



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: October 6, 2015
Contact: Anita Molaro
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RTS No.: 11132
VanRIMS No.: 08-2000-20
Meeting Date: October 20, 2015

TO: Vancouver City Council

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

SUBJECT: Heritage Designation: 2836 West 14th Avenue (Beer Residence)

RECOMMENDATION

- A. THAT Council add the Beer Residence (the "heritage building") at 2836 West 14th Avenue (PID: 013-719-858; Lot 7, Block 109, District Lot 540, Plan 2485 (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 Recommendations A to B 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 existing building at 2836 West 14th Avenue to the Vancouver Heritage Register in the 'C' evaluation category and to designate its exterior as protected heritage property. Under the current RS-5 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 owner is seeking approval of the Director of Planning for relaxations of the requirements of the *Zoning and Development By-law* to permit the development as set forth in Development Permit Application Number 419101 (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* Council may 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 Sections 593 and 594 of the *Vancouver Charter*, Council may, by by-law, designate real property, in whole or in part, within the City of Vancouver as protected heritage property.

Pursuant to Section 595 of the *Vancouver Charter*, if sought, Council must compensate an owner of property being designated as protected heritage property for any reduction in market value caused by the designation. Often this is achieved by way of relaxations of the requirements of the Zoning and Development By-law so as to permit an otherwise impermissible development.

The proposed heritage designation requires Council approval at a public hearing and by-law enactment pursuant to Sections 593 and 594 of the *Vancouver Charter*.

- *Heritage Policies and Guidelines (April, 1991)*
- *Green Buildings Policy for Rezonings (2009, lasted amended 2014)*
- *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin (June, 2014)*

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

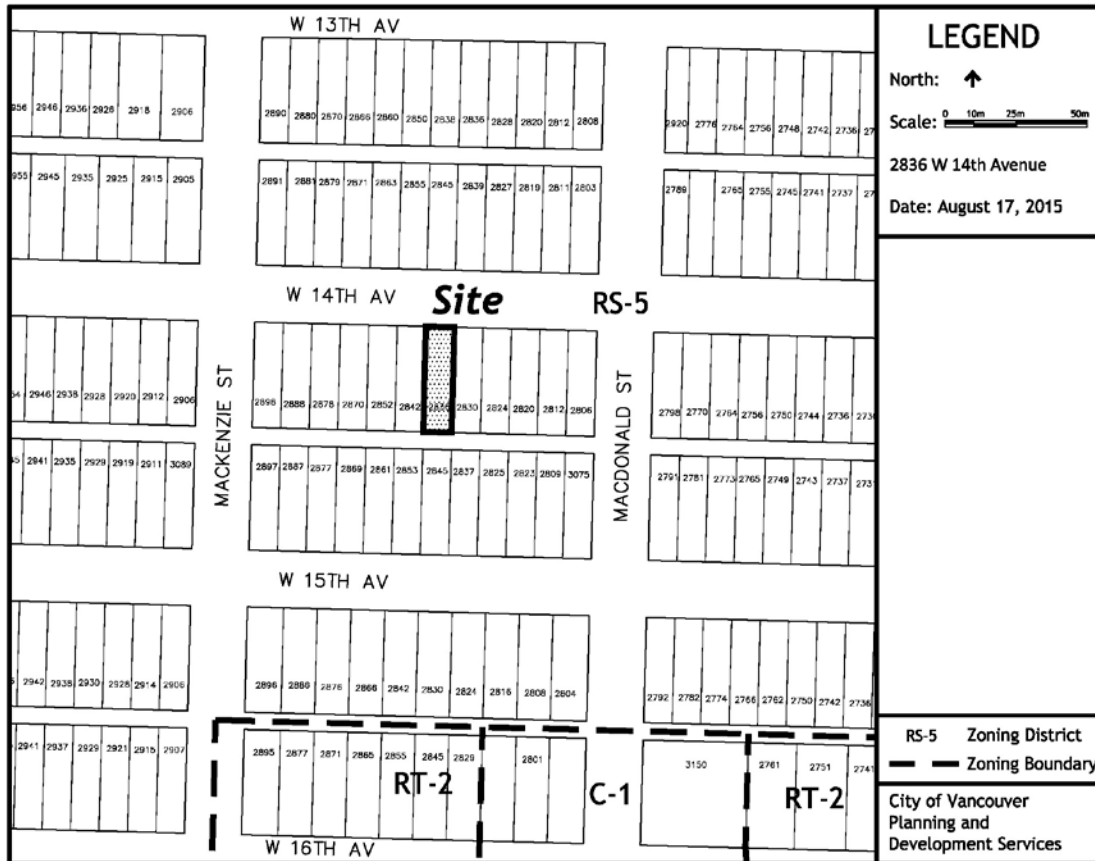
The General Manager of Planning and Development Services RECOMMENDS approval of A, B, and C.

