

TO: CHAIR AND MEMBERS
COMMUNITY HERITAGE COMMISSION

DATE: 2018 September 04

FROM: DIRECTOR PLANNING AND BUILDING

FILE: 77000 05
Reference: HRA and HDB

SUBJECT: HERITAGE DESIGNATION BYLAW /
HERITAGE REVITALIZATION AGREEMENT
LONSDALE GUARDHOUSE RESIDENCE
6985 CANADA WAY

PURPOSE: To seek Council authorization to prepare a Heritage Designation Bylaw and Heritage Revitalization Agreement to provide for the retention of the Lonsdale Guardhouse Residence.

RECOMMENDATIONS:

THAT the Community Heritage Commission receive this Heritage Designation Bylaw and Heritage Revitalization Agreement proposal and forward this report to Council with the following recommendations:

1. **THAT** Council authorize the preparation of a Heritage Revitalization Agreement Bylaw to provide for the retention and protection of the Lonsdale Guardhouse Residence.
2. **THAT** a Heritage Designation Bylaw be prepared to designate the Lonsdale Guardhouse Residence as a protected heritage site.
3. **THAT** the Heritage Revitalization Agreement and Heritage Designation Bylaw be forwarded to a public hearing at a future date.
4. **THAT** Council approve the listing of the Lonsdale Guardhouse Residence on the Burnaby Community Heritage Register as a protected heritage property.

REPORT

1.0 BACKGROUND

The Planning and Building Department received an enquiry from the owner of 6985 Canada Way regarding development options for this existing R5 Residential District property. At present, the property is occupied by the Lonsdale Guardhouse Residence (the “Guardhouse” Residence), a heritage building identified on the City’s heritage inventory. Under the current

To: Community Heritage Commission
From: Director Planning and Building
Re: Heritage Designation Bylaw/Heritage Revitalization Agreement
Lonsdale Guardhouse Residence
6985 Canada Way
2018 September 04..... Page 2

zoning, the owner can demolish the existing house and construct a new single family dwelling on the property in accordance with the prevailing R5 zoning regulations (see **Attachment #1**).

In consideration of the City's Heritage Program and the owner's desire to retain and protect this historic and architecturally significant house as a designated City heritage site, the Planning Department has worked with the owner to develop a suitable proposal for the property utilizing a Heritage Revitalization Agreement. The proposal would allow for the creation of two lots: Lot 1 would provide for the retention, conservation and designation by bylaw of the existing Guardhouse Residence fronting Canada Way; and Lot 2 would provide for a new single-family dwelling fronting Rosewood Street which would be subject to design review and development guidelines.

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 611). The intention of the designation bylaw is to protect this heritage building and site.

Section 612 of the *Local Government Act* specifies the formal procedures of the designation process which are as follows:

- that a Public Hearing be held;
- that 10 days prior to the Public Hearing, notice must be served to all owners and occupants 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 and made available to the public, and which includes:
 - the heritage value or heritage character of the property;
 - the compatibility of conservation with the official community plan and any other community planning objectives in the area in which the property is located;
 - the compatibility of conservation with lawful uses of the property and adjoining lands;
 - the condition and economic viability of the property;
 - the possible need for financial or other support to enable appropriate compensation;
- that notice of the completed bylaw be given in the Land Title Office and to the owners.

2.1.1 Heritage Character Statement

The Lonsdale Guardhouse Residence is one of Burnaby's landmark heritage homes in the historic neighborhood of Edmonds. As the residence retains significant heritage value to the

To: Community Heritage Commission
From: Director Planning and Building
Re: Heritage Designation Bylaw/Heritage Revitalization Agreement
Lonsdale Guardhouse Residence
6985 Canada Way
2018 September 04..... Page 3

City, it is listed on the City's heritage inventory and qualifies for inclusion on the Burnaby Heritage Register.

This two-and-one-half storey residence was constructed in 1914 by Lonsdale L. Guardhouse. Similar to many houses at the time, the Guardhouse Residence was built from Craftsman-style pattern book designs, which were readily available in magazines and brochures. This residence is notable for its unusual sloped roofline, which features gently curved eaves, lapped and shingled siding and rustic brick (see *Attachment #2*).

2.1.2 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 increased awareness and the conservation of the City's unique natural, cultural, archaeological and built heritage.*" The conservation of this heritage house is considered compatible within its well-developed neighbourhood context of predominantly single and two-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 resources. The Lonsdale Guardhouse Residence is an important landmark in the historic Edmonds neighborhood and its preservation provides a good opportunity to retain and interpret the early history and heritage of Burnaby.

