



Through this proposed HRA (**Attachment 1**), the 1889 heritage house would be retained, restored, and legally protected with a Heritage Designation Bylaw (**Attachment 2**). The HRA would also allow subdivision of the property into two lots: 341 sq.m. (3,674 sq.ft.) for the heritage house and 417 sq.m. (4,488 sq.ft.) for a new infill house. The heritage house would remain in place fronting Second Street and the new lot would have a panhandle shape. A shared driveway would access a new infill house and lot at the rear. There would be no secondary suites in either of the houses. All parking is provided for on-site. The project is consistent with the Official Community Plan (OCP) land use designation for the area.

The three significant relaxations to the Zoning Bylaw proposed through this HRA are to lot sizes and the heritage house’s density. The remaining four related to minor siting or site design aspects related to the project’s unusual panhandle layout. These minor siting or site design relaxations are proposed in order to meet the heritage best practice of keeping the heritage house in-situ in its current location. There are no siting or density relaxations proposed for the new infill house. Overall, the proposed relaxations are considered reasonable under City’s 2011 HRA policy, particularly in the context of the heritage value of the 1889 house and the extensive restoration proposed.

Applicant-led online public consultation has been undertaken for the project. The proposal was also presented to and supported by the Community Heritage Commission. The comments received from these groups were considered in the current design. As such, staff recommend that Council consider First and Second Readings, and forward the Bylaws to a Public Hearing.

**BACKGROUND**

**Previous Application**

An application to demolish the existing 1889 house and construct a new house was reviewed and supported by the Community Heritage Commission (CHC) in 2017. Although there was support from the CHC, Council endorsed staff recommendation to discourage the application. Since then, staff has worked with the applicant to address Council’s concerns as well as community feedback received at the time. Constructing a carriage house as a redevelopment option under the site’s existing zoning was explored, but the applicant did not pursue it due to the low financial viability of the project. An initial HRA proposal for multi-unit infill housing was also explored as a development option, though was considered to be too extensive for the site; having implications on the massing, parking configuration, and tree retention. Presently, staff has been working with the applicant to finalize a design through the HRA review process which aims to meet the City’s current Policy for the use of HRAs.

## Policy and Regulations

The site is located in the Queen's Park Heritage Conservation Area. The application is consistent with both the area's heritage goals and the property's Official Community Plan (OCP) land use designation of "Detached and Semi-Detached Housing". The proposal is not consistent with the property's single-detached residential (RS-4) zoning, and so a rezoning or Heritage Revitalization Agreement (HRA) is required.

As the proposal includes restoration of a heritage asset, an HRA is the appropriate tool to use for this application. In exchange for Heritage Designation of the site, relaxation of the minimum lot size and density restrictions can be considered, per the City's *Policy for the Use of HRAs*. As the HRA application was received prior to June 2021, it is not subject to the temporary hold Council has placed on processing these types of applications. It is the final in-stream application to be considered by Council.

Through the Conservation Area Policy, changes to the existing house would require a Heritage Alteration Permit (HAP). The HAP would regulate the materials and design of the existing heritage house as well as the proposed addition to the rear. Both houses would also be evaluated against the Heritage Conservation Area Design Guidelines. Further information on the policy and regulatory context is available in **Attachment 3**.

## Site Characteristics and Context

The subject property is located at 328 Second Street in the Queen's Park neighbourhood, an area of single detached dwellings. The site is 759 sq. m. (8,167 sq. ft.). The existing 248 sq.m. (2,669 sq.ft.) house is two storeys high with an in-ground basement. The property is one block west of Queen's Park (playground, sports field, arena etc.) and 40 m. (131 ft.) from Sullivan Park, a small neighbourhood playground. Many properties in this neighbourhood have a rear lane, though that is not the case for this block of Second Street. A site context map and aerial image is in **Attachment 4**.

## Heritage Value

The Statement of Significance for the 1889 H. H. & Jane Mackenzie House indicates social, cultural, and aesthetic value (see Appendix 2 in **Attachment 1**). It is valued for its historical connection to two pioneer British Columbia families, as well as its design and height, which reflect the expressive character of the Victorian era. The building's form, siting and architectural details provide an illustration of a typical, vernacular working-class family home from that time. The heritage value of the house was confirmed and supported by the Community Heritage Commission (CHC).



siting would remain unchanged. Zoning Bylaw relaxations to the rear setback and projection of the rear porch would be required to facilitate the in-situ siting of the heritage house in relation to the newly proposed property lines.

New House

The new house would be 1.5 storeys plus a basement. This new three bedroom house would be smaller than the heritage house at 207 sq.m. (2,235 sq.ft.) and a density of 0.5 FSR. The house’s density and siting is consistent with the Zoning Bylaw. The design would be craftsman style with a cross-gable and wide front porch, which is generally consistent with the Queen’s Park Design Guidelines for new construction.

Current images of the existing heritage house and a proposed color rendering of the infill house are in **Attachment 6**.

