



POLICY REPORT  
DEVELOPMENT AND BUILDING

Report Date: April 8, 2015  
Contact: Anita Molaro  
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RTS No.: 10705  
VanRIMS No.: 08-2000-20  
Meeting Date: April 28, 2015

TO: Vancouver City Council

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

SUBJECT: 2546 West 3<sup>rd</sup> Avenue - Harrington House - Heritage Designation and Heritage Revitalization Agreement

**RECOMMENDATION**

- A. THAT Council add the Harrington House (the "heritage building") at 2546 West 3<sup>rd</sup> Avenue (PID: 007-191-928; Lot 6, Block 230A, District Lot 526, Plan 1058 (the "site")) to the Vancouver Heritage Register in the 'C' evaluation category.
- 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 the exterior of the heritage building as protected heritage property.
- 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 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 to permit the rehabilitation and conversion of the heritage building to a Multiple Conversion Dwelling containing two Dwelling Units and the construction of a new Infill One-Family Dwelling thereon as proposed under Development Permit Application No. DE417990 (the "DP Application") and as more particularly described in this report.
- D. THAT the Heritage Revitalization Agreement shall be prepared, completed and registered, and given priority on title, to the satisfaction of the Director of Legal Services and the Director of Planning.

- E. THAT Recommendations A to D be adopted on the following conditions:
- (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
  - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

### **REPORT SUMMARY**

The purpose of this report is to seek Council approval to add the Harrington House at 2546 West 3<sup>rd</sup> Avenue, to the Vancouver Heritage Register in the 'C' evaluation category, to designate the exterior of the heritage building as protected heritage property and to approve a Heritage Revitalization Agreement (HRA) for the site to ensure the rehabilitation and long-term protection of the heritage building. 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*, including density to permit an increase in floor area to 0.87 FSR, to permit the development as set forth in the DP Application and as described in this report. The General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report.

### **COUNCIL AUTHORITY**

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

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

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 by-law variations contained in the HRA so as to permit an otherwise impermissible development.

The proposed heritage designation and HRA for the Harrington 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, 2009)*.

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 tools to conserve the City's heritage resources.

### GENERAL MANAGER'S COMMENTS

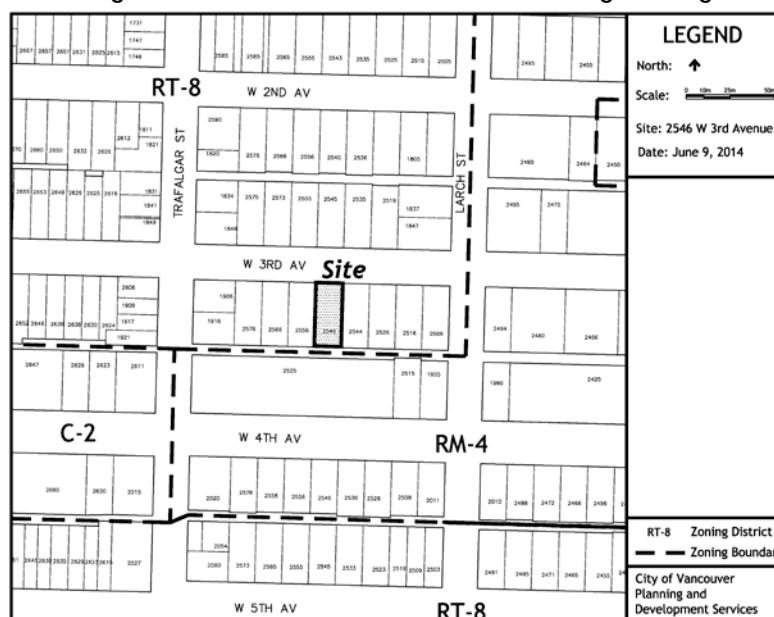
The General Manager of Planning and Development Services RECOMMENDS approval of A, B, C, D, and E.

### 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 construction of new apartment buildings, townhouses, and infill development. The total area of the subject site is 558 square metres (6,000 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 2546 West 3<sup>rd</sup> Avenue was built in 1912 for Robert Harrington and is a good example of craftsman housing built during the Edwardian building boom which lasted from 1910 to 1913. It is nearly identical to a building at 2356 West 3<sup>rd</sup> Avenue which was protected by a heritage designation by-law and an HRA four years ago (see Appendix A).

Although the Harrington House was stuccoed in the past (most likely in the 1940s or 1950s), and has seen some window replacements, many original features survive including wood casement windows, stain glass panels, hexagonal cut stone foundations, wood brackets and soffits, and doors. It is proposed to add the Harrington House to the Vancouver Heritage Register in the 'C' evaluation category.

### *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* created by the HRA, including a density variance, as set forth in the DP Application and as described below. The application proposes to restore the heritage building and change its use to a Multiple Conversion Dwelling containing two Dwelling Units and to construct a new Infill One-Family Dwelling building (all strata) 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 originally proposed density was 0.96 FSR. Staff concluded, upon review of the DP Application, including the owner's proforma (see Proforma Evaluation), that a maximum density of 0.87 FSR (5,200 sq. ft.) is supportable. The DP Application was revised accordingly (see Table 1).

**Table 1: Density Summary**

Item	Existing	Permitted or Required	Proposed
FSR	398 m <sup>2</sup> (4,280 sq. ft.) 0.71 FSR	418 m <sup>2</sup> (4,500 sq. ft.) 0.75 FSR maximum	485 m <sup>2</sup> (5,220 sq. ft.) 0.87 FSR
Number of Dwelling units	1	4 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, and the compatibility of the development with the zoning (see the Compatibility with Existing Zoning and Land Use Regulations section), and conclude that the development proposed in the DP Application is supportable as an HRA. The General Manager of Planning and Development Services is prepared to approve the DP 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 Harrington House is in good condition. A number of alterations have been made in the past including the stuccoing of the facades and the replacement of some windows. 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 will be maintained and stained glass window sashes will be retained and reinstalled in new frames where retention of existing windows is not viable. The original front door assembly will be retained. Staff support the Conservation Plan proposed for the Harrington House and conclude that the rehabilitation scheme is consistent with the Standards and *Guidelines for the Conservation of Historic Places in Canada*.

### ***Results of Neighbourhood Notification***

A total of 128 surrounding properties were notified of the DP Application and a site sign was installed. No responses to notification were received.

### ***Comments from the Vancouver Heritage Commission***

On June 16, 2014, the Vancouver Heritage Commission reviewed the DP Application and reserved support subject to consideration of several design issues (see Appendix E). Staff concluded that these are details which can be addressed through the completion of the DP Application process.