2.1.3 Condition and Economic Viability of the Property

The Lonsdale Guardhouse Residence has been well-maintained by previous owners and remains in excellent condition. Changes made to the house over the years include the front verandah, which has been altered through the removal of its floor structure, and a rear addition to the main house constructed in 1985. These alterations will be removed and the original design of the building restored by the proposed agreement. The economic viability of the property is considered secure given that the Heritage Revitalization Agreement provides the owner the opportunity to create a new single family lot and would provide sufficient financial incentive to retain and restore the existing heritage house.

2.1.4 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 Heritage Revitalization Agreement by Council will allow for subdivision utilizing the provisions of the R5 District to create two lots with some minor variances to the zoning bylaw. The provision of an additional lot would assist the property owner with additional revenue in order to relocate and restore the heritage building. 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 that the heritage character of this City heritage site is protected and conserved.

To: Community Heritage Commission
From: Director Planning and Building
Re: Heritage Designation Bylaw/Heritage Revitalization Agreement
Lonsdale Guardhouse Residence
6985 Canada Way
2018 September 04..... Page 4

3.0 HERITAGE REVITALIZATION AGREEMENT

3.1 Local Government Act – Heritage Revitalization Agreement Process

A Heritage Revitalization Agreement (HRA) is a written agreement between a local government and private 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.

The purpose of this Heritage Revitalization Agreement is to provide for the long-term protection and conservation of the Lonsdale Guardhouse Residence, a significant Burnaby heritage building located in the Edmonds neighborhood. The current owner of the property wishes to ensure that this heritage house is protected by the City of Burnaby as a City heritage site. The City's 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.

It is proposed that the City enter into a HRA to ensure specific design controls and provide necessary zoning variances to allow for the subdivision and development of the existing R5 Residential District property in order to retain and protect the landmark Lonsdale Guardhouse Residence as a City heritage site. As the proposed HRA for the Guardhouse Residence will provide for variances to the property's R5 zoning to accommodate the creation of an additional lot, a Public Hearing is required (see *Attachment #3*).

3.2 Proposed Heritage Revitalization Agreement

The subject property is zoned R5 Residential District which provides guidelines for the development of small lots. The Burnaby Zoning Bylaw states that each new lot created in the R5 zoning for Single Family Dwelling – Small, where 30 percent or more of the existing lots in the block front have a width of 13.72 m (45.0 ft.) or less, shall have an area of not less than 334.40 m² (3,600 sq. ft.) and a width of not less than 9.15 m (30.0 ft.). While these conditions do not exist within the block front of the subject lot, the adjacent lots have been redeveloped with duplex residences and small lots exist on the block south of the subject site. Therefore, the proposed provisions would be compatible with the duplex strata lots and with the character of the neighbourhood.

In consideration of the City's Heritage Program, it has been deemed desirable to retain and protect the historic and architecturally significant Lonsdale Guardhouse Residence as a designated City heritage site. The applicant has prepared a plan and guidelines for the retention of the Guardhouse Residence. The proposal is for the creation of two small single-family lots based on the provisions of the existing R5 District, and the use of a Heritage Revitalization

To: Community Heritage Commission
From: Director Planning and Building
Re: Heritage Designation Bylaw/Heritage Revitalization Agreement
Lonsdale Guardhouse Residence
6985 Canada Way
2018 September 04..... Page 5

Agreement to vary provisions of the Burnaby Zoning Bylaw with regards to lot area, height, setbacks and floor area. The subdivision would be based on the layout as shown in **Attachment #3**, and all other Zoning Bylaw, BC Building Code and other City regulations and requirements would continue to apply.

4.0 DEVELOPMENT PROPOSAL

4.1 Proposed Lot 1 (Existing Heritage House)

The existing heritage house is to be retained under the HRA and designated as a City heritage site with the following design guidelines and variances to the Burnaby Zoning Bylaw:

