

COMMUNITY HERITAGE COMMISSION

*HIS WORSHIP, THE MAYOR
AND COUNCILLORS*

**SUBJECT: JOHN & ROSEANNA CLARK HOUSE
HERITAGE REVITALIZATION AGREEMENT**

RECOMMENDATIONS:

1. THAT a Heritage Revitalization Agreement Bylaw be prepared and advanced to First Reading on 2009 May 11 and to a Public Hearing on 2009 June 02 at 7:30 p.m.
2. THAT a Heritage Designation Bylaw be prepared and advanced to First Reading on 2009 May 11 and to a Public Hearing on 2009 June 02 at 7:30 p.m.
3. THAT Council add the John & Roseanna Clark House to the Burnaby Community Heritage Register – Protected.

REPORT

The Community Heritage Commission, at its meeting held on 2009 April 02, received and adopted the *attached* report seeking Council's authorization to forward this application to a Public Hearing on 2009 June 02.

The protection of the Clark House, through a Heritage Designation Bylaw and a Heritage Revitalization Agreement, offers the City an opportunity to protect and revitalize a significant heritage building that forms a landmark in the Heights neighbourhood and important City heritage resource.

Respectfully submitted,

Councillor C. Jordan
Chair

Councillor A. Kang
Vice Chair

Councillor R. Chang
Member

Copied to:	City Manager Director Finance Director Engineering Chief Building Inspector City Solicitor Chief Licence Inspector Director Planning & Building
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Item
Meeting 2009 Apr 02

COMMISSION REPORT

TO: COMMUNITY HERITAGE COMMISSION **DATE:** 2009 April 01
FROM: DIRECTOR PLANNING AND BUILDING
SUBJECT: **JOHN & ROSEANNA CLARK HOUSE**
HERITAGE REVITALIZATION AGREEMENT
ADDRESS: 4115 Dundas Street
LEGAL: Lot 33, Block 16, District Lot 187, Group 1, NWD Plan 1282
FROM: R5 Residential District
TO: R5 Residential District - Heritage Revitalization Agreement
OWNERS: Barbara Kukan & John Wenz
4115 Dundas Street, Burnaby, B.C., V5C 1C3
PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2009 June 02.

RECOMMENDATION:

That the Community Heritage Commission recommend to Council the following:

1. **THAT** a Heritage Revitalization Agreement Bylaw be prepared and advanced to First Reading on 2009 May 11 and to a Public Hearing on 2009 June 02 at 7:30 p.m.
2. **THAT** a Heritage Designation Bylaw be prepared and advanced to First Reading on 2009 May 11 and to a Public Hearing on 2009 June 02 at 7:30 p.m.
3. **THAT** Council add the John & Roseanna Clark House to the Burnaby Community Heritage Register - Protected.

REPORT

1.0 BACKGROUND INFORMATION

The owners of the subject property initiated discussions with Planning Department staff in order to achieve an agreement to protect and conserve the "John & Roseanna Clark House," as well as

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provide for a number of future renovations. The intention of the long-time owners of this property is to undertake the construction of a second floor sunroom by enclosing and reducing the size of an existing open balcony and to provide for the future conversion of the existing basement into a legal secondary suite. In order to receive approval for these renovations and use, the owners require a Heritage Revitalization Agreement (HRA) to amend the provisions of the prevailing R5 Residential District zoning.

Through these discussions, the applicant has elected to pursue some modest incentives offered by the Heritage Program under an HRA in exchange for an agreement to the long-term legal protection offered by the City's adoption of a Heritage Designation Bylaw for the "Clark House." Staff are of the opinion that, on balance, the variances requested in exchange for the permanent protection of this heritage resource is worthy of support.

2.0 HERITAGE DESIGNATION

2.1 Local Government Act – Heritage Designation Bylaw Process

Under the terms of the Local Government Act, provision is made for the designation by bylaw of property that "... has heritage value or character..." (Section 967). The intention of the designation bylaw is to ensure that any future design changes to the heritage building and site will require a heritage alteration permit that would be considered by Council and reviewed by the Community Heritage Commission.

