



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: April 10, 2012
Contact: Kent Munro
Contact No.: 604.873.7135
RTS No.: 9580
VanRIMS No.: 08-2000-20
Meeting Date: June 11, 2012

TO: Vancouver City Council

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

SUBJECT: 345 North Boundary Road - 'The Girvan Residence' - Heritage Designation and Heritage Revitalization Agreement

RECOMMENDATIONS

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate as a protected heritage property the residential building known as 'The Girvan Residence' (the "heritage building") at 345 North Boundary Road (legal description: PID: 015-995-461 Lot 780, Except the north 10 feet now lane, District Lot HT, Town of Hastings Plan 100; and PID: 007-254-385 Lot B of Lot 779 District Lot HT, Town of Hastings Plan 17816) (the "Lands").
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment under Section 592 of the *Vancouver Charter* a by-law for 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 which would not otherwise be 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 as a One-Family Dwelling on one of the proposed new parcels and to permit on the other the construction of a new One-Family Dwelling with Secondary Suite as

proposed under Development Permit Applications DE415235 and DE415236 and as more particularly described in this report.

- C. 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.
- 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 nor any 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 designate 'The Girvan Residence' at 345 North Boundary Road as a protected heritage property and 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 DE415235 and DE415236 and as described in this report (see the plans in Appendix 'B' and the Technical Zoning Summary in Appendix 'D'). The Director of Planning is prepared to approve the development permit applications should Council approve the heritage designation of 'The Girvan Residence' and the proposed HRA.

COUNCIL AUTHORITY

Pursuant to section 593 of the *Vancouver Charter*, Council, by by-law, may designate heritage buildings and other heritage resources within the City of Vancouver as being protected heritage properties.

Pursuant to section 592 of the *Vancouver Charter*, Council, by by-law, may enter into with the owners of heritage properties, Heritage Revitalization Agreements regarding heritage properties, which may vary or supplement certain kinds of by-laws and permits, including the *Zoning & Development By-law* and the *Subdivision By-law*.

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 incurred under a heritage revitalization agreement, is achieved by way of by-law variations contained in the HRA so as to permit an otherwise impermissible development.

The proposed heritage designation and the HRA for 'The Girvan Residence' require Council approval at public hearing and by-law enactment pursuant to Sections 592, 593 and 594 of the *Vancouver Charter*.

The following Council Policies are applicable to the project:

- *Heritage Policies and Guidelines (April, 1991)*
- *Green Buildings Policy for Rezonings (July, 2010)*

GENERAL MANAGER'S COMMENTS

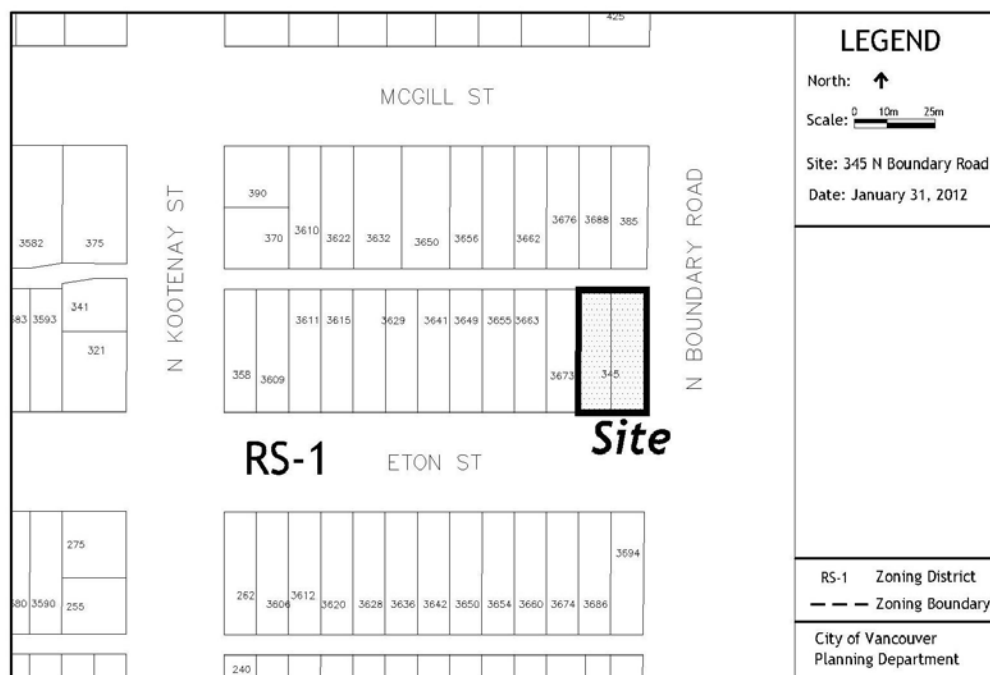
The General Manager of Community Services RECOMMENDS approval of A, B, C, and D.

