

Report Date: October 14, 2011
Contact: Kent Munro /James Boldt
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RTS No.: 9360
VanRIMS No.: 08-2000-20
Meeting Date: November 1, 2011

TO: Vancouver City Council

FROM: Director of Planning, in consultation with the Director of Legal Services

SUBJECT: 1237 East 14th Avenue - 'The Lee Residence' - Heritage Designation

RECOMMENDATIONS

- A. THAT the existing building at 1237 East 14th Avenue (the "Lands") which have the legal description of Lot C of Lots 57 and 58, Block 172, District Lot 264A , Plan 2807; PID: 013-425-749, known as 'The Lee Residence' (the "proposed heritage building"), be added to the Vancouver Heritage Register in the 'C' evaluation category.
- B. THAT 'The Lee Residence' at 1237 East 14th Avenue be designated as a protected heritage property pursuant to the provisions of Section 593 of the *Vancouver Charter*.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to designate the proposed heritage building as a protected heritage property under Section 593 of the *Vancouver Charter*.
- D. THAT Recommendations A to 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; any expenditure of funds or incurring of costs is at the risk of the person making the expenditure or incurring the cost;
 - (ii) THAT any approval that may be granted following the public hearing shall not obligate the City to enact the proposed by-laws, and any costs incurred in fulfilling requirements imposed as a condition of the Heritage Revitalization Agreement are at the risk of the property owner; and
 - (iii) THAT the City and all its officials, including the Approving Authority, shall not in any way be limited or directed 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 'The Lee Residence' at 1237 East 14th Avenue to the Vancouver Heritage Register and to designate it as a protected heritage property. The Director of Planning is prepared to approve Development Permit Application Number DE414793, which permits the rehabilitation of the proposed heritage building and the construction of an infill building at the rear of the property, as further described in this report, should Council, under its discretion and authority, approve the addition of 'The Lee Residence' to the Vancouver Heritage Register and its heritage designation.

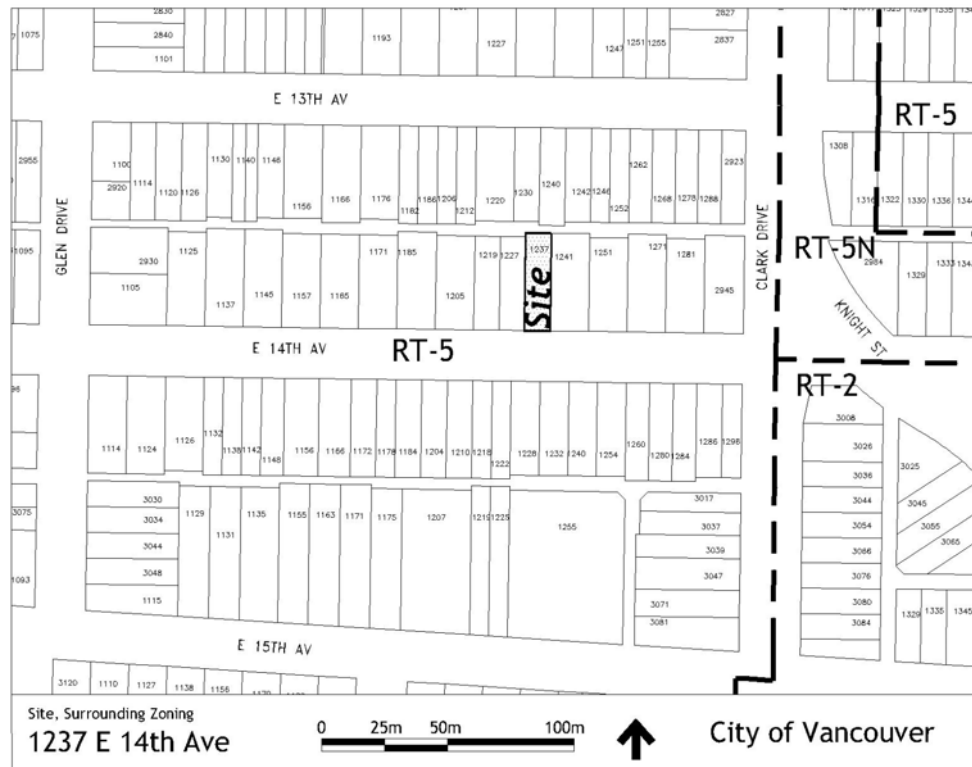
COUNCIL AUTHORITY

Council may add real property to the Vancouver Heritage Register as provided for in Section 582 of the Vancouver Charter. Council may, by by-law, on terms and conditions as it considers appropriate, designate real property in whole or in part as protected pursuant to Section 593 of the *Vancouver Charter*. The heritage designation of the 'The Lee Residence' requires Council approval of the proposed heritage by-law at a public hearing pursuant to Section 594 of the *Vancouver Charter*. The Heritage Policies and Guidelines (April, 1991) are applicable to the project.

