stone porch can be retained. The rehabilitation approach is consistent with best practices in conservation methods.

### ***Results of Neighbourhood Notification***

A total of 599 surrounding properties were notified of the DP Application and a site sign was installed. No responses were received.

### ***Comments from the Vancouver Heritage Commission***

On January 16, 2017, 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 39.07/m<sup>2</sup> (\$3.63/square foot) is applicable to the project. On this basis, a DCL of approximately \$17,362 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 buildings and to accept the designation of their exteriors as protected heritage property, which are highly valued community features. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$600,000 in total for all three heritage buildings.

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 all three heritage buildings valued at \$600,000.

The site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$17,362 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 buildings' exteriors 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 buildings' exteriors and the obligations to rehabilitate and conserve the heritage buildings. 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 Elson Residence at 1775 West 16<sup>th</sup> Avenue, the Bayne Residence at 1785 West 16<sup>th</sup> Avenue, and the Maguire Residence at 1795 West 16<sup>th</sup> Avenue, are conserved, and protected from demolition and from exterior alterations which might affect their heritage character and value. The owner has agreed to accept the proposed discretionary zoning relaxations as compensation for the designation of the heritage buildings' exteriors as protected heritage property and for the rehabilitation and conservation of the heritage buildings. 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 recommendations of this report, including the addition of the heritage buildings to the Vancouver Heritage Register and the designation of their exteriors as protected heritage property.

\* \* \* \* \*

1775 - 1795 West 16<sup>th</sup> Avenue  
PHOTOGRAPHS



Photo 1: 1775 West 16<sup>th</sup> Avenue (Elson Residence) Looking North circa 2016

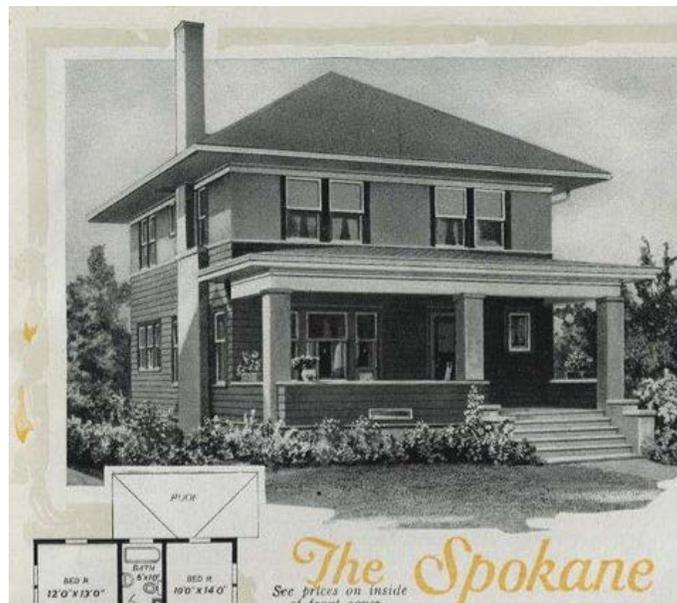


Photo 2: 1920 Ad for Stock Plan of 'The Spokane'

Many houses during the early part of the 20<sup>th</sup> Century were built from stock plans. 'The Spokane' design shown above is very similar to the Elson Residence at 1775 West 16<sup>th</sup> Avenue. Note the unusual extension of the shingle siding up to the upper floor window sills in both photographs. The Elson Residence's porch has been filled, and the bay appears to be a replication, but the configurations of these elements are original (see Appendix B).



Photo 3: 1785 West 16<sup>th</sup> Avenue (Bayne Residence) Looking North-East circa 2016



Photos 4 and 5: Details of the Bayne Residence

Note the unusual porte-cochere visible in Photos 3 and 5. At first it was thought that the assembly was a later addition but it is now thought to be an original feature, perhaps added by the owner at the time of construction or shortly thereafter(see Appendix B). A driveway once extended from the front through the porte-cochere to the rear of the property.



