



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: December 21, 2011
Contact: Kent Munro
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RTS No.: 9362
VanRIMS No.: 08-2000-20
Meeting Date: January 30, 2012

TO: Vancouver City Council

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

SUBJECT: 305 West 13th Avenue - 'The Munro Residence' - Heritage Designation and Heritage Revitalization Agreement

RECOMMENDATIONS

- A. THAT the existing building, known as 'The Munro Residence' (the "heritage building") at 305 West 13th Avenue, the lands of which have the legal description Lot 9, Block I, District Lot 526, Plan 1530; PID: 014-565-625 (the "Lands"), be added to the Vancouver Heritage Register in the 'B' evaluation category;
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment a by-law to designate the heritage building and that the heritage building be designated thereby as a protected heritage property pursuant to Section 593 of the *Vancouver Charter*.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment under Section 592 of the *Vancouver Charter* a by-law to authorize the City to enter into a heritage revitalization agreement for the heritage building to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building;
 - (ii) vary the Subdivision By-law to permit a subdivision of the Lands into two new parcels of which one will be smaller than otherwise permitted under the Subdivision By-law; and
 - (iii) vary the Zoning and Development By-law in respect of the two new parcels to be created by the proposed subdivision of the Lands to

permit the heritage building to be situated on a new smaller parcel of land and the construction of a new Two-Family Dwelling on the other new parcel as proposed under Development Permit Applications DE414784 and DE415139 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 Lands 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 'The Munro Residence' at 305 West 13th Avenue to the Vancouver Heritage Register and to designate it as a protected heritage property, and to authorize the City to enter into a heritage revitalization agreement (HRA) in respect of that heritage building to ensure its rehabilitation and long-term protection. As incentive and compensation to the owner for this, the proposed HRA will vary the Subdivision By-law and the Zoning and Development By-law to permit the owner to develop the lands as contemplated in Development Permit Applications DE414784 and DE415139 and as described in this report (see the plans in Appendix 'C' and the Technical Zoning and Subdivision Summary in Appendix 'E'). The Director of Planning is prepared to approve the development permit applications should Council approve the addition of 'The Munro Residence' to the Vancouver Heritage Register, its heritage designation and the proposed HRA.

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*.

Council may, by by-law, pursuant to Section 592 of the *Vancouver Charter*, enter into with the owner of heritage property a Heritage Revitalization Agreement which may vary or supplement certain by-laws and permits.

Under section 595 of the *Charter*, Council is required to compensate an owner of property being designated as a protected heritage property, for any reduction in market value caused

by the designation. Most often this, along with additional compensation to offset rehabilitation costs, is achieved by way by-law variations contained in the HRA so as to permit an otherwise impermissible development. The heritage designation and the HRA for 'The Munro Residence' require Council approval at public hearing and by-law enactment pursuant to Sections 592 and 594 of the *Vancouver Charter*.

The following Council Policies are applicable to the project:

- *Heritage Policies and Guidelines (April, 1991)*
- *Green Building Rezoning Policy (February 4th, 2010)*

GENERAL MANAGER'S COMMENTS

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

ANALYSIS

Site and Context

The site which is the subject of the proposed project is located in the Mount Pleasant neighbourhood in an area zoned RT-6 (see Figure 1 above). The RT-6 district schedule of the Zoning & Development By-law 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-west corner of the intersection of West 13th Avenue and Alberta Street. The total area of the site is 6,250 square feet. A twenty foot wide paved lane exists at the rear of the site.

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



Heritage Value

The existing building at 305 West 13th Avenue was constructed in 1910 by John W. Spencer for George Finlay Munro, an accountant with the Kelly Douglas Company. Only two families have resided in the house over the last one-hundred years, which is a testament to the inter-generational appeal and flexibility of Edwardian houses such as 'The Munro Residence'. The Munro family lived at the house for over forty years, and the Galichenko family resided at the house from 1952 until recently.