STRATEGIC ANALYSIS

Site and Context

The Lands are located in the Hastings-Sunrise neighbourhood in an area zoned RS-1 (see Figure 1 below). The RS-1 District Schedule of the Zoning & Development By-law permits single family housing, secondary suites, and laneway housing. The site is located on the north-west corner of the intersection of North Boundary Road and Eton Street. The Lands are comprised of two parcels, divided by a north/south boundary, with a twenty foot wide paved lane at the rear. The heritage building straddles the property line between the two existing parcels. The total area of the Lands is 8,450 square feet. It is proposed for purposes of the development proposed under the development permit applications described in this report that the Lands be subdivided into two new parcels, with a boundary between them running east and west, rather than north/south as currently is the case, one for each of the heritage building and the proposed new One-Family Dwelling with secondary suite.

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



Heritage Value

'The Girvan Residence', built in 1930, is significant for its association with John Girvan, owner of Girvan Studios which was an important commercial interior design firm in the Province and responsible for the design of a number of memorable building interiors in British Columbia, including theatres such as the Columbia (now Burr) Theatre in New Westminster (1927) and the Patricia Theatre in Powell River (1928). John Girvan was the first and only Canadian Fellow of the Incorporated Institute of British Decorators (see page 3 of Appendix 'A'). The Girvan family continued to own the property until recently.

The building is also valued for being designed by the important Vancouver architectural firm, Townley & Matheson (see page 3 of Appendix 'A'). The firm's work includes the Vancouver Stock Exchange (1928-29) and Vancouver City Hall (1935-36), as well as a number of houses. John Girvan worked with Townley & Matheson on the Columbia Theatre and this seems to have led to the firm's commission for John Girvan's house in 1930.

Designed in the Storybook Cottage Revivalist style, the picturesque roofline, Tudor half-timbering, leaded casement windows, and garden setting reflect an idealized representation of traditional values and a simple, rural lifestyle popular with homeowners of British ancestry during the uncertain times between the World Wars (see pages 1 and 2 of Appendix 'A'). Details include the half-timbering of the east façade, rolled lintels and projecting sills, multi-paned leaded glass windows, and a recessed front entryway framed by arched brackets with a wooden plank front door featuring frosted and stained glass. The house also features iron grille work, wooden-sash casement windows with rectangular and diamond-shape leaded glass panes, original ground level wooden garage doors, and original interior features such as the double-height, vaulted entry vestibule with a false drop-beam ceiling painted by John Girvan, which still exists (see pages 4 and 5 of Appendix 'A'), as well as associated landscape features including a number of tall mature trees.

Development Applications and Proposed Incentives

The zoning applicable to the site is RS-1. It is proposed that incentives and compensation to be provided to the owner for the heritage designation and the rehabilitation and conservation of the heritage building will be provided in the form of certain variances to the *Subdivision By-law* and the *Zoning and Development By-law* to be put in place by the proposed HRA, including an increased in permitted density, as set forth in Development Permit Applications DE415235 and DE415236 and as described below.

The application proposes to subdivide the Lands to create two new parcels of land, retain 'The Girvan Residence' as a One-Family Dwelling on one of the new parcels and construct a new One-Family Dwelling with Secondary Suite on the other (see Appendix 'B'). The proposed subdivision will allow for separate ownership of the heritage building and the new building while allowing also for the retention of the heritage building in its current location. This will minimize alterations required for the building and associated costs, if the building had to be relocated, and maintain the building on its original site, which itself has historic value (see the drawings in Appendix 'B').

Section 9.7 of the *Subdivision By-law* requires that newly created parcels of land are to have lane access where a lane exists. The proposed parcels would not comply in this respect and therefore, it is proposed, the HRA will vary the Subdivision By-law to allow for the proposed

subdivision, with an east/west boundary, such that only one of the proposed new parcels will have lane access.

As incentive and compensation to the owner to retain, rehabilitate, and protect the heritage building, a number of by-law variations are proposed, including variations which will provide for an increase in permitted density for the Lands as shown in Table A below (see the Technical Zoning Summary in Appendix 'D' for a breakdown of density for each proposed parcel).

Table A: Density and Subdivision Summary

Site Area: 8,450 sq. ft.

	Existing	Required or Permitted	Proposed
Number of Parcels	2 with north-south boundary	2 maximum	2 with east-west boundary <i>(Subdivision By-law variance required)</i>
Overall FSR for the Lands	0.38 FSR 3,253 sq. ft.	0.70 FSR ¹ 5,915 sq. ft. maximum	0.72 FSR 6,113 sq. ft. <i>(Zoning & Development By-law variance required)</i>

1 i.e. two houses of 2,957 sq. ft. each

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 RS-1 Zoning District Schedule is generally to:

"... maintain the single-family residential character of the RS-1 District, but also to permit conditionally one-family dwellings with secondary suites and laneway houses. Emphasis is placed on encouraging neighbourly development by preserving outdoor space and views. Neighbourhood amenity is enhanced through the maintenance of healthy trees and planting which reflects the established streetscape."

The proposal is consistent with the zoning. The heritage building and the proposed new building maintain the single-family character of the area and the uses are permitted. The proposal responds well to its surroundings and maintains a level of open space comparable to development which would occur under the zoning if the Lands were developed without the heritage building. A number of mature trees on the site and the boulevard are being protected and retained.

