



**POLICY REPORT  
DEVELOPMENT AND BUILDING**

Report Date: October 26, 2016  
Contact: Anita Molaro  
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VanRIMS No.: 08-2000-20  
Meeting Date: November 15, 2016

TO: Vancouver City Council

FROM: General Manager of Planning, Urban Design, and Sustainability in  
consultation with the Director of Legal Services

SUBJECT: Heritage Designation - 1102 Commercial Drive (Florida Market)

**RECOMMENDATION**

- A. THAT Council instruct the Director of Legal Services to bring forward for enactment, pursuant to Sections 593 and 594 of the *Vancouver Charter*, a by-law to designate as protected heritage property the exterior of the existing building at 1102 Commercial Drive (PID: 014-979-004; Lot 1, Except the East 8 Feet Now Lane, Block 37, District Lot 264A, Plans 1099 and 1771 (the “site”)), known as the Florida Market (the “heritage building”), which is listed on the Vancouver Heritage Register in the ‘B’ evaluation category.
- B. THAT Recommendation A 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 designate the exterior of the Florida Market at 1102 Commercial Drive, which is listed in the ‘B’ evaluation category on the

Vancouver Heritage Register, as protected heritage property. Under the current C-2C1 zoning applicable to the site, the existing building could be demolished and the site redeveloped with a density of up to 3.0 floor space ratio (FSR) without Council approval. As incentive and compensation to the owner for the heritage designation and conservation of the heritage building's exterior, certain discretionary zoning relaxations are proposed to permit the development as set forth in the Development Permit Application Number DE420153 (the "DP Application") and as described in this report. The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application should Council approve the recommendations of this report.

### **COUNCIL AUTHORITY**

Pursuant to Sections 593 and 594 of the *Vancouver Charter, Council*, by by-law, may designate real property, in whole or in part, as protected heritage property.

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 the market value of the property caused by the designation. Often this, along with additional compensation to offset rehabilitation costs incurred under is achieved by way of zoning relaxations so as to permit an otherwise impermissible development.

The proposed heritage designation for the exterior of the heritage building 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 applicable to the project:

- *Heritage Policies and Guidelines (May 1986, last amended September 2002)*

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 maximizing the use of available tools to conserve the City's heritage resources.

### **GENERAL MANAGER'S COMMENTS**

The General Manager of Planning, Urban Design, and Sustainability RECOMMENDS approval of A and B.

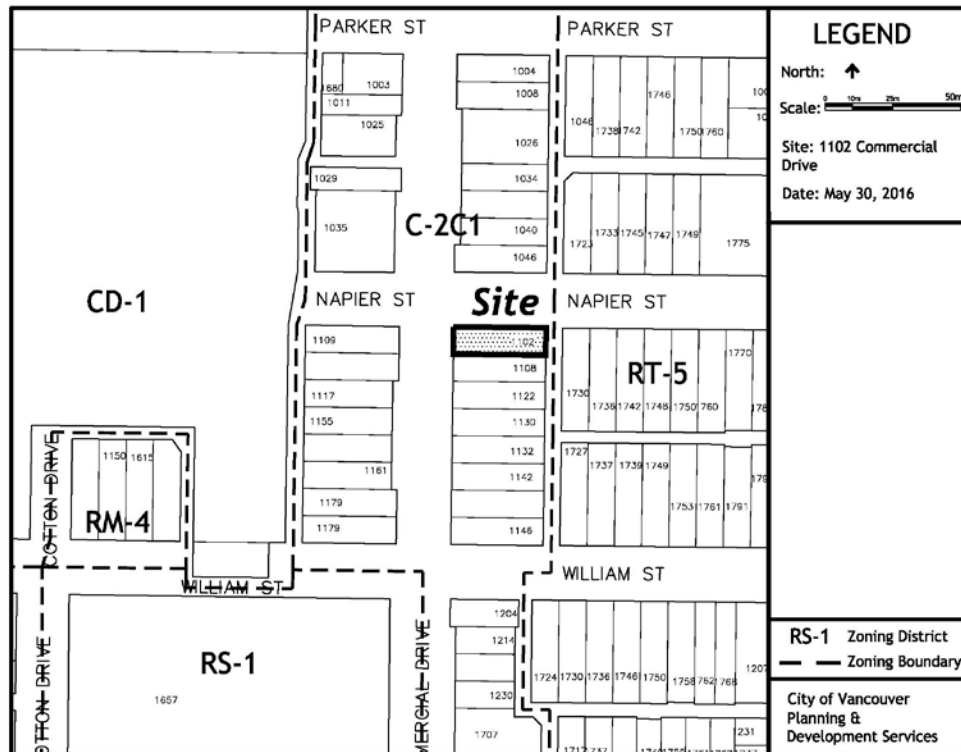
### **STRATEGIC ANALYSIS**

The *Grandview-Woodland Community Plan* (the "Plan"), approved by Council on July 28, 2016, states in section 11.1.1 that tools and incentives available through existing citywide heritage policies should be used to protect and recognize heritage resources within the Grandview-Woodland neighbourhood. The DP Application is consistent with the Plan in this regard, as well as the section dealing with policy directions for the north end of Commercial Drive in which 1102 Commercial Drive is located. The General Manager of Planning, Urban Design, and Sustainability has concluded that the DP Application may proceed at this time while the policy development initiatives approved under the Plan are completed.