The building is an excellent example of the Craftsman Style popular during the Edwardian period (see photographs in Appendix 'A'). Features include its substantial shingled, arched front porch, eave brackets, decorative bay windows and distinctive round windows, low shed dormers at the front set into a large, cross-gable roof which extends down to the front porch eave, and surviving wood double hung windows.

Development Applications and Proposed Incentives

The zoning applicable to the site is RT-6. It is proposed that the incentive and compensation to be provided to the owner for the heritage designation and the rehabilitation and conservation of the heritage building will be in the form of HRA made variances to the Subdivision By-law and the Zoning and Development By-law, including density, as set forth in Development Permit Applications DE414784 and DE415139 and as described below.

The application proposes to subdivide the Lands to create two new parcels of land and to retain 'The Munro Residence' as a Two-Family Dwelling on one of them and construct a new Two-Family Dwelling on the other as shown in Appendix C. As incentive to the owner to retain, rehabilitate, and protect the heritage building a number of by-law variations are proposed (as shown in Appendix E), including variations which will provide for an increase in permitted density for each of the two new parcels.

The maximum permitted density under the RT-6 zoning is 0.75 floor space ratio (FSR) which as an overall permitted density for the Lands is 4,688 square feet. The proposed overall density is 0.95 FSR which is 5,922 square feet (see Table A below and the Technical Zoning Summary in Appendix 'E'). This will be broken down between the two new parcels as shown in Table A below, but nevertheless the density proposed for each new parcel will exceed that permitted under the current zoning.

Table A: Summary of Proposed Uses and Density

Proposed parcels and parcel area	Proposed use	Proposed density and Number of Dwelling Units	Maximum permitted density
Heritage Building Parcel (3,999 sq. ft.)	Two-Family Dwelling (existing use)	0.87 FSR (3,473 sq. ft.) 2 dwelling units	-
New Building Parcel (2,250 sq. ft.)*	Two-Family Dwelling	1.31 FSR (2,449 sq. ft.) 2 dwelling units	-
Total for the Lands	-	0.95 FSR (5,922 sq. ft.) 4 dwelling units	0.75 FSR (4,688 sq. ft.) 4 dwelling units

** the HRA permits a minimum parcel area of 1,800 square feet to allow for adjustments to the proposed property boundary to address site utility servicing or building by-law issues which may arise during the completion of the permits for the project.*

The application proposes a subdivision of the Lands to allow the owner to retain ownership of the heritage building and strata-title the dwelling units in the new building for separate sale. The Subdivision By-law permits a minimum parcel area of 3,300 square feet. The area of the proposed new parcel which is to contain a new building is 2,250 square feet. The HRA will vary the Subdivision By-law to permit the proposed parcel area for the new building.

Staff have considered the probable impact of the proposed development, including the results of notification (see the Results of Neighbourhood Notification section), the compatibility of the development with the zoning (see the discussion below), and the financial analysis required for the application (see the Proforma Evaluation section) and conclude that the proposal is supportable.

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the RT-6 Zoning District Schedule is to:

"... encourage the retention, renovation and restoration of existing residential buildings which maintain an architectural style and building form consistent with the area. Redevelopment will be encouraged on sites with smaller buildings or buildings of architectural style and form which are inconsistent with the area. Emphasis is placed on requiring the external design of buildings and additions to buildings to follow the proportions, rhythm and details of architectural features of the area."

The rehabilitation of the heritage building is consistent with the zoning. The proposed new building responds well to neighbouring properties in terms of scale and design. Staff conclude that the proposal is consistent with the intent of the zoning.

Condition of the Heritage Building and Conservation Approach

'The Munro Residence' is in good condition. The rehabilitation work will primarily consist of repairs and rehabilitation of existing elements. The original windows will be repaired in place. Other windows will be upgraded as required and noted in the Conservation Plan. New doors at the back of the house will be installed to replace more recent door additions which are not consistent with the original character of the building. Wood shingles will be repaired and replaced where necessary, and the building re-roofed in wood shingles. Wood elements such as brackets, trims, and soffits will be refinished. The historic paint colours proposed for the building will be determined from on-site analysis. Staff support the high level of retention proposed for 'The Munro Residence' and conclude that the proposal is consistent with the federally adopted Standards and Guidelines for the Conservation of Historic Places in Canada.

