

REPORT

Climate Action, Planning and Development

To: Mayor Cote and Members of Council **Date:** March 7, 2022

From: Emilie K. Adin, MCIP **File:** HER00821
Director, Climate Action, Planning and HER00824
Development

Item #: 2022-155

Subject: Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022 and Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022 Bylaws for First and Second Readings

RECOMMENDATION

THAT Council consider Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw 8312, 2022 and Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing.

THAT Council add 102 Seventh Avenue to the City's Heritage Register following the adoption of the Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022.

PURPOSE

For Council to consider bylaws that would allow the construction of an infill duplex at 102 Seventh Avenue in exchange for heritage protection and conservation of a heritage house.

EXECUTIVE SUMMARY

A Heritage Revitalization Agreement (HRA) application has been received for 102 Seventh Avenue, a corner property in the Glenbrooke North neighbourhood. The project would retain a 1941 heritage house with a rental secondary suite and construct a new stratified infill duplex fronting First Street. Through the HRA, the 559 sq. m. (6,017 sq. ft.) property would be subdivided: one building per lot, with access and parking via the rear lane.

Relaxations being sought through the HRA include smaller lot sizes, higher density, the duplex use, and minor siting relaxations. In exchange, the house would be restored, legally protected through a Heritage Designation Bylaw, and listed on the City's Heritage Register. Staff considers this project to be consistent with related City policies and goals, and to represent a balance of development benefits with community benefits given the:

- High heritage value and building integrity of the 1941 Maddock House, as verified by a registered heritage professional and the Community Heritage Commission;
- Support of the City's infill housing goals: with the creation of two family-friendly, ground-oriented duplex units;
- Protection and enhancement of rental housing, through the retention of the existing 2-bedroom rental secondary suite;
- Retention of all on-site (2) protected trees and off-site (3) City trees; and
- Consistency of the building form with the OCP land use designation for the site.

Applicant-led public consultation has been undertaken for the project and the applicant has responded to key community feedback. The proposal was also presented to and supported by the Community Heritage Commission. Staff recommend that Council consider First and Second Readings, and forward the Bylaws to a Public Hearing.

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" (RD). However, the proposal is not consistent with the property's single-detached residential (RS-1) zoning, and so a rezoning or HRA is required. As the proposal includes restoration and protection of a heritage asset, an HRA is the appropriate tool. Further information on the policy and regulatory context of this application is available in Attachment 3.

Heritage Value of the Existing House

Designed by English-born architect Gerald Maddock, the Maddock house was constructed in 1941 and is demonstrative of historic, cultural, and aesthetic heritage values. The Heritage Conservation Plan, which describes the restoration work proposed for this project and its heritage value, is Appendix 2 of the HRA Bylaw (Attachment 1). At their October 6, 2021 meeting, the Community Heritage Commission endorsed the historic value and addition of the building to the City's Heritage Register (minutes in Attachment 6).

PROJECT PROPOSAL

The HRA would allow the construction of an infill duplex fronting First Street. The existing 1941 house would remain in-situ fronting Seventh Avenue. The property would be subdivided with the heritage house on the larger of the two lots. Four parking spaces

are proposed, consistent with Zoning Bylaw requirements, to be accessed from the rear lane. Private outdoor space and bike parking requirements would be met for both buildings and all on- and off-site trees would be retained.



Figure 1: Rendering of the proposed project at 102 Seventh Avenue

A total of four family-friendly units are proposed across two buildings. The heritage house would contain a three-bedroom principal unit and retain the two-bedroom secondary suite, while the duplex would contain two, two-bedroom units. Duplex secondary suites are not permitted and below-grade areas are not proposed. Project statistics and all proposed relaxations are detailed in Attachment 5.

DISCUSSION

Small Lot Subdivision

If the heritage house were stratified, substantial envelope upgrading would be required, resulting in the loss of significant original heritage materials. As a result, the applicant has proposed subdivision of the property, which in this case is reflective of heritage conservation best practices. Subdivision would also protect the existing rental unit. The lots would be legally interconnected through the HRA and various covenants.

