



ADMINISTRATIVE REPORT

Report Date: June 12, 2012
Contact: Kent Munro
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RTS No.: 9517
VanRIMS No.: 08-2000-20
Meeting Date: July 10, 2012

TO: Vancouver City Council
FROM: Director of Planning in consultation with Director of Legal Services
SUBJECT: 1927 West 17th Avenue - 'The Hawkins House' - Heritage Designation

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 Hawkins House (the "heritage building") at 1927 West 17th Avenue in the City of Vancouver (legal description: PID 011-521-309; Lot 7, Block 486, District Lot 526, Plan 4502) (the "Lands").
- B. THAT Council determine for purposes of Section 3.2.5 of the *Zoning & Development By-law* that the development of the Lands as proposed under Development Permit Application No. 410564 will make a contribution to conserving the heritage building.
- C. THAT Council approve the granting, pursuant to Section 3.2.5 of the *Zoning & Development By-law* and the *Heritage Policies and Guidelines*, in connection with the proposed heritage designation and a proposed rehabilitation of the heritage building, of a 10.2% increase to the floor space ratio permitted for the Lands under applicable zoning.
- D. FURTHER THAT Recommendations A, B and C be adopted on the following conditions:
 - (i) THAT the passage of the above resolution 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 authorization for the designation of the “Hawkins House” at 1927 West 17th Avenue (the “heritage building”), which is listed on the Vancouver Heritage Register in the ‘A’ evaluation category, as a protected heritage property under the Section 593 of the *Vancouver Charter*. It is proposed that as incentive and compensation to the owner for the proposed heritage designation, and for the owner to covenant, by written agreement to be registered on title to the Lands, to rehabilitate and conserve the heritage building, certain zoning relaxations, including a 10.2% increase in the permitted density for the Lands, are to be granted for purposes of the development contemplated in Development Permit Application Number DE410564 as further described in this report (see plans in Appendix B).

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Council may, by by-law, on terms and conditions as it considers appropriate, designate real property in whole or in part as protected heritage property pursuant to Section 593 of the *Vancouver Charter*. Section 595 of the *Vancouver Charter* requires that, if sought, Council must compensate an owner of property designated as protected heritage property for any reduction in market value of the property caused by the designation. This is achieved often by zoning relaxations or variances to permit otherwise impermissible developments and thereby enhance the development potential of the lands in question.

Under Section 3.2.5 of the *Zoning and Development By-law* and under the *Heritage Policies and Guidelines*, the Director of Planning, for heritage conservation purposes, may allow an increase in permitted floor space ratio for lands in respect of any development which Council has determined will contribute to the conservation of a heritage property. The FSODP is subject to the provisions of the *Zoning & Development By-law* regarding development permits. Under the *Heritage Policies and Guidelines*, prior Council approval is required for any such proposed increase in floor space ratio which would be more than 10% greater than the maximum floor space ratio permitted under applicable zoning.

In this case, the Director of Planning is prepared to approve the Development Permit Application in the event that Council determines that the development will contribute to the conservation of the heritage building, approves the proposed 10.2% increase to permitted floor space ratio for the Lands and authorizes the proposed heritage designation.

A heritage designation under Section 593 of the *Vancouver Charter* requires a public hearing before Council, pursuant to Section 594 of the *Vancouver Charter*, and the enactment of a heritage designation by-law.

The *Heritage Policies and Guidelines* (April 1991) apply to this project.

