



Item.....	07
Meeting.....	2006 May 08

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2006 April 26

FROM: DIRECTOR OF PLANNING AND BUILDING

SUBJECT: **GEORGE S. & JESSIE HADDON HOUSE**
HERITAGE REVITALIZATION AGREEMENT (HRA)
(SUBDIVISION REFERENCE #00-12)

ADDRESS: 5520 Buckingham Avenue

LEGAL: Lot 115, District Lot 85, Group 1, New Westminster District, Plan 30131:
Proposed Lot B

FROM: R1 Residential District

TO: R1 Residential District - Heritage Revitalization Agreement (HRA)

APPLICANT: Johannes and Marie-Louise Stolz
5691 Keith Street, Burnaby, B.C. V5J 3C4

OWNERS: Celine Podins
5520 Buckingham Avenue, Burnaby, B.C., V5E 2A9

Fiona Schwizgebel
4006 Moscrop Street, Burnaby, B.C., V5G 2E3

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2006 May 30.

RECOMMENDATIONS:

1. **THAT** a Heritage Revitalization Agreement Bylaw be prepared and advanced to First Reading on 2006 May 08 and to a Public Hearing on 2006 May 30 at 7:30 p.m.
2. **THAT** a Heritage Designation Bylaw be prepared and advanced to First Reading on 2006 May 08.
3. **THAT** Council add the George S. & Jesse Haddon House to the Burnaby Community Heritage Register.
4. **THAT** The following be established as prerequisites to the completion of the Heritage Revitalization Agreement.
 - a) The submission of a suitable plan of development.

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- b) The satisfaction of all necessary subdivision requirements under the Tentative Approval letter issued under SD #00-12
- c) The satisfaction of all necessary Heritage Revitalization Agreement requirements.

REPORT

1.0 HERITAGE REVITALIZATION AGREEMENT PURPOSE

The purpose of the proposed Heritage Revitalization Agreement (HRA) is to accomplish the long-term protection and conservation of a significant Burnaby heritage building known as the “George S. and Jessie Haddon House” located at 5520 Buckingham Avenue. The City of Burnaby Official Community Plan statement concerning the conservation of heritage has specifically outlined the need to establish incentives to encourage the conservation and facilitate the retention of significant privately-owned heritage buildings.

2.0 BACKGROUND INFORMATION

The Planning and Building Department issued Tentative Approval for the subdivision of 5520 Buckingham Avenue in 2000 based on the R1 (Residential) zoning district. As part of the conditions of this approved subdivision, this met the conditions of the property’s zoning, with the exception of a minor variance in lot width. The owner was granted approval but was required to demolish or relocate the existing residence which currently is sited on the approved subdivision property line between the proposed Lot A & Lot B (see *attachment* #1). This single family residence known as the “Haddon House” is listed as a significant heritage building on the City’s proposed Heritage Register of privately-owned structures.

Planning Department staff initiated discussions with the long-time property owner of 5520 Buckingham Avenue, as of part of the ongoing process of subdivision approvals, in order to achieve an agreement to protect and conserve the Haddon House as a city heritage site. As a result of these discussions, an Agreement of Sale has been concluded between the property owner and the applicants to pursue the relocation of the existing dwelling to one of the proposed new lots. The applicants have the ability and are prepared to pursue the relocation of the heritage building as a single-family residence under the existing R1 zoning district guidelines, which would include making a standard application for a minor height variance through the Board of Variance. Such an approach would neither require a Heritage Revitalization Agreement, nor would it protect the long-term heritage nature of this dwelling.

In consideration of the City’s Heritage Program, staff has continued negotiations with the applicants in the interest of securing the long-term protection of this significant heritage building. Through these discussions the applicants have elected to pursue the incentives offered by the Heritage Program under a Heritage Revitalization Agreement in exchange for their agreement to the long-term legal protection offered by the City’s adoption of a Heritage Designation Bylaw for the “Haddon House.” As part of this proposed HRA significant variances to the existing

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zoning would be provided which include: the creation and use of a secondary suite, an expanded Bed and Breakfast operation, the construction of a two-storey accessory building and a minor height variance for the relocated heritage building.

The inclusion of the expanded Bed and Breakfast opportunity and the secondary suite have been requested to provide a sounder financial basis to undertake the proposed restoration and the required ongoing maintenance work for this heritage structure. It also recognizes some financial recapture for the lost opportunity for redevelopment of the property at a higher, allowable density. Staff are of the opinion that, on balance, the variances requested in exchange for the permanent protection of this heritage resource are worthy of support.

2.1 *Heritage Revitalization Agreement*

A Heritage Revitalization Agreement (HRA) is a written agreement between a local government and a property owner and provides the authority under the Local Government Act to vary or supplement provisions of a bylaw which concerns land use designation and subdivision. A local government must hold a Public Hearing on the matter before entering into a Heritage Revitalization Agreement if it would permit a change to the use or density of use that is not otherwise authorized by the existing zoning of the property.

Currently, Lot B has single-family dwelling development potential and could accommodate the relocation of the residence with a minor height variance to the R1 zoning regulation through application to the Board of Variance. However, the existing heritage residence is considerably smaller than the maximum gross floor area permitted under the R1 zoning district. The construction of a two-storey rear addition to the residence to accommodate additional floor area and any attached garage/carport would conflict considerably with the scale and character of both the exterior and interior design of the heritage residence and is not desired by the holder of the Agreement of Sale.

