



**POLICY REPORT
DEVELOPMENT AND BUILDING**

Report Date: March 14, 2014
Contact: Anita Molaro
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RTS No.: 10223
VanRIMS No.: 08-2000-20
Meeting Date: April 15, 2015

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services in consultation with the Director of Legal Services

SUBJECT: 2856 West 3rd Avenue - Logan House - 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 house at 2856 West 3rd Avenue (PID: 012-316-253; Lot 4, Block 28, District Lot 192, Plan 2375 (the “site”)), known as the Logan House (the “heritage building”), which is listed on the Vancouver Heritage Register in the ‘B’ evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Section 592 of the *Vancouver Charter*, a by-law authorizing the City to enter into a Heritage Revitalization Agreement in respect of the heritage building to:
 - (i) secure its rehabilitation and long-term preservation; and
 - (ii) vary the *Zoning and Development By-law* in respect of the site so as to permit the rehabilitation of the heritage building and the construction of a new Infill One-Family Dwelling (the “new building”) thereon as proposed under Development Permit Application No. DE416750 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 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, 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 designate the Logan House at 2856 West 3rd Avenue, which is listed on the Vancouver Heritage Register in the 'B' evaluation category, as a protected heritage property, and to approve a Heritage Revitalization Agreement (HRA) for the site to ensure its rehabilitation and long-term protection. Under the current RT-8 Zoning applicable to the subject site, the existing building could be demolished or significantly altered and the site redeveloped with a density of up to 0.75 floor space ratio (FSR) without Council approval. As incentive and compensation to the owner for the heritage designation, rehabilitation, and conservation of the heritage building, the HRA will vary the *Zoning and Development By-law* to permit development up to 0.87 FSR as set forth in Development Permit Application Number DE416750 and as described in this report. The General Manager of Planning and Development Services is prepared to approve the development permit application should Council approve the recommendations of this report.

COUNCIL AUTHORITY

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

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 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. Often this, along with additional compensation to offset rehabilitation costs incurred under an HRA, 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 HRA for the Logan House 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).*

The Heritage Action Plan, which was approved in December 2013, responds to citizen and Council desire to encourage and support heritage conservation in the City. A number of actions were approved including the use of available to tools to conserve the City’s heritage resources.

GENERAL MANAGER’S COMMENTS

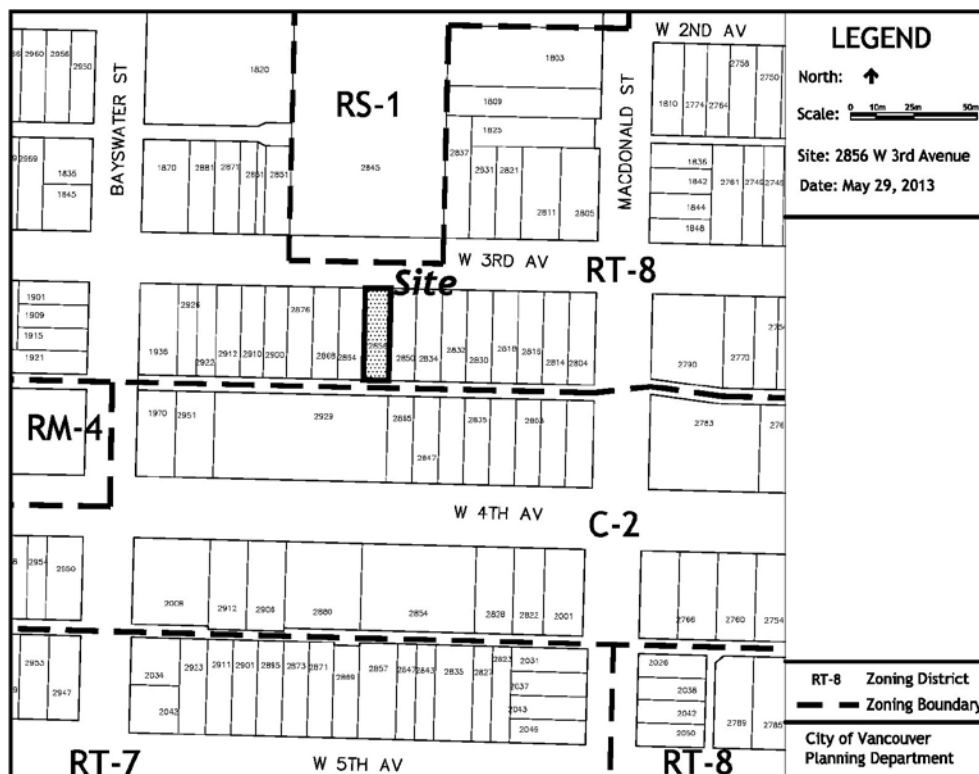
The General Manager of Planning and Development Services RECOMMENDS approval of A, B, C, and D.

STRATEGIC ANALYSIS

Site and Context

The site is located in the Kitsilano neighbourhood in an area zoned RT-8 (see Figure 1). The *RT-8 District Schedule of the Zoning and 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 subject site is 370 square metres (3,985 square feet). A six metre (twenty-foot) wide paved lane exists at the rear of the site.