## Site and Context

The site is located in the Grandview-Woodland neighbourhood in an area zoned C-2C1 (see Figure 1). The *C-2C1 District Schedule of the Zoning and Development By-law* permits commercial and residential uses and a density of up to 3.0 Floor Space Ratio (FSR). The site area is 343 m<sup>2</sup> (3,700 sq. ft.) and a six metre (20 foot) wide lane exists at the rear of the property.

Figure 1: Site and Surrounding Zoning



## Heritage Value.

Constructed in 1908, and originally named the Main Grocery after its original owner, Alexander G. Main, who lived upstairs with his family until 1929, the heritage building is valued for its association with the early development of Commercial Drive in the Grandview-Woodland neighbourhood, and for its vernacular, Edwardian-era architecture (see Appendix A). The grocery store use existed for over a century. The ground floor was recently converted into a café. Since 1945 the heritage building has been known as the Florida Market, which is the name most familiar to the community, and the proposed name for the heritage building.

Design features include bay windows, trims, dentil coursing along a projecting cornice, a variety of wooden sash and frame windows, and double-hung windows on the second storey. Continuous transoms along the storefront were recently replicated based on archival photographs. The building also has original door assemblies on the north side. The site is listed on the Vancouver Heritage Register in the 'B' evaluation category.

### ***Development Application and Proposed Incentives***

The zoning applicable to the site is C-2C1, which allows up to 3.0 FSR. The DP Application proposes to construct a five storey, secured rental, residential addition behind the heritage building. A relaxation of the rear yard residential setback and a nominal height relaxation are proposed (see Table 1). The proposed density is 2.6 FSR which is less than the maximum permitted density of 3.0 FSR (see Appendices C and D). The proposal does not require a Heritage Revitalization Agreement, nor is a rezoning application required. Secured rental is not required for the proposal but the owner has agreed to secure the site for rental by a Housing Agreement.

**Table 1: Zoning Density, Setback, and Height Summary**

Item	Existing	Permitted or Required	Proposed
Rear Yard Setback - Ground Level	16.6 metres 54.5 feet	0.6 metres (2 feet) minimum	0.6 metres (2 feet)
Rear Yard Setback Residential	16.6 metres 54.5 feet	4.6 metres (15 feet) minimum	2.8 metres 9.2 feet
Height	7.62 metres 25 feet	13.8 metres (45.25 feet) maximum	14.5 metres (47.5 feet) mid block and 13.8 metres (45.25 feet) at the lane
Density	0.9 FSR 314 m <sup>2</sup> (3,375 sq. ft.)	3.0 FSR 1,030 m <sup>2</sup> (11,085 sq. ft.) maximum	2.6 FSR 889 m <sup>2</sup> (9,560 sq. ft.)

Staff have considered the potential impact of the proposed development with the variances proposed, the results of notification (see the Results of Neighbourhood Notification section), the conservation approach, and the compatibility of the development with the zoning (see Compatibility with Existing Zoning and Land Use Regulations), and conclude that the DP Application is supportable. The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application subject to Council approval of the recommendations of this report.

### ***Compatibility with Existing Zoning and Land Use Regulations***

The Intent of the *C-2C1 District Schedule* is to:

*“...is to provide for a wide range of goods and services, to maintain commercial activities and personal services that require central locations to serve larger neighbourhoods, districts or communities and to encourage creation of a district shopping area by increasing the residential component and limiting the amount of office use...”*

The application is consistent with the intent of the zoning. The proposal maintains commercial activity and provides residential uses.

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### ***Condition of the Heritage Building and Conservation Approach***

The heritage building is in very good condition and was recently rehabilitated. The work included the replication of the storefronts to match the original storefronts as determined from archival photographs (see Appendix A). Staff have concluded that the proposal is consistent with best conservation practices and supportable in this regard.

### ***Results of Neighbourhood Notification***

236 surrounding property owners were notified of the application. Forty-four responses were received. Seven responses expressed support and thirty-seven expressed opposition with concerns. Most concerns can be summarized as follows:

- The five storey proposal is out of character with the surrounding neighbourhood and not in compliance with the zoning and should not be supported;
- The proposal is a rezoning and provides the owner with undue benefit in terms of density and height;
- The increased height creates undue impacts on neighbouring properties, including traffic impacts in the lane; and
- The proposal will impact a large Chestnut tree on the boulevard which projects over the rear of the property.

The DP Application is not a rezoning. The density proposed is less than the maximum permitted in the zoning, and the height only marginally exceeds the permitted at the middle of the site due to the significant slope to the property, and is in compliance over most of the development (see Appendix C and Appendix D). The proposal will likely create nominal impacts on surrounding properties, including traffic and parking, but these will be commensurate with those which would be created by development permitted under the zoning without the relaxation proposed, and which would likely occur over time along Commercial Drive.

There are two chestnut street trees adjacent to the subject site and one of these may be removed and replaced. Staff concluded that if the chestnut street tree in question is retained, any rear addition would have to be limited to accommodate the large branch which covers the rear portion of the site. This would result in a significant reduction in density and would compromise the overall viability of any new development on the site, with or without the heritage building. Noting that the proposal meets Council objectives with regards to the provision of rental housing and the preservation and protection of a heritage resource, if required, staff would allow for the removal of the tree and its replacement as required under current policy. The other chestnut street tree adjacent to the heritage building is to be retained.

