

REPORT

Climate Action, Planning, and Development

To: Community Heritage Commission **Date:** October 6, 2021

From: Kathleen Stevens,
Heritage Planning Analyst **File:** HER00810

Item #: [Report Number]

Subject: Heritage Revitalization Agreement Application: 323 Regina Street

PURPOSE

To review the application's heritage elements and provide a recommendation to Council.

PROJECT SUMMARY

An application has been received for a Heritage Revitalization Agreement (HRA) to construct a 132 sq. m (1,420 sq. ft.) rental infill house at 323 Regina Street, a non-protected property in the Queen's Park Heritage Conservation Area. As part of the HRA, the existing 1928 house would be retained in its current location, be legally protected with a Heritage Designation Bylaw, and listed on the City's Heritage Register.

The heritage house is smaller than permitted at a density of 0.43 floor space ratio (FSR). Some updating and restoration work was completed on the house in 2020, though as a non-protected house, the work was not governed by the neighbourhood's design guidelines.

The proposed infill house would be larger than permitted at a density of about 0.18 FSR for a total of 0.6 FSR on the site. The overall density is appropriate to an HRA, though the infill house's size is larger than other similar applications. Three Zoning Bylaw relaxations would be required: one siting relaxation for the heritage house in order for it to remain in its current location; and two for the new house (density and siting).

As this application was received in March 2021, it is not subject to the pause Council placed on HRA applications in the Queen's Park neighbourhood on June 21, 2021.

GUIDING POLICY AND REGULATIONS

Official Community Plan (OCP) Land Use Designation

The Official Community Plan (OCP) sets out the City's anticipated land use for the future, for the purposes of guiding development applications. In the OCP, this property is designated Residential Detached and Semi-Detached Housing (RD). This designation envisions a mix of low density residential units including houses, duplexes, secondary suites, and laneway or carriage houses. The proposed application is consistent with this the RD designation.

Projects with Heritage Assets

The OCP encourages the use of Heritage Revitalization Agreements when a heritage asset on the site is appropriately incorporated into a development. Through this type of agreement, the OCP land use designation indicates that the development may be used to permit the housing forms listed in Residential – Ground oriented Infill Housing (RGO) designation. RGO is intended to allow a mix of ground oriented infill housing forms which are complementary to the existing neighbourhood character, and may include single detached dwellings, single detached dwellings on a compact lot, and other forms. The proposed application is consistent with this designation.

Queen's Park Heritage Conservation Area

The site is located in the Queen's Park Heritage Conservation Area though is not a protected property: its heritage protection was removed by Council during the Special Limited Category Study in 2018.

As a non-protected property, changes to the exterior do not require a Heritage Alteration Permit (HAP) and the property is not eligible for the Heritage Conservation Area's incentives program. The proposed Heritage Designation and HRA would provide a higher level of protection, design control, and development regulations than the Heritage Conservation Area. The additional protection and sensitive infill proposed is consistent with the goals of the Heritage Conservation Area.

Queen's Park Heritage Conservation Area Design Guidelines

The Queen's Park Heritage Conservation Area Design Guidelines are the basis for assessing projects within the Queen's Park neighbourhood. The evaluation is based on an examination of the existing character of the surrounding area and the building itself. The guidelines aim to respect the integrity of historic buildings, while ensuring new construction is sympathetic to the character of the neighbourhood. The proposed application is generally consistent with these design guidelines.

Zoning Bylaw

The existing zoning for the site is RS-4 Queen's Park Single Detached Dwelling District. The intent of this district is to allow single detached dwellings with secondary suites and a laneway or carriage house. In this zone, the maximum floor space ratio (FSR) for principal houses which are protected under the Heritage Conservation Area is 0.7 and 0.5 for non-protected houses. A carriage house up to 0.1 FSR would also be permitted in either case. The proposed application would require relaxations to the Zoning Bylaw (as noted in the following sections of the report). As such, a Heritage Revitalization Agreement is proposed to permit the proposal.

Heritage Revitalization Agreement

A Heritage Revitalization Agreement (HRA) is a negotiated agreement between the City and a property owner for the purposes of heritage conservation. In exchange for long-term legal protection through a Heritage Designation Bylaw and exterior restoration, certain zoning relaxations may be considered (as noted above). An HRA is not precedent setting, as each one is unique to a specific site. The *Policy for the Use of HRAs* lays out the process for HRAs and the relaxations which may be considered.