### ***Public Benefits***

**Development Cost Levies (DCLs):** DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. The site is subject to the

City-wide DCL rate which is currently \$32.18/m<sup>2</sup> (\$2.99/sq. ft.). On this basis, a DCL of approximately \$2,800 is anticipated.

DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12-months from the date of DCL bylaw rate amendment provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments.

If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply.

**Heritage:** The owner has offered to conserve and rehabilitate the Harrington House and to accept its designation as a protected heritage property, which is a highly valued community feature. If approved, the designation will be secured with a Heritage Designation By-law and the owner will enter into a legal agreement to secure the conservation and rehabilitation of the property as further set out in Appendix F. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$220,000. The conservation measures include repairs and rehabilitation of existing details and material, replacement of newer windows with wood replicas of the original windows, an historic colour scheme matching the original, and seismic and building services upgrades.

See Appendix F for a summary of the public benefits that would be achieved should this application be approved.

### *Financial Implications*

As noted in the section on Public Benefits, the applicant has offered the on-site conservation and rehabilitation of the Harrington House valued at \$220,000. The site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$2,800 in DCLs should the application be approved and the project proceeds.

### *Proforma Evaluation*

Real Estate Services staff reviewed the applicant's proforma in accordance with Council's approved policies. The Director of Real Estate Services advises that the by-law variances proposed, including the revised density of 0.87 FSR, will offset the costs of the rehabilitation and conservation of the heritage building and will not result in any undue profit.

### *Environmental*

The City's *Green Buildings Policy for Rezonings* applies to the application. 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, if sought, Council must compensate an owner for any reduction in the market value of property 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 heritage building 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 addition to the Vancouver Heritage Register and the approval of the heritage designation of the exterior of the Harrington House at 2546 West 3<sup>rd</sup> Avenue, 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 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 DP Application for the project should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of the Harrington House to the Vancouver Heritage Register, its heritage designation, and the proposed HRA.

\* \* \* \* \*

2546 West 3<sup>rd</sup> Avenue  
PHOTOGRAPHS



Photo 1: 2546 West 3<sup>rd</sup> Avenue (circa 2014) Looking South





Collage 1: Details of 2546 West 3<sup>rd</sup> Avenue (circa 2014)



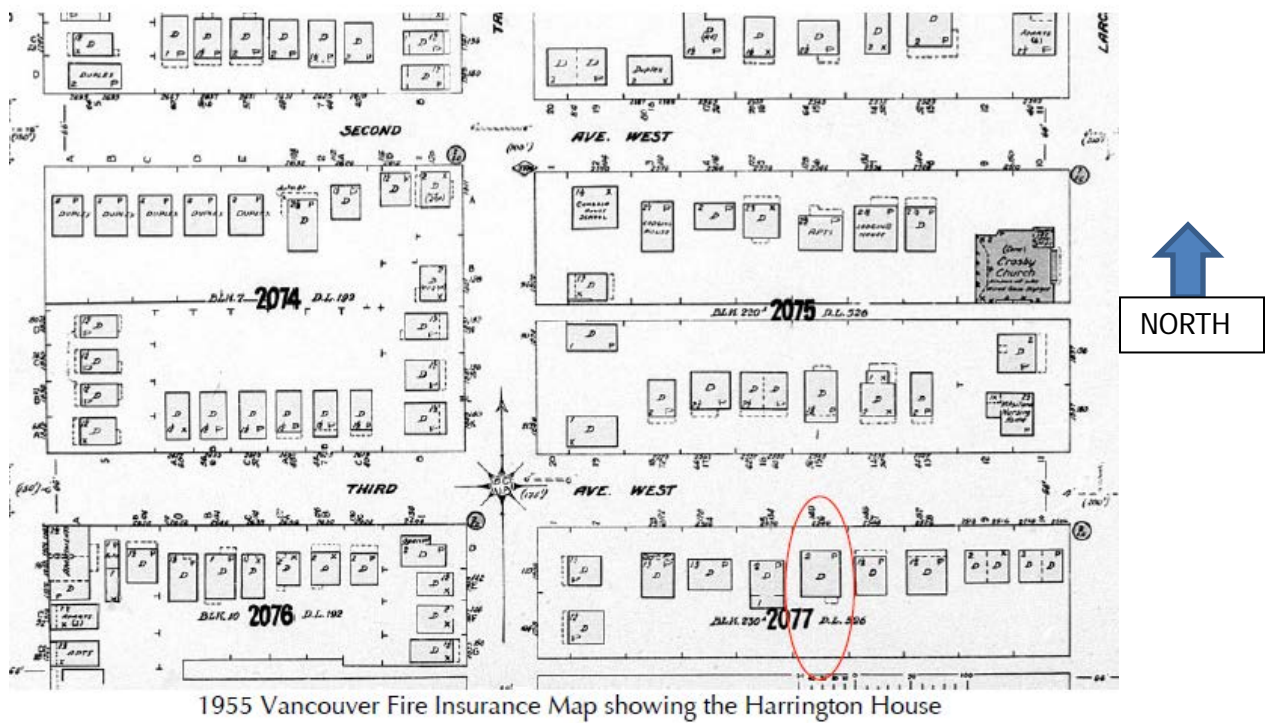
Photo 2: 2356 West 5<sup>th</sup> Avenue

The building at 2356 West 5<sup>th</sup> Avenue was protected in 2010 by Council and was the subject of an HRA. It is very similar in design to the Harrington House and was originally built around the same time. An infill building approved as part of the project is visible behind the heritage building.