The Planning Department has worked with the property owner and the holder of the Agreement of Sale to develop a suitable plan of development utilizing a HRA which will allow for the variance of the existing zoning to provide for the property's development (see *attachment #2*). This plan will allow for the relocation of the heritage building with a new basement, a one-storey rear addition and the construction of a two-storey accessory building. In addition, the owners have requested a variance to the city's zoning bylaw concerning the accessory use of the property in order to allow the use of a secondary suite and an expanded Bed and Breakfast business.

It is proposed that a HRA be entered into with the holder of the Agreement for Sale of the proposed Lot B notwithstanding the deficiencies respecting the proposal's variances to the R1 district zoning. In exchange for the outlined variances to the district zoning the holder of the Agreement of Sale has agreed to expend funds to conserve and restore the relocated heritage building as part of the HRA. In order to ensure that the rental revenues of the property, associated with the secondary suite or Bed and Breakfast business, will

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continue to support the conservation, good repair and condition of the heritage building, the HRA will include an additional provision respecting conservation and maintenance standards. The Local Government Act allows for a HRA to include additional terms and conditions as may be agreed upon by the owner and the City. This HRA will specify conservation standards and maintenance to ensure that the heritage building will remain in good repair and condition and that the city has the legal authority to compel the property owners to comply with the terms as outlined.

Once the HRA has been signed and the heritage building relocated, the current owner of the property will have satisfied this condition of subdivision and the legal registration of the new lots may be completed. The HRA and the Heritage Designation Bylaw will be registered on title of the new Lot B which will provide the ability for the City to approve the specified use and design changes respecting the property in the future. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

2.2 Heritage Value of George S. and Jessie Haddon House

The Haddon House is one of Burnaby's landmark residential heritage buildings. It was constructed and occupied in 1923 by the Secretary of the Vancouver General Hospital, George S. Haddon and his wife Jessie Haddon. It is a quality single family residence which was architect designed and built by local contractor William Dodson. This residence is a very good local example of the Romantic Revival style and is of a style variant known as "Dutch Colonial," which includes a distinctive symmetrical façade, gambrel roof with shed dormers, casement windows with shutters, large chimneys, rough-cast stucco exterior and quality exterior design features.

The house has been maintained in good overall condition and its original form and the majority of significant exterior design details remain intact. Some alterations to the building have occurred in the past and include the addition of a one storey sunroom wing on the west façade and a rear verandah. These two modern additions will be demolished prior to the building's relocation and the facades repaired as part of the conservation plan. In addition, a number of original wood window sashes have been replaced with modern vinyl window units. Also the original decorative wood shutters and window boxes, that form significant character-defining features of "Dutch-Colonial" style, have been replaced with modern elements.

2.3 Civic Benefits

The retention, conservation and designation through bylaw of this historic residence will add another significant heritage building to the City's list of protected heritage properties. The Haddon House is an important neighbourhood landmark and its preservation provides another opportunity to retain and interpret the early history and heritage of Burnaby. Additionally, the use of this residence for a Bed and Breakfast will add to the City's stock of accommodation for tourists who wish to be located near the many amenities of Burnaby and Deer Lake Park.

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2.4 *Neighbourhood Character*

The subject property is located prominently mid-block on the north side of Buckingham Avenue between Haszard Street and Clayton Avenue. Immediately surrounding the property is a mature established single family neighbourhood that has seen a considerable amount of new construction following the prevailing R1 district regulations to maximize the density allowed. This residence is one of several heritage buildings remaining in this neighborhood which is adjacent to the historic precinct of Deer Lake Park. These include the designated J.D. Shearer House, built in 1912, which is located opposite the subject property at 5573 Buckingham Avenue.

3.0 DEVELOPMENT PROPOSAL

3.1 *Relocated Heritage Building*

The heritage building will be relocated to the east and south of its current location to be sited at the centre of the proposed new Lot B. The front yard set back of the dwelling will be increased from the minimum requirement in order to protect the mature rhododendron plants and landscaping of the existing garden which form a beautiful setting for this heritage house. Three mature coniferous trees on the property will also be protected and retained in addition to those trees protected by covenant on the adjacent Lot A. Additionally, the driveway will be retained in its current location and enter the property through the existing iron gates to form a curved drive to the front entrance of the residence, before continuing to the rear of the lot, in order to replicate its original configuration (see *attachments* #3A & #3B).

The heritage building will be restored as much as possible to its original exterior condition following its relocation. The residence will be placed on a new foundation to create a basement level and be retained at its current height which will allow the replication of the five-step front entrance stairs. The plan calls for the restoration of the original wood sash windows for the front façade of the house to replace the modern vinyl inserts. Additionally, the owners will replace all of the shutters and window boxes with historically appropriate wooden replicas. A paint scheme using historic colours will also be subject to City approval. New construction and alteration will be limited and designed to integrate with the heritage building. Window wells at the east and west side facades will provide light to the new basement rooms. Although the proposed rear one storey addition will be designed and appended to the HRA it will not be built at this time. This approved addition will allow for its future construction subject to a separate building permit application. This addition will allow for expansion of the existing kitchen and den and construction of a new sun room to compliment the main floor living spaces.

