



CITY OF VANCOUVER

ADMINISTRATIVE REPORT

Report Date: June 12, 2006
Author: Hugh McLean
Phone No.: 604.873.7056
RTS No.: 5203
CC File No.: 11-2800-20
Meeting Date: July 13, 2006

TO: Standing Committee on Planning and Environment

FROM: Director of Current Planning, in consultation with the Subdivision Approving Officer

SUBJECT: Heritage Revitalization Agreement - 5825 Carnarvon Street

RECOMMENDATION

- A. THAT Council authorize the City to enter into a Heritage Revitalization Agreement for the site at 5825 Carnarvon Street to:
- secure the long-term protection and on-going maintenance of the house listed on the Vancouver Heritage Register as the Simpson House;
 - vary the RS-5 District Schedule of the Zoning & Development By-law for the proposed north parcel for rear yard and building depth, and existing non-conforming front and west side yards;
 - vary the RS-5 District Schedule of the Zoning & Development By-law for the proposed south parcel for front yard setback, rear yard depth, site coverage and impermeable coverage; and
 - require that the relevant context for the design of the future house on the proposed south lot use be the neighbouring Simpson House as part of the application of RS-5 Design Guidelines, as described in detail in this report.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to authorize the Heritage Revitalization Agreement.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of Recommendations A and B.

COUNCIL POLICY

Heritage Policies and Guidelines include the objective of protecting as many resources on the Vancouver Heritage Register as possible.

PURPOSE

This report seeks Council approval to enter into a Heritage Revitalization Agreement (HRA) with the owners to secure the conservation and protection of the house at 5825 Carnarvon Street, known as the Simpson House.

DISCUSSION

The site is located in Kerrisdale and zoned RS-5 (Site Map, Appendix A). The owner has submitted a subdivision application to create two parcels, one to accommodate the heritage house and the other to construct a single-family dwelling at a future date. The proposed form of development will create non-conformities on proposed south parcel, to be addressed by way of an HRA in exchange for heritage protection.

Heritage Value: The Simpson House at 5825 Carnarvon Street, on the Vancouver Heritage Register as a C-listing, was built in 1919. It is a good example of the Four Square variation of Craftsman houses common prior to 1925 (Photographs, Appendix B). It has a centrally placed gable in the upper floor, a full-width porch supported by stone columns and wood piers, and a rustic chimney with rough brickwork. Minor changes to the house do not detract from the heritage character, including replacement of some windows and enclosure of the rear porch.

Revitalization Program: As part of a recently issued development-building permit, minor rehabilitation will be completed on the north side of the house. This includes replacing a historically inappropriate window arrangement on the upper portion with a wood window to match the others on the house, removal of a glass skylight and addition of a piano window. The house has been recently painted in a historically appropriate colour scheme; the approved rehabilitation work will be completed prior to approval of subdivision.

Subdivision: The site has potential for subdivision that would create two parcels, each 37 feet in width, fronting West 42nd Avenue, but necessitating demolition of the Simpson House. In order to retain this house in its current location with its historic orientation to Carnarvon Street, the proposal is to subdivide to create a north parcel fronting West 42nd Avenue and a south parcel fronting Carnarvon Street (Appendix C, Site Plan and Proposed Subdivision).

Approval of the proposed subdivision, with a "rear yard" parcel to permit a dwelling in a zone that does not permit this form of development, is within the discretionary authority of the Approving Officer but would not normally be supported because:

- the orientation of the proposed south parcel, fronting Carnarvon Street, is inconsistent with the pattern of subdivision in the vicinity;
- the proposed parcels are both less than 27.4 metres (90 ft.) in depth;
- the proposed subdivision would create a southerly parcel abutting the rear yard of the adjacent westerly lot, potentially impacting the amenities of this neighbour; and
- the proposed northerly parcel lacks secondary access via a lane.

Furthermore, this subdivision could not be approved with retention of the existing dwelling unless certain variances are approved through the HRA, because the Approving Officer cannot approve a subdivision that creates a non-conformity with respect to by-law regulations. Specifically, the rear yard and building depth regulations must be varied. Given the public objective of retaining heritage resources, the Approving Officer supports the proposed subdivision provided Council first approves an HRA that eliminates the non-conformities pertaining to the Zoning and Development By-law that would otherwise be created by the subdivision.

A 10-foot wide lane dedication will be required for the proposed south parcel, to serve as driveway access to the garage at the rear. Since all the lots on this block have either off-street parking accessed from the adjacent streets or no off-street parking, no lane opening is necessary at this time. The sections of lane dedicated, and the proposed dedication, are illustrated on Appendix D.