Staff considered the results of neighbourhood notification and concluded that the DP Application is supportable.

### ***Comments of the Vancouver Heritage Commission***

On June 2, 2016, the Vancouver Heritage Commission reviewed the DP Application and unanimously supported it (see Appendix E).

### ***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 in the City-wide DCL District of \$149.73/m<sup>2</sup> (\$13.91/sf). On this basis, a DCL of approximately \$86,000 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. When a DCL By-law with higher rates is introduced, a number of rezoning, development permit and building permit applications may be at various stages of the approval process. An application may qualify as an in-stream application and therefore may be exempt from DCL rate increases for a period of 12-months from the date of DCL bylaw rate amendment provided that it has been submitted prior to the adoption of annual DCL By-law rate adjustments.

If a related building permit application is not issued within the 12-month period, the rate protection expires and the new DCL rate will apply. See the City's DCL Bulletin for details on the DCL rate protection.

**Heritage:** The owner has offered to conserve the heritage building's exterior and to accept the designation of the heritage building's exterior as protected heritage property, which is a valued community feature. If approved, the designation will be effected by enactment of a Heritage Designation By-law and the owner will enter into an agreement (the "Restoration Covenant") which, among other things, will secure the conservation of the heritage building. The cost to the applicant of the proposed on-site heritage conservation is estimated to be approximately \$300,000

See Appendix G 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 applicant has offered the on-site conservation and rehabilitation of the heritage building's exterior which is valued at \$300,000.

The site is within the City-wide DCL District. It is anticipated that the applicant will pay approximately \$86,000 in DCLs should the application be approved and the project proceed.

### ***Proforma Evaluation***

As no variance of use or density is proposed, staff concluded that no proforma analysis is required in this case.

### ***Environmental***

The City's *Green Buildings Policy for Rezonings* does not apply to the DP Application as a Heritage Revitalization Agreement is not required. However, the project will comply with the *Vancouver Building By-law* with respect to energy utilization and other green building provisions.

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### **Legal**

The zoning relaxations proposed will provide an improved development potential on the site. The owner's proposal to conserve the heritage building, and accept the designation of the heritage building's exterior as protected heritage property in exchange for obtaining the relaxations needed to get that improved development potential, will be appropriately secured as legal obligations contained in the Restoration Covenant to be registered on title to the site so as to enable the City to enforce those obligations and ensure that they will be fulfilled at the owner's expense.

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 has signed the Restoration Covenant and in doing so has explicitly accepted the zoning relaxations to be provided, and the resulting development advantages to be gained thereby, as full compensation for the heritage designation of the heritage building's exterior and the obligations to conserve it. The Restoration Covenant will be executed by the City and registered on title before a development permit for the project may be issued.

### **CONCLUSION**

The approval of the heritage designation of Florida Market's exterior at 1102 Commercial Drive will ensure that the heritage building is conserved, and protected from demolition and from alterations which might affect its heritage value. The owner has agreed to accept the proposed relaxations under the DP Application as compensation for the designation of the heritage building's exterior as protected heritage property. The project will provide secured rental accommodation on the site, even though this is not required. The General Manager of Planning, Urban Design, and Sustainability is prepared to approve the DP Application should Council approve the recommendations of this report. Therefore, it is recommended that Council approve the heritage designation of the exterior of the Florida Market at 1102 Commercial Drive.

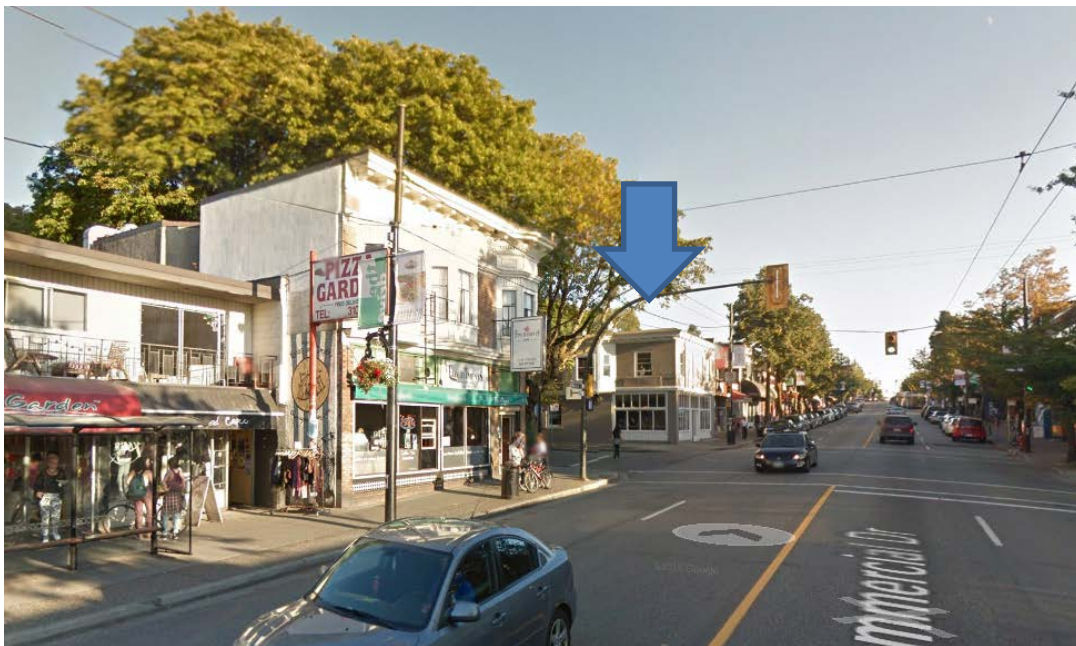
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1102 Commercial Drive  
PHOTOGRAPHS