2546 West 3<sup>rd</sup> Avenue  
MAPS



Map 1: Fire Insurance Map from 1912 with 2546 West 3<sup>rd</sup> Avenue Circled

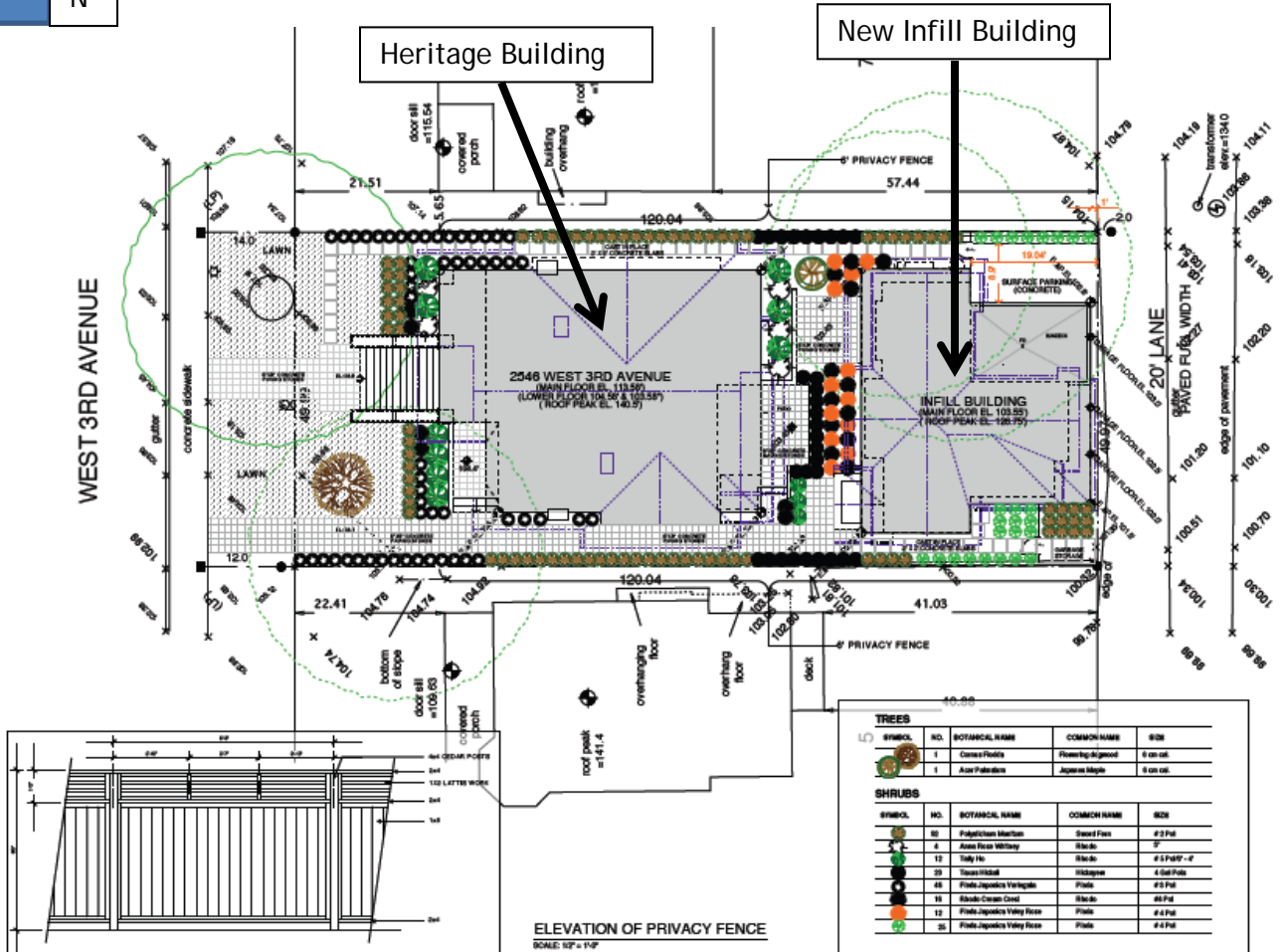
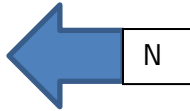


1955 Vancouver Fire Insurance Map showing the Harrington House

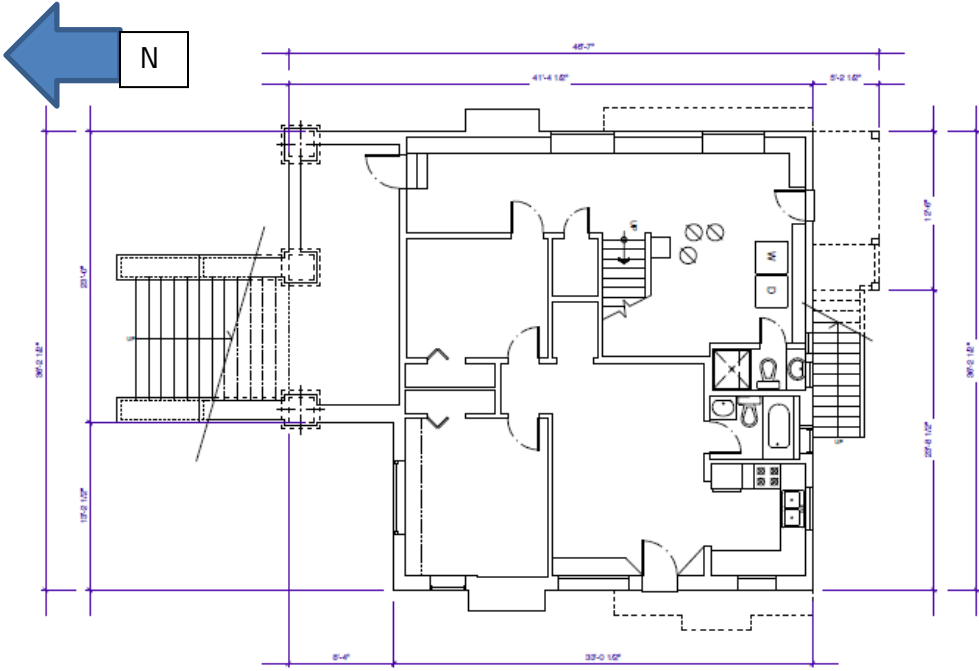
Map 2: Fire Insurance Map from 1955 with 2546 West 3<sup>rd</sup> Avenue Circled



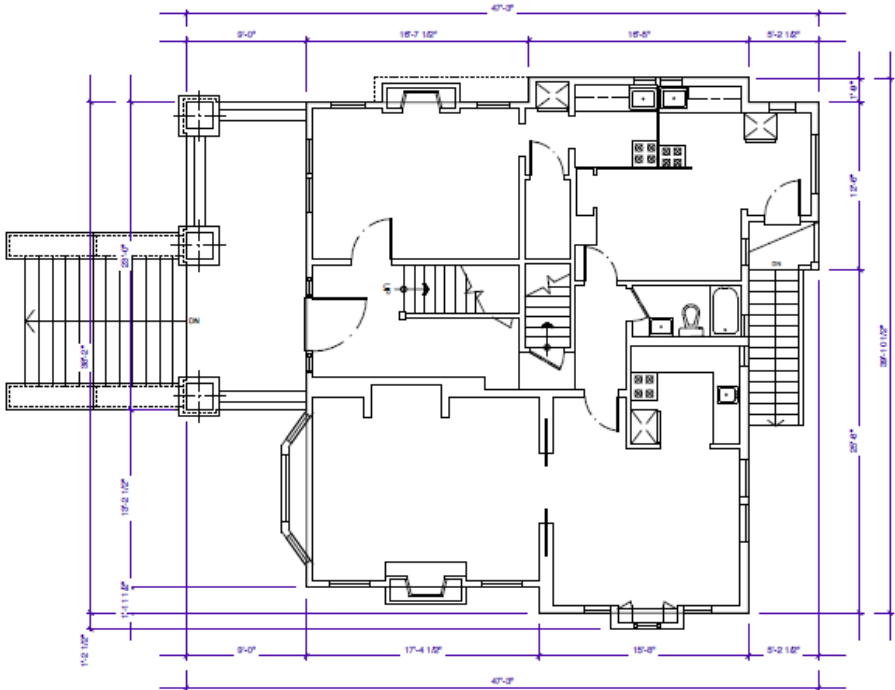
2546 West 3<sup>rd</sup> Avenue  
DRAWINGS