Figure 1: The site and the surrounding zoning



Heritage Value

The existing house at 2856 West 3rd Avenue was built in 1924 for Robert Logan and is a good example of craftsman housing constructed just after the First World War (see Appendix A). It is also part of an historic streetscape with four other similar houses (2850 to 2876 West 3rd Avenue). Of these five houses, only 2850 West 3rd Avenue is a protected heritage property.

Although the Logan House has been modified in recent years, including the removal of some original windows, a number of original features survive including wood siding, stained glass windows, the front door assembly (including an original letter slot, door knob, keyhole set, and front door bell) as well as tapered wood columns and crowns on the front porch. The Logan House is listed in the ‘B’ evaluation category on the Vancouver Heritage Register.

Development Application and Proposed Incentives

If approved, the incentives and compensation to be provided to the owner for the heritage designation and the rehabilitation and conservation obligations in the proposed HRA will be in the form of variances to the *Zoning and Development By-law* made by the HRA, including a density variance, as set forth in Development Permit Application DE415750 and as described below. The application proposes to restore the heritage building and change its use to a strata-titled Multiple Conversion Dwelling containing two dwelling units and to construct a new Infill One-Family Dwelling building at the rear of the site (see Appendix C). Infill use is permitted in the current zoning, and the maximum permitted density which may be granted without Council approval is 0.75 FSR.

The density originally proposed for the development was 0.91 FSR. Upon review of the applicant’s proforma, which is requirement, Real Estate Services concluded that a maximum density of 0.87 FSR would be supportable (see Figure 2 and Appendix E). The application will be revised to reflect this reduction. A total of three dwelling units are proposed, which does not exceed the permitted dwelling unit density.

Figure 2: Zoning Summary

Item	Existing	Permitted or Required	Proposed
FSR	215 m ² (2,317 sq. ft.) 0.58 FSR	278 m ² (2,988 sq. ft.) 0.75 FSR maximum	321 m ² (3,463 sq. ft.) total 0.87 FSR (16% over permitted)
Site Coverage	125 m ² (1,348 sq. ft.) 33%	165 m ² (1,783 sq. ft.) 45%	182 m ² (1,965 sq. ft.) 49%
Side yard requirement for infill development	5.75 feet (east side)	12 feet minimum required on at least on side of an existing heritage building	5.75 feet (existing)
Number of Dwelling units	1	3 maximum	3

Staff have considered the potential impact of the proposed development, the results of notification (see the Results of Neighbourhood Notification section), the conservation approach, 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 application is supportable as an HRA. The General Manager of Planning and Development Services is prepared to approve the development permit application subject to Council approval of the recommendations of this report.

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the *RT-8 Zoning District Schedule* is to:

“... encourage the retention and renovation of existing buildings which maintain an architectural style and building form consistent with the historical character of the area. Redevelopment will be encouraged on sites where existing buildings are smaller, or do not contribute to this character. For renovations and additions, emphasis is placed on maintaining existing external architectural character; for new development, on compatibility in external character. In all cases, neighbourly building scale and placement is emphasized.”

The application is consistent with the intent of the *RT-8 District Schedule*. The retention of the heritage building contributes to the historic architectural character of the area and the additions are compatible with the existing architectural character of the heritage building. The proposal responds well to its neighbours in terms of scale, massing, privacy impact, and placement.

Condition of the Heritage Building and Conservation Approach

The Logan House is in good condition. A number of alterations have been made in recent years, including the removal of original windows. Cues will be taken from other similar surviving houses nearby, and from internal structural analysis, in order to establish the appropriate window configurations. New wood sash windows, replicating the original windows, will be installed to replace newer windows which are not compatible with the original character of the building. Unsympathetic additions at the rear of the building will be removed. The existing porch and stained glass windows will be retained. The original front door assembly will be retained although new hardware will be required.

As is the case with similar projects where units are proposed to be strata titled, 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 shingles, trims, and sills will have to be removed to allow for installation of a drainage cavity. Although the rain-screen requirements of the *Vancouver Building By-law* will create challenges for the rehabilitation of exterior of the heritage building, staff support the Conservation Plan proposed for the Logan House 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

A total of 120 surrounding properties were notified of the application and a site sign installed. Two responses were received which were neutral but noted concerns. These include the following:

- With lane development in the area, greater traffic calming measures are necessary.
- Infill use should not be permitted on this site and the project lacks sufficient green space and adequate setbacks.
- At least one of the units should be a three bedroom unit to appeal to families, and be better designed with respect to room placement and privacy.

Residents may contact the Traffic Management Branch regarding traffic calming initiatives in the area. Infill use is permitted in the zoning applicable to the site. Maximizing green space and setbacks will be addressed as part of the development permit application review. Typical infill buildings in the area range from approximately 900 sq. ft. to 1,300 sq. ft. The proposed infill is 1,146 sq. ft. and within this range. The design of the dwelling units comply with all zoning requirements. Staff considered the results of neighbourhood notification and support the application as an HRA.

Comments from the Vancouver Heritage Commission

On June 17, 2013, the Vancouver Heritage Commission reviewed the development permit application and supported it (see Appendix D).