**DISCUSSION**

**Overall Evaluation**

The more significant relaxations to the Zoning Bylaw proposed through this Heritage Revitalization Agreement (HRA) are for lot sizes and the heritage house’s density (an increase of 13%). The remainder are minor siting or site design aspects related to the project’s unusual layout. These minor relaxations are proposed in order to meet the heritage best practice of keeping the heritage house in-situ in its current location. There are no siting or density relaxations proposed for the new infill house. The proposed relaxations are: consistent with the Official Community Plan (OCP) and heritage conservation area’s goals; consistent with the City’s current (2011) HRA policy; and considered reasonable in the context of the heritage value of the 1889 house and the extensive restoration proposed. Further analysis of the project’s relaxations are below.

**Subdivision**

Lot Sizes

At 758 sq. m. (8,167 sq. ft.) the existing lot is larger than the minimum for its zone. The applicant has proposed a subdivision. In this case, subdivision is consistent with heritage conservation best practices, as stratification of the house would generate Strata Act warranty requirements which can hinder conservation treatments on the heritage house (e.g. upgrading the building envelope and loss of original materials).

The subdivision would result in two lots:

- (1) the heritage site – at 341 sq. m. (3,674 sq. ft.) would be 61% of the minimum size permitted by this zone, and would be consistent with the City’s Compact Lot zoning districts (such as RT-2D); and,

(2) the infill site – at 417 sq. m. (4,488 sq. ft.) would be 74% of minimum size, and consistent with the City's Small Lot zoning districts (such as NR-5 and RS-5).

Consideration of lots these sizes is consistent with the City's *Policy for the Use of HRAs*. Under the heritage program, subdivisions are generally considered reasonable in exchange for the protection and restoration of a heritage asset.

### Panhandle

The applicant has proposed a panhandle lot which is essentially a parcel that requires a narrow strip of land in an L-shape, or panhandle, to provide principal access for a rear lot to the street. In order for this style of subdivision to take place, a relaxation to the minimum lot width would be needed: the proposal is less than the required 10% of the perimeter of the lot. The proposed lot width is 3.8% (4.78 m. / 15.7 ft.).

Review from an interdepartmental staff team has identified that any previously identified issues associated with panhandle lots (vehicle maneuvering, servicing and fire access) are adequately addressed in this proposal.

### Parking

The applicant submitted a Traffic Study as a result of three of the concerns raised through the Public Consultation process: (1) too many parking spaces (2) the maneuvering of vehicles, and (3) the configuration of the parking.

Originally, there were three parking spaces required and proposed: two for the heritage house and one for the infill house. Following the Public Consultation, the Applicant decided to eliminate the secondary suite in the heritage house which has eliminated one parking space. Staff reviewed the revised Traffic Study noting this change and have no concerns.

All required parking would be provided; however, the spaces would be located on or accessed by the infill site, which generates the need for relaxations to zoning requirements and a shared access agreement. This agreement would be registered on title at the subdivision stage.

## **Heritage House**

### Heritage Value and Conservation Work

The rehabilitation and restoration work proposed for the 1889 Mackenzie house is extensive. The house would be conserved on its original site and restored to an 1889 appearance. The scope of work will include rehabilitation and restoration of the following:

- Entire building envelope (foundation and exterior wall);
- Exterior wood elements (fascia boards, soffits, drop siding, shingles and gable);
- Main body siding and roofing material;
- Windows and doors;
- Front porch; and
- Period appropriate colour scheme and exterior finishes.

The value of the proposed conservation work noted above is commensurate with the relaxations proposed for this project. As noted above, there are two main relaxations to the lot size and density and the remainder are considered to be minor. Staff considers the proposed relaxations to be reasonable and in line with the City’s HRA policy, and in context of the heritage value of the 1889 house as well as the proposed restoration. A heritage house located within the Queen’s Park Heritage Conservation Area would be restored to reflect the natural heritage of the neighbourhood and continue to provide a residence for a growing community.

The Heritage Conservation Plan, which describes the rehabilitation and restoration work proposed for this project (in greater detail) and its heritage value, is included in Appendix 2 of the HRA Bylaw (**Attachment 1** of this report). A summary of the heritage conservation work is in **Attachment 7**.

Density and Rear Yard

The density of the heritage house is proposed at 0.79 floor space ratio (FSR) which is 13% above what is permitted in the Queen’s Park Heritage Conservation Area incentives program (0.7 FSR). As the house would remain in its existing location, and due to the small lot size, a rear yard setback relaxation from 5.7 m. (18 ft.) to 3 m. (10 ft.) and a setback relaxation of about 0.3 m. (1 ft.) to the rear porch projection would be required.

The density and setback relaxations are considered reasonable as: the enlarged house would be similar to the size of neighbouring houses; the property would continue to provide sufficient open space (269 sq.m. / 2,902 sq.ft.); and, approval of the proposal would facilitate the retention of a pre-1900 house in-situ, which is heritage best practice.