The proposed lots would be smaller than permitted in the current zone. The heritage house lot would be 308.4 sq. m. (3,320.0 sq. ft.), consistent with Small Lot zones (such as NR-5), and the duplex lot would be 246.1 sq. m. (2,648.6 sq. ft.), consistent with Compact Lot zones (such as RT-2D). This consistency demonstrates their livability.

Relaxations to lot size in order to facilitate small and compact lot subdivision is permissive through the Policy for the Use of HRAs, especially when reflecting heritage best practice.

A proposed smaller rear setback would allow subdivision with the heritage house remaining in place. If the house were moved, the trees in the front yard would be lost due to the resulting disturbance to the soil and adjacent retaining walls.

Increased Density

The property’s zoning permits an overall density of 0.6 FSR and three residential dwelling units (one principal and two accessory). In proposing four total units (three principal and one accessory), this project seeks one unit additional to those currently allowed. The proposed density of 0.756 FSR is above what is permitted for new construction by approximately 87.2 sq. m. (939 sq. ft.). The proposed densities for each lot are shown in Table 2 below:

Table 2: Density Relaxations

	FSR in Zone	Proposed FSR	Relaxation
Heritage House	0.5	0.75	0.25 (50% larger)
Duplex	0.6	0.77	0.17 (28% larger)
Project Total	0.6	0.756	87.2 sq. m. (939 sq. ft.) (26% larger)
	Permitted Floor Area	Existing Floor Area	Relaxation
Secondary Suite (Heritage House)	89.9 sq. m. (968 sq. ft.)	91.2 sq. m. (981.5 sq. ft.)	1.3 sq. m. (13.5 sq. ft.) (1.4% larger)

Generally, the heritage house would remain unchanged at roughly 232 sq. m. (2,500 sq. ft.). No additional bulk would be added, and no site coverage or height-related relaxations are proposed. A relaxation is required for the size of the secondary suite (larger than permitted today) though the suite would remain unchanged.

The density relaxation is considered reasonable due to the benefits proposed by the project, which would not be achieved through standard new construction under the current zone.

Duplex Design and Siting

Though the density is higher than otherwise permitted, the size of the duplex building is 190.5 sq. m. (2,050 sq. ft.), which is smaller than is typical of this type of housing. This proposal would result in duplex units of 95.2 sq. m. (1,025 sq. ft.), which is a reasonable size for a two-bedroom unit. The building size is consistent with building heights and sizes found elsewhere in the neighbourhood. When viewed from the street, the duplex would appear secondary to the existing heritage house in both height and design.

Several minor setback relaxations are needed to the required front, rear, and side yards. Negative impacts on the streetscape or surrounding properties are not anticipated. For example, the reduced front setback is due to the orientation of the units’

front entries to First Street. This supports the street’s identity as pedestrian-oriented and active, as it is an important sidewalk connection to the local school.

The duplex is proposed to be sited 1.2 m. (4 ft.) from the heritage house, which is closer than the Zoning Bylaw would allow without additional variance being achieved through an HRA, DVP or comprehensive development zoning. However, the proposed siting is consistent with the minimum building separation distance required by the BC Building Code. Due to the shortened distance, a number of fire resistance measures are required as described in Attachment 8. The details of these solutions will be determined at the Building Permit stage.

PUBLIC CONSULTATION

Community Heritage Commission

The project proposal was reviewed by the Community Heritage Commission (CHC) at their meeting on October 6, 2021 and was supported by the Commission (minutes in Attachment 6).

Applicant-led Consultation

Applicant-led consultation included an online survey, virtual open house, and project website. Eight people attended the open house and 46 survey response were received. Attachment 7 includes a description of the consultation process and all received feedback.

What We Heard

Feedback was received regarding the permissibility of the duplex form; traffic, parking, and pedestrian safety at First Street and the lane; provision of sufficient space for refuse; and increased density. Staff notes that the duplex form is consistent with the site’s OCP designation and that parking for the project is Zoning Bylaw compliant. Information on how the remaining items were addressed is provided in the section below, as well as Attachment 8.