Financial Implications

The value of the on-site density bonus, which will facilitate the preservation and designation of the Logan House is approximately \$235,000. The site is within the City-wide Development Cost Levies (DCL) District and it is anticipated that the applicant will pay approximately \$3,680 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 a maximum density of 0.87 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 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.

Legal

The by-law variations proposed will provide an improved development potential on the site. 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 will be appropriately secured as legal obligations contained in the HRA to be registered on title to the site 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 the HRA, 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 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 Logan House and the obligations to rehabilitate and conserve the heritage building. The HRA will be executed by the City and registered on title to the site following Council's enactment of the by-law authorizing the City to enter into the HRA and before a development permit for the project may be issued.

CONCLUSION

The approval of the heritage designation of the Logan House at 2856 West 3rd Avenue, which is listed in the 'B' evaluation category on the Vancouver Heritage Register, and the proposed HRA, 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 HRA 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 as a protected heritage property and for its rehabilitation and conservation under the proposed HRA. The General Manager of Planning and Development Services 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 heritage designation of the Logan House, and the proposed HRA.

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2856 West 3rd Avenue
PHOTOGRAPHS



Photos 1 and 2: The Logan House (2013)



Photo 3: Original front door assembly (2013)



Photo Collage 1: Original hardware at the front entry (2013)

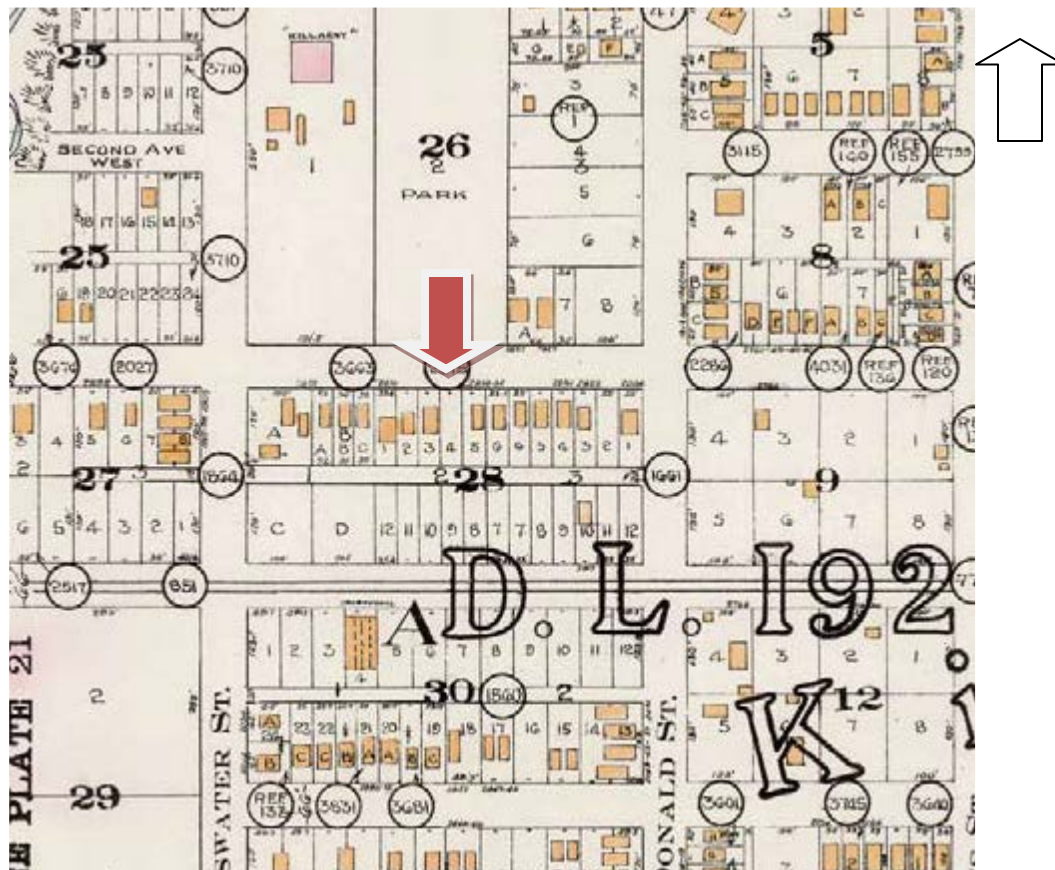


Photo 4: Porch detail (2013)



