



REPORT

Report Date: June 24, 2021
Contact: Jason Olinek
Contact No.: 604.871.6479
RTS No.: 15251
VanRIMS No.: 08-2000-20
Meeting Date: July 5, 2022

TO: Vancouver City Council

FROM: General Manager, Planning, Urban Design and Sustainability

SUBJECT: 1450 West 64th Avenue – Joy Kogawa House – Heritage Designation and Heritage Revitalization Agreement

RECOMMENDATION

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate as protected heritage property the structure and exterior of the existing building at 1450 West 64th Avenue (PID: 006-743-935; Lot 3 of the North ½ of Lot 2 Block B District Lots 319, 323 and 324 Plan 6588 (the “site”)) known as the “Joy Kogawa 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 under Section 592 of the *Vancouver Charter* a by-law for the City of Vancouver, which is the owner of the property, to enter into a Heritage Revitalization Agreement (HRA) for the Heritage Building to:
 - (i) secure the rehabilitation and long-term preservation of the heritage building;
 - (ii) vary the *Zoning and Development By-law* as necessary to permit cultural uses on the site and an associated Dwelling Unit, and other variances, and to secure this in perpetuity, as detailed in Development Permit Application Number DP-2022-00200 (the “DP Application”) and as more particularly described in this report.
- C. THAT the Heritage Revitalization Agreement shall be completed, noted, 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 resolution 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 structure and exterior of the City-owned Joy Kogawa House at 1450 West 64th Avenue, which is listed in the “B” evaluation category on the Vancouver Heritage Register (VHR), as protected heritage property, and to enter into a Heritage Revitalization Agreement (HRA) for the site. These would secure the conservation of the Heritage Building as well as allow for a ‘Museum or Archives’ use and other activities associated with Joy Kogawa and the history of Japanese-Canadians in BC under programs and events provided by the curator, the Historic Joy Kogawa House Society, who are tenants in the house.

The HRA would also provide for two Dwelling Units for use by artists and writers associated with these cultural uses and activities. The Heritage Designation By-law will protect the building from undue alterations or demolition in the future.

The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application, with associated conditions, should Council approve the recommendations of this report.

COUNCIL AUTHORITY/PREVIOUS DECISIONS

Pursuant to Section 592 of the *Vancouver Charter*, Council, by by-law, may enter into an HRA with the owner of heritage property, which agreement 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, is achieved by way of *Zoning and Development By-law* relaxations, or where there is an HRA, by way of *Zoning and Development By-law* variances, so as to permit an otherwise impermissible development.

The proposed heritage designation for the heritage building and the HRA require Council approval at a 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:

- *Vancouver Heritage Program* (March 2020)
- *Heritage Policies* (March 2020)
- *Marpole Community Plan* (April 2014)

In November 2005, Council approved a temporary protection by-law for the Heritage Building. At that time, the Heritage Building was under threat of demolition, and Council approval of that by-law allowed time to negotiate with the then-private owners. A national campaign was subsequently initiated to raise funds to purchase the property. In 2006 the site was sold to the Land Conservancy of BC, which leased it to the Historic Joy Kogawa House Society (the “Society”). In 2016, Council approved the City’s purchase of the Heritage Building following the bankruptcy of the Land Conservancy of BC, and the Society has maintained its occupancy since that time through a lease agreement administered by the City’s Real Estate and Facilities Management Department. The current lease agreement has been in place since 2018.

CITY MANAGER'S COMMENTS

The City Manager recommends approval of the foregoing.

