

POLICY REPORT DEVELOPMENT AND BUILDING

Report Date: June 6th, 2012 Contact: Kent Munro

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RTS No.: 9636

VanRIMS No.: 08-2000-20 Meeting Date: July 10, 2012

TO: Vancouver City Council

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

SUBJECT: 334 West 14th Avenue - 'The Lawrence Residence' - Heritage Designation

and Heritage Revitalization Agreement

RECOMMENDATIONS

- A. THAT Council add to the Vancouver Heritage Register, in the 'B' evaluation category thereof, the residential building at 334 West 14th Avenue known as 'The Lawrence Residence'.
- B. 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 at 334 West 14th Avenue (legal description: PID: 014-568-250; Lot 5, Block G, District Lot 526, Plan 1530)(the "Lands"), known as 'The Lawrence Residence'.
- C. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law for the City to enter into a Heritage Revitalization Agreement in respect of the heritage building to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building; and
 - (ii) vary the Zoning and Development By-law in respect of the Lands to permit the construction of a new Infill One-Family Dwelling thereon as proposed under Development Permit Application DE415503 and as more particularly described in this report.

- D. THAT the Heritage Revitalization Agreement shall be prepared, completed and noted, 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 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 costs; 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 to add to the Vancouver Heritage Register, in the 'B' evaluation category thereof, the residential building at 334 West 14th Avenue, known as 'The Lawrence Residence' (the "heritage building"), to designate that building as a protected heritage property and to enter into a Heritage Revitalization Agreement (HRA) in respect of it to ensure its rehabilitation, conservation and long-term protection. It is proposed that, as incentive and compensation to the owner for the heritage designation and the rehabilitation and conservation of the heritage building, the HRA will vary the Zoning and Development By-law in respect of the Lands to permit the development of the Lands as proposed in Development Permit Application DE415503 and described in this report. The Director of Planning is prepared to approve the development permit application should Council authorize the addition of 'The Lawrence Residence' to the Vancouver Heritage Register, its heritage designation, and the proposed HRA.

COUNCIL AUTHORITY

Section 582 of the *Vancouver Charter* authorizes Council to establish, by resolution, a heritage register identifying real property that Council considers to be heritage property and, by resolution, to add such properties to the register from time to time.

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 an HRA with the owners of heritage properties which may vary or supplement certain kinds of by-laws and permits, including the Zoning & Development By-law.

Pursuant to section 595 of the *Vancouver Charter*, if sought, 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. Often this, along with additional compensation to offset rehabilitation costs incurred under an HRA, is achieved by way of bylaw variations contained in the HRA so as to permit an otherwise impermissible development.

The proposed heritage designation and the HRA for 'The Lawrence 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, D, and E

STRATEGIC ANALYSIS

Site and Context

'The Lawrence Residence' is located in the Mount Pleasant neighbourhood in an area zoned RT-6 (see Figure 1 below and the map in Appendix 'B'). 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 total area of the site is 6,245 square feet. A twenty foot wide paved lane exists at the rear of the site.

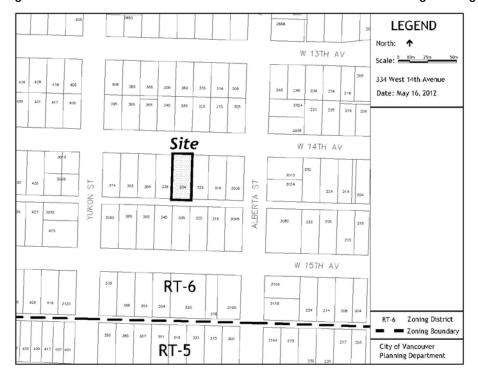


Figure 1 - 'The Lawrence Residence' site and the surrounding zoning

Heritage Value

The house at 334 West 14th Avenue was built in 1908 for Mary and William Lawrence. It is a good example of Late Queen Ann Revival architecture constructed during the Edwardian-era (see the photographs in Appendix 'A'). Queen Ann Revival houses built during twentieth century are rare in Vancouver and 'The Lawrence Residence' is valued for this. The house is also associated with the Anglican Church of Canada's Diocese of New Westminster and operated as The Anglican Women Auxiliary Memorial House from 1946 until 2011.

Features include the house's prominent octagonal turret, large wrap around front verandah with a tongue and groove floor, hipped roofs, granite stonework, stained glass windows, and wood sash windows (some with original float glass), original front entry doors, and original wood clapboard cladding underneath the existing cement shingles. A number of original interior features also survive. The application proposes to add the building to the Vancouver Heritage Register in the 'B' category, which is supported (see the Resolutions of the Vancouver Heritage Commission section).