GENERAL MANAGER'S COMMENTS

The General Manager of Community Services RECOMMENDS approval of A, B, C, and D.

Figure 1 - 'The Lee Residence' site and the surrounding zoning



STRATEGIC ANALYSIS

Site and Context

The site which is the subject of the proposed project is located in the Kensington-Cedar Cottage neighbourhood in an area zoned RT-5 (see Figure 1 above). The RT-5 Zoning District Schedule 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 north side of East 14th Avenue between Glen Drive and Clark Drive. The total area of the site is 4,237 square feet. A partially dedicated lane exists at the rear of the site which varies from ten feet to twenty feet in width.

Heritage Value

The existing building at 1237 East 14th Avenue was constructed in 1910 for Mrs. A. Lee who owned a number of houses in the area. It is a good example of craftsman housing built during the Edwardian period prior to the First World War. Although its appearance is currently very modest due to modification made to the building in the 1960s, staff and the Vancouver Heritage Commission have concluded that the house has sufficient heritage value to support its addition to the Vancouver Heritage Register (see Comments from the Vancouver Heritage Commission on page 6).

Key elements which define the heritage character of 'The Lee Residence' include its original wood-frame construction, narrow wood lapped siding with corner-boards at the basement level, and shingle siding at the main level and in the gable ends, as well as its steeply-pitched roof, closed wood soffits, and wide eave overhangs. The porch was filled-in during the 1960s (see Photos in Appendix 'A'). Original window openings and some original wood frames survive. Associated landscape features such as an old perimeter rock wall and native plantings are also of value.

The proposal is to restore the proposed heritage building to its original condition based on photos provided by the Wegner family, who resided in the house from the 1960's until 2001, as well as on-site analysis, while retaining as much original material as possible (see Condition of the Property and Conservation Approach on page 5.)

Development Application and Proposed Incentives

The zoning applicable to the site is RT-5. It is proposed that the incentive and compensation to be provided to the owner for the heritage designation and the rehabilitation of the heritage building will be in the form of a nominal increase in density beyond the maximum permitted density, and a variance of the RT-6 Guidelines to allow for infill development as set forth in Development Permit Application Numbers DE414793 and as described below (see the drawings in Appendix 'C'). The proposed heritage building is to remain a One-Family Dwelling and the new building is proposed to be an Infill One-Family Dwelling.

Infill housing is permitted in the zoning. The RT-6 Guidelines require that a minimum side yard of 16.1 feet exists on at least one side of an existing building for the site to qualify for infill development. The maximum side yard of 'The Lee Residence' is eight feet on the east side. In early reviews, staff concluded that infill development would be preferable to additions to the proposed heritage building as permitted in the zoning in order to minimize alterations to the 'The Lee Residence'. The maximum permitted density is 0.75 floor space ratio (FSR) which is 3,178 square feet. The proposed density on the Lands in total is 0.79 FSR which is 3,343 square feet. A nominal increase in permitted density is proposed to allow for a viable floor area for the infill building (see Technical Zoning Summary in Appendix 'E'). Section 3.2.5 of

the Zoning and Development By-law and the Heritage Policies and Guidelines permits the Director of Planning to vary the regulations of a District Schedule to allow for heritage conservation, including granting additional density on a heritage site up to 10% beyond the maximum density permitted in the zoning. The proposed density exceeds the permitted density by 4% and therefore may be granted by the Director of Planning.

The design of the infill building is a departure from the RT-5 Guidelines which generally require "traditional" pitched roofs and finishes such as wood and stucco on new development. In this case, staff and the Vancouver Heritage Commission support the design of the infill building as it will clearly distinguish the construction era of the two buildings (see Resolutions of the Vancouver Heritage Commission in Appendix 'D').

Staff reviewed the impact of the proposed development, including the results of notification (see Results of Neighbourhood Notification section), the compatibility of the development with the zoning (see Compatibility with Existing Zoning and Land Use Regulations section), the rehabilitation proposed for the proposed heritage building (see Condition of the Property and Conservation Approach section), the design of the infill building in respect of the RT-5 Guidelines, and the financial analysis required for the application (see Financial Proforma Evaluation section) and conclude that the proposal is supportable.