A further HRA variance to the R1 district regulations will allow the basement to be constructed to function as an extension of the residence, but allow for its initial use as a separate suite and to accommodate the owners during the operation of the bed and

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breakfast business or alternatively serve as a rental unit. The basement will include a separate rear entrance through a sunken patio space.

3.2 *New Accessory Building*

In order to provide additional storage space and a garage, without compromising the original design of the heritage building, it is proposed that a HRA variance be granted to increase the allowable height and size of this accessory building. Rather than a one storey structure, it is proposed to be a two storey building to accommodate a storage space above a two bay garage. This building will be designed and sited to have minimal impact on the adjacent properties and maximize setbacks. The building incorporates a gambrel roof to mirror the design of the main house and its design features. The second storey storage space, 41.27 m² (444.24 sq. feet), will be access by an interior stair access from the garage. In order to prevent any future unauthorized conversion of the garage into a separate living unit, no plumbing will be permitted in the structure and a covenant will be registered on title. A statutory right-of-way at the rear of the lot, required for a sanitary storm sewer, has been covenanted to prevent any permanent construction and determines the 5.04 m (16.5 ft.) set back of this structure from the rear property line (see *attachment #4*).

3.3 *Bed and Breakfast Use*

The R1 district currently allows for a Home Occupation use which includes the “keeping of not more than two boarders or lodgers in each dwelling unit.” This zoning bylaw definition includes the operation of a Bed and Breakfast business (B&B) provided that the operator does comply with all other Burnaby bylaws, including obtaining a business license. Burnaby’s zoning bylaw prohibits the rental of rooms if the home is also occupied by an in-law suite.

The owners have developed a plan to operate a B&B that caters to families. The house could accommodate up to a maximum of six persons in the three upstairs bedrooms upon the completion of the restoration of the residence. Until that time, the owners have proposed using the planned for basement suite for rental accommodation. Upon commencement of the B&B business the suite would be utilized for the owner’s accommodation during the periods of time that guests would occupy the second floor bedrooms.

Under this proposal the HRA would vary the specific definitions of both the Accessory Use and Home Occupation as outlined in Burnaby’s Zoning Bylaw. These changes would allow for the construction of the basement suite for rental use or by the homeowners and increase the number of lodgers allowed from two persons to a maximum of six persons. The HRA would obligate the owners to obtain an annual City business license for either the rental of the basement suite or the operation of the B&B. At no time would it be lawful for the owners of the property to rent the basement suite as well as operate the B&B simultaneously.

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3.4 District Regulation Comparison

The proposed HRA reflects the following development statistics. The development proposal does differ from several of the R1 regulations in terms of the height of the relocated heritage building, new accessory building and the accessory uses permitted. The R1 district regulations are provided as a point of comparison to outline in detail how the proposed development under the HRA will vary and conform to the existing district regulations.

3.4.1 Lot Area and Width

The proposed subdivision creates two lots approximately 23.1 m (76 ft) x 46.7 m (153 ft). The area of the lots, which measure 1,081.08 m² (11,637 sq. ft.), exceed the minimum area of 890 m² (9,580.2 sq. ft.) as required under the R1 district zoning. The bylaw also provides a minimum lot width of no less than 24.38 m (80ft.) while the proposed lots measure 23.17 m (76 ft.), resulting in a 1.2 m (3.98 ft.) variance. This minor variance in lot width was given under the authority of the Approving Officer as part of the final approval of subdivision granted in 2000.

3.4.2 Lot Coverage

Lot Coverage Permitted:	40 %
Proposed Lot Coverage:	19.39 % 209.7 m ² (2257.26 sq. ft.)

3.4.3 Gross Floor Area

Relocated Heritage Building

Gross Floor Area Permitted:	590 m ² (6,350.9 sq. ft.)
Proposed Gross Floor Area:	394.47 m ² (4,246.18 sq. ft.)

New Accessory Building

Gross Floor Area Permitted:	56 m ² (602.8 sq. ft.)
Proposed Gross Floor Area:	52.57 m ² (565.88 sq.ft)*
[Actual GFA without exemption:	94.57 m ² (1,017.98 sq. ft.)

Total Proposed Gross Floor Area of heritage and accessory buildings:	447.04 m ² (4,812.05 sq. ft.)
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(*Note this calculation is based on the exemption of a maximum of 42 m² (452.1 sq. ft.) of the total garage area as provided for in the zoning bylaw)

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3.4.4 Above Grade Floor Area (AGFA)

Total AGFA Permitted: 0.40 of lot area – 432.65m² (4,657.16 sq. ft.)

Total AGFA Proposed: 321.02 m² (3,455.54 sq. ft.)

Relocated Heritage Building:

Proposed Above Grade Floor Area: 268.45 m² (2,889.67 sq. ft.)

New Accessory Building:

Proposed Above Grade Floor Area: 52.57 m² (565.88 sq. ft.)*
[Actual AGFA without exemption: 94.57 m² (1,017.98 sq. ft.)]

(*Note this calculation is based on the exemption of a maximum of 42 m² (452.1 sq. ft.) of the total garage area as provided for in the zoning bylaw)

3.4.5 Building Height

Relocated Heritage Building

Building Height Permitted: 2.5 storeys and 9.0 m (29 .5 ft.)
Proposed Building Height: 2.5 storeys and 9.93 m (32.58 ft.)