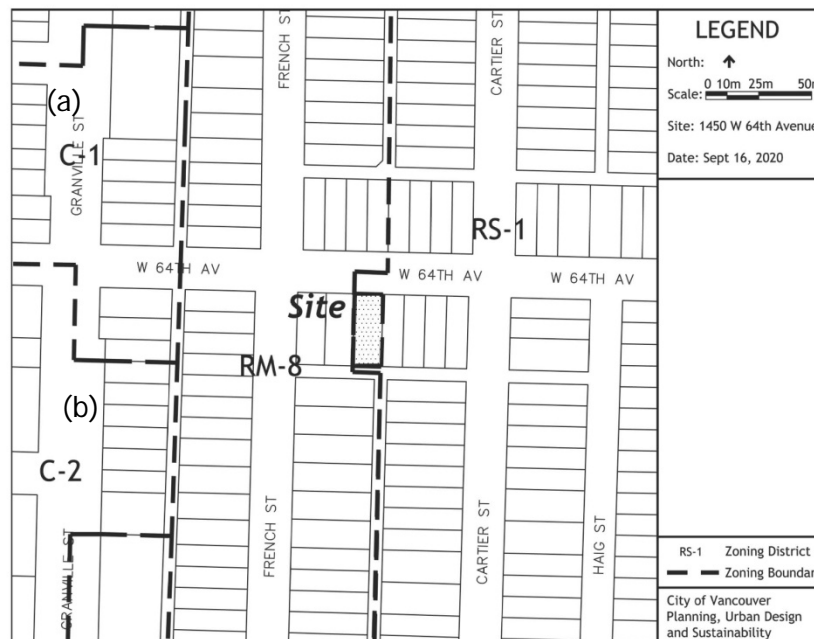
REPORT

STRATEGIC ANALYSIS

Site and Context

The site consists of a single parcel located in Marpole in an area zoned RS-1 (see Figure 1). This location on West 64th Avenue is between French Street and Cartier Street. The existing Heritage Building is a modest one-storey building with a basement. The immediate context is two-storey houses on the both sides of West 64th Avenue.

Figure 1: Site and Surrounding Zoning



Significant sites surrounding 1450 West 64th Avenue are as follows as shown in Figure 1:

- a. Marpole Bus Loop
- b. Marpole community retail – Granville Street south of West 63rd Avenue

The site is a block and a half east of Granville Street and public transit, as well three blocks east of the Arbutus Greenway.

Heritage Value

The Joy Kogawa House was built in 1912 (see Appendix A) in a Craftsman-influenced style. It is valued for its association with Joy Kogawa (nee Nakayama) and her writings involving Japanese Canadians in BC, and for illustrating the early residential development of the Marpole area. Its heritage value is further detailed in the Statement of Significance (see Appendix B).

The Joy Kogawa House has national significance as a symbol of the discrimination experienced by Japanese Canadians leading up to, during, and following the Second World War. This culminated in the 1942 internment, revoking of citizenship rights, and subsequent disposal of property belonging to Japanese Canadians living in Vancouver and along the west coast. The Nakayama family lived in the house from 1937 before being forcibly removed in 1942. The house and the family's property were confiscated by the Canadian Government and sold without permission from the Nakayama family. Restrictions on returning to the west coast remained in place for all Japanese Canadians until 1949.

The Joy Kogawa House is of additional heritage and cultural value for its connection with renowned Canadian author Joy Kogawa. Her work includes volumes of poetry and various novels. She is a recipient of honorary doctorates and the Order of Canada. Kogawa's most celebrated novel, 'Obasan', recalls the experience of Japanese-Canadians during the Second

World War. This book has brought the experience of the Japanese Canadians to national consciousness. The book features the Joy Kogawa House prominently, and reflects the experiences of Joy Kogawa during the time she lived in the house as a child.

Built for municipal labourer Robert Mackie (1873-1955), the Joy Kogawa House is also valued as one of the earlier surviving houses dating from the transition of South Vancouver from acreage parcels to a suburban neighbourhood with the expansion of the B.C. Electric Railway streetcar system in 1909.

The Joy Kogawa House is listed on the VHR in the 'B' evaluation category.

Compatibility of Conservation with Community Planning Objectives and Lawful Uses

The proposed protection and conservation of the Heritage Building are consistent with the intent of the *RS-1 District Schedule* of the *Zoning and Development By-law* in maintaining the residential character of the RS-1 areas which are characterized by low density housing and mature trees.

The proposal to retain this Heritage Building to allow for small-scale gatherings, tours, and educational events is consistent with the *Marpole Plan*, which seeks to enhance culture, heritage, and creativity in the Marpole area.

The proposed conservation and HRA are consistent with the *Vancouver Heritage Program* and its goal of inclusion of cultural diversity, especially as related to those communities which have suffered from discriminatory policies and actions in the past, in this case Japanese Canadians.