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 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 Property and Conservation Approach

'The Lee Residence' is in good condition but has been modified in the past. The proposal is to rehabilitate it to its original appearance. The photos provided by the Wegner family (see Heritage Value on page 3) will be used to guide the rehabilitation work, as well as information gathered from on-site analysis. The surviving features of the building are to be retained where possible and the porch opened up and restored to its original condition (see drawings in Appendix 'C' and the photos in Appendix 'A'). Existing vinyl windows will be replaced with wood windows which match the originals. The building will be repaired and painted in historic colours. Although the project involves a high degree of replication, which is necessary, staff support the proposed rehabilitation scheme for 'The Lee Residence' and conclude that the level of restoration proposed is consistent with the federally adopted Standards and Guidelines for the Conservation of Historic Places in Canada.

Results of Neighbourhood Notification

Eighty-six surrounding properties were notified of the application. Two responses were received. One had no objections to the proposal in general but was concerned about the proximity of the infill building to the lane and possible encroachments of the new infill building's roof over property boundaries. The other was concerned about the loss of a large

tree in the rear yard, and the increase in traffic and parking impacts which might occur once the project is completed.

The new infill building will meet the required setbacks from the lane and will not encroach on the lane or on adjoining properties. The large tree in the rear yard (a cedar) is proposed to be retained. This will be assessed as part of the application approval, including the review of an arborist report. If retention of the tree is not viable, a replacement tree may be required. The proposal will likely create an increase in parking and traffic impacts but these will be commensurate with incremental development as permitted under the zoning over time. Staff have reviewed the project with respect to the City's Heritage Policies and Guidelines, the RT-5 Guidelines, and the intent of the zoning (see Compatibility with Existing Zoning and Land Use Regulations above), as well as the results of notification, and conclude that the proposal is supportable.

Comments from the Vancouver Heritage Commission

On April 19th, 2010, the Vancouver Heritage Commission reviewed a draft heritage assessment of 'The Lee Residence' and concluded that more information on the original character and features of the building was required. The owner subsequently obtained photographs from the Wegner family (see Heritage Value section) and submitted a revised heritage assessment. On June 21st, 2010 the Commission reviewed the revised submission and unanimously supported the addition of 'the Lee Residence' to the Vancouver Heritage Register in the 'C' evaluation category. On July 11th, 2011, the Vancouver Heritage Commission reviewed the application, including the details of the conservation scheme, and supported the proposal (See Resolution of the Vancouver Heritage Register in Appendix 'D').

Financial Implications

The approval of the report recommendations will have no financial implications with respect to the City's operating expenditures, fees, or staffing.

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" does not apply to the application as a Heritage Revitalization Agreement and/or rezoning is not required. However, staff encourage owners involved in applications such as this to seek registration and certification with BuiltGreen BC™ and to achieve BuiltGreen BC™ Gold with a score of EnerGuide 82, or an equivalent achievement in green design. It should be noted that changes to the Vancouver Building By-law to improve "green" performance will still be applicable to the project

Legal

Section 595 of the Vancouver Charter requires that Council compensate an owner for any reduction in the market value of the designated property in an amount or in a form which the owner and Council agree upon. In respect of this, the owner is to sign a side agreement (219

Covenant) with the City which states that the owner has been adequately compensated in this regard, and will not seek further compensation in the future.

CONCLUSION

The addition to the Vancouver Heritage Register of 'The Lee Residence' at 1237 East 14th Avenue and approval of its heritage designation will ensure that the proposed heritage building can be rehabilitated through the development permit process. This proposal, if approved, will protect 'The Lee Residence' 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 of the heritage building and for its rehabilitation. Therefore, it is recommended that Council add 'The Lee Residence' at 1237 East 14th Avenue to the Vancouver Heritage Register, and approve its heritage designation.

* * * * *



Photo 1: 'The Lee Residence' circa 2010 - front view



Photo 2: 'The Lee Residence' circa 1950s (courtesy of the Wegner family) showing the house in mostly original condition. The proposal is to restore the building to this appearance.