- (i) A lot created under the HRA would vary the Zoning Bylaw and meet the minimum lot width and lot area under the R5 single family dwelling – small, with a total lot area of 414.85 m² (4,650.5 sq. ft.).
- (ii) The heritage house will be protected by a Heritage Designation Bylaw as a City heritage site.
- (iii) The heritage house will be relocated on the site to accommodate its preservation and sited to the eastern portion of the property, adjacent to Canada Way. It is noted that the proposal will include the demolition of the existing modern rear addition built in 1985.
- (iv) The exterior of the heritage house will be restored following the submitted Heritage Conservation Plan that shall include restoration of the exterior design of the dwelling, including the repair of the rear elevation following the removal of the modern addition and reconstruction of the original front verandah.
- (v) The proposed Gross Floor Area (GFA) is 345 m² (3,713.5 sq. ft.) and Above Grade Floor Area (AFGA) is 194 m² (2,084.97 sq. ft.). The maximum GFA for the existing house will exceed the permitted GFA by approximately 86 m². (923 sq. ft.), which will accommodate development of a full basement for the relocated dwelling.
- (vi) The proposed height of the principal building shall not exceed 9.6 m (31.5 ft.). The maximum permitted height of 9.0 m (29.5 ft.) will be exceeded by approximately two feet to provide for the relocation of the house and provide for the design of the new foundation and basement living area.
- (vii) The proposed front yard setback is 6.0 m (19.7 ft.), which meets the Zoning Bylaw provision of not less than 6.0 m (19.7 ft.). The proposal will be exempt from the application of front yard average provisions of the Zoning Bylaw. Additionally, it is further noted that the front verandah will encroach into the front yard setback area by approximately 1.52 m (5 ft.). This would exceed the 1.2 m (3.94 ft.) exemption by .32 m (1 ft.).
- (viii) A reduced rear yard setback of 6.4 m (21 ft.) is proposed. The minimum rear yard of 7.5 m (24.6 ft.) will be reduced by 1.1 m (3.6 ft.).
- (ix) A carport or garage not exceeding 42 m² (452.1 sq. ft.) is proposed. This accessory building will be exempt from all other provisions of the Zoning Bylaw in respect to siting and setbacks.

To: Community Heritage Commission
From: Director Planning and Building
Re: Heritage Designation Bylaw/Heritage Revitalization Agreement
Lonsdale Guardhouse Residence
6985 Canada Way
2018 September 04..... Page 6

- (x) A Section 219 restrictive covenant will be registered on the property's land title outlining the provisions of the Heritage Revitalization Agreement.
- (xi) The design of the restoration of the residence will be subject to the submission of a suitable conservation plan for review and approval.

Note: Calculations and measurements are subject to an up-to-date survey plan.

4.2 Proposed Lot 2 (New Residence)

A new residence will be constructed under the HRA with the following design guidelines and variances to the Burnaby Zoning Bylaw:

- (i) A lot created under the HRA would vary the Zoning Bylaw to meet the minimum lot width and lot area under the R5 Single Family Dwelling – Small, with a total proposed lot area of 396.03 m² (4,262.83 sq. ft.).
- (ii) The required setbacks for the new single family dwelling are proposed as follows:
 - Front Yard: 4.5 m (14.7 ft.)* [* Exempt from front yard averaging]
 - Rear Yard: 3.65 m (11.97 ft.)
 - Side Yard – West: 1.5 m (4.9 ft.)
 - Side Yard – East: 6.0 m (19.6 ft.)
- (iii) A maximum lot coverage of 158.41 m² (1,705.1 sq. ft.) of the lot area and total GFA of 237.6 m² (2,557.5 sq. ft.) as restricted by the required front, rear and side yard setbacks.
- (iv) The incorporation of a garage/carport not to exceed 42 m² (452.1 sq. ft.) into the envelope of the proposed new dwelling.
- (v) A Section 219 restrictive covenant will be registered on this property outlining the terms of the Heritage Revitalization Agreement.
- (vi) The design of the dwelling will be subject to review and approval.

Note: Calculations and measurements are subject to an up-to-date survey plan.

5.0 POLICY SECTION

The designation of the Lonsdale Guardhouse Residence as a protected heritage resource, along with the proposed Heritage Revitalization Agreement which will ensure its retention and protection, as outlined in this report, is aligned with the City of Burnaby's Corporate Strategic Plan by supporting the following three goals and three sub-goals of the plan:

A Connected Community

- Partnership

A Healthy Community

- Community Involvement

To: Community Heritage Commission
From: Director Planning and Building
Re: Heritage Designation Bylaw/Heritage Revitalization Agreement
Lonsdale Guardhouse Residence
6985 Canada Way
2018 September 04..... Page 7

A Dynamic Community

- Community Development

To learn more about the City of Burnaby's Corporate Strategic Plan, please visit www.burnaby.ca/CSP.

6.0 CONCLUSION

The proposed Heritage Revitalization Agreement conforms with the use and development of the R5 zone for small single family lots with variances to the floor area, height and rear yard setback for the heritage house on Lot 1, and to the floor area, front yard and rear yard setbacks for the new house on Lot 2.

The protection of the Lonsdale Guardhouse Residence through a Heritage Designation Bylaw and Heritage Revitalization Agreement offers the City of Burnaby an opportunity to protect and revitalize a significant heritage building in the Edmonds neighborhood and an important City heritage resource. Utilizing the opportunity presented by the current proposal to achieve heritage designation of the Guardhouse Residence through an HRA will ensure the long-term protection of this heritage house.

