

# **REPORT**

## ***Climate Action, Planning and Development***

**To:** Mayor Johnstone and Members of Council  
**Date:** November 6, 2023

**From:** Jackie Teed, Director, Climate Action, Planning and Development  
**File:** HER00784

**Item #:** 2023-730

**Subject:** **Heritage Revitalization Agreement and Heritage Designation: 441 Fader Street – Bylaws for First and Second Readings**

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### **RECOMMENDATION**

**THAT** Council consider Heritage Revitalization Agreement (441 Fader Street) Bylaw No. 8406, 2023 and Heritage Designation Bylaw (441 Fader Street) No. 8407, 2023 for First and Second Readings, and forward the Bylaws to a Public Hearing.

**THAT** Council add the building currently located at 441 Fader Street to the City's Heritage Register following the adoption of Heritage Designation Bylaw No. 8407, 2023.

**THAT** Council approve the proposed strata plan for 441 Fader Street and authorize the Approving Officer to sign the strata plans, subject to the completion of required steps outlined in this report, following the adoption of Heritage Revitalization Agreement (441 Fader Street) Bylaw No. 8406, 2023 and Heritage Designation Bylaw (441 Fader Street) No. 8407, 2023.

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### **PURPOSE**

To request Council consider the bylaws which would permit a new infill house and facilitate protection and conservation of an existing 1930 heritage house, and to obtain Council approval for the strata conversion of the heritage house.

### **EXECUTIVE SUMMARY**

An application has been received for a Heritage Revitalization Agreement (HRA) at 441 Fader Street, a corner property in the lower Sapperton neighbourhood. A new house with a secondary suite is proposed to be constructed fronting Major Street at the rear of

the existing 1930 house. The 1930 house would be restored, and legally protected through a Heritage Designation Bylaw and listed on the City’s Heritage Register. Both houses would be stratified and the project would be 6.5% (268 sq.ft./25 sq.m.) larger in total than what is permitted by the site’s current zoning. Private outdoor space and compact vehicle parking spaces, accessed from the rear lane, would be provided for all units. The proposed zoning relaxations are considered reasonable given the heritage, infill, and rental benefits of the project.

**BACKGROUND**

**Policy and Regulations**

The application is consistent with the property’s Official Community Plan (OCP) land use designation of “Residential Detached and Semi-Detached Housing”. The proposal is not consistent with the property’s zoning (RS-1) which allows a house, secondary suite and laneway house, though the unit count (3) remains the same. As such, a rezoning or Heritage Revitalization Agreement (HRA) is required. Because the proposal includes restoration and protection of a heritage asset, an HRA is the appropriate tool to use for this application. The City’s Policy for the Use of HRAs allows consideration of stratification, though applications for strata title conversion of previously occupied buildings must be explicitly considered by Council, in accordance with the requirements of the Strata Property Act.

Further information related to the strata title conversion is provided in Attachments 3 and a summary of relevant City policies and regulations is included in Attachment 4.

**Site Characteristics and Context**

The subject site is located on the corner of Fader and Major Streets in the lower Sapperton neighbourhood, an area of single-detached dwellings. The property is 5,106 sq. ft. (474 sq. m.) which is already smaller than typically allowed in the zone and therefore a lot size relaxation is included in this proposal to regularize its non-conformity.

The area has many community amenities. It is two blocks east of the East Columbia Street commercial area, one block north of the Royal Columbia Hospital, three blocks east of Sapperton Park, and two blocks south of Hume Park School. Additional site context information is provided in Attachment 5.

**Heritage Value**

441 Fader Street, built in 1930, has aesthetic, cultural, historic, and social values. The Statement of Significance (Appendix 3 of Attachment 1) indicates it is valued for its Cottage Style and wood decorative features. It is also valued for its age and location, being an example of a working-class dwelling in an early working-class neighbourhood.

**PROPOSAL**

The proposal is to allow construction of a second house at the rear of this corner property. The existing 1930 house would remain in its current location fronting Fader Street. The new house would face Major Street. The two houses would be stratified and the new house would contain a rental secondary suite, for a total of three units. The Stratification Plan is included in the HRA Bylaw (Appendix 2 of Attachment 1). Private outdoor space and compact vehicle parking spaces, accessed from the rear lane, would be provided all units. A site plan and elevation drawings are included in the HRA Bylaw (Appendix 6 of Attachment 1).