Photo 3: 'The Lee Residence circa 1950s



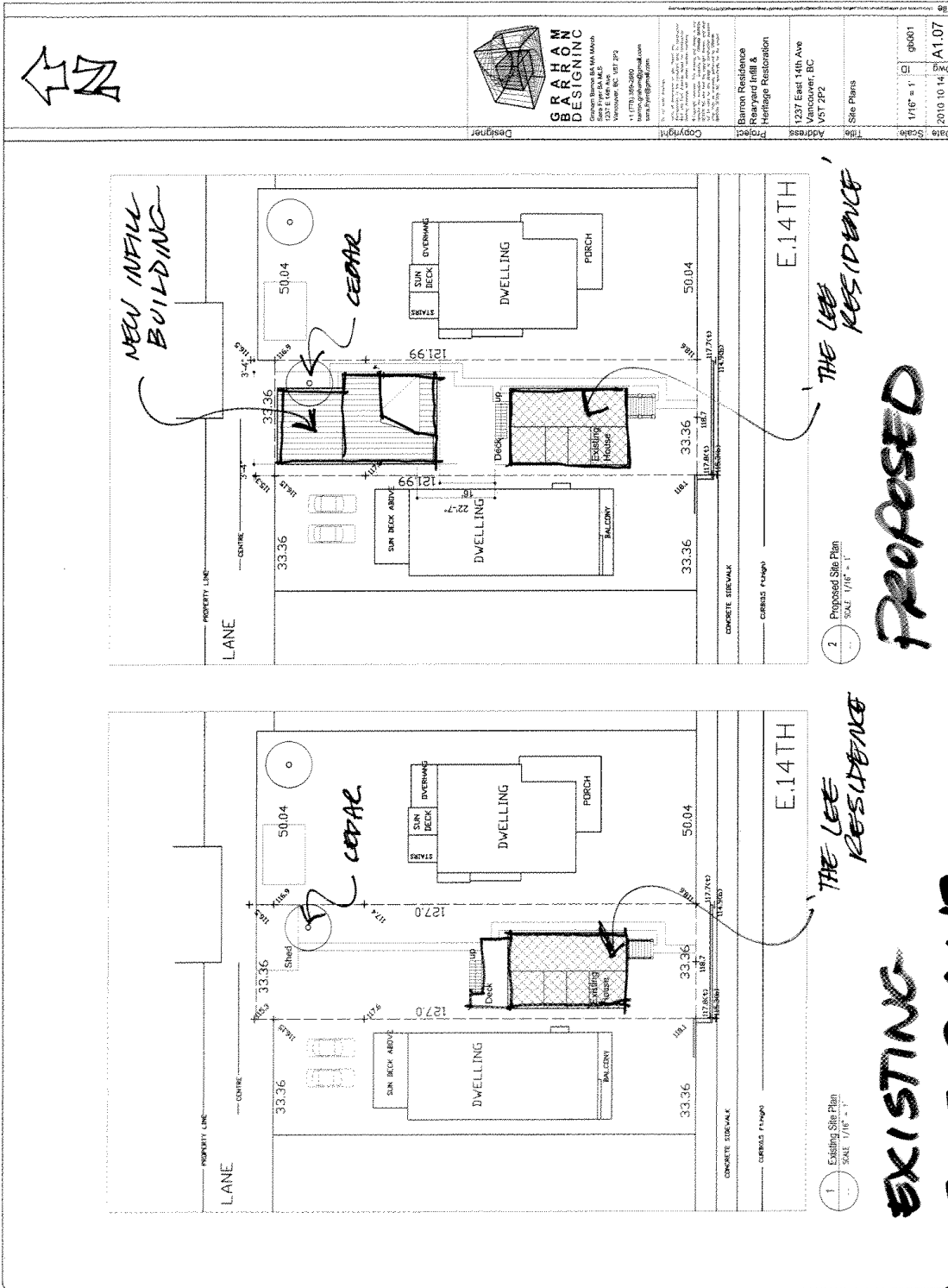
Photo 4: filling in the porch circa early 1960s (photo courtesy of the Wegner family). The photographs from the Wegner family were invaluable in assessing the restoration strategy and the changes which had occurred over time.



Photo 5: 1943 East 4th Avenue. This house had been modified in the past in a similar manner to 'The Lee Residence', including the enclosure of the front porch. It was restored to its original condition based on photos provided by the families of early residents of the house, similar to 'The Lee Residence' proposal. In 2009 the owner was awarded a Heritage Award of Merit by the City for the rehabilitation of the heritage building, which was added to the Vancouver Heritage Register in 2009



Photo 6: 'The John Tibb' at 1784 East 14th Avenue. It was designated in early 2011. The development application approved for the site includes an infill building similar to 1237 East 14th Avenue with similar density for the site.