The Society's aims in operating a cultural centre dedicated to awareness and reconciliation is consistent with the principles of the *Marpole Community Plan*, the City's *Heritage Policies*, and current City-wide objectives.

Development Application and Proposed Incentives

The Society has made a DP Application to retain and restore the Heritage Building and to undertake the necessary upgrades to allow the house to be safely used as a space for small cultural gatherings. The HRA would allow for a Museum or Archives use and related cultural uses for the site. As well, two Dwelling Units to be used in conjunction and associated with the cultural uses are proposed - one in the Heritage Building and one in a converted existing garage at the rear of the site (see Figure 2, Appendix C for a technical summary, and Appendix B for drawings).

The intent of the cultural use proposed under the HRA would be to allow for (but not be limited to) the following uses, and uses which in the opinion of the Director of Planning are similar to these uses:

- author residency
- writing workshops
- literary reading events
- educational events
- panel discussions
- mentorships, musical gatherings, visual art exhibitions and presentations

- youth workshops
- artist studio activities

The Dwelling Units associated with these cultural uses are intended to be for visiting artists and writers to stay and produce works in association with the cultural activities on the site. Infill development with the retention of a character building (which includes buildings listed on the VHR) is permitted in the RS-1 zoning and therefore the conversion of the existing garage into an Infill One-Family Dwelling complies with the RS-1 zoning. The Dwelling Unit in the house is approximately 21 m² (222 sq. ft.) which is smaller than the minimum 29.7 m² prescribed in Section 11.10.2 of the *Zoning and Development By-law*. Therefore, the HRA also provides for a relaxation of this provision (see Appendix C).

Ten parking spaces are required in total (see Figure 2). No off-street parking spaces are proposed on the site as the existing garage is to be converted to residential and inclusion of a surface parking space beside the garage would impact tree retention at the lane (see the Landscape Plan in Appendix D), including a cherry tree described in Joy Kogawa’s novel ‘Obasan’. The Director of Planning is prepared to relax the required off-street parking as part of the approval of the DP Application.

The cultural assembly space in the house is designed to accommodate at most 25 people. The typical events and workshops are as follows:

- Weekly writing group with approximately 6 to 8 participants
- Monthly writing workshops and gathering with 10 to 12 participants
- Monthly educational tour presented to up to 25 visitors, by appointment
- Quarterly open house and community gathering with 40 to 60 visitors over several hours.

For the quarterly meetings the Society would notify neighbours by flyer and be invited to attend. All events would be subject to City by-laws related to noise, events, licensing, and activities.

To further assist the Society in the rehabilitation of the Heritage Building, a variance of Section 4.6.2 of the *Zoning and Development By-law*, to remove the 24 month expiration on a development permit, is also proposed under the HRA.

Approval of the proposed HRA, HRA By-law, and Heritage Designation By-law, are included as conditions of the DP Application, and are to be completed and registered on title prior to issuance of the development permit. The Society is the DP applicant, and will take on the obligations under the HRA in respect of the proposed development. Following completion of the development and issuance of occupancy permits, the obligations of the Society (as tenant) and the City (as landlord) with respect to the site will be as set out in the existing lease.

Figure 2: Summary of Number of Dwelling Units, Density, and Parking

Item	Required / Permitted	Proposed
Dwelling Units	Up to 3 maximum	2
Floor Space Ratio and Floor Area	0.75 FSR maximum (3,692 sq. ft.)	0.51 FSR (2,492 sq. ft.)
Off-Street Parking	10 min. (cultural and residential uses)	0

The General Manager of Planning, Urban Design, and Sustainability has considered the intent of the *RS-1 District Schedule, the Vancouver Heritage Program, Council-approved neighbourhood plan, the results of neighbourhood notification, the condition of the Heritage Building, and the terms of the use of the Heritage Building for cultural purposes, and is prepared to approve the DP Application with related conditions subject to Council approval of the recommendations of this report.*

Condition of the Heritage Building and Proposed Conservation

The Heritage Building is in good condition. The applicant's heritage consultant has provided a detailed Conservation Plan outlining the anticipated work on the Heritage Building. The conservation work is proposed in two phases. The first phase is to bring the Heritage Building up to current building by-law compliance in accordance with the *Vancouver Building By-law (VBBL)*. This will address matters such as life safety and other necessary and immediate interior and exterior upgrades. The second phase will comprise the majority of heritage conservation work and interior work, and is to include the conversion of the garage.