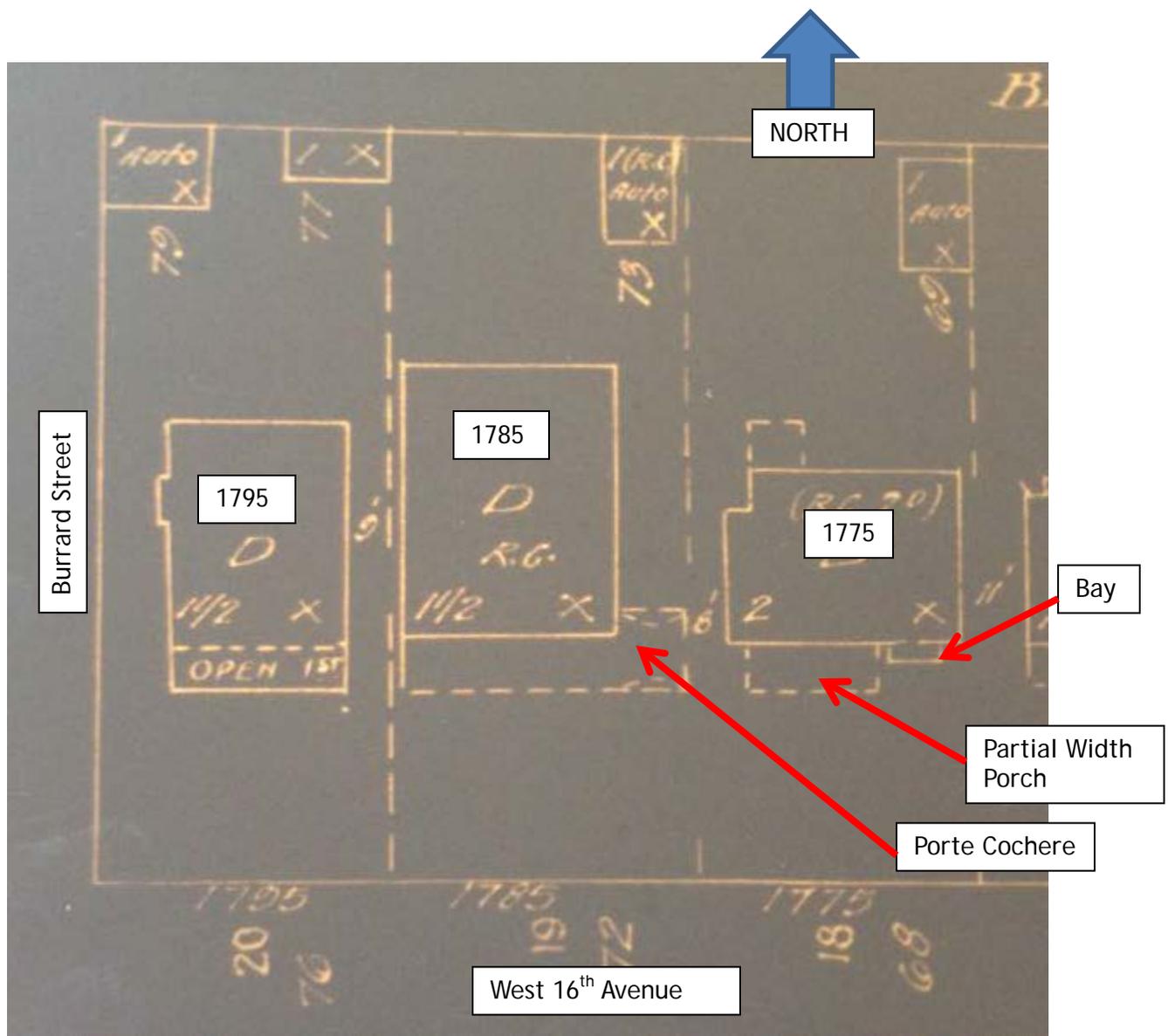
Photo 6: 1795 West 16<sup>th</sup> Avenue (Maguire Residence) Looking North circa 2016