Photo 1: The Florida Market circa 2016





**Photos 2 and 3: The Florida Market circa 1922 (top) and 2016 (bottom)**



Photo 4: The Florida Market circa 1954

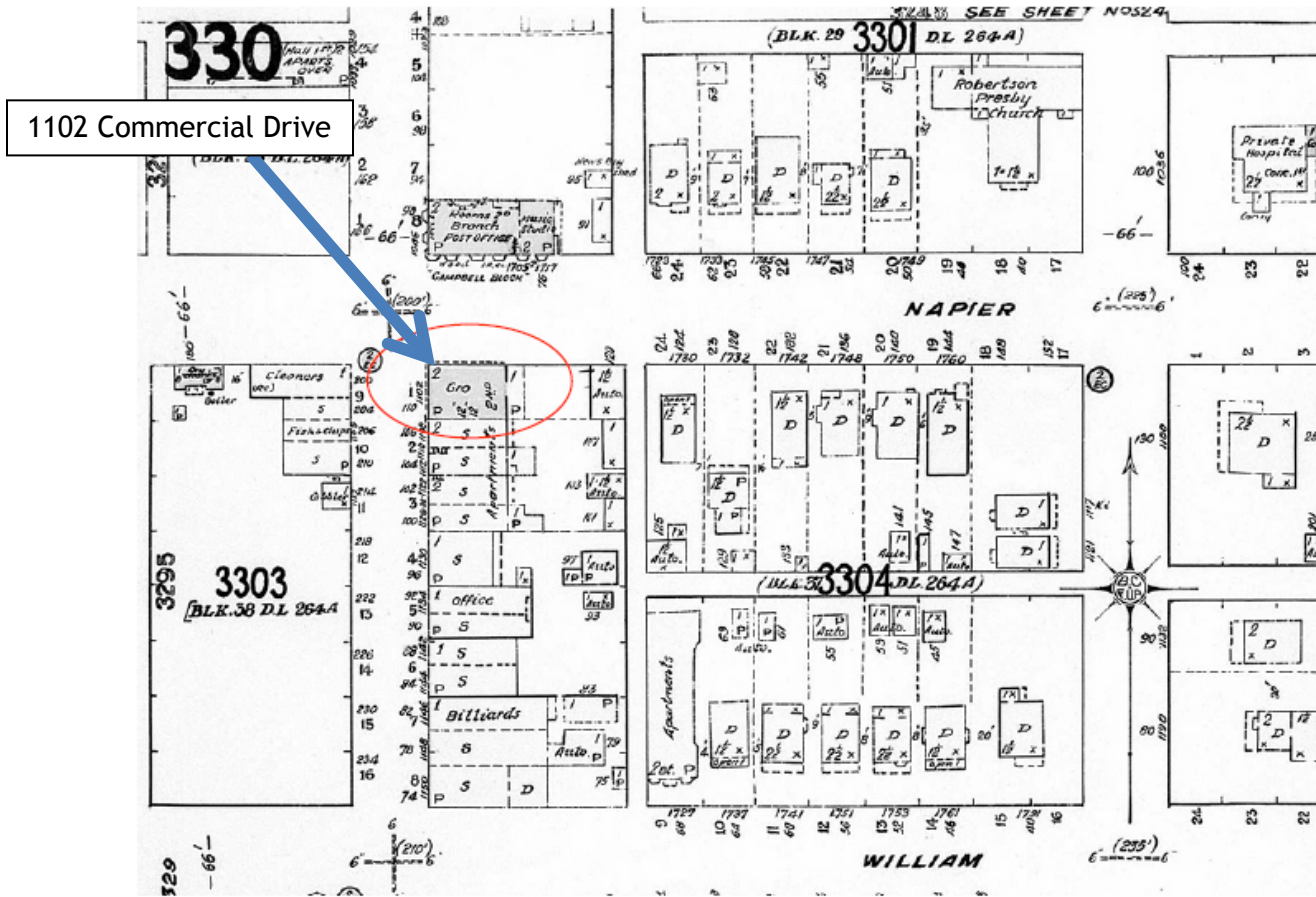


**Photos 5 and 6: The Florida Market circa 2016 (top) and 1954 (bottom)**

The building in the background at 1046 Commercial Drive still exists (minus pointy roof) and is also listed on the Vancouver Heritage Register.