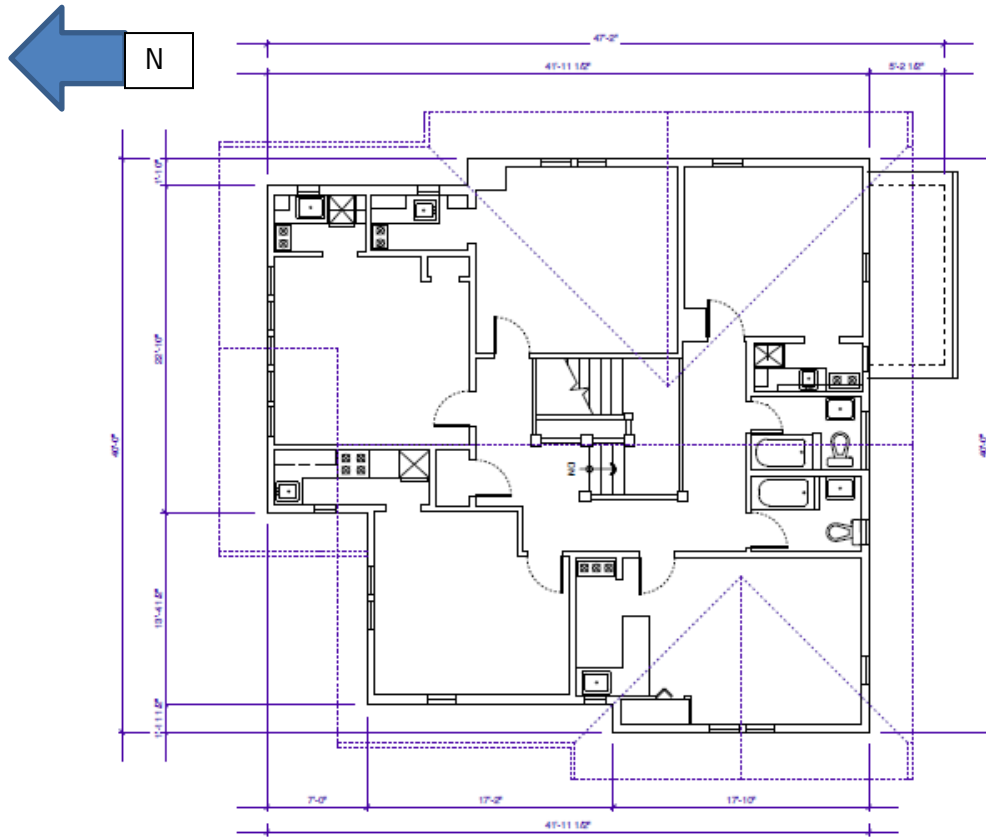
Site and Landscape Plan



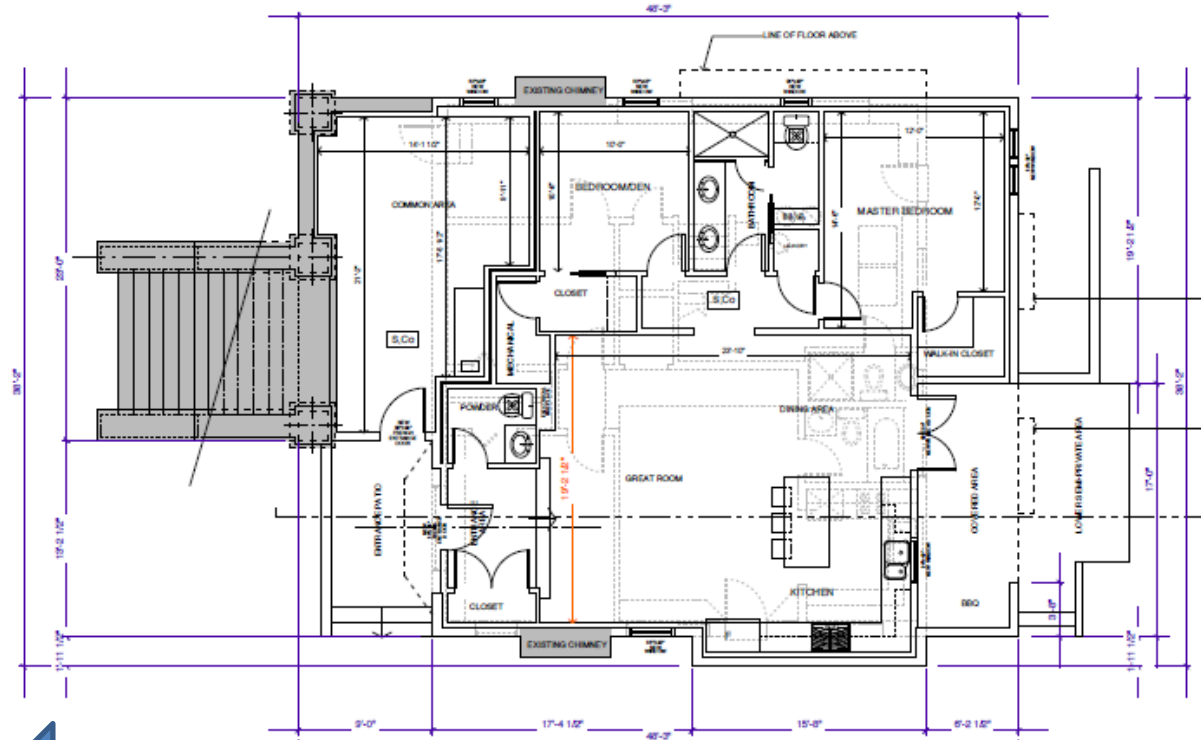
**Heritage Building - Existing Basement Plan**