Compatibility with Community Planning Objectives: The intent of the RS-5 District Schedule is to encourage the retention and renovation of existing buildings, with emphasis on design compatibility with the established streetscape. By rehabilitating the heritage house the proposal meets the intent of the zoning.

The RS-5 Design Guidelines normally require that design of new houses be compatible with the streetscape, commonly houses on either side and in some cases those across the street. In this case, though, due to the strong relationship of the proposed south parcel to the heritage house and the modern style of several neighbouring houses, the design elements of a new dwelling on the south parcel will draw from those of the heritage house. The HRA will include this principle and a note will be placed on the address file to ensure that the new development reflects this objective.

Economic Viability: To make the subdivision possible and to address minor non-conformities, both existing and proposed, the owner is prepared to enter into a HRA. It has been agreed that the minor variances to the zoning and the ability to achieve a non-conventional subdivision represent fair and complete compensation in exchange for the legal protection of the property. The owner has waived rights to further compensation.

Zoning Variances: For the proposed north parcel the HRA proposes to vary the RS-5 District Schedule for rear yard and building depth, the result of an open deck attached to the south side of the house. When measured to include the deck, rear yard depth is proposed to be varied to 5.1 metres (10.7 metres required) and building depth is proposed to be varied to 66.3% (40% permitted). Without the deck, the heritage house complies with both rear yard and building depth. The HRA will also vary the District Schedule for front yard setback and west side yard on the north parcel, which are existing non-conforming and will not change as a result of this project. The existing front yard is 2.95 metres (7.28 meters required) and the existing west side yard is 1.3 metres (3.4 metres required).

For the proposed south parcel, the HRA proposes to vary the RS-5 District Schedule for front yard setback to 3.2 metres (4.96 metres required), rear yard to 10.4 metres (10.7 metres required), site coverage to 47% (40% maximum) and impermeable coverage to 70% (60% maximum).

The number of units, density (FSR) and height will not exceed what is permitted under the Zoning & Development By-law. The heritage house is not proposed to be enlarged, and more of the mature landscaping will be retained under the proposed option than would be under a standard subdivision that would see the demolition of the heritage house.

Notification: As part of the review process, 87 property owners were notified. There were four responses received, all opposed to the possibility of a future opening of the lane.

The response to each of these owners was that although lane dedication is proposed as part of this subdivision, it would also be required by the Approving Officer as part of a subdivision of the site into two lots fronting West 42nd Avenue: vehicular access would be required at the south end of each of the new properties. It was noted that the proposed lane dedication for this site will not result in a lane opening at this time; there are significant sections of this block where lane dedication has not occurred which prevent the opening of a lane. In addition, there are no other properties in this block that presently require any lane access.

One objection expressed additional concern for the removal of mature trees and plantings. Upon further communication with this respondent that reviewed the conventional subdivision, this person's concerns over lane opening and tree removal were satisfied.

As part of the process specified by the *Vancouver Charter*, the Director of Legal Services has prepared the necessary legal agreement and the notification requirements have been fulfilled.

Comments of the Vancouver Heritage Commission: On June 6, 2005 the Heritage Commission reviewed this proposal and zoning variances. It supports the proposed subdivision to retain and restore the house, in addition to the requested variances. The Commission requested that consideration be given to saving as much of the mature planting along the new property line. This request will be addressed by placing a note on the City's addressing system for this future lot, to be a condition of future approval of a new dwelling. The Commission also expressed its support for the site-specific application of RS-5 design guidelines.