Development Application and Proposed Incentives

It is proposed that the 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 by the proposed HRA in the form of variances to the Zoning and Development Bylaw, including a variance to increase the permitted density for the Lands, as set forth in Development Permit Application DE415503 and as described below.

The application proposes to restore the heritage building and change the use to a Multiple Conversion Dwelling containing three dwelling units and to construct a new Infill One-Family Dwelling at the rear of the site (see the drawings in Appendix 'C'). Infill use is permitted in the applicable zoning, but an increase in the permitted density for the Lands is needed for the infill use proposed under the development permit application. The maximum density permitted under the RT-6 zoning is 0.75 floor space ratio (FSR). The density proposed under the development permit application is 0.96 FSR (see Table A below and the Technical Zoning Summary in Appendix 'E').

Table A: Summary of Proposed Density Site Area: 6,245 sq. ft.

ltem	Existing	Permitted or	Proposed Total for
		Required	the Lands
FSR	3,613 sq. ft.	4,683 sq. ft.	5,966 sq. ft.
	0.58 FSR	0.75 FSR	0.96 FSR
		maximum	(27% over permitted)
Dwelling Unit Density	1	4 maximum	4

Another of the variances sought in respect of the Lands for the proposed development, to allow for infill use, would allow for a narrower side yard than is permitted under the applicable zoning. Under the applicable zoning, a side yard of 16 feet on at least one side of a principal building is required for infill development. The existing west side yard, the largest side yard on the Lands, is 11.3 feet in width, when the existing porch is not taken into account, or, when it is taken in to account, 5.6 feet in width (see the plans in Appendix 'C')

Staff have considered the proposed variances, 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. The design of the infill building and the additions to the heritage building are consistent with the proportions, rhythm, and details of architectural features of the area.

Condition of the Heritage Building and Conservation Approach

'The Lawrence Residence' is in good condition. As is the case with similar projects where strata-title units are proposed, the primary challenge with respect to heritage conservation is in meeting the environmental separation requirements in the *Vancouver Building By-law*, in particular those for "rain-screens". Options to provide for alternatives and exemptions will be explored but if a rain-screen is required, the existing exterior finishes will have to be removed to allow for installation of a drainage cavity.

The building was clad in cement shingles years ago. Initial inspection shows that the original clapboard siding exists underneath these tiles. The Conservation Plan indicates that the later shingles are to be removed and the clapboard siding re-used if viable. The application proposes to replace the existing stair assembly with a "straight run" stair (see the drawings in Appendix 'C'), which is likely the original stair configuration. Where possible wood elements, including window sashes, will be retained, or replicated if retention is not possible. In particular, stained glass sashes will be retained or re-used in new window sashes. The front door assembly will be retained. Interior features, while not protected, will be retained as much as possible in the new floor plans.

Although the rain-screen requirements of the *Vancouver Building By-law* will create challenges for the rehabilitiaon of the heritage building's exterior, staff support the Conservation Plan proposed for 'The Lawrence Residence' and conclude that the rehabilitation scheme is consistent with the federally adopted *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Results of Neighbourhood Notification

Sixty-four surrounding properties were notified of the application and a site sign was installed. Five responses were received. One expressed support for the project. Four expressed opposition. Concerns include the general increase in density in the neighbourhood, including the loss of single family properties which new development contributes to, as well as the size and height of the infill building. The overall density and number of buildings proposed for the site are also of concern. Shadowing impacts on adjoining properties are noted, as well as construction impacts (noise and dust).

The proposed uses, as well as the number of buildings on the site, are consistent with what is permitted in the current zoning applicable to the area. Four dwelling units are proposed for the site which does not exceed the permitted number of dwelling units for a site of this size (see Table 1 above). The floor area of the infill building (1,578 square feet) is within the range of infill floor areas approved for similar development in the neighbourhood and in other RT zones (see Table 3 and Table 4 in Appendix 'E'). The height of the infill building, its character, and materials comply with the RT-6 Guidelines. The design addresses impacts on light access and shadowing on surrounding properties, noting that it is the opinion of the Director of Planning that for projects such as this, a balance between the benefit of heritage conservation and impacts on surrounding properties is often considered. Conditions of the development application approval will require further improvements on light and privacy impacts where possible. The construction process will be subject to all City by-laws regarding noise and construction.

