



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: January 5, 2016
Contact: Anita Molaro
Contact No.: 604.871.6479
RTS No.: 10225
VanRIMS No.: 08-2000-20
Meeting Date: January 19, 2016

TO: Vancouver City Council

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

SUBJECT: Heritage Designation and Heritage Revitalization Agreement - 1060 West
15th Avenue (James Northey Residence)

RECOMMENDATION

- A. THAT Council add the existing building at 1060 West 15th Avenue (PID: 013-244-132; Lot 6, Block 475, District Lot 526, Plan 3015 (the "site")), known as the James Northey Residence (the "heritage building") to 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 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 the rehabilitation and long-term preservation of the heritage building; and
 - ii. vary the Zoning and Development By-law in respect of the site to permit development as proposed under Development Permit Application No. DE418668 (the "DP Application") and as more particularly described in this report, and that the HRA shall be prepared, completed and registered, and given priority on title to the site, 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 add the James Northey Residence at 1060 West 15th Avenue to the Vancouver Heritage Register in the 'B' evaluation category, and 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 heritage building's rehabilitation and long-term protection. Under the current RT-2 zoning applicable to the site, the existing building could be demolished or significantly altered and the site redeveloped with a density of between 0.60 and 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, an increase in permitted density, as well as other zoning variances, are proposed to permit the development as set forth in the DP Application and as described in this report. The Acting 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, by resolution, may establish 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 a Heritage Revitalization Agreement with an owner of heritage property which may vary or supplement certain kinds of by-laws and permits, including the *Zoning and Development By-law*.

Pursuant to Sections 593 and 594 of the *Vancouver Charter*, Council, by by-law, may 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 is required to compensate an owner of property being designated as a protected heritage property for any reduction in the market value of the property 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 heritage building 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 Rezoning (July, 2010, last amended 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 maximizing the use of available tools to conserve the City's heritage resources.

GENERAL MANAGER'S COMMENTS

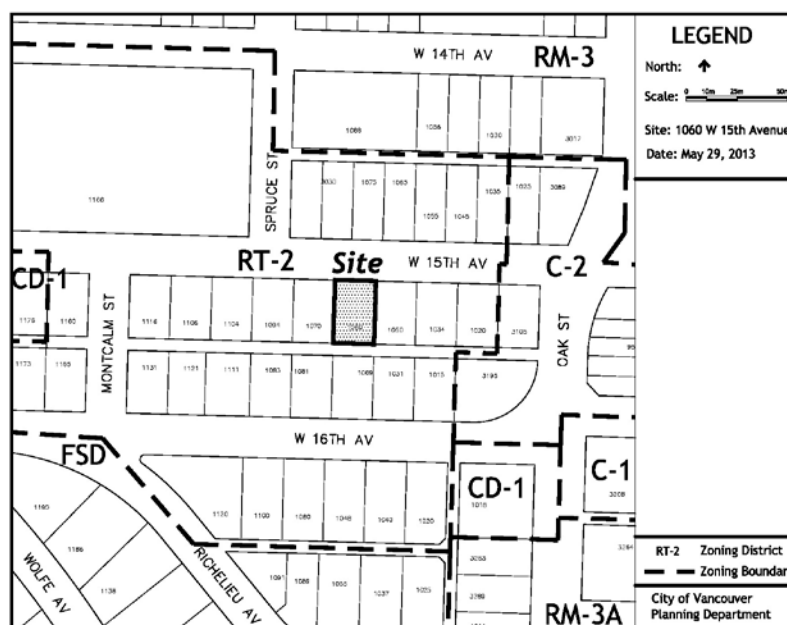
The Acting General Manager of Planning and Development Services RECOMMENDS approval of A, B, C, and D.

STRATEGIC ANALYSIS

Site and Context

The site is located in the Fairview neighbourhood in an area zoned RT-2 (see Figure 1). The *RT-2 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, and townhouses. The total area of the subject site is 620 square metres (6,670 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 James Northey Residence was designed by Norman Young Cross and built in 1913 for real-estate broker James Laird Northey, also remembered for his Mill Cut Homes & Lumber Company (1920 - 1948) in Kitsilano. Both men were involved in the design and construction of numerous buildings in Vancouver and North Vancouver until the late 1930s.