Staff have concluded that the proposed rehabilitation of the Heritage Building is consistent with the City's *Heritage Policies and Standards and Guidelines for the Conservation of Historic Places in Canada*. The Heritage Building retains much of its original Craftsman-influenced character, and its viability as a space to allow for small-scale public assembly activities is good.

Results of Neighbourhood Notification

A total of 81 households within an approximate radius of two blocks were notified of the DP Application. No comments were received.

Comments from Advisory Bodies

On May 30, 2022, the Vancouver Heritage Commission reviewed the DP Application and unanimously supported it with comments (see Appendix E).

Public Benefits and Financial Implications

This site is subject to City-wide DCLs and City-wide Utilities DCLs. DCLs are based on new floor area created. However, the DCL by-laws allow for exemptions of DCL payments for additions of floor area of less than 46.5 m (500 sq. ft.) for buildings containing four Dwelling Units or less. In this case the additional density increase is 34.6 m² (372 sq. ft.) for the conversion of the garage to an Infill One-Family Dwelling and therefore the DP Application is exempt from payment of DCLs.

Heritage Compensation

The City has reviewed the implications of heritage designation, which is a highly valued community feature, and concluded it is supportable. The on-site heritage conservation costs are estimated at approximately \$250,000.

A Lessee Acknowledgement and Assumption Agreement is required as a condition of the development permit approval which establishes that the lessee (the Society) accepts the HRA and is responsible for the costs and obligations associated with it and all the related permits and work. Following completion of the work, the obligations of the Society and the City in respect of

the site will be as set out in the existing lease agreement. This Acknowledgment and Assumption Agreement is to be completed prior to the issuance of the development permit associated with the DP Application.

Legal

The owner's proposal to retain, conserve and designate the heritage building's structure and exterior in exchange for obtaining certain zoning incentives (variances) will be secured as legal obligations in an agreement (HRA). The HRA is 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. City staff have negotiated an agreement, which includes retention and conservation obligations on the part of the owner and enforcement provisions for the City. The Society will assume the owner's obligations under the HRA pursuant to the Acknowledgment and Assumption Agreement.

The proposed HRA will vary the permitted uses under the *RS-1 District Schedule* and of the *Zoning and Development By-law* to allow cultural activities on the site as well as two Dwelling Units which are to be used in conjunction with those activities. The owner has agreed to accept the proposed variances as compensation for the proposed Heritage Designation By-law, and for the Heritage Building's continued conservation.

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 HRA is to be registered on title to the property and explicitly states the owner as accepting the relaxations and variances 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 structure, and the obligations to rehabilitate and conserve the Heritage Building. The agreement will be completed and registered on title to the property before a development permit for the project is issued.

CONCLUSION

The Joy Kogawa House at 1450 West 64th Avenue, a B-listed building on the Vancouver Heritage Register, is proposed to be protected by heritage designation and a Heritage Revitalization Agreement (HRA) based on its historical, aesthetic and cultural values. This will secure it from demolition and exterior alterations which might affect its heritage value. The General Manager of Planning, Urban Design and Sustainability is prepared to approve the DP. Therefore, it is recommended that Council approve the recommendations of this report.

* * * * *



Kogawa House – Front Elevation – 2017



Kogawa House – Rear – 2017

Statement of Significance – Joy Kogawa House

Description

The Kogawa House is a modest one-and-a-half-storey, Craftsman-influenced bungalow, with an attic, situated on the south side of West 64th Avenue in the Marpole neighbourhood of Vancouver, BC.

Heritage Value

The Kogawa House, built in 1912, is significant for its representation as a symbol of discrimination and repression, for its association with Joy Kogawa, and for illustrating the early residential development of the Marpole area.

The Kogawa House has national significance as a symbol of the discrimination experienced by Japanese-Canadians as a consequence of the Second World War. This culminated in the 1942 internment and subsequent disposal of property belonging to Japanese-Canadians living along the west coast. It is exemplified by the Nakayama family's experience: they lived here from 1937 and were forcibly removed in 1942. The house is one of a small number of residences in Vancouver known to have been confiscated by the Canadian Government and sold without the owner's permission.