Heritage Related Design Guidelines

Council endorsed *The Standards and Guidelines for the Conservation of Historic Places in Canada* in 2008 as a basis for assessing heritage projects within the city. These are national guidelines for best practice in heritage conservation and design. All HRA proposals are carefully evaluated using this document to ensure conservation work on the exterior of the heritage building is in compliance. Additionally, the design of the adjacent new buildings are reviewed against the principles and guidelines in this document.

Heritage Designation Bylaw

A heritage asset which is the subject of an HRA is also protected by a Heritage Designation Bylaw. This Bylaw is a regulation that places long-term legal protection on the land title of a property. Any changes to a protected heritage property must first receive approval from City Council (or its delegate, the Director of Development Services) through a Heritage Alteration Permit (HAP). Future development is no longer entitled, but could be permitted by Council with an HAP. HAP applications are also evaluated by staff against the Standards and Guidelines and the Heritage Conservation Area guidelines, where appropriate.

BACKGROUND INFORMATION

Site Characteristics and Context

The subject property is 749 sq. m. (8,057 sq. ft.) in size. It is located in the Queen's Park neighbourhood, an area of single-detached dwellings, on a corner lot with frontages on Regina Street, Fourth Street, and Sydney Street (a named lane). All streets are local roads. A site context map and aerial image is provided in [Appendix A](#).

Project Description

The proposal is to retain the 1928 house and protect it through a Heritage Designation Bylaw in exchange for the construction of an infill house. The heritage house has a density of 0.43 FSR and is 320 sq. m. (3,443 sq. ft.). The new house would have a density of 0.18 FSR and be approximately 132 sq. m. (1,420 sq. ft.). The total site density would be 0.6 FSR. This is 0.1 FSR above the maximum permitted outright. The heritage house would remain in its current location and setback. One off-street parking space would be provided on each lot which meets the Zoning Bylaw requirement. Though not typically required, in order to support the use of the nearby greenway/bikeway, enclosed bike storage is being proposed, attached to the infill house. Project drawings are provided in [Appendix B](#).

The proposal is consistent with the intent of the City's family-friendly policy and goals of providing more "missing middle" and rental housing forms (laneway/carriage houses, town/row houses, duplexes and triplexes). The design is also generally consistent with the Queen's Park Heritage Conservation Area Design Guidelines and would result in buildings consistent with the site's scale and neighbourhood context.

Proposed Relaxations

Under the City's *Policy for the Use of Heritage Revitalization Agreements*, and the OCP, regulatory land use (Zoning Bylaw) relaxations may be considered through an HRA. In this case, there are three relaxations proposed: for the existing house the regularization of an existing side setback; and for the infill house, a reduced side setback from Sydney Street, and increased density. A summary is provided in Tables 1 and 2 below and additional project statistics are available in [Appendix C](#).

Table 1: Summary of Proposed Relaxations for 323 Regina Street (Heritage House)

Attribute	Zoning	Existing	Relaxation
Minimum Right Side Setback (east)	1.5 m. (5 ft.)	0.6 m. (2.1 ft.)	0.9 m. (2.9 ft.)

Table 2: Summary of Proposed Relaxations 471 Fourth Street (Infill House)

Attribute	Zoning	Existing	Relaxation
Density	0.1	0.18	0.08
Sydney Street Side Setback (north)	1.5 m. (5 ft.)	0.9 m. (3 ft.)	0.6 m. (2 ft.)

The primary relaxation is increased density for the infill new house, although a portion of the additional density request is located in a basement. Without a basement, the infill house would be 0.13 FSR (97.5 sq. m. / 1,050 sq. ft.), which is 0.03 FSR (22.5 sq. m. / 242 sq. ft.) above the Zoning Bylaw maximum of 0.1 FSR. Therefore, the additional basement density would not significantly impact building bulk, or be detrimental to the streetscape.

The setback relaxation for the infill house is a result of Sydney Street functioning as a named lane. With a width (6.04 m. / 19.8 ft.), the setback requirement would be 0.9 m. (3 ft.) if Sydney Street was not named. The setback relaxation for the heritage house will allow it to remain in its current location, regularizing an existing non-conformity. As such, these siting relaxations are considered reasonable.