Photo 7: The Maguire Residence at 1795 West 16<sup>th</sup> Avenue Looking East (circa 2016)

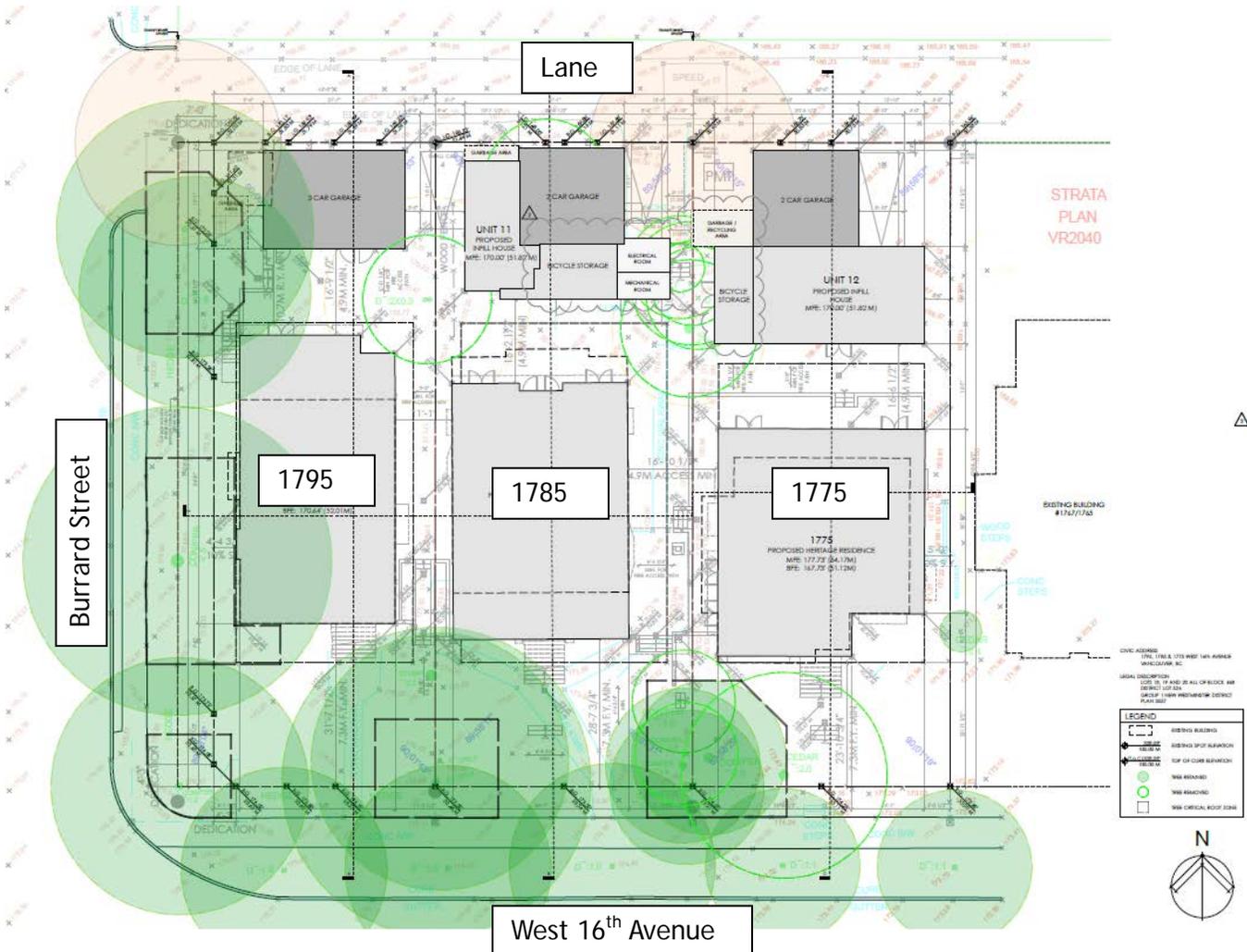
The large tree visible in the photographs is to be retained.