CITY MANAGER'S/GENERAL MANAGER'S COMMENTS

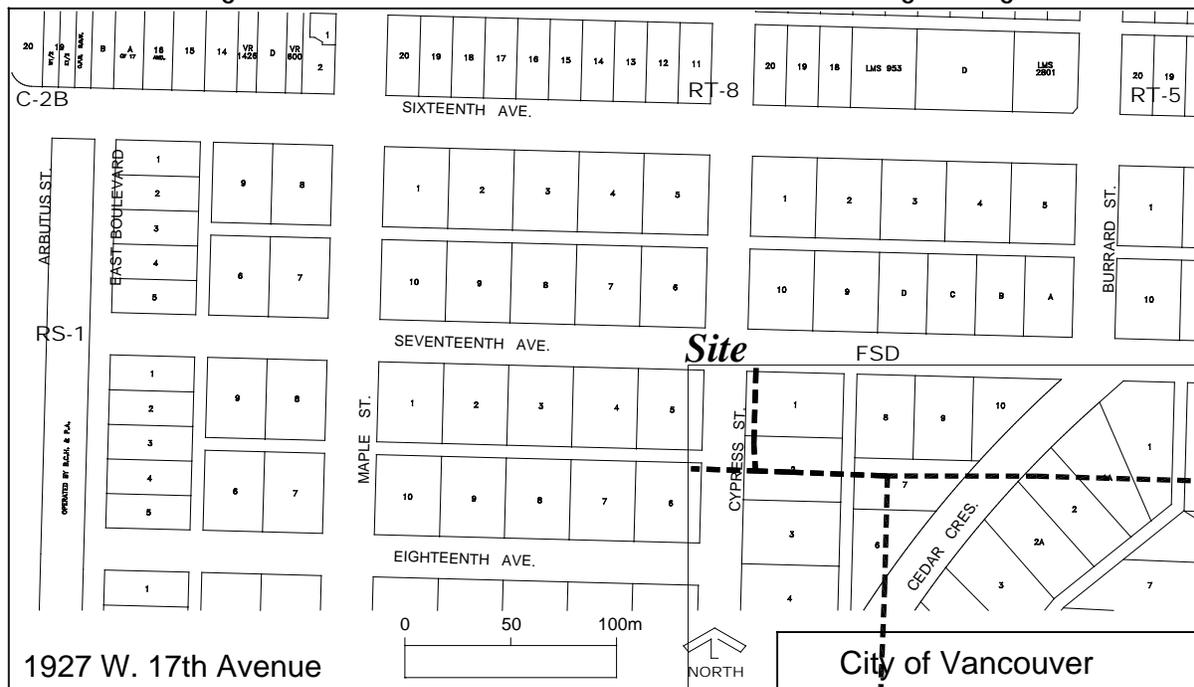
The General Manager of Community Services RECOMMENDS approval of A, B, C and D.

REPORT

Background/Context

The Hawkins House at 1927 West 17th Avenue is located in First Shaughnessy (see Figure 1 below), which is governed by the First Shaughnessy Official Development Plan (FSODP). The intent of the FSODP is to retain the unique low-density estate character of the neighbourhood, with broad goals including the conservation and restoration of meritorious pre-1940 homes. The site is located on the north side of West 17th Avenue, west of Cypress Street, and the house is set toward the east side of this 12,504 square foot lot. There is a paved lane running along the rear of the site.

Figure 1: The "Hawkins House" site and surrounding zoning



Strategic Analysis

Heritage Value

The Hawkins House at 1927 West 17th Avenue was built in 1912-1913, an early Shaughnessy house and a unique example of the Queen Anne style (see photos in Appendix 'A'). It features a centrally set rounded turret extending the full height of the house with a domed roof, spire and curved windows, a broad sweeping roof line and a gambrel roof form extending to the west, and leaded glass in the upper sashes of the windows. The historical association is with John Hawkins, a carpenter who had previously built a house at 1020 Victoria Drive in a similar style but in a more modest form and scale. He lived here until his death in 1920, and his widow Maria Hawkins remained here until her death in 1931.

Development Application and Proposed Incentives

It is proposed that in return for certain relaxations to the applicable zoning, including a 10.2% increase in the permitted density for the lands, as set forth in Development Permit Application DE410564 and as described below, the owner will accept a heritage designation and, by way of written agreement to be registered on title to the lands, undertake to rehabilitate and conserve the heritage building.

The Development Permit Application proposes an addition to the heritage building in the form of a garden room at the rear, west side, and a modest extension to the existing detached garage. The application, when received in 2006, contemplated a garden room addition smaller than now proposed and excluded the garage. The garage extension was completed later that year in conjunction with its relocation, to address an encroachment, but without the necessary permits. In addition, grade changes were made at an earlier stage, also without permit, and the applicant was informed that the garage and grade changes were to be addressed prior to the Development Permit Application proceeding forward.