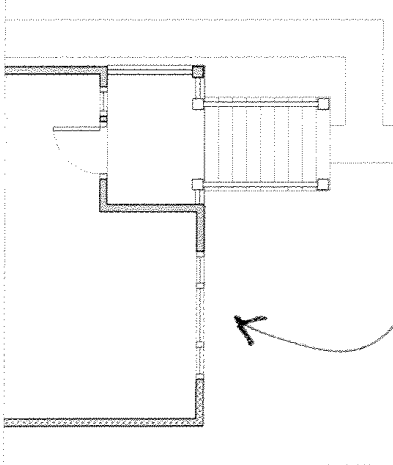


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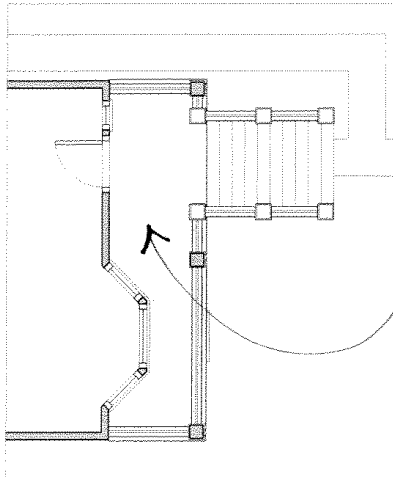
Baron Residence
 Rowayard Infill &
 Heritage Restoration
 1237 East 14th Ave
 Vancouver, BC
 V5T 2P2

Site Plans

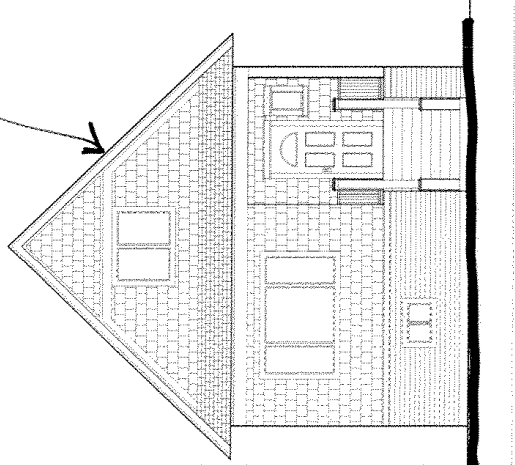
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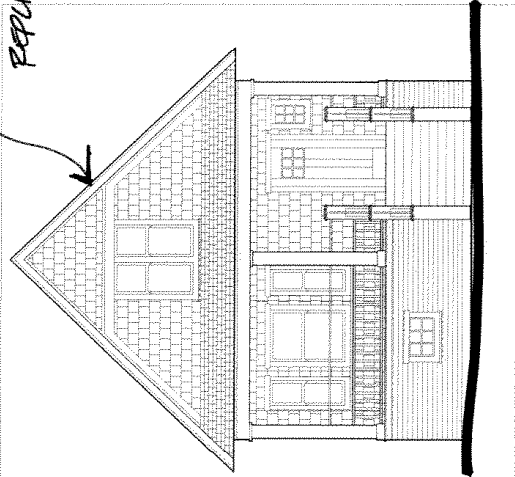
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2 Proposed Plan (Partial)
SCALE: 1/4" = 1'-0"



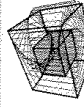
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SCALE: 1/4" = 1'-0"