Results of Neighbourhood Notification

Sixty-seven surrounding properties were notified of the application. Two responses were received. Both support the proposal in principle but express concerns about the current state of maintenance on the site, and whether this would be improved once the project was completed. One letter expressed concerns about garbage and recycling debris in the lane with

an increase in density on the site, and concern about how many people would reside on the site after the project is completed. Both letters wanted to know whether the dwelling units for the proposed development would remain rental or would be strata-titled.

The application proposes no more dwelling units than the maximum number of dwelling units permitted for the Lands, which is four. The average number of occupants per dwelling unit in the Mount Pleasant neighbourhood is 1.80 based on the most recent census data, which would mean that, on average, approximately seven residents might be expected to reside in the two buildings in total once the project is completed (the Zoning and Development By-law permits up to five unrelated people to occupy a dwelling unit). Garbage and recycling provisions, and the maintenance of containers and debris in the lane, is subject to City regulations. The HRA will require that the heritage building be maintained and both parcels would be subject to the Standards of Maintenance By-law. The zoning permits dwelling units to be strata-titled or rented. Staff have reviewed the proposed project with respect to the City's Heritage Policies and Guidelines, the RT-6 Guidelines, and the intent of the zoning (see the Compatibility with Existing Zoning and Land Use Regulations section), as well as the results of notification, and conclude that the proposal is supportable.

Comments from the Vancouver Heritage Commission

On July 11th, 2011, the Vancouver Heritage Commission reviewed the application, including the Statement of Significance and the Conservation Plan, and supported the proposal including the addition of the existing building to the Vancouver Heritage Register in the 'B' evaluation category (See Resolutions of the Vancouver Heritage Register and Staff Comments 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" applies to the application and requires developments of this scale to achieve BuiltGreen BC™ Gold with a score of EnerGuide 82, or an equivalent achievement in green design. 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. Staff encourage owners for applications such as this to seek registration and certification with BuiltGreen BC™. Conditions of the development application approval will require that the drawings incorporate the proposed sustainable features, noting as well that the "Green

Homes Program" changes to the Vancouver Building By-law, adopted on September 5th, 2008, will be applicable to the project as well.

Legal

The by-law variations contemplated for the proposed HRA will provide for the Lands an improved development potential. The owner's proposal to rehabilitate and conserve the heritage building in exchange for obtaining the by-law variations needed to get that improved development potential should be appropriately secured as legal obligations contained in various covenants to be registered on title to the Lands 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 and completed a proposed form of HRA, to be registered on title to the Lands, 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 Council compensate an owner for any reduction in the market value caused by a heritage designation. The Owner has signed the proposed 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 Munro Residence' and the obligations to rehabilitate and conserve the heritage building. The HRA is to be registered on title to the Lands before a development permit for the project may be issued.

CONCLUSION

The addition to the Vancouver Heritage Register of 'The Munro Residence' at 305 West 13th Avenue, its heritage designation, and the proposed Heritage Revitalization Agreement, will ensure that the heritage building is rehabilitated, conserved, and protected from exterior alterations which affect its heritage value, and from demolition. The proposed Heritage Revitalization Agreement will vary the Zoning and Development By-law and the Subdivision By-law to allow for the development as proposed, and the owner has agreed to accept the proposed variances as compensation for the designation of the heritage building and for its rehabilitation and conservation under the proposed Heritage Revitalization Agreement. Therefore, it is recommended that Council add 'The Munro Residence' at 305 West 13th Avenue to the Vancouver Heritage Register, and approve its heritage designation and the proposed Heritage Revitalization Agreement.

