



POLICY REPORT
DEVELOPMENT AND BUILDING

Report Date: February 5, 2015
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VanRIMS No.: 08-2000-20
Meeting Date: February 17, 2015

TO: Vancouver City Council

FROM: General Manager of Planning and Development Services in consultation
with the Director of Legal Services

SUBJECT: 1601 Comox Street - Grace Court - Heritage Designation

RECOMMENDATION

- A. THAT Council add the existing building at 1601 Comox Street (PID: 015-755-720, Lot 28, Block 59, District Lot 185, Plan 92 (the "site")), known as Grace Court (the "heritage building"), to the Vancouver Heritage Register in the 'B' evaluation category.
- B. THAT Council instruct the Director of Legal Services to bring forward for enactment pursuant to Section 593 of the *Vancouver Charter* a by-law to designate the exterior of the heritage building as protected heritage property.
- C. THAT Recommendations A and B be adopted on the following conditions:
 - (i) THAT the passage of the above resolutions creates no legal rights for the applicant or any other person, or obligation on the part of the City and any expenditure of funds or incurring of costs in relation thereto is at the risk of the person making the expenditure or incurring the cost; and
 - (ii) THAT the City and all its officials shall not in any way be limited or restricted in the exercise of their authority or discretion, regardless of when they are called upon to exercise such authority or discretion.

REPORT SUMMARY

The purpose of this report is to seek Council approval to add the existing heritage building at 1601 Comox Street (Grace Court) to the Vancouver Heritage Register in the 'B' evaluation

category, and to designate the exterior of the heritage building as protected heritage property. Under Development Permit Application Number DE418103 (the "DP Application"), the heritage designation of Grace Court is required as a condition of approval. The General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations in this report.

COUNCIL AUTHORITY

Pursuant to Section 582 of the *Vancouver Charter* authorizes Council to establish, by resolution, a heritage register identifying real property that Council considers to be heritage property and, by resolution, to add such properties to the register from time to time.

Pursuant to Section 593 of the *Vancouver Charter*, Council may, by resolution, designate heritage buildings and other heritage resources within the City of Vancouver as being protected heritage properties.

Pursuant to section 595 of the *Vancouver Charter*, if sought, Council is required to compensate an owner of property being designated as a protected heritage property for any reduction in market value caused by the designation. Often this, along with additional compensation to offset rehabilitation costs, is achieved by way of discretionary approvals granted under the applicable District Schedule of the City's *Zoning and Development By-law No. 3575* (the "*Zoning and Development By-law*") where supportable under adopted policy.

The proposed heritage designation requires Council approval at public hearing and by-law enactment pursuant to Sections 593 and 594 of the *Vancouver Charter*.

The following Council policies are relevant for this report:

- *Heritage Policies and Guidelines (April, 1991)*

The *Heritage Action Plan*, which was approved in December 2013, responds to citizen and Council desire to encourage and support heritage conservation in the City. A number of actions were approved including the use of available tools to conserve the City's heritage resources.

GENERAL MANAGER'S COMMENTS

The General Manager of Planning and Development Services RECOMMENDS approval of A, B, and C.