Section 968 of the Local Government Act specifies the formal procedures to be followed as part of the designation process which includes a Public Hearing, notification of the owners, and a report outlining the heritage value of the property, the relationship to community or Official Community Plan objectives, the effect of the designation upon the use, the condition and viability of the property and the possibility of the need for financial support.

Specifically the Act requires:

- that a Public Hearing be held.
- that 10 days prior to the Public Hearing, notice must be served on all owners and occupiers of the property.
- that newspaper notices be published in two consecutive issues of a newspaper with the last publication to be at least three days prior but not more than 10 days prior to the Public Hearing.
- that a report be prepared which includes the information in Section 2.2 of this report which is to be available to the public.
- that a completed bylaw be filed in the Land Title Office with the Province and with the owners.

These requirements will be met through the subject report and the proposed Public Hearing process and notification procedures.

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2.2 Required Heritage Information

2.2.1 Heritage Character Statement

The Clark House was constructed in 1912 across Dundas Street from the site of Gilmore Avenue School. Local builder John William Clark (1857-1947) purchased the property from Grier Starratt – owner of four vacant lots in this block – and built a home for his wife Roseanna (1860-1933). After John’s retirement in 1926 at the age of sixty-nine, the Clarks stayed in the home until 1930. Clark arrived from England in 1912 at the age of 55 and remained a life-long resident of Burnaby. As a builder, he was instrumental in the construction of the nearby St. Nicolas Anglican Church, completed in 1912. He was involved with drama groups through the church, assisting with stagecraft and production.

Postman Norman Barlow and his wife Ethel were residents of the house from 1930 to 1935. Salesman Sidney Hopkins, wife Mary and their three children (Muriel, Francis and Edward) were the next occupants, remaining until 1974. Archivist, Robert Parliament, owned the home from 1978 to 1981. The Parliament family had been early residents of Capitol Hill since the early 1920s. The current owner of the property, Barbara Kukan, purchased Clark House in 1981.

This 1 ½ storey Edwardian Vernacular Arts & Crafts house is a typical residence of the 1909-1913 period with its prominent front gable. The most notable and unique feature of the house is the full-width recessed front porch with well-crafted box piers, octagonal posts, heavy railings and soffit beams. The symmetrical façade is dominated by the centred front door with two sidelights and twin bay windows. The simple window trims and sidewall shingles link the design to local vernacular wood architecture commonly used throughout Greater Vancouver. The three-colour paint scheme with a dark brown field is typical of Arts & Crafts and Craftsman houses (see *attachment* #1).

2.2.2 Compatibility of Conservation with Community Plan and Adjoining Land Use

The planning for the conservation of heritage resources is outlined in Burnaby’s Official Community Plan. Burnaby has established a goal “To provide opportunities for the increased awareness and the conservation of the City’s unique natural, cultural, archaeological and built heritage.” The conservation of this landmark house is considered compatible within its well-developed neighbourhood context of predominantly single-family dwellings. The retention, conservation and designation of this house through bylaw will add another significant heritage building to the City’s list of protected heritage properties. Clark House is an important Heights neighbourhood landmark and its preservation also provides another opportunity to retain and interpret the early history and heritage of Burnaby.

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As noted the subject property is located on the north side of Dundas Street, between Gilmore and Carleton North Avenues (see *attachment #2*). It is located opposite of the Gilmore Avenue Elementary School grounds and the landmark heritage school building. Surrounding the property is a mature established single and two-family neighbourhood that has seen much redevelopment in addition to the retention of many of the older larger heritage homes of the Heights neighbourhood.

2.2.3 Condition and Economic Viability of the Property

The Clark House remains in excellent condition as it has been well maintained by past owners. The economic viability of the property is considered secure given that the residence is: in good physical condition; is suitable for its continued use as a single-family residence; and will obtain the opportunity for the development of a future basement suite through the subject designation and HRA process. The residence will retain a high market value in the context of its highly desirable residential neighborhood, where remaining heritage homes are valued and appreciated.

2.2.4 Possible Need for Financial Support to Enable Conservation

The building will continue to be owned as a private dwelling and maintained accordingly. The adoption of the HRA by Council will allow for the future creation of a secondary suite in the basement of the residence. The provision of a secondary suite will assist any future owners of the property with additional revenue in order to ensure the good maintenance and care of the building. The HRA will allow for the future renovations to increase the floor space of the second storey of the residence through the addition of a rear sunroom. The renovations to the residence will assist in ensuring that the building retains its viability as a residence and will overall add to the value of the property. There are no additional economic incentives that would be required to ensure its continued protection and conservation. Staff would continue to work in cooperation with the current and future owners of the property to ensure the heritage character of this city heritage site is protected and conserved.