The Kogawa House is of additional heritage and cultural value for its connection with renowned Canadian author Joy Kogawa (nee Nakayama, born 1935). Kogawa's nationally and internationally recognized work includes volumes of poetry and various novels. She is a recipient of honorary doctorates and was awarded the Order of Canada in 1986. Kogawa's most celebrated novel, 'Obasan', recalls the experience of Japanese-Canadians during the Second World War. This book has been listed by the 'Literary Review of Canada' as one of the 100 most important Canadian books ever written and brought the experience of the Japanese-Canadians to national consciousness. The book features the Kogawa House prominently, and reflects the experiences of Joy Kogawa during her childhood residency.

Built for municipal labourer Robert Mackie (1873-1955), the Kogawa House is one of the earlier surviving houses dating from the transition of South Vancouver from acreage parcels to a suburban neighbourhood. The area, now known as Marpole, and originally known as Eburne, was an isolated settlement until the B.C. Electric Railway extended its interurban line in 1909, opening the area to further development. The interurban line turned Marpole into a 'streetcar suburb' by allowing people to commute to downtown Vancouver using the streetcar.

Character-Defining Elements

The elements that define the heritage character of the Kogawa House are its:

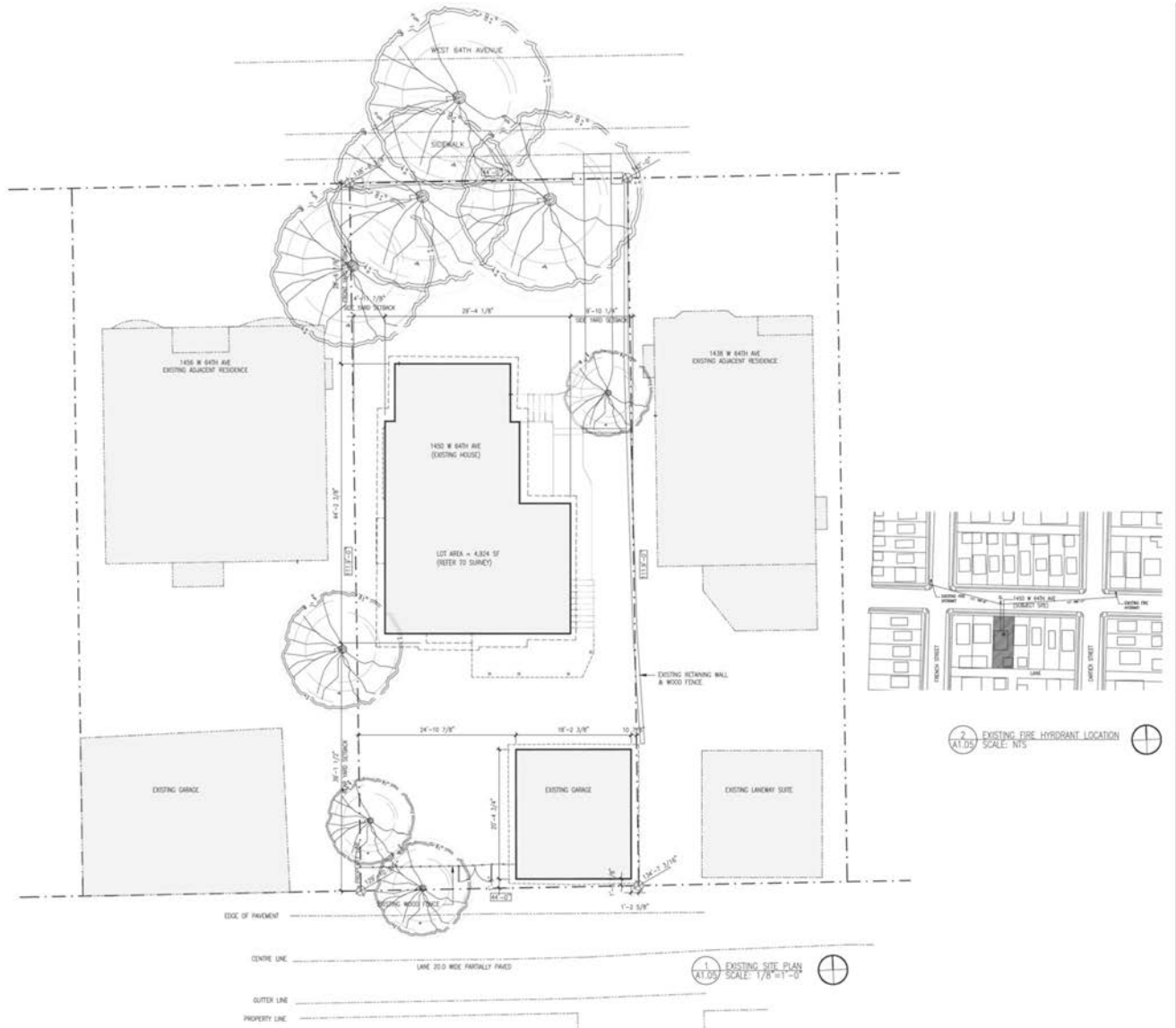
- residential form, scale and massing as expressed by its one and one-half storey height, with attic and full basement, regular, rectangular plan and gabled roof;
- main floor set slightly above grade in the front and nearly a full storey above grade in the rear;
- wood-frame construction and concrete foundation;
- modest Craftsman style details, such as exposed rafters, bargeboards, open tongue and groove soffits and stucco and board pattern in the gable;
- later enclosed front sun room;
- square cant bays on the west side and rear, and an internal red-brick chimney;
- wooden-sash windows, such as: original diamond paned windows in attic at front and rear, and casement windows on the west side and rear; and
- associated landscape features such as a cherry tree and apple tree in the rear yard, large cedar and fir trees in the front, and granite front gateposts.