Subsequently, the owner decided to re-design the garden room addition and enlarge it slightly. Through negotiation with staff it was agreed that the application, although significantly delayed, could proceed on the condition that the grade changes be addressed and the garage extension be incorporated into the additional proposed floor area. A revised set of conditions for the Development Permit Application was issued in October 2011, one of which is heritage designation.

The maximum permitted density under the FSODP is 0.45 floor space ratio (FSR) which allows for a density for the Lands of 5,627 square feet. The FSODP requires that the floor area of a detached garage be included in the overall FSR calculation. On that basis, the existing FSR is 0.454 (5,683 sq.ft.). The density proposed under the Development Permit Application is 0.496 FSR, including 309 square feet for the garden room and 208 square feet for the garage extension for a total of 6,199 square feet (see Table A below). The proposed density exceeds by 10.2% the maximum permitted by the applicable zoning.

Table A: Summary of Proposed Density

Item	Existing	Permitted or Required	Proposed
Total Density	House 5,267 sq.ft. Garage 416 sq.ft. *	5,627 sq. ft. 0.45 FSR	House 5,576 Garage 623 sq.ft. *
	Total 5,683 sq.ft. 0.454 FSR		Total 6,199 sq.ft. 0.496 FSR

* Floor area of detached garage - existing 415.5 sq.ft. measured at the time of receiving the Development Permit Application; proposed 623.3 sq.ft. - included as part of overall FSR calculations as per the FSODP.

The Director of Planning has considered advice from the Vancouver Heritage Commission and First Shaughnessy Advisory Design Panel, notified adjacent property owners of the application and considered the provisions of the Zoning and Development By-law and all applicable policies and guidelines adopted by Council. As required under the *Heritage Policies and Guidelines*, the Director of Planning has also considered the value of the increased floor area,

the impact upon liveability and environmental quality of the neighbourhood, and appropriateness of requiring heritage designation as a condition of approval and has concluded that the zoning relaxations proposed under the development permit application are supportable provided that the owner accept the designation of the heritage building as a protected heritage property and, by written agreement to be registered on title to the lands, covenant to rehabilitate and conserve the heritage building.

Compatibility with Existing Zoning and Land Use Regulations

The intent of the First Shaughnessy Official Development Plan (FSODP) is to protect and preserve Shaughnessy's unique pre-1940 character. The goals of the FSODP as they pertain to this proposal include promoting conservation and restoration of meritorious pre-1940 homes, maintaining the estate-like image of development, and preserving and enhancing the cultural, social, economic, architectural and historical elements of First Shaughnessy.

This is supported by both the previously approved rehabilitation work on the heritage house, and the current proposal to add a garden room at the rear. The proposal meets the intent of the First Shaughnessy design guidelines: it retains and protects this unique "A-listed" home, the addition is in keeping with the heritage house, and it will have minimal impact on the streetscape, it will maintain the estate character and privacy between neighbours and retain mature trees. As the home's main floor is about 8 ft. above grade, the garden room and the deck will be set lower and step down as a transition into the side yard. It will resemble an attached solarium with veranda, using a form, detailing, and materials found in the existing heritage home. As such the proposed addition responds well to the house - complementary yet distinguishable. The garage extension to the south end adjacent the house is for storage purposes, and has not provided any additional parking. Staff conclude that the proposal is consistent with the goals and intent of the zoning.

Condition of the Heritage Building and Conservation Approach

The property is in excellent condition. The heritage house retains much of its grandeur and original elements, including form, cladding, windows and entry. In 2010, work was completed through a separate permit to remove additions at the rear that were deemed unsafe and not original to the house. The required rehabilitation work under the present application is minor: the main entry, previously relocated to enclose the front porch, will be set back to re-create a recessed entry. The addition of the garden room will require a connection on the west side of the house toward the rear, removing a small portion of exterior wall, which will not affect any character-defining elements. The extension to the garage has been completed with shingle cladding similar to the house and the original portion of the garage.