Condition of the Heritage Building and Conservation Approach

'The Girvan Residence' is in excellent condition. The rehabilitation work will primarily consist of repairs and rehabilitation of weather-exposed existing elements. A number of minor

changes are proposed at the back of the house. The original windows will be repaired in place. Staff support the high level of retention proposed for 'The Girvan 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

Twenty-seven surrounding properties were notified of the application. No responses were received.

Comments from the Vancouver Heritage Commission

On January 23rd, 2012, the Vancouver Heritage Commission unanimously supported the application (See Resolutions of the Vancouver Heritage Register and Staff Comments in Appendix 'C').

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, rehabilitation, and conservation of the heritage building will not result in any undue profit.

Environmental

The City's Green Buildings Policy for Rezoning 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, if approved, will result in an improved development potential for the Lands. 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 which includes a provision by which the Owner explicitly accepts 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 Girvan 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 heritage designation of 'The Girvan Residence' at 345 North Boundary Road and the proposed Heritage Revitalization Agreement will ensure that the heritage building is rehabilitated, conserved, and protected from demolition and exterior alterations which might affect its heritage value. 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 as a protected heritage property and for its rehabilitation and conservation under the proposed Heritage Revitalization Agreement. The Director of Planning is prepared to approve the associated development permit application should Council first approve the heritage designation and the proposed Heritage Revitalization Agreement. Therefore, it is recommended that Council approve the heritage designation of 'The Girvan Residence' and the proposed Heritage Revitalization Agreement.

* * * * *



Photo 1: 'The Girvan Residence' from the east (circa 1930s).



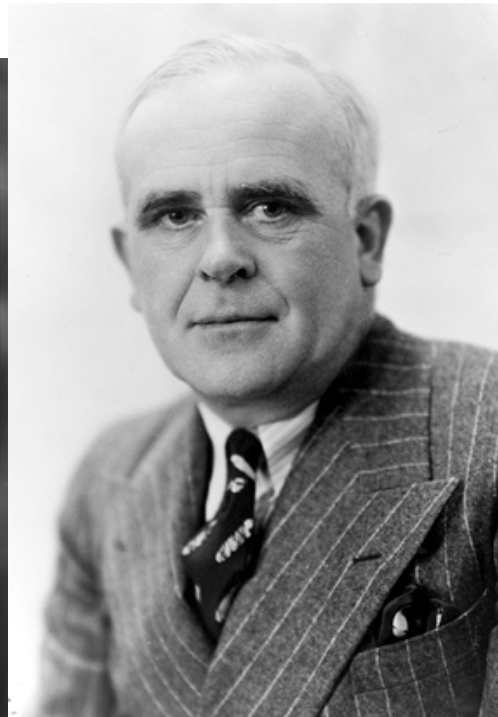
Photo 2: 'The Girvan Residence' today, from the east (circa 2011)



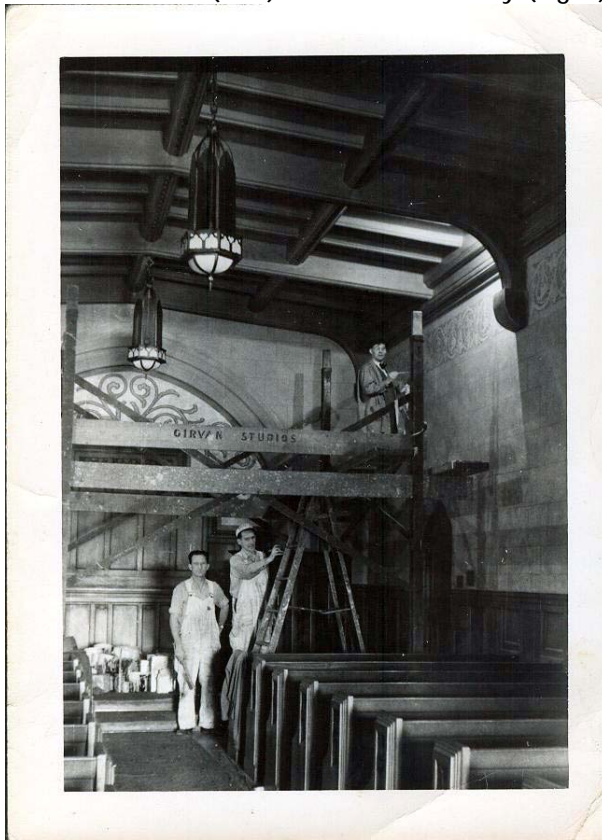
Photo 3: 'The Girvan House' from the south-east corner on Boundary Road (circa 1930s)



Photo 4: Close-up of the wooden-plank entrance door (circa 2011)



Robert Matheson (left) and Fred Townley (right) were important architects in Vancouver