New Accessory Building

Building Height Permitted: One storey and 4.6 m (15.1 ft.)
Proposed Building Height: Two storey and 6.1 m (20.2 ft.)

3.4.6 Depth of Principal Building

The depth of a principal building shall not exceed the lesser of 50 percent of the lot depth, or 18.3 m (60 ft.)

Proposed depth of Relocated Heritage Building: 12.99 m (42.42 ft.)

3.4.7 Front Yard

The R1 Residential District Front Yard Setback requirement relating to Front Yard Averaging as applied to this lot would result in a front yard setback of 13.8 m (45.28 ft.) The development proposal has provided for a front yard setback of 16.76 m (55 ft.).

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3.4.8 Side Yards

Relocated Heritage Building

Side yard permitted: 2.4 m (7.9 ft.) for the least side yard and 5.5 m (18 ft.) for the sum of both side yards

Side yard Shown: 4.53 m (14.10 ft.) for West side yard and 4.87 m (15.11 ft.) for East side yard which combined equal 9.4 m (29.21 ft.)

Proposed Accessory building:

Side yard permitted: 1.2 m (3.94 ft.)
Side yard Shown: 2.71 m (8.10 ft.)

3.4.9 Rear Yard

Relocated Heritage Building:

Rear yard permitted: 9.0 m (29.5 ft.)
Rear yard Shown: 17.72 m (58.3 ft.)

Proposed Accessory Building:

Rear yard permitted: 1.2 m (3.94 ft.)
Rear yard Shown: 5.04 m (16.6 ft.)

3.4.10 Off-Street Parking

Parking spaces required: Two
Parking spaces provided: Four

Under the R1 zoning regulations one parking space is required for the dwelling and one space is required for each two sleeping units. The development proposal meets the off-street parking provisions of the bylaw through the construction of a driveway to the rear yard and the construction of a two-bay garage. Additional overflow parking is available as part of the proposed landscape design which includes two parking spaces to accommodate the vehicles of guests for the proposed bed and breakfast operation within the landscape plan of the rear and side yards.

3.5 Summary of HRA Zoning and Development Variances

In summary the proposed Heritage Revitalization Agreement will vary or supplement the following provisions of the City's zoning by-law related to the R1 district:

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- Vary the Accessory Use and Home Occupation regulations to increase the number of lodgers permitted from two persons to a maximum of six persons.
- Vary the regulations regarding in-law suites to allow for the construction and occupation of a secondary suite to be used in conjunction with the proposed Bed and Breakfast use to accommodate the owners. The use of the basement suite may be used as a secondary suite for rental but will only be permitted when the Bed and Breakfast use is not in operation.
- Vary the regulation regarding the height of the principal building to permit the relocation of the Heritage Building which exceeds the height permitted by .93 m (3.08 feet).
- Vary the regulations regarding accessory buildings to permit a new accessory building that exceeds both the height permitted by one storey and 2.1 m (5.1 feet); and exceeds the Gross Floor Area permitted by 38.57 m² (415.18 sq. feet).

4.0 CONCLUSION

The protection of the Haddon House, through a Heritage Designation Bylaw and a HRA offers the City of Burnaby an opportunity to protect and revitalize a significant heritage building that forms a landmark in the Buckingham Avenue neighbourhood and an important City heritage resource. Burnaby's heritage program has increasingly demanded utilizing more creative means to provide for the economic revitalization and protection of the City's remaining stock of heritage resources. Utilizing the opportunity presented by the relocation of this residence to ensure its long-term protection is guided by the Official Community Plan that seeks to protect our significant cultural heritage resources. The HRA presented in this report provides a suitable plan for public review and consideration at this time.