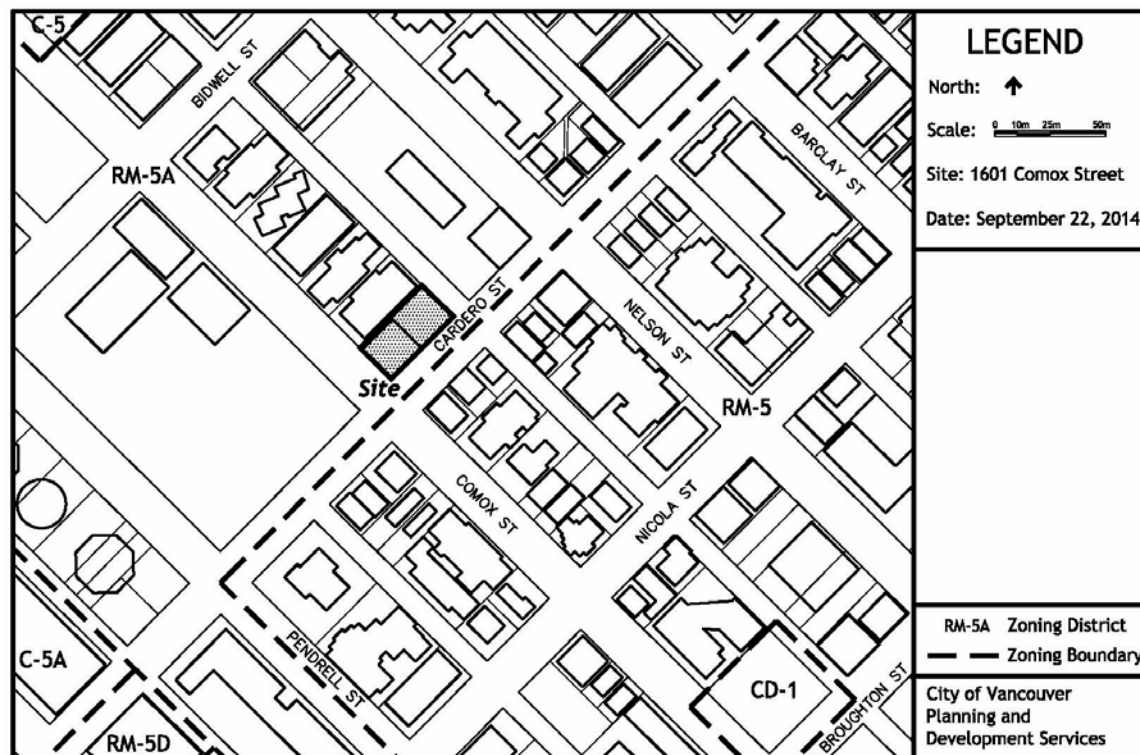
STRATEGIC ANALYSIS

In February, 2014, Council approved amendments to the *RM-5 Zoning District Schedule* of the *Zoning and Development By-law* to implement provisions developed out of the West End Community Plan adopted in December, 2013, including those for infill development which require that "... existing buildings, landmarks or features on the site which are listed on the *Vancouver Heritage Register* or may have heritage value must be conserved, to the satisfaction of the Director of Planning." The proposed heritage designation of the exterior of the heritage building is consistent with these provisions.

Site and Context

The site is located in the West End neighbourhood in an area zoned RM-5A (see Figure 1). The *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule of the Zoning and Development By-law* which applies to the site permits the conversion of existing buildings into suites, as well as construction of apartment buildings, townhouses, and infill development. The total area of the site is 802 square metres (8,638 square feet).

Figure 1 - Site and surrounding zoning



Heritage Value

Grace Court is valued as one of the earliest high-rise apartment buildings in Vancouver's West End and was constructed in 1912 at the height of the Edwardian building boom, which lasted from 1910 to 1913, for executives of the Canadian Pacific Railway (CPR). It displays a rich combination of Arts and Crafts design with the requirements of tall building construction. Grace Court was the tallest building in the area at the time, and originally housed twenty-five spacious rental apartments. The simple plan, with a central corridor, allowed for an efficient interior layout. Many elegant interior features remain, including the marble stairs and paneling in the vestibule and wood paneling and coffered ceilings within the apartments (see Appendix A).

Grace Court is additionally significant as the only known high-rise apartment designed by architect R. MacKay Fripp. A leading designer of the time and a proponent of the Arts and Crafts Movement, during the course of his career, Fripp was responsible for impressive buildings on three continents. Unlike the Victorian complexity of some of his work, Grace Court is simple, symmetrical, and understated. Grace Court is also valued for its association with its original owner Dudley D. Hutchinson who developed some of the City's earliest high-rise buildings including the Hutchinson Block located at 429 West Pender Street, built in 1909. The brick walls of Grace Court (see Appendix B) have been covered in stucco but otherwise the building has changed little in over one hundred years.

It is proposed that the exterior of the heritage building be added to the Vancouver Heritage Register in the 'B' evaluation category.

DP Application and Proposed Designation

On November 17, 2014, the Development Permit Board provided preliminary approval of the DP Application (see <http://vancouver.ca/files/cov/committees/minutes-development-permit-board-20141117.pdf>, addressed as 1071 Cardero Street) for interior alterations to the heritage building at the basement level and construction of a new four storey Infill Multiple Dwelling containing eleven Dwelling Units at the rear of the site (see Appendix D). This approval is subject to certain conditions to be fulfilled by the owner of the site prior to issuance of the development permit, including a condition that the owner agree to the heritage designation of the exterior of the heritage building and enter into a heritage conservation agreement. All Dwelling Units (sixteen existing and eleven in the new infill building) are to be used as rental residential accommodation and will be secured through a housing agreement as a condition of the DP Application approval.