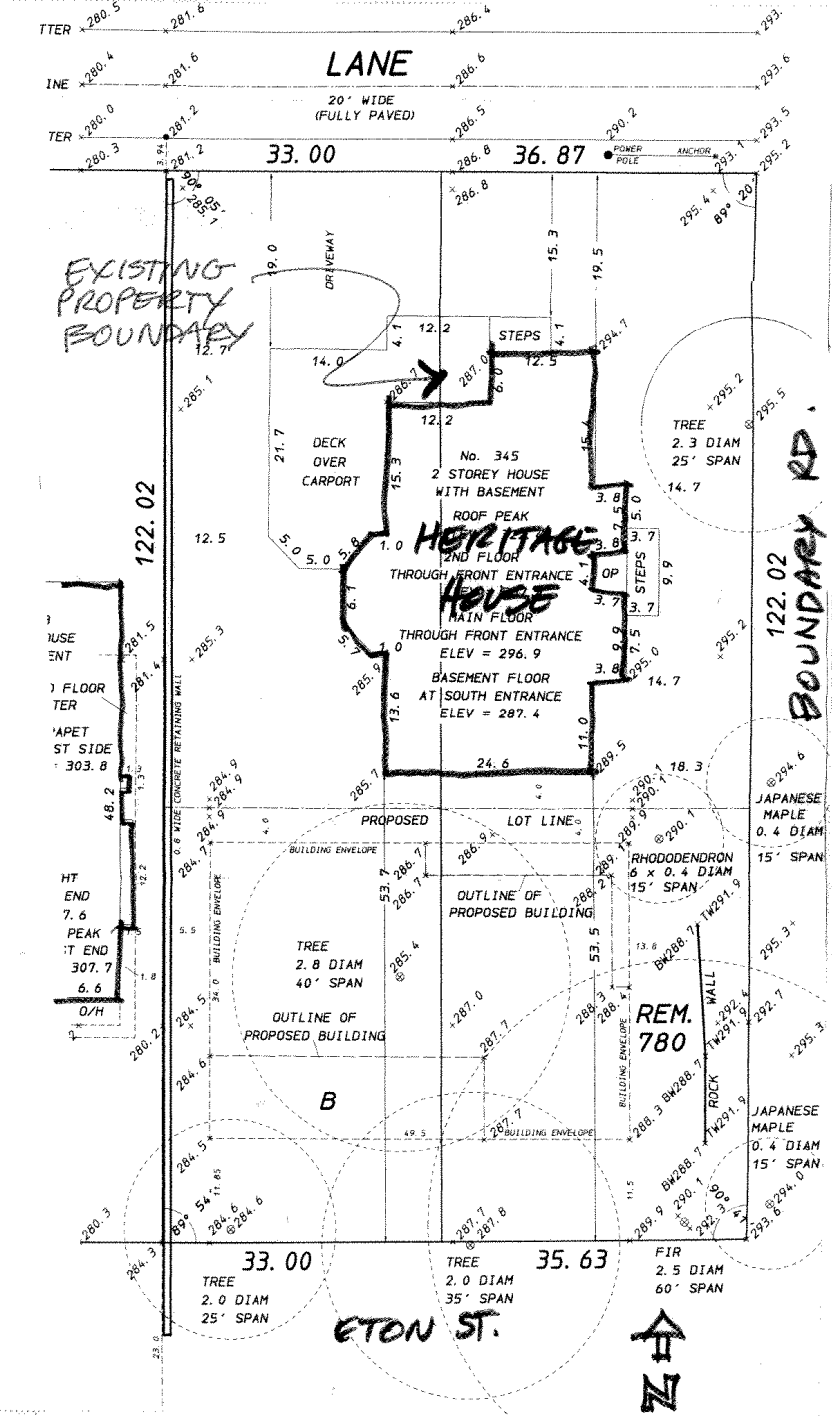
Girvan Studios project (left) and John Girvan (right- circa 1917)