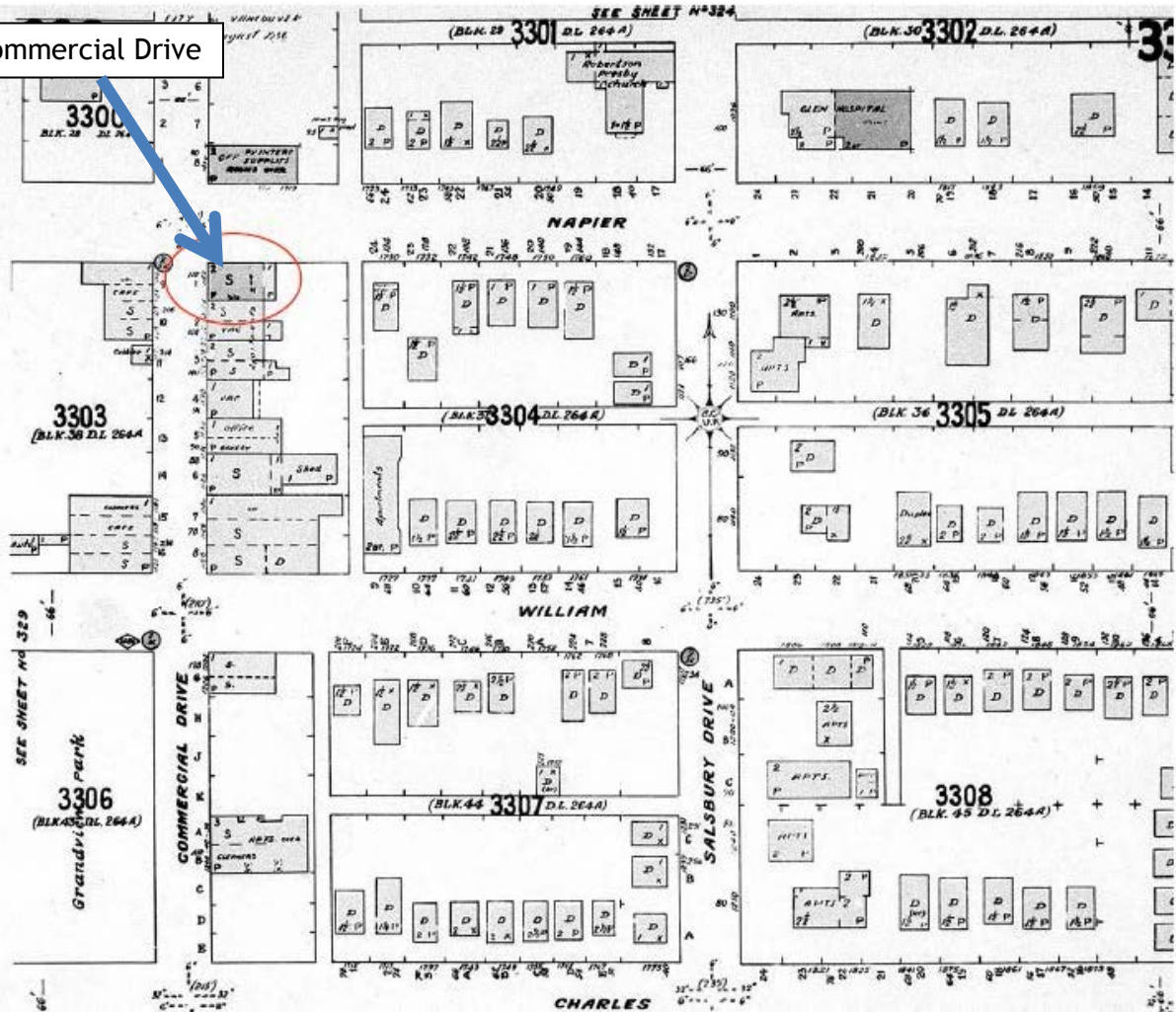
1102 Commercial Drive  
MAPS



1930 Vancouver Fire Insurance Map showing Main Grocery

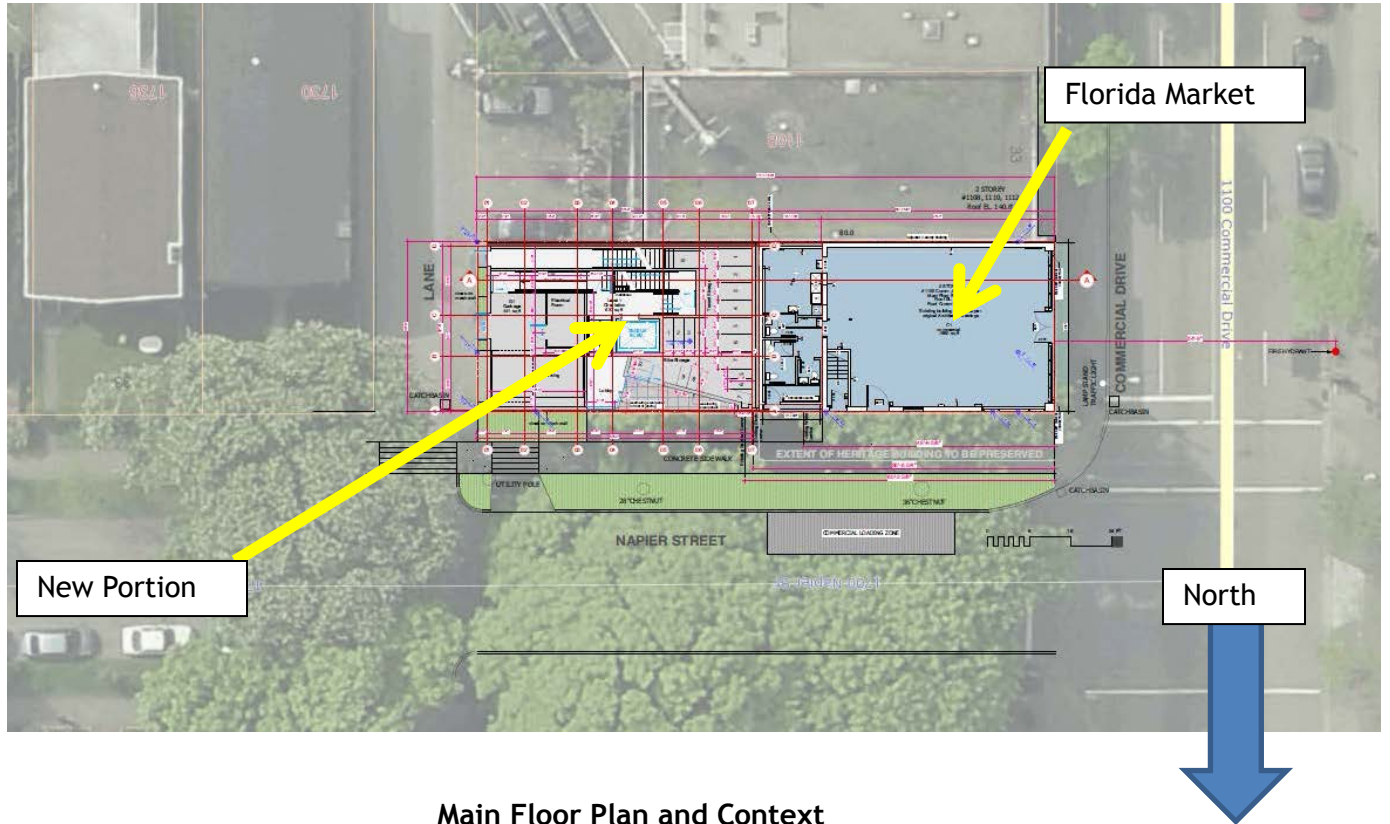