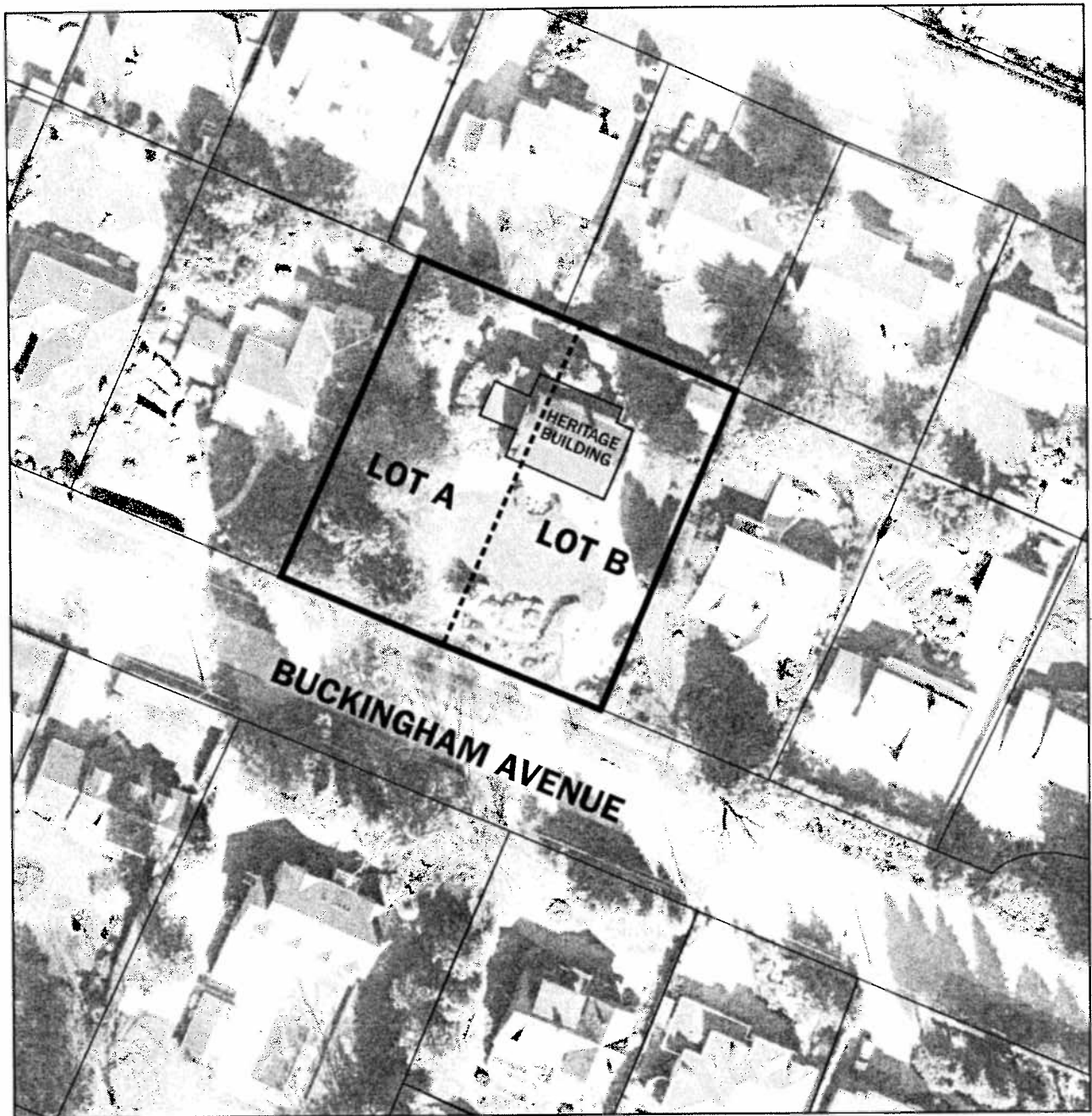
J.S. Belhouse
Director of Planning and Building

JW:tn

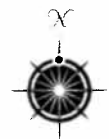
Attachments

cc: Director Engineering
Chief Building Inspector
City Solicitor

P: Jim/Private Heritage Properties/ HRA Report 5520 Buckingham Avenue – Haddon House. wpd