The Northey Residence is a very good example of the housing influenced by the Craftsman Style, which was popular in the City from 1910-1925. The building's layout is somewhat unconventional (see Appendix A). Features of the house include its asymmetrical massing, horizontal orientation and emphasis on structural quality, and the expression of materials. The difficulty of maintaining large, single-family estates during the tough economic times of

the depression, combined with a general lack of housing during and after the Second World War, resulted in legislation which permitted the adaptation and change of use of single-family dwellings. The James Northey Residence was converted to a five unit rooming house in 1941 under such conditions. The Fairview neighbourhood was once filled with houses such as the one at 1060 West 15th Avenue. Most have been lost to the construction of apartment buildings in the area. It is proposed to add the James Northey Residence to the Vancouver Heritage Register in the 'B' 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* made by the HRA, including a density variance, as set forth in the DP Application and as described below. The zoning applicable to the site is RT-2. The DP Application proposes to restore the heritage building and to construct a new Infill One-Family Dwelling (see Appendix C). Infill use is not permitted in the current zoning. The application originally proposed 0.91 FSR. Upon completion of the required reviews, including the review of the applicant's proforma, it was concluded that a maximum of 0.85 FSR would be supportable (see Table 1 and Appendix D). The drawings in Appendix C reflect the reduced density.

Table 1: Zoning Density Summary

Item	Existing	Permitted or Required	Proposed
FSR	391 m ² (4,217 sq. ft.) 0.63 FSR	374 m ² (4,019 sq. ft.) 0.60 FSR to 467 m ² (5,024 sq. ft.) 0.75 FSR maximum	527 m ² (5,670 sq. ft.) 0.85 FSR
Number of Dwelling units	5	3 maximum	5 (4 plus one "lock-off suite")*
Off Street Parking	2	5 (one per unit)	3

* "Lock-off suite" in this case means that the two associated suites cannot be sold separately nor can separate strata units (lots) be created for each of these suites (see the discussion below).

The proposed basement layout includes two Dwelling Units, which, by agreement, cannot be sold separately. The applicant had concluded that the basement was too large to make a single unit in the basement viable, but allowing an additional strata unit which could be sold was not supported under the required proforma analysis. Staff agreed to allow an additional Dwelling Unit in the basement provided it could not be sold separately from the other basement Dwelling Unit.

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 DP Application is supportable. The Acting 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-2 Zoning District Schedule* is to:

"... permit two-family dwellings and to conditionally permit, in some instances, low density multiple-family housing."

The DP Application provides low density multiple-family housing and is consistent with the intent of the *RT-2 District Schedule*.

Condition of the Heritage Building and Conservation Approach

The James Northey Residence is in good condition. The Conservation Plan proposes to retain and rehabilitate existing original feature where possible, and to replicate lost features such as windows where newer replacements exist. Staff support the Conservation Plan proposed and conclude that the rehabilitation scheme is consistent with best conservation practices.

Results of Neighbourhood Notification

290 surrounding property owners were notified of the application. Two responses were received. Both expressed support for the rehabilitation of the heritage building but one noted a number of concerns with the DP Application as follows:

1. Moving the house forward does not line up with other houses on the block;
2. The infill building crowds the site; and
3. Gutting the house to allow conversion is weak retention.

The proposed front yard is consistent with the requirements of the zoning and allows for more separation between the heritage building and the new infill building. Infill use is often used in projects proposing retention to limit additions on the existing building which can compromise retention and conservation. In this case, the interior of the heritage building has not been identified as having sufficient heritage value to warrant the restricting the ability to create additional Dwelling Units. Staff considered the results of neighbourhood notification and concluded that the proposal is supportable.

Comments from the Vancouver Heritage Commission

On March 23, 2015, the Vancouver Heritage Commission reviewed DP Application and supported it (see Appendix E).

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, where the rate for residential use developed at a density at or below 1.2 FSR is 33.26/m² (\$3.09/square foot). On this basis, a DCL of approximately \$4,490 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 heritage building and to accept the designation of the heritage building's exterior as 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 (the HRA) which, among other things, will secure the conservation and rehabilitation of the heritage building. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$338,000.