STRATEGIC ANALYSIS

Site and Context

The site is located in the Kitsilano neighbourhood in an area zoned RS-5 (see Figure 1). The *RS-5 District Schedule of the Zoning and Development By-law* permits One- and Two-Family Dwellings, Secondary Suites, and Laneway Housing. The total area of the site is 374 square metres (4,026 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 Character

The Beer Residence was constructed in 1914 for Thomas Beer. It is a one and one-half storey, wood-frame house designed in the Craftsman style and is characterized by its cross-gabled roof and full-width front verandah (see Appendix A and Appendix B). Popularized through periodicals and plan books, and expressing both the traditional aspects of the Arts and Crafts movement as well as modern lifestyles, the Craftsman style was one of the most predominant styles in the early building boom days in Vancouver.

Development Application and Proposed Incentives

If approved, the incentives and compensation to be provided to the owner for the heritage designation and rehabilitation and conservation obligations will be in the form of discretionary relaxations of the requirements of the *Zoning and Development By-law*, including an increase in the permitted density, as set forth in the DP Application and as described below. The application proposes to rehabilitate the heritage building (see Appendix C), construct an addition at the rear of the building, and to convert the use from a One-Family Dwelling to a One-Family Dwelling with Secondary Suite. The proposed density is 0.83 FSR (see Table 1), which exceeds the maximum permitted density by 10%. The DP Application is consistent with the *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin* and therefore a proforma review and a Heritage Revitalization Agreement (HRA) are not required for the proposed increase in permitted density.

Table 1: Zoning Density Summary

Item	Existing	Permitted or Required	Proposed
Overall Floor Space Ratio (FSR)	0.73 FSR 274 m ² (2,948 sq. ft.)	0.75 FSR maximum with retention 280 m ² (3,012 sq. ft.)	0.83 FSR 311 m ² (3,342 sq. ft.)
Number of Dwelling Units	1	2 maximum (with Secondary Suite) Up to 3 with Laneway House	2

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 discussion below), and conclude that the application is supportable as proposed. 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 *RS-5 Zoning District Schedule* is to:

"...to maintain the existing single-family residential character of the RS-5 District by encouraging new development that is compatible with the form and design of existing development, and by encouraging the retention and renovation of existing development but also to permit conditionally one-family dwellings with secondary suites and laneway houses. Emphasis is placed on design compatibility with the established streetscape. Neighbourhood amenity is intended to be enhanced through the maintenance and addition of healthy trees and plants."

The DP Application, including the proposed use, is consistent with the intent of the *RS-5 District Schedule*. The retention of the heritage building contributes to the established streetscape of the area, and mature landscaping is proposed to be maintained.

Condition of the Heritage Building and Conservation Approach

The Beer Residence is in good condition. The Conservation Plan proposes to retain and rehabilitate existing original features where possible, and to replicate lost features such as windows where newer replacements occur. Existing wood windows are to be retained where possible.

Staff support the Conservation Plan proposed for the Beer 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-one surrounding property owners were notified of the application, and a site sign was installed. No responses were received.

Comments from the Vancouver Heritage Commission

On September 14, 2015, the Vancouver Heritage Commission reviewed the DP Application and supported it (see Appendix D).