With the removal of an unsympathetic rear addition, the existing house would be 1,414 sq. ft. (131.5 sq. m.) and include four bedrooms. The new infill house would be 1,968 sq. ft. (183 sq. m.) with a three bedroom principal unit and a two bedroom basement suite of 680 sq. ft. (63 sq. m.). The heritage house would have an FSR of 0.277, the new house would have an FSR of 0.386. The total property FSR would be 0.662 which would be 6.5% (268 sq.ft./25 sq.m.) larger than what is permitted by the site’s current zoning. The project meets the Family Friendly Housing Policy, though this is not a requirement due to the project’s small size. Additional information, including tree removal and protection, and project statistics are included in Attachment 5.

**DISCUSSION**

**Overall Evaluation**

Stratification and higher density are the primary Zoning Bylaw relaxations proposed through the HRA. Some additional relaxations are required, a shorter rear setback for the infill house, and compact parking spaces. If approved, the existing lot size, which is already below the minimum in the zone, would be regularized. In exchange for these relaxations, the 1930 heritage house would be retained and undergo significant restoration work. Details of the work, including sustainability measures for the heritage house, are outlined in a Heritage Conservation Plan (Appendix B of Attachment 1). Adding to the heritage benefits, this project provides an additional family-friendly home and a rental unit in an area close to community amenities, increasing housing options within the neighbourhood.

**Proposed Relaxations**

**Stratification (Tenure)**

The proposal includes three units on the property, which is the same number permitted by the site’s existing zoning. The proposal would allow a different size and ownership model than standard, similar to a “detached duplex” model.

The City’s Policy for the Use of HRAs allows consideration of stratification. In this case, it was considered appropriate due to the smaller lot size, and the minimal amount of original details remaining on the heritage house. The stratification of existing buildings typically require significant upgrades to meet Building Code requirements. Such

upgrades can conflict with heritage objectives. However, in this project, non-original inauthentic materials are being replaced with more heritage appropriate contemporary replications which can more easily be made to meet contemporary Code.

The Provincial Strata Property Act requires stratification of a previously occupied building to be submitted to the approving authority (City Council) for approval. Based on staff analysis, this project is expected to meet the requirements of the Strata Property Act, thus fulfilling the intention of the regulation. Further, the strata request does not fit within the scope of Council’s 1974 moratorium on conversion, given that the house was not purpose-built for rental. Information related to the strata conversion is provided in Attachments 3 and 4.

Increased Density

Providing additional density to a site through an HRA is consistent with the City’s policies and regular past practice. Through this project, the heritage house would have an FSR of 0.277, the new house would have an FSR of 0.386, and the total property FSR would be 0.662. The increased overall site density is 6.5% or 268 sq. ft. (25 sq.m.) more than permitted by the site’s current zoning which is considered minimal. The additional density provided through the HRA is lower than other recent similar HRAs and is considered reasonable.

Shorter Rear Setback

The infill house’s setback to the lane would be 21 ft. (6.4 m.) rather than the 22.6 ft. (6.9 m.) otherwise required. This is a reduction of 1.6 ft. (0.5 m.) or 7%. The relaxation is considered minimal and increases separation between the two buildings to allow for better site circulation and outdoor space.

Compact Parking Spaces

Three on-site vehicle parking spaces are proposed: one for each principal unit and one for the secondary suite. This is consistent with the Zoning requirements. However, the spaces proposed meet “compact” size requirements (15 ft. / 4.6 m.) rather than standard (17.4 ft. / 5.3 m.) The relaxation facilitates increased separation between the two principal buildings to allow for better site circulation and private outdoor space. As such, this relaxation is considered reasonable. Additionally, consideration of reduced parking is consistent with the City’s Policy for the Use of HRAs.