Fire Insurance Map circa 1930

1102 Commercial Drive

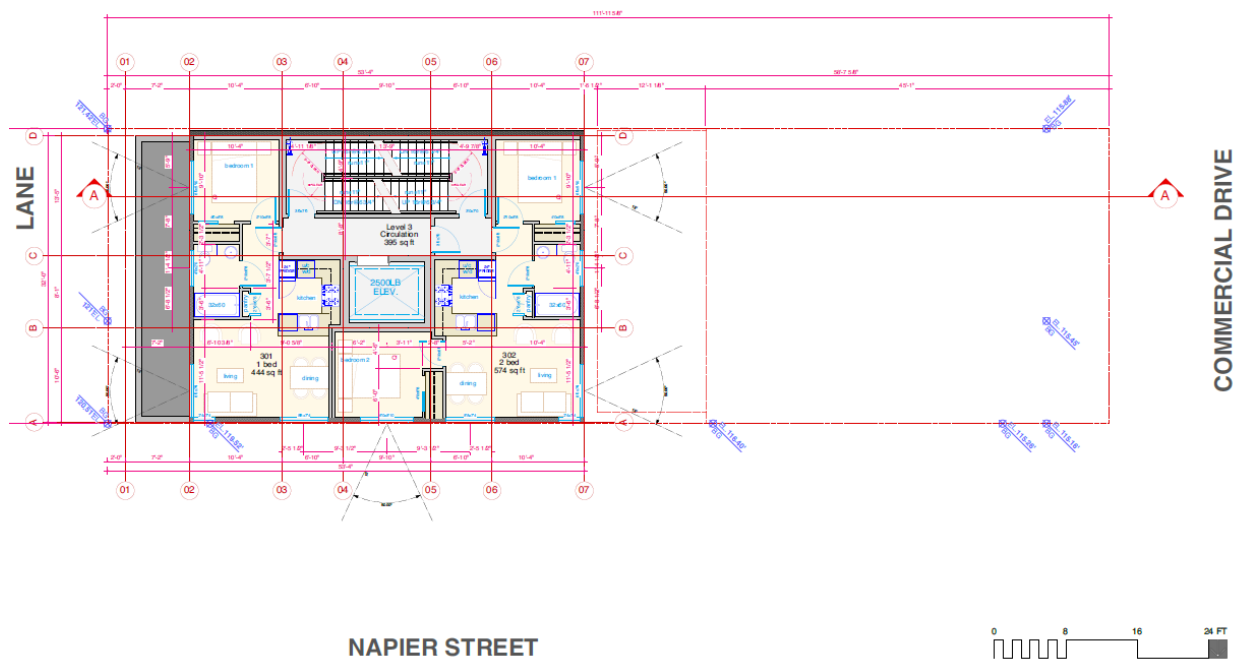
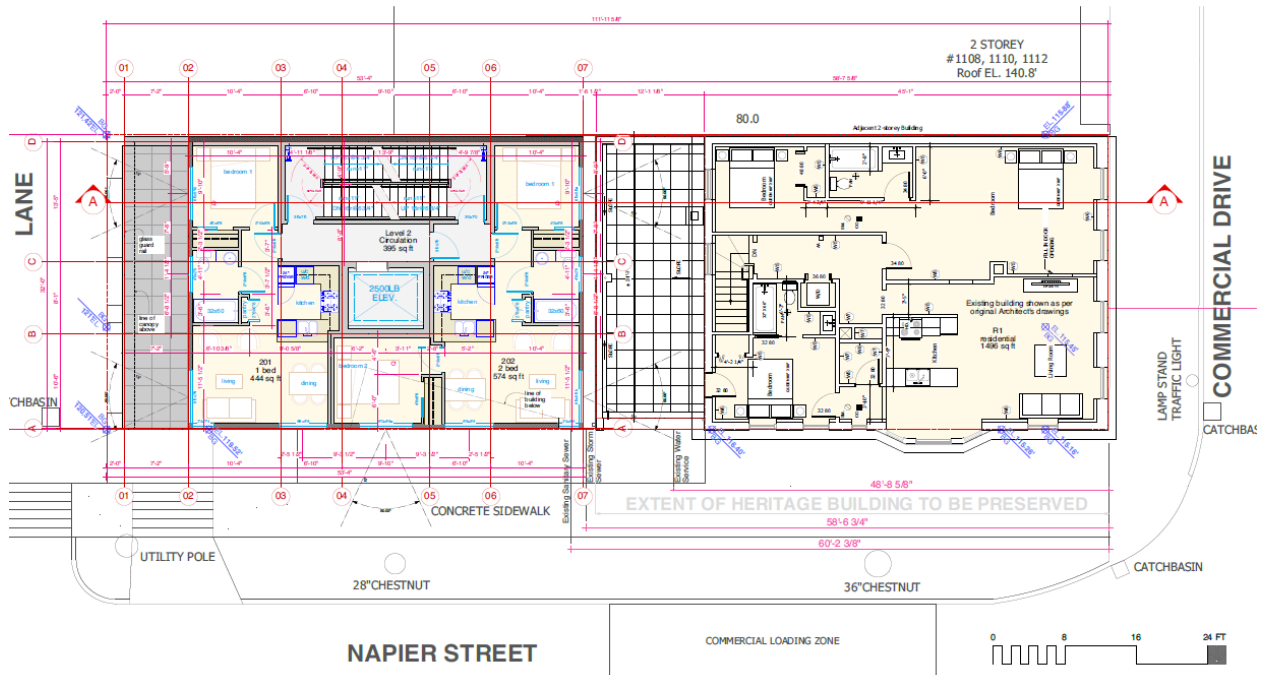