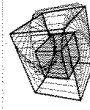
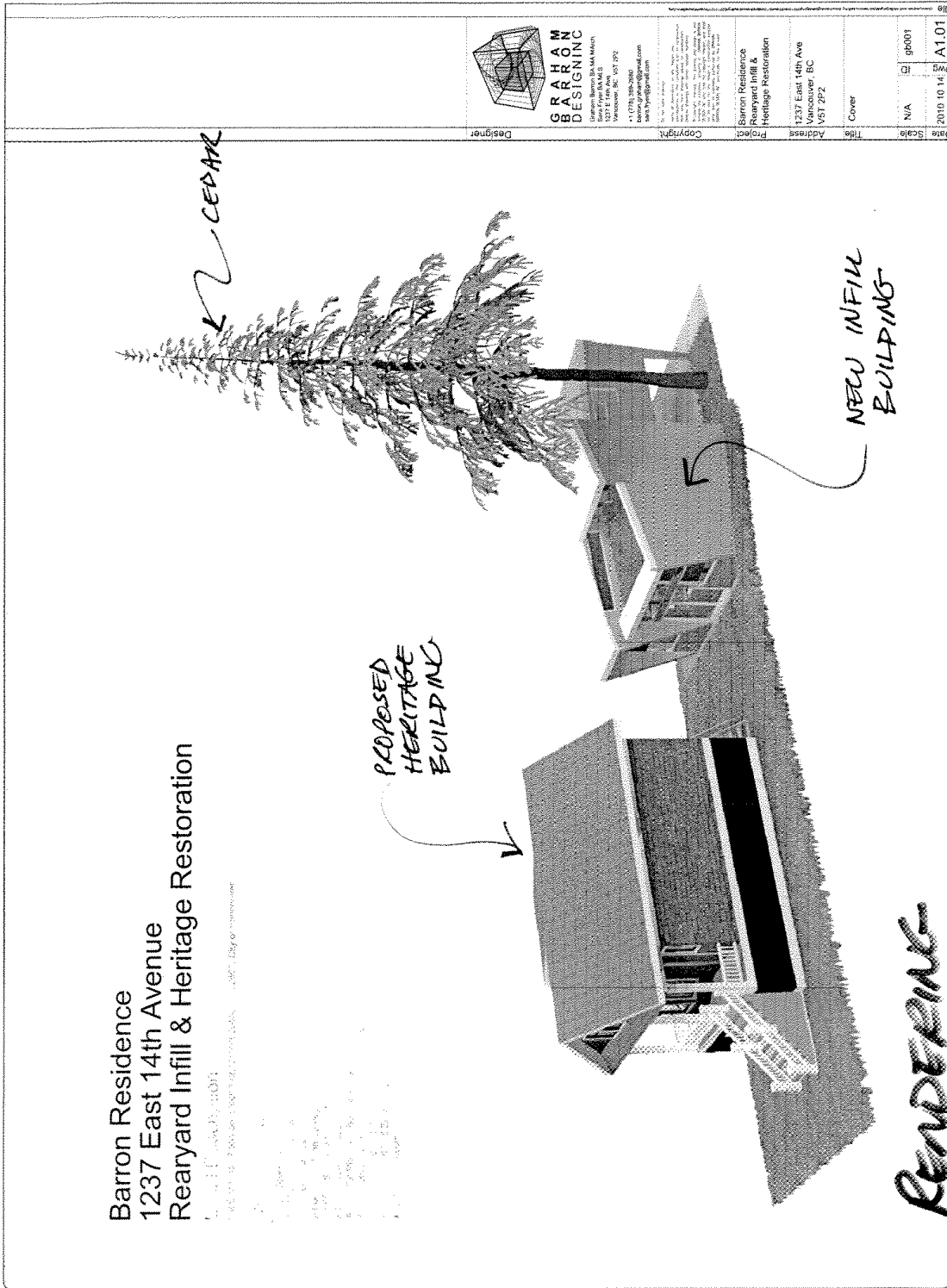
4 Proposed South Elevation
SCALE: 1/4" = 1'-0"

EXISTING FRONT **PROPOSED REHABILITATION & REPLICATION**

FRONT ELEVATION — HERITAGE BUILDINGS


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Designer	Copyright	Project	Title	Scale	Date
		Baron Residence Rooftop Infill & Heritage Restoration	1237 East 14th Ave Vancouver, BC V5T 2P2	1/4" = 1'-0"	g/0001 2010 10 14; A1.08