Public Benefits and Financial Implications

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 \$33.26/m² (\$3.09/sq. ft.). On this basis, a DCL of approximately \$1,217 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 the *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 Beer Residence 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 execute a Restoration Covenant to secure the conservation and rehabilitation of the property as further set out in Appendix F. The cost to the owner of the proposed on-site heritage rehabilitation and conservation work is estimated to be approximately \$80,000 which will include restoration of the porch, replacement of newer non-character windows with replications of historic windows, painting to match the original colour scheme, and repairs and replication of original materials and details.

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 Beer Residence valued at \$80,000. The site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$1,217 in DCLs should the applications be approved and the project proceed.

Proforma Evaluation

The *Heritage Proforma Review - Interim Policy Planning By-law Administration Bulletin* allows for an exemption of a financial proforma review for projects which propose no more than 10% bonus density beyond the maximum permitted density in the zoning applicable to a site. The proposal complies with the provisions of the bulletin and a proforma review is not required.

Environmental

The City's Green Buildings Policy for Rezoning does not apply to the application as an HRA is not required. However, the project will comply with the *Vancouver Building By-law* with respect to energy and environmental provisions contained therein.

Legal

The owner's proposal to rehabilitate and conserve the heritage building in exchange for the proposed relaxations of the requirements of the Zoning and Development By-law needed to get that improved development potential will be appropriately secured as legal obligations contained in a heritage restoration covenant (the 'covenant') to be registered on title to the site pursuant to Section 219 of the *Land Title Act* 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 settled the covenant, which includes rehabilitation and conservation obligations on the part of the owner and enforcement provisions for the City. The covenant will be signed by the owner prior to enactment of the Heritage Designation By-law and executed by the City and registered on title to the site following enactment of the Heritage Designation By-law and before a development permit for the project is issued.

Section 595 of the *Vancouver Charter* requires that, if sought, Council must compensate an owner for any reduction in the market value caused by a heritage designation. By entering into the covenant, the owner explicitly accepts the proposed increase in density to be provided, and the resulting development advantages to be gained thereby, as full compensation for the heritage designation of the heritage building's exterior and the obligations to rehabilitate and conserve the heritage building.

CONCLUSION

The approval of the proposed addition to the Vancouver Heritage Register of the Beer Residence at 2836 West 14th Avenue in the 'C' evaluation category and the heritage designation of its exterior will ensure that the heritage building is rehabilitated, conserved, and protected from exterior alterations which affect its heritage value, and from demolition. The owner has agreed to accept the proposed increase in density as compensation for the designation of the heritage building's exterior and for its rehabilitation and conservation. The General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of the Beer Residence to the Vancouver Heritage Register in the 'C' evaluation category and the proposed Heritage Designation By-law.

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2836 West 14th Avenue
PHOTOGRAPHS



Photo 1: 2836 West 14th Avenue circa 2015 (Looking South)