Applicant Response and Revisions

The applicant has addressed consultation feedback in the following ways:

- Engaged a transportation professional to assess the safety of the proposed parking layout, verify that no pedestrian conflicts are anticipated, and confirm that the design would increase traffic safety by improving sightlines;
- Reduced the height of the proposed duplex by 0.3 m. (1 ft.) to more clearly signal that it is secondary to the heritage house;
- Included lighting along the lane to increase visibility and pedestrian safety;
- Added two lower storey windows to the duplex to add eyes on the lane and increase pedestrian safety; and

- Increased the size of the waste and recycling bin enclosure to be consistent with the City’s *Solid Waste Regulation Bylaw*.

The applicant noted that further reductions to the floor area of the duplex units, which are each sized at 95.2 sq. m. (1,025 sq. ft.) as currently proposed, would negatively impact occupant livability. The size of these units is intended to balance livability with the neighbourhood’s density concerns. Staff agrees that livability for a two-bedroom unit might be impacted with any further reductions and does not wish to see a decrease to the number of bedrooms being proposed for each unit.

Staff considers that the above changes adequately address the community feedback received and have been integrated into the project.

REVIEW PROCESS

This project was reviewed as follows, with the current step highlighted in grey:

Table 3: Application Review Stages

#	Stage	Date
1	Formal application	May 28, 2021
2	Preliminary report to Council	September 13, 2021
3	Review by the Community Heritage Commission	October 6, 2021
4	Applicant-led public consultation including dissemination of information through the local Residents Association	October 1 to November 5, 2021
5	Applicant-led online open house	October 29, 2021
6	Council consideration of First and Second Readings of the Bylaws (we are here)	March 7, 2022
7	Public Hearing and Council consideration of Third Reading and Adoption of Bylaws	March 28, 2022

As there are fewer than five units proposed for each lot, and the form of development is consistent with the OCP, the application was not forwarded to the New Westminster Design Panel nor the Advisory Planning Committee for review and comment.

NEXT STEPS

Staff is recommending Council forward the HRA Bylaw (Attachment 1) and Heritage Designation Bylaw (Attachment 2) to Public Hearing. Notification for the Public Hearing would occur in accordance with the City’s procedures. A sign has already been posted on the property.

Following the Public Hearing, should the Bylaws be adopted, a subdivision application would be reviewed by the Engineering Department. Further permits, issued by the Director of Climate Action, Planning and Development (Heritage Alteration Permit, Building Permit, and Tree Permit), would also be required prior to construction and following approval of the subdivision.

Servicing, off-site works, and aboriculture requirements have been provided to the applicant. The attached Engineering Services Memo (Attachment 9) outlines the improvements that would be required to facilitate the proposed development. Such improvements would need to be provided in accordance with City standards, as determined by the Director of Engineering Services.

INTERDEPARTMENTAL LIAISON

The City has a project-based team approach for reviewing development applications. A staff-led project team was assigned for reviewing this project consisting of staff from Engineering (Servicing and Transportation), Fire, Electrical, Parks and Recreation, and Climate Action, Planning and Development (Building, Planning, Trees, and Heritage) Departments who provided comments throughout the development review process.

OPTIONS

The following options are available for Council’s consideration:

- 1. That Council consider Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw 8312, 2022 and Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing.
- 2. That Council add 102 Seventh Avenue to the City’s Heritage Register following the adoption of the Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022.
- 3. That Council provide alternative direction.

Staff recommend Options 1 and 2.

ATTACHMENTS

- Attachment 1: Heritage Revitalization Agreement (102 Seventh Avenue) Bylaw No. 8312, 2022
- Attachment 2: Heritage Designation (102 Seventh Avenue) Bylaw No. 8313, 2022
- Attachment 3: Policy and Regulations Summary
- Attachment 4: Site Characteristics and Context
- Attachment 5: Proposed Project Statistics and Relaxations
- Attachment 6: Extract of October 6, 2021 Community Heritage Commission (CHC) Meeting Minutes
- Attachment 7: Applicant-led Consultation Feedback and Correspondence Received
- Attachment 8: Applicant Response to Feedback
- Attachment 9: Engineering Servicing Memo

APPROVALS

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