



Committee of the Whole Report For the Meeting of November 14, 2019

To: Committee of the Whole **Date:** November 7, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Heritage Alteration Permit with Variances Application No. 00017 for 1702 Fernwood Road

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Heritage Alteration Permit with Variances Application No. 00017 for 1702 Fernwood Road, in accordance with:

1. Plans, date stamped September 30, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the number of required parking stalls from 4 to 3
 - ii. Increase the maximum height of accessory building (existing garage) from 3.5m to 3.7m
 - iii. Reduce the minimum (north) rear and (west) side yard setbacks of accessory building (existing garage) from 0.6m to 0.4m
 - iv. Permit the addition of unenclosed floor space for a pre-1931 single family dwelling
 - v. Reduce the minimum of landscaped area in rear yard from 33% to 24%
 - vi. Permit exterior changes to a pre-1931 single family dwelling
 - vii. Reduce the required width of rear yard landscape strip from 1.5m to 1.0m.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development.
4. Heritage Alteration Permit lapsing two years from the date of this resolution.”

LEGISLATIVE AUTHORITY

In accordance with Sections 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with information, analysis and recommendations for a Heritage Alteration Permit with Variances Application for the property located at 1702 Fernwood Road. The proposal is for the conversion of an existing heritage-designated single family dwelling into three dwelling units, with minimal alterations to the heritage-designated house. Variances are requested for reduced rear yard landscaping, a parking reduction of one space, an increased roof eaves projection, a reduction in the width of the proposed rear yard landscape screen, and to retroactively permit the existing height, side and rear yard setbacks of the 1940s-era one-storey garage on the property. Alterations are proposed to the rear (west) elevation of the heritage-designated house. A variance is also required for Schedule G of the conversion regulations which prohibits exterior changes following a conversion.

The application is consistent with the urban design guidelines and heritage policies in the *Official Community Plan (OCP)*, which supports zoning variances that help enable and support heritage conservation. The application is consistent with the policies in the *Fernwood Neighbourhood Plan*, which encourages future housing development to maintain the integrity, look and character of the single family stock. The proposed minimal intervention approach, which limits the alterations to the back of the house, is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada (Standards and Guidelines)*.

The application was reviewed by the Heritage Advisory Panel at its August 20, 2019 meeting and was recommended for approval. Minutes are included as Attachment F.

BACKGROUND

Description of Proposal

Proposed are renovations to the existing heritage-designated house to accommodate three dwelling units. Minor alterations to the rear elevation are proposed and the applicant intends to widen the driveway at the back of the site to accommodate an additional parking space. The proposal includes the following major design components:

- alterations to the west elevation to relocate a door on the ground floor
- convert a second storey window into a door to access a new exterior balcony
- enlarge a stair landing on the rear elevation at the ground floor
- replace the existing brick chimneys with plywood replicas featuring a brick veneer cladding to match the appearance of the originals
- expand the width of the driveway to include one additional parking space.

Affordable Housing Impacts

The applicant proposes to convert a single detached house into three new dwelling units, increasing the overall supply of housing in the area.

Sustainability Features

Conversion of the existing building will conserve the embodied energy of the existing building materials and make more intensive use of the site.

Active Transportation Impacts

The applicant is proposing to construct four weather-protected, secure bicycle parking spaces in the existing garage, which would be available to residents.

Public Realm Improvements

There are no public realm improvements proposed as part of this application.

Data Table

The following data table compares the proposal with the R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks indicate an existing nonconformity.

Zoning Criteria	Proposal	Zone Standard R1-B
Site area (m ²) - minimum	653.00	460.00
Density (Floor Space Ratio) - maximum	N/A	N/A
Total floor area (m ²) - maximum	367.60**	300.00
Height (m) - maximum	8.72 (existing)**	7.60
Storeys - maximum	2	2
Site coverage (%) - maximum	32	40
Setbacks - minimum		
Front (Fernwood Road)	8.40	7.50
Rear (west)	10.90	9.32
Side (north)	1.20 (existing)**	1.77
Side (south)	4.80	3.50
Vehicle parking - minimum	3*	4
Visitor vehicle parking included in the overall units - minimum	0	0
Schedule F - Accessory Building Regulations		
Location	Rear Yard	Rear Yard
Rear yard site coverage (%) - maximum	19.26%	25%
Combined floor area of all floor levels (m ²) - maximum	34	37
Height (m) - maximum	3.7 (+0.2m)**	3.5
Setbacks (m) - minimum		