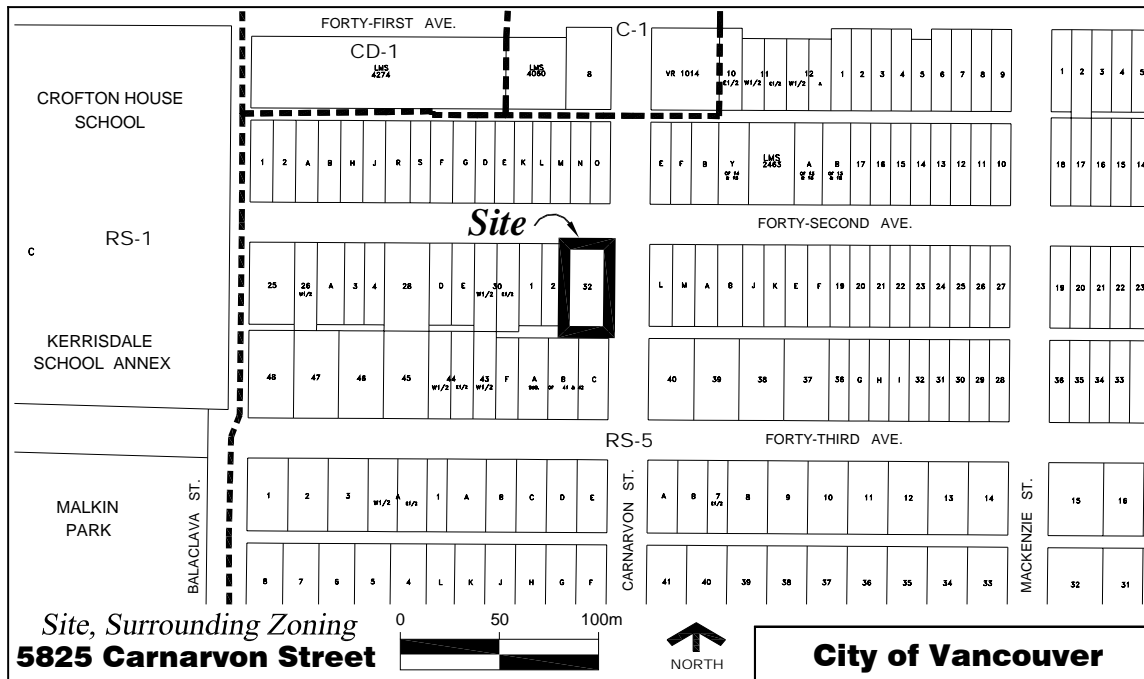
FINANCIAL IMPLICATIONS

There are no financial implications.

CONCLUSION

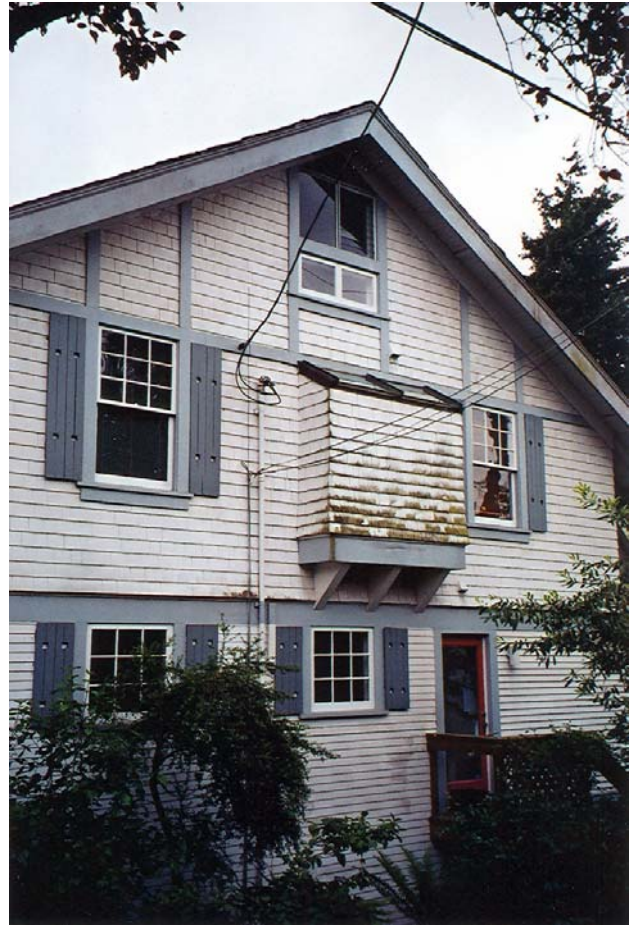
The Simpson House at 5825 Carnarvon Street is a good example of the early Craftsman housing in Kerrisdale. The proposal to protect the property by way of a Heritage Revitalization Agreement (HRA) reflects the intent of the Zoning and Development By-law and Council's heritage policies. The variances to zoning are considered full and fair compensation by the owners in exchange for the requirement to rehabilitate and protect the house. The HRA will also provide rationale to support the Approving Officer in exercising discretion to permit a subdivision that would not normally be approved. Therefore, staff recommend that Council support the requisite HRA for the Simpson House at 5825 Carnarvon Street.

