

3. Heritage Revitalization Agreement Modification – 6161 Macdonald Street - Support

Date Received	Time Created	Subject	Position	Content	Author Name	Neighborhood	Attachment
2024-06-10	15:56	3. Heritage Revitalization Agreement Modification – 6161 Macdonald Street	Support	Please forward this letter to Mayor and Council about this item.	Robert Lemon		Appendix A

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11 June 2024

Mayor Kim Sim and Council

re: **6161 Macdonald Street HRA Bylaw 8935 Modification**

The Heritage Revitalization Agreement (HRA) was introduced as a heritage tool when Provincial heritage legislation (and the Vancouver Charter) was overhauled in 1994. I was the Senior Heritage Planner at the time and understood the circumstances for enacting an HRA and oversaw several through the planning process. Approval by Council at Public Hearing was required for an HRA that altered use or density but was not required to amend the Subdivision By-law.

After returning to private architectural practice, I was involved in many other HRAs for different purposes, but not the one before you. Unlike other HRAs that involved the subdivision of a heritage property, this one was not part of a specific Development Application, as at the time the owners did not know what they would build on the site.

The “revitalization” part of this HRA was the restoration and heritage designation of the “C” listed Anderson House in exchange for the creation of a new lot on the south side garden. As the allowable lot frontage was less than the 60 feet minimum, the new lot at 6161 was created with 54 feet of Macdonald frontage by varying the Subdivision By-law. There was no Public Hearing on 24 June 2004 when it was approved as none was required.

Since then the owner, Jane McDougall, has been stymied in either building or selling the site for an RS-5 conditional-use “new dwelling” referenced in the HRA because of four things:

- With no rear lane, access needs to be from Macdonald St, restricting the garage location
- Thirteen very large trees on the property restrict the siting of a house
- A specific Front Yard Setback (FYSB) was written into the HRA, without any exploration of the limiting impact it would have on the building footprint and size
- Further, the FYSB of 6161 Macdonald is referenced to the building at 6185 Macdonald - a site not part of the HRA -which is not limited to its redevelopment other than that of RS-5 regulations and guidelines at the time; its FYSB could move forward considerably

Almost four years ago, I was asked by Ms. McDougall to help unstick some of the problems written into the HRA and to explore an amendment that would allow this RS-5 site to be developed as was intended in 2004 while protecting the heritage streetscape. I identified the issues noted above and have been working with staff on bringing this amendment to Council. All on a pro bono basis.

Since then the site has been rezoned to R1-1, this site is even further removed from what can be built around it.

In August 2021, as directed by planning staff, I prepared the Preliminary Development Application referenced in the staff report, to show where, and if, a typical RS-5 sized New House could be sited, comparing the HRA FYSB with the front yard averaging provisions of sites in

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RS-5 at the time, and being mindful of the driveway, major tree restrictions and streetscape character.

The process to correct the flawed HRA has not been simple or expedient. In the ensuing twenty years, RS-5 has changed to R1-1, where an 8-plex could be built, while this site languishes due to the restrictive wording of the HRA to build even a single dwelling.

While the heritage “revitalization” of Anderson House and its heritage designation was achieved in 2004, the compensation of a buildable or saleable lot at 6161 Macdonald has not been realized.

I urge you to approve the modification to the HRA which will remove obstacles for the completion of the HRA intent of 2004 and allow a single New Dwelling on this site.

Yours very truly,
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