3.0 HERITAGE REVITALIZATION AGREEMENT (HRA)

3.1 Local Government Act - Heritage Revitalization Agreement Process

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 HRA 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.

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The purpose of the proposed HRA is to accomplish the long-term protection and conservation of the Clark House. 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.

As the proposed HRA for the Clark House will provide a variance to the property's R5 zoning, to allow the proposed modest rear sunroom addition and development of a future legal secondary suite, a Public Hearing is required.

3.2 Proposed Heritage Revitalization Agreement

3.2.1 Sunroom addition

The proposed HRA has been developed in response to the owner's desire to develop a modest rear sunroom addition for the second storey of the residence (see *attachment #3*). The sunroom will enclose a portion of an existing open outdoor balcony that measures 22.3 feet by 6.3 feet and is approximately 140.4 square feet. The proposed sunroom addition measures 12.8 feet by 9.8 feet and is approximately 122.4 square feet of space. The proposal would result in a reduction of 18 square feet of the existing Gross Floor Area of the residence. However, the proposed addition to the residence, combined with its existing floor area, will still exceed the allowable Gross Floor Area for the site by 188.8 square feet (17.54 m²).

The sunroom design, although a contemporary addition, is traditional in scale and compatible with the overall heritage character of residence. The location of the addition at the rear of the residence complies with the City's adopted heritage conservation guidelines.

3.2.2 Secondary suite

The proposed HRA will also provide the opportunity for a future property owner to construct a secondary dwelling unit utilizing the basement floor area should they choose to exercise this development option. At the time of its design and construction, the owner will be obligated to obtain all of the necessary permits and comply with all Building Code regulations regarding the development of a secondary suite. It is anticipated that the creation of the secondary suite will require the reconstruction of an existing rear entrance and the addition of several new ground level windows. These changes will be subject to their compatibility with the overall design of the heritage building and a Heritage Alteration Permit which would require future Council approval.

Under the R5 zoning regulations, one parking space is required for each dwelling unit. Currently, the property has two off-street parking spaces within a garage structure which is accessed via the rear lane. These parking spaces are legally non-conforming to the current bylaw provisions in terms of their required width. It will be a provision under the

HRA that these two existing and functioning parking spaces will serve as the required parking provision for this residence.

3.2.3 Existing Height and Setbacks

As an historic structure, the Clark House retains existing height and yard setbacks that do not conform to the district zoning which was adopted following its construction. Under the proposed Heritage Revitalization Agreement, the existing height and setbacks will be recognized as existing permitted variances to the R5 Zoning District for this property. These existing minor variances include:

- The height of the residence exceeds the bylaw requirement by 0.4 m (1.4 ft).
- The front yard setback of the residence is reduced by 2.4 m (7.97 ft) from the bylaw minimum of 6.0 m (19.70 ft.).
- The West side yard setback is reduced by .66 m (2.19 ft.) from the bylaw requirement of 1.0 m (3.3 ft.).

3.2.4 Heritage Conservation Plan

The applicant has engaged a qualified heritage consultant to prepare a Heritage Conservation Plan for the Clarke House as part of this HRA proposal. The Heritage Conservation Plan outlines the current condition of the residence and its exterior design components and provides guidelines to conserve and restore the heritage integrity of the residence. This plan will be referenced in the proposed HRA bylaw and guide the works proposed by the HRA and any future maintenance and repairs.

As part of the proposed HRA the owners have agreed to restore the original design of the front entrance stairs of the residence. The HRA will set out the timing and completion of this work in conjunction with the sunroom addition building permit application. This restoration project will complete the exterior restoration of the front elevation of the Clark House to its historic 1912 design.

4.0 DEVELOPMENT PROPOSAL

4.1 The existing single family dwelling in the Arts and Crafts Style will be conserved according to the Standards and Guidelines for the Conservation of Historic Places in Canada. The project architect has developed a Heritage Conservation Plan which will guide the protection of the property and allow for the proposed renovations to protect the heritage building's exterior design character (see *attached* Sketch # 2).