* * * * *





Partial view of south side and front porch



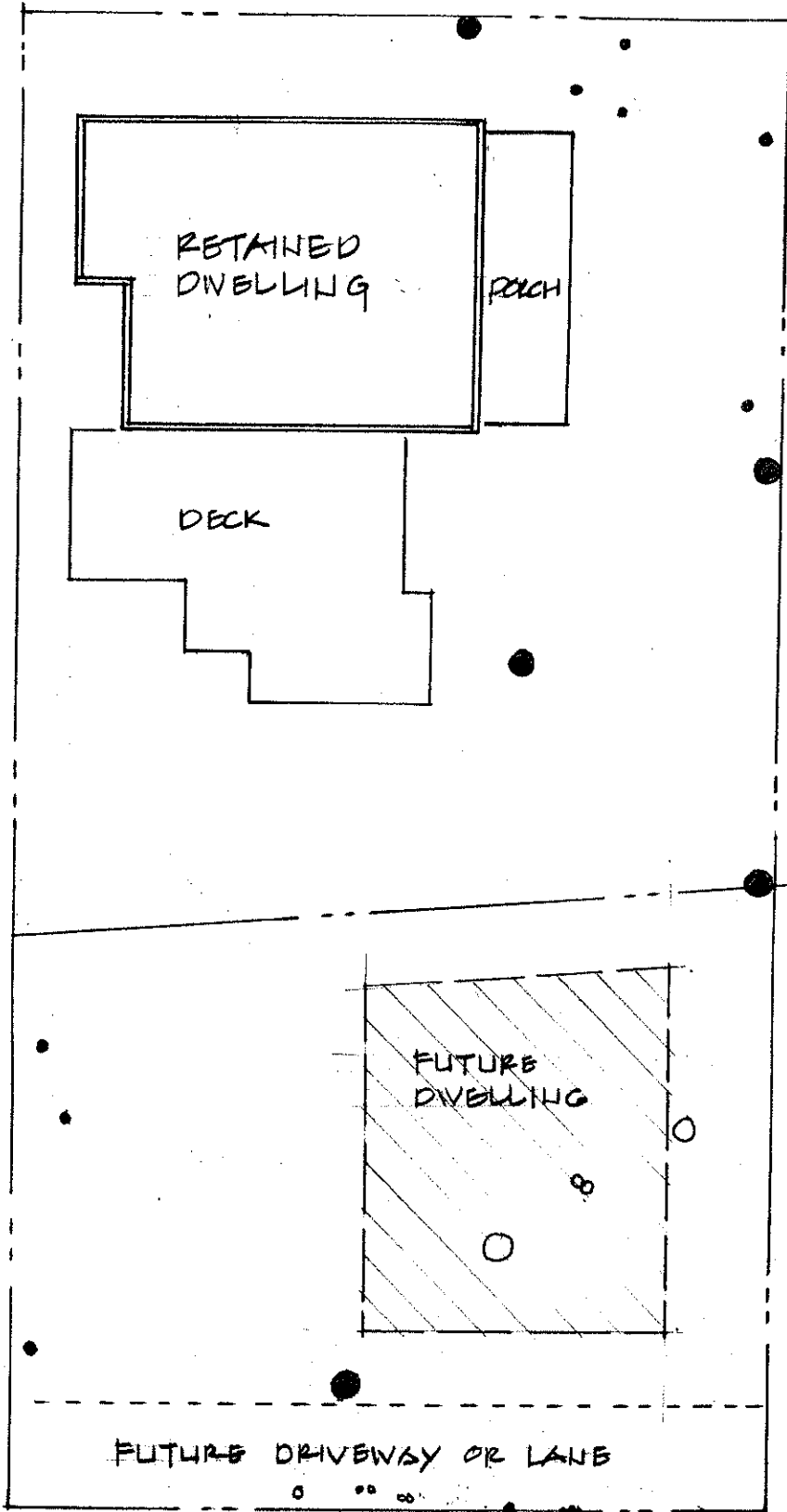
North side of house: historically accurate windows are proposed to replace the attic window and the skylights on top of the box bay.