Section 5.3 of the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule* provides that the Development Permit Board may relax the regulations for Infill Multiple Dwellings as set out in the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule* (including Floor Space Ratio (FSR) and the height of the infill building - see Appendix C for a summary of these relaxations), provided that, in addition to the housing agreement which is also a condition of approval for this development, "... *existing buildings, landmarks or features on the site which are listed on the Vancouver Heritage Register or may have heritage value must be conserved, to the satisfaction of the Director of Planning.*" Seeking both the heritage designation of the exterior of the heritage building and the execution of a heritage conservation agreement as conditions of approval of the development as proposed is consistent with this provision. The General Manager of Planning and Development Services is prepared issue a development permit pursuant to the DP Application should Council approve the recommendations of this report and enact the heritage designation by-law provided the owner also fulfills all other conditions of the approval of the DP Application.

Compatibility with Existing Zoning and Land Use Regulations

The Intent of the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule* is to:

"... permit a variety of residential developments and some compatible retail, office, service and institutional uses. Emphasis is placed on achieving development which is compatible with neighbouring development with respect to streetscape character, open spaces, view retention and sunlight access."

The project is consistent with the intent of the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D District Schedules*. The proposed infill building complies with the guidelines applicable to the site and is compatible with surrounding development, and conservation of the heritage building enhances streetscape character.

Condition of the Heritage Building and Conservation Approach

The heritage building is in good condition and will only require minor repairs and upgrades. Staff have concluded that the rehabilitation scheme is consistent with the federally adopted *Standards and Guidelines for the Conservation of Historic Places in Canada*.

Comments from the Vancouver Heritage Commission

On January 12, 2015, the Vancouver Heritage Commission reviewed the proposed heritage designation and supported it (see Appendix D).

Public Benefits

Development Cost Levies (DCLs): DCLs collected from development help pay for facilities made necessary by growth, including parks, childcare facilities, replacement housing (social/non-profit housing) and various engineering infrastructure. The site is subject to the City-wide DCL rate of \$138.53/m² (\$12.87/sq. ft.) On this basis, a DCL of approximately \$119,000 is anticipated. DCLs are payable at building permit issuance and are subject to an annual inflationary adjustment which takes place on September 30 of each year.

Heritage: The owner has offered to conserve Grace Court and to accept the designation of its exterior as protected heritage property, which is a highly valued community feature, in return for approval of the DP Application. No variances of the zoning applicable to the site are required. If approved, the heritage designation will be effected by a Heritage Designation By-law.

See Appendix F for a summary of the public benefits that would be achieved should this application be approved.

Financial Implications

As noted in the section on Public Benefits, the site is within the City-wide DCL District and it is anticipated that the applicant will pay approximately \$119,000 in DCLs should the DP Application be approved and the project proceed.

Proforma Evaluation

The review of the applicant's proforma is not required as no by-law variances are proposed to offset the costs of the rehabilitation and conservation of the heritage building, and a Heritage Revitalization Agreement is not required.

Environmental

The City's *Green Buildings Policy for Rezonings* does not apply to the project as a rezoning or Heritage Revitalization Agreement is not proposed or required. However, the project will

comply with all requirements under the Vancouver Building By-law related to green building initiatives.

Legal

Section 595 of the *Vancouver Charter* requires that, if sought, Council must compensate an owner for any reduction in the market value caused by a heritage designation. The owner is to sign an agreement to be registered on title to the site explicitly accepting approval of the development permit application for the project as full compensation for the heritage designation of the heritage building. The agreement will be registered on title following Council's enactment of the by-law authorizing the Designation By-law and before a development permit for the project may be issued.

CONCLUSION

The approval of the proposed addition to the Vancouver Heritage Register of Grace Court at 1601 Comox Street and its heritage designation will ensure that the heritage building is rehabilitated and protected from exterior alterations which affect its heritage value, and from demolition. The owner has agreed to accept the approval of the DP Application as compensation for the heritage designation of Grace Court. The General Manager of Planning and Development Services is prepared to approve the DP Application should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the addition of Grace Court at 1601 Comox Street to the Vancouver Heritage Register in the 'B' evaluation category and its heritage designation.