5520 Buckingham Avenue
Existing location of heritage building

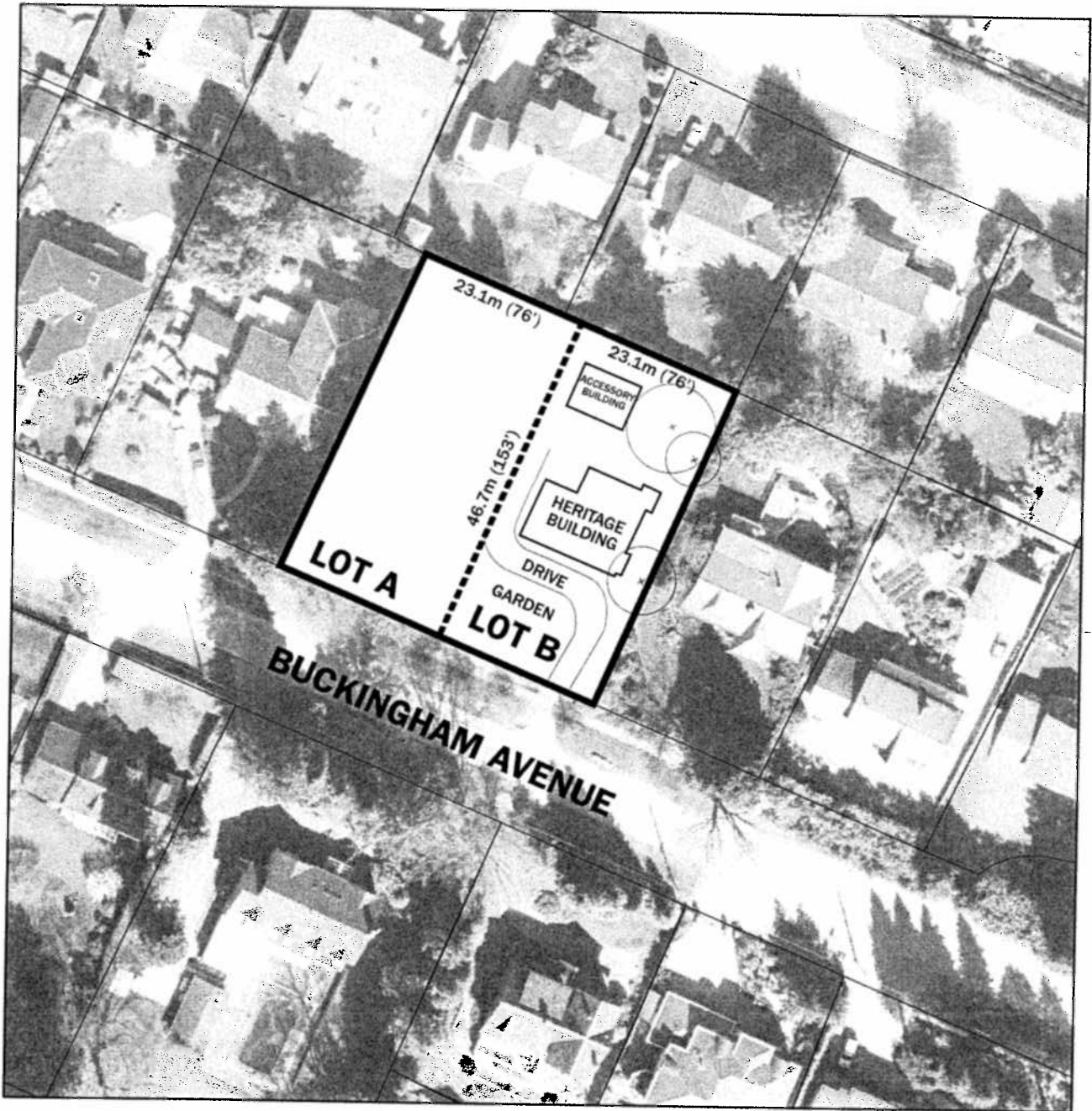


Subdivision Reference #00-12
Approved Lot Subdivision

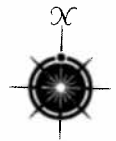
Attachment 1



City of
Burnaby
PLANNING & BUILDING
2006 April 26
Drawn by: RCN



**5520 Buckingham Avenue
Proposed location of relocated heritage building
and new accessory building**

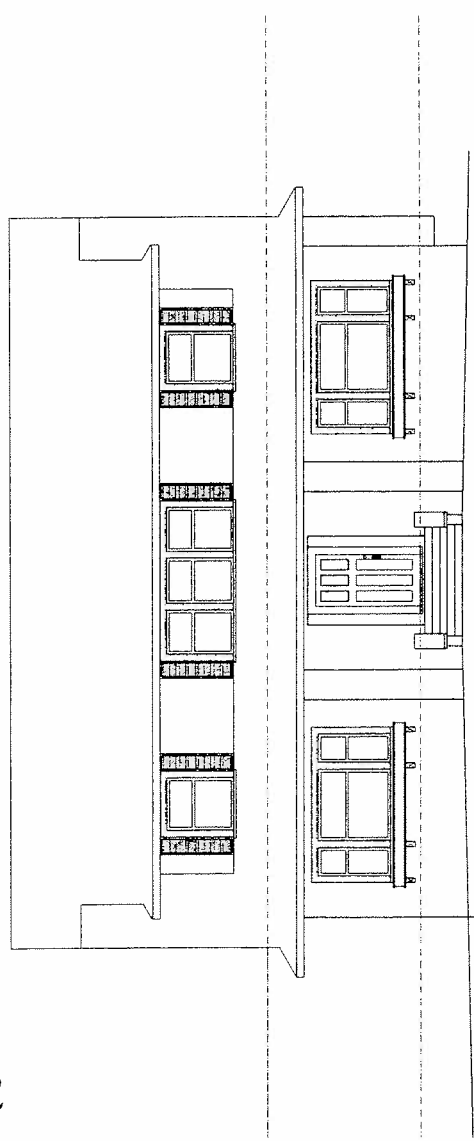


Subdivision Reference #00-12
Proposed Heritage Revitalization Agreement

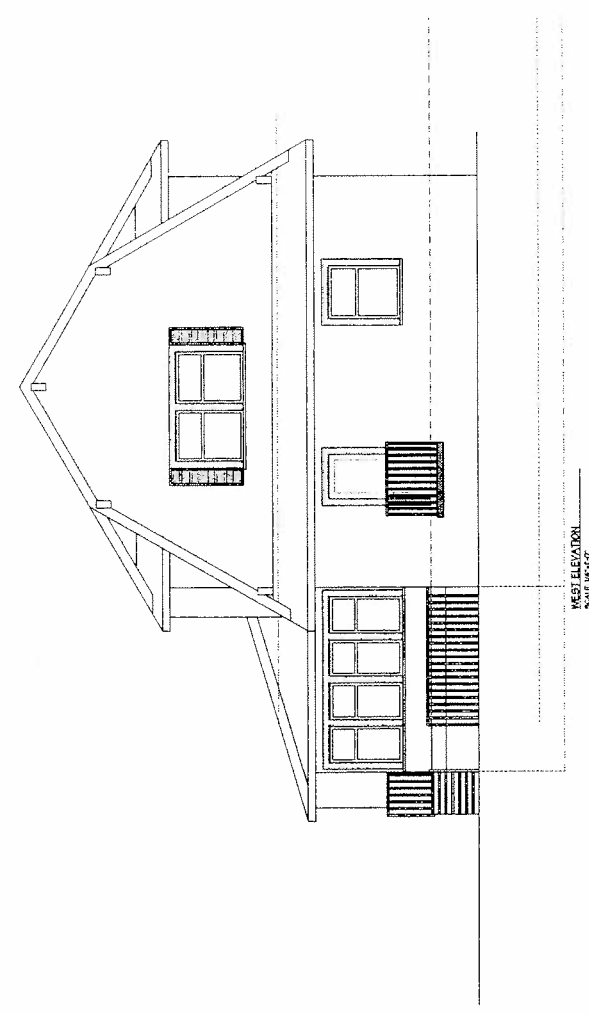
Attachment 2




PLANNING & BUILDING
2006 April 26
Drawn by: RCN



SOUTH ELEVATION (See Section A-A)
SCALE 1/4"=1'-0"