4.2 Site Area 374.03 m² (4,016 sq. ft.)


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4.3	Lot Coverage	
	Permitted	45 %
	Existing	37%
4.4	Building Height	
	Building Height Permitted:	9.0 m (29.5 ft.)
	Existing Building Height:	9.4 m (30.7 ft.)
4.5	Gross Floor Area	
	Gross Floor Area Permitted:	223.86 m ² (2,409.6 sq. ft.)
	Existing Gross Floor Area:	243.05 m ² (2,616.2 sq. ft.)
	Gross Floor Area Proposed:	241.4 m ² (2,598.4 sq. ft.)
4.6	Above Grade Floor Area	
	Above Grade Floor Area Permitted:	204.62 m ² (2,202.6 sq. ft.)
	Existing Above Grade Floor Area:	151.70 m ² (1,633.0 sq. ft.)
	Above Grade Floor Area Proposed:	150.05 m ² (1,615.2 sq. ft.)
4.7	Front Yard	
	Required:	6.0 m (19.70 ft.)
	Existing:	3.6 m (11.73 ft.)
4.8	East side Yard	
	Required:	1.5 m (3.3 ft.)
	Existing:	1.4 m (4.55 ft.)
4.9	West side Yard	
	Required:	1.5 m (3.3 ft.)
	Existing:	0.3 m (1.11 ft.)
4.10	Rear Yard	
	Required:	7.5 m (24.6 ft.)
	Proposed:	22.0 m (72.5 ft.)
4.11	Off-Street Parking	
	Required:	two
	Existing:	two

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5.0 CONCLUSION

The protection of the Clark House, through a Heritage Designation Bylaw and a Heritage Revitalization Agreement, offers the City of Burnaby an opportunity to protect and revitalize a significant heritage building that forms a landmark in the Heights neighbourhood and 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 current owner's renovation plan to achieve the heritage designation through the HRA will ensure the long-term protection of this heritage residence. This project is guided by the Official Community Plan that seeks to protect our significant cultural heritage resources. The Heritage Revitalization Agreement presented in this report provides a suitable plan for public review and consideration at this time. With Council approval of the recommendations of this report, the subject bylaws would be advanced to Public Hearing on 2009 June 02.