Results of Neighbourhood Notification

Fifteen surrounding properties were notified of the application. One reply expressing concern was received from the neighbour to the east. The concern was for the garage which at that time encroached slightly on to that neighbouring property. Since then, the garage has been relocated to the subject property and now meets applicable by-law requirements for siting.

Comments from Advisory Bodies

This application was first presented to the Vancouver Heritage Commission on February 4, 2008. General support was expressed but the Commission requested comments from the First Shaughnessy Advisory Design Panel (FSADP). The FSADP reviewed the proposal on February 28, 2008, and suggested fine-tuning the roof forms of the addition as well as reconsidering some choices of finishing material. A motion to support was passed and carried unanimously.

This was followed by a second presentation to the Heritage Commission on March 17, 2008. In response to these comments the proposed finishing material around the base of the garden room addition was changed to complement the heritage house, the roof over the deck was reduced in size, and the deck was divided into two levels to step down into the west yard.

With the re-activation of the Development Permit Application in late 2011, it was presented to the Heritage Commission for a final time on March 5, 2012. The Commission expressed support for the garden room addition, but not the garage extension and the minutes were adopted at the following meeting on March 26, 2012 (see Resolutions of the Vancouver Heritage Commission, Appendix C). The advice of the Commission was carefully considered by the Director of Planning when making a decision on the Development Permit Application. On balance the decision was to have the application proceed without changes to the garage extension, as staff feel the modest increase in floor space for the garden room and garage are reasonable in exchange for designation.

Financial Implications

The value of the on-site density bonus, which will facilitate the preservation and designation of the heritage building called 'The Hawkins House', is about \$92,000.

The site is within the City-wide Development Cost Levies (DCL) District and it is anticipated that the applicant will pay about \$1,360 in DCLs.

Proforma Evaluation

Real Estate Services staff analysed the project economics in accordance with Council's approved policies. The Director of Real Estate Services advises that the modest amount of additional density proposed to offset the rehabilitation and conservation costs and compensate for any reduction in land value resulting from the designation of the heritage building will not result in any undue profit, noting the scope of heritage rehabilitation planned and recently approved.

Environmental

The City's "Green Buildings Policy for Rezonings" does not apply to the application as a Heritage Revitalization Agreement is not required. However, reasonable design efforts shall be made to improve green performance where appropriate, while respecting heritage aspirations and promoting heritage retention. Any relevant requirements in the Vancouver Building By-law to improve environmental performance will still apply to this project.