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Designer
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Project
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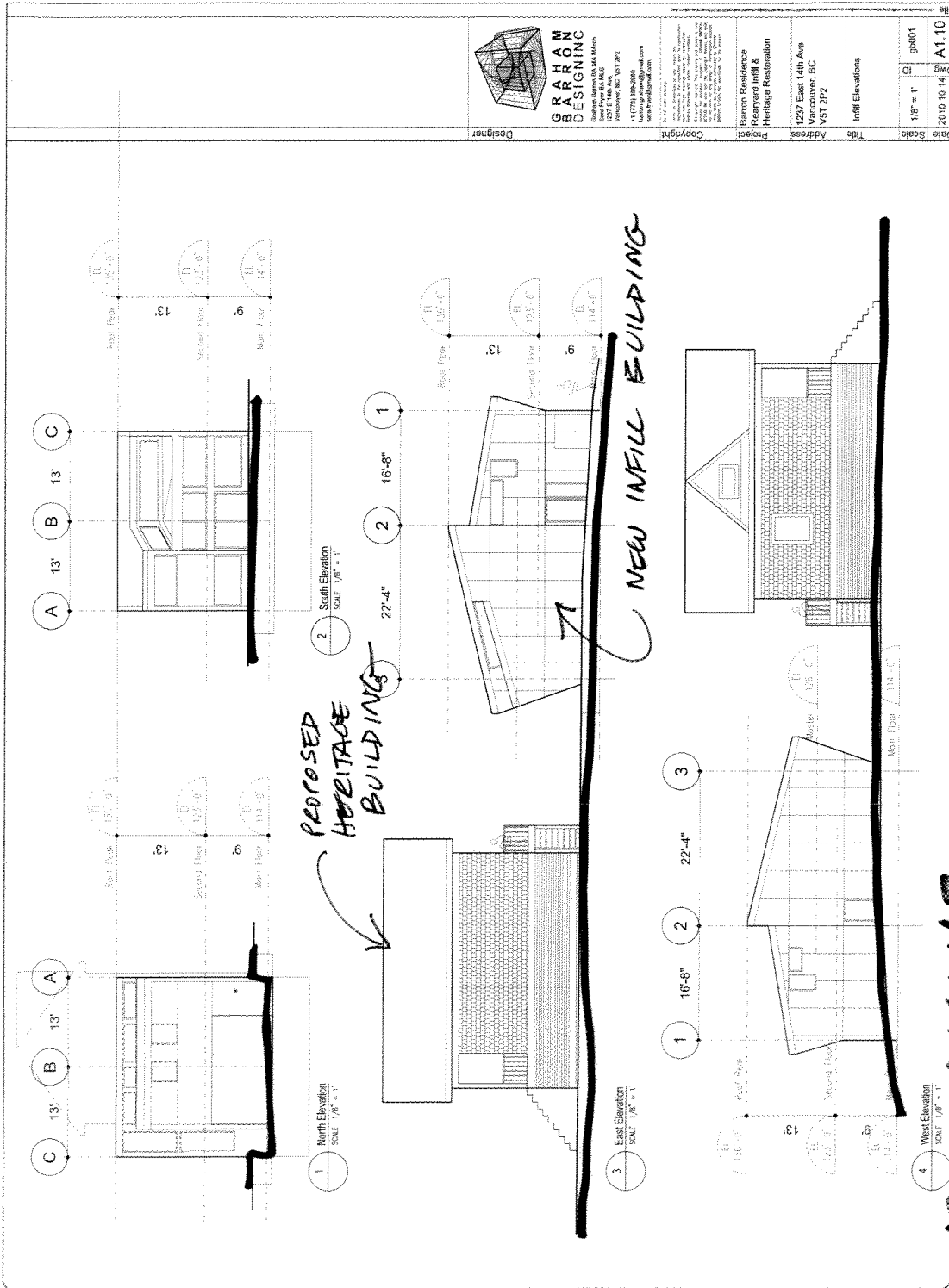
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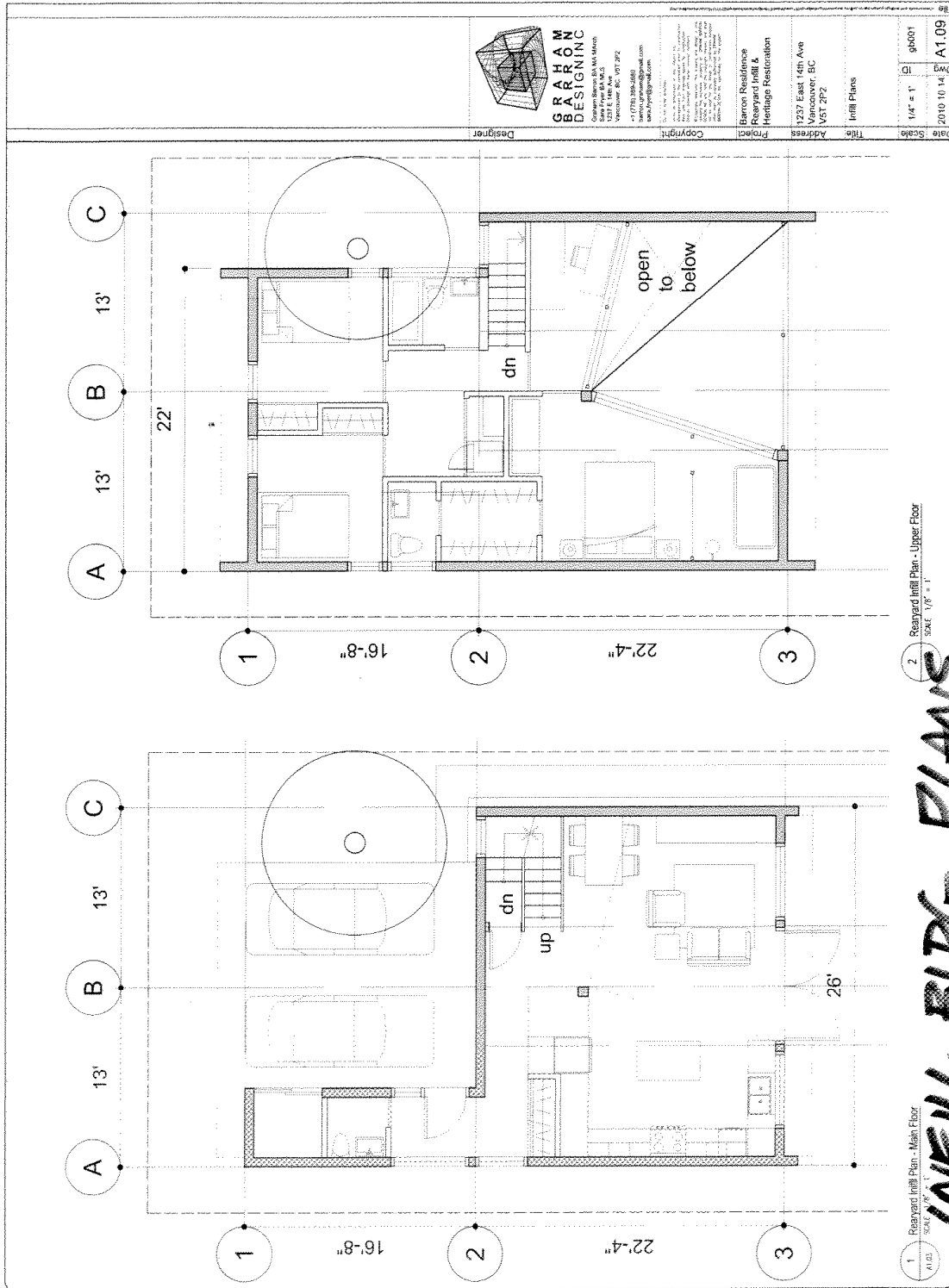
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INFILL BLDG. PLANS