Staff conclude that the proposal is appropriate in size and scale and meets the guidelines applicable to the application, and therefore is supportable. The Director of Planning is prepared to approve the development permit application should Council approve the addition of 'The Lawrence Residence' to the Vancouver Heritage Register, its heritage designation, and the proposed HRA.

Comments from the Vancouver Heritage Commission

On November 14th, 2011, the Vancouver Heritage Commission reviewed the application, including the Statement of Significance and the Conservation Plan, and supported the proposal (See Resolutions of the Vancouver Heritage Register and Staff Comments in Appendix 'D').

Financial Implications

The value of the on-site density bonus, which will facilitate the preservation and designation of the heritage building called 'The Lawrence Residence', is approximately \$449,000. The site is within the City-wide Development Cost Levies (DCL) District and it is anticipated that the applicant will pay about \$6,200 in DCLs.

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 the proposed density of 0.96 FSR, and other by-law variances, proposed to offset the costs and compensate for any reduction in land value resulting from the designation and the rehabilitation and conservation of the heritage building will not result in any undue profit.

Environmental

The City's *Green Buildings Policy for Rezonings* applies to the application and requires developments of this scale to achieve BuiltGreen BCTM 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 BCTM. 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, if sought, Council compensate an owner for any reduction in the market value of the lands 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 implicitly the resulting development advantages to be gained thereby, as full compensation for the heritage designation of 'The Lawrence 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 approval of the addition of 'The Lawrence Residence' to the Vancouver Heritage Register, its heritage designation, and the proposed Heritage Revitalization Agreement will ensure that the heritage building is rehabilitated, conserved, and protected from demolition and from exterior alterations which might affect its heritage value. The proposed Heritage Revitalization Agreement will vary the Zoning and Development 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. The Director of Planning is prepared to approve the development permit application for the project should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of the 'The Lawrence Residence' to the Vancouver Heritage Register, its heritage designation, and the proposed Heritage Revitalization Agreement.

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Photo 1: 'The Lawrence Residence' from the front (north side) circa 2012



Photo 2: 'The Lawrence Residence' from the rear (south side) circa 2012

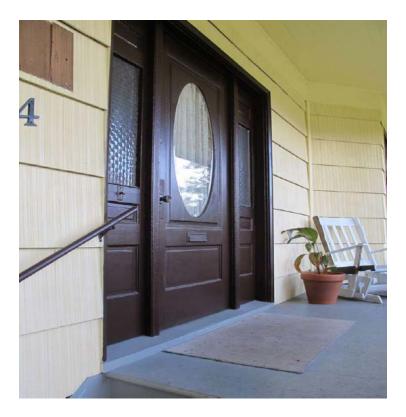
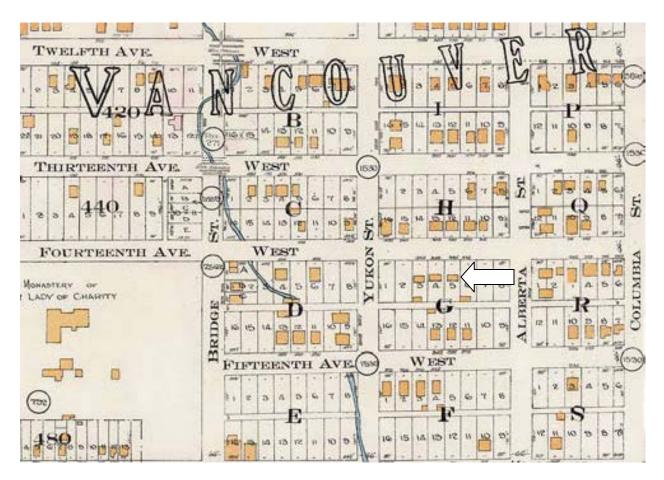