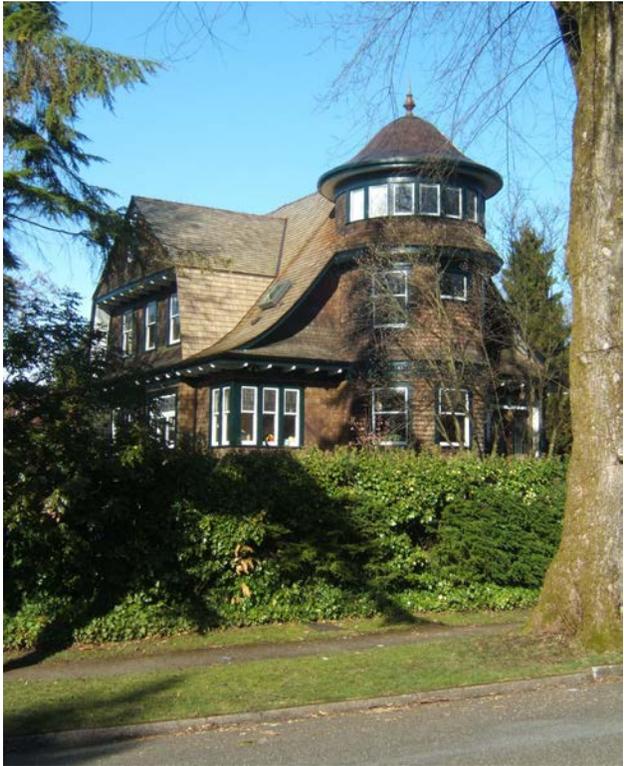
Legal

Section 595 of the *Vancouver Charter* requires that, if sought, Council must compensate an owner of property designated as protected heritage property for any reduction in market value caused by the designation. Again, it is proposed that the owner in this case is to be compensated for the reduction in market value caused by the proposed designation and for costs associated with the obligations to rehabilitate and conserve the heritage building, by way of the zoning relaxations proposed by the development permit application as discussed in this report. The owner has signed an agreement to be registered on title to the Lands by which, among other things, the owner covenants to rehabilitate and conserve the heritage building and explicitly acknowledges that in the circumstances she will be fully compensated for the heritage designation and the rehabilitation and conservation obligations and has waived any right to claim any further compensation in connection with them.

CONCLUSION

The Hawkins House at 1927 West 17th Avenue, an A-listing on the Vancouver Heritage Register, has a strong historical association with the early development of First Shaughnessy and an architectural style rare to Vancouver. Heritage designation will ensure that it is protected from exterior alterations that affect its heritage value, and from demolition. The modest relaxations to density have been accepted as full and fair compensation by the owners for designation of the house. Therefore, staff recommend that Council approve the proposed permitted density increase and the heritage designation of the Hawkins House.

* * * * *



1927 West 17th Avenue - Hawkins House - South Elevation



1927 West 17th Avenue - Hawkins House - West Elevation



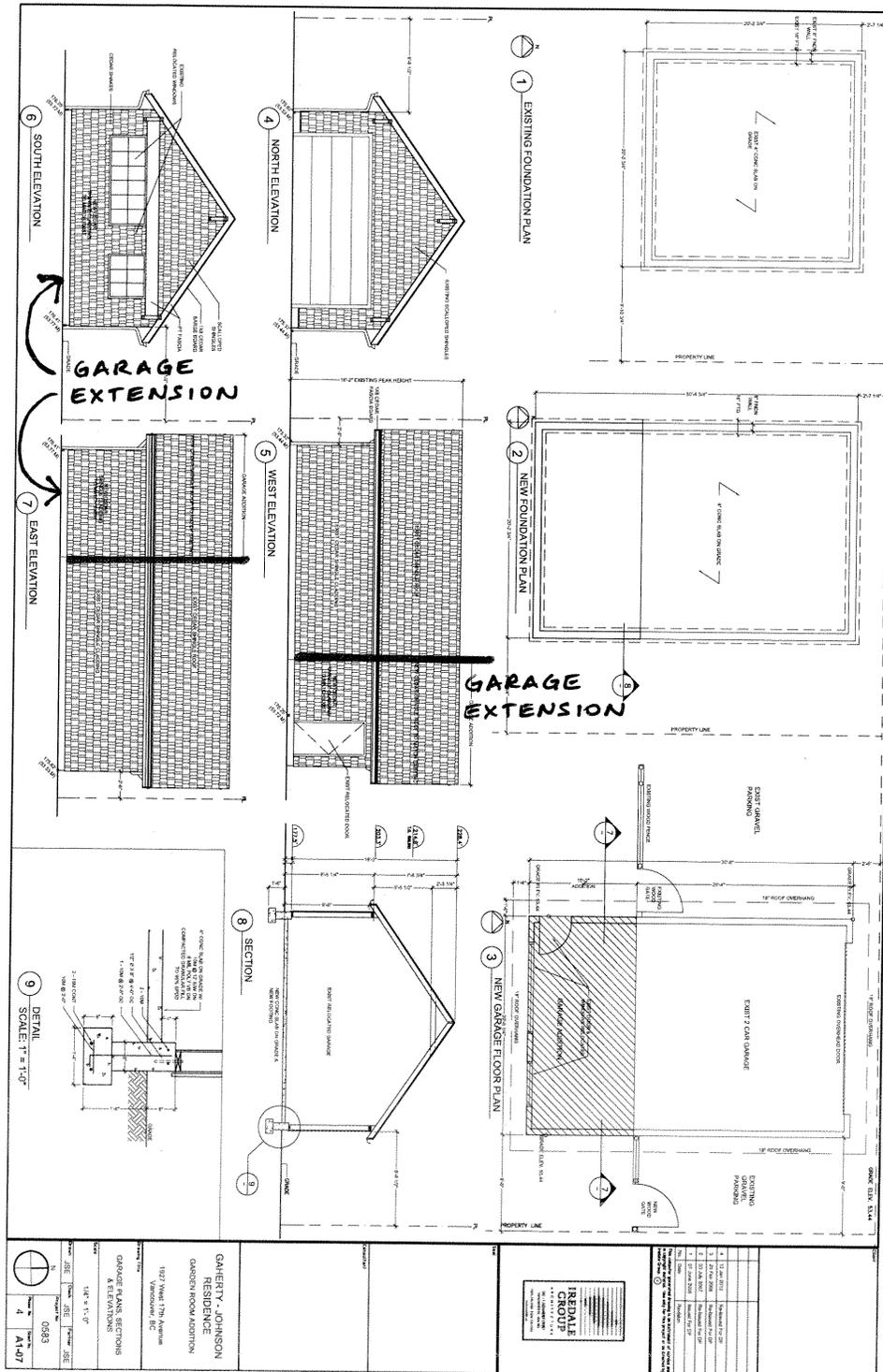
1927 West 17th Avenue - Hawkins House, North Elevation (rear), garage (below)