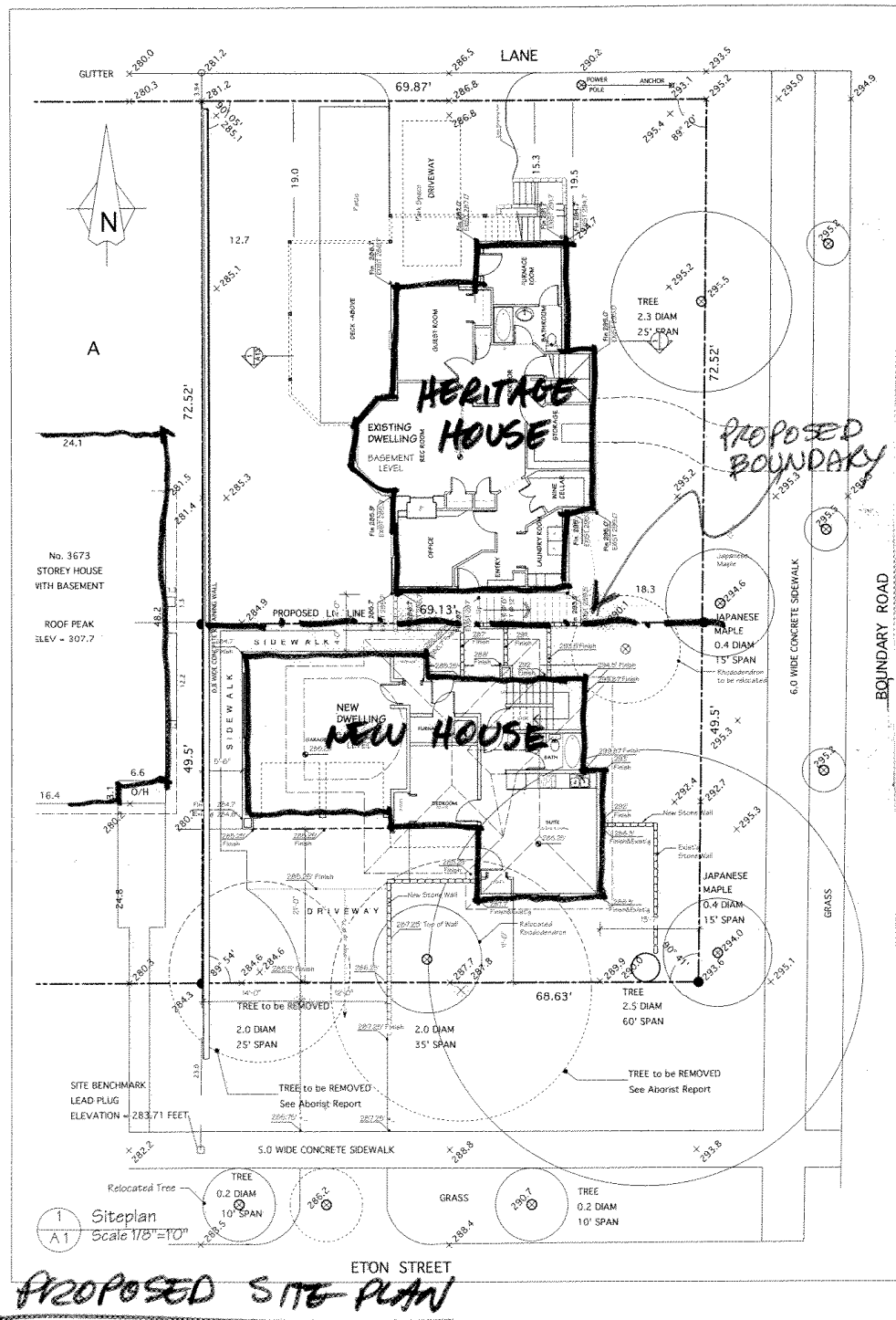
Photo 5: the striking entry vestibule of 'The Girvan Residence' (circa 1930s). Mr. Girvan's theatrical interests are clearly evident here. The "double-height" area is not apparent from the exterior. The painted ceiling and crests still exist (see photo 6 below). Mr. Girvan often called the house the 'Dalriada', a reference to two Gaelic kingdoms and his cultural roots.



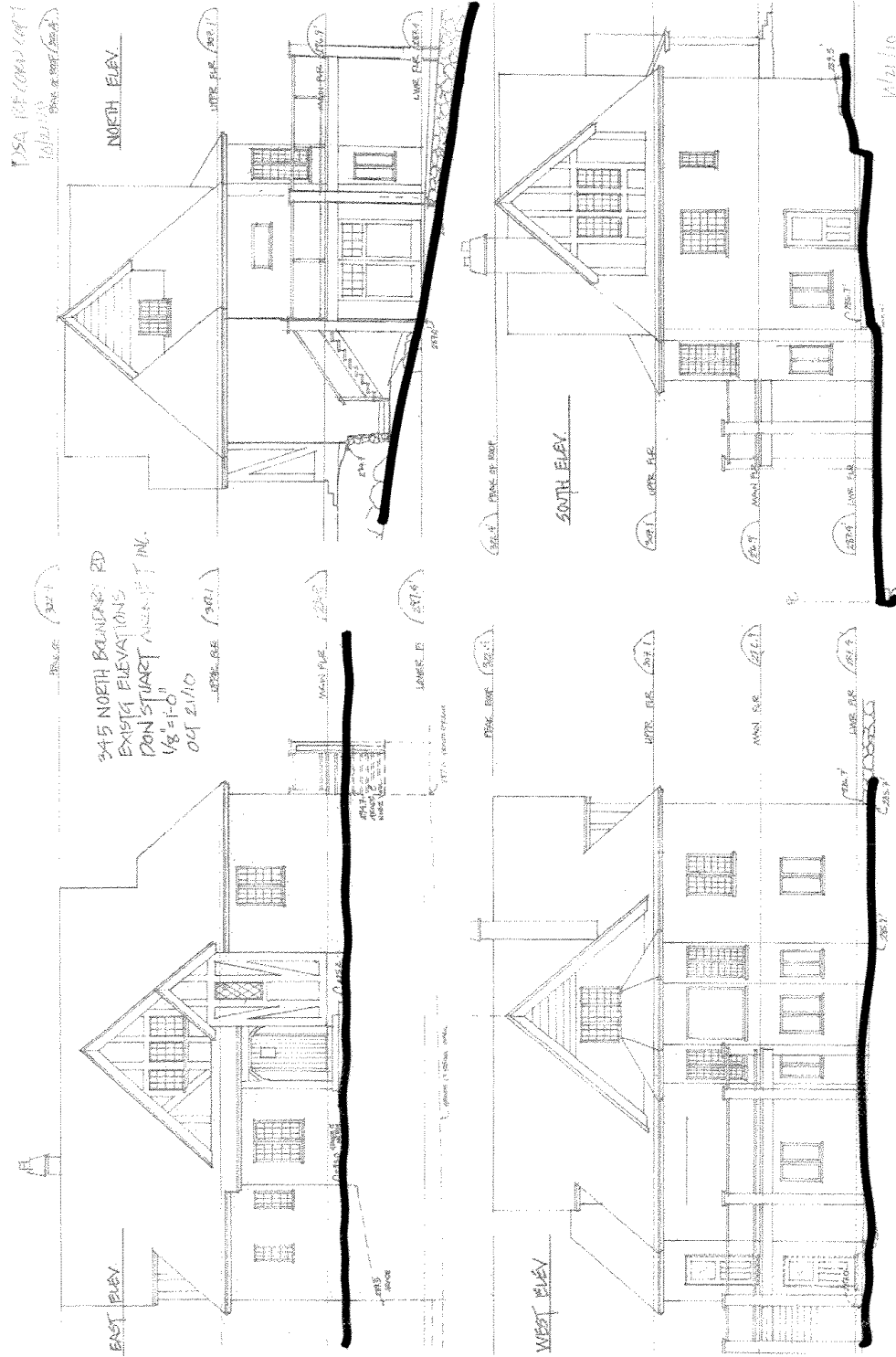
Photo 6: The ceiling today (circa 2011)