ITEMS FOR DISCUSSION

Heritage Value of the House

As part of the Queen's Park Special Limited Study (see [Appendix D](#)), Council removed protection from all studied properties which scored less than 60% in their assessment. This property scored 56% due to its lack of social-cultural value. As the house is not associated with a significant person, event, tradition or practice, no points were awarded under this criteria.

As detailed in both the Special Limited Study Heritage Assessment and the prepared Statement of Significance for this house ([Appendix D](#)) the house is considered to have some aesthetic and historic value. It was built in 1928 and has is an intact example of a Storybook style dwelling, with elements from both the French and English tradition. It has historical significance for being among a rare stock of interwar period developments in the Queen's Park neighbourhood.

Recent historic research by the applicant found a newspaper article which showcased the building and provided details on the various contractors and craftsman, many well-known and well-respected in the community. Additionally, the first resident Elmer Edgar is representative of the middle-class individuals working in New Westminster, as he was the Manager of the local Tip Top Tailor's New Westminster branch, a Canadian company. Understanding these connections to the city's past, heritage protection is considered reasonable.

Does the Statement of Significance provide an accurate representation of the heritage values of the building?

Is the heritage value of the house sufficient to warrant long term legal protection and heritage status through a Heritage Designation Bylaw?

Heritage Conservation Work

Overall, the house is described to be in good to very good condition. Details are available in the Heritage Conservation Plan, which is included in full in this report in **Appendix D**. A summary of the retained and restored elements of the house is provided in Table 3.

Table 3: Summary of Heritage Conservation Work

Building Element	Action	Material
Location (prominence on corner)	Preserve	House is remaining in its current location
Foundation	Preserve	Concrete, full height
Form and Massing	Preserve/ Rehabilitate	Main 1-1/2 storey structure and addition of accessory structures: mudroom, covered deck and patio
Main body siding	Preserve/ Restore	Stucco, patching where required
Windows and doors	Preserve/ Restore/ Relocate/ Replace	<p><u>West (Fourth Street) elevation</u> Original, wood-framed windows and wood front door retained</p> <p><u>South (Regina Street) elevation</u> Main floor: one main floor wood window retained; one relocated original wood window added; one window relocated to replace an unsalvageable window Upper floor: windows replaced with in-kind replica wood windows</p> <p><u>North (Sydney Street) elevation</u> Main floor: one set of three wood windows retained and one existing wood window retained; three relocated original wood windows added Upper floor: windows replaced with in-kind replica wood windows</p> <p><u>East elevation</u> Upper floor: three new vinyl windows Main floor: three existing wood windows retained Basement floor: two new vinyl windows</p>
Wood elements (door and window trim, fascia boards)	Preserve	Wood board (original or replica, as required)
Catslide roofline: West elevation	Restore	

Building Element	Action	Material
Window boxes	Preserve/ Restore	Two window boxes; one relocated from the west (Fourth Street) elevation to the south (Regina Street) elevation
Chimney: South (Regina Street) elevation	Remove	Brick, not original
Chimney: North (Sydney Street) elevation	Preserve/ Restore	Bricks and concrete (repair deteriorating mortar where required)
Blue window awnings	Remove	Fabric, not original
Exterior paint palette	Restore	Original colour scheme (based on 1928 newspaper article)
Roofing material	Preserve	Asphalt roof shingles in Iko Harvard Slate

Is the level of retention proposed appropriate for this project?

Are there exterior building elements not addressed which could or should be?

Is the Heritage Conservation Plan sufficiently comprehensive and detailed?

New Building Elements

In March 2020, a Building Permit was issued for a covered deck and mudroom at the rear of the building, a new covered deck on the Regina Street elevation and an enlarged second storey rear dormer. As 323 Regina Street is currently a non-protected property in the Queen's Park Heritage Conservation Area, a Heritage Alteration Permit (HAP) was not required in conjunction with the Building Permit.

This work is now completed. Since then, it has been evaluated by the project's current Heritage Professional and is considered consistent with the Queen's Park Heritage Conservation Area design guidelines. A summary of the interventions is included in Table 4, with more details in the Heritage Conservation Plan (in [Appendix D](#)), a memo prepared by the project's current Heritage Professional ([Appendix E](#)), and the proposed design plans ([Appendix B](#)).