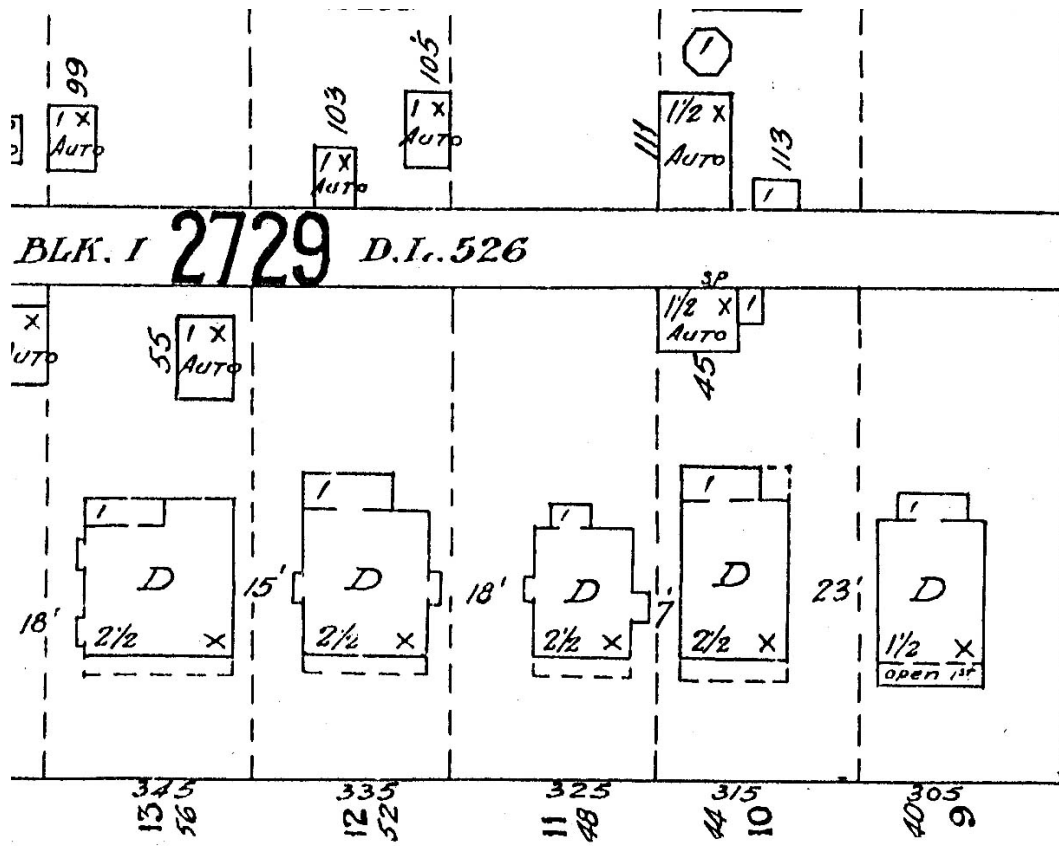
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Photo 1: 'The Munro Residence' at 305 West 13th Avenue from the south-east corner of the site