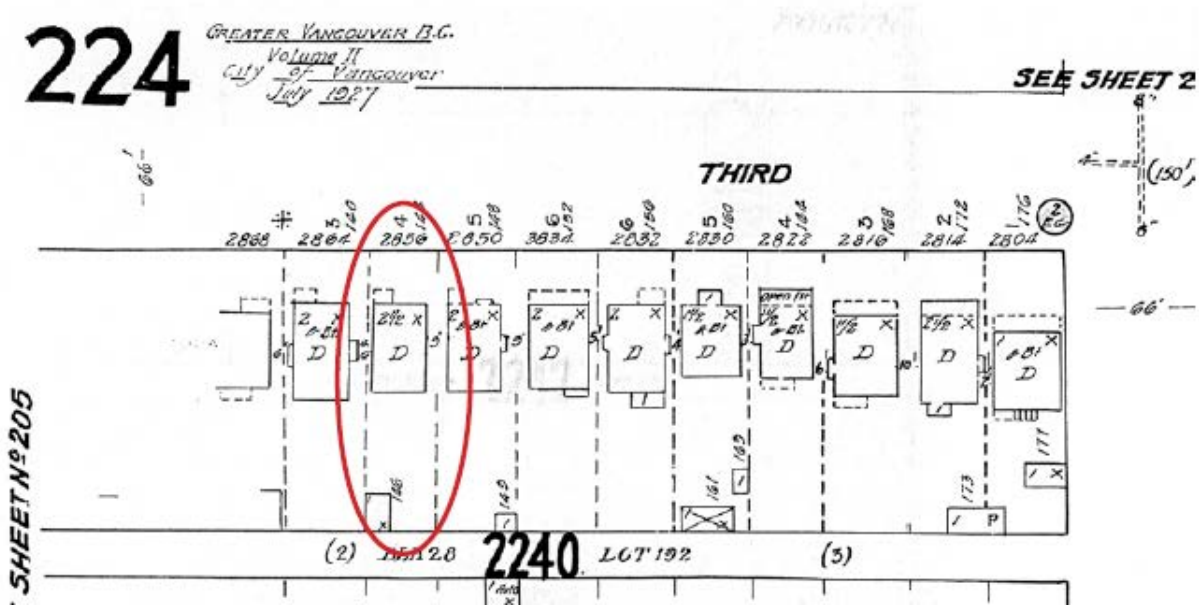
Photo 5: Original brickwork (2013)

2856 West 3rd Avenue
MAPS



Map 1: Fire Insurance Map circa 1912

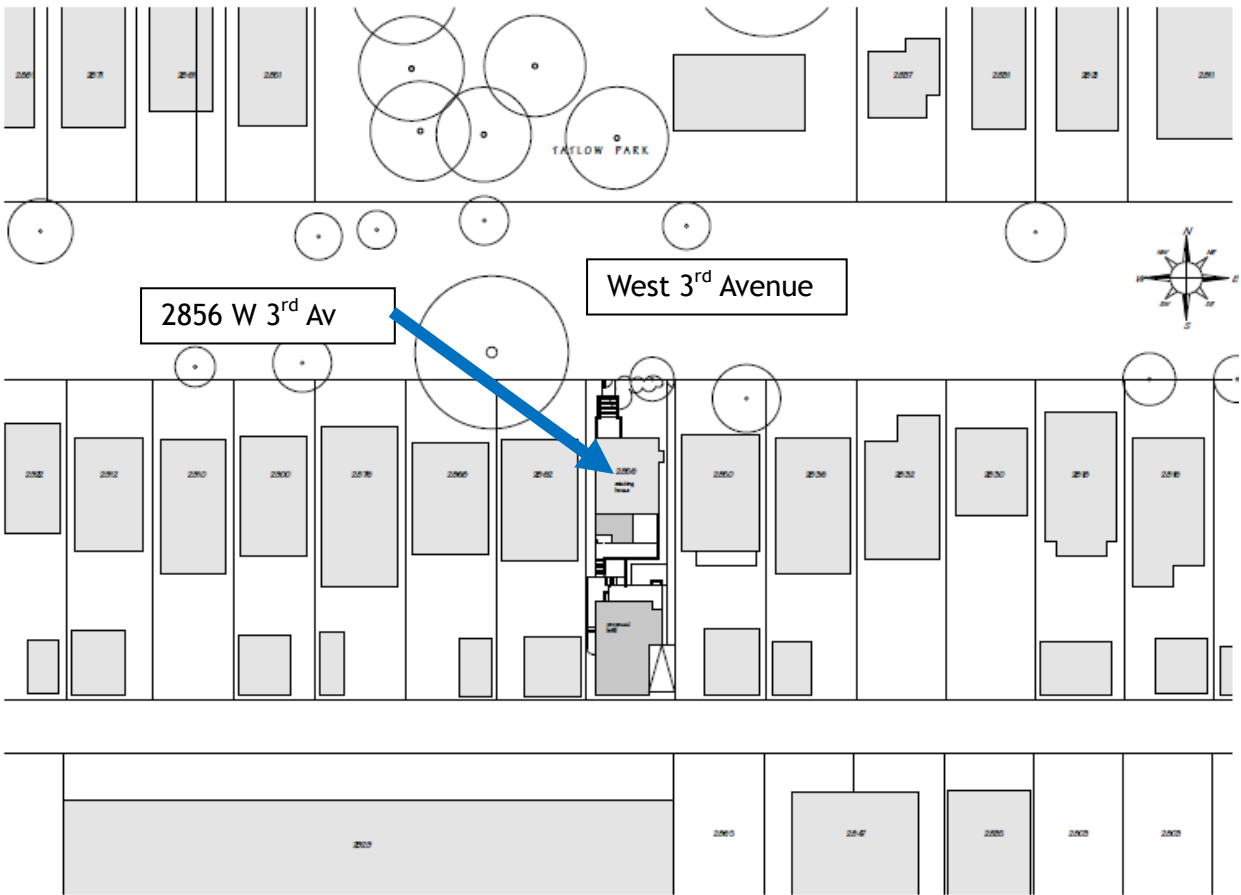
The Logan House parcel is indicated by the arrow. It was one of the last vacant lots on the south side of the 2800 Block of West 3rd Avenue. The rest of the sites were developed during the preceding Edwardian building boom, which ended in 1913. The early 1920s saw an increase in housing construction, but not at the scale of development of the decade before. The 1920s boom would end with the Great Depression.