1927 West 17th Avenue - Hawkins House - Details: Front Door, Foundation and Windows

Garage and Extension



<p>INTEGRAL GROUP ARCHITECTS 1000 W. 10TH AVENUE DENVER, CO 80202 TEL: 303.733.1111 WWW.INTEGRALGROUP.COM</p>		<p>DATE: 10/11/11 SCALE: 1" = 1'-0"</p>
<p>GARHERTY - JOHNSON RESIDENCE GARBER ROOM ADDITION VANOVERSHAW, CO</p>		<p>PROJECT NO: 0583 SHEET NO: 4 A(17)</p>

Resolutions of the Vancouver Heritage Commission:

February 4, 2008

RESOLVED

THAT regarding the project at 1927 West 17th Avenue, the Vancouver Heritage Commission (VHC), supports the proposal to designate this property in exchange for the proposed increase in FSR subject to design comments from the First Shaughnessy Design Panel;

CARRIED UNANIMOUSLY

March 17, 2008

RESOLVED

THAT regarding the project at 1917 West 17th Avenue, the Vancouver Heritage Commission (VHC), supports the project as presented at the March 17, 2008 meeting, specifically noting the following:

- i) appropriateness of front entrance alterations resulting in relocation of the unique front doors;
- ii) location, rooflines, massing and materials for the garden room; and
- iii) integration into the landscape.

CARRIED UNANIMOUSLY

March 5, 2012 (Meeting Notes, as approved by full Commission on March 26, 2012):

THAT the Vancouver Heritage Commission supports the application at 1927 West 17th Avenue for the designation and compatibility of the garden room addition with the heritage house as presented at the March 5, 2012 meeting.

FURTHER that, the Commission withholds its support for the already completed garage citing concerns with its size, location and proximity to the heritage house.

1927 West 17th Avenue – PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation and conservation of a heritage building and construction of an addition at the rear of the building.

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	FSD	FSD
FSR (site area = 12,504 sq. ft. / 1,162 m ²)	0.454	0.496
Buildable Floor Space (sq. ft.) (See Note 1)	5,683 sq.ft.	6,199 sq.ft.
Land Use	Residential	Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed (\$)
Required*	DCL (City-wide) (See Note 2)	\$14,855	\$1,362
	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 3)		\$92,000
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$14,855	\$93,362

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: Buildable area includes detached garage, which in FSODP is included in FSR (density) calculations.

Note 2: DCLs based on recently approved rate of \$2.64 p.s.f. The figure in the first column is based on redevelopment of the property to a maximum FSR of 0.45 (5,627 sq.ft.). The second column is based only on the additional floor area of 516 sq.ft. - the remainder of floor space in the heritage house is exempt.

Note 3: 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.