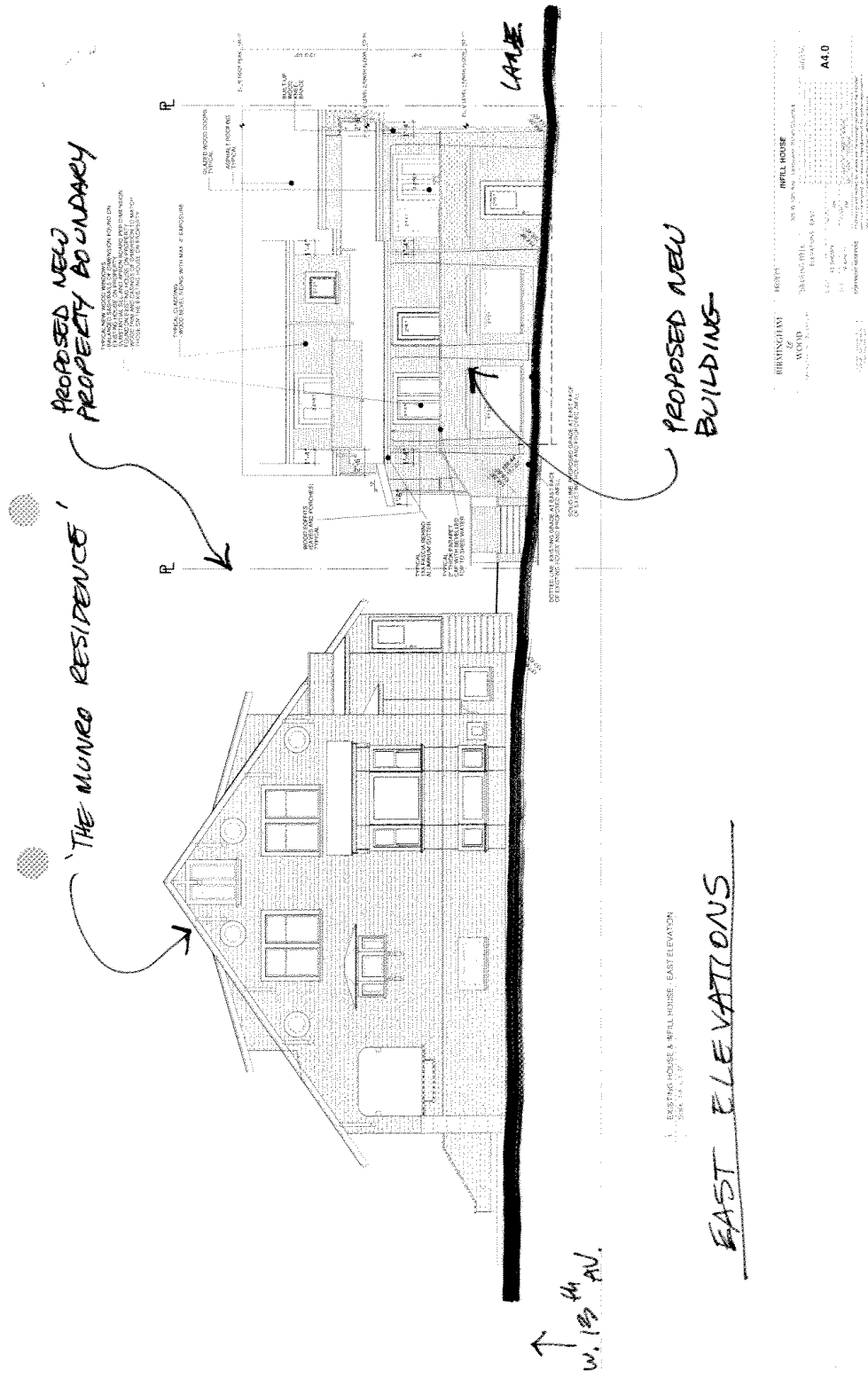
Photo 2: 'The Munro Residence' from the front (looking north)