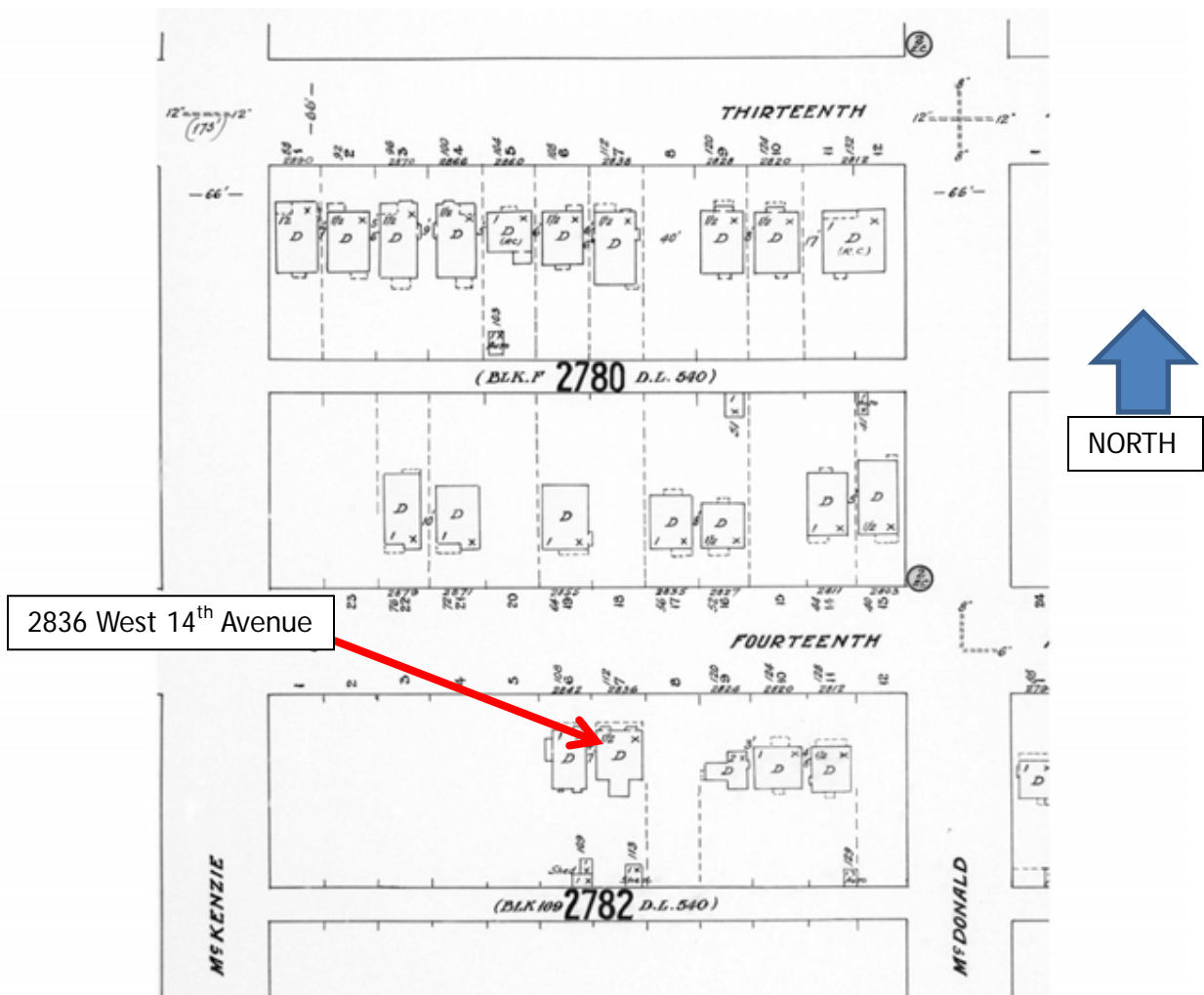


Photo 2: 2836 West 14th Avenue circa 2015 (Looking South)