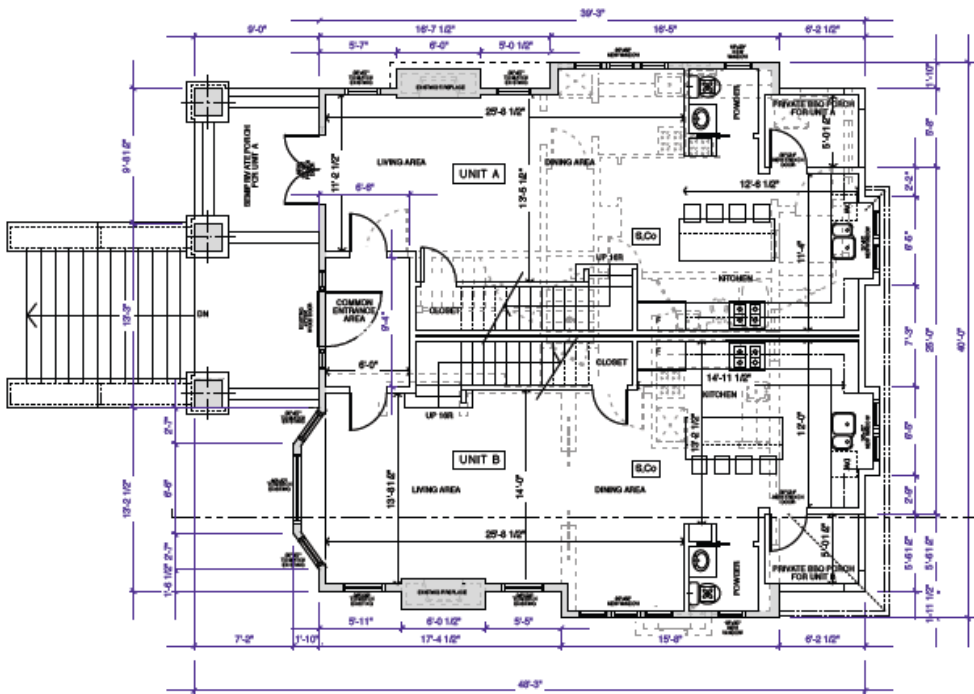
**Heritage Building - Existing Main Floor Plan**



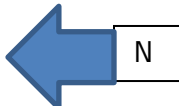
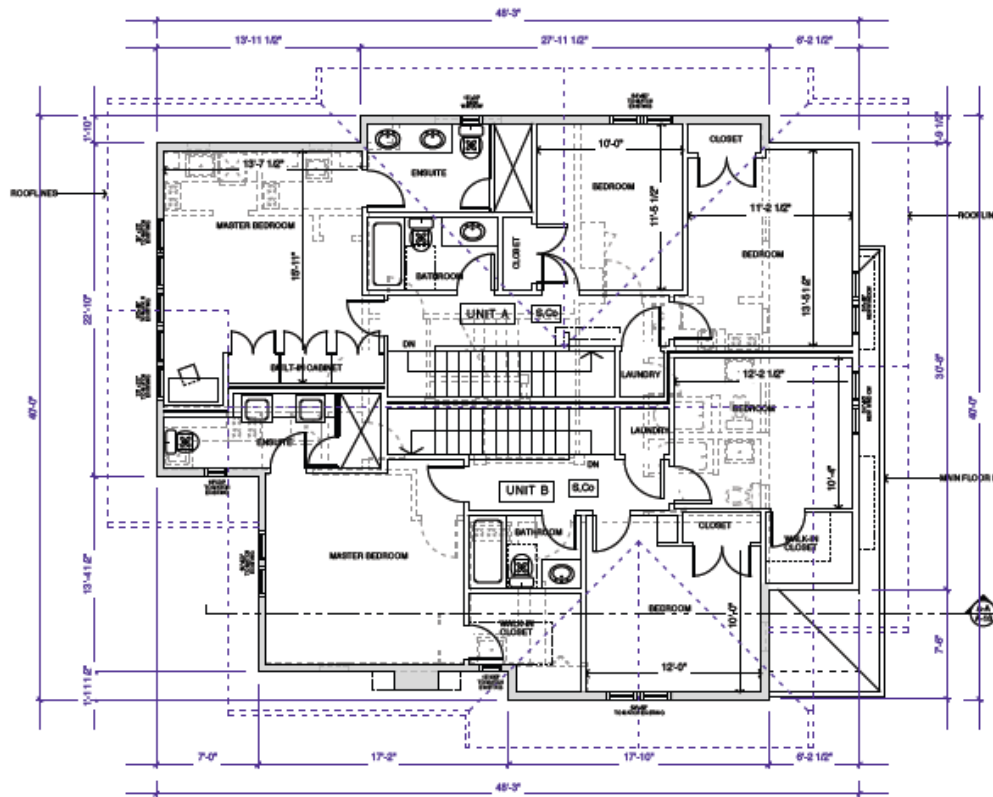
**Heritage Building - Existing Upper Floor Plan**



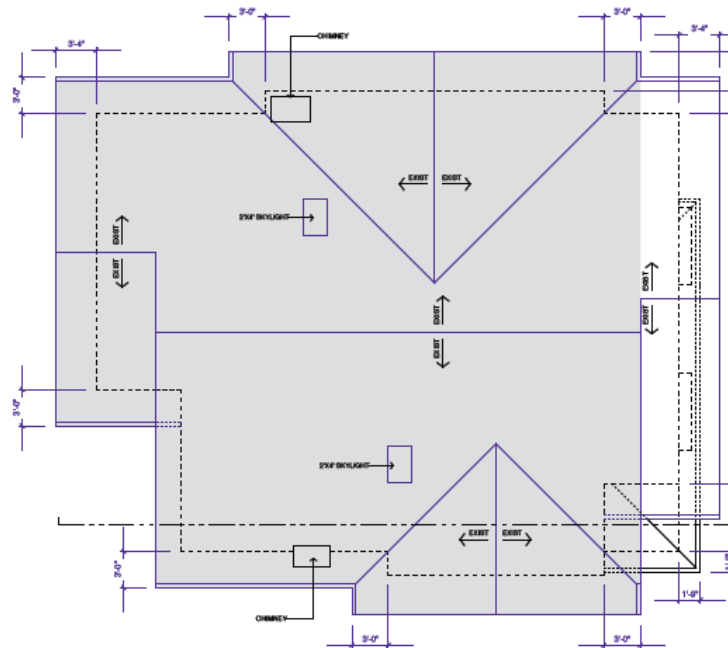
**Heritage Building - Proposed Basement Plan**