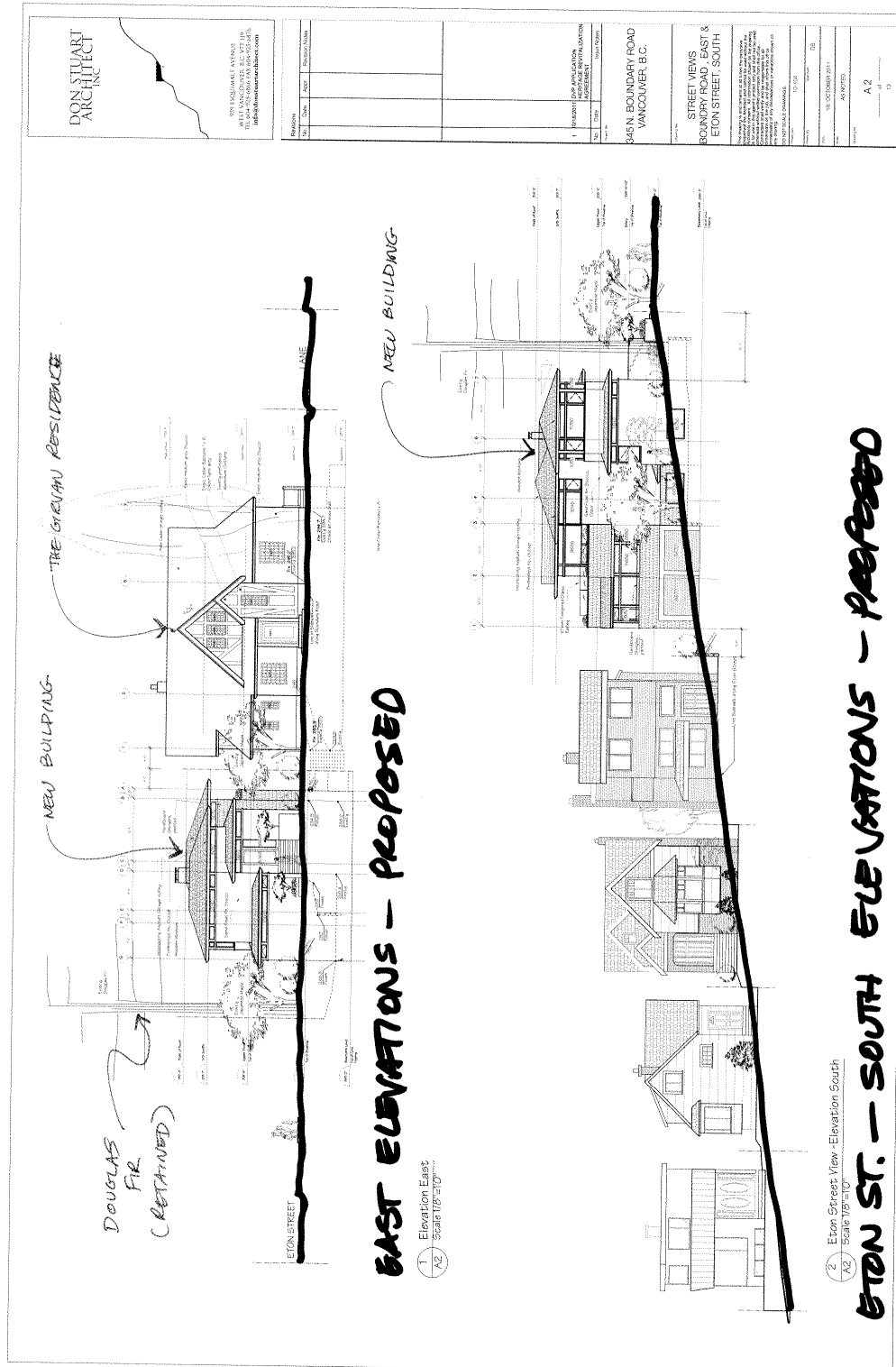
Existing Site Plan



Proposed Site Plan



EXISTING ELEVATIONS



DON STUART ARCHITECT
1000 WEST 10TH AVENUE
VANCOUVER, B.C. V6H 1T5
604-681-1111
info@donstuartarchitect.com

PROFESSIONAL NAME
1100 WEST 10TH AVENUE, VANCOUVER, B.C. V6H 1T5
604-681-1111
info@donstuartarchitect.com

REVISIONS

NO.	DATE	DESCRIPTION

1100 WEST 10TH AVENUE, VANCOUVER, B.C. V6H 1T5
604-681-1111
info@donstuartarchitect.com

345 N. BOUNDARY ROAD
VANCOUVER, B.C.

ELEVATIONS
WEST & NORTH
SECTION

THE GLENN RESIDENCE
DOUGLAS FIR (RETRAINED)