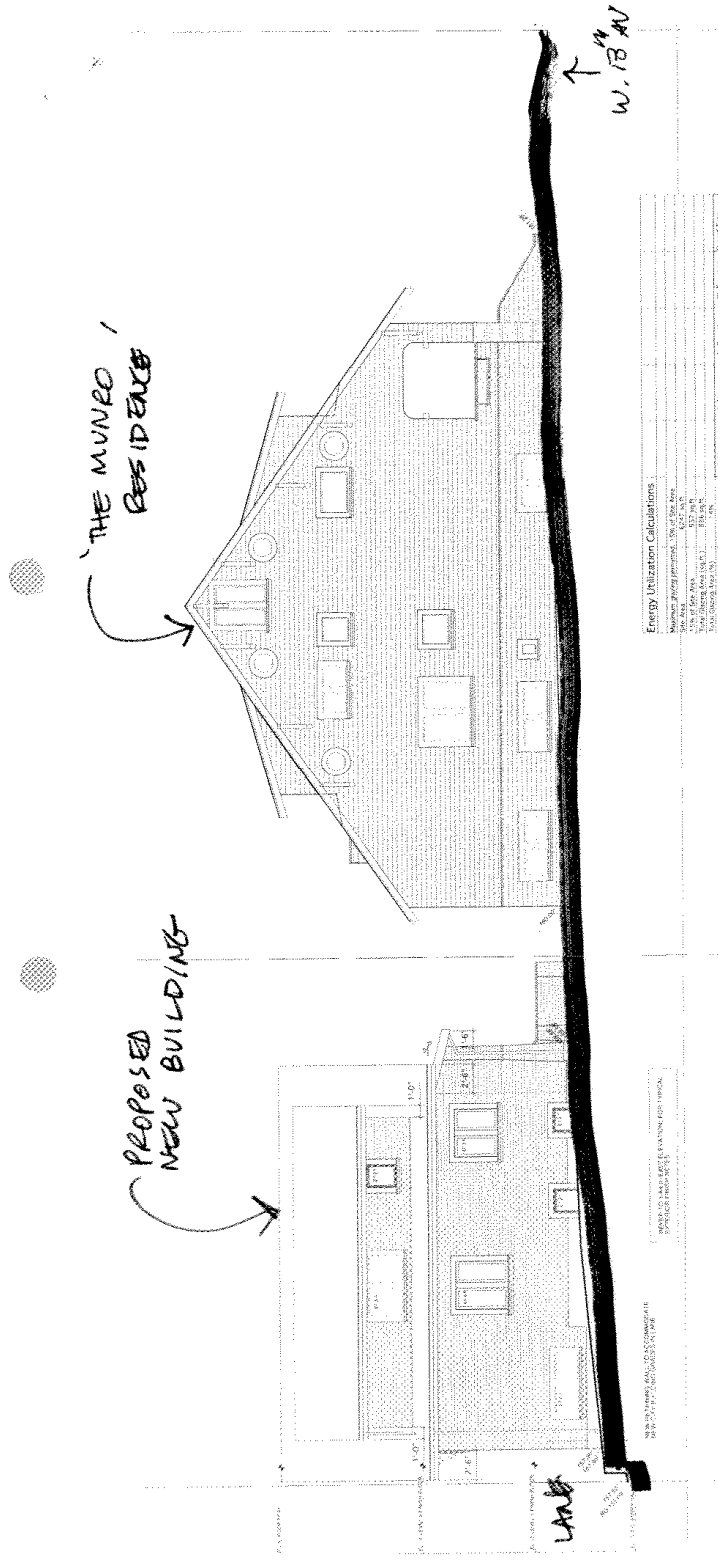


THIRTEENTH AVE. WEST

10'

Fire Insurance Map (1927). 'The Munro Residence' at 305 West 13th Avenue is on the far right. Most of the other houses shown on this map still exist but all have been highly modified, most during the 1970s. 'The Munro Residence' is the only one which has remained almost entirely unaltered over the years.





Energy Utilization Calculations

Maximum Energy (per month) - 1000 kWh
 Maximum Energy (per year) - 12000 kWh
 Maximum Energy (per day) - 333 kWh
 Maximum Energy (per hour) - 13.9 kWh

Category	Value
Electricity	1000 kWh
Gas	1000 kWh
Water	1000 kWh
Other	1000 kWh
Total	4000 kWh