5825 CARNARVON SUB-DIVISION

TREE RETENTION ESTIMATE

12 SEPT. 05

WEST 42ND AVE



TREES > 8" ϕ

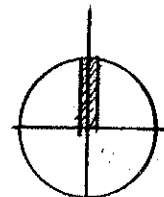
RETAINED

REMOVED

SEE ALSO SITE SURVEY
BY MATSON PECK TOPLESS
JUNE 20, 2005

CARNARVON ST

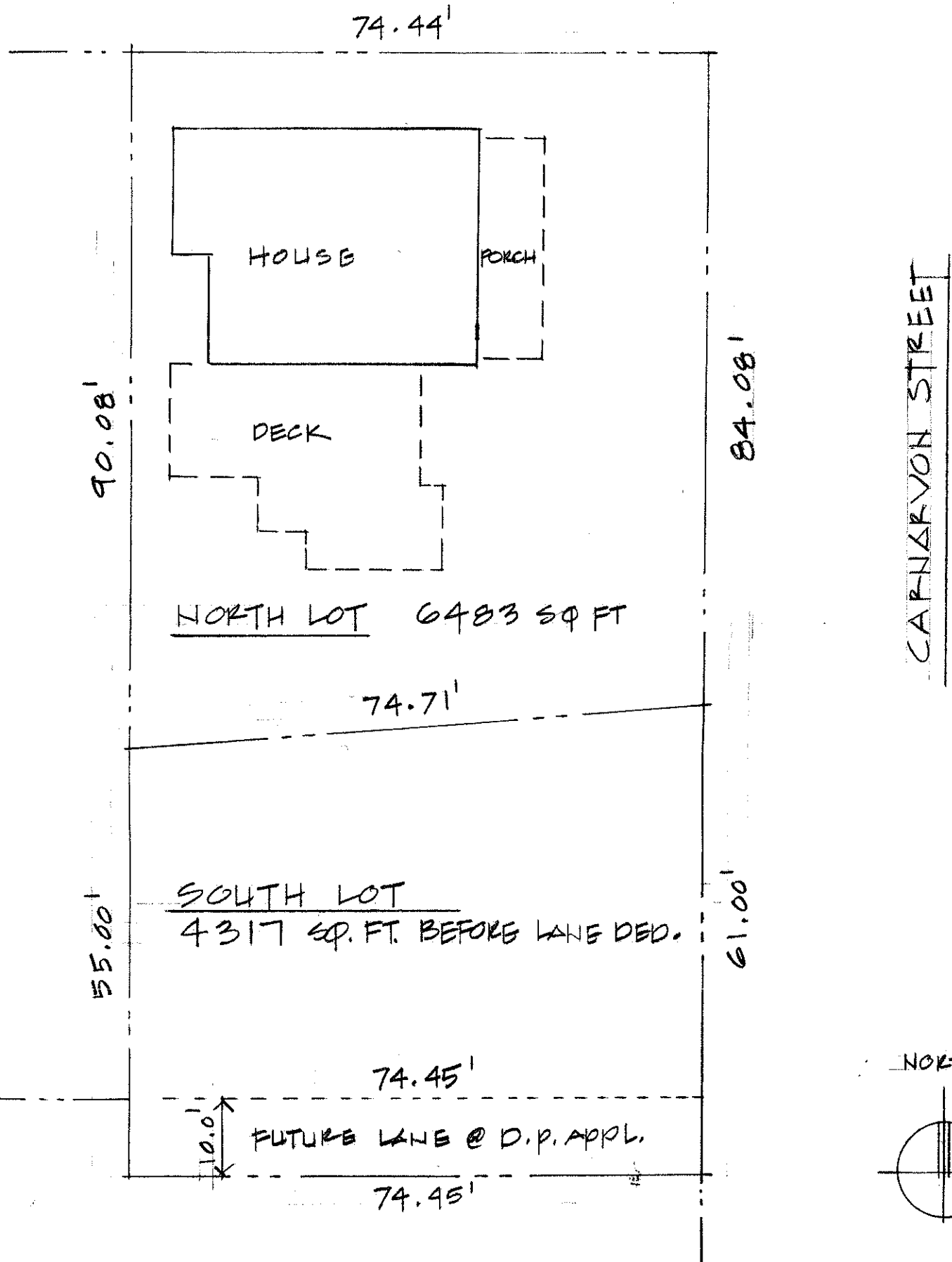
NORTH



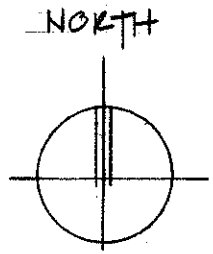
PROPOSED SUB-DIVISION @ 5825 CARNARVON

WEST 42ND AVENUE

APPENDIX C
Page 2 of 2



CARNARVON STREET



DEFINITION OF SECTIONS OF LANE DEDICATED, BUT NOT OPENED