Photo 3: Original front door assembly, circa 2012

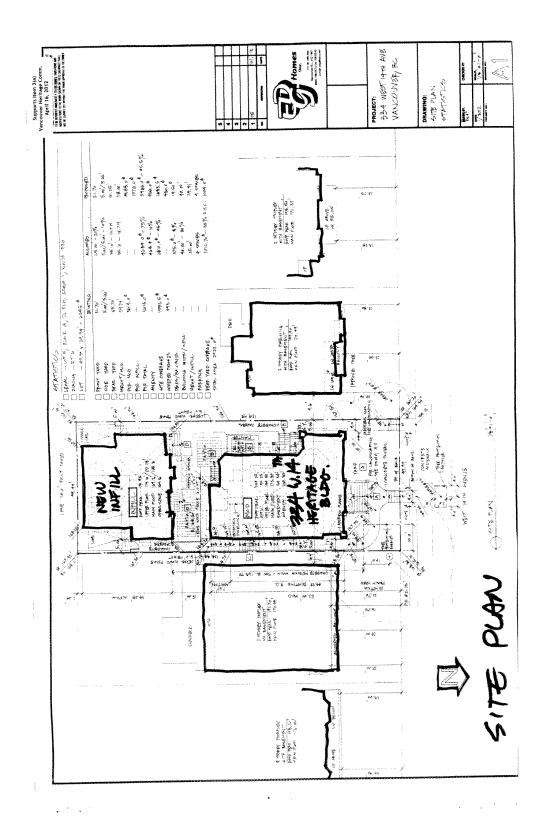


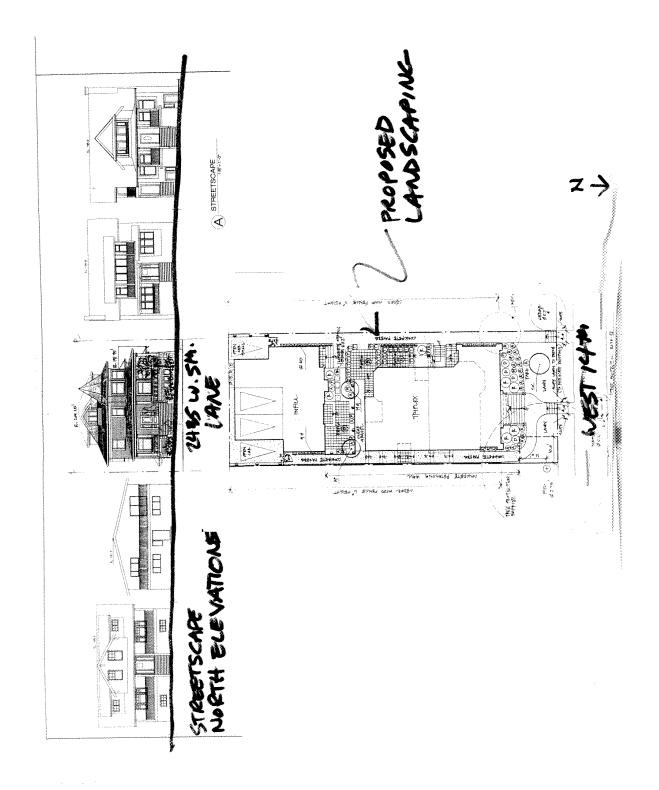
Photo 4: Living Room Showing Stained Glass, circa 2012