1775 - 1795 West 16<sup>th</sup> Avenue  
MAP

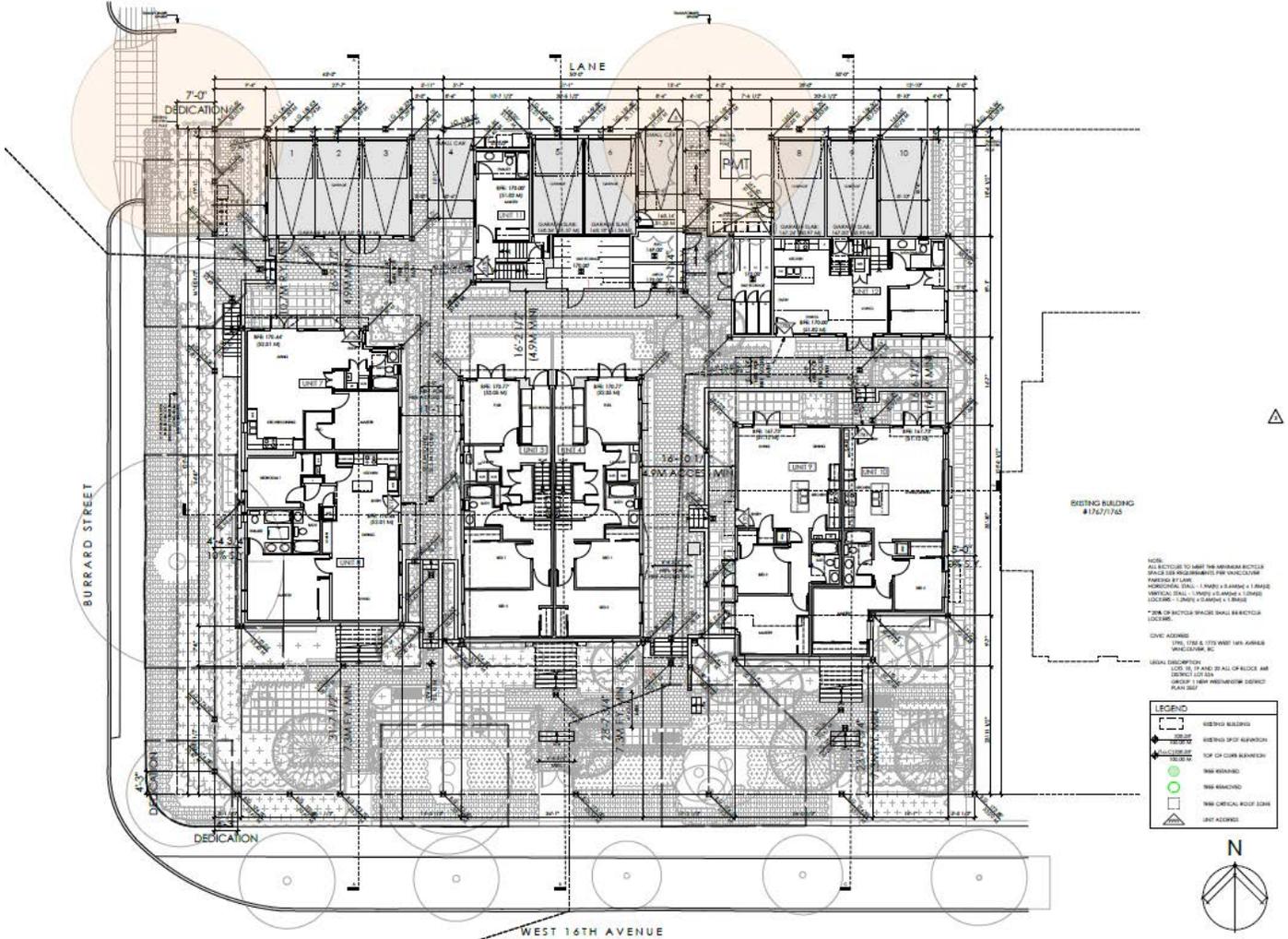


Fire Insurance Map (circa 1927)