WEST ELEVATIONS

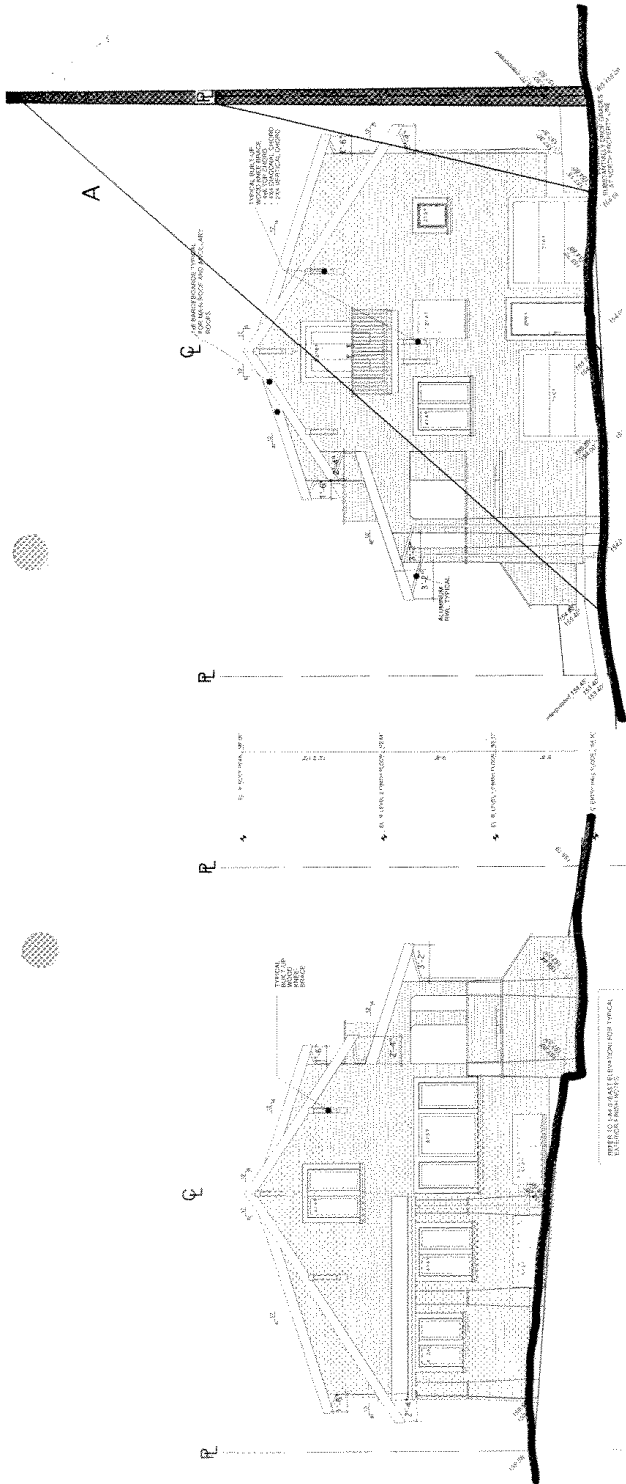
BRUNNENHAY

Project: BRUNNENHAY
 Location: WOOD
 Date: 10/10/2010
 Author: [Name]
 Version: 1.0

BRILL HOUSE

Project: BRILL HOUSE
 Location: WOOD
 Date: 10/10/2010
 Author: [Name]
 Version: 1.0

A4.1



1. WELL HOUSE - SOUTH ELEVATION
Scale: 1/8" = 1'-0"

NEW BUILDING - SOUTH ELEVATION

2. WELL HOUSE - NORTH ELEVATION
Scale: 1/8" = 1'-0"

NEW BUILDING - NORTH ELEVATION
(AT LAKE)

BIRMINGHAM		WELL HOUSE	
ARCHITECT	W. W. W. ARCHITECTS	DATE	10/1/12
PROJECT	WELL HOUSE	SCALE	1/8" = 1'-0"
NO.	1000	DATE	10/1/12
BY	W. W. W.	DATE	10/1/12
CHECKED	W. W. W.	DATE	10/1/12
APPROVED	W. W. W.	DATE	10/1/12
DATE	10/1/12	SCALE	1/8" = 1'-0"
A4.2			

Resolutions of the Vancouver Heritage Commission

On July 11th, 2011, the Vancouver Heritage Commission reviewed the proposal for 305 West 13th Avenue and resolved the following:

THAT the Vancouver Heritage Commission supports the application for 305 West 13th Avenue as presented, noting the following comments:

THAT the Commission recommends revisiting the Statement of Significance to better define the architectural style and to further explore the importance of this type of house or design in this community, and to ensure the character and defining elements are defined as thorough as possible; and

FURTHER THAT the Commission supports the register evaluation for 305 West 13th Avenue and placement as a 'B' on the Vancouver Heritage Register.

Staff Comments:

The Statement of Significance will be revised to more clearly identify the architectural typology of the building, its relationship to the community as well as that of the site, and to fully identify all the character defining elements of the building.