Table 4: Summary of Interventions on the Heritage House

New Building Element	Detail and Materials
Covered rear deck: North (Sydney Street) elevation	Addition of a similarly pitched jerkinhead roof installed over wood deck without rolling eaves to ensure its distinguishability
Mudroom: North (Sydney Street) elevation	Stucco to match existing siding Original windows relocated from the kitchen
Dormer extension: East elevation	Consolidation of two small dormers into one, roof and stucco to match existing siding

New Building Element	Detail and Materials
Deck and roof: South (Regina Street) Elevation	A new wood deck and an expanded opening in the building wall for wood and glass french doors to provide entry Addition of a similarly pitched jerkinhead roof installed without rolling eaves to ensure its distinguishability
Back door: West (Fourth Street) elevation	New wood and glass door
French doors: South (Regina Street) elevation	Repurposed wood and glass French doors from a demolished house in Vancouver
Windows: East elevation	Upper floor: three new vinyl windows Basement floor: two new vinyl windows; steel basement door not visible from the street
Drainage gutters and downspouts	Replaced with rounded aluminum to resemble the older more traditional style

Are the new elements introduced to the house appropriate to the building's design?

Are the new elements respectful to the house's heritage elements?

Is the level of intervention appropriate for this project?

Design Relationship with the Infill House

The City's policies, including the *Standards and Guidelines*, strongly encourage developments which include a historic building to be respectful of the existing heritage assets. Respectful development does not necessarily mean the new building must be physically smaller than the heritage building, or that the site should not be developed, rather that the site or new building's design should consider the heritage building, and allow the heritage building to be the focus of the development. The guidelines identify that new building should not be overwhelming, or detracting from the historic features.

This project proposes a two storey infill house 6.9 m. (22.5 ft.) high, with a compact 59.6 sq. m. (642 sq. ft.) footprint, located at the rear of the property. The infill house has been designed to reduce massing with the second floor built into the roof and the inclusion of a partial basement. The infill and heritage houses are proposed to be set apart 5.2 m. (17 ft.) to provide separation as well as an area for both private outdoor space and landscaping.

The new infill house features traditional design elements with its simple roofline: front gabled jerkinhead roof and two shed dormers, complementary to the heritage house, as well as a street-oriented front porch and wood windows. It can be identified as a contemporary building through materiality: fibre-cement siding and its lack of ornamentation. The proposed design plans including elevations and site plan is provided in [Appendix B](#).

The new house design has been designed to blend in with, but not mimic the existing context. The applicant indicates the design is intended to reflect the street rhythm using primarily traditional architectural forms and take a subtle approach to individual expression so as not to conflict with elements in the neighbourhood. Drawings of the proposed new house, and its exterior materials are provided in **Appendix B**.

Are the massing, and siting elements of the development proposal compatible with and respectful of the heritage house?

Does the site plan or the design of the new infill house overwhelm the heritage house?

Is the proposed design reflective of the traditional heritage character elements of the Queen's Park Heritage Conservation Area?

FEEDBACK FROM THE COMMISSION

The Community Heritage Commission is being asked to review the application and provide feedback in relation to the following elements:

- The heritage value of the 1928 house, and prepared Statement of Significance;
- The appropriateness and level of the completed and planned heritage conservation work;
- The appropriateness of the completed and planned interventions for the heritage house; and
- Any heritage implications related to the design of the site or infill house.

The Community Heritage Commission is also being asked to provide a recommendation to Council on this application, based on its heritage merits. The following options are offered for the Commission's consideration:

- 1) That the Community Heritage Commission recommend that Council support the Heritage Revitalization Agreement for 323 Regina Street and its inclusion on the City's Heritage Register; or
- 2) That the Community Heritage Commission recommend that Council does not support the Heritage Revitalization Agreement for 323 Regina Street or its inclusion on the City's Heritage Register; or
- 3) The Community Heritage Commission could also provide an alternative recommendation, stemming from elements identified in their discussion.

ATTACHMENTS

- Appendix A: Site Context Map
- Appendix B: Proposed Design Plans
- Appendix C: Proposed Project Statistics and Relaxations
- Appendix D: Special Limited Study Heritage Value Assessment; Heritage Conservation Plan and Statement of Significance
- Appendix E: Heritage Professional Review Memo of Work Completed in 2019 and 2020

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