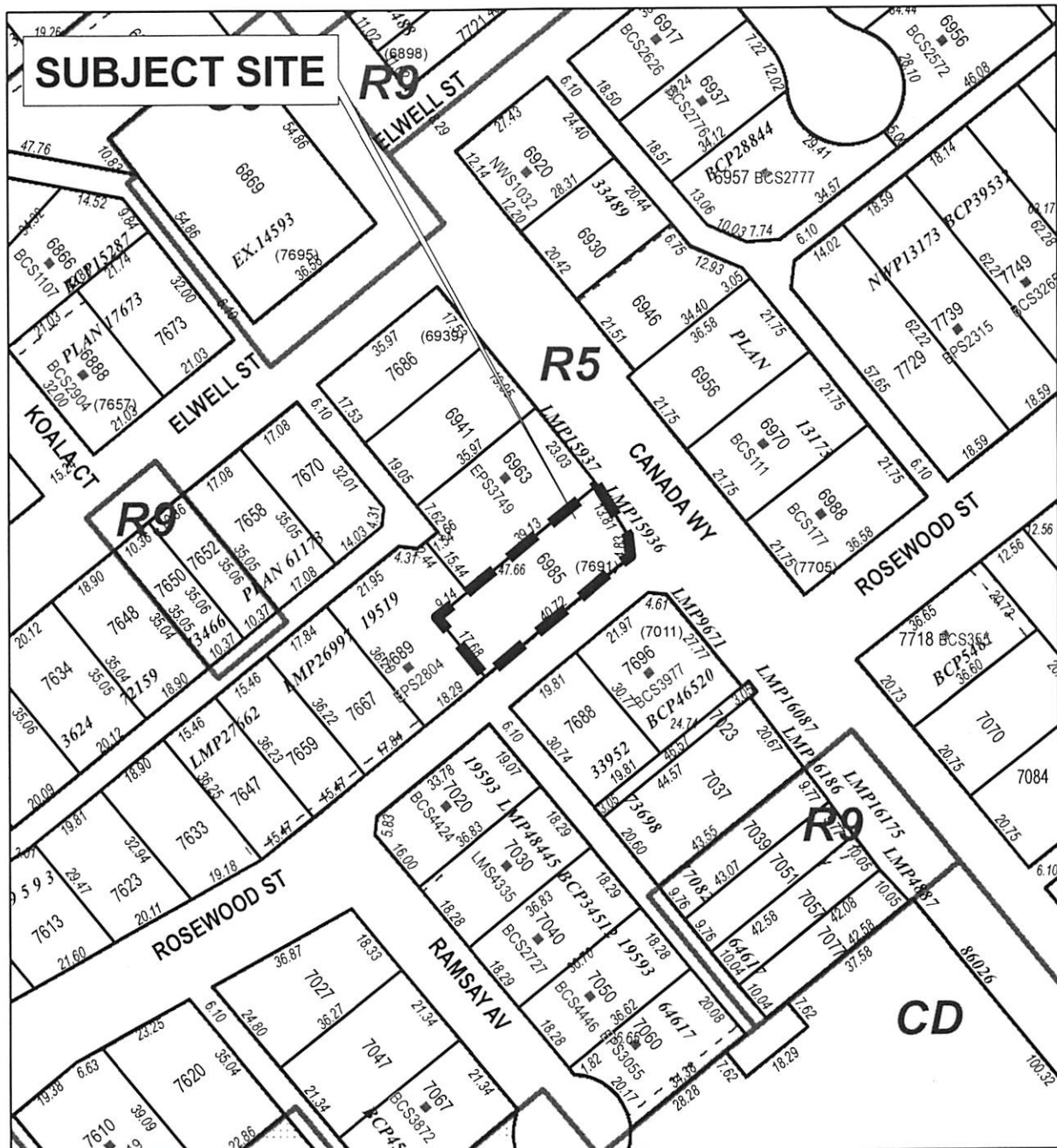
This project is guided by the Official Community Plan objective to protect the City's significant cultural heritage resources. The Heritage Revitalization Agreement presented in this report provides a suitable plan for public review and consideration at this time. With Council approval of the recommendations of this report, the subject bylaws would be prepared and advanced to Public Hearing at a future date.


Lou Pelletier, Director
PLANNING AND BUILDING

HL/JW:sa/sla

Attachments

cc: City Manager
Chief Building Inspector
City Solicitor
City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:
AUG 29 2018

SCALE:
1:1,500

DRAWN BY:
AY

6985 CANADA WAY

 Subject Site

Lonsdale L. Guardhouse Residence
6985 Canada Way



UTILITY POLE

LOT 3

#6941 CANADA WAY

FRONT SETBACK 10.90m