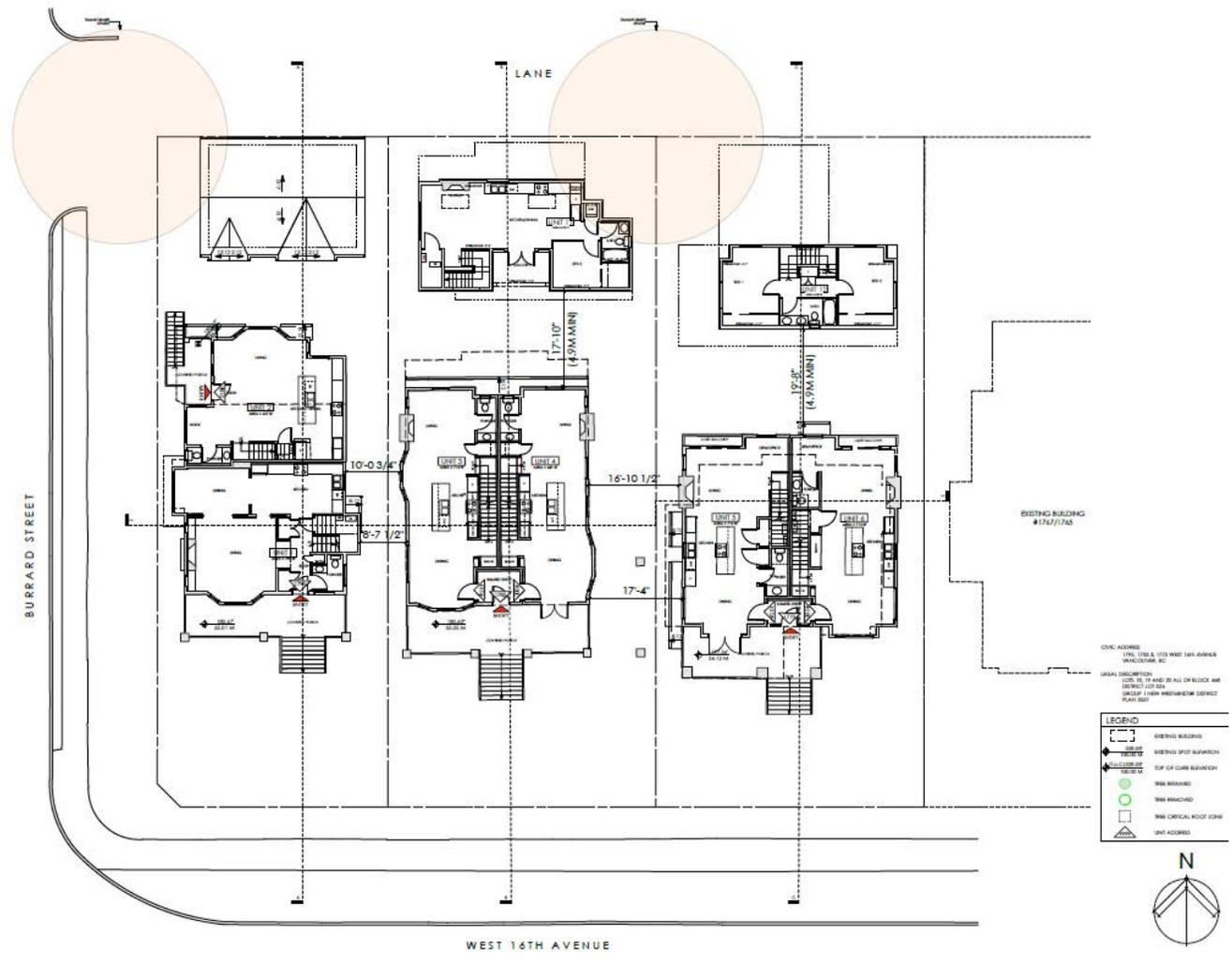
1775 - 1795 West 16<sup>th</sup> Avenue  
DRAWINGS