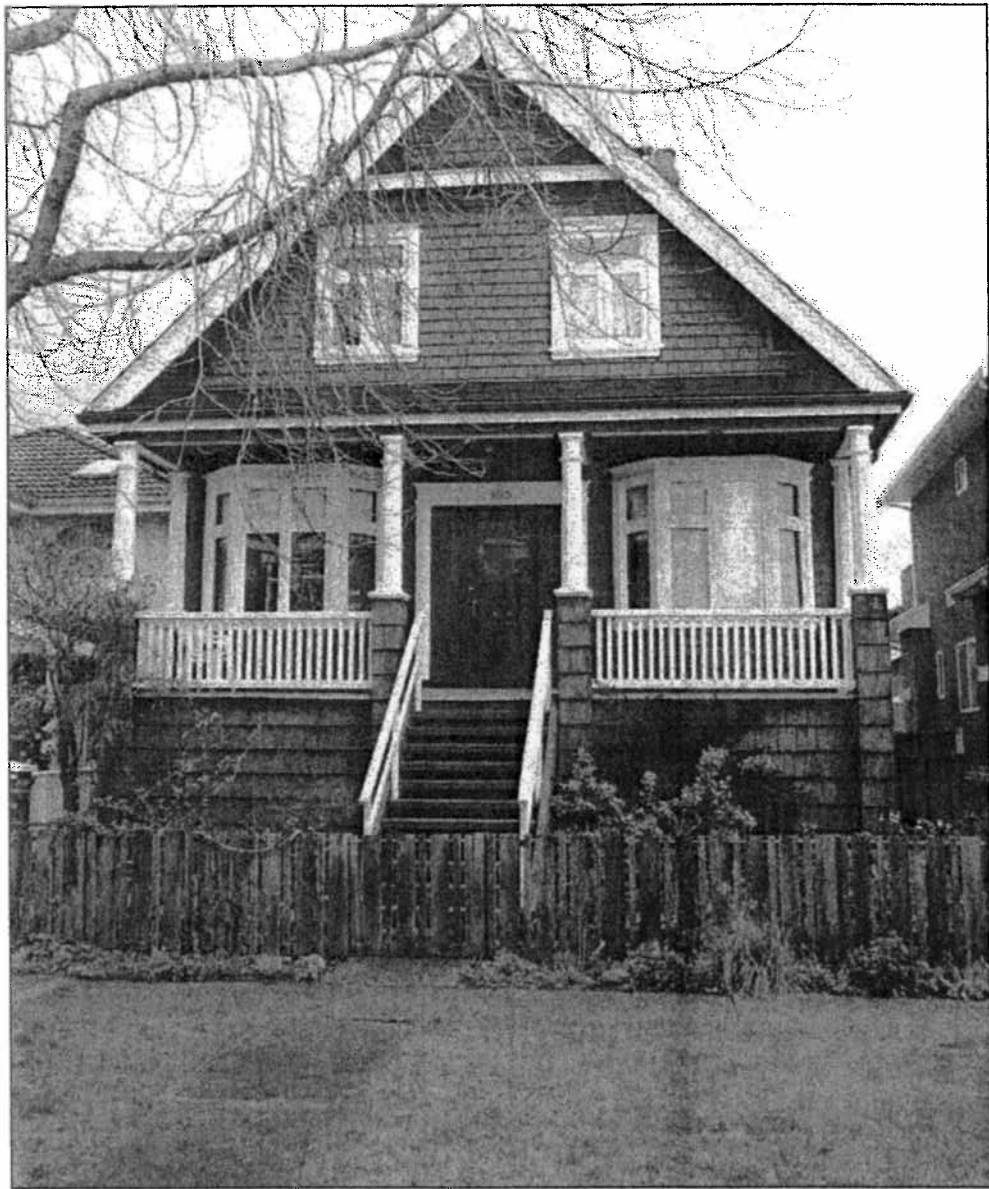


B. Luksun, Director
PLANNING AND BUILDING

JW/ZM:tn

Attachments

cc: City Manager
Director Finance
Director Engineering
Chief Building Inspector
City Solicitor
Chief Licence Inspector



John and Roseanna Clark House
4115 Dundas Street



City of
Burnaby
PLANNING & BUILDING DEPT
2009 03 31



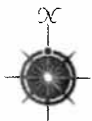
ATTACHMENT 1



**John and Roseanna Clark House
4115 Dundas Street**



City of
Burnaby
PLANNING & BUILDING DEPT
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ATTACHMENT 2

ERIC PATTISON ARCHITECT
 1000 WEST 10TH AVENUE
 VANCOUVER, BC V6H 1T7
 TEL: 604-271-1111
 FAX: 604-271-1112
 WWW.ERICPATTISONARCHITECT.COM
 PROJECT NO: 08-094

CLARK HOUSE, 1912
HERITAGE REVITALIZATION
 4115 DUNDAS STREET
 BURNABY

BUILDING ELEVATIONS

DATE: 2009
 SCALE: 1/4" = 1'-0"

A-3 of 3
 DATE: 2009

1 SOUTH (STREET) ELEVATION
 SCALE 1/4" = 1'-0"

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

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

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

NOTES:
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 2. FINISHES TO BE AS SHOWN ON THE ARCHITECTURAL DRAWINGS.
 3. ALL MATERIALS TO BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
 4. ALL WORK TO BE DONE IN ACCORDANCE WITH THE BC BUILDING REGULATIONS.
 5. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING CODE.
 6. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CANADIAN NATIONAL STANDARDS.
 7. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CANADIAN NATIONAL STANDARDS FOR ACCESSIBILITY.
 8. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CANADIAN NATIONAL STANDARDS FOR ENERGY EFFICIENCY.
 9. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CANADIAN NATIONAL STANDARDS FOR ENVIRONMENTAL SUSTAINABILITY.
 10. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CANADIAN NATIONAL STANDARDS FOR QUALITY MANAGEMENT.



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ATTACHMENT 3

**John and Roseanna Clark House
 4115 Dundas Street**