**PUBLIC CONSULTATION**

**Community Heritage Commission**

The project proposal was reviewed by the Community Heritage Commission at their meeting on April 7, 2021 and members noted appreciation for the quantity of restoration to the heritage house as well providing some input on the infill site. An extract of the minutes from this meeting is **Attachment 8**.

## Applicant-led Consultation

The applicant-led consultation for this project was conducted virtually. A project website was developed (<https://hhandjanemackenziehouse.ca/>) which included project details and the methods available to provide feedback, such as a survey open from November 9, 2021 to December 19, 2021. An Open House was held on December 4, 2021 online through Zoom. Notification was sent to properties within 100 metres of the project site.

Sixty-nine surveys were completed in total and four people (not including staff and the design team) attended the open house. There were some concerns regarding the relaxations proposed, but overall feedback was positive and showed support for the project. In the survey summary, the applicant has indicated that the overall support for the project was just under 85% with the average support for the relaxations requested to the heritage site was 79%. At the virtual Open House, questions were received about the proposed parking, densification and greenspace. Further information regarding these comments is noted below. The summary of applicant-led consultation is attached to this report as **Attachment 9**.

### Revisions and Comments following Applicant-led Consultation

- Infill House: The concern was raised that the infill house would be significantly larger than a carriage house. The density of the proposed infill house was reduced to 60% (54 sq.m. / 582 sq.ft.) larger than a carriage house (89 sq.m. / 958 sq.ft.). The result in terms of above ground massing is a building larger than a carriage house but smaller than a standard house on its own lot. See further comments in **Attachment 3**.
- Parking: As noted above, the Applicant decided to eliminate the proposed secondary suite in the heritage house, which eliminated the need for a parking space to serve it. A privately commissioned Traffic Study was reviewed by the Transportation Division. Staff has no concerns with respect to the revised plan indicating two parking spaces (one for each house) that are to be located on the infill site and regulated through a shared access agreement.
- Open space: The Applicant is proposing approximately 104 sq.m / 1,226 sq.ft (31%) of outdoor greenspace for the heritage site and 121 sq.m / 1,303 sq.ft. (29%) for the infill site. Staff has no concerns with respect to the amount of greenspace proposed as it exceeds the size required for open space in other similar infill forms.



**REVIEW PROCESS**

Per the City’s development application review process, the steps in this project’s review are as follows, with the current step highlighted in grey:

*Table 1: Application Review Stages*

#	Stage	Date
1	Formal Application	February 26, 2021
2	Preliminary report to Council	October 28, 2021
3	Review by the Community Heritage Commission	November 3, 2021
4	Applicant-led Public Consultation including dissemination of information through the local Residents Association	November 9, 2021 to December 19, 2021
5	Applicant-led virtual open house	December 4, 2021
6	Council consideration of First and Second Reading of Bylaws ( <b>we are here</b> )	May 9, 2022
7	Public Hearing and Council consideration of Third Reading and Adoption of Bylaws	May 30, 2022

**NEXT STEPS**

Staff is recommending Council forward the HRA Bylaw (**Attachment 1**) and Heritage Designation Bylaw (**Attachment 2**) to Public Hearing at which time the community would have an opportunity to provide their comments directly to Council. A notification sign for the application would be installed on the property and notifications for the Public Hearing would occur in accordance with the City’s procedures.

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 (e.g., Heritage Alteration Permit, Building Permit, and Tree Permit), would also be required prior to construction.

**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), Fire, Electrical, Parks and Recreation, and Climate Action, Planning and Development (Building, Planning, Trees, and Heritage) who provided comments throughout the development review process.

Servicing, off-site works, and arboricultural requirements have been provided to the applicant. The attached Engineering Services Memo (**Attachment 10**) 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.

**OPTIONS**

The following options are available for Council’s consideration:

- 1. That Council consider Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022 and Heritage Designation (328 Second Street) Bylaw No. 8310, 2022 for First and Second Readings, and forward the Bylaws to a Public Hearing.
- 2. That Council add 328 Second Street to the City’s Heritage Register following the adoption of Heritage Designation (328 Second Street) Bylaw No. 8310, 2022.
- 3. That Council provide staff with alternative direction.

Staff recommend options 1 and 2.

**ATTACHMENTS**

- Attachment 1: Heritage Revitalization Agreement (328 Second Street) Bylaw No. 8309, 2022
- Attachment 2: Heritage Designation (328 Second Street) Bylaw No. 8310, 2022
- Attachment 3: Policies and Regulations Summary
- Attachment 4: Site Context Map
- Attachment 5: Project Details, Analysis, and Statistic
- Attachment 6: Current Images of the Heritage House and Proposed Rendering of the Infill House
- Attachment 7: Summary of Heritage Conservation Work
- Attachment 8: Extract of April 7, 2021 Community Heritage Commission (CHC) Meeting Minutes
- Attachment 9: Applicant-led Consultation Feedback Summary
- Attachment 10: Engineering Servicing Memo

**APPROVALS**

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