WEST ELEVATION
SCALE 1/4"=1'-0"

 <p>Allan Diamond Architect</p> <p>1007 N. 1st St. Durham, NC 27601 Tel: 919.286.1100 Fax: 919.286.1101 E-mail: ad@ad-arch.com</p>	<p>Copyright Reserved. This drawing and design are the work of Allan Diamond Architect. It is the property of Allan Diamond Architect and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Allan Diamond Architect. All rights reserved.</p>
	<p>Considerations:</p>
<p>Job No. 08-33</p>	<p>Proposed Heritage House Renovation 2550 Northingham Avenue Durham, NC</p>
<p>Contractor:</p>	<p>Contractor:</p>
<p>Design: EDO</p>	<p>Drawn: EDO</p>
<p>Date: April 2008</p>	<p>Scale: AS NOTED</p>
<p>Checked:</p>	<p>Design Title:</p>
<p>ELEVATIONS</p>	<p>ELEVATIONS</p>

A2.1

PROPOSED ELEVATIONS



**Allan
Diamond
Architect**

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Cary, NC 27513
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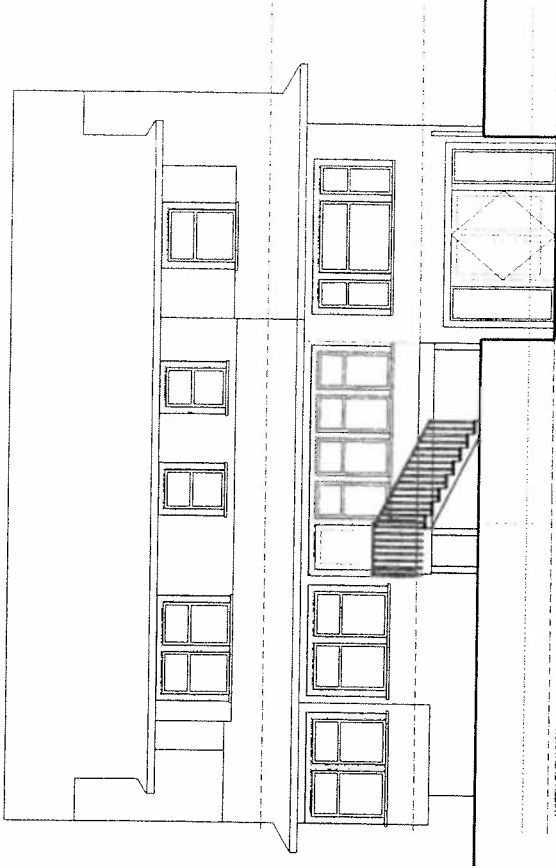
ADJ No. 06-33
Proposed Heritage
House Renovation
4300 Northchase Avenue
Durham, NC