NEW BUILDING

NEW BUILDING

LANE

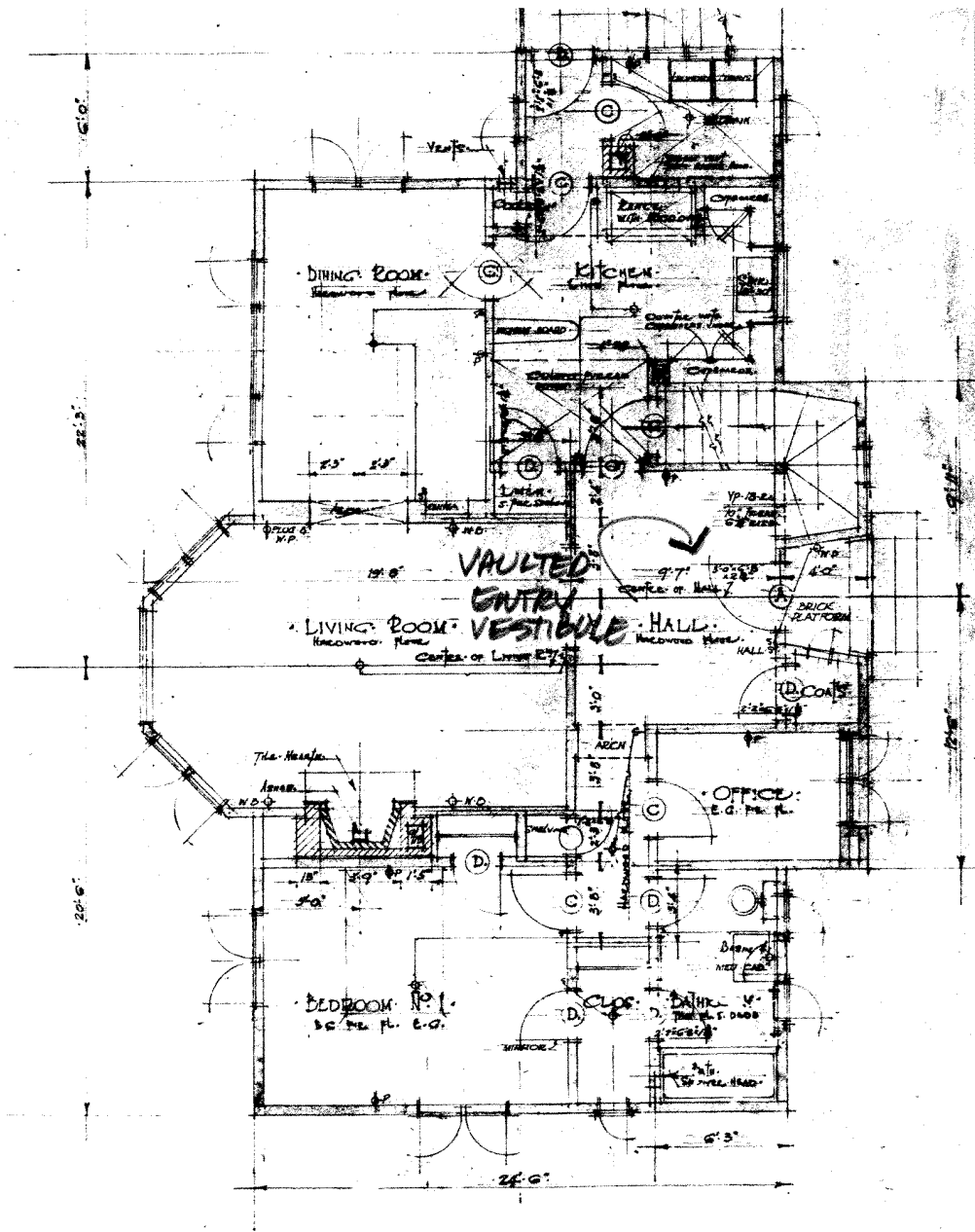
ETON STREET

1 Elevation West
A3 Scale 1/8" = 1'-0"

2 Elevation North
A3 Scale 1/8" = 1'-0"

3 Section
A3 Scale 1/8" = 1'-0"

PROPOSED



PLAN OF GROUND FLOOR - RESIDENCE FOR J. GIVAN

CONTRACTORS MUST TAKE AND VERIFY ALL MEASUREMENTS AT BUILDING BEFORE MAKING SHJP DRAWINGS OR STARTING WORK.

PLANS		
JOB No. 485	TOWNLEY AND MATHESON ARCHITECTS 325 HOMER ST. VANCOUVER, B.C.	SHEET NO. 2
PRINTED BY	Drawn by J.B.	DATE, 1930

Copy of original 1930 plans showing the ground floor (note the "double-height" entry vestibule area- see photos in Appendix 'A')

PROFESSIONAL SERVICE
100 WEST 10TH AVENUE, SUITE 100
VANCOUVER, BC V6E 2R5
TEL: 604-681-1111

NO.	DATE	FLOOR	DESCRIPTION/NOTES
1	18 OCTOBER 2011	AS NOTED	ISSUED FOR PERMIT

PROJECT: 845 N. BOUNDARY ROAD
VANCOUVER, B.C.

FLOOR PLANS
NEW BUILDING

Scale: 1/8" = 1'-0"

DATE: 18 OCTOBER 2011
AS NOTED

PROJECT NO.: A4

1 Basement Level
Scale 1/8" = 1'-0"

2 Main Floor
Scale 1/8" = 1'-0"

3 Upper Floor
Scale 1/8" = 1'-0"

4 Roof Plan
Scale 1/8" = 1'-0"

PROPOSED PLANS - NEW BUILDING

Resolutions of the Vancouver Heritage Commission

On January 23rd, 2012, the Vancouver Heritage Commission reviewed the application and resolved the following:

THAT the Vancouver Heritage Commission (VHC) supports the Statement of Significance, the Conservation Plan and the proposed additions to the rear of the heritage building for 345 North Boundary Road, and requests:

- (i) Staff to make as conditions of the Heritage Revitalization Agreement (HRA) that the new lot subdivision be pulled away from the heritage house providing for a larger side yard while respecting the retention of the fir tree, and
- (ii) that 345 North Boundary Road's interior be added to the Heritage Register.

CARRIED UNANIMOUSLY

Staff Comments:

Regarding (i) above, a condition of the development permit application approval requires the applicant to explore greater separation of the two houses and shifting of the subdivision boundary to the south in respect of this. Regarding (ii) above, the building is listed on the Vancouver Heritage Register and the Statement of Significance for the site identifies the interior entry lobby