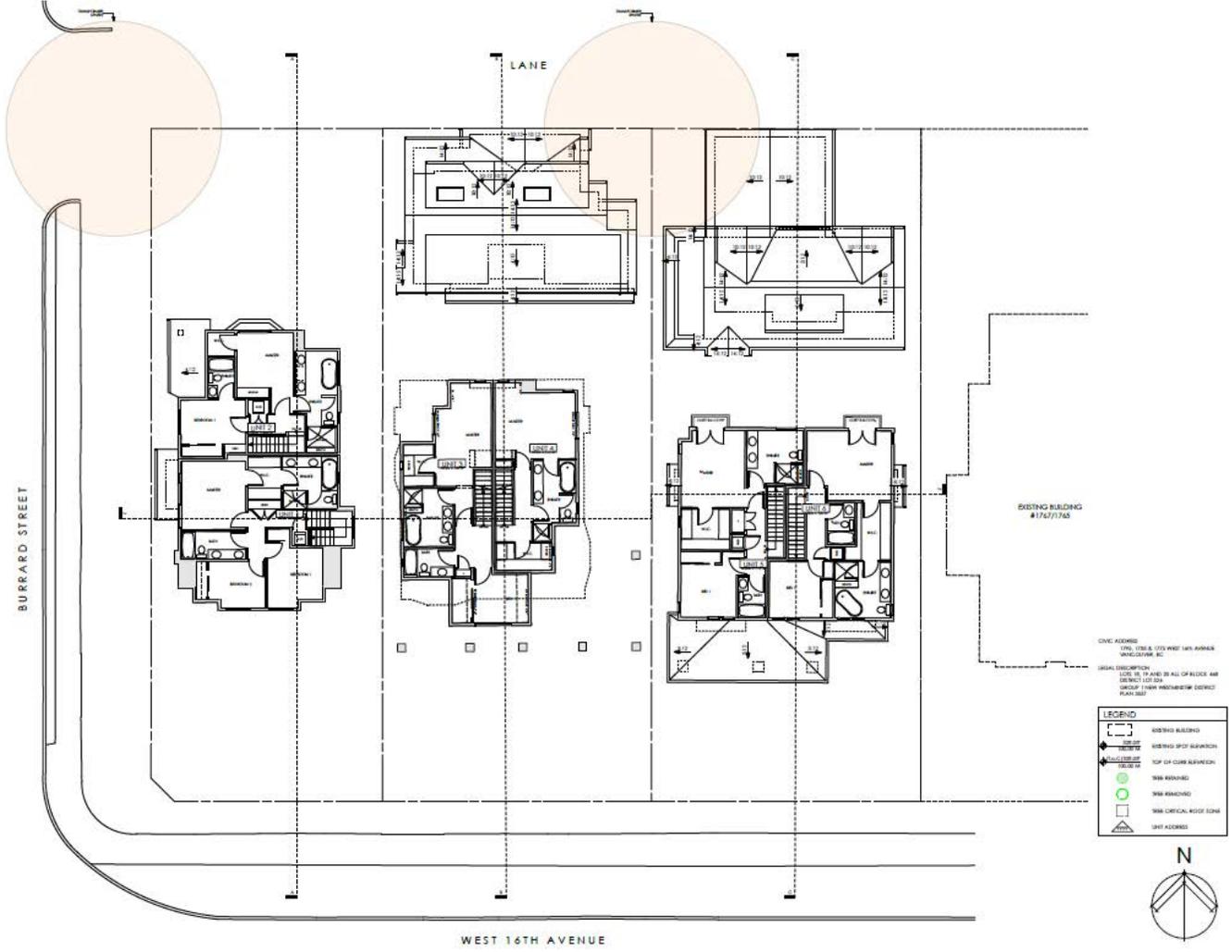
Site Plan



**Ground Floor Plans**



Main Floor Plans



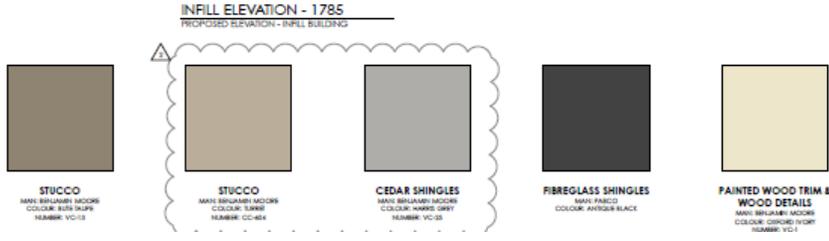
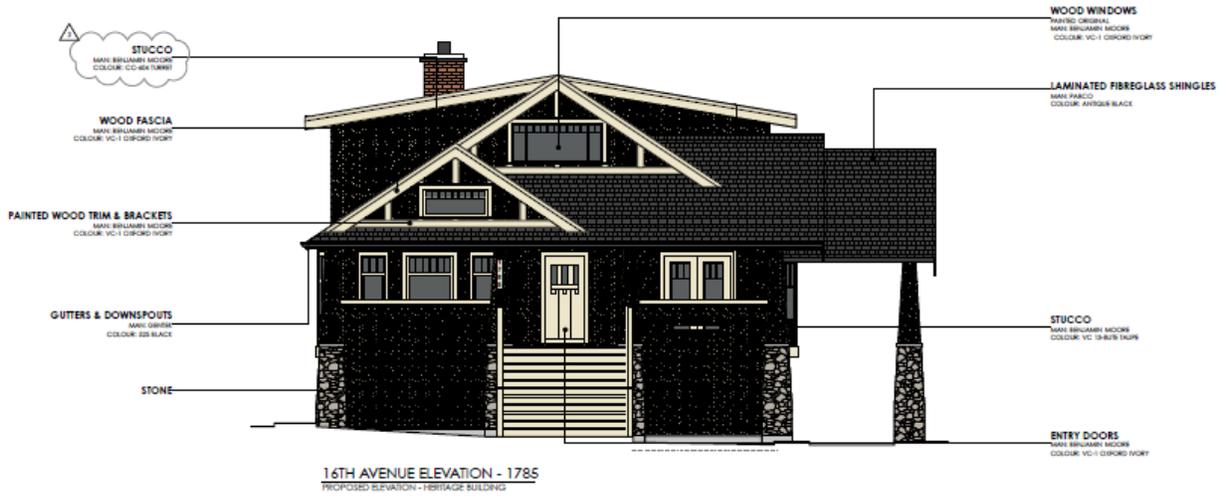
Upper Floor Plans



South Elevations (Proposed and Existing)



**Front Elevation of 1775 West 16<sup>th</sup> Avenue and Infill Building (Proposed)**



Front Elevation of 1785 West 16<sup>th</sup> Avenue and Infill Building (Proposed)



1795 West 16<sup>th</sup> Avenue - Front Elevation and Garage (Proposed)



PROPOSED STREETScape - BURRARD STREET



EXISTING STREETScape - BURRARD STREET

West Elevation of 1795 West 16<sup>th</sup> Avenue (Proposed and Existing)



PROPOSED STREETScape - REAR LANE



EXISTING STREETScape - REAR LANE

North (Lane) Elevations (Proposed and Existing)

1775 - 1795 West 16<sup>th</sup> Avenue  
TECHNICAL SUMMARY

Table A: Technical Summary (Total)