**Heritage Building - Proposed Main Floor Plan**

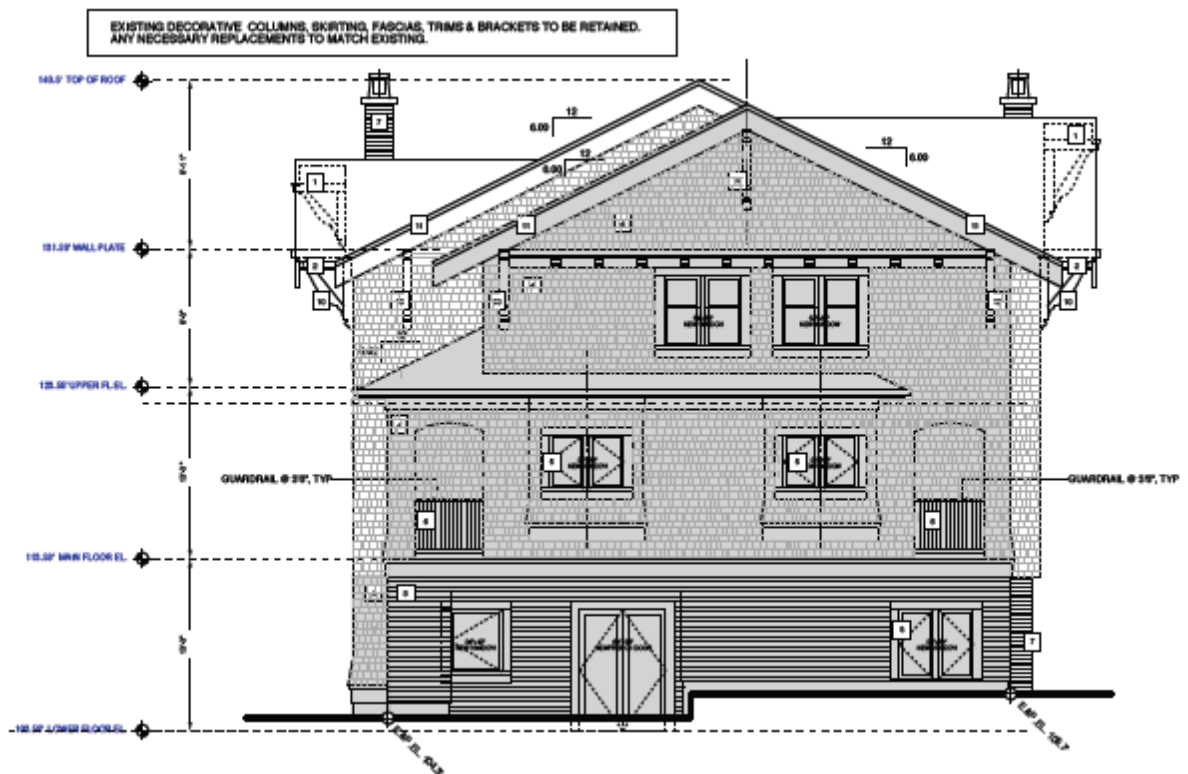
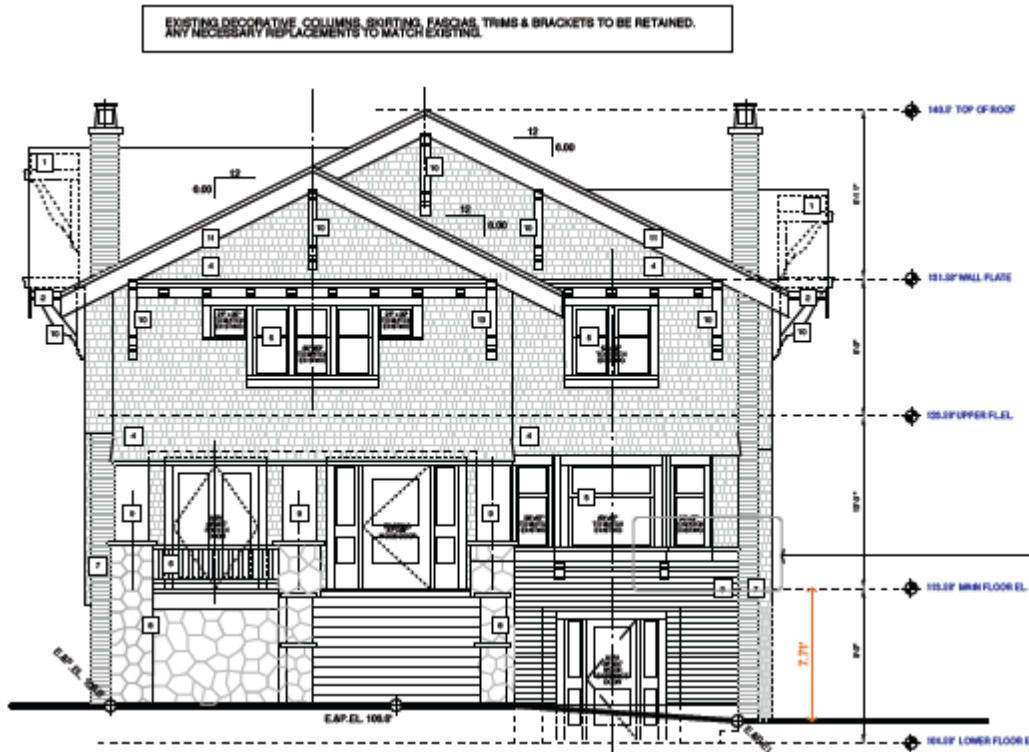