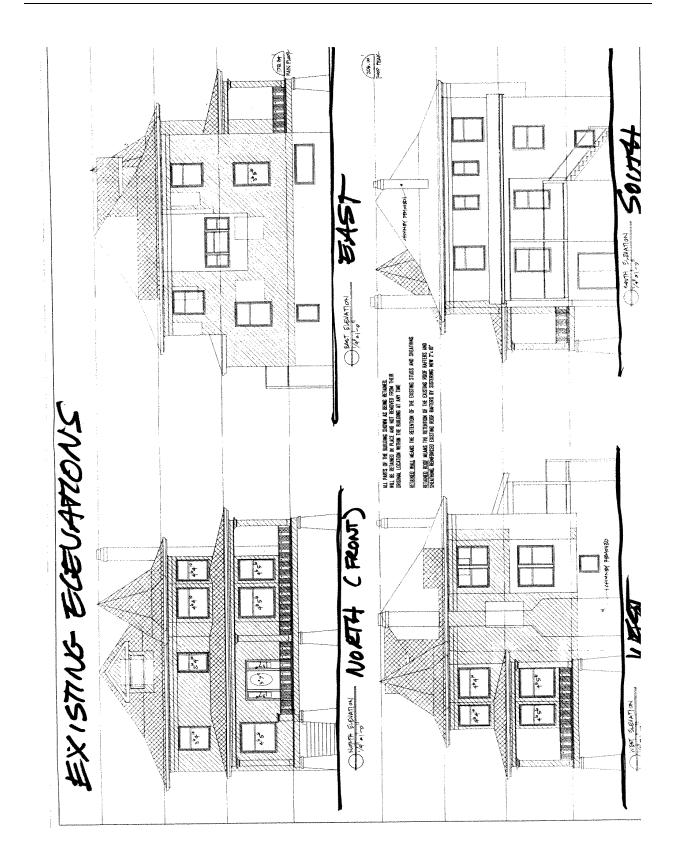


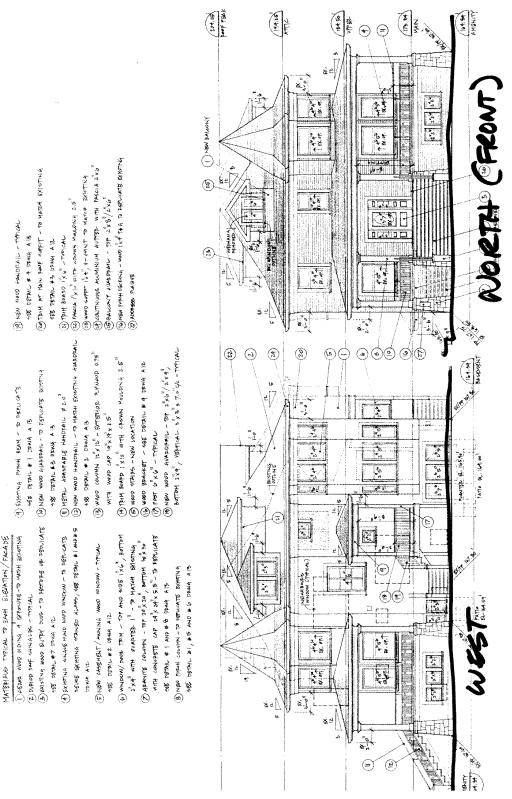
Fire Insurance Map circa 1912

'The Lawrence Residence' is shown by the arrow. The Monastery of the Lady of Charity site on the left became a bus depot and is now a large mixed use development. Most of the houses on this map still exist, although many have been highly modified. Note the partially open stream which ran through the neighbourhood and down Bridge Street (now Cambie Street). The topography of the area still reflects the old creek bed.