1450 WEST 64TH AVENUE
TECHNICAL ZONING VARIANCE SUMMARY

Table 1: Summary of the *RS-1 District Schedule and Zoning and Development By-law* Variances [NTD: Need to add in the variance to 4.6.2.]

Item	Existing	Permitted or Required	Proposed
Section 2.2.1 DW of the RS-1 District Schedule – Dwelling Uses	One-Family Dwelling	No provision for use in conjunction with another use other than Neighbourhood Grocery Store.	Dwelling Unit in conjunction with Museum or Archives
Section 3.2.1.C of the RS-1 District Schedule – Cultural Uses	N/A	Limited cultural uses not applicable to the proposal	Museum or Archives, and similar cultural uses.
Section 4.6.1 of the RS-1 District Schedule – Rear Yard	33.2 feet	45% Minimum which is 50.3 feet	33.2 feet minimum
Section 4.7.1(a) of the RS-1 District Schedule – Above Grade FSR	2,493 sq. ft. (all “above grade”)	2,385 sq. ft. maximum “above grade”	Section 4.7.1(a) shall not apply
Section 4.16 of the RS-1 District Schedule – Building Depth	49.7 feet	35% of the depth of the site	A maximum building depth of 49.7 feet
Section 11.10.2 of the Zoning and Development By-law - Minimum Dwelling Unit Size (floor area)	NA	29.7 m2 Minimum	A Dwelling Unit less than 29.7 m2 in floor area may be permitted

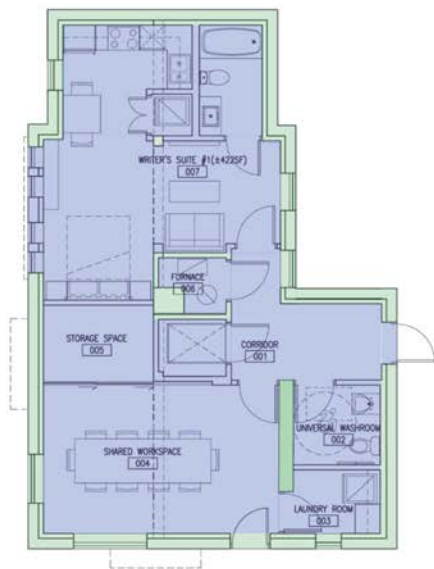
1450 WEST 64TH AVENUE
PLANS AND DRAWINGS