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1601 Comox Street
PHOTOGRAPHS



Photo 1: 1601 Comox Street circa 1912



Photo 2: 1601 Comox Street circa 2013



Photo 3: 1600 - 1700 Block Comox Street and West End Circa 1912

Grace Court, on the far right, was one of the first tall buildings in the West End, setting a trend which continues to this day. At the time the West End was primarily occupied by houses and mansions. Stanley Park is visible in the background.



Photo 4: Suite in Grace Court

Most of Grace Court's suites feature original layouts and details (photo circa 2013).

1601 Comox Street
IMAGES

SIX-STOREY APARTMENT HOUSE
TO BE ERECTED IN WEST END



South Elevation, *Vancouver Daily Province* August 24, 1912, page 24.

Image 1: Newspaper Advertising of Grace Court, August 24, 2012

1601 Comox Street
TECHNICAL SUMMARY FROM DEVELOPMENT PERMIT BOARD REPORT

Table A

	PERMITTED	EXISTING	PROPOSED
Site Size	-	-	65.98 ft. x 130.92 ft.
Site Area	-	-	8,638 sq. ft.
Floor Area (Max.)	17,276 sq. ft. ¹	29,943 sq. ft.	Multiple Dwelling (Existing) 29,943 sq. ft. Infill MD (New) 9,247 sq. ft. Total 39,190 sq. ft.
FSR ¹ (Max.)	2.0	3.47	Multiple Dwelling (Existing) 3.47 Infill MD (New) 1.07 Total 4.54
Height (Max.)	40 ft. (Infill) ²		Top of Parapet Wall (Infill) 43.47 ft. Top of Elevator/Stair (Infill) 47.97 ft.
Front Yard (Min.)	12.14 ft.	0 ft.	0 ft.
Side Yards (Min.)	MD - East 6.89 ft. MD - West 6.89 ft. Infill - East 3.00 ft. Infill - West 3.00 ft.	MD - East 0 ft. MD - West 1.67 ft.	MD - East 0 ft. MD - West 1.67 ft. Infill - East 4.00 ft. Infill - West 3.00 ft.
Rear Yard (Min.)	Infill 2.00 ft. ³		Infill 1.08 ft.
Separation between buildings (Min.)	20.00 ft. ⁴		20.00 ft.
Site Coverage (Max.)	50% (4,319 sq. ft.) ⁵		--- % (- - - sq. ft.)
Parking (Min.)	M.D. 20 Spaces ⁶ Infill 6 Spaces Total 26 Spaces (2 - Disability)	14 Spaces	1 - Car Share (Counts x5) 5 Spaces 1 - Standard 1 Spaces 1 - Small Car 1 Spaces Total with Bonuses = 7 Spaces
Bicycle Parking (Min.)	Class A ⁷ Class B Total 34 6		Total Class A Class B 22 0
External Design	Residential windows that open shall be more than 14.76 ft. from rear property line; ⁸		- Not compliant with 1 st and 2 nd floor dwelling units facing lane;
Use		- Multiple Dwelling with 16 Units	- Infill Multiple Dwelling with 11 Dwelling Units - Multiple Dwelling with 16 Dwelling Units
Unit Type	50% of Units in Infill Multiple Dwelling to have 2 or more bedrooms & 10% of units to have 3 or more bedrooms; ⁹		Proposed Infill: One bedroom: 6 Two bedroom: 4 Three bedroom: 1

¹ **Note of Floor Area and FSR:** Section 5.3 of the *RM-5, RM-5A, RM-5B, RM-5C and RM-5D Districts Schedule of the Zoning and Development By-law* allows the Development Permit Board to relax the regulation in Section 4.7 allowing a Floor Area/FSR that considers the intent of the RM-5A District Schedule and all applicable policies and guidelines.

² **Note on Height:** Discretionary height increases are supported to provide a commonly accessible rooftop amenity space for the Infill Multiple Family Dwelling.

³ **Note on Rear Yard:** Standard conditions of approval of the DP Application which must be met by the Owner will result in compliance with minimum required rear yard.

