

**TO:** MAYOR & COUNCIL  
**FROM:** GENERAL MANAGER PLANNING AND DEVELOPMENT  
**SUBJECT:** HERITAGE REVITALIZATION AGREEMENT – 7828 STANLEY STREET  
**PURPOSE:** To seek Council’s approval for a correction to the report advanced to Council by the Community Heritage Commission at its February 27, 2023 meeting for the protection of the Alice and Robert Travers Residence at 7828 Stanley Street through a Heritage Revitalization Agreement.

## REFERENCES

Address: 7828 Stanley Street  
Legal: Lot 2 District Lot 87 Plan NWP20357  
Applicant: Edith and Owen Rohu

## RECOMMENDATION

**THAT** Council authorize the preparation of a Heritage Revitalization Agreement Bylaw to provide for the retention and protection of the Alice and Robert Travers Residence in accordance with the report titled “Heritage Revitalization Agreement/Heritage Designation Bylaw, Alice and Robert Travers Residence, 7828 Stanley Street” dated February 27, 2023, as amended by section 3.3 of the report titled “Heritage Revitalization Agreement – 7828 Stanley Street” dated June 5, 2023.

## CHIEF ADMINISTRATIVE OFFICER’S COMMENTS

I concur with the recommendation of the General Manager Planning and Development.

### 1.0 POLICY SECTION

Pursuant to Section 610 of the *Local Government Act*, a local government may enter into a Heritage Revitalization Agreement (HRA) with a private property owner to vary or supplement provisions of a bylaw concerning land use regulation and subdivision. In addition, 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 proposal to protect and designate the Alice and Robert Travers Residence at 7828 Stanley Street aligns with Burnaby’s *Official Community Plan* (1998), specifically Goal 12.2. The City’s *Official Community Plan* statement concerning the conservation of

heritage outlines the need to establish incentives to encourage the conservation and retention of significant privately-owned heritage buildings.

**2.0 BACKGROUND**

At its February 27, 2023 meeting, Council received the *Heritage Revitalization Agreement/Heritage Designation Bylaw, Alice and Robert Travers Residence, 7828 Stanley Street* report (“February 27, 2023 Council report”) (*Attachment 1*) seeking authorization to prepare a HRA, HRA Bylaw, and Heritage Designation Bylaw for the Alice and Robert Travers Residence at 7828 Stanley Street, and to authorize listing the residence on the Burnaby Community Heritage Register as a protected heritage property.

The February 27, 2023 Council report included a topographic survey of the proposed development, which includes subdivision of the property through variances to the *Zoning Bylaw* provided through a HRA. The necessary bylaws have been prepared, and appear elsewhere on this meeting’s agenda.

During preparation of the HRA, an error by the applicant was noted. The topographic survey submitted did not account for the total encroachment of the proposed verandah into the front yard, omitting the eaves on the roof of the proposed verandah.

With inclusion of the eaves, the verandah would project 3.22 m (10.56 ft.) into the front yard setback. This report provides an analysis of the increased projection into the front yard setback, and includes a summary of the other variances identified in the February 27, 2023 Council report (*Attachment 1*). It also includes a revised topographical plan for the proposed development (*Attachment 2*).

**3.0 GENERAL INFORMATION**

The proposed HRA would allow for the creation of two lots: Lot B would provide for the retention, conservation and designation by bylaw of the existing Alice and Robert Travers Residence fronting Stanley Street; Lot A would provide for a new single-family dwelling, also fronting Stanley Street. The subject property is zoned R2 Residential District. Subsections 3.1 and 3.2 below provide a summary of the proposed variances for Lots A and B that were included in the February 27, 2023 Council report (*Attachment 1*).

Section 3.3 identifies and analyzes the proposed increase in the front yard setback variance previously approved. The proposed variance would increase the permitted projection of the covered front verandah, specifically its eaves, into the front yard setback of Lot B (the heritage house). The proposed variance would increase the projection into the front yard from 2.06m (6.76 ft.) to 3.22 m (10.56 ft.).

### 3.1 Proposed Lot A (New Residence)

The *Zoning Bylaw* states that each new lot created in the R2 Zoning District shall have an area of not less than 668.88 m<sup>2</sup> (7,200 sq. ft.) and a width of not less than 18.28 m (60.0 ft.). The proposed HRA development includes a variance to the *Zoning Bylaw* to permit a reduced lot width of 12.09 m (39.67 ft.) and a reduced lot area of 406.15 m<sup>2</sup> (4,371.77 sq. ft.) for proposed Lot A. It would also provide for a 9.8 m (32.15 ft.) front yard setback for proposed Lot A, which is 0.5 m (1.64 ft.) less than what would be required by the *Zoning Bylaw* based on an average of the existing front yard setbacks of abutting properties.