Resolutions of the Vancouver Heritage Commission

On July 11th, 2011, the Vancouver Heritage Commission reviewed the proposal and resolved the following:

THAT the Vancouver Heritage Commission supports the Statement of Significance and Restoration Concept for 1237 East 14th Avenue as presented; and

FURTHER THAT the Vancouver Heritage Commission supports the proposal for a distinguishable, modern infill house, including its departure from the current zoning.

CARRIED UNANIMOUSLY

Technical Zoning Summary

Table 1: RT-5 Zoning District Schedule Summary

Item	Existing	Required or Permitted	Proposed
Height of Proposed Heritage Building	33.5 feet and 2 storeys	35.17 feet maximum and 2 ½ storeys	33.5 feet and 2 storeys
Front yard of the Heritage Building	20 feet	24 feet minimum	20 feet**
East Side Yard of the Heritage Building	8.25 feet	3.3 feet minimum	8.25 feet
West Side Yard of the Heritage Building	2.65 feet	3.3 feet minimum	2.65 feet**
Rear Yard of the Heritage Building	60.5 feet	35.1 feet minimum	68.9 feet
Density	1,759 sq. ft. (0.42 FSR)	3,178 sq. ft. (0.75 FSR)	3,343 sq. ft.*** (0.79 FSR)**
Site Coverage	755 sq. ft. (18%)	1,907 sq. ft. (45%)	1,703 sq. ft. (40%)

* including bay windows and projecting floors

** variance required

*** the floor area of the new infill building is proposed to be 1,584 sq. ft.

Table 2: RT-5 Guidelines Summary

Item	Existing	Required or Permitted	Proposed
Side Yard Requirement for Infill Development	Maximum 8.25 feet	16.1 feet minimum on at least one side of an existing building	8.25 feet*
Height of the Infill Building	-	25.2 feet maximum and 1.5 storeys	20 feet and two storeys*

* variance of the RT-5 guidelines required

1237 East 14th Avenue – PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation and conservation of a proposed heritage building and the construction of a new Infill One-Family Dwelling at the rear of the site.

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	RT-5	RT-5
FSR (site area = 4,237 sq. ft./ 393 m ²)	0.75	0.78
Buildable Floor Space (sq. ft.)	3,178 sq. ft.	3,343 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)	\$8,389	\$4,173
	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)		\$42,000
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$8,389	\$46,173

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 1,759 sq. ft. in the heritage building. The recently approved DCL value of \$2.64 / sq. ft. is used in this case as the building permits for the project would be issued after the deadline for the application of the old rate. The RT-5 zoning encourages retention of existing character buildings but does not require it for duplex development, which is what the calculation in the first column is based on.

Note 2: Value of on-site density bonus to facilitate heritage building rehabilitation and conservation.