as being of value. Staff have added notes to the City's enquiry database to note that the interiors have been identified as having value. As interiors are not specifically identified on the Register, staff conclude that these actions meet the intent of the Commission's resolution. The interior lobby is not to be designated as protected heritage property as part of the current Designation By-law, in any event.

Technical Zoning Summary

The tables below show the density and parking proposed on each of the parcels to be created by the HRA (overall area for the Lands is 8,450 square feet):

Table 1: Proposed Heritage Parcel

Proposed Site Area: 5,040 sq. ft.

Item	Existing	Required or Permitted	Proposed
Density and floor area	0.65 FSR* (3,254 sq. ft.)	0.75 FSR (3,780 sq. ft.)	0.67 FSR (3,372 sq. ft.)
Parking	2 (for the heritage building)	1 minimum as proposed	2

* based on the proposed parcel.

Table 2: Proposed New House Parcel

Proposed Site Area: 3,410 sq. ft.

Item	Existing	Required or Permitted	Proposed
Density and floor area	N/A	0.70 FSR (2,387 sq. ft.)	0.80 FSR (2,741 sq. ft.)
Parking	N/A	1 minimum as proposed	2

345 North Boundary Road – PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation and conservation of a heritage building and construction of a new One-Family Dwelling with a Secondary Suite on a separate parcel.

Public Benefit Summary:

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

	Current Zoning	Proposed Zoning
Zoning District	RS-1	HRA
FSR (site area = 8,635 sq. ft./ 581 m ²)	0.70	0.72
Buildable Floor Space (sq. ft.)	6,045 sq. ft.	6,113 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)	\$15,958	\$7,550
	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)		\$52,546
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$15,958	\$60,096

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 in the heritage building. The proposed new floor area is 2,860 sq. ft. The recently approved DCL value of \$2.64 / sq. ft. is used for the DCL calculation. It is assumed that if the Lands were to be redeveloped, the heritage building would not be retained with regard to the values presented in the "Current Zoning" column

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.