Site Plan



Elevations of the Joy Kogawa House



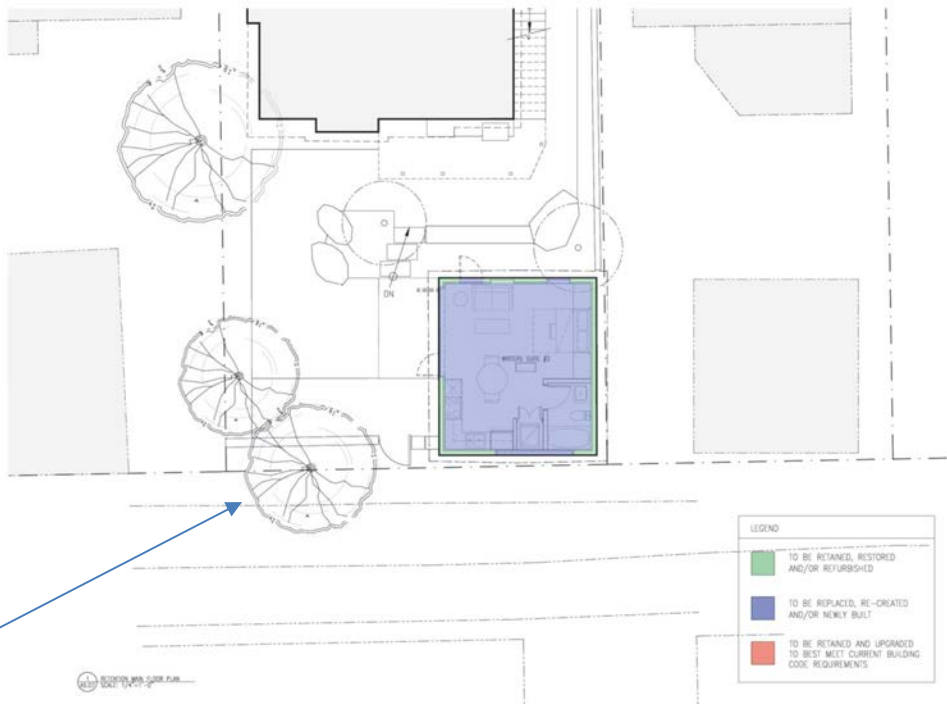
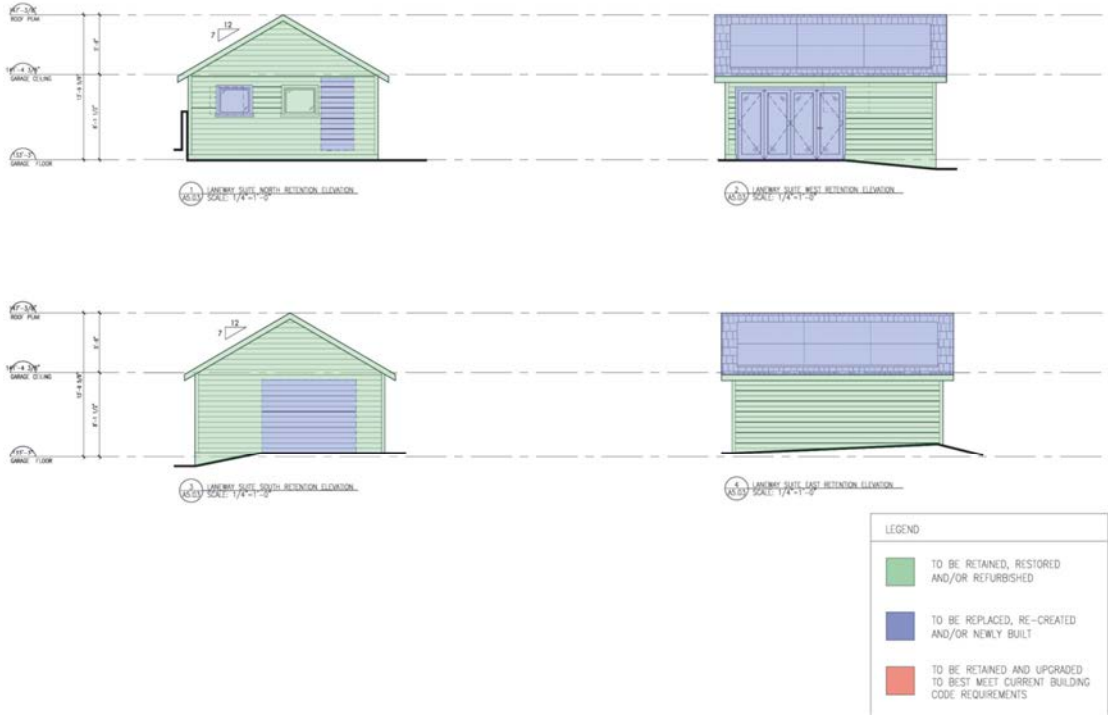
1 RETENTION LOWER FLOOR PLAN
 SCALE: 1/4"=1'-0"