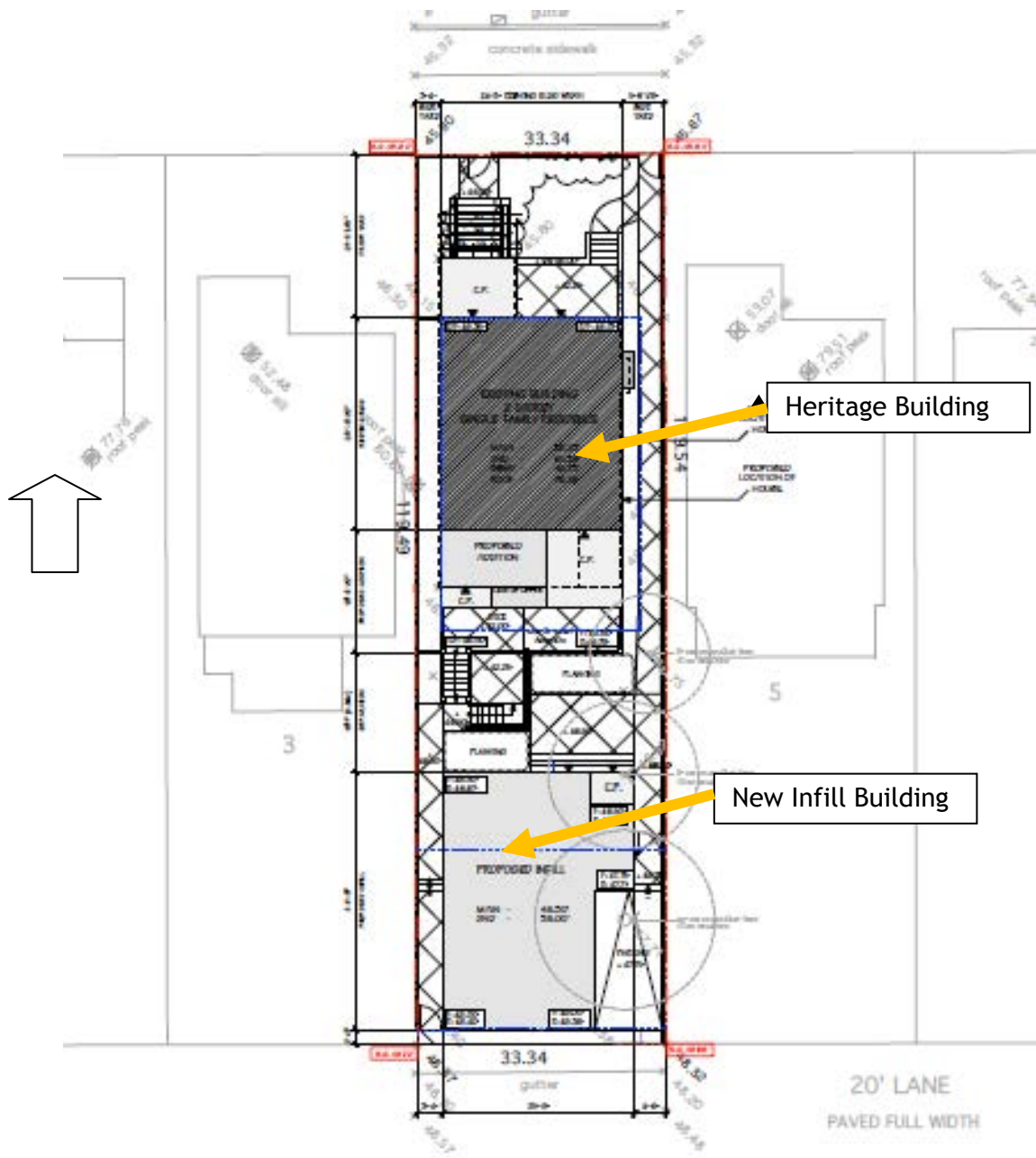
Map 2: Fire Insurance Map from 1927

2856 West 3rd is indicated and shows the site as it appeared when the house was three years old. The five houses from 2850 West 3rd Avenue inclusive to 2876 West 3rd Avenue (to the left, just off the map) still exist.