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 James Northey Residence valued at \$338,000.

The site is within the City-wide DCL District. It is anticipated that the applicant will pay approximately \$4,490 in DCLs should the application be approved and the project proceed.

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 that the by-law variances proposed, including the revised density of 0.85 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, and accept the designation of the heritage building's exterior as protected heritage property, 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. 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.

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 it.

The HRA will be executed by the City and registered on title 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 addition to the Vancouver Heritage Register of the James Northey Residence at 1060 West 15th Avenue, the heritage designation of its exterior, 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 DP Application for the project should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of the James Northey Residence at 1060 West 15th Avenue to the Vancouver Heritage Register in the 'B' evaluation category and the proposed heritage designation and HRA.

* * * * *

1060 West 15th Avenue
PHOTOGRAPHS



Photo 1: 1060 West 15th Avenue - Front - Looking South (2015)



Casement wood windows with divided upper lights in single, paired, triple or quad arrangements on main and upper levels.

Photo 2: West Side - 1060 West 15th Avenue - Excerpt From the Conservation Plan



Photo 3: Original Leaded Glass Sashes

1060 West 15th Avenue
MAPS



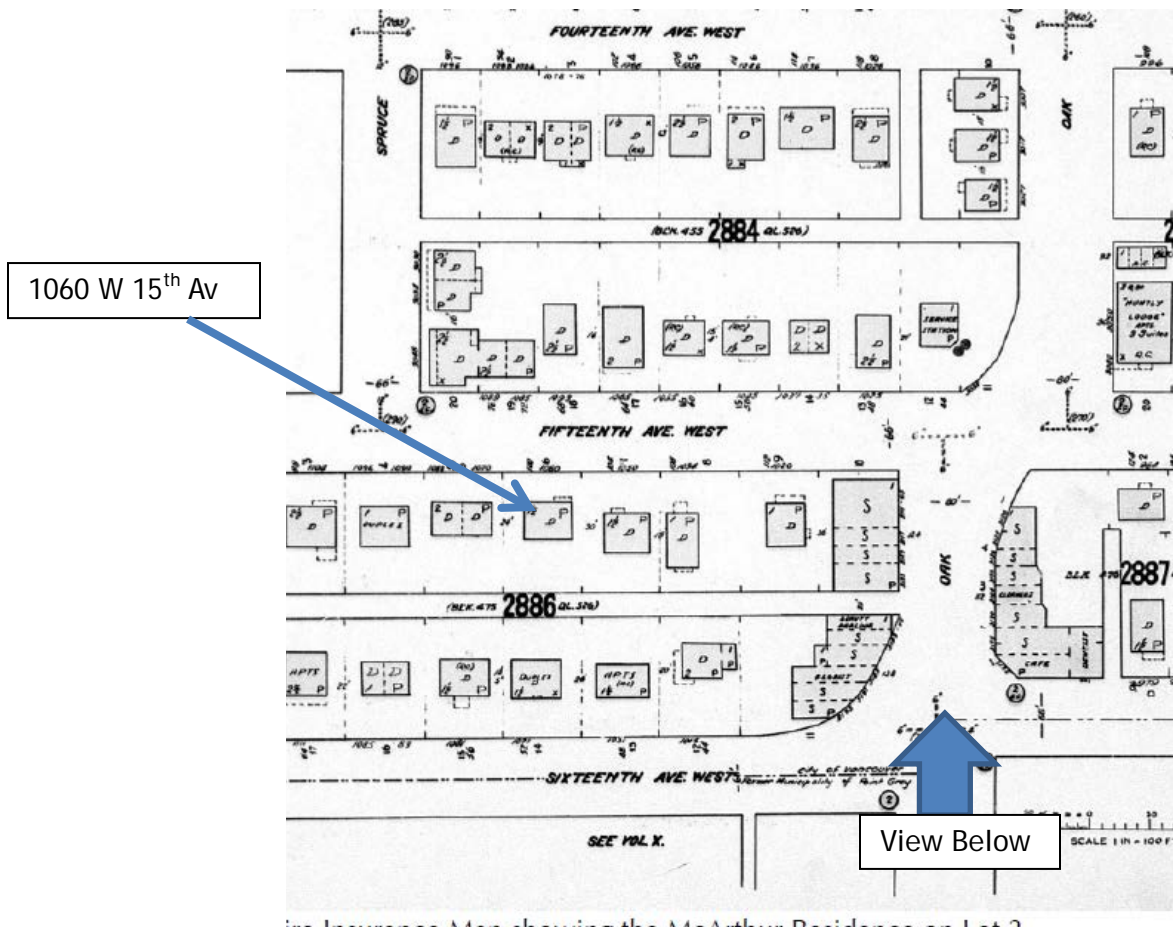
Map1: Fire Insurance Map circa 1927

The Star indicates 1060 West 15th Avenue. See also Photo A below. Note the number of large houses in the area at the time and the absence of development along Oak Street.



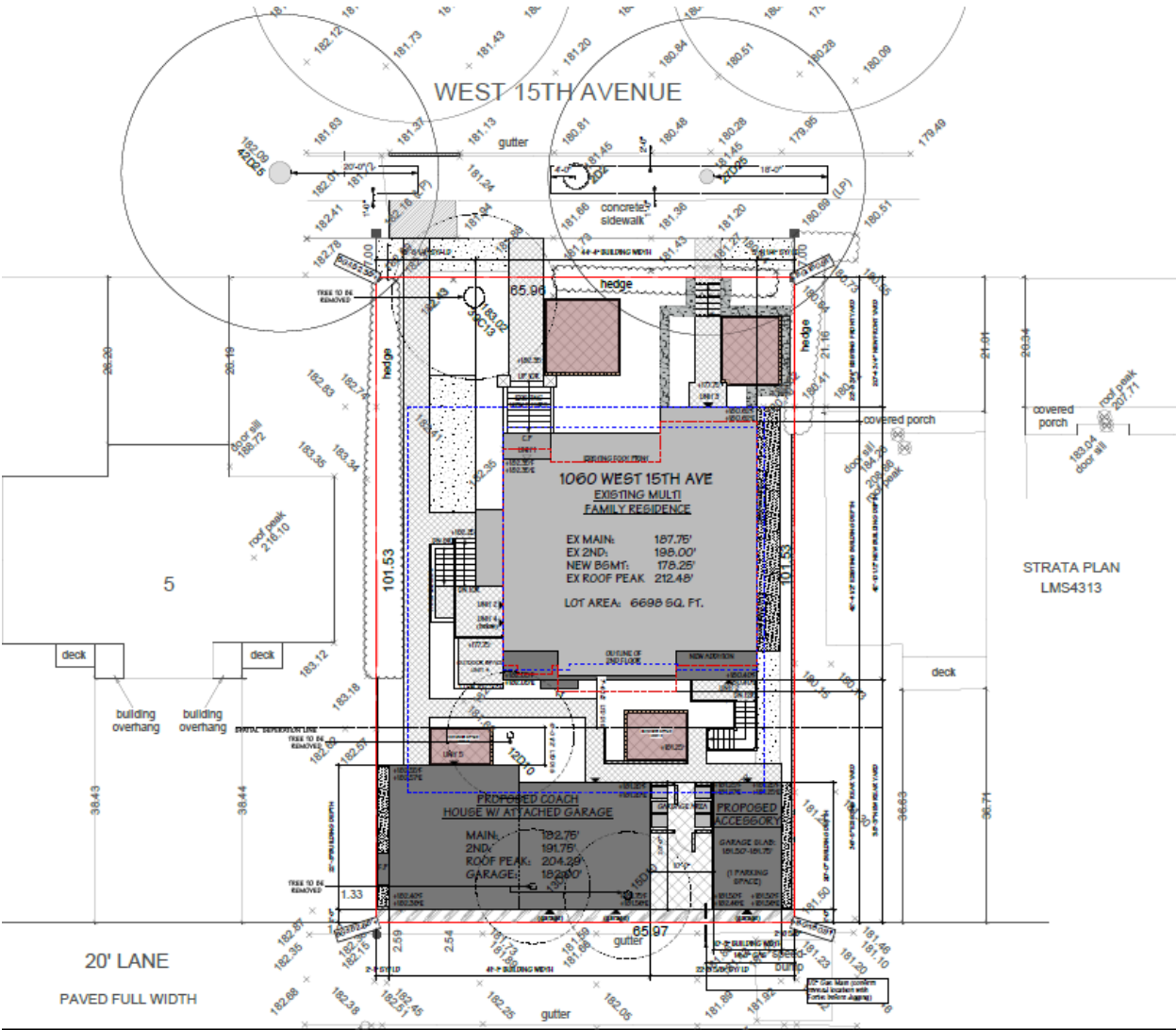
Photo A: 1060 West 15th Avenue in 1924 (circled)