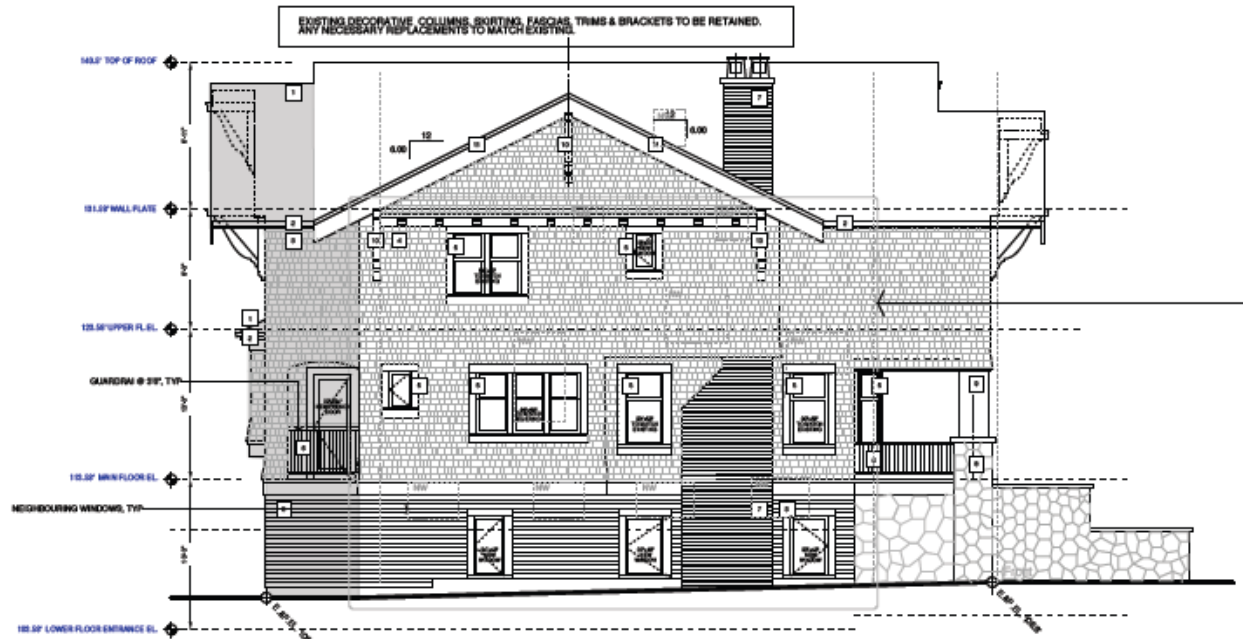
**Heritage Building - Proposed Upper Floor Plan**



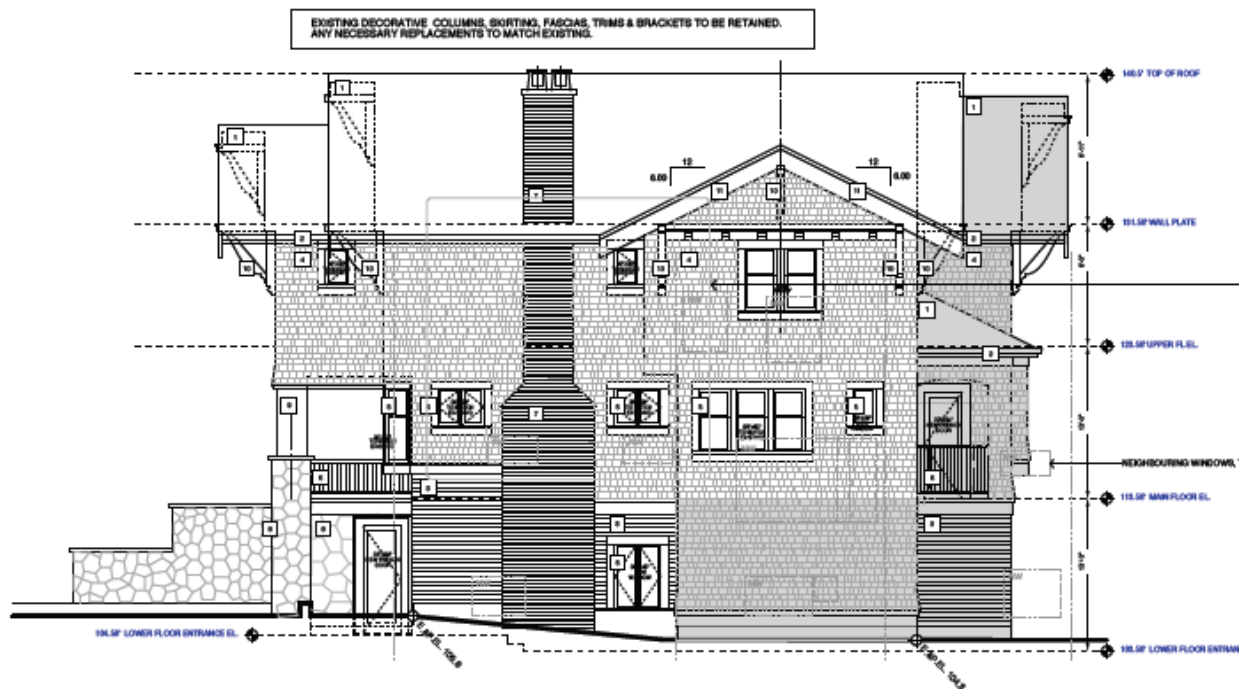
**Heritage Building - Proposed Roof Plan**



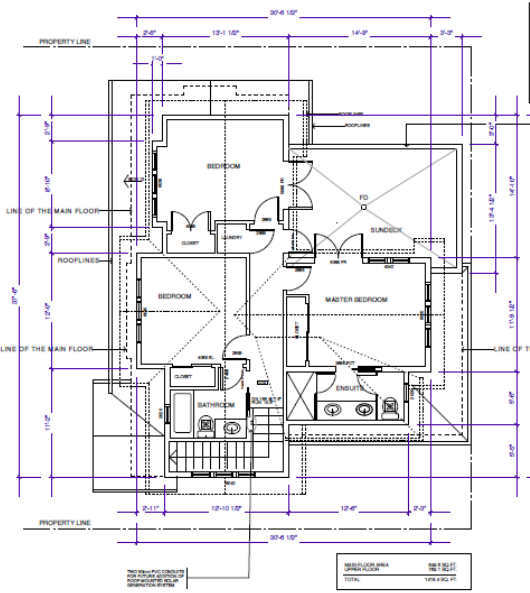
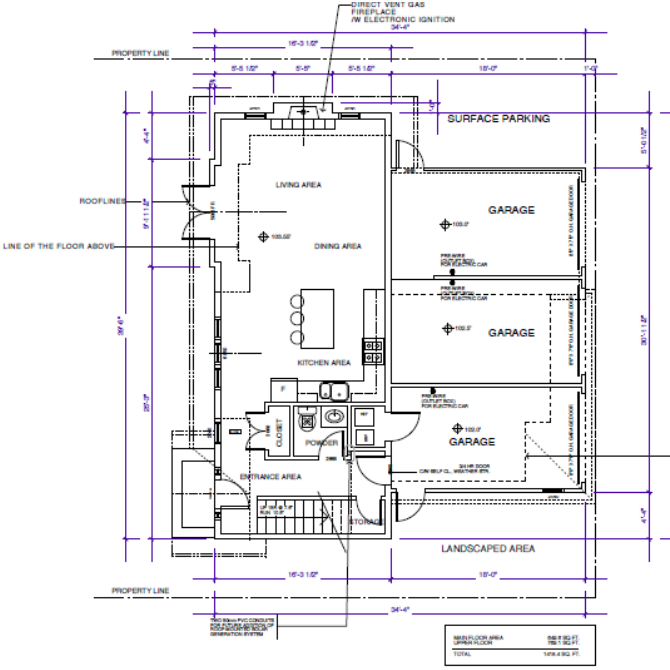
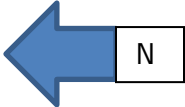