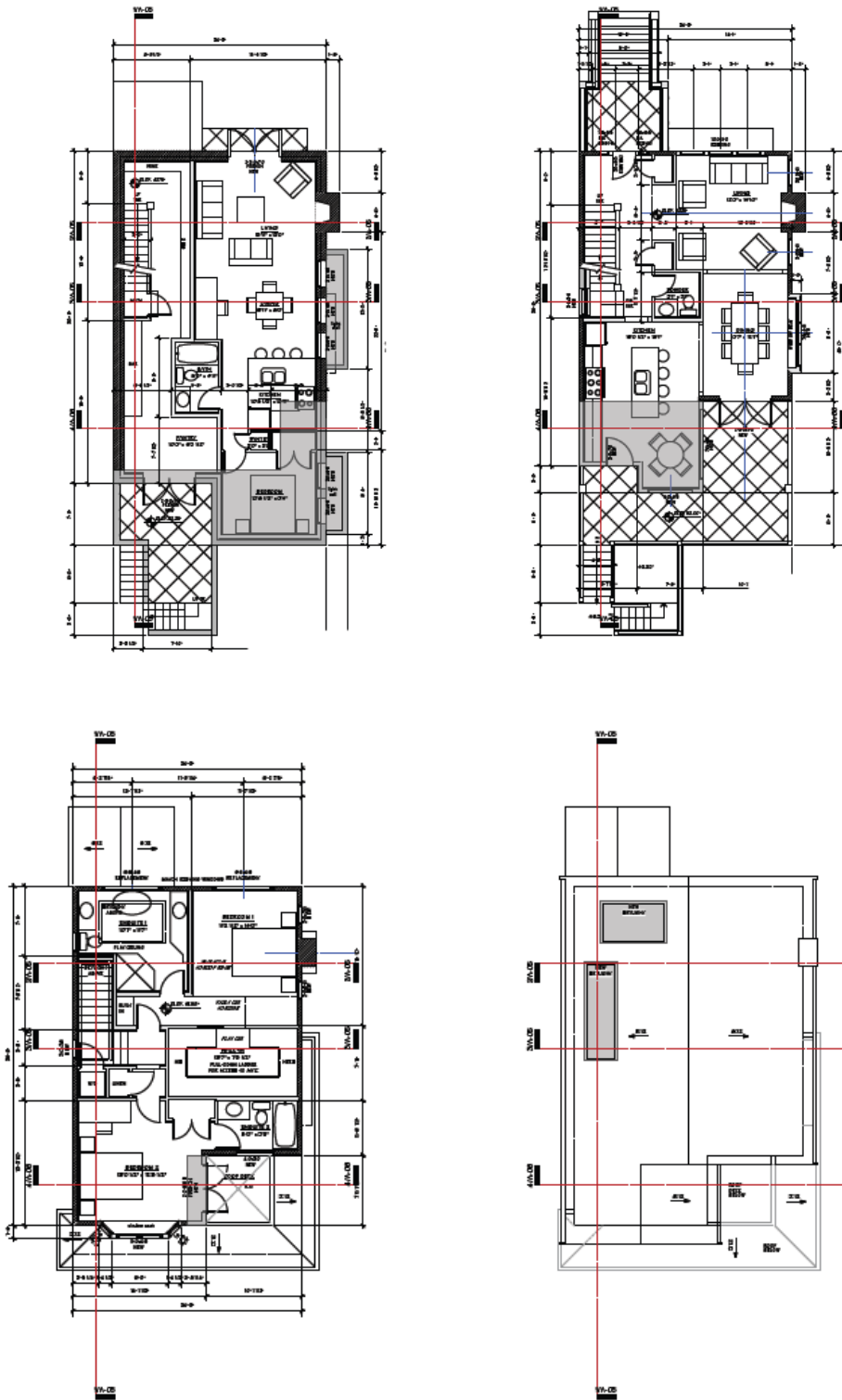
2856 West 3rd Avenue
DRAWINGS



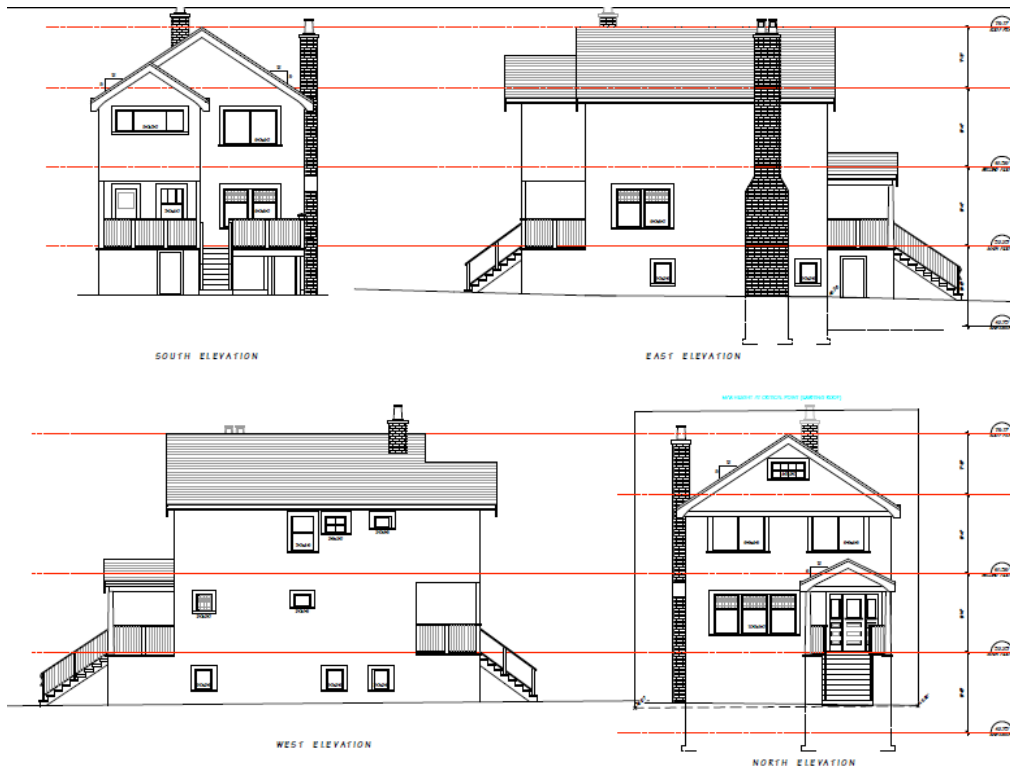
Context Plan



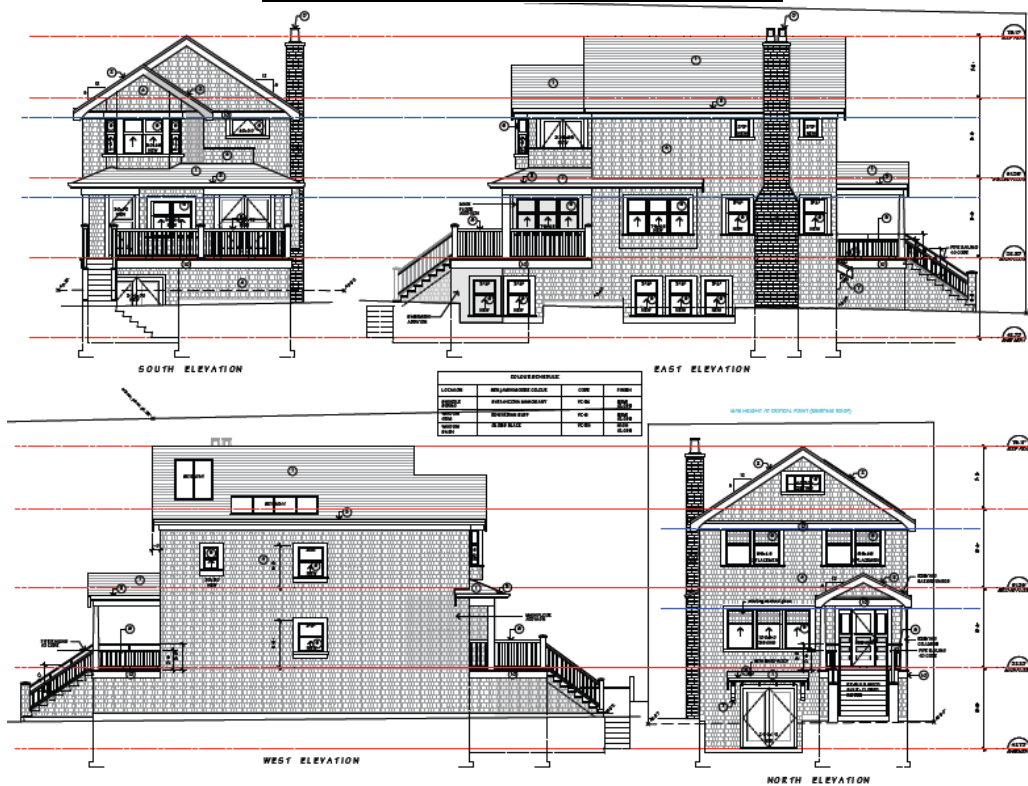
Site Plan



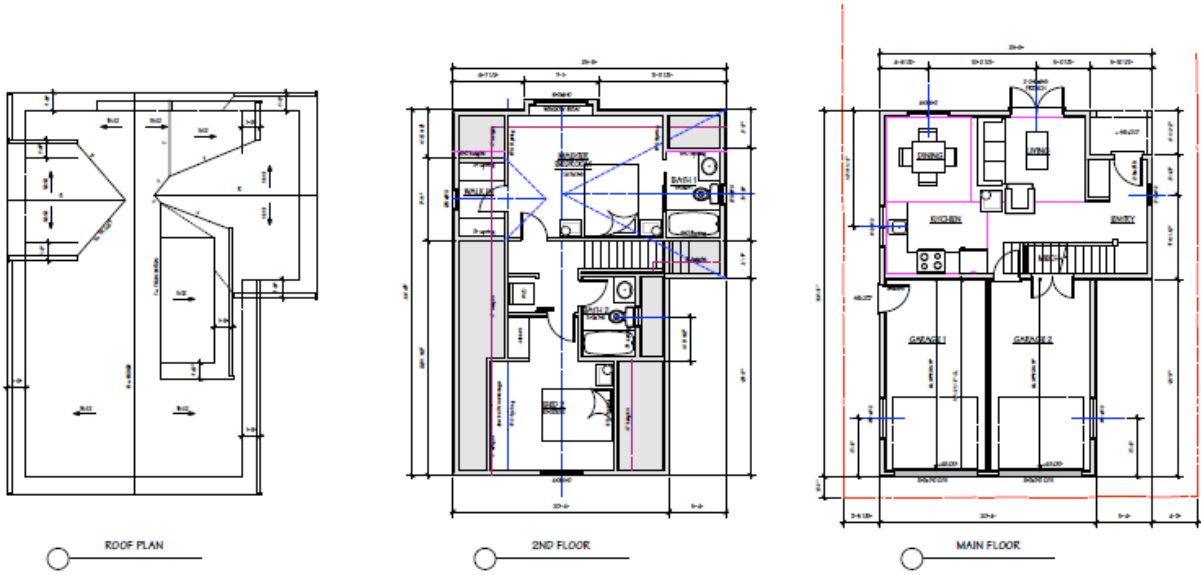
Heritage Building - Plans



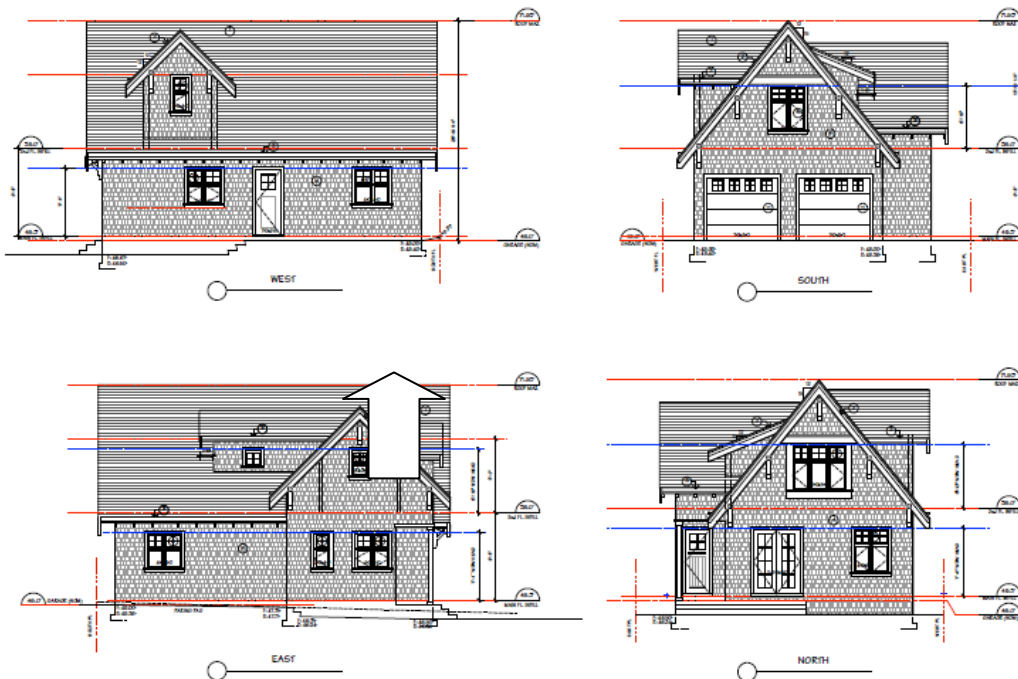
Heritage Building - Existing Elevations



Heritage Building - Proposed Elevations



Plans - New Infill Building



Elevations - New Infill Building



Streetscape (looking South)

Resolutions of the Vancouver Heritage Commission

At its meeting on June 17, 2013, the Vancouver Heritage Commission resolved the following:

THAT the Vancouver Heritage Commission supports the heritage rehabilitation of 2856 West 3rd Avenue (The Logan House), the conservation plan and the infill application as presented at its meeting on June 17, 2013.