**PUBLIC CONSULTATION**

**Applicant-Led Consultation**

Applicant-led consultation took place in February and March 2023 and included an online survey, virtual open house, and project website. The Sapperton Residents Association as well as residents within 100 m. (328 ft.) of the project were notified of opportunities to submit feedback. A total of 16 community members attended the virtual open house, and 44 survey submissions and no emails were received by the applicant.

General feedback and questions revolved largely around the proposed housing form; overall height and density; privacy and shadowing; parking and traffic impacts. Attachment 6 includes a description of the consultation process and all feedback received.

**Community Heritage Commission**

The project was reviewed by the Community Heritage Commission (CHC) on December 7, 2022. Members expressed overall support for the project, including the proposal for the heritage house. The meeting minutes are included as Attachment 7.

**Applicant Response and Revisions**

Prior to consultation, staff worked with the applicant to reduce the proposed number of requested relaxations including building bulk. Attachment 6 includes examples of ways the applicant has addressed consultation feedback including commissioning a shadow study to determine shadowing on neighbouring property; and frosting upper floor windows on the infill house that may have overlook into the neighbouring property.

**REVIEW PROCESS AND NEXT STEPS**

**Completed to Date**

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|---|------------------|
| 1. Preliminary report to Council                      | October 3, 2022  |
| 2. Review by the Community Heritage Commission        | December 7, 2022 |
| 3. Applicant-led consultation                         | Spring 2023      |
| 4. Applicant review and integration of feedback       | Summer 2023      |
| 5. Council consideration of First and Second Readings | WE ARE HERE      |

**Anticipated Next Steps**

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|--|-------------------|
| 6. Public Hearing and Council consideration of Third Reading | November 27, 2023 |
| 7. Council consideration of adoption of Bylaws               | December 11, 2023 |
| 8. Issuance of Heritage Alteration Permit by Director        | Early 2024        |

**INTERDEPARTMENTAL LIAISON**

The City has a project-based team approach for reviewing development applications and providing comments throughout the process. For this project, the staff team included members of the Engineering (Servicing and Transportation), Fire, Electrical, Parks and Recreation, and Climate Action, Planning and Development (Building, Planning, Trees, and Heritage) Departments. Engineering and Servicing requirements are listed in Attachment 8.

**FINANCIAL IMPLICATIONS**

It is expected that there would be limited financial implications for this project. Voluntary Amenity Contributions (VACs) are not collected for projects of this scale. Development Cost Charges (DCCs) would be calculated and collected prior to Building Permit issuance to assist in funding the cost of upgrading transportation, drainage, water and sanitary infrastructure, as well as parks.

**OPTIONS**

The following options are offered for Council’s consideration:

- 1. That Council consider Heritage Revitalization Agreement (441 Fader Street) Bylaw No. 8406, 2023 and Heritage Designation Bylaw (441 Fader Street) No. 8407, 2023 for First and Second Readings, and forward the Bylaws to a Public Hearing.
- 2. That Council add the building currently located at 441 Fader Street to the City’s Heritage Register following the adoption of Heritage Designation Bylaw No. 8407, 2023.
- 3. That Council approve the proposed strata plan for 441 Fader Street and authorize the Approving Officer to sign the strata plans, subject to the completion of required steps outlined in this report, following the adoption of Heritage Revitalization Agreement (441 Fader Street) Bylaw No. 8406, 2023 and Heritage Designation Bylaw (441 Fader Street) No. 8407, 2023.
- 4. That Council provide staff with alternative direction.

Staff recommends Options 1, 2 and 3.

**ATTACHMENTS**

- Attachment 1: Heritage Revitalization Agreement Bylaw No. 8406, 2023
- Attachment 2: Heritage Designation Bylaw No. 8407, 2023
- Attachment 3: Strata Property Act Requirements and Strata Plan
- Attachment 4: Summary of Related City Policies and Regulations
- Attachment 5: Site Context and Project Statistics
- Attachment 6: Applicant-Led Consultation Summary and Responses
- Attachment 7: Extract of December 7, 2022 Community Heritage Commission (CHC) Minutes
- Attachment 8: Engineering Services Memo

## **APPROVALS**

This report was prepared by:

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This report was reviewed by:

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This report was approved by:

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Lisa Spitale, Chief Administrative Officer