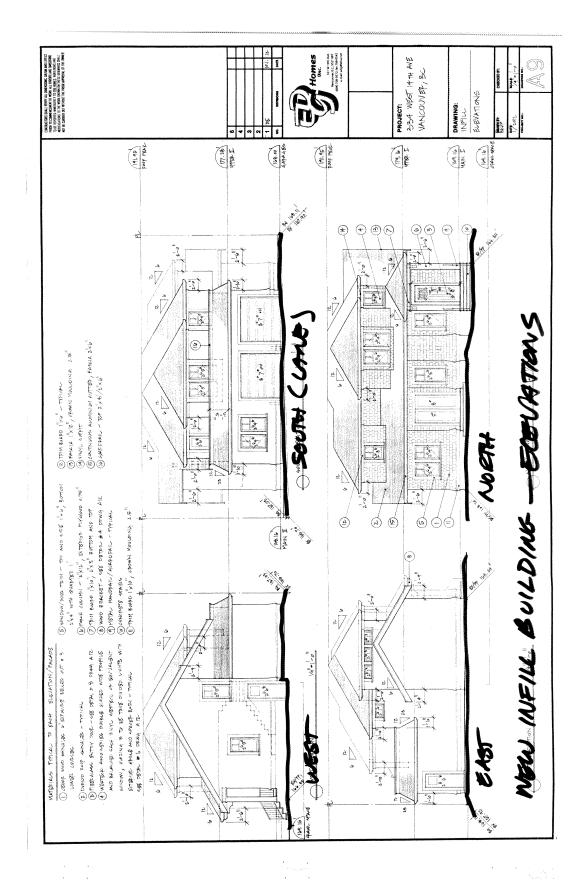


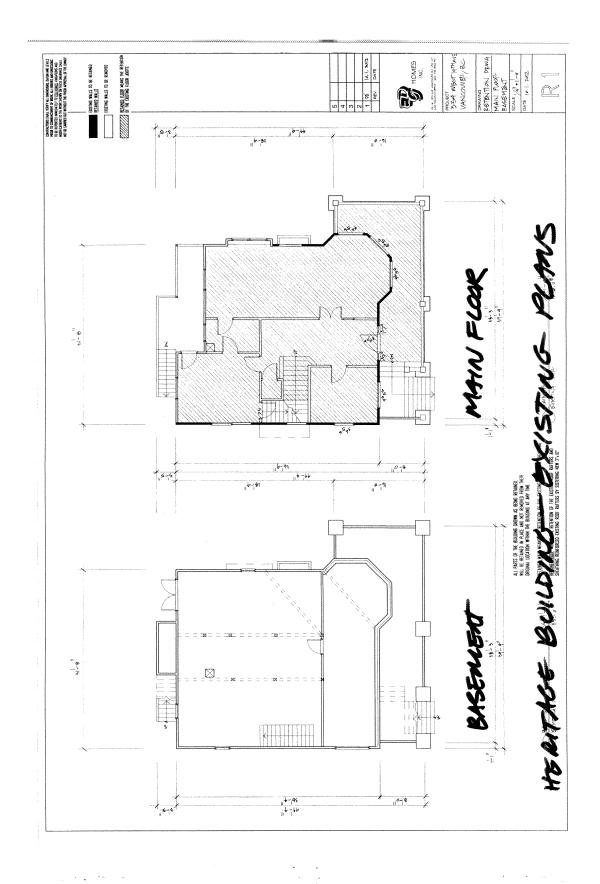


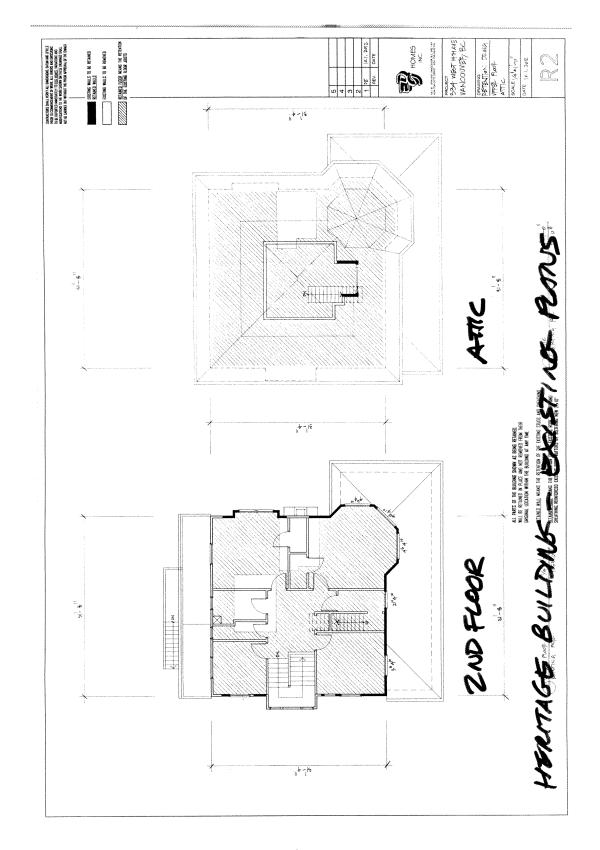


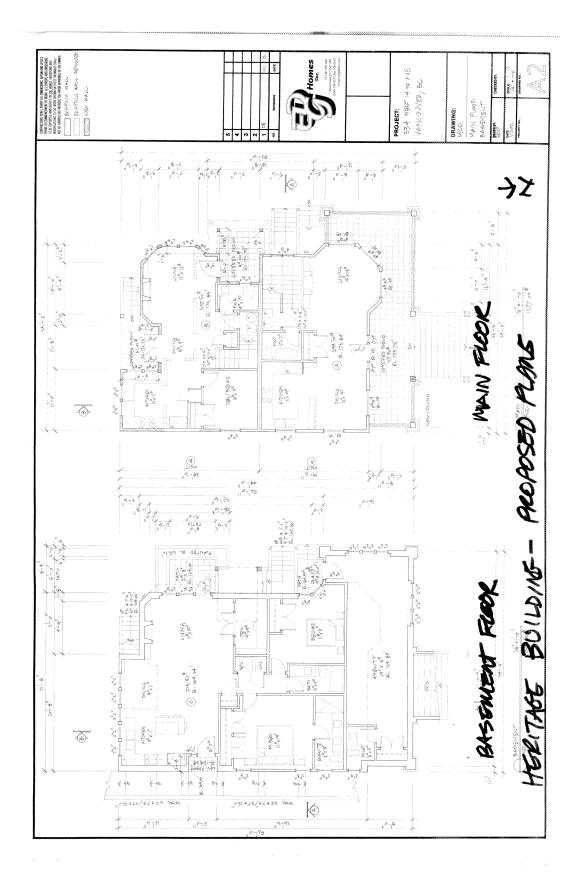


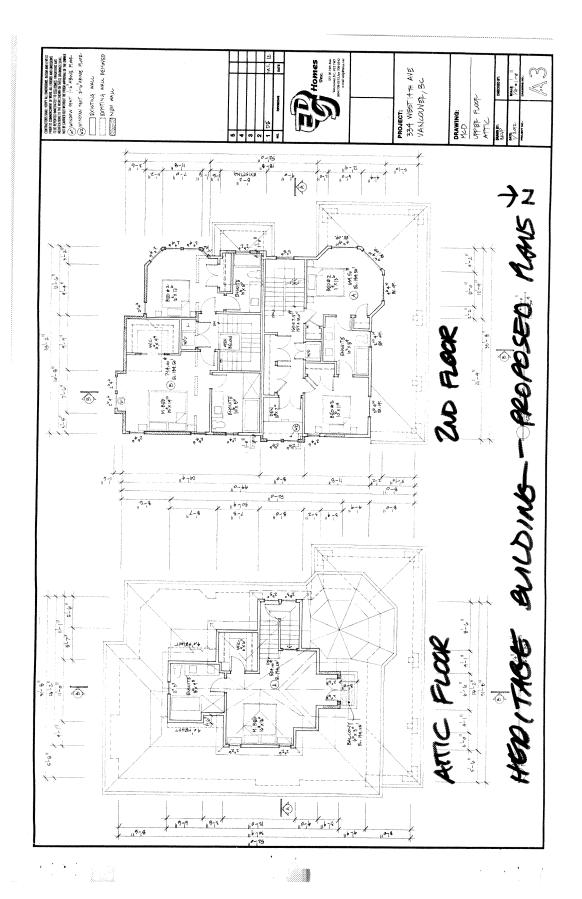
PROPERTY FLOURTIONS

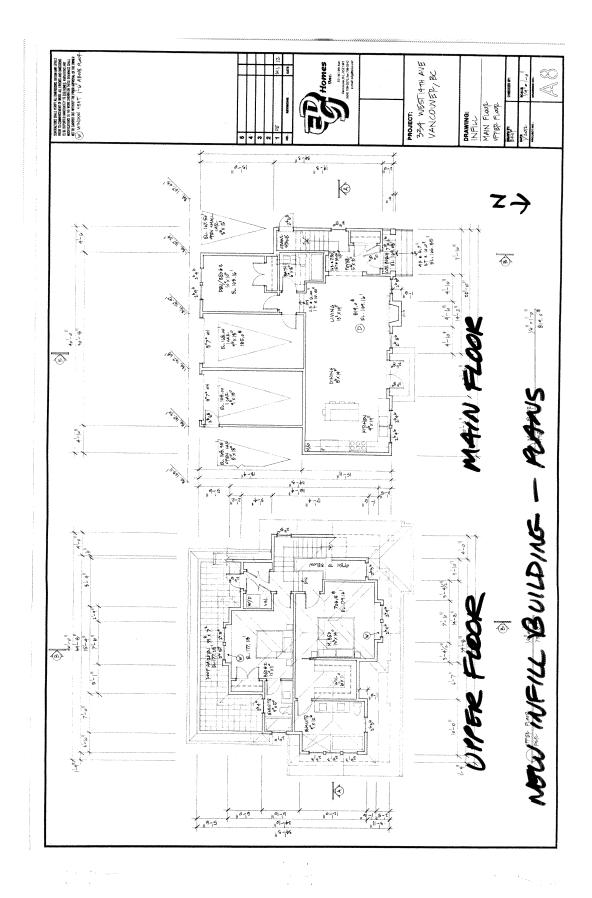












Resolutions of the Vancouver Heritage Commission and Staff Comments

On May 16th, 2012, the Vancouver Heritage Commission reviewed the development permit application, including the Statement of Significance and the Conservation Plan, and resolved the following:

THAT the Vancouver Heritage Commission supports the stratification and conservation at 334 West 14th Avenue, the Lawrence Residence, as presented at the April 16, 2012, meeting, and reserves its support for the Conservation Plan noting the following:

- that the data concerning lot location and the age of the building in the Conservation Plan be reviewed to ensure accuracy;
- that the missed lead light be located, if possible, and reincorporated into the building;
- that the new interior stair be further design developed to be more in keeping with the original;
- that consideration be given to the reduction of the number and scale of the new windows including reducing the impact of the bedroom windows on the west elevations;
- that the new southwest bay be reconsidered;
- that further design consideration be given to reducing the new dormer and possible reduction of density; and
- that consideration be given to the use of cedar shingles for the new roof.

FURTHER THAT the Commission requests to review a revised Conservation Plan.

CARRIED UNANIMOUSLY

Staff Comments:

The items noted above will be incorporated into the final scheme and are to be addressed as conditions of the development permit application approval. A revised Conservation Plan will be brought forward for review by the Heritage Commission once it has been completed.