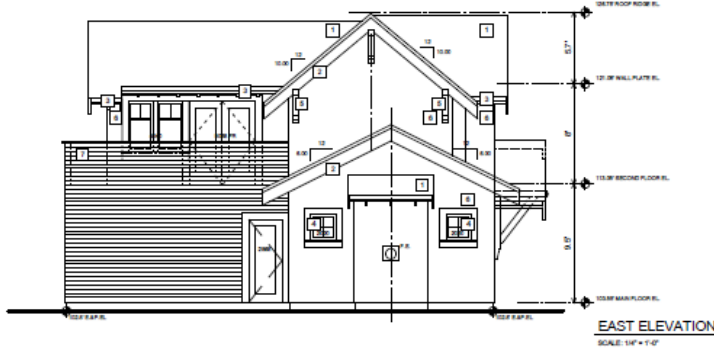
Heritage Building - Proposed East Elevation



Heritage Building - Proposed West Elevation



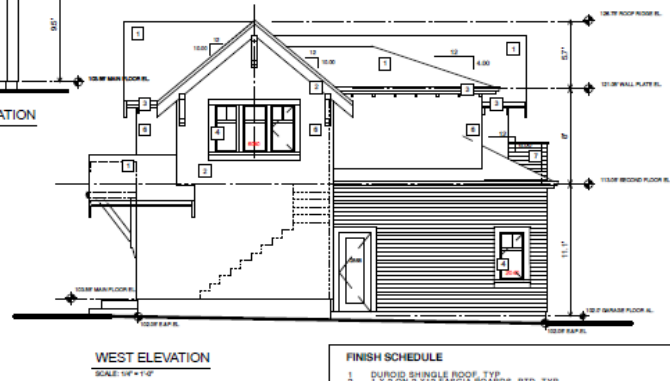
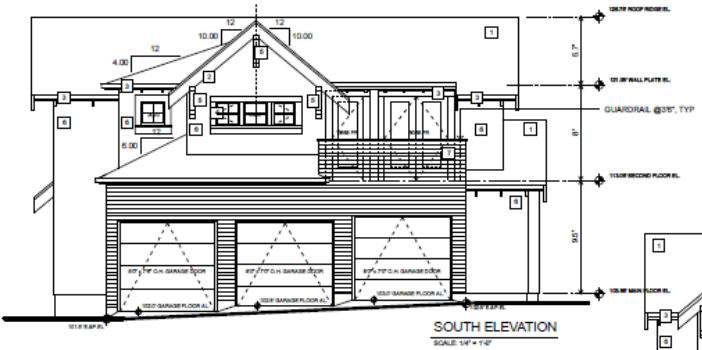
Plans of the New Infill Building



**FINISH SCHEDULE**

- 1 DUROID SHINGLE ROOF, TYP
- 2 1 X 2 OR 2 X 2 FASCIA BOARDS, PTD, TYP
- 3 5\"/>

WINDOWS TO BE WOOD OR VINYL CW MIN 2\"/>



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- 2 1 X 2 OR 2 X 2 FASCIA BOARDS, PTD, TYP
- 3 5\"/>

WINDOWS TO BE WOOD OR VINYL CW MIN 2\"/>

**Elevations of the New Infill Building**

2546 West 3<sup>rd</sup> Avenue  
TECHNICAL ZONING AND PARKING SUMMARY

Table 1: Zoning and Parking Summary

Item	Existing	Permitted or Required	Proposed
FSR	398 m <sup>2</sup> (4,280 sq. ft.) 0.71 FSR	418 m <sup>2</sup> (4,500 sq. ft.) 0.75 FSR maximum	485 m <sup>2</sup> (5,220 sq. ft.) 0.87 FSR
Side yard requirement for infill development	2.1 metres (7 feet)	3.7 metres (12 feet) minimum required on at least on side of an existing heritage building	2.1 metres (7 feet)
Height of Heritage Building	10.8 metres (35.4 feet)	10.7 metres (35.1 feet) maximum	10.8 metres (35.4 feet)
Infill Building Height	-	7.7 metres (25 feet) maximum	7.6 metres (24.8 feet)
Number of Dwelling units	1	4 maximum	3
Off- Street Parking	2	4 minimum	3

2546 West 3<sup>rd</sup> Avenue  
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On June 16<sup>th</sup>, 2014 the Vancouver Heritage Commission reviewed the proposal and resolved the following:

THAT the Vancouver Heritage Commission reserves its support for the application to rehabilitate 2546 West 3<sup>rd</sup> Avenue, the Harrington House, as presented at its meeting on June 16, 2014, including the application to construct an infill dwelling at the rear of the site, noting the following:

THAT the Commission requests that consideration be given to restoration of the original windows instead of replication;

THAT consideration be given to using cedar shingles for the roof of the heritage house; and

THAT design consideration be given to making adjustments to alleviate the tight space between the heritage house and the infill dwelling, including looking at a reduction in the size of the infill building.

PASSED

Staff Comments:

Original window restoration will be stipulated unless it is not viable to retain them due to their conditions and/ or Vancouver Building By-law requirements. The use of cedar shingles on the heritage building will be included as a consideration for the owner as part of the development permit application approval. Planning staff reviewed the building separation and concluded that the space between the infill building and the heritage house is adequate.

Staff concluded that the concerns expressed by the Commission can be addressed through the completion of the development permit application.

2546 West 3<sup>rd</sup> Avenue  
PUBLIC BENEFITS SUMMARY

**Project Summary:**

Rehabilitation, conservation, and designation of a heritage building, and construction of a new infill building

**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 = 558 m <sup>2</sup> / 6,000 sq. ft.)	0.75	0.87
Buildable Floor Space (sq. ft.)	4,500	5,220
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)	700	2,800
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		220,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$700</b>	<b>\$222,800</b>

**Other Benefits (non-market and/or STIR)**

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.