Photo 3: Detail of 2836 West 14th Avenue

2836 West 14th Avenue
MAPS



Map1: Fire Insurance Map circa 1930s



01 EXISTING EXTERIOR ELEVATION: NORTH
SCALE: 1/4" = 1'-0"



02 PROPOSED EXTERIOR ELEVATION: NORTH
SCALE: 1/4" = 1'-0"



01 EXISTING EXTERIOR ELEVATION: SOUTH
SCALE: 1/4" = 1'-0"

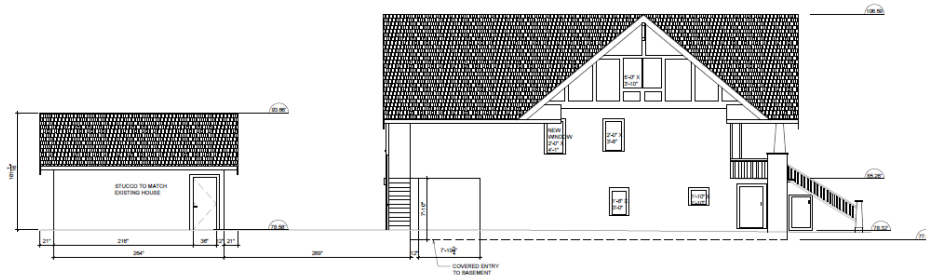


02 PROPOSED EXTERIOR ELEVATION: SOUTH
SCALE: 1/4" = 1'-0"

Elevations: Existing on Left, Proposed on Right



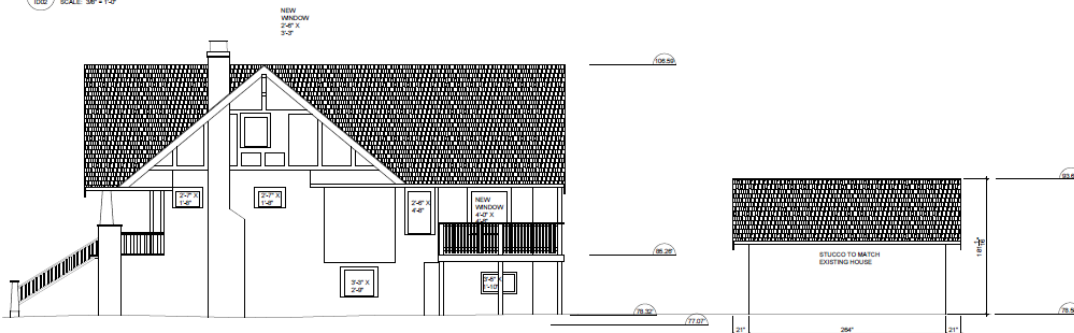
01 EXISTING EXTERIOR ELEVATION: EAST
006 SCALE: 1/4" = 1'-0"



01 PROPOSED EXTERIOR ELEVATION: EAST
006 SCALE: 1/4" = 1'-0"



01 EXISTING EXTERIOR ELEVATION: WEST
006 SCALE: 3/8" = 1'-0"



01 PROPOSED EXTERIOR ELEVATION: WEST
006 SCALE: 1/4" = 1'-0"

Side Elevations (Proposed)

2836 West 14th Avenue
TECHNICAL ZONING AND PARKING SUMMARY

Table A: RS-5 Zone

Item	Existing	Permitted or Required	Proposed
Overall Floor Space Ratio (FSR)	0.73 FSR 274 m ² (2,948 sq. ft.)	0.75 FSR maximum with retention 280 m ² (3,012 sq. ft.)	0.83 FSR 311 m ² (3,342 sq. ft.)
Height	8.6 metres (28.3 feet)	10.7 metres (35.1 feet) Maximum	8.6 metres (28.3 feet)
Dwelling Unit Density	1	2 maximum (with Secondary Suite) Up to 3 with Laneway House	2

2836 West 14th Avenue
RESOLUTION OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On September 14, 2015 the Vancouver Heritage Commission reviewed the proposal and resolved the following:

THAT the Vancouver Heritage Commission support application to renovate 2836 West 14th Avenue (The Beer Residence), as presented at its meeting on September 14, 2015, with the following suggestions:

- the owner investigate the rehabilitation of all the house's existing windows;
- the owner consider retaining the stair and porch post configuration as existing.

CARRIED UNANIMOUSLY

Staff Comments:

The Applicant will re-examine the window retention strategy with respect to maximizing retention of existing windows, as well as the option to retain the stair and porch as originally configured, noting, as observed by Commission members, that the existing configuration likely was an expedient initiative by the original builder, as most porches on buildings similar to the Beer Residence would have had four posts as opposed to three at a full width front porch.

2836 West 14th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation and conservation of a heritage building.

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	RS-5	RS-5
FSR (site area = 4,026 sq. ft./ 374 m ²)	0.75	0.83
Buildable Floor Space (sq. ft.)	3,012	3,342
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)	200	1,217
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		80,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
Other			
TOTAL VALUE OF PUBLIC BENEFITS		\$200	\$81,217

Other Benefits (non-market and/or STIR components): None

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.