Zoning Criteria	Proposal	Zone Standard R1-B
Setbacks (m) - minimum		
Rear	0.4 (-0.2m)**	0.6
Side	0.4 (-0.2m)**	0.6
Separation from single family dwelling (m) - minimum	4.1	2.4
Schedule G - House Conversion Regulations		
Date of construction	1907 SFD	Pre 1931 SFD
Addition of unenclosed space	Yes*	Not permitted
Landscaped area - rear yard	24.4% (-5.6%)*	33%
Exterior changes (not including cladding, windows or doors)	Yes* (Porch)	Not permitted
Rear yard landscape strip	1.0m (-0.5m)*	1.5m
Landscaping - total for lot	54.6%	30%
Rear yard landscape screen	1.8m	1.8m

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on June 20, 2019 the application was referred for a 30-day comment period to the Fernwood CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Official Community Plan

The proposal is consistent with the following policies of the *Official Community Plan (2012)*:

- 8 (j) That heritage property is conserved as resources with value for present and future generations.
- 8.52 Continue to enable and support heritage conservation through incentives and allowances including, but not limited to: property tax reductions; grants; bonus density provision; and, zoning variances.

21.8.7 Retain neighbourhood heritage character, buildings and streetscapes of significance.

Fernwood Neighbourhood Plan

The proposal is consistent with the following policies in the *Fernwood Neighbourhood Plan* (1994):

- 2.1 To encourage future Neighbourhood housing development in Fernwood which maintains the integrity, look and character of the single family and duplex housing stock.
- 3.1 To encourage the conservation of heritage buildings and associated streetscapes, views, trees of special merit and other elements of the natural heritage in Fernwood, with a view to maintaining them for future generations.

Standards and Guidelines for the Conservation of Historic Places in Canada

The primary treatment for the building is considered to be "Rehabilitation" in the Standards and Guidelines as the following aspects are relevant:

- (a) repair or replacement of deteriorated features is necessary
- (b) alterations or additions to the historic place are planned for a new or continued use.

The following is recommended policy under the heading, "Additions or Alterations to Entrances, Porches and Balconies":

- modifying, replacing, or designing a new entrance, porch or balcony required by a new use or applicable codes and regulations, in a manner that is compatible with the building's style, era or character.

The proposed enlargement of the entry landing at the back of the house will extend the existing balustrade detailing and use the same materials in line with the recommendations for modifying a new entrance, porch or balcony.

Regulatory Considerations

Staff have reviewed the proposed variances and recommend that they be supported and approved. The property has a small rear yard area and a protected stone wall along the perimeter of the lot that limits the possible width of a driveway. Staff consider the requested parking variance for a one-space reduction to be minor in nature and necessary for the conservation of the stone wall. The requested variance to the Zoning Bylaw's house conversion regulations under Schedule G would permit minor changes to the exterior of the house that improve the livability of the units without seriously detracting from the building's heritage character. The applicant has applied for three variances for the accessory garage to permit a reduced rear and side yard setback and slight increase in permitted building height to retroactively approve existing non-conforming conditions. Unlike the house, the detached garage was constructed without a building permit in the 1940s and cannot be considered legal non-conforming. Staff recommend that the variances are supportable since they recognize conditions that have existed for many decades. The accessory building is also designed to match the exterior materials and roof cresting of the existing house and fits well into its context.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Heritage Advisory Panel

The application was reviewed by the Heritage Advisory Panel at its August 20, 2019 meeting and was recommended for approval. Minutes of the meeting are attached as Attachment F.

CONCLUSIONS

Staff recommend that the proposed alterations to the porch on the west elevation and the addition of a new balcony on the second floor be supported since they comply with heritage standards and guidelines. Staff also recommend that the proposed minor variances be supported considering the site constraints in the rear yard and the protected stone wall.

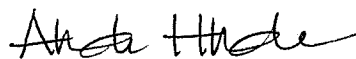
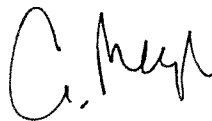
ALTERNATE MOTION

That Council decline Heritage Alteration Permit with Variances Application No. 00017 for the property located at 1702 Fernwood Road.

Respectfully submitted,



John O'Reilly
Senior Heritage Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

NOV 5, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Photographs
- Attachment D: Plans, date stamped September 30, 2019
- Attachment E: Applicant's letter, dated June 10, 2019.
- Attachment F: Minutes of the August 20, 2019 Heritage Advisory Panel Meeting
- Attachment G: Statement of Significance.