Item	Existing (total)	Permitted or Required	Proposed (total)
Front Yard	7.6 metres (24.9 feet) 1775 W 16 <sup>th</sup> Av	7.3 metres (24 feet) Minimum	7.3 metres (24 feet)
Rear Yard	12.5 metres (41.0 feet) 1785 W 16 <sup>th</sup> Av	10.7 metres (35.1 feet) Minimum	11.4 metres (37.5 feet)
Height	9.8 metres (32.2 feet) 1795 W 16 <sup>th</sup> Av	10.7 metres (35.1 feet) Maximum	9.8 metres (32.2 feet)
FSR	994 m <sup>2</sup> (10,691 sq. ft.) 0.57 FSR	1,307 m <sup>2</sup> (14,067 sq. ft.) 0.75 FSR Maximum	1,438 m <sup>2</sup> (15,474 sq. ft.) 0.825 FSR 10% over permitted
Number of Dwelling Units	10	12 Maximum	12
Off-Street Parking	10	12 Minimum	10

1775 - 1795 West 16<sup>th</sup> Avenue  
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On January 16, 2017, the Vancouver Heritage Commission reviewed the DP Application and unanimously supported with the following resolution:

THAT the Vancouver Heritage Commission nominates the building at 1795 West 16<sup>th</sup> Avenue to be added to the Heritage Register as a "B" listing and the buildings at 1775 and 1785 West 16<sup>th</sup> Avenue to be added to the Heritage Register as "C" listings;

FURTHER THAT the Commission supports the application to designate the buildings at 1775, 1785 and 1795 West 16<sup>th</sup> Avenue, noting that a Heritage Conservation Plan has not been provided and that the Commission asks the applicant to consider providing a plan in support of the designation;

FURTHER THAT the Commission supports the application for the restoration of the three heritage homes located at 1775, 1785 and 1795 West 16<sup>th</sup> Avenue, as presented at its meeting on January 16, 2017, noting that the Commission requests that further design consideration be given to the modification to be made to the stone base around the porch of 1795 West 16<sup>th</sup> Avenue, including consideration to the use of underpinning to maintain the height of the stone base;

FURTHER THAT the Commission asks that the applicant give further design consideration to the roof line of 1785 West 16<sup>th</sup> Avenue and that, further consideration be given to preserving the home's side "step" entrance to the porte-cochere that is noted as a character defining element;

FURTHER THAT the Commission requests that further design consideration be given to maintaining the character defining bay elements of 1775 West 16<sup>th</sup> Avenue; and

FURTHER THAT the Commission supports the application to add two infill houses to the rear of the properties at 1775 and 1785 West 16<sup>th</sup> Avenue.

**Staff Comments:**

Complete Conservation Plans will be completed and submitted by the applicant. The stone base of the porch for 1795 West 16<sup>th</sup> Avenue is to be retained (the drawings are to be revised to show that the Maguire Residence is not to be raised i.e. the basement slab can be lowered but the building is not to be raised so as to preserve the porch in-situ). The porte-cochere at 1785 West 16<sup>th</sup> Avenue will be retained. The bay will be retained at 1775 West 16<sup>th</sup> Avenue in the location noted (the building always had a bay at that location, although the current bay appears to be a newer reconstruction).

1775 - 1795 West 16<sup>th</sup> Avenue  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Rehabilitation and conservation of three heritage buildings and construction of two new infill buildings.

**Public Benefit Summary:**

The project would result in the conservation and long-term protection of three heritage resources.

	Current Zoning	Proposed
Zoning District	RT-5	RT-5
FSR (Site Area = 1,743m <sup>2</sup> (18, 756 sq. ft.))	0.75	0.825
Buildable Floor Area	1,307 m <sup>2</sup> (14,067 sq. ft.)	1,438 m <sup>2</sup> (15,474 sq. ft.)
Land Use	Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built as Proposed (\$)
Required*	DCL (City-wide) (See Note 1)	12,250	17,362
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		600,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$12,250</b>	<b>\$617,362</b>

**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 values above do not include the existing floor area.