⁴ **Note on Separation between buildings:** The above-noted standard condition of approval that will result in compliance with the minimum required rear yard will result in a non-compliant separation between buildings. Further standard conditions of approval that must be met by the Owner seek compliance with this regulation.

⁵ **Note on Site Coverage:** Standard conditions of approval of the DP Application which must be met by the Owner will result in confirmation of site coverage.

⁶ **Note on Parking:** Proposed parking is supportable.

⁷ **Note on Bicycle Parking:** Standard conditions of approval of the DP Application which must be met by the Owner will result in compliance with Section 6 of the *Parking By-law* and 13 spaces are required to be provided;

⁸ **Note on External Design:** Section 5.3 of the RM-5 District Schedule allows the Development Permit Board to relax the regulation in Section 4.17.1 allowing residential units with windows closer than 14.76 ft. to a lane, considering the intent of the RM-5A District Schedule and all applicable policies and guidelines.

⁹ **Note on Unit Type:** Standard conditions of approval of the DP Application which must be met by the Owner will result in compliance with Section 5.3(c) of the RM-5A District Schedule.

1601 Comox Street
RENDERINGS OF PROPOSED DEVELOPMENT



North Corner



East Corner

**1601 Comox Street
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS**

On January 12, 2015, the Vancouver Heritage Commission reviewed the proposed addition of Grace Court at 1601 Comox Street to the Vancouver Heritage Commission and the heritage designation of the building and resolved the following:

THAT the Vancouver Heritage Commission requests any infill applications adjacent to potential heritage buildings in the West End, rental or not, be brought to the Commission for review. While the Commission understands that the zoning may not require a Heritage Revitalization Agreement, the Commission requests that the Director of Planning require a Statement of Significance and a Conservation and Maintenance Plan for the potential heritage building and that the Director of Planning require registration and designation when appropriate.

CARRIED UNANIMOUSLY

THAT the Vancouver Heritage Commission requests 1601 Comox Street and 1546 Nelson Street be brought back to the Commission for review with a Conservation and Maintenance Plan. The Commission asks that the Conservation Plan address the character defining elements including the cornice and lintels at 1601 Comox Street, and the siding and upper pane of the double hung windows on the front including the missing mutton bars at 1546 Nelson Street, as presented at its meeting on January 12, 2015.

CARRIED UNANIMOUSLY

Staff Comments:

The processing of applications for infill development under the provisions of the applicable zoning and the West End Community Plan, adopted in December, 2013, is still being refined. The Director of Planning will consider the requirements for a Conservation Plan and Statement of Significance for applications involving heritage conservation and infill development as permitted in the RM-5 zoning, and will require that the Vancouver Heritage Commission review such application in advance of the development of conditions for the development application approval.

The cornice and lintel repair and rehabilitation for 1601 Comox Street will be addressed in the final design development of the project prior to issuance of the development permit.

1601 Comox Street
PUBLIC BENEFITS SUMMARY

Project Summary:

Rehabilitation and conservation of a heritage building and construction of a new infill building.

Public Benefit Summary:

The project would result in the conservation and long-term protection of a heritage resource.

	Current Zoning	Proposed
Zoning District	RM-5A	RM-5A
FSR (site area = 802 m ² (8,638 sq. ft.))	2.0	4.54
Buildable Floor Area	1,606 m ² (17,276 sq. ft.)	3,637 m ² (39,190 sq. ft.)
Land Use	Residential (Rental)	Residential (Rental)

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed DE (\$)
Required*	DCL (City-wide) (See Note 1)	0	119,000
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
Offered (Community Amenity Contribution)	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage (see Note 2)		0
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
TOTAL VALUE OF PUBLIC BENEFITS		\$0	\$119,000

Other Benefits (non-market and/or STIR)

Note: DCLs, Public Art and Social Housing may have exemptions and/or minimum thresholds for qualification. For the City-wide DCL, revenues are allocated into the following public benefit categories: Parks (41%); Replacement Housing (32%); Transportation (22%); and Childcare (5%). Revenue allocations differ among Area Specific DCL Districts.

Note 1: DCLs do not apply to existing floor area which in this case is 2783 m² (29,943 sq. ft.). A value of zero is recorded under the Value if built under Current Zoning column as it is assumed the building would be retained as it is "over-developed" for the site.

Note 2: No variances are proposed to cover heritage costs and no financial / proforma review is required; therefore the value recorded is zero dollars.