Technical Zoning and Subdivision Summary:

Subdivision Variance:

Table 1: Subdivision Variance

Parcel	Permitted parcel area	Proposed parcel area
New House Parcel (Non-Heritage Lands)	3,300 sq. ft. minimum	A minimum parcel area of 1,800 sq. ft.

Variances of the RT-6 Zoning District Schedule:

Table 2: Summary of Density

Proposed parcels and parcel area	Existing	Permitted	Proposed
Heritage Building Parcel (3,999 sq. ft.)	-	0.75 FSR (2,999 sq. ft.) maximum	0.87 FSR (3,473 sq. ft.)
New Building Parcel (2,250 sq. ft.)*	-	0.75 FSR (1,689 sq. ft.) maximum	1.31 FSR (2,449 sq. ft.)
Total for the Lands	0.56 FSR (3,473 sq. ft.) maximum	0.75 FSR (4,688 sq. ft.) maximum	0.95 FSR (5,922 sq. ft.)

Table 3: Variances for the Heritage Lands After Subdivision

Regulations of the RT-6 District Schedule	Required or permitted	Proposed, with variances
Section 4.3.1 - Height	35 feet and 2 ½ storeys maximum	2 storeys and a partial third storey, which is the existing
Section 4.6.1 - Rear Yard	35.1 feet minimum	A minimum of 4 feet
Section 4.7.1 - Overall Floor Space Ratio (FSR)	Up to 0.75 FSR maximum (2,999 sq. ft.)	A maximum of 3,473 sq. ft. (which is approx. 0.87 FSR)

Table 4: Variances for the Non-Heritage Lands After Subdivision

Regulations of the RT-6 District Schedule	Required or permitted	Proposed, with variances
Section 4.3.1 - Height	35 feet and 2 ½ storeys maximum	2 storeys and a partial third storey
Section 4.5.1 - north side yard*	5 feet minimum	A north side yard of 3 feet
Section 4.6.1 - Rear Yard	35.1 feet minimum	A minimum of 5 feet
Section 4.7.1 - Overall Floor Space Ratio (FSR)	0.75 FSR (1,689 sq. ft.) maximum	A maximum 2,449 sq. ft., which is approximately 1.31 FSR
Section 4.8.1 - Site Coverage	Up to 45% may be permitted	Section 4.8 shall not apply
Section 4.17 - External Design	Various external design requirements	Section 4.17 shall not apply

* as Alberta Street becomes the frontage after the proposed subdivision is executed, the front yard is measured from the east property boundary and the other yards are measured accordingly.

Variances of Section 10 of the Zoning and Development By-law:

Table 5: Variances of Section 10 of the Zoning and Development By-law For Both Parcels

Regulations of Section 10 of the Zoning and Development By-law	Required or permitted	Proposed, with variances
Section 10.7.1(a)	Steps are not permitted in required side yard except in an exterior side yard	The Director of Planning may permit steps in any side yard.
Section 10.7.1(b)	Eaves, gutters, sills and chimneys etc. may not project more than 21 inches into a required yard	The Director of Planning may permit eaves, gutters, sills, chimneys, and other similar projections to project into a required or permitted yard

305 West 13th Avenue – PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation and conservation of a heritage building and subdivision of the site to allow for the construction of a new Two-Family Dwelling on a separate parcel.

Public Benefit Summary:

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

	Current Zoning	Proposed Zoning
Zoning District	RT-6	HRA
FSR (site area = 6,250 sq. ft./ 581 m ²)	0.75	0.95
Buildable Floor Space (sq. ft.)	4,688 sq. ft.	5,922 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)	\$3,208	\$5,752
	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)		\$320,000
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$3,208	\$325,752

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 3,743 sq. ft. in the heritage building. The new floor area is 2,179 sq. ft. 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. RT-6 generally requires retention of existing character buildings for discretionary density approvals. Although an application under the current could involve a reduction in existing density, for purposes of estimated DCLs it is assumed that the existing area will be the same in both cases.

Note 2: the figure noted in the above table represents the value of on-site density bonus to facilitate heritage building rehabilitation, conservation, and protection. The conservation and protection of heritage resources is a community objective as noted in Council Policy.