Revisions / Submittals

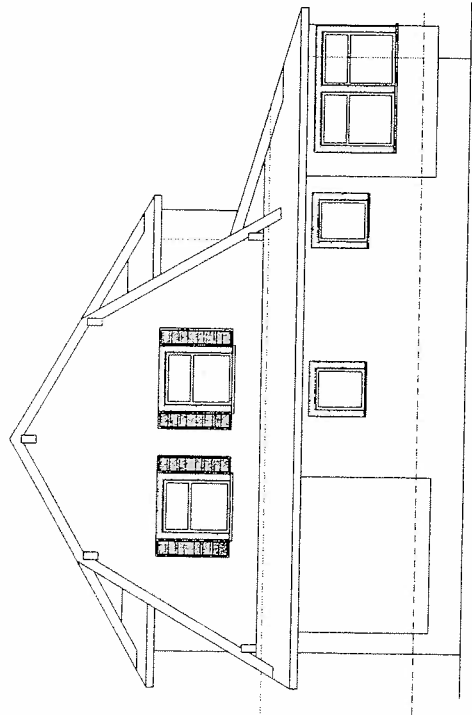
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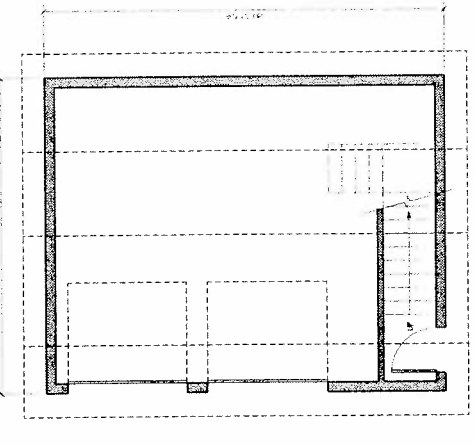
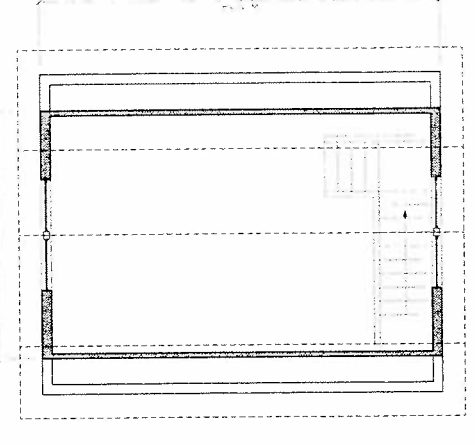
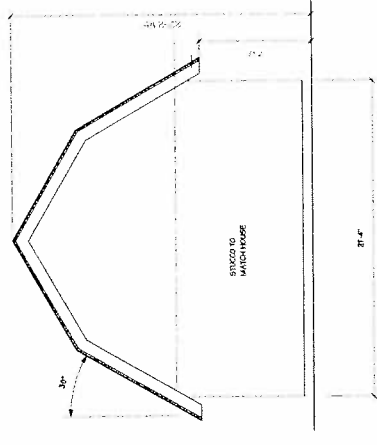
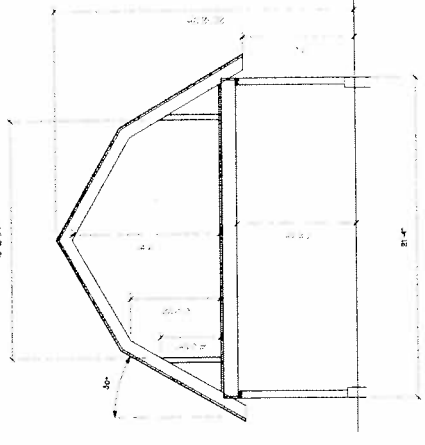
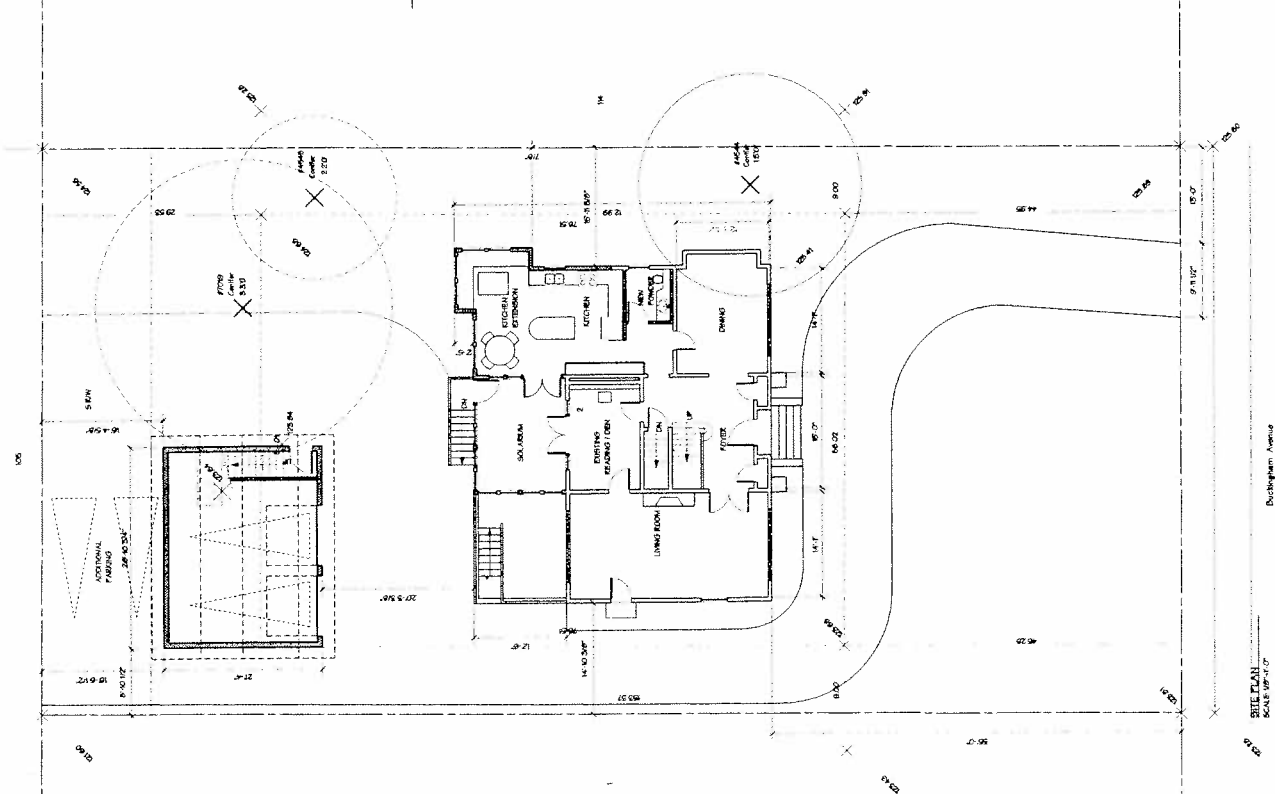
NORTH ELEVATION
SCALE 1/4" = 1'-0"




EAST ELEVATION
SCALE 1/4" = 1'-0"

PROPOSED ELEVATIONS

Attachment 3B





**Allan
Diamond
Architect**

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Consultants:
Proposed Heritage
House Education
5620 Nottingham Avenue
Baltimore, DC

Job No. 0633
Revision / Description
Date: 11/10/09
By: April 2009
Scale: AS NOTED
Checked:
Drawing No.

**SITE AND
BASEMENT PLANS**

A0.0