2 RETENTION MAIN FLOOR PLAN
 SCALE: 1/4"=1'-0"

LEGEND	
	TO BE RETAINED, RESTORED AND/OR REFURBISHED
	TO BE REPLACED, RE-CREATED AND/OR NEWLY BUILT
	TO BE RETAINED AND UPGRADED TO BEST MEET CURRENT BUILDING CODE REQUIREMENTS

Floor Plans of the Joy Kogawa House



Cherry Tree

Elevations and Plans of the Garage Conversion to a Dwelling Unit

1450 WEST 64TH AVENUE
RESOLUTION OF THE VANCOUVER HERITAGE COMMISSION

On May 30, 2022, the Vancouver Heritage Commission reviewed the DP Application including the Conservation Plan and resolved the following:

WHEREAS the historic “Joy Kogawa House” at 1450 West 64th Avenue was built in 1912-1913 and is one of the oldest surviving houses in Marpole; and, because, as the home of the prominent Japanese Canadian poet and novelist Joy Kogawa (1937-1942), the house has national significance as a symbol of the discrimination experienced by Japanese Canadians leading up to, during, and following the Second World War;

THEREFORE BE IT RESOLVED THAT the Vancouver Heritage Commission supports:

1. The DP Application to retain and restore the “Joy Kogawa House” and to undertake the necessary upgrades to make the house more accessible for small cultural gatherings; and to allow two Dwelling units to be built on site for visiting artists and residents;
2. The Conservation Plan as presented at the May 30, 2022 VHC meeting;
3. The proposed heritage revitalization agreement;
4. The Commission supports the proposed heritage designation; and

FURTHER THAT the Vancouver Heritage Commission recognizes the role of the Historic Joy Kogawa House Society over the years in celebrating the heritage of the place and the work of Joy Kogawa and disseminating the historic truths relating to the internment of Japanese Canadians and dispossession of property and continuing sharing the cultural heritage, and understanding of shared history with Vancouver and Canadian communities.

UNANIMOUSLY APPROVED

**1450 WEST 64TH AVENUE
PUBLIC BENEFITS SUMMARY**

Project Summary:

Conservation of a heritage building to restore it and convert it to allow for small-scale cultural uses in conjunction with a Dwelling Unit, and conversion of an existing garage into an infill building containing one Dwelling Unit, with both Dwelling Units to be used for visiting writers and artists associated with the cultural uses on site.

Public Benefit Summary:

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

	Current Zoning	Proposed
Zoning District	RS-1	RS-1
FSR (site area = 457 m2 (4,924 sq. ft))	0.75	0.51
Buildable Floor Area	343 m2 (3,692 sq.ft.)	232 m2 (2,492 sq.ft.)
Land Use	Residential	Cultural and Residential

Summary of development contributions expected from proposed development

DCL (City-wide) ^{1,2}	\$0
DCL (Utilities) ^{1,2}	\$0
TOTAL	\$0

Other benefits:

Proposed on-site heritage conservation estimated to be approximately \$250,000

¹ Based on rates in effect as at September 30, 2020. DCLs would not apply to retained existing floor area of the Kogawa House, Additions of less than 46.5 m2 to buildings containing less than four Dwelling Units are exempt under both DCL By-laws. In this case additional floor area is less than 46.5 m2 and therefore no DCLs are payable.

² DCL rates are subject to future adjustment by Council including annual inflationary adjustments. DCLs are payable at building permit issuance based on rates in effect at that time. A development may qualify for 12 months of instream rate protection, see the City's [DCL Bulletin](#) for details.