Fire Insurance Map circa 1956

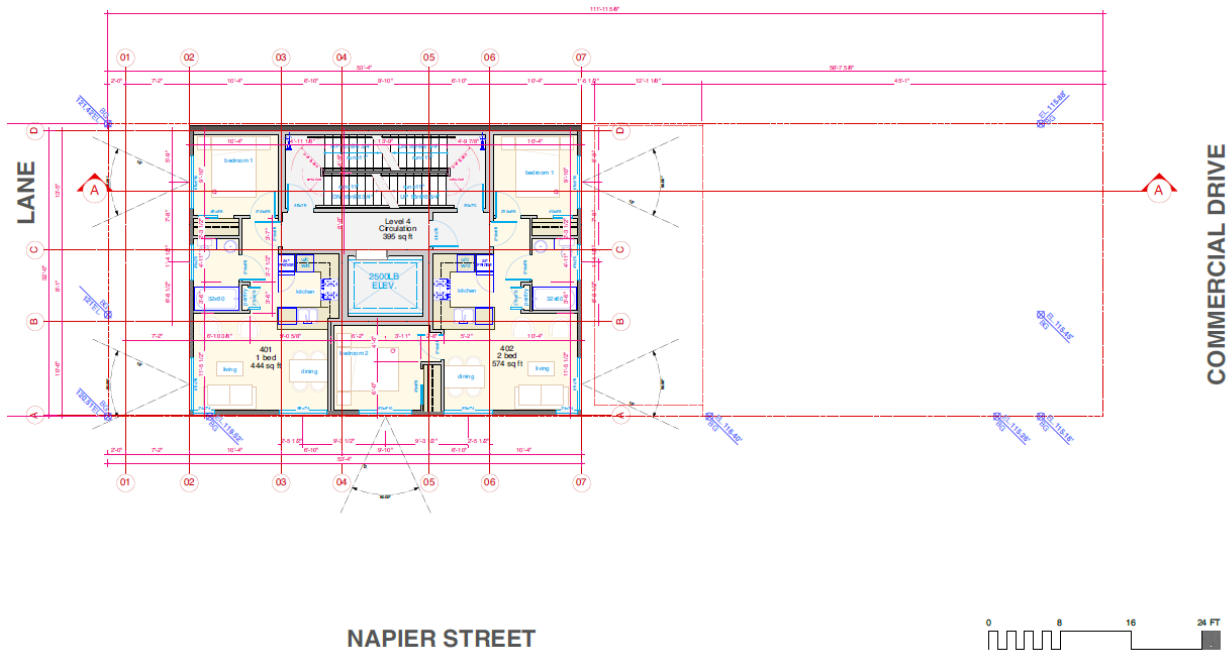
1102 Commercial Drive  
DRAWINGS



Main Floor Plan and Context

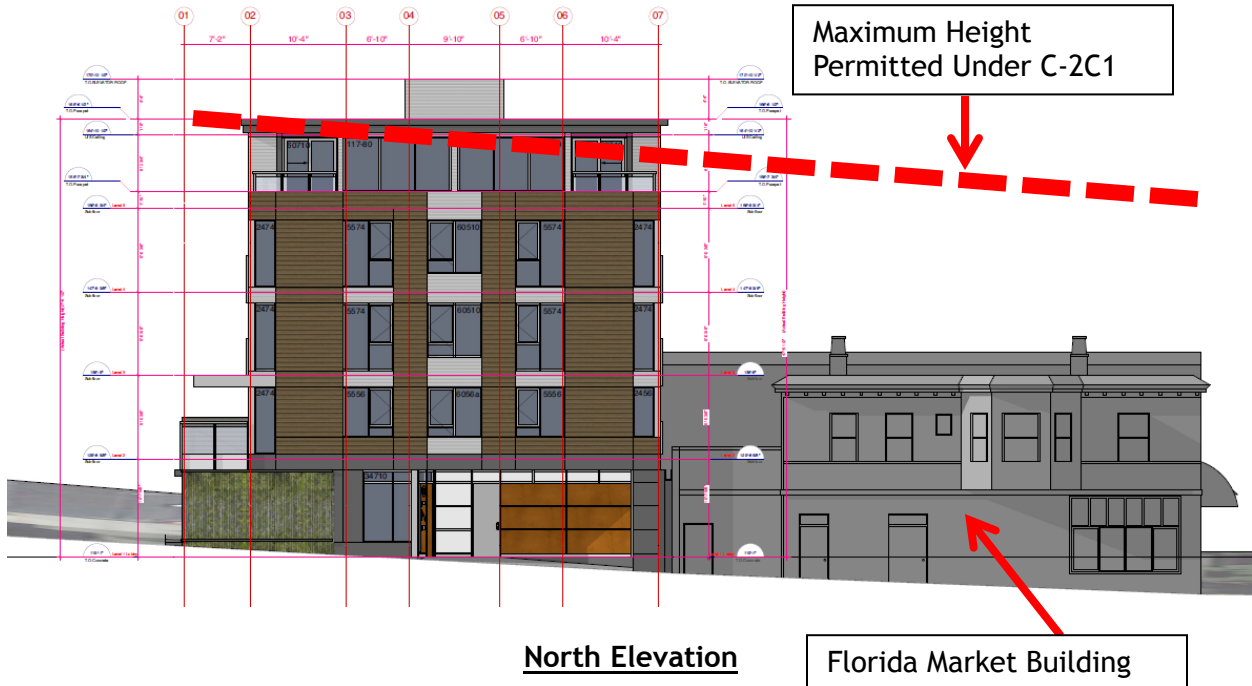


**Second and Third Floor Plans**



NAPIER STREET

**Typical Upper Floor Plan - New Building**



**North Elevation**

**Florida Market Building**





**East (Rear) Elevation**



**South Elevation**



Excerpts from Shadow Analysis



Rendering - Looking South-East from Napier Street

1102 Commercial Drive  
TECHNICAL SUMMARY

Table A

Item	Existing	Permitted or Required	Proposed
Rear Yard Setback - Ground Level	16.6 metres 54.5 feet	0.6 metres (2 feet) minimum	0.6 metres (2 feet)
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Density	0.9 FSR 314 m <sup>2</sup> (3,375 sq. ft.)	3.0 FSR 1,030 m <sup>2</sup> (11,085 sq. ft.) maximum	2.6 FSR 889 m <sup>2</sup> (9,560 sq. ft.)
Off-street Parking	2	3 residential spaces minimum	1 residential space
Bike spaces	None	11 minimum	11
Loading	1	1 minimum	1

**1102 Commercial Drive  
RESOLUTIONS OF THE VANCOUVER HERITAGE COMMISSION AND STAFF COMMENTS**

On June 2, 2016, the Vancouver Heritage Commission reviewed the proposal and resolved the following:

THAT the Vancouver Heritage Commission supports the proposal at 1102 Commercial Drive (1716 Napier Street) - 'Florida Market', to add a new 5-story rental building at the rear of the site;

FURTHER THAT the Commission recommends the applicant undertake design development to enhance the pedestrian experience on Napier Street.