The curved street in the upper right hand corner is Oak Street. The estates at the bottom of the photograph are located in the northern end of the First Shaughnessy District.

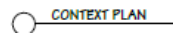


West 16th Avenue and Oak St - Looking North - 1930s

1060 West 15th Avenue
DRAWINGS



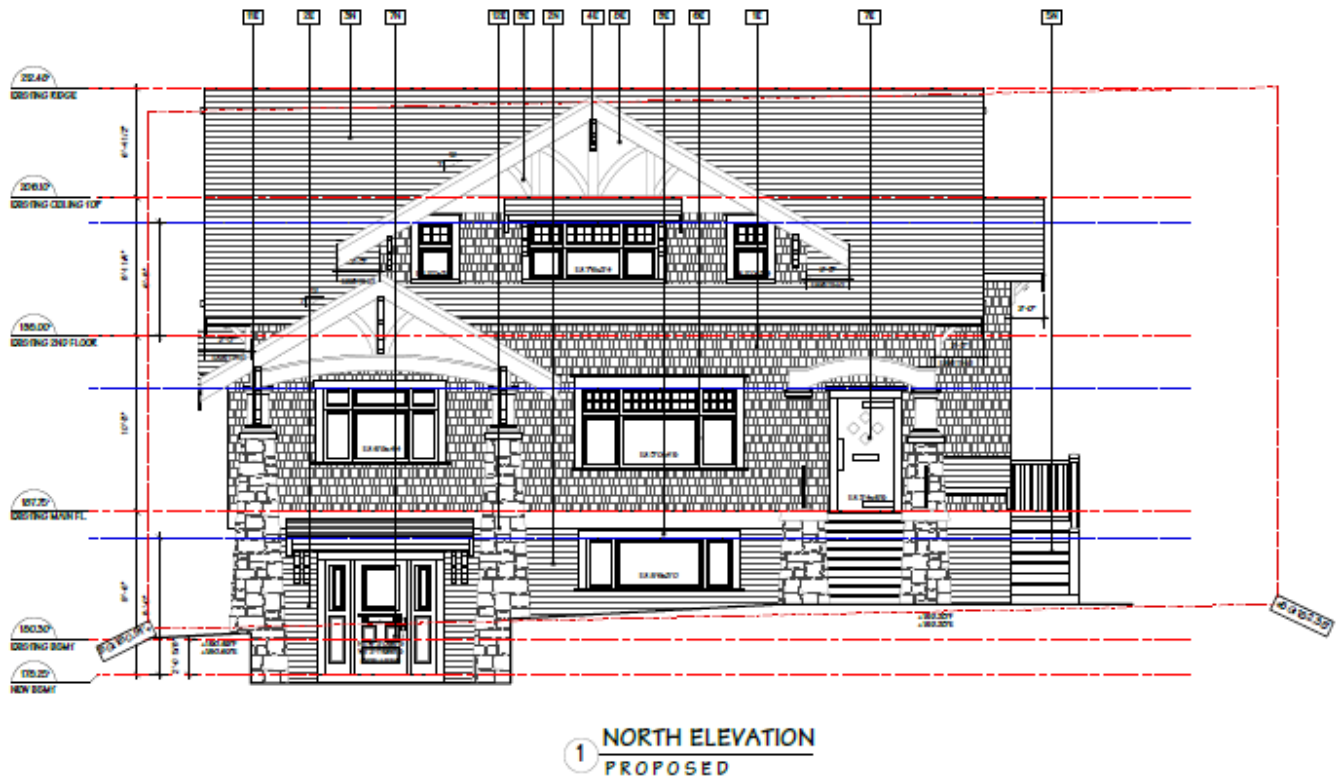
Site Plan



Site and Context Diagram



Floor Plans - Heritage Building



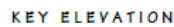
North Elevation of Heritage Building



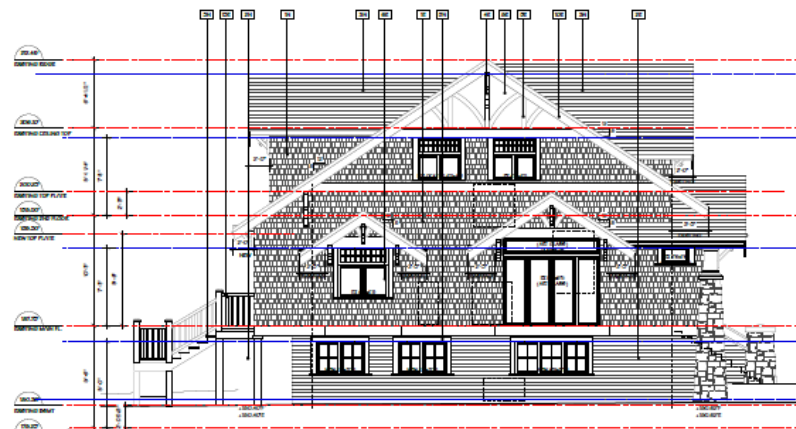
SPATIAL ELEVATION

EAST SPACIAL CALCULATION		
LIMITING DISTANCE A	0.09 AL	(0.09)
WELL AREA	0.00133 sq ft	(0.00133)
WELL PERFORATION UNPROTECTED OPENING (see pgs 1001, Table 2, 10.14.2)	0.00133	
0.00133 x 17.36%	0.00023 sq ft	
PREPARED OPENING	0.00023 sq ft	0.00023 sq

4 EAST ELEVATION
EXISTING

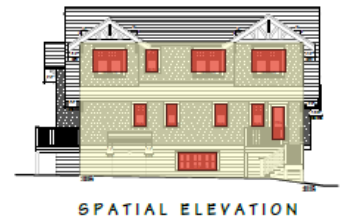


KEY ELEVATION

[illegible]

3 EAST ELEVATION
PROPOSED

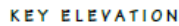
East Elevation - Existing and Proposed - Heritage Building



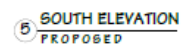
SPATIAL ELEVATION

SOUTH SPACIAL CALCULATION		
LIMITING DISTANCE A	80.04 ft.	(2.84E+01)
WELL AREA	280.033 sq ft.	(3.00E+02)
MAX ALLOWABLE UNPROTECTED OPENING (see pgs 1500, Table 2.10.10.1)	17.60 ft.	
280.033 x 17.60	4928.58 sq ft.	
PROPOSED OPENING	280.033 sq ft. <	4928.58 sq ft.