Technical Zoning and Parking Summary

Table 1: Zoning Summary (RT-6) Site Area: 6,245 sq. ft.

Item Existing Permitted or Proposed				
Existing	Permitted or	Proposed		
	Required			
21.7 feet	25 feet minimum	21.7 feet		
3,613 sq. ft.	4,683 sq. ft.	5,966 sq. ft. ¹		
0.58 FSR	0.75 FSR	0.96 FSR		
	maximum	(27% over permitted)		
1	4 maximum	4		
39.7 feet	35.1 feet	38.0 feet ²		
	maximum			
-	16 feet on at least	11.3 feet west side		
	one side of a	(5.6 feet to the wrap		
	principal building	around porch)		
-	25 feet	24.9 feet		
	maximum			
-	80% (40 feet)	80% (40 feet)		
	maximum			
25%	45% maximum	43%		
	21.7 feet 3,613 sq. ft. 0.58 FSR 1 39.7 feet - 25%	Existing Permitted or Required 21.7 feet 25 feet minimum 3,613 sq. ft. 4,683 sq. ft. 0.58 FSR 0.75 FSR maximum 1 4 maximum 39.7 feet 35.1 feet maximum - 16 feet on at least one side of a principal building - 25 feet maximum - 80% (40 feet) maximum		

¹ the heritage building is 4,388 sq. ft., with additions, and the proposed infill building is 1,578 sq. ft.

Table 2: Summary of off Street Parking

Item	Existing	Permitted or Required	Proposed
Number of Off-Street Parking Spaces	Not known (general parking at lane)	4 minimum	4

Table 3: Comparison of Recent Heritage Infill Projects Approved in RT-5, RT-6, and RT-8 with 'The Lawrence Residence'

Address	FSR of Heritage	FSR of Infill	Total FSR ¹	Approximate
	Principal Building	Building		floor area of
				Infill Building
334 West 14 th Av	0.70	0.25	0.96	1,578 sq. ft.
(subject site)				
2435 West 5 th Av	0.53	0.32	0.85	2,000 sq. ft.
305 West 13 th Av	0.56	0.39	0.95	2,438 sq. ft.
2356 W 5 th AV	0.58	0.24	0.82	1,500 sq. ft.
2496 West 8 th Av	0.65	0.17	0.83	978 sq. ft.
470 East 10 th Av	0.67	0.25	0.83	1,006 sq. ft.

¹ The average overall density approved for these projects (excluding the subject site) is approximately 0.85 FSR.

Note: the size of an infill building is usually related to the relative size of the heritage building. In Table 3, the larger infill buildings are on sites where the heritage building

² the building is being lowered slightly to address Building By-law issues.

(principal building) is smaller than average for a typical principal building on infill development sites.

Table 4: Recently Approved Infill Floor Areas for Non-Heritage Sites near 'The Lawrence Residence' (RT-6 Zoning).

Address	Approved Floor Area of the Infill Building
315 West 15 th Avenue	1,389 sq. ft.
365 West 15 th Avenue	1,358 sq. ft.
3060 Yukon Street	1,258 sq. ft.
273 West 16 th Avenue	1,300 sq. ft.
445 West 15 th Avenue	1,248 sq. ft.

334 West 14th Avenue - PUBLIC BENEFITS SUMMARY

Project Summary:

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

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	RT-8	HRA
FSR (site area = 6,245 sq. ft./ 580 m ²)	0.75	0.96
Buildable Floor Space (sq. ft.)	4,683 sq. ft.	5,966 sq. ft.
Land Use	Residential	Residential

	Public Benefit Statistics	Value if built under Current Zoning (\$)	Value if built under Proposed HRA (\$)
*_	DCL (City-wide) (See Note 1)	\$2,824	\$6,211
irec	DCL (Area Specific)	N/A	
Required*	Public Art	N/A	
R	20% Social Housing	N/A	
Offered (Community Amenity Contribution)	Childcare Facilities	N/A	
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (See Note 2)		\$ 448,722
	Housing (e.g. supportive, seniors)	N/A	
	Parks and Public Spaces	11/14	
	Social/Community Facilities		
	Unallocated		
	Other		
	TOTAL VALUE OF PUBLIC BENEFITS	\$2,824	\$454,933

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 3,613 sq. ft. in the heritage building. The value listed under the Current Zoning column assumes the existing building is retained as generally required in the zoning in order to be granted the maximum permitted density of 0.75 FSR. The recently approved DCL value of \$2.64 / sq. ft. is applicable to the project.

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.