PASSED UNANIMOUSLY

Staff Comments:

The applicant will review the design of the Napier Street façade for the new addition to address opportunities to improve the visual pedestrian experience on Napier Street.

**1102 Commercial Drive  
PUBLIC BENEFITS SUMMARY**

**Project Summary:**

Rehabilitation and conservation of a heritage building and construction of a residential addition.

**Public Benefit Summary:**

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

	Current Zoning	Proposed
Zoning District	C-2C1	C-2C1
FSR (site area = 343 m <sup>2</sup> (3,700 sq. ft.))	3.0	2.6
Buildable Floor Area	1,030 m <sup>2</sup> (11,085 sq. ft.)	889 m <sup>2</sup> (9,560 sq. ft.)
Land Use	Commercial and Residential	Commercial and Residential

Public Benefit Statistics		Value if built under Current Zoning (\$)	Value if built under Proposed HRA (\$)
<b>Required*</b>	DCL (City-wide) (See Note 1)	154,200	86,000
	DCL (Area Specific)		
	Public Art		
	20% Social Housing		
<b>Offered (Community Amenity Contribution)</b>	Childcare Facilities		
	Cultural Facilities		
	Green Transportation/Public Realm		
	Heritage		300,000
	Housing (e.g. supportive, seniors)		
	Parks and Public Spaces		
	Social/Community Facilities		
	Unallocated		
	Other		
<b>TOTAL VALUE OF PUBLIC BENEFITS</b>		<b>\$154,200</b>	<b>\$386,000</b>

**Other Benefits:** None

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. The existing heritage building's floor area is 314 m<sup>2</sup>.