PASSED UNANIMOUSLY

2856 West 3rd Avenue
TECHNICAL ZONING AND PARKING SUMMARY

Table 1

Site Area: 370 m² (3,984 sq. ft.)

Item	Existing	Permitted or Required	Proposed
FSR	215 m ² (2,317 sq. ft.) 0.58 FSR	278 m ² (2,988 sq. ft.) 0.75 FSR maximum	321 m ² (3,463 sq. ft.) total 0.87 FSR (16% over permitted)
Site Coverage	125 m ² (1,348 sq. ft.) 33%	165 m ² (1,783 sq. ft.) 45%	182 m ² (1,965 sq. ft.) 49%
Height of the Heritage Building	9.8 metres (32 feet)	10.7 metres (35.1 feet) maximum	9.8 metres (32 feet)
Height of the New Infill Building	-	7.9 metres 26 feet maximum	7.3 metres (23.8 feet)
Side yard requirement for infill development	5.75 feet (east side)	12 feet minimum required on at least on side of an existing heritage building	5.75 feet (existing)
Number of Dwelling units	1	3 maximum	3
Off Street Parking Spaces	2	3 minimum (1 per dwelling unit)	3

2856 West 3rd 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 = 3,985 sq. ft. / 370 m ²)	0.75	0.87
Buildable Floor Space (sq. ft.)	2,988	3,463
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)	1,930	3,680
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		235,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$1,930	\$238,680

Other Benefits (non-market and/or STIR components):

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 2,317 sq. ft. in the heritage building. As retention is generally required in the RT-8 zoning to achieve conditional density, it is assumed an application under the zoning would involve retention of the existing floor area.