### 3.2 Proposed Lot B (Heritage House)

The proposed HRA development provides for retention of the existing heritage house on Lot B, to be designated as a City heritage site through adoption of a Heritage Designation Bylaw. The exterior of the heritage house will be restored as outlined in the Heritage Conservation Plan attached to the February 27, 2023 Council report (*Attachment 1*). Conservation works include re-instatement of a covered front verandah, which is further described below in Subsection 3.3.

Proposed Lot B meets the lot area and lot width requirements of the *Zoning Bylaw*. However, several other variances have been proposed, and were included in the February 27, 2023 Council report advanced to Council through the CHC. A summary of the variances included in the report is provided below:

- Provide for a maximum above grade floor area (AGFA) of 440 m<sup>2</sup> (4,736.12 sq. ft.), which exceeds the maximum AGFA permitted under the *Zoning Bylaw* by 138.84 m<sup>2</sup> (1,494.46 sq. ft.). This variance would enable retention of the existing floorplan of the home with the addition of future development of a full height basement and two small additions to the rear of the house. The two small additions would total a maximum of 15.0 m<sup>2</sup> (161.46 sq. ft.).
- Permit a maximum height of 3 storeys and 9.75 m (32 ft.), which exceeds the maximum height permitted under the *Zoning Bylaw* by 0.75 m (2.46 ft.). This variance would provide for a future alteration to raise the house over a new foundation and create a full height basement.
- Permit a maximum lot coverage of 216 m<sup>2</sup> (2,325 sq. ft.), which exceeds the maximum lot coverage permitted under the *Zoning Bylaw* by 85.16 m<sup>2</sup> (916.65 sq. ft.). This variance accommodates the footprint of the existing heritage house with the addition of two small additions totalling a maximum of 15.0 m<sup>2</sup> (161.46 sq. ft.) to the rear of the house, the addition of a covered verandah at the front of the house, and a single car garage.

- Provide for siting of a garage in the side yard setback on the northeast side of the property, a minimum of 0.67 m (2.20 ft.) from the property line and 1.22 m (4 ft.) from the heritage house. This variance enables the development to include a covered, independent parking space for the heritage house that preserves use of the back yard and avoids attaching a new structure to the heritage house.
- Permit a front yard setback of 9.42 m (30.9 ft.), which exceeds the maximum front yard setback permitted based on front yard averaging by 0.37 m (1.21 ft.). This variance would permit retention of the existing non-conforming front yard setback.

**3.3 Proposed Lot B (Heritage House) – Projection into Front Yard Setback**

The Alice and Robert Travers Residence is a landmark heritage home, designed by notable architect Robert Mackay Fripp (who also designed the Fairacres buildings at 6344 Deer Lake Avenue, including the mansion that is now the Burnaby Art Gallery). The home originally included a covered front verandah, which was removed sometime after 1921. The Heritage Conservation Plan for retention and conservation of the resource provides for re-instatement of a covered verandah at the front of the residence as a heritage conservation measure to restore the architect’s original intent.

Re-instatement of the covered front verandah requires a variance to permit the verandah to project into the front yard setback. The February 27, 2023 Council report (*Attachment 1*), identified that a variance would be required to permit the re-instated verandah to project 2.06 m (6.76 ft.) into the front yard setback. Subsequently, it was discovered that the applicants did not include the full extent of the eaves of the proposed covered verandah on their topographical survey. A detailed review of the required variance was undertaken with the applicant, and the topographical survey (*Attachment 2*) was subsequently revised. As the entirety of the verandah forms a significant component of the structure’s heritage value the additional encroachment is considered supportable and necessary.

As noted on the revised topographical survey (*Attachment 2*), the proposed covered verandah would project 3.22 m (10.56 ft.) into the front yard setback.

This report recommends Council’s approval to authorize inclusion of a variance to permit the covered front verandah to project 3.22 m (10.56 ft.) into the front yard setback in the HRA Bylaw being advanced to Council for this proposed project.

**4.0 COMMUNICATION AND COMMUNITY ENGAGEMENT**

As the proposed HRA for the property will provide for variances to its R2 Zoning to accommodate the creation of an additional lot and increase the density for the heritage

house above the maximum above grade floor area permitted under the *Zoning Bylaw*, a Public Hearing is required.

**5.0 FINANCIAL CONSIDERATIONS**

Not applicable.

Respectfully submitted,

Lee-Ann Garnett, for E.W. Kozak, General Manager Planning and Development

**ATTACHMENTS**

Attachment 1 – Council Report, February 27, 2023

Attachment 2 – Topographical Plan

**REPORT CONTRIBUTORS**

This report was prepared by Lisa Codd, Planner 2 and reviewed by Lily Ford, Planner 3, Jennifer Wong, Assistant City Solicitor, Johannes Schumann, Director Development and Urban Design and Lee-Ann Garnett, Deputy General Manager Planning and Development.