6 SOUTH ELEVATION
EXISTING

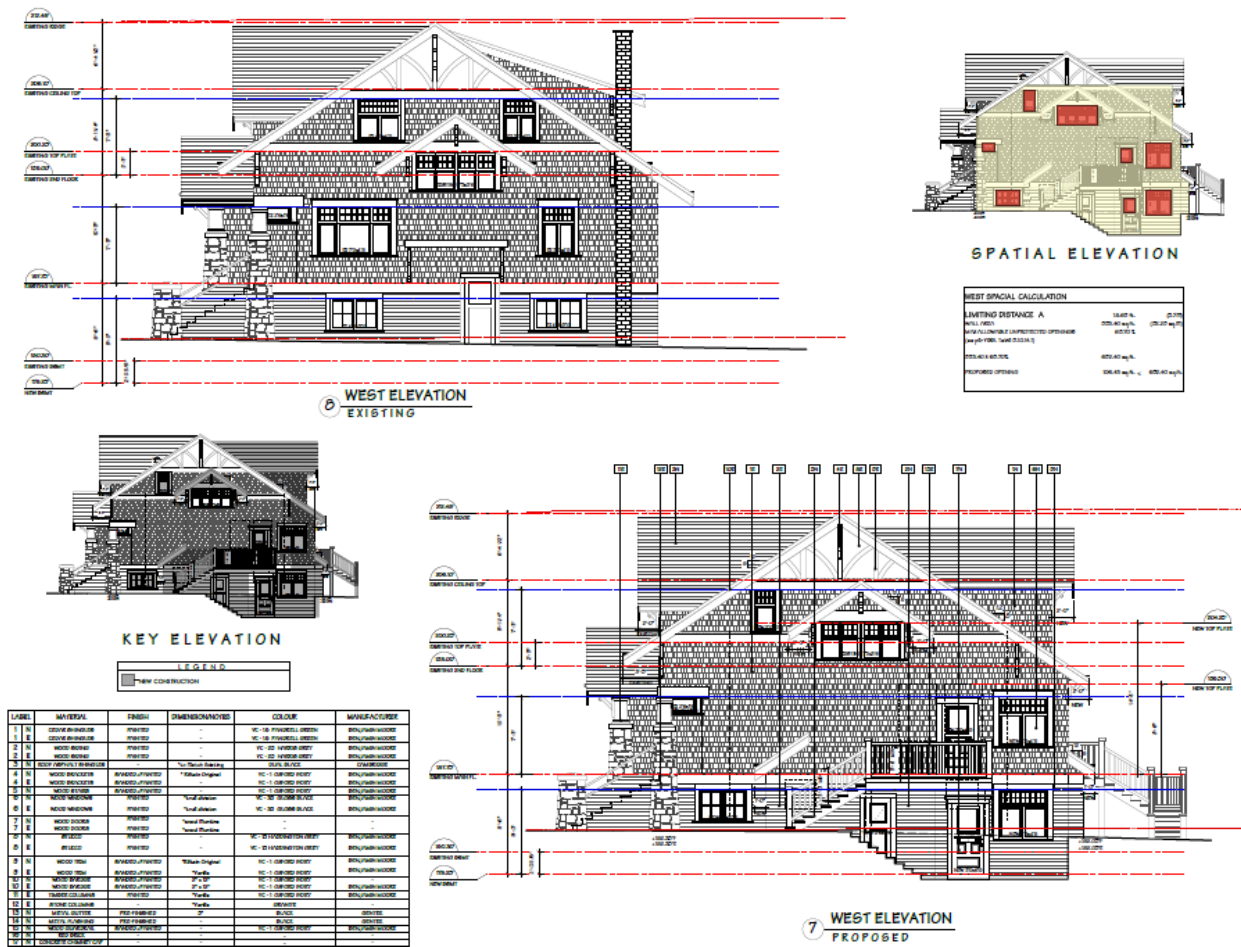


KEY ELEVATION

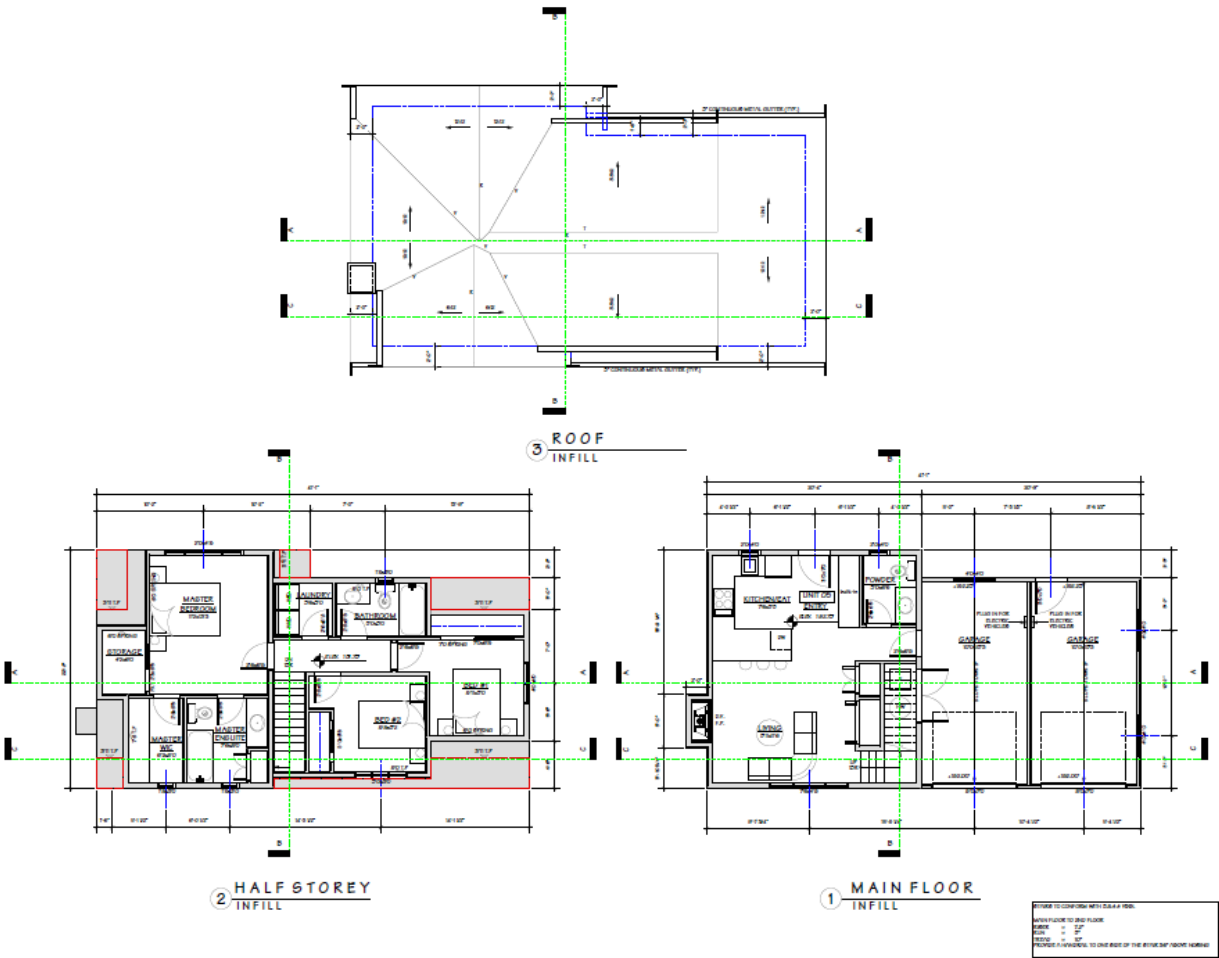
[illegible]

5 SOUTH ELEVATION
PROPOSED

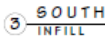
South Elevation - Existing and Proposed - Heritage Building



West Elevation - Existing and Proposed - Heritage Building



Floor Plans - New Infill Building



Elevations - New Infill Building



Streetscape

1060 West 15th Avenue
TECHNICAL ZONING AND PARKING SUMMARY

Table A

Item	Existing	Permitted or Required	Proposed
FSR	391 m ² (4,217 sq. ft.) 0.63 FSR	374 m ² (4,019 sq. ft.) 0.60 FSR to 467 m ² (5,024 sq. ft.) 0.75 FSR maximum	527 m ² (5,670 sq. ft.) 0.85 FSR
Number of Dwelling units	5	3 maximum	5 (4 plus one "Lock-Off Suite"*)
Off Street Parking	2	3 minimum	5

1060 West 15th Avenue
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS

On March 23, 2015, the Vancouver Heritage Commission reviewed the DP Application and resolved the following:

THAT the Vancouver Heritage Commission, because of the level of exterior conservation, supports the conservation plan for 1060 West 15th Avenue, the James Northey Residence, including the application to add four dwelling units to its interior and to construct an infill building at the rear of the site noting the following:

- the applications sensitive approach to the character defining elements; and
- the use of cedar shingles and the compatibility of the subordinate quiet infill building design.

CARRIED UNANIMOUSLY

1060 West 15th Avenue
PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation, conservation, and designation of a heritage building, and construction of an 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-2	HRA
FSR (site area = 620 m ² / 6,670 sq. ft.)	0.75 max.	0.85
Buildable Floor Space (sq. ft.)	5,024 sq. ft.	5,670 sq. ft.
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)	2,494	4,490
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		338,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$2,494	\$342,490

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 in the heritage building.